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At New York, on Thursday last, of a wound received the morning previous in a duel with Col. Burr, Gen. ALEXANDER HAMILTON. We are not enabled to add particulars, nor are we disposed to offer any reflections on this melancholy event, at present. In some future number, we shall endeavor to evince our respect for this truly great man. The gentlemen of the bar, who were attending the Circum stance at Cleresock, on hearing the confirmation of the above intelligence, unanimously agreed to wear a cravat on the left arm for one month, as a token of their regard for Gen. Hamilton.
1 BARLOW, THEODORE [D. 1749].

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


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

An appealing copy. $450.

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

2 BAYNE, ALEXANDER [D. 1737].

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


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

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

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


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

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

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

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

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


[AND]

BLACKERBY, SAMUEL.
BLACKERBY, NATHANIEL.

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


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

$650.

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

5 BOHUN, W[ILLIAM].

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


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

$250.

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

6 [BROADSIDE].
[EXECUTION]
[GREAT BRITAIN].
Farewell to the World of Richard Bishop, Who Now Lies Under Sentence of Death in Maidstone Gaol, For the Murder of Alfred Cartwright.

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

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

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

7 [BROADSIDE].
KILLEN, THOMAS J.


[Hannibal, MO? 1854].

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

AN APPARENTLY UNRECORDED BROADSIDE issued by Judge Thomas J. Killen in response to an attack published by a former litigant, John Poynter McMillin. McMillin, who lives “within three miles of the City of Hannibal,” lost a lawsuit decided by Judge Killen. McMillin then published his version of the trial and his testimony in an attempt to refute the verdict against him. Killen’s broadside is a rebuttal. It reads, in part: “To the Public. In a handbill dated April 31, 1854, and signed in large capital letters ‘John Poynter McMillin,’ that gentleman makes ‘three specific charges’ against the Rev. Matthias M. Barron. On these charges I have nothing to say. Mr. Barron is an aged gentleman, well known to this community; but when J.P. McMillin, in his hot haste to prove his charges and thereby prevent himself from ‘sinking to the degraded level of a mere slanderer,’(as he terms it,) attempts to give the public a history of his lawsuit, and in so doing, misrepresents every important
event of said lawsuit; and even publishes downright falsehood, concerning it. I take it upon myself as a party misrepresented, and falsified, to give the public a correct statement of said lawsuit.” Killen goes on to disprove McMillin’s “superlatively ridiculous” charges, mocks his evident insolvency, suggests he is a deadbeat, and assures McMillin: “you may banish fears of sinking to the degraded level of a mere slanderer. Both your tongue and your pen, sir, have lost all power of slander, or detraction; true like the native polecat, they may occasionally offend and disgust the community yet no one blames it because it is the nature of the beast.” No copies located on OCLC or the online catalogs of AAS, Harvard or the Library of Congress.

1880 BROADSIDE SOLICITING “WIDE-AWAKE” AGENTS TO SELL COPIES OF A LEGAL GUIDE FOR BUSINESSMEN

8 [BROADSIDE]. [LEGAL PUBLISHING]. [UNITED STATES].

Paying Employment! A Fortune for Agents! $50.00 to $175.00 for Month. A Success with Agents. A New Book. How to be Your Own Lawyer. Every Wide Awake Agent Should Now Share in the Large Profits Being Made by Those Who Push the Agency for the Complete Encyclopaedia of Business Law and Forms. By Hon. Hugh M. Spalding [Running Title].


18-3/4” x 16” broadside, some wear and chipping to edges, a few minor stains, small tear near upper left corner just touching text. $500.

INTENDED TO BE POSTED “IN A CONSPICUOUS place,” this is a broadside from Zeigler recruiting agents to sell Spalding’s Encyclopaedia of Law and Forms from door to door. The hyperbole of this broadside contains some truth. Whatever the outcome for its salesmen, this was a popular book. First published in 1877, it went through later editions in 1880, 1891, 1894, 1899 and 1903. This appears to be an unrecorded broadside.
9 [BROADSIDE].
[MURDER/SUICIDE].
[BAVARIA, GERMANY].

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

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

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

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

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

Commonwealth of Massachusetts. (Tax No 3.).

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

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

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

**LAND TENURE ON ECCLESIASTICAL PROPERTY**

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

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


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

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

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**IMPORTANT SEVENTEENTH-CENTURY LAW DICTIONARY**

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

*Lexicon Juridicum: Iuris Caesarei Simul et Canonici: Feudalis Item, Civilis, Criminalis, Theoretici Ac Practici; Et in Schola et in Foro Usitatarum: Ac Eum ex ipso Iuris Utiusque Corpora, Tum ex Doctoribus & Glossis, Tam Veteribus, Quam Recentiorebus, Collectarum; Vocab Penus: Simul & Locorum Communium & Dictionari*

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

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

**LATER EDITION.** Edited by Denis Godefroy and Hermann Vulteus, who added prefaces. Calvinus was a German jurist and professor of law at the University of Heidelberg who wrote several books on politics, Jewish law and Roman law. The Lexicon Juridicum proved to be his most honored and durable publication. First published in 1600, it went through numerous editions during the seventeenth and eighteenth centuries. It draws on several authors, including Albericus, Brisson, Cicero, Hotoman and Tacitus. A scholarly work, it contains an extensive list of sources. The definitions are admirably clear and concise; each one includes a list of citations. Roberts says this dictionary is “more useful” than those of Vicat and Brisson. Roberts 72 (citing other editions). This edition not in *VD17*.
13 [CANON LAW].
GANGRA, SYMON OF.
QUINTIN, JEAN [1500–1561]. EDITOR.

_Synodus Gangrensis, Evangelicae Promulgationis anno Circiter Trecentesimo Congregata. Iam tot Abiere Secula, Seuli Praesentis Errores Multasque Multorum Superstitiones et Impietates Condempnam. Explicata Commentariolis Joannis Quintini Haedui, Iuris Doctoris, & Ordinarii Professoris, In Foeunda Sanctorum Studiorum Parente, Parisiorum Universitate. Ex Gratiani Distinct. XXX._


[BOUND WITH]

QUINTIN, JEAN.

_Gratian, The Canonist._


[AND]

ZONARAS, JOANNES [12TH C.]

_CASAUBON, ISAAC [1559–1614], ANNOTATOR.
QUINTIN, JEAN, PREFACE._

_Octoginta Quinque Regulae, Seu Canones Apostolorum: Cum Vetustis Joannis Monachi Zonarae in Eosdem Commentariis, Latinè Modò Versis._


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

$2,500.

_THIS VOLUME COLLECTS THREE BOOKS_ relating to early canon law. _Synodus Gangrensis_ reviews Gratian’s analysis of the decrees of the Synod (of Council) of Gangra. These decrees were later ratified by the Council of Chalcedon, one of the seven ecumenical councils that established the canons of Christian belief and practice. _Apostoli Describentis_, also based on Gratian, is a study of canon law governing the conduct of clerics. _Octoginta Quinque Regulae_ is a study of the Apostolic Canons, the early ecclesiastical decrees concerning church government and discipline. All editions of these titles are scarce. Adams G211, Cl664, C545.
14 CAUSTEN, JAMES H. [1788–1874].

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


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

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

15 CLÉMENS, JACQUES.

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

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

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

ONLY EDITION. A study criticizing divorce and annulment under canon law. As its title indicates, it takes up the “two questions” in Examen de Deux Questions Importantes sur le Mariage. Comment la Puissance Civile Peut-Elle Déclarer des Mariages Nuls, Sans Entreprendre sur les Droits de la Puissance Ecclesiastique? Quelle est en Conséquence, l’étendue du Pouvoir des Souverains sur les Empêchemens Dirimans le Mariage, a work published anonymously by Pierre Le Ridant in 1753. Ridant’s work defends the supremacy of canon law and Church authority, Clémens’s work argues for the supremacy of local law and sovereigns. A controversial publication, it was banned by Maria Theresa, Empress of the Austrian Empire, which then included Liège (as part of the Austrian Netherlands). Possession of this book would result in a fine of 300 florins. A high-quality facsimile of this edict is laid into our copy. OCLC locates 2 copies in North America (UC-Berkeley Law School, University of Pennsylvania). De Theux, Bibliographie Liégeoise 611–612.
16 COMBER, THOMAS [1645–1699].

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


Contemporary calf, rebacked in period style, blind rules and panels to boards, raised bands, blind ornaments and lettering piece to spine, upper corner of rear board and hinges mended. A few minor nicks and scuffs to boards, light rubbing and a few nicks to extremities, corners bumped and lightly worn. Front free endpaper lacking, original lower half of final leaf (l.l. p. 247) lacking with minor loss to text, the word “Finis” below last sentence, leaf carefully repaired with recent paper. Light toning to text. 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.

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

$450.

WITH EXTENSIVE MANUSCRIPT ADDITIONS CONCERNING TOLL BRIDGES, TAXATION AND VETERANS

17 [CONNECTICUT].


Bound with


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.

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 deals 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.

$750.
18 [CUBA].
[‘COOLIE’ LABOR].


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

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

19 CUNNINGHAM, TIMOTHY [D. 1789].

A New Treatise on the Laws Concerning Tithes: Containing All the Statutes, Adjudged Cases, Resolutions and Judgments Relative Thereto, Under the Following Heads: Chap. I. Definition of Tithes, Parsonage, Vicarage, Impropriation, and Appropriation; And of the Origin, Nature, and Several Kinds of Tithes. II. Out of What Things Tithes Shall be Paid; What Lands are Subject to Tithes, And the Several Statutes for Dissolving Abbies, Monasteries, And Other Religious Houses, And Vesting Their Lands in the King; What Lands are Discharged from Tithes by These Acts Respectively, With a Catalogue of the Monasteries Dissolved by stat. 31 Hen. 8. of the Yearly Value of 200l. And Upwards; What Order They Were of, And the Times of Their Respective Foundations. III. Of Exemptions from Payment of Tithes; And of Modus, Custom, And Prescription. IV. An Alphabetical Table or Index of Things Titheable, And not Titheable. V. Of Setting Out, And taking and Carrying Away Tithes. VI. Of the Remedies for Recovering Tithes, And the Several Acts of Parliament Made for that Purpose. VII. Of Suits in the Court of Exchequer Concerning Tithes, And the Proceedings in such Suits. VIII. Of Prohibitions in Suits for Tithes. IX. Of Leases of Tithes, For Lives or Years, By Ecclesiastical Persons. X. Of the Manner of Paying Tithes, And the Sums Payable by the Respective Parishes in London. XI. Cases Concerning Tithes, Determined in the Court of King’s Bench, By the Earl of Hardwicke, And Lord Mansfield. Corrected and Enlarged; With the Addition of Several Cases Never Before Printed.


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

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


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

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

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

21 D’AFFLITTO, GAETANO ANDREA (CESARE).

Controversi iuris Resolutiones cum Novissimis Decisionibus Supremor Regni Neap. Tribunalium.


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

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

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


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

LATER EDITION. This venerable justice of the peace manual went through some twenty editions between 1618 and 1746. This work is also significant because it firmly established the alphabetical topical structure adopted in later texts. Rooted in Crompton, Fitzherbert and Lambard, the Country Justice offers advice on such matters as buggery, customs, highways, prisons, riots, soldiers, murder, felonies, rogues and vagabonds, wool, and high treason. ESTC R27851.

23 DAMHOUDER, JOSSE DE.

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


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

FIRST PUBLISHED IN 1554, this was the first comprehensive study of criminal procedure published in northern Europe. A synthetic work drawn mostly from Roman-Dutch sources, it was based on, in some cases plagiarized from, Philip Wielant’s Proctycke Crimineele (1439–1519) and other earlier treatises. Published in Latin, Dutch and French, it was the standard authority throughout the continent for many years. This Antwerp edition from 1561 is illustrated throughout with 68 woodcuts depicting torture, war, parricide, adultery, murder, theft, piracy and many other crimes. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. This edition not in Dekkers. OCLC locates 3 copies, 2 in North America (Emory University, Harvard Law School).
24 DAMHOUDER (DAMHOUTERE), JOOST DE [1507–1581].


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

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

$1,950.

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

25 DARROW, CLARENCE [1857–1938].

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

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

Addressed to a Mr. Becker (or Beber) and signed by a bold signature, this note relates to a business or legal matter in Omaha, Nebraska. It reads (in part): “I could come to Omaha, but would not want to promise after Dec 15th. I am selling 500- [illegible] of which I would pay my own traveling expense.” The firm of Darrow, Smith, Cronson & Smith existed from 1925 to 1929. Darrow’s relationship with these attorneys began when he opposed them during the trial of Leopold and Loeb.
26 [DICKINSON, JOHN (1732–1808)].

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


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

$1,750.

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

27 DUDLEY AND WARD, JOHN WARD, VISCOUNT [c.1700–1774].
CUNNINGHAM, TIMOTHY [d. 1789].

The Precedents and Supplement to the Law of a Justice of Peace and Parish Officer; &c. Under the Title Appeal, In the Precedents, Are the Proceedings in Several Appeals of Murder, In the Reign of Queen Elizabeth and King James I, Now First Translated from the Latin Entries of Sir Edward Coke. The Supplement Contains Many Late Acts to the End of Last Session; And Under the Title Bricks and Tiles are Inserted at Large the Acts of 12 Geo. 1, c. 35; 2 Geo. 2, c. 15, And 3. Geo. 2, c. 22, Concerning the Making of Bricks and Tiles, As well Throughout the Kingdom in General, As More Particularly Within Fifteen Miles of the City of London: All which Acts Expired in the Year 1733, but were Revived, Continued, And Amended, By an Act of the Last Session.

London: Printed for W. Griffin, 1770. [iv], 128, [ii]; [ii], 119, [9]; 129–216, [10] pp. Two parts, each with index. Part II has divisional title page. Text complete. pp. 129–216 and one index leaf from Part I misbound as sections of Part II. Quarto (10-1/2" x 8").

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

$500.

ONLY EDITION. This book is a comprehensive supplement to Cunningham’s Practice of a Justice of Peace. A well regarded work published in 1762, it had a second edition in 1769. Precedents and Supplement is a scarce title. OCLC locates 12 copies, 6 in North American law libraries (College of William and Mary, Harvard, Ohio State, Osgoode Hall, University of Georgia, University of Pennsylvania). ESTC T11537.
28 DU PONCEAU, PETER STEPHEN [1760–1844].

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

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

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

ONLY EDITION. The Batture Controversy was one of the most important cases in American land law. It was an especially complicated case because it involved a clash between Federal law and the mixture of French and Spanish civil law practiced in New Orleans and Louisiana. A batture is a river embankment that is formed by the deposit of alluvial soil along a levee. Edward Livingston owned a property next to the Batture St. Marie, which he claimed as part of his property. When he attempted to improve it, the people of New Orleans objected. They claimed that battures were common property because they stood beyond levee walls and were thus part of the Mississippi. They appealed their case to the federal government, and the attorney-general decided in their favor. President Jefferson, who took a personal interest in the case, influenced the attorney-general’s decision. Livingston sued successfully for damages and a restoration to possession in the Federal court of New Orleans. He also brought an additional suit against Jefferson, who had recently left office. At this point Jefferson circulated a pamphlet that attacked Livingston. The present item is a response to Jefferson. Du Ponceau was a lawyer working on Livingston’s case. An important figure in the early history of American law and letters, Du Ponceau was born and educated in France and trained as lawyer in Philadelphia. A leader of the Philadelphia Bar, he founded the Law Academy of Philadelphia in 1821, was President of the American Philosophical Society and was a much-consulted expert on international relations and linguistics. OCLC locates 2 copies in law libraries (Louisiana State University, US Supreme Court). Cohen 11682.

FINANCING THE CHURCHES OF ENGLAND AND WALES

29 ECTON, JOHN [D.1730].

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


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

"SECOND" EDITION. ACTUALLY THE FIFTH. First published in 1711 as Liber Valorum et Decimarum, this is a list of all of the churches in England and Wales and their sources of income. In most cases extracts from procurations, synodal and decrees creating sources of income are included. Our 1754 edition is the second to bear the title Thesaurus Rerum Ecclesiasticarum. Later editions were published in 1763, 1785 and 1786, the final two editions with the title Liber Regis, Vel Thesaurus Rerum Ecclesiasticarum. ESTC T136240.
30 [FLORENTINUS, PAULUS (PAULO) ATTAVANTI (c.1445–1499)].

[Breviarium Totius Iuris Canonici, Sive Decretorum Breviarium].

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

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

THIRD EDITION, and the first of two editions published by Kunne. This edition of the Breviarium Totius Iuris Canonici, an elegant summary of the Corpus Juris Canonici, was the first book printed in Germany with an author portrait. It is a reprint, with some differences in appearance, of the first edition, which was printed in Milan by Leonardus Pachel and Ulrich Scinzenzeler on August 28, 1479. The woodcut in that edition was copied from another work of Paulus Attavanti, the Quadragesimale (Milan, September 10, 1479). This was the first book to feature an author portrait. In both the original portrait and its later copies, the initials under the figure identify the subject as “Magister Paulus Florentinus Ordinis Sancti Spiritus.” A member of the humanistic circle associated with Lorenzo de’ Medici and Marsilio Ficino, Paulus was praised for his culture and eloquence. OCLC locates 9 copies in North America, 2 in law libraries (Harvard, UC-Berkeley). Goff P180. GW M30141.
Details from No 30
31 FORSTER, ELIAS.

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

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


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

**LEGAL CHRONICLE OF A CRUCIAL YEAR OF THE FRENCH REVOLUTION**

32 [FRENCH REVOLUTION].

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

Dijon: De l’Imprimerie de P. Causse, 1792. [ii], 200 pp. 12mo. (5-1/2” x 3-1/4”). Contemporary speckled calf, gilt title to spine, speckled edges. Light rubbing to extremities, corners lightly bumped, minor worming to hinges and endpapers. Light toning to text, a few minor tears and chips, a few leaves loose. Brief early annotations to a few leaves, interior otherwise clean.

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

Vingtième Partie [April 10–May 15, 1791].
Dijon: De l’Imprimerie de P. Causse, 1792. [iii], 188 pp.

[BOUND WITH]

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

[AND]

Suite de L’Almanach National... Vingt-Deuxième Partie [June 1–June 28, 1791].
Dijon: De l’Imprimerie de P. Causse, 1792. [ii], 188 pp.

[AND]

Suite de L’Almanach National... Vingt-Troisième Partie [June 28–July 20, 1791].
Dijon: De l’Imprimerie de P. Causse, 1792. [ii], 200 pp.
33 FULLER, JOHN.

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


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

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

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

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

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

[AND]

[PARLIAMENT]. [PIRACY].


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

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

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

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

34 GENTLEMAN OF THE MIDDLE TEMPLE.

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

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

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

FIRST EDITION. Arranged alphabetically, this is a handbook for highway and parish officers. Later editions, titled The New Universal Parish Officer were published in 1764, 1767, 1771, 1774. It is attributed sometimes to Timothy Cunningham. The first edition is very scarce. OCLC locates 3 copies in North America, 2 in law libraries (Louisiana State University, UC-Berkeley). ESTC T123367.
**36 GRYPHIANDER, JOHANN (1580–1652).**

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


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

ONLY EDITION. An interesting treatise on laws concerning inland and oceanic maritime commerce with islands according to Roman law and the law of the Holy Roman Empire. The handsome frontispiece depicts several images associated with river and oceanic shipping: the gods Neptune and Aeolus, the Colossus of Rhodes and figures representing four major rivers of the Holy Roman Empire: the Rhine, Danube, Elbe and Weser. OCLC locates 5 copies in North America, 2 in law libraries (Columbia, Northwestern). VD17:013962B. $950.

**37 [HAMILTON, ALEXANDER (1755/57–1804)].**

_“The Knell” in The Balance and Columbian Repository, No. 29, Vol. III._

Hudson, NY, Tuesday, July 17, 1803 [i.e. 1804]. [8] pp. 10-3/4” x 8-1/2” disbound periodical, three-column text to rectos and versos, small text woodcuts. Light edgewear, light browning and foxing, few leaves loose.

**$850.**

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


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

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

$1,250.

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

A HANDY COLLECTION OF PRECEDENTS FOR ENGLISH JUSTICES OF THE PEACE

39 HARVEY, JAMES.

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

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

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

$300.

THIRD AND FINAL EDITION. First published in 1730 as A Collection of Precedents Relating to the Office of a Justice of Peace this is a useful collection of precedents organized alphabetically by topic. The preface and following chapter offer a good deal of interesting detail about justices and their place in the English judicial system. All editions of this title are scarce. OCLC locates 5 copies of the third edition in North American law libraries (Harvard, University of Michigan, University of Minnesota, Yale). ESTC N5614.
A Narrative of the Barbarous and Unheard of Murder of Mr. John Hayes, by Catherine His Wife, Thomas Billings, And Thomas Wood, On the 1st of March at Night. Wherein Every Minute Circumstance Attending that Horrid Affair, And the Wonderful Providence of God in the Discovery of the Actors Therein, Are Faithfully and Impartially Related. Together with the Examinations and Confessions of the Said Thomas Billings and Thomas Wood before Several of His Majesty's Justices of the Peace. As also the Copy of a Fictitious Letter that Catherine Hayes Sent, As from her Husband, To his Mother in Worcestershire After his Death; And the Mother's Answer Thereto: With some Account of the Wicked Life and Conversation of the Said Catherine, And Likewise of Those of Thomas Billings and Thomas Wood. To Which is Prefix'd, Their True and Exact Effigies, Drawn from the Life, And Curiously Engraved on Copper. Published with the Approbation of the Relations and Friends of the Said Mr. John Hayes.


[BOUND WITH]

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


Octavo (7” × 4-1/2”). Recent period-style quarter calf over marbled boards, gilt titles to spine. Moderate toning, light soiling and minor dampstaining in a few places, title page of Narrative trimmed with some loss of text at foot. Early ink scrawls to verso of frontispiece of Narrative with a bit of bleed-through, interior otherwise clean. $2,800.
41 HÉMARD, JOSEPH (1880–1961). ILLUSTRATOR.

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


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

$1,500.

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

42 HÉMARD, JOSEPH, ILLUSTRATOR.

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


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

$350.

FROM AN EDITION LIMITED TO 900 COPIES, this number 492.
43 HOLMES, OLIVER WENDELL, JR. [1841–1935].

*The Common Law.*

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

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

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

44 INNOCENT IV [1195–1254]. POPE.

**ROSELLI, LUCIO PAOLO [D. 1552],** ANNOTATIONS.

**UBALDI, BALDO DEGLI [1327?–1400],** COMMENTARY.

**LEGGE, LEONARDO [FL. C.1550–1580],** COMMENTARY.


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

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

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

EDIT16 CNCE43060.

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See page 3 for additional images.
45 JACOB, GILES [1686–1744].

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


[BOUND WITH]

JACOB, GILES.


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

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

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

46 JOHNSON, CUTHBERT WILLIAM [1799–1878].


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

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

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


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

Later printing of this landmark annotated critical edition, first published in 1583. Godefroy was a jurist, humanist, historian, scholar of Roman law and professor at the Universities of Geneva and Heidelberg. He was also the first to apply the collective name Corpus Juris Civilis to Justinian’s works on Roman law, which consists of the four books of the Institutes, the fifty books of the Digest, the twelve books of the Code and the Novels. This imprint is misleadingly designated the second Godefroy edition. It is actually the second Godefroy edition by Laemarius. It is not listed in Adams or the BMC.

48 Keble, Joseph [1632–1710].

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


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

First edition, one of three issues from 1683. This curious work combines elements of an abridgment, a digest and a traditional JP manual. It has two parts. The first is a chronological digest, with side-notes, of “the particular clauses of statutes of the order and introduction of the power of keeping the peace.” The second, and larger, part offers a digest of topics, from Abby to Women, “wherein Lambert, Crompton, and Dalton are reduced, and the Particular Statutes accommodate to present use.” A second edition was published in 1689. Keble was a notable reporter and the compiler of the important Statutes at Large (1676). ESTC R32999.
AN INTERESTING PERSPECTIVE ON EARLY-MODERN ENGLAND

49 LAMBARD(E), WILLIAM [1536–1601].

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

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

LAMBARD(E), WILLIAM.

*The Duties of Constables, Borsholders, Tythingmen, And such Other Low and Lay Ministers of the Peace. Whereunto be Adjoyned the Several Offi ces of Churches Ministers and Churchwardens, And Overseers for the Poore, Surveyors of the High-Waies, And Distributors of the Provision Against Noysome Fowle and Vermine.*

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

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

LATER EDITIONS. Lambard, or Lambarde, a barrister and legal historian, was the keeper of records at the Rolls Chapel and the Tower of London. First published in 1581, *Eirenarcha* is esteemed for its comprehensive and systematic account of local legal and political life. It was the standard authority for many years and often reprinted. Like many books of its kind, *Eirenarcha* offers fascinating insights into the society that produced it. This is evident in the detailed indictments for such offenses as murder via witchcraft, raping a child or maid (the age of distinction was ten), hearing a Catholic Mass, practicing usury and operating a bowling alley. A companion work first published in 1582, *The Duties of Constables* concerns the duties of other lay officers. Taken together, these books offer an interesting perspective on early-modern England. ESTC S108213, S108233.

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

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

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

Paris: Libraire D’Amyot, 1861. 119, [1] pp. Octavo. (9-1/2” x 6-1/4”). Contemporary signed morocco binding by Despierres, gilt frames enclosing arms of Count Walewski to boards, raised bands, gilt title and gilt Walewski crests to spine, all edges gilt, gilt inside dentelles, moiré-stamped endpapers, later armorial bookplate to front pastedown, woodcut of Walewski from a contemporary periodical laid in. Light rubbing to extremities, corners lightly bumped. Moderate toning, some leaves have light foxing, occasional small inkstamps to bottom margins. An appealing association copy of a scarce title. $1,750.

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

51 [LONDON].

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


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

ONLY EDITION. Very likely a political statement against possible encroachments on local power by the King or Parliament, this handbook from the time of the Civil War outlines the jurisdictions of London’s courts and London’s lord mayor. More than a historical artifact, it is useful for its insights into the city’s customary law and system of courts. OCLC locates 6 copies in North American law libraries (Harvard, Library of Congress, Northwestern, Osgoode Hall, UC-Berkeley, University of Pennsylvania). ESTC R210027.
52 MABLY, ABBE [GABRIEL BONNOT] DE [1709–1785].
Observations sur le Gouvernement et les Loix des Etats-Unis d’Amérique.
Somewhat later quarter calf over paper-covered boards. Light rubbing to boards, moderate rubbing to extremities, very light toning to text, somewhat heavier in places. A handsome copy. $450.
FIRST EDITION, ONE OF TWO ISSUES FROM 1784, the other version, 180 pp., lacks a preface, notes and index. “In four letters dated between 24 July and 20 August 1783, the Abbe Mably comments on the American approach to government as reflected in the constitutions of the thirteen states, and, more specifically, those of Massachusetts, Pennsylvania and Georgia. Replying to John Adams ‘in accordance with your desire,’ he offers advice on a national constitution, urging a loose federation rather than a strong central government and warning against excessive democracy. The book is dedicated to Adams…. Adams, in a postscript to V. 1 of his 1787 Defense of the Constitutions of the United States…minimizes his ‘desire’ and is less than appreciative of the advice. That work was probably designed in part as a response to Mably and other French critics” (Cohen). There is some debate about the priority of the 1784 Amsterdam imprint. Cohen, Howes and Sabin say it the first; Echeverria & Wilkie say it is the second. Most scholars agree with Cohen and Howes. This is one of two versions of this printing; page 159 is numbered 59, leaf G7 is signed G7. Howes M5, “aa.” Echeverria & Wilkie 84 66. Sabin 42923. Cohen 2761.

53 MACKENZIE, SIR GEORGE [1636–1691].
The Laws and Customs of Scotland, In Matters Criminal. Wherein is to be Seen How the Civil Law, And the Laws and Customs of Other Nations do Agree with and Supply Ours.
Edinburgh: Printed by George Swintoun, 1678. [xvi], 271, 269–581 pp. Final leaf of text (pp. 580–581) is a high-quality bound-in facsimile. Final leaf, a blank, lacking. Title page preceded by licence leaf. Quarto (8” x 6”).
Later calf, rebacked in period style retaining lettering piece, corners mended, endpapers renewed, hinges mended. Some rubbing to boards and edges of lettering piece. Title page printed in red and black. Light browning, minor worming in a few places, light edgewear to some leaves, heavier edgewear to preliminaries with very minor loss to text, light soiling to title page. Early and somewhat later owner signatures to front endleaf and title page, ink marks and finger smudges to a few leaves, interior otherwise clean. $250.
FIRST EDITION, ONE OF THREE ISSUES FROM 1678. Mackenzie’s was one of the earliest systematic studies of the criminal law. Notorious for his severity as a judge, his approach as a scholar is notably moderate and progressive, as we can see, for example, in his discussion of witchcraft. ESTC R19518.
54 [MANUSCRIPT].
[CUBA].
[JAMAICA].
[BROSA, ANTONIO].
[DUQUESNAY, CARLOS].

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

Jamaica, 1839–1842.

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

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

These letters were written at a time when the Cuban government had a constant fear of its slave and free-black population. The Haitian Revolution was a fairly recent event, the abolition movement was becoming more popular and there was constant talk about slave insurrections. What’s more, Cuba was a nation in a region with a majority population of free, enslaved and recently emancipated people of African origin. Addressed to the Capitan General de la Isla de Cuba from the consulate in Jamaica, these letters record impressions about the effects of abolition, which occurred in stages between 1834 and 1838. They were dispatched by two consular officials, Antonio Brosa and Carlos Duquesnay. The first letter, from March 28, 1839, reports that his troop level has dwindled down to 1,300 men, including 100 “negroes.” He is concerned about the effectiveness of this force and doubts the loyalty of his “negro” soldiers. The other letter by Brosa, dated July 20, 1839, requests a company of troops to address a “disorder” resulting from a group of “negroes” refusing to pay their rent. The Letter from Duquesnay, reports on a series of “disruptions” caused by “los emancipados.” Taken together, these letters record the anxiety of Cuba’s governing class over the shifting dynamics of slavery.

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

Introductio Ad Jurisprudentiam.

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

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

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

[Agreement to Rent Three Slaves].

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


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

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

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

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

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

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

Trial of Robert Hunter, Alias Robert Hunter Guthrie and John Mackie...

[Glasgow: April 29, 1818]. 18 ff. Last leaf partially blank, docketed on verso. Folio (12-1/2" x 7.5").

Disbound, light soiling and edgewear, three horizontal fold lines, lower portion of final leaf lacking with no loss to text. Content in neat hand throughout. $1,500.

59 [MANUSCRIPT].
WEBSTER, DANIEL [1782–1854].
[WENTWORTH, JOHN (1768–1811)].

[Receipt for Legal Services, Signed].


Moderate toning, fold lines, minor edgewear, short clean tear along one fold line, text in neat hand, docketed on verso. A well-preserved item. $1,500.

SIGNED BY WEBSTER AT BOTTOM with a note stating "Rec’d balance, June 29, 1811," this receipt lists eight legal services performed by Webster for John Wentworth between 1807 and 1811, with a total cost of $97.96. Webster began his career as an attorney. Admitted to the Boston bar in 1805, he established a practice in Portsmouth, NH in 1807 that continued until the beginning of his political career in 1813. Wentworth, the son of New Hampshire’s Colonial governor, was a legal writer and attorney in Portsmouth. This receipt shows that Webster and Wentworth enjoyed a collegial relationship. It lists fees for actions in suits between Wentworth and other parties, such as the Bank of New Hampshire. It also includes a credit for a near-complete set of Wentworth’s Complete System of Pleading.

60 [MANUSCRIPT ARCHIVE].
[SLAVERY].
[CUBA].

[Documents Relating to Cuban Slavery].

Havana, 1845–1886.

17 documents, 13 are 8-1/2” x 12-1/2,” 4 are 6” x 8-1/2,” (3 with conjugate blanks), manuscript in ink on versos, all have embossed stamps or inkstamps. Light to moderate toning, negligible light foxing, fold lines, light edgewear, a few minor worm holes, one item browned with moderate edgewear and a few chips, condition of group very good overall. $5,000.

SLAVERY EXISTED IN CUBA from the 16th century to 1886, when it was abolished by royal decree. These official documents record some of the everyday administrative aspects of Cuban slavery in its final decades. The group includes 4 sale documents (1872), 5 documents allowing slaves to travel (1845), including one signed by Duke Leopoldo O’Donnell [1809–1867], Captain General of Cuba, and 4 manumission documents (1872). The others address a freed slave that has fallen ill (1855), the state of freed slaves in Mantanzas (1886), the status of a freed slave and his daughter (1882) and the case of a freed slave who was mistakenly captured as a runaway (1868). Taken together, these items offer an interesting perspective on slavery as a conspicuous but administratively mundane aspect of Cuban society.
61 [MANUSCRIPT ARCHIVE]. [NEW HAMPSHIRE].

[Documents Relating to the Town of New Ipswitch, 1783–1813].

New Ipswich, NH, 1783–1813.

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

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

62 [MARRIAGE LAW]. [GREAT BRITAIN].

RECENTLY ACQUIRED BOOKS, MANUSCRIPTS & EPHEMERA

RECENTLY ACQUIRED BOOKS, MANUSCRIPTS & EPHEMERA

RECENTLY ACQUIRED BOOKS, MANUSCRIPTS & EPHEMERA

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

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

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

APPEALING COPY OF THE 1742 ACTS AND LAWS OF MASSACHUSETTS

[MASSACHUSETTS].

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


[BOUND WITH]

The Table [to the Acts]


[AND]


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

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

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

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

Stab-stitched pamphlet in pictorial wrappers. Some edgewear and chipping to extremities, spine worn, wrappers secure, light browning to text, internally clean. $850.

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

65 MERITON, GEORGE [1634–1711].


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


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

SEVENTH EDITION. Meriton was a lawyer and a prodigious writer on a wide range of well-received legal and non-legal topics. Born in the North Riding of Yorkshire, he is also remembered for his dialect poem The Praise of Yorkshire Ale (1683). First published in 1669, the Guide for Constables reviews the legal obligation, rights and limitations of lay officers other than justices of the peace. A durable work, it reached its eighth and final edition in 1685. All editions are scarce despite its popularity and long publication history. OCLC locates 5 copies of the seventh edition worldwide, 2 in North American law libraries (Harvard, University of Minnesota). The ESTC adds 3 more (Eton College, Guildhall Library, Library of Congress). ESTC R32425.
TRACTATUS JURIDICUS DE ALLUVIONE, INSULIS, ALVEA & JURE AQUARIO. ODER VOM WASSER-RECHT, IN SICH ENTHALTEND BARTOLI TRACTATUM DE FLUMINIBUS, DEN ER SONDERTYBERIAS GENENNET: WIE AUCH VOM RHEIN, UND ANDERN SCHIFF-UND NICHT SCHIFF-REICHEN WASSERN, UND DERN RECHTEN, ÜBLICHEN HERKOMCHEN UND GERECHTIGKEITEN.


[BOUND WITH]

TRACTATUS IURIDICUS DE MOLENDINIS IN GENERE, ET IN SPECIE POTISSIMUM DE BANNARIS, VON ZWANG-MÜHLEN.


[AND]


Quarto (8” x 6-1/2”). Contemporary vellum, lettering piece and early hand-lettered shelf number (?) to spine, colored edges. Light soiling and a few minor stains, corners bumped, bookplate residue to front pastedown. Moderate toning, somewhat heavier in places, occasional light foxing, early owner signature to front free endpaper. A handsome volume containing three scarce titles. $1,750.

MEURER, NOE [1525–1583].

BARTOLUS DE SAXOFERRATO [1314–1357].

First published in 1570, Meurer’s Tractatus is a legal study of rivers. It is grounded in an analysis of the Tractatus de Fluminibus by Bartolus of Saxoferrato. Meurer applies this analysis to issues concerning the Rhine and other waterways. As suggested by the frontispiece, he is concerned with navigation, fishing rights, alluvial rights, irrigation and motive power (for water wheels). A useful and well-received work, it went through ten editions. The other two works address other legal aspects of agriculture. Müller’s treatise, which was based on his doctoral dissertation, is a study of mills. The final work is an anonymously compiled anthology by several leading German jurists on grazing rights (in pastures). Noe: All are scarce. OCLC locates 3 copies of this edition in North America, 2 in law libraries (Harvard, Yale). This edition not in VD18 or the British Museum Catalogue. Müller: OCLC locates no copies in North America. Not in VD18. Berlich: OCLC locates 2 copies (Harvard Law School, UC-Berkeley Law School). Not in VD18.
67 MOLANUS, JOHANNES [1533–1585].


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

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

$1,250.

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

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

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

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

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

$2,500.
A SOPHISTICATED STUDY OF CRIME AND PUNISHMENT

69 MONTAGU, BASIL

Thoughts on the Punishment of Death for Forgery.

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

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

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

70 NELSON, WILLIAM [b. 1653]


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

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

42

CATALOGUE 85

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

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

Laws of New-York, From the Year 1691 to 1751, Inclusive.
Published According to an Act of the General Assembly.
[BOUND WITH]
An Ordinance for Regulating and Establishing Fees
[October 19, 1710] By His Excellency Robert Hunter, Esq...

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

FIRST EDITION. With a rare 8-pp. printing of the Ordinance. This volume was commissioned by the colonial assembly in order to codify the body of laws that had accrued since becoming a crown colony in 1690. The importance of this publication and New York is evident in its subscriber list, a virtual “who’s who” of colonial statesmen, such as Benjamin Franklin, James De Lancey and Charles Pinckney. It appears that fewer than 200 copies of this volume were printed, counting the 169 subscriber copies and three official copies produced for the colony. Our copy is enhanced by the inclusion of the 1710 Ordinance. Bibliographically distinct according to Evans and Benedict, it appears to be an integral part of our copy. An annotation on the front free endpaper states this copy was purchased at Parker’s shop for “30 sch n york Currency—February 5th.” Another annotation at the foot of the same leaf reads: “Stamford Nov. of 4th 1782. This certifies that this Book was taken a prize & condemned according to Law. Jabez Fitch Capt. Volunteers.” (Fitch, 1752–1838, organized the Connecticut regiment that he commanded.) A note on the title page says this book was purchased in Albany in 1853 from W.C. Little, the notable law bookseller and publisher. The Ordinance printing in our copy not in Tower. Babbitt or the ESTC. OCLC locates 2 copies (New-York Historical Society, New York State Library). Evans 6897, 6898. Benedict 345, 325.

THE DIVINE OBLIGATION TO TITHE

72 PRIDEAUX, HUMPHREY [1648–1724].

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

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

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

SECOND EDITION. Prideaux was a churchman and notable Orientalist. First published in 1710, his treatise defines them as a divine rather than legal obligation. The second part of this work is a proposed bill written with input by Prideaux to prevent churchmen from holding multiple benefices. (The final version was not enacted.) Later editions were published in 1722 and 1736. All editions of this work are scarce. OCLC locates 2 copies of the second in North American law libraries (Columbia, University of Michigan). ESTC T169189.
73 PRIESTLEY, JOSEPH [1733–1804].

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

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

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

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

EIGHTEEN-CENTURY ANTHOLOGY OF WRITINGS ON MARITIME LAW

74 RAÚ, FRANCESCO, TRANSLATOR AND EDITOR.
RIVANI, ALESSANDRO, TRANSLATOR AND EDITOR.
SELLA, GASPERO, TRANSLATOR AND EDITOR.


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

ONLY EDITION. This is a carefully edited, translated and well-annotated anthology of classic writings on maritime law for an Italian audience. Arranged chronologically, its oldest work is the Byzantine Rhodian Sea Law (7th century CE); its newest work is the 1681 Marine Ordinance of Louis XIV. Among the other texts are the Laws of Oleron, the Laws of Wisby and a selection of laws from the Theodosian Code relating to maritime affairs. OCLC locates 4 copies, 1 in North America (U.S. Supreme Court). Another copy located at the Library of Congress.
76 [REYNOLDS, MATTHEW G., COMPILER].

Spanish and Mexican Land Laws, New Spain and Mexico.

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

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

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

77 RITSON, JOSEPH [1752–1803]. [FRANK, JOSEPH, EDITOR].

The Office of Bailiff of a Liberty.

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

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

ONLY EDITION. Ritson, a former bailiff, was a member of Gray’s Inn and the author of several practical and historical works on legal subjects. Holdsworth says his study of bailiffs of a liberty, that is a court officer who executes process, is a “learned antiquarian tract based mainly on the Year Books and mediaeval statutes, with notes of such later statutes as referred to these bailiffs.” OCLC locates 12 copies in North American law libraries. Holdsworth, History of English Law XII.337. Not in Sweet & Maxwell. HLC II:474.
ROBINSON, BOARDMAN [1876–1952]. [BECKER-ROSENTHAL MURDER TRIAL].

Mr. Justice Precedent.

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

$4,500.

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

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

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

$1,500.


EDIT16 CNCE39770.
80 SALVIAN (SALVIANUS) [C. 390–C. 484 CE].
MACHERENTINUS, JOHANNES [1540–1610], EDITOR.


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

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

$950.

81 SARRESTE, CHARLES JOSEPH.

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


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

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

LET THE PUNISHMENT FIT THE CRIME

$500.

82 SAUR (SAWR), ABRAHAM [1545–1593].


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

FIRST FOLIO EDITION. This title was originally published in 1577 as an octavo titled Straßbüchlein (or Little Book of Crimes). Its popularity was due in part to its concise text and careful organization. For each entry Saur offers a brief general summaries of the crime followed by treatments of that crime under Roman, canon, Holy Roman and local law. Each example is illuminated with excerpts from appropriate texts, which are tagged with citations. OCLC locates no copies of the 1581 edition in North America. VD16:SI932.

$3,500.
{RECENTLY ACQUIRED BOOKS, MANUSCRIPTS & EPHEMERA}

Details from No. 82
83 [SCOTLAND].
[JAMES II, KING OF ENGLAND, SCOTLAND AND IRELAND (1633–1701)].


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

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

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

84 SELDEN, JOHN [1584–1654].


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

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

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

IMPORTANT EARLY TREATISE ON PARISH LAW

85 SHAW, JOSEPH [1671–1733].

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

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

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

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

86 SHAW, JOSEPH

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


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

SIXTH AND FINAL EDITION of a durable work first published in 1728. Its final edition, the sixth, was published in 1756. ESTC N12114.
87 SHEPPARD, WILLIAM [D.1657?].

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


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

FIRST EDITION. ONE OF TWO ISSUES FROM 1660.

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

88 [SLAVERY]. [UNITED STATES].

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

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

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

35TH CONGRESS, 1ST SESSION, SENATE, REP. COM. No. 33. This speech disputes the distribution of prize money between the Federal government and the crew that captured the slave ship Laurens.
89 STORY, JOSEPH [1779–1845].

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

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

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

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

90 STYLE, WILLIAM [1603–1679].

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


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

**SECOND EDITION.** This popular guide was first published in 1657 with the title *Regestrum Practicale*. (Its early editions are called *Regula Placitandi* in Comyns’ *Digest of the Laws of England*). Arranged alphabetically, it contains the rules for practice, together with some basic information regarding the substantive law. John Lilly published a continuation of this book in 1710. ESTC R31009.
AN IMPORTANT SOUTHERN VOICE IN THE POLITICAL DEBATES THAT FOLLOWED THE WAR OF 1812

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

Construction Construed, and Constitutions Vindicated.

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

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

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

92 TAYLOR, JOHN, OF CAROLINE.


Contemporary three-quarter diced calf over marbled boards, lettering piece and gilt fillets to spine. Light rubbing to boards. Moderate rubbing to extremities, corners bumped and lightly worn, hinges cracked, two early owner bookplates (J.W. Bailey, Hugh Cox) to front pastedown. Light browning to text, somewhat heavier in places, occasional light foxing. A handsome copy. $1,750.

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

93 TAYLOR, JOHN, OF CAROLINE.

Tyranny Unmasked.

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

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

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

94 TESAURO, CARLO ANTONIO [1587–1655].
GESALDI, UBALDO, EDITOR.


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

SIXTH AND FINAL EDITION. Not in Ferreira-Ibarra.

THOMSON, JOHN.

An Enquiry Concerning the Liberty, And Licentiousness of the Press, And the Uncontroulable Nature of the Human Mind: Containing an Investigation of the Right which Government have to Controul the Free Expression of Public Opinion, Addressed to the People of the U. States. New York: Printed by Johnson & Stryker, No. 29 Gold-Street, for the Author, 1801. 84 pp. Octavo (9" x 5-1/2").

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

ONLY EDITION. Thompson attacks the Sedition Act as a tool to stifle freedom of the press. He casts his argument for unlimited freedom of expression in the terms of eighteenth-century Enlightenment radicalism and the U.S. Bill of Rights. Much of his case will sound familiar; it is now accepted as irrefutable by most Americans today. The Sedition Act was passed with the Alien Act by the Federalist-controlled Congress in 1789 to curb the influence of Jefferson’s Republican Party and French radicals. The Sedition Act made it unlawful to publish anything false, malicious or scandalous about the president or Congress, or to assist the designs of a foreign power against the United States. The unpopularity of these acts contributed to Jefferson’s election and the rapid decline of the Federalist Party. In a wise move, Thomson dated his Enquiry March 4, 1801, the date of Jefferson’s inauguration and, more important, the expiration of the Sedition Act. Thomson would have been pleased to know that Jefferson owned a copy of this work. OCLC locates 3 copies in law libraries (Harvard, University of Michigan, Yale). Sowerby 3533. Sabin 95584. Cohen 3582.
97 [TRADE].
[ENGLISH TRADE IN THE WEST INDIES].
[AMHURST, NICHOLAS (1697–1742), ATTRIBUTED].

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


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

FIRST EDITION. Attributed in some sources to Nicholas Amhurst, this pamphlet defends Sir Robert Walpole, then chancellor of the exchequer, against accusations of neglecting England’s West Indian commerce, to the advantage of Spain. It describes English expeditions to counter Spanish influence and, in the interest of fairness, lists English ships taken by Spain since the Treaty of Hanover (1725). ESTC T441776.

98 [TRIAL].
[ENGLISH TRADE IN THE WEST INDIES].

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

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

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

FIRST EDITION, ONE OF TWO ISSUES FROM 1833. The Avery Case was one of the most famous American murder trials of the nineteenth century. Although questions about this case remain, it appears that Avery murdered Cornell when he learned she was pregnant with his child. After strangling her he put a noose around her neck and hung her from a barn rafter to make it appear that she had committed suicide. A second edition of Hallett’s account was published in 1833. Cohen 12310. McDade 52.
99 [TRIAL].
BULLIONS, ALEXANDER [1779–1857], DEFENDANT.
[STARK, ALEXANDER, REPORTER].

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


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

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

THE VALUE OF EDUCATION

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


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

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

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

A NOTABLE TO PROFIT FROM ADULTERY

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

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

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

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

ONLY EDITION, one of two issues, both from 1739. The Cibber trial, which involved two well-known actors, was a sensational event because it appears that Cibber pushed his wife toward adultery in a scheme to make money from her affair. William Sloper was a frequent visitor to the Cibber’s country home, having been asked by Mr. Cibber to teach his wife backgammon while he pursued his interest in hunting. There were reports that the Cibbers and Mr. Sloper lived together and that a door connected Mr. Sloper and Mrs. Cibber's bedrooms. It appears that Mr. Cibber had already “borrowed” £400.00 from Mr. Sloper and that matters might have continued in a similar manner, with Mrs. Cibber serving as a kept woman procured by her husband. However, Mrs. Cibber detested the situation because she fell in love with Mr. Sloper. She ran off with him, but Mr. Cibber brought her back by force and confined her. She was rescued by her brother and returned to Mr. Sloper. Though ruling in his favor, the jury was convinced that Mr. Cibber had instigated the affair and awarded him £10.00 instead of the £5,000.00 he sought. The other issue of this pamphlet is identical except for a title-page statement reading “Price Six Pence.” OCLC locates 3 copies in North American law libraries (Harvard, Library of Congress, Worcester Law Library). ESTC TS1983.
RELI gIOUS LIBERTY AND THE TYRANNY
OF THE MISSISSIPPI PRESBYTERY

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

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

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

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

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

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

Cluverius: My Life, Trial and Conviction.

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

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

104 [TRIAL].
CLUVERIUS, THOMAS J., DEFENDANT.

Cluverius: My Life, Trial and Conviction. Enlarged.

Richmond: Published by S.S. Dudley, 1887. 128 pp. Quarto (5–3/4”
x 4–1/2”).
Printed wrappers. Light soiling, light rubbing to extremities, spine
reinforced with archival tape, light toning to interior. Ex-library.
Small inkstamp to verso of front wrapper, shelf mark to verso of title
page. A well-preserved copy. $350.

SECOND EDITION.
[TRIAL].
FAUNTLEROY, HENRY [1785-1824], DEFENDANT.

Trial of Henry Fauntleroy for Forgery, Together with His Execution &c. From a London Copy.
New York: Joseph C. Spear, 1825. 36 pp. Octavo (7-1/2” x 4-3/4”).
Disbound stab-stitched pamphlet. Light rubbing to extremities, browning to front wrapper, lighter browning and faint dampspotting to text, internally clean. $750.

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

[TRIAL].
GILES, JOHN, DEFENDANT.

The Tryal of John Giles at the Sessions-House in the Old Bayly: Held by Adjournment from the 7th Day of July, 1680 Until the 14th Day of the Same Month the Adjournment Being Appointed on Purpose for the Said Giles, His Trial for a Barbarous and Inhumane Attempt to Assassinate and Murther John Arnold, Esq.
London: Printed by Thomas James for Randal Taylor, 1681. 58 pp. Folio (11-1/2” x 7-1/4”).
Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Negligible light toning to text, light foxing to a few leaves. Early hand-lettered numbers to upper left-hand corners of each leaf, most affected by trimming, interior otherwise clean. $250.

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

108 [TRIAL].
HICKS. ALBERT W. [C.1820-1860], DEFENDANT.
FOWLER, L[ORENZO] N[ILES] [1811-1896].

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

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

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

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

LAYER, CHRISTOPHER [1683–1723], DEFENDANT.

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

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

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

FIRST EDITION. This is the standard contemporary account of Layer’s trial, which resulted from his leadership during Jacobite Rebellion of 1722. Also known as the Atterbury Plot, this was the second attempt to return James II to the thrones of England and Scotland. The trial ended with the execution of Layer and most of his colleagues. (One of them, Francis Atterbury, the Bishop of Rochester, was banished.) This account was reissued in Dublin in 1723. ESTC T14598.

110 [TRIAL].

‘MARCUS’ (PSEUDONYM OF DANIEL DANA [1771–1859]).

*Supplement to the Salem Gazette. [Text Begins:] Mr. Cushing, As the Extraordinary Result of the Ecclesiastical Council at Ipswich has Officially Published...*
111 [TRIAL].
PIERCE, ARATUS F., DEFENDANT.

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


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

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

A SUCCESSFUL “MANIA TRANSITORIA” DEFENSE

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

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

London: Printed for Jacob Tonson, 1681. [ii], 48 pp. Lacking initial blank leaf. Folio (11” x 6-3/4”).

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

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

A TRIUMPH FOR TORIES AND HIGH-CHURCHMEN

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

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


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

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

TREASON TRIAL OF A FOUNDING MEMBER OF THE WHIG PARTY
FOR SPEAKING TREASONABLE WORDS AGAINST HIS MOST SACRED MAJESTY

114 [TRIAL].
STALEY, WILLIAM [D.1678], DEFENDANT.

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

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

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

ONLY EDITION, one of two issues from 1678. William Staley (or Stayley) was one of the victims of the Popish Plot, one of the cruellest hoaxes in British history and the inspiration for a wave of anti-Catholic violence. It was the invention of Titus Oates, an Anglican clergyman, and his friend, Dr. Israel Tonge, a cleric and passionate anti-Catholic. They pretended to have discovered a Jesuit plot to assassinate the King, massacre Protestants, and set James, Duke of York, the King’s Catholic brother, on the throne. Convicted as a conspirator, Staley was executed and quartered in 1678. “Instead of his quarters being set upon the city gates the king allowed them to be delivered to his relatives. Mass was said over his remains and a ‘grand’ funeral was arranged from his father’s house on 29 November, before his burial in St Paul’s, Covent Garden. This incensed the government so much that the coroner ordered the body to be dug up and delivered to the sheriff to be set upon the city gates” [ODNB]. William Stayley’s head has a small place in London’s history; it was the last to be displayed on London Bridge. This account was reissued in Dublin in 1723. ESTC TR228446.

115 [TRIAL].
[SUPREME COURT. UNITED STATES].


Pamphlets in wrappers bound in cloth, gilt title to spine, bound–in typewritten table of contents. Some rubbing to extremities with minor wear to corners, faint vertical crease through spine. Minor edgewear and a few tears to folding tables, internally clean. $1,500.

ASSEMBLED BY AN UNKNOWN ATTORNEY or law clerk, the 19 items in this volume, a 2-part transcript, 15 briefs, an oral argument and the opinion of U.S. Supreme Court Justice Owen J. Roberts form a documentary record of Owens v. Butler [297 U.S. 1 (1936)] the case that brought about the demise of the Agricultural Adjustment Act of 1933. Part of Roosevelt’s New Deal, this was a Federal law that aimed to raise the value of crops by paying farmers and ranchers to reduce production. The money for these subsidies was generated through an exclusive tax on companies that processed farm products. This led to a series of seven suits by processors, who believed they were being taxed unfairly. The most important of these was Owens v. Butler. As framed by the plaintiff’s lawyers, it asserted the right of a taxpayer to question the validity of a Federal tax. The Court decided in favor of Owens, ruling that the taxes instituted under the 1933 Agricultural Adjustment Act were unconstitutional under the Tenth Amendment. As argued by Justice Roberts, the tax was not valid because it was established in conjunction with coercive contracts with proceeds earmarked for the benefit of farmers complying with the prescribed conditions. The court also held that the basic premise of the act, paying a farmer to produce less to manipulate prices, went beyond the powers of the national government. The issues raised by Owens v. Butler were addressed by the Agricultural Adjustment Act of 1938, which continued the farm subsidy program.
116 [TRIALS].
GIBERT, PEDRO [1796–1835], PRIMARY DEFENDANT.


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

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

A KNOTTY POINT

VAUTIER, BENJAMIN [1829–1898].

A Knotty Point—Submitting a Case to the Family Lawyer.


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

VATIER WAS A SWISS GENRE PAINTER and illustrator. A prolific artist, his work appeared occasionally in Harper’s Weekly.
RECENTLY ACQUIRED BOOKS, MANUSCRIPTS & EPHEMERA

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


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

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

119 WEEDON, JOHN E.

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

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

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

ONLY EDITION. Weedon’s speech offers a remarkably progressive statement on the negative effects of legal discrimination on academic performance. Its remarks on the notion of “separate but equal” schools anticipates the doctrine of Brown v. Board of Education. Weedon was a prominent Rhode Island textile manufacturer and advocate for racial justice. James M. Davis was a Rhode Island textile manufacturer and state legislator. OCLC locates 6 copies (Brown, Cornell, Drake University, New York Public Library, University of Rhode Island, University of Rochester), none in law libraries.
120 WHITELOCKE, [BULSTRODE] [1605–1675].

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


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

$450.

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

121 WILLIAMS, THOMAS WALTER [1763–1833].

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


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

$950.

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

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

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

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

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

$13,500.

ONLY EDITION. The earliest work devoted to laws relating exclusively to women, this incomparable digest of laws in force at the time of the Civil War is also known as The Womens Lawyer. An anonymous work, its preface is signed T.E. Often attributed to Thomas Edgar (fl. 1615-1649), some believe the author was actually Sir John Doderidge (1555-1628), an important legal figure during the reign of James I. Lord Campbell considers it “a learned work on the subject of marriage” (cited in Sweet & Maxwell). It also treats such diverse topics as age of consent, dower, hermaphrodites, polygamy, wooing, promises of marriage, partition, chattels, divorce, descent, seisin, treason, felonies and rape. The last comparable copy to sell at auction was in 2006 at Sotheby’s, the Macclesfield copy, for $13,464. ESTC S100217. Sweet & Maxwell 1500 (24).
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Gordon's Research Shines a New Light on the Legal Tale of 19th Century American Ships Covertly Intended for the Cuban-African Slave Trade

“This Practice Against Law”
Cuban Slave Trade Cases in the Southern District of New York, 1839-1841

John D. Gordan, III

Talbot Publishing (an imprint of The Lawbook Exchange, Ltd.), 2016
xiv, 117 pp.

“This Practice Against Law” reconstructs the little-known story of the Butterfly and the Catharine, two slave ships from Havana seized by the British Navy off the African coast in 1839. These ships were tendered to the federal government for forfeiture proceedings and their captains prosecuted in the Southern District of New York and the Supreme Court of the United States. At the same time Chief Justice Roger Brooke Taney conducted proceedings against the Catharine's builders in the Circuit Court in Baltimore. Based on the original case files in the National Archives and British Parliamentary publications, this in-depth review refutes the criticism of the federal judiciary in the prior scholarly assessment of these cases and demonstrates that in fact the performance of the federal judges compares favorably with other branches of the American government.

John Gordan marvelously and meticulously reconstructs two slave ship cases, litigated in the Southern District of New York, after the 1839 British seizure of the Catharine and the Butterfly. While both ships were built in Baltimore and flew the American flag, authorities rightly suspected that the ships were intended for use in the Cuban-African slave trade conducted by foreign nationals. Gordan’s insightful tracing of the proceedings regarding these two little-known vessels provides an instructive contrast to the more famous events unfolding in the near-contemporaneous journey of the Amistad through the federal courts.

This book presents an excellent overview of the international slave trade in light of the American cases. In addition, Gordan’s extraordinary legal historical sleuthing provides a fuller picture of the legal machinations and complications of the American approach to the slave trade. Central to his analysis are the new legal sources Gordan draws upon, such as the unreported opinion (usefully included in the book’s appendix) of U.S. District Judge Samuel Betts, who initially heard the legal issues raised by the Catharine and the Butterfly.

Gordan’s first-rate documentary detective work and insightful scholarship shed new and important light on the legal and political conditions of the Cuban slave trade in the 19th century. It is the latest gem from a leading authority of the history of the federal courts.

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According to the Principles of the Didactic Art Premised in the General Part and in the Light of Experience
A Translation of the 1667 Frankfurt Edition with Notes by Carmelo Massimo de Iuliis
Preface by William E. Butler*
Gottfried Wilhelm Leibniz
Talbot Publishing (an imprint of The Lawbook Exchange, Ltd.), 2017
lxxvii, 218 pp.
Better known for his contributions to philosophy, metaphysics and mathematics as co-discoverer along with Isaac Newton of calculus, Gottfried Wilhelm Leibniz was also an attorney, diplomat, state official and judge of the Mainz court of appeals. The New Method of Learning and Teaching Jurisprudence is his prescription for a curriculum of study for lawyers and as such is an important indicator of the origins of legal education in the late renaissance year of 1667, when John Milton published Paradise Lost.

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

GOTTFRIED WILHELM LEIBNIZ [1646–1716] wrote several important legal treatises. First published in 1677, Codex De Jure Suprematus dealt with issues of sovereignty, diplomacy and precedence among the states of the Holy Roman Empire. First published in 1693, the second volume in 1700, the Codex Juris Diplomaticus was a collection of annotated treaties and other source materials relating to the diplomatic history of the Guelph states, whose conflict with the Ghibelline states was one of the major international issues of the time.

The Rights of War and Peace
Including the Law of Nature and of Nature and of Nations. Translated from the Original Latin of Grotius, with Notes and Illustrations from the Best Political and Legal Writers, Both Ancient and Modern, by A.C. Campbell (1814)
Hugo Grotius
Three vols. xxiv (v-xxiv new introduction), xxxv, 368; [iv], 352; [vi], 420 pp.
The Lawbook Exchange, Ltd., 2017

With a new introduction by William E. Butler*
This fourth (or fifth) English translation (1814) is by Archibald Colin Campbell (1763-1842). The first English translation, by C. Barksdale, was published in 1654 and reissued the following year. The second, by W. Evats, was published in 1682. The 1715 edition was translated and edited by John Morrice (1685-1740) with the assistance of Edward Littlehales (1690-1724) and John Spavan (1685-1718), and reissued with the Notes of Jean Barbeyrac in 1738.

* Pennsylvania State University Dickinson Law School; University College London; National Academy of Sciences of Ukraine
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