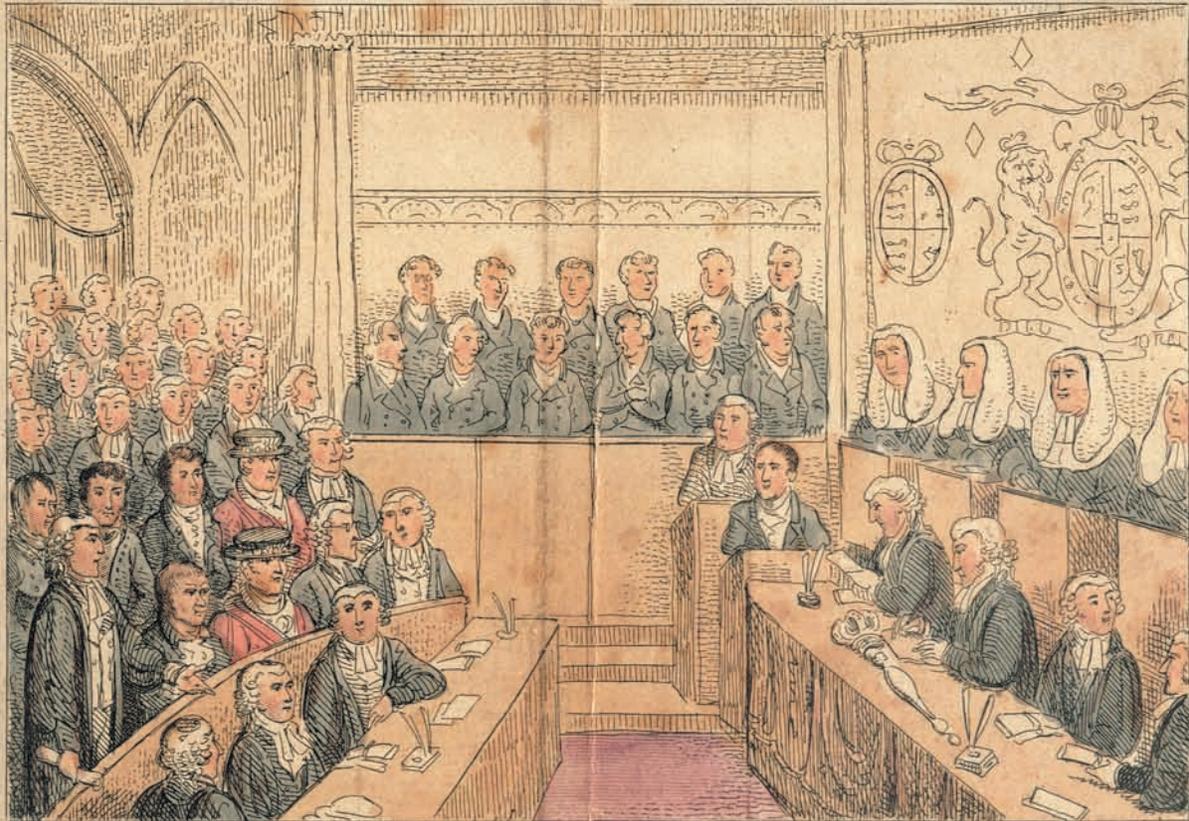


# RECENTLY ACQUIRED BOOKS, MANUSCRIPTS & EPHEMERA

CATALOGUE 84



See Page 4605



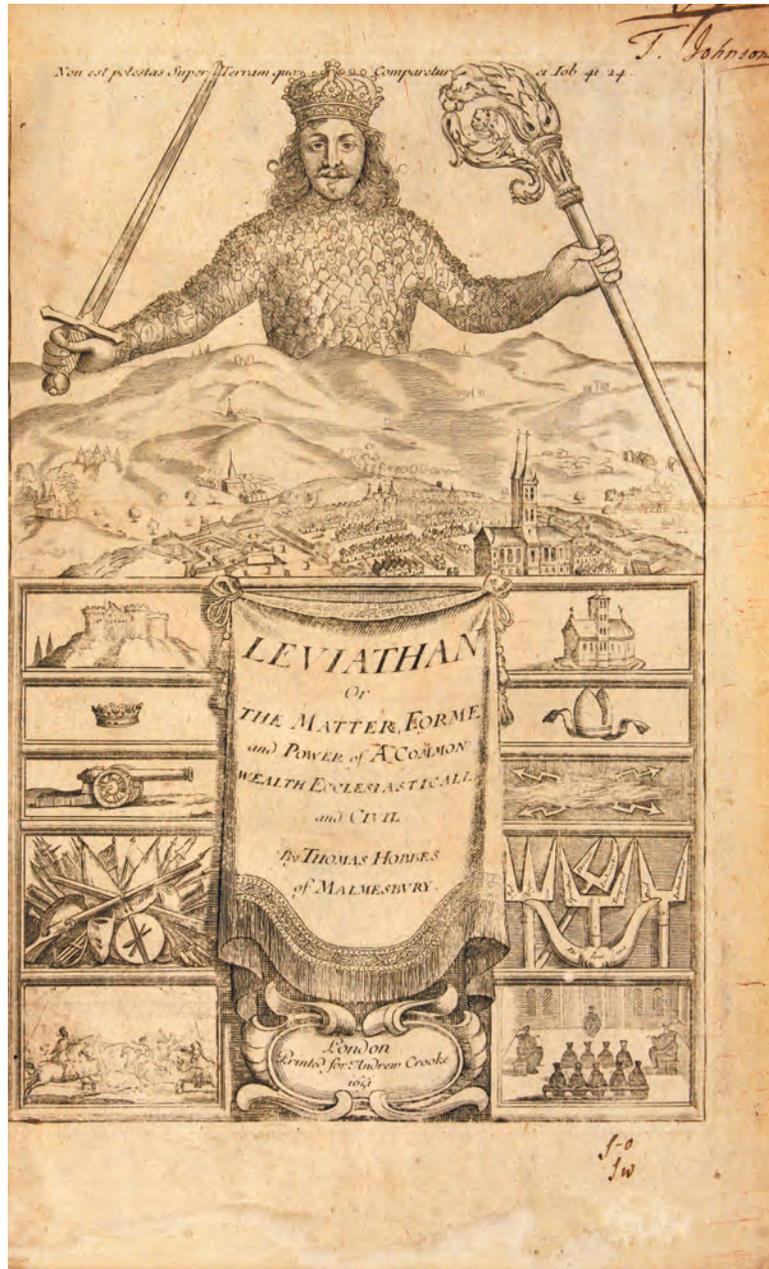
not any of them by name

An Accurate View of the Inside of the Court of King's Bench, Westminster,  
WITH THE PRISONERS,  
**WATSON, PRESTON, THISTLEWOOD, and HOOPER.**  
At the Bar, at the time of their Trial.

Drawn and Engraved expressly for Fairbairn's Edition of the Whole Proceedings.

# CATALOGUE

## 84



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Title Page: *Detail from Item 90.*

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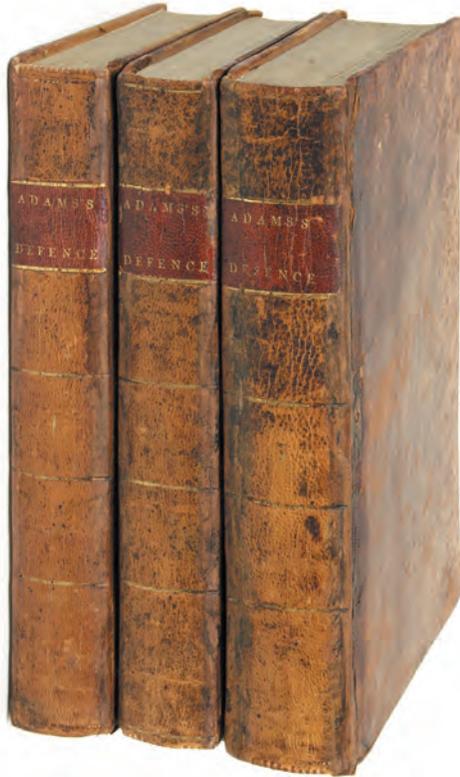
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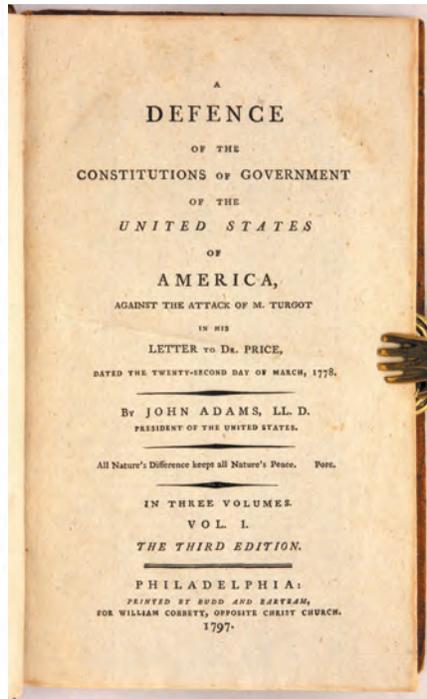
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PUBLISHED UNDER ADAMS'S SUPERVISION



N° 1



Detail from N°2

## 1 ADAMS, JOHN [1735–1826].

*A Defence of the Constitutions of Government of the United States of America, Against the Attack of M. Turgot in His Letter to Dr. Price, Dated the Twenty-Second Day of March, 1778.*

Philadelphia: Printed by Budd and Bartram, for William Corbett, 1797. Three volumes. 6, xxxiii, [2], 4–392; [iv], 451; [ii] 528, [36] pp. Volume I has six-page subscriber list; copperplate portrait frontispiece not present (see note at end of annotation below). Volume II has half-title, it lacks the blank front endleaf. Final two leaves of Volume III bound in reverse order. Octavo (8" x 5").

Contemporary tree sheep, carefully rebaked retaining spines with lettering pieces and gilt fillets, hinges mended. Light rubbing and a few shallow scuffs and nicks to boards, moderate rubbing to spines and extremities with some wear to corners and spine ends. Light toning to text, somewhat heavier in places, light foxing to some leaves. A notably handsome copy. \$4,500.

THIRD, FINAL AND BEST EDITION, the last one published under Adams's supervision. He wrote this fundamental contribution to American political theory when he was the American ambassador at the Court of St. James. First published in London, the *Defence* was a profound influence on the delegates to the Constitutional Convention of 1787 and the framers of several post-Revolutionary state constitutions. It also did much to familiarize Europeans with the novel political events taking place in America. Adams intended the *Defence* to be a one-volume work. He added two more volumes in 1787 and 1788 to offer more examples and address issues raised by critics. The first volume, reprinted from the London edition, was reprinted in New York and Philadelphia in 1787 and Boston in 1788. An abridged two-volume French translation was published in Paris in 1792. The third edition, a corrected reprint of the second and final London edition, 1794, was the only complete three-volume text published in the United States. Many copies have a copperplate portrait frontispiece of Adams in Volume I. But not all.

We have seen several copies without one. Also, Cohen's collation does not call for one, though he notes a frontispiece in the London edition of 1794. Close inspection of our copy gives no indication of a now-lost frontispiece, such as offsetting on the adjacent leaf. (There is a semi-circular mark above the title page of Volume I; it is an impression from a circular object visible in the following few pages.) These reasons lead us to conclude that our copy is complete as issued. Howes 60. Cohen 2736.

COLLECTED WORKS OF D'AGUESSEAU.  
A SET FROM THE ROYAL LIBRARY AT VERSAILLES

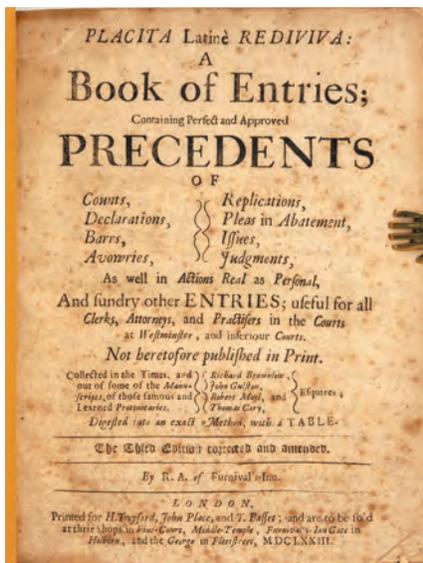
## 2 AGUESSEAU, HENRI FRANCOIS D' [1668–1751]. PARDESSUS, JEAN-MARIE [1772–1853], EDITOR.

*Oeuvres Completes du Chancelier d'Aguesseau. Nouvelle Edition, Augmentee de Pieces Echappees aux Premiers Editeurs, Et d'un Discours Preliminaire.*

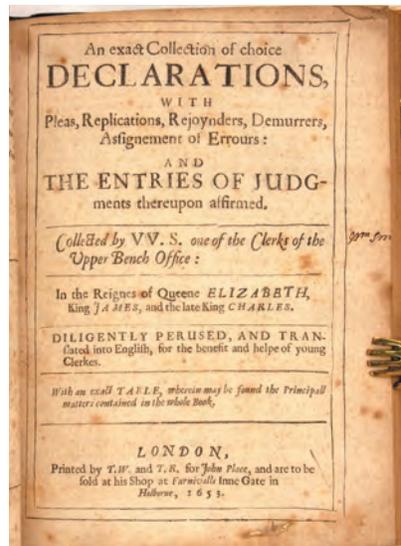
Paris: Fantin et Compagnie, 1819. Sixteen volumes. Complete set. Octavo (8" x 5").

Contemporary calf, gilt spine, gilt insignia of the Royal Library of Versailles to front boards, marbled edges and endpapers. Worn, several boards and backstrips detached, a few backstrips and a board lacking, text blocks intact. Moderate toning to text, occasional light foxing, internally clean. Ex-library. Location labels to spines, stamps to title pages, annotations to versos. A reback-worthy set with an interesting provenance. \$500.

ONLY EDITION. d'Aguesseau was an important magistrate, parliamentarian and judge during the time of Louis XIV and XV. A pupil of Jean Domat, he served two terms as chancellor of France in 1717–1722 and 1727–1750. Edited by Pardessus, this sixteen-volume critical edition collects most of his work. The contents of this set deal mostly with legal matters, but several pieces relate to politics and diplomacy. This copy belonged to the "Pages du Roi, Versailles," a library in the Versailles Palace at the time of King Louis XVIII [1755–1824].



Details from N° 4



N° 3

RARE SEVENTEENTH-CENTURY HANDBOOK OF LAWS  
CONCERNING AMBASSADORS

### 3 [AMBASSADORS].

*Quaestio Vetus, Et Nova: An Legatum Adversus Principem, Vel Rempubicam ad Quam Missus Est, Delinquentem Salvo Juregentium Capere, Retinere, Ac Punire Liceat? Nunc Primum in Germania Typis Edita.*

Strassburg: Sumptibus Lazari Zetzneri, 1606. 62 pp. 12mo (5-1/4" x 3-1/4").

Near-contemporary plain paper wrappers, gilded edges. Light rubbing to exterior, moderate toning to interior, light foxing to a few leaves, a few small dampspots and light soiling to title page. Brief early annotations to a few leaves, interior otherwise clean.

\$750.

SECOND EDITION, published the same year as the first. Originally published in Paris, this anonymous handbook outlines the legal privileges of ambassadors and others involved in diplomatic work. As one would expect, it is grounded in principles derived from Roman law. Another edition was published in Strassburg in 1616. All three are scarce. OCLC locates 2 copies of the 1606 Strassburg imprint in North America (Harvard Law School, Newberry Library). VD17 23:279488H.

PLEADING DURING THE COMMONWEALTH AND RESTORATION

### 4 A[STON], R[OBERT].

*Placita Latinè Rediviva: A Book of Entries; Containing Perfect and Approved Precedents of Counts, Declarations, Barrs, Avowries, Replications, Pleas in Abatement, Issues, Judgments, As Well in Actions Real as Personal, And Sundry Other Entries; Useful for All Clerks, Attorneys, And Practisers in the Courts at Westminster, And Inferiour Courts. Not Heretofore Published in Print. Collected in the Times, And Out of Some of the Manuscripts, Of Those Famous and Learned Protonotaries. Richard Brownlow, John Gulston, Robert Moyl, and Thomas Cory, Esquires; Digested Into an Exact Method, With a Table. Corrected and Amended.*

London: Printed for H. Twyford, John Place, And T. Basset, 1673. [viii], 144, 177-332, 369-520, [16] pp. Text continuous despite pagination.

[BOUND WITH]

S[MALL], W[ILLIAM].

*An Exact Collection of Choice Declarations, With Pleas, Replications, Rejoynders, Demurrers, Assignement of Errors: And the Entries of Judgments Thereupon Affirmed. Collected by W.S. One of the Clerks of the Upper Bench Office: In the Reignes of Queene Elizabeth, King James, And the Late King Charles. Diligently Perused, And Translated into English, For the Benefit and Helpe of Young Clerkes. With an Exact Table, Wherein May be Found the Principall Matters Contained in the Whole Book.*

London: Printed by T.W. and T.R. for John Place, 1653. [iv], 52, 56, 65-112, 107, [13] pp. Text continuous despite pagination.

Quarto (8-1/4 x 6-1/4"). Recent period-style quarter morocco over marbled boards, gilt-edged raised bands and lettering piece to spine. Negligible light rubbing to extremities, corners lightly bumped. Moderate toning to text, occasional faint dampspotting. Woodcut head-pieces, tail-pieces and decorated initials. Two nice copies in a handsome binding. \$1,250.

ASTON: SECOND AND FINAL EDITION; Small: only edition. The collections by Aston and Small are fine examples of seventeenth-century pleading manuals. Sometimes attributed incorrectly to William Sheppard. Small's manual reflects changes introduced during the Commonwealth. As suggested by its title, Aston's, first issued at the beginning of the Restoration in 1661, aimed to revive aspects of pleading that were discarded during the Civil War and Commonwealth. Small's manual is scarce. OCLC locates 6 copies in North American law libraries (Harvard, LA County, Library of Congress, University of Minnesota, Northwestern, University of Pennsylvania). ESTC R27666 (Aston), R10408 (Small).

PROCEDURE IN THE COURTS OF KING'S  
BENCH AND COMMON PLEAS

## 5 ATTORNEY AT LAW.

*The Clerk's English Tutor. Shewing the Practice of the Courts of King's Bench and Common Pleas, As They are Now Settled, Pursuant to the Several Late Acts of Parliament, And the Respective Rules of Both the Courts Made Consonant Thereto. With Great Variety of Curious English Precedents of Declarations and Pleadings (Never Before Printed in Any Language) Drawn by the Most Eminent Counsel of the Present Age. And Done into English Conformable to the Statute of 4 Geo. 2. C. 26. That All Proceedings in the Courts of Justice Shall be in the English Language; Together with Such Writs, Or Process, As Well Mesne as Judicial, As are Generally Used in Every Day's Practice.*

[London]: Printed by E. and R. Nutt, and R. Gosling, 1733. [Volume I]. [vi], 399. [25] pp. Copperplate leaf (of a sample court hand). Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind rules to boards, blind fillets to joints, raised bands and black-stamped "1" to spine, gilt dentelles to board edges, recent repairs to spine ends. Light rubbing and a few stains and scuffs to spine, moderate rubbing to extremities, corners bumped and somewhat worn. Moderate toning to text, minor worming to margins of a few leaves.

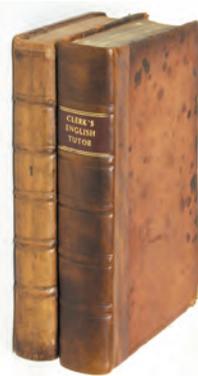
[AND]  
ATTORNEY AT LAW.

*The Clerk's Instructor in the Practice of the Courts of King's Bench and Common Pleas: Viz. In Suing out Process, Entering Appearances and Putting in Bail, Drawing Declarations, Pleas and Demurrers, &c. Making up Issues and Paper-Books, Ingrossing and Passing Records, Making out Venire Facias, Habeas Corpora and Distring' Jur', Drawing Briefs, Ingrossing Posteas, Entering and Docquetting Judgments, Arresting Judgments, Signing Non Pross's, Suing out Executions, Inquiry, Error, Certiorari, Habeas Corpus, Procedendo, Scire Facias, Supersedeas, Attachments, Originals, Audita Querela's, &c. In Proceedings Relating to Privileged Persons, Infants, Prisoners, Ejectments and Outlawries, &c. And in Passing Fines and Suffering Recoveries. The Second Edition, Carefully Revised...With Very Large Additions. Volume II: Containing the Practice of the Court of Common Pleas.*

[London]: Printed by Henry Lintot, (Assignee of Edw. Sayer, Esq; for J. Worrall, [et al.], 1741. [ii], 440. [xvii] pp. Octavo (7-1/2" x 4-3/4").

Contemporary sheep, recently rebacked, blind rules to boards, raised bands and lettering piece to spine, hinges mended. Some rubbing to extremities, corners bumped and somewhat worn. Moderate toning to text, light foxing and faint dampstaining in places, internally clean. Ex-library. Bookplate to front pastedown, perforated stamp to title page, small inkstamp to verso. Together two books. \$500.

VOLUME I, FIRST EDITION, VOLUME II, SECOND AND FINAL EDITION. Intended for clerks at the beginning of their careers, this book is a combination of procedure manual and formbook. Both editions are scarce. ESTC N15254, N15253.



THE ROMAN LAW OF  
PARENT AND CHILD

## 6 BACHOFEN, JOHANN JAKOB [1815-1887].

*Das Nexum, die Nexi und die Lex Petillia: Eine Rechtshistorische Abhandlung.*

Basel: Verlag von J.C. Neukirch, 1843. [ii], 160 pp. Octavo (8-1/2" x 5").

Original printed publisher wrappers, unopened signatures. Some rubbing to edges, light soiling and faint dampspotting, spine darkened. Moderate toning and occasional light foxing to text. \$1,250.

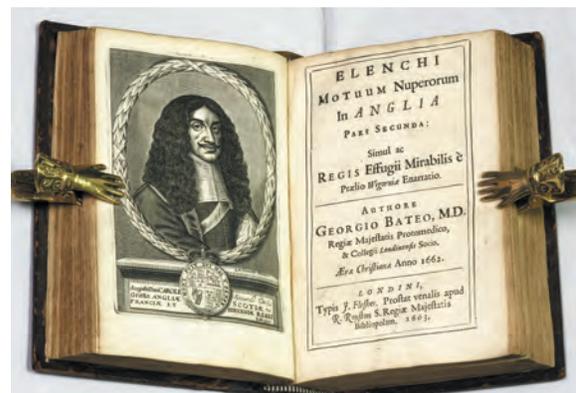
FIRST EDITION. Bachofen, a founder of the German Historical School, is best-known as the author of *Das Mutterrecht* (1861), a ground-breaking history of the family as a social institution. An early example of his work in this field, *Das Nexum* deals with the Roman law of parent and child. OCLC locates no copies in North America. BMC 2:79.

A NOTED ROYALIST'S HISTORY OF THE ENGLISH CIVIL WAR

## 7 BATE, GEORGE [1608-1669].

*Elenchi Motuum Nuperorum in Anglia Pars Prima; Simul ac Juris Regii & Parlamentarii Brevis Enarratio, Ab Autore Geor. Batio M.D. Regiae Majestatis Protomedico Recognita & Aucta Aerae Christianae Anno 1660.*

London: Typis J. Flesher & Prostant Apud R. Royston in Ivy Lane, 1661. [xii], 257. [7] pp. Copperplate frontispiece of King Charles I.



Details from N° 7

[BOUND WITH]  
BATE, GEORGE.

*Elenchi Motuum Nuperorum in Anglia Pars Secunda: Simul ac Regis Effugii Mirabilis è Praelio Wigorniae Enarratio. Authore Georgio Bateo, M.D. Regiae Majestatis Protomedico, & Collegii Londinensis Socio. Aerae Christianae Anno 1662.*

London: Typis J. Flesher. Prostat Venalis Apud R. Royston S. Regiae Majestatis Bibliopolam, 1663. [xvi], 442, [22] pp. Final leaf blank. Half-title, Copperplate frontispiece of King Charles II.

Octavo (7" x 4-1/2"). Contemporary mottled calf, rebacked in period style retaining existing lettering piece, blind rules to boards, raised bands and lettering piece to spine, hinges mended. Some rubbing to board edges, corners bumped. Title page of first part printed in red and black. Moderate toning, some leaves have light foxing, a few have minor stains. Brief annotations in small early hand to a few leaves, interior otherwise clean. \$650.

LATER EDITIONS, THE SECOND PART ONE OF THREE ISSUES FROM 1663. First published anonymously in 1649, this work was originally intended to publicize the events of the Civil War from a Royalist perspective to a continental audience. Later editions updated the narrative through the fall of Cromwell and the reign of Charles II. The final edition was published in 1676. Bate was an eyewitness to much of the history he recorded. A doctor, he was chief physician to Charles I, Cromwell and to Charles II. (He concealed his political beliefs during the Civil War.) ESTC R39866, R209282.

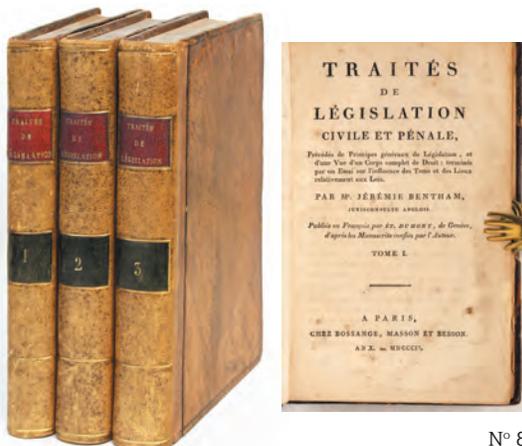
FIRST EDITION OF BENTHAM'S *THEORY OF LEGISLATION*

- 8 BENTHAM, JEREMY [1748-1832].  
DUMONT, PIERRE ÉTIENNE LOUIS [1759-1829].  
EDITOR AND TRANSLATOR.

*Traité de Législation Civile et Pénale, Précédés de Principes Généraux de Législation, Et d'une Vue d'un Corps Complet de Droit: Terminés par un Essai sur l'Influence des Temps et des Lieux Relativement aux Lois.*

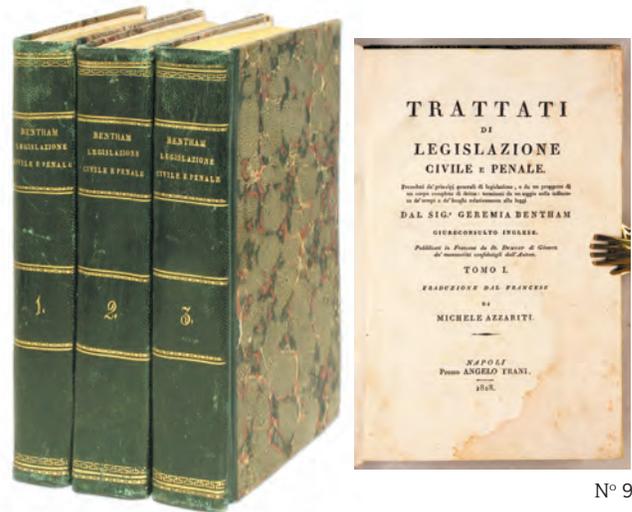
Paris: Chez Bossange, Masson et Besson, 1802. Three volumes. xlii, 370; xx, 434; viii, 452 pp. Each volume has half-title. Complete set. Octavo (7-3/4" x 5").

Contemporary tree sheep, rebacked in period-style speckled sheep, gilt fillets and red and black lettering pieces to spines, existing marbled endpapers retained. Light rubbing and some chips and scratched to boards, moderate rubbing to extremities, corners lightly worn. Some toning to text, light foxing in places, internally clean. A very good copy of a scarce set. \$2,000.



N° 8

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N° 9

FIRST EDITION. Not published in English until the Boston 1840 American edition, Bentham's seminal work on penal reform and legislation established his reputation. The first of Bentham's works edited by Dumont, it consists partly of papers by Bentham, some of which were originally written in French and partly of a digest by Dumont of Bentham's ideas, including a memoire in French on the Panopticon. Dumont, a Swiss writer and journalist, had met Bentham at the house of Lord Shelburne in 1788. There followed an enduring relationship in which Dumont translated and edited many of Bentham's works, acting at the same time as Bentham's informal literary agent. The first British edition was published in 1864. Harrison xvii. Muirhead 17.

FIRST ITALIAN EDITION OF BENTHAM'S  
*THEORY OF LEGISLATION*

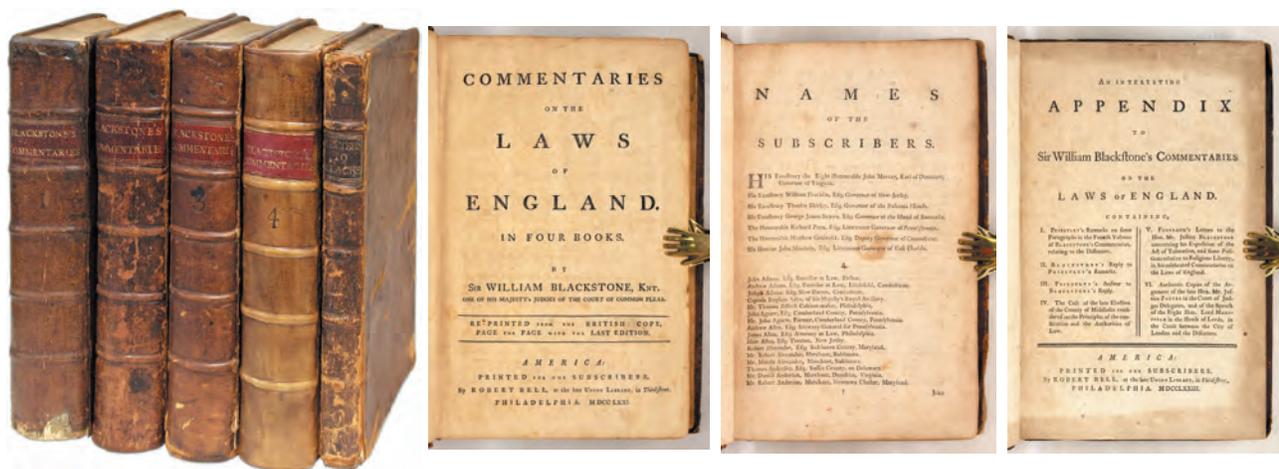
- 9 BENTHAM, JEREMY.  
DUMONT, PIERRE ÉTIENNE LOUIS.  
EDITOR AND TRANSLATOR.  
AZZARITI-STELLA, MICHELE,  
TRANSLATOR (INTO ITALIAN).

*Trattati di Legislazione Civile e Penale: Preceduti da' Principi Generali di Legislazione, E da un Progetto di un Corpo Completo di Dritto: Terminati da un Saggio Sulla Influenza de' Tempi e de' Luoghi Relativamente alle Leggi.*

Naples: Presso Angelo Trani, 1818. Three volumes. viii, 432, [2]; xii, 484; xi, 504 pp. Each volume has half-title. Complete set. Octavo (7-3/4" x 5").

Contemporary quarter morocco over marbled boards, gilt titles, fillets and volume numbers to spine. Light rubbing to boards, somewhat heavier rubbing to extremities, corners bumped, hinges of Volumes I and II cracked, text blocks of both somewhat loose. Light toning to text, faint dampstaining and light foxing to some leaves. Later owner stamp to front free endpaper of each volume, interiors otherwise clean. A handsome copy of a rare edition. \$3,000.

FIRST ITALIAN EDITION, AND THE SECOND edition of this work. This Italian edition was followed by an edition in Spanish in 1821-1822 and one in German, with an abridged text, in 1830. The first edition in English was published in Boston in 1840. The first British edition followed in 1864. Harrison, *Bentham* xvii. OCLC locates 2 copies of the first Italian edition in North America (at George Washington Law School and Yale). Muirhead 17.



COMPLETE SUBSCRIBER'S COPY OF THE FIRST AMERICAN EDITION OF BLACKSTONE'S *COMMENTARIES* WITH THE *INTERESTING APPENDIX*

## 10 BLACKSTONE, SIR WILLIAM [1723–1780].

***Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition.***

[Philadelphia]: Robert Bell, 1771–1772. Four volumes. Copperplate Table Of Consanguinity and copperplate folding Table of Descents in Volume II. 22–page subscriber list in Volume IV. Publisher advertisements in Volume I, two leaves before title page, and Volume III, p. 456. Complete set.

[WITH]  
 PRIESTLEY, JOSEPH [1733–1804].  
 FURNEAUX, PHILIP [1726–1783].  
 FOSTER, SIR MICHAEL [1689–1763].  
 MURRAY, WILLIAM, 1ST EARL OF MANSFIELD [1705–1793].

***An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries.... II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's Reply. IV. The Case of the Late Election of the County or Middlesex Considered.... V. Furneaux's Letters to the Hon. Mr. Justice Blackstone Concerning his Exposition of the Act of Toleration.... VI. Authentic Copies of the Argument of the late Hon. Mr. Justice Foster in the Court of Judges Delegates, And of the Speech of the Right Hon. Lord Mansfield in the House of Lords, in the Cause Between the City of London and the Dissenters.***

[Philadelphia]: Printed for the Subscribers, by Robert Bell, 1773. [iv], iv, [5]–119, [1], xii, 155, [1] pp. Includes one–page publisher advertisement. Each section preceded by divisional title page, first work also preceded by general title.

**COMMENTARIES:** Volume I in contemporary calf, Volumes II–IV in contemporary sheep. Volume IV rebacked in period-style calf retaining endleaves, all with near-identical morocco spine label and blind-stamped volume numbers. Light rubbing and a some light scuffs and stains to boards, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, several joints and hinges starting. Light browning and dampspotting to interiors, faint dampstaining in places, a few chips and tears to endleaves, lower sections lacking from rear endleaves of Volume II. Large signature of subscriber Daniel

Campbell to head of Volume IV, p. 1, signature of Matthew Visscher to preliminaries of Volumes II–IV, that in Volume II dated 1782, a few later signatures and initials to endleaves in later pencil. *Interesting Appendix:* Contemporary sheep, nearly identical in style to that of the set of *Commentaries* above, raised bands, with original red lettering piece (“Letters to Blacks.” in gilt capital lettering). Rubbed, with shallow scuffs to boards, wear with slight chipping to spine ends, corners somewhat worn, joints just starting at ends, contemporary owner bookplate of to front pastedown. Offsetting to margins of endleaves, toning, occasional light foxing, internally clean. Five books in all. Octavo (8-3/4” x 5-1/2”). \$20,000.

FIRST AMERICAN EDITION (*COMMENTARIES*); first edition, second issue (*Interesting Appendix*). Blackstone's *Commentaries*, a synoptic review of the English legal system, is the most influential publication in the history of modern Anglo-American law. It was especially popular in America, where it was the standard introductory legal textbook into the late nineteenth century and was the primary, or only, book studied by hundreds of self-taught lawyers, such as Abraham Lincoln. The first multi-volume book printed in America, Bell's edition, a reprint of the fourth London edition, 1770, is a landmark in the history of American publishing. Volume IV also includes a 22–page subscriber list of 839 men, who ordered 1,557 sets. This impressive group included John Adams, John Jay, John Dickinson, Robert Morris, Cesar Rodney, several colonial governors and many other leaders of colonial America. Sixteen subscribers went on to become members of the Continental Congress that signed the Declaration of Independence. Daniel Campbell, the subscriber to our copy, immigrated to the colonies from Ireland in 1754 and became a prominent trader, merchant and judge in Schenectady, NY. Matthew Visscher [1751–1793] was an Albany lawyer and advocate of independence who served as a militia officer during the revolution. A prominent man in Albany after the war, he held several appointed positions in that city and served two terms in the state assembly.

Later re-issued under the title *The Palladium of Conscience*, An *Interesting Appendix* was compiled by Bell and originally issued as an appendix volume to his Blackstone edition. (The first issue has a “5” stamped on the spine.) It contains a group of essays on religious liberty inspired by a passage from Section III of Book IV, Chapter 4, “Of Offences Against God and Religion.” The owner of this copy, John Wilkes Kittera [1752–1801], whose bookplate is dated 1799, was a notable lawyer and politician who lived in Lancaster, Pennsylvania. He was a Congressman in the U.S. House of Representatives from 1791 to 1801 and was a founding member, along with Stephen S. Du Ponceau and Bushrod Washington, of the Law Society of Philadelphia, which became the Law Academy of Philadelphia. Eller 80,131. Laeuchli 131,616.

FIRST EDITION OF BLACKSTONE'S ESSAY ON DESCENTS

11 BLACKSTONE, SIR WILLIAM.

*A Treatise on the Law of Descents in Fee-Simple.*

Oxford: at the Clarendon Press, 1759. 87, [1] pp. Two folding copperplate tables: "Table of Consanguinity" and "Table of Descents." Octavo (8-3/4" x 4-3/4").

Contemporary calf, carefully rebacked retaining spine, blind rules and fillets to boards, corners repaired, raised bands and lettering piece to spine, original endpapers retained. Some rubbing, a few minor nicks to boards, chipping to edge of lettering piece, hinges cracked. Moderate toning to text, some offsetting to margins of preliminaries and tables, which are lightly soiled. A handsome copy. \$2,250.

FIRST EDITION. Originally published as a learning aid for his students, this brief treatise on "the rules by which landed property was transferred, whether by direct inheritance or by one remove by purchase" (6), formed the basis, almost word for word, of Chapters 14 and 15 of the *Commentaries of the Laws of England*, Book II (1766). An excerpt in James Parker's *Conductor Generalis* (1764) was the first work by Blackstone published in America. Eller 244. Laeuchli 566.

HANDSOME COPY OF THE PALLADIUM OF CONSCIENCE WITH A RARE LAID-IN ADVERTISEMENT

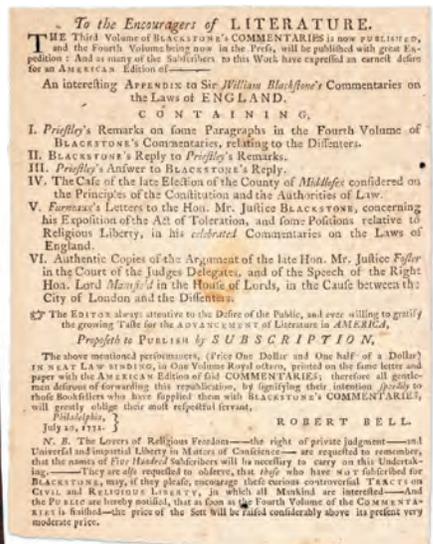
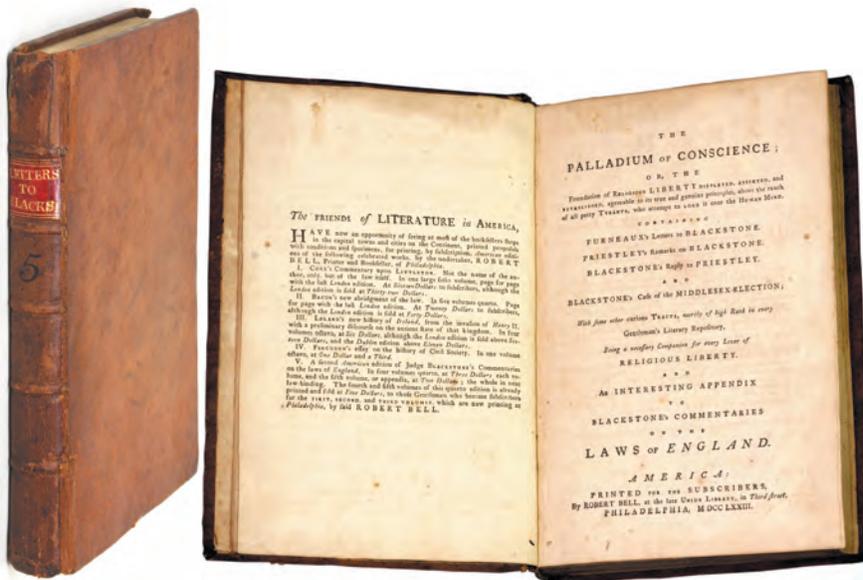
12 [BLACKSTONE, SIR WILLIAM].  
PRIESTLEY, JOSEPH.  
FURNEAU, PHILIP.

*The Palladium of Conscience; Or, the Foundation of Religious Liberty Displayed, Asserted, and Established, Agreeable To Its True and Genuine Principles Above the Reach of the All Petty Tyrants, Who Attempt to Lord It Over the Human Mind. Containing Furneaux's Letters to Blackstone. Priestley's Remarks on Blackstone. Blackstone's Reply to Priestley. And Blackstone's Case of the Middlesex-Election; with Some Other Curious Tracts, Worthy of High Rank in Every Gentleman's Literary Repository, Being a Necessary Companion for Every Lover of Religious Liberty. And an Interesting Appendix to Blackstone's Commentaries on the Laws of England.*

America [Philadelphia]: Printed for the Subscribers by Robert Bell, 1773. Six parts, each with title page (some divisional). [i], [iv], iv, [5]-119, [1], xii, 155, [1] pp. Publisher advertisement facing title page, another on verso of p. 155. Handbill (?) for the first edition of *Palladium*, titled *An Interesting Appendix* laid in. Text complete. Quarto (8-1/2" x 5-1/2").

Contemporary sheep, raised bands, lettering piece and black-stamped number 5 to spine, early repairs to spine ends. Some rubbing to extremities, a few light scuffs to boards, a bit of chipping to spine ends, hinges partially cracked, early owner bookplate to front pastedown (of John H. White), (very) minor worming to front pastedown and preliminaries. Moderate toning to text, light foxing and minor stains in some places, internally clean. A handsome copy. \$5,000.

FIRST EDITION AS AN INDEPENDENT WORK. In the last volume of his *Commentaries*, Blackstone classified non-conformity to the Church of England as a crime. Joseph Priestley, the eminent scientist and prominent dissenter, took exception to Blackstone's position and proposed an alternative view based on religious freedom and tolerance. In 1768 John Wilkes [1727-1797], publisher of the controversial paper the *North Briton*, was elected to Parliament by Middlesex County. However, he was imprisoned for seditious libel and expelled. While the legitimacy of his sentence was being debated, Middlesex attempted to re-elect him several times without success. Blackstone supported Parliament's position. His position was challenged by Grenville, who noted a discrepancy between his position on the floor and in the *Commentaries*. Blackstone replied with the anonymously published pamphlet titled *The Case of the Late Election*. It initiated a lively pamphlet exchange that involved Samuel Johnson, Sir William Meredith and others. Bell compiled the contents of the *Palladium*. Published originally as *An Interesting Appendix to Sir William Blackstone's Commentaries*, it was produced as a supplemental fifth volume to his four-volume edition of the *Commentaries* (1771-1772). The number five on the spine of our copy indicates it was intended to be added to one of his sets. An interesting feature in our copy, one we've never seen before, is a leaf advertising this book in its original form (*An Interesting Appendix*). It is a smaller-format version of the advertisement in the third volume of Bell's edition, which appears on the verso of p. 455. Eller 257. Laeuchli 620.



Details from No 12

THE LAWS, RIGHTS AND  
LIBERTIES OF LONDON

### 13 BOHUN, WILLIAM.

*Privilegia Londini: Or, The Rights, Liberties, Privileges, Laws, and Custom of the City of London. Wherein are Contained, I. The Several Charters Granted to the Said City, From King William I. to the Present Times. II. The Magistrates and Officers Thereof, With Their Respective Creations, Elections, Rights, Duties, and Authorities. III. The Laws and Customs of the City, As the Same Relate Either to the Persons or Estates of the Citizens; Viz. of Freemens Wills, Feme-Sole Merchants, Orphans, Apprentices, &c. IV. The Nature, Jurisdiction, Practice, And Proceedings of the Several Courts Thereof, With Tables of Fees Relating Thereto. V. The Several Statutes Concerning the Said City, And Citizens, Alphabetically Digested. With Large Additions.*

London: Printed for D. John Walthoe Junr., 1723. xvi, 272, 273–296, 273–498, [22] pp. Signatures \*T-\*U4 (pp.273–296) have been inserted; text is continuous (and complete). Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind frames to boards, blind fillets along joints, rebaked retaining backstrip with raised bands and later lettering piece, head of spine repaired. Some rubbing to extremities with wear to corners and foot of spine, a few light nicks and scuffs to boards, hinges cracked. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, occasional light foxing, internally clean. A nice copy. \$950.

THIRD AND FINAL EDITION. "Having observed in the Course of our English History many Attempts made (by the Ministers of some artful and designing Princes) to weaken and undermine the ancient, legal, and fundamental Rights, Liberties, and Privileges of the City and Citizens of London: I thought myself obliged to Endeavor to collect and ascertain such Laws, Customs, and Usages of the said City, Wherein the Original Constitution and Foundation of its Government seem to have been laid; and whereby its Happiness, Opulency, and Glory do (under God and his present Majesty) evidently subsist" (Preface). Though little is known about him personally, Bohun was an attorney and prolific author who published well-received treatises on legal education, pleading, ecclesiastical law and other subjects. The first and second editions of *Privilegia Londini* were published in 1702 and 1716. ESTC T130094.

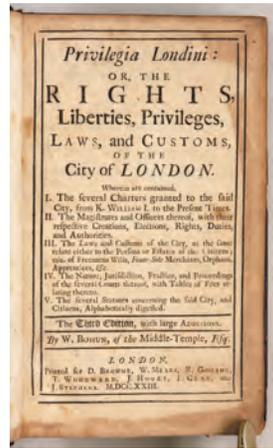
BORJA'S COMPREHENSIVE COMPARATIVE STUDY  
OF THE CHILEAN CIVIL CODE

### 14 BORJA, LUIS FELIPE [1845–1912].

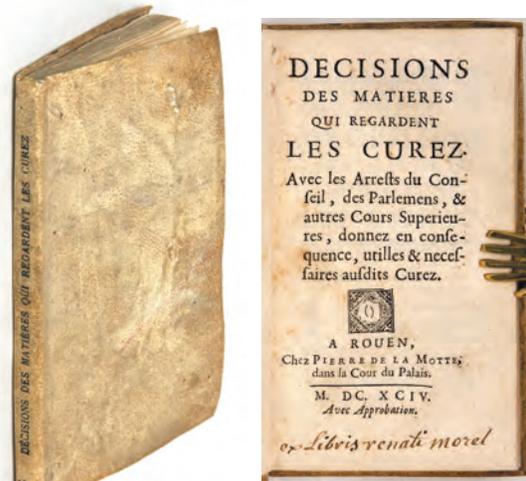
*Estudios Sobre el Codigo Civil Chileno.*

Paris: A. Roger, F. Chernoviz, 1901–1908. Complete set.

Softbound volumes bound into recent cloth, printed paper title labels to spine. Light browning to text, internally clean. Ex-library. Stamps to title pages. A scarce complete set. \$1,500.



SECOND AND BEST EDITION. "[This work offers] a comparative treatment of the articles of the Chilean code, by concordances to the Roman law, the Code Napoleon, and the civil codes of a number of other South American countries, with references to the writings of the leading jurists, including appropriate translations and a brief commentary by the author. The work was inspired by the success of St. Joseph's celebrated 'Concordances,' and as a reference work has a decided value" (Borchard). This work was reissued in 1919. Its first edition is a one-volume work published in Quito in 1899. All editions are scarce. OCLC locates 9 copies of the second edition in North American law libraries. Borchard 393.



N° 15

RARE LEGAL HANDBOOK FOR FRENCH PRIESTS

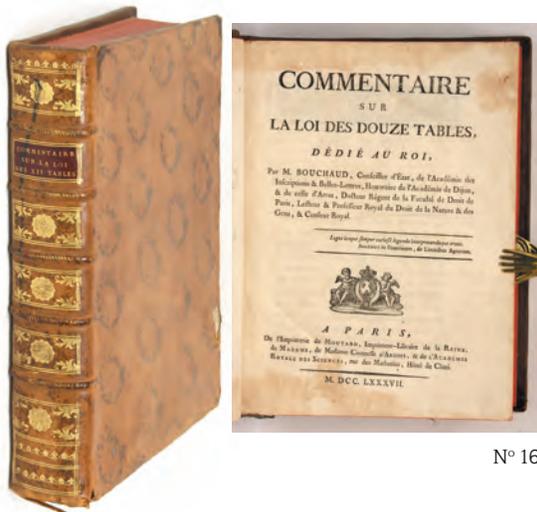
### 15 BORJON DE SCELLERY, PIERRE [1633–1691].

*Decisions Des Matieres Qui Regardent Les Curez. Avec les Arrests du Conseil, Des Parlements, & Autres Cours Superieurs, Donnez en Consequence, Utiles & Necessaires Ausdits Curez.*

Rouen: Chez Pierre de la Motte, 1694. [ii], 3–82, [10] pp. Final page blank. 12mo. (5-1/4" x 3").

Contemporary limp vellum, recent black-stamped title to spine. Light soiling, light rubbing to extremities, later owner bookplate to front pastedown. Light toning to text, early owner inscription to foot of title page. A nice copy of a rare title. \$1,250.

FIRST ROUEN EDITION OF THIS GUIDE to the rights and duties of parish priests, compiled from decisions of parliament and the secular and ecclesiastical courts. Everything related to the role of the *curé* is included: where he can live, how much he can earn, his duties regarding marriages, baptisms, funerals and his everyday duties, as well as his relationship with secular authorities and diocesan hierarchy. We also find more arcane regulation, including a prohibition on the ringing of church bells after the death of a parishioner and the maintenance of the furniture in his house. A significant section deals with financial matters and the administration of benefices. Borjon de Scellery was the author of several legal works, and a number of poems, but is perhaps best known today as a writer on music, his *Traite de la Musette* (Lyons, 1672) was one of the most important works on the instrument. OCLC locates no copies of this edition, and records no copies of any edition outside of France. Not in Camus.



N° 16

A NOTABLE FRENCH COMMENTARY ON THE XII TABLES

## 16 BOUCHAUD, MATHIEU-ANTOINE [1719-1804].

*Commentaire sur la Loi des Douze Tables.*

Paris: De l'Imprimerie de Moutard, 1787. xxiii, [i], 863, [1] pp. Quarto (9-3/4" x 7-1/2").

Contemporary calf with cats-paw decoration, gilt spine with raised bands and lettering pieces, gilt fillets to board edges, edges of text block rouged, marbled endpapers, ribbon marker. Light rubbing to extremities, minor chipping to foot of spine, corners bumped and somewhat worn, minor worming near lower corner of front board, rear pastedown, preliminaries and final two text leaves and rear free endpaper, hinges cracked. Light toning to text, negligible foxing to a few leaves, faint staining to margins of preliminaries and final few leaves of text. Early annotations to rear endleaf, interior otherwise clean. A handsome copy. \$1,500.

FIRST EDITION. Bouchaud was a professor of law at the College de France, member of several learned societies and an active participant in the eighteenth-century "republic of letters." Grounded in a study of original as well as secondary sources, it remains an important commentary. Another edition was published in 1803. Both are scarce. OCLC locates 19 copies of the first edition worldwide, 2 in North America (Harvard Law School, University of Montreal). This edition not in Camus. BMC 3:1055.

ANNOTATED BRAZILIAN COMMERCIAL CODE

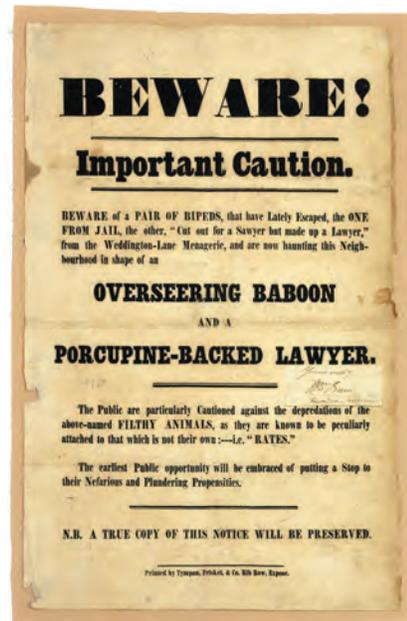
17 [BRAZIL].  
ARAUJO COSTA, SALUSTIANO ORLANDO DE, EDITOR.

*Codigo Commercial do Imperio de Brazil, Annotado com Toda a Legislaçao do Paiz que lhe e Referente; Com Osarestos e Decisoes Mais Notaveis dos Tribunaes e Juizes; Concordado com a Legislaçao do Paizes Estrangeiros Mais Adiantados; Con um Vasto e Copioso Appendice, Tambem Annotado, Contendo Nao so Todos os Regulamentos Commerciaes, Como os Mais Recentes Actos do Governo Imperial, Quer Sobre Bancos o Sociedades Anonymas, Quer Sobre Impostos; Dispensando Consultar-Se a Collecçao das Leis do Imperio.*

Rio de Janeiro: Laemmert & C., 1886. 1104 pp. Octavo (9" x 6").

Recent cloth, printed paper title label to spine. Moderate toning to text, internally clean. Ex-library. Small inkstamp to title page. \$500.

FOURTH EDITION. Brazil enjoyed a remarkable period of rapid material progress and international importance under Emperors Pedro I and, especially, Pedro II, who reigned from 1831 to 1891. The government enacted a law in 1823 calling for the gradual replacement of the Portuguese *Ordenacoes* with codes informed by the Enlightenment ideas of the eighteenth century and the work of Jeremy Bentham. A *Projecto* for commercial law was published in 1836, another in 1838. The code was enacted in 1850 and its first two editions were published in 1858 and 1869. The later editions (1878, 1886, 1896) are the best because they contain extensive commentary. All of these early editions are rare. OCLC locates 6 copies of the 1886 edition in North America (Columbia, George Washington University, Harvard, University of Arizona, University of Pennsylvania, Yale). Another copy located at the Library of Congress. BMC 4:32.



N° 18

"CUT OUT FOR A SAWYER BUT MADE UP A LAWYER"

18 [BROADSIDE].  
[GREAT BRITAIN].

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

[N.p.]: Printed by Tympan, Frisket, & Co, Rob Row, [c. 1850].

15" x 10-1/2" broadside, mounted, cut piece of letter laid down near center reading: "Yours respectfully Wm Oram 43 Monday evening." Light browning and soiling, a few minor chips and some rubbing to edges, three horizontal fold lines. A curious, rare item.

\$2,500.

THE TEXT OF THIS SATIRICAL BROADSIDE continues (in part): "The Public are particularly Cautioned against the depredations of the above-named FILTHY ANIMALS, as they are known to be peculiarly attached to that which is not their own:--i.e. "Rates." William Oram may have been the author of the broadside text. We were unable to locate a copy of this broadside in any library.

ONE OF THE GREAT ENGINEERING FEATS OF THE NINETEENTH CENTURY

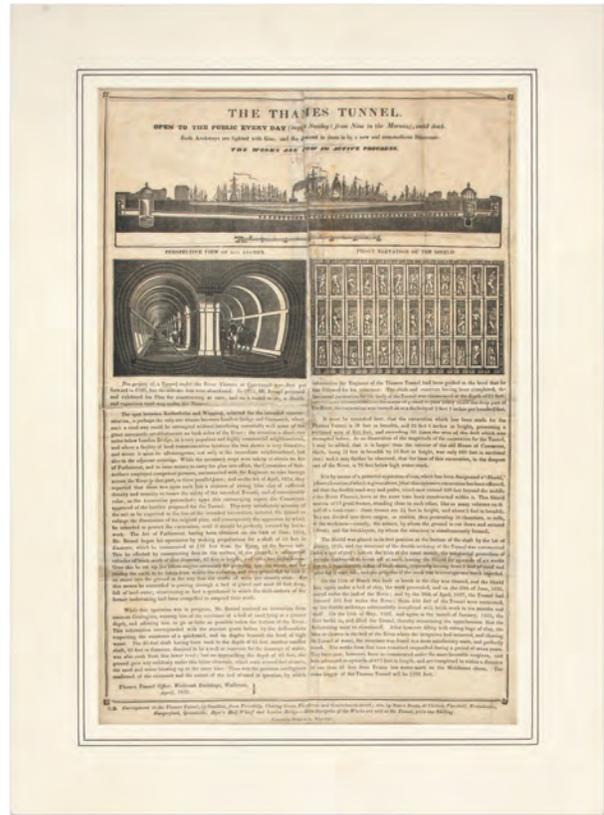
19 [BROADSIDE]. [LONDON].

*The Thames Tunnel, Open to the Public Every Day (Except Sunday) from Nine in the Morning, Until Dark. Both Archways are Lighted with Gas; And the Descent to Them is by a New and Commodious Staircase. The Works are Now in Active Progress.*

[London]: Teape & Son, 1839.

15-1/4" x 10" broadside, mounted and matted, text in two columns between ruled borders, woodcuts below headline and above each column of text. Light toning, foxing in a few places, fold lines, repair to top half of vertical fold through center. An interesting piece. \$650.

THE FIRST TUNNEL constructed beneath a navigable river, the Thames Tunnel was one of the great engineering feats of the nineteenth century. It was the work of Marc Brunel and his son, Isambard Kingdom Brunel, it was built between 1825 and 1843. As this woodcut shows, it was a tourist attraction long before its completion. Designed for carriages and pedestrians, it remains in use today as a railway tunnel.



N° 19

THE LAST DECAPITATED HEAD DISPLAYED ON LONDON BRIDGE

20 [BROADSIDE]. STAYLEY, WILLIAM.

*An Account of the Digging Up of the Quarters of William Stayley, Lately Executed for High Treason, For That His Relations Abused the Kings Mercy. Imprimatur Novemb 30. 1678. William Scroggs.*

London: Printed for Robert Pawlet at the Sign of the Bible in Chancery-Lance [sic], near Fleet-street. 1678.

11-1/2" x 16" broadside. Light toning, faint vertical and horizontal fold lines, 4-1/2" section excised from foot of left margin, old tear professionally repaired with no loss of printed surface. A well-preserved copy. \$950.

WILLIAM STALEY (or Stayley) was one of the victims of the Popish Plot, one of the cruelest hoaxes in British history and the inspiration for a wave of anti-Catholic violence. It was the invention of Titus Oates, an Anglican clergyman, and his friend, Dr. Israel Tonge, a cleric and passionate anti-Catholic. They pretended to have discovered a Jesuit plot to assassinate the King, massacre Protestants, and set James, Duke of York, the King's Catholic brother, on the throne. Convicted as a conspirator, Staley was executed and quartered in 1678. "Instead of his quarters being set upon the city gates the king allowed them to be delivered to his relatives. Mass was said over his remains and a 'grand' funeral was arranged from his father's house on 29 November, before his burial in St Paul's, Covent Garden. This incensed the government so much that the coroner ordered the body to be dug up and delivered to the sheriff to be set upon the city gates" [Oxford Dictionary of National Biography]. William Stayley's head has a small place in London's history; it was the last to be displayed on London Bridge. ESTC R211806.



N° 20



FIRST ENGLISH EDITION OF BURLAMAQUI'S *POLITIC LAW*

## 22 BURLAMAQUI, J[EAN] J[ACQUES] [1694–1748].

***The Principles of Politic Law: Being a Sequel to the Principles of Natural Law.***

Translated into English by Mr. Nugent.

London: Printed for J. Nourse, 1752. [viii], 372 pp. Octavo (8" x 5").

Contemporary speckled calf, raised bands, letting piece and gilt ornaments to spine. Some rubbing to extremities with wear to spine ends, boards partially detached but secure, corners bumped, a few minor early inkstains to boards, early armorial book plate to front pastedown. Moderate toning to text, light foxing in places, offsetting to margins of endleaves. Early struck-through signature to head of title page, interior otherwise clean. \$1,500.

FIRST EDITION IN ENGLISH. The sequel to *The Principles of Natural Law*, his other major work, *The Principles of Politic Law* develops his thesis that international law is based on natural law and examines the principles of sovereignty with respect to considerations such as foreign rights, the necessity of war, the concept of absolute power, public treaties and economic factors. Burlamaqui, a Swiss jurist and professor of civil and natural law at Geneva, outlined a constitutional system based on principles similar to those of the American founding fathers. "Burlamaqui formulated the principles of popular sovereignty, of delegated power, of a constitution as a fundamental law, of a personal and functional separation of powers into three independent departments...and finally, he provided for an institutional guardian of the fundamental law" (Harvey). Blackstone was among the many jurists influenced by this work. Burlamaqui's other great achievement was to put Pufendorf's theories into systematic form. Harvey 178–179. *ESTC* T112807.

THE FIRST AMERICAN EDITION OF BURLAMAQUI, BOSTON 1792

23 BURLAMAQUI, J[EAN] J[ACQUES]  
NUGENT, [THOMAS] [1700?–1772], TRANSLATOR.***The Principles of Natural and Politic Law, In Two Volumes.***

Boston: Printed by Joseph Bumstead for John Boyle, 1792. viii, [20], 424 pp. Octavo (8-1/4" x 5-1/2").

Contemporary tree sheep, carefully rebacked in period style with gilt fillets and existing lettering piece, hinges mended. Light toning to text, negligible light foxing and faint dampstaining to some leaves. Early owner signature (Geo. Frost) to head of title page and a few other leaves, interior otherwise clean. A handsome copy. \$1,500.

FIRST AMERICAN EDITION (title page states "Fourth Edition, Revised and Enlarged" in reference to the preceding London editions). Cohen 7809.

BURN'S *MARINE INSURANCES*.  
A ROOSEVELT FAMILY ASSOCIATION COPY

## 24 BURN, JOHN ILDERTON [1774?–1848].

*A Practical Treatise or Compendium of the Law of Marine Insurances*. London, Printed: New-York, Re-Printed, for H. Caritat by G. & R. Waite, 1801. xiv, [2], 235 pp. 12mo. (6-1/4" x 4").

Contemporary sheep with later rebacking, blind rules to boards, lettering piece and blind fillets to spine. Moderate rubbing to spine, heavier rubbing to board edges with some wear to corners, hinges cracked, front free endpaper lacking. Moderate toning and foxing to text. Presentation inscription from James Roosevelt dated 1839 to head of front free endpaper, interior otherwise clean. \$650.

ONLY EDITION. PUBLISHED THE SAME YEAR in London and New York. The inscription reads: "James Roosevelt Esq./ to Wm Wilkinson/ June 18, 1839." James John Roosevelt [1794–1875], known as James I, was a businessman, lawyer and politician. He was a member of the Roosevelt branch that produced President Theodore Roosevelt. James I was a member of the New York State Assembly and the U.S. House of Representatives. He was also a justice of the New York Supreme Court. Burn was a barrister of the Inner Temple who published several law treatises. The appendix contains summaries of two recent English decisions, and the form of an insurance policy for a ship or goods. Cohen 7055.

INVESTITURE IN THE KINGDOM OF NAPLES

25 CAPECE, ANTONIO  
[D. 1535?].

***Investitura Feudalis Excellentiss. I.V.D.D. Antonij Capycij Equitis Neapolitani, Regij Consiliarij, Ad Omnes Ferme Feudales Questiones Enucleandas Iuris Peritis Omnibus Utilis. Ac Perquam Necessaria ab Exemplari Ipsius Auctoris Manu Perscripto Excerpta, Nec Unquam Antea in Lucem Aedita. Cum Indice Capitulorum ac Paragraphorum per Auctorem in Hunc Ordinem Redacto. Nec non Eisdem Repetitio L. Imperialem de Prohibita Feud. Alien. per Feder. Noviter a Mendid Primae Impressionis Suae Propriitate Claritati Reddita.***

Naples: Apud Iosephum Cacchium & Socium, 1569. [xii], [13]–287; [9], 58 pp. Two parts, each with title page, individual pagination and colophons dated 1569. Complete. Main text in parallel columns. Folio (12" x 8-1/2").

Contemporary limp vellum, early hand-lettered title to spine, ties lacking. Spine darkened, a few minor stains, a few worm holes, some worming to edge of rear cover, pastedowns loose, text block detached, later bookseller description pasted to verso of front cover. Attractive woodcut initials. Light toning to text, somewhat heavier in places, faint dampstaining to foot of text block, light foxing in a few places, internally clean. \$2,500.

FIRST EDITION. This is a study of the laws concerning the transfer of land from an overlord to a vassal (investiture) in the Kingdom of Naples. A second edition was published in 1570. The second part of this book, the *Repetitio Super Legem Imperialem de Prohibita Feudi Alienatione per Pedericum*, was originally published in 1539. Both editions of *Investitura Feudalis* are rare. OCLC locates 3 copies of the first edition in North America (Harvard Law School, UC-Berkeley Law School, University of Florida) and 3 copies of the second (at Harvard Law School, Library of Congress, University of Pennsylvania). Not in the *BMC*.

A CLASSIC GUIDE TO ENGLISH LAW AND GOVERNMENT  
THAT INSPIRED THE AMERICAN FOUNDING FATHERS

## 26 CARE, HENRY [1646–1688].



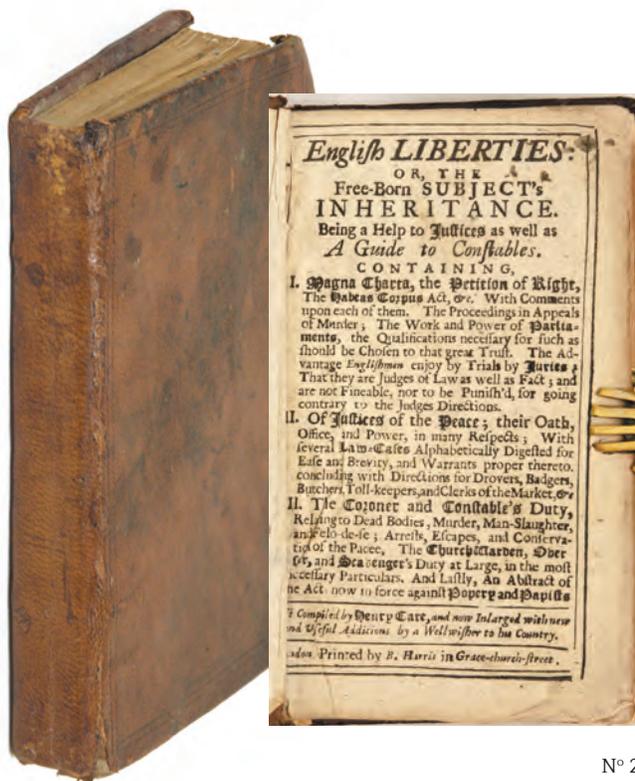
N° 25

*English Liberties: Or, The Free-Born Subject's Inheritance. Being a Help to Justices as Well as a Guide to Constables. Containing, I. Magna Charta, The Petition of Right, The Habeas Corpus Act, &c. With Comments Upon Each of Them. The Proceedings in Appeals of Murder; The Work and Power of Parliaments, the Qualifications Necessary for Such as Should be Chosen to that Great Trust. The Advantage Englishmen Enjoy by Trials by Juries That they are Judges of Law as Well as Fact; and are not Fineable, Nor to be Punish'd, For Going Contrary to the Judges Directions. II. Of Justices of the Peace; Their Oath, Office, and Power, In Many Respects; With Several Law-Cases Alphabetically Digested for Ease and Brevity, And Warrants Proper Thereto. Concluding with Directions for Drovers, Badgers, Butchers, Toll-Keepers, And Clerks of the Market, &c III. The Coroner and Constable's Duty, Relating to Dead Bodies, Murder, Man-Slaughter, And Felo-de-Se; Arreste, Escapes, and Conservation of the Peace, The Church Warden, Over Seer, And Scavenger's Duty at Large, In the Most Necessary Particulars. And Lastly, An Abstract of the Act Now in Force Against Popery and Papists First Compiled by Henry Care, And Now Inlarged With New and Useful Additions, By a Wellwisher to His Country.*

London: Printed by B. Harris in Grace-Church-Street, [1703?]. [viii], 244 pp. 12mo. (5-3/4" x 3-1/4").

Contemporary sheep, blind rules to boards, blind fillets to spine. Light rubbing and a few minor stains to boards, minor chipping to head of spine, corners bumped and somewhat worn, pastedowns loose and somewhat edgeworn, a bit of edgewear to preliminaries and final few leaves. Moderate toning to text, a bit heavier in places, negligible worm track to title page and following two leaves. Early signatures and doodles to endleaves, interior otherwise clean.

\$1,500.



N° 26

EARLY EDITION, ONE OF TWO OTHERWISE-identical imprints by Harris, the other with imprinted date 1703. First published circa 1680–1682, this classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Priviledge of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned a first edition and another edition, printed in London in 1719, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. Sowerby 2702, 2703. ESTC N9181.

ONE OF THE TWO EDITIONS OWNED  
BY JEFFERSON

27 CARE, HENRY.  
N[ELSON], W[ILLIAM]  
[B.1653], EDITOR.

*English Liberties, Or the Free-Born Subject's Inheritance; Containing Magna Charta, Charta de Foresta, The Statute De Tallagio non Concedendo, The Habeas Corpus Act, And Several Other Statutes; With Comments on Each of Them. Likewise, The Proceedings in Appeals of Murder: Of Ship-Money; Of Tonnage and Poundage. Of Parliaments, And the Qualification and Choice of Members: Of the Three Estates, And of the Settlement of the Crown by Parliament. Together with a Short History of the Succession, Not by Any Hereditary Right: Also a Declaration of the Liberties of the Subject: And of the Oath of Allegiance and Supremacy. The Petition of Right; With a Short but Impartial Relation of the Difference Between Charles I. And the Long Parliament, Concerning the Prerogative of the King, The Liberties of the Subject, And the Rise of the Civil Wars. Of Trials by Juries, And of the Qualifications of Jurors: Their Punishment for Misbehaviour, And of Challenges to Them. Lastly, Of Justices of the Peace, Coroners, Constables, Church-Wardens, Overseers of the Poor, Surveyors of the Highways, &c. With Many Law Cases Throughout the Whole. Compiled First by Henry Care, And Now Continued, With Large Additions, By W.N. of the Middle Temple, Esq.*

[London]: Printed by Eliz. Nutt and H. Gosling, 1719. [xii], 356 pp. Octavo (7-1/2" x 4-3/4").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed, title page mounted. Moderate toning to text, light foxing to places, minor edgewear to a few leaves at beginning and end of text, light soiling, faint stain and "(2)" in tiny early hand to title page. A handsome copy of an important work. \$1,500.

FOURTH EDITION. Jefferson, who owned this edition and the first edition, probably referred to this book when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the U.S. Constitution's Bill of Rights. See Sowerby 2702 (London 1719 edition), 2703 (London 1680 edition). ESTC T112711.

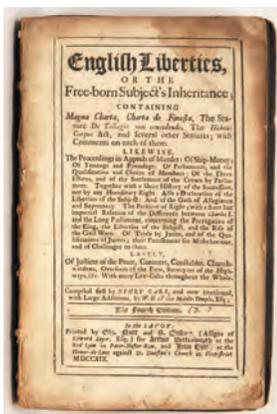
"MISCHIEFS ARISING FROM CONJUGAL INFIDELITY AND IMPUNITY"

28 CASTAMORE.

*Conjugium Languens: Or, The Natural, Civil, And Religious Mischiefs Arising from Conjugal Infidelity and Impunity.*

London: Printed by R. Roberts, 1700. [ii], 28 pp. Quarto (7-1/2" x 5-1/2").

Stab-stitched pamphlet in recent wrappers, printed paper title panel to front cover. Light shelfwear, a bit of fading along foot of wrapper. Some toning to text, dampstaining to title page, a few chips to its fore-edge. An appealing copy of a scarce title. \$500.



ONLY EDITION. This pseudonymous essay discusses fornication, infidelity and divorce. Its main issue is the current divorce law, which then required an act of Parliament. An expensive and time-consuming process, it prevented most people from obtaining divorces. Forced to remain in unhappy marriages, many of these people commit "natural, civil and religious mischiefs." This essay was later included in an anonymous collection of tracts from 1732 titled *Select and Curious Cases of Polygamy, Adultery, Concubinage, Divorce, &c. Seriously and Learnedly Discussed*. Castamore's essay is scarce. OCLC locates 13 copies in North America, none in a law library. ESTC R23429.



N° 29  
EARLY FRENCH-LANGUAGE EDITION OF CATHERINE'S NAKAZ

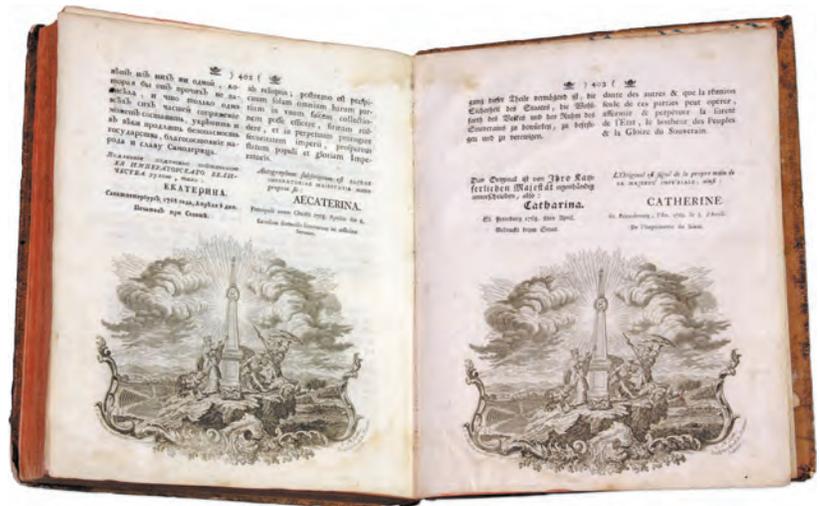
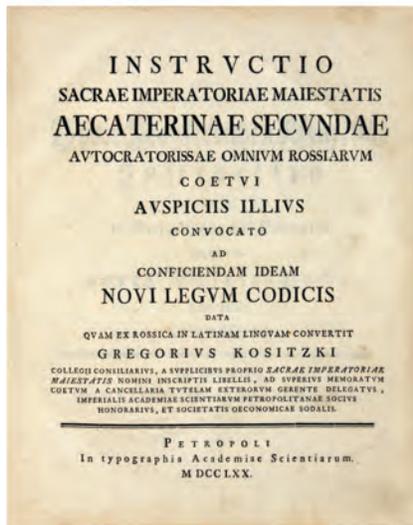
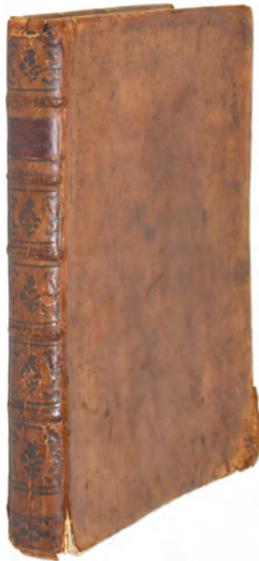
29 CATHERINE II, [1762-1796], EMPRESS OF RUSSIA.  
[LANDRES, J. RODOLPHE FREY DE, TRANSLATOR].

*Instructions Adresses par Sa Majeste L'Imperatrice de Toutes les Russies: A la Commission Etablie Pour Travailler a L'Execution du Projet d'un Nouveau Code de Loix. Traduit de l'Allemand.*

"A Petersbourg" [i.e. Yverdon, Switzerland]: [s.n.], 1769. 286 pp. 12mo. (6" x 4").

Early quarter vellum over marbled boards, untrimmed edges, a few unopened signatures. Light soiling, corners lightly bumped and worn. Moderate toning, somewhat heavier in places, some leaves have light foxing, a few have light dampstaining to margins, internally clean. Ex-library. Small inkstamp to title page. A handsome copy. \$1,500.

REISSUE OF THE FIRST EDITION IN FRENCH, published for by the St. Petersburg Academy of Sciences for private distribution in 1769. This important text, also known as the *Nakaz*, or *Instruction*, is a statement of legal principles written by Catherine II from 1764 and 1766. Permeated with the ideas of the French Enlightenment, and copied mostly from the work of Voltaire, Montesquieu and Beccaria, it was compiled as a guide for the All-Russia Legislative Commission convened by the Empress in 1767 to create a new code to replace the 1649 Muscovite Code. Revised in consultation with Beccaria, Frederick the Great and Voltaire, the *Instruction* proclaimed the equality of all men before the law and disapproved of death penalty and torture. Unfortunately, her proposed code was never completed. Catherine's manuscript was written in French, and she later produced a Russian translation. Editions in German and Russian were published in Moscow in 1767. The book was initially banned in France because it was too liberal, which is why the first French-language edition was produced in Switzerland (with a false imprint). French and Latin editions were eventually published in 1770. OCLC locates 6 copies of this imprint in North American law libraries (Columbia, George Washington University, Harvard, Library of Congress, UC-Berkeley, Yale). Butler 531 (Entry 40).



"THE BEST AND MOST LUXURIOUS" FOUR-LANGUAGE EDITION OF CATHERINE THE GREAT'S NAKAZ

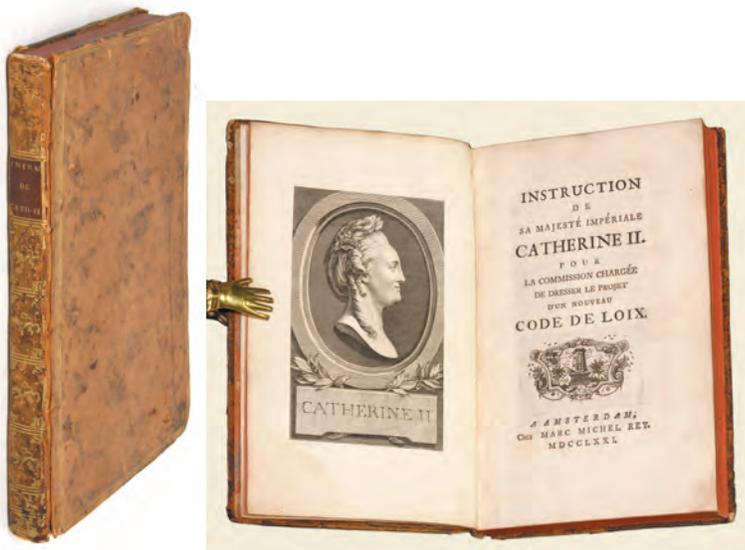
30 CATHERINE II, EMPRESS OF RUSSIA. KOZITZKI, GRIGORII VASIL'YEVICH, [D. 1775]. [LATIN TRANSLATION].

*Nakaz Eia Imperatorskago Velichestva Ekateriny Vtoryia, Samoderzhitsy Vserossiiskiiia Dannyai Kommissii o Sochinenii Proekta Novago Ulozheniia... [Instructions of Her Imperial Majesty Catherine II to the Commission on the Work of the Projected New Code of Laws].*

St. Petersburg: Imperatorskaya Akademii Nauk, 1770. [viii], 403 pp. Four title pages, one in each language. Printed in double columns, Russian and Latin on one page and German and French on the opposite page. Allegorical engravings by C. M. Roth at head and tail pieces. Latin translation by Grigorii Vasil'yevich Kozitzki. Quarto (9-1/2" x 8").

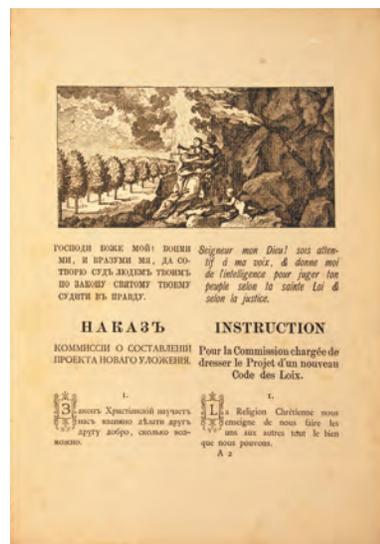
Contemporary calf, raised bands, lettering piece and black-stamped ornaments to spine, edges rouged, patterned endleaves Light rubbing, faint stains, scratches and ink marks to boards, which are slightly bowed, moderate rubbing to extremities, corners bumped and worn. Large copperplate vignettes at beginning and end of text. Light toning to text, somewhat heavier in places, faint dampstaining to margins in a few places, internally clean. A nice copy. \$4,000.

FOURTH AND BEST EDITION. Described by Count M.A. Korf, then director of the Imperial Library, as "The Best and Most Luxurious Edition." Camus 3301. Sopikov 6456. Butler (Entry 8).



Details from N° 31

EARLY AMSTERDAM EDITION OF CATHERINE'S NAKAZ



N° 32

THE FIRST EDITION OF THE NAKAZ PUBLISHED IN THE TWENTIETH CENTURY

31 CATHERINE II, EMPRESS OF RUSSIA.

*Instruction de Sa Majesté Impériale Cathérine II. pour la Commission Chargée de Dresser le Projet d'un Nouveau Code de Loix.*

Amsterdam: Chez Marc Michel Rey, 1771. [vii], 229 pp. Frontispiece engraved copperplate medallion portrait of Catherine II by C.A. Boily. Octavo (7-3/4" x 4-3/4").

Contemporary mottled calf, blind rules to boards, gilt spine with lettering piece, edges rouged, marbled endpapers. A few minor scuffs to boards, moderate rubbing to extremities, spine ends worn, front joint starting at ends, corners bumped and somewhat worn. Light toning to text, dampstaining and light foxing to a few leaves, internally clean. An attractive copy. \$1,500.

SECOND DUTCH EDITION. The first Dutch edition, in Dutch translation, was published in Amsterdam in 1769. The 1771 Amsterdam edition was the first Dutch edition in French. It is a scarce imprint. OCLC locates 2 copies in North American law libraries (Library of Congress, UC-Berkeley). Butler 528 (Entry 28).

THE LAST EDITION OF THE NAKAZ PUBLISHED IN THE NINETEENTH CENTURY

32 CATHERINE II, EMPRESS OF RUSSIA. BEZGIN, IL'IA GRIGOR'EVICH, EDITOR.

*Nakaz Eja Imperatorskago Velicestva Ekateriny Vtoryja Samoderzicy Vserossijskija Dannyj Kommissii o Socinenii Proekta Novago Ulozenija.*

St. Petersburg: Izd. L.F. Pantelieeva, 1893. 53, 201 pp. Text of *Nakaz* in Russian with parallel French translation.

Original printed stiff wrappers bound into recent quarter calf over cloth, gilt fillets and lettering piece to spine, endpapers renewed. Light soiling and edgewear to wrappers, moderate toning to text, faint dampspotting to a few leaves. Small early owner label to front free endpaper, internally clean. \$1,750.

THE LAST EDITION published in the nineteenth century. OCLC locates 1 copy in a North American law library (Columbia). Another copy located at Harvard Law School. Butler 526 (Entry 18).

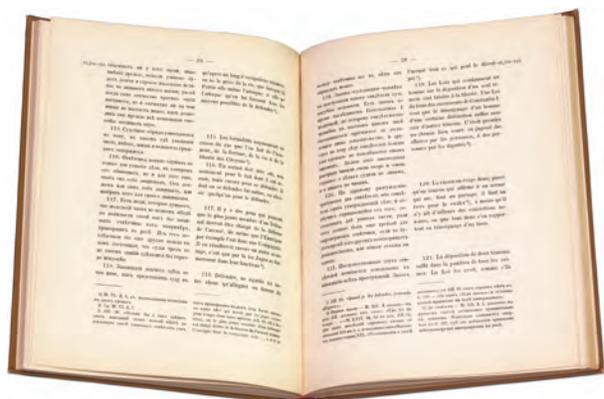
33 CATHERINE II, EMPRESS OF RUSSIA. CHECHULIN, NIKOLAI DMITREVICH [1863–1927]. EDITOR.

*Nakaz Imperatritsy Ekateriny II, Dannyj Kommissii o Sochinenii Proekta Novago Ulozhenija.*

St. Petersburg: Izd. lurid. Knizhnago Sklada "Pravo," 1907. ii, cliv, 174 pp. Three folding plates (of facsimile manuscript leaves). Text of *Nakaz* in Russian with parallel French translation.

Contemporary pebbled cloth, light rubbing to extremities with minor wear to spine ends and corners, which are bumped. Light toning to text, a few leaves have carefully repaired tears. Early inscription and owner inkstamp to title page, interior otherwise clean. \$1,250.

THE FIRST EDITION PUBLISHED in the twentieth century. Title two in the series *Pamiatniki Russkago Zakonodatel'stva 1649–1832*. Our 1907 edition may have been inspired by a spirit of reform fired by the Russian Revolution of 1905. OCLC locates 1 copy in a North American law library (Columbia). Another copy located at Harvard Law School. Butler 526 (Entry 19).



N° 33

ONE OF THE EARLIEST AMERICAN BOOKS  
ON POLITICAL SCIENCE

### 34 CHIPMAN, NATHANIEL [1752-1843].

#### *Sketches of the Principles of Government.*

Burlington [VT]: From the Press of J. Lyon, 1793. xii, [13]-292 pp. 12mo. (6-1/4" x 4-1/4").

Contemporary speckled sheep, lettering piece and gilt fillets to spine. Light rubbing to boards, heavier rubbing to spine and extremities with wear to spine ends and corners, which are bumped, front joint cracked, later owner bookplate to front pastedown. Some toning to text, light foxing to a few leaves. Owner signature of Levi Bartlett to head of title page, interior otherwise clean. \$1,500.

ONLY EDITION. Among the first American books on political science, *Sketches* is a study of civil laws and obligations, the social state, rights of property, sovereignty and political power. He published an expanded version of this in 1833 titled *The Principles of Government*. Chipman was a Hamiltonian Federalist who played a key role in Vermont's admission to the Union. He was a United States Senator from 1797 to 1803, Vermont's Chief Justice from 1813 to 1815 and professor of law at Middlebury College from 1816-1843. Levi Bartlett [1763-1828], a New Hampshire physician and politician, was the son of Josiah Bartlett, a signer of the Declaration of Independence for New Hampshire, later New Hampshire's chief justice and governor. Jefferson owned a copy of this book: Sowerby 2361. Cohen 5751.

THE CITY LAW

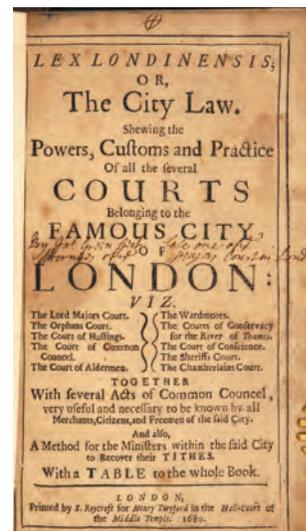
### 35 [CITY OF LONDON]. [COURT OF COMMON COUNCIL].

*Lex Londinensis; Or, The City Law. Shewing the Powers, Customs and Practice of All the Several Courts Belonging to the Famous City of London: viz. The Lord Majors Court. The Orphans Court. The Court of Hustings. The Court of Common Council. The Court of Aldermen. The Wardmotes. The Courts of Conservacy for the River of Thames. The Court of Conscience. The Sheriffs Court. The Chamberlains Court. Together with Several Acts of Common Council, Very Useful and Necessary to be Known by All Merchants, Citizens, And Freemen of the Said City. And also, A Method for the Ministers Within the Said City to Recover Their Tithes. With a Table to the Whole Book.*

London: Printed by S. Roycroft for Henry Twyford, 1680. [viii], 260, [12] pp. Octavo (6-1/2" x 4").

Later quarter calf over moire-cloth boards, lettering piece and raised bands to spine. A few minor stains to boards, light rubbing to extremities, corners bumped and somewhat worn, crack in text block between pp. [vi] and [vii], minor edgewear to a few leaves. Light browning and faint dampspotting to text, annotations to title page and margins of several leaves in an early hand. \$1,350.

ONLY EDITION. This book was the first digest of the London's laws and guide to its courts after the revisions of the city laws from 1647 and 1658. A useful work that gathered a great deal of disparate information, it is a valuable resource today for students of seventeenth-century London and its legal system. Probably written by a practitioner, the annotations are corrections, glosses and amplifications of points in the text, along with marks and underlining. ESTC R2792.



Nº 35

AUTHORITATIVE COMMENTARIES ON THE CHILEAN  
LAW OF PERSONS AND GOODS

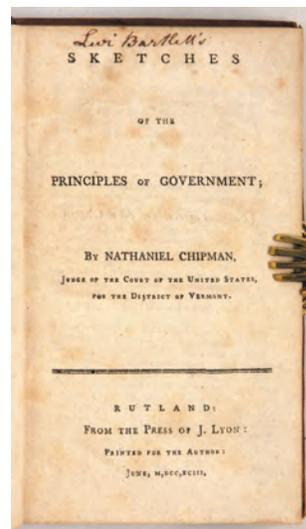
### 36 CLARO SOLAR, LUIS.

#### *Explicaciones de Derecho Civil Chileno y Comparado.*

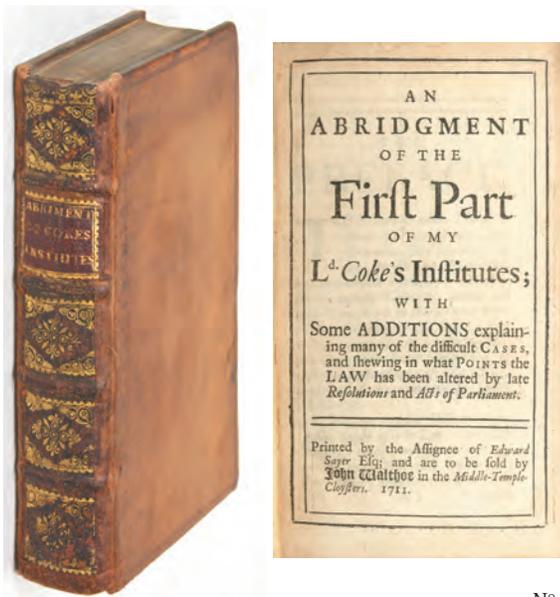
Santiago: Volumes I-VII: Imprenta Cervantes, 1931-1932; Volumes VIII-IX: Imprenta Nascimento: 1933-1935. Nine volumes of an 18-volume set comprising two complete sections.

Softbound volumes bound into contemporary three-quarter cloth over marbled boards, gilt fillets and titles to spines. Light shelfwear and soiling, light toning to text, internally clean. Ex-library. Location labels to spines, annotations in pencil to preliminaries, stamps to versos of title pages. A nice set. \$850.

FIRST EDITION, Volume I a reprint of the first edition. Originally a one-volume work from 1898, this work evolved into one of the fundamental studies of Chilean law, a multi-part work in eighteen volumes completed in 1942. Our set offers the first two parts, each an individual study: De las Personas (Volumes 1-5) and De los Bienes (Volumes 6-9). The other sections are: De las Pruebas del estado civil, De las Obligaciones, De la Sucesion por Causa de Muerte, De la Sucesion por Causa de Muerte and De la Prescripcion.



Nº 34



N° 37

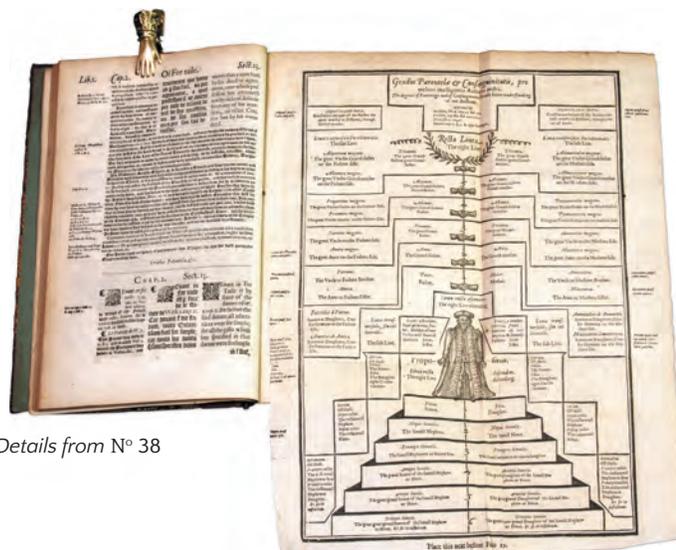
SCARCE FIRST EDITION OF A POPULAR ABRIDGMENT  
OF COKE ON LITTLETON

**37 COKE, SIR EDWARD [1552–1634].**  
HAWKINS, WILLIAM [1673–1746], EDITOR.

*An Abridgment of the First Part of My Ld. Coke's Institutes; With Some Additions Explaining Many of the Difficult Cases, And Shewing in What Points the Law has Been Altered by Late Resolutions and Acts of Parliament.*

[London]: Printed by the assignee of Edward Sayer Esq., 1711. vi, [2], 495, [1] pp. Includes one-page publisher catalogue Errata leaf mis-bound after preface. 12mo. (6-1/4" x 3-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, gilt spine with raised bands and lettering piece, joints and foot of spine discreetly reinforced. Some rubbing to extremities with wear to corners, some chipping to head of spine, a few shallow nicks and scuffs to boards, front hinge cracked, partially cracked hinge of rear free endpaper reinforced, early armorial bookplate (Of John, Early of Loudoun) to front pastedown. Moderate toning to text, somewhat darker in a few places. Later owner signature (of William H. Schaap) to front free endpaper, interior otherwise clean. \$950.



Details from N° 38

FIRST EDITION. One of the most popular abridgements of Coke's *First Institutes* (Coke on Littleton) in the eighteenth century, with some eight editions by 1751, as well as a later Dublin edition in 1792 and a London edition in 1822. The first edition is scarce. OCLC locates 13 copies, 3 in North American law libraries (Harvard, UCLA, University of Pennsylvania). The ESTC locates 7 more, all in the United Kingdom. ESTC T112750.

EARLY EDITION OF COKE ON LITTLETON

**38 COKE, SIR EDWARD.**

*The First Part of the Institutes of the Lawes of England. Or, A Commentarie Upon Littleton, Not the Name of a Lawyer Onely, But of the Law It Selfe. Corrected: With an Alphabetical Table Thereunto Added.*

London: Printed by [Miles Flesher, John Haviland, and Robert Young,] The Assignes of Iohn More Esquire, 1629. [vi], 395, [1]; [34] ff. Woodcut folding table of descents. Copperplate portrait frontispiece of Coke. Portrait plate of Littleton lacking. Folio (10-1/2" x 7").

Later three-quarter calf over marbled boards, lettering piece and blind fillets to spine, endpapers renewed, hinges reinforced. Some rubbing to extremities with wear to corners, light rubbing and a few minor scuffs to boards, text block cracked through between rear endleaf and free endpaper, later owner bookplate (of W.B. Brook) to front pastedown. Title page printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing to a few leaves, a few minor tears to folding table. Tiny early owner initials to head of title page, interior otherwise clean. \$950.

SECOND EDITION. Coke's *Institutes*, which eventually comprised four volumes, are thought to be the first textbooks on the modern common law. Taken together, they are a virtual legal encyclopedia of the law as it stood in Coke's lifetime. The first *Institutes*, better known as *Coke on Littleton*, contains the text of Sir Thomas Littleton's *Tenures* with extensive commentary. First published in 1628, it was a standard work for decades and was often used as a textbook. "If Bracton first began the codification of the common law, it was Coke who completed it.... In the *Institutes* (...) the tradition of the common law from Bracton to Littleton, whose name Coke's *Commentary* made famous, firmly established itself as the basis of the constitution of the Realm.": PMM 126. ESTC S113341.



Details from N° 39

TWO RARE SIXTEENTH-CENTURY WORKS, ONE ON PROPERTY TAXES, THE OTHER ON USUFRUCT

INTERESTING EIGHTEENTH-CENTURY ENGLISH POLITICAL ESSAY ON FREE WILL AND DETERMINISM

### 39 COP, JEAN (COPPE, JOHANN, COPUS JOANNES).

*De Restitutis a Christianissimo Francorum Rege Francisco Francisco Literis, Ioannis Copi Parisiensis Iuriconsulti Oration, Ad Iudices Academiae Parisiensis Emendatores, In Amplissimo Iurisperitorum Consessu Habita, Cum de Proposito Fructuum Iure Esset Responsurus.*

Paris: Ex Officina Christiani Wecheli, Sub Scuto Basiliensi, 1536. [20] pp.

[BOUND WITH]  
COP, JEAN.

#### *De Fructibus Libri Quatuor.*

Paris: Ex Officina Christiani Wecheli sub Scuto Basiliensi, 1536. [xvi], 263, [1] pp.

Quarto (8-1/2" x 6"). Contemporary limp vellum, ties lacking, early hand-lettered titles to spine and foot of text block. Light soiling and minor staining, some rubbing to extremities, hinges starting, a few partial cracks to text block. Moderate toning to text, early owner signatures to title page of *De Restitutis*, brief annotations to a few leaves. \$1,850.

*DE RESTITUTIS*. ONLY EDITION; *De Fructibus*, first edition. Two interesting titles by a little known Parisian lawyer. The first of these, *De Restitutis*, is an oration on property taxes (civil fruits) in civil law. The second work, *De Fructibus*, is a treatise on usufruct in Roman and canon law. A second edition of this work was published in 1583. Bibliographically distinct, it appears these two titles were often bound together. Both titles are rare. In North America, OCLC locates no copies of *De Restitutis*, 1 copy of the 1536 edition of *De Fructibus* (at Harvard Law School), 2 copies of its 1583 edition (at Princeton University and UC-Berkeley) and 2 copies of the 1636 edition of *De Restitutis* bound with *De Fructibus* (at Brigham Young University and Columbia). Neither title in Adams or the BMC.

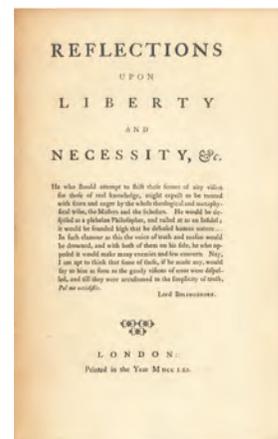
### 40 [CORRY, WILLIAM].

*Reflections upon Liberty and Necessity, &c.*

London: [Privately Printed], 1761. [iv], 122, [2] pp. Octavo (8-1/4" x 5-1/4").

Recent period-style calf, gilt rules to boards, raised bands and lettering piece to spine, endpapers renewed, text printed on notably thick paper. Light toning to text, finger smudges to a few leaves, internally clean. A handsome copy of a scarce title. \$850.

"SECOND" EDITION. An interesting work by an unknown author, it is an intriguing attempt to address the issues of free will and determinism in the political writings of Hobbes, Locke, Clarke, Collins, Bolingbroke and others. Our copy is the second of three privately issued editions (without editions statements) the first in 1759, the others in 1761. In the preface, Corry describes this book as the work of an amateur and states that no copy will be sold without his consent. The press runs appear to have small; few copies of any edition are known to exist today. OCLC locates 5 copies of the "second" edition in North America (Cornell, Harvard, Princeton Theological Seminary, Smith, York), the *ESTC* adds 2 more (California State Library, University of Chicago). No copies located in law school libraries. *ESTC* T31422.



N° 40



AN INFLUENTIAL CODE PREPARED FOR THE CHURCH OF ENGLAND BOUND WITH THREE RELATED WORKS

- 41 [CRANMER, THOMAS (1489–1556)].  
[FOXÉ, JOHN (1516–1587), EDITOR].  
[CHEKE, SIR JOHN (1514–1557), TRANSLATOR].  
[HADDON, WALTER (1516–1572), TRANSLATOR].  
[COMMISSIONERS ON REVISION OF THE  
ECCLESIASTICAL LAWS, 1550–1552].

*Reformatio Legum Ecclesiasticarum, Ex Autoritate Primum Regis Henrici. 8. Inchoata: Deinde per Regem Edouardum 6. Profecta, Adactaque in Hunc Modum, Atq; Nunc ad Pleniorem Ipsarum Reformationem in Lucem Edita.*

[S.n.]: Iuxta Exemplar Londinense 1571. & Venales Habentur Apud T. Garthwait, 1661. [xvi], 303, [1] pp. Frontispiece lacking.

[BOUND WITH]  
[CHURCH OF ENGLAND].

*A Collection of Articles Injunctions, Canons, Orders, Ordinances, And Constitutions Ecclesiastical, With Other Publick Records of the Church of England; Chiefly in the Times of K. Edward. Vith. Q. Elizabeth. And K. James. Published to Vindicate the Church of England and to Promote Uniformity and Peace in the Same. And Humbly Presented to the Convocation.*

London: Printed by R. Norton for Timothy Garthwait, 1661. [xiv], [2], 31, [3], 33–92, 63–85, [9], 87–99, 200–247, [2], 303–372, [3], 6, [2], 54 pp. 16 parts, each with title page. Section containing [2], 372, which should be final section of text, mis-bound after p. 247. Copperplate frontispiece. Complete.

[AND]  
[CHURCH OF ENGLAND].

*Constitutions and Canons Ecclesiasticall, Treated Upon by the Bishop of London, President of the Convocation for the Province of Canterbury, And the Rest of the Bishops and Clergy of the Sayd Province: and Agreed Upon with the Kings Maiesties Licence in Their Synod Begun at London, Anno Dom. 1603. And in the Yeere of the Raigne of Our Sovereigne Lord Iames by the Grace of God, King of England, France, and Ireland the First, And of Scotland, The 37. And Now Published for the Due Observation of Them, By his Maiesties Authority Under the Great Seale of England.*

London: Printed by Iohn Norton, for Ioyce Norton, and Richard Whitaker, 1633. [120] pp.

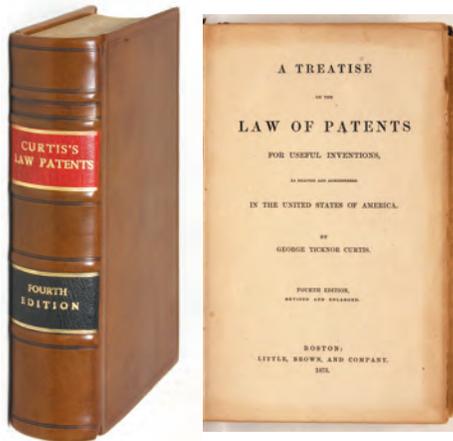
[AND]  
[CHURCH OF ENGLAND].

*Constitutions and Canons Ecclesiasticall; Treated Upon by the Archbishops of Canterbury and York, Presidents of the Convocations for the Respective Provinces of Canterbury and York, And the Rest of the Bishops and Clergie of Those Provinces; And Agreed Upon with the Kings Majesties Licence in Their Severall Synods Begun at London and York. 1640. And Now Published for the Due Observation of Them, By His Majesties Authority Under the Great Seal of England.*

London: Printed by Robert Barker, Printer to the Kings Most Excellent Majestie, 1640. [iv], 10, [42] pp. Signature-mark "A" in a woodcut mortised ornament.

Quarto (7-3/4" x 5-1/2"). Recent period-style calf, blind rules to boards, raised bands and blind-tolled lettering piece to spine, endpapers renewed. Light rubbing to extremities, corners bumped, later armorial bookplate of Sir Walter Phillimore and small later private library stamp to front pastedown. Most title pages printed within typographical borders, text of *Reformatio Legum* printed within ruled borders. Light toning to interior, somewhat heavier in places, most leaves of interior skillfully reinforced with rice paper, some leaves have repairs to their edges. Early annotations to endleaves, interior otherwise clean. \$1,850.

LATER EDITIONS, EXCEPT *A Collection of Articles*, which is a first edition. Also known as the Henrican Canons, the *Reformatio Legum Ecclesiasticarum* is a revision of Roman canon law intended for the newly established Church of England. It was written between 1550 and 1552 by the Commissioners on Revision of the Ecclesiastical Laws, which was headed by Thomas Cranmer, the Archbishop of Canterbury and first published in 1571. One of the first acts of the English Reformation, it is an important source of information about the state of English canon law and church discipline in the mid-Tudor period and the challenges faced by the reformed church's leaders. It was edited by John Foxe after Cranmer's death and translated into Latin by Cheke and Haddon. Although it was never ratified by Parliament, it was highly esteemed by later lawyers and for many years an unofficial authority in ecclesiastical courts. Bound to this copy is *A Collection of Articles*, a volume of founding documents and creeds of the Church of England, and two editions of the *Constitutions and Canons Ecclesiasticall*. Written in 1604 in Latin as the *Constitutiones Sive Canones Ecclesiastici*, it is the principal body of canon law of the Church of England. The 1640 edition, the last item in our volume, is notable because it reflects a refinement of the canons, greater Royal influence and a hardening of attitudes toward Puritans and other dissenters. This copy belonged to Sir Walter Phillimore [1845–1929], the eminent judge and ecclesiastical lawyer. ESTC R200494, R211415, S101555 R212834.



N° 42

FINAL EDITION OF CURTIS'S IMPORTANT TREATISE ON PATENTS

## 42 CURTIS, GEORGE TICKNOR [1812-1894].

*A Treatise on the Law of Patents for Useful Inventions, In the United States of America. Revised and Enlarged.*

Boston: Little, Brown and Co., 1873. xxxvii, 749 pp. Octavo (9" x 6").

Recent period-style calf, blind rules to boards, raised bands and red and black lettering pieces to spine, endpapers renewed. Light toning to text, minor edgewear to preliminaries and index leaves, internally clean. \$850.

FOURTH AND FINAL EDITION. First published in 1849, this was one of the earliest American treatises on the subject. The granting of patents in Anglo-American law has often been marked by confusion over their scope and intent. There has been much debate, for example, about whether patents create monopolies. Curtis argued that they do not according to the common law. Instead, a patent is a "grant by the government to the author of a new and useful invention, of the exclusive right, for a term of years, of practising that invention" (xxi). Best known as an expert on the U.S. Constitution, Curtis was a prominent New York patent attorney and the author of important works on admiralty law and equity jurisprudence. *HLC* I:503.

A LANDMARK TREATISE ON JUSTICES OF THE PEACE

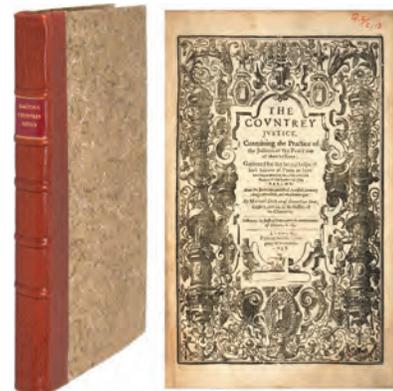
## 43 DALTON, MICHAEL [D.CA. 1648].

*The Countrey Justice, Containing the Practice of the Justices of the Peace Out of their Sessions: Gathered for the Better Helpe of Such Justices of Peace as Have Not Been Much Conversant in the Studie of the Lawes of This Realme: Now the Sixth Time Published, in Many Things Corrected, And Much Inlarged.*

London: Printed for the Company of Stationers, 1635. [xii], 136, 133-280, 277-410, [10] pp. First leaf blank. Paging irregular. Folio (11" x 7").

Recent quarter morocco over marbled boards, raised bands and lettering piece to spine, edges rouged. Title within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, somewhat darker in places, some edgewear to preliminaries and final leaf, a few chips to front endleaf. Early annotation in tiny early hands to head of title page, other contemporary annotations to front endleaf, interior otherwise clean. A nice copy. \$600.

SIXTH EDITION. This venerable justice of the peace manual went through some twenty editions between 1618 and 1746. This work is also significant because it firmly established the



N° 43

alphabetical topical structure adopted in later texts. Rooted in Crompton, Fitzherbert and Lambard, *The Countrey Justice* offers advice on such matters as buggery, customs, highways, prisons, riots, soldiers, murder, felonies, rogues and vagabonds, wool, and high treason. *ESTC* S107282.

HANDSOME FIRST EDITION OF THE FIRST ENGLISH TREATISE ON SHERIFFS

## 44 DALTON, MICHAEL.

*Officium Vicecomitum: The Office and Authoritie of Sheriffs, Written for the Better Incouragement of the Gentry (Upon Whom the Burthen of This Office Lyeth) to Keepe Their Office, And Undersherife, In Their Houses; That so by Their Continuall Care of the Businesse, And Eyeover Their Officeres, They May the Better Discharge Their Dutie to God, Their Prince, And Countrey, In the Execution of This Their Office. Gathered Out of the Statutes, And Bookes of the Common Lawes of this Kingdome.*

London: Printed for the Companie of Stationers, 1623. [iv], 194, [6] ff. The first leaf and last leaves are blank. Folio (11-1/4" x 7-1/2").

Contemporary calf, blind rules to boards, raised bands and later gilt ornaments and lettering piece to spine. Light rubbing to extremities, a few nicks to boards, corners bumped and lightly worn, head of spine expertly restored. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, minor worming to margins in a few places, internally clean. A handsome copy. \$2,000.

FIRST EDITION. This is the first English treatise on sheriffs. As its title suggests, it is a remarkably comprehensive work. Holdsworth, who cites it several times, says "in spite of a growing number of rivals, it continued to be a standard authority until the beginning of the eighteenth century." *HEL* IV:119. *ESTC* S107284.



N° 44

DAMHOUDER'S CLASSIC TREATISES  
ON CIVIL AND CRIMINAL LAW  
WITH 66 ILLUSTRATIONS

45 DAMHOUDER  
(DAMHOUDERE), JOSSE  
DE [1507–1581].

*Practycke in Civile Saken. Seer Nut, Profytelijck Ende Noodigh Allen Schouten, Burgermeesters, Ende Andere Rechteren. Uyt de Latijnsche in de Nederduytsche Tale Over-Geset, Ende met Schoone Figuren, Tot Elcke Materie Di-enende, Verciert.*

Rotterdam: By Pieter van Waesberge, 1660. [xxxvii], 592, [32] pp. 11 full-page copperplates.

[BOUND WITH]

DAMHOUDER, JOSSE DE

*Practycke in Criminele Saken, seer Nut Ende Profijtlijck Allen Souverains, Bailjous, Burgermeesters, Ende Schepenen, &c. Hier is noch by Ghevoecht d'Ordonnantie, Op 't Stuck van de Criminele Justitien, In dese Nederlanden. Alles met Schoone Figuren, Daer toe Dienende Verciert.*

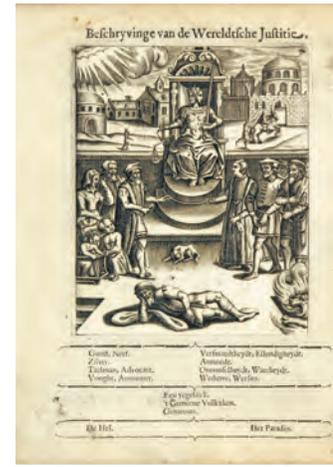
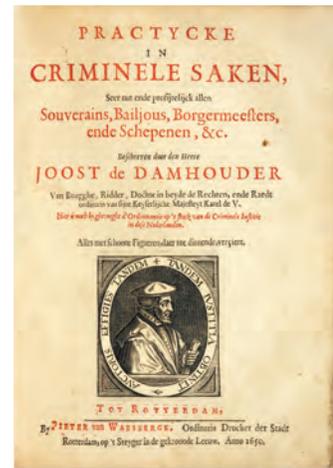
Rotterdam: By Pieter van Waesberge, 1650. [viii], 264; 59, [1] pp. The final section, with a separate title page dated 1650, is titled *Ordonnantie Edict Ende Ghebodt, Ons's Heeren des Konings, Op'tstuck van de Criminele Justitien, In dese Nederlanden*. 55 woodcuts, 2 depicting torture, 1 depicting executions.

Quarto (8-3/4" x 6-1/2"). Contemporary vellum, early hand-lettered title to spine. Light soiling and some inkstains to boards, moderate rubbing to extremities, corners bumped and somewhat worn, boards slightly bowed, a few cracks to text block. Title pages, each with a small copperplate portrait of Damhouder, printed in red and black. Moderate toning to text, light soiling to title pages, occasional faint dampstaining, minor worming to margins in a few places. Early annotations to rear endleaf, interior otherwise clean. \$2,950.

LATER EDITIONS. First published in 1557 and 1554 as *Praxis Rerum Civilium* and *Praxis Rerum Criminalium*, were standard works that went through several editions in Latin, French and Dutch into the early seventeenth century. Synthetic works drawn mostly from Roman-Dutch sources, they are notable as early examples of illustrated law books. Our 1660 edition of *Civile Saken* is distinguished by fine copperplates, most of them illustrating aspects of legal process. Our 1650 edition of *Criminele Saken* is illustrated throughout with cruder, but more vivid, woodcuts depicting adultery, murder, theft and many other crimes. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. Dekkers 44.



Details from N° 45



RARE NAPOLEONIC-ERA TREATISE ON CONTRACTS

46 DAUBANTON, A[NTOINE]-G[REGOIRE]  
[1752–1813].

*Traité-Pratique de Toutes Espèces de Conventions: Contrats, Obligations et Engagemens, Tant Civils que Commerce Intérieur et Maritime, qu'il est Permis de Passer Sous Seings Privés: Avec Formules de Chacun de ces Actes: Ouvrage Utile à Toutes les Personnes qui Veulent Gérer ou Conduire Elles-Mêmes Leurs Propres Affaires.*

Paris: Chez F. Buisson, Libraire, Rue Gilles-Coeur, 1811. Two volumes with continuous pagination and separate tables of contents. xxiv, 336; [4], xiv, [337]–699, [1] pp. 12mo. (7-1/4" x 4-1/4").

Original publisher wrappers, printed paper title labels to spines, deckle edges, most signatures unopened. Moderate rubbing to extremities with some wear to spine ends, binding slightly cocked. Light toning to text, somewhat heavier in places. An appealing copy of a rare title. \$750.

THIRD AND FINAL EDITION. Daubanton, a notable authority on Roman and Napoleonic law, reviews the law of contracts in light of Napoleon's reforms of 1800. The first two editions were published in 1807 and 1810. All editions are scarce. Of the third, OCLC locates 3 copies in France, 3 copies in North America, 2 in law libraries (George Washington University, UC-Berkeley). Not in Camus.



DAVIES'S REPORTS

## 47 DAVIES, SIR JOHN [1569–1626].

*Le Primer Report des Cases et Matters en Ley Resolues & Adjudges en les Courts del Roy en Ireland. Collect & Digest per Sr. Iohn Dauys Chivaler, Attorney Generall del Roy en Cest Realme.*

London: Printed [by Adam Islip] for the Company of Stationers, 1628. [16], 84, 84–99 ff. Complete as issued. Folio (11" x 6–3/4").

Contemporary sheep, blind rules to boards, rebacked in period-style calf, raised bands, lettering piece and blind ornaments to spine, early hand-lettered title to fore-edge of text block, hinges mended. A few shallow scuffs to boards, moderate rubbing to extremities, corners bumped. Large woodcut devices to title page, woodcut head-pieces and decorated initials. Moderate toning to text, small chip to fore-edge of fol. 68, small early owner signature to foot of title page. A handsome copy. \$1,000.

SECOND EDITION (and the first published in England). Davies, or Davys, was a highly respected lawyer, judge, statesman and man of letters. First issued in Dublin in 1615, *Davies's Reports* covers cases from 1604 to 1612. No other volumes were issued. Selected "principally for the use and benefit of our practisers here in Ireland," it soon became an oft-cited authority in England; it was praised by Willes, Lee and Lords Kenyon and Tindal. Sweet & Maxwell 1:299 (42). ESTC S123364.

WITH A SECTION ON MEDICAL JURISPRUDENCE ILLUSTRATED WITH THREE FULL-PAGE WOODCUTS DEPICTING TORTURE

48 DE SARNO, AGNELLO.  
GRECO, ORAZIO.  
SCOPPA, NICCOLO VINCENZO, EDITOR.

*Novissima Praxis Criminalis, Et Civilis: Cum Observationibus ad Nonnullas ex Regiis Pragmaticis, Ac Singulari Tractatu Inscripto il Medico Fiscale pro Optima Cognitione Delictorum in Genere, V3. Cadaveris Venenati, Virginis Defloratae, Pueri Constuprati, & Aliorum Consimilium. Doctoris Horatii Graeci Medici Physici regiae Curiae. Et Etiam Formulario Actorum Omnium Ordinatio, Ac Regula Vulgarizata Proformanda Inquisitione, Tam in Genere, Qaum in Specie, Secundum Veram Praxim M.C.V. Et Formulis Omnibus ad Construendum Quodlibet Civile Iudicium, Cum Responsionibus Procuratorum ad Congruè Respondendum Unicuique Actui Notificando; Opponendum, & Petendum Iuris Remedia, Exceptiones, Ac Beneficia Attentis Regiis Pragmaticis, Ritibusque M.C.V. Ac Etiam cum Interrogatoriis in Examine Procuratorum.*

*Olim Indice Civitatis Tarenti, Ac Brundusinae, Et Auditore Provinciae Tranensis. In Qua Accesserunt Locupletissimae Annotationes Nicolai Vincentii Scoppa.*

Naples: Ex Typographia Michaelis Monaci, 1686. [xiv], 724 pp. Three full-page woodcut plates. Main text in parallel columns. Folio (12–1/2" x 8–1/4").

Contemporary limp vellum, large early calligraphic title to spine, lower tie lacking. Moderate rubbing and a few small chips to extremities, spine darkened, a few minor stains to boards, text block partially detached. Title page, with large copperplate vignette, printed in red and black, Woodcut head-pieces and tail-pieces. Light browning and light foxing to text, light soiling and inkspatters to a few leaves. A nice copy. \$1,850.

FOURTH EDITION. This is a remarkably comprehensive treatise on the civil and criminal law and procedure of the Kingdom of Naples. Especially interesting is the section on medical jurisprudence by Greco, which discusses methods of torture, forensic evidence and tests to determine virginity and rape, including the rape of a child. Designated the fourth edition, this appears to be the second. We located other editions from 1671–1672, 1702 and 1717. All are scarce. OCLC locates 2 copies in North America (at GWU and Yale Law Schools). Not in the BMC.

AN ARTFUL DEFENSE OF KING CHARLES I

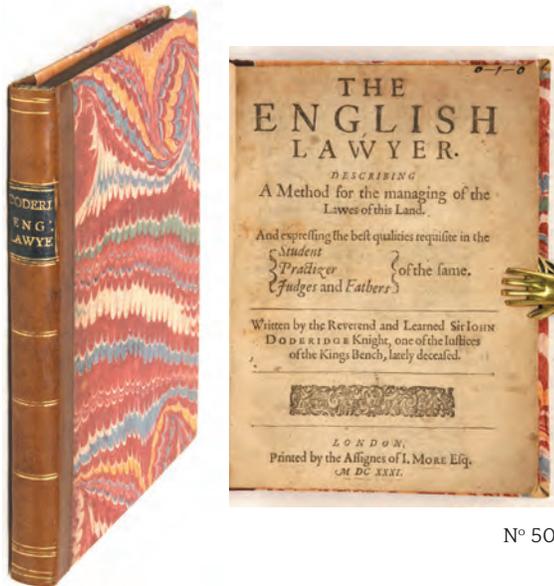
## 49 DIGGS, DUDLEY [1613–1643].

*The Unlawfulness of Subjects Taking up Arms Against Their Sovereign, In What Case Soever. Together with Answers to All Objections. A Work Very Seasonable for These Times, And May Serve as a Curb to the Treasonable Practices of Jesuits and Other State-Incendiaries.*

London: Printed for Peter Parker, 1679. [viii], 144, 155–170, 137–168 pp. Pagination irregular. Text complete. Octavo (6–1/2" x 4–1/4").

Recent period-style three-quarter calf over marbled boards, gilt-edged raised bands and lettering piece to spine. Moderate toning to text, faint dampstaining to a few leaves. Ex-library. Small inkstamp to title page and one other leaf. A handsome copy. \$950.

FIFTH AND FINAL EDITION. Derived in part from Bracton, Diggs's eloquent defense of the passive obedience of subjects contends that the king is under law as a moral proposition only, which precludes justified rebellion. It was originally published in 1644 as a defense of Charles II. This 1679 reissue was probably a response to the decision of Charles II to dissolve Parliament to prevent its impeachment of Lord Danby, who supervised the investigation into the "Popish Plot." Danby dismissed the plot as a fabrication, which angered Parliament. ESTC R14579.



N° 50

COPY OF DODDRIDGE'S *ENGLISH LAWYER* WITH TWO INTERESTING ASSOCIATIONS: THERON METCALF AND JOHN POULETT

## 50 DODDRIDGE, SIR JOHN [1555–1628].

*The English Lawyer. Describing a Method for the Managing of the Lawes of this Land. And Expressing the Best Qualities Requisite in the Student, Practizer, Judges and Fathers of the Same.*

London: Printed by the Assignes of I. More Esq. 1631. [viii], 271, [1] pp. Quarto (7-1/4" x 5-1/4").

Handsome period-style quarter calf over marbled boards, endleaves retained. Minor wear to head of spine, corners lightly bumped, hinges partially cracked, original spine lettering piece and gilt-stamped device of John Poulett, originally part of front board, affixed to front pastedown, signature of Theron Metcalf dated 1834 to front free endpaper. Light browning to text, light soiling to title page. Occasional check marks, brackets and underlining in pencil, "0-1-0" in ink to head to title page in tiny hand, interior otherwise clean. A nice copy with two interesting associations. \$2,000.

ONLY EDITION. Doddridge wrote this book to advise aspiring lawyers. Among other points, such as suggested readings and advice concerning personal demeanor, he urges the student to acquire a solid liberal-arts education that emphasizes subjects with practical application, such as logic and etymology. Regarding the specifics of legal education, he discusses the best methods of study and information on the sources and principles of English



Detail from N° 50

law. Holdsworth said it was the "most notable" book of its kind. As distinguished a jurist as Coke and Bacon, Doddridge was a counselor of the King's Bench, a Serjeant for Prince Henry, Solicitor-General, a Member of Parliament and the author of five important works, all published posthumously. Poulett [1663–1743], 1st Earl Poulett, a Knight of the Garter, was First Lord of the Treasury, Metcalf [1784–1875], a distinguished New England jurist and legal writer, was an associate justice of the Massachusetts Supreme Judicial Court. HEL V:397–398. ESTC S109764.

THE FIRST SUBSTANTIAL ENGLISH TREATISE  
ON JURIES AND EVIDENCE

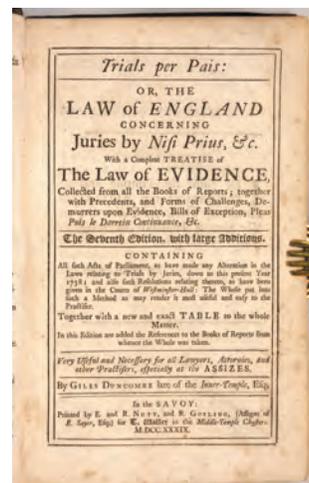
## 51 DUNCOMBE, GILES.

*Trials per Pais: Or, The Law of England Concerning Juries by Nisi Prius, &c. With a Compleat Treatise of the Law of Evidence, Collected from all the Books of Reports; Together with Precedents, And Forms of Challenges, Demurrers upon Evidence, Bills of Exception, Pleas Puis le Darrein Continuance, &c. With Large Additions. Containing All Such Acts of Parliament, As Have Made Any Alteration in the Laws Relating to Trials by Juries, Down to this Present Year 1738; And Also Such Resolutions Relating Thereto, As Have Been Given in the Courts of Westminster-Hall: The Whole put into Such a Method as May Render it Most Useful and Easy to the Practiser. Together with a New and Exact Table to the Whole Matter. In this Edition are Added the References to the Books of Reports from Whence the Whole was Taken. Very Useful and Necessary for all Lawyers, Attornies, And Other Practisers, Especially at the Assizes.*

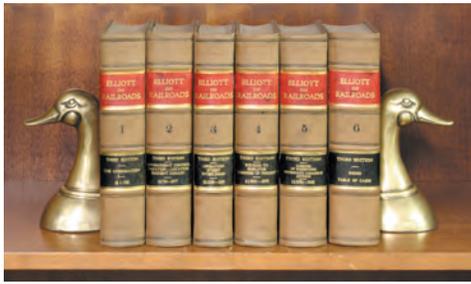
London: Printed by E. and R. Nutt and R. Gosling, 1739. [xxiv], 527, [41] pp. Title page preceded by one-page publisher advertisement. Octavo (7-3/4" x 4-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, front joint reinforced, early calf repair to fore-edge of front board. Some rubbing to extremities, a few shallow scuffs, nicks and minor stains to boards, corners bumped and somewhat worn. Moderate toning to text, faint spotting to a few leaves. A nice copy. \$500.

SEVENTH EDITION. First published in 1665, this is the first substantial English treatise on juries and the law of evidence. A work of authority for more than a century, it went through several editions, the final appearing in 1793. Originally published anonymously, it is sometimes attributed erroneously to Samson Euer. ESTC T134688.



N° 51



N° 54

RARE SEVENTEENTH-CENTURY SPANISH TREATISE  
ON COMMERCIAL LAW

52 DURÁN, PABLO [1580–1651].

*Tractatus de Conditionibus, Et Modis Impossibilibus, Et Iure Prohibitivis Contractibus, & Testamentis Adscriptis.*

Palma, Majorca: Typis Gabrielis Guasp, 1612. [iv], 110 ff. Main text in parallel columns. Folio (11-1/2" x 8").

Contemporary limp vellum, early hand-lettered title to spine, ties lacking. Some soiling, spine darkened, moderate rubbing to extremities with some wear to spine ends and corners, a few chips to spine, front endleaves lacking, rear pastedown loose, edgeworn and partially detached, text block partially detached. Moderate toning to text, somewhat heavier in places, faint dampstaining to margins of some leaves, edgewear and some insect damage to margins of the first four leaves. Ex-library early hand-written owner inscription and small inkstamp to title page, inkstamps to a few other leaves. A decent copy of rare title. \$1,850.

FIRST EDITION. This is a notable treatise on contracts and other aspects of commercial law. Other editions were published in 1638 and 1639. It was also the foundation of a work by Philibert Brussel, *Tractatus Insignis Ac Utilissimus De Conditionibus Testamentorum Contractuum Et Pactorum Nec Non Paulus Duran* was published in 1700. OCLC locates 1 copy of Durán's *Tractatus* in North America, at Harvard Law School, which has a 1638 edition. Brussel's is equally rare: OCLC locates 5 in North America. Palau 77444.

JUVENILE OFFENDERS  
IN NINETEENTH-CENTURY WARWICKSHIRE

53 [EARDLEY-WILMOT, SIR JOHN EARDLEY  
(1783–1847)].

*Observations on a Letter by John Eardley Eardley-Wilmot, Esq. One of His Majesty's Justices of the Peace for the County of Warwick, To the Magistrates of Warwickshire.*

London: Published by T. & G. Underwood and Beilly and Knott, Birmingham, 1820. [iv], 23 pp. With a half-title.

Recent staff marbled wrappers, printed paper title label to front cover. Moderate toning to text, some edgewear to title page. A very good copy of a rare pamphlet. \$500.

ONLY EDITION. A paper on the increase in crime in Warwickshire, relative to the size of population, its causes and possible remedies. The author suggests that young offenders must be punished as much as older offenders. The paper was in response to Eardley-Wilmot's *A Letter to the Magistrates of England on the Increase of Crime: And an Efficient Remedy Suggested for Their Consideration*, first published in 1820, which suggesting that severe punishment of juvenile offenders often led them to a lifetime of criminal activity. He also argued for better prison conditions as an aid to rehabilitation of offenders, a claim refuted in *Observations*. OCLC and COPAC locate 2 copies (Cambridge University, Senate House Library of the University of London). *Goldsmiths'* 22967.

A STANDARD TREATISE ON RAILROAD LAW

54 ELLIOTT, BYRON K. [1835–1913].  
ELLIOTT, WILLIAM F. [B. 1859].

*A Treatise on the Law of Railroads: Containing a Consideration of the Organization, Status and Powers of Railroad Corporations, And of the Rights and Liabilities Incident to the Location, Construction and Operation of Railroads; Together with Their Duties, Rights and Liabilities as Carriers, Including both Street and Interurban Railways.*

Indianapolis: The Bobbs-Merrill Company, [1921–1922]. Six volumes.

Original buckram, blind frames to boards, raised bands, black-stamped volume numbers and red and black lettering pieces to spine. Light soiling, light rubbing to extremities. Finger smudges and minor tears to some leaves, interior otherwise clean. Ex-law office library. Owner stamp to front board of each volume. A nice set. \$500.

THIRD AND FINAL EDITION. First published in 1897, with a second edition in 1907, this was the standard, and most comprehensive, treatise on railroad law during the first half of the twentieth century. The third edition was edited by his son, William.

ELLIOTT ON CONTRACTS

55 ELLIOTT, WILLIAM F.

*Commentaries on the Law of Contracts: Being a Consideration of the Nature and General Principles of the Law of Contracts and their Application in Various Special Relations.*

Indianapolis: The Bobbs-Merrill Company, [1913]. Seven volumes.

[AND]

ELLIOTT, WILLIAM F.

*A Supplement to the Commentaries on the Law of Contracts: Bringing the Law of Each Section of the Original Text Down to the Present Time and Adding All New Points of Law Subsequently Decided. Volume VIII of the Set.*

Indianapolis: The Bobbs-Merrill Company, [1918]. cxii, 936 pp.

Together eight volumes. Original buckram, blind rules to boards, red and black lettering pieces. Light rubbing to extremities, light soiling and some dampspotting to spine, minor chipping to edges of lettering pieces, internally clean. Ex-law office library. Owner stamp to front board of each volume. A nice set. \$650.

SOLE EDITION. A massive compilation. Volumes 1–6 contain Sections 1–6299, Volume 7 contains a Table of Cases and Index, Volume 8 is a 1913–1918 supplement. A standard work for many years until it was displaced by *Corbin on Contracts*. "It has been the purpose in preparing this work to cover the subject of contracts fully and more in detail than in any other book on the general subject. It is believed that this work has all the advantages of both an ordinary treatise and an encyclopedia" (iii–iv). Another cumulative supplement, designated Volume IX, was published in 1923. Marke 418.



N° 55

"THE LEADING DUTCH JURIST OF HIS TIME"

- 56 EVERAERTS [EVERARDI], NICOLAAS  
[1462–1532].  
PARDOUX, DUPRAT [1520?–1570?].  
LEGGE, LIVIO.

*Topica Iuris Sive Locis Argumentorum Legales. Summariis Singularis Praefixis Illustrati ac P. Prateii Adnotatiunculis Doctissimis ad Marginem Adscriptis Locupletati: Nunc Verò Summa Diligentia Recogniti, non Paruoque Labore Emendati à R.P.M. Livio. Multis Etiam Eiusdem Industria, Superiorum Licentia Locis Expunctis, Quorum Lectio Pii & Catholici Lectoris Animum haud Parum Pffendere Poterat: Cum Duplici Indice Copiosissimo.*

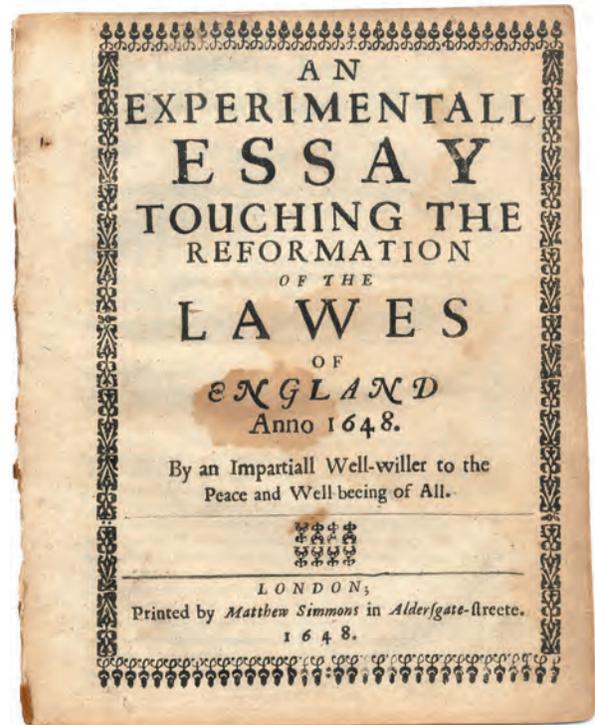
Venice: Apud Haeredes Alexandri Gryphii, 1587. [lxiv], 885 [i.e. 887], [1] pp. Octavo (5-1/2" x 3-1/2").

Contemporary limp vellum, with lapped edges, early hand-lettered title to spine, ties lacking. Light rubbing to extremities, light soiling and a few minor stains to boards, some darkening to spine, vellum just beginning to crack through pastedowns, hinges starting, a few partial cracks to text block, minor worming to pastedowns, a few small wormholes to text. Moderate toning to text, some sections have heavier toning or browning, light foxing in a few places. Early owner initials to front pastedown, occasional annotations in similar hand, some leaves brief later annotations in pencil. \$1,500.

LATER EDITION. First published in 1516, this was a leading treatise on the interpretation and construction of Roman law. It went through several editions into the mid-seventeenth century. Everaerts, an important legal humanist, was president of the Court of Holland and the Great Council of Mechlin. According to Walker, he was the "leading Dutch jurist of his time [and] one of the earliest authorities on Roman-Dutch law." Our 1587 edition has a summary by Legge and an introduction by the notable French jurist Pardoux. All editions are scarce. OCLC locates 4 copies of the 1587 edition in North America, 3 in law libraries (Library of Congress, Northwestern, Tulane). Walker 441–442. This edition not in Dekkers. *Edit16* CNCE 18414.



N° 56



N° 57

A PROPOSAL TO SIMPLIFY  
(AND LIBERALIZE) THE COMMON LAW FROM 1648

- 57 IMPARTIAL WELL-WILLER TO THE  
PEACE AND WELL-BEEING OF ALL.

*An Experimentall Essay Touching the Reformation of the Lawes of England Anno 1648.*

London: Printed by M[atthew] Simmons in Alde[r]sgate Streete, 1648. [ii], 6 pp. Quarto (7" x 5-1/2").

Disbound stab-stitched pamphlet laid into recent marbled wrappers, printed title panel to front, title page printed within typographical border. Moderate toning, faint staining to leaves. A nice copy of a scarce title. \$750.

ONLY EDITION. The author was probably inspired by reforming spirit of the Civil War, which affected a number of jurists, most notably William Sheppard. He calls for a national survey to solicit proposals to simplify the common law: "The Lawes should be made as short and plaine as could be, without the nice words, and Tautologies, or Repetitions of Law that are now used" (5). He also proposes a number of liberalizing measures, such as the abolition of forest laws. OCLC locates 4 copies in North America (Harvard Law School, Huntington Library, Library of Congress, Law Library, Yale Law School). The *ESTC* adds 2 more locations (California State Library, Folger Library). *ESTC* R201915.

## DEFENSE OF THE ADMIRALTY COURTS

## 58 EXTON, JOHN [1600?-1668].

*The Maritime Dicaeologie; Or, Sea-Jurisdiction of England. In Three Books. The First Setting Forth the Antiquity of the Admiralty in England. The Second Proving the Ports, Havens, and Creeks of the Sea to be Within the Jurisdiction of the Admiralty. The Third Shewing that All Contracts Concerning Maritime Affairs are Within the Jurisdiction of the Admiralty, and There Cognoscible.*

London: Printed for C. Davis, 1746. xvi, 404 pp. Octavo (7-3/4" x 4-3/4").

Recent period-style quarter calf over cloth, raised bands and original (?) lettering piece to spine. Moderate toning to text, light foxing to a few leaves. Early owner signature to head of title page, interior otherwise clean. Ex-library. Small inkstamp to head of title page. A nice copy in a handsome binding. \$1,650.

SECOND EDITION. First published in 1664, this book, though ostensibly descriptive, was written chiefly to maintain the jurisdiction of the Admiralty Court in the new government. Beyond its political interest, it offers a detailed analysis of seventeenth-century maritime law and admiralty jurisdiction at the time when Great Britain was emerging as a major maritime and colonial power. Exton was educated at Cambridge, earning the LL.D. in Civil Law in 1634. He was appointed President of the High Court of Admiralty by Parliament in 1649, and was reappointed by the Duke of York after the Restoration. Two other editions were published in 1746 and 1755. ESTC N4403.

## 1554 EDITION OF FITZHERBERT'S IMPORTANT JP MANUAL

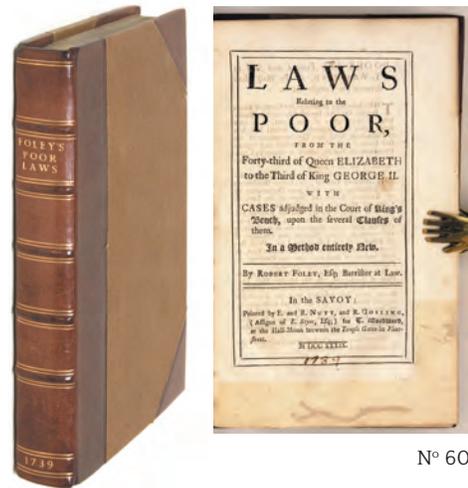
## 59 FITZHERBERT, SIR ANTHONY [1470-1538].

*The Newe Boke of Iustices of Peace Made by Anthonie Fitzherbard Iudge, Lately Translated Out of Fre[n]ch Into Englishe and Newlye Corrected, the Yere of Our Lorde 1554.*

[(London): Imprinted at London in Fletestrete Within Temple Barre, at the Signe of the Hande and Starre, by Richarde Tottyll, 1560]. 173, [3] ff. Title page supplied as a laid-in facsimile. Pages 97 and 103 mis-numbered as 82 and 88. Octavo (5-1/4" x 3-1/2").

Recent period-style calf, raised bands and lettering piece to spine. Moderate toning to text, occasional faint dampstaining to fore-edges, light soiling to a few leaves. Early underlining and brief annotations to most leaves, some notes affected by trimming. A unique copy in a handsome binding. \$1,500.

FIRST PRINTED IN 1538. Fitzherbert's manual was issued eight more times; its final edition was printed in 1617. Editions beginning in 1583 were edited by Richard Crompton. Despite his efforts, this work was eventually superseded by William Lambard's *Eirenarcha* (1581). The annotations are mostly glosses and other signs of careful study. ESTC locates 6 copies in the UK, 5 in North America (Georgetown Law School, Harvard Law School, The Newberry Library, University of Michigan Law School, University of Minnesota Law School). OCLC adds the Library of Congress and University of Pennsylvania Law School. ESTC S4295. Beale T342.



N° 60

## AN INTERESTING SUMMARY OF EARLY EIGHTEENTH-CENTURY ENGLISH POOR LAWS

## 60 FOLEY, ROBERT, COMPILER.

*Laws Relating to the Poor, From the Forty-Third of Queen Elizabeth to the Third of King George II. With Cases Adjudged in the Court of King's Bench, Upon the Several Clauses of Them. In a Method Entirely New.*

[London]: Printed by E. And R. Nutt, And R. Gosling, (Assigns of E. Sayer, Esq;) for T. Woodward, 1739. [xxxii], 284, [20] pp. Includes one-page publisher advertisement. Octavo (7-3/4" x 4-3/4").

Recent period-style three-quarter calf over cloth, endpapers renewed. Light toning to text, worming to lower margins to preliminaries and first three leaves of main text carefully mended, internally clean. \$650.

FIRST EDITION. Apparently the first book arranged chronologically, this digested compilation of legislation and related case law was intended for sheriffs and justices of the peace. Each act is followed by a set of illustrative cases. Foley plan also demonstrates the evolution of poor laws. "In a word, from a view of the progress of the several Acts of Parliament, the reader sees in an historical light the particular inconveniences each was to guard against, and so enters into the wisdom of the Legislature" [vi]. This was a well-received work. Later editions were published in 1743, 1751 and 1758. Not in Goldsmiths': ESTC T113188.



N° 59

61 [FRANCE].  
[BESANCON].**Ordonnances, Reglemens et Statuts des Arts et Metiers de la Cité Royale de Besançon.**

Besançon: Ches Louis Rigoine, 1689. 146, [3] pp. Quarto (9-1/4" x 6-1/4").

Contemporary calf, gilt spine with raised bands and lettering piece. Moderate rubbing to boards, heavier rubbing to extremities with wear to spine ends and corners, joints starting at ends, hinges cracked, rear free endpaper lacking. Large woodcut arms of Besançon to title page, woodcut head-pieces, tail-pieces and decorated initials. Toning and light dampspotting to text. Early owner signatures to front free endpaper and foot of title page, interior otherwise clean. \$750.

FIRST EDITION. Besançon is an important city in the Franche-Comte region in eastern France, close to the Swiss border. This collection of laws provides a fine overview of the city's commercial activity. The first section includes general information and regulations. The following chapters concern carpenters, roofers, launderers, metalsmiths, farriers, pavers, goldsmiths, silversmiths, pewterers, cabinet makers, hat makers, tailors, shoemakers, weavers, tanners, saddlers, harness makers, apothecaries, surgeons, bakers, pastry makers and butchers. Each chapter includes details concerning apprenticeships, trade regulations and other details. Later editions were published in 1698 and 1784. All are scarce. OCLC locates 1 copy of the first edition in North America (Columbia University). Another copy located at George Washington University Law Library. Not in Camus.



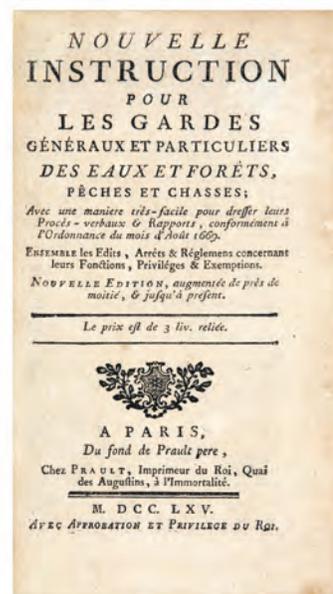
N° 61

62 [FRANCE].  
[FORESTRY LAW].  
[FISH AND GAME LAW].**Nouvelle Instruction pour les Gardes Généraux et Particuliers des Eaux et Forêts, Pêches et Chasses; Avec une Maniere Très-Facile pour Dresser Leurs Procès-Verbaux & Rapports, Conformément à l'Ordonnance du Mois d'Août 1669. Ensemble les Édits, Arrêts & Réglemens Concernant Leurs Fonctions, Privilèges & Exemptions. Nouvelle Édition, Augmentée de Près de Moitié, & Jusqu'à Présent.**

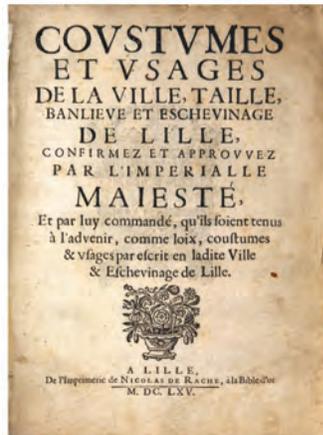
Paris: Chez Prault Père, 1765. xvi, 503 pp. 12mo. (6-1/2" x 3-3/4").

Contemporary mottled sheep, gilt spine with raised bands and lettering piece, marbled endpapers, gilt rules to board edges, edges rouged. Light rubbing, corners bumped, head of spine worn away, minor worming to pastedown and front endleaves, rear hinge starting at foot. Moderate toning, light foxing in a few places, internally clean. A handsome copy. \$750.

SECOND EDITION. First published in 1741, this is a comprehensive treatise on forest and game law during the *ancien regime*. Much of this book is devoted to the decree of August 1669. A notable early example of environmental legislation, it regulated the use of forests to insure a steady supply of wood for the construction of warships. It also ordered the planting of new trees and the careful management of forested resources. It remained in effect until it was supplanted by the *Code Forestier* of 1827. The other laws discussed in this treatise also aimed to conserve fish and game by restricting the number of people who can legally fish and hunt. These were not environmental measure, but laws to protect licenced hunters and fishermen and the hunting grounds of the nobility. A third edition was published in 1692. OCLC locates no copies of any edition in a North American law library. We located 1 copy of the second, however, at George Washington University Law School and a third edition at Harvard Law School. Not in Camus.



N° 62



N° 63

TWO RARE SEVENTEENTH-CENTURY LILLE *COUTUMIERS*63 [FRANCE].  
[LILLE].

*Costumes et Usages de la Ville, Taille, Banlieue et Eschevinage de Lille, Confirmez et Approuvez par l'Imperialle Majesté, Et par luy Commandé, qu'ils Soient Tenus à l'Advenir, Comme loix, coutumes & usages par escrit en ladite Ville & Eschevinage de Lille.*

Lille: De l'Imprimerie de Nicolas de Rache, 1665. 48 pp.

[BOUND WITH]  
[LILLE].

*Costumes et Usages Generaux de la Salle, Balliage, Et Chastellenie de Lille: Confirmees et Decretees par Sa Majesté Catholique. Avec les Coustumes Localles & Particulieres de Lieux Gisans en Ladite Chastellenie, Ressortissans à la Gouvernance de Lille. Augmentees des Coustumes Localles de la Viscomté de Haubourdin, & Ammerin. Ensemble, la Declaration, Ratification, Confirmation, & Renouvellement du privilege d'Exemption de Confiscation és Villes & Chastellenies de Lille, Doüay, & Orchies, Par Leurs Altezes Serenissimes. Et Plusieurs Ordonnances & Mendemens Concernans le Faict de la Justice, Practique, & Police de la Chastellenie de Lille, Extraicts Tant des Registres de la Chambre des Comptes, Que Gouvernance, & Bailliage Dudict Lille. Avec l'Edict Perpetuel de Leurs Altezes Serenissimes pour le Reglement de la Justice. Et le Salaire des Advocats & Procureurs.*

Lille: De l'Imprimerie d'Ignace &amp; Nicolas de Rache, 1652. [8], 139, [1] pp.

Quarto (7-1/2" x 6"). Contemporary limp vellum with early cloth tie. Moderate rubbing and soiling, minor chipping to spine ends, corners bumped, a few ink spots to boards, which are slightly bowed, front endleaves lacking. Large woodcut arms of Lille to versos of title pages. Moderate toning to text, occasional faint dampstaining to margins, edgwear to first and final leaves in text block, soiling to title page of 1665 *coutumier*. Appealing copies of two rare imprints. \$1,250.

THE *COUTUMES OF LILLE* were first compiled in the fourteenth century. The first printed collection was published in 1534. The coutumes of Lille are "remarkable in that the municipal regime was highly organized, and Germanic traditions remained strong. The coutume of Lille was officially codified in response to orders issued by Emperor Charles V in 1531" (Caswell and Sipkov).

OCLC locates 2 copies of the 1665 edition in North America (Harvard Law School, Northwestern Law School), 2 of the 1652 (GWU Law School, Harvard Law School). Caswell and Sipkov 45. Gouron et Terrin 1063, 1084.

LIÈGE'S PLACE IN THE HOLY ROMAN EMPIRE

64 [FRANCE].  
[RADDOUX, LOUIS].

*Iura Sacri Romani Imperii in Dominio de Fleron, Vulgo Advocatia Nostrae Dominae Urbis Regalis Aquisgranensis, Iuxta Civitate Leodiensem Sito, Quod Fuit ab Omni Aevo sub Imperio, Nunc Cancellaria Brabantiae Sibi Subijcere Contendit.*

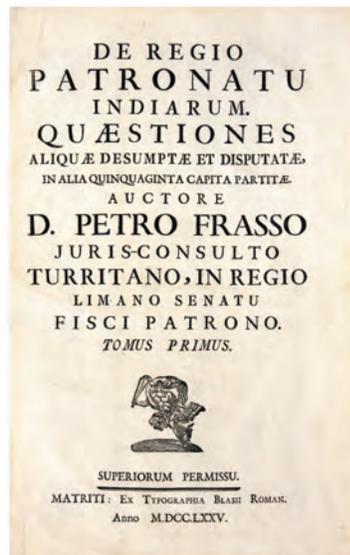
Liege: Typis Christiani Ouwerx, 1628. [148] pp. Quarto (7-1/4" x 5-1/2").

Contemporary three-quarter sheep over speckled boards, gilt spine with raised bands and lettering pieces, speckled edges. Light rubbing to boards, heavier rubbing to extremities with wear to edges, chipping to head of spine, corners bumped and somewhat worn, hinges partially cracked. Light browning to text, somewhat heavier in places, light foxing to a few leaves, some soiling to title page. Early owner annotation to front pastedown, two early owner signatures to title page, interior otherwise clean. \$1,250.

ONLY EDITION. Though part of the Holy Roman Empire, the state of Liège enjoyed a great deal of autonomy. Raddoux outlines, and to some extent defends, Liège's legal relations within the Holy Roman Empire and the jurisdiction of the courts of Aachen, a political and legal center of empire located in Liège. Raddoux held several bureaucratic offices in Liège, most notably treasurer of the Prince-Archbishop. OCLC locates 2 copies, none in North America. Dekkers 139.



N° 64



N° 65

SUPPORTS THE SUPREMACY OF THE CROWN  
OVER THE CHURCH IN SPAIN'S AMERICAN COLONIES

## 65 FRASSO, PEDRO [1630–1691].

*De Regio Patronatu Indiarum. Quaestiones Aliquae Desumptae et Disputatae, In Alia Quinquaginta Capita Partitae.*

Madrid: Ex Typographia Blasii Roman, 1775. Two volumes. [iv], 328, XC; [iv], CXIV, 383 pp. Main text in parallel columns. Folio (Volume I: 13-1/2" x 9"; Volume II: 13-1/4" x 9").

Contemporary limp vellum, early hand-lettered titles to spine, ties lacking from Volume II, which had renewed endleaves. Moderate rubbing and light soiling, a few minor chips to spines, corners bumped, wear to corners of Volume I, vellum just beginning to crack though its rear pastedown. Light toning to text, worming to a few sections of Volume II, mostly to margins and with negligible loss to text, light foxing to a few leaves in each volume, internally clean. Ex-library. Bookplates to front pastedowns. A handsome copy.

\$1,250.

SECOND AND FINAL EDITION. Frasso, a Peruvian jurist of the Regalist school, presents an important legal analysis that supports the crown's power over the church in Spain's American colonies. The treatment of indigenous peoples was the source of tension between the Church and Crown. Both parties pursued colonial goals, but the Church was concerned about welfare of native people and attempted to ameliorate the effects of their exploitation by the Spanish government. The first edition was published in 1677–1679. Both editions are rare in the trade. OCLC locates 3 copies of the second edition in North American law libraries (Columbia, Harvard, UT-Austin). Medina, *Biblioteca Hispano-Americana* 4711. Palau 94685.

SCARCE FIRST EDITION OF FREEMAN'S TOWN OFFICER

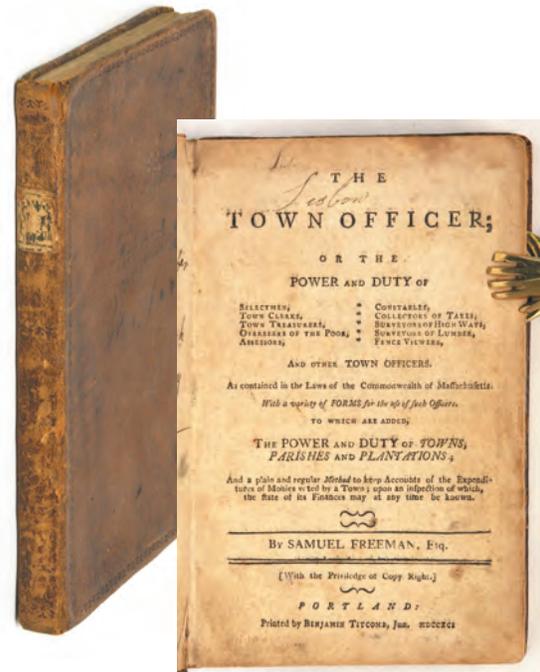
## 66 FREEMAN, SAMUEL [1743–1831].

*The Town Officer; Or, The Power and Duty of Selectmen, Town Clerks, Town Treasurers, Overseers of the Poor, Assessors, Constables, Colectors of Taxes, Surveyors of High Ways, Surveyors of Lumber, Fence Viewers, and Other Town Officers. As Contained in the Laws of the Commonwealth of Massachusetts. With a Variety of Forms for the Use of Such Officers. To Which Are Added, The Power and Duty of Towns, Parishes and Plantations; And a Plain and Regular Method to Keep Accounts of the Expenditures of Monies Voted by a Town; Upon an Inspection of Which, The State of Its Finances May at Any Time be Known.*

Portland [ME]: Printed by Benjamin Titcomb, Jun. 1791. 178 pp. Final advertisement leaf and rear endleaf lacking. Octavo (6-3/4" x 4-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Moderate rubbing to extremities and rear board, light rubbing and a few inkstains to front board, hinges cracked. Light browning to text, some leaves have minor edgewear, cellotape repairs to two clean tears on front free endpaper. Nineteenth-century annotations to endleaves (recording family tree of the Jack family), interior otherwise clean. A nice copy of a scarce title. \$500.

FIRST EDITION. Freeman's long career included two terms in the Massachusetts House of Representatives (1776, 1778) and a long tenure as clerk to the state courts. At other times he served as a probate judge. He also wrote several legal manuals. *The Town Officer* includes oaths, instructions, descriptions of powers and duties of officials, tables and also an extensive appendix that includes an outline of the power and duty of a grand jurors, a table of crimes and punishments, and an index. The final edition of this guide, the eighth, was published in 1815. Cohen 8278.



N° 66

A SCARCE EIGHTEENTH-CENTURY HANDBOOK  
FOR PARISH OFFICERS

67 GENTLEMAN OF LINCOLN'S INN.

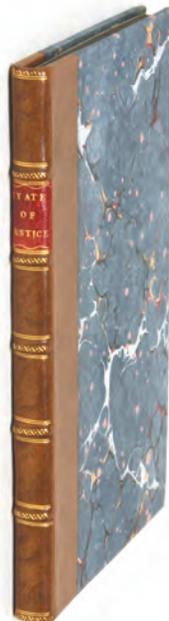
*The Modern Parish Officer; Or the Parish Officer's Complete Duty. Brought Down to the Present Period. Containing all the Statute-Laws Now in Force, Together With the Adjudged Cases Relating to Every Kind of Parish Business, Placed in Alphabetical Order. A Work Essentially Necessary for Constables, Church-Wardens, Overseers of the Poor, Surveyors of the Highways, Justices of the Peace, Attornies, Headboroughs, Tithingmen, Sidesmen, Vestrymen, Scavengers, &c. Who Would Wish to Execute Their Respective Offices with Safety and Satisfaction. It is Also a Necessary Companion for Every Inhabitant of a Parish, Who May Not be a Parish Officer; As it Will Enable Him to Judge Whether the Parish Duties are Properly Executed by Others, And to Defend Himself Against the Ignorance of Those Who are Unacquainted with Their Duty, As Well as the Arbitrary Measures of Those, Who too Frequently Want to Exercise an Authority Which They are Not Warranted to do by Law.*

London: Printed by W. Strahan, and M. Woodfall, 1774. 4, 370 pp. Folding table. 12mo (6-1/2" x 4").

Contemporary sheep, blind rules to boards, blind fillets along joints, raised bands to spine. Light rubbing and a few minor nicks and stains to boards, moderate rubbing to extremities, spine ends worn, boards beginning to separate but secure, corners bumped and somewhat worn, rear free endpaper neatly removed. Moderate toning to text, faint dampstaining in a few places, internally clean.

\$600.

SECOND AND FINAL EDITION, published the same year as the first edition. According to the preface, the second edition contains "new highway and turnpike acts [and] several very considerable improvements, particularly a new act concerning the settlement of those poor who are born in lying-in hospitals, and several new adjudged cases, essentially necessary for the direction of parish officers" (4). This is a scarce title. Counting both editions, OCLC locates 6 copies in North America, 5 in law libraries (Duke, Harvard, University of Memphis, UC-Davis, University of Georgia). ESTC T128981.



RARE ESSAY ON INJUSTICE  
BOUND WITH A WARNING ABOUT STANDING ARMIES

68 [GREAT BRITAIN].  
[JUSTICE].

*The State Of Justice Impartially Considered. By The Civil, Natural, And National Law. With Some Curious Admonitions For The Use Of Drousy Bishops, Sleepy Judges And Stupid Magistrates. Wherein The Great Delay Off Justice Is Fully Exposed.*

London: Printed by E. Rayner, for the author, and sold by the booksellers of London and Westminster, [1732?]. 47, [1] pp.

[BOUND WITH]

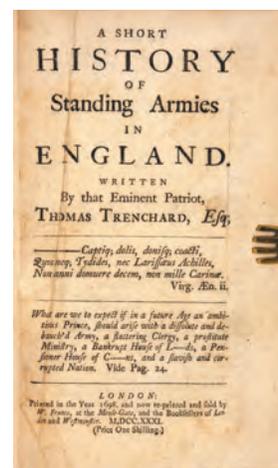
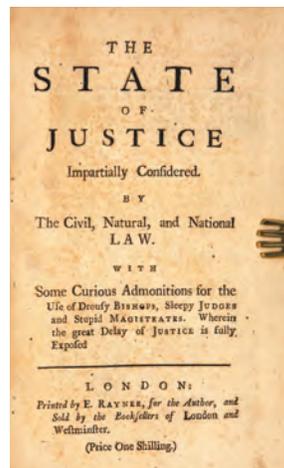
TRENCHARD, THOMAS [1662-1723].

*A Short History of Standing Armies in England.*

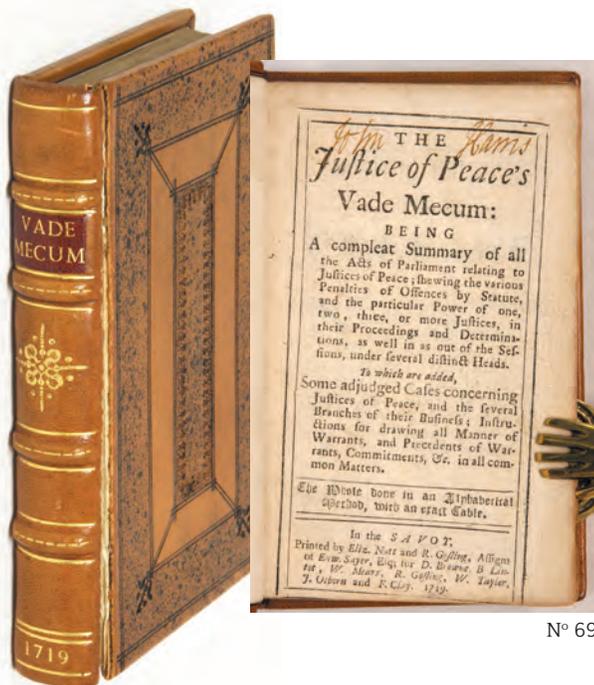
London: Printed in the Year 1698. And Now Re-Printed and Sold by W. France, 1731. 70 pp.

Octavo (7-1/4" x 4-1/2"). Stab-stitched pamphlets bound into recent period-style quarter calf over marbled boards, gilt-edged raised bands to spine. Light toning to text, somewhat heavier in places, light foxing to a few leaves. Excellent copies in a handsome binding. \$2,500.

STATE OF JUSTICE: ONLY EDITION; *Short History*: reissue of a title issued three times in 1698. The anonymous author of *The State of Justice* positions himself as an opponent of bribery and the sale of offices and sinecures and a supporter of an equal distribution of justice and the rule of law. He warns: "It is not the law alone that makes a right government, but upright justice, and the equal distribution of it, which ought to be deeper engraven in the hearts of those who are authorised to execute justice, than in tables of stone" (9). It is a learned, and somewhat cranky, essay filled with references to Roman, European and English history. Trenchard's *Short Essay* is a classic argument against standing armies, a central theme in the commonwealthmen tradition (that was quite influential in America). This issue was probably a reaction to the expansion of England's military establishment during the Anglo-Spanish War (1727-29) *The State of Justice* is a rare title. OCLC locates 6 copies worldwide, 4 in North America (Case Western Reserve University, Harvard Law School, Northwestern Law School, UNC-Chapel Hill). The ESTC adds the University of Kansas. ESTC N23107, T126898.



Details from N° 68



N° 69

A RARE ENGLISH JP MANUAL BASED ON YOUNG AND BLACKERBY

69 [GREAT BRITAIN].  
[JUSTICES OF THE PEACES].

*The Justice of Peace's Vade Mecum: Being a Compleat Summary of All the Acts of Parliament Relating to Justices of Peace; Shewing the Various Offenses by Statute, And the Particular Power of One, Two, Three, Or More Justices, In Their Proceedings and Determinations, As Well In as Out of the Sessions, Under Several Distinct Heads. To Which are Added, Some Adjudged Cases Concerning Justices of Peace, And the Several Branches of Their Business; Instructions for Drawing All Manner of Warrants, Commitments, &c. In All Common Matters. The Whole Done in an Alphabetical Method, With an Exact Table.*

[London]: Printed by Eliz. Nutt and R. Gosling, 1719. [xiv], 250 pp. 12mo. (5-1/4" x 3-1/4").

Handsome period-style paneled calf (by J. May, London), outer sections speckled, raised bands, lettering piece and gilt ornaments to spine, black rules along pastedowns. Light rubbing to extremities, front joint cracked, front hinge just starting at head. Title printed within ruled border. Light toning to text, somewhat heavier in a few places, rule at lower corner of title page touched by trimming due to printer error. Early owner annotation to front endleaf, early owner signature to head of title page. \$750.

ONLY EDITION. According to the preface, this anonymous work is drawn from the most useful parts of Blackerby's *Justice of Peace* (1711) and Young's *Justices, Their Vade Mecum and Cornucopia* (1620) with additional material by the author. OCLC and the ESTC locates 5 copies worldwide, 3 in North America, 2 in law libraries (Harvard, University of Minnesota). ESTC N6821.

LAWS GOVERNING MILITIA IN  
SEVENTEENTH-CENTURY ENGLAND

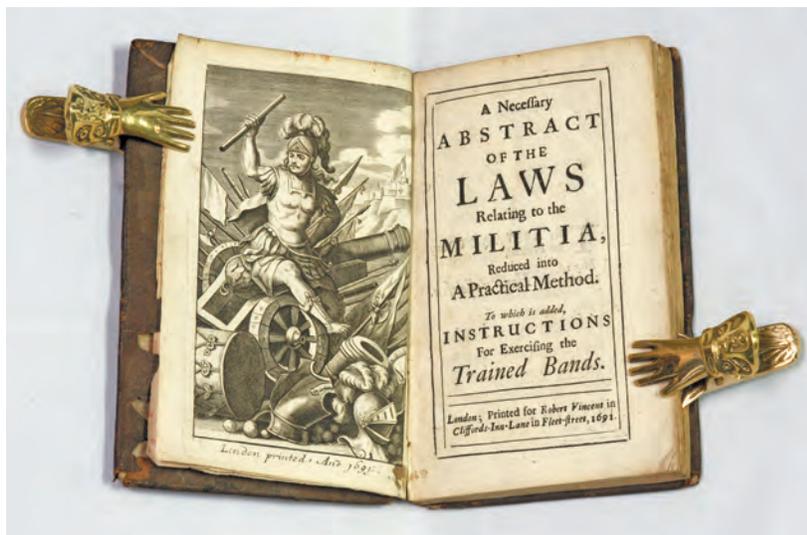
70 [GREAT BRITAIN].  
[MILITIA].

*A Necessary Abstract of the Laws Relating to the Militia, Reduced into a Practical Method. To Which is Added, Instructions for Exercising the Trained Bands.*

London: Printed for Robert Vincent, 1691. [xx], 47, [1], 32 pp. Copperplate frontispiece. Octavo (6" x 3-3/4").

Contemporary mottled sheep, blind rules to boards, blind fillets to spine. Light rubbing to boards, heavier rubbing to extremities with some wear to spine ends and corners, front pastedown loose, rear pastedown removed, early owner bookplate to verso of front board. Some toning to text, final paragraph of p. 12 and headline of p. 13 pasted over with blank paper, a correction by the printer, internally clean. A nice copy. \$1,250.

ONLY EDITION. This handbook outlines the procedures for raising, organizing and equipping militia units, taxes and fees used to support militias and the service obligations of individuals and corporations. Several sections deal with military law. This book is dedicated to Henry Howard, 7th Duke of Norfolk [1655-1701], Earl Marshal of England and an important supporter of William of Orange during the Glorious Revolution. This is a scarce title. OCLC locates 11 copies in North America, 1 in a law library (Library of Congress). ESTC R229747.



N° 70

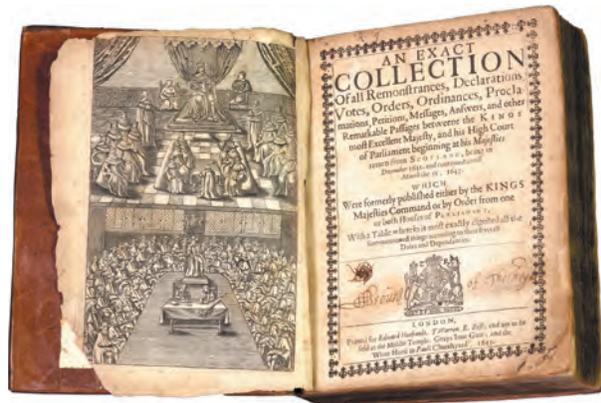
A CHRONICLE OF THE STEPS THAT LED  
TO THE ENGLISH CIVIL WAR71 [GREAT BRITAIN].  
[PARLIAMENT].  
[CHARLES I [1600-1649]. KING].

*An Exact Collection of All Remonstrances, Declarations, Votes, Orders, Ordinances, Proclamations, Petitions, Messages, Answers, And Other Remarkable Passages Betweene the Kings Most Excellent Majesty, and His High Court of Parliament Beginning at His Majesties Return from Scotland, Being in December 1641, And Continued Untill March the 21, 1643. Which Were Formerly Published Either by the Kings Majesties Command or by Order from One or Both Houses of Parliament. With a Table Wherein is Most Exactly Digested all the Fore-Mentioned Things According to Their Severall Dates and Dependancies.*

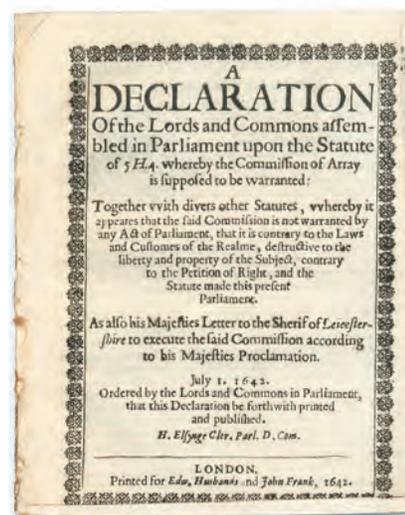
London: Printed for Edward Husbands, T. Warren, R. Best, And are to be Sold at the Middle Temple, Grays Inne Gate, And the White Horse in Pauls Churchyard, 1643. [viii], 61, 64-224, 227-546, 555-619, 622-623, 622-730, 733-769, 780-781, 772, 763-955. [21] pp. Copperplate frontispiece. Leaf a4 (pp. 7-8) lacking; leaves Aaaa1-Aaaa4 (pp. 547-554) lacking and replaced with duplicates of leaves Aaaaa1-Aaaaa5 (pp. 733-740). Pagination irregular, more so than the ESTC collation. Quarto (7-1/4" x 5-3/4").

Later calf retaining original endleaves, raised bands and hand-lettered title to spine. Moderate rubbing to extremities, spine ends and corners bumped and lightly worn, a few nicks to boards, pastedowns loose, armorial bookplate (of Sir Thomas Gage) to verso of front board, frontispiece partially detached. Title page printed within typographical border (of fleur-de-lys), typographical head-piece (of thistles) at head of p.3 (leaf B2). Light browning to text, edgewear to preliminaries and final few leaves, including a chip that just touches upper edge of frontispiece. Two early owner signatures to title page (Browne of Thorndyke, the other illegible), later marks in pencil to margins of a few leaves. \$500.

SECOND EDITION, A REISSUE of the first with a new title page. The Bishops' War involved the efforts of Charles I to re-organize the Church of Scotland under the direction of bishops, thus replacing the presbyterian structure favored by the Scots. Charles's decision to use military force without any input from Parliament, and the expenses of this expedition, angered Parliament. Tensions would continue to escalate as King and Parliament challenged each other's authority, culminating in the outbreak of civil war in 1642. Reprinting documents from the king and Parliament, this book chronicles the origin of the conflict from King Charles's "return from Scotland" in 1641 to the opening engagements of the war. Gage [c.1597-1656], a fervent English



N° 71



N° 72

clergyman, Royalist and former Catholic, played an active part in the disputes between crown and parliament. His father, Sir John Gage, was created a viscount by Charles I. ESTC R2795.

PARLIAMENT REACTS TO THE KING'S USE  
OF AN OLD LEGAL METHOD TO RAISE A MILITIA

72 [GREAT BRITAIN].  
[PARLIAMENT].

*A Declaration of the Lords and Commons Assembled in Parliament Upon the Statute of 5 H.4. Whereby the Commission of Array is Supposed to be Warranted: Together with Divers Other Statutes, Whereby it Appears that the Said Commission is not Warranted by any Act of Parliament, that it is Contrary to the Laws and Customes of the Realme, Destructive to the Liberty and Property of the Subject, Contrary to the Petition of Right, And the Statute Made this Present Parliament. As also His Majesties Letter to the Sheriff of Leicestershire to Execute the Said Commission According to His Majesties Proclamation. July 1. 1642. Ordered by the Lords and Commons in Parliament, That this Declaration be Forthwith Printed and Published. H. Elyngge Cler. Parl. D. Com.*

London: Printed for Edw. Husbands and John Frank, 1642. [ii], 22, 25-32 pp. Pagination irregular, text complete. Quarto (7" x 5-3/4").

Disbound stab-stitched pamphlet laid into plain wrappers, hand-lettered title to front, title page printed within typographical border. Light toning, side notes and head-lines affected by trimming, legibility of some side-notes affected, clean tears and minor chips to edges of a few leaves, internally clean. \$750.

ONLY EDITION, ONE OF THREE ISSUES, all from 1642. A contemporary account from a Parliamentary perspective on the king's use of a medieval practice, the appointment of commissions of array, to raise a militia without Parliamentary consent. Considered illegal by Parliamentarians, including the author of this pamphlet. The king's move was a response to the Militia Act of 1641, which placed militias under Parliamentary control. The King declared, correctly, that this act was illegal because it was passed without royal assent. Both decrees were issued to gain control of existing militia forces and to raise more troops on the eve of the Civil War. This is a scarce title. Counting all three issues, OCLC locates 2 in North American law libraries (University of Minnesota, University of Pennsylvania). ESTC R5073.

73 [GREAT BRITAIN].  
[PARLIAMENT].

*The Diurnall Occurrences of Every Dayes Proceeding in Parliament Since the Beginning Thereof, Being Tuesday the Twentieth of Ianuary, Which Ended the Tenth of March. Anno Dom. 1628. With the Arguments of the Members of the House Then Assembled.*

London: Printed by R.H. And are to be Sold by William Cooke, 1641. [iii], 77, [1] pp. Lacking frontispiece. Quarto (7-1/4" x 5-1/2").

Stab-stitched pamphlet bound into recent quarter vellum over patterned-paper boards, black-stamped title to spine. Light rubbing to extremities, light soiling to spine, recent owner bookplate to front pastedown, lower corner of title page, which includes text and part of a typographical border, repaired with a well-matched facsimile. Moderate toning, faint dampstaining to a few leaves, light soiling and spotting to title page, internally clean. \$850.

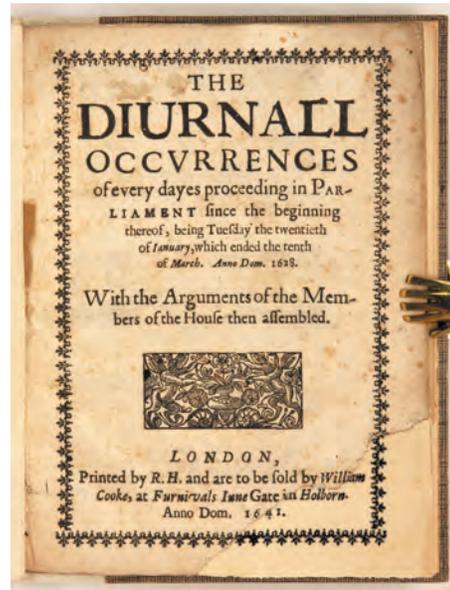
ONLY EDITION. Until the publication of this work, accounts of Parliamentary proceedings were produced privately and distributed as expensive copies produced by scribes. This is part of the significance of *Diurnall Occurrences*. It is important also because it records one of the early stages of the English Civil War. This is the defiant Parliament that issued the Petition of Right, which asserted Parliament's right to curtail Royal power, and Three Resolutions, which sparked a near-riot on the floor of the House of Commons. Charles I dissolved this Parliament in the wake of the Three Resolutions. This was another step toward civil war. OCLC locates 10 copies in North America, 1 in a law library (Harvard). ESTC R2426.

ONE OF THE BEST MANUALS OF ITS KIND

74 [GREAT BRITAIN].  
[SHERIFFS].

*The Compleat Sheriff: Wherein is Set Forth, His Office and Authority; With Directions, How and in What Manner to Execute the Same, According to the Common and Statute Laws of This Kingdom, Which are Now in Force and Use: And the Judgments and Resolutions of the Judges in Divers Late Cases, In the Several Courts of Westminster, Relating Thereunto. Likewise of Under-Sheriffs and Their Deputies; And Where the High-Sheriff Shall be Answerable for Their Defaults, And Where Not, &c. Together with the Learning of Bail Bonds; With an Explication of Stat. 23 H.6. Cap. 10. And Pleadings Thereon. Returns of Writs, Remedies Against Non Return and Faux Return, Habeas Corpus, Venires, Challenges and Enquiry of Damages. Prisoners and Prisons. Execution by Fieri Fac', Elegit, &c. Escapes, Actions and Pleadings Therein. Fresh Pursuit, And Other Pleas. Attachment, Amercement: Actions, Declarations and Pleadings on the Sheriffs Non-Fesance or Male-Fesance. Customs of London, As to Prisons, Courts, Process, Sheriffs Fees, Extortion, Sheriffs Accompts, &c. To Which is Added, The Office and Duty of Coroners.*

London: Printed by the Assigns of R. and E. Atkyns, Esquires; For John Walthoe, 1696. [xxiv], 443, [21] pp. With preliminary advertisement leaf. Octavo (7-1/2" x 4-1/2").



N° 73

Contemporary calf, blind rules to board, blind fillets along joints, raised bands and later lettering piece to spine, early repair to head of spine. Light rubbing and a few faint stains to boards, moderate rubbing to extremities, tiny chip to foot of spine, corners bumped and somewhat worn, hinges cracked. Moderate toning to text, faint dampstaining in places, Signature G (pp. 81-95) partially detached with some wear along fore-edge, horizontal tear through rear free endpaper. Early signatures to preliminaries (Gerrit van Schak, 1756), early annotations front pastedown and some leaves, additional annotations in same hand on small slips of paper pasted to edges of a few other leaves. An appealing copy. \$1,000.

FIRST EDITION. One of the most thorough books of its kind, the aptly-titled *Compleat Sheriff* is notably descriptive. It also includes citations of legal cases and bibliographical references. A useful and long-lived work, it saw five later editions, the last in 1778. All are scarce. OCLC locates 8 copies of the first edition in North American law libraries (Columbia, Georgetown, Harvard, LA County, Library of Congress, Southern Methodist University, University of Pennsylvania, University of Virginia). ESTC R1060.

ESSENCE OF THE FOURTH AMENDMENT

75 [GREAT BRITAIN].  
[WARRANTS].

*Considerations on the Legality of General Warrants, and the Propriety of a Parliamentary Regulation of the Same. To Which is Added, a Postscript on a Late Pamphlet Concerning Juries, Libels, &c. With Additions.*

London: Printed for W. Nicoll, At the Paper-Mill, In St. Paul's Church-Yard, 1765. [ii], 50 pp. Octavo (8" x 4-3/4").

Disbound pamphlet laid into recent marbled wrappers, printed title panel to front cover. Moderate toning, light foxing to some leaves, light soiling to title page. \$500.

SECOND EDITION. PUBLISHED the same year as the first edition. This pamphlet is part of the literature that attacked the use of general warrants, which granted unlimited powers of search and seizure to the courts. Its argument that warrants should be issued only when probable cause exists was incorporated in the Fourth Amendment of the Bill of Rights. A reissue, designated the third edition, was published in Dublin in 1765. ESTC T82802.

SCARCE 1673 JENA EDITION OF *DE JURE BELLI AC PACIS*

- 76 GROTIUS, HUGO [1583–1645].  
SIMON, JOHANN GEORG [1636–1696]. ANNOTATIONS.

*De Iure Belli ac Pacis Libri Tres, In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur, Cum Ejusdem I. Annotatis ex Postremâ Ante Obitum Curâ. II. Commentatione in Epistolam Pauli ad Philemon[em] et III. Dissertatio De Mari Libero. Publicè ad Disputandum Propositi, Novis Animadversionibus Illustrati, Indiceque Rerum ac Verborum Locupletissimo Adornati.*

Jena: Apud Johann. Theodor. Fleischern. Typis Samuelis Adolphi Mülleri, 1673. [xii], 27, 644 (i.e. 642), 260, [60], 261–276, 40, [116] pp. Copperplate portrait frontispiece and pictorial title page. Complete. Quarto (8" x 6-1/2").

Contemporary vellum with lapped edges, early hand-lettered title to spine, colored edges. Light soiling and a few minor stains to boards, somewhat heavier soiling to extremities and spine, head of spine bumped, pastedowns loose and somewhat edgeworn, leaf containing portrait and pictorial title page detached and also somewhat edgeworn. Main title page printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing to a few leaves, early owner signatures to front endleaves, early annotations to some leaves in the text. An appealing copy. \$1,500.

LATER EDITION. Of all his numerous works *De Jure Belli ac Pacis* will always be considered Grotius' *magnum opus*, the work upon which his reputation most solidly rests. "The distinction between religion and law or morality is not clearly made, but Grotius' principle of an immutable law, which God can no more alter than a mathematical axiom, was the first expression of the *droit naturel*, the natural law which exercised the great political theorists of the eighteenth century, and is the foundation of modern international law": *PMM* 125. Ter Muelen and Diermanse 581.

FIRST EDITION OF *DE JURE BELLI AC PACIS* IN FRENCH

- 77 GROTIUS, HUGO.  
COURTIN, [ANTOINE DE]. TRANSLATOR.

*Le Droit de la Guerre et de la Paix, Divise en Trois Livres, Ou il Explique Le Droit De Nature, Le Droit des Gens, & Les Principaux Points du Droit Public, Ou qui Concerne le Gouvernement Public d'un Etat. Traduit Du Latin En François, Par Monsieur de Courtin.*

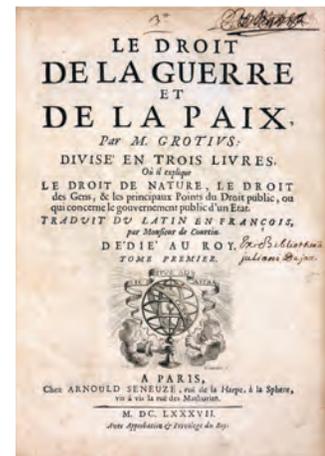
Paris: Chez Arnould Seneuze, 1687. Two volumes. [xlviij], 621, [2]; [liij], 304, 197, [2] pp. Signatures T and V in Volume II (pp. 153–168) bound in reverse order. Title preceded by copperplate allegorical title page, main text preceded by copperplate portrait of Courtin. Quarto (10" x 7-1/2").

Contemporary mottled calf, gilt spines with raised bands and lettering pieces, speckled edges. Moderate rubbing to extremities, chipping to spine ends, corners bumped and somewhat worn, a few small scuffs to boards, a few partial cracks to text block. Moderate toning to text, somewhat darker in places, foxing and dampstaining in a few places, worming to rear pastedown and margins of final 40 leaves of Volume II, a few chips to edges of preliminaries. Early owner annotations and signatures to front pastedowns and title pages, interiors otherwise clean. An appealing copy of a title scarce in the trade. \$2,000.

FIRST EDITION IN FRENCH. With side-notes and index. This edition is scarce. Copies have not appeared at auction since 2006, where one sold for \$6,000. Ter Muelen and Diermanse 650.

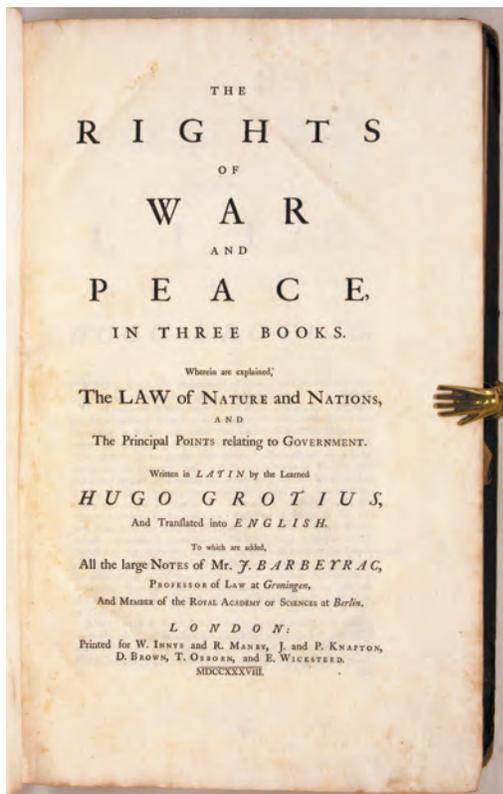


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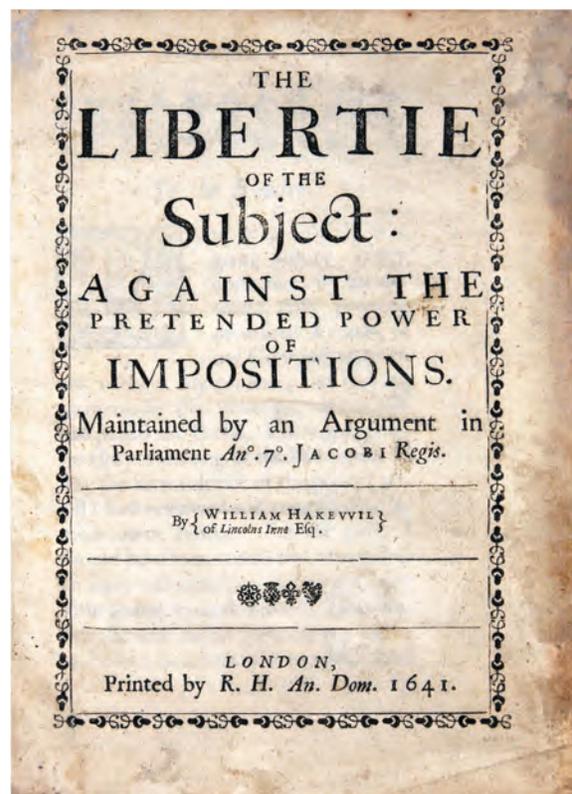
Details from N° 77





N° 78

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



N° 79

THE POWER TO TAX IS RESTRICTED TO PARLIAMENT

- 78 GROTIUS, HUGO. [MORRICE, JOHN (1685–1740), TRANSLATOR AND EDITOR].

*The Rights of War and Peace, In Three Books. Wherein are Explained, The Law of Nature and Nations, And the Principal Points Relating to Government. Written in Latin by the Learned Hugo Grotius, And Translated into English. To Which are Added, All the Large Notes of Mr. J. Barbeyrac.*

London: Printed for W. Innys [et al.], 1738. [iv], xxxvi, 817 pp. Notes in parallel columns beneath single-column main text. Folio (19" x 14").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Very light toning to text, somewhat heavier in places, light foxing to a few leaves, spark burns to a few leaves, internally clean. A handsome copy \$1,500.

FIRST ENGLISH EDITION WITH BARBEYRAC'S notes. Lowndes describes this is the "best edition;" Marvin says Barbeyrac's notes are excellent. First published with Barbeyrac's notes in 1715, Morrice's edition and translation was produced with the assistance of Edward Littlehales (1690–1724) and John Spavan (1685–1718). Lowndes III:950. Marvin 353. ESTC T110924.

- 79 HAKEWILL, WILLIAM [1574–1655].

*The Libertie of the Subject: Against the Pretended Power of Impositions. Maintained by an Argument in Parliament An. 7. Jacobi Regis.*

London: Printed by R.H., An. Dom. 1641. [viii], 142, [2] pp. including the final licence leaf. Quarto (7-1/2" x 5-1/4").

Contemporary calf with later rebacking, blind rules to boards, gilt title to spine, lower corners repaired, early hand-lettered title to fore-edge of text block. Some rubbing to extremities, a few scratches to front board, corners bumped, upper corners somewhat worn, hinges cracked. Title printed within typographical border, typographical head-pieces and tail-pieces. Moderate toning to text, fore-edge of title page stained and neatly strengthened, minor stains to a few leaves, two tiny wormholes to lower margins of several leaves, touching text in a few places with no loss to legibility, internally clean. An appealing copy with wide margins. \$1,500.

ONLY EDITION. This book was based on an unpublished speech delivered in 1610 at the last session of the long Parliament before the Civil War by Hakewill, M.P. for Bossiney in Cornwall, Bencher of Lincoln's Inn and a notable legal antiquarian. Copies of the text circulated widely in manuscript. Appreciating its value, the Long Parliament ordered it to be printed. Based on a wide range of historical sources, some from the time of the Saxon kings, it asserts the illegality of extra-parliamentary taxation. It is an important early statement of the principal that taxation without representation is illegal and tyrannical. ESTC R9193.

FIRST EDITION OF THE FIRST HISTORY OF THE COMMON LAW

## 80 [HALE, SIR MATTHEW (1609–1676)].

***The History and Analysis of the Common Law of England.***

[London]: Printed by J. Nutt, 1713. [iii], 264, [12] pp. Main text preceded by one-page publisher list.

[BOUND WITH]

[HALE, SIR MATTHEW].

***The Analysis of the Law: Being a Scheme, Or Abstract, Of the Several Titles and Partitions of the Law of England, Digested into Method.***

[London]: Printed by J. Nutt, 1713. [xvii], 171, [5] pp. Main text followed by four-page publisher list.

Octavo (7-1/2" x 4-1/2"). Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine. Moderate toning and light foxing to text, faint dampstaining to margins of a few leaves. Early owner signature (of W.H. or Wm. Dillingham) to head of title page, brief annotations to a few leaves. Nice copies in a handsome binding. \$750.

FIRST EDITION. Published anonymously, these two essays comprise the first history of the common law. Drawn from Hale's manuscripts, they "give us a clear statement of the history of some of the important external features of the common law...Sketch as it is his history is living history because its author had a clear view of its whole course" (Holdsworth). Hale, a distinguished judge of the Court of Common Pleas, is best-known for his *History of the Pleas of the Crown*. These two works are usually bound together. The first part was reissued later in 1713 with a cancel title page reading: *The History of the Common Law of England (ESTC T77292)*. Sources 151–152. ESTC N7657, T7657.

FIRST EDITION OF THE FIRST ANALYTICAL STUDY OF ENGLISH CRIMINAL LAW

## 81 [HALE, SIR MATTHEW].

***Pleas of the Crown. Or a Brief, But Full Account of Whatsoever can be Found Relating to that Subject.***

London: Printed for Richard Tonson Under Grays-Inn Gate Next Grays-Inn Lane; And Jacob Tonson, At the Judge's Head in Chancery Lane near Fleetstreet, 1678. [xv], 238, [2] pp. Includes 2 pp. publisher catalogue. Lacking imprimatur leaf. Octavo (6-3/4" x 4").

Later three-quarter calf, lettering piece and blind rules to spine, endpapers renewed. Light rubbing to boards, moderate rubbing to extremities with some wear to edges, corners bumped and somewhat worn, front hinge cracked, front free endpaper lacking. Title printed within ruled borders. Moderate toning to text, faint dampspotting to margins. Early bookseller description and owner signature to front pastedown, "by Sir Matthew Hale" in fine hand near foot of title page, interior otherwise clean. \$950.

FIRST EDITION. This landmark study went through seven editions. "Hale was essentially a scientific lawyer. He could view English law as a whole and appreciate the relationship of its various parts. (...) Hale was able to suggest a methodical arrangement of English law, which was at once scientific and practical. (...) Historically [*Pleas of the Crown*] is interesting as the first attempt to introduce some order into this branch of the law." HEL VI:590–91. ESTC R30719.



N° 82

SIXTEENTH-CENTURY EDITION OF THREE CLASSIC LEGAL REFERENCE WORKS

## 82 HALOANDER, GREGOR [1501–1531], EDITOR. [WERNHERUS OF SCHUSSENRIED (15TH. C.). [AZO, PORTIUS (FL. 1150–1230)].

***Modus Legendi Abbreviaturas in Utroque Iure tam Civili Quam Pontificio Occurrentes, Nunc Recens Diligentius quam Antehac Recognitus atque in Lucem Aeditus. Cui in Gratiam et Usum Iuris Candidatorum Recenti Studio Accessere Legum Flosculi, Nunc Demum Integritati Suae Restituti. Brocardica Iuris, Seu Verius Communes Iurium Sententia, Serie Alphabetica Digesta, & Repurgata.***

Cologne: Apud Petrum Horst, 1577. 163 ff. Three parts with continuous pagination. Octavo (6" x 3-3/4").

Contemporary limp vellum, later hand-lettered paper title label to spine, edges rouged. Moderate soiling, a few inkspots to front board, binding slightly cocked, light wear to corners, hinges starting. Moderate toning to text, light browning in places, light foxing to some leaves. Tiny early owner signature to head of title page, "Num. 15" in same hand to front pastedown, some leaves have early underlining, tick marks and brief annotations. Ex-library. Shelf label to foot of spine, small inkstamp to front free endpaper. An attractive copy. \$1,500.

THIS BOOK COLLECTS THREE IMPORTANT early legal reference works. First published around 1476, *Modus Legendi Abbreviaturas* is a dictionary of abbreviations compiled by the fifteenth-century jurist Wernherus of Schussenried. First published in 1497, *Flores Legum* is an anonymous collection of maxims arranged alphabetically. Attributed to Portius Azo, the *Brocardica Iuris* is a legal handbook. These three titles were often published together or bound together by owners. OCLC locates 6 copies of this imprint on North America, 2 in law libraries (Harvard, UT-Austin). VDI6 M5761.

STUDY OF OTTOMAN CONSTITUTIONAL LAW  
BY A NOTABLE ORIENTALIST

83 HAMMER-PURGSTALL, JOSEPH,  
FREIHERR VON [1774–1856].

*Des Osmanischen Reichs Staatsverfassung und Staatsverwaltung, Dargestellt aus den Quellen seiner Grundgesetze.*

Vienna: In der Camesinaschen Buchhandlung, 1815. Two volumes. xlii, 499, [1]; x, 531 pp. Octavo (7-1/2" x 4-3/4").

Contemporary paper-covered boards, lettering pieces and gilt fillets to spine, speckled edges. Some rubbing to boards and extremities, corners bumped and somewhat worn. Light toning to text, light foxing in a few places. Ex-library. Shelf-label residue to spines, small stamps to front pastedowns and versos of title pages, shelf numbers (?) in small early hand to foot of rear pastedowns. An attractive set. \$1,950.

ONLY EDITION. Hammer-Purgstall was an Austrian diplomat who held posts in Constantinople and other Eastern cities. He spent the latter part of his career in Vienna as a privy counselor. An important Orientalist, he wrote extensively on Arabic, Persian and Turkish culture and history. *Des Osmanischen Reichs Staatsverfassung und Staatsverwaltung* is a historical study of the constitutional history, constitutional law and administrative law of the Ottoman Empire. OCLC locates 4 copies in North American law libraries (George Washington University, Harvard, Library of Congress, UC-Berkeley).

COPY WITH SEVERAL LAID-IN  
MANUSCRIPT NOTES OWNED BY A MASTER OF THE ROLES

84 [HARDWICKE, PHILIP YORKE, EARL OF  
(1690–1764)].

*A Discourse of the Judicial Authority Belonging to the Office of Master of the Rolls in the High Court of Chancery. With Large Additions on that Subject, And the Antiquity of Proceedings in Equity: Together with a Preface, Occasioned by a book Entitled The Legal Judicature in Chancery Stated.*

London: printed by W. Bowyer, And Sold by R. Williamson, 1728. [ii], cxxvii, [1], 200, [2] pp. Octavo (8" x 5-1/2").

Contemporary speckled calf, gilt rules to boards, gilt-edged raised bands to spine. Some rubbing to extremities, corners bumped, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamp to title page. Moderate toning and occasional light foxing to text. Two-page case summary in an unknown hand to recto and verso of front free endpaper, signature of Thomas Clarke and a 12-line case note to recto of front endleaf, note to verso attributing authorship to "Sr Joseph Jekyll, Master of the Rolls," six pages of manuscript notes in Clarke's hand and an eight-page index in another hand laid-in, a few brief annotations to text. A handsome copy of a scarce work with an interesting provenance. \$750.

SECOND AND FINAL EDITION. The third most senior judge in England and Wales after the President of the Supreme Court of the United Kingdom and the Lord Chief Justice, the Master of the Rolls is the presiding officer of the Civil Division of the Court of Appeal and head of Civil Justice. The copy belonged to Sir Thomas Clarke [1703–1764], who held this position from 1754 to 1764. Clarke was a protege of Thomas Parker [1695?–1784], 1st Earl of Macclesfield. In his will, Clarke left his books to Parker. This book was first published in 1727. Both editions are scarce. According to

the *ESTC*, only 550 copies of the second edition were issued; OCLC locates 15 copies of that edition in North America. *ESTC* T97350.

PENAL REFORM AND LEGAL PSYCHIATRY  
IN GERMAN-SPEAKING EUROPE

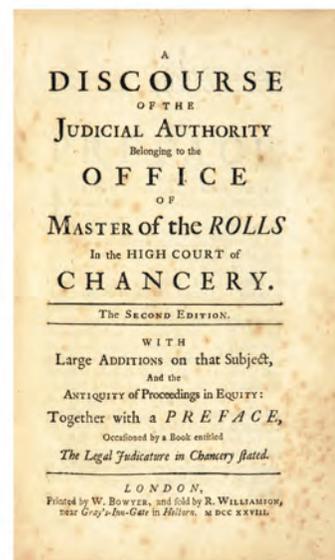
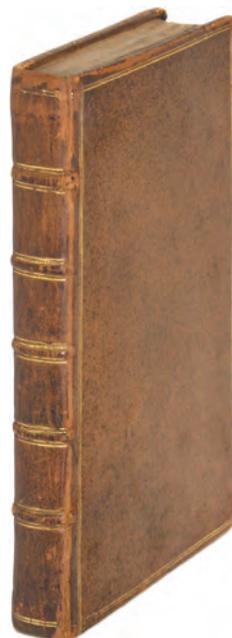
85 HARTLEBEN, THEODOR [1770–1827].  
[APPERT, BENJAMIN NICOLAS MARIE (1797–1847)].

*Allgemeine Kritische Annalen der Verhaft-, Straf-, und Besserungs-Anstalten, Der Körperlichen und Geistigen Heilungs-Institute, Der Wohlthätigkeits-Anstalten und Vereine, So wie der Elementar-Industrie und Polytechnischen Schulen.*

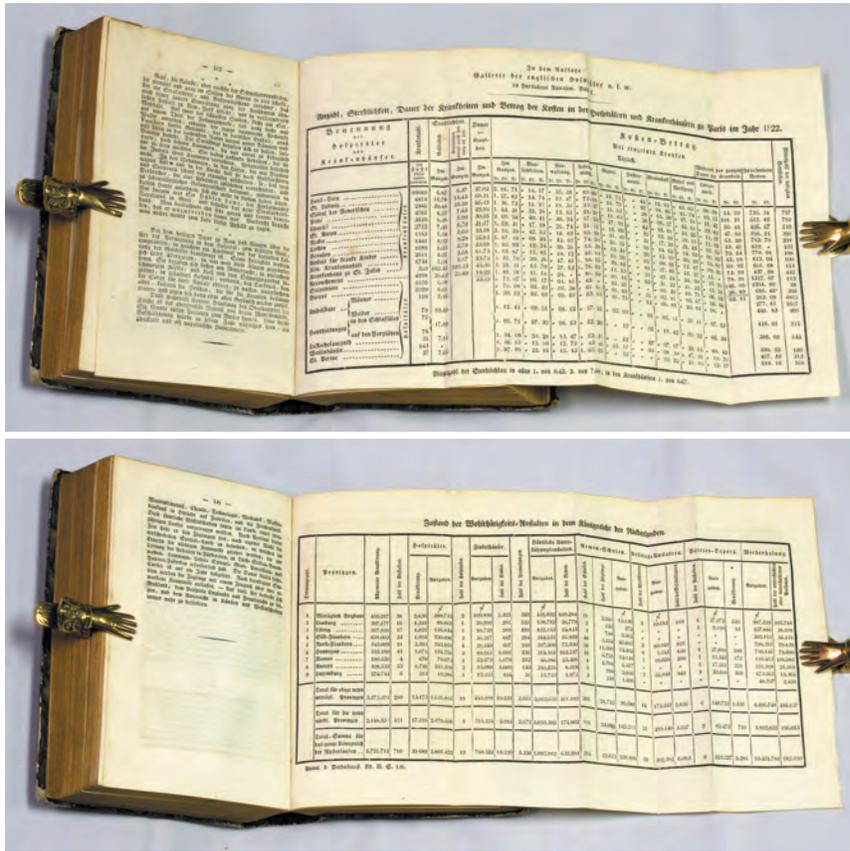
Basel: Bei J.G. Neukirch, 1825–1826. Two volumes (complete as issued). [iv], 412; 416 pp. 4 folding tables. Title page of second volume, which was printed on wrapper, discarded when volumes were bound together. Octavo (8" x 5").

Contemporary patterned paper boards, printed title label to spine. Moderate rubbing to extremities, scuff to front board, corners bumped and somewhat worn. Light toning to text, internally clean. Ex-library. Location label to spine, annotations to front pastedown, small stamp to title page. \$1,950.

THESE ARE THE ONLY TWO VOLUMES of a projected annual series on criminal law, prison conditions and the application of psychiatry to criminal law intended for Germany and Switzerland. It was adapted from the first two volumes of Appert's *Journal des Prisons, Hospices, Écoles Primaires et Établissements de Bienfaisance* (1825–1831); Hartleben, a law professor, added a great deal of original commentary and data drawn from German sources. OCLC locates no copies in North America. Not in the *BMC*.



Nº 84



Details from N° 85

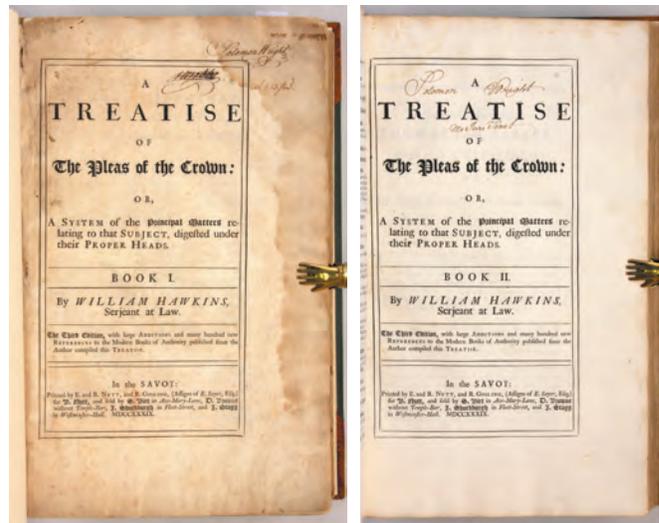
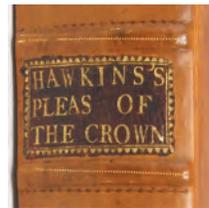
HAWKINS'S CLASSIC TREATISE ON CRIMINAL LAW

86 HAWKINS, WILLIAM [1673–1746].

*A Treatise of the Pleas of the Crown: Or, A System of the Principal Matters Relating to that Subject, Digested Under Their Proper Heads.*

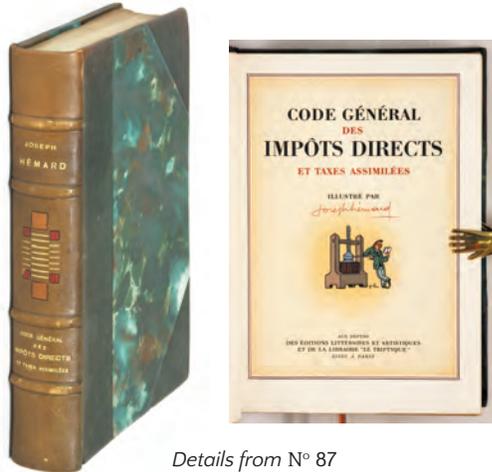
[London]: Printed by E. and R. Nutt, and R. Gosling, 1739. Two volumes bound as one. [xvi], 266, [48]; [viii], [78] pp. Folio (13–3/4" x 9"). Recent three-quarter calf over speckled paper boards, raised bands and contemporary lettering piece to spine, endpapers renewed. Light toning to text, light soiling and some dampstaining to title page of Volume I, a one-inch square neatly removed from a leaf on Volume II. Early owner signatures to title pages, brief annotations and inkspots to a few leaves in each volume. Handsome. \$600.

THIRD EDITION, THE LAST EDITION in the author's lifetime. Considered one of the four major law books of the eighteenth century by Holdsworth, *Pleas* is the first comprehensive English treatise on criminal law. A seminal work in criminal procedure and jurisdiction, it is "deservedly of high authority and still cited. It was the starting-point of modern laborious treatises on the criminal law which are valuable as digests of the subject, but which have no advance on Hawkins plan or style" (Winfield). HEL XII:415. Winfield 326. ESTC T107637.



Details from N° 86

HÉMARD'S ILLUSTRATED FRENCH TAX CODE  
IN A HANDSOME BINDING



Details from N° 87



87 HÉMARD, JOSEPH [1880-1961], ILLUSTRATOR.

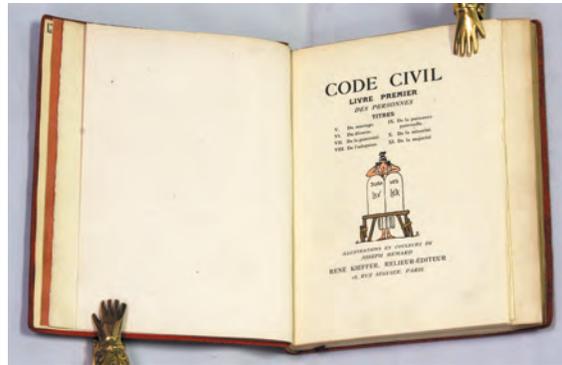
*Code Général des Impôts Directs et Taxes Assimilées. Texte Inégréal des Lois, Décrets, Décrets-Lois, Décret de Codification, Suivi d'un Formulaire Administratif.*

Paris: Editions Littéraires et Artistiques/Librairie "Le Triptyque", [1944]. x, 332 pp. Color pochoir caption and text illustrations. Two sheets of original drawings laid in. Quarto (9-1/4" x 6-1/2").

Illustrated stiff color wrappers bound into contemporary three-quarter morocco over marbled boards, raised bands, gilt and colored ornaments and gilt title to spine, original spine from wrappers tipped-in to rear endleaf, top-edge gilt, deckle fore and bottom edges, marbled endpapers, ribbon marker. Light rubbing to extremities, light fading to spine, internally fresh. A handsome copy. \$950.

FROM AN EDITION LIMITED TO 800 COPIES, this number 786. Hemard presents the official text of the French Tax Code with witty, and often racy illustrations, colored (*au pochoir*) by E. Charpentier. It is a sequel to his *Code Civil: Livre Premier, Des Personnes* (1925) and *Code Penal: Commentaires Images* (c. 1940). Hemard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books. The *Code Général* was issued in several forms. The first 145 copies of the 800-copy edition included an original sheet of text illustrations and a sheet of their original sketches. There is also a signed and numbered edition of 160 printed on Arches paper (*papier vélin*), 60 portfolios of the images alone, an edition of 40 non-commercial copies intended for friends and associates, (i.e. "hors commerce") and a non-limited trade edition, which has fewer illustrations in color.

HÉMARD'S VIEW OF FAMILY LAW



Details from N° 88

88 HÉMARD, JOSEPH, ILLUSTRATOR.

*Code Civil: Livre Premier, Des Personnes: Titres V. Du Mariage. VI. Du Divorce. VII. De la Paternité. VIII. De l'Adoption. IX. De la Puissance Paternelle. X. De la Minorite. XI. De la Majorite.*

Paris: Rene Kieffer, [1925]. [vi], 126, [4] pp. Pochoir color text illustrations. Quarto (8" x 6-1/2").

Original publisher stiff wrappers bound into contemporary flexible calf (by Loric), gilt title to spine, marbled endpapers, deckle fore and bottom edges. Some rubbing to spine, light fading and a few minor stains to boards, early owner bookplate to front pastedown. Very light toning to text, somewhat heavier along fore-edges, vivid illustrations, internally clean. \$750.

FROM AN EDITION LIMITED TO 900 COPIES, this number 133. Hemard presents the official text of the sections of the French Civil Code dealing with family law with witty, and often mildly erotic, color pochoir illustrations.

"MANY EXCELLENT EXAMPLES & INSTRUCTIONS,"  
SEVERAL RELATING TO WOMEN

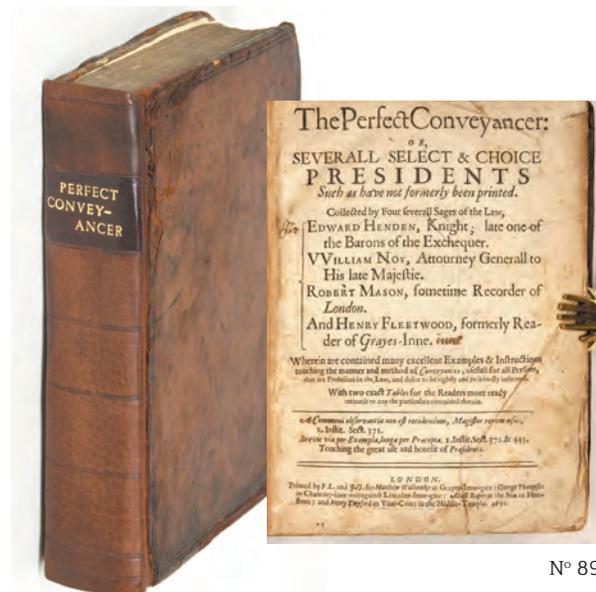
89 HENDON, EDWARD.  
NOY, WILLIAM.  
MASON, ROBERT.  
FLEETWOOD, HENRY.

*The Perfect Conveyancer: Or, Severall Select & Choice Presidents Such as Have not Formerly Been Printed. Collected by Four Severall Sages of the Law, Edward Henden, Knight; Late One of the Barons of the Exchequer. William Noy, Attourney Generall to His late Majestie. Robert Mason, Sometime Recorder of London. And Henry Fleetwood, Formerly Reader of Grayes-Inne. Wherein are Contained Many Excellent Examples & Instructions Touching the Manner and Method of Conveyances; Usefull for All Persons, That are Professors in the Law, And Desire to be Rightly and Judiciously Informed. With Two Exact Tables for the Readers More Ready Recourse to Any the Particulars Contained Therein.*

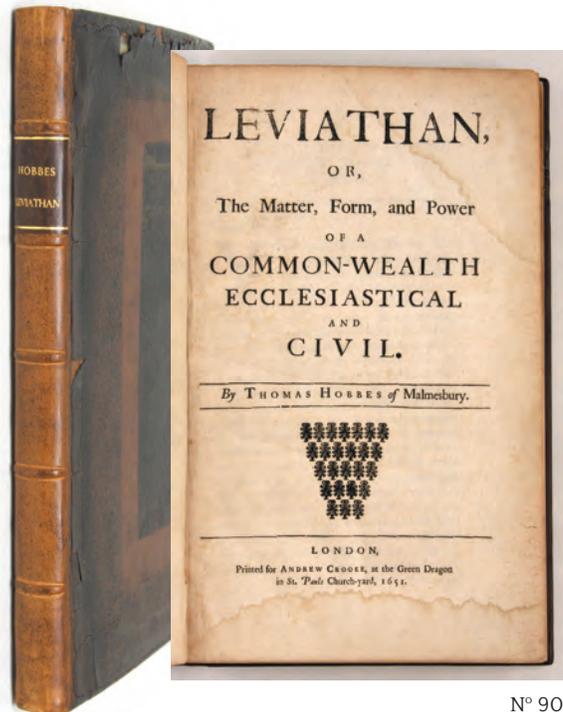
London: Printed by F.L. and J.G. for Matthew Walbancke at Grayes-Inne-gate [et al.], 1650. [xii], 280, [4], 319, 1 pp. Quarto (7-1/2" x 5-1/2").

Contemporary calf, rebaked, blind rules to boards, lettering piece and blind fillets to spine, endpapers renewed. A few scuffs to boards, moderate rubbing to extremities, a few chips to edges, corners bumped and worn. Very light browning to text, corners of some leaves have fold lines, faint dampstaining to preliminaries and final leaves, light soiling and edgewear to title page. Brief annotations to title page and a few other leaves in small early hand, early doodles to rear endleaf. A nice copy. \$750.

FIRST EDITION. More comprehensive than other works of this kind. The *Perfect Conveyancer* features examples from four "star" lawyers. (One of these, Mason, was the compiler of this book.) Several entries relate to women, such as "An Indenture for the Assurances of Lands in Marriage, for the jointure of the Wife" (56) and "An Assignment of Dower by the Heire unto the Fem" (215). A second edition was issued four times in 1655, another edition, also designated the second, in 1663. All of these are scarce. OCLC locates 4 copies of the first edition in North American law libraries (Emory, Library of Congress, University of Minnesota, Yale). ESTC R203542.



Nº 89



Nº 90

THE "ORNAMENTS" EDITION OF HOBBS'S *LEVIATHAN*.  
THE LAST WITH AUTHORIAL CORRECTIONS

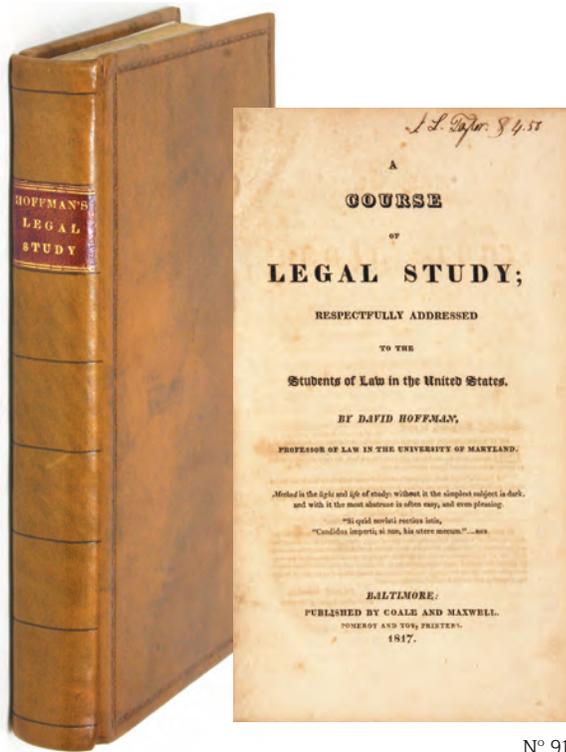
90 HOBBS, THOMAS [1588-1679].

*Leviathan, Or, The Matter, Form, And Power of a Commonwealth Ecclesiastical and Civil.*

London: Printed for Andrew Crooke, At the Green Dragon in St. Pauls Church-yard, 1651 [but probably 1695-1702]. [vi], 250, 249-256, 261-394 [i.e. 396] pp. Text continuous despite pagination. Main title page, with upside down triangle of 25 ornaments grouped in 5 rows, preceded by copperplate pictorial title page. Folding table. Folio (11-3/4" x 7-1/2").

Recent period-style calf, original paneled calf boards laid down, gilt-edged raised bands and lettering piece to spine, endpapers renewed. Some gatering and a few scuffs to boards, some chipping to edges of retained boards. Moderate toning to text, faint dampstaining in a few places, faint dampspotting to a few leaves. Recent owner signature to front pastedown, early owner signature to head of pictorial title page, tiny early initials to foot. A nice copy. \$8,500.

DEFINITIVE EDITION, with the final corrections by the author, the so-called "ornaments" edition distinguished by a title page device consisting of an inverted triangle of 25 ornaments grouped in five rows. One of the greatest works of political science, *Leviathan* analyzes the structure of society and legitimate government and is one of the most influential statements of social contract theory (under the rule of an absolute sovereign). Written during the time of the English Civil War, it is notable for its deeply pessimistic view of human nature. The early editions of *Leviathan*, all with the famous pictorial title page, list the same publisher and publication date: Andrew Crooke, 1651. They are distinguished by slight variations in the spelling of the title and the devices on their title pages. The first has a winged cherub's head, the second, actually printed in 1678, has a bear grasping two sprays of foliage. It was followed by the present issue. The ESTC gives a publication date of 1680, but some sources place its publication date between 1695 and 1702. Hobbes, *Leviathan*, ed. Noel Malcolm (2014) 312-316. PMM 138. ESTC R13935.



N° 91

FIRST EDITION OF HOFFMAN'S *COURSE OF LEGAL STUDY*

## 91 HOFFMAN, DAVID [1784–1854].

*A Course of Legal Study; Respectfully Addressed to the Students of Law in the United States.*

Baltimore: Published by Coale and Maxwell, 1817. [ii], xxx. [31]–383 pp. Octavo (8-3/4" x 5").

Recent period-style calf, blind fillets to boards, blind fillets to spine, existing lettering piece retained, endpapers renewed, table of contents re-hinged. Moderate toning, light foxing in places, light edgewear to a few leaves. Early owner signature to head of title page, check marks and underlining in a few places in an early hand. \$1,250.

FIRST EDITION. Hoffman was a prominent pioneer in the establishment of university-based legal education. He helped to found the University of Maryland Law School in 1816 and was its first professor. His *Course of Legal Study* played a critical role in the development of law school curricula and provided guidance to hundreds of antebellum law students and attorneys. Story endorsed this book, saying it embodied a set of qualities "calculated to elevate the moral as well as intellectual character of the profession" More than a handbook, it provided a systematic course that encompassed jurisprudence, philosophy, economics, literature and personal behavior. A second edition was published in 1836. Story cited in Marvin 391. Cohen 8627.

MONARCHY OR ANARCHY?

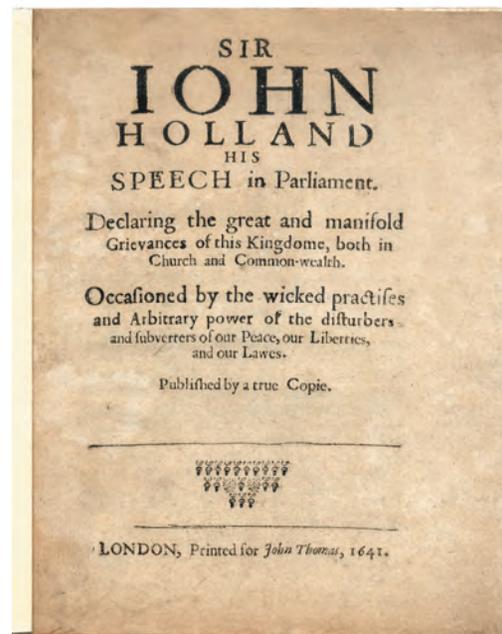
## 92 HOLLAND, SIR JOHN [1603–1701].

*Sir John Holland His Speech in Parliament. Declaring the Great and Manifold Grievances of this Kingdome, Both in Church and Common-wealth. Occasioned by the Wicked Practises and Arbitrary Power of the Disturbers and Subverters of Our Peace, Our Liberties, And Our Lawes. Published by a True Copie.*

London: Printed for John Thomas, 1641. [ii], 5, [1] pp. Quarto (7-1/4" x 5-3/4").

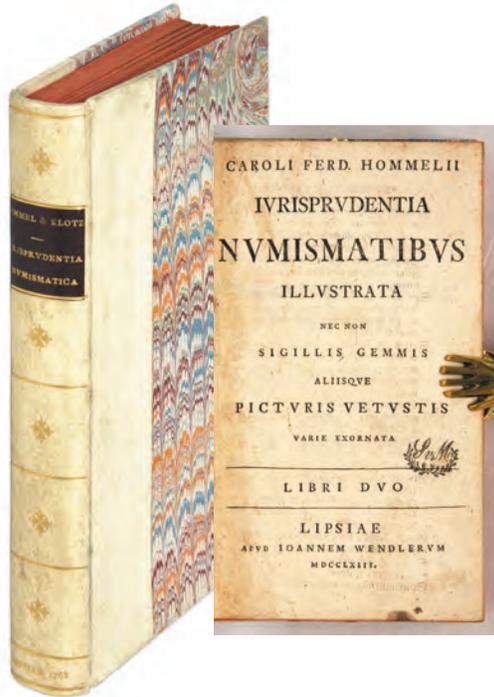
Stab-stitched pamphlet in recent marbled wrappers. Moderate toning, very faint dampstaining, a few minor smudges to versos of wrappers and final leaf. A well-preserved copy. \$500.

ONE OF THREE ISSUES, all from 1641. Holland, 1st Baronet Holland, sat in Parliament at various times from 1640 and 1679. He was created a baronet by Charles I and was a moderate Royalist. He lost his seat during the Civil War, but returned to Parliament after the Restoration in 1661. This pamphlet reprints urging moderation in efforts to limit the king's power. Doing so will enable the efforts of "disturbers and subverters of our peace, our liberties, and our lawes." All three issues of this work are scarce. OCLC locates 1 copy of the John Thomas issue in North America (Yale), no copies on any issue in a law library. ESTC R8511.



N° 92

WELL-ILLUSTRATED EIGHTEENTH-CENTURY LEGAL STUDIES OF COINS AND MEDALS



93 HOMMEL, KARL FERDINAND [1722–1781].

*Iurisprudentia Numismatibus Illustrata: Nec non Sigillis Gemmis Aliisque Picturis Vetustis Varie Exornata. Libri Duo.*

Leipzig: Apud Ioannem Wendlerum, 1763. xxix, [1], 286 pp. 68 leaves with 120 copperplate images. Complete.

[BOUND WITH]  
KLOTZ, CHRISTIAN ADOLF [1738–1771].  
HOMMEL, KARL FERDINAND, EDITOR.

*Auctarium Iurisprudentiae Numismaticae.*

Leipzig: Apud Ioannem Wendlerum, 1765. [xvii], 94 pp. 3 leaves with 9 copperplate images. Complete.

Octavo (6-3/4" x 4"). Later quarter vellum over marbled boards, calf lettering piece gilt fillets and gilt ornaments to spine, edges rouged, marbled endpapers, ribbon marker. Light rubbing to extremities, light soiling to spine. Some toning to text, light soiling and small early owner stamp to title page of *Iurisprudentia Numismatibus*. A handsome volume with two scarce titles. \$1,950.

SECOND AND FINAL EDITIONS. First published in 1753 and 1756, these fascinating and well-illustrated books explore laws relating to coins and medals in Roman law, with some commentary on these topics in feudal and canon law. Topics range from weights and purity of metals to images and inscriptions. Both titles are scarce, with few copies in North American libraries. *Iurisprudentia Numismatibus*: OCLC locates no copies of the first edition, 6 of the second, 3 in law libraries (Harvard, Northwestern, Yale); *Auctarium Iurisprudentiae Numismaticae*: no copies of the first edition in North America, 3 of the second, 1 in a law library (Northwestern). BMC 12:552, 14:142.



SCARE EIGHTEENTH-CENTURY LEGAL BIBLIOGRAPHY WITH AN INTERESTING ASSOCIATION



94 HOMMEL, KARL FERDINAND.

*Litteratura iuris.*

Leipzig: Apud Casparum Fritsch, 1779. [xvii], 366, [36] pp. Two folding copperplate leaves. Octavo (7-3/4" x 4-3/4").

Contemporary paper covered boards, early hand-letted title to spine, speckled edges. Light rubbing and soiling to boards, rubbing to extremities with wear to joints, edges and corners, spine abraded, bookplate of Guido Kisch to front pastedown, large copperplate vignette to title page. Moderate toning to text, light foxing to a few leaves, some discoloration to margins of folding leaves, leaf of notes in Kisch's hand and a circular for a legal journal laid in. Early owner signature and fragment of label to front pastedown, two later signatures to head of title page, one Guido Kisch's dated 1952, interior otherwise clean. \$1,500.

SECOND EDITION, REVISED, the final and best edition of this work. Each item in this select bibliography has a detailed

critical annotation, many of them running a page or more in length. The unusual allegorical title vignette, indicating a sister separated human from animal heads, indicates the book's intention to steer the reader to the best law books. The first folding plate illustrates the novel pictorial method used in Johann Buno's *Memoriale Institutionum Iuris* (1672) and *Memoriale Corporis Iuris* (1673). The second plate reproduces a pair of facsimile tablet fragments from the *Corpus Iuris Civilis*. It relates to a discussion of issues dealing with transcription and philology. The work concludes with a detailed index. The laid-in items are a slip of notes with references to this book and a circular for *Quellen und Forschungen zur Strafrechtsgeschichte*, a German legal journal. Kisch [1889-1985] was a prominent jurist and scholar who produced important works on humanism, Jewish law and history. German jurisprudence and the history of German-Jewish relations. The first two editions were published in 1751 and 1761. All are scarce. Including all three editions, OCLC locates 4 copies in North America, 4 in law libraries (Harvard, Library of Congress, University of Michigan, University of Texas-Austin, all 1761 editions), 1 of the 1779 edition (New York Public Library), no copies of the first edition. VD18 14558645.

TORTURE, BRIBERY AND LICENTIOUS CONDUCT AT ILCHESTER GAOL

95 HUNT, HENRY [1773-1835].

***Investigation At Ilchester Gaol, In The County Of Somerset, Into The Conduct Of William Bridle, The Gaoler, Before The Commissioners Appointed By The Crown. The Evidence Given By H.B. Shillibear. Dedicated, With An Address To His Majesty, King George The Fourth.***

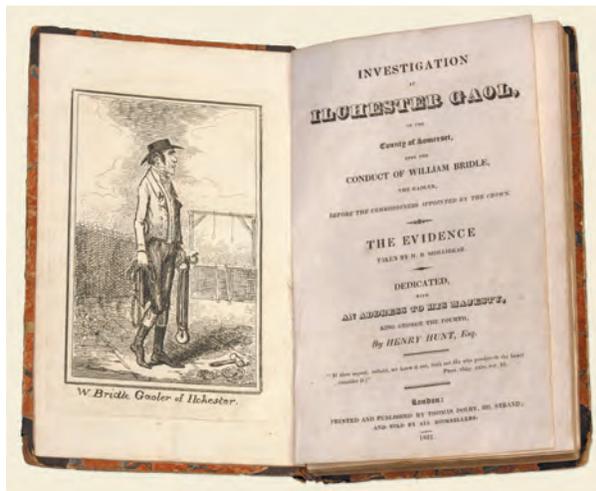
London: Thomas Dolby, 1821. viii, 7, [1], 271, [5], 8 pp. Main text in parallel columns. Etched portrait frontispiece of Bridle, by George Cruikshank, holding the tools of his trade (leg irons, manacles and a hangman's noose), five etched plates, probably by Robert Cruikshank, woodcut text illustration on p. 261. Complete, including the two supplementary addresses found in some copies. Octavo (8-1/2" x 5").

Contemporary three-quarter calf over marbled boards. Moderate rubbing with some wear to spine ends, joints and corners, crack in text block between title page and following leaf. Moderate toning, light foxing in a few places. Later inscription in pencil to front pastedown, interior otherwise clean. \$1,250.

FIRST EDITION IN BOOK FORM. This was originally issued in six parts, "price one shilling" each, in blue paper printed wrappers. Henry Hunt, the radical politician, had presided over the Smithfield reform meeting on 21 July 1819, and at the meeting in St. Peter's Fields, Manchester, on 16 August, which was broken up by the yeomanry, and became known as the Peterloo Massacre. Hunt

was tried at the York Assizes, in March 1820, for his part in the protest, and was convicted. He spent his two-year term at Ilchester Gaol. The report of the Commission of Inquiry into Ilchester Gaol, instigated because of Hunt's complaints, provides a vivid portrait of the corruption, health hazards and horrifying regimes in place in local prisons in the early years of the nineteenth century. Hunt leveled 21 charges against Bridle, the gaoler. These included gross neglect of duty, drunkenness, gambling, cruelty, torture, bribery, embezzlement, false accounting, "licentious conduct towards female convicts (Bridle was suspected of fathering children with two of them), not feeding inmates properly, and for "making boys sleep with a man convicted of bestiality". It was Hunt himself who examined the witnesses and principals involved.

The plates by Robert Cruikshank are mock portraits of: "The Revd. T.G.D. Thring, one of the visiting magistrates of Ilchester Gaol," "The Rev.d. Will'm. Hungerford Colston, D.D. One of His Majesty's Justices of the Peace for the County of Somerset, and a visiting magistrate of Ilchester Gaol," "Mr. White, Agent to Bridle, the ex-gaoler of Ilchester," "Mr. Anstice, the County Surveyor" and "Doctor Woodford." The two supplementary addresses present in this copy are An address "To Mr. Baron Graham, one of His Majesty's Justices" and "To the Sheriff Magistrates, Freeholders, and County-Rate-Payers, of the County of Somerset" Hunt's charges were answered by William Bridle himself in *A Narrative of the Rise and Progress of the Imprisonments Effected in His Majesty's Gaol at Ilchester* in 1822. OCLC locates 21 copies worldwide, 18 in North American, 2 in law libraries (Library of Congress, Social Law). Cohn 421. *Goldsmiths'* 23262.





Details from N° 97

A STANDARD SIXTEENTH-CENTURY  
TREATISE ON LAWS CONCERNING CLERGY

SIXTEENTH-CENTURY ESSAYS ON NAPLES

## 96 INCARNATO, FABIO.

*Scrutinium Sacerdotale: Sive Modus Examinandi tam in Visitatione Episcopali quam in Susceptione Ordinum.*

Barcelona: Expensis Lelii Marini Mercatoris Veneti, 1595. [xxii], 344; 216. [16] pp. Two parts, each with title page and individual pagination. Octavo (6" x 4").

Contemporary limp vellum with lapped edges, fragments of thong ties, early hand-lettered title to spine. Some wrinkling and a few minor nicks, spine ends and corners bumped, front pastedown loose, rear endleaves lacking. Title page printed in red and black. Some toning to text, somewhat darker in places, occasional light staining, mostly to margins, some edgewear to preliminaries and final three leaves, which are lightly soiled. Early annotations and signatures to front free endpaper and title pages, interior otherwise clean. \$750.

LATER EDITION. Incarnato's treatise examines issues relating to clergy under canon law, such as selection of clergy and ordination. It also includes topics involving clergy, such as marriage and excommunication. First published in Venice in 1569, it was a standard work that went through numerous editions into the eighteenth century. Few copies of any edition are widely held in North America; OCLC locates none of the 1595 edition. Palau 118805.

## 97 [ITALY]. [NAPLES].

[TURLER, HIERONYMUS [C.1520-1602].  
[GRATTAROLO, GUGLIELMO (1516-1568)].  
[LANDO, ORTENSIO (C.1512-C.1559)].  
[PYRCKMAIR, HALARIUS (FL. 1573-1591)].

*De Arte Peregrinandi Libri II, Variis Exemplis, In Primis Vero Agri Neapolitani Descriptione Illustrati: Quibus Accesserunt in Fine Quaestiones Forcianaes, Hoc Est, De Variis Italarum Ingeniis, & de Muliebris Sexus Praestantia, Dialogi II. Item, Lib. II de Regimine Iter Agentium. Quibus Accesserunt in Fine Quaestiones Forcianaes: Hoc est, De Variis Italarum Ingeniis: & de Muliebris Sexus Praestantia, Dialogi II.*

Nuremberg: [In Officina Typographica Catharinae Gerlachiae], 1591. 228, [1] ff. Folding table. Octavo (5-1/2" x 3-1/2").

Contemporary limp vellum with lapped edges and fragments of ties, blind frames to covers, front with blind-stamped owner initials, early hand-lettered title to spine. Moderate soiling, spine ends bumped, light wear to corners, a few partial cracks to text block, later bookseller ticket to front free endpaper. Moderate toning to text, early owner annotations to foot of title page and rear pastedown. Ex-library. Small inkstamps and annotations to verso of title page. \$1,500.

ONLY EDITION. Compiled by the publisher, Katharina Gerlach, this is an anthology of essays about Naples intended to guide travelers. They are "Commentariolus de Arte Apodemica seu Vera Peregrinandi Ratione" by Pyrckmair, "De Peregrinatione & Agro Neapolitano Libri Duo" by Turler, "De Regimine Iter Agentium" by Grattarolo and "Forcianaes Quaestiones. In Quibus Varia Italarum Ingenia Explicantur" by Lando. OCLC locates 8 copies in North America (Brigham Young University, Library of Congress, Harvard, University of Kansas, University of St. Mary of the Lake, University of Wisconsin, Madison, Yale Medical School).

UNCOMMON CONVEYANCING TREATISE BY GILES JACOB

"AN ENTIRELY NEW DEPARTURE IN LEGAL LITERATURE"



## 98 JACOB, GILES [1686–1744].

N<sup>o</sup> 98***The Accomplish'd Conveyancer. Volume I: Second Edition, Corrected; With Additions.***

London: Printed by E. and R. Nutt, 1726. Volume II: Second Edition, Corrected; With Additions. London: Printed by E. and R. Nutt, 1732. Volume III: [First edition]. London: Printed by T. Nutt, 1715. Complete set in three (uniformly bound) volumes. viii, 534, [18]; [iii], 611, [19]; [iv], 526, [30] pp. Volume I and III have one-page publisher advertisements. Octavo (7-3/4" x 4-3/4").

Contemporary calf, expertly rebacked retaining original spines with raised bands, blind frames and fillets to boards, hinges mended. Light rubbing to boards, some wear to board edges, moderate rubbing to spines, corners bumped. Faint offsetting to preliminaries and final leaves, light toning to interiors. An appealing copy of an uncommon title. \$1,500.

THIS COMPILATION is the fullest discussion of common-law conveyancing published during the early eighteenth century. It contains an abridgment of the relevant laws, forms, definitions, leading cases and precedents. Like his *New Law-Dictionary* (1729), this book was published for a mixed audience of practitioners and laymen. Its final two editions, the third and fourth, were published in 1736 and 1750. ESTC N14966, T137003.

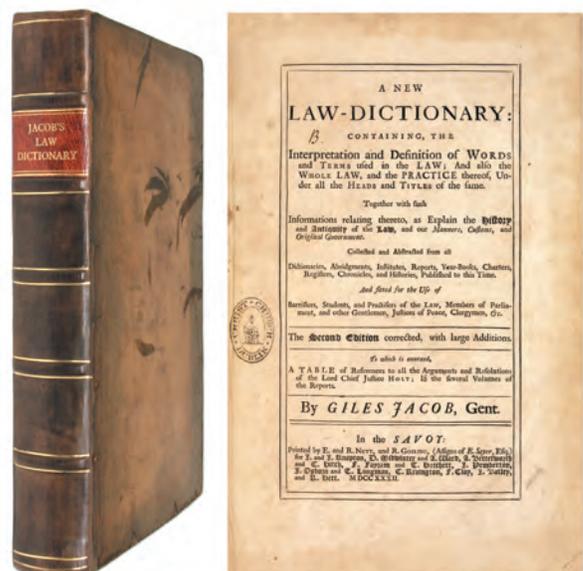
## 99 JACOB, GILES.

***A New Law-Dictionary: Containing, The Interpretation and Definition of Words and Terms Used in the Law; and Also the Whole Law, and the Practice Thereof, Under All the Heads and Titles of the Same. Together With Such Informations Relating Thereto, as Explain the History and Antiquity of the Law, and Our Manners, Customs, and Original Government. Collected and Abstracted From All Dictionaries, Abridgments, Institutes, Reports, Year-Books, Charters, Registers, Chronicles, and Histories, Published to This Time. And Fitted for the Use of Barristers, Students, and Practisers of the Law, Members of Parliament, and Other Gentlemen, Justices of Peace, Clergymen, &c. With Large Additions. 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 E. and R. Nutt, and Richard Gosling, 1732. [796] pp. Main text printed in double columns within ruled borders. Folio (13-1/2" x 8-1/4").

Contemporary calf, blind fillets along joints, rebacked in period style, lettering piece and gilt-edged raised bands to spine, endpapers renewed, corners mended. Scratches and some shallow scuffing to boards, a few chips to edges, upper corners bumped and somewhat worn. Moderate toning, occasional faint dampstaining and dampspotting, hole in inner margin of leaf Eeee4 just touching text with no loss to legibility, internally clean. Ex-library. Small inkstamp to title page. A nice copy. \$650.

SECOND EDITION. As Cowley has pointed out, *A New Law-Dictionary* was both Jacob's masterpiece and "an entirely new departure in legal literature" that provided a model for several subsequent efforts. In contrast to earlier works, each entry summarizes all of the laws relating to the subject and offers extensive interpretive commentary. Obsolete terms are omitted. It was recognized almost immediately that Jacob created a highly useful legal encyclopedia that was more detailed and concise than any other abridgment of the period. An extremely popular work that went through twelve editions between 1729 and 1800, it offers unparalleled insights into Anglo-American law during the eighteenth century. Cowley 223. ESTC N10098.

N<sup>o</sup> 99

100 [JODOCUS OF ERFURT].  
[ALBERICUS DE ROSATE (1290–1360)].  
[CACCIALUPE, GIOVANNI BATTISTA].

*Vocabularius Utriusque Iuris Difficillimas Quasque Voces  
Iuxta Receptos Iuris Interpretes Edisserens. Nunc Demum  
Exactissima Cura Recognitus. Non Paucis Dictionibus,  
Ac Vocabulis Elegantissimis hac Ultima Impressione  
Locupletatus.*

Venice: Apud Cominum de Tridino Montisferrati, 1564. 248 ff. Main text in parallel columns. Octavo (6" x 4").

Contemporary paneled pigskin, raised bands to spine, ties lacking. Moderate soiling, minor worming to boards, corners bumped, endleaves lacking, hinges cracked, owner bookplate and annotation of Guido Kisch to front pastedown, small bookseller description of this book affixed below. Light toning to text, early owner signatures to title page. Shelf label to foot of spine and tiny inkstamp to title page (from the the Carthusian monastery at Buxheim). An attractive copy with an interesting association. \$3,500.

A WORK OF GREAT AUTHORITY, the *Vocabularius*, as it is popularly known, is attributed occasionally to Jodocus of Erfurt. A useful and highly respected reference, it was first published around 1474 in Basel and went through more than seventy editions over the following 150 years. (It had a second life as the first section of the 1559 edition of Elio Antonio de Nebrija's *Lexicon Juris Civilis*, a work that was reissued into the seventeenth century.) The main text is preceded by *Compendiolum de Ortographia*, a short essay on legal orthography by Albericus de Rosate. It is followed by *Tractatus de Modo Studendi*, a longer essay on legal study by Caccialupe. The dictionary was produced for laymen, but it was very popular with law students, which explains the appended essays that are common in all later editions. Kisch [1889–1985] was a prominent jurist and scholar who produced important works on humanism, Jewish law and history, German jurisprudence and the history of German-Jewish relations. OCLC locates 2 copies of this imprint (Harvard Law School, Indiana State University). EDIT16 CNCE24786.



AN ANGRY CALL FOR PROCEDURAL REFORM  
FROM THE EARLY YEARS OF THE COMMONWEALTH

101 JONES, JOHN, OF NEYATH, BRECON.

*The New Returna Brevium, Or the Law Returned from Westminster and Restored in Brief to Its Native, Antient, And Proper Habitation, Language, Power, Puritie, Integritie, Cheapness, Briefness, Plainness. Rescued Out of the Sacrilegious Hands, Barbarous Disguises, Aenigmatical Intricacies, Lucrative Constructions, Extorted Verdicts, Fals Judgments, & Bribeful Executions of Her Perjured Impostors, Fals Interpreters, Iailers, Catchpols, Attorneys, &c Whereunto is Added the Petition of Right, Granted by Parliament in the 3 Year of King Charls, and Confirmed by This (Although to Bee Found in Larger Volumes) for Cheapness to the Generalitie to Inform Themselves What is Their Rights.*

London: Printed by William Du-Gard, 1650. [x], 83, [1] pp. 12mo. (4-1/2" x 2-3/4").

Contemporary sheep, rebacked in period style, blind rules to boards, blind fillets to spine, early hand-lettered title to fore edge, endleaves renewed. Light rubbing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, later armorial book plate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamp to head of title page and following leaf, rear pastedown loose. Moderate toning to text, occasional faint dampstaining, light foxing to a few leaves. Early pen-marks to a few leaves, interior otherwise clean. \$1,850.

FIRST EDITION. The Commonwealth era inspired various proposals for legal reform, many inspired by a desire to settle scores with the Carolingian legal profession. Some of the more biting suggestions come from Jones, the author of such works as *Lawyers Unmask'd, Or, A Discovery of Their Matchless Villanies, Intolerable Oppressions, And Most Accursed Practizes in Perverting the Known Lawes of England* (1653) and *The Crie of Blood, Or, A Confutation of Those Thirteene Reasons of the Felicers at Westminster for the Maintenance of Their Illegall Capias for Debt* (1651). The equally angry *New Returna Brevium* calls for the reform of legal drafting and court procedure. A second edition was published in 1653. Both are scarce. OCLC locates 3 copies of the first edition in North American law libraries (Harvard, LA County, University of Virginia). Our copy once belonged to the library of Shirbirn Castle, the library of the Earls of Macclesfield, one of the finest private libraries in Great Britain. ESTC R202637.

RARE NINETEENTH-CENTURY GERMAN DICTIONARY  
OF CRIMINAL SLANG

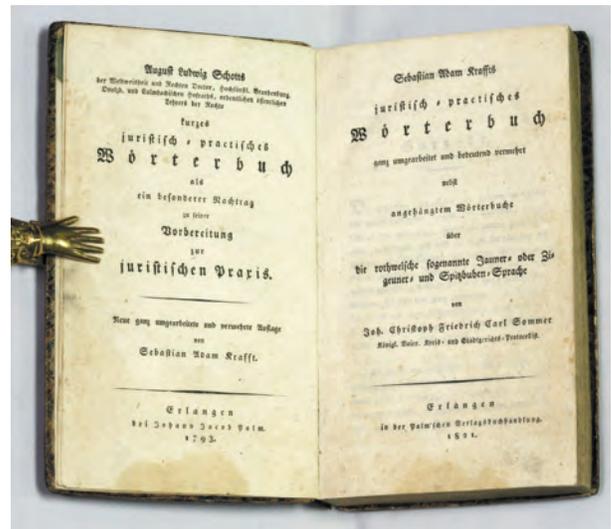
102 KRAFFT, SEBASTIAN ADAM.

[SCHOTT, AUGUST LUDWIG].  
SOMMER, JOHANN CHRISTOPH FRIEDRICH CARL,  
EDITOR.

*Sebastian Adam Kraffts Juristisch-Practisches Wörterbuch, Ganz Umgeareitet und Bedeutend Vermehrt Nebst Angehängtem Wörterbuche über die Rothwelsche Sogeannte Jauner- oder Zigeuner- und Spitzbuben-Sprache.*

Erlangen: In der Palm'schen Verlagsbuchhandlung, 1821. [i], viii, 365, [1] pp. Main text in parallel columns. Octavo (8" x 4-1/2").

Contemporary marbled board, calf lettering piece to spine. Light rubbing to boards, moderate rubbing to extremities, heavier rubbing to spine with some loss to ends, joints just starting, corners bumped and somewhat worn, rear free endpaper glued to rear pastedown,



Nº 102

contemporary book seller ticket to front pastedown, price annotation by that bookseller to front free endpaper. Light toning to text, somewhat heavier in places, small faint stains to some leaves, internally clean. An appealing copy of a rare title. \$2,000.

ONLY EDITION. Edited by Sommer, this detailed dictionary of "the secret language and jargon of criminals, gypsies and other scoundrels" is based on a book published in 1793 as *August Ludwvig Schotts Kurzes Juristisch-Practisches Wörterbuch*. The text of the 1793 title page, listing Scott as the compiler and Krafft as the editor, is on a leaf facing the title page. It suggests the book was published at an earlier date without Kraffts assistance, but we have not been able to locate any copies. It may have been a work that circulated in manuscript copies. Schott was a law professor and state official in Brandenburg, Sommer was a state official in Bavaria. We have not been able to locate any details about Krafft. OCLC locates 3 copies in North America (Cleveland Public Library, Michigan State University, Trinity College). Huelke-Etzler, *Verbrechen, Polizei, Prozesse* 2090.

PREFERRED EDITION OF LAMBARD[E]'S ARCHEION

103 LAMBARD[E], WILLIAM [1536-1601].

*Archeion, Or, A Discourse Upon the High Courts of Justice in England. Newly Corrected, and Enlarged According to the Authors Copie.*

London: Printed by E.P. for Henry Seile, 1635. [xiv], 276 pp. First leaf of text, a blank, lacking. Octavo (5-1/2" x 3-1/2").

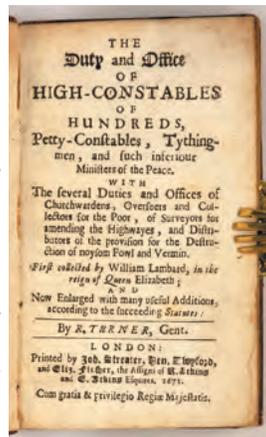
Handsome period-style calf, blind fillets to boards, raised bands, lettering piece and blind ornaments to spine. Moderate toning to text, very faint dampstaining and finger smudges to a few leaves, light soiling to title page. A few brief annotations in small early hand, interior otherwise clean. A desirable copy. \$650.

SECOND, FINAL AND BEST EDITION. Lambard[e], a barrister, justice of the peace and legal historian, was also the keeper of records at the Rolls Chapel and the Tower of London. He is best known for his *Eirenarcha, Or the Office of the Justices of Peace* (1581). *Archeion* is a historical commentary on the central courts of justice in England that was published posthumously by his grandson, Thomas Lambard, in 1635. The first printing, which was produced without his authorization, led him to issue the "newly corrected" and "enlarged" edition, which appeared later that year. (In his angry "Note to the Reader" Lambard complains about the "crying errors" of the earlier printing.) ESTC S108230.

ADAPTED FROM EIRENARCHA

104 LAMBARD[E],  
WILLIAM.  
TURNER, R., EDITOR.

*The Duty and Office of High-Constables of Hundreds, Petty-Constables, Tythingmen, And Such Inferiour Ministers of the Peace. With the Several Duties and Offices of Churchwardens, Overseers and Collectors for the Poor, Of Surveyors for Amending the Highwayes, And Distributors of the Provision for the Destruction of Noysom Fowl and Vermin. First Collected by William Lambard, In the Reign of Queen Elizabeth; And Now Enlarged with Many Useful Additions, According to the Succeeding Statutes: by R. Turner, Gent.*



London: Printed by Joh. Streater, Hen. Twyford, And Eliz. Flesher, 1671. [xii], 144 pp. 12mo (5-1/2" x 3-1/2").

Later sheep, blind rules to boards, lettering piece and gilt fillets and ornaments to spine. Moderate rubbing to spine and extremities, chipping to head of spine and lettering piece, joints starting, faint dampstain to rear board, a few cracks to text block, armorial bookplate of the Earls of Macclesfield to front board, small embossed Macclesfield stamp to title page. Some toning to text, internally clean. A nice copy. \$1,500.

FIRST EDITION. Turner extracted the main parts of this book from the second edition of Lambard's *Eirenarcha* (1587) and added material to bring the contents up to date (i.e. 1671). A second edition was published in 1671. Our copy once belonged to the library of Shirbirt Castle, the library of the Earls of Macclesfield, one of the finest private libraries in Great Britain. Both editions of this work are rare. OCLC locates 2 copies of the first edition in North America at the Huntington Library and University of Illinois. The *ESTC* adds the Folger Shakespeare Library and Harvard Law School. *ESTC* R41023.

TWO CLASSIC WORKS ON THE ENGLISH LAW  
OF REAL PROPERTY

105 [LITTLETON, SIR THOMAS (1402-1481)].

*Les Tenures de Monsieur Littleton: Ouesque Certaine Cases Addees per Auters de Puisne Temps, Queux Cases vous*



*Troveres Signes Ouesque Cest Signe \* Al Commencement, & Al Fine de Chescun de Eux: Au Fine Que ne Poies eux Misprenner pur les Cases de Mounsieur Littleton; Pur Quel Inconvenience, Ils Fueront Dernierment Tolles de Cest Lieur; Et Cy vn Foits Plus Admotes al Request des Gentlehomes, Students en le Ley Dengleterre.*

London: Imprinted [by A. Islip?] for the Company of Stationers, 1608. [1], 170, [25] ff.

[BOUND WITH]

PERKINS, JOHN [D. 1545].

*A Profitable Booke of Master Iohn Perkins, Fellow of the Inner Temple. Treating of the Laws of England.*

London: Printed [by Adam Islip?] for the Company of Stationers, 1609. [xxiv], 168 ff.

Octavo (4-1/2" x 2-1/2"). Contemporary calf, gilt rules to boards, gilt fillets to spines, fragments of thong ties. Moderate rubbing to spine and extremities with some wear to corners, light scuffing to boards, a few tiny wormholes to spine, pastedowns loose, a few partial cracks to text block, wormhole from preliminaries through first third of text with no loss to legibility, final two signatures of *A Profitable Booke* a bit loose and slightly edgeworn, edges trimmed closely occasionally touching side-notes (with no loss to legibility). Light toning to text, somewhat heavier in places, internally clean.

\$1,250.

LATER EDITIONS. This volume collects two classic English treatises on the law of real property. Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is a considered a landmark because it renounced the principles of Roman law (and Latin) in favor of a set of guidelines and doctrines drawn from the Year Books, and when necessary, hypothetical cases. A popular work during the sixteenth and early seventeenth centuries that was held in high regard by Coke, Perkins' *Profitable Booke* was first published in 1528 and went through numerous editions in both English and Law-French. Devoted mostly to the land law as developed in the Year Books, it is divided into the following topics: grants, deeds, feoffments, exchanges, dower, curtesy, wills, devises, surrenders, reservations, and conditions. *HEL* II:573, V:388. *ESTC* S93514, S114287.

N° 105

WITH AN INSCRIBED PRESENTATION CARD TO PHILIP JESSUP

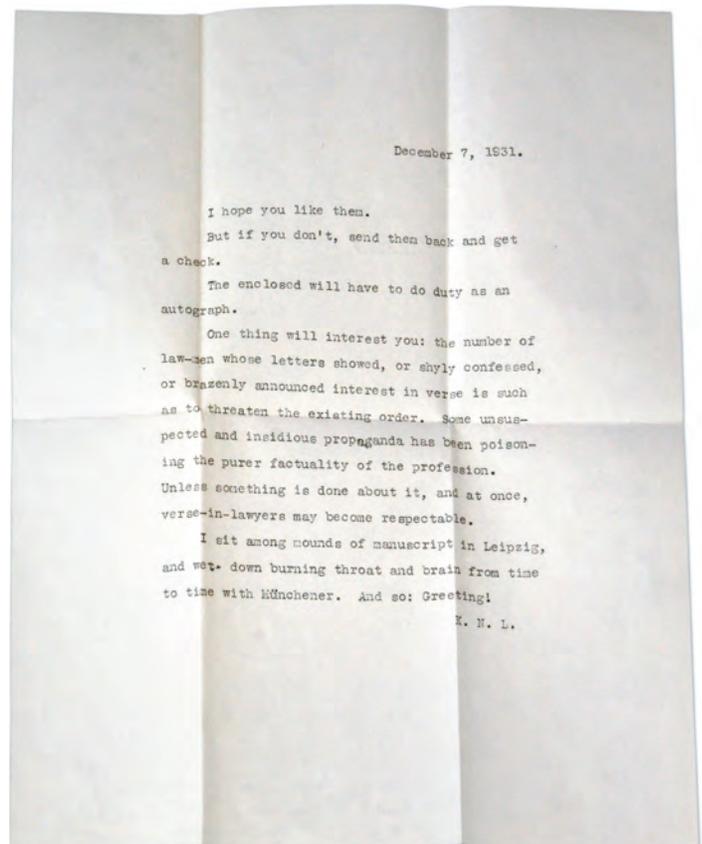
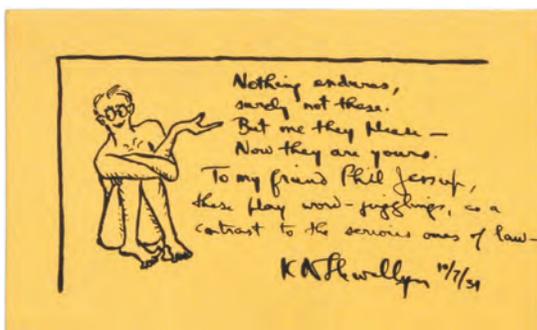
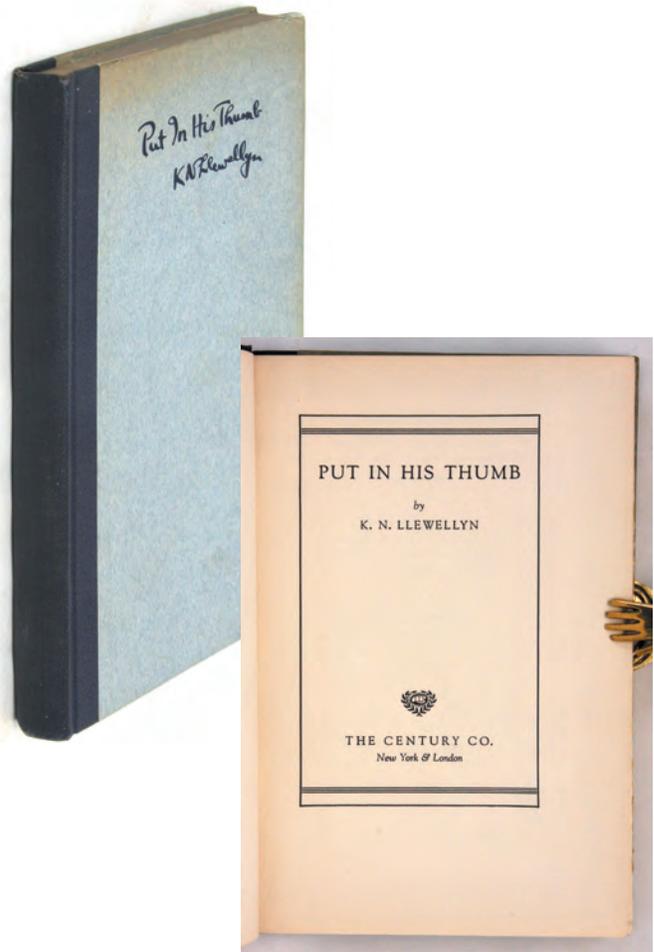
106 LLEWELLYN, K[ARL] N[ICKERSON] [1893-1962].  
JESSUP, PHILIP [1897-1986].

*Put in His Thumb.*

New York: The Century Company, [1931]. [x], 119 pp.

Quarter cloth over speckled boards, black lettered title to front cover, deckle edges, most signatures unopened. Light shelfwear and soiling. Near-fine 5" x 3" presentation card inscribed to Philip Jessup and 8-1/2" x 11" mimeographed typescript presentation letter laid in. \$750.

FIRST EDITION, FIRST PRINTING. Collected poems of one of the leading American legal thinkers of the twentieth century. One of these is a tribute to Oliver Wendell Holmes. The presentation letter is in the manner of a press release. It says, in part: "I hope you like them. But if you don't, send them back and get a check. (...) One thing will interest you: the number of law-men whose letters showed, or shyly confessed, or brazenly announced interest in verse is such as to threaten the existing order. Some unsuspected and insidious propoganda has been poisoning the purer factuality of the profession. Unless something is done about it, and at once, verse-in-lawyers may become respectable." The part-printed laid-in card features a caricature of a naked Llewellyn (?) sitting cross-legged and gesturing to a motto: "Nothing endures, surely not these. But me they please - Now they are yours." Below this motto is an autograph inscription to Philip Jessup dated October 7, 1931: "To my friend Phil Jessup, these play-word jingglings, as a contrast to the serious ones of law." Jessup, a judge on the International Court of Justice, important legal scholar and U.S. diplomat, was credited with playing a major role in ending the Soviet blockade of West Berlin. He was a representative to the United Nations General Assembly, as well as a U.S. ambassador at large from 1949 until his resignation in 1953. Like Llewellyn, he was a professor of law at Columbia University.



COPY OF A PRINCIPAL ENGLISH TREATISE ON CANON LAW  
OWNED BY A NOTABLE LITURGICAL SCHOLAR  
AND THE BISHOP OF BOMBAY

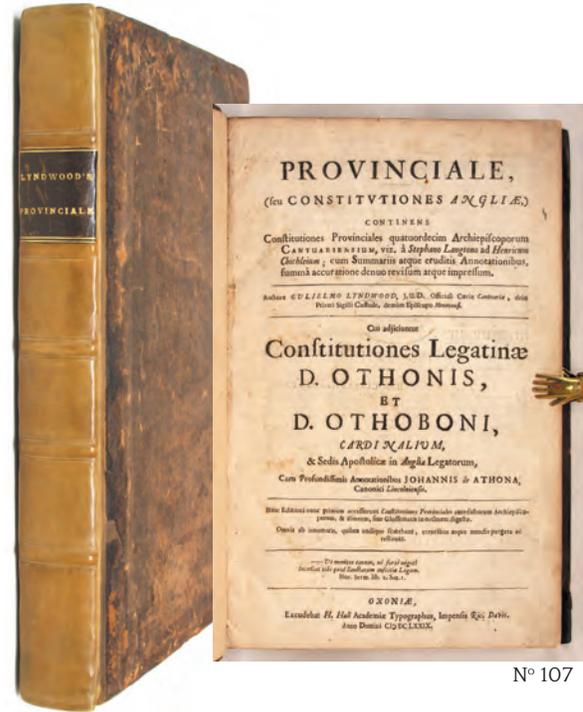
107 [LYNDWOOD, WILLIAM (c.1375–1446)].  
[BADIUS, JOSSE (1462–1535), EDITOR].

*Provinciale, (Seu Constitutiones Angliae,) Contiens Constitutiones Provinciales Quatuordecim Archiepiscoporum Cantuariensium, Viz. A Stephano Langtono ad Henricum Chicheleium; Cum Summariis Atque Eruditis Annotationibus, Summâ Accuratione Denuo Revisum Atque Impressum. Auctore Gulielmo Lyndwood, J.U.D. Officiali Curiae Cantuariæ, dein Privati Sigilli Custode, Demùm Episcopo Menevensi. Cui Adjiciuntur Constitutiones Legatinae d. Othonis, Et d. Othoboni, Cardinalium, & Sedis Apostolicæ in Anglia Legatorum, Cum Profundissimis Annotationibus Johannis de Athona, Canonici Lincolniensis. Huic Editioni nunc Primùm Accesserunt Constitutiones Provinciales Antedictorum Archiepiscoporum, & Aliorum, Sine Glossematis in Ordinem Digestæ. Omnia ab Innumeris, Quibus Undique Scatebant, Erroribus Atque Mendis Purgata ac Restituta.*

Oxford: Excudebat H. Hall Academiae Typographus, Impensis Ric. Davis, 1679. [64], 356, 155. [2], 77, [3] pp. Main text in parallel columns with linear glosses. Folio (13–1/4" x 8–3/4").

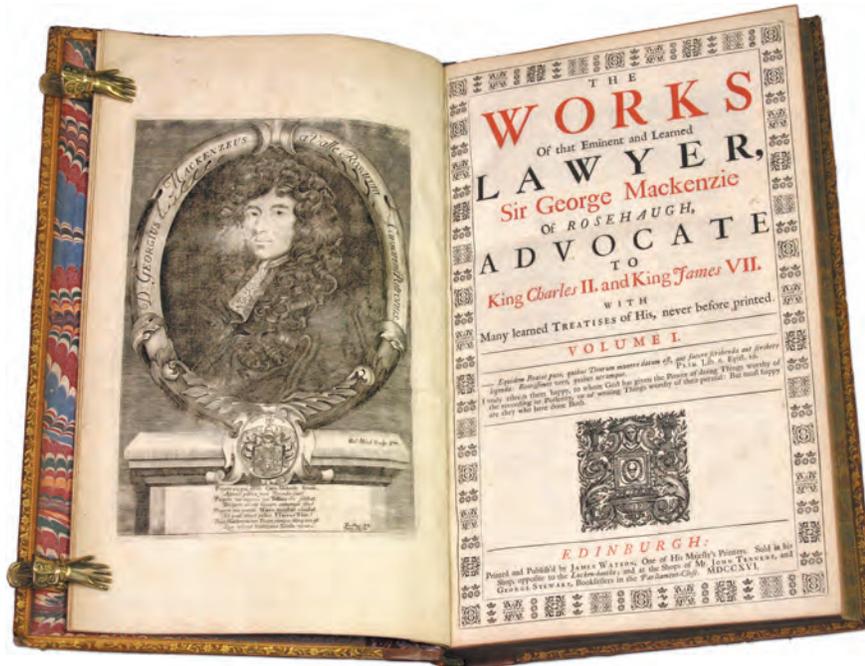
Contemporary calf with later rebacking, lettering piece and gilt-edged raised bands to spine, corners repaired, endpapers renewed, hinges reinforced, lower portion of p. 77 (blank portion below text) and following rear endleaf renewed. Moderate rubbing and light scuffing to boards, heavier rubbing to extremities. Moderate toning to text, occasional light foxing. Numerous annotations and bookseller descriptions of different editions of this work to front and rear endleaves by Christopher Wordsworth, annotations and underlining to a few leaves of text. A leaf of notes in Wordsworth's hand and a 1950 letter from a bookbinder laid in. Ex-library. Small inkstamp to verso of title page. An appealing copy with interesting associations.

\$750.



N° 107

LATER EDITION. Main text followed by nineteen-page, two-part index (*Tabula*). Compiled around 1433 and first published around 1483–1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155–1228] to that of Archbishop Henry Chichele [1414–1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This book was owned and annotated by Christopher Wordsworth [1848–1938], the son of a notable bishop and a renowned liturgical scholar. One note indicates that he presented it in 1910 to Edwin James Palmer [1869–1954], Bishop of Bombay. The laid-in letter to Palmer, written in 1950 by the bookbinder A. Birdsall, concerns the rebinding of Palmer's copy of the *Book of Common Prayer*. ESTC R11715.



Detail from N° 108

COLLECTED WORKS OF SIR GEORGE MACKENZIE,  
WITH 30 ENGRAVINGS

FIRST EDITION OF MALYNES'S *LEX MERCATORIA*

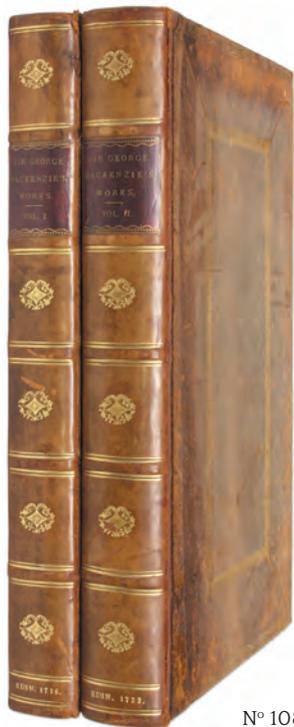
108 MACKENZIE, SIR GEORGE [1636(?)–1691].

*The Works of that Eminent and Learned Lawyer, Sir George Mackenzie of Rosehaugh, Advocate to King Charles II. And King James VII. With Many Learned Treatises of His, Never Before Printed.*

Edinburgh: Printed and Published by James Watson, 1716, 1722. Two volumes. [iv], [4], 192, [4], 446; [iv], xx, 670, [4] pp. Volume I has copperplate portrait frontispiece, *The Science of Heraldry*, the penultimate section of Volume II, has a copperplate pictorial title page and 30 leaves of arms and other heraldic devices. Folio (15" x 9-1/2").

Contemporary paneled tree calf with later plain calf rebacking, raised bands, gilt ornaments and lettering pieces to spines, marbled edges and endpapers, hinges mended (with marbled paper), gilt inside dentelles. Moderate rubbing to boards and extremities, corners bumped, front board of Volume I detached, joints of Volume II starting at ends, hinges cracked. Title pages printed in red and black with typographical borders, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning and light foxing to text, minor tears to a few leaves in each volume, internally clean. \$1,000.

ONLY EDITION. Mackenzie was Lord Advocate during the reigns of Charles II and James II. He is best known for his leading role in the persecution of Scottish Presbyterians, which earned him the nickname "Bloody MacKenzie." (In many cases, he bent the law to secure a conviction.) He was an important jurist, scholar and author, and the founder of the Advocates Library, which is now the national law library for Scotland. This set collects all of his legal, historical and literary works except *Aretina* and *The Discovery of the Fanatical Plot*. *The Science of Heraldry* is preceded by a copperplate pictorial title page and is embellished with 30 copperplates illustrating heraldic devices. Unlike most sets, Volume II of our copy has a portrait frontispiece. ESTC T58793.



N° 108

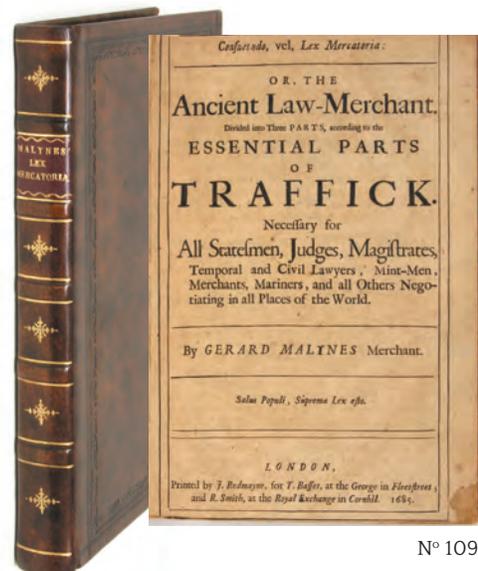
109 MALYNES, GERARD [FL. 1586–1641].

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

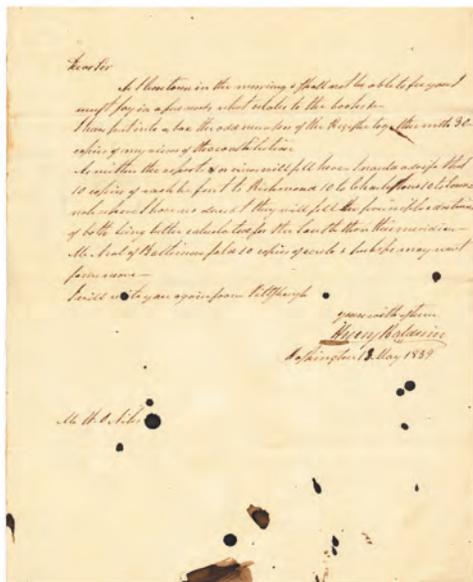
[London: Printed by Adam Islip, 1622 or 1629]. [xvi], 501, [3] pp. First and final blank leaves renewed. This copy bound incorrectly with a title page from a 1685 edition. Folio (10-3/4" x 7-1/2").

Recent period-style calf, blind rules and fillets to boards, gilt-edged raised bands, gilt ornaments and lettering piece to spine. Light toning to text, somewhat heavier in places, occasional faint dampstaining to margins, light foxing and spark burns and tiny ink spatters to a few leaves, faint bleed-through from early signature to head of dedication leaf. Light soiling and a few small chips to title page, light soiling to final leaf. Ex-library. Small inkstamp and annotations to verso of title page. A handsomely bound copy of a scarce title. \$1,500.

FIRST EDITION, either the 1622 or identical (excepting the date on the title page) 1629 issue. Also known as the law merchant, consuetudinary law or, somewhat anachronistically, commercial law, *lex mercatoria* is a system of customary law that developed in Europe during the middle ages to regulate the dealings of mariners and merchants. The earliest significant compilations are the eleventh-century Rules of Oleron, the Laws of Wisby and the Hanseatic Laws of the Sea. Although *lex mercatoria* fell out of use during the seventeenth century, many of its principles were incorporated into the common law. They would later provide the foundation of the (U.S.) Uniform Commercial Code. Malynes' *Consuetudo* was the final significant contribution to this field. (Beaues's *Lex Mercatoria Rediviva* (1752) was an attempt to revive it.) Malynes was a commissioner of trade in the Low Countries and was frequently consulted by the Privy Council during the reigns of Elizabeth and James, a dynamic period of commercial expansion and colonization. He was one of the first writers on business practice, economic affairs and foreign exchange. These interests are explored at length in this popular book. Later editions and issues were published in 1636, 1656 and 1685. With the exception of a cancel title page dated 1629, the first two issues are identical. Both are scarce. OCLC locates no copies of the first issue in North American law libraries, 2 of the second (Harvard, Library of Congress). ESTC S114044 or S102746.



N° 109



N° 110

SUPREME COURT JUSTICE BALDWIN DISCUSSES THE DISTRIBUTION OF HIS BOOK

110 [MANUSCRIPT].  
BALDWIN, HENRY [1780-1844].  
NILES, WILLIAM ODGEN [1799-1857].

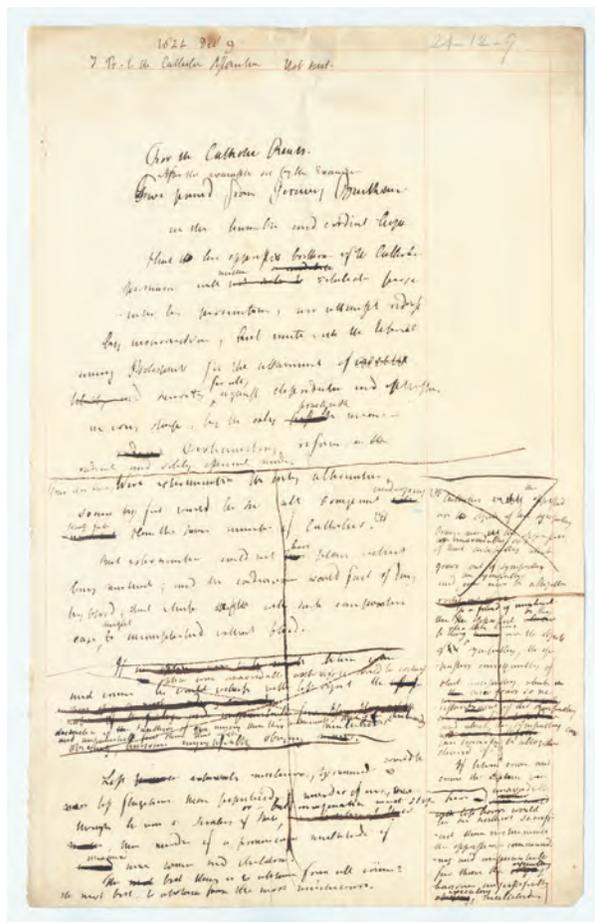
[Autograph Letter, Signed, to Niles].

Washington [D.C.], May 13, 1838. [1] pp. 10" x 8" leaf, docketed on verso, later pencil annotation below.

Fold lines, some toning, a few ink blots and drips (with no loss to legibility or sense). \$750.

BALDWIN'S LETTER IS ADDRESSED to William Ogden Niles, Baltimore publisher and editor of the newsweekly *Niles' National Register*. It concerns the distribution of his book *A General View of the Origin and Nature of the Constitution* (1837). Baldwin writes: "I have put into a box the odd numbers of the *Register* together with 30 copies of my views of the constitution. As neither the reports & or views will sell here, I would advise that 10 copies of each be sent to Richmond, 10 to Charleston & 10 to [indistinct word], where I have no doubt they will sell the principles & doctrines of both being better calculated for the South." Baldwin was born in Connecticut and graduated from Yale College in 1797. He read law at Litchfield Law School in 1798 and later read law with Alexander J. Dallas, first reporter of the U.S. Supreme Court. Baldwin subsequently established his law practice in Pittsburgh, Pennsylvania from where he was elected three times to Congress, serving from 1817 to 1822. Upon the death of U.S. Supreme Court Associate Justice Bushrod Washington in 1829, Baldwin was nominated to replace him. A firm Jacksonian, Baldwin served on the high court from 1830 until his death in 1844.

DRAFT OF AN UNSENT LETTER BY JEREMY BENTHAM



N° 111

12-1/2" x 8" leaf removed from ledger (or notebook), ruled in red, more than 60 lines of text in ink with extensive editing, cross-outs and amendments. Autograph note by John Bowring at head of leaf reading: "JB to the Catholic Association Not sent", 9 December 1824. Fold lines, light toning. \$3,500.

THE TEXT BEGINS, AS AMENDED: "For the Catholic Rents. After the example set by *The Examiner*. Five pound from Jeremy Bentham in the humble and cordial wish that his oppressed brethren of the Catholic persuasion will neither retaliate persecution by persecution, nor attempt redress by insurrection, but unite with the liberal among Protestants for the attainment of security for all, against depredation and oppression in every shape, by the only practicable means - Parliamentary reform, in the radical and solely efficient mode....". This is followed by a long section, amounting to more than half the text, that is crossed out (but legible). The note by Bowring isn't entirely accurate. This letter was sent, but it did not contain the deleted text in the present manuscript draft. In his edition of Bentham's correspondence, Bowring noted at the end of his transcription that he had persuaded Bentham to suppress the text deleted. However, Bowring retained a copy of it and it is printed in full in *The Correspondence of Jeremy Bentham* (2006) 12:73. The Catholic Association, formed by Daniel O'Connell (himself a close friend of Bentham), collected money, known as the Catholic Rent, to defray the costs of publishing and petitioning for the removal of the political disabilities imposed on Roman Catholics. Bentham's contribution of £5 was noted in the issue of *The Examiner* for 26 December 1824. *The Examiner* was a weekly newspaper found by Leigh and John Hunt in 1808 and for some years was a leading intellectual journal promoting radical principles. Bowring [1792-1872] was Bentham's executor and editor. Also a notable political economist and linguist, he was the fourth Governor of Hong Kong.

111 [MANUSCRIPT].  
[BENTHAM, JEREMY].

[Draft of a Letter to the Catholic Association in Bentham's Hand].

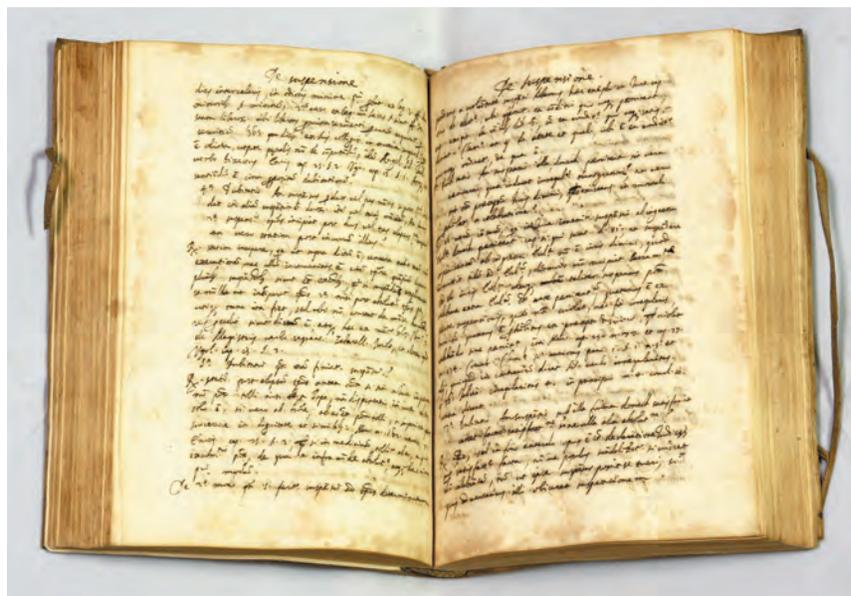
[London]: December 9, 1824.

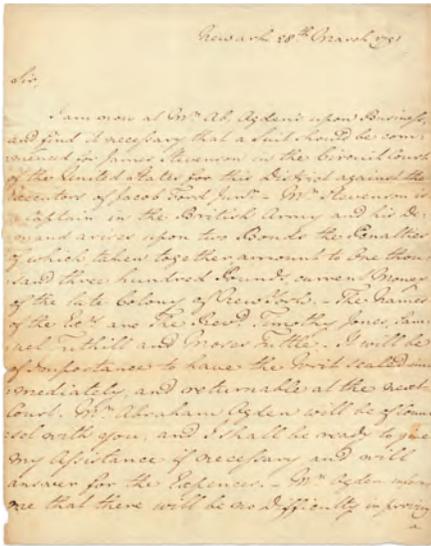
112 [MANUSCRIPT].  
*De Censuris* [Spine Title].

[Italy, c.1675]. [500] pp. Quarto (7-1/2" x 5-1/2").

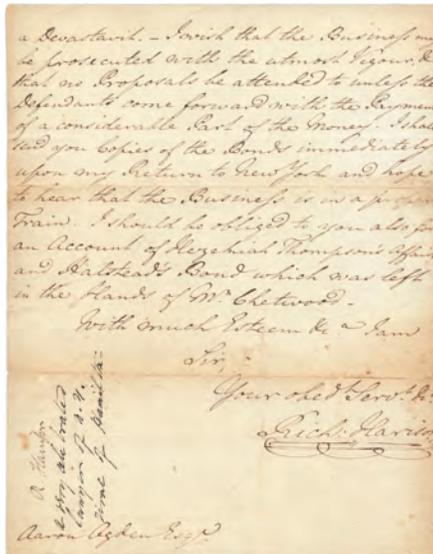
Contemporary limp vellum with thong ties, early calligraphic title to spine. Moderate soiling and a few minor stains, two thongs lacking, vellum just beginning to crack through pastedowns. Light toning to text, occasional light foxing. Text in fine neat hand to rectos and versos of most leaves, notes to margins of first 80 leaves in later hand. \$2,500.

THIS CANON-LAW MANUSCRIPT ON CENSURE (*censura*), excommunication (*scomunica*), suspension (*sospensione*) and irregularities (*irregolarità*) was probably compiled around 1675. The careful organization and absence of corrections suggests this is probably a fair copy of university lecture notes. The marginalia indicates its later use by another reader.





Details from N° 113



INITIATING AN ACTION IN NEW JERSEY  
TO RECOVER A PRE-REVOLUTIONARY WAR DEBT  
OWED TO A BRITISH ARMY OFFICER

- 113 [MANUSCRIPT].  
HARRISON, RICHARD [1747-1829].  
[OGDEN, AARON (1756-1839)].

[Autograph Letter, Signed, to Ogden, Newark, NJ, March 28, 1791].

Single 9-1/2" x 7-1/2" leaf.

Moderate toning, fold lines, minor edgewear, text in neat hand, later annotation to foot of verso. A well-preserved item. \$1,000.

WHILE ON BUSINESS IN NEWARK at the home of Abraham Ogden, U.S. District Attorney for New Jersey (1791-1798), Richard Harrison, U.S. District Attorney for the District of New York (1789-1801) writes to Aaron Ogden, New Jersey lawyer, later senator and governor of New Jersey, stating: "I find it necessary that a suit should be commenced for James Stevenson in the circuit Court of the United States for [New Jersey] against the executors of Jacob Ford Jr." Ford had defaulted on a debt of one thousand three hundred pounds owed to James Stevenson, former captain in the British Army, the debt having been incurred prior to the war in 1773. Harrison asks that Aaron Ogden serve a writ in the District Court of New Jersey against the executors, whom he names. Harrison was a highly regarded member of the New York Bar. He was the law partner of Alexander Hamilton at the beginning of his legal career and later served often as Hamilton's co-counsel. He was also a pallbearer at Hamilton's funeral and served as second in command to Mayor Richard Varick in Burr's trial for the murder of Hamilton. Aaron Ogden is best remembered as the defendant in the landmark Supreme Court case, *Gibbons v. Ogden*. He served as a New Jersey senator from 1801-1803 and was that state's governor from 1812-1813. Abraham Ogden [1743-1798] (no relation) was a lawyer and the first U.S. District Attorney for New Jersey.

EIGHTEENTH-CENTURY MANUSCRIPT ON  
THE CONSTITUTIONAL LAW OF HUNGARY

- 114 [MANUSCRIPT].  
[KINGDOM OF HUNGARY].

[*Summa Tripartiti*].

[N.p., c. 1723]. [125] ff. Octavo (8" x 6-1/4").

Contemporary three-quarter vellum over patterned paper-covered boards. Moderate rubbing with wear to extremities, scuffing to boards, corners bumped, some chipping to spine ends. Light toning, text in Latin, written in a fine secretarial hand, ownership inscription (of Ignatius Modrovich, "Advocati," dated 1811) to front free endpaper. \$1,500.

FREE OF CROSS-OUTS OR OTHER SIGNS of revision, and with a detailed alphabetical table of contents, this appears to be a fair-copy of an outline of the Hungarian *Tripartitum*. Compiled in 1514 by Istvan Werboczy [c.1465-1541], a Hungarian jurist and statesman, this collection of early customary laws, though never incorporated formally, was regarded as the second pillar of the Hungarian constitution. It was a *de facto* law-book of Hungary until 1848. According to the doctrine of the Holy Crown, which appeared in the *Tripartitum*, the king and the legally equal noblemen formulated the "corpse of the Holy Crown," which symbolized the Hungarian state.



N° 114

## EIGHTEENTH-CENTURY FRENCH LEGAL MANUSCRIPT DICTIONARY

## 115 [MANUSCRIPT].

## [Law Dictionary].

[N.p., late eighteenth century]. [284] pp. 12mo. (6" x 3-1/2").

Contemporary sheep, lettering piece to spine (reading "Dictionn/ de/ Chartes"). Moderate rubbing to extremities, a few light scuffs to boards, front joint cracked, corners bumped and somewhat worn, spine rubbed, moderate toning, a few minor worm holes. Text in fine neat hand to rectos and versos of all leaves but one.

\$2,850.

THIS MANUSCRIPT DICTIONARY contains a three-page preface and definitions of about 650 legal terms and concepts. Many have references and citations, some specific to a particular location, possibly that of Bainant, in Belgium. A later note in pencil on the front free endpaper states "ex libris Rosetee Dubuisson."



116 [MANUSCRIPT].  
[LAW DICTIONARY].**Repertorium Universale [Spine Title].**

[Amandola, Italy, c.1750]. [500] pp. Quarto (10-3/4" x 8").

Contemporary vellum, early calligraphic title to spine, untrimmed edges, large hand-colored arms of owner to front pastedown. Light soiling and some edgewear, heavier wear to fore-edge of rear board, some cracks to text block, a few signatures partially detached. Moderate toning, faint dampstaining to first half of text block, small holes to a few leaves at beginning of text. Text in fine neat hand to rectos and versos of most leaves. \$3,500.

PROBABLY COMPILED IN THE MID-EIGHTEENTH century, this alphabetically arranged manuscript dictionary was possibly compiled by the owner named above the coat of arms on the front pastedown: Mattia Toti, praetor of Amandola, a municipality in the Province of Fermo in the Marche region of Italy founded in 1248.



## VOLUME OF ELEVEN LATE SEVENTEENTH-CENTURY LEGAL MANUSCRIPTS FROM LOUVAIN

- 117 [MANUSCRIPT].  
LEDROU, PIERRE LAMBERT, BISHOP.  
FARVACQUES, FRANCOIS.

***Dictata T. LL. Ledrou e Farvacques* [Spine Title].**

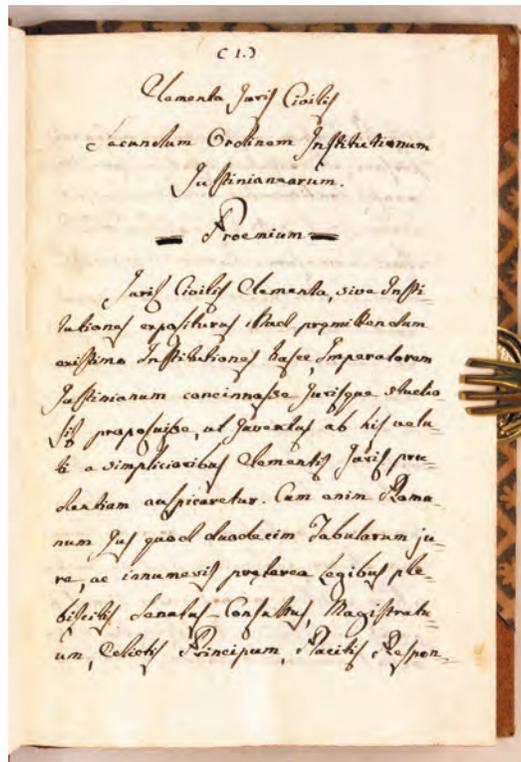
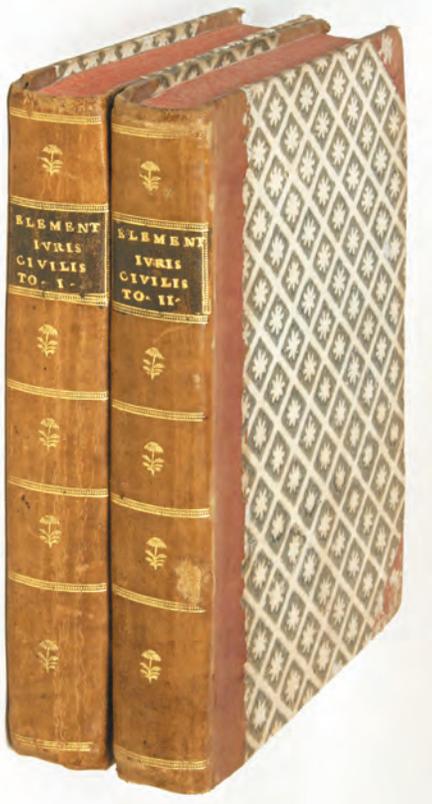
Louvain?, c. 1690. -[500] ff. Eleven parts. Quarto (8" x 6-1/4").

Recent period-style calf, raised bands, gilt ornaments and gilt title to spine, endpapers renewed. Some edgewear to first few and final leaves, first 3/5 of the volume in a fine, neat secretarial hand, remaining 2/5 in larger, but equally legible, hand. Light toning, somewhat heavier in places, some edgewear to first few and final leaves. A handsome volume. \$3,500.

ACCORDING TO THE SPINE TITLE and interior notes, this collection of legal works are writings by two eminent Belgian members of the Order of St. Augustin: Bishop Pierre Lambert Ledrou, titular bishop of Porfireone from 1692 to 1721, and Francois Farvacques. Both men were professors of law at the University of Louvain in the late 1600s and early years of the eighteenth century. The spine title describes the contents as "Dictata," that is, lessons. The neat hand, clear organization and absence of serious revisions suggest they are lectures or texts for publication. The first parts are lessons by Ledrou. It begins with an 8-page introduction with descriptions of 13 cases. The following section (c. 50 ff.) is headed "Tractatus de Legibus Quid Lex et Quotuplex." It has neat additions and marginal notes in the same hand as the main text. The following lesson, which is foliated from 1-182, is titled "Caput Primum de Jure et Justitia in Genere de Dominio, Nec non de Modis Illud Acquirendi-Quaestio Prima Quid et Quotuplex sit Justitia." This is followed by a 50 ff. theological text titled: "Tractatus de Sacramento Poenitentiae."

The second half of the volume consists of writings by Farvacques. The first part of his writings is headed "Caput Primum. De Jurisdictione Oria in Ministro Sacramenti Penitentiae, c. 130 ff. The final treatise is in possibly the same hand as the first part of the volume, on 63 numbered ff. These sections deal mostly with points of canon law. The emphasis on St. Augustine appears to have had a history at the University of Louvain in the teaching of Michael Baius [d. 1584]. This theology focused on Augustine's thought regarding grace and creation, and it produced a pessimistic view of humanity in its fallen state. In this respect Baius shared Reformation ideas while opposing the idea of sacramental restoration of humanity from this state. Another exponent of Louvain's strain of Augustinianism was Cornelius Jansen [1585-1638], the father of Jansenism. Based on several pamphlet publications of the period, the two authors in our manuscript appear to have also been involved in some of the theological controversies of the time.





Details from N° 118

ITALIAN MANUSCRIPT STUDY OF THE *INSTITUTES* OF JUSTINIAN

- 118 [MANUSCRIPT].  
[MOSCATELLI, LUIGI (B. 1777)].

*Elementa Juris Civilis.*

[Italy, c.1800]. Two volumes. [372]; [380] pp. Octavo (8" x 5").

Contemporary three-quarter calf over patterned boards, lettering pieces, gilt fillets and gilt ornaments to spines, speckled edges. Rubbing to extremities with some wear to spine ends and corners, negligible light toning to interior. Text in fine neat hand to rectos and versos of most leaves. \$2,000.

THIS MANUSCRIPT STUDY of the *Institutes* offers a combination of summary and interpretation. Its careful organization and absence of corrections suggests it is a fair copy of university lecture notes. It is not a copy of the similarly titled handbooks of Heineccius or Voet. The foot of the final leaf is signed by Moscatelli, a canon lawyer and, later, a Papal chaplain.

EARLY DOCKET BOOK FROM MIFFLIN COUNTY, PENNSYLVANIA

- 119 [MANUSCRIPT].  
[PENNSYLVANIA].  
[COMMISSIONERS OF MIFFLIN COUNTY].

*[Docket Book, Mifflin County, Pennsylvania, 1812-1839].*

[300] pp. Oblong folio (15-1/2" x 6-1/2").

Three quarter sheep over marbled boards. Light rubbing to boards, heavier rubbing to extremities with some wear to spine ends and corners. Light toning, faint dampstaining, a few partial cracks to text block, text in small neat hand to rectos and versos of 66 pages, later annotations in pencil to endleaves and a few other places. \$500.

APPARENTLY A RETROSPECTIVE RECORD, this ledger records court appearance records for Mifflin County, Pennsylvania from 1812 to 1839. This is an early docket book; the county was founded in 1789. The content is related exclusively to cases heard in this central Pennsylvania county, with hundreds of individual names and various institutions, such as the Turnpike Road Company, United States Bank, Juniata Bank and Lewistown Presbyterian Church. The entries include an "indictment for the murder of her child," an "indictment for larceny," and an "indictment for scaring defendants [who were] not guilty."



N° 119

HANDSOME FRENCH MANUSCRIPT ON PROCEDURE FROM 1821

LEMUEL SHAW ASKS EDWARD EVERETT TO HELP A FRIEND SEEKING A NAVAL COMMISSION

120 [MANUSCRIPT].

*Procédure.*

Rennes, France, 1821. 100 pp. Quarto (8" x 6-1/2").

Contemporary limp vellum with flap, tie lacking. Light soiling and a few minor stains and tiny holes, spine ends bumped, vellum beginning to crack through pastedowns, which have some worming. Light toning to text, some soiling to title page, burn-through from a few letters of title (due to acidic ink). Text in small elegant hand to rectos and versos of 41 leaves, most beginnings and ends of most sections have calligraphic decorations. Handsome. \$750.

CAREFULLY ORGANIZED and written with fine penmanship, this is a fair copy of lecture notes on procedure. It is arranged in three books with chapters (titles) and furnished with side-notes. The final six leaves, in the same hand, are a collection of poems (on non-legal subjects).



Details from N° 120



121 [MANUSCRIPT].

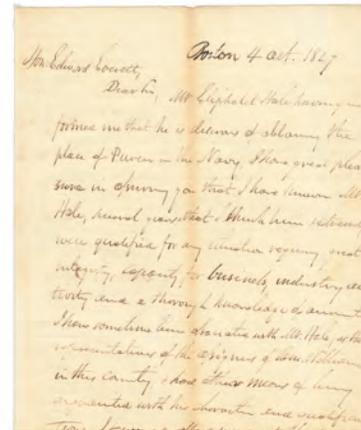
SHAW, LEMUEL [1781-1861].  
EVERETT, EDWARD [1795-1865].

*[Autograph Letter, Signed, to Edward Everett with Everett's Appended, And Signed, Letter of Transmittal, Boston, October 4, 1827 and October 12, 1827].*

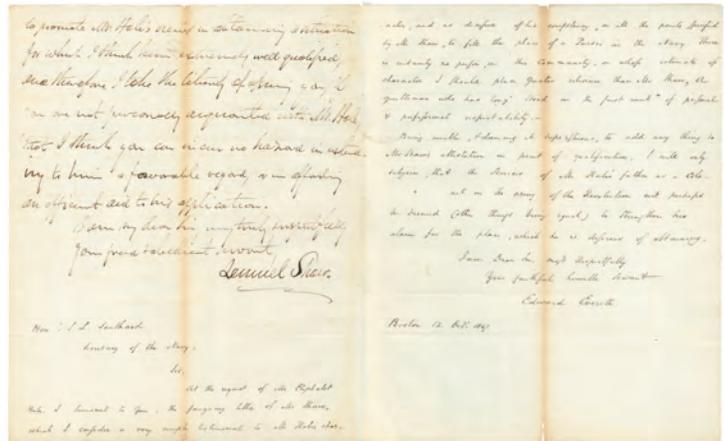
Single leaf folded to form 9-3/4" x 7-3/4" bifolium with integral address leaf, franked in red on verso of second leaf.

Some toning, old lines with short tears at ends, some remnants of paper from old mounting on back with no loss of legibility. \$750.

THIS 1827 LETTER from future Chief Justice of Massachusetts Lemuel Shaw to then Congressman and future Gettysburg orator Edward Everett contains two letters. It contains Shaw's original letter, requesting help for a friend who was seeking a commission as a purser in the Navy, and Everett's appended letter on behalf of Shaw's friend to the Secretary of the Navy, Samuel L. Southward. In the 19th century, Edward Everett was celebrated as a preacher and public orator. He is most famous for delivering a two-hour oration in 1863 at the dedication of the Gettysburg military cemetery. Everett's speech was subsequently eclipsed by President Abraham Lincoln's immortal, two-minute Gettysburg Address. At the time this letter was written Shaw had already served in both houses of the Massachusetts Legislature and had drafted the first charter of the City of Boston. In 1830, he became the Chief Justice of the Commonwealth of Massachusetts. He served on that court for 30 years and participated in such notable cases as the "Parkman-Webster" murder case and in Commonwealth v. Hunt, an important labor law precedent establishing that labor unions were not criminal conspiracies.



Details from N° 121



122 [MANUSCRIPT ARCHIVE].  
[CALIFORNIA].  
[NEVADA COUNTY].

[Court Documents from Ghost Towns in Nevada County, California].

Bloomfield Township, Washington Township, Little York, Eureka Township and Forest Spring, CA, 1859-1861.

241 manuscript and part-printed documents, ranging in size from 3" x 7-1/2" to 8-1/2" x 13", containing nearly 400 manuscript pages in ink. Moderate toning, creasing to most items, some items have chipping and edgewear to extremities, a few have light stains. Items in clear vinyl envelopes housed in two three-ring binders. \$3,000.

THE ONSET OF THE GOLD RUSH near Sacramento, California in 1849 spurred interest in exploring other regions of

California for gold and other minerals. Quartz gold was discovered in the Grass Valley of Nevada County, which attracted many settlers to the region. The booming population created a need for lumber and other building materials to create housing and infrastructure for the growing number of residents, which led to the establishment of sawmills and the purchase of dry goods. Our archive of documents from the Nevada County Court and the justice's courts from what are now ghost towns in Nevada County near Grass Valley comprise a fascinating resource for research into the final years of the Gold Rush era. These are mostly subpoenas, bonds, affidavits, appeals, attachments and summonses related to outstanding loans and overdue payments. Several cases are related to sawmills and their owners, including J.C. Broderick and Louis Voss. A few address taxes to support local schools. Taken together, the archive documents the waning of the Gold Rush period in the Grass Valley region and its effects on Bloomfield Township, Washington Township, Little York, Eureka Township and Forest Spring.



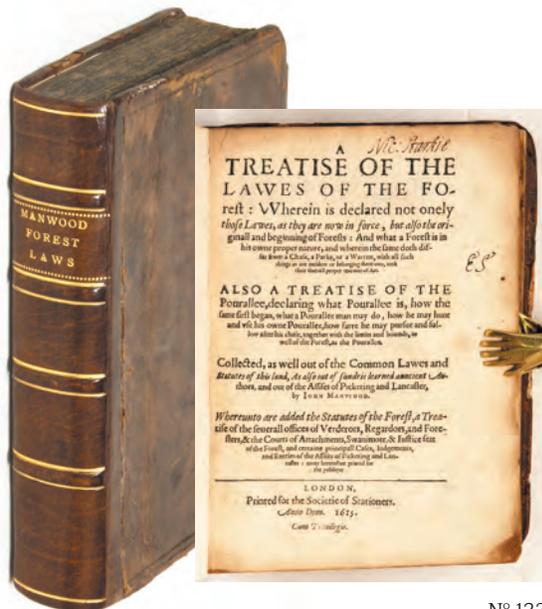
THE FIRST WORK ON THE LAW OF THE KING'S FOREST

## 123 MANWOOD, JOHN [D.1610].

*A Treatise of the Lawes of the Forest: Wherein is Declared Not Onely Those Lawes, As They Are Now In Force, But Also the Originall and Beginning of Forests: And What a Forest is In His Owne Proper Nature, And Wherein the Same Doth Differ From a Chase, A Parke, A Warren, With All Such Things As Are Incident or Belonging Thereunto, With Their Severall Proper Termes of Art. Also a Treatise of the Pourallee, Declaring What Pourallee Is, How the Same First Began, What a Pourallee Man May Do, How He May Hunt and Use His Owne Pourallee, How Farre He May Pursue and Follow After His Chase, Together With the Limits and Bounds, As Well of the Forest, As the Pourallee. Collected, As Well Out of the Common Lawes and Statutes of This Land, As Also out of Sundrie Learned Ancient Authors, And Out of the Assises of Pickering and Lancaster. Whereunto Are Added that Statutes of the Forest, A Treatise of the Severall Offices of Verderors, Regardors, and Forests, & the Courts of Attachments, Swanimote, & Justice Seat of the Forest, And Certaine Principal Cases, Iudgements, and Entries of the Assises of Pickering and Lancaster: Never Heretofore Printed for the Publique.*

London: Printed for the Societie of Stationers, 1615. [xv], 258 [i.e. 259], [1] ff. Quarto (7-1/4" x 5-3/4").

Contemporary calf, blind rules to boards, rebacked in period style, gilt-edged raised bands and lettering piece to spine, early hand-lettered title (and a few ink spatters) to fore-edge, hinges mended, free endpapers renewed, blank endleaf before rear free endpaper lacking. Moderate rubbing to boards, heavier rubbing to extremities, corners worn, recent owner bookplate to front pastedown, puncture to outside margins of ff. 212–226, minor worming to fore-edges of final 16 leaves. Later signature (Henry Mathews) to front pastedown, early signature (Nic: Starkie) and initials (ES) to head of title page, occasional brief early annotations, later annotations in pencil to a few other leaves. An appealing copy. \$950.



N° 123

FIRST EXPANDED EDITION. First published in 1598, it remained a standard text well into the twentieth century. This enlarged edition, which is the third chronologically, includes a great deal of information that does not appear in the first and second editions. Forests were central to England's economy from the time of the conquest to the mid-seventeenth century. A member of Lincoln's Inn, a barrister, gamekeeper of Waltham Forest and a justice of the New Forest, Manwood was eminently qualified to write it. Both a history and guide, it contains lengthy extracts from the *Carta de Foresta* and other ancient statutes and charters. (Some of it was taken from a privately-printed collection on the same subject Manwood issued around 1592). ESTC S111855.

ONLY AMERICAN EDITION OF MAXWELL'S  
COMMERCIAL LAW DICTIONARY

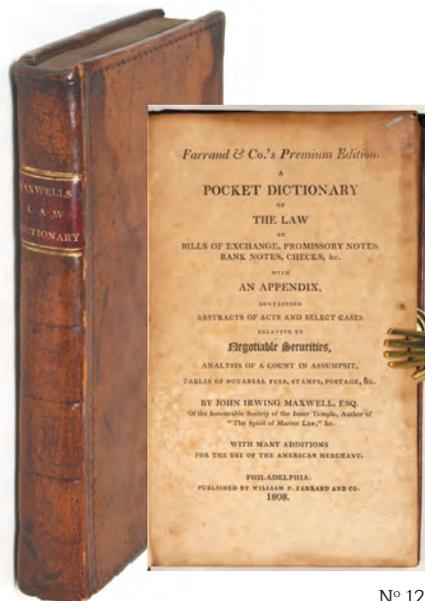
## 124 MAXWELL, JOHN IRVING.

*A Pocket Dictionary of the Law of Bills of Exchange, Promissory Notes, Bank Notes, Checks, &c. With an Appendix, Containing Abstracts of Acts and Select Cases Relative to Negotiable Securities, Analysis of a Count in Assumpsit, Tables of Notarial Fees, Stamps, Postage, &c. With Many Additions for the Use of the American Merchant.*

Philadelphia: Published by William P. Farrand and Co., 1808. [xv], [1], 251 pp. Octavo (7" x 4-1/4").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to extremities, corners bumped, recent owner bookplate to front pastedown, negligible faint dampstaining to front board. Moderate toning to text, somewhat heavier in places, minor wormholes near upper corner of preliminaries and a few other leaves, chip to fore-edge of Leaf X4 (pp. 233–234) with minor loss to text, legibility not affected, very faint dampstaining to a few leaves. Early owner signature and annotations to front free endpaper, interior otherwise clean. A nice copy. \$750.

ONLY AMERICAN EDITION. First published in London in 1802, this is an unusual alphabetical compendium dealing strictly with matters of commerce, such as bills of exchange and promissory notes. Maxwell was also the author of *The Spirit of Maritime Laws* and the delightfully titled *Hints for Protecting the Public Against the Extortion and Insolence of Hackney-Coachmen*. Cohen 2551.



N° 124

THE FIRST ENGLISH TREATISE ON THE LAW OF LANDLORD  
AND TENANT BOUND WITH A POPULAR HANDBOOK  
FOR TENANTS

125 MERITON, GEORGE [1634–1711].

*Land-Lords Law: A Treatise Very Fit for the Perusal of Most Men. Being a Collection of Several Cases in the Law Concerning Leases, And the Covenants, Conditions, Grants, Provisoos, Exceptions, Surrenders, &c. of the Same: As Also Touching Distresses, Replevins, Rescous and Waste, And Several Other Matters Which Often Come in Debate Between Land-Lord and Tenant. And Also, A Compleat Table of the Chief Matters Contained in This Treatise.*

London: Printed for John Place, 1669. [xii], 257, [16] pp.

[BOUND WITH]  
R.T., GENT.

*Tenants Law: A Treatise of Great Use for Tenants and Farmers of All Kinds, And All Other Persons Whatsoever. Wherein the Several Natures, Differences and Kinds of Tenures and Tenants are Discussed, And Several Cases in the Law Touching Leases, Rents, Distresses, Replevins, And Other Accidents Between Landlord and Tenant, And Tenant and Tenant Between Themselves and Others; Especially Such Who Have Suffered by the Late Conflagration in the City of London.*

London: Printed for, And Sold by, John Amery, 1674. [xii], 72, 75–157, [1] pp. First leaf blank. Final leaf includes publisher list.

12mo. (5-3/4" x 3-1/4"). Recent period-style speckled calf, lettering piece and gilt fillets to spine, marbled endpapers, ribbon marker. Moderate toning to text, light foxing in a few places, lower corner lacking from leaf in *Land-Lords Law* with minor loss to text, legibility not affected. Early owner annotations to endleaves, small early owner signature to title page of *Land-Lords Law*. A handsome volume. \$500.

THIRD EDITIONS. Meriton was a lawyer and a prodigious writer on a wide range of legal and non-legal topics. Born in the North Riding of Yorkshire, he is also remembered for his dialect poem *The Praise of Yorkshire Ale* (1683). First published in 1665, the *Land-Lords Law* was the first English treatise on the law of landlord and tenant. It was a well-regarded work that went through five later editions, the last in 1697. All editions are scarce. OCLC locates 7 copies of the third edition in North American law libraries (Columbia, Harvard, LA County, Library of Congress, University of Georgia, University of Minnesota, York). First published in 1666, shortly after the Great Fire of London, *Tenants Law*, a layman's guide, was a popular book immediately. With additions and other modifications at each printing, it went through several editions and issues eighteenth century. The identity of "R.T." is unknown. In any event, printings after 1684 appeared without attribution. Despite its popularity, printings of this title are scarce. Concerning the third edition, OCLC locates 5 copies, 2 in North America (Huntington Library, University of Pennsylvania Law School). ESTC R40642, R10062.

A SCARCE SEVENTEENTH-CENTURY TREATISE ON ARREST

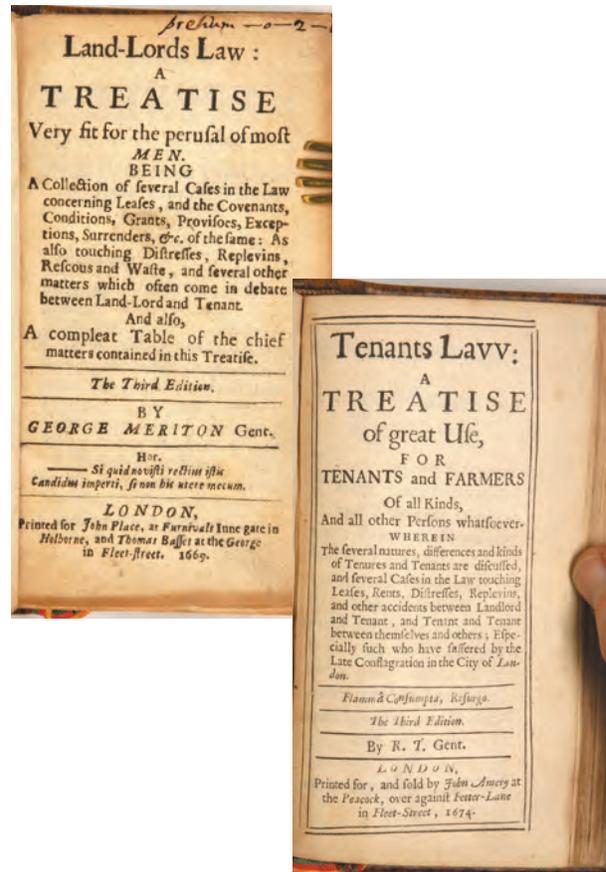
126 MEVIUS, DAVID [1609–1670].

*Tractatus Juridicus de Arrestis: Ex Jurisconsultorum Scriptis & Germaniae Legibus Moribusque Collectus, & In Gratiam Eorum qui Operantur Justitiae Brevi Quasi in Tabulâ Exhibitus, Multisque in Locis Auctus, & Secunda Vice Editus.*

Frankfurt: Impensis Viduae & Haeredum Joachimi Wildii, 1674. [viii], 311. [16] pp. Quarto (7-3/4" x 6-1/4").

Contemporary paper-covered boards with later cloth rebacking, plain paper title label to spine. Light rubbing and few minor stains to boards, moderate rubbing to extremities, corners bumped and lightly worn, tiny chip to head of spine, hinges just starting at ends, a few partial cracks to text block, owner inscription of Guido Kisch to front free endpaper dated 1913. Title page printed in red and black. Moderate toning to text, faint dampstaining to margins in a few places. Small early owner signature to title page, interior otherwise clean. \$750.

SECOND EDITION. First published in 1646, this treatise discusses laws and procedures concerning arrest. Much of its content deals with issues of debtor and creditor, attachment and garnishment and imprisonment for debt. A successful work, its third and final edition appeared in 1686. Kisch [1889–1985] was a prominent jurist and scholar who produced important works on humanism, Jewish law and history, German jurisprudence and the history of German–Jewish relations. All editions are scarce. OCLC locates 1 copy of the second edition in North America (UC-Berkeley Law School). VD17 3:010232F.



Nº 125

## THE CREATION OF MODERN MEXICO

127 [MEXICO].  
[CONSTITUTION OF 1824].

*Coleccion de los Decretos y Ordenes del Soberano Congreso Constituyente Mexicano, Desde su Instalacion en 5 de Noviembre de 1823 Hasta 24 de Diciembre de 1824, En que Ceso.*

Mexico City: Imp. del Supremo Gobierno de los Estados Unidos Mexicanos, 1825. xviii, 190, xviii pp. Quarto (7-1/2" x 5").

Contemporary sheep treated to resemble tree calf, later hand-lettered paper title label to spine. Light rubbing, somewhat heavier rubbing to extremities, chipping to head of spine, corners bumped and lightly worn, minor worming to rear of text block and pastedown. Moderate toning to text, somewhat heavier in places, light foxing and dampstaining to a few leaves. Early owner inscription to front free endpaper, interior otherwise clean. Ex-library. Location label to foot of spine, small inkstamp to title page, annotations to verso. A solid copy of a scarce title. \$750.

ONLY EDITION. The Mexican War of Independence established a constitutional monarchy based on the Spanish Constitution of 1812. Discontent with the monarch, Agustín I, led to a successful revolution led by General Antonio López de Santa Anna, who overthrew Agustín I on March 19, 1823. Santa Anna established a provisional government on November 5, 1823. It established a Federal Republican Government on February 3, 1824, which created a constitution enacted on October 4 of 1824. A landmark in the history of Mexico, it established a representative federal republic, the United Mexican States. It was replaced by the Federal Constitution of the United Mexican States of 1857. The *Coleccion* is a valuable record of the provisional government and its central role in the establishment of modern Mexico. Bibliographically distinct, it is often bound with another volume that covered the transitional period, February 24, 1822 to October 30, 1823. Some records refer to these books as a two-volume set. OCLC locates 8 copies in North American law libraries (Duke, Harvard, LA County, Library of Congress, Northwestern, Southern Methodist University, UT-Austin, Yale). Not in Clagett & Valderrama.

## MEXICO ADOPTS DECIMAL COINAGE

128 [MEXICO].  
[CURRENCY].  
[WEIGHTS AND MEASURES].  
MINISTERIO DE FOMENTO.

*Explicacion de los Pesos y Medidas por el Sistema Metrico Decimal.*

Guadalajara: Tipografia del Gobierno, A Cargo de Ignacio Gutierrez Cortes, 1857. 53 pp. Quarto (8-1/2" x 5-3/4").

[BOUND WITH]

*Sistema Metrico-Decimal: Tablas que Establecen la Relacion que Existe Entre los Valores de las Antiguas Medidas Mejicanas y las del Nuevo Sistema Legal, Formadas en el Ministerio de Fomento, Conforme a la ley de 15 Marzo de 1857.*

Guadalajara: Tip. del Gob., A Cargo de Ignacio Gutierrez Cortes, 1857. xx, 40, [1] pp. Quarto (8-1/2" x 5-3/4").

[AND]  
BANDA, LONGINOS.

*Explicacion del Nueva Sistema Decimal de Pesos y Medidas.*

Guadalajara: Tip. Economica de Vidaurri, 1865. 14 pp. 12mo. (6" x 3-1/2").

[AND]  
SIERRA, ESTEBAN.

*Coleccion de Tablas para Facilitar los Calculos Aritmetico-Comerciales.*

Guadalajara: Tip. Economica de Luis P. Vidaurri, 1865. 43 ff. Folding table. Quarto (8-1/2" x 5-3/4").

Pamphlets bound into later quarter reversed calf over paper-covered boards. Typewritten title label and owner label to spine. Light rubbing to extremities, some soiling to boards, corners bumped. Light browning, early notes in pencil to a few leaves, early owner stamp to front free endpaper. Ex-library. Location label to spine, stamps to title pages, annotations to their versos. Attractive copies of four rare titles. \$500.

ONLY EDITION. Mexico devised a system of decimal coinage in 1857 and began to introduce decimal-denominated currency during the 1860s. This was a gradual process that was not completed until 1897. The four pamphlets in this volume relate to legal, commercial and practical aspects of that transition. No copies of any title in this volume listed on OCLC.

## DIGEST OF MEXICAN LAW FROM 1680 TO 1854

129 [MEXICO].  
GALVAN RIVERA, MARIANO.

*Nueva Coleccion de Leyes y Decretos Mexicanos, En Forma de Diccionario. Contiene el Texto de Todas las Leyes Vigentes de Indias, Los Articulos de la Ordenanzas de Intendentes, Los de Las de Bilbao, Minería y Correos, Y Las Disposiciones Insertas en Montemayor y Belena, Y las Reales Cédulas, U Ordenes y Reglamentos que Puedan Tener Algun Uso, Publicadas Desde 1680 Hasta Nuestra Feliz Emancipacion, Y Finalmente Todas las Disposiciones Mexicanas Desde Esa Epoca Hasta la Presente. Con Autorizacion del Supremo Gobierno, Y Revisada y Corregida por la Cancilleria.*



Nº 129

Mexico City: [Imprenta de T.S. Gardida], 1853–1854. Two volumes. vi, 1109; [iv], 1227 pp. All issued. Main text in parallel columns. Octavo (10-1/2" x 6-1/2").

Contemporary tree-calf, gilt titles and ornaments to spines. Moderate rubbing to extremities with some wear to spine ends and corners, a few shallow scuffs to boards, early owner bookplates to front pastedown of each volume. Moderate toning to text, internally clean. Ex-library. Location labels to spines, partially erased annotations in pencil to front endleaves, small inkstamps to title pages. A nice copy of a scarce set. \$950.

ONLY EDITION. Volume I: A; Volume II: B–C. Never completed, this is a highly detailed alphabetically arranged compendium of legal provisions from old Spanish and colonial legislation to 1854. OCLC locates 12 copies in North America, 6 in law libraries (Harvard, LA County, Library of Congress, UC–Berkeley, University of Michigan, UT–Austin). Clagett and Valderrama 393.

LEGISLATION AND DECREES OF EMPEROR MAXIMILIAN

130 [MEXICO].  
SEGURA, JOSE SEBASTIAN, COMPILER.

*Boletín de las Leyes del Imperio Mexicano, O Sea Código de las Leyes y demas Disposiciones Dictadas por la Intervencion Francesa, Por el Supremo Poder Ejecutivo Provisional, Y por el Imperio Mexicano, Con un Apéndice de los Documentos Oficiales mas Notables y Curiosos de la Epoca.*

Mexico City: Imprenta Litteraria, 1863–1865. Four volumes. Complete set. Octavo (8-1/2" x 5-1/2").

Contemporary quarter calf over marbled boards, lettering pieces and gilt ornaments to spines. Moderate rubbing to extremities, some chipping to spine ends, corners worn, hinges cracked, a few cracks to text blocks, endleaves lacking from Volume 4. Moderate toning to text, a bit of watercolor paint to final leaf of Volume I with no loss to legibility, interiors otherwise clean. Ex-library. Location labels to spines, annotations in pencil to front endleaves, small inkstamps to title pages. A nice copy of a scarce complete set. \$750.

ONLY EDITION. An important compilation of legislative materials and imperial decrees from the French Intervention period, when Emperor Maximilian was put on the throne through the efforts of Napoleon III. OCLC locates copies in 11 North American law libraries. Clagett and Valderrama 398.



Nº 130

SCARCE COMPILATION OF NINETEENTH-CENTURY  
MEXICAN LAW

131 [MEXICO].  
[SEMANARIO JUDICIAL].

*Coleccion de las Leyes, Decretos y Ordenes, Espedidas por el Congreso Nacional y por el Supremo Gobierno. (Volumes 1–4); Coleccion de las Leyes, Decretos y Ordenes, Espedidas por el Exmo. Sr. Presidente de la Republica, D. Antonio Lopez de Santa-Anna (Volumes 5–8).*

Mexico City: Imprenta de J. M. Lara, 1850–1855. Eight volumes. Complete set. Octavo (8-1/2" x 5-1/2").

Quarter calf over textured-paper boards (Volumes 6–8 have marbled boards), gilt titles and ornaments to spines. Moderate rubbing with some wear to extremities, spine ends bumped, chipping to head of spine of Volume 5, most hinges cracked. Moderate toning, occasional light foxing, internally clean. Ex-library. Location labels to spines, annotations in pencil to front endleaves, small inkstamps to title pages. A scarce complete set. \$1,250.

ONLY EDITION. With indexes. A collection of legislation from an interesting period in Mexican history: from the aftermath of the Mexican–American War to the overthrow of Santa Anna. Volume 6 includes the text of Mexico's first commercial code (the Lares Code). OCLC locates 12 copies in North America.

EARLY LEGISLATION OF THE STATE OF MEXICO

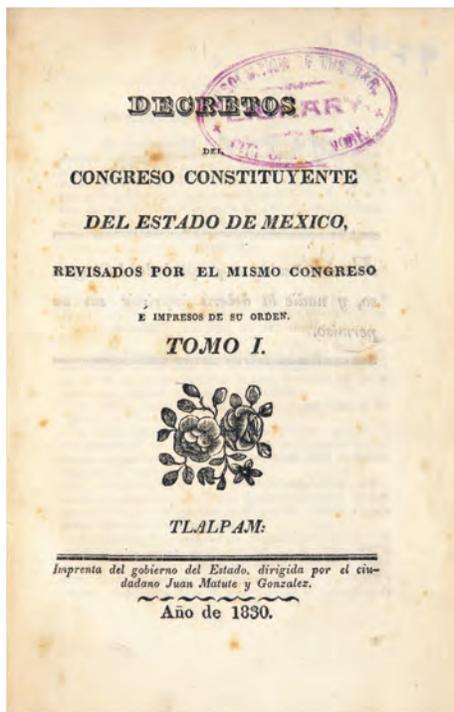
132 [MEXICO, STATE OF].

*Coleccion de Decretos y Ordenes del Primer Congreso Constitucional de Mexico.*

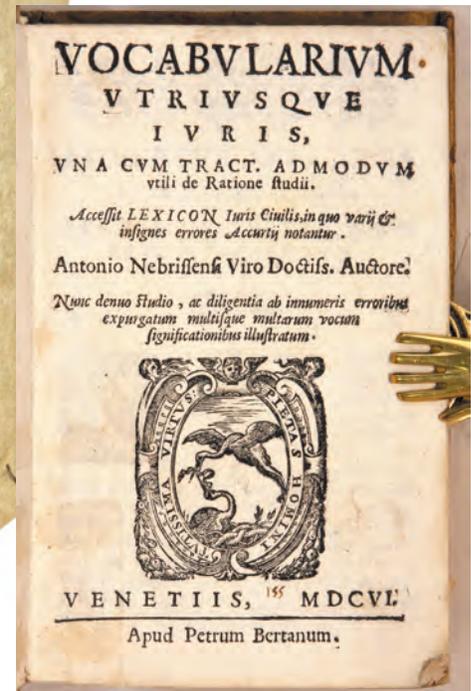
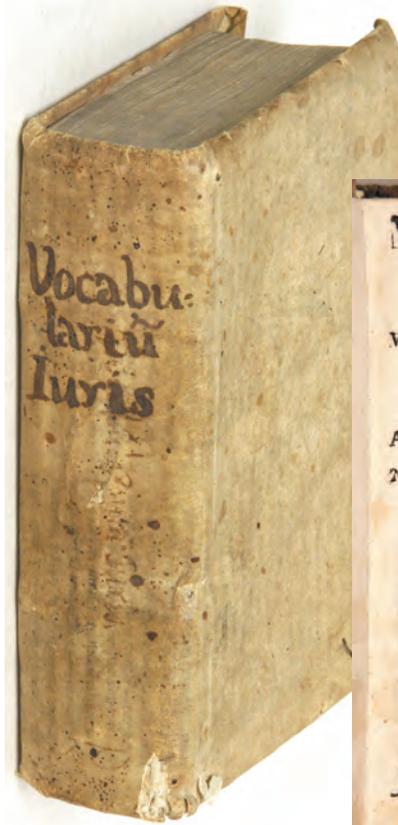
Volumes 1–3: Toluca: Imprenta del Gobierno, 1831; Volumes 4–5 Tlalpam: Imprenta del Gobierno, 1829; Volumes 6–8: Toluca: Imprenta del Gobierno, 1831. Eight volumes in three books (extracted from a multi-volume library collection of Mexican titles). Complete as issued. Octavo (7" x 4-1/2").

Later buckram, red and black lettering pieces to spine. Some shelfwear and soiling. Moderate toning to text, somewhat heavier in places, light foxing in a few places. Ex-library. Location label to spines, stamps to title page. \$950.

VOLUMES 1–3. REISSUE OF FIRST EDITION, 1827, 1828; other volumes, only edition. With indexes. Mexico's Constitution of 1824 divided Mexico into states. The State of Mexico, which surrounded the capital, Mexico City, was the largest and most important. This set is a compilation of some of that state's earliest legislative sessions, from 1827 to 1832. This set was preceded by an earlier collection covering the first sessions, 1824–1831. Our copy was extracted from a multi-volume collection of Mexican statutes assembled by a library, which is why our volumes are numbered "2," "3," and "4." OCLC locates 4 copies in North America (with original rather than re-issued Volumes 1–3), 2 in law libraries (University of Michigan, University of Texas).



Nº 133



Nº 134

INITIAL LEGISLATION OF AN IMPORTANT MEXICAN STATE

## 133 [MEXICO, STATE OF].

*Decretos del Congreso Constituyente del Estado de Mexico, Revisados por el Mismo Congreso e Impresos de su Orden.*

Tlalpam: Imprenta del Gobierno del Estado, 1830. Volume I [All Published]. 222, xix pp. Octavo (7" x 4-1/2").

Later buckram, red and black lettering pieces to spine. Some shelfwear and soiling, moderate toning to text, light foxing in a few places. Ex-library. Location label to spine, stamps to title page.

\$500.

ONLY EDITION. With index. Mexico's Constitution of 1824 divided Mexico into states. The State of Mexico, which surrounded the capital, Mexico City, was the largest and most important. This volume is a compilation of that state's first legislative session (1824). OCLC locates 10 copies in North America, 1 in a law library (Harvard).

AN IMPORTANT EARLY LAW DICTIONARY

## 134 NEBRIJA, ANTONIO DE [144?-1522].

[ABERICUS DE ROSATE (1290-1360)].

[CACCIALUPE, GIOVANNI BATTISTA].

[JODOCUS OF ERFURT, PRESUMED COMPILER OF VOCABULARIUS].

*Vocabularium Utriusque Iuris, Una cum Tract. Admodum Utili de Ratione Studii. Accessit Lexicon Iuris Civilis, In*

*Quo Varii & Insignes Errores Accurtii Notantur. Antonio Nebrissensi Viro Doctiss. Auctore. Nunc Denuo Studio, Ac Diligentia ab Innumeris Erroribus Expurgatum Multisque Multarum Vocum Significationibus Illustratum.*

Venice: Apud Petrum Bertanum, 1606. 414 ff. Main text in parallel columns. Octavo (5-3/4" x 4").

Contemporary limp paper-covered binding with lapped edges, early hand-lettered titles to spine and foot of text block. Some soiling, rubbing to extremities with wear to foot of spine, lower corners and lower portion of front cover's fore-edge, front hinge cracked, pastedowns just beginning to detach. Light toning to text. Recent gift inscription to front free endpaper, interior otherwise clean.

\$1,850.

FIRST PUBLISHED AROUND 1474 and attributed to Jodocus of Erfurt, this popular legal dictionary went through more than 70 editions over the next 150 years. The definitions are mostly derived from the *Vocabularius Stuttgardiensis* (1432), the *Collectio Terminorum Legalium* (c. 1400), and the *Introductorium pro Studio Sacrorum Canonum* of Hermann von Schildesch (c. 1330). The main text is preceded by *Compendiolum de Ortographia*, a short essay on legal orthography by Albericus de Rosate. It is followed by *Tractatus de Modo Studendi*, a longer essay on legal study by Caccialupe. The dictionary was produced for laymen, but it was very popular with law students, which explains the appended essays that are common in all later editions. OCLC locates 7 copies of this imprint, 4 in North American law libraries (Boston College, Harvard, Library of Congress, UT-Austin). This imprint not in the BMC. Seckel 306-322.

THE FIRST RETROSPECTIVE COMPILATION OF NEW JERSEY LAW

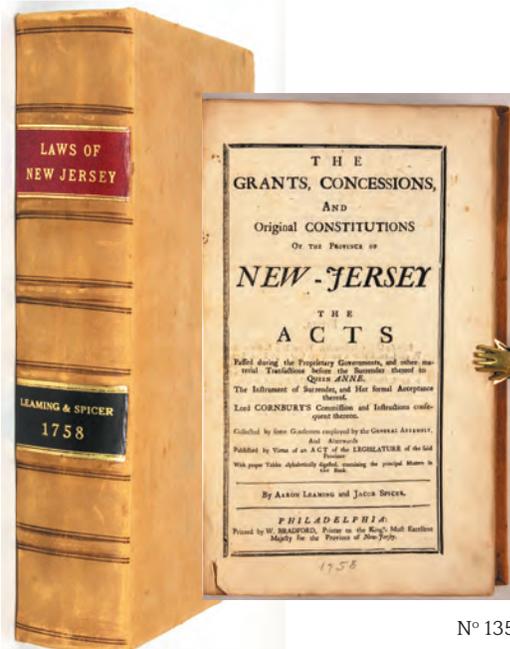
- 135 [NEW JERSEY].  
LEAMING, AARON, COMPILER.  
SPICER, JACOB COMPILER.

*The Grants, Concessions, And Original Constitutions of the Province of New-Jersey: The Acts Passed During the Proprietary Governments, And Other Material Transactions Before the Surrender Thereof to Queen Anne, The Instrument of Surrender, And Her Formal Acceptance Thereof, Lord Cornbury's Commission and Instructions Consequent Thereon. Collected by Some Gentlemen Employed By the General Assembly, And Afterwards Published by Virtue of an Act of the Legislature of the said Province With Proper Tables Alphabetically Digested, Containing the Principal Matters in the Book.*

Philadelphia: Printed by W. Bradford, [1758]. [iv], 763 pp. Folio (11-1/4" x 7").

Later sheep, raised bands, black fillets and red and black lettering pieces to spine. Light rubbing to boards and spine and extremities, small recent bookseller ticket to front pastedown. Internally quite clean and fresh, with very light foxing in places, small tear to fore-edge of leaf Z6 (pp. 549–550). A very appealing copy. \$2,200.

FIRST EDITION. With indexes for East Jersey and West Jersey. The third official compilation of New Jersey law, and the scarcest according to Felcone, it is the first to print fundamental laws, constitutions and documents from 1663 to 1702 and session laws from 1668 to 1702. "This handsome volume, generally known as Leaming and Spicer's Laws, was prepared under the authority of an act of Assembly passed in 1752, and is the largest work issued from the press of Wm. Bradford. Subscribers' names were first solicited in February, 1755, the compilers having spent nearly two years in its preparation. Three more years were consumed in printing, and it was not until May, 1758, that it was ready for delivery. Up to that time 170 copies had been subscribed for, and the editors say, in the Pennsylvania Journal, May 11, 1758, 'a number of copies yet remain not subscribed for,' and 'any person may be supplied' until 'the 17th of July next, after which we will not further extend the sale': Tower 165. Felcone 156.



N° 135

AN IMPORTANT COLLECTION OF CRITICAL WRITINGS ON ROMAN LAW

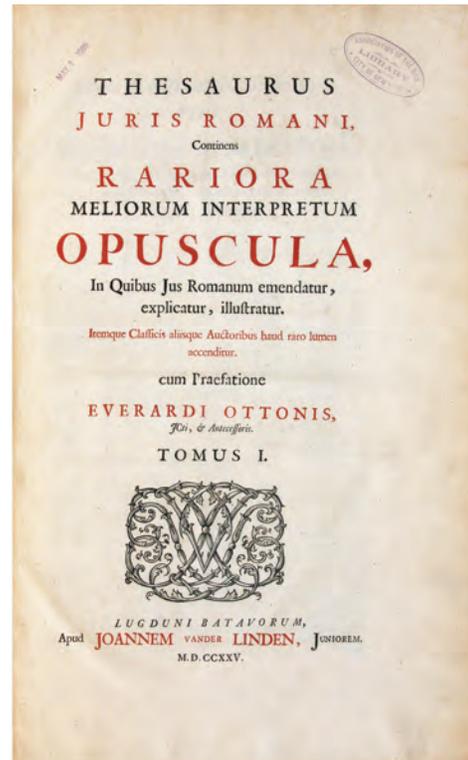
- 136 OTTO, EVERHARD [1685–1756].

*Thesaurus Juris Romani, Continens Rariora Meliorum Interpretum, in Quibus Jus Romanum Emendatur, Explicatur, Illustratur. Itemque Classicis Aliisque Auctoribus Haud Raro Lumen Accenditur.*

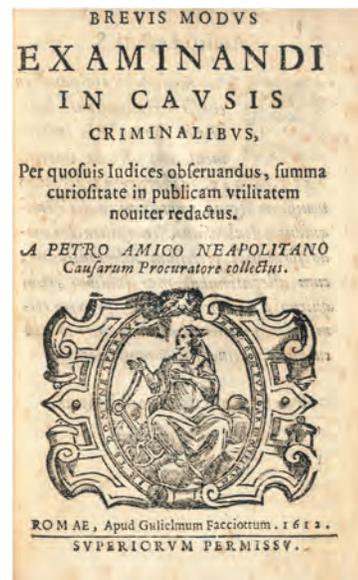
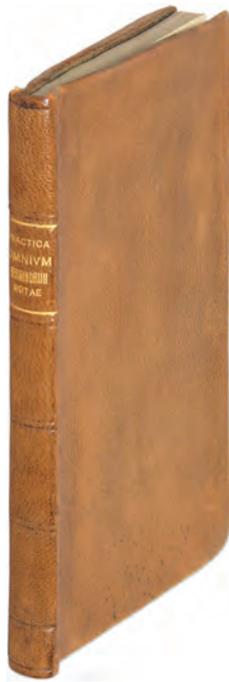
Volumes I–IV: Leiden: Apud Joannem van der Linden, 1725–1729; Volume V: Utrecht: Apud: Joannem Brodelet, 1735. Five volumes. Complete. Main text in parallel columns. Folio (17" x 10-1/2").

Contemporary three-quarter calf over speckled boards, gilt ornaments, raised bands and lettering pieces to spines. Rubbing to extremities, wear to spine ends and corners, backstrips abraded with considerable loss, scuffing to boards, several joints and a few hinges cracked. Title pages printed in red and black. Light toning to text, somewhat heavier in places, internally clean. Ex-library. Location labels to spines, small inkstamps to title pages. \$950.

FIRST EDITION, except for Volume V, a second edition. Otto was a leading member of the Elegant School of Dutch jurisprudence. Originally published in 1725–1729, this remarkable work collects nearly a hundred humanistic studies of Roman law by leading European jurists and scholars. It remains a fundamental anthology of humanistic legal scholarship and philology. Complete in itself, it became a seven-volume set with the addition of two supplemental volumes in 1741 and 1745. Dekkers 127.



N° 136



Details from N° 137

CRIMINAL PROCEDURE IN THE SEVENTEENTH-CENTURY  
PAPAL STATES

FIRST EDITION OF THE FIRST ENGLISH TREATISE ON INSURANCE

## 137 PARISIO, FLAMINIO [d. 1603].

*Practica Omnium Terminorum Rota, Et Aliorum Tribunalium Romanae Curiae Omnibus Curialibus Necessaria & Utilissima. Una cum Feltis Palatii. Examinata, & Approbata; Atque Anno 1585, In Lucem Edita.*

Rome: Apud Gulielmum Facciotum, 1612. [ii], [3]–56 pp.

[BOUND WITH]

AMICO, PIETRO [1566–1645].

*Brevis Modus Examinandi in Causis Criminalibus, Per Quosuis Iudices Observandus, Summa Curiositate in Publicam Utilitatem Noviter Redactus.*

Rome: Apud Gulielmum Facciotum, 1612 24 pp.

Octavo (5-1/2" x 3-3/4"). Recent flexible sheep, gilt title and blind rules to boards, patterned endpapers. Spine ends and corners lightly bumped, moderate toning and occasional light foxing to text, annotations and inkspots to a few leaves. A handsome volume containing two rare titles. \$1,750.

*TERMINORUM*, FOURTH EDITION; *Examinandi*, second edition. Often bound together, the two handbooks in this volume describe the practice of the mixed secular (civil and criminal) and ecclesiastical courts in the Papal States. First published in 1585, it went through six editions, the last one in 1647. Parisio's *Terminorum* describes the nature and jurisdictions of the different courts, including the Rota Romana. Amico's *Examinandi* discusses criminal procedure, with sections on evidence, trial procedure and the use of torture. It was first published in 1604 and went through four editions, the last one in 1647. All editions of both titles are very scarce, rare if you omit holdings in European libraries. *Terminorum*: OCLC locates 3 copies in North America, none of this edition; *Examinandi*: OCLC locates 2 copies in North America, 1 of this edition (at the Library of Congress). Neither title in the *BMC*.

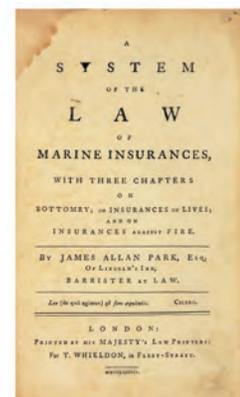
## 138 PARK, JAMES ALLAN [1763–1838].

*A System of the Law of Marine Insurances, With Three Chapters on Bottomry; On Insurances on Lives; And on Insurances Against Fire.*

London: Printed by His Majesty's Law Printers. For T. Whieldon, 1787. xvi, [8], xlv, 530, [50] pp. Octavo (9" x 5-1/2").

Recent period-style three-quarter calf over cloth, raised bands and lettering piece to spine. Moderate toning to text, occasional faint dampstaining to margins, top edge excised from upper margin of dedication leaf. A few early annotations to text, interior otherwise clean. \$1,000.

FIRST EDITION. Park's *System of Marine Insurances* was the first legal work on insurance written by an English lawyer and the first book on the subject to appear in America. Holdsworth has called it "the best text-book upon the law of insurance." A work of great authority, *System of Marine Insurances* went through numerous English and American editions and remained the standard text until the middle of the nineteenth century. *HEL* XII: 390. *ESTC* T112941.



N° 138

INCLUDES RARE INDEPENDENCE-ERA PERUVIAN ESSAYS ON LEGAL EDUCATION AND JURISPRUDENCE

139 [PERU].  
[LAWYERS].  
[LEGAL EDUCATION].  
[JURISPRUDENCE].  
COLEGIO DE ABAGADOS DE LIMA.

***Abogados del Ilustre Colegio de la Eximia Ciudad de Lima,  
Con Expresion de las Calles y Casas en que Viven.***

Lima: Imprenta de Ruiz, 1820. 17 pp.

[BOUND WITH]  
COLEGIO DE ABAGADOS DE LIMA.

***Abogados del Ilustre Colegio de la Eximia Ciudad de Lima,  
Con Expresion de las Calles y Casas en que Viven.***

Lima: Imprenta de Ruiz,  
1821. 16 pp.

[AND]  
COLEGIO DE ABAGADOS DE LIMA.

***Matricula del Ilustre Colegio de Abogados de la Heroica y  
Esforzada Ciudad de los Libres.***

[Lima]: Imprenta de D. Manuel del Rio, 1822.

[AND]  
FIGUEROLA, JUSTO.

***Plan a que los Concurrentes a las Conferencias de  
Jurisprudencia Teorico-Practica Establecidas Conforme  
a los Estatutos del Ilustre Colegio de Abogados de Lima  
Deben Arreglar sus Studios Para su Mas Facil Instruccion.***

[Lima]: [Colegio de Abogados de Lima], 1818. 14 pp.

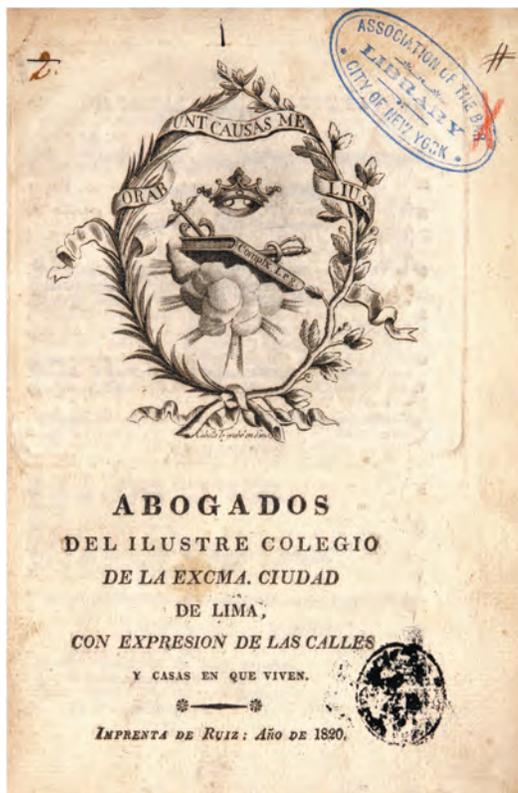
[AND]  
GUTIERREZ DE ESCOBAR, FRANCISCO.

***Prontuario de los Juicios: Su Orden, Sustaciacion e Inci-  
dencias.***

Lima: Real Casa de Ninos Expositos, 1818. [ii], 168 [13] pp.

Quarto (7-1/2" x 5-1/2"). Stab-stitched pamphlets bound into later buckram, red and black lettering pieces to spine. Moderate shelfwear and soiling. Light toning to text, somewhat heavier in places, light foxing and faint dampstaining to some leaves, internally clean. Ex-library. Location label to spine, stamps to title pages. An interesting volume containing five rare titles. \$2,500.

ONLY EDITIONS. These items date from the years around the declaration of Peruvian independence in 1821 and the establishment of the Republic of Peru in 1822. Figuerola's *Plan*, which proposes reforms to the system of legal education in the newly established republic, relates directly to these political changes. Gutierrez de Escobar's *Prontuario*, which proposes changes to the systems of civil and criminal procedures, was published in the expectation of legal reforms following Peruvian independence. The other titles are lists of attorneys admitted to the Peruvian Bar. They are important records because they include many men who would become early leaders of the Republic. Indde, Figuerola and Gutierrez de Escobar were leading members of this organization. In North America, OCLC locates no copies of *Abogados* or *Matricula*, 5 copies of *Plan* (Harvard Law School, John Carter Brown Library, Library of Congress, LA County Law Library, UT Austin) and 7 copies of *Prontuario* (Duke, Harvard Law School, John Carter Brown Library, Library of Congress, LA County Law Library, UT Austin).



TREATISE ON LAND USE AND WATER RIGHTS UNDER THE CODE NAPOLEON WITH 144 COPPERPLATE ILLUSTRATIONS

## 140 PICCOLI, LUIGI.

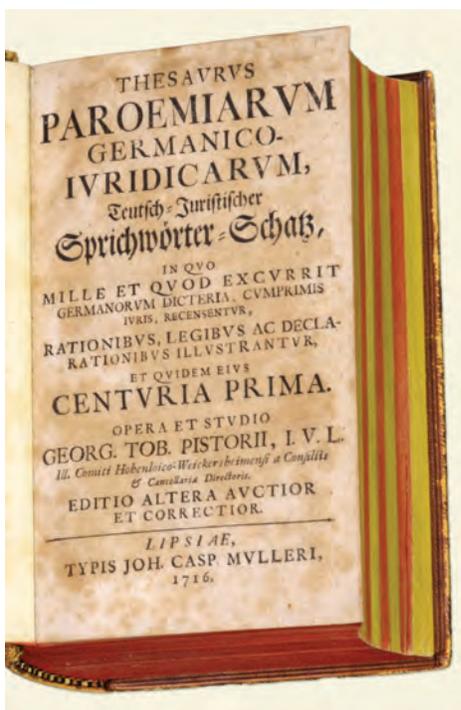
***Le Servitu Prediali Sanzionate dal Codice Napoleon, Ridotte in Casi Pratici Incisi in Rame.***

Brescia: Per Nicolo Bettoni, 1808. [VII], VIII–LV, [6], 5–127, [1] pp., 24 folding leaves with 144 copperplates. Added French title page, French translation on facing leaves. Complete. Quarto (11-1/4" x 8-1/2").

Contemporary three-quarter vellum over marbled boards, early hand-lettered title to spine. Some rubbing with light wear to boards, rear hinge starting. Occasional light foxing to text, minor edgewear and creases to folding leaves. Small owner stamp to foot of title page, interior otherwise clean. A handsome copy. \$750.

ONLY EDITION. With a text followed by 144 topographical and architectural copperplate illustrations, this treatise addresses the law of servitudes (right to use land) according to the Code Napoleon, which was introduced to the states of northern Italy conquered by Napoleon's army. As indicated by the plates, a great deal of attention is devoted to issues concerning natural and man-made watercourses. Piccoli was an expert on servitudes. He published volumes on several aspects of servitudes, all with illustrations, in Roman law, the laws of the Italian and Austrian states and the Code Napoleon. All are scarce. OCLC locates 7 copies of *Le Servitu Prediali* in North America, 2 in law libraries (Harvard, Library of Congress). Not in the *BMC*.





N° 141

VAST EARLY-EIGHTEENTH CENTURY  
COLLECTION OF LEGAL MAXIMS FOR ATTORNEYS

## 141 PISTORIUS, GEORG TOBIAS.

*Thesaurus Paroemiarum Germanico-Iuridicarum, Teutsch-Juristischer-Sprichwörter-Schatz, In quo Mille et Quod Excurrit Germanorum Dicteria, Cum Primis Iuris, Recensentur, Et Quidem Eius Centuria Prima [-Decima].*

Imprint varies. Part I, IV, V, Leipzig: Typis Joh. Casp. Mulleri, 1716; ; Parts II–III, Leipzig: Apud Thomae Fritsch, 1715; Parts VI–X, Augsburg: Apud David Raimund Merz & Joh. Jacob Mayer, 1723–1725. Ten parts with continuous pagination, each has title page, one hundred numbered entries, table of contents and index. Complete set. Octavo (6-1/2" x 4").

Nineteenth-century signed morocco binding by Leighton, blind rules to boards, blind-stamped arms of William Stirling-Maxwell to front, blind -stamped cipher to rear, raised bands and gilt title to spine, edges rouged. Moderate rubbing to extremities, Stirling-Maxwell bookplate to front pastedown, bookplate of V.S.M de Guinzbourg to front free endpaper, another bookplate to rear pastedown. Moderate toning, occasional light foxing. A handsome volume containing a rare complete copy. \$2,950.

PART I: SECOND EDITION, Parts II–X: only editions. The largest collection of its day, this collection of nearly 1,000 legal Maxims was intended to serve as a desk reference for lawyers looking to enhance the erudition of their pleadings. Each item has extensive commentary, including many supplemental sayings in prose and verse, along with numerous citations to secondary sources and nuanced interpretive glosses. According to Jantz, this is "a rich collection, also folkloristically and philologically." Stirling-Maxwell [1818–1878], 9th Baronet of Pollok, was a Scottish historical writer, politician, art historian and bibliophile. Guinzbourg, a diplomat, author and bibliophile, was an authority on maxims and proverbs. No complete copies located on OCLC. Not in VD18 or Faber du Faur. Jantz 1994.

"THE HANDS OF SOME OF THE BEST PLEADERS OF THE AGE"

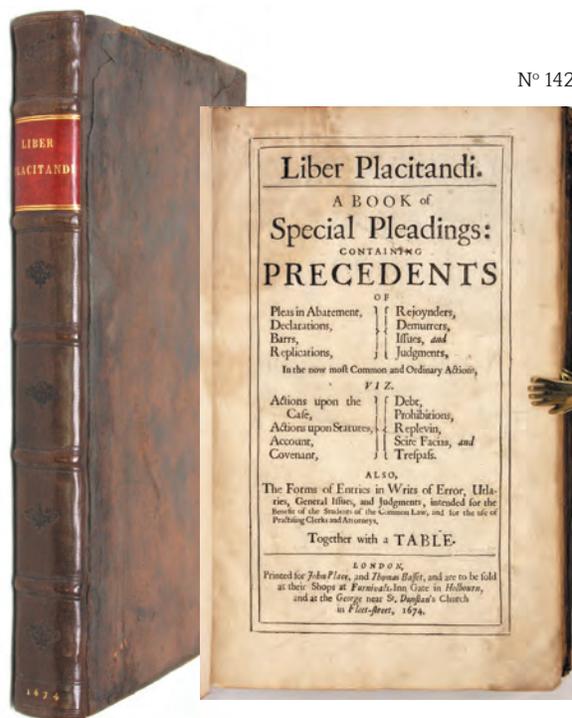
## 142 [PLEADING].

*Liber Placitandi: A Book of Special Pleadings: Containing Precedents of Pleas in Abatement, Declarations, Barrs, Replications, Rejoynders, Demurrers, Issues, And Judgments, In the Now Most Common and Ordinary Actions, Viz. Actions Upon the Case, Actions Upon Statutes, Account, Covenant, Debt, Prohibitions, Replevin, Scire Facias, And Trespass. Also, The Forms of Entries in Writs of Error, Utlaries, General Issues, And Judgments, Intended for the Benefit of the Students of the Common Law, and For the Use of Practicing Clerks and Attorneys. Together With a Table.*

London: Printed for J. Place, and T. Bassett, 1674. [iv], 460. [28] pp. Folio (8-1/4" x 12-1/2").

Contemporary calf, blind rules to boards, recently rebacked in period style with raised bands, lettering piece and blind ornaments, hinges repaired. A few scuffs to boards, moderate rubbing to edges, repairs to upper corners, lower corners bumped and somewhat worn. Moderate toning to text, occasional faint dampstaining, some soiling to title page. Early owner signature to front free endpaper, brief early annotations to a few leaves, interior otherwise clean. \$500.

ONLY EDITION. Some pleader's manuals, such as Rastell's *Book of Entries* (1564), were semi-official compilations by single authors. Others, such as the *Liber Placitandi*, were collections drawn from various authors. Sometimes cited as *Thompson's Entries*, it was first published in 1671. One of its sections, "Actions sur le Case," is notable as the first treatment of torts as a separate category. Holdsworth considers it a fine example of the genre. The preface assures the reader that "[m]ost of the pleadings are Modern, having occur'd in the Court of King's Bench, since his Majesties Happy Restauration; whereof many received Approbation under the hands of some of the best pleaders of the Age: (as by their Originals may be Attested)": To The Reader [iii]. *HEL* V:386. Sweet & Maxwell list a 1671 edition, but it appears to be a ghost. *ESTC* R34978.



N° 142

AN EARLY GUIDE TO PLOWDEN'S REPORTS

THE FIRST ABRIDGMENT OF PLOWDEN IN ENGLISH

143 PLOWDEN, EDMUND [1518–1585].  
A[SHE], T[HOMAS] [FL. 1599–1618].

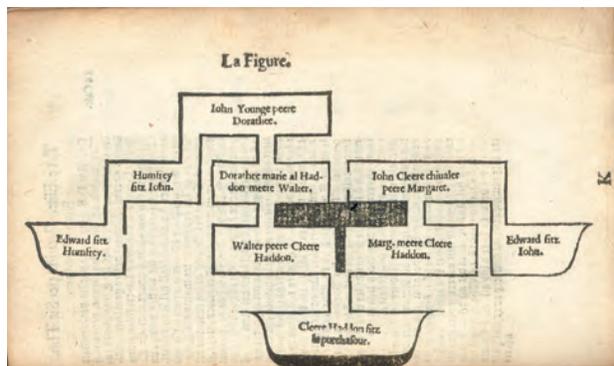
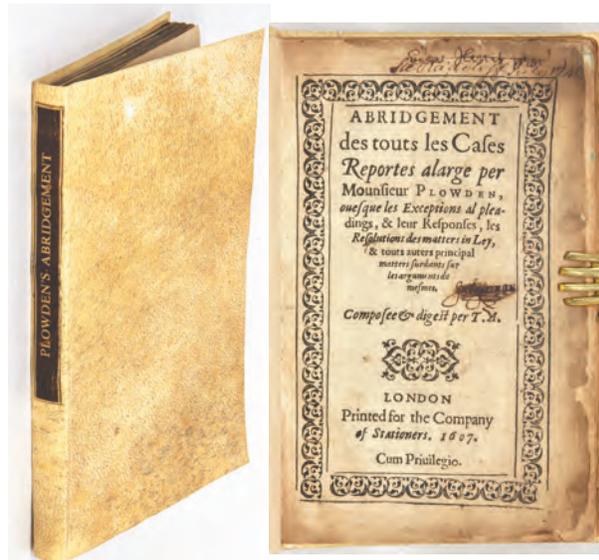
*Abridgement des Touts les Cases Reportes Alarge per Mounsieur Plowden, Ouesque les Exceptions al Pleadings, & Leur Responses, Les Resolutions des Matters in Ley, & Touts Auters Principal Matters Surdants sur les Arguments de Mesmes. Composee & Digest per T.A.*

London: Printed [by Adam Islip] for the Company of Stationers, 1607. 91, [1] ff. Table. Octavo (5-1/2" x 3-1/2").

Recent flexible vellum, calf lettering piece to spine, endpapers renewed. Title printed within typographical border. Moderate toning to text, somewhat heavier in places, faint dampstaining to lower margins of rear third of text block, light browning and some edgewear to preliminaries. Three (indecipherable) eighteenth-century signatures in miniscule hands to title page, brief early annotations and marks to margins of a few leaves. A nice copy.

\$1,000.

SECOND EDITION. Published around 1597, Ashe's was the first abridgment of Plowden. Well received, it had a second edition in 1607 and was reissued in an English translation in 1650. First published in 1571 and covering the period of 1550–1580, Plowden's *Reports* marks the transition away from the cumulative method of the Year Books to one based on exposition and commentary. In most respects it is a precursor of the modern reporter. ESTC S114927.



Details from N° 143

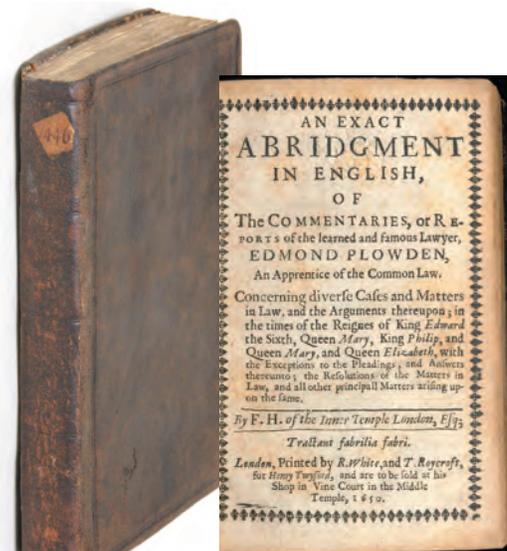
144 PLOWDEN, EDMUND.  
H[ICKS], F[ABIAN], EDITOR AND TRANSLATOR.  
[WALTER, SIR JOHN [1566–1630], DIGESTOR].

*An Exact Abridgment in English, Of the Commentaries, Or Reports of the Learned and Famous Lawyer, Edmond Plowden, An Apprentice of the Common Law. Concerning Diverse Cases and Matters in Law, And the Arguments Thereupon; In the Times of the Reignes of King Edward the Sixth, Queen Mary, King Philip, And Queen Mary, And Queen Elizabeth, With the Exceptions to the Pleadings, And Answers Thereunto; The Resolutions of the Matters in Law, And All Other Principall Matters Arising Upon the Same. By F.H. of the Inner Temple London, Esq.*

London: Printed by R. White, And T. Roycroft, For Henry Twyford, And Are to be Sold at His Shop in Vine Court in the Middle Temple, 1650. [viii], 232, 62 pp. Octavo (5-1/2" x 3-1/2").

Contemporary sheep, blind frames to boards, blind rules and small early private-library shelf label to spine, early hand-lettered title to fore-edge. Light rubbing, minor worming to front board, shallow slice to rear, front free endpaper and rear endleaves lacking, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamp to head of title page. Moderate toning to text, light foxing in a few places, brief corrections in early hand to a few leaves. A handsome copy. \$750.

FIRST EDITION, one of two issues from 1650. Thomas Ashe's *Abridgment des Touts les Cases Reportes a Large per Plowden* (c. 1597) was the first abridgment of Plowden. *An Exact Abridgment* was the first in English. A second edition was published in 1659. First published in 1571 and covering the period of 1550–1580, Plowden's *Reports* marks the transition away from the cumulative method of the Year Books to one based on exposition and commentary. In most respects it is a precursor of the modern law report. The Earls of Macclesfield owned one of the finest private libraries in Great Britain. Counting both issues, OCLC locates 11 copies of the first edition in North America, 6 in law libraries (Columbia, Georgetown, Harvard, NYU, University of Pennsylvania, Yale). ESTC R208982.



N° 144



N° 145

RARE COMPILATION ON LAWS OF THE ROSICRUCIANS

## 145 PONGRATZ, ALBERT, EDITOR.

*Manuale Praesidium Confraternitatis SS. Rosarii: Continens Statuta, Indulgentias, Atque Privilegia Eiusdem Confraternitatis, In quo Omnia Fere, Confraternitatem hanc Concernentia, Breviter, Clare, & Solide Declarantur, Declarata Novissimis Romanis Decisionibus Roborantur. Deinde Vero Etiam de Aliis Famosioribus S. Ordinis Praedicatorum Societatibus, & Indulgentiis Tractatur: In Utilitatem tum Sodalium, Cum Praeprimis Praesidium Elaboratum Opera.*

Ljubljana: Typis, Adami Frid. Reichhard, [1744]. [viii], 390, [56] pp. Quarto (8" x 6-1/4").

Contemporary vellum, early hand-lettered title to spine. Light rubbing to extremities with minor wear to spine ends and corners, a few minor stains to boards. Woodcut head-pieces, tail-piece and decorated initials. Light toning to text, minor stains to a few leaves, later owner annotation and library label to front pastedown, interior otherwise clean. A nice copy of a rare title. \$1,950.

SECOND AND FINAL EDITION. Rosicrucianism, a philosophical secret society with strong ties to Christian inquiry, originated in medieval Germany. By the eighteenth century Rosicrucians organized into formal groups. Several Rosicrucian lodges had strong ties to Freemasonry. First published in 1742, Pongratz's manual is a compilation of its laws and regulations. The front matter contains several statements in support of Rosicrucianism from secular and Catholic officials, including Pope Urban VIII. The tail-piece is a Jesuit cipher, which indicates Jesuit support. OCLC locates 2 copies, both in Slovakia. Not in the BMC.

THE ATTORNEY'S ACADEMY:  
ONE OF THE FIRST PROCEDURE MANUALS

## 146 POWELL, THOMAS [1572?-1635?].

*The Attorneys Academy: Or, The Manner and Forme of Proceeding Practically, Upon any Suite, Plaint or Action Whatsoever, in Any Court of Record Whatsoever, Within this Kingdome. Especially, in the Great Courts of Westminster, To Whose Motion All Other Courts of Law or Equity; As Well Those of the Two Provinciaill Counsailes, Those of Guild Hall London; As Those of Like Cities and Townes Corporate, And All Other of Record are Diurnally Moved. With the Moderne and Most Usual Fees of the Officers and Ministers of Such Courts. The Third Impression*



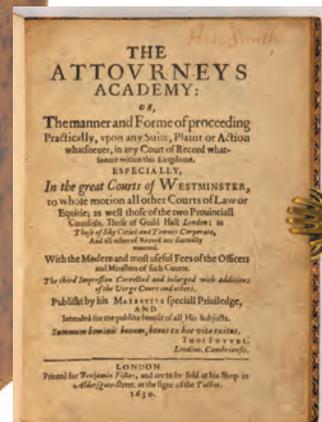
N° 147

*Corrected and Inlarged With Additions of the Verge Court And Others. Publish by His Maiesties Speciall Priviledge, And Intended for the Publike Benefit of All His Subjects.*

London: Printed for Benjamin Fisher, And are to be Sold at his Shop in Aldersgate-Street, At the Signe of the Talbot. 1630. [xii], 88, 89-230, [60], 16, [4] pp. 16pp. Section titled, *The Marshalsey, Or Verge Court* bound at end between pp. [60] and [61]. Text complete. Quarto (7" x 5-1/2").

Early 20th-century fine binding in sprinkled polished calf (by Henry Young & Sons, Liverpool), expertly rebaked retaining original extra gilt spine with lettering piece and raised bands, gilt frames to boards, all edges gilt, gilt inside dentelles, hinges mended. Moderate rubbing to extremities, a few light cracks and minor scuffs to boards. Woodcut head and tail-pieces. Light browning to text, very light soiling to title page. Later inscription to front free endpaper, early owner signature to head of title page, brief annotation to following leaf. A very attractive copy. \$1,250.

"THIRD IMPRESSION, CORRECTED," one of two issues published in 1630. "The Register and the commentaries upon it were, as we have seen, books of the old order. As Trespass and its offshoots gradually encroached upon the sphere of the older forms of actions, as newer courts sprang up, the procedure of which was not that of the common law, these book became less useful to the practitioner. Their place tended to be taken by books of practice which shortly and tersely described the procedure of all the different courts. One of the oldest...is the *Attorney's Academy*, written...in 1623. Thomas Powell was a poet, a man of letters, and, in the latter part of his life, an industrious student of records." HEL V:381. ESTC S106028. Sowerby 1921.



N° 146

PRYNNE ATTACKS COKE'S FOURTH INSTITUTES

- 147 PRYNNE, WILLIAM [1600–1669].  
[COKE, SIR EDWARD (1552–1643)].

*Brief Animadversions On, Amendments Of, & Additional Explanatory Records to, The Fourth Part of the Institutes of the Lawes of England; Concerning the Jurisdiction of Courts, Compiled by the Late Famous Lawyer Sir Edward Cooke Knight, (Chief Justice of Both Benches) in His Life-Time, But Published and Re-Printed (With Some Disadvantage) Since His Death. Wherein the Misquotations, Mistakes of Records, Antiquities Cited in Them, Are Rectified, Some Doubtful Passages Explained; Many Defective Omissions of Usefull Records Supplied, Especially Such as Relate to the Proceedings, Priviledges, Members of the High Court of Parliament, The Courts of the High Steward, Constable, Marshal, Admiral, With Other Civil, Ecclesiastical Courts; The Universities of Oxford, Cambridge; The City of London, Isles of Man, Jersey, Garnsey, Serke, Aurenay, Wight, The Principality of Wales, Kingdome of Scotland, Ireland, The Dominion of the British Seas Invironing; Sewers, Stanneries, Forests, Coat-Arms, Precedency of the Nobility, And Other Particulars: The Transcripts of Which Records Out of the Originals, Are at Large inserted, Many Others chronologically and Briefly Quoted; With Several Tables Thereunto: For the Publike Benefit, Information of All Judges, Officers on Those Courts; All Students, Professors of Law, And Other Delighting in Antiquity, History or Heraldry.*

London: Printed by Thomas Ratcliffe, And Thomas Daniel, For A. Crooke, W. Leake, A. Roper, F. Tyton, T. Collins, J. Place, [and 6 others], 1669. [xvii], 423, [69] pp. Folio (11-1/2" x 7-1/2").

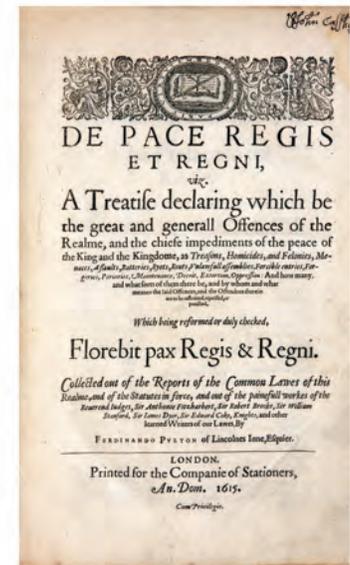
Contemporary calf, rebacked, blind rules to boards, raised bands and lettering piece to spine, corners mended, endpapers renewed. Moderate rubbing to boards, corners bumped, crack in text block before rear hinge. Moderate toning to text, browning and some chipping to outer margins of preliminaries, internally clean. \$750.

ONLY EDITION. Prynne was a contentious and erudite Puritan attorney and legal antiquarian who wrote several books and pamphlets on legal history, religion, politics and the arts. Ostensibly a supplement to Coke's Fourth *Institutes* (1644), his *Animadversions* is actually an attack that points and several "inaccuracies" and accuses Coke of plagiarism, chiefly from Manwood's *Brefe Collection of the Lawes of the Forests* (c. 1592). This was a politically motivated book. It is dedicated to King Charles II, who was repelled by Coke's opposition to a powerful monarchy as a jurist and Member of Parliament. ESTC R22356.

CRIMINAL LAW IN SHAKESPEARE'S  
ENGLAND: PULTON'S *DE PACE REGIS ET REGNI*

- 148 PULTON, FERDINAND[O] [1536–1618].

*De Pace Regis et Regni, Viz. A Treatise Declaring Which be the Great and Generall Offences of the Realme, And the Chiefe Impediments of the Peace of the King and the Kingdome, As Treasons, Homicides, And Felonies, Menaces, Assaults, Batteries, Ryots, Routs, Unlawfull Assemblies, Forcible Entries, Forgeries, Perjuries, Maintenance, Deceit, Extortion, Oppression: And How Many and What Sorts of Them There Be, And by Whom and What Meanes the Said*

N<sup>o</sup> 148

*Offences, And the Offendors Therein are to bee Restrained, Repressed, Or Punished. Which Being Reformed or Duly Checked, Florebit Pax Regis & Regni. Collected Out of the Reports of the Common Lawes of This Realme, And of the Statutes in Force, And Out of the Painefull Workes of the Reverend Iudges, Sir Anthonie Fitzharbert, Sir Robert Brooke, Sir William Stanford, Sir James Dyer, Sir Edward Coke, Knights, And Other Learned Writers of Our Lawes.*

London: Printed for the Companie of Stationers, 1615. [vi], 324 [i.e. 243], [17] ff. Folio (11" x 7-1/4").

Contemporary calf with recent rebacking, blind rules and holes for thong ties to boards, raised bands and lettering piece to spine, pastedowns renewed, hinges mended. Moderate rubbing to extremities corners bumped, minor scuffs and cracks to boards. Woodcut head-pieces and decorated initials. Light toning to text, early owner signature (of John Cashhe, dated 1618) to head of title page, extensive annotations to endleaves. A handsome copy. \$750.

THIRD 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 Blood." In all, Pulton's treatise offers a fascinating perspective on criminal law as it was understood in Shakespeare's England. The annotations include a paragraph-long note on the king's oath, a pair of sample precedents, several maxims and a set of sample signatures (of a Robert Chapman). HEL V:392–393. ESTC S116056.

## 149 [PURLEWENT, SAMUEL].

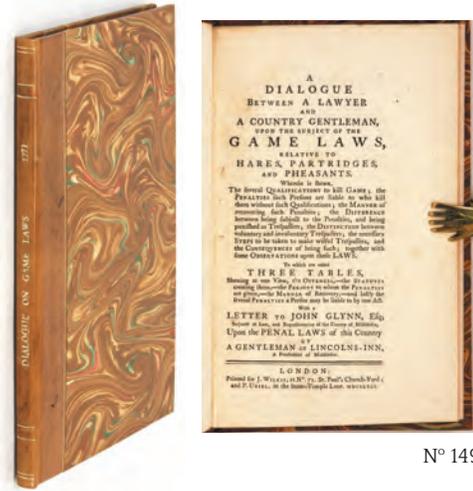
*A Dialogue Between a Lawyer and a Country Gentleman, Upon the Subject of the Game Laws, Relative to Hares, Partridges, And Pheasants. Wherein is Shewn, The Several Qualifications to Kill Game; The Penalties such Persons are Liable to Who Kill them Without such Qualifications; The Manner of Recovering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

London: Printed for J. Wilkie, 1771. xv, [1], 39 pp. Half-title. Three folding tables. Octavo (9" x 5-1/2").

Recent quarter calf over marbled boards, gilt rules to boards, raised bands, gilt rules and gilt title to spine. Light toning to text, tiny inkstains to a few leaves, negligible light foxing in a few places, a few short clean tears to folding tables. A handsome copy of a scarce title. \$950.

FIRST EDITION, one of three issues from 1771. This review of the game laws in dialogue form was reprinted in 1775 and incorporated into a later work, *Two Tracts on Game Laws* (1787). The three tables summarize the laws relating to hares, partridges and pheasants. OCLC locates 9 copies in North American Law libraries. Not in Sweet & Maxwell. ESTC T66787.

Detail from N° 149



THE BARON CHEATED

150 RAKENIUS, CARL.  
FITZGERALD-DE ROS, HENRY, 22ND BARON DE ROS,  
[1793-1839], DEFENDANT.

*Der Falsche Whistspieler: Oder Injurien-Klage des Lord de Ros Gegen John Cumming Wegen Beschuldigter Betrügereien im Kartenspiel.*

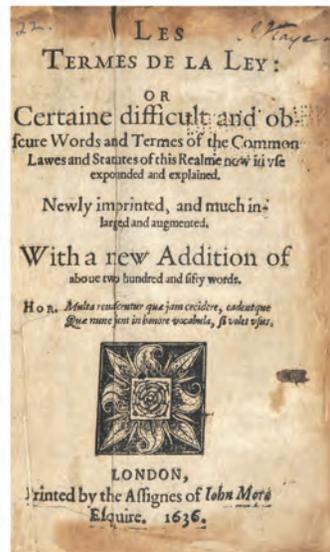
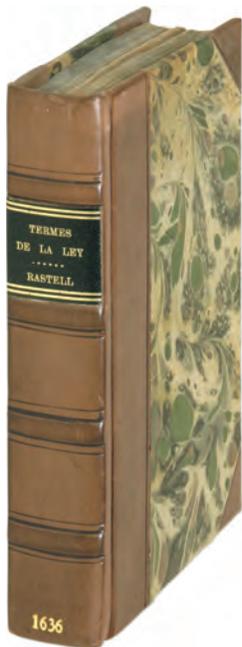
Hamburg: Bei Hoffmann & Campe, 1837. viii, 136 pp. Octavo (7" x 4-1/2").

Original printed wrappers, several unopened signatures. Light soiling, a few finger smudges and moderate edgewear, spine abraded, front wrapper partially detached, moderate toning and light foxing to text, light edgewear to half-title. A rare title. \$1,650.

ONLY EDITION. Henry Fitzgerald-de Ros, 22nd Baron de Ros, one of the finest whist players in England, was involved in a gambling scandal in 1836. He was accused of cheating, which led him to initiate an action for libel. This was not a wise move. The trial showed that Ros cheated. Disgraced, he left England and settled in Rotterdam, where he spent the rest of his life. This trial attracted a good deal of attention. As indicated by this German account, interest in this trial was not limited to England. According to the title page, this work was translated from an English source. We were not able to locate any English equivalent to this work, however. The translated portion of our work is a court report, which is not credited to an original source. It is preceded by an original preface that discusses the case and its background. OCLC locates 2 copies, both in Germany. Schroeder VI:3085.



N° 150



N° 151

1636 PRINTING OF THE FIRST ENGLISH LAW DICTIONARY

151 [RASTELL, JOHN (D.1536)].  
[RASTELL, WILLIAM, EDITOR].

*Les Termes de la Ley: Or Certaine Difficult and Obscure Words and Termes of the Common Lawes and Statutes of This Realme Now in Use Expounded and Explained.*

London: Printed by the Assignes of Iohn More Esquire, 1636. [viii], 28, [3], 19–17 [i.e. 27], 41–96, 96–302, [1] ff. Pagination irregular, collates complete. Main text in parallel columns. Octavo (6-1/2" x 4-1/2").

Contemporary calf, blind rules and corner fleurons to boards, rebacked retaining spine with raised bands and lettering piece, endleaves renewed. Light rubbing and a few inkstains to boards, corners bumped and somewhat worn.

Recent period-style three-quarter calf over marbled boards, early hand-lettered title to fore-edge of text block, title page re-hinged. Moderate toning, faint inkspots to a few leaves, some offsetting and edgewear to preliminaries and final few leaves. Early owner signatures to title page and verso, a few page numbers corrected in an early hand, interior otherwise clean. Ex-library. Perforated stamp to title page. A nice copy in a handsome binding. \$750.

LATER EDITION. English and Law French in parallel columns. First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title *Expositiones Terminorum Legum Anglorumae*. Later editions were produced by his son, William. Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity." Marvin 599. ESTC S122305.

BETROTHALS ARE ILLICIT WITHOUT  
PARENTAL CONSENT, WHATEVER THE JESUITS SAY

152 REBELLO, BARTHOLOMEU COELHO NEVES.

*Discurso Sobre a Inutilidade dos Esponsaes dos Filhos Celebrados sem Consentimento dos Pais; Em que se Mostra ser elle de Direito Divino, Natural, das Gentes, Canonico, Patrio, e Civil de Todos os Povos da Europa. E se Mostra Offensiva de Todos Estes Direitos a Doutrina dos Jezuitas, que Propunhao Huma Illimitada Liberdade a Este Respeito, Asseverando Serem Indignas de se Observarem as Leis dos Principes Catholicos, Que Determinao Esta Necessidade. Dedicado ao Ilmo. E Exmo. Senhor Marquez de Pombal, Conde de Oeyras, Senhor das Vendas Novas, do Conselho de Sua Magestade Fidelissima, E Seu Primeiro Ministro de Estado, &c. &c. &c.*

Lisbon: Off. Do Francisco Sabino dos Santos, 1773. [x], xvii, [1], 231, [1] pp. Half-title lacking. Octavo (6-1/4" x 3-3/4").

Contemporary mottled sheep, blind fillets and gilt-stamped title to spine, speckled edges. Moderate rubbing to extremities, a few light scuffs to boards, spine abraded with wear to ends, front joint partially cracked. Moderate toning to text, somewhat heavier in places, faint dampstaining to a few leaves. \$1,250.

ONLY EDITION. Rebello argues that betrothals are not legal without parental consent. In the dedication to the Marquês de Pombal and the Proemio, the author refers to the "relaxada Moral Jezuitica" and notes that allowing disobedience to parents in matters such as betrothals (which Jesuits such as Sanches and Molina advised) might well also encourage disobedience to the king. As a magistrate, Rebello had been involved in several cases of such illicit betrothals. He reviews the writings of Church Fathers, papal bulls, and Councils on this matter, and on pp. 170–218, reviews the laws in Spain, France, Germany, Prussia, Holland and Italy. Porbase contains a record with an incorrect publication date of 1755. OCLC locates 3 copies, 2 in North America (Newberry Library, UC-Berkeley Law School). Not in Ferreira-Ibarra.



N° 152

FIRST EDITION OF REEVE'S *BARON AND FEMME*,  
THE FIRST AMERICAN TREATISE ON FAMILY LAW

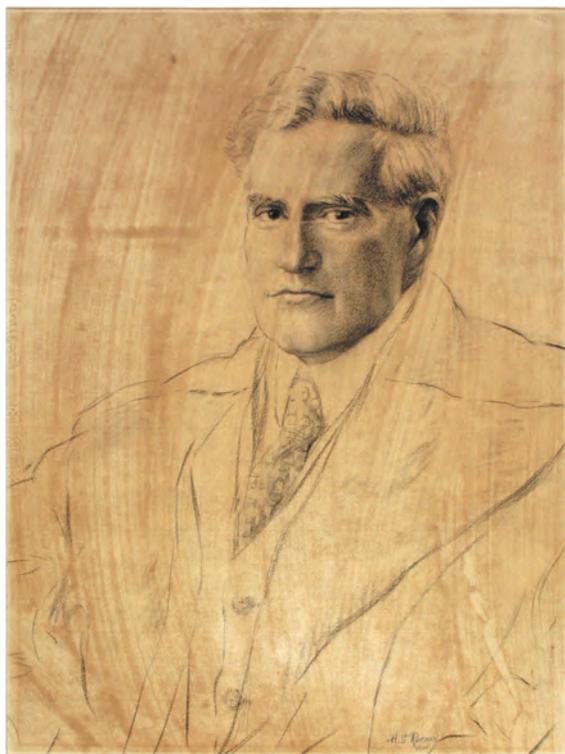
153 REEVE, TAPPING [1744–1823].

*The Law of Baron and Femme; Of Parent and Child; Of Guardian and Ward; Of Master and Servant; And of the Powers of Courts of Chancery. With an Essay on the Terms, Heir, Heirs, and Heirs of the Body.*

New Haven: Printed by Oliver Steele, 1816. [iv], 494, [11] pp. Octavo (5-1/2" x 9-1/4").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to boards, moderate rubbing to extremities, a few scuffs and nicks, faint creases to spine, corners bumped and somewhat worn, front hinge cracked, rear joint and hinge starting, nineteenth-century owner bookplates (of J.T. Terry and Mark H. Sibley) to front pastedown. Light browning to text, light foxing to a few leaves, lower corner lacking from p. 225–226 with no loss to text, small chip to front free endpaper. A nice copy of an important work. \$500.

FIRST EDITION. In 1782 Reeve founded the first American law school in Litchfield, Connecticut. The first American treatise on family law, Reeve's *Law of Baron and Femme* is a restatement of Blackstone's Commentaries, Book I, Chapters XIV–XVII. It rejects some of the fundamental doctrines of the common law, most notably coverture. As Blackstone puts it, "the husband and wife are one person in law; that is, the very being or legal existence of the woman is suspended during marriage." Reeve says the opposite. Also a prescriptive work, *Baron and Femme* aimed to liberalize the American law of domestic relations, arguing, for example, that married women were permitted to make wills, a point contradicted by the contemporary statute and case law of Connecticut and several other states. Terry and Sibley were lawyers who practiced in Ontario County, New York. The most prominent was Sibley [1796–1852], a Canandaigua lawyer and judge who served in the state assembly, state senate and U.S. House of Representatives. Congress, Cohen 4745.



N° 155



N° 155

HANDSOME PORTRAIT OF BRANDEIS, SIGNED BY THE ARTIST

154 RUTMAN, HERMAN S. [1889–1952].  
[Brandeis, Louis D. (1856–1941)].

[Portrait of Brandeis].

[Washington, DC?, 1933]. 23-1/4" x 18" pencil portrait on arches paper, signed by Rutman, laid down on illustration board. Light toning, small chip to edge near bottom, easily covered by a matte, otherwise fine. Handsome. \$500.

RUTMAN WAS AN ARTIST AND ILLUSTRATOR who worked in Philadelphia. Probably based on a photograph, this portrait appears to have been an illustration for a newspaper or magazine. Brandeis was an associate justice of the U.S. Supreme Court at the time of this portrait.

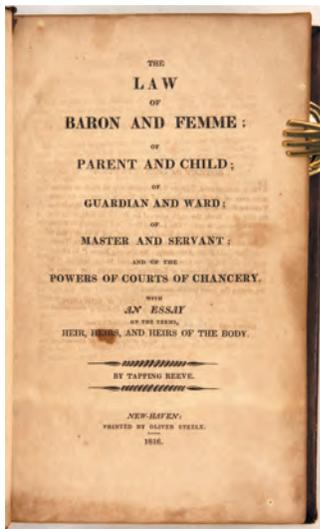
Handsome Portrait of Cardozo, Signed by the Artist

155 RUTMAN, HERMAN S.  
[CARDOZO, BENJAMIN N. (1870–1938)].

[Portrait of Cardozo].

[Washington, DC?, 1934]. 23-1/4" x 18" pencil portrait on arches paper, signed by Rutman, laid down on illustration board. Light toning, otherwise fine. Handsome. \$500.

CARDOZO WAS AN ASSOCIATE JUSTICE of the U.S. Supreme Court at the time of this portrait.



Details from N° 153

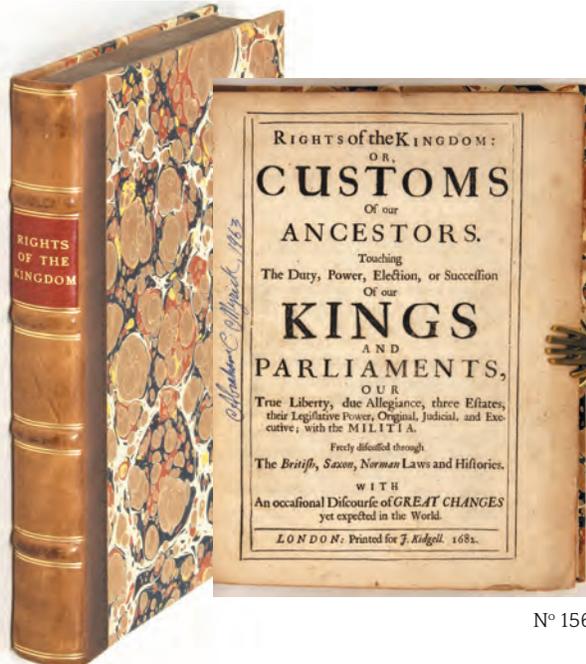
A CIVIL-WAR ERA DEFENSE OF REGICIDE BY CROMWELL'S SECRETARY

156 [SADLER, JOHN (1615-1674)].

*Rights of the Kingdom: Or, Customs of Our Ancestors. Touching the Duty, Power, Election, Or Succession of Our Kings and Parliaments, Our True Liberty, Due Allegiance, Three Estates, Their Legislative Power, Original, Judicial, And Executive; With the Militia. Freely Discussed Through the British, Saxon, Norman Laws and Histories. With an Occasional Discourse of Great Changes Yet Expected in the World.*

London: Printed for J. Kidgell, 1682. [8], 4, 3-98, 97-200, 209-319, [1] pp. Text is continuous, and complete, despite pagination. Quarto (7-3/4" x 6").

Recent period-style quarter calf over marbled boards, lettering piece and gilt-edged raised bands to spine, endpapers renewed. Title printed within ruled border. Light rubbing to extremities, some fading to spine. Moderate toning to text, light foxing to a few leaves. Recent owner signature to title page, interior otherwise clean. A nice copy. \$1,500.



N° 156

SECOND AND FINAL EDITION. Sadler, an English lawyer, politician, academic administrator, Hebrew scholar and millenarian thinker, was a Member of Parliament, Town Clerk of London, private secretary to Oliver Cromwell, member of the Parliamentarian Council of State and was Master of Magdalene College, Cambridge. First published during the second phase of the Civil War, in 1649, the *Rights of the Kingdom* is an elaborate defense of Parliament's actions against the monarchy with an emphasis on the execution of Charles I. Stated simply, regicide is condoned by the English Constitution. As indicated by the final part of the title, the book is also important as a statement of English millenarianism, which held that the Civil War and Cromwell were harbingers of the Second Coming of Christ. ESTC R11835.

RARE WORK BY AN IMPORTANT VENEZUELAN JURIST

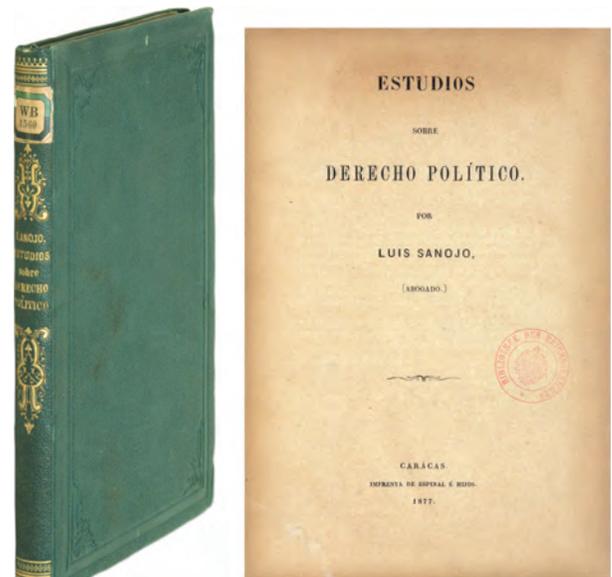
157 SANOJO, LUIS [1819-1878].

*Estudios Sobre Derecho Politico.*

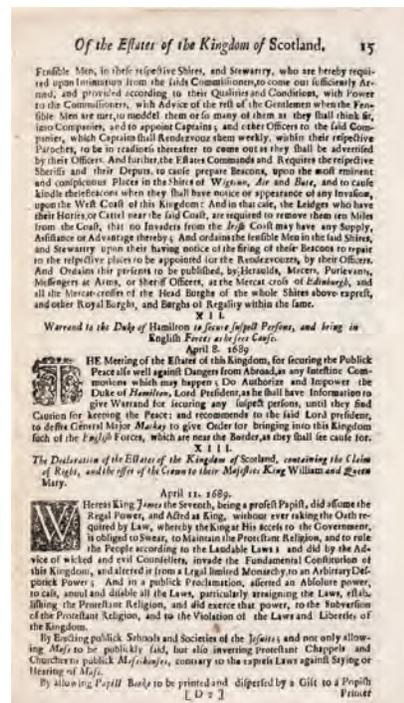
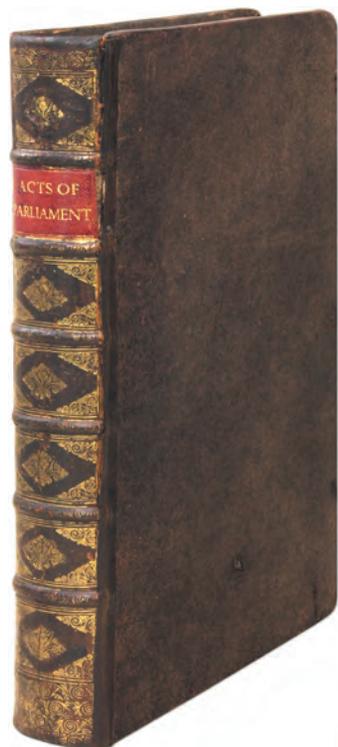
Caracas: Imprenta de Espinal e Hijos, 1877. xii, 314 pp. Quarto (8-1/2" x 6").

Contemporary pebbled cloth, blind frames to boards, gilt title and ornaments to spine. Some rubbing to extremities with minor wear to spine ends, corners bumped and somewhat worn, small tear to front free endpaper, early repair to bottom edge of half-title. Browning to text, internally clean. Ex-library. Location label to spine, small inkstamp to title page. A nice copy of a rare title. \$500.

ONLY EDITION. Sanjojo was the leading Venezuelan jurist and legal writer of his day and an important statesman. He played a leading role in the creation of Venezuela's Civil, Commercial and Civil Procedure Codes. *Estudios Sobre Derecho Politico* is an essay on political science. OCLC locates 7 copies worldwide, 3 in North American law libraries (Library of Congress, UC-Berkeley, University of Michigan).



N° 157



THE IMPORTANT FINAL ACTS OF THE SCOTTISH PARLIAMENT, INCLUDING THE 1689 CLAIM OF RIGHT

158 [SCOTLAND].  
[CLAIM OF RIGHT].  
[CONVENTION OF THE ESTATES].  
[PARLIAMENT].

*The Acts and Orders of the Meetings of the Estates of Scotland, Holden and Begun at Edinburgh, The 14th Day of March 1689. Called by Circular Letters from His Highness the Prince of Orange, Under His Hand and Seal. Collected and Extracted Out of the Records of the Meeting of Estates, By John Lord Bellhaven, Robert Master of Burligh, Sir Thomas Burnes of Leys, Sir Duncan Campbel of Auchinbreck, and John Hay of Park; Commissioners Appointed by Their Majesties for Exercing [sic] the Office of Clerk Register to There Majesties Council, Registers and Rolls, &c.*

Edinburgh: Printed by the Heirs and Successors of Andrew Anderson, 1690. 43 pp. Part I only of a two-part work.

[BOUND WITH]  
[SCOTLAND].  
[PARLIAMENT].

*[Laws and Acts Made in the First Parliament of Our Most High and Dread Sovereigns, William & Mary, By the Grace of God, King and Queen of Scotland, England, France, and Ireland, Defenders of the Faith: Holden and Begun at Edinburgh, June 5, 1689. By His Grace William Duke of Hamilton (...). Collected and Extracted from the Registers and Records of Parliament, by John Lord Bellhaven, Robert Master of Burligh, Sir Thomas Burnet of Leys, Sir Duncan Campbel of Auchinbreck, and John Hay of Park].*

[Edinburgh: Printed by the Heirs and Successors of Andrew Anderson, 1690]. 4 pp. Title page lacking.

[AND]  
[*Twelve Volumes of Session Acts, 1690–1707*]

Edinburgh: Printed by the Heirs and Successors of Andrew Anderson, 1690–1707. Various paginations. Title pages lacking from *Fourth Session of the First Parliament of...* William and Mary (1693) and *Third Session of the First Parliament of Anne* (1705).

14 parts in one volume. Folio (11-1/2" x 7"). Contemporary speckled calf, gilt spines with raised bands and lettering piece, hinges mended. Moderate rubbing to extremities, a few minor nicks and scuffs to boards, joints starting at ends, corners bumped, hinges cracked, early armorial bookplate (of Sir William Baird of Newbaith). Woodcut crown device to title pages, woodcut head-pieces and tail-pieces. Light to moderate toning to text, browning to a few leaves, light foxing in some places, minor edgewear, chips and tears to a few leaves, internally clean. \$1,500.

THIS VOLUME CONTAINS a complete run of the acts of the Scottish Parliament and Estates of Scotland, its sister institution, from 1689 to 1706. The most significant act in this collection is the Claim of Right. Known officially as *The Declaration of the Estates of the Kingdom of Scotland, Containing the Claim of Right, And the Offer of the Crown to Their Majesties King William and Queen Mary*, it is Scotland's equivalent to the English Bill of Rights. Framed by the Estates, this document offered the Scottish Crown to William and Mary if they agreed to respect Parliamentary supremacy and a list of enumerated rights. The joint monarchs accepted it on 11 May 1689 and were proclaimed King and Queen of the Scots as William II and Mary II that year. The other acts in this collection record the final years of the Scottish Parliament. (Its final session ended on March 25, 1707.) On May 1, 1707, as part of the act of Union, the Scottish Parliament and the English Parliament united to form the Parliament of Great Britain. Sweet & Maxwell 5:113–115.



N° 159

FIRST PRINTING OF SELDEN'S  
EDITION OF *FLETA* AND HIS *AD FLETAM DISSERTATIO*

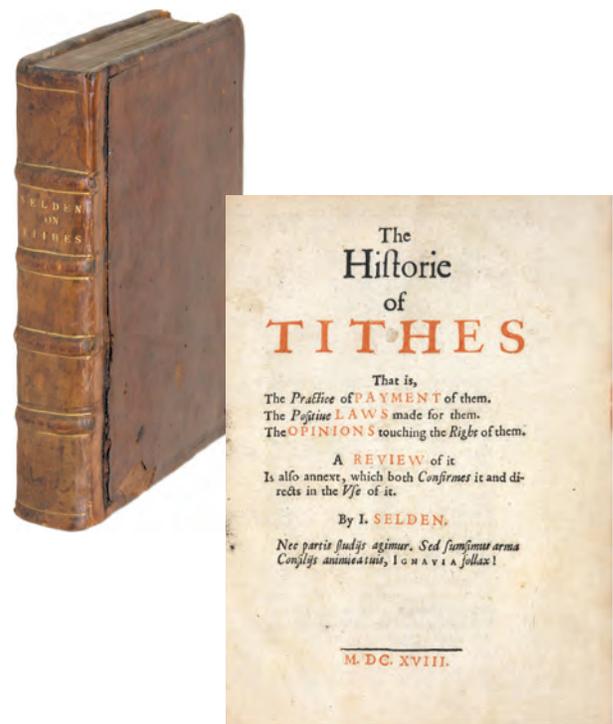
### 159 SELDEN, JOHN [1584–1645], EDITOR.

*Fleta, Seu Commentarius Juris Anglicani Sic Nuncupatus, Sub Edwardo Rege Primo Seu Circa Annos ab Hinc CCCXL. Ab Anonymo Conscriptus, Atque e Codice Veteri, Autore Ipso Aliquantulum Recentiori, Nunc Primum Typis Editus. Accedit Tractatulus Vetus de Agendi Exciipiendique; Formulis Gallicanus, Fet-Assavoir Dictus. Subjungitur Etiam Joan. Seldeni ad Fletam Dissertatio Historica.*

London: Typis M.F. Prostant Apud Guil. Lee, & Dan. Pakeman, 1647. [8], 64, 63–452, [2], 453–553, [3] pp. Pagination irregular. Complete. Quarto (8-1/2" x 6-1/2").

Handsome period-style quarter calf over cloth, lettering piece, blind ornaments and gilt-ruled raised bands to spine. Negligible light rubbing to boards, some fading to spine. Title page printed in red and black. Moderate toning to text, occasional faint dampspotting, faint dampstaining to margins in a few places, internally clean. A very nice copy. \$750.

FIRST EDITION. The work by an anonymous author describes the practice of the courts, the forms of writs and an explanation of law terms as they existed during the reign of Edward I. Selden brought this ancient treatise to the public's attention and was instrumental in its publication. While Bracton earns the highest praise as the father of legal learning, Fleta earns a share of it for the illustrations he offered to some of the obscurities found in Bracton. Selden's appended dissertation (pp.453–553) contains many interesting observations about Bracton, Britton, Fleta, and Thornton "and shows what use was made of the Imperial law in England whilst the Romans governed here, at what time it was introduced into this nation, what use was formerly made of it, how long it continued, and when the use of it totally ceased in the King's Courts at Westminster": Bridgman 87. Sowerby 1647. ESTC R15006.



N° 160

WELL-PRESERVED FIRST EDITION OF SELDEN'S *TITHES*

### 160 SELDEN, JOHN

*The Historie of Tithes, That is, The Practice of Payment of Them. The Positive Laws Made for Them. The Opinions Touching the Right of Them. A Review of It is Also Annext, Which Both Confirms It and Directs in the Use of It.*

[London: s.n.], 1618. [vi], xxii, [12], 491, [5] pp. Quarto (7-1/2" x 5-1/2").

Contemporary calf with later rebacking, blind frames to boards, raised bands and gilt title to spine. Moderate rubbing to extremities, corners bumped and somewhat worn, a few scuffs to boards, front hinge cracked, rear hinge starting, a few cracks to text block, later armorial bookplate (of HHH) to front pastedown. Title page printed in red and black. Light toning to text, occasional neat underlining and a few brief annotations in early hand. A nice copy. \$650.

FIRST EDITION. Variant F. (One of the eight variants, with all points indicated by Sweet & Maxwell). *The History of Tithes*, which was one of Selden's earliest writings, angered James I and the clergy because it questioned the divine right to impose tithes. Although it was suppressed by the Court of High Commission, the resulting controversy transformed Selden into a figure of national importance. His treatment by the church and state also encouraged his opposition to political absolutism, an idea that informs his later writings. Based on remarks in the dedication and on p. 449, Sweet & Maxwell believe this is not a true first edition. (The presumed earlier edition appears to be a ghost, however.) Sweet & Maxwell 1:194–5.

THE FIRST MAJOR ENGLISH TEXT ON INTERNATIONAL LAW

## 161 SELDEN, JOHN

*Mare Clausum Seu de Domino Maris Libri Duo. Primo, Mare, ex Jure Naturae Seu Gentium, Omnium Hominum non Esse Commune, Sed Domini Privati seu Proprietatis Capax, Pariter ac Tellurem, Esse Demonstratur. Secundo, Serenissimum Magnae Britanniae Regem Maris Circumflui, ut Individuae Atque Perpetuae Imperii Britannici Appendicis, Dominum Esse, Asseritur.*

London: Excudebat Will. Stanesbeius, pro Richard Meighen, 1635. [xxvi], 304, [12], [1] pp. Copperplate map, woodcut map, six woodcut text illustrations.

[BOUND WITH]

SELDEN, JOHN

*De Successionibus in Bona Defuncti, Ad Leges Ebraeorum, Liber Singularis. Editio Altera, Correctior & Multum Auctior. Accedunt Ejusdem De Successione in Pontificatum Ebraeorum, Libri Duo. Prior Historicus Est; Pontificum ab Aharone Usque ad Templi Secundi Excidium Successionem Continens. Posterior est Iuridicus; Legitima, Seu Quae in Successione Pontificali Adeoque in Admissione ad Munus Sacerdotale Apud Ebraeos Juris Fuere Complexus.*

London: Excudebat Richardus Bishop, 1636. [vi], xxiv, [4], 266 pp.

[AND]

VOSSIUS, DIONYSIUS [1612–1642].

*Panegyricus Dicitur Frederico Henrico Arausionensium Principi. Ejusdem Fredericus*

*Victor.* Amsterdam: Apud Guilielmum Blaeu, 1633. 31 pp.

[AND]

HEINSIUS, DANIEL [1580–1655].

*Panegyricus, Gustavo Magno, Suecorum, Gothorum, Vandalorum, &c. Regi, Consecratus.*

Leiden: Ex officina Bonaventrae & Abrahama Elzivir, 1632. [iii], 66, [1] pp.

Folio (11" x 7"). Contemporary calf, blind rules to boards, rebaked in period style with raised bands and retained lettering piece, endpapers renewed, hinges mended. Moderate rubbing to extremities, moderate scuffing to boards, corners bumped and some what worn, small gouge to front board. Title pages of the Selden and Heinsius titles printed in red and black. Woodcut head-pieces, tail-pieces, tail, pieces and decorated initials, title pages of works by Vossius and Heinsius have large woodcut printer devices. Light toning to text, somewhat heavier in places, minor stains to a few leaves. Recent owner signature to front free endpaper, early owner signature to head of *Panegyricus. Gustavo Magno*, interior otherwise clean. \$4,500.

*MARE CLAUSUM, PANEGYRICUS. Gustavo Magno*, first edition; *Successionibus*; second edition; *Panegyricus Dicitur*, only edition. Selden's *Mare Clausum* is the most famous British reply to the argument of Hugo Grotius's *Mare Liberum*, which denied the validity of England's claim to the high seas south and east of England. Selden, argued that England's jurisdiction extends, in fact, to all waters surrounding the isles. His use of legal history and common-law principles to rebut Grotius's philosophical argument

is quite impressive. *De Successionibus* is an exposition of rabbinical law and laws of inheritance by a commentator whose "familiarity with rabbinical literature was such as has been acquired by few non-Israelite scholars; and many details of oriental civilization and antiquities were certainly brought to the knowledge of Europeans for the first time in them" (*DNB*). The other two titles remind us that *Mare Clausum* dates from one of the most turbulent eras in European history. Vossius's piece is a poem commemorating the deeds of Frederick Henry, Prince of Orange [1584–1647], who led Dutch forces to victory, established the independence of the United Provinces and governed them for a large part of its golden age. Heinsius's essay praises Gustavus Adolphus of Sweden [1594–1632]. One of the greatest military commanders in European history, he established Sweden as a leading European power during the Thirty Years War. Two other editions of Heinsius's essay were published in 1633 and 1637. *DNB* XVII:1157. Selden: *ESTC* S117048 (*Mare Clausum*), S117055 (*De Successionibus*); Vossius, Heinsius: *BMC* 26:402, 11:1107.

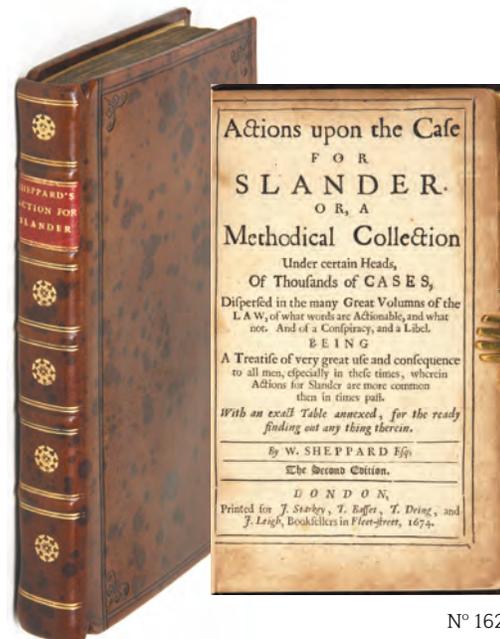
"INIQUITY OF THE TONGUE"

## 162 SHEPPARD, WILLIAM [D. 1675?].

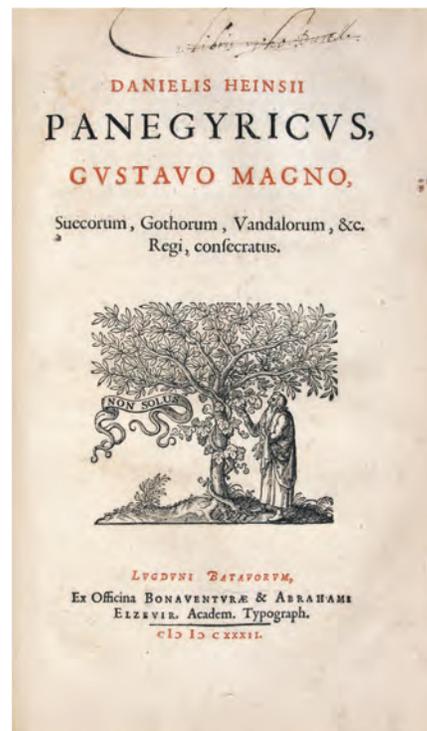
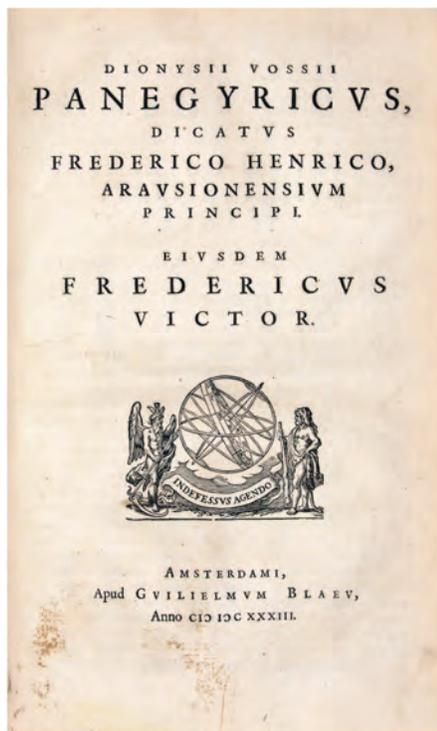
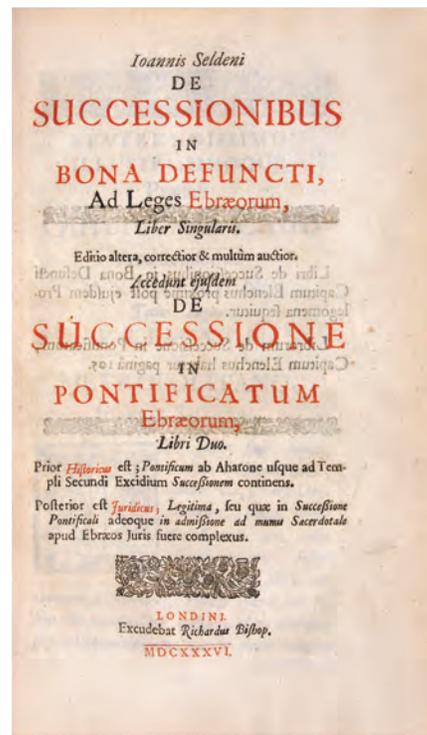
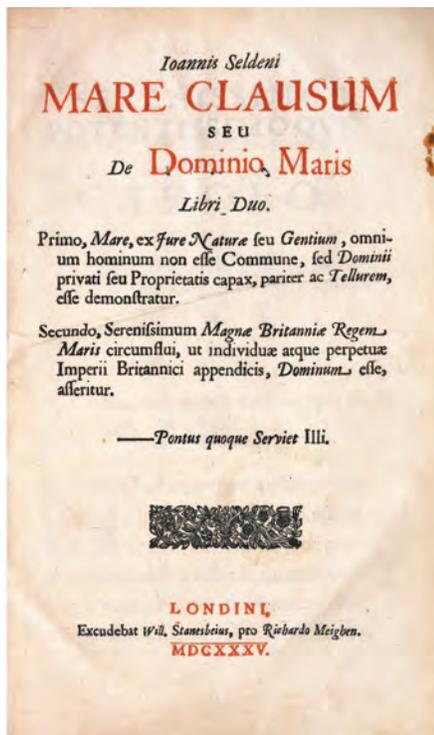
*Actions Upon the Case for Slander. Or, A Methodical Collection Under Certain Heads, Of Thousands of Cases, Dispersed in the Many Great Volumes of the Law, Of What Words are Actionable, And What are Not. And of a Conspiracy, And a Libel. Being a Treatise of Very Great Use and Consequence to All Men, Especially in These Times, Wherein Actions for Slander are More Common Than in Times Past. With an Exact Table Annexed, For the Ready Finding Out Any Thing Therein.*

London: Printed for J. Starkey, T. Basset, T. Dring, and J. Leigh, 1674. [viii], 287, [17] pp. Octavo (6-3/4" x 4-1/4").

Recent period-style calf. Blind rules with corner fleurons to boards, raised bands, gilt ornaments and lettering piece to spine. Woodcut head-pieces and decorated initials. Moderate toning to text, somewhat heavier in places, faint spotting to a few leaves, some discoloration and minor edgewear to title page. A nice copy in a handsome binding. \$1,500.



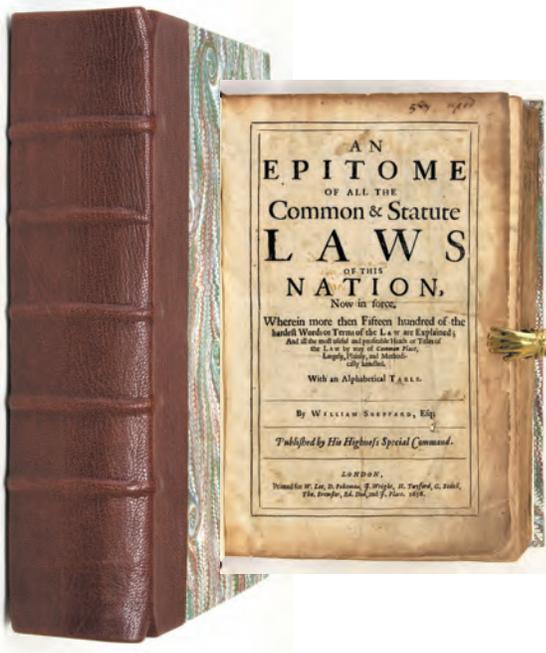
N° 162



Details from N° 161

SECOND AND FINAL EDITION. Sheppard's treatise, originally published in 1662 as *Action Upon the Case for Slander*, was one of the first two books to address the topic. (The other was William March's *Actions for Slaunder*, 1647.) As indicated by its preface, Sheppard's is especially interesting. "[A]mong the abiding Iniquity of this Age, the iniquity of the Tongue, that little Member, set on fire by Hell, is not the least; And among the evils of the Tongue, is there any more pernicious and deadly, and yet more common and epidemical then Backbiting and Slander? (...) It is true, that in former times, wee finde Actions of the Case for Slanderous words very rarely brought; which speaks this much,

that such words were then very rarely spoken. But in these daies they are become almost as natural to men, as their language and discourse; and therefore the disease, so deeply rooted, and over-spreading, calls for the application of the Remedy, which our Law doth abundantly furnish us withall. And hence it is, I have been encouraged to ingage in this work; which is nothing else but a naked and Methodical Collection of the remedies prescribed by the Law against this Malady." OCLC locates 5 copies in North American law libraries (Library of Congress, State of Oregon Law Library, University of Pennsylvania, University of Washington, Yale). ESTC R31192.



A NEW DEPARTURE FOR THE ABRIDGMENT

## 163 SHEPPARD, WILLIAM

***An Epitome of All the Common & Statute Laws of This Nation Now in Force: Wherein More than Fifteen Hundred of the Hardest Words or Terms of the Law are Explained; And All of the Most Useful and Profitable Heads or Titles of the Law by Way of Common Place, Largely, Plainly, and Methodically Handled. With an Alphabetical Table.***

London: Printed for W. Lee, D. Pakeman [et al.], 1656. [xxiv], 1131, [1] pp. Folio (11-1/4" x 7-1/2").

Recent period-style quarter morocco over marbled boards, early hand-lettered title to fore-edge of text block, existing front pastedown retained, other endleaves renewed. Moderate toning, somewhat heavier in places, occasional faint dampstaining, light soiling and some edgewear to title page. Owner signature, "Edw: Morgan/Lincolns Inn" to front pastedown, brief annotations in same hand to title page and a few other places. \$1,950.

FIRST EDITION. Sheppard's *Epitome* marked a significant change in the nature of abridgments. Unlike other examples, which are collections of notes of cases and statutes arranged loosely under headings and sub-headings, Sheppard's is comprised of entries on all branches of the law. Dedicated to Oliver Cromwell, the *Epitome* is divided into 170 chapters and arranged alphabetically from "Acceptance" to "Words." It was inspired, at least in part, to the reforming spirit of the Commonwealth. Notable works that followed Sheppard's example, and went on to inspire the modern legal encyclopedia, are Bacon's *Abridgement* and Comyn's *Digest*. ESTC R10939.

"THE MOST IMPORTANT DESCRIPTION OF THE CONSTITUTION AND GOVERNMENT OF ENGLAND WRITTEN DURING THE TUDOR AGE"

## 164 SMITH, SIR THOMAS [1513-1577].

***The Common-Wealth of England, And the Maner of Governement Thereof. Compiled by the Honourable Sir Thomas Smith, Knight, Doctor of Both Lawes, And One of the Principall Secretaries Unto Two Most Worthy Princes, King Edward, And Queene Elizabeth. With New Additions of the Chiefe Courts in England, And the Offices Thereof by the Said Author. Also a Table Added Thereto, Of All the Principall Matters Contained in this Treatise.***

London: Printed by William Stansby, 1612. [viii], 134 pp. Lacking first leaf, a blank. Quarto (7-1/2" x 5-1/2").

Recent period-style paneled calf, gilt titles, raised bands and blind ornaments to spine, blind inside dentelles, all edges gilt. Light rubbing to extremities, a few minor nicks to boards. Woodcut device to title page, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, minor edgewear and offsetting to preliminaries and final leaves of text. Ex-library. Faint embossed stamp to title page and following leaf, cancelled stamp to verso of title page with some bleed-through. A handsome copy. \$750.

LATER EDITION. *De Republica Anglorum; the Manner of Government or Policie of the Realme of England* was written between 1562 and 1565 and first published in 1583. "It is the most important description of the constitution and government of England written in the Tudor age" (DNB). It went through eleven editions in English between 1584 to 1691. Four Latin editions appeared between 1610 and 1641. Abridged editions in Dutch and German were published in 1673 and 1688. Smith, an English scholar and diplomat, was Regius Professor of Civil Law at Cambridge University. DNB XVIII:535. ESTC S117648.

EIGHTEENTH-CENTURY SPANISH REGULATIONS CONCERNING LOANS TO GOVERNMENT OFFICIALS

165 [SPAIN].  
[LOANS].  
[PENSIONS].

***Monte Pio de Corregidores y Alcaldes Mayores que nombra S.M. Inklusos los del Territorio de las Ordenes Militares.***

Madrid: En la Imprenta de Don Benio Cano, 1790. 467 pp. Folio (11-3/4" x 8-1/4").

Contemporary tree sheep, gilt fillets to boards, gilt fillets and ornaments to spine, gilt tooling to board edges, marbled endpaper, detached ribbon marker laid in. Some minor nicks to boards, moderate rubbing to extremities, corners bumped. Very light toning to text, faint dampstaining to a few leaves, a few minor worn holes. A handsome copy. \$750.

ONLY EDITION. A collection of legislation establishing a system of low-interest loans for aldermen, mayors and the governors of military districts in Spain (and New Spain). This legislation has its roots in the "Mounts of Piety," a system of pawnbrokers run as a charity by the Catholic Church in Europe in the Late Middle Ages to offer low-interest loans to the needy. The regulations in the present volume offered low-interest loans from the state treasury secured against amounts intended to fund the borrower's pension. OCLC locates 1 copy in North America (Duke University). Palau 177.666.

COMPILATION OF SPELMAN'S WRITINGS  
WITH ANNOTATIONS FROM A PREVIOUS OWNER

- 166 SPELMAN, SIR HENRY [?1564-1641].  
[GIBSON, EDMUND, EDITOR].

*Reliquiae Spelmannianae: The Posthumous Works of Sir Henry Spelman Relating to the Laws and Antiquities of England Published from the Original Manuscripts. With the Life of the Author.*

Oxford: Printed at the Theater for Awneham and John Churchill, 1698. [xxxii], 214, [12] pp. Copperplate portrait frontispiece, copperplate of Oxford's Sheldonian Theatre to title page. Two folding tables. Folio (12-1/2" x 8").

Recent period-style quarter morocco over marbled boards, raised bands and lettering piece to spine. Light rubbing to extremities with minor wear to corners, a few tiny nicks to boards, some fading to spine. Very light toning to text. Early owner signatures to title page, later signature of "A. Merriwether" dated 1806. Brief annotations in Merriwether's neat hand in several places, extensive annotations to a few leaves. An appealing copy. \$500.

ONLY EDITION. Contents mostly in English, a few essays in Latin. Spelman was an eminent antiquarian, legal historian and member of Parliament. This volume consists largely of an essay on feuds and a reprint of his 1641 treatise *The Original Growth, Propagation and Condition of Tenures by Knight Service* (1641). Another important item is the "Apologie for Arch-Bishop Abbot," which addresses Abbot's manslaughter conviction by chance medley in a test case for a clergyman's rights under such circumstances. Other essays discuss wills, land tenures, the rank of knights, early English law, military law and historical subjects. ESTC R22617.

AN IMPORTANT INFLUENCE OF THE  
POLITICAL PHILOSOPHY OF THE FRENCH REVOLUTION

- 167 [STEVENS, JOHN (1749-1838)].  
[FAURE, LOUIS JOSEPH, TRANSLATOR].

*Examen du Gouvernement d'Angleterre Comparé aux Constitutions des États-Unis: Où l'On Réfute Quelques Assertions Contenues dans l'Ouvrage de M. Adams, Intitulé: Apologie des Constitutions des États-Unis d'Amérique, & Dans Celui de M. Delolme, Intitulé: De la Constitution d'Angleterre.*

Londres, Et se Trouve a Paris: Chez Froullé, 1789. viii, 291 pp. Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind rules to boards, lettering piece and gilt fillets to spine, edges rouged, gilt rules to board edges, marbled endpapers, ribbon marker. Negligible rubbing to boards, light fading near top-edges, moderate rubbing to extremities with some wear to spine ends and corners, joints just starting at ends. Some toning to text, light foxing to title page and a few other leaves, internally clean. An attractive copy. \$1,500.

ONLY EDITION. This work was originally published in 1787 as a 56-page pamphlet entitled *Observations on Government; Including Some Comments on Mr. Adams's Defense of the Constitution and Government of the United States of America*. Ignored in America, it became an important influence on French debates about government during the first phase of the French Revolution in this version translated by Faure, who transformed it into a 291-page book with the addition of notes by Pierre S. DuPont

de Nemours, Nicolas de Condorcet and J.A. Gauvain Gallors, a translation of the new U.S. Constitution and notes from Virginia's ratifying convention. Originally attributed to William Livingston, this work was written by Stevens, an engineer and inventor best known for his work on the development of the steamboat. Sabin 41646. Cohen 2777.

JOSEPH STORY'S COPY

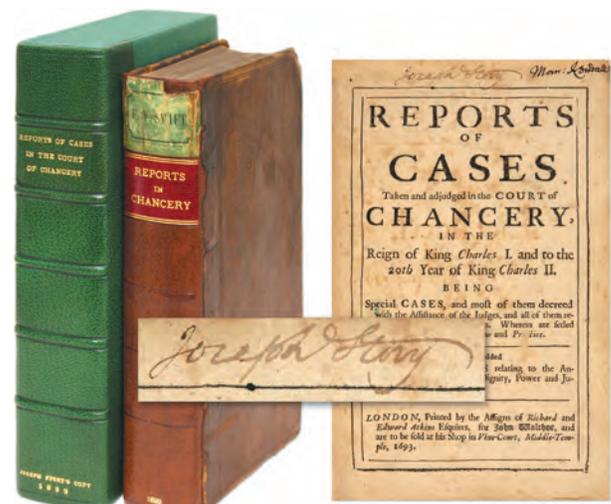
- 168 [STORY, JOSEPH (1779-1845)].  
[GREAT BRITAIN]  
[COURT OF CHANCERY].

*Reports of Cases Taken and Adjudged in the Court of Chancery in the Reign of King Charles I and to the 20th Year of King Charles II. Being Special Cases, And Most of Them Decreed with the Assistance of the Judges, And All of Them Referring to the Register Books. Wherein are Settled Several Points of Equity, Law and Practice. To Which are Added Learned Arguments Relating to the Antiquity of the Said Court, Its Dignity, Power and Jurisdiction.*

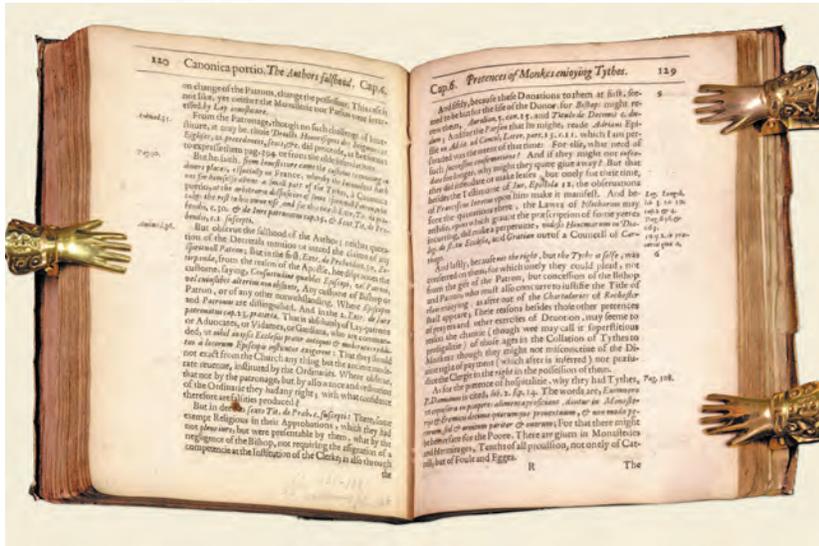
London: Printed by the Assigns of Richard and Edward Atkins Esquires, For John Walthoe, 1693. [xlviii], 288, 88 pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind rules to boards, rebaked in period style, blind fillets and lettering piece to spine, later owner label to head of spine, early hand-lettered title to fore-edge of text block. Light rubbing to boards, moderate rubbing to extremities, front hinge just starting. Moderate toning to text, occasional light dampspotting, some leaves have spark burns, clean tear to rear free endpaper, crack in text block between front free endpaper and title page. "J (?) Story" in light pencil to front pastedown, "Joseph Story" and signature of previous owner to head of title page. Ex-library. Small bookplate to of William L. Clements Library, with withdrawn stamp, to rear pastedown. Book housed in a cloth slipcase with chemise and a morocco spine with raised bands and gilt title. Unique. \$2,500.

FIRST EDITION. It is not surprising that Story owned a copy of this title, an important work that established the importance of judicial precedents for cases in equity. It is one of the three collections of chancery reports listed in the 1846 auction catalogue of Story's library. ESTC R200612. Hoeflich and Beck 581.



N° 168



AN IMPORTANT EARLY CRITICAL RESPONSE TO SELDEN'S HISTORIE OF TITHES

169 TILLESLEY, RICHARD [1582–1621]. [SELDEN, JOHN (1584–1654)].

*Animadversions Upon M. Seldens History of Tithes, And his Review Thereof: Before Which (In Lieu of the Two First Chapters Purposely Pretermitted) is Premised a Catalogue of Seventy Two Authours, Before the Yeere 1215. Maintaining the Jus Divinum of Tythes or More, To be Payd to the Priesthood Under the Gospell.*

London: Printed by Iohn Bill, 1619. [xliv], 236 pp. Signature Q (pp. 121–128) misbound after Signature X (pp.161–168). First leaf blank except for a fleuron in a mortised ornament. Quarto (7-1/4" x 5-3/4")

Contemporary limp vellum with lapped edges and fragments of thong ties, very faint later hand-lettered title to spine. Moderate rubbing and soiling, spine darkened, some chipping along bottom edge of front cover, rear pastedown loose. Attractive woodcut head and tail-pieces, woodcut arms of England to verso of title page. Moderate toning, somewhat heavier in places, some edgewear and chipping to front free endpaper, which has an

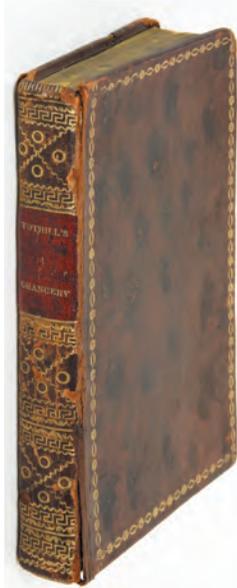
owner signature dated 1815, tiny (library?) stamp to rear endleaf. A nice copy. \$950.

FIRST EDITION. This volume contains one of the most important responses written by clerics in the controversy immediately following the publication of John Selden's *Historie of Tithes* (1618). Tillesley, Archdeacon of Rochester, disputes Selden's work because it finds a great deal of support for tithing under positive law and almost none under divine law. In other words, Selden questioned the divine right to tithes while supporting the right under positive law. This is no minor controversy; Stubbe cited the publication of Selden's and the controversy surrounding it as one of the leading causes of the English Civil War. As one would expect, Tillesley's work was widely lauded by clergy, nobility and royalty. A second edition was published in 1621. Both editions are scarce. OCLC locates 7 copies of the first edition in North American libraries (Harvard, Northwestern, SMU, University of Georgia, University of Pennsylvania, UC–Berkeley, UT–Austin). ESTC S117059.

IMPORTANT FOR ITS INSIGHTS  
INTO THE DEVELOPMENT OF  
CHANCERY PRACTICE

170 TOTHILL, WILLIAM,  
COMPILER.

*The Transactions of the High Court of Chancery, Both by Practice and President; With the Fees Thereunto Belonging, And All Special Orders in Extraordinary Cases, Which Are to be Found in the Registers Office as They Are Quoted by Terms, Years, And Books. Collected by that Famous Lawyer William Tothill Esq; Late One of the Six Clerks: And Since Reviewed by Sir Ro: Holborne, Bencher of Lincolns-Inne.*



London: Printed for R. Best and J. Place, 1671. [viii], 192, 225–240, 209–224, 257–288 pp. Text continuous despite pagination. Octavo (5-1/2" x 3-1/2").

Later sprinkled calf, gilt fillets to boards, gilt spine with lettering piece, all edges gilt, marbled endpapers. A few light scratches and nicks to boards, moderate rubbing to extremities, joints starting at ends, corners bumped and somewhat worn. Title printed within typographical border, typographical head-pieces. Light browning and occasional faint spotting to text, spark burns to a few leaves. Later owner signatures to front endleaf and head of title page, early owner signature to head of following leaf, interior otherwise clean.

\$700.

SECOND EDITION. As Wallace notes, this work, originally published in 1649, is "frequently interesting as showing in a positive and plainly authentic form the rudimentary shape of the present... developed chancery system of England; and as illustrating, by instances, that singular constitution of jurisprudence peculiar to Great Britain and the United States of America, by which a copious, precise, and most artificial system of law is spun out, gradually, from a small expression of natural justice, and with scrupulous respect for existing law, by the safe and constantly improving process of judicial interpretation." A third edition was published in 1671. It was also reissued in 1820 and 1872. Wallace 475. ESTC R38811.

"A CONSIDERABLE COLLECTION"

171 TREMAINE, SIR JOHN [D. 1694].  
RICE, JOHN, EDITOR.

*Placita Coronae: Or Pleas of the Crown, In Matters Criminal and Civil. Containing a Large Collection of Modern Precedents, Viz. Appeals. Convictions. Certiorari's, And Pleadings Thereto. Indictments. Informations. Traverses, Pleadings, &c. Writs of Mandamus. - Quo Warranto. - Restitution. - Habeas Corpus, &c. And Returns Thereof. With Great Variety of Precedents, Under Many Other Heads, Relating to the Crown-Law. With a Compleat Table to the Whole.*

[London]: printed by E. and R. Nutt and R. Gosling, (Assigns of E. Sayer Esq;) for T. Ward, 1723. [iv], 688, [36] pp. Title page preceded by one-page publisher advertisement. Folio (12-1/2" x 7-3/4").

Recent period-style quarter calf over pebbled cloth, raised bands, blind tooling and lettering piece to spine. Moderate toning and occasional light foxing to text, faint dampstaining to lower margins of final fifteen leaves. A handsome copy. \$950.

FIRST EDITION. This book is included in Holdsworth's survey of the literature of eighteenth-century common law, where he calls it "a considerable collection." The precedents were digested and revised by Rice, who added a table giving the date of the case relating to each precedent and, if reported, a reference to a reporter. Later editions were published in 1723 and 1793. Holdsworth XII:363. ESTC T174201.

COURT BRIEF RELATING TO THE GRAND CANYON WAR

172 [TRIAL].

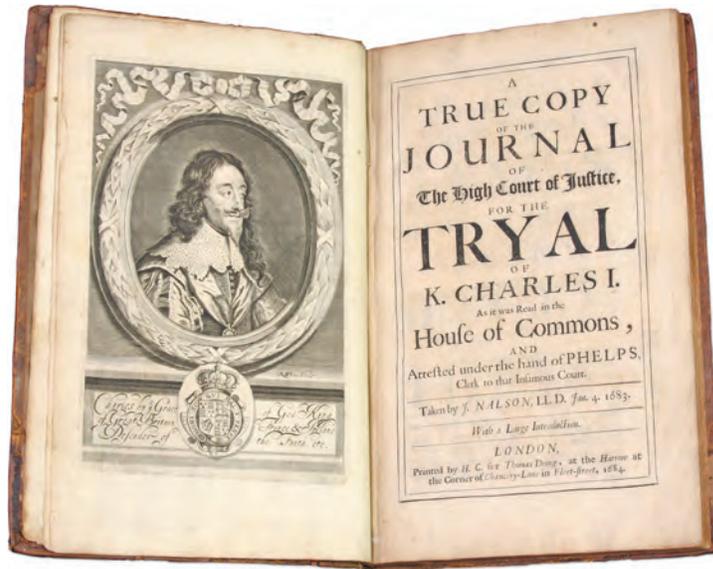
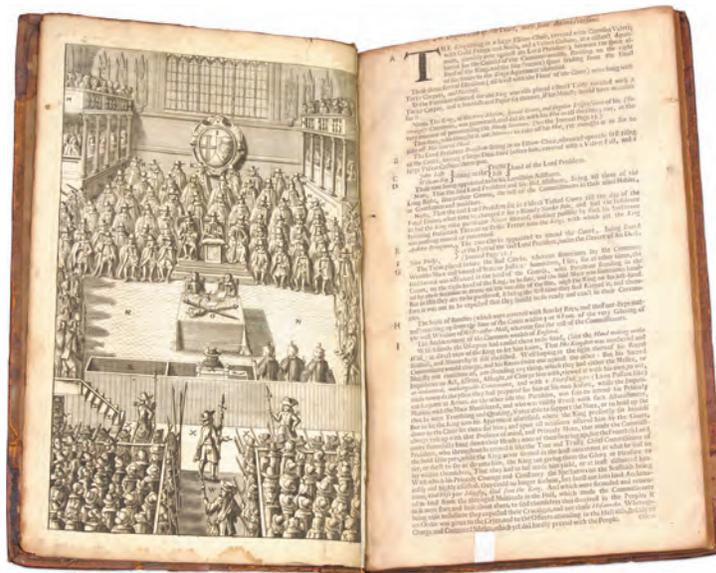
Bass, Lyman K. [1836–1889].

*In the Circuit Court of the United States, District of Colorado. The Pueblo and Arkansas Valley Railroad Company vs. the Denver and Rio Grande Railway Company. No. 155. Defendant's Brief of Evidence on Supplemental Bill. Lyman K. Bass, Solicitor for Defendant*

[Caption docket title to rear printed wrapper]. [Denver?]. Late December, 1879. [ii], 3–51, [1] pp. Octavo (9" x 6").

Stab-stitched pamphlet, pink publisher half-wrapper with docket title printed on left side of back cover. Light soiling to exterior, minor edgewear, vertical center fold. A well-preserved copy. \$950.

LIKELY THE ONLY PRINTING. Lyman Kidder Bass had been a Buffalo, New York attorney and was Grover Cleveland's law partner. Bass's brief on behalf of the Denver and Rio Grande Railway Company was filed with the U.S. Circuit Court in Colorado in late December 1879, subsequent to a U.S. Supreme Court ruling in favor of the railway company that reversed an injunction against the company's intended route from Denver to Leadville. It includes a statement of facts, his arguments against and objections to the supplemental bill, and an extensive review of the testimony. Witnesses here include Oliver Wendell Holmes, Jr. and extensive testimony from General William Jackson Palmer, co-founder of the Denver and Rio Grande Railroad. This brief was a concluding event in what became known as the Grand Canyon War, which pitting the Atchison, Topeka and Santa Fe Railroad Company against the Denver and Rio Grande Railway Company. Both railroads sought dominance to monopolize the right of way through the Grand Canyon of the Arkansas River. The "War" was not limited to the courts; it involved violence between "armies" of the railroad laborers and townsfolk. Despite the ruling of the U.S. Supreme Court, new issues were raised by a supplemental bill in December 1879 opposing the Denver and Rio Grande Company to which Bass responds here. On the 13th day of May the opinion and mandates of the Supreme Court were filed in the Circuit Court, and a motion was made for a decree in conformity thereto. After several more rounds of legal action culminating in a January 2, 1880 decision by the Circuit Court for Colorado affirming the Denver and Rio Grand's right of way and the U.S. Supreme Court's announcement to review the case, both parties decided to settle out of court. No copies listed on OCLC, which locates single copies of other titles relating to this case.



"THE BLACKEST AND BASEST OF ALL CRIMES"

173 [TRIAL].  
 CHARLES I, KING OF ENGLAND, SCOTLAND AND IRELAND [1600-1659], DEFENDANT.  
 NALSON, J[OHN] [1638-1686].

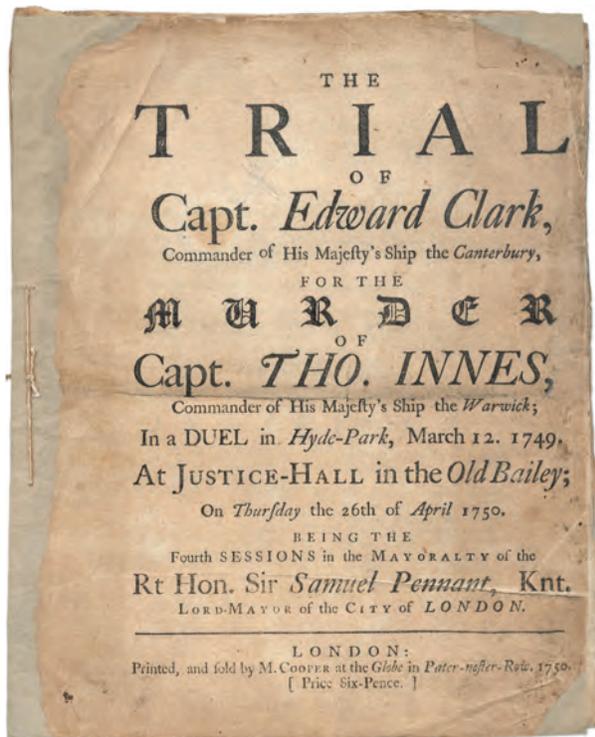
*A True Copy of the Journal of The High Court of Justice, For the Tryal of King Charles I. As it Was Read in the House of Commons, And Attested Under the Hand of Phelps, Clerk of That Infamous Court. With a Large Introduction.*

London: Printed by H.C. For Thomas Dring, 1684. [xii], LXX, [2], 128, [8] pp. Includes one-page bookseller list. Three copperplates: a portrait of Charles I; an allegory of his trial; and a trial scene. List of the 67 commissioners, p.86, and the 59 regicides, p.110, printed in red. Complete. Folio (12" x 7-1/2").

Contemporary paneled calf, rebaked, gilt title and gilt-edged raised bands to spine, corners mended, frontispieces of allegory and trial scene re-hinged. Moderate rubbing and light scuffing to boards and joints, hinges cracked, rear free endpaper lacking, final leaf (bookseller list) partially detached, later armorial bookplate

of Justinian Minoch to front pastedown. Light toning to text, somewhat heavier in places, occasional faint dampstaining to foot of text block, some edgewear, light soiling and minor tears to preliminaries, headline of leaf facing frontispiece of trial scene affected slightly by trimming. Early owner signature to front free endpaper, interior otherwise clean. \$1,000.

FIRST EDITION. The seventy-page "Large Introduction" is a polemical attack on the high court, "Monsters of Ingratitude and Cruelty, Treachery and Hypocrisie" who committed "the blackest and basest of all crimes" in their conviction and execution of King Charles I. Many journal entries have commentary by Nalson; several are quite sarcastic. The allegorical frontispiece is faced with an explanation in verse. The trial scene is keyed to a facing (polemical) leaf of captions. Later editions were published in 1731 and 1740. ESTC R5636.



N° 174

SENTENCED TO DEATH FOR DUELING,  
BUT PARDONED SOON AFTERWARD

## 174 [TRIAL].

CLARK, WILLIAM [D.1779], DEFENDANT.

*The Trial of Capt. Edward Clark, Commander of His Majesty's Ship the Canterbury, For the Murder of Capt. Tho. Innes, Commander of His Majesty's Ship the Warwick; In a Duel in Hyde-Park, March 12. 1749. At Justice-Hall in the Old Bailey; On Thursday the 26th of April 1750. Being the Fourth Sessions in the Mayoralty of the Rt. Hon. Sir Samuel Pennant, Knt. Lord-Mayor of London.*

London: Printed, And Sold by M. Cooper, 1750. [ii], 18 pp. Text in parallel columns. Second leaf is a publisher advertisement. Quarto (8-1/2" x 6-3/4").

Stab-stitched pamphlet, recent repairs to corners and inner margin of title page. Some edgewear, horizontal fold line through center, light soiling to exterior, light browning and a few minor stains to interior. \$650.

ONLY EDITION. Captain Clark was convicted of murder and sentenced to death after he fatally shot Captain Innes in a duel. He received a royal pardon almost immediately afterwards. The trial, reported in detail and apparently verbatim, is remarkable for the number of distinguished character witnesses produced for the defence. These include Lord Southwell, Admiral Martin, Admiral Bing, Admiral Fox, Lord Montague Bertie, Sir John Cross and several naval captains. This account was reprinted in Dublin in 1750. Both are scarce. Concerning the London edition, OCLC locates 11 copies, 3 copies in North America, 1 in a law library (University of Minnesota). ESTC T25541.

AN ACCOUNT OF A NEW YORK CITY MURDER  
OVERLOOKED BY MCDADE

## 175 [TRIAL].

COLT, JOHN [1810-1842], DEFENDANT.

"Shocking Murder of Mr Adams--Our Printer--The Body Discovered on Board a Vessel--Arrest of the Supposed Murderer, And Observations on the Character of Both, Showing them to be Creatures of Circumstances," *The Herald of the New Moral World and Millennial Harbinger*, Volume I, No. 17, New York, September 16, 1841, pp. 140-143.

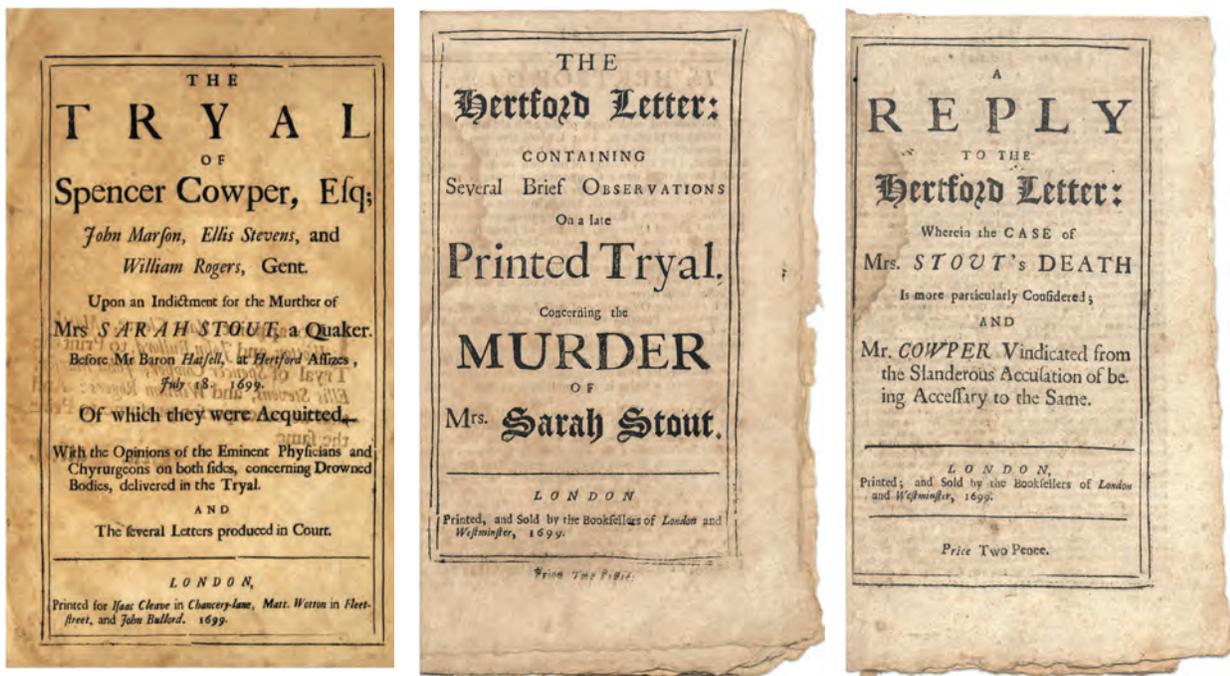
Article bound into a complete run of this publication. Volume I, No. 1 to Volume II, No.7. [292] pp. Quarto (10-3/4" x 8").

Contemporary quarter calf over pebbled cloth, gilt fillets, title (reading New Moral World) and volume number (reading Vol. I-II) to spine. Light rubbing to boards, corners bumped, joints cracked, spine abraded with a few large chips just below title and at spine ends. Moderate toning, darker in places, light foxing. Struck-through serial (?) number in small recent hand, interior otherwise clean. \$1,250.

THIS ACCOUNT IS OVERLOOKED BY MCDADE, who lists two other newspaper accounts. As the title indicates, Adams was the printer of the *Herald of the New Moral World*, a liberal general-interest non-denominational Christian periodical. The murderer, John C. Colt, who appears to have acted impulsively during an argument, was the brother of Samuel Colt, the notable gun manufacturer. (For some unknown reason Colt used an axe instead of a pistol.) His deed was discovered when he attempted to ship Adams's body to New Orleans in a crate, where his body would not be identified. For some reason, Samuel Colt promoted the value of his pistol during his testimony, even interrupting the proceedings with a demonstration. No one knows why the court allowed this. John Colt was convicted and sentenced to death. He married his girlfriend the night before his execution and escaped the hangman by stabbing himself in the heart on the following morning. This account is one of the few negative articles in the optimistic *Herald*, a fascinating publication filled with reports of inventions, discoveries, social improvements and other examples of human progress.



Detail from N° 173



"THE MURDER OF MRS. SARAH STOUT, A QUAKER"

## 176 [TRIAL].

COWPER, SPENCER [1669–1728], PRINCIPAL DEFENDANT.

*The Tryal of Spencer Cowper, Esq; John Marson, Ellis Stevens, And William Rogers, Gent. Upon an Indictment for the Murther of Mrs. Sarah Stout, a Quaker. Before Mr. Baron Hatsell, At Hertford Assizes, July 18, 1699. Of Which They were Acquitted. With the Opinions of the Eminent Physicians and Chyrurgeons on both Sides, Concerning Drownded Bodies, Delivered in the Tryal. And the Several Letters Produced in Court.*

London: Printed for Isaac Cleave in Chancery-Lane, Matt. Wotton in Fleet-street, and John Bullord, 1699. [ii], 22 [i.e.46] pp. Folio (11-1/2" x 7").

[BOUND WITH]

P. D.

*The Hertford Letter: Containing Several Brief Observations on a Late Printed Tryal, Concerning the Murder of Mrs. Sarah Stout.*

London: Printed and Sold by the Booksellers of London, and Westminster, 1699. 16 pp. Octavo (8-1/2" x 5").

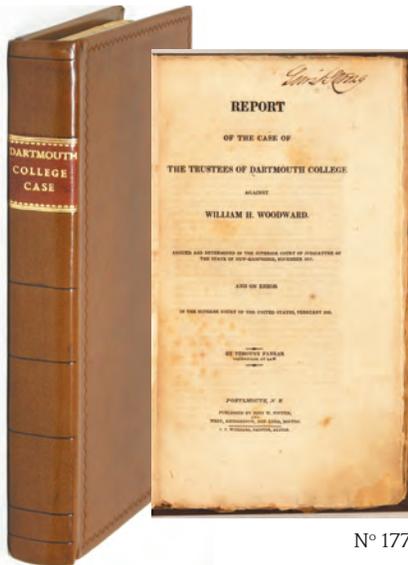
[AND]

*A Reply to the Hertford Letter: Wherein the Case of Mrs. Stout's Death is More Particularly Considered; And Mr. Cowper Vindicated from the Slanderous Accusation of Being Accessary to the Same.*

London: Printed; And Sold by the Booksellers of London, and Westminster, 1699. 8 pp. Octavo (8-1/2" x 5").

Three titles in an 11-1/2" x 7-1/2" binding. Three-quarter cloth over paper-covered boards, gilt title to spine. Light soiling, dampspotting and offsetting to boards, some rubbing to extremities, early owner bookplate top front pastedown. Light browning and foxing to interior, internally clean. \$3,500.

ONLY EDITIONS. Spencer Cowper, a judge, was indicted for the murder of Sarah Stout. He was at her house late on the evening before she was found drowned in a river. Cowper's alleged motivations were a desire to end an illicit love affair and avoid payment of a debt. Cowper's lawyers argued that Stout's parents wanted to hide the fact that their daughter committed a suicide, a heinous act among Quakers. The defence also suggested a political motivation: a desire by local Tories to harm the career of a rising Whig. Cowper had been at the woman's house late on the evening before she was found drowned in the river, but there was little material evidence against him. Also, his lawyers benefited from expert medical testimony from three leading physicians, Samuel Garth, Hans Sloane and William Cowper." He was acquitted. The trial attracted a good deal of attention and generated several pamphlets, including post-verdict pamphlets that attempted unsuccessfully to reopen the case. Our volume collects three examples. *The Tryal of Spencer Cowper* is one of the standard accounts of the trial. *The Hertford Letter* and *A Reply to the Hertford Letter* reflect the post-trial debates about the verdict. *The Tryal* and *The Hertford Letter* are scarce; *A Reply* is rare and apparently unrecorded. No copies are found on OCLC. The *ESTC* lists a pamphlet with the same title, but it has a different imprint and a much-different collation. *ESTC* R226805 (*Tryal*), R493540 (*Letter*).



N° 177

FIRST REPORT OF THE LANDMARK DARTMOUTH COLLEGE CASE

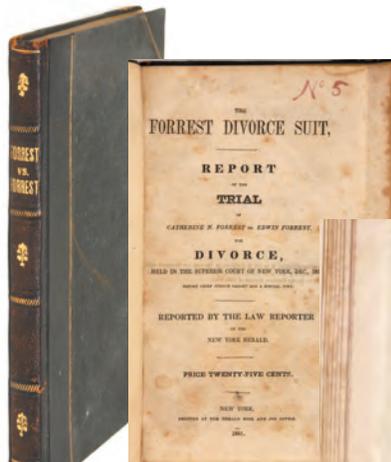
- 177 [TRIAL].  
[DARTMOUTH COLLEGE CASE].  
FARRAR, TIMOTHY [1788–1874], REPORTER.

*Report of the Case of the Trustees of Dartmouth College Against William H. Woodward: Argued and Determined in the Superior Court of Judicature of the State of New-Hampshire, November 1817. And on Error in the Supreme Court of the United States, February 1819.*

Portsmouth [NH]: Published by John W. Forster and West, Richardson, And Lord, Boston, [1819]. [iv], 406 pp. Octavo (8-1/2" x 5").

Recent period-style calf, blind fillets to boards, blind fillets and lettering piece to spine, endpapers renewed. Moderate toning to text, somewhat darker around margins, very faint dampstaining in a few places, light foxing to a few leaves. Small early owner signature to head of title page, brief early annotations to margins in a few places, interior otherwise clean. Ex-library. Two tiny instamps to foot of p. [iii]. A handsome copy. \$1,500.

FARRAR'S IS THE FIRST published report of the landmark case involving the contract rights of corporations. With all the material related to the case, including the arguments of Webster and Wirt and the opinions of Chief Justice Marshall and Justices Story and Washington, and an appendix containing the texts of related documents. The New Hampshire legislature passed a bill in 1816 that revoked Dartmouth College's original charter and converted the college from a private to a state institution. The college challenged the constitutionality of this act in the New Hampshire Supreme Court without success, but the U.S. Supreme Court reversed the state's decision in a landmark opinion based on the contract clause of the Constitution (Article I, Section 10). "By construing the contract clause as a means of protecting corporate charters from state interventions, Marshall derived a significant limitation on state authority. As a result, various forms of private economic and social activity would enjoy security from state regulatory policy. Marshall thus encouraged, through constitutional sanction, the emergence of the relatively unregulated private, autonomous economic actor as the major participant in a liberal political economy that served the commonwealth by promoting enlightened self interest": Alfred F. Konefsky, "Dartmouth College v. Woodward" in Hall 218–219. Cohen 11614.



Details from N° 178

COMPLETE ACCOUNT OF A NOTABLE  
1851 NEW YORK DIVORCE TRIAL

- 178 [TRIAL].  
FORREST, CATHERINE NORTON (SINCLAIR), PLAINTIFF.

*The Forrest Divorce Suit, Report of the Trial of Catherine N. Forrest vs. Edwin Forrest. For Divorce, Held in the Superior Court of New York, Dec., 1851. Before Chief Justice Oakley and a Special Jury. Reported by the Law Reporter of the New York Herald.*

New York: Printed at the Herald Book and Job Office, 1851. 120, 81–185, [3] pp. Two woodcut portraits in text (at pp. 96–97). Format changes from single to double columns at p. 81 of the second paging sequence. The verdict, printed after the publication of the book, is pasted to the foot of p. 185 and its verso. Complete as issued.

Contemporary three-quarter morocco over cloth, gilt rules to boards, raised bands, gilt ornaments and gilt title to spine, patterned endleaves. Light rubbing to boards, moderate rubbing to extremities with some wear to spine ends and corners, early owner bookplate to front pastedown. Moderate toning to text, occasional light foxing, repair to margin of pp. 99–100, a few minor tears to final leaf of text. Early owner signature to front free endpaper, "No 5" to head of title page in early hand, interior otherwise clean. \$650.

ONLY EDITION. Edwin Forrest was a famous New York Shakespearean actor who filed for divorce in Philadelphia on the grounds of adultery, having found his wife with another actor. His wife countersued in New York. The trial lasted six weeks with a judgment against Mr. Forrest, who went on to appeal the case five times. As one would expect, this celebrity trial attracted a great deal of attention, in part though Mr. Forrest's efforts. A larger-than-life figure, his notoriety from the trial filled theaters, where he gave passionate speeches about the trial during intermissions. As printed, this book ends with the retirement of the jury. The verdict, included in our copy, was printed later in the *New York Evening Post* with instructions to cut and past the verdict into the endleaves of the book. Some copies do not have the verdict, other copies have it pasted on one or more leaves, which is why collations of this book differ. OCLC locates 8 copies in North American law libraries (Duke, Harvard, Library of Congress, Social Law, University of Denver, University of Missouri, University of Pennsylvania, U.S. Supreme Court). Cohen 1142.

A RARE ENGLISH COURT MARTIAL FROM 1805

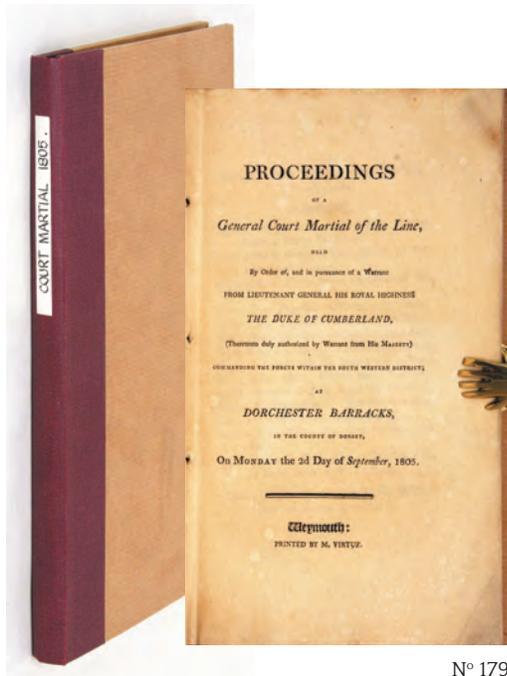
- 179 [TRIAL].  
[GRAHAM, CAPTAIN HENRY CHARLES EDWARD  
VERNON, DEFENDANT].

*Proceedings of a General Court Martial of the Line, Held by Order of, And in Pursuance of a Warrant from Lieutenant General His Royal Highness the Duke of Cumberland, (Thereunto Duly Authorized by Warrant from His Majesty) Commanding the Forces within the South Western District; at Dorchester Barracks, In the County of Dorset, On Monday the 2d Day of September, 1805.*

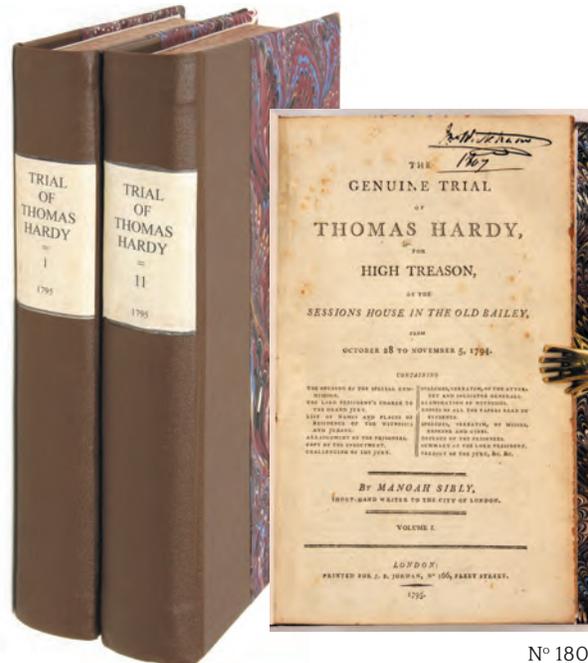
Weymouth: Printed by M. Virtue, [1805]. 84 pp. Octavo (8-1/2" x 5").

Stab-stitched pamphlet bound into recent quarter cloth over paper-covered boards, hand-lettered title label to spine. Light toning to text, somewhat heavier in places, light foxing to a few leaves, light browning to title page. A very good copy. \$1,250.

ONLY EDITION LOCATED. Captain Henry Charles Edward Vernon Graham, of the 15th (or King's) Regiment of [Light] Dragoons was faced with two charges. The first charge was "scandalous and infamous behaviour, unbecoming the character of an officer and gentleman" occasioned by accusing an officer, Captain Broadhurst, "before a Sergeant of his Troop, of having behaved improperly" by observing to the sergeant "that he had a great mind to put Captain Broadhurst under arrest" (6). The second charge related to letters sent to Capt. Graham to his Commanding Officer stating that "the whole of the Junior Officers [were] forming a systematic plan to drive him [Capt. Graham] out of the Regiment (7). In the event, Graham was found not guilty on the first charge but guilty on the second, for which it was ordered that he be reprimanded by the commanding officer in the presence of the field officers of the Regiment. Graham appears to have sponsored this publication. The trial ends with an afterword by Graham that adds his perspective and notes that he printed a number of copies of his trial report for "the information of my relations, and those friends most interested in my welfare" (83-84). No copies listed on COPAC. OCLC locates one copy worldwide (Yale University).



N° 179



N° 180

TREASON TRIAL INSPIRED BY FEAR  
OF THE FRENCH REVOLUTION

- 180 [TRIAL].  
HARDY, THOMAS [1752-1832], DEFENDANT.  
SIBLY, MANOAH, REPORTER.

*The Genuine Trial of Thomas Hardy for High Treason, At the Sessions House in the Old Bailey, From October 28 to November 5, 1794.*

London: Printed for J.S. Jordan, 1795. Two volumes. viii, [9]-508; viii, 602 pp. Lacking half-titles. Octavo (8-1/2" x 5").

Recent quarter cloth over marbled boards, printed paper title labels to spines, speckled edges. Moderate toning, light foxing in a few places, underlining to a few passages in Volume II, early owner signature to title page of Volume I. Ex-library. Small perforated stamp to title page of Volume II. A nice copy in a handsome binding. \$750.

ONLY EDITION. A shoemaker by trade, Hardy was the founder and First Secretary of the London Corresponding Society. This was a popular association of workingmen committing to the cause of universal male suffrage. Unnerved by the excesses of the French Revolution, and eager to set an example, Hardy was indicted for high treason in 1794. The public favored Hardy's cause and he was seen as an unjustly persecuted apostle of English liberty. As the trial proved, the Crown's case, prosecuted by Lord Eldon, had little merit and Hardy was acquitted to great acclaim. This account contains a complete transcript of the trial, along with a narrative account and the texts of letters and documents introduced as evidence. ESTC T73925.

"A CONSTANT REMINDER THAT  
INNOCENT PERSONS CAN BE CONVICTED"

- 181 [TRIAL].  
HAYNES, LEMUEL [1753-1833].  
WALDO, S. PUTNAM [1780-1826].  
BOORN, STEPHEN, DEFENDANT.  
BOORN, JESSE, DEFENDANT.

*Mystery Developed; Or, Russell Colvin, (Supposed to Be Murdered), In Full Life; And Stephen and Jesse Boorn, (His*

*Convicted Murderers,)* Rescued From Ignominious Death by Wonderful Discoveries. Containing, I. A Narrative of the Whole Transaction, by Rev. Lemuel Haynes, A.M. II. Rev. Mr. Haynes' Sermon upon the Development of the Mystery. III. A Succinct Account of the Indictment, Trial and Conviction of Stephen and Jesse Boorn.

Hartford: Published by William S. Marsh, 1820. 48 pp. Three parts, each with title page, pagination continuous. Second part titled *The Sermon, The Prisoner Released*, third part, by Waldo, titled *A Brief Sketch of the Indictment*. Octavo (8-1/4" x 5").

Stab-stitched pamphlet bound into recent quarter calf over marbled boards, calf title panel to front board, gilt title to spine. Moderate toning and light foxing to text, minor tears to a few leaves, internally clean. \$1,250.

ONLY EDITION. As McDade notes, this is "one of the most famous cases of American criminal law and a constant reminder that innocent persons can be convicted." Colvin disappeared from his Vermont community and Stephen and Jesse Boorn, his brothers-in-law, were convicted of murdering him, even though a body was never found. Told they would be convicted with overwhelming evidence, they were persuaded to confess in exchange for a charge of manslaughter. Sentenced to death instead, the legislature intervened and commuted their sentences to life imprisonment. The Boorns were released when Colvin returned home six years later. Reverend Haynes, perhaps the most prominent African-American in the early nineteenth century, had supported the claims of innocence by the Boorns. The third part of this pamphlet, the *Brief Account*, was written by Waldo. OCLC locates 3 copies in North American law libraries (Harvard, Yale, US Supreme Court, which has an incomplete copy). The first two parts of this pamphlet were reprinted in Thomas Mather Cooley's *Sketches of the Life and Character of the Rev. Lemuel Haynes* (1837). McDade 111.

ONE OF THE MOST DETAILED ACCOUNTS OF A MAJOR NINETEENTH-CENTURY FINANCIAL SWINDLE

182 [TRIAL].  
HUGHES, W. HUGHES, EDITOR.

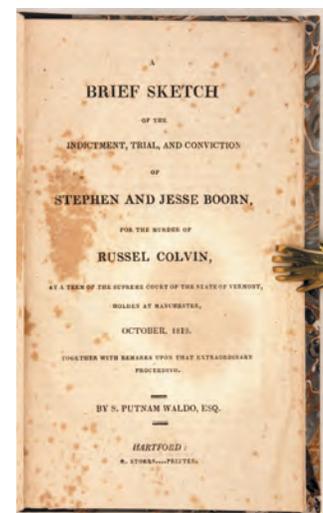
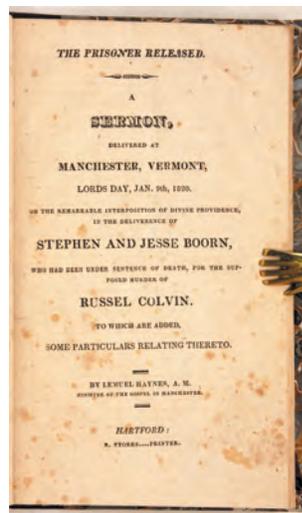
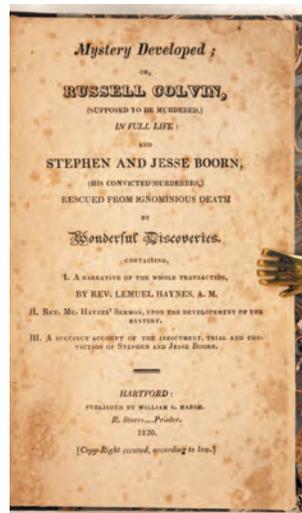
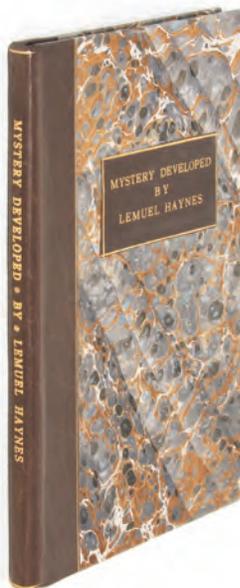
*"The Times" Testimonial: Report of the Trial of the Action, Bogle Versus Lawson, For a Libel Published in "The Times" London-Newspaper, Tried at the Summer Assizes*

*for the Country of Surrey, Held at Croydon, Monday, August 16, 1841, Before the Right Honourable Sir Nicholas Conyngham Tindal, Knt. Lord Chief Justice of the Court of Common Pleas, And a Special Jury; Together with the Proceedings of a Public Meeting of Merchants, Bankers and Others, Held at the Mansion House, London, Friday, October 1, 1841, On the Subject of Such Action, And of the Committee then Appointed; And Also a List of Subscribers to "The Times" Testimonial. Published by the Committee.*

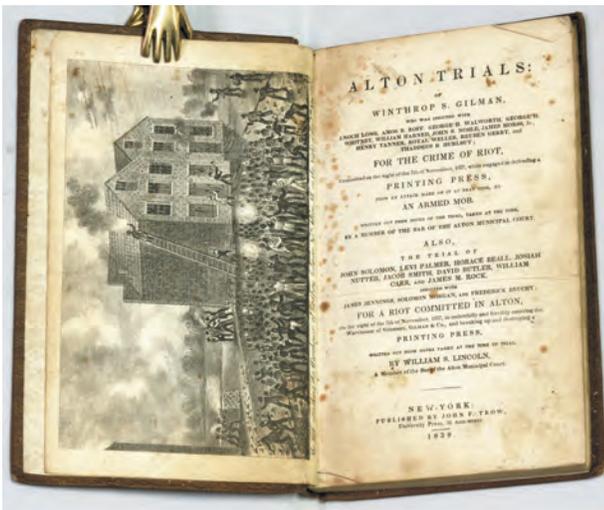
London: John Hatchard and Son, Henry Butterworth and Pelham Richardson, 1841. 179, [1] pp. Half-title lacking. Octavo (8-1/4" x 5").

Recent quarter cloth over marbled boards, printed paper title label to spine. Some toning to text, light soiling to title page. A nice copy of a rare title. \$1,250.

FIRST EDITION. A sensational case of a million-pound plot to defraud continental bankers by forged letters of credit, or *lettres circulaires*, purporting to have been issued by the bankers Glyn, Hallifax, Mills, & Co. The plot was exposed by a *Times of London* correspondent in a letter, published in the newspaper on 26th May 1840, which referred to "the great forgery company established on the continent lately detected," and naming the co-conspirators. These included the Marquis of Bourbel, "the chief of the gang," the Baron Louis d'Arjuzon, alias De Castel, Pipe "an Englishman who professes to be a solicitor in London," and Cunningham Graham "an anonymous partner in the house of Bogle, Kerrich, and Co." The case was sensational in both social and in banking circles. It exposed the largely unregulated and certainly sloppy banking practices associated with letters of credit (easy to forge and difficult to police) and the almost brilliant ingenuity of an international gang of con men. The naming of Allan George Bogle—who was almost certainly involved—triggered this libel action against John Joseph Lawson, the printer and publisher of the *Times*, and resulted in the award of one farthing damages for Bogle, but enormous expense and the considerable gratitude of bankers and investors for the *Times*. The present report is without much doubt one of the most detailed accounts of a major financial swindle of this period, particularly one involving letters of credit. A second edition was published the same year as the first, the third and final edition in 1842. All three are rare. OCLC locates 6 copies worldwide of the first edition, 2 in North America (Newberry Library, Temple University). COPAC adds a copy at the Society of Antiquaries. This edition not in Kress, which lists the 3rd edition (C.5743).



Details from N° 181



N° 183

AN IMPORTANT EVENT IN THE HISTORY OF  
FREEDOM OF THE PRESS IN THE UNITED STATES

## 183 [TRIAL].

LINCOLN, WILLIAM S., REPORTER.  
TROW, JOHN FOWLER, EDITOR.

*Alton Trials: Of Winthrop S. Gilman, Who Was Indicted with Enoch Long, Amos B. Roff, George H. Walworth, George H. Whitney, William Harned, John S. Noble, James Morss, Jr., Henry Tanner, Royal Weller, Reuben Gerry, And Thaddeus B. Hurlbut; For the Crime of Riot, Committed on the Night of the 7th of November, 1837, While Engaged in Defending a Printing Press, From an Attack Made on It at That Time, By an Armed Mob. Written Out From Notes of the Trial, Taken at the Time, By a Member of the Bar of the Alton Municipal Court. Also, The Trial of John Solomon, Levi Palmer, Horace Beall, Josiah Nutter, Jacob Smith, David Butler, William Carr, And James M. Rock, Together with James Jennings, Solomon Morgan, And Frederick Bruchy; For a Riot Committed in Alton, On the Night of the 7th on November, 1837, in Unlawfully and Forcibly Entering the Warehouse of Godfrey, Gilman & Co., And Breaking Up and Destroying a Printing Press. Written out from notes taken at the time of trial, by William S. Lincoln.*

New York: Published by John F. Trow, 1838. [iv], [5]-158 pp. Lithographed frontispiece. Final leaf is a publisher's advertisement. 12mo. (4-1/4" x 7").

Original patterned cloth, gilt title to spine. Moderate rubbing to extremities, front joint partially cracked, some chipping to spine ends, corners bumped, hinges just starting at ends, faint bookplate residue to front pastedown, a few cracks to text block. Moderate toning, light foxing in places, internally clean. \$750.

FIRST EDITION. The account of the trial of the rioters that burnt the abolitionist press of Elijah Lovejoy who died in the melee. An important event in the history of freedom of the press in the United States. In 1837 a mob destroyed a printing establishment in Alton, Illinois that produced abolitionist tracts. Elijah Parish Lovejoy, an important abolitionist, was killed while trying to defend his press. For many, Lovejoy was a martyr to the cause of free speech. Abolitionists said this event proved that slavery posed a danger to the liberties of all Americans. OCLC locates 11 copies in U.S. law schools. Cohen 12163.

A BRAZEN CASE OF MARITIME INSURANCE FRAUD IN SCOTLAND

## 184 [TRIAL].

M'DOUGALL, JAMES, DEFENDANT.  
MENZIES, JAMES, DEFENDANT.

*Trial of John M'Dougall & James Menzies, Before Sir John Connell, Knt. Judge Admiral of Scotland, For Casting Away a Vessel, The Friends of Glasgow: And of John M'Dougall, And Archibald M'Lachlan, For Abstracting Goods from a Vessel Called the Mary, And Afterwards Scuttling Her.*

Glasgow: Printed by Young and Gallie, For Maurice Ogle, 1821. 34 pp. Lacking half-title. Octavo (8" x 4-3/4").

Disbound stab-stitched pamphlet. Minor edgewear, light soiling to exterior, moderate toning, light foxing to a few leaves. A scarce title. \$750.

ONLY EDITION. The well-insured ships owned by M'Dougall and Menzies had a suspicious tendency to founder. This was not a problem for the firm. Indeed, insurance payments enabled it to prosper. The present case involved two ships that were built by the firm, then scuttled for insurance. The *Friends of Glasgow*, with a cargo of coffee for Hamburg, and the *Mary*, with a cargo of calico cloth for Trinidad. Providentially, and just like previous scuttlings, the captains and crews were saved. M'Dougall was indicted for insurance fraud. He successfully faked insanity at his trial and escaped with a light sentence: banishment to Botany Bay for the rest of his life. OCLC locates 3 copies (LA County Law Library, Social Law Library, National Library of New Zealand); COPAC adds 1 more (National Library of Scotland). MacKenzie 520-552.

THE LIBEL TRIAL OF CARDINAL NEWMAN

## 185 [TRIAL].

NEWMAN, JOHN HENRY [1801-1890], DEFENDANT.

*Achilli Vs. Newman: A Full Report Of This Most Extraordinary Trial For Seduction And Adultery Charged Against Dr. Achilli, The Apostate Catholic Priest, By The Celebrated Dr. Newman, The Oxford Puseyite, Both Of Whom Are Seceders From Their Former Creeds. The Only Correct Edition, Being The Verbatim Testimony From The London Reports.*

New York: Dewitt & Davenport, 1852. 31, [1] pp. Text printed in parallel columns. Includes one-page publisher advertisement. Octavo (8-1/2" x 5-3/4").

Recent stiff marbled wrappers, printed title label to spine. Light toning, faint stains to title page and a few other leaves, some edgewear and minor tears to final leaf. "6" in early hand to head of title page, otherwise clean. \$650.

ONLY AMERICAN EDITION. In 1852 Newman, an English Roman Catholic priest, delivered a lecture that criticized the anti-Catholic writings of Dr. Giacinto Achilli, an ex-Dominican friar. Newman also said Achilli was not trustworthy because he was a seducer and adulterer. This led Achilli to sue Newman for libel. Tainted by a recent wave of anti-Catholic sentiment, the criminal proceedings were biased against Newman. Found guilty, he was sentenced to pay a fine of £100. He also owed about £14,000. for his defense, a sum that was quickly raised by public subscription. This pamphlet is prefaced with comments from the anonymous editor of the vicious anti-Catholic *Confessional Unmasked*. Cohen 13357.



N° 186

THE CRUCIAL DECISION THAT UNDERCUT  
THE FUGITIVE SLAVE ACT

## 186 [TRIAL].

PRIGG, EDWARD, PLAINTIFF IN ERROR.  
PETERS, RICHARD [1780-1848], REPORTER.

*Report of the Case of Edward Prigg Against the Commonwealth of Pennsylvania. Argued and Adjudged in the Supreme Court of the United States, At January Term, 1842. In Which it was Decided That All the Laws of the Several States Relative to Fugitive Slaves are Unconstitutional and Void: And that Congress Have the Exclusive Power of Legislation on the Subject of Fugitive Slaves Escaping into Other States.*

Philadelphia: Stereotyped by L. Johnson, 1842. 140 pp. Octavo (9-3/4" x 6").

Recent quarter cloth over marbled boards, gilt title to spine. Light toning and foxing to text. Ex-library. Small inkstamps to edges and head of title page. A nice copy in a handsome binding. \$1,750.

ONLY EDITION. A landmark in the history of American slavery, *Prigg v. Pennsylvania* was the first Supreme Court case to address the state and Federal laws concerning fugitive slaves, most notably the Federal Fugitive Slave Act of 1793. Prigg, a Maryland slave-catcher, apprehended Margaret Moran, an alleged fugitive slave, in Pennsylvania and brought her back to Maryland. Pennsylvania convicted him for kidnapping because he failed to obtain a state-mandated Certificate of Removal, a court document permitting the capture of a fugitive slave. The U.S. Supreme Court reversed the decision. In an opinion written by Justice Story, the Court held that Congress had the exclusive power to regulate the treatment of fugitive slaves. Thus Pennsylvania's requirement of a Certificate of Removal was illegal under the Constitution. The Court held that slave-catchers could seize alleged fugitives without judicial approval. However, and more important, the Court also said the Federal government lacked the authority to compel state officials to enforce the Fugitive Slave Act. In sum, *Prigg v. Pennsylvania* undercut the power of that act. Anger in the slave states over this decision led to the Compromise of 1850, which compelled the governments and residents of free states to enforce the capture and return of fugitive slaves. Finkelman 60-64. Cohen 13856.

"MR. THOMAS WALKER COMMENCED HIS VIRULENCE AGAINST ME..."

## 187 [TRIAL].

ROBERTS, WILLIAM, DEFENDANT.  
GURNEY, JOSEPH, REPORTER.

*The Whole Proceedings on the Trial of an Action Brought by Thomas Walker, Merchant, Against William Roberts, Barrister at Law, For a Libel. Tried by a Special Jury at the Assizes at Lancaster, March 28, 1791, Before the Hon. Sir Alexander Thomson, Knight, One of the Barons of his Majesty's Court of Exchequer. Taken in Short Hand by Joseph Gurney.*

Manchester: Printed by Charles Wheeler, 1791 208 pp. Lacking half-title.

[BOUND WITH]

[ROBERTS, WILLIAM].

*Supplementary Facts and Observations Occasioned by Mr. Walker's Publication of His Prosecution of Mr. Roberts: With Notes, &c.* [Manchester?: S.n., 1791?]. 24 pp. Octavo (7-3/4" x 4-3/4").

Recent marbled boards, printed title label to spine, speckled edges. Moderate toning, light foxing and minor stains to a few leaves, light soiling to title pages, minor staining along gutter of the title page to *The Whole Proceedings*. A handsome volume. \$750.

ONLY EDITIONS. Unhappy with his treatment by Walker during a lawsuit, Roberts circulated a flyer reading: "Mr. Thomas Walker commenced his virulence against me like a BULLY, has conducted it like a FOOL, has acted in it like a SCOUNDREL, has ended it like a COWARD, at last has turned BLACKGUARD and unworthy of association with, or notice of any Gentleman, who regards his own character." Walker won his case; Roberts paid damages of £100. *The Whole Proceedings* is scarce, OCLC locates 9 copies in North American law libraries; *Supplementary Facts* is rare, OCLC locates 4 copies worldwide, 2 in North America, Princeton University, Temple University). ESTC T99785, N37623.

FRAUD IN THE YORKSHIRE COAL FIELDS

## 188 [TRIAL].

STOCKS, MICHAEL, DEFENDANT.

*An Authentic Report Of The Trial Of Michael Stocks, Esq. For Wilful And Corrupt Perjury, At The Yorkshire Lent Assizes, 1815. Before The Honourable Sir Alexander Thompson, Knt. Chief Baron Of His Majesty's Exchequer, And A Special Jury.*

Huddersfield: Sold by the Principal Booksellers in London; And the Booksellers of York, Leeds, Bradford, Huddersfield, Halifax, Sheffield, Wakefield, Rochdale, Manchester, &c. 1815. 116 pp. Octavo (8-1/4" x 5-1/4").

Stab-stitched pamphlet bound into nineteenth-century unlettered pebbled cloth. Light rubbing to extremities with light wear to spine ends, corners bumped, minor spotting to boards. Light toning to text, finger smudges and light foxing to a few leaves. A very good copy. \$750.

FIRST EDITION, SECOND ISSUE (with the errata all corrected). Stocks was accused of stealing and selling 10,000 tons of coal from mines in Northowram, in the West-Riding of Yorkshire, he owned in partnership with two other men. Stocks was not convicted. The trial details the contractual history of the partnership, such contentious matters as the exact legal boundaries of neighboring mines and coal-pits and the nature of written and verbal agreements. This appears to be an unrecorded issue. OCLC locates no copies of this imprint.

WITH A DUPLICATE COLORED FRONTISPIECE ANNOTATED BY GEORGE CRUIKSHANK

189 [TRIAL].

THISTLEWOOD, ARTHUR [1770-1820], DEFENDANT.  
 WATSON, JAMES. DEFENDANT.  
 PRESTON, THOMAS, DEFENDANT.  
 HOOPER, JOHN, DEFENDANT.  
 [CRUIKSHANK, ISAAC (1764-1811), ILLUSTRATOR].  
 [CRUIKSHANK, GEORGE (1792-1878), ANNOTATION].

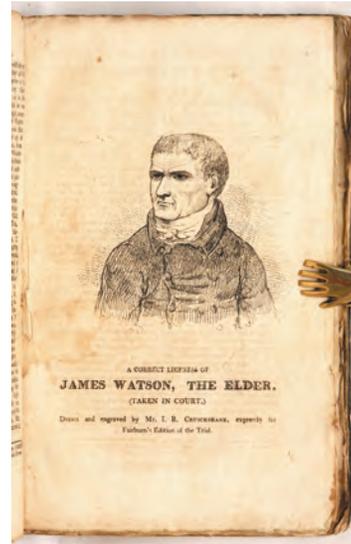
**High Treason!! The Whole Proceedings on the Trial of Arthur Thistlewood, Gent. James Watson, The Elder, Surgeon, Thomas Preston, Cordwainer, And John Hooper, Labourer: Upon an Indictment Found Against Them for High Treason. Fairburn's Edition.**

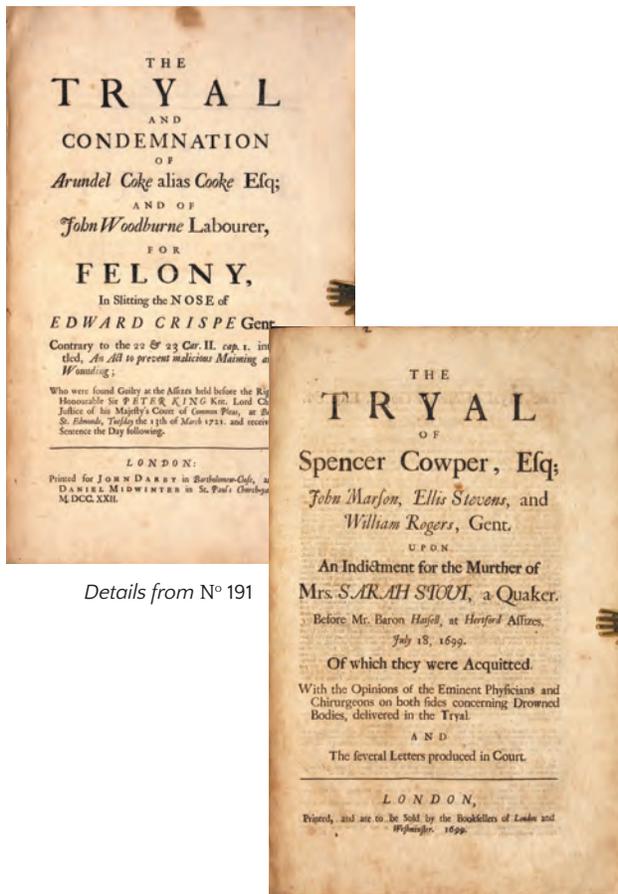
London: [Printed by W. Marchant ; published by John Fairburn, 1817]. 23 parts, comprising 360 numbered columns. Folding frontispiece, two plates. Complete. Octavo (9" x 5-3/4").

Original plain paper-covered publisher boards with contrasting spine, untrimmed edges. Some soiling and staining, moderate edgewear, spine abraded and worn, front board detached, early owner signature (L. Palmer) and later owner bookplate of William Hartmann Woodin to front pastedown. Moderate toning to text, minor oil stains and dampstains to a few leaves. Brief annotations in pencil to front pastedown and verso folding plates, both entry references to Douglas's *Works of George Cruikshank*, interior otherwise clean. Duplicate of folding frontispiece, hand-colored, and with an annotation by George Cruikshank laid in. It is lightly

soiled, lightly edgeworn and beginning to tear along fold lines, later reference annotation to Douglas bibliography to top margin. Items housed in a quarter-morocco over cloth slipcase with raised bands and gilt title to spine. Moderate rubbing to extremities. A unique copy of a rare title. \$950.

ONLY EDITION. Thistlewood, Watson, Preston and Hooper were leaders of the Spencians, a group of English radicals who opposed private land ownership. They were indicted for treason when a mass audience at a Spencian rally at Spa Fields, Islington, England on 15 November and 2 December 1816 degenerated into a riotous mob. Watson was acquitted and the other three were released without trial. Fairburn's serialized account features a courtroom scene and portraits of the defendants by Isaac Cruikshank, who is not credited. The colored duplicate frontispiece has an annotation by his son George Cruikshank reading: "Not any of it by me-GCK." This remark illustrates how the work of the two men were often confused. Issac Cruikshank's work was often mistaken for his. This copy belonged to William Hartmann Woodin [1868-1934], an industrialist who served as a director of the Federal Reserve Bank of New York from 1927 to 1932 and briefly as treasury secretary under Franklin Roosevelt's in 1933. OCLC locates 3 copies (National Library of Australia, Oxford, University of Illinois).





Details from N° 191

A HIGHWAY ROBBER MEETS HIS FATE  
ON THE NOTTINGHAM GALLOWES

- 190 [TRIAL].  
WELLS, WILLIAM [1780 OR 1781-1827], DEFENDANT.

*Some Particulars of the Life, Trial, Behaviour, And Execution, Of William Wells, Who Was Executed on Nottingham Gallows, On Monday, April 2, 1827, For Highway Robbery. (Copied from the Nottingham Review).*

Nottingham: Printed by Sutton and Son, At the Review Office, [1827]. [iii], 6-18, [4] pp., including the final two blank leaves. Octavo (7" x 4").

Sewn self-wrappers, untrimmed and partially unopened. Light soiling and toning, minor stains to a few leaves. \$500.

ONLY EDITION as an independent work, a reprint of an account published in the *Nottingham Review*. It is a typical, but notably harrowing, story that resulted in a public execution (that is described in some detail). OCLC locates 2 copies (at the Library of Congress and the British Library). Not in the *BMC* or *HLC*.

SCARCE ENGLISH TRIALS CONCERNING A BOTCHED  
MURDER ATTEMPT AND THE MURDER OF A QUAKER WOMAN

- 191 [TRIALS].  
COKE, ARUNDEL [D. 1722], DEFENDANT.  
WOODBURNE, JOHN, [D. 1722], DEFENDANT.

*The Tryal and Condemnation of Arundel Coke Alias Cooke Esq; And of John Woodburne Labourer, For Felony, in Slitting the Nose of Edward Crispe Gent. Contrary to the*

*22 & 23 Car. II. Cap. I. Intitled, An Act to Prevent Malicious Maiming and Wounding; Who Were found Guilty at the Assizes Held Before the Right Honourable Sir Peter King Knt. Lord Chief Justice of his Majesty's Court of Common Pleas, At Bury St. Edmonds, Tuesday the 13th of March 1721. And Received Sentence the Day Following.*

London: Printed for John Darby in Bartholomew-Close, And Daniel Midwinter in St. Paul's Church-Yard, 1722. 16, \*17-\*18, 17-37, [1] pp. With an initial imprimatur leaf; text is continuous (and complete).

[BOUND WITH]

COWPER, SPENCER [1669-1728].  
PRINCIPAL DEFENDANT.

*The Tryal of Spencer Cowper, Esq; John Marson, Ellis Stevens, And William Rogers, Gent. Upon an Indictment for the Murther of Mrs. Sarah Stout, A Quaker. Before Mr. Baron Hatsell, At Hertford Assizes, July 18, 1699. Of Which They Were Acquitted. With the Opinions of the Eminent Physicians and Chirurgeons on Both Sides Concerning Drowned Bodies, Delivered in the Tryal. And the Several Letters Produced in Court.*

London: Printed and Are to be Sold by the Booksellers of London and Westminster, 1699. 38 pp.

Folio (12-1/2" x 8"). Contemporary marbled boards with recent period-style re-backing, raised bands and lettering piece to spine, endpapers retained, hinges repaired. Moderate rubbing and scuffing to boards, corners bumped and somewhat worn, early armorial bookplate to front pastedown, tiny wormhole through bottom margin of text block. Moderate toning, somewhat heavier in places, some leaves have light foxing or stains. Early owner annotation to front free endpaper, interior otherwise clean. Two scarce trials in a handsome binding. \$1,750.

COKE: FIRST EDITION; Cowper: only edition, one of three issues from 1699. Coke, a barrister, lost his money in the South Sea Bubble. He hired Woodburn to kill his brother-in-law, Edward Crisp, aiming to inherit his money. In his failed murder attempt Woodburn managed to cut Edward Crisp's nose. This led to the first convictions under the Coventry Act, which outlawed assault with the intention to maim or mutilate. Both men were convicted and hanged. Spencer Cowper, a judge, was indicted for the murder of Sarah Stout. He was at her house late on the evening before she was found drowned in a river. Cowper's alleged motivations were a desire to end an illicit love affair and avoid payment of a debt. Cowper's lawyers argued that Stout's parents wanted to hide the fact that their daughter committed a suicide, a heinous act among Quakers. The defence also suggested a political motivation: a desire by local Tories to harm the career of a rising Whig. Cowper had been at the woman's house late on the evening before she was found drowned in the river, but there was little material evidence against him. Also, his lawyers benefited from expert medical testimony from three leading physicians, Samuel Garth, Hans Sloane and William Cowper. He was acquitted. The trial attracted a good deal of attention and generated several pamphlets, including post-verdict pamphlets that attempted unsuccessfully to reopen the case. The *Tryal of Spencer Cowper* is one of the standard accounts of the trial. ESTC T136036, R219713.



TRIALS AT OLD BAILEY, INDEXED BY CRIME

193 [TRIALS].  
[GREAT BRITAIN].

*Select Trials for Murder, Robbery, Burglary, Rapes, Sodomy, Coining, Forgery, Piracy, And Other Offences and Misdemeanours, At the Sessions-House in the Old-Bailey. To Which are Added, Genuine Accounts of the Lives, Exploits, Behaviour, Confessions, And Dying Speeches. Of the Most Notorious Convicts, From the Year 1741 to the Present Year, 1764, Inclusive; Which Completes the Trials from the Year 1720.*

London: Printed for J. Wilkie, 1764. Four volumes. 12mo. (6" x 4").

Contemporary calf with recent rebacking, gilt fillets to boards, lettering pieces and gilt-edged raised bands to spine, endpapers retained, hinges mended. Moderate rubbing to extremities with some wear to spine ends and corners, light scuffing and some minor gatering to boards, boards of Volume I just beginning to separate, but secure, a few joints and hinges starting. Some toning to text, light foxing in places, lower corner lacking from pp. 119–120 in Volume I with loss to catchword. pp. 217–165 of this volume have misprinted page numbers corrected in early pencil, interior otherwise clean. A nice set. \$1,750.

INDEXED BY CRIME, this set presents reports of trials held at the "Court of Oyer and Terminer and Gaol Delivery for London and Middlesex," better known as Old Bailey. Contents are arranged chronologically from 1740 to 1764. These accounts were published to amuse, titillate and perhaps instruct, and they are interesting today for their insights into the legal and cultural history of the early Georgian period. This title is the third and final set in a series of multi-volume trial collections, one published in 1734–35, another in 1742. Although these titles were issued by different publishers they have a uniform format and were later re-published as a five-volume work in 1764. ESTC T82548.

BEST EDITION OF HOWELL'S STATE TRIALS

194 [TRIALS].  
HOWELL, THOMAS B[AYLY] [1768–1815], COMPILER.  
[COBBETT, WILLIAM (1763–1835)], COMPILER.

*A Complete Collection of State Trials and Proceedings for High Treason and Other Crimes and Misdemeanors from the Earliest Period to 1783, With Notes and Other Illustrations. Including, in Addition to the Whole of the Matter Contained in the Folio Edition of Hargrave, Upwards of Two Hundred Cases Never Before Collected; To Which is Subjoined a Table of Parallel Reference, Rendering This Edition Applicable to Those Books of Authority in Which References Are Made in the Folio Edition.*

[WITH]

HOWELL, THOMAS JONES [1793–1858].  
COMPILER.

*A Complete Collection of State Trials...Continued From the Year 1783 to the Present Time.*

[AND]

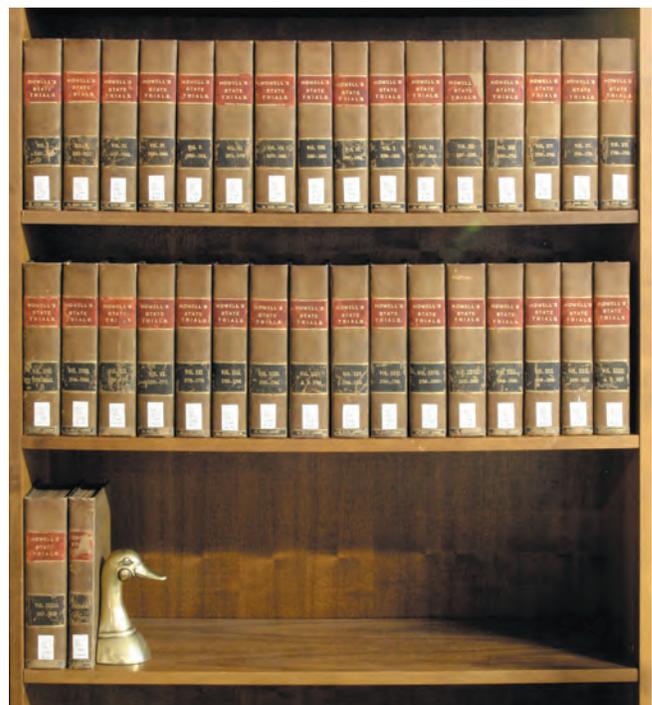
JARDINE, DAVID [1794–1860], COMPILER.

*General Index to the Collection of State Trials.*

London: T.C. Hansard for Longman, Hurst, Rees, Orme and Brown [et. al.], 1814–1828. Thirty-four volumes. Complete set. Octavo (9-1/2" x 6").

Later buckram, red and black lettering pieces to spines. Moderate shelfwear and soiling, heavier soiling to some volumes, chipping to spine labels. Light browning and occasional foxing and light dampstaining, a few volumes have loose or detached leaves, all with some edgewear, bookplates (of binder) to front pastedowns. Ex-library. Location labels and owner labels to spines, stamps to edges and preliminaries. A solid set. \$1,500.

FIFTH AND FINAL EDITION. This edition is considered the best. Holdsworth, for one, considers it "an invaluable collection of nearly all the important criminal trials and constitutional cases, and of some important civil cases, which have some bearing upon public law." As indicated by the title, it incorporates Francis Hargrave's *Collection of State Trials* (fourth edition), an eleven-volume collection published between 1776 and 1781. The majority of the cases are from the King's Bench, and many are not reported elsewhere. The coverage is chronological from Thomas Becket in 1163 through 1820. According to Sweet & Maxwell and the *Harvard Law Catalogue*, the first twelve volumes were compiled by William Cobbett. They seem to have drawn this conclusion because Cobbett's name appears on the title pages of early printings. Wallace disputes this claim. He believes that Cobbett was simply a general editor who hired Thomas Howell to do the actual work. This edition was issued between 1809 and 1826. Volumes 1–22 in this set are reprint copies dated 1816. The *Table or Parallel Reference* is dated 1814. HEL XII: 130. Sweet & Maxwell 1:370. Wallace 67–68.



N° 194

THE FIRST PRIZE CASES TRIED IN THE UNITED STATES  
DISTRICT COURT FOR THE DISTRICT OF NEW YORK

## 195 [TRIALS].

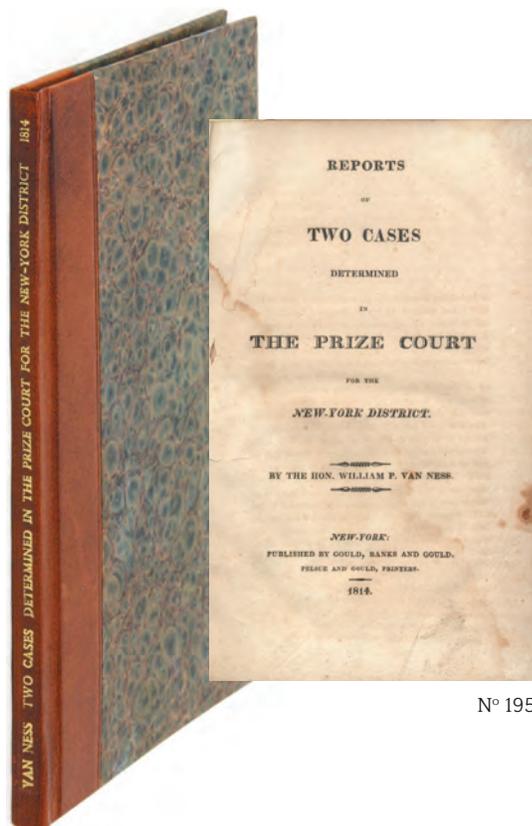
VAN NESS, WILLIAM P. [1778–1826].

**Reports of Two Cases Determined in the Prize Court for the New-York District. By the Hon. William P. Van Ness.**

New York: Published by Gould, Banks and Gould, 1814. 59 pp. Octavo (8-1/2" x 5").

Stab-stitched pamphlet bound into recent quarter calf over paper-covered boards, gilt title to spine, tears to title page mended. Light browning, foxing in a few places, faint dampstaining title page and following leaf. \$850.

ONLY EDITION, one of two issues. Also known as *Van Ness's Prize Cases*, this volume reports two prize cases during the War of 1812. These were the first cases tried and reported in the United States District Court for the District of New York. Both involved British ships captured by an American privateer in 1814: "Charles Johnson, on behalf of himself, officers and crew of the private armed vessel the Tickler, vs. 21 bales, 28 cases of merchandise, and 2708 bars of iron, goods & merchandise claimed by Robert Falconer, for and on behalf of John Richardson" and "Charles Johnson, on behalf of himself, owners, officers and crew of the private armed vessel called the Tickler, against Thirteen bales and thirteen cases of goods & merchandise, found on board the ship Mary and Susan, Josiah Wilson, master: William Falconer claimant of nine bales of merchandise, in behalf of James Beswicke and Son." According to Sabin, there are two issues of this title, distinguished by a few small typographical points. This is the most obvious: in issue A, the copy offered here, p. 39 ends "But however distinct-." In Issue B, p. 39 ends "But however dis-." Sabin 98533. Wallace 567.



N° 195

THE ROLE OF FILACERS

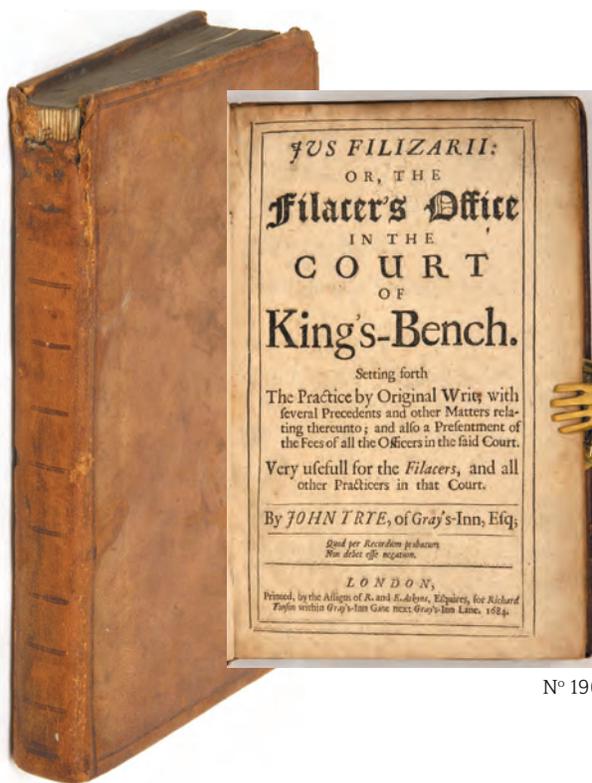
## 196 TRYE, JOHN.

**Jus Filizarii: Or, The Filacer's Office in the Court of King's-Bench. Setting Forth the Practice by Original Writ, With Several Precedents and Other Matters Relating Thereunto; And also a Presentment of the Fees of All the Officers in the Said Court. Very Useful for the Filacers, And all Other Practicers in that Court.**

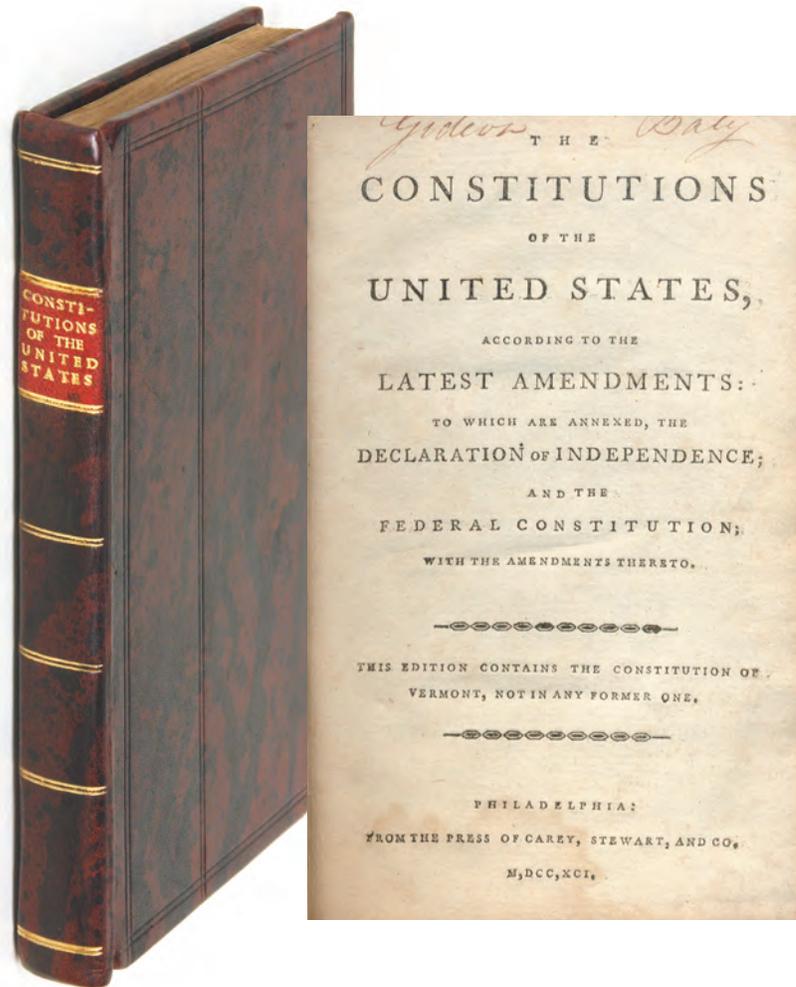
London: Printed by the Assigns of R. and E. Atkyns, 1684. [xxii], 22, 34–274, [12] pp. Text continuous despite pagination. Octavo (7" x 4-1/2").

Contemporary sheep, blind rules to boards, blind fillets to spine. A few light scuffs to boards, moderate rubbing to extremities, chip to head of spine, corners bumped and somewhat worn, pastedowns loose, armorial bookplate of the Earls of Macclesfield to verso of front board, small embossed Macclesfield stamp to title page. Light toning to text, faint dampspotting in a few places, fold-lines to corners of a few leaves, minor worming to front endleaves. Early owner signature (Th Clarke) to front endleaf, annotations in his hand to rear endleaf. An appealing copy of a scarce title. \$950.

ONLY EDITION. A filacer was an officer in the Court of Common pleas and other courts of common law. His role was to file original writs, issue process on writs and collect related court fees. The office was abolished in 1837. This manual, written by a member of Gray's Inn, provides an excellent guide to the functions they performed. Our copy once belonged to the library of Shirbirn Castle, the library of the Earls of Macclesfield, one of the finest private libraries in Great Britain. OCLC locates copies in 9 North American law libraries (Columbia, Harvard, Northwestern, Social Law, UC-Berkeley, University of Pennsylvania, University of Victoria, Yale, York University). Walker 470. ESTC R21039.



N° 196



THE FIRST POST-RATIFICATION COLLECTION OF STATE CONSTITUTIONS.  
INCLUDES THE DECLARATION OF INDEPENDENCE, U.S. CONSTITUTION AND BILL OF RIGHTS IN ITS ORIGINAL FORM

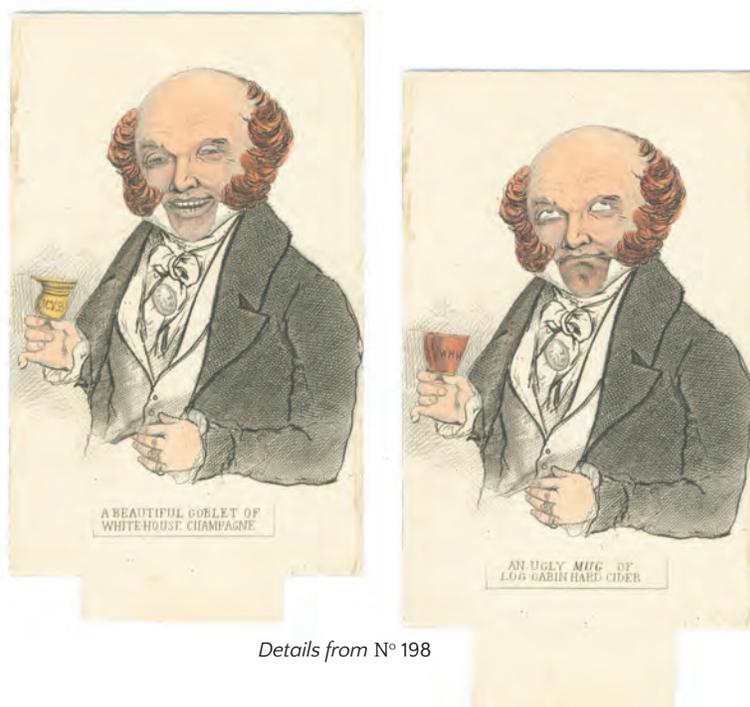
197 [UNITED STATES].  
[CONSTITUTIONS].

*The Constitutions of the United States, According to the Latest Amendments: To Which are Annexed, The Declaration of Independence; And the Federal Constitution; with the Amendments Thereto. This Edition Contains the Constitution of Vermont, Not in any Former One.*

Philadelphia: From the Press of Carey, Stewart, and Co., 1791. [iv], 176 pp. Pages 1, 71 unnumbered as issued. 12mo. (6-3/4" x 4").

Recent period-style tree calf, blind rules to boards, lettering piece and gilt fillets to spine. Some toning to text, occasional faint but unobtrusive dampstaining. Early owner signature to head of title page, interior otherwise clean. A notably handsome copy. \$4,000.

THIS IS THE FIRST COLLECTION of state constitutions published after the ratification of the U.S. Constitution, and the first to contain a printing of the Constitution of the United States, with the first twelve proposed constitutional amendments, ten of which would become the Bill of Rights. A statement dated August 1791 says amendments one and two were not ratified by enough states and that the other 10 had been ratified by nine states. Virginia became the 10th state, completing the ratification process on December 15, 1791. This edition is also the first to include the Constitution of Vermont, along with those of the 13 original states: New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia. Sabin 16097. Howes C716. Evans 23887. Cohen 3036.



Details from N° 198

A WONDERFUL PIECE OF EPHEMERA FROM  
THE PRESIDENTIAL ELECTION OF 1836  
DEPICTING MARTIN VAN BUREN

198 [VAN BUREN, MARTIN (1782–1862)].

**[Political Campaign Transformation Card Depicting Van Buren and an "Ugly Mug" William Henry Harrison].**

N.p., [1836]. 4" x 3-1/4" color lithograph mechanical paper slide card.

Light soiling, faint dampstaining to outer edges, colors vivid. A well-preserved item. \$750.

THE CARD DEPICTS a smiling Van Buren. He has a glass in his hand with the initials MVB. The caption below reads, "A Beautiful Goblet of White House Champagne." When the card is moved his face is transformed into a frown. His glass is replaced with one initialed WHH. The caption reads: "An Ugly Mug of Log-Cabin Hard Cider." Issued by Harrison supporters, the card depicts Van Buren as an out-of-touch elitist who would not advance the cause of Jacksonian democracy, embodied by the farmers, artisans and laborers of the West and South and who drink hard cider.

"THE FOUNDATION OF ALL SIMILAR PRODUCTIONS OF THE KIND"

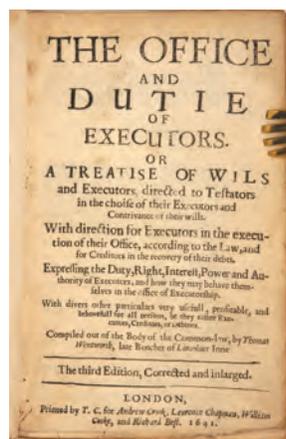
199 WENTWORTH, THOMAS [c.1568–1628].

***The Office and Dutie of Executors. Or A Treatise of Wils and Executors, Directed to Testators in the Choise of Their Executors and Contrivance of Their Wills. With Direction for Executors in the Execution of Their Office, According to the Law, And for Creditors in the Recovery of Their Debts. Expressing the Duty, Right, Interest, Power and Authority of Executors, And How They May Behave Themselves in the Office of Executorship. With Divers Other Particulars Very Usefull, Profitable, And Behovefull for All Persons, Be They Either Executors, Creditors or Debtors. Compiled Out of the Body of the Common-Law, by Thomas Wentworth, Late Bencher of Lincolnes Inne.***

London: Printed by T. C. for Andrew Croke, Laurence Chapman, William Cooke, and Richard Best, 1641. [xxviii], 127, [1], 145–271. [1] pp. First leaf and final page blank. Octavo (5-1/2" x 3-1/2").

Contemporary sheep, discreet recent repairs to spine ends and corners, blind rules to boards, blind fillets to spine. Negligible light staining and a few shallow scuffs to boards, moderate rubbing to extremities with some wear to spine and corners, hinges starting. Light toning to text, somewhat heavier in places, faint dampstaining to a few leaves. Early owner annotation to front free endpaper, interior otherwise clean. A nice copy. \$650.

THIRD EDITION "corrected and enlarged," one of three editions from 1641. The "authorship of this treatise is ascribed to Mr. Justice Dodderidge, though the work is commonly Known as Wentworth's Executors. It constitutes the foundation of all similar productions of the kind, and has always been regarded as a high authority in these matters" (Marvin). This was a popular and well-received work. Two more editions were published in 1641. Eleven editions (and issues) followed, the last one in 1774. All are scarce. OCLC locates 8 copies of our edition in North American law libraries (Columbia, Georgetown, LA County, Library of Congress, UC-Berkeley, University of Georgia, University of Virginia, William & Mary). Marvin 724–725. ESTC R218906.



N° 199

LEARNED 1716 DEFENSE OF ATTAINDER

## 200 [WEST, RICHARD (D. 1726)].

***A Discourse Concerning Treasons, and Bills of Attainder.***

London: Printed for J. Roberts, 1716. [iv], 111 pp. Octavo (7-1/2" x 4-3/4").

Stab-stitched pamphlet bound into recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine. Some soiling to title page and verso of final leaf. "By Mr. West" in fine early hand to title page, interior otherwise fresh. \$650.

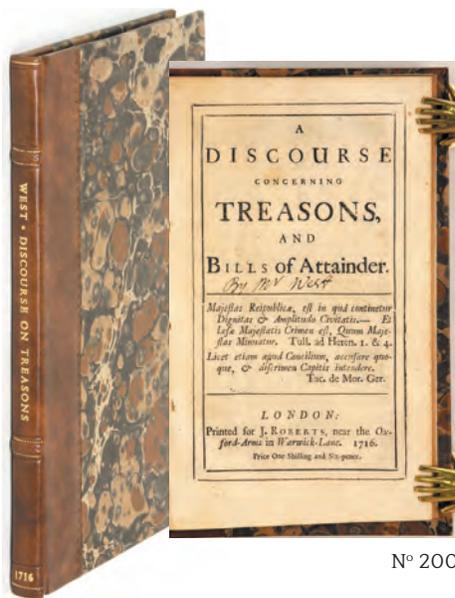
FIRST EDITION. One of the most controversial and feared powers of parliament, attainder was the extinction of the civil rights and powers of people convicted of treason or other grave felony. Its principal consequences were the forfeiture and escheat of lands and disqualification from holding, inheriting or transmitting land, either directly or through descent. Especially popular during the Reign of Henry VIII, bills of attainder were usually employed to punish persons who had displeased the king. (Mostly abolished in 1870, they were still applied to outlaws until 1932, when they were abolished altogether.) Their use as an arbitrary tool of reprisal caused widespread resentment. West appreciates this resentment, but argues that bills of attainder are justifiable in certain situations and defends their use. ESTC T31938.

SHOULD CROMWELL BECOME A KING?

## 201 [WHITLOCKE, BALSTRODE (1605-1675)].

***Monarchy Asserted, To be the Best, Most Ancient and Legall Form of Government, In a Conference had at Whitehall, With Oliver Late Lord Protector & A Committee of Parliament: Made Good by the Arguments of Oliver, St. Iohn, Lord Chief Justice. Lord Chief Justice Glyn. Lord Comm. Whitlock. Lord Comm. Lisle. Lord Comm. Fines. Lord Broghall. Mr. of the Roles. Sr. Charles Wolseley. Sr. Richard Onslow. Colonel Iones. Members of that Committee.***

London: Printed by John Redmayne for Philip Chetwind, 1660. [vi], 112 pp. Octavo (6-1/4" x 4").



N° 200

Later calf, blind rules to boards, lettering piece, gilt-stamped date, and blind fillets to spine, endpapers renewed. Light rubbing to boards and extremities, corners lightly bumped. Light toning to text, somewhat heavier in places, internally clean. \$650.

FIRST EDITION, one of two imprints from 1660 (with slightly different title pages). A fascinating record of the discussions of Cromwell's political status. In the end Cromwell declined the title of king, choosing instead the title of "protector." Most sources attribute this work to Whitlocke, a lawyer, Member of Parliament, diplomat, Lord Keeper of the Great Seal of England and advisor to Cromwell. It has also been attributed to Nathaniel Fiennes and to John Glynne. Later editions of this work appeared in 1679 and 1742. All are scarce. Counting both imprints, OCLC locates 2 copies of the first edition in North American law libraries (Harvard, LA County). ESTC R222574.

A DEFENSE OF THE DECLARATION OF INDULGENCE

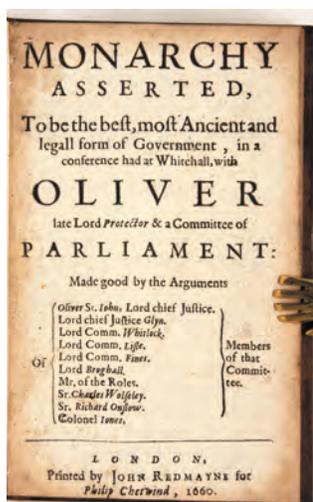
## 202 WILSON, JOHN [1626-1696].

***Jus Regium Coronae: Or, The King's Supream Power in Dispensing with Penal Statutes: More Particularly as it Relates to the Two Test-Acts of the Twenty Fifth, And Thirtieth of His Late Majesty, King Charles the Second, Argu'd by Reason, And Confirm'd by the Common, And Statute Laws of This Kingdom. In Two Parts.***

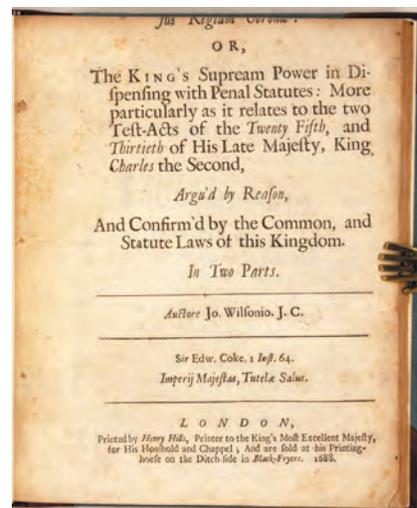
London: Printed by Henry Hills, Printer to the King's Most Excellent Majesty, For His Houshold and Chappel, 1688. [viii], 79, [1] pp. First part only. No more published. Quarto (7-3/4" x 6-1/4").

Recent three-quarter calf over paper-covered boards, gilt title to spine, endpapers renewed. Some toning to text, first line of title page and some page numbers and catch-words affected by trimming, with no loss to legibility, internally clean. \$650.

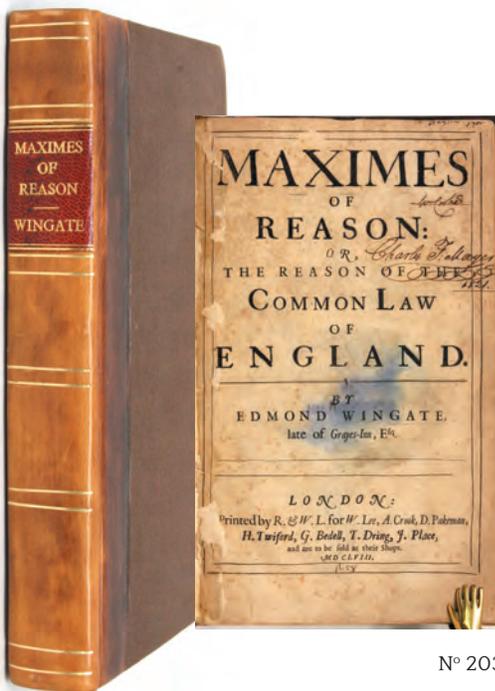
ONLY EDITION. Wilson was a royalist, lawyer and notable playwright who enjoyed the patronage of James, Duke of York, later King James II. *Jus Regium Coronae* is a defence of King James's decision to dispense with the penal statutes, which were established to exclude Catholics and Protestant Non-Conformists from political life. Codified in his Declaration of Indulgence (1687), this decision was one of the primary causes of the Glorious Revolution. OCLC locates 3 copies in North America (LA County Law Library, University of Pennsylvania Law School, Yale University). ESTC R43961.



N° 201



N° 202



N° 203

A NOTABLE COLLECTION OF ENGLISH LEGAL MAXIMS

**203** WINGATE, EDMUND (OR EDMOND)  
[1596–1656].

***Maximes of Reason: Or, The Reason of the Common Law of England.***

London: R. & W. L. for W. Lee, A. Crook, D. Pakeman, H. Twiford, G. Bedell, T. Dring, J. Place, 1658. [xiv], 192, 183–270, 281–508, 545–648, 665–772, [12] pp. Pagination irregular. Text complete. Lacking first leaf, a blank. Folio (11-1/4" x 7").

Recent three-quarter calf over cloth, lettering piece and gilt fillets to spine, endpapers renewed, title page re-hinged. Light rubbing to extremities, fading to spine, corners bumped. Light browning to text, light foxing and faint dampstaining in places, minor chips and short tears to a few leaves, faint inkstain to title page. Early corrections and annotations to a few leaves, two later owner signatures to head of title page. An attractive copy. \$1,250.

ONLY EDITION. Drawn from such authors as Coke, Fitzherbert, Littleton and Plowden, this work outlines the essentials of the common law and its "reason" through maxims organized under the following headings: "Theology," "Grammar," "Logick," "Personall Things," "Law," "Morality" and "Wife." Some examples: "To such laws as have warrant in holy scripture, our law giveth credence," "the law delighteth in apt expressions," "Personall things cannot be done by another," "The law esteemeth and judgeth of all things according to their nature and quality" and "The husband is the woman's head." The left-hand margins have glosses relating the maxims to their legal context, the right-hand margins have citations. ESTC R10401.

WOLFF SUMMARIZES HIS CLASSIC WORK  
ON INTERNATIONAL LAW

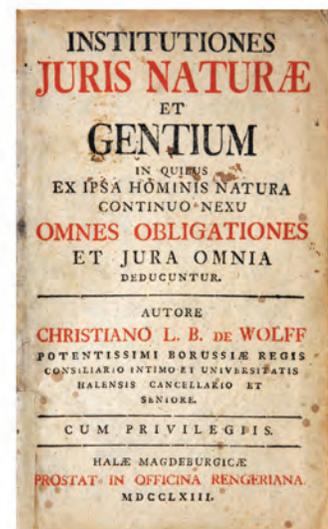
**204** WOLFF, CHRISTIAN, FRIEHERR VON [1679–1754].

***Institutiones Juris Naturae et Gentium, In Quibus ex Ipsa Hominis Natura Continuo Nexu Omnes Obligaciones et Jura Omnia Deducuntur.***

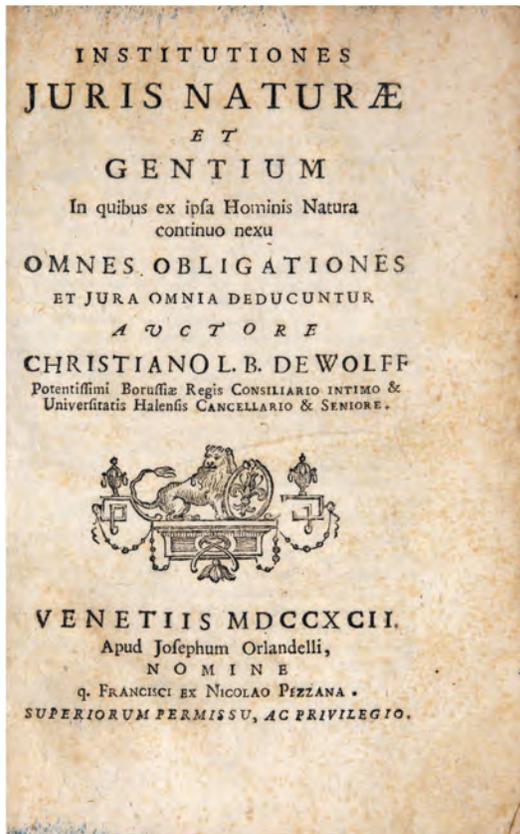
Halle: Prostat in Officina Rengeriana, 1763. [xxxii], 774, [36] pp. Final leaf, a blank, lacking. Octavo (6-3/4" x 4").

Contemporary vellum, gilt title to spine, edges rouged. Light soiling and a few minor stains, minor wear to corners, spine ends bumped, front and rear endleaves lacking. Title page printed in red and black, woodcut head and tail-pieces. Light browning to text, faint dampspotting to a few leaves. Early owner signatures to front pastedown, early underlining to a few passages, interior otherwise clean. \$650.

FIFTH EDITION. To quote Quincy Wright, "Christian Wolff was perhaps the most influential writer on international law of the eighteenth century. His influence flowed not only from his reputation in other fields – mathematics, philosophy and theology – from the voluminousness of his writings, from the notoriety of his philosophical controversies, but also from the logic, completeness and definiteness of his treatise on international law, first published in 1749, as the ninth volume of his *Jus Naturae et Gentium* [1740–1749]. A major work on its jurisprudence and basis in the law of nature, it is an important document of Enlightenment-era legal theory and an undisputed classic in its field. As Wolff recognized, it is also a rather daunting work, which prompted him to produce the *Institutiones*, an introductory guide and summary of his larger work. A well-received work that was soon translated into French and German, it went through several editions. All are rather scarce, however. OCLC locates 2 copies of the fifth edition in North America (at Brown and Cornell Universities). Wright, *American Journal of International Law* 29/3 (July 1935) 552–554. This edition not in the *British Museum Catalogue*.



N° 204



N° 205

1792 VENICE EDITION OF WOLFF'S *INSTITUTIONES JURIS NATURAE ET GENTIUM*

## 205 WOLFF, CHRISTIAN, FRIEHERR VON.

*Institutiones Juris Naturae et Gentium in Quibus ex Ipsa Hominis Natura Continuo Nexu Omnes Obligaciones et Jura Omnia Deducuntur.*

Venice: Apud Josephum Orlandelli, 1792. [xii], 460 pp. Signatures K and L (pp. 145–176) bound in reverse order. Octavo (7-1/4" x 4-1/2").

Contemporary three-quarter calf over marbled boards, lettering piece and gilt fillets to spine, speckled edges. Light rubbing to boards, moderate rubbing to extremities, corners bumped, small chip to head of spine. Moderate toning, occasional faint dampspotting, light foxing to a few leaves, internally clean. An attractive copy. \$650.

LATER EDITION. OCLC locates 1 copy in North America (at Yale Law School). This edition not in the *BMC*.

THE JACOBINS SUPPRESS  
"LES CLUBS & SOCIÉTÉS POPULAIRES DE FEMMES"

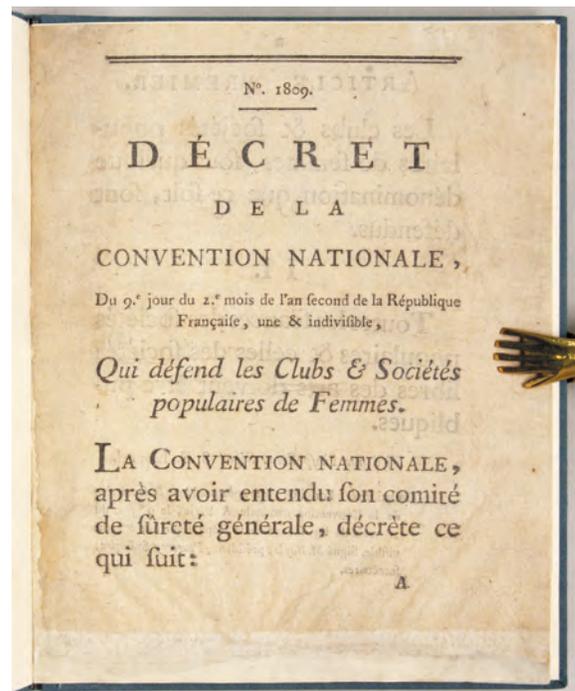
206 [WOMEN].  
[FRENCH REVOLUTION].

*Décret de la Convention Nationale, Du 9.e Jour du 2.e Mois de l'An Second de la Republique Française, Une & Indivisible, Qui Défend les Clubs & Sociétés Populaires de Femmes* [Running Title].

N.p.: s.n., [1793]. 3, [1] pp. Quarto (9" x 7").

Pamphlet bound into recent paper-covered boards, lettering piece to spine. Very light rubbing to extremities, corners bumped. Leaves washed, leaving text somewhat faint, but perfectly legible, worm track to bottom edges of leaves mended with Japan paper. \$1,500.

A RARE INDEPENDENT PRINTING of infamous Décret No. 1809 of the 9 Brumaire of Year 2 (October 30, 1793) intended for public distribution. Women played an active role in the revolution, both as individuals and as members of such female organizations as the *Société des Citoyennes Républicaines Révolutionnaires* and *Société des Républicaines Révolutionnaires*. Many of these women were motivated, at least in part, by a desire to create a society that would offer political and civil rights to women, a cause promoted by female organizations in the opening phases of the Revolution. When the Jacobins seized control, they suppressed this movement. The first step was the decree offered here, which abolished "les clubs & sociétés populaires de femmes" in October 1793. Afterwards, their leaders were arrested and the movement was crushed. About a decade later the Napoleonic Code would cement the second-class status of French women. Our imprint appears to be unrecorded. We located similar imprints from Auch, Epinal, Marseilles and Saintes. OCLC locates 1 of each of these 4 imprints, none in North America.



N° 206

## 207 ZOUCH RICHARD [1590–1661].

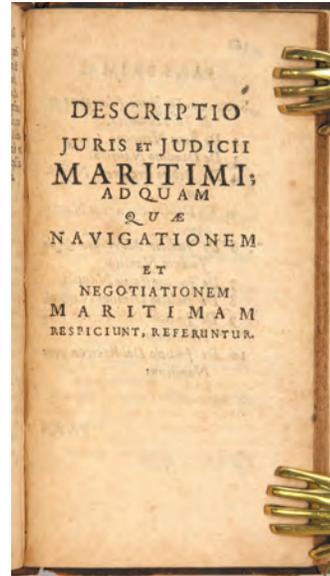
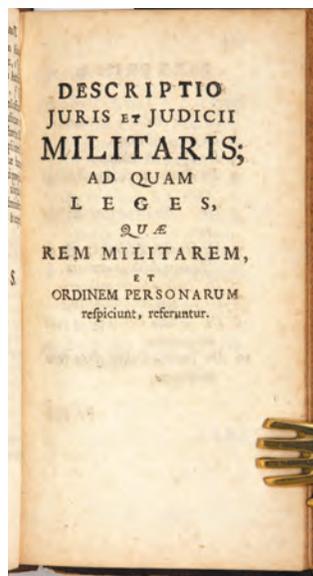
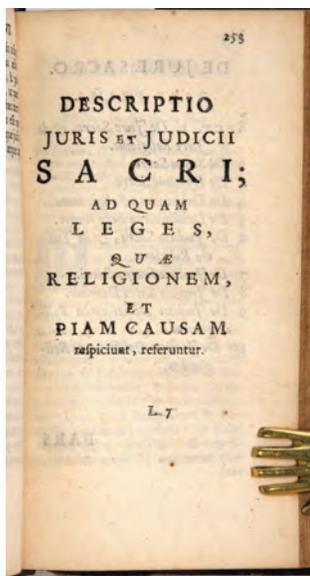
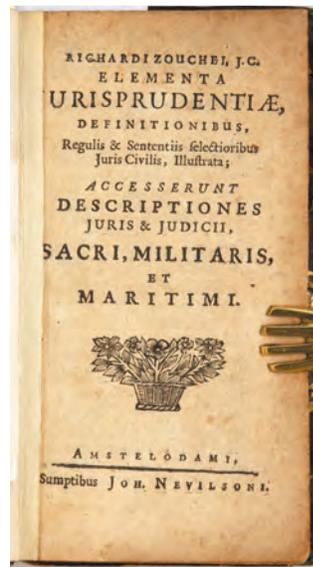
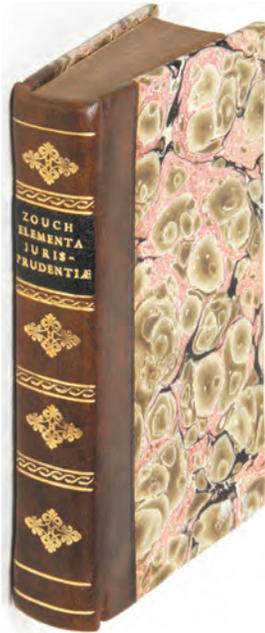
***Elementa Jurisprudentiae, Definitionibus, Regulis & Sententiis Selectioribus Juris Civilis, Illustrata; Accesserunt Descriptiones Juris & Judicii, Sacri, Militaris, Et Maritimi.***

Amsterdam: Sumptibus Joh. Nevilsoni, [1652]. [x], 439 pp. Four parts with continuous pagination and divisional title pages. 12mo. (5" x 2-3/4").

Recent period-style quarter calf over marbled boards, lettering piece and gilt ornaments to spine. Light toning to text. A handsome copy. \$1,000.

THIRD EDITION, an issue of the Elzevier edition of 1652 with a cancel title page. One of England's greatest civilians, Zouch was an advocate of Doctors' Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. He published treatises on a broad range of legal topics and is best known for his contributions to international law. He is equally important as the

first English writer to publish works on jurisprudence. *Elementa Jurisprudentiae* is an ambitious general study that lays out a general theory of general principles applicable to all branches and systems of legal science. The second, third and fourth parts, *Descriptio Juris et Judicii Sacri; Ad Quam Leges, Quae Religionem, Et Piam Causam Respiciunt, Referuntur, Descriptio Juris & Judicii Militaris; Ad Quam Leges, Quae rem Militarem et Ordinem Personarum and Descriptio Juris et Judicii Maritimi; Ad Quam quae Navigationem et Negotiationem Maritimam Respiciunt, Referuntur* are distinct essays on topics in English ecclesiastical law, the laws of war and military discipline and laws concerning ships and sea-borne cargo. The latter two essays also deal with international law. The first two editions were published in Oxford in 1629 and 1636. The following two editions, with different additional contents, were issued in Holland in 1652 and 1665. According to Willems, some copies of this title were printed by other printers, some with cancel title pages, others with counterfeit Elzevier title pages. See Willems 717.



FIRST EDITION OF ZOUCHE'S INFLUENTIAL  
INTERNATIONAL LAW TREATISE BOUND WITH A RARE WORK ON CIVIL LAW

208 ZOUCHE RICHARD.

*Iuris et Iudicii Feccialis, Sive Iuris Inter Gentes, Et Quaestionum de Eodem Explicatio. Qua Quae ad Pacem & Bellum Inter Diversos Principes, Aut Populos Spectant, Ex Praecipuis Historico-Jure-Peritis, Exhibentur.*

Oxford: Excudebat H. Hall, Impensis Tho. Robinson, 1650. [xvii], 196 pp.

[BOUND WITH]

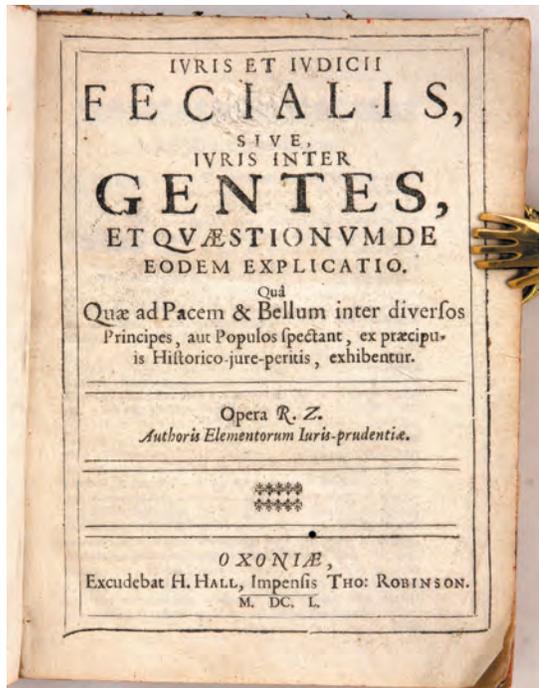
[ZOUCH, RICHARD].

*Specimen Quaestionum, Iuris Civilis cum Designatione Authorum a Quibus in Utramque partem Discutiuntur.*

Oxford: Excudebat Leon. Lichfield, Impensis Thomae Robinson, 1653. [40] pp.

Quarto (7-1/4" x 5-1/4"). Contemporary sheep, blind rules to boards, blind fillets to spine. Moderate rubbing to boards and extremities, light scuffing to rear board, lower corner of front board worn away, pastedowns loose, later armorial bookplate of the Earls of Macclesfield to verso of front board, small embossed Macclesfield stamp to title page of *Iuris et Iudicii Feccialis*. Light toning to text, minor worming to text block and binding (no loss to legibility), light edgewear to endleaves, internally clean. \$3,500.

*IURIS ET IUDICII FECCIALIS*: FIRST EDITION; *Specimen Quaestionum*: only edition. Zouch's fame rests on the present work. Drawing on the work of Gentili and Grotius, it was the first work to treat the law of nations as an ordered system, one in which the law of warfare played a subordinate role. It also helped to popularize the work of Grotius and Gentili and to make international law a part of English law. According to Holdsworth, this book succeeded for three reasons: "In the first place, (...) international law appeared for the first time in a compact and orderly form. In the second place, he so clearly defined it that no one in the future could be under any misapprehension as to its scope. In the third place, he originated the modern division of the subject into Peace and War." He notes, moreover, that "in his book the tradition, inherited from the medieval books, of grouping the whole subject round the rules of war, was finally abandoned." The influence of this study beyond the seventeenth century is evident in its inclusion in the series *Classics of International Law* by the Carnegie Foundation (Washington, 1911). Intended for students studying for the degree Doctor of Civil Law at Oxford, *Specimen Quaestionum* is a collection of sample examination questions. It is interesting for its insights into Oxford's law curriculum during the Commonwealth era. Our copy once belonged to the library of the Earls of Macclesfield. Housed in Shirbinn Castle, this was one of the finest private libraries in Great Britain. *Iuris et Iudicii Feccialis*: OCLC locates 8 copies in North American law libraries (Boston College, Columbia, Harvard, Library of Congress, University of Michigan, University of Minnesota, UNC-Chapel Hill, Yale); *Specimen Quaestionum*: OCLC locates 4 copies, none in North America. Holdsworth 227. ESTC R8055, R8057.



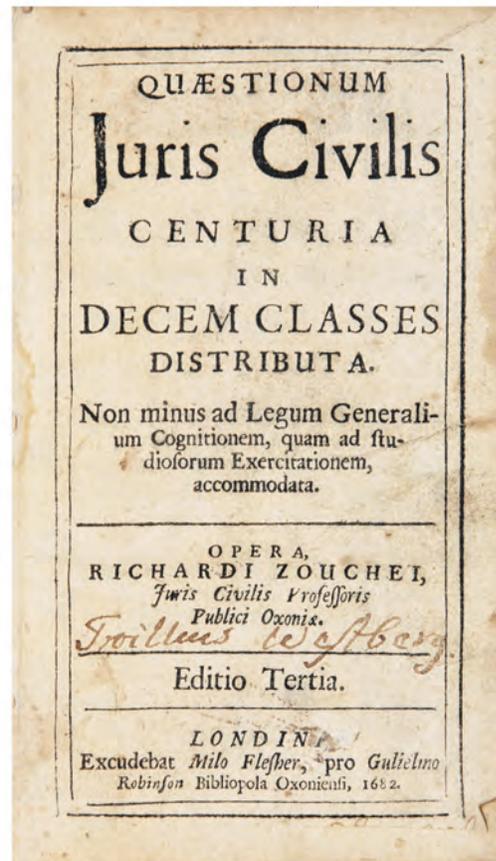
## 209 ZOUCH RICHARD.

*Quaestionum Juris Civilis Centuria in Decem Classes Distributa. Non Minus ad Legum Generalium Cognitionem, Quam ad Studiosorum Exercitationem, Accommodata.*

London: Excudebat Milo Flesher, Pro Gulielmo Robinson, 1682. [xvi], 511 pp. One endleaf at rear of text, a blank, lacking. 12mo. (5" x 3").

Contemporary vellum with lapped edges. Some soiling and rubbing to extremities, rear free endpaper lacking. Moderate toning to text, faint dampstaining to margins of a few leaves, small piece trimmed from bottom edge of title page with the loss to text. Small early owner signature to title page, interior otherwise. An appealing copy. \$1,500.

THIRD AND FINAL EDITION. *Quaestionum Juris Civilis Centuria* is a volume of sample examination questions for students of the civil law. It was first published in 1659 (with a title page stating 1660). ESTC R217442.



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# The Constitutional Convention of 1787

## Revised Second Edition

John R. Vile

Middle Tennessee State University, Murfreesboro, TN

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2016

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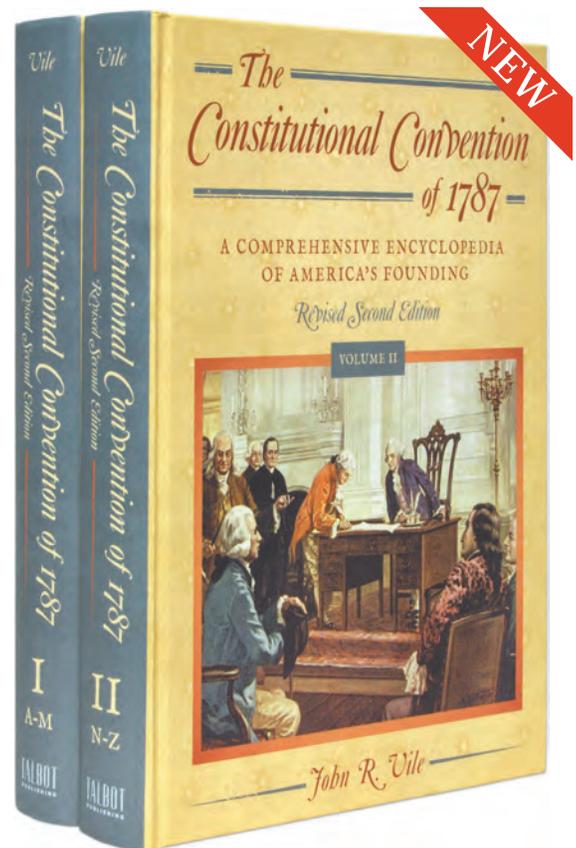
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# The Lindbergh Kidnapping Case

## A Critical Analysis of the Trial of Bruno Richard Hauptmann

James M. Dedman III  
and  
George R. Dekle, Sr.

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2016

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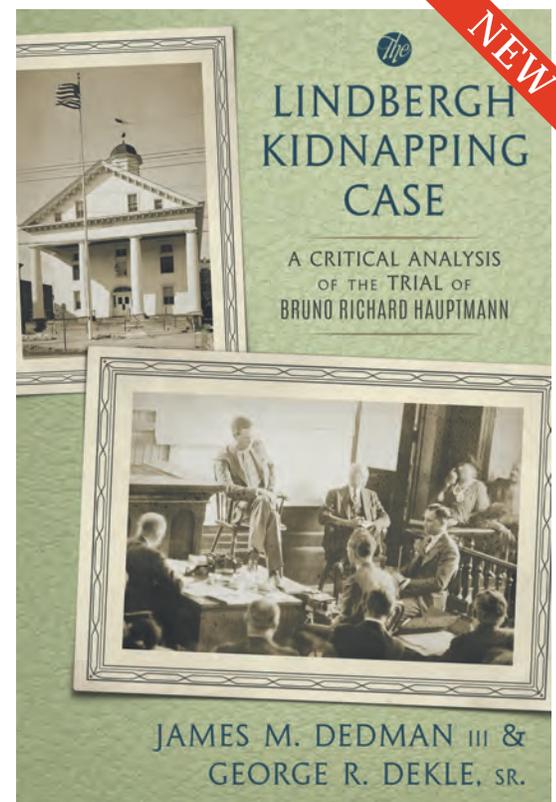
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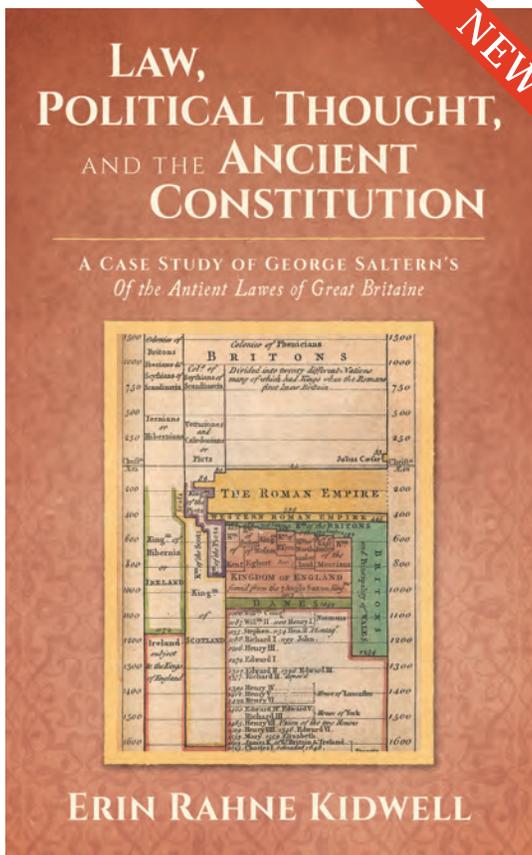
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**GEORGE R. DEKLE, SR.** retired in 2016 from a ten-year career as a legal skills professor at the Levin College of Law, University of Florida. Before that he served for thirty years as an assistant state attorney in the Third Judicial Circuit of Florida, where he investigated and prosecuted hundreds of homicide cases. Dekle has authored several books on trial advocacy and legal history.





# Law, Political Thought, and the Ancient Constitution

A Case Study of George Saltern's  
*Of the Antient Lawes of Great Britaine*

Erin Rahne Kidwell

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2016

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The blending of myth and legal history evident in the body of literary and legal texts produced to debate the union proposals of James VI and I following the king's proclamation of them in 1604 illustrates the seamless nature of the legal and literary canons at a formative moment in the history of British-American constitutionalism. This case study focuses on one of the lesser known Union Tracts, George Saltern's 1605 *Of the Antient Lawes of Great Britaine* in conjunction with examples from various union tracts and contemporaneous works in British history, Calvin's Case and other judicial opinions, and works of British-American political thought to illustrate and evaluate the creative mix of mythical and historical elements present in the juridical historiography of the ancient constitution. King James's proposed 'restitution' of a realm which had in fact never previously existed in history—the unified realm of Great Britain—could only have been defended through such a blend of literary myth, history, and legal precedents. Furthermore, tracing the juridical historiography of ancient constitutionalism over the following centuries reveals the surprising extent to which ancient constitutionalist thought has continued to influence the development of British-American constitutionalism to the present day. The appendix includes a facsimile of George Saltern's *Of the Antient Lawes of Great Britaine* (1605).

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**ERIN RAHNE KIDWELL** is the Curator of Legal History Collections at Georgetown Law Library. She teaches two legal history courses at Georgetown Law: British Legal History: from the Celts to the Industrial Age, 1-1890 CE, and Early American Legal History: From Settlement to Reconstruction 1600-1880, where she has also taught an introductory law and literature seminar. Kidwell is also a regular participant in seminars relating to the History of British Political Thought at the Folger Institute in the Folger Shakespeare Library. She was the academic advisor for the Folger's Fall 2015 exhibit, *Age of Lawyers: The Roots of American Law in Shakespeare's Britain*. Her research interests include British-American constitutional and legal history, the history of British-American political thought, and law and literature. Kidwell received her J.D. Cum Laude from Capital University Law School and her LL.M. and S.J.D. from Georgetown Law.

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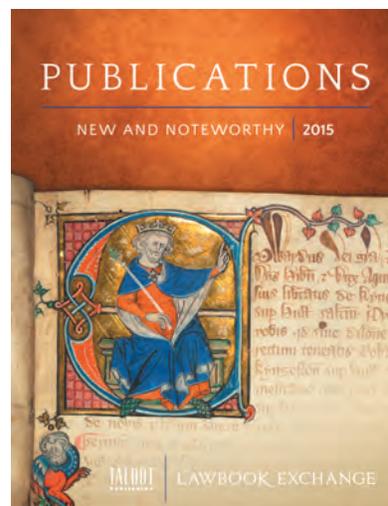
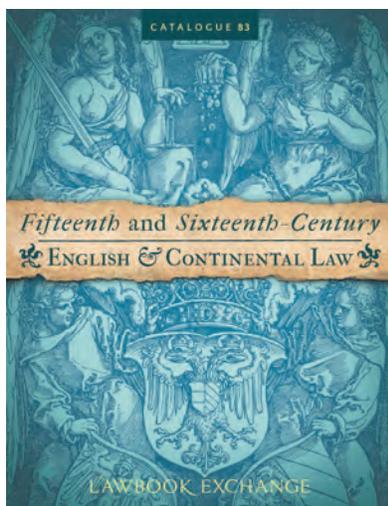
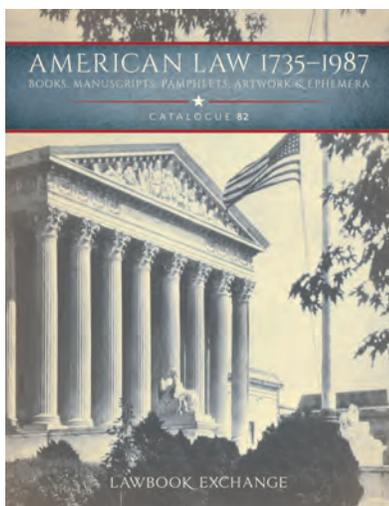
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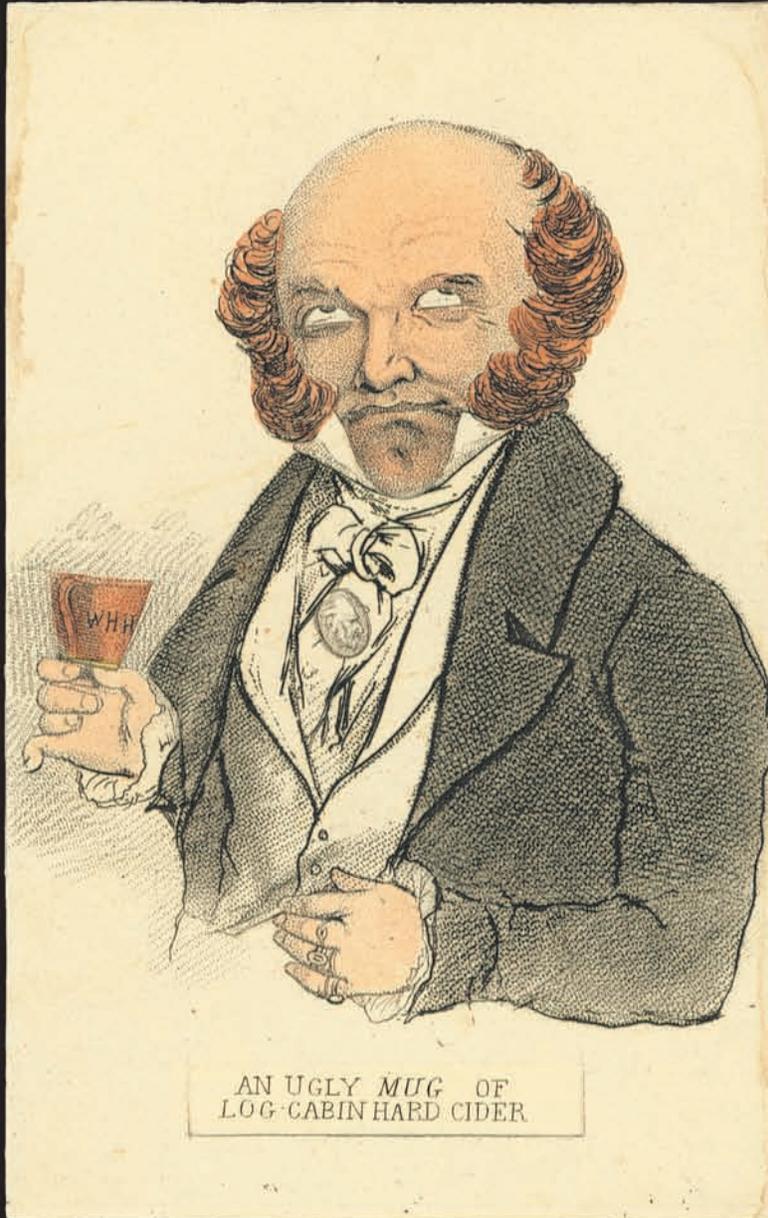
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