

Catalogue 70

*Recently Acquired Books,
Manuscripts and Ephemera*



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The Lawbook Exchange, Ltd.

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Front Cover: Item 147, John Morgan, Gentlemen of the Jury, 1863.

We are happy to accept orders by telephone, fax, e-mail or through our website. All items in this catalogue have color digital images which can be seen at our website. Our office hours are: Monday through Friday from 9 AM to 6 PM. Should you wish, we can supply by e-mail a digital image of title pages and/or the binding(s) of any item.

We are actively purchasing books on topics similar to those which appear in our catalogues, and appreciate offers of either single items or whole collections.

Terms: All items are offered subject to prior sale. All prices are net. Appropriate sales tax will be added for residents of New Jersey. Foreign remittances must be in U.S. dollars, by check drawn on a U.S. bank, by international money order, or by wire transfer. We accept Visa, MasterCard, Discover and American Express credit cards.

Shipping Charges will be applied to all orders. Domestic orders will be shipped via UPS or Federal Express Ground Service, unless we receive other instructions. All books are packed with requisite care. International orders will be shipped via Federal Express, DHL or TNT Express courier services, unless we receive other instructions.

Warranty & Returns: Any item may be returned within ten (10) days of receipt for any reason; prior notification is necessary and returned items must be carefully packed and arrive safely.

Publications and Reprints: We publish original publications as well as facsimile reprints of legal classics. We currently have over 1,100 titles in print. All of our publications and reprints are printed on acid-free paper. Our complete Spring 2011 Recent Publications Catalogue is available on request.

On-Line Catalogues: Our latest catalogues, some featuring specific subjects and special offers, can be viewed on our website.

Catalogue 70

*Recently Acquired Books, Manuscripts, Photographs, Artwork and Ephemera
Including a Lavish Seventeenth-Century Edition of the Collected Works
of Cujas, The First Edition of Livingston's System of Penal Law for the
United States of America, A Trio of Prints from Vanity Fair, The First
Report of the Dartmouth College Case, and a Selection of 26 Latin
American Titles Printed Before 1930*



The Lawbook Exchange, Ltd.

Clark, New Jersey
2011

INDEX OF SELECTED TOPICS

American Law Before 1800: 7, 8, 32, 56, 101, 102.

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BOOKS, MANUSCRIPTS AND EPHEMERA

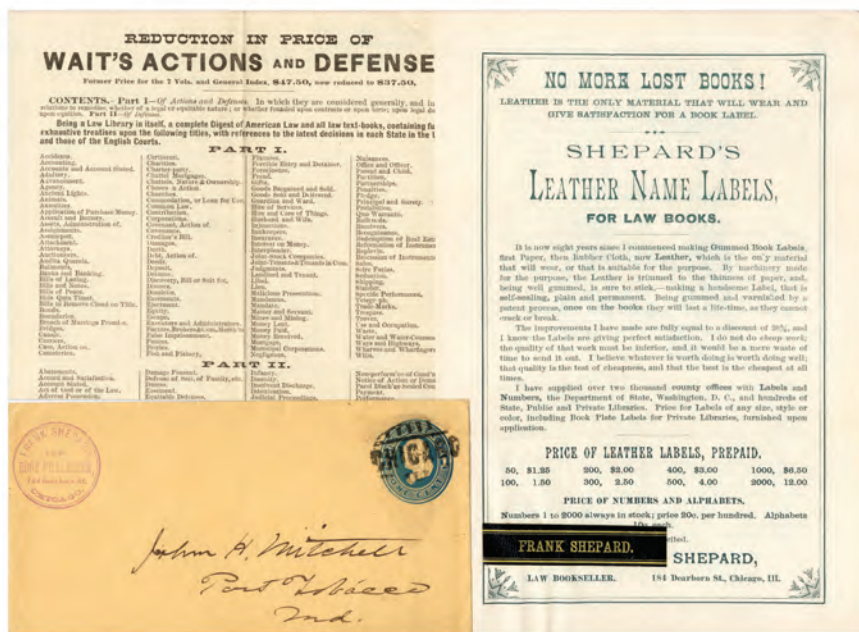
FRANK SHEPARD'S LATEST OFFERS, C. 1884.

1. [Advertisement]; Frank Shepard, Law Bookseller. [Prospectus for Publications and Library Materials].

Chicago, c. 1884. \$250.

Two, two-page leaflets, 9-1/2" x 6-1/2" and 9" x 6," one 11" x 6-1/2" leaflet and a stamped and addressed envelope mailed by Shepard. Fold lines to items, otherwise fine, some soiling and edgewear to envelope.

Frank Shepard began his career as a law bookseller in Chicago. The three items in this group were mailed to an attorney in Indiana. One item is a prospectus for Myer's *Federal Decisions*, another promotes Wait's *Actions and Defenses*, with a "Reduction in Price." The third item, a pamphlet, promotes the innovative book-owner's leather spine label (a sample is affixed to the advertisement), "Shepard's Legal File Cover," "Portraits of Eminent Lawyers" and "Shepard's Reference Book Stand--500 Sold During 1884."



ANGELL ON INCORPOREAL HEREDITAMENT

2. Angell, Joseph K. [1794-1857]. An Inquiry into the Rule of Law Which Creates a Right to an Incorporeal Hereditament, By an Adverse Enjoyment of Twenty Years. With Remarks, On the Application of the Rule to Light, and in Certain Cases to a Water Privilege.

Boston: Hilliard, Gray, Little and Wilkins, 1827. \$300.

vi, [1], [9]-117 pp. Octavo (5-1/4" x 8-1/2"). Contemporary sheep, blind fillets to boards, carefully rebacked retaining spine and lettering piece. Light rubbing to extremities with some wear to spine ends and corners, hinges cracked, offsetting to margins of endleaves. Toning to text, light browning in places, foxing to some leaves. Early owner signature (of W.B. Raxwell/ Jan'y-1846) to front endleaf, interior otherwise clean.

Only edition. Angell was one of America's first significant legal scholars. His works were esteemed highly by Kent and Story, and several were required reading at Harvard Law School. "The object of [this book] is to investigate the original establishment, and to trace the progress of the modern rule of Law which raises the presumption of a grant of an incorporeal right, or hereditament, after a quiet enjoyment of twenty years duration. Also, to explain the qualifications to which that rule is subject..." [iii]. BEAL 9575.

"A MORE COMPLETE LAWYER
THAN ANY OF HIS CONTEMPORARIES"

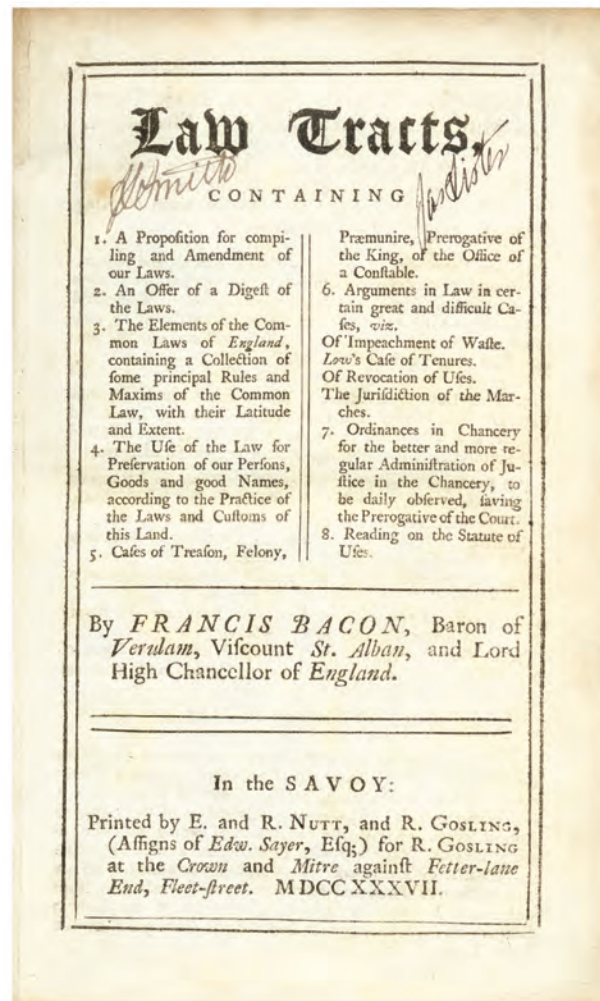
3. Bacon, Sir Francis [1561-1626]. Law Tracts. Containing 1. A Proposition for Compiling and Amendment of Our Laws. 2. An Offer of a Digest of the Laws. 3. The Elements of the Common Laws of England, Containing a Collection of Some Principal Rules and Maxims of the Common Law, With their Latitude and Extent. 4. The Use of the Law for Preservation of our Persons, Goods and Good Names, According to the Practice of the Laws and Customs of this Land. 5. Cases of Treason, Felony, Praemunire, Prerogative of the King, of the Office of a Constable. 6. Arguments in Law in Certain Great and Difficult Cases, Viz. Of Impeachment of Waste. Low's Case of Tenures. Of Revocation of Uses. The Jurisdiction of the Marches. 7. Ordinances in Chancery for the Better and More Regular Administration of Justice in the Chancery, To be Daily Observed, Saving the Prerogative of the Court. 8. Reading on the Statute of Uses.

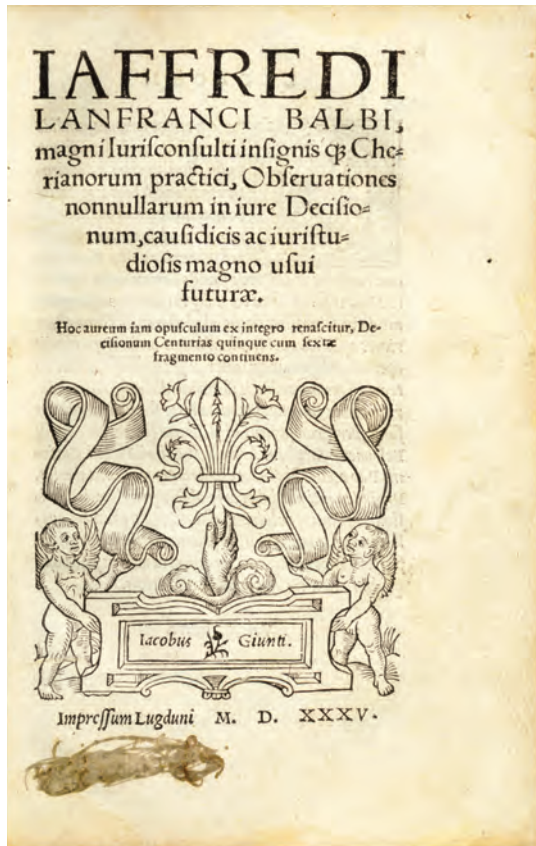
[London]: Printed by E. and R. Nutt, and R. Gosling, 1737.

\$1,500.

[ii], 356, [16], [1] pp. Advertisement leaf misbound at rear of text. Octavo (7-3/4" x 5"). Recent quarter cloth over marbled boards, printed paper title label to spine, endpapers renewed. Negligible toning to text, light foxing to a few leaves. Early owner signature to head of title page, interior otherwise clean.

The first complete edition and the first to include tracts 1, 2 and 6. Bacon, one of the great intellectuals of the age, held the posts of solicitor general, attorney general and lord chancellor during the reign of James I. "He was a more complete lawyer than any of his contemporaries. Not only was he an eminent practitioner in the common law; not only did he leave his mark as lord chancellor upon the development of equity; he also studied both English law and law in general scientifically and critically. The only other lawyer, in that age of distinguished lawyers, who can be compared to him is his great rival Coke.": HELV:239. Sweet & Maxwell 1:20 (1).





4. **Balbi, Goffredo Lanfranco [16th. C.]**. *Observationes Nonnullarum in Iure Decisionum, Causidicis ac Iuristudiosis Magno Usui Futurae. Hoc Aureum Iam Opusculum ex Integro Renascitur, Decisionum Centurias Quinque cum Sextae Fragmento Continens.*

Lyons: Iacobus Giunta, 1535. \$1,950.

183, [14] pp. Octavo (6-1/4" x 4-1/4"). Later quarter morocco over cloth, raised bands and gilt title to spine, endpapers renewed. Light rubbing with negligible wear to corners, a few tiny faint stains to boards. Large woodcut Giunta device to title page, woodcut decorated initials. Faint dampstaining to margins and annotations and underlining in early hand to a few leaves. A handsome copy.

First edition. This volume collects 500 rulings by the noted jurist with additional commentary. Each entry notes comparable rulings by other leading jurists. Later editions appeared in 1538, 1540, 1545, 1546 and 1588. OCLC locates 3 copies of the first edition, 5 of other editions. Editions located in the U.S. at Harvard Law School (1535, 1540, 1588), Library of Congress (1546) and UC-Berkeley (1545). Adams, *Catalogue of Books Printed on the Continent of Europe, 1501-1600* C72.

FIRST EDITION OF THE FIRST
SOUTH AFRICAN LAW DICTIONARY

5. **Bell, W.H. Somerset, Compiler**. *South African Legal Dictionary: Containing Most of the English, Latin and Dutch Terms, Phrases and Maxims Used in Roman-Dutch Law and South African Legal Practice, Together With Definitions Occurring in the Statutes of the South African Colonies.*

Grahamstown, Cape Colony: African Book Company, Limited, 1910. \$650.

xvii, [1], 608 pp. Contemporary three-quarter calf over cloth, raised bands and lettering piece to spine. Light rubbing to boards, light fading near top edges, moderate rubbing to extremities, front hinge cracked, owner bookplate to front free endpaper. Light toning to text, "Presented to W.T. Welsh, Esq., R.M., By the Staff and Officials, Libode, On His Departure, Libode, 14th May, 1910" gilt-stamped to front board. Signatures of "the staff and officials" to verso of front free endpaper, interior otherwise clean.

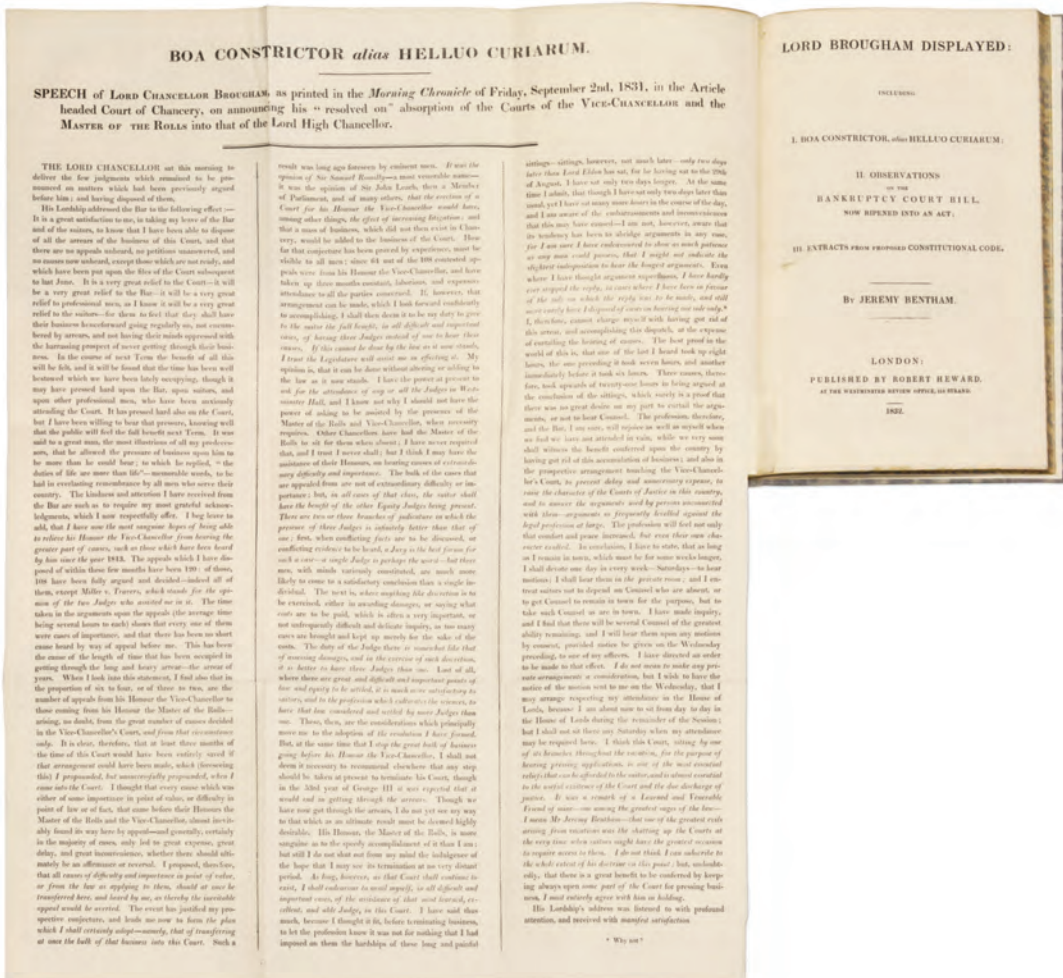
First edition. This was the first dictionary of South African legal terms and phrases. "In many instances I have taken over definitions from text-book writers in preference to framing a definition of my own, for obviously the definition of a specialist will be found more accurate than any I could frame. In such cases, where definitions are taken over they are printed within inverted commas and the reference is given" (Preface). OCLC locates 12 copies in North American law libraries.

6. Bentham, Jeremy [1748-1832]. Lord Brougham Displayed: Including I. Boa Constrictor, Alias Helluo Curiarum; II. Observations on the Bankruptcy Court Bill, Now Ripened into an Act; III. Extracts from Proposed Constitutional Code.

London: Published by Robert Heward, 1832. \$950.

iv, 24, 72, 6, 4, pp. Boa Constrictor is a 13-1/2" x 17" fold-out table preceding text. Octavo (8-1/4" x 5"). Later marbled boards, marbled edges. Very light rubbing to extremities, some fading to spine. Minor tear to table, light toning to text, internally clean.

Only edition. The establishment of a bankruptcy court was one of the many reforms instituted by Lord Brougham [1778-1868] during his time as lord chancellor [1830-1834]. Though generally supportive of Brougham's reform of bankruptcy procedure, Bentham felt he didn't go far enough. "Brougham, he said, had not tried to further the two reforms on which all effective law reform depends—codification and 'appropriate judicial establishment with its system of procedure'; and so Bentham represented him as given up to 'sinister influence, interest-begotten prejudice, and interest-begotten sympathy.' It was not till the very end of his paper that Bentham had the grace to acknowledge Brougham's professional and private virtues, and his kindness to himself, and thus to get as near an apology as he ever got" (Holdsworth). OCLC locates 2 copies in North American law libraries (Columbia, Louisiana State University). HEL XIII:103. Kress C.3022.



7. Blackstone, Sir William [1723-1780]. Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition. America

[Philadelphia]: Robert Bell, 1771-72. 22-page subscriber list. Four volumes. Signature CC (pp. 209-216) in Volume I lacking and replaced with a duplicate of Signature HH (pp. 249-256) due to a contemporary binder error.

[And]

[Priestley, Joseph (1733-1804), Sir William Blackstone, Philip Furneaux (1726-1783), Sir Michael Foster (1689-1763) and William Murray, Earl of Mansfield (1705-1793)]. An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries, Relating to the Dissenters. II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's Reply. IV. The Case of the Late Election of the County of Middlesex Considered on the Principles of the Constitution and the Authorities of Law. V. Furneaux's Letters to the Hon. Mr. Justice Blackstone Concerning His Exposition of the Act of Toleration, and Some Positions Relative to Religious Liberty, In His Celebrated Commentaries on the Laws of England. VI. Authentic Copies of the Argument of the late Hon. Mr. Justice Foster in the Court of Judge Delegates, and of the Speech of the Right Hon. Lord Mansfield in the House of Lords, in the Cause Between the City of London and the Dissenters.

[Philadelphia]: Printed for the Subscribers, by Robert Bell, 1772. \$17,500.

[iv], iv, [5]-119, xii, 155 pp. Five volumes in all (a married set). Octavo (8-3/4" x 5-1/2"). Recent period-style calf, raised bands and lettering pieces to spines, endpapers renewed. Light browning and occasional dampspotting to text. Early bookplate to front pastedown of Volume 1, early owner signatures to preliminaries, manuscript notes to rear endleaves of Volume 4. A solid set in a superb binding (and a facsimile edition).

A fascinating set of the first issue of the American edition with four different ownerships. Volume 1 is signed by Thomas Huse of Newburyport and bears the bookplate of the Newburyport Athenaeum. Volume 2 is signed by Ephraim Blaine, a subscriber and Sheriff of Cumberland County Pennsylvania. Volume 4 is signed 'Feby 20th Tho Clark Esq Five volumes price pounds 6' and the *Appendix* is inscribed similarly by Clark and bears the inscription: "Benjamin West's Book Given to him by his Friend Robert Bell, Printer Bookseller for the City of Philadelphia." West, a bookseller in Providence, Rhode Island, was also a subscriber to Bell's edition.

This is both a highly significant edition for American lawyers and a landmark in the history of American publishing. The most influential publication in the history of modern Anglo-American law, Blackstone's *Commentaries* was based on a course of lectures delivered at Oxford University. Because they were not intended for aspiring practitioners, they described general principles rather than practical specifics. Sensitive to the systematizing trends of the day and the prestige of the natural sciences, he described the common law as an intricate, well-designed system akin to Newton's mechanistic universe. It remained the standard legal textbook in America into the late nineteenth century and was the primary, or only, book studied by hundreds of self-taught lawyers, such as Abraham Lincoln.

Robert Bell financed the work by soliciting advance subscriptions and 839 individuals, libraries and booksellers were listed in volume 4 as initial subscribers. Volume I contains four pages of advertisements and a prospectus for this edition (addressed "To the American World"), Volume IV lacks the tipped-in advertisement leaf, often not present, for Ferguson's *Essay on the History of Civil Society*, but has the famous twenty-two-page subscriber list that includes John Adams, John Jay, John Dickinson, several colonial governors and many other leading merchants, judges and military officers of colonial America. The rare prospectus "To the Encouragers of Literature" that should be tipped-in to the leaf preceding the title page of Volume III, which announces the publication of *An Interesting Appendix to Blackstone's Commentaries*, is missing however. Glue residue on this leaf indicates it was originally present. Eller, 80, 255.

COMMENTARIES

ON THE

L A W S

O F

E N G L A N D.

IN FOUR BOOKS.

B Y

SIR WILLIAM BLACKSTONE, KNT.

ONE OF HIS MAJESTY'S JUDGES OF THE COURT OF COMMON PLEAS.

RE-PRINTED FROM THE BRITISH COPY,
PAGE FOR PAGE WITH THE LAST EDITION.

A M E R I C A:

PRINTED FOR THE SUBSCRIBERS,

By ROBERT BELL, at the late UNION LIBRARY, in *Third-street.*

PHILADELPHIA. MDCC LXXI.

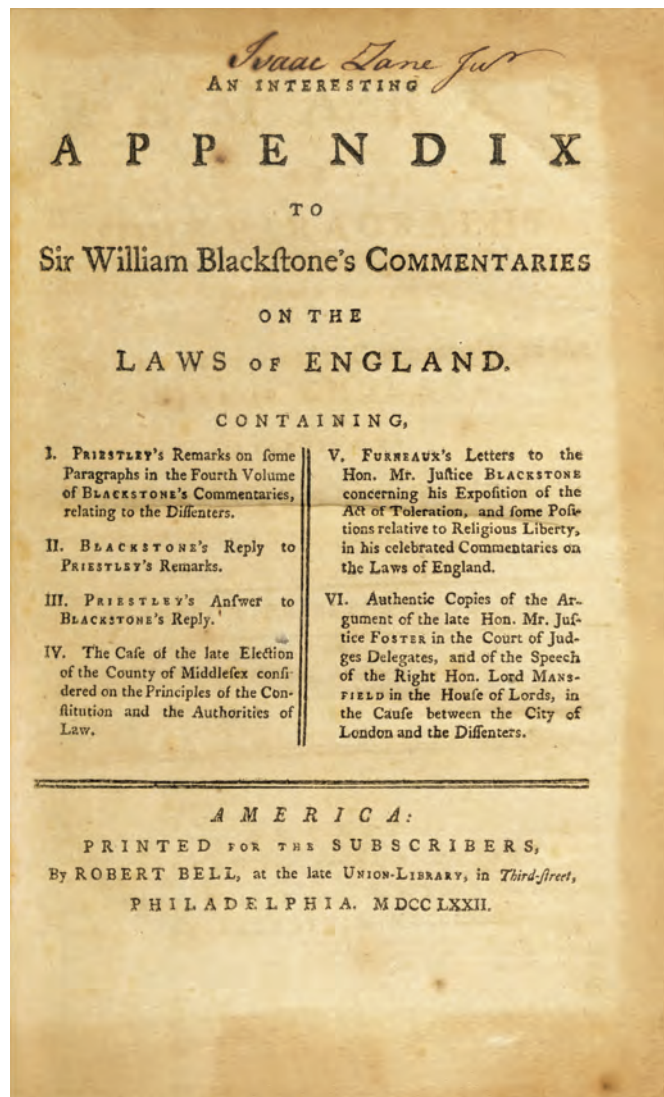
8. [Blackstone, Sir William]; [Priestley, Joseph (1733-1804), Philip Furneaux (1726-1783); Sir Michael Foster (1689-1763) and William Murray, Earl of Mansfield (1705-1793)]. An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries, Relating to the Dissenters. II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's Reply. IV. The Case of the Late Election of the County or Middlesex Considered on the Principles of the Constitution and the Authorities of Law. V. Furneaux's Letters to the Hon. Mr. Justice Blackstone Concerning his Exposition of the Act of Toleration, and Some Positions Relative to Religious Liberty, in his Celebrated Commentaries on the Laws of England. VI. Authentic Copies of the Argument of the late Hon. Mr. Justice Foster in the Court of Judges Delegates, and of the Speech of the Right Hon. Lord Mansfield in the House of Lords, in the Cause Between the City of London and the Dissenters.

[Philadelphia]: Printed for the Subscribers, by Robert Bell, 1772.

\$1,000.

[iv], iv, [5]-119, [1], xii, 155, [1]. Includes one-page publisher advertisement. Each section preceded by divisional title page, first work also preceded by general title page. Octavo (gathered in fours) (9" x 5-1/2"). Contemporary sheep, rebacked retaining spine with raised bands and blind-stamped "5," lettering piece lacking, hinges mended. Light rubbing to extremities, corners bumped. Toning to text, light browning in places, occasional light foxing. Early owner annotation dated 1828 to front free endpaper, early signature (of Isaac Lane, Junior) to head of title page.

First edition, first issue. This book contains a group of essays on religious liberty inspired by a passage in Blackstone's *Commentaries*, Book IV, Chapter 4, Section III, "Of Offences Against God and Religion." It was issued as a fifth volume to Bell's edition of Blackstone, the first published in America, it was reissued in 1773 without a "5" stamped to its spine. Bell issued it again that year with a new title, *The Palladium of Conscience*. The annotation reads "I commenced the study of the law in Leesburg in Loudoun County Virginia the 13th day of August 1828." Eller 255.



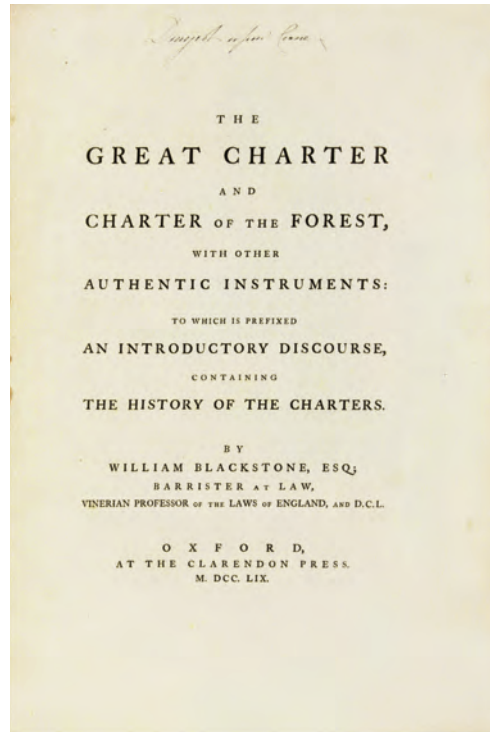
See ills.
Pl. II

9. Blackstone, Sir William. The Great Charter and Charter of the Forest, With Other Authentic Instruments: To Which is Prefixed an Introductory Discourse, Containing the History of the Charters.

Oxford: Clarendon Press, 1759. \$5,000.

[iv], lxxvi, [iv], 86 pp. As in many copies, the half-title and table of contents (Tabula) are bound between pp lxxvi and p. 1. Folio (13-1/2" x 10-1/2"). Recent period-style calf, raised bands and lettering piece to spine, endpapers renewed.

First edition. Texts of documents in Latin, Blackstone's essay in English. The engraved dedication to the Earl of Westmoreland is surmounted with his armorial ensigns; initials in the text are ornamented with engravings of various buildings at Oxford University. The tail pieces on pages lxxvi and 73 are historical vignettes; the other ten tail-pieces are facsimiles of the royal seals that are attached to the original documents. This remarkable work is esteemed for its production and scholarship. Its physical appeal was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition." Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. This idea, first proposed by Coke, was a central tenet of Whig ideology. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter. Eller notes that Worrall's *Bibliotheca Legum Angliae* (1788) lists an edition from 1758 with the title *Magna Charta and Charta de Foresta*. She was not able to locate any copies, however. Later research indicates that this edition is a ghost. Eller 237.



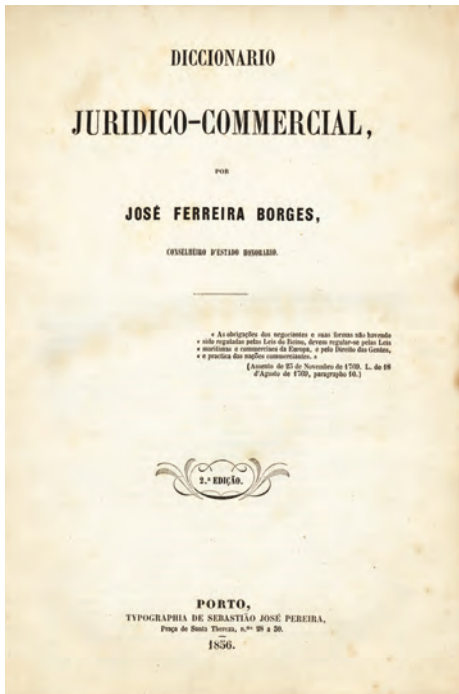
RARE PORTUGUESE
COMMERCIAL LAW DICTIONARY

10. Borges, Jose Ferreira [1786-1838]. Dicionario Juridico-Commercial.

Lisbon: Sociedade Propagadora dos Connecimentos Uteis, 1839. \$950.

vi, 516, [14] pp. Includes fourteen-page subscriber list. Lithographed portrait frontispiece with tissue overlay. Octavo (8-1/2" x 5-1/2"). Contemporary three-quarter diced calf over marbled boards, gilt title and ornaments to spine. Moderate rubbing to boards and extremities, corners bumped, joints just starting at ends, fragment of small shelf label to spine. Moderate toning, light foxing in places, light dampstaining to head of preliminaries, gradually diminishing over the next 30 pages, internally clean. A solid copy.

First edition. A highly regarded dictionary dealing with commercial law, commerce and political economy. According to the preface, it was intended to be a companion to the author's *Codigo Commercial Portuguez* (1836). A second edition of this dictionary was published in 1856. Both are rare. OCLC locates 2 copies of the first edition in North American law libraries (Harvard, UC-Berkeley), 1 of the second (at the Library of Congress). *Catalogo da Livraria de Azevedo-Samodães* 1204.



FINAL EDITION OF BORGES' *DICCIONARIO*

11. Borges, Jose Ferreira. Diccionario Juridico-Commercial. Porto: Typographia de S.J. Perreira, 1856. \$1,500.

See ills. Pl. II

viii, 423 pp. Main text in parallel columns. Quarto (8-1/2" x 6"). Contemporary sheep treated to resemble tree calf, lettering piece, gilt fillets and ornaments to spine, marbled endpapers. Light rubbing to extremities, front hinge cracked, bookseller ticket to front pastedown. Some toning to text, light foxing and negligible dampstaining in places. An attractive copy.

Second and final edition. OCLC locates 2 copies of the first in North American law libraries (Harvard, UC-Berkeley), 1 of the second (at the Library of Congress). *Catalogo da Livraria de Azevedo-Samodães* 1204.

THE LAW OF DISTRESSES IN THE EARLY NINETEENTH CENTURY

12. Bradby, James [1774-1826]. A Treatise on the Law of Distresses. New York: Isaac Riley, 1808. xx, 323 pp. Octavo (9-1/4" x 5-1/2"). \$200.

Contemporary calf, blind rules to boards, lettering piece and blind fillets to spine. Some rubbing to extremities, a few minor scuffs to boards, chipping to head to spine, bookplate residue to front pastedown. Light browning and faint dampspotting to text, internally clean. A nice copy.

First American edition, from the London edition of 1808, to which it is star-paged. Bradby's concise treatise presents a solid overview of distresses in the common law as practiced in the early nineteenth century. (Distresses arising out of statutes are not discussed.) The second and final American edition of this work, based on the second London edition, 1828, was issued in Volume 1 of the *Law Library* (1833). Bradby was a barrister of Lincoln's Inn. *BEAL* 9277.

AN UNRECORDED IMPRINT?

13. Brotherson, John, Compiler. Executors and Administrators Instructor: Containing All the Law on Those Subjects, Together with New Forms, Adapted to the Peculiar Requisitions of the Statute. New York: Printed by John C. Totten, 1828. \$350.

iv, 204 pp. Octavo (7" x 4"). Contemporary sheep treated to look like tree calf, lettering piece and gilt fillets to spine. Light rubbing to extremities, corners lightly bumped, hinges starting. Some toning and faint dampspotting to text. Early owner signature (Lemuel C. Baine) to front free endpaper and following endleaf, interior otherwise clean.

This appears to be a true first. Cohen lists this as an 1829 (c. 1828) imprint with the following pagination: viii, 212 pp. This copy has a title page dated 1828 and a different pagination. Shaw list the 1829 imprint but omits the 1828. OCLC locates 4 copies dated 1828 with the pagination of the 1829 imprint, 2 identical to ours. See *BEAL* 4634. Shaw and Shoemaker 37952.

“CALCULATED FOR THE USE OF MERCHANTS”

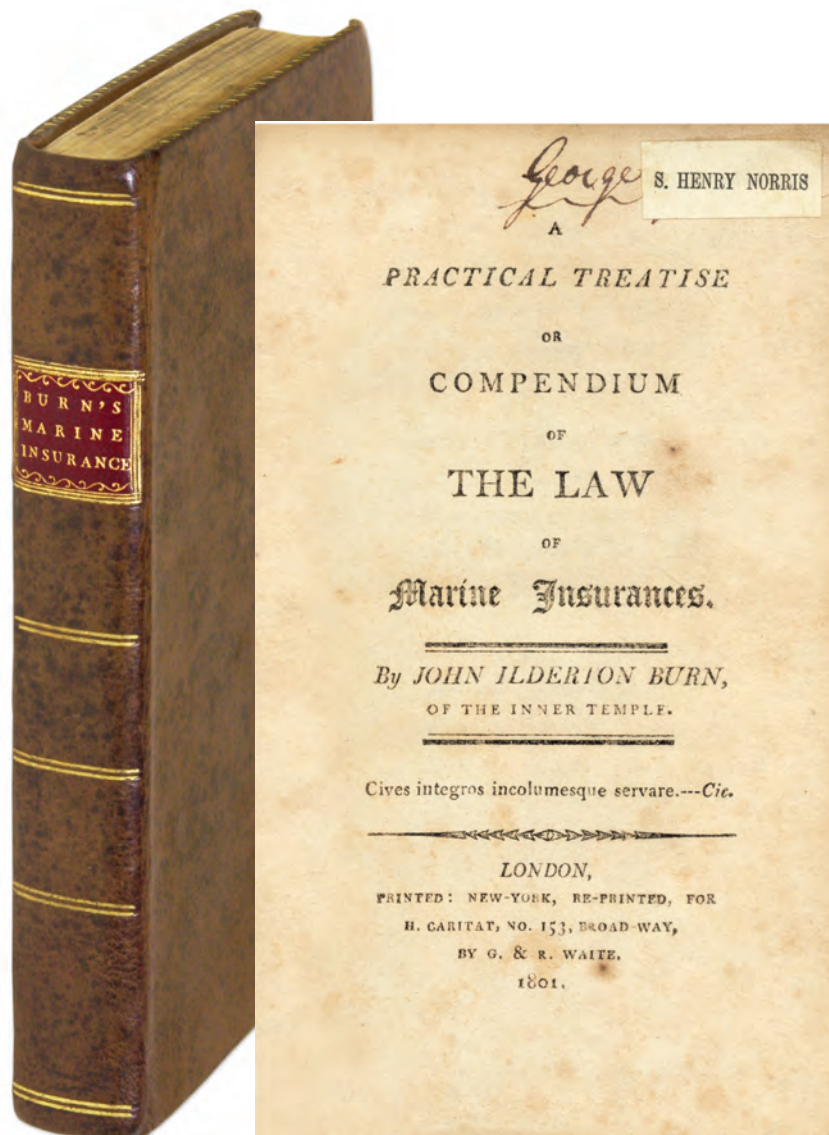
14. Burn, John Ilderton [1774?-1848]. A Practical Treatise or Compendium of the Law of Marine Insurances.

London, Printed: New-York, Re-Printed, for H. Caritat by G. & R. Waite, 1801.

\$1,250.

xiv, [2], 235 pp. 12mo. (6-1/4" x 4"). Recent period-style quarter calf, lettering piece and gilt fillets to spine, endpapers renewed. Light browning to text, negligible foxing in places. Head of title page has early owner signature partially covered by small owner label (S. Henry Norris), interior otherwise clean.

Only edition, published the same year in London and New York. “[T]he author trusts he will not be thought presumptuous in stating, that a compendious digest, immediately calculated for the use of merchants and their agents, still remains a desideratum in the merchant’s world. With a view to supply this deficiency, he commenced the following compilation”: (vii). Burn was a barrister of the Inner Temple who published several law books. The appendix contains summaries of two recent English decisions, and the form of an insurance policy for a ship or goods. *BEAL* 7055.



15. Bursati, Francesco [16th. C.]. Consiliorum Sive Responsorum.

Frankfurt: Ex Officina Typographica Ioannis Saurii, 1601.

\$7,500.

(Volume I), Sumptibus Rulandiorum, 1610 (Volume II), Apud Ioannem Feyrabend, 1594 (Volume III and IV). Four volumes in all. Complete as issued. Main text in parallel columns. Folio (15" x 9-1/2"). Contemporary vellum, blind rules and large central arabesques to boards, rebound retaining original spine with raised bands and early hand-lettered title, ties lacking. Light soiling, moderate wear to extremities, large scuff to front board, corners worn, vellum beginning to crack through pastedowns, rear hinge starting at ends. Armorial bookplate of William Curtis Noyes to front pastedown, title page of Volume I printed in red and black, large woodcut printer devices to all title pages, woodcut head-pieces, tail-pieces and decorated initials throughout. Toning, occasional browning, light foxing and dampspotting, minor creases and edgewear to a few leaves. Neat early underlining and annotations in a few places, interior otherwise clean.

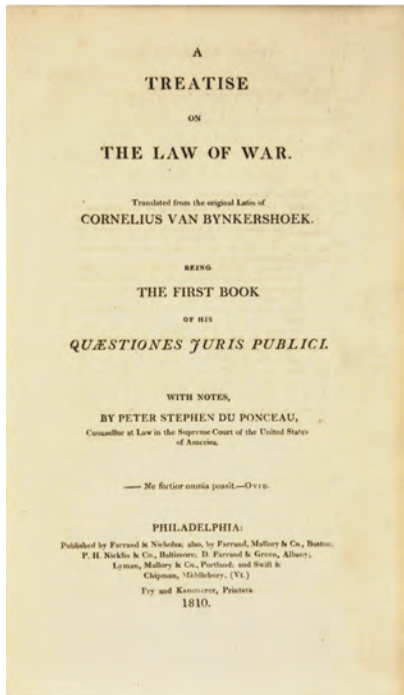
Second and final edition. These massive volumes collect 461 *consilia* (detailed analysis of specific legal points) by a notable Mantuan jurist. Most of these deal with canon law. This collection was first published in Venice in four volumes from 1573–1586. Both editions are very scarce today, both as sets and individual volumes. OCLC locates 6 complete copies of the second edition, 1 in North America (Harvard Law School). Another copy located at the Library of Congress. Noyes [1805–1864] was a leading New York lawyer and a member of the commission to codify the state's laws, which resulted in the Field Codes. A man of extensive learning, he owned one of the finest law libraries in the United States. Adams B2523. Pazzaglini and Hawks B119, B120, B121.



16. Bynkershoek, Cornelius van [1673-1743]; Du Ponceau, Peter Stephen [1760-1844], Editor and Translator. A Treatise on the Law of War: Being the First Book of His *Quaestiones Juris Publici*. Translated From the Original Latin with Notes, by Peter Stephen du Ponceau.

Philadelphia: Published by Farrand & Nicholas [et al.], 1810. \$1,250.

xxxiv, 218 pp. Octavo (8-1/2" x 5-1/2"). Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Some rubbing to extremities, chipping to spine ends, front board just beginning to separate but still quite secure, rear joint starting, rear hinge cracked, rear board secure. Offsetting to margins of endleaves, toning to text, light browning and dampspotting in places. Early annotations in pencil to front pastedown, interior otherwise clean. Ex-library. Location label to spine, bookplate residue to front pastedown, card pocket to rear. A solid copy of a scarce title.



Only edition, one of two issues (the other in Volume III of the *American Law Journal*). A translation of *De Rebus Bellicis*, part one of Bynkershoek's *Quaestiones Juris Publici* (1737), *A Treatise on the Law of War* addresses the customs of land and sea warfare. A notably humane work, it condemns actions against civilians and advocates the fair treatment of prisoners of war. Du Ponceau's able translation is prefaced by a biography of the author, a table of cases, an index of citations from the *Corpus Juris Civilis* and an annotated bibliography of civil law treatises cited or referred to by the author. This latter item, which lists editions and translations, is interesting for its insights into the American reception of the civil law in the early 1800s. One of the most important jurists and international lawyers of his time, Bynkershoek was an influential Dutch jurist who founded the positive school of international law, which held that usage and practice were more important than deductions drawn from natural law. Du Ponceau is an important figure in the early history of American Law and letters. He founded the Law Academy of Philadelphia in 1821, was the President of the American Philosophical Society and was a much-consulted expert on international relations and linguistics. *BEAL* 7166.

JOSEPH CHITTY ON THE LAW OF NATIONS

17. Chitty, Joseph [1776-1841]. A Practical Treatise on the Law of Nations, Relative to the Legal Effect of War on the Commerce of Belligerents and Neutrals; And Orders in Council and Licences.

London: Printed for W. Clarke and Sons, 1812. \$950.

xii, 296 pp. Octavo (8-1/2" x 5-1/2"). Original publisher boards, rebaced retaining original spine and printed paper title label, untrimmed edges. Some rubbing and faint stains to boards, some abraded and somewhat darkened. Toning, occasional browning and foxing to text, internally clean.

Only edition. Chitty was one of the most wide-ranging and prolific legal writers of the nineteenth-century. This treatise and an edition of Beawes's *Lex Mercatoria* (1813) were his two contributions to international law. Marvin's *Legal Bibliography* (1847), though critical of the *Practical Treatise*, finds merit in the digests of Sir William Scott's judgments in prize cases (190). It is also interesting because it summarizes the British view of wartime commerce at the outbreak of the War of 1812, a point Chitty makes in the Preface. Sweet & Maxwell 63.

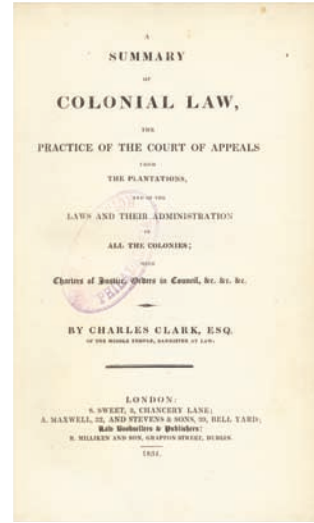
AN IMPORTANT WORK FOR THE
STUDY OF BRITAIN'S COLONIAL SYSTEM

18. Clark, Charles [d. 1881]. A Summary of Colonial Law, The Practice of the Court of Appeals from the Plantations, And of the Laws and Their Administration in All the Colonies: With Charters of Justice, Orders in Council, &c. &c. &c.

London: S. Sweet [et al.], 1834. \$1,250.

viii, 746 pp. Octavo (8" x 5-1/2"). Recent period-style quarter calf, blind fillets to boards, lettering piece and blind fillets to spine, endpapers renewed. Some toning to text, internally clean. Ex-library. Small inkstamp to title page and a few text leaves. An attractive copy.

Only edition. This thorough treatise is an important resource for students of the legal organization of Britain's colonial system. "An invaluable legal work": Ragatz, *A Guide for the Study of British Caribbean History, 1763-1834* 377. Sweet & Maxwell 2:66.

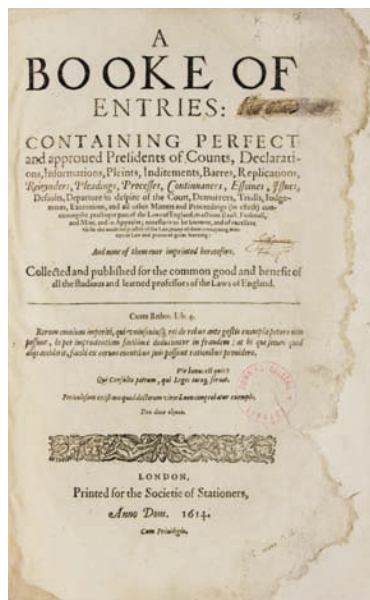


See ills.
Pl. II

FIRST EDITION OF COKE'S BOOKE OF ENTRIES

19. Coke, Sir Edward [1552-1634]. A Booke of Entries: Containing Perfect and Approved Presidents of Counts, Declarations, Informations, Pleints, Inditements, Barres, Replications, Rejoynders, Pleadings, Processes, Continuances, Essoines, Issues, Defaults, Departure in Despite of the Court, Demurrers, Trialls, Iudgements, Executions, And all Other Matters and Proceedings (In Effect) Concerning the Practique Part of the Laws of England, In Actions Reall, Personall, And Mixt, And in Appeales; Necessarie to be Knowne, And of Excellent Use for the Moderne Practise of the Law, Many of Them Contaynin Matters in Law and Points of Great Learning: And None of Them Ever Imprinted Heretofore. Collected and Published for the Common Good and Benefit of All the Studious and Learned Professors of the Laws of England.

London: Printed for the Societie of Stationers, 1614. \$1,500.



[x], 713, [11] ff. Main text in parallel columns. Folio (13" x 9"). Recent period-style full calf, blind rules and fillets to boards, raised bands, blind tooling and lettering piece to spine, endpapers renewed, early hand-lettered title to fore-edge. Toning to text, repairs to fore-edges of preliminaries, dampstaining to fore-edges at beginning of text, diminishing gradually through fol. 80, worming to margins near rear of text, from about fol. 643 onwards, spark burns to a few leaves. Two early struck-through signatures to title page, annotations in contemporary hand to rear endleaf, interior otherwise clean. Ex-library. Small inkstamp and hand-written location number to title page. A lovely binding.

First edition. This was the first comprehensive book of entries since Rastell's *Collection of Entries* (final edition, 1670). A second edition was published in 1671. Holdsworth notes that it embodied Coke's experiences at the bar and on the bench. Marvin adds: "This volume was published...before the completion of his reports. It is in some measure a supplement to them because it exhibits the entire record of many of the cases therein reported." Marvin 212. *HEL* V: 461. Sweet & Maxwell 1:266 (43).

See ills.
Pl. II

See ill.
Pl. II

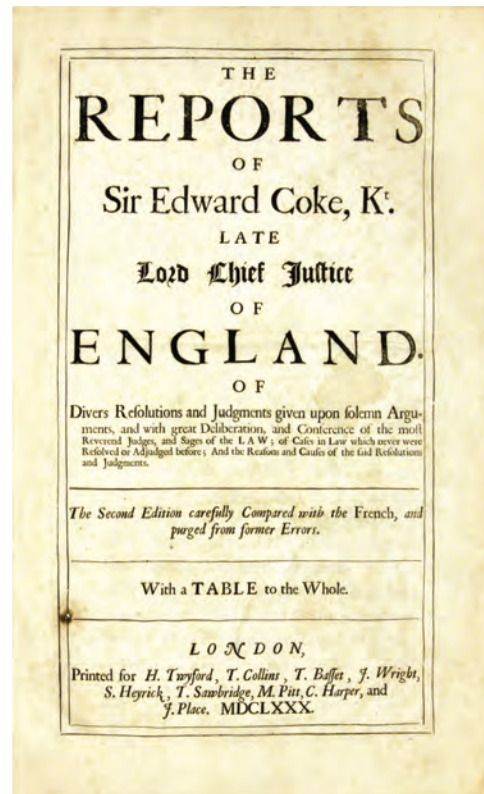
20. Coke, Sir Edward. The Reports of Sir Edward Coke, Kt. Late Lord Chief Justice of England. Of Divers Resolutions and Judgments Given Upon Solemn Arguments, And with Great Deliberation, And Conference of the Most Reverend Judges, And Sages of the Law; Of Cases in Law Which Never Were Resolved or Adjudged Before; And the Reasons and Causes of the Said Resolutions and Judgments. With a Table to the Whole. Carefully Compared with the French, And Purged from Former Errors. With a Table to the Whole.

London: Printed for H. Twyford, T. Collins [et al.], 1680.

\$1,750.

[iv], 882, [122] pp. Folio (13-3/4" x 9"). Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, gilt fillets to board edges, endpapers renewed, early hand-lettered title to fore-edge, later owner bookplate (of Sir Charles Wolsey, Bart.) to title page. Light browning, very faint dampspotting to margins in places, contemporary underlining and annotations and doodles (mostly heads of ladies) to margins in a few places, along with a few clean tears, interior otherwise clean. A handsome copy.

Second English-language edition. With table. First published in law-French in thirteen parts from 1601 to 1659, Coke's *Reports*, which contain cases from 1572 to 1616, are not reports in the conventional sense but highly detailed anthologies of precedents organized according to the cases they consider. In each instance Coke assembled a large body of cases, outlined their arguments, and explained the reasons for the judgment, using it as a basis for a statement of general principles. Taken together, the *Reports* form the most extensive and detailed treatment of common law pleading that had yet appeared. A work of immense authority, it was often cited as *The Reports*, there being no need to mention the author's name. His accounts, especially of pleading, were applauded for both their clarity and usefulness as stylistic models for students. And his selection of cases, cited frequently in subsequent years, has served as the starting point for numerous decisions. OCLC locates 10 copies in North American law libraries. Sweet & Maxwell 1:296 (31).



CONTRACTS AND CHRISTIAN ETHICS

See ill.
Pl. I

21. Comitoli, Paolo [1544-1626]. Doctrina de Contractu Universe, Ad Scientiae Methodum Revocato, In III Partes Distributa. Nunc Primum in Lucem Emissa.

Lyons: Sumptibus Horatii Cardon, 1615.

\$1,500.

[xii], 242, [24] pp. Main text in parallel columns. Quarto (9" x 6-1/2"). Contemporary vellum with lapped edges, early hand-lettered title to spine. Some soiling, light rubbing to extremities, spine ends bumped, a few minor stains, faint early signature to front board, pastedowns, loose. Title page printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, minor worming and dampstaining to margins in places, internally clean. Ex-library. Small inkstamps to title page. A scarce title.

Only edition. Comitoli, a Jesuit theologian, considers the nature of contracts in canon law and Christian ethics. This treatise was incorporated into Comitoli's, *Theologi, Responsa Moralia in VII. Libros Digesta* (1709). OCLC locates no copies in North America. Not in Ferreira-Ibarra.

22. [Conveyancing]. The Compleat Clerk, Containing the Best Forms of All Sorts of Presidents, For Conveyances & Assurances; And Other Instruments Now in Use and Practice. With the Forms of Bills, Pleadings and Answers in Chancery; As They Were Penned and Perfected by Eminent Lawyers, And Great Conveyancers, Both Ancient and Modern. Whereunto are Added Divers Presidents, Which were Wanting: And also Some Saxon Presidents; With the Exposition of Certain Words, Used in Ancient Charters: And the Proper Names of Men and Women: With Additions of Titles of Honour, Trades and Occupations, Cities, Counties, Bishopricks; Names of Offices, Months and Days; Numbers of Money and Weights, In Latin and English: With a Computation of Years, From King William the Conquerour, To this Present. With Alphabetical Tables of the Whole Contents of the Said Book.

London: Printed by W. Rawlins, S. Roycroft, and H. Sawbridge, 1683. \$1,500.



[vi], 936, [80] pp. Main title page preceded by copperplate pictorial title page with the title (adapted from first edition): *The Conveyancers Light or Exact Presidents for all Manner of Instruments and Conveyances*. Quarto (8-1/2" x 6-3/4"). Recent period-style calf, blind rules and corner fleurons to boards, gilt fillets to board edges, raised bands and lettering piece to spine, early hand-lettered title to fore-edge of text block, endpapers renewed. Some toning to interior, later owner bookplate (of Herbert L. Jacobs) to front pastedown, light soiling to title page, internally clean. A handsome copy.

Fifth and final edition. Originally published in 1655 as *The Compleat Clerk, And Scriveners Guide*, this book is a fine guide to the state of conveyancing during the mid-seventeenth century. Its five editions indicate it was a fairly successful and well-regarded work. In all editions "To the Reader" is signed "J.H." This has led some bibliographers to speculate that the author was related to Sir Richard Hutton, whose works include *The Young Clerks Guide* (1653). ESTC R16251. Sweet & Maxwell 1:480 (16).

THE FOUNDATION AND THEORY OF MODERN CONVEYANCING

23. Cruise, William [d.1824]. An Essay on Uses.

Dublin: Printed for Messrs. Exshaw, Bryne, Rice, Moore, Porter, and Boyce, 1796. \$125.

xvi, 208 pp. Octavo (8" x 5"). Contemporary calf, rebacked retaining spine with raised bands, lettering piece lacking. Moderate rubbing to extremities, chipping to spine ends, corners bumped, front joint starting at head, hinges starting. Light browning to text, occasional light foxing. Early owner signature (Denny) to title page, interior otherwise clean.

Second edition, a reprint of the first London edition, 1795. This is a notable work on the origins of conveyancing. An important treatise author, Cruise enjoyed a considerable reputation as a conveyancer. Sweet & Maxwell 1:256 (10).

See ills.
Pl. II

See ills.
Pl. I

24. Cujas, Jacques [1522-1590]; Fabrot, Charles Annibal [1580-1659], Editor. Opera Omnia in Decem Tomos Distributa: Quibus Continentur tam Priora, Sive Quae Ipse Superstes Edi Curavit: Quam Posteriora, Sive Quae Post Obitum Eius Edita Sunt, Vel Nunc Primum Prodeunt. Editio Nova Emendatior et Auctior, Caeteris Omnibus Quae Ante Prodigierunt, Opera & Cura Caroli Annibalis Fabroti. Paris: Impensis Societatis Typographicae Librorum Officii Ecclesiastici, 1658. \$8,000.

Five parts in ten books. Main text printed in parallel columns. Volume I, Part 1, has copperplate portrait frontispiece. Folio (15" x 9"). Contemporary vellum, blind rules and large blind arabesques to boards, raised bands and early hand-lettered titles to spines, ties lacking. Light soiling, some rubbing to extremities, several joints cracked or starting, minor chipping to spine ends of a few volumes, corners bumped. Title page printed in red and black, attractive woodcut text ornaments. Some toning to text, faint dampstaining to upper margins in places, internally clean. An impressive set.

Second collected edition of Cujas's works. With comprehensive indexes and notes by Fabrot. The best edition according to Camus, it is a much-expanded edition of the 1617 set edited by Rene Giffart and Denis de la Noue. Fabrot's edition collects several important works, such as the *Commentaries on Papinian* and Paul's *Sententiae*. Cujas, a professor of law at the universities of Cahors, Bourges, Valencia and Turin, was the preeminent authority on Roman law in his day and one of its most important scholars. He recovered and published the *Codex Theodosianus* and the *Basilica* and published several commentaries and editions. "He is the outstanding representative of humanism in Roman law. The glossators had studied Roman law as it stood at Justinian's death and the commentators, or Bartolists, had used their comprehensive knowledge of Justinian acquired by the glossators as the basis of a systematic science, but as their aim was practical they introduced non-Roman elements into the civil law and adapted it to contemporary needs. The school of Cujas viewed the Roman texts as historical documents, interpreting them in the full setting of ancient history and literature. A consummate master of jurisprudence, philology and history, Cujas may claim to be the greatest legal scholar of all time" (Zulueta). Fabrot was a French jurist who continued the work of Cujas and edited the first complete edition of the *Basilica*. Zulueta, "Cujas, Jacques" in Seligman and Johnson, Ed., *Encyclopedia of the Social Sciences* IV:617. Camus 743.

See ills.
Pl. V

25. Daoiz, Esteban. Iuris Pontificii Summa, Seu Index Copiosus, Continens Conclusiones, Ac Summam Omnium Materialium, Quae Exponuntur in Textu, & Glossis Totius Iuris Canonici, Concilii Tridentini, In Regulis Cancellariae, & Quibusdam Bullis Extravagantibus, Maxima Distinctione Contextus. Milan: Sumptibus Jo. Baptistae Cetti, 1745. \$1,950.

Two volumes. Main text in parallel columns. Folio (16" x 10"). Contemporary sheep, cat's-paw decoration to boards, gilt spine with raised bands, edges rouged. A few shallow scuffs to boards, some rubbing to extremities, corners bumped and somewhat worn, bookplate residue to front pastedowns. Title pages printed in red and black. Light toning in places, interiors otherwise fresh. Ex-library. Early location labels to spines. A handsome set.

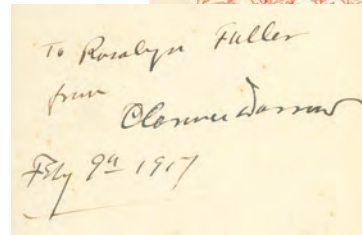
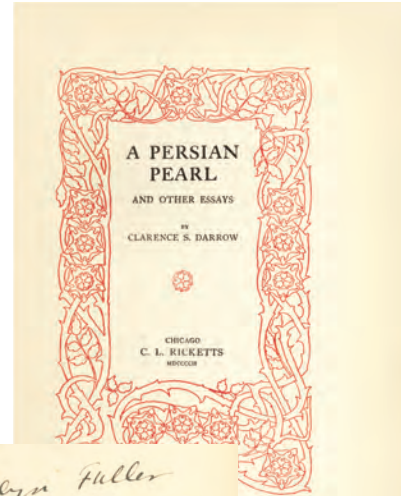
Second and final edition, revised. Originally published in 1623-24, this remarkable work is an index of topics with references to the primary sources of canon law. It is arranged alphabetically by topic; most entries are divided into several sub-topics. OCLC locates 3 copies of the first edition in North American law schools (Catholic University, Harvard, UC-Berkeley), no copies of the second. We located a copy of the second edition at the Library of Congress. See Ferreira-Ibarra 416.

INSCRIBED BY DARROW TO
BRITISH ACTRESS ROSALINDE FULLER

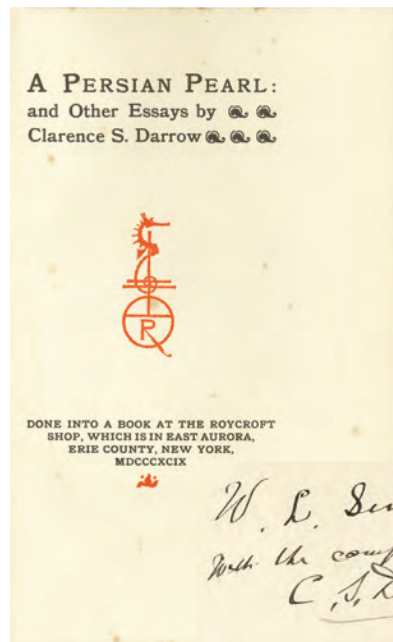
26. Darrow, Clarence [1857-1938]. *A Persian Pearl and Other Essays.*
Chicago: C.L. Ricketts (Lakeside Press colophon), 1902. \$1,750.

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.

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 [1901-1982], 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 included in *Flappers and Philosophers* (1920). Hunsberger 44.



LIMITED EDITION OF *A PERSIAN PEARL* INSCRIBED BY DARROW



27. Darrow, Clarence. *A Persian Pearl And Other Essays.*

East Aurora, NY: The Roycrofters, 1899. \$1,500.

175 pp. Quarter suede over paper-covered boards, gilt title to front lettering piece to spine, deckle edges. Light wear to extremities, some soiling to boards. Printed throughout in red and black with ornamental initials, head and tail pieces and other decorative devices. Inscription to Darrow to limitation page. Light toning, light foxing in places, internally clean.

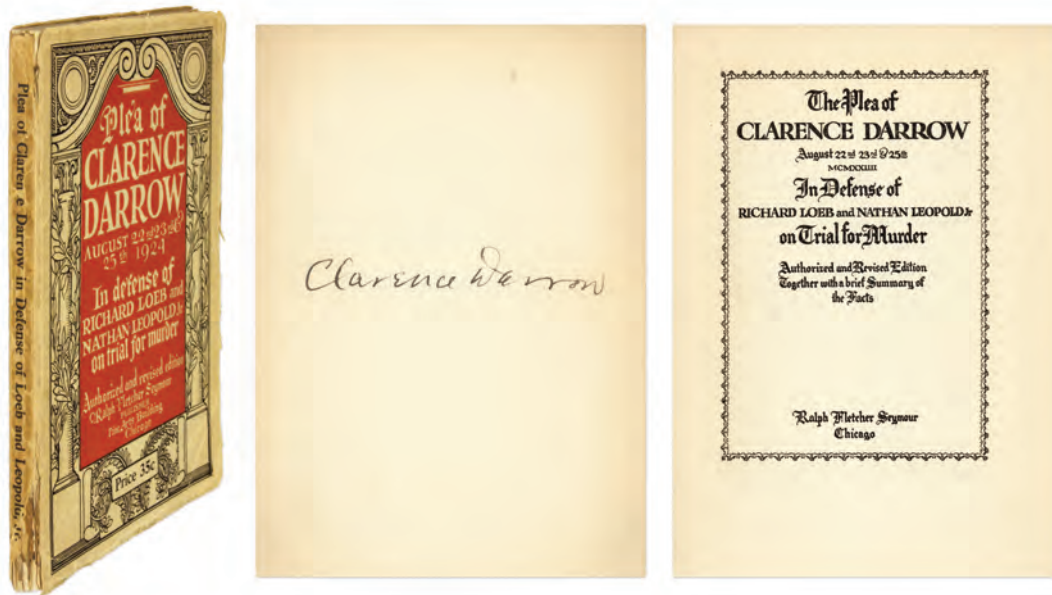
First edition limited to 980 copies, this number 693. The inscription reads: "W.L. Sinton (?)/ With the compliments of/ C.S. Darrow." Hunsberger 18.

28. Darrow, Clarence. The Plea of Clarence Darrow, August 22nd, 23rd & 25th 1924, In Defense of Richard Loeb and Nathan Leopold, Jr. On Trial for Murder. Authorized and Revised Edition Together with a Brief Summary of the Facts.

Chicago: Ralph Fletcher Seymour, [1924]. \$950.

[ii], 121 pp. Not issued with portrait frontispiece. Handsome red and black printed wrappers, deckle fore and bottom edges. Moderate rubbing to extremities with some loss to spine ends and corners, front cover and free endpaper starting. Bold signature of Darrow to front free endpaper, internally clean.

The famous plea for clemency that spared the defendant's lives for their attempt to commit a "perfect crime." Hunsberger 1265.



1831 COMPILATION OF GEORGIA LAW

See ill.
Pl. IV

29. Dawson, William C., Compiler. A Compilation of the Laws of the State of Georgia, Passed by the General Assembly Since the Year 1819 to the Year 1829, Inclusive: Comprising All the Laws Passed Within Those Periods, Arranged Under Titles, With Marginal Notes, And Notes of Reference to the Laws, Or Parts of Laws, Which are Amended or Repealed: To Which are Added, such Concurred and Approved Resolutions, As are Either of General, Local, or Private Nature: Concluded With a Full and Ample Index to the Laws, and a Separate One to the Resolutions.

Milledgeville: Published by Grantland and Orme, 1831. \$900.

488, 150, xxix pp. Text in parallel columns. Quarto (10" x 8"). Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to boards and extremities, corners bumped, a few minor scuffs and stains to boards, hinges starting. Toning and light foxing to text, faint dampstaining in places top margins, internally clean. A desirable copy.

First edition. This was the fifth digest of Georgia state laws, preceded by others from 1801, 1802, 1812 and 1821. It is digested alphabetically by topic. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 86.

30. De Witt, Benjamin [1774-1819]; Tammany Society, Or Columbian Order Wallabout Committee. An Account of the Interment of the Remains of 11,500 American Seamen, Soldiers and Citizens: Who Fell Victims to the Cruelties of the British on Board Their Prison Ships at the Wallabout, During the American Revolution. With a Particular Description of the Grand & Solemn Funeral Procession, Which Took Place on the 26 May, 1808. And an Oration, Delivered at the Tomb of the Patriots.

New-York, Printed by Frank White & Co., 1808. \$950.

96 pp. 12mo. (6-1/2" x 4"). Nineteenth-century cloth, blind frames to boards, gilt title to spine, patterned endpapers. Light rubbing to extremities, corners bumped. Light browning and foxing to text, internally clean.

Only edition. The British interred around 11,500 prisoners of war in a collection of prison hulks moored in the New York's East River in Wallabout Bay, Brooklyn. More American soldiers and sailors died of intentional neglect in these hulks than died on all the battlefields of the war. Their treatment and death was a topic that received a great deal of attention in the years following the Revolution. The Tammany Society purchased a lot in present-day Ft. Greene Park, Brooklyn, to re-inter the remains of these men. Its efforts led to the construction of the Prison Ship Martyrs' Monument in 1908.

ITALIAN EDITION
OF D'AGUESSEAU'S DISCOURSES

30a. Aguesseau, [Henri Francois d'], [1668-1751]; Zanzola, Luigi, Translator. Discorsi del Signor D'Aguesseau Pronunciati Avanti il Parlamento in Parigi.

Novarra: Dalla Tipografia di Girolamo Miglio, 1811. \$850.

[iv], ix, 411, [2] pp. Octavo (8" x 5"). Contemporary three-quarter calf over marbled boards, lettering piece and gilt fillets to spine, speckled edges. Light rubbing to boards and extremities, light foxing to a few leaves. A notably fresh copy.

First Italian edition of *Discours de Monsieur le Chancelier d'Aguesseau* (1773), a collection of addresses to the Parlement of Paris dealing with jurisprudence and statutory reform. D'Aguesseau was an important magistrate, parliamentarian and judge during the time of Louis XIV and XV. Once a pupil of Jean Domat, he served two terms as chancellor of France, 1717-1722 and 1727-1750. Later editions of Zanzola's translation were published in 1820 and 1831. No copies of any edition located on OCLC. KVK locates only a few copies of each edition, all in Italy. Not in the *British Museum Catalogue*.

"THE MOST DANGEROUS INNOVATION EVER ATTEMPTED
SINCE THE FORMATION OF THE GOVERNMENT."

30b. Dos Passos, John R. [1844-1917]. Some Observations on the Proposition to Elect United States Senators by the People.

[Washington, D.C., Press of W.F. Roberts Co., 1911]. \$150.

[ii], 3-33, [1] pp. Printed wrappers, disbound. Some rubbing to extremities, light browning to interior, internally clean. Ex-library. Small inkstamps to front cover and title page.

Dos Passos, the notable author of *The American Lawyer* and the path-breaking *Treatise on the Law of Stock-Brokers and Stock-Exchanges*, argues against the direct election of U.S. senators: "We are passing through an epoch so momentous that the American bar should organize to resist the most dangerous innovation ever attempted since the formation of the government." OCLC locates 4 copies (Dallas Public Library, Duke University, Library of Congress, Newberry Library).

See ills.
Pl. III

See ills.
Pl. I

31. Duprat, Pardoux [1520?-1570?], Compiler. *Lexicon Iuris Civilis, Et Canonici, Sive Potius Thesaurus, De Verborum, Quae ad Ius Pertinent, Significatione, P. Prateio ex Variis Collectore. Idem ad Iustinianum Imper. de Officio Iudicis. Adiectae Sunt Veteres Pop. Rom. Leges ex F. Hotomano Iuriscos. Clariss.*

Lyons: Apud Guliel. Rouillium, 1567.

\$5,000.

[vi], 218 ff. Main text printed in parallel columns. Folio (14" x 9"). Contemporary flexible vellum reusing an earlier manuscript leaf, hand-lettered title and raised bands to spine and foot of text block. Some rubbing to extremities exposing two spine bands, chipping to spine ends and corners, vellum just beginning to crack through pastedowns, hinges starting. Title printed within elaborate woodcut architectural border, woodcut decorated initials. Light toning to text, some edgewear to preliminaries, faint dampstaining to lower corner of text block, light soiling to title page. Early annotations to fol. 155, interior otherwise clean.

First edition. This is a concise but scholarly dictionary of terms from canon, civil, and Roman law that draws on the work of Ulrich Zasius and Francois Hotman. Some attention is given to classical Greek law as well. The entries, which range in length from a few sentences to several paragraphs, address lexicographical and philological issues and conclude with references and citations. A list of ancient and modern authorities divided into the following categories precedes the main text: *Lexicographi, Iuris Auctores, Interpretes, Ex Iure Pontificio, Alii Lexicographi, Ex Medicis, Ex Aliis Classicis*. Little is known about Duprat, and the title page of this edition does not list any academic or professional distinctions. According to notes cited in Roberts, he was born in Aubusson and taught at the University of Lyons. His range of references, descriptive method, organizational style and facility with Latin and Greek demonstrates that he received a solid humanistic education. In addition to the present work, he published and edited treatises on French, Greek and Roman law. OCLC locates 4 copies of the first edition in North American law schools (Catholic University, George Washington University, UC-Berkeley and UT-Austin). Another copy located at Harvard Law School. Roberts 246. Adams P2062.



32. Espinasse, Isaac [1758-1834], Reporter. Reports of Cases Argued and Ruled at Nisi Prius, In the Courts of King's Bench, And Common Pleas, From Easter Term 33 George III.--To Hilary Term 34 George III with some Additional Cases, Of an Earlier Period.

London, Printed; Baltimore: Re-printed by Clayland, Dobbin & Co. for Keatinge's Book-Store, 1795. \$600.

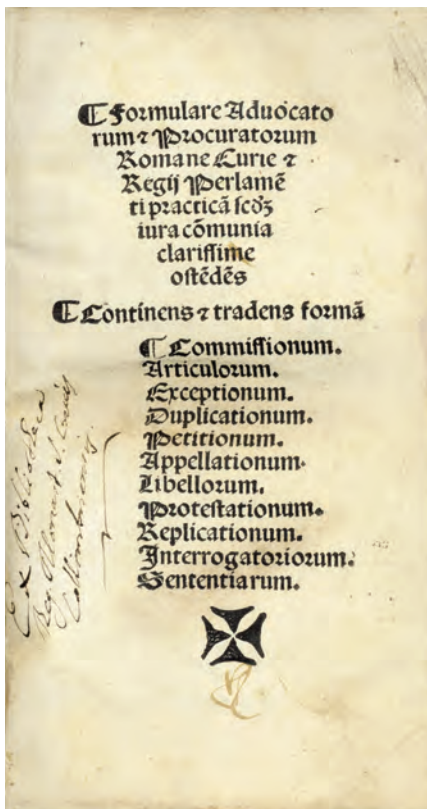
viii, 127, xii pp. Octavo (8" x 5"). Contemporary sheep, blind rules to boards, lettering piece and blind fillets to spine. Light rubbing to extremities, early owner signature (Metcalf) to rear board, offsetting to margins of endleaves. Toning to text, faint dampstaining to lower margin of text, light browning in places, foxing to a few leaves. Early owner annotation (noting that Wm. Ramsay bought this book from the estate of George A. Grayson) to front free endpaper, interior otherwise clean.

First American edition. Along with those of Peake and Campbell, Espinasse's reports inspired the new books on evidence that began to appear in the early nineteenth century. "In the *nisi prius* reports of Peake, Espinasse, and Campbell, centering around the quarter century from 1790 to 1815, there are probably more rulings upon evidence than in all prior reports of two centuries... As soon as *nisi prius* reports multiplied and became available to all, the circuits must be reconciled, the rulings once made and recorded must be followed, and these precedents must be open to the entire profession to be invoked.": *HEL* XIII:515. Not in Cohen. Evans 28636.

RARE LYONS IMPRINT OF A NOTABLE CANON-LAW HANDBOOK

33. [Formularium Procuratorum]. Formulæ Advocatorum & Procuratorum Romane Curie & Regii Parlamenti Practicam Secundum Jura Communia Clarissime Ostendens: Continens & Tradens Formam Commissionum Articulorum; Exceptionum; Duplicationum; Petitionum; Appellationum; Libellorum; Protestationum; Replicationum; Interrogatoriorum; Sententiarum.

[Lyons: Magistrum Simonem Bivilaqua, 1518]. \$3,500.



[vi], CLXXVIII ff. Main text in parallel columns. Octavo (6-1/2" x 4"). Contemporary limp vellum with lapped edges and thong ties, faint early hand-lettered titles to spine and top edge of text block, endpapers renewed. Some rubbing to extremities, moderate soiling, spine darkened, early signatures to front and rear covers. Woodcut initials. Light browning to title page, toning to text, faint dampstaining in a few places. Later owner signature to title page, tiny inkstamp to head of following leaf, interior otherwise clean.

The work, compiled from unidentified sources by an unidentified compiler, was originally published in Rome in 1479 with colophon title *Procuratorum Formularius*. Usually referred to as the *Formularium Procuratorum*, it is a collection of canon-law legal instruments established by the Roman Curia relating to procedure, actions and defenses. It offers an excellent "ground level" view of canon law practice in the early modern era. No copies of the 1514 Lyons imprint located on OCLC, or in Adams or Baudrier. One copy located in North America (at GWU Law School).

See ills.
Pl. II

34. Fortescue, John [?1394-?1476]; [Gregor, Francis, Translator]; [Selden, John (1584-1654), Annotator]. *De Laudibus Legum Angliae*. By Sir John Fortescue, Lord Chief Justice, And Afterwards Lord Chancellor to King Henry VI. Translated into English, (With the Original Latin.) Illustrated with the Notes of Mr. Selden, And Great Variety of Remarks, Relative to the Antiquities, History, And Laws of England. With a Large Historical Preface by Francis Gregor, Esq. Also Testimonies of Bale, Pits, and Du Fresne; the Summs of Sir Ralph de Hengham, Lord Chief Justice to King Edward I. Commonly Called Hengham Magna and Hengham Parva, With Mr. Selden's Notes, And a Copious Index. A New Edition.

London: Printed for T. Evans, 1775.

\$450.

[iv], lxxi, 208, [8]; iv, 48; [2], ii, [49]-102, [2] pp. Three works in one, each with title page. Octavo (8-3/4" x 5-1/2"). Contemporary calf, raised bands and lettering piece to spine, gilt dentelles to board edges. Light rubbing to extremities, a few scratches to boards, wear to spine ends, corners bumped, joints cracked but secure, front hinge starting. Light toning to text, negligible foxing in a few places. Early annotation to front pastedown, interior otherwise clean.

Third edition of Gregor's translation (with Selden's notes in Latin). The second work contains Fortescue's Latin text. The third work contains Hengham's *Summs*. Each work has a preface and index. Taking the form of a dialogue between Henry VI and Fortescue, *De Laudibus Legum Angliae* argues the superiority of the common law over civil law and the notion of a limited monarchy. It was commended by such commentators as Sir Walter Raleigh and St. Germain. "Fortescue was a favorite author among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the common law.": Marvin 321. Sweet & Maxwell 1:22-23 (16).

AN EXAMINATION OF THE LABOR
INJUNCTION FROM THE EARLY 1920S
A PRESENTATION COPY FROM NOTABLE CHICAGO UNION LEADERS

See ills.
Pl. V

35. Frey, John P. [1871-1957]. *The Labor Injunction: An Exposition of Government by Judicial Conscience and Its Menace.*

[Cincinnati, OH: Equity Publishing Company, 1923].

\$300.

ix, [4], 197 pp. Cloth, gilt title to spine. Light rubbing to extremities. Presentation inscription to Dr. William E. Barton from John Fitzpatrick, Victor A. Olander and other members of the Chicago Federation of Labor and Illinois State Federation of Labor on front free endpaper, owner inscription (of Meredith B. Givens, dated 1924) to front pastedown, her stamp to margin of p. 196, interior otherwise fresh.

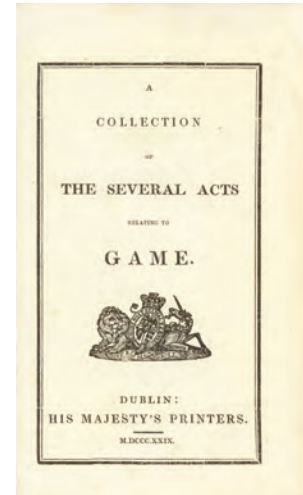
Only edition, first issued in 1922. With an introduction by Samuel Gompers. This book originated as a series of articles written for the International Labor News Service. The reception given these articles, and the requests that they be published in book form, prompted the preparation of this volume. The Rev. Dr. William Eleazar Barton [1861-1930] was a distinguished clergyman, teacher and authority on Abraham Lincoln. Fitzpatrick and Olander were prominent Chicago labor activists. Fitzpatrick was President of the Chicago Federation of Labor from 1904 to 1946, Olander was secretary-treasurer of the Illinois State Federation of Labor.

36. [Game Laws]; [Ireland]. A Collection of the Several Acts Relating to Game.

Dublin: His Majesty's Printers 1829. \$750.

[iv], 170 pp. Octavo (6" x 4). Contemporary calf, blind rules to boards, lettering piece and blind fillets to spine. Light rubbing to extremities, tiny stain to front board, early repair to small chip on rear, both slightly bowed. Light toning to text, internally clean.

Only edition. With side-notes and index. This handy volume may have been intended for the pockets of hunters and the enforcers of game laws. Each entry is headed with a one-sentence summary. The body of the texts are supplemented by glosses in the margins. OCLC locates two copies, neither in North America. We located a copy, however, at the Library of Congress. Not in Sweet & Maxwell.



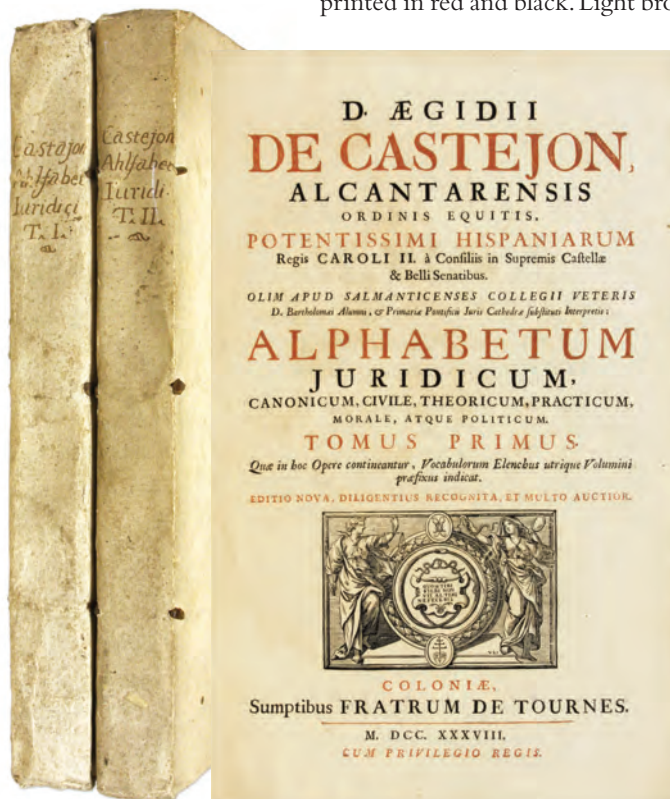
See ills.
Pl. II

FINAL EDITION OF A
DISTINGUISHED SEVENTEENTH-CENTURY DICTIONARY

37. Gil de Castejon [fl. 1677]. Alphabetum Juridicum, Canonicum, Civile, Theoricum, Practicum, Morale, Atque Politicum. Editio Nova, Diligentius Recognita, Et Multo Auctior.

Cologne: Sumptibus Fratrum de Tournes, 1738. \$1,650.

Two volumes. Main text in parallel columns. Folio (15" x 9"). Original publisher boards, untrimmed edges, early hand-lettered titles to spines. Some soiling, corners and spine ends bumped. Title page of Volume I printed in red and black. Light browning in some places, minor worming to a few leaves, internally clean. A well-preserved copy.



Fourth and final edition. Text mostly in Latin with occasional notes in Spanish. Gil de Castejon, a member of the Council of the Indies and the Council of Castile, published this important dictionary in 1678. A work of great authority and a well-thumbed reference dealing with Canon, Spanish and Roman law, it went through three subsequent editions. It is a well-documented work that cites numerous authorities, including Classical authors as well as experts on canon and Spanish law. Most of the entries are subdivided into several related topics. In each case Castejon offers a brief definition with lists of references that offer more detailed discussion. All editions are scarce. OCLC locates 2 copies of the 1738 edition in North American law libraries (Columbia and Harvard). Not in Camus, Roberts or the *BMC*.

38. Gundling, Nicolaus Hieronymus [1671-1729]. *Ius Naturae ac Gentium Connexa Ratione Novaque Methodo Elaboratum Et A Praesumptis Opinionibus Aliisque Ineptiis Vacuum.*

Geneva: Sumptibus Antonii Philibert, 1751. \$950.

[xxxii], 524 pp. Octavo (6-3/4" x 4"). Later plain paper wrappers, edges rouged. Some edgewear and light soiling. Title page printed in red and black. Toning to text, light browning in places. Later annotations to margins of a few leaves in miniscule hand, interior otherwise clean.

Later edition. Gundling was one of the leading German philosophers and legal scholars of the early eighteenth century. First published in 1726, *Ius Naturae ac Gentium* is a treatise on international law grounded in the principles of natural law and the principles of the Enlightenment. It was a durable work that went through at least four editions by the end of the eighteenth century. All are scarce today. OCLC locates 1 copy of the 1751 edition (at the University of Mannheim). This edition not in the *BMC*.

SENTENCES HANDED DOWN AT THE GLASGOW CIRCUIT COURT

39. [Handbill]; Glasgow Circuit Court. An Account of the Proceedings at the Glasgow Circuit Court, Which Commenced on Monday the 25th Instant, Giving a List of All the Criminals Who Have Been Sentenced to Suffer Death, Transportation, And Imprisonment.

Glasgow: John Muir, Printer, 25 Sept. 1826. \$500.

11-1/2" x 7-1/2" handbill, text on both sides. Browned and lightly soiled, moderate edgewear, three horizontal fold lines, a few creases, chips and minor tears with no loss to text. A curious item.

This item describes the fates of 91 convicts. No copies located on OCLC. COPAC locates 1 copy (at the National Library of Scotland).

"CUMULATIVE" 1851 HARVARD LAW SCHOOL CATALOGUE

40. [Harvard Law School]. A Catalogue of the Students of Law in Harvard University, From the Establishment of the School, To the End of the Second Term in the Year 1851.

Cambridge: Metcalf and Company, Printers to the University, 1851. \$250.

96 pp. Octavo (7-1/4" x 4-3/4"). Stab-stitched pamphlet in printed wrappers. A few minor stains, chipping to foot of spine. Light toning to text, internally clean.

This catalogue was published for prospective and incoming students in the year when the faculty consisted of Jared Sparks, Theophilus Parsons, Joel Parker and Luther Stearns Cushing. It contains general information about the school, regulations, course outlines and lists of required and recommended texts. This catalogue is especially interesting because of its alphabetical and chronological lists of all students who attended the school.

41. Henrion De Pansey [Pensey], Pierre Paul Nicolas, Baron [1742-1829]. *Traite des Fiefs de DuMoulin, Analyse et Confere avec les Autres Feudistes.* Paris: Chez Valade, 1773. \$550.

See ills.
Pl. II

[iv], iii, 717 pp. Quarto (10" x 8"). Contemporary mottled calf, gilt spine with raised bands and lettering piece, edges rouged, marbled endpapers, ribbon marker. Some rubbing to extremities, some shallow scuffing to boards, front joint starting at foot. Occasional light foxing to outer margins, toning to a few leaves, interior otherwise fresh. A nice copy.

Only edition. The *Traite des Fiefs* summarizes the leading treatises, most notably that of Charles DuMoulin, on fiefs, land held as a feudal estate by a tenant of and under a lord. Camus holds this work in high regard. OCLC locates 4 copies in North American law libraries (Columbia, Harvard, McGill, York). Another copy located at George Washington Law School. Camus 1574.

THE FIRST PRINTED
COLLECTION OF THE *LEGES BARBARORUM*

42. Herold, Johann Basilus [1514-1567], Editor. *Originum ac Germani Carum Antiquitatum Libri, Leges Videlicet, Salicae, Ripuariae, Allemannorum, Boioariorum, Saxonum, Vuestphalorum, Angliorum, Vuerinorum, Thuringorum, Frisionum, Burgundionum, Langobardorum, Francorum, Theutonum. Pus Certe Pietatis, Nec' Non Veteris Venerandae'que Illius Vere Francicae Maiestatis Plenum. In Quo non Solum Rerum ac Vocum, Nostrarum Proprietas Cernitur, Sed Maiorum Quoque Nostrarum Imperium, Eorundemque tum in Divinis, Tum Humanis, Solers Quaedam Administratio, Omnibus Rebusp, ceu Absolutissimum Exemplar. Sese Exhibit Imitanda. Hactenus & Theologorum & Iurisconsultorum Studiosumque Omnium Incomodo, Aut Suppressum Omnino, Aut hinc Inde Lacerum Atque Mancum Dispersum. Nunc Autem Wolfuffgangi Angi Abbatis Principis Fuldensis Benignitate & in Patriam Flagranti Studio, Ex Superba illa Celeberrimi Collegii Bibliotheca, In Lucem, Ad Temporum Horum tam in Ecclesiasticis, Quam in Civilibus Rebus, Pertinaces Illas Concertationes Tollendas, Pacandiosque Bonorum Animos, Divinitus Sane, Prolati.*

Basel: Per Henrichum Petri, [1557]. \$1,500.

[xx], 347, [1] pp. Folio (12-1/4" x 8"). Nineteenth-century three-quarter calf over marbled boards, raised bands and gilt title to spine, endpapers renewed. Moderate rubbing, corners bumped and somewhat worn, rear joint starting at foot, hinges cracked. Woodcut decorated initials. Some toning, interior otherwise fresh.

Only edition. This was the first printed collection of the *Leges Barbarorum*, a group of early medieval Germanic codes written between the fifth and ninth centuries that includes the *Lex Visigothorum*, *Lex Burgundionum* and *Lex Salica*. As stated in the books title, the compiler used a manuscript in the library of the Benedictine Abbey in Fulda. This manuscript was lost when the abbey was looted during the Thirty Years War. OCLC locates no copies in North America. We located copies, however, in the law libraries of Harvard, the Library of Congress and UC-Berkeley. VD16 H2549.



THE ALABAMA JUSTICE,
THE FIRST BOOK PRINTED IN ALABAMA

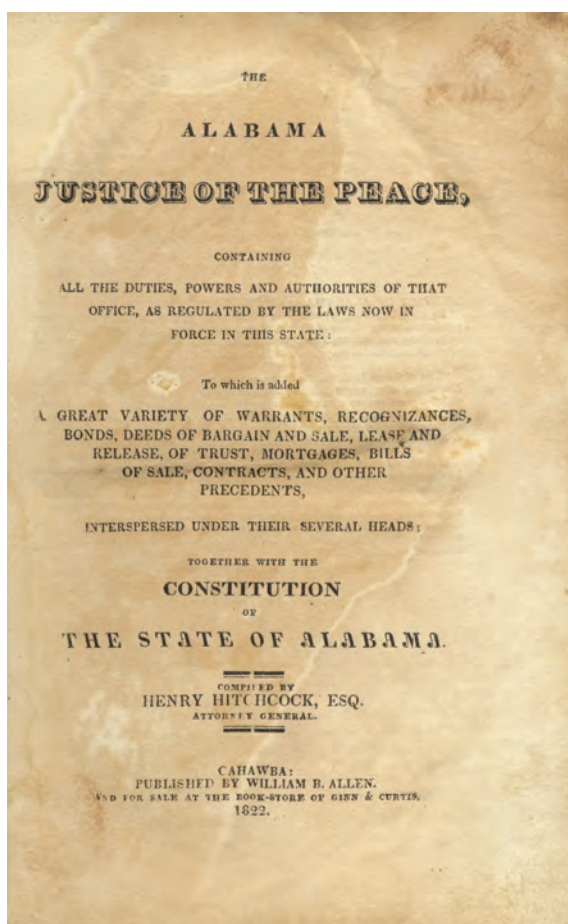
See ill.
Pl. II

43. Hitchcock, Henry [1795-1839], Compiler. The Alabama Justice of the Peace, Containing All the Duties, Powers and Authorities of That Office, As Regulated by the Laws Now in Force in This State: To Which is Added a Great Variety of Warrants, Recognizances, Bonds, Deeds of Bargain and Sale, Lease and Release, Of Trust, Mortgages, Bills of Sale, Contracts, And Other Precedents, Interspersed Under Their Several Heads; Together with the Constitution of the State of Alabama.

Cahawba, AL: Published by William B. Allen. And for sale at the book-store of Ginn & Curtis., 1822. \$3,000.

[ii], 494, [2] pp. Octavo (8-1/4" x 5"). Contemporary sheep, lettering piece and blind fillets to spine. Light rubbing to boards and extremities with some wear to corners, a few minor stains to boards, hinges starting, crack near rear of text block repaired with archival tape. Toning to text, occasional light dampstaining and foxing. Faint early owner initials (MB) to spine, "M. Bohannon" to foot of text block, Bohannon's signatures and annotations to front free endpaper, which has a few holes repaired with archival tape, autograph document laid in. A well-preserved copy.

Only edition. According to Owen, this was the first book printed in Alabama other than collected documents of the constitutional convention of 1819 and the journals and session laws of the general assembly. Hitchcock, who was Alabama's attorney general when he compiled this book, is an important figure in that state's history. He helped to write its constitution and went on to become chief justice of the Alabama Supreme Court. The autograph document, signed by Hitchcock, is dated July 9. 1822. It acknowledges receipt of his salary as attorney general. Owen, *A Bibliography of Alabama* 981. BEAL 8316.



"SAY, COUNSEL, LEARNED IN THE LAW,
IF IN A GRANT YOU FIND A FLAW..."

44. Hodge, Farmer, Pseudonym. The Hampstead Contest, A Law Case, Submitted to Counsel and Inscribed to Mrs. L-SS-GH-M. By Farmer Hodge, Of Golder's-Green.

See ills.
Pl. III

London: Printed for F. Newbery, 1775. \$2,500.

16 pp. Quarto (9" x 7"). Stab-stitched pamphlet in contemporary marbled wrappers. Light rubbing and a few minor creases. Some toning, light foxing to first and final leaves, internally clean.

Only issue. A satirical poem concerning the controversy caused by Jane Lessingham (Hemet), an actress "of no very good repute," chose to build a home in Hampstead. The construction of this house was "riotously opposed" by certain copyholders of Hampstead Heath. Lessingham eventually prevailed in her legal actions and resided in this home until her death in 1783. No copies located on OCLC. The ESTC locates a single copy (in the Birmingham Central Libraries). ESTC T166558.

OBSERVATIONS ON THE ROMAN
SENATE BY A NOTABLE EIGHTEENTH-CENTURY HISTORIAN

45. Hooke, Nathaniel [1690?-1763]. Observations on I. The Answer of M. L'Abbe de Vertot to the Late Earl Stanhope's Inquiry, Concerning the Senate of Ancient Rome: Dated December 1719. II. A Dissertation Upon the Constitution of the Roman Senate, By a Gentleman: Published in 1743. III. A Treatise on the Roman Senate, By Dr. Conyers Middleton: Published in 1747. IV. An Essay on the Roman Senate, by Dr. Thomas Chapman: Published in 1750. By Mr. Hooke.

London: Printed for G. Hawkins, At Milton's Head, 1758. xvi, 303, [1] pp.

[Bound with]

Hooke, Nathaniel. ["Preface" and "Remarks on the History of the Seven Roman Kings, Occasioned by Sir Isaac Newton's Objections to the Supposed 244 years Duration of the Regal State of Rome" from Volume I of The Roman History, From the Building of Rome to the Ruin of the Commonwealth.

London: Printed by James Bettenham, 1751]. \$750.

Quarto (9-3/4" x 8-3/4"). Contemporary three-quarter calf over marbled boards, raised bands and lettering piece to spine, joints and hinges carefully mended. Moderate rubbing to boards with some wear to edges and corners, early armorial bookplate (of Robert Parker) to front pastedown. Some toning, light foxing and minor dampstains to preliminaries and rear endleaves. Early annotations to head of the preface of *Roman History*, interior otherwise clean.

Observations: only edition, one of two issues from 1758; *Observations*: second edition. Hooke was an important historian of ancient Rome. His distinguished four-volume history of Rome to the end of the republic was a standard work for decades that went through several issues and editions. As the *Dictionary of National Biography* notes, "Hooke leaned rather to the democratic than to the aristocratic or senatorial party in his history." This is also true of his *Observations*. OCLC locates 1 copy of *Observations* in a North American law Library (University of Pennsylvania). DNB IX:1177. ESTC N41896 (*Observations*), T71732 (*Roman History*).

See ill.
Pl. II

46. Houard, David [1725-1802]. *Traites sur les Coutumes Anglo-Normandes, Publiés en Angleterre, Depuis le Onzieme, Jusqu'au Quatorzieme Siecle: Ouvrage qui Supplée aux Monuments de l'Histoire & de la Legislation Françoise, Qui Nous Manquoient Depuis la Cessation des Capitulaires, Jusqu'aux Premieres Ordonnances de nos Rois de la Troisieme Race.*

Rouen: Le Boucher le Jeune/ Paris: Durand Neveu, 1776. \$3,500.

4 Volumes. Complete set. Quarto (10" x 8"). Contemporary mottled calf, gilt spines with raised bands and lettering pieces, marbled endpapers, edges rouged, ribbon markers. Light to moderate rubbing to extremities, minor scuffing to boards, front joint of Volume III partially cracked, chips and wear to fore-edges, joints of Volume IV starting at ends, nineteenth-century armorial bookplates (of John Beames) to front pastedowns. Attractive woodcut head-pieces and title-page devices. Light toning, negligible foxing in places, internally clean. Ex-library. Old paper location labels to spines, card pockets to rear pastedowns. A solid copy of a scarce set.

Only edition. The scope of this massive comparative study is evident in a listing of its contents, which includes original scholarship and editions of primary texts: Preface, Dissertation Preliminaire sur les Variations de la Legislation Françoise et Angloise, Depuis l'Entree des Saxons dans les Gaules Jusqu'au Onzieme siecle, Extraits du Domesday, Loix d'Henry I, Traites sur les Coutumes Angloises, par Glanville, Leges Malcomi Mackenneth, Ejus Nominis Secundi, Regiam Majestatem, Quoniam Attachiamenta, Leges & Consuetudines Burgorum, Curia Quatuor Burgorum, Statuta Gildoe, Assisa Regis David, Iter Camerarii, Brevis, & Succincta Forma Itineris, Statuta Wilhelmi Regis, Leges Forestarum, Statuta Alexandri Secundi, Prima Statuta Roberti Primi, Statuta Secunda Roberti Primi, Assisa & Statuta Davidis Secundi, Statuta Roberti Secundi, Acta Parliamenti Roberti Tertii, Fleta, Liber I-VI, Traite de Britton, Somme de Hornes ou Myrror de Justices. Houard was a respected scholar of the customary law of Normandy who investigated links between Norman early English law. In addition to several studies of Norman *coutumes*, Houard's works include *Anciennes Loix des Francois, Conservees Dans les Coutumes Angloises* (1766), which argues that Littleton's *Tenures* preserved and developed Norman law dating from the time of the conquest. Camus 1166.



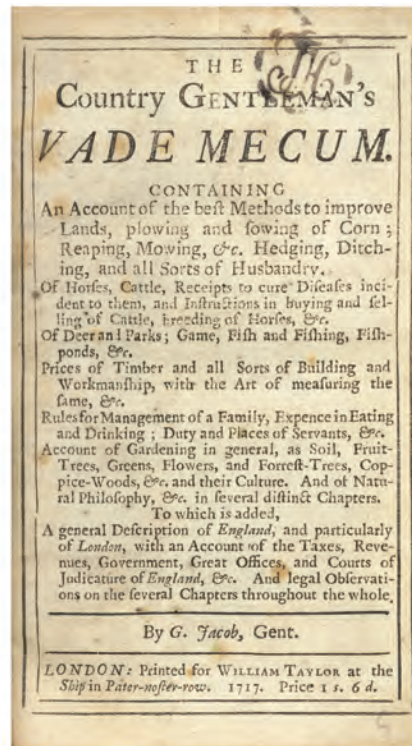
47. Jacob, Giles [1686-1744]. The Country Gentleman's Vade Mecum: Containing an Account of the Best Methods to Improve Lands, Plowing and Sowing of Corn; Reaping, Mowing, &c. Hedging, Ditching, And all Sorts of Husbandry. Of Horses, Cattle, Receipts to Cure Diseases Incident to Them, And Instructions in Buying and Selling of Cattle, Breeding of Horses, &c. Of Deer and Parks; Game, Fish and Fishing, Fish-Ponds, &c. Prices of Timber and All Sorts of Building and Workmanship, With the Art of Measuring the Same, &c. Rules for Management of a Family, Expence in Eating and Drinking; Duty and Places of Servants, &c. Account of Gardening in General, As Soil, Fruit-Trees, Greens, Flowers, and Forrest-Trees, Coppice-Woods, &c. And Their Culture. And of Natural Philosophy, &c. In Several Distinct Chapters. To Which is Added, A General Description of England, and Particularly of London, With an Account of the Taxes, Revenues, Government, Great Offices, and Courts of Judicature of England, &c. And Legal Observations on the Several Chapters Throughout the Whole.

London: Printed for William Taylor, 1717.

\$1,750.

[x], 132 pp. Copperplate frontispiece (depicting a well-managed, and, presumably, litigation-free, manor). 12mo. (6" x 3-3/4"). Nineteenth-century three-quarter calf over marbled boards, gilt fillets and title to spine, marbled edges and endpapers. Light rubbing to extremities, bookplate (of Dean Sage) to front free endpaper. Woodcut head-pieces, tail-pieces and decorated initials. Some toning to text, darker on a few leaves, corner lacking from pp. 53-54 with some loss to text. Faint early owner stamp to head of title page, interior otherwise clean.

Only edition. Because the country gentleman dealt with litigation often, he needed to be as well versed in the law as he was in animal husbandry and the other arts necessary to run an estate. The ever-enterprising Jacob addresses his situation in this handy, pocket-sized *vade mecum*. It offers legal observations throughout and ends with a "Poem in Praise of a Country Life," presumably by Jacob. OCLC locates 12 copies worldwide, none in a law library. Not in Sweet & Maxwell. ESTCT90927.



See ills.
Pl. II

ATTRACTIVE 1606 VENETIAN IMPRINT
OF AN IMPORTANT EARLY LAW DICTIONARY

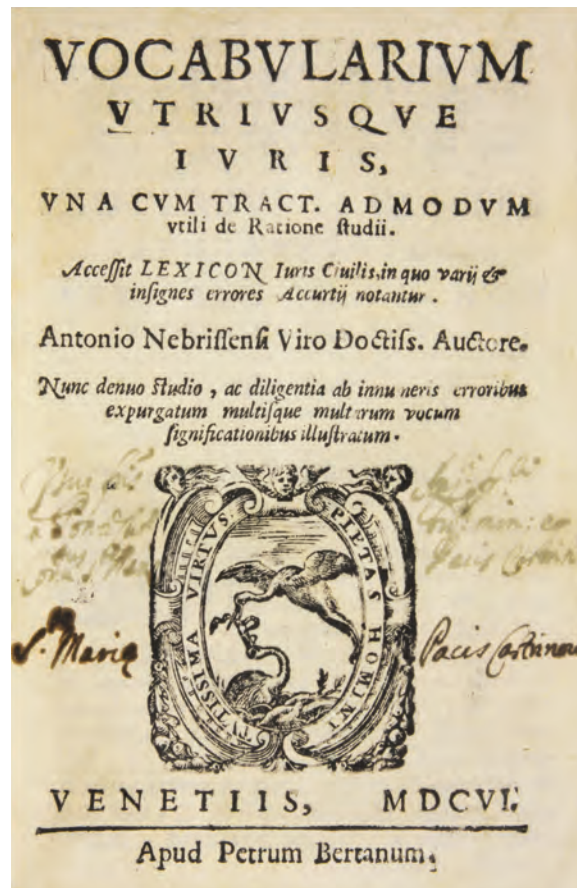
48. [Jodocus of Erfurt, Attributed]; [Abericus de Rosate (1290-1360)]; [Caccialupe, Giovanni Battista]. *Vocabularium Utriusque Iuris, Una cum Tract. Admodum Utili de Ratione Studii. Accessit Lexicon Iuris Civilis, In Quo Varii & Insignes Errores Accurtii Notantur. Nunc Denuo Studio, Ac Diligentia ab Innumeris Erroribus Expurgatum Multisque Multarum Vocum Significationibus Illustratum.*

Venice: Apud Petrum Bertanum, 1606.

\$1,850.

414 ff. Main text in parallel columns. Octavo (5-3/4" x 4"). Contemporary limp vellum, with lapped edges, early hand-lettered title and shelf numbers to spine. Light soiling, minor staining to boards, minor rodent damage to rear board and fore-edge, pastedowns partially detached. Woodcut head-piece and decorated initials. Light toning, moderate in places. Early annotations to front endleaf, interior otherwise clean.

First published around 1474 and attributed to Jodocus of Erfurt, this popular legal dictionary went through more than 70 editions over the next 150 years. The definitions are mostly derived from the *Vocabularius Stuttgardiensis* (1432), the *Collectio Terminorum Legalium* (c. 1400), and the *Introductorium pro Studio Sacrorum Canonum* of Hermann von Schildesch (c. 1330). The main text is preceded by *Compendiolum de Ortographia*, a short essay on legal orthography by Albericus de Rosate. It is followed by *Tractatus de Modo Studendi*, a longer essay on legal study by Caccialupe. The dictionary was produced for laymen, but it was very popular with law students, which explains the appended essays that are common in all later editions. OCLC locates 4 copies of this imprint in North American law libraries (Boston College, Harvard, Library of Congress, UT-Austin). This imprint not in the *BMC*. Seckel, *Beitrage zur Geschichte beider Rechte im Mittelalter* 306-22.



- 49. Justinian I [483-565 CE], Emperor of the East; [Helwing, Christian Friedrich, Translator and Editor]; [Hermann, Johann Albert, Translator and Editor].** Die Vier Bucher der Institutionen des Kaysers Justinianus nach dem Angehangten Grundtext Ubersetzt von Zweien Freunden der Rechtsgelehrsamkeit. Lemgo: Mit Meyerschen Schriften, 1765. \$1,500.

[xvi], 432, 296, [8] pp. Octavo (7" x 4"). Contemporary marbled boards, hand-lettered title label to spine, edges rouged. Some rubbing to spine ends and corners with light wear, title partially faded, partial crack in text block between final index leaf and following endleaf. Light browning to text. Later owner inscription to front free endpaper, interior otherwise clean.

Only edition. Translated by "two friends of legal learning," this is a scarce early German-language edition of Justinian's *Institutes*. The first part is a translation; the second is a Latin text. Written around 161 CE, the *Institutes* is an elementary treatise on Roman private law that served as a standard textbook for 300 years. This edition, one of the earliest in German, appeared at a time when interest in Roman law was reviving in German-speaking Europe. There was a sense that knowledge of this legal system had declined during the last half-century and this book contributed to its revival in the final decades of the eighteenth century. OCLC locates 1 copy in North America (at Northwestern University Law School). *ADB* XI:718.

A SCARCE 1914 TREATISE ON MASONIC LAW

- 50. Keen, Alpheus A., Compiler.** A Digest of Masonic Law of New Mexico, To Which are Prefixed the Landmarks, Ancient Charges, Old Regulations, and Constitution and By-Laws. Authorized by the Grand Lodge. [New Mexico: Grand Lodge of New Mexico], 1914. \$150.

464 pp. Flexible cloth, blind frames to boards, gilt title to spine. Light rubbing to extremities, crack between front free endpaper and title page, light toning to text. Contemporary owner inscription to front pastedown, half-title and rear free endpaper, interior otherwise clean.

From an edition limited to 500 copies, this number 106. OCLC locates 1 copy (at the Albuquerque/Bernalillo County Library).

EARLY ALABAMA LEGAL IMPRINT THAT ADDRESSES SLAVERY

- 51. Keyes, Wade [1821-1879].** An Essay on the Learning of Partial, And of Future Interests in Chattels Personal. Montgomery, AL: J.H. & T.F. Martin, 1853. \$450.

160 pp. Octavo (8-3/4" x 5-1/2"). Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Some rubbing to boards and extremities, spine moderately abraded, joints starting at head, offsetting to margins of endleaves, very light browning to text. Early owner signature (of Stephen F. Miller) to front pastedown, interior otherwise clean.

Only edition. As a lawyer, judge, author and the state's first law professor, Keyes was the most important figure in the early legal history of Alabama. A prominent secessionist, he was assistant attorney general for the Confederacy during the Civil War. He wrote two treatises, a treatise on real property and the present title, a review of case law as it relates to chattels personal, including "slaves, cattle, furniture, books, victuals, money and the like" (1). *BEAL* 9033.

See ills.
Pl. II

52. Lasarte y Molina, Ignacio de. De Decima Venditionis & Permutationis, Quae Alcauala Nuncupatur, Liber Unus. Tractatus Quidem Omnibus Iuri Operam Dantibus Tam in Theorica, Quam in Praxi, Scholis & Foro Perutilis ac Necessarius: In quo Pro Exacta, Perspicua, & Decisiua Totius Materiae Resolutione, Innumerae Leges Iuris Communis & Regii Utilissime Explicantur. Cum Indice Rerum Magis Notabilium, Quae Facilius in Alphabetum Redigi Potuerunt. Praecipuas Vero Quaestiones & Capita, Quae in Hoc Opera Continentur, Quartum Post hoc Folium Indicat.

Madrid: Apud Viduam Petri Madrigal, 1599. [iv], 212, [10] ff. Main text in parallel columns. Front matter bound out of order, index misbound at rear.

[And]

Additamenta in Suo Tractatu de Decima Venditionis & Permutationis, quae Alcauala Nuncupatur, Utilia Sane ac Prorsus Necessaria Omnibus Iuris Studiosis, Qui Potissimam Operis Partem non Leviter Degustarunt, Nunc Primum in Lucem Edita. Cum Locuplete Legum et Rerum Indice.

Madrid: Apud Petrum Madrigal Expensis Francisci de Robles, 1599. \$2,750.

[viii], 71, [5] ff. Main text in parallel columns. Folio (10" x 7-1/2"). Eighteenth-century mottled sheep, gilt spine with raised bands and lettering piece, marbled endpapers, edges rouged. Lightly rubbed, minor scuffing to rear board, corners bumped, early owner bookplate to front pastedown, front hinge cracked but secure. Toning to text, negligible foxing and dampstaining in places. Large woodcut arms of Philip II to title pages, woodcut decorated initials. Faint later owner stamp to title page of first title, early underlining to some passages in each work.

Second edition. An extensive treatise on taxation with an emphasis on sales taxes and tithes, it went through a second edition in 1599 that was reissued in 1759. The *Additamenta* was a supplemental volume produced for the second edition. All imprints are scarce. OCLC locates 2 copies of the second edition in North America (at UCLA and the Library of Congress), no copies of the *Additamenta*. Palau 132524, 132525.

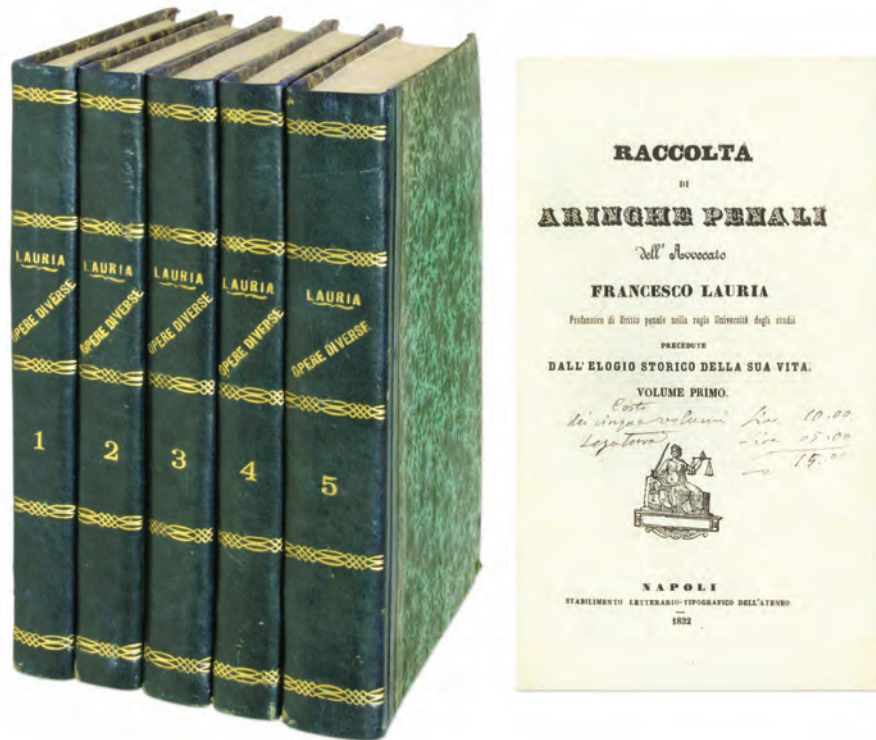


AN AUTHORITY ON THE CRIMINAL
LAW OF THE KINGDOM OF THE TWO SICILIES

- 53. Lauria, Francesco [1769-1818].** Raccolta di Aringhe Penali.
Naples: Stabilimento Letterario-Tipografico dell'Ateneo, 1832. \$1,750.

Five volumes. Volume I has portrait frontispiece. Octavo (7-1/2" x 4-3/4"). Contemporary quarter calf over marbled boards, gilt titles and fillets to spines. Light rubbing to extremities, corners lightly bumped. A few contemporary annotations to the title page of Volume I, interiors otherwise clean.

Only edition. A title in the series *Opere Diverse di Francesco Lauria*. With a biography of the author, a distinguished professor at the University of Naples. This is a collection of forensic orations and writings on criminal and criminal cases. OCLC locates 1 copy in North America (At UC-Berkeley Law School). Not in the *BMC*.



“COMPREHENSIVE AND INSTRUCTIVE”

- 54. Lawes, Edward [d.1849].** An Elementary Treatise on Pleading in Civil Actions.
Portsmouth: Published by Thomas and Tappan from the Press of S. Sewall,
1808. \$100.

[v], 246 pp. Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to extremities, some chipping to edges of lettering piece, a few shallow scuffs to boards, minor worming to foot of spine, bookplate to front pastedown. Toning to text, occasional faint dampspotting. Early owner signature (B. Cutting) to head of title page, interior otherwise clear.

First American edition. Reprinted from the first London edition, 1806. Lawes was a barrister of the Inner Temple. “Though elementary, it will be found comprehensive and instructive”: Marvin 452. *BEAL* 9245.

See ill.
Pl. III

55. [Lawrence, William (1613 or 14-1681 or 2)]. Marriage by the Morall Law of God Vindicated Against all Ceremonial Laws of Popes and Bishops Destructive to Filiation Aliment and Succession and the Government of Families and Kingdoms.

[London: s.n.], 1680. [xii], 136, [8], 137-422, [2] pp. Copperplate pictorial title page.

[Bound with]

[Lawrence, William]. The Right of Primogeniture, In Succession to the Kingdoms of England, Scotland, and Ireland: As Declared by the Statutes of 25 E.3. Cap. 2. De Proditionibus, King of England, And of Kenneth the Third, And Malcolm Mackenneth the Second, Kings of Scotland. As Likewise of 1 H.7. Made by a Parliament of Ireland; With all Objections Answered, and Clear Probation Made, That to Compass or Imagine the Death, Exile, or Disinheriting of the King's Eldest Son, Is High Treason. To Which is Added, An Answer to All Objections Against Declaring Him a Protestant Successor, With Reasons Shewing the Fatal Dangers of Neglecting the Same.

London: Printed for the Author, 1681. [xxiv], 199, [39] pp.

[And]

[Lawrence, William]. The Two Great Questions, Whereon in this Present Juncture of Affairs, the Peace & Safety of His Maiestie's Person; And of All His Protestant Subjects in His Three Kingdoms Next Under God Depend: Stated, Debated, and Humbly Submitted to the Consideration of Supreme Authority, As Resolved by Christ.

London: Printed for the Author, 1681.

\$1,500.

[ii], 14 pp. Quarto (8" x 6"). Recent period-style calf, blind rules to boards, blind fillets to joints, gilt fillets to board edges, raised bands and lettering piece to spine, endpapers renewed, title page of *Marriage* re-hinged, its bottom edge trimmed with minor loss. Toning to text, occasional light browning, internally clean.

Only editions (*Questions* one of two issues from 1681). This volume collects the principal writings of a notable Protestant attorney and member of Parliament. They reflect the anxieties of Protestants living in England under the reign of the Catholic monarch James II. *Marriage*, which was published as an unfinished work due to "disturbances at the press," is an anti-Catholic theological and legal essay that may have been inspired by an unpleasant episode in Lawrence's marriage. The other titles are an argument in support of the Protestant Duke of Monmouth's succession to the English throne. (Monmouth's claim resulted in the Monmouth Rebellion, a failed attempt in 1685 to remove James II from power; James II was ousted in 1688 and replaced by the joint monarchs William and Mary.) Copies in North American law libraries listed on OCLC: *Marriage*, Library of Congress, UC-Berkeley, Yale; *Right*, Harvard, Library of Congress, UC-Berkeley, University of Michigan, Yale; *Questions*, UC-Berkeley, Yale. DNB XI:726. ESTC R7113 (*Marriage*), R1575 (*Right*), R9 (*Questions*).



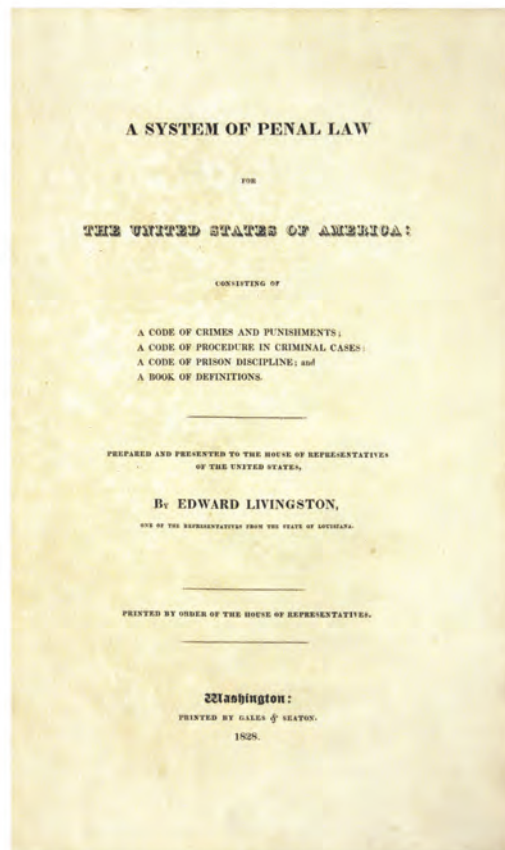
“THE MOST COMPREHENSIVE AND ENLIGHTENED SYSTEM
OF CRIMINAL LAW THAT HAS EVER BEEN PRESENTED TO THE WORLD”

56. Livingston, Edward [1764-1836]. A System of Penal Law for the United States of America: Consisting of A Code of Crimes and Punishments; A Code of Procedure in Criminal Cases; A Code of Prison Discipline; and A Book of Definitions. Prepared and Presented to the House of Representatives of the United States. Printed by Order of the House of Representatives.

Washington, DC: Printed by Gales & Seaton, 1828. \$3,500.

x, [1], 142, 187, 51, 45, 21 pp. Folio (12" x 7-3/4"). Recent period-style quarter calf over marbled boards, gilt fillets and lettering piece to spine, endpapers renewed. Light shelfwear and fading to spine. Early signature to front endleaf, some toning to text, minor dampspotting to endleaves. A handsome copy of a landmark work.

First edition. Livingston's codes mark an epoch in the broad international movement for penal reform. Profoundly influenced by Bentham, they stressed prevention over vengeance in every facet of his work. Like its earlier counterpart designed for the State of Louisiana, this monumental, enlightened code was never adopted. However, it was a profoundly influential work. "Writing in 1902, Eugene Smith states what may be taken to be the modern view of Livingston's work. 'Seventy-five years have since elapsed,' he wrote, 'and yet it is probably safe now to say that these Codes embody the most comprehensive and enlightened system of criminal law that has ever been presented to the world. They constitute a thesaurus from which the world has ever since been drawing ideas and principles. The Code of Reform and Prison Discipline is especially striking from its breadth of its view, and in some particulars its wisdom is yet in advance of even the present age.'" Hicks, *Men and Books Famous in the Law* 180. BEAL 10311.

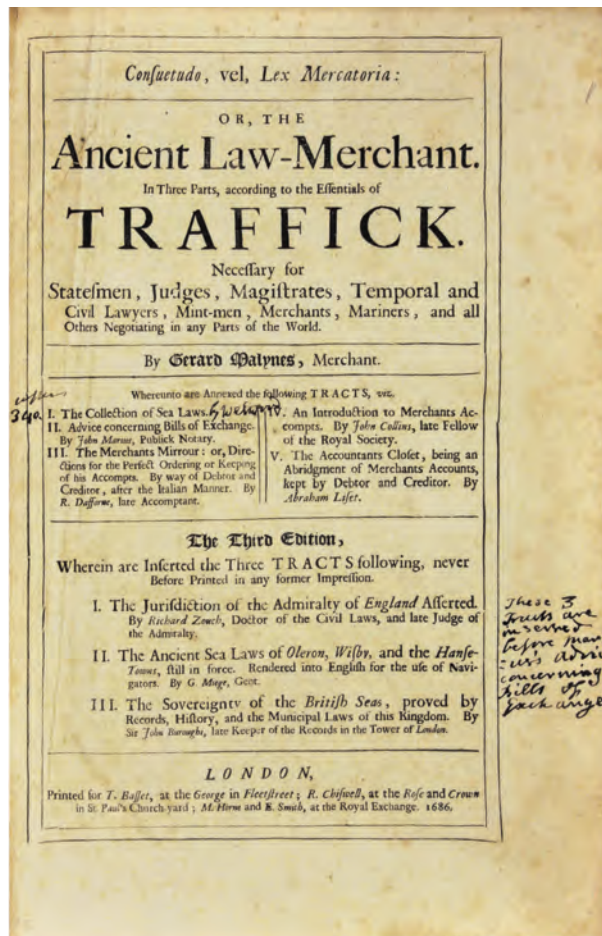


57. Lovelass, Peter [f. 1786-1812]. *The Law's Disposal of a Person's Estate Who Dies Without Will or Testament: Shewing in a Clear, Plain, Easy, And Familiar Manner, How a Man's Family or Relations Will be Entitled to His Real and Personal Estate, By the Laws of England, And Customs of the City of London and Province of York, To Which is Added the Disposal of a Person's Estate, by Will and Testament; Containing an Explanation of the Mortmain-Act, With Instructions and Necessary Forms for Every Person to Make, Alter, and Republish His Own Will. Likewise Directions for Executors How to Act After the Testator's Death.*

London: Printed for the Author, and sold by T. Whieldon, 1790. \$650.

xx [i.e. xxi], [1], 258, [10] pp. Octavo (8-1/2" x 5-1/2"). Contemporary mottled calf, lettering piece and gilt ornaments to spine. Light rubbing to extremities, corners bumped and somewhat worn, front joint starting at head. Some toning to text, faint dampstaining and minor worming to a few leaves, internally clean. A sound copy.

Sixth edition, enlarged. Published originally in 1785 as *The Will Which the Law Makes, Or How it Disposes of a Person's Estate in Case He Dies Without Will or Testament*, this useful and popular book went through thirteen subsequent editions, the last in 1839. Beginning with this edition, Lovelass expanded his scope to include people who had wills. Although this book was written for laymen, it was also embraced by the legal profession. Sweet & Maxwell 1:492 (20, 21).



No. 58 Consuetudo, Vel, Lex Mercatoria, 1686

58. Malynes, Gerard [fl. 1586-1641]. [And Others]. *Consuetudo, Vel, Lex Mercatoria: Or, The Ancient Law-Merchant. In Three Parts, According to the Essentials of Traffick. Necessary for Statesmen, Judges, Magistrates, Temporal and Civil Lawyers, Mint-Men, Merchants, Mariners, and All Others Negotiating in Any Parts of the World. Whereunto are Annexed the Following Tracts, viz. I. The Collection of Sea Laws. II. Advice Concerning Bills of Exchange. By John Marius. III. The Merchants Mirrour: Or, Directions for the Perfect Ordering of Keeping of His Accompts. By Way of Debtor and Creditor, After the Italian Manner. By R. Dassorne. IV. An Introduction to Merchants Accompts. By John Collins. V. The Accountants Closet, Being an Abridgement of Merchants Accounts, Kept by Debtor and Creditor. By Abraham Liset. The Third Edition, Wherein are Inserted the Three Tracts Following, Never Before Printed in Any Former Impression. I. The Jurisdiction of the Admiralty of England Asserted. By Richard Zouch. II. The Ancient Sea Laws of Oleron, Wisby, and the Hanse-Towns, Still in Force. Rendered Into English for the Use of Navigators. By G. Mieke. III. The Sovereignty of the British Seas, Proved by Records, History, and the Municipal Laws of This Kingdom. By Sir John Burroughs.*

London: Printed for T. Basset, R. Chiswell, T. Horne, and E. Smith, 1686. \$6,500.

Nine works in one with separate paginations and title pages (with various dates and imprints); first work preceded by general title page, secondary title page (leaf A2) lacking (a facsimile is laid in). Leaves FF1 and FF2 bound in reverse order. Folio (12-1/2" x 8-1/2"). Nineteenth-century calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to boards and extremities, a few minor scuffs and a few small inkspots to boards, crack in text block between general title page and following leaf. Small bookseller ticket, residue from bookplate and armorial book of William Curtis Noyes to front pastedown, armorial bookplate of Sir John Holt to verso of general title page. Some toning, faint dampspotting or dampstaining in places. Marginalia, probably by Noyes and Holt, in a few places, some affected by trimming, interior otherwise clean. Ex-library. Location label (and trace of another one) to spine, shelf number and small inkstamp to front pastedown, card pocket to rear pastedown. A nice copy.

Third edition of work first published in 1622. Also known as the law merchant, consuetudinary law or commercial law, *lex mercatoria* is a system of customary law that developed in Europe during the middle ages to regulate the dealings of mariners and merchants. The earliest significant compilations are the eleventh-century Rules of Oleron, the Laws of Wisby and the Hanseatic Laws of the Sea. Although *lex mercatoria* fell out of use during the seventeenth century, many of its principles were incorporated into the common law. They would later provide the foundation of the Uniform Commercial Code. Malynes' *Consuetudo* was the final significant contribution to this field. (Beaves' *Lex Mercatoria Rediviva* (1752) was an attempt to revive it.)

Malynes was a commissioner of trade in the Low Countries and was frequently consulted by the Privy Council during the reigns of Elizabeth and James, a dynamic period of commercial expansion and colonization. He was one of the first writers on business practice, economic affairs and foreign exchange. These interests are explored at length in this collection, both in Malynes' treatise and the texts by Marius, Dassorne, Collins and Liset compiled in this volume. It also includes a collection of sea laws and two works on international law by Richard Zouch and John Burroughs. Both of these assert the thesis expounded by John Selden in *Mare Clausum* (1635). Taken together, this volume provides a broad holistic view of *lex mercatoria* during its final maturity. Holt [1642-1710] was Lord Chief Justice of England and Wales from 1689 to his death. He played a leading role in the constitutional revisions that enabled William III to ascend to the throne. Noyes [1805-1864] was a leading New York lawyer and a member of the commission to codify the state's laws, which resulted in the Field Codes. A man of extensive learning, he owned one of the finest law libraries in the United States. *Goldsmiths'* 2639. *ESTC* R229419.

59. [Manuscript]; Bourcier, Louis. [Notes on a Course of Lectures in Canon Law].
Pont-a-Mousson, 1705. \$1,500.

244 ff. Text in Latin. Quarto (7-3/4" x 6"). Contemporary calf, gilt spine with raised bands, speckled edges. Light rubbing to boards, moderate rubbing to extremities with some chipping to spine ends, corners bumped. "Scripsit/ Ludovicus Bourcier/ Pontimussi/ 1705" to front free endpaper. Text in small, neat hand to both sides of most leaves. Stains to a few leaves, interior otherwise fresh.



With index. This appears to be a fair copy based on a set of lectures at the University of Pont-a-Mousson, later Nancy, a Jesuit-run school supported by the Duke of Lorraine with a distinguished law school. It covers the principal topics of canon law (in the context of the local legal systems). Inherently interesting, this item is also worthy of careful study due to its potential to offer insights into the long-standing tensions between the Church and the French Crown.

"A MANUSCRIPT OF GREAT VALUE
DESIGNED FOR THE USE OF MY SON, IF HE IS BRED A LAWYER"

See ill.
Pl. III

60. [Manuscript]; Caldecott, John. [Legal Commonplace Book].
[London (?), c. 1660]. \$3,000.

280 ff. with 2 ff. two-column index at end. Text in Law-French. Quarto (8-1/2" x 7-1/2"). Contemporary vellum, blind rules to boards, owner inscription to front (see banner). Moderate soiling, spine darkened, corners bumped, boards somewhat bowed. Text to both sides of most leaves in single small neat hand, left hand margins reserved for notes and mostly blank. Light toning, internally fresh.

With index. A fine mid-seventeenth century legal commonplace book, presumably compiled by a student attending the Inns of Court in London. (A John Caldecott who lived during the time period of this manuscript appears in the member rolls of Serjeant's Inn.) These companions were an essential part of legal education and served as references long after admission to the bar. The authorities in Caldecott's book include Coke's *Reports* and *Institutes* (later volumes from the 1640s) and Hobart and Hardres's *Reports* (both printed in the 1650s). A study of the other citations will probably enable the researcher to refine the date of this piece. The inscription on the front board seems like a bit of wishful thinking. Did Caldecott's son become a lawyer?

61. [Manuscript]; Deane, J[oseph] G. Cat. of J.G. Deanes Lib. AD 1826.
Portland, Maine? \$1,500.

Leaf folded to form four-page 13" x 8" quarto bifolium, written in ink, endorsed on fourth page. Fold lines, light toning, otherwise fine. A well-preserved item.

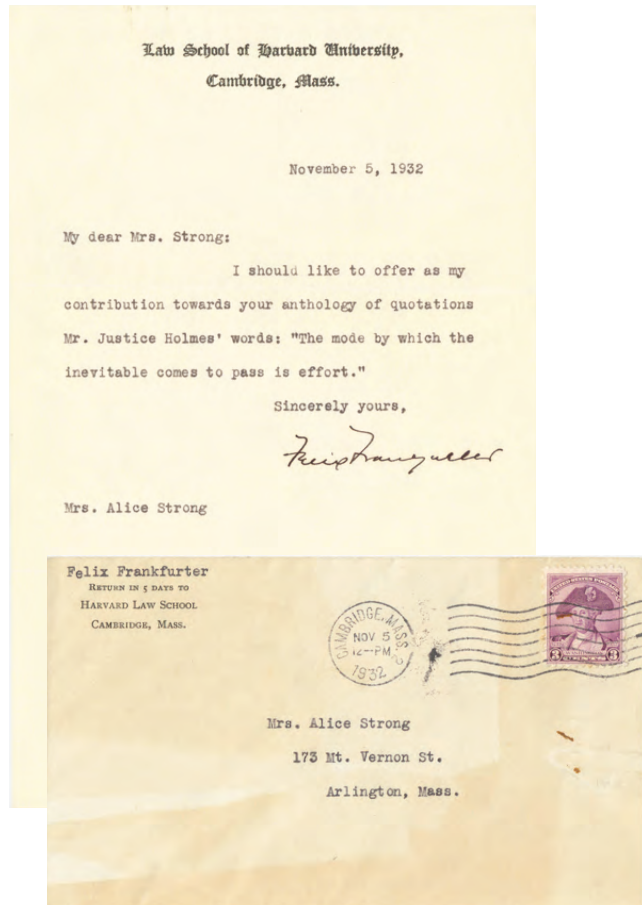
This inventory was probably prepared for an appraisal. (The way it is folded and the placement of the titles indicates that it was filed.) "J.G. Deane" is most likely the Portland, Maine lawyer Joseph G. Deane. He had a fine library of 97 titles. As one would expect, American and English reporters are the largest part of the collection and many titles relate to Maine and maritime law, an important practice area for New England lawyers. It is obvious, however, that Deane had a keen interest in jurisprudence and legal science. The latest English and American treatises, many considered classic texts today, are well represented, along with such titles as Vattel's *Law of Nations*, Burlamaqui's *Natural and Politic Law* and "Voltaire's Essay on Crime and Punishments" (possibly an edition of Beccaria). J.G. Deane was a leading attorney in Portland, two of his sons, Joseph P. and Henry P., attended Harvard Law School, classes of 1839 and 1847. Emery, *The Ministry of Taunton: With Incidental Notices of Other Professions* I:254.

FRANKFURTER QUOTES HOLMES

62. [Manuscript]; Frankfurter, Felix [1882-1965]. [Typed Letter, Signed, On Harvard Law School Letterhead, November 5, 1932]. \$650.

Single 8" x 5-1/2" sheet and 6" x 3-1/2" envelope. Some toning, two horizontal fold lines to letter, which has a full signature. Items housed in handsome recent cloth solander case with calf lettering piece.

Friendly letter to Alice Strong, who was compiling an anthology of quotations. It appears she asked Frankfurter for a suggestion. He writes, "I should like to offer...Mr. Justice Holmes' words: 'The mode by which the inevitable comes to pass is effort.'" It appears that Strong never completed (or published) her anthology. This letter was part of the collection of James S. Copley, the newspaper chief and bibliophile.



See ill.
Pl. VII

63. [Manuscript]; [Municipal Court, Boston]. Memoranda for the Crier of the Municipal Court for the City of Boston. Boston, c. 1863. \$500.

8 ff. Octavo (6-1/2" x 3-1/2"). Stab-stitched flexible calf backed with paper. Some rubbing to extremities. Content divided into sixteen sections written carefully in neat hand to both sides of most leaves, a few annotations in pencil to pastedowns. An interesting item.

Each section indicates the appropriate declaration, large print, preceded by the prompt given by the judge or clerk, in small print. Example: "Mr Crier, Open the Municipal Court.:"/ "Oyez. All persons who have any thing (further) to do before the Honorable Judge of the Municipal Court for the City of Boston, Now Holden in Boston, may draw near, give their attendance, and they shall be herd. God save the Commonwealth of Massachusetts."

CONTENTS OF A HUDSON, NEW YORK,
LAW-OFFICE LIBRARY IN THE 1870S, '80S AND '90S

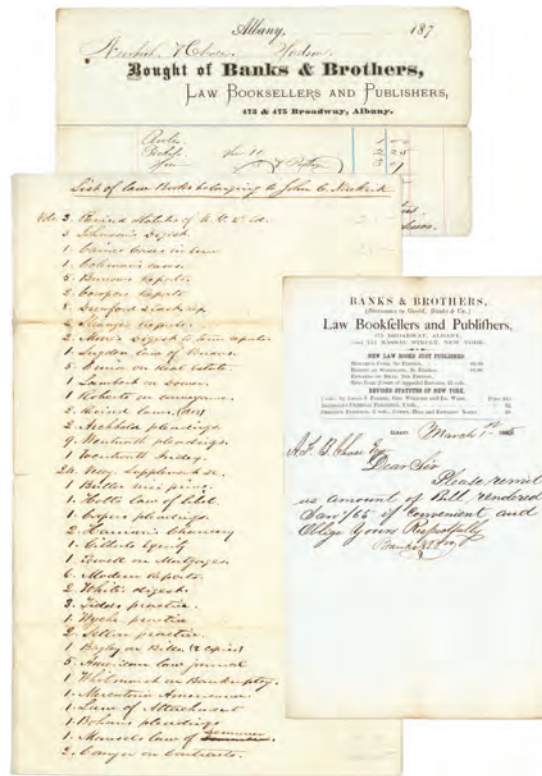
64. [Manuscript]; Newkirk, John C.; Newkirk & Chace List of Law Books Belonging to John C. Newkirk [Hudson, NY, c. 1869].

Leaf folded to form four-page 12-1/2" x 8" bifolium, written in neat hand with annotations in pencil. Toning, minor edgewear, three horizontal fold lines, some with minor tears.

[And] [Newkirk & Chace]. [Invoices from Law Booksellers Banks & Brothers and W.C. Little & Company]. [Albany, NY, 1865-1895]. \$750.

Ten items. Various sizes ranging from 8-1/2" x 4-3/4" to 9-1/2" x 8-1/2." Toning and fold lines, minor wear to edges, a few tears along fold lines. Eleven items in all.

These items describe the type of library that would have existed in a mid-sized firm in a mid-sized American city in the second half of the nineteenth century. Located midway between New York City and Albany, Hudson, the seat of Columbia County, was an important commercial, whaling and transportation hub during the nineteenth century. John Newkirk and Frank Chace were two of the city's most prominent attorneys. Established practitioners in the city since the 1840s, they formed a partnership around 1869. The *List of Law Books Belonging to John C. Newkirk* was probably compiled at that time to record the books he was bringing into the partnership. It was an impressive library with 109 titles (all pre-dating 1869). Most of these are English and American reporters, but there are several treatises as well. The titles are listed with dollar figures, mostly in pencil, either paid prices or their current value. Other annotations are tallies of the collection's overall value. With one exception, dated March 1, 1865 and addressed to Chace, the invoices, all from two prominent Albany dealers, record books purchased by the partners. As one would expect, these served to expand Newkirk's library and keep it up to date. *Boyd's Business Directory of Over One Hundred Cities and Villages in New York State, 1869-70* 345-46.



65. [Manuscript]; Newkirk, John C. Day Book of John C. Newkirk.

Hudson, NY, 1847 [-1857]. [75] pp. Folio ledger (12" x 7"). Quarter calf over marbled boards. Moderate rubbing to extremities, lower corner and spine ends worn, a few scuffs to boards, some soiling to endpapers. Rectos and versos of all but a few leaves filled with content in neat hand.

[And]

[Chace, Frank B.]; [Snyder, Theodore]. Chase and Snyder's Ledger.

[Hudson, NY, 1864-1867]. \$650.

143 pp. followed by 54 black leaves. With thumb-tabbed index of names. Folio ledger (13" x 8"). Three-quarter calf over marbled boards, gilt fillets to spine. Moderate rubbing to extremities with wear to spine ends and corners, front board just starting to separate. Content to 143 numbered pages, mostly to rectos and versos.

Newkirk, Chace and Snyder were three of the city's most prominent attorneys. By 1869 Snyder left Chace, who formed a new firm with Newkirk. These ledgers record expenses, along with brief descriptions of cases and other legal services. Taken together, they offer excellent insights into the social history of Hudson during the mid-nineteenth century. *Boyd's Business Directory* 345-46.

MEMORANDUM ON A LONG ISLAND LAND
CASE PREPARED BY A PROMINENT NEW YORK LAWYER

66. [Manuscript]; Strong, George Washington [1783-1855]; [Huntington, Long Island, New York]. Memorandum Relating to a View of the Islands in Controversy Between Nicoll and the Town of Huntington [caption title].

[New York, 21 June 1811]. \$750.

12 leaves comprising 21 manuscript pages. Quarto (8" x 6"). Ribbon-stitched notebook in heavy glazed card stock covers, contemporary manuscript title to front cover. Some soiling, edgewear and minor stains to exterior, vertical fold line through center of item. Text in small neat hand, date and Strong's signature at end of text. Some toning, light foxing in places.

Prepared by George W. Strong, this memorandum documents an interesting phase of a New York Supreme Court case, issued out of the Court of Chancery of New York, in which a jury of six was impaneled to determine the facts pertaining to a land title dispute in an area of Huntington, Long Island (then part of Queens' County). This chancery case, *Nicoll v. Trustees of Huntington*, required the precise location of rivers, inlets, and islands cited in a 1688 patent for land on the south shore of Long Island. Strong's memorandum records the case in the Supreme Court, *John Doe v. Richard Roe*, a feigned issue or trial to determine the rights of the plaintiff to the disputed land. The plaintiff in the case was "William Nicoll, an Infant." In the present record of the first part of the Supreme Court trial, both the plaintiff and the Defendant, the Town of Huntington, were to appoint "shewers" [showers] who would go out and "view" the lands in dispute on June 17, 1811. It seems that over the decades since the original 1688 land patent and after some great storms, the terrain had changed and geographic references had to be "shewn" and "viewed" in order to determine Nicoll's standing to sue the Town of Huntington. The disputed lands were islands near the mouth of the "Connetquent" [Connetquot] river and near Fire Island, Captree Island, and Oak Island. The second part of the present record describes the actual viewing of the land that took place on June 17 and 19, 1811. In the present case, the judge ruled against Nicoll's claim. Despite this setback and after an appeal, the case continued in the Chancery Court who finally ruled, in 1814, that the plaintiff was justified in suing, but that the defendants had no better claim. The judge ruled that it was a case of mutual error and dismissed the case without costs. The author of this memorandum and the attorney for the plaintiff in the Supreme Court, George Washington Strong, was one of New York's most prominent attorneys during the first half of the nineteenth century (and the father of George Templeton Strong, the noted attorney and diarist). The firm he founded, Strong, Taft and Cadwalader, was the predecessor of Cadwalader, Wickersham and Taft.

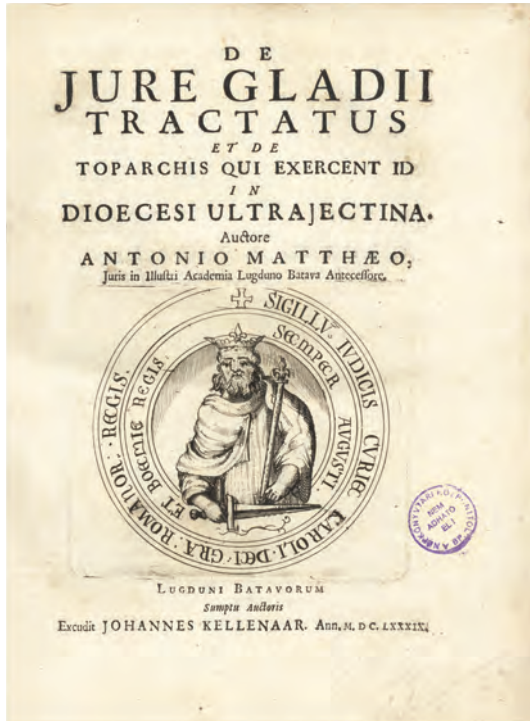
See ills.
Pl. VII

See ills.
Pl. VII

67. Matthaeus, Antonius (III) [1635-1710]. *De Jure Gladii Tractatus et de Toparchis qui Exercent id in Dioecesi Ultrajectina.*

Leiden: Sumptu Auctoris Excudit Johannes Kellenaar, 1689. \$1,000.

Quarto (8-1/2" x 7"). Contemporary Vellum, gilt-edged title panel to spine, edges rouged. Some soiling, mostly to spine, light rubbing to extremities, minor worming to pastedowns and joints, which are just starting at ends. Large copperplate arms of the Curia of the Holy Roman Empire to title page. Some toning, light browning in places. Ex-library. Fragment of shelf label to spine, small stamp to foot of title page. A nice copy of a scarce title.



Only edition. The son and grandson of distinguished jurists of the same name, Antonius Matthaeus III was a professor of law at the University of Utrecht and later its rector. *De Jure Gladii* is a treatise on capital crimes in canon law as applied to the diocese of Utrecht. It also addresses corporal punishment and lesser crimes. Capital punishment was a complicated topic because it involved conflicts with local feudal law. (On a fundamental level, canon law forbids capital punishment, feudal law applies it to a broad spectrum of crimes.) These tensions were acute in Utrecht. Though part of the Protestant United Provinces (Dutch Republic), Utrecht was historically a Catholic center. The Church continued to be a strong presence in the seventeenth century. About 40% of the population was Catholic. This percentage was higher among elite groups. OCLC locates 3 copies in North American law libraries (Columbia, Harvard, Southern Methodist University, UC-Berkeley). Dekkers 112 (11).

VIRGINIA JP MANUAL WITH EXTENSIVE
DISCUSSION OF LAWS RELATING TO SLAVES AND "FREE NEGROES"

68. Mayo, Joseph [1795-1872]. *A Guide to Magistrates: With Practical Forms for the Discharge of Their Duties Out of Court. To Which Are Added Precedents for the Use of Prosecutors, Sheriffs, Coroners, Constables, Escheators, Clerks, &c. Adapted to the New Code of Virginia.*

Richmond: Printed by Colin, Baptist and Nowlan, 1850. \$125.

702 pp. Octavo (9" x 6"). Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to extremities, light scuffing and staining to boards, hinges starting. Some toning to text, offsetting to margins of endleaves, dampstaining to preliminaries and a few text leaves, occasional light foxing. Early annotations to rear board, owner signature (of G.W. Rawle, 1852) to front pastedown. A nice copy.

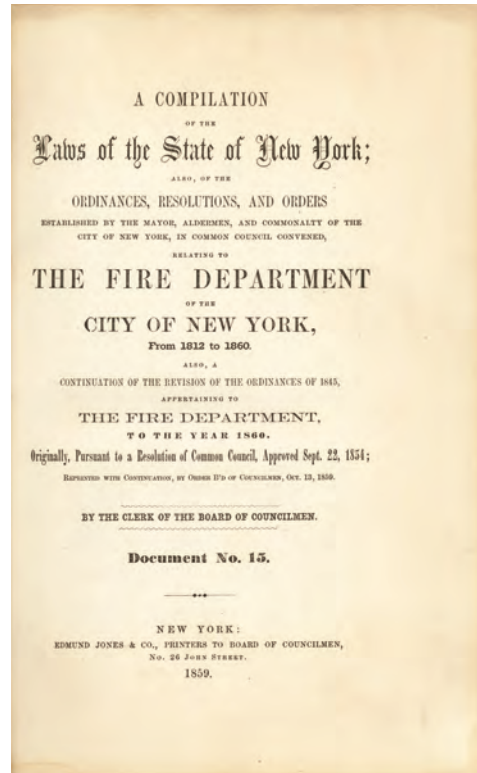
First edition, second issue. With corrections. This manual is notable for its extensive discussion of laws relating to slaves and "free negroes." First published in 1849, it was the standard work during the nineteenth century. Its final edition was published in 1892. *BEAL* 8481.

69. [McClenachan, Charles Thompson, Compiler]. A Compilation of the Laws of the State of New York; Also, Of the Ordinances, Resolutions, And Orders Established by the Mayor, Aldermen, And Commonalty of the City of New York, In Common Council Convened, Relating to the Fire Department of the City of New York, From 1812 to 1860. Also, A Continuation of the Revision of the Ordinances of 1845, Appertaining to the Fire Department, To the Year 1860. Originally, Pursuant to a Resolution of Common Council, Approved Sept. 22, 1854; Reprinted with Continuation, By Order B'd of Councilmen, Oct. 13, 1859. By the Clerk of the Boar of Councilmen. Document No. 15.

New York: Edmund Jones & Co., Printers to Board of Councilmen, 1859. \$750.

[vi], [7]-582 pp. Octavo (8-1/2" x 5-3/4"). Elaborately tooled contemporary morocco, gilt arms of New York City to center of boards, title to front, rebacked retaining original spine with raised bands, blind ornaments and gilt title, all edges gilt. Light rubbing to boards, moderate rubbing to edges with some wear to corners, hinges mended, minor chipping to edges of preliminaries and rear endleaves. Toning to text, light browning in places. "Compliments of A.J. Brush, Jackson Hose 13 to V.F.A. N.Y. Cty." and small contemporary shelf label to front pastedown, another shelf number to rear pastedown, interior otherwise clean.

Only edition. "The compiler is indebted to the Clerk of the Common Council for permission to search the manuscript records of early date, which will be found in the following work, as much from necessity in the form of history, as of transcript of ordinances, &c." (Preface). OCLC locates seven copies, 2 in law libraries (Harvard, Brigham Young).



See ills.
Pl. VI

MONTAGUE ON LIENS

70. Montagu, Basil [1770-1851]. A Summary of the Law of Lien. Improved by a Digest of the American Decisions.

Exeter, NH: Published by George Lamson, 1822. \$300.

[xviii], 108, 236, [4]. Folding table. Octavo (8-1/2" x 5"). Contemporary sheep. blind fillets to boards, lettering piece, early owner name (Peyton) and blind fillets to spine. Light rubbing to extremities, corners slightly bowed, minor scuff to rear board, front hinge starting, minor worming to rear pastedown. Offsetting to margins, light browning to text. Early annotations to front pastedown, early owner signature (of John Howe Peyton) to head of title page, interior otherwise clean.

First American edition. Holdsworth says this concise volume is clear and well-arranged. A practical work, it states the law in short propositions based on the cases, which are reported in an extensive appendix. By focusing on the essentials of lien law this book offers useful insights into actual daily practice in the United States and Great Britain during the early nineteenth century. Peyton [1778-1847] was a notable Virginia lawyer and state legislator who also served as a deputy assistant attorney for the western district of Virginia. An active member of the Whig party, he opposed nullification and secession. Holdsworth XIII:491-92. BEAL 2606.

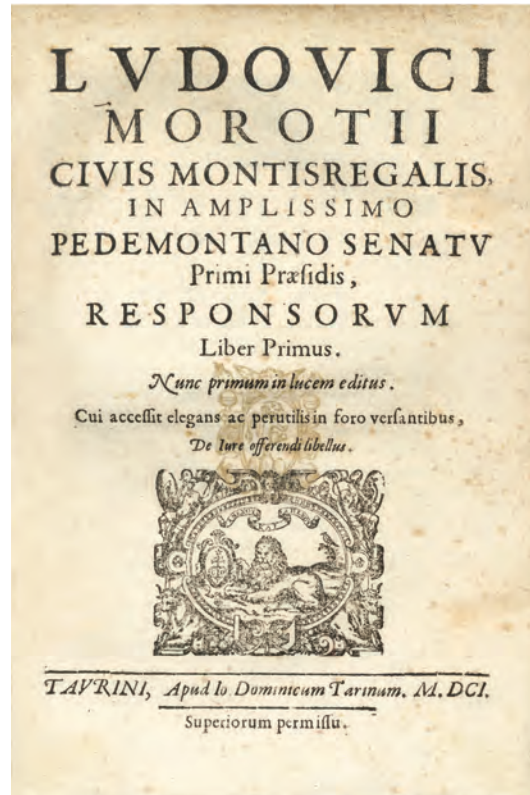
71. Morozzo, Lodovico [c.1548-1611]. Responsorum Liber Primus. Nunc Primum in Lucem Editus. Cui Accessit Elegans ac Perutilis in Foro Versantibus, De Iure Offerendi Libellus.

Turin: Apud Io. Dominicum Tarinum, 1601.

\$1,750.

[xcvi], 550, [2] pp. Main text in parallel columns. Quarto (9" x 7"). Contemporary limp vellum with lapped edges, early hand-lettered title to spine. Light soiling and a few minor stains, some darkening to spine, which has some minor tears at head, vellum just beginning to crack though pastedowns, front hinge starting at foot. Woodcut head-pieces. Light browning to text, somewhat darker in a few sections, light foxing in places, internally clean. A nice copy of a scarce title.

Second edition. Born into a noble family of Turin, Morozzi was a law professor and first chairman of the Turin's Senate. First published in 1600, this volume is a collection of *consilia*, most of them dealing with debtor and creditor under local and Roman law. Although the title says "liber primus," no other volumes were issued. Despite the claims in the second edition's title, both editions appear to be identical. OCLC locates 1 copy of the first edition (at Harvard Law School) and one copy of the second (at Herzog August Bibliothek). Another copy of the second edition located at UC-Berkeley law library. EDIT16 CNCE 62749.



72. [Neale, John Mason]. The Railway Accident: A Tale.

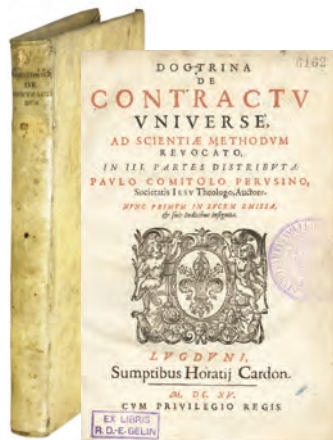
London: John Henry & Jas. Parker, [c. 1855].

\$650.

103 pp. Woodcut frontispiece. [Bound with three other titles.] Octavo (6-1/2" x 4"). Contemporary three-quarter calf over marbled boards, raised bands and lettering piece to spine. Some rubbing to extremities, corners bumped and somewhat worn and corners rubbed. Light toning, light browning to final title.



The plot of *The Railway Accident* concerns a railway servant who is falsely accused of having caused the accident; the final quarter of the novella is a verbatim account of the courtroom proceedings in which he is acquitted by "the almost special interference of Providence." This is a rare item. We located 3 copies in the UK and 1 copy in North America (at the University of Missouri). The other works in this volume are Emily Judson's *Records of Alderbrook, Or Fanny Forester's Village Sketches* (London, 1854) and two pamphlets issued by the Society for Promoting Christian Knowledge: *Stephen Bell; Or, Follow After Charity* (London, 1855) and *The Cripple of the Railroad* (London, 1853).



21.



30a.



24.



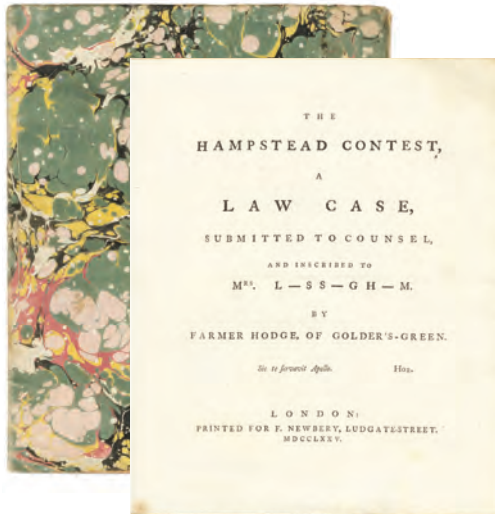
19. 9. 122. 52. 121. 97. 20.



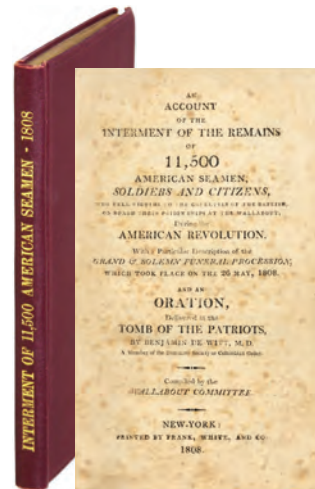
102. 116. 95. 11. 18. 43. 36. 47.



22. 41. 46. 130. 34.



44.



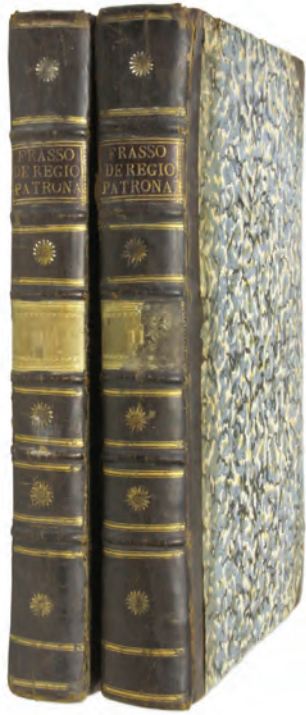
30.



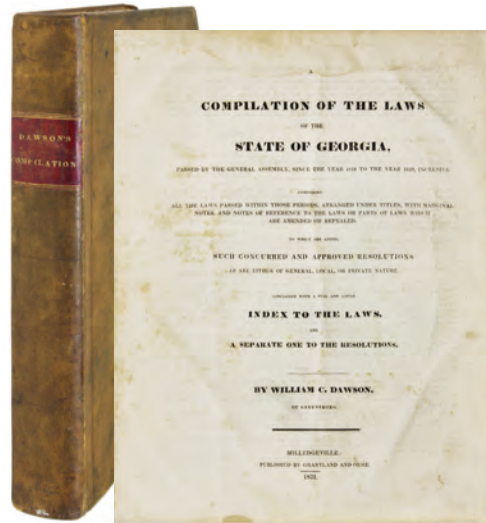
55.



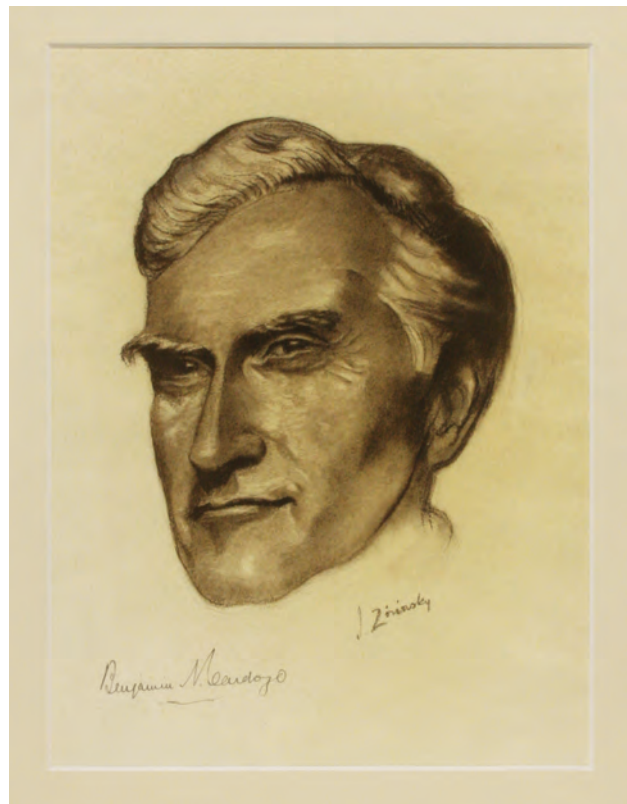
60.



128.



29.



138.



135.



90.



108.



69.

A	Alford William 10	Buttack George 27
B	Allen John 11	Burn John 11
C	Allen Mrs Mary 16	Conjahan John 22
D	Allen Thomas 17	Chute Henry 28
E	Allen Mrs Maria 18	Cricket Peter 28
F		Cricket Peter 28
G		Cricket Peter 28
H		Cricket Peter 28
I		Cricket Peter 28
J		Cricket Peter 28
K		Cricket Peter 28
L		Cricket Peter 28
M		Cricket Peter 28
N		Cricket Peter 28
O		Cricket Peter 28
P		Cricket Peter 28
Q		Cricket Peter 28
R		Cricket Peter 28
S		Cricket Peter 28
T		Cricket Peter 28
U		Cricket Peter 28
V		Cricket Peter 28
W		Cricket Peter 28
X		Cricket Peter 28
Y		Cricket Peter 28

65.

HONOR THE BRAVE

In Common Council
 of the City of Boston
 Held on Sept 23rd 1845

John McCarty
 executed in the chair
 and a common person

A singularly brutal and wanton murder was committed on August 22nd 1845 at 171 1/2 Bay street corner of High St on the person of an estimable and industrious citizen

CHRISTIAN W. LUCE

Whereas the prompt arrest of the redoubtable murderer and his arrest was exemplified the ALACRITY, COURAGE and DEVOTION to DUTY which is characteristic of the police force of this City of Boston in a degree and more satisfactory to the individual officers immediately concerned in the capture, and

Resolved it is that such HEROIC DEEDS SHOULD RECEIVE SPECIAL RECOGNITION

RESOLVED

That the Common Council do hereby award a sword of honor to

John W. Easton
 John Colgan
 Michael Mc Carthy
 John Brennan
 Richard Korman
 James J Kennedy
 Philip Cassidy

Resolved that the foregoing preamble and resolution be dutifully executed and presented to the table of the Second Department to be preserved as the badge of the station house of a permanent value, but the City of Boston is not bound to set off the sword with DISCREET WILL of HER

Attest
 John Brewster
 City Clerk

137.

Memoranda relative to a view of the Island in controversy between Rhode and the Town of Hingham

Reference is made to a report made to the Select Men of the Town of Hingham on the 10th of Decr 1845 in relation to the Island in controversy between the Town of Hingham and the State of Rhode Island. It is the duty of the Select Men to see that the rights of the Town are properly maintained and that the Island is properly divided between the Town and the State. It is the duty of the Select Men to see that the Island is properly divided between the Town and the State. It is the duty of the Select Men to see that the Island is properly divided between the Town and the State.

66.

Memoranda for the Court of the Municipal Court

Of the following respondents, those for opening the Court, the previous practice, motion, and adjourning the Court are given by the Judge, whereas generally by the Clerk.

1st M^o Court on the Mon^o Court.

I

Cypr. All persons, who have any thing (further) to do before the Honorable Judge of the Municipal Court for the City of Boston, now holden in Boston, may draw near, give their attendance, and they shall be heard. God save the Commonwealth of Massachusetts.

The Court further ordered, at the opening of the Term.

The proclamation is made at the opening.

63.



148.



145.



144.



149.

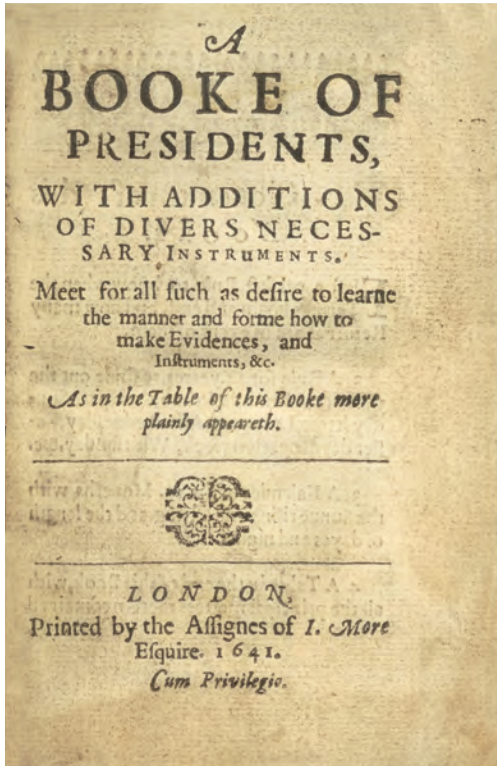


150.

73. [Phayer (Phayre), Thomas (c.1510-1560)]. A Booke of Presidents, With Additions of Divers Necessary Instruments. Meet for All Such as Desire to Learne the Manner and Forme How to Make Evidences, And Instruments, &c. As in the Table of This Booke More Plainly Appeareth.

London: Printed for the Assignes of I. More, 1641.

\$2,250.



[viii], 105, [6] ff. Octavo (5-1/2" x 3-1/2"). Contemporary sheep, blind rules to boards, rebacked in period style. Some rubbing to extremities, a few shallow scuffs to boards. "F. Pollock/ 1896" to verso of front endleaf. Light soiling to title page, interior otherwise fresh.

Later edition. With an index, court calendars and an almanac (to determine future court dates). First published in 1543, this was the first collection of conveyancing forms. The most significant book on land law since Littleton's *Tenures*, it was also one of the earliest formbooks printed in England. A popular work, it went through several editions and reissues, the final appearing in 1626. Sir Frederick Pollock [1845-1937], one of the greatest British judges and legal scholars of his day. His treatises on contracts, jurisprudence the common law and other subjects did much to clarify and systematize English law. Several of these were standard texts that went through several editions. He is also remembered for his collaboration with F.W. Maitland on *The History of English Law Before the Time of Edward I* and his correspondence with Oliver Wendell Holmes, which was published posthumously as *The Holmes-Pollock Letters*. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:479 (8).

BRITISH COPYRIGHT IN THE MID-NINETEENTH CENTURY

74. Phillips, Charles Palmer [1822-1895]. The Law of Copyright in Works of Literature and Art and in the Application of Designs. With the Statutes Relating Thereto.

London: V. & R. Stevens, Sons, & Haynes, 1863.

\$950.

261, cxiii pp. Octavo (8" x 5-1/2"). Recent period-style three quarter tan calf over marbled boards, red and black lettering pieces and blind fillets to spine, endpapers renewed, half-title re-hinged. Some toning to text, internally clean. Ex-library. Small inkstamp to title page and a few text leaves. A very attractive copy.

Only edition. Phillips offers a fine overview of British copyright law as it stood in the mid-nineteenth century. "The object of the author has been to write a book of moderate bulk which should present a concise and connected statement of the whole law of copyright in this country. (...) All the important judicial decisions and dicta at law and in equity upon the subject will, the author hopes, be found in the following pages, and in the Appendix are the statutes to which it may be necessary to refer" (Preface). No (print) copies in North American law libraries found on OCLC. Sweet & Maxwell 279.

75. Pigott, Nathaniel [1661-1737]; [Derby, James Stanley, Earl of (1607-1651)]. A Treatise of Common Recoveries: Their Nature and Use. To Which is Added the Case of Page and Hayward More Fully Reported Than in Any Other Book Extant: And also a Case Between the Late Earl of Derby and the Coheirs of His Elder Brother. With Precedents for Amending Recoveries: And a Complete Table to the Whole.

[London]: Printed by E. and R. Nutt, and R. Gosling, 1739. \$350.

[iii], 232, [15] pp. Quarto (7-3/4" x 6"). Contemporary calf, blind rules and gilt arms of the Duke of Bedford to boards, blind fillets along joints, raised bands and lettering piece to spine. Moderate rubbing to spine and extremities with wear to top edge of rear board and corners, front board beginning to separate but secure. Small shelf label of Woburn Abbey, estate of the Dukes of Bedford, pasted over early signature, copperplate armorial Bedford bookplate to verso of title page. Light toning to text, dampspotting and browning in a few places, offsetting to margins of endleaves. "Bedford/ 1740" to head of title page, interior otherwise clean. Book housed in moderately rubbed nineteenth-century morocco slipcase with a few minor stains, which has gilt rules to the upper and lower panels and a spine with raised bands and gilt ornaments. A solid copy with an interesting association.

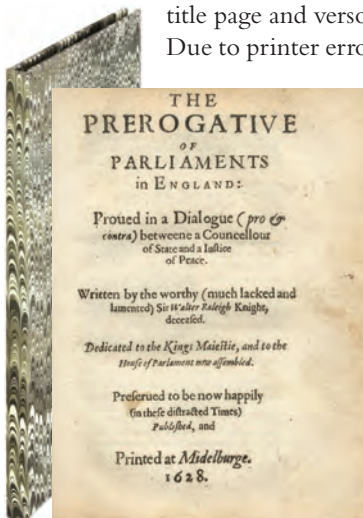
First edition. According to Marvin, Pigott was "a profound lawyer" and notes that this treatise "long continued to be the best text book on [this] very difficult and complicated subject." The date on the title page indicates the ownership of John Russell, Fourth Duke of Bedford [1710-1771], the notable British statesman. Marvin 572. Sweet & Maxwell 1:490 (15).

RALEIGH ASSERTS THE SUPREMACY OF PARLIAMENT

76. Raleigh, Sir Walter [1552?-1618]. The Prerogative of Parliaments in England: Proved in a Dialogue (Pro & Contra) Betweene a Councillour of State and a Iustice of Peace. Written by the Worthy (Much Lacked and Lamented) Sir Walter Raleigh Knight, Deceased. Dedicated to the Kings Maiestie, And to the House of Parliament Now Assembled.

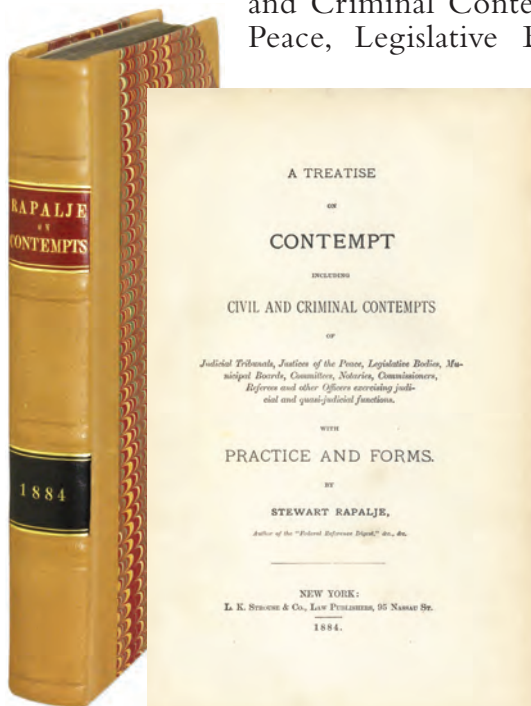
Middelburge [i.e. London T. Cotes?]: Preserved to be Now Happily (In These Distracted Times) Published, And Printed at Middelburge, 1628. \$750.

[viii], 65, [1] pp. Quarto (7" x 5-1/4"). Stab-stitched pamphlet bound into recent marbled binding. Woodcut head-pieces, tail-pieces and decorated initials. Light browning, light soiling to title page and verso of final leaf, occasional finger smudges to text, a few very minor stains. Due to printer error, page number and upper part of the first line of the final leaf is lacking, text still legible. An interesting title.



First edition. Written in 1610, Raleigh's essay was reissued several times in the seventeenth century, and a few times in the following two centuries, at times when the Crown seemed to be encroaching on powers reserved to Parliament and the English people. In 1628 King Charles I re-issued the Thirty Nine Articles into the Church of England. This was seen as a move towards Catholicism and proof of the King's Catholic leanings. That year also saw the Petition of Right Parliament, which was designed to protect subjects from any further taxation unauthorized by Parliament. (Charles signed this document reluctantly.) OCLC locates 7 copies of the first edition in North American law libraries (Columbia, Georgetown, Library of Congress, UC-Berkeley and the Universities of Michigan, Minnesota and Virginia). Pollard and Redgrave 20649.7. ESTC S105163.

- 77. Rapalje, Stewart [1843-1896].** A Treatise on Contempt Including Civil and Criminal Contempts of Judicial Tribunals, Justices of the Peace, Legislative Bodies, Municipal Boards, Committees, Notaries, Commissioners, Referees and Other Officers Exercising Judicial and Quasi-Judicial Functions. With Practice and Forms.



New York: L.K. Strouse & Co., 1884.
\$950.

xlvi, 273 pp. Octavo (9" x 6"). Recent period-style three-quarter tan calf over marbled boards, raised bands and red and black lettering pieces to spine, endpapers renewed. Light toning to text, some soiling to title page, minor edgewear to a few leaves, internally clean. Ex-library. Small inkstamp to verso of title page. A very nice copy.

First edition. "One of the first comprehensive studies of the subject, still useful as background reference. It covers contempt powers of courts, legislative bodies, administrative groups, and public officials": Swindler, *A Bibliography of Law on Journalism* cited in Marke 415.

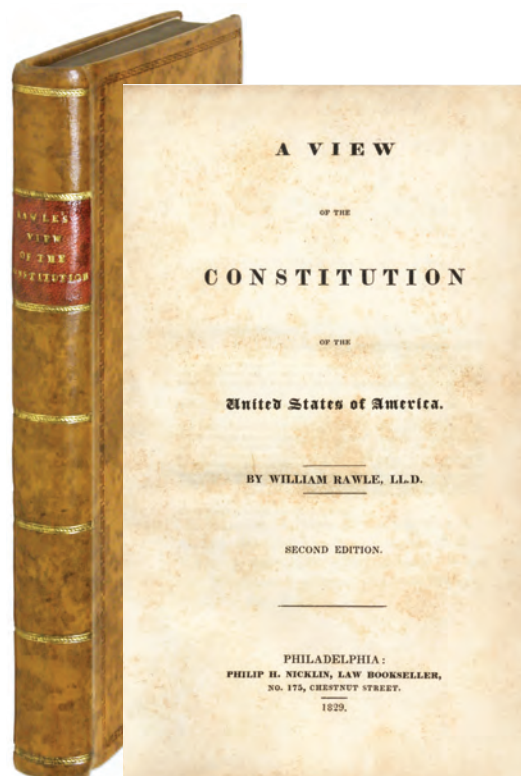
USED TO JUSTIFY SECESSION

- 78. Rawle, William [1759-1836].** A View of the Constitution of the United States of America.

Philadelphia: Philip H. Nicklin, Law Bookseller, 1829. \$1,750.

viii, [9]-349 pp. Octavo (8-3/4" x 5-1/2"). Recent period-style calf, blind fillets to boards, lettering piece and gilt fillets to spine, endpapers renewed. Some toning, occasional light foxing, offsetting to margins of endleaves, internally clean. A nice copy of an important work.

Second edition. Rawle's treatise is one of the earliest works on the United States Constitution, and one of the most important. This text is significant also because it suggests that states have a right to secede from the Union. As Cohen observes, the popularity of this text, which was used at West Point and other schools throughout the country, "is generally considered to have influenced the leaders and supporters of the Confederacy, although in fact Rawle opposed secession." *BEAL* 2894.



79. Rayner, John, Editor. Cases at Large Concerning Tithes; Containing All the Resolutions of the Respective Courts of Equity, Particularly Those of the Exchequer, Taken from the Printed Reports, And Manuscript Collections, Mostly by Sir Samuel Dodd, Late Lord Chief Baron, Never Before Published; Together with All the Appeals in the House of Lords, To and in Trinity Term, 22 Geo. III. To Which is Prefixed, An Introduction, Comprehending a Concise View of the Whole Law of Tithes, With Observations on Several Cases of Appeal, That have Been Adjudged Within the Last Ten Years, Of His Present Majesty's Reign; Likewise A Full Vindication of the Clergy, Respecting Their Suits for Tithes: Also An Appendix of Acts of Parliament, With Readings, Particularly on Stat. 13 Eliz. Chap. 10. And Chap. 20. On Which Acts, And the Construction of Them, Depends the Whole Learning Respecting, And the Validity of, All Alienations of Ecclesiastical Livings at this Day. The Whole upon an Entire New Plan, And Digested in a Chronological Series; With Proper Tables of the Cases, &c. And a Complete Copious Index to the Principal Matters.

London: Printed by W. Strahan and W. Woodfall, 1783. \$750.

Three volumes. Octavo (8" x 5"). Contemporary calf, rebacked in morocco, raised bands and gilt titles to spines, endpapers renewed. Moderate rubbing to extremities, a few scuffs to boards, corners worn, crack in Volume I text between front free endpaper and following leaf. Some toning to text, a few early annotations in each volume. Ex-Birmingham Law Society library. Institution name and insignia to boards, bookplates to front pastedowns, inkstamps to preliminaries. A solid set.

Only edition. Probably the most exhaustive study of this topic produced in the eighteenth century, it includes all cases from 1575 to 1782. It is a useful companion to the treatises on tithes by such authors as Bohum and Selden. Sweet & Maxwell 1:194 (45).

ATTRACTIVE FIRST EDITION
OF REEVE'S *BARON AND FEMME*

80. Reeve, Tapping [1744-1823]. The Law of Baron and Femme; Of Parent and Child; Of Guardian and Ward; Of Master and Servant; And of the Powers of Courts of Chancery. With an Essay on the Terms, Heir, Heirs, and Heirs of the Body.

New Haven: Printed by Oliver Steele, 1816. \$500.

[iv], 494, [11] pp. Octavo (9-1/4" x 5-1/2"). Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Some rubbing to extremities, a few tiny nicks to boards, front joint just starting at foot, front free endpapers partially detached but secure, hinges cracked. Toning to text, faint dampspotting in places. Early owner signature (Merrick) to front pastedown, interior otherwise clean. Ex-library. Faint remains of location label to spine, small stamp to title page. A well-preserved copy.

First edition. In 1782 Reeve founded the first American law school in Litchfield, Connecticut. He also published the first American work devoted to domestic law. First published in 1816, *The Law of Baron and Femme* delineates the marital, parental, guardian, master and chancery authority and rights of property, debts, wills, contracts and settlements. This copy includes the appendix from the following enlarged issue of this edition (1857), which is also billed as the second. It is starred to the 1846 edition. "American text writing as a significant force in our legal development begins...with Reeve's *Baron and Femme*": Pound, *The Formative Era of American Law* 140. BEAL 4745.

81. Rebuffi, Pierre [1487-1557], Commentator. Concordata Inter Sanctissimum Dominum Nostrum Papam Leonum Decimum, & Sedem Apostolicam, Ac Christianissimum Dominum Nostrum Regem Franciscum Huius Nominis Primum, & Regnum Aedita. Cum Interpretationibus Aegregii viri D. Petri Rebuffi. Cum Indici Alphabeticis.

Paris: Apud Galeotum Pratensum, 1545.

\$1,450.

[lxiv], 429, [3]; [ii], 166, [2]; [2], 74, [4] pp. Three parts in one volume. Main text in double columns, text of concordat surrounded by linear gloss. Quarto (9-1/2" x 7"). Later mottled sheep, gilt title to spine, speckled edges. Light rubbing to extremities, a few scuffs to boards. Attractive crible initials, large woodcut printer device to verso of final text leaf. Offsetting to margins of endleaves, faint dampstaining, toning to a few sections, internally clean.

Ex-library. Location and author label (Rebuffus) to spine, small bookplate to front pastedown, small stamp to foot of spine. An appealing copy.



Fourth edition. Editorial changes to this edition noted with asterisks. This is an important series of commentaries on the Concordat of 1516, which regulated the status of the Catholic Church in France and established guidelines for the nomination of bishops, the interpretation of canon law and other matters. The final part is Rebuffi's essay *Tractatus de Pacificis Possessoribus*, which deals with possession and benefices. Rebuffi was the leading French canonist of the period, an auditor of the Rota Romana and the author of several important works, such as *Praxis Beneficiorum* (1584) and a commentary on *De Verborum et Rerum Significatione* (1586). OCLC locates 6 copies in North America, 3 in the United States, 2 in law libraries (at Harvard and the University of Pennsylvania). Not in Adams. This edition not in Camus.

ROYAL AUTHORITY AND THE CHURCH

82. Salgado de Somoza, Francisco. Tractatus de Supplicatione ad Sanctissimam a Litteris et Bullis Apostol. Nequam, Et Importune Impetratis in Perniciem Reipublicae, Regni, Aut regis, Aut Iuris Tertii Praejudicium: Et de Earum Retentione Interim in Senatu. Opus Sane Pulchrum et Grave Utrique Reipublicae Ecclesiasticae, & Temporalis Utile Admodum a Doctis Petatum, & Acunctis Desideratum. Copiosa Litterarum per Politicarum Exornatione (Tum ad Regimen, Tum ad Status Rationem Conducibilium) Illustratum.

Madrid: Apud Mariam de Quinones, 1639.

\$2,500.

[xvii], 350, [101] ff. Main text in parallel columns. Folio (11-1/4" x 8"). Contemporary limp vellum, large calligraphic title to spine. Light rubbing and a few minor chips to extremities, stain to upper corner of front cover, free endpapers lacking. Large copperplate arms to title page, woodcut decorated initials. Light toning to text, occasional light foxing. Minor stains, early signatures and annotations to title page, interior otherwise clean.

First edition. Preferred for its unexpurgated text, this treatise asserts royal authority over papal bulls and apostolic letters. Other editions, edited in response to Papal censure, were published in 1664, 1758 and 1792. All are scarce in North America; OCLC locates 3 copies of the first edition (at Columbia, Harvard Law School and UC-Berkeley Law School). Palau 287429.

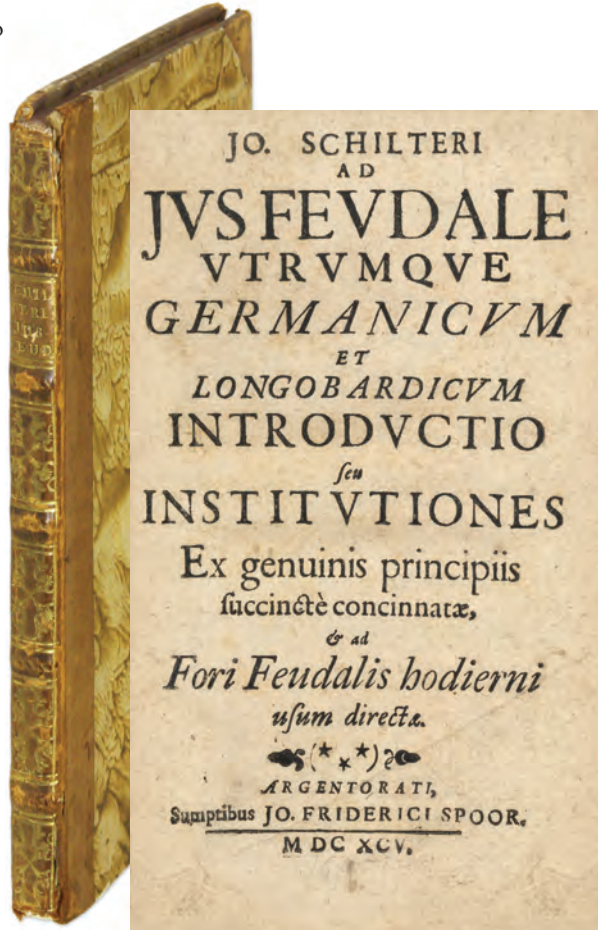


83. Schilter, Johann [1632-1705]. *Ad Jus Feudale Utrumque Germanicum et Longobardicum Introductio seu Institutiones ex Genuinis Principiis Succincte Concinnatae, Et ad Fori Feudalis Hodierni Usam Directa.*

Strassburg: Sumptibus Jo. Friderici Spoor, 1695. \$1,500.

[xvi], 108, [2] pp. Octavo (6-1/2" x 3-1/2"). Contemporary (or near-contemporary) three-quarter calf over marbled boards, gilt spine with raised bands and lettering piece. Wear to spine ends, corners bumped and lightly worn. Woodcut head-pieces, tail-pieces and decorated initials. Light browning, occasional light foxing. Early owner signature to front free endpaper, interior otherwise clean.

First edition. Derived in part from Roman law otherwise based on Germanic law, the Lombard Laws were introduced by the Lombard kings after their conquest of Italy in 568CE. It was a successful system that became more sophisticated during the following decades, especially after the union of the Lombards with the Frankish kingdom. This body of law was a decisive influence in Italian law and legal study into the seventeenth century and did not wholly disappear until the introduction of French-based codes in the nineteenth century. Schilter, a *Ratskonsulent* in Frankfurt and professor of law at the University of Strassburg, was a sophisticated jurist and a pioneering scholar of comparative law and legal history. The ground-breaking *Ad Jus Feudale* was one of the first modern studies of its kind. A standard work, it went through nine editions by 1750. OCLC locates 1 copy of the 1695 edition in a North American library (Harvard Law School). Stintzing/Landesberg, *Geschichte der Deutschen Rechtswissenschaft* III:1, n. 35.



JACKSON SHOULD NOT BE PRESIDENT

84. Snyder, Simon. *Letters to the People of the United States, Upon the Subject of the Presidential Election: Originally Published in the United States Gazette.*

Philadelphia: Printed at the United States Gazette Office, 1828. \$150.

27 pp. Octavo (8-1/2" x 5-1/4"). Stab-stitched pamphlet. Light browning, occasional light foxing, faint dampstaining to upper corner of final few leaves, internally clean. A nice copy of a scarce item.

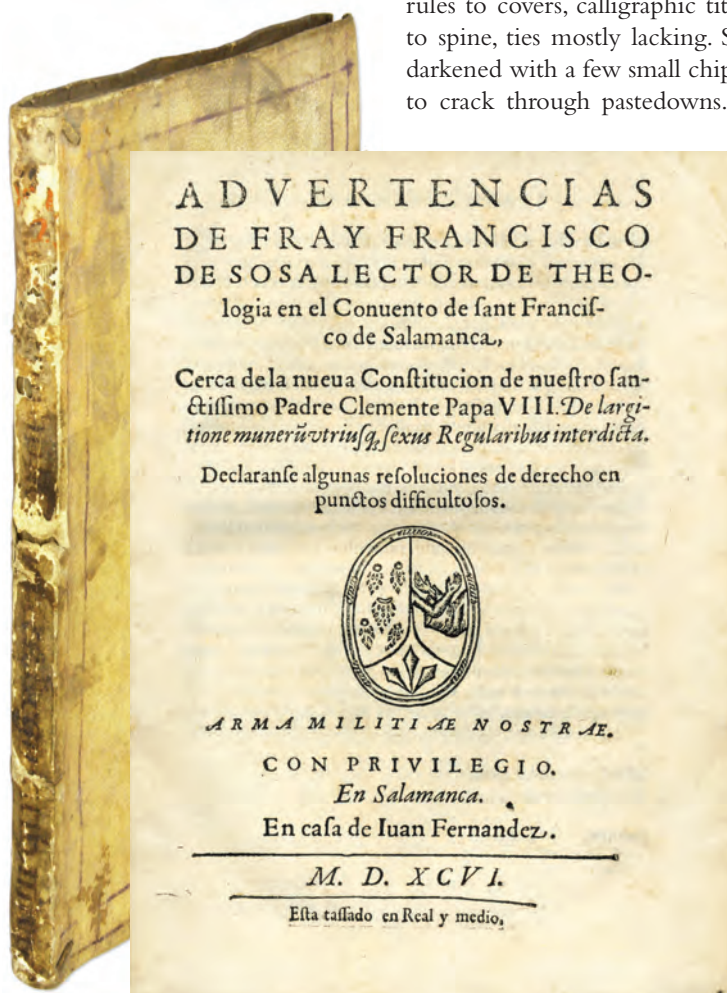
Only issue. This pamphlet reprints a series of essays attacking the presidential candidacy of Andrew Jackson in the 1828 election. Snyder is not to be confused with the Pennsylvania governor of that name [1759-1819]. OCLC locates 3 copies (Boston Atheneum, Newberry Library, New-York Historical Society). Sabin 85613.

85. Sosa, Francisco de [fl. 1556]. Advertencias de Fray Francisco de Sosa, Lector de Theologia en el Convento de Sant Francisco de Salamanca: Cerca de la Nueva Constitucion de Nuestro Sanctissimo Padre Clemente Papa VIII. De Largitione Munerum Utriusque Sexus Regularibus Interdicta. Declaranse Algunas Resoluciones de Derecho en Puntos Difficultosos.

Salamanca: En Casa Iuan Fernandez, 1596.

\$2,500.

[x], 131, [2] pp. Quarto (8" x 6"). Contemporary limp vellum, black rules to covers, calligraphic title to spine, early hand-lettered title to spine, ties mostly lacking. Some soiling and small stains, spine darkened with a few small chips near center, vellum just beginning to crack through pastedowns. Light to moderate toning to text, occasional faint dampspotting, internally, clean.



First edition. This book details a series of legal reforms regarding monasteries and holy orders implemented by Pope Clement VI, formerly a canon lawyer (Ippolito Aldobrandini, 1536–1605, the son of notable jurist Sylvestro Aldobrandini). For the most part, these reforms led to an increase of Papal control and supervision. Two other editions were published in 1597 and 1696. OCLC locates no copies of this title in North America. No copies located at the Library of Congress, Harvard Law School or UC-Berkeley Law School. Palau 319804.

SCARCE 1968 STUDY OF BROWN AND ITS IMPLICATIONS

86. Speer, Hugh W. The Case of the Century: a Historical and Social Perspective on Brown of Education of Topeka, with Present and Future Implications.

[Kansas City]: University of Missouri, 1968.

\$150.

iii, 281 pp. Cloth, negligible shelfwear. Presentation inscription from author to head of title page, interior otherwise clean.

This was a research study produced under contract by the Office of Education, U.S. Department of Health, Education, and Welfare. OCLC locates 7 copies in law libraries.

87. [Stephens, Alexander Hamilton (1812-1883)]; Lambard[e], William [1536-1601]. *Eirenarcha, Or of the Office of the Iustices of Peace, In Foure Bookes. Revised, Corrected, And Enlarged, In the Eighth Yeere of the Peaceable Raigne of Our Most Gracious King Iames.*

London: Printed for the Companie of Stationers, 1610. [ii], 634, [83] pp.

[Bound with]

[Lambarde(e), William]. *The Duties of Constables, Borsholders, Tythingmen, And Such Other Lowe and Lay Ministers of the Peace. Whereunto be Adioyned, The Severall Offices of Church Ministers and Churchwardens, And Overseers for the Poore, Surveyours of the Highwaies, And Distributors of the Provision Against Noysome Foule and Vermine. First Collected by William Lambarde and Now Enlarged in the Yeare 1610.*

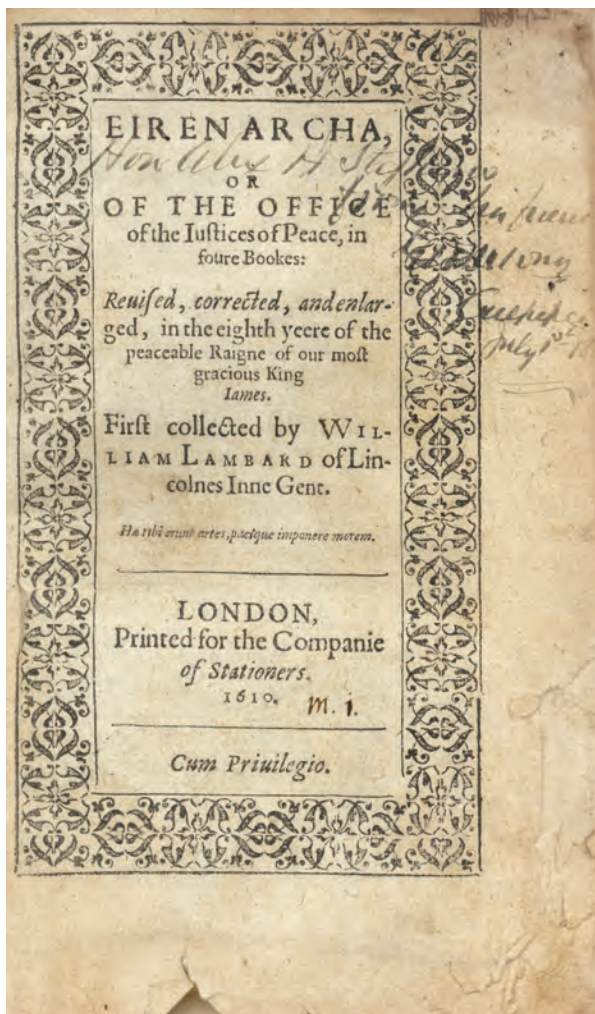
London: Printed for the Companie of Stationers, 1610.

\$950.

94 pp. Octavo (6-1/2" x 4-1/2"). Contemporary calf with nineteenth-century rebacking, blind rules to boards, raised bands and lettering piece to spine. Moderate rubbing to boards and extremities, spine abraded, chipping to head of spine, portion of backstrip lacking from foot, joints starting at ends, calf beginning to crack though front pastedown, a few cracks to text block. Toning to text, edgewear to preliminaries, tear in one leaf resulting in the loss of part of a shoulder note, another corner torn away with loss of a few

letters in a headline. "Hon. Alex H. Stephens from his friend G.W. Williams Culpeper" dated 1881 to head of title page, Culpeper's signature to endleaves and margins of a few leaves, interior otherwise clean. An interesting association copy.

Later edition. First published in 1581, this classic treatise is esteemed for its comprehensive and systematic account of the organization of local government under the justices of the peace at the end of the sixteenth century. It was the standard authority for several decades and often reprinted. A Georgian, Stephens was Vice President of the Confederate States of America during the Civil War. He was a U.S. congressman from Georgia before the war and its governor from 1882 until his death in 1883. Also a prominent attorney, he wrote *A Constitutional View of the Late War Between the States; Its Causes, Character, Conduct and Results* (1868-1870), an important study from the perspective of constitutional law. Sweet & Maxwell 1:229 (43).



88. Sugden, Sir Edward Burtenshaw [1781-1875]. A Practical Treatise of the Law of Vendors and Purchasers of Estates. From the Ninth London Edition. With Notes and References to American Decisions.

Brookfield, MA: Published by E. & L. Merriam, 1836. \$125.

Two volumes bound as one, each with title page and individual pagination, lxxxii, 642; 474 pp. Octavo (9” x 5-1/2”). Contemporary sheep, blind fillets to boards, lettering pieces and blind fillets to boards. Some rubbing to extremities, a few minor scuffs and stains, two faint early owner names to spine, rear hinge starting. Offsetting to margins, toning to text, occasional light foxing, internally clean. A nice copy.

Fourth American from ninth London edition (1834), to which it is star-paged. “The number of editions through which *Vendors and Purchasers* has passed evinces the estimation with which it is regarded by the profession. It was first published in one vol. 8vo. in 1805, and each successive edition has been enlarged, in order to keep pace with the growth of the law. It is a most useful and thoroughly written work, and is noted for its accuracy, and the soundness of its doctrines.” Marvin 678. BEAL 2713.

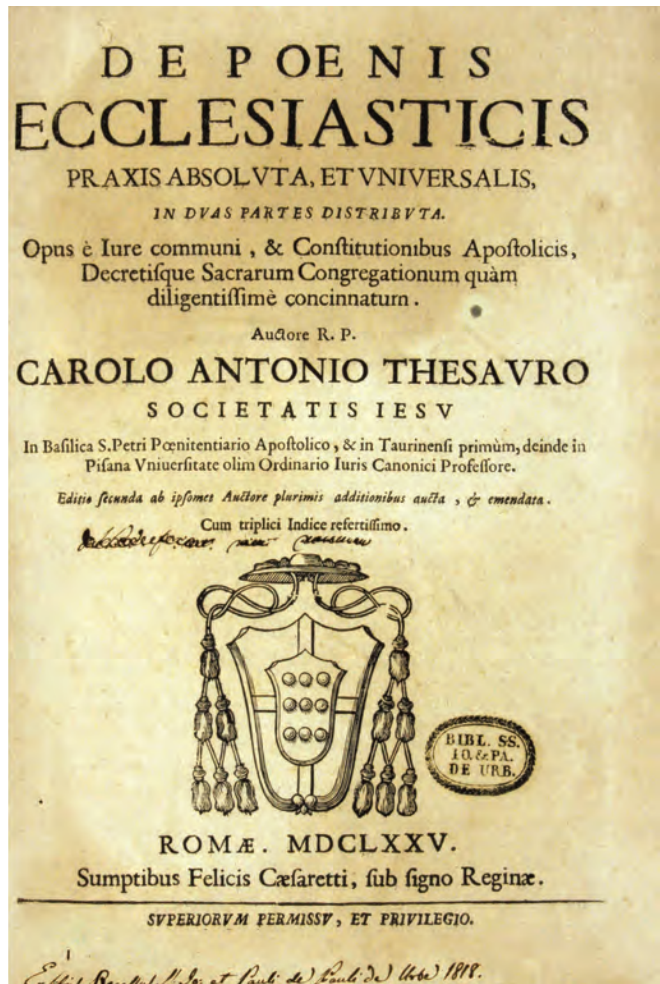
A STANDARD CANON-LAW TREATISE ON PUNISHMENT

89. Tesauro (Thesaurus), Carlo Antonio [1587-1655]. De Poenis Ecclesiasticis Praxis Absoluta, Et Universalis, In Duas Partes Distributa. Editio Secunda ab Ipsomet Auctore Plurimis Additionibus Aucta et Emendata. Cum Triplici Indice Resertissimo.

Rome: Sumptibus Felicis Caesaretti, Sub Signo Reginae, 1675. \$1,250.

[iv], 405, [iii] pp. Include three-page publisher catalogue. Main text in parallel columns. Folio (12” x 7-1/2”). Contemporary vellum, hand-lettered title to spine, edges rouged. Light rubbing to extremities, spine ends and corners bumped, minor worming to hinges and pastedowns, a few chips to front free endpaper. Light browning to most of text, internally clean. Ex-library. Location label to spine, small stamp and library name in fine hand to title page.

“Second edition.” First published in 1674, this treatise on punishments by a Jesuit canonist went through later editions in 1760 and 1831 and was a standard work into the nineteenth century. The 1675 “edition” is actually a reissue of the first. (The title says this is a “second edition” “amended and enlarged” by the author—even though he had died some 20 years previously.) OCLC locates no copies of the first or “second” editions in North America. Not in Ferreira-Ibarra or the BMC.



See ills.
Pl. VI

90. Thomson, Richard [1794-1865]. An Historical Essay on the Magna Charta of King John: to Which are Added, the Great Charter in Latin and English, the Charters of Liberties and Confirmations, Granted by Henry III and Edward I, the Original Charter of the Forests, and Various Authentic Instruments Connected With Them: Explanatory Notes on Their Several Privileges; A Descriptive Account of the Principal Originals and Editions Extant, Both in Print and Manuscript; and Other Illustrations, Derived from the Most Interesting and Authentic Sources.

London: Printed for John Major, 1829.

\$650.

xxvii, 611, [1] pp. Lithographed frontispiece. Octavo (9-1/2" x 6"). Contemporary signed morocco binding (by J. Mackenzie), elaborate gilt frames, central floral devices and inside dentelles to boards, gilt spine with raised bands, all edges gilt, ribbon marker. Light rubbing to extremities, gilding on spine somewhat dull, armorial bookplate (of Frances Mary Richardson Currer) to front pastedown. Title page and text printed within lithographed architectural frames. Light foxing to preliminaries, interior otherwise fresh. An impressive volume.

Contains the text of John's charter, with a translation; also translations of the articles of the barons, the forest charter, and the confirmations of Henry III. And Edward I.; with elaborate notes, based largely on Coke's Second Institute. This is one of the 'standard' works on the Great Charter": Gross, *The Sources and Literature of English History from the Earliest Times to About 1485* 2019.



POCKET EDITION OF A VENERABLE COLLECTION OF MAXIMS

91. Thomassetis, Thomas de [fl. 1621], Editor. Flores Legum Cum Suis Exceptionibus et Declarationibus. Ex Variis Legibus, Glossis, & Doctoribus Collectis Quondam ab Admodum Rever. d. Thoma de Thomassetis. Nunc Vero in hac Decima Impressione ab Integro Recogniti, Ac Novissimis Additionibus Locupletati. Opus Omnibus Utriq; Juristudentibus, Ac Praesertim Legum Scholaribus Utilissimum, Ac Necessarium, Indice Addito.

Cologne: Apud Petrum Ketteler, 1694.

\$450.

[ii], 340, [17] pp. 12mo (4-1/4" x 2-1/4"). Contemporary vellum with lapped edges and varnished spine. Light soiling, rubbing to extremities and spine, traces of shelf label (?) to front board, partial cracks between text block and endleaves (text secure). Light toning to text, later owner inscription to front free endpaper, early owner signature to title page, interior otherwise clean.

The *Flores Legum* is an anonymous collection of legal terms, maxims and other definitions in a condensed format arranged for easy reference. A remarkably popular and durable work, it was issued several times into the eighteenth century. OCLC locates 3 copies of this imprint, 1 in North America (at Harvard Law School). VD17 1:008792D.

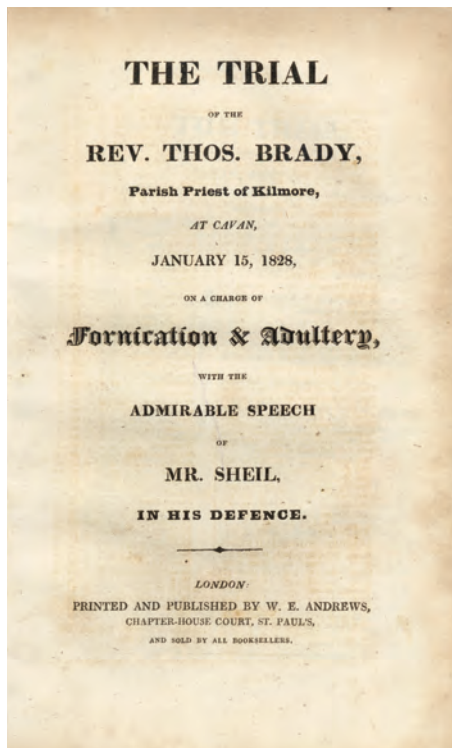
92. Tulden, Diodorus (Theodorus) van [c.1595-1645]. *Opera* [spine title].

Louvain: Typis & Sumptibus Aegidii Denique, 1702, 1712. \$5,000.

See ills.
Pl.V

Four volumes. Main texts in parallel columns. Folio (12-1/2" x 7-1/2"). Contemporary calf, gilt spine with raised bands and lettering pieces, marbled endpapers, edges rouged. Some rubbing to boards and extremities, a few minor scuffs, corners bumped, front joint of Volume I partially cracked but secure, some chipping to the head of its spine, eighteenth-century bookplates, two partially excised, to front pastedowns. Title pages printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, some browning and dampspotting in a few places, internally clean. A handsome set.

Tulden began his career as an attorney, but was drawn to scholarship. He became a professor at the University of Louvain, later the University of Malines. His writings, especially those on Roman law, were highly regarded in the Low Countries, and they went through many editions. The Louvain publisher Denique produced a collected-works composite edition, *Opera Quae de Jure Fecit*, in 1702. It is billed as the "Editio Tertia" because all but one of its titles is a third edition (with a 1702 imprint date; the exception, *Commentarius in Codicem*, is dated 1701). No other editions or versions are recorded. Our set has the same format, contents and arrangement of the 1701-02 edition and a spine title reading "Tuldeni/ Opera." It also appears to have additional titles. Along with *In IV. Libros Institutionem Juris Civilis*, *Commentarius in Digesta*, *Commentarius in Codicem* and *De Civile Regimine*, our set has *De Jurisprudentia Extemporali*, *De Causis Corruptorum Judiciorum et Remediis*, *De Principiis Jurisprudentiae* and *Initiamenta Jurisprudentia*. Also, it lacks a general title page, and does not appear to have ever had one. Finally, the imprint of *Codicem* is dated 1712 rather than 1701. According to OCLC and KVK, all of these titles are scarce. OCLC locates one set identical to ours (at the University of Michigan Law Library). See Dekkers, *Bibliotheca Belgica Juridica* 172-173.



BLAMING THE PARISH PRIEST

93. [Trial]; Brady, Thomas, Defendant. The Trial of the Rev. Thos. Brady: Parish Priest of Kilmore, At Cavan, January 15, 1828, On a Charge of Fornication & Adultery, With the Admirable Speech of Mr. Sheil, In His Defence.

London: Printed and Published by W.E. Andrews, [c.1828]. \$650.

16 pp. Octavo (8-1/4" x 5"). Stab-stitched pamphlet bound into recent marbled boards, printed paper title panel to front. Light browning to text, darker along margins, internally clean.

Only edition. Mary Reilly, alias Kilkenny, alias Kenny, sued Brady for the maintenance of her two illegitimate children. Richard Lalor Sheil [1791-1851] was an important Irish lawyer, orator, writer and politician. OCLC locates 1 copy (at Emory University). Not in the *HLC*.

94. [Trial]; Dalton v. Dalton; Merrick, Pliny [1794-1867]. Judge Merrick's Charge to the Jury, In the Dalton Divorce Case, The Phonographic Report of the Daily Bee (Boston Daily Bee Extra), By Messrs J.M.W.Yerrinton, and Rufus Leighton, Of Boston, And Messrs Henry M. Parkhurst and William H. Burr, Of New York.

[Boston]: Office of the Boston Daily Bee, 1857. \$250.

16 pp. Text in parallel columns. Octavo (10" x 6-1/2"). Stab-stitched pamphlet. Wrappers detached, light edgewear, vertical fold line through center. Light browning, some spotting to rear. A scarce item.

Benjamin F. Dalton sued for divorce on the grounds of his wife's alleged adultery with William Sumner, who had been killed by Dalton in a crime of passion. Mrs. Dalton denied the charge and alleged that Mr. Dalton had himself committed adultery. The trial was widely publicized and was a notorious society scandal. Richard Henry Dana was the lawyer for Benjamin Dalton, Rufus Choate for Helen Dalton. The jury ended deadlocked with ten votes for Dalton and two for Helen Dalton. Dalton later received a five-month sentence for the murder of Sumner. The light sentence reflected popular sympathy for supposedly cuckolded Dalton. OCLC locates 13 copies, 5 in North American law libraries (LA County, Harvard, Ohio State, University of Pennsylvania and Yale). *BEAL* 11433.

FIRST REPORT OF THE LANDMARK DARTMOUTH COLLEGE CASE

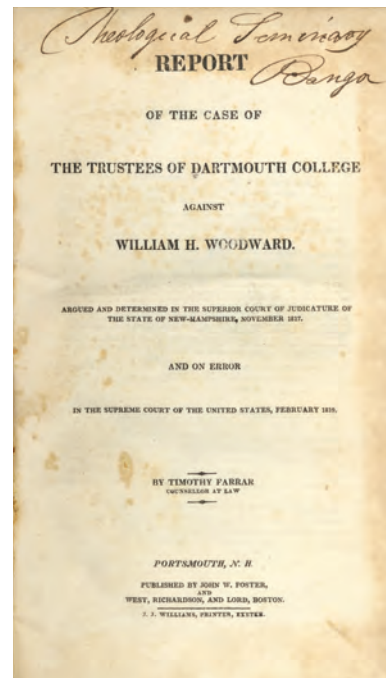
See ill.
Pl. II

95. [Trial]; [Dartmouth College Case]; Farrar, Timothy [1788-1874], Reporter. Report of the Case of the Trustees of Dartmouth College Against William H. Woodward: Argued and Determined in the Superior Court of Judicature of the State of New-Hampshire, November 1817. And on Error in the Supreme Court of the United States, February 1819.

Portsmouth [NH]: Published by John W. Forster and West, Richardson, And Lord, Boston, [1819]. \$1,500.

[iv], 406 pp. Octavo (8-1/2" x 5"). Recent period-style calf, gilt fillets and lettering piece to spine, endpapers retained. Light toning to text, faint dampstaining and foxing in a few places. Early owner inscription to head of title page, interior otherwise clean. A handsome copy.

Farrar's is the first published report of the landmark case involving the contract rights of corporations. With all the material related to the case, including the arguments of Webster and Wirt and the opinions of Chief Justice Marshall and Justices Story and Washington, and an appendix containing the texts of related documents. The New Hampshire legislature passed a bill in 1816 that revoked Dartmouth College's original charter and converted the college from a private to a state institution. The college challenged the constitutionality of this act in the state supreme court without success, but the U.S. Supreme Court reversed the state's decision in a landmark opinion based on the contract clause of the Constitution (Article I, Section 10). "By construing the contract clause as a means of protecting corporate charters from state interventions, Marshall derived a significant limitation on state authority. As a result, various forms of private economic and social activity would enjoy security from state regulatory policy. Marshall thus encouraged, through constitutional sanction, the emergence of the relatively unregulated private, autonomous economic actor as the major participant in a liberal political economy that served the commonwealth by promoting enlightened self interest": Alfred F. Konefsky, "Dartmouth College v. Woodward" in *The Oxford Companion to the Supreme Court* 218-219. *BEAL* 11614.



96. [Trial]; Kenniston, Levi, Defendant; Kenniston, Laban, Defendant. Report of the Evidence at the Trial of Levi & Laban Kenniston, Before Hon. Samuel Putnam on an Indictment for the Robbery of Major Elijah P. Goodridge, December 19, 1816.

Salem: Printed by T.C. Cushing, 1817. \$150.

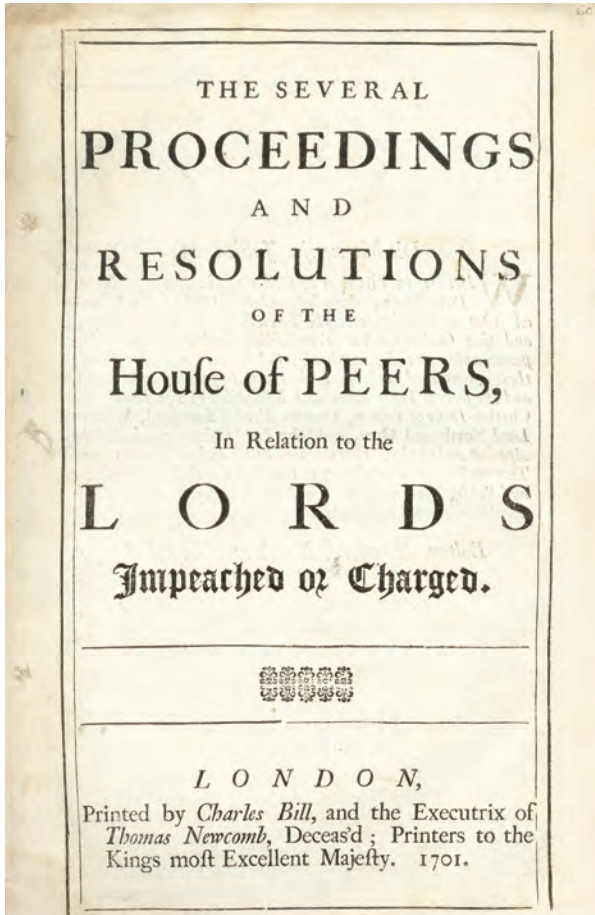
32 pp. Octavo (9-1/2" x 5-1/2"). Stab-stitched pamphlet, untrimmed edges. Chipping to margins of first few and final leaves, moderate browning. Early owner signature (of Moses Hodgdon) to head of title page, a column of figures to verso of final leaf.

Only edition. "Elijah Goodridge brought charges against a number of individuals whom he accused of robbing him, but apparently no robbery had taken place. Goodridge's accusations had been fabricated and the defendants were acquitted after a trial in the Massachusetts Supreme Judicial Court" (Cohen). This is one of three accounts of this case. *BEAL* 14018.

DID THEY ASSIST THE NOTORIOUS CAPTAIN KIDD?

97. [Trial]; [Kidd, Captain William]; Orford, Edward Russell, Earl of [1653-1727], Defendant; Somers, John Somers, Baron [1651-1716], Defendant. The Several Proceedings and Resolutions of the House of Peers, In Relation to the Lords Impeached or Charged.

London: Printed by Charles Bill, And the Executrix of Thomas Newcomb, Deceas'd, 1701. \$1,500.



[ii], [3]-100 pp. Folio (11-1/2" x 7-1/2"). Recent period-style quarter calf over cloth, raised bands and lettering piece to spine, endpapers renewed. Light toning to text, edges trimmed closely with occasional minor loss to head-lines and lower corner of title page. Small early page numbers to upper corners (item was once bound into a volume with other titles), interior otherwise clean.

The impeachment proceedings against Somers and Orford are significant because of their association with the notorious Captain William Kidd, who was executed as a pirate and murderer in 1701. It was alleged in the proceedings that the accused had provided Kidd with a commission and otherwise assisted him in his activities as a pirate. Scholars have yet to determine if Kidd was a pirate, so this trial may serve as a useful contribution to the historical record. *ESTCT*48002.

See ills.
Pl. II

98. [Trial]; Lawrence, Cornelius W., Defendant. The American Print Works vs. Cornelius W. Lawrence. Proceedings at the Trial of Above Entitled Cause, At Essex Circuit, October, 1852. Compiled from Notes of Reporter at the Trial, And Revised by the Counsel for the Defendant.

New York: Collins, Bowne & Co. Printers, 1852. \$650.

332 pp. Fold-out color plate map. Octavo (8-1/2" x 5-3/4") Recent quarter calf over marbled boards, lettering piece and blind tooling to spine, endpapers renewed. Light toning to text, light browning in places, faint dampspotting to a few leaves, a few minor tears to map, one larger tear carefully mended. Early owner stamps (of Theodore Thieler) to a few leaves, interior otherwise clean.

Only edition. With Appendix. At head of title: *Supreme Court of New Jersey-Essex Circuit*. "This was an action brought (...) to recover damages for the destruction of goods contained in two stores (...) in the city of New York. These buildings were destroyed on the morning of December 17, 1835, by gunpowder exploded therein by order of Cornelius W. Lawrence, then mayor of the city of New York, for the purpose of stopping the great conflagration then raging in that city" (Preface). OCLC locates 14 copies, 5 in North American law libraries (Columbia, LA County, Rutgers, UC-Berkeley, University of Pennsylvania). *HLC* II:1001.

TREATISE ON PLEADING BY A NOTABLE VIRGINIAN

99. Tucker, [Nathaniel] B[everley] [1784-1851]. The Principles of Pleading.

Boston: Charles C. Little & James Brown, 1846. \$450.

v, 220 pp. Octavo (7-3/4" x 4-3/4"). Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to extremities, a few shallow scuffs and minor inkstains to boards, early owner signature (Wm. G. Williams) to head of front board and front pastedown. Some toning to text, light browning in places. Early reading list of law books, possibly by Williams, to rear free endpaper, interior otherwise clean.

Only edition. The son of St. George Tucker and half-brother of John Randolph of Roanoke, Nathaniel Beverley Tucker studied and practiced law in Virginia from 1801 to 1815. He was a judge in the Circuit Court of Missouri from 1815 to 1830 and was professor of law at the College of William and Mary, his alma mater, from 1834 to 1851. He was also a notable essayist and novelist. *BEAL* 9276.

INTERESTING 1866 TREATISE
ON RELIGION AND AMERICAN SOCIETY

100. Tyler, R[ansom] H. The Law of Religious Societies, Church Government and Creeds, Disturbing Religious Meetings, And the Law of Burial Grounds in the United States. With Practical Forms.

Albany: William Gould, 1866. \$150.

viii, 539 pp. Octavo (9" x 5-1/2"). Later starched buckram, hand-lettered title to spine. Some soiling and shelfwear, light toning to text, early owner signature and stamp to title page, internally clean. Ex-library. Location label to spine, bookplate to front pastedown, small embossed stamp to title page, card pocket to rear pastedown.

Only edition. "The design and object of the following pages is to bring together and exhibit in comprehensive and intelligible form, a clear and distinct digest of all the principles, statutes and adjudged cases relating to [the subjects in the title]. (...) These subjects, cognate in their character, comprise what may be properly called the Ecclesiastical Law of this country. No work of this kind has heretofore made its appearance..." (Preface). *HLC* II:783.

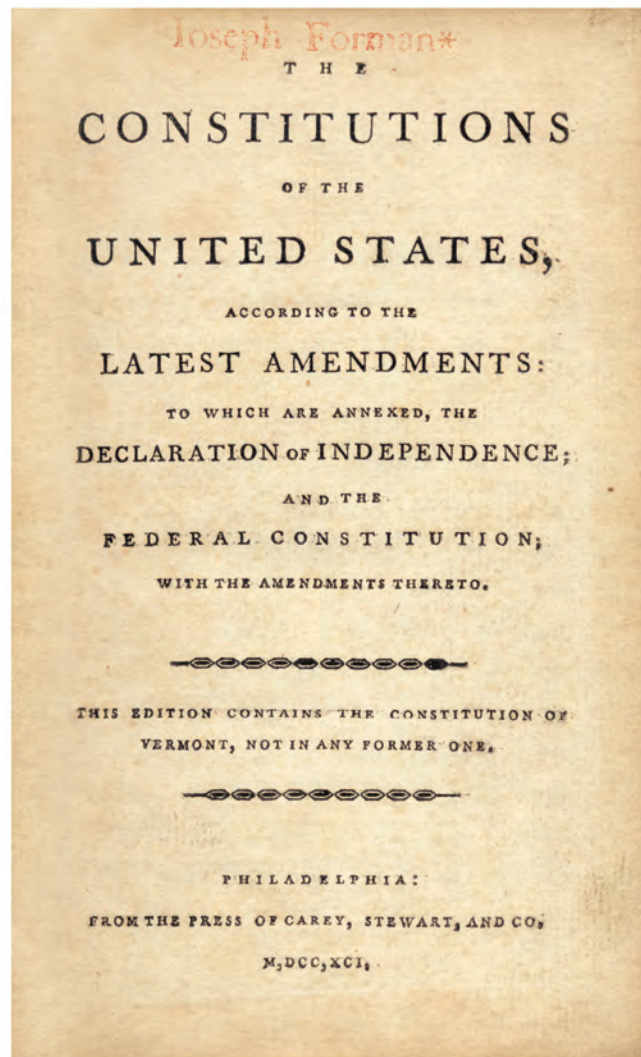
THE FIRST EDITION WITH VERMONT'S CONSTITUTION,
PUBLISHED DURING THE RATIFICATION OF THE BILL OF RIGHTS

101. [United States]; [Constitutions]. The Constitutions of the United States, According to the Latest Amendments: To Which are Annexed, The Declaration of Independence; And the Federal Constitution; with the Amendments Thereto. This Edition contains the Constitution of Vermont, Not in any Former One.

Philadelphia: From the Press of Carey, Stewart, and Co., 1791. \$2,500.

[ii], 176 pp. 12mo. (7" x 4"). Recent period-style quarter calf over marbled boards, endpapers renewed, early owner bookplate with Masonic symbolism (of John Scott/ Chestertown/ 1795) to front pastedown, early owner stamp (of Joseph Forman) to head of title page and p. 1. Uniform light browning, internally clean. A handsome copy.

This is the first edition to contain the Constitution of the United States with the first twelve proposed amendments, ten of which would become the Bill of Rights. A statement dated August 1791 says amendments one and two were not ratified by enough states and that the other 10 had been ratified by nine states. On December 15, 1791 Virginia completed the ratification process. This edition is also the first to include the Constitution of Vermont, which was admitted to the Union on March 4, 1791. BEAL 3036.



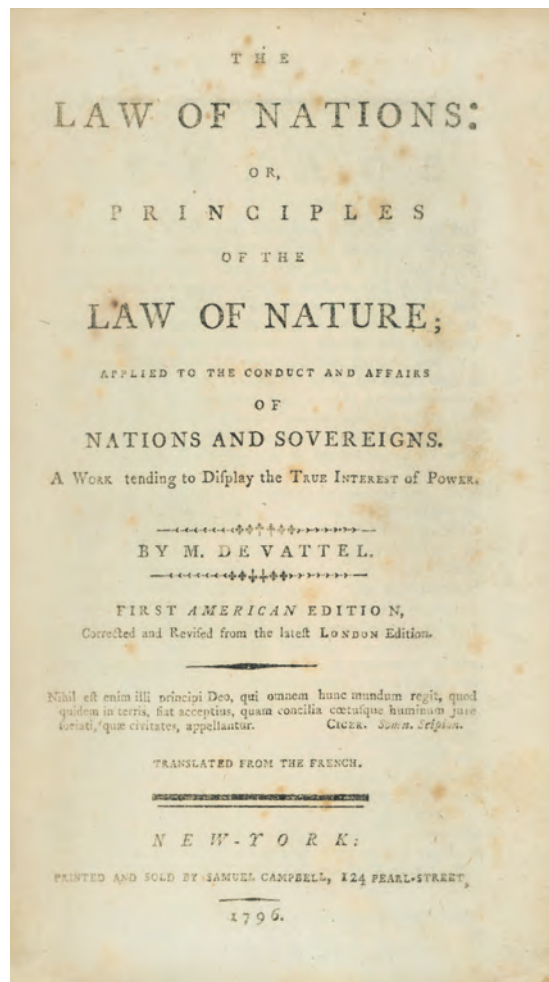
See ills.
Pl. II

102. Vattel, [Emmerich] de [1714-1767]. The Law of Nations: Or Principles of the Law of Nature; Applied to the Conduct and Affairs of Nations and Sovereigns. A Work Tending to Display the True Interest of Powers. First American Edition. Corrected and Revised From the Latest London Edition. Translated from the French.

New York: Printed and Sold by Samuel Campbell, 1796. \$2,500.

xlviii, [49]-563 pp. Octavo (7-1/2" x 4-1/2"). Contemporary sheep treated to look like tree calf, rebaked in period style with gilt fillets and original lettering piece, hinges mended. Light rubbing to extremities. Toning to text, occasional light foxing. Later small inkstamp to head of preface (a library shelf number?), interior otherwise clean.

Second American edition, based on the 1760 London edition. First published in 1758, this is one of the great treatises on international law. It was especially influential in America and was among the earliest law books reprinted there; the first American edition was published in New York in 1787. Jefferson ranked it with the works of Grotius, Pufendorf and Wolff. It was also cited more frequently than any other writer on international law in early U.S. courts. "*Le Droit de Gens* is certainly a work of the first magnitude. It modernized the whole theory and business of International Law, brought it out of the study into the field, the mart, the council chamber, and the palace. (...) He did indeed, much for nations, for he imposed upon them theories of moral rational development up to which it became, in a sense, necessary for them to live." MacDonnell, *The Great Jurists of the World* 479, 504. BEAL 7187.



103. [Vergani, Paolo (1753-c.1820)]. Della Pena di Morte. Edizione Seconda, Riveduta, Illustrata, Ed Arricchita dall' Autore.

Milan: Nella Regia Ducal Corte, Per Giuseppe Richino Malatesta Stampatore, 1779. \$1,500.

[viii], XII, 115, [1] pp. Quarto (7-1/2" x 5-3/4"). Contemporary quarter sheep over marbled boards, gilt fillets, ornaments and lettering piece to spine. Some rubbing to extremities, corners worn, some chipping to spine ends, hinges cracked, front free endpaper lacking. Author name added to title page, which is lightly soiled, in neat early hand, finger smudges to a few leaves, interior otherwise fresh. Ex-library. Location label to spine, location number bookplate residue to front pastedown, small inkstamp to head of introduction, card pocket to rear pastedown. An appealing copy of a very scarce title.

Second and final edition. A priest by vocation, Vergani was one of Italy's leading political economists and legal scholars. The present work, *Discorso Sulla Giustizia Criminale* and *Dell' Enormita del Duello* contributed to the reform of the criminal law. *Della Pena di Morte* was first published in 1777. A French translation of the second edition followed in 1782. All editions are scarce in North America. OCLC locates no copies of the first edition, 4 copies of the second (at Harvard Law School, New York Public Library, Library of Congress and UC-Berkeley Law library) and 3 copies of the French translation (at Stanford University and Columbia and Harvard Law Schools). BMC26:39 (citing other editions).



TWO WORKS ON NATURAL LAW, ONE BASED ON GROTIUS

104. Vitriarius, Philippus Reinhardus; (Glaser, Philipp Reinhard) [1647-1720]; [Vitriarius, Johann Jacob, Editor]; Buddeus, Johann Franz [1667-1729]. Institutiones Juris Naturae et Gentium ad Methodum Hugonis Grotii. Accedit Johannis Francisci Buddei Historia Juris Naturis, Ut & Synopsis Juris Naturalis & Gentium Juxta Disciplinam Ebraeorum.

Leiden: Samuelem Luchtmans, 1711. \$400.

[xx], 662, [52]; 90 pp. Second work has divisional title page and separate pagination. Octavo (6" x 4"). Contemporary vellum with ties, large gilt-stamped arms of the city of Haarlem to boards, hand-lettered title to spine. Moderate soiling, minor wear to corners, front joint partially cracked at head, gilding mostly worn away from Haarlem's arms on front board, joints partially cracked, front free endpaper and following leaf partially detached and edgeworn. Title page printed in red and black. Some toning to text, light foxing in places, internally clean.

Reissue of an edition first published in 1695. With indexes. Vitriarius was a Dutch jurist. Buddeus was a renowned German jurist, theologian, historian and professor at the University of Jena. Both authors address topics relating to international law. Vitriarius utilizes criteria drawn from Grotius; Buddeus draws on his background in history and theology. Dekkers 63.

105. Werndle, Johann [d. 1646]. Pupillen Schilt, Das Ist, Grundtliche Aussfuerung wie Vermug der Rechten die Pupillen und Minderiahrigen Auch Ihre Haab und Guetter Zubeschutzen, Und dess Erlittnen Schadens, Sowohl vor- als Nach Ihrer Vogtbarkeit Widerumb Zuentledigen.

Innsbruck: Getruckht bey Michael Wagner, 1644.

\$1,500.

[xxxii], 407, [9] pp. Octavo (6-1/2" x 3-1/2"). Contemporary vellum binding using recycled manuscript leaf, lapped edges, text block edges rouged. Light soiling, chipping to foot of spine, section of backstrip near center lacking. Attractive copperplate pictorial title page. Some toning to text, internally clean. Ex-monastery library. Early shelf label to spine, "Monasterii Weingarten, 1649" to head of title page in tiny hand. A handsome copy of a scarce title.

Second edition and the last in the author's lifetime. A curious book on the rights of pupils, minors and wards and the protection of their money and goods. First published in 1623, it addresses such questions as the duties of foster parents and whether a master is entitled to purchase a pupil's property. Later editions were published in 1655, 1656 and 1684. OCLC locates 3 copies in North America, two 1644 editions (at Princeton and Columbia Law School) and one 1656 edition (at the University of Alberta). This edition not listed in *VD17*.

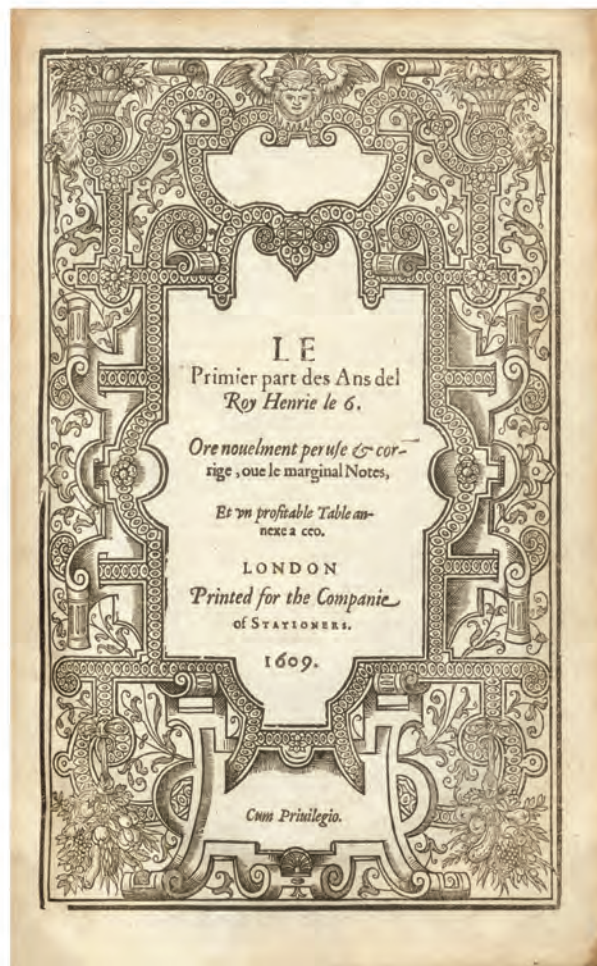


106. [Year Book]; Henry VI. *Le Premier Part des Ans del Roy Henrie le 6. Ore Novelment Peruse & Corrige, Oue le Marginal Notes, et un Profitable Table Annexe a Ceo.*

London: Printed for the Companie of Stationers, 1609. \$2,500.

[i], 8, 16, 56, 32, 45, 37, 67, 26, 56, 8, 26, 34, 80, 46; [19] ff. Folio (11" x 7-1/4"). Contemporary calf, rebaked, raised bands and original lettering pieces to spine, endpapers renewed, early hand-lettered title to fore-edge of text block. Title page printed within handsome woodcut architectural border, woodcut decorated initials. Toning, light browning to outer margins, internally clean.

Covers regnal years 1-4, 7-12, 14, 18-20 of Henry VI. It is difficult to overestimate the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are crucial primary sources for our knowledge of medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Maitland believed that the earliest volumes were notes taken by law students in court copied for the use of pleaders in later cases. Holdsworth maintains that they were records of cases made by lawyers for personal use. Though it is not known when the first manuscript volumes were compiled, it is clear that cases can be found to date from the 1270's and the series continues to 1535. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present volume belongs to the so-called "Quarto Edition." Not a set in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. *HELV*: 357-377. *ESTC* S124259.



107. [Yearbook]; Henry VI. Les Reports de Les Cases Conteinus in les Ans Vint Primer, Et Apres in Temps del Roy Henry le Siz: Communement Appelle, The Seconde Part of Henry the Sixt, Novelment Reuiew & Corrige in Divers Lieux. Ouesque un Table Perfect des Choses Notables Contenus en Ycel. Auxy vous Aues in Cest Impression les Cases icy Referres al Abridgments de Brooke & Fitzherbert.

London: In Aedibus Thomae Wight, 1601. [i], 58, 60, 10, 13, 16, 34, 56, 53, 63, 34, 38, 40, 51, [1] ff.

[And]

[Barnewal, Robert, Editor]. Syntomotaxia del Second Part del Roy Henrie le Sixte, Per Quel Facilment cy Trouveront Soubs Apt Titles, Touts Choses Conteinus en le dit Liver.

London: Printed by Thomas Wight, 1601.

\$2,500.

[58] pp. Folio (10-1/2" x 7-1/2"). Recent period-style calf, raised bands and lettering piece to spine, endpapers renewed. Title pages printed within handsome woodcut architectural border, woodcut decorated initials. Toning, light browning to outer margins, occasional light foxing. Some leaves have marginalia in early chancery hand, interior otherwise clean.

Covers regnal years 21, 22, 27, 28, 30-39 of Henry VI. It is difficult to overestimate the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are of crucial primary sources for our knowledge of medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Maitland believed that the earliest volumes were notes taken by law students in court copied for the use of pleaders in later cases. Holdsworth maintains that they were records of cases made by lawyers for personal use. Though it is not known when the first manuscript volumes were compiled, it is clear that cases can be found to date from the 1270's and the series continues to 1535. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present volume belongs to the so-called "Quarto Edition." Not a set in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. The *Syntomotaxia* is an index that was also issued separately 9and carries its own listing in the *ESTC*). OCLC locates six copies of the 1601 Year Book, all with the *Syntomotaxia*, in North American law libraries (Columbia, Yale and the Universities of California, Berkeley, Iowa, Michigan, Pennsylvania). Another copy located at Harvard Law School. *HEL V*: 357-377. *ESTC* S121412, S124503.



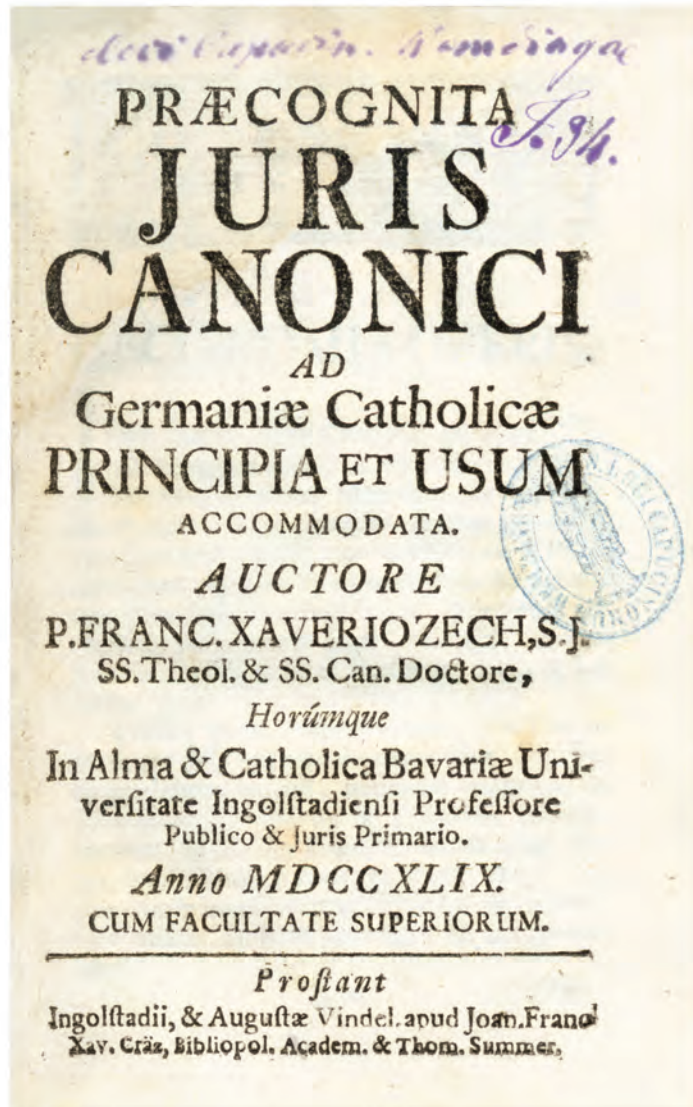
108. Zech, Franz Xaver [1692-1772]. Praecognita Juris Canonici ad Germaniae Catholicae Principia et Usus Accommodata.

Ingolstadt and Augsburg: Apud Joan. Franc. Xav. Craz et T. Summer, 1749. \$1,500.

[xiv], 372 pp. Octavo (6-1/4" x 4"). Contemporary paneled pigskin, raised bands to spine, brass clasps, edges colored green. Some soiling, light edgewear, inkspatters to front board. Woodcut head and tail-pieces. Early owner annotation to head of title page, light foxing and very faint dampstaining to a few leaves, interior otherwise fresh. Ex-monastery library. Bookplate to front pastedown, small inkstamps to title page and rear free endpaper. A handsome copy of a very scarce title.

Second edition. A curious work of meditations on canon and civil law in Germany. It begins with methods of study and moves on to studies of biblical law, natural law, civil law, unwritten law, the study of related literature and ends with a discussion of legal terminology. The author, a Jesuit, was a professor of literature, philosophy and theology at the Universities of Ingolstadt and Munich. First published in 1719, it went through four editions in all, the last in 1744. All are rare in North American law libraries. OCLC locates 1 copy at UC-Berkeley, which owns the third edition (1766). Not in Ferreira-Ibarra or the BMC.

See ills.
Pl. VI



A SELECTION OF LATIN AMERICAN TITLES

SCARCE ARGENTINEAN TREATISE ON MARITIME LAW

109. [Argentina]; Carlomagno, Juan C.; Melo, Leopoldo. Manual de Derecho Marítimo.

Buenos Aires: Libreria de Derecho y Jurisprudencia Restoy & Doeste, 1927. \$450.

liii, 755 pp. Softbound volume bound into contemporary quarter cloth over marbled boards, gilt title to spine. Negligible light rubbing to extremities, internally clean. Ex-library. Shelf label to spine, small stamp to verso of title page. A well-preserved copy.

Second and final edition of a work first published in 1923. Both editions have identical pagination. OCLC locates 6 copies of the first edition in North America (at the Library of Congress, New York Public Library, LA County Law Library and Columbia, Harvard and Yale Law Schools), 11 of the second (International Labor Office, Library of Congress, Columbia, GWU, Harvard, Northwestern, SMU, Tulane, University of Miami, University of Michigan and Yale Law Schools).



1884 PENAL CODE OF BUENOS AIRES

110. [Argentina]. Código Penal de la Capital de la Nación Argentina Seguido de la Ley de Escarcelación Bajo Fianza.

Buenos Aires: Felix Lajouane, 1884. \$250.

[ii], 75 pp. Octavo (8-1/2" x 5-1/2"). Original printed wrappers, unopened signatures. Light soiling, some chipping to edges, spine reinforced with archival tape, small bookseller stamp to foot of front wrapper. Light browning to text, internally clean.

“Nueva Edición Conforme al Testo Oficial.” Each province of Argentina, the capital and its territories has its own code of criminal law in the nineteenth century. They are mostly similar, but have differences that reflect local conditions. The capital’s code was enacted in 1880 and revised in 1886. It was replaced in 1909. OCLC locates 1 copy (at the Berlin *Staatsbibliothek*). See Borchard 115-116. Borchard 99.

111. [Argentina]. Código de Procedimientos en Materia Civil y Comercial de la Capital de la Nación Argentina. Seguido de un Apéndice que Contiene: Ley de Organización de los Tribunales de la Capital; Leyes y Decretos Sobre Justicia Federal; Ley Sobre Justicia Nacional; Ley Sobre Jurisdicción y Competencia de los Tribunales Nacionales; Ley Sobre Procedimientos en lo Civil y Criminal de los Tribunales Nacionales; Etc., Etc. Nueva Edición Conforme al Texto Oficial.

Buenos Aires: Felix Lajouane, 1884.

\$350.

[iv], 219 pp. Octavo (8-1/2" x 6"). Original cloth, black-stamped frames to boards, title to front, black-stamped fillets and gilt title to spine. Light soiling and rubbing to extremities, light fading to spine. Some toning to text, occasional light foxing, internally clean.

First edition. A title in the series *Colección de Códigos y Leyes Usuales*. Like its penal code, the code of civil procedure for the city of Buenos Aires was adopted in 1880 and amended in 1886 and 1910. It is no longer in force. OCLC locates 3 copies in North American law libraries (Columbia, Harvard, LA County). Borchard 99.

1894 COMPILATION OF ARGENTINEAN CODES

112. [Argentina]. Códigos y Leyes Usuales de la República Argentina.

Buenos Aires: Felix Lajouane, 1894.

\$500.

Two volumes. Octavo (9" x 6"). Contemporary quarter morocco over pebbled cloth, blind frames to boards, raised bands and gilt titles to spines, marbled endpapers. Some rubbing to extremities with some chipping to heads of spines, a few chips to top edges of boards, corners bumped and somewhat worn, hinges cracked but secure. Light toning to text, internally clean. Ex-library. Location label to spines, annotations to preliminaries, small inkstamps to title pages.

Sixth edition, "Corregida y Aumentada." Contents: Constituciones: La Constitución Nacional y las de las Catorce Provincias Argentinas; Código Civil con las Notas del Doctor Velez Sarsfield; Código de Comercio Seguido de las Ordenanzas de Aduana y de Todas las Leyes de Comercio; Código Penal; Código

de Procedimientos Criminales; Código de Procedimientos Civil y Comercial de la Capital, Seguido de la Ley de Organización de los Tribunales, De Ley Sobre Procedimientos de los Tribunales Nacionales, etc.; Código de Minería; Leyes Usuales: Leyes Nacionales y Leyes de la Provincia de Buenos Aires Actualmente Vigentes. OCLC locates 1 complete copy in North America (Library of Congress).



- 113. [Argentina].** Leyes Usuales: Leyes Nacionales y Leyes de la Provincia de Buenos Aires Actualmente Vigentes. Nueva Edicion Conforme a los Testos Oficiales. Buenos Aires: Felix Lajouane, 1884. \$100.

[iv], 270 pp. Octavo (8-1/2" x 6"). Original cloth, black-stamped frames to boards, title to front, black-stamped fillets and gilt title to spine. Light soiling, corners bumped, dampstaining to rear boards and parts of front with discoloration and some bubbling to cloth. Some discoloration to rear endpapers, small bookseller stamp to front free endpaper, internally clean.

Only edition located. A title in the series *Complemento a los Codigos de la Republica Argentina*. This is a code of the Province of Buenos Aires. It was enacted in 1880 and revised in 1884. No copies listed on OCLC. See Borchard115-116.

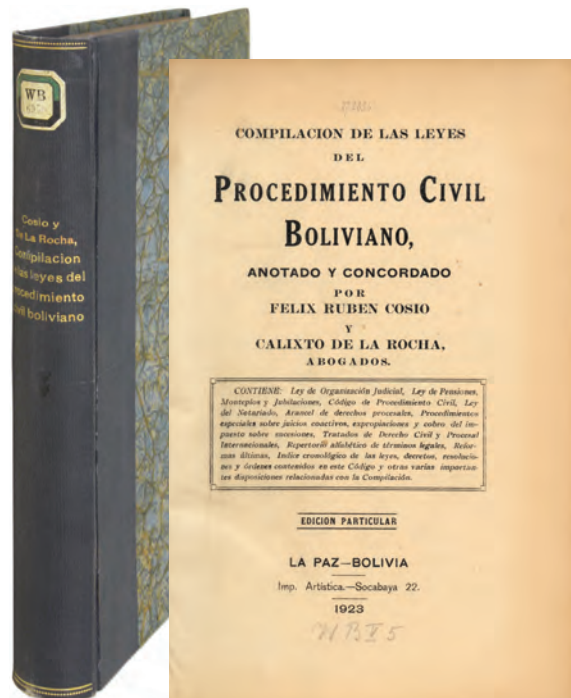
DRAFT OF ARGENTINA'S SECOND COMMERCIAL CODE

- 114. [Argentina].** Proyecto de Reformas al Codigo de Comercio de la Republica Argentina.

Buenos Aires: Imprenta y Libreria Mayo, 1873. \$350.

601 pp. Quarto (10" x 7"). Somewhat later quarter cloth over textured paper-covered boards, hinges reinforced. Light rubbing to extremities, some soiling to title page, light toning to text, internally clean. Ex-library. Location label to spine, small inkstamp to title page.

Only edition. Argentina's first commercial code was enacted in 1862. The necessity of a revision was soon apparent, which led to the formation of a revision committee in 1870. Their work was reported in the present volume. A new code was enacted in 1889 after several more rounds of debate and revision. This 1889 code is no longer in force. OCLC locates 4 copies in North American law libraries (Columbia, Harvard, Library of Congress, University of Minnesota). See Borchard77.



No. 115 Compilacion de law Leyes del Procedimiento..., 1923

115. [Bolivia]; Cosio, Felix Ruben; Rocha, Calixto de la. Compilacion de las Leyes del Procedimiento Civil Boliviano, Anotado y Concordado. Coniene: Ley de Organizacion Judicial, Ley de Pensiones, Montepois y Jubilaciones, Codigo de Procedimiento Civil, Ley del Notariado, Arancel de derechos Procesales, Procedimientos Especiales Sobre Juicios Coactivos, Expropiaciones y Cobro del Impuesto Sobre Sucesiones, Tratados de Derecho Civil y Procesal Internacionales, Repertorio Alfabatico de Terminos Legales, Reformas Ultimas, Indice Cronologico de las Leyes, Decretos, Resoluciones y Ordenes Contenidois en Este Codigo y Otras Varias Importantes Disposiciones Relacionadas con la Compilacion.

La Paz: Imp. Artistica, 1923.

\$650.

[viii], ix, 533 pp. Stiff printed wrappers bound into contemporary quarter cloth over marbled boards, gilt title to spine. Light soiling and shelfwear, light browning to text, internally clean. Ex-library. Location label to spine, annotations to front endleaves, small inkstamp to verso of title page.

Only edition located. An annotated compilation of laws and legislation concerning civil procedure of the original Bolivian Code of Civil Procedure. Adopted in 1830 and based on the French civil code, it was replaced in 1975. No copies on OCLC. Not in the *BMC*.

RARE PORTUGUESE TREATISE ON WATER LAW

116. [Brazil]; Almeida e Sousa de Lobao, Manuel de. Tratado Pratico e Compendiario das Aguas dos Rios Publicos, Fontes Publicas, Ribeiros e Nascentes d'Ellas: Obra Apurada, Em que se Adopta o Mais Racionavel da Legislacao Romana, Cortado o que Hoje e Reprovado Pelo uso Moderno das Nacoes. Com Dois Indices, Um dos Capitulaos, Outro das Conclusoes mais Notaveis e com Duas Dissertacoes Analogas Primeira Sobre as Aguas Pluviaes Segunda Sobre as Aguas Subterraneas.

Lisbon: Imprensa Nacional, 1861.

\$1,250.

xxiv, 195 pp. Octavo (8" x 5-1/2"). Contemporary sheep treated to look like tree calf, lettering pieces and gilt ornaments to spine, marbled endpapers. A few shallow scuffs to boards, some rubbing to extremities with wear to spine ends and corners, front joint starting at ends, boards somewhat bowed, rear hinge cracked but secure, small worm hole to front free endpaper and title page. Some toning to text, light foxing to a few leaves. Early owner name to fore-edge of text block, internally clean. Ex-library. Fragment of shelf label to spine, fragment of bookplate to front free endpaper. A solid copy of a rare title.

First edition. This appears to have been a respected work. It was cited by jurists in Portugal and Brazil and reprinted in 1911. It is quite rare today, however. KVK locates a handful of both editions worldwide, none in North America. OCLC locates one copy in North America (at Yale Law School). We located other copies at UC-Berkeley Law School, Harvard Law School, which has the 1911 edition. Not in the *BMC*.



See ills.
Pl. II

117. [Brazil]; [Congresso Nacional]. *Fallas do Throno Desde o Anno de 1823 Ate o Anno de 1872, Acompanhados dos Respective Votos de Gracas da Camara Temporaria e de Differentes Informacoes e Esclarecimentos Colligidas na Secretaria da Camara dos Srs. Deputados.*

Rio de Janeiro: Typographia Nacional, 1872. \$1,000.

647, 98, 8, vi pp. Octavo (8-1/2" x 5-1/2"). Contemporary quarter morocco over marbled boards, raised bands and gilt title to spine, later (?) patterned endpapers. Some rubbing to extremities with wear to corners, partial crack to text block between pp. 16 and 17. Some toning to text, light foxing in places, internally clean.

First edition. This scarce volume is the only one that contains a complete record of the debates and votes that led to the establishment of Brazil's first constitution of 1824 (the Imperial Constitution, in force until 1889). OCLC locates 3 copies in North American law libraries (Catholic University, Harvard, Library of Congress).



RARE NINETEENTH-CENTURY BRAZILIAN LAW DICTIONARY

118. [Brazil]; Freitas, Augusto Teixeira de [1816-1883], Compiler. *Vocabulario Juridico: Com Appendices. I-Logar, E Tempo. II-Pessoas. III-Cousas. IV-Factos.*

Rio de Janeiro: B.L. Garnier, 1883. \$1,500.

viii, 771 pp. Octavo (9" x 5-1/2"). Contemporary three-quarter morocco over marbled boards, rebacked retaining original spine with raised bands and gilt title, hinges mended. Some rubbing to extremities, corners bumped. Toning, faint dampstaining and some worming to first few and final signatures, several leaves repaired, legibility not affected, internally clean. A solid copy of a rare title.



Only edition. This dictionary appeared near the end of the Empire Era (1825-1889) and is thus a useful tool for the study of the legal system of that time. Freitas was a prominent Brazilian jurist and state official. An industrious scholar, he composed the first systematic compilation of Brazilian civil law and produced a draft *Esboco de Codigo Civil* (1860-64). He never finished it, but it was nonetheless a pioneering work that served as the basis for codifications in Brazil, Argentina and other South American nations. OCLC locates three copies of the *Vocabulario* in North American law libraries (Library of Congress, SMU and the University of Pennsylvania). We located another copy at UC-Berkeley Law School. Not in the *BMC*.



119. [Brazil]; Ramalho, Joaquim Ignacio [1809-1902]. Praxe Brasileira.

Sao Paulo: Typographia do Ypiranga, 1869. \$750.

708 pp. Octavo (9-1/2" x 6-1/2"). Contemporary quarter calf over marbled boards, raised bands and gilt ornaments and title to spine, marbled endpapers. Moderate rubbing to extremities, heavier rubbing to boards with some wear to corners, hinges cracked. Some browning to text, light foxing in a few places, chipping to edges of a few leaves. Early owner signatures and small lawyer's ownership stamp, interior otherwise clean.

First edition. This is a treatise on Brazilian civil procedure for layman. It is unusually comprehensive for a book of this kind and seems to have been written for elite members of society. A second edition was published in 1904. The Italian Library Union Catalogue lists an undated edition with identical pagination as the 1869 edition; it is dated 1867. OCLC locates 1 copy (at the Library of Congress, which also has a 1904 edition not listed on OCLC).

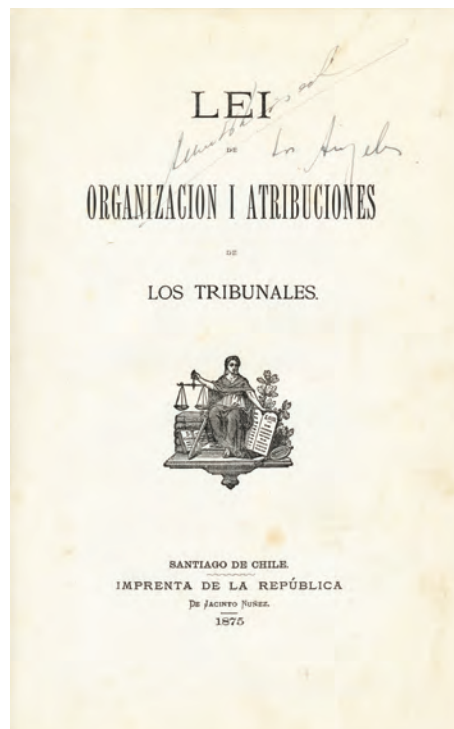
"ONE OF THE MOST IMPORTANT" CHILEAN CODES

120. [Chile]. Lei de Organizacion i Atribuciones de los Tribunales.

Santiago de Chile, Imprenta de la Republica, 1875. \$450.

150 pp. Octavo (10" x 7"). Contemporary quarter calf over textured paper-covered boards. Moderate rubbing to extremities, some wear to spine ends and corners, a few small scuffs to boards. Some toning to text, light foxing in a few places. Early owner signature to half title, interior otherwise clean. A solid copy of a scarce title.

First edition. This code governing the organization of Chile's courts was preceded by a *Proyecto* of 1864 that was revised and published in 1872 and 1874. "One of the most important codes.... Its contents are far greater than its title would indicate, and it is in effect a code defining not merely the jurisdiction of the courts but the functions of all officers connected, even remotely, with judicial proceedings, including notaries, attorneys, Sheriffs, clerks, public defenders, and other officers" (Borchard). OCLC locates 9 copies in North America, 3 in law libraries (Columbia, Harvard, Library of Congress). Borchard 403.



THE "CELEBRATED" FIRST DIGEST
OF THE LAWS OF COLOMBIA

See ills.
Pl. II

121. [Colombia]; Pombo, Lino de [1797-1862], Editor. Recopilacion de Leyes de la Nueva Granada, Formada I Publicada en Cumplimiento de la Lei de 4 de Mayo de 1843 I por Comision del Poder Ejecutivo por Lino de Pombo, Miembro del Senado. Contiene Toda la Lejislacion Nacional Vijente Hasta el Ano de 1844 Inclusive.



Bogata: Imprenta de Zoilo Salazar, Por Valentin Martinez, Febrero 1845. \$1,500.

[iv], xxvi, 541 pp. Text in parallel columns. Folio (12" x 8"). Contemporary calf, gilt fillets to boards, lettering piece and gilt ornaments to spine, ribbon markers, marbled endpapers. Some rubbing with wear to spine ends and corners. Large woodcut arms of Colombia to title page, internally fresh.

This is the first digest of Colombia's laws since the nation became independent in 1821. It also includes the texts of treaties with England, the United States, France, and the Netherlands (with parallel translations). "By virtue of the laws of May 4, 1843 and June 12, 1844 the Congress of New Grenada [Colombia] specified the statutes then in force and ordered their compilation, a task which was entrusted to senator Lino de Pomba. This celebrated collection, popularly known as the *Recopilacion Granadina*, contained the extant legislation from 1821 to 1844 inclusive, arranged under appropriate headings, and was a work of high merit for its time": Backus and Eder 125.

ESSENTIAL COMPILATION OF SPANISH COLONIAL LAW

See ills.
Pl. II

122. Consejo de Indias; Tribunal Supremo. Recopilacion de Leyes de los Reinos de Las Indias. Mandadas Imprimir y Publicar por la Magestad Catolica del Rey Don Carlos II, Nuestro Senor. Va Dividida en Cuatro Tomos, Con el Indice General, Y al Principio de Cada Tomo el Especial de los Titulos que Contiene. Con Aprobacion de la Regencia Provisional del Reino. Corregida y Aprobada por la Sala de Indias del Tribunal Supremo de Justicia.

Madrid, Boix, 1841. \$2,000.

Four volumes in 2 books: [iv], [ii], [i], [i], 335 pp; [ii], 334 pp; [ii], 319, [1] pp; 147, 113, 105, 31 pp. Signatures 35 and 36 in Volume I (pp. 137-144) bound in reverse order. Main text in parallel columns. Folio (12" x 8"). Contemporary sheep treated to resemble tree calf, raised bands and lettering pieces to spine, marbled endpapers, colored edges. Light rubbing to extremities with light wear to corners. Light toning to text, first few leaves of Volume I repaired and reinforced along fore edges. A few owner stamps (of France [Vinton] Scholes) to preliminaries, interiors otherwise clean. A handsome copy.

Fifth and final edition. First published in 1681, this is an essential compilation of the laws of the Spanish colonies and an essential document of its legal mechanisms. It was drafted in 1680 to replace the often conflicting mass of local laws that had accumulated in colonial America, much of it in manuscript. A second edition appeared in 1756, a third and fourth in 1774 and 1794. Scholes was a prominent historian of colonial Latin America. Palau 137466.



123. [Costa Rica]; Acosta, Don Aquiles. Compilacion de Leyes Usuales Vigentes: Edicion Ordenada por el Senor Secretario de Estado en el Despacho de Gobernacion.

San Jose, Costa Rica: Imprenta Nacional, 1923. \$350.

255, 80 pp. Printed wrappers bound into contemporary quarter cloth over marbled boards, gilt title to spine. Light soiling, some rubbing to extremities. Browning to text, internally clean. Ex-library. Location label to spine.

Only edition. An interesting digest of previously uncollected (outstanding) laws on a variety of subjects. OCLC locates 8 copies in North America, 5 in law libraries (Columbia, Harvard, LA County, NYU, Tulane).

EXPOSITION OF CUBA'S 1889 CIVIL CODE

124. [Cuba]; Betancourt, Angel C. [1862-1925], Notes. Codigo Civil: Esta Obra Contiene el Texto del Codigo Espanol, Hecho Extensivo a Cuba por R.

de 31 de Julio de 1889, Con las Modificaciones Introducidas en el Mismo por Disposiciones Posteriores y con las Enmiendas que la Nueva Situacion Politica del Pais ha Hecho Practicamente Necesarias y las Indirectamente Producidas por Leyes de Otro Orden, con Notas Aclaratorias y Concordancias con los Otros Cuerpos Legales Vigentes, Redactadas.

Havana: Rambla, Bouza y Ca., 1924. \$450.

527 pp. Contemporary quarter calf over cloth, raised bands, lettering piece and gilt ornament to spine, patterned endpapers. Negligible light rubbing to extremities, light soiling to boards. Some toning to text, internally clean. Ex-library. Annotation to verso of endleaf, small inkstamp to verso of title page.

Third and final edition. Betancourt's first edition was published in 1910, the second in 1916. OCLC locates 12 copies in North American libraries.



1837 COMPILATION OF CUBAN MINING LAWS

125. [Cuba]; Mining. Real Decreto y Superiores Disposiciones Sobre Mineria.

Puerto Principe: Imprento de Gobierno y Real Hacienda, 1837. \$300.

[ii], 22 pp. Folio (11" x 8"). Later quarter cloth over thin marbled boards, hinges reinforced with cloth tape. Some rubbing to extremities, upper corner lacking from rear board, other corners worn. Large woodcut arms of Cuba to title page. Toning to text, internally clean. Ex-library. Stamp to bottom edge, bookplate and stamp to front pastedown, fragment of date due sheet to rear free endpaper. A rare item.

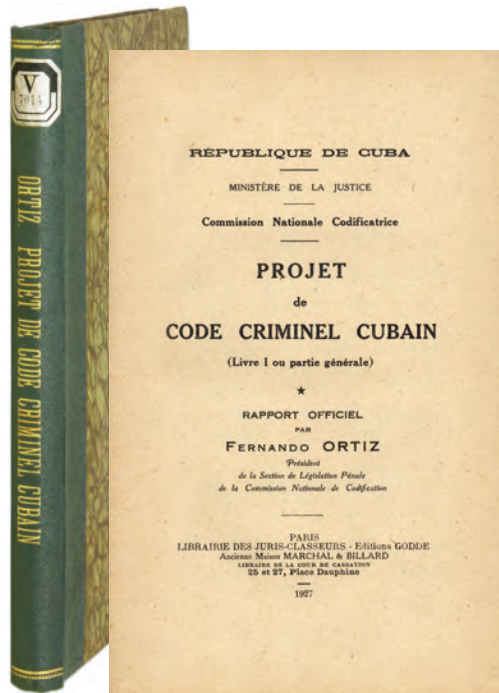
Only edition located. A collection of laws and decrees regulating mining and the processing and sale of minerals. OCLC locates 1 copy (at the University of Miami).

126. [Cuba]; Ortiz, Fernando. *Projet de Code Criminel Cubain (Livre I ou Partie Generale).*

Paris: Librairie des Juris-Classeurs, 1927. \$500.

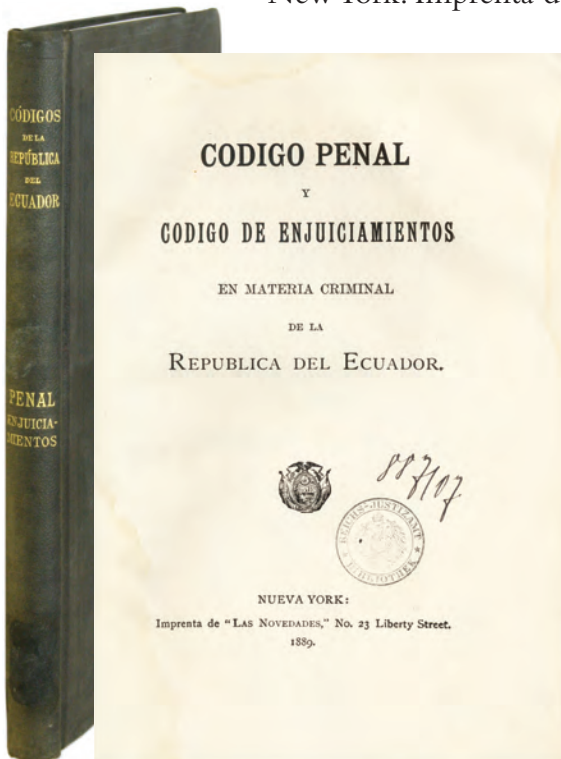
[xx], [15]-194 pp. Printed stiff wrappers bound into contemporary quarter cloth over marbled boards, gilt title to spine. Light rubbing to extremities, corners bumped, light browning to text, internally clean. Ex-library. Location label to spine, small inkstamp to verso of title page.

Only edition. Ortiz headed the penal section of the National Codification Commission. No other parts appear to have been issued. OCLC locates 6 copies in North American law libraries (Columbia, Harvard, Library of Congress, University of Iowa, University of Michigan, Yale).



EARLY ECUADORAN
CODE PRINTED IN NEW YORK CITY

127. [Ecuador]. *Codigo Penal en Materia Criminal de la Republica del Ecuador.*
New York: Imprenta de "Las Novedades," 1889. \$250.



148, 76 pp. Octavo (9" x 6"). Cloth, blind frames to boards, blind arms of Ecuador to front, gilt title to spine, endpapers renewed. Light rubbing, corners bumped, a few minor dampstains to boards, some fading to spine. Faint dampstaining to margins, internally clean. Ex-library. Small inkstamp and manuscript shelf number to title page. A nice copy.

Second issue. (First issued in 1872). This code is no longer in force. OCLC locates 6 copies in North American law libraries (GWU, Harvard, Library of Congress, Tulane, University of Michigan, Yale). Another copy located at UC-Berkeley Law School. Not in the BMC.

128. Frasso, Pedro. *De Regio Patronatu: Ac Aliis Nonnullis Regaliis, Regibus Catholicis, in Indiarum Occidentalium Imperio, Pertinentibus: Quaestiones Aliquae Desumptae, Et Disputatae, In Quinquaginta Capita Partitae.*

Madrid: Ex Typographia Imperiali, Apud Iosephum Fernandez a Buendia, 1677-1679. \$7,500.

Two volumes. Main text in parallel columns. Additional copperplate title pages. Two portrait plates. Folio (13" x 8-3/4"). Eighteenth-century three-quarter sheep over marbled boards, raised bands, gilt ornaments and lettering pieces to spines, marbled endpapers, ribbon markers, edges rouged. Some rubbing to extremities, chipping to edges of lettering pieces, corners bumped and somewhat worn, front hinges cracked, minor worming to final six leaves of 1677 volume. Title pages printed in red and black, woodcut decorated initials, head-pieces and tail-pieces. Toning to text, occasional light browning, internally clean.

First edition. Frasso, a Peruvian jurist of the Regalist school, presents an important legal analysis that supports the crown's power over the church in Spain's American colonies. The full title of the 1677 volume is *De Regio Patronatu ac Aliis Nonnullis Regalis, Regibus Catholicis, in Indiarum Occidentalium Imperio*; the second is *De Regio Patronatu Indiarum Quaestiones Aliquae Desumptae et Disputatae*. Both volumes contain a portrait of Frasso. The two portraits were apparently printed from the same plate, but for some reason Frasso's face was re-engraved for the second volume and looks substantially different. A second edition was published in 1775. Both editions are rare in the trade. The last known copy to enter the market was a first edition that appeared at auction in 1923. OCLC locates 8 copies of the first edition, 2 in North American law libraries (Yale, UC-Berkeley). Palau 94684.



See ills.
Pl. IV

129. [Mexico]; Coney, A.K.; Godoy, Jose F. The Legal and Mercantile Handbook of Mexico.

Chicago: Pan-American Publishing Company, 1892. \$250.

[v], [vii]-546 pp. Includes 5 pages of advertisements. Octavo (8-1/2" x 6"). Original textured cloth, gilt title to spine, patterned endpapers. Light rubbing to extremities, corners and head of spine bumped, hinges starting, corners of a few leaves dog-eared. Early owner signature to front free endpaper, annotation to head of title page in pencil, interior otherwise clean.

Only edition. Coney and Godoy, an attorney, were Mexico's consul general and vice consul in San Francisco. OCLC locates 10 copies in North American law libraries. *HLC* I:441.

AN EARLY MEXICAN TREATISE ON COMMERCIAL AND MARITIME LAW

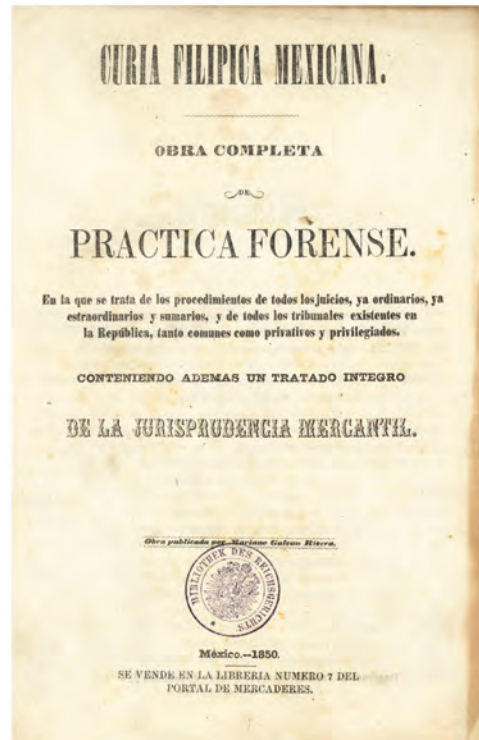
See ill.
Pl. II

130. [Mexico]; [Galvan, Riviera, Mariano]; [Rodriguez de San Miguel, Juan Nepomuceno (1808-1877)]. Curia Filipica Mexicana: Obra Completa de Practica Forense. En la Que se Trata de los Procedimientos de Todos los Juicios, Ya Ordinarios, Ya Estraordinarios y Sumarios, Y de todos los Tribunales Existentes en la Republica, Tanto Comunes Como Privativos y Privilegiados. Conteniendo Ademas un Tratado Integro de la Jurisprudencia Mercantil.

Mexico: [Imprenta de Juan R. Navarro], 1850. \$850.

[iv], 838, LII pp. Main text in parallel columns. Contemporary sheep treated to resemble tree calf, gilt fillets to boards, gilt title and ornaments to spine. Moderate rubbing to extremities, chipping to head of spine, corners bumped and somewhat worn, front hinge cracked, rear hinge starting, minor edgewear to front free endpaper. Light toning to text, internally clean. Ex-library. Location label to spine, small inkstamp to title page. A nice copy in an attractive binding.

First edition. "Almost all of the earliest Mexican imprints on mercantile legal literature are either reproductions of Spanish works which were consulted during the colonial period of history or adaptations of Spanish works to local law. An example of these is the *Curia Filipica Mexicana*. This is a modernized version...of the 17th-century classic by Juan de Hevia Bolanos" (Clagett and Valderrama). A second edition was published in 1858. Both are scarce. This work is attributed to Galvan Rivera in some sources, but he was actually the publisher. The actual author was Rodriguez de San Miguel. OCLC locates 11 copies of the 1850 edition in North American law schools. Clagett and Valderrama 136.

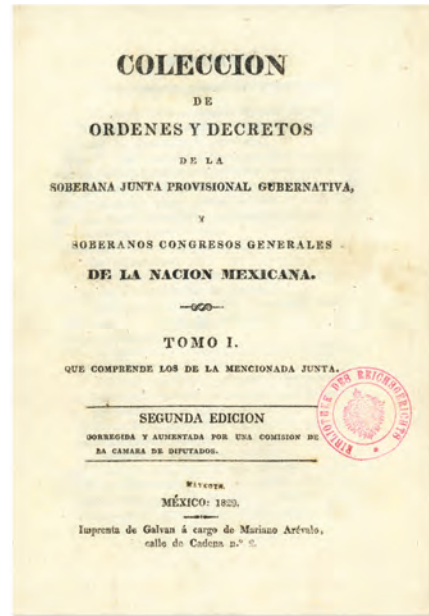


131. [Mexico]; [Moral, Francisco del, Editor]; [Gondra, Isidro Rafael, Editor]; [Galvan Rivera, Mariano, Editor]; [Ojeda, Juan, Editor]. Coleccion de Ordenes y Decretos de la Soberana Junta Provisional Gubernativa y Soberanos Congresos Generales de la Nacion Mexicana.

Mexico: Imprenta de Galvan a Cargo de Mariano Arevalo, 1829. \$1,950.

Four volumes. Complete as issued. Quarto (7-1/2" x 5-1/2"). Contemporary quarter calf over marbled boards, raised bands and gilt titles to spines. Light rubbing to boards, moderate rubbing to extremities with some wear to corners, front hinge of Volume I starting. Some toning to text, internally clean. Ex-library. Location labels to spines, classification numbers to front pastedowns, small inkstamps to title pages. An attractive set.

Volumes I-III: second edition, "Corregida y Augmentada por una Comision de la Camara de Diputados"; Volume I: first edition. With indexes. The first work of its kind, this compilation covers acts from 1821 to 1828, the years of the First Mexican Empire (1821-23) and the first phase of the First Republic, or United Mexican States, under President Guadalupe Victoria (1824-1829). The first three volumes, which span 1821 to 1824, were originally issued in 1822, 1824 and 1825. These three were revised and reissued with Volume IV in 1829. Bibliographically distinct, this set was reissued later with additional volumes, ultimately four, extending coverage to 1837. Our set, the four later volumes (and individual volumes) are scarce with only a few holdings in North American law schools listed on OCLC. Clagett and Valderrama 392.



PROYECTO FOR PARAGUAY'S SECOND CODE OF PENAL PROCEDURE

132. [Paraguay]; Gonzalez, Teodosio [b. 1871]. Proyecto de Codigo de Procedimientos Penales Presentado al P. Legislativo.

Asuncion (Republica del Paraguay): Tip. Y Enc. "El Pais," 1905. \$450.

[iv], [3]-175 pp. pp. [i-ii] are bound-in contemporary manuscript copies. Softbound volume bound into contemporary textured-paper boards, lettering piece to spine. Some rubbing to boards and extremities, stain to rear board, light browning to text, preliminaries re-hinged (with some repairs to margins), internally clean. Ex-library. Location label to spine, inventory number to front pastedown, small stamp to verso of title page.

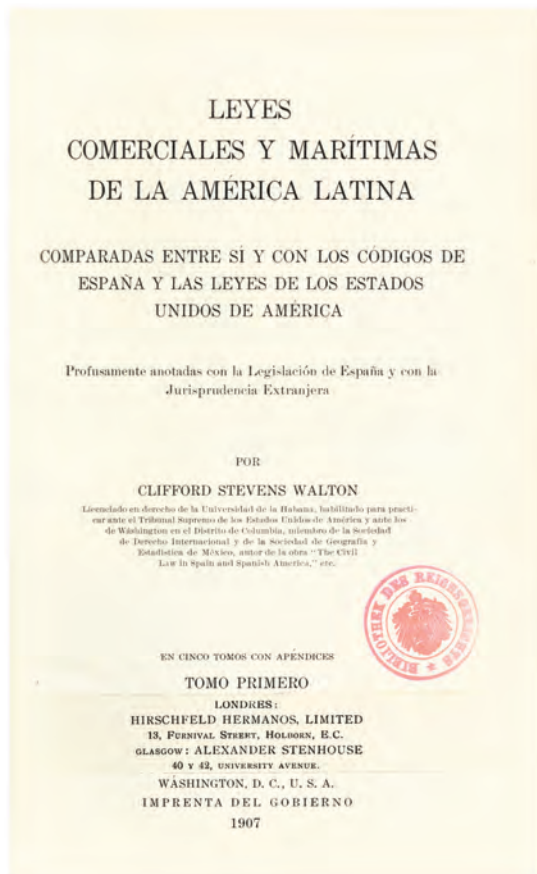
Only edition. Paraguay's first original penal code was adopted in 1890. Its defects were addressed in the 1905 *Proyecto*, which led to a new code written in 1910 and adopted in 1914. It remained in force until 2000. Gonzalez, an authority on criminal law, was the author of *Ligeras Observaciones al Proyecto de Reformas del Codigo Penal* (1896) and *Derecho Penal* (1898). OCLC locates 4 copies (Harvard Law School, LA County Law Library, Library of Congress, UT-Austin).

133. [Uruguay]. Código de Comercio de la Republica Oriental del Uruguay: Nueva ed. Oficialmente Legalizada. Con las Reformas y Aclaraciones Promulgadas Hasta Enero de 1886 y Con una Tabla Analitica para Abreviar su Consulta y Facilitar el Estudio del Derecho Comercial.

Montevideo: Imprenta de la Nacion, 1886. \$450.

xxii, [2], 392 pp. Royal octavo (10" x 7"). Contemporary cloth, blind frames to boards, gilt title and blind fillets to spine, patterned endpapers. Some rubbing to extremities, spine ends and corners worn, chip near center of spine, small tear to rear joint, cracks at beginning and end in text block, which is secure. Light browning to text, internally clean. Ex-library. Location label to spine, annotations to front endleaves, small inkstamps to title page.

First issue of this revision. Uruguay's commercial code was adopted in 1865. Revised periodically, it remains in force today. OCLC locates 3 copies in North American law libraries (Harvard, SMU, University of Michigan).



134. Walton, Clifford Stevens. Leyes Comerciales Y Maritimas de la America Latina: Comparadas Entre si y Con Los Codigos de Espana y las Leyes de Los Estados Unidos de America. Profusamente Anotados con la Legislacion de Espana y Con la Jurisprudencia Extranjera.

Washington: Imprenta del Gobierno, 1907. \$450.

Five volumes. Original cloth, light rubbing to extremities, internally clean. Ex-library. Location labels to spines, bookplates, brief annotations in pencil to front endleaves, small inkstamps to title pages. A very good set.

Walton, an American jurist and legal historian, was an expert on the legal systems of Spain and Latin America.

BROADSIDES, PHOTOGRAPHS, PRINTS AND ENGRAVINGS

A WARNING TO YOUNG WOMEN

135. [Broadside]; Ann Heytrej [d. 1820]. The Last Dying Speech and Confession of Ann Heytrej, Who Was Executed at Warwick, on Wednesday, April 12, 1820, For the Wilful Murder of Mrs. Dormer, Wife of Mr. Joseph Dormer, of the Dial House, Ashow, Warwickshire.

See ills.
Pl. VI

[Leicester]: Martin, printer, 1820.

\$950.

Single-sided 10" x 9" leaf, large woodcut depicted execution at head. Light browning, a few foldlines and minor tears.

Primarily a summary of trial testimony and Heytrej's conduct after her conviction. With one column of verse, a warning to young women. The murder of Mrs. Dormer was committed on July 29, 1819. Date of imprint from date of execution. Ann Heytrej, an attractive twenty-one year old servant was sent to the Warwick gallows in April 1820 for the murder of her employer, Mrs. Sarah Dormer, at Dial House Farm, Ashow. She was hanged on July 29, 1819. OCLC locates 1 copy (at Harvard Law School).

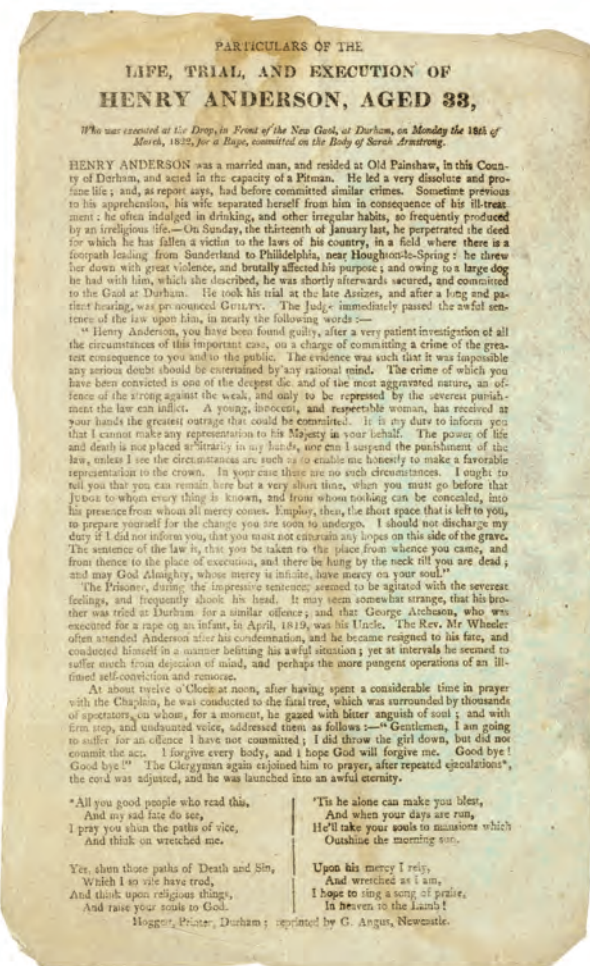
AN UNRECORDED BROADSIDE?

136. [Broadside]; [Rape]. Particulars of the Life, Trial, and Execution of Henry Anderson, Aged 33, Who Was Executed at the Drop, in Front of the New Goal, at Durham, on Monday the 18th of March, 1822, for a Rape, committed on the Body of Sarah Armstrong.

Hoggett, Printer, Durham; reprinted by G. Angus, Newcastle, [c. 1823]. \$650.

12" x 7-1/2" broadsheet, verso blank, light edgewear, faint dampstain, slightly creased.

Henry Anderson, a coal miner, was a resident of Old Painshaw (Penshaw?) County Durham. The crime for which he was hanged, was committed in a field where there is a footpath leading from Sunderland to Philadelphia, near Houghtle-Spring. The given account shows that both his brother and his uncle had been tried for similar offenses in earlier times. No copies found on OCLC or COPAC.



See ills.
Pl. VII

137. [Capital Punishment]; [Thomas Edison]. In Common Council, Stated Session, Monday, September 23rd, 1889, Hon. John McCarty, President in the Chair and a Quorum Present. (...) A Singularly Brutal and Wanton Murder was Committed on August 22nd, 1889 at 171 Jay Street (...) on the Person of an Estimable and Inoffensive Citizen, The Late Christian W. Luca. Whereas the Prompt Arrest of the Red-Handed Murderer and His Accessories Exemplified by the Acumen, Activity, Courage, And Devotion to Duty, Which is Characteristic of the Police Force of the City of Brooklyn, In a Marked Degree...

[Brooklyn: Kensington Art Studio, 1889]. \$650.

13-1/2" x 9-1/4" albumen photograph of printed and manuscript certificate mounted on 14" x 11" board. Light rubbing to edges, otherwise fine.

This certificate commemorated a resolution honoring members of the Brooklyn Police Department, the Second Precinct. The 1889 murder of Christian W. Luca, a grocer, by Charles McElvaine during a botched robbery, caused a sensation in Brooklyn and New York. McElvaine pleaded insanity, but was eventually sentenced to "death by electricity" after two years of trials and appeals. This was a controversial form of execution. The widely reported first electrocution in 1890, which used apparatus designed by the Edison Company, was a gruesome event. As a result of a gag order issued afterwards, members of the press and other witnesses were barred from the four executions that followed over the next eighteen months. Despite official claims that the electric chair delivered painless executions, stories of additional gruesome deaths found their way into print. The state had to act. Edison redesigned the electric chair, replacing metal electrodes affixed to the head and leg with a pair of electrodes in water-filled jars in which the condemned person's forearms were immersed. Satisfied that this new design resolved the issues that marred previous executions, the state lifted the gag order and invited eight reporters and Edison's chief engineer to witness McElvaine's demise. Unfortunately, Edison's theory of a "wet work" electric chair execution proved wrong, resulting in a terribly inhumane and brutal experiment. McElvaine died, but only after a miserable period of torture. This execution shaped public opinion and intensified the capital punishment debate, a debate that continues today.

PORTRAIT OF CARDOZO,
SIGNED BY CARDOZO AND THE ARTIST

See ills.
Pl. IV

138. [Cardozo, Benjamin N. (1870-1938)]; Zirinsky, Julius [1898-1970]. [Portrait of Cardozo].

[Washington, DC? C.1935]. \$1,500.

24-1/4" x 19-1/2" black-and-white lithograph, image size 16-1/4" x 12-1/4," signed in ink by Cardozo and Zirinsky in pastel. Light toning, attractively mounted and double-matted.

Zirinsky was a notable New-York based artist. In the mid-1930s he traveled the United States to produce a series of portraits of living luminaries. His portrait of Albert Einstein, done in Princeton, New Jersey in 1935, is the best-known of these. Cardozo was an associate justice of the U.S. Supreme Court and near the end of his life when he sat for Zirinsky.

PORTRAIT PHOTOGRAPH OF DARROW
AROUND THE TIME OF THE SCOPES TRIALS

139. Darrow, Clarence [1857-1938]. [4-1/2" x 6-1/2" Black-and-White Portrait Photograph of Darrow, 1926].

[(New York): Associated Press, (1926)]. \$250.

Light edgewear with a few minor chips (that would be covered by a mat), margins trimmed away, "Associated Press" near bottom edge, stamps and annotations to verso.

This appealing image, date-stamped 1926, was taken during the time of the two trials of John Scopes: The State of Tennessee *v.* John Thomas Scopes (1925) and Scopes *v.* State (1926).

ICONIC IMAGE OF DARROW
AND BRYAN AT THE SCOPES TRIAL



140. Darrow, Clarence; [Bryan, William Jennings (1860-1925)]. [7" x 9" Black-and-White Photograph of Darrow and Bryan Side by Side at a Table in Shirtsleeves During a Break in the Scopes Trial].
[New York: Associated Press, (1925)].

\$150.

Minor tears, soiling and creasing to margins, stamps, annotations and tipped-in caption to verso.

This is a copy of one of the iconic images of the Scopes "Monkey" trial. Our copy is not dated; it appears to be a later print of an original taken during the trial in 1925.

CANDID IMAGE OF CLARENCE AND RUBY DARROW

141. Darrow, Clarence; Darrow, Ruby. [Candid 8" x 11" Black-and-White Photograph of Clarence and Ruby Darrow in Their Chicago Apartment].
[New York: The Associated Press, April 24, 1936].

\$250.

Some wear to edges, margins trimmed closely, no margin along top edge of image, caption to lower margin, stamps and annotations to verso.

An uncommon image of the Darrows. The caption reads: "CHICAGO, APRIL 18--FAMOUS LAWYER ON 79TH BIRTHDAY--Clarence Darrow, veteran lawyer who has appeared in many famous criminal trials, is pictured at home with his seldom photographed wife, where he will celebrate his 79th birthday today."



A MOVE TO IMPEACH WILLIAM O. DOUGLAS

142. [Douglas, William O. (1898-1980)]; Ford, Gerald R. [1913-2006]. [8-1/2" x 11" Black-and-White Photograph of Gerald Ford and Louis C. Wyman Discussing the Possible Impeachment of Justice Douglas].
[Washington: United Press international, 1970].

\$100.

Light rubbing to margins, caption to bottom margin, stamps and annotations to verso.

"4/16/70--Washington: An estimated 100 members of both parties got behind a move 4/16 to impeach Supreme Court Justice William O. Douglas. They accused him of prejudice, conflict of interest, lack of decorum, fomenting rebellion and writing an article in a lewd magazine. Rep. Louis C. Wyman (R-NH) (left) and House GOP Leader Gerald Ford, said they were ready to vote for impeachment but would be willing to wait for a review of their charges by a special committee to be appointed by Speaker McCormick. Ford holds a copy of the magazine containing nude photos [Evergreen Review], in which Douglas' article appears." Ford's campaign was unsuccessful; the proceedings were brought to a close and a vote on the matter was never submitted to Congress.

143. Frankfurter, Felix [1882-1965]. [8" x 10" Black-and-White Photograph of Frankfurter].

[New York: Culver Pictures, c.1945].

\$125.

Light edgewear to margins, a few creases, minor tear just affecting to edge of image, tiny scuff near bottom (both of which could be covered by a mat), tipped-in caption and stamps to verso.

Frankfurter is standing outside in a suit facing the camera, hat and gloves in hand.



See ills.
Pl. VIII

144. Hogarth, William (After) [1697-1764]; Cook, Thomas [1744-1818], Engraver. Bambridge on Trial for Murder by a Committee of the House of Commons. Copperplate engraving by Thomas Cook after a painting by William Hogarth.

London: G & J Robinson, 1803.

\$450.

24-3/4" x 28-3/4," image size 17" x 21-1/2," copperplate engraving. Attractively mounted and matted. Negligible light toning to margins, small tear to left just affecting image, image otherwise fresh.

This engraving depicts the Parliamentary inquiry into abuses and wrongful deaths of prisoners inflicted by Thomas Bambridge [d.c. 1750], the notorious warden of Fleet Prison, then a prison for debtors, in 1729. This inquiry took place in the prison, which was crowded beyond capacity as a result of the South Sea Bubble. In this scene a wretched prisoner locked into an especially cruel-looking form of irons testifies before the committee while Bambridge looks on with contemptuous anger. The prisoner and committee seem to be describing two other shackling and torture devices on display. (One of these is held by James Oglethorpe, the founder of Georgia, which he established as a colony to reform debtors.) Bambridge and an associate were convicted and sent to Newgate. A skilled engraver, Cook played an important role in the preservation of Hogarth's legacy through his *Hogarth Restored: The Whole Works of the Celebrated William Hogarth* (1795 and later editions through 1822), which is the source of this plate.

"HIS OFFICE SHELVES WITH PARISH LAWS ARE GRAC'D,
BUT SPELLING BOOKS AND GUIDES BETWEEN THEM PLAC'D"

145. Hogarth, William (After); Cook, Thomas, Engraver. A Woman Swearing Her Child to a Grave Citizen. Copperplate engraving by Thomas Cook after a painting by William Hogarth.

See ills.
Pl. VIII

London c. 1795-1822. \$350.

19-1/4" x 21" image size 11-3/4" x 14," copperplate engraving. Attractively mounted and matted. Negligible light toning and dampspotting to margins, image notably fresh.

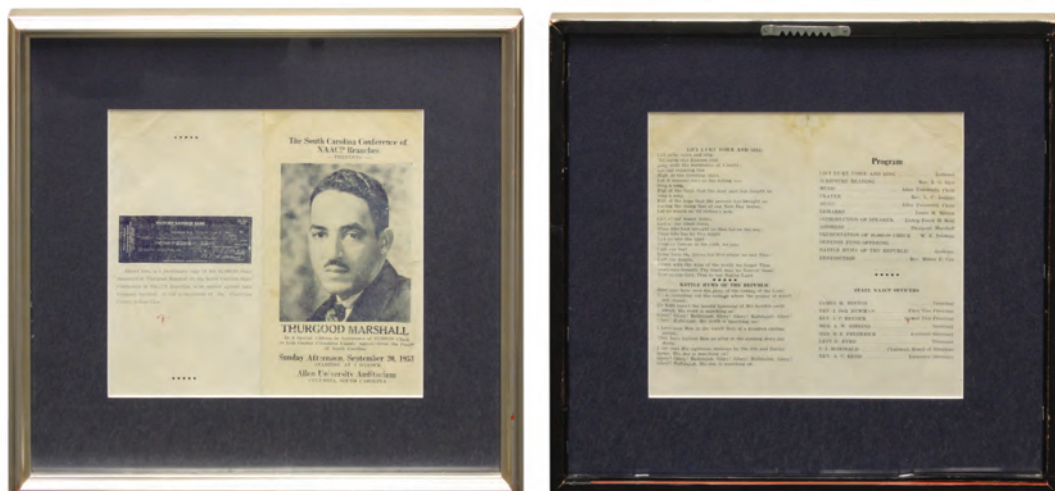
A fine example of Hogarth's satirical work, this engraving is captioned with twelve lines of verse describing the scene. It depicts a pregnant woman pleading with a seated justice of the peace to order the "rich old lecher" at the centre of the print to acknowledge his paternity and provide for the unborn child. (The books on the shelves are: *The Complete Justice* and *The Art of Spelling*; a just-consulted *Law of Bastardy* sits on the justice's table.) Hogarth never produced a print of this work during his lifetime. Cook's was the first. *Hogarth Restored: The Whole Works of the Celebrated William Hogarth* (1795 and later editions through 1822) is the source of this plate.

FRAMED PROGRAM FROM 1953
BROWN-RELATED EVENT FEATURING THURGOOD MARSHALL

146. [Marshall, Thurgood (1908-1993)]. The South Carolina Conference of NAACP Branches Presents: Thurgood Marshall in a Special Address in Acceptance of \$5,000.00 Check to Help Finance Clarendon County Appeal--From the People of South Carolina. Sunday Afternoon, September 20, 1953, Starting at 3 O' Clock, Allen University Auditorium, Columbia, South Carolina. \$250.

9-1/2" x 9" program leaflet with large image of Marshall in attractively matted 25-1/2" x 15" two-sided glazed frame (enabling legibility of both sides). Fold line down center of program, light rubbing and a few minor scratches to frame.

Briggs v. Elliot, or The Clarendon County School Case, began when an African-American preacher, J.A. DeLaine, convinced his congregation and neighbors in rural Clarendon County to file a lawsuit demanding equal educational resources. Argued by Marshall, that lawsuit led to another case that led to the landmark 1954 *Brown* decision.



See ills.
on
cover

147. Morgan, John [1822-1885] (After); Edwards, W. Joseph, Engraver.
Gentlemen of the Jury.

London: Henry Graves and Co., 1863. \$750.

19" x 27" mezzotint engraving (image size 14" x 24"). Toning and two minor dampstains to margins, expert tissue mend to former 3" horizontal closed tear near center of left margin (extending about 2" into image), otherwise fine. An attractive crisp impression.

Painted in 1861 and first displayed in London in 1862, *Gentlemen of the Jury* was one of the best-loved English paintings of the nineteenth century. Its great popularity led to the fine mezzotint by Edwards, one of the best engravers of the period. The image depicts an actual jury that sat at the Assizes held in County Hall, Market Square, Aylesbury. (The original painting had a plaque that identified the jurors and their occupation.) Painted from the perspective of a lawyer facing the jury box, it is a witty depiction of the twelve jurors, whose expressions range from rapt attention to complete boredom. John Morgan, sometimes called "Jury Morgan" due to his famous painting, was a distinguished English genre artist. Among his many popular works are *A Winter Landscape with Boys Snowballing* and *The Auction*.

AN EMINENT VICTORIAN JUDGE AND POLITICIAN

See ills.
Pl. VIII

148. [Vanity Fair]; Ape (Pellegrini, Carlo [1839-1889]). "Popular Judgment."
Vanity Fair,

January 1, 1876. \$200.

12" x 7" color lithograph (image size), matted and glazed in attractive 18" x 12-1/2" wooden frame. A well-preserved, vivid copy.

This print depicts Sir William Baliol Brett [1817-1899], a British lawyer, judge and Conservative Party politician. He was briefly Solicitor-General under Benjamin Disraeli and then served as a justice of the Court of Common Pleas between 1868 and 1876, as a Lord Justice of Appeal between 1876 and 1883 and as 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.

DISRAELI'S LAWYER

See ills.
Pl. VIII

149. [Vanity Fair]; Spy (Ward, Sir Leslie [1851-1922]). "Attorney-General."
Vanity Fair,

February 9, 1878. \$150.

12" x 7" color lithograph (image size), matted and glazed in attractive 20-1/2" x 14-1/2" wooden frame. A well-preserved, vivid copy.

This print depicts Sir John Holker [1828-1882], a British lawyer and politician. He sat as a Member of Parliament for Preston from 1872 until his death ten years later. He was first Solicitor General and later Attorney General in the second government of Benjamin Disraeli. *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.

AN EMINENT BARRISTER

See ills.
Pl. VIII

150. [Vanity Fair]; Spy (Ward, Sir Leslie). "Gill Brass."Vanity Fair,

May 9, 1891. \$150.

12" x 7" color lithograph (image size), matted and glazed in attractive 20-1/2" x 14-1/2" wooden frame. A well-preserved, vivid copy.

This print depicts Charles Frederick Gill [1851-1923], a prominent barrister, later recorder of Chichester. *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.

NEW LAWBOOK PUBLICATIONS

151. Warren M. Billings

Magistrates and Pioneers.

Essays in the History of American Law

Foreword by Mark F. Fernandez

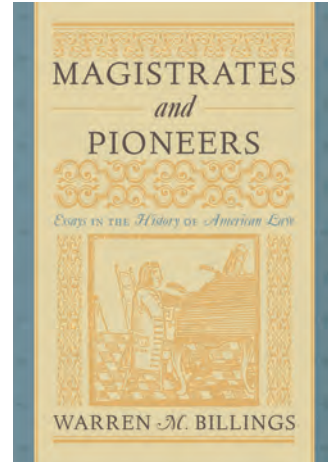
Clark: The Lawbook Exchange, Ltd., 2011

xix, 460 pp.

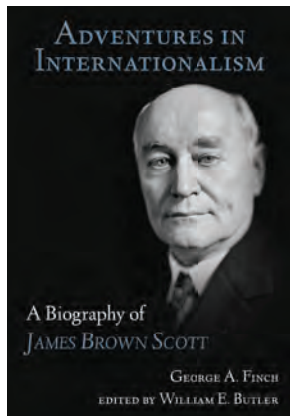
Hardcover ISBN 978-1-61619-127-6 \$75.

Paperback ISBN 978-1-61619-128-3 \$65.

Magistrates and Pioneers collects eighteen essays (five of which are new) by the historian Warren M. Billings. They address the main areas of his research, nineteenth century Louisiana and seventeenth century Virginia. From Opechancanough, a seventeenth-century Indian chief to Sir William Berkeley, colonial governor of Virginia, to Edward Livingston, coauthor of Louisiana's first civil code, to the legendary Louisiana Governor and U.S. Senator Huey Long, Billings brings to life the forces behind the legal development of these two historically distinctive states. Many of these are classic essays, all are essential to students of American legal history.



Warren M. Billings is Distinguished Professor of History, Emeritus, at the University of New Orleans. He is a graduate of the College of William and Mary and has a Ph.D. in early American history from Northern Illinois University. Currently, he is Visiting Professor of Law at the William and Mary Law School. Billings is the author or editor of numerous titles, including *A Little Parliament: The General Assembly of Virginia in the Seventeenth Century*, *A Law Unto Itself?: Essays in the New Louisiana Legal History*, *The Papers of Sir William Berkeley*, and *Sir William Berkeley and the Forging of Colonial Virginia*, which received the Virginia Historical Society's Richard Slatten award for excellence in Virginia biography.



152. George A. Finch; William E. Butler, Editor

Adventures in Internationalism

A Biography of James Brown Scott

Clark: The Lawbook Exchange, Ltd., 2011

xxviii, 245 pp.

Hardcover ISBN 978-1-61619-165-8 \$49.95

One of the greatest figures in modern international law, James Brown Scott [1866–1943] intended to publish an autobiography titled *Adventures in Internationalism*. He wrote a few paragraphs for this book, but he never completed it. He decided instead to entrust his life's story to George A. Finch, a protégé and friend. Finch began work on a biography with Scott's participation in the late 1930s, but he never completed it. Using Finch's manuscripts and notes Butler has produced a compelling study of Scott's key role in the international law movement, participation in several important diplomatic conferences and work as an author, secretary of the Carnegie Endowment for International Peace and guiding force behind the American Society of International Law.

George A. Finch [1884–1957] was James Brown Scott's assistant and literary executor. He served as assistant director of the Division of International Law at the Carnegie Endowment; and, upon Dr. Scott's retirement, became that division's secretary and director. He was president of the Inter-American Academy of International and Comparative Law and held several positions at the American Society of International Law. At the time of his death he was honorary vice-president of the society and the honorary editor of its journal. He was the author of *The Sources of Modern International Law* (1937).

William E. Butler is the John Edward Fowler Distinguished Professor of Law and Director of the Vinogradoff Institute at the Pennsylvania State University Dickinson School of Law and Emeritus Professor of Comparative Law at University College London; Academician of the National Academy of Sciences of Ukraine and the Russian Academy of Natural Sciences.

153. John R. Vile, Editor

Proposed Amendments to the U.S. Constitution 1787–2001.

With Supplement 2001–2010

Clark: The Lawbook Exchange, Ltd., 2003, 2011

4 Vols. xvii, 442; v, 443–1141; v, 1143–1809; xii, 81 pp.

Hardcover (4 vols.)

ISBN 978-1-58477-225-5

\$495.

Supplement hardcover

ISBN 978-1-61619-153-5

\$95.

27 amendments to the U.S. Constitution were ratified between 1787 and 1992. At the same time members of Congress proposed 11,500 amendments; states have filed close to 400 additional petitions for constitutional conventions to propose amendments.

These four volumes edited and introduced by John R. Vile collect and update compilations of lists of proposed amendments and convention petitions that have been scattered about in a variety of governmental reports. They also reprint classic studies by Herman Ames and Michael Musmanno that analyzed amending proposals introduced during the nation's early years. The work includes texts of basic constitutional documents like the Articles of Confederation, the U.S. Constitution and its amendments, and the Confederate Constitution, as well as a comprehensive index of all amendments proposed through 2001. The fourth volume comprises a supplement to the earlier three, and brings the amendments up through 2010.

CONTENTS: Volume I: Introduction, Dr. John R. Vile; The Articles of Confederation; Constitution of the United States of America and its Amendments; Dates Amendments to the U.S.

Constitution Were Proposed and Ratified; Constitution of the Confederate States

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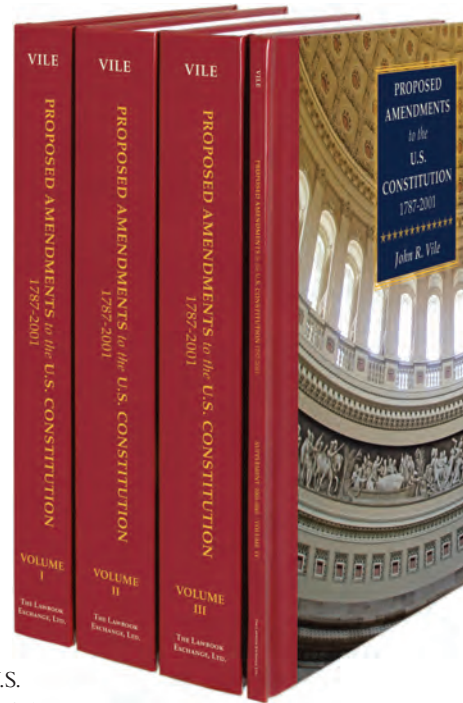
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Dr. John R. Vile (Ph.D., University of Virginia) is a Professor of Political Science and Dean of the University Honors College at Middle Tennessee State University. Vile has written and edited six previous books on the constitutional amending process including the award-winning *Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues: 1789–2010*, now in its third edition, *Presidential Winners and Losers: Words of Victory and Concession* (2002), and *Great American Lawyers: An Encyclopedia* (2001).



154. The Syllabi

Genesis of the National Reporter System

Clark: The Lawbook Exchange, Ltd., 2011

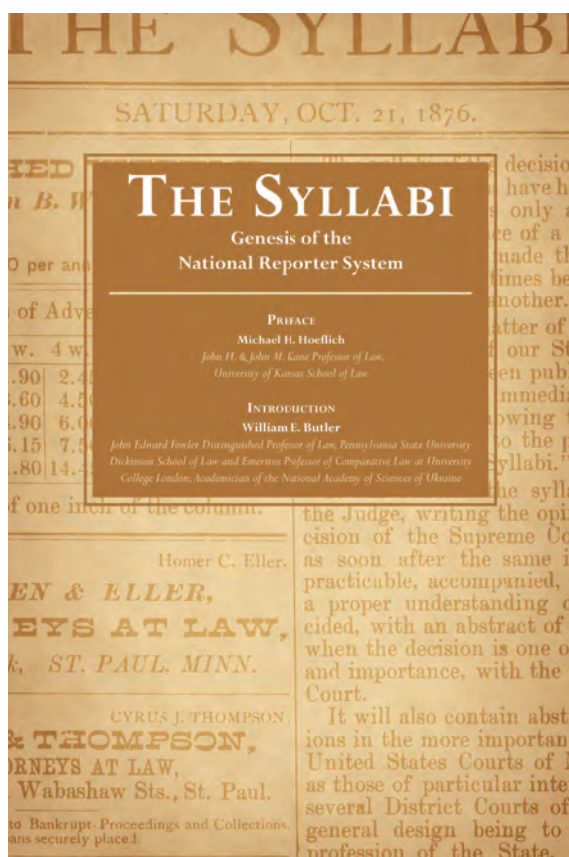
xiv, 208 pp.

Preface by Michael H. Hoeflich, John H. & John M. Kane Professor of Law, University of Kansas School of Law; Introduction by William E. Butler, John Edward Fowler Distinguished Professor of Law, Pennsylvania State University Dickinson School of Law and Emeritus Professor of Comparative Law at University College London; Academician of the National Academy of Sciences of Ukraine. Includes the text of Vol. 1, No. 1 (Oct. 21, 1876) to Vol. 1, No. 26 (April 14, 1877), originally published: St. Paul, Minn.: J.B. West & Co. 1876–1877.

Hardcover

ISBN 978-1-61619-233-4

\$49.95



In 1876, John B. West, twenty-four years old, launched a new publication that would within a decade evolve into the National Reporter System. As a traveling salesman for an office supply company in St. Paul, young West visited many Minnesota attorneys. He learned that the official publishers of court reports were chronically slow. West was later to say that if the official state publishers had been properly doing their jobs there would have been no need for his reporters.

His first publication, *The Syllabi* was an eight-page weekly news-sheet that contained “prompt and reliable intelligence as to the various questions adjudicated by the Minnesota Courts at a date long prior to the publication of the State Reports.”

Its immediate popularity among the bar soon forced it to outgrow its original format and coverage. In early 1877, only six months after it had begun, *The Syllabi* was replaced by the *North-Western Reporter*. The reporter, another weekly, was also a transitional publication. It contained the full text of all Minnesota Supreme Court decisions and Minnesota federal court decisions, as well as those from the Wisconsin Supreme Court in cases “of special importance.” This publication lasted two years, four semi-annual volumes.

In 1879, West announced a new series of the *North Western Reporter* (the first of the modern

West regional reporters) that would publish the full text of all current supreme court decisions from Iowa, Minnesota, Michigan, Nebraska, Wisconsin, and the Dakota Territory. The *Federal Reporter* and the *Supreme Court Reporter* began within the next two years and, in 1885, West Publishing (as it was incorporated in 1882) announced the publication of four new reporters that, along with its current reports, gave it nationwide coverage. (...) The National Reporter System was soon proclaimed to have “Unquestionably revolutionized the whole plan of law reporting.”

—Thomas A. Woxland & Patti J. Ogden, *Landmarks in American Legal Publishing. An Exhibit Catalogue* 38

155. Hugo Grotius; William Whewell, Translator

De Jure Belli et Pacis, Libri Tres, Accompanied by an Abridged Translation.

With the Notes of the Author, Barbeyrac and Others

Edited for the Syndics of the University Press.

Originally published: Cambridge: John W. Parker, 1853

Reprinted 2011 by The Lawbook Exchange, Ltd.

3 Vols. xxiii, lxxix, 416; [ii], 457; [ii], 455, [1] pp.

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156. John A. Rockwell

A Compilation of Spanish and Mexican Law in Relation to Mines and Titles to Real Estate, in Force in California, Texas and New Mexico; and in the Territories Acquired Under the Louisiana and Florida Treaties When Annexed to the United States. Volume I [ALL PUBLISHED].

Originally published: New York: John S. Voorhies, 1851

Reprinted 2011 by The Lawbook Exchange, Ltd.

xvi, xix, 663 pp.

Hardcover

ISBN 978-1-58477-980-3

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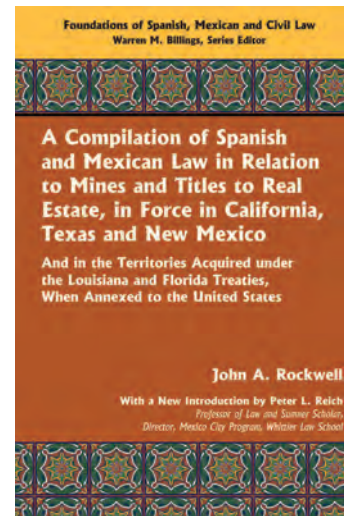
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157. Henry Home, Lord Kames

Principles of Equity

Originally published: Edinburgh: Printed for J. Bell, and W. Creech, 1778

Two volumes. LXV, xxii, 429; viii, 409 pp.

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Senior Lecturer, School of Law, University of Glasgow**

We must every one of us acknowledge Kames for our master.

—Adam Smith

To mould the principles of equity into a regular system, was a bold undertaking. The pleasure of novelty gave it a lustre, and made every article appear to be in its proper place.

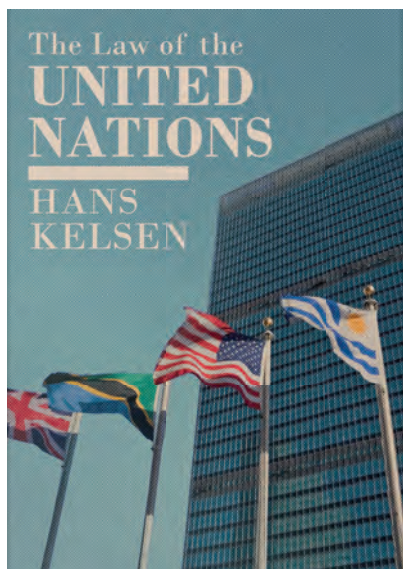
—Lord Kames, Preface to the Present Edition, p. xii

The *Principles of Equity* fills the gap between the philosopher who is often creative but not meticulous, and the lawyer who is often meticulous but exegetic. Where the lawyer has to be meticulous and creative and needs the approach of an applied philosopher as well as a legal specialist, particularly in the role as a legal theorist or as a draftsman of statutes and contracts, he or she will find an excellent teacher in Kames. His work shows that law is not rote learning of statutes and cases and their mechanical application, but a craft as a basis for the art of justice, a craft that should be rooted more in reason than in authority.

—From the Introduction by Andreas Rahmatian

Revised and corrected, this was the last edition published in Kames's lifetime, and the definitive authorial text.

Henry Home, Lord Kames [1696–1782] was the leading Scottish jurist of his day and an important figure of the Scottish Enlightenment. He was an important influence on David Hume, James Boswell and Adam Smith.



158. Kelsen, Hans

The Law of the United Nations

A Critical Analysis of Its Fundamental Problems

Originally published: New York: Frederick A. Praeger, [1964]

xvii, 994 pp.

Reprinted 2000, 2011 by The Lawbook Exchange, Ltd.

Hardcover

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ISBN 978-1-61619-235-8

\$140.

First published under the auspices of The London Institute of World Affairs in 1950. With a supplement, *Recent Trends in the Law of the United Nations* [1951]. A critical, detailed, highly technical legal analysis of the United Nations charter and organization.

159. New York Field Codes Series. 1850-1865

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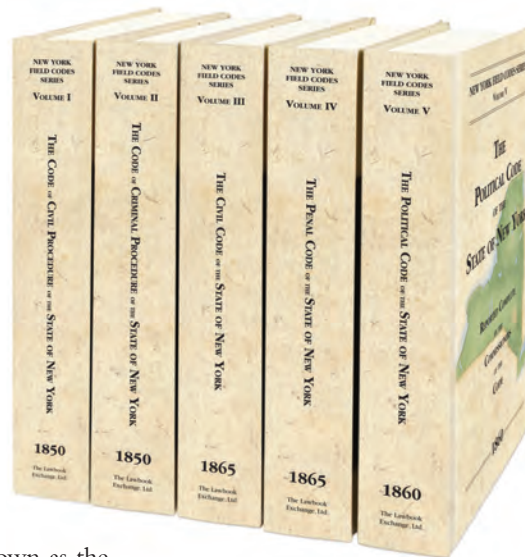
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David Dudley Field [1805-1894] was the leading American proponent of codification during the nineteenth century.

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