

# LEXICON IURIS.

SEU

EPITOME DEFINITIONVM,

& rerum: Ex omnibus ijs, quæ Clarissimus D.

IOANNES OLDENDORPIVS

in lucem partim edidit, partim aliquot  
annis publicè docuit, diligen-  
ter concinnata:

PER HERMANNVM FIGVLVM

Hirsfeldianum, Auditorem ipsius.



V E N E T I I S  
Apud Cominum de Tridino Montisferrati.  
M. D. L V.

CATALOGUE 86

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

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ng  
Gerichts  
angen wie  
de in Stein  
r worde.

**PTOLOMEUS**  
Was verziehet wir  
lang war um ver  
dammet wir ihn  
nicht.

**JOSAPHAT**  
Lasset ihn  
ewig gefangen  
setzen.

**TERAS**  
Man verweise  
ihn  
ins Elend.

**NICODEMUS**  
Verdammet  
auch unser  
Gesetz jemand  
es denn er ver  
sichert die Sa  
che erkundigt  
ge worden.

**DIARABIAS**  
Weil er das  
Volk erregt  
hat so ist er  
des Todes  
schuldig.

**SAREAS**  
Lasset ihn  
ausrotten  
von  
uns

**SABINTI**  
Er sey gerecht oder  
ungerecht weil er  
underer Väter  
Gesetz nicht  
halt soll  
man ihn  
töden.

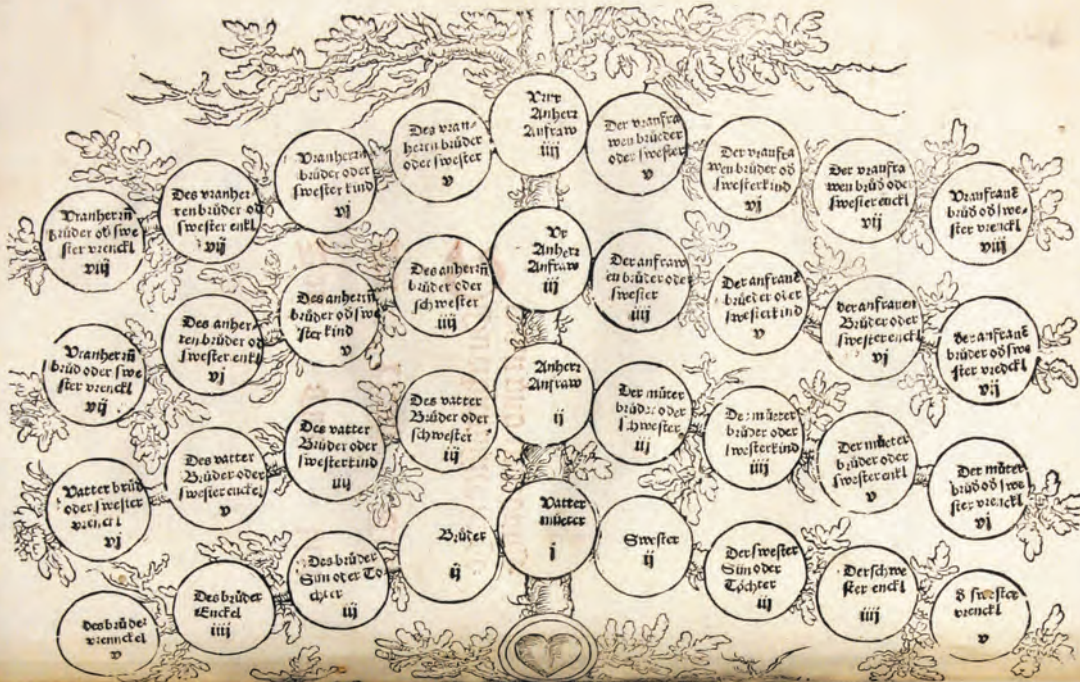
**SAMECH**  
Lasset uns  
ihn alle strafen  
damit er künftig  
nicht mehr von  
der uns lehre.

**ACHLAS**  
Unverhörter Sache  
soll man Niemand  
zum Tode verur  
theilen.

**HAS**  
Herrlichers Ausspruch oder  
Ausspruch Joh 11:  
Weret auch nichts, es ist  
sterbe für das Volk als  
Volk verderbe.

ausgesprochenes Bluturtheil zu Jerusalem  
schpflaster genant, den 3 April im Jahre Christi 34.







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



Highlights include:

- ♥ Maurus's *Iure Liberorum* (1558), a classic treatise on laws concerning children (Item 84)
- ♥ A contemporary manuscript account of the Rye House Plot (1683) (Item 74)
- ♥ Livingston's Louisiana Penal Code (1824), first issue (Item 67)
- ♥ A manuscript file documenting a 1758 divorce case in Spanish Texas (Item 81)
- ♥ Oldendorp's *Lexicon Iuris* (1555), a notable Protestant law dictionary (Item 89)

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# THE TRIALS OF

## CHARLES SHAW, aged 16, for Murdering JOHN OLDROFT, aged 9.

**RICHARD TOMLINSON, for Murdering MARY EVANS, his Sweetheart**

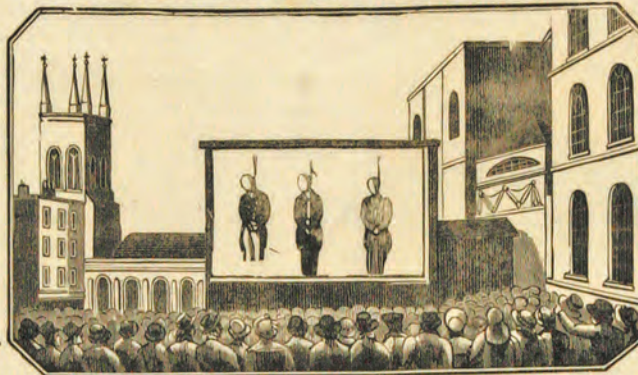
**MARY SMITH, for Drowning her Infant Child.**

Who all Three received Sentence of Death, at the late Staffordshire Spring Assizes, and were Ordered for

# EXECUTION

Last WEDNESDAY, MARCH 19, 1834.

“Thou shalt do no Murder!”  
Matthew, ch. xix. v. 18.



“Whoso sheddeth man's blood,  
by man shall his blood be shed.”  
Genesis, ch. ix. v. 6.

THE trials took place on Monday, 17th March, 1834, at the Staffordshire Spring Assizes, before The Hon. Mr. Justice Patteson.

### Charles Shaw,

A well-looking lad of 16, was charged with the Wilful Murder of John Oldcroft, aged 9, by fixing a cord round his neck. The only assignable motive of the prisoner for the commission of the offence was the acquisition of 1s. 6d. which the deceased possessed. The prisoner and the deceased were both in the service of Mr. Hawley, a potter. Both had been paid their wages at about six o'clock, on the 3d of August last. The deceased had due to him 1s. 4½d.; but, as he was a good lad, his master made it up 1s. 6d. In a few minutes after they were paid, the deceased and prisoner went away together, they were seen by various persons going towards the Etruria race-course. On their way they passed a boy named Robinson, who was bathing in the canal. He saw the prisoner dangle a piece of cord, and when afterwards the prisoner was reminded by Robinson that such was the case, he denied that he had any cord at all. The prisoner and deceased, after some little rough play with Robinson, then went on in the direction of Maccaroni-bridge, and they were seen playing with copper-money on a bank. The deceased not returning, his parents went in search of him, and proceeded to the house at which the prisoner lived, and the account he gave was, that he had left the deceased with gamblers, at the race-course. The parents continued their search without

success; but one of the peasantry having a wood-lark, which is a bird fond of some of the contents of a wasp's nest, he went in search of a wasp's nest, and found concealed under some willows the body of the deceased, with a cord round the neck, corresponding in appearance with that the prisoner carried. In consequence of suspicion the prisoner was taken up. There were several marks of blood on the prisoner's shirt, which had been covered with potter's clay, but it was found to be blood, he said his nose had bled, and he began rubbing his nose as if to make it bleed.

Witnesses were called to prove his insanity, and that the deceased died of drowning, and not of strangulation, the Jury however returned a verdict of Guilty, and he was sentenced to be hung on the next Wednesday.

### COPY OF VERSES.

OH! listen to a tale of woe, I now to you unfold,  
Of the Murder of John Oldcroft, a boy of nine years old;  
His body was found all in a ditch, it's true what I do say,  
With a rope tied round his neck, his life was taken away.  
This poor boy worked at a pottery, his living for to seek,  
And all the wages that he earn'd, was eighteen pence per week,  
When his week's work was done, upon each Saturday night,  
His wages to his mother gave, which gave him great delight.  
Charles Shaw was a wicked lad, and only fourteen years old,  
That he robb'd and murder'd this poor boy, makes the blood run cold,  
The poor mother is tearing of her hair, the father distracted wild,  
Crying, oh dear! oh dear! we are undone, we've lost our dearest child.

G. Smeaton, Printer, 74, Toley Street.

### Richard Tomlinson,

A rough-looking fellow, about 22 years old, was charged with the Wilful Murder of Mary Evans, at Ranton, on the 16th December last, by striking her on the head with a stone, and then throwing her into a ditch. The prisoner at first pleaded Guilty, but, on advice, pleaded Not Guilty. It appeared, by his own Confession, that he and the deceased had a quarrel relative to some property, he had previously given her, which she said he afterwards secretly took away again. At length it was agreed to go to a *Wise Man*, named Light, at High Ercall, to learn who really did take them. She, on going thither, still kept accusing him; when, he told her, if she said so again, he would knock her down. She dared him; when he struck her. He then left her, and went to a beer-shop, where he acknowledged the murder. At the trial, witnesses were called to prove his insanity, but the Jury returned a Verdict of Guilty; and he was ordered to be executed on the following Wednesday.

### COPY OF VERSES.

Come Lovers all of every class, pray listen unto me,  
While I unfold the sad details of this black tragedy,  
Those sweethearts a quarrel had, which rose to its highest pitch,  
When he struck her on the head, and threw her in a ditch,  
So Young Men and Maidens all pray warning take in time,  
By this misguided pair, who thus perish'd in their prime,  
And all thro' their own folly, as plainly you can tell,  
For, had they curb'd their passions, all would now have been well.



### Mary Smith,

Was convicted at the last assizes, for the Wilful Murder of her infant child, only twelve days old, by throwing it in the canal near Bliswich. She was sentenced to be executed on the following Wednesday.

### COPY OF VERSES.

IT'S of a cruel mother's fate, I now to you unfold,  
Who most cruelly slew her babe, when only twelve days old,  
She drown'd her own dear offspring—oh, dreadful to relate!  
But mark, good people, what miseries did her then await,  
She was plac'd in a gloomy cell, all in a dismal jail,  
Until her day of trial came, when her defence did fail,  
The Judge then doom'd her, poor lost wretch! to die upon a tree,  
A sad and dreadful punishment, for this mother's cruelty.



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Exterior Front Cover: **Item 89.**  
Exterior Rear Cover: **Item 102.**  
Interior Front Spread: **Item 23.**  
Title Page: **Item 51.**

Digital images of all items in this catalogue can be found on our website.  
Additional images of any item can be supplied upon request.  
Item depictions in this catalogue are not to scale.

See pages 76–78  
for an index  
to this catalogue.

Because of space limitations,  
we have not included all images  
that are available to describe each  
book. For additional images,  
please visit our website.

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*Sub Rege p[re]s[ent]i Johanne Lincoln[ensi] Abbate  
 Eborac[ensi] 1515*  
**In utriusq[ue]**  
 iuris libros introductoriu[m]  
 Modus legēdi ab-  
 breuiaturas in vtroq[ue] iure.  
 Tractatus iudicio-  
 riu[m] Bartholi legu[m] doctoris.  
 Tractatus Remū-  
 ciationū beneficiorū in publicis  
 instrumentis.  
 Processus Batha-  
 ne infernal[is] cōtra gen[er]ū humanū.  
 Ars Notariatus.  
 Sūma Joānis an-  
 dree sup[er] secundo Decretalium.  
 Sūma Joānis an-  
 dree sup[er] quarto Decretalium.  
 Consanguinitatis } Joannis  
 Affinitatis } Andree.  
 Arbor }  
 Cognatiōis spūalis  
 Cognatiōis legalis

**Flores legum.**

**J. HAN. PETIT.**

**Tractatus clausularū**

Celsi Hugōis dissuti Cabilonēsis bur-  
 gudi. J. U. doct. vtilis admodū et practic[us] tractat[us] clausularū q[ui] in  
 scriptis tā ap[osto]licis q[ua]m p[ri]ncipū et ordi[n]is libellis. p[ro]missio[n]e mandatis  
 iudicis. p[ro]missio[n]e sententiis. tractat[us] testamentis. alijsq[ue] v[er]is  
 timis voluntatibus et statutis apponi consueverunt et debent.  
 Qui q[ui]a illorum vniuersisq[ue] et cuiuslibet effectum et operatio[n]em  
 nem enodat. iudicibus. causidicis. procuratoribusq[ue] et notarijs nō  
 minus est vtilis q[uam] necessarius. Apponuntur autem alphabetico  
 ordine clausule in calce operis in repertorio.

**J. HAN. PETIT.**

Crenūdatur parchysijs i vico diui Ja-  
 cobi sub litto aureo.

Details from N° 1



A SIXTEENTH-CENTURY SAMMELBAND  
OF LEGAL REFERENCE WORKS

1 D'ANDREA, GIOVANNI [c.1270-C.1348].  
BARTOLO OF SASSOFERRATO [1313-1357].

*In Utriusque Iuris Libros Introductorium. Tractatus et Processus Diversi Utriusque Iuris: Studiosis Plurimis Accomodati. Modus Legendi Abbreviaturas in Utroque Iure. Tractatus Iudiciorum Bartholi Legum Doctoris. Tractatus Renuntationum Beneficiorum in Publicis Instrumentis. Processus Sathanae Infernal Contra Genus Humanum. Ars Notariatus. Summa Joannis Andreae Supra Secundo Decretalium. Summa Joannis Andreae Supra Quarto Decretalium. Arbor Consanguinitatis Affinitatis Cognationis Spiritualis Cognationis Legalis Joannis Andreae.*

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

[BOUND WITH]

PETIT, JEAN [fl.1492-1530].

*Flores Legum.*

[Paris: Sumptibus Honestis Simie Viri Johannis Petit, 1513]. [56] ff.

[AND]

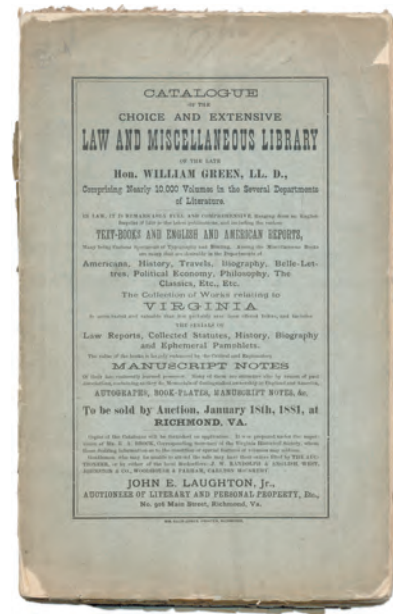
DESCOUSU, CELSE-HUGUES [b.1480].

*Tractatus Clausularum: Celsi Hugo[n]is Dissuti Cabilone[n]sis Burgu[n]di. I.U. Doct. Utilis Admodum [et] Practic[us] Tractat[us] Clausular[um] Q[ue] in Rescriptis ta[m] Ap[osto]licis Q[uam] Principu[m] Exordiis: Libellis: Mandatis: Iudiciis: Co[m]promissis: Sententiis: [Con]tractibus: Testamentis: Aliisq[ue] Ultimis Voluntatibus et Statutis Apponi Consueverunt et Debent. (...) Apponuntur Autem Alphabeticis Ordine Clausule in Calce Operis in Repertorio.*

[Paris]: Venu[n]datur Parrhyssiis: I[n] Vico Divi Iacobi sub Lilio Aureo [Jean Petit], [1513]. lv, [5] ff. Main text in parallel columns.

Contemporary paneled pigskin, raised bands to spine, early hand-lettered titles to front board and spine, fragments of clasps. Binding slightly cocked, some soiling and rubbing to extremities, head of spine bumped, hinges cracked, a few endleaves loose. Moderate toning, early inkstains to a few leaves, chip to fore-edge of the title page of *Flores Legum*, front endleaves and rear pastedown filled with contemporary manuscript notes in fine small hand, owner inscription in same hand dated 1515 at head of title page of *Utriusque Iuris Libros Introductorium*. A unique volume. \$6,000.

PROBABLY COMPILED BY A LAW STUDENT or layman, this book contains several important late-medieval legal reference works. *In Utriusque Iuris Libros Introductorium* is an anthology of "introductory" writings. It includes the *Modus Legendi Abbreviaturas*, a dictionary of abbreviations, the *Arbor Consanguinitatis*, an essay on descents, and the *Ars Notariatus*, a handbook on legal drafting. *Flores Legum* is a collection of maxims arranged alphabetically. The *Tractatus Clausularum* is a treatise on the drafting and interpretation of legal documents. *In Utriusque Iuris Libros Introductorium*: VD16 I165; *Flores Legum, Tractatus Clausularum*: USTC 180766, 144228.



N° 2

THE IMPRESSIVE LIBRARY OF JUDGE GREEN

2 [AUCTION CATALOGUE].  
[GREEN, WILLIAM (1806-1880)].  
JOHN E. LAUGHTON, JR., AUCTIONEER.

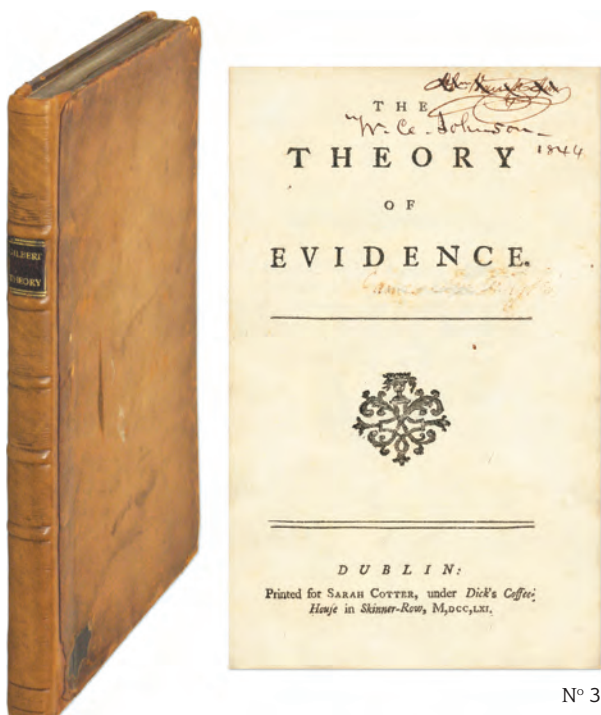
*Catalogue of the Choice and Extensive Law and Miscellaneous Library of the Late Hon. William Green, LL.D., Comprising Nearly 10,000 Volumes in the Several Departments of Literature. In Law, It is Remarkably Full and Comprehensive, Ranging from an English Imprint of 1409 to the Latest Publications, And Including Various Text-Books and English and American Reports, Many Being Curious Specimens of Typography and Binding. Among the Miscellaneous Books are Many that are Desirable in the Departments of Americana, History, Travels, Biography, Belle-Lettres, Political Economy, Philosophy, The Classics, Etc., Etc. The Collection of Works Relating to Virginia is More Varied and Valuable than has Probably Ever been Offered Before, And Includes the Serials of Law Reports, Collected Statutes, History, Biography and Ephemeral Pamphlets. The Value of the Books is Largely Enhanced by the Critical and Explanatory Manuscript Notes of Their Late Eminently Learned Possessor. Many of Them are Attractive Also by Reason of Past Associations, Containing as they Do, Memorials of Distinguished Ownership in England and America, Autographs, Book-Plates, Manuscript Notes, &c. To be Sold by Auction, January 18th, 1881, At Richmond, Va.*

Richmond: John E. Laughton, Jr. Auctioneer of Literary and Personal Property, Etc., [1880]. [x], [11]-210 pp. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in printed wrappers. Spine abraded, wrappers edgeworn, rear wrapper detached, final signature loose. Light toning to text, a few signatures unopened. \$450.

ONLY EDITION. Green was a notable Richmond lawyer, judge and legal scholar. His collection was extraordinarily deep and broad, with an enviable collection of Early English and Virginia material. OCLC locates 12 copies, 4 in law libraries (Harvard, Library of Congress, University of Richmond, University of Virginia).





N° 3

THE ENGLISH LAW OF EVIDENCE IN THE MID-EIGHTEENTH CENTURY

## 3 [BATHURST, HENRY].

*The Theory of Evidence.*

Dublin: Printed for Sarah Cotter, 1761. [iv], 123, [9] pp. Includes one-page printer advertisement. Octavo (7-1/2" x 5").

Contemporary calf, rebaked in period style, raised bands and lettering piece (reading incorrectly "Gilbert Theory") to spine, corners and hinges mended. A few shallow scuffs and some minor stains to boards. Moderate toning to text, light foxing in places. Later owner signature (of C.H. Buffett) to front pastedown, three other signatures (one erased, one illegible and one of W.C. Johnson) to head of title page, interior otherwise clean. A nice copy of a scarce title. \$750.

SOLE DUBLIN EDITION, published the same year in London. Published anonymously, this concise treatise is a good summary of the field as it stood in the mid-eighteenth century. It was later incorporated into Buller's treatise on nisi prius. An interesting feature is the Analysis and Index, which arranges the book's contents in a tree diagram with page references. OCLC locates 12 copies in North American Law libraries, 5 of the Dublin issue. Sweet & Maxwell 1:378 (1).



Detail from N° 4

TWO IMPORTANT GERMAN COMPILATIONS. ONE FEATURES WOODCUTS BY HOLBEIN THE YOUNGER

## 4 [BAVARIA]

[WILLIAM IV (1493-1550), DUKE OF BAVARIA].  
[LUDWIG X (1495-1545), DUKE OF BAVARIA].

*Reformacion der Bayrisch[e]n Lanndrecht: Nach Cristj Unsers Hailmachers Geburde Im[m] Funftzehnhundert unnd Achtzehendm Jar Aufgericht.*

[Munich: Johann Schobsser, 1518]. [xxxv], 168 ff. Final leaf, a blank, lacking. Two-page woodcut table of affinity. Large woodcut vignette by Caspar Clofligl of the Dukes of Bavaria, Wilhelm and Ludwig, to title page, woodcut decorated initials.

[BOUND WITH]

ZASIUS, ULRICH, COMPILER.  
[HOLBEIN, HANS (1497-1543)].

*Nuwe Statterchten und Statuten der Loblichen Statt Fryburg im Prysszgow Gelegen.*

[Basel: Adam Petri, 1520]. [xii], 97 ff. (Fol 1. is a divisional title page.) Nearly full-page arms of Freiburg to title pages and full-page images of the patron saints of Freiburg by Holbein on recto and verso of both title pages, double-page woodcut table of descents, woodcut decorated initials.

Folio (12-1/4" x 8"). Contemporary half-paneled pigskin over beveled wooden boards, pigskin clasps with bronze buckles, raised bands and early hand-lettered title to spine, head and tail repaired, a scattering of worm holes through boards and text block. Light soiling, some wear to corners, front hinge cracked, twentieth-century owner bookplate and bookseller description to front pastedown. *Reformacion* printed throughout in red and black. Light toning to text, negligible faint dampstaining and foxing in a few places, light edgewear to some leaves, early repairs to a fol. 20 of *Reformacion*. Early annotations in a few places, interior otherwise clean. A very handsome volume. \$9,500.

FIRST EDITIONS. Two important collections of German statutes. Enacted in 1518, the Bavarian *Reformacion* revised the Bavarian law code of 1346. It is notable, in part, because it incorporated input solicited by the Dukes of Bavaria from representative groups of subjects. The 1520 edition of Freiburg statutes is a comprehensive restatement by Zasius, a leading German humanist and friend of Erasmus. A leading jurist, he was one of the first jurists to apply modern philological methods to the study of Roman and older Germanic law. Both titles are scarce. OCLC locates 2 copies of *Reformacion* in North American law libraries (George Washington University, UC-Berkeley), 4 copies of *Nuwe Statterchten* (George Washington University, Harvard, University of Michigan, Yale). VD16 B1007, F2540.



EARLY STUDIES OF CANON, ROMAN AND LOMBARD LAW

6 BOHIER, NICOLAS DE [1469-1539], EDITOR.

*Leges Longobardorum Seu Capitulare Divi ac Sacratissimi Carolimagni Imperatoris: [Et] Fra[n]cie Regis ac Novelle [Con]stitut[i]o[n]es D[omi]ni Justinia. Imperatoris cu[m] P[rae]faciu[n]cula [et] An[n]otationib[us] in Ipsas. II. [et] Co[n]stitutiones Novellas.*

[Lyons: Antoine du Ry: Simon Vincent, 1512]. ciiij, [1], cj, clx, [2] ff.

[BOUND WITH]

Bohier, Nicolas de, Editor.

*Sole[m]nis Repetitio Famose I. Consentaneum. C. Quomodo [et] Q[ua]n[do] Iudex...*

[Lyons: Antoine du Ry: Simon Vincent, 1512]. xxxviii ff. Sections of text in parallel columns.

[AND]

BOHIER, NICOLAS DE.

*Questio de Custodia Clavium Portarum Civitatu[m]: Castrorum [et] Aliorum Locorum Fortiliciorum...*

[Lyons: Antoine du Ry: Simon Vincent, 1512]. xix, [1] ff. Main text in parallel columns.

[AND]

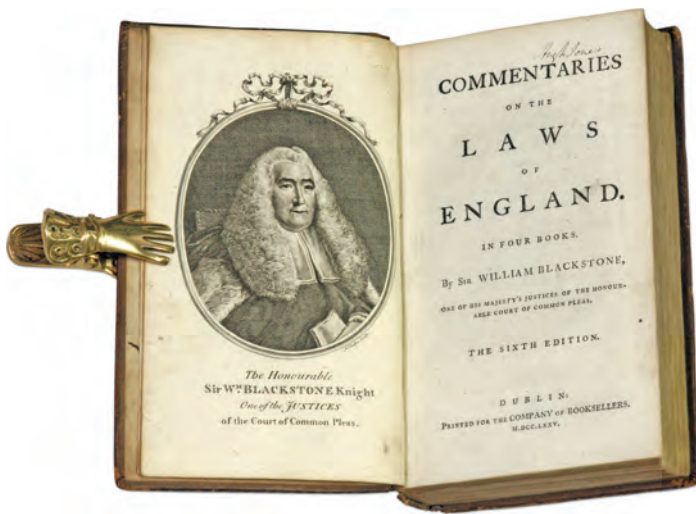
CASTIGLIONCHIO, LAPO DA [D. 1381].

*Allegationes D[omi]ni Lapi. Tractatus Allegationu[m] Illustrissimi. J. U. Monarche D[omi]ni Lapi de Castellbovo.*

Lyons: Impe[n]sis Vencentii de Portonariis, 1532. [xii], cxxvj, [1] ff. Main text in parallel columns.

Four works in one volume. Octavo (6-1/2" x 4-3/4"). Nineteenth-century vellum, lettering piece to spine, front board reattached, edges rouged, tear to title page repaired. Light soiling, spine ends bumped. Woodcut decorated initials and colophons, title page of *Allegationes* printed within architectural border. Some toning to text, heavier in places, title page of *Leges Longobardorum* and following three leaves lightly browned and moderately edgeworn, faint dampstaining to margins in a few places. Later annotations to rear endleaf, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing volume containing four scarce titles. \$5,000.

*LEGES LONGOBARDORUM*: FIRST EDITION; *Solemnis* and *Questio*: only editions; *Allegationes*: later edition. *Leges Longobardorum* is a pioneering critical edition of the legal code of the Lombards (Italians) issued after their conquest by Charlemagne. It was adapted from the Lombard's Roman-derived legal system. Bohier's edition sought to distinguish the contributions of Charlemagne, the Lombards and earlier Roman law. The other studies by Bohier are related but bibliographically distinct. First printed in 1470, Castiglionchio's *Allegationes* is a venerable treatise on procedure in canon law and, to a limited extent, Roman law. All of the titles in our volume works are scarce, especially in North America. Bohier: USTC 143981, 144040, 144029; Castellione: Adams L207.



Nº 5

EARLY DUODECIMO EDITION OF BLACKSTONE'S COMMENTARIES

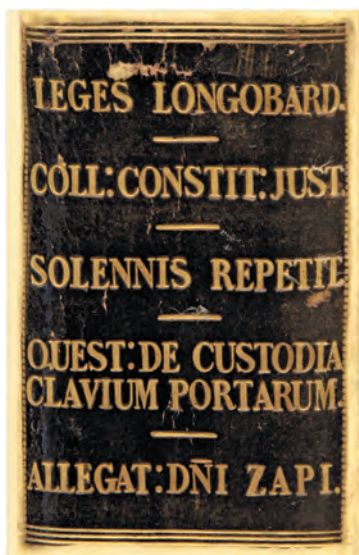
5 BLACKSTONE, SIR WILLIAM [1723-1780].

*Commentaries on the Laws of England, In Four Books.*

Dublin: Printed for the Company of Booksellers, 1775. Four volumes. Copperplate frontispiece portrait, table of consanguinity, folding Table of Descents. 12mo. (6-1/2" x 3-3/4").

Contemporary calf, blind fillets to boards, lettering pieces and blind fillets to spines, blind tooling to board edges. Some minor nicks and spots to boards, moderate rubbing to extremities, minor chipping to spine ends, joints starting. Volume I has split through center of backstrip, corners bumped and somewhat worn. Light toning, minor worming in a few places, minor tears to edges of a few leaves, some edgewear to table of descents. Small early signature to head of Volume I title page, interiors otherwise clean. A handsome set. \$1,350.

"SIXTH EDITION." This pirated Dublin edition follows the text of the fourth Oxford edition, 1770. It is similar to another pirated Dublin edition published by John Colles, also in 1775. Not in Eller, Laeuchli 14.



Detail from Nº 6





Detail from N° 7

THE FINAL FIFTEENTH-CENTURY IMPRINTS OF THE *LIBER SEXTUS DECRETALIU* AND *CLEMENTINAE*

- 7 [BONIFACE VIII, POPE (1235-1303)].  
[D'ANDREA, GIOVANNI [C.1270-1348], GLOSSATOR.  
[BRANT, SEBASTIAN (1457-1521), EDITOR].

***Sextus Decretalium cum Certis Additionibus Johannis Andree.***

[Basel: Johann Froben and Johann Amerbach, December 1, 1500]. Two parts in one, Part II is titled *Constitutiones Clementinarum*. [288] ff. Collation: AA6, a-y8, z12; AA-MM8. Complete. Main text surrounded by linear glosses in parallel columns, printed in red and black throughout. Large woodcut depicting the presentation of the *Liber Sextus* to Boniface on fol. [8]v, woodcut tables of consanguinity and descent on ff. [3]v and [5]r. Quarto (8" x 6").

Recent vellum, hand-lettered title to spine, endpapers added, edges rouged. Text in 72-line gothic type printed throughout in red and black. Light toning to text. Early annotation to title page of the *Liber Sextus*, marginalia to a few leaves, some affected by trimming. Light soiling to bottom inner margins on first 100 leaves, faint dampstaining to outer margins of a few leaves at end of text block, interior otherwise fresh. \$9,500.

WITH A REGISTER OF TITLES and D'Andrea's *Super Arboribus Consanguinitatis et Affinitatis*. Attempts to codify the body of canon law began in earnest during the Carolingian Empire. These efforts reached fruition between 1020 and 1025 in the twenty-volume *Decretum* of Burchard, Bishop of Worms. The next great step was taken in 1234 with the *Libri Quinque Decretalium* of Gregory IX, which formed the basis of the *Corpus Juris Canonici*. The *Liber Sextus* of Boniface VIII (1298), the last great collection of the pre-Reformation era, consists of updates and modifications. The *Clementinae Constitutiones* (1313) is a collection of papal legislation that modifies portions of the *Liber Sextus*. It was followed by the *Extravagantes Joannes XXII* and the *Extravagantes Communes* in 1325. All of these texts were edited after the Council of Trent in 1582 under the collective title *Corpus Juris Canonici*. Andrea was an Italian canonist and professor of canon law at the University of Bologna. An eminent figure who received the highest tributes from Arithemius, Baldus, Forster and Bellarmin, his principal writings circulated widely in manuscript and were among the earliest printed works on canon law. His glosses were first published in 1472. Our edition by the great Basel printers Froben and Amerbach was the last printed in the fifteenth century. Remembered today as the moral and satirical poet of *Das Narrenschiff* (*The Ship of Fools*, 1549), Brant was also a notable legal scholar and humanist. His edition of the *Liber Sextus* was first published in 1494. The *ISTC* locates 4 copies of this imprint in North America (Harvard Law School, Huntington Library, Library of Congress, UC-Berkeley Law Library). *GW* 4905. *Goff* B1015.



N° 8

NOTABLE DECISIONS OF THE ROTA ROMANA WITH REGULATIONS OF THE APOSTOLIC CHANCERY

- 8 BOSQUETO, BARNARDUS [D. 1371], COMMENTARY.  
FASTOLUS, THOMAS [FL. 1338-1361], COMMENTARY.  
MOLENDINO, JOHANNES DE, COMMENTARY.

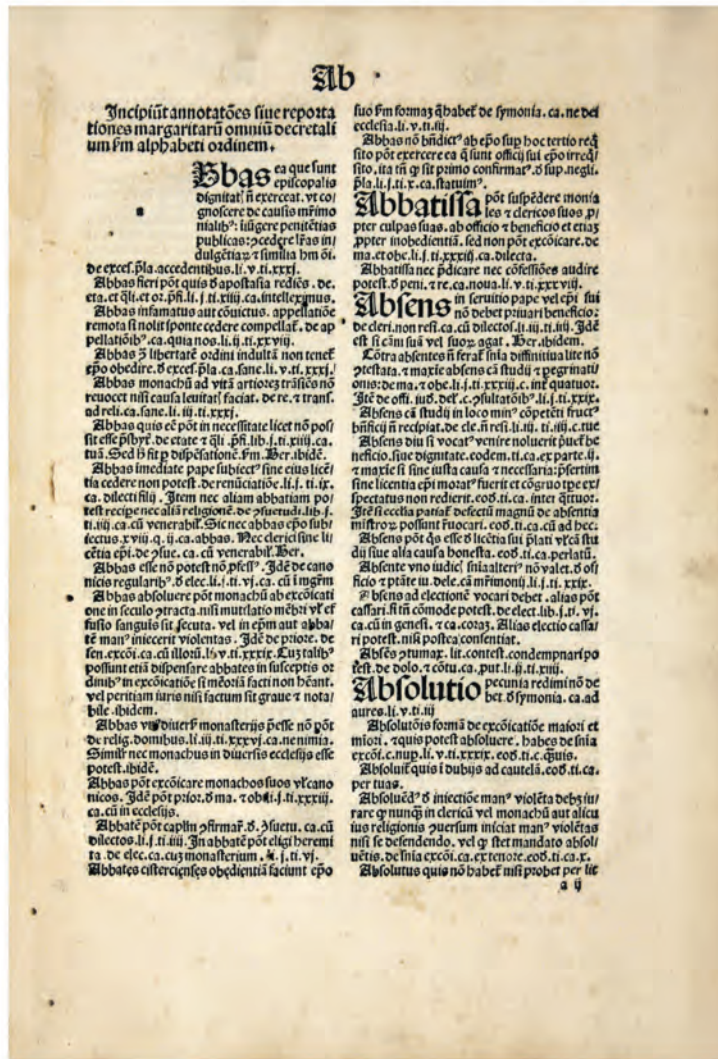
***Decisiones Rote Nove ac Antiquae: Cu[m] Additionibus & Casibus: Ubiisq[ue] et Regulis Cancellarie Apostolicae: Nuper Diligentissima Recognite & A Mendis Expurgate.***

[Lyons: Per Jacobum Myt Chalcographum, 1521]. [x], 116, 90, [10], 91-165 ff. Main text in parallel columns. Quarto (7-3/4" x 5-1/2").

Contemporary paneled calf with elaborate tooling, raised bands to spine, fragments of thong ties. Light rubbing and some worm holes to boards, chipping to spine ends, joints starting at ends, corners worn, hinges cracked, considerable worming to pastedowns and endleaves, minor worming to lower margin of title page and following few leaves and final three leaves of text (fols. 163-165). Title page, featuring a woodcut vignette of a lawyer, a judge and a member of the Apostolic Chancery printed in red and black within a woodcut architectural border, woodcut decorated initials. Moderate toning to text, faint dampspotting in places, faint dampstaining to margins of title page and some other leaves, spark burns and early pen marks in a few places. \$1,750.

LATER EDITION. A collection of four sets of decisions by the Rota Romana and two sets of regulations for the Apostolic Chancery, which regulated practice and procedure. The decisions cover the period 1376 to 1381. The Chancery *regulae* are those of Sixtus IV, promulgated in 1482, and Innocent VIII, promulgated in 1491. This 1521 imprint is based on the 1496 Venice edition printed by the de Gregoriis for Fontana. This work went through several editions, but all are scarce. OCLC locates 10 copies of the 1521 Lyons edition, 2 in North America (University of Kansas, UNC-Chapel Hill). *USTC* 155536.





№ 9

CONSANGUINITY AND AFFINITY IN THE *DECRETALS* OF GREGORY IX

9 BRANT, SEBASTIAN [1458-1521], EDITOR.

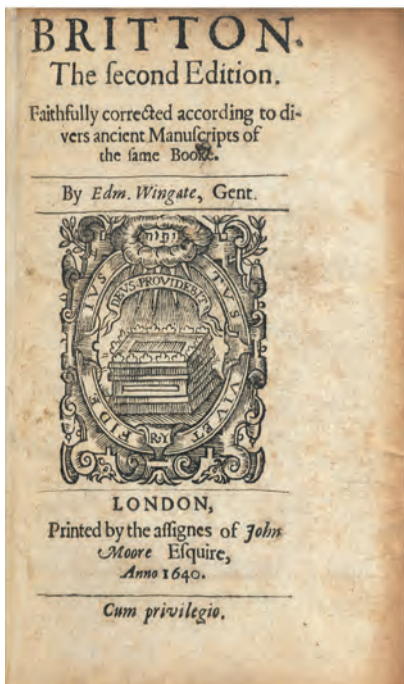
*Annotatio[n]es Sive Reportatio[n]es Margaritaru[m] Omniu[m] Decretalium S[e]c[un]du[m] Alphabeti Ordinem.*

[Basel: Nicolaus Kesler, c.19 June 1496]. Collation: a8b–c6d4, e–g6. 41 of 42 ff. Final leaf, a blank, lacking. Text in parallel columns. Folio (12” x 8–1/2”).

Contemporary blind-tooled quarter pigskin over wooden boards, raised bands to spine, strap lacking, buckles present, early hand-lettered title to foot of text block. Light soiling, minor wear to upper corners, a scattering of worm holes to boards. Text printed in 54–line Gothic type. Moderate toning to text block, occasional faint dampspotting, minor worming in places, edgewear and minor stains to a few leaves, internally clean. \$12,500.

FIRST EDITION, ONE OF TWO ISSUES FROM 1496. Remembered today as the moral and satirical poet of *Das Narrenschiff* [*The Ship of Fools*], Brant was also a noted legal scholar and humanist. He studied at Basel, where he completed a doctor of laws degree. After serving on Basel’s law faculty he moved to Strasbourg, his birthplace, where he became city clerk and enjoyed a position of great prominence. Brant was later appointed imperial counselor by the Holy Roman Emperor Maximilian I, who elevated him to the nobility. The *Margaritarum* is an alphabetically arranged compilation of excerpts from the *Decretals* of Gregory IX, one of the principal books of the *Corpus Juris Canonici*, concerning descent, affinity and consanguinity. The *ISTC* locates 10 copies of this imprint in North America, 3 in law libraries (Harvard Law School, Library of Congress, UC–Berkeley Law School). Goff M263. GW M20967.





N° 10

THE BEST EDITION OF BRITTON

- 10 [BRETON, JOHN LE (D. 1275), ATTRIBUTED]. WINGATE, EDM[UND] [1596-1656], EDITOR.

***Britton. The Second Edition. Faithfully Corrected According to Divers Ancient Manuscripts of the Same Booke.***

London: Printed by the Assignes of John Moore, 1640. [xv], 287, [21] ff. Octavo (5-3/4" x 3-1/2").

Recent period-style speckled calf, blind rules to boards, raised bands and blind rules to spine, endpapers renewed, other endleaves lacking, early armorial bookplate (of James Bengough of ye Inner Temple London Gent. 1702) to verso of title page. Some toning to text, light foxing in a few places, light foxing to title page, internally clean. A handsome copy. \$1,200.

SECOND EDITION. Text in Law French, preliminaries and corrections in English. Along with *Fleta*, *Britton* is one of two significant law books produced during the reign of Edward I [1272-1307]. According to Francis Morgan Nichols, editor of the 3rd ed. (1865), it is a legal compilation with no known author, wrongly attributed to John Britton, or Le Breton, bishop of Hereford. The oldest English book in Law-French, it was probably a response to a wish of Edward I to produce a digest of the English law in the spirit of Justinian's *Institutes*. Book One outlines the authority of justices and officers and defines the nature of various personal pleas (including pleas of the crown). Book Two describes disseisins and their remedies. Book Three treats intrusions and their remedies. Book Four describes pleas relating to advowsons and the property of churches (and of attaints). Book Five outlines pleas of dower and entry. Book Six defines different kinds of proprietary actions. In all, this treatise offers an incomparable overview of British law during the medieval era. The first edition was issued was printed in 1540. As Wingate observes, it is "exceeding full of manifest imperfections," including the omission of an entire chapter (Advertisement [iii]). Wingate corrects these errors and supplies the missing chapter. (All of these improvements to the 1540 edition are listed in an appendix.) Copies on this title were found in the libraries of several discerning readers, such as Thomas Jefferson, who had a copy of the 1640 edition. Sweet & Maxwell 1:52 (11). Sowerby 1773.



N° 11

A FATAL FALL THROUGH THIN ICE

- 11 [BROADSIDE]. [ACCIDENTAL DEATH]. [ILLINOIS].

***\$50.00 Reward! The Above Reward will be Paid for the Recovery the [sic] Body of Miss Jennie Warren, Who was Drowned by Breaking Through the Ice at Hampton, Saturday, February 1st [Running Title].***

Hampton, Illinois: S.n., c.1875.

13" x 9-1/2" broadside. Light browning, some wear and chipping to edges, vertical and horizontal fold lines, some with clean tears, which are mended on verso with archival tape, tiny hole near center where fold lines cross. A curious, and poignant, item.

\$450.

THE VICTIM WAS "17 YEARS OF AGE, short, dark completed, weight about 115 pounds." This appears to be an unrecorded broadside.

CHARLES II PARDONS A GROUP OF COVENANTERS AFTER THE BATTLE OF RULLION GREEN

- 12 [BROADSIDE]. CHARLES II [1630-1685], KING OF ENGLAND, SCOTLAND AND IRELAND.

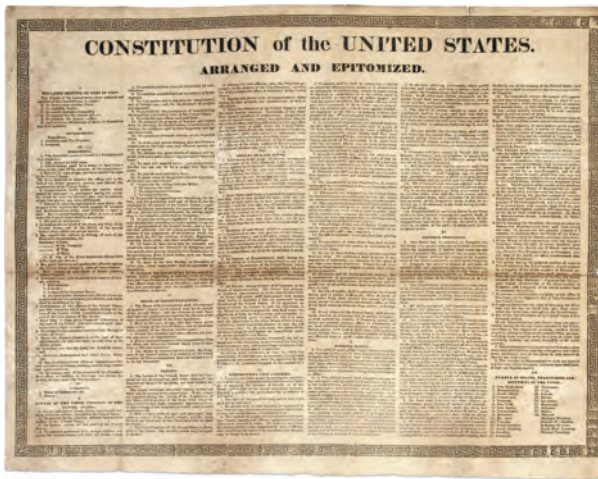
***His Majesties Gracious Pardon and Indempnity, To Those in the Late Rebellion.***

[Edinburgh: by Evan Tyler, 1667].

15-1/2" x 11-1/2" broadside. Text in single columns below headline, royal arms at head of text. Moderate toning, horizontal and vertical fold lines, a few creases to margins, some edgewear and clean tears, text not affected, early annotation to verso. A rare broadside. \$850.

THIS BROADSIDE RELATES to an episode in the suppression of Scottish Covenanters, Presbyterians who denied the authority of the Church of Scotland, during the Restoration. Outlawed in 1662 by refusing to accept the authority of the Church of Scotland, they persisted as a clandestine sect. Oppressive measures led to an outbreak of armed rebellion in 1666 near Edinburgh. There, a small force of poorly armed Covenanters was defeated at the Battle of Rullion Green in the Pentland Hills by a large force of Highland Soldiers. Also known as the Pentland Rising, it was a vicious battle notable for the atrocities committed by the Highland soldiers. No print copies located on OCLC. ESTC locates 2 copies, both in Scotland. ESTC R173762.





No 13

A SUMMARY OF THE U.S. CONSTITUTION

13 [BROADSIDE]. [CONSTITUTION, UNITED STATES].

Constitution of the United States. Arranged and Epitomized.

[N.p.: S.n., c. 1830].

18-1/2" x 14-1/2" broadside. Text in six columns within woodcut Greek-key border, headline above text. Light browning and some faint dampspotting and a few minor creases, horizontal and vertical fold lines, light edgewear, a few minor tears along fold lines. \$1,500.

PROBABLY PRINTED FOR SCHOOLS, this broadside is one of several printings of this practical epitome of the U.S. Constitution. The list of states and territories at the end of the end of the text includes Missouri, admitted in 1821, but not Arkansas, which was admitted next in 1836. OCLC locates 2 similar copies.



No 12



No 14

"HE SAID THE DECEASED HAD GIVEN HIM A LEPROUS DISEASE, AND HE WOULD SERVE HER OUT FOR IT"

14 [BROADSIDE]. [EXECUTION]. CONNOR, JOSEPH [D. 1845].

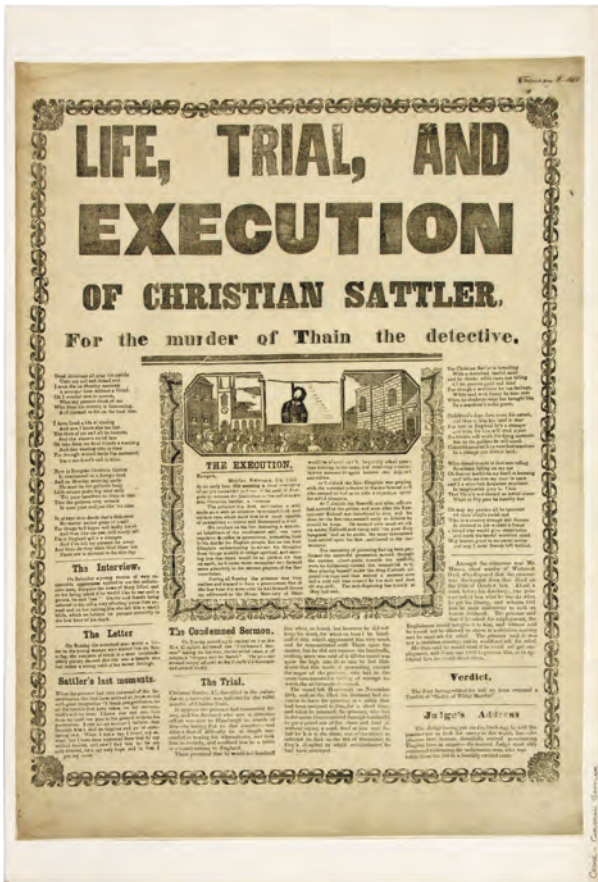
Trial and Sentence of Joseph Connor, For the Murder of Mary Brothers, At No. 11, George Street, St. Giles's, On Monday, March 31st.

London: Birt, Printer, 39 Great St. Andrew Street, Seven Dials, [1845].

20" x 14-3/4" broadside mounted on 22-1/2" x 15" thick-paper backing sheet. Text in five columns below headline and large woodcut trial scene flanked by floral borders. Light browning, minor chips and creases to corners, "1845" added to date in headline in small early hand. \$1,950.

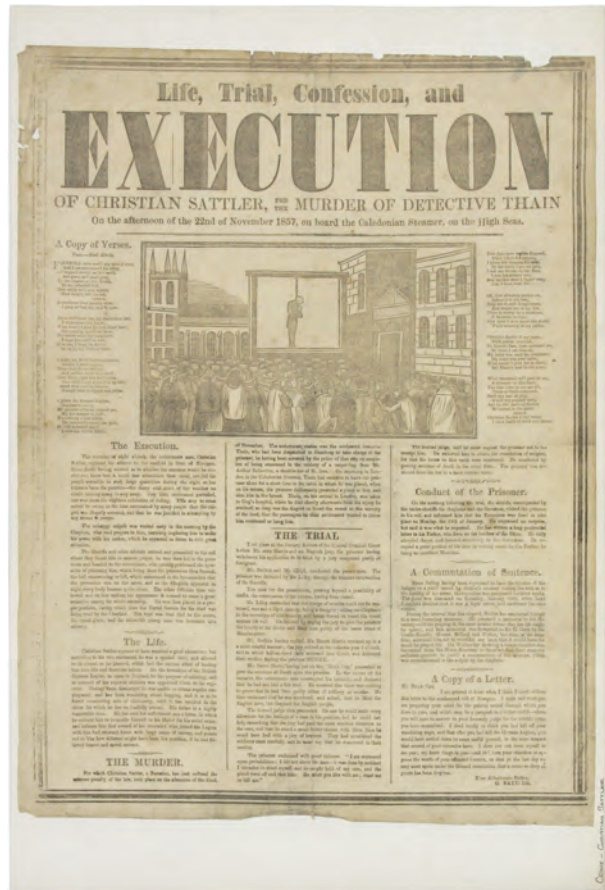
A DETAILED DESCRIPTION OF A LURID EVENT in Victorian London, notable for its extensive use of eyewitness information, possibly derived from a court report. Mary Ann Brothers, a London prostitute was murdered by Connor, one of her customers. He did this because he believed she gave him a sexually transmitted disease. He lured her to a brothel, where he stabbed her to death. Connor was convicted and hanged. No copies listed on OCLC.





N° 15

MURDER AT SEA



N° 16

"CHRISTIAN SATTLER IS MY NAME,  
I DIE A DEATH OF SCORN AND SHAME"

15 [BROADSIDE].  
[EXECUTION].  
SATTLER, CHRISTIAN [D. 1858].

*Life, Trial, And Execution of Christian Sattler, For the Murder of Thain the Detective.*

[London: S.n., 1858].

19-3/4" x 14-1/2" broadside mounted to 22-1/2" x 25" frame. Text in four columns within woodcut border, large woodcut vignette of execution, featuring a superimposed "close up" of the hanged man, within woodcut border near center of text below headline. Main text preceded by four stanzas of verse. Some toning, minor creases to margins, "February 8: 1858" in small early hand to upper right corner above border. \$1,950.

SATTLER WAS A GERMAN MAN WHO STOLE a bag of valuables belonging to a London stockbroker from an inn in Cambridgeshire (shortly after his release from jail). After stealing the bag Sattler fled to the continent and was tracked down and arrested in Hamburg by two London detectives, Charles Thain and William Jarvis. On the journey back to England, Thain left Sattler alone in his cabin where he found a pistol, which he used to murder Thain when he returned to Sattler's cabin. Sattler was found guilty and hanged at the Old Bailey on February 8, 1858. This broadside includes an eight-stanza ballad about the crime and eight additional sections titled The Interview, The Letter, Sattler's Last Moments, The Condemned Sermon, The Trial, Verdict, Judge's Address, and The Execution. OCLC locates 2 copies (British Library, UNC-Chapel Hill).

16 [BROADSIDE].  
[EXECUTION].  
SATTLER, CHRISTIAN [D. 1858].

*Life, Trial, Confession, And Execution of Christian Sattler, For the Murder of Detective Thain.*

[London], S.n., [1858].

19-1/2" x 14-1/2" broadside mounted on 22-1/2" x 15" thick-paper backing sheet. Text in three columns below headline and large woodcut execution scene within woodcut border. Light browning, minor creases to corners, a few chips to edges touching borders. \$1,950.

NO COPIES listed on OCLC.





Nº 17

"UNHAPPY PRISONERS"

17 [BROADSIDE].  
[EXECUTIONS].  
[LONDON].

*Trials and Executions of the Unhappy Prisoners this Morning at the Old Bailey.*

[London]: Printed by J. Catnach, [c.1840].

28-3/4" x 14-1/4" broadside mounted on illustration board. Text in five columns below headline, seven woodcut vignettes, one of them depicting an execution, woodcut arms of London. Moderate browning and light soiling, faintest fold lines, some wrinkling, a few chips and some edgewear, lower left-hand corner lacking with minor loss to text. \$1,500.

A BROADSIDE RECORDING THE FINAL DAYS OF several men and women convicted of robbery (and related crimes). The text focuses on the mental and spiritual state of the convicted as they awaited their execution. Two woodcuts show dejected prisoners in chains, others depict lamenting prisoners and their farewells as they are taken to the scaffold. The final column ends with six stanzas of verse. The first stanza begins: "Oh! Ye who have a feeling heart, Give ear to what I say, And by my sad disgraceful end, Avoid each wicked way." No copies located on OCLC.



Nº 18

"THE...UNFORTUNATE AND DELUDED MEN WERE PART OF THE WELL KNOWN ASSOCIATION CALLED LUDDITES"

18 [BROADSIDE].  
[EXECUTIONS].  
[LUDDITES].

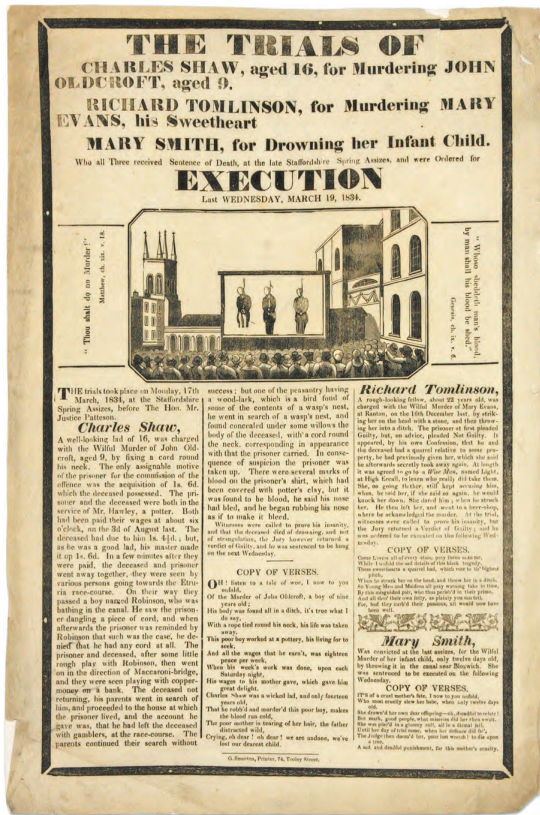
*Execution of the Luddites, At York. An Account of the Awful Execution of Seventeen of Those Unfortunate Men Called Luddites, Who Were Hanged at York, On Saturday the 16th of January, 1813, For Rioting, Housebreaking, Robbery and Murder.*

[Glasgow]: Printed by Thos. Duncan, [1813].

11-1/2" x 6-1/2" broadside skillfully mounted to matching 15" x 9-1/2" sheet. Text in two columns below headline. Light browning, some edgewear to sheet on which broadside is mounted, wear to lower corner of broadside near bottom left corner with minor loss to a few letters, legibility not affected. Overall condition very good. \$950.

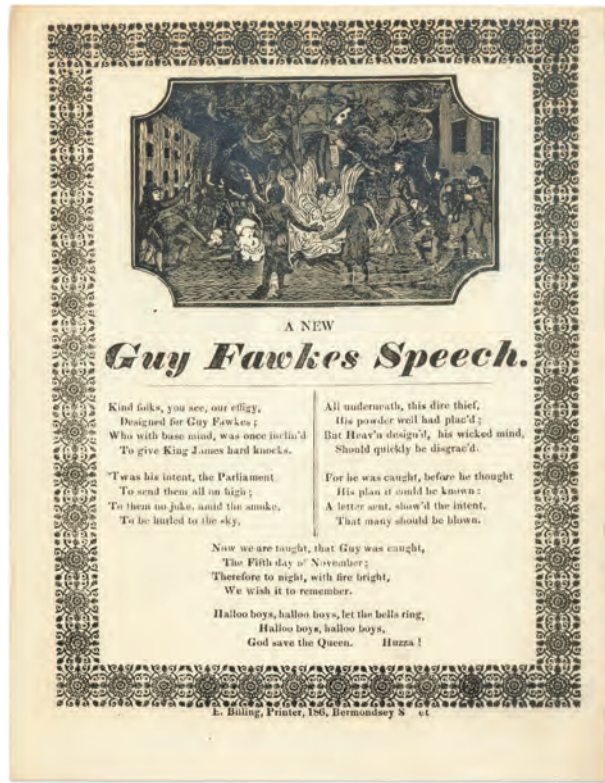
A POIGNANT AND SOMEWHAT PATRONIZING account of the execution of John Agden, Thomas Brook, Joseph Crowther, Jonathan Dean, Nathan Hayle, John Hill and John Walker. These men comprised the first group of prominent Luddites hanged on January 16, 1813. (They were hanged in the morning; a second group of 7 was hanged that afternoon.) Named after their principal leader Ned Ludd, the Luddites were a group of English workers who destroyed the textile machinery that was putting them out of work. OCLC locates 1 copy (Senate House Library, University of London). We located another copy at Harvard Business School.





Nº 19

"ALL THREE RECEIVED THE SENTENCE OF DEATH..."



Nº 20

"KIND FOLKS YOU SEE, OUR EFFIGY, DESIGNED FOR GUY FAWKES; WHO WITH BASE MIND, WAS ONCE INCLIN'D TO GIVE KING JAMES HARD KNOCKS"

19 [BROADSIDE].  
[EXECUTIONS].  
[SHAW, CHARLES. (D.1834). DEFENDANT].  
[SMITH, MARY. (D.1834). DEFENDANT].  
[TOMLINSON, RICHARD. (D.1834). DEFENDANT].  
[STAFFORDSHIRE, ENGLAND].

*The Trials of Charles Shaw, Aged 16, For Murdering John Oldcroft, Aged 9, Richard Tomlinson, For murdering Mary Evans, His Sweetheart, Mary Smith, For Drowning Her Infant Child. Who All Three Received Sentence of Death at the Late Staffordshire Spring Assizes, And Were Ordered for Execution Last Wednesday, March 19, 1834.*

[London]: G. Smeeton, Printer, 74, Tooley Street.. [1834].

15" x 10" broadside mounted to thick paper. Text in three columns enclosed by black rules, large woodcut vignette of execution scene flanked by excerpts from Genesis IX, 6 and Matthew XIX, 18. Verses at the end of the accounts of Shaw, Tomlinson and Smith. Some toning and edgewear, a few small chips at corners, otherwise fine. \$1,500.

SHAW AND TOMLINSON APPEARED TO HAVE murdered in fits of rage sparked by disputes over money. In both cases witnesses were called to prove insanity. Smith, who may have been suffering from post-partum depression, threw her twelve-day old baby into a canal. Nobody proposed an insanity defense for her. OCLC locates 2 copies worldwide (Harvard Law School, Library of Congress).

20 [BROADSIDE].  
GUY FAWKES DAY.

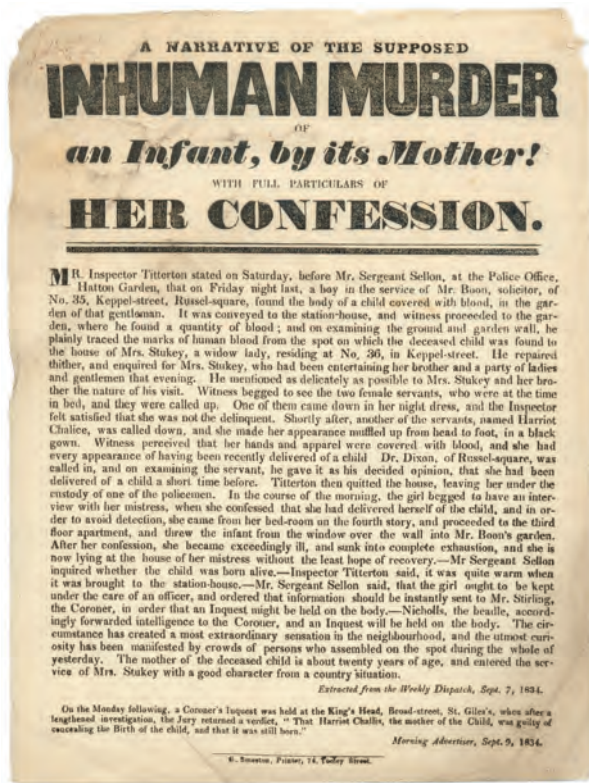
*A New Guy Fawkes Speech.*

[London]: E. Billing, 186, Bermondsey Street, [c.1840].

9-3/4" x 7-1/2" broadside. Six-stanza verse text within woodcut typographical border, first four stanzas in two columns, separated by woodcut rules below headline and vignette of a group of people burning Fawkes in effigy. Light toning, otherwise fine. A well-preserved rare item. \$650.

A CELEBRATORY BROADSIDE COMMEMORATING Guy Fawkes Day. Also known as Guy Fawkes Night, Bonfire Night or Firework Night, it is an English national holiday commemorating the failed Gunpowder Plot, an attempt by a group of Catholics to assassinate King James I by blowing up the House of Lords during the State Opening of Parliament. The plot was foiled when Fawkes was discovered with a cache of explosives hidden beneath the House of Lords. The date of our broadside is conjectured from a similar broadside by Billing with a contemporary handwritten date of 1829 held by the National Library of Scotland. The verses on that copy end with "God save the King." Ours ends with "God save the Queen," so we assume it was printed in the early years of Queen Victoria's reign, which began in 1837. OCLC locates no copies.





N° 21

BROADSIDE ACCOUNT OF AN INFANTICIDE IN LONDON

21 [BROADSIDE].  
[INFANTICIDE].  
[CHALICE, HARRIET].

*A Narrative of the Supposed Inhuman Murder of an Infant, by Its Mother! With Full Particulars of Her Confession.*

[London]: G. Smeeton, Printer, 74, Tooley Street, [c.1834].

10" x 7-1/2" broadside. Single-column text below headline. Moderate toning, some edgewear and a few tiny chips, a few creases to corners. \$650.

THIS BROADSIDE OFFERS AN ACCOUNT in two parts. The first part, "extracted from the *Weekly Dispatch*, Sept. 7, 1834," is an account of the discovery of the baby's body prior to the coroner's inquest. The second part, from the *Morning Advertiser*, September 9, 1834, records the conclusions of the inquest. The defendant, Harriet Chalice, a household servant, was declared guilty of concealing the birth of a child, who was stillborn. Having hid her pregnancy, she delivered her baby herself, then threw the baby out of a window. Chalice's fate is unknown; the broadside says she "became exceedingly ill" after disposing of her baby and "sunk into exhaustion... without the least hope of recovery." OCLC locates 1 copy (Harvard Law School).



N° 22

ANTI-JACKSON BROADSIDE FROM THE 1828 PRESIDENTIAL RACE

22 [BROADSIDE].  
[JACKSON, ANDREW (1767-1845)]  
[1828 PRESIDENTIAL CAMPAIGN].

*A Brief Account of the Execution of the Six Militia Men!!*

[Philadelphia: Democratic Press, 1828].

18-1/2" x 10 1/4" broadside with untrimmed edges, text in three columns below headline and woodcut image of six coffins. Moderate toning, light foxing and a few faint dampstains, three tiny scuffs with minor loss to text, mended on verso with archival tape. Item hinged to archival-quality cloth-covered illustration board. \$3,750.

THIS IS ONE OF A SERIES of broadsides attacking candidate Andrew Jackson for an incident that occurred during the War of 1812. In 1815 Jackson ordered the execution of six soldiers who tried to leave the service shortly before the conclusion of their three-month enlistment term. They were condemned as deserters and executed by firing squad in Nashville, Tennessee. Many thought execution was unfair, a classic case of a punishment that did not fit the crime. Jackson was running mainly on the strength of his war-hero resume, so broadsides such as this one were intended to undermine this reputation and to show him as a cruel individual. As we know, the strategy failed. Jackson defeated John Quincy Adams. This appears to be an unrecorded broadside. Shaw & Shoemaker records a later issue of this broadside, with the same title, entry 32473, but it is in four columns and has additional text dated 20 January 1828.





N° 23

CHRIST STANDS BEFORE HIS JUDGES

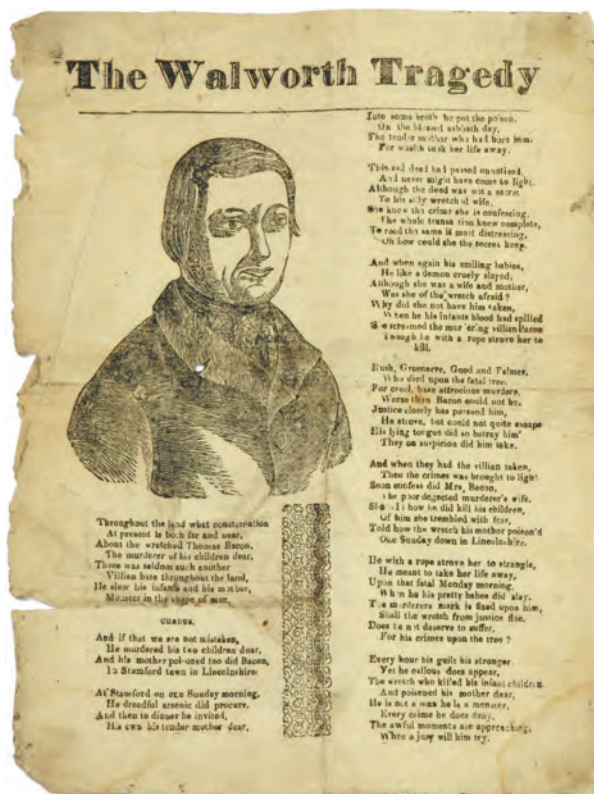
23 [BROADSIDE].  
[KLING, PHILIPP NIKOLAUS (1711-1805)].

*Des Judischen Landpflegers Pontii Pilati ber Jesum Ergangenes Blut-Urtheil, Geschehen zu Jerusalem an dem Gewöhnlichen Gerichtsort Gabbatha oder Hochpflaster Genannt den 3 April im Jahr Christi 34.*

[N.p.: Regensburg?, c. 1800].

16-3/4" x 12-1/2" hand-colored lithograph broadside (image is 14-1/2" 9-3/4"). Faint vertical and horizontal fold lines, light toning and soiling, minor wear and a few short tears to edges, one tiny faint stain to image, other stains and soiling to margins, mostly beyond platemarks near edges, printing crisp, colors vivid. \$1,500.

PROBABLY INTENDED FOR SCHOOLS AND HOMES, this hand-colored lithograph depicts the trial of Jesus before the Sanhedrin (the Jewish judicial body) following his arrest in Jerusalem. Indulging in a bit of license, the artist has seated Pontius Pilate to the right of the Jewish judges. Each judge holds a descriptive placard with original texts, presumably by Kling, or the Gospel of John. Kling, the presumed author was a senior official of the Lutheran Church in Regensburg. OCLC locates 1 copy (at the University of Darmstadt).



N° 24

"HE SLEW HIS INFANTS AND HIS MOTHER, MONSTER IN THE SHAPE OF MAN"

24 [BROADSIDE].  
[MURDER].  
[BACON, THOMAS FULLER (D.1855)].

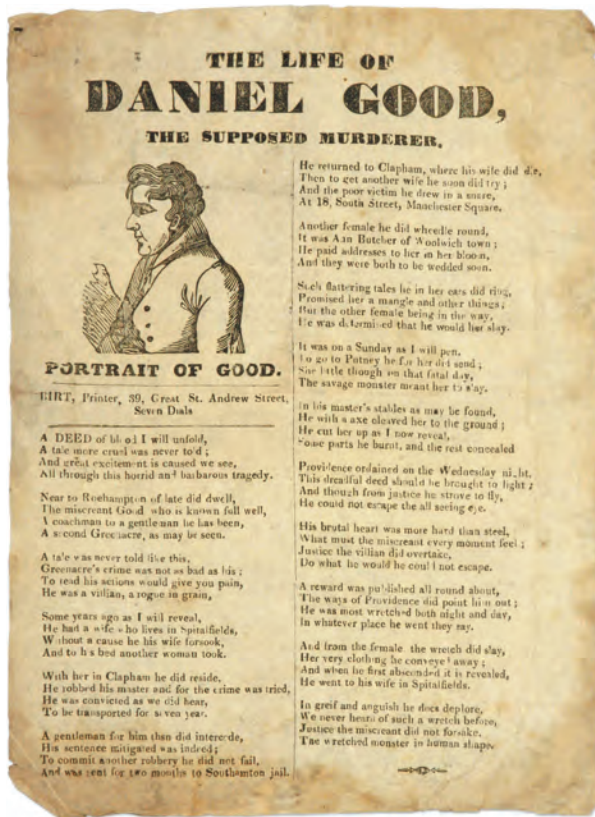
*The Walworth Tragedy.*

[London?: S.n., 1855].

10" x 7-1/4" broadside. Two-column nine-stanza verse (with refrain), text separated by typographical border, large woodcut portrait of Bacon at head of left-hand column. Moderate toning and soiling, horizontal and vertical fold lines, a few minor stains, some edgewear and few small chips. \$500.

BACON WAS CHARGED AND ACQUITTED of the murder of his children, but convicted for the poisoning and subsequent murder of his mother, Ann, on May 15, 1855. The first verse reads: "Throughout the land what consternation, At present is both far and near, About the wretched Thomas Bacon, The murderer of his children dear, There was seldom such another, Villain base throughout the land, He slew his infants and his mother, Monster in the shape of man." No copies located on OCLC.





N° 25

"A DEED OF BLOOD I WILL UNFOLD"

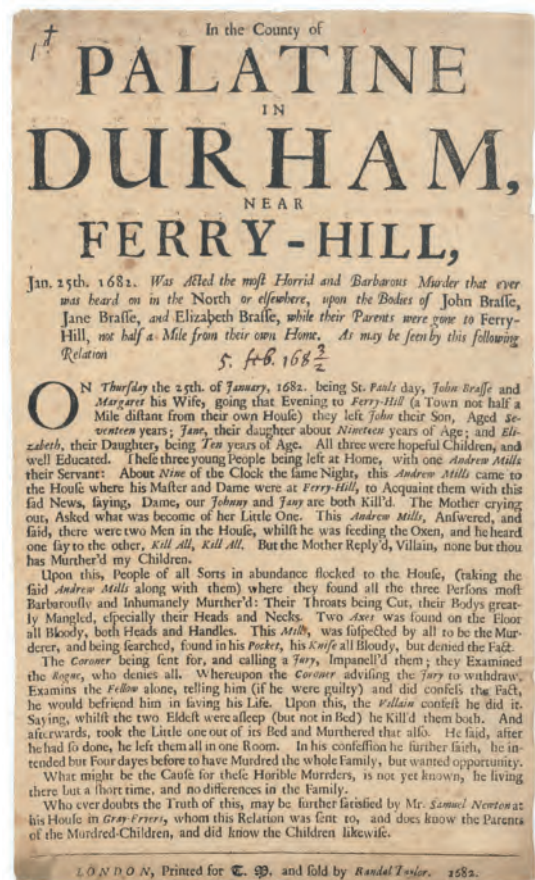
25 [BROADSIDE].  
[MURDER].  
GOOD, DANIEL [D. 1842].

*The Life of Daniel Good, The Supposed Murderer.*

[London]: Birt, Printer, 39, Great Andrew Street, Seven Dials, [1842].

9-1/2" x 7" broadside. Sixteen-stanzavertextintwocolumnsbelow headline, woodcut portrait of Good at head of left-hand column. Light browning and foxing, moderate edgewear, a few creases and minor chips to corners. \$450.

GOOD WAS EXECUTED FOR THE MURDER and dismemberment of a pregnant woman. He was executed in front of Newgate prison before a large and hostile crowd. The verses in our broadside give a narrative account of Good's crime. The first stanza reads: "A deed of blood I will unfold, A tale more cruel was never told; And great excitement is caused we see, All through this horrid and barbarous tragedy." No copies located on OCLC.



N° 26

"THE MOST HORRID AND BARBAROUS MURDER THAT EVER WAS HEARD ON IN THE NORTH OR ELSEWHERE"

26 [BROADSIDE].  
[MURDER].  
[GREAT BRITAIN].

*In the County of Palatine in Durham, Near Ferry-Hill, Jan. 25th. 1682. Was Acted the Most Horrid and Barbarous Murder that Ever was Heard on in the North or Elsewhere, Upon the Bodies of John Brasse, Jane Brasse, and Elizabeth Brasse, While Their Parents were Gone to Ferry-Hill, Not Half a Mile from Their Own Home. As May be Seen by This Following Relation.*

London: Printed for T.M. and sold by Randal Taylor, 1682.

11" x 6-1/2" broadside, text in single column below boldface caption title. Light browning and foxing, "5. feb 1683/2" in contemporary hand near center of broadside, another small mark to upper left corner. A well-preserved copy of a very scarce item. \$1,750.

ONLY PRINTING. A horrid account of a home invasion that resulted in the murder of three children while their parents were away. An event such as this was horrifying not only as a murder, but a violation of the English principle that a man's home was inviolate, that it is "his castle." This is a rare broadside. No copies located on OCLC. The ESTC locates 3 copies, none in North America. ESTC R178413.





N° 27

BROADSIDE WITH PORTRAITS OF THE "EDGEWARE ROAD MURDERER" AND HIS FEMALE ACCOMPLICE

27 [BROADSIDE].  
[MURDER].  
[GREENACRE, JAMES (1785-1837)].  
[GALE, SARAH (D. 1837)].

*James Greenacre and Sarah Gale, Charged with the Murder & Mutilation of Hannah Brown. Sketched from Life, At the Bar of the Old Bailey, 12th April 1837. Warranted Written Only 10 Minutes Before Sentence Was Passed!*

[London]: Sold by Knight, Sweetings Alley, Cornhill, [1837].

11" x 7-1/2" broadside. Lithographed images of Greenacre and Gale above reproductions of their signatures, text to left of signatures and below. Moderate toning, light edgewear, a few faint dampstains and few creases. \$350.

KNOWN AS THE "EDGEWARE ROAD MURDERER," Greenacre planned to marry Hannah Brown for her money. However, his mistress, Sarah Gale, convinced him to kill her, dismember her, and hide her body parts in various places. They would then take her money and escape to America. This plan fell apart after police found her head in Regent's Canal. The case of Greenacre and Gale generated a good deal of popular interest. His execution was attended by an enormous crowd. No copies located on OCLC.



N° 28

THE FIRST MURDER COMMITTED ON A BRITISH TRAIN

28 [BROADSIDE].  
[MURDER].  
MÜLLER, FRANZ [1840-1864].

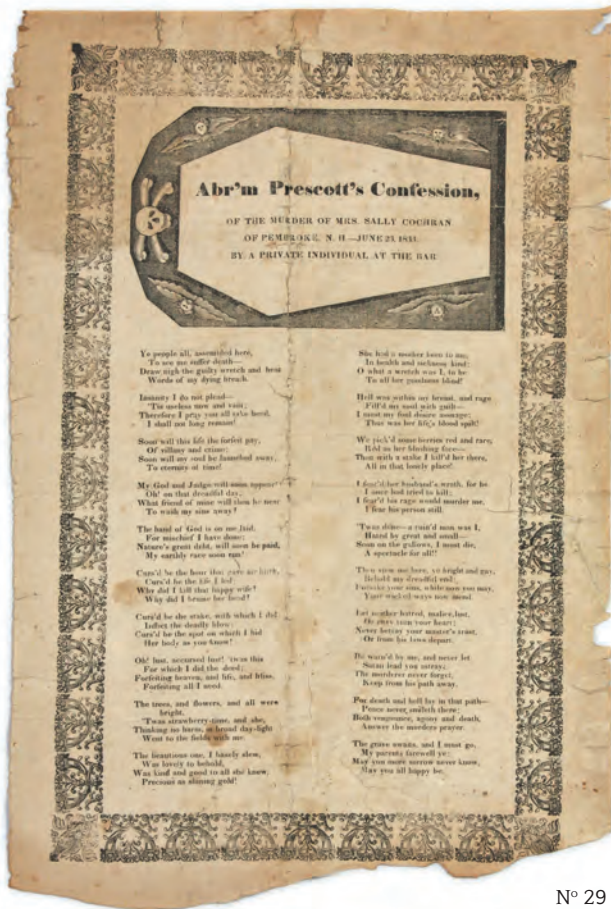
*Trial and Sentence of Franz Muller, For the Murder of Mr Briggs on the North London Railway.*

[London:, S.n., 1864?].

19-3/4" x 14-1/2" broadside mounted on 22-1/2" x 15" thick-paper backing sheet. Text in four columns below headline and large woodcut trial scene, woodcuts of Müller and an unidentified man at foot of text. Moderate toning, a little heavier along outer margins, some wear and a few small chips to edges, negligible inkspotting in two places. \$1,950.

FRANZ MÜLLER WAS A GERMAN TAILOR who was hanged for the murder of Thomas Briggs, the first killing to occur on a British train. The case caught the public's imagination due to increasing fears about the safety of rail travel and Scotland Yard's pursuit of Müller across the Atlantic Ocean to New York. The text concludes with six stanzas of verse. The final verse reads: "Thousands from every quarter, Did anxious flock to see, The author of this murder, The Railway tragedy, He now is at his trial, He who caused such grief and pain, The man who killed poor Thomas Briggs, All in a railway train."





N° 29

"OH! LUST, ACCURSED LUST!  
'TWAS THIS FOR WHICH I DID THE DEED"

29 [BROADSIDE].  
[MURDER].  
PRIVATE INDIVIDUAL AT THE BAR.

*Abr'm Prescott's Confession of the Murder of Mrs. Sally Cochran of Pembroke, N.H.--June 23, 1833.*

[Concord, NH.?: S.n., 1836.

17" x 11-1/2" broadside. Two-columns of verse in twenty stanzas within woodcut ornamental border, text headed by large woodcut vignette of a coffin. Light browning and a few minor stains, faint horizontal and vertical fold line, chipping to edges, section lacking from bottom margin, just touching bottom right corner of border, a few tears along fold lines with no loss to text, later repairs to verso. \$2,500.

ABRAHAM PRESCOTT WAS FOUND GUILTY of the murder of Sally Cochran in two separate trials held in Concord in September 1834 and September 1835. Despite a well-crafted insanity defense, he was sentenced to be hanged on December 23, 1835, in Hopkinton, New Hampshire. The execution was postponed to January 6, 1836. The verse account in this broadside presents the murder as a crime of passion: "Oh! lust, accursed lust! 'twas this for which I did the deed; Forfeiting heaven, and life, and bliss, Forfeiting all I need." See McDade 769. OCLC locates 7 copies (American Antiquarian Society, Brown, Dartmouth, Harvard, Peabody Essex Museum, University of Michigan, Yale).



N° 30

ARE NEW HAMPSHIRE'S U.S. SENATORS  
SERVING SHORTER TERMS THAN THEIR FELLOW SENATORS?

30 [BROADSIDE].  
[NEW HAMPSHIRE].  
[U.S. CONSTITUTION].

*Opinion of the Supreme Court. To the Senate of New Hampshire [Running Title].*

Concord, NH, June 10, 1881.

18" x 9-1/2" broadside. Text in parallel columns. Light browning, vertical and horizontal fold lines, some with clean tears at edges. \$350.

THIS BROADSIDE RECORDS AN OPINION submitted to the U.S. Supreme Court. It states that New Hampshire's election schedule for state offices results in terms for New Hampshire's U.S. Senators that are three months shorter than those of other senators. It questions how to adjust the election cycle to guarantee 6-year terms to New Hampshire's senators, which were then elected by the state senate. Signed in type by C. Doe, Wm. L. Foster, C.W. Stanley, W.H.H. Allen, Isaac W. Smith, Leis W. Clark, I.N. Blodgett. This appears to be an unrecorded broadside.





Nº 31

BROADSIDE LISTING THE 116 LAWS PASSED BY THE NORTH CAROLINA GENERAL ASSEMBLY IN 1802

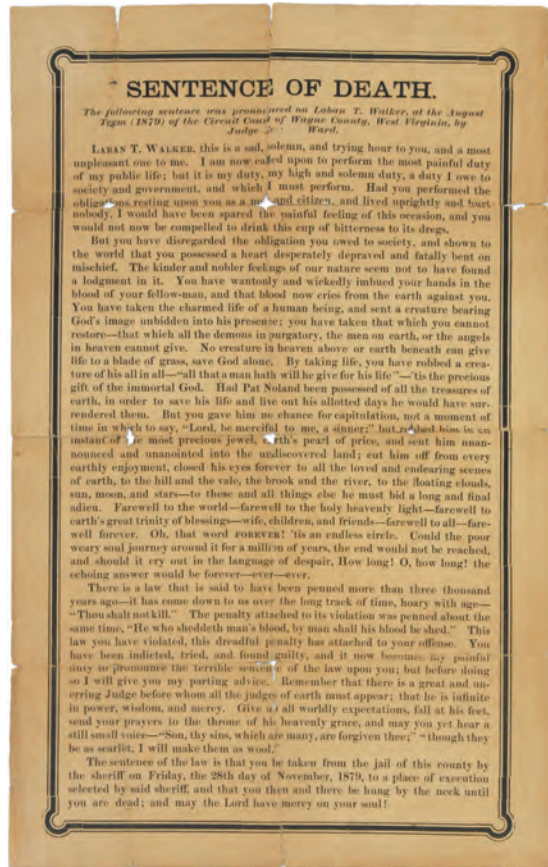
31 [BROADSIDE]. [NORTH CAROLINA].

*Titles of the Laws Passed by the General Assembly of North-Carolina, At Their Session which Commenced on the 15th of November, And Ended the 18th of December, 1802.*

N.p.: S.n., c.1802.

17-1/2" x 10-3/4" broadside, text in four columns divided by rules, illegibly docketed on verso. Light browning and foxing, vertical and horizontal fold lines, a few clean tears and wear at folds, cello tape repairs to verso, several small areas of loss to text (largest about 3/4 inch), left edge trimmed unevenly unevenly, faint dampstaining to bottom edge. \$1,500.

INTENDED FOR PUBLIC LOCATIONS, this broadside lists of 116 laws passed in the session which ran from 15 November to 18 December 1802. Highlights are a law "to prevent the vile practice of Duelling," and an act "for the relief of the Tuscarora Nation of Indians." Laws 37, 38 and 100 relate to slave insurrections: levying a tax "for defraying the expences incurred in suppressing the late insurrection of the Negroes"; repealing a law which compensated "the owners of outlawed and executed slaves" of certain counties; and "to prevent conspiracies and insurrections among the Slaves." This appears to be an unrecorded broadside. No copies listed on OCLC.



Nº 32

BROADSIDE RELATING TO AN 1879 EXECUTION IN WAYNE COUNTY, WEST VIRGINIA

32 [BROADSIDE]. [TRIAL]. [WALKER, LABAN T.(1879)].

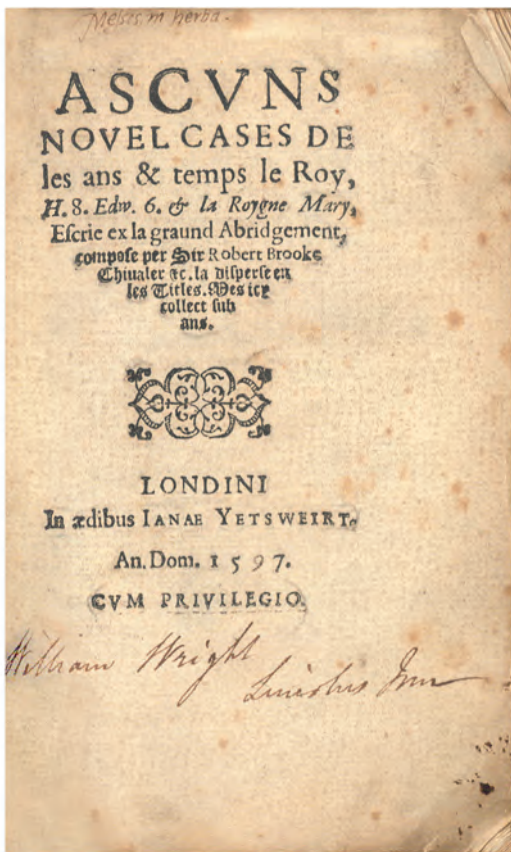
*Sentence of Death, The Following Sentence was Pronounced on Laban T. Walker, At the August Term (1879) of the Circuit Court of Wayne County, West Virginia, By Judge [S.D.] Ward.*

[Wayne County, WV: S.n., 1879].

17" x 10-3/4" broadside. Single-column text below headline within ruled border. Light browning, vertical and horizontal fold lines, a few small holes with minor loss to text, some tears along fold lines, a few minded on verso with cello tape. \$650.

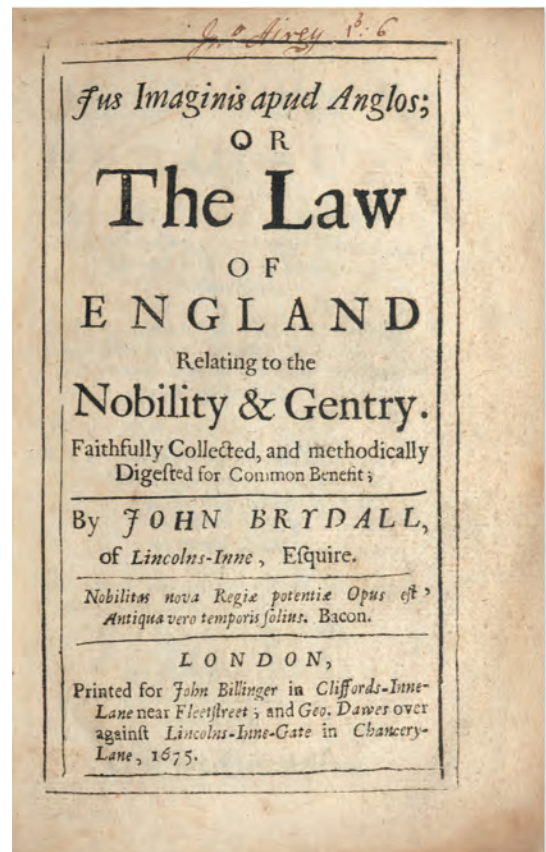
COMPLETE TEXT OF THE DEATH SENTENCE pronounced by Judge Ward, an interesting text rich in biblical references. On August 21, 1878, Walker shot Patrick Nolan. In the following year Walker was found guilty of first degree murder and sentenced to hang. On November 28, 1879, an enormous crowd witnessed the execution. According to a commemorative article in the *Wayne County News* (February 7, 1924), the execution had a carnival-like atmosphere and was the only civil execution to occur in Wayne County. No copies located on OCLC.





N° 33

A SELECTION FROM BROOKE'S ABRIDGEMENT



N° 34

LAWS RELATING TO THE STUART-ERA NOBILITY

- 33 [BROOKE, SIR ROBERT (D.1558)].  
[BELLOW, RICHARD, EDITOR].

*Ascuns Novel Cases de les Ans & Temps le Roy, H. 8. Edw. 6. & La Roygne Mary, Escrie en la Graund Abridgement, Compose per Sir Robert Brooke Chivaler &c. La Disperse en les Titles. Mes Icy Collect Sub Ans.*

London: In Aedibus Ianae Yetsweirt, 1597. [i], 116, [3] ff. Octavo (5-1/2" x 3-3/4").

Contemporary limp vellum with lapped edges, recased, blind rules to covers, later hand-lettered title to spine, ties lacking. Spine and front cover darkened, some rubbing to extremities, a few cuts to front cover and fore-edge, a few small cracks to spine, most of front pastedown and free endpaper removed, front endleaf soiled, edgeworn and torn. Text printed with wide margins. Moderate toning to interior, light spotting in a few places, tiny inkspots and spark burns to a few leaves, light soiling to title page. Front endleaves filled with contemporary doodles, a tiny contemporary and a later signature to title page, early underlining to a few passages of text. \$1,000.

THIRD EDITION. Also known as *Brooke's New Cases, Petit Brook or Bellewe Temp. Henry VIII*, this book is a selection of cases from 1514-1558 taken from Brooke's great *Abridgement* (1568), a digest of more than 20,000 cases and notes from the Year Books, Fitzherbert's *Natura Brevium*, and other sources. First published in 1578, it went through later editions in 1587, 1597, 1604, 1624, 1625, 1628 and 1651. All of these are scarce. Concerning the first edition, OCLC locates 2 copies, 1 in North America, both in law libraries (Huntington Library). ESTC S106975. Beale R480a.

- 34 BRYDALL, JOHN [B.1635?].

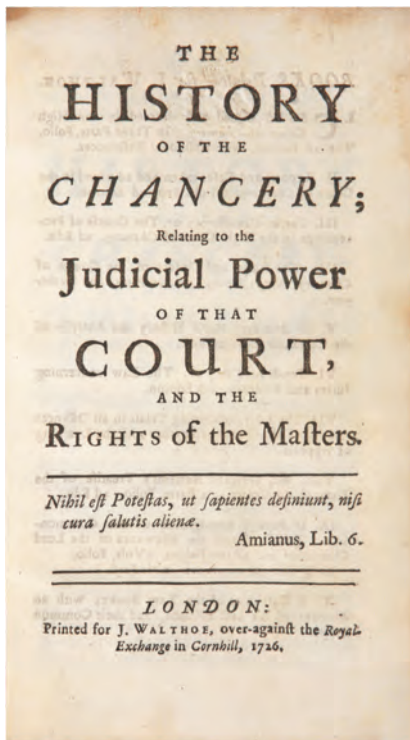
*Jus Imaginis Apud Anglos; Or the Law of England Relating to the Nobility & Gentry. Faithfully Collected and Methodically Digested for Common Benefit.*

London: Printed for John Billinger, 1675. [xvi], 76, [1] pp. Copperplate frontispiece. Folding table. Complete. Octavo (6-1/2" x 4-1/4").

Contemporary sheep, blind rules to boards, blind rules and gilt ornaments to spine. Light rubbing to extremities, heavier rubbing to spine removing gilding from title and parts of ornaments, spine ends bumped, some wear to head of spine, paper covering of front pastedown loose. Early shelf label and copperplate armorial bookplate (of John Airey Esq.) to front pastedown. Moderate toning to text, occasional faint dampspotting, light soiling to title page, some edgewear to front endleaves. Tiny early owner signature (of Jonathan Airey) to head of title page, interior otherwise clean. \$750.

ONLY EDITION. Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." OCLC locates 12 copies in North American law libraries. Holdsworth VI:605. ESTC R251.





N° 35

PRACTICE AND PROCEDURE IN THE  
EIGHTEENTH-CENTURY CHANCERY COURTS

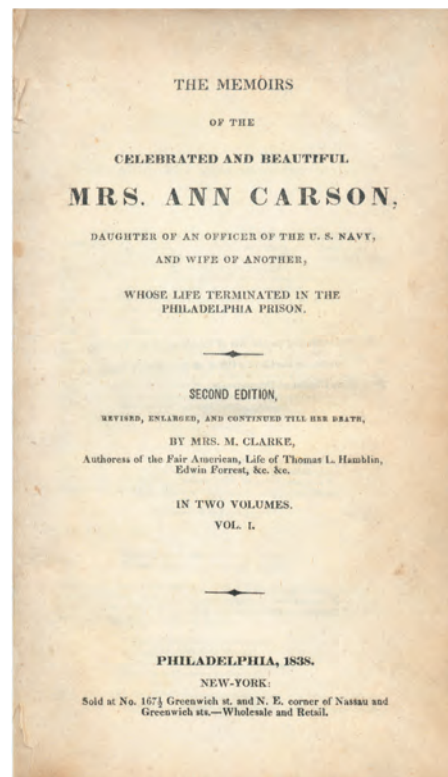
## 35 [BURROUGHS, SAMUEL (D. 1761)].

*The History of the Chancery; Relating to the Judicial Power of that Court, And the Rights of the Matters.*

London: J. Walthoe, 1726. [iv], 118, [2] pp. 12mo. (6-1/2" x 3-3/4").

Contemporary calf, rebaked in period style, gilt frames to boards, lettering piece and gilt-edged raised bands to spine, hinges mended. Light rubbing to boards, moderate rubbing to extremities with some wear to corners, early armorial bookplate to front pastedown, later bookplate of the Earls of Macclesfield to front free endpaper, small embossed Macclesfield stamps to title page and a few other leaves. Light toning to text, finger smudges and staining to outer margins of some leaves, light soiling to title page. A handsome copy. \$500.

ONLY EDITION. According to Cooper, "Lord King was so much pleased with the work that he rewarded the author with a mastership in Chancery." Our copy once belonged to the library of Shirbirt Castle, the library of the Earls of Macclesfield, one of the finest private libraries in Great Britain. Cooper, *Defects of Chancery* cited in Marvin 165. ESTC T36472.



N° 36

A FASCINATING AND ENTERPRISING  
NINETEENTH-CENTURY FEMALE CRIMINAL36 CARSON, ANN BAKER.  
CLARKE, MRS. M.

*The Memoirs of the Celebrated and Beautiful Mrs. Ann Carson, Daughter of an Officer of the U.S. Navy, And Wife of Another, Whose Life Terminated in the Philadelphia Prison. Second Edition, Revised, Enlarged, And Continued Till Her Death, by Mrs. M. Clarke, Authoress of The Fair American, Life of Thomas L. Hamblin, Edwin Forrest, &c. &c.*

Philadelphia, 1838. New York: Sold at No. 167 1/2 Greenwich St. and N.E. Corner of Nassau and Greenwich Sts.—Wholesale and Retail. 1838. Two volumes in one. xiii, [2], 16-231, [1]; [iii], 6-175, [1] pp. Last page in each volume blank. 12mo. (7-1/4" x 4-1/4").

Contemporary three-quarter calf over marbled boards, rebaked retaining existing spine, endpapers renewed, title page and following leaf re-hinged. Light rubbing to boards, small scuff to front board, moderate rubbing to extremities with wear to corners. Moderate toning to text, light foxing in a few places. An appealing copy of a rare title. \$1,500.

SECOND AND BEST EDITION. "The Carsons had been married nine years when John Carson left home in 1810. Not having heard from him for two years, his wife married [Richard] Smith. Carson returned and, in trying to dispossess Smith of his wife and home, was shot by Smith. The judge practically directed Smith's conviction and he was hanged. Mrs. Carson, who was a rugged individual in her own right, tried to kidnap the governor to save Smith. After his execution she joined a gang of counterfeiters and subsequently died in prison" (McDade). This account went through 2 editions, both in 1838. The second edition is better because it contains additional material, as indicated by the title. Both editions are rare. OCLC locates no copies of the first edition, 4 of the second (American Antiquarian Society, New-York Historical Society, University of Michigan, Yale University). McDade 888.





N° 37

PLEADING IN CANON LAW

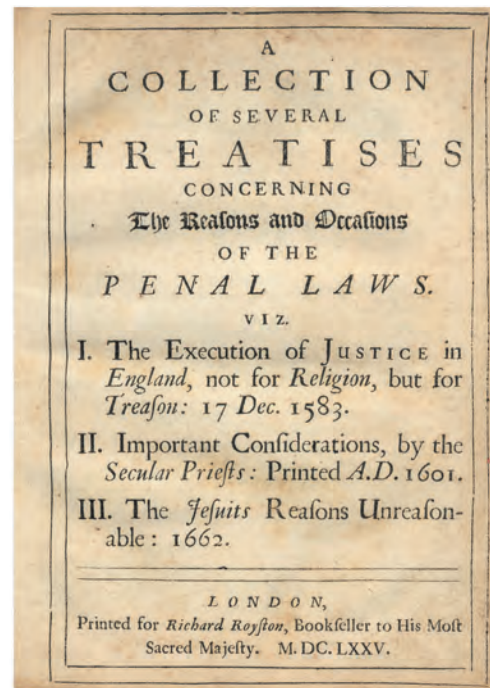
**37** CASTIGLIONCHIO (CASTELLIONE), LAPO DA, [D. 1381].

*Tractatus Allegationum Illustrissimi. J.U. Monarche Domini Lapi de Castellhouo: Accuratissime nunc Demum cum haud vulgari Accessione Impressus: Summariis in hac Ultima Impressione Cuilibet Allegationi Summo cum Conatu Prepositis. Premissumque est Repertorium Singulares Totius Operis Sententias Complectens.*

[Lyons: Impressum: Opera [et] Industria Benedicti Bo[n]nyn Impressoris Seduli], 17 July 1532. [xii], 126. [2] ff. Main text in parallel columns. Quarto (6-3/4" x 4-3/4").

Contemporary limp vellum, later lettering piece to spine, speckled edges. Light soiling and a few minor stains, light rubbing to extremities, 18th-century armorial bookplate of the jurist Baron Rudolf Johann of Wrisberg (1677-1764) to front pastedown, vellum just beginning to crack though at ends of hinges. Title page, with large printer device, printed within woodcut architectural border, woodcut decorated initials, colophon has another large printer device. Light toning to text, internally clean. A handsome copy. \$1,850.

LATER EDITION. This long-lived treatise on pleading and procedure in canon law was first printed in 1470. As indicated by the title, it deals mostly with the proper form of *allegaciones*, that is, arguments by advocates that direct the judge's attention to the canons that support their client's case. In this edition, each *allegatio* is followed by a summary. Lupo da Castiglionchio, Latinized as Lopus de Castellione, was a Tuscan noble and friend of Petrarch. His *Allegaciones* went through several editions, five of them in the fifteenth century. All editions are rare. OCLC locates no copies of this edition in North America. Adams L207.



N° 38

FEAR AND DISTRUST OF CHARLES II

**38** [CECIL, WILLIAM, LORD BURGHELY (1520-1598)].

[BLUET, THOMAS].  
[SERGEANT, JOHN (1622-1707)].

*A Collection of Several Treatises Concerning the Reasons and Occasions of the Penal Laws. Viz. I. The Execution of Justice in England, Not for Religion, But for Treason: 17 Dec. 1583. II. Important Considerations, By the Secular Priests: Printed A.D. 1601. III. The Jesuits Reasons Unreasonable: 1662.*

London: Printed for Richard Royston, 1675. [8], 104, 109-13 [i.e. 131] pp. *The Jesuits Reasons* has separate title page dated 1662. Quarto (7" x 5-1/4").

Later three-quarter morocco over marbled boards, gilt title to spine. Moderate rubbing to extremities, lighter rubbing to boards, final three leaves of text loose (but secure), bottom edge of *The Jesuits Reasons* trimmed with some loss to text. Moderate toning to text, occasional faint dampspotting, smudges and minor inkstains to a few leaves. A solid copy. \$950.

ONLY EDITION. This volume was assembled at a time when Charles II was arousing fear and distrust due to his increasingly overt support of Catholicism. Its title alludes to the Royal Declaration of Indulgence (1673), an unsuccessful attempt by the king to abolish the Penal Laws, thus extending religious liberty and civil rights to Protestant nonconformists and Roman Catholics. The first treatise, by William Cecil, Lord Burghley, was originally published in 1583 as *The Execution of Justice in England*. The second treatise, by Thomas Bluet, was first published in 1601 as *Important Considerations Which Ought to Move All True and Sound Catholikes*. The third treatise, by John Sergeant, was originally published in 1662 as *The Jesuite's Reasons Unreasonable*. OCLC locates 9 copies in North American law libraries (Columbia, Harvard, Library of Congress, Northwestern, UC-Berkeley, University of Michigan, University of Minnesota, University of Pennsylvania, University of Virginia). ESTC R11022.





N° 39

A DURABLE WORK BY A RENOWNED SAXON JURIST

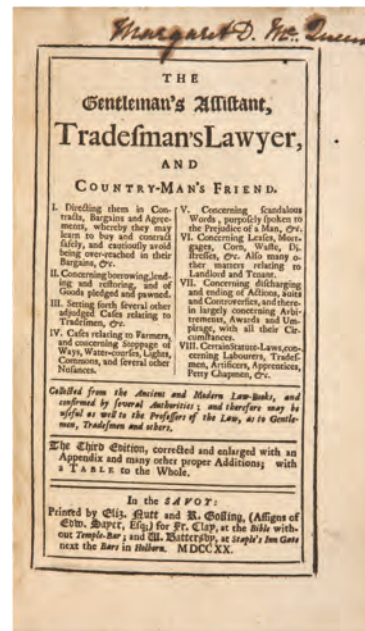
## 39 COLER, MATTHIAS [1530-1587].

*Tractatus de Processibus Executivis, In Causis Civilibus et Pecuniariis, Accommodatus Passim ad Practicam Fori Saxonici. Cui in Fine Adiectus est Index Verborum & Rerum, Quae in hoc Opere Continentur, Copiosus.*

Jena: Excudebat Tobias Steinman, 1586. [xvii], 812, [64] pp. Folio (13" x 8").

Contemporary limp vellum with lapped edges, blind rules to boards, somewhat later black-stamped ornaments to boards and spine, which has an early hand-lettered title. Light soiling and a few minor stains, moderate rubbing to extremities, corners and spine ends bumped and lightly worn, small later private-library bookplate to front pastedown, lower section of pastedown and front free endpaper lacking, minor worming to rear hinge. Moderate toning to text, a few leaves have early annotations and underlining, later annotations to front endleaves. A nice copy overall. \$1,950.

FIRST EDITION. Coler, a professor at the Universities of Jena and Leipzig and chancellor to the prince of Anhalt, was a renowned authority on civil law. *Tractatus de Processibus Executivis* addresses executions, exceptions and the limitation of actions under canon law and the civil law of Saxony. It went through five more editions, the last one in 1718. All editions of this title are scarce. OCLC locates 9 copies of the 1586 imprint, 1 in North America (Yale Law School). ADB 4:403. VD16 C4540.



N° 40

FOR GENTLEMEN, TRADESMEN AND COUNTRY-MEN

40 [COMMERCIAL LAW].  
[GREAT BRITAIN].

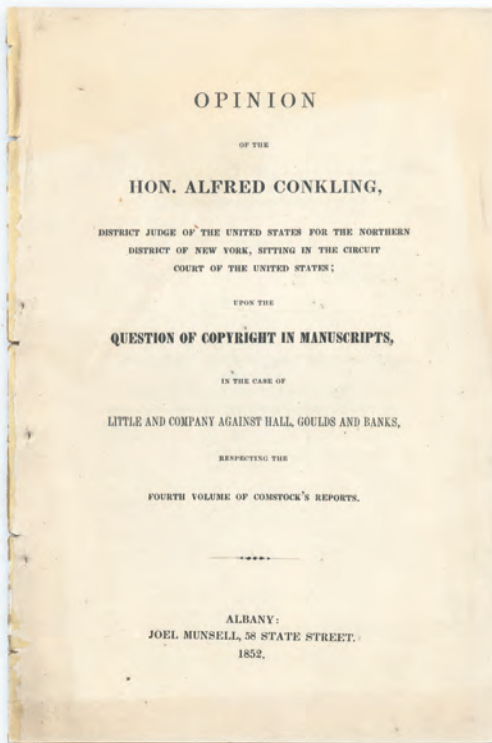
*The Gentleman's Assistant, Tradesman's Lawyer, and Country-Man's Friend. I. Directing Them in Contracts, Bargains and Agreements, ... II. Concerning Borrowing, Lending and Restoring, ... III. Setting Forth Several Other Adjudged Cases Relating to Tradesmen, &c. IV. Cases Relating to Farmers, And Concerning Stoppage of Ways, Water-Courses, .... V. Concerning Scandalous Words, Purposely Spoken to the Prejudice of a Man, &c. VI. Concerning Leases, Mortgages, Corn, Waste, Distresses, &c. .... VII. Concerning Discharging and Ending of Actions, Suits and Controversies, .... VIII. Certain Statute-Laws, Concerning Labourers, Tradesmen, Artificers, Apprentices, Petty Chapmen, &c. ... With an Appendix and Many Other Proper Additions; With a Table to the Whole.*

[London]: Printed by Eliz. Nutt and R. Gosling (Assigns of Edw. Sayer, Esq.) for Fr. Clay, 1720. [ii], iv, 523, [15]; 51. [1] pp. Octavo (7-3/4" x 4-1/2").

Contemporary calf, blind rules to boards, raised bands, blind fillets and lettering piece to spine, gilt fillets to board edges. Light rubbing to boards and extremities, joints cracked, corners bumped and lightly worn, hinges starting (boards quite secure), early armorial bookplate to front pastedown. Light toning to text, somewhat heavier in places, worm holes to margins in a few places. Early owner signatures and annotations to front pastedown and free endpaper, another early signature to head of title page, interior otherwise clean. An attractive copy of a scarce title. \$950.

THIRD AND FINAL EDITION. Intended to be "an Instrument of Peace and Moderation amongst all Men," this handbook was first published in 1703 as *The Tradesman's Lawyer*. All editions are scarce. OCLC locates 6 copies of the third edition in North American law libraries (Columbia, Georgetown, University of Georgia, Harvard, Duke and the Library of Congress). ESTC T130091.





N° 41

A CAREFULLY ARGUED 1851 OPINION ON COPYRIGHT LAW IN NEW YORK

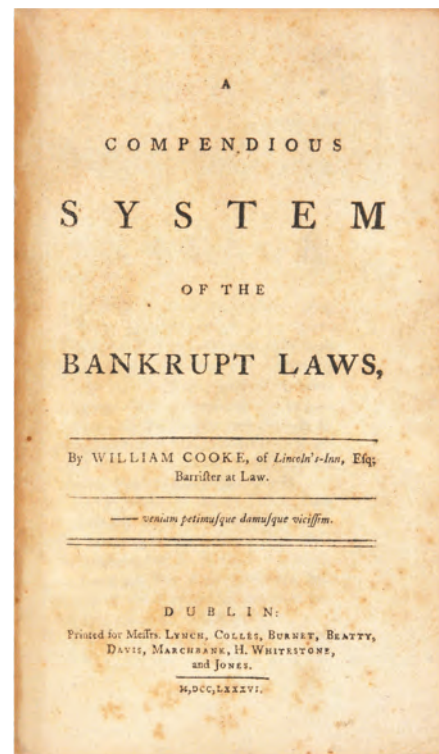
41 CONKLING, ALFRED [1789-1874].

*Opinion of the Hon. Alfred Conkling, District Judge of the United States for the Northern District of New York Sitting in the Circuit Court of the United States: Upon the Question of Copyright in Manuscripts, In the Case of Little and Company Against Hall, Gould and Banks, Respecting the Fourth Volume of Comstock's Reports.*

Albany: Joel Munsell, 1852. 33 pp. Octavo (8-1/4" x 5-1/4").

Disbound stab-stitched pamphlet. Light soiling to exterior, moderate toning to text, minor stain to verso of final leaf. \$450.

ONLY EDITION. This was one of Judge Conkling's last opinions. In August 1852 he resigned from the bench after President Fillmore appointed him ambassador to Mexico. His opinion examines closely the law of copyright in New York State. He enjoins the defendant from publishing Comstock's *Reports*. Cohen 11504.



N° 42

THE MOST COMPLETE EARLY ENGLISH TREATISE ON THE BANKRUPT LAWS

42 COOKE, WILLIAM [1757-1832].

*A Compendious System of the Bankrupt Laws.*

Dublin: Printed for Messrs. Lynch, Colles, Burnet, Beatty, Davis, Marchbank, H. Whitestone, and Jones, 1786. viii, [8], \*iv, 372, [8], ccxxxiii, [23] pp. Complete.

[BOUND WITH]

COOKE, WILLIAM.

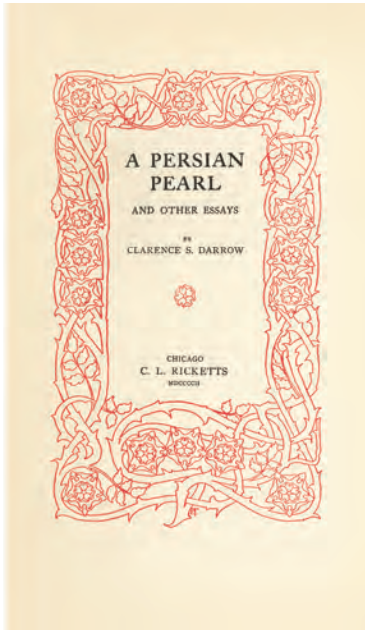
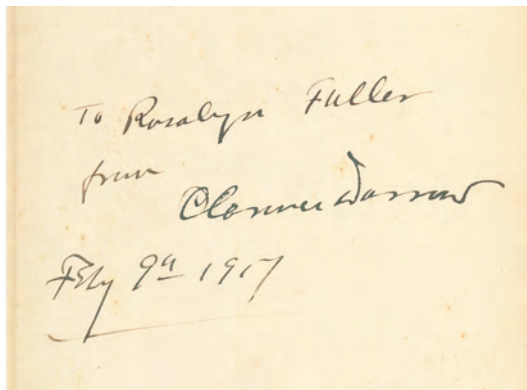
*Addenda to the Compendious System of the Bankrupt Laws.*

Dublin: Printed for Messrs. Lynch, Colles, Burnet Marchbank, J. Jones, And Watts, 1790. [viii], cl pp. Complete.

Octavo (7-1/4" x 4-3/4"). Recent period-style paneled calf, raised bands and lettering piece to spine, endleaves renewed. Light toning to text, faint dampspotting in places, stains to margins of a few leaves. Two scarce titles in a handsome binding. \$1,250.

FIRST DUBLIN EDITIONS, reprints of the first London editions (1785, 1789). Bridgman's *Short View of Legal Bibliography* (1807) says this is the most complete early English treatise on the bankrupt laws. A popular title, its final edition, the eighth, was published in 1823. The second and later editions of this work are entitled *The Bankrupt Laws*. Bridgman cited in Marvin 226. The Dublin edition of the *Addenda* not in the *ESTC* or Sweet & Maxwell. *Compendious System: ESTC T66792*.





Details from  
N° 43

INSCRIBED BY DARROW TO BRITISH ACTRESS  
ROSALINDE FULLER

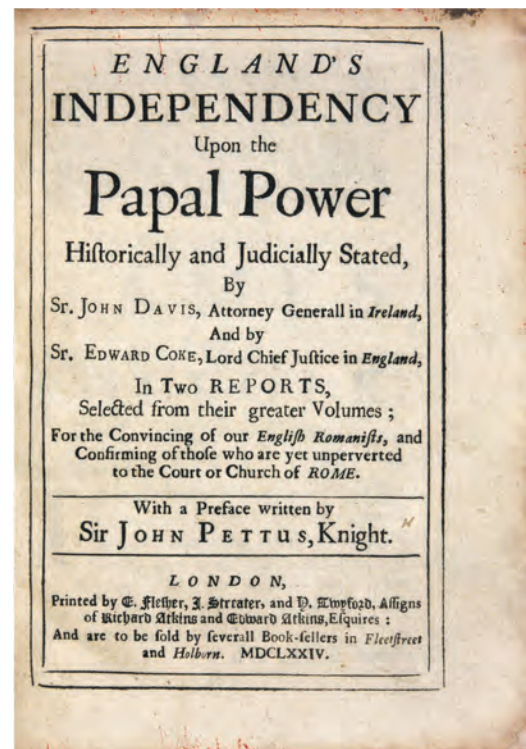
43 DARROW, CLARENCE [1857-1938].

*A Persian Pearl and Other Essays.*

Chicago: C.L. Ricketts (Lakeside Press colophon), 1902. 160. [1] pp.

Quarter cloth over patterned paper boards, gilt title to spine, top edge gilt, deckle fore and bottom edges. Light soiling, some wear to spine ends and corners, author inscription to front free endpaper. Light toning to text, internally clean. A nice copy with an interesting association. \$1,500.

SECOND EDITION. The inscription reads "To Rosalyn [sic] Fuller/ from/ Clarence Darrow/ Feby 9th 1917." *A Persian Pearl* was Darrow's first book and the cornerstone of any Darrow collection. It consists of five essays. "A Persian Pearl" is an appreciation of Omar Khayyam's Rubaiyat. The other essays discuss Walt Whitman, Robert Burns, realism in literature and art and the importance of facing up to past mistakes without fear or shame. Fuller [1892-1982], a distinguished British actress, was famous for her portrayal of Ophelia to John Barrymore's celebrated Hamlet on Broadway in 1922 and continued to perform into the 1970s. She also has a footnote in literary history for her brief affair with F. Scott Fitzgerald. Some scholars believe she was the model for Marcia, the bold chorus girl in "Head and Shoulders," a story later included in *Flappers and Philosophers* (1920). Hunsberger 44.



N° 44

ASSERTING THE ACT OF SUPREMACY

44 [DAVIES, SIR JOHN (1569-1626)].  
PETTUS, SIR JOHN [1613-1690]. PREFACE.

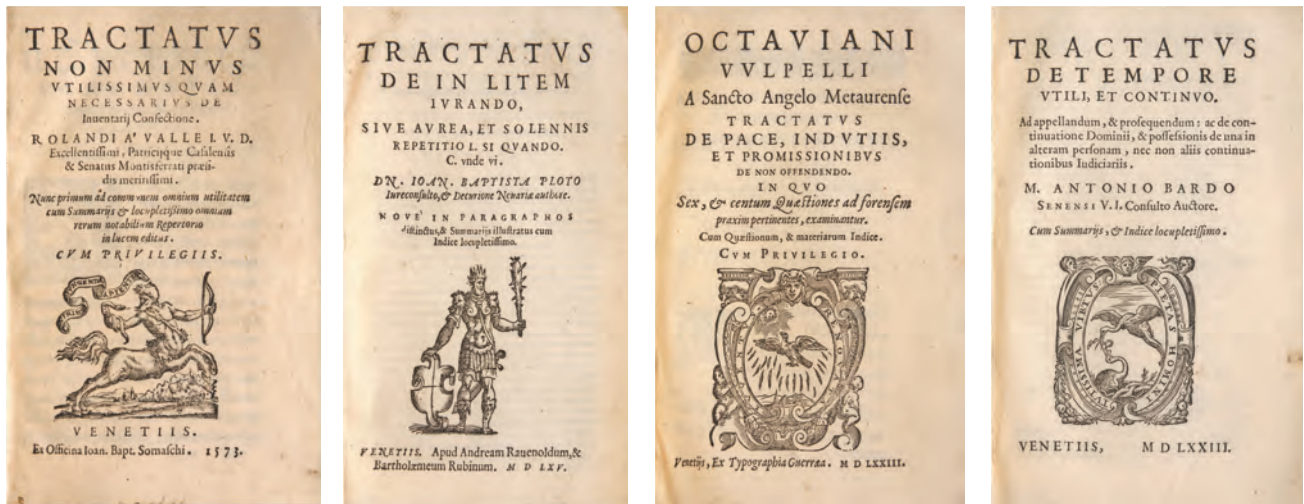
*England's Independency Upon the Papal Power Historically and Judicially Stated, By Sr. John Davis, Attorney General in Ireland, And by Sr. Edward Coke, Lord Chief Justice in England, In Two Reports, Selected from Their Greater Volumes; For the Convincing of our English Romanists, And Confirming of Those Who are Yet Unperverted to the Court or Church of Rome. With a Preface Written by Sir John Pettus, Knight.*

London: Printed by E. Flesher, J. Streater, and H. Twyford, 1674. [xvii], 88 [i.e. 84] pp. (Pp. 82-84 mis-numbered 84, 85, 88, respectively.) Quarto (7-1/2" x 5-1/2").

Stab-stitched pamphlet bound into later morocco, gilt title to spine, endpapers renewed. Light rubbing to extremities, front joint starting at foot. Attractive large woodcut head-pieces and decorated initials. Light toning to text, somewhat heavier in places, light soiling and some edgewear to title page, internally clean. \$950.

ONLY EDITION. Davies is an important figure in English and Irish constitutional history. Also a notable poet, he was attorney general for Ireland. During that time he framed several legal principles that were used to support the growth of the British Empire. *England's Independency* reflects his fear of the pro-Catholic King Charles II. It warns the king to restrict his support through a clever reading of the Act of Supremacy. Issued by King Henry VIII in 1534, it declared the king to be the "supreme head on earth of the Church in England" in place of the pope. Therefore, he argues, any sympathy towards Catholicism is treasonous because it cedes power to the pope, who, like the king, claims political power over his followers. OCLC locates 12 copies in North America, 2 in law libraries (Library of Congress, Yale). ESTC R21289.





Details from N° 45

FOUR SIXTEENTH-CENTURY WORKS ON ROMAN LAW WORKS BOUND TOGETHER

45 DELLA VALLE, ROLANDO [Fl. 1561].

*Tractatus Non Minus Utilissimus Quam Necessarius de Inventarii Confectione. Nunc Primum ad Communem Omnium Utilitatem cum Summarijs et Locupletissimo Omnium Rerum Notabilium Repertorio in Lucem Editus.*

Venice: Ex Officina Ioan. Bapt. Somaschi, 1573 (Colophon date 1572). [xl], 235, [1] ff.

[BOUND WITH]

PIOTTO, GIOVANNI BATTISTA (PLOTUS, JOANNES BAPTISTA) [1518-1570].

*Tractatus de in Litem Iurando, Sive Aurea, Et Solennis Repetitio L. Si Quando. C. Unde VI. Novè in Paragraphos Distinctus, & Summariis Illustratus cum Indice Locupletissimo.*

Venice: Apud Andream Ravenoldum, & Bartholaemeum Rubinum, 1565. 290, [30] ff.



[AND]

VOLPELLI, OTTAVIANO [fl. 1550-1560].

*Tractatus de Pace, Indutiis, Et Promissionibus de non Offendendo. In quo Sex, Et Centum Quaestiones ad Forenses Praxim Pertinentes, Examinantur. Cum Quaestionum, & Materiarum Indice.*

Venice: Ex typographia Guerraea, 1573. [lvi], 204, [4] pp.

[AND]

BARDI, MARCANTONIO [fl. 1550-1560].

*Tractatus de Tempore Utili, Et Continu ad Appellandum & Prosequendum.*

Venice: [Apud Ioann. Antonium Bertanum], 1573. [xxxii], 182, [2] pp.

Octavo (6" x 4"). Contemporary paneled pigskin with elaborate blind tooling, raised bands to spine, three of four thong ties present. Moderate soiling, corners bumped and somewhat worn, a few partial cracks to text block. Light toning to text, somewhat heavier in places, internally clean. Four scarce titles in a superb binding. \$5,000.

THIS VOLUME COLLECTS EARLY EDITIONS of four classic sixteenth-century Venetian legal studies of Roman law. *Tractatus Non Minus Utilissimus* addresses aspects of inheritance and succession. *Tractatus de in Litem Iurando* is a wide-ranging treatise dealing with procedure, trials, oaths and succession. *Tractatus de Pace* discusses criminal law cases involving, as indicated by its title, disturbances of the peace. *Tractatus de Tempore Utili* discusses laws concerning time and chronology, especially in regard to inheritance and succession. EDIT16 CNCE 16607, 40200, 60701, 4194.





N° 46

A DISTINGUISHED COMMENTARY ON MAXIMS AND PHRASES IN THE *LIBER SEXTUS DECRETALIUM*

- 46 DINUS DE MUGELLO [1254-C.1300].  
BOHIER, NICOLAS DE [1469-1539].  
DU MOULIN, CHARLES [1500-1566].

*Dynus de Regulis Juris, Commentarius Mirabilis Super Titulo De Regulis Iuris Praecipui Sui Seculi Iurisconsulti Do. Dyni Muxellani Insignis I.U. Doctoris: Multò Plus Quàm Unquam Annotationibus Auctus, & Recognitus: Ubi Praeter Do. Nicolai Boërij, & Et Celsi Hugonis Cabilonen[sis] Additiones Multa Novissime per Doctorem Anonymum Sunt Addita, Pleraque] Depravata in hac Ultima Impressione Restituta, & Omnia cum Repertorio Castigatissimo ad Unguem & Feliciter Emendata.*

Lyons: Venundantur Lugduni per Jacobum Giuncti, 1533. cxxxii, [20] ff. Main text in parallel columns with linear annotations. Octavo (6" x 4").

Recent calf, blank lettering piece to spine, endpapers renewed. Moderate rubbing to extremities, corners bumped, front hinge starting, a few cracks to text block, later armorial bookplate (of George Baron Ferrers of Chartley) to front endleaf. Title page, with large woodcut Giunta device, printed in red and black within woodcut architectural border, woodcut decorated initials, woodcut colophon. Moderate toning, occasional faint dampstaining, minor edgewear to a few leaves, worming to final leaves with minor loss to text of final two leaves. Early annotations to margins of several leaves, some affected slightly by trimming. A scarce title. \$1,650.

DINUS'S DISTINGUISHED COMMENTARY on *De Regulis Juris*, a collection of 88 maxims and phrases in Book 5, Title 12 of the *Liber Sextus Decretalium*, was first published around 1472. It went through several editions into the sixteenth century. Each *Regula* is followed by Dinus's commentary. The additions and commentary by Bohier and Moulin flanks or surrounds the main text. This edition, identical to editions published in Lyons in 1533 by Jacques Myt and in 1535 by Giunta, is not listed in Adams, Baudrier or the *USTC*. No copies of this imprint located on OCLC.



N° 47

AN INTERESTING, AND NOTABLE, EIGHTEENTH-CENTURY EXAMPLE OF COMPARATIVE LAW

- 47 EDEN, ROBERT [1701-1759].

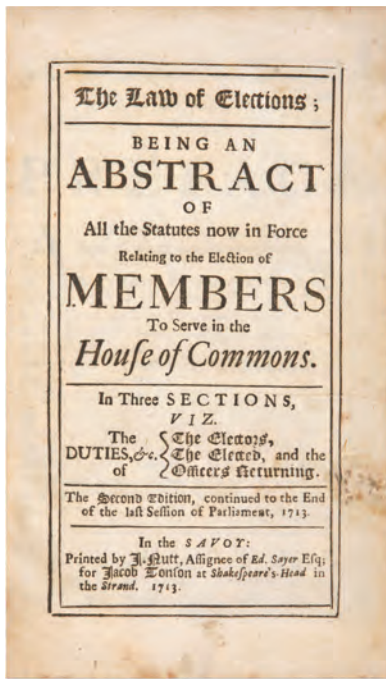
*Jurisprudencia Philologica, Sive Elementa Juris Civilis, Secundum Methodum et Seriem Institutionum Justiniani, In Brevem & Facilem Ordinem Redacta, Notis Classicis, & Historicis, Nec non Parallelis Juris Anglicani Locis, Illustrata. Quibus Accessit Prooemium de Jure Civili Romanorum ante Justinianum, Et de Libris Juris Civilis Romanorum per Justinianum Compositis. In Usam Juventutis Academicæ.*

Oxford: E Theatro Sheldoniano, 1744. xx, 307 pp. Copperplate portrait frontispiece. Quarto (9-1/2" x 7-1/2").

Recent period-style quarter calf over marbled boards, raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Light toning, somewhat darker in places, occasional faint dampspotting, blank rear endleaf detached and somewhat edgeworn. Attractive copperplate vignette at head of dedication. Later owner signatures (Geo B Young/ Oct 21 1862) to verso of frontispiece, another signature (of Young) to rear endleaf, interior otherwise clean. \$1,250.

ONLY EDITION. Text in Latin. An interesting work of comparative law, Eden's textbook presents an annotated summary of Roman law arranged in the order of Justinian's *Institutes* with references to parallel rules in English law. Eden was archdeacon of Winchester. Holdsworth includes this book in short list of notable eighteenth-century titles on Roman law. Holdsworth XII:641. Sweet & Maxwell 5:133. *ESTC* T106360.





N° 48

SCARCE EIGHTEENTH-CENTURY ENGLISH TREATISE ON ELECTION LAW

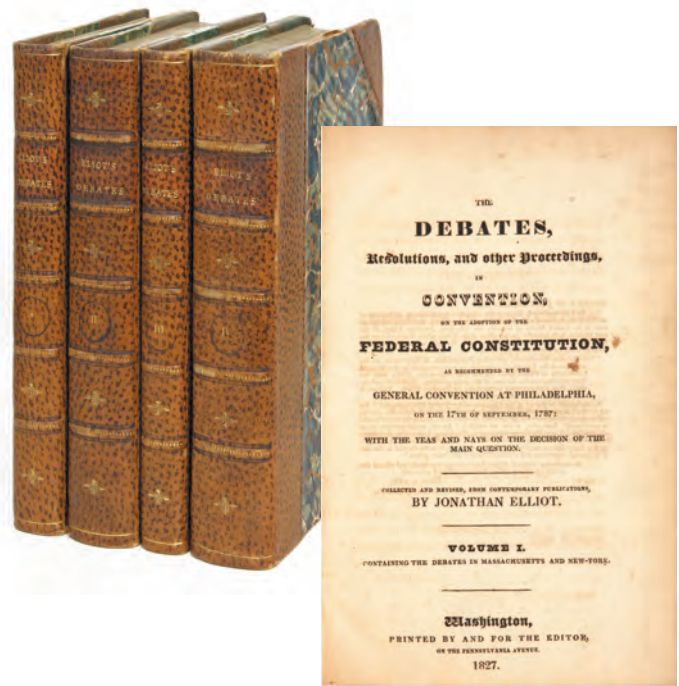
48 [ELECTION LAW]. [GREAT BRITAIN].

*The Law of Elections: Being an Abstract of All the Statutes Now in Force Relating to the Election of Members to Serve in the House of Commons: In Three Sections, Viz. The Duties &c. of the Electors, The Elected, And the Officers Returning.*

[London]: Printed for J. Nutt, Assignee of Ed. Sayer Esq., for Jacob Tonson, 1713. [viii], 126, [6], 21, [3] pp. Octavo (6-1/2" x 4").

Recent period-style quarter calf over cloth, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, somewhat heavier in places, occasional faint dampstaining (mostly to margins), minor worming to preliminaries. A nice copy of a scarce title in a handsome binding. \$750.

SECOND EDITION, "continued to the end of the last session of Parliament, 1713," which adds an addenda to the first edition of 1708. It was one of the earliest books on the subject. According to Sweet & Maxwell, the first studies were *Freedom of Elections to Parliament* (1680) and *Observations Concerning the Regulation of Elections for Parliament* (1689), a work attributed to the Earl of Shaftsbury). OCLC locates 6 copies, 3 in North America (at the Library of Congress, Harvard Law School and Stanford University). The ESTC locates 9 copies, 8 in Great Britain, 1 in North America (at the University of Indiana). ESTC T108633.



N° 49

HANDSOME FIRST EDITION OF ELLIOT'S DEBATES

49 ELLIOT, JONATHAN [1785-1846], COMPILER AND EDITOR.

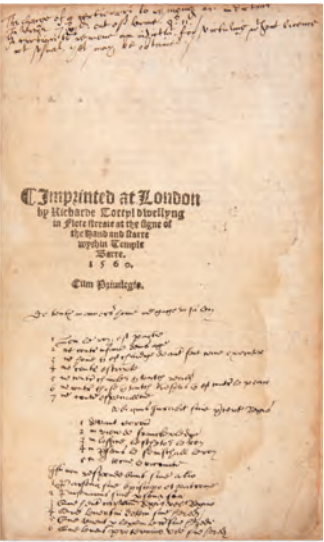
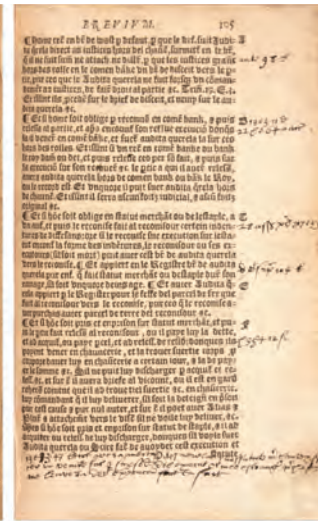
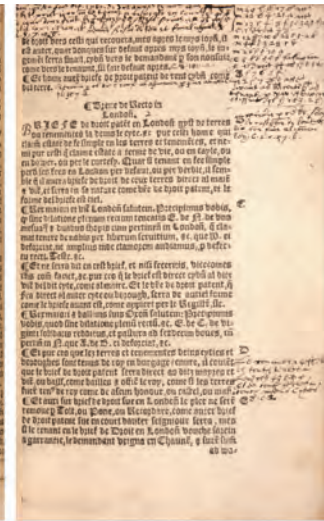
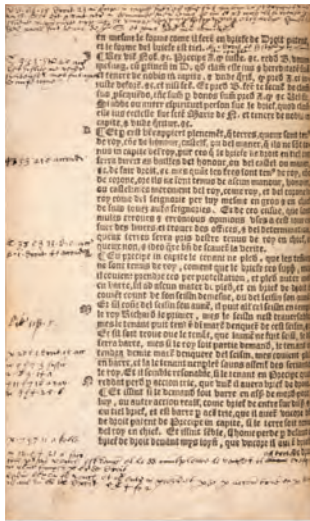
*The Debates, Resolutions, and Other Proceedings, in Convention, on the Adoption of the Federal Constitution, as Recommended by the General Convention at Philadelphia, on the 17th of September, 1787. With the Yeas and Nays on the Decision of the Main Question.*

Washington, DC: Printed by and for the Editor, 1827-1830. Four volumes. Octavo (7-3/4" x 5").

Nineteenth-century three-quarter morocco over marbled boards, raised bands, gilt ornaments and gilt titles to spines, marbled endpapers, top edges gilt. Moderate rubbing to extremities, a few minor nicks to board edges, corners bumped and lightly worn. Moderate toning to text, some what heavy in places, light foxing and dampstaining in a few places. Early annotations to some leaves, most in light pencil, interior otherwise clean. An appealing set. \$1,750.

FIRST EDITION, including the supplemental fourth volume (with indexes and the text of the Declaration of Independence, Articles of Confederation and Constitution) published in 1830. The first three volumes include the contentious ratification debates that took place in Massachusetts, New York, Virginia, Pennsylvania and North Carolina and South Carolina. The fourth volume contains the journal and debates of the Constitutional Convention, debates concerning the Declaration of Independence and Articles of Confederation, constitutional opinions of twenty successive congresses, and a digest of decisions in Federal courts involving constitutional principles. According to Ford, this is "[t]he most important single source of information on the ratification of the Constitution by the States." *Adoption of the Constitution of the United States, 1787-8* 16. Howes E98. Cohen 2813.





Details from N° 50

HEAVILY ANNOTATED COPY OF A WORK HIGHLY ESTEEMED BY COKE AND BLACKSTONE

50 FITZHERBERT, ANTHONY [1470-1538]. RASTELL, WILLIAM [1508?-1565].

La Nouvelle Natura Breuium] du Iudge Tresreverende Monsieur Anthonie Fitzherbert, Dernierement Renuë & Corrigé per Lauteur, Avecques un Table Perfaicte des Choses Notables Contenues en Ycelle, Novelment Col]m]posee per Guillaumme Rastell, & Jamais per Cydeuaunt Imprimee.

London: In Aedibus Richardi Tottelli, 1553 [i.e. 1560 colophon]. [xxxii] of [xxxiii], 271, [1] ff. The missing leaf is a blank, collation otherwise complete. Octavo (6-1/4" x 4-1/4").

Nineteenth-century paneled calf, dentelles to board edges and interior, rebacked retaining earlier spine, raised bands and lettering piece to spine, edges rouged, marbled pastedowns, free endpapers lacking (or never present). Moderate rubbing to extremities with some wear to spine ends, hinges cracked, armorial bookplate to rear pastedown. Title printed within woodcut architectural border. Some toning to interior, very faint dampstaining to portions of text, dampspotting to a few leaves, light soiling and some edgewear to title page. Extensive annotations in early court hand to endleaves, title page and most of text. An appealing wide-margined copy. \$3,000.

FIRST PUBLISHED IN 1534, the Nouvelle Natura Brevium is a manual of procedure written by a Judge of the Common Pleas during the reign of Henry VIII. Winfield notes that "Coke put it among the books which he considered most necessary and of greatest authority and excellency"; Blackstone considered it an authority as well. Compiled from the earlier Natura Brevia and the Registrum Brevium, it includes several original observations on the form and function of writs. Rastell's revisions include the addition of a table. A popular work, it went through numerous editions in Law French and English, the final appearing in 1794. It remains significant to this day for its descriptions of writs that were becoming obsolete in the early sixteenth century. Some of the annotations in our copy offer commentary or cite passages in other treatises, such as Lambard's Eirenarcha. A few combine references to cases, commentary and a treatise citation. Winfield 303. ESTC S113138. Beale T344.



Details from N° 51

MALEFACTORSI

- 51 GAMBIGLIONI, ANGELO (ARETINO, ANGELO) [15TH. C.].  
 CUCALON, JERONIMO [16TH. C.].  
 GANDINO, ALBERTO [C.1245-C.1310].  
 VITALINI, BONIFACIO VITALINI [D.CA. 1390].

*De Maleficiis, Repertorium[m] Primi Voluminis Maleficioru[m], In quo Coinetur Tractat Clarissimoru[m]. J.U. Doc. do. Angeli de Aretio: Domini Alberti de Gandino: Ac deñi Bonifacii de Utellinide Mantua per Ordine Numeri et Alphabeti Fabricatu[m]. Superadduntur de Novo que Plures Alie Utilissime Additiones Domini Hieronymi Chucalon Hispani. In quo Quide[m] Volumine Multa Sunt Elegater Addita: & Diligentior[um] Cura [Quibus] Prius Castigata et Emendata.*

[Lyons: In Aedibus Benoit Bonyyn Impensis Jacques Giunta], 1532. [xxxvi], ccccxxviii; [xvii], cxv. [1] ff. Two parts in one volume, each with title page and individual pagination. Second part has title beginning: Bonifacius de Maleficiis. Text in parallel columns with side-notes. Quarto (6-1/2" x 4-3/4").

Contemporary sheep, blind rules to boards, raised bands to spine, early repair to foot of spine, front free endpaper renewed. Negligible light rubbing to boards, moderate rubbing to extremities with some wear to spine ends and corners, minor worming to spine, rear joint starting at ends, a few cracks to text block, a few signatures detached, recent owner bookplate to front pastedown. Title page, with a woodcut depicting a torture scene, printed in red and black within an architectural border, torture image and border repeated in title page of second part, a few woodcut pictorial head-pieces and decorated initials. Moderate toning and light foxing to text, brief contemporary annotations to some leaves. \$3,500.

LATER ISSUE of a work first published in 1472. It is a collection of canon and Roman-law writings dealing with criminal law, murder, slander, adultery, sodomy, etc. with interesting chapters on torture and other means to obtain confessions by a distinguished group of (mostly Italian) jurists. A popular work, it was expanded and reissued several times during the fifteenth and sixteenth centuries. OCLC locates 3 copies of our 1532 Lyons imprint, none in North America. USTC 146416.



N° 52

COLLECTED WORKS OF GENTILI

- 52 GENTILI, ALBERICO [1552-1608].  
*Opera Omnia in Pluros Tomos Distributa.*

Naples: Ex Typographia Joannis Gravier, 1770. Two volumes. [xii], 538, [2]; 558, [2] pp. Quarto (10-1/2" x 8-1/4").

Contemporary vellum, blind rules and large central arabesques to boards, title panels to spine, edges rouged, early vellum repair to lower half of spine of Volume II, ribbon markers. A few minor scuffs, spine ends and corners bumped, front hinge of Volume I cracked, minor worming to rear endleaves of Volume II. Very light toning, light foxing in places. A handsome set. \$2,950.

ONLY EDITION of the only volumes published. These two volumes were part of a projected collected-works edition of the great Anglo-Italian jurist and diplomat. Widely considered Grotius's most important predecessor, he was the "first true scholar and writer on modern international law as the law of the community of states" (Walker). Volume I contains *De Iure Belli, Libri Tres*, one of his principal works, and *De Armis Romanis*. Volume II has one title: *Ad Titulum D. de Verborum Significatione Commentarius*, a commentary on Book 50, Title 16 from the *Digest* of Justinian, a glossary of legal terms and legal interpretations of words like "city" and "child." OCLC locates 11 copies, 7 in North America, 6 in law libraries (George Washington University, Harvard, Library of Congress, UC-Berkeley, University of Michigan, University of Minnesota). Not in the *British Museum Catalogue*. Walker 518.





FIRST EDITION OF THE FIRST ENGLISH LEGAL TREATISE

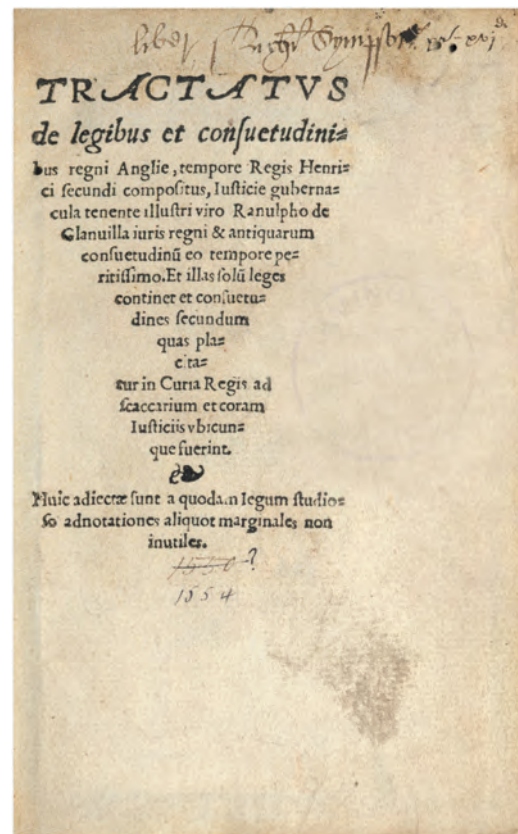
## 53 GLANVILLE, RANULF DE [D. 1190]. ATTRIBUTED.

*Tractatus de Legibus et Consuetudinibus Regni Anglie. Tempore Regis Henrici Secundi Compositus, Iusticie Gubernacula Tenente Illustri Viro Ranulpho de Glanvilla Iuris Regni & Antiquarum Consuetudinum eo Tempore Peritissimo. Et Illas Solum Leges Continet et Consuetudines Secundum Quas Placitatur in Curia Regis ad Scaccarium et Coram Iusticiis Ubicunque Fuerint. Huic Adiectae Sunt a Quodam Legem Studioso Adnotationes Aliquot Marginales Inutiles.*

[London: In Aedibus Richardi Totteli, c.1554]. [iii], 5, 5–44, 43–113, [17] ff. (Fol. P8 a blank). Pagination irregular, text complete. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, old calf covers with small central arabesques laid down on boards, raised bands and gilt title to spine, endpapers renewed, title page mounted. Light toning to text, some staining to title page and another leaf, gutter of last leaf adhered slightly to facing endpaper just touching text, two small wormholes to upper margins with no loss to text, early annotations to head of title page and a few leaves. Ex-library. Small inkstamp to fol. 59. An attractive copy. \$10,000.

FIRST EDITION. As Winfield notes, the anonymous Latin text long attributed to Glanville (or Glanvill) is the "first classical textbook of English law." Completed around 1189, it describes the procedure of the King's Bench. There is much information pertaining to litigation and includes the texts of approximately eighty writs. Glanville was a major contribution to the development of the common law tradition. It continued to be a primary reference for several generations. Coke, for example, praised it wholeheartedly and used it liberally in his *Reports*. Though overshadowed by Bracton's larger treatise, Glanville is still cited today. It also remains useful for its unparalleled insights into the nature of land law and procedure in medieval England. ESTC S102455. Beale T365. Sowerby 1769.



Details from N° 53



A  
**COLLECTION**  
 OF  
 Such of the **ORDERS**  
 Heretofore used  
**CHANCERY;**  
 With such Alterations and Additions thereunto, as the right Honorable **Edward Earle of Clarendon** Lord Chancellor of England,  
 By and with the advice and assistance of the Honorable **Sir Harbottle Grimston** Barronet, Master of the **ROLLS,**  
 Have thought fit at present to Ordaine and Publish,  
 For  
 Reforming of several Abuses in the said Court preventing multiplicity of Suits, Motions, and unnecessary Charge to the Suiters, and for their more expeditious and certain course for Relief.  
 London, Printed for **Henry Chase,** and are to be sold at his shop at the **Rolls** in **Chancery-lane,** over against the six Clerks Office; and by **Plumbery Tuckey** at the black-spread-Eagle in **Fleetstreet,** 1661.

N°54

GUIDE TO PROCEDURE IN THE RESTORATION-ERA CHANCERY COURTS



N° 55

THE FIRST ENGLISH BOOK OF PRECEDENTS

54 [GREAT BRITAIN].  
 [COURT OF CHANCERY].

*A Collection of Such of the Orders Heretofore Used in Chancery; With Such Alterations and Additions Thereunto, As the Right Honorable Edward Earle of Clarendon Lord Chancellor of England, By and With the Advice and Assistance of the Honorable Sir Harbottle Grimston Barronet Master of the Rolls, Have Thought Fit at Present to Ordaine and Publish. For Reforming of Several Abuses in the Said Court, Preventing Multiplicity of Suits, Motions, And Unnecessary Charge to the Suiters, and for Their More Expeditious and Certain Course for Relief.*

London: Printed for Henry Chase, 1661. 61, [i.e. 91], [3] pp. The first leaf bears an order to print. Final leaf, a blank, lacking. Octavo (5-1/2" x 3-1/4").

Contemporary sheep, blind rules to boards and spine. Very light rubbing to boards, moderate rubbing to extremities, tiny chip to spine near head, endleaves and pastedowns removed, armorial bookplate of the Earls of Macclesfield to verso of front board, small embossed Macclesfield stamps to preliminary leaves. Light toning to text, internally clean. \$650.

SECOND EDITION. This pocket-sized procedural handbook from the Restoration era was a well-received work that was issued eight times between 1660 and 1688. All editions are scarce. ESTC R30918.

55 [GREAT BRITAIN].

*Intrationum Liber Omnibus Legum Anglie Studiosis Apprime Necessarius: In se Complectens Diversas Formus Placitoru[m], Tam Realium, Personalium q[uam] Mixtorum Necnon Multorum Brevium tam Executionum q[uam] Aliorum Valde Utilium nunc Tandem in Gr[at]iam Studiosorum Maiori Cura et Diligentia q[uam] Ante hac Reuisus ac Emendatus Adiectis Etiam Iudice Multo q[uam] Ante hac Castigatiore cum Nonnullis Allis Addita Mentis Hactenus non Excusis nec Editis Cuiusquidem Iudicis Ordinem Series Alphabetica Tibi Demonstrabit.*

[London]: Excudebat [N. Hill for] Henricus Smythe, 1546. [xlv], 244 (i.e. 246), [1] ff. Folio (13" x 8-1/2").

Later three-quarter calf over marbled boards, raised bands and lettering piece (from an earlier binding) to spine, endpapers renewed. Light rubbing to extremities with minor wear to spine ends and corners, hinges cracked. Title printed within woodcut architectural border. Moderate toning to text, occasional faint dampstaining to upper portion of text block, light edgewear to preliminary and final leaves of text, light soiling to title page, repair to lower corner of final text leaf, which has two small holes with minor loss to legibility. Early struck-through annotations to title page and some other leaves, interior otherwise clean. A solid copy in an attractive binding. \$5,000.

THE FIRST AND ONLY EDITION of the second printed book of entries, the first published in 1510. Also known as the Book of Legal Writs, this is the earliest English book of precedents for pleadings. It contains pleadings in real, personal and mixed actions, information on writs and executions and miscellaneous information on other topics. The anonymous author derived his material from the plea rolls, a fundamental source for early English legal history. Sir John Baker notes the "old books of entries are the least used of all early law books; but they are replete with learning which, though difficult to extract, the legal historian ignores at his cost." OCLC locates 12 copies of this imprint. Baker, *Introduction* 160-161. ESTC S112077. Beale T284.





Detail from N° 56

AN EDITION OF *DE JURE BELLII AC PACIS*  
OVERLOOKED BY TER MEULEN AND DIERMANSE  
BOUND WITH A RARE (AND UNRECORDED) SYNOPTIC TABLE  
OF THAT BOOK

## 56 GROTIUS, HUGO [1583-1645].

*De Jure Belli ac Pacis Libri Tres. In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur. Editio Nova ab Auctore ipso Recognita & Correcta: De qua Vide Pagina Frequenti.*

Amsterdam: Apud Guilielmum Blaeu, 1632. [xx], 421, [25], [6], 26, [2] pp. Octavo (6-1/4" x 3-3/4).

[BOUND AFTER]

*Tabulae Generales, Quibus Univerſa Facies Operis Hugonis Grotii de Jure Belli et Pacis, In Uſum Diſceniū Delineata Eſt.*

Wittenberg: Typis Joh. Wilkii, Acad. Typogr., n.d. Two folding tables, 6" x 6" and 13" x 7", text on rectos and versos.

Contemporary vellum with lapped edges, early hand-lettered title to spine. Light soiling, corners and spine ends bumped, hinges cracked, vellum just beginning to crack though pastedowns, some edgewear to *Tabulae*, first table neatly torn in half along fold line, a few short tears along fold lines of other table. Moderate toning to text, somewhat heavier in places, some leaves have faint dampspotting. Early and later owner signatures to front free endpaper, interior otherwise clean. \$2,500.

GROTIUS: LATER EDITION; *Tabulae*: only edition located. The *Tabulae* is a synopsis of *De Jure Belli ac Pacis* in the form of a diagram (with brief notes). It is apparently unrecorded, and we were not able to locate a copy on OCLC. It is bound to an equally curious edition of *De Jure Belli ac Pacis* that not listed in Ter Meulen and Diermanse's *Bibliographie des Ecrits Imprimés de Hugo Grotius*. It is similar to the edition described in Entry 569, but it includes an additional work, *Mare Liberum*. We located copies *De Jure Belli* identical to ours on OCLC.



Details from N° 57



HANDSOME COPY OF GRONOV'S IMPORTANT EDITION OF GROTIUS

57 GROTIUS, HUGO.  
GRONOV (GRONOW), JOHANNES, EDITOR.

*De Jure Belli ac Pacis Libri Tres: In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur: Cum Annotatis Auctoris, Ex Postrema Ejus Ante Obitum Cura: Accesserunt Ejusdem Dissertatio de Mari Libero, & Libellus Singularis de Aequitate, Indulgentia, & Facilitate: Nec non Joann. Frid. Gronovii v.c. Notae in Totum Opus De Jure Belli ac Pacis.*

Amsterdam: Apud Janssonio-Waesbergios, 1712. [xii], xxxiv, 946, [94] pp. Copperplate allegorical frontispiece, copperplate portrait of Grotius. Octavo (7-1/2" x 4-1/2").

Contemporary calf, rebacked, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, gilt tooling to board edges. Light rubbing to boards, corners bumped and lightly worn, hinges mended. Light toning to text, somewhat heavier in places, light foxing to a few leaves, corner lacking from corner of leaf Bb2 (pp. 387-188) with no loss to text. An attractive copy. \$750.

LATER GRONOV EDITION. With side-notes and index. The first Gronov edition, one of the most important editions of Grotius, was published in 1663. This copy includes *Mare Liberum*, or *Freedom of the Seas* (1609), Grotius's influential treatise on maritime law and the right of free navigation. Ter Muelen and Diermanse 596.



N° 58

EXCERPTS FROM ROMAN LAW SELECTED BY GROTIUS

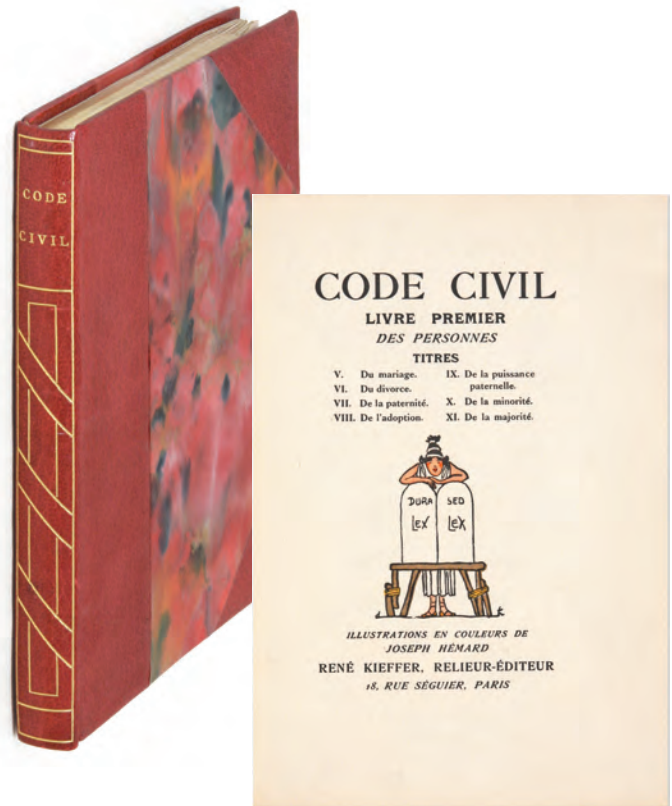
- 58 GROTIUS, HUGO.  
 GEBAUER, GEORG CHRISTIAN [1690-1773].  
 [SOMMA, GABRIELE, NOTES].

*Florum Sparsio ad Jus Justinianum, Cum Praefatione D. Geor. Christiani Gebaveri. Insuper hac Prima Neapolitana Editione Notulis Passim Aucta, Et Indicibus Tribus.*

Naples: Ex Officina Vincentii Manfredii, 1777. [xxiii], 378. [4] pp. Octavo (8" x 5").

Original printed wrappers with untrimmed edges bound into later quarter vellum over marbled boards, gilt title and tooling to spine. Negligible rubbing to extremities. Moderate toning to text, foxing in places, dampstaining to first quarter of text block, internally clean. \$1,750.

FOURTH AND FINAL EDITION, the only edition with Somma's notes. First published in 1642, the *Florum Sparsio* is a topically digested selection of excerpts from Justinian's *Code* with commentary by Grotius. It was intended to serve as a tool for legal arguments. Somma, who wrote the additional notes in this edition, was a Neapolitan theologian. They add philological detail and information about Neapolitan and Italian law. OCLC locates 2 copies in North America (Library of Congress, UC-Berkeley Law School). Ter Meulen and Diermanse 795.



N° 59

HÉMARD'S VIEW OF FAMILY LAW IN A HANDSOME BINDING

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

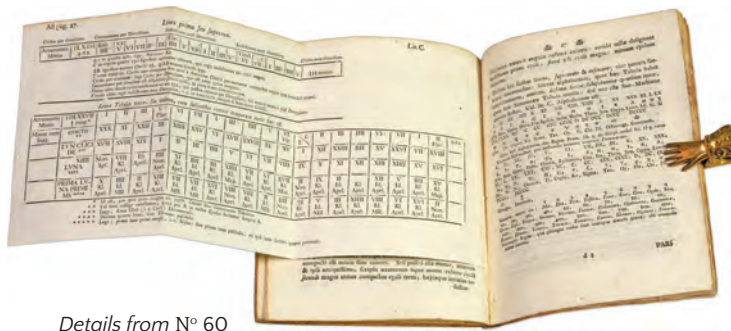
*Code Civil: Livre Premier, Des Personnes: Titres V. Du Mariage. VI. Du Divorce. VII. De la Paternité. VIII. De l'Adoption. IX. De la Puissance Paternelle. X. De la Minorité. XI. De la Majorité.*

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

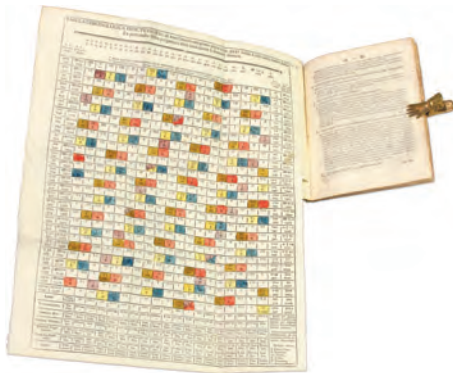
Original publisher stiff wrappers bound into three-quarter morocco over marbled boards, gilt title and tooling to spine, top edge gilt, deckle fore and bottom edges, spine from wrappers tipped-in to rear wrapper. Negligible light rubbing to extremities. Very light toning to text, somewhat heavier along fore-edges, vivid illustrations, internally clean. \$850.

FROM AN EDITION LIMITED TO 900 COPIES, this is number 838. 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° 60



AN INTERESTING EIGHTEENTH-CENTURY WORK  
ON THE CHRONOLOGY OF LEGAL CONCEPTS

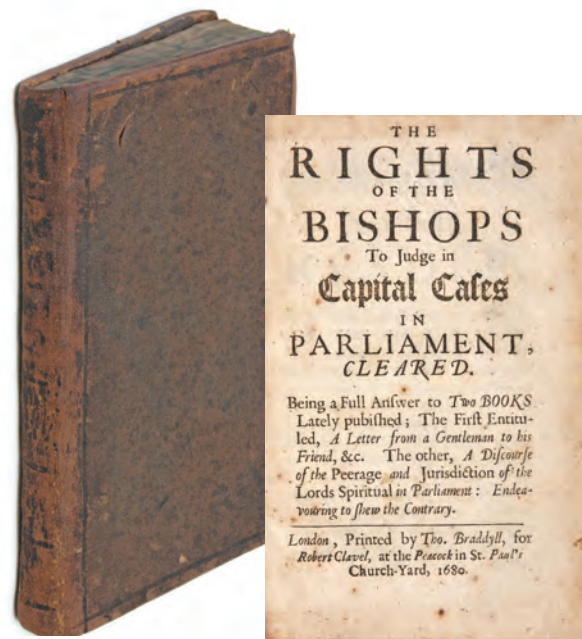
60 HAW, CHRISTOPH.  
[NELLER, GEORG CHRISTOPH].

*Exercitium Juridicum Tentamini Pro Gradibus Praemittendum Propositis ex Vario Jure Thesisibus, Ac Praemissa Resolutione Octo Quaestionum, Super Trium Colorum Indictionibus Antiquissimae Tabulae MP et Stae 2. Decembris an. 1774 Ibid Propositarum, Nec non Aliis Instructionibus de Notis Temporum Antiquis in Adminiculum Artis Diplomaticae, Quod Praeside me Georgio Christoph. Neller.*

Trier: Typis Eschermannianis, [1776]. [x], 61 pp. Three folding tables, one with hand-colored sections. Quarto (7-1/2" x 6").

Disbound stab-stitched pamphlet, spine reinforced. Light soiling and a few minor stains to exterior, light rubbing to extremities. Light toning to interior, somewhat heavier in places, "13" in small early hand to upper right corner of title page. A nice copy of a scarce title. \$600.

ONLY EDITION. An interesting disputation defended before Neller at the University of Trier. It begins with an elaborate discussion of Ancient and Biblical chronology. Its findings are used to establish the priority of legal concepts in Roman, canon and ancient customary law. The folding charts are a concordance of the Christian and Roman calendars. OCLC locates no copies in North America. VD18 13551817-001.



N° 61

A STRUGGLE BETWEEN THE HOUSE OF COMMONS  
AND THE LORDS SPIRITUAL  
OVER AN IMPEACHMENT FOR TREASON

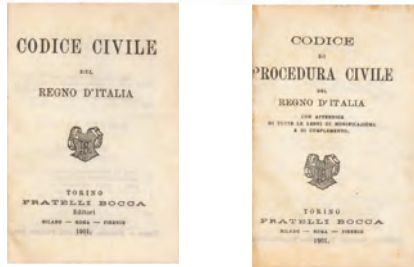
61 [HUNT, THOMAS (1627?-1688)].

*The Rights of the Bishops to Judge in Capital Cases in Parliament, Cleared. Being a Full Answer to Two Books Lately Published; The First Entituled, A Letter from a Gentleman to His Friend, &c. The Other, A Discourse of the Peerage and Jurisdiction of the Lords Spiritual in Parliament: Endeavouring to Shew the Contrary.*

London: Printed by Tho. Braddyll, For Robert Clavel. At the Peacock in St. Pauls Church-Yard, 1680. [viii], 166 pp. Octavo (6-3/4" x 4-1/4").

Contemporary sheep, blind rules to boards, blind fillets to spine, blind tooling to board edges, edges of text block marbled. Light rubbing and a few nicks to boards, moderate rubbing to spine and extremities, tiny tear to head of spine, corners bumped and somewhat worn, pastedowns loose, armorial bookplate of the Earls of Macclesfield to verso of front board, small embossed Macclesfield stamp to title page and following leaf. Moderate toning to text, faint dampspotting in a few places. \$350.

FIRST EDITION. This book examines an issue sparked by a motion initiated in the House of Commons to impeach Thomas Osborne, the earl of Danby, lord treasurer to Charles II, for treason. Proponents of impeachment, expecting opposition from the bishops seated in the House of Lords, said they, as ecclesiastical figures, could not be part of the impeachment trial because it was a capital offense. Hunt, an attorney, says this claim is false. A second edition was published the same year as the first. Housed in Shirburn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. ESTC R200716.



Details from N° 62

A MINIATURE SET OF ITALIAN LEGAL CODES.  
EACH VOLUME MEASURES 2-3/4" X 1-3/4"

62 [ITALY].  
[MINIATURE BOOKS].

**[Italian Legal Codes].**

Turin: Fratelli Bocca, 1901-1903. Five volumes, each measures 2-3/4" x 1-3/4", 75 x 50 mm. Finely printed in a small clear type on thin paper.

Original flexible pebble-grained morocco, gilt titles to front boards and spines, patterned endpapers, edges rouged. Light rubbing, chip to front board of one volume, internally clean. A curious set. \$950.

THIS CURIOUS SET contains the Italian legal codes in force in the early 1900s: *Codice Civile del Regno d'Italia* (635 pp., black binding), *Codice di Procedura Civile* (428 pp., brown binding), *Codice di Commercio* (512 pp., brown binding), *Codice Penale* (334 pp., black binding) and *Codici di Procedura Penale* (423 pp., dark blue binding).



N° 63

FIRST EDITION OF COOPER'S TRANSLATION OF THE *INSTITUTES*

63 JUSTINIAN I [485-565CE], EMPEROR OF THE EAST.  
COOPER, THOMAS [1759-1839], TRANSLATOR AND EDITOR.

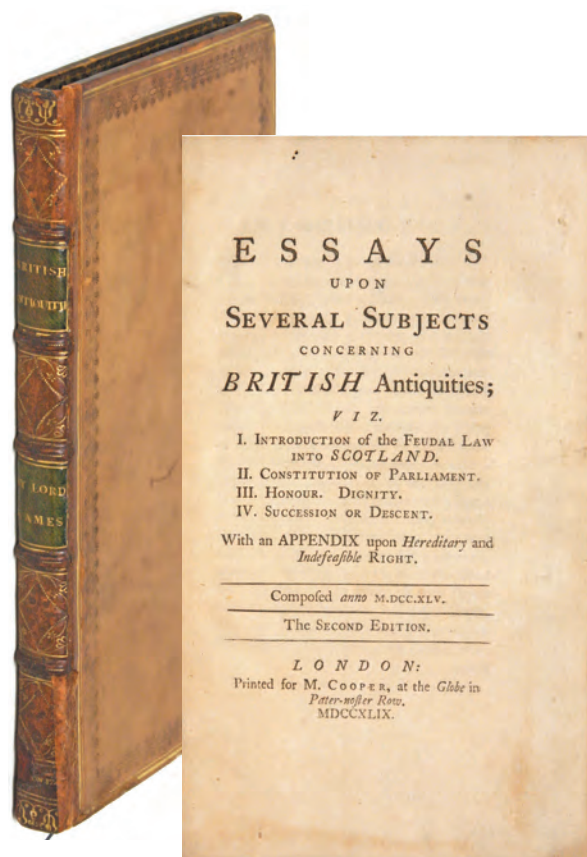
***The Institutes of Justinian. With Notes.***

Philadelphia: Printed for P. Byrne, 1812. xiv, 714 (i.e. 716) pp. Latin and English translation in parallel columns. Octavo (9" x 5-1/2").

Recent period-style quarter calf over marbled boards, lettering piece and gilt fillets to spine, original endpapers retained. Moderate toning to text, somewhat heavier in places, occasional light foxing. An attractive copy. \$600.

FIRST EDITION. Includes a bibliography of civil law and the complete text of *The Law of the Twelve Tables*. A landmark in the American reception of Roman law and the first translation of Justinian produced in the United States, this edition includes fascinating notes that compare Roman law with that of the United States. (He even includes a table of cases.) Cooper, a chemist and lawyer by training, was a polymath who published books on law, political science, economics, medicine and the natural sciences. A friend of Joseph Priestley and Thomas Jefferson, he was a professor of chemistry at Dickinson College and the University of Pennsylvania. He joined the faculty of South Carolina College in 1819 and became its president in 1820. Cohen 1644.





N° 64

A DISTINGUISHED COLLECTION OF ESSAYS BY KAMES

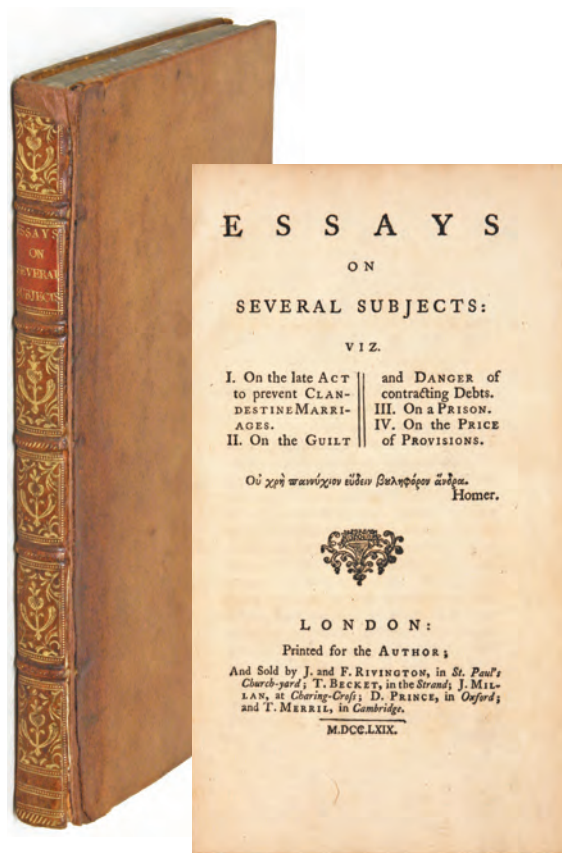
## 64 [KAMES, HENRY HOME, LORD (1666-1782)].

*Essays Upon Several Subjects Concerning British Antiquities; Viz. I. Introduction of the Feudal Law into Scotland. II. Constitution of Parliament. III. Honour. Dignity. IV. Succession or Descent. With an Appendix, Upon Hereditary and Indefeasible Right. Composed Ano M.DCC.XLV.*

London: Printed for M. Cooper, 1749. [iv], 217, [3] pp. With a final leaf of errata. Octavo (8-1/2" x 5").

Nineteenth-century calf, gilt rules enclosing blind fillets to boards, raised bands, gilt ornaments and lettering pieces to spine, gilt rules to board edges, gilt inside dentelles, marbled endpapers and edges, ribbon marker. A few minor scuffs to boards, some rubbing to extremities, hinges cracked. Light toning to text, faint dampspotting to lower margins of a few leaves, light soiling to title page. A handsome copy. \$450.

SECOND EDITION. One of several distinguished contributions by Kames to legal scholarship--particularly in areas outside the common law tradition--and a successful book which passed through three later 18th century editions. Kames's first book, *Essays Upon Several Subjects in Law* (1732, not to be confused with the present work), revealed a flair for the study of Roman law, and his *Historical Law Tracts* (1758) a notable study in comparative law, assured his scholarly reputation on the Continent. First published in 1747, *Essays Upon Several Subjects Concerning British Antiquities* is a comparative study of the feudal, constitutional, and hereditary law of Scotland, with ample reference to English legal development and, to a lesser extent, Roman law. ESTC T67129.



N° 65

CLANDESTINE MARRIAGE, PRISONS AND ECONOMIC MATTERS

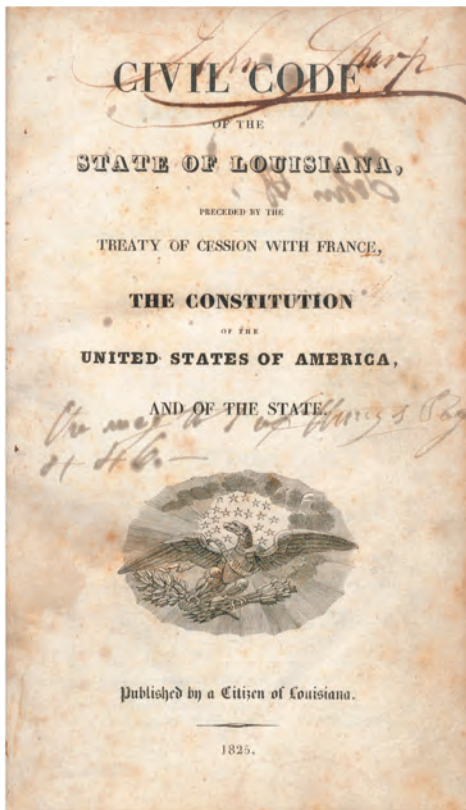
## 65 [LIND, CHARLES].

*Essays on Several Subjects: Viz. I. On the Late Act to Prevent Clandestine Marriages. II. On the Guilt and Danger of Contracting Debts. III. On a Prison. IV. On the Price of Provisions.*

London: Printed for the Author; And Sold by J. and F. Rivington, 1769. [ii], x, 156 pp. Octavo (8-1/4" x 5").

Contemporary speckled calf, gilt spine with raised bands and lettering piece, gilt tooling to board edges. Moderate rubbing to extremities with some wear to corners, front joint starting at ends, front hinge reinforced, rear board just beginning to separate (but quite secure; split in hinge not obvious when book is closed). Light toning to text, light foxing in places, early repair to upper corner of final leaf (pp. 155-156), a few missing letters and words replaced by hand. A handsome copy of a very scarce title. \$750.

ONLY EDITION. This essay collection addresses several topics of interest to the learned English public of the mid-eighteenth century. Two of these address legal matters relating to marriage and prison, the others address economic issues. Some early sources attribute the authorship to James Lind [1716-1794], the important Scottish physician and epidemiologist. OCLC locates 9 copies, 4 in North America (Library Company of Philadelphia, NY Public Library, Northwestern University, University of Minnesota). ESTC T71425.



N° 66

FIRST FOREIGN EDITION OF THE LOUISIANA CIVIL CODE

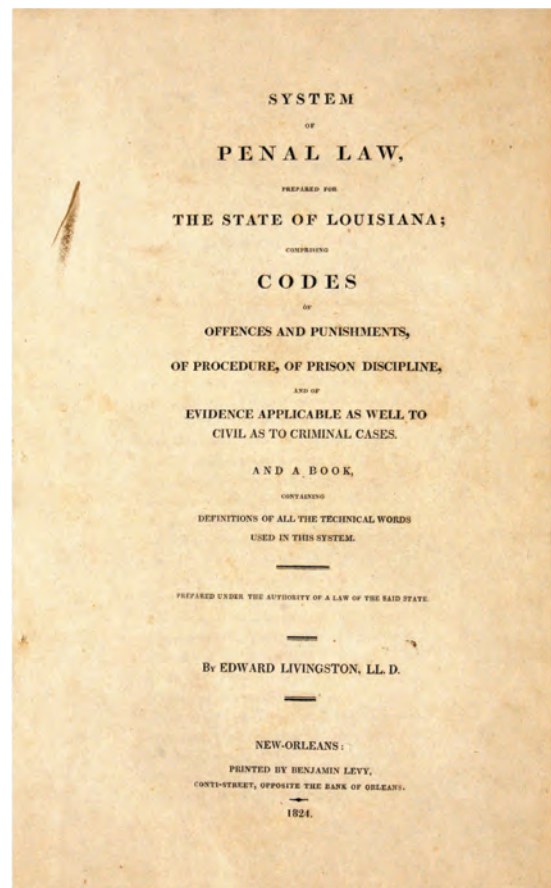
- 66 [LOUISIANA].  
 [LIVINGSTON, EDWARD (1764-1836), COMPILER].  
 [MOREAU-LISLET, LOUIS, (1766-1832), COMPILER].  
 [DERBIGNY, PIERRE (1767-1829), COMPILER].

*Civil Code of The State of Louisiana, Preceded by the Treaty of Cession with France, The Constitution of the United States of America, And of the State. Published by a Citizen of Louisiana.*

[Paris: De L'imprimerie de E. Duverger], 1825. xvi, 714 pp. Octavo (7-1/2" x 4-1/2").

Recent period-style calf, blind fillets to boards, blind fillets and original lettering piece to spine, pastedowns and free endpapers renewed. Moderate toning and light foxing to text, early owner signatures to title page, brief annotations to a few leaves, extensive annotations to rear endleaves. \$1,500.

FIRST FRENCH EDITION, one of two issues, the other in French. In 1822 Derbigny, Livingston and Lislet-Moreau were commissioned to revise the 1808 compilation of Louisiana territorial laws. Principally the work of Livingston, the result of their effort was the Civil Code of 1825, one of the great codes of the nineteenth century. Duverger's was the first foreign edition. Jumonville 459.



N° 67

FIRST ISSUE OF LIVINGSTON'S LOUISIANA PENAL CODE

- 67 [LOUISIANA].  
 LIVINGSTON, EDWARD.

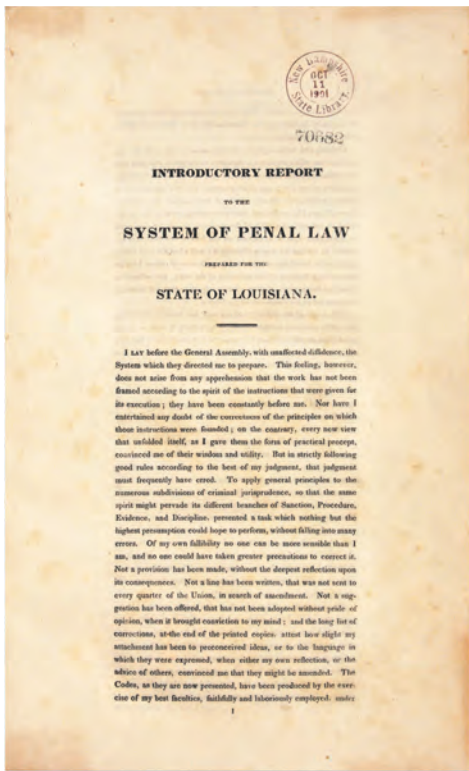
*System of Penal Law, Prepared for the State of Louisiana: Comprising Codes of Offences and Punishments, Of Procedure, Of Prison Discipline, And of Evidence Applicable as Well to Civil as to Criminal Cases. And a Book, Containing Definitions of All the Technical Words Used in This System.*

New Orleans: Benjamin Levy & Co., 1824. 164 pp. (12-1/4" x 7-1/2").

Recent period-style quarter calf over marbled boards, lettering piece and gilt fillets to spine. Light toning to text, negligible light foxing in a few places. \$3,000.

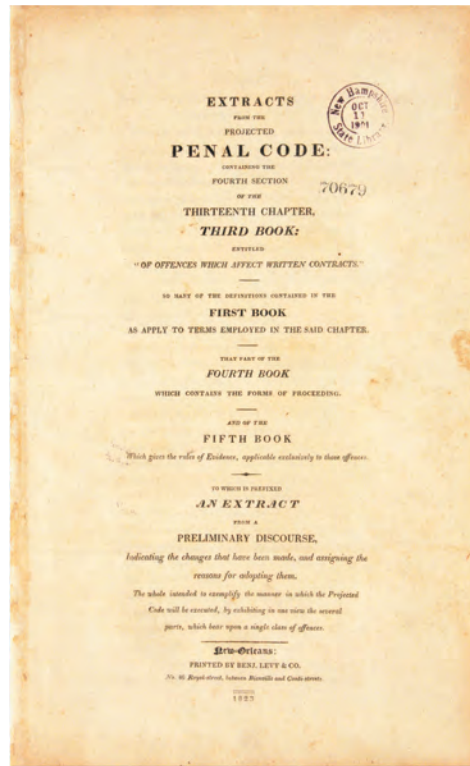
FIRST EDITION. Submitted to the Louisiana state assembly in 1824, Livingston's code marked an epoch in the broad international movement for penal reform. Profoundly influenced by Bentham, it stressed prevention over vengeance in every facet of his work. Never enacted, it nevertheless established itself as one of the great standards for other reformers. Hicks marvels at the scope and clear organization of this code and notes that Bentham, Hugo, Lafayette, Story, Marshall, Madison, Kent and Jefferson considered it "the most comprehensive and enlightened system of criminal law that has ever been presented to the world.": Hicks 180. Jumonville 430. Cohen 10329.





N° 68

FIRST ISSUE OF THE *INTRODUCTORY REPORT*  
TO LIVINGSTON'S *LOUISIANA SYSTEM OF PENAL LAW*



N° 69

LIVINGSTON SOLICITS OPINIONS  
ON HIS PENAL CODE FOR LOUISIANA

68 [LOUISIANA].  
LIVINGSTON, EDWARD.

*Introductory Report to a System of Penal Law Prepared for the State of Louisiana* [headline title].

[New Orleans: Benjamin Levy & Co., 1824]. 185 pp. (12-1/4" x 7-1/2").

Recent period-style quarter calf over marbled boards, lettering piece and gilt fillets to spine. Light toning to text, negligible light foxing in a few places. Ex-library. Small inkstamp to head of p. 1. \$2,000.

FIRST EDITION. The *Introductory Report* reviews the issues addressed by the *Code*. Bibliographically distinct, it was probably transmitted to the Louisiana General Assembly with the *Code*, a point suggested by its first sentence: "I lay before the General Assembly, with unaffected diffidence, the System which they directed me to prepare" (1). Bibliographic data is not included in the first edition of the *Introductory Report*, but Jumanville and Korn attribute the printing to Levy. Jumanville 428. Korn 205. Cohen 10327.

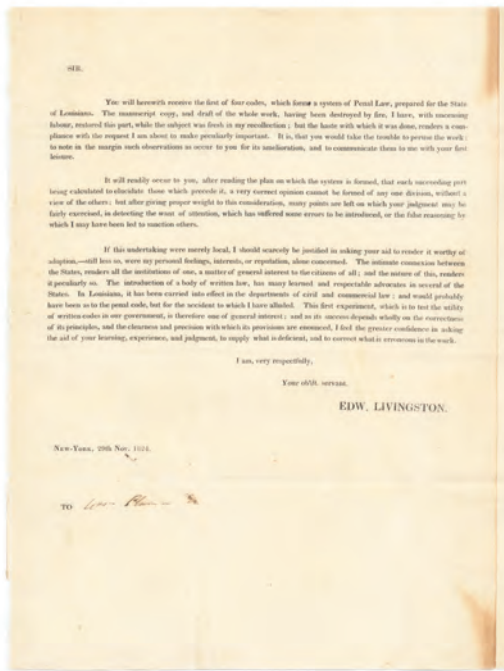
69 [LOUISIANA].  
LIVINGSTON, EDWARD.

*Extracts from the Projected Penal Code: Containing the Fourth Section of the Thirteenth Chapter, Third Book: Entitled "Of Offences Which Affect Written Contracts." So Many of the Definitions Contained in the First Book as Apply to Terms Employed in the Said Chapter. That Part of the Fourth Book which Contains the Forms of Proceeding. And of the Fifth Book Which Gives the Rules of Evidence, Applicable Exclusively to Those Offences. To Which is Prefixed an Extract from a Preliminary Discourse, Indicating the Changes that Have Been Made, and Assigning the Reasons for Adopting Them. The Whole Intended to Exemplify the Manner in Which the Projected Code will be Executed, By Exhibiting in One View the Several Parts, Which Bear Upon a Single Class of Offences.*

New Orleans: Printed by Benj. Levy & Co., 1823. 31, [2] pp. Folio (12-1/4" x 7-1/2").

Recent period-style quarter calf over marbled boards, gilt fillets and lettering piece to spine. Light toning to text, negligible light foxing in a few places. Ex-library. Small inkstamp to head of title page. \$1,500.

ONLY EDITION. Livingston produced this set of excerpts when he was completing the draft of his *System of Penal Law, Prepared for the State of Louisiana*. He sent copies to James Kent and other distinguished jurists, as well as several politicians and journalists, in order to "point out such of the many errors I must have committed, as you may discover; and suggest such alterations and improvements as may occur to you" [2]. OCLC locates 12 copies, 6 in law libraries (George Washington University, Harvard, Loyola, Tulane, University of Michigan, Yale). Jumanville 395. Cohen 10321.



N° 70

LIVINGSTON SEEKS  
CRITICISM OF HIS SYSTEM OF PENAL LAW

70 [LOUISIANA].  
LIVINGSTON, EDWARD.  
[Plumer, William (1759-1850)].

*Sir, You Will Herewith Receive the First of Four Codes, Which Forms a System of Penal Law, Prepared for the State of Louisiana. [Running Title].*

New York, November 29, 1824.

Single sheet folded once to form two 9-3/4" x 7-1/4" leaves. Printed text on recto of first leaf, signed in type, verso of second leaf addressed. Light toning, a bit of discoloration to corners, fold lines, fold between the two sheets torn, but mended on verso with archival tape, small stain from sealing wax, light rubbing to edges. A rare item. \$750.

LIVINGSTON MAILED THIS CIRCULAR LETTER to distinguished jurists and political figures to solicit feedback on the final draft of the first part of his *System of Penal Law*. It was, in effect, a cover sheet. He explains the nature of the code and asks his readers "to note in the margin such observations as occur to you for its amelioration, and to communicate them to me with your first leisure. He ends his letter with a request for "the aid of your learning, experience, and judgment, to supply what is deficient, and to correct what is erroneous in the work." Plumer, the recipient of this copy was an important New Hampshire lawyer, politician and Baptist lay preacher. He is best known for his efforts to convert Dartmouth College into a public institution while governor of New Hampshire, a post he held in 1812-1813 and 1816-1819. His efforts resulted in the great U.S. Supreme Court case *Trustees of Dartmouth College v. Woodward*. Livingston's circular is a rare item. However, a few copies are found today bound into copies of the *System*. Shaw and Shoemaker 16927.



Details from N° 71

A PRINCIPAL ENGLISH TREATISE ON CANON LAW

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

*Provinciale seu Constitutiones Anglie cum Summariis Atque Iustis Annotationibus: Honestis Characteribus: Summaque Accuratione Rursum Impresse.*

[Paris: Printed by Andreas Bocard at the University of Paris, May 28, 1501]. Collation: a8 b6, c-g8 h6 i-q8 r6 s-z8 [et]8 [con]6 A-B6 C8(-C8). cxcii, [19] ff. Complete. Main text surrounded by two-column linear gloss. Folio (13-1/2" x 9-1/2").

Contemporary paneled calf, corner fleurons and large arabesques to boards, recently rebacked, raised bands and lettering piece to spine, endpapers added, early hand-lettered title to fore-edge. A few shallow scuffs to boards, moderate rubbing to their extremities, corners bumped and somewhat worn, hinges cracked, later bookseller ticket, owner bookplate (of Walter Wigglesworth, dated 1934) and two 1930s-era auction or bookseller descriptions affixed to front pastedown. Text printed in red and black gothic type, woodcut decorated initials. Light toning to text, faint dampstaining in places, minor edgewear to leaves at beginning and end of text, some with repairs, inkstains and spark burns to a few leaves. Contemporary annotations to endleaves and portions of text, some with minor loss due to trimming. A nice post-incunable copy of an important title. \$5,000.

FIRST POST-1500 EDITION. Main text followed by nineteen-page, two-part index (*Tabula*). Compiled around 1433 and first published around 1483-1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This copy was printed in Paris for the English market. Beale T403. ESTC S103845.



LEDGER DETAILING THE SALE OF LANDS  
FROM "GRANGER'S GREAT TRACT" IN KENTUCKY

## 72 [MANUSCRIPT].

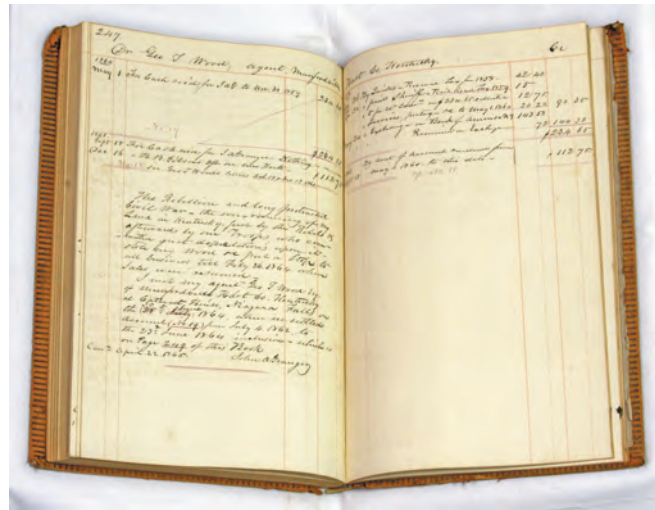
[GRANGER (GRAINGER), JOHN A. (1795-1870)].

*List of Kentucky Land and Sales, January 22, 1845.*

[New York?, 1845-1868]. 280 pp. 3 manuscript slips laid in. Folio (12-1/4" x 7-3/4").

Reversed calf, black-stamped fillets and frames to boards, hand-lettered title to front board, raised bands and lettering piece (reading "Journal") to spine. Some staining to boards and spine, moderate rubbing to extremities with wear to corners, some chipping to spine ends, rear hinge starting at ends. Light toning, content in neat hand to roughly 90 pp., mostly dating from 1845-1850, interspersed with additional blank pages and a few later unrelated entries with later dates through 1868. \$1,250.

ONE OF KENTUCKY'S LARGEST LANDOWNERS, Gideon Grainger (or Granger), a New Yorker, held 64,000 acres in the region around Bardstown and Glasgow, an area nicknamed "Granger's Great Tract." Divided into three sections, this ledger records the sale of his lands by Gideon's heirs. It has a detailed accounting of the "List of Lands belonging to the Heirs of Gideon Granger, remaining unsold in Hardin, Hart & Larue Co's. Kentucky" totaling some 35,078 acres. An accompanying notation reads: "All the above Land in Kentucky belongs to John A. Granger and was Deeded to him on the 22nd January 1845 by Mindwell P. Granger & Francis Granger Executors & Trustees of the Estate of Gideon Granger, deceased, which Deed is duly recorded in Hardin, Hart & Larue Counties, Ky. and is in the hands of Geo. T. Wood Esq. my agent at Munfordville, Hart Co., Ky.". John A. Granger. The second section of ledger is titled: "List of Squatters in John A. Granger's land all but two seen and visited by him in May 1844 & April 1845." Each squatter is listed by name and respective parcel with various notations such as "Old Road on the east Line - boundary disputed," "On the Nashville Turnpike," "Superior Land," "On the Litchfield Road," etc. A number of squatters purchased land, transactions likely prompted by Granger's site visits. The third section contains a "List of Land sold by George T. Wood, agent for Gen. John A. Granger," comprising numerous names and various notations. Fourth and final section is titled: "George T. Wood, agent at Munfordville Ky. in a/c with John A. Granger." This section contains extensive lists and some elaborate notations pertaining to the sale of land with names and prices, taxes, surveyor expenses, leases and deeds, etc. John A. Granger, the compiler of this ledger, was a New York militia leader and major general of the 22nd division of infantry. In the back of book he writes: "The Rebellion and long protracted Civil War - the over-running of my land in Kentucky - just by the Rebels & afterwards by our troops who committed great depredations upon it - stole my wood and put a stop to all business til Feby 26, 1864 when sales were resumed. I met my agent Geo. T. Wood Esq. of Munfordville at Cataract House, Niagara Falls on the 30th June 1864, when we settled account (No. 19) from July 4, 1862 to 23rd June 1864..." A fascinating document, it offers insights into patterns of land ownership and conveyance and the history of Kentucky's Bluegrass Region.



N° 72

EIGHTEENTH-CENTURY ENGLISH MANUSCRIPT  
FORMBOOK THAT INCLUDES A "PENNACE FOR FORNICATION"

## 73 [MANUSCRIPT].

[GREAT BRITAIN].

*[Commonplace Book of Legal and Religious Forms].*

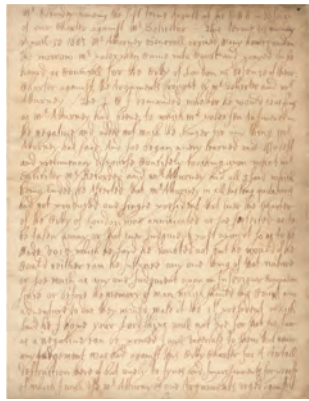
[Great Britain, c. 1723-1727]. 341, [1] pp. Quarto (9-1/2" x 7-3/4").

Disbound, text in English and Latin in neat hand to rectos and versos of most leaves. Moderate toning, occasional edgewear and minor tears, some leaves have faint dampstaining, light soiling to outer leaves. Item housed in recent cloth clamshell box, calf lettering piece (reading 18th Century/ Legal MS.) to front. \$2,500.

POSSIBLY THE WORK of a student or justice of the peace, this is a collection of common law and ecclesiastical law forms, such as contracts, oaths and agreements. Some of the more curious items are "A Pennace for Fornication," a "Nomination to a Perpetual Curacy" and a "Licentia Pedagoge." Most of the content is written carefully with few corrections. The final 16 pages contain information relevant to an estate: expense tables, a list of sums paid and an apparently unfinished tenant list.



N° 73



N° 74

CONTEMPORARY MANUSCRIPT ACCOUNT OF A NOTABLE ATTEMPT TO ASSASSINATE KING CHARLES II

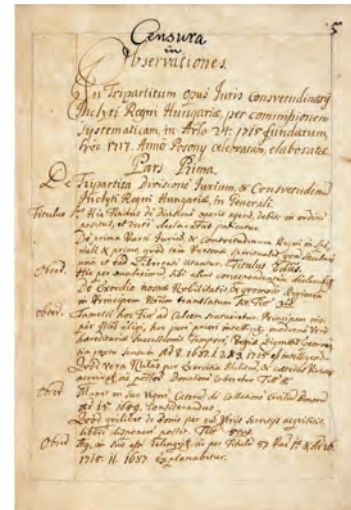
74 [MANUSCRIPT].  
[GREAT BRITAIN].  
[RYE HOUSE PLOT].

[Contemporary Account of the Rye House Plot Intended to Assassinate King Charles II, with the Last Speeches of the Conspirators William, Lord Russell and Algernon Sidney Delivered Before Their Executions].

English, c. 1683. [i], 14 ff. (first leaf blank). Quarto (8-1/2" x 6-1/2").

Three-quarter calf over marbled boards, rebacked in period style, gilt title to spine, corners mended, endleaves retained, hinges mended, deckle edges. Text in next hand, a few lines in different, equally neat hand. Light toning, a few minor stains, front pastedown and following leaf bear early owner markings of Sir Thomas Phillipps, the signature of James J. Bell and armorial bookplate of R.G.E. Sandbach, binder ticket of Bretherton, Phillipps's binder, to front pastedown. \$5,000.

THE RYE HOUSE PLOT OF 1683 was a plan to assassinate King Charles II and his brother, James, Duke of York, thus terminating the Stuart dynasty. It appears to have been founded on Anti-Catholic sentiments (which would have been shared by Sir Thomas Phillipps later), which feared that Charles II was too closely allied to the Catholic rulers of Europe. An extremist Whig group plotted to hide troops in Rye House, a fortified castle in Hertfordshire, in order to ambush the king and duke as they passed on their way to the horse races at Newmarket. However, a fire in Newmarket caused their plans to change and the plotters were exposed, put on trial and imprisoned or executed. The present manuscript contains at its end the speeches made by two of the group at their executions. William, Lord Russell [1639-1683], M.P. for Bedfordshire, denies knowing of any plot, or having ever seen or spoken with the man who denounced him, but with resolution to his fate: "I have done with this world, and go to a better asking only that all sincere protestants may love one another, and not make way for popery by their Animosities." The speech of Algernon Sidney [1623-1683], M.P. and Baltic Ambassador, is more a formal anti-Catholic essay, citing the insurrection against Nero, the Slaughter of Caligula, or Domitian, the translation of the crown of France from Meroveus his Race unto Pepin and from his descendants unto Hugh Capet. Below this are the names of Peter Daniell and Samuell Dashwood, who were the sheriffs present (One of whom is recorded as weeping at Sidney's speech.) To this has been appended the speech of the commoner Richard Langhorne before his execution in 1679 for an earlier plot. This manuscript belonged to the great bibliophile and manuscript collector Sir Thomas Phillipps [1792-1872]. Most of the notes on the front endleaves are in his hand. Other notes show this item was owned by two other notable bibliophiles: R.G.E. Sandbach and James J. Bell.



N° 75

EIGHTEENTH-CENTURY MANUSCRIPT RELATING TO THE CONSTITUTIONAL LAW OF HUNGARY

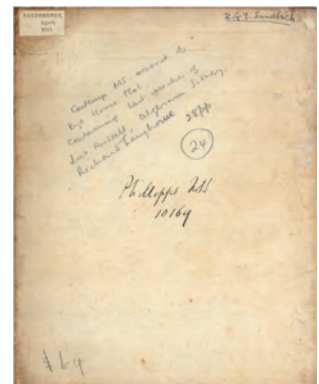
75 [MANUSCRIPT].  
[KINGDOM OF HUNGARY].

*Observationes In Tripartitum Opus Juris Consuetudinarii Incltyi Regum Hungariae per Commissionem Systematicam in Arlo 24. 1715 Fundatum hoc 1717 Anno Posony Celebratum, Elaborate.*

[Arlo, Hungary, 1715-1717, 1726]. [101, 9 blank, 32 pp.] Folio (12" x 8").

Contemporary paneled calf, ties lacking. Moderate rubbing to boards, heavier rubbing to extremities with wear to spine and corners, rear hinge partially cracked, two leaves at rear of text detached, occasional worming to margins with no loss to text, contemporary armorial bookplate to front pastedown. Some toning to interior, text in neat secretarial hand. The second group of notes, 32 pp., are dated 1726. \$2,000.

TWO SETS OF STUDENT NOTES on the *Tripartitum*. Compiled in 1514 by Istvan Werboczy [c.1465-1541], a Hungarian jurist and statesman, this collection of early customary laws, though never incorporated formally, was regarded as the second pillar of the Hungarian constitution. It was a *de facto* law-book of Hungary until 1848. According to the doctrine of the Holy Crown, which appeared in the *Tripartitum*, the king and the legally equal noblemen formulated the "corpse of the Holy Crown," which symbolized the Hungarian state. This manuscript is one such effort, in the early eighteenth century, to coordinate the *Tripartitum* with Hungary's constitutional statutes.



Details from N° 74





Details from N° 76

SEVENTEENTH-CENTURY HUNGARIAN MANUSCRIPT  
COMPILED BY A LAW STUDENT PREPARING  
FOR HIS FINAL EXAMINATION

- 76 [MANUSCRIPT].  
[KINGDOM OF HUNGARY].  
DE NAGY, NICHOLAUM APPONY, COMPILER.

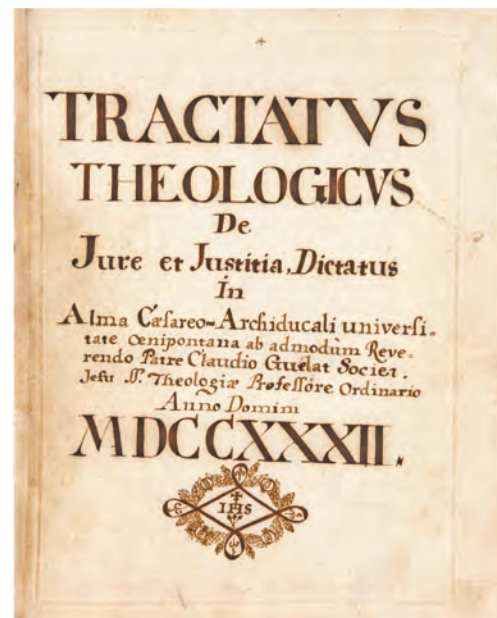
*Pia Mentins Exercetia.*

[Probably Hungary, c. 1670]. 479 pp. Quarto (8" x 6-1/4").

Contemporary vellum (cut from an antiphonal), fragments of thong ties. Some soiling and edgewear, boards slightly bowed, crack to center of spine near foot, vellum beginning to crack through rear pastedown, front hinge starting, rear hinge partially cracked. Light toning to interior, early inscriptions and signature to front pastedown, text in Latin, written in a fine secretarial hand.

\$2,000.

PROBABLY COMPILED IN HUNGARY, this is a reference work for Hungarian law students during the *patvaria* (or *patvaristak*), a two-year training period for that preceded final examinations and admission to practice. It has a number of additional annotations to the endleaves and text. The pastedown is inscribed with an early owner's name, "Ioannes," above the Latin motto "Sors Bona Nil Aliud" (Good Luck, Nothing Else). The rear pastedown has the motto, "dat Galenus opes, dat Justinianus honores, solus Aristoteles cogitur ire pedes," which is based on the quote by Robert Burton [1577-1640]: "Galen gives wealth, Justinian honors, but Moses must go on foot with a beggar's wallet." Our scribe, who seems to have been familiar with Burton, substitutes Aristotle for Moses. Nicholaas Appony de Nagy was a member of a noble Hungarian family.



N° 77

SEVENTEENTH-CENTURY LECTURE NOTES  
ON THE LEGAL THOUGHT OF ST. THOMAS AQUINAS  
BY A NOTABLE JESUIT

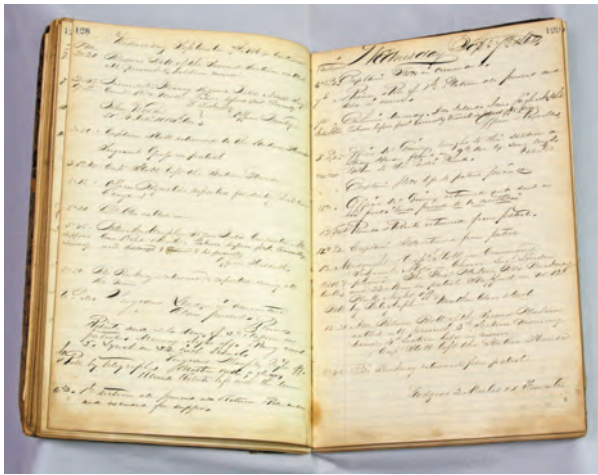
- 77 [MANUSCRIPT].  
[NATURAL LAW].  
GUELAT, CLAUDE [1676-1745], LECTURER.

*Tractatus Theologicus de Jure et Justitia, Dictatus in Alma Caesareo-Archiducali Universitate Oenipontana ab Admodum Reverendo Patre Claudio Guelat Societ. Jesu SS. Theologiae Professore Ordinario.*

[Innsbruck], 1732. 273, [3] pp. Quarto (8" x 6").

Contemporary calf, raised bands and lettering piece and small early paper shelf label to spine, speckled edges. Light rubbing and a few minor nicks to boards, some rubbing to extremities, minor chipping to spine ends, corners bumped and lightly worn. Light toning to interior, text in neat hand to rectos and versos of all leaves, a few brief recent annotations to endleaves carefully hand-lettered title page features Jesuit insignia in fine hand. \$1,250.

A FAIR COPY OF LECTURES on St. Thomas Aquinas's treatise on natural law, Part II, Section 1, Questions 90 to 108 of the *Summa Theologica*, and later interpreters of these writings, such as Francisco de Vitoria and Juan de Lugo. Guelat was a notable Swiss Jesuit Theologian who taught at the University of Innsbruck, where the lectures transcribed in this manuscript were delivered. According to Backer-Sommervogel, these lectures circulated in manuscript, but were never published. Backer-Sommervogel III: 1902.



N° 78

ACTIVITIES IN NEW YORK CITY'S  
22ND PRECINCT, LOCATED IN HELL'S KITCHEN, IN 1864

78 [MANUSCRIPT].  
[NEW YORK CITY].

**Metropolitan Police Blotter 27, Twenty-Second Precinct, Johannes C. Stott, Captain.**

[New York, July 29, 1864–October 8, 1864]. [ii], 260, [2] pp. Folio (15" x 9 1/2").

Quarter calf over marbled boards, rebacked in period style, endpapers added. A few minor scuffs to boards, some rubbing to extremities, corners worn. Light toning, content in neat hand to rectos and versos of all leaves, additional notes to endleaves, negligible dampstaining in a few places, some edgewear to preliminaries and final leaves, pencil drawing of a ship on recto of front free endpaper. An interesting piece of New York City history. \$6,000.

THE ACTIVITY BLOTTER OF THE 22ND PRECINCT of the Metropolitan Police under Captain Johannes C. Stott. Located in a rough neighborhood that would later be part of the district known as Hell's Kitchen, the precinct covered the west side of Manhattan between about 42nd and 52nd Streets, with headquarters on 47th Street between 8th and 9th Avenues. Its population was comprised mostly of Irish and German immigrants and was notorious for its street gangs, such as the Gophers. Stott commanded 4 sergeants, patrolmen and 2 doormen. The log includes many daily entries, often more than hourly, and includes details on specific crimes. Here are a few examples: On July 29, at 10:15 p.m., they brought in John Rice, aged 17, native of Germany, for felonious assault, "striking the comp't in the head with a stone." The next night at 12:30 came Gottlieb Roaling for "having cut one Christian Emtling in the throat with a lager beer glass." On 16 August, "a boy named Washington Favor employed in Higgins Carpet Factory fell through the hatch from the third floor and... is not expected to recover. The boy is about 11 years old." (You may be glad to know that the boy survived and was working as a theater manager according to the 1880 census). There are many cases involving lost boys and unidentified corpses. In all, this ledger provides a vivid document of daily life in a tough New York City neighborhood at the end of the Civil War era.



N° 79

A MANUSCRIPT PARAPHRASE OF JUSTINIAN'S INSTITUTES

79 [MANUSCRIPT].  
[ROMAN LAW].

[*Corpus Juris Civilis*].

**Institutionum Dn. Justiniani SS Principia, Libri Quatuor a Domino Ruffat Editi Anno Domini 1775.**

Toulouse, 1775. [i], 41, 56, 29, 29, 6 ff. Quarto (9" x 6-3/4").

Contemporary mottled calf, raised bands gilt ornaments and gilt title (reading Instit/ Justin) to spine, edges rouged, marbled endpapers. Light rubbing and a few minor nicks to boards, moderate rubbing to extremities, chipping to head of spine, corners somewhat worn. Moderate toning to interior, text in neat hand. A handsome item. \$1,250.

THIS APPEARS TO BE A FAIR COPY of lectures on the *Institutes* of Justinian or a text that circulated in manuscript. We were not able to locate any information about the author, Ruffat. It is a section-by-section paraphrase of Justinian's text with a table of contents and index. Many sections have cross-references to other sections. A note on the title page states "Ad Usum j. V. Dardignae," likely the owner of the manuscript.



Detail from N° 79





N° 80

ACCOUNT BOOK OF A NOTABLE  
NINETEENTH-CENTURY CANADIAN

80 [MANUSCRIPT].  
ROSS, JAMES [1835-1871].

[Account Book].

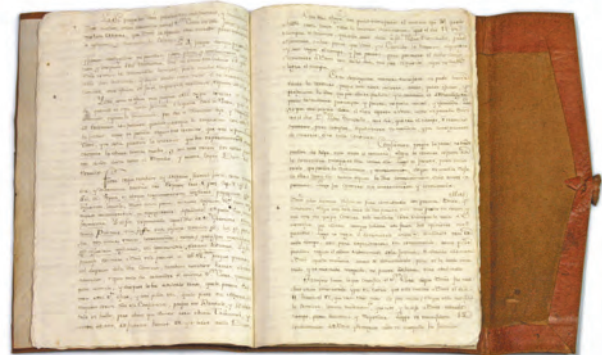
Toronto and Red River Settlement (Manitoba), 1854-1860. [176] pp.  
Quarto (7-1/4" x 4-3/4").

Contemporary diced calf, rebacked, gilt fillets and large central gilt lozenge-shaped panels to boards. Light rubbing to boards, moderate rubbing to extremities with wear to corners, a few leaves removed near front and rear of text block. Light toning to interior, "James Ross Esquire" in bold hand to front free endpaper, content in neat hand to 83 pages, a few pages have entries in a later hand dated 1885. An interesting piece of Canadiana. \$850.

ROSS WAS A DISTINGUISHED CANADIAN LAWYER, journalist, teacher and public servant, best known for his role in the establishment of the Province of Manitoba. Covering the years 1854 to 1860, most of the entries in this account book pertain to the maintenance of Ross's household. Other regard elections, fees he received as a lawyer and travel expenses to Toronto and other places in Canada.



Detail from N° 81



N° 81

MANUSCRIPT DOCUMENTING A  
COMPLICATED 1758 DIVORCE CASE IN SPANISH TEXAS

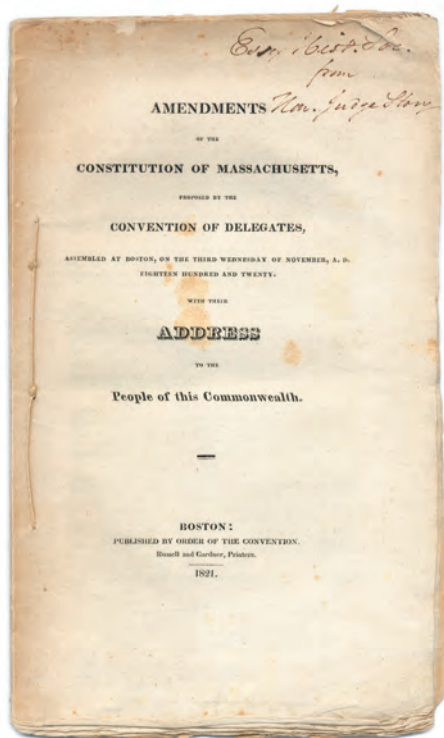
81 [MANUSCRIPT].  
[TEXAS].  
[SAN ANTONIO].

[Early Legal File from the Villa de San Fernando (Now San Antonio, Texas)].

[San Antonio, September 1758]. [50] pp. Folio (12-1/2 x 8-1/2").

Early limp calf folder with thong tie, faint unrelated title to front cover. A few minor scuffs, light rubbing to extremities, text block detached. Text in neat secretarial hand to rectos and versos of all but final leaf, additional 4-page document, 8" x 6," affixed to end of text block. Light toning to leaves, minor worming in a few places. \$7,500.

ESTABLISHED IN 1731, Villa de San Fernando de Béxar (now San Antonio) was the first civil settlement in present-day Texas (following a handful of presidios and missions). Offered here is a lengthy case file relating to a resident named Pedro Conitrillo (or Oconitrillo), who had been separated from a wife in Saltillo for seven or eight years and sought a divorce. The first 6 pages are testimony signed by José Manuel de Santa Maria, the civil authority at Villa de San Fernando, on 25 August 1758. This is followed by a long response signed by Father José Guadalupe at the nearby Mission de San Juan Capistrano, and shorter responses by 4 other priests at nearby missions in September 1758, all debating whether this was a civil or religious case, and whether divorce or any criminal proceedings were in order. One of the opinions is offered by Fray Francisco Aparicio of Misión San Antonio, later famous as the Alamo. Appended are two documents signed by Alcalde Joseph Curbelo, Alberto Lopez and other civil authorities.



N° 82

AMENDMENTS TO THE MASSACHUSETTS CONSTITUTION:  
A PRESENTATION COPY FROM JOSEPH STORY

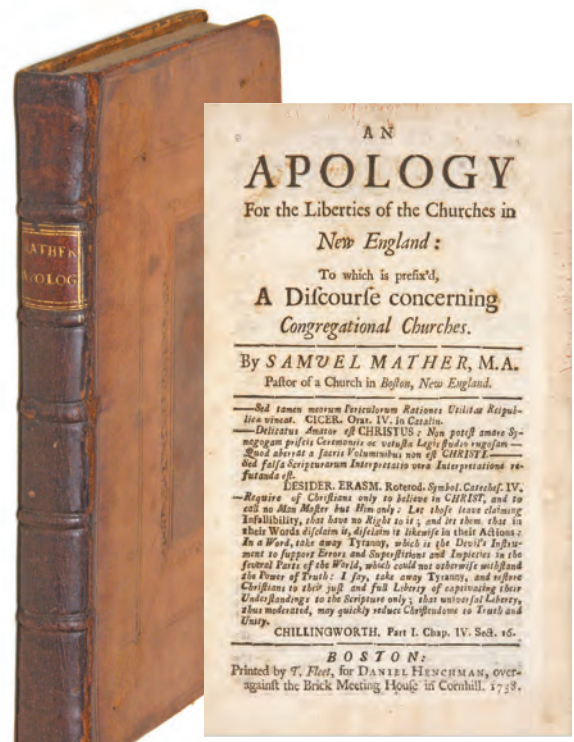
82 [MASSACHUSETTS].  
[CONSTITUTION].  
[STORY, JOSEPH (1779-1845)].

*Amendments of the Constitution of Massachusetts, Proposed by the Convention of Delegates, Assembled at Boston, On the Third Wednesday of November, A.D. Eighteen Hundred and Twenty. With their Address to the People of this Commonwealth.*

Boston: Published by Order of the Convention. Russell and Gardner, Printers. 1821. First edition. [iii], 4-32 pp. Octavo (10-1/4" x 6").

Stab-stitched pamphlet in self-wrappers, untrimmed edges. Moderate toning, minor edgewear to a few leaves, light foxing and presentation inscription to title page, final leaf signed by Convention Secretary Benjamin Pollard. \$1,850.

FIRST EDITION. Presented to the Essex Historical Society, this copy is inscribed in the third person "from Hon Judge Story." The great Supreme Court justice was member of the convention to amend to Massachusetts Constitution. Mel A. Topf in wrote about Story's importance at the Convention: "Story brought his prestige and leadership, together with his considerable political and legal skills, to what was for him and his allies at the convention the overriding mission: to save the Massachusetts frame of government from the democratizing forces (or from radicalism, the term Story used) that were threatening the Republic itself. It would be difficult to overemphasize the centrality of this mission to Story's theory of the judiciary. Story, along with Daniel Webster and others, led the conservative faction toward its goal of creating an alliance to protect the Massachusetts constitution from democratic extremes of the radicals, whose program was the convention's main agenda." An excellent association connecting Joseph Story to a critical event in his judicial career in Massachusetts. Topf 32-33. Cohen 3144.



N° 83

A NOTABLE DEFENSE OF THE ECCLESIASTICAL POLICIES  
OF THE CONGREGATIONAL CHURCH

83 MATHER, SAMUEL [1706-1785].

*An Apology for the Liberties of the Churches in New England: To Which is Prefix'd, A Discourse Concerning Congregational Churches.*

Boston: Printed by T. Fleet, for Daniel Henschman, 1738. [viii], ix, [3], 116 [i.e. 216] pp. Octavo (7" x 4-1/2").

Contemporary paneled calf with contrasting central panels, raised bands and lettering piece to spine, gilt tooling to board edges, speckled edges. Some rubbing to extremities with minor wear to spine ends, joints just starting at ends, corners bumped and lightly worn, partial crack to text block between front free endpaper and following endleaf. Moderate toning to text, somewhat heavier in places, light foxing and minor dampstains to some leaves. Later tiny blank ticket and brief annotation to front pastedown, owner signature of Simon Bradstreet dated 1738 to front free endpaper. A handsome copy. \$850.

ONLY EDITION. Mather, pastor of Boston's Second Church and the son of Cotton Mather, defends unique practices of the American Congregational churches, such as the selection and removal of its ministers by a congregation and the right of pastors to withhold communion from "disqualified" individuals. The owner of this book was probably Simon Bradstreet IV [1709-1768]. A member of one of the most distinguished families of Massachusetts, he was a Congregational minister in Marblehead. ESTC W37808. Sabin 4679.





N° 84

STANDARD SIXTEENTH-CENTURY TREATISE ON LAWS  
CONCERNING CHILDREN

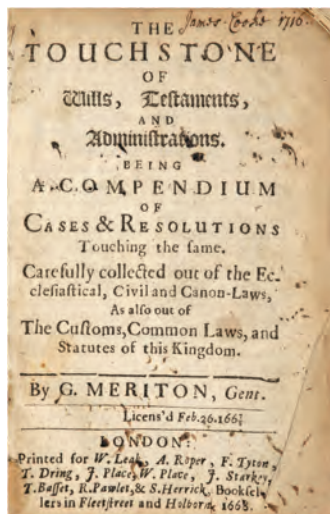
#### 84 MAURUS, MARCUS VERTRANIUS.

*De Iure Liberorum Liber Singularis.*

Lyons: Apud Ioan. Tornaesium, Et Gul. Gazeium, 1558. [xvi], 181, [15] pp. Quarto (9-1/4" x 6-1/4").

Early flexible vellum, early hand-lettered title to spine, speckled edges. Light rubbing, spine darkened, tiny chip to front joint, foot of spine bumped, some wear to spine ends, pastedowns starting to come loose. Light toning to text, faint dampstaining to margins of a few leaves. \$4,850.

FIRST EDITION. This treatise on children under Roman law remained a standard work until the mid-eighteenth century. Notable for its scope and lucid writing, it has chapters on attaining majority, tutors, marriage, dowry, orphans, adoption, inheritance, payment of servants, guardians, bastards, slavery and manumission. Marus supplements texts extracted from the *Corpus Juris Civilis* and *Codex Theodosianus* with related texts from Pliny, Juvenal, Tertullian, Martial, Cicero and Plutarch, as well as inscriptions found in Lyons, Vienna, Geneva, Pesaro and Tournai. A lawyer, Maurus also found time to edit the works of Terence and wrote commentaries on Varro's *De Lingua Latina*. OCLC locates 3 copies of the first edition in North America (Harvard Law School, Newberry Library, UC-Berkeley Law School). USTC 152426.



N° 86

THREE NOTABLE SIXTEENTH-CENTURY  
STUDIES OF ROMAN AND FEUDAL LAW

#### 85 MENOCHIO, GIACOMO [1532-1607].

*De Arbitrariis Iudicum Quaestionibus et Causis, Libri Duo. Varia, Recondita, Perfectaque Eruditione Referti, & Omnibus, Iudicia Praesertim Exercentibus, Oppido Quam Necessary. Ex Postrema Auctoris Recognitione, Quam Castigatissime Editi. Adiecta Sunt Summaria, Indicesq; Duo Copiosi, Argumentorum Unus; Alter Rerum, Sententiarumque; Insignium. Quae in Opere Habentur, Versa Pagina Clare Docer.*

Cologne: Apud Ioannem Gymnicum, 1574. [lxiv], 592, [2] pp.

[BOUND WITH]

SONSBECK, FRANZ (FRANCISCUS).

*Commentarius ad Usus Feudorum: in Suas Partes Optima Serie Distributus, In Quo non Parum Multa, (ad Rem Tame[n] vel Imprimis Pertinentia) ab Alijs Scriptoribus Partim Omissa, Partim Neglige[n]tius Tractata, Sane quam Intimose Discutiuntur, Atq[ue] Deciduntur. Unã culm] Summarijs, Suae Cuiq[ue] Parti Diligenter Adiectis: Ne non Indice Generali ad Calcem Libri; Secundum Ordinem Elementorum in Gratiam Studiosorum, Adnexo.*

Louvain: Typ. Seruatij Sasseni, Impensis vero Haered. Arnoldi Birckmanni, 1554 [viii], 208, [16] pp. Main text in parallel columns.

[AND]

SCHENK VON TOUTENBURG, FREDERIK  
[1503-1580].

*Interpretatio Compendiosa in Tres Libros Usuum Feudorum.*

Cologne: Apud Haeredes Arnoldi Birckmanni, 1555. [xx], 274, [6] pp.

Folio (11-1/2" x 7-3/4"). Contemporary paneled vellum, raised bands and somewhat later hand-lettered titles to spine, ties lacking. Light soiling and a few minor scuffs to boards, corners bumped and somewhat worn, spine darkened, minor worming to rear hinge. Moderate toning, somewhat heavier in places, minor edgewear to a few leaves, light soiling to title pages of *De Arbitrariis* and *Commentarius ad Usus Feudorum*. Recent owner signature to front free endpaper, early signatures, nineteenth-century signatures and small private-library stamp to title page of *De Arbitrariis*, underlining in early hand to a few passages in all three titles. \$2,850.

MENOCHIO: LATER EDITION; Sonsbeck: first edition; Schenk von Toutenburg: only edition. Highly regarded in his time, Menochio was a professor of law at the University of Padua. First published in 1569, Menochio's *Arbitrariis* is a collection of writings on judges, judicial discretion and civil procedure, actions and defenses in Roman law. It went through several editions and issues into the eighteenth century. The other two titles address aspects of Holy Roman feudal law. *Commentarius*, which went through four subsequent editions, the last in 1597, concerns uses, the duty of a person, to whom property has been conveyed for certain purposes, to carry out those purposes. *Interpretatio Compendiosa* addresses interpretation and construction. All editions of the treatises by Menochio and Sonsbeck are scarce. Toutenburg's is rare. OCLC locating 3 copies worldwide, 1 in North America (UC-Berkeley Law School). VD16 ZV10867, S7028, S2624.



Details from N° 85



Details from N° 87



FIRST EDITION OF THE FIRST ENGLISH TREATISE ON WILLS FOR LAYMEN



IMPORTANT EARLY TREATISE ON MARITIME LAW

86 MERITON, GEORGE [1634-1711].

***The Touchstone of Wills, Testaments, And Administrations. Being a Compendium of Cases & Resolutions Touching the Same. Carefully Collected Out of the Ecclesiastical, Civil and Canon-Laws, As also Out of the Customs, Common Laws, And Statutes of this Kingdom.***

London: Printed for W. Leak, A. Roper, [et al.], 1668. [viii], 244, [10] pp. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, blind rules to boards, blind fillets to spine, pastedowns and free endpapers renewed. Moderate toning and faint dampspotting to text, front endleaves filled with early annotations, a few brief annotations to text, early owner signature in tiny hand dated 1710 to head of title page, another signature to rear endleaf. \$1,500.

FIRST EDITION. Meriton was a lawyer and a prodigious writer on a wide range of legal and non-legal topics. Born in the North Riding of Yorkshire, he is also remembered for his dialect poem *The Praise of Yorkshire Ale* (1683). First published in 1665, the *Touchstone* was the first English treatise on wills written for laymen. It was a well-regarded work that went through two later editions in 1671 and 1674. All editions are scarce. OCLC locates 6 copies of the first edition in North American law libraries (Harvard, Jenkins, Library of Congress, Northwestern, University of Pennsylvania, York University-Osgoode Hall). ESTC R11357.

87 MOLLOY, CHARLES [1646-1690].

***De Jure Maritimo et Navali: Or, a Treatise of Affairs Maritime and of Commerce. In Three Books.***

London: Printed for John Bellinger, 1682. [xxiv], 433, [15] pp. Two-page copperplate pictorial frontispiece, three-page publisher advertisement. Large octavo (7-3/4" x 5-1/4").

Contemporary calf, blind rules to boards, rebacked in period style, raised bands and lettering piece to spine, endpapers renewed. Some mottling to boards, light rubbing to edges, corners bumped, upper margins of frontispiece mended (no loss to image). Some toning to text, light foxing to preliminaries and a few other places. "6/6" in early hand to margin of frontispiece, interior otherwise clean. \$850.

THIRD EDITION, one of two issues from 1682. For many years this was the standard treatise on international, commercial and maritime law, and went through many editions, the first published in 1676, the last in 1778. "It was not until 1676 that a man, who had some claims to be called an English lawyer, wrote upon [bills of exchange]. Charles Molloy who was both a civilian and a member of Lincoln's Inn and Gray's Inn, in the second book of his very successful treatise, *De Jure Maritimo et Navali*, gives us some account of these branches of the law" (Holdsworth). Chapters III and IV deal with privateers and piracy. Holdsworth, *Sources* 210. ESTC R32101.





Details from N° 88

WITH A FULL-PAGE ALLEGORICAL FRONTISPIECE BY ALBRECHT DÜRER

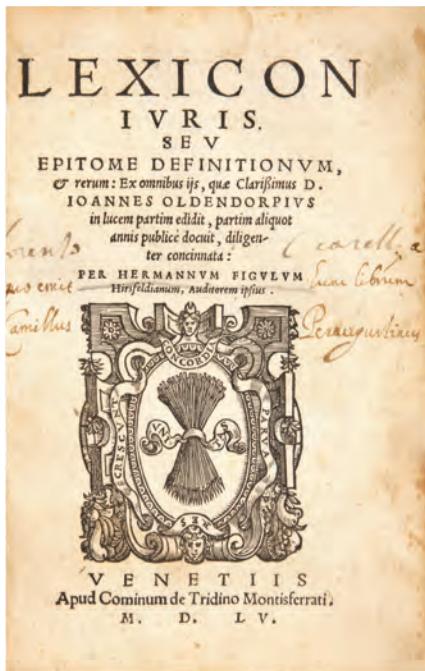
**88 [NUREMBERG].**  
[DÜRER, ALBRECHT (1471-1528)].

***Reformacion der Stat Nuremberg.***

[Nuremberg: Fridrichen Peypus, 1522]. [xxxvi], 30, 208 ff. Folio (12" x 8").

Contemporary panel-stamped reversed calf (with traces of gilt stamping), early repairs to spine ends, clasps present and intact, endpapers renewed at some point. Some rubbing to extremities, chipping to head of spine, a few scuffs and stains to boards, small crack to front joint, rear hinge cracked due to worming, minor worming to fol. 208. Allegorical frontispiece by Durer featuring Lady Justice and a female figure representing charity, attractive woodcut decorated initials throughout. Light toning to text, some leaves lightly browned, faint stains and foxing to a few leaves, wide margins. "1522/ jahre" to title page in near-contemporary hand, interior otherwise clean. \$12,500.

FIRST AND ONLY EDITION with Dürer's frontispiece. Nuremberg was the center of the Renaissance in Germany and was its leading cultural and intellectual center until the end of the sixteenth century. These qualities are reflected in the contents and design of this volume. Enacted in 1479, the *Reformacion*, or Reformed Civic Legal Code, of Nuremberg is known for its humanistic orientation, straightforward language and elegant production. It is also notable as the collection of German city laws to be issued in print. The 1522 issue by Peypus is notable for its splendid full-page frontispiece by the great Nuremberg artist Albrecht Dürer, which was originally issued as an independent print in 1521. The bottom half depicts two putti displaying the arms of the city and empire. The upper half depicts Lady Justice, holding scales and a sword, and a female figure representing charity, who is pouring coins from a purse and opening her bodice to bear her heart, which is represented by a flame. The woodcut initials are finely carved and possibly the work of Dürer or his workshop. OCLC locates 4 copies in North America, 1 in a law library (Harvard). VD16 N2027. Meder 285.



N° 89

DICTIONARY BY A NOTABLE SIXTEENTH-CENTURY PROTESTANT JURIST

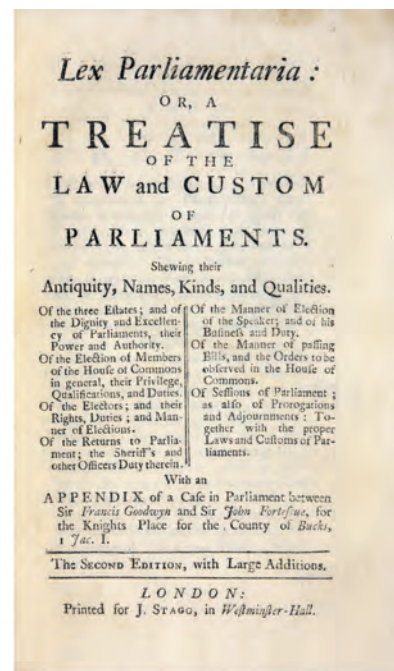
- 89 OLDENDORP, JOHANN [1486-1567]. FIGULL, HERMANN, EDITOR.

*Lexicon Iuris, Seu Epitome Definitionum & Rerum, Ex Omnibus Iis. In Lucem Partim Edidit, Partim Aliquot Annis Publice Docuit, Diligenter Concinnata per Hermannum Figulum.*

Venice: Apud Cominum de Tridino Montisferrati, 1555. 96 ff. Main text in parallel columns. Octavo (6" x 4-1/4").

Contemporary limp vellum, faint early hand-lettered title to spine, fragments of thong ties, endpapers renewed. Light soiling and a few minor stains, minor chipping to head of spine, two small chips to front joint, another small chip to fore edge of rear cover (where tie used to be). Large woodcut printer device to title page, woodcut decorated initials. Moderate toning to text, somewhat heavier in places, dampstaining to margins of a few leaves. Early owner signature and annotations to title page, underlining and marks to a few passages, interior otherwise clean. \$4,000.

LATER EDITION OF OLDENDORP'S highly regarded dictionary, which was first published in 1548. Its success was due in part to its style. It is a compact, practical work with concise and clearly written definitions. Oldendorp, a state official and law professor, was a notable Protestant jurist. His Protestant viewpoint enhanced the value of his dictionary in areas of Europe that embraced Protestantism. This dictionary went through several editions in France, Germany and Italy. Copies of all editions are rather scarce. Our 1555 Venice edition is rare. OCLC locates one copy worldwide (at Harvard Law School). *EDIT16* locates 6, all in Italy. *EDIT16* CNCE 24706.



N° 90

ENLARGED EDITION OF AN IMPORTANT WORK THAT ADVANCED WHIG IDEOLOGY

- 90 [PETYT, WILLIAM (1636-1707). ATTRIBUTED]. [PHILLIPS, GEORGE (1599?-1696). ATTRIBUTED].

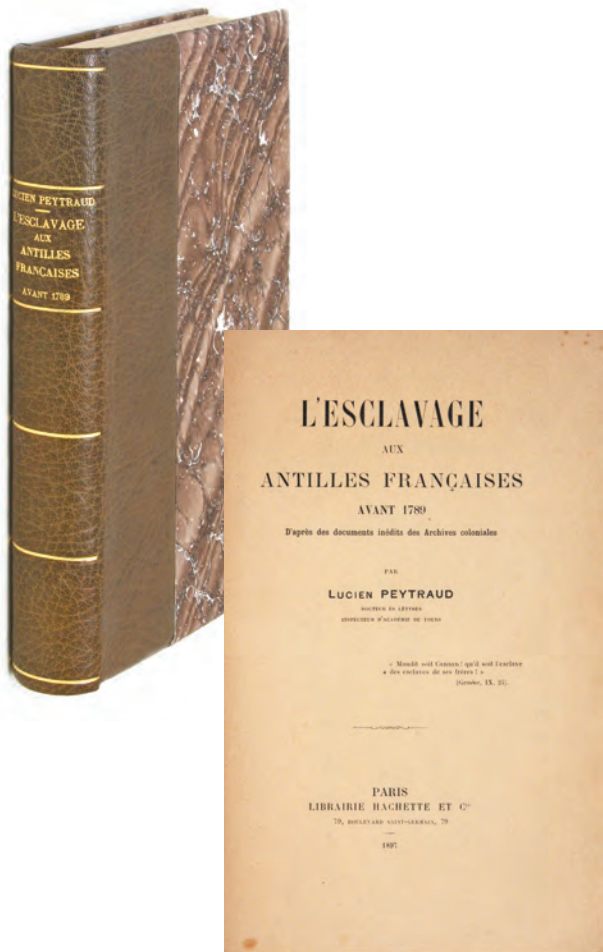
*Lex Parliamentaria, Or, A Treatise of the Law and Custom of Parliaments. Shewing Their Antiquity, Names, Kinds, And Qualities. Of the Three Estates; And of the Dignity and Excellency of Parliaments, Their Power and Authority. ... With an Appendix of a Case in Parliament Between Sir Francis Goodwyn and Sir John Fortescue, For the Knights Place for the County of Bucks, 1 Jac. I. With Large Additions.*

London: Printed for J. Stagg, [c.1701]. [x], 434. [1] pp. Includes two one-page publisher advertisements. Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind rules and fillets to spine, raised bands, later lettering piece to spine, unobtrusive later repairs to upper portions of joints. Light rubbing, minor chipping to head of spine, corners bumped and lightly worn, hinges just starting at ends. Light foxing and finger smudges to title page and a few other leaves, interior otherwise fresh. \$1,250.

SECOND EDITION, with "Large Additions." Petyt, a member of the Inner Temple, was active in the Whig cause. In return for his support he was appointed Keeper of the Records in the Tower Of London after the Glorious Revolution, a post he held until his death in 1707. First published in 1690, *Lex Parliamentaria* is one of his five major works on Parliament that advanced Whig ideology. The others are *Ancient Rights of the Commons Asserted* (1680), *Miscellanea Parliamentaria* (1680), *Rights of the Commons Answered* (1681) and *Jus Parliamentaria* (1739). Petyt's works were read by the American Founding Fathers. Jefferson, for example, owned a copy of the first edition of *Lex Parliamentaria*. This book is also attributed to George Phillips. The *ESTC* records an edition from 1698. Our edition, designated the second, is not dated. Wing and the *ESTC*, based on a reading of the contents, which includes acts to 1700, assign the date c. 1701. The *ESTC* locates 3 copies in North America, none in a law library. Wing P1944. Sowerby 2893 (1690 1st Ed.). *ESTC* R8206.





N° 91

SLAVERY IN THE FRENCH WEST INDIES

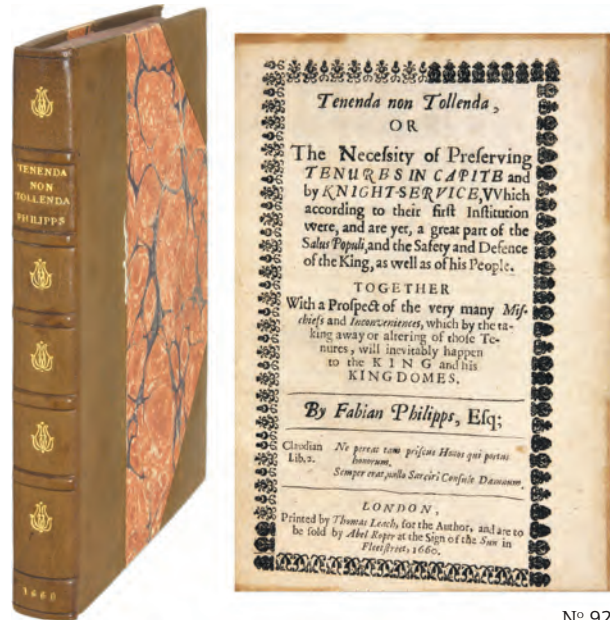
## 91 PEYTRAUD, LUCIEN PIERRE.

*L'Esclavage aux Antilles Françaises Avant 1789, D'Après des Documents Inédits des Archives Coloniales.*

Paris: Librairie Hachette, 1897. xxii, 472 pp. Octavo (9-3/4" x 6-1/2").

Later half morocco over marbled boards, gilt fillets and title to spine. Light toning to text, somewhat heavier in places, author presentation signature to front free endpaper. \$850.

SECOND EDITION. A detailed study of slavery including the Code Noir in the French West Indies based on a close study of archival sources. Originally a doctoral dissertation published in 1877, this work was reprinted several times, most recently in 2012.



N° 92

FEAR OF A STANDING ARMY

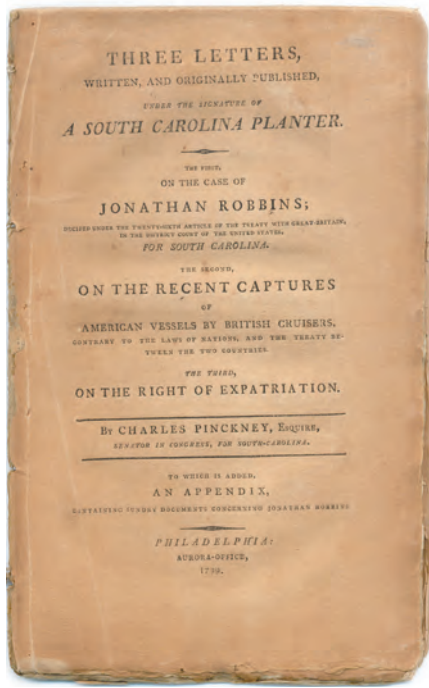
## 92 PHILIPPS, FABIAN [1601-1690].

*Tenenda non Tollenda, Or the Necessity of Preserving Tenures in Capite and by Knight-Service, Which According to Their First Institution Were, and are Yet, a Great Part of the Salus Populi, and the Safety and Defense of the King, as Well as of His People. Together with a Prospect of the Very Many Mischiefs and Inconveniences, Which by the Taking Away or Altering of Those Tenures, Will Inevitably Happen to the King and His Kingdomes.*

London: Printed by Thomas Leach, 1660. [xiv], 276 pp. Quarto (7-1/4" x 5-1/4").

Later three quarter calf over marbled boards, raised bands, gilt title and gilt ornaments to spine, speckled edges, endpapers renewed. Negligible light rubbing to extremities, a bit of worming to front board and rear pastedown, front hinge cracked, rear hinge starting. Title printed within woodcut typographical border. Light toning to text, somewhat heavier in places, offsetting to margins of title page and final text leaf. A few cross-outs and corrections in a small early hand, interior otherwise clean. \$1,250.

AN IMPORTANT BOOK ACCORDING TO Holdsworth, *Tenenda non Tollenda* was written to protest the recent abolition of military tenures, a system through which the crown granted lands in exchange for military services, either personal or through the provision of troops. He feared this would eventually lead to the creation of a standing army, a potential tool of royal oppression. On a broader level the abolition of military tenure eliminated a legal bond that balanced the interests of the monarchy and large landholders. A thoroughly argued thesis, it is supported by 72 points. Holdsworth VI:610. ESTC R16070.



N° 93

A PROMINENT SOUTH CAROLINA STATESMAN DISCUSSES ISSUES WITH GREAT BRITAIN DURING THE ADAMS ADMINISTRATION



N° 94

EARLY EDITION OF PLOWDEN'S REPORTS - THIS EDITION IN JEFFERSON'S LIBRARY

93 PINCKNEY, CHARLES [1757-1824].

*Three Letters, Written, And Originally Published Under the Signature of A South Carolina Planter. The First, On the Case of Jonathan Robbins; Decided Under the Twenty-Sixth Article of the Treaty with Great-Britain, In the District Court of the United States, For South Carolina. The Second, On the Recent Captures of American Vessels by British Cruisers, Contrary to the Laws of Nations, And the Treaty Between the Two Countries. The Third, On the Right of Expatriation.*

Philadelphia: Aurora-Office, 1799. [2], 65 pp. Octavo (8-1/2" x 5-1/2").

Disbound stab-stitched pamphlet, untrimmed edges. Light browning, light foxing in a few places, internally clean. \$300.

ONLY EDITION. ONE OF TWO ISSUES FROM 1799, the other published in Charleston. Pinckney was a prominent delegate to the Federal Constitutional Convention and later U.S. Senator from South Carolina and minister to Spain. This pamphlet reprints a series of three articles in a Charleston newspaper. The first letter discusses constitutional issues raised in the case of Jonathan Robbins, an American seaman who was handed over to the British courts to face a charge of mutiny. The second letter deals with the seizure of American ships by British Cruisers. The third letter concerns the settlement of claims between the United States and Great Britain. Sabin 62898. Cohen 7296.

94 PLOWDEN, EDMUND [1518-1585].

*Les Commentaries, Ou Reportes de Edmund Plowden un Apprentice de le Comen Ley, De Divers Cases Esteants Matters en Ley, & de les Arguments sur Yceux, En les Temps des Raynges le Roye Edwarde le Size, Le Roigne Mary, Le Roy & Roigne Phillip & Mary, & Le Roigne Elizabeth. ...*

[London]: In Aedibus Richardi Tottelli, Octobris 20, 1578. [vi], 12, 401, [1] ff. Woodcut table (of consanguinity). Collates complete.

[AND]

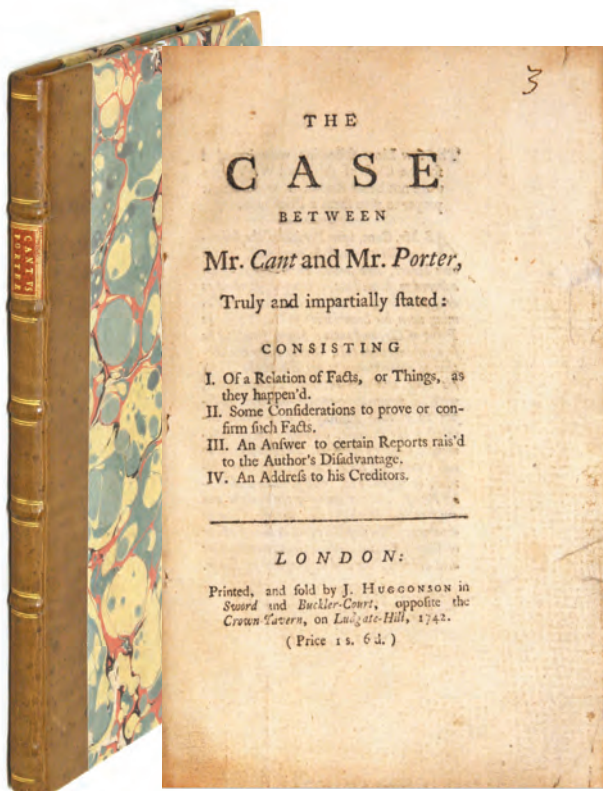
*Cy Ensunt Certeyne Cases Reportes per Edmund Plowden un Apprentice de le Commen Ley....*

[London: In Aedibus Richardi Tottelli, 1579]. [i], 403-562, 562-565, [5]. [6]. [1], 15 ff. Collates complete.

Two parts in one, each with title page. Small folio (10-3/4" x 6-3/4"). Recent period-style paneled calf, raised bands and lettering piece to spine, endpapers renewed. Negligible light rubbing to extremities. Title pages printed within woodcut architectural borders, attractive woodcut decorated initials. Moderate toning to text, faint dampstaining in places, corners of a few leaves chipped with (very) minor loss to text, edges of title page, which were trimmed close, somewhat edgeworn with some loss, edges of a few leaves repaired. Small early struck-through signature to title page, contemporary annotations to a few leaves, a few eighteenth-century annotations to title page, rear endleaf and a few other places, interior otherwise clean. A solid copy. \$1,500.

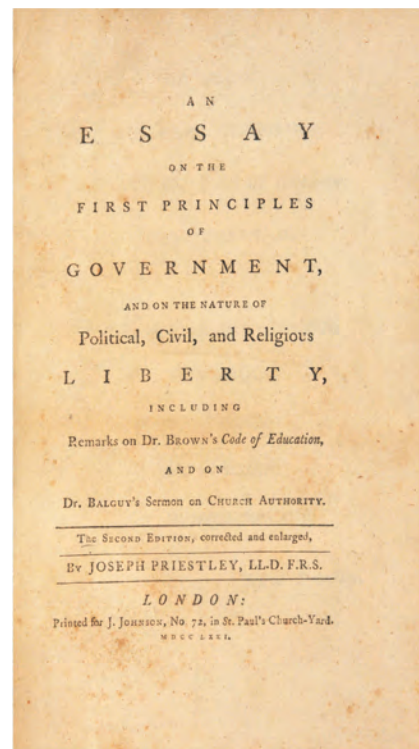
SECOND EDITIONS. First published in 1571 and covering the period of 1550-1580, Plowden's *Reports* marks the transition away from the cumulative method of Year Books to one based on exposition and commentary. In most respects they were a forerunner of the modern law report. Coke held them in high regard. Most of the annotations are brief glosses, but some are long and analytical. The ESTC calls for a folding table in *Les Commentaries*. This is an error. Sowerby 2026. Beale R485, R486, R488. ESTC S115947, S115909.





N° 95

A VIVID LEGAL SQUABBLE  
BETWEEN A DEBTOR AND A CREDITOR



N° 96

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

## 95 PORTER, JOHN (MERCER).

*The Case Between Mr. Cant and Mr. Porter, Truly and Impartially Stated: Consisting I. Of a Relation of Facts, or Things, As They Happen'd. II. Some Considerations to Prove or Confirm Such Facts. III. An Answer to Certain Reports Rais'd to the Author's Disadvantage. IV. An Address to his Creditors.*

London: Printed, and Sold by J. Huggonson, 1742. viii, 72 pp. Octavo (8-3/4" x 5-1/4").

Stab-stitched pamphlet bound into recent three-quarter speckled calf over marbled boards, lettering piece and gilt-edged raised bands to spine, untrimmed edges. Small bump to top-edge of front board, moderate toning to text, light soiling and "3" in small early hand to title page. A handsome copy of a rare title. \$1,500.

ONLY EDITION. An unusual bankruptcy account told by the bankrupt himself who, having fled to France and then returned, remains a fugitive in England, moving from place to place, as he seeks to tell his side of the story and buy himself some time. It is hard to tell whether Porter is simply inept or a charlatan. Since he says he is an attorney, one is inclined to view him as the latter, despite his persuasive account of steps that led to his indebtedness to Mr. Cant, an attorney. Porter's account discloses more than one forged document, intentional misrepresentation, a duped lender, suggestions of an aborted romance between Cant and Porter's sister-in-law and clear evidence of greed on the part of almost everyone. OCLC locates 4 copies (British Library, British Library Reference Collections, NY Public Library, National Library of Scotland), ESTC locates 2 (British Library, NY Public Library). ESTC T76180.

## 96 PRIESTLEY, JOSEPH [1733-1804].

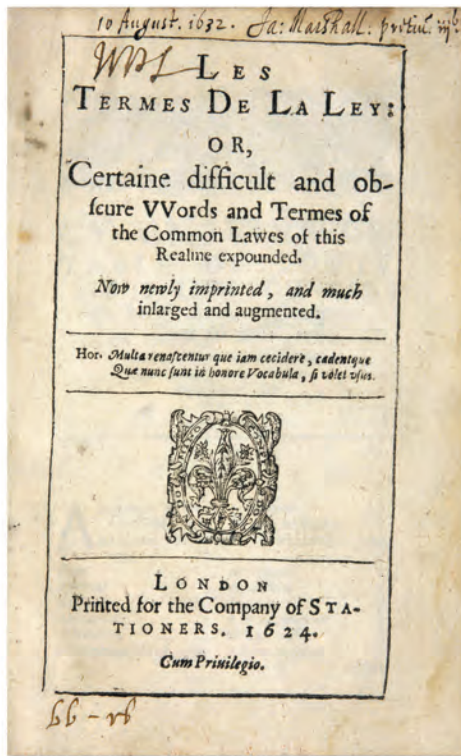
*An Essay on the First Principles of Government, And on the Nature of Political, Civil, And Religious Liberty.*

London: Printed for J. Johnson, No. 72, In St. Paul's Church Yard, 1771. xvi, 300. [4] pp. Includes two-page publisher advertisement. Octavo (8-1/4" x 5").

Later quarter speckled calf over speckled-paper boards, lettering piece and gilt fillets to spine, endpapers renewed. Very light soiling to boards, a few tiny gouges to board edges, some chipping to spine ends, corners bumped and lightly worn, hinges partially cracked. Moderate toning to text, light foxing in a few places, internally clean. \$500.

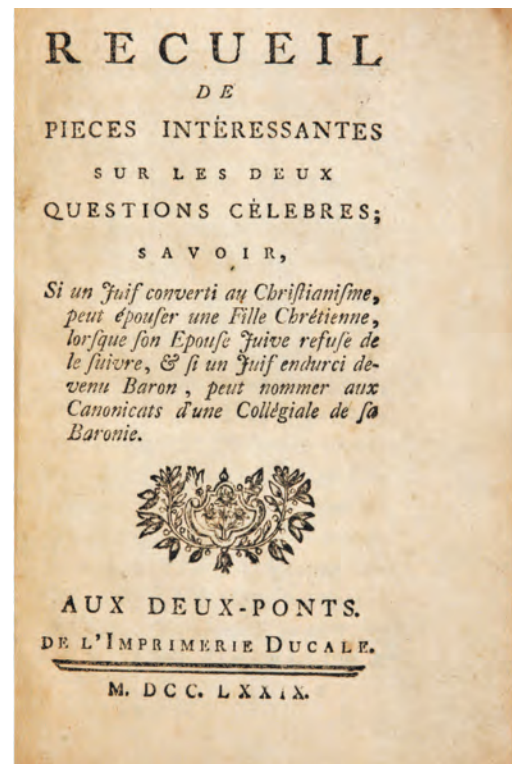
SECOND (STATED) EDITION, one of two issues from 1772, and the third edition overall if one includes the Dublin reissue of the first edition (1768). First published in London in 1768, Priestley's *Essay* was his first substantial political work, one that influenced several American founding fathers, such as John Adams and Thomas Jefferson. It expands the humanitarian beliefs in his *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 argues for a liberal political philosophy 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 T33367.



N° 97

THE FIRST EDITION TITLED *LES TERMES DE LA LEY*



N° 98

INTERFAITH MARRIAGE IN BOURBON FRANCE

- 97 [RASTELL, JOHN (D.1536)].  
[RASTELL, WILLIAM (C.1508-1565)].

*Les Termes De La Ley: Or, Certaine Difficult and Obscure Words and Termes of the Common Lawes of This Realme Expounded. Now Newly Imprinted, And Much Inlarged and Augmented.*

London: Printed for the Company of Stationers, 1624. [viii], 311, [1] ff. Text printed in parallel columns in English and Law-French. Octavo (6-1/4" x 4").

Contemporary calf, blind rules and early owner initials (I.M.) to boards, raised bands and later lettering piece to spine, edges rouged. Some rubbing to extremities, a few minor scuffs to boards, corners and spine ends bumped, tiny worm hole to bottom edge of lettering piece, front hinge cracked, front free endpaper partially detached, minor worming to front pastedown, rear hinge starting. Light toning to text, occasional (very) faint dampstaining to margins. Early owner signatures and annotations to front endleaves and title page (of Jacob Marshall, one signature dated 10 August 1632), interior otherwise clean. \$1,500.

THE FIRST EDITION ENTITLED *Les Termes de la Ley*. First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title *Expositiones Terminorum Legum Anglorumae*. Later editions were produced by his son, William, who is believed to be the editor or translator. (Some sources claim, erroneously, that he is the author.) Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity." OCLC locates 6 copies of this imprint worldwide, 5 in North America, 3 in law libraries (Library of Congress, University of Minnesota, University of Pennsylvania). Marvin 599. ESTC S119775.

- 98 [RICHARD, CHARLES LOUIS (1711-1794)].

*Recueil de Pieces Intéressantes sur les Deux Questions Célèbres; Savoir si un Juif Converti au Christianisme Peut Epouser une Fille Chrétienne, Lorsque son Epouse Juive Refuse de Suivre, & Si un Juif Endurci Devenu Baron, Peut Nommer aux Canonicats d'une Collégiale de sa Baronie.*

Deux-Ponts: De L'Imprimerie Ducale, 1779. 192 pp. Octavo (6-1/2" x 4-1/4").

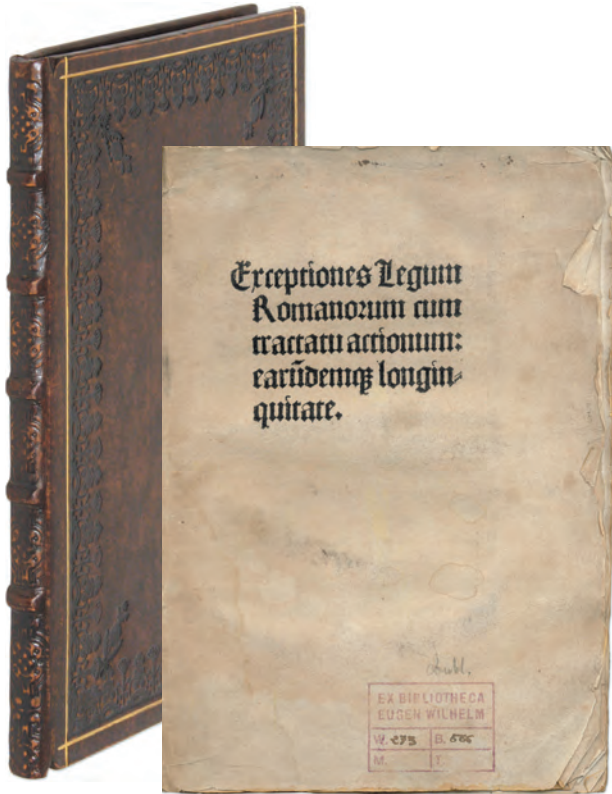
Later marbled boards, lettering piece to head of spine, gilt-stamped date and place of publication to foot, endpapers renewed. A few shallow scuffs to boards, some rubbing to spine ends and corners. Light toning to text, light foxing in a few places, recent notes in pencil to verso of front free endpaper. An appealing copy of a scarce title. \$1,500.

ONLY EDITION. Richard was a Catholic theologian and a member of the Dominican Order. A conservative, somewhat anti-Semitic work, *Recueil de Pieces Intéressantes* discusses issues concerning marriages between Christians and Christian converts from Judaism. OCLC locates 15 copies worldwide, 3 in North America (Harvard, Hebrew Union College, New York Public Library), none in law libraries. BMC 21:554.



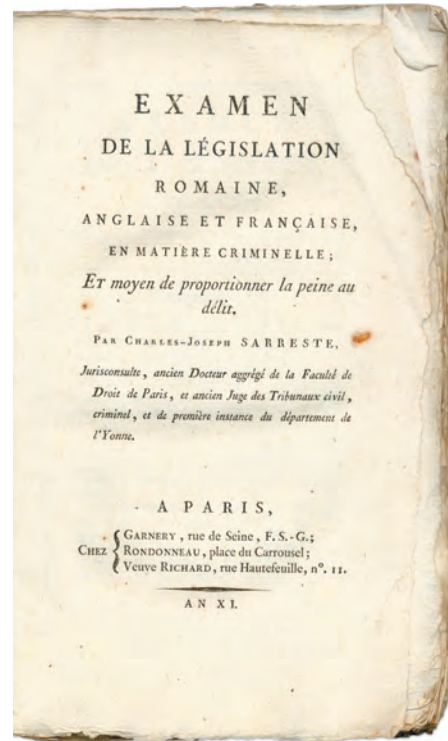
Detail from N° 97





N° 99

THE REVIVAL OF ROMAN LAW IN SOUTHERN FRANCE



N° 100

LET THE PUNISHMENT FIT THE CRIME

## 99 [ROMAN LAW].

***Exceptiones Legum Romanorum cum Tractatu[s] Actionum: Earu[n]demq[ue] Longiquitate.***

[Strassburg: Johann Schott, 4 November, 1500]. Collation: pi4, a-d8/4, e-f8. [iv], 38, [2] ff. Final two leaves are blanks. Complete. Quarto (8" x 6").

Recent period-style calf, blind rules to boards, raised bands to spine. Text printed in 38-line gothic type, wide margins. Light soiling and some edgewear to endleaves and title leaf, light toning to text, faint dampstaining to a few leaves. Early owner annotation to verso of title leaf, interior otherwise clean. Ex-library. Small inkstamp to recto of title leaf. A handsome copy. \$7,500.

FIRST EDITION, and the only incunable edition. *Exceptiones Legum Romanorum* is a tract on Roman law drawn from the books of the *Corpus Juris Civilis*. A practical handbook of everyday legal matters for local magistrates. It was compiled in the eleventh century in Dauphine, France. It is also known as the *Exceptiones Petri* because it is attributed in some sources to a compiler named "Petrus." It is an important document of the revival of Roman law in southern France. Our imprint is notable as one of the first books printed by Schott. The *ISTC* locates 4 copies of this imprint in North America (Brown University, George Washington University Law School, Library of Congress, Morgan Library). *GW* 9493. *Goff* E135.

## 100 SARRESTE, CHARLES JOSEPH.

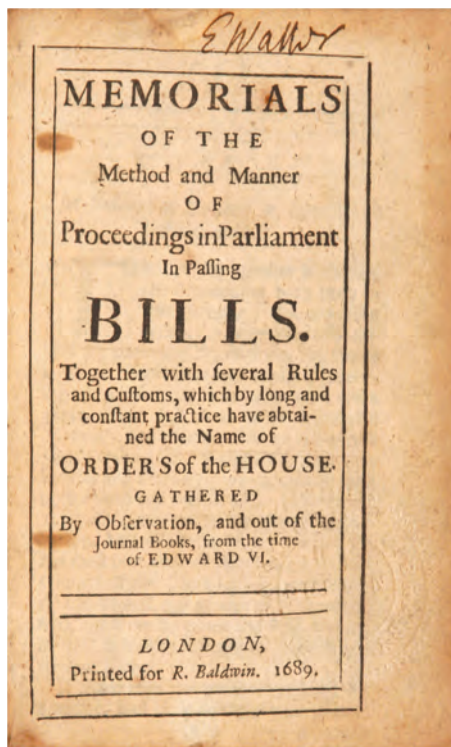
***Examen de la Législation Romaine, Anglaise et Française, En Matière Criminelle; Et Moyen de Proportionner la Peine au Délit.***

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

Original publisher wrappers, untrimmed edges, unopened signatures. A few minor stains, spine abraded and worn though at ends. Light toning to text, light foxing to a few leaves, internally clean.

\$750.

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° 101

IMPORTANT TREATISE ON PARLIAMENTARY LEGISLATION

101 SCOBELL, HENRY [D. 1660].

*Memorials of the Method and Manner of Proceedings in Parliament in Passing Bills. Together with Several Rules and Customs, Which by Long and Constant Practice Have Obtained the Name of Orders of the House Gathered by Observation, And Out of the Journal Books, From the Time of Edward VI.*

London: Printed for R. Baldwin, 1689. 116, [4] pp. Octavo (5-3/4" x 3-1/2").

Contemporary sheep. Blind rules to boards and spine, front joint mended, pastedowns renewed. Light rubbing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, chip to head of spine, hinges cracked. Moderate toning to text, small later owner signature to head of title page. Ex-library. Embossed stamps to front free endpaper and foot of title page. A nice copy of a scarce title. \$650.

A TRUSTED GUIDE, it was first published in 1656 and went through six more editions by 1689. (There is also a 1900 edition.) All are simply reissues except the 1671 edition, which pairs Scobell's work with William Hakewill's "The Manner how Statutes are Enacted in Parliament by Passing of Bills." All editions are scarce. OCLC locates 2 copies of the 1689 edition in law libraries (Harvard, Library of Congress). ESTC R14208.



N° 102

A PROFOUND EXAMPLE OF SEVENTEENTH-CENTURY SCHOLARSHIP

102 SELDEN, JOHN [1584-1654].

*De Jure Naturali et Gentium, Juxta Disciplinam Ebraeorum, Libri Septem. Accessit Novae Huic Editioni Index Accuratus.*

Leipzig and Frankfurt: Apud Jeremiam Schrey, 1695. [xlvi], 892, [27] pp. Copperplate frontispiece, 7 plates, 3 folding copperplates, woodcut text illustrations. Text in Latin, with numerous texts quoted first in Hebrew or Arabic. Quarto (8" x 6-1/2").

Contemporary vellum, blind frames and large central arabesques to boards, raised bands, blind ornaments to spine, edges rouged. Moderate soiling and staining, moderate rubbing to boards, which are slightly bowed, corners and spine ends bumped, front joint cracked, vellum just beginning to crack through pastedowns, front free endpaper lacking. Title page printed in red and black, woodcut head-pieces and decorated initials. Moderate toning to text, occasional faint dampstaining and foxing, some edgewear to frontispiece and edges of Plates 1 and 7, internally clean. \$1,500.

FOURTH EDITION, ONE OF TWO Schrey issues from 1695. First published in 1640, this is a landmark work in international law and natural law theory. It is also a fundamental work for a collection of Judaica. In Johnson's *Memoirs of John Selden* (1835), he describes this as "one of his most erudite works... Its design is supposed to have been suggested to him by Grotius's celebrated treatise 'De Jure Belli et Pacis,' yet its method is totally different, and its motto from Lucretius, claims for its subject the merit of absolute novelty." This is also the work that caused John Milton to refer to Selden in *Areopagitica* as "the chief of learned me reputed in this land," and refers to "De Jure Naturali" as "that noble volume written by our learned Selden, of the Law of Nature and of Nations." Further, "De Jure Naturali" is named by Milton in *Areopagitica* as the source of his theistic conception of natural law and Samson names "the law of nature, law of nations" in his speech to Dalila at lines 890-91 in book two of *Samson Agonistes*. Finally, Milton makes extensive use of this work in all of his divorce tracts; this stands to reason, since the political argument of the fifth book of "De Jure Naturali" is to reform English marriage law. Johnson 264-65. VD17 14:019946V.





N° 103

FIRST EDITION OF A NOTABLE  
SIXTEENTH-CENTURY TREATISE ON ROMAN  
AND ITALIAN FAMILY LAW

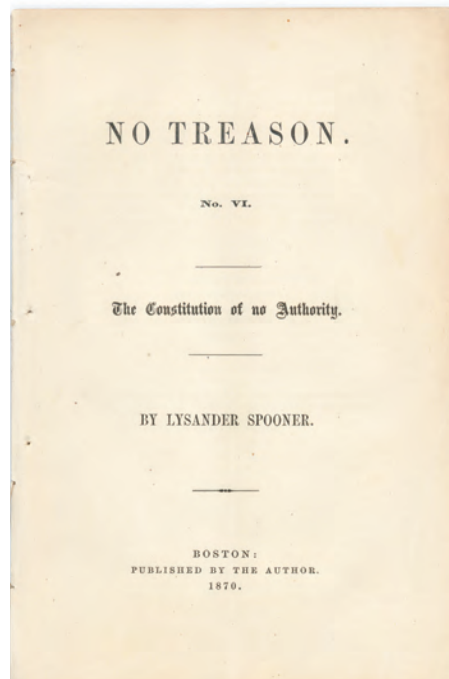
103 SORDI (SURDI), GIOVANNI PIETRO  
[D. 1598].

*Tractatus de Alimentis, Titulis, Seu Partibus Novem Distinctus; Universam Ipsam Materiam, Quamuis Amplam & Diffusam, Certa Quadam Regula sub Quaestionibus Perstringens: Omnibus tum in Scholis, Yum in Causarum for Versantibus Maxime Utilis, Ac Perneccessarius; Nunc Recens, Summo Studio ac Diligentia, Excusus. Cum Summariis, & Indice Rerum ac Sententiarum locupletissimo.*

Venice: Apud Damianum Zenarium, 1594. [lxii], 417, [1] ff. Main text in parallel columns. Folio (15-1/2" x 9-1/2").

Contemporary vellum with later rebacking, raised bands and lettering piece to spine, fore-edges of boards have holes for thong ties, front free endpaper removed. Light soiling, a few minor nicks and a bit of worming, moderate rubbing to extremities, joints starting at ends, corners bumped, some worming to pastedowns. Large woodcut printer device to title page, woodcut head-pieces and decorated initials. Light toning to text, somewhat heavier in places, occasional faint dampstaining to margins. \$2,500.

FIRST EDITION. Sordi's treatise examines the Roman law of husband and wife and parent and child and their application to recent law in Venice and other northern Italian states. It was first published in 1594. Widely circulated throughout Italy and Central Europe, it went through other editions in 1595, 1602, 1612, 1619, 1625 and 1643. All editions are rather scarce. OCLC locates 4 copies of the first edition in North America, 2 of them in law libraries (Library of Congress, University of Minnesota). VD16 CNCE39760.



N° 104

DID THE CIVIL WAR NULLIFY THE U.S. CONSTITUTION?

104 SPOONER, LYSANDER [1808-1887].

*No Treason. No. VI. The Constitution of No Authority.*

Boston: Published by the Author, 1870. 59 pp. Octavo (8-3/4" x 5-3/4").

Disbound stab-stitched pamphlet. Light shelfwear and toning, faint vertical crease through center. A few brief contemporary annotations to text, interior otherwise clean. A well-preserved copy of a scarce title. \$650.

FIRST EDITION. One of the most colorful American reformers of the nineteenth century, Spooner is remembered for his abolitionist activities, challenge to the U.S. Post Office with his American Letter Mail Company and his contributions to libertarian and anarchist thought. *No Treason. No. 6* is final title in a series of pamphlets critical of the legality of Federal actions during the Civil War. In this lengthy essay, Spooner argues that the Constitution was a contract that had been irreparably violated during the war and was thus void. Furthermore, since the government now existing under the Constitution pursued coercive policies that were contrary to Natural Law and to the consent of the governed, it had been demonstrated that document was unable to adequately stop many abuses against liberty or to prevent tyranny from taking hold. Spooner bolstered his argument by noting that the Federal government, as established by a legal contract, could not legally bind all persons living in the nation since none had ever signed their names or given their consent to it; That consent had always been assumed, thus failing the most basic burdens of proof for a valid contract in the courtroom. Spooner widely circulated the *No Treason* pamphlets, which also contained a legal defense against the crime of treason itself intended for former Confederate soldiers (hence the name of the pamphlet, arguing that "no treason" had been committed in the war by the south). These excerpts were published in *DeBow's Review* and other well known southern periodicals of the time. OCLC locates 1 copy in a law library (Social Law).



N° 105

"SPY" PORTRAYS A GROUP OF INFLUENTIAL JUDGES

AN UPDATE OF BLACKSTONE'S COMMENTARIES,  
ON REAL AND PERSONAL PROPERTY

105 SPY (WARD, SIR LESLIE [1851-1922]).

"Heads of the Law" *Supplement to Vanity Fair*, November 27, 1902.

18" x 11-1/2" (image size) color lithograph, matted and glazed in attractive 26" x 20-1/2" wooden frame. A well-preserved, vivid copy in a handsome frame. \$450.

THIS IMAGE FEATURES A GROUP OF INFLUENTIAL JUDGES: Justices Barnes, Bingham, Wright, Romer, Mathew, Stirling, Cozens-Hardy, Williams, along with Lord Chief Justice Alverstone and Sir Richard Collins, Master of the Rolls. *Vanity Fair* was published weekly from 1869 to 1914. It is best-known today for its caricatures of notable people and satirical depictions of current events. With few exceptions these were produced by a series of artists under pseudonyms. Ward was the magazine's dominant artist. Approximately 2,400 caricatures were published in all, mostly as single pages. "Heads of the Law" is one of the double-page prints issued in the special "Supplement" numbers.

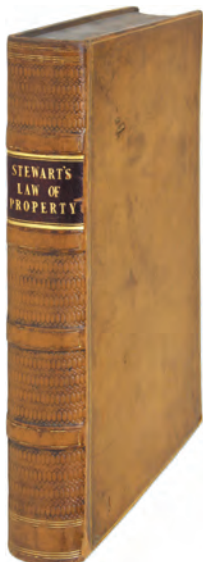
106 STEWART, JAMES [1805-1860], EDITOR.  
[BLACKSTONE, SIR WILLIAM (1723-1780)].

*The Principles of the Law of Real and Personal Property; Being the Second Book of Blackstone's Commentaries: Incorporating the Alterations Down to the Present Time. Revised, And Greatly Enlarged.*

London: Edmund Spettigue, 1840. xxii, 559, xxxiii pp. Copperplate Table of Consanguinity, folding copperplate Table of Descent. Octavo (8-1/2" x 5-1/2").

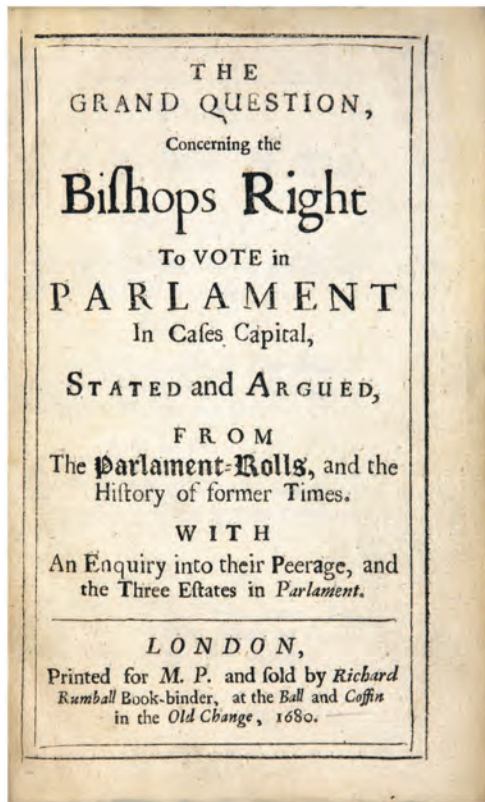
Contemporary calf, gilt rules to boards, lettering piece, raised bands and blind decoration to spine, marbled edges and endpapers. Light rubbing to extremities, a few minor nicks to boards, hinges starting. Some toning to text, light foxing to tables and a few leaves. Early owner signature to head of title page, neat underlining and annotations in places, interior otherwise clean. A handsome copy. \$500.

SECOND EDITION. "This second edition contains the whole of Blackstone's second book, with Stewart's alterations incorporated into the body of the text. (...) Blackstone's paging of book II is retained in margin. Blackstone's appendix to book II is replaced with forms in contemporary use. In 1841 this work was published in London as book II of *Blackstone's Commentaries on the Laws of England. In Four Books. Twentieth Edition. By James Stewart.* (...) Separate publication of the second book with the title *Principles of the Law of Real and Personal Property* was continued; third and fourth editions were published in London, 1844 and 1853.": Eller 72a. Laeuchli 113.



N° 106





N° 107

A DEFENSE OF THE LORDS SPIRITUAL

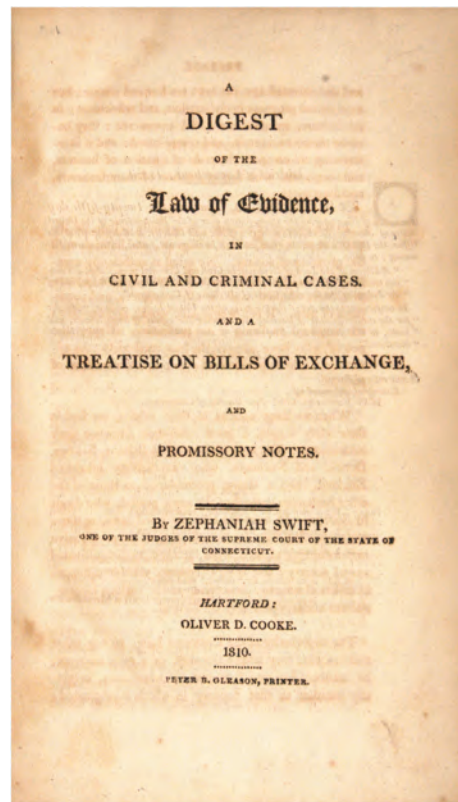
107 [STILLINGFLEET, EDWARD  
(1635-1699), ATTRIBUTED].

*The Grand Question, Concerning the Bishops Right To Vote in Parliament [sic] in Cases Capital, Stated and Argued, From The Parliament [sic] Rolls, and the History of Former Times. With An Enquiry into the Peerage, And the Three Estates in Parliament [sic].*

London: Printed for M.P., 1680. [iv], 188 pp. Octavo (6-1/2" x 4").

Contemporary mottled calf, blind rules to boards, rebacked, raised bands, gilt ornaments and lettering piece to spine, hinges mended. Moderate rubbing to boards with wear to corners. Light toning to text. Later signatures and annotations to endleaves, interior otherwise clean. \$850.

FIRST EDITION, one of two issues from 1680. On the face of it, this is a discussion of a right enjoyed by the Lords Spiritual, the bishops of the Church of England who sit in the house of Lords. More broadly, it is an argument defending their membership in Parliament that refuted contrary claims advanced in several recent pamphlets by Whig authors. At this time, the tense years leading to the Glorious Revolution, the Whigs feared the imminent ascendance of French-style royal absolutism and "popery," which would initiate a corresponding suppression of Protestantism and the rights of Englishmen. Stillingfleet, a prominent theologian and scholar, was an able and enthusiastic defender of Anglican orthodoxy. A second edition of *The Grand Question* was published in 1682. ESTC R19869.



N° 108

THE FIRST AMERICAN TEXT ON THE LAW OF EVIDENCE

108 SWIFT, ZEPHANIAH. [1759-1823].

*A Digest of the Law of Evidence, in Civil and Criminal Cases, and a Treatise on Bills of Exchange, and Promissory Notes.*

Hartford: Oliver D. Cooke, 1810. [ii], [v]-xiv, [2], 361, [1], [30] pp. Octavo (9" x 5-1/2").

Recent period-style quarter calf over marbled boards, endleaves renewed. Light toning to text, internally clean. A notably handsome copy. \$450.

ONLY EDITION. Swift, a pioneering Connecticut legislator and jurist, was the author of the first American law text, *A System of the Laws of the State of Connecticut* (1795-96). He also wrote the first American work on evidence. "It is still an important book of reference, and was supplemented by a few illustrative cases well selected from the English reports, including the far-reaching decision of *Omychund vs. Barker*. In the same volume was included *A Treatise on Bills of Exchange and Promissory Notes*." Baldwin, "Zephaniah Swift" in Lewis II:141. Cohen 5129.

IMPORTANT ESSAY ON MAGNA CARTA BOUND WITH SCARCE PAMPHLETS ON PROPERTY AND JUDICIAL ADMINISTRATION

109 THORPE, FRANCIS [1595-1665].

*Sergeant Thorpe, Judge of Assize for the Northern Circuit, His Charge, As it Was Delivered to the Grand-Jury at Yorke Assizes the Twentieth of March, 1648. Clearly Epitomizing the Statutes Belonging to this Nation, Which Concerns (And as a Golden Rule, Ought to Regulate) the Severall Estates and Conditions of Men. And (Being Duly Observed) Do Really Promote the Peace and Plenty of this Common-Wealth.*

London: Printed by T. W: for Mathew Walbancke, and Richard Best, 1649. [ii], 30 pp. Only edition, one of two issues from 1649.

[BOUND WITH]

COLLET, HENRY.

*A Treatise on the Laws of England; Concerning Estates in Lands, Advowsons, Or Hereditaments, Of What Kind Soever; Advising Persons Interested Therein, Either as Purchasers, Mortgagees, Or Otherwise, --As Well as Conveyancers, What Methods are Proper to be Used in Relation to the Security of Titles to Such Estates: With Some Observations on the Laws of Bankruptcy.*

[London]: Printed by Henry Lintot, 1754. [iv], 74, [2] pp. Only edition.

[AND]

*The Oath of a Constable, So Far as It Relates to Apprehending Night-Walkers, And Idle Persons, And His Presenting Offences Contrary to the Statutes Made Against Unlawful Gaming, Tipling, and Drunkenness, And for the Suppressing of Them [running title].*

[London: Printed by J. Downing, 1701]. 3, [1] pp. First edition.

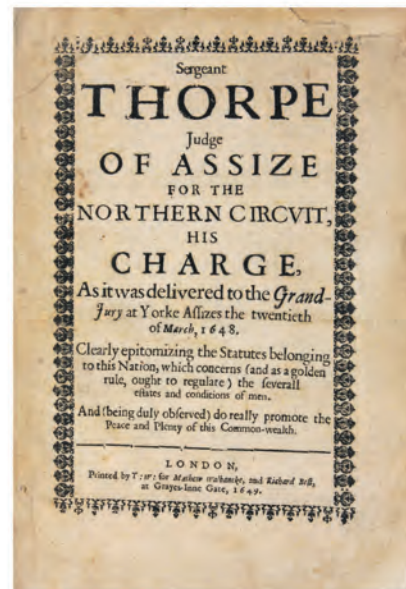
[AND]

*The Obligations of a Justice of the Peace, To be Diligent in the Execution of the Penal-Laws Against Prophaneness and Debauchery, For the Effecting of a National Reformation. In a Letter to a Friend [running title].*

[London: Printed and Sold by J. Downing, 1705]. 3, [1] pp. Second edition, one of two issues from 1705.

Quarto (7-3/4" x 5-1/2"). Pamphlets bound into contemporary speckled calf, gilt spine with raised bands and lettering piece, spine ends repaired. Rubbing to extremities, corners bumped and lightly worn, a few minor scuffs to fore-edges, hinges cracked. Light toning to text. *Oath of a Constable* somewhat darker and faintly dampstained, light soiling and edgewear to title page of *Sergeant Thorpe*, last two leaves have pieces torn from fore-edge, just touching the text without loss, slight shaving to side-notes of *Oath* and *Obligations*. Owner signature dated 1922 to front free endpaper, early annotations to a few laves, interior otherwise clean. \$1,850.

THORPE'S IS A NOTABLE DOCUMENT of Magna Carta's reception during the Commonwealth. After noting the different, but negative, perceptions of Royalists and the politically indifferent in 1215, he praises a third group who, using their innate reason, perceived it then as the source of "their own future happiness" (1-2). This dream was fulfilled, of course, by Parliament and Cromwell. Intended for gentlemen, Collet's essay discusses issues relating to land titles, real property and bankruptcy. The others deal with aspects of judicial administration. ESTC R203780, T51651, T61192, T176956.



Nº109

TUCKER'S IMPORTANT 1843 LECTURES ON THE CONSTITUTION

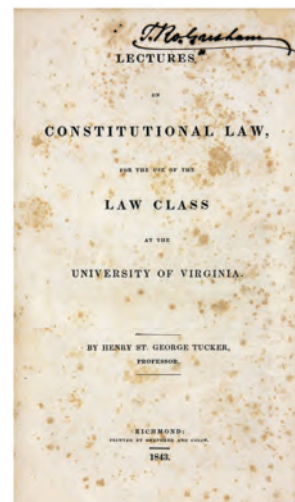
110 TUCKER, HENRY ST. GEORGE [1780-1848].

*Lectures on the Constitutional Law, for the Use of the Law Class at the University of Virginia.*

Richmond: Printed for Shepherd and Colin, 1843. 242 pp. 12mo. (7-1/2" x 4-1/2").

Contemporary pebbled cloth, light rubbing, minor wear to spine ends and corners, dampspotting to front board, some fading to spine. Light toning, occasional light foxing. Early owner signature to head of title page, interior otherwise clean. \$850.

ONLY EDITION. Tucker proposes a vigorous defense of states-rights principles in the manner of John Taylor of Caroline. A notably sophisticated argument, it balances detailed analysis of the U.S. Constitution with criticism of Joseph Story, Daniel Webster and other proponents of a powerful Federal government. Tucker was a judge of the superior courts of chancery for the Winchester and Clarksburg districts, President of Virginia's Supreme Court of Appeals, the director of a private law school in Winchester and, later in life, Professor of Law at the University of Virginia. Works that grew out of the classroom include *Commentaries on the Laws of Virginia* (1836-1837). Cohen 2928.



Nº 110

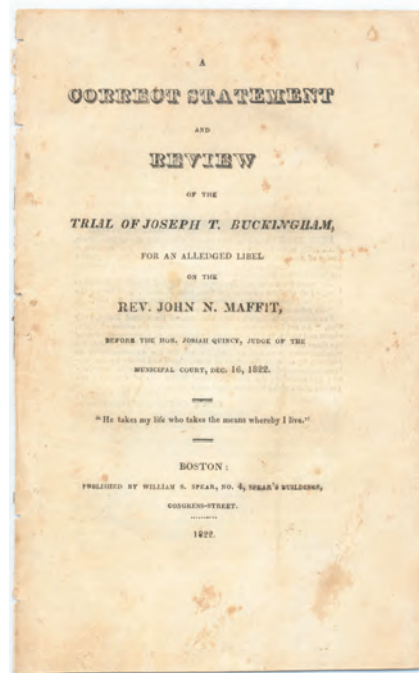




*Lady Maria Bayntun, returning her West-dog Dog to her Husband.*

Detail from N° 111

"VIOLATING HER CONJUGAL VOW"



N° 112

A NOTABLE NINETEENTH-CENTURY MASSACHUSETTS LIBEL TRIAL

111 [TRIAL].

BAYNTUN-ROLT, MARIA  
ALICIA COVENTRY, LADY.

*The Trial of the Right Honourable Lady Maria Bayntun, Daughter of the Right Hon. George William, Earl of Coventry, And Wife of Andrew Bayntun, Esq; Son of Sir Edward Bayntun, Baronet, In the Arches Court at Doctors Commons, For Committing the Crime of Adultery, And Violating Her Conjugal Vow. To Which is Added, A Very Pathetic and Affecting Letter, From Lady Maria to Her Husband, After the Discovery of Her Illicit Amours.*

London: printed for the editor, and sold by G. Lister, [1781?]. 103, [1] pp. Includes one-page publisher list. Copperplate frontispiece. Octavo (8-1/4" x 5").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, gilt title and gilt-edged raised bands to spine, endpapers renewed. Light toning to text, somewhat heavier in places, light foxing to a few leaves.

\$1,850.

ONLY EDITION. A colorful account, with ten supporting depositions, of Lady Maria Bayntun's unfaithfulness to her husband, Andrew Bayntun. Andrew's nephew, John Allen Cooper, a recent veteran of the American Revolution, had moved into the Bayntun Household and, soon after, Lady Bayntun's bed, when Mr. Bayntun was away. The servants conspired to reveal the affair and Mr. Bayntun sued for divorce. OCLC locates 4 copies in North America, 2 in law libraries (Osgoode Hall, University of Minnesota). ESTC T95762.



112 [TRIAL].

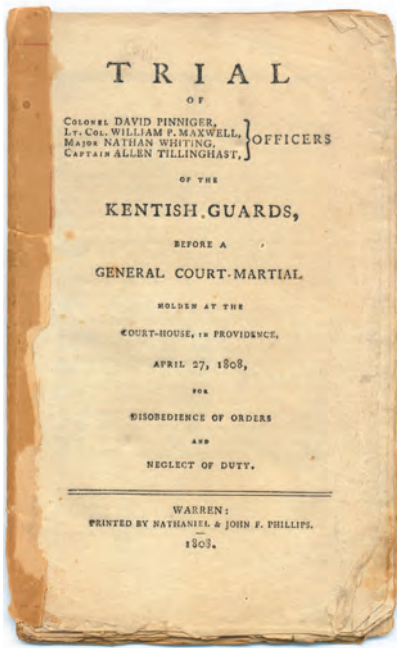
BUCKINGHAM, JOSEPH T., DEFENDANT.

*A Correct Statement and Review of the Trial of Joseph T. Buckingham for an Alleged Libel of the Rev. John N. Maffit, Before the Hon. Josiah Quincy, Judge of the Municipal Court, Dec. 6, 1822.*

Boston: Published by William S. Spear, 1822. 16 pp. Octavo (8-1/2" x 5-1/4").

Disbound stab-stitched pamphlet. Moderate toning, light foxing in a few places, minor chips and edgewear to a few leaves, early marks to margins next to a few passages. \$450.

ONLY EDITION. One of the first accounts of a notable nineteenth-century Massachusetts libel trials. (It is the first of ten publications listed in Cohen.) "Joseph Buckingham, publisher of the *New England Galaxy*, was indicted on the charge of printing a libel on John Maffitt, a Methodist preacher (sometimes spelled Maffit). His defense was built on proving the truth of the alleged libel, and he was acquitted. Several works about the trial itself were published long after it took place; their intent was to damage Maffitt's reputation, as he was by then engaged in parochial conflicts. Maffitt's career was also a factor in a libel suit brought twenty-eight years later, in which his father-in-law, a judge, was sued by Maffitt's friend, the Reverend John C. Green.": Cohen 13280.



N° 113

1808 COURT MARTIAL OF RHODE ISLAND MILITIA OFFICERS WHO REFUSED TO SELECT SIX GUARDSMEN FOR FEDERAL SERVICE

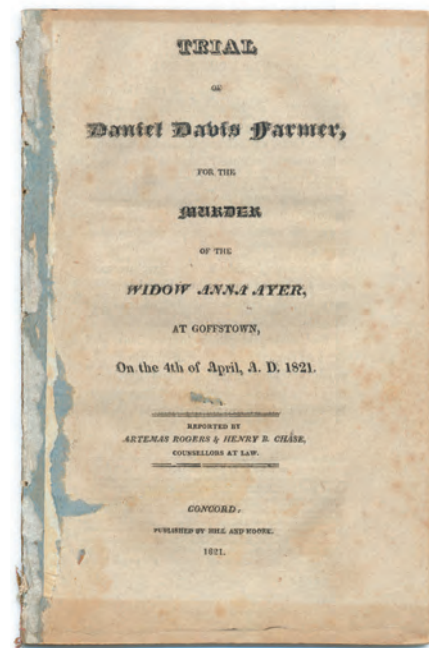
113 [TRIAL].  
[COURT MARTIAL].  
[KENTISH GUARDS].

*Trial of Colonel David Pinniger, Lt. Col. William P. Maxwell, Major Nathan Whiting, Captain Allen Tillinghast: Officers of the Kentish Guards, Before a General Court-Martial Holden at the Court-House, In Providence, April 27, 1808, For Disobedience of Orders and Neglect of Duty.*

Warren [RI]: Printed by Nathaniel & John F. Phillips, 1808. 41, [4] pp. Errata slip pasted to verso of p.41. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet, fragments to wrapper along spine, untrimmed edges. Moderate toning, early owner signature to verso of final leaf. \$650.

ONLY EDITION. Formed in 1774, the Kentish Guards of Rhode Island boasted General Nathanael Greene as an original officer. The Guards distinguished themselves at the Siege of Boston and elsewhere. In 1807 Colonel David Pinniger refused an order to select six guardsmen for federal service, asserting that the Guards's charter permitted the call up of the entire unit, but not individual soldiers. Pinniger's refusal precipitated his court martial and that of the fellow officers who supported him. All were removed from office without further penalty. The guards elected replacement officers; no one went into the U.S. Army. This pamphlet was published by the officers after the "unfavorable result" of the court martial in order to protect their reputations. All aspects of the case are covered. Cohen 13588.



N° 114

HE BEAT HER TO DEATH WITH A CUDGEL

114 [TRIAL].  
FARMER, DANIEL DAVIS [1793-1822], DEFENDANT.  
ROGERS, ARTEMAS, REPORTER.  
CHASE, HENRY B., REPORTER.

*Trial of Daniel Davis Farmer, For the Murder of the Widow Anna Ayer, At Goffstown, On the 4th of April, A.D. 1821.*

Concord [NH]: Published by Hill and Moore, 1821. 72 pp. Octavo (8" x 5-1/4").

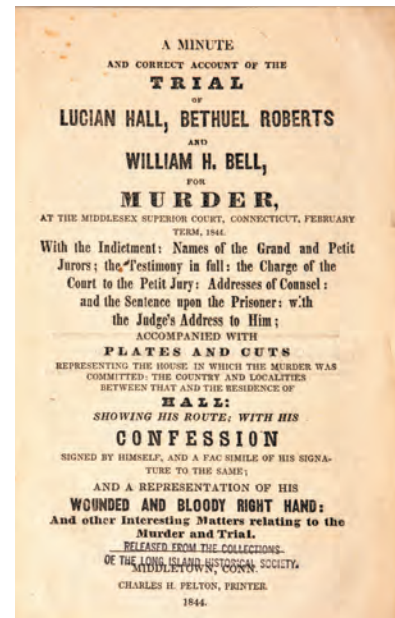
Disbound stab-stitched pamphlet, fragments of wrapper along spine. Light rubbing to extremities, light browning to text, light foxing to a few leaves. \$500.

ONLY EDITION. "Mrs. Ayer had charged Farmer with fathering her child. He beat her to death with a cudgel and tried to burn her house" (McDade). Farmer was found guilty and executed. McDade 300.





A RARE MCDADE ITEM. FOUR COPIES LOCATED ON OCLC



Details from N° 116

"BEATEN AND STABBED TO DEATH IN HER HOME IN MIDDLETOWN, CONNECTICUT"

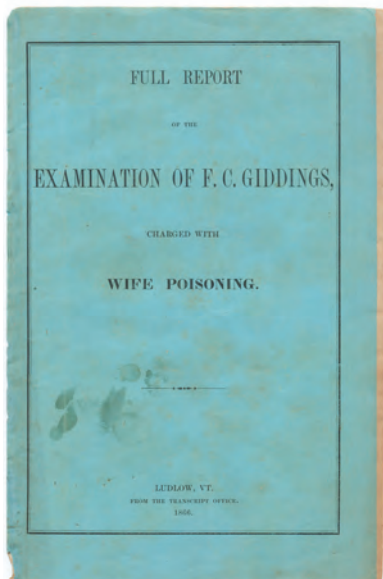
115 [TRIAL].  
GIDDINGS, F.C., DEFENDANT.

*Full Report of the Examination of F C Giddings, Charged with Wife Poisoning.*

Ludlow, VT: From the Transcript Office, 1866. 16 pp. Octavo (9-1/4" x 6").

Stab-stitched pamphlet in printed wrappers. Light soiling, a few minor stains and some wear to corners, moderate toning to interior, a few minor stains to title page. \$500.

ONLY EDITION. "[Benjamin] Wiltshire, and acquaintance of Giddings, had an affair with Gidding's wife. Mrs. Giddings went off with Wiltshire for a few weeks, but finally returned to her husband. Wiltshire tried to renew the Liaison. Giddings and Wiltshire met in a bar and after a couple of drinks, walked down the road, during which time Wiltshire was shot. Giddings was acquitted" (McDade). OCLC locates 4 copies, 2 in law libraries (Harvard, University of Minnesota). McDade 353.



N° 115

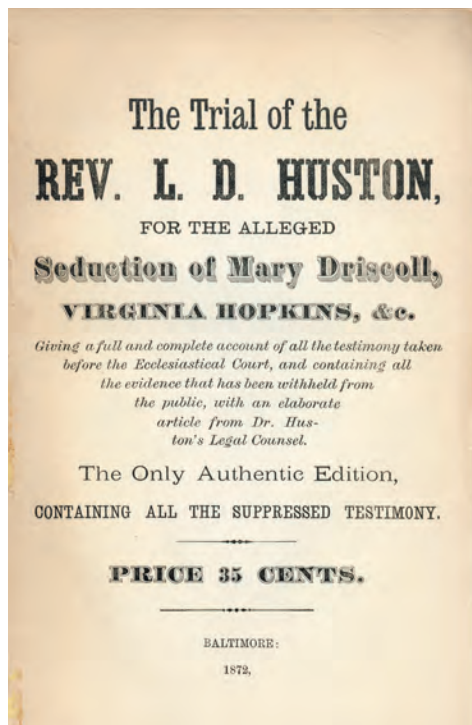
116 [TRIAL].  
HALL, LUCIEN, PRIMARY DEFENDANT.  
ROBERTS, BETHUEL, DEFENDANT  
BELL, WILLIAM H., DEFENDANT.

*A Minute and Correct Account of the Trial of Lucian Hall, Bethuel Roberts and William H. Bell, For Murder at the Middlesex Superior Court, Connecticut, February Term, 1844: With the Indictment, Names of the Grand and Petit Jurors, The Testimony in Full, The Charge of the Court to the Petit Jury, Address of Counsel, And the Sentence Upon the Prisoner, With the Judge's Address to Him: Accompanied with Plates and Cuts Representing the House in Which the Murder was Committed: The Country and Localities Between That and the Residence of Hall: Showing His Route with His Confession Signed by Himself and a Facsimile of his Signature to the Same and a Representation of his Wounded and Bloody Right Hand: And other Interesting Matters relating to the Murder and Trial.*

Middletown, CT: Charles H. Pelton, Printer, 1844. [ii], [3]-40 pp. Woodcut folding map. Woodcut text illustrations. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Light soiling to wrappers, considerable chipping to edges, upper half of rear wrapper lacking, light toning to text. Ex-library. Small inkstamp to title page, small embossed stamp to final leaf. \$650.

ONLY EDITION. "Mrs. Lavinia Bacon was beaten and stabbed to death in her home in Middletown, Connecticut, one Sunday while the remainder of her family was at church. Hall, Bell, and Roberts were suspected; Hall from his previous record and suspicious actions, Bell and Roberts from the same plus damaging admissions. They were indicted and tried together, although there was no evidence that Hall had any connection with the others. Near the end of the trial Hall confessed and exonerated Bell and Roberts, who were completely innocent." (McDade). OCLC locates 6 copies in North American law libraries (Harvard, Jenkins, Library of Congress, University of Minnesota, University of Pennsylvania, Yale). McDade 430.



N° 117

"FOR THE ALLEGED SEDUCTION OF  
 MARY DRISCOLL, VIRGINIA HOPKINS, &C."

- 117 [TRIAL].  
 HUSTON, LORENZO DOW [1820-1887], DEFENDANT.

*The Trial of the Rev. L.D. Huston for the Alleged Seduction of Mary Driscoll, Virginia Hopkins, &c; Giving a Full and Complete Account of All the Testimony Taken Before the Ecclesiastical Court, And Containing all the Evidence that has Been Withheld from the Public, With an Elaborate Article from Dr. Huston's Legal Counsel. The Only Authentic Edition, Containing All the Suppressed Testimony.*

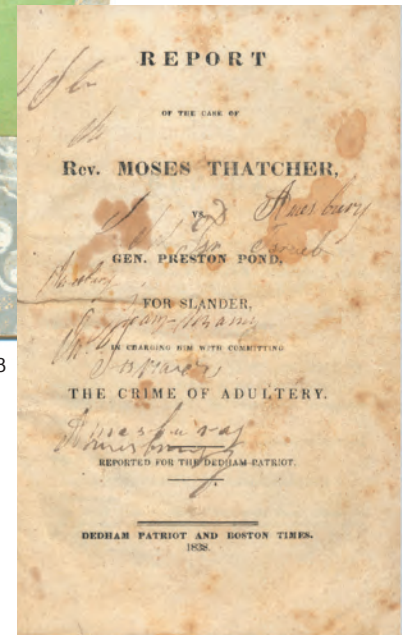
Baltimore, S.n., 1872. 64 pp. Main text in parallel columns. Laid-in portrait plate, issued with some copies, not present in this copy. Octavo (8-1/2" x 5-3/4").

Disbound stab-stitched pamphlet. Light toning, a few chips and minor tears to title page and final leaf, which is detached. Early notes in pencil to foot of p. 64. Ex-library. Small embossed stamps to a few leaves. A scarce title. \$500.

ONLY EDITION. As Karin Gedge notes, Huston, a Methodist Minister and teacher, was a clever practitioner of a "seduction theology that persuaded girls to reluctantly accept sexual behavior that was clearly contrary to most Christian teaching." Eventually tried, but acquitted, he seduced at least three girls. OCLC locates 11 copies, 5 in law libraries (Harvard, Social Law, UC-Berkeley, University of Missouri, US Supreme Court). Gedge 55-57. HLC II:1109.



Details from N° 118



1838 LIBEL CASE IN DEDHAM, MASSACHUSETTS  
 DUE TO AN ACCUSATION OF ADULTERY

- 118 [TRIAL].  
 POND, PRESTON [1792-1868], DEFENDANT.

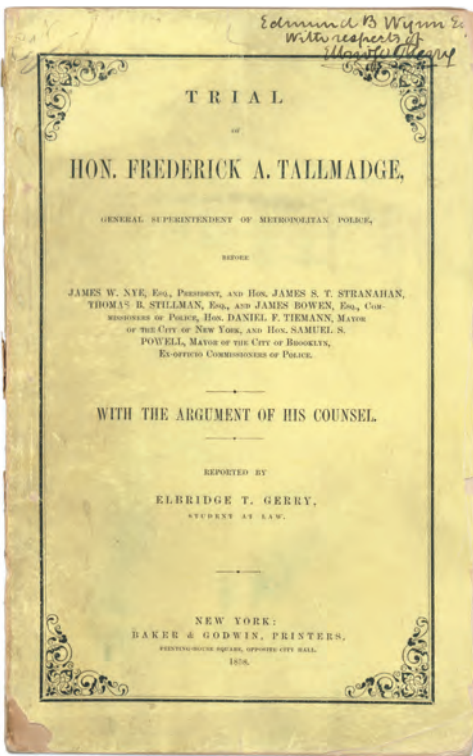
*Report of the Case of Rev. Moses Thatcher, Vs. Gen Preston Pond, For Slander, In Charging Him with Committing the Crime of Adultery. Reported for the Dedham Patriot.*

Dedham [MA]: Dedham Patriot and Boston Times, 1838. 31 pp. Quarto (7-3/4" x 4-1/2").

Stab-stitched pamphlet in contemporary thick patterned-paper wrappers, hand-lettered title panel to front cover. Some rubbing to extremities with a bit of wear to spine ends and corners, a few minor tears to wrappers. Light browning to text, occasional light foxing, dampstains to a few leaves, two leaves have clean tears, light soiling to title page. Early annotations and signatures to title page, interior otherwise clean. \$650.

ONLY EDITION. "Moses Thacher (sometimes spelled Thatcher) charged Pond with slander. Pond pleaded not guilty and alleged truth as a defense. The jury found for the plaintiff and awarded \$5.00 in damages and \$1.25 in costs" (Cohen). After the trial Thacher left New England and served as pastor in Wysox, Pennsylvania and in Courtland and Cayuga Counties in New York. The trials attracted a fair amount of attention; according to Cohen, it was discussed in three pamphlets. All are scarce. OCLC locates 7 copies of the *Report* in North American law libraries (Columbia, Harvard, Library of Congress, Social Law, University of Minnesota, University of Missouri, William and Mary). Cohen 12063.





N° 119

1858 TRIAL OF THE HEAD OF NEW YORK CITY'S POLICE DEPARTMENT FOR NEGLECT OF DUTY

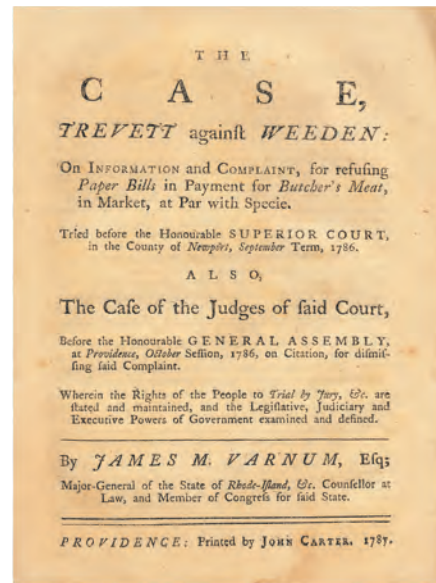
- 119 [TRIAL].  
TALLMADGE, FREDERICK A. [1792-1869], DEFENDANT.  
GERRY, ELBRIDGE T. [1837-1927], REPORTER.

*Trial of Hon. Frederick A. Tallmadge, General Superintendent of Metropolitan Police, Before James W. Nye, Esq., President and Hon. James S.T. Stranahan, Thomas B. Stillman, Esq., And James Bowen, Esq., Commissioners of Police, Hon. Daniel F. Tiemann, Mayor of the City of New York, And Hon. Samuel S. Powell, Mayor of the City of Brooklyn, Ex-Officio Commissioners of police: With the Argument of His Counsel.*

New York: Baker & Goldwin, Printers, 1858. 88 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Spine abraded, covers detached, lightly soiled and moderately edgeworn. Light toning to text, small chips to fore-edges of a few leaves, presentation inscription from Gerry to upper corner of front wrapper. \$500.

ONLY EDITION. "Frederick Tallmadge, general superintendent of the Metropolitan (New York City) Police, was charged with neglect of duty in a hearing before the Board of Police Commissioners. He allegedly did not respond to a call from the Quarantine Station on Staten Island where several hospitals had been set on fire by a mob. He was cleared of one charge, censured on another, and restored to duty" (Cohen). OCLC locates 8 copies in North American law libraries (Columbia, Library of Congress, New York University, Northwestern, Social Law, University of Minnesota, US Supreme Court, Yale). Cohen 14665.



N° 120

ONE OF THE EARLIEST EXAMPLES OF JUDICIAL REVIEW IN AMERICA. JEFFERSON OWNED A COPY OF THIS ACCOUNT

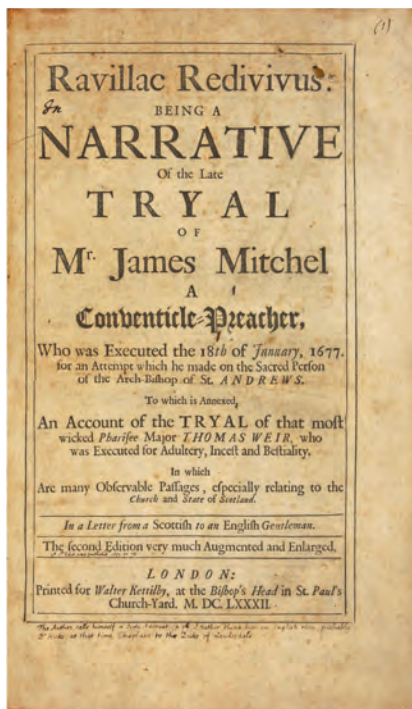
- 120 [TRIAL].  
VARNUM, JAMES M. [1748-1789].  
WEEDEN, JOHN, DEFENDANT.

*The Case, Trevett Against Weeden: On Information and Complaint, For Refusing Paper Bills in Payment for Butcher's Meat, In Market, At Par with Specie. Tried Before the Honourable Superior Court, In the County of Newport, September Term, 1786. Also, The Case of the Judges of Said Court, Before the Honourable General Assembly, At Providence, October Session, 1786, On Citation, For Dismissing Said Complaint. Wherein the Rights of the People to Trial by Jury, &c. Are Stated and Maintained, And the Legislative, Judiciary and Executive Powers of Government Examined and Defined.*

Providence: Printed by John Carter, 1787. iv, 60 pp. Quarto (7-3/4" x 6").

Stab-stitched pamphlet in plain wrappers. Moderate edgewear and staining. Light browning to text, internally clean. An appealing copy of an important item. \$750.

FIRST EDITION. This landmark in the history of American judicial review arose from a dispute with a butcher. In 1786 Trevett attempted to purchase meat from Weeden with paper money issued by an act of the General Assembly of Rhode Island, which Weeden refused. Trevett lodged a complaint with Superior Court of Newport, but it ruled in favor of the defendant, who was defended by Varnum, stating that it was unconstitutional for the state to demand acceptance of its paper money. The judges were called before the state legislature, where they defended their actions. This event received a great deal of public attention and inspired Varnum's brief study, which examines the motivations of the legislature, the power of the judiciary to alter legislation and the rights of individual citizens. John Marshall noted Varnum's book in the debates leading to his decision in *Marbury v. Madison*. Also a general in the Rhode Island State Militia, Varnum was a Rhode Island lawyer who served in the Continental Congress from 1780 to 1782. He was appointed Judge of the Northwest Territory in 1787 and spent the rest of his life in Ohio. Ritz157. Cohen 11239. Sowerby 2018.



N° 121

ANTI-PRESBYTERIAN PROPAGANDA

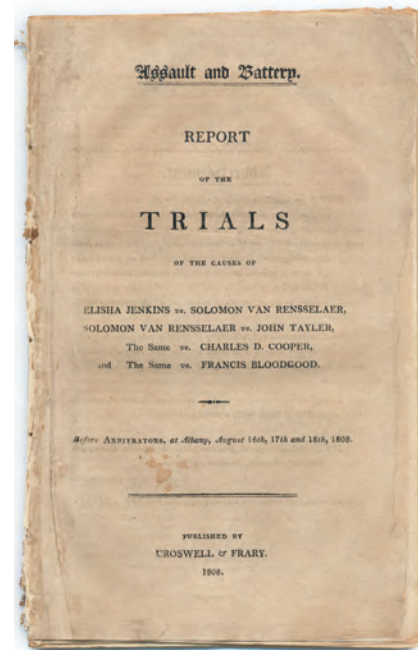
121 [TRIAL].  
[HICKES, GEORGE (1642-1715)].

*Ravillac Redivivus. Being a Narrative of the Late Tryal of Mr. James Mitchel a Conventicle-Preacher, Who was Executed the 18th of January, 1677. For an Attempt Which he Made on the Sacred Person of the Arch-Bishop of St. Andrews. To Which is Annexed, An Account of the Tryal of that Most Wicked Pharisee Major Thomas Weir, Who Was Executed for Adultery, Incest and Bestiality. In Which are Many Observable Passages, Especially Relating to the Church and State of Scotland. In a Letter from a Scottish to an English Gentleman.*

London: Printed for Walter Kettilby, 1682. [iv], 46, [2], 47-54 pp. The unpaginated leaf after page 46 contains publisher advertisements. Folio (12-1/4" x 7-3/4").

Recent period-style quarter calf over marbled boards, gilt title to spine, endpapers renewed, title page and final leaf re-hinged. Moderate toning light foxing in a few places, soiling to title page, early owner annotations to title page in neat small hand, a few marks and brief marks in recent hand in a few places. \$1,250.

THIRD AND FINAL EDITION. Hickes was a bishop of the nonjuring Church of England in Scotland. A work on propaganda commissioned by his superior in Scotland, John Maitland, Duke of Lauderdale, *Ravillac Redivivus*, first published in 1678, is an account of the trial of the Scots-nationalist Presbyterian (covenanter) James Mitchell [d.1678] for an attempt to assassinate James Sharpe, the archbishop of St Andrews. Hickes linked Mitchell's story to that of the notorious covenanter Major Thomas Weir [c. 1600-1670], a suspected sorcerer who was executed for bestiality and incest in 1670, in order to demonstrate that fanatical dissenters violated the boundaries of moral law and were capable of committing the most outrageous crimes in the name of religion. A note at the foot of the title page, which identifies the author, reads: "The author calls himself a Scots Advocate: (p. 46). I rather think him an English Man, probably Dr. Hicks, at that time Chaplane to the Duke of Lauderdale." ESTC R19059.



N° 122

BLOODY CLASHES BETWEEN FEDERALISTS AND JEFFERSONIANS IN ALBANY

122 [TRIAL].  
VAN RENSSELAER, SOLOMON [1774-1852], PRIMARY DEFENDANT.

*Assault and Battery: Report of the Trials of the Causes of Elisha Jenkins vs. Solomon Van Rensselaer, Solomon Van Rensselaer vs. John Tayler, the Same vs. Charles D. Cooper, And the Same vs. Francis Bloodgood: Before Arbitrators, At Albany, August 16th, 17th and 18th, 1808.*

[Albany, NY]: Croswell & Frary, 1808. 80 pp. Woodcut map. Octavo (8-1/2" x 5-1/4").

Disbound stab-stitched pamphlet, untrimmed fore and bottom edges. Light soiling to exterior, tiny stain to title page, a few signatures loose, light browning to text. Small mark in pencil to verso of title page, interior otherwise clean. \$450.

ONLY EDITION. A notorious episode in Albany's political history, these trials were the result of a street brawl between a group of Federalists and Jeffersonians. It was initiated when Rensselaer attacked Jenkins from behind with his walking stick after an argument over the fate of Irish rebels seeking admission to the United States. Cooper, Tayler and Bloodgood joined the fight. Jenkins was awarded \$2,500.00 in damages. Bloodgood would later become mayor of Albany. Tayler, later a judge, went on to become lieutenant governor of New York. Taylor and Cooper, a judge, were involved in the controversy that precipitated the Hamilton-Burr duel. The street map shows locations of relevant sites and the positions of witnesses. Cohen 14363.





Details from N° 123

## A DISTINGUISHED COLLECTION OF LEGAL OPINIONS

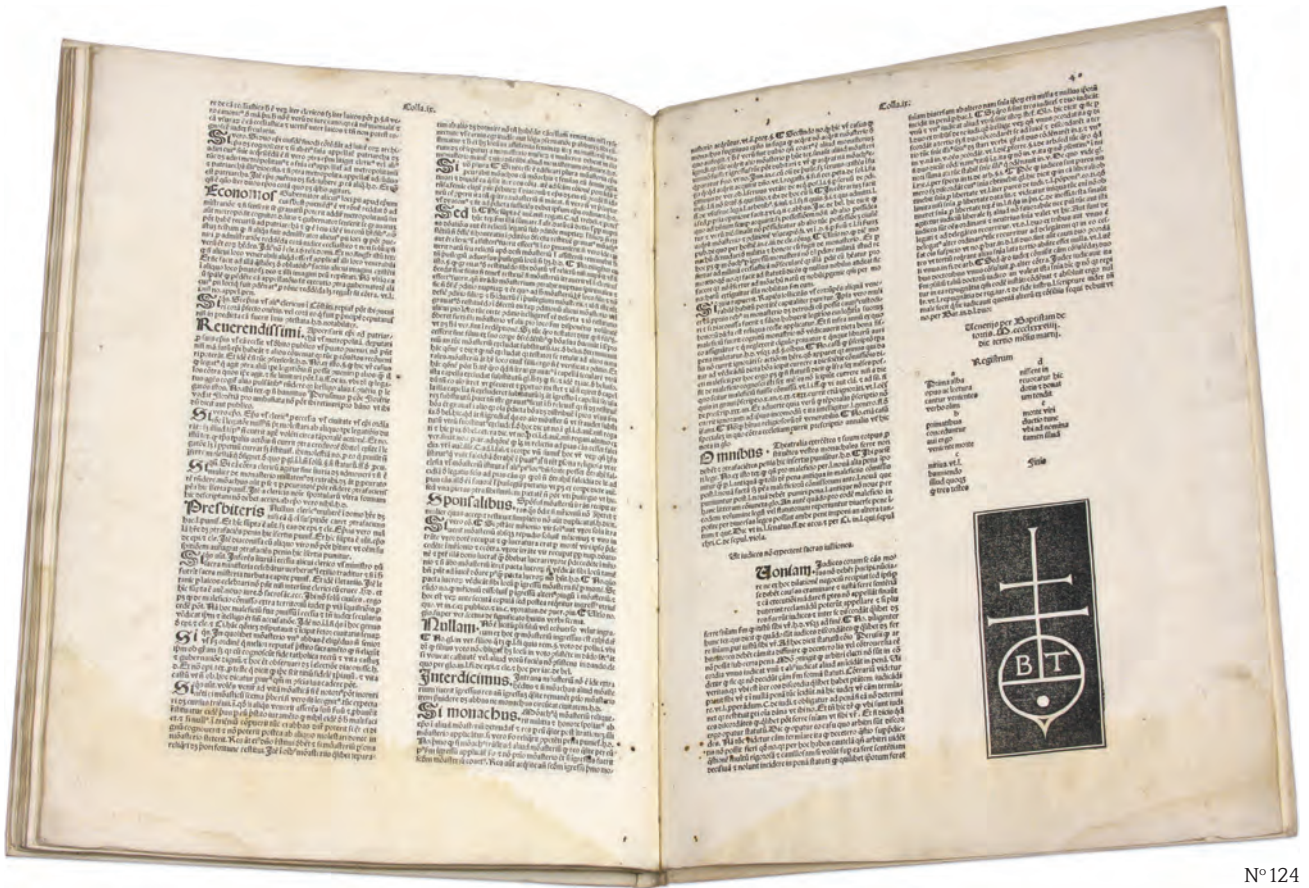
**123** [UBALDI, ANGELO DEGLI (C.1328-C.1407)].  
[SANCTO BLASIO, JOHANNES BAPTISTA, EDITOR].

**[*Consilia et Responsa*].**

[Venice: Johannes Rubeus Vercellensis, 27 February 1487. Table at end of text, *Tabulas. Repertorium Consiliorum*, by Sancto Blasio, dated 14 April, 1487. Collation: a-d8, e6, E8, f-l8, m6, n-s8, t6, A-C8. [178] ff. Complete. Text in parallel columns. Folio (16-1/2" x 11-1/2").

Nineteenth-century quarter calf over cloth, raised bands, gilt ornaments and lettering piece to spine, endpapers added. Some rubbing with wear to spine ends and corners, some scuffing to calf portions of boards, a few cracks to text block. Text printed in 77-line gothic type, initial spaces blank, wide margins. Light toning to text, occasional faint dampstaining to margins, a few small wormholes with minor loss to a few letters. Ex-monastery library. Recent small inkstamp to front free endpaper, early owner inscription to head of first leaf. \$12,500.

\* Angelus de Ubaldis was the brother of the great jurist Baldo Degli Ubaldi. Angelus was a highly regarded jurist as well. This volume is a collection of his civil and canon-law *consilia*, opinions on disputed legal points in an active case referred by a judge, and *responsa*, opinions on points of written law or decided cases. It was edited by Sancto Blasio, who added a useful index. Collections of *consilia* are important guides to the history of legal doctrine. As Pazzaglini and Hawks note, they "represent a body of precedent and reflect the underlying political, social, and economic tensions of the day. [They] merged legal theory with facts of a case to produce a constantly developing law on a wide range of issues, such as the status of women and Jews, laws of inheritance, statute legislation, court procedure, imprisonment and homicide. (...) There is always an element of casuistry in the *consilia*, as they apply general principles of doctrine to the particular cases of fact. Thus, *consilia* are as firmly grounded in reality as any historical source can be." Edited by Sancto Blasio, the first edition of Ubaldus's work was published in 1477. It went through three more editions in 1478, 1487 and 1498. All are rare. The *ISTC* locates 3 copies of the 1487 Venice imprint in North America (Harvard Law School, Huntington Library, Library of Congress). Pazzaglini & Hawks xiii. Goff U4. CW M48393.



N° 124

A NOTABLE COMMENTARY ON THE AUTHENTICA

124 UBALDI, ANGELO DEGLI.

[Super Authenticis].

[Venice: Baptista de Tortis, 3 March 1489]. Collation: a-e8. 39 of 40 ff. Folio a1, a blank, lacking, otherwise complete. Text in parallel columns. Folio (15-1/2" x 11-1/2").

Recent paper-covered boards (illustrated with copies of unrelated incunable leaves), endpapers renewed. Light soiling, corners and spine ends bumped. Text printed in 83-line Gothic type, guide spaces blank. Some toning, light soiling to first leaf, faint dampstaining to foot of text block reaching into text, minor worming to some leaves, first leaf (a2) dust-soiled, fol. b1 mounted on stub, internally clean. Ex-library. Bookplate to front pastedown. A solid copy. \$8,500.

FIRST PUBLISHED IN 1474. the *Super Authenticis*, also known as the *Lectura de Authenticis*, a commentary on the *Authentica*, a collection of 134 constitutions of Justinian, later included in the *Novels of the Corpus Juris Civilis*. It was believed to be a collection intended for Byzantine Italy, but this assumption is doubted today. Ubaldi's commentary was highly regarded; it went through at least 12 editions before 1500. Today, all editions are scarce. The *ISTC* locates 2 copies of this imprint in North America (University of Michigan Law School, Walters Art Gallery, Baltimore). Goff U10. CW M48377.





Detail from N° 125

COMMENTARIES ON THE FIRST PART OF THE DIGEST OF JUSTINIAN BY A GREAT MEDIEVAL JURIST

125 UBALDI, BALDO DEGLI [1327?-1400].

*Lectura Super* l. ff. Veteris: Cu[m] Eiusde[m] D. Bal. Addi. Cu[m]que Utilissimis Trac. de Pac. [et] de Consti. Antea non Impressis.

[Venice: Impe[n]sis Domini Jo. Bartholomei de Gabiano Civis Aste[n]si, 1529]. CCCXVI ff. Text in parallel columns. Folio (16" x 10-1/2").

Contemporary vellum from an early manuscript, hand-lettered titles to spine and foot of text block, fragments of thong ties, pastedowns derived from re-used leaves from another book. Light soiling and a few minor stains to boards, chipping to spine, joints starting, hinges cracked, minor worming to pastedowns and a few other places. Title page, with large woodcut printer device, printed in red and black, large woodcut vignette at head of Fol. 1. of a seated Holy Roman Emperor flanked by soldiers and jurists. Moderate toning, somewhat heavier in places, light stains and soiling to a few leaves, a few other leaves have contemporary annotations. Ex-library. Small early stamp to title page. A rare post-incunable imprint. \$1,950.

BALDUS DE UBALDIS, A PUPIL OF BARTOLUS, was one of the great jurists of Medieval Europe. He taught at the Universities of Bologna, Perugia, Pisa, Florence, Padua, Pavia and Piacenza. He also served occasionally as a judge and diplomat. His fame rests on his commentaries on Roman and canon law, which were standard texts into the seventeenth century. Originally published in the fifteenth century, the *Lectura* is a commentary on the Books 1-24, Title 2 of the *Digest*, a critical edition of writings by Gaius, Ulpian, Papinian and 36 other eminent jurists organized by topic. Along with the *Institutes*, *Code* and *Novels*, the *Digest* is one of the writings known collectively as the *Corpus Juris Civilis*. Its subsequent influence on European jurisprudence is difficult to overestimate. This edition also has a commentary on the Edict of Milan, the decree of Emperor Constantine that ended the persecution of Christianity in the Roman Empire. All editions are scarce or rare. OCLC locates a copy of our 1529 imprint (in Italy) with a different collation. Not in Adams or the *USTC*.



Detail from N° 125

1830 FRENCH PAMPHLET ON LAWS DEALING WITH THE WINE TRADE

126 URBIN-GAUTIER, CHARLES-ROSAIE MIS D.

*Projet d'un Droit Unique d'Inventaire sur les Vins, Examiné du Tresor, Des Propriétaires et du Commerce.*

Paris: Tourneux, Libraire/Orléans: Imprimerie de Danicourt-Huet, 1830. 28 pp. Octavo (8-1/4" x 5").

Stab-stitched pamphlet in plain wrappers. Wrapper beginning to split near spine ends, woodcut vignette of three beehives to title page, light toning and occasional light foxing to text. \$350.

ONLY EDITION. A critical review of laws regulating the French wine trade with an emphasis on the harm caused by duties and other taxes. OCLC locates 2 copies, 1 in North America (California State University, Fresno).



N° 126



N° 127

SCARCE BAVARIAN TREATISE ON TITHES AND CHURCH TAXES

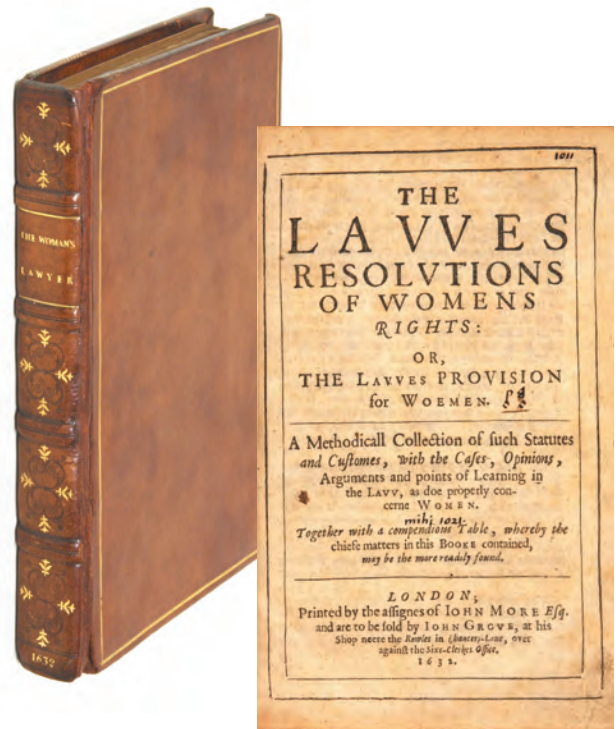
127 WERNDLER, JOHANN.

*Tractat von Zehend-Recht, Als so Wohl Dessen, Als auch der Neureuth oder Noval-Brüche Ausführliche Erklärung Deutlich Zufinden. Anizo auf das Neue aus denen Oesterreichis. Thur-Bayris. Pfälztis. Ober-und Nieber-Sächsis. Fränckis. Und Andern Land-Rechten, Auch Hergebrachten Gewohnheiten mit Verschiedenen Nützlichen additionibus, Wie auch einem Absonderlichen Anhang und Hierzu Dienlichem Indice Rerum & Verborum, Sowol Denenjenigen, Welche Zehenden Einzufordern, Als auch denen, So Selbigen zu Geben Haben.*

Nuremberg: Verlegts Johann Leonhard Buggel, 1700. [xvii], 444, [36] pp. Woodcut allegorical frontispiece. Octavo (6-1/4" x 3-3/4").

Contemporary paneled pigskin, raised bands to spine, bronze clasps. Soiled, some rubbing to extremities, corners bumped and lightly worn, front hinge just starting at ends. Some toning to text, light foxing in places, faint dampstaining to a few leaves. Early owner inscription to front pastedown, later owner signature to front free endpaper, interior otherwise clean. \$1,500.

THIRD EDITION. Werndle's well-regarded treatise on tithes and other church taxes under Roman and Bavarian law was first published in 1646. It had its eighth and final edition in 1722. Werndle was a lawyer and Bavarian court official. All editions of this book are scarce. OCLC lists 5 copies of the third edition in North America (Harvard Law School, Newberry Library, Princeton, Wesleyan, Yale Law School). VD17 1:010902Z.



N° 128

THE FIRST WORK DEVOTED TO LAWS RELATING TO WOMEN

128 [WOMEN].  
E[DGAR], T[THOMAS] [FL. 1615-1649]. ATTRIBUTED.

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

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, 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. Sowerby 1999. ESTC S100217.





Details from N° 129

## MEASURES AGAINST "PROPHANESS AND VICE"

## 129 [WOODWARD, JOSIAH (1660–1712), ATTRIBUTED].

*A Help to a National Reformation. Containing an Abstract of the Penal-Laws Against Prophaneness and Vice. A Form of the Warrants Issued Out Upon Offenders Against the Said Laws. Directions to Inferior Officers in the Execution of Their Office. Prudential Rules for the Giving of Informations to the Magistrates in These Cases. A Specimen of an Agreement for the Forming of a Society for Reformation of Manners in any City, Town, Or Larger Village of the Kingdom. And Her Majesty's Proclamation for Preventing and Punishing Immorality and Prophaneness; And the Late Act of Parliament Against Prophane Swearing and Cursing. To Which is Added, An Account of the Progress of the Reformation of Manners in England and Ireland, And Other Parts of the World. With Reasons and Directions for our Engaging in this Glorious Work. And the Special Obligations of Magistrates To be Diligent in the Execution of the Penal-Laws Against Prophaneness and Debauchery, For the Effecting of a National Reformation. As Also, Some Considerations Offered to such Unhappy Persons as are Guilty of Prophane Swearing and Cursing, Drunkenness, And Uncleaness, And are Not Past Counsel. With Great Additions.*

London: Printed and Sold by Joseph Downing, 1706. [xvii], 131, [1] pp. Includes one-page advertisement leaf. Copperplate portrait frontispiece (of Queen Anne). Octavo (6-1/2" x 4-1/2").

Contemporary sheep, blind rules to boards, blind fillets to joints, raised bands to spine, speckled edges, recent repairs to spine ends and corners. Some rubbing to extremities, minor scuffing to boards, chip to foot of spine, crack in text block between frontispiece and title page, front endleaves and part of rear free endpaper lacking, small shelf label to front pastedown. Light toning to text, faint dampstaining to lower corners of some leaves at rear of text, internally clean. \$500.

FIFTH EDITION. First published in 1700, this book reflects the eighteenth-century movement to reform manners and morals, one of the more enduring legacies of the Enlightenment. OCLC locates 3 copies of this edition in North American law libraries (Harvard, University of Pennsylvania, UVA). ESTC N8116.



N° 130

## FOUR WORKS ON JURISPRUDENCE, MILITARY LAW, NAVAL LAW AND CIVIL LAW BY AN IMPORTANT ENGLISH CIVILIAN

## 130 ZOUCH, RICHARD [1590–1661].

*Elementa Jurisprudentiae, Definitionibus, Regulis & Sententiis Selectioribus Juris Civilis, Illustrata; Acceserunt, Descriptiones Juris & Judicii, Sacri, Militaris, et Maritimi.*

Leiden: Apud Johannem & Danielem Elsevirios, 1652. [xii], 439 pp. Four works in one with continuous pagination. First work preceded by general title page, others preceded by half-titles. 12mo. (5" x 3").

Contemporary vellum, early hand-lettered title to spine. A few minor stains, corners and spine ends bumped, rear board slightly bowed, front free endpaper lacking, front hinge cracked, some edgewear to rear free endpaper. Light toning to text, negligible light soiling to title page. A handsome copy. \$1,000.

ONE OF ENGLAND'S GREATEST CIVILIANS, Zouch was an advocate of Doctors' Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. He published treatises on a broad range of legal topics, and he is best known for his contributions to international law. The present volume contains four important treatises. *Elementa Jurisprudentiae* (1629) is an ambitious general study that lays out a general theory of legal science. It includes sections on the philosophy of law, civil law, military law and maritime law. The other titles develop topics outlined in *Elementa Jurisprudentiae*. *Descriptio Juris et Judicii Sacri* (1636) concerns English ecclesiastical law, *Descriptio Juris & Judicii Militaris* (1640) addresses military law and *Descriptio Juris et Judicii Maritimi* (1640) deals with the law of ships and sea-borne cargo. According to Willems, some copies of this book were printed by van der Marse, de Croy and Hackius with counterfeit title pages. It is difficult to distinguish these from copies produced by the Elzeviers. Willems 717.

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Preface by William E. Butler\*

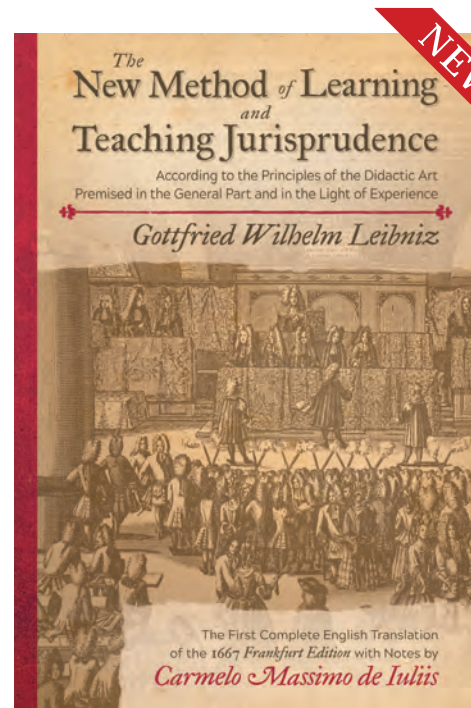
GOTTFRIED WILHELM LEIBNIZ

Talbot Publishing (an imprint of The Lawbook Exchange, Ltd.), 2017  
lxxxvii, 218 pp.  
ISBN 978-1-61619-547-2  
Hardcover \$85.

Better known for his contributions to philosophy, metaphysics and mathematics as co-discoverer along with Isaac Newton of calculus, Gottfried Wilhelm Leibniz was also an attorney, diplomat, state official and judge of the Mainz court of appeals. *The New Method of Learning and Teaching Jurisprudence* is his prescription for a curriculum of study for lawyers and as such is an important indicator of the origins of legal education in the late renaissance year of 1667, when John Milton published *Paradise Lost*.

Already translated into German and French, this is the first unabridged translation of the 1667 Frankfurt edition in a modern language, a new direct translation of the Latin text with notes by Carmelo Massimo de Iuliis (Department of Public and Private Economy Law, Università Cattolica del Sacro Cuore, Milano). The translation is enhanced by De Iuliis' introduction that offers a biographical sketch of Leibniz, an overview of the reception of his ideas, and a discussion of Leibniz' views on the philosophical concepts of logic and rhetoric as applied to the study of jurisprudence and a systematic reconstruction of legal systems.

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# Ultra Vires

## Why the IRS Lacks the Jurisdiction and Authority to Regulate Nonprofit Governance

BRUCE R. HOPKINS

Talbot Publishing (an imprint of The Lawbook Exchange, Ltd.), 2017  
xii, 296 pp.  
ISBN 978-1-61619-386-7  
Hardcover \$85.

Without warning, the IRS began, in 2007, to regulate in the realm of nonprofit governance. *Ultra Vires* offers an explanation as to why, as a matter of law, the IRS does not have the jurisdiction or the authority to regulate the governance affairs of the nation's public charities and other categories of tax-exempt organizations.

*Ultra Vires* reviews the federal law concerning government agencies' jurisdiction and authority. The book evaluates IRS policymaking and demonstrates that the IRS's policies are arbitrary and capricious. *Ultra Vires* concludes that the IRS lacks both the jurisdiction and authority in connection with nonprofit governance.

*Ultra Vires* provides a solid legal underpinning for those who are concerned about the IRS's expansion of its authority into the realm of nonprofit governance, particularly when the IRS has a lengthy record of getting the underlying law wrong and imposing detrimental policies and practices on these organizations. It will be a necessary read for nonprofit directors, trustees, officers and senior executive staff and their lawyers.

**BRUCE R. HOPKINS** concentrates on the representation of tax-exempt organizations, practicing with the Bruce R. Hopkins Law Firm, LLC, Kansas City, Missouri. He is the Professor from Practice at the University of Kansas School of Law. He writes a monthly newsletter, the Bruce R. Hopkins' Nonprofit Counsel, now in its 34th year. Hopkins is the author of over 30 books in the field of nonprofit tax law.

Bruce Hopkins is a remarkable lawyer and one of this country's leading experts on nonprofit entities. The book you hold is the fruit of his decision to take an SJD at the University of Kansas School of Law. In this book is the product of decades of practice and several years of intense writing and thinking and is a "must read" for anybody interested in nonprofit governance.

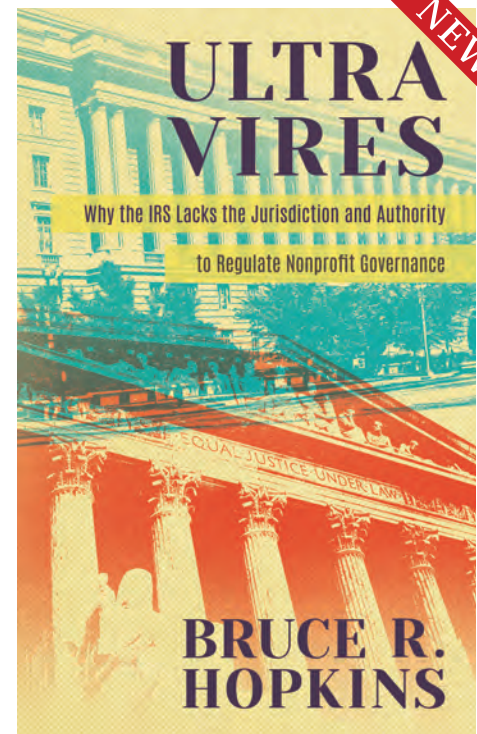
MICHAEL H. HOEFLICH  
John H. & John M. Kane Professor of Law,  
University of Kansas School of Law

The IRS, in a move that shocked the nonprofit sector, decided it should oversee not only the compliance by nonprofit organizations with the tax laws, but how and by whom the organizations should be governed. In *Ultra Vires*, Bruce Hopkins more than makes the case for the IRS overstepping its boundaries with nonprofit governance and in creating law where there is none to be found. This book is a fascinating study in government non-restraint and will be enjoyed by all who care about charities and other exempt organizations.

VIRGINIA C. GROSS  
tax-exempt organizations lawyer and partner, Polsinelli PC

Bruce Hopkins sheds light on the IRS's regulation of nonprofit governance using his usual well-honed tools: perspective, insight, legal acuity, and dry wit. He offers the benefit of nearly 50 years of experience as a nonprofit lawyer and academician in asserting the proper role of government in overseeing the core fiduciary duty of every nonprofit: effective governance. As Hopkins lays out in a compelling legal analysis, the IRS has regulated in this area without jurisdiction or authority or the catalyst of scandal or legislative demand. He skillfully encourages the IRS to stick to the knitting.

THOMAS K. HYATT  
Partner, Dentons US LLP



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2 Government Agency Law Basics
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*Ultra Vires* presents a compelling case why the IRS's recent foray into the regulation of nonprofit governance is beyond the scope of the IRS's jurisdiction and authority. One can only hope that the IRS will accept Mr. Hopkins' well-reasoned invitation to desist from its exorbitant, and often misguided, regulatory experiments in this area, thereby freeing up scarce resources for other matters within its jurisdiction that desperately need guidance from the IRS. Additionally, for its useful discussions of the law regarding the deference owed to IRS regulations and other guidance, and governance "best practices" promulgated by organizations other than the IRS, space must be made for *Ultra Vires* on the shelves of any tax-exempt practitioner's library.

SHANE HAMILTON  
Special Counsel, Miller & Chevalier Chartered

In *Ultra Vires*, Bruce Hopkins explains that one of the most important developments in the evolution of the law of nonprofit organizations is the IRS's entry into the realm of nonprofit governance in 2007. Hopkins argues in great detail that the exempt organizations (EO) function of the IRS should not persist in a regulatory effort – its nonprofit governance initiative – that is beyond the scope of its jurisdiction and authority, and he faults the IRS for relying on a doctrine – private benefit – that is not applicable. Instead, the IRS should be doing what the law and good policy in the EO area demands. Its attempted regulation of nonprofit governance, including the composition and functioning of governing boards and related managerial concerns, is an example of extreme agency overreach that detracts from its mission and adversely impacts nonprofit organizations. Hopkins maintains that nonprofit governance concerns are the province of state regulators and hence the IRS should not be playing a role.

PAUL STRECKFUS  
Editor, *EO Tax Journal*





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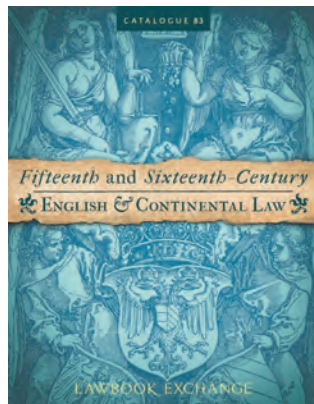
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