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America, Great Britain & Europe
15th to 20th Centuries



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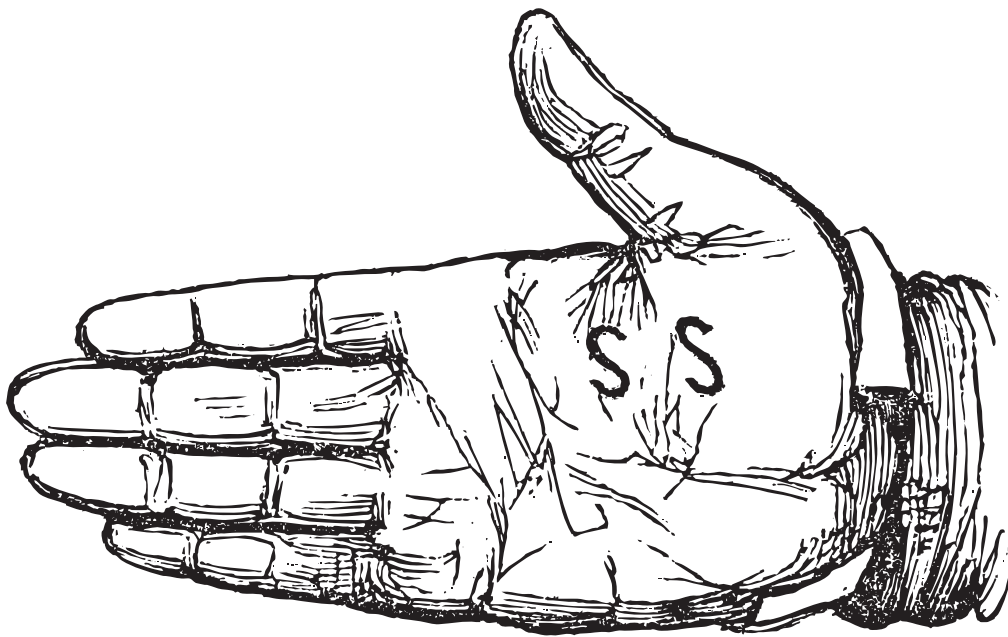
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RECENT ACQUISITIONS

Law Books & Manuscripts
America, Great Britain & Europe
15th to 20th Centuries

CATALOGUE 110



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THE
LAWBOOK EXCHANGE
LTD.

Clark, New Jersey
2025

Continental Europe



A RARE 1543 IMPRINT IN A LATE-MEDIEVAL MANUSCRIPT BINDING

1
Belviso, Jacobus de [c.1270-1335]; Descousou, Celse Hugues [1480-1540]; Puget, Honoré [fl. mid-16th century]. *Practica Iudiciaria Jac. de Bel. Visu. Sole[n]nis & Iudicibus Omnibus, Advocatis[ue] & Practicis Cu[n]ctis Nedu[m] Utilis: Immo Pernecessaria Practica Iudiciaria in Materis Criminalibus.* [Lyon?]: S.n., 1543. [xii], 112 ff. Main text in double columns. Octavo (6-3/4" x 4-3/4"; 17 x 12 cm). \$2,500.

Contemporary limp vellum using material from a fifteenth-century manuscript leaf, raised bands to spine. Some soiling and staining, a few faint annotations and markings in later hand, chipping to spine and corners, pastedowns loose. Title page printed in red and black with woodcut architectural border. Moderate toning to interior, faint dampstaining in places, light soiling and edgewear to leaves at front and rear of text block, early annotations, signatures and doodles to endleaves. A good copy of a rare imprint.

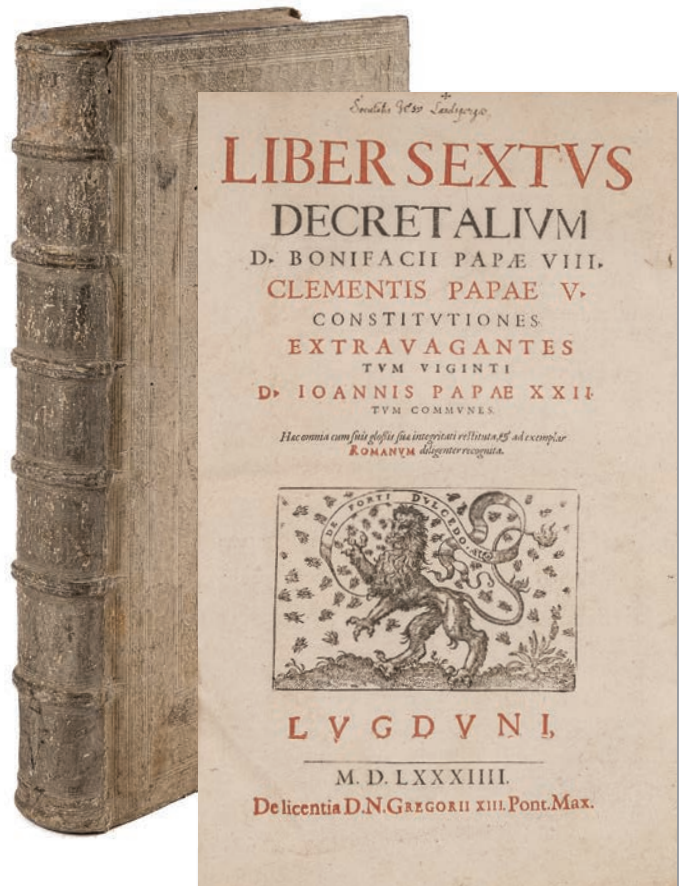
BORN AND EDUCATED at the University of Bologna, the leading law school of the medieval era, Belviso was a professor of law at the University of Naples. First printed in 1515, *Practica Iudiciaria*, a treatise on criminal law and procedure, is his best-known work (though his authorship is disputed in recent scholarship). It went through several editions, the last one in 1580.

The 1545 imprint is identical in format and pagination to four Lyon imprints printed in 1526, 1529, 1535 and 1543. Among the doodles in our copy are signatures of an "Andreas Georgio Tabilion Locana" and two inscriptions saying the book is intended "for use" by Locana "and his friends." The content of the manuscript leaf used for the binding is obscured by its condition.

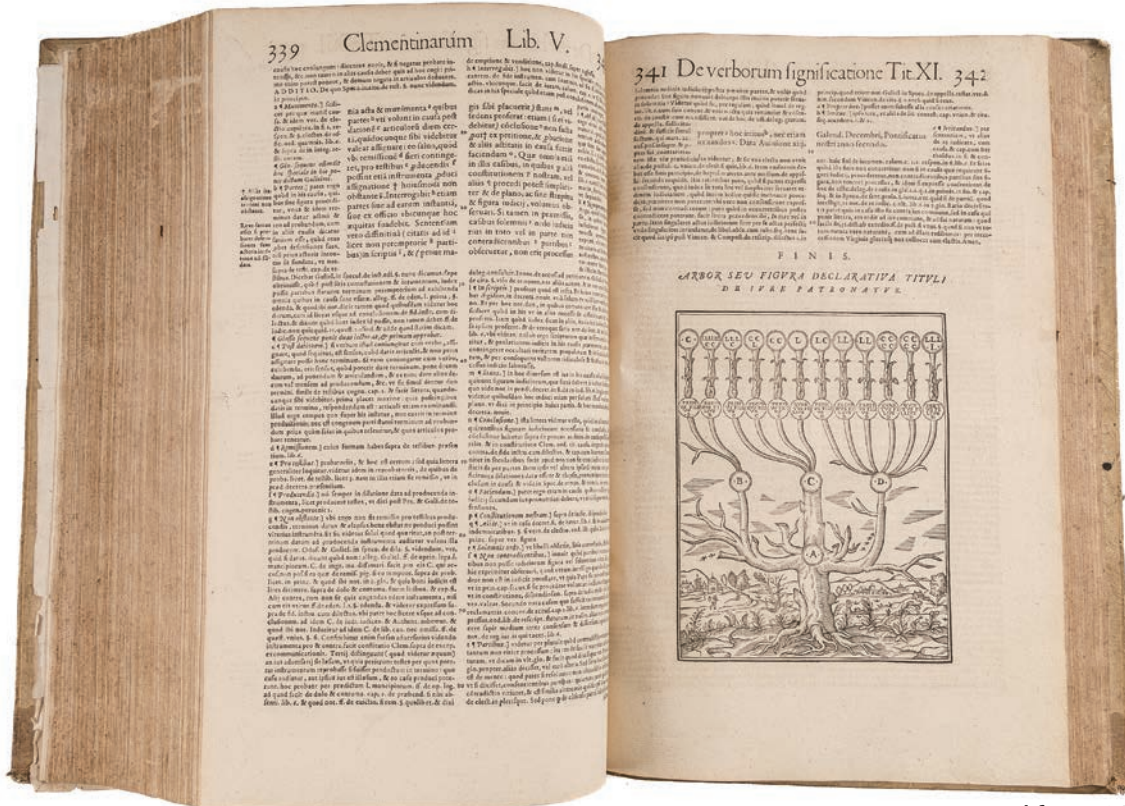
◆ OCLC locates no copies, OPAC SBN locates 2 (Biblioteca del Seminario, Padua; Biblioteca Diocesana, Todi). Not in Baudrier or the USTC.

A SCARCE 1584 PRINTING OF TEXTS FROM THE CORPUS JURIS CANONICI

2
Boniface VIII, Pope [c.1235-1303]; Clement V, Pope [c.1264-1314]; John XXII, Pope [1244-1334]; D'Andrea, Giovanni [c.1270-1348], Glossator. *Liber Sextus Decretalium D. Bonifacii Papae VIII. Clementis Papae V. Constitutiones Extravagantes tum Viginti D. Ioannis Papae XXII tum Communes. Haec Omnia cum Suis Glossis Suae Integritati Restituta, & Ad Exemplar Romanum Diligenter Recognita.* Lyon: De licentia D.N. Gregorii XIII. Pont. Max., 1584. [viii], 870, [6] pp.; 348; 364 cols., [22] pp. Folio (15-1/2" x 10"; 39.3 x 25.4 cm). \$2,500.



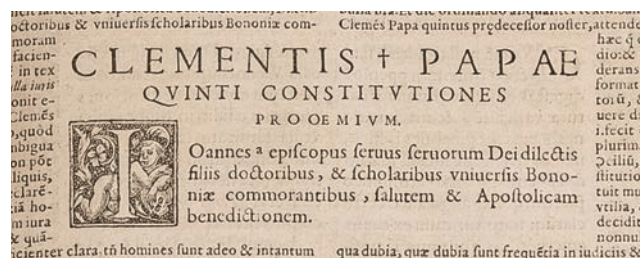
Nº 2



Detail from N° 2

Contemporary paneled pigskin, raised bands, blind fillets and faint hand-lettered title and shelf mark to spine, fragments of thong ties. Light soiling, faint staining and a few small marks to boards, moderate rubbing to extremities, corners bumped and moderately worn, spine darkened, minor worming to pastedowns, endleaves and adjacent leaves, including title page, front free endpaper detached and edgeworn. Title page, with large woodcut device, printed in red and black, full-page woodcut of Pope Boniface within historiated border depicting biblical figures and church fathers to verso of p. 4, large woodcut diagrammatic trees of family relations (*consanguinitatis, affinitatis*) to ¶1, ¶3 (pp. [1], [3] following *Liber Sextus*) and foot of L6 (cols. 341-342 of *Clementis*). Moderate toning to interior, faint dampstaining to margins in places, annotations and underlining in an early hand to a few leaves, later owner inscription of the Jesuit College of Landsberg am Lech, Bavaria to head of title page, which is lightly soiled. A very good copy of a scarce imprint.

THIS VOLUME collects several texts from the compilation known as the *Corpus Juris Canonici*: the *Liber Sextus*



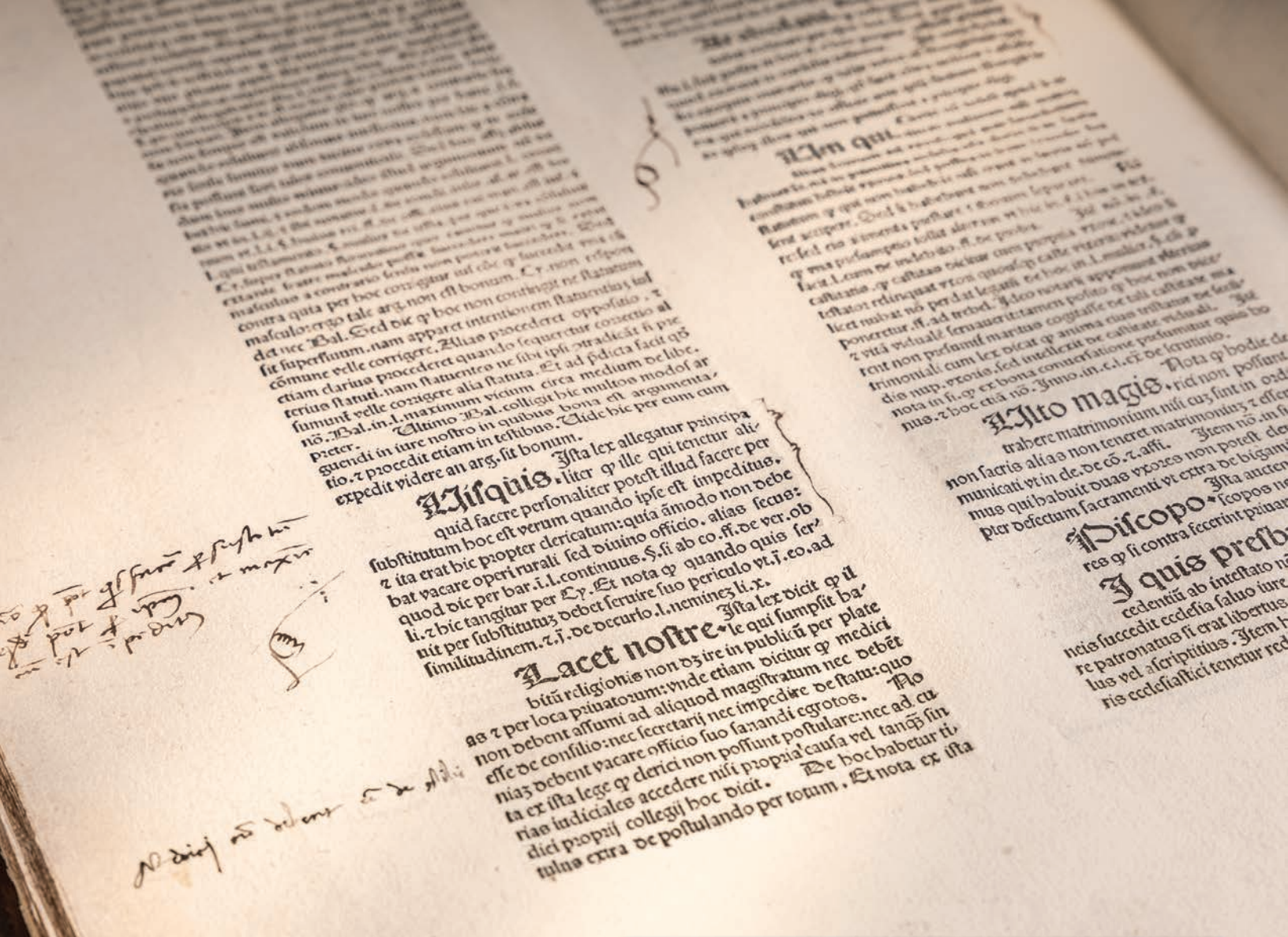
Detail from N° 2

Decretalium of Boniface VIII (1298); the *Liber Quinque Decretalium* of Gregory IX (1234); the *Liber Septimum Decretalium* of John XXII, better known as the *Constitutiones Clementis V* or simply *Clementinae* (1317); the *Extravagantes* of John XXII (1325); and the *Extravagantes Communes* of other popes to 1484. The texts in this volume are drawn from the edition produced between 1580 and 1582 by the *Correctores Romani*, a commission established by the Council of Trent. It remained the only authenticated collection of material for the Western Church until the Code of Canon Law in 1917.

D'Andrea was an eminent Italian canonist and professor of canon law at the University of Bologna. His principal writings circulated widely in manuscript and were among the earliest printed works on canon law. This volume includes his glosses on the *Liber Sextus*, *Clementinae*, and the *Regula Iuris*, the final book of the *Liber Sextus*. Also included is D'Andrea's *Super Arboribus*, a fundamental treatise on degrees of consanguinity and affinity. It was a work of vital importance in cases regarding estates, incest and conflicts of interest.

Established in 1576, the Jesuit College of Landsberg am Lech was one of the many Jesuit institutions that were closed by Papal decree in 1773.

◆ This is a scarce imprint. OCLC locates 9 copies, none in North America. No other copies are recorded by the USTC. Some sources say this book was printed by the Compagnie des Libraire de Lyon, others say Guillaume Rouillé. There are also a few minor variations in its pagination. (We found 4 copies with collations that match ours.) USTC 162149.



Nº 3

EARLY PRINTING OF A
DISTINGUISHED COMMENTARY ON THE
FIRST, SECOND AND THIRD BOOKS OF THE CODE

3
Castro, Paul de [d.1439]. [*Super Primo, Secundo et Tertio Libro Codicis*]. [Venice: (Andreas Torresanus, de Asula), 30 June 1487]. [198] ff. Collation: a-e8, A-B8, C14, D10, E6, F-18, K6, L10, M-O8, P6, Q-S8, T10. First leaf blank. Text in parallel columns. Folio (17" x 11"; 43 x 28.5 cm). \$20,000.

Contemporary calf with elaborate blind paneling, blind tooling to spine. Some nicks, scuffs, scratches and minor worming to boards, light rubbing and wear to extremities, which are reinforced in places, minor worming to endpapers. Text in 66-line Gothic type on wide-margined paper. Early manuscript index to initial blank, occasional brief annotations and manicules throughout text in at least two

Explicit lectura vtriusqz iuris doctoris domini pauli
de castro super primo secundo ⁊ tertio. C. Impressa Vene-
tijs. M. cccc. lxxxvij. die vltimo iunij Augustino barbadi
co incltyo pncipe.

early hands. Light toning, faint staining and light soiling and finger smudges in a few places, fore-edge of first 8 leaves neatly reinforced with tissue in places, minor loss to manuscript index and no loss to main text or other annotations. An impressive copy of a rare imprint.

COMMISSIONED by the Emperor Justinian in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* preserved and codified Roman law. It is divided into four parts: the *Institutes*, *Digest*, *Code* and *Novels*. The *Code* contains the legal system established during Justinian's reign. It is divided into 12 books. Book 1 deals with ecclesiastical law, the sources of law, and the duties of high officials. Books 2-8 deal with private law. Book 9 deals with criminal law. Books 10-12 deal with administrative law.

The *Code* received a great deal of commentary during the medieval and early modern eras. Castro's scholarship was among the most important. One of the most eminent lawyers of the fifteenth century, Castro taught at the Universities of Florence, Bologna, Sienna, and Padua. Considered the peer and successor of Bartolus de Saxoferrato, his commentaries on selected books of the *Code* and other portions of the *Corpus Juris Civilis* circulated widely in manuscript and were among the first legal works that were printed.

♣ The ISTC locates 1 copy of our 1487 imprint in North America (Harvard Law School). ISTC ip00136000.

“THE OUTSTANDING REPRESENTATIVE OF HUMANISM IN ROMAN LAW”

4

Cujas, Jacques [1522-1590]; Scot, Alexander [1560-1616], Notes; Masson, Jean-Papire [1544-1611], Additional Content. *Opera Omnia quae Proderunt ipso Authore vel Superstite, Vel Defuncto: In Quatuor Volumina Distincta. Hac Repetita Editione ad Verum Auctoris Dictatum Collata, & Innumeris Quibus Scatebant Erroribus, Ex Manuscripto Fidelissimo, Vindicata & Restituta, & Multis Praelectionibus Quae in Manuscriptis Adhuc Sunt Repertae, Per Appendicem Aucta & Locupletata....* Lyon: Sumptibus Ioannis Pillehotte, Sub Signo Nominis Iesu, 1614. Four volumes. Main text in parallel columns. Copperplate portrait of Cujas and woodcut table of consanguinity (in Volume I). Folio (14-3/4" x 9-1/2"; 37.5 x 24 cm). \$2,500.



Nº 4



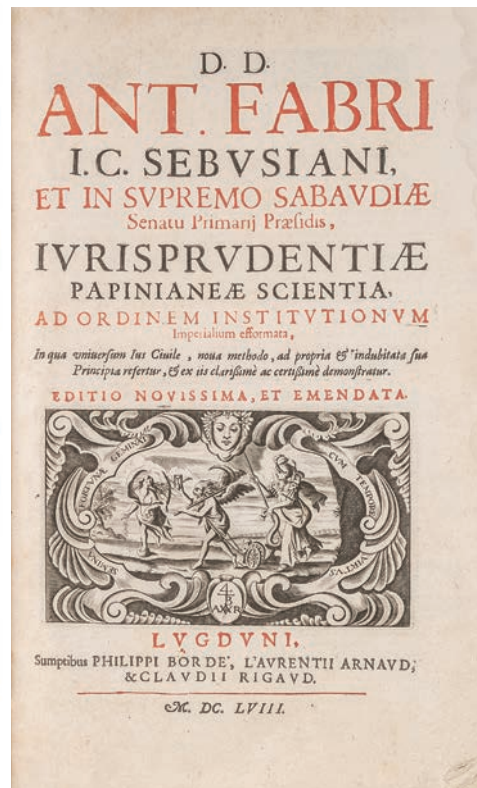
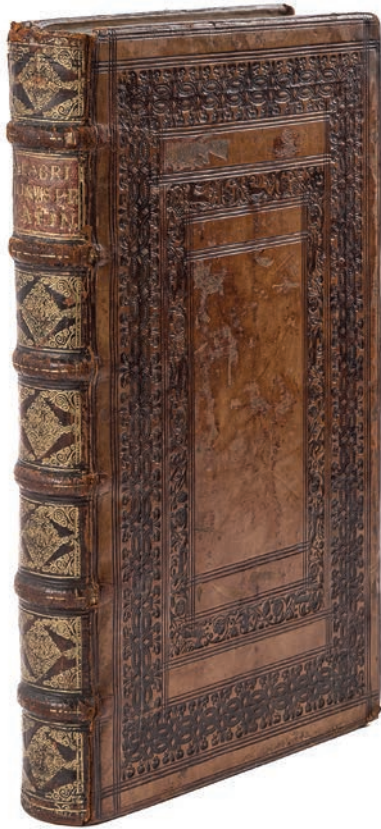
Detail from Nº 4

Contemporary vellum, blind rules and large central arabesques to boards, raised bands, blind fillets and early hand-lettered titles to spines, holes for ties to fore-edges. Light rubbing, soiling and some minor stains, faint spotting to rear board of Volume III, spine ends and corners bumped, a few corners worn, front joints of Volumes I-III starting, nineteenth-century armorial bookplate of the Aytoun family of Inchdairnie to front pastedowns of all volumes except Volume III, where it is on the rear pastedown. Title pages printed in red and black. Light toning to interiors, light soiling, edgewear and creases to endleaves, preliminaries and final text leaves, faint staining and minor worming in a few places, front free endpaper of Volume III affixed to its front pastedown, struck-through signature (?) to front free endpaper of Volume II. A very good set overall.

SECOND AND FINAL EDITION of this compilation, which was first published in 1606. With an introduction, works list and biography of Cujas by Masson. Cujas, a professor of law at the universities of Cahors, Bourges, Valencia and Turin, was the preeminent authority on Roman law in his day. He recovered and published the *Codex Theodosianus* and *Basilica* and published several commentaries and editions. “He is the outstanding representative of humanism in Roman law. (...) A consummate master of jurisprudence, philology and history, Cujas may claim to be the greatest legal scholar of all time” (Zulueta). Several collected-works editions, with various contents, were published from the late-sixteenth through late-eighteenth centuries. One of the largest of these, Scot's edition collects most of Cujas's significant works, such as his commentaries on the *Digest*, the opinions of Papinian and Paul's *Sententiae*.

Our set once belonged to the once-magnificent library of Inchdairnie House, Kinglassie, Fife, Scotland, the seat of the Aytouns of Inchdairnie, a branch of one of Scotland's most distinguished clans. Possibly acquired by Robert Aytoun [c. 1570-1638], the notable poet, courtier and diplomat, who was a lawyer by training, it was dispersed at auction, along with most of the house's contents, in 1901.

♣ Zulueta, “Cujas, Jacques” in Seligman and Johnson, Ed., *Encyclopedia of the Social Sciences* IV:617. USTC 6901785.



Details from N^o 5

IN A SUPERB CONTEMPORARY BINDING,
OWNED BY TWO DISTINGUISHED BIBLIOPHILES

5

Favre, Antoine [1557-1624]. *Iurisprudentiae Papinianae Scientia, Ad Ordinem Institutionum Imperialium Efformata, In Qua Universum Ius Civile, Nova Methodo, Ad Propria & Indubitata Sua Principia Refertur, & Ex Iis Clarissimè ac Certissimè Demonstratur.* Lyon: Sumpcibus Philippi Borde, L'Aurentii Arnaud, & Claudii Rigaud, 1658. With a half-title. [viii], 644, [16] pp. Folio (14" x 8-1/2"; 35.7 x 21.6 cm). \$2,500.

Contemporary or near-contemporary elaborately paneled calf, gilt spine with raised bands and lettering piece, edges of text block green. Moderate rubbing, joints starting at ends, slight chipping to head of spine, corners bumped and worn. Light toning to interior, occasional light foxing and unobtrusive faint dampstaining, light wear to corners of first few leaves. Tiny owner name, "de Tombeux," dated 1707, to front free endpaper along with later bookplate of Raoul Chandon de Briailles. Later bookplates to front pastedown and front free endpaper, along with inkstamps to half-title, foot of p. 19 and rear free endpaper, of Camille Aboussouan. A handsome copy with a notable provenance.

LATER EDITION. Favre was a humanist jurist who wrote several practical treatises. Recognized as the first scientific student of interpolation in the Roman law, he discovered hundreds of passages in the *Corpus Juris Civilis* of Justinian

that had been altered or omitted by later editors. The present work is a commentary on the great Roman jurist Papinian, whose works were a primary source for Justinian. It was first published in 1607.

Our copy had two distinguished later owners. Chandon de Briailles [1850-1908] was both a French historian and bibliophile and a wine merchant who played a leading role in the champagne industry. Aboussouan [1919-2013] was an important Lebanese diplomat, lawyer, writer and bibliophile. He made important contributions to the literary and cultural life of Lebanon and France and served as Lebanon's permanent ambassador to UNESCO from 1983-1987. Much of his vast and impressive private library, including this volume, was sold at Sotheby's in 1993.

◆ USTC 6066970.



Detail from N^o 5

RARE FIRST EDITIONS OF WORKS
BY TWO IMPORTANT GERMAN JURISTS

6

Ferrarius, Johannes [1486-1558]. *Adnotationes in IIII Institutionum Iustiniani Libros.* Marburg: [Fran. Rhodus Excudebat], 1502. [xvi], CCCXXXVI ff. **[Bound with]**
Hegendorph, Christoph [1500-1540]. *Libri Dialecticae Legalis Quinq[ue].* [Leipzig: Excudebat Nicolaus Faber, Typographus & Bibliopola], 1531. [120] ff. \$4,500.

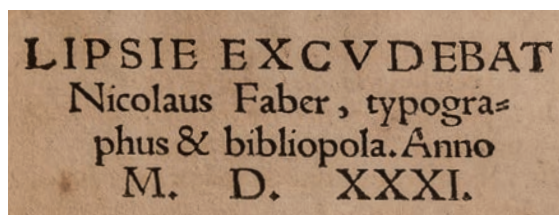
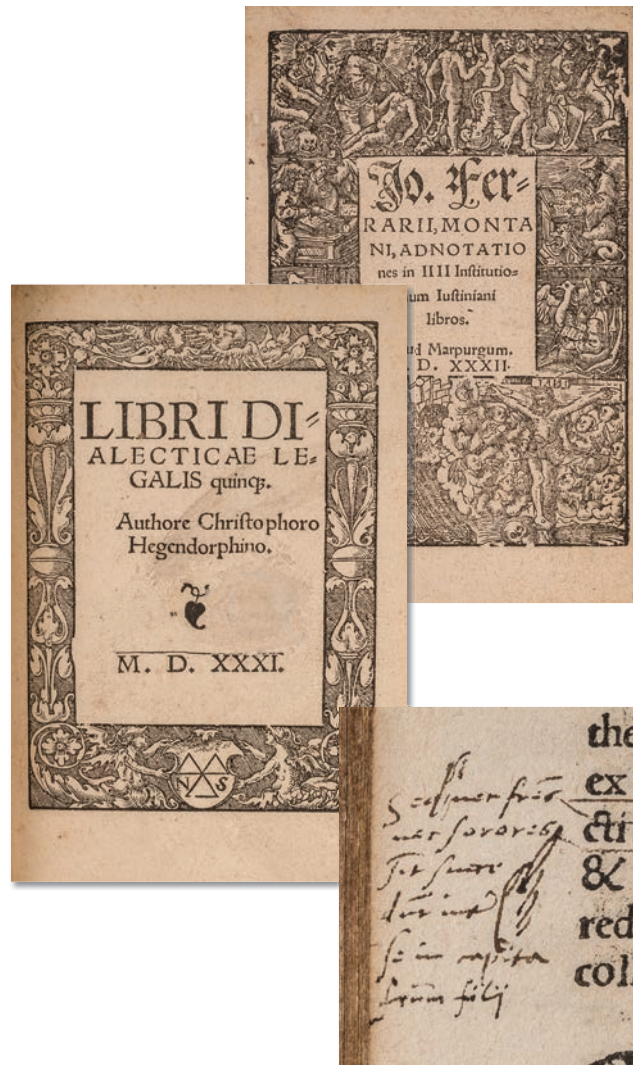
Two works in one volume. Octavo (6" x 3-3/4"; 15 x 10 cm).

Contemporary blind-tooled pigskin over wooden boards, black-stamped owner name (Joannes Taylenkes) to front board, raised bands, early hand-lettered title and small early paper label to spine, catches and clasps to fore-edges, lower clasp lacking, hand-lettered title to fore-edge of text block. Some soiling to exterior, faint dampstain to front board, light rubbing to extremities, minor worming to spine, which is chipped at head, corners bumped, minor worming to pastedowns, free endpapers lacking. Moderate toning to interior, negligible light foxing or soiling to a few pages, lower corner of f. CCXCIX in *Adnotationes* lacking, final leaf of *Libri Dialecticae Legalis* neatly mended, no loss to text. Early ink underlining, brief annotations and attractive manicules to several leaves, mostly in *Adnotationes*. An appealing volume.

FIRST EDITIONS (*Adnotationes* one of two 1532 imprints). This volume collects works by two important German jurists. Ferrarius, a jurist, theologian and philosopher, was a lay judge of the Marburg court and a professor of civil law at the University of Marburg, at which he served as founding rector. *Adnotationes* is one of several commentaries he published on the *Corpus Juris Civilis*. Hegendorph (also Hegendorf or Hegendorff) was a prolific Leipzig theologian and legal



Nº 6



Details from Nº 6

scholar active in the Protestant Reformation. A number of his works, including *Libri Dialecticae Legalis Quinq[ue]*, were educational in nature and written for his pupils. Both titles were well-received and went through a number of editions.

Our volume was previously part of the library of Johann Taylenkes, a humanist from Pressburg (now Bratislava) who obtained a *magister* degree from the University of Vienna in 1518. He may have also served as a representative of various ecclesiastical institutions in Regensburg, including the Niedermünster and Obermünster abbeys.

◆ Neither OCLC nor the USTC locate any copies of these editions in North America. VD16 E874, H1200. USTC 669205, 671871.



Details from N° 7

**WITH EXTENSIVE
CONTEMPORARY ANNOTATIONS
BY A RIOM JURIST**

7

[France]. *Bulletin des Lois*. No. 96. *Loi Contenant les Deux Premiers Livres de la 1re. Partie du Code de Procédure Civile. Du 14 Avril 1806* [Caption Title]. [Paris: De l'Imprimerie Impériale, 1807]. 91, [1] pp. **[Bound with]** *Bulletin des Lois*. No. 97. (No. 1649.) *Loi Contenant le Cinquième Livre de la 1re. Partie du Code de Procédure Civile. Du 21 Avril 1806* [Caption Title]. [Paris: De l'Imprimerie Impériale, 1807]. 93-196 pp. **[And]** *Bulletin des Lois*. No. 164. (No. 2804.) *Code de Commerce. 1re. Loi. Du 10 Septembre 1807* [Caption Title]. [Paris: De l'Imprimerie Impériale, 1808]. 161-284 pp. \$2,500.

Octavo (7" x 4-1/4"; 17.8 x 10.8 cm). Contemporary mottled calf, blind frames to boards, gilt fillets and lettering piece to spine, edges rouged. Light rubbing to boards, very minor scuffing to rear board, moderate rubbing to extremities, light edgewear to lettering piece, rear joint just starting at ends, corners bumped and worn, hinges starting. Twelve leaves added before text block, two leaves added between Bulletin No. 97 and 164, and fourteen leaves added at end. Light toning to interior, light foxing in a few places. Annotations in an early hand to pastedowns, additional blank leaves and throughout text.

A HEAVILY ANNOTATED COPY, clearly intended as a reference work, of Napoleonic-era bulletin laws dealing with civil procedure and commercial law. Beginning in 1792, bulletin laws with the text of legislation and government regulations were published for circulation to army units and villages with 2,000 or more occupants. The annotator, Maigne

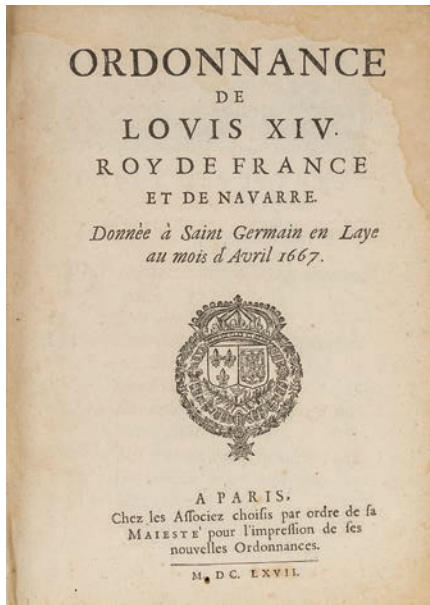
Sauzinet, was a Riom jurist. His extensive interpretative annotations include 26 additional leaves with alphabetical tables and notes elaborating on sections of the laws and referencing later statutes. (The latest date in the notes is 1813.) Together, they provide an in-depth look at the evolution and reception of the law in the Napoleonic era.

**LOUIS XV VERSUS THE PARLEMENTS:
AN APPARENTLY UNRECORDED
COMPOSITE VOLUME**

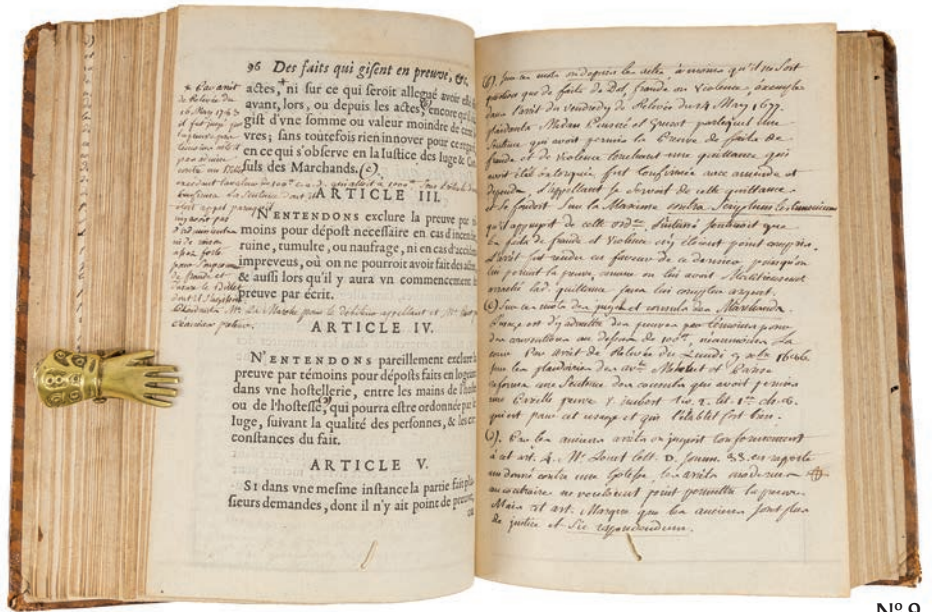
8

[France]. *Recueil de Remontrances et Autres Pièces Concernant l'Edit Pour Règlement, Donné à Versailles au Mois de Décembre 1770, Régistré en Parlement, Le Roi Tenant son Lit de Justice au Château de Versailles le 7 Décembre de la Même Année*. [S.l.: s.n.], 1771. [472] pp. Includes 29 remonstrances, letters and other documents with individual paginations and registers, each with a caption title. Blank leaves (added by binder?) between some documents. Octavo (7" x 4"; 17.8 x 10.2 cm). \$2,000.

Contemporary calf with cat's paw decoration, gilt frames to boards, gilt spine with raised bands and lettering piece, gilt tooling to board edges, edges of text block rouged. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities, tiny chips to ends of joints, front joint just starting at foot, corners bumped and worn, rear hinge cracked, early annotation or signature ("Daurvon"?) to front free endpaper. Light toning to interior, light foxing and faint dampstaining in a few places, mostly to margins, early manuscript page numbers added, annotations to a few pages of text and to added blanks bound in at rear of text block.



N° 9



N° 9

THIS COMPREHENSIVE COLLECTION of documents concerns the edict of Louis XV that limited the powers of the parliaments and the ensuing backlash from their members, who ceased work to protest the edict. Many appear to have been published separately as pamphlets before being (we presume) issued together in this collected volume. Together, the collection documents a crucial moment in the later history of the Ancien Régime and provides a detailed look at the relationship between royal power and the legislative system at the end of Louis XV's reign. The contemporary annotations to the blank leaves at the end of the volume include a list of 32 exiled members of the Parliament of Besançon and a table of contents. A complete list is included in the listing for this item on our website; a print or pdf version is available on request.

◆ No copies located on OCLC or at the Bibliothèque Nationale de France. An item with an identical title but different pagination appears in Havens and Torrey, *Voltaire's Catalogue of His Library at Ferney* (77v).

AN INTERLEAVED AND HEAVILY ANNOTATED COPY OF AN IMPORTANT ORDONNANCE OF LOUIS XIV

9
[France]; [Louis XIV [1638-1715], King of France].
Ordonnance de Louis XIV. Roy de France et de Navarre. Donnée à Saint Germain en Laye au Mois d'Avril 1667.
 Paris: Chez les Associez Choisis par Ordre de sa Maiesté pour l'Impression de ses Nouvelles Ordonnances, 1667.
 [vi], 222, [24] pp. Lacking final last leaf, which contains most of the imprimatur statement (*Privilege du Roy*), and rear endleaves. Interleaved. Quarto (8-1/2" x 6-1/4"; 21.6 x 15.9 cm).
 \$3,000.

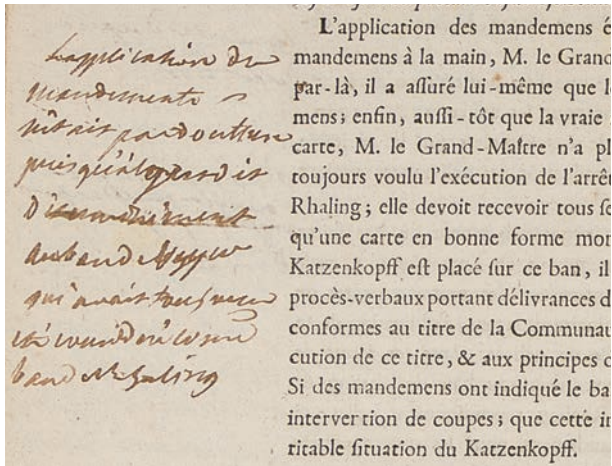


N° 9

Contemporary sheep with cat's paw decoration, gilt spine with raised bands and lettering piece. Minor worming and scuffing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, most of front joint cracked, rear joint just starting at foot. Light toning to interior, faint, gradually diminishing dampstaining to head and foot of text block, minor worming to pastedowns and foot of first half of text block, final few leaves of text partially detached. Annotations in neat contemporary hand to interleaves, many to rectos and versos, underlining, corrections and annotations to margins of text in several places, "Curlot" (most likely the annotator) in same hand to head of first page of text.

FIRST EDITION. The annotations to our copy constitute an extensive 18th-century commentary on the ordinance, providing jurisprudential details and updates through the 1780s. Commissioned by Jean-Baptiste Colbert and Louis XIV, this important ordinance was the first to give France a unified system of civil procedure and civil courts. It was one of the many ways the French crown attempted to centralize power and promote bureaucratic efficiency during the seventeenth century.

◆ Goldsmiths'-Kress 01844.2.



Detail from N° 10

AN UNRECORDED MEMORANDUM ON FORESTRY WITH DETAILED CONTEMPORARY ANNOTATIONS

10
[France]. *Mémoire Pour les Officiers de la Maîtrise des Eaux & Forêts de Sarguemines, Défendeurs & Demandeurs: Contre les Maire, Syndic, Habitans & Communauté de Rhaling, Demandeurs & Défendeurs* [Drop-Head Title]. [Nancy: Chez Pierre Barbier, 1786]. 51, [3] pp. With a folding plate containing 12 diagrams and maps of forest boundaries. Folio (15" x 9-1/2"; 38.1 x 24.1 cm). \$1,500.

Later (nineteenth-century) quarter morocco over marbled boards, raised bands, blind fillets and gilt title to spine, marbled endpapers. Small scuff to front board, light rubbing to extremities, corners bumped and worn, later monogram bookplate to front pastedown. Light toning to interior, light foxing and soiling to a few leaves, faint dampstain to lower gutter of last several leaves, ink bookseller stamp ("Rue Grandjean D'Aireville," remainder illegible) to first and final pages, early annotations and corrections throughout (annotations to first 20 pages).

THIS INTERESTING legal memorandum discusses woodcutting and forest management in Sarreguemines and Nassau-Saarbrücken at the present-day border between France and Germany. Forests were of key commercial and political interest to local authorities and the center of many disputes during a period where borders were often in flux.

The annotator of this copy clearly possessed deep knowledge of the law relating to surveying and forestry. The annotations provide both corrections to the text and technical, often extensive commentary on points raised. A particularly long annotation gives additional historical information and context for a 1767 boundary marking on a forest spanning two cantons.

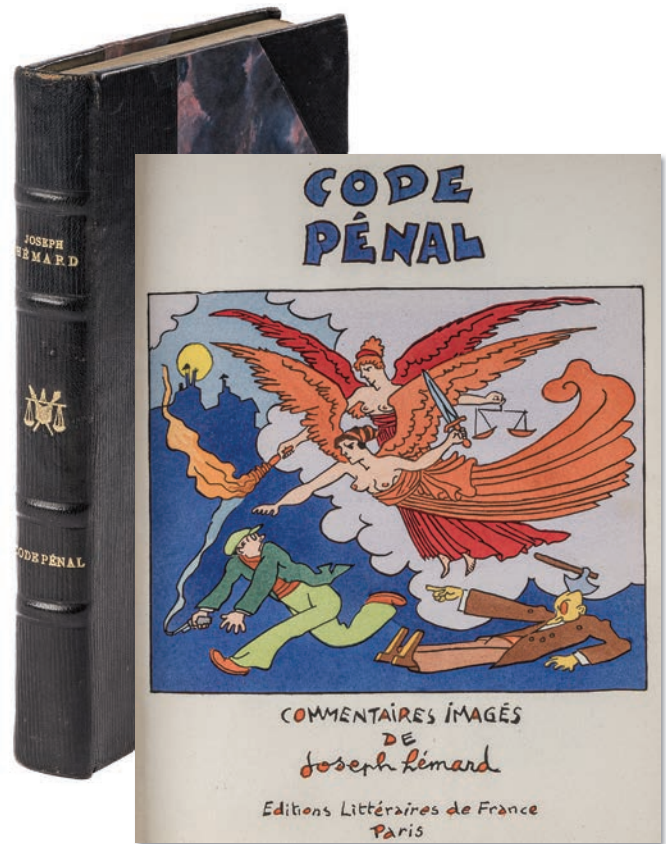
◆ This title is rare and appears to be unrecorded. No copies located by OCLC, which finds 1 copy of a similar work (an earlier edition?) with a variant title (National University Library of Strasbourg). Not at the Bibliothèque Nationale de France.

A RARE HORS COMMERCE COPY ON JAPAN PAPER WITH AN ADDED ORIGINAL SIGNED WATERCOLOR IMAGE

11
Hémard, Joseph [1880-1961], Illustrator. *Code Pénal: Commentaires Imagés de Joseph Hémard.* Paris: Editions Littéraires de France, [c. 1940]. 169 pp. Pochoir color text illustrations. This copy with an additional signed original color image. Quarto (8-3/4" x 7"; 22.3 x 18 cm). \$2,500.

Original publisher pictorial stiff wrappers bound into contemporary black three-quarter straight grain morocco over marbled boards, raised bands, gilt title and gilt ornament to spine, top edge gilt, untrimmed fore and bottom edges, thick marbled endpapers. Light shelfwear to exterior, moderate toning to interior, vivid illustrations. A very good copy.

A RARE PRE-PUBLICATION COPY for private non-commercial distribution (H.C., hors commerce), printed on Japan paper (*Papier Impérial Japon Nacré*) and bound with an original signed watercolor image (of a judge). A prolific artist, illustrator, designer and author, Hémard is best-known for his humorously illustrated editions of serious non-fiction books. *Code Pénal* presents the official text of the French Penal Code with witty, and often mildly erotic, color pochoir illustrations. It is a sequel to Hémard's *Code Civil: Livre*



N° 11



Detail from N° 11

Premier, Des Personnes. In 1944 Hémard issued another legal work: *Code Général des Impôts Directs et les Taxes Assimilées*.

Like his other legal books, *Code Pénal* was issued with limitations, each one with a different paper. Some copies, such as ours, included an original watercolor by the artist relating to the text. Of the 910 copies produced for sale, copies 1 to 10 were printed on Japan paper and the rest on “*pur chiffon*.” The *hors commerce* copies, also printed on Japan paper, are unnumbered (and marked “H.C.” and initialed by the printer). These and the copies numbered 1 to 10 are the most desirable copies of this work.

**IN A NOTABLY ATTRACTIVE
CONTEMPORARY BINDING**

12

[**Holy Roman Empire**]. *De Jure Augusti et Romani Imperii, In Parmæ & Placentiæ Ducatibus, Dissertationes X*. Amsterdam: Sumptibus Auctoris, 1729. [viii], 128, [1] pp. Quarto (9-1/2” x 6-3/4”); 24.1 x 17.1 cm). \$2,500.



Details from N° 12

Contemporary mottled calf, richly gilt frames to boards, gilt spine with raised bands and lettering piece, blind tooling to board edges, marbled endpapers, edges of text block stained blue and gauffered with stars. Light rubbing and some scuffing to boards, which are slightly bowed, moderate rubbing to extremities, remnants of paper shelf label to foot of spine, corners bumped and worn, hinges cracked (between endleaves and text block). Armorial bookplate of Franz von Thun-Hohenstein Tetschen to front pastedown, inkstamp of Candidus Pontz von Engelshofen [1803-1866] and an inkstamp shelfmark to title-page. Light toning to interior, occasional light foxing, slight creasing to text block not affecting legibility. A handsome copy with an interesting association.

FIRST EDITION. A rare collection of ten historical essays mapping the early development of Holy Roman and Renaissance Italy with a focus on Lombardy and the Duchy of Parma and Piacenza. The essays discuss the legacy, reception and influence of Roman law in the region. A second and final edition was published in Leipzig in 1734.

Engelshofen [1803-1866] was a pioneering Austrian archaeologist and regional historian. He inherited a large family library of books, prints and manuscripts, which he expanded. Parts of his library are housed today in Austria's library of the National Museum and National Library, the Library of the Academy of Sciences of the Czech Republic and the Czech Museum of Fine Arts.

◆ OCLC locates 4 copies of the first edition, 1 outside Europe (National Library of New Zealand). Not in Dekkers.



Detail from N^o 13

**ONE OF THE GREAT DUTCH
AUTHORITIES ON ROMAN LAW**

13

Huber, Ulrik [1636-1694]. *Praelectionum Iuris Civilis Tomi III. Secundum Institutiones et Digesta Justiniani. Accedunt Christiani Thomasia Jcti Additiones Quibus Sua Scholia Contra Auctorem Defendit et Lüderi Menckenii Jcti Remissiones ad Jus Saxonicum. In Qua Paratitla ex Novissimo Jure Saxonico Electorali, Suo Quaevis Loco Adjecta et Indicibus Accuratissimis Aucta.* Frankfurt & Leipzig: In Officina Libraria Joh. Frid. Gleditsch. Prostat Etiam Lugduni Bat. Apud Corn. Haack, 1749. Three volumes. [xviii], 516; [xx], 515-1026; [xvi], 1027-1590, [88] pp. Copperplate portrait frontispiece of Huber in first volume. Leaves 3E3-4 bound before leaves 3E1-2, text complete. Quarto (9-1/2" x 7-3/4"; 24.2 x 20 cm). \$950.

Contemporary paneled vellum with large central arabesques and corner fleurons to boards, raised bands, blind fillets and hand-lettered titles and volume numbers to spines, edges rouged. Light soiling to exterior, a few tiny faint stains to boards, which are slightly bowed, light rubbing to extremities, spine ends and corners bumped. Moderate toning to text, somewhat lighter or heavier in places, occasional light foxing and tiny spark burns, faint dampstaining to margins in a few places, brief early and recent ink annotations to several pages in second and third volumes. A very good set.

FOURTH EDITION. Huber was a highly regarded Dutch judge, professor at the Universities of Franeker, Utrecht and Leyden and the author of numerous legal works on Roman and Roman-Dutch law including *Heedendaagse Rechtsgeleertheit* (1686), which was later translated as *The*

Jurisprudence of My Time. Huber's work was renowned for his humanism and knowledge of life. It remains influential in South African law.

First published in 1690, the present work is one of his several commentaries on the books of the *Corpus Juris Civilis*. It discusses the *Institutes*, an introductory textbook, and the *Digest*, an anthology of commentaries on Roman law by notable jurists.

◆ VD18 10211764. Dekkers 86.

**THE LAST INCUNABLE IMPRINT OF
AN IMPORTANT EARLY LEGAL REFERENCE WORK**

14

[Jodocus of Erfurt, Attributed]. *Vocabularius Utrius[que] Iuris.* [Strasbourg: (Georg Husner), 27 May 1500]. Collation: a8, b6, c8, d-x6. [130] ff. Complete. Folio (11" x 8"; 28 x 20.3 cm). \$10,000.

Modern vellum with yapp-style fore-edges, endpapers renewed, edges of text block rouged, early hand-lettered title to fore-edge (mostly obscured by rouging). Text printed in 51-line Gothic type in two columns with initial spaces and printed guide letters. Light toning, occasional very light foxing, unobtrusive faint dampstains to margins of a few leaves, light soiling to first and final leaves, partial crack in text block before title page, which is mended and rehinged at gutter, all leaves secure. Struck-through early owner inscription to head of title page, brief early ink annotations and underlining to a few pages, otherwise internally clean.

A WORK OF GREAT AUTHORITY, the *Vocabularius*, as it is popularly known, was published anonymously and is usually attributed to Jodocus, a jurist associated with the University of Erfurt. First published around 1474 in Basel, it



Vocabularius vtriusqz iuris

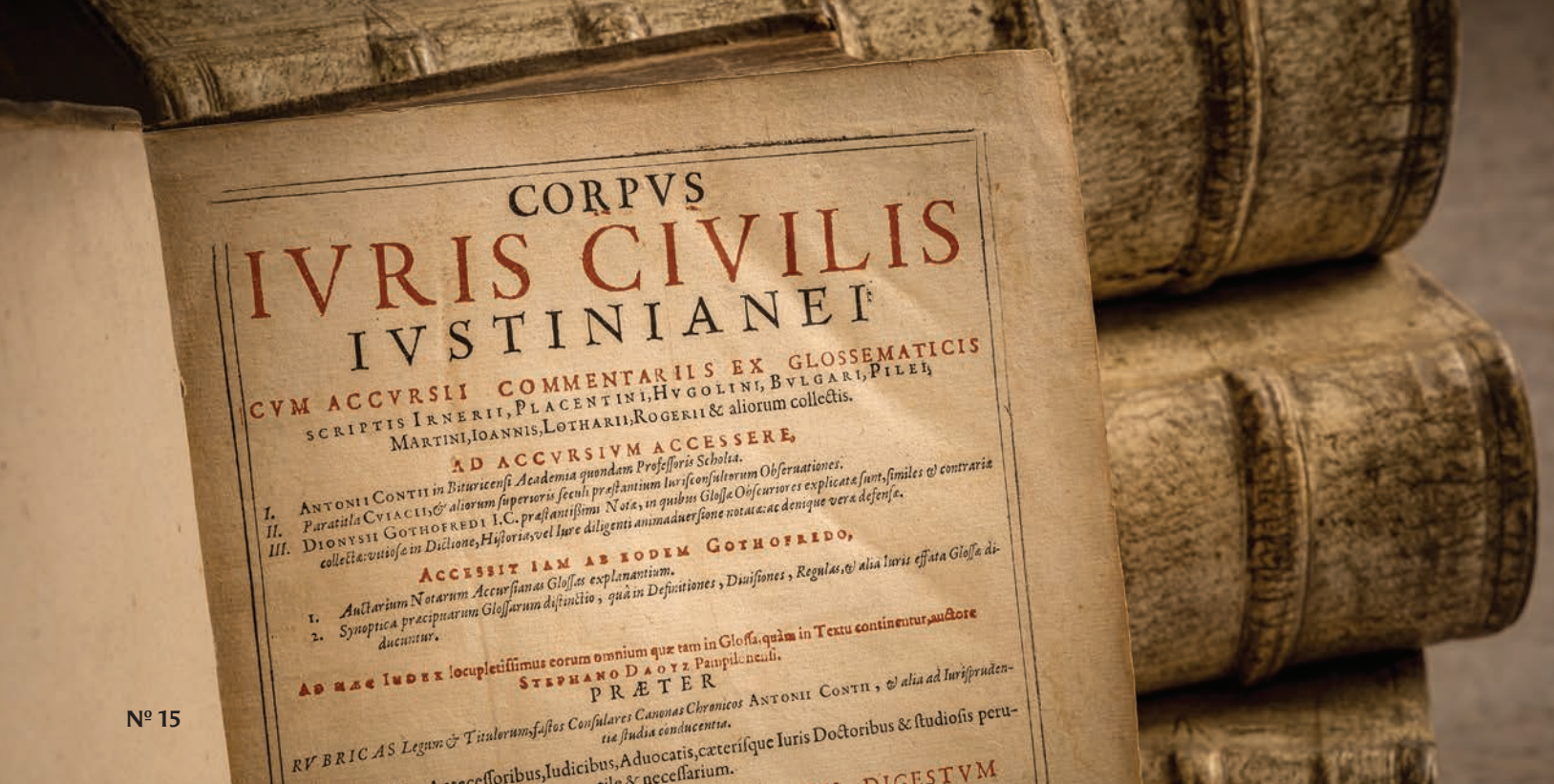
Vocabulari⁹ iuris imp⁹ssus Arg⁹etne p⁹
comuni omnium vtilitate z facilliori aditu ad
vtriusqz iuris noticiã Finis feliciter Anno
salutis nostre Millesimo quingentesimo
cxvij. die mensis Maij.

Details from N° 14

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).

Little biographical information is known about Georg Husner [fl.1473-fl.1498], a former goldsmith who became an important figure in early Strasbourg printing. A medium-scale printer, he rarely signed his own name to his work, but this imprint is broadly attributed to him. It is the last definitively dated incunable imprint of the work.

◆ The ISTC locates 5 copies of this imprint in North America (Huntington Library, which owns two copies, Ohio State University, UC-Berkeley Law Library, University of Kentucky). ISTC iv00358000.



N° 15

AN IMPOSING SET OF THE 1612 LYON IMPRINT
OF THE *CORPUS IURIS CIVILIS*

15

Justinian I, Emperor of the East [483-565 CE]; Accorso, Francisco [c.1182-c.1260], Editor, Glosses; Godefroy, Denis [1549-1622], Editor, Notes; Le Conte, Antoine [1517-1586], Editor, Notes; Cujas, Jacques [1522-1590], Editor, Notes; Daoiz, Esteban [d.1619], Compiler of Index. *Corpus Iuris Civilis Iustinianei cum Accursii Commentariis ex Glossematicis Scriptis Irnerii, Placentini, Hugolini, Bulgari, Pilei, Martini, Ioannis, Lotharii, Rogerii & Aliorum Collectis...* Lyon: Sumptibus Typographicae Societatis, 1612. Seven volumes, including an index volume, in four books. A complete set. Main texts in double columns with linear glosses and side-notes. Folio (14-1/4" x 9"; 36.2 x 22.9 cm). \$5,000.

Contemporary paneled pigskin, raised bands and later hand-lettered titles and volume numbers to spines. Moderate soiling and rubbing to extremities, a few minor nicks and stains, rear joint of Book II starting at head, minor worming to pastedowns, nineteenth-century bookseller tickets (of a Munich dealer) and bookplates of Gustav Rümelin to front pastedowns, front hinge of Book I cracked. Title pages printed in red and black. Moderate toning to interiors, minor smudges, stains and foxing in a few places, light soiling, edgewear and a few corner folds to preliminaries and final few leaves of each book, later owner inscription, "J.G. Mohrmann/ Fallerslebensis," to title pages, crossed-out inscription dated 1612 and scratched-out inscription of Book I, signature excised from title page of Book IV. An impressive set.

IN 528 CE Emperor Justinian 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*; an introductory textbook, the *Institutes*; and a collection of laws issued by Justinian after the completion of the *Code*, the *Novels*. Their subsequent influence on European jurisprudence is difficult to overestimate.

The 1583 edition of these works by Denis Godefroy, which introduced the collective title *Corpus Iuris Civilis*, became the basis for most subsequent editions into the nineteenth century, such as ours, which contains additional commentary and a comprehensive index volume. Like many editions of the era, this one offers a selection of the *Novels*, known as the *Feudorum*; summaries of the other *Novels*, the *Consuetudines Feudorum*; an institute of feudal law compiled around 1170 under the direction of Holy Roman Emperor Frederick I, the *Constitutiones Friderichi Secundi Imperatoris*; a selection of other edicts of Holy Roman Emperors Frederick II and Henry II; and *De Pace Constantiae* (Edict of Milan), the act of Emperor Constantine that recognized Christianity in the Roman Empire.

Johann Heinrich Gottlieb Mohrmann, a native of Fallersleben, now part of the city of Wolfsburg, Lower Saxony, studied law at the Collegium Carolinum in Braunschweig. Little else is known about him. Rümelin [1848-1907] was a legal scholar and professor of Roman law at the University of Freiburg, where he also served as vice-dean and dean.

◆ OCLC locates 3 copies in North America (Duke Law School, Gonzaga, St. Bonaventure). Baudrier VII:329-330.

A 1494 COLOGNE IMPRINT

16

Koelner de Vanckel, Johannes [1448-1490]. *Summarium Textuale et Conclusiones Super Sextum et Clementinas [et Decretales Extravagantes Johannis XXII]*. [(Cologne): Johann Koelhoff, the Younger, 1494]. [290] ff. Two parts, each with title page. Part I dated 1 February 1494, Part II dated 24 March 1494. Collation: a8, b-z6, [et]6, [con]6, aa-ff6, gg8, (i-iiii2); A-N6, O4, P6. Complete. Folio (11" x 8"; 28 x 20 cm). \$25,000.

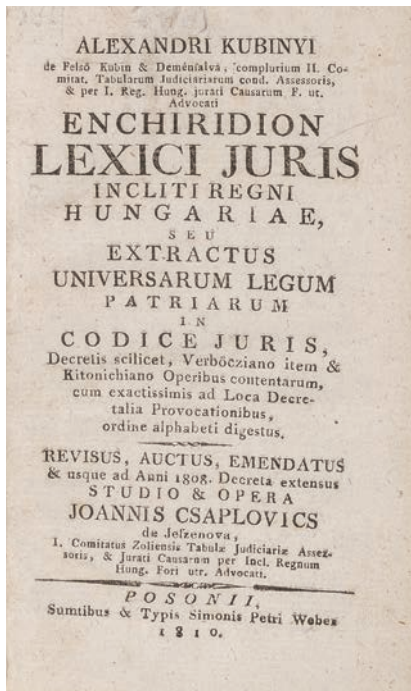
Contemporary blindstamped calf over wooden boards, later brass clasps and central and corner bosses to boards, raised bands to spine. Moderate rubbing, joints cracked through hinges, boards secure, spine worn with loss at ends, cords exposed, vellum pastedowns derived from contemporary manuscript leaf. Woodcut arms of Holy Roman Empire to title pages, the first colored partly in red. 46-line text in parallel columns, initials and section marks in red and blue, some highlighted in silver. Moderate toning, occasional faint

dampstaining to margins, clean tear to margin of leaf r iii with no loss to text, brief later annotations to upper corners of most leaves indicating sections, name (an annotation attributing the work?) and date of 1538 in tiny hand to title page, which is lightly soiled. A handsome volume.

FOURTH AND FINAL EDITION. First published in 1484, this is a masterly scholastic exegesis of four principal volumes of canon law: the *Liber Sextus* of Boniface VIII (1298); the *Clementinae*, or *Liber Septimus Decretalium* (1317); the *Extravagantes* of John XXII (1325); and the *Extravagantes Communes* of later popes to 1484. Along with Gratian's *Decretum Gratiani*, or *Concordia Discordantium Canonum* (1151), these works are known collectively as the *Corpus Juris Canonici*. Koelner, perhaps the leading German canonist of his time, was a professor of law at the University of Cologne.

◆ The ISTC locates 4 copies in the United States (Huntington Library, Library of Congress, Southern Methodist University, Union Theological Seminary). ISTC ik00032000.





N° 17

**AN IMPORTANT—AND SCARCE—
HUNGARIAN LAW DICTIONARY**

17

Kubinyi, Sándor [1751-1799]; Csaplovics, János [1780-1847], Editor. *Enchiridion Lexici Juris Incliti Regni Hungariae, Seu Extractus Universarum Legum Patriarum in Codice Juris, Decretis Scilicet, Verböcziano Item & Kitionichiano Operibus Contentarum, Cum Exactissimis ad Loca Decretalia Provocationibus, Ordine Alphabeti Digestus. Revisus, Auctus, Emendatus & Usque ad Anni 1808. Decreta Extensus Studio & Opera Joannis Csaplovics.* Bratislava: Sumtibus & Typis Simonis Petri Weber, 1798. iv, 783 pp. Octavo (7-1/4" x 4-1/2"; 18.4 x 11.4 cm). \$1,500.

Contemporary three-quarter sheep over marbled boards, lettering piece and gilt fillets and ornaments to spine, patterned endpapers. Moderate rubbing with some wear to extremities, mostly to foot of spine and corners, which are bumped. Moderate toning to interior, part-erased signature to head of title page. A very good copy of a scarce title.

SECOND EDITION. Text in Latin, the official language of Hungarian law and government until 1836. This legal dictionary was a standard reference work in the Kingdom of Hungary and it went through three more editions in 1810, 1816 and 1832. Several entries are notably detailed and scholarly. Despite its importance, few copies of any edition are found outside of Eastern Europe.

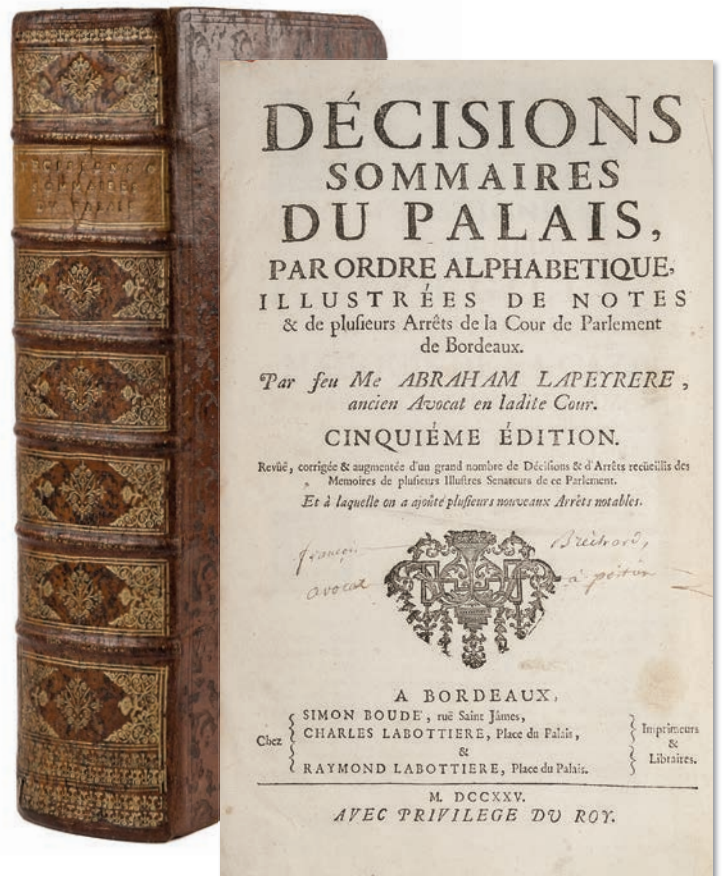
◆ OCLC locates 3 copies of the 1810 edition in North American law schools (Harvard, Library of Congress, Yale). BMC 14:468.

**HEAVILY ANNOTATED
BY AN EMINENT FRENCH LAWYER**

18

Lapeyrère, Abraham; [Bréchar, François (1770-1843), Annotator]. *Décisions Sommaires du Palais, Par Ordre Alphabetique, Illustrées de Notes & De Plusieurs Arrêts de la Cour de Parlement de Bordeaux. Par feu Me Abraham Lapeyrere, Ancien Avocat en Ladite Cour. Cinquième Édition. Revüë, Corrigée & Augmentée d'un Grand Nombre de Décisions & d'Arrêts Recüeillis des Memoires de Plusieurs Illustres Senateurs de ce Parlement. Et à Laquelle on a Ajoûté Plusieurs Nouveaux Arrêts Notables.* Bordeaux: Chez Simon Boudé, Ruë Saint Jâmes, Charles Labottière, Place du Palais, & Raymond Labottière, Place du Palais, Imprimeurs & Libraires, 1725. [xii], 539, [7] pp. Interleaved. Folio (14" x 9-1/2"; 35.6 x 24 cm). \$2,500.

Contemporary sheep, blind rules and cat's-paw decoration to boards, gilt spine with raised bands and lettering piece, edges rouged. Negligible light rubbing and a few minor scuffs to boards, slightly heavier rubbing to extremities, corners bumped and somewhat worn. Light toning to interior, faint dampspotting and foxing in a few places, side-notes affected by trimming in a few places, some text leaves have underlining, corrections and brief annotations, 140 interleaves have



N° 18



annotations, main text followed by 16-pp. double-column manuscript index, all annotations in a neat contemporary hand, signature of annotator, François Bréchar d "avocat à Poitiers" to title page.

DIGESTED BY TOPIC, this copy of a compilation of decisions of the Court of Justice of the Parliament of Bordeaux has numerous annotations, mostly clarifications or subsequent changes, and a detailed manuscript index. The annotations reflect the expertise of a seasoned practitioner. Some are notably interesting, such as a 24-line statement on p. 32 concerning a woman's right to acquire or retain jewelry without permission from her father or husband in cases of death, remarriage, separation or divorce.

François Bréchar d was a lawyer, later a deputy judge, in Poitiers. Well respected, he was known for his lively and engaging manner in the courtroom.

◆ Beauchet-Filleau [et al.], *Dictionnaire Historique, Biographique, et Généalogique des Familles de l'Ancien Poitou* 1:339-340.

1657 COMMENTARY ON THE COUTUME OF MAINE ANNOTATED THROUGHOUT IN A LATE-SEVENTEENTH-CENTURY HAND

19

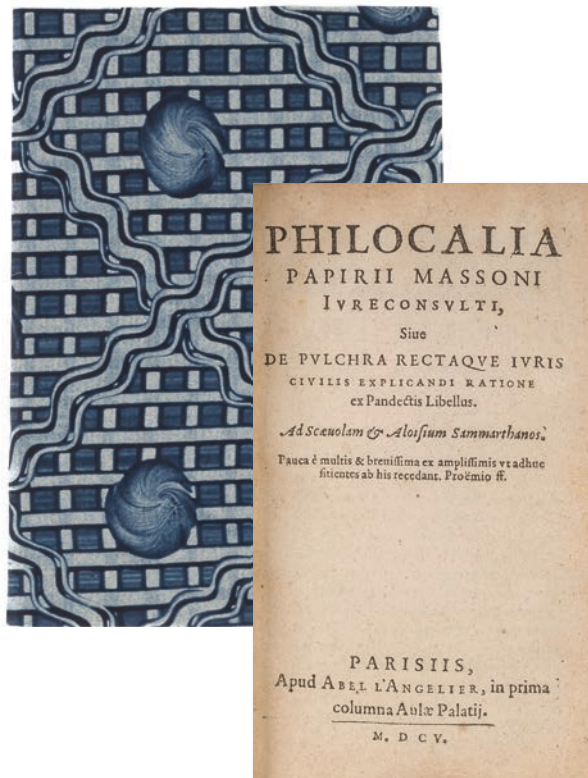
Louis, Mathurin. *Remarques et Notes Sommaires sur la Coutume du Maine, Avec un Recueil des Jugemens & Sentences Rendues au Siège Présidial et Sénéchaussée du Mans, & des Arrests de la Cour Intervenuz sur l'Interprétation d'Aucuns Articles.* Le Mans: Chez Hierôme Olivier, Marchand Libraire & Imprimeur, Demeurant Prés l'Eglise Saint Julien, 1657. [xiii], 359, [l], 16, 24, 20 pp. Folio (13-3/4" x 9-1/4"; 35 x 23.5 cm). \$5,000.

Contemporary sprinkled calf, raised bands and gilt ornaments and title to spine, early repairs to spine ends and hinges. Rubbing with notable wear to edges and corners, gilding mostly rubbed away from spine, front free endpaper lacking, rear pastedown loose. Moderate toning to interior, a few cracks to text block, faint dampstaining to head and foot of text block near spine, creases and edgewear to preliminaries and final leaves, recent inkstamp (of Claude Lambert) to front pastedown, another recent inkstamp and struck-through name to title page, numerous annotations throughout text and endleaves in a neat late-seventeenth-century hand. A unique copy of a scarce title.

ONLY EDITION. This is an important commentary on Maine's influential *coutume*. First published in 1508, and in force through the end of the eighteenth century, it applied in the county of Maine to the seats of Mans, Beaumont, Freisney, Ferté, Bernard, Château du Loir, Mayenne and the county of Laval.

The anonymous annotator, likely a jurist or official, had a thorough understanding of the *coutume* and commented on most of its articles. The notes form an extensive commentary, which is enriched with references to other legal texts and later modifications to the *coutume* through the end of the seventeenth century.

◆ This is a scarce title. OCLC locates 8 copies in North America, 3 in law libraries (George Washington University, Harvard, UC-Berkeley). Gouron & Terrin 1160. Caswell & Sipkov 258.



Nº 20

A RARE SATIRIC SURVEY OF ROMAN LAW

20

Masson, Jean Papire [1544-1611]. *Philocalia Papirii Massoni Iureconsulti, Sive De Pulchra Rectaque Iuris Civilis Explicandi Ratione ex Pandectis Libellus. Ad Scaevolam & Aloisium Sammarthanos. Pauca è Multis & Brevissima ex Amplissimis ut Adhuc Sitientes ab his Recedant. Proëmio ff.* Paris: Apud Abel l'Angelier, 1605. 80 pp. Octavo (6-1/4" x 4-1/4"; 16 x 11 cm). \$1,250.

Disbound pamphlet in recent block-printed wrappers. Moderate toning to text, negligible light foxing to a few leaves.

ONLY EDITION. Masson was a French humanist, historian, geographer, biographer, literary critic and jurist. The present work is a lightly satirical poem in Latin dedicated to his friends Scévole II and Louis de Sainte-Marthe. Narrated by Stichus and Eros, who are said in the preface to be "slaves of the ancient jurists...from whom they had learned this method of explaining civil law," the poem provides an interesting comparative study of the principles of Roman law through the works of Justinian, Scaevola, Pomponius and others.

◆ This is a rare item. OCLC locates 4 copies, 1 outside Continental Europe (Harvard University). Not in the USTC.

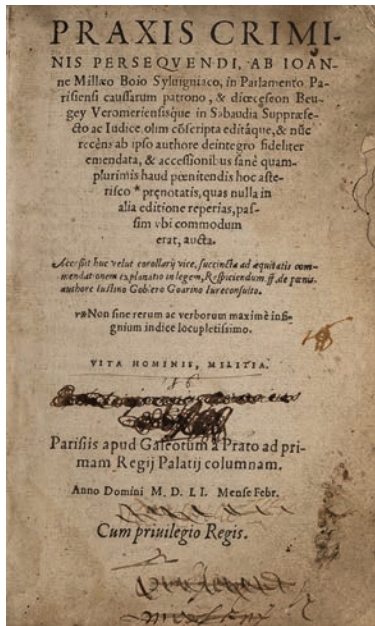
21

Milles De Souvigny, Jean [c.1490-1563]; Göbler (Gobler), Justin [1504-1567]. *Praxis Criminis Persequendi, Ab Ioanne Millaeo Boio Sylvagniaco... Olim Co[n]scripta Editaque, & Nu[n]c Recens ab Ipso Authore Deintegro Fideliter Emendata, & Accessionibus Sanè Quamplurimis Haud Poenitendis hoc Asterico * Prenotatis, Quas Nulla in Alia Editione Reperias, Passim ubi Commodum Erat, Aucta. Accessit huc Velut Corollarii Vice, Succincta ad Aequitatis Commendationem Explanatio in Legem, Respicendum ff. de Poenis Authore Iustino Goblero Goarino Iureconsulto. Non Fine Rerum ac Verborum Maximè Insignium Indice Locupletissimo.* Paris: [Ex Calcographi Renati Aprilis, Sumptibus] Galeotum à Prato ad Primam Regii Palatii Columnam, 1551. [xxiv], 481, [3] pp. Octavo (6-1/2" x 4"; 16.5 x 10.2 cm). \$4,500.

Contemporary flexible vellum, early hand-lettered title to spine. Moderate rubbing to extremities with wear to fore-edge of front board, chips to head and foot of spine, pastedowns loose, front endleaves lacking, full-page printer device to verso of rear endleaf. Moderate toning, faint dampstaining to margins, light soiling, minor creases and edgewear to preliminaries and final few leaves, chip to fore-edge of title page, which has early markings and four struck-through inscriptions, two reading "Ex libris Joannis Mocerius" and "N. De Signac," another De Signac signature below printer device. Underlining and annotations in Latin to almost every page except preliminaries in contemporary hand, notes affected by trimming in a few places. A unique copy of a rare title.



Detail from Nº 21



N° 21



N° 22

FOURTH AND FINAL EDITION, revised and enlarged. This notable work by a French magistrate and jurist was first published in 1541. A well-received work, it went through three more editions in 1549, 1550 and 1551. It describes the criminal justice system through a fictitious “case study,” a murder committed in Paris. From the decision to commit murder to the punishment of the guilty parties, the author discusses the stages of the case and the legal doctrines that apply to them, with references to pertinent texts.

Probably the work of a law student, the annotations fill almost every page of our copy. Evidence of deep and sustained engagement, they highlight and paraphrase key passages and points. Especially detailed are the notes concerning witnesses and testimony, the role of the judge, confession, different types of crime, proof, evidence, accusations and punishments.

◆ All editions of this title are rare. OCLC locates 7 copies of the fourth edition, none in North America. We located a copy at George Washington University Law School. USTC 196445.

AN ATTRACTIVE SET OF THE WORKS OF MONTESQUIEU

22

Montesquieu, Charles de Secondat, Baron de [1689-1755]. *Oeuvres de Monsieur de Montesquieu. Nouvelle Édition, Revue, Corrigée & Augmentée de Plusieurs Pièces qui n'Avoyent pas Paru Jusqu'à Présent.* Amsterdam: [S.n.], 1785. Seven volumes. Complete set, 2 folding tables in Vol. I. 12mo. (6-1/2" x 3-1/2"; 16.5 x 8.9 cm). \$600.

Contemporary quarter calf over paper-covered boards, gilt fillets and lettering pieces to spines, edges rouged. Light

rubbing to boards, moderate rubbing to extremities, faint offsetting along joints, corners bumped and worn, later owner signatures (of Elise [illegible] Powell) to front free endpapers of each volume, light foxing to endleaves, hinges of some volumes cracked or starting. Light toning to interior, light foxing and soiling in a few places, faint dampstaining to gutter of first few leaves of Vols. II and III, small hole to lower corner of leaf A1 (unnumbered) of Vol. IV, small tears to folding tables neatly mended with minor loss, fore-edge of first table reinforced. A handsome set.

Later edition. This attractive set of the works of Montesquieu includes the complete text of:

- *De L'Esprit des Lois* (Vols. I-IV)
- *Défense de L'Esprit des Lois* (Vol. IV)
- *Lettres Persanes* (Vol. V)
- *Considérations sur les Causes de la Grandeur des Romains* (Vol. VI)
- *Dialogue de Sylla et d'Eucrate* (Vol. VI)
- *Le Temple de Gnide* (Vol. VI)
- *Essai sur le Goût* (Vol. VI)
- *Arsace et Isménie* (Vol. VII)
- *Ébauche de l'Éloge Historique du M. de Berwick* (Vol. VII)
- *Lettres Familieres* (Vol. VII)



Detail from N° 22



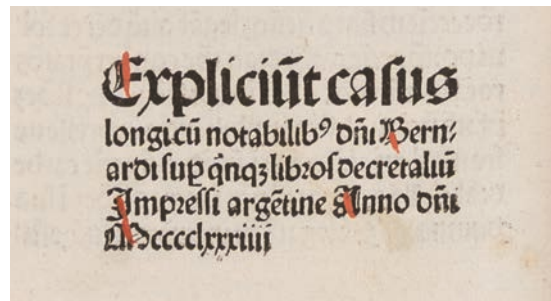
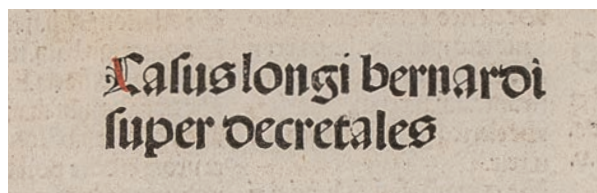
N° 23

WITH ATTRACTIVE PENWORK AND RUBRICATION

23
Parmensis, Bernardus (Bottoni, Bernardo di)
 [d. 1263 or 1266]. [*Casus Longi Super Quinque Libros Decretalium*]. [Strasbourg: (Printer of the 1483 Jordanus de Quedlinburg), i.e. Georg Husner, 1484]. [228] ff. Collation: [a-(et)8, A-E8, 6F-18]. Final leaf blank. Folio (11-1/4" x 7-1/4"; 28.5 x 19 cm). \$13,500.

Seventeenth or early eighteenth-century mottled sheep, gilt spine with raised bands and lettering piece, edges of text block speckled red, endpapers renewed. Light rubbing, binding slightly cocked, some shallow scuffing to boards, small nick to spine, spine ends and corners bumped and lightly worn, rear hinge cracked, brief printed description tipped onto front free endpaper along with later inkstamp ("1484").

Text printed in 52-line Gothic type in parallel columns. Initial spaces filled in with attractive red and blue ink capitals, first initial space completed in blue, yellow and green ink with



Details from N° 23

elaborate red penwork, text elegantly rubricated in red and blue ink throughout. Light toning to interior, occasional light soiling, crack in text block after title page, which is starting to detach at head, index leaves loosening but secure, small hole to upper outside corner of first 4 leaves just touching text on second leaf without loss to legibility, faint stain to right margin of ff. [128]-[160], just touching text on f. [138] only. Two early owner inscriptions (dated 1629 and 1641) to title page, brief early annotations, affected by trimming, to recto of f. [34]. A handsome copy.

FIRST EDITION BY HUSNER. This volume contains an important commentary on the *Liber Quinque Decretalium* of Gregory IX (1234), part of the *Corpus Juris Canonici*. Better known as Bernardus Parmensis, from his birthplace, Parma, Bottoni was a notable canonist. He studied at the University of Bologna, joined its faculty and later became the university's chancellor.

Little biographical information is known about Georg Husner [fl.1473-fl.1498], a former goldsmith who became an important figure in early Strasbourg printing. A medium-scale printer who probably worked on more than one press, he rarely signed his own name to his work, but the press known as "the Printer of the 1483 Jordanus de Quedlinburg" is broadly accepted as his (Chrisman).

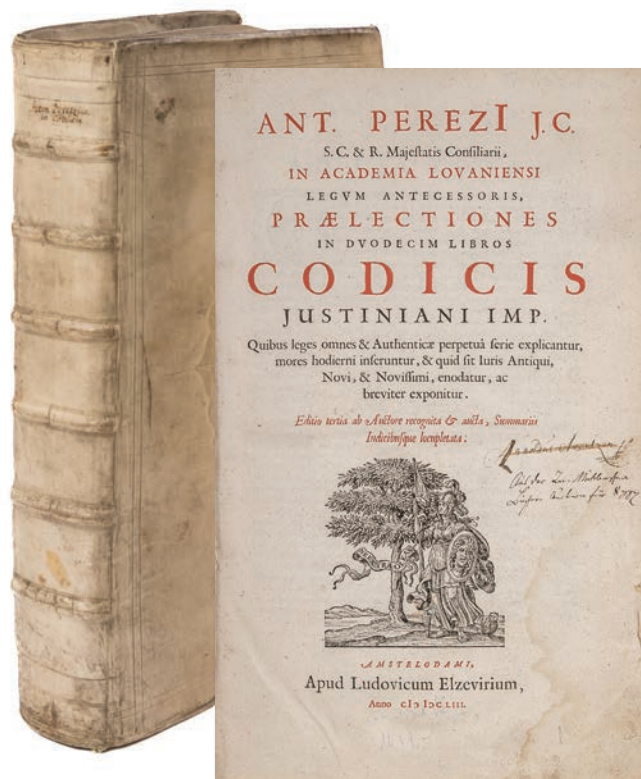
◆ The ISTC locates 4 copies of this imprint in North America (Harvard Law School, Columbia University, Huntington Library, Library of Congress). Chrisman, *Lay Culture, Learned Culture: Books and Social Change in Strasbourg, 1480-1599*. ISTC ib00457000.

**THE HANDSOME FIRST ELZEVIER EDITION,
THE ONLY ONE PRINTED AS A FOLIO**

24

Perez, Antonio [1583-1672 (1673?)]. *Praelectiones in Duodecim Libros Codicis Justiniani Imp. Quibus Leges Omnes & Authenticae Perpetuâ Serie Explicantur, Mores Hodierni Inferuntur, & Quid Sit Iuris Antiqui, Novi, & Novissimi, Enodatur, Ac Breviter Exponitur. Editio Tertia, Ab Auctore Recognita & Aucta, Summariis Indicibusque Locupletata.* Amsterdam: Apud Ludovicum Elsevirium, 1653. [xii], 968, [44] pp. Main text in double columns. Folio (14-3/4" x 9-1/4"; 37.5 x 23.5 cm). \$750.

Contemporary vellum, blind double rules, large central arabesques and tie-holes to boards, raised bands and early hand-lettered title to spine. Light rubbing and soiling, a few small stains, scratches and minor cuts to boards, spine ends bumped, corners bumped and lightly worn, vellum mostly cracked through pastedowns, vellum along fore-edge of rear board pasted down. Title page, with large woodcut Elzevier Minerva device, printed in red and black. Light toning to interior, gradually diminishing faint dampstaining to lower outside corner of text block through leaf K3 (pp. 111-112),



Nº 24

some edgewear and creasing to preliminaries and rear free endpaper, inscription in early hand (indicating purchase of the book in Deventer on August 14, 1680) to front pastedown, struck-through early owner signature (of Arnold Arentzen) to front free endpaper and title page, brief inscription in later hand below signature indicating later purchase of this book at an auction. A very good copy.

FIRST ELZEVIER EDITION and the only Elzevier edition of this work printed as a folio. Perez, a Spanish jurist and statesman, was Professor of Law at the University of Louvain, state counselor to Phillip II and an influential scholar of Roman law. His commentaries on the books of the *Corpus Juris Civilis* were highly esteemed because they were not just elucidations, but original contributions to legal theory. All went through several editions during the seventeenth and eighteenth centuries.

The volume offered here, a commentary on the *Code*, was first published in two volumes in 1639 and 1651, In addition to its treatment of the Roman law, this work examines several aspects of current French, German and Spanish practice. It is designated the third edition, but it is actually the second. Arentzen, its former owner, was a seventeenth-century scholar at the University of Duisberg from the Netherlands city of Deventer.

◆ Willems, *Les Elzevier: Histoire et Annales Typographiques* 1164. Dekkers 132. USTC 1809669.



N° 25

THE PEARLS OF THE DECRETALS

25

[Polonus, Martinus (Martin of Opava) (d.1278)]. *Margarita Decreti Seu Tabula Martiniana*. [Strasbourg: Printer of the 'Casus Breves Decretalium' (Georg Husner?)], 1493. [106] ff. Final leaf blank. Collation: a8, b-q6, r8. Complete. 52-line text in parallel columns. **[Bound with] [Polonus, Martinus (Martin of Opava)]; [Brant, Sebastian (1458-1521), Editor].** *Annotatio[n]es Sive Reportatio[n]es Margaritaru[m] Omniu[m] Decretalium S[e]c[un]d[u]m Alphabeti Ordinem*. [Basel: Nicolaus Kesler, c.19 June 1496]. [42] ff. Final leaf blank. Collation: a8, b-c6, d4, e-g6. Complete. 56-line text in parallel columns. \$18,000.

Together two works in one volume. Folio (11" x 8-1/4"; 28 x 20.8 cm).

Contemporary quarter blind-tooled calf over wooden boards, hand-lettered title label to front board, brass clasps and catches to fore-edges (one clasp present but detached, the leather of the other renewed), pastedowns renewed retaining portion of contemporary front pastedown, first quire

washed, text block remounted. Minor worming to boards, some goring and faint creasing to spine, corners worn, free endpapers lacking. Moderate toning to interior, occasional minor worming, mostly to margins and without loss to legibility, light soiling and unobtrusive faint dampstaining in a few places. Early manuscript ownership inscription (of the Altomünster Monastery) and table of contents in red and black ink in an elegant hand to contemporary portion of front pastedown. An appealing volume.

THIS VOLUME contains two important early legal reference works for scholars of the *Decretals* of Gregory IX (or *Liber Extra*), one of the principal books of the *Corpus Juris Canonici*. "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 [and] gave rise to a vast amount of commentaries and literature" (Walker).

The *Margarita Decretalium*, i.e. "Pearls of the Decretals," is an index to the *Decretals*. First printed in 1481, the *Margarita* was probably assembled during the late thirteenth century, some time before the appearance of the *Liber Sextus* in 1298. Its compilation is attributed to Martin of Opava, a Dominican

friar who produced a number of influential educational works. The 1493 imprint in this volume is the tenth incunable edition of the text.

The other work is an edition of the *Margarita* by noted legal scholar and humanist Sebastian Brant. Remembered today as the moral and satirical poet of *Das Narrenschiff* [*The Ship of Fools*], Brant completed a doctor of laws degree at Basel and served on the faculty there before becoming city clerk of Strasbourg, his birthplace. Our 1496 imprint is one of two issues from that year; it is the first (and only incunable) edition of the title.

◆ The ISTC locates 7 North American copies of the first work and 9 of the second. Walker, *The Oxford Companion to Law 177-179*. ISTC im00327000, im00263000.

WITH EXTENSIVE (AND WELL-INFORMED) CONTEMPORARY ANNOTATIONS

26
Pyron, Jean-Baptiste [1750-1821]; [Radix de Sainte-Foy, Charles-Pierre-Maximilien (1736-1810)]. *Réponses pour M. Jean-Baptiste-Pierre-Julien Pyron, Agent Général des Affaires, & Intendant des Domaines & Bois de Monseigneur le Comte d'Artois; Détenu Es-Prisons de la Conciergerie du Palais, à un Mémoire Intitulé* [drop-head title]. [(Paris): De L'Imprimerie de la Veuve Ballard & Fils, Imprimeurs du Roi, Rue de Mathurins, 1781]. 44 pp. Quarto (10" x 7-3/4"; 25.5 x 20 cm). \$2,000.

Stab-stitched pamphlet in self-wrappers, untrimmed edges, large woodcut vignette at head of text. Moderate toning, light soiling to exterior, some edgewear and a few creases to first and final leaves of text, lengthy annotations throughout text in a neat contemporary hand. A very good copy of a rare title.

ONLY PRINTING LOCATED. This pamphlet concerns one of the great financial scandals of the *Ancien Régime*. In 1780, Sainte-Foy, a highly placed courtier and advisor to the king, was accused of embezzling funds from the Comte d'Artois when he was the superintendent of his estate. Artois, later King Charles X, was the youngest brother of the king. Indicted in 1782, Sainte-Foy fled to England. (A clever and lucky man, he returned to France during the Revolution, negotiated its political terrain deftly, and was never tried for embezzlement.)

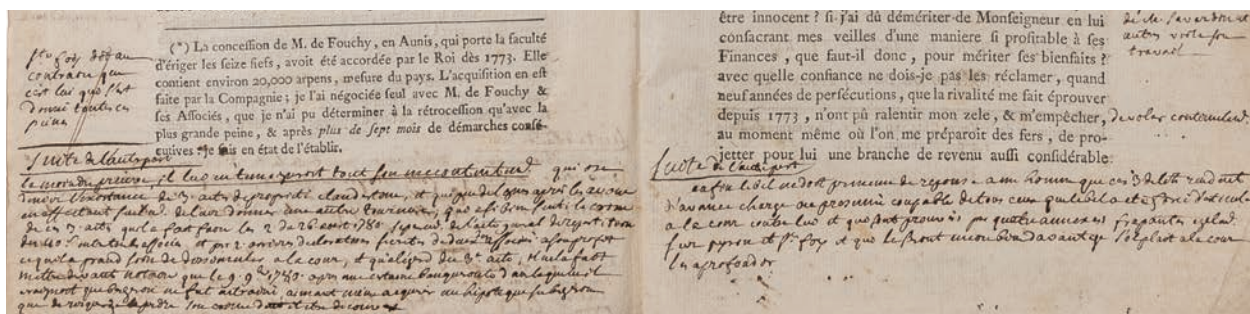


N° 26

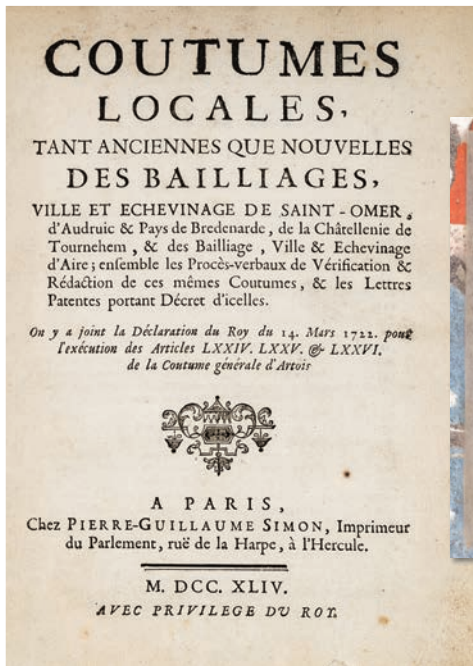
Pyron was the Comte's chief administrator (*intendant*). His pamphlet, one of several generated by the scandal, outlines the case against Sainte-Foy. Our copy is extensively annotated by a well-informed contemporary reader, most likely a lawyer involved in the defense of Antoine Le Bel, one of Artois's officials who was also implicated in the affair. In several places, the annotator asserts Le Bel's integrity and attacks Pyron. For example, "All those who knew Lebel attest that he was never capable of intrigue or cabal (...) He never stooped to expose Pyron, whom he saw covered in disgrace..." (35). Likewise, where Pyron alleges that it was Le Bel who ordered 450,000 *livres* be paid to a secret associate as compensation for a transaction, a notes says it "was carried out by Pyron" (30).

Current scholarship suggests that the annotator may have been close to the truth. Vincent Haegele, director of the Bibliothèque de Versailles, has studied this trial in detail. Based on previously unpublished correspondence with Le Bel, preserved at the Municipal Library of Versailles, he demonstrates that he and others were, in many ways, victims of a complex banking system based on oral authorizations.

◆ This is a rare title. OCLC locates 2 copies (Bibliothèque Nationale de France, George Washington University Law School). No other copies listed on the Catalogue Collectif de France (CCFr). Haegele, *Des Hommes d'Honneur: Trois Destins d'Ancien Régime 189-227*.



Detail from N° 26



Details from N° 27

THOROUGHLY ANNOTATED COPY OF
THE COUTUME OF SAINT-OMER

27

[Saint-Omer]. *Coutumes Locales, Tant Anciennes que Nouvelles des Bailliages, Ville et Echevinage de Saint-Omer, d'Audruic & Pays de Bredenarde, De la Châtellenie de Tournehem, & Des Bailliage, Ville & Echevinage d'Aire; Ensemble les Procès-Verbaux de Vérification & Rédaction de ces Mêmes Coutumes, & Les Lettres Patentes Portant Décret d'Icelles. On y a Joint la Déclaration du Roy du 14. Mars 1722. Pour l'Exécution des Articles LXXIV. LXXV. & LXXVI. De la Coutume Générale d'Artois.* Paris: Chez Pierre-Guillaume Simon, Imprimeur du Parlement, 1744. [viii], 460, xxxi pp. With a half-title. Quarto (10" x 7-1/4"; 25.4 x 18.4 cm). \$2,000.

Contemporary mottled calf, blind rules to boards, gilt spine with raised bands, lettering piece lacking, gilt rules to board edges, marbled endpapers. Moderate rubbing and a few shallow scuffs to boards, which are separated but secured by cords, rubbing and wear to extremities, chipping to spine ends, later bookplate of M.A. (i.e. Mary Augusta) Elton to front pastedown, front endleaves loosening slightly but secure. Light toning to interior, small faint stains to a few leaves, partial crack in text block between pp. 248-249, all leaves secure, annotations in ink in an early hand, some quite extensive, throughout.

ONLY EDITION. The commune of Saint-Omer received its charter in 1127; its customary law is closely related to that of Artois. The annotations in our copy of its *coutume* reflect close reading and careful study. They include glosses, cross-references, corrections to the text, notes on the *coutume*'s

evolution over time and references to earlier statutes, proclamations and cases.

Mary Augusta Elton [1838-1914] was an important collector of rare books and antiquarian material. Along with her husband Charles Elton [1839-1900], an eminent lawyer and author, she amassed a large private library. The two also wrote *The Great Book-Collectors* (1893), a history of the development of the British Library, the Bodleian Library and the Ashmolean Museum.

❖ OCLC locates 5 copies of this title in North American law libraries (George Washington University, Northwestern, Tulane, Harvard, Southern Methodist University). Not in Caswell & Sipkov. Gouron & Terrin 1919.



ONE OF THE FIRST TREATISES ON CONTRACTS
TO DRAW ON NON-ROMAN SOURCES

28

Stryk, Samuel [1640-1710]; Heineccius, Johann Gottlieb [1681-1741], Preface. *Praelectiones Viadrinae De Cautelis Contractuum Necessariis Exemplis Contractuum Declaratae Et Variis Facultatis Iuridicae Responsis Illustratae. Praefationem De Iurisprudencia Heurematica Praemisit Io. Gottl. Heineccius, Ic.* Berlin: Sumtibus [sic] Christoph. Gottl. Nicolai, 1736. [ii], xxvi, 584, [32] pp. Quarto (7-1/2" x 6-1/4"; 19 x 15.9 cm). \$2,000.

Contemporary paneled pigskin over beveled boards, raised bands lettering piece and tiny early shelf label to spine, colored edges, brass clasps. Negligible light soiling, tiny chip



Details from N° 28

to head of spine, minor scuff to fore-edge of front board. Title page printed in red and black, moderate toning and foxing to interior. A very good copy in a notably handsome binding.

STRYK was an important German jurist because he was one of the first to combine Roman and local customary law. Originally published in Latin in 1684, with later editions in Latin and German, *De Cautelis Contractuum* is one of the first treatises on contract law that isn't based entirely on Roman law.

It has four parts. The first part describes contracts that should be entered into with care, such as those concerning church or civil property, or those that involve children, drunks, or the deaf, dumb, or blind. The second part discusses loans, deposits, pledges and securities, bail, buying and selling, renting and leasing, inheritance, business partnerships and proxies. The third part addresses guardianship, inheritance, insurance, exchange and marriage. The fourth part is concerned with issues involved in the discharge and termination of contracts, including debts and receipts. In our edition the main text is preceded by a brief essay on legal interpretation by Heineccius, an important German jurist and scholar who taught at the University of Halle.

◆ OCLC locates no copies of this edition in North America. VD18 10820868.

A COMPREHENSIVE VIEW OF THE LAWS OF HALLE

29

Stryk, Samuel; Ludewig, Johann Peter von [1668-1743]; Thomasius, Christian [1655-1728]. *Consilia Hallensium Iureconsultorum, Der Verstorbenen Sowohl. S. Stryken, C. Thomasii U.A. Als Auch des von Ludewig. Davon die Letztere Uber die Helffte des Wercks Ausmachen.* Halle: Zu Finden in der Rengerischen Buchhandlung, 1733-1734. Two volumes. [iv], xl pp., 1178 col.; [iv], 96 pp., 952 col., [236] pp. Text mostly in double columns. Volume I has additional engraved title page bound as frontispiece, Volume II has copperplate frontispiece of Johann Peter von Ludewig. Folio (8-1/2" x 13-1/4"; 19 cm x 33.6 cm). \$1,500.

Contemporary three-quarter calf over speckled paper boards, rebacked (Volume I retaining fragments of original spine) and recornered, endpapers renewed. Boards rubbed with heavier rubbing and light wear to extremities, front board and first gathering of Volume I detached, front joint of Volume II starting near foot, first gathering of Volume II loose, rear hinges cracked. Elaborate allegorical title page to first volume depicting King Solomon, Lady Justice, and jurists Samuel Stryk, Johann Peter von Ludewig and Christian Thomasius; title pages printed in red and black. Moderate toning, occasional unobtrusive light foxing, crack (and partial split) to center of Volume II text block, fold lines to allegorical title page. An impressively printed title.

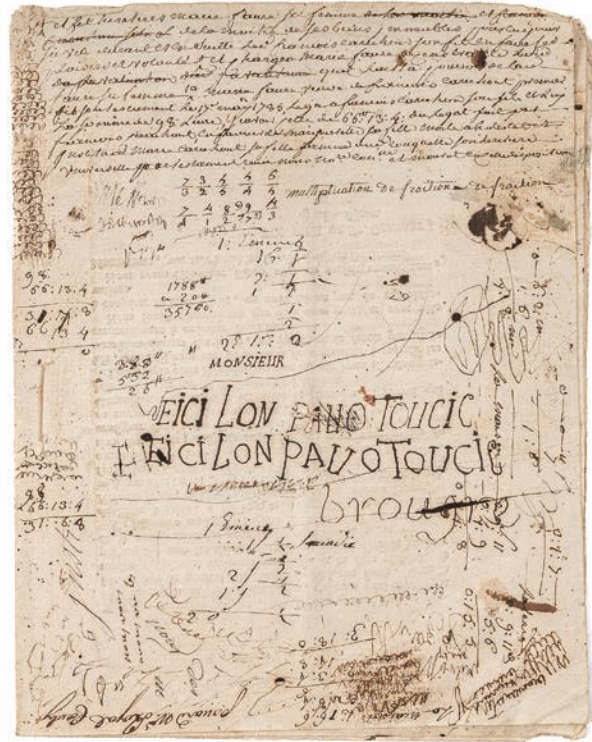


Details from N° 29

ONLY EDITION. A compendium of the laws of Halle and their history, *Consilia Hallensium* is an excellent 'case study' in the development of German law. It consists of a set of opinions (*consilia*) by three eminent jurists on cases pertaining to the city of Halle, an important trading and manufacturing city in Saxony. Organized by topic and legal jurisdiction, the text is divided into four parts: civil law, ecclesiastical and consistorial law, feudal law, and the constitutional law of the Holy Roman Empire. Roman, canon, Lombardic, customary and imperial law are all considered.

All three jurists represented in the text lectured at the University of Halle and were instrumental in the development of a distinct German legal identity and jurisprudence in their time. Stryk specialized in the transition from Roman law. Ludewig was the first historian of the Holy Roman Empire. Thomasius, one of the most influential academics of his time, helped found the University of Halle and published notable works on divine and ecclesiastical law.

◆ OCLC locates 2 copies of this title outside Europe, both in law libraries (Harvard, Yale). VD18 10751122.



Details from N° 30

**AN UNRECORDED REQUEST TO HUNT WOLVES
SPURRED BY FEARFUL MEMORIES OF
THE BEAST OF GÉVAUDAN**

30
[Wolves]; [France]. *Mémoire à Nosseigneurs des États Généraux de la Province de Languedoc* [Drop-Head Title]. [Nîmes: Chez C. Belle, Imprimeur du Roi & du Diocèse, Rue des Fourbissers, 1787]. 6, [2] pp. Quarto (10" x 8"; 25.5 x 20.5 cm). \$950.

Stab-stitched pamphlet in self-wrappers, untrimmed edges, large woodcut vignette above title. Moderate toning, negligible foxing, vertical and horizontal fold lines, small hold to center of final leaf with minor loss to text, doodles, columns of numbers, writing exercises, a few annotations in various early hands and a few inkstains to margins of most leaves and verso of final leaf, a blank. A very good copy of a rare title.

ONLY PRINTING LOCATED. At first, this request from the town of Saint-Gervasy to its provincial government, the États Généraux of Languedoc (now Lozère), appears to concern a routine matter. It seeks permission to commence a local program to hunt wolves in response to a series of recent wolf attacks on livestock and urges the enactment of a province-wide campaign for greater effectiveness.

The urgent language of this document indicates a larger issue: a keen fear of wolves based on memories of the so-called Beast of Gévaudan, an unusually large, powerful and vicious wolf, or wolf-like animal, that terrorized livestock and people in Languedoc and Haute-Loire from 1764 to 1767.

(One account, *The Fear of Wolves: A Review of Wolf Attacks on Humans*, records 210 attacks resulting in 113 human deaths and 49 injuries.) After a large campaign organized by the king, the attacks ceased after several animals identified as the beast were killed. These memories certainly affected local anxieties about wolves, which would have intensified in response to a fresh round of wolf attacks.

The annotations on our copy are inconsequential except for one: a long extract from a notarial document on the verso of the final leaf, dated 1785, concerning a widow and the succession of her husband.

◆ This item is rare and appears to be unrecorded. No copies listed on OCLC or the Catalogue Collectif de France (CCFr). Linell, Andersen, et al., *The Fear of Wolves: A Review of Wolf Attacks on Humans* 19.

Great Britain

“QUITE A LAW LIBRARY IN ITSELF”

31

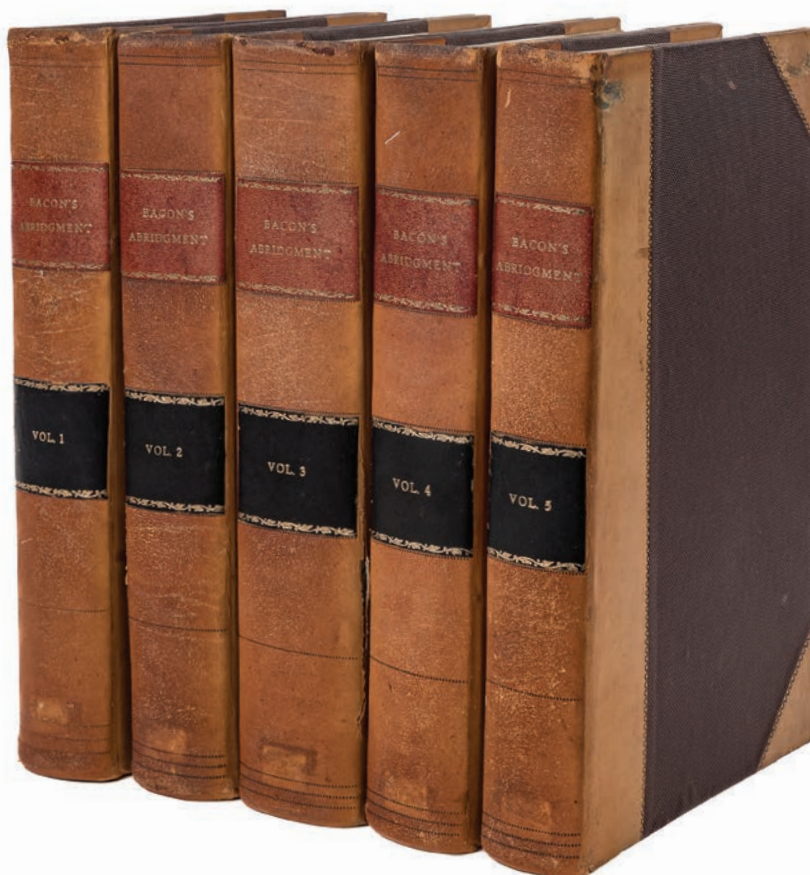
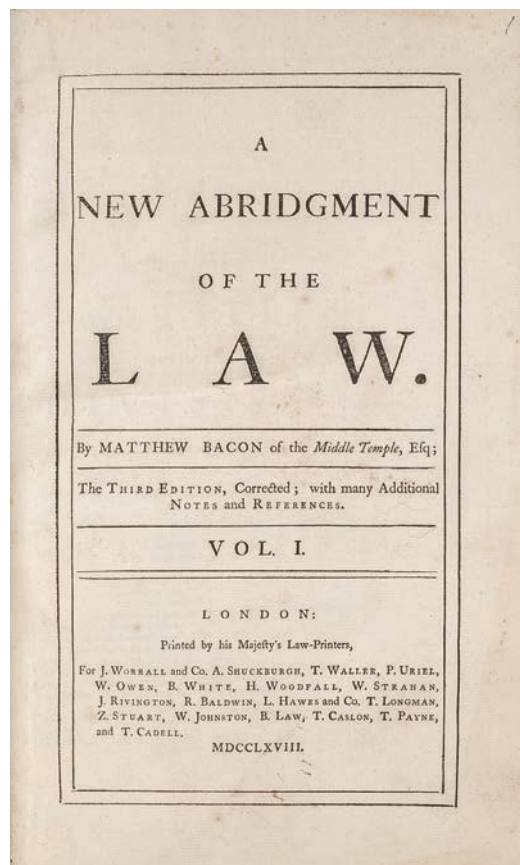
Bacon, Mathew [fl. 1730]; [Gilbert, Sir Jeffrey (1674-1726)]; [Sayer, Joseph (fl. 1750)]; [Ruffhead, Owen (1723-1769)]. *A New Abridgment of the Law. Corrected; With Many Additional Notes and References.* London: Printed by His Majesty's Law Printers, For J. Worrall [et al.], 1768, 1770. Five volumes (Volume 5: 1770). Complete set. Folio (13-1/4" x 8-1/4"; 33.5 x 21 cm). \$2,500.

Recent three-quarter calf over buckram, blind fillets to calf edges, blind fillets and red and black lettering pieces to spines, endpapers renewed. Moderate rubbing to extremities, spines somewhat darkened, front joint of Volume 3 starting at foot. Light toning to interiors, occasional light foxing, light soiling and faint spotting in a few places, tiny recent ink shelfmark to upper outside corner of Volume 1 title page, small tear to gutter of last leaf of Volume 5 not affecting text. Brief early pencil and ink notes to a few leaves in each volume. 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, 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, *Catalogue of the Library of Thomas Jefferson 1792* (citing the fifth edition). ESTC N5624.



CARTA DE FORESTA
 REGIS HENRICI III,
 XI DIE FEBRUARII, MCCXXIV,
 ANNO REGNI IX.



ENRICUS Dei gracia rex Anglie domi-
 nus Hybernie dux Normannie Aquitanie et
 comes Andegavie archiepiscopis episcopis ab-
 batibus prioribus comitibus baronibus justi-
 ciaris *forestariis* vicecomitibus prepositis mi-
 nistris et omnibus ballivis et fidelibus suis
 presentem cartam inspecturis salutem Scia-
 tis quod nos intuitu Dei et pro salute anime nostre et animarum

VARIAE LECTIONES,

*desumptae ex Carta de Insuperimus, in Ecclesia cathedrali Dunelmensi asseruata, signantur Lite-
 ris D, Insp. - ex Carta de Insuperimus, in Collegio Orielenfi, Litera O: - ex Rotulo Stat.
 25 Ed. I. in Turri London. m. 38, 39, Litera et Numero T 25: - ex Rotulo Cart.
 28 Ed. I. ibid. m. 6, Litera et Numero T 28: - ex utroque Rotulo, Literis TT.*

EDWARDUS Dei gracia rex Anglie dominus
 Hybernie et dux Aquitanie { archiepiscopis episcopis abbatibus prioribus comitibus baronibus }
 { justiciariis forestariis vicecomitibus prepositis }
 { presentibus littere pervenerint. T 25. }
 { et omnibus ballivis et fidelibus suis presentem }
 { ministris et omnibus ballivis et fidelibus }
 { cartam inspecturis. T 28. }
 { suis. D, Insp. O. }
 { salutem Insuperimus cartam }
 { domini H. quondam regis Anglie patris nostri de }
 { foresta in hec verba HARTEUS &c. D, Insp. O. }
 TT.

antecefforum

Nº 33

COPY OF A 1791 SUMMARY OF BANKRUPTCY LAW
 THAT BELONGED TO A PROMINENT
 PHILADELPHIA LAWYER

32
[Bankruptcy]; [Great Britain]. *A Succinct Digest of the Laws Relating to Bankrupts...* Dublin: Printed by Brett Smith, For E. Lynch [et al.], 1791. [xvii], 192, lxxii, [26] pp. Octavo (7-3/4" x 5"; 19.8 x 12.5 cm). \$500.

Modern quarter cloth over plain paper boards, lettering piece and gilt fillets and title to spine, endpapers renewed. Minor soiling to exterior, front hinge split (before title page), rear hinge starting (before rear free endpaper). Moderate toning to interior, very light foxing in a few places, library punch stamp and ink shelf number to title page affecting text without loss to legibility, early owner signature of "E Shippen Burd" to title page and first pages of preface and table of contents.

REISSUE OF THE FIRST EDITION, London, 1791. As indicated in the preface, this book was intended for "merchants and traders" rather than "professors of the law." The contents are accordingly "divested, as much as it is possible, of technical expressions and profession idioms, and arranged in such order, that the several parts may become perspicuous and familiar to every capacity" ([xiv]-[xvi]).

As Lemoine notes, Irish editions of English law books were usually produced in smaller formats and were generally

preferred by American purchasers for their portability while riding circuits. The former owner of our copy, Edward Shippen Burd [1779-1848], apparently agreed. A wealthy and prominent Philadelphia attorney, Shippen Burd was the son of Edward Burd [1749-1833], a prothonotary of the Pennsylvania Supreme Court who served as an officer in the Revolutionary War.

♦ Lemoine, *Present State of Printing and Bookselling in America* (1796, reprinted 1929). ESTC N24533.

A WIDE-MARGINED COPY
 IN A HANDSOME BINDING

33
Blackstone, Sir William [1723-1780], Editor. *The Great Charter and Charter of the Forest, With Other Authentic Instruments: To Which is Prefixed an Introductory Discourse, Containing the History of the Charters.* Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. Half-title and table of contents (Tabula) are bound between pp lxxvi and 1. Complete. Copperplate engraved tail-pieces. Folio (13-1/2" x 10-1/2"; 34.3 x 26.7 cm). \$8,500.

Contemporary speckled calf boards, rebacked in period style, gilt fillets and large corner fleurons to boards, raised bands, gilt ornaments and lettering piece to spine, gilt tooling to

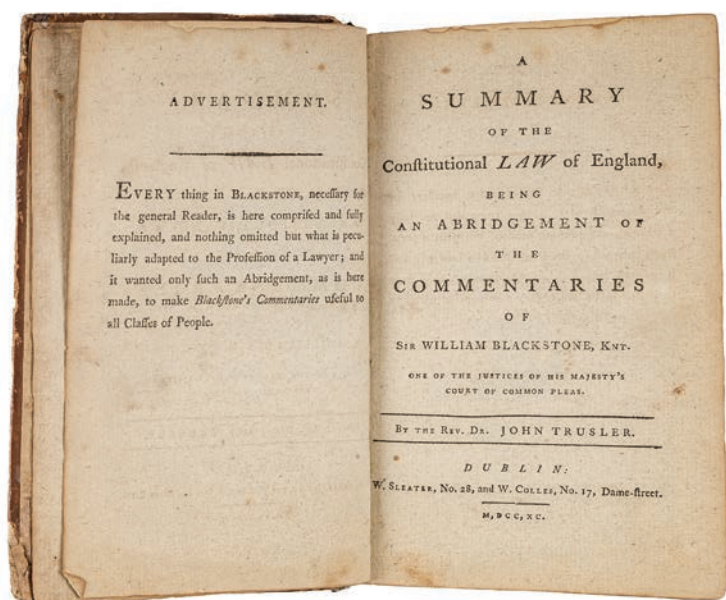
board edges, marbled endpapers. Light rubbing and a few minor scuffs to boards, somewhat heavier rubbing to board edges with some wear to corners. Light toning, light foxing in a few places, "F.F. 4.1." in early hand to verso of front free endpaper. A very desirable wide-margined copy.

FIRST EDITION of the first modern critical edition of Magna Carta. Blackstone's first important work, it contains the texts of 14 medieval documents, including the Articles of the Barons and the issues of the Great Charter in 1215, 1216 and 1217, along with several charters of confirmation, the Charter of the Forest, and the Statute of Marlebridge.

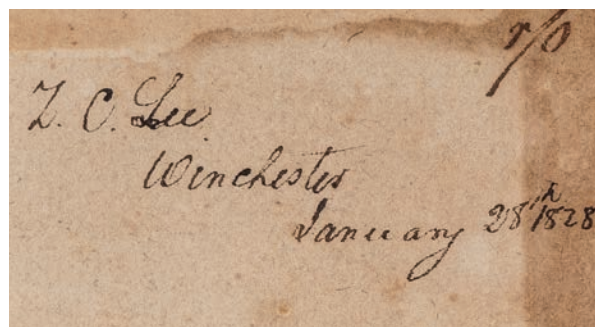
The introduction is in English and the texts of the Magna Carta and Carta de Foresta in Latin. Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. This idea, first proposed by Coke, was a central tenet of Whig ideology. 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.



Nº 34



Detail from Nº 34

THE FIRST ABRIDGEMENT OF
THE COMMENTARIES

34

Blackstone, Sir William; Trusler, John [1735-1820], Editor. *A Summary of the Constitutional Law of England, Being an Abridgement of Blackstone's Commentaries.* Dublin: W. Sleater, No. 28, And W. Colles, No. 17, Dame-Street, 1790. [iv], 228, [8]. 12mo. (7" x 4-1/2"; 17.8 x 11.4 cm). \$1,250.

Contemporary calf, lettering piece and gilt fillets to spine, joints reinforced. Light rubbing and scuffing to boards, moderate rubbing to extremities with wear to spine ends and corners, front hinge starting, crack in text block between second and third front endleaves. Light browning to text, (illegible) owner signature dated 1860 to front free endpaper, another ("Z.C. Lee/ Winchester," dated 1828) to following endleaf.

ONLY DUBLIN EDITION, a reprint of the London edition, 1788. According to Laeuchli, "this appears to be the earliest abridgment of Blackstone's *Commentaries*." It was the work of the Rev. John Trusler, a remarkably prolific author of popular books on a variety of subjects ranging from etiquette and gardening to finance and law. His most famous works are *The Way to be Rich and Respectable* (1780) and *Hogarth Moralized* (1768). His legal writings include *Useful and Legal Information to Purchasers & Possessors of Estates*, a treatise on real property, and the present work. According to the book's Advertisement, it offers "every thing in Blackstone necessary for the general reader [with] nothing omitted but what is peculiarly adapted to the profession of a Lawyer" (iii). The book went through two more editions in 1790 and 1796.

This copy belonged to Zaccheus Collins Lee [1805-1859], a distinguished Maryland lawyer and judge. He studied under influential Virginia jurist Henry St. George Tucker at Winchester Law School, where he apparently found this text useful.

◆ All editions are scarce. OCLC locates 4 copies of the Dublin edition in North American law libraries (Harvard, Library of Congress, Trial Court Library of Worcester, MA, Yale). Not in Eller. Laeuchli 123.



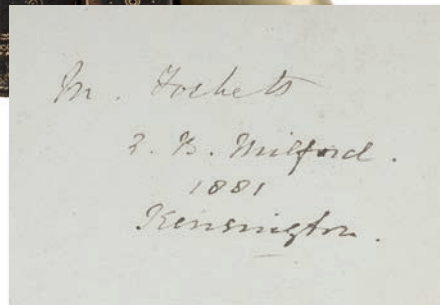
**AN AUTHOR-COMPILED FAMILY SET OF WORKS
BY AN IMPORTANT PAMPHLETEER AND
CONSERVATIVE THINKER**

35

Bowles, John [1751-1819]. [38 Pamphlets by John Bowles]. 38 pamphlets comprising 37 titles (one repeated) in 6 volumes. London, 1791-1810. Various paginations. Two (identical) errata slips laid-in to Volume 4. Octavo (8" x 5"; 20.3 x 12.7 cm). \$3,750.

Contemporary calf, gilt fillets to boards, gilt decoration, lettering pieces (some with contents) and volume numbers to spines, Volume 6 rebacked retaining existing backstrip, gilt tooling to board edges, marbled endpapers. Worn, some rubbing to bindings, boards separating or detached on Volumes 1-5, light gatoring to spines, chipping to spine ends of Volumes 1-5, corners bumped and worn, early owner signatures (of M. Foskett and E.B. Milford) to front endleaves of each volume. Light toning to interiors, occasional light foxing. Laid-in note and ink annotations/corrections (some affected by trimming) to 11 pages in Volume 1; brief pencil annotations to 2 pages in Volume 4. A complete list of titles with additional details is included in the photos available on our website.

BOWLES, a barrister, began his career as a pamphleteer in 1791 and continued to publish until 1817. "[P]erhaps after Burke the most impressive of the secular conservatives," he attacked Lockean political theory, social reform movements and liberalizing forces in British politics with vigor throughout his career (Harvey). His pamphlets discuss the French Revolution and the ensuing wars, libel, press freedom, electoral politics, "the political and moral state of society" (including "remarks on modern female manners"), military readiness, education, and the poor laws. In all, the set is an interesting document in the history of British conservatism after the French Revolution. It is also of bibliographic importance, strengthening or supplying attributions for the anonymously published works it contains. Two of the items



Details from N° 35

appear to be unrecorded (one an unrecorded imprint and the other an unrecorded second edition).

The set does not comprise a complete collection of Bowles's known works, omitting at least 4 titles published within the date range of the set and 1 published afterwards, but it is likely that Bowles himself was the compiler. He was known to collect and send his works to others, most famously Edmund Burke. The annotations also appear to be in his hand and are authorial in nature; the notes in *Letters of the Ghost of Alfred* may represent preparation for another edition which did not materialize.

Additionally, the ownership signatures on the front free endpapers are likely those of family members. "M. Foskett" is likely a relative of Bowles's wife, Jane Bowles, *née* Foskett. Jane's books were willed to her brother Henry Foskett. "M. Foskett" may be Henry's wife or daughter, both of whom were named Maria. "E.B. Milford" is likely Henry's youngest daughter, Emma Bowles Milford [1835-1918].

◆ Harvey, *Britain in the Early Nineteenth Century* 107.

**A PROCLAMATION PROTECTING
ENGLAND'S TEXTILE INDUSTRY**

36

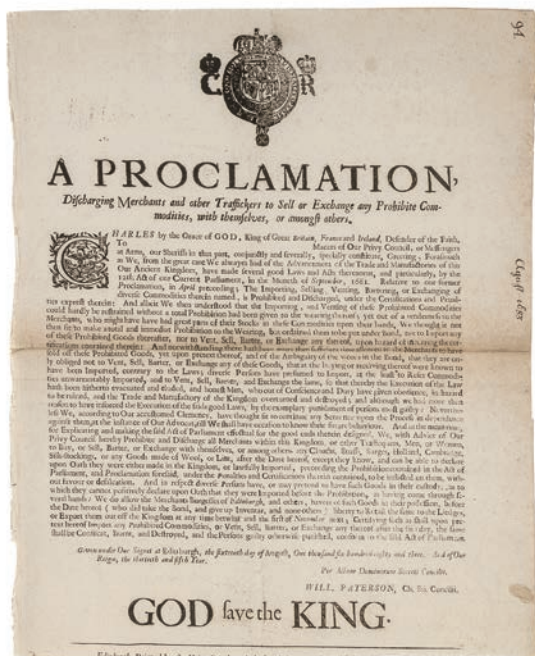
[Broadside]; Charles I [1600-1649], King of England. *A Proclamation, Discharging Merchants and Other Traffickers to Sell or Exchange Any Prohibited Commodities, With Themselves, Or Amongst Others.* Edinburgh: Printed by the Heir of [Andrew Anderson, Printer to His Most Sacred Majesty, 1683]. \$750.

13-1/2" x 11" (34.3 x 28 cm) broadside removed from volume with loss of most of imprint statement at foot, text in single column below headline and large woodcut royal arms, eight-line woodcut initial. Moderate toning, lightly soiled horizontal fold line through center, some edgewear along left margin, "94" and "August 1683" in early hand along right margin.

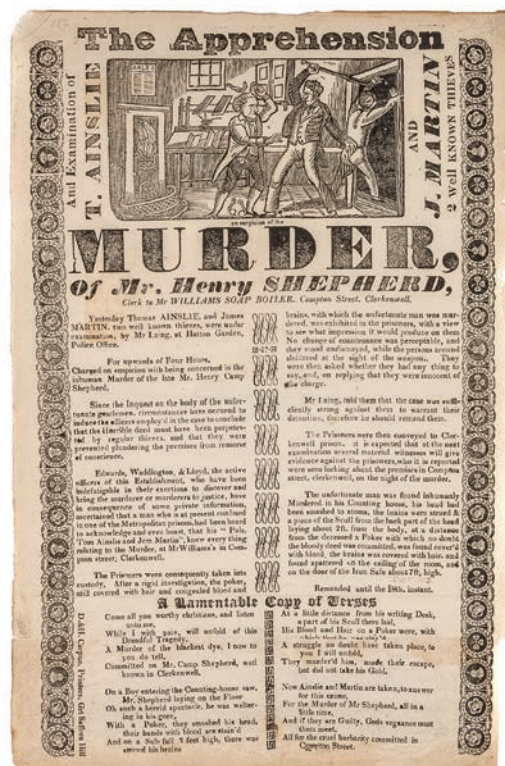
ONLY EDITION, one of two issues, the other published in London. Intended to support domestic textile production, this broadside was sent to sheriffs and other law enforcement officials throughout Scotland. (The salutation line in our copy is blank.) An act from September 1681 and a proclamation from the year before prohibited the importation and sale of certain fabrics. However, it permitted merchants to sell any imported stock that remained. By 1683 sufficient time had elapsed to liquidate this stock, but it was apparent that many were continuing to import textiles in violation of the law.

The present broadside decrees that merchants cannot buy or sell any "Cloaths, Stuff, Sarges [serges], Holland, Cambridge, Silk-stockings, or any Goods made of Wool, or Lint" unless they can prove they were either made in the kingdom or lawfully imported before the prohibition. As for any remaining imported stock, permission is granted to the Merchants Burgesses of Edinburgh to sell it until November 1. Afterwards, it will be "Confiscat, Burnt, and Destroyed, and the Persons guilty otherwise punished."

◆ Both issues of this broadside are rare. OCLC, Steele and the ESTC locate four copies of ours (National Archives of Scotland, National Library of Scotland, Harvard Business School, two copies). Steele, *A Bibliography of Royal Proclamations of the Tudor and Stuart Sovereigns* III:2552. ESTC R183441.



№ 36



№ 37

"HIS HEAD HAD BEEN SMASHED TO ATOMS"

37

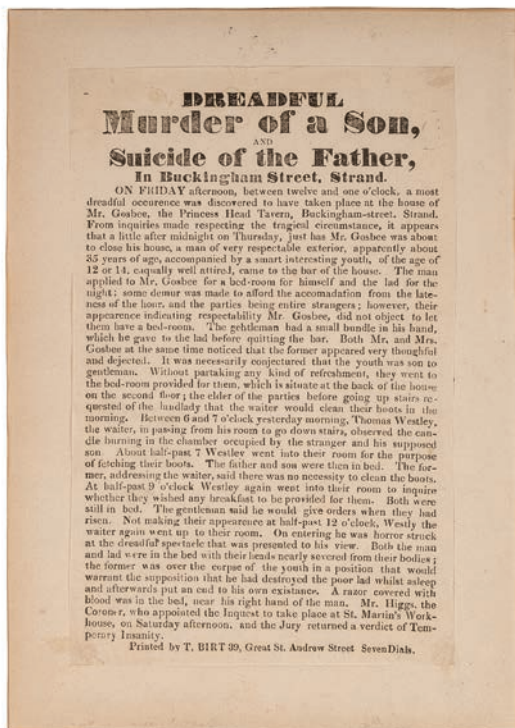
[Broadside]; [Crime]; Ainslie, Thomas; Martin, James. *The Apprehension and Examination of T. Ainslie and J. Martin 2 Well Known Thieves on Suspicion of the Murder, Of Mr. Henry Shepherd, Clerk to Mr Williams Soap Boiler. Compton Street. Clerkenwell.* [London]: D. & H. Carpue. Printers, [1834]. \$2,500.

14-3/4" x 9-1/2" (37.3 x 24.5 cm) broadside, text in two columns divided by ornamental rule below headline and large woodcut vignette, two columns of verse at foot of text. Light toning, a few small faint stains, slight creasing in places, brief contemporary annotation ("Decr. 1832.") to foot of text, two contemporary newspaper clippings about the case pasted to verso on partial backing sheet (2-1/2" x 9-1/2" / 6.5 x 24.5 cm). Rare.

HENRY SHEPHERD, a soap-maker's clerk, was found brutally murdered in his office. Our broadside recounts the efforts of the police, "indefatigable in their exertions," to find his killers, starting with the questioning of Thomas Ainslie and James Martin, "two well known thieves." We could not find a record of Ainslie or Martin's execution; the two may have been cleared of the crime during the investigation. The broadside concludes with some notably gory verses, featuring lines such as "And on a Safe full 7 feet high, there was strewed his brains."

◆ This item is rare and appears to be unrecorded. No copies located on OCLC or Library Hub, or by us in relevant institutional catalogs.

UNRECORDED BROADSIDE DOCUMENTING
A GRISLY MURDER-SUICIDE IN LONDON



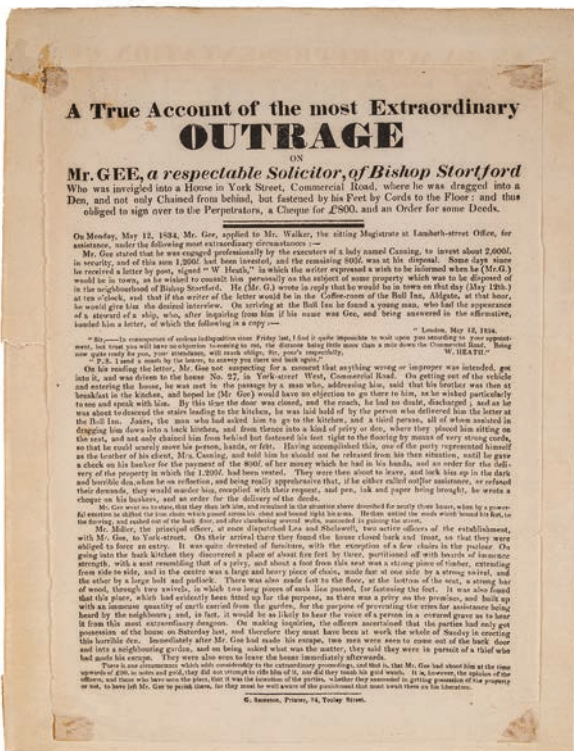
№ 38

38
[Broadside]; [Crime]; [Bryant, John (c.1801-1837)]; [Bryant, William (c.1826-1837)]. *Dreadful Murder of a Son, And Suicide of the Father, In Buckingham Street, Strand.* [London]: Printed by T. Birt, [1837]. \$1,850.

9-1/2" x 6" (24.5 x 15.7 cm) broadside mounted to 11-3/4" x 8-1/4" (29.8 x 21.1 cm) backing sheet, text in single column below headline. Moderate toning, negligible light soiling, faint offsetting from adhesive to corners of broadside. Rare.

JOHN BRYANT and his young son William stopped by a tavern for a room late at night. In the morning, they were discovered "in the bed with their heads nearly severed from their bodies." A bloody razor found near the father led to the conclusion that "he had destroyed the poor lad while asleep and afterwards put an end to his own existence." The coroner's jury found that the father was responsible for the killing but had been temporarily insane.

◆ Although the case was reported widely in newspapers, this broadside is rare and appears to be unrecorded. No copies located on OCLC or Library Hub, or by us in institutional catalogues. We could not locate any other broadsides or separately printed accounts of the case.



№ 39

"INVEIGLED INTO A HOUSE IN YORK STREET"

39
[Broadside]; [Crime]; Gee, William. *A True Account of the Most Extraordinary Outrage on Mr. Gee, A Respectable Solicitor, Of Bishop Stortford Who was Inveigled into a House in York Street, Commercial Road, Where He was Dragged into a Den, And Not Only Chained from Behind, But Fastened by His Feet by Cords to the Floor: And Thus Obligated to Sign Over to the Perpetrators, A Cheque for £800. And an Order for Some Deeds.* [London]: G. Smeeton, Printer, [1834]. \$1,600.

10" x 7-1/4" (25.5 x 18.5 cm) broadside mounted to 11" x 8-1/2" (28 x 21.5 cm) backing sheet, text in single column below headline. Moderate toning, a few tiny stains, offsetting from adhesive to corners of broadside, tiny clean tear to its right edge. Rare.

AFTER GEE WAS ENGAGED to invest £2,000 as part of executing an estate, he received a letter from a prospective client inviting him to a house in York Street to discuss business. When he got out of the coach, he quickly realized that things were not as they seemed. Three men attacked him, bound him and demanded that he sign over the investments and the remaining money from his estate case. (The participants were led by a disgruntled relative who had been left out of the will.) Gee managed to escape his captors

"SUCH CONDUCT FROM A WIFE WAS TOO MUCH TO LET PASS UNNOTICED"

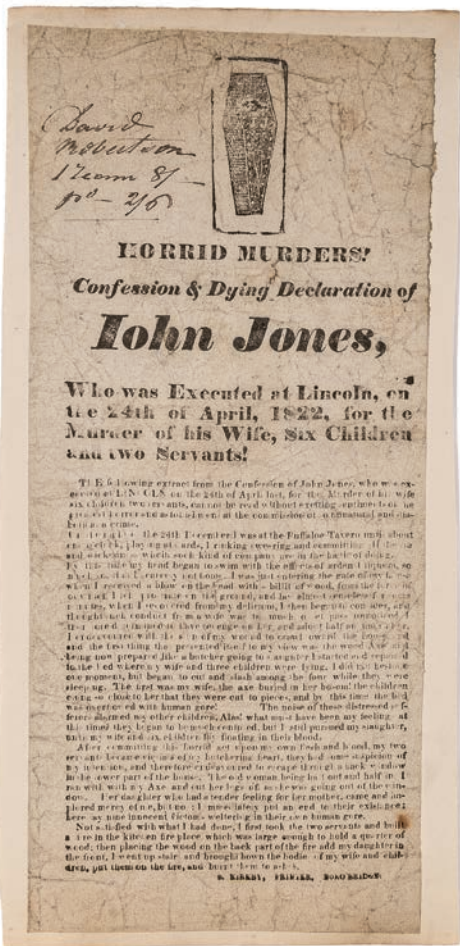
42

[Broadside]; [Execution]; Jones, John [d.1822]. Horrid Murders! Confession & Dying Declaration of John Jones, Who was Executed at Lincoln, On the 24th of April, 1822, For the Murder of His Wife, Six Children and Two Servants! Boroughbridge: S. Kirkby, Printer, [1822]. \$1,850.

12-1/2" x 5-1/2" (31.7 x 14 cm) broadside mounted to 13" x 6-1/4" (33.1 x 16.1 cm) backing sheet, text in single column below headline and woodcut vignette of coffin with the initials "JJ." Light soiling and creasing, text faded (somewhat significantly in places) due to print quality, tiny hole to main text block without loss to legibility, small clean tear to right edge of broadside not affecting text, early owner signature (of David Robertson, with annotation noting price paid) to left of vignette. Rare.

AFTER A NIGHT of hard drinking at the Buffalo Tavern, Jones returned home to a blow on the head from his wife. Thinking that "such conduct from a wife was too much to let pass unnoticed," he "determined to have revenge on her" and picked up an axe "like a butcher going to slaughter." He killed his wife first and then moved on to his six children and the two servants in the house. He was executed for the murders on April 24, 1822.

◆ This imprint is rare and appears to be unrecorded. No copies listed on OCLC or Library Hub. OCLC locates 1 copy of a broadside with a nearly identical title and a different imprint (Oxford University).



Nº 42



Detail from Nº 43

AN UNRECORDED ENGLISH BROADSIDE
REPORTING THE EXECUTION OF LOUIS XVI

43

[Broadside]; [Execution]; Louis XVI [1754-1793], King of France. Trial, Defence, Sentence, And Massacre of the King of France, Containing an Authentic Narrative of Every Interesting and Important Circumstance, As Communicated by a Member of the Late National Assembly to a Member of the British Parliament. Bath: Printed and Sold by W. Gye, Stationer, Market-Place; To be Had of All the Booksellers; And of Champante & Co. Stationers, London, [1793]. \$3,500.

23-1/4" x 19-1/4" (59 x 49 cm) broadside on laid paper (with indistinct watermark), text in four columns below headline, 5-1/2" x 6" woodcut execution scene at head of middle columns, text surrounded by thin-thick ruled border. Moderate toning and edgewear, some inkspots and light foxing, horizontal and vertical fold lines, a few with minor tears, calligraphic doodle in young contemporary hand to bottom margin, similar calligraphic doodles, cursive exercises, faint dampstains, inkspots and large inkstain, all without bleed-through, to verso.

A WARNING to opponents of the British monarchy, this broadside sympathetic to Louis XVI appeared as news of his execution began to arrive in England. Its contents are adapted from a contemporary pamphlet, titled (in part): *The Trial and Large of Louis XVI (...)* Communicated in a Series of Letters by a Member of the Late National Assembly, To a Member of the British Parliament (London, 1793). The final column of the broadside is the text of the king's will.

◆ It is rare and appears to be unrecorded. No copies listed on OCLC or Library Hub.

AN UNRECORDED BROADSIDE DOCUMENTING
THE AFTERMATH OF A LONDON SHOOTING

44

[Broadside]; [Execution]; Quennell, Samuel [c.1824-1846]. *The Trial, Sentence, And Execution of Samuel Quennell, Who was Executed at Horsemonger-lane Gaol This Morning, For the Wilful Murder of Daniel Fitzgerald.* [London]: Birt, Printer, [1846]. \$1,500.

15" x 9-3/4" (38.2 x 25 cm) broadside, text in triple columns below headline and woodcut vignette, verse in triple columns at foot of text. Browning, light edgewear, a few faint stains and small holes (no loss to legibility), early annotation ("Jan 5, 1846.") under headline. A good copy of a rare broadside.

QUENNELL was convicted of the shooting death of Daniel Fitzgerald, a murder seemingly carried out at random. (The motive may have been a negative comment to his employer.) The examination of the gun and analysis of the fired bullets



Nº 44



Detail from Nº 44

were crucial to the prosecution's case. Our broadside documents Quennell's trial and execution. It was printed by one of the successors of Thomas Birt [d.1841], most likely his widow, who took over the business upon his death. (Sources disagree on her name, which was either Mary or Ann Birt.)

◆ This broadside is rare and appears to be unrecorded. No copies located on OCLC or Library Hub, or by us in institutional catalogues. OCLC locates 1 copy of a similar broadside from the same printer at Harvard Law School.



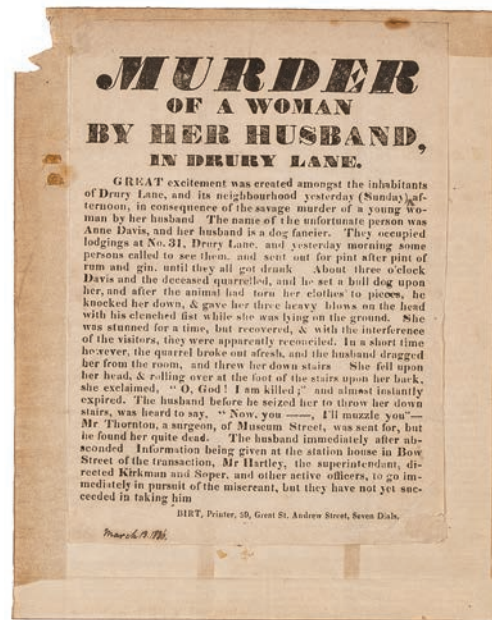
Nº 45

THE TRIAL AND EXECUTION OF THE "LONDON BURKERS"

45
[Broadside]; [Executions]; Bishop, John [d.1831]; Williams, Thomas [d.1831]; May, [James]. *Trial, Execution, And Confession of the Burkers, On Monday, December 5th, 1831 for the Murder of Charles Fariere, An Italian Boy.* [London]: Printed by J[ohn] V[andenburg] Quick, 42, Bowling Green Lane, Clerkenwell; And Sold by J. Pitts, Great St. Andrew Street, 7 Dials, [1831]. \$1,750.

15" x 10" (38 x 25.5 cm) broadside, text in three columns below headline and three woodcut vignettes of the defendants. Light browning, minor edgewear, a few faint stains, horizontal and vertical fold lines with slight creasing along them, clean tear to central horizontal fold affecting text without loss to legibility.

KNOWN AS THE "LONDON BURKERS," Bishop, May and Williams were body snatchers whose activities recalled those of the murderous Edinburgh "resurrection men" William Burke and William Hare. Not content to limit themselves to exhumed corpses, they also lured people to their home and then drugged and murdered them in their sleep. Their career came to an end in early November 1831 with the "Italian Boy Murder," so called because people assumed the victim was an Italian child who had been recently reported as missing. While attempting to sell the body, the anatomist determined that it showed no signs of burial. He initiated an investigation, which led to the discovery of the murder, evidence of other murders and the December 3, 1831 conviction of all three men. Bishop and Williams were sentenced to hang and May was sentenced to transportation to Van Diemen's Land.



Nº 46

This sensational event received a great deal of attention in the serious and popular media of the day. The language of our broadside assumes that the reader is familiar with the case. It records the events of the trial and execution, along with a purported letter from Williams to his wife and seven stanzas of verse.

◆ OCLC locates 1 copy of this rare broadside (Harvard Law School). No copies added by Library Hub, or by our searches of institutional catalogues.

A SAVAGE AND LETHAL EPISODE OF DOMESTIC ABUSE

46
[Broadside]; [Murder]; Davis, [Stephen]. *Murder of a Woman by Her Husband, In Drury Lane.* [London]: Birt, Printer, [1836]. \$1,850.

10" x 7" (25.4 x 17.8 cm) broadside mounted to 11-3/4" x 9-1/4" (29.8 x 23.5 cm) backing sheet. Light toning and a few small faint stains to broadside, "March 13, 1836." in an early hand to its foot, browning and faint offsetting to backing sheet, three newspaper clippings (about a different crime in Drury Lane) pasted to its verso. Rare.

DURING A DRUNKEN ARGUMENT, Anne Davis's husband set a dog on her, beat her severely and threw her down the stairs. According to our broadside, "before he seized her to throw her down stairs, [he] was heard to say, 'Now, you --, I'll muzzle you.'" He fled the scene after she died of her injuries. After the publication of this broadside, he was indicted in absentia for murder, but apparently never found by police.

◆ This item is rare and appears to be unrecorded. No copies located on OCLC or Library Hub, or by us in institutional catalogues.

UNRECORDED ACCOUNT OF A DEADLY DISPUTE OVER A BILL

47

[Broadside]; [Trial]; Pegsworth, John [d.1837], Defendant. *A Full and Correct Account of the Trial & Sentence of John Pegsworth, For the Wilful Murder of Mr. John Holiday Ready, Tailor, Of Ratcliff Highway, On Tuesday, January 10th, 1837.* [London]: Hilliat & Martin, Printers, 13, Little Prescott Street, Goodman's Fields, [1837]. \$1,750.

9-3/4" x 7-1/2" (25 x 19 cm) broadside, text in single column below headline. Moderate toning, a few small faint stains and smudges, date added in manuscript near head, minor adhesive residue (four small pieces of cello tape) to verso. A very good copy of a rare broadside.

PEGSWORTH purchased a suit from Holiday for one sovereign but failed to make payment. Taken to court by Holiday, he agreed to pay back the debt at four shillings per week, but then decided to clear his debt another way. He arrived at Holiday's house and the two began to argue. The argument concluded when Pegsworth stabbed Holiday. Pegsworth's trial ended in a guilty verdict. Our account notes that although he was unwilling to pay for the suit, he was able to find 8 pence to purchase the murder weapon.

◆ This rare broadside appears to be unrecorded. No copies located by OCLC or Library Hub, or by us in institutional catalogues.

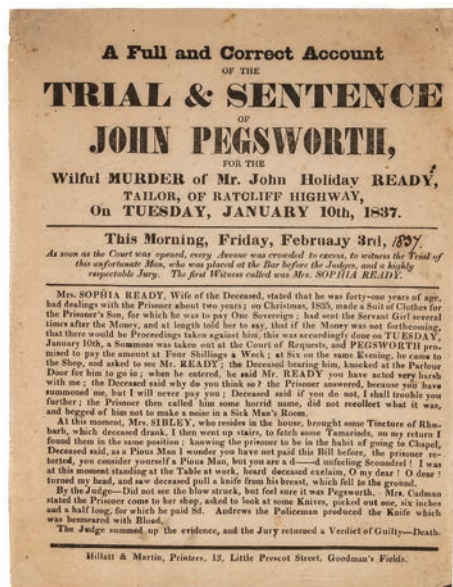
"THE MOST HORRIBLE AND DETERMINED MURDER THAT WAS EVER COMMITTED IN THIS COUNTRY"

48

[Broadside]; Ward, James [b. 1788 or 1789]. *Authentic Particulars of the Most Horrible Murder! Of an Old Greenwich Pensioner, Named Bailey, Who was Stabbed to the Heart, By James Ward, Another Pensioner.* London: Printed by G. Smeeton, [1834]. \$1,750.

14-1/2" x 9" (37 x 22.8 cm) broadside, text in double columns below headline. Light browning, faint offsetting in places, small tear to left margin not affecting text. Rare.

WARD was accused of stabbing Bailey, his roommate at Greenwich Hospital (a workhouse-like residential facility for retired seamen). A hospital doctor testified that Ward was under the influence of a severe fever at the time of the murder, and based on this broadside's account, it almost certainly altered his mental state. When he was asked "how



Nº 47



Nº 48

it was the knife was so clean...He said, 'why, I licked it clean with my tongue.'" Ward was ultimately found not guilty by reason of insanity.

◆ OCLC locates 2 copies of this broadside (British Library, Newberry Library). No further copies located by Library Hub or by us in institutional catalogues.



Nº 49

AN UNRECORDED VARIANT PRINTING

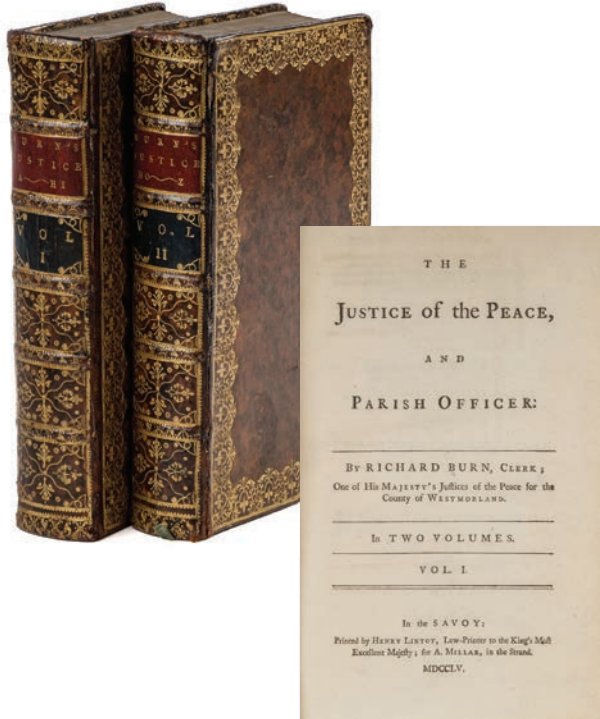
49

[Broadside]; [Trials]; Greenacre, James [1785-1837]; Gale, Sarah [d.1888]. *Confession of Greenacre to the Murder of Mrs. Brown.* [London]: Birt, Printer[,] No 39, Great St. Andrew Street, Seven Dials, [1837]. \$1,750.

14-3/4" x 10" (37.5 x 25.4 cm) broadside, text in two columns below headline and woodcut vignette of trial scene, woodcut portrait of Brown at head of first column, verses in three columns below text. Browning, light edgewear, lower left corner lacking, small clean tear to top-edge affecting text without loss, small hole near foot not affecting text, adhesive residue (small pieces of collotape) to verso. A good copy of a rare broadside.

KNOWN AS the "Edgeware Road Murderer," Greenacre planned to marry Hannah Brown for her money. However, his mistress, Sarah Gale, convinced him to kill her, 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 her head in Regent's Canal. Convicted soon afterwards, Greenacre was hanged and Gale was transported to New South Wales. The case generated a good deal of popular interest. Our broadside briefly documents the trial and gives an account of Greenacre's confession.

◆ This rare item appears to be an unrecorded variant of another broadside issued by the same printer with different verses following the text. No copies located on OCLC, Library Hub or in relevant institutional catalogues. OCLC locates 1 copy of the related broadside (Princeton University).



Nº 50

A NOTABLY HANDSOME FIRST EDITION

50

Burn, Richard [1709-1785]. *The Justice of the Peace, And Parish Officer.* [London]: Printed by Henry Lintot, 1755. Two volumes. xxvii, [1], 541, [3]; [iii], 573, [11] pp. Three-page publisher advertisement at end of Volume I, another one-page advertisement facing title page of Volume II. Octavo (8-1/4" x 5"; 21 x 12.7 cm). \$1,500.

Contemporary sprinkled calf, gilt frames and large gilt fillets to boards, gilt spines with raised bands and lettering pieces, gilt tooling to board edges, all edges of text blocks gilt, gilt inside dentelles, marbled endpapers. A few minor nicks and scuffs to boards, light rubbing to extremities, corners bumped, front board of Volume I just beginning to separate but secure, rear joint of Volume I and rear joints of Volume II starting, armorial bookplate of Hugh Cecil Lowther, 5th Earl of Lonsdale to front pastedowns. Moderate toning to text, light foxing to a few leaves, early hand-lettered location mark to versos of front free endpapers. A notably handsome set.

FIRST EDITION. A durable work, Burn's *Justice* went through 30 editions by 1869 and was excerpted often in early American justice manuals, such as Parker's *Conductor*

Generalis (1764) and Burn's *Abridgment of Burn's Justice of the Peace and Parish Officer* (1773). It covers such topics as Accessory, Alehouses, Aliens, Assault and Battery, Bail (By Writ of Habeas Corpus), Bankrupt, Bastards, Burglary, Clergy, Dogs, Evidence, Excise and Customs, Forgery, Game, Homicide, Jurors, Libel, Oaths, Insolvent Debtors, Polygamy, Promissory Notes, Rape, Riot, Robbery, Taxes and Vagrants. Holdsworth notes that "a perusal of these headings tells us something of the development of the system of local government" during the time of the book's publication.

◆ Holdsworth X:162. ESTC T68627.

**AN ATTRACTIVE COPY
WITH AN INTERESTING PROVENANCE**

51

Chitty, Joseph [1776-1841]. *A Practical Treatise on the Law of Nations, Relative to the Legal Effect of War on the Commerce of Belligerents and Neutrals; And Orders in Council and Licences.* London: Printed for W. Clarke and Sons [et al.], 1812. xii, 296 pp. **[Bound with] Ord, Mark [1772-1805].** *An Essay on the Law of Usury.* London: Printed for W. Clarke and Sons, Law Booksellers, Portugal Street, Lincoln's Inn, 1809. [xiv], 190, [26] pp. \$1,800.

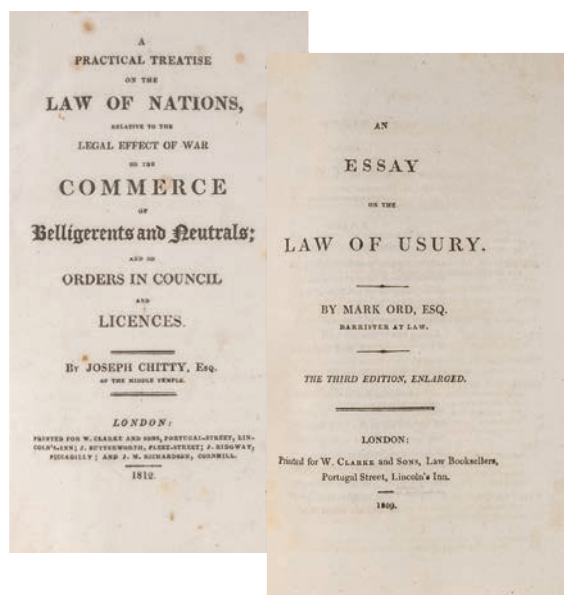
Two titles in one volume. Octavo (8-1/4" x 5"; 21 x 13 cm).

Contemporary or near-contemporary three-quarter calf over plain paper-covered boards, gilt fillets and title to spine. Light spotting to boards, negligible light rubbing and shelfwear to extremities, light foxing and faint offsetting to endpapers, private library bookplate ("Fasque," of the Gladstone family library at Fasque House) to front pastedown. Light toning to interior, occasional light foxing (mostly contained to first quarter of text block), faint dampstaining to upper outside corner of last four leaves of *A Practical Treatise*. A very good copy.

PRACTICAL TREATISE: first edition; *Essay*: third and final edition. Chitty was one of the most wide-ranging and prolific legal writers of the nineteenth century. This treatise and an edition of Beawes's *Lex Mercatoria* (1813) were his two contributions to international law. Marvin's *Legal Bibliography*, though critical of the *Practical Treatise*, finds merit in its digest of Sir William Scott's judgments in prize cases (190). The work is also interesting because it summarizes the British view of wartime commerce at the outbreak of the War of 1812, a point Chitty makes in the Preface.

An Essay on Usury was first published in London in 1797. A popular and practical work published in both England and America, it covers English, Irish and American decisions and has a robust index and table of cases. Ord was a barrister based in London and York.

Fasque House in Aberdeenshire, Scotland was purchased in 1829 by John Gladstone [1764-1851], the father of future prime



N° 51

minister William Ewart Gladstone [1809-1898]. The younger Gladstone was largely responsible for the development of the family's impressive private library.

◆ Sweet & Maxwell 2:63, 1:539. *Essay: Goldsmiths'-Kress* 19887.24.

**ENGLISH BANKRUPTCY LAW
ON THE CUSP OF TRANSFORMATION**

52

Cullen, Archibald [1755-1824]. *Principles of the Bankrupt Law.* London: Printed by A. Strahan, Law-Printer to the King's Most Excellent Majesty, For T. Cadell and W. Davies, Strand, 1800. [ii], viii, [xii], 477, [15] pp. Octavo (8-1/4" x 5"; 21 x 12.5 cm). \$950.

Modern brown cloth, calf lettering piece to spine, untrimmed edges, endpapers renewed. Negligible light rubbing to extremities. Moderate toning to interior, several signatures unopened, light foxing in a few places, minor tears to edges of a few leaves, early owner signature (James Marshall, dated 1812) to head of title page. A very good copy of a scarce title.

ONLY EDITION. Cullen was a distinguished barrister and K.C. Warmly received upon publication, his detailed treatise on bankruptcy is arranged in four books: *Of the Persons Who May be Bankrupt*; *Of the Acts Which Make a Person a Bankrupt*; *Of the Commission, And Proceedings Under It*; *Of Suits, and Other Proceedings, At Law, and Equity*; and *Of Commissions Against Partners*. A well-received work, it offers an excellent synopsis of English bankrupt law at the beginning of the nineteenth century, a time when the laws would change considerably due to the Industrial Revolution and the growth of the British Empire.

◆ ESTC T141102.



Nº 53

**A BOOK COKE CONSIDERED
"WORTHY TO BE WRITTEN IN LETTERS OF GOLD"**

53

Fortescue, Sir John [c.1397-1479]; Mulcaster, Robert [1531/32-1611], Translator. *A Learned Commendation of the Politique Lawes of Englande...Newly Translated into Englishe by Robert Mulcaster.* [London: In Fletestrete Within Temple Barre, At the Signe of the Hand and Starre, by Rychard Tottill, 1567]. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/4"; 13.4 x 8.25 cm). \$10,000.

Period-style calf, blind frames and corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed, edges rouged. Front hinge just starting. Moderate toning to interior, lower corners of ff. 91 and 121 and upper corner of f. 32 lacking without loss to text, small tear to text block of f. 1 without loss to legibility, occasional early and later (seventeenth and eighteenth-century?) underlining and annotations, mostly brief glosses, in two hands in Latin and English, early ownership signatures, Thomas Disney and Gilbert Peterson, to title page. A very appealing copy.

FIRST EDITION IN ENGLISH, by Robert Mulcaster, the great Elizabethan educationalist. *De Laudibus Legum Angliae*,

a history of English law, was written around 1470 and first published (in Latin) in 1537. It was written for the instruction of Edward, the young Prince of Wales. Cast in a friendly dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe. The first work to examine trial by jury and the Inns of Court at length, it also extols the superiority of a constitutionally limited monarchy to an absolute monarchy. A work of great authority for generations, Coke deemed it "worthy to be written in letters of gold."

This copy may have belonged to Thomas Disney [c.1510-1568] of Carlton-le-Moorland, Lincolnshire, a member of Parliament for Boroughbridge in 1563.

◆ OCLC locates 9 copies of this edition in North American law libraries (Los Angeles County, University of Michigan, University of Minnesota, University of Virginia, Georgetown, George Washington University, Library of Congress, College of William and Mary, Harvard). Coke cited in Skeel, "The Influence of the Writings of Sir John Fortescue," *Transactions of the Royal Historical Society* 10:93. Beale, *A Bibliography of Early English Law Books* T357. ESTC S102454.

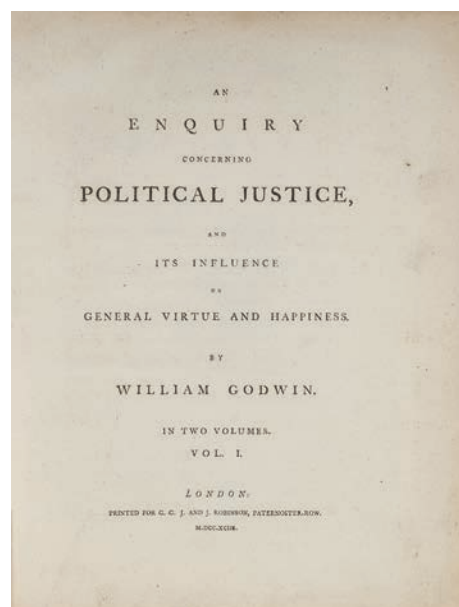
PMM 243: A LANDMARK IN THE DEVELOPMENT
OF UTILITARIAN, SOCIALIST AND
ANARCHIST DOCTRINE

54

Godwin, William. [1756-1836]. *An Enquiry Concerning Political Justice, and its Influence on General Virtue and Happiness.* London: Printed for G.G.J. and J. Robinson, 1793. Two volumes with continuous pagination. xiii, [21], 378; [1], 380-895, [3] pp. Complete. Quarto (10-1/2" x 8-1/4"; 26.7 x 21 cm). \$6,000.

Near-contemporary (nineteenth or early twentieth-century?) three-quarter calf over marbled boards, blind fillets and gilt rules to calf edges, raised bands, lettering pieces and gilt tooling to spines, edges speckled red, endpapers renewed. Light toning to interiors, light foxing and soiling in a few places, clean tear to leaf Q1 (pp. 113-114) of Vol. I mended with archival tape without loss to legibility, small mended chip to top-edge of leaf B2 (pp. 3-4) of Vol. I, small ink library stamps to versos of title pages, early owner signatures (of David Duncan) to first main text page of each volume. An attractive set.

FIRST EDITION. Along with those of Burke and Paine, Godwin's *Enquiry* was one of the most influential English political books of the late eighteenth century inspired by the French Revolution. It was also "one of the earliest, clearest, and most absolute theoretical expositions of socialist and anarchist doctrine. Godwin believed that the motives of all human doctrine were subject to reason, that reason taught benevolence, and that therefore all rational creatures could live in harmony without laws and institutions. (...) The time would come, he maintained, when every man by doing what seemed right in his own eyes, would also be doing what was best for all men, because all, through discussion, would be



Details from N° 54



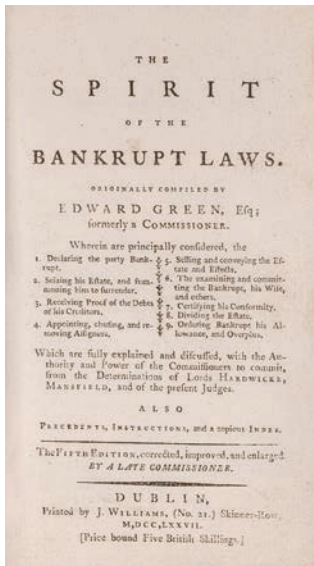
N° 54

guided by purely rational principles. Natural relationships had no meaning—marriage and parental duty were alike irrational, and property the worst form of tyranny" (PMM).

It was an equally important landmark in the development of Utilitarian thought, and on political thinking generally. 4,000 copies were sold within a few years of its first publication. It was acquired by several corresponding societies, which increased its circulation considerably among others who could not afford to purchase the book. (Members of these societies also read it to illiterate members.) Godwin was the husband of Mary Wollstonecraft, author of *A Vindication of the Rights of Women* (1792), and father of Mary Shelley, the author of *Frankenstein* and wife of author Percy Bysshe Shelley, a devoted follower of Godwin's political theories.

Consistent with other copies we have seen, our copy does not have the unnumbered 28-pp. section at the end of Vol. I called for by the ESTC and noted in some institutional copies.

◆ PMM 243. ESTC T94275.



A LONG-LIVED EIGHTEENTH-CENTURY TREATISE ON BANKRUPTCY LAW CITED BY HOLDSWORTH

55

Green, Edward. *The Spirit of the Bankrupt Laws. Originally Compiled by Edward Green, Esq; Formerly a Commissioner...Corrected, Improved, And Enlarged by a Late Commissioner.* Dublin: Printed by J. Williams, (No.21.) Skinner-Row, 1777. xxi, [3], iv, 503, [9] pp. 12mo. (7" x 4"; 18 x 10 cm). \$500.

Contemporary calf, raised bands and recent period-style lettering piece to spine, recent repairs to spine ends, blind tooling to board edges. Light rubbing and a few minor scuffs to front board, somewhat heavier scuffing to rear board, a few minor nicks and scuffs to board edges, corners bumped, hinges cracked, front pastedown beginning to detach, some wear to its edges. Light toning to interior, worming and faint staining to margins in a few places. A good copy.

"FIFTH" (STATED) EDITION, actually a reissue of the third edition. "The book is clearly written and well arranged. It states the effect of the modern cases and statutes; but it is not a mere digest. It explains underlying principles, and gives a good account of the way in which the commissioners in practice conducted their business" (Holdsworth). The first edition was published in 1767; the final edition, the fourth, in 1780.

◆ Holdsworth XII:388. ESTC N23473.

A PRESENTATION COPY WITH AN INTERESTING ASSOCIATION

56

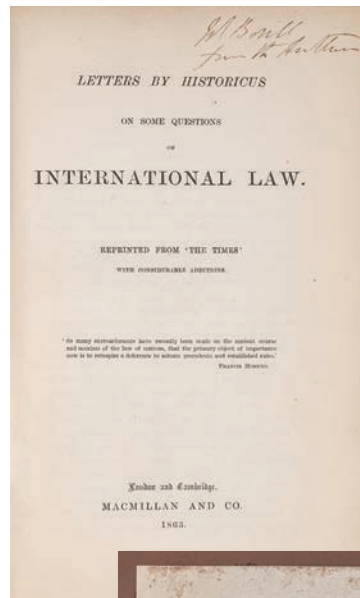
[Harcourt, Sir William George Granville Venables Vernon (1827-1904)]. *Letters by Historicus on Some Questions of International Law. Reprinted From 'The*

Times' With Considerable Additions. London: MacMillan and Co., 1863. xiii, 212 pp. Octavo (8-1/2" x 5-1/2"; 21.6 x 14 cm). \$750.

Original textured cloth, black-stamped frames to boards, gilt title and black-stamped fillets to spine. Light rubbing and soiling to boards, spine ends and corners bumped and mildly worn, hinges cracked, later bookplate, of Percy Houghton Brown, to front pastedown. Moderate toning to interior, "W Bovill / from the Author" to head of title page. A unique copy in very good condition.

ONLY EDITION. Harcourt was a leading lawyer, journalist and statesman who served as Home Secretary, Chancellor of the Exchequer and, while a Member of the House of Commons, Leader of the Opposition. Written during the early years of his career, *Letters by Historicus* urged Great Britain to maintain neutrality and deny recognition to the Confederate states during the American Civil War. A bold statement at a time when British public opinion favored the Confederacy, this work established his reputation as a jurist and statesman; he became a Queen's Counsel in 1866 and the Whewell Professor of International Law at Cambridge in 1869. Nevins gives this book a high rating in his critical bibliography of books about the American Civil War.

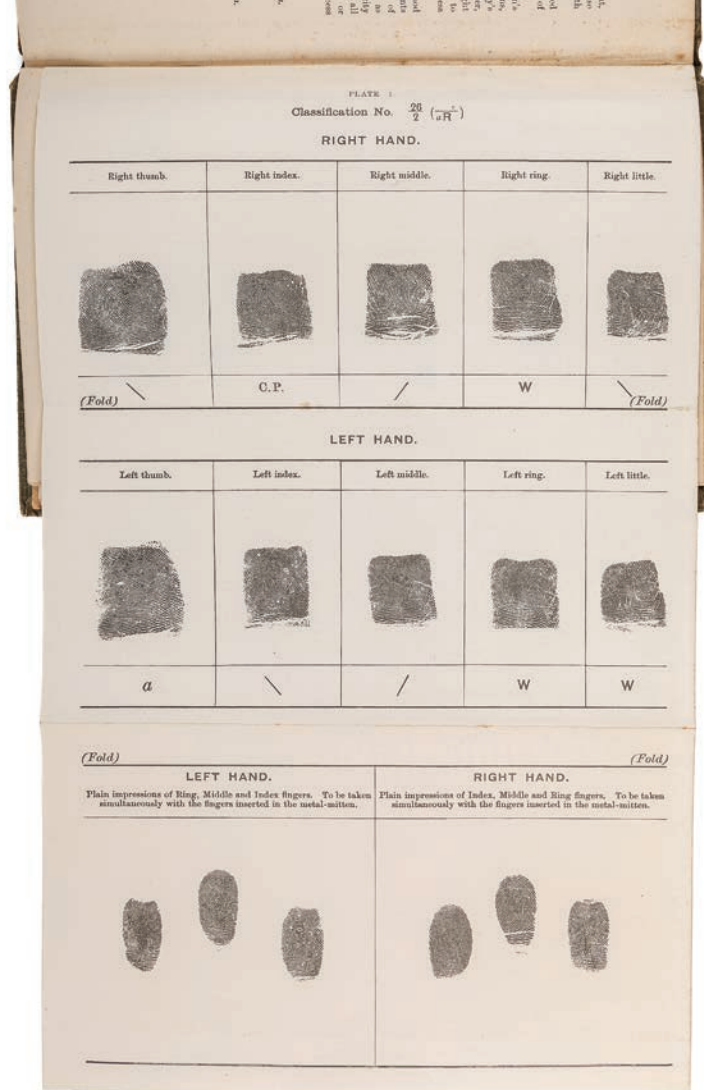
Sir William Bovill [1814-1873], the recipient of our copy, was a lawyer, politician and one of the most distinguished judges of his time. Chief Justice of the Common Pleas between 1866 and his death in 1873, he was famous as the judge who presided over the Tichborne case. While a Member



Details from N° 56



Nº 57



Nº 57

of Parliament for Guildford from 1857 to 1866, he took an interest in legal reform, and was responsible for two acts, the Petition of Right Act and the Partnership Law Amendment Act. Harcourt and Bovill were on the legal team for Spottiswoode in the 1863 appeal of *Campbell v. Spottiswoode*. Harcourt probably presented his book at that time.

Brown [1867-1944], a Cambridge-educated LL.D., was a lawyer of Lincoln's Inn.

♣ ODNB (accessed online). Nevins, *Civil War Books: A Critical Bibliography* 1:256.

THOMAS MCDADDE'S COPY

57

Henry, [Sir] E[dward] R[ichard] [1850-1931]. *Classification and Uses of Finger Prints*. London: George Routledge and Sons, 1900. iv, 112 pp. 8 unnumbered plates. 3 folding tables. Text illustrations. \$450.

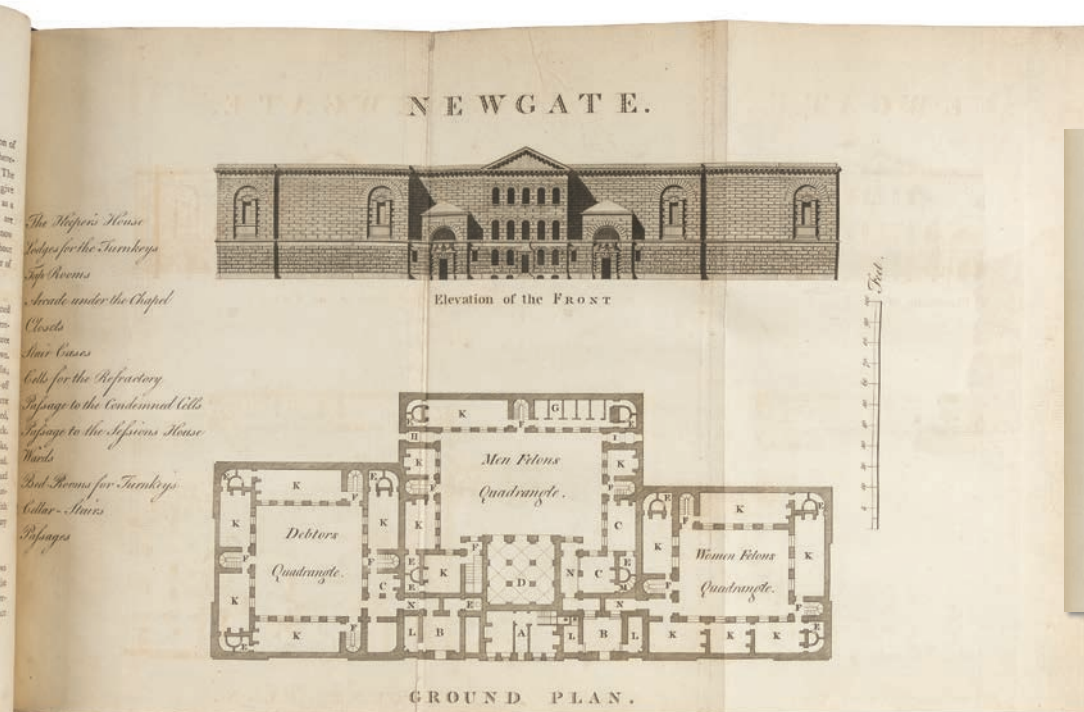
Original cloth, black-stamped titles to front board and spine. Light soiling and a few minor stains to boards, spine ends and corners bumped, hinges starting, front free endpaper lacking, bookseller stamp (of W.G. Foyle) and later bookplate

of Thomas M. McDade to front pastedown. Moderate toning to interior, light foxing to a few pages, light browning to title page, McDade's invoice (from Sweet & Maxwell) laid in. A very good copy with an interesting association.

FIRST EDITION. Henry's system was commissioned by the government of colonial India when he was Inspector-General of Police in Bengal. A taxonomic system based on Galton's work, it proved useful and was adopted by the police forces of India. Henry then popularized his system in South Africa, when he was sent to Natal to reorganize the local police force, and England, when he was appointed Assistant Commissioner of Scotland Yard.

McDade [1907-1996], a former FBI agent, was an important crime bibliographer and author of the standard bibliography of American homicides, *The Annals of Murder* (1961). His large personal collection of books and pamphlets relating to crime sparked his interest in compiling the *Annals* (Behrens).

♣ Behrens, "Beyond *The Annals of Murder: The Life and Works of Thomas M. McDade*," *Law Library Journal* 111 no. 3 (2019), 289.



Details from N° 58

**PMM 224: REMARKS ON PRISONS
BY A PATHBREAKING REFORMER**

58

Howard, John [1726-1790]. *The State of the Prisons in England and Wales, With Preliminary Observations, And an Account of Some Foreign Prisons.* Warrington: Printed by William Eyres, And Sold by T. Cadell in the Strand, And N. Conant in Fleet Street, London, 1777. [viii], 489, [23] pp. 3 folding copperplates. Complete. **[Bound with Howard, John.** *Appendix to The State of the Prisons in England and Wales, &c. Containing a Farther Account of Foreign Prisons and Hospitals, With Additional Remarks on the Prisons of This Country.* Warrington: Printed by William Eyres, 1784. [vi], 286, [10] pp. 18 copperplates, 16 folding. \$1,250.

Quarto (10-3/4" x 8-1/4"; 27.3 x 21 cm). Recent three-quarter morocco over marbled boards, raised bands, gilt title and gilt publication date to spine, endpapers renewed, speckled edges. Light rubbing to boards and extremities, a few minor scratches to spine, wear to corners of text block. Moderate toning to interior, light foxing in places, creases to a few leaves, light soiling, minor edgewear and tears to plates, faint offsetting from plates to other sections of plates and adjacent leaves.

STATE: first edition; *Appendix*, second and final edition. After being shocked by the conditions of his county prison as high sheriff, Howard dedicated himself to touring hundreds of prisons in Great Britain and Western Europe. He reported his findings in the *State of the Prisons*, which was to quote PMM, "the first major practical work on the subject." A vivid synthesis of factual data and moral outrage, it called

for drastic improvements in the housing, cleanliness and care of prisoners. Within a year of its publication it inspired a bill that established two prisons with plans based on Howard's recommendations. Later editions were published in 1780, 1784 and 1792. The first edition of the *Appendix* was published in 1780.

◆ PMM 224. ESTC T153060, N16324.

A RARE HANDBOOK BY GILES JACOB

59

Jacob, Giles [1686-1744]. *The Clerk's Remembrancer: Containing All Sorts of Small and Useful Precedents: With Proper Directions in Conveyancing; And the Compleat Methods of Practice in the Courts of King's Bench, And Common Pleas, And the High Court of Chancery. The Whole Done Very Exact, And in a More Compendious and Instructive Manner than Hath Hitherto Been Published. With Large Additions Throughout.* [London]: Printed by E. and R. Nutt, and R. Gosling, (Assigns of Edw. Sayer, Esq;) for B. Lintot [et al.], 1730. vii, [1], 380, [20] pp. Final 4 pp. are publisher advertisements. Octavo (7-1/2" x 4-1/2"; 19.1 x 11.4 cm). \$850.

Contemporary sheep, blind frames to boards, blind fillets along joints, raised bands to spine, gilt tooling to board edges, rear hinge reinforced. Moderate rubbing to boards, heavier rubbing to extremities with wear to edges, spine and corners, joints cracked, another crack through center of spine, text block and binding secure. Moderate toning to interior, faint dampstaining to edges of text block, which is apparent in

margins in a few places, light soiling to title page and a few other leaves. Book housed in recent cloth clamshell box, morocco lettering piece to spine.

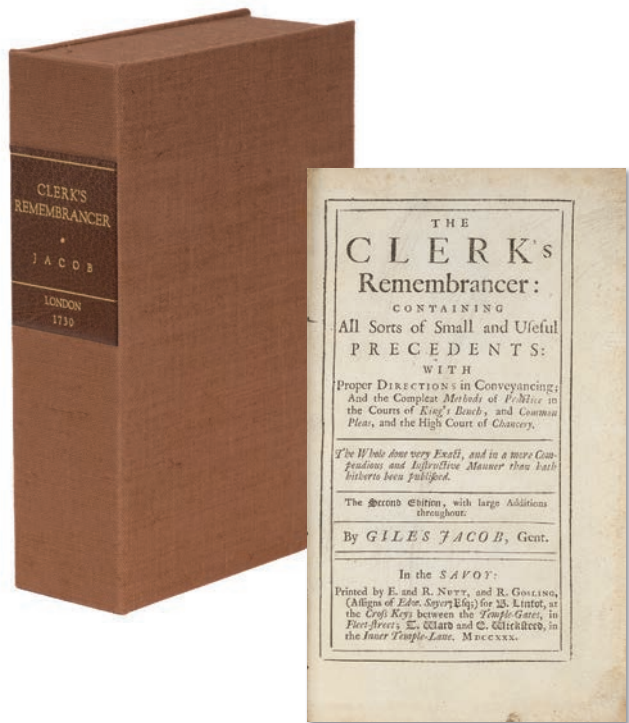
SECOND, FINAL AND BEST EDITION. One of the most prolific and commercially successful legal writers of eighteenth-century England, Jacob produced books ranging from treatises to handbooks for laymen. *The Clerk's Remembrancer*, a formbook for law clerks and apprentices, was first published in 1714.

◆ Both editions are rare. OCLC locates 9 copies of the 1730 edition, 6 in law libraries (Harvard, Nova Scotia Legislative Library, University of Denver, University of Minnesota, University of Texas, Yale). Library Hub and the ESTC add another (University of Cambridge). ESTC N3105.

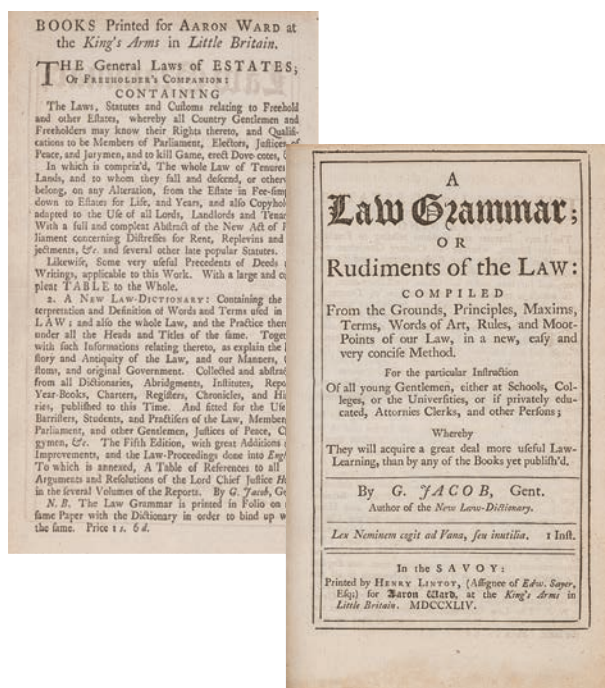
RARE IN COMMERCE,
THE SECOND COPY WE HAVE SEEN

60

Jacob, Giles. *A Law Grammar; Or Rudiments of the Law: Compiled From The Grounds, Principles, Maxims, Terms, Words of Art, Rules and Moot Points of Our Law, In a New, Easy, And Very Concise Method. For the Particular Instruction of All Young Gentlemen, Either at Schools, Colleges, Or the Universities, Or if Privately Educated, Attornies Clerks, And Other Persons; Whereby They Will Acquire a Great Deal More Useful Law-Learning, Than by Any of the Books Yet Publish'd.* [London]: Printed by Henry Lintot, (Assignee of Edw. Sayer, Esq;) for Aaron Ward, At the King's Arms in Little Britain, 1744. [ii], iv,



Nº 59



Details from Nº 60

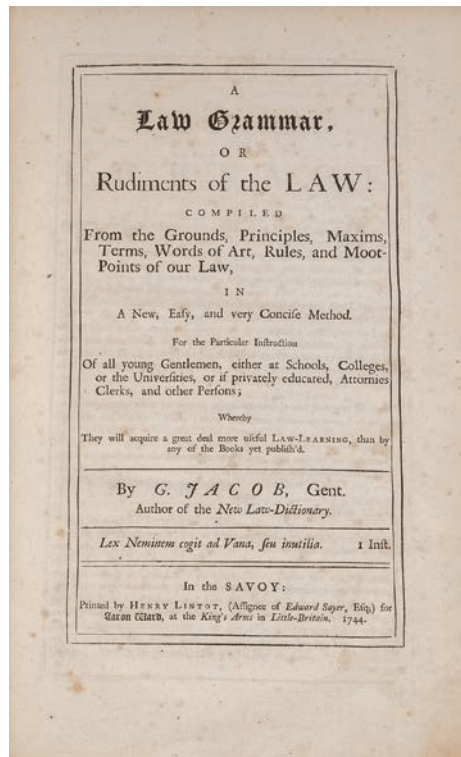
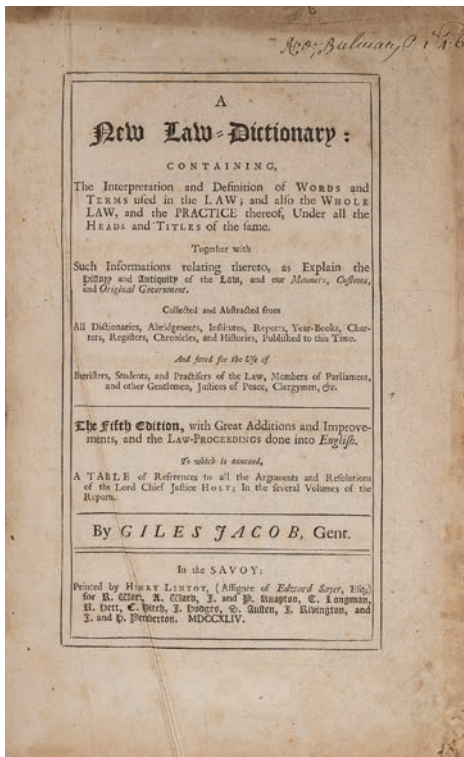
138, [6] pp. Publisher advertisement facing title page. 12mo. (6-1/2" x 4"; 16.5 x 10.2 cm). \$1,250.

Contemporary sheep, blind rules to boards, blind fillets along joints, raised bands to spine. A few minor nicks, scuffs and spots to boards, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, front joint and hinges starting, penciled shelf mark to front free endpaper. Light toning to interior, slightly heavier in places. A very good copy with a notably fresh interior.

FIRST EDITION. This terse but wide-ranging compendium went through 11 more editions by 1792. Typical of Jacob's work, it was aimed at a broad spectrum of readers. This reflected both his finely tuned commercial instincts and sincere belief that widespread knowledge of the law would help create a more just society. This dual aim is evident in his other publications, such as *A Treatise of Laws* (1721), *The Common Law Common-Placed* (1726) and *Every Man His Own Lawyer* (1736).

Auction and dealer records show our copy once belonged to the Barons Sandys (Second and Third Creations) and was kept at their country home, Ombersley Court, Worcestershire, which had one of the finest country house libraries in England. Its original owner was probably Samuel Sandys, 1st Baron Sandys [1695-1770], an English Whig politician and peer who represented Worcester in the House of Commons and held numerous posts, among them Chancellor of the Exchequer and Leader of the House of Commons. He was also a Justice in Eyre, a high-ranking magistrate who presided over cases involving forest law. Sandys, who did not have any formal legal training, would have found this book useful.

◆ ESTC N10270.



JACOB'S "ENTIRELY NEW DEPARTURE IN LEGAL LITERATURE" BOUND WITH A RARE FOLIO-FORMAT FIRST EDITION OF HIS LAW GRAMMAR

61

Jacob, Giles. *A New Law-Dictionary* [...] *To Which is Annexed, A Table of References to All the Arguments and Resolutions of the Lord Chief Justice Holt; In the Several Volumes of the Reports.* [London]: Printed by Henry Lintot, (Assignee of Edward Sayer, Esq;) for R. Ware, A. Ward [et al.], 1744. [824] pp. Main text in double columns. **[Bound with] Jacob, Giles.** *A Law Grammar, Or Rudiments of the Law: Compiled from the Grounds, Principles, Maxims, Terms, Words of Art, Rules, And Moot-Points of Our Law, In a New, Easy, And Very Concise Method.* [London]: Printed by Henry Lintot, (Assignee of Edward Sayer, Esq;) for Aaron Ward, 1744. [iv], 35, [1] pp. Main text in double columns. \$1,500.

Folio (14" x 8-3/4"; 35.5 x 22.5 cm). Contemporary calf, blind rules and fillets to boards, raised bands and lettering piece to spine. Light rubbing and a few shallow scuffs and faint stains to boards, which are separated but secured by cords, rubbing and wear to extremities, spine ends and corners lightly abraded, pastedowns loosening and lightly edgeworn, front free endpaper lacking. Moderate toning to interior, occasional light foxing, light soiling in a few places (somewhat heavier to leaves 8Z1-2), minor worming to lower outside corner of leaves 8O2-9H2 of *Dictionary*, text not affected, light edgewear to first and final few leaves of text block. Early owner signature and shelf mark to title page of *Dictionary*.

DICTIONARY: Fifth edition, the last published during the author's lifetime. *Grammar*: Rare variant folio format of the first edition. Jacob was an idealist who believed that widespread knowledge of the law would help create a more just society. First published in 1729, the *New Law-Dictionary* was both his masterpiece and "an entirely new departure in legal literature" that provided a model for several subsequent efforts (Cowley). It was recognized almost immediately that he had created a highly useful legal encyclopedia that was both more detailed and more concise than any other abridgment of the period. The *Law Grammar* was also a popular and practical work. Together, the two titles offer unparalleled insights into Anglo-American law during the eighteenth century.

The folio-format *New Law Grammar*, produced for Aaron Ward, is apparently quite rare; it is not recorded in the *ESTC* or *Sweet & Maxwell*. Ward, one of the publishers of the fifth edition of the *New Law-Dictionary*, presumably commissioned it for binding with select copies of that edition. Cowley records a 1744 *New Law-Dictionary* that includes the *Law Grammar*, bound before the text of the dictionary but after a general title page that states: "To this Edition is now first added, A Law-Grammar: Or, Rudiments of the Law. By Giles Jacob, Gent." Our copy, like all others we located, lacks that statement. The *Law Grammar* would not be issued in folio again until its fourth edition in 1767.

◆ OCLC locates 1 separately catalogued folio copy of *A New Law Grammar* (Yale University). Like this copy, it is bound with the issue of *A New Law-Dictionary* that does not reference the *Law Grammar* on the title page. See Cowley, *A Bibliography of Abridgements, Digests, Dictionaries and Indexes to the Year 1800* xc-xci, 241 (p. 128); *Sweet & Maxwell* 1:34. *ESTC* N10185.

JACOB'S CONTINUATION OF HALE'S
PLEAS OF THE CROWN

62

Jacob, Giles; [Hale, Sir Matthew (1609-1676)]. *Pleas of the Crown: The Second Part. Or, A Methodical Summary of the Principal Matters Relating to that Subject. By Way of Supplement to Sir Matthew Hale. Being a Continuation Thereof to This Time, From the Acts of Parliament and Books of Reports, &c. In Sir Matthew's Method.* London: Printed by J[ohn] N[utt], Assignee of E. Sayer, for D. Brown [et al.], 1716. [iv], 121 [i.e. 131], [1] pp. Pp. 129-131 misnumbered 119-121. General title page of Hale's *Pleas of the Crown*, with the same publisher and imprint date, bound after title page. Octavo (7-1/4" x 4-1/2"; 18.7 x 11.5 cm). \$1,250.

Superb period-style paneled calf by Philip Dusel, raised bands and lettering piece to spine, gilt tooling to board edges, endpapers renewed with period paper. Moderate toning to interior, light soiling to title page, faint finger smudges to a few leaves. A fine, notably handsome copy.

ONLY EDITION BY JACOB. First published in 1678, Hale's important study of criminal law, the predecessor to his landmark *History of the Pleas of the Crown* (1736), went through seven editions, the last in 1773. The 1716 edition by John Nutt is in two parts. The first is Hale's treatise, the second is Jacob's continuation. Nutt also issued the two parts as separate titles. The general title page for the two-part version is mistakenly added to our copy.

◆ ESTC T147428.



N° 62



N° 63

THE LANDMARK 1771 CODE OF
THE ISLAND OF JERSEY

63

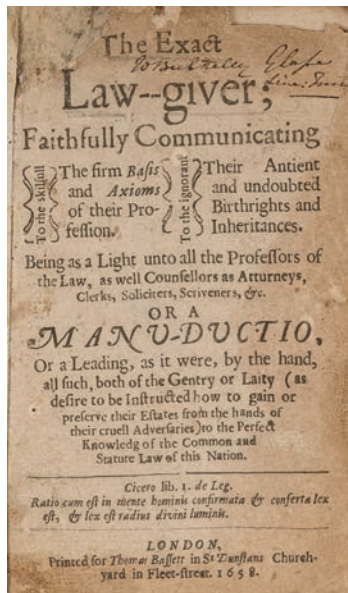
[Jersey]; [Channel Islands]. *A Code of Laws for the Island of Jersey.* [St. Helier]: S.n., 1771. [ii], vi, 336, [53] pp. Folding table. Octavo (7" x 4-1/2"; 18 x 11.5 cm). \$950.

Contemporary vellum, blind fillets to boards. Light soiling, boards slightly bowed, moderate rubbing to extremities, corners bumped, chip to head of front joint, hinges starting. Moderate toning to interior, faint spotting in a few places. A very good copy.

FIRST EDITION. Main text in French. Text of the decree enacting the code in English. Located between the northern coast of France and the southern coast of England, Jersey was originally part of Brittany. The island was eventually annexed to the Duchy of Normandy. When William the Conqueror conquered England in 1066, the duchy became part of his new kingdom. Jersey continued to be governed by a system derived from Norman customary law, which was recorded in manuscript compilations. Over time, this body of law became unwieldy and ineffective. Political events, especially a protest in 1769 over the cost of wheat, induced the Crown to reform Jersey's law and government.

One of these reforms was the 1771 Code. The first printed collection of Jersey's laws, it restated the island's law and legal procedures, defined its legal and constitutional authority and clarified its relationship with the Crown. A second edition was published in 1860. As Bedell Cristin notes, "The legislative precedent set by the Code remains pertinent to this day."

◆ Baker, *An Introduction to English Legal History* 29-30. Bedell Cristin, *The Code of Laws (1771): A Watershed in Jersey's Legal History* (accessed online). Sweet & Maxwell 1:586.



**A SCARCE GUIDE TO LAND LAW FOR BOTH
"THE SKILFULL" AND "THE IGNORANT"**

64

[Layman's Guide]. *The Exact Law-Giver; Faithfully Communicating to the Skilfull The Firm Basis and Axioms of Their Profession. To the Ignorant Their Antient and Undoubted Birthrights and Inheritances. Being as a Light Unto All the Professors of the Law, As Well Counsellors as Attorneys, Clerks, Solicitors, Scriveners, &c. Or a Manu-Ductio, Or a Leading, As it Were, By the Hand, All Such, Both of the Gentry or Laity (As Desire to be Instructed How to Gain or Preserve Their Estates from the Hands of Their Cruell Adversaries) To the Perfect Knowledge of the Common and Statute Law of This Nation.* London: Printed for Thomas Bassett, 1658. [xvii], 189, 202-226, [12] pp. Pagination irregular; lacking final advertisement leaf, text complete. Octavo (5-1/2" x 3-1/2"; 14 x 8.9 cm). \$1,500.

Contemporary calf, rebounded in period style with raised bands and retained lettering piece, lower outside corner of rear board recorned, endpapers renewed, hinges mended with cloth. Light rubbing to boards, moderate rubbing to joints and board edges, corners bumped and worn, front hinge starting, recent bookplate (of J. Michael Loening) to front pastedown. Moderate toning to interior, light foxing and soiling to a few leaves, faint dampstaining to lower outside corner of last 20 or so leaves, first and final leaves re-hinged affecting legibility at gutter of penultimate index page, chipping to top-edge of title page, its upper inside corner reinforced, just touching text without loss, later annotation/owner signature ("W Bulkeley Glasse/ Linc: Inn") to its upper right corner, pencil marks to margins of a few leaves. A very good copy of a scarce title, this the first copy we have seen.

ONLY EDITION. This layman's guide deals primarily with topics in land and estate law such as tenancy, rents, feudal

duties, recovery and probate. Its first chapters discuss "the Antiquity, Excellency and Perfection of the Common Laws of England" and their origins. An anonymous work, its preface states that it was published from "an Antient Manuscript."

William Bulkeley Glasse [1806-1890 or 1892] was a barrister of Lincoln's Inn, Queen's Counsel and a dedicated bibliophile. His large library was sold at auction in 1892.

◆ OCLC locates 12 copies, 5 in North American law libraries (San Francisco Law Library, Yale, Columbia, Harvard, University of Pennsylvania). *The Records of the Honourable Society of Lincoln's Inn* (1896) I:373. ESTC R201913.

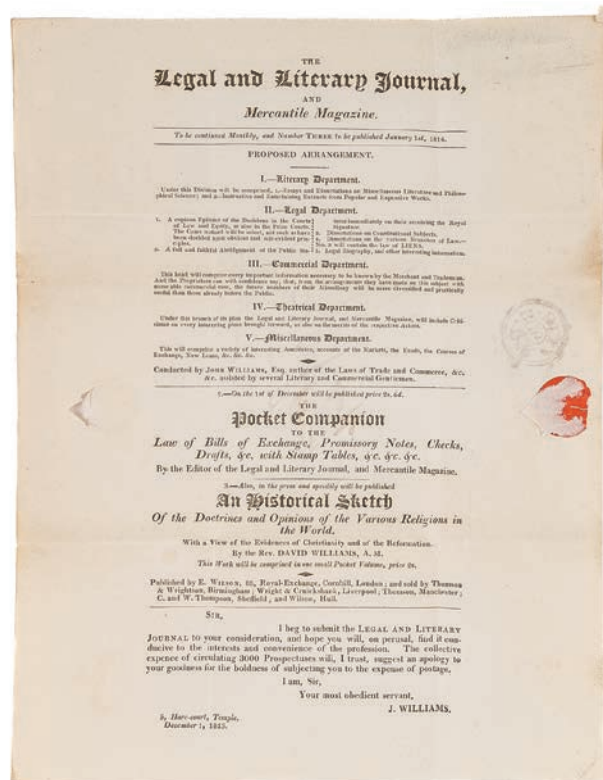
**RARE PROSPECTUS FOR A LEGAL PERIODICAL:
ONLY ONE OTHER COPY KNOWN**

65

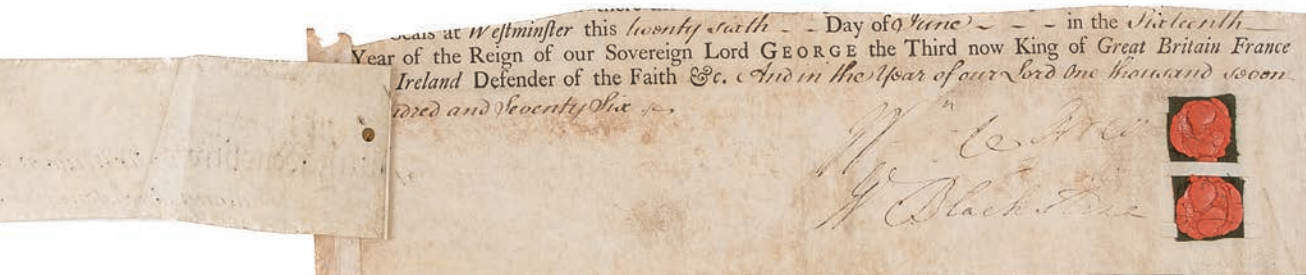
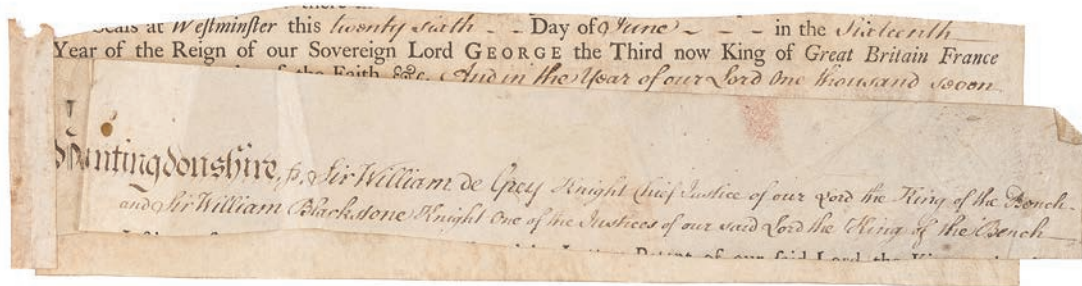
[Legal Journal]; [Williams, John, of the Inner Temple]. *The Legal and Literary Journal, and Mercantile Magazine. To be Continued Monthly, And Number Three to be Published January 1st, 1814...Conducted by John Williams, Esq., Author of the Laws of Trade and Commerce, &c. &c. Assisted by Several Literary and Commercial Gentlemen.* [London?: S.n., circa 1813]. \$500.

10-1/4" x 8" (26 x 20 cm) broadside, address of recipient and postmark to verso, remnants of red wax seal. Moderate toning, two horizontal fold lines. A very good copy of a rare item.

THIS is a rare and detailed prospectus for a periodical published under the guidance of John Williams, a barrister



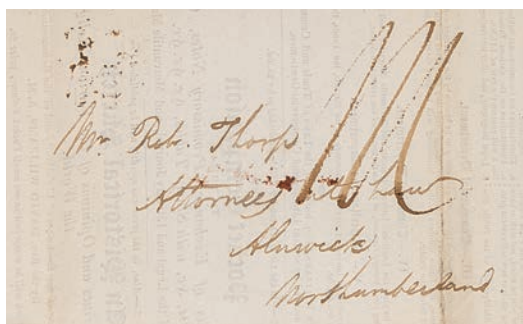
Nº 65



N° 66

and author of *The Law of Wills and Codicils* (1810), *The Laws of Trade and Commerce* (1812) and *A Treatise on the Study and Practice of the Law* (1823). Since the prospectus states that issue "Number Three" will be published in January 1814, it may be assumed that two issues had already been printed, but today no issues of any date are found in Library Hub, OCLC, or in major libraries, including the British Library or Library of Congress. This prospectus, then, with its five-part table giving the "Proposed Arrangement" of topics, may preserve all that remains of the content and intentions of this serial. The themes of the "Legal Department" included "1. A Copious Epitome of the Decisions in the Courts of Law and Equity, as also in the Prize Courts. 2. A Full and Faithful Abridgement of the Public Statutes Immediately on Their Receiving the Royal Signature. 3. Dissertations on Constitutional Subjects. 4. Dissertations on the Various Branches of Law" and 5. Legal Biography."

Rarely will a prospectus state its own print run, but this one does: 3,000 copies. As we find only one other exemplar in the world at Yale Law School, the rarity may be calculated with unusual exactness: the survival rate for copies of this prospectus being one fifteenth of 1%. Yale's catalogue record does not indicate a manuscript address. Ours is addressed, on its verso, to Robert Thorpe [1771-1847], attorney and Clerk of the Peace in Alnwick, Northumberland.



Detail from N° 65

There are many extant copies of Williams's treatises. By contrast, his periodical *The Legal and Literary Journal* and its prospectus are his rarest productions by far.

BLACKSTONE AT WORK

66

[Manuscript]; Blackstone, Sir William [1723-1780]; Grey, Thomas de, 1st Baron Walsingham [1719-1781]. [Two Sections Removed from an Indenture, One of Them Signed by Blackstone and de Grey, Huntingdonshire, June 16, 1776]. \$1,500.

Part-printed vellum, text completed in manuscript, approximately 13" x 2" (33 x 6 cm) and 11-1/2 x 3" (29 x 7.5 cm), affixed with straight pin along left-hand margin, which is reinforced with paper mounting tape. Negligible light soiling, a few minor creases. Signatures, both in large bold hands, accompanied by mostly intact wax seals.

THE FIRST SECTION, from the head of the indenture, reads: "Huntingdonshire, for Sir William de Grey Knight Chief Justice of our Lord the King of the Bench and Sir William Blackstone Knight One of the Justices of our said Lord the King of the Bench." The second reads: "seats at Westminster this twenty sixth Day of June in the Sixteenth Year of the Reign of our Sovereign Lord George the Third now King of Great Britain France and Ireland Defender of the Faith &c. And in the Year of Our Lord One Thousand, seven Hundred and Seventy Six/ Wm. de Grey [seal] W Blackstone [seal]."

Blackstone signed this document as a Justice of the Court of Common Pleas, a post he held from 1770 to 1780. Grey, 1st Baron Walsingham, a barrister, judge and politician, was Lord Chief Justice of that court from 1771 to 1780. Grey is best remembered as the prosecutor who failed to secure the conviction of Henry Sampson Woodfall for the publication of the *Letters of Junius*.

List of Subscribers to the Association established in the Town and Neighbourhood of Stourbridge for the Prosecution of Felons.

Joseph & Warrington	10 10	105	W ^o Jones	20	John King	2	50
Quilby & Ward	10 10	102	Thomas Dale	20	Joseph Benson	20	70
Lord Lyttleton		102	Rev ^d Joseph Taylor	10	Thomas Barbridge	5	5
Gray	5 5	52 10	John Henry Cook	20	John Roberts	20	70
W ^o Gray	2 2	21	Thomas Lee	20	John Knight	10 10	105
Thomas Hill		200	Thomas Litcher	2	Joseph King	20	70
John Christophell		20	James Matthews	1	James Hale	20	70
John Currier		20	William Smith	1	Sergeant Hornblower	20	70
W ^o H. Newby		20	Edward Woodcock	10	Dale Richards	20	70
John & Aldenbrooke		20	John Moor	10	William Coulter	20	70
Joseph Lee		20	Samuel Smith	15	James Roberts	2	70
William Hill		20	John Hill	2	Wm ^o Littlewood	20	70
Edward Dingley		20	William Webb	20	H. Perins	20	70
G. F. Batschen		20	Joseph Henry	20	John With	20	70
W. Spence		20	John Barnard	2	W ^o Matthews	10	70
Thomas Whitfield		20	James Hill	2	George Blackmore	20	70
Joseph Roberts		20	William Leggett	20	John White	1	70
Thomas Hill Junr		20	Wm ^o Collins	20	Joseph Green Shadwell	20	70
Charles Hill		20	John Barber	2	Thomas Dingley	2	70
Thomas Wright	1	20	Joseph Selous	3	Robert Rejon	1	70
John Bradley W ^o	2	20	John Dingley	3	Michael Gunglbeck	20	70
Francis Rufford & Sons	6	20	John Brantley	10	J. S. Varner	2	70
William Withson		20	John Currier	20	Mathew Gifford	20	70
J. Currier	2 10	20	William Marshall	15	Wm ^o Thomas	20	70
Rev ^d R. Harrington		20	James Cook	10	Richard Brown	10	70
William Phillips		20	John Wright	15	Reps & H. Reps	1	70
Thomas Kingler		20	Thomas Wintley	20	William Evans	20	70
James Rogers	2 10	20	Thomas Lee Junr	15	James Battie	20	70
James Walker		20	John Atter	1 10	Thomas Kingray	20	70
Joseph Swinburn		20	Joseph Huxtable	2	George Kingray	20	70
William Hunt		20	James Morrison	10	W. Fisher Pratt	1	70
William Mearley		20	Henry Bond	20	Andrew Wood	20	70
Henry Roberts		20	W ^o Bond	20	Michael Dingley	20	70
John Pritchard	2	20	Bartholomew Matthews	10	John H. Selby	100	70
John Worrall		20	Thomas Pidge	5	Crane Mayson	20	70
Reynold Pritchard		20	Joseph Green Shadwell	20	William South	20	70
Francis Roberts		20	J. Atter	2	John South	20	70

Nº 67

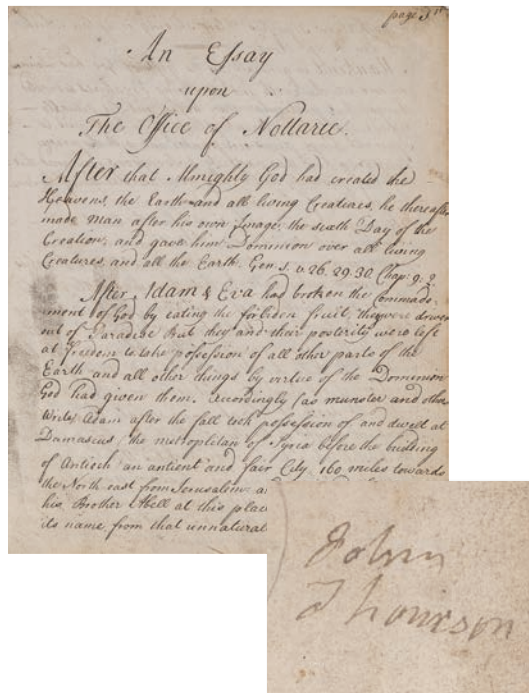
**ONLY KNOWN RECORD OF A
WARWICKSHIRE ASSOCIATION FORMED
TO FIGHT CRIME AND COMPENSATE ITS VICTIMS**

67
[Manuscript]; [Criminals]; [Great Britain]. *List of Subscribers To The Association Established in the Town And Neighbourhood Of Stourbridge For The Prosecution Of Felons.* [Stourbridge, Warwickshire, England, c.1811]. \$450.

15-3/4" x 12-1/2" (40 x 31.8 cm) sheet, written on both sides, with a watermark reading 1811, faint vertical rules, content in neat calligraphic hand in three columns below headline, additional single column of content to verso. Moderate toning, vertical and horizontal fold lines, light soiling at corners, light wear, a few chips and short tears to edges, early repairs to fold lines on verso.

ASSOCIATIONS for the prosecution of felons were established throughout Great Britain before the creation of professional municipal police forces. The earliest date to the mid-eighteenth century; there were around 500 by 1840. A form of insurance, these associations covered the costs associated with investigating crimes, paying rewards and bringing criminals to justice.

Over 130 individuals and businesses joined this association in Stourbridge, a market town near Birmingham, and pledged amounts ranging from £10 to £105. The list shows their first



Details from Nº 68

and second installments. Among those are Lord Lyttleton, probably William Henry Lyttleton, 3rd Baron Lyttleton [1782-1837], and Reverend Joseph Taylor, who became minister of the local church in 1808. Several of the subscriber names can be found in *The Commercial Directory* (for 1818, 1819, 1820, accessed online), including Francis Rufford & Sons, manufacturer of fire bricks, Sergeant Hornblower, iron master, Thomas Wheeley, glass manufacturer, and Henry Jervis, toolmaker.

• Our manuscript appears to be the only surviving record of this association.

**AN UNPUBLISHED MANUSCRIPT ON THE OFFICE
OF NOTARY, FROM THE GARDEN OF EDEN TO
EIGHTEENTH-CENTURY BRITAIN**

68
[Manuscript]; [Legal Profession]; [Scotland]. *An Essay upon the Office of Nottarie* [Caption Title]. [Scotland, c.1709]. 346, [14 blank], [7], [1 blank], [7], [2 blank], [16], [62 blank] pp. Quarto (7-3/4" x 6-1/4"; 20 x 16.5 cm). \$2,500.

Contemporary vellum, blind rules to boards, raised bands to spine. Some soiling and wear to binding, a few nicks to front board and joint, foot of spine abraded, pastedowns loosening, early owner signatures (of William Raisin, dated 1732, John

Thomson and John Southern) to endleaves. Text in single neat scribal hand without significant corrections. Moderate toning to interior, a few (mostly partial) cracks to text block, a few leaves loosening slightly but secure.

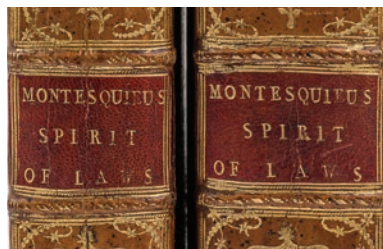
NOTARIES were central to the life of the legal profession in early modern Europe and England, involved in almost every important transaction and given many of the same powers and duties as attorneys. This manuscript presents a thorough view of the history, function and duties of the office of notary with particular attention to Scottish law. It includes a comprehensive index and a shorter essay on the office of messenger. The work is so exacting in its scope, in fact, that the preface begins in the Garden of Eden and provides a Biblical context for the role of notaries in property law. It goes on to discuss and provide forms for notarial matters such as marriage contracts, heritable bonds and conveyancing topics like *sasines* (documents proving ownership of feudal lands) and *retours* (a form of writ). Neatly written and carefully compiled, it would have been an essential and useful reference for eighteenth-century legal professionals. The latest date referenced in the text is 1709, two years after the Act of Union that joined England and Wales with Scotland; the author is unknown but indicates in the closing essay that he was a member of the College of Justice.

◆ Our manuscript is a fair copy of a work transmitted widely in manuscript, a common practice of the period. (As in the present example, not all of these manuscripts were later published in print.) We located a similar manuscript, once part of the Library of the Society of Advocates, at the National Library of Scotland.

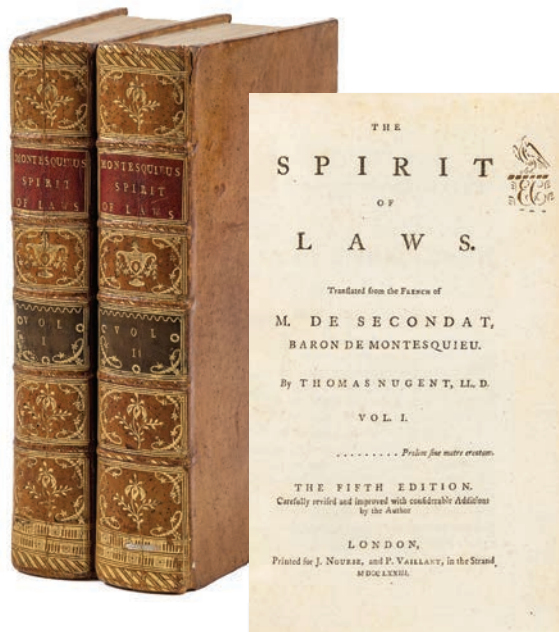
A NOTABLY HANDSOME COPY OF A
LANDMARK WORK IN POLITICAL SCIENCE

69

Montesquieu, Charles-Louis de Secondat, Baron de [1689-1755]; [Nugent, Thomas (c.1700-1772), Translator]. *The Spirit of Laws. Translated from the French of M. de Secondat, Baron de Montesquieu. The Fifth Edition. Carefully Revised and Improved with Considerable Additions by the Author.* London: Printed for J. Nourse, And P. Vaillant, 1773. Two volumes. [iv], xlvii, [1], 468; [iv], xvi, 534, [46] pp. Octavo (8-1/4" x 5"; 21 x 12.7 cm). \$2,500.



Detail from N° 69



N° 69

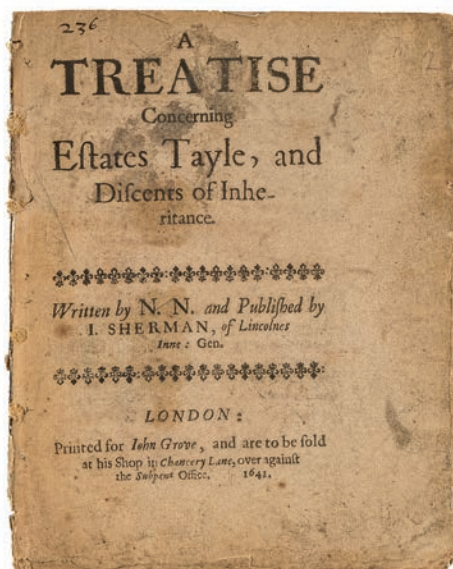
Contemporary speckled calf, gilt spines with raised bands and lettering pieces, gilt tooling to board edges, marbled endpapers. Light rubbing and scuffing to boards, faint vertical cracks through centers of spines, joints just starting at ends. Light toning to interiors, heavier toning to a few leaves, small early armorial owner stamp, EC below a rising eagle, to title pages.

FIFTH (STATED) ENGLISH EDITION. Based on Montesquieu's study of the English Constitution, *De L'Esprit des Lois* was one of the landmark works of eighteenth-century political science and an immeasurable influence on jurisprudence and political thought, especially in the Americas. It contained provocative and wide-ranging ideas on the sociology of law and the need for checks on a powerful executive office and was the first work to propose the separation of powers. It was a profound influence on the American founders, such as Thomas Jefferson, and the framers of the U.S. Constitution. First published in Geneva in 1748, and first translated into English in 1750, it remains one of the most significant studies of political and legal theory ever written.

◆ ESTC N23470. PMM 197.



N° 69



SCARCE 1641 TRACT CALLING FOR THE REFORM OF LAWS CONCERNING INHERITANCE AND SUCCESSION

70

N.N. *A Treatise Concerning Estates Tayle, And Discents of Inheritance. Written by N.N. And Published by I. Sherman, of Lincolnes Inne: Gen.* London: Printed for Iohn Grove, 1641. [ii], 42, [i.e. 43], [1] pp. Lacking first leaf, a blank. Quarto (7-1/4" x 5-3/4"; 18.4 x 14.6 cm). \$950.

Disbound stab-stitched pamphlet, untrimmed edges. Light browning, soiling to exterior, moderate wear to corners of text block, moderate edgewear and creases to first few leaves and final leaf, which is partially detached with a clean tear near its lower inside corner, stains to title page "236" in early hand and "2" in later hand above title.

ONLY EDITION. The English Civil War inspired several proposals to liberalize and modernize areas of the common law. A fine example of this literature, N.N.'s tract disputes the validity of primogeniture and other "ancient" aspects of inheritance and succession. A contentious piece, it offers a clever argument grounded in classic common-law sources and scripture.

◆ OCLC locates 7 copies in North American law libraries (Harvard, Library of Congress, UC-Berkeley, University of Michigan, University of Virginia, University of Washington, York University-Osgoode Hall). ESTC R32142.

WITH EXTENSIVE ANNOTATIONS AND CORRECTIONS, LIKELY BY THE AUTHOR

71

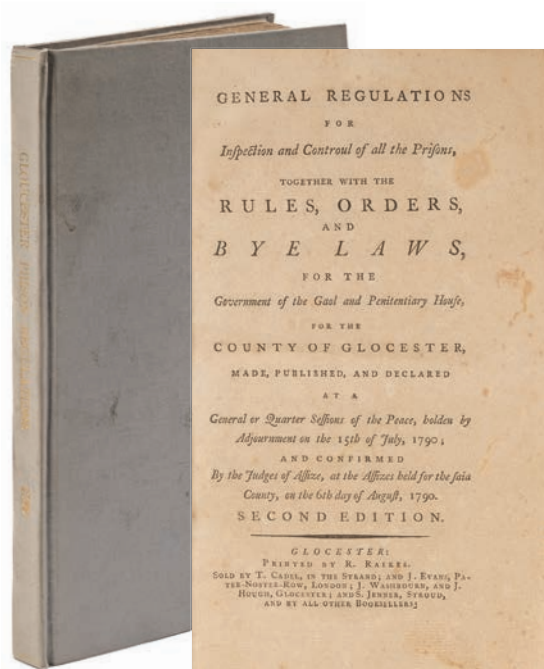
[Penology]; [Paul, Sir George Onesiphorus (1846-1920)]. *General Regulations for Inspection and Controul of All the Prisons...Second Edition.* Gloucester: Printed

by R. Raikes. Sold by T. Cadel, In the Strand; And J. Evans, Pater-Noster-Row, London [et al.], [1790]. [ii], 17-83, [1] pp. ONLY. [Bound with] [Paul, Sir George Onesiphorus]. *Address to the Justices of the County of Gloucester, Assembled at Their Michaelmas General Quarter-Sessions, 1789* [Gloucester?: S.n., 1789]. xlii pp. Bound after title page of *General Regulations* (2nd ed.); last leaf (pp. [xli]-xlii) bound before main text. Complete. [and] *General Regulations for Inspection and Controul of All the Prisons....* [Gloucester: Printed by R. Raikes. Sold by T. Cadel (et al.), 1790]. 47, [1] pp. ONLY. \$1,500.

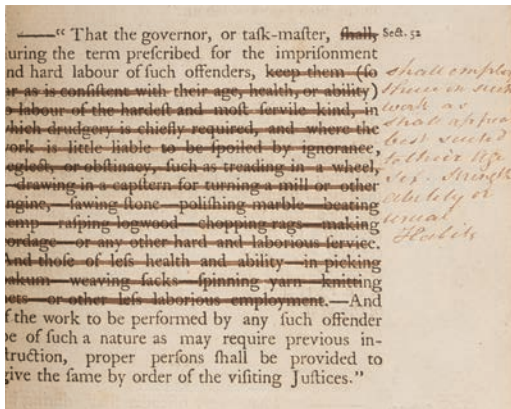
Together three titles in one volume. Octavo (8-1/4" x 5-1/4"; 21 x 13.2 cm).

Later cloth, gilt fillets, title and date to spine, endpapers renewed. Light soiling and minor shelfwear to exterior, library bookplate and shelf label to front pastedown. Moderate toning to interior, occasional light foxing. Early ink and pencil annotations and corrections, some quite extensive, in many places (none present in *Address*).

THE *GENERAL REGULATIONS* describes the influential reformed system of Gloucestershire's prisons produced under the direction of the Gloucestershire philanthropist and reformer Sir George Onesiphorus Paul. "Eighteenth-century prison administration was largely a matter of local initiative...In Sir George Onesiphorus Paul, Gloucestershire boasted one of the most capable and energetic magistrates of the time, and Paul's interest in prison reform resulted in Gloucestershire taking the leading role in that activity" (Cooper). Based on principles of humane treatment, sanitary conditions and opportunities for spiritual reformation,



Nº 71



Detail from N° 71

the Gloucester model directly influenced many other local prison systems in the 1780s and 1790s, as well as the national Penitentiary Act of 1812.

The annotations and corrections to the volume are specific and detailed. They were certainly made by someone with deep knowledge of the Gloucester system, likely Paul himself in preparation for another edition. *General Regulations* did not have a third edition under that title. However, the 1808 title *Proceedings of the Grand Juries [...] of the County of Gloucester...* is organized similarly to our volume and bears the statement “Third Edition” on its title page. (We could locate no stated first or second editions under the *Proceedings* title.) Paul is credited on the title page as the editor.

Our volume consists of most of the second edition of *General Regulations*, an address by Paul on prison reform and the second part of the first edition of *General Regulations* (including its special title page). Despite being bibliographically incomplete, the information missing from the second edition is supplied by the included portion of the first edition (and vice versa), making the volume a complete set of the regulations in itself.

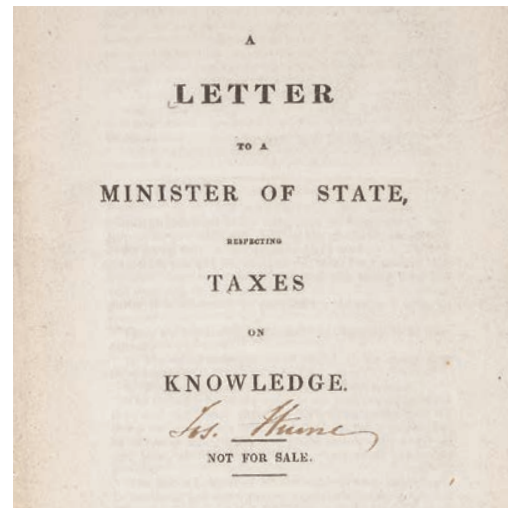
◆ Cooper, “Ideas and Their Execution: English Prison Reform” in *Eighteenth-Century Studies* 10, no. 1 (1976): 87-88. ESTC N6691, N16210, T1839.

**A COPY OF PLACE’S ARGUMENT
AGAINST THE TAXES ON KNOWLEDGE OWNED BY
ONE OF HIS CLOSEST ALLIES IN PARLIAMENT**

72

Place, Francis [1771-1854]. *A Letter to a Minister of State, Respecting Taxes on Knowledge. Not for Sale.* London: Innes, Printer, 61, Wells-Street, Oxford-Street, [1831]. 16 pp. Octavo (8-1/4” x 5-1/4”; 20.8 x 13.5 cm). \$1,000.

Disbound pamphlet. Light toning, light soiling to exterior, leaves just separating at ends. Early owner signature of



Detail from N° 72

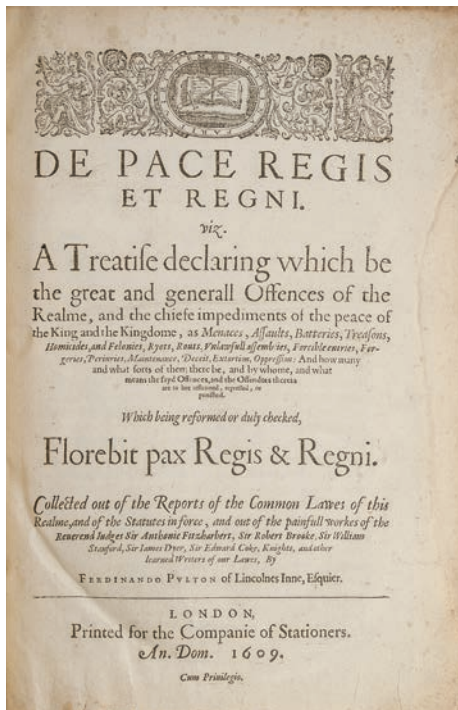
Joseph Hume to title page, later owner signature, “Renier,” to verso of title page, ink initials, “AR,” to upper inside corner of last page.

FIRST EDITION. The so-called “taxes on knowledge,” stamp taxes on newspapers and books, “became the key issue for working-class radicals in the 1830s...In his *Letter Place* outlined the case against the stamp and argued that a postage charge would bring in more revenue (stamped newspapers travelled free of postage). [Joseph] Hume was sufficiently impressed to send a printer to Place, who was thus able to send fifty copies of the *Letter* to the newly formed Society for Promoting the Repeal of the Taxes on Knowledge. They voted to pay the printing costs,” allowing the *Letter* to be distributed for free (Miles). After a long and bitter campaign, the 4-penny stamp on newspapers was abolished in 1855 and all newspaper taxes were abolished by 1869.

Place, a London tailor, was “a ubiquitous figure in the machinery of radical London” alongside James Mill, Jeremy Bentham and other important figures (Parolin). Not a politician himself, he had a number of parliamentary allies with whom he worked to promote radical causes. Joseph Hume [1777-1855], an owner of our copy of the *Letter*, was one of the closest of these. Trained as a surgeon, he served as an MP for a number of constituencies from 1812 until his death and was a committed radical and advocate of reform. His copy of the second edition of the *Letter*, published the same year, is held by University College London.

This copy also belonged to Anne Renier [1911?-1988]. She and her husband, Fernand Gabriel Renier [1905-1988], were important collectors of popular books, pamphlets and ephemera.

◆ Miles, *Francis Place, 1771-1854: The Life of a Remarkable Radical* 212. Parolin, *Radical Spaces: Venues of Popular Politics in London, 1790-c. 1845* 131. *Goldsmiths’-Kress* 27119.



CRIMINAL LAW IN SHAKESPEARE'S ENGLAND

73
Pulton, Ferdinand[o] [1536-1618]. *De Pace Regis et Regni. Viz. A Treatise Declaring Which be the Great and Generall Offences of the Realme....* London: Printed for the Companie of Stationers, 1609. [vi], 258, [22] ff. Folio (11" x 7-1/4"; 27.9 x 18.4 cm). \$2,750.

Period-style quarter calf over marbled boards, lettering piece, blind-tooled raised bands and blind fillets to spine, marbled edges, endpapers renewed, retained bookplate of Hugh Cecil Lowther, 5th Earl of Lonsdale, to front pastedown. Moderate toning to interior, slightly heavier in places, light foxing to a few leaves, faint staining to margins of endleaves and verso of final leaf. An attractive copy.

FIRST EDITION. With comprehensive index, glosses and side-note references to the works of Fitzherbert, Brooke and others. Pulton is best known for his respected abridgements *An Abstract of all the Penal Statutes Which are General* (1560) and *A Kalendar or Table of All the Statutes* (1606). *De Pace Regis et Regni* took his earlier works as the starting point for a comprehensive overview of criminal law. Holdsworth, who holds this work in high regard, observes that it was only the second title devoted to the subject. The first, Staunford's *Les Plees del Coron*, was published posthumously in 1560. Holdsworth adds that a comparison between Pulton and (the less comprehensive) Staunford "enables us to appreciate the effect of the additions to and alterations of the criminal law made during this period, both by the legislature, and by the judges of the common law courts and of the court of Star Chamber" (392-393). This is especially evident in his discussion of topics like "Triall by Battaile," "The King's

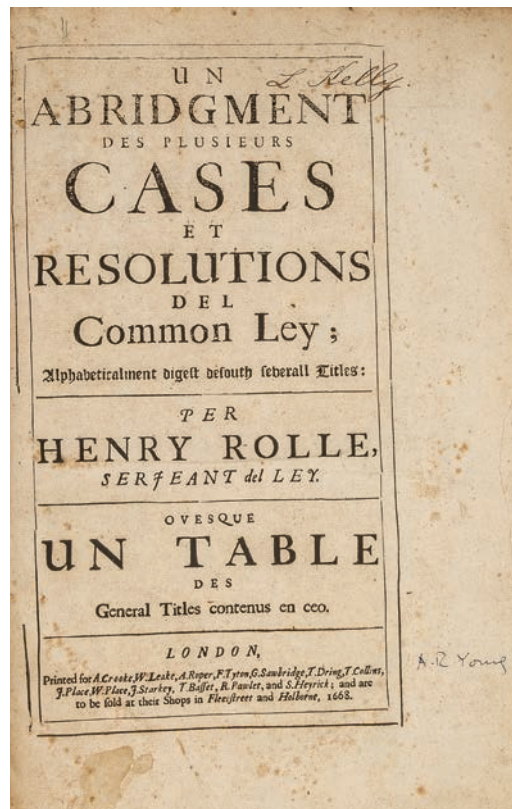
Pardon," "Maihem" and "Corruption of Bloud." In all, Pulton's treatise offers a fascinating perspective on criminal law as it was understood in Shakespeare's England.

◆ Holdsworth V:392-393. ESTC S116053.

"LONG A MODEL TO FUTURE MAKERS OF ABRIDGMENTS"

74
Rolle, Sir Henry [1589-1656]; [Hale, Sir Matthew (1609-1676), Editor]. *Un Abridgment des Plusiers Cases et Resolutions del Common Ley: Alphabeticalment Digest Desouth Severall Titles. Ouesque un Table des General Titles Contenus en Ceo.* London: Printed for A. Crooke, W. Leake, [et al.], 1668. Two parts in two volumes. [xiv], 688, 725-940; 180, 171-232, 223-224, 245-524, 545-836, [8] pp. Lacking copperplate portrait frontispiece. Pagination irregular, text continuous. Folio (13-1/2" x 8-1/2"; 34.3 x 21.6 cm). \$850.

Later period-style calf, blind rules to boards, raised bands, blind ornaments and gilt title to spines, endpapers renewed. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities with some wear to spine ends and corners, front board of Volume I partially detached, front board of Volume II detached, its front free endpaper lacking, twentieth-century owner name (Alfred Robert Young/Ramsgate) and note reading "Re-bound 1948" to front



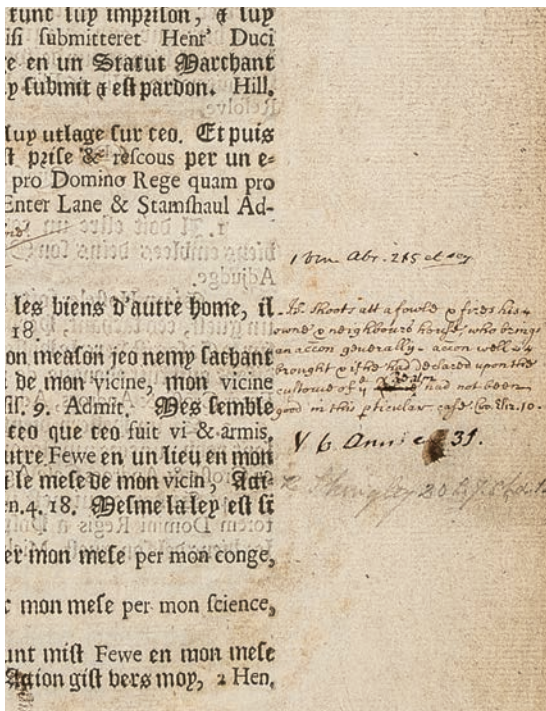
N° 74

pastedowns. Moderate toning to interiors, light foxing, light soiling and spark burns in a few places, first leaf of second part partially detached, torn, edgeworn and lightly soiled, underlining and brief annotations, some in an 18th-century hand, others in two 20th-century hands, to a few places in each book, early owner name (L. Kelly) to head of title page, later owner name (A.R. Young) to its foot.

ONLY EDITION. The third, and last, abridgment to contain Year Book cases, this work was consulted and cited as frequently as the abridgments of Fitzherbert and Brooke. As Holdsworth notes, “[Rolle] marks a new departure in the literature of abridgments. The older abridgments had simply digested Year Book cases under alphabetical headings. Their great defect was the heterogeneous character of the entries collected under each alphabetical head. (...) Rolle’s Abridgment to some extent remedied this defect—each topic was divided...into separate headings. But what distinguishes it more markedly from the abridgments of the older type is the fact that it is more than a digest of case law. It contains summaries both of Parliamentary records and of statutes; And therefore it comes nearer than the old abridgments came to being a digest of the whole law. For both these reasons it was long a model to future makers of abridgments. (...) [Hale’s Preface] is a valuable historical summary of the development of the common law up to the time of the Restoration.”

The annotations in our copy are mostly cross-references to other cases. A few are glosses, summaries or references to reporters. Alfred Robert Young [d.1969], a later owner, was a partner in a Ramsgate law firm and a civil servant in Kent.

◆ Holdsworth V:376-377. ESTC R35328.



Detail from N° 74



N° 75

A LANDMARK WORK
ON A FUNDAMENTAL ENGLISH RIGHT

75

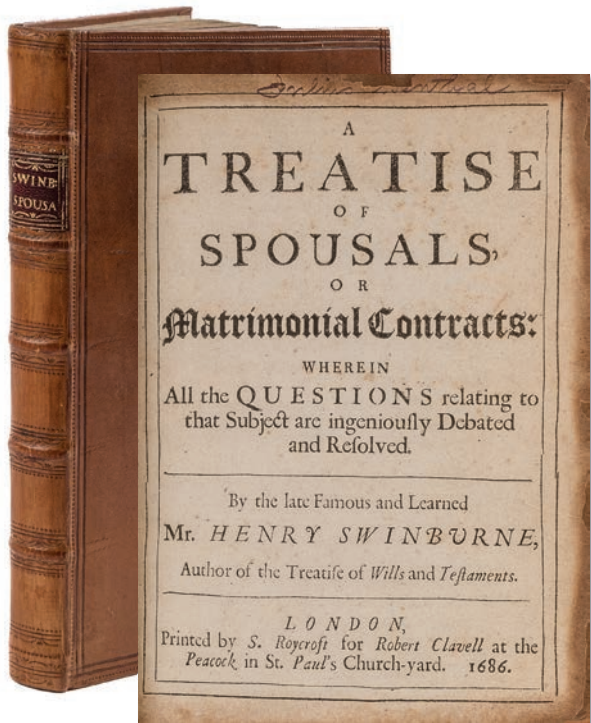
[Somers, John Somers, Baron (1651-1716), **Attributed**]. *The Security of English-Mens Lives, Or the Trust, Power, And Duty of the Grand Jurys of England. Explained According to the Fundamentals of the English Government, And the Declarations of the Same Made in Parliament by Many Statutes. Published for the Prevention of Popish Designs Against the Lives of Many Protestant Lords and Commoners, Who Stand Firm to the Religion and Ancient Government of England.* London: Printed for Benj. Alsop, 1682. 168 pp. Octavo (6" x 3-3/4"; 15.2 x 9.5 cm). \$1,500.

Recent period-style quarter calf over marbled boards, lettering piece and gilt-edged raised bands to spine, endpapers renewed. Light toning to interior, light soiling and a few creases to title page, which has a ruled border. Head of text block trimmed with some loss to page numbers and rule at head of title page. A handsome copy.

SECOND EDITION. First published in 1681, this influential essay defined a hearing before a grand jury of peers as a fundamental English right. An assertion of the priority of the law over the English Crown, it was written to support the right of a grand jury to reject the bill of indictment against Anthony Ashley-Cooper, First Earl of Shaftesbury [1621-1683] issued by Charles II (a pro-Catholic monarch). Shaftesbury’s charges were ultimately dropped.

Published anonymously, this work is attributed in most sources to Somers. A barrister of the Middle Temple and an important Whig statesman, he was Lord Chancellor of England during the reigns of William and Mary and Queen Anne and presided over the framing of the Bill of Rights (1689).

◆ ESTC R10363.



N^o 76

FIRST-EDITION COPY
OF THE FIRST ENGLISH TREATISE ON
MATRIMONIAL LAW WITH A DISTINGUISHED
AMERICAN LEGAL PROVENANCE

76

Swinburne, Henry [c.1551-1624]. *A Treatise of Spousals, Or Matrimonial Contracts: Wherein All the Questions Relating to that Subject are Ingeniously Debated and Resolved.* London: Printed by S. Roycroft for Robert Clavell at the Peacock in St. Paul's Church-Yard, 1686. [xvi], 240 pp. Quarto (7-3/4" x 5-1/2"; 19.5 x 14 cm). \$3,500.

Period-style calf, blind rules and fillets to boards, raised bands, blind fillets and lettering piece to spine, endpapers renewed (with period paper). Negligible light rubbing and a few faint scratches to exterior. Moderate toning to text, occasional sparse light foxing, some offsetting to first and final several leaves resulting in brittle and lightly worn or chipped page edges, no loss to text, later owner signature of Julius Rosenthal to title page, portions of signature affected by chipping, faint pencil underlining and markings in a few places. A very good copy of a landmark work.

FIRST EDITION. Published posthumously, this was the first English treatise on matrimonial law and one of the first English legal treatises devoted to laws concerning women. It discusses marriage, the relationship between spousal contracts and marriage contracts, the dissolution of those contracts and divorce. Swinburne was commissary of the exchequer and judge of the consistory court at York.

Julius Rosenthal [1828-1905], a leading Chicago attorney who specialized in wills and probate, was the librarian of the

Chicago Law Institute from 1867-1877 and 1888-1903 (and the organization's president from 1878-1880). An enthusiastic scholar with a deep knowledge of legal history and jurisprudence, particularly Anglo-American, he enlarged the Chicago Law Institute's collection considerably and amassed an impressive personal library.

◆ ESTC R22016.

DON'T TRESPASS ON MY LAND!

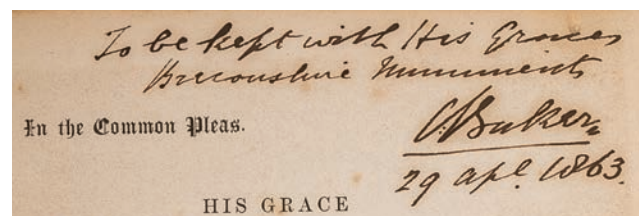
77

[Trial]; Bailey, John Crawshay, Primary Defendant; Somerset, Henry Charles FitzRoy, 8th Duke of Beaufort [1824-1899], Plaintiff. *In the Common Pleas. His Grace the Duke of Beaufort Against John Crawshay Bailey and Others. For Trespass on Cwmdu Hill, In the Parish of St. Michael Cwmdu, Breconshire. Report of the Trial Before Mr. Justice Mellor and a Special Jury, At Brecon, On the 21st, 23d, And 24th of March, 1863. Watkins, Hooper, Baylis, And Baker, 11 Sackville Street, London, Solicitors for His Grace.* [London: Printed by Strangeways & Walden, (1863)]. iv, 284, [2] pp. Octavo (9-1/2" x 6-1/4"; 24.5 x 15.5 cm). \$450.

Textured cloth with later cloth rebacking, printed paper label to spine, endpapers renewed. Light rubbing and minor shelfwear, faint dampstaining to boards, minor bubbling of cloth in places, moderate toning to interior, mostly negligible light foxing and soiling to a few leaves, inscription "To be kept with His Grace's Breconshire Muniments/ C. Baker/ 29 Apl. 1863" to head of title page.

SOMERSET, the 8th Duke of Beaufort, was a British peer, military officer and Conservative politician. This case centered on trespassing by members of the public on some of his vast property holdings (about 51,000 acres) in Wales. The defendants, nearby farmers, alleged that the portions of the land in question were part of their estates, but the court found for the Duke. This copy was apparently retained and filed by Charles Baker, one of the Duke's attorneys in the case, who was also an antiquarian and the duke's "steward of seignories of Gower and Kilvey."

◆ This is a scarce title. OCLC locates 3 copies in North American law libraries (Columbia, Harvard, Jenkins Law Library). Powys-Land Club, *Collections Historical and Archaeological Relating to Montgomeryshire* 5:407.



Detail from N^o 77

BLACKMAILED FOR
"THE DETESTABLE CRIME OF SODOMY"

78

[Trial]; Cather, John, Primary Defendant; [Walpole, Sir Edward (1706-1784)]. *A Full and Genuine Narrative of the Conspiracy Carried On by Cather, Cane, Alexander, Nixon, Paterson, Falconer, Smith, Which Last was Executed at Tybourn with Mc. Leane, Against the Hon. Edward Walpole, Esq. Charging Him with the Detestable Crime of Sodomy, In Order to Extort a Large Sum of Money from Him....* London: Printed for the Author, and sold by B. Tovey, and the other Booksellers in Westminster-Hall and at the Royal-Exchange, [1751]. [ii], 28 pp. Octavo (8-3/4" x 5-1/4"; 22.5 x 13 cm). \$2,500.

Stab-stitched pamphlet bound in later pebbled cloth, endleaves added, edges of text block untrimmed. Light soiling and shelfwear to exterior, slight bubbling to boards, front hinge starting, moderate toning to interior, light soiling and unobtrusive faint dampstains to edges of a few leaves, early shelfmark to upper inside corner of title page. Rare.

SECOND EDITION, one of three issues. Although blackmail for sodomy was not uncommon in this time period, Walpole's was perhaps the first major case involving a member of the English elite (Bleakley). John Cather, an unemployed servant who had unsuccessfully applied for a position with Walpole, accused him of "laying hold of him, dealing with him, and earnestly soliciting his Compliance to the Commission of the horrid, abominable, shocking and odious Crime of Sodomy, at one Time, and Buggery at Another" in March of 1750 (8-9). Walpole was acquitted of the charges and immediately set about infiltrating Cather's social circle through a private detective and bringing charges of his own against the conspirators.

The six defendants were given unusually harsh sentences. William Smith was hanged and the others received significant prison terms. This reflected Walpole's social status and reputation for heterosexuality as much as the severity of the crime: "convicted blackmailers, whether guilty of written or verbal extortion, faced a lesser sentence in cases where there was some question as to whether a victim was actually a gay man" (Bleakley).

The other issues of the second edition replace the word "Conspiracy" in the title with "Confederacy." One of the two has continuous pagination; the other omits pp. 10-11 and 14-15.

◆ Both editions are scarce; the second is rare. OCLC, Library Hub and the ESTC locate 6 copies of all issues, 1 of the present issue (Yale University). This issue not in the ESTC. For the other issues of the second edition, see ESTC N70245 & T122166. Bleakley, "Accused of an 'Abominable Crime': Punishing Homosexual Blackmail Threats in London, 1723-1823" in *Crime, Law and Social Change* 75 (2021): 346.



Detail from N° 79

WITH A FRONTISPIECE DEPICTING
INCIDENTS OF DOMESTIC ABUSE

79

[Trial]; Hart, John [d.1791], Defendant. *The Trial of John Hart, Esq. Alderman of London; For Adultery and Cruelty....* London: Printed for G. Lister, [1780?]. [iv], 111, [1] pp. With a three-panel copperplate frontispiece of Hart abusing his wife. Octavo (8-1/4" x 5"; 21 x 12.75 cm). \$1,750.

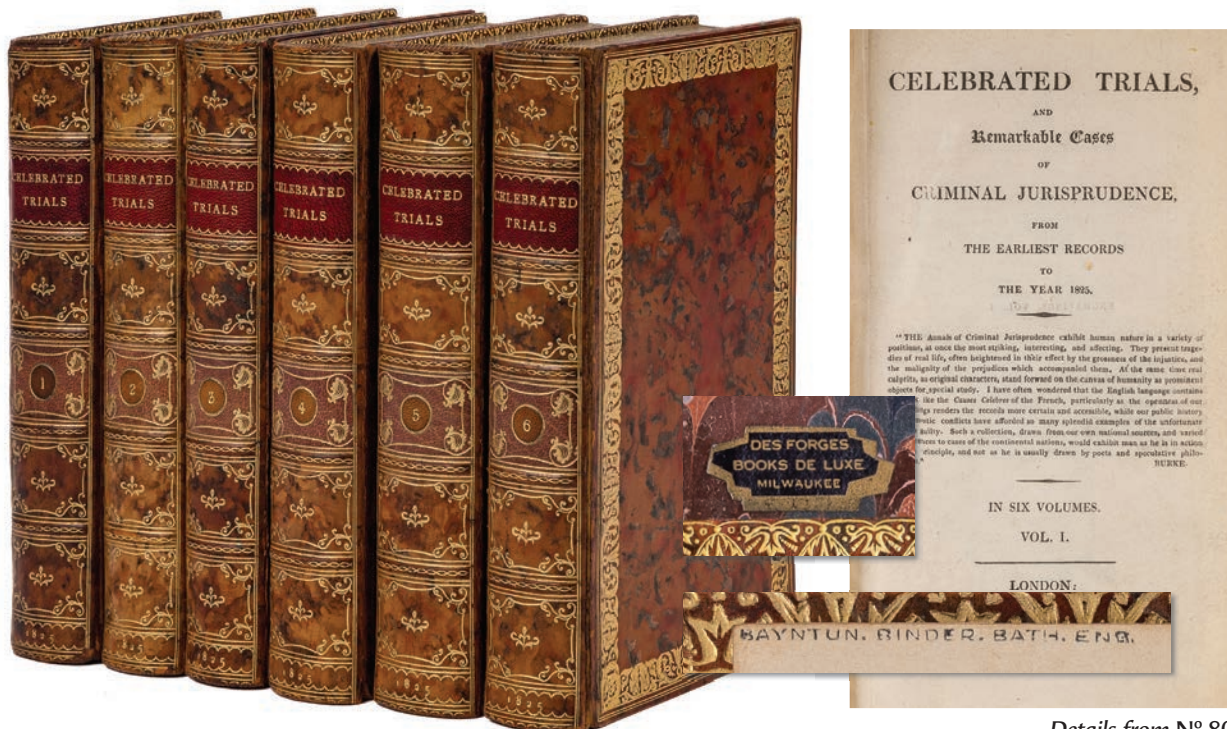
Recent quarter cloth over plain paper boards, printed label to front board, endpapers renewed. Light toning, negligible light foxing to a few leaves, internally clean, trimming touching fore-edge of frontispiece (top of image), partial crack in text block after final leaf. A nice copy of a scarce title.

ONLY EDITION. John Hart and Elizabeth Spencer married in September 1775. By November, Mr. Hart regularly beat his wife, forbade her to see her family and flaunted his adultery with the housekeeper. After four years of grueling physical abuse, Mrs. Hart fled her home, took refuge with her parents and sought a divorce in the ecclesiastical courts.

Judicial separations for cruelty were difficult to obtain. Not only did a husband have a legal right to beat his wife, but the wife's temperament was a chief consideration: she could not obtain a divorce unless she appeared to the judge to have an appropriate wifely disposition. Our account, which reproduces the complaint against John Hart and seven of the depositions given as evidence against him, reflects this. Mr. Hart's "very morose, surly, cruel, savage, and wicked temper and disposition" is contrasted with his wife's "exceeding mild, gentle, obliging, tractable, and obedient temper.. [and] very amiable, meek, modest, and virtuous carriage and disposition." The deponents include servants of the Harts and Spencers, as well as Mrs. Hart's mother. Ultimately, Mrs. Hart prevailed and obtained a divorce.

The graphic frontispiece depicts three scenes of abuse: Hart grabbing his wife by the ribbon around her neck, dashing her head into the mantelpiece and dragging her out of bed, assisted by his housekeeper.

◆ OCLC locates 6 copies in North America, 1 in a law library (Yale). ESTC T51690.



Details from N° 80

A FASCINATING COMPENDIUM OF “CELEBRATED” TRIALS IN SUPERB BAYNTUN BINDINGS

80

[Trials]; [Borrow, George H., Editor]. *Celebrated Trials and Remarkable Cases of Criminal Jurisprudence, From the Earliest Records to the Year 1825*. London: Printed for Knight & Lacey, 1825. 6 volumes. 35 engraved plates, 4 folding, 6 frontispieces. Complete. Octavo (7-1/2” x 4-1/4”; 19.2 x 11 cm). \$2,500.

Signed contemporary mottled calf by Bayntun of Bath, elaborate gilt frames to boards, gilt spines with raised bands and lettering pieces, gilt tooling to corners of board edges, edges of text block gilt, marbled endpapers, gilt dentelles, 2 silk ribbon bookmarks in each volume. Light rubbing to extremities, Vol. I very discreetly rebacked retaining existing spine and endpapers, negligible light wear to spine ends and corners, early bookseller ticket (Des Forges Books De Luxe, Milwaukee) to rear pastedown of Vol. I. Light toning to text, faint offsetting from plates in a few places, light foxing and soiling to a few leaves, tiny hole to text block of leaf P7 in Vol. I, small, neatly mended tear to bottom of leaves 2A10 and 2B1 in Vol. VI, no loss to legibility. A fine, well-preserved set.

FIRST EDITION. The first collection devoted exclusively to important state and criminal trials, this set contains over four hundred cases from the fifteenth to nineteenth centuries. Regarding other collections, Borrow criticized the *Newgate Calendar* for being too sympathetic to its subjects; he found the

State Trials to be intolerably dull. Borrow also includes famous trials from France, Sweden, Denmark and the United States. For France, he adapted trials from *Causes Célèbres* to the tastes of “English reading” by stripping them “of all their verbosity.” In addition to its more animated language, *Celebrated Trials* is enlivened by its numerous engravings depicting courtroom scenes and executions (by various means).

◆ Sweet & Maxwell 2:36.



Detail from N° 80

A RARE COMPLETE SET, INCLUDING
VOLUMES WITH INTERESTING ASSOCIATIONS,
INSCRIPTIONS AND LAID-IN MATERIAL

81

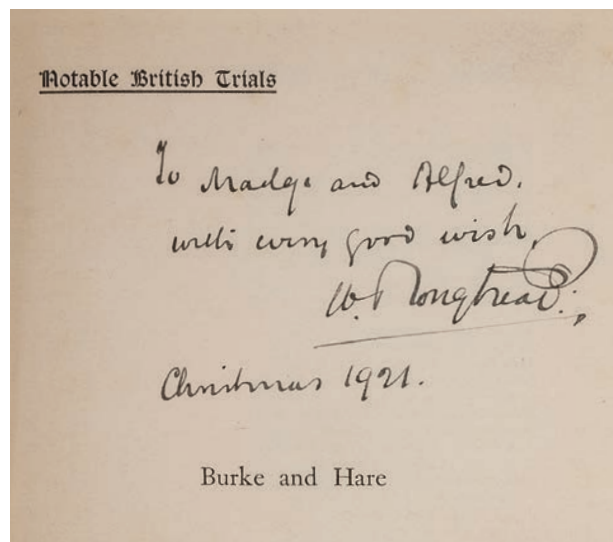
[Trials]; Roughead, William [1870-1952], et al.,
Editors. [Notable British and Scottish Trials]. London:
William Hodge & Company, 1905-1959. Complete set,
83 volumes. \$8,500.

54 volumes in original cloth, 28 in dust jackets, 1 in calf.
Moderate shelfwear to bindings and jackets, which are lightly
soiled, hinges of a few volumes cracked or starting. Moderate
toning to interiors, some volumes have light foxing in places,
several volumes have bookplates, inscriptions, and tipped-
in or laid-in letters and clippings to preliminaries (described
below). A rare complete set with several unique volumes, all
in very good condition.

FIRST EDITIONS. The volumes in this series offer thorough
accounts of 83 famous cases, 72 British and 11 Scottish, tried
between 1586 to 1953. Though written for general readers,
they were produced to a high scholarly standard and have
been cited in courts, legal scholarship and Parliament. Each
volume contains a detailed introduction followed by an edited
verbatim report of the proceedings and, where they exist,
judgments on appeal. Some volumes have illustrations and
appendices of original material.



N° 81



Details from N° 81

Several volumes in our set have notable features. Ten have
bookplates and ownership markings of William Roughead,
the primary editor of the series. Bookplates and similar
markings are found in four volumes owned by another
prominent series editor, F. Tennyson Jesse [1888-1958], the
notable female criminologist and journalist. Nine, including
four that belonged to Jesse, have the embossed stamp of
Jonathan Goodman [1931-2008] an important British crime
historian. One has the embossed stamp of Lane Kauffmann
[1921-1988], an American writer known for his crime
novels. Seven volumes, including the one bound in calf, are
presentation copies from Roughead, nine have presentation
inscriptions of other editors. Among the laid-in and tipped-
in items are letters to the publisher from volume editors, a
three-page manuscript from the novelist Maude Annesley
Brownlow [1871-1930], which is addressed to the series
publisher, letters to Roughead from barristers and others with
connections to the cases discussed in the series, newspaper
clippings and images, including a few that were used as
illustrations.

Detailed descriptions of the volumes in our set, and the
markings and items added to them, are available on request.



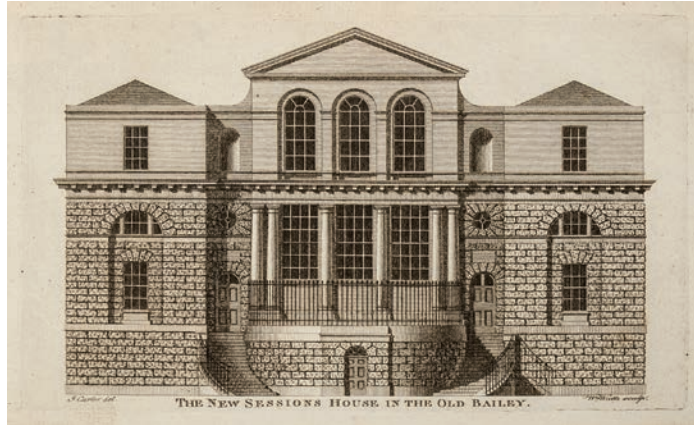
ILLUSTRATED ACCOUNTS OF
NOTORIOUS CRIMINALS "CALCULATED
TO EXPOSE THE DEFORMITY OF VICE"

82

Villette, John [d.1799], 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 [...]* 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. All plates present, text complete. Octavo (8-1/4" x 5-1/4"; 21 x 13.3 cm). \$2,500.

Contemporary mottled calf, gilt rules to boards, gilt spines with raised bands and red and green morocco lettering pieces, gilt tooling to board edges, edges of text block rouged. Light rubbing to boards, small gouge to front board of Vol. III, moderate rubbing and minor surface abrasion along joints, corners bumped. Moderate toning to interior, faint offsetting from plates to facing leaves, occasional light foxing, small clean tears to edges of a few leaves in each volume, some touching text without loss. Vol I: small tear to margin of pp. 87-88 without loss to text, stain to upper margin of pp. 133-139 touching headline without loss to legibility. Vol. III: lower outside corner of plate facing p. 169 lacking with minor loss to first two letters of caption but no loss to image, plates facing pp. 169 & 312 loosening and very lightly edgeworn. A very appealing set.

ONLY EDITION. Presented by Villette as a "beacon to warn the rising generation," this chronicle provides accounts of some of the most infamous criminals of eighteenth-century



Details from N° 82

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 "gallows literature had such an enormous appeal that the authentic autobiographies often had to compete with gross forgeries and even the Ordinary's account...Eventually, the Ordinary's accounts gained the greatest appeal and became one of the most profitable perquisites of that office." Villette, who served as the Ordinary from 1774 to 1799, was "undoubtedly... the most opportunistic of the Newgate Ordinaries," both authoring a "considerable number" of autobiographies of prisoners and compiling them and other earlier accounts into *The Annals of Newgate* (Sheehan).

◆ OCLC locates 6 copies in North American law libraries (Case Western Reserve University, Harvard, Library of Congress, University of Cincinnati, University of Michigan, Yale). Sheehan, "Finding Solace in Eighteenth-Century Newgate" in J.S. Cockburn, Ed., *Crime in England, 1550-1800* 238. ESTC T117296.



Detail from N° 82

**“ONE OF HONE’S FINEST AND
MOST ENDURING TRIUMPHS AS A JOURNALIST”**

83

Watkins, John [fl. 1792-1831]; [Hone, William (1780-1842)]; Fenning, Elizabeth [1793-1815], Defendant. *The Important Results of an Elaborate Investigation into the Mysterious Case of Elizabeth Fenning...* London: Printed for William Hone, 1815. xxi, 194, 46 pp. Octavo (8-1/4" x 5"; 21 x 13 cm). \$650.

Later three-quarter calf over marbled boards, blind fillets to calf edges, gilt fillets, blind decoration and lettering piece to spine, marbled endpapers. Light rubbing to boards, moderate rubbing to extremities, joints just starting at head, spine ends and corners bumped and lightly worn, front hinge cracked, later armorial bookplate of Sir Arthur Robert Adams, KBE, to front pastedown. Moderate toning to interior, crack in text block between pp. vi-vii, light foxing in a few places, blind-embossed private library stamp of J.H. Williams to title page, pencil annotations to a few leaves. A very good copy.

ONLY EDITION. Elizabeth Fenning was a domestic servant accused of poisoning her employer. Her trial and execution became a national *cause célèbre*; her conviction was largely based on circumstantial evidence and many believed her innocent, among them Charles Dickens and journalist William Hone. Attributed to John Watkins, a legal writer, on the title page, but written entirely by Hone, the present work is a detailed exposé of the numerous irregularities in Fenning’s case. It “was one of Hone’s finest and most enduring triumphs as a journalist. His demolition of the Crown’s evidence against Fenning and his revelations of the subsequent efforts to alter the judicial record...was one of the first detailed criminal investigations conducted by a journalist” (Wilson).

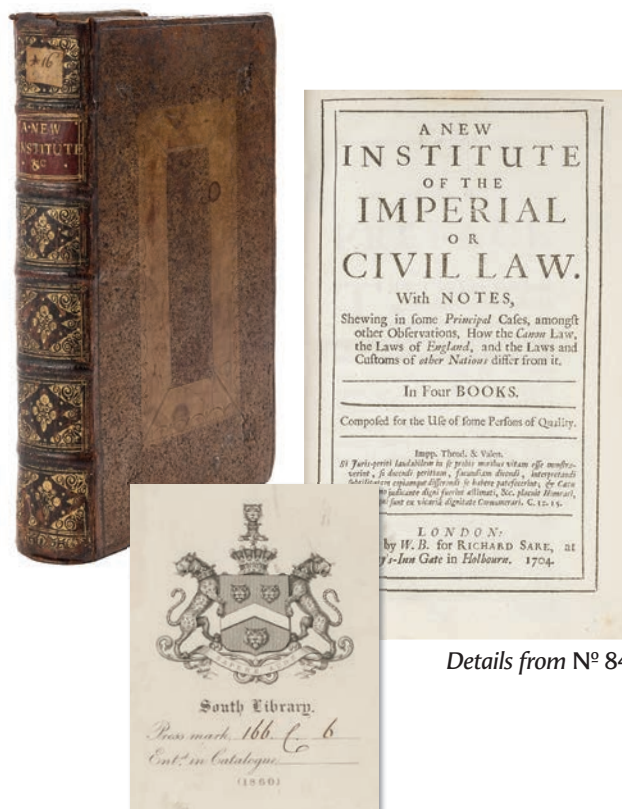
Sir Arthur Robert Adams [1861-1937], a former owner of this copy, was a British lawyer, colonial administrator and military officer in the Straits Settlements. John Hughes Williams [fl. 1812-1868], another owner, was rector of Llangadwaladr, Anglesey, from 1824 to 1868.

◆ Wilson, *The Laughter of Triumph: William Hone and the Fight for the Free Press* 11. HLC II:1073.

**FROM THE LIBRARY OF
THE EARLS OF MACCLESFIELD**

84

[Wood, Thomas (1661-1722)]. *A New Institute of the Imperial or Civil Law. With Notes, Shewing in Some Principal Cases, Amongst Other Observations, How the Canon Law, The Laws of England, And the Laws and Customs of Other Nations Differ From It. In Four Books. Composed For the Use of Some Persons of Quality.* London: Printed by W.B. for Richard Sare, 1704. [iv], xvii, [7], 361, [9] pp. Lacking final advertisement leaf, text complete. Octavo (7-1/2" x 4-3/4"; 19.1 x 12.1 cm). \$1,000.



Details from N° 84

Contemporary paneled speckled calf with blind fillets and corner fleurons, raised bands, lettering piece and gilt tooling to spine, small paper shelf label to its head, gilt tooling to board edges, edges of text block speckled. A few faint stains to front board, tiny nick to rear board, moderate rubbing to extremities, chipping to head of spine, joints starting at head, corners bumped and worn (upper corner of rear board lacking), hinges cracked. Light (mostly very light) toning to interior, negligible light foxing in a few places, two small faint stains to p. 175. Armorial bookplate of the Earls of Macclesfield to front pastedown, pencil shelfmark to front free endpaper, small embossed Macclesfield crest to preliminaries, brief early annotations to a few leaves. A handsome copy.

FIRST EDITION. Wood’s *New Institute* was a standard Anglo-American treatise during the eighteenth and early nineteenth centuries and a well-thumbed reference for jurists who wished to apply an element of civilian learning to their work, such as Joseph Story. As the title suggests, it is not only a summary adapted to the needs of students, but also a pioneering essay in comparative law. Wood pays some attention as well to Roman law’s influence on the historical development of English law. Indeed, he observes that “Fleta and Bracton would look very naked if every Roman lawyer should pluck away his feathers” (ix).

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.

◆ ESTC T112596.

America



N° 86

A VALUABLE LEGAL REFERENCE QUITE RARE IN COMMERCE

85

Adams, Henry C. *A Juridical Glossary: Being an Exhaustive Compilation of the Most Celebrated Maxims, Aphorisms, Doctrines, Precepts, Technical Phrases and Terms Employed in the Roman, Civil, Feudal, Canon and Common Law, Expressed in Foreign Languages, And Quoted in the Standard Elementary Works and Reports of the British and American Courts: And also an Exhaustive Compilation of Adages, Axioms, Proverbs, Mottoes, Etc. Alphabetically Arranged and Carefully Translated into English, With Explanatory Notes and Citations, For the Use of the Legal Profession and the Intelligent Laity.* Vol. I. A. to E. [All Published]. Albany, NY: Weed, Parsons, 1886. iv, 879 pp. Octavo (10-1/4" x 6-5/8"; 26 x 17 cm). \$850.

Later tan buckram, red and black lettering pieces, black-stamped fillets and number "1" and residue from library label to spine, endpapers renewed. Light soiling and shelfwear, very faint library stamps to boards and edges of text block, joints starting at head, lettering pieces partially abraded. Some toning to interior, chips and edgewear to fore-edges of first several leaves, small clean tears to edges in several places with no loss to text, negligible light soiling to a few pages. A good copy of a rare title in commerce.

ONLY EDITION. This is the only volume of a projected three-volume set. Its author, a distinguished (and thus busy) New York City lawyer, later master in chancery in Montgomery County, New York, wasn't able to find the time to complete this "exhaustive compilation." Despite its limitation to entries from A to E, it is an incredibly rich trove of information. It remains a valuable reference today.

◆ **Marke**, *A Catalogue of the Law Collection at New York University* 1201.

ARCHIVE COMPRISING A VIRTUAL "WHO'S WHO" OF LAWYERS AND JUDGES OF LATE 18TH-CENTURY AND EARLY 19TH-CENTURY QUEENS, NEW YORK

86

[Archive]; [Courts]; [Queens County, New York]. *[Documents From the Court of Common Pleas, Supreme Court and Court of Special Sessions].* Queens County, New York, 1798-1843. \$3,250.

59 manuscript documents and part-printed documents completed in manuscript, sizes ranging from approximately 6" x 8" to 8" x 12" (2.30 x 3 cm to 3 x 4.75 cm), all with embossed seals of New York courts, several with fragments of wax seals. All items have moderate toning and fold lines, some have

minor wear, light soiling, smudges, foxing, tears or fraying, some tears neatly mended with archival tape without loss to legibility. A remarkably well-preserved collection overall.

THIS FASCINATING ARCHIVE documents cases tried in the Court of Common Pleas, the Court of Oyer and Terminer and the Supreme Court involving residents of Queens County and surrounding areas, presently New York City's Borough of Queens and Long Island's Nassau County. It covers a large array of legal subjects and procedures, among them assault and battery, cepi corpus, debtor and creditor, ejection, false imprisonment, insolvency, mortgages, larceny, praecipe, recognizance, replevin, slander, trespass, and venire.

Authors or signers include some of the most prominent New York lawyers and judges of the time, including John F. Bacon [1789-1859/1860], lawyer, master in chancery and diplomat; William Furman [1765-1852], first judge of the Court of Common Pleas at Kings County; Horatio Gates Onderdonk [1808-1886], lawyer, author, master in chancery and later judge; David Samuel Jones [1777-1848], judge for Queens County; Effingham Lawrence [1779-1850], judge (and later a member of the U.S. House of Representatives from Louisiana for one day); James Lent [1782-1833], first judge of the Court of Common Pleas at Queens County and member of the U.S. House of Representatives; Eliphalet Wickes [1769-1850], district attorney and member of the U.S. House of Representatives and William Townsend McCoun [1786-1878], later a judge and the inaugural vice chancellor of the Court of Chancery.

The documents provide a high degree of microcosmic detail. One indicates the fine for the assault and battery on a woman by a man in September 1821: "two Dollars Seventy five Cents." Another shows the twenty-three steps required by a county clerk to move a case through the Court of Common Pleas, and the clerk's fee collected for each. These include "filing Narr[ation]," six cents, "Docketing Judgment," twelve and a half cents, and "Calling & Swearing Jury," nineteen cents. Other documents illuminate aspects of everyday life. One example is a set of strictures against an innkeeper in the township of Jamaica. It shows that inns in Jamaica were forbidden to allow gambling and that types of gambling encountered there included card games, cockfights and shuffleboard matches.

Legally, morally and socially, Queens was a different world in the decades around 1800. This archive provides a useful map to its terrain. Please contact us for a detailed complete list, which is also available on our website.

**HANDSOMELY BOUND COPY OF AN 1819
ARGUMENT FOR A FEDERAL BANKRUPTCY LAW**

87

Civis; [Webster, Daniel (1782-1852)]; [Hopkinson, Joseph (1770-1842)]. *Remarks on the Bankrupt Law; To Which are Added, The Proposed Amendments of Hopkinson and Webster.* New York: Published by Haly and Thomas, 1819. 71 pp. Octavo (8-1/2" x 5"; 21.5 x 12.5 cm). \$750.

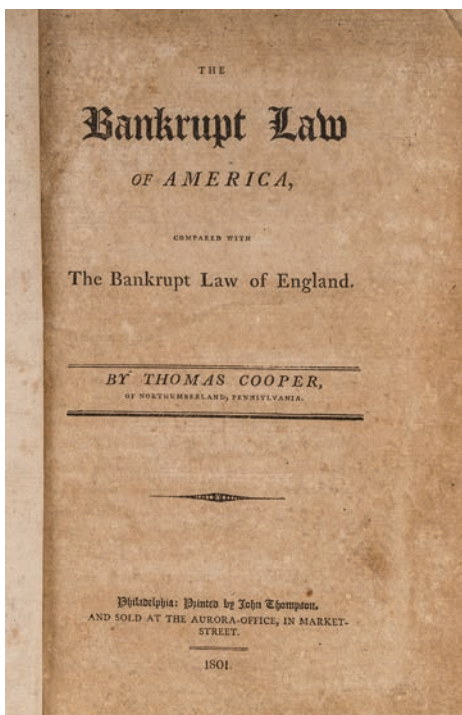
Stab-stitched pamphlet bound into a period-style binding by Philip Dusel, quarter calf over marbled boards, raised bands, lettering piece and blind and gilt fillets to spine. Light fading to spine, moderate toning to interior, light foxing to title page and a few other leaves. A very good copy in a handsome binding.

ONLY EDITION. Enacted in February 1800 with a slim majority, the first Federal bankruptcy act aimed to encourage economic risk and supersede the patchwork of debtor laws in force in the different states. Never a popular law, it was routinely attacked as a shield for the financially irresponsible and finally repealed in November 1803. Claiming this would retard economic development, supporters of the defeated bill launched a campaign to restore the law or enact a similar one, which finally happened in the summer of 1841 with an act sponsored by Webster. This pamphlet appeared when this campaign was underway. "Civis" explains the value of a bankruptcy act. The second part is entitled "A Sketch of the Principal Features of the Bankrupt Bill Prepared by Messrs. Hopkinson and Webster." (The bill was defeated in 1820.)

◆ OCLC locates 5 copies in law libraries (Library of Congress, Notre Dame, University of Georgia, University of Pittsburgh, Yale). *The Kress Library of Business and Economics Catalogue* C395. Cohen 2472.



Nº 87



Nº 88

**AN IMPORTANT EARLY AMERICAN TREATISE
ON BANKRUPT LAW WRITTEN DURING
THE AUTHOR'S IMPRISONMENT**

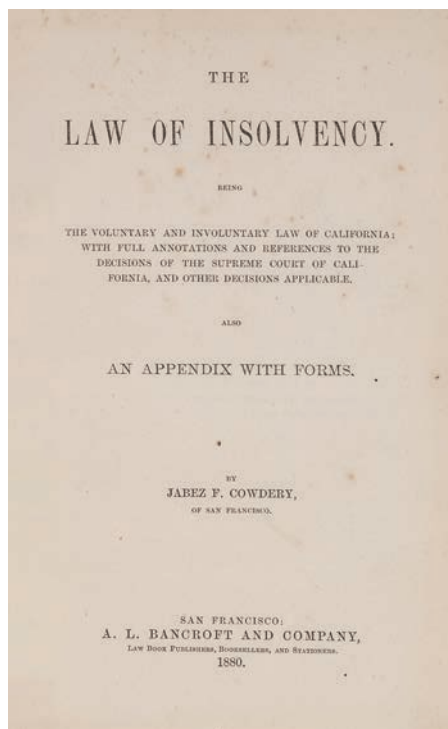
88

Cooper, Thomas [1759-1839]. *The Bankrupt Law of America, Compared with the Bankrupt Law of England.* Philadelphia: Printed by John Thompson, 1801. xix, [1], 399, [1], xciv, [2], xxxii, 10 pp. Octavo (8" x 5"; 20.3 x 12.5 cm). \$1,500.

Modern cloth, gilt fillets, title and date to spine, endpapers renewed. Browning (somewhat significant in places) and light foxing to interior, ink underlining to a few pages in final appendix. A notably scarce title in commerce.

FIRST EDITION. Cooper's work was intended to assist lawyers in their dealings with the first Federal bankruptcy act, which was enacted in February 1800. Intended to encourage economic risk and supersede the patchwork of debtor laws in force in the different states, it was modeled on the bankruptcy law of the world's leading commercial power, Great Britain. Its appendices draw further comparisons to the bankruptcy laws of France and Spain.

Cooper, a chemist and lawyer by training, was a polymath who published books on law, political science, economics, medicine and the natural sciences. A friend of Joseph Priestley and Thomas Jefferson, he was a professor of chemistry at Dickinson College and the University of Pennsylvania. He joined the faculty of South Carolina College in 1819 and became its president in 1820. Convicted in 1800 under the Sedition Act for libeling President Adams in a 1799 handbill, Cooper wrote *The Bankrupt Law* during his imprisonment.



Nº 89

He refers to his situation in the preface and says it was an honor to be punished for "exposing some few among the errors of a weak, a wicked and a vindictive administration" (Preface v).

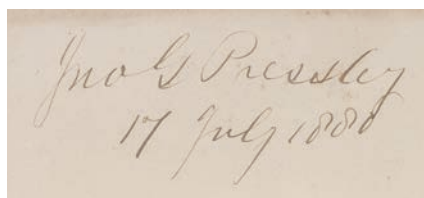
◆ Cohen 2477.

**A SCARCE EARLY TREATISE ON
INSOLVENCY IN CALIFORNIA**

89

Cowdery, Jabez F. [1834-1914]. *The Law of Insolvency. Being the Voluntary and Involuntary Law of California; With Full Annotations and References to the Decisions of the Supreme Court of California, And Other Decisions Applicable. Also an Appendix with Forms.* San Francisco: A.L. Bancroft and Company, 1880. xii, 174 pp. Octavo (8-3/4" x 5-1/4"; 22.2 x 13.3 cm). \$500.

Contemporary sheep, blind frames to boards, blind fillets, lettering piece and fragment of owner label (J.G. Press[ley]) to spine. A few small scuffs and scratches to boards, moderate rubbing to extremities, joints cracked, light scuffing to board edges, front hinge starting at head, owner signature (of John G. Pressley, dated 1888) to front pastedown. Moderate toning



Detail from Nº 89

to interior, light foxing and faint offsetting to edges of a few leaves, internally clean.

THIRD AND FINAL EDITION. This treatise on insolvency from a prolific California legal scholar "is intended to be useful to the judge, court officer, assignee and attorney, as well as the community at large" (Preface to 1878 ed.). It includes several sample schedules and forms for pleading. The first edition appeared in 1848 and the second edition in 1878.

Our copy of the third edition was owned by John Gotea Pressley [1833-1895], a South Carolina native who served as a lieutenant colonel in the Confederate Army. After the war, he moved to California to practice law and remained there until his death. He was a highly regarded judge of the Superior Court of Sonoma County from 1880 to 1890.

◆ Lewis Publishing Co., *An Illustrated History of Sonoma County, California* 580.

BANKRUPTCY LAWS IN MASSACHUSETTS BEFORE THE CIVIL WAR

90

Cutler, Joseph [1815-1885]. *The Insolvent Laws of Massachusetts, With Notes of Decisions.* Boston: Published by the Author, 47 Court Street, 1860. xi, [2], 14-144 pp. Octavo (9" x 5-1/2"; 23 x 14 cm). \$450.

Modern cloth, lettering piece to spine, endpapers renewed. Very minor bubbling to cloth near board edges, light fading to spine. Moderate toning to interior, faint dampstaining to lower outside corner of text block, light foxing to a few leaves, occasional brief annotations (mostly citations) in an early hand, clippings of updated statutes pasted to rear endleaves. A very good copy.

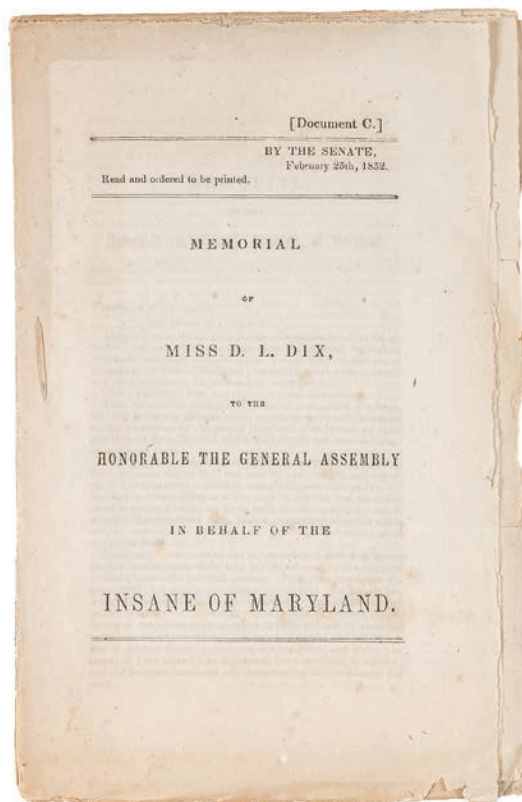
THIRD EDITION. A useful guide to the state of bankruptcy law in pre-Civil War Massachusetts. First published in 1849, the third edition contains the 118th and 119th chapters of the General Statutes passed in 1859, which consolidated all portions of relevant acts in effect at that time, along with two supplementary acts passed in 1860. The fifth, and last, edition of this book was published in 1892.

◆ All editions are scarce. OCLC locates 7 copies of this edition, 3 in law libraries (Berkshire, Jenkins, Social Law). Cohen 2482.

A PIONEERING ADVOCATE FOR THE MENTALLY ILL

91

Dix, D[orothea] L[ynde] [1802-1887]. *Memorial of Miss D.L. Dix, To the Honorable the General Assembly in Behalf of the Insane of Maryland.* [Annapolis]: By the Senate, Read and ordered to be printed, 1852. 19, [1] pp. Octavo (9-3/4" x 6-1/4"; 24.7 x 16 cm). \$500.



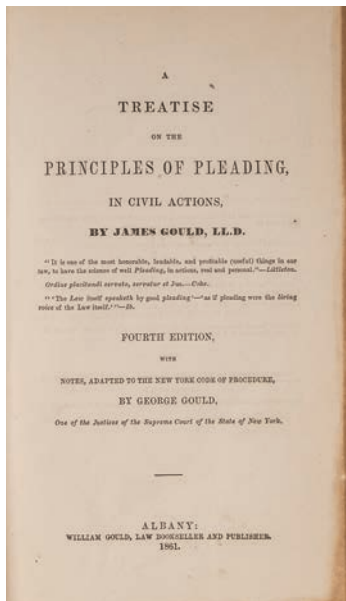
Nº 91

Stab-stitched pamphlet in self-wrappers, edges untrimmed. Moderate toning, light foxing and edgewear to a few leaves. A good copy in its original state.

ONLY EDITION. A Massachusetts native, Dix became aware of the plight of those classified as insane after visiting a jail in East Cambridge in 1841. Horrified by the treatment of mental illness as a moral defect and by the harsh, prison-like conditions of asylums, she spent her life fighting for improvements to the treatment of mental health in the United States and Europe. Her pioneering efforts transformed the asylum system and the perception of those classified as mentally ill. Dix's work elevated their status from brutalized, subhuman prisoners of the state to troubled individuals in need of compassion and specialized, humane care (ANB).

One of her primary tools for reform in the United States was the memorial, a petition to a state legislature. After the success of her memorial to the Massachusetts legislature in 1843, she turned her attention to New York, New Jersey, Pennsylvania, Ohio, Kentucky, Tennessee and Maryland. Her memorial to the Maryland General Assembly resulted in the swift passage of a bill creating a commission to buy land and build a 200-to-250-bed asylum that would replace the dilapidated Baltimore City hospital. The Civil War delayed construction significantly, but the Spring Grove State Hospital eventually opened in its new location in 1872.

◆ OCLC locates 1 copy of this title in a law library (Library of Congress). ANB 6:637-638.



Nº 92

“A LEGAL CLASSIC OF THE HIGHEST ORDER”

92

Gould, James [1770-1838]. *A Treatise on the Principles of Pleadings, In Civil Actions. With Notes Adapted to the New York Code of Procedure, by George Gould.* Albany: William Gould, 1861. xii, 502 pp. Octavo (9-1/2" x 6"; 24.1 x 15.2 cm). \$450.

Contemporary law sheep with red lettering piece to spine and blind frames to boards. Some rubbing, light wear to extremities. Previous owner's signature "E.D. Nash" and second previous owner's bookplate "Chas E. Nash" to front pastedown. Offsetting to edges of endleaves, interior otherwise clean. A good copy.

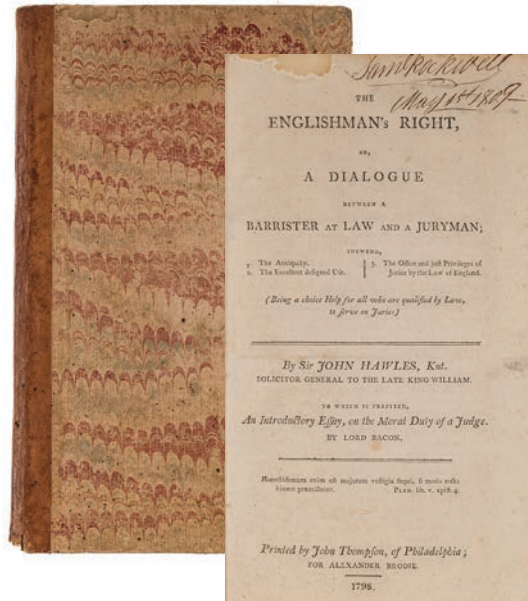
FOURTH EDITION. Gould was the preeminent law professor at Litchfield Law School, the nation's first law school. This treatise is taken from his Litchfield lectures and puts forth his system of principles of pleading in an orderly and scientific, reasonable manner. According to Marvin, "Gould's Pleading is a legal classic of the highest order, and has placed its author among the very best legal writers of the age." This copy may have been owned by Maine historian and alderman Charles Elventon Nash [1838-1904].

◆ Marvin 346. HLC I:775.

FIRST POST-REVOLUTION EDITION OF AN IMPORTANT WORK ON CIVIL LIBERTIES

93

Hawles, Sir John (1645-1716); [Bacon, Francis (1561-1626)]; Brodie, Alexander, Bookseller. *The Englishman's Right, Or, A Dialogue Between a Barrister at Law and a Juryman; Shewing, 1. The Antiquity. 2. The Excellent Designed Use. 3. The Office and Just Privileges of*



Nº 93

Juries by the Law of England. (Being a Choice Help for All Who Are Qualified by Law, To Serve on Juries). To Which is Prefixed, An Introductory Essay, On the Moral Duty of a Judge. By Lord Bacon. Philadelphia: Printed by John Thompson, of Philadelphia; For Alexander Brodie, 1798. 6, [vii]-viii, [1], [17]-70 pp. Octavo (7-3/4" x 4-3/4"; 19.6 x 11.8 cm). \$1,500.

Contemporary quarter sheep over marbled boards. Some rubbing to boards and board edges, chipping to foot of spine, corners bumped and worn, front hinge starting at foot. Moderate toning to interior, small faint dampstain to top-edge of first six or so leaves, light foxing to a few leaves. Owner inscriptions of S. Rockwell to front free endpaper and head of first page and Samuel Rockwell, dated 1809, to front pastedown and head of title page. A very good copy in an appealing contemporary binding.

THIRD AMERICAN EDITION. First published in London in 1680, and in Boston in 1693 and 1772, this 1798 Philadelphia edition was the first printed after the Revolution. Possibly a response to the recent passage of the Alien and Sedition Acts, it has an interesting preface by the bookseller, Alexander Brodie: "But lest the title 'The Englishman's Right' should give offence to any, it is proper to observe that the Charter of the Liberties of England is a grant from their kings obtained by force...let it be remembered, that Judges are appointed to interpret the Laws faithful but Juries were instituted to watch and restrain Judges."

A staunch Whig, Hawles wrote *The Englishman's Right* to outline the rights, duties and proper behavior of a jurymen and to promote the jury system as a defense against tyranny. Immediately successful among Whigs and others who saw themselves as defenders of English liberties, it "remained through the eighteenth century the foundation text of the ideology of jury independence and of the jury as the bulwark of

English liberty” (Beattie). It was received with great enthusiasm in America, where it was reprinted several times well into the nineteenth century. According to Cohen, it was probably the first English law book reprinted in the American colonies.

Our copy may have been owned by Samuel Rockwell [1764-1848] and his son of the same name [1792-1855]. Both civic-minded military veterans and Pennsylvania farmers, they would have responded positively to the ideas in this book.

◆ Beattie, *Crime and the Courts in England, 1660-1800* 407. Cohen 1481.

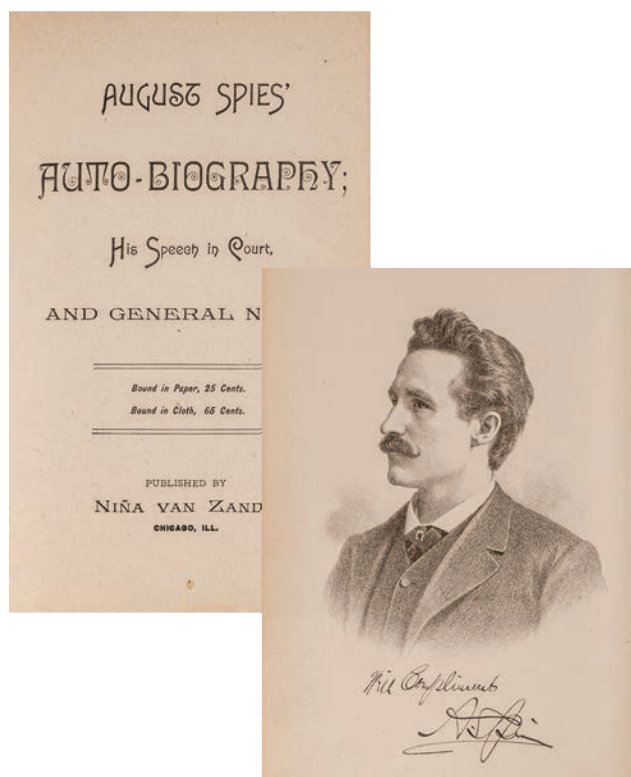
THREE IMPORTANT CONTEMPORARY TITLES ABOUT THE HAYMARKET RIOT

94

[**Haymarket Riot**]; **Spies, August Vincent Theodore [1855-1887]**; [**Spies, Niña Stuart van Zandt (1862-1936)**], **Editor**. *August Spies' Auto-Biography; His Speech in Court, And General Notes*. Chicago: Published by Niña van Zandt, [1887]. [vi], 91 pp. Lithograph portrait frontispiece of Spies, lithograph portrait plate of Niña Stuart van Zandt Spies. [**Bound with**] [**Parsons, Lucy (1853-1942)**], **Editor**. *Die Moderne Gesellschaft, Gekennzeichnet durch die Reden der Verurtheilten Chicagoer Anarchisten A.R. Parsons, August Spies, Sam. Fielden, Oscar Neebe, M. Schwab, L. Lingg, A. Fischer, G. Engel, In dem Grossen Tendenzprozess vor Richter Gary, am 7., 8. Und 9. Oktober 1886. Gründe, Warum das Urtheil nicht Vollzogen Werden Sollte*. Chicago: Published by the Socialistic Publication Society, [1886]. 100 pp. [**And**] [**Trumbull, M(atthew) M(ark) (1826-1894)**]. [*Was it a Fair Trial? An Appeal to the Governor of Illinois, In Behalf of the Condemned Anarchists*. Chicago?: S.n., c.1886-1887]. 20 pp. \$2,500.

Octavo (8-1/4" x 5-1/2"; 21 x 14 cm). Three titles bound in near-contemporary cloth, blind rules to boards, gilt fillets and title, *August Spies*, to spine, title page of *Was it a Fair Trial?*, also the front wrapper, lacking. Faint dampstaining, rear hinge starting at head, part-blotted early owner stamp (Gustav P. Appelt) to front free endpaper. Light browning to *Die Moderne Gesellschaft*, moderate toning to other titles. Very good copies of three scarce titles.

THIS VOLUME collects three notable titles about the aftermath of the trial that followed the Chicago Haymarket Riot of 1886, a landmark event in the history of American labor activism. It began with a strike on May 1 in pursuit of an eight-hour workday by local labor unions, along with several non-union social radicals. While the police were breaking up a rally in Haymarket Square on May 4, a bomb explosion killed eight officers. Although the bomber was never identified, eight prominent union leaders and radicals were tried on dubious charges. Seven received the death penalty, one was given fifteen years in prison. The court held



Details from N° 94

that the “inflammatory speeches and publications” of these eight incited the actions of the mob, a verdict upheld by the Illinois and U.S. Supreme Courts. In 1887 four of these men were hanged. Another escaped the noose through suicide. The sentences of two others were eventually commuted from death to imprisonment for life, and in 1893 Governor John P. Altgeld pardoned the three remaining prisoners. Worldwide appeals for clemency for the condemned Haymarket rioters led to the establishment of May 1st as an International Workers Day, or May Day. Though it is a holiday in many countries, it was never adopted in the United States.

Spies was one of the labor leaders who was hanged. Published by his wife, his autobiography is a spirited defense of his actions, organized labor and the eight-hour workday. A reflection of the large number of German immigrants in Chicago who supported the labor movement, *Die Moderne Gesellschaft* is a German-language edition of *The Accused and the Accusers: The Famous Speeches of the Eight Chicago Anarchists in Court When Asked if They had Anything to Say Why Sentence of Death Should Not be Passed upon Them: October 7, 8, and 9, 1886*, which was edited and published by Lucy Parsons, the wife of Albert Parsons, one of the eight condemned men, in 1886 (with later editions). According to Egbert, it is one of “the most important sources on the Haymarket affair.” *Was it a Fair Trial?* anticipates the reasons Governor Altgeld would later use to justify his pardons. An Iowa lawyer and politician who became a distinguished cavalry officer during the Civil War, Trumbull moved to Chicago in 1883 and worked as a pro-labor journalist and lawyer.

◆ Egbert, *Socialism and American Life* II:168.



Nº 95

AN IMPOSING PORTRAIT OF CHIEF JUSTICE TANEY

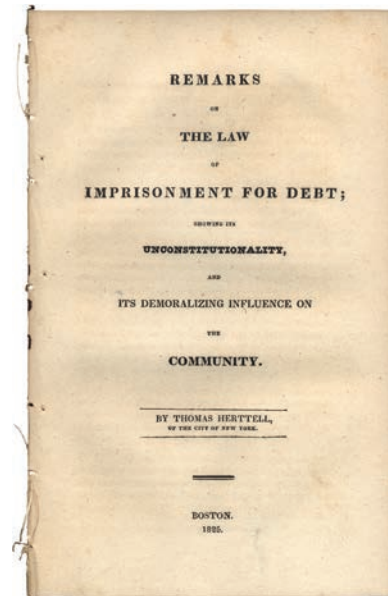
95

[Healy, George P.A. (1813-1894), After]. [Portrait of Roger Brooke Taney]. N.p., n.d. Image size 40-3/4" x 33" (103.5 x 83.8 cm). **SOLD**

Oil on canvas in ornate nineteenth-century gilded wood frame, plaque reading "Rodger [sic] Brooke Taney/ Nat 1777-ob 1864/ Chief Justice of the United States 1836 [sic]-1864" to head of frame. A few small nicks and chips to frame, gilding slightly dulled, otherwise fine. On rear canvas inscription "Painted by Miss Strong/ Daughter of Mr. Justice Strong/ After Original in Supreme Court Room/ L.E.H. Librarian April 21, 1914." An impressive portrait.

TANEY [1777-1864] held many state and federal political and legal positions and became chief justice of the United States Supreme Court in 1836, a post he held until his death in 1864. As chief justice, he is known for the notorious Dred Scott decision (1857), which ruled that an enslaved person who had resided in a free state or territory was not entitled to freedom and that African Americans were not and could never be citizens of the United States. It also invalidated the Missouri Compromise of 1820, which prohibited slavery west of Missouri and north of latitude 36°30.'

As noted in the inscription, our painting is a copy of the Supreme Court portrait. It was painted by Healy, one of the



Nº 96

most successful American portrait painters of the nineteenth century. His sitters included many prominent people of his day. We have not been able to determine the identity of "Miss Strong," one of the four daughters of William Strong [1808-1895], a Philadelphia lawyer and judge who served as an associate justice of the U.S. Supreme Court from 1870 to 1880. 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.

IMPRISONMENT FOR DEBT IS A FORM OF TYRANNY

96

Herttell, Thomas [1771-1849]. *Remarks on the Law of Imprisonment for Debt; Showing Its Unconstitutionality, And Its Demoralizing Influence on the Community.* Boston: S.n., 1825. [iii], 4-47 pp. Octavo (8-1/2" x 5-1/4"; 21.6 x 13.3 cm). **\$350.**

Disbound stab-stitched pamphlet. Light soiling and edgewear, light toning. A well-preserved item.

SECOND AND FINAL EDITION. Herttell, a reform-minded New York lawyer, argues that "civil government has not, nor can it acquire the right to pass a law authorizing

imprisonment for debt" (5). He traces the first law permitting imprisonment for debt to England in 1267. That law, and its successors "emanated from the ignorance and tyranny of the darker ages, when the power of kings was nearly absolute" (5). This pamphlet was originally published in New York in 1823.

♣ Cohen 2594.

FIRST EDITION OF *THE COMMON LAW*

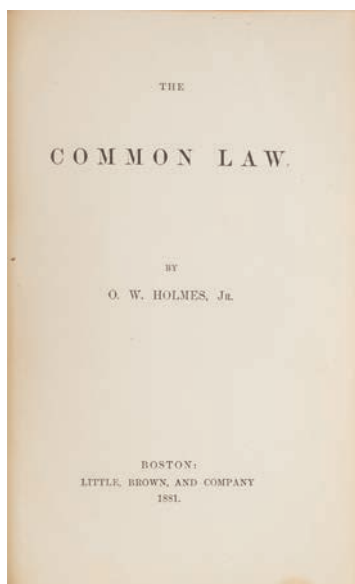
97

Holmes, Oliver Wendell, Jr. [1841-1935]. *The Common Law*. Boston: Little, Brown, And Company, 1881. [i]-xvi, 422 pp. Octavo (8-1/4" x 5-1/4"; 21 x 13.3 cm).

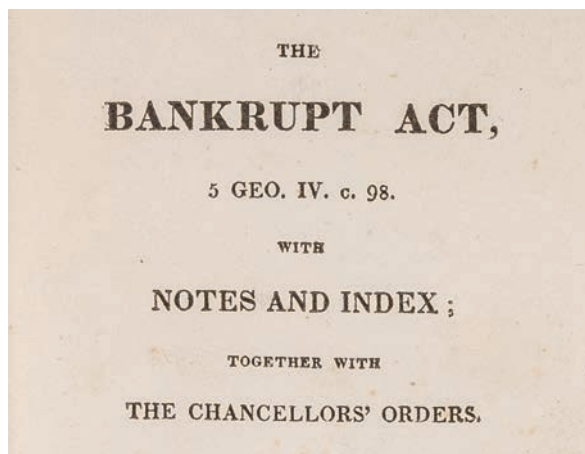
SOLD

Original law calf, rebaked retaining existing spine with raised bands and lettering piece, blind frames to boards, hinges mended. A few light scuffs to boards, a few small chips to board edges, faint creases to spine, corners bumped and moderately worn, early owner signature (Samuel L. Morris, Jr., 1/13/1908) to front and rear pastedowns. Moderate toning to interior, offsetting, light soiling and a few tiny chips to edges of endleaves.

FIRST EDITION, the presumed first issue, with the one-line printer statement reading "The University Press, Cambridge, Mass., U.S.A." at foot of the title page, verso, and foot of p. 422. As Friedman points out, "*The Common Law* was easily the most distinguished book on law by an American published between 1850 and 1900." In contrast to earlier Anglo-American jurists, and the reigning positivist ethos of the nineteenth century, Holmes proposed that the common law was not a science founded on abstract principles but a body of practices that responded to particular situations. This functionalist interpretation led to his radical idea that law was not discovered, but invented. This theme is announced



Nº 97



Detail from Nº 98

at the beginning of Lecture I: "The life of the law has not been logic: it has been experience" (1).

This book may have belonged to Samuel Lamb Morris, Jr. [1885-1960], the son of a notable Indiana lawyer and grandson of a leading Indiana judge.

♣ Friedman, *A History of American Law* 544. Grolier Club, *One Hundred Influential American Books* 84.

NOT IN COHEN

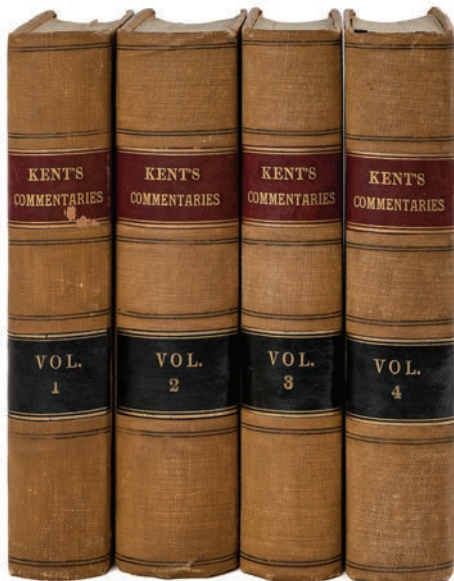
98

Kennedy, James [1798-1859]. *The Bankrupt Act, 5 Geo. IV. C. 98. With Notes and Index; Together with the Chancellors' Orders. And the Unrepealed Statutes Relating to Bankruptcy. To Which is Added, The Form of the Power of Attorney, And Proof Required to Recover from the Assignees*. New York: Published by Edward B. Gould, Sign of Lord Coke, corner of Wall and Broad-streets, 1826. vii, 122, x pp. Octavo (7-1/2" x 4-1/2"; 19 x 10.2 cm). \$750.

Original publisher's boards, edges untrimmed. Light rubbing and soiling to exterior, spine mostly perished, later library bookplate to front pastedown. Light toning to interior, occasional light foxing, a few, mostly partial cracks to text block, all leaves secure.

ONLY EDITION. The 1824 Bankrupt Act liberalized bankruptcy law in response to the rapidly expanding role of banking and industry in Britain's economy. Kennedy's book has a curious publication history. Although it is the work of an English barrister on an aspect of English bankruptcy law, an English edition does not appear in Sweet & Maxwell or the BMC. Our edition, printed in New York, is also overlooked by Cohen.

♣ OCLC locates 6 copies worldwide (Columbia Law School, Maryland State Law Library, University of Missouri Law School, University of Pennsylvania Law School, Yale Law School, University of Chicago). No copies are added by Library Hub.



Nº 99

**FINAL ANTEBELLUM EDITION
OF KENT'S COMMENTARIES**

99

Kent, James [1763-1847]; [McCurdy, Richard A., Editor]; [Forman, William Henry, Editor]. *Commentaries on American Law*. Boston: Little, Brown and Company, 1860. Four volumes. Octavo (9-1/4" x 6"; 23.5 x 15.2 cm). \$950.

Original tan buckram, black-stamped fillets and red and black lettering pieces to spines. Light soiling, moderate rubbing to extremities, small chips to upper lettering piece of Volume I and front board of Volume IV. Moderate toning to interiors, early marks to margins of a few leaves in each volume, crack to text block of Volume I between pp. 216 and 217, pp. 243-250 partially detached and lightly edgeworn. Overall, a good, well-preserved set.

TENTH EDITION, star-paged to the second edition (1832). Kent's *Commentaries* is probably the single most important interpretation of American law. Writing in 1847, Marvin ranked it above Blackstone and observes that it contains "not only a clear statement of the English law, with all the alterations that have taken place since the time of Blackstone, but a full account of the main principles of Equity, also, a review of the modifications engrafted on the English law by the different states of the Union." Marvin's latter observation points to the significance of this landmark work.

Published at a time when there was considerable opposition to English law, Kent's *Commentaries* established it in a manner that appealed to the majority of influential American jurists and legislators. As Roper notes, by transplanting English common law, the *Commentaries* "had the two-prong effect of helping to maintain the primacy of judge-made law in contrast to codification by legislatures, while providing the legal profession with the degree and kind of certainty it craved" (ANB).

Originally published from 1826 to 1830, the tenth was the last edition published before the Civil War. The eleventh edition appeared in 1867.

♣ Marvin 438. ANB 12:598-199. Cohen 5407.

"DON'T SHOOT, G-MEN!"

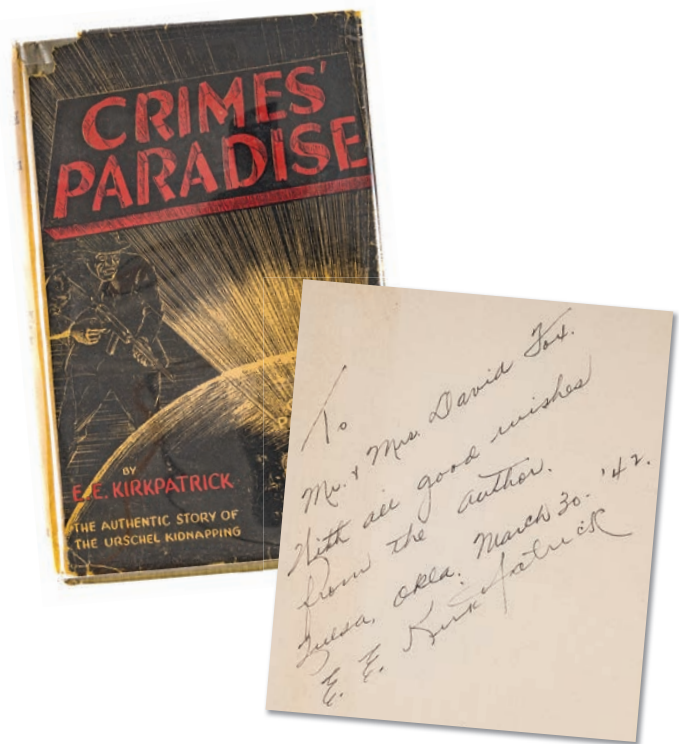
100

Kirkpatrick, Ernest E. [1881-1968]; [Kelly, George "Machine Gun" (1895-1954)]. *Crimes' Paradise, The Authentic Inside Story of the Urschel Kidnapping*. San Antonio, TX: The Naylor Company, 1934. xiv, 252 pp. Plates (with photos, sketches, reproductions of documents and plans). \$500.

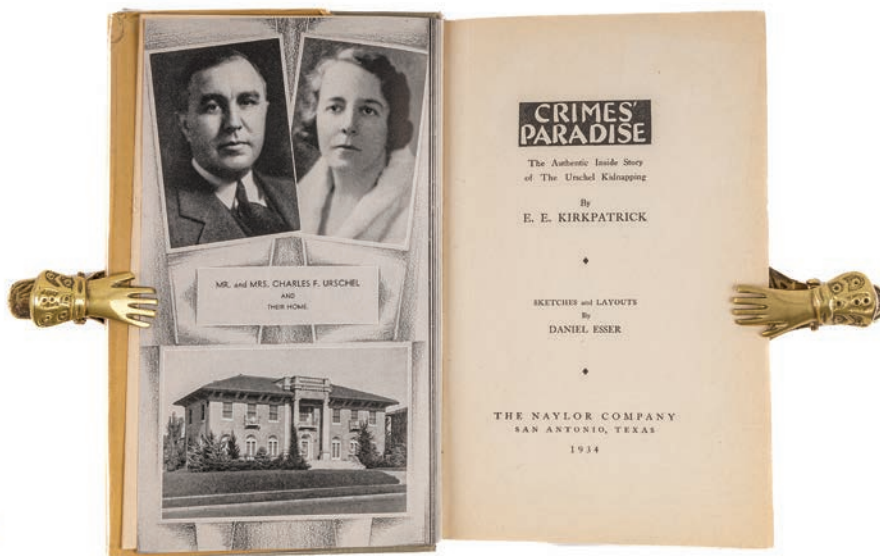
Cloth in lightly soiled, moderately edgeworn dust jacket with a few minor tears and chips near spine ends. Light toning to interior, author's presentation inscription ("to Mr. and Mrs. David Fox," dated 1942) to front free endpaper.

FIRST EDITION. Charles F. Urschel, a rich Oklahoma City businessman, and a friend, Walter Jarrett, were abducted at gunpoint by the notorious gangster George "Machine Gun" Kelly during a bridge game in Urschel's home while their wives watched helplessly. An event second only to the 1932 Lindbergh kidnapping, this case established the FBI in the public imagination as a force of peerless crime-fighters. This idea was reinforced by Kelly's exclamation, "Don't shoot, G-Men," when he was cornered by FBI agents.

Kirkpatrick, a businessman and former journalist, was a friend of Urschel and his wife. According to his book-

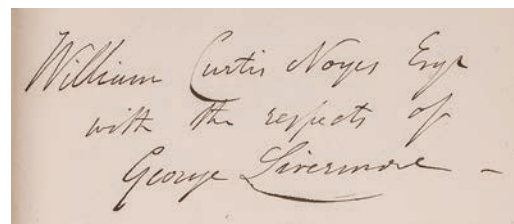
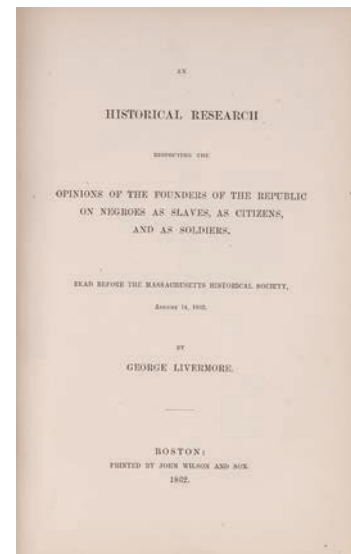


Details from Nº 100



Nº 100

jacket biography, he managed their household throughout the abduction case and delivered the ransom, which led to Kelly's capture and the release of Urschel and Jarrett. He published a lightly revised edition of his book in 1947 with the title *Voices from Alcatraz: The Authentic Inside Story of the Urschel Kidnapping*.



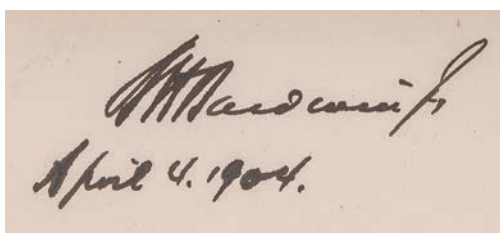
Details from Nº 101

A NOTABLE WORK ON AFRICAN AMERICANS THAT INFLUENCED LINCOLN

101

Livermore, George [1809-1865]. *An Historical Research Respecting the Opinions of the Founders of the Republic on Negroes as Slaves, As Citizens, And as Soldiers.* Boston: Printed by John Wilson and Son, 1862. xiv, 215 pp. Octavo (8-1/2" x 5-3/4"; 21.5 x 14.5 cm). \$750.

Signed contemporary calf by E. Walker & Sons, New York, blind fillets to boards, raised bands and gilt title and fillets to spine. Moderate rubbing and light scuffing to boards, which are beginning to separate, front board near detached, gilding mostly rubbed from spine, some chipping to spine ends, corners bumped and worn, bookplate of William Curtis Noyes to front pastedown. Moderate toning to interior, offsetting and some edgewear to endleaves, owner signature of William Henry Baldwin, Jr. dated 1904 and small embossed binder stamp of Walker & Sons to front free endpaper, presentation inscription from Livermore to Noyes to front endleaf.



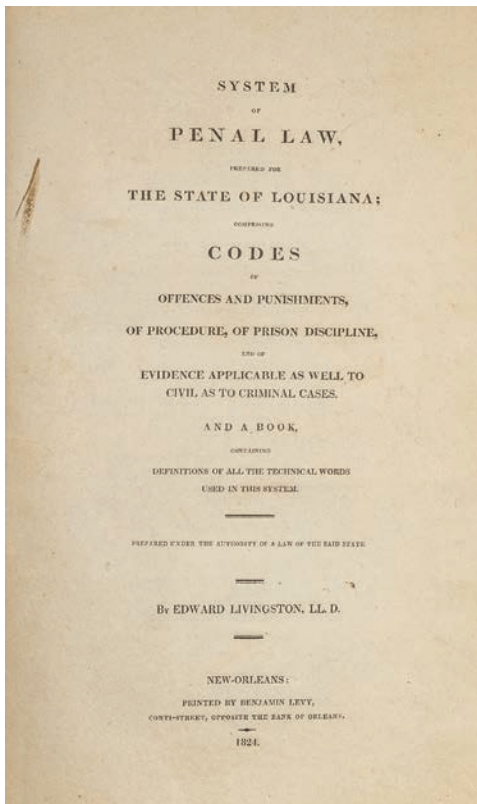
Detail from Nº 101

FIRST EDITION. Livermore, a wealthy Massachusetts merchant, was an antiquarian, bibliographer and historian. *An Historical Research*, which went through four editions, the last three in 1863, is his most important work. Charles Sumner, then a U.S. senator from Massachusetts, gave President Lincoln a copy in 1862. Several historians believe it influenced Lincoln's decision to authorize the enlistment of former slaves in the U.S. Army in the final form of the Emancipation Proclamation (1863).

Noyes [1805-1864] was a leading New York lawyer and a member of the commission to codify the state's laws, which resulted in the Field Codes. Livermore and Noyes were men of extensive learning and leading bibliophiles of their day. Livermore built one of America's finest general libraries. Noyes, who collected in several subjects, built America's largest private law library.

Baldwin [1863-1905], a later owner, was the president of the Long Island Rail Road and a philanthropist devoted to African American industrial education. A trustee of Tuskegee University, he was a close friend and active supporter of Booker T. Washington. Baldwin's wife, who was committed to her husband's cause, was a founder of the National Urban League.

◆ Sabin, *A Dictionary of Books Relating to America* 41565. Spawn & Kinsella, *American Signed Bindings Through 1876* 182.



N° 102

INSPIRED (AND LATER PRAISED) BY BENTHAM:
THE FIRST EDITION OF LIVINGSTON'S
LANDMARK PENAL CODE

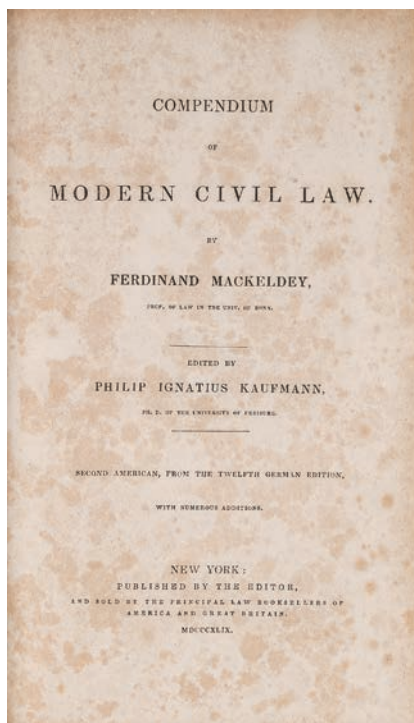
102

Livingston, Edward [1764-1836]. *System of Penal Law, Prepared for the State of Louisiana; Comprising Codes of Offences and Punishments, Of Procedure, Of Prison Discipline, And of Evidence Applicable as Well to Civil as to Criminal Cases. And a Book, Containing Definitions of All the Technical Words Used in This System.* New Orleans: Printed by Benjamin Levy, 1824. 164 pp. (12-1/4" x 7-1/2"; 31.1 x 19.1 cm). **SOLD**

Period-style quarter calf over marbled boards, gilt title and date to spine. Light toning to text, negligible light foxing in a few places.

FIRST EDITION, first issue. Livingston's *System of Penal Law* marked an epoch in the broad international movement for penal reform. Profoundly influenced by Bentham, it stressed prevention over vengeance. Never enacted, it nevertheless established itself as one of the great standards for other reformers. Hicks marvels at the scope and clear organization of this code and notes that Bentham, Hugo, Lafayette, Story, Marshall, Madison, Kent and Jefferson considered it "the most comprehensive and enlightened system of criminal law that has ever been presented to the world."

◆ Hicks, *Men and Books Famous in the Law* 180. Jumonville, *Bibliography of New Orleans Imprints* 430. Cohen 10327.



N° 103

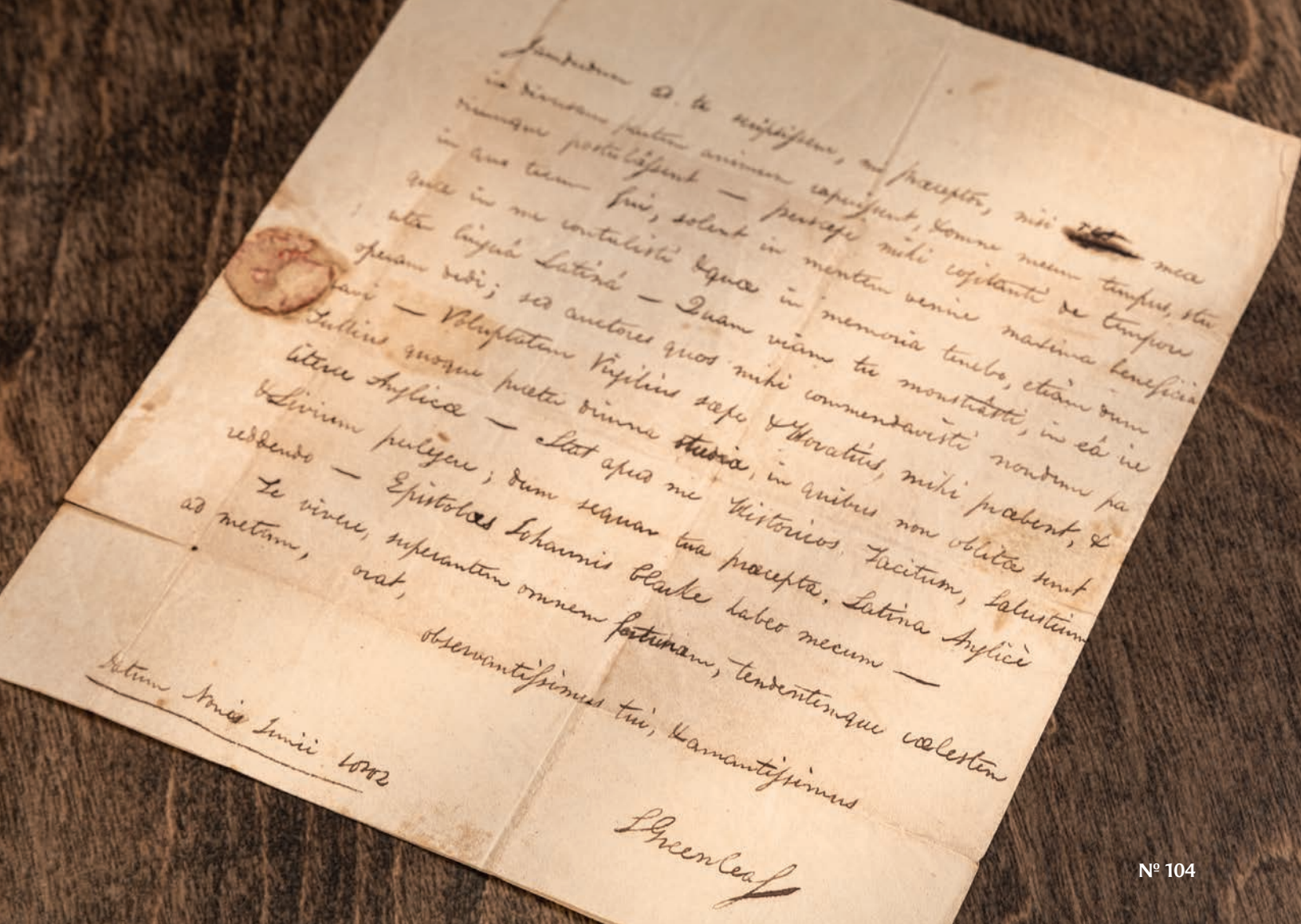
SCARCE TRANSLATION OF
A STANDARD NINETEENTH-CENTURY
GERMAN WORK ON CIVIL LAW

103

Mackeldey, Ferdinand [1784-1834]; Kaufmann, Philip Ignatius, Editor. *Compendium of Modern Civil Law.* New York: Published by the Editor, and Sold by the Principal Law Booksellers of America and Great Britain, 1849. xxxix, 400 pp. Octavo (9" x 5-1/2"; 23 x 14 cm). **\$500.**

Contemporary sheep, blind fillets to boards, raised bands, blind fillets, red and black lettering pieces and, at head, small hand-written label to spine. A few scuffs and minor gouges to boards, front board beginning to separate but secured by cords, rubbing to extremities with some wear to spine ends and corners, which are bumped, spine gated and darkened, rear joint cracked, hinges starting. Light toning to interior, negligible spotting in places. A good copy of a scarce title.

SECOND, final and best American edition, "With Numerous Additions." This is a translation, with notes, of the twelfth edition of a standard German work, which was first published in 1813 with the title *Lehrbuch der Institutionen des Heutigen Römischen Privatrechts*. Well-received in the United



Nº 104

States, Kaufmann's translation was on the Harvard Law school reading list and those of other leading law schools. The first American edition was published in 1845. It was intended to be a two-volume work, but its second volume was never published. Instead, the first edition was superseded by the second edition.

◆ Both editions are scarce. OCLC locates 12 copies of the second, 8 in law libraries (Harvard, Jenkins Law Library, Nevada Supreme Court, New York Supreme Court, St. Louis University, Tulane, University of Georgia, University of Victoria). Cohen 1649.

**THE EARLIEST KNOWN LETTER
WRITTEN BY SIMON GREENLEAF?**

104

[Manuscript]; Greenleaf, Simon [1783-1853].
[Autograph Letter, Signed, To Michael Walsh,
Newburyport, MA, June 5, 1802]. \$1,200.

9" x 7-1/2" (22.9 x 19.1 cm) bifolium with integral address leaf and residue from wax seal. Moderate toning, and light

foxing, horizontal and vertical fold lines, a few small tears to fold lines, tiny dampstain to lower outside corners. Content in neat hand to recto of first leaf.

GREENLEAF, the distinguished jurist and Harvard Law School professor, was raised in Newburyport, Massachusetts and attended the local grammar school, which was kept by Michael Walsh [1763-1840]. When Greenleaf wrote this letter, he was 18 years old, had completed his studies with Walsh and was an apprentice in the law office of Ezekiel Whitman in New Gloucester, Maine.

In schoolboy Latin, Greenleaf reports his diligent study of Virgil, Horace, Cicero, Tacitus, Sallust, Livy and the letters of John Clarke, possibly the minister of Boston's First Church, who died in 1798. This is very likely the earliest known Greenleaf letter. (The oldest example we located was an 1820 letter in the Special Collections of the Harvard Law Library.) It is certainly interesting for its insight into his educational background and intellectual habits as a young man.



N° 105

JUSTICE STORY WRITES TO REQUEST A PAYMENT

105

[Manuscript]; Story, Joseph [1779-1845].
[Autograph Letter, Signed, To Richard Smith, Esq., S.I.
(Massachusetts?), March 4, 1834]. 1 pp. \$1,500.

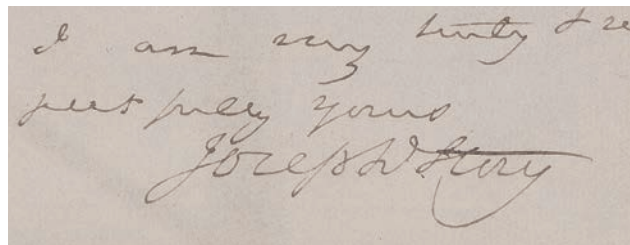
Autograph note with address leaf, text in single neat hand signed "Joseph Story." Moderate toning, fold lines, light fading, attractively matted and glazed with copperplate portrait of Story in a 15-1/2" x 20-1/2" (40 x 56.7 cm) frame (matted display size of note 5-1/4" x 7-1/2" / 13.5 x 19 cm). Items not examined out of frame.

IN THIS NOTE, Story writes to request payment on a check at Eagle Bank, Boston and promises to answer a previous inquiry from Smith, a bank cashier, as soon as he can.

**A VALENTINE'S DAY WRIT
 FROM COLONIAL MASSACHUSETTS**

106

[Massachusetts]; [Plymouth Colony]; Winslow, John [1703-1774], Clerk. Plimouth, ff. George the Second, By the Grace of God, Of Great Britain, France and



Detail from N° 105

Ireland, King, Defender of the Faith, &c. To the Sheriff of Our County of [Plymouth] his Under-Sheriff or Deputy, Greeting. Plymouth, February 14, 1736. \$850.

6-1/4" x 7-1/2" (16 x 19.3 cm) part-printed document, text completed in manuscript in single clerical hand on recto along with wax seal and autograph signature of John Winslow in a different hand, docket (and a signed annotation in a different hand) to verso. Fold lines, moderate toning, light edgewear, neatly mended clean tear to lower left corner affecting text without loss, adhesive residue (two small pieces of tape) to verso not affecting text.

THIS DOCUMENT empowers Plymouth County's sheriff to "Attach the Goods or Estate" of James Horsey, a Plymouth

Plymouth, W. GEORGE the Second, by the Grace of GOD, of Great Britain, France and Ireland, KING, Defender of the Faith, &c.

To the Sheriff of Our County of Plymouth his Under-Sheriff or Deputy, Greeting,

WE Command you to Attach the Goods or Estate of *James Howley* of Plymouth in the County of Plymouth Esquire alias *James Howley* to the Value of *Eighty* Pounds, and for want thereof to take the Body of the said *James Howley* (if he can be found) and safely keep, to that you have before Our Justices of Our Inferiour Court of Common Pleas, next to be holden at Plymouth within and for Our said County of Plymouth, on the *Tuesday of next next* Then and there in Our said Court to Answer unto *Thomas Howland* of Plymouth in the County of Plymouth aforesaid by *William Howland* alias *Thomas Howland* of Plymouth in the County of Plymouth Esquire. In all Cases of the Case for that occasion the Defendant at Plymouth aforesaid on the 13th Day of June 1735 By his Note of Debt which he had ready in Court to be produced shall appear that he is bound to pay to the Plaintiff the Sum of forty pounds in good bills of Credit on Demand yet the Defendant to pay to the Plaintiff the said Sum shall not have that of so often Demand and that Demand to do it. To the Damage of the said *Thomas Howland* as he saith the Sum of *Eighty* Pounds, which shall then and there be made to appear, with other due Damages: And have you there this Writ, with your Doings therein. Witness *John Winstow* Esq; at Plymouth, this *fourteenth* Day of *February* In the *Seventh* Year of Our Reign. Annoque Domini, 1736

John Winstow Cler

Nº 106

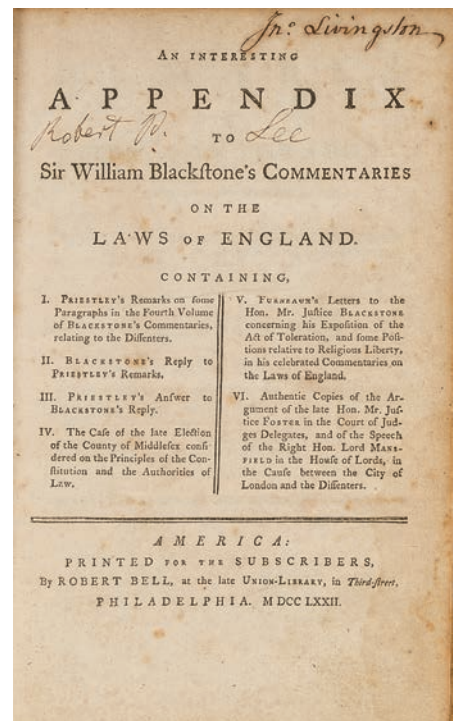
carpenter, to the value of eighty pounds. It is signed by John Winstow in his capacity as town clerk; he would go on a distinguished career, including service as a major-general in the British Army during the Seven Years' War.

The document instructs the sheriff's office to ensure Howley's appearance in court to settle a forty-pound debt incurred to Thomas Howland. An annotation on the verso, signed by deputy sheriff Benjamin Lothrop, verifies that "by vertu of this Rit I attachet the house of ye defendants and Let a sumens at his yousel [i.e. usual] plase of abode."

ON RELIGIOUS LIBERTY, THE SEPARATION OF CHURCH AND STATE, AND FREE SPEECH: BELL'S INTERESTING APPENDIX TO BLACKSTONE

107

Priestley, Joseph [1733-1804]; Blackstone, Sir William [1723-1780]; Furneaux, Philip [1726-1783]; Foster, Sir Michael [1689-1763]; Murray, William, Earl of Mansfield (1705-1793)]. *An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England...* [Philadelphia]: Printed for the Subscribers, By Robert Bell, 1772 [-1773]. [iv], iv, [5]-119, [1], xii, 155, [1] pp. Each section preceded by divisional title page, first section also preceded by general title page, title page of *Letters to the Honourable Mr. Justice Blackstone* dated 1773. Includes one-page publisher advertisement for Bell's 1773 printing of Ferguson's *Essay on the History of Civil Society* and a subscription for a second American edition of Blackstone's *Commentaries*. Octavo (9" x 5-3/4"; 22.9 x 14.6 cm). \$1,500.



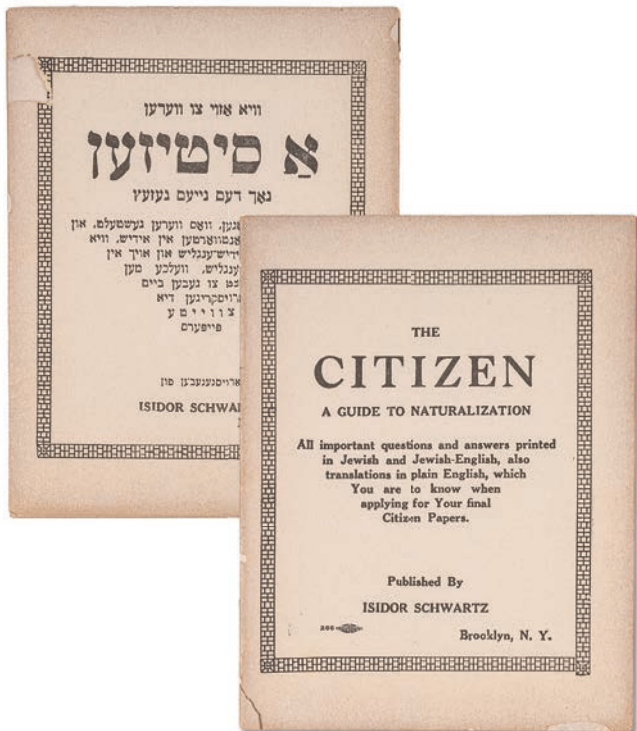
Nº 107

Period-style quarter calf over cloth, raised bands, lettering piece and blind ornaments to spine, endpapers renewed. Light rubbing to spine ends and corners, small recent owner bookplate to front free endpaper. Moderate toning, occasional light foxing, faint dampstaining to margins in places. Early owner verse inscription of William Raisbeck dated 1785 to front endleaf, early owner signatures, of Robert P. Lee (possibly Robert Perine Lee [1766-c.1845]) and Jonathan Livingston, to title page, another Livingston signature to following leaf, annotations, presumably by Livingston, to a few leaves, annotations signed "J.H. Lee" or "Jo H. Lee" to several leaves. A desirable copy.

THIS INFLUENTIAL COMMENTARY was issued as an appendix volume to Bell's edition of Blackstone's *Commentaries* (1771-1772). It was reissued in 1773 and again in 1774 as *The Palladium of Conscience*. Most of the essays comprise a debate on religious liberty and the separation of church and state relating to Priestley's rebuttal of a passage in Blackstone that classified non-conformity to the Church of England as a crime. Part IV, which concerns freedom of speech, summarizes a debate concerning Blackstone's endorsement of the expulsion of the publisher John Wilkes from Parliament after his conviction for seditious libel. The creation of this volume by Bell indicates the importance of these issues in colonial America on the eve of the Revolution. Laeuchli notes five different versions of the 1772 issue, some, such as the present copy, with sections printed in 1773.

Raisbeck's inscription is charming. Written in a flamboyant and clearly juvenile hand, it reads: "William/ Raisbeck/ His Book/ god giv him grace for to Look/ and Under Stand Learning is/ better then Hous or Land."

◆ Eller 255. Laeuchli 615.



Nº 108

**A GUIDE TO U.S. NATURALIZATION
FOR YIDDISH SPEAKERS**

108

Schwartz, Isidor, Publisher. [*Vi Azoy Tsu Veren a Sitizen...*] / *The Citizen: A Guide to Naturalization. All Important Questions and Answers Printed in Jewish and Jewish-English, Also Translations in Plain English, Which You are to Know When Applying for Your Final Citizen Papers.* Brooklyn: [Aroysgegeben fun Isidor Schwartz] / Published by Isidor Schwartz, [n.d. (after 1912)]. 31 pp. \$300.

6" x 4-1/2" (15.2 x 11.4 cm) stapled pamphlet in self-wrappers. English title page to rear wrapper, text in Yiddish and English. Moderate toning, small chips to edges and spine of wrappers and preliminaries, wrappers and final leaf of text detached.

ONLY EDITION. This guide to naturalization for Yiddish-speaking Jews includes a Yiddish explanation of the naturalization process and a list of questions and answers in English with Yiddish transliterations of the phonetic English. Some of the questions relate to the United States in general ("How does a bill become a law?") while others relate specifically to the New York naturalization test ("What is the capital of New York State?").

◆ OCLC locates 8 copies of this pamphlet worldwide (National Library of Israel, Balch Institute for Ethnic Studies, Cleveland Public Library (2 copies), New York Public Library, University of Kansas, National Yiddish Book Center, University of Minnesota Law Library).

A FAILED SOMNAMBULISM DEFENSE: MCDADE 770

109

[Trial]; Prescott, Abraham [1815-1836], Defendant. *Report of the Trial of Abraham Prescott, For the Murder of Mrs. Sally Cochran, Of Pembroke, June 23, 1833. Executed at Hopkinton, January 6, 1836.* Manchester, NH: Daily Mirror Office, 1869. 46 pp. Octavo (8-1/4" x 5-1/4"; 21 x 13.3 cm). \$450.

Stab-stitched pamphlet in self-wrappers. Moderate toning, very light foxing, light soiling to exterior, light edgewear and a few small tears to front wrapper, which is separated but secured by thread.

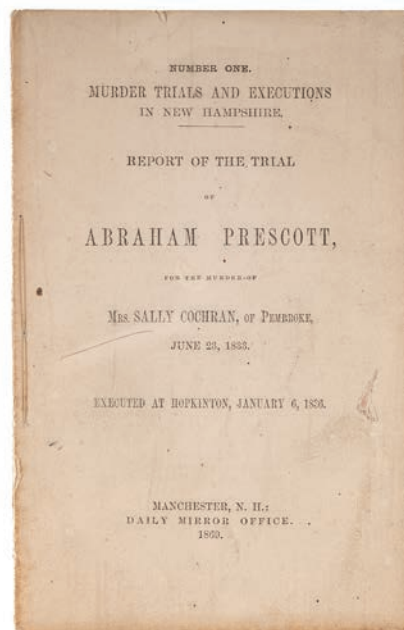
ONLY EDITION. Prescott, an eighteen-year-old who had lived with Mrs. Cochran and her husband for several years, assaulted the couple and killed Mrs. Cochran. The defense claimed Prescott murdered Cochran while he was sleepwalking. According to McDade, "the defense was one of the best for that time on the subject of insanity," but the jury was unconvinced and Prescott was hanged. McDade notes that there is "much interesting information in this case on the superstitions and treatment of the weak-minded."

◆ McDade 770.

MURDER ON THE HIGH SEAS: MCDADE 1087

110

[Trials]; White, John Duncan, Defendant; Curtis, Winslow, Defendant. *The Trials of John Duncan White Alias Charles Marchant, And Winslow Curtis Alias Sylvester Colson, For the Murder on the High Seas of Edward Selfridge and Thomas P. Jenkins, Captain and*



Nº 109

Mate of the Schooner Fairy, Of Boston. Before the Circuit Court of the United States, For the First Circuit, Holden at Boston.....October Term, 1826. Boston: Dutton and Wentworth, 1827. 176 pp. Octavo (8-1/4" x 4-3/4"; 21 x 12 cm). \$500.

Later quarter sheep over plain paper boards, gilt title and date to spine, endpapers renewed. Light soiling to boards, light rubbing to extremities, spine ends and corners bumped and worn. Moderate toning to interior, light foxing in places, light soiling to a few leaves, small clean tear to lower outside corner of pp. 133-134 affecting text without loss. A very good copy.

ONLY EDITION. Joseph Story was the presiding judge in this trial. "The Fairy was a vessel of eighty-two tons and was bound for Gottenburg [sic] with a cargo of coffee, fustic, rice, sugar, and tobacco. Selfridge, the master, was only twenty-three years old; there was a crew of four. White and Curtis mutinied, killing the captain and mate with an ax and throwing them overboard. They took the vessel to Louisburg, Nova Scotia, where they scuttled it. Captured and brought back to Boston, they were condemned, but White cheated the hangman by doing the job himself in his cell the night before his execution. Curtis was turned off officially and his body given to a Dr. Webster (!) who created appalling effects with it with an electric battery" (McDade). The aforementioned Dr. Webster, a professor at Harvard Medical School, was later himself convicted and hanged for murder in 1850 after a sensational trial.

◆ McDade 1087.

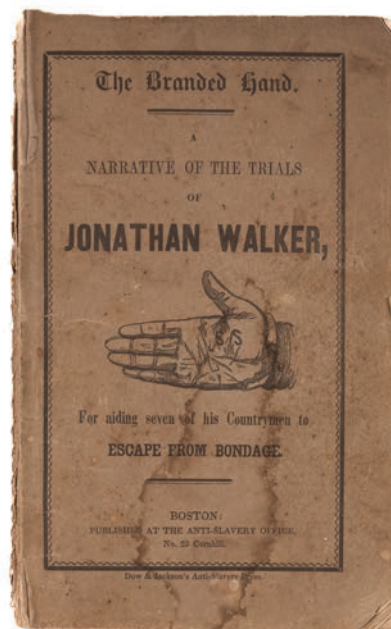
A COPY IN UNCOMMON PICTORIAL WRAPPERS

111

[Walker, Jonathan (1799-1878)]; [Chapman, Maria Weston (1806-1885), Preface]. *Trial and Imprisonment of Jonathan Walker, At Pensacola, Florida, For Aiding Slaves to Escape from Bondage. With an Appendix, Containing a Sketch of His Life.* Boston: Published at the Anti-Slavery Office, 25 Cornhill, 1845. 119 pp. Woodcut title-page vignette. Three plates. 12mo (7-1/4" x 4-1/4"; 18.5 x 11 cm). \$1,500.

Stab-stitched pamphlet in pictorial wrappers, front wrapper, with a woodcut of a branded hand, has the title: *The Branded Hand. Narrative of the Trials of Jonathan Walker for Aiding Seven of His Countrymen to Escape from Bondage*, rear wrapper lacking, early repairs to spine. Light soiling, moderate rubbing to extremities, spine abraded, faint dampstain to front wrapper. Moderate toning and light foxing to interior, corner folds to several leaves. A good copy, uncommon in printed wrappers.

FIRST EDITION. In 1844, while working in Pensacola, Florida, Walker, a Massachusetts resident and expert sailor, attempted to help seven enslaved men to escape by boat to



Details from N° 111

the Bahamas, where slavery had been abolished. The boat was captured and Walker and the escapees were returned to Florida. Tried and convicted for aiding fugitive slaves, Walker was fined and placed in a pillory for several days. One of his hands was branded with the letters "SS," marking him as a "slave stealer." He was imprisoned until his fine was paid by donations from abolitionists.

Walker's case made him a celebrity among abolitionists, who saw his brand as both a mark of honor and proof of the barbarity of laws upholding slavery. Walker's account of his case and life, which features a title vignette of his branded hand, is a classic abolitionist text that went through three later editions, the last one in 1850. It features a preface by Chapman, who was a leading Massachusetts abolitionist and editor of the important anti-slavery journal *The Non-Resistant*.

◆ American Imprints 45-6701. Cohen 13760.

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Incunabula Short-Title Catalogue. https://data.cerl.org/istc/_search. Cited as ISTC.

Laeuchli, Ann Jordan. *A Bibliographical Catalog of William Blackstone* (Getzville, NY, 2015).

Marke, Julius J. *A Catalogue of the Law Collection at New York University* (New York, 1953).

Marvin, J.G. *Legal Bibliography, Or Thesaurus of American, English, Irish, and Scotch Law Books, Together with Some Continental Treatises* (Philadelphia, 1847. Reprint. Buffalo, 1953).

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McDade, Thomas M. *The Annals of Murder* (Norman, OK, 1961).

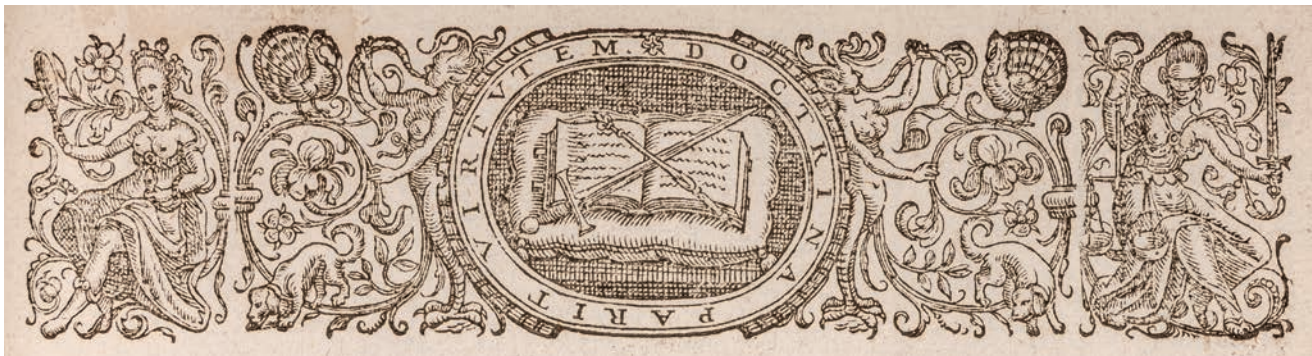
Online Computer Library Center. <http://www.oclc.org>. Cited as OCLC.

Oxford Dictionary of National Biography. <https://www.oxforddnb.com>. Cited as ODNB.

Universal Short-Title Catalogue. <http://www.ustc.ac.uk>. Cited as USTC.

Das Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts. <http://www.vd16.de>. Cited as VD16.

Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts. <http://www.vd18.de>. Cited as VD18.



Detail from N° 73

Comparative Legal Doctrine

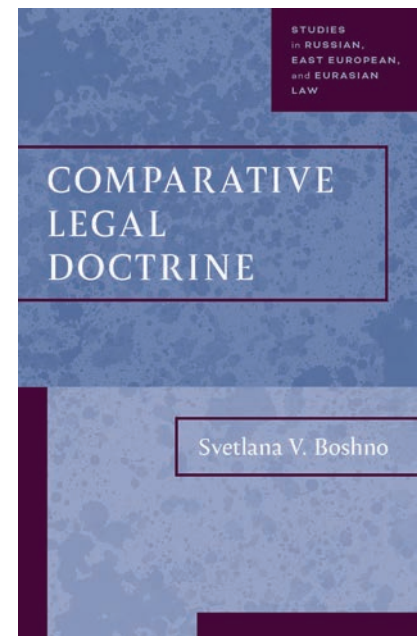
Svetlana V. Boshno

xxviii, 460 pp.

ISBN 978-1-61619-697-4

Hardcover 2025

\$150.

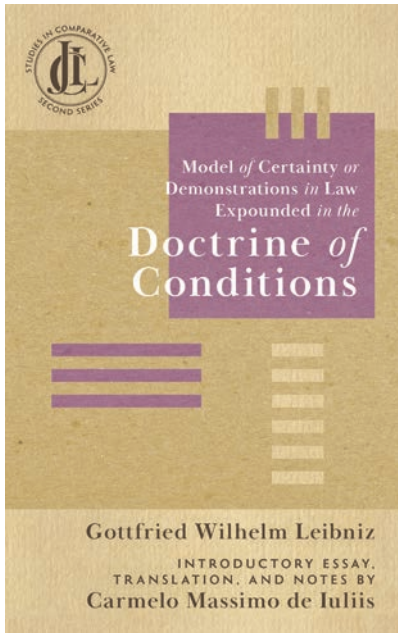


THIS PIONEERING WORK is the first in English to examine the role of legal doctrine in the American and, primarily, Russian legal systems. Much as judicial precedent has been used in the past, Boshno's study considers the use (or non-use) of legal doctrine as a distinguishing feature between families of legal systems. Taking advantage of access to judicial materials facilitated by modern technologies, it identifies instances where reliance on doctrinal sources is explicit. Then, it considers these issues through the lens of detailed questionnaires and lengthy personal conversations made with exceptional access to actors in the Russian legal system. The major achievement of this study is its demonstration that the use of legal doctrine in judicial processes is a major distinguishing feature between Anglo-American and socialist/transitional/Romano-Germanic legal models. It is a significant benchmark in comparative legal studies—an empirically documented, original and pathbreaking socio-legal study of a legal system in which studies on this scale are unprecedented.

Svetlana V. Boshno is the first Russian jurist to hold higher doctorates (доктор юридических наук (2004) and SJD (2024)) in the Russian Federation and the United States. She has taught law for more than three decades and consulted extensively in various capacities on legislative drafting. She has written extensively on sources of law, applying her multi-disciplinary background in sociology, philology, statistics, mathematics, artificial intelligence, computer programming and public administration to produce a model for legal research in the form of the “Persona-Doctrine,” an original concept elaborated with scientific rigor and personal warmth.



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Model of Certainty or Demonstrations in Law Expounded in the Doctrine of Conditions

Gottfried Wilhelm Leibniz

Introductory Essay, Translation, and Notes by Carmelo Massimo de Iuliis

lix, 374 pp.
ISBN 978-1-61619-693-6
Hardcover 2025
\$150.

FIRST PUBLISHED IN 1669, *The Doctrine of Conditions* (*Doctrina Conditionum*) is a unique, unprecedented collection of Roman and canon law rules regarding the application of conditions in contract, inheritance and marriage law. Leibniz not only gathers these norms, scattered in a

disordered way throughout the law of Justinian and the Roman pontiffs, but also derives from them 70 theorems that structure the entire field of conditional law. His work remains valuable for its attempt to distill these norms into dogmatic principles and as a perfect monographic course on the Roman law of conditions. It is published here in its first complete English translation.

Gottfried Wilhelm Leibniz [1646–1716] is best known as a philosopher and mathematician, but he was also a distinguished jurist. Among his major legal works are *De Casibus Perplexis in Jure* (1666), a review of complex Roman law cases, and *Nova Methodus Discendae Docendaeque Jurisprudentiae* (1667), a guide to teaching law with systematic reconstructions of key juridical institutions of Justinianic and canon law. His contributions to the theory and practice of law remain influential, particularly in the context of the history of legal thought.

Carmelo Massimo de Iuliis is a professor of corporate law at the Catholic University of Milan and a lawyer admitted to practice before the higher courts of Italy and the European Union. He has taught at international universities and authored several publications, often with a comparative focus. He also translated Leibniz's *Nova Methodus Discendae Docendaeque Jurisprudentiae* (*The New Method of Learning and Teaching Jurisprudence*) for Talbot Publishing (2017).



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After that Almighty God had
Heavens, the Earth and all living Creat
made man after his own Image, the sixth
Creation; and gave him Dominion over
Creatures, and all the Earth. Gen. I. v. 26. 29.

After Adam & Eva had broken the
Commandment of God by eating the forbidden fruit,
they were driven out of Paradise. But they and their posterity
were given Freedom to take possession of all other parts
of the Earth and all other things by virtue of the
Covenant had given them. Accordingly (as manote
Adam after the fall took possession of, and
the metropolitane of Syria before the
which an antient and fair City 160 miles
th-east from Jerusalem: and it is said that
other Abel at this place, and that
e from that unnat



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