

# Books, Manuscripts, Broadsides, Pamphlets and Ephemera on Law and Related Fields

America, Great Britain & Europe,  
16<sup>th</sup> to 20<sup>th</sup> Centuries

CATALOGUE 98



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# Books, Manuscripts, Broadsides, Pamphlets and Ephemera on Law and Related Fields America, Great Britain & Europe, 16<sup>th</sup> to 20<sup>th</sup> Centuries

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Detail from N° 15

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- ♥ a 19th-century American archive concerning tariffs (Item 102)
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- ♥ a 16th-century pocket-sized French layman's edition of the *Institutes* (Item 11)

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# Sixteenth Century Books



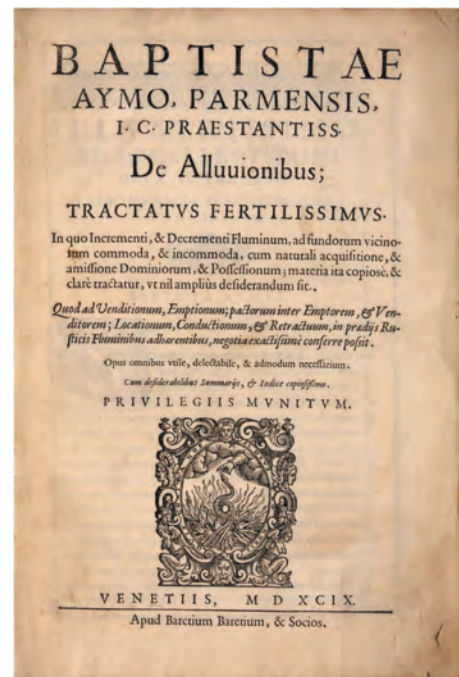
## AN INFLUENTIAL TREATISE ON RIPARIAN LAW

### 1. AIMO, BATTISTA [1550-1589].

[De Alluvionibus; Tractatus Fertilissimus, In quo Incrementi & Decrementi Fluminum, Ad Fundorum Vicinorum Commodo, & Incommoda, Cum Naturali Acquisitione, & Amissione Dominiorum, & Possessionum; Materia ita Copiosè, & Clarè Tractatur, Ut nil Amplius Desiderandum Sit. Quod ad Venditionum, Emptionum; Pactorum Inter Emptorem, & Venditorem; Locationum, Conductionum, & Retractuum, In Praediis Rusticis Fluminibus Adhaerentibus, Negotia Exactissimè Conferre Possit. Opus Omnibus Utile, Delectabile, & Admodum Necessarium. Cum Desiderabilibus Summariis, & Indice Copiosissimo.](#)

Venice: Apud Baretium Baretium & Socios, 1599. [xx], 307, [23] pp. Two woodcut folding plates. Eleven large woodcut text illustrations. Text printed within ruled borders.

Contemporary vellum with later vellum rebacking, later hand-lettered title to spine, early hand-lettered title to foot of text block, endleaves renewed. Light scuffing and a few minor stains and wormholes to boards, which are slightly bowed, light wear to corners, front hinge cracked, rear hinge starting, bookplate residue to front pastedown, a few partial cracks to text block. Moderate toning, light foxing in places, light browning to a few leaves.



\$1,850.

THIRD EDITION. Aimo's influential treatise addresses a thorny aspect of riparian law: alluvium, that is, soil deposited on a shore by a river that modifies the dimensions of a parcel of land. A fine example of humanistic legal scholarship, it is notable for its application of geometry-based surveying techniques, which are illustrated in the plates and most of the woodcuts. First published in 1580, it went through several editions into the eighteenth century. *EDIT16* CNCE573.

THREE SCARCE TITLES BY ALCIATI,  
INCLUDING A COLLECTION OF CONSILIA RELATING TO DUELING



2. ALCIATI, ANDREA [1492-1550].

[In Digestorum Seu Pandectarum Librum XII qui De Rebus Creditis Primus est, Rubric. Si Certum Petatur, Commentarius: Longe Doctissimus Atque Utilissimus: Una cum Vocum ac Rerum Toto hoc in Libro Notabilium Indice Diligentissimo.](#)

Lyons: Apud Iacobum Giunta, 1546. 387, [21] pp.

[BOUND WITH]  
ALCIATI, ANDREA.

[Parerga: Andreae Alciati Iurisconsulti Mediolanensis PARERAGON Iuris Libri Tres, Cum Argumentis Capitum in Eisdem, & Indice Vocum, Rerum, Autoritatum, & Locorum Notatu Dignorum.](#)

Lyons: Apud Iacobum Giunctam, 1539. [xxxii], 190 pp.

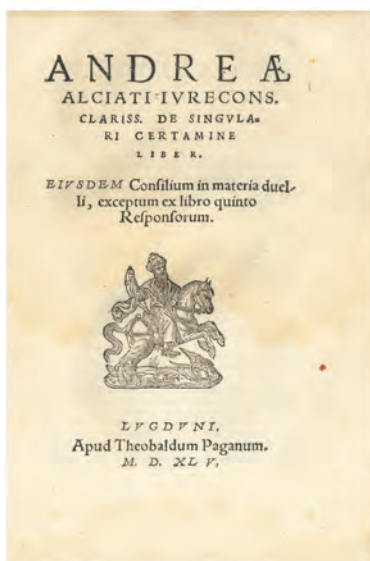
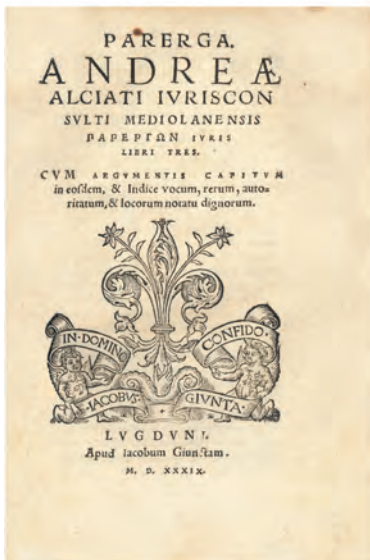
[AND]  
ALCIATI, ANDREA.

[De Singulari Certamine Liber: Eiusdem Consilium in Materia Duelli, Exceptum ex Libro Quinto Responsorum.](#)

Lyons: Apud Theobaldum Paganum, 1545. 111, [1] pp.

Octavo 6-1/4" x 4-1/4." Contemporary limp vellum with yapp edges, early hand-lettered titles to spine, top edge and front cover, ties lacking. Light soiling, rubbing to extremities with minor wear around spine ends and corners, vellum just beginning to crack through pastedowns. Attractive woodcut printer devices, colophons and decorated initials. Toning and light browning in places, early owner initials to title page of first title, interior otherwise clean. \$2,500.

FOURTH, SECOND AND THIRD editions respectively. The first title is a commentary on the *Digest*, Book XII, Title 1: "Things Credited Giving Rise to Fixed Claims and the *Condictio*." *Parergon* is a collection of "thought pieces" on miscellaneous topics in Roman law. The final volume is a collection of consilia on matters relating to dueling. It is derived from his *Responsa*, a multi-part collection of consilia on different topics. All editions of these titles are scarce. *Digestorum*: OCLC locates 3 copies; *Parerga*: OCLC locates 6 copies. Both of these imprints not listed in Adams, Roberts or the *British Museum Catalogue*; *Singulari*: OCLC locates 3 copies of this edition. Pazzaglini & Hawks A-9.





## A DURABLE WORK BY A RENOWNED SAXON JURIST

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

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

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

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

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



N° 3



N° 4 (See next page)



#### IMPRESSIVE 1598 EDITION OF THE *CORPUS JURIS CIVILIS*

4. [CORPUS JURIS CIVILIS]  
 JUSTINIAN I [485–565CE], EMPEROR OF THE EAST  
 ACCURSIUS [C.1182–C.1260], GLOSSATOR.  
 LECONTE, ANTOINE [1517–1586], COMMENTARY.  
 CUJAS, JACQUES [1522–1590], COMMENTARY.  
 DOUAREN, FRANÇOIS [1509–1559], COMMENTARY.  
 DE BOTTIS, JACOPOANELLO [1524–1581], COMMENTARY.  
 CARAVITA, AGOSTINO [D.1580], COMMENTARY.

[D. Justiniani Imperatoris Opus, Prudentum Responsa Caesarumque Rescripta Complectens. Quinq\[ue\] Voluminibus Distinctum, Multis Legibus Additis, Ac Iuris Consultorum, Cuiacii, Dyonisii Gothofredi, & Iacobi Anelli de Bottis, Augustini Caravita Glossis, Additionibus, Atq\[ue\] Nonnullis Aliis Illustratum. Ut eorum Omnium Elenchus Indicabit. Novissima Editio Juntarum.](#)

Venice: Apud Iuntas, 1598. Six volumes in five books. Complete set. Main text in parallel columns with linear glosses. Each volume preceded by title page, title page of Volume I preceded by general title page. Folio (9-1/2" x 6-3/4").

Contemporary vellum, early hand-lettered titles and volume numbers to spines, speckled edges. Some spotting and staining, light wear to extremities, corners and spine ends bumped, front joint of Book IV cracked, a few small wear holes to front boards of Books IV and V, early armorial bookplates to front pastedowns, small early owner stamp to front free endpapers, vellum beginning to crack through pastedowns of a few volumes,

front free endpaper lacking from Book I. General title page is a copperplate with an architectural border, volume title pages, each with large woodcut Giunta device, printed in red and black. Light to moderate toning, faint dampstaining and light foxing in places, early repair to leaf at in Book II with content replaced in manuscript, chipping and edgewear to general title page with some loss to image, early owner signatures to title pages of each volume except Volume VI. \$4,500.

COMMISSIONED by the Emperor Justinian I, the body of works known as the *Corpus Juris Civilis* reformed, restated and preserved Roman law. The *Code* is the reformed legal system. The *Novels* is a compilation of additional laws and amendments. The *Institutes* is an elementary textbook about it. And the *Digest* is a collection of commentary by leading jurists. The first modern edition, and the first titled *Corpus Juris Civilis*, was by Denis Godefroy [1549–1622]. Published in 1583, it became the standard version. Giunta's 1598 edition, which was reprinted in 1606 and 1612, is something of an anachronism because it reprints the collections of texts that were rendered obsolete by Godefroy. For this reason it offers an interesting comparison to Godefroy's edition. OCLC locates 3 complete copies in North America: Western Michigan University, which has a complete 1598 copy, and the University of Virginia Law School and University of Wisconsin, Madison, which have sets comprising volumes from 1598, 1606 and 1612. Our copy is from the library of the eminent historian Brian Tierney [1922–2019], an expert on the relationship between church and state in medieval Europe. *EDIT16* CNCE13435. **See rear cover.**

## EXECUTIONS, PLEDGES AND EPIGRAMS

## 5. GAIL(L), ANDREAS VON [1526-1587].

[De Pace Publica, Et Eius Violatoribus, Atque Proscriptis Sive Bannitis Imperio, Libri Duo. De Pignorationibus Liber Unus. De Manuum Iniectionibus, Impedimentis, Sive Arrestis Imperii, Tractatus Singularis.](#)

Cologne: Apud Ioannem Gymnicum, Sub Monocerote, 1586. 468, [60], 123, [1], [52] pp. Three parts, each with title page, third part has divisional title page. Octavo (7" x 4-1/2").

Contemporary vellum, endpapers renewed, early calligraphic title to foot of text. Light rubbing to extremities, small stain to front board, a few cracks to text block. Moderate toning, occasional dampstaining and spotting, internally clean. Ex-library. Bookplate to front pastedown. \$850.

SECOND EDITION. Gail was a German judge and legal scholar. First published in 1578, this book deals with executions of contracts and pledges under the laws of the Holy Roman Empire. The final section is a collection of legal epigrams. Its final edition, a German translation, was published in 1601. The contents of this book were incorporated into Gail's *Practicarum Observationum* beginning with the 1589 edition. As an independent work *De Pace Publica* is a rare title. Concerning all three editions, OCLC locates 1 copy in North America (at Yale Law School, which has a second edition). VD16 G52.

"THE FIRST TRUE SCHOLAR AND  
WRITER ON MODERN INTERNATIONAL LAW"



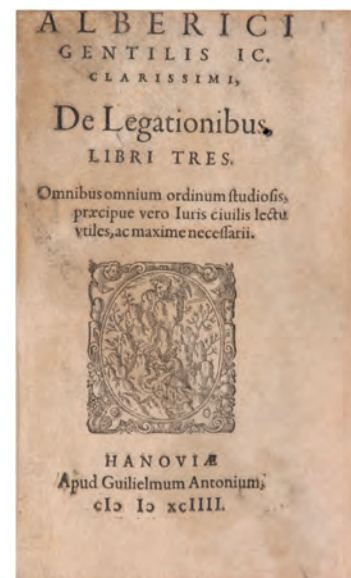
## 6. GENTILI, ALBERICO [1552-1608].

[De Legationibus, Libri Tres. Omnibus Omnium Ordinum Studiosis, Praecipue Vero Iuris Civilis Lectu Utiles, Ac Maxime Necessarii.](#)

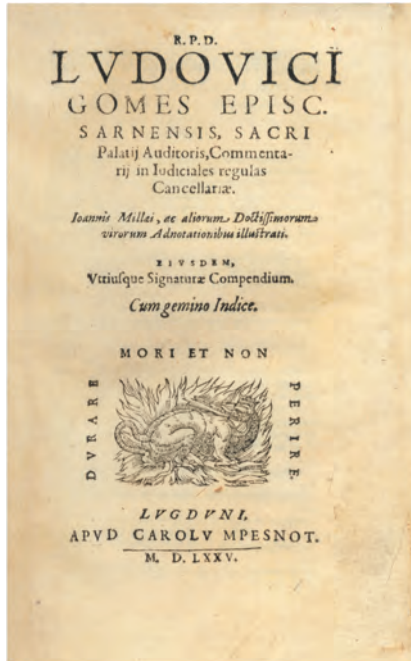
Hanover: Apud Guilieum Antonium, 1594. [xvi], 231, [1] pp. Octavo (5-3/4" x 3-1/2").

Contemporary flexible vellum, blind rules to boards surrounding gilt-stamped corner fleurons, front enclosing gilt image of a man kneeling in worship before a crucified Christ below owner initials "G.H." and above date "1595," rear enclosing image of the Christ Child, early hand-lettered title to spine, ties lacking. Light soiling, some rubbing to extremities, corners and spine ends bumped, small chip to upper corner of front cover, which has faint early owner initials, gilding oxidized, early library bookplate to front pastedown, tiny recent bookplate above it, front hinge cracked, minor worming to pastedowns and front endleaves. Moderate toning to text, somewhat heavier in places, a few wormholes with no loss to legibility, light soiling to title page. A very desirable copy in a striking period vellum binding. \$4,500.

SECOND EDITION. Gentili, an Italian jurist, was tutor to Queen Elizabeth I, a member of the Spanish Embassy in London and the Regius professor of civil law at Oxford. Widely considered Grotius's most important predecessor, Gentili was the "first true scholar and writer on modern international law as the law of the community of states" (Walker). His reputation in this field rests on two books, *De Iure Belli Libri Tres* (1598), a study of armed conflict, and *De Legationibus* (1585), a study of diplomats and diplomacy. Early editions of *De Legationibus* are scarce. OCLC locates 10 copies of the second edition, 4 in North American law libraries (Columbia, Harvard, Library of Congress, Yale). Walker 518. VD16 G1260.



## TRIAL PRACTICE IN CANON LAW



7. GOMEZ, LUIS [D. 1545].  
[MILLES DE SOUVIGNY, JEAN, EDITOR].

[Commentarii in Iudiciales Regulas Cancellariae. Ioannis Millaei, Ac Aliorum Doctissimorum Virorum Adnotationibus Illustrati. Eiusdem, Utriusque Signaturae Compendium.](#)

Lyons: Apud Carolum Pesnot, 1575. [civ], 474 [i.e. 472] pp. Octavo (7" x 4-1/2").

Contemporary blind-tooled pigskin, early hand-lettered title to spine, early owner monogram black-stamped to front board with central panel featuring allegorical female figures titled "Fortitudo" and "Temperenc[e]", "1583 black-stamped to rear board, which has a central panel featuring allegorical female figures titled "Iusticia" and "Prudentia," edges rouged. Some soiling, minor wear to spine ends and corners, small scuff to front board, front hinge starting. Toning, faint dampstaining in a few places, chip to p. 254 with minor loss to text, internally clean. A very appealing binding. \$1,950.

THIRD EDITION. Gomez was the Bishop of Sarno, Italy. First published in 1540, *Commentarii* is a treatise on trial practice in canon law. Also a practical work, it describes the rules of practice in detail. All editions are

scarce. OCLC locates 3 copies of the 1575 edition in North America (Harvard Law School, Library of Congress, University of Texas). Not in Adams. Palau 103.620.

IMPRESSIVE EARLY  
POST-TRIDENTINE EDITION OF GRATIAN

8. GRATIAN, THE CANONIST [C.1090-C.1160].  
[JOHANNES TEUTONICUS (D.1253), GLOSSATOR].  
[BARTOLOMEO DA BRESCIA (D.1258), GLOSSATOR].  
[BOLOGNINI, LODOVICO (1446-1508), EDITOR].

[Decretum Gratiani Emendatum et Notationibus Illustratum una cum Glossis. Cum Privilegio Gregorii XIII. Pont. Max. & Aliorum Principum. Permittente Sede Apostolica; Atque cum Populi Romani Licentia.](#)

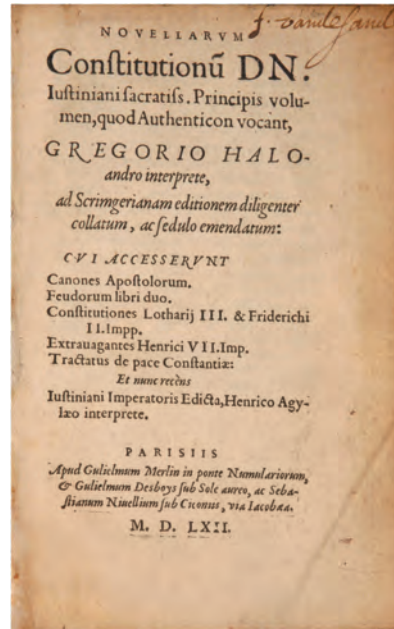
Venice: [Apud Magnam Societatem una cum G. Ferrario H. Franzino], 1584. 79 pp., 2704 [i.e. 2694] cols., [115] pp. Single-column main text surrounded by glosses. Folio (10-1/4" x 7-1/2").

Contemporary vellum, later gilt title to spine, edges of text block colored green, ribbon marker. Light soiling and some spotting to binding, corners and spine ends bumped. Text printed throughout in red and black, large woodcut vignette of Pope Gregory XIII to title page. Moderate toning to text, occasional light browning and faint dampspotting, faint dampstaining to head of text block in a few places, early repairs to fore-edges of ff. b1-b7. An impressive volume. \$1,500.



THE *CONCORDIA DISCORDANTIA CANONUM*, or as it is better known, 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 *Corpus Juris Civilis* in the study of the civil law, it became the basic text for the study of canon for many centuries. The *Decretum Gratiani* addresses various aspects of church jurisdiction, offenses and legal

proceedings, as well as administrative issues like baptism, feast days, confirmation and the consecration of churches. In the following century an extensive gloss was added by Teutonicus. Known as the *Glossa Ordinaria*, it was later revised and enriched by another Bartolomeo 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, along with the other books of the *Corpus Juris Canonici*, by the *Codex Iuris Canonici*. Our 1584 Venice edition incorporates the changes ordered in 1580–1582 by the council of revisers established by the Council of Trent (the *Correctores Romani*). It also includes Bolognini's edition of the *Margarita Decreti*, an index to the Decretals of Gregory IX. This copy belonged to the eminent historian and medievalist Brian Tierney [1922–2019], an expert on the relationship between church and state in medieval Europe. Ferreira-Ibarra 56.



### A RESPECTED EDITION OF THE NOVELS

9. JUSTINIAN I, EMPEROR OF THE EAST [485–565CE].  
 HOLOANDER, GREGOR [1501–1531],  
 EDITOR AND EDITOR.  
 SCRIMGER, HENRY, EDITOR AND ANNOTATOR.

[Novellarum Constitutionu\[m\] DN. Iustiniani Principis Volumen, Quod Authenticon Vocant, Gregorio Haloandro Interprete, Ad Scrimgerianam Editionem Diligenter Collatum, Ac Sedulo Emendatum: Cui Accesserunt Canones Apostolorum. Feudorum Libri Duo. Constitutiones Lothari III. & Friderichi II. Impp. Extravagantes Henrici VII. Imp. Tractatus de Pace Constantiae: Et Nunc Recens Iustiniani Imperatoris Edicta, Henrico Agylaeo Interprete.](#)

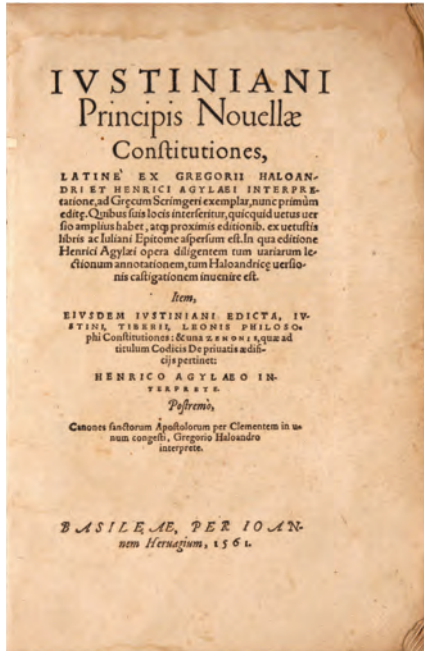
Paris: Apud Gulielmum Merlin, 1562. [viii], 332, [4] ff. Last leaf blank. Octavo (6-1/4" x 4-1/4").

Contemporary vellum, blind panels enclosing large blind arabesques to boards, pastedowns renewed. Negligible light soiling, boards slightly bowed, spine ends bumped, owner signature clipped from upper corner of front free

endpaper, later owner annotation to following endleaf, early owner signature to head of title page. Moderate toning to text, a few chips and some edgewear to front endleaves. \$1,250.

ALONG WITH THE *Institutes*, *Code* and *Digest*, the *Novels* is one of the writings known collectively as the *Corpus Juris Civilis*. The first three books were commissioned by the Justinian I in 530CE. The *Code* is the restated code of law, the *Digest* is a compilation of legal opinions and the *Institutes* is an introductory textbook on the *Code*. The *Novels* is a compilation of laws enacted after the publication of the *Code*. The subsequent influence of these books on European jurisprudence is difficult to overestimate. Haloander was one of the great sixteenth-century authorities on Roman law. His edition of the *Novels* includes the Peace of Constantine (Edict of Milan), the act that recognized the legitimacy of Christianity in the Roman Empire, edicts of the Holy Roman Emperors Henry VII [reigned 1165–1197] and Frederick II [reigned 1194–1250] and a collection of papal legislation falsely attributed to Pope Clement I [reigned 88–99CE], the so-called "False Decretals." Adams J685.

## EDITED BY A "REFORMED" LAWYER AND DEDICATED TO QUEEN ELIZABETH I



10. JUSTINIAN I, EMPEROR OF THE EAST.  
HALOANDER, GREGOR, TRANSLATOR AND EDITOR.  
AGYLAEUS, HENRICUS [1532 OR 1533-1595], EDITOR.

[Iustiniani Principis Novellae Constitutiones, Latine Ex Gregorii Haloandri et Henrici Agylaei Interpretatione, Ad Grecum Scrimgerii Exemplar, Nunc Primum Edite. Quibus Suis Locis Interferiter, Quicquid Vetus Versio Amplius Habet, Atq\[ue\] Proximis Editionib. Ex Vetustis Libris Ac Iuliani Epitme Aspersum Est. In qua Editione Henrici Agylaei Opera Diligentem tum Variarum Lectionum Annotationem, Tum Haloandricae Versionis Castigationem Invenire est. Item, Eiusdem Iustiniani Edicta, Iustini, Tiberii, Leonis Philosophi Constitutiones; & Una Zenonis, Quae ad Titulum Codicis de Privatis Aedificiis Pertinet: Henrico Agylaeo Interprete. Postremo, Canones Sanctorum Apostolorum per Clementem in Unum Congesti, Gregorio Haloandro Interprete.](#)

Basel: Per Ioannem Hervagium, 1561. [xxxii], 598, [2] pp. Quarto (9-1/4" x 6-1/2").

Contemporary limp vellum, early hand-lettered title to spine, ties lacking.

Minor soiling, a few small stains, and few tiny worm holes, some wear to corners, a few minor tears to spine ends, front joint starting at ends, front pastedown worn and partially detached, text block somewhat loose, vellum beginning to crack though rear pastedown. Faint dampstaining to head of text block, moderate toning, foxing and light browning in places, mild edgewear to corners of preliminaries, recent early owner inscription to front free endpaper. \$2,500.

FIRST EDITION. This collection of legal texts begins with the first appearance of a revised edition, with original commentary by the Dutch jurist Agylaeus, of Gregor Haloander's complete translation of the *Novels*. This is followed by a group legal texts from other sources edited with commentary by Agylaeus, including: *De Indulgentia Tributarium Reliquorum*, *Tiberii Imperatoris de Divinis Domibus Constitutio*, *Imperatoris Leonis Augusti Novellae Constitutiones*, *Imperatoris Leonis Augusti Novellae Constitutiones* and *Zenonis Imperatoris de Novis Operibus Constitutio, Eodem Interprete*. He also includes Haloander's version of the Apostolic Canons of Pope Clement I. Agylaeus dedicated this work to Queen Elizabeth I. His choice of a Protestant monarch probably reflected his personal circumstances at that time. He had recently been charged with heresy at the court of Brabant because of comments he published about the Bible and the sacraments. Rather than appear before the court he fled to Germany. He may have intended to continue his flight into England. A year after he published the present work, he requested permission to return, which was granted after he paid a fine and made a confession to the *inquisitor fidei*. A few years later he moved to the Netherlands and became a supporter and leader of the "Reformed Religion" in the Netherlands. The work is scarce outside of Germany. OCLC locates 1 copy in a North American library (Folger Shakespeare). VD16 C5267.

### A SIXTEENTH-CENTURY POCKET-SIZED FRENCH LAYMAN'S EDITION OF THE *INSTITUTES*

11. JUSTINIAN I, EMPEROR OF THE EAST [483-565 CE].  
LESCUT, NICOLAUS DE [D.1580], TRANSLATOR AND EDITOR.

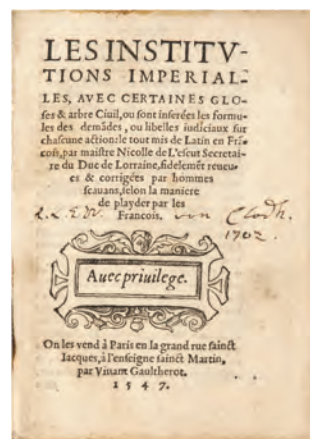
[Les Institutions Imperiale, Avec Certaines Glosses & Arbre Civil ou Sont Inserées les Formules des dema\[n\]des ou Libelles Iudiciaux sur Chascune Action: Le tout Mis de Latin en Francois, Par Maistre Nicolle de l'Escut Secretaire du Duc de Lorraine, Fidelemet Reveues & Corrigées par Hommes Scavans, Selon la Maniere de Playder par les Francois.](#)

Paris: On les Vends à Paris en la Grande rue Saint Jacques, à l'Enseigne Saint Martin, Par Vivant Gautherot, 1547. [viii], 332 ff. 16mo. (4-1/2" x 3").



Later calf, blind frames with gilt corner fleurons enclosing a blind-stamped heraldic lion passant to boards, raised bands, blind fillets and gilt ornaments to spine. Light rubbing to boards, moderate rubbing to extremities, a few worm holes to spine, small chip to head, hinges cracked (exposing manuscript binder's waste). Light toning to text, later owner marking to front free endpaper, owner signature dated 1702 to title page. \$1,500.

THIS POCKET EDITION followed two earlier editions in larger formats from 1543 and 1544. As early as the 12th century, French legal students began to refine their study and practice of law toward a "perfected" Justinian system. This interest was largely owed to the spread of the philologically oriented study of the books of the *Corpus Juris Canonici* at the University in Bologna. French universities followed suit. The spread of text-based Roman law in France eventually created a market of translations for the general public, such as our imprint by Lescut, a jurist, diplomat and secretary to Antoine the Good, Duke of Lorraine. He states in his preface that he took "great pains" to render the text in plain language. Despite the claim in his title, this book was not issued with a tree of descents (*arbre civil*). All editions by Lescut are scarce. OCLC locates 7 copies of the 1547 edition, 1 in North America (Library of Congress). *Éditions Parisiennes* 16 BP16-112725.



## SCARCE TREATISES ON PROXIMATE CAUSE AND EVIDENCE IN ROMAN LAW



12. MEDICI, SEBASTIANO [D.1595].

[Tractatus de Fortuitis Casibus. In Hac Editione a Mendis Quibus Scatebat Innumeris, Diligenter Repurgatus.](#)

Cologne: Apud Ioannem Gymnicum, Sub Monocerote, 1578. [xlviii], 443, [4] pp.

[BOUND WITH]  
ERCOLANI, FRANCESCO [1541-1569].  
DA FANO, MARTINO (MARTINUS) [ACTIVE 1229-1272].

[Tractatus de Probanda Negativa, Quis Scilicet Teneatur Probare Negativam, Et Quibus Modis Negativa Probetur, Duorum Clarissimorum Jurisconsultorum Francisci Herculani Perusini, Et Martini de Fano. Quibus ea Quae ab Hanc Materiam Spectant, Exactissimè & Absolutissimè Tractantur & Explicantur.](#)

Cologne: Apud Ioannem Gymnicum, Sub Monocerote, 1578. 272 pp.



Octavo (6" x 4"). Contemporary quarter blind-tooled pigskin over colored vellum with blind rules, faint traces of later hand-lettered title and shelf number to spine. Light rubbing and soiling to boards, spine ends bumped, moderate wear to corners, partial cracks in text block between main text and adjacent endleaves. Moderate toning and occasional faint spotting to text, early underlining and annotations in a few places in each volume, small later owner stamp to title page, small recent stamp to front pastedown. \$2,500.

*FORTUITIS CASIBUS*: second edition; *Probanda Negativa*: third edition. This volume combines two treatises on Roman law. Medici's addresses examples of proximate cause, that is, cases that are legally sufficient to result in liability. It was first published in 1577 and went through several later editions, the last in 1596. Originally published in 1564 as *Quis Teneatur Probare Negativam, Et Quibus Modis Negativa Probetur* Ercolani's treatise concerns the law of evidence. It is based on a work by the Medieval jurist Martino (Martinus) da Fano. Its final edition was published 1664. Portions of this work were included in a treatise by Fulvio Pacciani, *De Probationibus Libri Duo* (1703). VD16 M1876, M1265.



N° 13



N° 14

### FASCINATING SIXTEENTH-CENTURY DIGEST OF LAND AND HUNTING LAWS

13. MEURER, NOE [1525-1583].  
SPANGENBERG, CYRIACUS [1528-1604].

[Von Forstlicher Oberherrlichkeit und Gerechtigkeit, Was die Recht, Der Gebrauch, Und die Billigkeit Desselhalben Vermög. Item: Von dem Waren Oder Gerechten Rechten, Der Teutschen Gerechtigkeit, Aequitate Oder Billigkeit, Wie und Wenn die von Einem Jeden Gerechten und Nit zu Strengen Richter, Nach Gestalt und Gelegenheit Furfallender Ungleicher Fall und Sachen Zuhalten, Und Darnach zu Urteilen Sey. Alles Beschriben durch den Hochgelehrten Noe Meurer. Auch vom Rechtmessigen Jagen und vom Missbrauch Desselbigen, Bestendiger Bericht durch M. Cyriacum Spangenberg.](#)

[Frankfurt am Main: Weigand Han and Georg Raben, 1561]. c. xxxvii, [1], lxxx, [4] ff. Three parts in one volume. Folio (11" x 7").

Recent paper-covered boards retaining earlier paper spine, endpapers renewed, edges rouged. Light soiling, front joint just starting at head, recent owner bookplate to front pastedown. Title page printed in red and black, large woodcut coat of arms to verso. Light browning to text, faint dampstaining to fore-edge of text block, two small library stamps to foot of title page. A nice copy of a handsomely printed volume. \$2,500.

SECOND AND FINAL EDITION. Early game and land laws record the earliest attempts to preserve the environment. They also offer fascinating insights into social history due to their relevance to topics ranging from class structure to foodways. First published in 1560. Meurer and Spangenberg's compilation offers a thorough overview of land-use, fishing and hunting laws as they stood in the states of the Holy Roman Empire during the mid-sixteenth century. The first edition is considerably shorter than the second, containing 100 leaves. Both editions are scarce in North America. OCLC locates 2 copies of the first edition (at Columbia Law School and Yale University) and 1 copy of the second (at Harvard University). Not in Adams. VD16 M5017.



FIRST EDITION OF A STANDARD WORK ON PLEDGES AND MORTGAGES

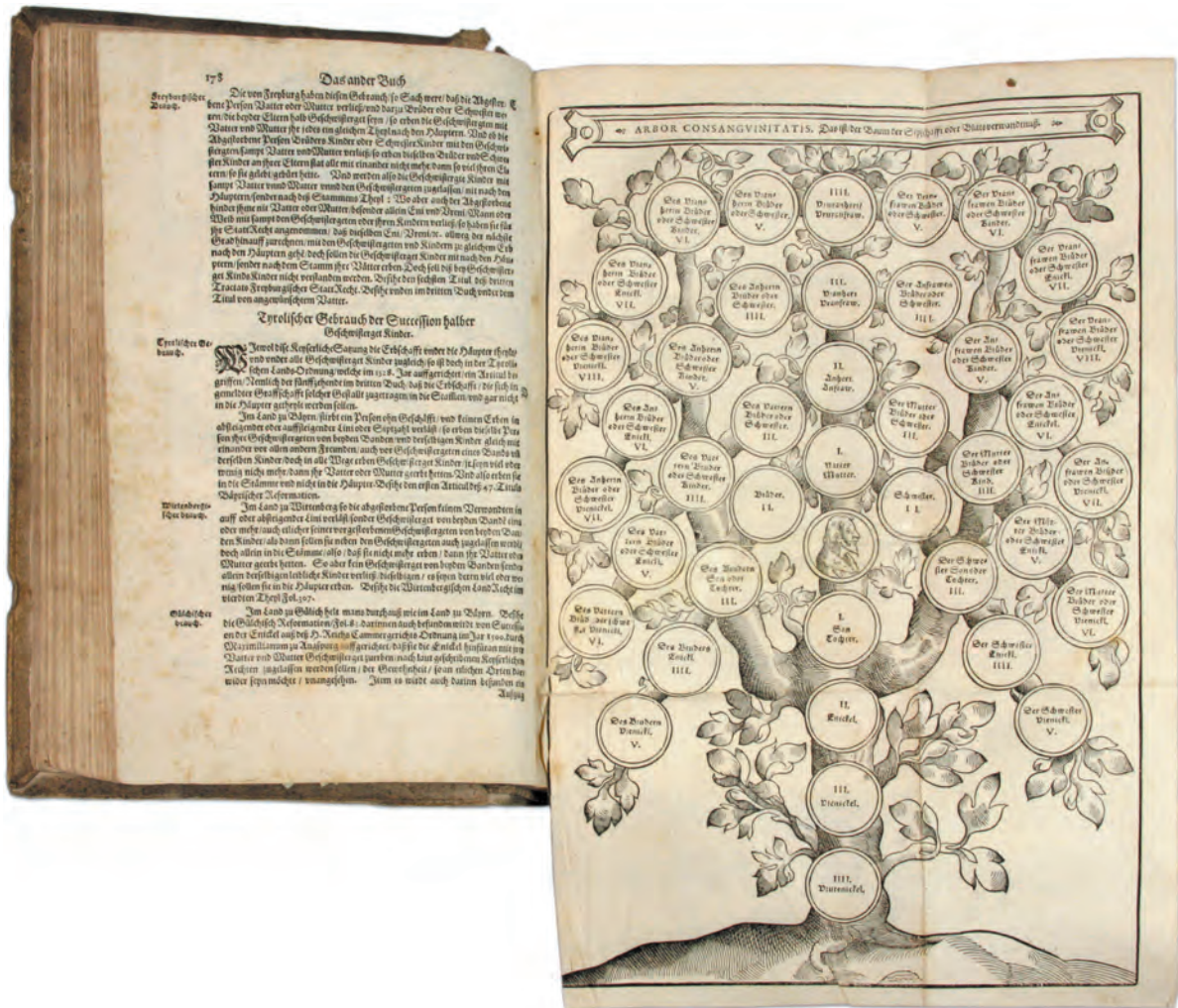
14. NEGUSANTI, ANTONIO [1465-1528].

Tractatus de Pignoribus et Hypothecis Domini Antonii Negusantii de Fano.

[Bologna: Characteribus Cynthii Achillini excussa, 11 Augusti 1526]. [xii], 68, [2] ff. Text (except dedication) in parallel columns. Main text preceded by index (Repertorium). Folio (14-1/2" x 10").

Contemporary vellum, raised bands and faint early hand-lettered title to spine. Light rubbing, minor soiling and some minor stains to boards, which are slightly bowed, chip to head of spine, joints just starting at foot, corners bumped and somewhat worn, minor worming to pastedowns and endleaves, wear holes (paper flaw?) to rear free endpaper, crack in text block between front free endpaper and title page of Repertorium. Title pages printed within woodcut architectural border, woodcut decorated initials. Light toning, light foxing in a few places, brief early annotations in a few places, some affected by trimming, faint oil stains to a few leaves, light soiling and minor edgewear to preliminaries. An impressive copy of the rare first edition. \$5,000.

FIRST EDITION. Negusanti's treatise on pledges and mortgages in Roman law was a standard work for several generations of lawyers throughout Europe. Several issues and editions followed, the last one in 1736. OCLC locates 2 copies, 1 in North America (at Harvard Law School). EDIT16 CNCE23606.



Detail from N° 15 (See next page)

THE FIRST ATTEMPT IN GERMANY  
TO COLLECT AND ORGANIZE ROMAN AND DOMESTIC LAW



15. PERNEDER, ANDREAS [C.1500-1543].  
FREIMANN, ROCHUS [D.1583], EDITOR.  
[HUNGER, WOLFGANG (1511-1555), EDITOR].  
SOCCINI, BARTOLOMMEO [1436-1507], EDITOR.

[Imp. Caes. Justiniani Institutiones, Das ist ein Aussug und Anleitung Anleitung Etlicher Keyserlichen unnd deß heiligen Römischen Reichs Geschribner Rechten Sampt Anhängtem Gerichtlichen Proceß, Lehenrecht, Halsgerichtsordnung, Summa Rolandini von Contracten und Testamenten, Reguln Bartholomaei Socini, &c....](#)

Ingolstadt: Getruckt zu Ingolstatt durch Wolfgang Eder inn Verlag der Hohenschul Daselbsten, 1592. [lxviii], 348; [xx], 228; [xii], 117; [xv], 95; [xvii], 130 pp. Five parts. First work preceded by general title page, other four with individual title pages and paginations. These parts have titles beginning: *Gerichtlicher Prozess*, *Lehenrecht*, *Halsgerichtsordnung* and *Summa Rolandina* (edited by Soccini). Two folding tables, one a woodcut table of consanguinity, another a tabular outline of Justinian's *Institutes*. 15 half-page woodcuts (with repeats), a few small woodcut text illustrations. Folio (12-1/2" x 7-3/4").

Elaborately panel-stamped contemporary pigskin (with biblical scenes), raised bands and faint later hand-lettered title to spine, bronze clasps, lower clasp lacking, strap and hasp present. Some soiling, moderate rubbing to extremities with some wear to corners and spine ends, rear free endpaper lacking. General title page printed in red and black, all title pages feature woodcut images of Lady Justice, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, minor worming, confined mostly to pastedowns and front and rear sections of text block, minor edgewear and a few minor tears to folding tables, early owner signature (?) to front free endpaper, a two early owner signatures, one crossed out, in small hands to title page. An impressive volume. \$5,000.

THIRD AND FINAL EDITION, rewritten and considerably enlarged, the best edition of this work. (All later editions are reprints of this one.) Text in German with Latin excerpts. As Stobbe has noted, this was the first German work that attempted to compile Roman, Holy Roman and local law in a systematic manner. There are five parts, one of them sub-divided into two parts. *Institutiones* is a translation, revision and analysis of Justinian's *Institutes* with comparisons to relevant laws of the Holy Roman Empire and the Kingdom of Bavaria. *Gerichtlicher Prozess* summarizes the Empire's civil and criminal procedure. *Der Lehenrecht* addresses feudal law. The *Halsgerichtsordnung* is a digest of the Empire's criminal law and procedure. The *Summa Rolandina*, a guide to writing wills and other legal documents. This work includes Soccini's *Regulae Iuris*, a commentary on a collection of maxims in Roman and canon law. These texts were originally edited and translated by Perneder, a Bavarian jurist and Secretary to King Wilhelm V of Bavaria. They were collected and revised by Hunger, a Bavarian state counselor, and first published in 1550-1551. The illustrations in our 1592 edition depict the emperor and his electors, the signing of a contract, a tax office and a trial (with a variety of executions taking place in the background, one of them a witch-burning). Stobbe, *Deutsche Rechtsquellen* II:173. VD16 P1508.



# Seventeenth Century Books



## ASSERTING THE CHURCH AND CROWN IN BOHEMIA

16. [BOHEMIA].

FERDINAND II [1578-1637], HOLY ROMAN EMPEROR.

[Der Rom. Kay. Auch zu Hungarn und Bohaimb \[Et\]c. Koniglichen Majestat, Ferdinandi dess Andern \[et\]c. Vernewerte Landes Ordnung Deroselben Erbkönigreichs Bohaimb. Auff der Jetzt Regierenden Kay. und Konigl. May. Ferdinandi dess Dritten \[et\]c. Allernadigsten Befehl von Newem Aufgelegt und mit Unterschiedlichen Declaratorien und Novellen Vermehret.](#)

[Vienna: Gedruckt bey Mariae Formick, 1640]. [viii], 551, [vi], 131, [2] pp. Two parts, each with title page and individual pagination. Folio (11" x 7").

Contemporary speckled calf, varnished, blind rules to boards, raised bands and lettering piece to spine, speckled edges, (later?) marbled endpapers. Light rubbing to boards, moderate rubbing to extremities, joints just starting at ends, corners bumped. Title pages, with large copperplate arms of the Holy Roman Empire, printed in red and black, large arms copperplate arms of Bohemia to versos, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, light foxing to a few laves, edges of title pages trimmed closely with minor loss, internally clean. Ex-library. Bookplate to front pastedown. \$950.

FOURTH EDITION. Holy Roman Emperor Ferdinand II, a Habsburg, ruled the Kingdom of Bohemia. A document of the Thirty Years War [1618-1648], his *Vernewerte Landes Ordnung* (Revised Land Ordinance) for Bohemia, enacted in 1627, aimed to consolidate his power and suppress Protestantism, which was spreading though parts of that kingdom. Among other measures, it deprived the Bohemian estates of their military rights, placed all schools under Jesuit control and made Catholicism the kingdom's only legal religion. Due in part to his aggressive stance, Bohemia witnessed some of the most brutal battles of the war. Ferdinand, who died in 1637, was able to pass the kingdom to his heir, but the land and its crown were greatly diminished. Editions of the *Vernewerte Landes Ordnung* were published in 1627, 1628, 1638, 1640, 1714 and 1753. All are scarce. OCLC locates 2 copies of the 1640 edition in North American law schools (University of Michigan, Yale). VD1712:656896L.



## STUDY OF THE CIVIL LAW NOTABLE FOR ITS CRITICISM OF THE CROWN

17. DUCK, ARTHUR [1580-1648].

[De Usu & Autoritate Juris Civilis Romanorum, Per Dominia Principum Christianorum. Libri Duo.](#)

London: Iimpensis Thomae Dring, & Venales Prostant Apud Johannem Dunmore, 1679. [xxxiv], 120, 97-120, 145-405, [33] pp. First page of text preceded by publisher advertisement leaf. 12mo (6" x 3-1/2").

Contemporary mottled calf, rebacked in period style with gilt-edged raised bands, blind ornaments and lettering piece, hinges mended. Light gatoring, minor worming and a few nicks and scuffs to boards, some wear to corners. Title printed within ruled border. Light toning to text, clean tear to leaves H11-12 (pp.189-192) with no loss to text. An attractive copy. \$850

SECOND EDITION. On one hand, this book, first published in 1653, is an explanation of the "use and authority" of the civil law in England. On the other, it is a critical appraisal of the English Crown. As Coquillette observes, "[m]ore than half of this little book was dedicated to showing that there was a good deal of 'might makes right' in the early English monarchy, rather questionable legitimacy of succession, and some major institutional dislocations beginning with the 'harsh...yoke of the conquest itself.'" This was an unusual position for a staunch Royalist and member of the Royalist-leaning Doctor's Commons to take. Indeed, fearing punishment, Duck refused to publish this work during his lifetime. It had a lively posthumous history, however. It had two later English editions in 1679 and 1689 and several continental editions, including one by Elsevier. A partial translation was published as an appendix to a translation of Ferriere's *History of the Roman or Civil Law* (1724). Our copy's collation differs slightly from the ESTC record, but matches the collation of another copy we examined and others listed on OCLC. Coquillette 161-163. ESTC R35018.

## FOUR SCARCE COUTUMIERS FROM NORTHERN FRANCE

18. [FRANCE].  
[CUSTOMARY LAW].

[Coustumes Du Bailliage De Vermandois en la Cite, Ville, Baillieue & Prevoeste Foraine de Laon: Mises & Redigees par Escrit, Arrestees & Emologuees en Presence des Gens des Trois Estats Desdits Bailliage & Prevoeste, par Nous Christofle de Thou President, Barthelemy Faye, & Jacques Viole Conseillers du Roy en sa Cour de Parlement, & Commissaires a ce par Luy Ordonnes, Au Mois de Novembre 1556.](#)

Reims: Chez Simon De Foigny, 1616. [iv], 108, [4] ff.

[BOUND WITH]

[Coustumes de la Cite & Ville de Reims, Villes & Villages Regis Selon Icelles: Redigees par Escrit en Presence des Gens des Trois Estats, par nous Christofle de Thou President, Barthelemy Faye, & Jacques Viole Conseillers du Roy en sa Cour de Parlement, & Commissaires par luy Ordonnes.](#)

Reims: Chez Simon de Foigny, 1615. 61 [3] ff.

[AND]

[Coustumes de Chaalons, & Ressort Du Siege Dudit Lieu, En Ce Qui Est du Bailliage de Vermandois: Redigees par Escrit, En Presence des Gens des Trois Etats, Par nous Christofle de Thou President, Barthelemy Faye, & Jacques Viole Conseillers du Roy en sa Cour de Parlement, & Commissaires par luy Ordonnes.](#)

Rheims: Chez Simon de Foigny, 1615. 33, [1] ff.



[AND]

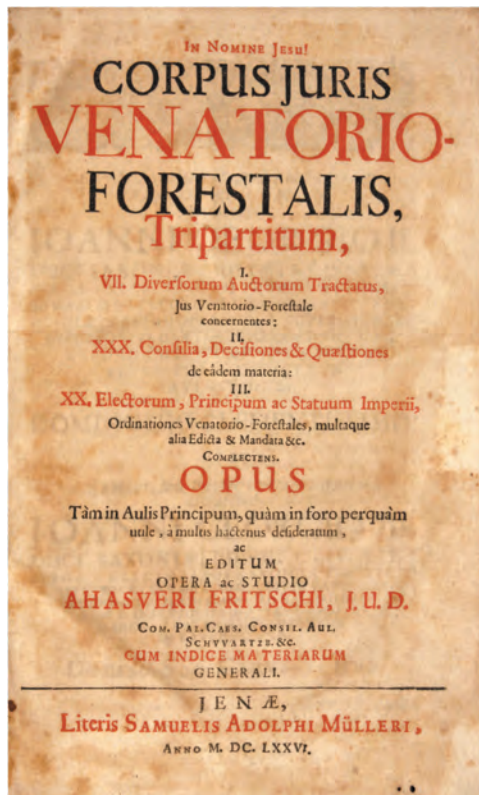
[Les Coustumes du Bailliage de Vitry en Pertois: Redigees & Emologuees par les Trois Estats, en l'An Mil Cinq Cens & Neuf. Reveues & Corrigees par Messire Charles du Molin, Docteur es Droits, Jurisconsulte, & Ancien Advocat en la Cour de Parlement a Paris. Plus y est Adjousté par Ordre Alphabetique un Catalogue & Indice des Villes, Villages, Terres & Seigneuries Subjectes Audict Bailliage, & Reiglees par Ladite Coustume.](#)

Reims: Chez Simon & Jean de Foigny Imprimeurs, 1618. 40, [2] ff.

Quarto (9" x 6"). Contemporary calf, gilt rules to boards, raised bands, gilt ornaments and title (reading *Coustume De Verman*) to spine, faint hand-lettered title to head of text block. Light rubbing and staining to boards, extremities bumped and rubbed with some loss to spine ends and corners, a few small pieces lacking from edges, front hinge starting, fragment of early bookplate to front pastedown. Light toning, minor foxing to top margins, light soiling to title pages, small strips cut from bottom margins of two leaves of *Laon* (for bookmarks?), no loss of text, faint dampstaining in a few places, minor tears and chips to margins of a few leaves, internally clean. \$2,750.

COMPOSED in 1448 and revised in 1556, the Vermandois *coutume* governed much of the Ile-de-France and Picardy, lands that included four of the six French ecclesiastical peerages: the Archbishopric of Rheims, and the Bishoprics of Laon, Chalons and Noyon. Rheims's, which applied to areas beyond ecclesiastical control, was written in 1481 and first published in 1615. The *coutume* of Chalons, written in 1571, applied also to parts of Vitry and Barrois, that of Vitry-en-Pethois was issued in 1509 and first printed in 1618. Caswell & Sipkov 398, 388, 347, 486.

### A SEVENTEENTH-CENTURY COLLECTION OF WRITINGS AND CONSILIA ABOUT FOREST AND GAME LAWS



19. FRITSCH, AHASVER [1629-1701].

[Corpus Juris Venatorio-Forestalis, Tripartitum, I. VII. Diversorum Auctorum Tractatus, Jus Venatorio-Forestale Concernentes. II. XXX. Consilia, Decisiones & Quaestiones de Eadem Materia. III. XX. Electorum, Principum ac Statuum Imperii, Ordinationes Venatorio-Forestales, Multaque Alia Edicta & Mandata &c. Complectens. Opus tam in Aulis Principum, Quam in foro Perquam Utile a Multis Hactenus Desideratum.](#)

Jena: Literis Samuelis Adolphi Mülleri (Impensis Johan. Theodorici Davidis Fleischeri), 1676. [xiv], 114, 47, 68, 219, 284, 52 pp. Main text in parallel columns. Copperplate pictorial title page. Folio (12-1/2" x 7-1/2").

Contemporary sheep, blind rules to boards, "cx" gilt-stamped to head of front board, raised bands to spine, tiny later shelf label to head of spine. Light rubbing and some minor scuffing to boards, moderate rubbing to spine and extremities, small chip to head of front board, recent owner bookplate to front pastedown. Title page following pictorial title page printed in red and black. Moderate toning to text, somewhat heavier in places, occasional light foxing, "no: 550" in tiny hand to lower margin of pictorial title page. An attractive copy. \$1,500.

SECOND EDITION. First published in 1675, this book collects Fritsch's writings and *consilia* dealing with the forest and game law of the Holy Roman Empire and the local laws of German states. Early game and land laws record the earliest attempts to manage environmental resources. They also offer fascinating insights into social history due to their relevance to topics ranging from class structure to foodways. Other editions were published in 1677 and 1702. All are scarce. OCLC locates 9 copies of the second edition, 3 in North American law libraries (Harvard, UC-Berkeley, Yale). VD17 1:015426N.

## STUDIES OF FEUDAL LAW BY A NOTABLE HUMANIST SCHOLAR-JURIST



20. GIFFEN, HUBERT VAN [1534-1604].  
OLEMANN, KONRAD [ACTIVE 1578-1587].

[Antinomiae Iuris Feudalis, Sive Disputationes XI. Ex Huberti Giphanii IC. Summi, Sacr. Caesar. Maiestat. Consilarii, &c., Praelectionibus Desumptae. Quibus Artificiose Methodo Medulla Totius Iuris Feudalis Continetur: Additis Ex Toto Iure Obiectionibus, Solutionibus & Explicationibus, Iisdemque Certum in Ordinem Redactis Ab Eximio D. Conrado Olemanno IC. S. Opus Iurium Studiosis, Respondentibus, Opponentibus ac in Foro Versantibus, Utilissimum & Apprime Necessarium. Accessit Demum Tractatus Feudalis D. Huberti Giphanii IC. Elegantissimus, Brevi & Succincta Methodo Ius Omnefeudorum & Controversia Dilucide Explicans.](#)

Frankfurt: Typis Nicolai Hoffmanni, Impensis Iohannis Iacobi Porsii, 1606. [iv], 195, [9]; 99, [5] pp. Two parts, each individual pagination. Quarto (7-3/4" x 6").

Contemporary paneled pigskin over beveled boards, raised bands and faint later hand-lettered title to spine, early owner initials and date (1618) black-stamped to front board, edges rouged, clasps lacking, catches present. Light soiling and a few minor stains, moderate rubbing to spine ends and corners,

a few partial cracks to text block. Light browning to text, negligible faint dampstaining to head of text block above text, minor worming to foot of title page. A handsome copy. \$1,500.

SECOND EDITION. Giffen was an important Dutch humanist, philologist, jurist and authority on Roman law who taught at the universities of Altdorf, Ingolstadt and Prague. *Antinomiae Iuris Feudalis* was first published in 1605. It is a collection of 11 essays on feudal law topics, such as inheritance and contracts based, presumably, on earlier research by Olemann. Later editions were published in 1647 and 1666. All are scarce. OCLC locates 4 copies of the second edition in North American law libraries (Harvard, Library of Congress, UC-Berkeley, Yale). VD173:309631N.

AN EDITION OF THE DECRETALS OF GREGORY IX  
"AD EXEMPLAR ROMANUM DILIGENTER RECOGNITAE"

21. GREGORY IX, POPE [1227-1241].  
RAYMOND OF PENAFORTE, SAINT [1175?-1275], COMPILER.  
[BOTTONI, BERNARDO (D.1266), GLOSSES].  
[D'ANDREA, GIOVANNI (C.1270-1348), GLOSSES].  
[BOLOGNINI, LODOVICO, MARGARITA DECRETI].

[Decretales D. Gregorii Papae IX. Cum Glossis Diversorum, Veterum et Autheticorum Codicum Operedintegratae. Ad Exemplar Romanum Diligenter Recognitae. Editio Novissima.](#)

Lyon: Sumptibus Iacobi Cardon & Petri Cavelat, 1624. [xxviii] pp., 1966 cols., 37, [3] pp. Main text in parallel columns with glosses. Woodcut leaf of Pope Gregory IX surrounded by Old Testament figures and Church Fathers on page facing Table of Contents. Folio (14-1/2" x 9-1/2").

Eighteenth-century calf, gilt frames and central gilt-stamped crests to boards, one on front depicting a crowned Christ, raised bands and gilt title and ornaments to spine. Rubbing to boards and extremities with notable wear to spine ends and corners, a few scuffs and minor stains, front board beginning to separate but secure, rear joint starting, two early owner signatures to front pastedown. Title page, with large



Detail from N° 21

copperplate printer's device, printed in red and black. Light foxing, moderate toning, somewhat heavier in places, occasional faint dampstaining to head and foot of text block, mostly confined to margins, minor worming to preliminaries, light soiling to title page. \$950.

THE *DECRETALS* OF GREGORY IX are the first authentic general collection of papal decrees and constitutions. Compiled by Raymond of Penaforte at the request of Pope Gregory IX in 1230-1234 and promulgated in 1234, it is one of the four works known collectively as the *Corpus Juris Canonici*, a collection of papal decisions concerning ecclesiastical hierarchy, procedure, the functions and duties of clerks, marriage, and crime. Our 1624 Lyon edition incorporates the changes ordered in 1580-1582 by the council of revisers established by the Council of Trent (the *Correctores Romani*). It also includes Bolognini's edition of the *Margarita Decreti*, an index to the *Decretals*. This copy is from the library of the eminent historian Brian Tierney (1922-2019), an expert on the relationship between church and state in medieval Europe. This edition not in Ferreira-Ibarra. **See front cover.**

## AN INFLUENTIAL *COUTUME*

22. LHOSTE, ANTIONE [FL. 1629], COMMENTARY.  
DU MOULIN, CHARLES [1500-1566], NOTES.

[Les Coustumes Anciennes de Lorris, Des Bailliage et Prevosté de Montargis le Franc, De Saint Forgeau, Pays de Puysaye, Chastillon sur Loüain, & Autres Lieux Ressortissans Audit Bailliage de Montargis, Comté de Gien, De Sanxerre, Duché de Nemours, Ce qui est au Pays de Gastinois, Chastellenie de Chasteaulandon, & Autres Lieux Regis & Gouvernez par Lesdictes Coustumes.](#)

Paris: Chez la Veusue M. Guillemot au Palais, & M. Guillemont, 1629. [viii], 24, 592, 595-722, [56] pp. Last page blank. Copperplate portrait of Lhoste facing p. 1.

[BOUND WITH]  
LHOSTE, ANTOINE.

[Le Bouquet des Actions Oratoires.](#)

Paris: S.n., 1629. 36, 8 pp. Last page blank.

[AND]

[Extraict des Registres de Parlement.](#)

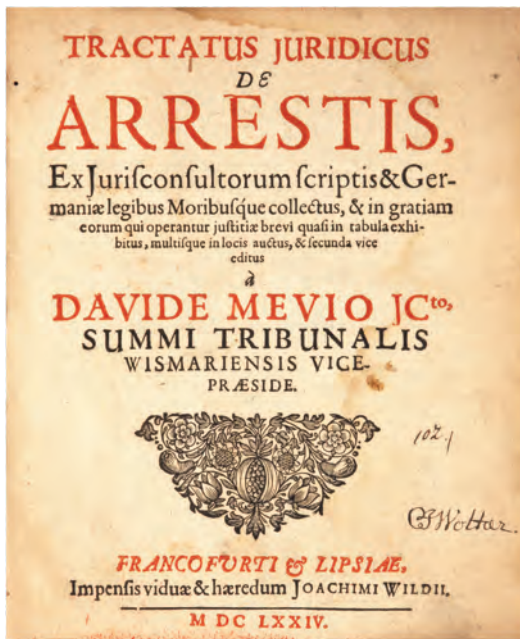
[running title]. N.p.: S.n., N.d. 2, 28 pp.

Quarto (8-1/2" x 6-1/2"). Contemporary vellum, early hand-lettered title to spine, fragments of thong ties. Light soiling. Some spotting and a few minor stains and small chips to boards, spine ends and corners bumped, vellum just beginning to crack through pastedowns, later owner bookplate to front pastedown, later owner stamps to front free endpaper, title page and a few other leaves. Title page of *Coustumes* printed in red and black. Moderate toning to text, somewhat heavier in places, moderate edgewear to *Extraict*, which is slightly larger than text block, light foxing and minor tears to a few leaves, brief early annotations to blank page of *Bouquet*. \$1,500.



Detail from N° 22

*COUSTUMES*: second and final edition. *Bouquet*: only edition located. Lorris-Montargis is located in central France. Its political jurisdiction extended to the Gâtinais province. "In the first half of the twelfth century, the parish of Lorris had already obtained a charter of privileges from King Louis VII in 1155, and Philip II Augustus accorded a new confirmation in 1187. The coutume of Lorris, which was renowned because of these franchises and privileges, was adopted very rapidly throughout not only the Gâtinais, but also in the Beauce and Solange. The privileges of Lorris were renewed twice: first in 1448, under Charles VII, and later in 1625, under Louis XIII" (Caswell and Sipkov). First published in 1617, Lhost's edition is based on an annotated 1597 edition by Du Moulin. Apparently unrecorded, *Bouquet* is a collection of courtroom speeches by Lhost. The last part of our volume is a collection of summaries of legislative acts. *Coustumes*: Caswell and Sipkov 104. Gourin and Terrin 1128.



### A SCARCE SEVENTEENTH-CENTURY TREATISE ON ARREST

23. MEVIUS, DAVID [1609-1670].

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

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

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

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

### NOTABLE TRACTS ON CANON, FEUDAL AND ROMAN LAW

24. REBUFFI, PIERRE [1487-1557].

[Tractatus Varii. Extrema Authoris Manu Recogniti, Selectissimis Opusculis, Notis, & Summariis hac Postrema Editione Aucti, & Locupletati. Quorum Elenchum Pagina Quinta Indicabit.](#)

Lyon: Apud Haeredes Gulielmi Rouillii, Sub Scuto Veneto, 1600. [viii], 661, [27], 51, [1], 70, [10] pp. Main text in parallel columns. Folio (15" x 9-1/2").

Contemporary reversed calf, raised bands and early hand-lettered title to spine. Moderate rubbing and some stains and scuffing to boards, heavier rubbing to extremities with some wear to spine ends, sections of board edges and corners, joints and hinges cracked, boards secure, two early owner inscriptions to front pastedown. Title page printed in red and black. Moderate toning, somewhat heavier in places, faint dampstaining and minor worming to margins in a few places. A scarce title. \$950.

LATER EDITION. Rebuffi was the leading French canonist of the period, an auditor of the Rota Romana and the author of several important works, such as *Praxis Beneficiorum* (1584) and a commentary on *De Verborum et Rerum Significatione* (1576). First published in 1549, *Tractatus Varii* is a collection of tracts on canon, feudal and Roman law. It went through several later issues and editions into the mid-seventeenth century. Baudrier IX:466. USTC 146813.

### CONTEMPORARY LEGAL COMMENTARY ON A WITCHCRAFT TRIAL IN MARBURG

25. [REINKINGK, THEODOR VON].

[Responsum Juris, In Ardua Et Gravi Quadam Causa, Concernente Processum Quendam, Contra Sagam, Nulliter Institutum, & Inde Exortam Diffamationem. Ubi Quaestiones Quaedam, De Nocturnis Sagarum Conventiculis, Saltationibus, Usurpatione Supellectilium Piorum in Illis, Transmutationibus Personarum in Alia Animalia, Confessionibus, Assertionibus & Denuntiationibus, Exacte Examinantur, & Requisita Totius Processus Criminalis Proponuntur, Annexis Aliis Quibusdam, Ad Praesentem Facti Speciem, Pertinentibus Quaestionibus, Solide Enucleatis. Impertitum Giessae à Jcto Quodam in Anno 1621.](#)

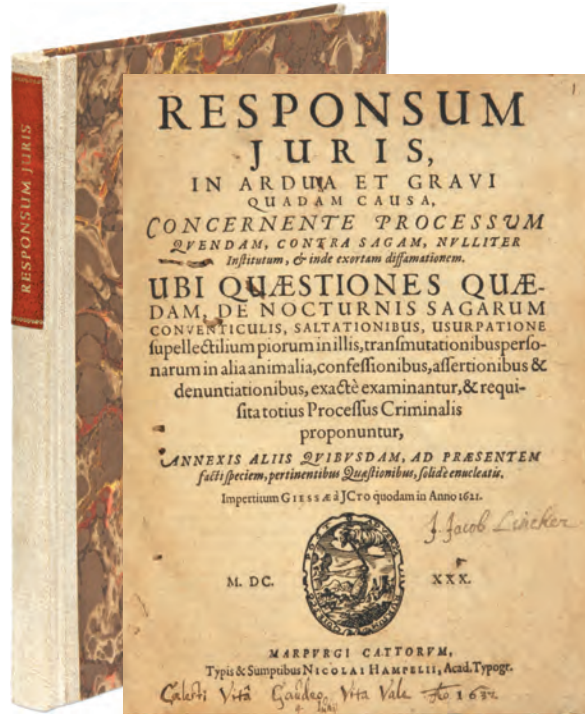
Marburg: Typis & Sumptibus Nicolai Hampelii, 1630. [xx], 138 pp. Quarto (7-1/2" x 5-3/4").



Stab-stitched pamphlet bound into recent quarter vellum over marbled boards, calf lettering piece to spine. Light rubbing to extremities, binding slightly cocked. Light browning to text, faint dampstaining to fore-edge of text block, minor worming and early owner signatures to title page, tiny piece neatly removed from bottom corner.

\$1,500.

THIRD EDITION. First published in 1621, this work is an anonymous legal commentary on a lawsuit brought by a noble family in Marburg against a local cathedral chapter for accusing two upper-class women of practicing witchcraft and associating with witches. Reinkingk, though he believed in witchcraft, argued that the two women in question were innocent. This commentary went through at least 8 editions, the last in 1712. All are scarce. OCLC locates 7 copies of the 1630 edition, 4 in North America, 1 in a law library (Northwestern). VD17 1:015734V.



## PARLIAMENT DEFENDS ITS CASE AGAINST THE EARL OF STRAFFORD

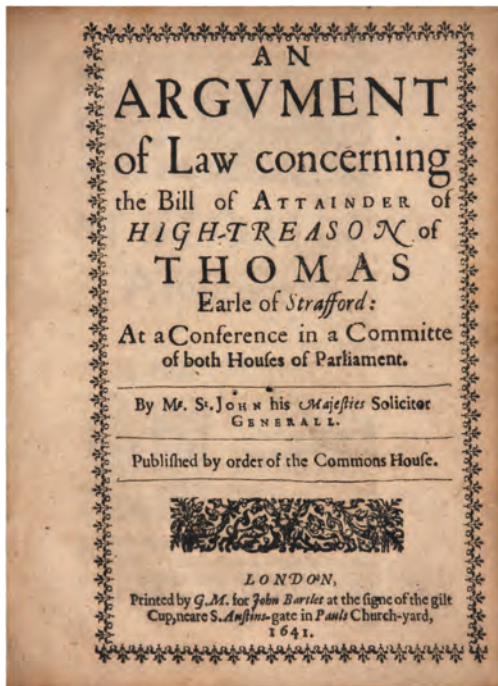
N° 25

26. ST. JOHN, OLIVER [1598?-1673].

[WENTWORTH, THOMAS, FIRST EARL OF STRAFFORD (1593-1641)].

[An Argument of Law Concerning the Bill of Attainder of High-Treason of Thomas Earle of Strafford: At a Conference in a Committe of Both Houses of Parliament. By Mr. St. John His Majesties Solicitor Generall. Published by Order of the Commons House.](#)

London: Printed by G.M. For John Bartlet at the Signe of the Gilt Cup, Neare S. Austins-Gate in Pauls Church-yard, 1641. [ii], 78 pp. Quarto (7" x 5").



Recent period-style calf (by Philip Dusel), blind rules to boards, raised bands to spine, gilt tooling to board edges, printer waste visible under front pastedown. Title printed woodcut typographical border, woodcut initials and headpieces. Light toning to text, a few tiny worm holes through center of text block with no loss to legibility. A handsome copy.

\$1,250.

FIRST EDITION, one of four printings from 1641 (priority unknown). Wentworth was a leading supporter of King Charles I and a major figure in the period leading up to the English Civil War. Scapegoated by Parliament for his "treasonous" role in the Second Bishops' War, one of the preliminary stages of the Civil War, he was condemned to death on shaky legal grounds via a bill of attainder in 1641. Feeling it necessary to yield to Parliament, Charles signed the death warrant. *An Argument* is an enlarged transcription of Parliament's case. A lawyer and politician, St. John served in both the Short and Long Parliaments. Along with the Earl of Bedford, John Pym and John Hamden, he formed a reformist yet moderate coalition known as the "middle group." Since St. John occupied this middle ground in Parliament, Bedford eventually convinced Charles I to appoint him Solicitor General. It was in this capacity that he led the case against Strafford. ESTC R17730.

# Eighteenth-Century Books



Detail from N° 27

## THE FIRST CRITICAL EDITION OF MAGNA CARTA

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

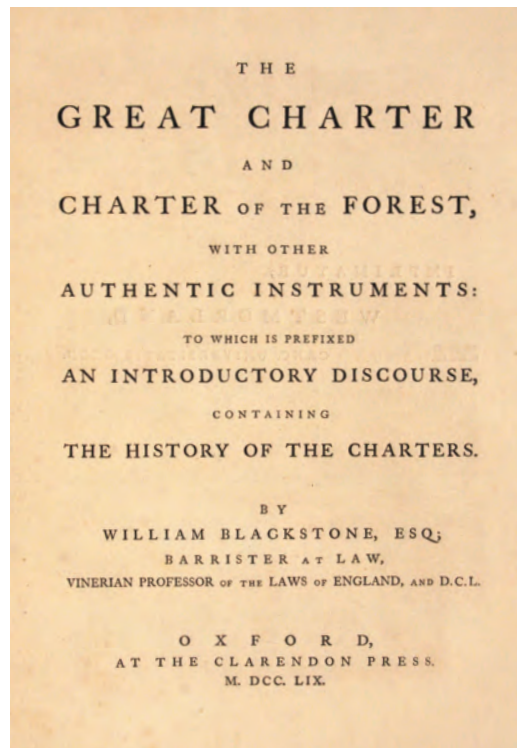
### [The Great Charter and Charter of the Forest, With Other Authentic Instruments](#)

Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. Half-title and table of contents (Tabula) are bound between pp lxxvi and 1. Copperplate engraved tail-pieces. Complete. Folio (13-1/2" x 10-1/4").

Contemporary diced calf, gilt fillets to boards, gilt spine with lettering piece, gilt tooling to board edges, gilt inside dentelles, marbled edges and endpapers. Negligible light rubbing and a few nicks and scuffs to boards, moderate rubbing to extremities, chipping to foot of spine, joints partially cracked, corners bumped, front hinge just starting at head, bookplate residue to front pastedown, early bookplate ("RW" monogram) to verso of front free endpaper. Light toning, light soiling and foxing to a few leaves, occasional light offsetting from engravings. Book housed in lightly worn cloth-covered slipcase. A desirable wide-margined copy. \$10,000.

FIRST EDITION of the first modern critical edition of Magna Carta, which surpassed the many versions issued between 1215 and 1297. Blackstone's first important work, it is esteemed for its appearance and scholarship. Its physical appeal was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition." Along with elegant typography, this edition features an engraved dedication to the Earl of Westmoreland surmounted with his armorial ensigns, engraved historiated initials in the text depicting views of buildings at Oxford University, engraved tail-pieces on pages lxxvi and 73 with historical vignettes and ten engraved tail-pieces depicting the royal seals that are attached to the original documents.

Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter. Eller 237. Laeuchli 548.



## ALPHABETICAL 1754 DIGEST OF ROYAL LEGISLATION RELATING TO PROVENCE

28. BARRIGUE DE MONTVALON, ANDRÉ [1678-1779].

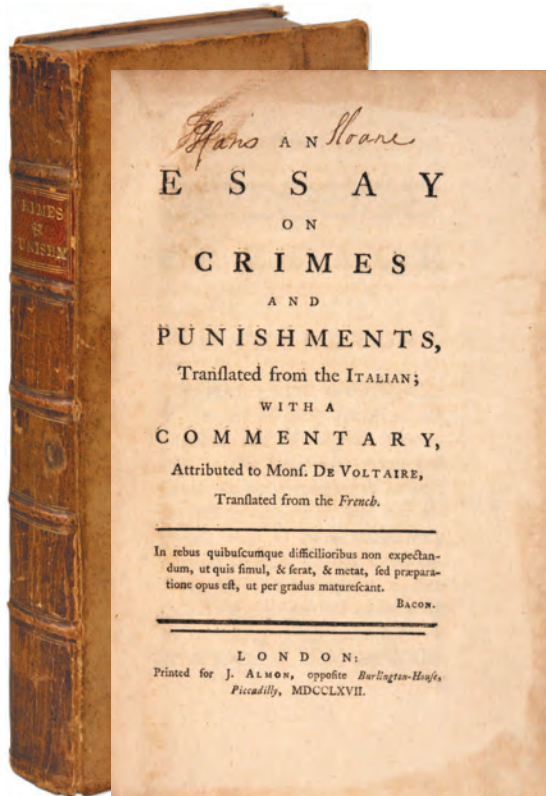
[Précis des Ordonnances: Edits, Declarations, Lettres-Patentes, Statuts et Reglemens, Dont les Dispositions Sont le Plus Souvent en Usage dans le Ressort du Parlement de Provence: Disposé par Ordre Alphabetique: Avec une Table où Toutes les Citations sont Rangées par Ordre de Date.](#)

Aix-en-Provence: Chez la veuve de Joseph David & Esprit David, 1752. 506, 48, [7] pp. 12mo. (6" x 3-3/4").

Contemporary speckled sheep, blind frames to boards, gilt spine, gilt tooling to board edges, edges of text block rouged, marbled endpapers, ribbon marker. Light rubbing to boards, faint stain to front board, moderate rubbing to extremities, minor worming to spine and rear joint, tiny chip to head of spine, corners bumped and somewhat worn, rear hinge starting at ends, cracks in text block between free endpapers and adjacent leaves. Very light toning to text, clean tears to leaves M2 (pp. 135-136) and N5 (pp. 153-154), lower corner of leaf Aa (pp. 277-278) lacking (below text), light soiling to title page. \$750.

FIRST EDITION (as a printed book). Barrigue de Montvalon was a legal advisor to the Parlement of Provence. A work that circulated originally in manuscript, His Précis is a carefully compiled annotated digest of royal decrees (ordonnances from 1667 to 1681 relating to Provence that were in force in 1754. The topics are arranged alphabetically, from "Abandon" to "Yiers." A second edition was published in 1766. Both copies are rare. OCLC locates 8 copies of the first edition, 3 in North American law libraries (Catholic University, George Washington University, Southern Methodist University). Camus 1035. See also Item 92.

FIRST ENGLISH-LANGUAGE EDITION OF "ONE OF THE MOST INFLUENTIAL BOOKS IN THE WHOLE HISTORY OF CRIMINOLOGY"



29. BECCARIA, [CESARE BONESANA, MARCHESE DE] [1738-1794].

VOLTAIRE (AROUET, FRANÇOIS-MARIE) [1694-1778].

[An Essay on Crimes and Punishments, Translated from the Italian; With a Commentary, Attributed to Mons. De Voltaire, Translated from the French.](#)

London: Printed for J. Almon, 1767. xii, 179, [1], lxxix, [1] pp. Last page blank. Octavo (8" x 5").

Contemporary sprinkled calf, raised bands and lettering piece to spine. A few minor nicks and scuffs to boards, moderate rubbing to extremities with some wear to spine ends and corners, joints starting at ends, armorial bookplate of Hans Sloane to front pastedown, his signature to head of title page. Light toning to text, somewhat heavier in places, light foxing to a few leaves. \$5,000.

FIRST EDITION IN ENGLISH. First published anonymously in Livorno in 1764 as *Dei Delitti e Delle Pene*, this landmark work is, to quote *Printing and the Mind of Man*, "one of the most influential books in the whole history of criminology. It is significant because it was the first systematic study of the subject. Infused with the spirit of the Enlightenment, its

advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the Middle Ages. It had a profound influence on the development of criminal law. It was especially influential among American thinkers, such as Thomas Jefferson, who wished to use Beccaria to reform the system of criminal law Americans inherited from England. Sloane was the son of Sir Hans Sloane [1660-1753], the important physician, naturalist and collector. (Donated to the nation, his collection of nearly 71,000 items became the foundation of the British Museum, British Library and Natural History Museum, London.) PMM 209 (citing first edition). Sowerby 2349. ESTC T138985.



“THE MOST WICKED AND INHUMAN  
TRANSACTIONS OF THAT BLOODY-MINDED GANG”

30. COX, JOSEPH [D. 1760].

[A Faithful Narrative of the Most Wicked and Inhuman Transactions of that Bloody-Minded Gang of Thief-Takers, Alias Thief-Makers, Macdaniel, Berry, Salmon, Eagan, Alias Gahagan; \(with a Curious Print of Macdaniel\) As also of that Notorious Accomplice of Theirs, Mary Jones, And Others. Shewing the Diabolical Arts by them Practised, To get Innocent Persons Convicted for Robberies, And to Share Amongst Themselves the Rewards paid for such Convictions. By what Stroke of Providence it was that the Compiler of this Narrative became Acquainted with this Mystery of Iniquity. The Unwearied Diligence by Him Made Use of to Get to the Bottom of It: The Manner of his Counter-Acting those Worst of Villains. First, In His Taking Their Agent Blee, And Keeping Him so Secret as to Baffle All Their Enquiries About Him. Secondly, In His Watchfulness Over the Other Four at Maidstone, And Suffering Them to Carry on Their Prosecution of the Two Lads, Ellis and Kelley, Even to the Convicting of them Capitally, And His then Seizing and Securing the Prosecutors and Their Accomplice Berry. Thirdly, His Prosecuting These Monsters in so Clear and Perspicuous a Manner, That the Court Found them Guilty of Every Thing Laid to Their Charge: But the Case Being Singular, They were Pleas'd to Close with a Special Verdict, I.E. to Refer Sentence to the Lords, The Judges. Also The Informations the Author of this Narrative Received Relative to the Affair of Kidden, Who was Falsly Accused, Convicted, And Executed.](#)

[Feb. 4, 1756. His Searching this, At that Time Clouded Villany, To its Very Source. The Means Made Use of to Bring the Principal Actress in this Most Horrid Scene, Mary Jones, To Justice. Her Commitment, &c. for the Wilful Murder of Joshua Kidden. The Whole Being Interspersed with Divers Other Accounts of a Similar Nature, And which cannot but Astonish Every One who Considers Them.](#)

London: Printed for Joseph Cox, And Sold by M. Mechell, 1756. iv, 110 pp. Copperplate frontispiece. Octavo (7-3/4" x 5").

Nineteenth-century three-quarter calf over marbled boards, gilt title to spine. Moderate rubbing to boards and extremities, hinges cracked. Toning to text, light foxing to a few leaves, title page trimmed closely with minor loss to text. An appealing copy of a scarce title. \$3,500.

FIRST EDITION. Led by Stephen Macdaniel, a group of “thief-takers” (private individuals hired by victims to capture criminals) orchestrated a racket that framed and arrested innocent men in order to collect reward money from bounties. In one case, their activities resulted in the execution of the innocent Joshua Kidden. This scandal led to the implementation of a salaried public police force. Cox was the constable who solved the case. His account was reprinted in Dublin in 1756. A second edition was printed in London in 1759. All printings of this title are scarce. OCLC locates 14 copies of the first edition in North America, 4 in law libraries (Baylor, Harvard, Library of Congress, Yale). ESTC T35231.

## "COMMONLY CALLED OLD PATCH"

31. [CRIMINALS].  
[GREAT BRITAIN].  
PRICE, CHARLES [1723-1786].

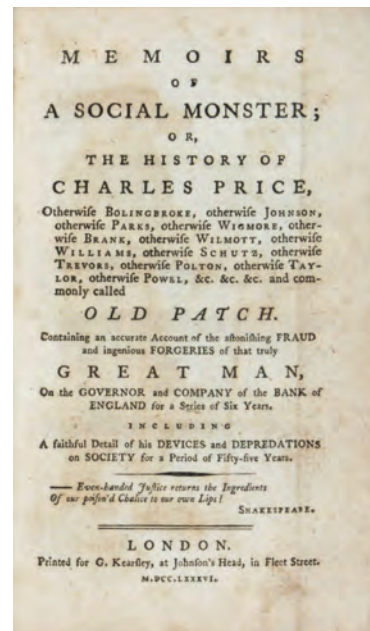
[Memoirs of a Social Monster; Or the History of Charles Price, Otherwise Boilingbroke, Otherwise Johnson, Otherwise Parks, Otherwise Wigmore, Otherwise Brank, Otherwise Wilmott, Otherwise Williams, Otherwise Schutz, Otherwise Powel, &c. &c. And commonly called Old Patch. Containing an Accurate Account of the Astonishing Fraud and Ingenious Forgeries of that Truly Great Man, On the Governor and Company of the Bank of England for a Series of Six Years. Including a Faithful Detail of his Devices and Depredations on Society for a Period of Fifty-Five Years.](#)

London: Printed for G. Kearsley, 1786. xxii, 348 pp.  
Folding engraved frontispiece. Pp. 345-348 are publisher advertisements. Plate. 12mo. (6-1/4" x 3-1/2").

Early plain boards, fragment of title label and traces of hand-written title to spine. Binding slightly cocked, moderate rubbing to boards and extremities, light chipping to spine ends, corners bumped and lightly worn, a few partial cracks to text block, binding secure. Light toning to text, light foxing and minor edgewear to plates, light offsetting from plate to title page. \$2,500.

FIRST EDITION. Charles Price was a master of disguise, a swindler and a forger. The folding frontispiece illustrates three of his disguises (one of them shows why he was known as "Old Patch"). Born in London, he began

his career by robbing his father. Among other schemes, he advertised for investors in a brewery and promptly defrauded his investor. He even had the audacity to try and entice this same investor in another scheme. Another time he portrayed himself as a Methodist preacher and went on to become the most dangerous forger to target the Bank of England. He made his own papers, engraved his own plates, made his own ink and printed his own notes. After he swindled the bank one last time, he was finally apprehended and met his unfortunate end. Knowing there would be no way to escape execution, he took his own life. A legend in his own time, Price is still considered to be one of the greatest forgers who ever lived. ESTC T136417.



Detail from N° 31

## A PRISONER SHARES HIS MEMORIES OF AN UNCONVENTIONAL ROMANCE

32. [FRANCE].

[Amusemens d'un Prisonnier.](#)

Paris (i.e. Liège): S.n., 1750. [ii], 135, [1]; [iii], 130 pp. Two parts, each with title page. Endleaf following p. 130 of Part II removed. 12mo. (6-1/4" x 3-3/4").

Contemporary calf, raised bands, lettering piece and gilt ornaments to spine, marbled endpapers, edges rouged. Light rubbing and a few minor nicks to boards, front board beginning to separate, some wear to spine ends and corners, rear hinge cracked. Title pages printed in red and black. Moderate toning, faint dampspotting to margins, light soiling to title pages, small burn hole (?) to rear free endpaper. \$950.

FIRST EDITION. This fictional work concerns a story shared by a young man in prison about a lovely widow who was no longer interested in living in a conventional marriage. Later editions were published in 1751 and 1755. All are scarce. OCLC locates 2 copies of the first edition in North American libraries (University of Pennsylvania, University of Toronto). Gay I, col. 194.

A SCARCE EDITION OF THEOPHILUS'S PARAPHRASE OF THE *INSTITUTES*

33. GALTIER, DANIEL DE, EDITOR.

[THEOPHILUS, ANTECESSOR (6TH-7TH C. CE)].

[JUSTINIAN I (483-565 CE), EMPEROR OF THE EAST].

[Theophilus Renovatus, Sive Levis ac Simplex via ad Institutiones Juris Civilis. Cum Duplici Indice. Prior Continet Principia Juris, Suis Auctoritatibus Fulata. Alter Vero est Rerum Notabilium, Quæ in hoc Opere Continentur. Editio Novissima, Prioribus Multo Correctior, & Textibus Locupletior.](#)

Toulouse: Impensis Joannis Guillemette, 1726. [xii], xxiv, 648 pp. Folding table of consanguinity. Quarto (9-1/2" x 7-1/2").

Contemporary sheep, cat's-paw decoration to boards, gilt spine with raised bands and lettering piece, edges rouged. A few shallow scuffs and scratches to boards, moderate rubbing to boards with wear to spine ends, considerable wear to corners, hinges cracked. Light to moderate toning,

faint dampspotting in a few places, some edgewear to table, a tear mended with archival tape, minor inkstains to a few leaves. \$950.

LATER GALTIER EDITION. Compiled around 161 CE, the *Institutes* is an elementary treatise on Roman private law that served as a standard text for 300 years. After its rediscovery during the medieval era it became a staple of European legal education. Along with the *Code*, *Novels* and *Digest*, it is one of the four works known collectively as the *Corpus Juris Civilis*. Theophilus was a professor of law in Constantinople who contributed to Justinian's codifications and the writing of the *Institutes*. His important Greek paraphrase of that work was first issued in 533 CE and was the standard edition in the East. It was a valuable edition for Western jurists as well. Indeed, several passages in the Latin text of the *Institutes* are difficult to understand unless they are compared to Antecessor's version. Galtier's edition was first published in 1672, it went through five more editions, the last in 1728. However, copies of this work are scarce. OCLC locates 4 copies of the 1726 edition, 1 in North America (Harvard Law School). Not in Camus.



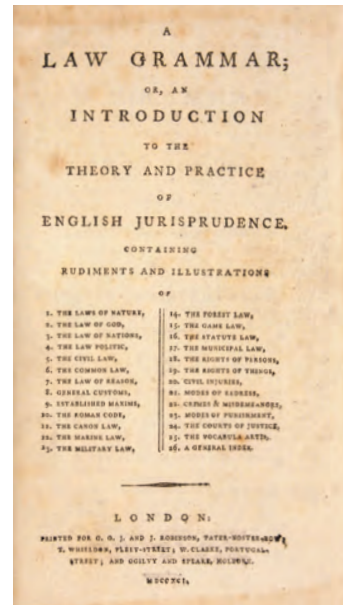
## AN AMBITIOUS AND SOPHISTICATED ENGLISH LAYMAN'S GUIDE FROM 1791

## 34. [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 Vocabula Artis, 26. A General Index.](#)

London: Printed for G. G. J. and J. Robinson, 1791. [ii], 544, [8] pp. Bound without half-title 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 reissued in Dublin in 1791. (It is star-paged to the London edition). ESTC T112675.

## FINAL EDITION, AND THE ONLY EDITION WITH SOMMA'S NOTES



35. GROTIUS, HUGO [1583-1645].  
GEBAUER, GEORG CHRISTIAN [1690-1773].  
[SOMMA, GABRIELE, NOTES].

[Florum Sparsio ad jus Iustinianum, Cum Praefatione D. Geor. Christiani Gebaveri. Insuper hac Prima Neapolitana Editione Notulis Passim Aucta, Et Indicibus Tribus.](#)

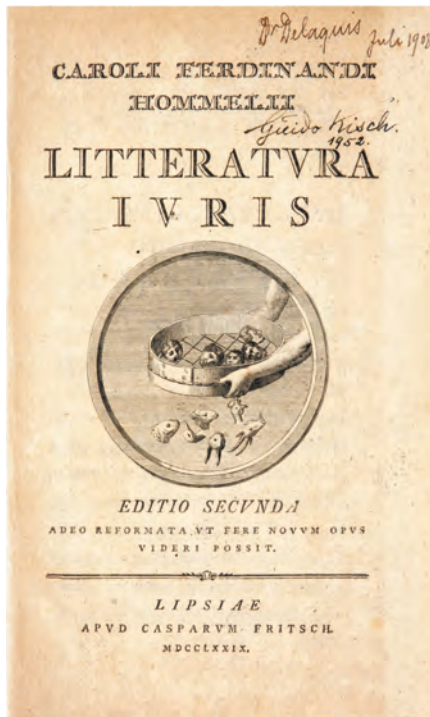
Naples: Ex Officina Vincentii Manfredii, 1777. [xxiii], 378, [4] pp. Octavo (8" x 5"). Text chiefly in Latin with some classical Greek script.

Original printed wrappers with untrimmed edges bound into later quarter vellum over marbled boards, gilt title to spine. Negligible rubbing to extremities. Moderate toning to text, foxing in places, dampstaining to first quarter of text block, internally clean. \$650.

FOURTH AND FINAL EDITION, the only edition with Somma's notes. First published in 1642, the *Florum Sparsio* is a topically digested selection of excerpts from Justinian's *Code* with commentary by Grotius. It was intended to serve as a tool for legal arguments. Somma, who wrote the additional notes in this edition,

was a Neapolitan theologian. They add philological detail and information about Neapolitan and Italian law. OCLC locates only 4 copies in North America (George Washington Law, Harvard Law, Library of Congress, and UC-Berkeley Law School). Ter Meulen and Diermanse 795.

SCARCE EIGHTEENTH-CENTURY LEGAL  
BIBLIOGRAPHY WITH AN INTERESTING ASSOCIATION



36. HOMMEL, KARL FERDINAND [1722-1781].

Litteratura Iuris.

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

Contemporary paper covered boards, early hand-lettered title to spine, speckled edges. Light rubbing and soiling to boards, rubbing to extremities with wear to joints, edges and corners, spine abraded, bookplate of Guido Kisch to front pastedown, large copperplate vignette to title page. Moderate toning to text, light foxing to a few leaves, some discoloration to margins of folding leaves, leaf of notes in Kisch's hand and a circular for a legal journal laid in. Early owner signature and fragment of label to front pastedown, two later signatures to head of title page, one Guido Kisch's dated 1952, interior otherwise clean. \$1,250.

SECOND EDITION, revised, the final and best edition of this work. Each item in this select bibliography has a detailed critical annotation, many of them running a page or more in length. The unusual allegorical title vignette, indicating a sifter separated human from animal heads, indicates the book's intention to steer the reader to the best law books. The first folding plate illustrates the novel pictorial method used in Johann Buno's

*Memoriale Institutionum Iuris* (1672) and *Memoriale Corporis Iuris* (1673). The second plate reproduces a pair of facsimile tablet fragments from the *Corpus Iuris Civilis*. It relates to a discussion of issues dealing with transcription and philology. The work concludes with a detailed index. The laid-in items are a slip of notes with references to this book and a circular for *Quellen and Forschungen zur Strafrechtsgeschichte*, a German legal journal. Kisch [1889-1985] was a prominent jurist and scholar who produced important works on humanism, Jewish law and history, German jurisprudence and the history of German-Jewish relations. The first two editions were published in 1751 and 1761. All are scarce. Including all three editions, OCLC locates 4 copies in North America, 4 in law libraries (Harvard, Library of Congress, University of Michigan, University of Texas-Austin, all 1761 editions), 1 of the 1779 edition (New York Public Library), no copies of the first edition. VD18 14558645.



Detail from N° 36



## 1749 TREATISE ON THE GAME LAWS OF BAVARIA, AUSTRIA AND MAINZ

37. ICKSTATT, JOHANN ADAM VON  
[1701-1776].

KLETT, JOHANN FRIEDRICH,  
EDITOR AND TRANSLATOR.

[Gründliche Abhandlungen von den Jagdrechten: Wie sich Solche aus den Allgemeinen, Natürlichen, Und Besondern Staatsrechten Erweisen Lassen. Mit einer Vorrede von dem Verschiedenen Zustande der Jagden bey den Römern und Deutschen und einem Anhang von den Neuesten Mehrentheils Ungedruckten Churmaynzischen, Churbayerischen, Erzherzoglich-Oesterreichischen, Und Andern Jagdordnungen.](#)

Nuremberg: Auf Kosten Johann Georg Lochners, 1749. [xlvi], 428. [16]; 172 pp. Two parts, each with title page. Title page of second part, with title beginning *Wald-Ordnung*, dated 1748. Quarto (7-3/4" x 6-1/4").

Contemporary speckled calf, blind rules to boards, raised bands and lettering piece to spine, marbled pastedowns. Light rubbing and a few minor worm holes to boards, moderate rubbing to extremities, light chipping to spine ends, corners bumped and somewhat worn, later library bookplate to front pastedown, later owner bookplate to front free endpaper. Title page of first part printed in red and black, attractive woodcut head and tail-pieces. Light toning to text, light foxing in places, early owner signatures to verso of front free endpaper and head of title page, later library stamp to title page's verso. A handsome copy. \$850.



ONLY EDITION, Part II a reissue of a work first published in 1748. The first part is overview of Bavarian forestry, hunting and fishing laws from 1664-1742 followed by similar sets of laws promulgated in Austria in 1743 and in Mainz in 1744. The second part is a translation of the Bavarian laws with editorial commentary by Klett, who also translated Part I. Early game and land laws record the earliest attempts to preserve the environment. They also offer fascinating insights into social history due to their relevance to topics ranging from class structure to foodways. VD18 14598590-006.

A NOTABLE FRENCH EDITION OF THE *DIGEST*, BOOK 50

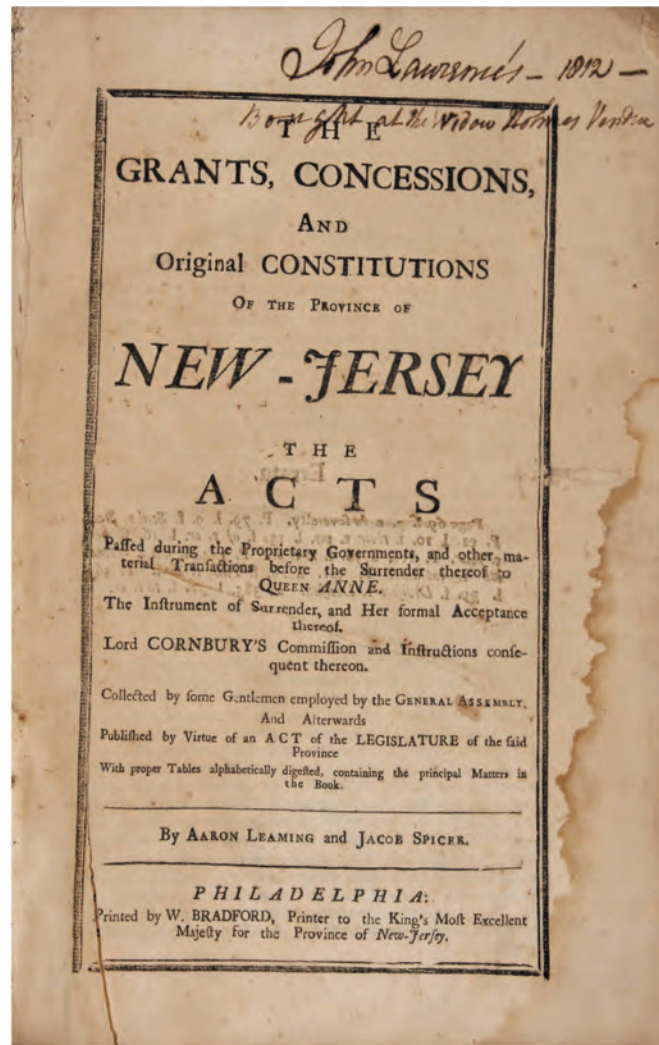
38. [JUSTINIAN I, EMPEROR OF THE EAST] (483-565CE).  
DANTOINE, J[EAN] B[APTISTE], EDITOR.

[Les Règles du Droit Civil, Dans le Même Ordre Qu'Elles sont Disposées au Dernier Titre du Digeste; Traduites en François, Avec des Explications & Des Commentaires sur Chaque Règle.](#)

Liege: Chez J. Dessain, 1772. [lxiv], 502, xxxii pp. Quarto (10" x 8-3/4").

Nineteenth-century three-quarter calf over paper-covered boards, lettering piece and gilt fillets to spine. Some rubbing and faint dampstaining to boards, heavier rubbing to extremities with wear to spine ends and corners, joints cracked, faint crack through center of spine, chipping to edges of lettering piece, two small later bookplates to front pastedown. Moderate toning to text, somewhat heavier in places, faint dampstaining to margins of preliminaries. \$500.

PENULTIMATE EDITION. The final title of the *Digest*, "De Diversis Regulis Juris Antiqui (Concerning Different Rules of Ancient Law)," is a collection of 211 maxims derived from Ulpian and other jurists. Each All are presented in the original Roman with translations and extensive commentary in Dantoine's edition. First published in 1710, it went through six editions the, last in 1775. All are scarce. OCLC locates 3 copies of the 1772 edition in North America (Bibliothèque et Archives Nationales du Québec, McGill University, UC-Berkeley Law School). Not in Camus.



N° 40

### A TREATISE PRAISED BY HOLDSWORTH

39. 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 XII:399. ESTC T 71520.

### THE FIRST RETROSPECTIVE COMPILATION OF NEW JERSEY LAW, AN INTERESTING ASSOCIATION COPY

40. [NEW JERSEY].

LEAMING, AARON, COMPILER.  
SPICER, JACOB COMPILER.

[The Grants, Concessions, And Original Constitutions of the Province of New-Jersey: The Acts Passed During the Proprietary Governments, And Other](#)

[Material Transactions Before the Surrender Thereof to Queen Anne, The Instrument of Surrender, And Her Formal Acceptance Thereof, Lord Cornbury's Commission and Instructions Consequent Thereon. Collected by Some Gentlemen Employed By the General Assembly, And Afterwards Published by Virtue of an Act of the Legislature of the said Province With Proper Tables Alphabetically Digested, Containing the Principal Matters in the Book.](#)

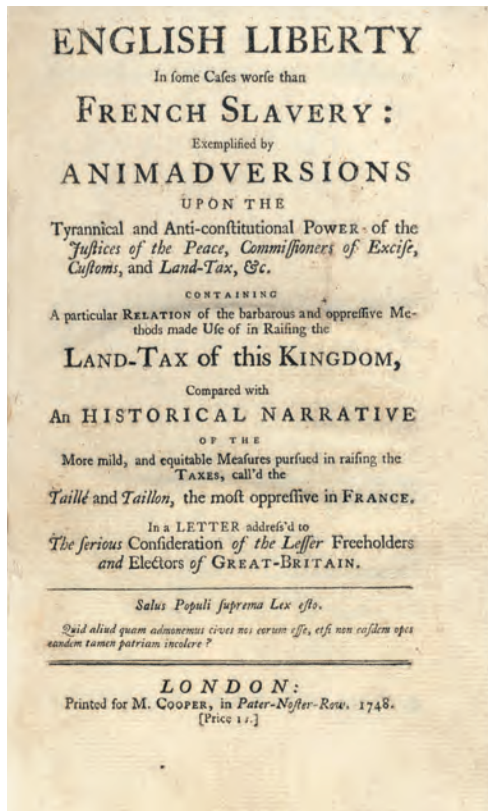
Philadelphia: Printed by W. Bradford, [1758]. [iv], 763 pp. Folio (11-1/4" x 7").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine. Moderate rubbing, boards partially detached, crack through center of backstrip, wear to spine ends, corners bumped and worn, later owner bookplate of Robert Leaming Montgomery to front pastedown, front free endpaper detached and somewhat edgeworn. Moderate toning to text, faint dampspotting in places, dampstaining to margins of title page and a few other leaves. "J. Fisher Leaming Esq/ from Henry Pennington/ May 13, 1850" to front free endpaper, tipped-in annotation in early hand (concerning the Monmouth Patent) to following endleaf,

later owner inscription (of John Lawrence, dated 1812) to head of title page. Book housed in lightly rubbed recent cloth slipcase, morocco lettering piece to spine. An interesting association copy. \$2,000.

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

## ENGLISH TAXATION: WORSE THAN FRENCH SLAVERY?



41. [PHILALETHERS].

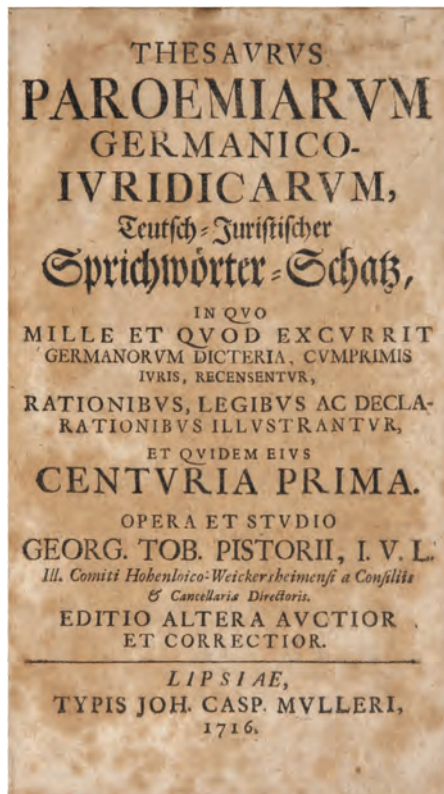
[English Liberty in Some Cases Worse than French Slavery: Exemplified by Animadversions Upon the Tyrannical and Anti-Constitutional Power of the Justices of the Peace, Commissioners of Excise, Customs, And Land-Tax, &c. Containing a Particular Relation of the Barbarous and Oppressive Methods Made Use of in Raising the Land-Tax of This Kingdom, Compared with an Historical Narrative of the More Mild, And Equitable Measures Pursued in Raising the Taxes, Call'd the Taille and Tailon, The Most Oppressive in France. In a Letter Address'd to the Serious Consideration of the Lesser Freeholders and Electors of Great-Britain.](#)

London: Printed for M. Cooper, 1748. [iv], 96 pp. Octavo (8" x 4-3/4").

Stab-stitched pamphlet bound into contemporary three-quarter sheep over marbled boards. Moderate rubbing to extremities with some wear to spine ends and corners, light rubbing to boards, front hinge starting. Light toning to text, light soiling to title page, internally clean. A nice copy. \$850.

FIRST AND ONLY EDITION. The essay is signed "Philaethes," and is catalogued under that name in Kress and Goldsmiths. Dedicated, significantly, to Great Britain's "lesser Freeholders and Electors," it compares the tax burden imposed

"arbitrarily" on English citizens with that of other, supposedly less democratic, European countries. OCLC locates 1 copy in a North American law library (Harvard). ESTC T103148.



### VAST EARLY-EIGHTEENTH CENTURY COLLECTION OF LEGAL MAXIMS FOR ATTORNEYS

#### 42. PISTORIUS, GEORG TOBIAS.

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

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



Detail from N° 42

Nineteenth-century signed morocco binding by Leighton, blind rules to boards, blind-stamped arms of William Stirling-Maxwell to front, blind -stamped cipher to rear, raised bands and gilt title to spine, edges rouged. Moderate rubbing to extremities, Stirling-Maxwell bookplate to front pastedown, bookplate of V.S.M de Guinzbourg to front free endpaper, another bookplate to rear pastedown. Moderate toning, occasional light foxing. A handsome volume containing a rare complete set of the ten parts. \$3,500.

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

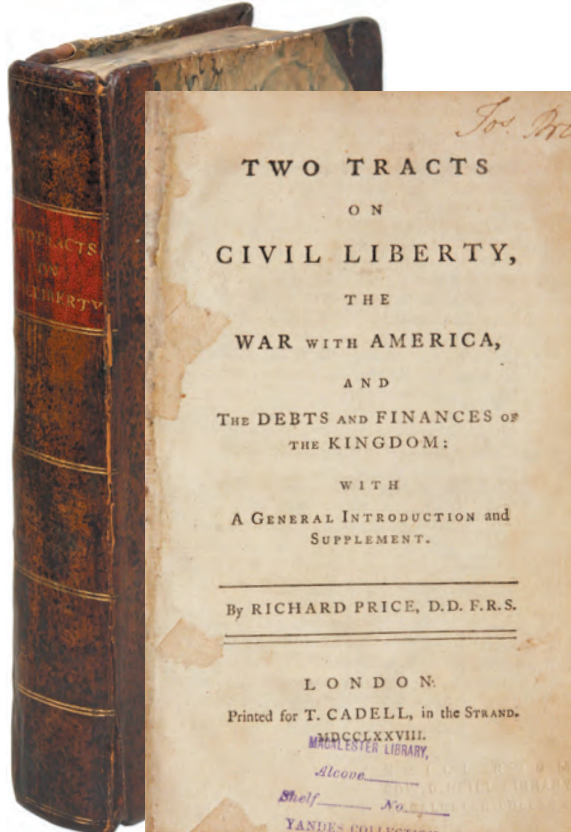
AN INFLUENTIAL ECONOMIC ARGUMENT  
IN SUPPORT OF THE AMERICAN REVOLUTION

43. PRICE, RICHARD [1723-1791].

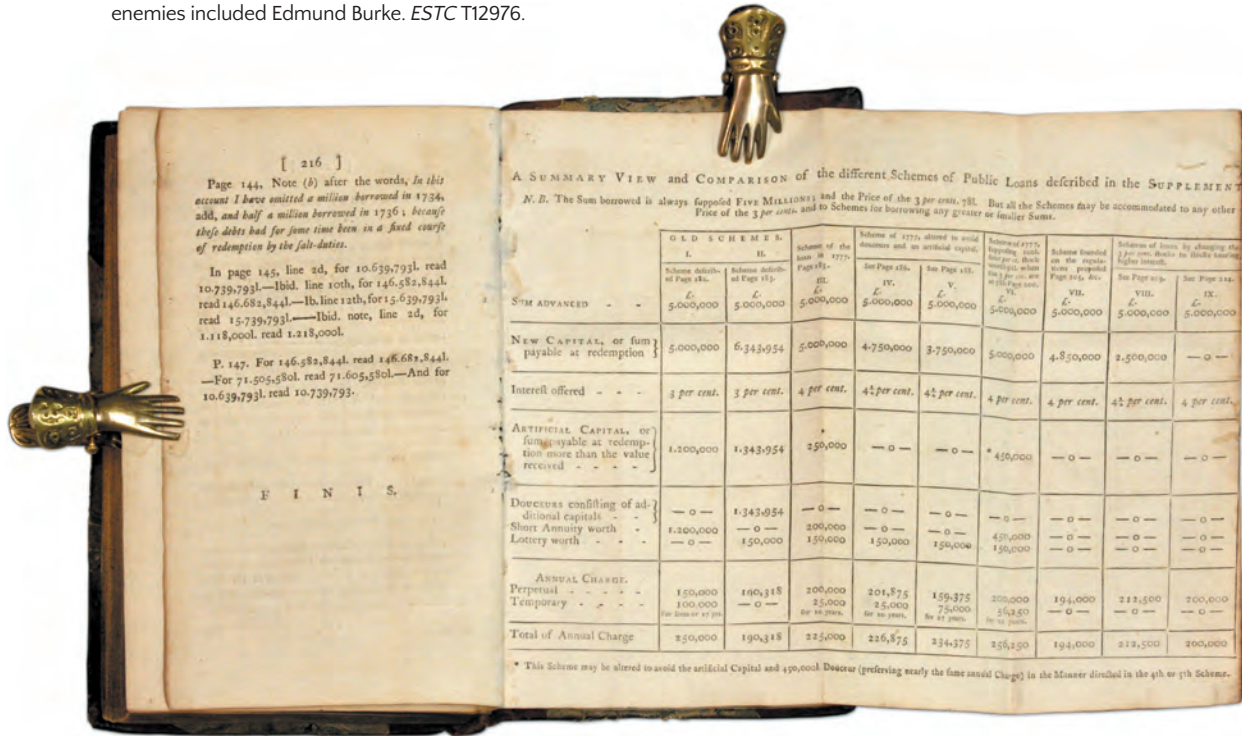
Two Tracts on Civil Liberty, The War with America, And the Debts and Finances of the Kingdom: With a General Introduction and Supplement.

London: Printed for T. Cadell, in the Strand, 1778. [ii], xxx, [6], 112; xiv, 216, [2] pp. Two parts, each with title page and individual pagination: Contains *Observations on the Nature of Civil Liberty. The Eighth Edition, With Corrections and Additions* and *Additional Observations on the nature and Value of Civil Liberty*. Folding table. Initial advertisement leaf mis-bound at rear of text. Octavo (8" x 4-3/4").

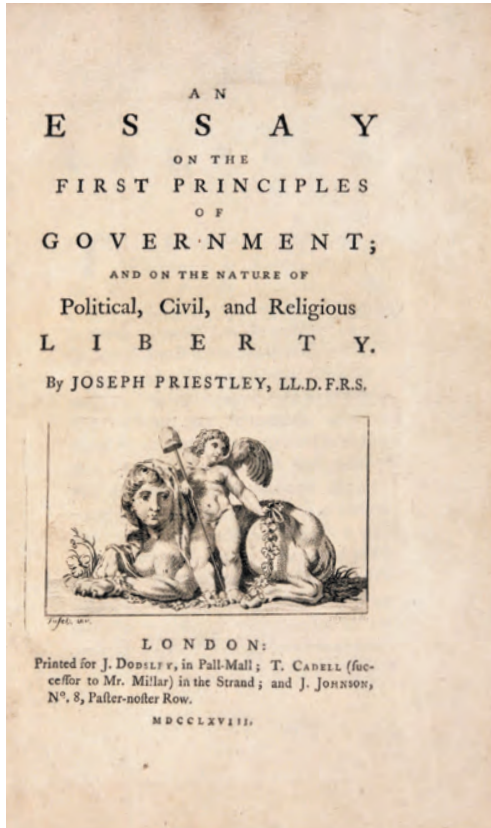
Nineteenth-century three-quarter calf over marbled boards, gilt fillets and lettering piece to spine. Moderate rubbing to extremities with light wear in a few places, corners bumped and lightly worn, nineteenth-century owner bookplate and later library stamp to front pastedown, a few cracks to text block. Moderate toning to text, faint dampspotting to margins in a few places, early owner signature, later paper repairs and two later library stamps to title page, another library stamp to its verso. A handsome copy overall. \$1,250.



ONLY EDITION, one of two issues from 1778. This book collects two essays supporting the American Revolution. First issued in 1776 and 1777 they defended the rights of the American colonists and attacked Great Britain's attempt to suppress the Revolution on economic, political and moral grounds. Little known today but quite influential during his lifetime, Price was a Welsh moral and political philosopher, mathematician, expert on insurance and finance and an advocate of political and religious liberty. An important financial advisor to the British government and one of the founders of the Unitarian Church, his friends included Joseph Priestley and Benjamin Franklin; his enemies included Edmund Burke. ESTC T12976.



## FOUR INFLUENTIAL BOOKS BY JOSEPH PRIESTLEY



44. PRIESTLEY, JOSEPH [1733-1804].

[An Essay on the First Principles of Government; And on the Nature of Political, Civil, And Religious Liberty.](#)

London: Printed for J. Dodsley, 1768. vii, [1], 191, [1] pp.

[BOUND WITH]  
PRIESTLEY, JOSEPH.

[Considerations on Church-Authority; Occasioned by Dr. Balguy's Sermon, on that Subject; Preached at Lambeth Chapel, And Published by Order of the Archbishop.](#)

London: Printed for J. Johnson and J. Payne, 1769. xv, [1], 91, [3] pp.  
With a final advertisement leaf.

[AND]  
PRIESTLEY, JOSEPH.

[A View of the Principles and Conduct of the Protestant Dissenters, with Respect to the Civil and Ecclesiastical Constitution of England.](#)

London: Printed for J. Johnson and J. Payne, 1769. [iv], v, [1], 91 pp.  
Advertisement leaf mis-bound between title page and preface.

[AND]  
PRIESTLEY, JOSEPH.

[A Serious Address to Masters of Families; With Forms of Family-Prayer.](#)

London: Printed for J. Johnson and J. Payne, [1769]. vii, [1], 52, [4] pp. With a final advertisement leaf.

Octavo (7-3/4" x 4-3/4"). Contemporary speckled calf, raised bands and lettering piece to spine. Light rubbing and a few minor scuffs to spine, moderate rubbing to extremities, front board just beginning to separate but secure, rear joint and hinge starting, later owner stamps to front pastedown (Of Ashley Combe and Ben Damp Forest, properties of the Earls of Lovelace), front free endpaper partially detached. Attractive copperplate vignette to title page of the *Essay*. Moderate toning to text, slightly heavier in places, light foxing to a few leaves. \$5,000.

FIRST EDITIONS. Priestley's *Essay*, his first substantial political work, influenced several American founding fathers, such as John Adams and Thomas Jefferson (who owned copies of the 1771 edition). A full expression of his deeply held humanitarian beliefs, it is based on his *Essay on a Course of Liberal Education* (1765), which took issue with the authoritarian educational philosophy favored by John "Estimate" Brown in his *Thoughts on Civil Liberty*. Priestley develops the theme of his earlier essay further, arguing for a system of education compatible with the liberal political philosophy that he advocates as a matter of morality and a prerequisite for social progress. The other three titles in this volume develop these themes further in matters of religious freedom and freedom on conscience. ESTC T33366, T141317, T6486, T143655.

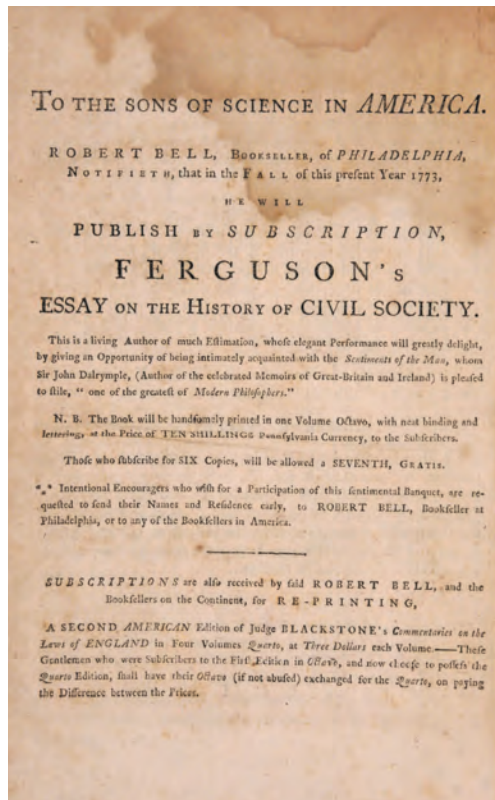
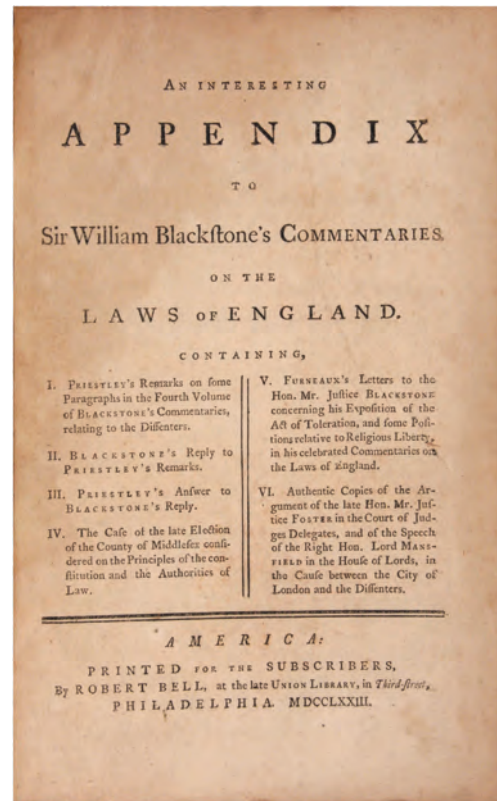


APPENDIX VOLUME TO BELL'S AMERICAN BLACKSTONE  
CONTAINING A GROUP OF ESSAYS ON RELIGIOUS LIBERTY

45. PRIESTLEY, JOSEPH.  
BLACKSTONE, SIR WILLIAM [1723-1780].  
FURNEAUX, PHILIP [1726-1783].  
FOSTER, SIR MICHAEL [1689-1763].  
MURRAY, WILLIAM, EARL OF MANSFIELD (1705-1793)].

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

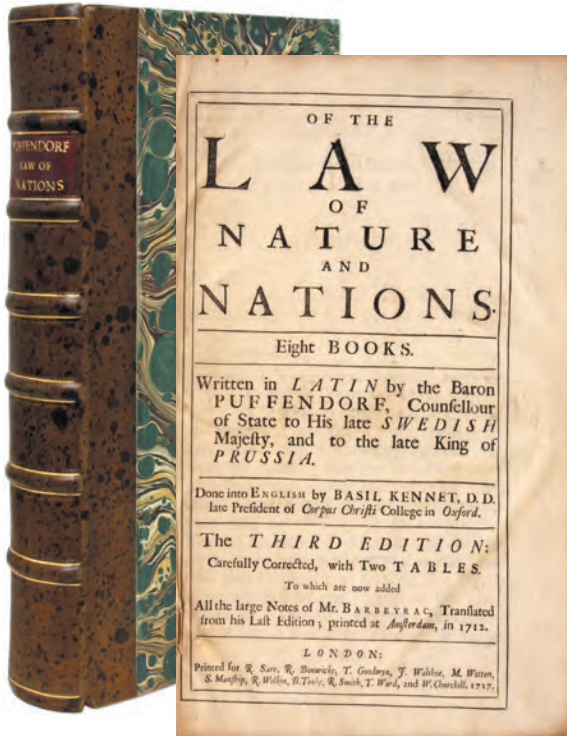
[Philadelphia]: Printed for the Subscribers, by Robert Bell, at the Late Union-Library, in Third-Street, Philadelphia, 1773. [iv], iv, [5]-119, [1], xii, 155, [1] pp. Includes one-page publisher advertisement for Bell's 1773 printing of Ferguson's *Essay on the History of Civil Society* and a subscription for a second American edition of Blackstone's *Commentaries*. Each section preceded by divisional title page, first section also preceded by general title page. Octavo (9" x 5-3/4").



Recent quarter calf over cloth, raised bands and gilt lettering to spine, endpapers renewed. Light rubbing to extremities, lower corners bumped and lightly worn, front hinge starting, crack in text block between title page and following leaf. Moderate toning, somewhat heavier in places, occasional faint dampstaining to head of text block, much of it confined to margins. \$950.

THE SECOND PRINTING by Robert Bell of this important and influential commentary on Blackstone, published the year after the first edition. Later re-issued under the title *The Palladium of Conscience*, this book contains a group of essays on religious liberty inspired by a passage from Section III of Book IV, Chapter 4, "Of Offences Against God and Religion," where he classified religious non-conformity as a crime. It was originally published in 1772 as a fifth volume to Bell's edition of Blackstone's *Commentaries* (1771-1772). Eller 256. Laeuchli 616.

## EARLY ENGLISH EDITION OF PUFENDORF



46. PUFENDORF, SAMUEL VON [1632-1694].

BARBEYRAC, JEAN [1674-1744], ANNOTATOR.  
[KENNET(T), BASIL (1674-1715), TRANSLATOR].  
[PERCIVALE, WILLIAM, TRANSLATOR].

[Of the Law of Nature and Nations. Eight Books. Written in Latin by the Baron Puffendorf, Counsellour of State to His Late Swedish Majesty, And to the Late King of Prussia. Translated Into English by Basil Kennet, D.D. Late President of Corpus Christi College in Oxford. Carefully Corrected, With Two Tables. To Which are Now Added All the Large Notes of Mr. Barbeyrac, Translated from His Last Edition; Printed at Amsterdam in 1712.](#)

London: Printed for R. Sare, R. Bonwicke, T. Goodwyn, [et al.], 1717. [xxiv], 212, 242, 221-356, 359-390, 453-556, 559-577, [1], 531 [i.e. 131], [23] pp. Main text in parallel columns. Pagination irregular. Text complete. Folio (13-3/4" x 9").

Recent period-style quarter calf over marbled boards, endpapers renewed, title page re-hinged. Moderate

toning to text, somewhat heavier in places, faint dampspotting to a few leaves, tiny hole to title page neat foot of gutter. An attractive copy. \$1,250.

THIRD ENGLISH EDITION. In 1662 Puffendorf was appointed to the first modern professorship in natural law (at the University of Heidelberg). In 1670 he became professor of natural law at the University of Lund in Sweden. First published in 1672, and first published in English in 1703, *De Jure Naturae et Gentium* is his principal work and a landmark in the history of natural and international law. It proposed a thorough system of private, public, and international law based on natural law. Beginning with a consideration of fundamental legal ideas and their various divisions, Puffendorf proceeded to a discussion of the validity of customs, the doctrines of necessity and innate human reason. The work is significant in part because it developed principles introduced by Grotius and Hobbes. Unlike Hobbes, Puffendorf argued that peace, not war, was the state of nature, and he proposed that international law was not restricted to Christendom. This copy belonged to the eminent historian Brian Tierney [1922-2019], an expert on the relationship between church and state in medieval Europe. ESTC T118565.

## CLASSIC STUDY OF THE CONSTITUTIONAL LAW OF THE HOLY ROMAN EMPIRE

47. SCHMAUSS, JOHANN JACOB [1690-1757].

[Corpus Juris Publici Academicum: Enthaltend Die vornehmsten Grund-Gesetze Des Heil. Röm. Reichs, Als: Die Güldene Bulle, Profan- und Religions-auch Westphälisch- Und Andere Frieden, Die Cammer-Gerichts- und Reichs-Hof-Raths-Ordnungen, Reichs-Matricul und Neueste Wahl-Capitulation, Nebst einigen Andern Reichs-Constitutionen; Zum Gebrauch so Wohl der Studirenden Jugend, Als auch Anderer dem Studio Juris Publici Beflissenen.](#)

Frankfurt and Leipzig. Zu Finden bey August Martini 1722. [xii], 1072 pp. Calf thumb-tabs. Main text in parallel columns. Copperplate portrait frontispiece of Holy Roman Emperor Charles VI. Octavo (6-3/4" x 4").

Contemporary speckled calf, gilt armorial crests to center of boards, raised bands, blind tooling and lettering piece to spine. A few minor nicks to boards, light rubbing to







Detail from N° 47

extremities, gilding mostly rubbed away from crests, corners bumped and somewhat worn, front hinge starting at foot, minor worming to upper corners of front pastedown and preliminaries with no loss to text or plate. Moderate toning to text, faint dampspotting in places, a few tabs stuck to adjacent leaves, a few minor tears where tabs were peeled away. A handsome copy of a scarce title. \$1,750.

FIRST EDITION. Schmauss was a professor of law at the University of Göttingen. A comprehensive, historically grounded work, his *Corpus Juris Publici* established his reputation as the leading expert of his day on the constitutional law of the Holy Roman Empire. Stintzing-Landsberg holds this book in high regard and recommends it as a “convenient collection of sources” for the study of the Empire’s constitutional history. It went through several editions and reissues, the last in 1794. (The last edition was reprinted in 1973). All original editions are scarce or rare. OCLC locates 12 copies of the first edition, none in North America. This edition not in VD18. Stintzing-Landsberg Part III, Vol.1, 126.

## A CASE THAT INFLUENCED THE PASSAGE OF THE LIBEL ACT OF 1792

48. [TRIAL].

STOCKDALE, JOHN [1749?-1814], DEFENDANT.

GURNEY, JOSEPH [1744-1815], REPORTER.

[ERSKINE, THOMAS [1750-1823]].

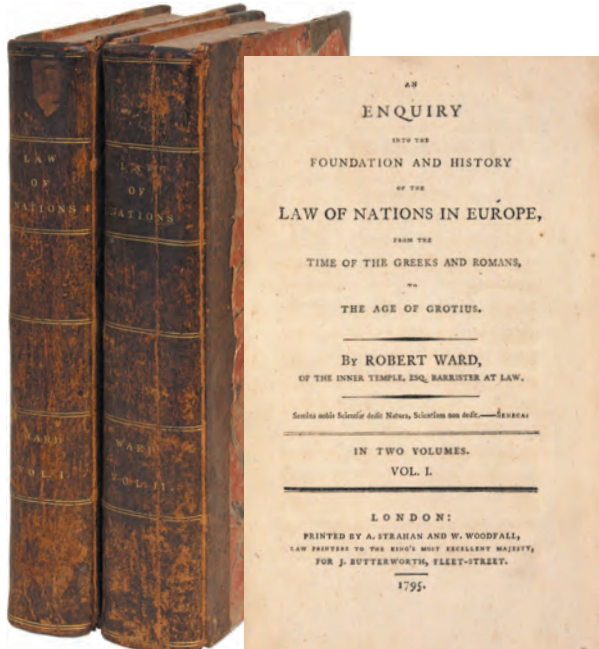
[The Whole Proceedings on the Trial of an Information Exhibited Ex Officio, by the King's Attorney General, Against John Stockdale; For a Libel on the House of Commons, Tried in the Court of King's-Bench West-Minster, On Wednesday, The Ninth of December, 1789, Before the Right Hon. Lloyd Lord Kenyon, Chief Justice of England. Taken in Short Hand by Joseph Gurney. To Which is Subjoined, An Argument in Support of the Rights of Juries.](#)

London: Printed for John Stockdale, Opposite Burlington House, Piccadilly, 1790. xi, [1], 228 pp. Lacking final 8 leaves of publisher advertisements. Octavo (9-1/4" x 5-3/4").

Contemporary tree calf, gilt spine with lettering piece, gilt tooling to board edges, edges of text block colored yellow. Some minor nicks and scratches to boards, light rubbing to extremities, some wear to spine ends, joints starting at ends, corners bumped and lightly worn, hinges starting, light toning to text. An attractive, wide-margined copy. \$1,000.

FIRST EDITION. Stockdale, a publisher and bookseller, was indicted for libel on the House of Commons after publishing an account of the impeachment of Warren Hastings by John Logan that accused the Commons of corrupt and unjust behavior. Stockdale was defended by Erskine, who argued that Stockdale should not be judged by isolated passages in Logan’s book, but by the entire publication. Stockdale was acquitted and his case is believed to have influenced the passage of the Libel Act of 1792, which restored the verdict power of juries in libel cases. Taken in shorthand by Gurney, *The Whole Proceedings* is Stockdale’s account of his trial. A Dublin reissue and a “New” London edition were also published in 1790. ESTC T83638.

## THE FIRST HISTORY OF INTERNATIONAL LAW



49. 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. \$950.

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. ESTC T117016.

## SCARCE ITALIAN TREATISE ON DEBTOR AND CREDITOR

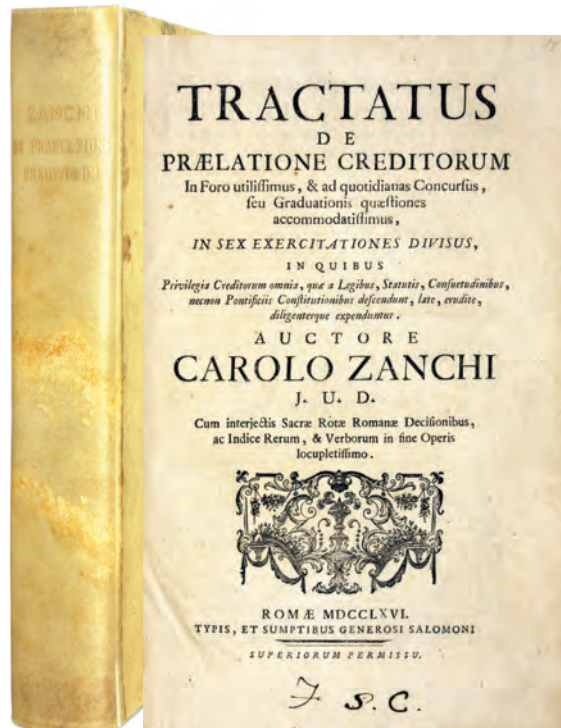
50. ZANCHI, CARLO [FL. 1770].

[Tractatus de Praelatione Creditorum in Foro Utilissimus, & ad Quotidianas Concursus, Seu Graduationis Quaestiones Accommodatissimus, in Sex Exercitationes Divisus, In Quibus Privilegia Creditorum Omnia, Quae a Legibus, Statutis, Consuetudinibus, Necnon Pontificiis Constitutionibus Descendant, Late, Erudite, Diligenterque Expenduntur.](#)

Rome: Typis, Et Sumptibus Generosi Salomoni, 1766. viii, 628 pp. Main text in parallel columns. Folio (12-3/4" x 9").

Contemporary vellum with later rebacking, gilt-title to spine, endpapers renewed, speckled edges. Light rubbing to extremities, a few minor stains to boards, spine ends and corners bumped, gilding oxidized or worn away. Light toning to text, light foxing in places. Early owner initials to foot of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$1,250.

FIRST EDITION. A second edition of this notable treatise on debtor and creditor, with an emphasis on insolvency and the priority of claims and liens, was published in 1839. Both are scarce. OCLC locates 3 copies of the first edition in law libraries (Columbia, Harvard, UC-Berkeley), 3 copies of the second (Columbia, Harvard, Yale). Not in Roberts or the BMC.



# Nineteenth & Twentieth-Century Books



## AN IMPORTANT STUDY OF INHERITANCE AND SUCCESSION IN ROMAN LAW

51. BLUNTSCHLI, JOHANN CASPAR (KASPAR) [1808-1881].

[Entwicklung der Erbfolge Gegen den Letzten Willen nach Romischen Recht mit bes. Rücksicht auf die Novelle 115.](#)

Bonn: Bei Adolph Marcus, 1829. x, 310 pp. Octavo (8" x 5").

Original marbled publisher boards, paper title label to spine. Moderate rubbing to extremities, heavy rubbing to spine, front joint starting, lower half of rear joint cracked through hinge, early bookseller stamp to front pastedown. Light toning to text, early annotations to rear pastedown. A nice copy. \$750.

ONLY EDITION. A notable work of Historical School jurisprudence, this treatise addresses the Roman law of inheritance and succession and wills with comparisons to these laws in Prussia and, to a lesser extent, other German states. Bluntschli was one of the great Continental jurists of the nineteenth century. He published a code for the Canton of Zurich and works on German private law, the law of war and international law. His most important historical work is the *Geschichte des Allgemeinen Staatsrechts und der Politik* (1864). OCLC locates 1 copy (in Denmark), 2 copies of a 1970 reprint, 1 in North America (UC-Berkeley Law School). *BMC* 3:687.

## JOSEPH CHITTY ON THE LAW OF NATIONS

52. CHITTY, JOSEPH [1776-1841].

[A Practical Treatise on the Law of Nations, Relative to the Legal Effect of War on the Commerce of Belligerents and Neutrals; And Orders in Council and Licences. To Which Are Added, Extracts from Grotius, Bynkershoek, And Vattel: Also, The Letter of Sir William Scott, And of the Duke of Newcastle, &c. Containing Matters Applicable to the Law of Prize.](#)

Boston: Printed by Bradford and Read, 1812. xii, 340, [4] pp. Includes four-page publisher list. Octavo (8-1/2" x 5-1/4").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine, blind tooling to board edges. Moderate rubbing to boards and extremities with some wear along front joint, a few minor chips and tears to spine ends, corners bumped and somewhat worn, front hinges starting, early owner signatures (of W. Alston Hayne) to front pastedown and head of title page. Light browning and light foxing to text, minor chips and tears to edges of a few leaves with no loss to text. \$1,500.

FIRST AND ONLY AMERICAN EDITION, based on the London edition (1812). Chitty was one of the most wide-ranging and prolific legal writers of the nineteenth-century. This treatise and an edition of Beawes's *Lex Mercatoria* (1813) were his two contributions to international law. Marvin's *Legal Bibliography*, though critical of the *Practical Treatise*, finds merit in the digests of Sir William Scott's judgments in prize cases (190). Cohen 7167.

## 1811 COMPILATION OF UNITED STATES CONSTITUTIONS



Frontispiece detail

53. [CONSTITUTIONS].  
[UNITED STATES].

[The Constitutions of the United States, According to the Latest Amendments: To Which are Prefixed, The Declaration of Independence; And the Federal Constitution, With the Amendments. Also the Farewell Address of George Washington, Esq. To the People of the United States on His Resigning the Presidency.](#)

Gettysburg, PA: Printed by Robert Harper, 1811. 523 pp. Subscriber list. Lithograph portrait frontispiece of George Washington. 12mo. (6-1/2" x 4").

Contemporary sheep, lettering piece and gilt fillets to spine. Light rubbing and a few scratches and scuffs to boards, which are slightly bowed, moderate rubbing to extremities and spine with wear to spine ends and corners, rear hinge starting, early owner signature (Isaiah Inham, dated 1814) to front endleaf. Moderate toning to text, light foxing and dampstaining in a few places, clean tear to foot of leaf D6 (pp. 39-40) with no loss to text. \$600.

ONLY EDITION. With an 11 pp. subscriber list. Harper's compilation contains the constitutions of the 17 states that were part of the Union in 1811. The Federal Constitution includes the Bill of Rights and Eleven and Twelfth Amendments. The subscribers are mostly from Pennsylvania, Maryland and Ohio; 11 are from Wilkesboro, North Carolina. Shaw & Shoemaker 22609. Cohen 3044.

ATTRACTIVE SCARCE POCKET-SIZED  
1810 PRINTING OF THE FRENCH CODE OF CRIMINAL  
PROCEDURE

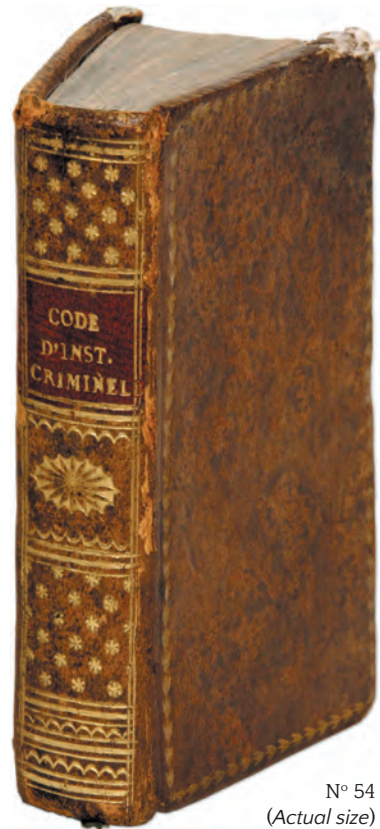
54. [FRANCE].  
[CRIMINAL LAW].

[Code d'Instruction Criminelle. Édition Originale et Seule Officielle.](#)

Paris: De l'Imprimerie Impériale, 1810. [iv], 323 pp. 16mo. (3-3/4" x 2-1/4") 9.5 cm x 5.7 cm.

Contemporary sprinkled calf, gilt fillets to boards, gilt spine with lettering piece, speckled edges, marbled endpapers, ribbon marker. A few tiny nicks to boards, moderate rubbing to extremities with some wear to corners, bookseller ticket to verso of half-title, moderate toning to text, light soiling to half-title, small crease to title page. An attractive copy. \$1,950.

THIRD PRINTING OF THIS TITLE, previously issued in quarto and octavo, this is the only edition in this format. The 1808 *Code d'Instruction Criminelle*, a code of criminal procedure, was one the four codes of civil and criminal law issued under Napoleon's direction after the Code Napoleon (*Code Civil*, 1804). *Because* the 16mo. version, (labeled 32mo. in some references), was intended for daily use rather than the library shelf, few copies exist today. Copies as well-preserved as ours are rare. OCLC locates 10 copies, none in North America. Camus 2310.



N° 54  
(Actual size)

A LIMITED-EDITION,  
TWELVE-VOLUME FINE-PRESS STUDY OF PRISONS

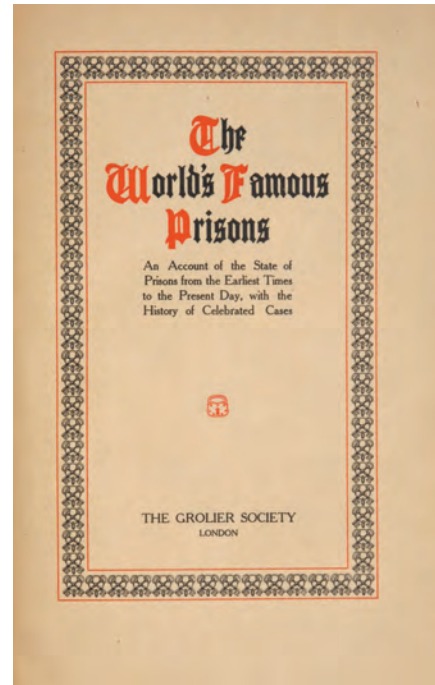
55. GRIFFITHS, ARTHUR [1838-1908].

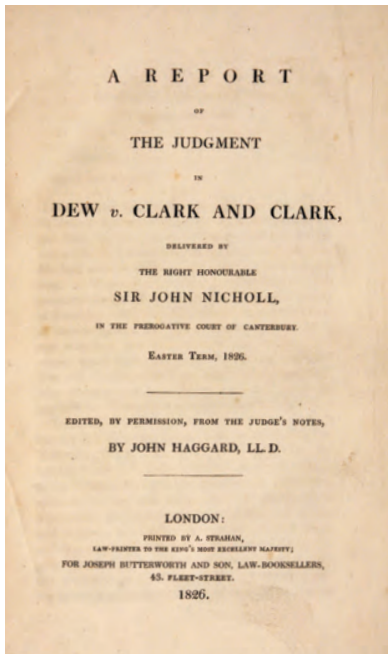
[The World's Famous Prisons: An Account of the State of Prisons from the Earliest Times to the Present Day, With the History of Celebrated Cases.](#)

London: The Grolier Society, [c.1900]. Twelve volumes. Frontispieces. Plates. Octavo (8-3/4" x 5-3/4).

Three-quarter morocco over patterned boards, raised bands, gilt titles and gilt ornaments to spine, top edge gilt, deckle fore and bottom edges, patterned endpapers, tissue guards to frontispieces and plates. Light to moderate rubbing to extremities, corners bumped, hinges of some volumes cracked or starting, light toning to text, faint dampstaining throughout Volume IV. A handsome set. \$2,500.

A COPY FROM THE CONNOISSEUR EDITION limited to 150 sets, this number 67. A former British Army officer, Griffiths was a prolific popular author. In addition to historical and journalistic works on military subjects, he wrote extensively about crime and punishment and even published several mystery crime novels. His work is notable for its sensational appeal; he was often accused of pandering to the base instincts of his readers. Illustrated with more than a hundred plates, *The World's Famous Prisons* is a compilation of historical lore with an emphasis on colorful and lurid anecdote. Contents: I-II. Chronicles of Newgate; III. Millbank Penitentiary, An Experiment in Reformation; IV. Non-Criminal Prisons: English Debtor's Prisons and Prisons of War, French war prisons, American war prisons, With References to Those of Other Lands; V. Prisons over Seas: Deportation and Colonization, British and American Prisons of Today; VI. Early French Prisons; VII. Modern French Prisons; VIII. German and Austrian Prisons; IX. Spanish Prisons: The Inquisition at Home and Abroad, Prisons Past and Present; X. Italian Prisons: Prisons of the Roman Inquisition; XI. Russian Prisons, The Story of Siberian Exile; XII. Oriental Prisons, Prisons and Crime in India, The Andaman Islands, Burma-China-Japan-Egypt, Turkey. *See interior front cover.*





THE CASE THAT ESTABLISHED THE  
CONCEPT OF PARTIAL INSANITY  
IN ENGLISH LAW

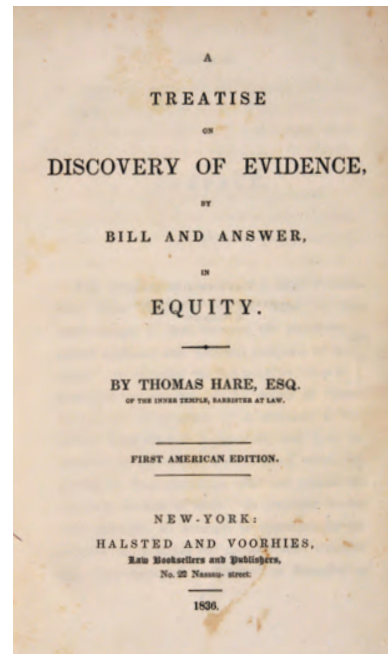
56. NICHOLL, SIR JOHN [1759-1838].  
HAGGARD, JOHN [1794-1856], EDITOR.

[A Report of the Judgment of Dew v. Clark and Clark, Delivered by the Honourable Sir John Nicholl, In the Prerogative Court of Canterbury. Eastern Term, 1826. Edited, By Permission, From the Judge's Notes.](#)

London: Printed by A. Strahan, 1826. [ii], 99 pp. Octavo (9" x 5-1/2").

Original published boards with recent rebacking, printed paper title label to spine, untrimmed edges, front hinge mended. Light soiling and a few minor stains to boards, moderate rubbing to board edges with wear to corners, faint bookplate residue and brief early owner annotation to front pastedown. Light toning to text, occasional early brief annotations in pencil. \$750.

ONLY EDITION. Dew v. Clark and Clark established the concept of insane delusion, a testator's false conception of reality that may invalidate a will altogether, or one or more of its provisions. In this case a father believed falsely that his daughter was "the devil incarnate" and disinherited her. The court found that his thoughts about her, "did and could only proceed from, and be founded in, insanity," a "partial insanity" that only extended to his thoughts about his daughter, which caused the will to fail. OCLC locates 7 copies in North American law libraries (Boston University, Harvard, Library of Congress, Social Law Library, University of Minnesota, University of Pennsylvania, York University). HEL II:1061.



"IT IS NOT MERELY PRACTICAL,  
BUT IN MANY PARTS HIGHLY  
SCIENTIFIC"

57. HARE, THOMAS [1806-1891].

[A Treatise on Discovery of Evidence by Bill and Answer in Equity.](#)

New York: Halsted and Voorhies, 1836. xxxiii, 316 pp. Octavo (8-1/2" x 5-1/4").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. A few nicks and scuffs, light rubbing to extremities, negligible light toning to text, light foxing to a few leaves, early owner initial (?) in ink to front pastedown. A well-preserved copy. \$500.

FIRST AMERICAN EDITION, a reprint of the first London edition, published the same year. Marvin praises its completeness: "It professes to be a complete Treatise upon Discovery; it comprises almost all the authorities upon the subject, with accurate investigations into many practical points. It is a work to which the practitioner may refer with every prospect of finding a perfect explanation of any difficulties which he may have encountered. Indeed, it has still higher merits. It is not merely practical, but in many parts extremely scientific. Later American editions were published in 1849 and 1850. Marvin 368. Cohen 5075.

## A HISTORICALLY GROUNDED TREATISE ON MONOPOLIES

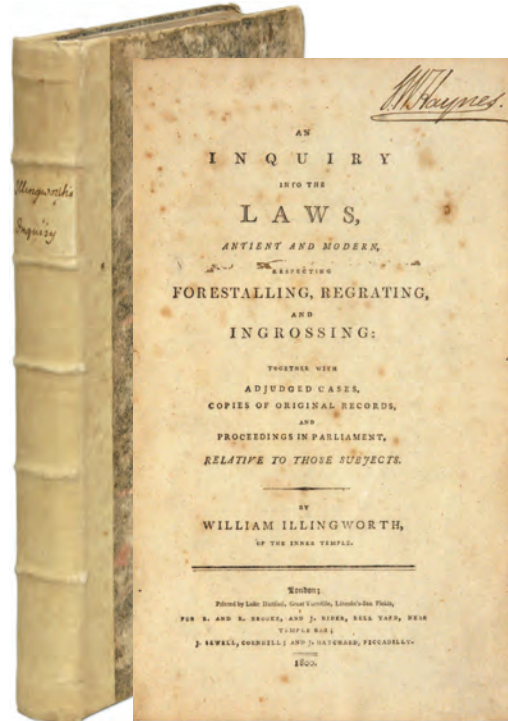
58. ILLINGWORTH, WILLIAM [1764-1845].

[An Inquiry Into the Laws, Antient and Modern, Respecting Forestalling, Regrating, And Ingrossing. Together with Adjudged Cases, Copies of Original Records, And Proceedings in Parliament, Relative to Those Subjects.](#)

London: Printed by Luke Hansard, 1800. xi, [1], 297, [1] pp. Octavo (8-1/2" x 5-1/2").

Marbled boards, with contrasting plain-paper spine with raised bands and early hand-lettered title label. Moderate rubbing to boards and extremities, corners bumped and somewhat worn, early owner bookplate (S.W. Haynes) to front pastedown. Moderate toning to text, light foxing in places, presentation inscription from Illingworth to his sister to verso of front free endpaper, early owner signature (S.W. Haynes) to head of title page. \$750.

ONLY EDITION. This historically grounded treatise on monopolies, dealings in futures and corners in commodities includes cases dating back to the reign of Edward I. Illingworth was a lawyer, archivist and editor of early English legal records. Kress B.4202. ESTC T55182.



### JAMES KENT ON INTERNATIONAL LAW

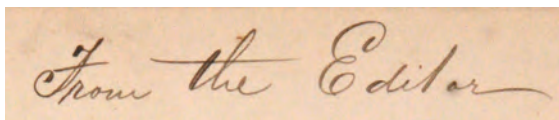
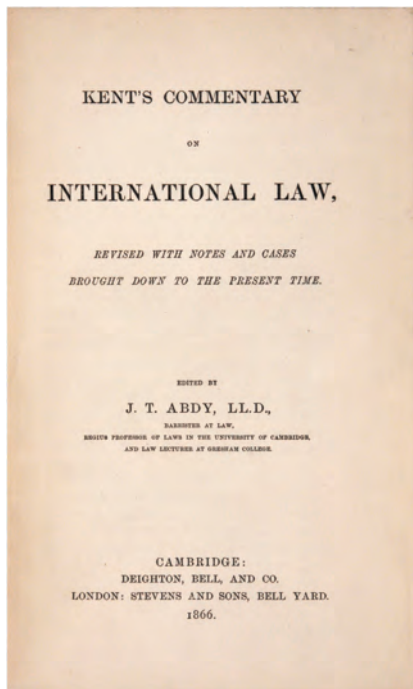
59. KENT, JAMES [1763-1847].  
ABDY, J[OHN] T[HOMAS] [1822-1899], EDITOR.

[Kent's Commentary on International Law, Revised with Notes and Cases Brought Down to the Present Time.](#)

Cambridge: Deighton, Bell and Co.; London: Stevens and Sons, 1866. xx, 484, 12 pp. Main text followed by 12-page publisher catalogue. Octavo (7-1/2" x 5").

Original cloth, blind frames to boards, gilt title and small early private-library shelf label to spine. Light rubbing to extremities, spine ends and corners bumped, early armorial bookplate (of Joshua Williams) to front pastedown. Light toning to text, light foxing to a few leaves, presentation inscription, "From the Editor," to head of half-title. A very nice copy. \$650.

FIRST EDITION. Derived from Kent's *Commentaries on American Law* (1826-1830), these passages edited by Abdy comprise, in effect, the first American treatise on international law. A mature work of balanced judgment and precise and succinct presentation, it dismisses natural law in favor of a progressive positivism. A second edition was published in 1878. HLC I:1088.



Detail from N° 59

## LIVINGSTON'S LOUISIANA CODE OF CIVIL PRACTICE



## 60. [LOUISIANA].

[LIVINGSTON, EDWARD (1764-1836)].

[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.

THE FIRST BRITISH BOOK PRINTED IN GOLD  
"THE MOST MAGNIFICENT OF ALL EDITIONS"

## 61. [MAGNA CARTA].

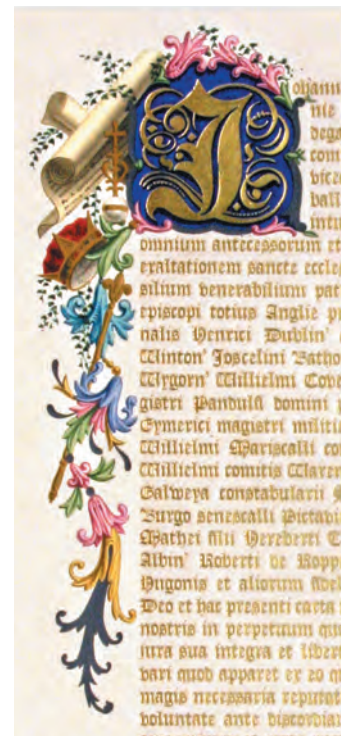
[WHITTAKER, JOHN, PUBLISHER].

[Magna Carta: Regis Johannis XV. Die Junii Anno Regni XVII. A.D. MCCXV.](#)

London: Apud Johannis Whittaker, 1816. 12 ff. Folio (17" x 14").

Contemporary gilt-tooled morocco, textured-cloth central panels to boards, the front has a central gilt-tooled title panel (reading Magna Carta, Printed in Letters of Gold), patterned lilac-colored endpapers, ribbon marker. Moderate rubbing to extremities, corners and spine ends bumped, soiling, a few stains and a few scuffs to boards, cracks in text block between front free endpaper and title page and final leaf and free endpaper. Printed in gold on card, initial at beginning of text decorated by hand in watercolor with royal regalia and floral border, probably designed by Thomas Willement. Light toning, occasional finger smudges, small inkspot to first text leaf (with offsetting to verso of title page). \$10,000.

THE FIRST BOOK printed in gold in England. Lowndes described it as "the most magnificent of all editions of the Magna Carta." The Westminster binder John Whittaker planned this book "for the display of a new branch of the art of printing." Although all are printed in gold, rarely are two copies alike. Some were printed on colored vellum and even jeweled, all have different levels of ornamentation. Some have a list of Barons. The present copy contains the text of Magna Carta only, printed on glazed card, and richly bound. Lowndes II:1450.



Detail from N° 61



MAGNA CARTA

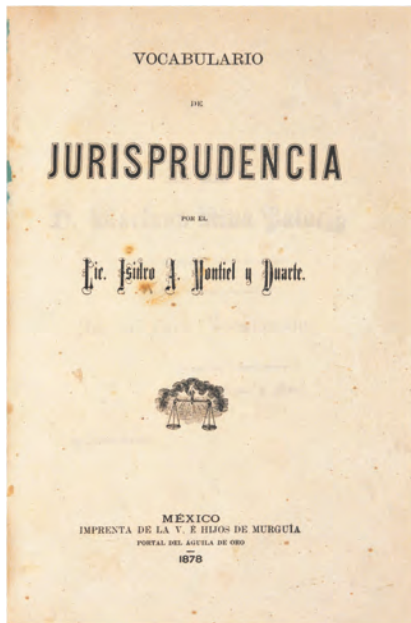
REGIS JOHANNIS

XV. Die Junii Anno Regni XVII.

A. D. MCCXV.

LONDON.  
Apud Johannes Whittaker.

MDCCCXVI.



Nº 62

LAW DICTIONARY  
BY AN IMPORTANT  
NINETEENTH-CENTURY  
MEXICAN STATESMAN

62. MONTIEL Y DUARTE,  
ISIDRO ANTONIO [1821-1891].

Vocabulario de Jurisprudencia.

Mexico City: Imprenta de la v. é. Hijos de Murguía, 1878.  
242. [5] pp. Main text in parallel columns. Folio (10-3/4"  
x 7-1/2").

Later quarter calf over cloth, raised bands and gilt title to spine. Light toning to text, light foxing to a few leaves. A remarkably well-preserved copy of a scarce title. \$950.

ONLY EDITION. Montiel y Duarte was an important statesman and legal author. A practical work, his *Vocabulario* features concise definitions. The main text is followed by a brief bibliography of works consulted (*Catálogo de los Códigos y Autores que se Consultaron para Formar este Vocabulario*). OCLC locates 13 copies, 8 in North American law libraries (Columbia, Harvard, Library of Congress, LA-County, Tulane, UC-Berkeley, University of Michigan, UT-Austin). Clagett and Valderrama 431.

RARE PORTUGUESE EDITION  
OF PARK'S TREATISE ON  
MARINE INSURANCES

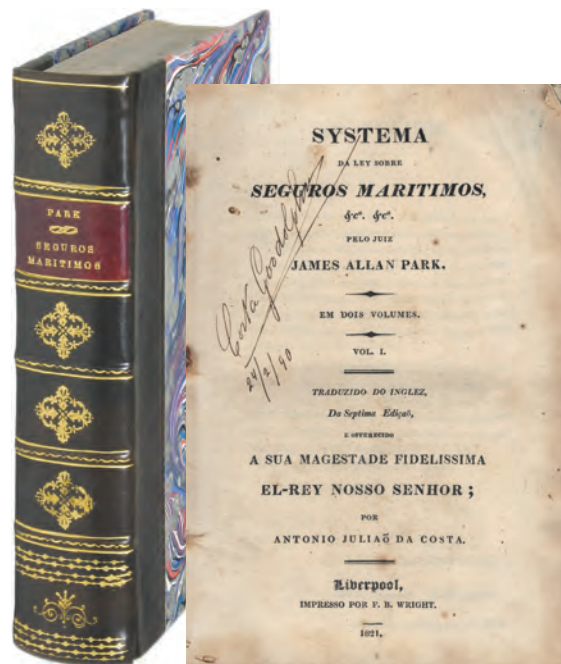
63. PARK, JAMES ALLAN [1763-1838].  
COSTA, ANTONIO JULIAO DA, TRANSLATOR.

Systema da Ley Sobre Seguros Maritimos, &c. &c.

Liverpool: Impresso por F.B. Wright, 1821. Two volumes bound as one. Volume II has a folding table. Octavo (8" x 5").

Recent period-style quarter calf over marbled boards, gilt fillets, ornaments and lettering piece to spine, endpapers renewed. Moderate toning to text, faint dampstaining to head of text block. Later owner signature to title page, underlining in a few places, interior otherwise clean. \$850.

ONLY PORTUGUESE EDITION, from the seventh London edition. With an introduction and notes by the translator. First published in 1787, Park's *Marine Insurances* was the first legal work on insurance written by an English lawyer. Holdsworth has called it "the best text-book upon the law of insurance." A work of great authority, *System of Marine Insurances* went through numerous English and American editions and remained the standard text until the middle of the nineteenth century. This rare Portuguese edition was produced for lawyers and merchants in Portugal and Brazil. Holdsworth XII:390. OCLC locates 2 copies of this edition, 1 in North America (at UVA Law School).



Nº 63

THE LEGAL PERSECUTION  
OF IRISH CATHOLICS

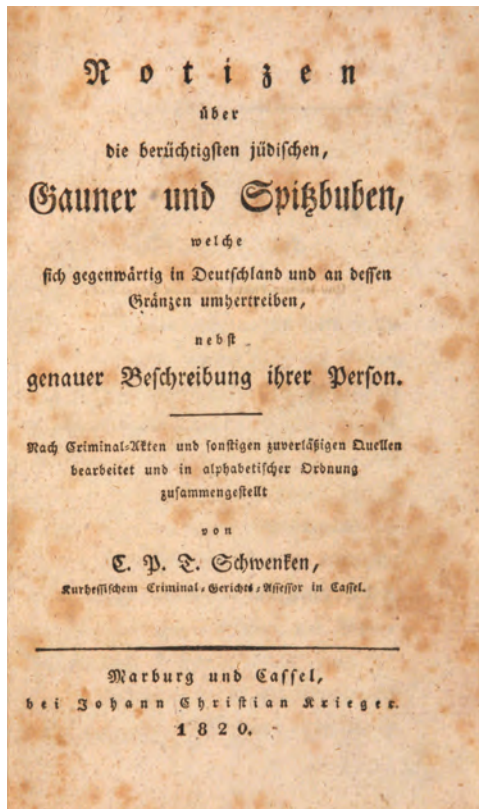
64. PARNELL, HENRY [1776-1842].

[A History of the Penal Laws Against the Irish Catholics, from the Treaty of Limerick to the Union.](#)

Dublin: Printed by H. Fitzpatrick, 1808. [ii], 226, xxii pp. Octavo (9" x 5-1/4").

Original publisher boards with recent paper rebacking with printed paper spine label, untrimmed edges. Some rubbing and staining to boards, corners bumped and somewhat worn. Light toning to text, somewhat heavier in places, faint dampstaining to heads of preliminaries and pp. 1- 8, light soiling to title page. \$500.

FIRST DUBLIN EDITION, published the same year as the first London edition. Sir Henry Parnell, later Lord Congleton, was an Anglo-Irish parliamentarian and treasury official sympathetic to the plight of Irish Catholics. Enhanced by its extensive quotation of source records, this book traces the history of laws against "religious non-conformists" between 1689 and 1801. Though certainly partisan, it is valuable for Parnell's perspective and first-hand knowledge of several crucial events of the 1780s and 1790s. Later editions were published in 1822, 1825 and 1827. *BMC* 19:487.



N° 66

THE LEGAL PERSECUTION  
OF IRISH CATHOLICS

65. PARNELL, HENRY.

[A History of the Penal Laws Against the Irish Catholics; From the Treaty of Limerick to the Union.](#)

London: Printed for J. Harding, 1808. [iv], 159, [i], xxiv pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet bound into recent quarter calf over cloth, gilt title to spine. Light wear to joints and spine ends. Light toning to text, faint spotting in a few places, final two leaves re-hinged. \$650.

FIRST LONDON EDITION, published the same year as the first Dublin edition. *BMC* 19:487.

AN ANTI-SEMITIC REVIEW OF  
"NOTORIOUS JEWISH THIEVES,  
SWINDLERS AND RASCALS"

66. SCHWENKEN, CARL PHILIPP THEODOR [1785-1847].

[Notizen über die Berüchtigsten Jüdischen, Gauner und Spitzbuben, welche sich Gegenwärtig in Deutschland und an Dessen Gränzen Umhertreiben nebst Genauer Beschreibung Ihrer Person; Nach Criminal-Akten und Sonstigen Zuverlässigen Quellen Bearbeitet und in Alphabetischer Ordnung Zusammengestellt.](#)

Marburg and Cassel: Bei Johann Christian Krieger, 1820. xvi, 416, [4] pp. Octavo (6-3/4" x 4").

Contemporary plain paper-covered boards. Moderate rubbing and staining to boards and spine, heavier rubbing to extremities with wear to edges, spine ends and corners, tiny early owner stamp and small blank label to front free endpaper, moderate toning and foxing to text. A rare title. \$2,950.

FIRST EDITION. A classic example of nineteenth-century German Anti-Semitism, this book by a notable criminologist reviews the careers of 650 "notorious Jewish thieves, swindlers and rascals." These biographies serve to demonstrate the patent criminality of "Jewish race." A second edition was published in 1825. Both are rare. OCLC locates no copies of the second edition in North America, 3 of the first (Hebrew Union College, Michigan State University, New York Public Library). Not in the *BMC*.



Detail from N° 67

### SCARCE 1837 COMPILATION OF EUROPEAN AND AMERICAN RAILROAD LAWS

67. SMITH, [VALENTIN].  
CHEVALIER, MICHEL.  
GERVOY, M.

[Lois Européennes et Américaines sur les Chemins de Fer, Par M. Smith, Conseiller a la Cour Royale de Riom et Membre du Conseil Général de la Loire; Avec une Lettre Adressée a Directeur-General des Ponts-et-Chaussées, Sur les Travaux Publics et sur les Chemins de Fer de l'Amérique. Par M. Michel Chevalier; Précédées; 1. Du Rapport fait à la Commission d'Enquete du Chemin de Fer de Saint-Étienne à Lyon; 2. du Procès-Verbal de la Commission d'Enquete Formée à Lyon; 3. Des Conclusions des Préfets de la Loire et du Rhône; 4. d'Une Notice Historique sur les Chemins de Fer du Département de la Loire; Par B. Smith; 5. Enfin d'une Notice Historique et Statistique sur les Mines de Houille de l'Arrondissement de Saint-Étienne et sur les Moyens du Transport de Leurs Produits, Par M. Gervoy, Ingénieur des Mines.](#)

Saint-Étienne: Typ. de F. Gonin, 1837. [viii], 331, [4] pp.  
Tables, folding table. Quarto (10-3/4" x 8-1/2").

Original publisher wrappers, woodcut image of train to rear wrapper, untrimmed edges. Moderate soiling and some rubbing to extremities with some wear to spine ends and corners, several splits to spine, text block beginning to come apart. Moderate toning to text, light foxing in a few places. \$1,500.

ONLY EDITION. This book was compiled about a decade after the establishment of the first steam-powered railroads. Along with its discussion of railroad laws in Great Britain and Europe, it contains a summary of railroad legislation in the United States by M. Smith, and an 1835 letter by Michel Chevalier on legislation in the United States relating to public works, with an emphasis on railroads, addressed to M. Legrand, Directeur-Générale des Ponts-et-Chaussées. OCLC locates 10 copies, 4 in North America (Harvard Business School, NY Public Library, Public Library of Cincinnati, University of Michigan). Sabin 84478.

### EARLY FRENCH EDITION OF STORY'S COMMENTARIES ON THE CONSTITUTION

68. STORY, JOSEPH [1779-1845].  
ODENT, PAUL, EDITOR AND TRANSLATOR.

[Commentaire Sur la Constitution des Etats-Unis Traduit du Commentaire de J. Story, Professeur de Droit a L'Universite de Harvard, Et Augmenté des Observations de Mm. Jefferson, Rawle, De Tocqueville, Etc., Et de Notes Sur la Jurisprudence et L'Organisation Judiciaire, par Paul Odent, Docteur en Droit, Avocat a la Cour Royale de Paris, Ancien Avocat aux Conseils du Roi et a la Cour de Cassation.](#)

Paris: Joubert, 1845. Two volumes. ix, lxxi, 390; [iii], 498, [1] pp. Octavo (8" x 5").

Contemporary quarter sheep over marbled boards, raised bands and lettering pieces to spines. Light rubbing

to boards and extremities, a few minor nicks to spines, corners bumped. Moderate toning, occasional light foxing, internally clean. A handsome copy of an uncommon title. \$1,500.

REISSUE of the first French edition (1843) with a slightly different title. (The first is entitled *Commentaire Sur la Constitution Federale des Etats-Unis*.) The first complete translation into a foreign language, it is taken from Story's first abridged edition (1833). Along with Franz Joseph Buss's *Ueber die Verfassungs-Urkunde der Vereinigten Staaten von Nord Amerika. Historischer Teil, Nach Story's Commentarien Bearbeitet* (1838), Odent's preface is an important source of information on the European reception of Story's work and the American Constitution. In addition to original notes Odent added relevant commentary by Jefferson, Rawle, Tocqueville and others and discussed aspects of the American government that could be adopted in Europe. OCLC locates 2 copies in North American law libraries (University of Alabama and University of Michigan). Cohen 2918.

LANDMARK CASE CONCERNING THE CONFSSIONAL AND THE COURT

69. [TRIAL].  
 PHILLIPS, DANIEL, DEFENDANT.  
 SAMPSON, WILLIAM [1764-1836], REPORTER.

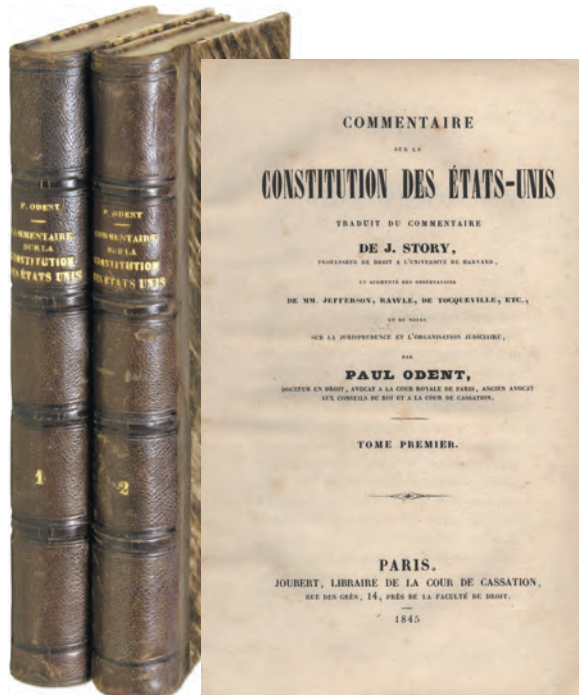
The Catholic Question in America: Whether a Roman Catholic Clergyman be in Any Case Compellable to Disclose the Secrets of Auricular Confession. Decided at the Court of General Sessions,

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.

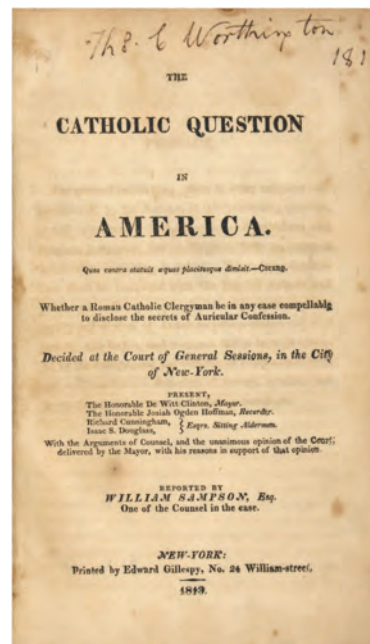
New York: Printed by Edward Gillespy, 1813. 138, cxxviii, [1] pp. Lacking final errata leaf, supplied in facsimile. Octavo (9" x 6").

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.



N° 68



N° 69

# Annotated Books



WITH CONTEMPORARY ANNOTATIONS BY A FRENCH SCHOLAR

70. [CANON LAW].

NALDI, ANTONIO [D.1645], EDITOR.

LANCELOTTI, GIOVANNI PAOLO [1522-1590].

[Corpus Iuris Canonici Notis Illustratum: Gregorii XIII. Iussu Editum: Complectens Decretum Gratiani, Decretales Gregorii Papae IX., Sextum Decretalium Bonifacii Papae VIII., Clementinas, Extravagantes Ioannis Papae XXII., Extravagantes Communes. Accesserunt Constitutiones Novae Summorum Pontificum Nunquam Antea Editae, Quae VII. Decretalium Loco Esse Possint, Annotationes Ant. Naldi, Cum Addit. Novis, Et Quae in Plerisque Editionibus Desiderabantur, Petri Lancelotti Institutiones Iuris Canonici; Regulae Cancellariae Apostolicae; Cum Indicibus, &c. De Quibus Singulis Lector Consulat Paginam Praefationi Praefixam.](#)

Lyon: Sumptibus Laurentii Anisson, 1661. Two volumes. [liv] pp., 1264 (of 1272) cols; [xx] pp., 752 cols., [12] pp., 406 cols., [9] pp., 158 cols., [69] pp., 256 cols, [24] pp., 98 cols., [19] pp. Final two leaves of Volume I lacking. Main text in parallel columns. Quarto (9-1/2" x 7-1/4").



Contemporary calf, gilt spines with raised bands and lettering pieces, marbled edges and endpapers. Moderate rubbing and a few scuffs to boards, heavier rubbing to extremities with wear to spine ends and corners, front boards detached. Title pages printed in red and black. Moderate toning and occasional light foxing to text, inkstains to a few leaves, contemporary manuscript thumb-tabs, extensive contemporary annotations to front endleaves, occasional brief annotations throughout both volumes, struck-through signatures to title pages. \$1,750.

THIS COMPLETE EDITION of the *Corpus Iuris Canonici* edited by Naldi is based on the *Correctores Romani*, the official version in force from 1580 to 1917. It includes a related text: Lancelotti's *Institutiones Iuris Canonici*, an elementary textbook. This copy was annotated in French by a teacher, most likely for use in the classroom. They appear to be related to a course on canon law. The notes on the front endleaves of Volume I, which contain general information about the *Corpus Iuris Canonici*, have the heading "Notes Préliminaires à la lecture du droit canon." Most of the annotations are dates for specific decrees, such as "10 Juillet 511" and cross-references, such as "555-560." There are also some corrections and underlined passages. A few are interpretive or note historical background. The thumb-tabs mark the books of the *Corpus* and their sub-sections. In all, these notes and tabs would have facilitated quick reference in a lecture hall. Not in Ferreira-Ibarra.

AN EDITION OF THE *COUTUMES* OF CHARTRES WITH MANUSCRIPT ANNOTATIONS

71. [CHARTRES].  
 COUART, JEAN, COMMENTARY.  
 DU MOULIN, CHARLES [1500-1566], EDITOR.

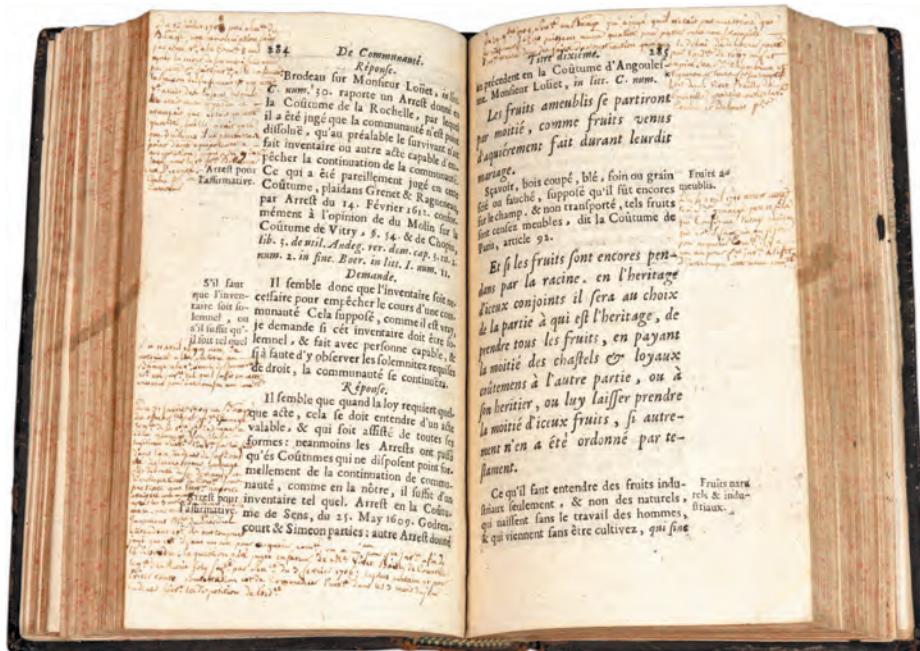
[Coutumes du Duché, Bailliage et Siege Presidial de Chartres, Pays Chartrain, Perche-Goüet, Baronies & Chastellenies d'Alluye, Brou, Mommiral, Auton & la Bazoches-Goüet, Dites les Cinq Baronies. Commentée par M. J. Couart Conseiller du Roy. & De Monseigneur Fils de France, Duc d'Orléans & de Chartres, Prévost & Juge Ordinaire de la Ville de Chartres. Augmentée des Notes de M. C. du Molin, De la Traduction des Passages Latins, & Du Procez Verbal de la Coûtume de Chartres.](#)

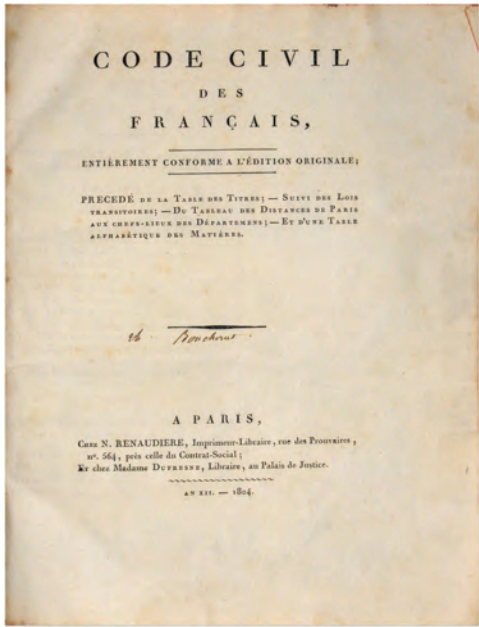
Chartres: De l'Imprimerie d'Estienne Massot, 1687. [viii], 592, [2] pp. Octavo (7" x 4-1/2").

Contemporary mottled calf, gilt spine with raised bands and lettering piece, gilt tooling to board edges, text block edges speckled. Light rubbing and a few minor nicks to boards, moderate rubbing to extremities, corners bumped and lightly worn, section of front free endpaper removed. Light toning to text, somewhat heavier in places, early annotations in a small neat hand to several leaves, annotation in same hand to front pastedown dated 28 September 1770, recent annotation in pencil to front free endpaper. \$2,500.



AS INDICATED by its famous cathedral, Chartres was a major city, bishopric and pilgrimage site. The first coutume for Chartres was published in 1508, the first Couart edition with Du Moulin's notes in 1630. This is an interesting edition because its contents are cast in the form of a catechism, with questions and answers clarifying the text. Also, as noted in the title, Du Moulin translated all of the content that had appeared in Latin in previous editions and commentaries. Our copy was annotated in mid-eighteenth century. The notes, from a pool of sources dating from 1600 to 1749, deal mostly with male and female inheritance and include citations to court decisions, new laws, court decisions and observations by authorities. He even included cross-references to his notes. The pencil note on the front free endpaper credit the annotations to a tax lawyer and notary from Gallardon named Moussard. OCLC locates 9 copies of the third edition in North America, 4 in law libraries (George Washington University, Harvard, Northwestern, University of Michigan). Caswell and Sjkov 98. Gourin and Terrin 886.





RARE WIDE-MARGINED 1804 EDITION OF THE CODE NAPOLEON WITH EXTENSIVE CONTEMPORARY ANNOTATIONS

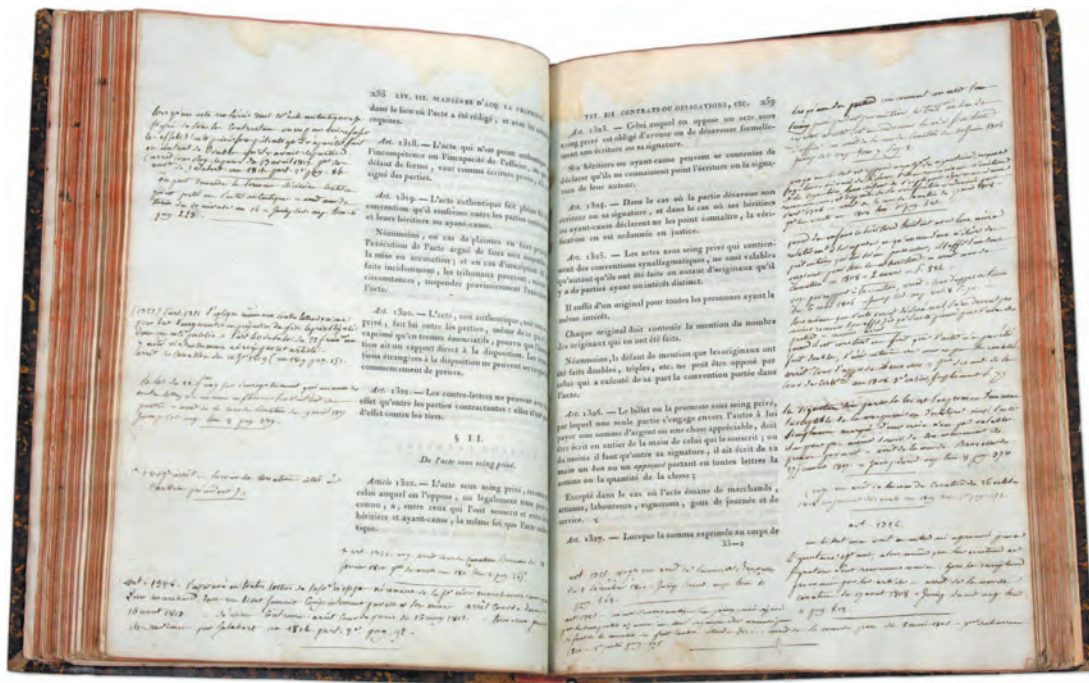
72. [CODE NAPOLEON].

[Code Civil des Français, Entièrement Conforme à l'Édition Originale Précédé de la Table des Titres: Suivi des Lois Transitoires; Du Tableau des Distances de Paris aux Chefs-Lieux des Départements et d'une Table Alphabétique des Matières.](#)

Paris: Chez N. Renaudière, Et Madame Dufresne, 1804. [iv], 464 (of 467) pp. Final 4 pp. of index lacking. Quarto (10" x 8").

Nineteenth-century quarter sheep over marbled boards, calf lettering piece to spine, marbled endpapers. A few scuffs to boards, rubbing to spine and extremities, chipping to edges of lettering piece, corners lightly bumped, hinges starting, light toning, faint dampstaining, mostly to gutter and head of text block, crack in text block between pp. 460 and 161, recent paper repairs to tears in final leaf. Text printed on wide-margined paper, annotations to margins in neat early hand throughout, signature of annotator to title page. \$4,500.

RENAUDIÈRE AND DUFRESNE'S wide-margined edition was published the same year as the first official edition issued by the Imprimerie de la République. Our copy belonged to a distinguished attorney named Théodore Boucherat of Bar-sur-Aube, a town in France's Champaign Region. His annotations are mostly from the years 1807 to 1811. They offer a fascinating view of how a practitioner responded to the Code shortly after it was enacted. Many annotations record amendments to articles and subsequent changes to those amendments through rulings by the Court of Cassation, courts of appeal and provincial courts. He also cites digests of decisions and legislation, such as the *Nouveau Répertoire de Jurisprudence*, the *Jurisprudence du Code Napoléon* and the pre-Revolutionary *Journal du Palais*. Boucherat's annotations are carefully written. They have full citations and often include references to articles of the Code. He also notes when an article seems inapplicable. Many are interpretive. For example, in the article listing reasons for a divorce (No. 232), he notes this article, which grants equal rights to men and women, has been undermined by a series of court decisions that have favored the rights of men. OCLC locates 7 copies of our edition, 2 in North America (Florida State University, Laval University). Boucherat is listed in the 1816 *Almanach Royal*, a directory of notable attorneys. His opinion concerning a commercial dispute is cited in Frédéric Moreau's *Code du Commerce des Bois Carrées* (Paris, 1840) 412-413.





FIRST EDITION OF THE *CODE DE PROCÉDURE CIVILE* WITH EARLY ANNOTATIONS BY A BRETON LAWYER

73. [CODE NAPOLEON].  
[LUCAS DE PESLOÛAN, EUGÈNE MARIE (1791-1873)].

[Code de Procédure Civile, Édition Originale et Seule Officielle.](#)

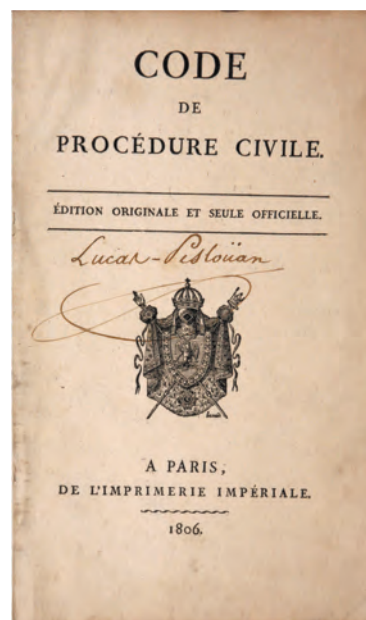
Paris: De l'Imprimerie Impériale, 1806. [iv], 246 pp. Interleaved.

[BOUND WITH]  
[CODE NAPOLEON].

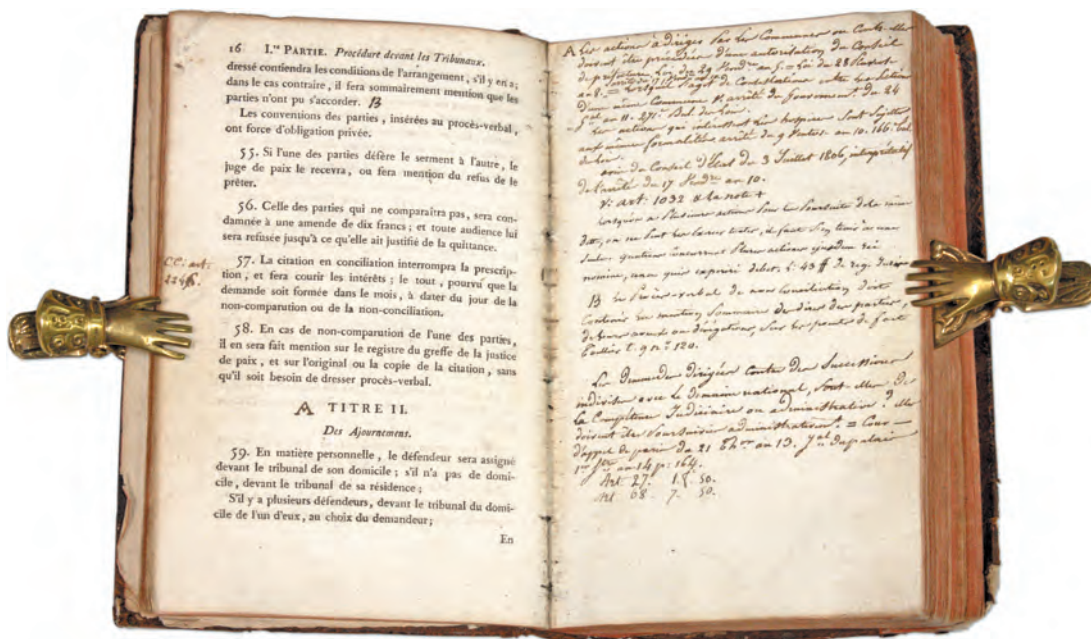
[Table Alfabétique et Raisonnée des Matières Contenues dans le Code de Procédure Civile.](#)

Paris: De l'Imprimerie Impériale, 1806. [iv], 108, 4 pp.

Octavo (8" x 5"). Contemporary sprinkled sheep, blind rules to boards, lettering piece and gilt ornaments to spine, edges of text block rouged, blind tooling to board edges. A few scuffs to boards, considerable rubbing to extremities with wear to spine ends and corners, front board beginning to separate but secure, front free endpaper edgeworn and partially detached, minor worming (?) to final text leaf and rear free endpaper at center of hinge. Light toning, annotations to rectos and versos of most interleaves, most likely by Eugène Marie Bonaventure Lucas de Pesloüan, a few manuscript notes in same hand laid in, "Lucas-Pesloüan" to title page of *Code*. \$3,000.



FIRST EDITION. The *Code de Procédure Civile* was issued two years after the publication of the *Code Civil* (Code Napoleon). It is one of the main building blocks of the legal building established during the Empire. (The Table Alfabétique et Raisonnée is a companion index volume.) The annotations in our copy date from 1810 to 1820. This period coincides with the career of Eugène Marie Bonaventure Lucas de Pesloüan, an attorney from a notable Breton family that produced several generations of lawyers and notaries. His annotations, which range in length from phrases to several sentences, are notably meticulous. They comment on the articles, give clarifications, pose procedural questions and refer often to laws from the Revolutionary period and early years of the Empire. Several notes are cross-references and there are a number of comments in question-and-answer form. For example, in the section "Proceedings Before the Courts," "The claims directed against undivided successions in the national domain, do they fall under judicial or administrative jurisdiction?" Answer: "They must be prosecuted administratively=Court of Appeal of Paris of 21 Thermidor year 13; Newspaper du Palais 1er Fructidor year 14, p. 164." In all, these annotations offer a fascinating perspective of the early reception of the *Code de Procédure Civile*, a landmark code that remained in force until 1970.



WITH EXTENSIVE MANUSCRIPT ADDITIONS  
CONCERNING TOLL BRIDGES, TAXATION AND VETERANS

## 74. [CONNECTICUT].

[Acts and Laws of the State of Connecticut, In America.](#)

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

## [BOUND WITH]

[\[Manuscript Copies of Subsequent Acts, Laws and Resolutions, 1786-1817\].](#)

347-387, [388-390] pp.

Octavo (9" x 5-3/4"). Contemporary sheep, raised bands and lettering piece to spine.

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



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



Detail from N° 75

INTERLEAVED WITH CONTEMPORARY  
MANUSCRIPT ANNOTATIONS

## 75. [FRANCE].

[Code d'Instruction Criminelle, Édition Conforme à l'Édition Originale du Bulletin des Lois; Suivi des Motifs Exposés par les Conseillers d'Etat, Et des Rapports Faits par la Commission de Législation du Corps Législatif, Sur Chacune des Lois qui Composent le Code; Avec une Table Alphabétique et Raisonnée, Qui Réunit sur Chaque Matière Toutes les dispositions Relatives, Et qui Indique, à l'Article de Chaque Fonctionnaire ou Officier Public, Toutes les Fonctions qui Lui Appartiennent, Ou Qu'il est Tenu de Remplir, En Matière Criminelle, Correctionnelle ou de Simple Police.](#)

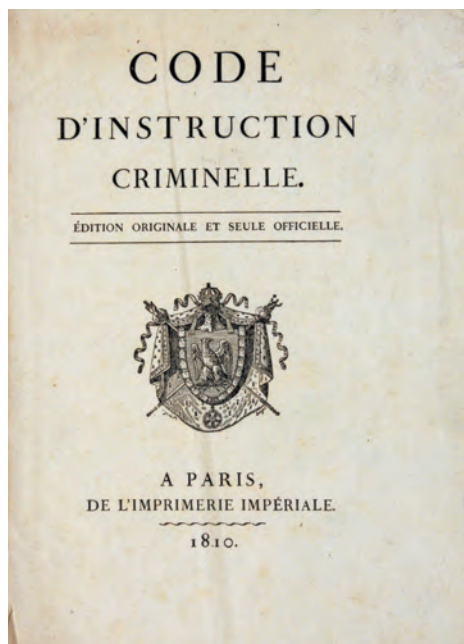
Paris: Garnery, Libraire, Rue de Seine, De l'Imprimerie de Mame, 1809. Three parts. [iv], 162, 312, 34 pp. Interleaved through first section to p. 162. 12mo. (6-1/2" x 3-3/4").



*Title page detail*

Contemporary sheep, gilt frames with gilt corner fleurons to boards, lettering piece and gilt fillets to spine, speckled edges. Light rubbing, scuffing and a few minor stains to boards, moderate rubbing to extremities, chip to lettering piece, corners bumped. Light to moderate toning, light foxing in places, early repair to fore edges of title page and following leaf, occasional annotations in neat hand to interleaves, other, briefer, annotations to margins of text, some slightly affected by trimming. \$1,500.

THE 1808 *CODE D'INSTRUCTION CRIMINELLE*, a code of criminal procedure, was one the four codes of civil and criminal law issued under Napoleon's direction after the Code Napoleon (*Code Civil*, 1804). Garnery's is one of the unofficial editions produced at the same time as the official edition. Unlike the official edition, it features a second section, *Motifs du Livre Ier, Chapitre I a VIII du Code D'Instruction Criminelle* by "MM. Treilhard, Réal et Faure, Conseillers d'État" and a detailed alphabetical index. The notes, the latest dated 1817, are elucidate points in the text or indicate that an article was amended. This edition not in Camus.



INTERLEAVED 1810 PRINTING  
OF THE FRENCH CODE OF  
CRIMINAL PROCEDURE WITH  
CONTEMPORARY ANNOTATIONS

## 76. [FRANCE].

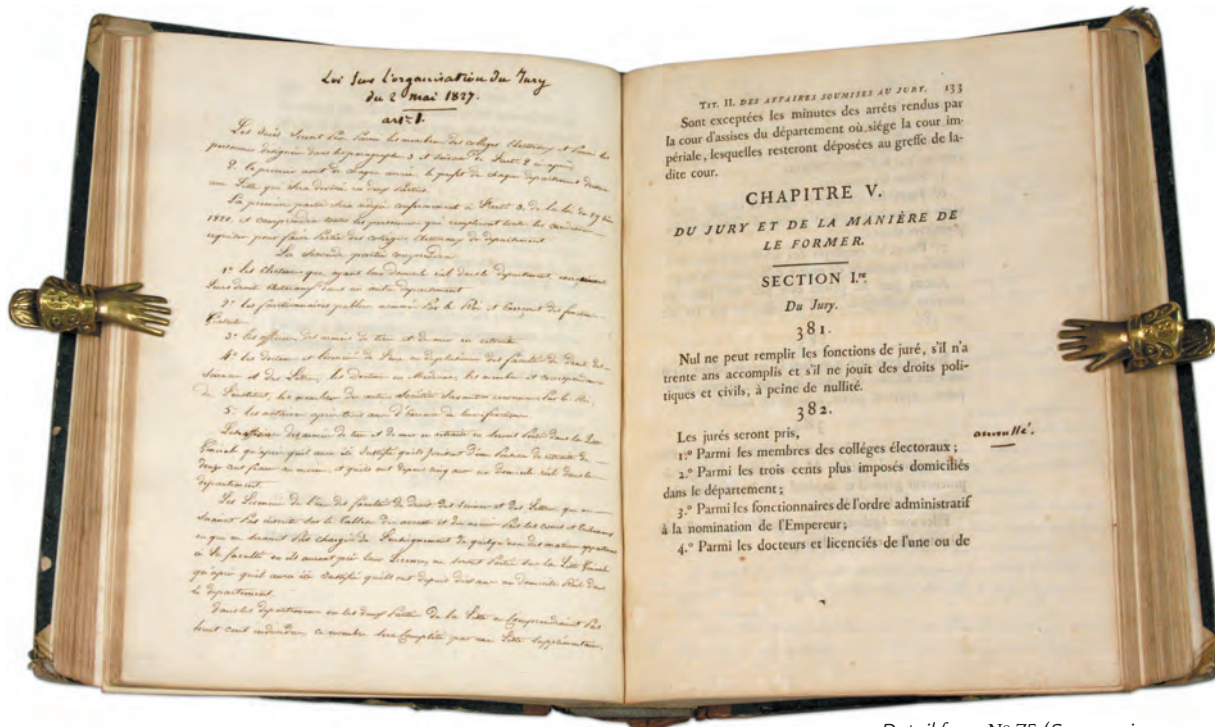
[CRIMINAL LAW].

[Code d'Instruction Criminelle. Édition Originale et Seule Officielle.](#)

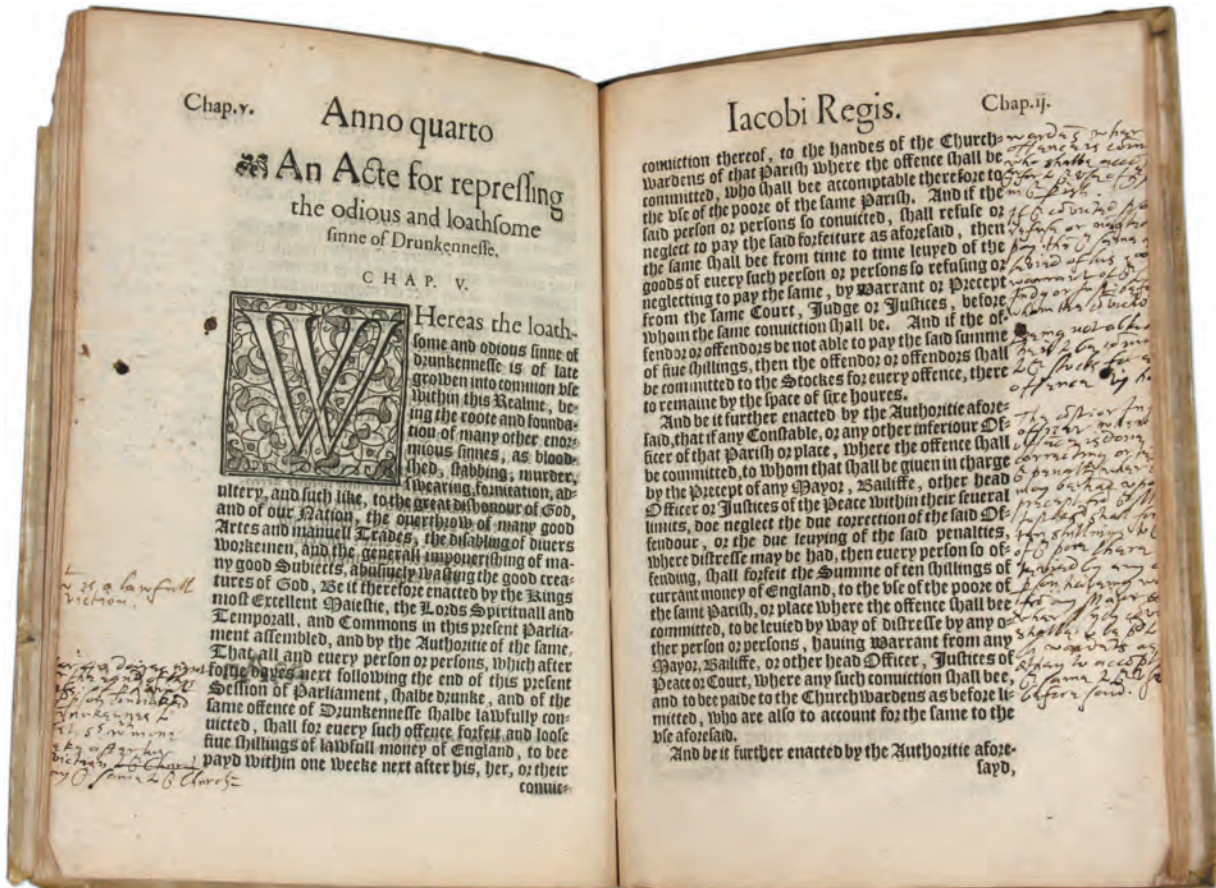
Paris: De l'Imprimerie Impériale, 1810. [ii], 310 pp. Interleaved. Quarto (10" x 7-3/4").

Contemporary quarter calf over marbled boards, gilt spine with lettering piece. Moderate rubbing with wear to spine ends and corners, joints starting at ends, hinges cracked, front free endpaper lacking. Light toning, somewhat heavier in places, light foxing in a few places, light edgewear to preliminaries and final leaves, light soiling to title page. Occasional annotations to interleaves and text in neat contemporary hand. \$3,750.

THIRD PRINTING. The annotations, the latest dated 1827, range from a few words to several interpretive paragraphs. Most of these note modifications to the articles by imperial decrees or court decisions. The most extensive annotations, which fill three full interleaves in a tiny hand, concern juries. They are interleaved with first eleven articles of Chapter V, "Du Jury et la Manière de la Former" (pp.133-136).



Detail from N° 75 (See previous page)



Detail from N° 77

WITH TWO WELL-ANNOTATED ACTS CONCERNING ALCOHOLIC BEVERAGES

77. [GREAT BRITAIN].  
[STATUTES].  
[JAMES I, KING (1566-1625)].

[An\[n\]o Regni Iacobi, Regis Angl. Scotiae, Franc. & Hybern. Viz. Angl. Franc. & Hybern. 4. Scotiae 40. At the Parliament Begun and Holden at Westminster by Prorogation, The 18. Day of November, In the Fourth Yeere of the Raigne of Our Most Gracious Sovereigne Lord Iames, By the Grace of God of England, France & Ireland King; Defender of the Faith, &c. And of Scotland the 40. And There Continued Untill the 4. day of July 1607. And Then Proroged Until the 16. Day of November Next Following. To the High Pleasure of Almighty God, And to the Weale Publique of this Realme, Were Enacted as Followeth.](#)

[London: Robert Barker, Printer to the Kings Most Excellent Maiestie, 1607]. 92 pp. Folio (10-1/2" x 7-1/2").

Contemporary limp vellum with fragments of ribbon ties, early hand-lettered title to spine. Light soiling, spine ends bumped, chips to head and foot of front board, free endpapers lacking. Title printed with woodcut architectural border, decorated initials, head-pieces and tail-pieces. Light toning to text, faint dampstaining in places. Extensive annotations in contemporary hand to eight pages, some slightly affected by trimming, interior otherwise clean. \$1,900.

THIS VOLUME records 8 acts for the 4th year of James's Reign. Two acts are heavily annotated: "An Act to Restraine the Utterance of Beere and Ale to Alehouse-Keepers and Tiplers not Licenced" and "An Acte for Repressing the Odious and Loathsome Sinne of Drunkenesse." ESTC S121600.

WITH SEVERAL INTERESTING CONTEMPORARY ANNOTATIONS



78. [GUÉRET, GABRIEL, EDITOR].  
[BLONDEAU, CLAUDE, EDITOR].

[Journal du Palais, Ou, Recueil des Principales Décisions de tous les Parlemens et Cours Souveraines de France.](#)

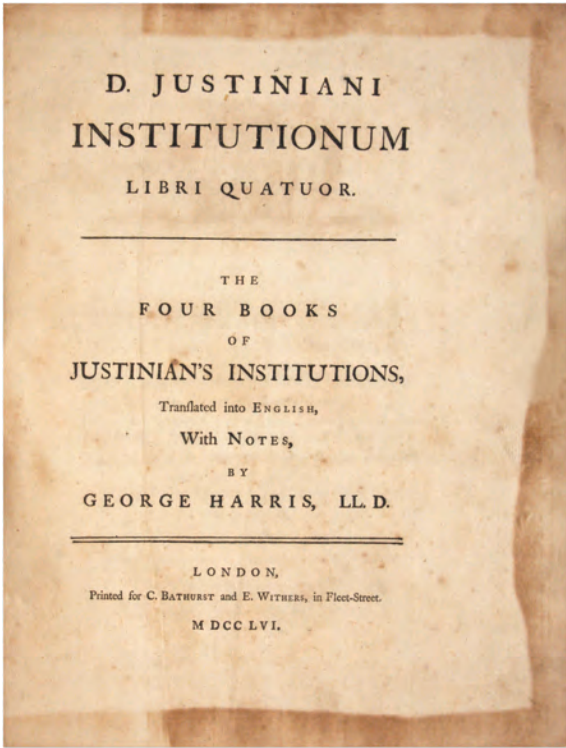
Paris: Chez Denys Thierry et Jean Guignard, 1673, 1680. Three volumes (of twelve) in two books. Quarto (9-1/2" x 7").

Contemporary calf, gilt spines with raised bands edges rouged. Moderate rubbing and some scuffing and scratches to boards, heavier rubbing to extremities with considerable wear to spine ends and corners, hinges partially cracked, front pastedowns loose, several cracks to text blocks, some signatures loose and lightly edgeworn, faint dampstaining and minor worming to margins in a few places. Moderate toning, annotations in early hand to 30% of the leaves in each volume, owner signatures and doodles to endleaves, some in the hand of the annotator. \$1,500.

VOLUME I-II: SECOND EDITION; Volume III: first edition. The *Journal du Palais* was an authoritative digest of recent decisions of courts and *Parlemens* throughout

France. A serial publication, its final volume, Volume XII, was published in 1695. The annotator of our volumes is a M.De Laosnieve. His signatures to the title pages of Volumes I and III state he is a judge in Dorat, a town in the Nouvelle-Aquitaine region of western France. One of his signatures is dated 1690. Some of his annotations are brief, but most are several sentences long. They deal with matters of doctrine and interpretation. Many are notably argumentative. Overall, they form an interesting record a provincial judge's response to contemporary legal and legislative decisions.

WITH INTERESTING COMPARISONS BETWEEN ROMAN AND ENGLISH LAW



79. JUSTINIAN I, EMPEROR OF THE EAST (483-565 CE).

HARRIS, GEORGE [1722-1796], EDITOR AND TRANSLATOR.

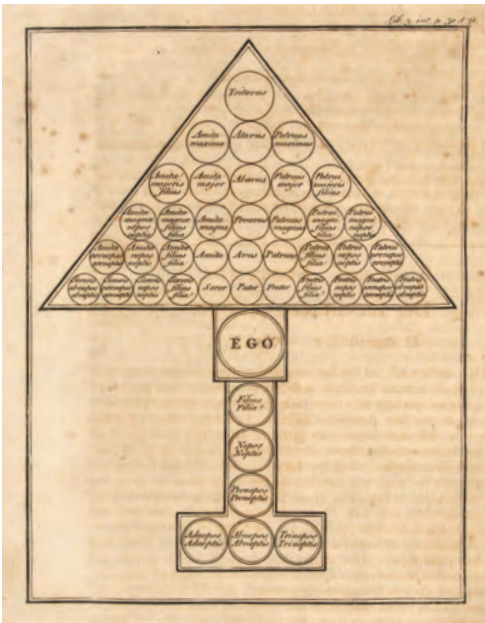
[D. Justiniani Institutionum Libri Quatuor: The Four Books of Justinian's Institutions, Translated Into English, With Notes.](#)

London: Printed for C. Bathurst and E. Withers, 1756. xv, [1], 73, [1]; 121, [1]; 100; 92; 11, [5] pp. Copperplate table of descents. Quarto (11-1/4" x 9").

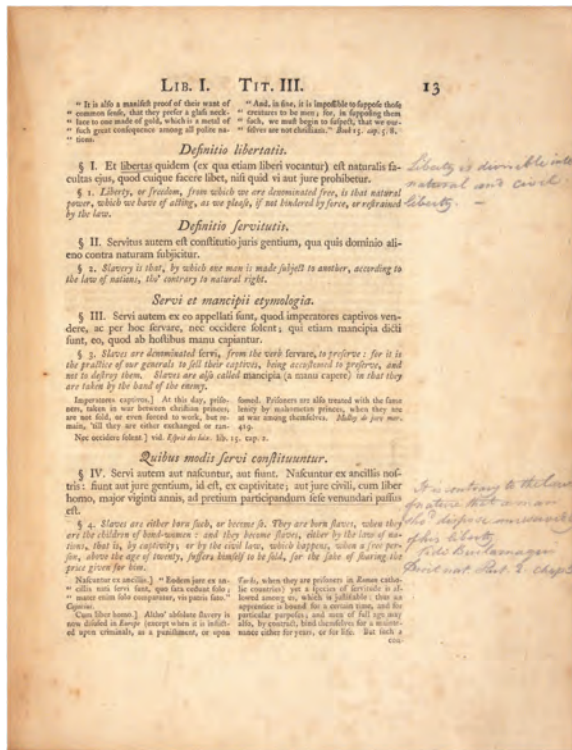
Contemporary paneled calf with early rebacking, raised bands and lettering piece to spine. Light rubbing and some shallow scuffing to boards, heavier rubbing to extremities and spine, wear to spine ends and corners, boards partially detached, owner bookplate of Charles Frost of Hull to front pastedown, title page partially detached but secure. Moderate toning and light foxing to text, early annotations, most likely by Frost, to several leaves, offsetting to margins of preliminaries and rear endleaves. \$950.

is notable for its elegant parallel translation. Harris, an advocate of Doctor's Commons, provides an interesting historical introduction and notes that compare the rules of Roman and English law. The final section is a translation of "Concerning the Succession of Descendents," Book 118 of the *Novels*. This work was owned by many sophisticated lawyers in Great Britain and America, such as Thomas Jefferson. Second and third editions were published in 1761 and 1811. Frost [1781?-1862], an English lawyer, was a notable legal writer and antiquary. He is known today for his research into the early history of Hull, England. Sowerby 2191 (second edition). ESTC N8181.

FIRST EDITION. This well-respected edition



Detail from N° 79





N° 80

INTERLEAVED COPY  
ANNOTATED BY A FRENCH NOBLEMAN



80. [JUSTINIAN I, EMPEROR OF THE EAST]  
(485-565 CE).  
HOTMAN, FRANÇOIS [1524-1590], EDITOR.

[Digestorum seu Pandectarum Libri Quinquaginta ex Pandectis Florentinis Nuper in Lucem Emissis, Quoadeius Fieri Potuit, Repraesentati, & In Septem Partes Justiniani Sententia Distincti, Adjectis Brevibus Francisci Hotomanni Parisiensis I.C. Clarissimi Summariis.](#)

Paris: Apud Guilielmum Merlin in Ponte Nummulariorum et Guilielmum Desboys, 1562. [civ], 258 pp. Interleaved. Octavo (6-1/2" x 4-1/4").

Contemporary vellum, armorial devices to boards, lettering piece to spine. Soiling and a few stains and minor nicks, some wear to spine ends, pastedowns loose, a few chips to vellum along fore-edge of front board, early owner bookplate to front pastedown, early owner signature dated 1729 to front free endpaper, crack in text block between front free endpaper and title page. Moderate toning to text, light foxing to a few leaves, occasional faint dampstaining to foot of text block. Annotations in neat contemporary hand, some quite extensive, to several leaves and about a third of the interleaves, occasional early underlining. \$750.

THIS VOLUME is first volume of a seven-volume edition of the *Novels*, a collection of Justinian's edicts that is one of the four components of the *Corpus Juris Civilis*. It belonged to a French noble, Charles Du Ruisseau, "in supremo senatu Patroni." Excepting one page in Latin in a different hand, the annotations, most likely by Du Ruisseau, are in French. Mostly analytical, they reflect considerable engagement with the text. Several include cross-references and references to other sections of the *Corpus Juris Civilis*.

AN ATTRACTIVE COLLECTION OF TEXTS FROM THE CORPUS JURIS CIVILIS WITH CONTEMPORARY ANNOTATIONS

81. JUSTINIAN I, EMPEROR OF THE EAST.

LA PORTE, HUGUES DE, COMPILER.

VINCENT, ANTOINE, COMPILER.

Volumen: Complectitur hoc Volumen (Sic Enim Peculiari Vocabulo Vocant) Novellas Constitutiones Iustiniani Principis Post Repetitam Codicis Prelectionem Editas, Authentica Vulgò Appellant, Tres Item Posteriores libros Codicis, Feudorum seu Beneficiorum Duos, Constitutiones Friderici II. Imper., Extravagantes Duas Henrici II. Imper. & Tractatum de Pace Constantiae...

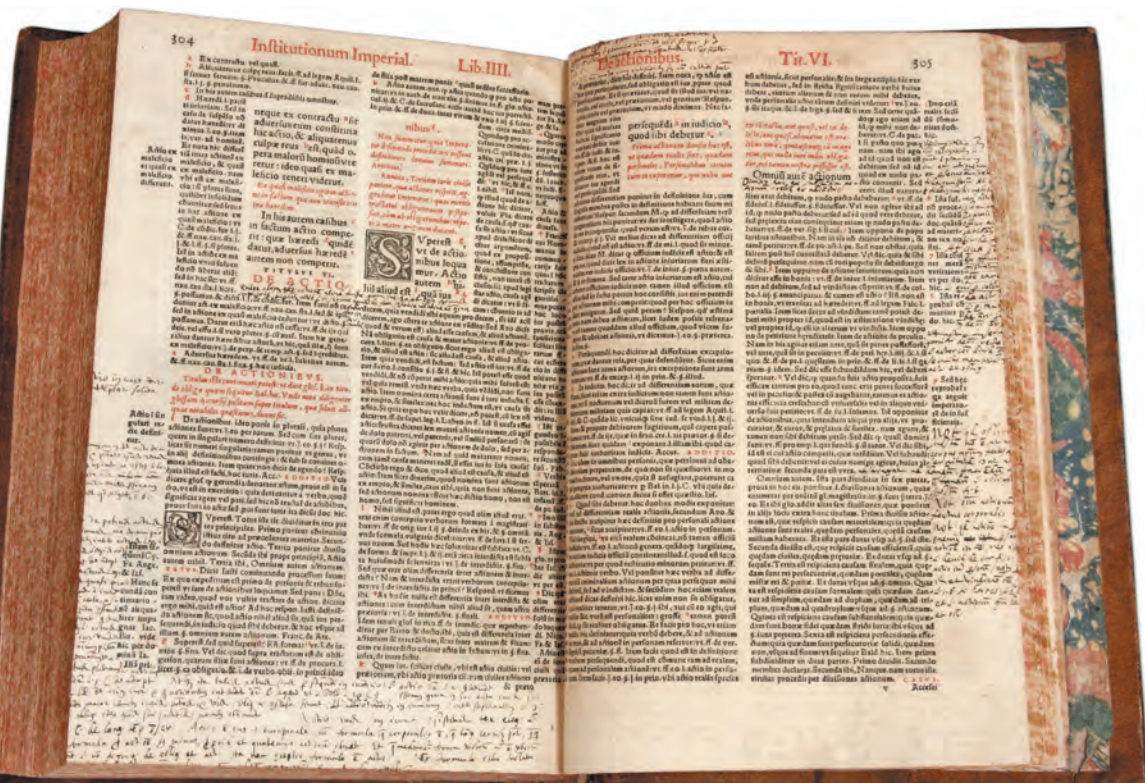
Lyon: Apud Hugonem à Porta, & Antonium Vincentium, 1551. [xx], 359, [1], 226, [2], 145, [3] pp. Main text in parallel columns, glosses in margins.

[BOUND WITH] LA PORTE, HUGUES DE, COMPILER. VINCENT, ANTOINE, COMPILER.

Institutiones: Imperatoris Semper Maximi Divi Iustiniani Elementa Civilis Facultatis Prima ac Velut Iuris Ipsius Candidatorum Nutritiae Cunae, Cum his Haud Dubiè Omnibus, Quae Etiamnum Coeundi, Simulque Excudi Contigit. Diectis Praeterea ad Marginem Observationibus Annotationibusque...

Lyon: Apud Hugonem à Porta, & Antonium Vincentium, 1551. [xxxviii], [2], 383, [1] pp. Woodcut folding table of consanguinity. Main text in parallel columns, glosses in margins.

Folio (9-1/2" x 6-1/2"). Seventeenth-century speckled sheep, gilt spine with raised bands and lettering piece, gilt tooling to board edges, speckled edges to text block, marbled pastedowns. Light rubbing and light scuffing to boards, minor worming to rear board, moderate rubbing to extremities, small chip to head of spine, corners bumped and lightly worn, hinges cracked. Title page and text printed in red and black. Light to moderate toning, occasional faint dampstaining to margins, light foxing to a few places, annotations in miniscule early hand to 40 pp. of Institutiones, legibility of some affected by trimming. An attractive volume. \$950.









ANNOTATED THROUGHOUT  
IN A CONTEMPORARY HAND

82. LANE, RICHARD [1584-1650].

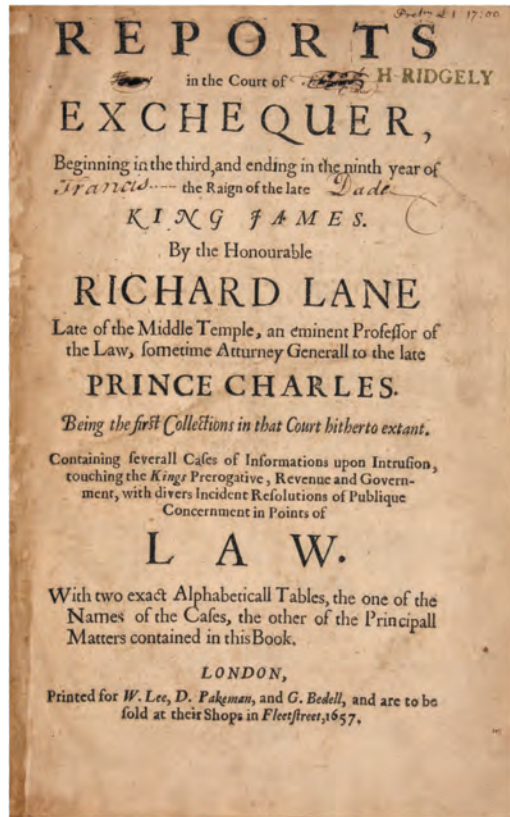
Reports in the Court of Exchequer, Beginning in the Third, And Ending in the Ninth Year of the Raign of the Late King James. Being the First Collection in that Court Hitherto Extant. Containing Severall Cases of Informations Upon Intrusions, Touching the King's Prerogative, Revenue and Government, With Divers Incident Resolutions of Publique Concernment in Points of Law. With Two Alphabetically Tables, The One of the Names of the Cases, The Other of the Principall Matters Contained in This Book.

London: Printed for W. Lee, D. Pakeman, and G. Bedell, 1657. [iv], 119, [5] pp.

[BOUND WITH]  
HETLEY, SIR THOMAS.

Reports and Cases Taken in the Third, Fourth, Fifth, Sixth, And Seventh Years of the Late King Charles. As They were Argued by Most of the Kings Sergeants at the Common-pleas Barre. Collected and Reported, by that Eminent Lawyer, Sir Thomas Hetley Knight, Sergeant at Law, Sometimes of the Honourable Society of Grays-Inne, And Appointed by the King and Judges for One of the Reporters of the Law. Now Englished, With an Exact Table of the Principal Matter Therein Contained, And Likewise of the Cases, Both Alphabetically.

London: Printed by F.L. for Matthew Walbancke...and Thomas Firby, 1657. 177, [1], [xii] pp. Table of cases, pp. [i-xii], which includes a one-page publisher catalogue, misbound at end of text.



[AND]  
WINCH, SIR HUMPHREY [1555?-1625].

[Reports of that Reverend and Learned Judge, Sir Humphry Winch Knight; Sometimes One of the Judges of the Court of Common Pleas. Containing Many Choice Cases, And Excellent Matters Touching Declarations, Pleadings, Demurrers, Judgements, And Resolutions in Points of Law, In the Foure Last Years of the Raign of King James, Faithfully Translated Out of an Exact French Copie, With Two Alphabetical, And Necessary Tables, The One of the Names of the Cases, The Other of the Principal Matters Contained in this Book.](#)

London: Printed for W. Lee, D. Pakeman, And G. Bedell, 1657. [viii], 125, [9] pp. Lacking final blank leaf.

Folio (11" x 7"). Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Light browning and damp-creasing to interior, light foxing in places, light soiling to title page. All three titles annotated throughout in a single contemporary hand, several passages underlined. \$1,500.

LANE, HETLEY: FIRST EDITION; Winch: Only edition. These reporters addressed the Commonwealth-era demand for reports in English by respected, politically acceptable judges who practiced before the Civil War. Lane's, the first reporter devoted exclusively to Exchequer cases, Lane's reports shows a special interest in questions of Royal prerogative. The annotations, all brief, are mostly glosses; some are references to authorities and cases. *ESTC* R6274, R10743, R8405.



### 1576 PRINTING OF MAGNA CARTA AND LATER STATUTES IN A CONTEMPORARY CALF BINDING WITH CONTEMPORARY ANNOTATIONS



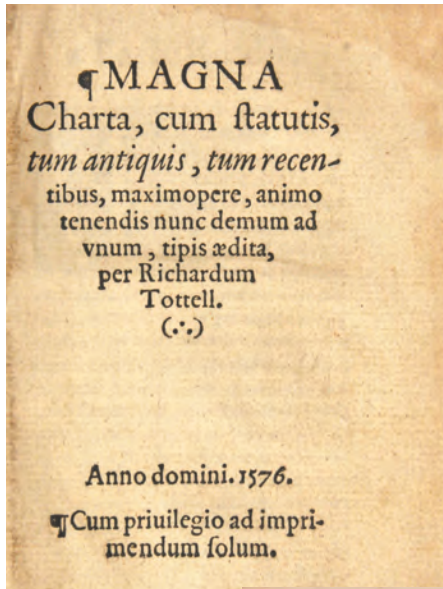
83. [MAGNA CARTA].

[Magna Charta, Cum Statutis, Tum Antiquis, Tum Recentibus, Maximopere, Animo Tenendis nunc Demum ad Unum, Tipis Aedita, Per Richardum Tottell. Anno Domini. 1576. Cum Privilegio ad Imprimendum Solum.](#)

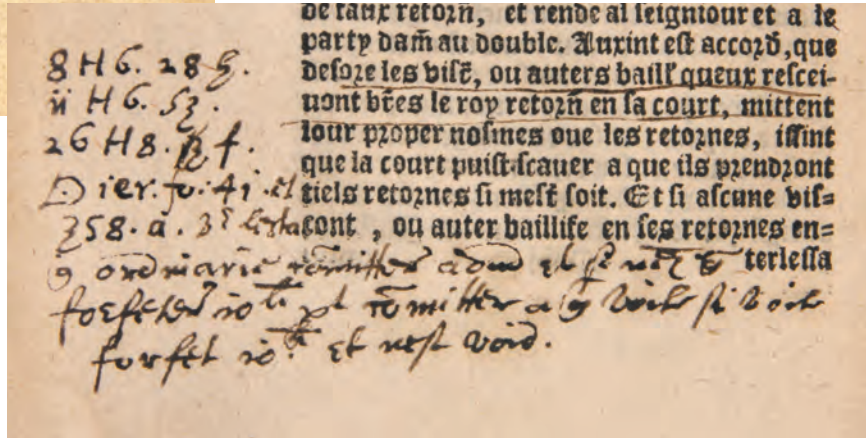
[Imprinted at London: In Fleetestrete Within Temple Barre at the Signe of the Hand and Starre, By Richard Tottel, The 8. Day of March. 1576]. [vii], 247 ff. Blank endleaf preceding Fol. 1 lacking. Octavo (5-1/2" x 3-3/4").

Contemporary paneled calf, raised bands to spine, early hand-lettered title to fore-edge, ties lacking. Light rubbing and a few minor gouges, cracks and nicks to boards, moderate rubbing to extremities, spine ends worn, corners bumped and somewhat worn, pastedowns and free endpapers lacking, later armorial bookplate to verso of front board, fragments of an illuminated manuscript Bible used as printer's waste at hinges, attractive woodcut decorated initials. Moderate toning to text, faint staining to a few leaves, annotations and underlining in early hand to margins of approximately 25 pages, light soiling and minor edgewear to title page. \$7,500.

AN EARLY PRINTING of the Magna Carta, which was first printed around 1508 by Richard Pynson. It also includes the Charta de Foresta of Henry III, the Statutes of Merton and Marlebridge, the Statutes of Edward I and other statutes through the fourteenth regnal year of Elizabeth I, which are digested by topic. Among the most notorious statutes are those of Edward concerning Jews, including the Edict of Expulsion (1290), which banished them from England. Other statutes relate to women, wills, forcible entry, "Fraudulent Deedes" and other topics. The text is mostly in Latin or Law-French, then in English after Fol. 119. The annotations range from a few words to a sentence or two. About half of these are interpretive in nature, the others are references to statutes and cases. Beale S18. *ESTC* S101094.



Details from N° 83 (See previous page)



THE CASE THAT ESTABLISHED THE CONCEPT OF PARTIAL INSANITY IN ENGLISH LAW, A COPY PROBABLY ANNOTATED BY THE EDITOR

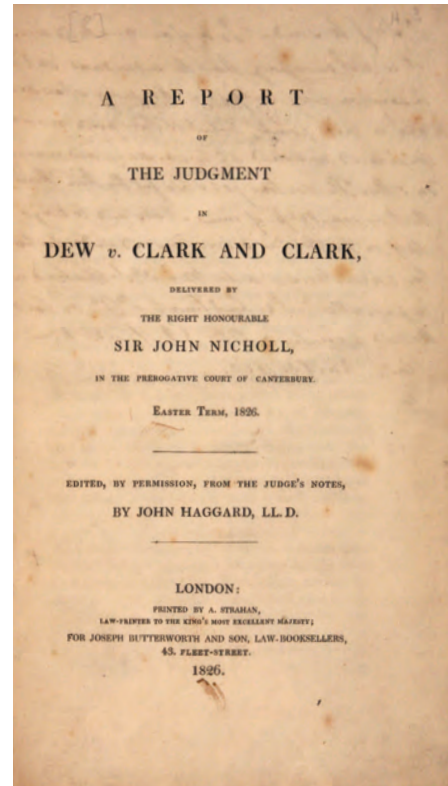
84. NICHOLL, SIR JOHN [1759-1838]. HAGGARD, JOHN [1794-1856], EDITOR.

A Report of the Judgment of Dew v. Clark and Clark, Delivered by the Honourable Sir John Nicholl, In the Prerogative Court of Canterbury, Eastern Term, 1826. Edited, By Permission, From the Judge's Notes.

London: Printed by A. Strahan, 1826. [ii], 99 pp. Octavo (9" x 5-1/2").

Paper-cover boards with recent calf rebacking, gilt title to spine, hinges mended. Light rubbing to board, heavier rubbing to board edges with wear to corners. Moderate toning to text, extensive annotations to preliminaries and rear endleaves and several corrections and brief annotations to text, most likely by Haggard. \$950.

ONLY EDITION. Dew v. Clark and Clark established the concept of insane delusion, a testator's false conception of reality that may invalidate a will altogether, or one or more of its provisions. In this case a father believed falsely that his daughter was "the devil incarnate" and disinherited her. The court found that his thoughts about her, "did and could only proceed from, and be founded in, insanity," a "partial insanity" that only extended to his thoughts about his daughter, which caused the will to fail. The annotations in our copy, the latest dated March 5, 1830, indicate that Haggard (or another editor) was planning a revised edition of this work. OCLC locates 7 copies in North American law libraries (Boston University, Harvard, Library of Congress, Social Law Library, University of Minnesota, University of Pennsylvania, York University). HLC II:1061.



FIRST EDITION OF THE 1564  
NUREMBERG CITY LAW FILLED WITH  
CONTEMPORARY ANNOTATIONS



85. [NUREMBERG].

[Der Stat Nurnberg Verneute Reformation.](#)

[Nuremberg: Valentin Geissler], 1564. [xlv], 240, [1] ff. Woodcut title page and allegorical leaf. Folding table of consanguinity lacking. 35 added leaves of manuscript notes, the last dated 1620. Folio (12-1/4" x 8").

Contemporary paneled pigskin stained brown, rebaked in calf with raised bands and lettering piece, recent metal bosses to corners of boards, clasps lacking, hinges reinforced. Light rubbing to boards, restoration to edges of endleaves, title page and final two added leaves of notes. Title page has a handsome elaborate woodcut architectural border, main text preceded by handsome full-page woodcut allegorical leaf, large woodcut initials. Light toning to text, occasional faint dampstaining to foot of text block, faint dampspotting in places, minor tears to a few leaves. Extensive annotations in early hand in several places. \$6,500.

FIRST EDITION. Nuremberg was the center of the Renaissance in Germany and was its leading cultural and intellectual center until the end of the sixteenth century. These qualities are reflected in the

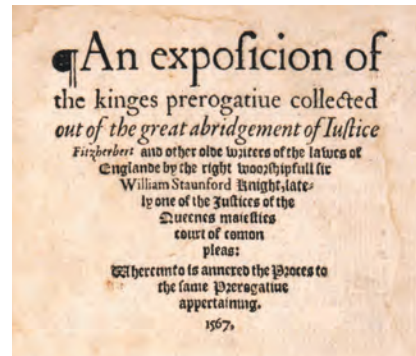
contents and design of this volume. The *Reformation*, or civic legal code, of Nuremberg is known for its humanistic orientation, clear, straightforward language, elegant typography and fine woodcuts. It revised the code enacted in 1498. The highly skilled engraver, known today only by the monogram M.S., designed the title and following cut as allegories on the wealth and unity of Nuremberg. The title has a striking architectural border featuring Moses and the Holy Roman emperor and following leaf depicts God, the city of Nuremberg and figures representing the city flanked by figures representing peace, justice and generosity. Most of the annotations note amendments to the printed statutes, the 35 manuscript leaves update the statutes to 1620. OCLC locates 15 copies in North America, 4 of these in law libraries (Harvard, UC-Berkeley, University of Michigan, Yale). VD16 N2029.

COPY OF THE KINGES PREROGATIVE  
WITH NUMEROUS CONTEMPORARY  
ANNOTATIONS

86. STAUNFORD, SIR WILLIAM [1509-1558].

[An Exposition of the Kinges Prerogative Collected Out of the Great Abridgement of Iustice Fitzherbert and Other Olde Writers of the Lawes of England. Whereunto is Annexed the Proces to the Same Prerogative Appertaining.](#)

[London: Imprinted...in Fleete-Strete Within Temple Barre...By Rychard Tottel, 1567]. [i], 85 leaves. Quarto (7-1/2" x 5-1/2").



Title page detail

Contemporary calf, small central blind-stamped arms to boards, recently rebaked, raised bands and gilt title to spine. Rubbing to boards with notable wear to corners, rear hinge partially cracked, later armorial bookplate (of J.M. Kemble) to front pastedown. Moderate toning to text, occasional faint dampstaining, mostly to margins. Annotated throughout in a contemporary hand, several annotations are quite extensive. An appealing copy. \$2,750.

FIRST EDITION. Staunford's *Exposition* addresses discretionary rights enjoyed by the monarchy in foreign policy, domestic affairs, legal and governmental administration, religion and economic matters. A well-received book that went through six editions by 1590, it was often bound with copies of Staunford's *Plees del Coron*. The annotations in our copy range from references to the Year Books to long analytical notes. ESTC S117783. Beale T491.

*Autem ut beati magistri magistri casibus dicitur  
gratia magistri magistri casibus dicitur  
magistri magistri casibus dicitur  
magistri magistri casibus dicitur*

*Æquitas Reipub. Fundam. Civ.  
RES PVB.*

CONCORDIA



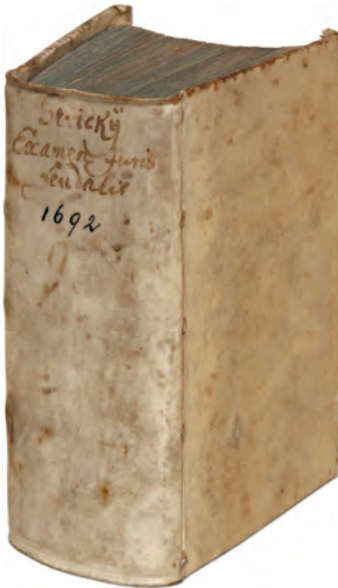
PRO MERITO

PAX.

IUSTITIA.

LIBERALITAS

*In iudicijs utamur quod ius  
est. cum quam quid expediat  
spectandum est. Xen. de  
Republ. lib. 1.*



INTERLEAVED COPY  
OF A NOTABLE STUDY  
OF GERMAN FEUDAL AND  
CUSTOMARY LAW ANNOTATED  
BY AN AUSTRIAN NOBLE  
AND STATE OFFICIAL

87. STRYK, SAMUEL [1640-1710].

[Examen Juris Feudalis, Ex Novissimis Ejus Interpretibus in Gratiam Auditorum Collectum, Ac Methodo Institutionum Dispositum. Editio V. Auctior & Correctior Accessit Index Rerum Praecipuarum, Et Appendix Solennium, Quibus Hodie Apud Imp. Principes Investiuntur, Subjuncta Taxa Dignitatum in Imperio & Juramentis. Cum Privilegiis Special. Sereniss. Elect. Saxon. & Brandenb.](#)

[Frankfurt an der Oder]: Impensis Jeremiae Schrey, & Haered. Henr. Joh. Meyeri, 1692. [xxiv], 436, [44] pp. Interleaved and annotated throughout. 12mo. (5" x 3").

Contemporary vellum, early hand-lettered title to spine. Light soiling and a few tiny stains, light rubbing to extremities, armorial bookplate of Count Christian Sigmund Wurmbrand-Stuppach dated 1711 to front pastedown, recent bookplate of Wilhelm Reichsgraf von Wurmbrand-Stuppach to front free endpaper. Title page printed in red and black facing added pictorial title page featuring Holy Roman Emperor Leopold I, as a figure of justice. Light toning, slightly heavier in places, considerable annotations, most likely by Christian Sigmund Wurmbrand-Stuppach, to most of the interleaves, occasional underlining and annotations, all in same hand and some quite lengthy, to text. \$1,500.

FIFTH EDITION. Stryk was an important German jurist who helped to develop German law from native sources rather than from received Roman law. First



Detail from N° 87

published in 1675, the *Examen Juris Feudalis*, a study of Germanic feudal and customary law, is one of his principal works. Count Christian Sigmund Wurmbrand-Stuppach [1673-1737] was a member of an old Austrian noble family. During the time he likely annotated this book, he was the treasurer of King Frederick Augustus of Poland and Saxony. The annotations, in Latin, are mostly analytical, some are glosses or elucidations of specific terms and concepts. All of the annotations reflect considerable engagement with the text. In all, they show how a state official responded to Stryk's treatise. VD17 32:677415Q.

COPY OF VITRY COUTUMES WITH  
CONTEMPORARY ANNOTATIONS  
TO SEVERAL LEAVES

88. [VITRY-LE-FRANÇOIS].  
SALLIGNY, [CHARLES DE], NOTES.

[Coutumes de Vitry le François, Avec le Commentaire de Me. Charles de Saligny, Avocat au Parlement. Corrigée & Augmentée d'une Nouvelle Harmonie de Loix, d'Arrests, & Décisions Interpretatives du Droit Coutumier Curieusement Illustrée de Citations Élegantes. Avec Divers Traitez Separez Touchant le Droit des Juges Conservateurs, De la Navigation, Des Incendies, & Autres.](#)

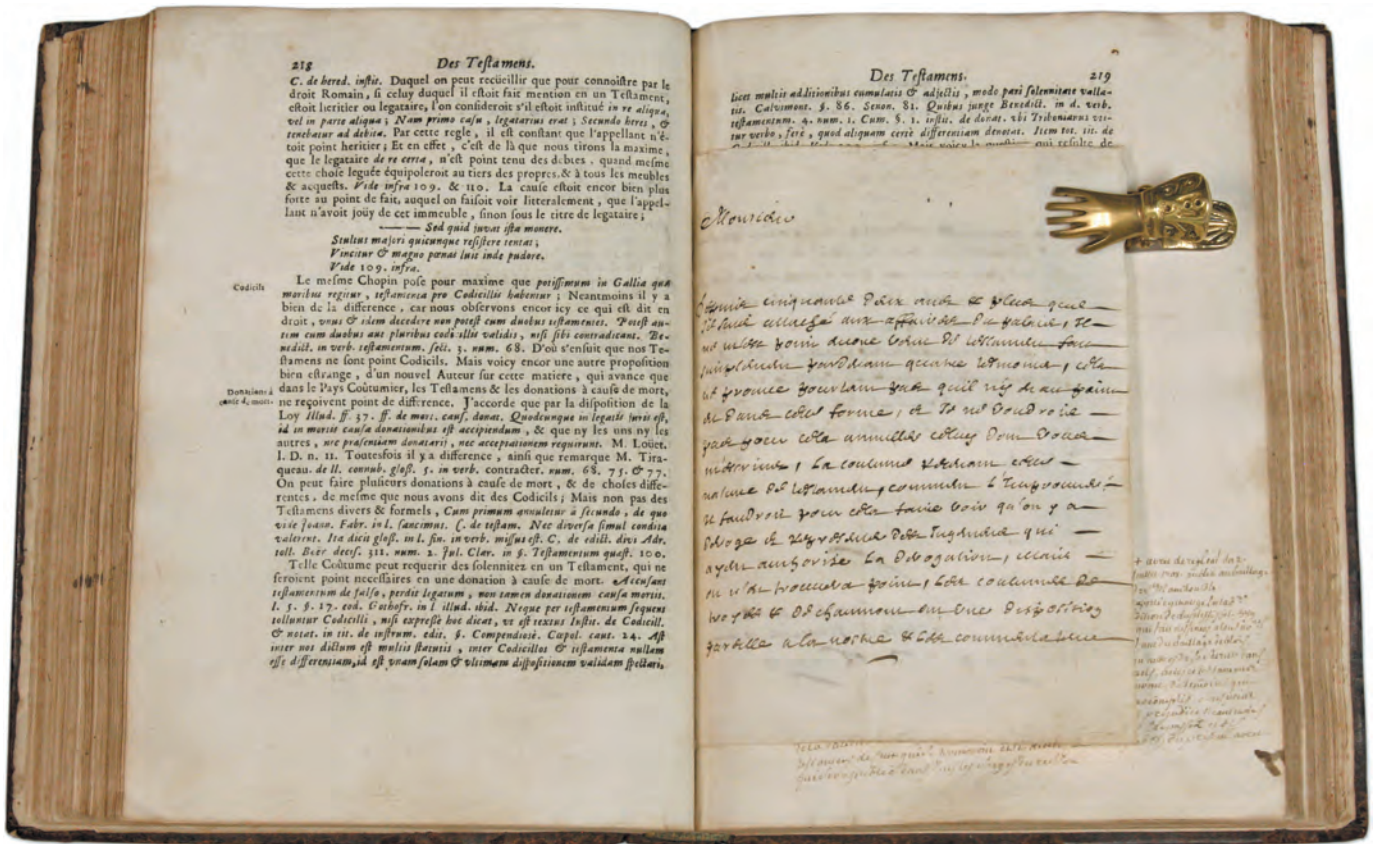
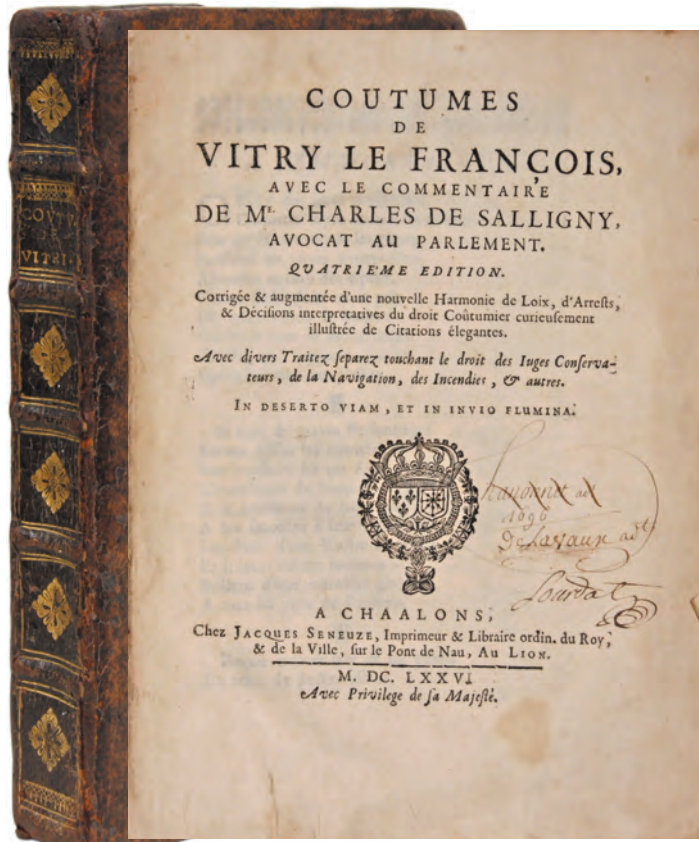
Châlons: Chez Jacques Seneuze, 1676. [xvi], 372, [38] pp. Last page blank. Quarto (10" x 7").

Contemporary tree calf, raised bands, lettering piece and gilt ornament to spine. Light rubbing, some discoloration and light gatering to boards, which are slightly bowed, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped. Early owner signatures to title page including those of Pierre Hannonet, dated 1696, and André Doyen Delavaux, dated



1767. Moderate toning to text, somewhat heavier in places, annotations in Hannonet's (neat) hand, many quite extensive, to several leaves, letter from Saligny's son to Hannonet tipped in between pp. 218-219, ink sketch tipped-in between pp. 286-287. A work with interesting associations and annotations. \$3,500.

FOURTH AND FINAL EDITION. Saligny's edition was a work of great authority in Vitry-le-François and the Province of Champagne. Hannonet, the annotator of our copy, was an *Avocat au Parlement* and royal land assessor (*saisies réelles*) who lived in Sainte-Menehould, a town near Vitry-le-François. His annotations are mostly to sections concerning estates and wills. Dated 1713, the tipped-in letter, to Saligny's son, like his father a distinguished legal authority, is a detailed response to a question concerning "Wills with four witnesses." The ink sketch illustrates shared land usage (*entrecours*) in two villages near Sainte-Menehould: Moiremont and La Neuvilleau Pont. The other owner of this copy we were able to identify, Delavaux, was King's lawyer at the bailiwick of Sainte-Menehould. Gouron and Terrin 2161. Caswell and Sipkov 489.



Detail from N° 88

## YEAR BOOKS FROM THE REIGN OF HENRY VI



89. [YEAR BOOKS].  
[HENRY VI, KING (1421-1471)].

[De Termino Michaelis Anno XXXVII. Henrici Sexti.](#)

[London: Imprinted...by Rychard Tottel the I. Daye of June in the Yere of Our Lord. 1575]. 38 ff.

[BOUND WITH]

[De Termino Michaelis Anno XXXVIII. Regni Regis Henrici Sexti.](#)

[London: Imprinted...by Rychard Tottel the V. Daye of Maye in the Yere of Our Lord. 1575]. 40 ff.

[AND]

[De Termino Michaelis Anno XXXIX. Henrici Sexti.](#)

[London: Imprinted...by Rychard Tottel the 21. Daye of June in the Yere of Our Lord. 1575]. [63] ff. Lacking ff. 9-28, 47, 48, 55, 61 (and final blank leaf), but bound with 9 ff from Tottel's Year Books from the 35th and 38th Regnal years. Signatures F and G, ff. 21-28, and leaves M1 and Q1, ff. 55 and 61, bound out of order.

[AND]

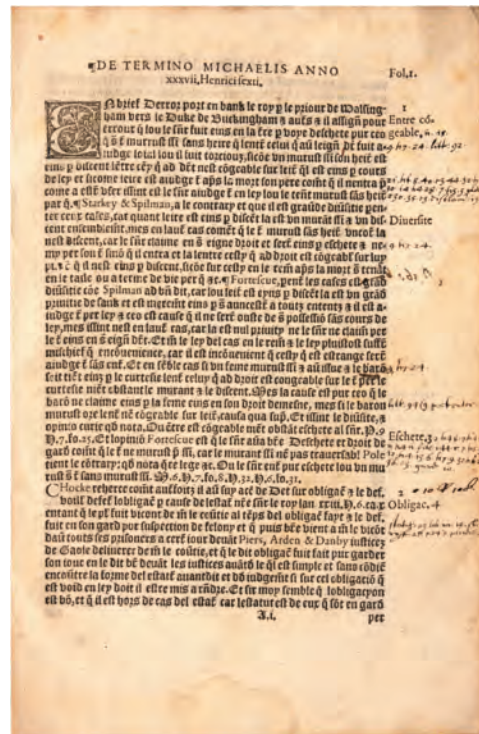
[Anno XXXVI.HVI.](#)

[London: Imprinted...by Rychard Tottel, 1575]. 34 ff.

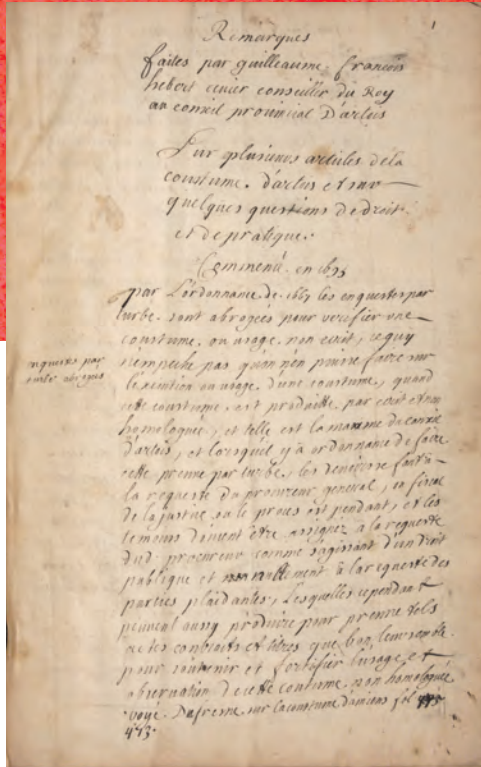
Folio (11" x 7-1/2"). Later vellum, blind rules to boards, hand-lettered title label to spine. Some soiling and a few minor stains, moderate rubbing to extremities, chipping to head of spine, another chip near foot, Boards slightly bowed, a few shallow cut marks to rear board, hinges starting, armorial bookplate and later presentation and private library bookplates to front pastedown. Moderate toning to text, somewhat heavier in places, occasional faint dampstaining, edgewear to margins in some places, a few tears and chips, lower corner lacking from a leaf in *Anno XXXIX* with minor loss to text (but not legibility). Margins annotated throughout in fine early hand.

\$2,000.

THE MARGINS OF THIS VOLUME are filled with annotations. All but a few are in a neat early hand; the others are in a somewhat later style. Most of these appear to be cross-reference to other cases in the Year Books. A few are interpretive comments. According to the presentation bookplates, this copy belonged to George Chaworth, First Viscount Chaworth of Armagh [c. 1568-1639], a lawyer, Irish Chief Justice and Member of the House of Commons between 1621 and 1624, and, in 1636, William Cartwright "an eminent lawyer." It is possible that they were the annotators. The rear endleaf in this volume was taken from a 1577 Tottel edition of Fitzherbert's *Abridgement*. ESTC S101469, S101470, S101474, S101466. Beale R213, R217, R222, R207.



# Manuscripts



## MANUSCRIPT COMMENTARY ON THE CUSTOMARY LAW OF ARTOIS

90. [ARTOIS].

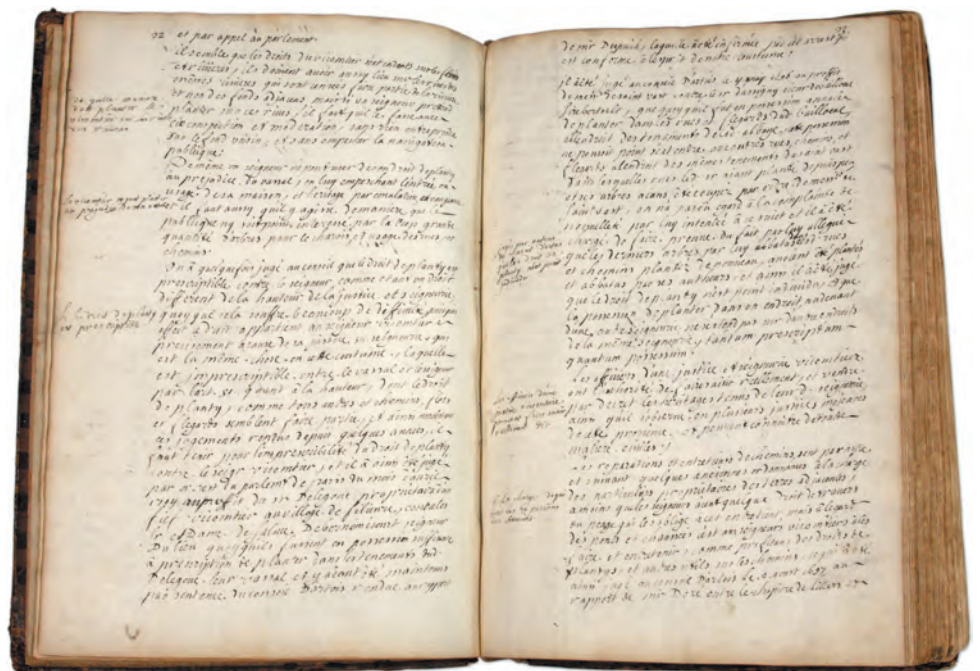
HÉBERT, GUILLAUME-FRANÇOIS.

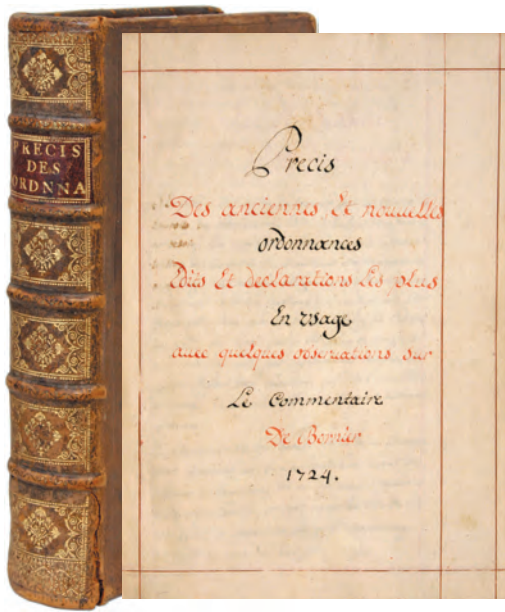
[Remarques Faites par Guillaume François Hebert Ecuyer Conseiller du Roy au Conseil Provincial d'Artois sur Plusieurs Articles de la Coutume d'Artois et sur Quelques Questions de Droit et de Pratique. Commencé en 1695.](#)

Artois?, c.1700s. 447 pp. Folio (14-1/2" x 9-1/2").

Contemporary calf, gilt spine with raised bands and title reading Hebert sur Artois. Light rubbing and a few minor nicks and scratches to boards, heavier rubbing to extremities with wear to spine ends and corners, binding cocked, front joint cracked, rear joint starting at ends. Moderate toning to interior, light soiling and stains to a few leaves. Text in neat hand, occasional notes to margins in a different, equally neat, hand. \$4,500.

HÉBERT'S *REMARQUES* is a commentary on Articles 1 to 201 of the customary laws of Artois (in its final 1669 codification). The statement "Begun in 1695" suggests the work was never completed; it does not discuss the other articles of the coutume. However, jurists saw its value and transmitted it through manuscript copies. OCLC locates six of them (none completely identical) at the Bibliothèque Nationale de France, Harvard Law School, Library of Congress, UC-Berkeley Law School, University of Pennsylvania Law School and the University of Queensland. The margins of our copy through p. 183 have annotations in an eighteenth-century hand, most of them summaries of the articles or statements of their main points. The absence of notes marking revisions or repeals suggest these notes were written soon after the completion of the manuscript.





### HANDSOME 1724 MANUSCRIPT DIGEST OF ROYAL DECREES RELATING TO PROVENCE

91. [MANUSCRIPT].

[BARRIGUE DE MONTVALON, ANDRÉ (1678-1779)].

[BORNIER, PHILIPPE (1634-1711)].

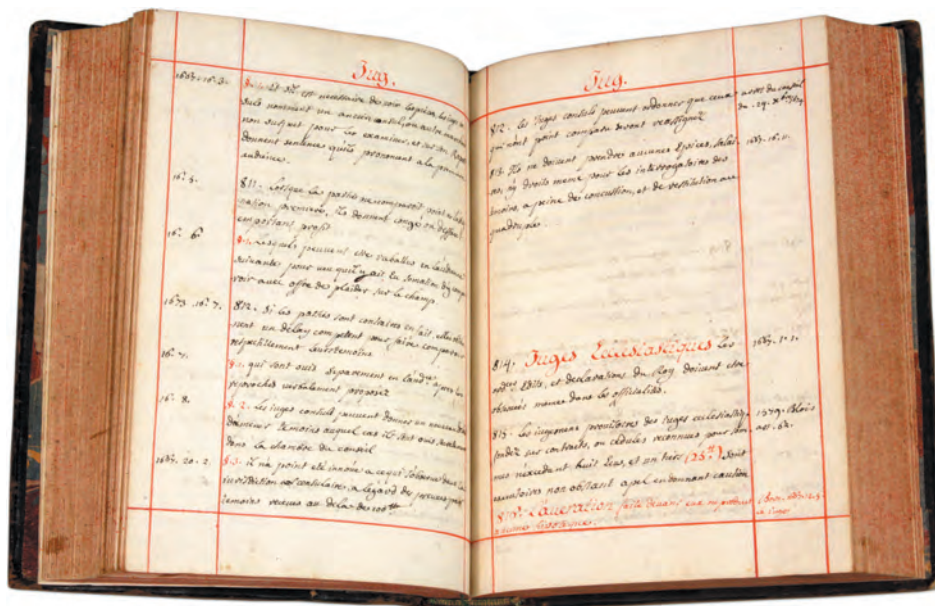
[Précis des Anciennes et Nouvelles Ordonnances, Edits et Declarations les Plus en Usage avec Quelques Observations sur le Commentaire de Bornier.](#)

Aix-en-Provence, 1724. [287] ff. Quarto (9" x 6-1/2").

Contemporary calf, gilt spine with raised bands and lettering piece reading *Precis des Ordonna*, gilt tooling to board edges, edges of text block rouged, marbled endpapers, ribbon marker. Minor nicks, scuffs, worming

and stains to boards, moderate rubbing to extremities with some wear to corners, front joint starting at foot. Light toning to interior, light soiling to preliminary leaves, minor worming along gutter in a few places, neatly written text in red and black ink within red ruled borders. A notably handsome manuscript. \$2,500.

BARRIGUE DE MONTVALON was a legal advisor to the Parlement of Provence. His carefully compiled, handsomely produced manuscript book is a digest of royal decrees (ordonnances from 1667 to 1681 relating to Provence that were in force in 1724. The topics are arranged alphabetically from "Abolition (Letters of)" to "Usury." It circulated for a number of years in manuscript and was first printed in 1752 (with a second edition in 1766). The compiler of our manuscript combined Montvalon's work with content copied from Bornier's *Conferences des Nouvelles Ordonnances de Louis XIV. Roy de France et de Navarre, Avec Celles des Rois Predecesseurs de Sa Majesté, Le Droit Ecrit, & Les Arrêts; Enrichies d'Annotations et Decisions Importantes* (first ed. 1681). As stated in the preface, content in red ink refers to Bornier's work. Some of these references are interpretive or critical. The main text is enriched with side-notes and two indexes, each titled Table. The side-notes indicate the dates of the ordonnances; the first Table is an index of topics, the second is a list of ordonnances in chronological order. We located a manuscript similar to ours dated 1728 at the Bibliothèque de Droit Schuman in Aix-en-Provence (MS87) and others with later dates at the Bibliothèque Municipale a Vocation Regionale, Nice. A note on the bibliographic record for the Schuman manuscript says it is the first manuscript edition. Ours is four years older and may thus be the true first edition. (We have not located any earlier copies.) See *Dictionnaire Historique des Juristes Français. XIIe-XXe Siècle* 40. See also Item 28.





13TH CENTURY MANUSCRIPT COPY OF A PAPAL DECRETAL CONCERNING PRESCRIPTION OF ECCLESIASTICAL PROPERTY

92. [CANON LAW].

[CLEMENS, III (1130-1191), POPE].

[\[Leaf from a Papal Decretal Concerning Prescription of Ecclesiastical Property.\]](#)

Germany?, c. 1220-1234. [2] pp. Folio (12-3/4" x 9-1/2").

Parchment leaf, light soiling and a few faint stains, fold lines and tiny holes, pieces removed from corners with minor loss to text. 50-line rubricated text in gothic hand in 2 columns surrounded by glosses, 8 vividly colored lombard initials with flourishes in red and blue, 4-line ornamented incipit beginning with 14-line initial "P" in red and blue, with elaborate flourishes. A few faint later annotations. A fine example of a high-medieval legal manuscript. \$3,500.

AN EXTENSIVE TEXT FRAGMENT from a thirteenth-century copy of a papal decretal concerning

prescription of ecclesiastical property with later commentary. The leaf is the first leaf of an important legal collection composed by Johannes Galensis ca. 1210 and named *Compilatio secunda*. The leaf contains the first title of Book 1 On constitutions (*De constitutionibus*) and the second title On rescripts (*De rescriptis*) lacking only the last decretal of the title. The Ordinary Gloss of Tancred of Bologna is in the margins. Tancred was the leading jurist at the law school at Bologna. The date of the leaf is ca. 1220-1234. The remaining 8 decretals under *De rescriptis* treat a variety of subjects. The text begins with the incipit "De constitutionibus - Preterea de lege illa vel errore quam cives tuos asseris statuissse." The large initial "P" and the word "Preterea," are highlighted by alternating red and blue embellishments. The commentary provides a detailed exegesis of this passage. *See interior rear cover.*

NOTES TAKEN DURING A COURSE OF LECTURES ON THE CODE NAPOLEON BY A DISTINGUISHED PROFESSOR

93. [CODE NAPOLEON].

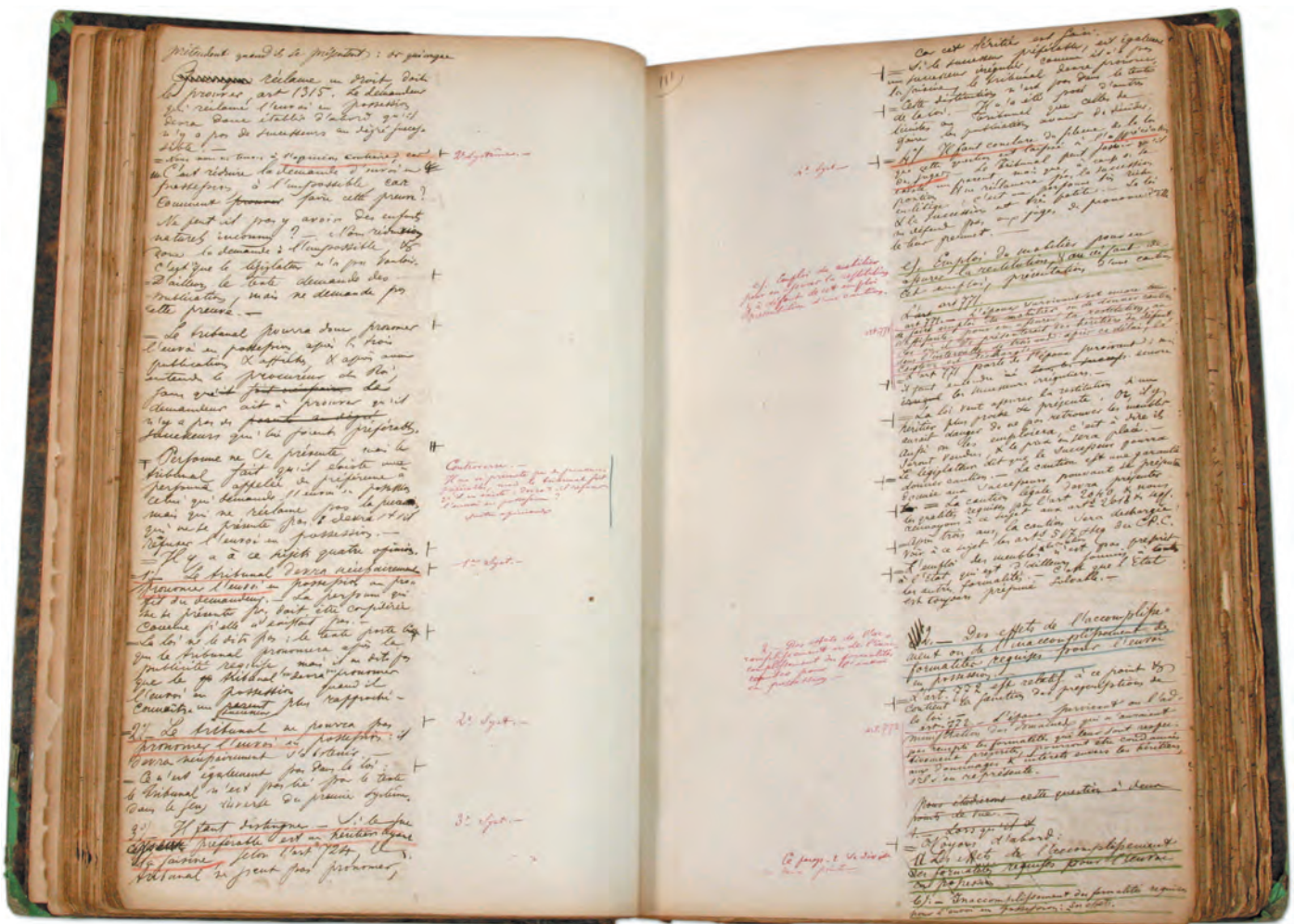
[DUVERGER, ALEXANDRE, (1818-1892)].

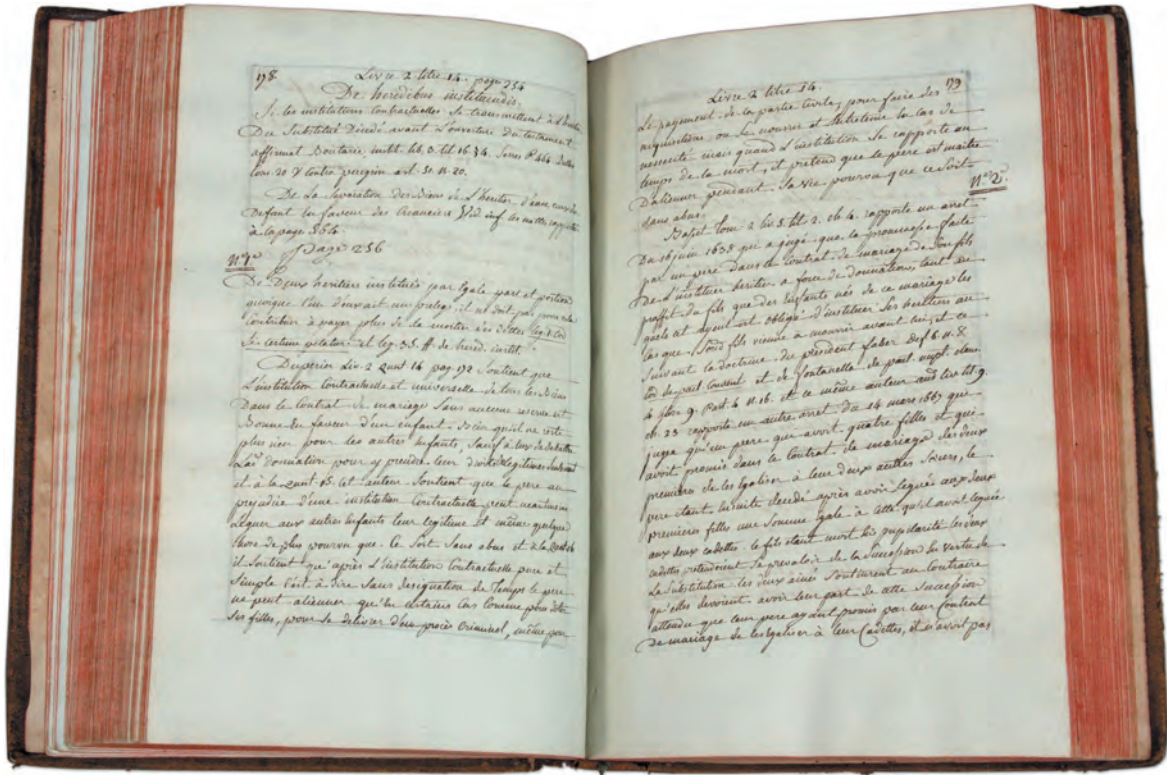
[Student Notes on a Course About the Code Napoleon].

[Paris]: November 18, 1860-May 3, 1861. 882 pp. Folio (14" x 9").

Quarter morocco over marbled boards, raised bands and gilt title reading "Duverger-Code Napoléon" to spine, marbled endpapers. Light rubbing and minor scratches to boards, small spot of wax to front board, moderate rubbing to extremities, wear to foot of spine, corners bumped and somewhat worn, front free endpaper partially detached, rear hinge starting at ends, tears to a few leaves mended with contemporary tape. Moderate toning to interior, light soiling and faint stains in a few places, annotations in clearly legible small hand to rectos and versos, signature (J.P. Weber), possibly that of the compiler, to front free endpaper. \$6,500.

THE AUTHOR OF OVER 20 BOOKS, Duverger was a professor at the Sorbonne and a leading authority on French and Roman law. Compiled by a student, our manuscript is a set of notes from a class on the Code Napoleon (Code Civil) taught by Duverger in 1860-1861. Each leaf is divided with a fold into two columns. The outside columns are filled with classroom notes. Many of these have corrections, underlining and check marks. The inside columns contain notes added later. These are mostly references to other code articles, clarifications and interpretive remarks. Overall, this fascinating manuscript provides an opportunity to "audit" a course by one of the Code's leading experts during the mid-nineteenth century.

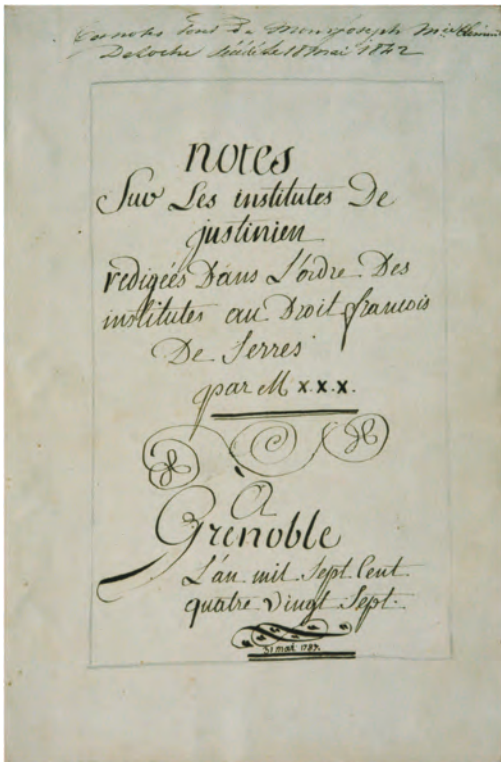




A SET OF MANUSCRIPT NOTES ON AN  
EIGHTEENTH-CENTURY TEXTBOOK ON FRENCH LAW

94. DELOCHE, MAURICE CLEMENT [D.1842].  
SERRES, CLAUDE [1695-1753].

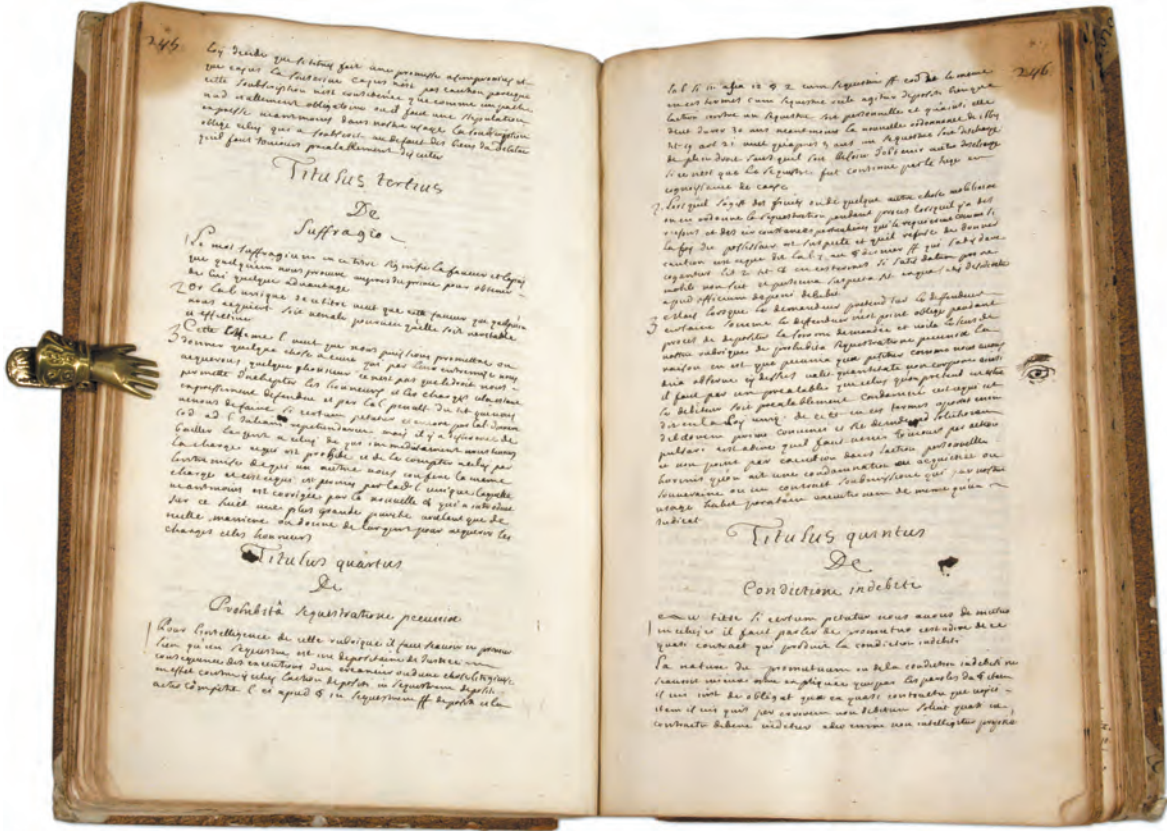
[Notes sur les Institutes de Justinien Rédigées dans l'Ordre des Institutes au Droit François de Serres par M. XXX.](#)



Grenoble, 1787. [viii], 523, [22] pp. Quarto (10-1/4" x 7").

Contemporary mottled calf, gilt spine with raised bands and lettering piece reading *Notes Sur Serres*, edges rouged. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities, a few minor worm holes to spine ends and rear board, hinges cracked. Light toning, text in neat hand within ruled borders, a few notes in same hand laid in. \$1,950.

A NOTE IN A LATER HAND identifies the author as "Monsieur Mce [Maurice?] Clement Deloche, who died 18 May 1842." Apparently a fair copy, this manuscript is a comprehensive set of notes on each section of *Les Institutions du Droit François: Suivant l'Ordre de Celles de Justinien* (1750, final edition 1778) by Serres. (We were unable to identify which edition.) Each note has a reference to the appropriate section. The manuscript is dated 1787, but it has additional notes from the Revolutionary era: three pages of notes at the beginning of the manuscript dated 1789 and 1793 and notes to the margins of a few leaves dated 1793 and 1794. As indicated by its title, Serres's book is an elementary study of French law organized in the manner of Justinian's *Institutes*, the classic textbook on Roman law from the *Corpus Juris Civilis*.



CLASSROOM NOTES ON THE  
 CODIX JUSTINIANUS

95. [JUSTINIAN I, EMPEROR OF THE EAST] (483-565 CE).

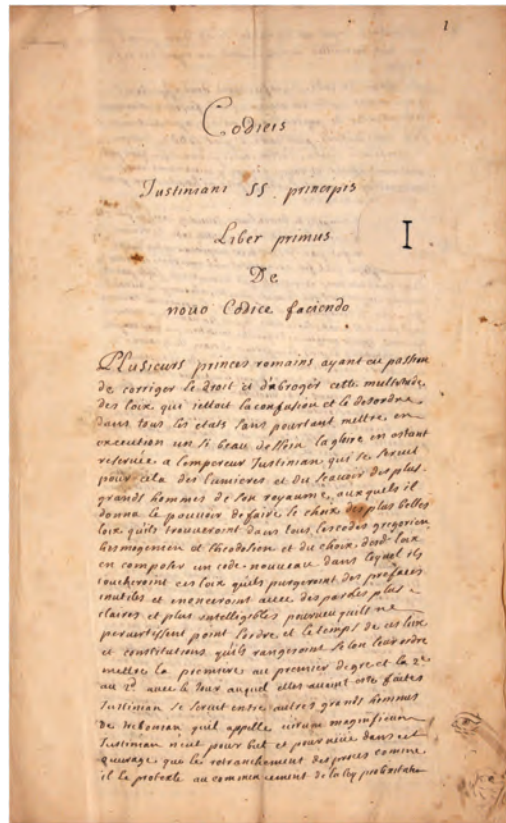
Codicis Justiniani SS. Principis.

[France, c.1830?]. 564, [11] pp. Folio (12" x 8").

Contemporary quarter calf over marbled boards, vellum-covered corners to boards. Moderate rubbing to boards, crease to upper corner of front board below vellum, heavier rubbing to extremities, corners bumped and somewhat worn, spine perished revealing printer's waste dated 1822, boards partially detached but secure. Moderate toning, occasional faint stains to margins. Text in neat hand, occasional later annotations (and a few doodles) in same hand. \$2,500.

WITH its careful arrangement and index, this manuscript appears to be a fair copy of class notes on the first five books of Justinian's Code. (The titles are in Latin, the text in French.) Based on class lectures, the notes are paraphrases of each title. The later notes in the margins are clarifications or statements of main points. The first page has a large Roman numeral "I," which suggests the compiler had another notebook covering the rest of the Code (Books 6-12). Also known as the *Codex Justiniani*, the Code contains the laws in force during Justinian's reign. It is divided into 12 books. Book 1 deals with ecclesiastical law,

the sources of law, and the duties of high officials. Books 2-8 deal with private law. Book 9 deals with criminal law. Books 10-12 deal with administrative law. It is one of the four components of the *Corpus Juris Civilis*.





## THE DAILY BUSINESS OF A PROMINENT VERMONT LAWYER

96. [LAWYERS]  
[VERMONT].  
[ROBINSON, DAVID, JR. (1777-1858)].

[\[Archive of Letters Sent to David Robinson, Jr., Attorney-at-Law, Bennington, Vermont\].](#)

Vermont and New York, 1820-1842.

27 single-leaf and bifolia comprising 88 pages, sizes range from 8-1/4" x 6-1/4" to 12-1/2" x 7-1/2." Manuscript in ink with integral addresses. Moderate toning, fold lines, light soiling, occasional tears and holes (from opening seals) with minor loss. \$750.

ROBINSON was born into a prominent Bennington, Vermont family. He graduated from Williams College in 1797 and read law with Nathan Robinson. Admitted to the Bennington County Bar in 1800, he soon became a prominent member of the Vermont legal community. The letters concern legal matters and some of them

include documentary information. The letters are from clients in or near Bennington and Woodstock, Vermont, and Troy, New York. For the most part, they record the daily incoming business of a successful attorney. A few concern matters with Robinson's father, David Robinson, a general during the Revolutionary War. Many express the difficulties confronting commerce and communication in rural Vermont and New York. One letter, dated February 24, 1820, states: "the thaw has prevented me from going over the mountain to carry over a load of grain...I now have no way to raise my money for I cannot go anywhere to market for it is neither sleighing nor waggoning & it is impossible for me to obtain any money for you just now." Another, dated August 9, 1832, tells Robinson that he is "looking for a Mr. Clark," but doesn't know where he lives. Carleton I:280-281. Strong, "Biographical Sketch," *Robinson Family Account Books, 1813-1879*, Vermont Historical Society (accessed online).



PROBABLY COMPILED AROUND 1765  
BY AN APPRENTICE TO A NEW YORK CITY LAWYER

97. [LEGAL EDUCATION].

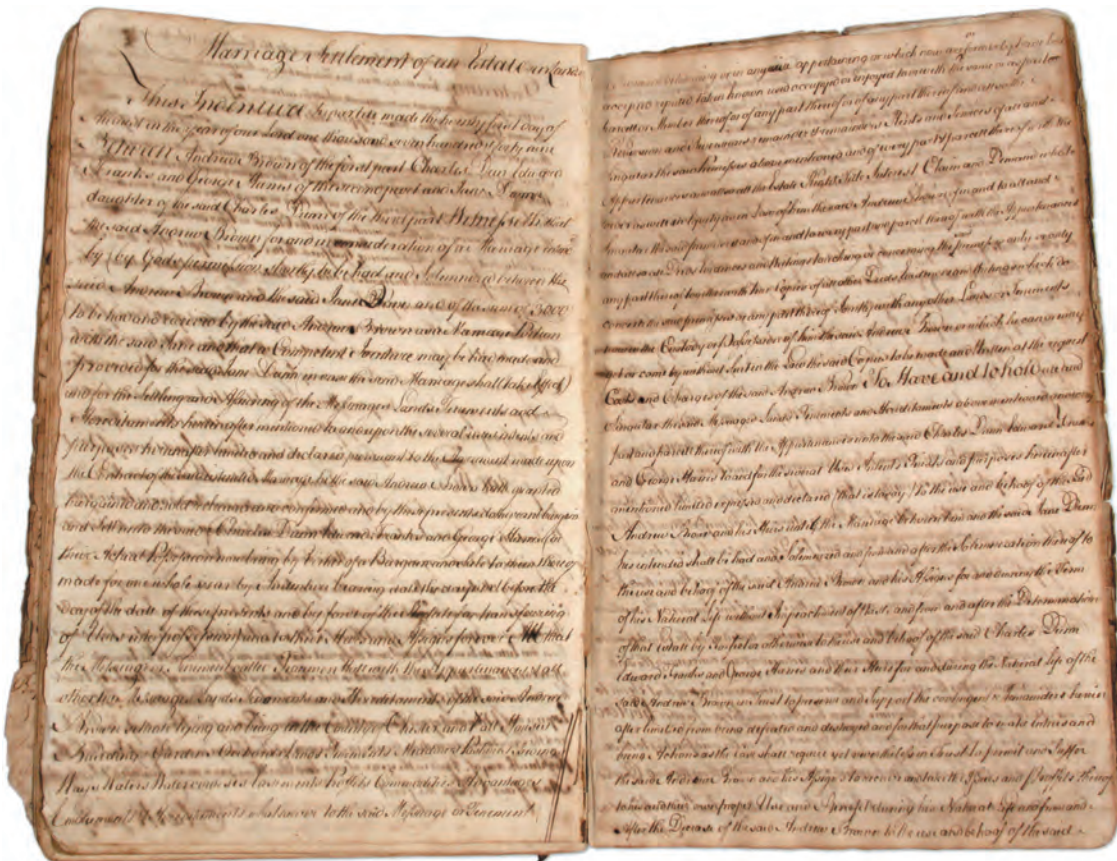
[Formbook].

New York, c. 1765. 89 pp. Folio (14-3/4" x 9-3/4").

Quarter calf over marbled paper-covered limp boards. Worn, paper mostly peeled away, leather spine partially detached, edges frayed and chipped, moderate edgewear and a few cracks to text block. Moderate toning, faint dampstaining in places, tears to a few leaves, a few leaves loose. Text in attractive clear hand with occasional corrections, minor loss to text in places, evidence of a few leaves removed, a few additional notes laid in. \$7,500.

PROBABLY COMPILED by a law apprentice, this formbook includes fair copies, "true copies" and practice copies of approximately 50 legal documents with dates from 1745 to 1765. Notes at the end of several entries, labeled "N.B.," have instructions concerning such matters as the necessary number of witnesses and where and when a document should be signed or sealed. It also records advice on how to write, work at a desk, cut quill pens and make ink. Some of the entries have headers, such as "Bargain and Sale for a Year," "Power of Attorney" and "Transferrance of the Foregoing Mortgage and Lease for Lives & Years." A number deal with maritime, naval and military matters, such as "Commission from the Judge of a Vice Court of Admiralty to the Capt. of a Privateer Ship of Warr," "Affidavit That a Ship is Cast Away" and "Form to be Observed in Making out Muster Rolls."

In many cases, the documents use the names of actual people, but there are several where the author invented names (some of them humorous). An example of the former, dated February 6, 1759, is a document relating to the appointment of Samuel Collier as a surgeon to His Majesty's Sixtieth Royal American Regiment of Foot by Jeffrey Amherst, Major General and Commander in Chief of His Majesty's Forces in North America (see Ford). An example of the latter is a "letter of license" for the creditors of "James Adams, merchant," dated December 24, 1750, "signed" by "Timothy Trueman," "Abraham Evidence," "Peter Charity," "Simon Hope" and "Soloman Goodnature." A mixed example is a privateer's commission "witnessed" by Lewis Morris, an actual judge who served on the Vice Admiralty Court in New York from 1738-1762, for a ship called the Dreadnought, whose officers included Captain Peter Death, First Lieutenant Simon Terrible and Second Lieutenant John Fright. Ford, *British Officers 27*.





### MANUSCRIPT COMPILED ON THE KENTUCKY FRONTIER

98. MEADE, RICHARD E [VERARD]  
[1787-1861].

[Richard E. Meade's Commonplace Form Book, 1805.](#)

[Jessamine County, Kentucky, 1805, 1809]. [ii], 229, [2]. [12] pp. Final 12 pages are a thumb-tabbed index. Folio (12-3/4" x 7-3/4").

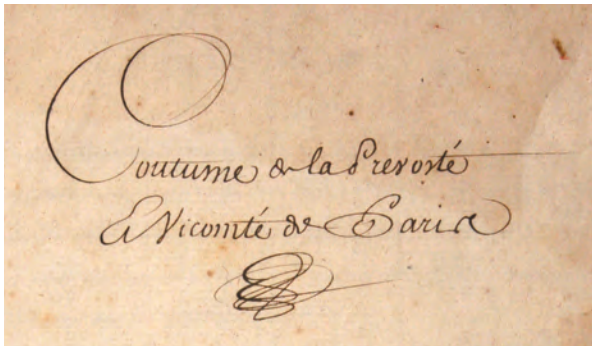
Quarter sheep over paper-covered boards. Rubbing with considerable wear, boards, index leaves and rear endleaves detached. Light browning to text block, wear to corners and edges in places, a few leaves with minor loss to text, various signatures and doodles to endleaves (mostly by Meade). Item housed in an archival box.

\$8,500.

PARTIALLY COMPILED 13 years after Kentucky's admission to the Union, this comprehensive and carefully indexed book of civil, criminal and chancery law forms, oaths and examples of procedure was compiled by Richard E. Meade, a young law apprentice, as a kind of procedural handbook. Jessamine County was established in 1798, six years after Kentucky became a state. As one would expect expected in a frontier county, the form book contains a great deal of content relating to land surveying, deeds and public and private construction. Aspects of criminal procedure are demonstrated by examples drawn from court cases. Among other topics, they demonstrate how to record a "Verdict for deffendan] t set aside new trial granted," "Plea to Jurisdiction argued

& overruled," or "Scire Facias on recognizance for keeping the peace." Many of the legal forms refer to Kentucky or other American cases or laws from as recently as 1803 or 1805, but many go back into the eighteenth century. A few cases refer to the United States District Court "at the statehouse in Frankfort [Kentucky]."

Richard Everard Meade was a classical scholar, lawyer, state legislator, militia officer and farmer. He was 18 years old when he compiled the first part of his manuscript in 1805. Meade possibly refers to himself within a couple of entries, noting the initials of a court clerk designated as "R. E. M." It is possible that he was acting as a clerk for a judge while studying with him as an apprentice. Later ownership inscriptions in the book include those of Dan'l B. Price, Lucinda Richardson, R. Wade, R. Blanton, E. M. Huntington and Robert Buntin. On the rear endpapers there is also this inscription: "From Capt. Robert Buntin To Samuel Coleman, Both of Sullivan County State of Indiana." It appears that Robert Buntin somehow acquired Meade's form book and used it as a legal reference himself. On the final two pages of the manuscript Buntin transcribes two documents in which he identifies himself as a "Clerk of the Circuit Court in and for the said County of Sullivan [Indiana]." Buntin served as clerk of Sullivan County in 1817 and as a representative to the Indiana legislature, 1817-1820. Coleman served under Buntin as vice clerk. Buntin's career path is thus quite similar to Meade's. The manuscript is thus associated with two frontier states and is emblematic of an orderly establishment of law and the transmission of legal principles in those places. Collins II:396. Wolfe I:328ff.



Title page detail

HANDSOME MANUSCRIPT COPY OF THE *COUTUME DE PARIS*

99. [PARIS].

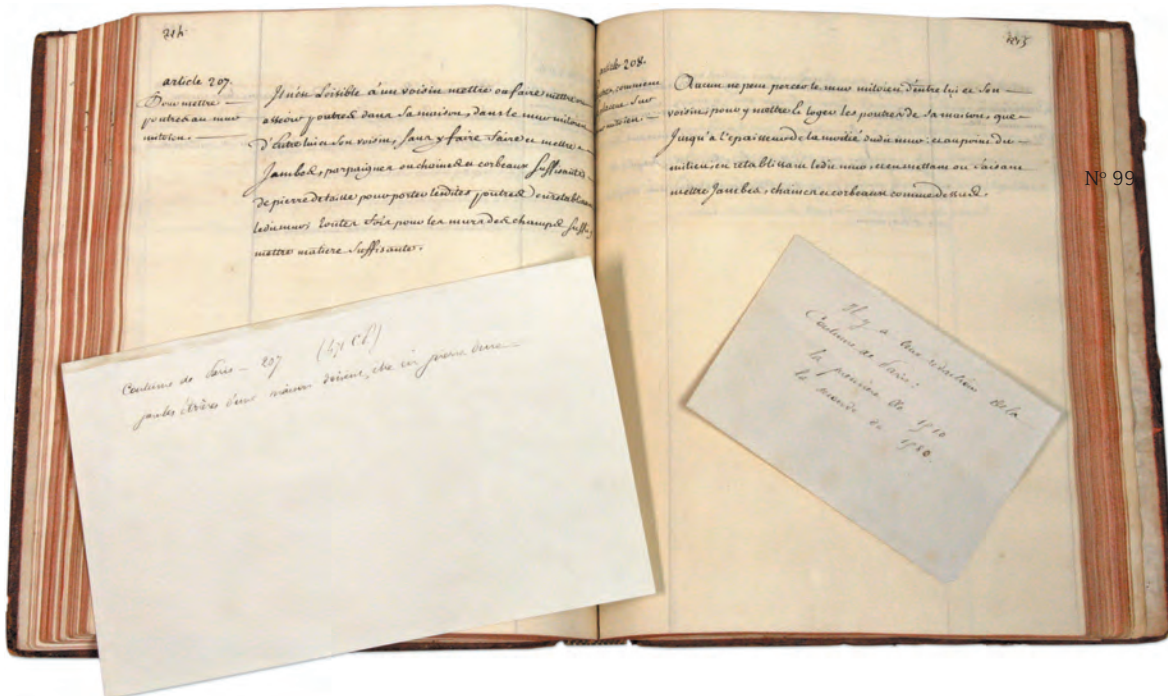
Coutume de la Prévosté et Vicomté de Paris.

[Paris?, c.1700-1750]. [ii], 389, [1] pp. Quarto (8" x 6-1/2").

Contemporary tree sheep, gilt spine with raised bands and lettering piece, edges rouged, ribbon marker. Light rubbing and shallow scuffing to boards, faint illegible name (?) to rear board, moderate rubbing to extremities with wear to spine ends and corners, joints just starting at ends, later owner signature to front pastedown, crack in text block between title page and following leaf. Light toning to interior, text in fine, almost calligraphic, hand within ruled margins, a few nineteenth-century notes laid in. \$3,500.

Liens	Table des titres & contenu En liens.	Pages
1 <sup>o</sup>	Des faits	1.
2 <sup>o</sup>	Des censives & droits Seigneuriaux	69.
3 <sup>o</sup>	Les biens dont on ne peut se saisir	85.
4 <sup>o</sup>	Des compléments de la loi de Paris le de nouveau, le simple fief	101.
5 <sup>o</sup>	Des actions personnelles & hypothèques	107.
6 <sup>o</sup>	De la prescription	121.
7 <sup>o</sup>	De l'usufruit & du gage	137.
8 <sup>o</sup>	De la vente & de l'acquisition	165.
9 <sup>o</sup>	Des substitutions & rapports de parents	191.
10 <sup>o</sup>	De la communauté & du mariage	229.
11 <sup>o</sup>	De la succession	259.
12 <sup>o</sup>	De la garde noble & bourgeoise	277.
13 <sup>o</sup>	Des donations & de son contrat	287.
14 <sup>o</sup>	Des testaments & de l'acquisition d'iceux	309.
15 <sup>o</sup>	Des successions & de la ligne directe & collatérale	319.
16 <sup>o</sup>	De l'usufruit	365.

ENHANCED with a table of contents, this handsomely written copy of the Paris coutume was intended for annotation. There is large blank space below the text on each page and occasional blank leaves. The laid-in slips have brief annotations about the coutume and its articles. Two of them have dates from the nineteenth century. Our assignment of a c.1700-1750 date to the manuscript is based on its binding, orthography and handwriting style.



MANUSCRIPT COMMENTARY ON  
THE CODE LOUIS AND ESTATE LAW

100. [TOULOUSE].  
[DARNÈS, FRANÇOIS].

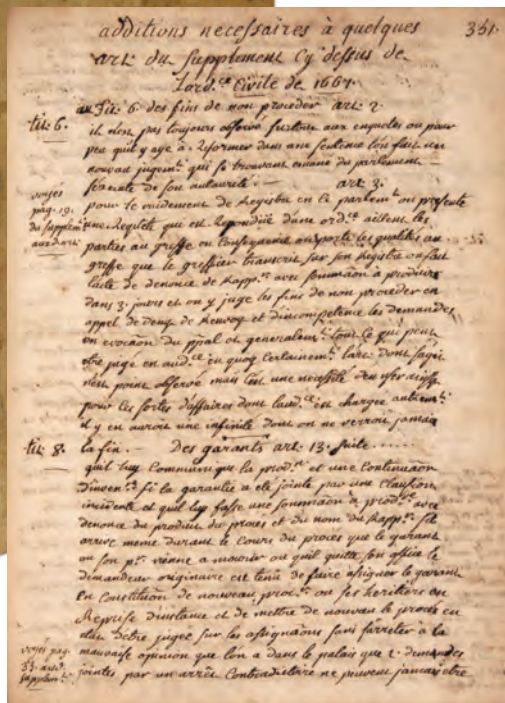
[Supplément de l'Explication de l'Ordonnance de 1667 Selon l'Usage du Parlement de Toulouse par M\[aitr\]e Riccard Avocat en Parlement.](#)

[Toulouse?], c. 1753. [ii], 185, [5]; 134, [26]; 351-358; 359-378 pp. four parts, the second, third and fourth with drop-head titles. Quarto (8-1/4" x 6-1/2").

Contemporary vellum, raised bands and early hand-lettered title to spine reading Supplement a l'Ordonnance de 1667, fragments of thong ties to boards. Light spotting and a few minor stains to boards, faint illegible doodle to front board, chip to head of spine, corners bumped and somewhat worn, rear hinge cracked, two early owner inscriptions to front free pastedown. "1735 du Fevrier pr[emier]r." in small tiny hand to title page. Moderate toning, slightly heavier in places, text in fine neat hand (with a few calligraphic flourishes), contemporary annotations in different hand in a few places. \$3,500.



Title page detail



THIS MANUSCRIPT has four parts. The first three address aspects of the *Ordonnance Civile*. Also known as the Code Louis or Ordonnance de 1667, this is a comprehensive code that reorganized French civil procedure in a uniform manner. The first title discusses the code "according to the usages of the Parlement of Toulouse." Its careful arrangement of the text, few corrections and presence of a title page and table of contents suggest this is a copy of a book that circulated in manuscript. We have not been able to locate any other examples, however. The second title, *Recueil de Plusiurs Questions Notables Quoique la Plus Part Familières* is a series on notes of the Code. The third text, which begins with an inexplicable change in pagination to 351, is titled *Additions Necessaires à Quelques Art. du Supplement Cy Dessus de Lo. Cde Civile de 1667*. The final section is an excerpt copied from the *Traité des Quartes Legitime, Trebellianique & Falcidie: Avec la Table pour la Liquidation d'icelles* (Toulouse 1674, 1682, 1698, 1765), a treatise on aspects of Roman estate law applicable to the laws of Toulouse attributed François Darnès or Séverin de Lubac.



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

101. 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.

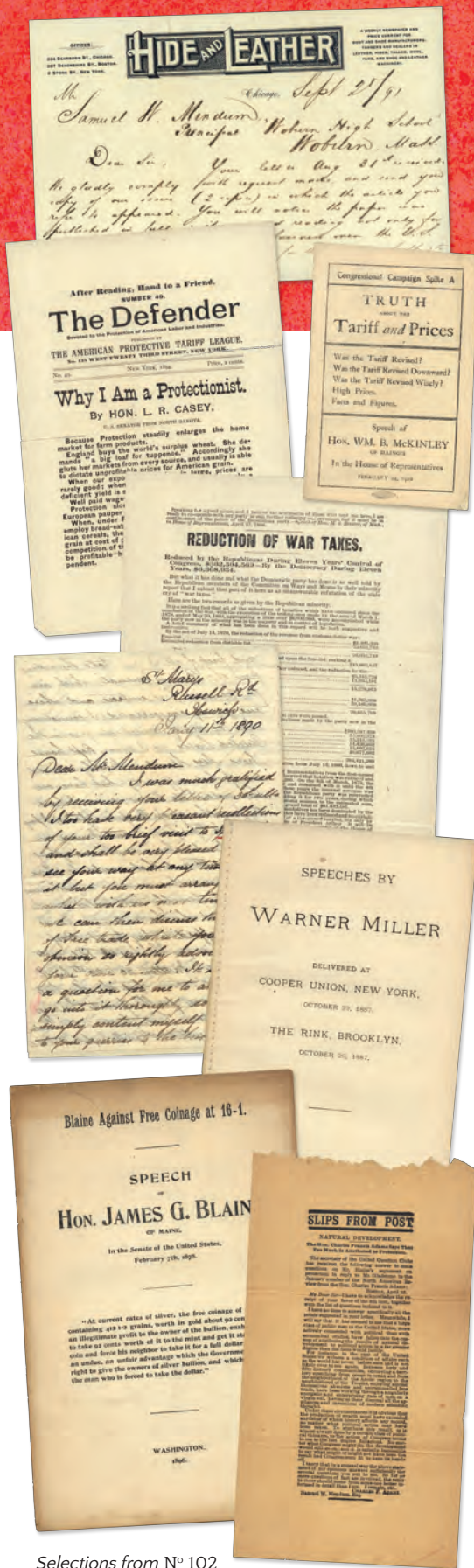
[\[7" x 9-1/2" Black-and-White Press Photograph of  
Justice Van Devanter Addressing a Newreel Camera\].](#)

[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.

# Pamphlets



## AN ARCHIVE CONCERNING AMERICAN TARIFFS DURING THE NINETEENTH CENTURY

102. [ARCHIVE].  
[TARIFF LAWS].

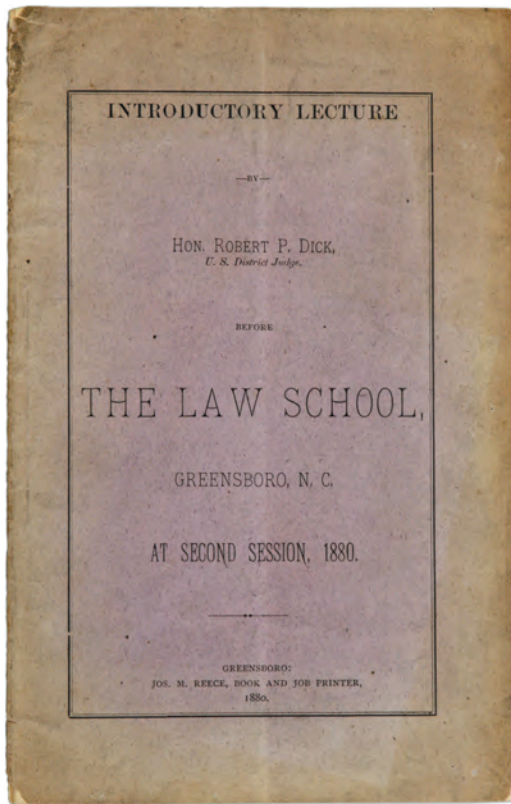
[\[Pamphlets, Circulars, Offprints and Letters Concerning Tariffs\].](#)

Massachusetts, New York and Washington, DC, 1823-1902.

72 items, comprising 42 pamphlets, 12 offprints, 10 circulars and 8 letters, sizes range from 5-1/4" x 3-1/4" to 12-1/2" x 9-1/2." Light to moderate toning, browning to a few pieces, fold lines, minor wear and soiling, a few items neatly split along fold lines. \$1,800.

A REPRESENTATIVE SAMPLING of issues concerning tariffs during the nineteenth century, this archive includes analytical and polemical pieces, speeches, printings of U.S. Congressional bills and letters. Most of the items date from the 1870s, 1880s and 1890s, the decades of the "Gilded Age," a period of rapid economic growth, considerable income inequality, labor unrest and the beginnings of the modern global economy. Two of the letters are addressed to members of the U.S. Congress, two are (unrelated) replies from U.S. congressmen. One is a mimeograph from October 18, 1890 by Samuel W. Mendum, secretary of the United Questions Club of Massachusetts, containing eight questions, that was sent to each congressional candidate in Massachusetts. It is accompanied by a letter with answers from Jonas H. French, a candidate from the Seventh District. Taken together, this archive is an excellent resource of primary materials for students of a perennial issue in American politics. A complete list of items is available on request.

Selections from N° 102



## “THE LAWS OF THE ANCIENT HEBREWS”

103. DICK, ROBERT PAINE [1823-1898].

[Introductory Lecture By Hon. Robert P. Dick, U.S. District Judge. Before The Law School, Greensboro, N.C. Before The Law School, Greensboro, N.C. At Second Session, 1880.](#)

Greensboro, NC: Jos. M. Reece, 1880. 20, [1] pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Light soiling, fading to sections of wrappers, vertical crease through center, some wear to spine ends and corners, light toning to text. \$450.

ONLY EDITION. The introductory lecture is “The Laws of the Ancient Hebrews,” a survey by the prominent North Carolina jurist, biblical scholar and co-proprietor of the Greensboro Law School. Dick stresses the lasting influence of Hebrew law, the principles of which “form the basis of the laws and free institutions of our Great Republic” (20). The pamphlet also includes information on the Greensboro Law School, including tuition and other fees, a summary of the course of study, and a list of 62 alumni. Dick established the school in partnership with John H. Dillard in 1873. Also known as the Dick and Dillard School,

it educated nearly 300 students and was one of the most prestigious law schools in the state. It closed in 1893. OCLC locates 7 copies, 2 in law schools (Duke, University of North Carolina).

## IMPRISONMENT FOR DEBT IS A FORM OF TYRANNY

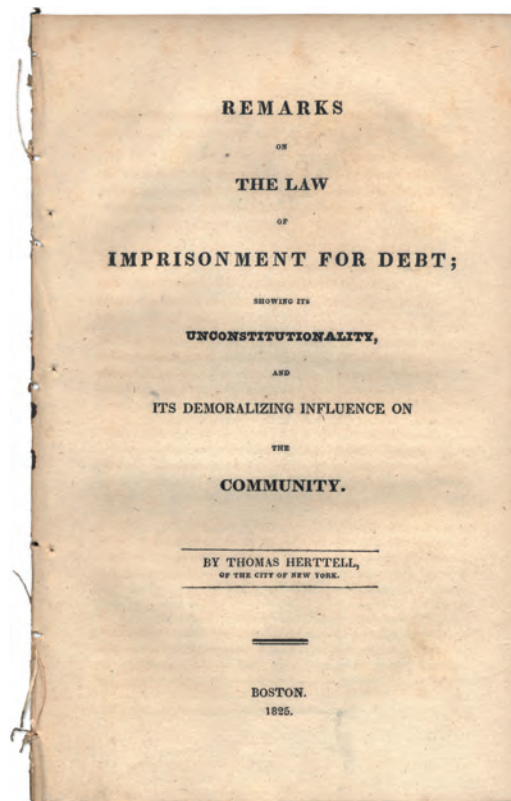
104. HERTTELL, THOMAS [1771-1849].

[Remarks on the Law of Imprisonment for Debt; Showing Its Unconstitutionality, And Its Demoralizing Influence on the Community.](#)

Boston: S.n., 1825. [iii], 4-47 pp. Octavo (8-1/2" x 5-1/4").

Disbound stab-stitched pamphlet. Light soiling and edgewear, light toning. A well-preserved item. \$450.

SECOND AND FINAL EDITION. Herttell, a reform-minded New York lawyer, argues that “civil government has not, nor can it acquire the right to pass a law authorizing imprisonment for debt” (5). He traces the first law permitting imprisonment for debt to England in 1267. That law, and its successors “emanated from the ignorance and tyranny of the darker ages, when the power of kings was nearly absolute” (5). This pamphlet was originally published in New York in 1823. Cohen 2594.





A RABBI DESCRIBES HIS EXPERIENCE  
OF WITNESSING AN EXECUTION  
AT SING SING

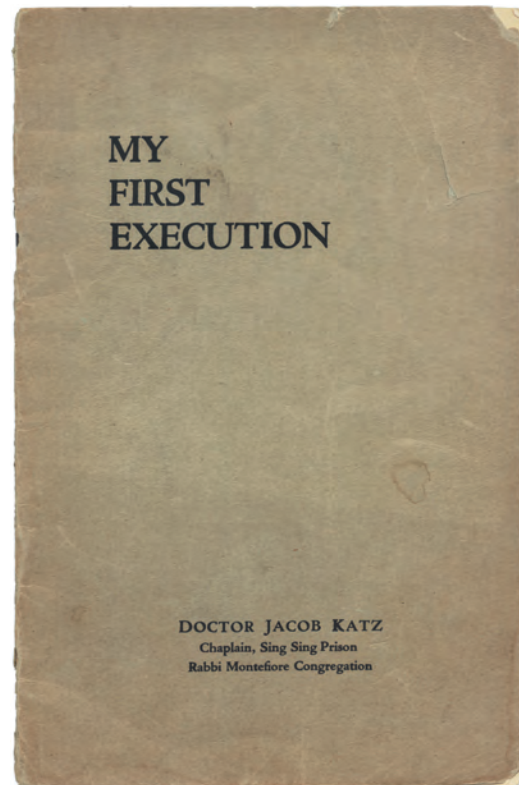
105. KATZ, JACOB.

[My First Execution.](#)

[New York]: S.n., c.1924.

Stapled 8" x 5" pamphlet in stiff wrappers. Light soiling, mild edgewear, a few small chips to corners, wrappers almost detached, clean tear to front wrapper, light browning to text. A rare pamphlet. \$350.

KATZ was the Jewish chaplain at Sing Sing Prison. In this pamphlet he describes the first time he attended an execution, which took place in Sing Sing in 1919. He discusses his interactions with the condemned prisoner and his feelings afterwards. OCLC locates 2 copies (American Jewish Historical Society, New York Public Library).



RARE 1933 DIGEST OF LAWS  
REGULATING MACAU'S SEX TRADE

106. [MACAU].

[CHINA].

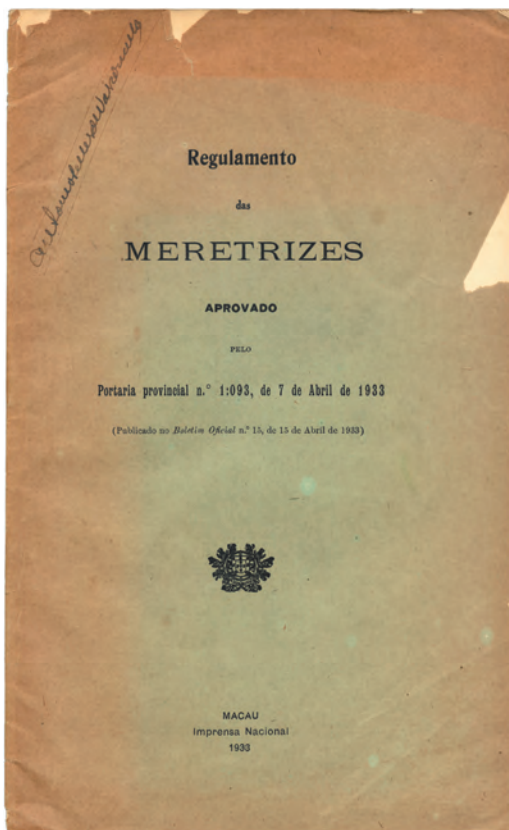
[PROSTITUTION].

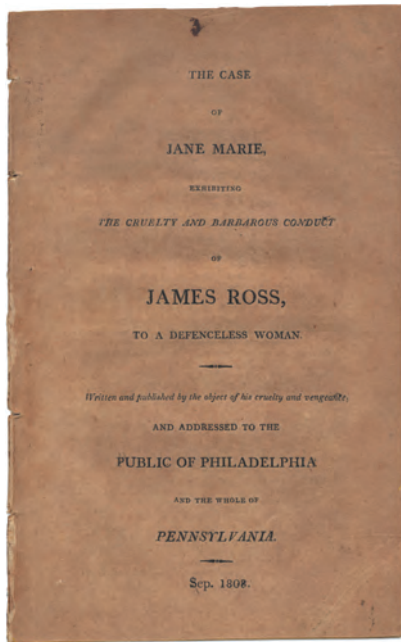
[Regulamento das Meretrizes, Aprovado pelo Portaria Provincial No. 1:093, De 7 de Abril de 1933.](#)

Macau: Imprensa Nacional, 1933. 22 pp. Text in Portuguese and Chinese.

Stitched pamphlet in printed paper wrappers. Some edgewear, a few chips and minor tears to wrappers, early annotations to front wrapper, light toning to interior. \$950.

ONLY EDITION LOCATED. Laws governing prostitution in the Portuguese colony of Macau (1557-1999) were first enacted in the mid-nineteenth century. By the 1930s the government administered the trade directly through the *Regulamento das Meretrizes*. No copies located on OCLC.





### CRUELTY AGAINST A WOMAN, OR A POLITICAL HATCHET JOB?

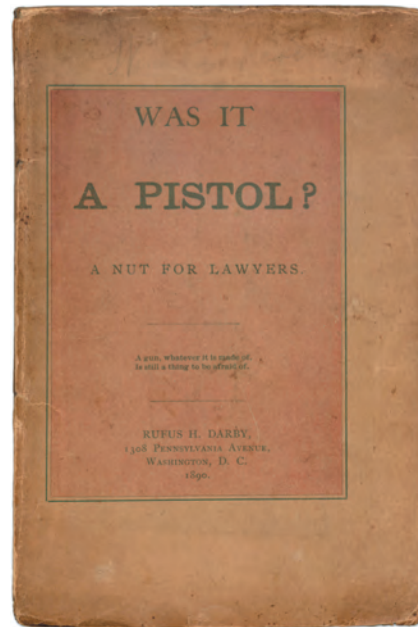
107. MARIE, JANE.

[The Case of Jane Marie, Exhibiting the Cruelty and Barbarous Conduct of James Ross, To a Defenceless Woman. Written and Published by the Object of his Cruelty and Vengeance, And Addressed to the Public of Philadelphia and the Whole of Pennsylvania.](#)

[Philadelphia: William Duane], 1808. 28 pp. Octavo (8" x 5")

Disbound stab-stitched pamphlet. Light browning, light wear to spine ends and corners, light foxing to a few leaves, "3" in early hand to head of title page, which is almost detached. \$150.

DUANE, a staunch Philadelphia Anti-Federalist newspaperman, published this pamphlet to discredit the Pennsylvania Federalist gubernatorial candidate James Ross, who was well-known as the negotiator who ended the Whiskey Rebellion [1791-1794]. It accused Ross of tricking Marie into transferring her home to him, then hiring "a gang of ruffians" to evict her "with sticks and whips," an event described in salacious detail Ross denied the allegations, but lost the election. Sabin 44560.



### "A NUT FOR LAWYERS"

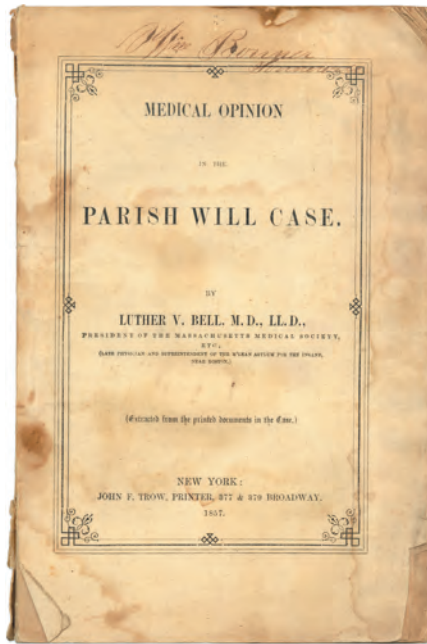
108. SMITH, WILLIAM RUSSELL  
[1815-1896].

[Was it a Pistol? A Nut For Lawyers.](#)

Washington, D.C.: R.H. Darby, 1890. 110 pp. Octavo (7-1/2" x 5").

Stab-stitched pamphlet in stiff printed wrappers, deckle edges, tipped-in publisher advertisement to front wrapper. Moderate soiling and a few minor stains to wrappers, some wear to spine ends and corners, moderate toning to interior, light foxing to a few leaves. \$350.

FIRST AND ONLY EDITION. A trial in the form of eight humorous poems: "The Testimony and Defense," "The Judge's Charge to the Jury," "The Recess," "The Court Reassembles," "The Charivari," "Was It Contempt?" "The Hung Jury" and "The Judge's Homily." OCLC locates 8 copies, 2 in law libraries (Library of Congress, Yale).



### A NOTABLE NINETEENTH-CENTURY WILL CASE INVOLVING CODICILS AND QUESTIONS OF SANITY

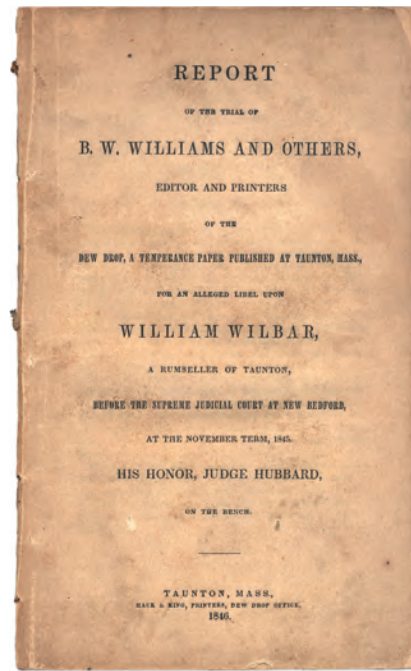
109. [TRIAL].  
[PARISH WILL CASE].  
BELL, LUTHER V. [1806-1862].

#### Medical Opinion in the Parish Will Case.

New York: John F. Trow, 1857. 69 pp. Octavo (9-1/4" x 6").

Stab-stitched pamphlet in printed wrappers. Light soiling to exterior, wear to spine ends and corners, some chipping and edgewear to wrappers, which are partially detached at ends, dampstaining to wrappers and text block, moderate toning, lower corners lacking from first three leaves with no loss to text, corners of some other leaves chipped or dog-eared, early owner signature ("Wm Bouvier" of "Bonner") to front wrapper and half-title. \$750.

ONLY EDITION. Henry Parish, a New York merchant, died in 1856, at age 69. He left a will made in 1842 that had been amended with three codicils signed by him some time after suffering a paralyzing stroke in 1849. These codicils were contested on the grounds of mental impairment. This trial attracted a good deal of attention and it involved testimony by several leading medical and legal experts. At time of this pamphlet's publication Bell was president of the Massachusetts Medical Society and a former superintendent of the McLean Asylum for the Insane near Boston. Not in Cohen, which lists a composite volume by Trow containing this title. See Cohen, 11386.



### "A HOUSE OF HUMAN SLAUGHTER"

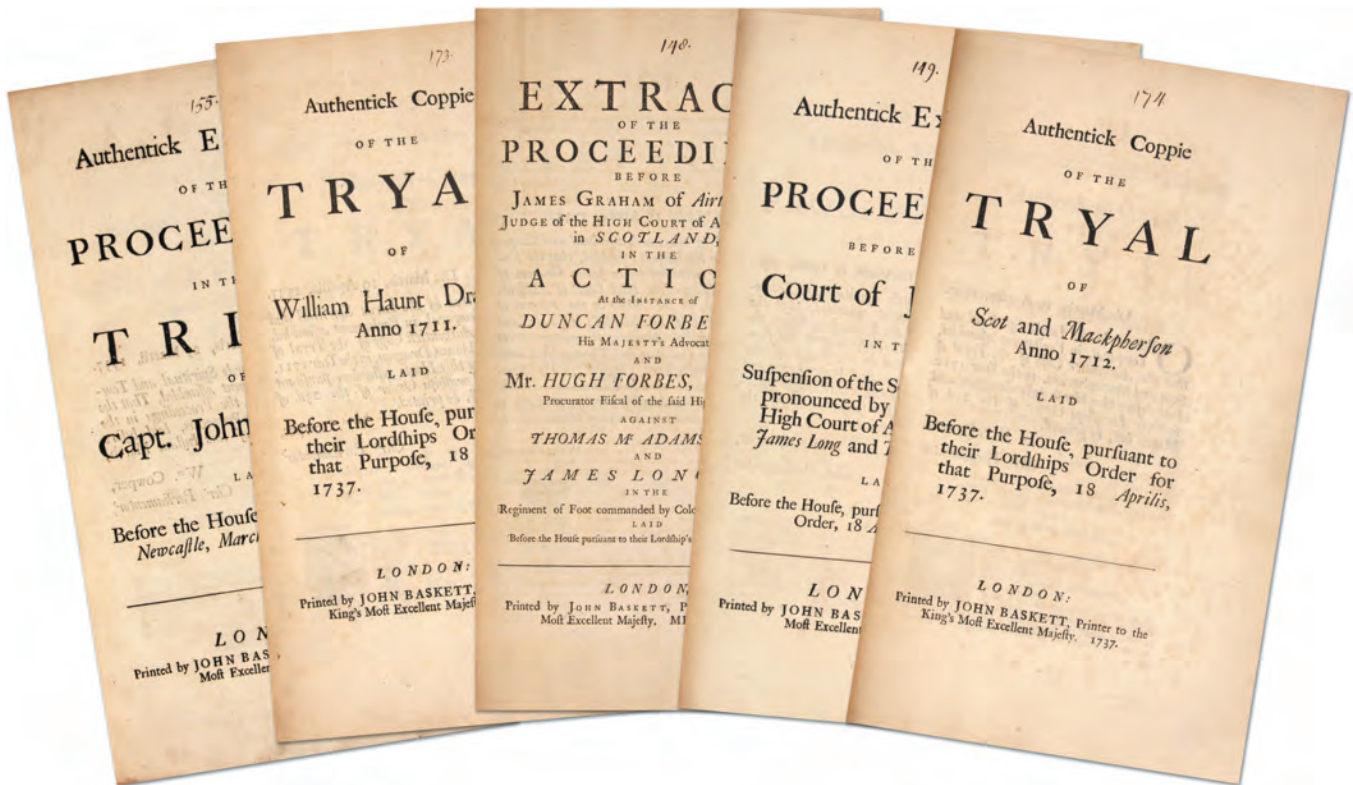
110. [TRIAL].  
WILLIAMS, B[ENJAMIN] W.,  
PRINCIPAL DEFENDANT.

#### Report of the Trial of B.W. Williams and Others, Editors and Printers of the Dew Drop, A Temperance Paper Published at Taunton, Mass., For an Alleged Libel Upon William Wilbar, A Rumseller of Taunton, Before the Supreme Judicial Court at New Bedford, At the November Term, 1845, His Honor, Judge Hubbard, on the Bench.

Taunton [Mass.]: Hack & King, Printers, Dew Drop Office, 1846. 60 pp. Octavo (8-1/2" x 5-1/4").

Disbound stab stitched pamphlet. Moderate toning, light soiling to exterior, some rubbing to extremities. Light browning to text, faint tick marks in light pencil to margins in a few places, light foxing to a few leaves. \$450.

FIRST EDITION. In January, 1845, the defendant published an article in his temperance paper *The Dew Drop* that referred to Mr. Wilbar as "the incarnate Devil" with a mouth that emitted "flames of fire" that "withered and scorched all the deluded wretches" who entered his shop, "a house of human slaughter." The defendants were acquitted after 45 minutes of deliberation. Although there are many reprint editions available, the original 1846 printing is scarce in the marketplace. OCLC locates 7 copies in North American law libraries (Harvard, Library of Congress, Social Law, University of Minnesota, University of Missouri, University of Pennsylvania, York University). Not in McCoy. Cohen 12078.



INTERESTING ENGLISH CASES TRIED IN 1737,  
THREE CONCERNING SOLDIERS, ONE A CATTLE THIEF

111. [TRIALS].  
[GREAT BRITAIN].

[\[Three Cases Concerning Soldiers, One Concerning a Cattle Thief\].](#)

London: Printed by John Baskett, 1737. Folio (12-1/2" x 7-3/4").

Five pamphlets, two relating to the same trial, bound into nineteenth-century three-quarter calf over pebbled cloth, tiny blank label to foot of front board, raised bands and lettering pieces to spine. Light rubbing to boards, moderate rubbing to extremities, corners bumped, sections of backstrip lacking from spine ends, front board detached, rear board partially detached. Light toning to text, light foxing in places, light soiling to title pages, each with a number in an early hand, the first with a small later library stamp. \$950.

ONLY EDITIONS. The cases of Porteous, Haunt and McAdams and Long involve murders committed by members of the army. Laidly's case involved cattle theft and assault.

**Contents:**

**1. Porteous, John, Defendant.**

*Authentick Extract of the Proceedings in the Trial of Capt. John Porteous, Laid Before the House by the Duke of Newcastle, March the 3d, 1736.* [ii], 68 pp. ESTC T22797.

**2. Haunt William, Defendant.**

*Authentick Coppie of the Tryal of William Haunt, Dragoon, Anno 1711. Laid Before the House, Pursuant to Their Lordships Order for that Purpose, 18 Aprilis, 1737.* 28 pp. ESTC T22794.

**3. McAdams, Thomas, Defendant.****Long, James, Defendant.**

*Extract of the Proceedings Before James Graham of Airth, Esq; Judge of the High Court of Admiralty in Scotland, In the Action at the Instance of Duncan Forbes, Esq; His Majesty's Advocate, And Mr. Hugh Forbes, Advocate, Procurator Fiscal of the Said High Court, Against Thomas Mc Adams Souldier, And James Long Corporal in the Regiment of Foot Commanded by Colonel \_\_\_\_\_ Hamilton. Laid Before the House Pursuant to Their Lordship's Order April 18, 1737. 47, [1] pp. ESTC T33912.*

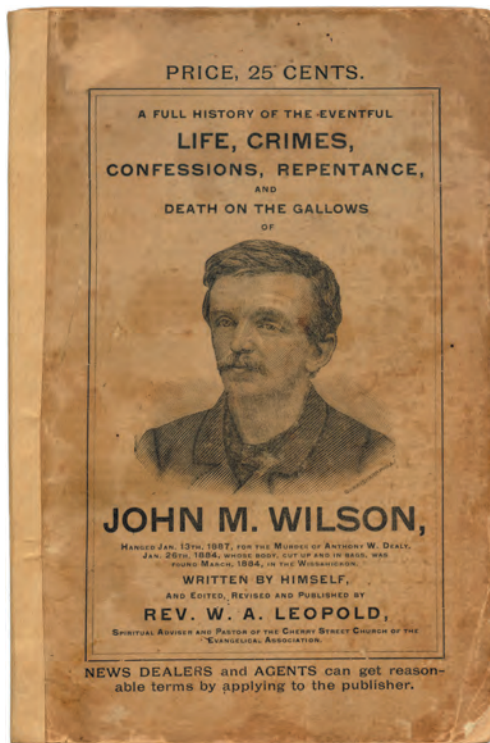
**4. Long, James, Defendant.****McAdams, Thomas, Defendant.**

*Authentick Extract of the Proceedings Before the Court of Justiciary, In the Suspension of the Sentence of Death Pronounced by the Judge of the High Court of Admiralty [sic], Against James Long and Thomas McAdams, Laid Before the House, Pursuant to Their Lordships Order, 18 Aprilis, 1737. London: Printed by John Baskett, 1737. 12 pp. ESTC T22796.*

**5. Laidly, William, Alias Scot, of Mossphennan, Defendant.**

*Authentick Coppie of the Tryal of Scot and Mackpherson Anno 1712. Laid Before the House Pursuant to Their Lordships' Order for that Purpose, 18 Aprilis, 1737. London: Printed by John Baskett, 1737. 33, [1] pp. ESTC T22795.*

## A GRUESOME 1884 MURDER IN CHESTNUT HILL, PA



112. WILSON, JOHN M. [1858-1887].  
LEOPOLD, W.A., EDITOR.

[A Full History of the Eventful Life, Crimes, Confessions, Repentance and Death on the Gallows of John M. Wilson, Hanged Jan. 13th, 1887, For the Murder of Anthony W. Dealy, Jan. 26th, 1884, Whose Body, Cut up in Bags, Was Found March, 1884, In the Wissahickon. Written by Himself and Edited, Revised, And Published by Rev. W.A. Leopold.](#)

Norristown, PA: W.A. Leopold, [1887]. 110 pp. Octavo (7-1/4" x 4-3/4").

Stab-stitched pamphlet in printed wrappers, spine reinforced with plain paper. Moderate soiling and edgewear to wrappers, corners chipped, light staining to front wrapper, light browning to text, minor stains to a few leaves, woodcut portrait of Wilson to front wrapper and title page. \$750.

ONLY EDITION. "Wilson blamed his plight on demon rum, but it was his size, as much as anything, that did for him. He was only five feet, two inches tall and weighed a little over one hundred pounds. Dealy, a farmer at Chestnut Hill, Montgomery County, for whom he worked, would not pay him his wages, and in a fit on anger and intoxication, Wilson killed him with a cleaver. The ground was frozen too hard to bury Dealy. And Wilson was too small to carry him all in one piece. He therefore cut him up and tried to sink him in the river": McDade 1108.

# Artwork, Broad­sides, Ephemera

## IMPRESSIVE PORTRAIT OF U.S. SUPREME COURT CHIEF JUSTICE TANEY

113. [AMERICAN SCHOOL,  
19TH/20TH CENTURY].  
[HEALY, GEORGE P.A. (1813–1894), AFTER].  
[TANEY, ROGER BROOKE (1777–1864)].

[\[Portrait of Roger Brooke Taney\].](#)

40–3/4" x 33" (image size). N.p., n.d. \$6,500.



Oil on canvas in ornate nineteenth-century gilded wood frame, plaque reading "Rodger [sic] Brooke Taney/ Nat 1813–Ob 1864 / Chief Justice of the United States 1836–1864" to head of frame. A few small nicks and chips to frame, gilding slightly dulled, otherwise fine. \$6,500.

TANEY held many state and federal political and legal positions and became chief justice of the United States Supreme Court in 1836, a post he held until his death in 1864. As chief justice, he is known for the notorious Dred Scott decision (1857), which ruled that a slave who had resided in a free state or territory was not entitled to his freedom and that African-Americans were not and could never be citizens of the United States. It also invalidated the Missouri Compromise of 1820, which prohibited slavery west of Missouri and north of latitude 36E30'. This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.

## PUT THAT GUN AWAY



114. [BROADSIDE].  
[ARIZONA].

[No Shooting on These Premises.](#)

Phoenix, AZ: G.G. Morgan Ptg. Co., c.1920.

12" x 8–3/4" broadside printed on linen cloth. Light soiling, light fraying to edges. A curious item. \$250.

THIS BROADSIDE was issued in the early years of Arizona's statehood. Today, Arizona has some of the least restrictive gun laws in the United States.

UNRECORDED BROADSIDE ADVERTISING
"A MOST SPLENDID PROCESSION" FOR A RADICAL ORATOR

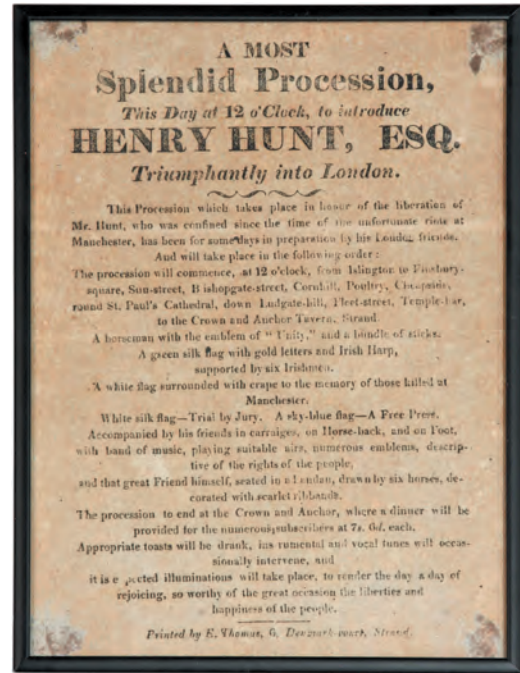
115. [BROADSIDE].
[HUNT, HENRY (1773-1835)].

A Most Splendid Procession, This Day at 12 o'Clock, To Introduce Henry Hunt, Esq. Triumphantly into London.

London: Printed by E. Thomas, 6 Denmark Court, Strand, [1822].

9-1/4" x 7" broadside. Text in single column below headline. Light toning, small stains to corners from adhesive (?). Item framed and glazed. \$750.

HUNT was a radical orator who advocated parliamentary reform and the repeal of the Corn Laws. He was convicted and jailed for his participation in the infamous 1819 Manchester rally that became the Peterloo massacre when the police and army intervened. He was released in 1820. This broadside advertises Hunt's triumphal entry into London. It states that the procession will begin in Islington, accompanied by music, flags and banners, and finish at the Crown and Anchor Tavern, where a banquet will be held in Hunt's honor. Readers are invited to join the banquet, which will feature music, toasts and illuminations, for 7s.6d. This appears to be an unrecorded broadside.



THE DEADLIEST RAILROAD DISASTER OF ITS DAY



116. [BROADSIDE].
MCDEVITT, JOHN.

Disastrous Calamity on the North Pennsylvania Rail Road.

Philadelphia: John McDevitt, 1856.

14" x 10" broadside, verse text in four columns below headline with woodcut grave scene, text enclosed by woodcut decorative border. Light browning, a few small ink stains, some wear and several minor tears to edges, some repairs on verso with archival tape, very small burn hole to lower margin. \$950.

ALSO KNOWN AS the Camp Hill Disaster and Picnic Train Tragedy, the Great Train Wreck of 1856 occurred in Whitemarsh Township, Pennsylvania, between Camp Hill Station and Fort Washington Station, on July 17, 1856. It was caused by a collision by two trains traveling on the same track in converging directions. Between 59 and 67 were killed and over 100 were wounded. It was the deadliest railroad catastrophe in the world up to that time. This verse account is rare and apparently unrecorded. OCLC locates 1 copy (at the Hagley Museum). We also located a copy at the Library of Congress.

## NASSAU COUNTY REWARD POSTER FROM 1901

117. [BROADSIDE].  
[MURDER].  
[NASSAU COUNTY, NEW YORK].

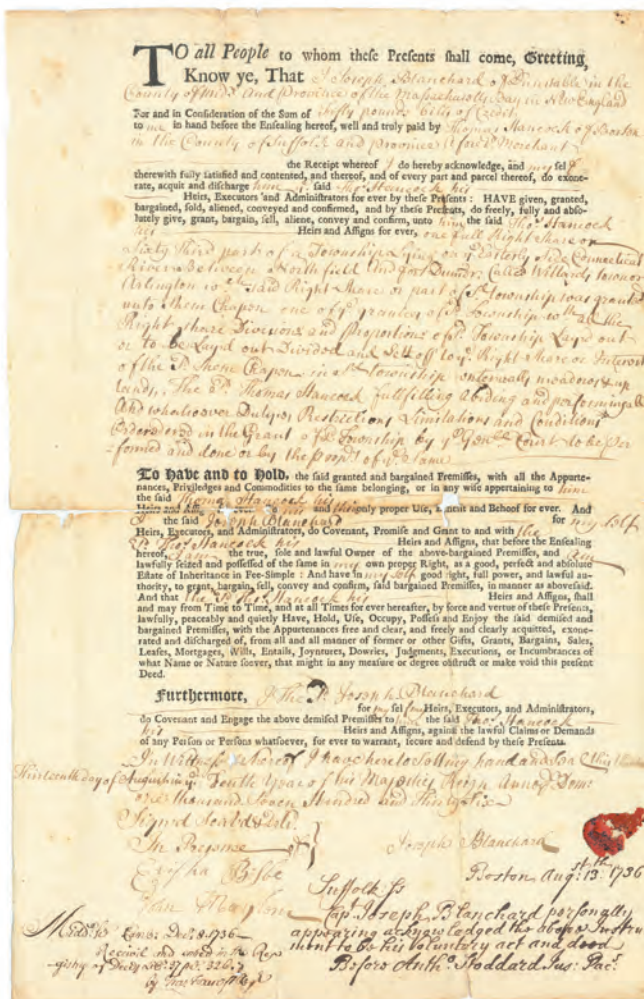
[\\$250 Reward. The Above Reward Will be Paid to the Person or Persons Who Will Deliver Into My Custody John Bausch the Alleged Murderer of Arthur Gschwind.](#)

Mineola, NY: S.n., May 18, 1901.

19-3/4" x 12" broadside, main text in single column below headline. Moderate toning, a few tiny holes, negligible light spotting near corners, faint fold lines, a few clean tears carefully mended on recto with archival tape. \$500.

SIGNED IN TYPE by William H. Wood, Sheriff of Nassau County, this wanted poster provides a detailed description of the alleged murderer, a German who speaks broken English and "gesticulates when speaking."

## ONE OF BOSTON'S WEALTHIEST MEN ACQUIRES LAND



118. [DEED OF SALE].  
[HANCOCK, THOMAS (1703-1764)].  
[BLANCHARD, JOSEPH (1704-1758)].

[To All the People to Whom These Presents Shall Come, Greeting, Know Ye...](#)

May 4, 1789.

15" x 9-3/4" part-printed document, inscribed in neat hand, docketed on verso. Moderate browning and some edgewear, vertical and horizontal fold lines, partial split with a few tiny chips along central horizontal fold. An interesting item. \$850.

A PARTIALLY PRINTED DEED for the purchase of a sixty-third part of a new township, in middle Massachusetts, on the "Easterly side of the Connecticut River between Northfield and Fort Dummer called Willard town or Arlington." The buyer was a savvy 33 year old rising star among Boston merchants, Thomas Hancock, who started in the book trade, expanded into importing and exporting, and later who became one of Boston's wealthiest men. When his health failed he passed his business and fortune to his nephew and ward, future Founding Father John Hancock. The date was only one year after the announcement of the cessation of hostilities in the Wabanaki-New England War by Massachusetts Lieutenant Governor Dummer,

after whom the Fort was named (the area included the Western area of fighting). It was sold to him by Joseph Blanchard, Dunstable, [now New Hampshire] who a year earlier was a lieutenant in the New Hampshire Militia in the war. It is also signed and recorded by the great-grandson of Springfield's founder William Pynchon also named William Pynchon. Also signed by Anthony Stoddard recently appointed judge, and a Harvard graduate. An early bill of sale related to many important founding families in Massachusetts.



**\$250**  
**REWARD.**

The above reward will be paid to the person or persons who will deliver into my custody

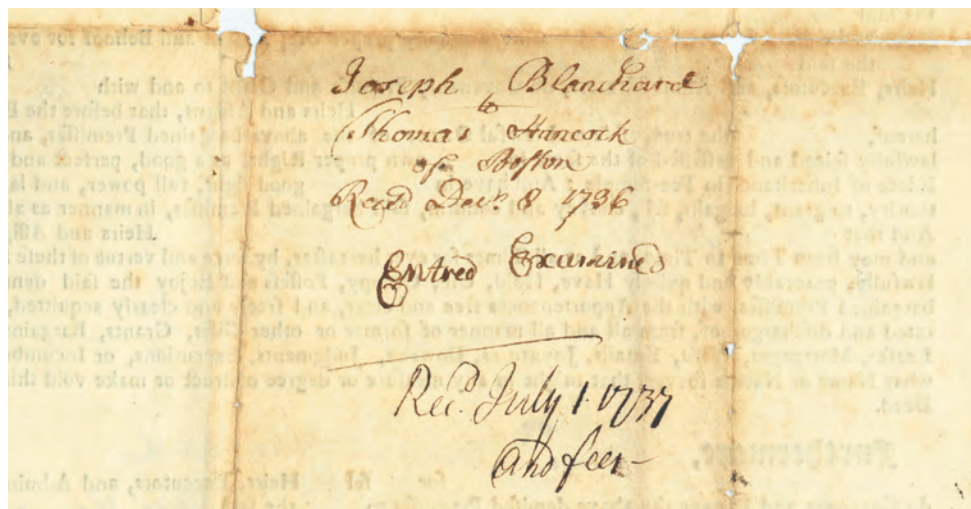
**JOHN BAUSCH**

the alleged murderer of ARTHUR GSCHWIND.

Description---5 ft. 10; weight about 180; aged 50; eyes light grey; mustache dark, sandy tinged with grey, heavy and bushy; hair dark, tinged with grey; eye-brows heavy; complexion florid; German nativity; speaks in broken English; gesticulates when speaking; when last seen was dressed in small check brown coat and vest, light striped trousers, dark brown fedora hat.

**WILLIAM H. WOOD,**  
Sheriff of Nassau County.  
Dated Mineola, N. Y., May 18, 1901.

N° 117



Detail from N° 118



ОПРЕДЕНА КОМИСИЯ ПО БЕЗОПАСНОСТ  
НА ДВИЖЕНИЕТО - ВРАЩА КУЛТУРА И НАВЪН  
ОПРЕДЕНА КОМИСИЯ ПО БЕЗОПАСНОСТ  
НА ДВИЖЕНИЕТО - ВРАЩА КУЛТУРА И НАВЪН

**МОГА ДА ОПРЕДЕЛЯ ВИНАТА.НО НЕ МОГА ДА ВЪРНА ЖИВОТА !**



## “I CAN DETERMINE GUILT, BUT I CANNOT RETURN LIFE”

119. [IVANOV, D., ARTIST].  
DISTRICT SAFETY COMMISSION.

[\[Traffic-Safety Poster Depicting Lady Justice\]](#).

[N.p. (Bulgaria?), n.d.]. 40" x 27"

Light edgewear with a few nicks and minor tears to margins, colors vivid. A well-preserved item. \$750.

THIS BRIGHT BLUE POSTER is dominated by a large image of Lady Justice above a caption reading: "I Can Determine Guilt, But I Cannot Return Life." The white illustration and text jumps off the page. The right side of the scale depicts a crushed car with a license plate reading 5931, the left a prisoner's uniform stamped with the same number. The illustration says you will exchange your license plate number for a prisoner's i.d. number if you are responsible for a traffic fatality.

## PORTRAIT PHOTOGRAPH OF LYNDON JOHNSON INSCRIBED TO SUPREME COURT JUSTICE AND UN AMBASSADOR ARTHUR GOLDBERG

120. JOHNSON, LYNDON BAINES [1908-1973].  
[GOLDBERG, ARTHUR (1908-1990)].

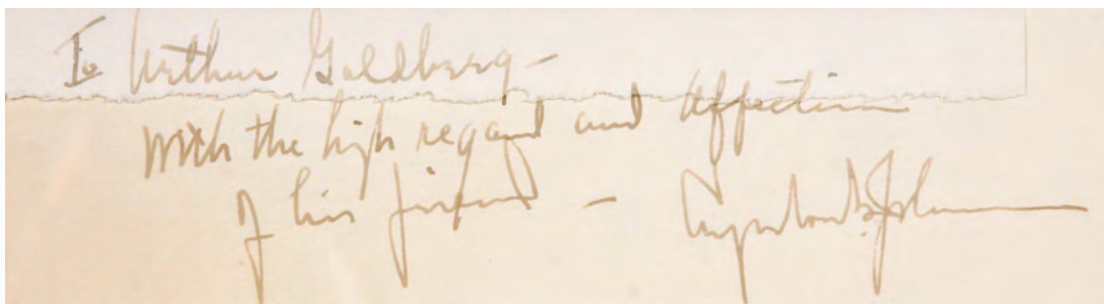
[\[Photograph of Johnson Inscribed to Goldberg\]](#).

N.p., N.d. (1965?).

8" x 10" color portrait photograph, printed credit in the image at bottom left, glazed and framed in tasteful black-and-gold wooden 16" x 19" frame. Bold inscription and full signature below image. A few tiny nicks to frame, image fine. \$5,000.



THE (UNDATED) INSCRIPTION reads "To Arthur Goldberg- / With the high regard and affection / of his friend- / Lyndon B. Johnson." Appointed by President Kennedy, Goldberg was an Associate Justice of the U.S. Supreme Court from 1962 to 1965 and one of the most significant justices of the twentieth century. In his three terms on the bench he pushed the Court toward a broader construction of personal rights, a course it followed over the following two decades. He is best known for his influential 1963 internal Supreme Court memorandum that condemned capital punishment as an example of "cruel and unusual punishment," as defined by the Eighth Amendment, and his opinion in *Griswold v. Connecticut* (1965), which argued against a Connecticut law banning the use of contraceptives because it violated an un-enumerated right to privacy guaranteed by the Ninth Amendment. The memo initiated a wave of litigation and legislation that led to the abolition of the death penalty in several states; the *Griswold* opinion laid the foundation for *Roe v. Wade* (1973), which established a women's right to have an abortion. When Adlai Stevenson, Ambassador to the United Nations, died in 1965 President Johnson decided to appoint Goldberg to fill his seat. Johnson's larger plan was to put Abe Fortas on the bench because he knew Fortas would defend his Great Society programs (and spy on the Court for him). Probably a recipient of the legendary Johnson "treatment," Goldberg was persuaded to resign while flying to Stevenson's funeral on Air Force One. Goldberg went on to say that he accepted the UN Ambassadorship in order to resolve the Vietnam Conflict. This photograph may be a memento of that 1965 flight, or one of the tools Johnson used to persuade Goldberg.



Detail from N° 120



1907 CHARMING VERNACULAR FOLK ART TEXTILE  
DEPICTING THE GREAT SEAL OF THE UNITED STATES

121. [VERNACULAR FOLK ART].  
[AMERICAN FOLK ART].

[\[American Vernacular Folk Art Textile Version of the Great Seal of the United States, Dated 1907\].](#)

25" x 40", mounted to wooden frame.

\$2,500.

TEXTILE HOOKED RUG with bound edges has a large eagle in the center below the date 1907 against a background of stars and other decorative devices. The position of the eagle's head and wings, and what appears to be a shield below its body, suggests that it is a version of the Great Seal of the United States. A unique piece.



*Tailpiece from N° 15*

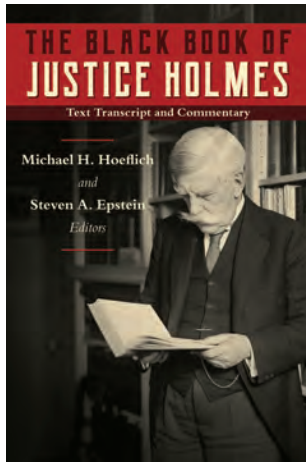
## REFERENCES CITED

- ADAMS, H.M. *Catalogue of Books Printed on the Continent of Europe, 1501-1600* (Cambridge, 1967. Reprint. Mansfield, CT, n.d.).
- Allgemeine Deutsche Biographie <https://www.deutschebiographie.de/>. Cited as ADB.
- BABBITT, CHARLES J. *Hand-List of Legislative Sessions and Session Laws, Statutory Revisions, Compilations, Codes, Etc., And Constitutional Conventions of the United States and Its and of the Several States to May 1912* (Boston, 1912. Reprint. Clark, 2003).
- BAUDRIER, HENRI-LOUIS, AND JOSEPH BAUDRIER. *Bibliographie Lyonnaise* (Geneva, 1950-1952).
- BEALE, JOSEPH HENRY. *A Bibliography of Early English Law Books* (Cambridge, 1926. Reprint. Buffalo, 1966).
- British Museum Catalogue of Printed Books to 1955* (Compact Edition) (New York, 1967). Cited as BMC.
- CAMUS, ARMAND-GASTON. *Bibliothèque Choisie des Livres de Droit* (Brussels, 1833. Reprint. Hindesheim, 1976).
- CARLTON, HIRAM. *Genealogical and Family History of the State of Vermont* (New York, 1903).
- CARTER, JOHN, AND PERCY H. MUIR. *Printing and the Mind of Man* (Oxford, 1967). Cited as PMM.
- CASWELL, JEAN, AND SIPKOV, IVAN. *The Coutumes de France in the Library of Congress: Annotated Bibliography* (Washington, DC, 1977. Reprint. Clark, NJ, 2006).
- Catalogue of the Library of the Law School of Harvard University* (Cambridge, 1909. Reprint. Buffalo, 1967). Cited as HLC.
- Censimento Nazionale delle Edizione del XVI Secolo*. [http://edit16.iccu.sbn.it/web\\_iccu/ihome.htm](http://edit16.iccu.sbn.it/web_iccu/ihome.htm). Cited as EDIT16.
- CLAGETI, HELEN, AND DAVID M. VALDERRAMA. *A Revised Guide to the Law and Legal Literature of Mexico* (Washington, DC, 1973).
- COHEN, MORRIS. *Bibliography of Early American Law* (Buffalo, 1998-2003). Cited as Cohen.
- COLLINS, LEWIS. *History of Kentucky* (Maysville, KY, 1847. Reprint. Lexington, KY, 1968).
- COQUILLETTE, DANIEL. *The Civilian Writers of Doctors' Commons, London* (Berlin, 1988).
- ELLER, CATHERINE SPICER. *The William Blackstone Collection in the Yale Law Library* (New Haven, 1938. Reprint. Union, NJ, 1993).
- EMERY, SAMUEL HOPKINS. *History of Taunton, Massachusetts: From its Settlement to the Present Time* (Syracuse, NY, 1893).
- English Short-Title Catalogue* <http://estc.ocr.edu/>. Cited as ESTC.
- FELCONE, JOSEPH J. *New Jersey Books* (Princeton, 1992-1996).
- FORD, WORTHINGTON CHAUNCEY. *British Officers Serving in America: 1754-1774* (Boston, 1894).
- GAY, JULES. *Bibliographie des Ouvrages Relatifs à l'Amour* (Paris, 1864).
- GOURON, ANDRÉ, AND ODILE TERRIN. *Bibliographie des Coutumes de France: Éditions Antérieures à la Révolution* (Geneva, 1975).
- HOLDSWORTH, SIR WILLIAM S. A *History of English Law*. Third Edition by A.L. Goodhart and H.G. Hanbury (London, 1987). Cited as Holdsworth.
- HOWES, WRIGHT. *U.S. Iana, 1650-1950* (New York, 1962).
- JANTZ, HAROLD. *German Baroque Literature: A Descriptive Catalogue of the Collection of Harold Jantz* (New Haven, 1974).
- JUMONVILLE, FLORENCE M. *Bibliography of New Orleans Imprints, 1764-1864* (New Orleans, 1989).
- LAEUCHLI, ANN JORDAN. A *Bibliographical Catalog of William Blackstone* (Getzville, NY, 2015).
- LOWNDES, WILLIAM THOMAS. *Bibliographer's Manual of English Literature* (London, 1864. Reprint. Detroit, 1967).
- MARVIN, J.G. *Legal Bibliography, Or Thesaurus of American, English, Irish, and Scotch Law Books, Together with Some Continental Treatises*. (Philadelphia, 1847. Reprint. Buffalo, 1953).
- MCCOY, RALPH E. *Freedom of the Press: An Annotated Bibliography* (Carbondale, IL, 1968).
- McDADE, THOMAS M. *The Annals of Murder* (Norman, OK, 1961).
- Online Computer Library Center*. <http://www.oclc.org/>. Cited as OCLC.
- PALAU Y DULCET, ANTONIO. *Manual del Librero Hispano-Americano* (Barcelona, 1948-1977).
- PAZZAGLINI, PETER RAYMOND, AND CATHERINE A. HAWKS. *Consilia: A Bibliography of Holdings in the Library of Congress* (Washington, DC, 1990).
- RENOUARD, PHILIPPE; MOREAU, BRIGITTE. *Inventaire Chronologique des Éditions Parisiennes du XVIe Siècle* (Paris, 1977).
- SABIN, JOSEPH. *A Dictionary of Books Relating to America* (New York, 1960-1966).
- SHAW, RALPH R., AND RICHARD H. SHOEMAKER. *American Bibliography* (Metuchen, NJ, 1958-1966).
- SOWERBY, E. MILLICENT. *Catalogue of the Library of Thomas Jefferson* (Washington, DC, 1952-1959. Reprint. Clark, NJ, 2010).
- STINTZING, RODERICH VON, AND LANDSBERG, ERNST. *Geschichte der Deutschen Rechtswissenschaft* (Munich, 1880-1884. Reprint. Aalen, 1978).
- STOBBE, OTTO. *Geschichte der Deutschen Rechtsquellen* (Leipzig and Braunschweig, 1860-1864. Reprint. Aalen, 1964).
- TER MUELEN, JACOB, AND DIERMANSE, P. J. J. *Bibliographie des Écrits Imprimés de Hugo Grotius* (The Hague, 1950).
- TOWER, CHARLEMAGNE. HISTORICAL SOCIETY OF PENNSYLVANIA. *The Charlemagne Tower Collection of Colonial Laws* (Philadelphia, 1890). Cited as Tower.
- Universal Short-Title Catalogue*. <http://www.ustc.ac.uk/>. Cited as USTC.
- Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts*. <http://www.vd16.de>. Cited as VD16.
- Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 17. Jahrhunderts*. <http://www.vd17.de>. Cited as VD17.
- Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts*. <http://www.vd18.de>. Cited as VD18.
- WALKER, DAVID M. *The Oxford Companion to Law* (Oxford, 1980).
- WOLFE, THOMAS J. *A History of Sullivan County, Indiana* (New York, 1909).

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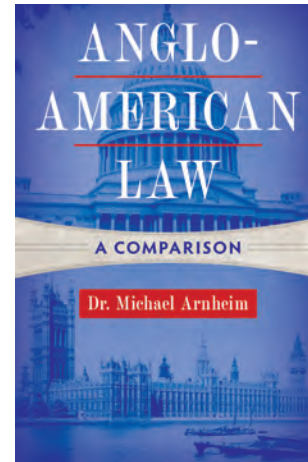
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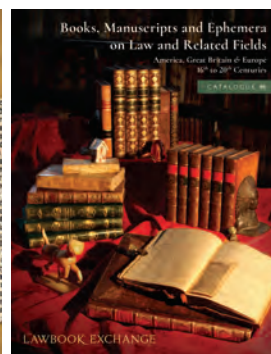
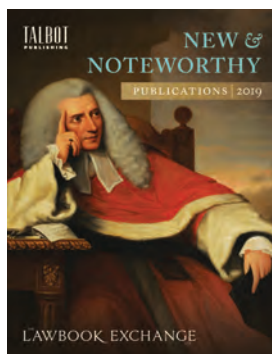
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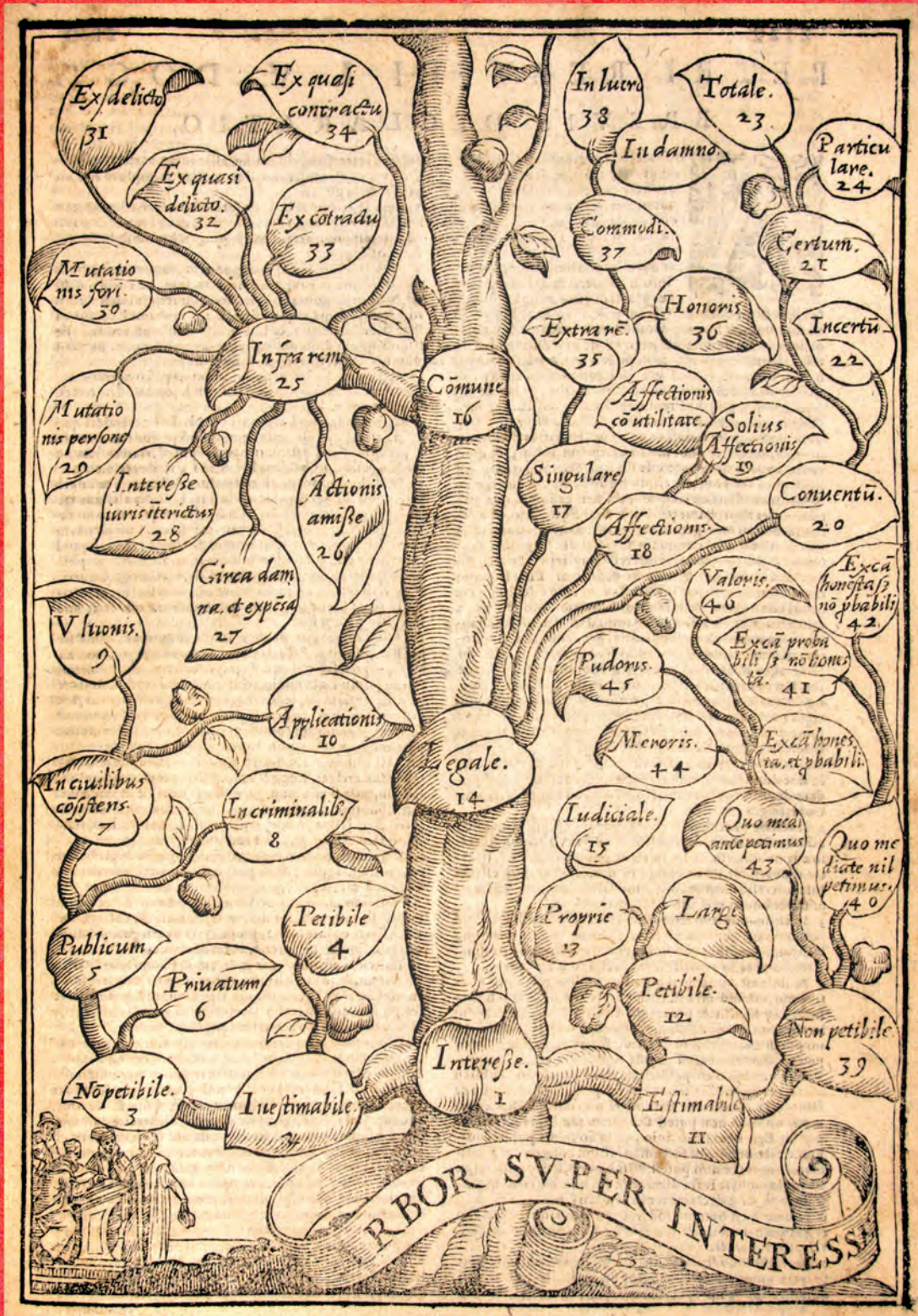
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