

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

CATALOGUE 91



b Suburbia. ad idem. ff. de nec. sig. l. ij. z. l. edificia. z. l. a. ap. xenus. z. l. ij.

c in continentibus.

d Predicta. s. civitas castrum uel uilla.

e Utilipendi. ad idem. s. c. pxi. in fi. z. s. de consue. cum inter nos.

f Continētibz. satis uidetur iudicis arbitrio relinquendū que dicantur continentia edificia z non dicat cōtiguus: ut j. pxi. responso.

g Et prius. hoc dicitur ga celebrari pōt: licet si ut prius. j. c. ult.

h Contiguus. cōtigua sunt: quozū extrema se inuicem contingunt.

i Sepeliri. est si. j. e. is cui. ij. rīso. si enī alicui interdicitur igrēssus ecclēsie z sepultura cimitērij ut ibi. sed pone tunc tēporis aliquē ibi sepulchrum: z postea relaxatū est interdictum: nunq̄d talis exhumabitur: nō si penitens decesserit se cū dū inocen. q. hoc no. s. de excē. p̄la. c. ult. qz res deuenit ad eum casum zc. offi. no. p̄tra s. de conse. ec. uel alta. consuluit.

k Existant. idēz habuimus in pollutione. s. e. li. de conse. ec. uel alta. c. uno. Est autē secus ecōtrario ut ibi. s. qz cimitērio interdicto non dicitur interdicta ecclēsia etiā contigua: z ibi parz ratio.

l S qui in ecclēsia.

declarat z approbat que no. ber. de p̄uilegijs tuaruz in. ij. glo. in no. z offi. de excē. p̄la. tanta.

m Sanguinis. intelligas humani z iniuriosi: de semie ēt intelligas hūano etiā uxorio: z de hoc uide plēnius. s. e. li. de cōse. ec. uel alta. c. uno.

n Prodati. isti interdictus est igrēssus ecclēsie. s. e. li. de p̄uile. e. forū unde caueat: quia p̄ximus est irregularitati. j. e. ti. is cui. i. responso.

o Tamen. alias inde: alias tamen.

p Jure. suspēsi ergo a confessoribus suis ab officio ad certū temp⁹ ea dem ratione si celebrant non incurrunt irregularitatem.

q S cientes. secus ergo si ignoranter: nisi talis esset ignorantia que excusare non deberet. s. de cle. ex. mi. apostolice. s. de postul. c. i.

r A iure. j. e. c. ult.

s Liberari. ad idem. s. e. de re iudi. c. i. z. s. e. c. i.

t Ineligibilis. z etiā impostulabilis. s. de postula. c. i. quia uiolans interdictum etiā postulari non potest: ut ibi.

u Cum alijs. amittit ergo potestates eligendi actiuaz z passiuā: z de hoc solet recitari supra de elec. ne pro defectu.

v Quoniam. tempore interdicti chrisma die cene dñi confici potest: z causaz reddit z declarat no. per offi. supra. e. permittimus. per quā olim probabatur quod hic dicitur.

w Baptismo. post baptismum enim sacerdos ungit chrismate in uertice non in fronte. quod est solius episcopi: supra de consue. quanto. primum patet de conse. di. iij. postqz. z duobus. c. se. z. c. presbyteris. z. c. nullus ministrozum.

interdicto: illozum suburbia<sup>b</sup> z continentia edificia eo ipso intelligi uolumus interdicta: nam licet predicta uideatur alias minoruz ambitu terminari: hoc tamen casu: ne utilipendi ualeat sententia interdicti: quod fieret si posset in ipsozum suburbijs uel continentibus edificijs licite celebrari ut prius: expedit interpretationem fieri latiore. **R**atione quoqz simili si sit ecclēsia interdicto supposita uel subiecta: nec in capella eius celebrari: nec in cimiterio ipsius eidez ecclēsie contiguus poterit sepeliri: sec⁹ si ei contigua non existant.

Dem.

**S** qui in ecclēsia sanguinis aut seminis effusione polluta uel qui p̄ntibus maiori ex cōicatione nodatis sciēter celebrare p̄sumit: licet in hoc temerarie agat irregularitatis tamē<sup>n</sup> cuz id non sit expressus in iure: laqueū nō incurrit. **I**s uero qui sciēter in loco celebrat supposito interdicto: nisi super hoc p̄uilegiatus existat: aut a iure

Dubium. non existit: quasi di. concessio baptismi z confirmatione tempore interdicti satis est excessus cōfici chrisma: z ē ratio qz uetus chrisma nō dōz esse usui: nec de illo ueteri chrismate dōz

fit concessum eidē: irregularitatem incurrit: a qua nequit p̄ alium q̄s per ro. pon. liberari: z a deo efficitur ineligibilis: qz nec ad eligendum cum alijs debet admitti. **D**em.

**Q**uoniam in baptismi z cōfirmatione: que neduz pueris sed etiā adultis p̄pter more piculū exhiberi p̄nt licite tēpe interdicti: chrismatibus utimur unctio: posse: licet terra interdicta existat: chrisma die cene dñi cōfici dubiū nō existit. **D**ez.

**S** cui ē ecclēsie interdictus ingressus: cū sibi per consequens censeat in ipsa diuinorū celebratio interdicta irregularis efficitur: si contra interdictū huiusmodi diuinis in ea se ingerat in suo agēs officio sicut prius.

**T**alis quoqz si hoc interdicto durante decedat: nō debet in ecclēsia uel cimiterio ecclēsiastico: nisi penituerit: sepeliri. **S**ane sicut excommunicatio sic ab officio uel ab igrēssu ecclēsie lata suspensio aut ipsius effectus p̄ appellationem sequentes minime

qz chrismati: z deponit sacerdos q̄ d illo ueteri chrismate ungit baptizatus: nisi in mortis articulo: de conse. di. iij. si quis d alio. vii omni āno i die cene debet chrisma cōfici z uetus cremari: d conse. di. iij. literis. uere ergo insurgit huius decre. dictum: quia si tēpore interdicti p̄mit tūtur sacramēta: quibus utimur chrismate z uet⁹ chrisma non debet esse usui: ergo f̄stat qz p̄missum in telligitur eo tēpore die cene chrisma cōfice re: quia concessio principali z accessorium: d reg. iur. accessorium cum suis concoz.

**S** cui approbat quod no.

innocen. z offi. supra. e. sacro.

**I**nterdictus. ab homine uel a iure. s. e. sacro. supra. e. c. i. s. si quis. z supra. e. li. de p̄uile. episcopozum cum si.

**I**n ea. ergo secus si extra eam: z hoc no. etiā supra ubi dicit in ipsa. si igitur sub aere uel sub tentorio uel in domo p̄uata celebrat: uel concelebrat forte celebrantibus cum altari uiatico: ut. s. de p̄uile. de his. z supra. e. li. c. ult. irregularis non erit.

**C**imiterio. sicut ergo interdicta ecclēsia interdictus est cimiterium: supra. e. si ciuitas in fi. ita interdicto mibi igrēssu ecclēsie z cimiterij ut hic: nec hic distinguendum credo: an cimiterij sit contiguum uel non: ut ibi distinguitur: quia illa distinctio habet locum: ubi res interdicta. s. ecclēsia: quia res contigua ipsi rei interdite est interdicta ut ibi: sed ubi refertur interdictum ad hominem ut hic: quid ad eum an cimiterium non sit contiguum uel sit: z per hoc illuderetur censure si posset in isto licet nō in illo cimiterio sepeliri.

**S**equentem. ista ergo sunt paria quo ad hoc sicut quo ad id supra. eo. c. i. supra. eo. statutum cum si. z concoz. ad hoc supra de ap. ad hec quoniam. Et intelligas proprie de suspensione ab igrēssu ecclēsie uel diuinorū: ut sonat littera: quia in suspēsiōe a temporalibus puta igrēssu possessionis uel pomerij uel interdicto aque z igni non haberet hoc locum. ff. de ap. l. non tantum talium enim suspensionum uel interdictoz effectus bene suspenditur per ap. sequentem: nisi esset casus in quo damnatum publi

dar appellationem. **¶** Cum ipsam beneficium spirituale sit: uera est bec opinio: aut suspenditur a perceptione beneficij de qua constat qd est temporalis

z tunc bene suspendet appellatio eius effectum idem secundum euz si dicat suspendo te a pcedenda: sed si dicat suspēdo te a canōia: qz illa spūalis ē. factis uideret per hanc decre. qd suspēdo a bñficiō bñ releuet pap. sequentē: cū hic dicat ab officio z ab ingressu ecclesie zc. si idem esset in suspensione bñficij hoc expressisset: puto igitur solum in his mere spūalibus per que ligatur ania de cre. hanc locuz habere.

**R**eligioso. **¶** Prima pars declarat dcre. s. e. cuz illo rum. v. qd si clericum. Secūda reprobat quod no. inno. z abbas. s. de regul. stauimus. z approbat quod ibi no. osti. z. s. e. c. ij.

**¶** In casu. puta qd leniter percussit. s. e. peruenit. uel est debilis uel delicatus. s. e. mulieres. z. c. ea noscitur. ul' ē eger uel in mortis articulo. s. e. qd de his. uel habet inimicitias capitales. s. e. decetere. idem in similibus.

**¶** Exhiberi. contrarium uidebat per decre. p̄dic. cum illoz. ubi dicitur qd si clericum percussit secularem: non nisi per sedem ap. ut scandalum euitetur absolutio beneficij poterit pmereri unde uidebatur qd indistincte monachus pcutiens clericū absol uendus esset a solo papa: ppter scandalum qd est cū monachus clericū pcutit: cū dignior sit cetus clerico z. xvi. q. i. legi. sed text' ille sane debet intelligi secundū determinationē huius decre. nec enīz pro eo qd monachi sunt: debet eoz conditio esse dterioz. xvi. q. i. sūt nōnulli in fi. Et puto qd si monachus nō habet unde uadat z monasteriū etiā paupzimum sibi. puidere nō pōt: absoluet illū epus eo iure quo absoluit inopes. s. e. qd de his.

**¶** Clerico. supple uel laico.

**¶** Non possit. z ob hanc cām dicebāt inno. z abbas p̄rius i pre dic. decre. stauimus. z pro eis facit lex. ff. de sta. libe. l. statuliber. ubi statuliber qd facit medio tēpore facit ut suus nō ut liber: sed p̄rium est uerum ut hic. nec obstat qd cras poterit laicari: qz idem in clerico seculari in minoribus ordinibus: z p̄terea tunc est ecclēastica persona. xvij. q. iij. quisquis.

**¶** Violentas. idem puto si uolentes in casu. s. e. contingit. i.

**¶** Canone. xvij. q. iij. siqs suadente. quo p̄uilegio etiā interdud gaudet clericus iungatus: supra. e. li. de cle. iung. c. uno.

**¶** Os q. corrigat no. p ber. z alios. s. e. dceio. z hoc dicit: ab soluz nō p̄t mortis piculū ul' aliud impedimētū ab eo a quo

s. xxij. inducunt p̄stitutiōes hui'. vi. li. quos hic oēs ordinati enume rabo. **¶** Prim' de elec. ubi piculū. §. nulli. **¶** Secūdus. e. c. §. si p̄missa. **¶** Tertius. e. ti. sciant cuncti.

**¶** Quartus. e. ti. generali. **¶** Quintus. e. ti. fundamē ta. §. qd si secus. **¶** Sext' e. ti. indēnitatib'. §. p̄ stre mo. **¶** Septim' d of. dele. c. ult. §. pars uero. **¶** Octau'. s. de his qd ui metusue cā fi. c. ul. **¶** Nonus de iudi. mulieres. **¶** Decim' de re iudi. ad aplice in fi. **¶** Undecim' s. de re. ec. non alie. hoc p̄sultissimo. §. laici. **¶** Duodecim'. e. c. in fi. **¶** Tertiusdecim' de reli. do. c. uno. **¶** Quartusdecim' d censu. quāqz. §. q uero. **¶** Quintusdecim' d imu. ec. clericis. §. nos igit in fi. **¶** Sextusdecim'. e. de cre. v. p̄latis i fi. isti duo bodie sūt sublatis p cle. de imu. ec. qm̄. **¶** Septimusdecim'. e. ti. q̄niaz. **¶** Octauusdecim'. e. ti. c. uli. **¶** Nonusdecim'. s. ne cleri. ul' mo. c. ij. i p̄n. **¶** Uicesim'. e. c. in fi. **¶** Uicesimusprim' de here. c. ij. i. rñ. **¶** Uicesimussecundus. e. c. ij. rñ. sed poti' credo illū canonē feren

dimēto huiusmodi se illi: a quo his cessantibus absolui debebāt q̄ cito cōmode poterunt: p̄tem pferint p̄sentare: mandatum ipsius sup illis p quib' excōicati fuerant: humiliter recepturi: z satisfacturi. put iusticia suadebit d̄cernimus ne sic cēsare illudāt ecclesiastice in eandē sententiaz recidere ipso iure. **¶** Idem' stauimus de his quibus: cuz a se. ap. uel legatis ipsius absolutio nis beneficiū a quibusuis sentē tijs p̄sequuntur: iniungit: ut ordinariorz suoz uel aliorz quozū libet suscepturi penitentiā ab eis dem: se cōspectui representent: z passis iniuriarz seu his quibus p̄pter hoc obligati existūt: satisfactionem exhibeant competentem: si bec' cum p̄imum cōmode poterunt non curauerint adimplere. **¶** Idem.

**¶** Am' quis absqz tuo mā dato' manus inicit in

de snie ut ibi dixi. **¶** Uicesimus tertius. e. ti. ut inq̄sitionis in fi. **¶** Uicesimus. quart' de scisma. c. uno. v. oēs. **¶** Uicesimus quintus. e. c. v. z nihilomin'. **¶** Uicesimus sextus de homic. p̄ humani ad fi. **¶** Uicesimus septimus d̄ iniurijs z dāno dato. c. uno. **¶** Uicesimus octau' de pen. felicis. §. p̄nti. **¶** Uicesimus nonus. e. c. ad fi. **¶** Uicesimus. s. e. q̄cunqz. **¶** Duo aut iducunt p̄ hanc decre. qui de iure ueteri nō erant: ut no. s. e. decetere. casus quē habuim'. s. e. c. p̄xi. z quē hēbimus. j. c. p̄xi. sunt declaratorij ueteris iuris: z nō nouo iure p̄mulgati: z id̄ inter eos nō p̄putant. **¶** Quiquaginta tales casus exp̄ssos z quos tacitos iductos. p cle. no. in cle. j. e. ti. in glo. est sciendum.

**¶** Legitimum. aliqua exempla posui supra. c. proxi.

**¶** Decernimus. nō dicit d̄claram': z sic suo tēpore uera fuit opinio gof. ber. z osti. qd dicebāt eū nō recidere: dicebat tñ osti. hoc p̄textu multi illudunt censure: unde puidendum esset: modo igitur est p̄uisum.

**¶** Idem. scilicet qd in sententiam recidant ipso iure.

**¶** Dec. scilicet duo superius dicta. s. p̄ntare penitentiario z satisfacere in iuriam passis. iohannes andree.

**¶** Am' quis. declarat z approbat notata p io. xvij. q. iij. oēs ecclie. per ber. z modernos. s. e. mulieres. z hoc dicit: si p̄cassione in clericum sine meo mādato: tñ noie meo factā ratā habeā: excōicatus sum: secus si meo noie non sit facta: z per hanc decre. exp̄plicamus regulas. j. de reg. iur. ratum quis. z regulam ratibationem.

**¶** Ad dato. qd si quis mandauit clericū vberari: z postea ante manū iniectionē reuocauit mandatū: demū mandatarius percussit anteqz reuocatio pueniret ad eum: in hac q̄stione uidetur tenere ber. s. e. mulieres. talē esse excōmunicatum: ad quod bene faciunt iura ibi per eū allegata: z idē per eadem iura ibi tenet osti. est tamen ar. p̄tra. ff. d acq. here. si quis bona ad fi. z s. e. li. de p̄cur. c. ult. in fi. inno. ibi dixit talem excōmunicatū non esse: tenetur tamen de culpa de qua alias puniri possit: canon enim doluz requirit bar. hōr. in fi. affionuz suar uenerialū in q̄stione que in iuris d̄



# Books, Manuscripts & Ephemera

## 15th to 20th Centuries

### CATALOGUE 91



N°29

Highlights include:

- ♥ A copy of the very rare first edition of Tucker's Blackstone (Item 7)
- ♥ A richly extra-illustrated copy of Dugdale's *Origines Juridicales* (Item 42)
- ♥ A handsome 1493 printing of the *Decretum Gratiani* (Item 34)
- ♥ Documents recording land transactions with Native Americans in New Jersey (item 69)
- ♥ A first edition of *Baron and Feme*, the first English treatise on family law (Item 78)
- ♥ A controversial 1768 French essay on annulment and divorce (Item 28)

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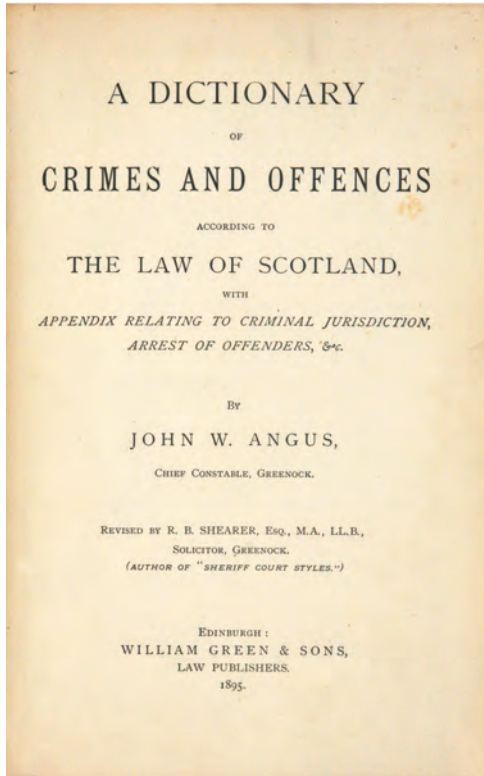
See pages 84–85  
for an index  
to this catalogue.

Because of space limitations,  
we have not included all images  
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## A RARE SCOTTISH DICTIONARY ON CRIMINAL LAW



1. ANGUS, JOHN W.  
SHEARER, R.B., EDITOR.

**A Dictionary of Crimes and Offences According to the Law of Scotland, with appendix relating to criminal Jurisdiction.**

Edinburgh: William Green & Sons, 1895. 538, [1] pp. Octavo (7-1/4" x 4-3/4").

Publisher's blue cloth, blind rules to boards, gilt title to spine, black coated endpapers. A few tiny spots to spine, binding slightly cocked, light toning to text, embossed owner stamp to front free endpaper. \$500.

FIRST EDITION. "Mr. Angus' publication possesses high merits, and will be of great utility. There is a large number of police burghs that have not yet availed themselves of their powers to erect local police courts. As this is done, the newly-elected magistrates and the assessors who have to guide them will seek for information both reliable and in handy form for rapid reference. The present work will give them light on almost all the ordinary cases that come before police courts." J.B. Baxter, *The Juridical Review* 7 (1894) 193-194. A third edition was published in 1936. All editions are rare. OCLC locates 2 copies of the first edition in North America (Northwestern University Law School, Osgoode Hall). Sweet & Maxwell 5:6.

## THE ROMAN LAW OF PRESCRIPTION



2. BALBO, GIOVANNI FRANCESCO  
f. 1510-1518].

[HENRICUS, DE SEGUSIO, CARDINAL (HOSTIENSIS)  
(C. 1200-1271)].

**Tractatus Foecundus, et Perutilis de Praescriptionibus: Editus per Clarissimum Iurisconsultum do. Ioannem Franciscum Balbum Taurinensem. Cui Accedit Repetitio Singularis I. Celsus ff. de Usucap. Cum Multis Additionibus & Apostillis, Una cum Dictis Hostien. In Summa de Praescr. & Usucap. & Cum Summariis & Repertorio Nuper Additis.**

Venice: [Apud Cominum de Tridino], 1564. [xxxii], 300 pp. Main text in parallel columns. Fol. 1 has woodcut of Balbo instructing a class of students. Octavo (6" x 4").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Some soiling, especially to spine, minor wear to corners, some worming to pastedowns and endleaves, a few partial cracks to text block, boards slightly bowed. Some toning to text, light foxing in places. Early annotations and signatures to preliminaries and title page, other annotations and underlining to a few places in text, two inkstains to fol. 224 with minor damage to legibility. \$1,500.

LATER EDITION of a work first published in 1511. *Tractatus Foecundus* is concerned with the Roman law of prescription, the principle whereby a right or liability is created or extinguished over a certain period of time, usually in regard to a property title. It also includes an edition of a short treatise on this subject by Henricus de Segusio. It was a popular work that went through several issues and editions, the last one in 1582. Our 1564 copy was also issued in 1563. Both are identical in every respect and share the same entry number in *EDIT16*. All editions are scarce in North America. OCLC locates 2 copies of the 1564 edition in North America (at Harvard Law School and the Library of Congress). *EDIT16* CNCE3948.



## "AN AUTHORITY IN MERCANTILE CUSTOMS": KENT

3. BEAWES, WYNDHAM [FL. 1775].  
MORTIMER, THOMAS, EDITOR.

*Lex Mercatoria Rediviva: Or, The Merchant's Directory. Being a Complete Guide to All Men in Business; Whether as Traders, Remitters, Owners, Freighters, Captains, Insurers, Brokers, Factors, Supercargoes, Agents. Containing an Account of Our Mercantile Companies; Of Our Colonies and Factories Abroad; Of Our Commercial Treaties with Foreign Powers; Of the Duty of Consuls, And of the Laws Concerning Aliens, Naturalization, and Denization. To Which Is Added, a Sketch of the Present State of the Commerce of the Whole World; Describing the Manufactures and Products of Each Particular Nation; With Tables of the Correspondence and Agreement of Their Respective Coins, Weights, and Measures. Extracted from the Works of the Most Celebrated British and Foreign Commercial Writers. The Whole Equally Calculated for the Information and Service of the*

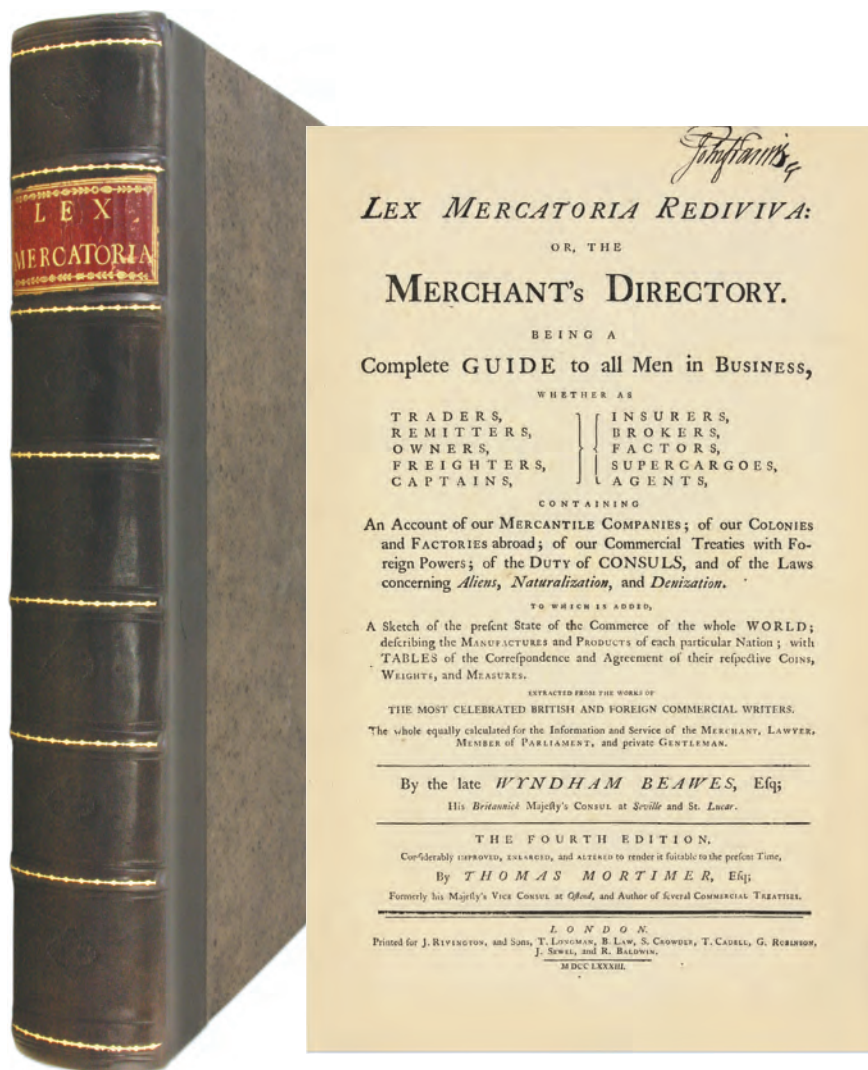
**Merchant, Lawyer, Member of Parliament and Private Gentleman. Considerably Enlarged and Improved.**

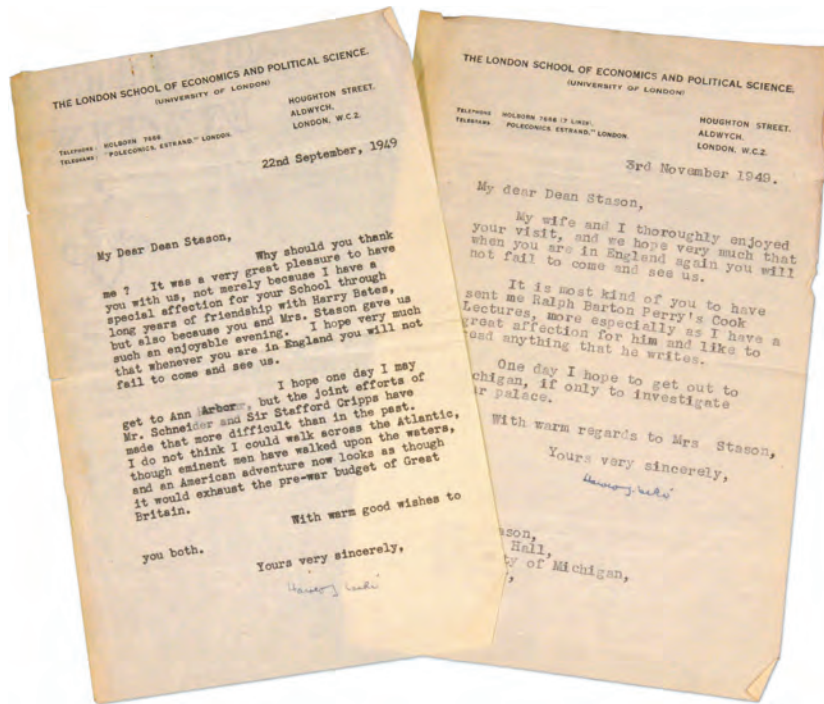
London: Printed for J. Rivington, and Sons, [et. al.], 1783. vi, [6], 944 [16] pp. Fold-out table. Folio (15-1/2" x 9-1/2").

Recent period-style quarter calf over cloth, raised bands and contemporary lettering piece to spine, endpapers renewed. Clean tear to license leaf, toning, occasional light foxing. Early owner signature to head of title page, brief annotations to a few leaves, interior otherwise clean. A handsome copy.

\$500.

REISSUE OF THE FOURTH EDITION. Beawes was a merchant and his book was intended to be "a guide to all men in business." Nonetheless the *Lex Mercatoria* was often cited in court, and its authority formed the basis of several decisions. It was especially influential in the United States, where, according to Kent, it was "an authority in mercantile customs.": Kent, *Commentaries on American Law* III:126 cited in Marvin 105. ESTC T136426.





A SAMMELBAND OF BENTHAM TRACTS WITH A PRESENTATION INSCRIPTION AND TWO LETTERS FROM HAROLD LASKI

4. BENTHAM, JEREMY [1748-1832].

[LASKI, HAROLD (1893-1950)].

[STASON, E. BLYTHE (1890-1972)].

[Sammelband of 11 Political and Legal Tracts].

[London, 1819-1832]. Various paginations. Octavo (8-1/2" x 5-1/4").

Nineteenth-century three-quarter calf over marbled boards, rebacked in period style with raised bands and lettering piece, hinges mended. Moderate toning, light foxing in places, presentation inscription from Harold Laski to E. Blythe Stason to front free endpaper.

[WITH]

LASKI, HAROLD.

[Two Related Typed Letters to Stason, Signed, on 8" x 5" London School of Economics Letterhead, London, September 22, 1949 and November 3, 1949].

Light toning, horizontal fold lines, some chipping and edgewear, both letters affixed to front free endpaper with a paperclip. Three items in all. \$5,000.

ASSEMBLED DURING THE nineteenth century, this collection of rare and scarce tracts by Bentham was owned by Laski, the eminent English political scientist known for his contributions to economics and jurisprudence. Stason, a distinguished jurist, was dean of the Law School of the University of Michigan from 1939 to 1960. The inscription and letters show the book was a gift to Stason after a visit to Laski in September 1949. In both letters, Laski expresses a desire to visit Stason in Ann Arbor and visit the law school. The contents of the sammelband are: *Jeremy Bentham to His Fellow-Citizens of France on Houses of Peers and Senates* (London, 1830), *Jeremy Bentham to His Fellow-Citizens of France on Death Punishment* (London, 1831), *The Book of Church Reform: Containing the Most Essential Part of Mr. Bentham's "Church of Englandism Examined," &c.* (London, 1831), *Parliamentary Candidates Proposed Declaration of Principles* (London, 1831), *Emancipate Your Colonies! Addressed to the National Convention of France, A\* 1793, Shewing the Uselessness and Mischievousness of Distant Dependencies to An European State* (London, 1830), *Observations on the Restrictive and Prohibitory Commercial System; Especially with a Reference to the Decree of the Spanish Cortes of July 1820* (London, 1821), *Bentham's Radical Reform Bill, With Extracts from the Reasons* (London, 1819), *Lord Brougham Displayed: 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, 1832), *Equity Dispatch Court Proposal: Containing a Plan for the Speedy and Unexpensive Termination of the Suites Depending in Equity Courts. With the Form of a Petition, And Some Accounting of a Proposed Bill for that Purpose* (London, 1830), *Truth Versus Ashhurst; Or, Law as it Is, Contrasted with What it is Said to Be* (London, 1823), *Letters to Count Toreno on the Proposed Penal Code, Delivered in by the Legislation Committee of the Spanish Cortes, April 25th, 1821* (London, 1822).



**BOA CONSTRICTOR *alias* HELLUO CURIARUM.**

SPEECH of LORD CHANCELLOR BROUGHAM, as printed in the *Morning Chronicle* of Friday, September 2nd, 1831, in the Article headed *Court of Chancery*, on announcing his resolution on absorption of the Courts of the Vice-Chancellor and the Master of the Rolls into that of the Lord High Chancellor.

THE LORD CHANCELLOR said in giving notice of the proposed amendments to the Court of Chancery, that he intended to propose to absorb the Courts of the Vice-Chancellor and the Master of the Rolls into that of the Lord High Chancellor. It is a great satisfaction to me, in taking my leave of this Court, to know that I have been able to dispose of all the services of the Court, and that there are no arrears of business which will not be cleared up in a very short time. It is a very great satisfaction to me, also, to know that the business of the Court will be cleared up in a very short time, and that the Court will be able to give satisfaction to all parties concerned. It is a great satisfaction to me, also, to know that the Court will be able to give satisfaction to all parties concerned. It is a great satisfaction to me, also, to know that the Court will be able to give satisfaction to all parties concerned.

-W. M. 1831

**LORD BROUGHAM DISPLAYED:**

L BOA CONSTRICTOR, *alias* HELLUO CURIARUM.

II. OBSERVATIONS ON A BANKRUPT COURT BILL, NOW ADDED TO AS ACT.

III. EXTRACTS FROM THE CONSTITUTIONAL CODE.

By JEREMY BENTHAM.

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

JEREMY BENTHAM

FELLOW-CITIZENS OF FRANCE.

HOUSES OF PEERS

SENATES.

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

JEREMY BENTHAM

FELLOW CITIZENS OF FRANCE.

DEATH PUNISHMENT.

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

PARLIAMENTARY CANDIDATES

DECLARATION OF PRINCIPLES.

A TEST

PARLIAMENTARY CANDIDATES.

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

EMANCIPATE YOUR COLONIES!

NATIONAL CONVENTION OF FRANCE.

A 1793.

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

OBSERVATIONS

RESTRICTIVE AND PROHIBITORY

Commercial System.

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

BENTHAM'S

RADICAL REFORM BILL.

EXTRACTS FROM THE REASONS.

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

LESTERS

COUNT TORENO

The proposed Penal Code.

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

LESTERS

BOOK OF CHURCH REFORM.

Mr. BENTHAM'S

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

EQUITY DISPATCH COURT PROPOSAL.

A PLAN FOR THE SPEEDY AND UNEXPENSIVE TERMINATION

IN EQUITY COURTS.

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

LESTERS

TRUTH

LONDON: PUBLISHED BY ROBERT HEWARD, AT THE WESTMINSTER REVIEW OFFICE, 1831.

## A DURABLE SIXTEENTH-CENTURY TREATISE ON CRIMINAL LAW



5. BIANCHI, MARCANTONIO [1498-1548].  
ZILETTI, GIOVANNI BATTISTA [16TH. C.].

**Practica Criminalis. Aurea et Perutilis cum Singularibus Cautelis pro Reorum Defensionibus, Nunc Primùm in Lucem Panditur. Adiectis Summariis, Ac Indice Alphabetico Omnium Principalium, Ac Emergentium Decisionum, Quaestionum, Incidenterque Dictorum Singulares Materias Complectente. Per Io. Bapt. Ziletum.**

Venice: Apud Cominum de Tridino Montisferrati, 1567. [xxxii], 160 ff. Octavo (6" x 4").

Contemporary vellum, faint early calligraphic title to spine, endleaves added, some restoration to pastedowns. Light soiling and spotting, spine darkened. Light toning to text, somewhat heavier in places, occasional faint dampstaining to lower margins, later doodles to front pastedown, eighteenth-century signatures and annotations in tiny hand to title page. An attractive copy of a scarce title.

\$1,500.

LATER EDITION. Bianchi was a professor of law at the University of Padua. First published in 1547, his durable treatise on criminal law according to the *Ius Commune* as practiced in Northern Italy went through nine editions, the last one in 1598. All editions are scarce. OCLC locates 1 copy of the 1567 edition in North America (Harvard Law School). EDIT16 CNCE5737.

## THE FIRST EDITION OF BLACKSTONE'S COMMENTARIES IN A FOREIGN LANGUAGE

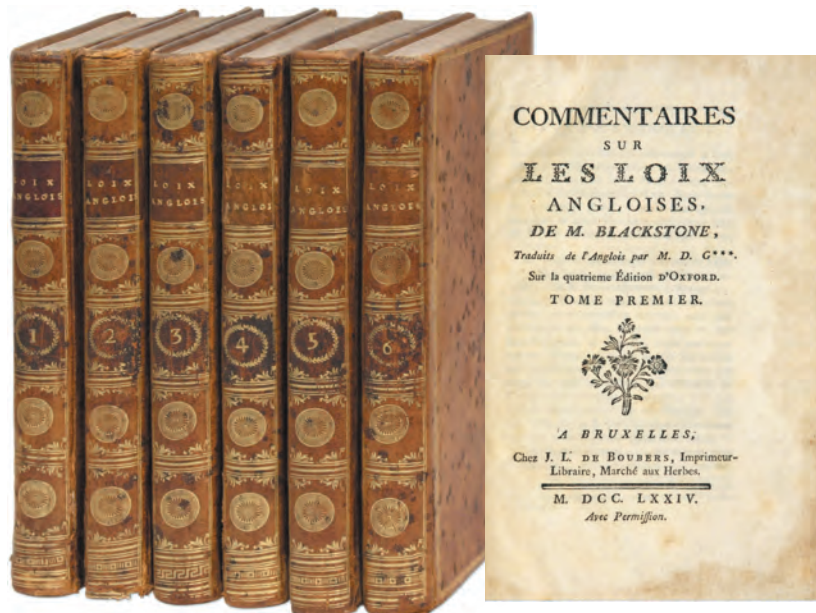
6. BLACKSTONE, SIR WILLIAM.  
[1723-1780].

**Commentaires Sur les Loix Angloises, De M. Blackstone. Traduits de l'Anglois par M.D.G.\*\*\*. Sur la Quatrieme Edition d' Oxford.**

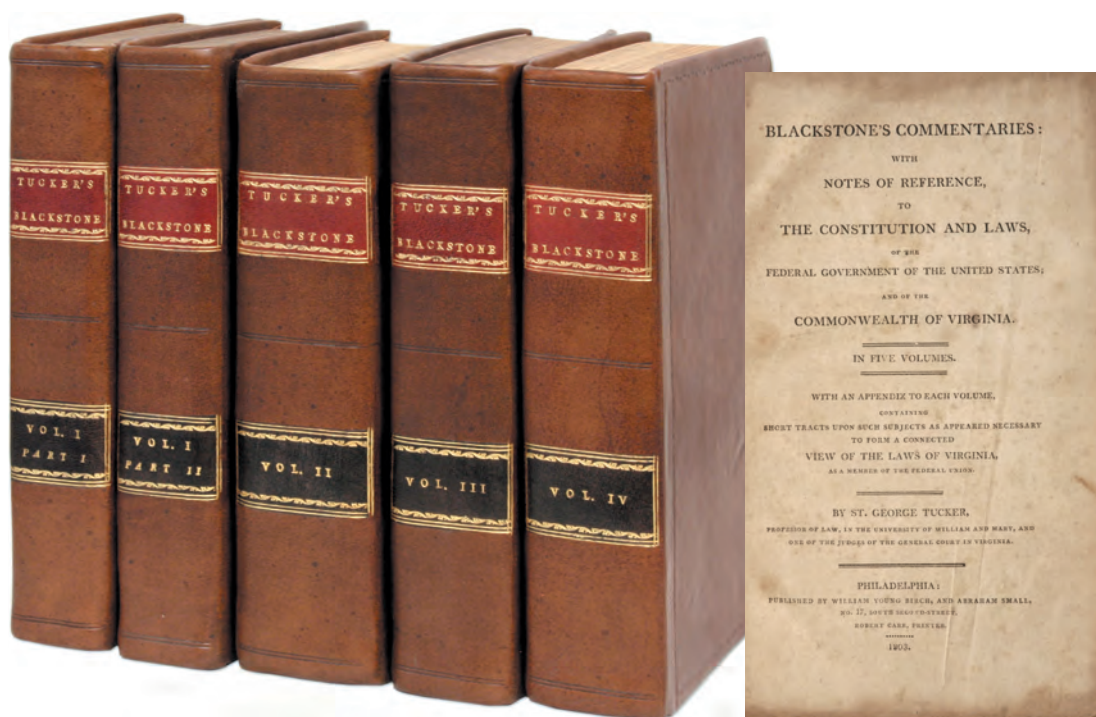
Brussels: J.L. de Boubers, 1774-1776. Six volumes. Two folding tables (of descent and consanguinity). Table of Contents of Volumes I-IV misbound at rear of texts. Errata leaf from Volume II misbound at end of Volume I. Octavo (7-3/4" x 5").

Contemporary mottled calf, gilt rules to boards, lettering pieces and gilt ornaments to spines, gilt tooling to board edges. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities,

corners bumped and lightly worn, joints of Volumes I, II and VI just starting at ends, small chips to spine heads of Volumes II and IV. Light to moderate toning, light foxing in places. A nice set. \$1,000.



FIRST FRENCH EDITION translated from the fourth English edition (1770) by August Pierre Damiens de Gomicourt [1723-1790], who is not credited. The editor claims that the quality of the translation was enhanced by Gomicourt's familiarity "with the laws, the structure of the government, the spirit of the people, and the history of England." This was the first translation of the *Commentaries* into a foreign language. Eller 179. Laeuchli 413.



HANDSOME COPY OF AN IMPORTANT (AND VERY RARE) AMERICAN EDITION OF BLACKSTONE

7. BLACKSTONE, SIR WILLIAM  
TUCKER, ST. GEORGE [1752-1827], EDITOR.

**Blackstone's Commentaries: With Notes of Reference to the Constitution and Laws, of the Federal Government of the United States, and of the Commonwealth of Virginia. In Five Volumes, with an Appendix to Each Volume, Containing Short Tracts upon Such Subjects As Appeared Necessary to Form a Connected View of the Laws of Virginia As a Member of the Federal Union.**

Philadelphia: Published by William Young Birch, and Abraham Small: Robert Carr, printer, 1803. 4 volumes in 5 books. Volume 1 in two parts. 4 tables (3 folded); Volume 2 has "Table of Consanguinity" and 3 different folding "Table[s] of Descents." Title pages in all volumes identical, with volume numbers omitted; volumes numbered on "Contents" pages and on the binding. Collates complete. Octavo (8-1/4" x 5-1/4").

Recent period-style calf, blind fillets to boards, red and black lettering pieces and blind fillets to spines, blind

tooling to board edges endpapers renewed. Moderate toning, light foxing in places, notes in contemporary hand to a few leaves in Volumes I, Part I and Volume III. A strikingly handsome set.

\$20,000.

FIRST EDITION. *Tucker's Blackstone* is a key resource for understanding how Americans viewed English common law in the years following the adoption of the Constitution and the Bill of Rights. Based on his lectures at the College of William and Mary, Tucker interprets Blackstone's often anti-democratic viewpoint in the American context. "Tucker's Blackstone became a standard reference work for many American lawyers unable to consult a law library, especially those on the frontier. It is impossible to measure its impact on American law, but it is clear that sales were strongest in Virginia, as could be expected; it was also widely used in Pennsylvania and South Carolina" (Bryson). More recently, Tucker's Blackstone has been cited in numerous constitutional cases by the United States Supreme Court relating to "original intent." Bryson 102. Eller 87. Laeuchli 137.

## THE GENESIS OF BLACKSTONE'S COMMENTARIES

## 8. BLACKSTONE, SIR WILLIAM.

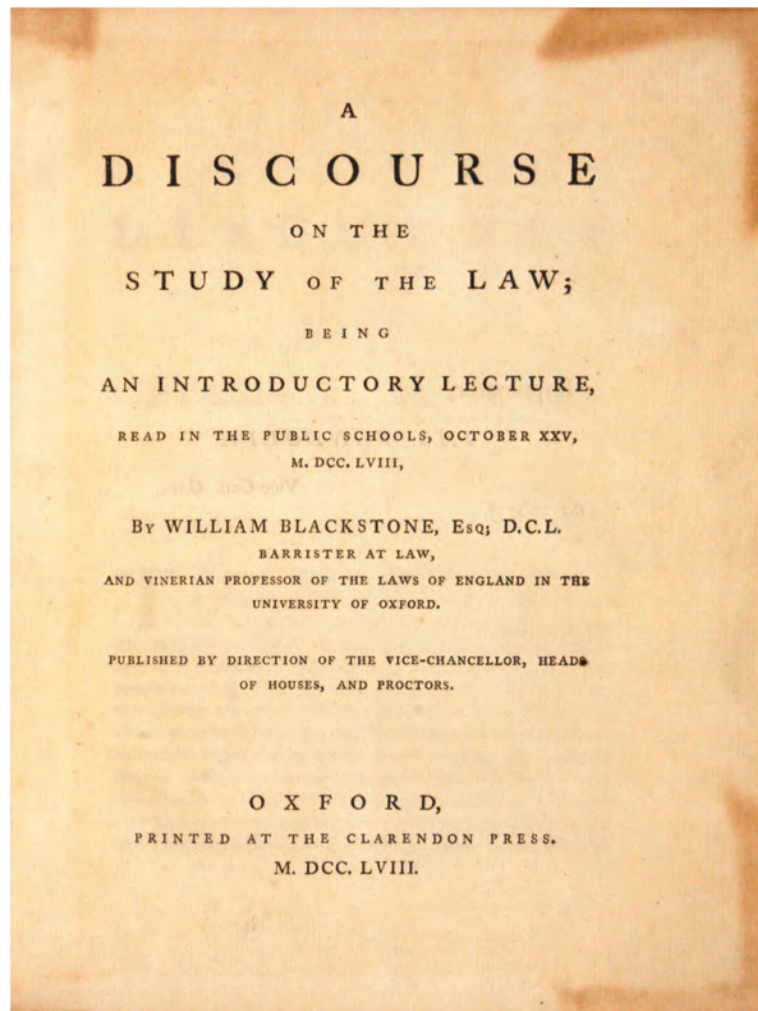
**A Discourse on the Study of the Law; Being an Introductory Lecture, Read in the Public Schools, October XXV, M.DCC.LVIII. Published by Direction of the Vice-Chancellor, Heads of Houses, And Proctors.**

Oxford: Printed at the Clarendon Press, 1758. 40 pp. Quarto (10" x 8").

Later three-quarter calf over pebbled cloth, "Blackstone" gilt-stamped to center of front board. Light rubbing to extremities with minor wear to spine ends and corners, small bookseller ticket to front

pastedown, light toning to text, a bit of offsetting to corners of title page and verso of final leaf. \$5,000.

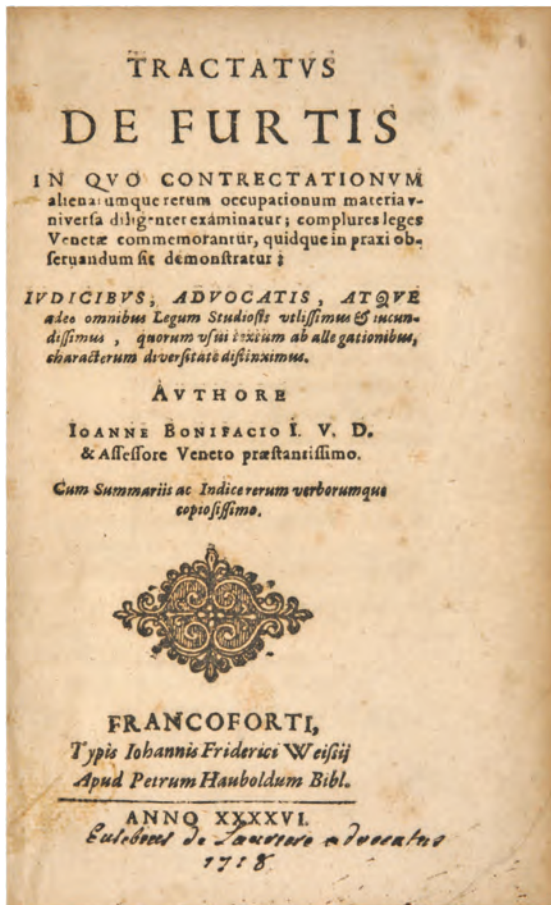
FIRST EDITION. This is the published version of Blackstone's inaugural lecture as Vinerian professor of English law. Presented to a large audience, it was "[h]astened into print less than a fortnight later as *A Discourse on the Study of the Law*, by late December a London correspondent claimed to hear Blackstone's lecture 'commended wherever I go.' What one reviewer terms 'this sensible, spirited, and manly exhortation to the study of the law' was reprinted in a further thousand copies next year; it also prefaced subsequent editions of the *Analysis of the Laws*, and eventually the first volume of the *Commentaries*": Prest 151. Eller 233. Laeuchli 542.



## A SCARCE TREATISE ON THEFT

## 9. BONIFACIO, GIOVANNI [1547-1635].

**Tractatus de Furtis, In Quo Contrectationum Alienarumque Rerum Occupationum Materia Universa Examinatur, Complures Leges Venetae Commemorantur Quidque in Praxi Observandum Sit Demonstratur; Iudicibus, Advocatis, Atque Adeo Omnibus Legum Studiosis Utilissimus & Incundissimus, Quorum Usui Textum ab Allegationibus, Characterum Diversitate Distinximus. Cum Summariis ac Indice Rerum Verborumque Copiosissimo.**



Frankfurt: Typis Iohannis Friderici Weissii Apud Petrum Hauboldum, 1646. [viii], 550. [48] pp. Octavo (6" x 4").

Later speckled vellum, raised bands and lettering piece to spine. Light rubbing to extremities, corner slightly bumped, owner bookplate to front pastedown. Woodcut title-page device, head-piece and tail-piece. Moderate toning to text, somewhat heavier in places, some leaves have dampstaining and light foxing, owner signature dated 1718 in tiny hand to foot of title page. A nice copy of a scarce title. \$1,250.

THIRD AND FINAL EDITION. This treatise on theft in Roman and civil law, a topic that includes rape, adultery, fraud and piracy, was first published in 1599. The author was a Venetian, but his text was aimed at a pan-European audience. All editions of this work are scarce. OCLC locates 1 copy of this title in North America at the Library of Congress, which has a copy of the third edition. VD17 3:621453H.

## "REMOVING RUBBISH FROM THE REPUBLIC OF LETTERS"

## 10. BRIDGMAN, RICHARD W.

**A Short View of Legal Bibliography: Containing Some Critical Observations on the Authority of the Reporters and Other Law Writers; Collected from the Best Authorities, And Intended as a Companion to the Author's Reflections on the Study of the Law. To Which is Added, A Plan for Classifying a Public or Private Library.**

London: Printed for W. Reed, 1807. xviii, 429, [1] pp. Includes one-page publisher advertisement. Octavo (8-1/4" x 5").

Later three-quarter morocco over marbled boards, marbled edges. Moderate rubbing to extremities,

armorial bookplate of William Pain Sheffield to front pastedown. Some toning to text, light foxing to title page and some other leaves. An attractive copy. \$450.

ONLY EDITION. Arranged alphabetically by author, and containing valuable critical and descriptive bibliographic observations, Bridgman's is one of classic reference remains a valuable work. Bridgman intended this work as a guide with the "double advantage of easing the labors of the rising generation, and of removing rubbish from the republic of letters. It is our duty to do the best we can for our posterity, and not reject the task under the illiberal idea that posterity can do nothing for us" (v). A member of a distinguished New England family, Sheffield [1820-1907] was a United States Representative and Senator from Rhode Island. Sweet & Maxwell 2:42.

## LARGE GILT ARMS OF THE BRITISH EAST INDIA COMPANY TO CENTERS OF BOARDS

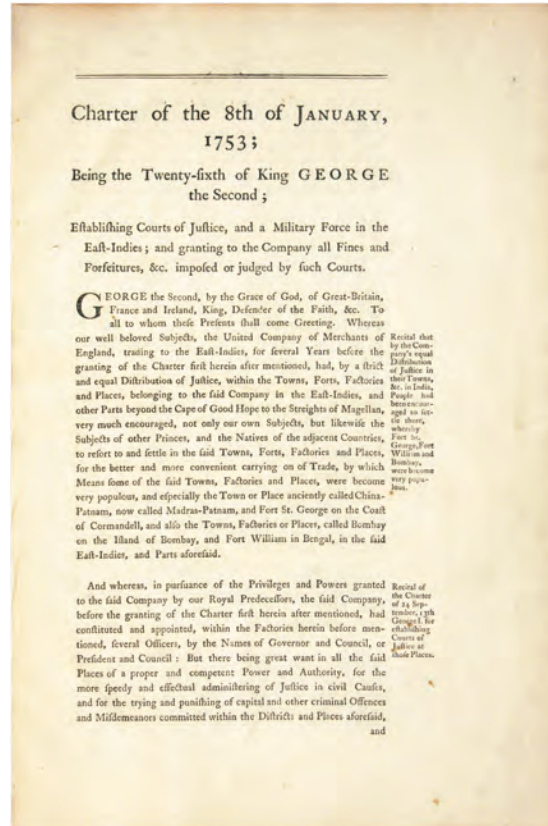
## 11. [BRITISH EAST INDIA COMPANY].

**Charter of the 8th of January, 1753; Being the Twenty-Sixth of King George the Second; Establishing Courts of Justice, And a Military Force in the East Indies [caption title].**

[London, c. 1758]. 50 pp. Folio (14-1/4" x 9-1/2").

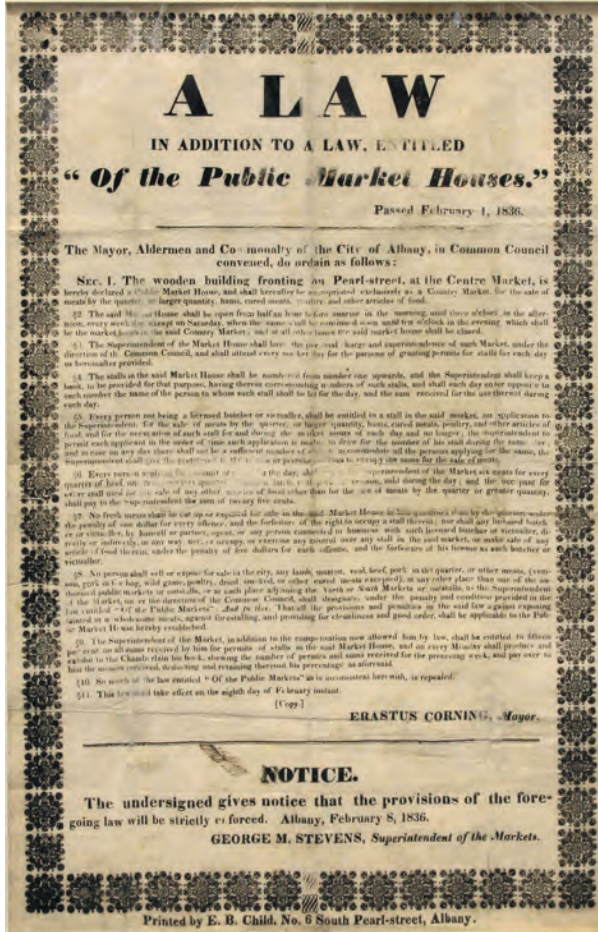
Contemporary calf, gilt fillets to board edges, large gilt arms of the British East India Company to centers of boards, raised bands and lettering piece (reading "Charter. 1783") to spine, marbled endpapers. Light rubbing and a few minor stains and shallow scuffs to boards, moderate rubbing to extremities, some chipping to spine ends, boards just beginning to separate, but secure. Light toning to text, somewhat heavier in places, light soiling to upper margins of a few leaves. \$5,000.

THE HONOURABLE EAST INDIA COMPANY, or British East India Company, was established in 1600 as a trading company. It became the engine that drove the expansion of the British Empire into India and other parts of Southeast Asia. The Charter of 1753 marked the company's transition from a strictly commercial enterprise to a *de facto* government of British colonies in India. The other two other charters reflect this transition of power from the crown to the company. They are: Charter of the 19th of September, 1757, Being the 31st of George the Second, Granting to the Company a Moiety of the Plunder and Booty, Taken from the Nabob of Bengal" and "Charter of the 14th of January, 1758, Being the 31st of George the Second, Granting to the Company booty and plunder, Taken in the East-Indies." Our volume includes an index. There are to be a few versions of this book with different sets of charters. Ours is identical to a copy at the University of Pennsylvania. It is not listed in the *ESTC*. Pickett's *Bibliography of the East India Company*, Entry 860, cites it as part of a compilation of charters without a title, conjecturally dated 1772, of which one copy is known, at the British Library.





1836 BROADSIDE OF LAWS REGULATING ALBANY'S PUBLIC MARKETS



12. [BROADSIDE]. [ALBANY, NEW YORK].

A Law in Addition to a Law, Entitled "Of the Public Market Houses." Passed February 1, 1836. The Mayor, Aldermen and Commonalty of the City of Albany, in Common Council Convened, do Ordain as Follows... Erastus Corning, Mayor.

Albany: Printed by E. B. Child, No. 6 South Pearl-Street, 1836.

17-1/2" x 12-3/4" broadside, mounted and matted, text printed inside wide decorative typographical border. Toning, faint vertical and horizontal fold lines. A few expert repairs, with no loss to text, and minor fading to text in five lines. \$1,500.

AN UNRECORDED BROADSIDE in eleven sections outlining regulations concerning the handling of meat, poultry and other food in Centre Market in Albany, New York. This was one of three public markets established in 1836; the others were the North Market and South Market. The laws address hours of operation, allocation of stalls, licensing, costs of permits and the salary of the market's superintendent. Section ten repeals previous laws, and section eleven decrees that this law will take effect on 8 February. The printer of this broadside was located near the market on the corner of South Pearl and State Street.

13. [BROADSIDE]. [EXECUTION]. BISHOP, RICHARD.

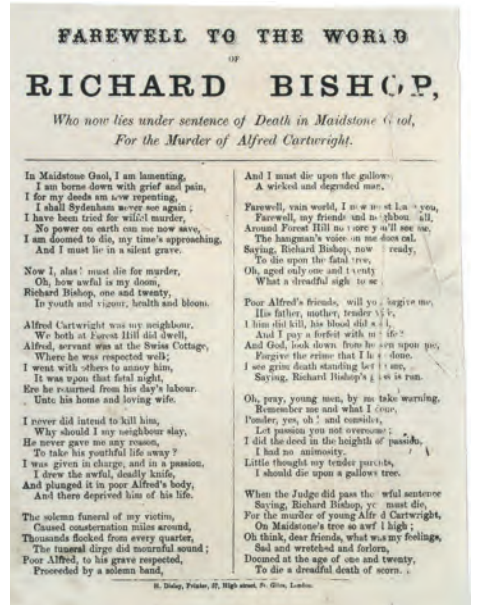
Farewell to the World of Richard Bishop, Who Now Lies Under Sentence of Death in Maidstone Gaol, For the Murder of Alfred Cartwright.

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

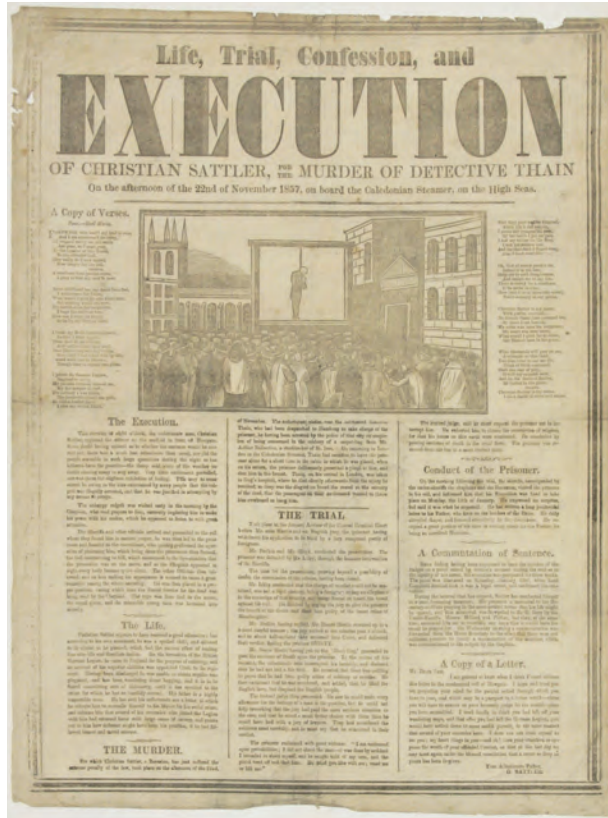
Some toning, creasing and a few minor stains, contemporary annotations to verso, otherwise fine. \$500.

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

ANNOYED TO DEATH



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



14. [BROADSIDE].

[EXECUTION].

SATTLER, CHRISTIAN [D. 1858].

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

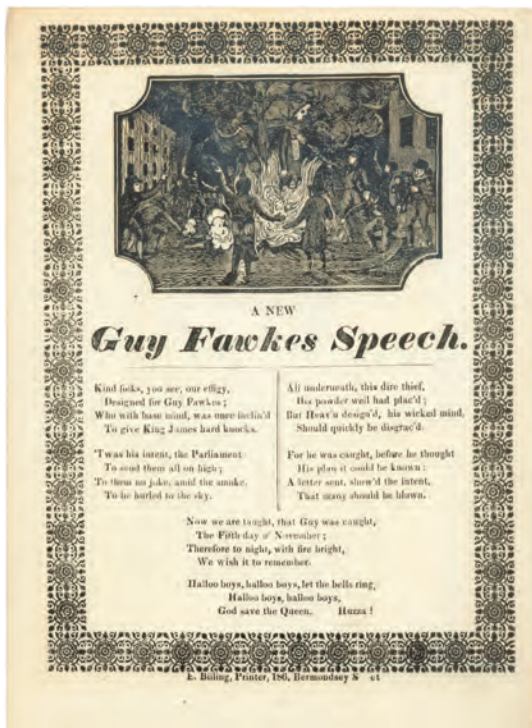
[London], S.n., [1858].

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

SATLER WAS A GERMAN MAN WHO STOLE a bag of valuables belonging to a London stockbroker from an inn in Cambridgeshire (shortly after his release from jail). After stealing the bag Sattler fled to the continent and was tracked down and arrested in Hamburg by two London detectives, Charles Thain and William Jarvis. On the journey back to England, Thain left Sattler alone in his cabin where he found a pistol, which he used to murder Thain when he returned to Sattler's cabin. Sattler was found guilty and hanged at the Old Bailey on February 8, 1858. This broadside includes a contrite eight-stanza ballad in Sattler's voice. The text is divided into seven sections titled "The Execution," "The Life," "The Murder," "The Trial," "Conduct of the Prisoner," "A Commutation of Sentence," and "A Copy of a Letter."

(The commutation was due to a legal technicality relating the nature of Sattler's arrest. "The Letter" is the text of a letter from Sattler's Father). No copies listed on OCLC.

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



15. [BROADSIDE].

[GREAT BRITAIN].

GUY FAWKES DAY.

**A New Guy Fawkes Speech.**

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

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

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

A MISSOURI JUDGE RESPONDS TO HIS CRITICS

16. [BROADSIDE].  
KILLEN, THOMAS J.

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

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

\$2,500.

AN APPARENTLY UNRECORDED broadside issued by Judge Thomas J. Killen in response to an attack published by a former litigant, John Poynter McMillin, who lost a lawsuit decided by Judge Killen. McMillin then published his version of the trial and his testimony in an attempt to refute the verdict against him. Killen's broadside is a rebuttal of McMillin's "superlatively ridiculous" charges. He also mocks his evident insolvency, suggests he is a deadbeat and assures McMillin: "you may banish fears of sinking to the degraded level of a mere slanderer. Both your tongue and your pen, sir, have lost all power of slander, or detraction; true like the native polecat, they may occasionally offend and disgust the community yet no one blames it because it is the nature of the beast." No copies located on OCLC or the online catalogs of AAS, Harvard or the Library of Congress.



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

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

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

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

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



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

"OH! LUST, ACCURSED LUST! 'T WAS THIS FOR WHICH I DID THE DEED"

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

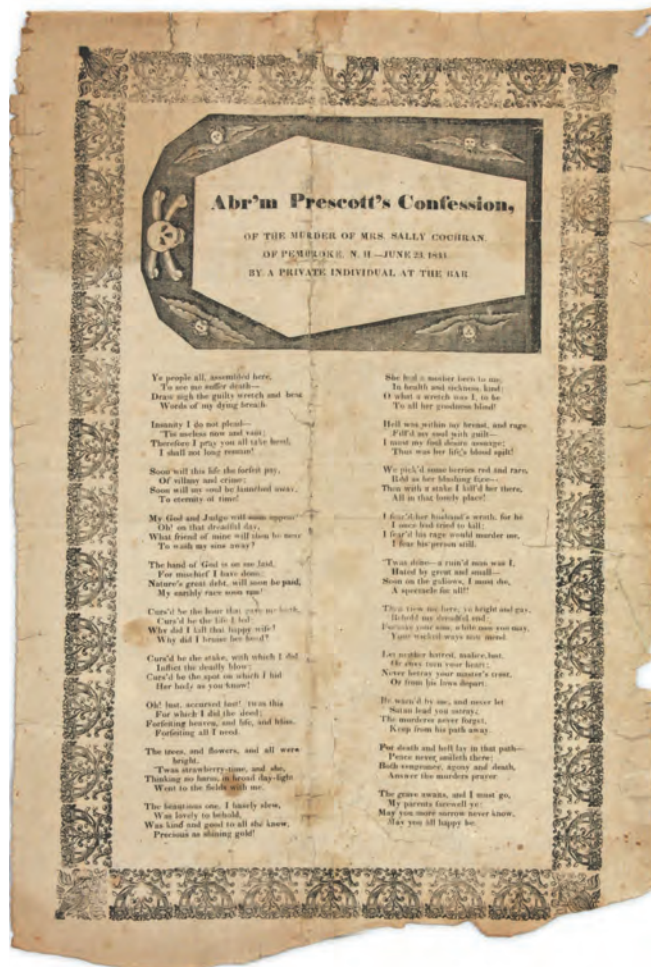
**Abr' m Prescott's Confession of the  
Murder of Mrs. Sally Cochran of  
Pembroke, N.H.--June 23, 1833.**

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

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

\$2,500.

ABRAHAM PRESCOTT was found  
guilty of the murder of Sally Cochran in two  
separate trials held in Concord in September  
1834 and September 1835. Despite a well-  
crafted insanity defense, he was sentenced  
to be hanged on December 23, 1835, in  
Hopkinton, New Hampshire. The execution  
was postponed to January 6, 1836. The verse  
account in this broadside presents the murder  
as a crime of passion: "Oh! lust, accursed  
lust! 't was this for which I did the deed;  
Forfeiting heaven, and life, and bliss, Forfeiting  
all I need." See McDade 769. OCLC locates 7  
copies (American Antiquarian Society, Brown,  
Dartmouth, Harvard, Peabody Essex Museum,  
University of Michigan, Yale).



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

19. [BROADSIDE]. [NORTH CAROLINA].

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

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

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

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

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

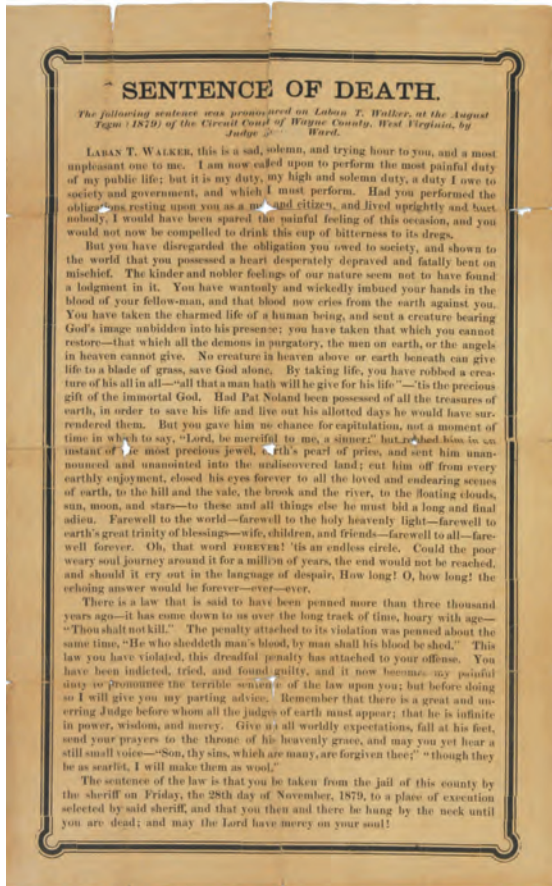
20. [BROADSIDE]. [TRIAL]. [WALKER, LABAN T.(1879)].

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

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

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

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



## BURN'S NEW LAW DICTIONARY IN ORIGINAL PUBLISHER BOARDS

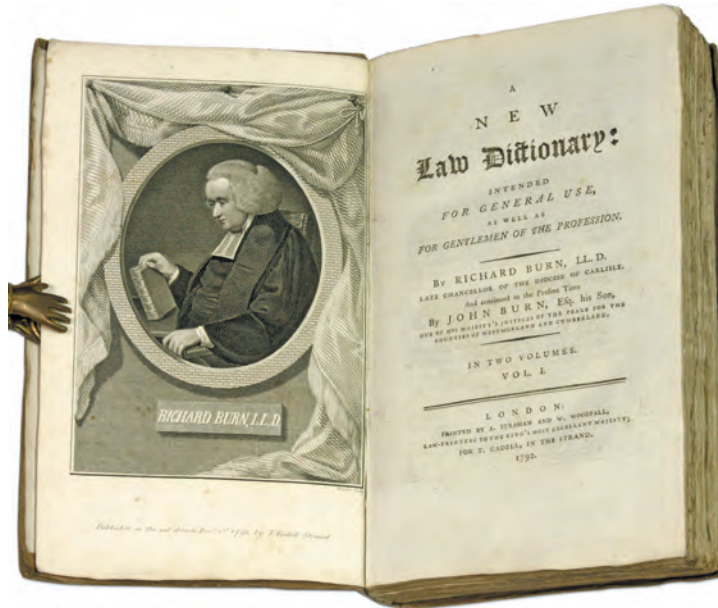
21. BURN, RICHARD [1709-1785].  
BURN, JOHN [1744?-1802].

**A New Law Dictionary: Intended for General Use, As Well as For Gentlemen of the Profession. By Richard Burn, LL. D. Late Chancellor of the Diocese of Carlisle. And Continued to the Present time by John Burn, Esq. His Son, One of his Majesty's Justices of the Peace for the Counties of Westmorland and Cumberland. In Two Volumes.**

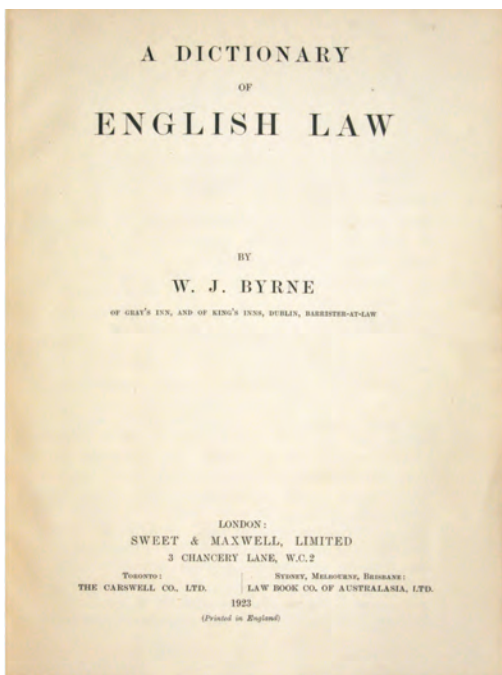
London: Printed by A. Strahan and W. Woodfall, 1792. Two volumes. Copperplate portrait frontispiece. vii, 442; [ii], 446, [1] pp. Includes one-page publisher advertisement. Octavo (8-1/2" x 5-1/2").

Original publisher paper-covered boards, printed shelf labels and volume numbers to spines, untrimmed edges. Light soiling and a few small stains to boards and spines, moderate rubbing to extremities with some wear to spine ends and corners, spine labels mostly worn away. Light toning to interior, light soiling to margins of a few leaves in each volume, faint offsetting from pressed flowers between pp. 176 and 177 of Volume 2. An appealing set. \$750.

ONLY EDITION. Intended to be a practical tool, Burn eliminated most of the definitions in Law-French found in earlier dictionaries. (They became obsolete when George II ordered the exclusive use of English in 1733). This elimination cleared space for other material and longer entries. Indeed, Burn's articles on such subjects as judgment, jury, purchase and will are broader, more detailed and better organized than they are in earlier dictionaries of this kind. It is unclear whether Burn intended to publish this book; it was edited, expanded and published posthumously by his son, John Burn. A reissue of this book was published in Dublin the same year as the London edition. ESTC T112656.



## AN ORIGINAL 1923 ISSUE OF BYRNE'S DICTIONARY OF ENGLISH LAW



22. BYRNE, WILLIAM JAMES.

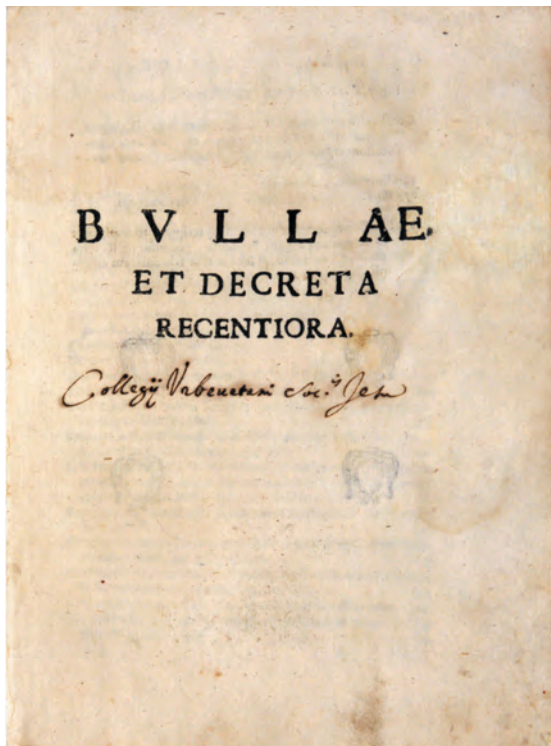
**A Dictionary of English Law.**

London: Sweet & Maxwell, 1923. xlv, 942 pp. Main text in parallel columns.

Quarter morocco-stamped cloth over plain cloth, gilt title to spine. Light rubbing to boards, moderate rubbing to extremities, spine ends bumped, hinges starting, residue of small bookseller ticket to front pastedown. Some toning to text, faint early owner stamps to endleaves and edges of text block. \$750.

ONLY EDITION. This dictionary was originally intended to be a revised edition of Charles Sweet's *Dictionary of English Law* (1882), "but there is so little of Mr. Sweet's work, and that little has been so much altered, that the author has felt justified in publishing the book over his own name" (Preface). This is the first copy we have seen in 35 years. (A reprint edition was published in 1991.) Sweet & Maxwell 2:53.

## A RARE COLLECTION OF SEVENTEENTH-CENTURY PAPAL BULLS



23. [CANON LAW].  
[GREGORY XV (1554-1623), POPE].  
[URBAN VIII (1568-1644), POPE].

**Bullae et Decreta Recentiora.**

[N.p.: S.n., c. 1628]. [viii], 298 pp. Quarto (8" x 6").

Contemporary limp vellum, early hand-lettered title and shelf number to spine, ties lacking. Moderate rubbing to extremities, chipping to center and foot of spine, corners bumped and lightly worn, hinges partially cracked, vellum just beginning to crack through pastedowns, a few partial cracks to text block. Moderate toning to text, somewhat darker in places, dampspotting in a few places, staining to some leaves. Early owner inscription (of a Jesuit library) to title page, a few brief annotations to text, interior otherwise clean. \$1,500.

WITH INDEX. Arranged chronologically, this volume contains papal bulls and related documents from the pontificates of Popes Gregory XV and Urban VIII issued between 1621-1628. They offer an interesting perspective on the Church and Papal States at an important point in its history. (The expansion of political territory and church missions are two highlights from this period.) Analogous in organization to volumes of session laws, collections of papal bulls were issued sporadically from the fifteenth century onward. All are scarce today. OCLC locates 5 examples in North America, all from the seventeenth century, two in law schools (Harvard, UC-Berkeley). None are identical to our copy. Not in the *BMC* or *Ferreira-Ibarra*.

## A FASCINATING AND ENTERPRISING NINETEENTH-CENTURY FEMALE CRIMINAL

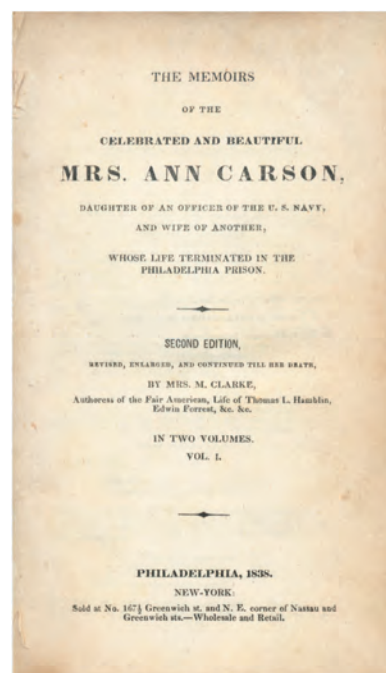
24. CARSON, ANN BAKER.  
CLARKE, MRS. M.

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

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

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

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

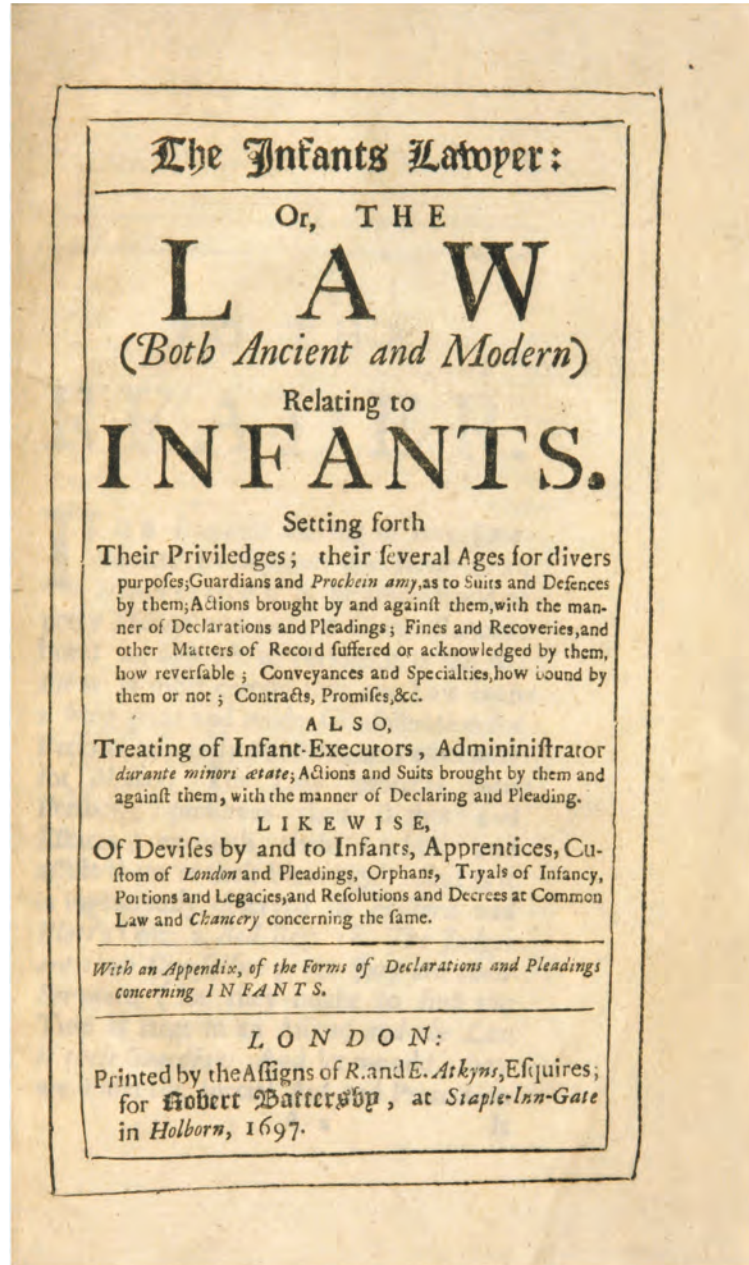


## FIRST EDITION OF THE FIRST ENGLISH TREATISE ON LAWS CONCERNING INFANTS

## 25. [CARTER, SAMUEL].

The Infants Lawyer: Or, The Law (Both Ancient and Modern) Relating to Infants. Setting Forth Their Priviledges; Their Several Ages for Divers Purposes; Guardians and Prochein Amy, As to Suits and Defences by Them; Actions Brought by and Against Them, With the Manner of Declarations and Pleadings; Fines and Recoveries, And Other Matters of Record Suffered or Acknowledged by Them, How Reversible; Conveyances and Specialties, How Bound by Them or Not; Contracts, Promises, &c. Also, Treating of Infant-Executors, Administrator Durante Minori Aetate, Actions and Suits Brought by Them and Against Them, With the Manner of Declaring and Pleading. Likewise, Of Devises by and to Infants, Apprentices, Custom of London and Pleadings, Orphans, Tryals of Infancy, Portions and Legacies, And Resolutions and Decrees at Common Law and Chancery Concerning the Same. With an Appendix, Of the Forms of Declarations and Pleadings Concerning Infants.

London: Printed by the Assigns of R. and E. Atkyns, Esquires, 1697. [xxxiii], 303, [41] pp. Octavo (7-1/2" x 4-1/2").

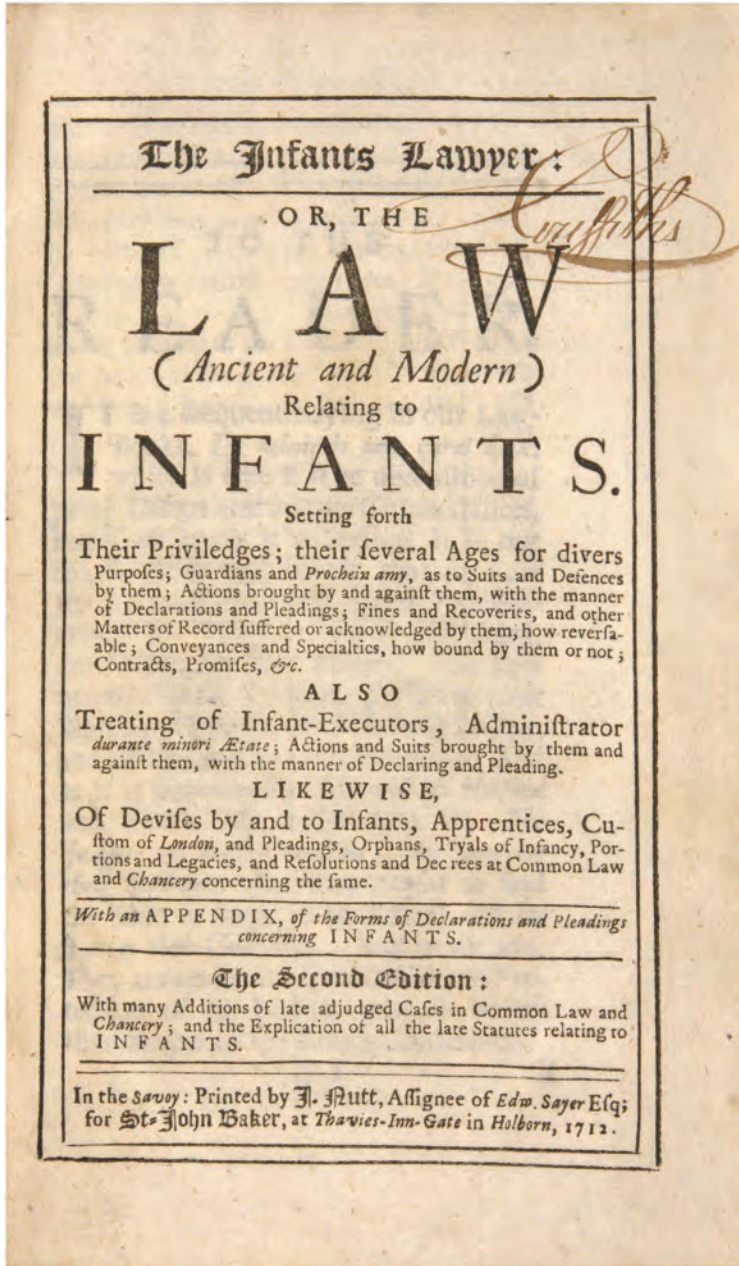


Contemporary calf, blind rules to boards, raised bands and fragment of paper title label to spine, gilt tooling to board edges. A few minor nicks and scratches to boards, light rubbing to extremities, wear to head of spine, joints starting, corners bumped and somewhat worn, front hinge starting, interior notably fresh. A handsome copy. \$4,500.

FIRST EDITION. This is the first English treatise on the subject and the first copy of this edition we have seen in 35 years. Its twenty comprehensive chapters consist of a digest of the case law relating to each topic with explanatory comments. A third edition was published in 1726. All editions are scarce. OCLC locates 6 copies of the first edition in North American law libraries (Boston College, Columbia, Harvard, Library of Congress, San Francisco Law Library, University of North Carolina). ESTC R32363.



## THE FIRST ENGLISH TREATISE ON THE LAW OF INFANTS



26. [CARTER, SAMUEL].

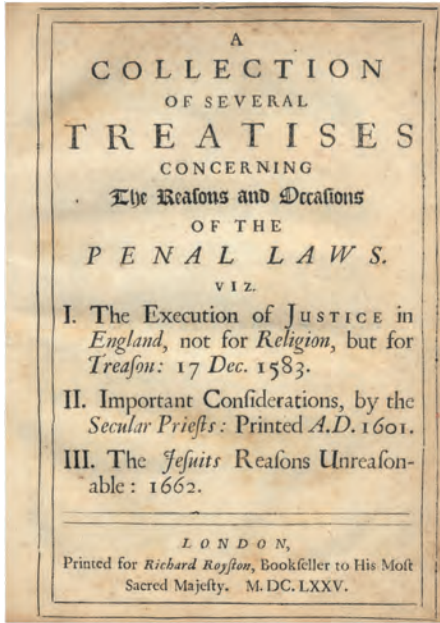
The Infants Lawyer: Or the Law (Ancient and Modern) Relating to Infants. Setting Forth Their Priviledges; Their Several Ages for Divers Purposes; Guardians and Prochein Amy, As to Suits and Defences by Them; Actions Brought by and Against Them, With the Manner of Declarations and Pleadings; Fines and Recoveries, And other Matters of Record Suffered or Acknowledged by Them, How Reversible; Conveyances and Specialties, How Bound by Them or Not; Contracts, Promises, &c. Also Treating of Infant-Executors, Administrator Durante Minori Aetate; Actions and Suits Brought by Them and Against Them, With the Manner of Declaring and Pleading. Likewise, Of Devises by and to Infants, Apprentices, Custom of London, And Pleadings, Orphans, Tryals of Infancy, Portions and Legacies, And Resolutions and Decrees at Common Law and Chancery Concerning the Same. With an Appendix of the Forms of Declarations and Pleadings Concerning Infants. With Many Additions of Late Adjudged Cases in Common Law and Chancery; and the Explication of All the Late Statutes Relating to Infants.

[London]: Printed by J. Nutt, 1712. [xxiv], 380, [28] pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and early hand-lettered paper title label and faint early hand-lettered title to spine. A few minor nicks and scuffs to boards. Some rubbing to extremities, chip to foot of spine, corners bumped and lightly worn, joints starting, hinges cracked. Light toning to text, light foxing to a few leaves, early owner signature ("Griffiths?") to head of title page. \$2,500.

SECOND EDITION. Holdsworth notes this "was a useful book to practitioners since it covers all the topics connected with its subject": Holdsworth, HEL XII:399-400. ESTC T86178.

## FEAR AND DISTRUST OF CHARLES II



27. [CECIL, WILLIAM, LORD BURGHLEY (1520-1598)].  
[BLUET, THOMAS].  
[SERGEANT, JOHN (1622-1707)].

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

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

Later three-quarter morocco over marbled boards, gilt title to spine. Moderate rubbing to extremities, lighter rubbing to boards, final three leaves of text loose (but secure), bottom edge of *The Jesuits Reasons* trimmed with some loss to text. Moderate toning to text, occasional faint dampspotting, smudges and minor inkstains to a few leaves. A solid copy. \$750.

FIRST EDITION. This volume was assembled at a time when Charles II was arousing fear and distrust due to his increasingly overt support of

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

## CONTROVERSIAL BOOK ON CATHOLIC DIVORCE AND ANNULMENT

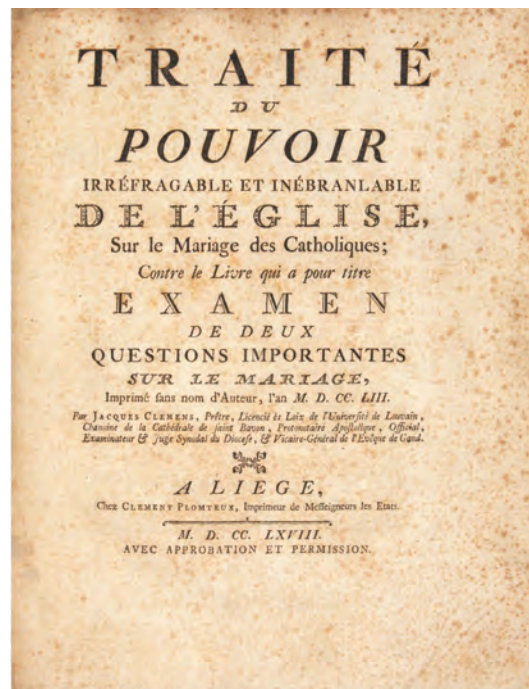
28. CLÉMENS, JACQUES.

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

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

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

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



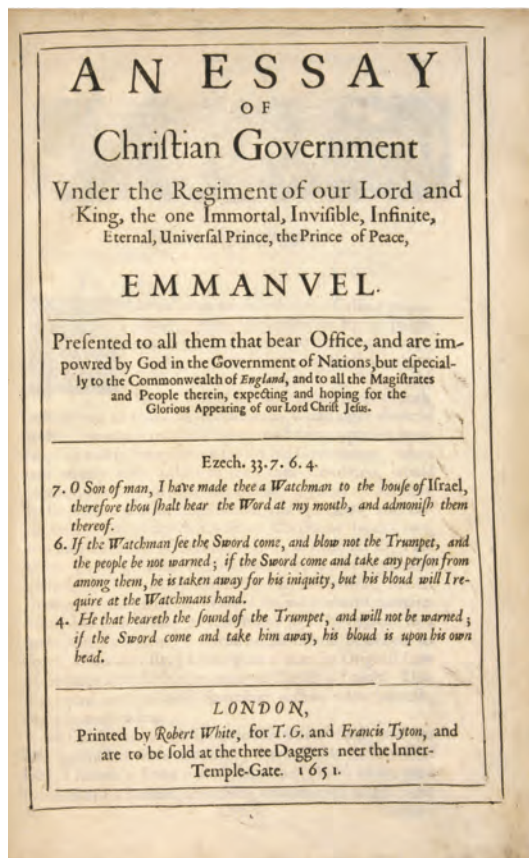
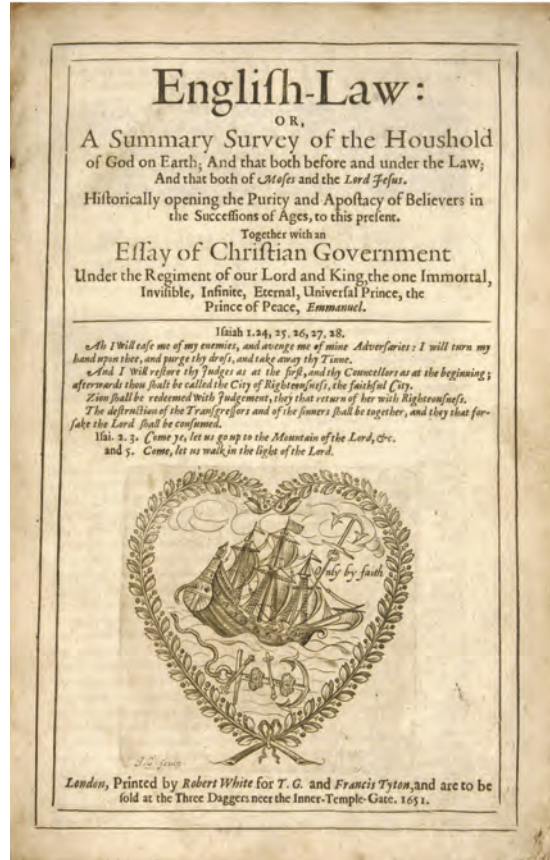
WITH "AN ESSAY ON CHRISTIAN GOVERNMENT"

29. [COCK, CHARLES GEORGE].

English-Law: Or, A Summary Survey of the Household of God on Earth; And that Both Before and Under the Law; And that Both of Moses and the Lord Jesus. Historically Opening the Purity and Apostacy of Believers in the Successions of Ages, To this Present. Together with an Essay of Christian Government Under the Regiment of our Lord and King, The One Immortal, Invisible, Infinite, Eternal, Universal Prince, The Prince of Peace, Emmanuel.

London: Printed by Robert White for T.G. and Francis Tyton, 1651. [20], 95, [1]: [17], 101-194, [2] pp. "An Essay of Christian government" has separate dated title page. Complete. Folio (11" x 6-1/2").

Nineteenth-century three-quarter calf over paper-covered boards, raised bands and lettering piece to spine, endleaves retained. Moderate rubbing to boards and extremities, hinges cracked, hand-painted coat of arms of Charles George Cock to front pastedown above and recent bookplates (of Brian William James and R. C. Fiske) to front pastedown, illegible early signature to front free endpaper, brief gift inscription dated 1943 to rear pastedown. Title page printed with ruled borders with large allegorical copper vignette. Moderate toning to text, occasional faint dampstaining with occasional dampspotting to foot of text block, a few recent brief annotations and occasional light underlining in pencil, some edgewear to preliminaries and final few leaves, light soiling to title page. SOLD



ONLY EDITION. Cock's treatise is a characteristic and exceptionally detailed exposition of an important strain of Puritan thought during the Commonwealth era; that English law and government should be reformed along biblical lines, a belief shared by the New England Puritans. This core of the book's argument is encapsulated by its title vignette of a ship, representing the Commonwealth, in a storm-tossed sea. It will be saved because it has cast off the anchor decorated with crowns and scepters, that is, monarchy, and fastened itself to an anchor secured by the clouds with the caption "only by faith." This is a scarce title. It has appeared only three times at auction since 1939. Combined, the ESTC and OCLC locates 13 copies, 7 in North America, 2 in North American law libraries (Columbia, Harvard). ESTC R37185.

## "THE REPORTS"

**30. COKE, SIR EDWARD**

[1552-1643].

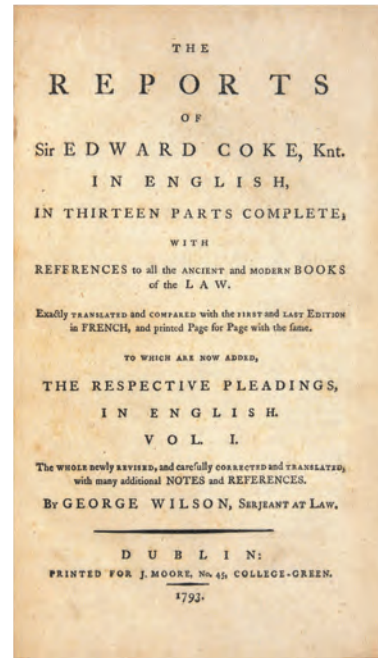
GEORGE WILSON,  
EDITOR AND TRANSLATOR.

**The Reports of Sir Edward Coke, Knt. in English, In Thirteen Parts Complete; With References to All the Ancient and Modern Books of the Law; Exactly Translated and Compared with the First and Last Edition in French, and Printed Page for Page With the Same. To Which Are Now Added the Respective Pleadings, In English. The Whole Newly Revised and Carefully Corrected and Translated with Many Additional Notes and References.**

Dublin: Printed for J. Moore, 1793. Seven volumes. Each volume has general title-page, and each part has special title-page. Prefaces in Latin and English in parallel columns. Octavo (8" x 5").

Recent period-style calf, blind rules to boards, to boards, raised bands and red and black lettering pieces from previous binding. Moderate rubbing to board edges, corners bumped and somewhat worn. Light toning to text, somewhat darker in places, internally clean. \$3,500.

REPRINT OF THE LONDON EDITION, 1776-1777. First published at the beginning of the seventeenth century, Coke's *Reports* 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. The first edition in English, which did not include pleadings, was published in 1658. ESTC T121183.



RARE PRINTING  
OF 1841 FEDERAL BANKRUPTCY LAW

31. [CONGRESS, UNITED STATES].

**General Bankrupt Law. An Act to Establish a Uniform System of Bankruptcy Through the United States** [caption title].

[Washington?: 1841]. 16 pp. Octavo (6-1/2" x 4").

Stab-stitched self-wrappers. Minor edgewear, foxed, a few tiny ink stains, occasional contemporary notes in faint pencil to margins of a few leaves. \$750.

SIGNED IN TYPE BY PRESIDENT John Tyler. Enacted in February 1800 with a slim majority, the first Federal bankruptcy act aimed to encourage economic risk and supersede the patchwork of debtor laws in force in the different states. Never a popular law, it was routinely attacked as a shield for the financially irresponsible and finally repealed in November 1803. Claiming this would retard economic development, supporters of the defeated bill launched a campaign to restore the law or enact a similar one. Attitudes changed after the Panic of 1837 and the five-year depression that followed. Sponsored by Daniel Webster, the *General Bankrupt Law* was enacted in 1841. It was repealed two years later. Not found in OCLC or the Library of Congress.

A CAREFULLY ARGUED 1851 OPINION  
ON COPYRIGHT LAW IN NEW YORK

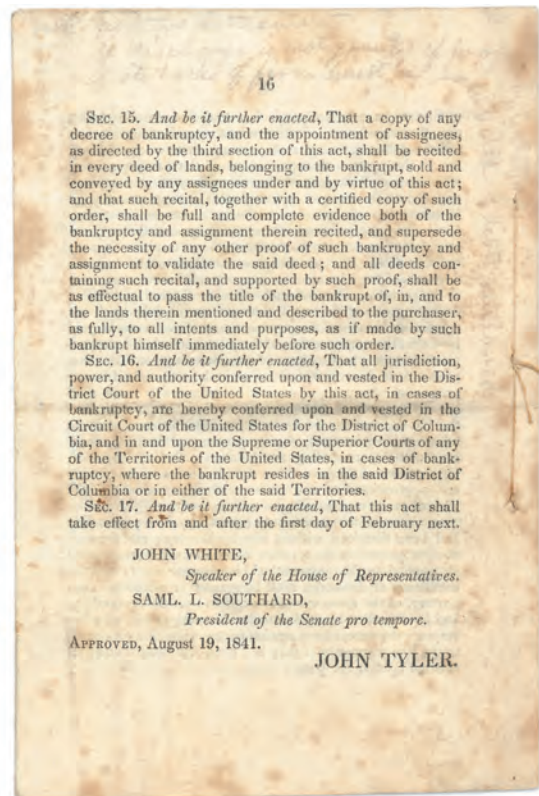
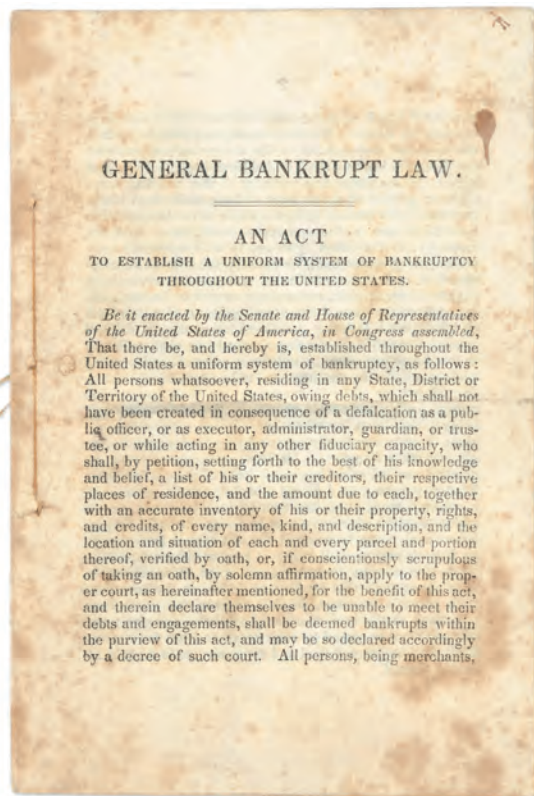
32. CONKLING, ALFRED [1789-1874].

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

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

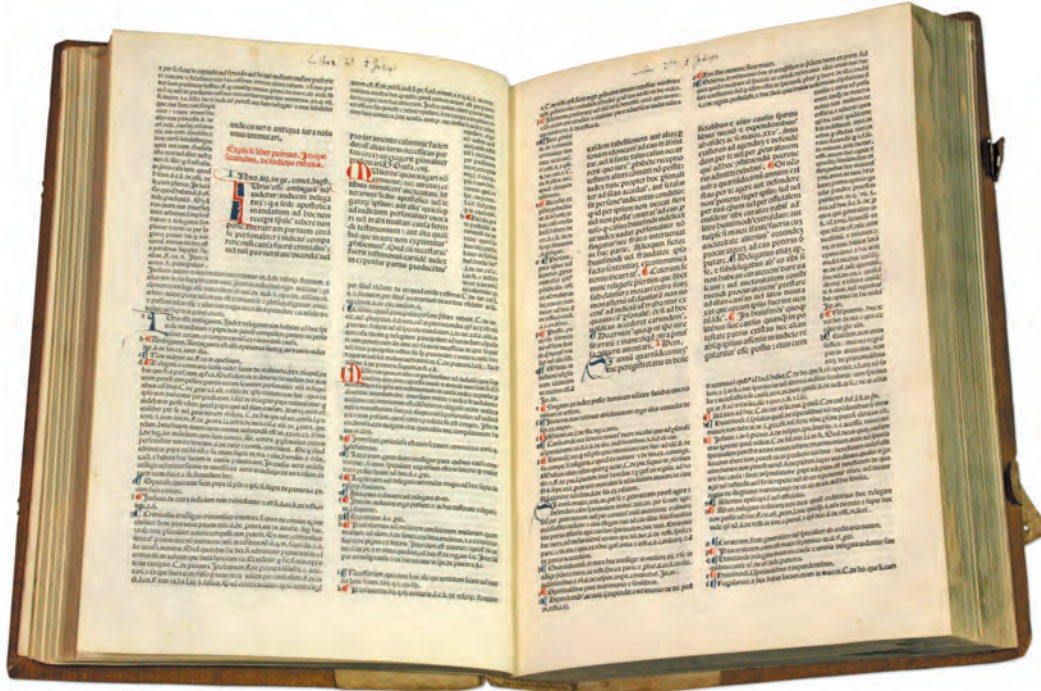
Disbound stab-stitched pamphlet. Light soiling to exterior, moderate toning to text, minor stain to verso of final leaf. \$450.

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



Nº 31

## APPEALING 1479 VENICE IMPRINTS OF TWO PRINCIPAL VOLUMES OF CANON LAW

**33. [CORPUS JURIS CANONICI].**

[BONIFACE VIII (1235–1303), POPE.]

[D' ANDREA, GIOVANNI (C.1270–C.1348), COMMENTARY].

[ALBIGNANI, PIETRO, EDITOR].

**[Liber Sextus Decretalium Una Cum, Apparatus Joannis Andreae].**

[Venice: Johannes De Colonia and Johannes Manthen, "16 April" (probably after 19 May), 1479. [146] ff. Collation: a10, b–d8, e–f6, g–m8, N6, o–q8, r10, s12. Text in parallel columns with 68–line linear gloss.

[BOUND WITH]

[CLEMENT V (C.1264–1314), POPE].

[D' ANDREA, GIOVANNI, COMMENTARY].

[ALBIGNANI, PIETRO, EDITOR].

**[Constitutiones, Cum Apparatu Joannis Andreae (With XXIX Extravagantes)].**

[Venice: Johannes de Colonia and Johannes Manthen, "7" June 1479. (Foreword is dated June 9, 1479)]. [82] ff. Collation: a10, b–e8, f–g10, h8, i12. Text in parallel columns with 68–line linear gloss.

Folio 15" x 10–1/2" (38 x 26.5 cm). Later quarter blind-stamped pigskin over marbled boards, raised bands and later hand-lettered title to spine, clasps lacking, buckles present. Spine ends bumped, front joint starting at head, crack to rear joint at foot, corners worn, a few small wormholes to boards, hinges starting. Gothic type, some printing in red. 2 to 4 line initials in red or blue. Red and blue paragraph marks. Some manuscript headlines. Light toning to text, somewhat heavier in places, faint dampstaining in a few places, smudges and light soiling to a few leaves, manuscript list of rubrics in early hand to final blank of *Liber Sextus*. An impressive volume. \$23,000.

THIS VOLUME JOINS INCUNABLE imprints of two books from the *Corpus Juris Canonici*, a collective title first used in 1441. The *Liber Sextus* of Boniface VIII was enacted in 1298. The *Liber Septimus Decretalium*, better known as the *Constitutiones Clementis V*, or *Clementinae* of Clement V was enacted in 1317. These other volumes of the *Corpus Juris Canonici* are the *Decretum Gratiani* (1151), the *Liber Quinque Decretalium* of Gregory IX (1234) and the *Extravagantes* of John XXII (1325). Two texts were added later: the *Extravagantes Communes* of other popes to 1484 and the *Appendix Pauli Lancellotti* (1563). All of these texts were edited in 1582 in response to the reforms authorized by the Council of Trent. In this form the *Corpus Juris Canonici* remained in force until it was replaced in 1917 by the *Codex Juris Canonici*. Goff B990, C3776. GW 4863, 7108.



HANDSOME INCUNABLE EDITION OF GRATIAN

**34. [CORPUS JURIS CANONICI].**  
**GRATIAN THE CANONIST [C. 1090-C. 1160].**  
**[JOHANNES TEUTONICUS (OR ZENEKA)**  
**(D.1253), GLOSSATOR].**  
**[BARTOLOMEO DA BRESCIA**  
**(D.1258), GLOSSATOR].**  
**[BRANT, SEBASTIAN**  
**[1458-1521], EDITOR].**

**Decretum Gratiani.**

[Basel: Johann Froben, 13 June 1493]. [520] ff. Main text in parallel columns with linear gloss. Collation: a-z, 78, A-28, AA-SS8. Signatures RR-SS replaced with signatures from the 1500 Froben edition. Added signatures aA-bB6 from the Froben edition of 1500 before main text (signature a), woodcut portrait of Gratian in duplicate, both hand-colored. Quarto 8-1/4" x 6" (21 x 15 cm).

Contemporary calf with elaborate blind-tooling over wooden boards, title, brass bosses to corners and centers of boards, raised bands and small later shelf label to spine, "Decretu" blind-stamped to head of front board, 55" in early hand to fore-edge of text block, clasps lacking, pastedowns renewed. Moderate rubbing, chip to head of spine. 67-line text printed in red and black, occasional capitals spaces, mostly with guide-letter, 13-line illuminated initial N on a2r, supplied leaf Aa2 with illuminated initial and flourish at margin. Moderate toning, occasional faint dampstaining to margins, light soiling to a few leaves. \$30,000.

THE FIRST OF TWO FROBEN EDITIONS, a composite copy brought together c. 1500. The *Decretum Gratiani*, is the cornerstone of modern canon law. The first work of its kind, it was compiled by Gratian, a Camaldolese monk, around 1140. Using the latest scholastic and juristic techniques from Bologna, he attempted to harmonize these disparate texts. Like the *Corpus Juris Civilis* in the study of the civil law, it became the basic text for the study of canon law for many centuries. In the following century an extensive gloss was added by Teutonicus, a German prior living in Bologna. Known as the *Glossa Ordinaria*, it was later revised and enriched by another Bolognese prior, Bartholomew of Brescia. The gloss and its revisions become a standard feature of subsequent manuscripts and printings. Though never an official edition of canon law, it was a standard work for nearly 800 years until it was superseded in 1918 by the Code of Canon Law (*Codex Iuris Canonici*). Remembered today as the moral and satirical poet of *Das Narrenschiff* [The Ship of Fools], Brant was also a noted legal scholar and humanist. He studied at Basel, where he completed a doctor of laws degree. After serving on Basel's law faculty he moved to Strasbourg, his birthplace, where he became city clerk and enjoyed a position of great prominence. Brant was later appointed imperial councilor by the Holy Roman Emperor Maximilian I, who elevated him to the nobility. In this copy all but the final two signatures are from the 1493 edition. It is augmented by the first two signatures of the 1500 edition, which contain a table of contents that does not appear in the 1493 edition, along with a duplicate title page and author portrait. The uniformity of decoration and the contemporary binding make it clear this marriage occurred around 1500. Goff G384. CW 11377.

## "THE MOST LEARNED CIVILIAN OF HIS TIME"

## 35. COWELL, JOHN [1554-1611].

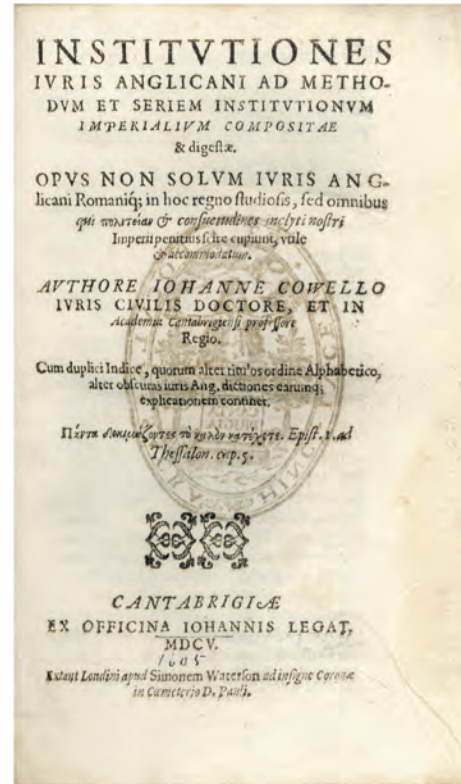
**Institutiones Juris Anglicani Ad Methodum Et Serium Institutionum Imperialium Compositae & Digestae. Opus non Solum Juris Anglicani Romaniq[ue] in hoc Regno Studiosis, Sed Omnibus qui Politeian & Consuetudines Inclyti Nostri Imperii Penitus Scire Cupiunt, Utile & Accommodatum. Cum Duplici Indice, Quorum Alter Titulos Ordine Alphabetico, Alter Obscuras Juris Ang. Dictiones Earumq[ue] Explicationem Continet.**

Cambridge: Ex Officina Iohannis Legat, 1605. [xii], 268, [20] pp. Octavo (6-1/2" x 4-1/2").

Contemporary limp vellum, early hand-lettered title to spine. Moderate soiling, corners and spine ends bumped, small hole to center of spine, pastedowns loose. Large seal of Cambridge University to verso of title. Some toning, moderate edgewear to endleaves. Early owner signature (of Charles Milborne) to front and rear endleaves, interior otherwise clean.

\$950.

FIRST EDITION. As Walker notes, Cowell was "the most learned civilian of his time." Regius Professor of Civil Law at Cambridge from 1594 to 1611, he is remembered today as the author of an important (and controversial) dictionary, *The Interpreter* (1607), which went through several subsequent editions. As indicated by its title, the *Institutiones* is an elementary textbook on English law organized in the manner of Justinian's *Institutes*. As Holdsworth notes, "The objects of [this book] were to promote the union of England and Scotland by pointing out the resemblances between the common law and the civil law; to give the student of the common law some knowledge of the general principles of law; and to show the students of the civil law that if they would study the common law, they would improve their knowledge of both laws, and cease to be regarded as mere children in legal knowledge. That these ideas were sound is fairly obvious [today]... but they were in advance of their time." A translation of this book was ordered by Parliament in 1651, which indicates its stature during the Commonwealth period (despite Cowell's support of the crown). There were five editions in all; the final edition, in Latin, was published in 1676. Walker 311. Holdsworth, *HEL* V:21. *ESTC* S108957.



## THE FATES OF 79 PRISONERS IN TAUNTON, SOMERSET ON OCTOBER 14, 1833

36. [CRIMINALS].  
[GREAT BRITAIN].

**A Calendar of the Prisoners for the Michaelmas Season, To be Holden at the Castle, Taunton, On Monday, The 14th Day of October, 1833. [drop head title].**

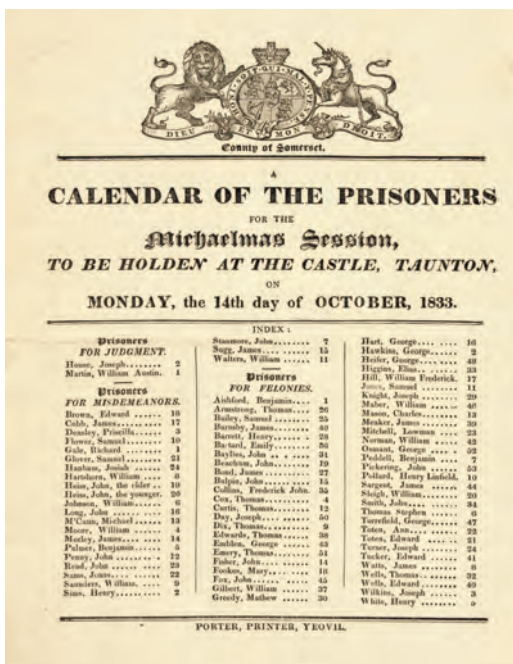
Yeoville: Porter, Printer, [1833]. [12] pp. Quarto (12-1/2" x 9-1/2").

Stab-stitched pamphlet in plain wrappers. Light soiling and a few minor stains, moderate rubbing and a few minor chips to edges, wrapper just beginning to split

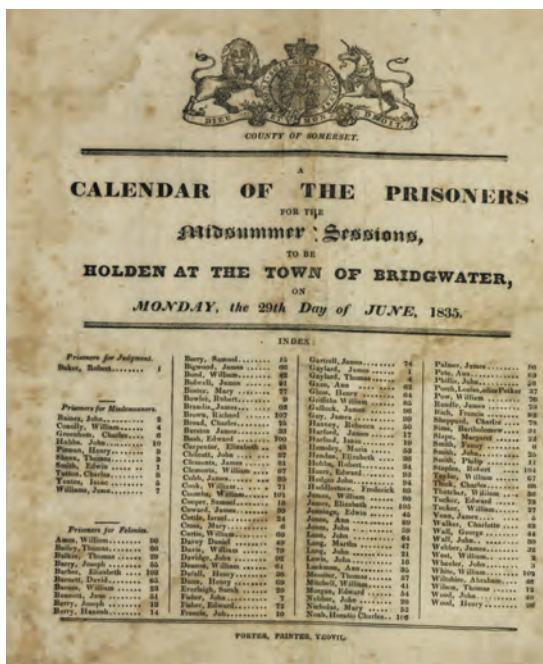
along spine, three faint horizontal fold lines. Some toning to text, minor tears in a few places, annotated throughout in contemporary hand. \$850.

A LIST OF 79 PRISONERS. Along with the charge, each entry includes the prisoner's age, trade, date of warrant and the person "by whom committed." The annotations list the sentences, such as "6 Month C. gaol" and "3 wks solitary." (No one was transported to Australia.) Based on the handwriting, these notes appear to be the work of "James Gaine/ Keeper." His name appears at the foot of p. [11], along with the name, in the same hand, "E.H. Sanford Esq M.P." Not listed on OCLC or COPAC.





Nº 36



Nº 37

THE FATES OF 118 PRISONERS IN BRIDGWATER, SOMERSET ON JUNE 29, 1835

37. [CRIMINALS]. [GREAT BRITAIN].

A Calendar of the Prisoners for the Midsummer Sessions, To be Holden at the Town of Bridgwater, On Monday, The 29th Day of June, 1835. [drop head title].

Yeoville: Porter, Printer, [1835]. [16] pp. Quarto (12-3/4" x 10").

Stab-stitched pamphlet in self wrappers. Moderate soiling and edgewear, some splitting at spine ends, faint dampstaining, faint vertical crease through center, moderate toning and light foxing to interior, early owner signature to head of p. [1]. \$500.

A LIST OF 118 PRISONERS. Along with the charge, each entry includes the prisoner's age, trade, date of warrant, jurisdiction and the person "by whom committed." Not listed on OCLC or COPAC.

THE ADVENTURES OF A NEW ENGLAND HIGHWAYMAN

38. [CRIMINALS]. [MASSACHUSETTS]. [ALLAN, JAMES (1809-1837)].

Narrative of the Life of James Allen, Alias George Walton, Alias James H. York, Alias Burley Grove, The Highwayman. Being his Death-Bed Confession, To the Warden of the Massachusetts State Prison.

Boston: Harrington & Co., Publishers, 1837. 32 pp. Octavo (9-1/4" x 5-3/4").

Disbound stab-stitched pamphlet. Light soiling, a few tiny stains and edgewear to exterior, "23" in small early hand to head of title page, a few signatures starting to detach, moderate toning to text, light foxing to a few leaves. Ex-library. Small bookplate to verso of title page. \$500.

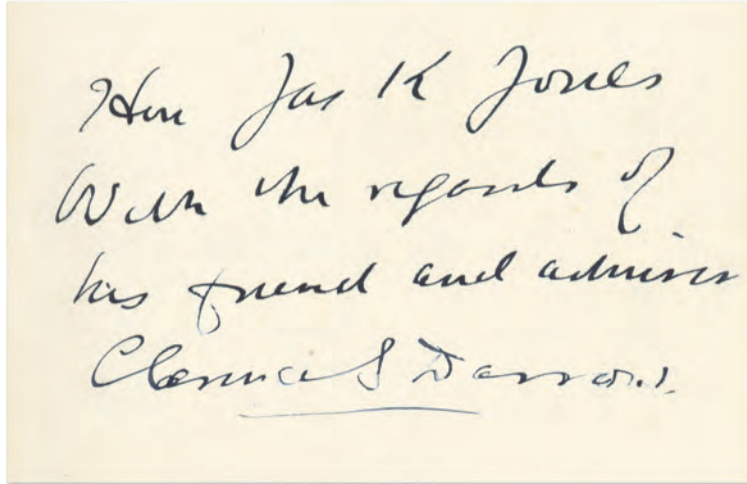
ONLY EDITION. This pamphlet details the colorful criminal adventures of a highwayman in Massachusetts and other New England States. It is apparently based on a deathbed confession to the warden of the Massachusetts State Prison, where he spent the last two years of his life. OCLC locates 18 copies, 3 in law libraries (Harvard, Library of Congress, Northeastern, University of Missouri).

## INSCRIBED BY DARROW TO A FELLOW CRIMINAL DEFENSE ATTORNEY

**39. DARROW,  
CLARENCE** [1857-1938].**An Eye for an Eye.**

New York: Fox, Duffield & Company,  
1905. 213 pp.

Original cloth, gilt titles to front board and spine. Some rubbing to extremities, corners and spine ends bumped, a few tiny stains, some fading to sections of boards and spine, rear hinge starting. Author inscription to front endleaf, light toning to text, negligible foxing to a few leaves. \$1,750.



FIRST EDITION. Darrow's only fictional work, aside from his autobiographical novel, *Farmington*, published in 1904. It tells the story of Jim Jackson, who struggles with poverty and harsh circumstances, before finally murdering his wife in a fit of rage. Faced with the gallows, Jackson confesses: "If ther' d been forty scaffolds right before my eyes, I' d have brought down the poker just the same." Darrow's novel is a sociological polemic which foreshadows such later works as Theodore Dreiser's *An American Tragedy* and Upton Sinclair's *The Jungle*. Abe Ravitz, in his *Clarence Darrow and the American Literary Tradition*, observed that *An Eye for an Eye* was worthy of a trophy not only for sociological veracity but also for genuine literary achievement. This copy was inscribed "with the regards of his friend and admirer" to James K. Jones, a lawyer in Washington, DC, who often served in criminal cases. The University of Minnesota owns the letter in which he acknowledges receipt of Darrow's book. Jones praises it as "a vivid and truthful picture...of much that comes along in many a poor devil's life... [It] turns light on places where light was needed." Hunsberger 55.

## ROMAN LAWS CONCERNING DOWRY

**40. DELLA VALLE, ROLANDO.****Quaestiones CXI Perutiles, Quotidianaeque, Super Statuto de Lucro Dotis, Ad Communem Omnium Utilitatem Editae, Et Copiosissimo Indice Instructae.**

Venice: Apud Franciscum Bindonum, 1562. [lxiv], 349, [3] pp. Octavo (5-3/4" x 4").

Recent paper-covered boards, gilt-stamped calf lettering piece to spine. Light soiling, some rubbing to extremities, corners bumped. Moderate toning to text, light foxing in a few places, small faint stains to a few leaves, light soiling to title page. \$1,250.

THIRD EDITION. This humanistic treatise on the Roman marriage law concerning dowry by a noble and state official from Montferrat appears to have been a well-received book. First published in 1559, it went through four more editions, the last in 1567. All editions are scarce. OCLC locates 5 copies in North America, 2 in law libraries (Harvard, University of Minnesota), none of the third edition. *EDIT16* CNCE16597.



## TWO DISTINGUISHED COMMENTARIES ON ROMAN LAW

## 41. DONEAU, HUGUES [1527-1591].

**Commentarii ad Titulum Digestorum de Verborum Obligationibus: Praepositae Sunt Singulis Legibus et Paragraphis Summae, Capita Rerum Unoquoque Loco Tractatarum Commode et Fideliter Indicantes: Adjecto Omnium in hoc Opere Contentorum Indice Triplici, Eoque Accuratissime Confecto.**

Frankfurt: [Apud Joannem Feyerabendt, Impensis Sigismundi Feyerabendts], 1577. [vi], 266, [13] ff. Lacking ff. 198-199. Main text in Parallel columns. Copperplate pictorial title page.

[BOUND WITH]

PINHEL, AIRES [16TH C.].

SOAREZ DE RIBEIRA, MANUEL [16TH C.], EDITOR.

**In Constitutiones Cod. de Bon. Maternis: Itémque ad Rubric. & Leg. Secundam Cod. De Rescind. Vendit. Commentarii Amplissimi, & Doctissimi: In Quibus Omnia, Quae Quidem ad Maternae Successionis Iura Pertinent: Quaeque Etiam in Rescindendis Venditionibus a Doctoribus Tradita & Servari Debent, Accuratè Felicitérque Explicantur. Hac Postreme Editione Summa Diligentia Castigata, & Annotationibus Emanuelis Soarez a Ribeira Illustrata, Quibusdam Etiam Adiunctis Locupletata, Quae his Notis [ ] Inclusimus. Cum Indice Rerum & Verborum Copiosissimo.**

Lyons: Sumptibus Philippi Tinghi Florentini, 1576. [xii], 428, [12] pp. Main text in parallel columns.

Folio (13-3/4" x 8-3/4"). Contemporary paneled pigskin, raised bands and early hand-lettered title to spine. Moderate soiling, some rubbing to extremities, spine ends bumped with minor chipping, some chipping to board edges, corners bumped and somewhat worn, front free endpaper edgeworn and partially detached, bottom edge removed below image. Moderate toning to text, somewhat heavier in places, occasional faint dampstaining, minor worming in a few places (with no loss to text). Early signatures and annotations to front free endpaper and title page of *Commentarii ad Titulum Digestorum*, interior otherwise clean. \$1,500.

DONEAU: FIRST EDITION; Pinhel: later edition. Doneau was a French humanist jurist and scholar. A worthy antagonist of Cujas, he applied the latest philological methods to Roman law and attempted to organize its texts in a systematic fashion. A staunch Calvinist, he fled France after the St. Bartholomew's Night Massacre. He went on to become a professor at the Universities of Heidelberg and Leiden, where his teaching and numerous studies made a tremendous contribution to the promotion of Roman Law in the Netherlands. *Commentarii ad Titulum Digestorum de Verborum Obligationibus* is one of his principal works. It is a treatise on Book 45 of Justinian's *Digest*, which deals with contracts and other obligations. Later editions were published in 1599 and 1622. Our copy is bound to Pinhel's distinguished commentary on Book VI, Title 60 of Justinian's *Code*, which addresses the inheritance and succession of maternal property (or property through a family's maternal side). It also considers this topic according to Spanish and Portuguese civil law. Originally published in 1557, it went through several issues and editions throughout Europe, the final published in Frankfurt in 1614. Neither imprint listed in Adams.



RICHLY EXTRA-ILLUSTRATED COPY OF DUGDALE'S ORIGINES JURIDICIALES WITH 114 ADDED LEAVES



42. DUGDALE, SIR WILLIAM  
[1605-1686].

**Origines Juridiciales: Or Historical Memorials of the English Laws, Courts of Justice, Forms of Tryal, Punishment in Cases Criminal, Law-Writers, Law-Books, Grants and Settlements of Estates, Degree of Serjeant, Inns of Court and Chancery. Also a Chronologie of the Lord Chancellors and Keepers of the Great Seal, Lord Treasurers, Justices Itinerant, Justices of the Kings Bench and Common Pleas, Barons of the Exchequer, Masters of the Rolls, Kings Attorneys and Sollicitors, and Serjeants at Law. With Additions.**

London: Printed for Christop. Wilkinson, Tho. Dring, And Charles Harper, 1680. [viii], 336, [4], [1], 122, [2] pp. Main text printed in parallel columns. 32 pages of copperplates illustrating coats of arms, 6 full-page copperplate portraits of Crew, Heath, Clenche, Coke, Hide, Bridgeman and added full-page copperplate portraits of Vaughan and Selden. [8], 336, [2], [1], 122, [1] pp. Main text in parallel columns. Richly extra-illustrated with 114 leaves of engraved plates added by a previous owner, 3 fold out beyond the dimensions of text block, 1 double-page plate, a few smaller images pasted into margins. Folio (13-3/4" x 8-3/4").



Early nineteenth-century calf, rebaked retaining existing spine, gilt panels and blind fillets to boards, raised bands, gilt ornaments and gilt title to spine, all edges gilt, inside gilt dentelles, ribbon marker, corners mended, cloth-reinforced hinges. A few minor scuffs and light gatering to boards, negligible light gatering to spine, small armorial crest to front pastedown. Title page printed in red and black. Light toning to text, light foxing in places, a few minor tears to folding plates. An impressive volume. \$4,500.

**THIRD EDITION.** Dugdale's *Origines* provides a wealth of information about the sources of English law and the early history of English legal institutions, including the Inns of Court, on which it is a chief authority. It is a well-documented work: sources of manuscripts are listed, and, in many instances, the sources of the information for the printed book entries are given. Our copy is enriched with more than 100 leaves filled with copperplates, lithographs and woodcuts from a variety of sources (the latest from the early nineteenth century). These depict royalty, jurists, members of the nobility, ecclesiastical and political leaders, the Inns of Court and other significant structures. ESTC R5556.



EARLY TOTTEL EDITION OF FITZHERBERT'S ABRIDGMENT, JEFFERSON HAD A COPY

43. FITZHERBERT, ANTHONY [1470-1538].

**La Graunde Abridgement Collecte par le Iudge Tresreverend Monsieur Anthony Fitzherbert, Dernierment Conferre Ouesque la Copye Escript et per ceo Correcte, Ouesque le Nombre del Sueil, Per Quel Facilement Poies Trover les Cases cy Abrydges en les Livers Dans, Novelment Annote: Iammais Devaunt Imprimes.**

[AND]

**La Secoude Part du Graund Abridgment...**

[AND]

**Tabula. Cy Ensuit la Table pur Trover les Titles.**

London: Richard Tottell, 1577. [ii], 342 [i.e. 341]; [iii], 265; [iii], 66 ff. First and second parts of abridgment have title pages. Collates complete. Small folio (9-1/4" x 6-1/2").

Contemporary calf, rebound with raised bands and gilt title, endpapers renewed, early leaf of notes tipped-in to verso of front endleaf. Boards worn, joints cracked but secure, hinges starting, first signature detached, a few partial cracks to text block. Titles printed within woodcut architectural borders, woodcut decorated initials. Toning, light browning in a few places, some soiling to title page. Occasional early underlining and annotations, interior otherwise clean. \$1,600.

SECOND TOTTELL EDITION. One of the most imposing volumes in the history of English law, it has abridgements of over 14,000 cases under 260 titles in alphabetical order. First printed around 1514, it was the first serious attempt to arrange the common law systematically and it was a model to such writers as Brooke and Rolle. According to Boersma, Fitzherbert accomplished "nothing less than to abridge all notes of significant cases at common law." Graham and Heckel refer to this work as the "book that 'made' the Common Law.": *Law Library Journal* 51 [1957]: 100-101. Beale, *Bibliography of Early English Law Books* R466, R467, R468. *ESTC* S102204. Sowerby 1776. Cowley 71.



SATIRICAL FRENCH COURTROOM IMAGES

44. [FRANCE].

**L' Incidente.**

[And]

**La Sentence.**

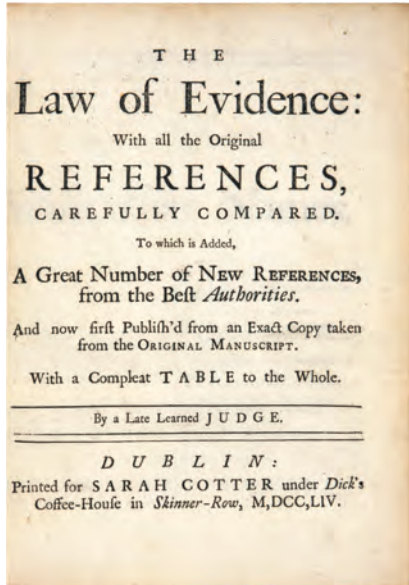
N.p.: De L' Editrice P.V., c. 1900.

Attractively glazed and matted 13" x 8-1/2" colored lithographs in identical handsome 21-1/4" x 16-3/4"

wooden frames, small brass plaques to center of bottoms. Light toning to margins, images vivid. \$1,250.

A PAIR OF RATHER GROTESQUE, and very funny, images of a trial in a French court. Though garbed in eighteenth-century dress, these prints appear to be from the early 1900s.

FIRST EDITION OF THE FIRST ENGLISH BOOK ON EVIDENCE, ISSUED BY A FEMALE BOOKSELLER



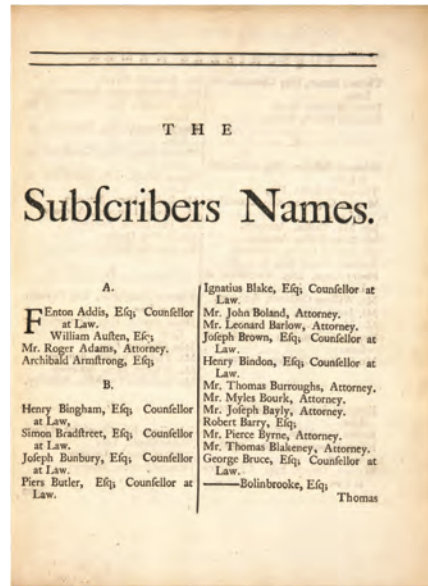
Contemporary calf, rebacked in period style with gilt-edged raised bands and contemporary lettering piece, upper corners and hinges mended. Some minor nicks and scuffs to boards, light rubbing to extremities, corners bumped. Light toning to a few leaves, interior notably fresh. A handsome copy of a scarce title. \$4,500.

FIRST EDITION. (It was reissued in London in 1756.) Derived from a manuscript and originally published anonymously, this was the first treatise devoted exclusively to evidence. As Holdsworth notes, "[i]t long held its place as the chief book on this topic; and Blackstone is loud in its praises." Indeed, Blackstone recommends it in the section on evidence in the *Commentaries* for a fuller treatment of the subject. OCLC locates 5 copies of the first edition in North American law schools (Harvard, San Francisco Law Library, University of Iowa, University of Pennsylvania, Washington University, Yale). Holdsworth, *Sources* 120. ESTC N19879.

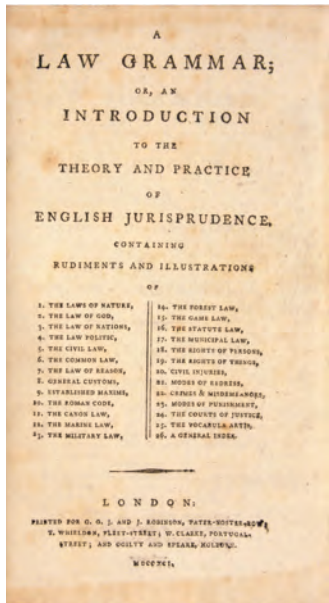
45. [GILBERT, SIR GEOFFREY (1674-1726)].

**The Law of Evidence: With All the Original References, Carefully Compared. To Which is Added, A Great Number of New References, From the Best Authorities. And Now First Published from an Exact Copy Taken from the Original Manuscript. With a Compleat Table to the Whole.**

Dublin: Printed for Sarah Cotter, 1754. [viii], 199, [1], [44] pp. With a 5 pp. subscriber list. Quarto (7-1/2" x 6").



AN AMBITIOUS AND SOPHISTICATED ENGLISH LAYMAN'S GUIDE FROM 1791



46. [GREAT BRITAIN].

**A Law Grammar: Or, An Introduction to the Theory and Practice of English Jurisprudence. Containing Rudiments and Illustrations of 1. The Laws of Nature, 2. The Law of God, 3. The Law of Nations, 4. The Law Politic, 5. The Civil Law, 6. The Common Law, 7. The Law of Reason, 8. General Customs, 9. Established Maxims, 10. The Roman Code, 11. The Canon Law, 12. The Marine Law, 13. The Military Law, 14. The Forest Law, 15. The Game Law, 16. The Statute Law, 17. The Municipal Law, 18. The Rights of Persons, 19. The Rights of Things, 20. Civil Injuries, 21. Modes of Redress, 22. Crimes & Misdemeanors, 23. Modes of Punishment, 24. The Courts of Justice, 25. The Vocubula Artis, 26. A General Index.**

London: Printed for G. C. J. and J. Robinson, 1791. [iii], 544, [8] pp. Bound without half-titles present in some copies. Octavo (8-1/2" x 5").

Contemporary calf, blind fillets to boards, blind fillets and lettering piece to spine. Light rubbing and a few minor scuffs, moderate rubbing to extremities with wear to head of spine, faint vertical crease through spine, rear joint cracked (but secure), crack in text block between final two leaves of index. Light toning to text, light foxing to preliminaries and a few other leaves. \$750.

FIRST EDITION. More ambitious and sophisticated than a typical layman's guide, this anonymous work was clearly intended for a well-educated reader or aspiring lawyer. It provides an overview of common, Roman and other legal systems, a chapter-length law dictionary and an annotated collection of 158 maxims. It is side-noted throughout to passages in books by such authors as Blackstone, Coke, Hawkins, Littleton, Montesquieu and Pufendorf. This book was also reissued in Dublin in 1791. It is star-paged to the London edition. ESTC T112675.

THE LAST REGNAL YEAR BEFORE THE SPANISH-ARMADA

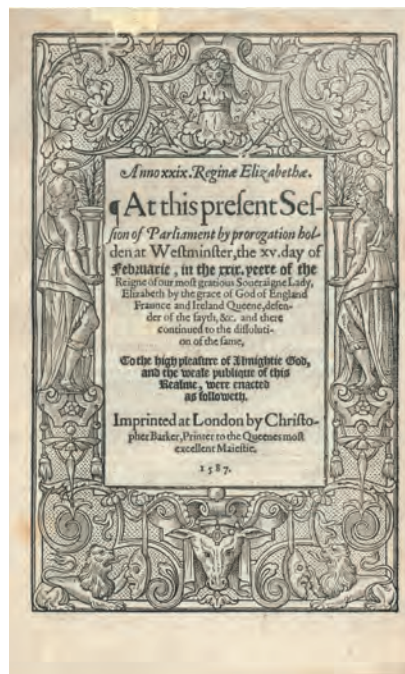
47. [GREAT BRITAIN].  
[STATUTES].  
[ELIZABETH I, QUEEN (1558-1603)].

**Anno XXIX. Reginae Elizabethae. At This Present Session of Parliament by Prorogation Holden at Westminster, The XV. Day of Februarie, In the XXIX. Yeere of the Reigne of Our Most Gracious Sovereigne Lady, Elizabeth by the Grace of God of England Fraunce and Ireland Queene, Defender of the Fayth, &c. And There Continued to the Dissolution of the Same, To the High Pleasure of Almighty God, And the Weale Publique of this Realme, Were Enacted as Followeth.**

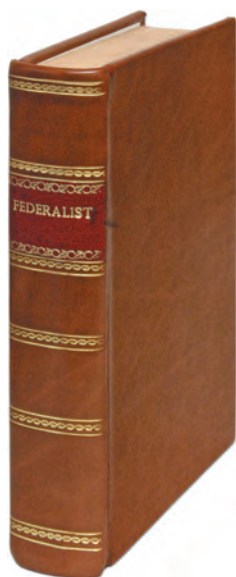
[London: Christopher Barker, Printer to the Queenes Most Excellent Maiestie, 1587]. [84] pp. Collates complete. Folio (10-1/2" x 7").

Nineteenth-century three-quarter calf over marbled boards, gilt title to spine. Light wear to extremities, front hinge cracked. Title printed within woodcut architectural border (Beale Border No. 50), large woodcut decorated initials. Faint dampstaining to heads of a few leaves, internally clean. \$1,950.

THIS VOLUME RECORDS 10 acts for the 29th year of Elizabeth's reign. These include "An Acte for the Continuance and Perfecting of Divers Statutes" and "An Acte to Avoyde Fraudulent Assurances Made in Certaine Cases by Traitours." The *ESTC* records a variant printing of this title (S121564). *ESTC* S4259. Beale S301.



FACSIMILE EDITION IN PERIOD-STYLE CALF BINDING WITH AN ORIGINAL LEAF FROM THE FIRST EDITION, 1788



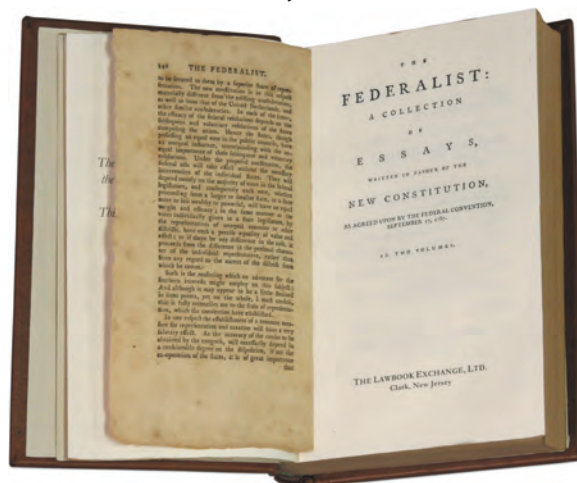
48. [HAMILTON, ALEXANDER, JAMES MADISON AND JOHN JAY].

**The Federalist: A Collection of Essays, Written in Favour of the New Constitution, As Agreed Upon by the Federal Convention, September 17, 1787.**

New-York: Printed and Sold by J. and A. M' Lean, no. 41, Hanover-Square., 1788. 2 volumes in one. vi, 227; vi, 384 pp. Reprinted 2001 by The Lawbook Exchange, Ltd. Period-style calf binding with lettering piece and gilt filets to spine, colored edges. \$950.

final 49 essays in Volume II in May of the same year, along with the text of the Constitution. The essays were intended to encourage ratification of the proposed constitution by New York State, but were immediately recognized as the most compelling commentary on the most radical form of government the world had seen. Hamilton's essays especially express a strong concern for the rights of property over the natural rights of "life, liberty and the pursuit of happiness," as outlined by Jefferson in the Declaration of Independence.

SPECIAL LIMITED NUMBERED facsimile reprint edition, 193 copies, of the very rare 1788 first edition containing an original bound-in leaf. The views of Hamilton, Madison and Jay expressed in this landmark work have had a lasting effect on U.S. Constitutional law. Most scholars agree that 51 of the essays were written by Hamilton, 29 Madison and 5 by Jay. Most of the individual essays appeared under the collective pseudonym "Publius" in New York newspapers and journals from October 27, 1787 to early June 1788. The first edition was published anonymously and printed by the M' Lean brothers, who collected and published the first 36 essays as Volume I in March, 1788, with the

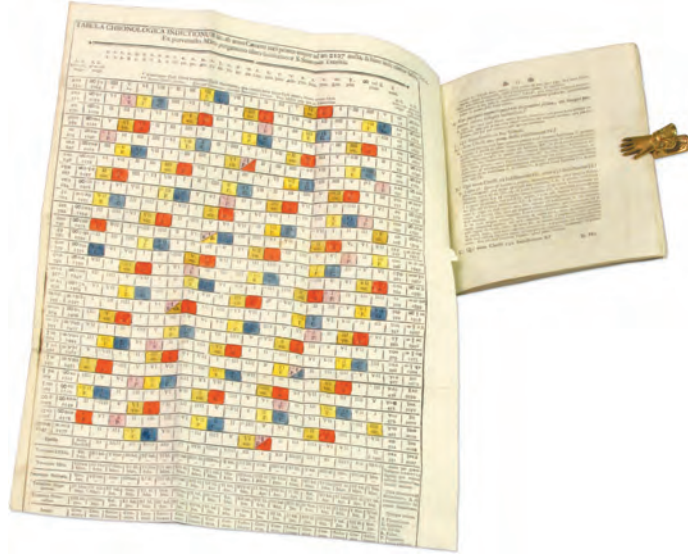


## AN INTERESTING EIGHTEENTH-CENTURY WORK ON THE CHRONOLOGY OF LEGAL CONCEPTS

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

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

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



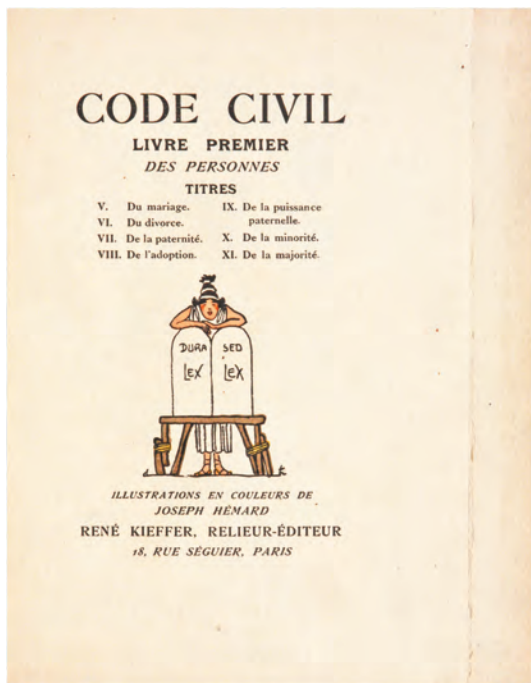
Disbound stab-stitched pamphlet, spine reinforced. Light soiling and a few minor stains to exterior, light rubbing to extremities. Light toning to interior, slightly heavier in places, "T:60" in small early hand to upper right corner of title page. A nice copy of a scarce title. \$600.

ONLY EDITION. An interesting disputation defended before Neller at the University of Trier. It begins with an elaborate discussion of Ancient and Biblical chronology. Its findings are used to establish the priority of legal concepts in Roman, canon and ancient customary law. The folding charts are a concordance of the Christian and Roman calendars. OCLC locates no copies in North America. VD17 13551817-001.

## A WITTY (AND VERY FRENCH) VIEW OF FAMILY LAW

## 50. HÉMARD, JOSEPH [1880-1961], ILLUSTRATOR.

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



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

Original publisher wrappers bound into signed red morocco binding by H. Hoorneart, gilt title over an inlaid vignette of a judge and the scales of justice to front board, raised bands, gilt title and black and gilt ornaments to spine, top-edge gilt, marbled endpapers. Very light fading to spine, light toning to text, vivid illustrations. A nice copy in a notably handsome binding. \$1,500.

FROM AN EDITION LIMITED TO 800 copies, this number 492. Hémard presents the official text of the sections of the French Civil Code dealing with family law with witty, and often mildly erotic, color pochoir illustrations. Hémard applied this treatment to two other legal works *Code Penal* (1940) and *Code General des Impôts Directs et Taxes Assimilées* (1944). Hémard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books.



## HÉMARD'S ILLUSTRATED FRENCH TAX CODE IN A HANDSOME BINDING

## 51. HÉMARD, JOSEPH.

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

Paris: Editions Litteraires et Artistiques/Librairie "Le Triptyque", [1944]. x, 330, [1] pp. Caption and text illustrations, those at beginning of sections are hand-colored (pochoir). Quarto (9-1/4" x 6-1/2").

Illustrated stiff color wrappers bound into contemporary quarter sheep over marbled boards, raised bands, lettering piece and gilt title to spine, top-edge gilt, deckle fore and bottom edges, marbled endpapers, ribbon marker. Light rubbing to extremities, a few shallow nicks and scuffs to boards, light rubbing to spine, minor wear to corners, internally fresh. A handsome copy. \$750.

HÉMARD PRESENTS the official text of the French Tax Code with witty, and often racy illustrations, colored (*au pochoir*) by E. Charpentier. It is a sequel to his *Code Civil: Livre Premier, Des Personnes* (1925) and *Code Penal: Commentaires Images* (c. 1940). The *Code Général* was issued in several forms. Ours is a trade edition of 1,000 copies. It was also issued in a limited edition of 800 numbered copies, the first 145 with an original sheet of text illustrations and a sheet of their original sketches. There is also a signed and numbered edition of 160 printed on Arches paper (*papier vélin*), an edition of 40 non-commercial copies intended for friends and associates (*hors commerce*) and 60 portfolios of the images alone.



Details from N° 52, p. 40

## IMPORTANT COMMENTARIES ON PAPAL DECREES ENHANCED WITH EXCELLENT NOTES

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

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

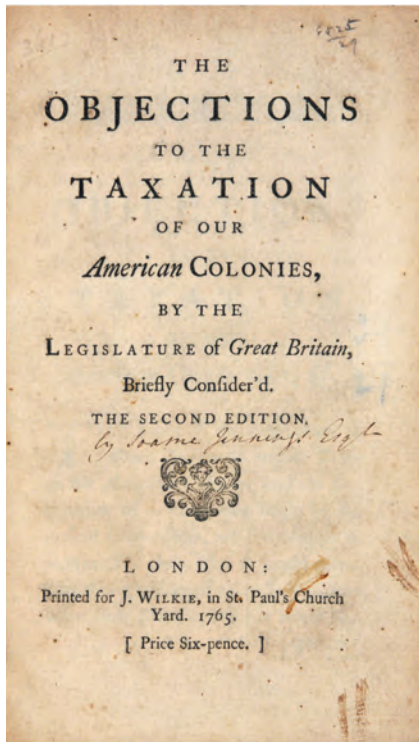
Venice: [Apud Bernardinum Maiorinum Parmensem], 1570. [xvii], 684; [92] pp. Two parts, each with title page. Part II has title beginning: *Margarita, Baldi de Ubaldi Doctoris Eminentissimi iam Aliquot Annos ad Innocentii*

*III. Pont. Max.* Main text in parallel columns. Folio (12" x 8-1/2").

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

FIRST EDITION (in this form). Innocent IV, pope from 1243 to 1254, was one of the most dynamic and influential leaders of the medieval period. He began his career as a lawyer. Educated in law at the Universities of Parma and Bologna, where he may have taught after finishing his studies, he went on to a career as a church official and was considered to be one of the finest canonists of his time. His *Commentaria*, also known as the *Apparatus in Quinque Libros Decretalium*, is an influential commentary on papal decrees in the books of the *Corpus Juris Canonici*. Our 1570 edition is enhanced by the commentary of Roselli and the appended interpretive summary/index by Ubaldi, which includes notes by Legge. A second edition was published in 1571. Both editions of this work are scarce. OCLC locates 6 copies of the first edition in North America (Catholic University of America, Cornell, Emory University, University of Illinois, University of Louisville, Northwestern University Law School, University of Wisconsin). EDIT16 CNCE43060. (See page 39.)

## A PROVOCATIVE DEFENSE OF PARLIAMENT'S POWER TO TAX THE COLONIES



**53. [JENYNS, SOAME (1704-1787)].**

**The Objections to the Taxation of Our American Colonies, By the Legislature of Great Britain, Briefly Consider' d.**

London: Printed for J. Wilkie, In St. Paul's Church-Yard, 1765. 23, [1] pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine, marbled endpapers. Light shelfwear and soiling, corners bumped. Moderate toning and light foxing to text. Light soiling and early annotation, "By Soane Jenyns, Esq., to title page, interior otherwise clean. \$1,650.

SECOND EDITION, published the same year as the first. (Both editions have identical content.) Jenyns, a Member of Parliament, defends the Stamp Act and, more broadly, Parliament's right to tax the colonies. Notably testy and dismissive of Colonial grievances, the pamphlet provoked several responses, most notably *Consideration on Behalf of the Colonists* by James Otis. ESTC T45477. Sabin 36053.

## A TREATISE PRAISED BY HOLDSWORTH

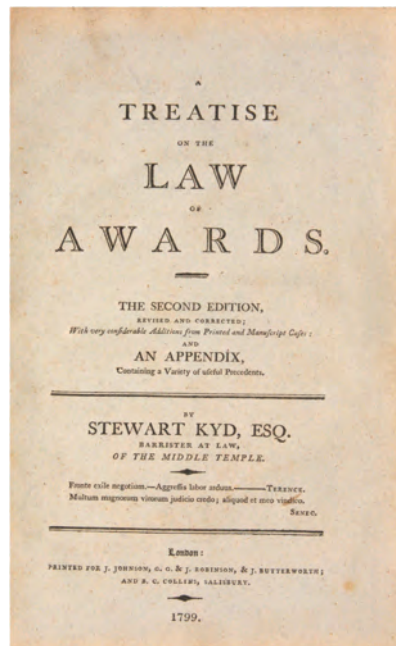
## 54. KYD, STEWART [D. 1811].

**A Treatise on the Law of Awards. Revised and Corrected; With Very Considerable Additions.**

London: Printed for J. Johnson, G. G. & J. Robinson, & J. Butterworth; And B. C. Collins, Salisbury, 1799. [v], viii-xvii, [1], 583, [1] pp. Octavo (8-1/4" x 5-1/2").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and some minor nicks and scuffs to boards and spine, moderate rubbing to extremities, small tear to head of spine, corners bumped and lightly worn, early owner bookplate (of R.W. Clarke) to front pastedown, moderate toning to text. An attractive copy. \$500.

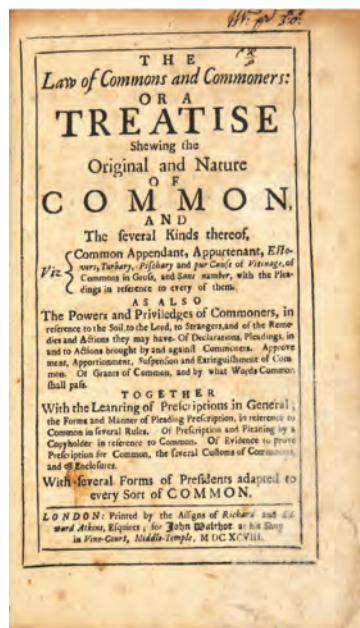
SECOND AND FINAL EDITION. "The best book on [awards] was published by Stewart Kyd in 1791. It is a learned book, which describes historically the growth of the rules on this topic from the Year Books downwards, and discusses intelligently the modern cases both legal and equitable. The author knows a good deal of Roman law, and makes an effective use of some of its rules, which, he thinks, may have influenced the growth of the parallel English Rules" (Holdsworth). The second edition was reissued in Philadelphia in 1808 as the "First American Edition." Holdsworth, *HEL* XII:399. *ESTC* T71520.



## AN ANCIENT ENGLISH RIGHT

55. [LAND LAW].  
[GREAT BRITAIN].

**The Law of Commons and Commoners; Or a Treatise Shewing the Original and Nature of Common, And the Several Kinds Thereof, Viz. Common Appendant, Appurtenant, Estover, Turbary, Peschary and Pur Cause of Vicinage, Of Commons in Gross, and Sans Number, With the Pleadings in Reference to Every of Them. As Also the Powers and Privileges of Commoners, in Reference to the Soil, to the Lord, to Strangers, and of the Remedies and Actions They May Have. Of Declarations, Pleadings, In and to Actions Brought by and Against Commoners. Approvement, Apportionment, Suspension and Extinguishment of Common. Of Grant of Common, and By What Words Common Shall Pass. Together With the Learning of Prescriptions in General; the Form and Manner of Pleading Prescription, In Reference to Common, in Several Rules. Of Prescription and Pleading by a Copyholder in Reference to Common. Of Evidence to Prove Prescription for Common, the Several Customs of commoners, and of Enclosures. With Several Forms of Precedents Adapted to Every Sort of Common.**

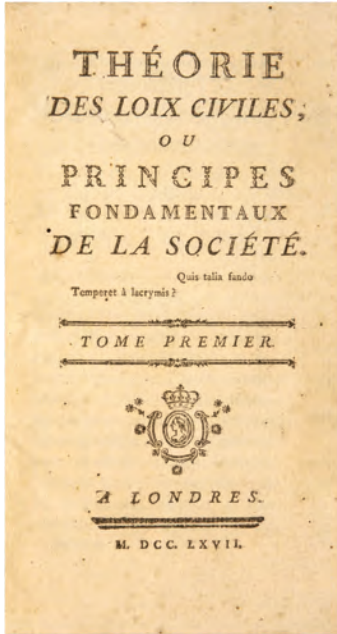


[London]: Printed by the Assigns of Richard and Edward Atkins, 1698. [xxii], 255, [9] pp. With a 2 pp. publisher list (pp. [xxi-xxii]) before main text. Lacking 8 pp. publisher list at end of text. Octavo (7-1/4" x 4-3/4").

Recent period-style calf, blind rules enclosing frames with corner fleurons to boards, raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Light browning and foxing to text, early owner signature to head of title page, careful repair to its lower corner. An attractive copy. \$1,500.

FIRST EDITION. Commons is open and uncultivated land or water owned by a lord to which certain occupiers of adjacent enclosed land have certain rights. These include the right to pasture animals, to fish (peschary), to cut peat (turbary) and to gather wood (estovers). A body of custom and enacted law with origins in the Anglo-Saxon period, commons was long considered a central English right and a cornerstone of the feudal structure. Indeed, the gradual elimination of commons through the series of enclosure acts enacted from 1760 to 1830 triggered widespread social protest. Though the acts were motivated by the needs of modern agriculture, and had a profound effect on the livelihood of small farmers and the poor, they were not attacked on economic grounds, but as violations of the ancient English rights described in the *Law of Commons*. A second edition was published in 1720. *ESTC* R5473.

## AN IDEAL FORM OF GOVERNMENT



## 56. LINGUET, SIMON NICOLAS HENRI [1736-1794].

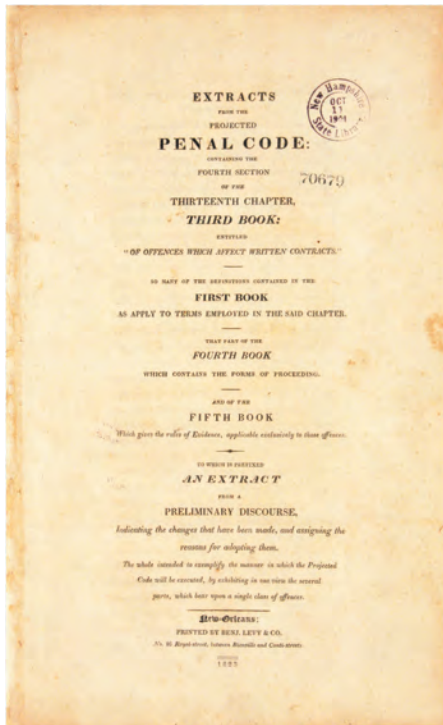
**Théorie des Loix Civiles, Ou, Principes Fondamentaux de la Société.**

"A Londres" (i.e. Paris): S.n., 1767. Two volumes [iv], 496; [iv], 528 pp. 12mo. (6-1/2" x 3-3/4").

Contemporary mottled calf, red and green lettering pieces and gilt ornaments to spine, edges rouged, marbled endpapers, ribbon markers. Light rubbing and a few tiny scuffs to boards, somewhat heavier rubbing to spine and extremities, corners bumped. Light toning to text, slightly heavier in places, light foxing to a few leaves in each volume, tiny inkspot to title page of Volume II. An attractive set. \$850.

FROM THE SAME YEAR as the first edition with corrections. Linguet was a conservative lawyer and journalist who was executed during the Reign of Terror. *Théorie des Loix Civiles*, perhaps the author's most important work, went through several editions and issues, the last in 1787. It outlines an ideal form of government and proposes reforms in taxation, customs and the law. It also defends absolutism and attacks the politics of Montesquieu. Volume I contains extensive discussion of divorce and the position of women in society. *Goldsmiths'* 10377.

## LIVINGSTON SOLICITS OPINIONS ON HIS PENAL CODE FOR LOUISIANA



## 57. LIVINGSTON, EDWARD [1764-1836].

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

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

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

ONLY EDITION. Livingston produced this set of excerpts when he was completing the draft of his *System of Penal Law, Prepared for the State of Louisiana*. He sent copies to James Kent and other distinguished jurists, as well as several politicians and journalists, in order to "point out such of the many errors I must have committed, as you may discover; and suggest such alterations and improvements as may occur to you" [2]. Submitted to the Louisiana state assembly in 1824, Livingston's code marked an epoch in the broad international movement for penal reform. Profoundly influenced by Bentham, it stressed prevention over vengeance in every facet of his work. Never enacted, it nevertheless established itself as one of the great standards for other reformers. Hicks marvels at the scope and clear organization of this code and notes that Bentham, Hugo, Lafayette, Story, Marshall, Madison, Kent and Jefferson considered it "the most comprehensive and enlightened system of criminal law that has ever been presented to the world." OCLC locates 12 copies, 6 in law libraries (George Washington University, Harvard, Loyola, Tulane, University of Michigan, Yale). Hicks 180. Jumonville 395. Cohen 10321.

## FIRST ISSUE OF LIVINGSTON'S LOUISIANA PENAL CODE

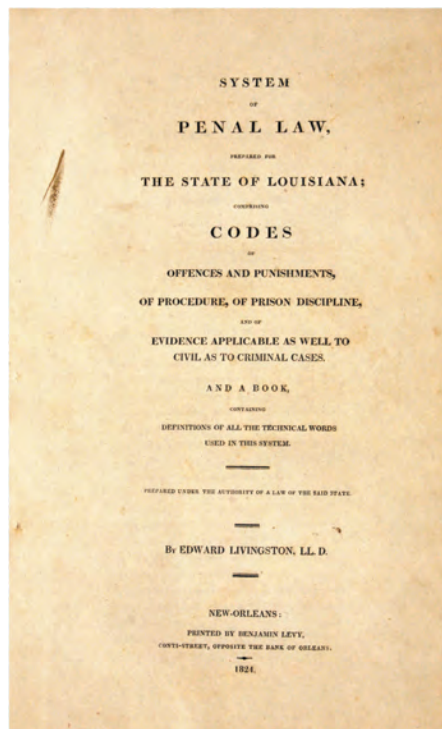
## 58. LIVINGSTON, EDWARD.

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

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

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

FIRST EDITION. Livingston's *Penal Code* marked an epoch in the broad international movement for penal reform. Profoundly influenced by Bentham, it stressed prevention over vengeance. Never enacted, it nevertheless established itself as one of the great standards for other reformers. Jumonville 430. Cohen 10329.



## LIVINGSTON'S LOUISIANA CODE OF CIVIL PRACTICE

## 59. [LOUISIANA].

[LIVINGSTON, EDWARD].

[LISLET-MOREAU, LOUIS (1766-1832)].

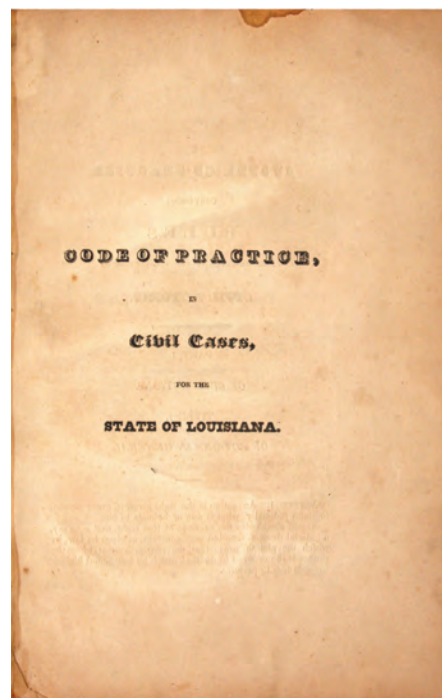
[DERBIGNY, PIERRE (1769-1829)].

**Code of Practice, in Civil Cases, For the State of Louisiana.**

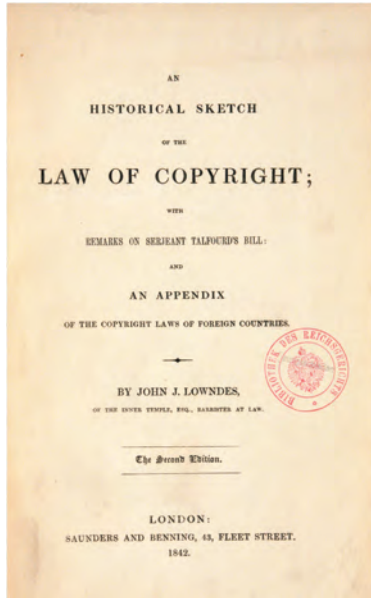
[New Orleans: s.n., c. 1824]. 410 pp. English and French on facing leaves. Quarto (10-3/4" x 7-1/2").

Recent period-style quarter calf over marbled boards, lettering piece, gilt fillets and blind ornaments to spine, endpapers renewed. Light browning and faint dampspotting to text, small darker dampstains to upper margins of preliminaries and a few following leaves. A nice copy in a handsome binding. \$2,500.

FIRST EDITION. This important code was one of a series of codes produced for the Louisiana legislature. Principally the work of Livingston, work on the civil practice code began in 1823. Submitted to the legislature and first published in 1824, it went into effect the following year. Like the other codes it was a decisive influence in the codification movement. It was, for example, the main inspiration and source for the 1848 Field Code of Procedure, which incorporated many of its provisions. Not in Cohen. Babbitt 148. Jumonville 458.



## ONE OF THE FIRST LANDMARK WORKS IN THE FIELD OF MODERN ENGLISH COPYRIGHT LAW



## 60. LOWNDES, JOHN J.

**An Historical Sketch of the Law of Copyright; with Remarks on Sergeant Talfourd's Bill, And an Appendix of the Copyright Laws of Foreign Countries.**

London: Saunders and Benning, 1842. [vii]-xiii, [i], [vii]-viii, 131 pp. Prefaces to the first and second editions bound in reverse order. Octavo (8-3/4" x 5-1/2").

Contemporary paper-covered boards, hand-lettered title label and fragment of library shelf label to spine. Light rubbing and a few minor stains and nicks to boards, moderate rubbing to spine with chipping to ends, joints cracked, backstrip secure, three small library markings to front pastedown, early owner signature to front free endpaper, moderate toning to text, small library stamp to title page. \$950.

SECOND AND FINAL EDITION. This treatise appeared during the formative years of modern English copyright law. Its value was noticed almost immediately after publication. In 1847 Marvin's *Legal Bibliography* said it "contains many interesting facts relative to the small beginnings and early struggles of the press. He has collected a valuable mass of historical information pertaining to the subject, that will be read with interest and profit by all concerned in this branch of learning" It stands today as one of the early landmarks in the field. The preface to this edition, pp. [vii]-xiii, discusses developments in the field since the publication of the first edition (1840). Marvin 477. Sweet & Maxwell 2:220.



A HANDSOME IMAGE OF MIDDLE TEMPLE HALL

## 61. MALCOLM, JAMES PELLER.

[Middle Temple Hall].

London: Published by J.P. Malcolm, October 7, 1800.

Attractively glazed and matted 19" x 16-1/2" color-tinted copperplate in handsome 30" x 25-1/2" wooden frame,

small brass plaque to bottom. Light toning to margins, image vivid. \$650.

THE LOWER MARGIN has the following caption: "Ded' d With Respect to the Hon' e Soc' y of the Mid' e Temple" Middle Temple Hall is the main dining and reception hall of the Middle Temple, one of the principle Inns of Court.

## BLACKSTONE SEEKS ASSISTANCE FROM HIS PATRON

62. [MANUSCRIPT].  
BLACKSTONE, SIR WILLIAM  
[1723-1780].  
[PETTY, LORD WILLIAM, EARL OF  
SHELburnE (1737-1805)].

[Autograph Letter, Addressed to  
"My Lord," Signed "W. Blackstone,"  
London, Inner Temple, March 21,  
1761].

Two-page letter on single 8-3/4" x  
7-1/4" sheet and 5" x 4" copperplate  
portrait of Blackstone (after  
Gainsborough) in attractively matted  
and glazed 19-1/2" x 15-3/4" frame, the  
backing has a window for viewing the  
second side of the letter. Light toning to  
letter and portrait, otherwise fine.

\$6,500.

BETTER KNOWN AS the Earl of Shelburne, William Petty, 1st Marquess of Lansdowne, was an Irish-born British Whig statesman. Among other offices, he was the first Home Secretary in 1782. Leader of the House of Lords in 1782-1783 and, briefly during those two years, Prime Minister. As a young man Petty attended Blackstone's Vinerian lectures in 1755-1756. In 1761 Petty, then a member of king's inner circle, decided to become Blackstone's patron. He applied his influence to get Blackstone elected to Parliament, representing the "rotten" Wiltshire borough of Hindon, and elevated to the prestigious and lucrative rank of king's counsel. He pursued these goals simultaneously, which put Blackstone in an awkward position; if he became a king's counsel and was then elected, he would be required to resign his seat and stand for election again. That is the issue discussed in this letter. Blackstone knew the re-election requirement could be avoided if he was granted a royal patent of precedence instead, which would give him the privileges of a king's counsel. Reading between the lines, it is apparent that Blackstone was hoping that Petty would come to this conclusion and speak to the king on his behalf. Blackstone knew he was asking a favor that would deepen his obligation to Petty. Trying to discern the extent of that obligation is the final point of the letter. He asks "what may be incumbent upon me to do, or whether Your Lordship has any Commands for me: For it would be unpardonable Negligence on my Side, when my great & noble Friends have done so much for me, to let anything miscarry through a Want of Attention to the necessary Forms of Business." Discussed at length in Prest's definitive Blackstone biography, this letter offers fascinating insights into Blackstone's strategies to establish a career beyond Oxford and his efforts to master the intricacies of a client-patron relationship. Prest 180-182.

My Lord  
Inner Temple  
King's Bench Walk, No. 3.  
21 Mar. 1761

Your Lordship will not be surpris'd, that in my critical Situation I am under some kind of Anxiety, & desirous to learn whether any further Step has been taken in regard to the Silk-gown, with which Your Lordship inform'd me the King intend'd to honour me: For, if by any Accident the Favour of that Nomination should be deferred till after the Return for Hindon, it would involve me in a very awkward Difficulty, by immediatly vacating the Seat. Lord Chanceller, from whom I hop'd to have heard some Particulars, is gone out of town this Morning.

When I did myself the Honour to wait on You last, Your Lordship was also pleas'd to say You would make Enquiry what was expected from me with regard to Hindon. Pardon my Sollicitude to know the Event of that Enquiry.

I, like a very raw Countryer, propos'd myself the Pleasure of seeing Your Lordship tomorrow at St James's

but am just now inform'd, that it being Easterday there will be no Drawing Room. I therefore take this Method of enquiring what may be incumbent upon me to do, or whether Your Lordship has any Commands for me: For it would be an unpardonable Negligence on my Side, when my great & noble Friends have done so much for me, to let anything miscarry through a Want of Attention to the necessary Forms of Business. I have the Honour to be, with great Respect & Gratitude,

Your Lordships most oblig'd and  
most obedient Servant  
W. Blackstone.

Sir William Blackstone presents his Compliments to Mr Steevens, & returns Him his Transcript of Sir W<sup>ts</sup> Observations, together with the new ones that have occurred on a transient Perusal of Mr Steevens's second Edition. He will see that Sir W<sup>ts</sup> (Author-like) continues a little prejudiced in favour of One of his Emendations, which Mr Steevens is afraid of proposing: but, to make amends, he has given up another to Mr Steevens's more accurate Judgment.

Sir William would not give Mr Steevens the Trouble to send him any Transcript of these new Observations; having had sufficient Proofs of his Accuracy, to trust them intirely to his Care, and sufficient Knowledge of his Learning & Penetration, to consign ~~them~~<sup>it</sup> wholly to his Decision, whether or not <sup>or any of them</sup> they should be attended on & Publish'd.

Inquiry has been made at the Exchequer; — & if Result is, that nothing can be done there till the Fine is estreated, & then it may be discharged upon Motion supported by Affidavit.

Lincoln's Inn Fields

26 Apr. 1779.

BLACKSTONE DISCUSSES SHAKESPEARE

63. [MANUSCRIPT].  
BLACKSTONE, SIR WILLIAM.  
[STEEVENS, GEORGE (1736-1800)].

[Autograph Letter (in Third Person) to George Steevens, London, Lincoln's Inn Fields, 26 April 1779].

9-1/2" x 7-1/2" bifolium, one page of text, archival guard at inner edge. Light toning, vertical and horizontal fold lines. \$8,500.

ADDRESSED TO THE EMINENT Shakespearean George Steevens, the letter discusses Blackstone's critical notes on Shakespeare, which were ultimately published the following year (after his death) in

Edmund Malone's supplement to the 1778 edition of Shakespeare's plays by Samuel Johnson and George Steevens. Blackstone returns a transcription of the notes "together with the new ones that have occurred on a transient Perusal of Mr Steevens's second edition. He will see that Sir W[illiam] (Author-like) continues a little prejudiced in favour of One of his Emendations, which Mr Steevens is afraid of proposing: but, to make amends, he has given up another to Mr Steevens's more accurate Judgement." He adds that there is no need to send a transcript of the new "observations," and concludes with a note on a legal case: "Inquiry has been made at the Exchequer; - & [the] Result is, that nothing can be done there till the Fine is estreated, & then it may be discharged upon Motion supported by Affidavit."



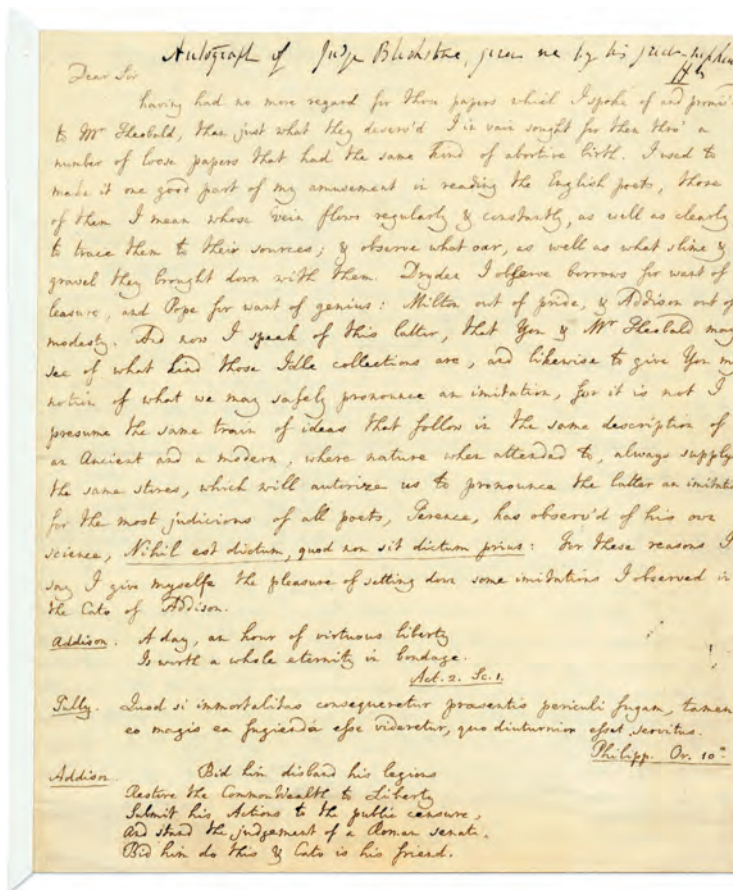
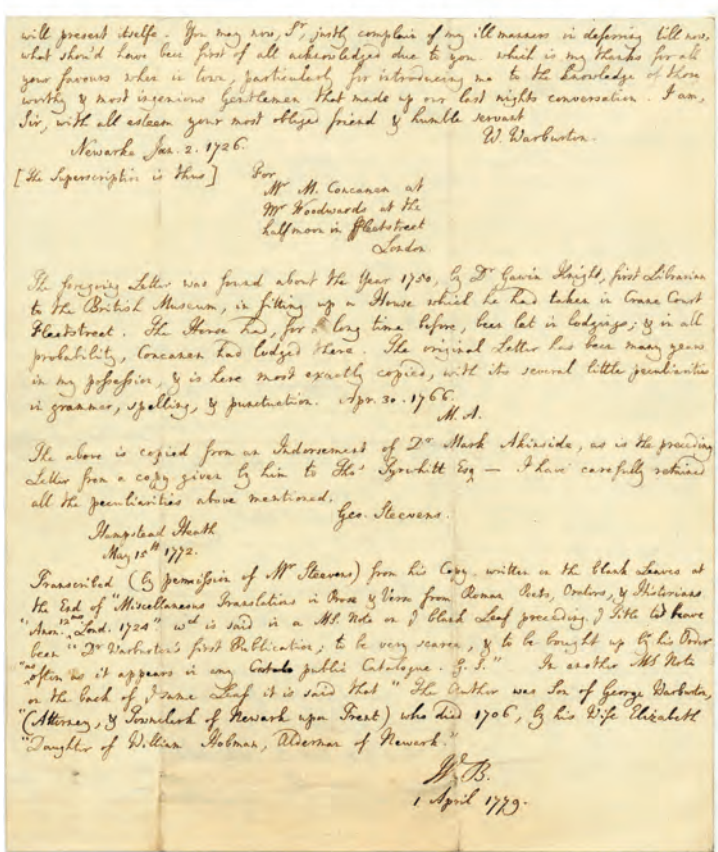
BLACKSTONE'S TRANSCRIPTION OF NOTES BY A NOTABLE CRITIC ON LITERARY IMITATION IN THE WORK OF ENGLISH POETS

64. [MANUSCRIPT].  
BLACKSTONE, SIR WILLIAM  
[1723-1780].  
[WARBURTON, WILLIAM  
(1698-1779)].

[Autograph Transcription, Signed ('W.B.'), 1 April 1779, London, Lincoln's Inn Fields, 26 April 1779].

9-1/2" x 7-1/2" bifolium, four pages of text, archival guard at inner edge. Light toning, vertical and horizontal fold lines. "Autograph of Judge Blackstone, given me by his great-nephew" to head of first page. \$4,000.

THIS AUTOGRAPH transcription is a careful copy of a letter written by Warburton, the churchman, writer and literary critic best known for his editions of Pope and Shakespeare, in 1726. It discusses literary imitation in the works of English poets, especially Addison's *Cato*. The transcription is followed by an original paragraph by Blackstone. He notes that he copied the letter from a copy made by George Steevens [1736-1800], the eminent Shakespeare scholar. He makes a few philological points about Steevens's copy and comments on Steevens's annotations.



## CARDOZO CAN'T RECALL ANY MEMORIES WORTH SHARING

65. [MANUSCRIPT].  
 CARDOZO, BENJAMIN N. [1870-1938].  
 [SHAPIRO, HAROLD ROLAND].

[Autograph Letter, Signed, To Shapiro  
 On Supreme Court Letterhead, March  
 26, 1937].

Single 7-3/4" x 5" sheet. Horizontal fold line  
 though center, tiny inkspot above letterhead,  
 otherwise fine.

[WITH]  
 CARDOZO, BENJAMIN N.

[6-1/2" x 8-1/2" Black-and-White  
 Photograph of Cardozo's Chair in the  
 Supreme Court Courtroom Draped in  
 Black Bunting].

[Washington, DC: *International News  
 Photos*, July 12, 1938]. Light wear to edges,  
 stamps and caption to verso. \$750.

CARDOZO WRITES (in part): "Many  
 thanks for your letter. Alas, I have no  
 reminiscences worthy to be recorded!" Shapiro was an assistant district attorney in New York City and the author of  
 books and articles on a wide range of topics. Shapiro's request for a reminiscence was probably related to one of his  
 writing projects. The photograph's caption reads (in part): "IN MOURNING: The Supreme Court chair of Justice Benjamin  
 N. Cardozo, who died last Saturday, was draped in black today. It was the first time that mourning black was placed on the  
 bench since 1930, when Justice Sanford died."

LETTER REGARDING A CALIFORNIA TRIAL  
 FOR THE 1849 MURDER OF AN AFRICAN-AMERICAN

66. [MANUSCRIPT].  
 DICKINSON, [D]ANIEL S. [1800-1866].  
 [SHERWOOD, WINFIELD S. (1817-1865)].

[Draft of Autograph Letter, Signed, to  
 Winfield Scott Sherwood, Washington,  
 DC, U.S. Senate Chamber, 1850].

Single 10-3/4" x 8" leaf, docketed on verso,  
 some toning, vertical and horizontal fold lines,  
 a few later annotations in tiny hand. Letter  
 accompanied by biographical sketch clipped  
 from a contemporary source and a lithograph  
 portrait plate removed from an unidentified  
 book. \$500.

A RETAINED DRAFT of a letter by Daniel  
 S. Dickinson, a U.S. Senator from New York,  
 concerning the trial of Reuben Withers Jr. for  
 the murder in California of an African-American  
 named "Bones." Addressed to former New York  
 politician Winfield S. Sherwood, a signer of  
 the California Constitution of 1849, candidate  
 for governor, and later district judge, the letter

introduces Reuben Withers's brother, New Orleans banker Dunham Withers, and asks Sherwood to make sure Reuben  
 receives a fair trial. Reuben Withers Sr. was president of the Bank of New York; his son Dunham was a representative to  
 the southern states for the New York banking firm of Howland & Aspinwall. David Dunham Withers of New Orleans was  
 a noted thoroughbred horseman and president of the racing organization that became the Jockey Club. Senator Daniel S.  
 Dickinson previously served as lieutenant governor of New York and later as its 27th attorney general. Dickinson was a  
 potential candidate in 1864 for vice president to Abraham Lincoln.

1823 DOCKET BOOK FROM PLYMOUTH, MASSACHUSETTS

67. [MANUSCRIPT].  
[MASSACHUSETTS].

[Docket Book, Court of  
Common Pleas, Plymouth,  
Massachusetts, 1823].

[26], [110] pp. Includes 3 thumb-  
tabbed indexes. Folio (13-1/2" x  
8-1/2").

Three-quarter calf over marbled  
boards, lettering piece reading  
"Dockets/ 1823" to spine. Worn,  
about 45% of marbled paper  
lacking from boards, lower half of  
backstrip perished, hinges cracked,  
several signatures loose and lightly  
edgeworn. Moderate toning,  
occasional faint dampstaining and  
light soiling, entries in bold and  
legible hand. \$750.



THE PRESIDING JUDGE of this court was John Mason Williams [1780-1869], one of the original four justices appointed to the Court of Common Pleas and its second chief justice. A resident of Taunton, Judge Williams served as justice of the Plymouth Court of Common Pleas until 1839 "when he was appointed to be chief justice, and continued to serve in that capacity until 1844, when he resigned. Judge Williams met the requirements of the statute in every respect. He was a man of abundant learning in the law and of the highest character, of unimpeachable integrity and purity, of great dignity of demeanor, and of unflinching courtesy of manner" (Emery). The three indexes in this docket book correspond to the three court terms in 1823. Several well-known Massachusetts family names appear in this docket, such as Ames, Cushing, Norton, Shaw, Sprague and Washburn. Emery 553.

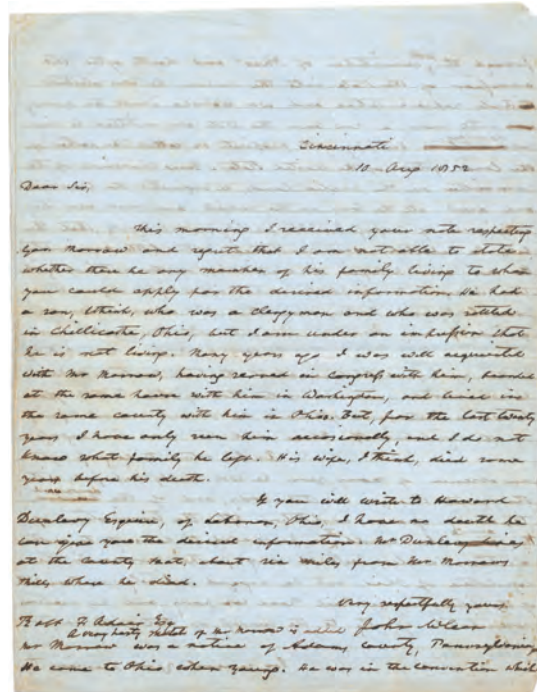
MEMORIES OF OHIO GOVERNOR JEREMIAH MORROW  
BY AN ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT

68. [MANUSCRIPT].  
MCLEAN, JOHN [1785-1861].  
[ADAIR, ROBERT F.]  
MORROW, JEREMIAH (1771-1852)].

[Autograph Letter, Signed, To Robert F. Adair,  
Cincinnati, OH, August 10, 1852].

Single leaf folded to form bifolium and a single leaf, all  
10-1/2" x 8-1/2," franked on verso of single leaf. Content  
in neat hand to rectos and versos of bifolium leaves. Light  
toning, vertical and horizontal fold lines, small losses at wax  
seal causing very small text loss, but no loss of legibility,  
minor edgewear and a few short tears to margins. This  
letter is accompanied by a contemporary 4-1/2" x 3-1/2"  
copperplate portrait of McLean (on a 9" x 6" leaf). \$950.

A SUBSTANTIVE 4-1/2 page letter by U.S. Supreme  
Court Associate Justice John McLean about late Ohio  
congressman, senator, and governor, Jeremiah Morrow,  
who died five months earlier. McLean had served in  
Congress with Morrow. Appointed by President Andrew  
Jackson, McLean is best remembered today as the senior  
Supreme Court justice, and one of only two justices, who  
dissented in *Dred Scott v. Sandford*. During the 1850s, when  
Chief Justice Roger B. Taney was frequently ill, McLean who  
presided over the Court. In this letter, McLean replies to a  
query about Morrow from Robert F. Adair and here appends a four-page memoir of his late friend. Robert F. Adair of  
Maysville, Kentucky may possibly be silversmith Robert Farris Adair (1833-1907). Justice McLean writes: "Many years ago  
I was well acquainted with Mr. Morrow, having served with him in Washington, and lived in the same county with him in  
Ohio." McLean directs Adair to write to "Howard Dunlevy Esquire" who lived only six miles from Governor Morrow. Almost  
like a postscript, McLean writes "[a] very hasty sketch of Morrow." Much more than a sketch, it almost four pages in length  
and includes biographical facts and, more interestingly, personal observations, anecdotes and judgments.





DOCUMENTS RECORDING LAND TRANSACTIONS WITH NATIVE AMERICANS IN NEW JERSEY

69. [MANUSCRIPT].  
[NATIVE AMERICANS].  
[NEW JERSEY].

[Manuscript Indentures and Related Survey Map Recording Land Transactions with Native Americans].  
Monmouth County, NJ, 1744-1753.

Four items in all comprising three 12" x 8" indentures and a 10" x 8" survey, all docketed on versos. Light browning and some spotting, fold lines, light edgewear, some tears along folds, one item split neatly along horizontal fold. \$6,000.

RECOGNIZED BY THE COLONIAL GOVERNMENT of New Jersey, Indian land indentures allowed settlers to purchase land directly from Native Americans. In the first of these documents, Andrew Wolley, King of the Crosswicks Indians, sells land to John Lawrence "... lying on the S. side of Asanpink River beginning at Jacob Jameson's NE corner ... containing about 150 acres." The price was 3 pounds 7 shillings. The other indentures, also to John Lawrence, are from Peter Tule, dated June 10, 1747, and Peter Tewley, dated May 9, 1753. Tule and Tewley are also identified as "Indian," but no tribe name is given in any of the documents. John Lawrence was from a family of early settlers of Monmouth county who were known for being loyal Tories during the Revolutionary War. Andrew Woolley became King of the Crosswicks Indians after his uncle, Weequehela, was executed for murdering Captain John Leonard in 1727 while intoxicated.

#### A MANUSCRIPT PARAPHRASE OF JUSTINIAN'S INSTITUTES

70. [MANUSCRIPT].  
[ROMAN LAW].  
[CORPUS IURIS CIVILIS].

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

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

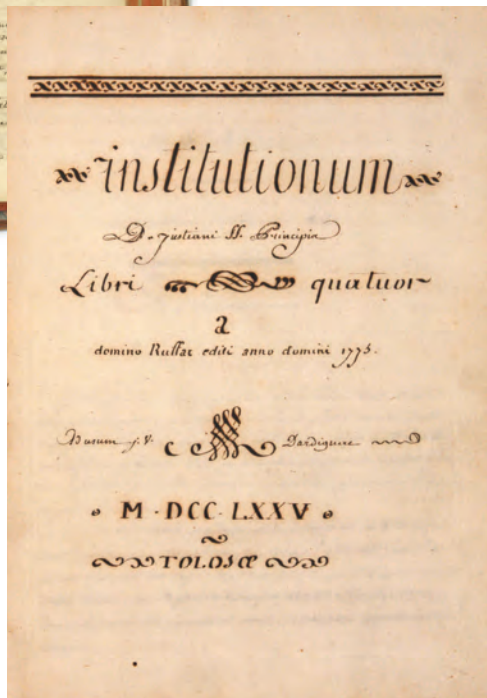
Contemporary mottled calf, raised bands gilt ornaments and gilt title (reading Instiit/ Justin) to spine, edges

rouged, marbled endpapers. Light rubbing and a few minor nicks to boards, moderate rubbing to extremities, chipping to head of spine, corners somewhat worn. Moderate toning to interior, text in neat hand. A handsome item. \$1,250.

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



Details from N° 70



ACCOUNT BOOK OF A NOTABLE NINETEENTH-CENTURY CANADIAN

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

[Account Book].

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

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



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

\$850.

## THE FIRST CONVICTED AMERICAN SLAVE TRADER, A WIFE'S PLEA FOR MERCY

Balt<sup>e</sup> March 20<sup>th</sup> 1822

Dear Sir I beg leave to ask you, to excuse the liberty I have taken, to address a few lines, to you whom I have never seen, I am ready to believe, you will forgive me, when I inform you I am the disconsolate wife, of the unfortunate Joseph F. Smith, who is now confined in Boston Jail, for being taken by the American armed vessel the Cyane, in the midst of a combat and happiness, enjoyed by the American Citizens, which from the smiles and gaiety I see daily, I am ready to exclaim, woe is me, or why is my lot cast continually Misery and pain, or why am I to linger out a miserable existence, like one born out of due time, My dear Sir, it is needless for me, to attempt to give you any information concerning my unhappy husband, as you were a witness to his trial and condemnation, yet I must inform you we were not more than three months married, before he took his leave of me, and he has not yet returned. And, oh, heavens, had I only known what voyage he was going, he should never have left me, no, he should still been with me and both been happy tho in poverty, I have done all that lay in my power for Mr Smiths release and restoration, I have three times seen the President

## 72. [MANUSCRIPT].

[SLAVERY].

SMITH, DARCAS (MRS. JOSEPH F.)

[DAVIS, JOHN (1761-1847)].

## [Autograph Letter, Signed, to Judge John Davis, Baltimore, March 20, 1822].

Two 9-3/4" x 7-3/4" leaves, content in fine hand to both, second leaf franked and docketed on verso. Light toning, vertical and horizontal fold lines, minor loss at wax seal with no loss to text, few minor chips and tears to second leaf. A rare document, unknown to the American historian who recently published a detailed account of the Smith case. \$4,500.

PLAINTIVE PLEA FOR MERCY addressed to Davis, judge of the United States district court for the district of Massachusetts, by the "disconsolate" wife of 29 year-old Baltimore sea captain Joseph Findley Smith, the first American convicted under the U.S. laws of 1808 and 1818 outlawing the transatlantic slave trade. In April 1820 Smith's schooner, the Plattsburgh, was captured off the West African coast by the U.S. Naval warship *Cyane*. While the Plattsburgh had no African natives aboard, it had been secretly outfitted as a slaver in Cuba with 50 sets of slave shackles, a set of deck cannons and a portfolio of fictitious papers of "Spanish" ownership. Smith was arrested and taken to Boston, where, in a trial presided over by U.S. Supreme Court Justice Joseph Story in January 1821, he was found

guilty. With Monroe's hope that he would be "made an example of," sentenced to a five-year jail term. The trial was a small media sensation.

More than a year later, while Smith begged Monroe for a pardon, the "decent but poor girl" he had married just before sailing for Africa met with the President and Story. Both men were sympathetic to this "suffering daughter of America"; Story advised her to have her husband confess to and apologize for his crime and implicate the secret owners of his ship and their Cuban confederates. The impoverished Smith, who had not profited at all from the illegal voyage, complied, and was released from jail on August 30, 1822. Mrs. Smith wrote (in part) to the federal judge who had presided at a related slave-trade trial: "We were not more than three months married, before he took his leave of me, and he has not yet returned. And, oh, heavens had I only known what voyage he was going he should never have left me, no, he should still been with me and both been happy in poverty. I have done all that lay in my power for Mr. Smith's release and restoration. (...) I sincerely pray you, to aid and assist me, in having my dear husband released and restored to me once more. Africks [Africa's] coast shall never see him again. Mercy is a darling attribute in which I am willing to believe you highly prize. (...) I hope you will excuse a suffering daughter of America. Stretch forth your hand to raise a suffering fellow creature." See Chambers, *No God but Gain: The Untold Story of Cuban Slavery, The Monroe Doctrine, and the Making of the United States* (2015), which describes this case.

JUSTICE VAN DEVANTER EXPLAINS THE ORGANIZATION OF THE SUPREME COURT AND CIRCUIT COURTS TO AN INQUIRING BOY

73. [MANUSCRIPT].  
VAN DEVANTER, WILLIS [1859-1941].  
[SCHWARTZ, LOUIS].

[**Typed Letter, Signed, To Louis Schwartz, On Personal Letterhead, April 16, 1929.**]

Single-sided letter on two 10-1/2" x 8" sheets, signed "Willis Van Devanter." Light toning, faint vertical and horizontal fold lines, tiny staple holes to head of first sheet, tiny staple holes to head and foot of second sheet.

[WITH]  
VAN DEVANTER, WILLIS.

[**7" x 9-1/2" Black-and-White Press Photograph of Justice Van Devanter Addressing a Newreel Camera.**]



[New York: Acme Newspictures, May 24, 1937]. Minor wear and crinkling to edges, caption, stamps and annotations to verso. \$850.

ADDRESSED TO "Master Louis Schwartz," this letter describes the organization of the Supreme Court and the Federal Circuit Courts. It appears to be a reply to a set of questions submitted by Schwartz; the final line of Van Devanter's letter reads "I trust what has been said will be found by you to be a sufficient answer to your inquiries." The caption pasted to the verso of the photograph reads: "Justice Van Devanter Withdraws to His Farm. Justice Willis Van Devanter, whose resignation from the Supreme Court bench takes effect June 2nd, poses for newsreel cameraman James Lyons, on his farm, May 23rd. The retiring justice will spend much of his time on his acres near Ellicott City, MD., When he steps down from the bench." Appointed by President Taft, Willis Van Devanter was an Associate Justice of the Supreme Court of the United States from January 3, 1911, to June 2, 1937. For his conservatism, he was known as one of the Four Horsemen, along with Pierce Butler, James Clark McReynolds, and George Sutherland; the four would dominate the Supreme Court for over two decades.

SIGNED OATH OF OFFICE OF AN IMPORTANT NEW YORK JURIST, PATRIOT AND ANTI-FEDERALIST

74. [MANUSCRIPT].  
[YATES, ROBERT (1738-1801)].

[**Signed Oath of Office as Chief Justice of the State of New York.**]

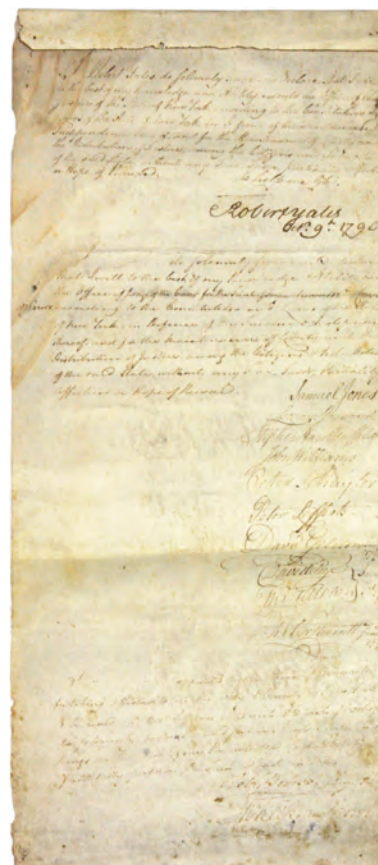
[Albany], October 9, 1790.

18-3/8" x 8-1/4" vellum document, inscribed in neat clerical hand, signed and dated by Yates and twelve other judges and the state attorney general.

Light soiling, horizontal fold lines, light edgewear with a few minor chips.  
\$2,500.

BENEATH THE COPY OF THE Chief Justice's oath, signed and dated by Yates, is the oath of office as a Judge of the Court of New York State, which is signed by ten judges. Beneath that oath is one for Commissioners for taking Affidavits, signed by two officers, and, on the verso, the oath of office of Attorney General of the State of New York, signed by Morgan Lewis.

Robert Yates, a Revolutionary patriot and jurist, was admitted to the bar at Albany in 1760. During the Revolution, he represented Albany in four provincial congresses and served on the committee of safety. He was one of three New York representatives to the 1787 Constitutional Convention, but he left the convention with his colleague John Lansing when they felt the delegates were overstepping their mandate to revise the Articles of Confederation. Their withdrawal left Federalist Alexander Hamilton as New York's sole delegate. In 1790, Yates was appointed the Chief Justice of New York, a post memorialized in the present document and which he held until 1798, when he reached the mandatory retirement age of 60. The ten judges who signed below their own oath of office (substantially in the same form as Yates' s) feature a number New York State luminaries, including delegates to the Continental Congress, members of the state legislature, and delegates to the New York Constitutional Convention: Samuel Jones, Leonard Gansevoort, Stephen Rensselaer, John Williams, Peter Schuyler, Peter Lefferts, David Gelston, David Pye, Thomas Tillotson and Philip Van Cortlandt.



RECORDS OF A LAWYER IN WEST CHESTER,  
PENNSYLVANIA, 1871-1901

75. [MANUSCRIPT ARCHIVE].  
HAYES, WILLIAM M.

[Legal Correspondence, Documents, and Other Papers of Attorney William M. Hayes of Chester County, Pennsylvania].

West Chester, PA, and elsewhere, 1871-1901.

63 items comprising approximately 77 pages, sizes range from 5" x 3" to 14" x 8-1/2." Manuscript in ink to most rectos and versos. Light to moderate toning, fold lines, minor wear and soiling. \$750.

THIS ARCHIVE INCLUDES INCOMING and outgoing correspondence and other papers kept by attorney William M. Hayes of Chester County, Pennsylvania. Highlights include three letters by James F. Wood [1813-1883], the first Catholic archbishop of Philadelphia, concerning a church established for the benefit of factory laborers and an affecting letter from a semi-literate client who can't pay his bill. Seven legal documents seen within the collection include a paper book, a release, the texts for two auction announcements and a deed containing a plat map. It also includes receipts, canceled checks and other financial papers. A distinguished citizen of West Chester, Hayes was the father of Prof. John Russell Hayes of Swarthmore College, president of the West Chester Electric Railway, solicitor for the Wilmington and Northern Railroad Co. and a prominent Freemason.



N° 76

A NOTABLE PHILADELPHIA ATTORNEY WRITES TO JAMES MADISON AND OTHERS

76. [MANUSCRIPT ARCHIVE].  
INGERSOLL, CHARLES JARED [1782-1862].  
[MADISON, JAMES [1751-1836],  
AND OTHER RECIPIENTS].

[Letters from Ingersoll to James Madison and Others].

Philadelphia or Washington, D.C. 1825-1848.

6 letters comprising 11 pages, sizes range from 7-1/4" x 3-1/2" to 10" x 8." Manuscript in ink. Light to moderate toning, fold lines, minor wear and soiling. \$950.

THE SON OF JARED INGERSOLL [1749-1822], Continental Congressman and Signer of the U.S. Constitution, Charles Jared Ingersoll was a Philadelphia lawyer and Pennsylvania U.S. District Attorney and Congressman. This small but interesting collection of letters are representative of his equally distinguished legislative and judicial careers.

The addressees in our group of letters include former U.S. President James Madison, lawyer and later Mayor of Philadelphia John Morin Scott and John Young Mason, jurist and then U.S. Secretary of the Navy. The letter to Madison introduces a French nobleman visiting America who wishes "to examine its institutions." The letter to Scott concerns *The Postmaster General v. Eldred &c. of Ridgway*, a legal case he was hearing in

the Court of the U.S. Eastern District of Pennsylvania. In 1844, while serving as U.S. Representative from Pennsylvania in the 28th Congress, Ingersoll wrote a letter to Richard E. Stillwell providing a detailed response to a request for a professional memoir. Ingersoll's letter of July 17, 1844 to E.L. Burd of Chestnut Street in Philadelphia accedes with the latter's request for an introduction to the newly appointed U.S. Minister to France, William Rufus King. Burd's reply the next day was written upon the same bifolium and returned to Ingersoll with Burd's "sincere thanks."

In 1847 Samuel Grice of Kensington in Philadelphia, trying to obtain a midshipman warrant in the navy for his nephew, Samuel J. Deacon, wrote Ingersoll for his help. When no immediate action was taken by the Secretary of the Navy, John Young Mason [1799-1859], Deacon himself appealed to Ingersoll via letter on April 17, 1847. In turn, Congressman Ingersoll (without endorsement or comment) forwarded the letter to the Secretary of the Navy that same day to support his case. Writing to an unnamed recipient, Ingersoll's letter of March 25, 1848 sends along an unauthorized Philadelphia imprint concerning his thoughts "on the Mission to Italy" during the Risorgimento of 1848. This letter was written when he was Chairman of the U.S. House of Representatives' Committee on Foreign Affairs.





GENERAL PORTER FIGHTS HIS COURT MARTIAL AFTER THE SECOND BATTLE OF BULL RUN

77. [MANUSCRIPT ARCHIVE].  
 PORTER, FITZ JOHN [1822-1901].  
 [ABBOTT, JOSIAH GARDNER (1814-1891)].

[Autograph Letters Signed, To Josiah Gardner Abbott Concerning the Politically Motivated Court Martial Proceedings Against Him].

Morristown, New Jersey and New York City, August 26, 1865 to April 24, 1878.

16 letters comprising approximately 60 pages, sizes range from 8" x 5" to 9-3/4" x 7-3/4." Light to moderate toning, fold lines, light edgewear, some chips to margins, a few causing minor loss to text but not (legibility), all letters written in fine legible hand. \$3,000.

ADDRESSED TO AN IMPORTANT Massachusetts politician, Porter's letters discussing the event that defined his otherwise distinguished life and career, his 1862 court martial, which resulted in his dismissal from the army. This was one of the most infamous scandals of the Civil War. At the Second Battle of Bull Run in August 1862, he had orders from Major General John Pope, about whom he was openly critical, that instructed

Porter to attack the Confederate forces of Stonewall Jackson on the right while maintaining contact with a nearby Union division—a contradiction that left Porter no choice but to use his own judgment. Knowing that a larger Confederate force had arrived to reinforce Jackson, which Pope was not aware of, Porter called off the attack. Pope repeated the orders the next day and Porter complied, which led to a disastrous defeat. Furious, Pope relieved Porter of his command. It was reinstated by General McClellan. However, Porter was court-martialed and dismissed after the controversial McClellan was replaced by President Lincoln. He devoted the following years to a campaign to clear his name. In 1878, a year after the final letter, a special commission exonerated him. He was reinstated to the Army roll in 1886. These letters offer a perspective on Porter's relationship with Abbott, a long-time friend and supporter of his case and a member of Congress from 1876 to 1877. They refer often to the politics of the day as well as personal matters; Grant and Lincoln are mentioned often. The letters show the two men shared a political alliance with George McClellan, who ran for President against Lincoln in 1864 and considered running against Ulysses Grant in 1868. It is obvious that Porter is a staunch Democrat who blames Republicans for making him a political whipping boy.

## FIRST EDITION OF THE FIRST ENGLISH TREATISE ON FAMILY LAW

78. [MARRIAGE LAW].  
[GREAT BRITAIN].

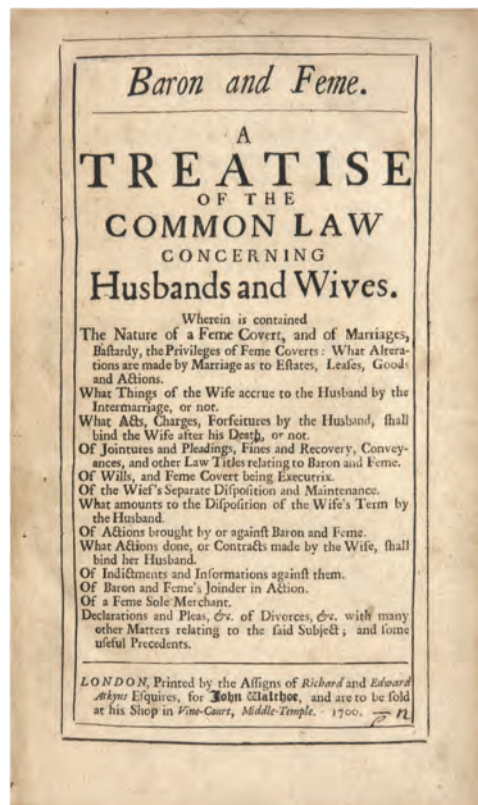
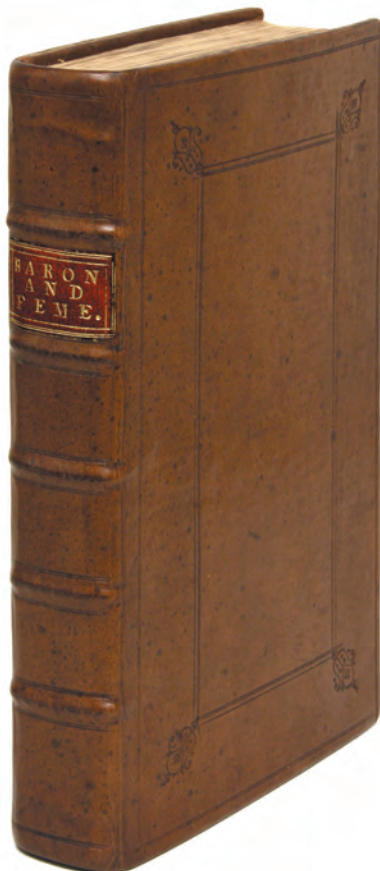
**Baron and Feme: A Treatise of the Common Law Concerning Husbands and Wives. Wherein is Contained the Nature of a Feme Covert, And of Marriages, Bastardy, The Privileges of Feme Coverts: What Alterations are Made by Marriage as to Estates, Leases, Goods, and Actions. What Things of the Wife Accrue to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



London: Printed by the Assigns of Richard and Edward Atkyns Esquires, for John Walthoe, 1700. [xxxii], 380. [36] pp. Main text preceded by publisher advertisement; this copy does not have the additional advertisement leaves that follow the text in some copies. Octavo (7-1/2" x 4-1/2").

Recent period-style paneled calf, raised bands and lettering piece to spine, gilt tooling to board edges, endpapers renewed, early hand-lettered title to fore-edge of text block. Light toning to text, somewhat heavier in places, light foxing and faint stains to a few leaves. A very nice copy in a handsome binding. \$6,500.

FIRST EDITION. Passing through subsequent editions in 1719 and 1738, this was the first English treatise devoted exclusively to family law. It is a broadly conceived work. "I have herein considered Baron and Feme in all the circumstances of life, from the solemnization of marriage to the divorce, and have not omitted ' those collateral by-blows. (the title of bastardy making a considerable figure in our books;) and the variety of the matter made me some attonement for the labour" (To The Reader). According to the introduction, the anonymous author seems to have also been the author of the earlier *Infants Lawyer: Or the Law (Ancient and Modern) Relating to Infants* (1697). Sweet & Maxwell 1:498 (2). ESTC R6177.



## APPEALING COPY OF THE 1742 ACTS AND LAWS OF MASSACHUSETTS

## 79. [MASSACHUSETTS].

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

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

[BOUND WITH]

**The Table [to the Acts].**

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

[AND]

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

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



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

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

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

## 80. [MASSACHUSETTS].

[CONSTITUTION].

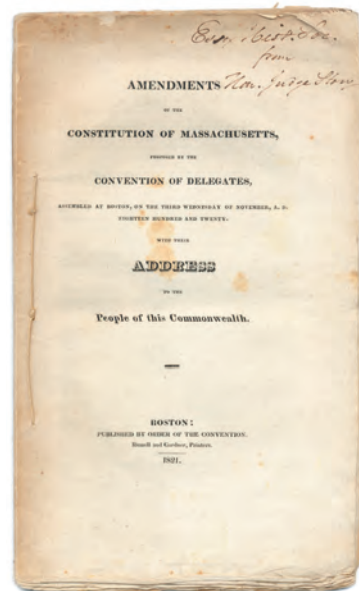
[STORY, JOSEPH (1779-1845)].

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

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

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

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



## STANDARD SIXTEENTH-CENTURY TREATISE ON LAWS CONCERNING CHILDREN



## 81. MAURUS, MARCUS VERTRANIUS.

**De Iure Liberorum Liber Singularis.**

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

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

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

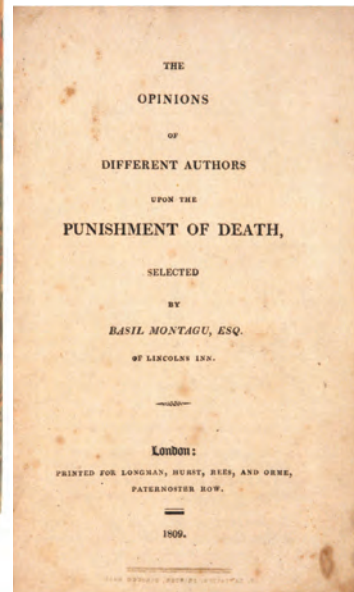
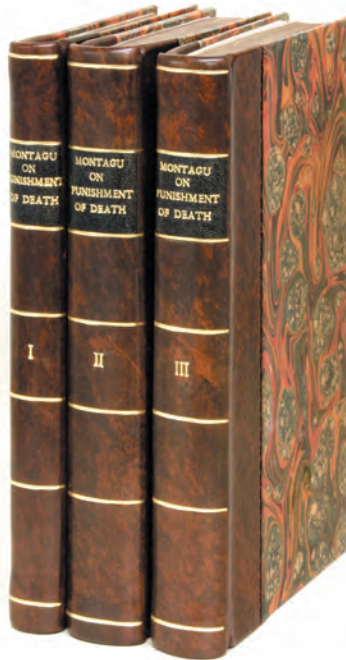
## MONTAGU'S ANTHOLOGY OF WRITINGS ON CAPITAL PUNISHMENT

82. MONTAGU, BASIL  
[1770-1851], EDITOR.**The Opinions of Different Authors  
Upon the Punishment of Death.**

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

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

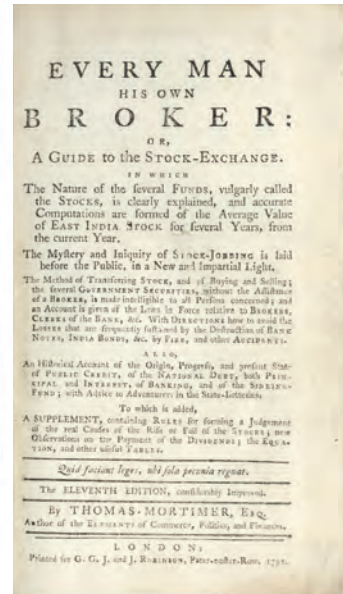
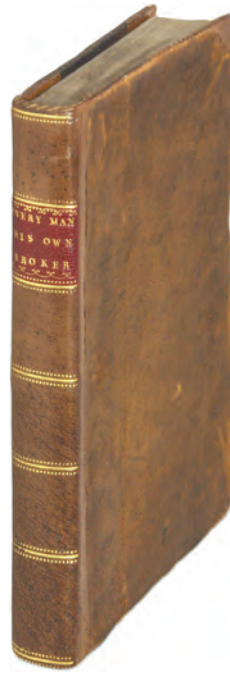
FIRST EDITION. Lawyer, versatile legal author, philanthropist and reformer, Montagu is best known for his tireless efforts to reform bankruptcy law and abolish capital punishment, work he pursued with considerable success. A remarkable work of research, *Opinions* is an anthology of writings from 62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



## EVERY MAN HIS OWN BROKER: A POPULAR EIGHTEENTH-CENTURY ENGLISH HANDBOOK

## 83. MORTIMER, THOMAS [1730-1810].

**Every Man His Own Broker: Or, A Guide to the Stock-Exchange.** In Which the Nature of Several Funds, Vulgarly Called the Stocks Is Clearly Explained, And Accurate Computations are Formed of the Average Value of East India Stock for Several Years, From the Current Year. The Mystery and Iniquity of Stock-Jobbing is Laid Before the Public, In a New and Impartial Light. The Method of Transferring Stock, And of Buying and Selling; The Several Government Securities, Without the Assistance of a Broker, Is Made Intelligible to All Persons Concerned; And an Account is Given of the Laws in Force Relative to Brokers, Clerks of the Bank, &c. With Directions How to Avoid the Losses that are Frequently Sustained by the Destruction of Bank Notes, India Bonds, &c. By Fire, And Other Accidents. Also, An Historical Account of the Origin, Progress, And Present State of Public Credit, Of the National Debt, Both Principal and Interest, Of Banking, And of the Sinking-Fund; With Advice to Adventurers in the State-Lotteries. To Which is Added, A Supplement, Containing Rules for Forming a Judgment of the Real Causes of the Rise or Fall of the Stocks; New Observations on the Payment of the Dividends; The Equation, And Other Useful Tables.



London: Printed for G.G.J. and J. Robinson, 1791. xxiv, 263, [1] pp. Engraved fold-out "Table of Equation." 12mo (6-7/8" x 4-1/8").

Contemporary sheep, carefully rebacked and re-cornered, lettering piece and gilt fillets to spines, hinges mended, negligible toning to text. Faint pencil marks to margins in some places, interior otherwise clean. An excellent copy. \$1,250.

LATER EDITION, "Considerably Improved." This popular guide was first published in 1761 and was later translated into German, Dutch, French and Italian. It appeared at a time when Great Britain was codifying its position as the most sophisticated commercial empire in the world. At the time of the eleventh edition stock in the East India Company held an allure comparable to shares in internet start-ups in the mid-1990s. As his lengthy sub-title suggests, Mortimer was critical of brokers and hostile toward speculators and jobbers. However, his detailed advice offers one of the best accounts of stock trading in the second half of the eighteenth century. *Goldsmiths'* 14941.45.

## 1584 TOTTEL EDITION OF THE OLD NATURA BREVIUM

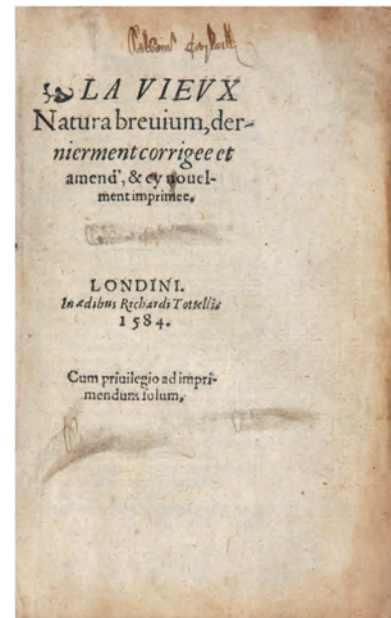
## 84. [NATURA BREVIUM].

**La Vieux Natura Brevium, Dernierment Corrigeé et Amendé, &c. Nouvelment Imprimee.**

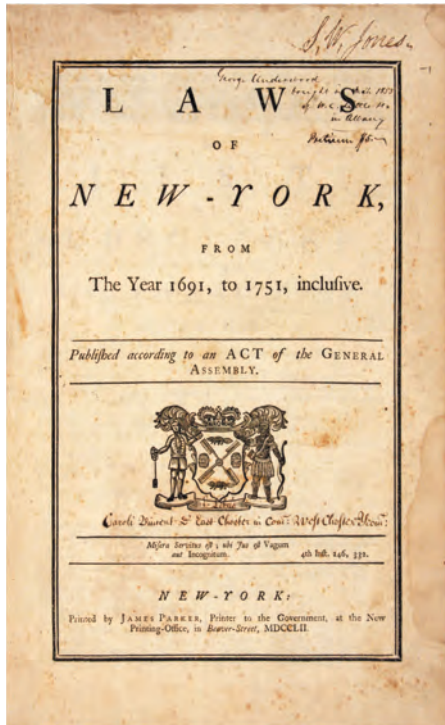
London: In Aedibus Richardi Tottelli, 1584. 180, [4] ff. Collates complete. 12mo. (5-3/4" x 4").

Contemporary calf, blind-stamped insignia and monogram "WC," and later blind stamp "SC" to upper corner, raised bands. Moderate rubbing to extremities with wear to spine ends and corners, front hinge starting. Occasional light dampstaining. Despite these minor impediments, a well-preserved, highly desirable copy in its original state. \$1,500.

NATURA BREVIA ARE BOOKS containing writs with descriptive commentary. They were indispensable handbooks for lawyers and clerks. This edition stands apart from the numerous editions produced during the sixteenth century because it was printed by Richard Tottell [fl. 1553-1594]. Tottell was an important London printer who owned the patent for many common law books. Walker, *Oxford History of Law* 867. ESTC S113106. Beale T97.



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



85. [NEW YORK].

[LIVINGSTON, WILLIAM (1723-1790), COMPILER].  
[SMITH, WILLIAM, JR. (1728-1793), COMPILER].

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

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

[BOUND WITH]

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

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

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

FIRST EDITION. With a rare 8-page printing of the *Ordinance*.

This volume was commissioned by the colonial assembly in order to codify the body of laws that had accrued since becoming a crown colony in 1690. The importance of this publication and New York is evident in its subscriber list, a virtual "who's who" of colonial statesmen, such as Benjamin Franklin, James De Lancey and Charles Pinckney. It appears that fewer than 200 copies of this volume were printed, counting the 169 subscriber copies and three official copies produced for the colony. Our copy is enhanced by the inclusion of the 1710 *Ordinance*. Bibliographically distinct according to Evans and Benedict, it appears to be an integral part of our copy. An annotation on the front free endpaper states this copy was purchased at Parker's shop for "30 sch n.york Currency-February 5th: \*A.D. 1755. Florat Lex." Another annotation at the foot of the same leaf reads: "Stamford Nov. of 4th 1782. This certifies that this Book was taken a prize & condemned according to Law. Jabez Fitch Capt. Volunteers." (Fitch, 1752-1838, organized the Connecticut regiment that he commanded.) A note on the title page says this book was purchased in Albany in 1853 from W.C. Little, the notable law bookseller and publisher. The *Ordinance* printing in our copy not in Tower, Babbitt or the *ESTC*; OCLC locates 2 copies (New-York Historical Society, New York State Library). Evans 6897, 6898. Benedict 345, 325.

HANDSOME 1789 FOLIO EDITION OF NEW YORK LAWS  
WITH TWO INTERESTING LAID-IN MANUSCRIPT NOTES

86. [NEW YORK].

[JONES, SAMUEL (1734-1819), COMPILER].  
[VARICK, RICHARD (1753-1819), COMPILER].

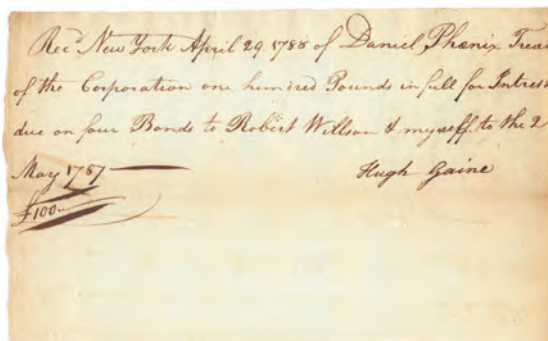
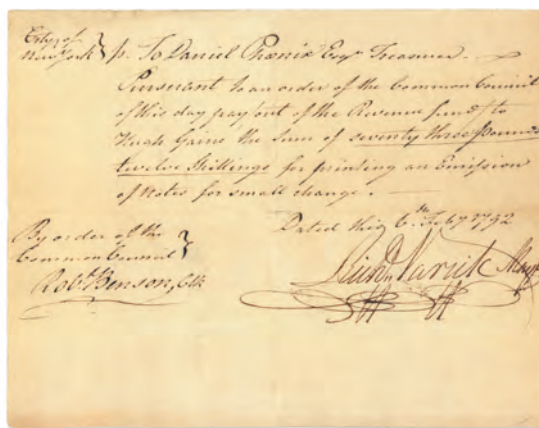
**Laws of the State of New-York, Comprising the Constitution, And the Acts of the Legislature Since the Revolution, From The First to the Twelfth Session, Inclusive. Published According to an Act of the Legislature, Passed the 15th April, 1786.**

New York: Printed by Hugh Gaine, 1789. Two volumes bound as one. [iv], 336, [12], xii, [2]; [ii], 471, [17] pp. Two laid-in manuscript notes, 5-3/4" x 8," 6" x 8." Folio (10" x 15").

Contemporary calf, blind fillets to boards, "Leonard Bronk" gilt-stamped to center of front board, rebacked retaining existing spine with raised bands and lettering piece, spine ends repaired, hinges mended. Light rubbing to boards and extremities, moderate rubbing to board edges, corners bumped. Moderate toning, light foxing in a few places, offsetting to margins of preliminaries and rear endleaves. \$4,850.

THE FIRST VOLUME of collected New York laws printed after the ratification of the U.S. Constitution and the second issued after the American Revolution, the 1789 compilation contains laws passed 1778 through 1789, regulating such topics as governance, mortgages, debtors, land, slaves, New York City, criminal and marital law, rape, liquor and exports. Also

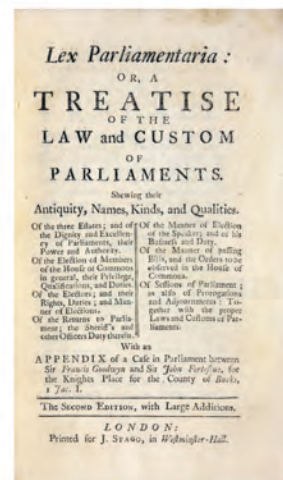
includes an interesting law in King's county (Brooklyn) and Queen's county (Queens) establishing a 40 shilling fine to those carriages traveling from the City of New York that fail to give right of way to carriages going toward the city. Also includes the Constitution of the State of New York, passed April 20, 1777. The laid-in notes are quite interesting. The first is a contract between New York City Mayor Richard Varick and Hugh Gaine dated February 7, 1792. It directs the city treasurer to pay Gaine 73 pounds for "printing an emission of notes for small change." Issued two months before the establishment of the U.S. Mint, this note is essentially an authorization by the State of New York to issue fractional currency. The U.S. Constitution prohibited states from issuing paper money, but it appears that a few states and municipalities issued notes, or at least authorized them, in the early 1790s. Backed by the faith and credit of the issuer, these notes for small change were a response to the scarcity of coinage and the fluctuating value of copper. Such documents are rare, especially ones from New York, and offer important insights into early U.S. banking history and the interplay of federal and state rights. The other document is a note of acknowledgement for interest received on a bond from the N.Y. City treasurer signed by Hugh Gaine. The former owner of this book, Leonard Bronk [1751-1828], was a judge and member of the New York State Assembly. He was descended from Jonas Bronck, the Dutch settler whose estate formed the basis of the present-day New York City Borough of the Bronx. Benedict 408. Tower 632.



ENLARGED EDITION OF AN IMPORTANT WORK THAT ADVANCED WHIG IDEOLOGY

87. [PETYT, WILLIAM (1636-1707), ATTRIBUTED].

**Lex Parliamentaria, Or, A Treatise of the Law and Custom of Parliaments. Shewing Their Antiquity, Names, Kinds, And Qualities. Of the Three Estates; And of the Dignity and Excellency of Parliaments, Their Power and Authority. Of the Election of Members of the House of Commons in General, Their Privilege, Qualifications, And Duties. Of the Electors; And Their Rights, Duties; And Manner of Elections. Of the Returns to Parliament; The Sheriff's and Other Officers Duty Therein. Of the Manner of Election of the Speaker; And of His Business and Duty. Of the Manner of Passing Bills, And the Orders to be Observed in the House of Commons. Of Sessions of Parliament; As Also of Prorogations and Adjournments: Together with the Proper Laws and Customs of Parliaments. With an Appendix of a Case in Parliament Between Sir Francis Goodwyn and Sir John Fortescue, For the Knights Place for the County of Bucks, 1 Jac. I. With Large Additions.**

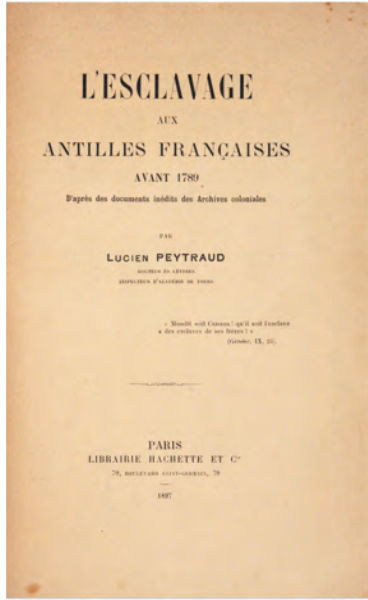


London: Printed for J. Stagg. [c.1701]. [x], 434, [1] pp. Includes two one- page publisher advertisements. Octavo (7-1/2" x 4-3/4").

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

SECOND EDITION, with "Large Additions." Formerly attributed to George Petyt. *Lex Parliamentaria* is an early handbook on parliamentary procedure. It is notable for its strongly Whiggish ideology. Published shortly after the end of the Glorious Revolution--a period that witnessed the deposition of King James II, the passage of the Bill of Rights and the accession of his daughter and her husband as queen and king--it asserts Parliamentary supremacy and the inferiority of monarchs. It was highly regarded by the American Founding Fathers. Jefferson, for example, owned a copy of this edition and often recommended it to others. Sowerby 2893 (1690 1st Ed.). ESTC R8206.

## SLAVERY IN THE FRENCH WEST INDIES INCLUDING THE CODE NOIR



## 88. PEYTRAUD, LUCIEN PIERRE.

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

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

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

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

## A RARE COLLECTION OF FRENCH LEGAL AND POLITICAL APHORISMS

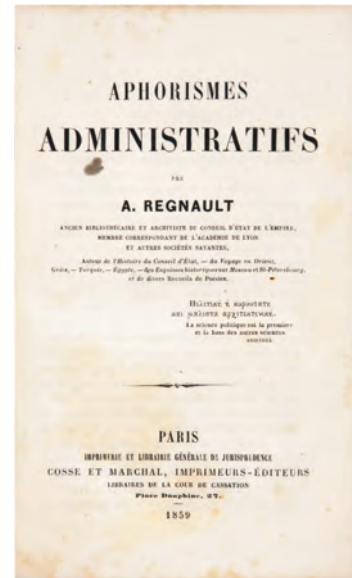
## 89. REGNAULT, AMABLE [1798-1897].

**Aphorismes Administratifs.**

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

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

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



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

90. ROBINSON, BOARDMAN [1876-1952].  
[BECKER-ROSENTHAL MURDER TRIAL].**Mr. Justice Precedent.**

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

THIS PIECE WAS CREATED to illustrate "Leaden Footed Justice in New York State," an article that appeared in the Special Feature Section of the *New York Tribune* on Sunday, March 1, 1914. The caption reads: "Mr. Justice Precedent wearing his famous wig composed entirely of split hairs and adorned with the ceremonial crimson tape." The caption refers to the protracted nature of the Becker-Rosenthal Murder case, which began on October 7, 1912, restarted on May 2, 1914 and finally concluded after a series of procedural events in 1915. The case involved a group of corrupt police offices led by





Charles Becker who ran a protection racket on illegal casinos. Becker hired gangsters to kill a casino owner, and rival gangster, who was threatening to expose the racket. A breathtaking example of police corruption, the investigation and trial was front-page news in New York for months. In the end Becker was sent to the electric chair at Sing Sing. (This was the first time a police officer received the death penalty). The case lived on for several years in the popular imagination; it is mentioned, for example, by Meyer Wolfsheim in *The Great Gatsby* (1925).

Robinson, the creator of this illustration, was a distinguished artist, illustrator and cartoonist. A native of Nova Scotia, he studied art in Boston and completed his training in Paris at the Académie Colarossi and the École des Beaux-Arts, both in Paris. "Mr. Justice Precedent" shows his affinity, acquired in Paris, for the work of Daumier, Forain and Steinlen. Robinson produced work for several newspapers and periodicals. He created "Mr. Justice Precedent" when he was an editorial cartoonist for the *Tribune*, a position he held from 1910 to 1914. The piece is signed twice, the second signature is part of a mostly illegible (and undated) inscription to an attorney.

#### AUTHORITATIVE TREATISE ON FORESTRY LAW

#### 91. RUGINELLI, GIULIO CESARE [D.1628].

**De Arboribus Controversis Resolutionum Liber Singularis. Ex Quibus Omnes Sere de Hac re Disceptationes Facile Dirimi Possunt. Cum Additione Indice, Summariis, Aliisq; Opportunis Auctus.**

Milan: Sumptibus Ioseph de Rossetis, 1688. [viii], 230, [1] pp. Quarto (7-1/2" x 5-1/2").

Contemporary calf, gilt spine with raised bands, early hand-lettered title to foot of text block. Rubbing with some wear to extremities and spine, minor spotting and a few small scuffs, boards slightly bowed, partial crack between front free endpaper and title page. Title page with small woodcut device printed in red and black, attractive woodcut head-pieces, tail-pieces and decorated initials. Occasional faint dampstaining to foot of text block, worming to top edge of about a dozen leaves with no loss to text. Two small early owner signatures to title page, minor smudges and spark burns to a few leaves, interior otherwise fresh. An attractive copy. \$650.

LATER EDITION, ENLARGED. With index. This is a treatise on forestry law and legislation in Roman law that discusses trees, roots, branches, flowers and fruit. An authoritative work, it went through several editions, the final appearing in 1824. Few copies of any edition are held in North American libraries. OCLC locates 2 copies of the 1688 edition (Harvard Law School, New York Botanical Garden Library). This edition not in the *BMC*.



## "EVERYTHING TO MY WIFE"

92. SADLER, WALTER DENDY, AFTER.  
JAMES DOBIE, ENGRAVER.

**The New Will: "Everything to My Wife Absolutely."**

London, Paris & New York: Rafael Tuck & Sons Ltd, [c. 1894].

Attractively glazed and double-matted 19" x 16" hand-colored etching in handsome 29" x 26" wooden frame, small brass plaque to center of bottom. Light rubbing to frame, some toning to margins and matte, image vivid. \$1,250.

THIS PIECE DEPICTS a presumably newlywed couple reviewing the terms of the husband's will with a barrister in his office. The caption reads "The New Will (Everything to My Wife Absolutely." This is an ambiguous scene. The husband, who appears somewhat smug, is significantly older than the wife, who looks rather sad. The barrister appears skeptical. Does the bride regret her choice to marry for money? Was she compelled to enter this union? Is the husband a dying man?



A RARE SIXTEENTH-CENTURY EDITION OF AN IMPORTANT SET OF PRAETORIAN EDICTS

93. SALVIUS, JULIANUS [D.C. 169 CE].  
RANCHIN, GUILLAUME [1559-1605], EDITOR.

**Edictum Perpetuum a Salvio Juliano Jurisc. Compositum. A Gulielmo Ranchino in Mospeliensi Schola Antecessore, & In Suprema Subsidiarum Curia Occitana Fiscii Advocato, Restitutum.**

Paris: In Officina Plantiniana, 1597. [xxviii], 78, [1]; [xii], 88, 80 pp. Two parts in one, the second in two parts, both with title page and individual paginations. Part two is a work by Ranchin titled *Variarum Lectionum Libri Tres*. Octavo (6-1/2" x 4").

Seventeenth-century calf, gilt rules to boards, gilt-edged raised bands, lettering piece and gilt ornaments to spine, speckled edges. A few minor nicks and scuffs, moderate rubbing to extremities, front board just beginning to separate, but quite secure, corners bumped, rear hinge cracked. Light toning to text, foxing to first half of text block. An attractive copy of a rare imprint. \$1,850.

FIRST EDITION. Ordered by Emperor Hadrian, the *Edictum Perpetuum* is the definitive establishment of the praetorian edicts as revised by the second-century Roman jurist Salvius Julianus. This final revision was permanent; the right of the praetors to modify it was abolished. The text of this important first edition was edited by Ranchin, a French jurist and professor of law in Montpellier, who has added his set of comments printed as side-notes. The second part, *Variarum*



N° 93

*Lectionum Libri Tres*, is a collection of brief essays by Ranchin on various legal themes and classical texts. The first edition of this work is rare. OCLC locates 1 copy in North America (Harvard Law School). We located 2 other copies (Emory University Enoch Pratt Free Library). Walker 393, 1101. *USTC* 146571.

## GIVE TO THE CHURCH, NOT TO YOUR CHILDREN

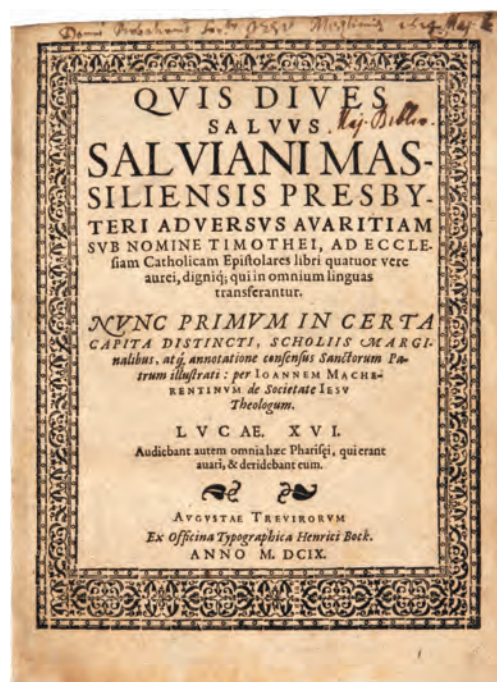
94. SALVIAN (SALVIANUS) [c.390–c.484 CE].  
MACHERENTINUS, JOHANNES [1540–1610], EDITOR.

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

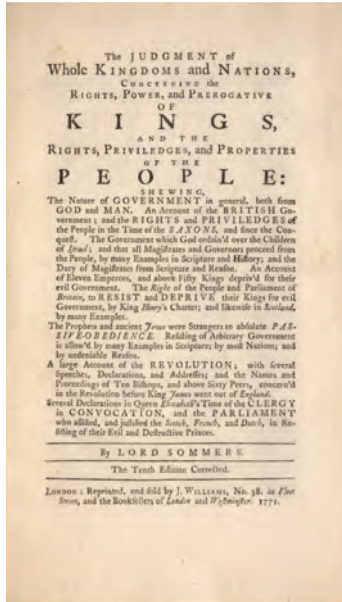
Trier: Ex Officina Typographica Henrici Bock, 1609. 28, 226, [10] pp. Quarto (7-1/4" x 6-1/4").

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

FIRST EDITION (by Macherentinus). Salvian of Gaul was an important Christian thinker and canonist of the fifth century. Enhanced with arguments drawn from canon law, his *Adversus Avaritiam* outlines reasons to give alms to the church. More interesting, it says parents should bequeath their estates to the Church rather than their children; it is better for children to suffer want in this world to save their parents from damnation in the next. Salvian also has much to say on the duty of self-denial by priests, nuns and monks. Macherentinus, the editor of this edition, was a Jesuit theologian. OCLC locates no copies of this edition in North America. *VD17* 39:129323G.



## CLASSIC ESSAY ON THE RIGHTS OF ENGLISHMEN



## 95. SOMERS (SOMMERS), LORD [JOHN]

[1651-1716], ATTRIBUTED.

DEFOE, DANIEL [1661?-1731], ATTRIBUTED.

DUNTON, JOHN [1659-1733], ATTRIBUTED.

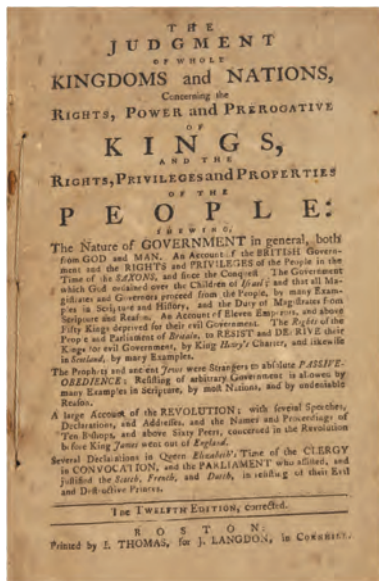
The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power and Prerogative of Kings, And the Rights, Priviledges, And Properties of the People: Shewing, The Nature of Government in General, Both from God and Man. An Account of the British Government; And the Rights and Priviledges of the People in the Time of the Saxons, And Since the Conquest. The Government Which God Ordain'd Over the Children of Israel; And that All Magistrates and Governors Proceed From the People, By Many Examples in Scripture and History; And the Duty of Magistrates From Scripture and Reason. An Account of Eleven Emperors, And Above Fifty Kings Depriv'd for Their Evil Government. The Rights of the People and Parliament of Britain, To Resist and Deprive Their Kings for Evil Government, By King Henry's Charter, And Likewise in Scotland, By Many Examples....

London: Reprinted and Sold by J. William, 1771. [viii], 168 pp. Octavo (7-1/2" x 4-1/2").

Nineteenth-century three-quarter calf over marbled boards, raised bands and lettering piece to spine. Moderate rubbing to boards and extremities, light chipping to head of spine, corners bumped, front hinge starting. Light toning to text, light foxing to a few leaves. An attractive copy. \$950.

TENTH (STATED) EDITION, corrected. This highly popular tract was first published in 1709 with the title *Vox Populi, Vox Dei, Being True Maxims of Government*. Somers, a barrister of the Middle Temple, was Lord Chancellor of England and the author of *The Security of Englishmen's Lives* (1681), a tract on juries and one's right to a jury trial. The present work outlines the development of English freedoms, and calls for religious freedom, resistance to tyranny and a limited monarchy. It found a ready audience in the colonies on the eve of the American Revolution and was issued by presses in Philadelphia, Boston and Newport. It was read by several Founding Fathers, including Thomas Jefferson, who owned the 1773 Philadelphia imprint. This work is attributed sometimes to John Dunton or Daniel Defoe. See Sowerby 2712. ESTC T29265.

## ISSUED ON THE EVE OF THE REVOLUTION



## 96. SOMERS (SOMMERS), LORD [JOHN],

ATTRIBUTED.

DEFOE, DANIEL, ATTRIBUTED.

DUNTON, JOHN, ATTRIBUTED.

The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power and Prerogative of Kings, And the Rights, Priviledges and Properties of the People: Shewing the Nature of Government in General, Both from God and Man. An Account of the British Government and the Rights and Priviledges of the People in the Time of the Saxons, And Since the Conquest. The Government Which God Ordained Over the Children of Israel; And that All Magistrates and Governors Proceed From the People, By Many Examples in Scripture and History, And the Duty of Magistrates From Scripture and Reason. An Account of Eleven Emperors, And Above Fifty Kings Deprived for Their Evil Government. The Rights of the People and Parliament of Britain, To Resist and Deprive Their Kings for Evil Government, By King Henry's Charter, And Likewise in Scotland, By Many Examples....

Boston: Printed by I. Thomas, For J. Langdon, In Cornhill, [1773]. 144 pp. Octavo (7-3/4" x 4-3/4").

Contemporary quarter-sheep over paper-covered boards. Moderate rubbing to boards and extremities with some wear to spine ends and corners, partial crack between front free endpaper and title page, rear hinge starting. Light to moderate

browning and light foxing to text, early owner signature ("Beriah Curtis") to endleaves and head of p. 16, later signature ("L.R. Ashanau/1899") to rear pastedown. An appealing copy. \$1,850.

TWELFTH (STATED) EDITION, "corrected," the probable second American edition of this work. Some sources, such as Evans and Cohen, date this imprint to 1774. Isaiah Thomas's copy, now owned by the American Antiquarian Society, bears his handwritten date of 1773. ESTC W27538. Cohen 6372.



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

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

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

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

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

FIRST EDITION. Sordi's treatise examines the Roman law of husband and wife and parent and child and their application to recent law in Venice and other northern Italian states. It was first published in 1594. Widely circulated throughout Italy and Central Europe, it went through other editions in 1595, 1602, 1612, 1619, 1625 and 1643. All editions are rather scarce. OCLC locates 4 copies of the first edition in North America, 2 of them in law libraries (Library of Congress, University of Minnesota). EDIT16 CNCE39760.



A DEFENSE OF THE LORDS SPIRITUAL

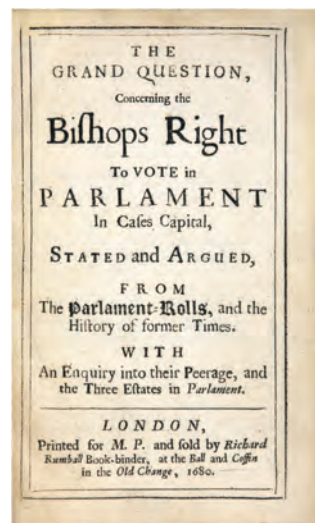
98. [STILLINGFLEET, EDWARD (1635-1699), ATTRIBUTED].

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

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

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

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



## HANDSOME FIRST EDITION OF THE FIRST SUBSTANTIAL TREATISE ON THE AMERICAN CONSTITUTION

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

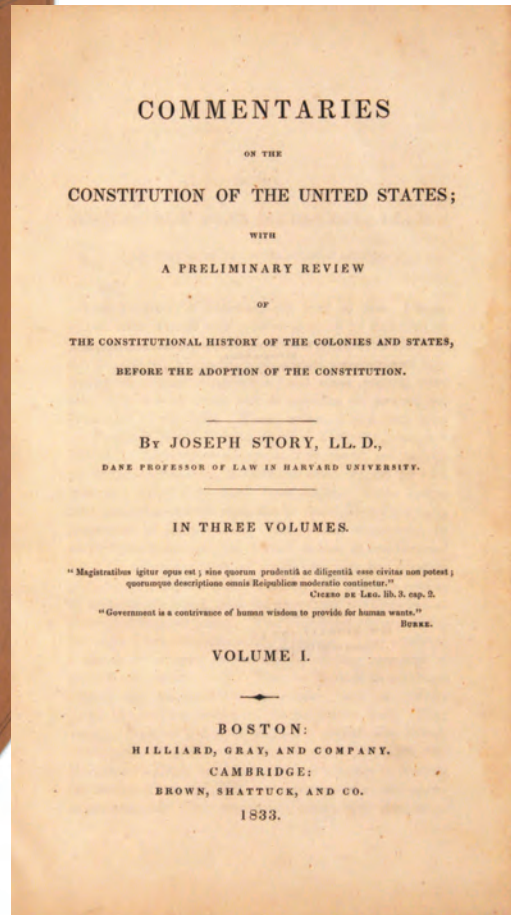
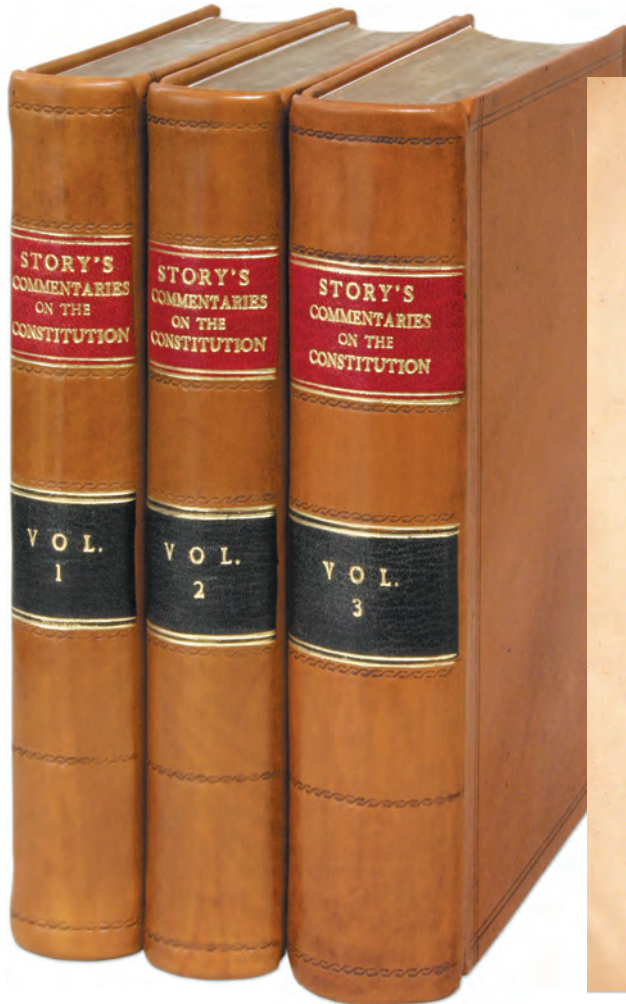
**Commentaries on the Constitution of the United States; With a Preliminary Review of the Constitutional History of the Colonies and States, Before the Adoption of the Constitution.**

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

Recent period-style calf, blind rules to boards, red and black lettering pieces and blind fillets to spine, endpapers renewed. Internally clean and bright. A handsome set. \$8,500.

FIRST EDITION. Story's *Commentaries* was the most substantial and influential work written on the American Constitution between the publication of the *Federalist* and the Civil War, and it remains an

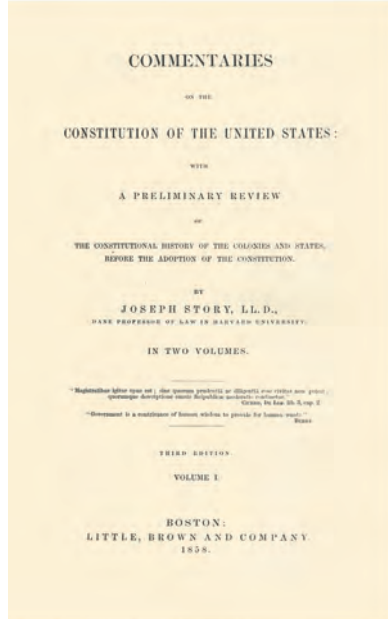
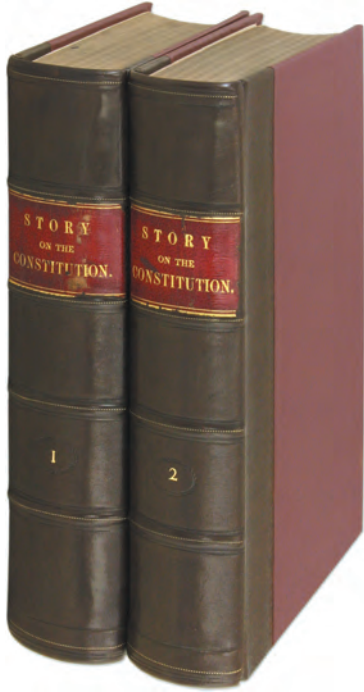
important work today. Written while Story was Dane Professor at Harvard Law School and an Associate Justice of the Supreme Court, it presented a strongly Nationalist interpretation. It is divided into three books. Book I contains a history of the colonies and discussion of their charters. Book II discusses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



THE LAST EDITION OF STORY'S COMMENTARIES ON THE CONSTITUTION,  
PUBLISHED BEFORE THE CIVIL WAR

100. STORY, JOSEPH.  
[BENNETT, E.H., EDITOR].

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



Boston: Little, Brown and Company, 1858. Two volumes. 8, xxxiii, [ii], 735; [ii], 702 pp. (Eight-page publisher catalogue at beginning of Volume I.) Octavo (9" x 5-1/2").

Recent period-style quarter calf over cloth, raised bands, retaining original red morocco lettering pieces, endpapers renewed. Light to moderate toning, negligible foxing to a few leaves, some offsetting to margins of Volume II title page, internally clean. A nice copy in a handsome binding.

\$2,500.

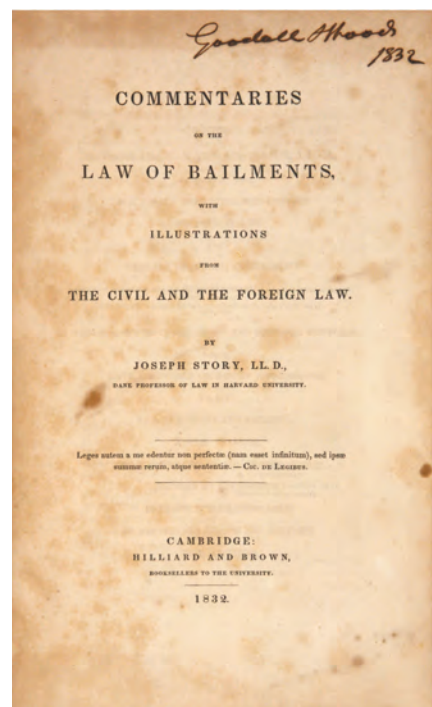
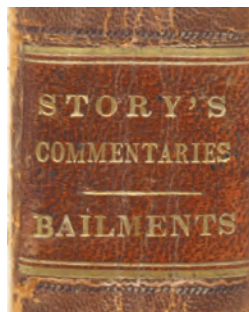
THIRD EDITION. Cohen 2917.

FIRST EDITION, STORY ON BAILMENTS

101. STORY, JOSEPH.

**Commentaries on the Law of Bailments, With Illustrations from the Civil and Foreign Law.**

Cambridge: Hilliard and Brown, 1832. xxxiv, 411 pp. Two tipped in leaves at rear with notes on both sides in an early hand. Octavo (8" x 5").



Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, somewhat heavier rubbing to spine, corners bumped, hinges starting, minor worming to rear hinge. Moderate toning to text, somewhat heavier in places, a few sections of text have light foxing, upper corners of some leaves have fold lines, a few leaves have minor inkspatters. Early owner signature to head of title page, early marks in pencil to a few passages. A nice copy. \$950.

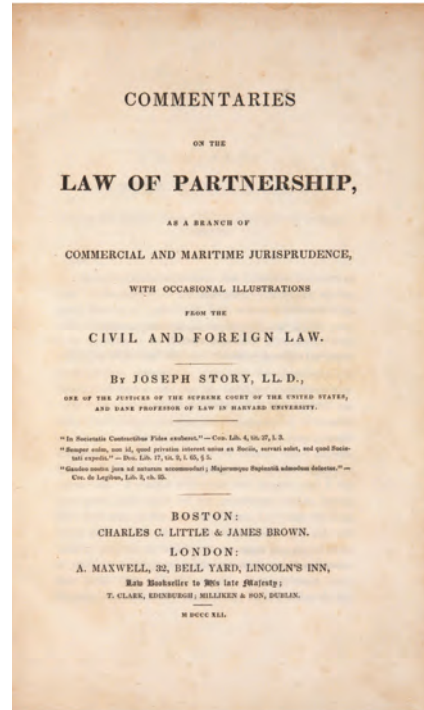
FIRST EDITION. "Whatever was to be found in the English and American decisions, whatever Roman and Continental jurisprudence afforded on illustration of the law of bailments, Joseph Story collected and combined with surprising industry, and wonderful learning... Story's *Bailments* affords one of the best examples, in modern times, of the illustration which our laws are susceptible of, by the aid of foreign jurisprudence.": Marvin 668-669. Cohen 2451.

## "A TRULY LUMINOUS EXPOSITION"

## 102. STORY, JOSEPH.

**Commentaries on the Law of Partnership as a Branch of Commercial and Maritime Jurisprudence. With Occasional Illustrations from the Civil and Foreign Law.**

Boston: Charles C. Little & James Brown/London: A. Maxwell, 1841. xxi, 690 pp. Octavo (9" x 6").



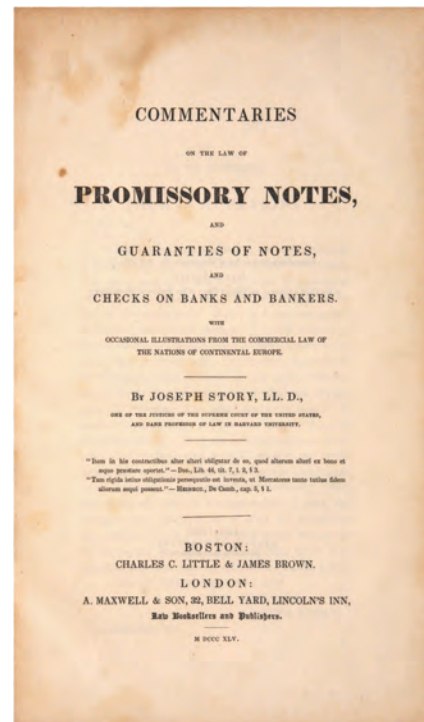
Contemporary sheep, blind fillets to boards, raised bands and small lettering piece to spine. Light rubbing and some shallow scuffing to boards, moderate rubbing to extremities, somewhat heavier rubbing to spine, corners bumped. Moderate toning to text, light foxing in places, upper corners of some leaves have fold lines, a few have early underlining and other marks in pencil. An appealing copy. \$950.

FIRST EDITION of one of Story's great treatises. Like the others, it was a standard work in the United States and, to some extent, Great Britain. In his *Law Studies* Samuel Warren said the *Commentaries on the Law of Partnership* is "a truly luminous exposition of a subject noted for its intricacy, and the subtlety of the rules upon which the system depends" (451). Cohen 9321.

## FIRST EDITION OF STORY'S FINAL TREATISE

## 103. STORY, JOSEPH.

**Commentaries on the Law of Promissory Notes, And Guaranties of Notes, And Checks on Banks and Bankers. With Occasional Illustrations from the Commercial Law of the Nations of Continental Europe.**



Boston: Charles C. Little & James Brown, 1845. xxviii, 675 pp. Two tipped-in leaves of notes in an early hand. Octavo (9-1/2" x 6").

Contemporary sheep, blind fillets to boards, raised bands, blind fillets and lettering piece to spine. Light rubbing and a few minor nicks to boards, moderate rubbing to spine and extremities, small chip to head of spine, front joint and hinge partially cracked. Light toning to text, somewhat heavier in places, light foxing and faint dampstaining to a few leaves. \$950.

FIRST EDITION of the last treatise published by Story. "Joseph Story's work on promissory notes was the last of his great treatises. (...) Unlike many of his predecessors, Story treated each aspect of commercial law separately in a series of works which included his treatises on agency (1839), partnership (1841), bills of exchange (1843) and finally the one on promissory notes. The inclusion of comparative sources from the commercial law of other countries reflects Story's view, expressed in his opinion for the Supreme Court in *Swift v. Tyson* (1842) that commercial law was international, not the 'law of a single country only, but of the commercial world.': Cohen 2561.



## AN IMPORTANT DECISION CONCERNING REPRODUCTIVE RIGHTS SIGNED BY JUSTICE BLACKMUN

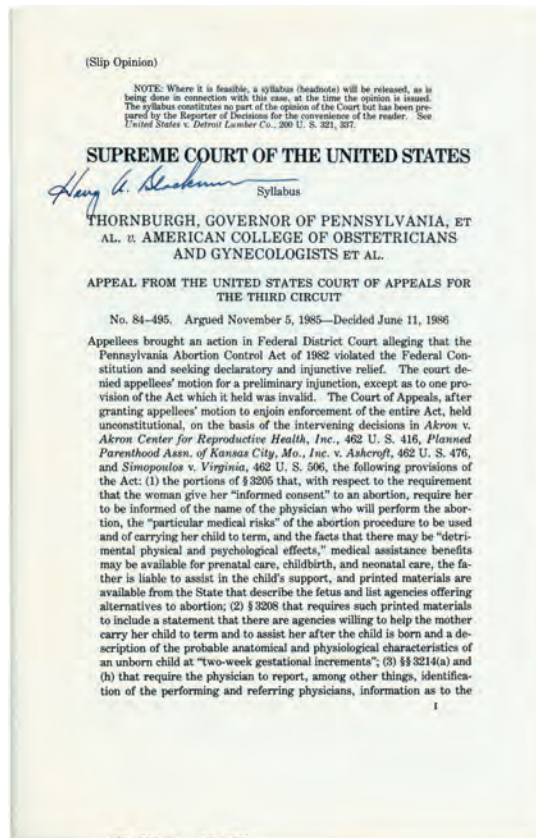
104. SUPREME COURT  
OF THE UNITED STATES.

[BLACKMUN, HARRY (1908-1999)].

**(Slip Opinion) Thornburgh, Governor of Pennsylvania, et al. v. American College of Obstetricians and Gynecologists et al.**

[Washington, DC: Government Printing Office, 1986]. iii, [1], 23, [1], 10, 4, 29, [1], 20 pp. Complete. Signature of Justice Blackmun to head of first page. Fine. \$750.

THORNBURGH V. AMERICAN COLLEGE Thornburgh v. American College of Obstetricians and Gynecologists involved a challenge to Pennsylvania's Abortion Control Act of 1982, which aimed to limit abortion rights. Blackmun's majority opinion for the Court rejected this act and reaffirming Roe. Bench opinions are issued by the U.S. Supreme Court immediately after the announcement of a decision. Slip opinions are issued afterwards. Often incorporating corrections, they are the first printings of a decision intended for wide dissemination and review. After that stage the revised slip opinions are added to the latest paperback volume of *U.S. Reports*. A year later, that volume is printed in its final, authoritative, hardcover form.

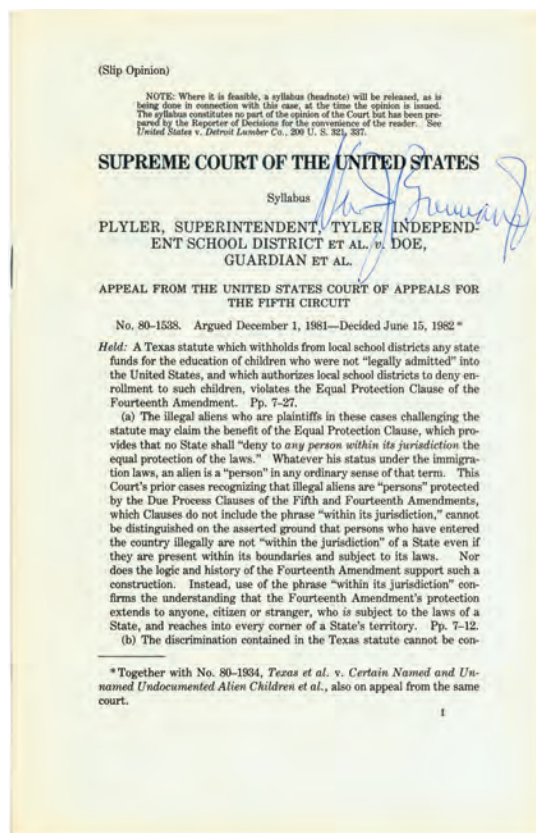
ANOTABLE DECISION CONCERNING UNDOCUMENTED IMMIGRANT CHILDREN  
SIGNED BY JUSTICE BRENNAN105. SUPREME COURT  
OF THE UNITED STATES.

[BRENNAN, WILLIAM (1956-1990)].

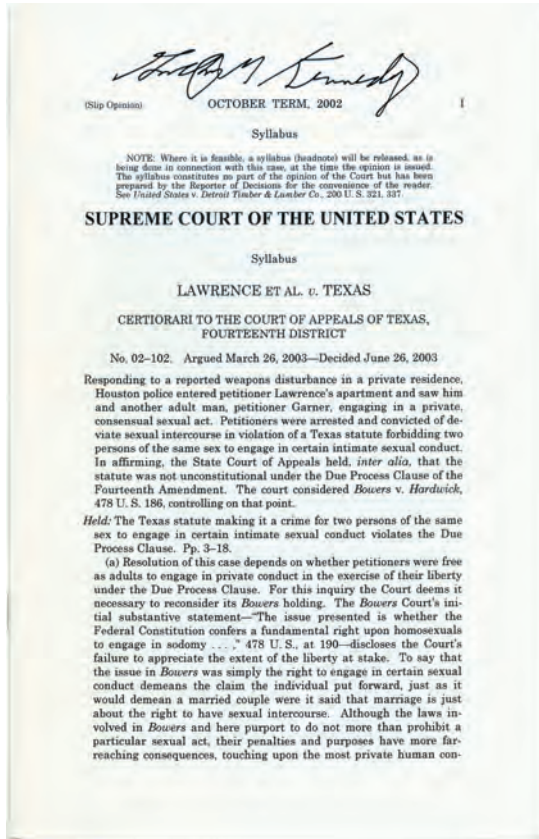
**(Slip Opinion) Plyler, Superintendent, Tyler Independent School District et al. v. Doe, Guardian et al.**

[Washington, DC: Government Printing Office, 1982]. iii, [1], 23, [1], 27, [1], 2, 7, [1], 6, 14 pp. Complete. Signature of Justice Brennan near head of first page. Fine. \$750.

IN PLYLER V. DOE the Supreme Court struck down a state statute denying funding for education to undocumented immigrant children and a municipal school district's attempt to charge an annual \$1,000 tuition fee for such children to compensate for lost state funding. Brennan's majority opinion stated that any state restriction imposed on the rights of children based on their immigration status must be examined under an intermediate scrutiny standard to determine whether it furthers a "substantial" government interest.



## A LANDMARK SUPREME COURT CIVIL RIGHTS CASE SIGNED BY JUSTICE KENNEDY



## 106. SUPREME COURT OF THE UNITED STATES. [KENNEDY, ANTHONY].

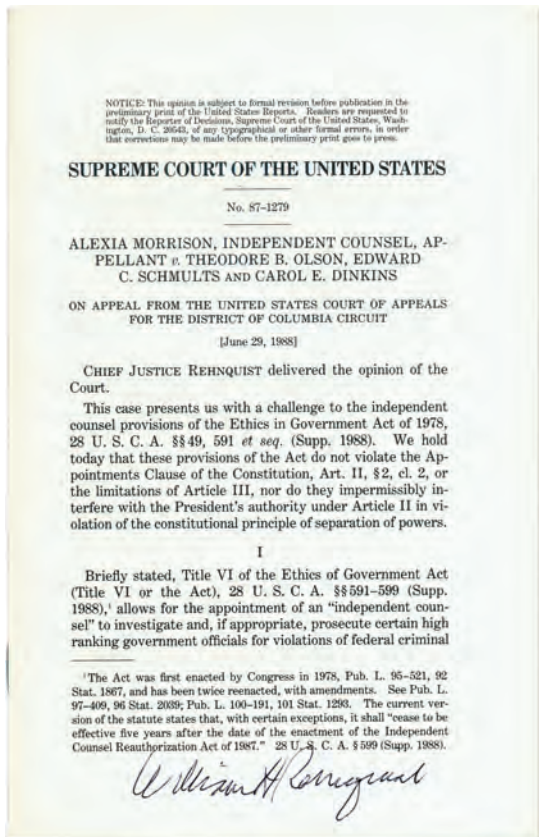
(Slip Opinion) Lawrence et al v. Texas.

[Washington, DC: Government Printing Office, 2003]. 18, 8, 21, [1], 1 pp. Complete. Signature of Justice Kennedy to head of first page.

Fold lines to corners of a few leaves, otherwise fine. \$1,000.

BASED ON THE Fourteenth Amendment's concept of substantive due process, Lawrence v. Texas is a landmark civil rights case that struck down the sodomy law in Texas and, by extension, similar laws in 13 other states, making same-sex sexual activity legal throughout the United States. Kennedy wrote the majority opinion for this case, which was joined by Justices Stevens, Souter, Ginsburg and Breyer. This decision set the stage for further reconsiderations of laws concerning homosexual rights, including the landmark case of Obergefell v. Hodges, which recognized same-sex marriage as a fundamental right under the U.S. Constitution.

## THE DECISION UPHOLDING THE CONSTITUTIONALITY OF SPECIAL COUNSELS SIGNED BY CHIEF JUSTICE REHNQUIST



## 107. SUPREME COURT OF THE UNITED STATES.

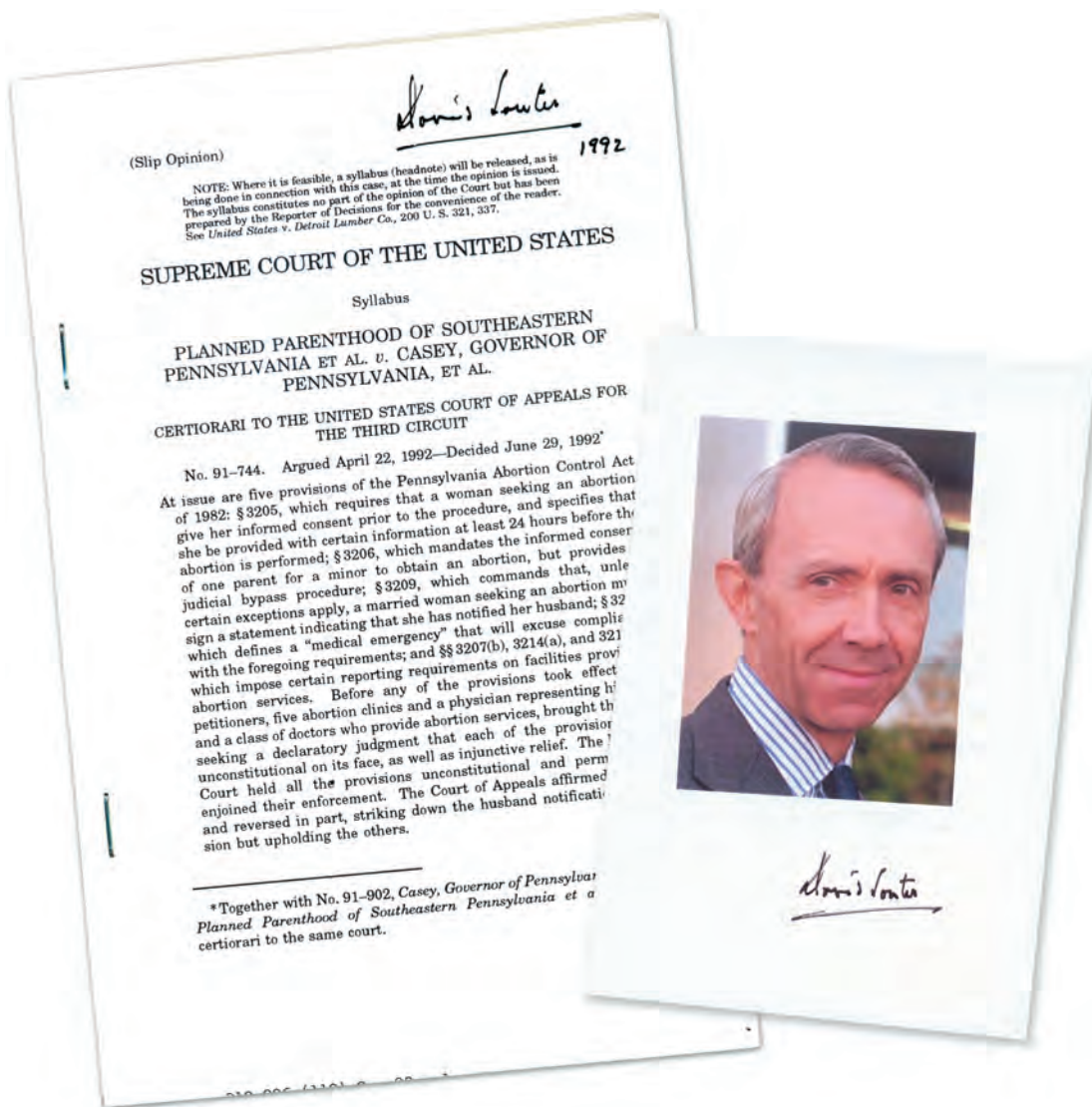
[REHNQUIST, WILLIAM (1924-2005)].

(Slip Opinion) Alexia Morison, Independent Counsel, Appellant v. Theodore B. Olson, Edward C. Schmultz and Carol E. Dinkins.

[Washington, DC: Government Printing Office, 1988]. 38, 38 pp. Complete. Signature of Justice Kennedy to foot of first page.

Small crease to head of first page, otherwise fine. \$750.

MORRISON V. OLSON confirmed the constitutionality of the provision in the 1978 Ethics in Government Act that established the Office of Special Counsel. Rehnquist wrote the majority opinion.



A LANDMARK SUPREME COURT DECISION THAT UPHELD ROE V. WADE SIGNED BY JUSTICE SOUTER

108. SUPREME COURT OF THE UNITED STATES. [SOUTER, DAVID].

(Slip Opinion) Planned Parenthood of Southeastern Pennsylvania et al v. Casey, Governor of Pennsylvania et al.

[Washington, DC: Government Printing Office, 1992]. x, 71, [1], 12, 23, [1], 37, [1], 25 pp. Complete. Signature of Justice Souter to head of first page.

[WITH] [SOUTER, DAVID].

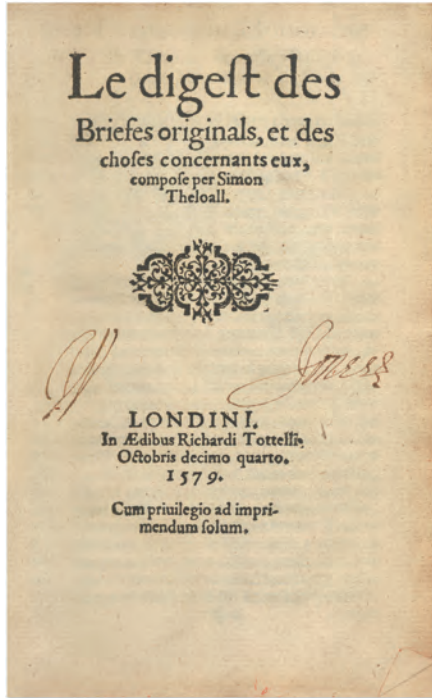
[4" x 6" Color Photograph of Souter, Image Size 3-1/4" x 2-1/2," Signed by Souter].

[AND] [Cover Letter from Souter's Secretary, Linda S. Stout, on Supreme Court Letterhead Enclosed with Photograph, Washington, DC, July 17, 2014].

Tiny mark to final page of opinion, otherwise fine. \$2,500.

A LANDMARK DECISION in the history of reproductive rights, Planned Parenthood v. Casey challenged the constitutionality of several Pennsylvania state statutory provisions regarding abortion. Written by Justices Kennedy, Souter and O' Connor, the Court's plurality opinion, stated by Souter, reaffirmed the central holding of Roe v. Wade, stating that "matters, involving the most intimate and personal choices a person may make in a lifetime, choices central to personal dignity and autonomy, are central to the liberty protected by the Fourteenth Amendment."

## AN IMPORTANT EARLY WORK ON WRITS



## 109. THELOALL, SIMON.

**Le Digest des Briefes Originals, Et des Choses Concernants Eux.**

London: In Aedibus Richardi Tottelli, 1579. [viii], 424 ff. With dedication and table. Collates complete. Octavo (6" x 4").

Seventeenth-century calf, blind rules to boards, raised bands and later lettering piece to spine, early hand-lettered title to fore-edge of text block. A few shallow scuffs to boards, some rubbing to extremities, front board beginning to separate, rear joint starting, some chipping to spine ends, corners bumped, pastedowns lacking, partial crack to text block between ff. 192 and 193. Light soiling to title page, toning to text. Annotations in neat early chancery hand to several leaves, later owner signature of William Jones to title page. An appealing copy. \$1,500.

FIRST EDITION. An important early work on writs, Theloall's *Digest* owes its origin to the suggestion of Staunford that it would be a good idea if lawyers would write treatises on the other titles of the abridgments similar to his study of the Title "Prerogative." Staunford illustrated his meaning by showing how the Title "Brief" might be treated. Theloall chose this title, and wrote a treatise on it for his own use. The manuscript, having been lent, eventually found its way to a printer. "It deserved to be printed, as it is the most orderly treatise on procedure, founded on the Year Books, that had yet appeared... Historically, it comes between the older commentaries upon writs and the modern books on procedure.": Holdsworth, HEL V:381. A second

edition was published in 1678. The owner of this book may have been Sir William Jones [1746-1794], the important jurist, legal writer and Orientalist. Beale T499. ESTC S118369.

## "OUR DECAYED TRADE"

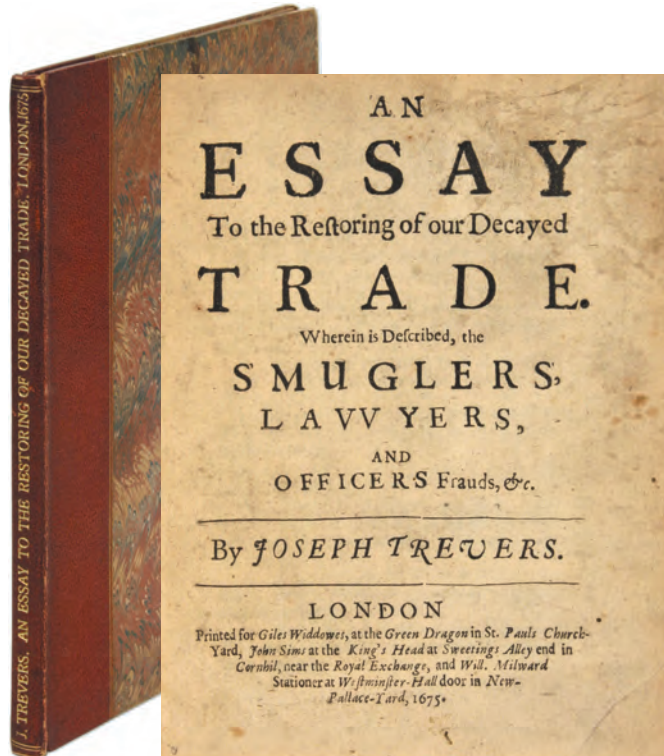
## 110. TREVERS, JOSEPH.

**An Essay to the Restoring of Our Decayed Trade. Wherein is Described, the Smuglers, Lawyers, And Officers Frauds, &c.**

London: Printed for Giles Widdowes, 1675. [x], 24, 33-59, [5] pp. Complete; text and register continuous despite pagination. Quarto (7" x 5-3/4").

Stab-stitched pamphlet bound into nineteenth-century signed binding by Morley of Oxford, quarter-morocco over marbled boards, gilt title to spine. Some rubbing to extremities, front hinge starting. Negligible light browning, to text, light foxing to a few leaves, recent repair to corner of Leaf a1 (pp. [vii]-[viii]), light soiling and staining to title page. A handsome copy. \$1,950.

FIRST EDITION. With two laudatory poems addressed to the author. Trevers was a customs officer who was formerly a clothier. His essay proposes legislation to combat trade policies, taxes and abuses by government officials and middlemen that affect the manufacture and trade of wool and woolen cloth. Most of his ideas are stridently protectionist, several reflect a keen hostility toward lawyers. Later editions were published in 1677 and 1678. All editions are scarce. OCLC locates 7 copies of the first edition in North America, none in law libraries. Kress 1390. ESTC R222765.





“VIOLATING HER CONJUGAL VOW”

111. [TRIAL].  
BAYNTUN-ROLT, MARIA ALICIA COVENTRY,  
LADY.

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

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

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, gilt title and gilt-edged raised bands to spine, endpapers renewed. Light toning to text, somewhat heavier in places, light foxing to a few leaves. \$1,850.

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

## SEM'S ACCOUNT OF A NOTABLE TREASON TRIAL



112. [TRIAL].  
BOLO, PAUL [D. 1918], DEFENDANT.  
SEM [GORSAT (GOURSAT), GEORGES  
(1863-1934)].

**Affaire Bola-Pacha: 68 Croquis d' Audience  
par Sem.**

[Paris: S.n., c. 1918]. 68 lithographic images on 24 sheets and a sheet of captions in a printed wrapper housed in a printed folder. 12-1/2" x 10." From a signed edition of 300 on Arches paper, this number 283.

Light soiling and edgewear to outer folder, a few minor tears along fold lines, short minor tear to spine of inner folder, light stain to caption sheet, plates fine. \$1,750.

THE BOLO PASHA AFFAIR involved a French traitor, Paul Bolo, who convinced the Egyptian Khedive (Viceroy), Abbas Hilmi, to sponsor an anti-war movement in France through the press using \$2,500,000 raised from German sources. (Granted the title Pasha by the Khedive, Bolo renamed himself Bolo Pasha.) Convicted of treason, he was executed by a firing squad in April 1918. Sem's caricatures portray the judge, defendant, witnesses and judges at various points in the trial. Gorsat, or Goursat, was a French caricaturist and illustrator active from the late nineteenth century to 1934. His lasting fame rests on his depictions of French ruling class and French high society during the *Belle Epoque*. He was a regular contributor to the leading French periodicals, produced albums of caricatures depicting current events and social life and designed several path-breaking advertisements. His work is highly esteemed today.

## BROUGHT TO JUSTICE BY THE PINKERTONS

## 113. [TRIAL].

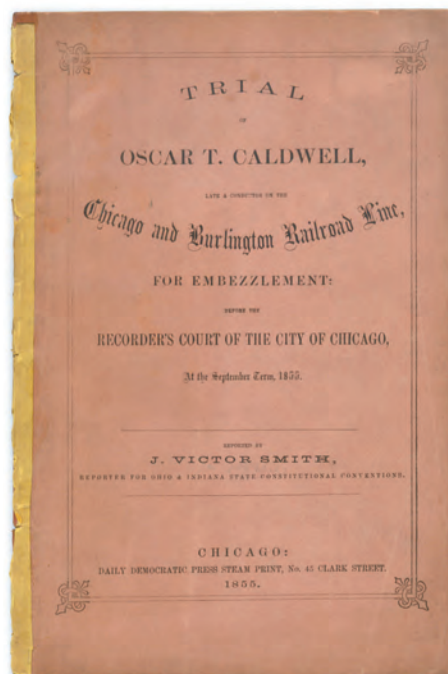
CALDWELL, OSCAR T., DEFENDANT.  
SMITH, J. VICTOR, REPORTER.

**Trial of Oscar T. Caldwell, Late a Conductor on the Chicago and Burlington Railroad Line, For Embezzlement: Before the Recorders Court of the City of Chicago at the September Term, 1855.**

Chicago: Daily Democratic Press Steam Print, 1855. 35 pp. Text in parallel columns. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, spine reinforced. Light soiling, minor edgewear, spine abraded (but secure), some toning to text. \$400.

ONLY EDITION. Caldwell's trial was the result of an investigation by the Pinkerton detective agency, then a five-year old company. Caldwell was convicted. The rear wrapper carries an advertisement for the Pinkerton & Company. OCLC locates 6 copies in law libraries (Harvard, Library of Congress, Rutgers, St. John's University, Social Law, University of Missouri). Cohen 13985.



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

## 114. [TRIAL].

[COURT MARTIAL].  
[KENTISH GUARDS].

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

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

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

\$650.

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

**"THE MOST MYSTERIOUS OF ALL THE CASES WHICH HAVE BAPTIZED CONNECTICUT IN BLOOD"**

## 115. [TRIAL].

[HAYDEN, HERBERT H. (B.1850), DEFENDANT].  
STANNARD, MARY [1856-1878].

**Poor Mary Stannard! Full and Thrilling Story of the Circumstances Connected with Her Murder. History of the Monstrous Madison Crime. The Most Mysterious of All the Cases Which have Baptized Connecticut in Blood. The Only True and Reliable Account. The Clairvoyant's Wonderful Story.**

New Haven: Stafford Print. Co., 1879. 47 pp. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed wrappers with a woodcut portrait of Stannard. Faint fold lines, some wear to spine ends, a few small chips to edges, small dampstain to upper corner of front wrapper, some browning to text. A well-preserved copy. \$850.

ONLY EDITION. "In 1879, the body of Mary Stannard, twenty-two, once the servant of Reverend Herbert H. Hayden, was found in one of Hayden's fields in Madison, Conn. Her throat was cut, her skull was fractured, and there was arsenic in her stomach. Stannard had spoken to several people about her recent pregnancy by Hayden, and explained that he was going to give her something to induce an abortion. She said also that she was planning to meet Hayden in the field to pick berries and discuss their future. Unable to account for himself during the time of the killing, Hayden was arrested after it was discovered that he had purchased an ounce of arsenic "to kill rats" the day of his former servant's death.... At the three-month trial, a clairvoyant testified to the defendant's innocence, the first such incident in an American courtroom. A hung jury resulted in Hayden's release" (Nash). OCLC locates 12 copies, 2 in law libraries (University of Missouri, Yale). Nash 1493. McDade 449.

## MURDER, RAPE AND NECROPHILIA ON A COUNTRY LANE IN MASSACHUSETTS

## 116. [TRIAL].

O' NEIL, JOHN [1873?-1908], DEFENDANT.

**The Official Report of the Trial of John O' Neil for the Murder of Hattie Evelyn McCloud, In the Superior Court of Massachusetts. From Notes of the Official Stenographers. Published by the Attorney-General, Under Chapter 214 of Acts of 1886.**

Boston: Wright & Potter Printing Co., 1901. [iv], 730 pp. Color map. Octavo (9" x 5-3/4").

Recent period-style calf, blind rules to boards, blind fillets and original lettering pieces to spine, endpapers renewed. Light toning to text, negligible edgewear to preliminaries. \$950.

ONLY EDITION. O' Neil, an unemployed machinist with a drinking problem, strangled Mrs. McCloud, then raped her corpse, on a country lane near Shelburne Falls, Massachusetts, on January 8, 1897. Convicted later than year, O' Neil was executed on January 7, 1898. McDade 722.



## LANDMARK CASE CONCERNING THE CONFSSIONAL AND THE COURT

## 117. [TRIAL].

PHILLIPS, DANIEL, DEFENDANT.

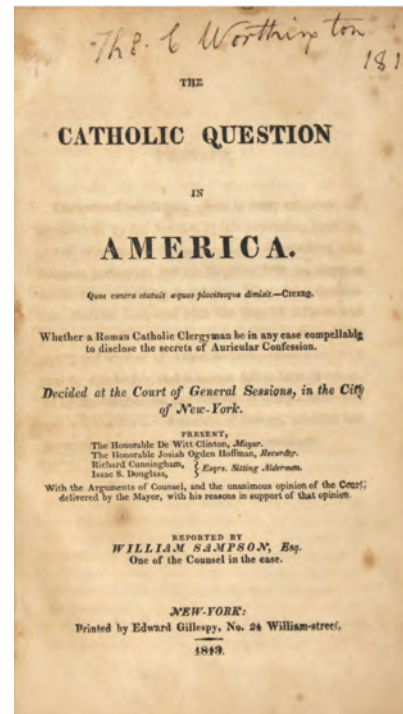
SAMPSON, WILLIAM [1764-1836], REPORTER.

**The Catholic Question in America: Whether a Roman Catholic Clergyman be in Any Case Compellable to Disclose the Secrets of Auricular Confession. Decided at the Court of General Sessions, In the City of New York. Present, The Honorable DeWitt Clinton, Mayor. The Honorable Josiah Ogden Hoffman, Recorder. Richard Cunningham, Isaac S. Douglass, Esqrs. Sitting Aldermen. With the Arguments of Counsel, And the Unanimous Opinion of the Court, Delivered by the Mayor, With His Reasons in Support of that Opinion.**

New York: Printed by Edward Gillespy, 1813. 138, cxxviii, [1] pp. Lacking final errata leaf, supplied in facsimile. Octavo (9" x 6").

Recent quarter calf over cloth, raised bands and lettering piece to spine, endpapers renewed, extra calf lettering piece tipped-in to rear pastedown. Light browning to text, faint dampspotting in places, some edgewear to final leaves of text, early owner signature (Thos. E. Worthington 1813) to head of title page. \$750.

ONLY EDITION. This landmark decision established the legal precedent exempting Catholic priests from disclosing evidence relating to criminal activities learned through the Sacrament of Confession. "The case against Daniel Phillips for receiving stolen property hung on the prosecution's attempt to extract testimony from Anthony Kohlmann, a Catholic priest who may have heard Phillips's confession. The extensive 'Report,' p. [5]-114, gives a good general account of confidential conversation between defendants and religious leaders, doctors, lawyers, spouses, and other persons. Although the district attorney claimed to be reluctant to pursue the matter, Catholic authorities had asked that the question be settled before the court. The court recognized the inviolability of the confessional, and Phillips was acquitted due to lack of evidence.": Cohen 14043.





BLOODY CLASHES BETWEEN FEDERALISTS AND JEFFERSONIANS IN ALBANY

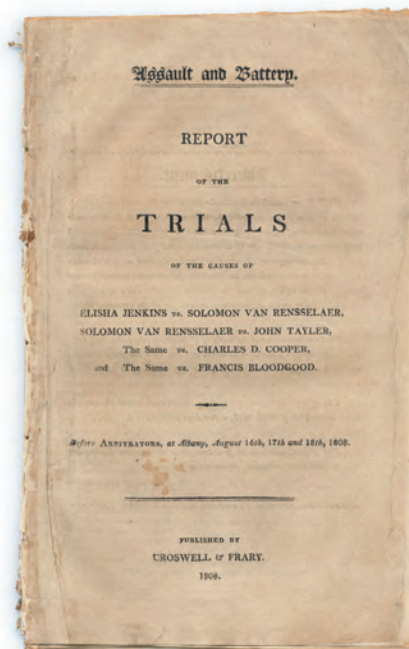
118. [TRIALS].  
VAN RENSSELAER, SOLOMON [1774-1852],  
PRIMARY DEFENDANT.

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

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

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

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



EARLY FEDERAL BANKRUPTCY BILL

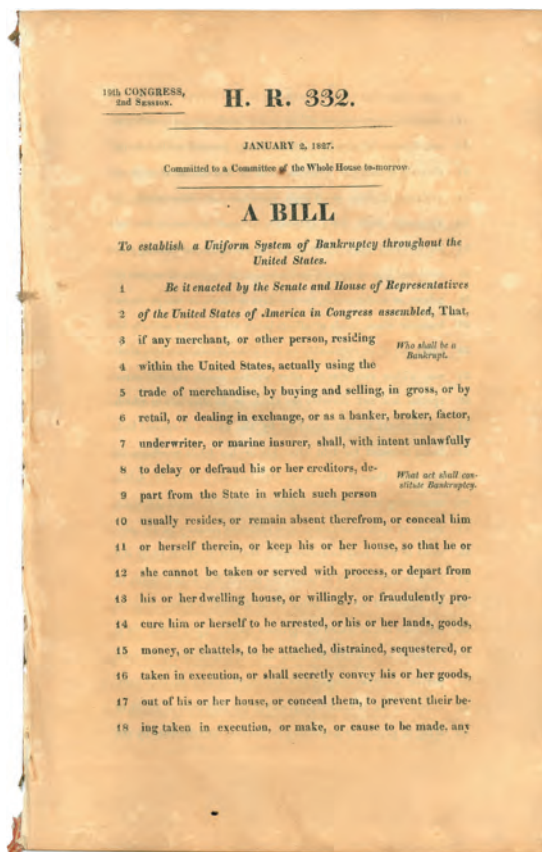
119. [UNITED STATES].  
[CONGRESS].  
[HOUSE OF REPRESENTATIVES].

**H.R. 332: A Bill to Establish a Uniform System of Bankruptcy Throughout the United States.**

[Washington, D.C.: January 2, 1827]. 81 pp. Folio (12" x 7-1/2").

Disbound stab-stitched pamphlet. Binding secure, light browning throughout. \$350.

THIS BILL WAS PRESENTED to the 19th Congress, 2d Session but never enacted into law. The first Federal bankruptcy act enacted in February 1800, was aimed to encourage economic risk and supersede the patchwork of debtor laws in force in the different states. Never a popular law, it was routinely attacked as a shield for the financially irresponsible and finally repealed in November 1803. The United States would not have another national bankruptcy law until 1841. Three notable bills were proposed unsuccessfully during those intervening years; one in 1815, one in 1820 and this one. All are interesting for their conception of bankruptcy and awareness of the resistance Congress had to reforms of any kind. No copies located on OCLC.

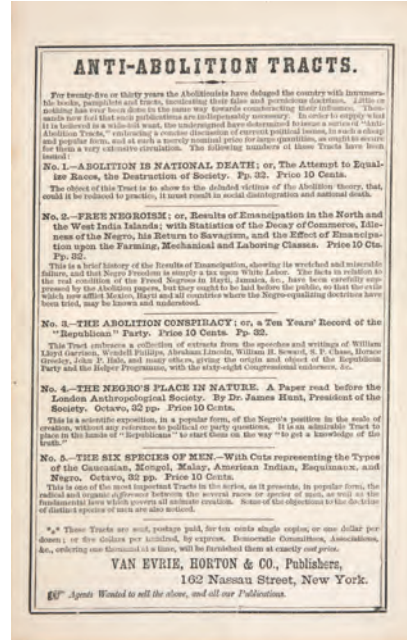
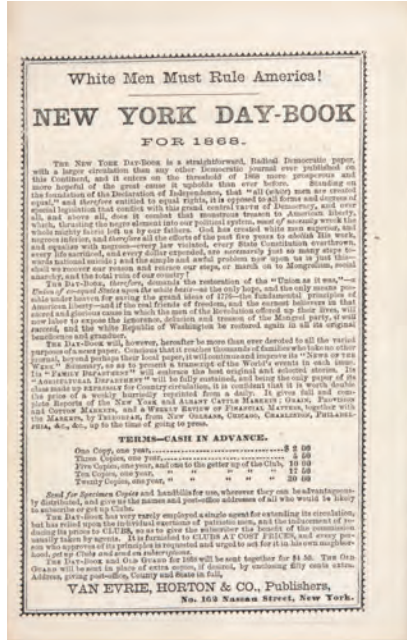


WITH A CATALOGUE OF RACIST AND ANTI-RECONSTRUCTION PUBLICATIONS

120. UPSHUR, ABEL PARKER [1791-1844]. BURR, C. CHAUNCEY [1817-1883], EDITOR.

The Federal Government: Its True Nature and Character; Being a Review of Judge Story's Commentaries on the Constitution of the United States. With an Introduction, And Copious Critical and Explanatory Notes.

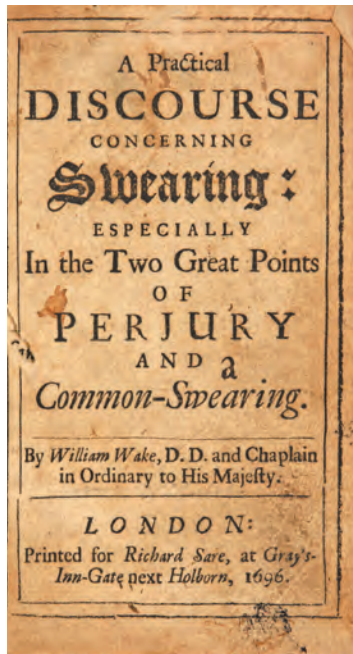
New York: Van Vrie, Horton & Co., 1868. xvi, [17]-242, [6] pp. Includes six pages of publisher advertisements. Octavo (7" x 5").



Publisher's cloth, blind frames to boards, gilt title to spine. A few minor nicks and light marks to boards, moderate rubbing to extremities, spine ends and corners bumped and somewhat worn. Light toning to text, light foxing to a few leaves, early owner signature ("J. McCall-Adams") to front free endpaper and foot of p. 242. A nice copy. \$750.

ORIGINALLY PUBLISHED as a pamphlet in 1840, this was a refutation of the nationalistic theory of the Constitution advanced by Joseph Story's Commentaries on the Constitution (first edition, 1833). A standard text in the law curricula of the College of William and Mary and the University of Virginia, it was reprinted in 1863 by radical Northern Democrats (Copperheads) to promote the political philosophy of the Confederacy. Edited by a prominent opponent to Reconstruction (and former Copperhead), this 1868 reissue was intended to promote opposition to Reconstruction and the enfranchisement of African-Americans. The publisher advertisements promote a variety of racist and anti-Reconstruction publications, such as The Negro's Place in Nature, Abolition is National Death and The Abolition Conspiracy. Upshur, a Virginia judge and politician, was a prominent spokesman for the states-rights, pro-slavery ideology. He was Secretary of the Navy and Secretary of State under President Tyler.

A TREATISE ON OATHS BY A PROMINENT ANGLICAN PRIEST, LATER ARCHBISHOP OF CANTERBURY



121. WAKE, WILLIAM [1657-1737].

A Practical Discourse Concerning Swearing: Especially in the Two Great Points of Perjury and Common-Swearing.

London: Printed for Richard Sare, 1696. [ii], xxix [i.e. xlv], [15], 144 pp. Lacking blank leaf preceding title page, text complete. Octavo (5-3/4" x 3-1/2").

Later three-quarter calf over marbled boards, rebacked, gilt fillets and lettering piece to spine, endpapers renewed. Light rubbing to extremities, corners bumped and somewhat worn. Very light browning to text, faint dampstaining to head of text block, light soiling, tiny hole, and some edgewear to title page, brief early annotations in a few places. \$500.

ONLY EDITION. This curious treatise discusses the laws concerning oaths from the perspectives of ecclesiastical law, common law and theology. Wake, an Anglican Priest and a prolific author, was Archbishop of Canterbury from 1716 to the end of his life. This book was reprinted as the second volume of a later publication, Twenty Two Sermons Preached Upon Several Occasions. To Which is Added, A Practical Discourse Concerning Swearing (1737). ESTC R38405.

## THE FIRST HISTORY OF INTERNATIONAL LAW

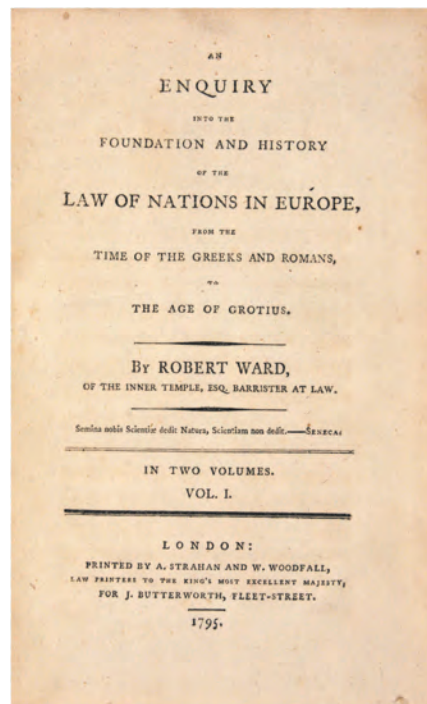
## 122. WARD, ROBERT [1765-1846].

**An Enquiry Into the Foundation and History of the Law of Nations in Europe, From the Time of the Greeks and Romans to the Age of Grotius.**

Dublin: Printed by P. Wogan, P. Byrne, W. Jones and J. Rice, 1795. Two volumes. cviii, 395, [1]; [iv], 628 pp. Octavo (8" x 5").

Contemporary three-quarter calf over marbled boards, gilt title and fillets to spines, small paper shelf label to that of Volume I. Moderate rubbing and some scuffing to boards, moderate rubbing to spines and extremities. Light toning to interiors, somewhat heavier in places, light foxing to a few leaves. A handsome set. \$1,500.

FIRST EDITION. The first attempt to write a history of the law of nations, it also marked a new approach to the subject. Since the seventeenth century the law of nations was dominated by the theory of natural law, which posited the existence of legal principles shared by all ages, places and peoples. This theory shaped the work of such major jurists as Grotius, Pufendorf and Selden. It was enshrined during the eighteenth century by advocates of the Enlightenment. Ward rejected this theory. A Romantic, he had no use for universal systems. Instead, he appreciated the uniqueness of cultures and the differences between the past and the present. One of the first to apply Romantic ideas to the subject, he treated the law of nations as a malleable concept that changed considerably since antiquity. Lasaffer, "International Law and Its History: The Story of an Unrequited Love" in *Time, History and International Law*, Ed. Craven, Fitzmaurice and Vogiatzi 27. ESTC T117016.



## FIRST EDITION OF WASHINGTON'S REPORTS, RICHMOND 1790-1799

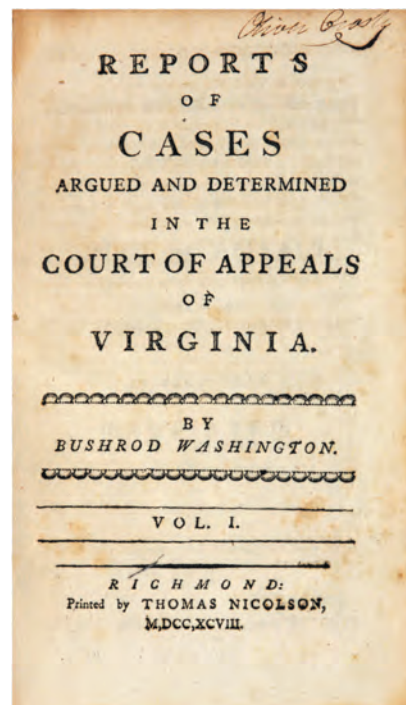
## 123. WASHINGTON, BUSHROD [1762-1829], REPORTER.

**Reports of Cases Argued and Determined in the Court of Appeals of Virginia.**

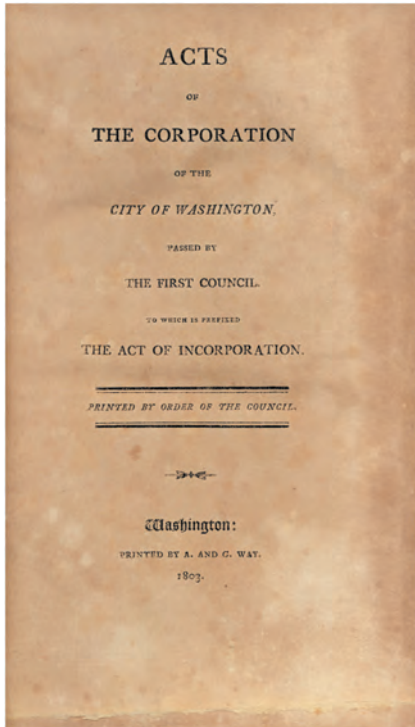
Richmond: Thomas Nicolson, 1798-1799. Two volumes. [x], 392, [30]; vii, [1], 302, 19 pp. Errata sheet in Volume I bound between Table of Contents and main text. Octavo (8" x 5").

Contemporary sheep, blind fillets to boards, lettering pieces and blind fillets to spines. Moderate rubbing to extremities, chipping to spine ends, corners worn, front board of Volume I just beginning to separate, insect damage to portions of boards. Moderate toning, occasional light foxing, small paper flaw to pp. 299-300 of Volume II with negligible loss to text. Small early owner signatures to head of each title page, interior otherwise clean. An appealing unsophisticated nice set. \$450.

FIRST EDITION. Covers the years 1790-1796, includes Tables of Cases and an Index. Gathered when Washington was in practice in Richmond, these reports demonstrate his methodical attention to legal detail. Washington, nephew of President Washington, was a member of the Virginia House of delegates in 1787 (voting for ratification of the U.S. Constitution) and later an associate justice of the U.S. Supreme Court from 1798-1829. This was one of the first, and one of the best, American reporters of the eighteenth century. Marvin, *Legal Bibliography* 719.



## THE EARLY YEARS OF WASHINGTON, D.C.



## 124. [WASHINGTON, D.C.].

[Volume of Fifteen Pamphlets on the Establishment and Conduct of the City].

Washington, DC: Printed by A. and G. Way [and other printers], 1803-1818.

Contemporary sheep, blind fillets to boards, red and black lettering pieces to spine (reading Laws/of the/Corporation and Vol 1./From the/First to 15th Council/Inclusive. Some rubbing to boards and extremities, a few shallow scuffs to boards, minor worming to spine and pastedowns. Moderate toning and occasional browning and light foxing to text, internally clean. \$2,250.

THIS FASCINATING VOLUME offers an excellent perspective on the formative years of Washington, D.C., from the 1803 "Act to Incorporate the Inhabitants of the City of Washington, in the District of Columbia" to 1818 legislation to pave roads in the district. This volume contains fifteen volumes of acts passed by the first fifteen governing councils. Eleven are titled *Acts of the Corporation of the City of Washington* (1803, 1804, 1805, 1806, 1807, 1808, 1809, 1811, 1813, 1814, 1816). The remaining four are titled *Laws Passed by the Eighth [Twelfth, Fourteenth, Fifteenth] Council* (1810, 1815, 1817, 1818).

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



## 125. ZOUCH, RICHARD [1590-1661].

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

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

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

ONE OF ENGLAND'S GREATEST CIVILIANS, Zouch was an advocate of Doctors' Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. He published treatises on a broad range of legal topics, and he is best known for his contributions to international law. The present volume contains four important treatises. *Elementa Jurisprudentiae* (1629) is an ambitious general study that lays out a general theory

of legal science. It includes sections on the philosophy of law, civil law, military law and maritime law. The other titles develop topics outlined in *Elementa Jurisprudentiae*. *Descriptio Juris et Judicii Sacri* (1636) concerns English ecclesiastical law, *Descriptio Juris & Judicii Militaris* (1640) addresses military law and *Descriptio Juris et Judicii Maritimi* (1640) deals with the law of ships and sea-borne cargo. According to Willems, some copies of this book were printed by van der Marse, de Croy and Hackius with counterfeit title pages. It is difficult to distinguish these from copies produced by the Elzeviers. Willems, *Les Elzevier: Histoire et Annales Typographiques* 717.

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## INDEX

**Items Printed Before 1600**

2, 5, 33, 34, 40, 41, 43, 47, 52,  
81, 84, 93, 97, 109

**Items Printed From 1601-1700**

9, 23, 25, 27, 29, 35, 42, 55,  
78, 91, 94, 98, 110, 121, 125

**Items Printed From 1701-1800**

3, 6, 8, 11, 21, 26, 28, 30, 45,  
46, 48, 49, 53, 54, 56, 61,  
79, 83, 85, 86, 87, 95, 96,  
111, 122, 123

**Items Printed From 1801-1900**

1, 4, 7, 10, 12, 13, 14, 15, 16, 17,  
18, 19, 20, 24, 31, 32, 36, 37,  
38, 44, 57, 58, 59, 60, 80,  
82, 88, 89, 92, 99, 100, 101,  
102, 103, 113, 114, 115, 117, 118,  
119, 120, 124

**Items Printed After 1900**

22, 39, 50, 51, 90, 104,  
105, 106, 107, 108, 112, 116

**Selected Topics**

Adultery 9, 79, 111  
Artwork 44, 61, 90, 92, 112  
Bankruptcy 4, 31, 119  
Books with Annotations 2, 3,  
5, 23, 29, 36, 41, 43, 53, 85,  
94, 98, 109, 121  
British East India Company 11  
Broad­sides 12, 13, 14, 15, 16, 17,  
18, 19, 20  
Canada 71  
Canon Law 23, 28, 33, 34, 46,  
49, 52, 94  
Capital Punishment 4, 13, 14,  
20, 82, 90, 98

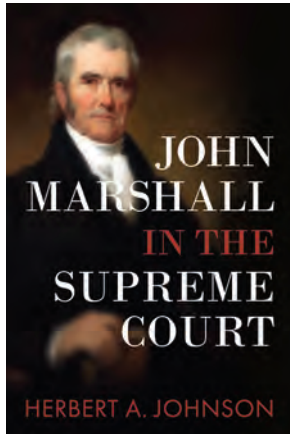
Children 25, 26, 41, 81, 94, 97,  
105  
Codes, Compilations of Laws  
33, 34, 47, 50, 51, 57, 58, 59,  
79, 85, 86  
Constitution (U.S.) 48, 74, 99,  
100, 104, 105, 106, 107, 108,  
120  
Copyright 32, 60  
Courts-Martial 77, 114  
Criminal Law, Penology 1, 4,  
5, 9, 13, 14, 20, 27, 39, 42,  
45, 57, 58, 82, 90, 98, 117  
Criminals 13, 14, 15, 17, 18, 20,  
24, 36, 37, 38, 39, 44, 66,  
67, 72, 75, 90, 112, 113, 114,  
115, 116, 117, 118  
Dictionaries and Encyclo-  
pedias 1, 21, 22, 46  
Extra-Illustrated Books 42  
First (or Only) Editions 1, 7, 8,  
10, 21, 22, 25, 27, 28, 29, 32,  
35, 38, 39, 41, 45, 46, 49,  
52, 55, 57, 58, 59, 78, 80,  
81, 82, 85, 89, 93, 94, 97,  
98, 99, 101, 102, 103, 109,  
110, 111, 113, 114, 115, 116, 117,  
118, 121, 122, 123  
Handbooks and Textbooks 3,  
6, 7, 35, 46, 83, 84  
Incunabula 33, 34  
Inheritance and Succession,  
Wills 41, 78, 81  
International Law 46, 103, 122  
Leaf Books 48  
Land Use, Natural Resources  
46, 55, 91  
Legal History 42, 49, 44, 122,  
Louisiana 57, 58, 59  
Manuscripts 4, 62, 63, 64, 65,  
66, 67, 68, 69, 70, 71, 72, 73,  
74, 75, 76, 77  
Marriage and Divorce 28, 40,  
50, 56, 58, 78, 97, 106, 111  
Massachusetts 79, 80, 116  
Maxims 46, 89  
Native Americans 19, 69, 79  
New York 12, 85, 86, 118  
Pamphlets 31, 32, 36, 37, 38,  
49, 53, 80, 110, 111, 113, 114,  
115, 118, 119, 124  
Reports 30, 32, 123  
Reproductive Rights 104, 108  
Roman Law 2, 9, 40, 41, 46,  
49, 70, 81, 91, 93, 97, 101  
Signed and Inscribed Copies  
4, 39, 80, 104, 105, 106, 107,  
108, 112  
Slavery 19, 72, 81, 85, 86, 88,  
120  
Sodomy 106  
Special Counsels 107  
Supreme Court, U.S. 48, 65,  
73, 80, 99, 100, 101, 102,  
103, 104, 105, 106, 107, 108,  
123  
Taxation 19, 51, 53, 56, 110  
Titles in Beale 43, 47, 84, 109  
Titles in Cohen 32, 57, 58, 80,  
96, 99, 100, 101, 102, 103,  
113, 114, 117, 118  
Titles in the *ESTC* 3, 21, 25,  
26, 27, 29, 30, 35, 42, 43,  
45, 46, 47, 53, 54, 55, 78,  
83, 84, 87, 95, 96, 98, 109,  
110, 111, 121, 122  
Titles in McDade 18, 24, 115,  
116  
Titles in Goff 33, 34  
Titles in *GW* 33, 34  
Titles with Frontispieces 21,  
111  
Titles with Illustrations 42,  
50, 51  
Treatises 2, 5, 6, 7, 9, 25, 26,  
27, 28, 29, 40, 42, 45, 54,  
78, 81, 91, 97, 99, 100, 101,  
102, 103, 121  
Trials 14, 20, 32, 66, 67, 77, 90,  
104, 105, 106, 107, 108, 111,  
112, 113, 114, 115, 116, 117, 118  
Undocumented Immigrants  
105  
Washington, DC 124  
Women 17, 18, 24, 25, 26, 28,  
40, 41, 45, 50, 72, 78, 92, 97,  
104, 108, 111, 115, 116

## Authors and Named Persons

- Abbott, Josiah Gardner 77  
 Adair, Robert F. 68  
 Addison, Joseph 64  
 Albignani, Pietro 33  
 Angus, John W. 1  
 Balbo, Giovanni Francesco 2  
 Bartolomeo da Brescia 34  
 Bayntun-Rolt, Maria Alicia  
   Coventry, Lady 111  
 Beawes, Wyndham 3  
 Becker, Charles 90  
 Bennett, E.H. 100  
 Bentham, Jeremy 4  
 Bianchi, Marcantonio 5  
 Bishop, Richard 13  
 Blackmun, Harry 104  
 Blackstone, Sir William 6, 7,  
   8, 62, 63, 64  
 Bluet, Thomas 27  
 Bolo, Paul 112  
 Boniface VIII, Pope 33  
 Bonifacio, Giovanni 9  
 Brant, Sebastian 34  
 Brennan, William 105  
 Bridgman, Richard W. 10  
 Burn, John 21  
 Burn, Richard 21  
 Burr, C. Chauncey 120  
 Byrne, William James 22  
 Caldwell, Oscar T. 113  
 Cardozo, Benjamin 65  
 Carson, Ann Baker 24  
 Carter, Samuel 25, 26  
 Cecil, William, Lord Burghley  
   27  
 Clarke, Mrs. M. 24  
 Clémens, Jacques 28  
 Cock, Charles George 29  
 Coke, Sir Edward 30  
 Conkling, Alfred 32  
 Cowell, John 35  
 Dafoe, Daniel 95, 96  
 D'Andrea, Giovanni 33  
 Darrow, Clarence 39  
 Davis, John 72  
 Della Valla, Rolando 40  
 Derbigny, Pierre 59  
 Dickinson, Daniel S. 66  
 Dobie, James 92  
 Doneau, Hugues 41  
 Dugdale, Sir William 42  
 Dunton, John 95, 96  
 Elizabeth I, Queen 47  
 Fawkes, Guy 15  
 Fitherbert, Anthony 43  
 Gale, Sarah 17  
 Gilbert, Sir Geoffrey 45  
 Gratian the Canonist 34  
 Gregory XV, Pope 23  
 Greenacre, James 17  
 Hamilton, Alexander 48  
 Haw, Christoph 49  
 Hayden, Herbert H. 115  
 Hayes, William M. 75  
 Hémard, 50, 51  
 Henricus, de Segusio,  
   Cardinal (Hostiensis) 2  
 Ingersoll, Charles Jared 76  
 Innocent IV, Pope 52  
 Jay, John 48  
 Jenyns, Soame 53  
 Jonannes Teutonicus (Zeneka)  
   34  
 Jones, Samuel 86  
 Kennedy, Anthony 106  
 Killen, Thomas J. 16  
 Kyd, Stewart 54  
 Laski, Harold 4  
 Leggi, Leonardo 52  
 Linguet, Simon Nicolas Henri  
   56  
 Lislet-Moreau, Louis 59  
 Livingston, Edward 57, 58, 59  
 Livingston, William 85  
 Lowndes, John J. 60  
 Madison, James 48, 76  
 Malcolm, James Peller 61  
 Maurus Marcus Vertranius 81  
 McLean, John 68  
 Montagu, Basil 82  
 Morrow, Jeremiah 68  
 Mortimer, Thomas 3, 83  
 Neller, Georg Christoph 49  
 O'Neil, John 116  
 Petty, Lord William, Earl of  
   Shelburne 62  
 Petyt, William 87  
 Peytraud, Lucien Pierre 88  
 Phillips, Daniel 117  
 Porter, Fitz John 77  
 Ranchin, Guillaume 93  
 Regnault, Amable 89  
 Rehnquist, William 107  
 Robinson, Boardman 90  
 Roselli, Lucio Paolo 52  
 Rosenthal, Herman 90  
 Ross, James 71  
 Ruginelli, Giulio Cesare 91  
 Sadler, Walter Dendy 92  
 Salvian (Salvianus) 94  
 Salvius, Julianus 93  
 Sampson, William 117  
 Sattler, Christian 14  
 Schwartz, Louis 73  
 Sem (Gorsat, or Gousat,  
   Georges) 112  
 Sergeant, John 27  
 Shakespeare, William 63  
 Shapiro, Harold Roland 65  
 Shearer, R.B. 1  
 Sherwood, Winfield S. 66  
 Smith, Darcas 72  
 Smith, J. Victor 113  
 Smith, William 85  
 Somer (Sommers), Lord  
   (John) 95, 96  
 Sordi (Surdi), Giovanni Pietro  
   97  
 Souter, David 108  
 Stannard, Mary 115  
 Stason, E. Blythe 4  
 Steevens, George 63  
 Stillingfleet, Edward 98  
 Story, Joseph 80, 99, 100,  
   101, 102, 103  
 Theloall, Simon 109  
 Trevers, Joseph 110  
 Tucker, St. George 7  
 Ubaldo, Baldo Degli 52  
 Upshur, Abel Parker 120  
 Urban VIII, Pope 23  
 Van Devanter, Willis 73  
 Van Rensselaer, Solomon 118  
 Varick, Richard 86  
 Wake, William 121  
 Walker, Laban 20  
 Warburton, William 64  
 Ward, Robert 122  
 Washington, Bushrod 123  
 Wilson, George 30  
 Yates, Robert 74  
 Ziletti, Giovanni Battista 5  
 Zouch, Richard 125

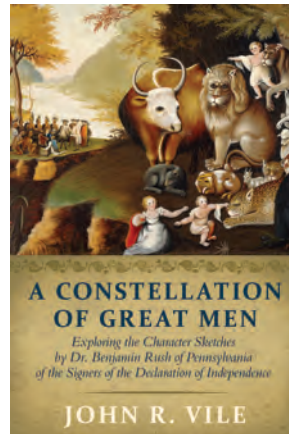
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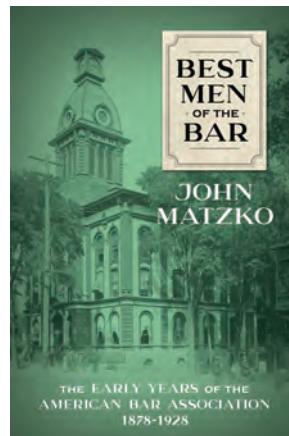
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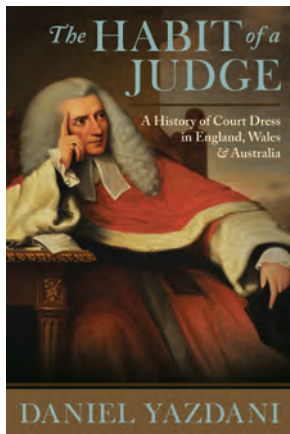
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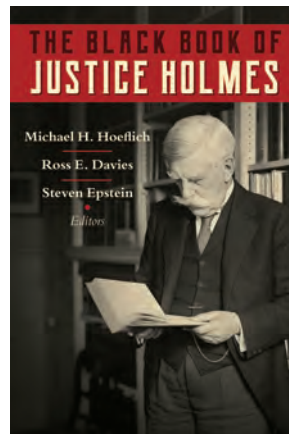
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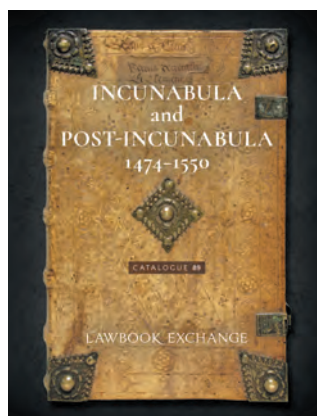
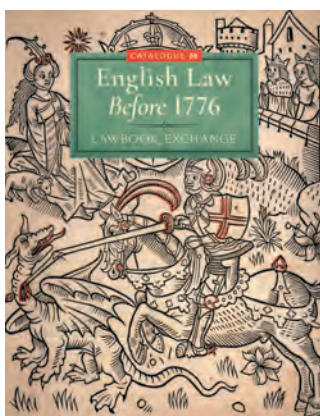
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No.	Name.	Age.	Trade,	By whom committed.	Date of Warrant.	Offence charged with.
37	William Gilbert.... From Wilton.	27	Labourer ....	E. T. Halliday, Clk.	September 27,	Stealing a jacket of John Mattock.
38	Thomas Edwards .. From Wilton.	22	Ditto .....	W. P. Thomas, Clk.	28th	Embezzling three pounds ten shillings of Francis Thomas.
39	James Meaker.....	19	Ditto .....	W. H. Harford, Esq.	.....	Stealing three fowls of Mark Cary. Also charged on suspicion of stealing a fowl of Thomas Cox.
40	Edward Wells .....	18	Ditto .....	W. Clark, Esq ....	October 1st	Stealing a bundle containing a pair of trowsers and other articles of James Barnett.
41	Edward Tucker .... From Wilton.	18	Ditto .....	W. Stone, and W. Beadon, Esqrs...	2nd	Stealing a purse, one half-sovereign and other monies of John Monkton.
42	William Norman.... From Wilton.	25	Ditto .....	W. Palmer, D. D..	.....	Stealing one hundred weight of apples of George Read.
43	George Emblen .. .. From Shepton.	37	Ditto .....	R. Strachey, Esq ..	5th	Stealing potatoes of George Steeds.
44	James Sargent .. . From Shepton.	20	Ditto .....	W. Clark, Esq ....	7th	Stealing twelve cotton handkerchiefs of Richard Hill.
45	John Fox.....	35	Ditto .....	J. F. Pinney, Esq ..	.....	Stealing a quantity of pork of William Oatway.
46	William Maber ... From Shepton.	19	Shoemaker ..	G. E. Allen, Esq ..	8th	Stealing sixteen pounds of cheese of James Andrews.
47	George Torrefield ..	26	Labourer ..	J. Goodford, Esq..	10th	Stealing two ducks of Samuel Hutchins.  The said George Torrefield for stealing a clothes Line of James Munden.
48	George Heifer .....	21	Ditto ....			
49	James Barnsby ....	16	Ditto .....	Ditto .....	.....	Stealing three pieces of brass of Henry Bragg.

*months, Wilton*  
*guilty*  
*years*  
*months, Shepton*  
*his Solity*  
*months, Wilton*  
*his Solity*  
*his Shepton*  
*months, Wilton*  
*his Solity*  
*his Shepton*  
*his Solity*  
*months, Shepton*  
*do*  
*guilty*

**PRISONERS FOR FELONIES CONTINUED.**

No.	Name.	Age.	Trade, &c.	By whom committed.	Date of Warrant.	Offence charged with.
50	Joseph Day..... From Wilton.	23	Labourer ....	J. Evered, Esq....	October 10th	Stealing two geese and one gander of Joseph Rood, Samuel Rood and Betty Rood.
51	Thomas Emery .... From Wilton.	44	Ditto .....	M. Blake, M. D. ...	11th	Suspicion of stealing a handkerchief and a night cap of Hugh Chudleigh Standard.
52	George Osment .... From Wilton.	26	Ditto .....	R. Woodland, Esq ..	.....	Stealing a sovereign, three half-crowns and other monies, &c. of Abraham Coleman.  Also, charged with stealing two ten pound notes, thirty-seven sovereigns, &c. of William Tilsed.
53	Henry Pickering.... From Wilton.	25	Ditto .....	W. Beadon, Esq ....	12th	Stealing a brass candlestick of Nicholas Bond.
54	Geo. Pole	18	ditto	M. Hadenwood Esq	-	Stealing a quantity of apples of Valentia Down
55	William Webb	32	ditto	H. H. Newford Esq.	- 14	Stealing a jacket of John Cates

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Solity*

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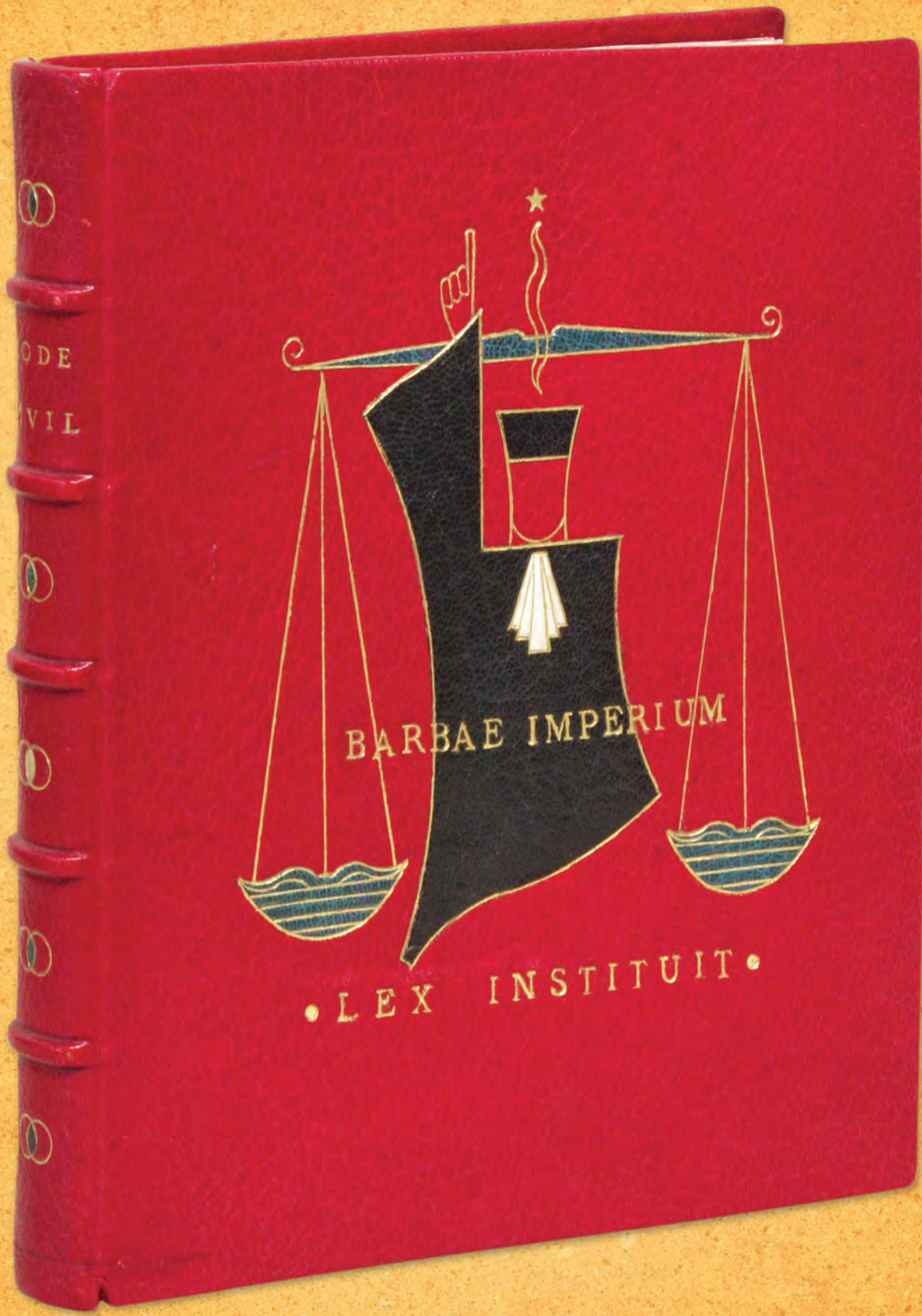
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*Warrant*

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