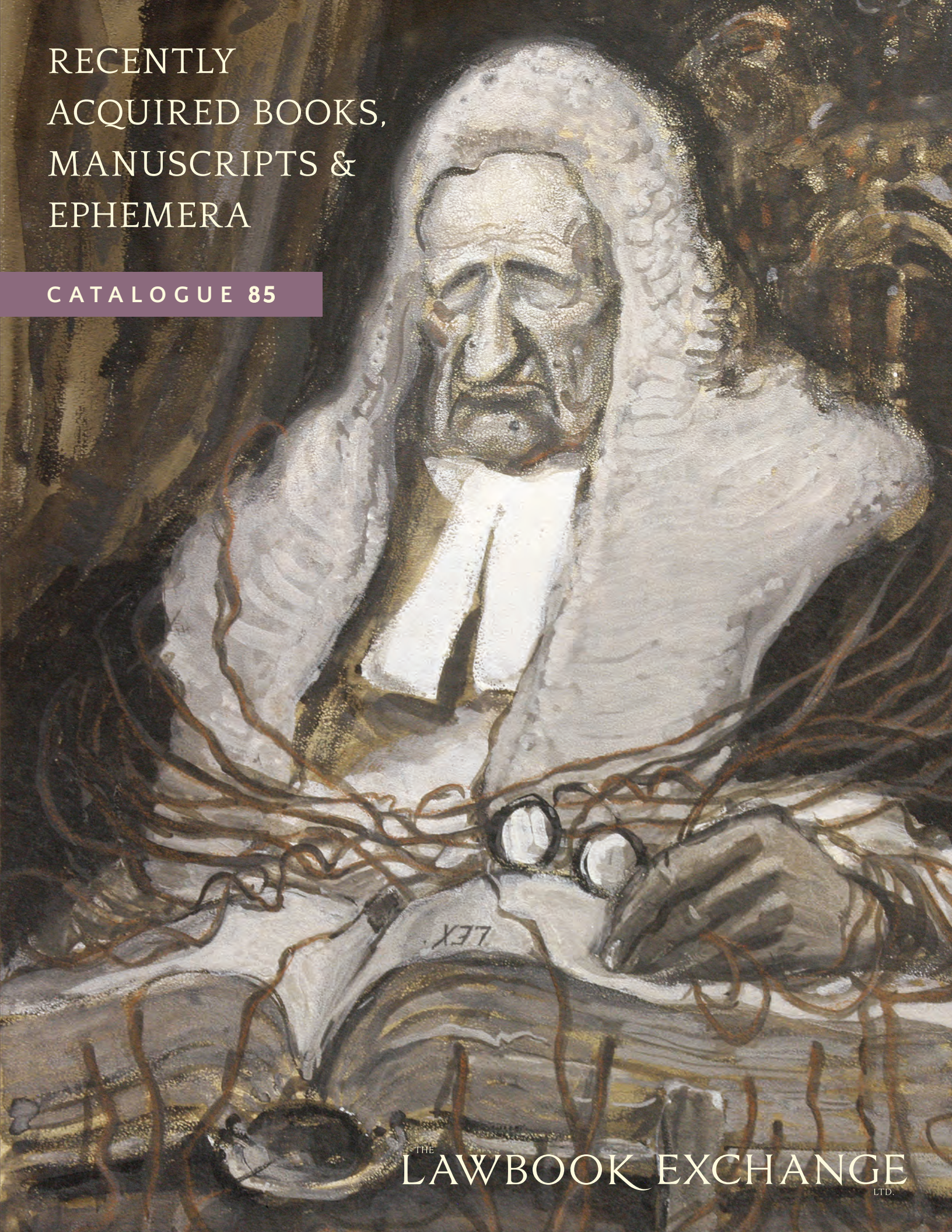


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See pages 68-69 for an index to this catalogue.

Exterior Front Cover: **Item 78.**  
Exterior Rear Cover: **Item 8.**

Interior Front Cover: Detail from **Item 30.**  
Interior Rear Cover: Title Page from **Item 122.**

Title Page: *Detail from Item 21.*

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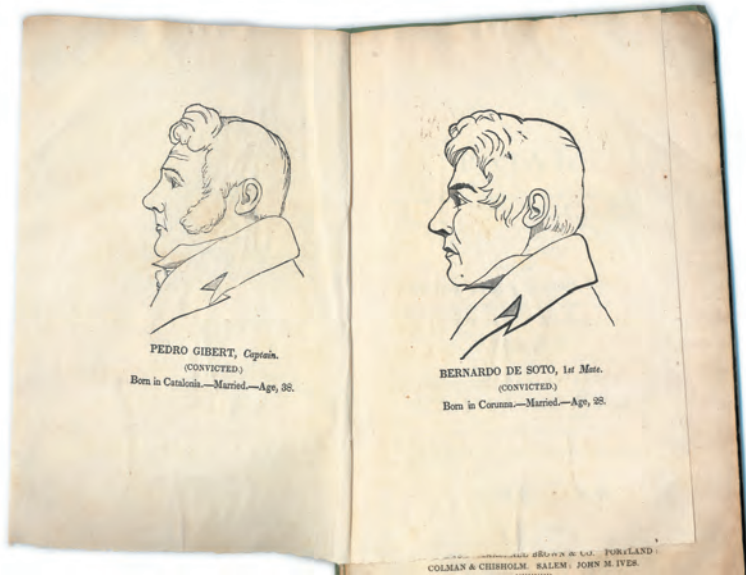
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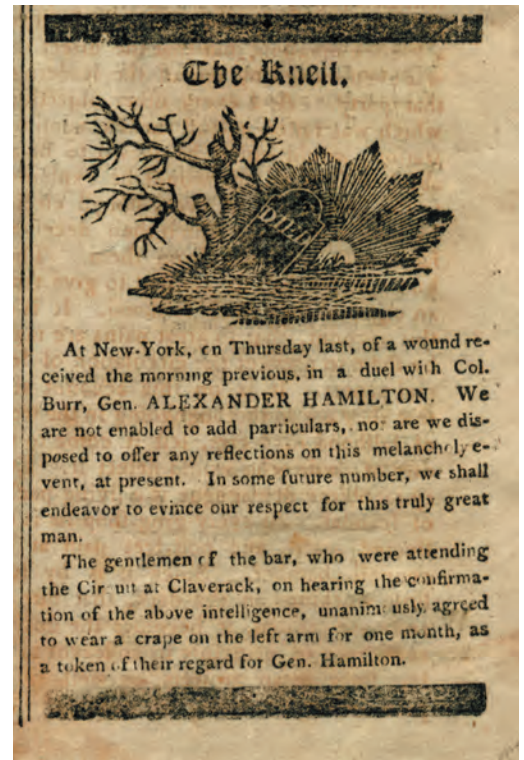
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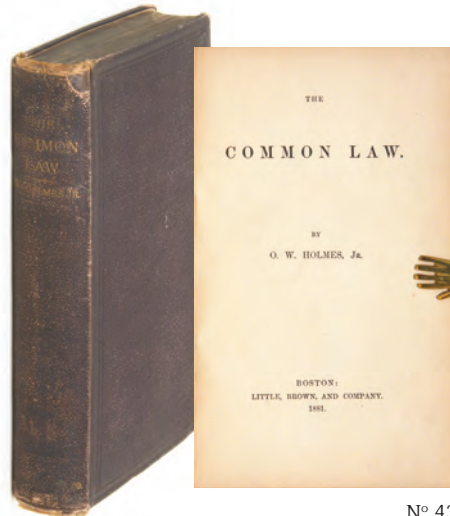
Nº 116



Nº 37



Nº 9



Nº 43



Nº 55

REMARKABLY COMPREHENSIVE EIGHTEENTH-CENTURY  
ENGLISH JP MANUAL

## 1 BARLOW, THEODORE [D. 1749].

*The Justice of Peace: A Treatise Containing the Power and Duty of that Magistrate, Compiled from the Statutes at Large; The Best and Latest Reports; And Many Other Books of Authority in the Law; With Many New Cases Never Printed. Interspersed with Variety of Precedents Generally Formed Upon the Words of the Acts of Parliament. Together with a Table of the Tables and the Principal Matters. To Which is Added an Appendix, Being a Summary of All Acts of Parliament, Whereby One or More Justices are Authorized to Act Either in or Out of Sessions.*

[London]: Printed by Henry Lintot (Assignee of Edward Sayer, Esq;) for John and Paul Knapton, and John Nourse, 1745. xxii, 592, [136] pp. Folio (13-3/4" x 8-1/4").

Contemporary reversed calf, blind rules to boards, raised bands and recent period-style lettering to spine. Light rubbing and a few minor nicks and spots to boards, front joint cracked, rear joint starting, crack in text block between final index leaf and rear free endpaper, corners bumped and somewhat worn. Light toning to text, minor dampstaining and spotting to top edge of text block, a few minor worm holes to margins, internally clean. An appealing copy. \$450.

ONLY EDITION. Arranged alphabetically by topic, Barlow's remarkably comprehensive treatise provides an incomparable overview of the responsibilities of English justices of peace in the mid-eighteenth century. ESTC T97901.

AN EIGHTEENTH-CENTURY SYNOPSIS  
OF SCOTTISH CRIMINAL LAW

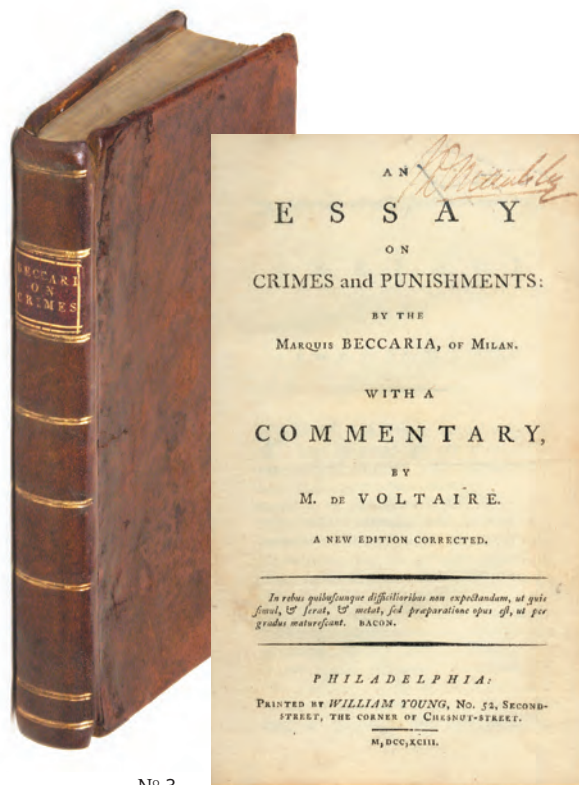
## 2 BAYNE, ALEXANDER [D. 1737].

*Institutions of the Criminal Law of Scotland. For the use of the Students Who Attend the Lectures of Alexander Bayne.*

Edinburgh: Printed by Mr. Thomas and Walter Ruddimans, 1730. 191, [1] pp. 12mo. (5-3/4" x 3-1/2").

Contemporary calf, blind rules to boards, raised bands and lettering piece to spine, early repair to head of spine. Light rubbing and some minor scuffs to boards, a few nicks to board edges, corners bumped and somewhat worn. Moderate toning to text, some leaves have minor stains to margins, faint dampstaining to endleaves, small chip to fore-edge of title page carefully mended. Early owner annotation to front free endpaper, tiny struck-through signature to title page. An attractive copy. \$450.

FIRST EDITION. A lawyer and man of letters, Bayne studied law in Edinburgh and Leiden. He lived in London for several years and was friendly with Richard Steele and other literary figures. He also had a strong interest in music. His *Institutions* was a companion volume for a course of lectures at the University of Edinburgh. A second edition was published in 1748. Both editions are scarce. OCLC locates 9 copies of the first edition in North American law libraries. ESTC T127501.



N° 3

EARLY AMERICAN EDITION OF "ONE OF THE MOST INFLUENTIAL BOOKS IN THE WHOLE HISTORY OF CRIMINOLOGY," PMM 209

3 BECCARIA, [CESARE BONESANA,  
MARCHESE DE].  
VOLTAIRE (AROUET, FRANCOIS-MARIE).

*An Essay on Crimes and Punishments: By the Marquis Beccaria, Of Milan. With a Commentary by M. De Voltaire. A New Edition Corrected.*

Philadelphia: Printed by William Young, 1793. x, [13]-230 pp. 12mo. (6" x 3-1/2").

Contemporary sheep, rebacked in calf, gilt fillets and contemporary lettering piece to spine. Light rubbing to boards, corners bumped. Moderate toning to text, somewhat darker along margins, occasional light foxing. Struck-through owner signatures to endleaves, small early owner signatures to head of title page, interior otherwise clean. An attractive copy. \$750.

THIRD AMERICAN EDITION. Beccaria's work was especially influential among American thinkers, such as Thomas Jefferson, who wished to use Beccaria to reform the system of criminal law Americans inherited from England. The first two American editions were issued Charleston in 1777 and Philadelphia in 1778. PMM 209. Sowerby 2349. Cohen 4234.

PRIMARY SOURCE FOR MANY SUBSEQUENT MANUALS

4 BLACKERBY, SAMUEL [FL. 1720–1738].  
BLACKERBY, NATHANIEL.

*The First Part of the Justice of Peace His Companion; Or, A Summary of All the Acts of Parliament, Whereby One, Two, Or More Justices of the Peace, Are Authorized to Act, Not Only In, But Out of the Sessions of Peace. Begun by Samuel Blackerby, Alphabetically Digested, And Continued to the End of the Last Session of Parliament, 1729. With an Exact Table, By Nathaniel Blackerby, Esq.*

[London]: Printed by E. And R. Nutt, And R. Gosling, 1730. [xxiv], 508 pp.

[AND]

BLACKERBY, SAMUEL.  
BLACKERBY, NATHANIEL.

*The Second Part of the Justice of Peace His Companion; Or, Cases in Law, (Wherein Justices of the Peace have a Jurisdiction) which Have Been Determined by the Judges From the Reign of King Edward III, Down to the Year 1734. With Some Modern Cases Never Before Published. The Whole Digested in an Alphabetical Order, and Carefully Examined and Revis'd.*

[London]: Printed by E. And R. Nutt, And R. Gosling, 1734. [iv], vii–xxiv, 360 pp. Includes one-page publisher list.

12mo. (5" x 3"). Contemporary calf, blind rules to boards, blind fillets along joints, gilt tooling along board edges, lettering pieces, gilt-edged raised bands and gilt volume numbers to spine. Light rubbing and a few nicks and scuffs to boards, moderate rubbing to extremities, corners bumped and somewhat worn, joints just starting at ends, early armorial bookplates (of Joseph Pickford, Esq.) to front pastedowns. Light toning to text, a few brief early annotations and faint dampstains to endleaves. Nice copies bound as a uniform set in attractive bindings. \$650.

FIFTH EDITIONS. The first edition of Blackerby's *Justice of the Peace, His Companion* appeared in 1711. A companion volume, *Cases in Law*, which carries the subtitle "The Second Part of the Justice of Peace's Companion," followed in 1717. Both were held in high esteem, went through several editions and served as primary sources for many subsequent manuals. *Justice of the Peace* is arranged alphabetically by topic. Such entries as Apprentices, Bastardy, Gaming Houses, Overseers of the Poor, Papists and Popish Recusants and Witchcraft offer a unique perspective on rural English society during the early 1700s. ESTC N9778, T66081.



N° 4

THE 'NATURE, KINDS, PROPERTIES AND INCIDENTS' OF TITHES

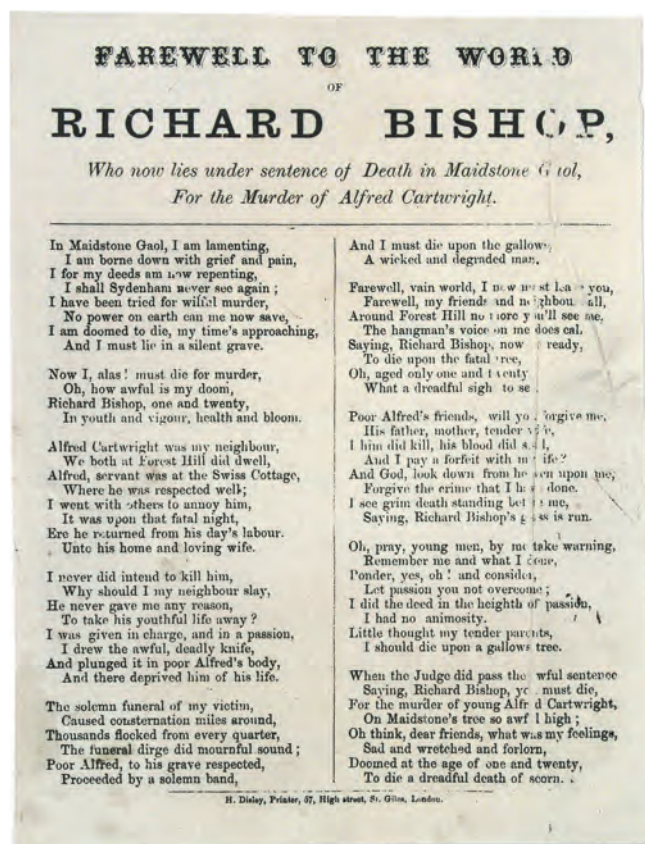
5 BOHUN, W[ILLIAM].

*The Law of Tithes; Shewing Their Nature, Kinds, Properties and INCIDENTS; By Whom, To Whom, When, And in What Manner Payable; How, And in What Courts to be Sued for and Recovered; What Things, Lands or Persons are Charged with, Or Exempted Therefrom. With the Nature, INCIDENTS and Effects of Customs, Prescriptions, Real Compositions, Modus Decimandi, Libels, Suggestions, Prohibitions, Consultations, Custom of London, &c. Wherein All the Statutes and Adjudged Cases Relative to the Subject are Introduced and Considered.*

[London]: Printed by E. And R. Nutt, And R. Gosling, 1731. [iv], iv, 473, [7] pp. Octavo (7-3/4" x 4-3/4").

Contemporary calf, rebaked, blind fillets to boards, lettering piece to spine, endpapers renewed. A few shallow scuffs to boards, considerable rubbing to board edges, corners worn. Light toning to text, faint dampstaining to upper margins of preliminaries, which diminishes gradually, internally clean. \$250.

SECOND EDITION. This practical treatise for lawyers was first published in 1730. Its fourth and final edition was published in 1760. ESTC T121444.



N° 6

ANNOYED TO DEATH

A MISSOURI JUDGE RESPONDS TO HIS CRITICS

6 [BROADSIDE].  
[EXECUTION].  
[GREAT BRITAIN].

*Farewell to the World of Richard Bishop, Who Now Lies Under Sentence of Death in Maidstone Gaol, For the Murder of Alfred Cartwright.*

London: H. Disley, Printer, [1868]. 9-1/2" x 7-1/2" verse broadside.  
Main text in two columns separated by rules.

Some toning, creasing and a few minor stains, contemporary annotations to verso, otherwise fine. \$500.

A BROADSIDE BALLAD issued before the public hanging of Bishop for the murder of his neighbor, Cartwright. The murder was provoked by a shouting match between Bishop and another man on a nearby street that woke Cartwright. Irritated, he called the police. Bishop was arrested and an angry Cartwright followed him and the policemen, proclaiming angrily that he intended to press charges against his noisy neighbor. Angered by his taunting, Bishop broke free of the police and stabbed Cartwright to death. Bishop was sentenced at the Old Bailey but hanged outside Maidstone Prison, Kent, 27 days later. It was the last public execution to take place in Kent, less than a month before the last public execution in England, which occurred in London on May 26, 1868. Our copy is probably a printer's proof. It is printed on scrap paper watermarked 1844 and has an unrelated annotation dated 1848 to its verso.

7 [BROADSIDE].  
KILLEN, THOMAS J.

*To The Public. In A Handbill Dated April 21, 1854, And Signed In Large Capital Letters "John Poynter McMillin," That Gentleman Makes "Three Specific Charges" Against The Rev. Matthias M. Barron [first line of text].*

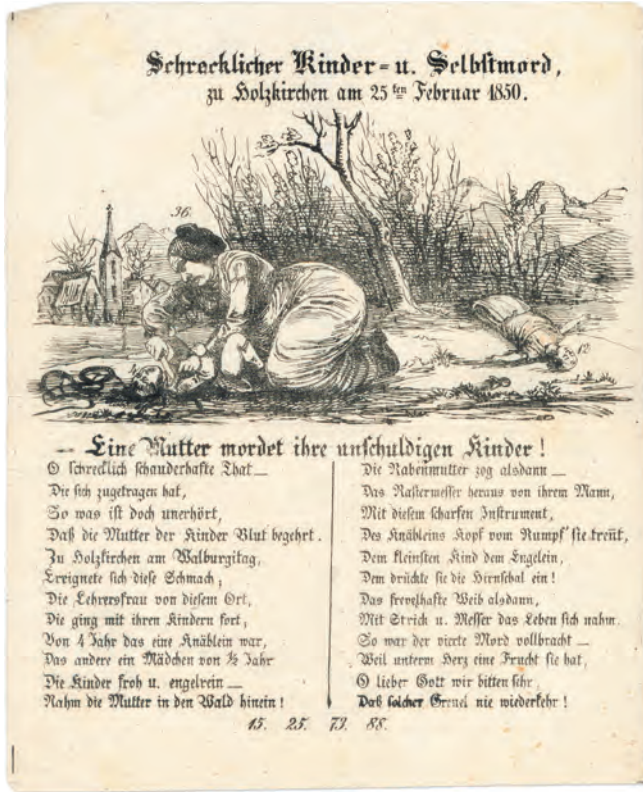
[Hannibal, MO? 1854].

18-1/2" x 8-1/2" broadside. Text in three columns. Moderate toning and light foxing, minor edgewear, fine vertical and horizontal fold lines, contemporary docketing to verso. \$2,500.

AN APPARENTLY UNRECORDED BROADSIDE issued by Judge Thomas J. Killen in response to an attack published by a former litigant, John Poynter McMillin. McMillin, who lives "within three miles of the City of Hannibal," lost a lawsuit decided by Judge Killen. McMillin then published his version of the trial and his testimony in an attempt to refute the verdict against him. Killen's broadside is a rebuttal. It reads, in part: "To the Public. In a handbill dated April 31, 1854, and signed in large capital letters 'John Poynter McMillin,' that gentleman makes 'three specific charges' against the Rev. Matthias M. Barron. On these charges I have nothing to say. Mr. Barron is an aged gentleman, well known to this community; but when J.P. McMillin, in his hot haste to prove his charges and thereby prevent himself from 'sinking to the degraded level of a mere slanderer,' (as he terms it,) attempts to give the public a history of his lawsuit, and in so doing, misrepresents every important







No 9

LURID GERMAN BROADSIDE COMMEMORATING A MOTHER WHO KILLED HER CHILDREN, THEN COMMITTED SUICIDE

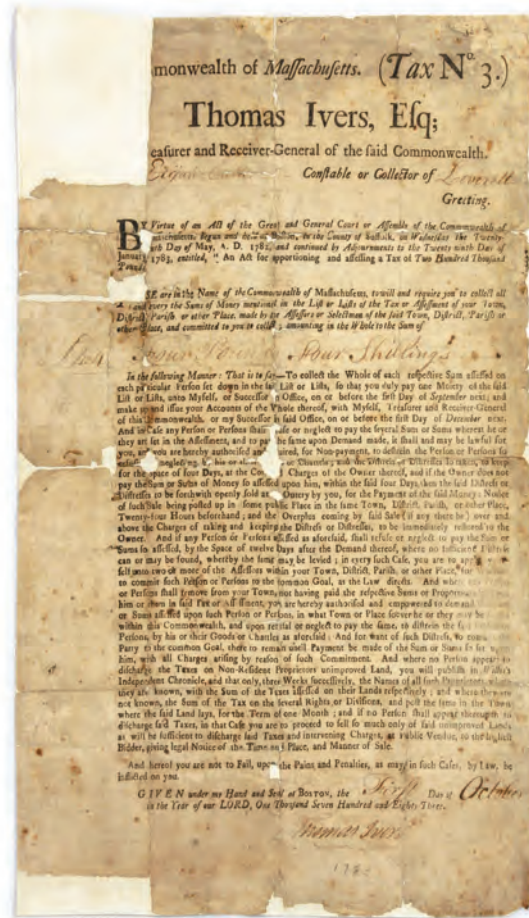
9 [BROADSIDE].  
[MURDER/SUICIDE].  
[BAVARIA, GERMANY].

**Schrecklicher Kinder- u. Selbstmord, Zu Holzkirchen am 25ten Februar 1850.**

[Holzkirchen, Germany], 1850. 10" x 8-1/4" broadside. Verse text in two columns divided by vertical black rule, large woodcut vignette of murder scene below large woodcut title.

Light toning and minor edgewear, otherwise fine. \$500.

USING A KITCHEN KNIFE, a distraught mother killed her two children, one 6 months old, the other 4. She then stabbed herself fatally. The bodies were found in the woods near Holzkirchen, a small city in Upper Bavaria. The text recounts the event without any explanation of the mother's motive. It is simply "a terrible child-murder and suicide." Pfister, who recorded this broadside, identifies the woman, Therese Pitzer, a schoolteacher in Holzkirchen. Pfister II:3253.



No 10

A MASSACHUSETTS TAX TO DEFRAY THE COST OF THE REVOLUTIONARY WAR

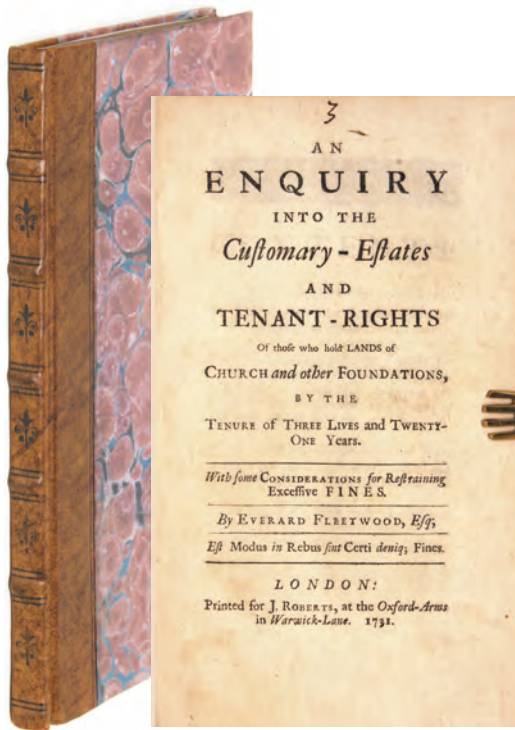
10 [BROADSIDE].  
[TAXATION].  
[MASSACHUSETTS].

**Commonwealth of Massachusetts. (Tax No 3.)**

Boston, June, 1783. 16" x 10" broadside, amount of assessed tax and date added in manuscript by Thomas Ivers, treasurer and receiver-general of Massachusetts, his signature, dated October 1, 1783, below text.

Mounted on linen, lightly browned, some edgewear, sections lacking from corners and along fold lines with minor loss to text. A rare item. \$1,250.

THIS BROADSIDE IS, IN EFFECT, A WARRANT to collect unpaid taxes. In this particular case, an amount of four pounds and four shillings to be collected by the constable or collector in the town of Leverett, Massachusetts. According to Ford, this broadside was printed in June of 1783, at a time when the Commonwealth was trying to pay down expenses associated with the war. Financial hardship from the war would persist long after the conflict with Great Britain ended, and the Commonwealth applied sustained pressure to collect revenue from its cities and towns. Interestingly, this prophetic broadside foretells Shea's Rebellion, in that just three years later perceived economic and taxation inequities prompted rural central and western Massachusetts such as Leverett to rise up in a series of historic protests against the Commonwealth. No copies listed on OCLC. Ford 2371.



N° 11

LAND TENURE ON ECCLESIASTICAL PROPERTY

11 [BURROUGHS, SAMUEL (D. 1761)].

*An Enquiry into the Customary-Estates and Tenant-Rights of Those who Hold Lands of Church and Other Foundations, By the Tenure of Three Lives and Twenty-One Years. With Some Considerations for Restraining Excessive Fines. By Everard Fleetwood, Esq.*

London: Printed for J. Roberts, 1731. [iv], 109, [1] pp. Octavo (7-3/4" x 4-3/4").

Recent period-style quarter calf over marbled boards, raised bands and blind ornaments to spine, endpapers renewed. Light toning to text, light soiling to title page, "3" at head in small early hand. A nice copy in a handsome binding. \$650.

FIRST EDITION. Burroughs, writing under a pseudonym, addresses conflicts between civil and ecclesiastical law in cases regarding land tenure on church owned lands. A second edition was published in 1732. It was reprinted in Dublin in 1768. ESTC T113249.

IMPORTANT SEVENTEENTH-CENTURY LAW DICTIONARY

12 CALVINUS, JOHANNES [C.1550-C.1610]. GODEFROY, DENIS [1615-1681], PREFACE, EDITOR. VULTEUS (VULTEJUS), HERMANN [1555-1634], PREFACE, EDITOR.

*Lexicon Iuridicum: Iuris Caesarei Simul et Canonici: Feudalis Item, Civilis, Criminalis, Theoretici Ac Practici; Et in Schola et in Foro Usitatarum: Ac Eum ex ipso Iuris Utriusque Corpore, Tum ex Doctoribus & Glossis, Tam Veteribus, Quam Recentioribus, Collectarum; Vocum Penus: Simul & Locorum Communium & Dictionarii*



N° 12

*Vicem Sustinens. Feudale Lexicon, Leges ac Magistratus Romanos; & Caetera huic Operi Adjecta, Vide in Complemento, Post Simem Operis Ipsius. Collectum Vero est hoc Opus ex Collatis Inter sese Iuridicis, Quotquot Hactenus ferè Prodierunt, & Antiquioribus & Recentioribus Lexicis, Auctum Deinde, Expolitum & Emendatum, Ex Hactenus Editis Accuratissimis Lucubrationibus dn. Cuiacii, Brissonii, Donelli, Duareni, Gothofredi, Pacii, Vultei, Goeddae, item Corrasii, Fabri, Wesembec. Aliorumque Praestantissimorum Virorum: Quorum Catalogum enox Post Praefationes Inuenies. Editio Postrema, Prioribus Auctior et Longe Limatior.*

Cologne: Excudebat Matthaeus Berjon: Sumptibus Caldorianae Societatis. 1612. [14], 2878 cols., 235 pp. Two parts, each with title page. Title of second part begins: *Complementum Lexici Perfecti: Coronidis Vice, Ne Quid Omino Deesse Videatur, Adjectum*. Main texts in parallel columns. Quarto (9-1/4" x 6-1/4").

Contemporary calf, blind rules to boards, rebacked retaining most of existing spine with raised bands, gilt title and gilt ornaments, corners repaired. Light rubbing to boards, corners bumped, rear hinge cracked. Title page printed in red and black, woodcut head and tail-pieces. Moderate toning, occasional light foxing, faint dampstaining to margins, inkstains to a few leaves. Early owner signatures to endleaves, small early owner signature to title page, interior otherwise clean. A handsome copy. \$850.

LATER EDITION. Edited by Denis Godefroy and Hermann Vulteus, who added prefaces. Calvinus was a German jurist and professor of law at the University of Heidelberg who wrote several books on politics, Jewish law and Roman law. The *Lexicon Iuridicum* proved to be his most honored and durable publication. First published in 1600, it went through numerous editions during the seventeenth and eighteenth centuries. It draws on several authors, including Albericus, Brisson, Cicero, Hotoman and Tacitus. A scholarly work, it contains an extensive list of sources. The definitions are admirably clear and concise; each one includes a list of citations. Roberts says this dictionary is "more useful" than those of Vicat and Brisson. Roberts 72 (citing other editions). This edition not in VD17.

## 13 [CANON LAW].

GANGRA. SYNOD OF.  
 QUINTIN, JEAN [1500–1561], EDITOR.

*Synodus Gangrensis, Evangelicae Promulgationis anno Circiter Trecentesimo Congregata. Iam tot Abiere Secula, Seculi Praesentis Errores Multasque Multorum Superstitiiones [et] Impietates Condemnans. Explicata Commentariolis Joannis Quintini Haedui, Iuris Doctoris, & Ordinarii Professoris, In Foecunda Sanctorum Studiorum Parente, Parisiorum Universitate. Ex Gratiani Distinct. XXX.*

Paris: Apud Andream Wechelum, Sub Pegaso, In Vico Bellouaco, 1560. 233, [7] pp. Text in Greek and Latin. First edition. OCLC locates 1 copy in North America (UC-Berkeley Law School).

[BOUND WITH]

QUINTIN JEAN.  
 [GRATIAN, THE CANONIST].

*Apostoli Describentis Episcoporum, Presbyterorum et Diaconorum Mores Semeiosis ex Viginti Quinque Gratiani Distinctionibus Excerpta. Decretorum Parte Primâ. De Clericorum Moribus et Singulari Vita. Divus Hieronymus Dedit Huiusmodi Tractatui Nomen, Speculum Sacerdotii. Aeditio Secunda, Cum Recognitione.*

Paris: Apud Andream Wechelum, Sub Pegaso, In Vico Bellouaco, 1559. 160 pp. Text in Greek and Latin. Third and final edition. OCLC locates 1 copy in North America (Huntington Library).

[AND]

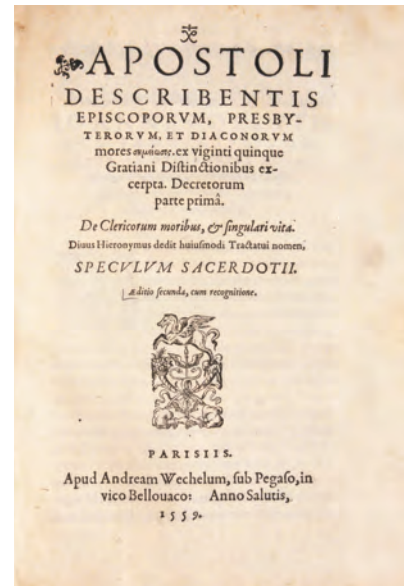
ZONARAS, JOANNES [12TH C.].  
 CASAUBON, ISAAC [1559–1614], ANNOTATOR.  
 QUINTIN, JEAN, PREFACE.

*Octoginta Quinque Regulae, Seu Canones Apostolorum: Cum Vetustis Joannis Monachi Zonaræ in Eisdem Commentariis, Latinè Modò Versis.*

Paris: Apud Andream Wechelum, Sub Pegaso, In Vico Bellouaco, 1558. [xvi], 86, [2] pp. Text in Greek and Latin. First edition. OCLC locates 2 copies in North America (Princeton, UC-Berkeley Law School).

Quarto (8-3/4" x 6-3/4"). Contemporary limp vellum with lapped edges, later calf lettering piece to spine, ties lacking. Some rubbing to extremities, light soiling to boards, spine darkened, some edgewear to lettering piece, front hinge partially cracked. Some toning to interior, some leaves have negligible light foxing. Three tiny owner signatures to title page of *Synodus Gangrensis*, interiors otherwise clean. \$2,500.

THIS VOLUME COLLECTS THREE BOOKS relating to early canon law. *Synodus Gangrensis* reviews Gratian's analysis of the decrees of the Synod (of Council) of Gangra. These decrees were later ratified by the Council of Chalcedon, one of the seven ecumenical councils that established the canons of Christian belief and practice. *Apostoli Describentis*, also based on Gratian, is a study of canon law governing the conduct of clerics. *Octoginta Quinque Regulae* is a study of the Apostolic Canons, the early ecclesiastical decrees concerning church government and discipline. All editions of these titles are scarce. Adams G211, G1064, C545.



A NOTABLE CHAPTER IN FRANCO-AMERICAN RELATIONS

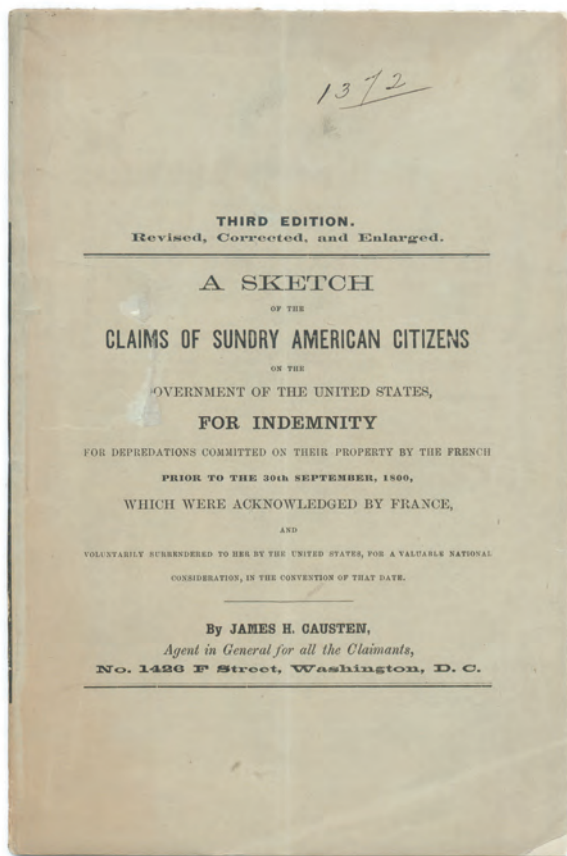
## 14 CAUSTEN, JAMES H. [1788–1874].

*A Sketch of the Claims of Sundry American Citizens on the Government of the United States, For Indemnity for Depredations Committed on Their Property by the French Prior to the 30th September, 1800, Which Were Acknowledged by France, And Voluntarily Surrendered to Her by the United States, For a Valuable National Consideration, In the Convention of That Date.*

Washington, DC: Printed by W.H. Moore, 1873]. 32 pp. Appendix leaf laid-in (as issued). Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Light soiling and rubbing to extremities, vertical crease through center, small scuff to front wrapper, light toning to text. Early annotation to head of front wrapper, internally clean. \$350.

THIRD AND FINAL EDITION. Causten reviews claims against France by U.S. citizens as a result of the Quasi-War that were assumed by the Federal government by the Convention of 1800 and the terms of the Louisiana Purchase (1803). Many of these claims were not settled until the early part of the twentieth century. First published as a pamphlet in 1826, Causten's notable study was based on a series of articles published in the *Baltimore Chronicle*. Other issues and editions appeared in 1836, 1871 and 1872. All are rare. OCLC locates 2 copies of the 1873 edition (American Antiquarian Society, Yale Law School).



N° 14

CONTROVERSIAL BOOK ON CATHOLIC DIVORCE AND ANNULMENT

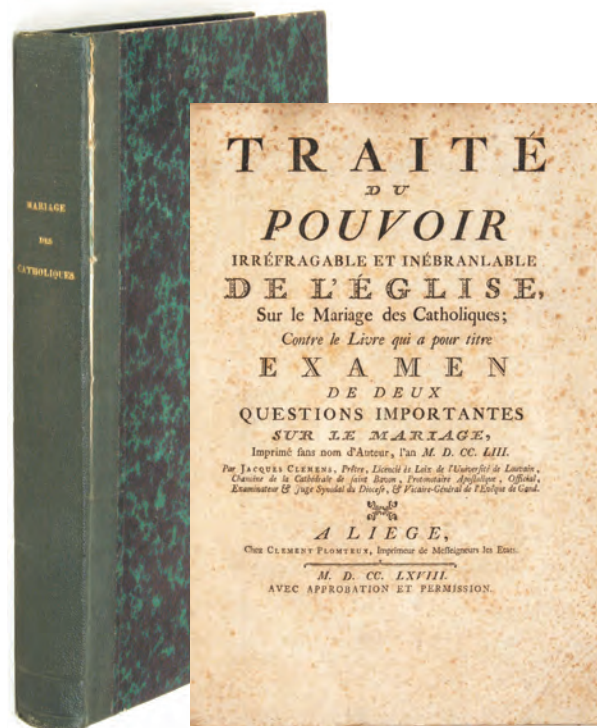
## 15 CLÉMENS, JACQUES.

*Traité du Pouvoir Irréfragable et Inébranlable de l'Eglise sur le Mariage des Catholiques: Contre le Livre qui à pour Titre Examen de Deux Questions Importantes sur le Mariage Imprimé sans nom d'Autor, l'An M.D.CC.LIII.*

Liège: Chez Clement Plomteux, 1768. xii, [2], 368 pp. Quarto (10-1/4" x 8").

Later quarter pebbled cloth over marbled boards, gilt title to spine, endpapers renewed. Some rubbing to extremities, minor wear to head of spine, front joint partially cracked. Light toning to text, somewhat heavier in places. Foxing to title page and a few other leaves. \$1,500.

ONLY EDITION. A study criticizing divorce and annulment under canon law. As its title indicates, it takes up the "two questions" in *Examen de Deux Questions Importantes sur le Mariage. Comment la Puissance Civile Peut-Elle Déclarer des Mariages Nuls, Sans Entreprendre sur les Droits de la Puissance Ecclésiastique? Quelle est en Conséquence, l'étendue du Pouvoir des Souverains sur les Empêchemens Dirimens le Mariage*, a work published anonymously by Pierre Le Ridant in 1753. Ridant's work defends the supremacy of canon law and Church authority, Clémens's work argues for the supremacy of local law and sovereigns. A controversial publication, it was banned by Maria Theresa, Empress of the Austrian Empire, which then included Liège (as part of the Austrian Netherlands). Possession of this book would result in a fine of 300 florins. A high-quality facsimile of this edict is laid into our copy. OCLC locates 2 copies in North America (UC-Berkeley Law School, University of Pennsylvania). De Theux, *Bibliographie Liégeoise* 611–612.



N° 15



N° 16

AN IMPORTANT REPLY TO SELDEN'S *HISTORIE OF TITHES*

## 16 COMBER, THOMAS [1645–1699].

*An Historical Vindication of the Divine Right of Tithes, From Scripture, Reason, And the Opinion and Practice of Jews, Gentiles, And Christians in All Ages. Designed to Supply the Omissions, Answer the Objections, And Rectifie the Mistakes of Mr. Selden's History of Tithes.*

London: Printed by S. Roycroft, for Robert Clavel, 1682. [xxviii], 247, [1] pp. Quarto (8" x 6").

Contemporary calf, rebaked in period style, blind rules and panels to boards, raised bands, blind ornaments and lettering piece to spine, upper corner of rear board and hinges mended. A few minor nicks and scuffs to boards, light rubbing and a few nicks to extremities, corners bumped and lightly worn, front free endpaper lacking, original lower half of final leaf (li4, p. 247) lacking with minor loss to text, the word "Finis" below last sentence, leaf carefully repaired with recent paper. Light toning to text, ginger smudges to a few leaves, light soiling to title page and rear free endpaper. Later owner signature to front pastedown, interior otherwise clean. \$450.

FIRST EDITION. Comber's spirited work is a reply to Selden's *Historie of Tythes* (1618), especially his claim that tithes are not a divine right, and an attack on Catholic and Protestant dissenters, most notably Quakers and Anglican churchmen who fail to give full, uncritical support to the Church of England. This book had a second edition in 1685. Both are scarce. OCLC locates 4 copies of the first edition in North American law libraries (Harvard, UC-Berkeley, University of Minnesota, University of Pennsylvania). ESTC R6540.



N° 17

WITH EXTENSIVE MANUSCRIPT ADDITIONS CONCERNING TOLL BRIDGES, TAXATION AND VETERANS

## 17 [CONNECTICUT].

*Acts and Laws of the State of Connecticut, In America.*

Hartford: Printed by Elisha Babcock, 1786. 8, 2, 5, 3, 346, [8] pp.

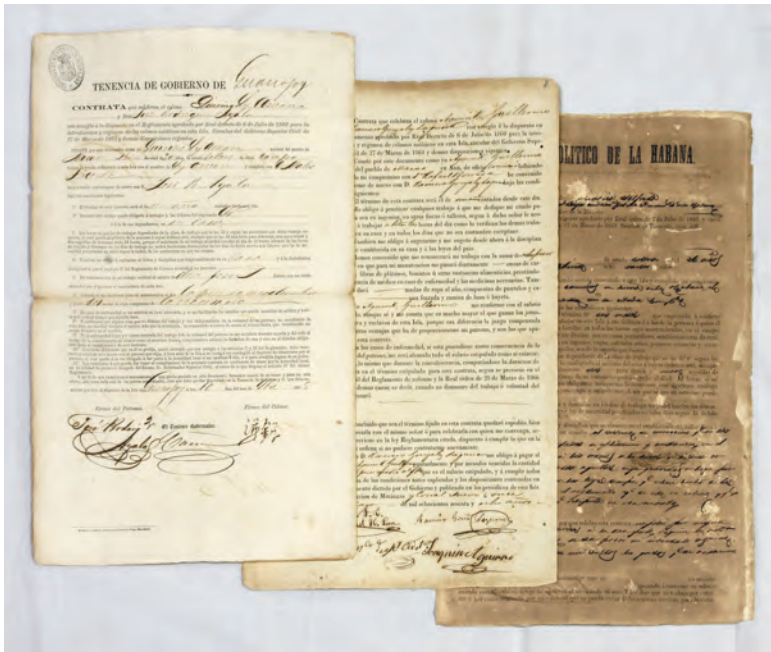
[BOUND WITH]

*[Manuscript Copies of Subsequent Acts, Laws and Resolutions, 1786–1817].*

347–387, [388–390] pp.

Octavo (9" x 5-3/4"). Contemporary sheep, raised bands and lettering piece to spine. Rubbing to boards and extremities with wear to spine ends and corners, rear board partially detached, front board and both free endpapers detached and edgeworn, front free endpaper has early repair. Moderate toning and dampspotting to text, faint dampstaining in a few places, minor edgewear to title page. Early owner inscription, "John Benjamin's Law Book, 1786/1785" to head of front free endpaper, "1784" in small later hand to head of title page, early owner annotations to a few leaves of text, a few other jottings to rear pastedown. \$750.

THIS FASCINATING COLLECTION addresses a variety of topics, such as adultery, bail, burglary, cattle, children, counterfeiting, debtors, divorce, dogs, dowry, dueling, drunkenness, elections, executions, fornication, frauds and perjuries, fraudulent conveyances, gaming, horse racing, Indians, insolvent estates, jurors, lotteries, marriage, maritime affairs, murder, oaths, rape, rogues, rum, the Sabbath, slaves, taverns, tobacco, treason, usury and vice. The owner of this copy had his copy bound with 50 blank leaves. He filled most of these with fair copies of several later acts, laws and resolutions. The majority of these deal with toll bridges, the second largest group deals with Revolutionary War veterans. It is likely that the owner of this book was John Benjamin of Stratford, Connecticut, who was involved in several bridge-building ventures in Bridgeport. He was also a veteran. Babbitt 45.



Nº 18

SETTING THE TERMS FOR COOLIE LABOR IN CUBA

18 [CUBA].  
["COOLIE" LABOR].

[Group of Four Labor Contracts for Chinese Immigrant Workers]. [Havana], 1868–1869.

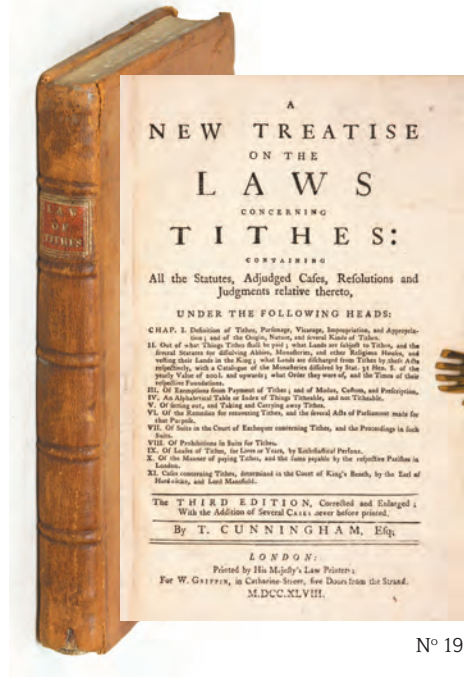
Part-printed documents, three 8-1/2" x 12," one 8-1/2" x 13." Two have some toning, the other two browned. Faint horizontal fold lines, a few worm holes, some wear and chipping to edges. Each contract endorsed with a stamped or embossed seal. \$950.

THESE IMMIGRATION CONTRACTS for indentured Chinese "coolie" laborers are valuable sources of information. They outline the duration of the contract, the nature of the work, the hours to be worked per day, payment and special considerations. They are signed by witnesses for the workers; three of these are signed in Chinese characters. In the mid-nineteenth century, Cuban agents supplemented the slave population with thousands of Chinese indentured laborers. They were needed to build railroads and work on sugar plantations. Most contracts granted free Cuban citizenship to workers when they satisfied the term of their contracts. Several remained in Cuba. And by the end of the nineteenth century Havana had the largest Chinatown in Latin America.

STANDARD EIGHTEENTH-CENTURY ENGLISH TREATISE ON TITHES

19 CUNNINGHAM, T[IMOTHY] [D. 1789].

*A New Treatise on the Laws Concerning Tithes: Containing All the Statutes, Adjudged Cases, Resolutions and Judgments Relative Thereto, Under the Following Heads: Chap. I. Definition of Tithes, Parsonage, Vicarage, Impropriation, and Appropriation; And of the Origin, Nature, and Several Kinds of Tithes. II. Out of What Things Tithes Shall be Paid; What Lands are Subject to Tithes, And the Several Statutes for Dissolving Abbies, Monasteries,*



Nº 19

*And Other Religious Houses, And Vesting Their Lands in the King; What Lands are Discharged from Tithes by These Acts Respectively, With a Catalogue of the Monasteries Dissolved by stat. 31 Hen. 8. of the Yearly Value of 200l. And Upwards; What Order They Were of, And the Times of Their Respective Foundations. III. Of Exemptions from Payment of Tithes; And of Modus, Custom, And Prescription, IV. An Alphabetical Table or Index of Things Titheable, And not Titheable. V. Of Setting Out, And taking and Carrying Away Tithes. VI. Of the Remedies for Recovering Tithes, And the Several Acts of Parliament Made for that Purpose. VII. Of Suits in the Court of Exchequer Concerning Tithes, And the Proceedings in such Suits. VIII. Of Prohibitions in Suits for Tithes. IX. Of Leases of Tithes, For Lives or Years, By Ecclesiastical Persons. X. Of the Manner of Paying Tithes, And the Sums Payable by the Respective Parishes in London. XI. Cases Concerning Tithes, Determined in the Court of King's Bench, By the Earl of Hardwicke, And Lord Mansfield. Corrected and Enlarged; With the Addition of Several Cases Never Before Printed.*

London: Printed by His Majesty's Law Printers, 1748. [iv], 304. [8] pp. With a half-title reading: *Laws Concerning Tithes*. Octavo (8-1/4" x 5").

Contemporary sheep, blind rules to boards, raised bands and lettering piece to spine. A few minor nicks to boards, some rubbing to extremities with wear to spine ends, joints and hinges just starting at ends, corners bumped. Moderate toning to text, somewhat heavier in places, faint dampstaining to margins of a few leaves, internally clean. \$150.

THIRD EDITION. The standard eighteenth century work on the subject which provides a summary of statutes and decided cases. Many of the cases are stated at considerable length. Its first edition was published in 1748; its fourth and final edition in 1777. "Probably one of the most useful features of the book is the alphabetical list in Chapter IV of things titheable and things not titheable": Holdsworth XII:621. ESTC T140756.

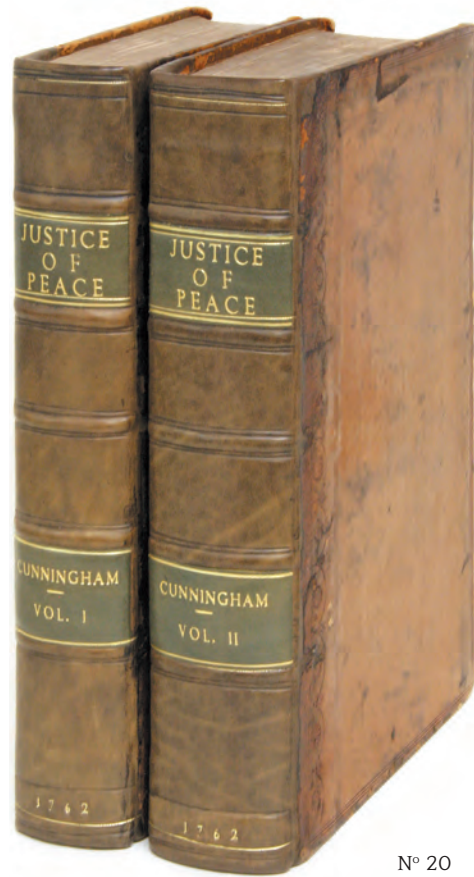
## 20 CUNNINGHAM, T[IMOTHY].

*The Practice of a Justice of Peace: Containing the Statutes Which Give Jurisdiction to that Magistrate. With a Greater Variety of Precedents Formed the Words of the Acts of Parliament than in Any Other Book Extant. Compiled and Published Under the Direction of the Right Honourable Lord Ward.*

London: Printed by E. Richardson and C. Lintot, 1762. Two volumes. iv, 528; [iii], 561, [87] pp. Octavo (8" x 5").

Contemporary calf, rebacked in period style, blind rules to boards, blind fillets along joints, raised bands and lettering pieces to spines, hinges mended. Light rubbing, faint stains and minor scuffing to boards, heavier rubbing to board edges, corners bumped and somewhat worn, early armorial bookplates to front pastedowns. Moderate toning, light foxing in places. Early owner signature to head of title pages, interiors otherwise clean. \$1,000.

FIRST EDITION. "As the furnishing of justices of the peace with a sufficient variety of precedents, formed upon the words of the acts of parliament, was the sole motive for compiling the following sheets; so the reader may be assured that no forms are published, but such as appear to the compiler to be accurate. (...) The statutes under each title are inserted in a chronological order; which may serve to give the reader an idea of the progressive improvements made in the statute law, and be useful for many other purposes" (iii). A second edition of his JP manual was published in 1769; a supplemental volume to this edition followed in 1770. ESTC T140365.



N° 20

## 21 D'AFFLITTO, GAETANO ANDREA (CESARE).

*Controversi Iuris Resolutiones cum Novissimis Decisionibus Supremor Regni Neap. Tribunalium.*

Naples: S.n., 1658. [102], 525, [11], 36 pp. Main text in parallel columns. Copperplate title page. Folio (12-1/4" x 8").

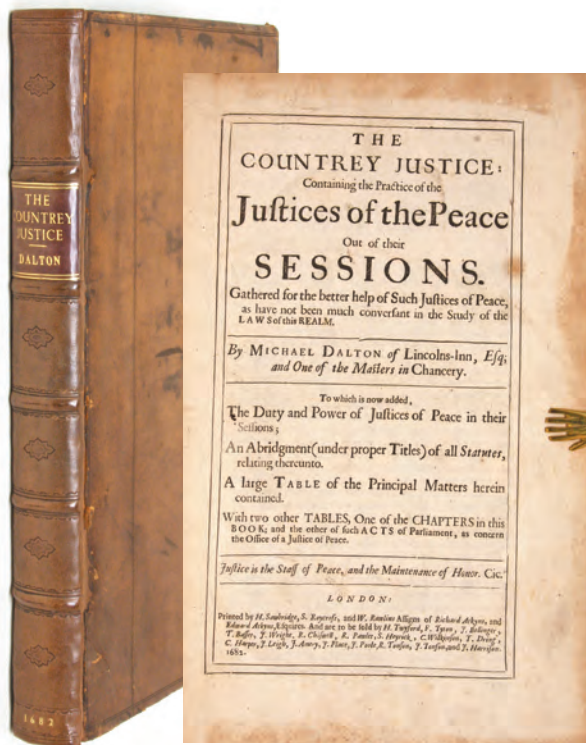
Contemporary vellum, early calligraphic title to spine. A few scratches to boards, light soiling to spine, corners bumped, spine ends bumped and lightly worn, boards slightly bowed at edges, joints just starting at head, vellum beginning to crack through pastedowns. Light toning to text, somewhat heavier in places, occasional faint dampstaining to margins, which also have inkstains and minor worming in a few places, foxing to a few leaves, internally clean. A nice copy of a rare title. \$1,500.

ONLY EDITION LOCATED. As its title indicates, this book is a collection of responses to knotty legal questions submitted to Afflitto by the Superior Court of Naples. Each entry includes a summary of the case in order to provide a context for Afflitto's *resolutione*. OCLC locates 2 copies (National Library of Spain, University of Siena). Not in Pazzaglini & Hawks.



N° 21





N° 22

A LANDMARK TREATISE ON JUSTICES OF THE PEACE

## 22 DALTON, MICHAEL.

*The Country Justice: Containing the Practice of the Justices of the Peace Out of Their Sessions. Gathered for the Better Help of Such Justices of Peace, As Have Not Been Much Conversant in the Study of the Laws of This Realm. To Which is Now Added, The Duty and Power of Justices of Peace in Their Sessions; An Abridgment (Under Proper Titles) of All Statutes, Relating Thereunto. A Large Table of the Principal Matters Herein Contained. With Two Other Tables, One of the Chapters in This Book; And the Other of Such Acts of Parliament, As Concern the Office of a Justice of Peace.*

London: Printed by H. Sawbridge, S. Roycroft, And W. Rawlins, 1682. [xvi], 535, [31] pp. Folio (13" x 8").

Contemporary calf, rebaked in period style, blind rules to boards, raised bands and lettering piece to spine, hinges reinforced. Light rubbing and some minor scuffs to boards, somewhat heavier rubbing to extremities, corners bumped and somewhat worn. Moderate toning to text, somewhat heavier in places, faint dampstaining to head of text block, spark burns to a few leaves. Early annotation to front free endpaper, interior otherwise clean. Ex-library. Armorial bookplate and small shelf label to front pastedown. A nice copy. \$500.

LATER 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 alphabetical topical structure adopted in later texts. Rooted in Crompton, Fitzherbert and Lambard, *The Country Justice* offers advice on such matters as buggery, customs, highways, prisons, riots, soldiers, murder, felonies, rogues and vagabonds, wool, and high treason. ESTC R27851.

RARE ANTWERP EDITION OF DAMHOUDER'S  
TREATISE ON CRIMINAL LAW

23 DAMHOUDER, JOSSE DE.  
[DAMHOUDERE, JODOCUS DE].  
[DAMHOUDERE, JOOST DE].

*Practijcke Ende Hantboeck in Criminele Saken, Verciert met Sommighe Schoone Figuren Ende Beelden Totter Materien Dienende.*

Antwerp: Hans de Laet, 1561. [xvi], 272, [2] pp. 57 woodcut text illustrations. Quarto (7-1/4" x 5-1/4").

Recent tree calf, raised bands, blind ornaments and blind title to spine, marbled endpapers. A few minor nicks to boards, light rubbing to extremities, corners bumped. Light toning to text, somewhat heavier in places, some leaves have faint dampstaining. Light soiling, minor edgewear and early owner signatures to title page, interior otherwise fresh. \$2,950.

FIRST PUBLISHED IN 1554, this was the first comprehensive study of criminal procedure published in northern Europe. A synthetic work drawn mostly from Roman-Dutch sources, it was based on, in some cases plagiarized from, Philip Wielant's *Practycke Crimineele* (1439-1519) and other earlier treatises. Published in Latin, Dutch and French, it was the standard authority throughout the continent for many years. This Antwerp edition from 1561 is illustrated throughout with 68 woodcuts depicting torture, war, parricide, adultery, murder, theft, piracy and many other crimes. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. This edition not in Dekkers. OCLC locates 3 copies, 2 in North America (Emory University, Harvard Law School).



N° 23



RARE IMPRINT OF A CLASSIC DUTCH TREATISE ON CRIMINAL LAW WITH 56 WOODCUT ILLUSTRATIONS

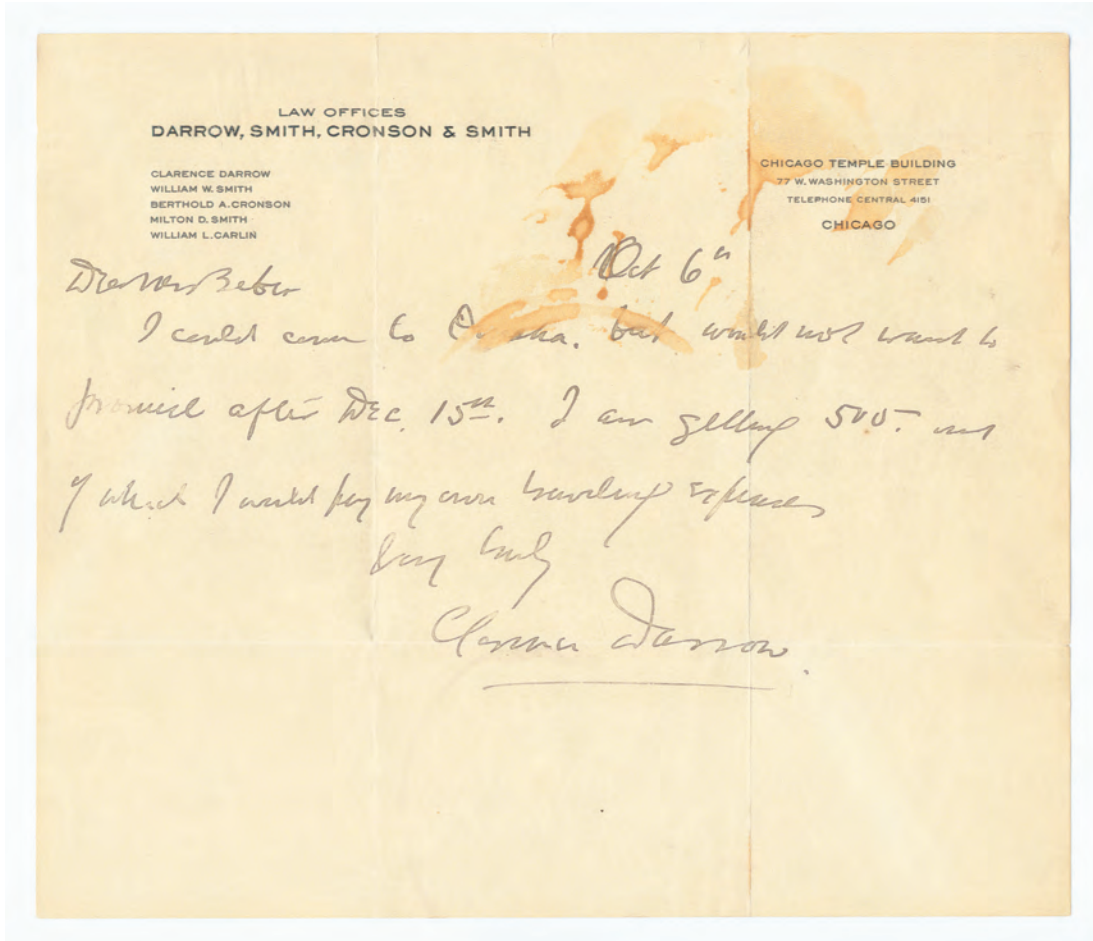
**24 DAMHOUDER (DAMHOUDERE), JOOST DE [1507–1581].**

*Practycke in Criminele Saecten. Nut en Proffyteluck, Voor Alle Souverains, Baillius Borgem. Ende Schepenen. Etc. Item hier is Noch by Ghevoecht D'Ordinantie op T'Stuck van de Criminele Justitie in Dese Nederlanden.*

Rotterdam: By Pieter van Waesberge, 1642. Two parts in one volume, each with title page. First part preceded by etched pictorial title page with eight vignettes. (One is an allegory of justice, the others illustrate brutal forms of execution and other draconian punishments.) [xvii], 366; [lii], 102 pp. 56 woodcut text illustrations (depicting crimes and punishments). Octavo (7-1/2" x 4-1/2").

Contemporary vellum with lapped edges, early hand-lettered title to spine. Light soiling, corners and spine ends bumped, pastedowns loose, text block partially detached but secure. Some edgewear to front and rear endleaves, a bit of rubbing to fore-edge of title page. Moderate toning to text, light foxing to a few leaves, internally clean. An appealing copy of a rare imprint. \$1,950.

THE 1642 ROTTERDAM IMPRINT was also issued in Utrecht by Johan van Waesberge. Excepting their title pages, the two Waesberge imprints are identical. The 1642 Rotterdam edition, which is not listed in Dekkers, is quite rare. OCLC locates 7 copies, 2 in North America (University of Delaware, Yale).



N° 25

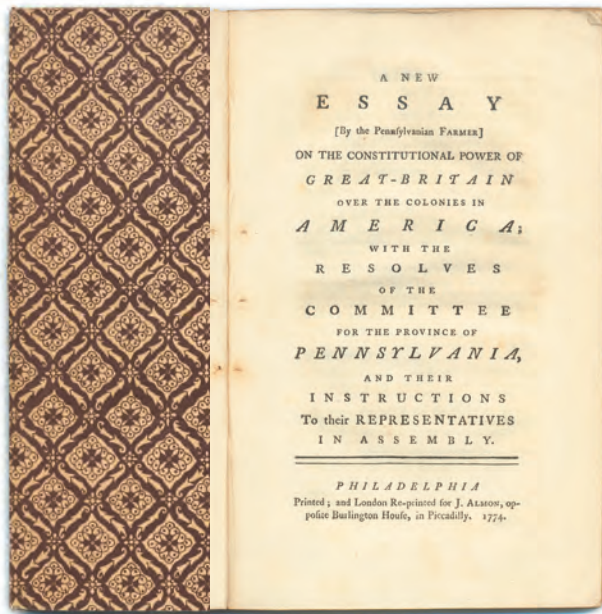
## DARROW DISCUSSES A MATTER IN OMAHA

## 25 DARROW, CLARENCE [1857-1938].

**[Autograph Letter, Signed, On the Letterhead of Darrow, Smith, Cronson & Smith, October 6 (1925-1929)].**

Single 8-1/2" x 7-1/4" sheet. Some toning, two fold lines, one horizontal and one vertical, faint coffee stain near upper right hand corner, otherwise fine. \$1,000.

ADDRESSED TO A MR. BECKER (or Beber) and signed by a bold signature, this note relates to a business or legal matter in Omaha, Nebraska. It reads (in part): "I could come to Omaha, but would not want to promise after Dec 15th. I am selling 500-, [illegible] of which I would pay my own traveling expense." The firm of Darrow, Smith, Cronson & Smith existed from 1925 to 1929. Darrow's relationship with these attorneys began when he opposed them during the trial of Leopold and Loeb.



N° 26

THE RIGHTS OF AMERICAN COLONISTS

## 26 [DICKINSON, JOHN (1732-1808)].

*A New Essay by the Pennsylvanian Farmer on the Constitutional Power of Great-Britain Over the Colonies in America; With the Resolves of the Committee for the Province of Pennsylvania, And Their Instructions to Their Representatives in Assembly.*

London: Philadelphia Printed; And London Re-Printed for J. Almon, 1774. viii, 126. [2] pp. Includes half-title and one-page publisher list. Octavo (8-1/4" x 5").

Stab-stitched pamphlet in later patterned wrappers. Light rubbing to extremities, minor wear to edges and corners. Light toning to text, light foxing to a few leaves, minor tear to half-title with careful repair. An appealing copy. \$1,750.

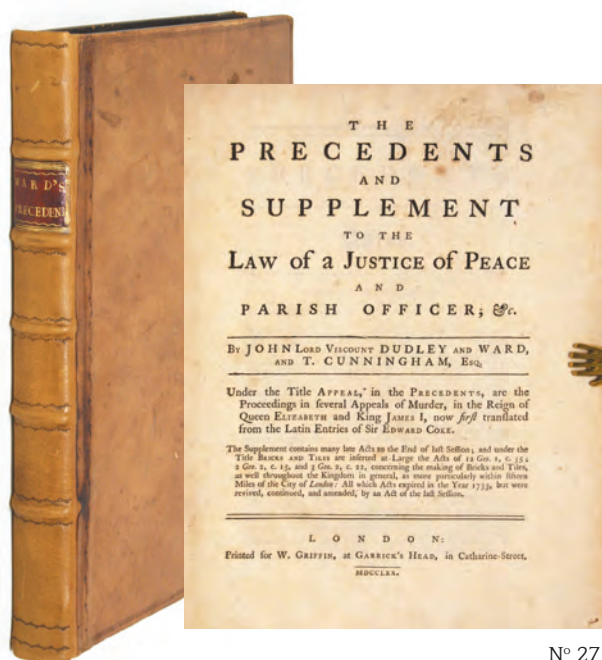
FIRST LONDON EDITION. printed the same year as the first edition, printed in Philadelphia. Dickinson, a member of a prominent family, was a lawyer educated at London's Middle temple. He established his reputation as a leading spokesman for colonial rights in his *Late Regulations Respecting the British Colonies on the Continent of America Considered* (1765), a pamphlet denouncing the Stamp Act, and, especially, *Letters from a Farmer in Pennsylvania* (1768). He was elected to the chairmanship of the Pennsylvania Committee of Correspondence in 1774. The contents of *A New Essay* are three papers adopted by the Committee. They address the principles under which the colonies claimed redress, instructions to the delegates chosen by the Assembly to attend the First Continental Congress and an essay on the constitutional power of Great Britain to tax the colonies. All of his writings helped to propel the movement towards independence. However, Dickinson, fearful of war and an existence outside of the British Empire, opposed the Declaration of Independence. ESTC T39834. Sabin 20046. Adams 74-28b.

## 27 DUDLEY AND WARD, JOHN WARD, VISCOUNT [c.1700-1774]. CUNNINGHAM, TIMOTHY [D. 1789].

*The Precedents and Supplement to the Law of a Justice of Peace and Parish Officer; &c. Under the Title Appeal, In the Precedents, Are the Proceedings in Several Appeals of Murder, In the Reign of Queen Elizabeth and King James I, Now First Translated from the Latin Entries of Sir Edward Coke. The Supplement Contains Many Late Acts to the End of Last Session; And Under the Title Bricks and Tiles are Inserted at Large the Acts of 12 Geo. 1, c. 35; 2 Geo. 2, c. 15, And 3. Geo. 2, c. 22, Concerning the Making of Bricks and Tiles, As well Throughout the Kingdom in General, As More Particularly Within Fifteen Miles of the City of London: All which Acts Expired in the Year 1733, but were Revived, Continued, And Amended, By an Act of the Last Session.* London: Printed for W. Griffin, 1770. [iv], 128, [ii]; [ii], 119, [9]; 129-216, [10] pp. Two parts, each with index. Part II has divisional title page. Text complete. pp. 129-216 and one index leaf from Part I misbound as sections of Part II. Quarto (10-1/2" x 8").

Contemporary calf, rebaked, blind rules to boards, blind fillets to joints, raised bands, blind tooling and existing retained lettering piece to spine, blind tooling to board edges. A few minor scuffs and nicks to boards, some rubbing to extremities, corners bumped and somewhat worn, front hinge cracked, early armorial bookplate (of Penry Williams) to front pastedown. Light toning to text, somewhat heavier in places, some leaves have light foxing. Early annotations in a few places, explaining the locations of the misbound sections, interior otherwise clean. A handsome copy of a scarce title. \$500.

ONLY EDITION. This book is a comprehensive supplement to Cunningham's *Practice of a Justice of Peace*. A well regarded work published in 1762, it had a second edition in 1769. *Precedents and Supplement* is a scarce title. OCLC locates 12 copies, 6 in North American law libraries (College of William and Mary, Harvard, Ohio State, Osgoode Hall, University of Georgia, University of Pennsylvania). ESTC T111537.



N° 27

LIVINGSTON, JEFFERSON AND  
THE NEW ORLEANS BATTURE CONTROVERSY

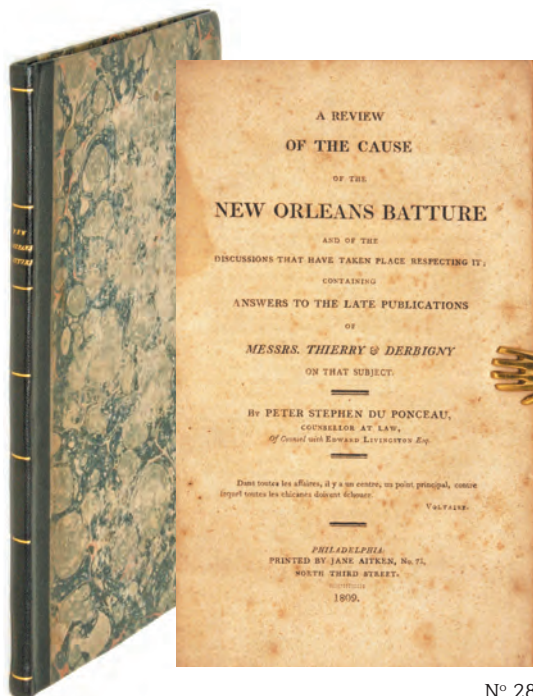
## 28 DU PONCEAU, PETER STEPHEN [1760-1844].

*A Review of the Cause of the New Orleans Batture and of the Discussions that have Taken Place Respecting It; Containing Answers to the Late Publications of Messrs Thierry & Derbigny on that Subject.*

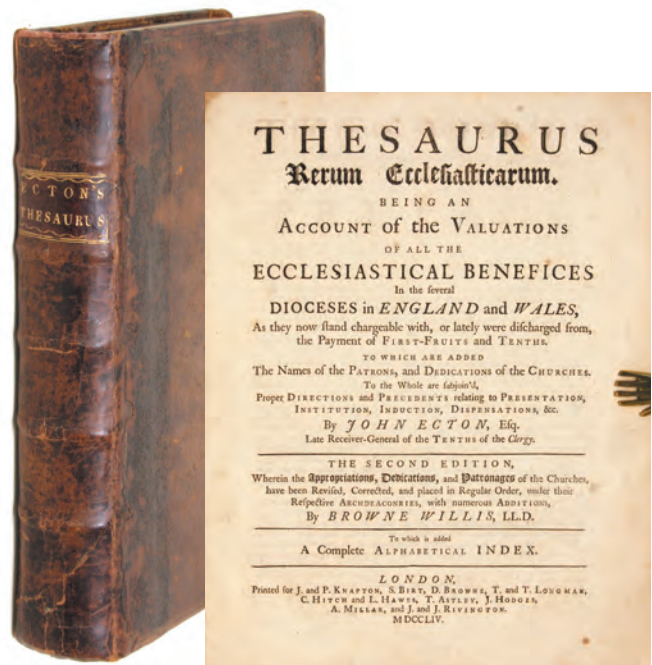
Philadelphia: Printed by Jane Aitken, 1809. Octavo (8-1/2" x 5-1/4").

Stab-stitched pamphlet bound into recent three-quarter calf over marbled boards using early lightly rubbed paper. Moderate toning to text, light foxing to a few leaves. A handsome copy of a scarce title. \$950.

ONLY EDITION. The Batture Controversy was one of the most important cases in American land law. It was an especially complicated case because it involved a clash between Federal law and the mixture of French and Spanish civil law practiced in New Orleans and Louisiana. A batture is a river embankment that is formed by the deposit of alluvial soil along a levee. Edward Livingston owned a property next to the Batture St. Marie, which he claimed as part of his property. When he attempted to improve it, the people of New Orleans objected. They claimed that battures were common property because they stood beyond levee walls and were thus part of the Mississippi. They appealed their case to the federal government, and the attorney-general decided in their favor. President Jefferson, who took a personal interest in the case, influenced the attorney-general's decision. Livingston sued successfully for damages and a restoration to possession in the Federal court of New Orleans. He also brought an additional suit against Jefferson, who had recently left office. At this point Jefferson circulated a pamphlet that attacked Livingston. The present item is a response to Jefferson. Du Ponceau was a lawyer working on Livingston's case. An important figure in the early history of American law and letters, Du Ponceau was born and educated in France and trained as lawyer in Philadelphia. A leader of the Philadelphia Bar, he founded the Law Academy of Philadelphia in 1821, was President of the American Philosophical Society and was



N° 28



N° 29

a much-consulted expert on international relations and linguistics. OCLC locates 2 copies in law libraries (Louisiana State University, US Supreme Court). Cohen 11682.

FINANCING THE CHURCHES OF ENGLAND AND WALES

## 29 ECTON, JOHN [D.1730].

*Thesaurus Rerum Ecclesiasticarum. Being an Account of the Valuations of All the Ecclesiastical Benefices In the Several Dioceses in England and Wales, As They Now Stand Chargeable With, Or Lately were Discharged From, The Payment of First-Fruits and Tenths. To Which are Added the Names of the Patrons, And Dedications of the Churches. To the Whole are Subjoin'd, Proper Directions and Precedents Relating to Presentation, Institution, Induction, Dispensations, &c.*

London: Printed for J. and P. Knapton, S. Birt [et al.], 1754. xl, 704 pp. Folio (10-1/4" x 8-1/2").

Contemporary calf, blind rules to boards, rebacked retaining existing spine with raised bands and lettering pieces, a few repaired scuffs to boards, upper corners mended, hinges reinforced with cloth tape. Moderate rubbing to boards, corners bumped and somewhat worn, signatures c and d (pp. xvii-xxxii) partially detached, crack in text block between pp. 698-699. Some toning to text, spotting to a few leaves, internally clean. \$150.

"SECOND" EDITION, ACTUALLY THE FIFTH. First published in 1711 as *Liber Valorum et Decimarum*, this is a list of all of the churches in England and Wales and their sources of income. In most cases extracts from procurations, synodals and decrees creating sources of income are included. Our 1754 edition is the second to bear the title *Thesaurus Rerum Ecclesiasticarum*. Later editions were published in 1763, 1785 and 1786, the final two editions with the title *Liber Regis, Vel Thesaurus Rerum Ecclesiasticarum*. ESTC T136240.

30 [FLORENTINUS, PAULUS (PAULO) ATTAVANTI (c.1445-1499)].

[*Breviarium Totius Iuris Canonici, Sive Decretorum Breviarium*].

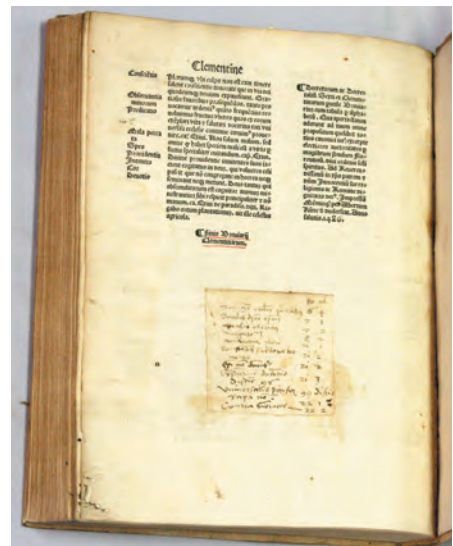
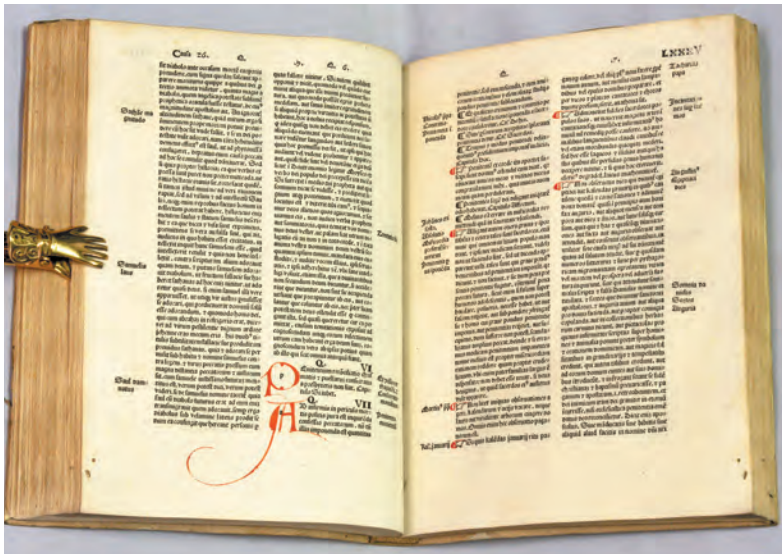
[Memmingen: Albrecht Kunne, 1486]. [IV], CXXIX ff. Last leaf, a blank, lacking. Woodcut portrait frontispiece of author. Collation: [A4, B10, C-N8, O10, P8, Q5 (of 6)]. Text in parallel columns with side-notes. Chancery folio (9-1/2" x 7-1/4").

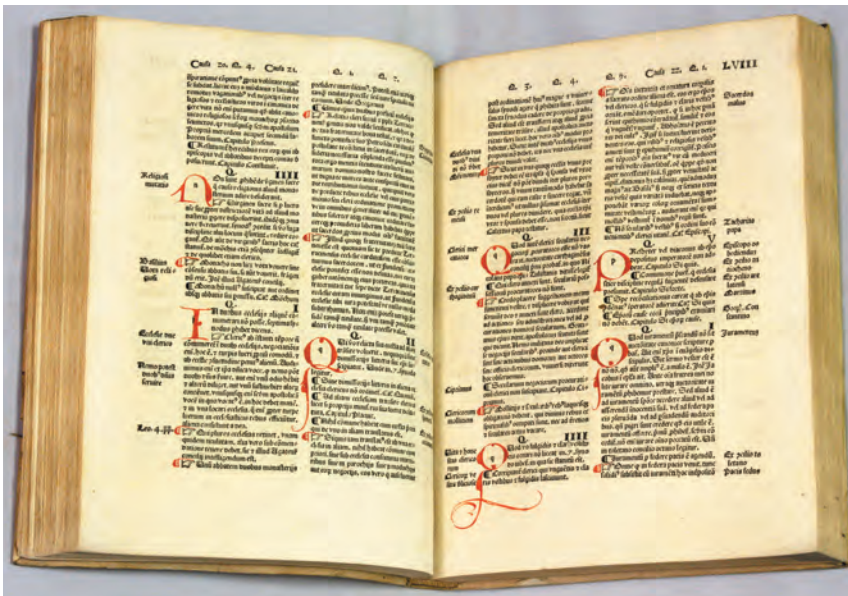
Seventeenth-century flexible vellum, blind rules to boards and spine, ties lacking. A few minor scuffs, a bit of staining and a few worm holes to front board, light rubbing to extremities, chip to head of spine. Text printed in 50-line Gothic type on wide-margined paper, rubricated throughout with Lombard ranging from 4 to 10 lines, many with handsome penwork. Light toning to text, faint dampstaining to head of first 11 and fore-edges of final 16 leaves, minor, often very minor, worming to foot of text block. Later annotations in pencil to front endleaves, early annotations and underlining to a few passages, 2-1/2" x 2-1/2" sheet of notes in early hand affixed to foot of verso of final leaf. A handsome copy. \$15,000.

THIRD EDITION, and the first of two editions published by Kunne. This edition of the *Breviarium Totius Iuris Canonici*, an elegant summary of the *Corpus Iuris Canonici*, was the first book printed in Germany with an author portrait. It is a reprint, with some differences in appearance, of the first edition, which was printed in Milan by Leonardus Pachel and Ulrich Scinzszeler on August 28, 1479. The woodcut in that edition was copied from another work of Paulus Attavanti, the *Quadragesimale* (Milan, September 10, 1479). This was the first book to feature an author portrait. In both the original portrait and its later copies, the initials under the figure identify the subject as "Magister Paulus Florentinus Ordinis Sancti Spiritus." A member of the humanistic circle associated with Lorenzo de' Medici and Marsilio Ficino, Paulus was praised for his culture and eloquence. OCLC locates 9 copies in North America, 2 in law libraries (Harvard, UC-Berkeley). Goff P180. GW M30141.

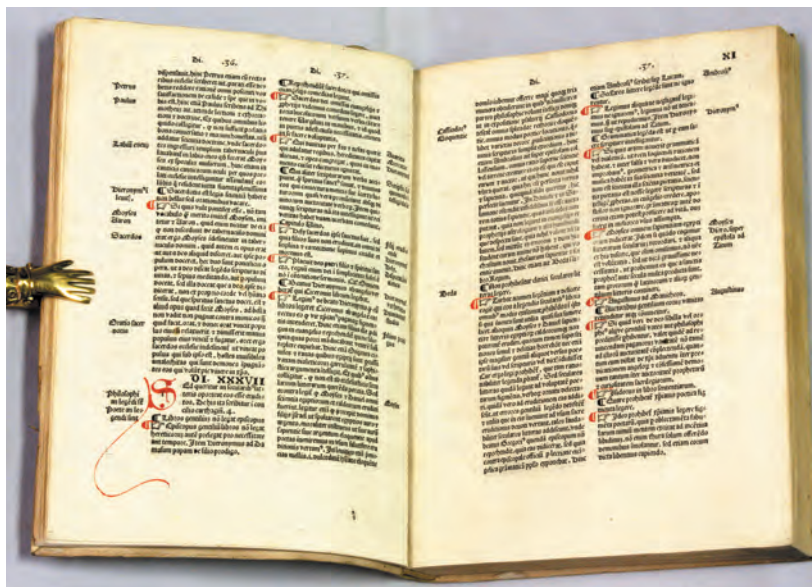


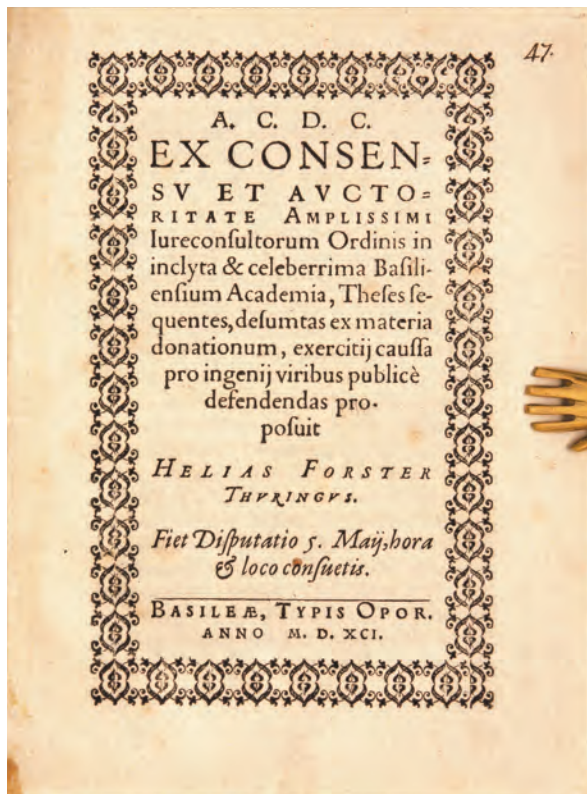
Details from N° 30





Details from N° 30





N° 31

A RARE THESIS ON DONATIONS

## 31 FORSTER, ELIAS.

*Theses Sequentes, Desumpas ex Materia Donationum, Exercitij Caussa pro Ingenij Viribus Publice Defendendas Proposuit Helias Forster.*

Basel: Oporinus, 1591. [16] pp. Small quarto (7-1/2" x 5-1/2").

Side-stitched pamphlet bound into recent paper-covered boards. Title printed within typographical border, large woodcut historiated capital at beginning of text, woodcut tail-piece. "47" in small early hand to head of title page, interior notably fresh. Ex-library. Small shelf label to foot of spine. A notably clean copy of a rare title in an attractive binding. \$500.

ONLY EDITION of a legal dissertation in which the author, a native of Thüringen, defends 40 Theses at the University of Basel concerning the various categories of donations, including legacies, endowments, and "donatio mortis causa," that is, a deathbed gift, or a future gift made in expectation of the donor's imminent death. Not listed in *VD16*; No copies listed on OCLC, the *USTC* locates 1 copy (University of Basel). *USTC* 709849.

LEGAL CHRONICLE OF A CRUCIAL YEAR  
 OF THE FRENCH REVOLUTION

## 32 [FRENCH REVOLUTION].

*Suite de L'Almanach National, Contenant Toutes les Loix sur les Décrets de l'Assemblée Nationale, Dupuis la Proclamation du Roi, Pour le Service des Messageries Nationales, Coches & Voitures d'Eau, Jusques & Compris la Loi Relative au Traitement des Curés Supprimés.*

*Vingtième Partie [April 10–May 15, 1791].*

Dijon: De l'Imprimerie de P. Causse, 1792. [ii], 188 pp.

[BOUND WITH]

*Suite de L'Almanach National... Vingt-Unième Partie [May 13–June 1, 1791].*

Dijon: De l'Imprimerie de P. Causse, 1792. [ii], 188 pp. Lacking pp. 39–46.

[AND]

*Suite de L'Almanach National... Vingt-Deuxième Partie [June 1–June 28, 1791].*

Dijon: De l'Imprimerie de P. Causse, 1792. [ii], 188 pp.

[AND]

*Suite de L'Almanach National... Vingt-Troisième Partie [June 28–July 20, 1791].*

Dijon: De l'Imprimerie de P. Causse, 1792. [ii], 200 pp.

12mo.(5-1/2" x 3-1/4"). Contemporary speckled calf, gilt title to spine, speckled edges. Light rubbing to extremities, corners lightly bumped, minor worming to hinges and endpapers. Light toning to text, a few minor tears and chips, a few leaves loose. Brief early annotations to a few leaves, interior otherwise clean. \$350.

PRINTED IN DIJON, the *Almanach National* was a revolutionary-era serial that provided provincial citizens with the latest laws and other legislation from the French government (with a bit of a time lag). Taken together, its volumes offer an almost daily chronicle of the revolution. Our volume covers the period from April 10, 1791 to July 22, 1791. This period witnessed several key events, such as the abolition of trade guilds (June 14), the suspension of King Louis XVI from his duties (July 15) and the passage of the sedition act (July 18). The *Almanach* also shows that, despite the revolution, a good deal of government's effort was devoted to toll collection, pensions and other bureaucratic matters.



N° 32



A MEDIUM FROM UPSTATE NEW YORK REPORTS A "CELESTIAL" TRIAL AND A REPORT FROM THE SPIRIT OF DANIEL WEBSTER

### 33 FULLER, JOHN.

*Reports from the Celestial Court, Representing a Grand Trial Between the God of Nature and a Supposed Deceitful Being, In which an Accusation is Brought for Robbery. Also, The Proceedings of a Celestial Convention, Called to Settle Old Claims. Transmitted on the Celestial Telegraph by the Spirit of Daniel Webster, And Others.*

Rochester, NY: Heughes, Printer, 1853. 144 pp. 12mo. (6-1/2" x 3-3/4").

Contemporary cloth, blind stamped frames to boards, gilt title and blind rules to spine. Light rubbing to extremities, corners and spine ends bumped, some fading to spine. Moderate toning, light foxing in places, minor dampspots to edges of a few leaves. A nice copy of a scarce title. \$450.

ONLY EDITION. Fuller, a farmer from Elba, New York, claims to have the ability to receive messages from "a country which all are destined to inhabit" through "spiritual communion." Fuller's account of a celestial trial and his lengthy message from the late Daniel Webster all tend to suggest that hell does not exist and that Progressive Protestantism is the ideal path on earth. OCLC locates 8 copies (American Antiquarian Society, Harvard, McMaster University, New York Public Library, Rochester Public Library, University of Rochester, UCLA, University of Michigan).

SCARCE EIGHTEENTH-CENTURY TREATISE FOR PARISH OFFICERS AND SURVEYORS OF HIGHWAYS

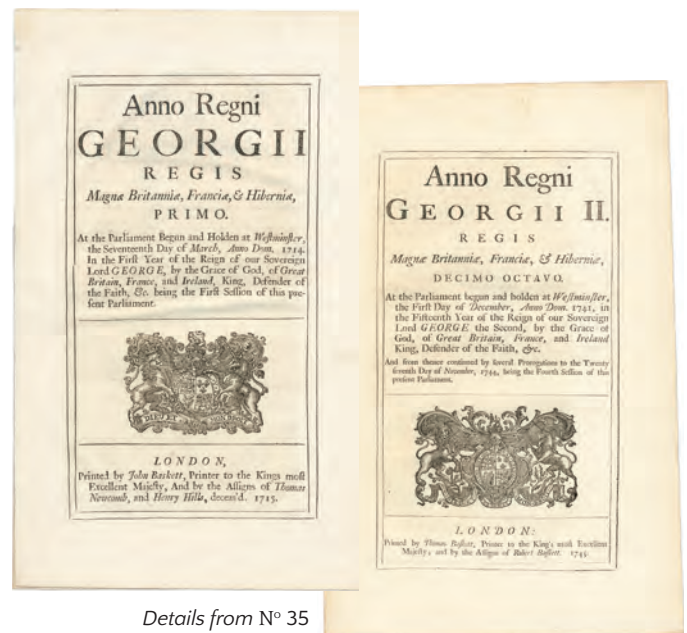
### 34 GENTLEMAN OF THE MIDDLE TEMPLE.

*The Universal Parish-Officer, Containing All the Laws Now in Force, Relating to Parish Business, Rang'd in Alphabetical Order. Very Proper for Attornies, Constables, Churchwardens, Justices, Overseers of the Poor, Surveyors of the Highways, And all Persons in Office, Who Would Gain a Competent Knowledge of this Branch of the Law, So as to Enable Them to Discharge their Respective Duties with Ease and Expedition.*

[London]: Printed by Catherine Lintot, Law-Printer to the King's Most Excellent Majesty, 1759. [iv], 258 pp. Lacking index, the final 20 pp. 12mo. (6-1/2" x 4").

Contemporary sheep, blind rules to boards, blind fillets along joints, raised bands to spine. A few minor scuffs and nicks, some rubbing to extremities, corners bumped and somewhat worn, minor wear to spine ends, front joint just starting at head, hinges cracked. Some toning to text, edgewear to some leaves, a few leaves have creases and minor stains. Early owner signature to front free endpaper, interior otherwise clean. \$100.

FIRST EDITION. Arranged alphabetically, this is a handbook for highway and parish officers. Later editions, titled *The New Universal Parish Officer* were published in 1764, 1767, 1771, 1774. It is attributed sometimes to Timothy Cunningham. The first edition is very scarce. OCLC locates 3 copies in North America, 2 in law libraries (Louisiana State University, UC-Berkeley). ESTC T123367.



Details from N° 35

REVISING THE PIRACY ACT OF 1698

### 35 [GREAT BRITAIN]. [PARLIAMENT]. [PIRACY].

*[An Act to Prevent Disturbances by Seamen, And Others; And to Preserve the Stores Belonging to His Majesties Navy Royal; And Also for Explaining an Act for the Better Preventing the Imbezelmnt of His Majesties Stores of War; And Preventing Cheats, Frauds, And Abuses in Paying Seamens Wages; And for Reviving and Continuing an Act for the More Effectual Suppression of Piracy]* [drop-head title].

London: Printed by John Baskett, Printer to the Kings Most Excellent Majesty, 1715. [iii], 445-452 pp.

[AND]

[GREAT BRITAIN].  
[PARLIAMENT].  
[PIRACY].

*[An Act to Amend an Act Made in the Eleventh Year of the Reign of King William the Third, Intituled, An Act for the More Effectual Suppression of Piracy]* [drop-head title].

London: Printed by John Baskett, Printer to the Kings Most Excellent Majesty, 1745. [ii], 659-662 pp.

Small folio (12-1/4" x 7-3/4"). Stab-stitched, light toning, spines reinforced with archival tape. Woodcut arms of Great Britain to title page, internally clean. \$250.

ONLY EDITIONS (IN THIS FORM). Passed in 1700, the 1698 "Act for the More Effectual Suppression of Piracy" (11 Will. 3 c. 7) revised the laws treating piracy for the first time since 1536. It stated that pirates could be tried outside of England, dispensed with juries and established piracy as a capital offense. The acts of 1715 and 1745, were revisions of the original act. Bibliographically distinct, these two items are printings of session laws issued under general title pages beginning *Anno Regni Georgii Regis Magnae Britanniae, Franciae, & Hiberniae, Primo* and *Anno Regni Georgii II. Regis Magnae Britanniae, Franciae, & Hiberniae, Decimo Octavo*. ESTC N53679, N52063.

SCARCE GERMAN TREATISE ON COMMERCE WITH ISLANDS

## 36 GRYPHIANDER, JOHANN [1580-1652].

*De Insulis Tractatus ex Ictis Politicis Historicis, Et Philologis Collectus, Ut Omnibus Hisce Usui Esse Possit in quo Plurimae Cognatae Quaestiones de Mari Fluminib., Lacubus, Littoribus, Portibus, Aquaeductibus, Aggeribus, Navigationibus, Alluvionis Aequae Incremento, Etc. Excutiuntur.*

Frankfurt: Apud Petrum Kopffium, [1624]. [xii], 542. [29] pp. Copperplate pictorial title page. Quarto (8-1/2" x 6-1/2").

Later vellum, calf lettering piece to spine, endpapers renewed. Negligible light soiling, boards slightly bowed, a few leaves re-hinged, small later bookseller stamp to front pastedown, two partial cracks to text block. Browning to text without loss to legibility, minor worming in a few places, recent repairs to a few leaves. Later owner signature to foot of title page, brief annotations in an early hand to a few leaves, interior otherwise clean. A nice copy of a very scarce title. \$950.

ONLY EDITION. An interesting treatise on laws concerning inland and oceanic maritime commerce with islands according to Roman law and the law of the Holy Roman Empire. The handsome frontispiece depicts several images associated with river and oceanic shipping: the gods Neptune and Aeolus, the Colossus of Rhodes and figures representing four major rivers of the Holy Roman Empire: the Rhine, Danube, Elbe and Weser. OCLC locates 5 copies in North America, 2 in law libraries (Columbia, Northwestern). VD17 1:013962B.



N° 36



N° 37

THE LAWYERS OF COLUMBIA COUNTY, NEW YORK,  
REACT TO THE DEATH OF ALEXANDER HAMILTON

## 37 [HAMILTON, ALEXANDER (1755/57-1804)].

"The Knell" in *The Balance and Columbian Repository*, No. 29, Vol. III.

Hudson, NY, Tuesday, July 17, 1803 [i.e. 1804]. [8] pp.

10-3/4" x 8-1/2" disbound periodical, three-column text to rectos and versos, small text woodcuts. Light edgewear, light browning and foxing, few leaves loose. \$850.

THIS ISSUE HAS A 4-1/2" X 3-1/2" NOTICE titled "The Knell." It is enclosed by black borders and features a woodcut of a grave site (and an allegorical setting sun). The text reads (in part): "At New-York, on Thursday last, of a wound received the morning previous, in a duel with Col. Burr, Gen. ALEXANDER HAMILTON. We are not enabled to add particulars, nor are we disposed to offer any reflections on this melancholy event, at present. (...) The gentlemen of the bar, who were attending the Circuit at Claverack, on hearing the confirmation of the above intelligence, unanimously agreed to wear a crape [sic] on the left arm for one month, as a token of their regard for General Hamilton."

FRIENDLY LETTER FROM HAND TO WALTER LIPPMANN  
REGARDING SOCIALISM  
AND THE (OFTEN DREARY) LIFE OF A JUDGE

A HANDY COLLECTION OF PRECEDENTS  
FOR ENGLISH JUSTICES OF THE PEACE

38 HAND, LEARNED [1872-1961].  
[LIPPMANN, WALTER (1889-1974)].

[Typed Letter, Signed, To Lippmann, On U.S. District Court  
Letterhead, June 10, 1914].

Two 10-1/2" x 8" sheets. Some toning, fold lines, two vertical and one horizontal, a few minor corrections by Hand, letter signed L. H. \$1,250.

A FRIENDLY LETTER from one of the most significant American jurists of the twentieth century to one of its most influential journalists. Hand, a judge of the U.S. Southern District of New York, later a judge of the Court of Appeals, Second Circuit, was renowned for his judgments, which were also admired for their lucidity and elegance. Lippmann, a writer, reporter, editor and syndicated political commentator, was a highly influential figure in political life and one of the first to introduce the concept of the Cold War. In this letter Hand touches on social matters, mentioning that "Felix [Frankfurter] is back in town," and laments, humorously, the drudgery faced by judges, "most of whose living hours are consumed in reading testimony. I now see why people in former times went to such extravagances in telling judges what great men they were. If they had not baited the hook in some such way the poor suckers would never have bitten." He also teases Lippmann for joining the Socialist Party and defends his allegiance to Progressivism: "I do not like your political sneers and I do not think they are sincere. My Progressive flag is nailed to the mast and I propose to play the Star Spangled Banner while the ship sinks. My position in the band is to beat the bass drum softly. I don't know what position you have in the Socialist Party; I suspect it is in the last line of the water carriers, with a distinct tendency to desert, at that." As the tone of this letter indicates, Hand and Lippmann were good friends, and would remain so until Hand's death in 1961.

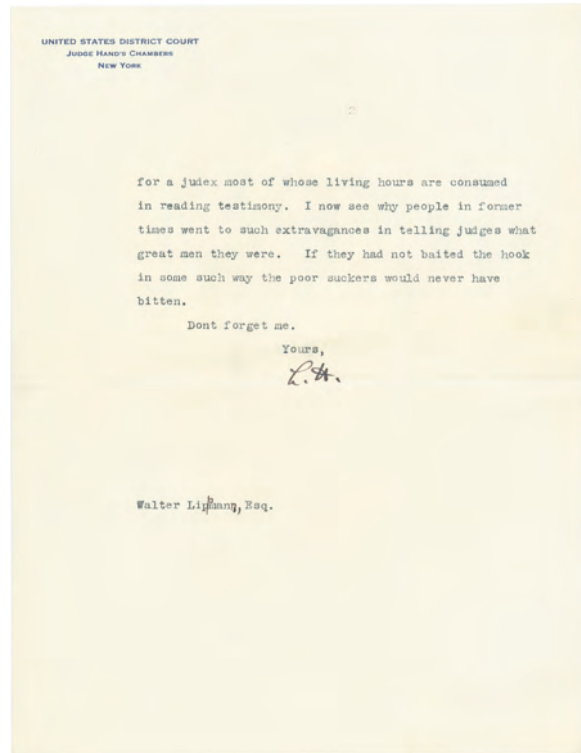
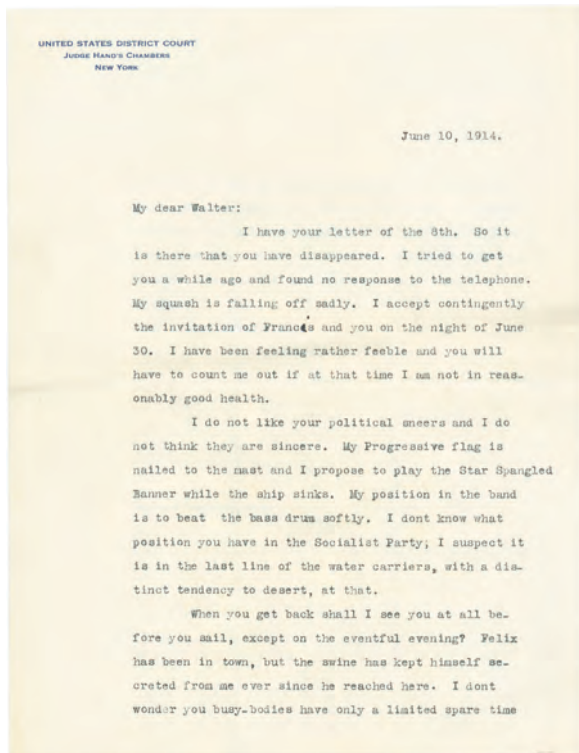
39 HARVEY, JAMES.

*A Collection of English Precedents, Relating to the Office of a Justice of Peace, Consisting of Summonses, Orders, Warrants, Recognizances, Informations, Examinations, Passes, Settlements, And Other Instruments; With References to the Statutes, And Other Authorities, On Which they are Founded. In an Alphabetical Order. With Large Additions: To Which are also Added Some Observations on the Commission, And an Abstract of the Late Acts of the Fifth and Eighteenth of George II. Containing the Qualifications of a Justice of Peace; With Great Variety of New Warrants, &c. On Such Statutes as Have Been Made Since the First Impression.*

[London]: Printed by Henry Lintot, And Sold by J. Shuckburgh, 1752. vi, 371, [31] pp. 12mo. (6-1/2" x 4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine. A few minor scuffs to boards, moderate rubbing to extremities, wear to head of spine, joints just starting at ends, corners bumped, hinges starting. Some toning to text, light foxing to a few leaves. A handsome copy. \$300.

THIRD AND FINAL EDITION. First published in 1730 as *A Collection of Precedents Relating to the Office of a Justice of Peace* this is a useful collection of precedents organized alphabetically by topic. The preface and following chapter offer a good deal of interesting detail about justices and their place in the English judicial system. All editions of this title are scarce. OCLC locates 5 copies of the third edition in North American law libraries (Harvard, University of Michigan, University of Minnesota, Yale). ESTC N5614.



Details from N°38

## 40 [HAYES, CATHERINE HALL (1690–1726)].

*A Narrative of the Barbarous and Unheard of Murder of Mr. John Hayes, by Catherine His Wife, Thomas Billings, and Thomas Wood, On the 1st of March at Night. Wherein Every Minute Circumstance Attending that Horrid Affair, And the Wonderful Providence of God in the Discovery of the Actors Therein, Are Faithfully and Impartially Related. Together with the Examinations and Confessions of the Said Thomas Billings and Thomas Wood before Several of His Majesty's Justices of the Peace. As also the Copy of a Fictitious Letter that Catherine Hayes Sent, As from her Husband, To his Mother in Worcestershire After his Death; And the Mother's Answer Thereto: With some Account of the Wicked Life and Conversation of the Said Catherine, And Likewise of Those of Thomas Billings and Thomas Wood. To Which is Prefix'd, Their True and Exact Effigies, Drawn from the Life, And Curiously Engraved on Copper. Published with the Approbation of the Relations and Friends of the Said Mr. John Hayes.*

London: Printed and Sold by Thomas Warner, 1726. 32 pp. Copperplate frontispiece of the murderers with the victim's corpse and severed head.

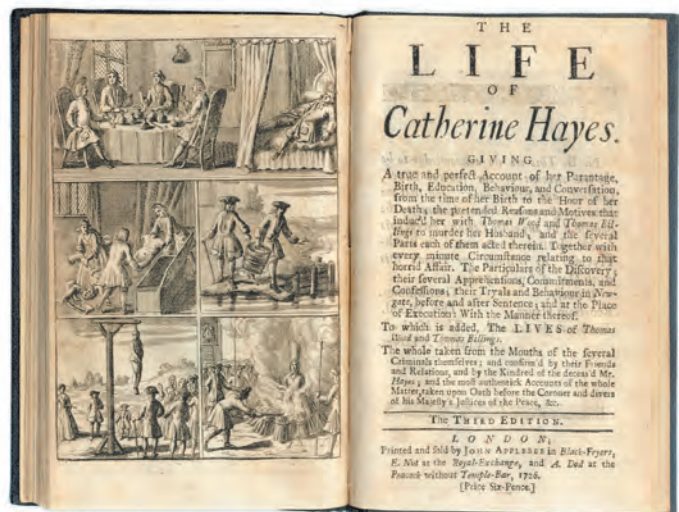
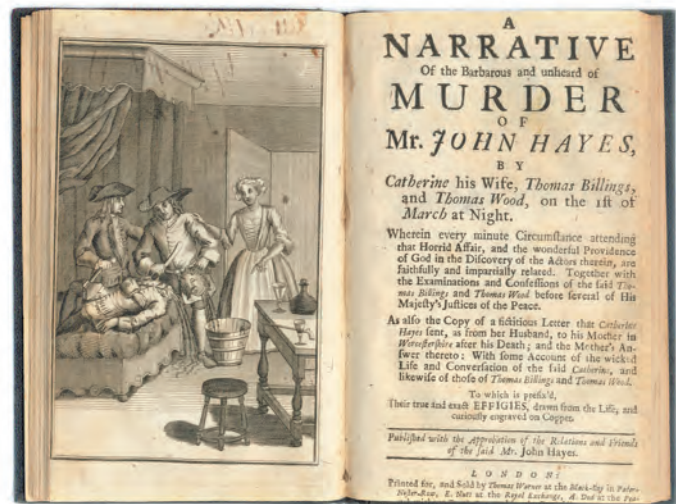
[BOUND WITH]

[HAYES, CATHERINE HALL].

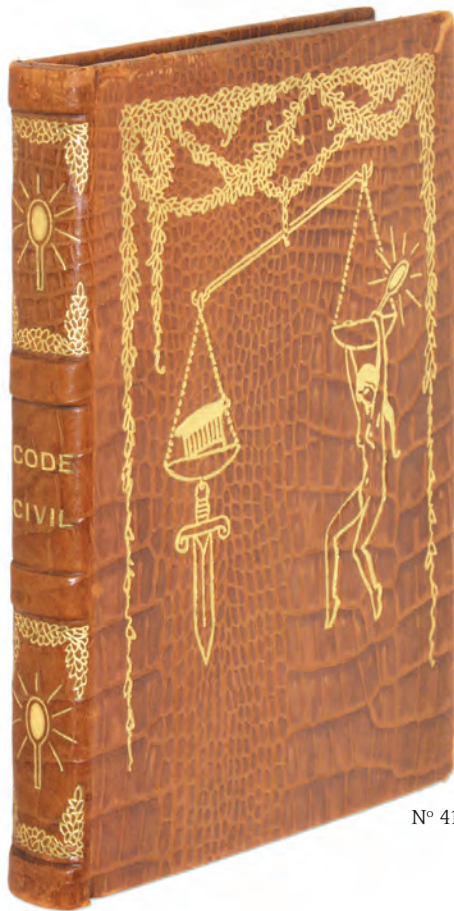
*The Life of Catherine Hayes. Giving a True and Perfect Account of Her Parantage [sic], Birth, Education, Behaviour, And Conversation, From the Time of Her Birth to the Hour of Her Death; The Pretended Reasons and Motives that Induc'd her with Thomas Wood and Thomas Billings to Murder her Husband; And the Several Parts Each of Them Acted Therein. Together with Every Minute Circumstance Relating to That Horrid Affair. The Particulars of the Discovery; Their Several Apprehensions, Commitments, And Confessions; Their Tryals and Behaviour in Newgate, Before and After the Sentence; And at the Place of Execution: With the Manner Thereof. To Which is Added, The Lives of Thomas Wood and Thomas Billings. The Whole Taken from the Mouths of the Several Criminals Themselves; And Confirmed by their Friends and Relations, And by the Kindred of the Deceas'd Mr. Hayes; And the Most Authentick Accounts of the Whole Matter, Taken upon Oath Before a Coroner and Divers of His Majesty's Justices of the Peace, &c.*

London: Printed and sold by John Applebee, E. Nut, and A. Dod, 1726. 40 pp. Copperplate frontispiece depicting scenes of the murder and its aftermath.

Octavo (7" x 4-1/2"). Recent period-style quarter calf over marbled boards, gilt titles to spine. Moderate toning, light soiling and minor dampstaining in a few places, title page of *Narrative* trimmed with some loss of text at foot. Early ink scrawls to verso of frontispiece of *Narrative* with a bit of bleed-through, interior otherwise clean. \$2,800.



*NARRATIVE*: FIRST EDITION; *LIFE*: THIRD EDITION. Catherine disposed of her husband with the help of two lovers. The titles in our volume went through several editions. All are scarce. Including all editions, OCLC locates 9 copies of *Narrative*, 2 in a law library (UT-Austin, University of Missouri) and 3 of *Life*, 1 in a law library (University of Missouri). ESTC T224871, N33585.



N° 41

HEMARD'S VIEW OF FAMILY LAW IN AN EXTRAORDINARY BINDING

41 HÉMARD, JOSEPH [1880-1961], 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 Minorité. XI. De la Majorité.*

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

Original publisher stiff wrappers bound into alligator-stamped calf, front board features a large gilt vignette depicting a nude women dangling from the scales of justice below an elaborate laurel band, the rear a gilt crutch upon a laurel wreath, raised bands, gilt ornaments, depicting mirrors surrounded by laurel, and gilt title to spine, marbled endpapers, gilt top-edge, deckle for and bottom edges, spine from wrappers tipped-in to rear endleaf. Light rubbing to extremities, tiny scuff to upper corner of front board, small bookseller ticket to verso of front free endpaper. Very light toning to text, somewhat heavier along fore-edges, vivid illustrations, internally clean. \$1,500.

FROM AN EDITION LIMITED TO 900 COPIES, this is number 512. Hémard presents the official text of the sections of the French Civil Code dealing with family law with witty, and often mildly erotic, color pochoir illustrations. Hemard applied this treatment to two other legal works *Code Penal* (1940) and *Code Général des Impôts Directs et Taxes Assimilées* (1944). Hemard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books.



Details from N° 41



A WITTY (AND VERY FRENCH) VIEW OF FAMILY LAW

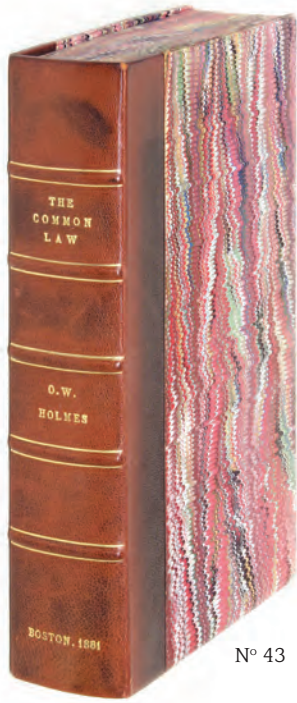
42 HÉMARD, JOSEPH, ILLUSTRATOR.

*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 Minorité. XI. De la Majorité.*

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

Original publisher stiff wrappers with protective tissue-paper wrapper, untrimmed edges. Binding slightly cocked, light shelfwear, some fading to spine, minor wear to spine ends. Light toning to text, vivid illustrations, internally clean. \$350.

FROM AN EDITION LIMITED TO 900 COPIES, this number 492.



N° 43

FIRST EDITION OF *THE COMMON LAW*  
IN A HANDSOME CLAMSHELL BOX

#### 43 HOLMES, OLIVER WENDELL, JR. [1841-1935].

##### *The Common Law.*

Boston: Little, Brown, And Company, 1881. [i]-xvi, 422 pp. Octavo (8" x 5-1/4").

Original maroon pebbled cloth, blind double frames to boards, gilt title to spine, triple gilt rules at spine ends. Light rubbing to boards, early repairs (?) to a few tiny scuffs on rear board, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, front hinge partially cracked. Light toning to text, finger smudges to a few leaves. Book housed in recent quarter morocco clamshell box with marbled boards, gilt edged raised bands and gilt title to spine. An appealing copy in a handsome box. \$1,250.

FIRST EDITION, PRESUMED FIRST ISSUE (two-line printer statement at foot of the title page, verso, reading "University Press:/ John Wilson and Son, Cambridge and a one-line statement to foot of p. 422 reading "University Press: John Wilson & Son, Cambridge"). As Friedman points out, "*The Common Law* was easily the most distinguished book on law by an American published between 1850 and 1900." In contrast to earlier Anglo-American jurists, and the reigning positivist ethos of the nineteenth century, Holmes proposed that the law was not a science founded on abstract principles but a body of practices that responded to particular situations. This functionalist interpretation led to his radical conclusion that law was not discovered, but invented. This radical theme is announced at the beginning of Lecture I: "The life of the law has not been logic: it has been experience" (1). Winfield observes that Holmes's "brilliant exposition, as effective on English scholarship and legal thinking as on American, of the true nature of law both as a development from the past and an organism of the present, blew fresh air into lawyer's minds encrusted with Blackstone and Kent." It went on to become a decisive influence on sociological jurisprudence, legal realism and the general development of Anglo-American law in the twentieth century. Luttrell, "Oliver Wendell Holmes and *The Common Law*," Meyer Boswell Books, Inc., *Rare and Unusual Law Books* 2. Friedman 544. Winfield 38. Grolier Club Exhibition 84.

See page 3 for additional images.



IMPORTANT COMMENTARIES ON PAPAL DECREES  
ENHANCED WITH EXCELLENT NOTES

- 44 INNOCENT IV [1195-1254], POPE.  
ROSELLI, LUCIO PAOLO [D. 1552], ANNOTATIONS.  
UBALDI, BALDO DEGLI [1327?-1400], COMMENTARY.  
LEGGI, LEONARDO [FL. C.1550-1580], COMMENTARY.

*In V Libros Decretalium, Commentaria, Ad D.L. Paulo Rosello Adnotationibus, Summariisque Quibusdam in Locis ab Hinc Multos Annos Ornata. Nunc Verò M. D. Leonardi à Lege Iuricon. Mantuani Diligentiori Studio Recognita, Atque ab Innumeris Erroribus, Quibus Summi Viri Depravata Passim & Mutila Ubique se Deprehendisse Conquerabantur, Tam in Textu, Quàm in Allegationibus Integritati Suae Restituta: Novis Rerum Omnium Notabilium Summis Amplius Duobus Millibus in Locis, In Quibus Deerant, Atque Additionibus Eiusdem Illustrata, Ne Indignè sub Soelicibus Tqanti Hominis Auspiciis in Publicam Prodirent Utrilitatem.*

Venice: [Apud Bernardinum Maiorinum Parmensem], 1570. [xvi], 684; [92] pp. Two parts, each with title page. Part II has title beginning: *Margarita, Baldi de Ubaldis Doctoris Eminentissimi iam Aliquot Annos ad Innocentii IIII. Pont. Max.* Main text in parallel columns. Folio (12" x 8-1/2").

Contemporary flexible vellum with lapped edges, early hand-lettered title and somewhat later small hand-lettered label to spine, ties lacking. Some rubbing to extremities, corners and spine ends bumped, a few minor stains and spots, light soiling to spine. Light toning to text, light foxing and faint dampspotting to a few leaves. A handsome copy of a scarce title. \$1,500.

FIRST EDITION (IN THIS FORM). Innocent IV, pope from 1243 to 1254, was one of the most dynamic and influential leaders of the medieval period. He began his career as a lawyer. Educated in law at the Universities of Parma and Bologna, where he may have taught after finishing his studies, he went on to a career as a church official and was considered to be one of the finest canonists of his time. His *Commentaria*, also known as the *Apparatus in Quinque Libros Decretalium*, is an influential commentary on papal decrees in the books of the *Corpus Juris Canonici*. Our 1570 edition is enhanced by the commentary of Roselli and the appended interpretive summary/index by Ubaldi, which includes notes by Legge. A second edition was published in 1571. Both editions of this work are scarce. OCLC locates 6 copies of the first edition in North America (Catholic University of America, Cornell, Emory University, University of Illinois, University of Louisville, Northwestern University Law School, University of Wisconsin). EDI716 CNC43060.

BEST EDITION OF JACOB'S JP MANUAL  
BOUND WITH THE NEW APPENDIX

45 JACOB, GILES [1686–1744].

*The Modern Justice: Containing the Business of a Justice of Peace, In All its Parts. As an Abridgment of the Common Law, And of All the Acts of Parliament Relating to Justices of Peace, Constables, and Other Parish Officers Under Them, Compleat Down to this Time; And Some Special Law-Cases to Illustrate the Same. With Great Variety of the Most Authentick Precedents of Precepts, Summons, Warrants, Examinations, Commitments, Indictments, &c. Regularly Interspersed, Fitting all Occasions for Putting of the Laws in Force. Also the Chairman's Charge in the Quarter-Sessions; Proceedings in Trying of Criminals, Motions and Trials of Causes Relating to Settlements, &c. And the Particular Power of Mayors, Given by Statute, with Precedents of Warrants, &c. in all Cases. To Which are Added, A Concise Account of the Constitution and Government of a Considerable Workhouse for Employing of the Poor Within the City of Bristol. An Alphabetical Table Shewing what Acts of Parliament do Concern the Business of a Justice. And a Compleat Table to the Whole. Corrected, Improv'd, and Continued to this Present Year, 1720.*

[London]: Printed by Eliz. Nutt and R. Gosling, 1720. [viii], 502, [42] pp.

[BOUND WITH]

JACOB, GILES.

*A New Appendix to The Modern Justice: Containing Continuations of Statutes Relating to Justices of Peace to the Year 1722. And the End of the Last Parliament. Particularly Concerning the Customs, And Running of Goods, Robberies and Transportation of Felons, The Act Prohibiting the Wear of Callicoes, The Quarentine Acts for Prevention of the Plague, The Act for Preventing Forgery Relating to the Stocks, and for the Better Preservation of the Game, &c. And Also The Manner of Convictions, For All Kinds of Offences: And the Discretionary Power of Justices in all Cases, Given by Statute. With Proper Precedents Under the Several Heads.*

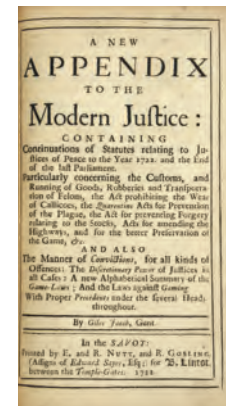
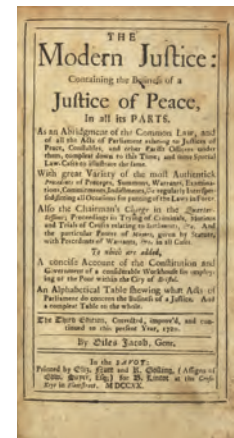
[London]: Printed by E. And R. Nutt, And R. Gosling, 1722. [iv], [3]–48, 33–60, [22] pp. With an additional inserted gathering, paginated 33–48, containing "The Game-Laws in Alphabetical Method." Includes 22-page publisher catalogue. Complete.

Octavo (7-1/2" x 4-1/2"). Contemporary paneled calf, rebacked in period style, blind rules to board, blind fillets along joints, raised bands and lettering piece to spine, endpapers renewed. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, corners bumped and worn. Moderate toning to text, light foxing in a few places, some soiling to title page. Nice copies in a handsome binding. \$950.

MODERN JUSTICE, THIRD, FINAL AND MOST complete edition; *New Appendix*, first edition. The first edition appeared in 1717. It was reissued in 1718 with new preliminaries. In the third edition Jacob has "continued the statutes to the present year; added many new entire heads and precedents never before printed; a very great number of references, and variety of cases and resolutions in the superior courts" (preface). He also added about 100 pages of new material. One of the most interesting features is the detailed six-page description of the workhouse at Bristol.



Details from N° 45



It forms part of a full chapter devoted to the Poor Law (pp.324–348). The first version of the supplemental work was published in 1718 as the *Appendix*. The *New Appendix*, which is included in our copy, had a second and final edition in 1729. All editions of the *Modern Justice* are scarce; all editions of the (*New*) *Appendix* are rare. OCLC locates 4 copies of the 1722 *New Appendix* in North American law schools (Columbia, University of Michigan, University of Pennsylvania, Yale). ESTC T136996, T136997.

THE LIFE OF SIR EDWARD COKE

46 JOHNSON, CUTHBERT WILLIAM [1799–1878].

*The Life of Sir Edward Coke, Lord Chief Justice of England in the Reign of James I. With Memoirs of His Contemporaries.*

London: Henry Colburn, 1837. Two volumes. xvi, 368; viii, 493, [3] pp. Includes 3-page publisher catalogue. Portrait frontispiece. Octavo (8-1/4" x 5-1/2").

Original paper-covered boards, printed paper title label to spine, deckle edges. Light soiling, moderate rubbing to extremities, a bit of chipping to spine ends, corners bumped and lightly worn, joints of Volume II just starting at ends. Very light toning to text, light foxing in some places. Early owner signature in pencil to front pastedown of each volume, interior otherwise clean. \$200.

SECOND EDITION. A dramatic, charmingly Victorian account first published in 1835, treating among other things Coke's rivalry with Francis Bacon and his conflicts with James I (the supremacy of the common law) and Charles I (the Petition of Right). Its third and final edition was published in 1845. Marvin 425.

EARLY GODEFROY EDITION OF THE CORPUS JURIS CIVILIS

- 47 JUSTINIAN I (483–565 CE), EMPEROR OF THE EAST.  
GODEFROY, DENIS [1549–1622], EDITOR.

*Corpus Iuris Civilis A Dio. Gothofredo I.C. Recognitum.*

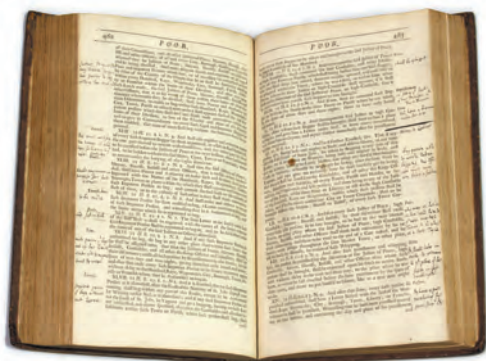
[Geneva]: Excudebat G. Laemarius Impensis Haer. Eust. Vignon & I. Chouet, 1598. [xxxvi] pp., 1882 cols.; [32] pp., 872, 614 cols.; [12] pp. Main text in parallel columns. Two volumes in one book, each with title page and individual pagination. Quarto (8-1/4" x 5").

Contemporary paneled pigskin, raised bands and early hand-lettered titles to spine and fore-edge, ties lacking. Soiled, a few minor inkstains, moderate rubbing to extremities, wear to top-edge of rear board, a few short tears to head of spine, corners bumped and worn, a few minor wormholes to binding, hinges cracked. Title pages printed within woodcut architectural borders, first title page printed in red and black, woodcut head and tail-pieces. Moderate toning and light foxing, faint dampstaining to margins of some leaves, light soiling to title page, some edgewear to preliminaries and rear endleaves. Later ownership markings and signatures to front endleaves, early owner signature to head of title page, small later owner stamp to foot. An appealing copy of an important edition. \$1,500.

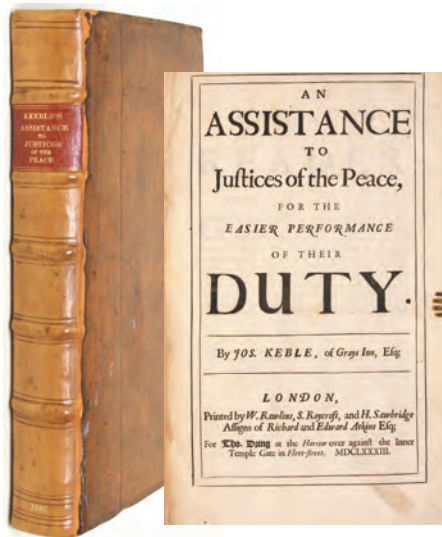
LATER PRINTING OF THIS LANDMARK ANNOTATED CRITICAL EDITION, first published in 1583. Godefroy was a jurist, humanist, historian, scholar of Roman law and professor at the Universities of Geneva and Heidelberg. He was also the first to apply the collective name *Corpus Iuris Civilis* to Justinian's works on Roman law, which consists of the four books of the *Institutes*, the fifty books of the *Digest*, the twelve books of the *Code* and the *Novels*. This imprint is misleadingly designated the second Godefroy edition. It is actually the second Godefroy edition by Laemarius. It is not listed in Adams or the *BMC*.



N° 47



Detail from N° 48



N° 48

A CURIOUS GUIDE FOR JUSTICES OF THE PEACE

- 48 KEBLE, JOSEPH [1632–1710].

*An Assistance to Justices of the Peace, For the Easier Performance of Their Duty.*

London: Printed by W. Rawlins, S. Roycroft, and H. Sawbridge, 1683. [viii], 139, [1], 137–152, 151–430, 457–719, [9] pp. Folio (12-1/2" x 7-1/2").

Contemporary calf, rebaked in period style, blind rules to boards, lettering piece and raised bands to spine. A few minor scuffs and nicks to boards, light rubbing to extremities, corners bumped, hinges cracked. Light toning to text, somewhat heavier in places, faint dampspotting in a few places, occasional contemporary (or near-contemporary) annotations to margins. A handsome copy. \$450.

FIRST EDITION, ONE OF THREE ISSUES FROM 1683. This curious work combines elements of an abridgment, a digest and a traditional JP manual. It has two parts. The first is a chronological digest, with side-notes, of "the particular clauses of statutes of the order and introduction of the power of keeping the peace." The second, and larger, part offers a digest of topics, from Abby to Women, "wherein Lambert, Crompton, and Dalton are reduced, and the Particular Statutes accommodate to present use." A second edition was published in 1689. Keble was a notable reporter and the compiler of the important *Statutes at Large* (1676). ESTC R32999.



N° 50





N° 49

AN INTERESTING PERSPECTIVE ON EARLY-MODERN ENGLAND

## 49 LAMBARD(E), WILLIAM [1536–1601].

*Eirenarcha, Or of the Office of the Iustices of Peace, In Foure Bookes: Revised, Corrected, And Enlarged, In the Eighth Yeere of the Peaceable Raigne of Our Most Gracious King James.*

London: Printed for the Companie of Stationers, 1619. [ii], 634, [84] pp.

[BOUND WITH]

LAMBARD(E), WILLIAM.

*The Duties of Constables, Borsholders, Tythingmen, And such Other Low and Lay Ministers of the Peace. Whereunto be Adjoynd the Severall Offices of Church Ministers and Churchwardens, And Overseers for the Poore, Surveyors of the High-Waies, And Distributors of the Provision Against Noysome Fowle and Vermine.*

London: Printed for the Companie of Stationers, 1619. 94 pp. Last leaf, a blank, lacking.

Octavo (6-1/4" x 4"). Contemporary calf with later rebacking, blind rules to boards, raised bands, gilt ornament and lettering piece to spine, early hand-lettered title to fore-edge of text block, endpapers renewed. Light rubbing and some gatoring to boards, edges rubbed with some wear, corners bumped and somewhat worn, early armorial bookplate (of James Burrow) to front pastedown. Moderate toning to text, somewhat heavier in places, minor chips to edges of a few leaves, a few just touching text, a few side-notes in *Duties* affected slightly by trimming. Tick marks in pencil to some leaves, interior otherwise clean. \$1,000.

LATER EDITIONS. Lambard, or Lambarde, a barrister and legal historian, was the keeper of records at the Rolls Chapel and the Tower of London. First published in 1581, *Eirenarcha* is esteemed for its comprehensive and systematic account of local legal and political life. It was the standard authority for many years and often reprinted. Like many books of its kind, *Eirenarcha* offers fascinating insights into the society that produced it. This is evident in the detailed indictments for such offenses as murder via witchcraft, raping a child or maid (the age of distinction was ten), hearing a

Catholic Mass, practicing usury and operating a bowling alley. A companion work first published in 1582, *The Duties of Constables* concerns the duties of other lay officers. Taken together, these books offer an interesting perspective on early-modern England. ESTC S108213, S108233.

PRESENTATION COPY FROM THE AUTHOR TO NAPOLEON'S SON IN A SUPERB BINDING

## 50 LATOUR DU MOULIN, C[ÉLESTIN] [1823–1888]. [WALEWSKI, ALEXANDER, COUNT (1810–1868)].

*Lettres à un Membre du Parlement d'Angleterre sur la Constitution de 1852 (Les Ministres, le Conseil d'Etat, le Corps Législatif, le Sénat).*

Paris: Libraire D'Amoyt, 1861. 119, [1] pp. Octavo, (9-1/2" x 6-1/4").

Contemporary signed morocco binding by Despierres, gilt frames enclosing arms of Count Walewski to boards, raised bands, gilt title and gilt Walewski crests to spine, all edges gilt, gilt inside dentelles, moiré-stamped endpapers, later armorial bookplate to front pastedown, woodcut of Walewski from a contemporary periodical laid in. Light rubbing to extremities, corners lightly bumped. Moderate toning, some leaves have light foxing, occasional small inkstamps to bottom margins. An appealing association copy of a scarce title. \$1,750.

FIRST EDITION. This interesting comparison between the English and French political systems was through later editions in 1862, 1863 and 1864. Its author was a leading political journalist. Count Alexander Walewski, to whom this book is inscribed, was the natural son of Napoleon I and Marie Walewska. A notable diplomat, he was ambassador to Florence, Naples, Madrid and London. Minister of foreign affairs from 1855 to 1860, he opposed Napoleon III on the Italian question and resigned his position. He went on to become the minister of fine arts. Despierres, the binder of this copy, was also binder to the emperor. All editions of this title are scarce. OCLC locates no copies of any edition in North America. BMC 14:931.

PRESERVING THE CUSTOMARY LAW OF LONDON DURING THE CIVIL WAR

## 51 [LONDON].

*The City-Law, Or, The Course and Practice in All Manner of Juridicall Proceedings in the Hustings in Guild-Hall, London. Englished, Out of an Ancient French Manuscript, Also, An Alphabet of All the Offices Disposed and Given by the Lord Mayors of London.*

London: Printed by B. Alsop, for L. Chapman, and L. Blaiklocke, 1647. [viii], 69, [1] pp. Final blank leaf lacking. Quarto (7-1/4" x 5-1/2").

Stab-stitched pamphlet in recent marbled wrappers, printed paper title label to spine. Very light browning to text, internally clean. \$950.

ONLY EDITION. Very likely a political statement against possible encroachments on local power by the King or Parliament, this handbook from the time of the Civil War outlines the jurisdictions of London's courts and London's lord mayor. More than a historical artifact, it is useful for its insights into the city's customary law and system of courts. OCLC locates 6 copies in North American law libraries (Harvard, Library of Congress, Northwestern, Osgoode Hall, UC-Berkeley, University of Pennsylvania). ESTC R210027.

ADVICE FOR JOHN ADAMS

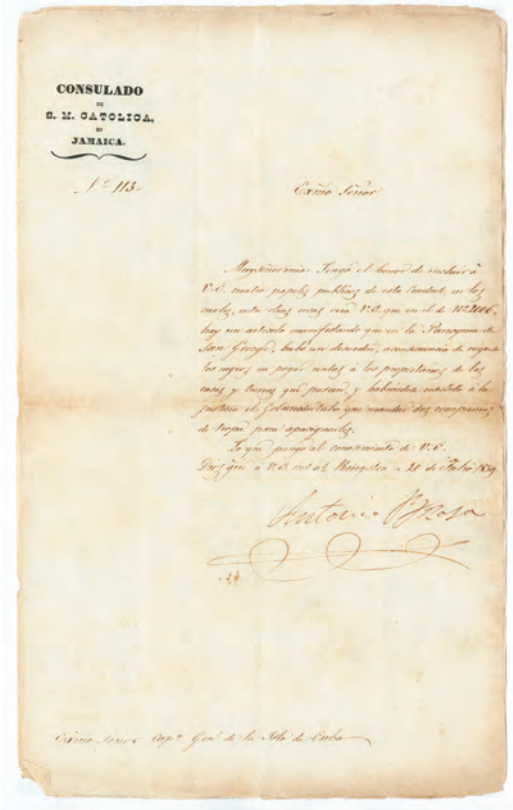
52 MABLY, ABBE [GABRIEL BONNOT] DE  
[1709–1785].

*Observations sur le Gouvernement et les Loix des Etats-Unis d'Amérique.*

Amsterdam: Chez J.F. Rosard & Comp., 1784. [ii], 180, 213, [1] pp. 12mo. (6-3/4" x 4").

Somewhat later quarter calf over paper-covered boards. Light rubbing to boards, moderate rubbing to extremities, very light toning to text, somewhat heavier in places. A handsome copy. \$450.

FIRST EDITION, ONE OF TWO ISSUES FROM 1784, the other version, 180 pp., lacks a preface, notes and index. "In four letters dated between 24 July and 20 August 1783, the Abbe Mably comments on the American approach to government as reflected in the constitutions of the thirteen states, and, more specifically, those of Massachusetts, Pennsylvania and Georgia. Replying to John Adams 'in accordance with your desire,' he offers advice on a national constitution, urging a loose federation rather than a strong central government and warning against excessive democracy. The book is dedicated to Adams.... Adams, in a postscript to V. 1 of his 1787 *Defense of the Constitutions of the United States*...minimizes his 'desire' and is less than appreciative of the advice. That work was probably designed in part as a response to Mably and other French critics" (Cohen). There is some debate about the priority of the 1784 Amsterdam imprint. Cohen, Howes and Sabin say it the first; Echeverria & Wilkie say it is the second. Most scholars agree with Cohen and Howes. This is one of two versions of this printing; page 159 is numbered 59, leaf G7 is signed C7. Howes M5, "aa." Echeverria & Wilkie 84:66. Sabin 42923. Cohen 2761.



N° 54



N° 53

ONE OF THE EARLIEST SYSTEMATIC STUDIES  
OF THE CRIMINAL LAW

53 MACKENZIE, SIR GEORGE [1636–1691].

*The Laws and Customes of Scotland, In Matters Criminal. Wherein is to be Seen How the Civil Law, And the Laws and Customs of Other Nations do Agree with and Supply Ours.*

Edinburgh: Printed by George Swintoun, 1678. [xvii], 271, 269–581 pp. Final leaf of text (pp. 580–581) is a high-quality bound-in facsimile. Final leaf, a blank, lacking. Title page preceded by licence leaf. Quarto (8" x 6").

Later calf, rebaked in period style retaining lettering piece, corners mended, endpapers renewed, hinges mended. Some rubbing to boards and edges of lettering piece. Title page printed in red and black. Light browning, minor worming in a few places, light edgewear to some leaves, heavier edgewear to preliminaries with very minor loss to text, light soiling to title page. Early and somewhat later owner signatures to front endleaf and title page, ink marks and finger smudges to a few leaves, interior otherwise clean. \$250.

FIRST EDITION, ONE OF THREE ISSUES FROM 1678. Mackenzie's was one of the earliest systematic studies of the criminal law. Notorious for his severity as a judge, his approach as a scholar is notably moderate and progressive, as we can see, for example, in his discussion of witchcraft. ESTC R19518.

ANXIETY ABOUT THE EFFECTS OF ABOLITION IN JAMAICA

- 54 [MANUSCRIPT].  
[CUBA].  
[JAMAICA].  
[BROSA, ANTONIO].  
[DUQUESNAY, CARLOS].

**[Three Letters Reporting on Slavery on the Letterhead of the Cuban Consulate in Jamaica].**

Jamaica, 1839–1842.

Three letters, 8" x 12-3/4," manuscript in ink. Two letters, dated March 28, 1839 and July 20, 1839, are single leaves with blank versos. The third, dated August 3, 1842, is a bifolium with content on recto of the first leaf. This letter encloses a bifolium addendum dated August 23, 1842, 6" x 8-1/2," with content on recto of the first leaf.

Moderate toning and foxing, some edgewear, faint fold lines, minor burn through, a few minor tears and worm holes, very good overall. \$2,500.

THESE LETTERS WERE WRITTEN AT A TIME when the Cuban government had a constant fear of its slave and free-black population. The Haitian Revolution was a fairly recent event, the abolition movement was becoming more popular and there was constant talk about slave insurrections. What's more, Cuba was a nation in a region with a majority population of free, enslaved and recently emancipated people of African origin. Addressed to the Capitan General de la Isla de Cuba from the consulate in Jamaica, these letters record impressions about the effects of abolition, which occurred in stages between 1834 and 1838. They were dispatched by two consular officials, Antonio Brosa and Carlos Duquesnay. The first letter, from March 28, 1839, reports that his troop level has dwindled down to 1,300 men, including 100 "negroes." He is concerned about the effectiveness of this force and doubts the loyalty of his "negro" soldiers. The other letter

by Brosa, dated July 20, 1839, requests a company of troops to address a "disorder" resulting from a group of "negroes" refusing to pay their rent. The Letter from Duquesnay, reports on a series of "disruptions" caused by "los emancipados." Taken together, these letters record the anxiety of Cuba's governing class over the shifting dynamics of slavery.

SEVENTEENTH-CENTURY ITALIAN MANUSCRIPT LECTURES ON JURISPRUDENCE WITH HANDSOME PENWORK

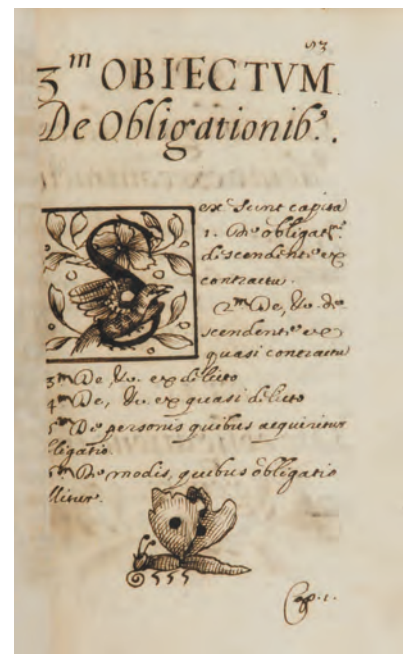
- 55 [MANUSCRIPT].  
LAMPUGNANI, GIROLAMO [D. 1644].

**Introductio Ad Jurisprudentiam.**

[Italy, 17th c.]. [i], 25, [1], 26–92, [1], 93–226, [12] ff. 12mo. (5" x 3-1/2").

Contemporary morocco with elaborate gilt tooling, unidentified arms to boards, all edges gilt. Boards slightly bowed, moderate rubbing top extremities with wear to corners, chip to foot of spine, joints just starting at head, pastedowns loose. Text in handsome calligraphic hand, title within border of flowers, birds, and insects, similar decorations and divisional initials and embellishments throughout text. Faint dampstaining to margins, mainly at beginning and end of text, light foxing and soiling to a few leaves. \$3,500.

THIS HANDSOME MANUSCRIPT is an apparently unpublished general study of jurisprudence (distinct from canon and civil law). A fair copy, carefully formatted and embellished, it is either a set of lecture notes or a work that circulated in manuscript. It is not to be confused with the guide to the study of civil and canon law published as an appendix to Lampugnani's *Compendium Introductionis ad Iustinianaeas Institutiones* (1627), a treatise on the *Institutes* of Justinian. Little is known about Lampugnani. A native of Milan, he was a doctor of law and theology who lived in Rome, where he may have been a private tutor. Tiraboschi 326.



Details from N° 55

On or before the 1st day of January 1863, I  
 promise to pay to Sally H. Hunter Two Hundred  
 and seventy dollars for the hires of three negroes, Joe,  
 Austin and Beverly, that is, ninety dollars for each,  
 for the year 1863; to keep the sd negroes on my farm  
 a hat & wear Enor, and to clothe them well & return them with  
 a hat & wear Enor  
 at the end of the year. Witness my hand & seal  
 this 29<sup>th</sup> December 1862.

J.M. Martin

Tappahannock - Slave hire

N° 56

Rec<sup>d</sup> of Wm. Jones, an adm<sup>r</sup> of the estate of  
 Robert S. McLane, Dec<sup>d</sup>. One hundred & fifty  
 dollars in full for defending a slave named  
 Bob on a charge of the Murder of Moses, a  
 slave belonging to Enoch Walton. This  
 17 May 1854.

G. W. Gayle

N° 57

An 1862 Agreement to Rent Three Slaves

LEGAL FEES CHARGED TO REPRESENT A SLAVE IN COURT

56 [MANUSCRIPT].  
[SLAVERY].  
[UNITED STATES].

**[Agreement to Rent Three Slaves].**

Tappahannock, VA (?). December 29, 1862. 4" x 7" lined leaf, content in clear hand to recto.

Some toning, faint fold lines, "Tappahannock-Slave Hire" in pencil at foot of document. A well-preserved item. \$500.

THIS DOCUMENT, WRITTEN, SIGNED AND SEALED (in ink) by J.M. (or S.G.) Martin, promises to pay Sally H.H. Hunter \$270.00 for the "hires of three negroes, Joe, Austin, and Beverly... for the year 1863." He says he will "keep the said negroes on my farm" and "clothe them well." An annotation in a different hand adds that he will return them "with a hat and blanket each" at the end of the year.

57 [MANUSCRIPT].  
[SLAVERY].  
[UNITED STATES].

**[Receipt for Legal Fees Charged for the Defence of a Slave].**

N.p.: May 17, 1854. 4-1/2" x 7-3/4" lined blue leaf, content in clear hand to recto, "(38)" in tiny hand to verso.

Some toning and light foxing, faint fold lines. A well-preserved item. \$500.

SIGNED BY G.W. GAYLE, most likely the defence attorney, this document reads (in part): "Rec.d of Wm. Jones, an admin. of the estate of Robert S. McLane, Decd., one hundred & fifty dollars in full for defending a slave named Bob (or Rob), on a charge of the murder of Moses, a slave belonging to Enoch Walton."





N° 61

THE ADMINISTRATION OF A SMALL NEW HAMPSHIRE TOWN,  
1783-1813

61 [MANUSCRIPT ARCHIVE].  
[NEW HAMPSHIRE].

[Documents Relating to the Town of New Ipswich,  
1783-1813].

New Ipswich, NH, 1783-1813.

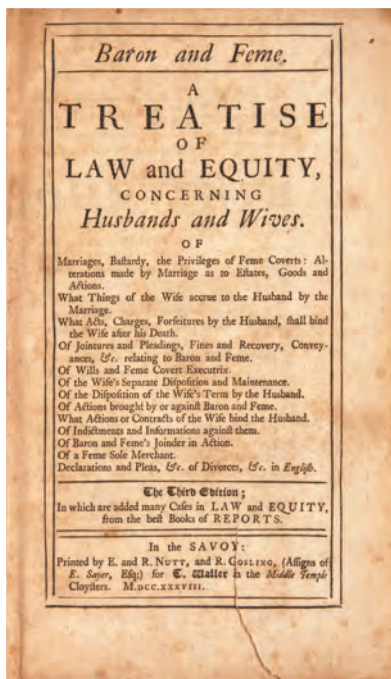
7 stab-stitched manuscript volumes, 1 is 6-1/4" x 4" (18 pp.), 1 is 12-1/2" x 8" (12 pp.), 1 is 14" x 12-1/2" (16 pp.) and 4 are 7-1/4" x 6-1/2" (6 pp., 8 pp., 14 pp., 18 pp.). Manuscript in ink to most rectos and versos. Moderate browning, somewhat lighter in places, foxing, some leaves have dampstaining, tears or chips, with loss of text in a few cases. An interesting archive. \$850.

NEW IPSWICH IS A SMALL NEW HAMPSHIRE TOWN on the Massachusetts border, about 40 miles north of Worcester. The volumes in this archive record the daily operations of the town government, such as lists of taxes collected from residents and payments for selectmen, constables and building expenses. It is, on the whole, an interesting collection of source material concerning the inner workings of small New England town government in the post-Revolutionary period.

THE FIRST ENGLISH TREATISE ON FAMILY LAW

62 [MARRIAGE LAW].  
[GREAT BRITAIN].

*Baron and Feme: A Treatise of the Common Law Concerning Husbands and Wives. Wherein is Contained the Nature of a Feme Covert, And of Marriages, Bastardy, The Privileges of Feme Coverts: What Alterations are Made by Marriage as to Estates, Leases, Goods, and Actions. What Things of the Wife Accrue to the Husband by the Intermarriage, Or Not. What Acts, Charges, Forfeitures by the Husband, Shall Bind the Wife After His Death, Or Not; Of Jointures and Pleadings, Fines and Recovery, Conveyances and Other Law Titles Relating to Baron and Feme. Of Wills, And Feme Covert Being Executrix. Of the Wife's Separate Disposition and Maintenance. What Amounts to the Disposition of the Wife's Term by the Husband. Of Actions Brought by or Against Baron and Feme. What Actions Done, Or Contracts Made by the Wife, Shall Bind Her Husband. Of Indictments and Informations Against Them. Of Baron and Feme's Joinder in Action. Of a Feme Sole Merchant. Declaration and Pleas &c. of Divorces &c. With Many Other Matters Relating to the Said Subject; And Some Useful Precedents. The Third Edition; In Which are Added Many Cases in Law and Equity, From the Best Books of Reports.*



N° 62

[London]: Printed by E. And R. Nutt, And R. Gosling, 1738. [xxiv], 485, [43] pp. Title page preceded by publisher advertisement leaf, text followed by three other advertisement pages. Octavo (7-1/2" x 4-1/2").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, light foxing to some leaves, initial advertising leaf mounted and rehinged, clean tear to foot of title page mended, internally clean. A nice copy in a handsome binding. \$2,500.

THIRD AND FINAL EDITION. First published in 1700, with a second edition in 1719, this is the first English treatise devoted exclusively to family law. It is a broadly conceived work. "I have herein considered Baron and Feme in all the circumstances of life, from the solemnization of marriage to the divorce, and have not omitted 'those collateral by-blows, (the title of bastardy making a considerable figure in our books;) and the variety of the matter made me some attonement for the labour" (To The Reader). According to the introduction, the anonymous author seems to have also been the author of the earlier *Infants Lawyer: Or the Law (Ancient and Modern) Relating to Infants* (1697). ESTC T93339.

APPEALING COPY OF THE 1742 ACTS AND LAWS OF MASSACHUSETTS

### 63 [MASSACHUSETTS].

*The Charter Granted by Their Majesties King William and Queen Mary, to the Inhabitants of the Province of the Massachusetts-Bay in New-England.*

Boston: Printed and Sold by Samuel Kneeland and Timothy Green, 1742. 14 pp.

[BOUND WITH]

*The Table [to the Acts]*

[Boston: Printed and Sold by Samuel Kneeland and Timothy Green, 1742] 28 pp.

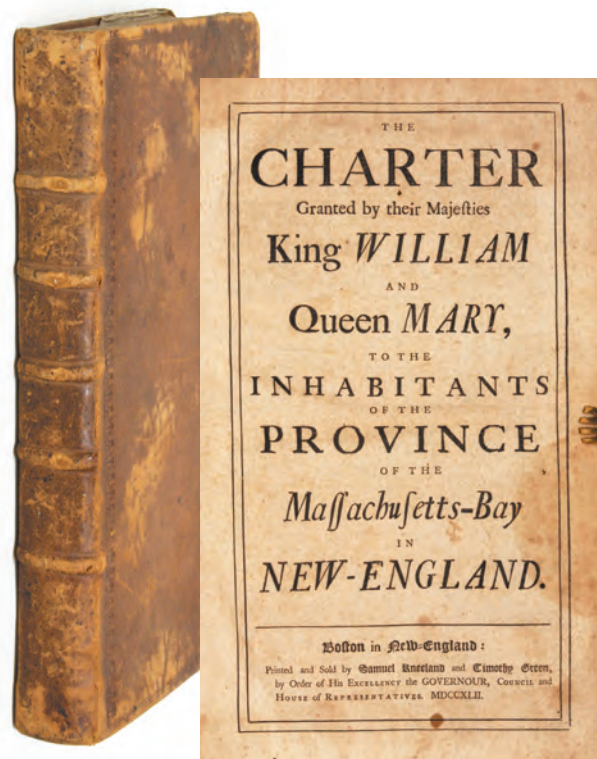
[AND]

*Acts and Laws of His Majesty's Province of the Massachusetts-Bay in New England.*

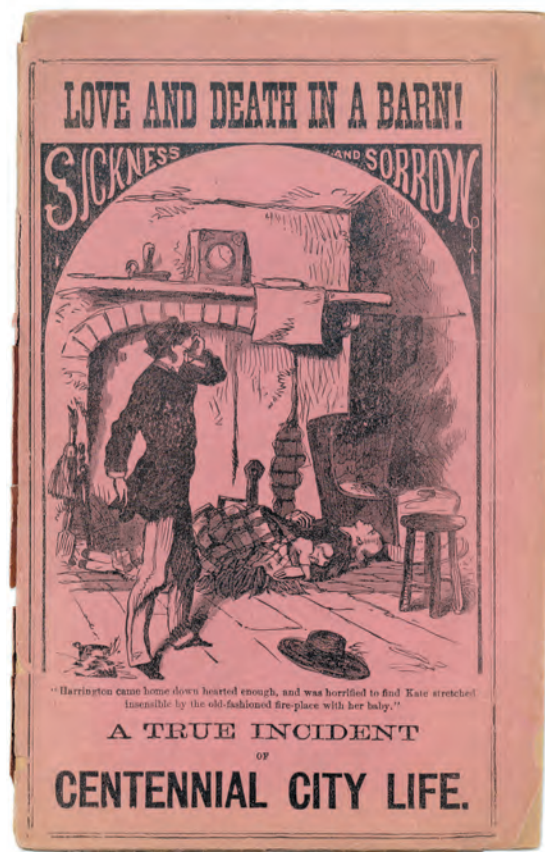
Boston: Printed and Sold by Samuel Kneeland and Timothy Green, 1742. [ii], 333; [334]-340 pp. Pages after p. 333 contains two acts from 1743: "An Act for Fixing the Times for Holding the Superior Courts of Judicature [and Other Courts]," "An Act in Addition to the Several Acts for Regulating Fences" and "An Act in Addition to an [Act]...to Ascertain the Value of Money and of Bills of Publick Credit of this Province." 38 blank leaves bound to rear of text. Folio (11-1/2" x 7-1/2").

Contemporary sheep, blind rules to boards, blind fillets to joints, raised bands, unlettered spine. Some rubbing to boards and extremities, a few shallow scuffs to rear board, rear joint just starting at foot, corners bumped and somewhat worn, hinges cracked, front free endpaper partially detached (but secure), rear free endpaper lacking. Moderate toning to text, somewhat heavier in places, light foxing, faint stains to fore-edges of *Charter*, some staining and edgewear to blank leaves at rear of text. In all a very good, fresh copy in the original state. \$1,850.

THIS LEGISLATIVE COMPILATION from 1692 to 1743 provides unparalleled insights into the colony's attitude towards Indians, "Free Negroes," piracy, buggery, bestiality, incest, "Jesuits and Popish priests," the killing of bastard children by their mothers, "misspending money in taverns," "keeping the Lord's day," adultery, polygamy and many other social and political topics. Although they are separate works, the *Charter* and *Laws* are almost always bound together. And like other copies, this one has additional acts published after 1742. These were issued with continuous pagination with the expectation that they would be bound with the original work. Babbitt 193. Benedict 151. Tower 262.



N° 63



N° 64

DEATH IN A PHILADELPHIA BARN AND  
ON THE BEACHES OF CONEY ISLAND

## 64 [MELODRAMATIC FICTION].

*Love and Death in a Barn, Or, The Sad, Sorrowful Life of Beautiful Kate Harrington, Who was Married to the Son of an Aristocratic Family, With Whom She Lived as a Servant, And, Being Discovered by Them, Both Sank into Misery and Sicknes, Resulting in Kate's Death by Starvation in Philadelphia.*

Philadelphia: Published by the Old Franklin Press, [1876]. 30, [iv]; [3]–30 pp. 5 woodcut plates. Two parts with individual pagination, the second titled: *Bertha Barton; Or, The Coney Island Mystery*. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in pictorial wrappers. Some edgewear and chipping to extremities, spine worn, wrappers secure, light browning to text, internally clean. \$650.

ONLY EDITION. Also published in German, this pamphlet contains two tear-jerking stories of poverty, illness and death. The plates, which depict scenes in the stories, are captioned in English and German. OCLC locates 12 copies of the English-language edition.

MERITON'S GUIDE FOR LAY OFFICERS

## 65 MERITON, GEORGE [1634–1711].

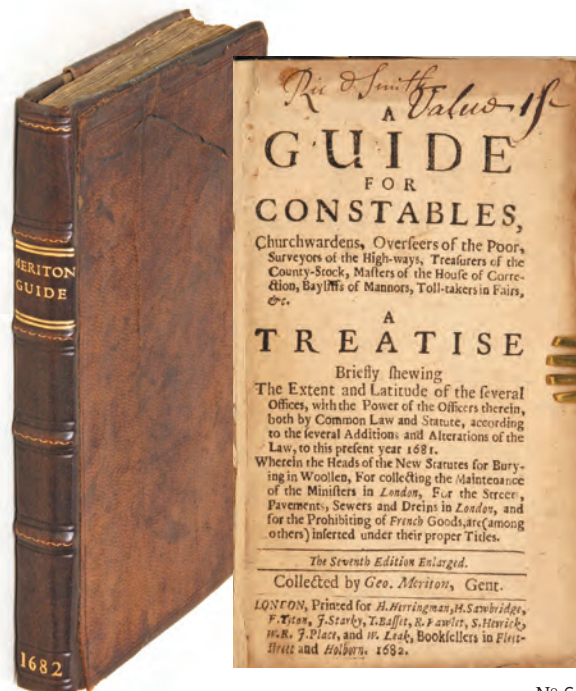
*A Guide for Constables, Churchwardens, Overseers of the Poor, Surveyors of the High-Ways, Treasurers of the County-Stock, Masters of the House of Correction, Bayliffs of Mannors, Toll-Takers in Fairs &c. A Treatise Briefly*

*Shewing the Extent and Latitude of the Several Offices, With the Power of the Officers Therein, Both by Common Law and Statute, According to the Several Additions and Alterations of the Law, To this Present Year 1681. Wherein the Heads of the New Statutes for Burying in Woollen, For Collecting the Maintenance of the Ministers in London, For the Streets, Pavements, Sewers and Dreins in London, And for the Prohibiting of French Goods, Are (Among Others) Inserted Under Their Proper Titles.*

London: Printed for H. Herringman, H. Sawbridge [et al.], 1682. [xii], 86, [iv], 87–175 pp. Complete. Two-parts with continuous pagination. Second part preceded by title page dated 1682 and reading (in part) *Conductor Generalis: A Guide for Churchwardens, Overseers of the Poor, Surveyors of High-Ways*. 12mo. (5-1/2" x 3-1/4").

Contemporary sheep, blind rules to boards, rebaked in period style, lettering piece and gilt-tooled raised bands to spine, upper corner of front board repaired. Light rubbing to extremities, a few cracks to front board, corners bumped and lightly worn, front hinge mended, margin of rear free endpaper re-margined, pastedowns and front endpapers lacking, early private library bookplate to verso of front board. Moderate toning to text, faint dampstaining to margins in a few places, faint oil stains to a few leaves, minor edgewear to preliminaries and final few leaves of text. Early signature to head of title page, early annotations to endleaves. A nice copy. \$750.

SEVENTH EDITION. Meriton was a lawyer and a prodigious writer on a wide range of well-received 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 1669, the *Guide for Constables* reviews the legal obligation, rights and limitations of lay officers other than justices of the peace. A durable work, it reached its eighth and final edition in 1685. All editions are scarce despite its popularity and long publication history. OCLC locates 5 copies of the seventh edition worldwide, 2 in North American law libraries (Harvard, University of Minnesota). The ESTC adds 3 more (Eton College, Guildhall Library, Library of Congress). ESTC R32425.



N° 65



## SCARCE GERMAN TREATISES ON WATER LAW, MILLS AND PASTURES

- 66 MEURER, NOE [1525–1583].  
BARTOLUS DE SAXOFERRATO  
[1314–1357].

*Tractatus Juridicus De Alluvione, Insulis, Alveo & Jure Aquario. Oder Vom Wasser-Recht, In Sich Enthaltend Bartoli Tractatum de Fluminibus, den er Sonst Tyberias Genennet: Wie auch vom Rhein, Und Andern Schiff-und Nicht Schiff-Reichen Wassern, Und dern Rechten, Ublichen Herkomchen und Gerechtigkeiten. In Drey Kleinen Theilen, und Zwolff Principal-Fragen, Welche Wieder in Verschiedene Sectionen und Theoretico-Practisch-Abgehandelte Special-Fragen Abgetheilt Sind, Die Wichtigste, Zum Wasser- Fluss- und Muhlen-Recht und Gerechtigkeiten, auch Wasser-Gebauen, Behorige Vorfallenheiten und Casus Grundlich Erortrend. Nun aber, Bey dieser Neuern Auflage, Vollig in Bessere Ordnung Gebracht, Auch Ratione Styli, In Specie derer Allegatorum, Emendirt, Und Mit einen Accuraten Register Versehen.*

Nuremberg: Bey Johann Albrecht, 1733. [vi], 24, 207, [9] pp. Copperplate pictorial frontispiece. Title page printed in red and black.

[BOUND WITH]

MÜLLER, PETER [1640–1696].

*Tractatus Iuridicus de Molendinis in Genere, Et in Specie Potissimum de Bannariis, Von Zwang-Mühlen.*

Jena: Impensis Francisci Bortoletti, 1738. 112 pp.

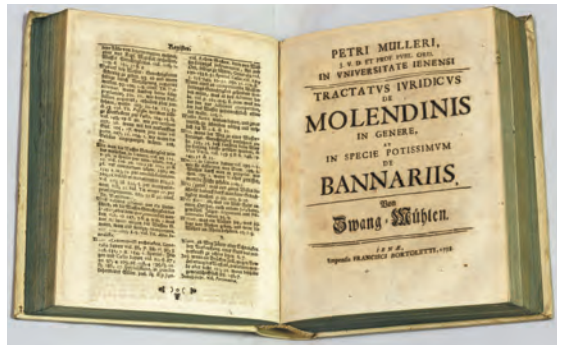
[AND]

BERLICH, MATTHIAS [1586–1638].  
CARPZOV, BENEDIKT [1595–1666]. AND OTHERS.

*De Jure Pascendi: Et in Primis de Jure Ovium, Materiisque Affinibus: German. Von Hut- und Weide-Schafen, Schäfereyen, Und Andern Hiebey Gehörigen Materien Tractat. Selectiss. Annexis Consiliis, Resolutionibus et Decisionibus Nonnullorum Inter Eos Celeberrimorum Recentioris Aevi Jure Consultorum, E.G. Berlichii, Carpzovii, Rittershusii, Brunnemanni, Mevii, Lynckeri, Harprechti, Bergeri, Homburgi, Koeppii, In Quibus Praecipui Rarioresque circa Hasce Materias in Praxi Obvenientes Casus Solide Explanantur, Et Deciduntur. Opus Omnibus in Foro Versantibus quam Utilissimum. Accessit Index Rerum Locupletissimus.*

Celle: Impensis Hieron. Fried. Hoffmanni, Bibliopolae, 1714. [iii], 337 pp. Title page printed in red and black.

Quarto (8" x 6-1/2"). Contemporary vellum, lettering piece and



early hand-lettered shelf number (?) to spine, colored edges. Light soiling and a few minor stains, corners bumped, bookplate residue to front pastedown. Moderate toning, somewhat heavier in places, occasional light foxing, early owner signature to front free endpaper. A handsome volume containing three scarce titles. \$1,750.

MEURER: FINAL EDITION; Müller, Berlich: only editions. First published in 1570, Meurer's *Tractatus* is a legal study of rivers. It is grounded in an analysis of the *Tractatus de Fluminibus* by Bartolus of Saxoferrato. Meurer applies this analysis to issues concerning the Rhine and other waterways. As suggested by the frontispiece, he is concerned with navigation, fishing rights, alluvial rights, irrigation and motive power (for water wheels). A useful and well-received work, it went through ten editions. The other two works address other legal aspects of agriculture. Müller's treatise, which was based on his doctoral dissertation, is a study of mills. The final work is an anonymously compiled anthology by several leading German jurists on grazing rights (in pastures). Noe: All are scarce. OCLC locates 3 copies of this edition in North America, 2 in law libraries (Harvard, Yale). This edition not in *VD18* or the *British Museum Catalogue*. Müller: OCLC locates no copies in North America. Not in *VD18*. Berlich: OCLC locates 2 copies (Harvard Law School, UC-Berkeley Law School). Not in *VD18*.



N° 67

CANON LAW AND THE REGULATION OF CLERICAL LIFE

## 67 MOLANUS, JOHANNES [1533–1585].

*De Canonicis Libri Tres, I. De Canonicorum Vita, II. De Eorum Officiis, III. De Dominio Canonicorum et Servis Ecclesiarum. Item, Orationes Tres, De Agnis Dei, De Decimis Dandis, De Decimis Defendendis. Cum Trib. Indicibus.*

Cologne: In officina Birckman. Sumptib. Arnoldi Mylii, 1587. 6, [10], 437, [5] pp. Octavo (5-3/4" x 3-3/4").

Contemporary limp vellum, early hand-lettered titles to spine and foot of text block, ties lacking. Light soiling, spine ends and corners bumped, front endleaves lacking, rear pastedown renewed. Light toning to text, light foxing to title page, which is lightly soiled, and a few other leaves. Two small early owner stamps and signature to title page interior otherwise clean. \$1,250.

SECOND EDITION. A legal handbook on the organization and administration of clerical institutions and the rights, responsibilities and liabilities of clerics. It has a chapter on library management and librarians. The appended essays discuss tithes and the proper form of the *agnus dei* in a mass. First published in 1582, this work went through four later editions, the last one in 1675. Adams M1552.

MONTAGU'S ANTHOLOGY OF WRITINGS  
ON CAPITAL PUNISHMENT

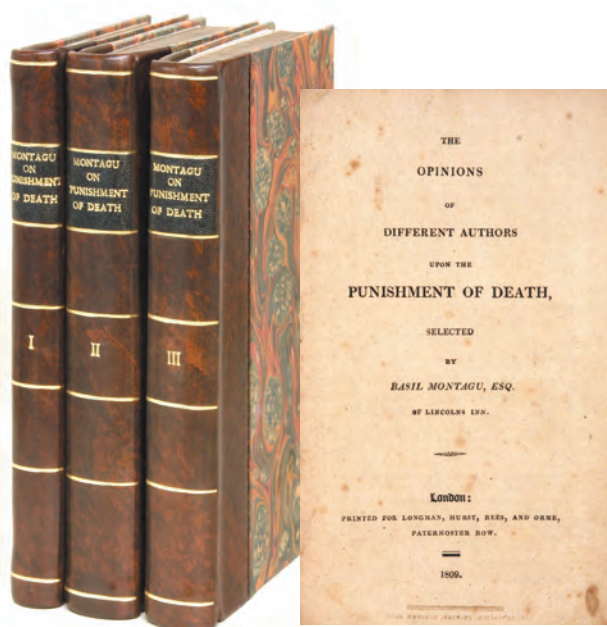
## 68 MONTAGU, BASIL [1770–1851], EDITOR.

*The Opinions of Different Authors Upon the Punishment of Death.*

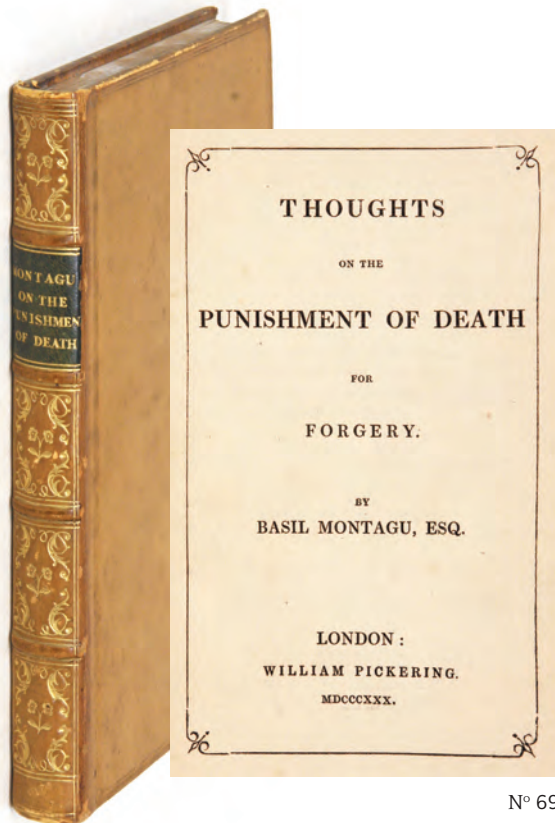
London: Published by Longman, Hurst, Rees, Orme, and Brown [imprint varies], 1809, 1812, 1813. Three volumes. vi, [ii], 315; [ii], xxvii, ii, 401, [33]; [ii], ii, ii, 453, [17] pp. Folding table in Volume III. Octavo (8-1/4" x 5").

Recent period-style quarter calf over marbled boards, lettering piece and gilt fillets to boards, endpapers renewed. Light toning to text, somewhat heavier in places, light foxing in a few places, internally clean. A handsome copy of a scarce set. \$2,500.

FIRST EDITION. Lawyer, versatile legal author, philanthropist and reformer, Montagu is best known for his tireless efforts to reform bankruptcy law and abolish capital punishment, work he pursued with considerable success. A remarkable work of research, *Opinions* is an anthology of writings from 62 authors ranging from More to Blackstone, Johnson, Beccaria, Bentham, Mackintosh and Romilly. There are also texts of English and foreign laws relating to capital punishment and crime, including selection from the *Nakaz* of Catherine the Great and Bentham's *Theory of Rewards and Punishments*, Bentham's essay on the Panopticon, excerpts from Parliamentary debates, editorials from periodicals and excerpts from historical works. A second edition of Volume I was issued in 1816. Complete first-edition sets are quite scarce: OCLC locates 9 copies in North American law libraries. Not in Sweet & Maxwell. *HLC* II:139.



N° 68



N° 69

A SOPHISTICATED STUDY OF CRIME AND PUNISHMENT

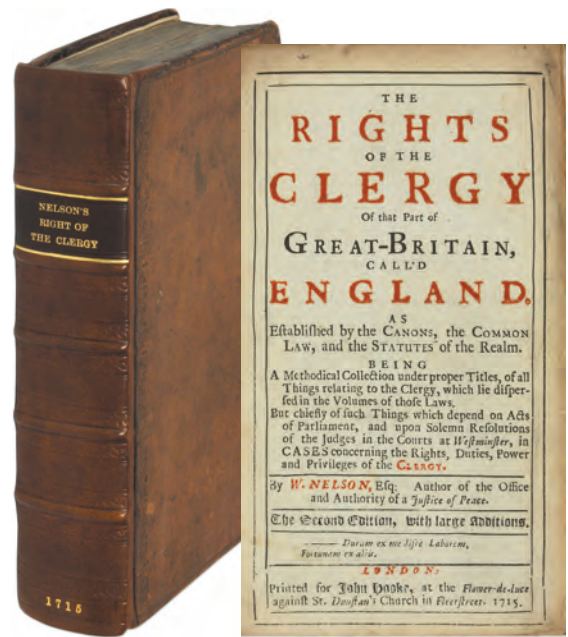
## 69 MONTAGU, BASIL

*Thoughts on the Punishment of Death for Forgery.*

London: William Pickering, 1830. x, [ii], xiv, 202 pp. 12mo. (6-1/4" x 3-3/4").

Contemporary calf, blind rules to boards, gilt spine with raised bands and lettering piece, blind tooling to board edges, edges of text block speckled. Some rubbing to extremities with light wear to spine ends and corners, a few minor nicks and stains to boards, front hinge partially cracked, early owner bookplate to front pastedown, early owner signature to front endleaf. Light toning to text, internally clean. \$950.

ONLY EDITION. The title of this book is somewhat misleading; it is devoted mostly to a sophisticated and persuasive survey of crime and punishment in general, touching on psychological, moral, ethical, and practical issues. His call for the reduction of severe punishments puts him in the tradition of Beccaria and Romilly. OCLC locates 12 copies worldwide, 4 in North America, 1 in a law library (University of Cincinnati). Not in Sweet & Maxwell. HLC II:140.



N° 70

THE RIGHTS OF ENGLISH CLERGYMEN

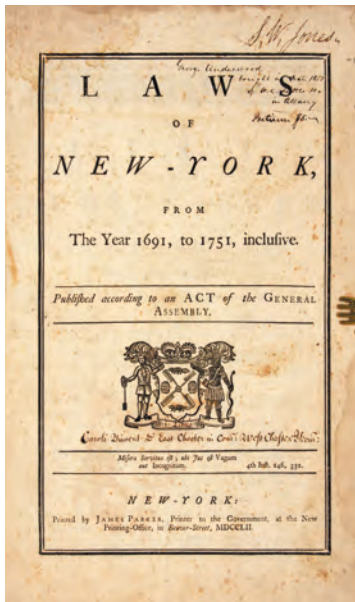
## 70 NELSON, WILLIAM [B. 1653].

*The Rights of the Clergy of that Part of Great-Britain, Call'd England. As Established by the Canons, The Common Law, And the Statutes of the Realm. Being A Methodical Collection Under Proper Titles, Of All Things Relating to the Clergy, Which Lie Dispersed in the Volumes of Those Laws. But chiefly of Such Things Which Depend on Acts of Parliament, And upon Solemn Resolutions of the Judges in the Courts at Westminster, In Cases Concerning the Rights Duties, Power and Privileges of the Clergy.*

London: Printed for John Hooke, 1715. xii, [4], 578 pp. Title printed in red and black. Two tables of consanguinity (referring to unlawful marriages). Includes a four-page publisher catalogue. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, rebaked in period style, lettering piece, raised bands and blind ornaments to spine, hinges mended. Light rubbing and a few minor nicks to boards, corners bumped and worn. Early bookseller ticket and armorial bookplate (of William Morris Colles, DD) to front pastedown. Title page printed in red and black. Some toning to text, light foxing in places, signature at end of text block partially detached and lightly edgeworn (but secure), light soiling to title page, marks in light pencil to a few leaves. Ex-library. Faint inkstamp to front pastedown. An appealing copy. \$200.

SECOND EDITION. "With Great Additions." The contents are arranged alphabetically by topic. The subjects discussed range from abbies and adultery, dispensations and excommunication to penance, preaching and visitation. The first edition was published in 1712, the third and final edition in 1732. Nelson was a highly skilled and versatile legal writer. In addition to treatises on evidence, game law, land tenure and a notable JP manual, Nelson produced editions of Dalton's *Country Justice*, Blount's *Nomo Lexicon* and Manwood's *Laws of the Forest*. All three editions are scarce. OCLC locates 3 copies of the second edition in North American law libraries (Columbia, Harvard, Library of Congress). ESTC N12926.



N° 71

1752 COLONIAL LAWS OF NEW YORK WITH THE ERRATA LEAF  
AND A RARE 1752 PRINTING OF THE FEE ORDINANCE

71 [NEW YORK].  
[LIVINGSTON, WILLIAM (1723–1790), COMPILER].  
[SMITH, WILLIAM, JR. (1728–1793), COMPILER].

**Laws of New-York, From the Year 1691 to 1751, Inclusive.  
Published According to an Act of the General Assembly.**

New York: Printed by James Parker, 1752. [i], iv, [iii], [1], 488, [2] pp.

[BOUND WITH]

**An Ordinance for Regulating and Establishing Fees  
[October 19, 1710] By His Excellency Robert Hunter, Esq...**

[New York: James Parker, 1752]. [8] pp.

Folio (13-1/2" x 9"). Contemporary reversed calf, blind rules to boards, blind fillets along joints, raised bands to spine. A few scuffs and light rubbing to boards, corners bumped and worn, sections of backstrip lacking from spine ends, front board beginning to separate, rear free endpaper lacking. Moderate toning, somewhat heavier in places, light foxing to most of text, minor worming to top margins of pp. 285–296 and a few other pages, faint dampstaining to margins of a few leaves, clean tear near center of pp. 177–178. Early annotations to front free endpaper (described below), owner signatures to title page (two from the nineteenth century), interior otherwise clean. An appealing copy. \$2,000.

FIRST EDITION. With a rare 8–pp. printing of the *Ordinance*. This volume was commissioned by the colonial assembly in order to codify the body of laws that had accrued since becoming a crown colony in 1690. The importance of this publication and New York is evident in its subscriber list, a virtual “who’s who” of colonial statesmen, such as Benjamin Franklin, James De Lancey and Charles Pinckney. It appears that fewer than 200 copies of this volume were printed, counting the 169 subscriber copies and three official copies produced for the colony. Our copy is enhanced by the inclusion of the 1710 *Ordinance*. Bibliographically distinct according to Evans and Benedict, it appears to be an integral part of our copy. An annotation on the front free endpaper states this copy was purchased at Parker’s shop for “30 sch n.york

Currency–February 5th: \* A.D. 1755. Florat Lex.” Another annotation at the foot of the same leaf reads: “Stamford Nov. of 4th 1782. This certifies that this Book was taken a prize & condemned according to Law. Jabez Fitch Capt. Volunteers.” (Fitch, 1752–1838, organized the Connecticut regiment that he commanded.) A note on the title page says this book was purchased in Albany in 1853 from W.C. Little, the notable law bookseller and publisher. The *Ordinance* printing in our copy not in Tower, Babbitt or the *ESTC*; OCLC locates 2 copies (New-York Historical Society, New York State Library). Evans 6897, 6898. Benedict 345, 325.

THE DIVINE OBLIGATION TO TITHE

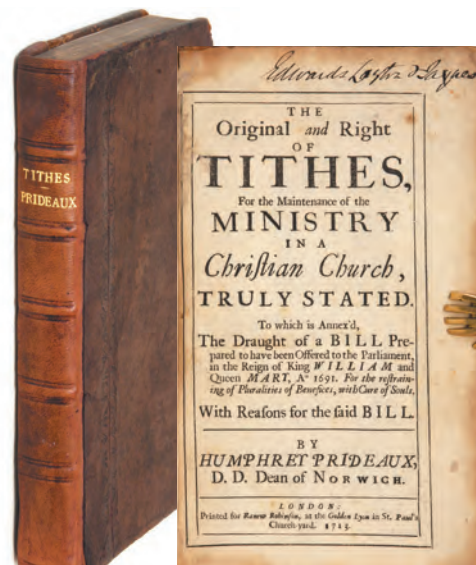
72 PRIDEAUX, HUMPHREY [1648–1724].

**The Original and Right of Tithes, For the Maintenance of the Ministry in a Christian Church, Truly Stated. To Which is Annex'd, The Draught of a Bill Prepared to Have Been Offered to the Parliament, In the Reign of King William and Queen Mary, Ao 1691. For the Restraining of Pluralities of Benefices, With Cure of Souls. With Reasons for the Said Bill.**

London: Printed for Ranew Robinson, 1713. [xvii], 323; [i], x, 3, [1], 30 pp. Two parts. The second part, *The Draught of a Bill* has a separate title page with the imprint Norwich: Printed by Fr. Collins, 1710. Complete. Octavo (7-1/2" x 4-1/2").

Contemporary calf, rebaked in period style, blind rules to boards, blind fillets along joints, raised bands and gilt title to spine, endpapers renewed. Light rubbing to boards, heavier rubbing to their extremities with some wear to corners, partial crack between pp. 28 and 29 of second part. Light toning, somewhat heavier in places, negligible faint dampspotting in places. Later owner signature to head of title page, interior otherwise clean. \$200.

SECOND EDITION. Prideaux was a churchman and notable Orientalist. First published in 1710, his treatise defines them as a divine rather than legal obligation. The second part of this work is a proposed bill written with input by Prideaux to prevent churchmen from holding multiple benefices. (The final version was not enacted.) Later editions were published in 1722 and 1736. All editions of this work are scarce. OCLC locates 2 copies of the second in North American law libraries (Columbia, University of Michigan). *ESTC* T169189.



N° 72

PRIESTLEY'S FIRST SUBSTANTIAL POLITICAL WORK,  
AN INFLUENCE ON THE CONSTITUTIONAL THOUGHT  
OF THE AMERICAN FOUNDING FATHERS

73 PRIESTLEY, JOSEPH [1733–1804].

*An Essay on the First Principles of Government; And on the Nature of Political, Civil, And Religious Liberty.*

Dublin: Printed for James Williams, 1768. xii, 214 pp. Octavo (6-1/2" x 3-3/4").

Contemporary mottled calf, raised bands and lettering piece to spine. Moderate rubbing to extremities, small chip to head of spine, front joint just starting at head, corners bumped, light toning to text. Faint early owner signature to title page, small mark in miniscule hand ("17.355") to front pastedown, interior otherwise clean. \$1,750.

FIRST DUBLIN EDITION, and the second edition overall, a reprint of the London edition published the same year. Priestley's first substantial political work, one that influenced several American founding fathers, such as John Adams and Thomas Jefferson, *An Essay on the First Principles of Government* is a full expression of his deeply held humanitarian beliefs. It is based on Priestley's *Essay on a Course of Liberal Education* (1765), which took issue with the authoritarian educational philosophy favored by John "Estimate" Brown in his *Thoughts on Civil Liberty*. Priestley develops the theme of his earlier essay further, arguing for a system of education compatible with the liberal political philosophy that he advocates as a matter of morality and a prerequisite for social progress. Adams and Jefferson owned copies of this book. A note in Sowerby says Jefferson often recommended it to others and cites a letter from 1802 in which he says it expressed the principles of the U.S. Constitution and their practical development in many of its articles. Sowerby 2332 (listing the second edition, London, 1771). [www.johnadamslibrary.org/book/?book=241467Adams291.1](http://www.johnadamslibrary.org/book/?book=241467Adams291.1) (listing the second edition). ESTC N9377.

EIGHTEENTH-CENTURY ANTHOLOGY OF WRITINGS ON  
MARITIME LAW

74 RAÙ, FRANCESCO, TRANSLATOR AND EDITOR.

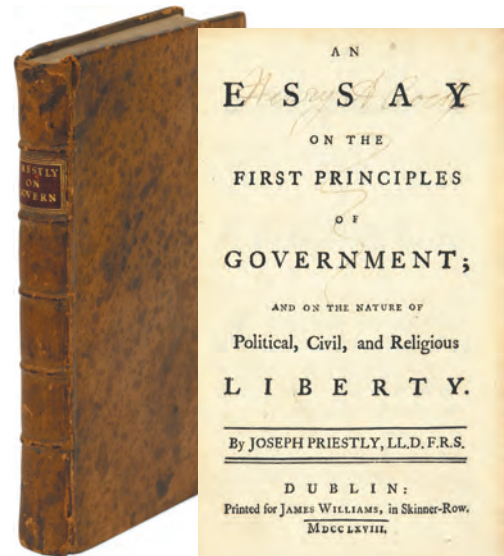
RIVANI, ALESSANDRO, TRANSLATOR AND EDITOR.  
SELLA, GASPERO, TRANSLATOR AND EDITOR.

*Biblioteca di Gius Nautico, Contenente le Leggi delle Piu' Culte Nazione, Ed i Migliori Trattati Moderni Sopra le Materie Marittime Illustrati con Note Interessanti. Il Tutto Tradotto in Lingua Italiana.*

Florence: Nella Stamperia di Antonio Benucci e Compagni, 1785. Two volumes. xxxii, 264; viii, 287, [1] pp. Quarto (9" x 6-1/2").

Contemporary vellum, gilt title panels to spines, speckled edges. Light rubbing and a few minor nicks to extremities, spine ends bumped, boards slightly bowed, stain to spine of Volume II. Very light toning to text, somewhat heavier in places, light foxing to a few leaves. A handsome copy. \$2,500.

ONLY EDITION. This is a carefully edited, translated and well-annotated anthology of classic writings on maritime law for an Italian audience. Arranged chronologically, its oldest work is the Byzantine Rhodian Sea Law (7th century CE); its newest work is the 1681 Marine Ordinance of Louis XIV. Among the other texts are the Laws of Oleron, the Laws of Wisby and a selection of laws from the Theodosian Code relating to maritime affairs. OCLC locates 12 copies worldwide, 4 in North America, 2 in law libraries (Library of Congress, University of Michigan).



Nº 73

A RARE COLLECTION OF FRENCH LEGAL  
AND POLITICAL APHORISMS

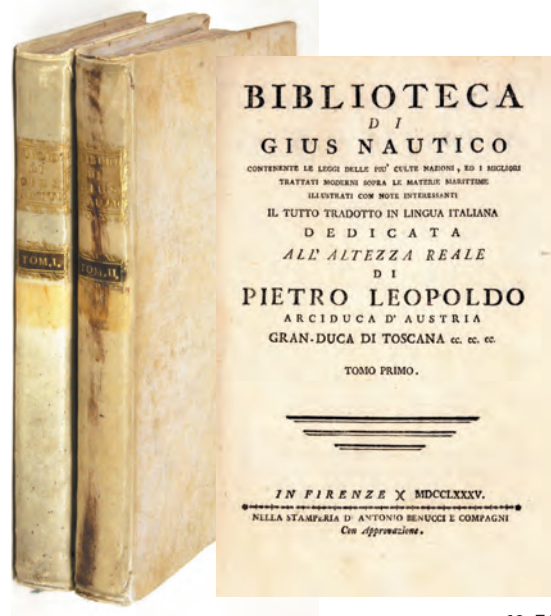
75 REGNAULT, AMABLE [1798–1897].

*Aphorismes Administratifs.*

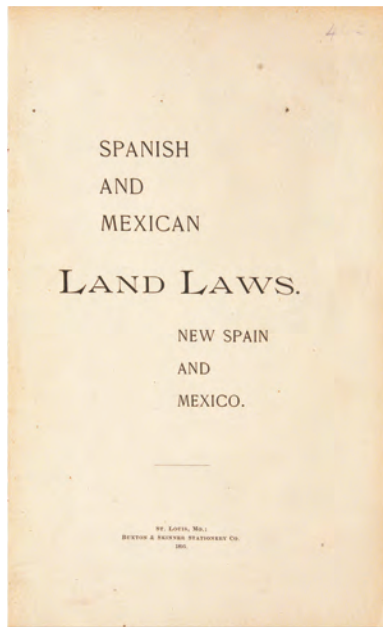
Paris: Cosse et Marchal, Imprimeurs-Editeurs, 1859. [iv], II, 206 pp. 12mo. (6-3/4" x 4-1/4").

Contemporary quarter calf over marbled boards, gilt title and fillets to spine, speckled edges, marbled endpapers. Some rubbing to extremities with minor wear to spine ends and corners, light fading to spine, partial crack to text block between front free endpaper and following endleaf. Light toning to text, light foxing in a few places. A handsome copy. \$1,350.

ONLY EDITION. Organized by topic, this is a collection of aphorisms on, for the most part, administrative law and political science. Each entry is accompanied by a Latin translation on a facing page. Regnault was an archivist, translator, historian and bibliographer. OCLC locates 4 copies, 1 in North America (U.S. Supreme Court). Another copy located at the Library of Congress.



Nº 74



N° 76

LEGAL GUIDANCE FOR LAND  
CASES IN TERRITORY ACQUIRED FROM MEXICO

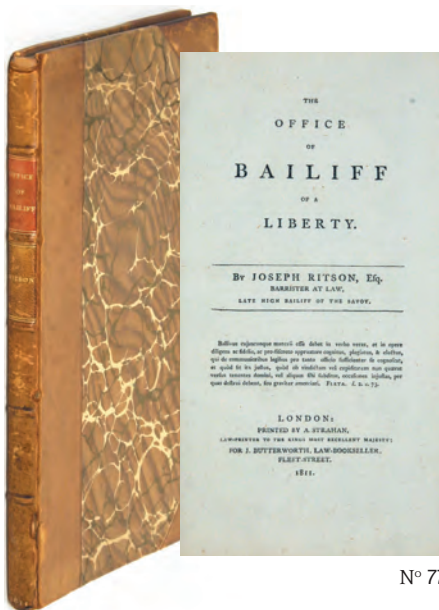
76 [REYNOLDS, MATTHEW G., COMPILER].

*Spanish and Mexican Land Laws, New Spain and Mexico.*

St. Louis: Buxton and Skinner Stationery Co., 1895. 331, v pp. Octavo (9" x 6").

Recent period-style calf, raised bands and lettering piece to spine, endpapers renewed. Light toning to text, internally clean. \$600.

ONLY EDITION. This is a compilation of land laws that were applied in territory acquired by the United States from Mexico. It includes a useful scholarly introduction by Reynolds. Quite likely the translator as well as the compiler, he was United States Attorney for the Court of Private Land Claims in Santa Fe.



N° 77

THE LAWBOOK EXCHANGE, LTD.



N° 78

SCARCE ENGLISH TREATISE ON BAILIFFS

77 RITSON, J[OSEPH] [1752-1803].  
[FRANK, JOSEPH, EDITOR].

*The Office of Bailiff of a Liberty.*

London: Printed by A. Strahan, 1811. [xv], 80 pp. Octavo (9" x 5-1/2").

Contemporary three-quarter calf over marbled boards, raised bands and lettering piece to spine, deckle edges. Moderate rubbing to extremities, joints starting at ends, hinges cracked. Some toning to text, light foxing to a few leaves. A nice copy of a scarce title. \$450.

ONLY EDITION. Ritson, a former bailiff, was a member of Gray's Inn and the author of several practical and historical works on legal subjects. Holdsworth says his study of bailiffs of a liberty, that is a court officer who executes process, is a "learned antiquarian tract based mainly on the Year Books and mediaeval statutes, with notes of such later statutes as referred to these bailiffs." OCLC locates 12 copies in North American law libraries. Holdsworth, *History of English Law* XII:337. Not in Sweet & Maxwell. *HLC* II:474.

"HIS FAMOUS WIG COMPOSED ENTIRELY OF SPLIT HAIRS AND  
ADORNED WITH THE CEREMONIAL CRIMSON TAPE"

78 ROBINSON, BOARDMAN [1876-1952].  
[BECKER-ROSENTHAL MURDER TRIAL].

*Mr. Justice Precedent.*

[New York, 1914]. 21" x 15-1/2" gouache image on 26" x 19-1/2" sheet, image signed twice and inscribed by Robinson, caption in pencil below image, most likely in another hand, laid down on illustration board. Image in 30-1/2" x 24" wooden frame, glazed. Light soiling, a few minor stains and four crop-marks to margins outside of image, which could be covered with a matte, image fine. Several minor scuffs and nicks to frame. A unique item relating to a notable trial. \$4,500.

THIS PIECE WAS CREATED TO ILLUSTRATE "Leaden Footed Justice in New York State," an article that appeared in the Special Feature Section of the *New York Tribune* on Sunday, March 1, 1914. The caption reads: "Mr. Justice Precedent wearing his famous wig composed entirely of split hairs and adorned with the ceremonial crimson tape." The caption refers to the protracted nature of the Becker-Rosenthal Murder case, which began on October 7, 1912, restarted on May 2, 1914 and finally concluded after a series of procedural events in 1915. The case involved a group of corrupt police offices led by Charles Becker who ran a protection racket on illegal casinos. Becker hired gangsters to kill a casino owner, and rival gangster, who was threatening to expose the racket. A breathtaking example of police corruption, the investigation and trial was front-page news in New York for months. In the end Becker was sent to the electric chair at Sing Sing. (This was the first time a police officer received the death penalty). The case lived on for several years in the popular imagination: it is mentioned, for example, by Meyer Wolfsheim in *The Great Gatsby* (1925). Robinson, the creator of this illustration, was a distinguished artist, illustrator and cartoonist. A native of Nova Scotia, he studied art in Boston and completed his training in Paris at the Académie Colarossi and the École des Beaux-Arts, both in Paris. "Mr. Justice Precedent" shows his affinity, acquired in Paris, for the work of Daumier, Forain and Steinlen. Robinson produced work for several newspapers and periodicals. He created "Mr. Justice Precedent" when he was an editorial cartoonist for the *Tribune*, a position he held from 1910 to 1914. The piece is signed twice, the second signature is part of a mostly illegible (and undated) inscription to an attorney.

Details from N° 79



79 RUSTICI, GIUSEPPE.

*An et Quando Liberi in Conditione Positi Vocentur, Tractatus: Ad Potentissimum ac Invictiss. Don Philippum II. Austriacum Omnibus Quidem Doctoribus Ius Publice Profitentibus, Ex eo Respondentibus, Causarum Patronis, Iudicibusque Utilissimus, & Valde Necessarius. Nunc Secunda ac Postrema Editione ab Ipso Auctore Correctus, Auctus, & Emendatus, Cum Insertione Trium Eius Responsorum Eandem Materiam Concernentibus. Cum Indice Etiam tum Caputum & Locorum Iuris, Tum Rerum & Sententiarum Locupletissimo.*

Venice: Ex Officina Damiani Zenari, 1598. [xx], 169 ff. Two full-page woodcuts, one a portrait of Rustici, the other of his coat of arms. Main text in parallel columns. Folio (13-1/4" x 8-1/4").

Later quarter vellum over marbled boards, raised bands and hand-lettered title to spine, endleaves renewed. Light soiling to spine, some rubbing to extremities, light wear to corners and spine ends. Title page, with large woodcut Zanaro device, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, light soiling to title page, small hole near its upper right-hand corner (with no loss to text). \$1,500.

THIRD AND FINAL EDITION. First published in 1587, with a second edition in 1597, Rustici's collection of consilia and short essays concerns knotty aspects of Roman law concerning inheritance, succession, children and the substitution of heirs. All editions of this work are scarce. OCLC locates 2 copies of the third edition in North America (Harvard Law School, Library of Congress), no copies of the second edition and 3 copies of the first edition (Library of Congress, UC-Berkeley, University of Kansas). EDIT16 CNCE39770.



GIVE TO THE CHURCH, NOT TO YOUR CHILDREN

- 80 SALVIAN (SALVIANUS) [c.390–c.484 CE].  
MACHERENTINUS, JOHANNES [1540–1610], EDITOR.

*Quis Dives Salvus. Salviani Massiliensis Presbyteri Adversus Avaritiam Sub Nomine Timothei, Ad Ecclesiam Catholicam Epistolares Libri Quatuor Vere Aurei, Digni[que] qui in Omnium Linguas Transferantur Nunc Primum In Certa Capita Distincti, Scholiis Marginalibus, At[que] Annotatione Consensus Sanctorum Patrum Illustrati: Per Joannem Macherentinum de Societate Jesu Theologum.*

Trier: Ex Officina Typographica Henrici Bock, 1609. 28, 226, [10] pp. Quarto (7-1/4" x 6-1/4").

Contemporary flexible vellum, later lettering piece to spine, ties lacking. Light rubbing to extremities, some soiling and spotting, vellum just beginning to crack through pastedowns. Title printed within woodcut typographical border, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing to a few leaves. Early annotations to endleaves, interior otherwise clean. \$950.

FIRST EDITION (BY MACHERENTINUS). Salvian of Gaul was an important Christian thinker and canonist of the fifth century. Enhanced with arguments drawn from canon law, his *Adversus Avaritiam* outlines reasons to give alms to the church. More interesting, it says parents should bequeath their estates to the Church rather than their children; it is better for children to suffer want in this world to save their parents from damnation in the next. Salvian also has much to say on the duty of self-denial by priests, nuns and monks. Macherentinus, the editor of this edition, was a Jesuit theologian. OCLC locates no copies of this edition in North America. VDI7 39:129323G.

LET THE PUNISHMENT FIT THE CRIME

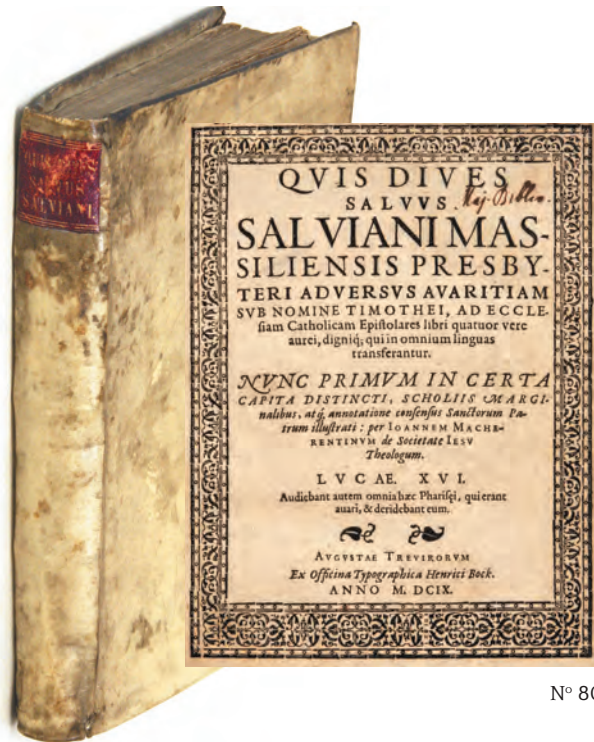
- 81 SARRESTE, CHARLES JOSEPH.

*Examen de la Législation Romaine, Anglaise et Française, En Matière Criminelle; Et Moyen de Proportionner la Peine au Délit.*

Paris: Chez Garnery/Rondonneau/Veuve Richard, An 11 [1801]. 192 pp. Octavo (8-1/2" x 5-1/4").

Original publisher wrappers, untrimmed edges, unopened signatures. A few minor stains, some fading to spine. Light toning to text, light foxing to a few leaves, internally clean. \$500.

ONLY EDITION. An interesting work of comparative criminal law from the Consulate period that compares ideas of proportionality in the punishment of criminals according to Roman, French and English law. Sarreste outlines a history of debates concerning sentencing around the time of the French Revolution, drawing on contemporary debates in Great Britain and the work of writers like Beccaria and Blackstone. He discusses the nature of punishment, acts that may be classified as crimes, areas in which civil and criminal law overlap and the circumstances that establish criminal liability. He goes on to examine the penalties in England and France for various categories of crime, noting, to cite two examples, the severity of the death penalty for fraud in Great Britain and the absurdity of treating rape differently according to the age of the victim in France. OCLC locates 7 copies worldwide, 1 in North America (UC-Berkeley Law School). Another copy located at George Washington University Law School.



N° 80

NOTABLE GERMAN TREATISE ON CRIMINAL LAW  
ILLUSTRATED WITH WOODCUTS

- 82 SAUR (SAWR), ABRAHAM [1545–1593].

*StraffBuch, Das ist: Gründtliche und Rechte Underweysung wie Heutiges Tags, Nach allen Gemeinen Beschriebnen Geistlichen und Weltlichen Rechten, Reichs auch Lands Ordnungen, Statuten, Opinionen der Rechtsgelehrten, Und Wolhergebrachten Gewonheiten, Etliche Grobe Eusserliche Sünde, Freuel und Begangene Missethaten, Bürgerlich und Peinlich Zustraffen Gepflogen Werden. Allen und Jeden so an Peinlichen Gerichten zu Handlen Haben Fast Dienlich: Mit Angehengten Allegationibus und Rechtsgründen.*

Frankfurt: Gedruckt Durch Nicolaum Bassee, 1581. [x], 162, [12] pp. Ten woodcuts. Folio (10-1/2" x 7-1/2").

Recent vellum, ties lacking, early hand-lettered title to top edge, boards slightly bowed. Title page printed in red and black, woodcut head-pieces, tail-pieces and decorated initials, large woodcut coat of arms (above dedication), ten large woodcut illustrations of crimes, courts and punishments. Moderate toning to text, somewhat heavier in places, occasional faint dampstaining, minor worming to margins in a few places, light foxing to a few leaves, headlines and side-notes affected in places by trimming, chips to fore-edges of title page and a few other leaves mended. Early marks in pen to a few leaves, interior otherwise clean. \$3,500.

FIRST FOLIO EDITION. This title was originally published in 1577 as an octavo titled *Straffbüchlein* (or Little Book of Crimes). It was a popular book that went through several editions. Its popularity was due in part to its concise text and careful organization. For each entry Saur offers a brief general summaries of the crime followed by treatments of that crime under Roman, canon, Holy Roman and local law. Each example is illuminated with excerpts from appropriate texts, which are tagged with citations. OCLC locates no copies of the 1581 edition in North America. VDI6 S1932.




Straff Buch  
Das ist

# Gründliche vnd rechte Vnderweysung

wie heutiges tages / nach allen gemeinen  
beschriebnen Geistlichen vnd Weltlichen Rechten / Reichs auch  
Lands Ordnungen / Statuten, Opinionen der Rechtsgelchrten / vnd wol  
hergebrachten Gewonheiten / etliche grobe eussliche Sünde /  
Freuel vnd begangne Mißthaten Bürgerlich vnd  
peinlich zu straffen gepflogen werden.

Allen vnd jeden / so an peinlichen Gerichten zu handeln haben/  
fast dienstlich / förderlich vnd behüßlich / Mit angehengten  
Allegationibus vnd Rechtsgränden / Durch

M. Abraham Sauer Fürstlichen Hessischen verordneten Procuratorem vnd  
Deputatorem etc. heubdt wider von neuem an vielen orten mercklich  
geminder / vnd mit loblichen Figuren gepiet.



Mit dem. Key. May. Freyheit / auffsehen Jar nicht nach zu trucken beinudet.  
Getruckt zu Frankfurt am Mayn / durch Nicolaum Basse.  
M. D. LXXXI.

Straff Buch. 73

## Hernach folgen etlich böse töd- tung vnd wie man derselben Thäter straffen sol.

*De veris modis  
homicidij.*



XIX.

### Straff derer / so mit Gifft oder Venen heim- lich vergehen.

*Paulus vorken*

*Reichs Ordnung.*

**E**r jemandt durch Gifft / am Leib oder Leben be-  
schädigt / Ist es ein Mannsbild / der würde einem Mörder  
gleich / mit dem Radt zum todt gestrafft. Thet aber ein solche  
mißthat ein Weibsbild / die läßt man ertrucken / oder in an-  
dere wege nach gelegenheit / vom leben zum todt richten. Doch zu mehrer  
forcht andern / werden solche böshafftige mißthätige Personen / vor der  
endlichen Todtstraff geschleiff / oder etlich griff in ihre Leib / mit gländen  
Zangen gegeben / viel oder wenig / nach ermessung der Person vund töd-  
tung. Verba ord. cri. Car. V. Imp. art. 136.

*Bambergsche Ordnung.*

Also ordnets auch mit gleichen worten die Bambergsche Halsgeriches  
Ordn. art. 155.

*Sachsen Rechts.*

Iure Saxon. werden sie verbrandt. lib. 2. art. 11.

E 14 Gemein

Details from No 82



## Straff Buch / Wie man heutigs tages / nach gemeinen beschriebnen Keyserlichen Rech- ten / Reichs auch Lands Ordnung / Statuten vnd wol hergebrachten gewonheiten handeln soll / etc.

I.

### Straff der Gotteschwerer vnd Lasterer.

*Hillich verfluchen vnd schewen / Allen Gottes Namen soltu ehren.*

*De blasphemie  
crimini lesa ma-  
jesta diu. na.*



**E**ß heiligen Römischen Reichs sampt eilt-  
chen Lands Ordnung. Dieselbige haben hehsam vnd wol  
versehen / das die Gotteschwerer / so Gott den Allmächtigen  
freuentlich lästern / bei den hochwürdigen Sacra-  
menten / vnd dergleichen / etc. ärgerlich vnd vndirlich  
schweren) an Leib vnd Leben / oder nach gelegenheit vnd gestalt der läste-  
rung sollen gestrafft werden. Vide ord. cri. Car. V. Imp. art. 106. Item  
Herzog Augusti Schwärz zu Sachsen etc. Peinlich Ordnung de Ann.  
1572. publi. part. 4. constitut. 1. Item die Hessische Ord. vnd neue Refor-  
mation.

*Reichs Ord-  
nung.*

*Sächsische  
Ordnung.  
Hessische Or-  
nung.*

116

M. Abraham Sauer

## GRADVS FVRTORVMQVE DIFFERENTIAE.

### I. Von schlechtem / heimlichem Diebstal.

*Differens facta,  
pro vi facta, velti-  
na vel grana.*



*Reichs Ordnung.*

**I**n heimlicher schlechter Diebstal wirdt genant/  
wann der Dieb erstlich vnter 5. Gulden werdt gestolen / vund  
mit solchen Diebstal / etc. er in sein gewarlam kömp / nicht be-  
rührtigt worden / Auch zu solchem Diebstal weder gestiegen  
noch gebrochen ist / etc. So sol er dem beschädigten den Diebstal doppelbe-  
zalen / oder mit dem Kerker etliche zeit lang dafür gestrafft werden. Vnd  
so der Dieb mit mehr vermag / oder zu wegan bringen kan / so sol er doch  
zum wenigsten dem beschädigten den Diebstal wider geben / oder noch ein-  
fach werdt bezalen / oder verglichen / vnd sol der beschädigte mit derselben  
einfachen vergleichung des Diebstals / Aber mit der obermaß nicht der  
Oberkeit Geltuß vorgehen. Doch sol der Dieb im aufflassung seine  
atzung / so er in der Besänamß gennacht hat / auch subzalen schuldig seyn /  
vnd den Durch / ob er so hat / ihre gewöhnliche gebür / für ihre mühe vund  
fleiß errichten / vnd zu dem allen / nach der besien form / vmb einhaltung  
wollen des gemeinen frieds / ewige Drphted thun. Sic per totum habes  
in ord. cri. Car. V. Imp. art. 157.

*Simplex furum.*

*Pena dupli.*

*Den Diebstal  
doppel bezalen.*

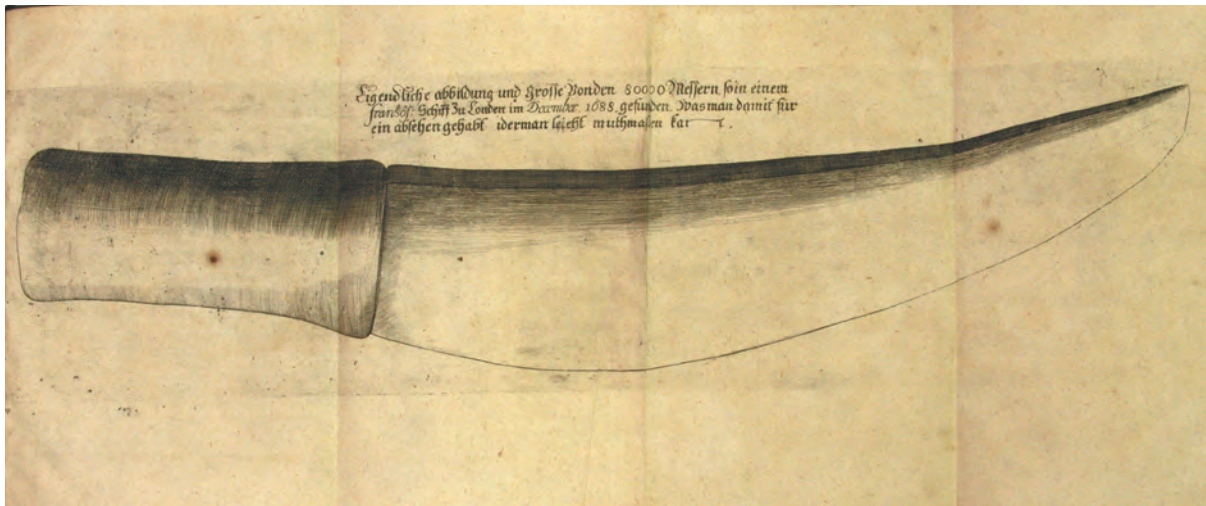
*Zwungen Bär-  
zel bezalen.*

*Ewiges Drphted  
thun.*

*Reichs Ordnung.*

Also ordnets auch die Hessische P. Ordn. fol. 22.

Bam



N° 83

EARLY ACCOUNT OF JAMES II'S ATTEMPT  
TO RECAPTURE THE ENGLISH THRONE

**83** [SCOTLAND].  
[JAMES II, KING OF ENGLAND, SCOTLAND  
AND IRELAND (1633–1701)].

*Criminal-Process, In Sache Des Hohen Verraths vor Solenner Versam[m]lung eines Freyen und Rechtmäßigen Parlaments/ Zwischen denen Ingessenen in Engeland/ Schott- und Irrland/ als Klägeren an Einem/ und dann Ihrem Gegenwärtigen Könige/ Jacobo dem Zweyten/ als Beklagten am Andern Theil: Worinnen Solcher aller seiner Grausamen und Unerträglichen Tyranny gegen Erwehnte drey Nationen; Dann Seines Vorhabens umb die Reformirte Religion Auszurotten/ und Hingegen das Pabstthum nebst der Slavery einzuführen; Ferner Seiner Landes-Unterdrückung und Vermessenen Unternehmungen gegen Jener Grund-Gesetze/ Freyheit und Privilegien; Endlich auch Seines überfallens und Unervöter Gewlt gegen Derselbigen Leben/ Guter und Eigenthum/ Etc. Beschuldigt/ und aus denen Gesetzen überzeuget Wird; Wobey die Eigentliche Abbildung eines Messers/ Deren 80000. Im Decembr. 1688. In einem Frantzös. Schiffe zu Londen Gefunden Worden.*

Edinburgh: Bey James Warner, 1688. 36 pp. Folding copperplate (of a knife). Quarto (7-1/2" x 6").

Stab-stitched pamphlet bound into nineteenth-century three-quarter pebbled cloth over marbled boards. Some rubbing to extremities with light wear to spine ends and corners. Light browning to text, early notation to head of title page in small hand. Ex-library. Shelf label to front board, stamps and annotations to verso of title page, another stamp to verso of folding plate. A nice copy of a scarce title. \$1,850.

FIRST EDITION. Published during the 1688–1691 Williamite War (or Williamite–Jacobite War) for the predominately Protestant German community in Scotland, this is an indictment of James II's attempt to regain the English throne through force in the form of a legal brief. It pays particular attention to the military assistance provided to James II by France. As indicated in the title, French support included a supply of long knives to the Jacobites. The plate depicts one of these knives. Another edition of this pamphlet was published in 1689. Both editions are very scarce, OCLC locates 1 copy of the 1688 edition in North America (UCLA), 1 of the 1689 (University of Pennsylvania). VD17 3:007223K.

SELDEN'S GROUND-BREAKING UXOR EBRAICA

**84** SELDEN, JOHN [1584–1654].

*Uxor Ebraica, Seu de Nuptiis et Divortiis Ex Jure Civili, Id est, Divino & Talmudico, Veterum Ebraeorum, Libri Tres. Ejusdem de Successionibus ad Leges Ebraeorum, Libri Tres, Ejusdem de Successionibus ad Leges Ebraeorum in Bona Defunctorum. Liber Singularis: In Pontificatum, Libri Duo.*

Frankfurt-on-Oder: Sumptibus Jeremiae Schrey, 1695. [2], 456 [i.e. 460], [36], 248 pp. Two parts with individual pagination; second part, *De Successionibus*, preceded by divisional title page. Quarto (8" x 6-1/2").

Contemporary vellum, blind frames and large central arabesques to boards, raised bands and early hand-lettered title to spine. Light soiling, corners and spine ends bumped, a few minor scuffs to rear board, some creases and edgewear to endleaves. Main title page printed in red and black. Moderate toning to text, occasional light foxing to text, light soiling to title page. "102" in small recent hand to front pastedown, interior otherwise clean. \$850.



N° 84

LATER EDITION. A scarce edition of Selden's work on the laws of Jewish marriage and divorce, applying his more general theory of natural law, and approaching the views of Milton. It was first published in 1646. Speaking of this and other works dealing with Jewish customs the DNB says "[his] acquaintance with the original of the Old Testament and the ancient versions and commentaries which all these works display is very great. Their author's familiarity with rabbinical literature was such as has been acquired by few non-Israelite scholars; and many details of oriental civilisation and antiquities were certainly brought to the knowledge of Europeans for the first time in them" (DNB). Despite the importance of this work it was not translated into English until 1991. DNB XVII:1157. VD 17. Jahrhunderts 14:019894C.

IMPORTANT EARLY TREATISE ON PARISH LAW

## 85 SHAW, JOSEPH [1671-1733].

*Parish Law: Or, A Guide to Justices of the Peace, Ministers, Church-Wardens, Overseers of the Poor, Constables, Surveyors of the Highways, Vestry-Clerks, And All Others Concern'd in Parish Business: Compiled From the Common, Statute, and Other Authentick Books; As Also From Some Adjudged Cases Never Before Published: Together With Correct Forms of Warrants, Commitments, Indictments, Presentments, Convictions, &c. To Which is Added A Choice Collection of Precedents for Justices of the Peace, Communicated by an Able Hand. With a New and Correct Table. With Many Cases from Lord Raymond and Other New Reports, And the Acts of Parliament Continued to the Present Time: With Observations on the Last Vagabond Act.*

[London]: Printed by Henry Lintot, (Assignee of Edw. Sayer, Esq;) for R. Ware, 1748. [xvii], 378, [22] pp. Octavo (8" x 4-1/2").

Contemporary calf, blind frames to boards, blind fillets along joints, gilt tooling along board edges, raised bands and lettering piece to spine, recent repair to head of spine, rear free endpaper renewed. Light rubbing to boards and extremities, corners bumped and lightly worn, front hinge cracked, early armorial bookplate to front pastedown, crack in text block between final two index leaves. Light toning to text, minor foxing to a few leaves. A handsome copy. \$150.

SIXTH EDITION. "A more modern and much more important unit of local government--the parish--was made the subject of a book by Joseph Shaw in 1733, which reached a tenth edition in 1763. It is a useful and clearly written summary of a topic which demanded a knowledge both of ecclesiastical law and of the common law enacted and unenacted.": Holdsworth XII:338. ESTC N11020.

FINAL EDITION OF SHAW'S LONG-LIVED JP MANUAL

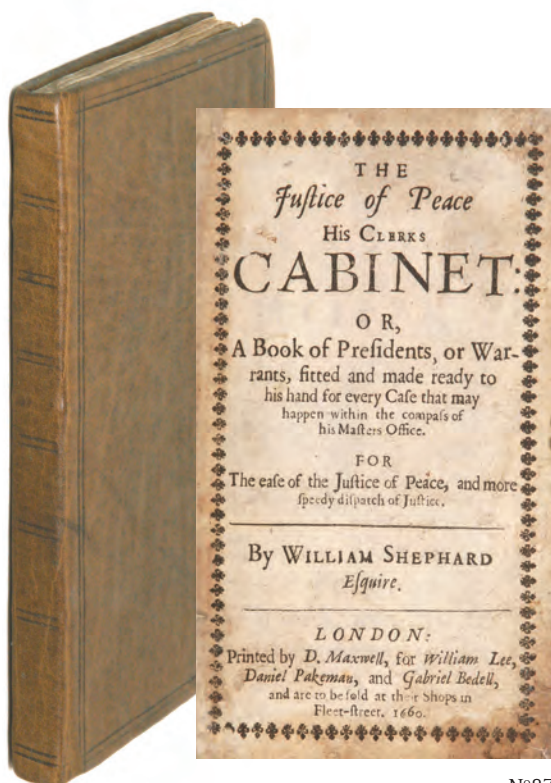
## 86 SHAW, JOSEPH

*The Practical Justice Of Peace, And Parish and Ward-Officer: Or a Treatise Shewing the Present Power and Authority of these Officers, In all the Branches of Their Duty. Contrived to Answer, Not Only all the Purposes of These Officers, But also of All Others Who have any Concern in County, Parish, Or Ward Business. [A Work Undertaken at the Insistence of the Late Lord Chancellor King (To Whom it is Dedicated) and Carried on Under the Occasional Inspection of the Late Sir John Fortescue-Aland; Solicitor General; One of the Barons of the Exchequer; One of the Justices of the Courts of King's Bench and Common Pleas to His Late and Present Majesty; And Afterwards Lord Fortescue.]*

[London]: Printed by Henry Lintot, 1756. Two volumes. [vi], [7]-680; [iv], iii, [2]-621, [13]. pp. Complete. Octavo (8-1/4" x 5").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering pieces to spine. A few minor nicks and scuffs to boards, some rubbing to extremities, minor chipping to foot of each spine, joints starting at ends, corners bumped and lightly worn, front hinges cracked. Moderate toning, light foxing in a few places, faint inkstain to lower margins of several leaves in Volume II, text not affected. Early doodles to front board of Volume II, early owner name to spine, edges of text blocks, preliminaries and rear endleaves of each volume, interiors otherwise clean. A handsome set. \$150.

SIXTH AND FINAL EDITION of a durable work first published in 1728. Its final edition, the sixth, was published in 1756. ESTC N12114.



N°87

"FOR THE EASE OF THE JUSTICE OF PEACE,  
AND MORE SPEEDY DISPATCH OF JUSTICE"

## 87 SHEPPARD, WILLIAM [D.1657?].

*The Justice of the Peace, His Clerks Cabinet: Or, A Book of Presidents, Or Warrants, Fitted and Made Ready to His Hand for Every Case that May Happen Within the Compass of His Masters Office. For the Ease of the Justice of Peace, And More Speedy Dispatch of Justice.*

London: Printed by D. Maxwell, For William Lee, Daniel Pakeman, And Gabriel Bedell, 1660. [xvi], 127, [1] pp. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, blind rules to boards, blind fillets to spine, endpapers renewed. Title printed within typographical border, typographical head-pieces, woodcut decorated initials. Moderate toning to text, occasional light soiling, chips and edgewear to title page and several leaves, a few with recent repairs, lower section lacking from rear endleaf. Early annotations to rear endleaf, interior otherwise clean. A nice copy in an attractive binding. \$950.

FIRST EDITION. ONE OF TWO ISSUES FROM 1660. Active in the Protectorate, where he was Cromwell's legal advisor, Sheppard aimed to reform the common law. Ahead of his time in many ways, some of his proposals anticipate changes that were adopted in the nineteenth century. His work was well-received and deeply influential. Some of his books, most notably *The Touchstone of Common Assurances* (1648), were standard authorities into the nineteenth century. A second edition of his JP manual was published in 1672. This is a very scarce work. Counting both imprints, OCLC locates 9 copies of the first edition, 7 in North America, 4 in law libraries (Northwestern, Southern Methodist University, University of Pennsylvania, Yale). ESTC R31195.

DIVIDING PRIZE MONEY AFTER THE CAPTURE OF A SLAVE SHIP

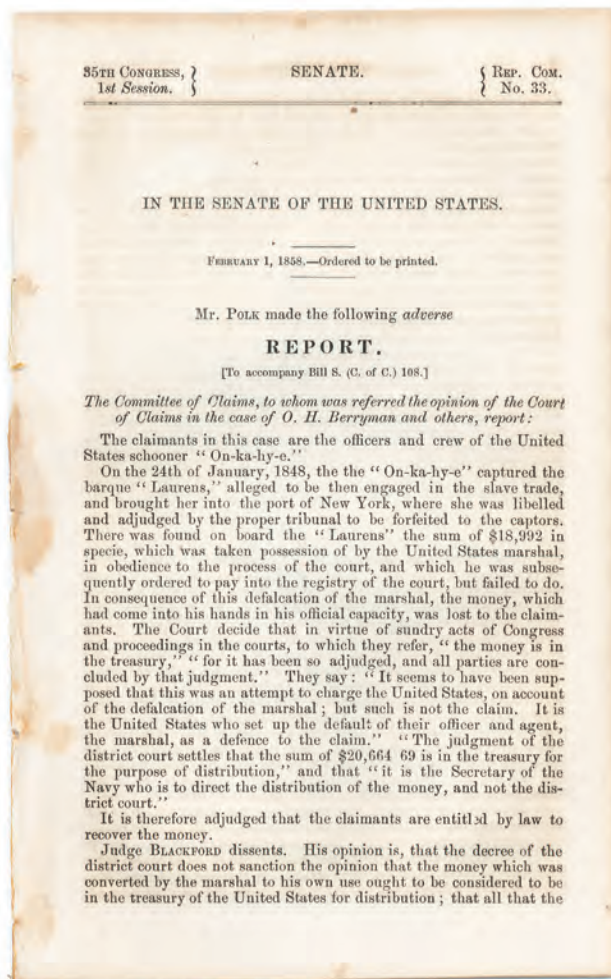
88 [SLAVERY].  
[UNITED STATES].

*In the Senate of the United States. February 21, 1858—Ordered to Be Printed. Mr. Polk Made the Following Adverse Report [To Accompany Bill S. (C. of C.) 108.]: The Committee of Claims, To Whom was Referred the Opinion of the Court of Claims in the Case of O.H. Berryman and Others, Report: The Claimants in this Case are the Officers and Crew of the United States Schooner "On-Ka-Hy-E" [drop-head title].*

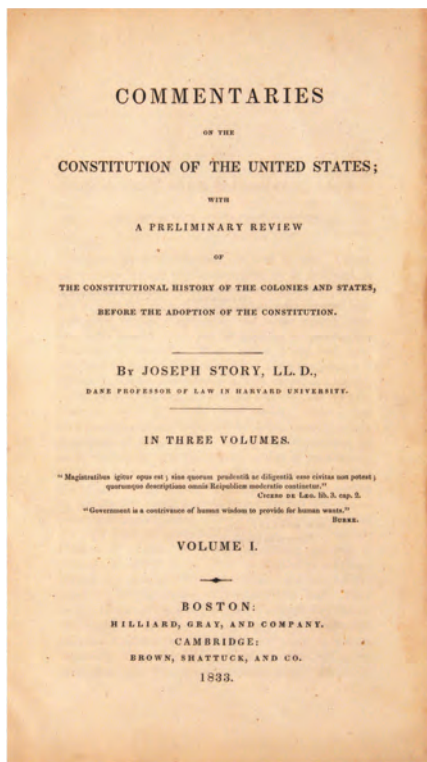
[Washington, DC: S.n., 1858]. 13 pp. Octavo (9" x 5-1/2").

Disbound, light rubbing to extremities, some toning and light foxing. \$100.

35TH CONGRESS, 1ST SESSION, SENATE, REP. COM. No. 33. This speech disputes the distribution of prize money between the Federal government and the crew that captured the slave ship *Laurens*.



N°88



N°89

HANDSOME FIRST EDITION OF THE FIRST IMPORTANT WORK ON THE AMERICAN CONSTITUTION

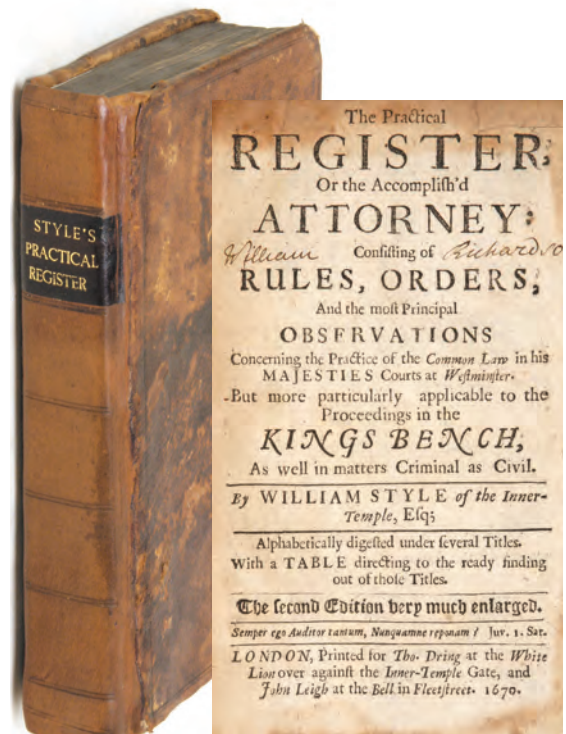
## 89 STORY, JOSEPH [1779-1845].

*Commentaries on the Constitution of the United States; With a Preliminary Review of the Constitutional History of the Colonies and States, Before the Adoption of the Constitution.*

Boston: Hilliard, Gray and Company, 1833. Three volumes. xxxiv, [ii], 494; [iii], 555; [ii], 776 pp. Octavo (8-1/2" x 5-1/2").

Recent period-style calf, blind rules to boards, lettering piece and blind fillets to spine, endpapers renewed. Light toning to text, some leaves have finger smudges, creases or foxing, a few leaves have brief early annotations. A handsome set. \$7,500.

FIRST EDITION. Story's *Commentaries* was the most substantial and influential work written on the American Constitution before the Civil War, and it remains an important work today. Written while Story was Dane Professor at Harvard Law School and an Associate Justice of the Supreme Court, it presented a strongly Nationalist interpretation. It is divided into three books. Book I contains a history of the colonies and discussion of their charters. Book II discusses the Continental Congress and analyzes the flaws that crippled the Articles of Confederation. Book III begins with a history of the Constitution and its ratification. This is followed by a brilliant line-by-line exposition of each of its articles and amendments. Comparing it to the *Federalist*, James Kent said that Story's work was "written in the same free and liberal spirit, with equal exactness and soundness of doctrine, and with great beauty and eloquence of composition. (...) Whoever seeks...a complete history and exposition of this branch of our jurisprudence, will have recourse to [this] work, which is written with great candor, and characterized by extended research, and a careful examination of the vital principles upon which our government reposes": cited in Marvin 669-670. Cohen 2914.



N°90

STYLE'S PRACTICAL REGISTER

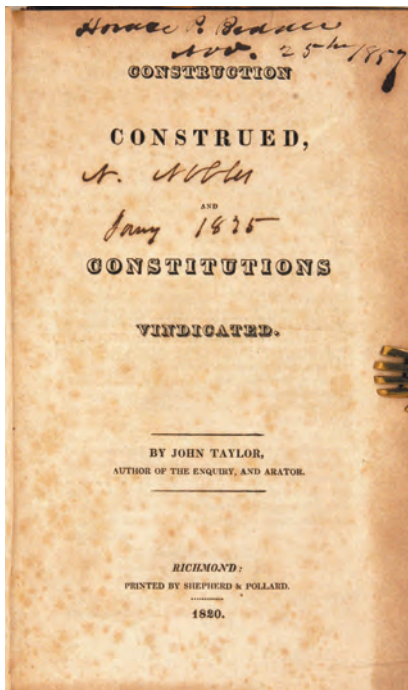
## 90 STYLE, WILLIAM [1603-1679].

*The Practical Register, Or the Accomplish'd Attorney: Consisting of Rules, Orders, And the Most Principal Observations Concerning the Practice of the Common Law in his Majesties Courts at Westminster. But More Particularly Applicable to the Proceedings in the Kings Bench as Well in Matters Criminal as Civil. Alphabetically Digested Under Several Titles. With a Table Directing to the Ready Finding Out of Those Titles. Very Much Enlarged.*

London: Printed for Tho. Dring, 1670. [xxxii], 574 [i.e. 490], [2] pp. Includes 4-page publisher catalogue. Numerous errors in pagination. First leaf, a blank, lacking. Text complete. Octavo (6-1/2" x 4-1/2").

Contemporary sheep, rebacked, blind rules to boards, lettering piece and blind rules to spine, endpapers renewed. Moderate rubbing to boards and extremities, corners bumped and worn. Moderate toning to text, light foxing in places, faint dampstaining to lower corner of final 36 leaves, small chips to edges of 2 leaves. Early (?) owner signature to head of title page, interior otherwise clean. \$350.

SECOND EDITION. This popular guide was first published in 1657 with the title *Regestrum Practicale*. (Its early editions are called *Regula Placitandi* in *Comyns' Digest of the Laws of England*). Arranged alphabetically, it contains the rules for practice, together with some basic information regarding the substantive law. John Lilly published a continuation of this book in 1710. ESTC R31009.



N° 91

AN IMPORTANT SOUTHERN VOICE IN THE POLITICAL DEBATES  
THAT FOLLOWED THE WAR OF 1812

## 91 TAYLOR, JOHN, OF CAROLINE [1753–1824].

***Construction Construed, and Constitutions Vindicated.***

Richmond: Printed by Shepherd & Pollard, 1820. [ii], iv, 344 pp. Octavo (8-1/2" x 5-1/4").

Contemporary sheep, rebacked retaining existing spine, blind fillets to boards, lettering piece and blind fillets to spine, hinges mended. Moderate rubbing to extremities, some wear to corners, a few shallow scuffs to boards. Moderate toning and light foxing to text, small chip to fore-edges of leaf containing pp. 281–282. Faint early owner signature to head of front board, owner inscription dated 1857 to head of title page interior otherwise clean. A handsome copy. \$1,500.

ONLY EDITION. Taylor's work is an essential part of the political and intellectual history of the South, especially Southern constitutional theories used to justify secession. *Construction Construed* was Taylor's response to a series of post-War of 1812 developments, including John Marshall's Supreme Court decision in *McCulloch v. Maryland*, the widespread issuance of paper money by banks, proposals for a protective tariff and the attempt to bar slavery from Missouri. Along with many other Southerners, Taylor saw measures like these as part of a trend to establish an "artificial capitalist sect" and a centralized national government that would corrupt the virtue of the American people and upset the proper constitutional balance between state and federal authority. Sabin 94486. Cohen 6333.

"DESERVES TO RANK AMONG THE TWO OR THREE REALLY HISTORIC CONTRIBUTIONS TO POLITICAL SCIENCE WHICH HAVE BEEN PRODUCED IN THE UNITED STATES"

## 92 TAYLOR, JOHN, OF CAROLINE.

***An Inquiry into the Principles and Policy of the Government of the United States. Comprising Nine Sections, Under the Following Heads: I. Aristocracy; II. The Principles of the Policy of the United States, And of the English policy; III. The Evil Moral Principles of the Government of the United States; IV. Funding; V. Banking; VI. The Good Moral Principles of the Government of the United States; VII. Authority; VIII. The Mode of Infusing Aristocracy into the Policy of the United States; IX. The Legal Policy of the United States.***

Fredericksburg, [VA]: Green and Cady, 1814. [iii]–viii, 656, [1] pp. Octavo (8-1/4" x 5").

Contemporary three-quarter diced calf over marbled boards, lettering piece and gilt fillets to spine. Light rubbing to boards. moderate rubbing to extremities, corners bumped and lightly worn, hinges cracked, two early owner bookplates (J.W. Bailey, Hugh Cox) to front pastedown. Light browning to text, somewhat heavier in places, occasional light foxing. A handsome copy.

\$1,750.

ONLY EDITION. Taylor wrote this important work in 1814 as a reply to John Adams's *Defence of the Constitutions of Government of the United States of America*. Unlike Adams, he rejects the concept of "a natural aristocracy" of "paper and patronage" and a federal government based on a system of debt and taxes. He considers the American government to be one of divided powers responsible to the sovereign people alone. Opposed to the extent of power awarded to the executive office, he calls for shorter terms for the president and all elected officers. Charles Beard said this work "deserves to rank among the two or three really historic contributions to political science which have been produced in the United States.": *DAB* IX:331. Sabin 94491. Cohen 5823.

AN IMPORTANT SOUTHERN VOICE IN THE POLITICAL DEBATES  
THAT FOLLOWED THE WAR OF 1812

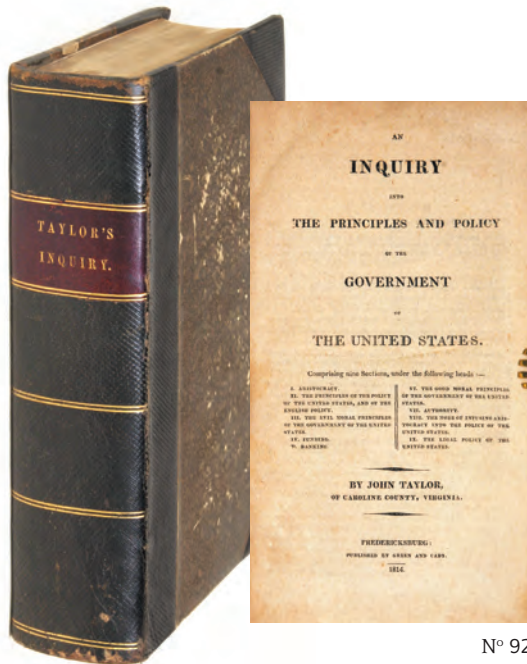
## 93 TAYLOR, JOHN, OF CAROLINE.

***Tyranny Unmasked.***

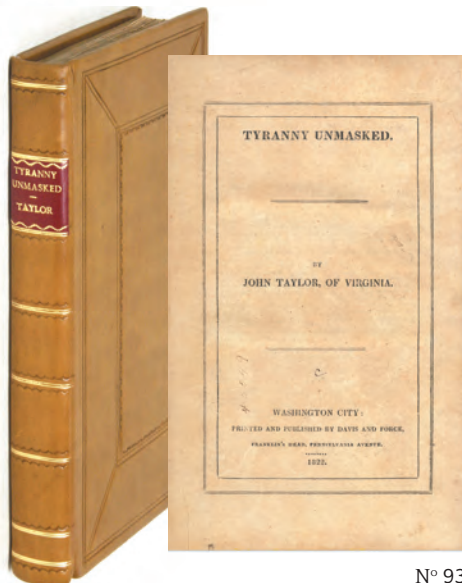
Washington City [DC]: Printed and Published by Davis and Force, 1822. 349 pp. Octavo (8-1/2" x 5").

Recent period-style calf, blind panels to boards, lettering piece and gilt fillets to spine, endpapers renewed. Moderate toning, light foxing in places, a few leaves have faint markings in pencil, two very faint tiny marks in pen to title page ("45549" and "c"). A handsome copy. \$1,200.

ONLY EDITION. *Tyranny Unmasked* expands Taylor's theories of society, government and the U.S. Constitution introduced in *An Inquiry Into the Principles and Policy of the Government of the United States* (1814) and expanded in *Construction Construed* (1820). *Tyranny Unmasked* discusses the effect of the Constitution on social policies, particularly taxation, banking, tariffs, protectionism and currency. Along with many other Southerners, Taylor feared centralized national government. He believed it would corrupt the virtue of the American people and upset the proper constitutional balance between state and federal authority. Sabin 94495. Cohen 6334.



Nº 92



Nº 93

A STANDARD CANON-LAW TREATISE ON PUNISHMENT

- 94 TESAURO, CARLO ANTONIO [1587-1655].  
GIRALDI, UBALDO [1692-1775], EDITOR.

*De Poenis Ecclesiasticis Praxis Absoluta, Et Universalis. Iam Primum in Duas Partes Distributa Nunc Notis, & Accessionibus Earumdem Poenarum ab Anno MDCLIII. Ad Currentem MDCCLX. Inflictarum Locupletata ab Adm. R.P. Ubaldo Giraldi a S. Cajetano. Opus Diligenter Revisum, Emendatumque, Ac Propositionibus ab Apostolica Sede Proscriptis Auctum Publicae Commoditati Deferunt.*

Rome: Haeredes Jo. Laurentii Barbiellini, 1760. [iv], 524 pp. Main text in parallel columns. Folio (13" x 8-1/2").

Contemporary vellum, raised bands and early hand-lettered title and small early shelf label (reading "63") to spine, speckled edges. Light rubbing, light soiling and a few tiny worm holes to spine, boards slightly bowed, corners bumped and somewhat worn, crack in text block between front free endpaper and title

page, which is printed in red and black. Moderate toning to text, somewhat heavier in places, some leaves have light foxing or dampspotting. A handsome copy. \$750.

LATER EDITION. First published in 1640, this treatise on punishments by a Jesuit canonist went through at least six editions. It was a standard work into the final decades of the nineteenth century. Not in Ferreira-Ibarra.

FINAL EDITION OF TESAURO'S TREATISE ON PUNISHMENT

- 95 TESAURO, CARLO ANTONIO.  
GIRALDI, UBALDO, EDITOR.

*De Poenis Ecclesiasticis Praxis Absoluta et Universalis. Iam Primum in Duas Partes Distributa. Nunc Notis et Accessionibus Earumdem Poenarum ab anno MDCLIII ad Usque MDCCLX Inflictarum Locupletata ab Adm. R.P. Ubaldo Giraldi a Sancto Cajetano.*

Rome: Apud Dominicum Ercole, 1831. [iv], 524 pp. Main text in parallel columns. Folio (15-1/2" x 10-1/2").

Original plain thick-paper printer wrappers, early hand-lettered title to spine, untrimmed edges. A few minor stains, light rubbing to extremities with minor wear to spine ends, a few leaves have small chips. Light toning, negligible foxing in a few places. An appealing copy. \$750.

SIXTH AND FINAL EDITION. Not in Ferreira-Ibarra.

AN IMPORTANT ATTACK ON THE SEDITION ACT

- 96 THOMSON, JOHN.

*An Enquiry Concerning the Liberty, And Licentiousness of the Press, And the Uncontrollable Nature of the Human Mind: Containing an Investigation of the Right which Government have to Controul the Free Expression of Public Opinion, Addressed to the People of the U. States.*

New York: Printed by Johnson & Stryker, No. 29 Gold-Street, for the Author, 1801. 84 pp. Octavo (9" x 5-1/2").

Disbound stab-stitched pamphlet, recently re-sewn, untrimmed edges. moderate toning, light foxing and staining in a few places, light soiling, edgewear and a few small chips to title page and final leaf. Small later stamp to head of title page (possibly a serial number), internally clean. \$2,500.

ONLY EDITION. Thompson attacks the Sedition Act as a tool to stifle freedom of the press. He casts his argument for unlimited freedom of expression in the terms of eighteenth-century Enlightenment radicalism and the U.S. Bill of Rights. Much of his case will sound familiar; it is now accepted as irrefutable by most Americans today. The Sedition Act was passed with the Alien Act by the Federalist-controlled Congress in 1789 to curb the influence of Jefferson's Republican Party and French radicals. The Sedition Act made it unlawful to publish anything false, malicious or scandalous about the president or Congress, or to assist the designs of a foreign power against the United States. The unpopularity of these acts contributed to Jefferson's election and the rapid decline of the Federalist Party. In a wise move, Thomson dated his *Enquiry* March 4, 1801, the date of Jefferson's inauguration and, more important, the expiration of the Sedition Act. Thomson would have been pleased to know that Jefferson owned a copy of this work. OCLC locates 3 copies in law libraries (Harvard, University of Michigan, Yale). Sowerby 3533. Sabin 95584. Cohen 3582.



N° 98

ENGLISH TRADE IN THE WEST INDIES

ONE OF THE MOST FAMOUS AMERICAN MURDER TRIALS  
OF THE NINETEENTH CENTURY

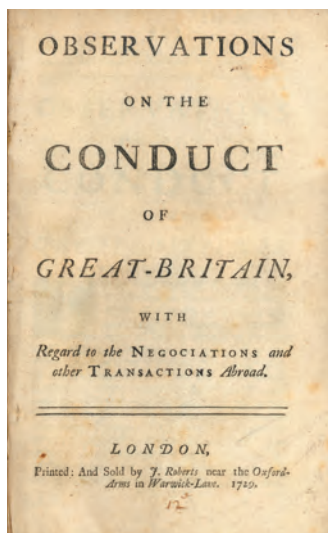
- 97 [TRADE].  
[GREAT BRITAIN].  
[AMHURST, NICHOLAS (1697–1742), ATTRIBUTED].

*Observations on the Conduct of Great-Britain, With Regard to the Negotiations and Other Transactions Abroad.*

London: Printed: And Sold by J. Roberts, 1729. 61, [1] pp. Octavo (7-3/4" x 4-1/2").

Stab-stitched pamphlet in later plain wrappers. Light rubbing, minor wear to spine ends and corners, light soiling to title page and verso of final leaf. Light toning to text, light foxing to a few leaves. A nice copy. \$150.

FIRST EDITION. Attributed in some sources to Nicholas Amhurst, this pamphlet defends Sir Robert Walpole, then chancellor of the exchequer, against accusations of neglecting England's West Indian commerce, to the advantage of Spain. It describes English expeditions to counter Spanish influence and, in the interest of fairness, lists English ships taken by Spain since the Treaty of Hanover (1725). ESTC T41776.



N° 97

- 98 [TRIAL].  
AVERY, EPHRAIM [1799–1869], DEFENDANT.  
[HALLETT, B[ENJAMIN] F[RANKLIN] (1797–1862),  
REPORTER].

*Trial of Rev. Mr. Avery: A Full Report of the Trial of Ephraim K. Avery, Charged with the Murder of Sarah Maria Cornell Before the Supreme Court of Rhode Island at a Special Term in Newport, Held in May 1833: With All the Incidental Questions Raised in the Trial Carefully Preserved, The Testimony of the Witnesses Nearly Verbatim, and the Arguments of Counsel, And a Correct Map and References of All the Localities Described in the Testimony, Prepared Expressly for this Report Alone.*

Boston: Published at the Offices of the Daily Commercial Gazette, And the Boston Daily Advocate, May, 1833. 207, 40 pp. Two parts, each with individual pagination, second part has running title *Avery's Trial*. [Supplementary Edition]. Folding map. Octavo (9-3/4" x 5-1/2").

Original publisher boards, quarter-cloth spine, some signatures unopened. Light rubbing to boards, moderate rubbing to extremities with minor wear to joints and spine ends, corners bumped and worn, rear hinge starting, a few cracks to text block. Moderate toning and light foxing to text, clean partial tear to map along fold line, early owner signature to front free endpaper. \$250.

FIRST EDITION, ONE OF TWO ISSUES FROM 1833. The Avery Case was one of the most famous American murder trials of the nineteenth century. Although questions about this case remain, it appears that Avery murdered Cornell when he learned she was pregnant with his child. After strangling her he put a noose around her neck and hung her from a barn rafter to make it appear that she had committed suicide. A second edition of Hallett's account was published in 1833. Cohen 12310. McDade 52.



## A HERESY TRIAL IN UPSTATE NEW YORK

- 99 [TRIAL].  
BULLIONS, ALEXANDER [1779–1857], DEFENDANT.  
[STARK, ALEXANDER, REPORTER].

*A True and Faithful History of the Trial of the Rev. Alexander Bullions, D.D. Before the Associate Presbytery of Cambridge, On a Libel Exhibited Against Him by that Reverend Body in May 1829; And Before the Associate Synod of North America, At Their Meeting in Philadelphia, In May 1830, Whither the Cause was Carried by Appeal: To Which is Prefixed, A Brief Account of Some of the Causes Which Seem to have Led up to the Prosecution: And the Whole is Interspersed with Remarks which May be Useful to Such as Have Business in Church Courts.*

New York: Published by William Stodart, 1831. 45, [2] pp. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, spine reinforced. Light soiling to exterior, minor edgewear, front wrapper detached. Moderate toning and light spotting to text, minor tears and chips to edges of a few leaves, internally clean. Ex-library. Small embossed stamps to front wrapper, title page and a few other leaves, small inkstamp to verso of title page. \$200.

ONLY EDITION. This trial in Cambridge, a small town in upstate New York, was the final event in a lengthy series of doctrinal controversies among the clergy of the Associate Reformed Church, a small Presbyterian sect. OCLC locates 15 copies, 1 in a law library (University of Missouri). Not in Cohen. *HLC* II:1029.

## THE VALUE OF EDUCATION

- 100 [TRIAL].  
CARTER, HORACE [D.1825], DEFENDANT.

*A Brief Sketch of the Life of Horace Carter, Who Was Executed in Worcester, Dec. 7, 1825, For the Crime of Rape. Together with Remarks on Early Education.*

Worcester: S.n., 1825. 16 pp. Octavo (8-1/2" x 5-1/4").

Stitched pamphlet. Light soiling to title page and final leaf, minor tears and chipping to some leaves, including title page, light browning and foxing throughout. Early owner annotations to title page, inkspots to a few leaves. A scarce title. \$850.

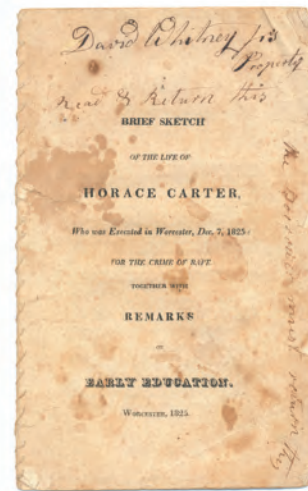
ONLY EDITION. Carter, a thief and petty criminal, was executed for the rape of an elderly woman resident of the public almshouse in Worcester. Carter confessed to the crime, and offered drunkenness and his lack of moral instruction as excuses. A sociological text, the *Brief Sketch* says almost nothing about Carter's crime and trial. In the form of six lessons, it outlines the steps that led him to the gallows. It argues, overall, that a childhood education would have transformed him into a law-abiding, productive adult. OCLC locates 9 copies, none in law libraries. Cohen 13781.

## A NOTABLE TO PROFIT FROM ADULTERY

- 101 [TRIAL].  
CIBBER, THEOPHILUS [1703–1758], PLAINTIFF.

*The Tryal of a Cause for Criminal Conversation, Between Theophilus Cibber, Gent. Plaintiff, And William Sloper, Esq; Defendant.*

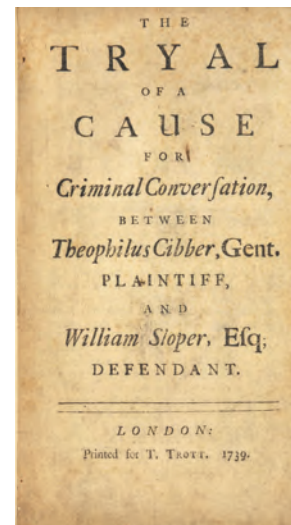
London: Printed for T. Trott, 1739. 32 pp. Octavo (7-3/4" x 4-3/4").



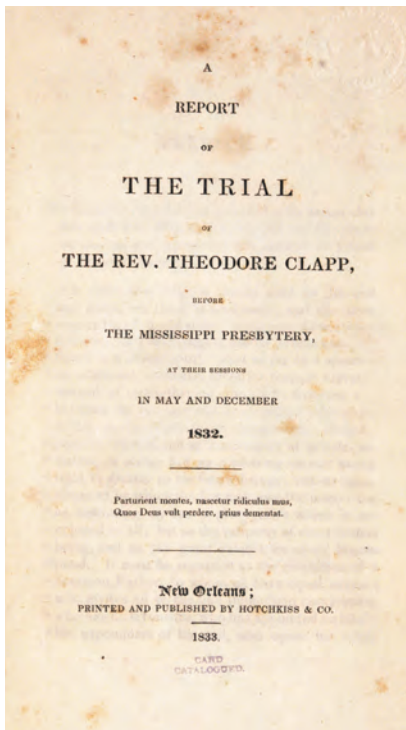
N° 100

Stab-stitched pamphlet bound into nineteenth-century three-quarter calf over cloth, gilt title to spine. Moderate rubbing to extremities with some wear to spine ends and corners, front hinge cracked, hinges starting, bookplate residue to front pastedown, early bookseller description tipped-in to front free endpaper. Light soiling to title page and verso of p. 32. Moderate toning to text, minor stains and smudges to a few leaves. \$950.

ONLY EDITION, one of two issues, both from 1739. The Cibber trial, which involved two well-known actors, was a sensational event because it appears that Cibber pushed his wife toward adultery in a scheme to make money from her affair. William Sloper was a frequent visitor to the Cibber's country home, having been asked by Mr. Cibber to teach his wife backgammon while he pursued his interest in hunting. There were reports that the Cibbers and Mr. Sloper lived together and that a door connected Mr. Sloper and Mrs. Cibber's bedrooms. It appears that Mr. Cibber had already "borrowed" £400.00 from Mr. Sloper and that matters might have continued in a similar manner, with Mrs. Cibber serving as a kept woman procured by her husband. However, Mrs. Cibber detested the situation because she fell in love with Mr. Sloper. She ran off with him, but Mr. Cibber brought her back by force and confined her. She was rescued by her brother and returned to Mr. Sloper. Though ruling in his favor, the jury was convinced that Mr. Cibber had instigated the affair and awarded him £10.00 instead of the £5,000.00 he sought. The other issue of this pamphlet is identical except for a title-page statement reading "Price Six Pence." OCLC locates 3 copies in North American law libraries (Harvard, Library of Congress, Worcester Law Library). *ESTC* T51983.



N° 101



N° 102

RELIGIOUS LIBERTY AND THE TYRANNY  
OF THE MISSISSIPPI PRESBYTERY

## 102 [TRIAL].

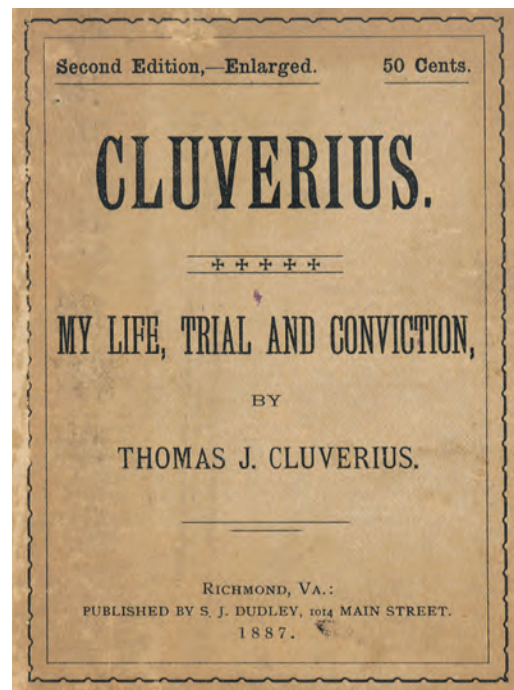
CLAPP, THEODORE [1792–1866], DEFENDANT.  
[CHANNING, WILLIAM ELLERY (1780–1842)].

*A Report of the Trial of the Rev. Theodore Clapp, Before the Mississippi Presbytery, At Their Sessions in May and December, 1832.*

New Orleans: Printed and Published by Hotchkiss & Co., 1833. xiv, 374 pp. Octavo (9-1/4" x 5-1/4").

Contemporary quarter cloth over plain boards, printed paper title label to spine. Light soiling and a few minor stains to boards, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, chipping to spine label. Some toning to text, occasional light foxing, brief early annotations in pencil to a few leaves. Ex-library. Location label to foot of spine, bookplate to front pastedown, small embossed stamp to title page. A nice copy of a scarce trial. \$750.

ONLY EDITION. Clapp paid a heavy price for his gradual rejection of Calvinist views and embrace of Unitarian principles. He spent seven stormy years at the First Presbyterian Church of New Orleans, affiliated with the Mississippi Presbytery, which finally convicted him of heresy in 1832. This is the record of his trial, preceded by a reprint of a sermon concerning the trial, "on the Subject of Religious Liberty," by William Ellery Channing, the foremost Unitarian preacher and theologian of the early nineteenth century. It warns of the evils of religion when it turns into "tyranny," as exemplified by the Mississippi Presbytery. Indeed, says the introduction, "no Presbytery in the United States ever before had the moral turpitude, the hardihood, the utter recklessness of justice, evinced by the Mississippi Presbytery" (xiv). OCLC locates 2 copies in North American law libraries (Harvard, Social Law). Jumonville 790.



N° 104

"MY LIFE, TRIAL AND CONVICTION": MCDADE 193

## 103 [TRIAL].

CLUVERIUS, THOMAS J. [1861–1887], DEFENDANT.

*Cluverius: My Life, Trial and Conviction.*

Richmond: Andrews, Baptist & Clemmitt, 1887. 112 pp. Quarto (6" x 5"). Stapled pamphlet in printed wrappers. Some soiling and few chips and creases to wrappers. Light toning, minor stains to a few leaves, some soiling to p. 112, tiny chip to foot of title page. \$350.

FIRST EDITION. "Cluverius came from one of the 'better' Virginia families. He had married Lillian Madison, a country girl, but had kept the marriage a secret from his family and friends. He finally had her come to Richmond, where he murdered her and threw her body into the reservoir. He was quickly traced, tried, and executed" (McDade). A second edition, which adds a brief account of Cluverius's execution, was published later in 1887. Both editions are scarce. McDade 193.

AUGMENTED EDITION OF CLUVERIUS'S  
ACCOUNT OF HIS LIFE AND TRIAL

## 104 [TRIAL].

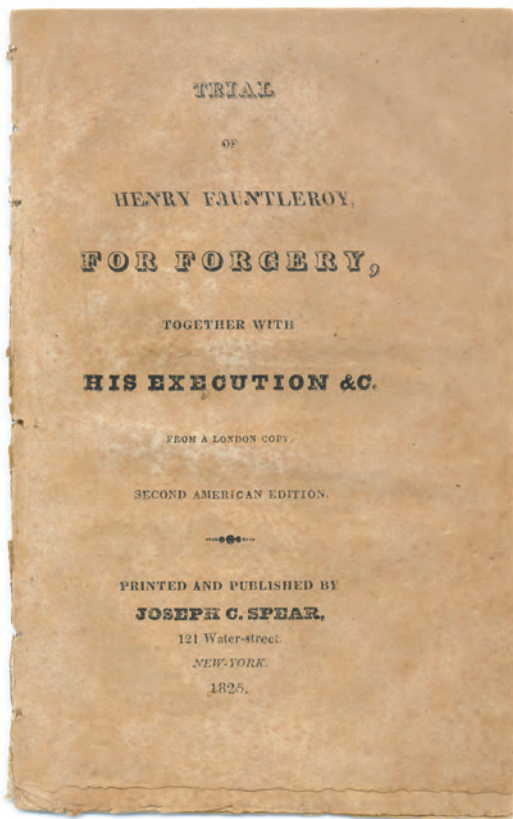
CLUVERIUS, THOMAS J., DEFENDANT.

*Cluverius. My Life, Trial and Conviction. Enlarged.*

Richmond: Published by S.S. Dudley, 1887. 128 pp. Quarto (5-3/4" x 4-1/2").

Printed wrappers. Light soiling, light rubbing to extremities, spine reinforced with archival tape, light toning to interior. Ex-library. Small inkstamp to verso of front wrapper, shelf mark to verso of title page. A well-preserved copy. \$350.

SECOND EDITION.



N° 106

ONE OF THE LAST PEOPLE EXECUTED FOR FORGERY  
IN GREAT BRITAIN

- 106 [TRIAL].  
FAUNTLEROY, HENRY [1785–1824], DEFENDANT.

*Trial of Henry Fauntleroy for Forgery, Together with His Execution &c. From a London Copy.*

New York: Joseph C. Spear, 1825. 36 pp. Octavo (7-1/2" x 4-3/4").

Disbound stab-stitched pamphlet. Light rubbing to extremities, browning to front wrapper, lighter browning and faint dampspotting to text, internally clean. \$750.

"SECOND AMERICAN EDITION," ACTUALLY the second and final edition of an account first published in London in 1824. Fauntleroy was an English banker convicted of forgery. He admitted his guilt, but pleaded that he forged documents in order to access funds to pay his firm's debts. Several bankers and merchants stepped forward to defend his integrity during the trial, but he was sentenced to be hanged. He appealed his case twice without success. Appeals for clemency followed, but they were not successful. He was hanged in November 1824, one of the last people to be executed for forgery before it ceased to be a capital crime in 1836. The London edition is fairly common, the New York edition is rare. OCLC locates 3 copies of this imprint (Library of Congress, New York State Library, Trinity College). Not in Cohen.

NOTABLE SEVENTEENTH-CENTURY CASE  
OF ASSAULT AND BATTERY

- 107 [TRIAL].  
GILES, JOHN, DEFENDANT.

*The Tryal of John Giles at the Sessions-House in the Old Bayly: Held by Adjournment from the 7th Day of July, 1680 Until the 14th Day of the Same Month the Adjournment Being Appointed on Purpose for the Said Giles, His Trial for a Barbarous and Inhumane Attempt to Assassinate and Murther John Arnold, Esq.*

London: Printed by Thomas James for Randal Taylor, 1681. 58 pp. Folio (11-1/2" x 7-1/4").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Negligible light toning to text, light foxing to a few leaves. Early hand-lettered numbers to upper left-hand corners of each leaf, most affected by trimming, interior otherwise clean. \$250.

ONLY EDITION. An account of a sensational case of assault and battery. John Arnold, a justice of the peace from Monmouth, was attacked by a gang of men armed with knives and swords. Stabbed several times, Arnold survived the attack. One of these men, Giles, was apprehended and brought to trial. He was convicted, fined, compelled to offer sureties for good behavior for the rest of his life and sentenced to three hour-long sessions in the pillory over the course of three days, one facing Lincoln's Inn, another facing Gray's Inn and a third "by the May-Pole in the Strand." OCLC locates 13 copies, 3 in North American law libraries (Harvard, Osgoode Hall, Yale). ESTC R24640.

"THOU SHALT NOT..."

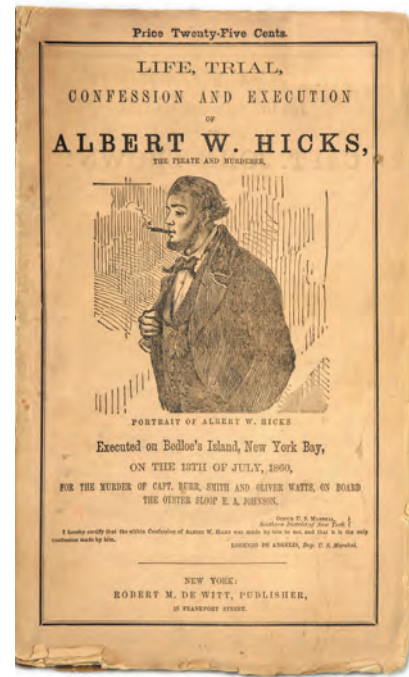
- 105 [TRIAL].  
COOKE, MCLAURIN F., DEFENDANT.

*Report of the Trial of McLaurin F. Cooke, Sub-Master of the Eliot School, Of the City of Boston, For an Assault and Battery upon Thomas J. Wall, A Pupil of that School. With the Arguments of Counsel, And the Opinion of the Court Reported in Full. Carefully Revised and Corrected.*

Boston: A.M. Lawrence & Co., Daily Ledger Co., [1859]. 86 pp. Octavo (9-1/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Moderate toning, some edgewear and a few minor chips and creases to edges of front and rear wrappers. Early owner signature to head of front wrapper, internally clean. \$450.

ONLY EDITION. "Cooke was prosecuted on charges of assault and battery for whipping Thomas Wall, a ten-year-old Catholic student who refused to repeat the Protestant version of the Ten Commandments in school. Issues of religious liberty and of the use of the Bible in public schools were raised in the counsels' arguments. The decision was rendered in favor of the defendant in the Boston Police Court" (Cohen). OCLC locates 6 copies in law libraries (Duke, Harvard, Library of Congress, Notre Dame, Social Law, Yale). Cohen 13823.



"HIS EXECUTION, IN THE SIGHT OF HUNDREDS OF VESSELS, WAS IN THE BEST MARITIME TRADITION"

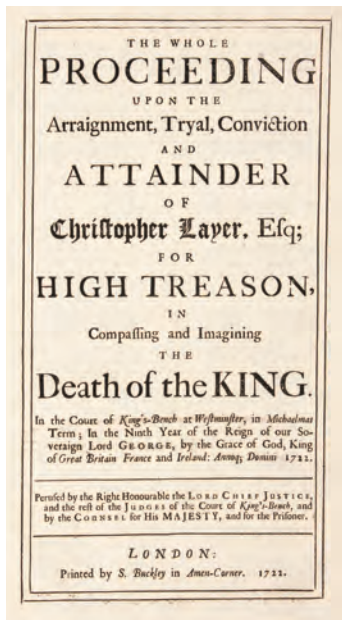
108 [TRIAL].  
 HICKS, ALBERT W. [C.1820-1860]. DEFENDANT.  
 FOWLER, LORENZO NILES [1811-1896].

*The Life, Trial, Confession and Execution of Albert W. Hicks, The Pirate and Murderer, Executed on Bedloe's Island, New York Bay, On the 13th of July, 1860, For the Murder of Capt. Burr, Smith and Oliver Watts, On Board the Oyster Sloop E.A. Johnson. Containing the History of His Life (Written by Himself) From Childhood up to the Time of His Arrest. With a Full Account of His Piracies, Murders, Mutinies, High-Way Robberies, Etc. Comprising the Particulars of Nearly One Hundred Murders! To Which is Added the Account of His Arrest, Imprisonment, Trial and Execution: Also, His Phrenological Character, As Described by L.N. Fowler.*

New York: Robert M. De Witt, [1860]. [vi], [7]-84 pp. 8 plates of woodcuts. Verso of front wrapper and rear wrapper have publisher advertisements. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in pictorial wrappers, untrimmed edges. Light soiling, some edgewear to wrappers, which are partially detached, spine worn away at ends, binding slightly cocked. Moderate toning to text, internally clean. \$750.

ONLY EDITION, one of two issues, the other with 68 pp. "Hicks was a triple murderer, but only technically a pirate. He was a member of the crew of an oyster sloop, and he chopped up the captain and two crew members in lower New York Bay, but being in the ebb and flow of the tide, it was technically a crime on the high seas and a federal offense. The little money he took got him to Providence, where he was caught. His execution in New York Harbor, in the sight of hundreds of vessels, was in the best maritime tradition (McDade). A notable feature of this account is the "psychological" profile by Fowler, the notable phrenologist, based on a post-mortem study of Hicks's skull and digestive organs. OCLC locates 10 copies in North American law libraries. McDade 473.



N° 109

A LEADER OF THE JACOBITE REBELLION OF 1722

109 [TRIAL]. LAYER, CHRISTOPHER [1683-1723]. DEFENDANT.

*The Whole Proceeding Upon the Arraignment, Tryal, Conviction and Attainder of Christopher Layer, Esq; For High Treason, In Compassing and Imagining the Death of the King. In the Court of King's-Bench at Westminster, In Michaelmas Term; In the Ninth Year of the Reign of Our Sovereign Lord George, by the Grace of God, King of Great Britain France and Ireland: Annoq; Domini 1722. Perused by the Right Honourable the Lord Chief Justice, And the Rest of the Judges of the Court of King's-Bench, And by the Counsel for His Majesty, And for the Prisoner.*

London: Printed by S. Buckley in Amen-Corner, 1722 [i.e. 1723]. [iv], 152 pp. Leaves in Signature Y (pp. 85-88) bound in reverse order. With an initial imprimatur leaf dated Jan. 21, 1722/3. Folio (12-1/2" x 8").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Very light toning to text, internally clean. \$200.

FIRST EDITION. This is the standard contemporary account of Layer's trial, which resulted from his leadership during Jacobite Rebellion of 1722. Also known as the Atterbury Plot, this was the second attempt to return James II to the thrones of England and Scotland. The trial ended with the execution of Layer and most of his colleagues. (One of them, Francis Atterbury, the Bishop of Rochester, was banished.) This account was reissued in Dublin in 1723. ESTC T114598.

A MINISTER ACCUSED OF INCEST AND DOMESTIC VIOLENCE

110 [TRIAL]. "MARCUS" (PSEUDONYM OF DANIEL DANA [1771-1859]).

*Supplement to the Salem Gazette. [Text Begins:] Mr. Cushing, As the Extraordinary Result of the Ecclesiastical Council at Ipswich has been Officially Published...*

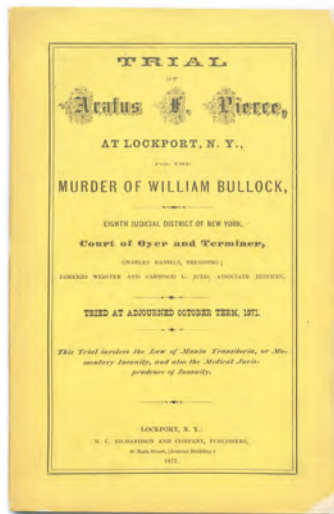


N° 110

Salem: Tuesday, December 3, 1805.

17-1/4" x 10-3/4" newspaper broadsheet, untrimmed edges, four-column text on recto. Light browning, single vertical and horizontal fold lines, faint early owner signature to top margin. \$500.

JOSEPH DANA [1742-1827], minister of the South Church, Ipswich, was accused by his wife Elizabeth of physical abuse and committing incest with his stepdaughter sometime in October, 1805. Dana was tried by the church council, which failed to clearly exonerate him. The council's ambiguous deliberations, published in the press, brought forth this reply by Daniel Dana, Joseph's son and minister of the Presbyterian Church at Newburyport. Signing himself "Marcus," Daniel Dana vindicates his father's character and defends his conduct. Refuting the worst conclusions of the council, he claims that the wife is emotionally unstable, has been fixated on their daughter and the question of incest and has exaggerated whatever "physical abuse" he may have committed against her under extreme provocation. This piece first appeared in the *Newbury Herald*; shortly after this printing in the *Salem Gazette* it was separately published in pamphlet form under the title, *A Reply to the Vindication of the Result of the Late Council, Newburyport, Newburyport, Jan, 1806* (Shaw & Shoemaker, *American Imprints* 10787). It was answered in turn by Leonard Woods in *A Testimony Against the Publications of Marcus*, an *A Vindication of the Character of Mrs. Elizabeth Dana*, both Newburyport, 1806. (Shaw & Shoemaker 11897 & 11770). This broadside supplement appears to be unrecorded; it is not held by the American Antiquarian Society or listed on OCLC.



N° 111

A SUCCESSFUL "MANIA TRANSITORIA" DEFENSE

- 111 [TRIAL].  
PIERCE, ARATUS F., DEFENDANT.

*Trial of Aratus F. Pierce, At Lockport, N.Y., For the Murder of William Bullock, Eighth Judicial District, Court of Oyer and Terminer, Charles Daniels, Presiding; Lorenzo Webster and G.L. Judd, Associate Justices, Tried at Adjourned October Term, 1871.*

Lockport, NY: M.C. Richardson and Co., 1871. 101 pp. Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Minor wear to spine ends, a few small chips to edges, light soiling to rear wrapper, light toning to interior. A well-preserved copy of a scarce title. \$950.

ONLY EDITION. Pierce killed a man who seduced his sister, then refused to marry her. The trial is notable because it involved a successful defense based on the law of "mania transitoria," or momentary insanity (McDade). OCLC locates 13 copies, 4 in law libraries (Harvard, Social Law, Supreme Court of New York, U.S. Supreme Court). McDade 748.

A TRIUMPH FOR TORIES AND HIGH-CHURCHMEN

- 112 [TRIAL].  
SACHEVERELL, HENRY [1674-1724], DEFENDANT.

*The Tryal of Dr. Henry Sacheverell, Before the House of Peers, For High Crimes and Misdemeanors; Upon an Impeachment by the Knights, Citizens and Burgesses in Parliament Assembled, In the Name of Themselves, And of All the Commons of Great Britain: Begun in Westminster-Hall the 27th Day of February, 1709/10, And from Thence Continued by Several Adjournments Until the 23d Day of March Following. Published by Order of the House of Peers.*

London: Printed for Jacob Tonson, 1710. 456 pp. With an initial imprimatur leaf. Octavo (7-1/2" x 4-3/4").

Recent buckram, gilt-stamped title to spine, interior notably fresh, a few page numbers affected by trimming. \$150.

FIRST OCTAVO EDITION. Dr. Henry Sacheverell was impeached for preaching two sermons that advocated the Tory doctrines of non-resistance and passive obedience. His punishment was unique. He was not allowed to preach for three years, but he was allowed to perform other clerical functions and accept preferment during that time. His two sermons were ordered burned by the common hangman. Such a sentence was felt to be a triumph for him and the High-Church and Tory party, and the news of it was received with great enthusiasm throughout the kingdom. ESTC T176104.

TREASON TRIAL OF A FOUNDING MEMBER OF THE WHIG PARTY

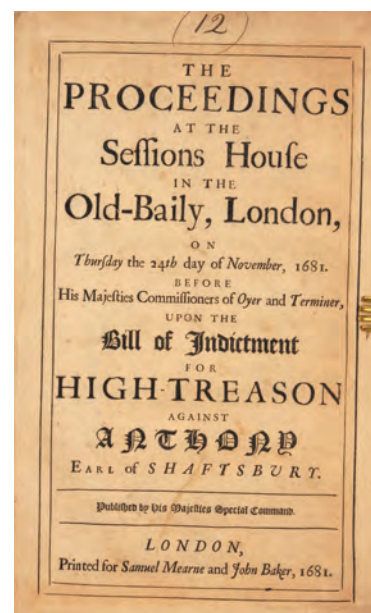
- 113 [TRIAL].  
SHAFTESBURY, ANTHONY ASHLEY COOPER, EARL OF [1621-1683].

*The Proceedings at the Sessions House in the Old-Baily, London on Thursday the 24th Day of November, 1681. Before His Majesties Commissioners of Oyer and Terminer, Upon the Bill of Indictment for High-Treason Against Anthony Earl of Shaftsbury. Published by His Majestie Special Command.*

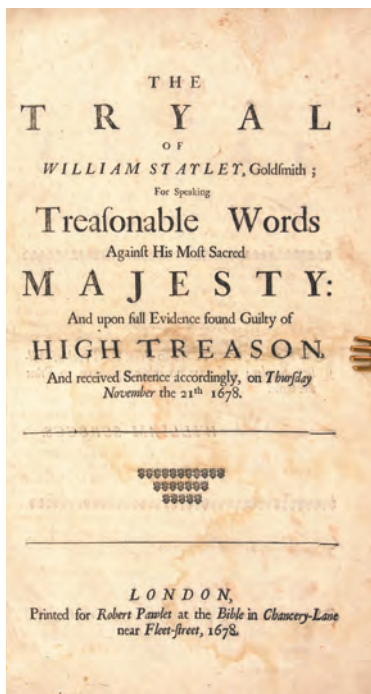
London: Printed for Samuel Mearne and John Baker, 1681. [iii], 48 pp. Lacking initial blank leaf. Folio (11" x 6-3/4").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Moderate toning to text, light foxing to a few leaves, light soiling to title page. "(12)" in early hand to head of title page, interior otherwise clean. \$200.

ONLY EDITION. A founder of the Whig party and an important patron of John Locke, Shaftesbury was a prominent English politician during the Interregnum and reign of King Charles II. He was an outspoken supporter of the Exclusion Bill, which was intended to exclude the Catholic James II from ascending the thrones of England, Scotland and Ireland. Shaftesbury was arrested for high treason by the Tory leadership after the failure of the bill in 1681. The prosecution was dropped several months later. However, in 1682, after the Tories had gained the ability to pack London juries, Shaftesbury fled the country to avoid a second trial. He died in Amsterdam in 1683. ESTC R21380.



N° 113



N° 114

"FOR SPEAKING TREASONABLE WORDS  
AGAINST HIS MOST SACRED MAJESTY"

## 114 [TRIAL].

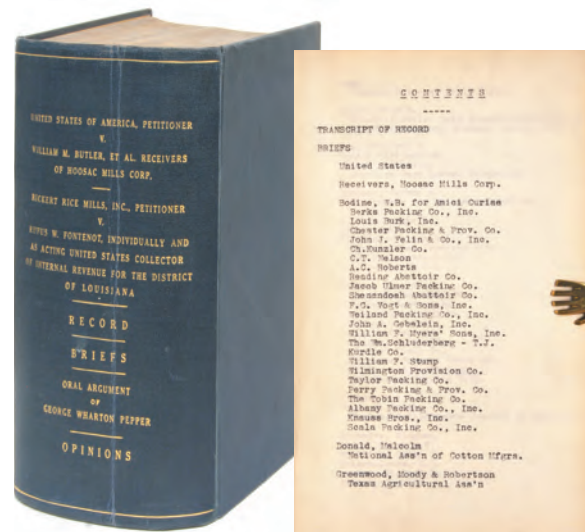
STALEY, WILLIAM [D.1678]. DEFENDANT.

*The Tryal of William Staley, Goldsmith; For Speaking Treasonable Words Against His Most Sacred Majesty: And Upon Full Evidence Found Guilty of High Treason, And Received Sentence Accordingly, On Thursday November the 21th 1678.*

London: Printed for Robert Pawlet, At the Bible in Chancery-Lane near Fleet-Street, 1678. 8, 7-10 pp. Main text preceded by imprimatur on verso of title page. Text continuous, and complete, despite pagination. Folio (12-1/2" x 8").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Moderate toning to text, faint dampstain and light soiling to title page, internally clean. \$250.

ONLY EDITION, one of two issues from 1678. 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" [ODNB]. William Stayley's head has a small place in London's history; it was the last to be displayed on London Bridge. This account was reissued in Dublin in 1723. ESTC TR228446.



N° 115

DOCUMENTARY RECORD OF OWENS V. BUTLER,  
A SUPREME COURT CASE THAT INVALIDATED  
AN IMPORTANT NEW DEAL PROGRAM

## 115 [TRIAL].

[SUPREME COURT, UNITED STATES].

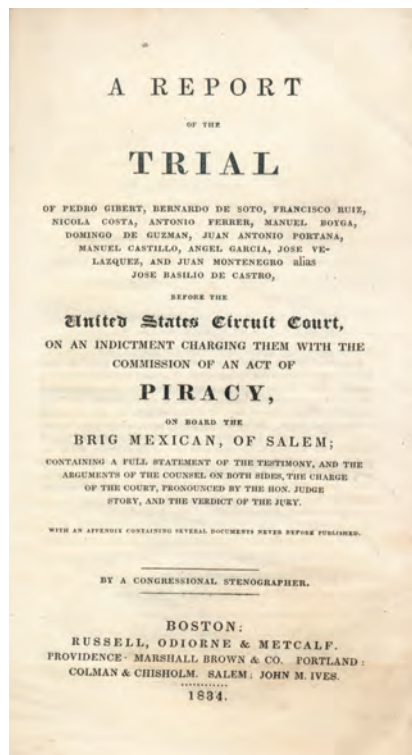
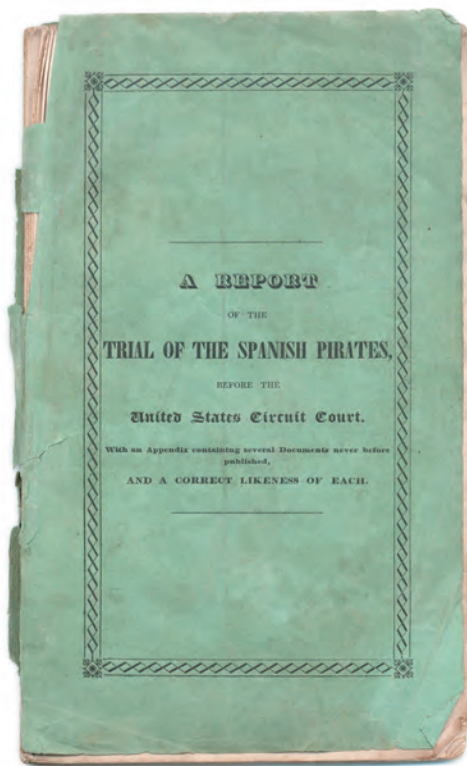
*United States of America, Petitioner v. William M Butler, Et Al. Receivers of Hoosac Mills Corp., Rickert Rice Mills, Inc., Petitioner v. Rufus W. Fontenot, Individually and as Acting United States Collector of Internal Revenue for the District of Louisiana. Record. Briefs. Oral Argument of George Wharton Pepper. Opinions [1935-1936] [spine title].*

Washington, DC, 1935-1936. 19 items, various paginations. Folding tables.

Pamphlets in wrappers bound in cloth, gilt title to spine, bound-in typewritten table of contents. Some rubbing to extremities with minor wear to corners, faint vertical crease through spine. Minor edgewear and a few tears to folding tables, internally clean.

\$1,500.

ASSEMBLED BY AN UNKNOWN ATTORNEY or law clerk, the 19 items in this volume, a 2-part transcript, 15 briefs, an oral argument and the opinion of U.S. Supreme Court Justice Owen J. Roberts form a documentary record of *Owens v. Butler* [297 U.S. 1 (1936)] the case that brought about the demise of the Agricultural Adjustment Act of 1933. Part of Roosevelt's New Deal, this was a Federal law that aimed to raise the value of crops by paying farmers and ranchers to reduce production. The money for these subsidies was generated through an exclusive tax on companies that processed farm products. This led to a series of seven suits by processors, who believed they were being taxed unfairly. The most important of these was *Owens v. Butler*. As framed by the plaintiff's lawyers, it asserted the right of a taxpayer to question the validity of a Federal tax. The Court decided in favor of Owens, ruling that the taxes instituted under the 1933 Agricultural Adjustment Act were unconstitutional under the Tenth Amendment. As argued by Justice Roberts, the tax was not valid because it was established in conjunction with coercive contracts with proceeds earmarked for the benefit of farmers complying with the prescribed conditions. The court also held that the basic premise of the act, paying a farmer to produce less to manipulate prices, went beyond the powers of the national government. The issues raised by *Owens v. Butler* were addressed by the Agricultural Adjustment Act of 1938, which continued the farm subsidy program.



N° 116

ILLUSTRATED ACCOUNT OF A TRIAL  
OF TWELVE SPANISH PIRATES  
HEARD BY JOSEPH STORY

- 116 [TRIALS].  
GIBERT, PEDRO [1796-1835], PRIMARY DEFENDANT.

*A Report of the Trial of Pedro Gilbert, Bernardo de Soto, Francisco Ruiz, Nicola Costa, Antonio Ferrer, Manuel Boyga, Domingo de Guzman, Juan Antonio Portana, Manuel Castillo, Angel Garcia, Jose Velazquez, and Juan Montenegro Alias Jose Basilio de Castro, Before the United States Circuit Court: On an Indictment Charging Them with the Commission of an Act of Piracy, On Board the Brig Mexican, Of Salem; Containing a Full Statement of the Testimony, And the Arguments of the Counsel on Both Sides, The Charge of the Court, Pronounced by the Hon. Judge Story: And the Verdict of the Jury: With an Appendix Containing Several Documents Never Before Published.*

Boston: Russell, Odiorne & Metcalf/Providence: M. Brown & Co./Portland: Colman & Chisholm/ Salem: John M. Ives, 1834. 79, [1] pp., [12] leaves of plates with portraits of each defendant. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Spine perished, wrappers detached, lightly soiled and lightly edgeworn. Moderate toning to text, light foxing to a few leaves, corners of most leaves creased, internally clean. \$1,850.

THIRD EDITION, THE ONLY EDITION WITH PLATES. Believed to be the last American pirate, Don Pedro Gilbert was based in south Florida. A former privateer in the service of the Colombian government, Gilbert began raiding American merchant vessels off the east coast of Florida in early 1832 in his schooner Panda. That same year Gilbert was charged with boarding and robbing the Mexican, a brig based in Salem, Massachusetts. The British Navy captured Gilbert's ship and crew in 1833 and delivered the captain and crew to Boston. The jury found Gilbert and six of his men guilty and acquitted the others. A motion for a new trial was rejected and the prisoners were sentenced to death. Bernardo de Soto, the first mate, was pardoned by President Jackson. The first edition of this account was published in 1834; no second edition was ever located. Cohen 13898.

A KNOTTY POINT

- 117 VAUTIER, BENJAMIN [1829-1898].

*A Knotty Point-Submitting a Case to the Family Lawyer.*

Colored reproduction of a woodcut from *Harper's Weekly*, November 21, 1874. N.p.: S.n.

Glazed 17-1/4" x 14-1/2" colored image in attractive, high-quality 21-1/4" x 17-1/4" imitation wood frame. \$150.

VATIER WAS A SWISS GENRE PAINTER and illustrator. A prolific artist, his work appeared occasionally in *Harper's Weekly*.



NOTABLE EIGHTEENTH-CENTURY COMPILATION  
OF WELSH CIVIL AND ECCLESIASTICAL LAW

118 [WALES].  
[HOWEL, WELSH KING (D. 950CE)].  
CLARK, WILLIAM [1696–1771], EDITOR.  
WOTTON, WILLIAM [1666–1727], COMPILER OF  
APPENDICES.  
WILLIAM, MOSES [1686–1742], COMPILER OF  
APPENDICES.

*Cyfreithjeu Hywel Dda ac Eraill, Seu Leges Wallicae Ecclesiasticae & Civiles Hoeli Boni et Aliorum Walliae Principum, Quas Ex Variis Codicibus Manuscriptis Eruit, Interpretatione Latina, Notis & Glossario Illustravit Guilielmus Wottonus, S.T.P. Adjuvante Mose Guilielmo, A.M.R.S. Soc. Qui & Appendicem Adjecit.*

London: Typis Gulielmi Bowyer, 1730. [xlii], 586. [20] pp. Lacking half-title. Parallel Welsh and Latin texts. Folio (15-1/4" x 9-1/2").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Title page printed in red and black, copperplate text vignette in preface, large copperplate vignette to head of dedication, large woodcut vignettes at the beginnings of each section. Very light browning to text, somewhat heavier in places, foxing, stains and edgewear to a few leaves, light soiling and edgewear to title page, internally clean. \$500.

ONLY EDITION, 1 of 2 issues from 1730. With a subscriber list. One of the great achievements of eighteenth-century English legal philology, this is a critical edition of Howel's *Cyfraith Hywel* and other early compilations of Welsh civil and ecclesiastical law. The work concludes with a glossary of Welsh legal terms by Wotton. OCLC locates 9 copies in North America, 5 in law libraries (Case Western Reserve, Harvard, University of Michigan, University of Minnesota, University of Virginia). ESTC T63960.

AN 1865 SPEECH ON THE EFFECTS OF LEGAL DISCRIMINATION  
ON ACADEMIC PERFORMANCE

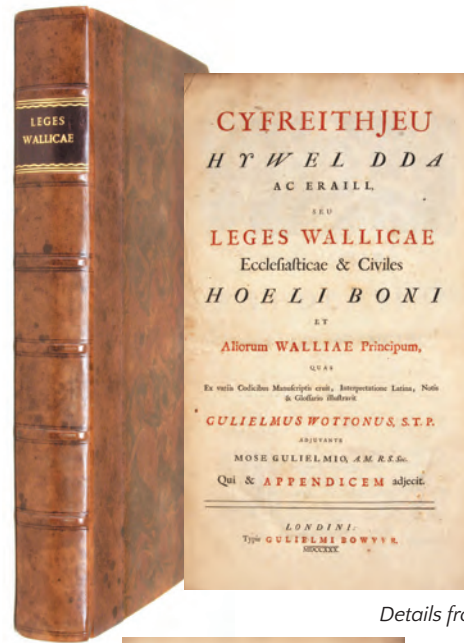
119 WEEDON, JOHN E.

*Speech of J.E. Weedon, of Westerly, R.I.: In the House of Representatives, At the January Session of the Legislature of Rhode Island, 1865, On the Equal School Rights of Colored Children.*

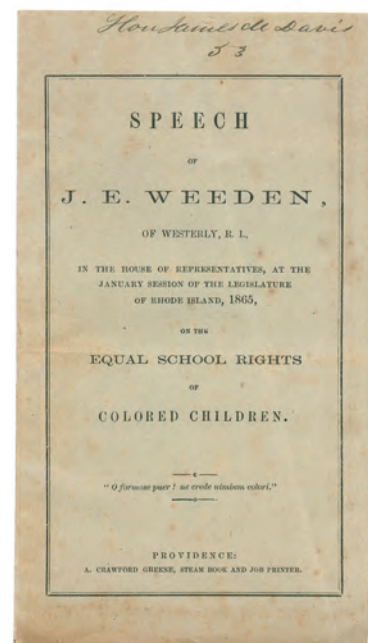
Providence: A. Crawford Greene, [1865]. 17 pp. Octavo (7-1/2" x 4-1/4").

Stab-stitched pamphlet in printed wrappers. Light foxing and a few minor creases, light toning to text. "Hon. James M. Davis" to head of front wrapper, a few check marks and other markings to text in pencil. A nice copy of a scarce item. \$950.

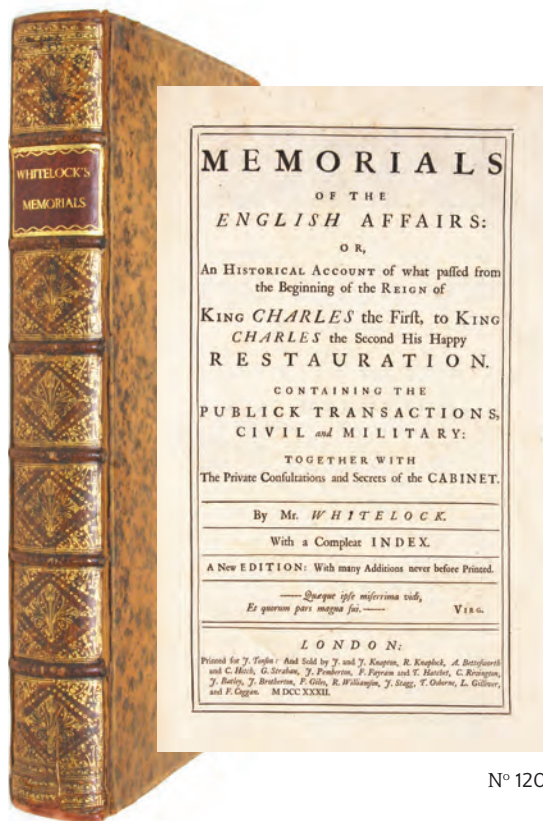
ONLY EDITION. Weedon's speech offers a remarkably progressive statement on the negative effects of legal discrimination on academic performance. Its remarks on the notion of "separate but equal" schools anticipates the doctrine of *Brown v. Board of Education*. Weedon was a prominent Rhode Island textile manufacturer and advocate for racial justice. James M. Davis was a Rhode Island textile manufacturer and state legislator. OCLC locates 6 copies (Brown, Cornell, Drake University, New York Public Library, University of Rhode Island, University of Rochester), none in law libraries.



Details from N° 118



N° 119



N° 120

AN IMPORTANT EARLY POLITICAL AND CONSTITUTIONAL HISTORY OF THE CIVIL WAR, COMMONWEALTH AND RESTORATION

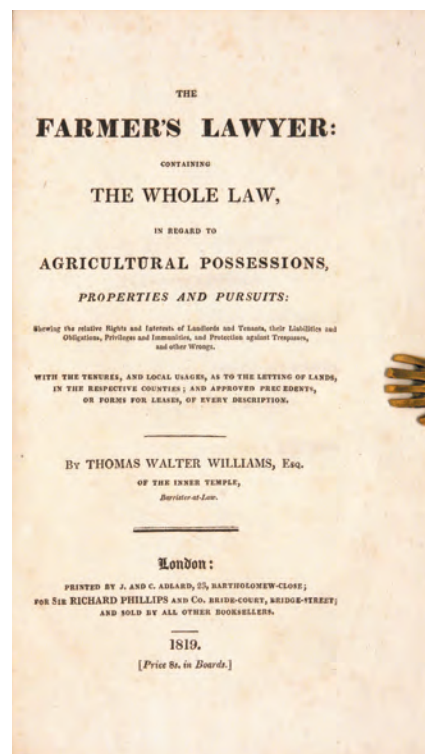
## 120 WHITELOCKE, [BULSTRODE] [1605-1675].

*Memorials of the English Affairs: Or, An Historical Account of What Passed from the Beginning of the Reign of King Charles the First, To King Charles the Second His Happy Restauration. Containing the Publick Transactions, Civil and Military: Together with the Private Consultations and Secrets of the Cabinet. With a Compleat Index. A New Edition: With Many Additions Never Before Printed.*

London: Printed for J. Tonson: And Sold by J. and J. Knapton [et al.], 1732. [x], 702, [14] pp. Main text in parallel columns. Folio (15-1/2" x 10").

Contemporary mottled calf, gilt rules to boards, gilt spine with raised bands, gilt inside dentelles, marbled endpapers, recent repairs to joints and spine ends. A few minor scuffs to boards, moderate rubbing to extremities with some wear to joints and corners, front hinge partially cracked, partial crack in text block between pp. 294 and 295. Light toning to text, faint dampstaining to heads of a few leaves, internally clean. \$450.

THIRD AND FINAL EDITION. Whitelocke was a lawyer and politician. Derived from his diaries, public documents and journalistic accounts, his *Memorials* is an important "first draft" of English political and constitutional history during the Civil War, Commonwealth and Restoration. It was an important source for David Hume's history of England and the histories of later Whig historians. It remains a valuable reference today. ESTC T144860.



N° 121

RARE 1819 ENGLISH LEGAL MANUAL FOR FARMERS

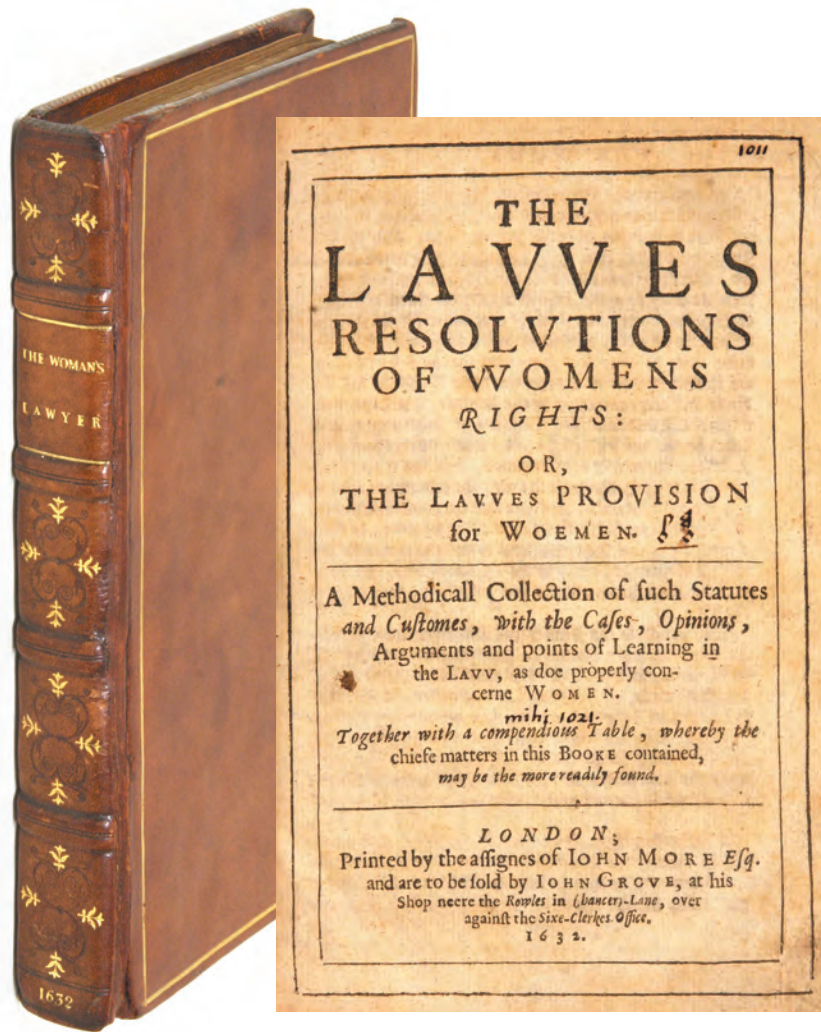
## 121 WILLIAMS, THOMAS WALTER [1763-1833].

*The Farmer's Lawyer: Containing the Whole Law, In Regard to Agricultural Possessions, Properties and Pursuits: Shewing the Relative Rights and Interests of Landlords and Tenants, Their Liabilities and Obligations, Privileges and Immunities, And Protection Against Trespasses, And Other Wrongs. With the Tenures, And Local Usages, As to the Letting of Lands, In the Respective Counties: And Approved Precedents, Or Forms for Leases, Of Every Description.*

London: Printed by J. and C. Adlard for Sir Richard Phillips, 1819. [iv], viii, 304, [4] pp. Four-page publisher catalogues at beginning and end of text. Octavo (8-3/4" x 5-3/4").

Original boards, contrasting backstrip with printed paper title label, deckle edges. Moderate rubbing and light soiling, spine ends and corners bumped and somewhat worn, a few minor stains to boards, joints just starting at ends. Light toning to text, somewhat heavier in places, light foxing to some leaves. Early owner signature to front pastedown, brief annotations in pencil to a few leaves. A very good copy of a rare title. \$950.

ONLY EDITION. Williams was a barrister of the Inner Temple and was called to the bar, but he didn't have success as a pleader. He was known instead for his writings. In addition to a law dictionary, he wrote manuals for laymen and justices of the peace, compiled abridgments and digests and edited an edition of William Sheppard's *Precedent of Precedents*. His *Farmer's Lawyer* is a rare title; OCLC locates 5 copies, 2 in North America (University of Minnesota, University of Pennsylvania). Sweet & Maxwell 2:384.



THE FIRST WORK DEVOTED TO LAWS RELATING TO WOMEN

122 [WOMEN].  
E[DGAR], T[HOMAS] [FL. 1615-1649], ATTRIBUTED.

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

London: Printed by the Assignes of John More, 1632. [xiv], 404 pp. (First leaf in collation, a blank, lacking.) Quarto (7-1/2" x 5-1/2").

Later calf, diced boards with gilt rules, rebacked retaining existing spine with raised bands, gilt title and blind and gilt ornaments, gilt tooling to board edges, all edges of text block gilt, blind inside dentelles, endpapers renewed. Light rubbing to extremities, small recent owner bookplate to front pastedown. Moderate toning to text, faint dampspotting to a few leaves, light soiling to title page. Brief later annotations in miniscule hand to title page and a few other leaves, interior otherwise clean. \$13,500.

ONLY EDITION. The earliest work devoted to laws relating exclusively to women, this incomparable digest of laws in force at

the time of the Civil War is also known as *The Womens Lawyer*. An anonymous work, its preface is signed T.E. Often attributed to Thomas Edgar [fl. 1615-1649], some believe the author was actually Sir John Doderidge [1555-1628], an important legal figure during the reign of James I. Lord Campbell considers it "a learned work on the subject of marriage" (cited in Sweet & Maxwell). It also treats such diverse topics as age of consent, dower, hermaphrodites, polygamy, wooing, promises of marriage, partition, chattels, divorce, descent, seisin, treason, felonies and rape. The last comparable copy to sell at auction was in 2006 at Sotheby's, the Macclesfield copy, for \$13,464. ESTC S100217. Sweet & Maxwell 1:500 (24).

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<http://www.johnadamslibrary.org/>

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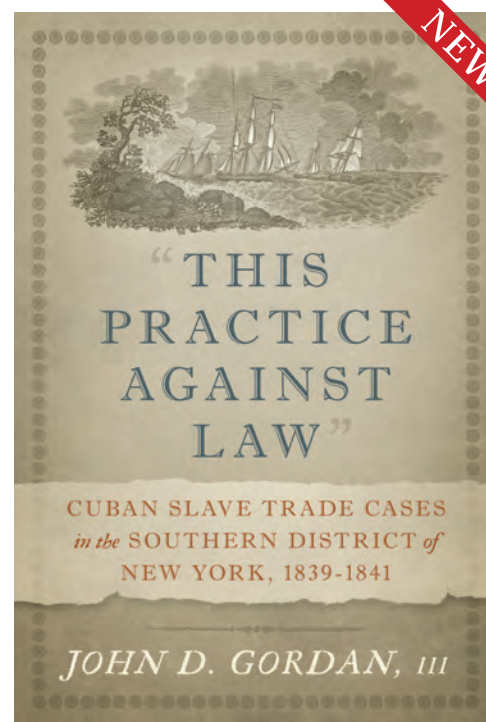
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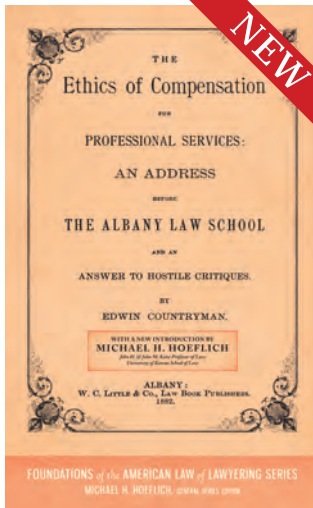
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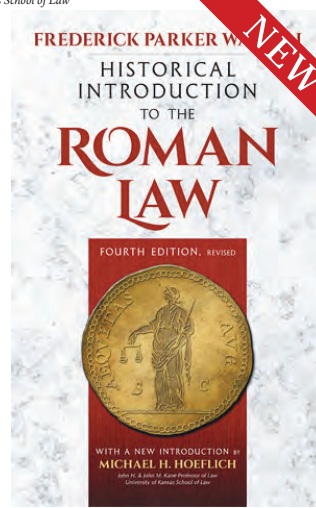
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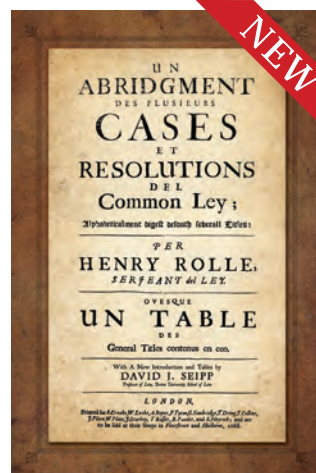
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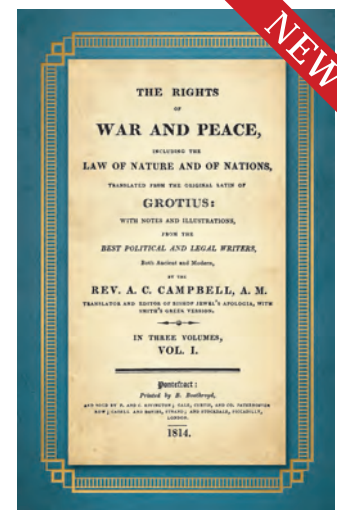
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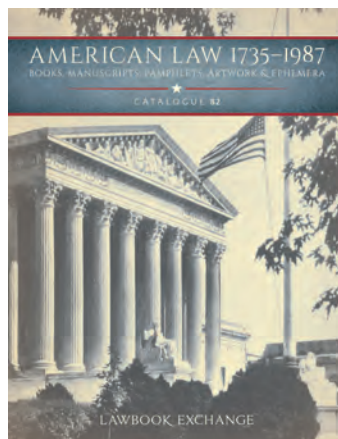
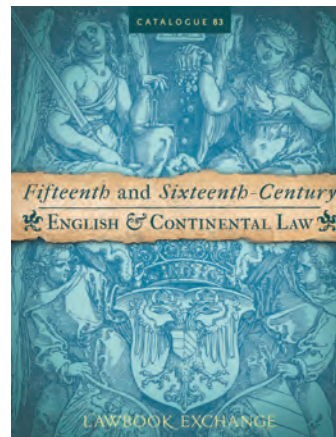
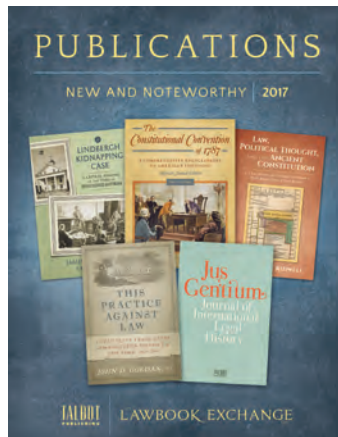
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