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33 Terminal Avenue
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Telephone: (732) 382-1800
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Fax: (732) 382-1887
E-mail: law@lawbookexchange.com
www.lawbookexchange.com



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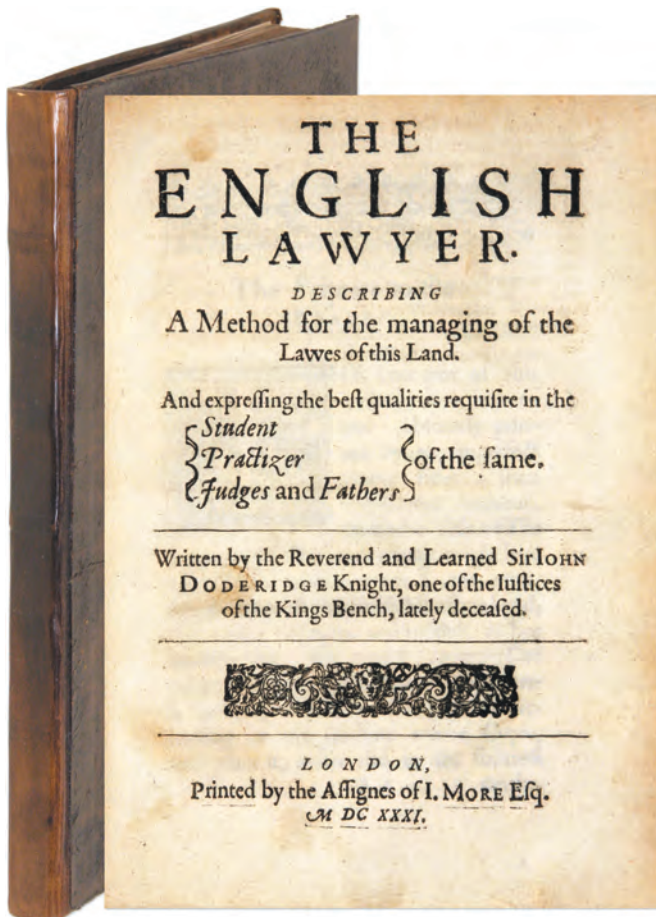
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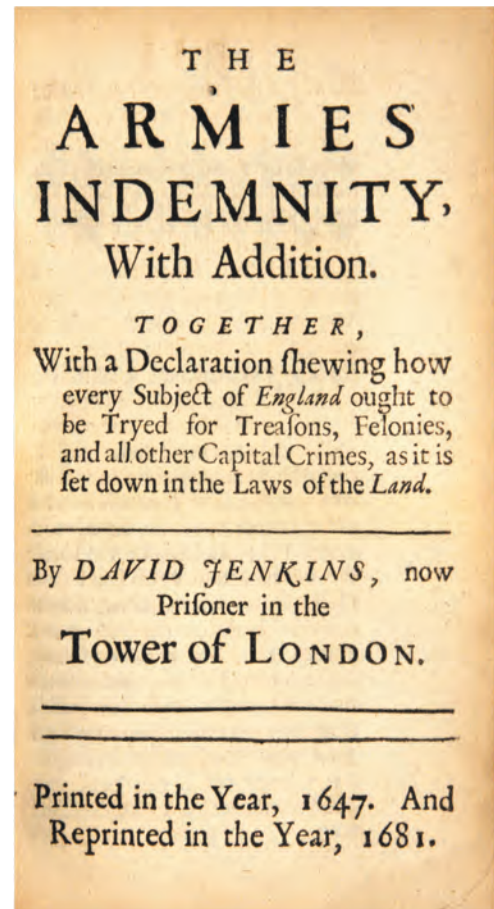
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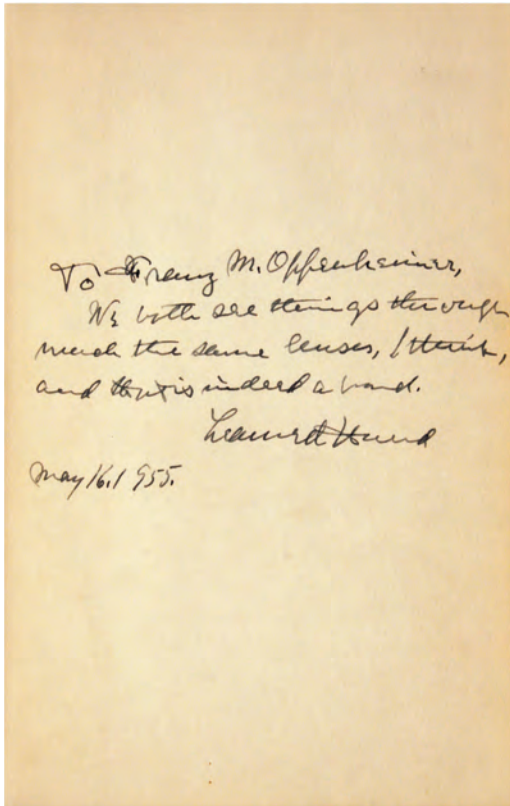
N°110



N° 65



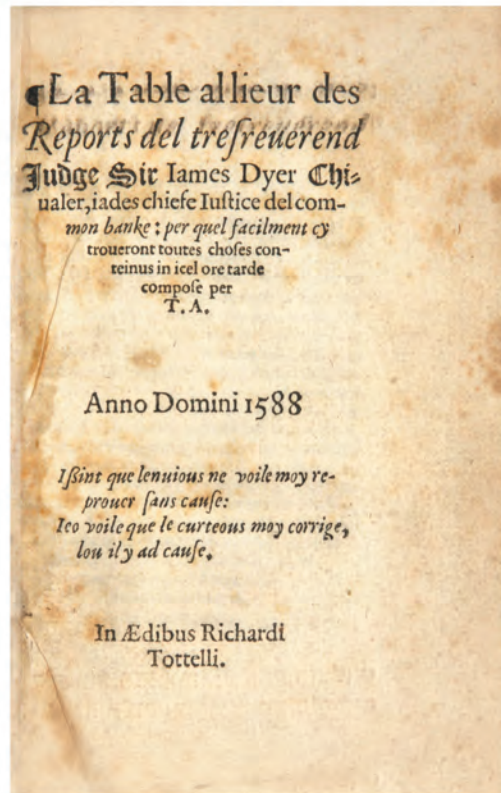
Detail from N° 79



Detail from N° 19

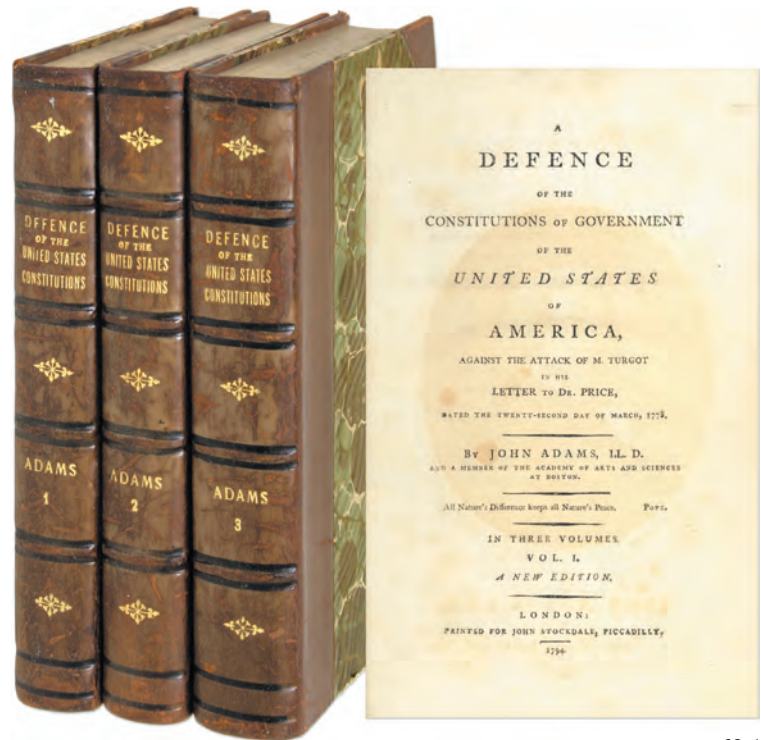


Detail from N° 75



N° 43

UNITED STATES



Nº 1

ADAMS'S DEFENCE OF THE CONSTITUTIONS

1 ADAMS, JOHN [1735-1826].

A Defence of the Constitutions of Government of the United States of America, Against the Attack of M. Turgot in his Letter to Dr. Price, Dated the Twenty-Second Day of March, 1778.

London: Printed for John Stockdale, 1794. Three volumes. 8, xxxii, 392, [1]; [iii], 451, [1]; [ii], 528, [36] pp. Volume I has copperplate portrait frontispiece. Half-titles and frontispiece's tissue overlay lacking. Octavo (8" x 5").

Nineteenth-century (or early twentieth-century) three-quarter calf over marbled boards, raised bands, gilt ornaments and gilt titles to spines, marbled endpapers, top edges gilt. Moderate rubbing to extremities, corners bumped, rear joint and both hinges of Volume III starting. Light toning, occasional light foxing, internally clean.

\$4,500.

SECOND ENGLISH EDITION, GREATLY ENLARGED. Written as a series of letters defending limited government, written constitutions, and other aspects of American political and legal institutions. According to Larned, "John Adams, it is safe to say, bestowed more thought on the nature of government, and exerted more influence in determining the character of the constitutions adopted during the Revolution by most of the original states, than any one of his contemporaries." This important work appeared in America while the convention for framing a Constitution was meeting. Adams' book advocated the doctrine of the separation of powers and a legislature of two houses, and greatly influenced the delegates to the Constitutional Convention of 1787. Its timeliness gave it considerable influence during the period of the framing of the Constitution. Adams was serving at the Court of King James's when he wrote this treatise, thus the first edition was published in

London. This work did much to familiarize the European mind to the novel state of things then taking place in America. It includes the opinions of eminent writers on various republics of the world. Adams speaks at length about the constitutions of the ancient Greeks and Romans. The half-titles in this edition read *History of the Principal Republics in the World*. It is possible that a binder discarded them because they appeared to belong to another work. Larned 2687. Sabin 236. Cohen 2735.

AN 1850 HANDBOOK FOR ASPIRING LAWYERS

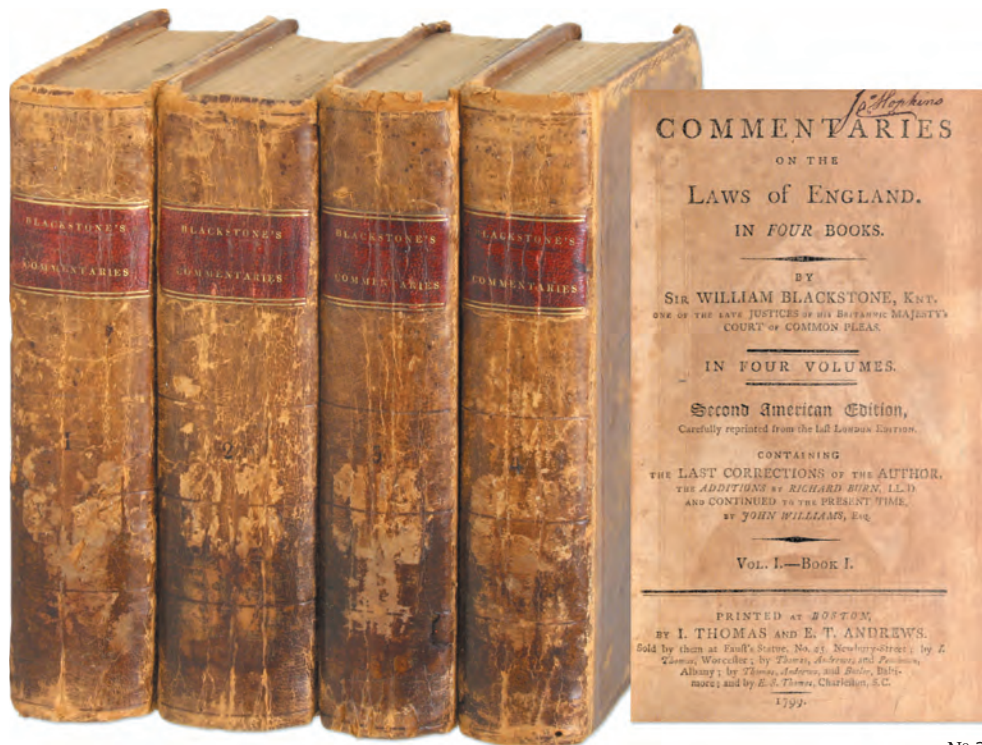
2 ANTHON, JOHN [1784-1863].

The Law Student, Or Guides to the Study of the Law in Its Principles.

New York: D. Appleton & Company, 1850. [ii], [3]-384 pp. Includes two-page publisher's catalogue of "Important New Law Books." Octavo (9-1/2" x 6").

Contemporary sheep, blind fillets to boards, raised bands and lettering piece to spine. Moderate rubbing, boards slightly bowed, minor worming to front joint, foot of spine bumped. Moderate toning to text, light foxing in a few places. Early owner signatures, of Benjamin Waterhouse, dated Trenton, 1877, to endleaves, interior otherwise clean. A nice copy. \$500.

ONLY EDITION. Anthon was a lawyer in New York and the author of several widely used treatises, including *American Precedents of Declarations* (1802), *The Law of Nisi Prius* (1809) and *An Analytical Abridgment of the Commentaries of Sir William Blackstone* (1809), an introductory "nutshell" for students. Cohen 8583.



N° 3

EARLY AMERICAN EDITION OF BLACKSTONE

- 3 BLACKSTONE, SIR WILLIAM [1723-1780].
BURN, RICHARD [1709-1785], NOTES.
WILLIAMS, JOHN [1757-1810], NOTES.

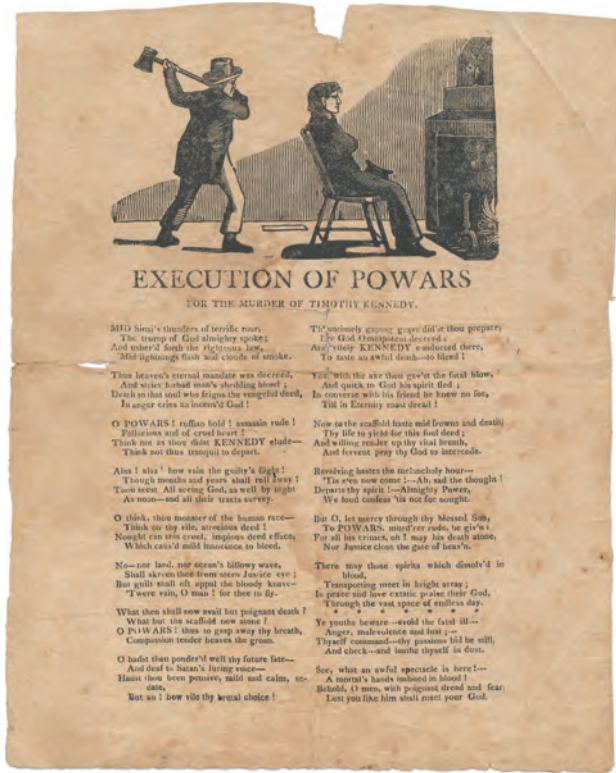
Commentaries on the Laws of England. In Four Books. Second American Edition, Carefully Reprinted from the Last London Edition. Containing the Last Corrections of the Author, The Additions by Richard Burn, LL.D. and Continued to the Present Time by John Williams, Esq.

Boston: I. Thomas and E.T. Andrews [Volumes 3 and 4: Boston: From J. Bumstead's Printing Office...Sold to Mess. Thomas and Andrews], 1799. Four volumes. Volume I has a copperplate portrait frontispiece. Volume II has two plates, a "Table of Consanguinity" and a folding "Table of Descents." 12mo. (6-1/2" x 4").

Contemporary sheep, blind fillets to boards, lettering pieces, blind fillets and blind numerals to spines. Moderate rubbing, somewhat heavier to extremities, a few shallow scuffs to boards, minor chipping to heads of spines, corners bumped and somewhat

worn, rear joints of Volumes 2 and 3 starting at head, front hinges cracked. Light browning and occasional light foxing to text, faint dampstaining in a few places, chip to fore-edge of a leaf in Volume 1, two leaves in Volume 2 detached and edgeworn, all three leaves have loss to text. Early annotations to endleaves, early owner signature (of "Jo. Hopkins" to head of each title page. Ex-library. Traces of shelf labels to spines, stamps (reading "stored") to free endpapers. \$1,000.

THIRD AMERICAN EDITION, designated the second, is the last of three eighteenth-century American printings of the *Commentaries*. "This Boston edition, reprinted from the eleventh London edition of 1791...is the second American duodecimo edition. It was designated on the title pages "Second American edition" because it was the second edition issued by Isaiah Thomas, who sold it at his Worcester bookstore. His first duodecimo edition was printed in his Worcester, Massachusetts, but there was no second Worcester edition": Laeuchli 136. Cohen 5316.



N° 4

"SEE, WHAT AN AWFUL SPECTACLE IS HERE!"

4 [BROADSIDE].
[EXECUTION].
[BOSTON, MASSACHUSETTS].

Execution of Powars for the Murder of Timothy Kennedy.

[Boston, 1820]. 10-1/2" x 8" Broadside. [Boston, 1820]. Text in two columns. Large woodcut vignette depicting Kennedy's murder above text.

Moderate browning and faint dampspotting, vertical and horizontal fold lines. Small chip to top edge, minor tears along fold lines. \$1,500.

THIS ACCOUNT IN VERSE describes a murder case involving two Irish-Americans living in Boston. Michael Powers (or Powars), a "ruffian bold," killed Kennedy with a broadaxe and buried him in the cellar of his home. He was provoked because Kennedy would not pay the passage money loaned by Powers to bring him to the United States. Powers was defended by Daniel Webster, but he could not save his life. OCLC locates 2 copies (American Antiquarian Society, University of Michigan). Wegelin 1281.



N° 5

VERSE ACCOUNT OF A MURDER-SUICIDE IN PENNSYLVANIA

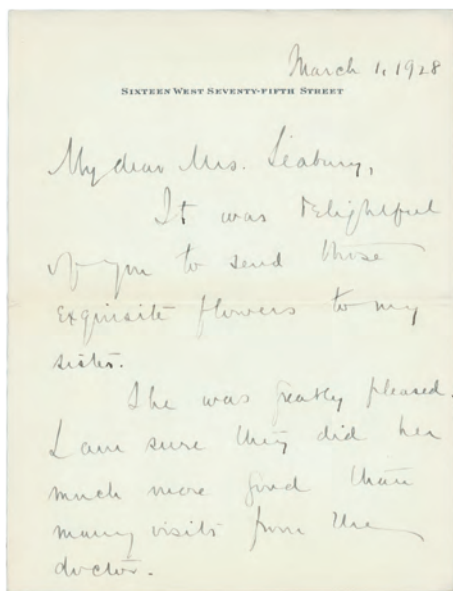
5 [BROADSIDE].
[MURDER-SUICIDE].
[PENNSYLVANIA].
[KOPPELBERGER, JOHANNES].

Ein Neues Lied von der Mord-Geschichte des Joseph Miller, Welcher im Januar 1822, Einer Sonntags Nacht Seine Schwangere Frau und Zwei Kinder auf eine Grausame Art Ermordete, Und sich Selbst Erhing, Welches Alles, Wie man Glaub, Aus Armuth Geschah...[Running Title].

[N.p.: S.n., 1822]. 12-1/2 x 10" broadside. Text in three columns printed within woodcut border and separated by black rules.

Moderate toning and light foxing, fraying and a few chips to edges, tear to bottom edge with negligible loss to text. \$750.

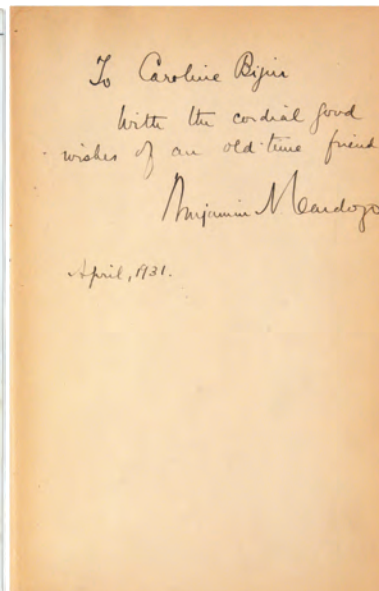
THIS SIXTEEN-STANZA "New Song of the Murder-Story of Joseph Miller" is attributed to Johannes Koppelberger. It tells the sad story of a murder-suicide committed by Miller, a German-American. The verses say he eloped from Poland with the daughter of a nobleman in 1817. The couple made their way to Philadelphia and from there to Lebanon, Pennsylvania, where Miller found work as a schoolteacher. The job paid poorly and his wife was increasingly homesick. Depressed, Miller killed his pregnant wife, two children with an ax and himself. It was a grisly affair involving an axe and a knife. This poem was quite popular and issued in a number of different broadside formats. According to Vellenreuter, there were, in all, 16 printings. All are rare. OCLC locates 3 copies of our version (American Antiquarian Society, Library Company of Philadelphia, University of Michigan). Not in Shaw & Shoemaker. Vellenreuter 13.



N° 6



N° 6



N° 7

A WARM THANK-YOU NOTE FROM
CARDOZO TO THE WIFE OF A NOTABLE NEW YORK JUDGE

6 CARDOZO, BENJAMIN N. [1870-1938].
[SEABURY, MRS. SAMUEL (RICHEY, MAUDE) (D. 1952)].

[Autograph Letter, Signed, To Seabury on Personal Letterhead, March 1, 1928].

Single sheet folded to form two 6-1/2" x 4-1/2" leaves and 5" x 3" transmittal envelope. Horizontal fold line to letter, light soiling and vertical fold line to envelope, which is missing flap, otherwise fine.

[With]

CARDOZO, BENJAMIN N.

[6-1/2" x 8-1/2" Black-and-White Photograph of Cardozo].

[New York: Acme News Agency, October 11, 1937]. Light wear to edges, crop marks and minor retouching to image, stamps, annotation and caption to verso. \$500.

A WARM THANK-YOU NOTE TO MRS. SEABURY: "It was delightful of you to send those exquisite flowers to my sister. She was greatly pleased. I am sure they did more good for her than many visits from the doctor." Nellie Cardozo suffered a stroke in February 1928. She died in 1929. Benjamin Cardozo was very close to her and they lived together. Samuel Seabury, Maude Richey's husband, was a notable New York judge. He served with Cardozo on the New York State Court of Appeals, when Cardozo was chief judge. He is famous as the head of the Seabury Commission, a large-scale investigation of corruption in New York City's courts and police department that forced Jimmy Walker out of office.

INSCRIBED COPY OF ONE OF THE MOST
IMPORTANT LEGAL BOOKS OF THE TWENTIETH CENTURY

7 CARDOZO, BENJAMIN N.

Law and Literature and Other Essays and Addresses.

New York: Harcourt, Brace and Company, [1931]. [ix], 190 pp.

Cloth in dust jacket. Moderate shelfwear and a few minor dampstains to cloth, moderate soiling and edgewear to dust jacket, folds mended on verso with archival tape, which is preserved in a Mylar jacket. Inscription signed "Benjamin N. Cardozo" in bold hand to front free endpaper, internally clean. \$1,500.

FIRST EDITION. The inscription reads: "To Caroline Bijur/ with the cordial good/ wishes of an old-time friend./ Benjamin N. Cardozo/ April, 1931." One of the most important legal books published in the twentieth century, it changed the way lawyers thought about the law. "It has remained for Judge Cardozo to give us the first real analysis of the literature of the bench. Himself one of America's outstanding judicial stylists, he brings to this task the rare combination of legal and literary learning, and our only loss is that we are foreclosed from an analysis of the judge's own decisions." (Garfinkel). Bijur [1883-1964], the daughter of a prominent New York lawyer, worked for several charities and civic organizations. John H. Garfinkel, *California Law Review* 19 (1930-1931) 654.



N° 9



Details from N° 9



THE FIRST SENATE MANUAL
TO INCLUDE THE FOURTEENTH AMENDMENT

8 [CONSTITUTION, UNITED STATES].
MCDONALD, W J.
JEFFERSON, THOMAS [1743-1826].

Constitution of the United States of America, With the Amendments Thereto: To Which are Added the Rules of the Senate, The Joint Rules of the Two Houses, And Jefferson's Manual of Parliamentary Practice; Also the Declaration of Independence and the Articles of Confederation; With Extracts from the Proceedings of the Continental Congress Previous to the Declaration of Independence, And Other Interesting Matter from Authentic Sources. Printed for the Use of the Senate.

Washington, DC: Government Printing Office, 1868. [ii], 356 pp. Octavo (8" x 5").

Contemporary diced morocco, blind frames to boards, gilt title to spine. Moderate rubbing to extremities with some wear to corners, some rubbing to spine, chipping to spine-ends, front free endpaper has a presentation inscription from McDonald to Andrew Wylie. Light toning to text, internally clean. \$500.

THE 1868 SENATE MANUAL is the first to include the Fourteenth Amendment, which was ratified on July 9, 1868. (The 1867 manual was the first to include the Thirteen, ratified on December 6, 1865.) Wylie [1814-1905] was the Judge of the United States District Court for the District of Columbia. Appointed in 1863 by President Lincoln, he is remembered for his involvement in the case of Mary Surratt, one of the conspirators in the Lincoln assassination.



RARE PENNSYLVANIA-GERMAN IMPRINT
WITH SEVEN WOODCUTS

9 [CRIMINALS].
[PENNSYLVANIA].

Merkwürdige Criminal-Geschichten, Oder Verhöre, Geständnisse und Hinrichtung Verschiedener Verbrecher: Zusammengetragen und zum Aweytenmale für die Menschheit. Mit Mehrern Abbildungen Geziert.

Allentown: Gedruckt und Zuhabenden bey Heinrich Ebner, 1818. [ii], 176 pp. Woodcut frontispiece. Six woodcut plates. 12mo. (7" x 4").

Recent period-style marbled boards, printed paper title label to spine, title page re-hinged. Moderate browning and foxing to text, chip to foot of first text leaf with minor loss to text, a few leaves have minor tears, internally clean. A handsomely bound copy of a rare title. \$750.

ONLY EDITION. Published for the German-American community in Pennsylvania, this book offers a sensational collection of English and American criminal biographies. These include Mary Blandy, an English poisoner, and Baker, Brouss and Peterson, a trio of pirates tried in Philadelphia. The frontispiece depicts a rural constable. The others, all rather lurid, illustrate crimes by Catherine Hayes, John Gow, Ned Findley, Baker, Brouss and Peterson, Blandy and John Schild. Shaw & Shoemaker and the copies located on OCLC list 6 plates, 1 plate fewer than in our copy. OCLC locates 3 copies (Franklin and Marshall College, Millersville University, Lehigh University). Shaw & Shoemaker 44811.



N° 11

HANDSOMELY FRAMED DARROW ALS CONCERNING *THE PROHIBITION MANIA*

A CANDID IMAGE TAKEN IN DAYTON AT THE TIME OF THE SCOPES TRIAL

10 DARROW, CLARENCE [1857-1938].
[KADISON, ALEXANDER].

[Autograph Letter, Signed].

Fairhope, AL, March 3rd [1927].

Letter on 6-1/2" x 9-1/2" sheet and 4-1/2" x 6-1/2" portrait photograph of Darrow in attractively matted and grazed 16" x 18" frame, small brass plaque below Darrow's image. Dated transmittal envelope and transcription affixed to verso of frame. Some edgewear to envelope, otherwise fine. \$1,500.

A FRIENDLY LETTER TO KADISON, the notable political and literary critic, "free-thinker" and author of *Through Agnostic Spectacles* (1919). It is a reply to advice concerning the publication of a manuscript. Darrow writes: "the book is substantially done & I am going north the last of the month and I really think I should give it to Liveright if he wants it. I am not confident how well it may go, as it is an answer to another work." Darrow is referring to *The Prohibition Mania: a Reply to Professor Irving Fisher and Others*, co-written with Victor S. Yarros and published by Boni and Liveright in 1927. As indicated by the title, this book is, for the most part, "an answer" to three 1926 publications by Fisher: *Economic Benefits of Prohibition*, *Prohibition and Personal Liberty* and *Prohibition at Its Worst*.

11 DARROW, CLARENCE .
SCOPES JOHN T. [1900-1970].
NEIL, JOHN R. [1876-1959].

[8" x 10" Photograph of Darrow, Scopes and Neil at the Time of the Scopes Trial].

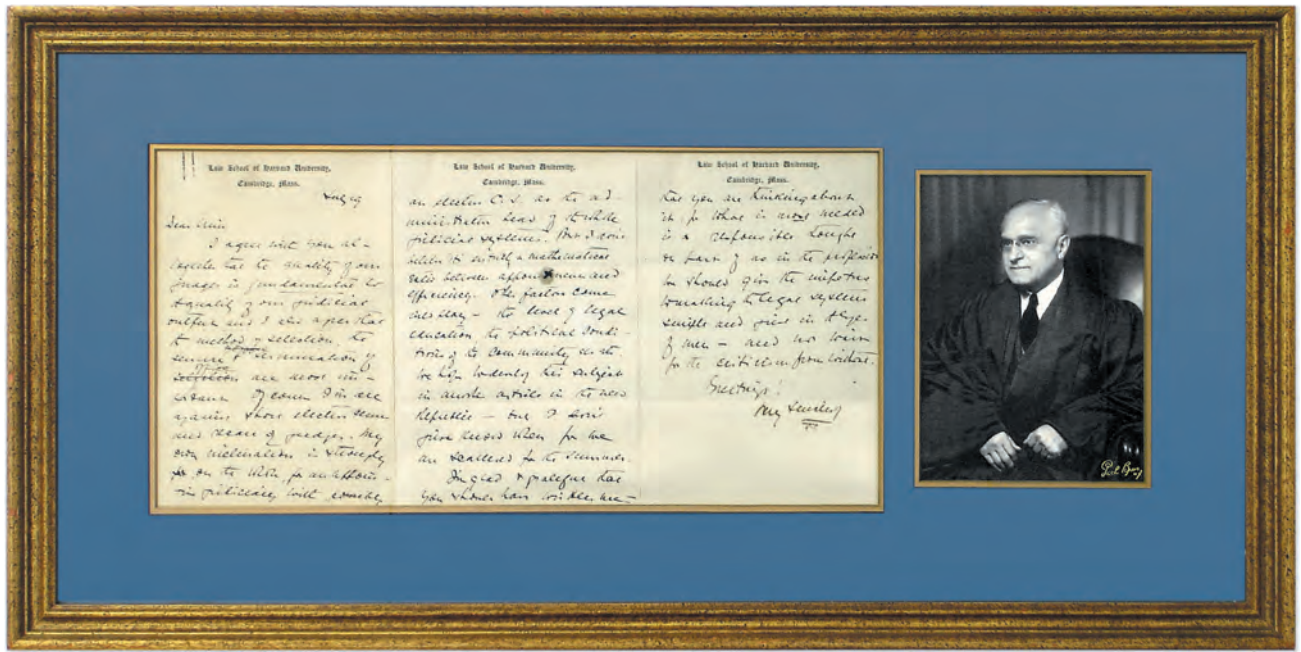
[Dayton, TN?: Van Deepen Photo, June 22, 1925].

Minor wrinkling and a few small chips to edges, stamps and manuscript annotations to verso. \$250.

THE ANNOTATION READS (IN PART): "Left to right [illegible] with Clarence Darrow, Dr. John R. Neil, defense attorney, and Prof. John T. Scopes."



N° 10



Nº 12

FRANKFURTER ALS
WITH INTERESTING CONTENT CONCERNING JUDGES

12 FRANKFURTER, FELIX [1882-1965].

[Autograph Letter, Signed, On Harvard Law School Letterhead, Signed F.F. and Dated Sept. 19] c.1935.

Three-page letter on three 5" x 8" sheets and 5"x 7" portrait photograph of Frankfurter in judicial attire in attractively matted and glazed 28" x 14" frame. \$1,250.

IN THIS INTERESTING LETTER to an unidentified recipient Frankfurter shares his thoughts on the judicial system and elected judges. "I agree with you altogether that the quality of our judges is fundamental to the quality of our judicial output and I also agree that the method & selection, the tenure & termination of office are most important. Of course I am all against short election terms and recall of judges. My own inclination is strongly, on the whole, for an appointive judiciary particularly with, possibly, an elected C.J. as the administrative head of the whole judicial system..." Frankfurter was a professor at Harvard Law School from 1914 to 1939.

INSCRIBED BY FRANKFURTER

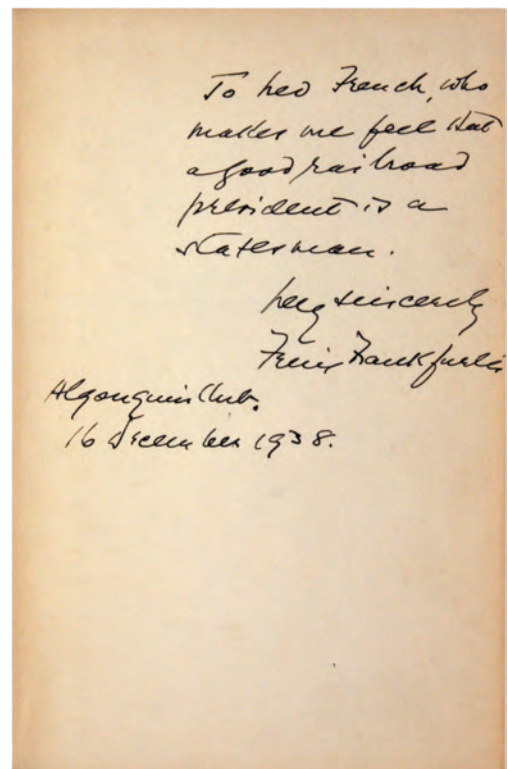
13 FRANKFURTER, FELIX.

Mr. Justice Holmes and The Supreme Court.

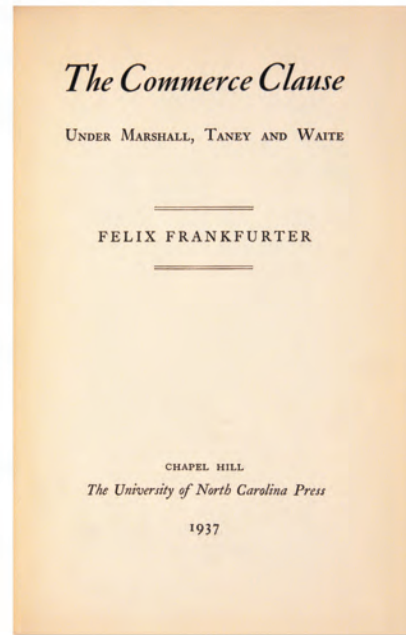
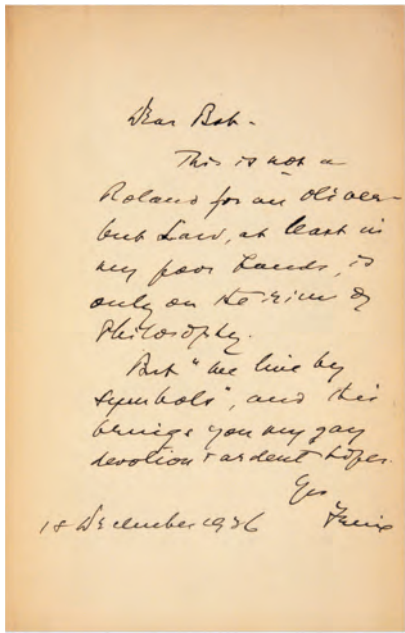
Cambridge: Harvard University Press, 1938. 137 pp. Frontispiece.

Original, gilt title to spine. Light rubbing to extremities, light fading to spine, some fraying to spine ends. Author inscription front free endpaper signed "Felix Frankfurter" in bold hand, interior otherwise clean. \$600.

FIRST EDITION. The inscription reads: "To Ned French, who/ makes me feel that/ a good railroad/ president is a/ statesman./ Yours sincerely/ Felix Frankfurter/ Algonquin Club/ 16 December 1938. Mr. Justice Holmes is Frankfurter's finest statements of his admiration for Holmes. This and other books did much to establish Holmes's posthumous reputation.



Nº 13



Nº 14

WITH A WARM INSCRIPTION BY FRANKFURTER

14 FRANKFURTER, FELIX.

The Commerce Clause Under Marshall, Taney and Waite.

Chapel Hill: The University of North Carolina Press, 1937. 114 pp.

Lightly shelfworn cloth in moderately worn and lightly edgeworn and moderately soiled dust jacket, faint dampstaining to rear panel. Warm author inscription, most likely to Robert H. Jackson, signed "Felix," interior otherwise clean. \$1,250.

FIRST EDITION. The inscription reads: "Dear Bob/ This is not a Roland for an Oliver, but law, at least in my poor hands, is only on the river of philosophy./ But 'we live by symbols,' and this brings you my gay devotion & ardent hopes./ Yrs/ Felix/ 18 December 1936." "Bob" is probably Robert H. Jackson [1894-1954], one of Frankfurter's closest friends. In 1936 Jackson was the assistant attorney general heading the Tax Division of the Department of Justice. He was attorney general from 1937 to 1941 and an associate justice of the Supreme Court from 1941 to 1954.

AN EARLY APPLICATION OF PSYCHIATRY TO A CRIMINAL CASE

15 GRAY, LANDON CARTER.

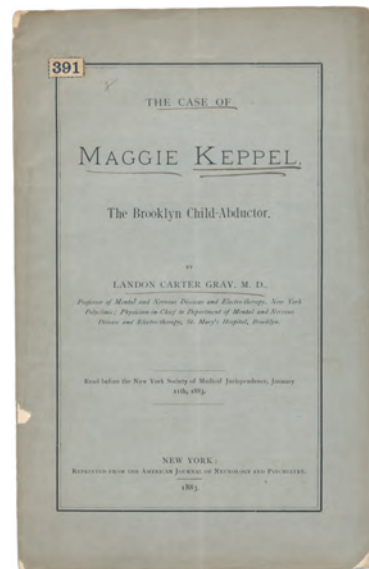
The Case of Maggie Keppel, The Brooklyn Child-Abductor.

New York: Reprinted from the American Journal of Neurology and Psychiatry, 1883.

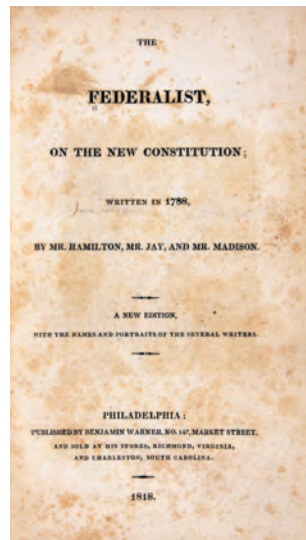
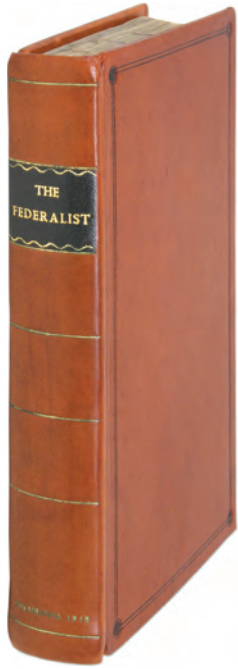
11 pp. Octavo (9-1/4" x 6").

Stab-stitched pamphlet in printed wrappers. Moderate rubbing to extremities, wrappers partially detached and lightly edgeworn, vertical crease through center of pamphlet, small label (reading "391") to head of front wrapper. Light toning to text, early underlining to title and author name of front wrapper, internally clean. **SOLD**

ONLY EDITION AS A SEPARATE PUBLICATION. This article is based on a paper presented to the New York Society of Medical Jurisprudence. Keppel abducted three-year-old Lizzie Selden from the front of her parents' house in Brooklyn. Dr. Gray had previously observed Keppel after she was arrested from a minor theft and was convinced she suffered from insanity. His further observation of her after her arrest and his testimony at her trial helped to secure her acquittal for reasons of insanity. "Whilst I am fully aware of the dangerous tendencies of such a lunatic as Maggie Keppel, who, in another phase of her malady, might have murdered the child as readily as she had stolen it, and whilst I think she ought to be confined in an asylum for the rest of her life, yet the spectacle of this poor creature aimlessly wandering about in accordance with her insane vagaries, looking out upon the world as through a veil, mistily, the sport of her heredity and her organism, has to me a pathos that surpasses abstract considerations, and it ought to teach a larger humanity and a more unprejudiced philanthropy than are taught by creed or shibboleth." (10-11).



Nº 15



N°16

APPEALING EARLY EDITION OF *THE FEDERALIST*

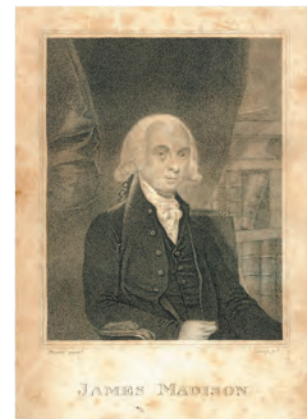
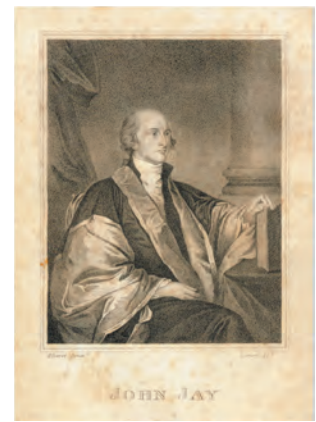
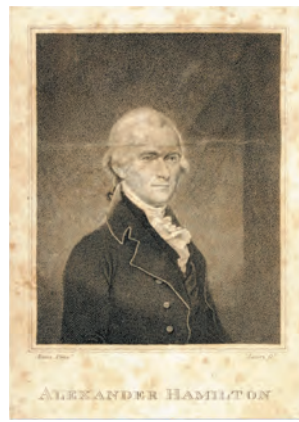
- 16 HAMILTON, ALEXANDER [1755-1804].
 JAMES MADISON [1751-1836].
 JOHN JAY [1745-1829].

The Federalist, On the New Constitution; Written in 1788. A New Edition, With the Names and Portraits of the Several Writers.

Philadelphia: Published by Benjamin Warner, 1818. vi, [7]-504 pp. Lithographed portrait frontispiece of Hamilton, two other plates with portraits of Madison and Jay, both with tissue overlays. Octavo (8-1/2" x 5-1/2").

Recent period-style calf, blind rules to boards, lettering piece and gilt fillets to spine. Moderate toning, occasional light foxing, faint dampstaining to some leaves, chip to margin of a leaf with no loss to text. Early markings to margins of a few leaves, interior otherwise clean. Ex-library. Small inkstamps to verso of title page and foot of final page. A nice copy in an attractive binding. \$1,250.

SECOND SINGLE-VOLUME EDITION, a reissue of the first with plates. With the text of the Articles of Confederation and the U.S. Constitution. Of the eighty-five essays, John Jay wrote numbers 1-5 and 54, Madison wrote numbers 10, 14, and 37-48. Numbers 18-20 were written by all three. The remaining 50 were written by Hamilton. (The author's name is listed at the end of each essay in this edition.) The essays aimed to encourage ratification of the proposed constitution by New York State, but were immediately recognized as the most compelling commentary on the most radical form of government the world had yet seen. Most of these essays appeared under the collective pseudonym "Publius" in New York newspapers and journals from October 27, 1787 to early June 1788. The M'Lean brothers published the first edition of *The Federalist* (along with the text of the Constitution) in 1788 as a two-volume set. The present edition follows the text of the 1802 Hopkins edition, which was the first to include corrections by Jay and Hamilton. Cohen 2818. Ford 14 (50).



Details from N° 16

EARLY EDITION OF *THE FEDERALIST*

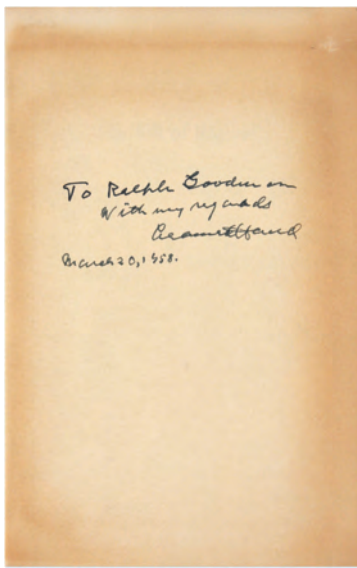
- 17 HAMILTON, ALEXANDER.
 MADISON, JAMES.
 JAY, JOHN.

The Federalist, or The New Constitution, Written in the Year 1788, by Mr. Hamilton, Mr. Madison, and Mr. Jay: With an Appendix, Containing the Letters of Pacificus and Helvidius on the Proclamation of Neutrality of 1793; Also, The Original Articles of Confederation, and the Constitution of the United States, With the Amendments Made Thereto. A New Edition. The Numbers Written by Mr. Madison Corrected by Himself.

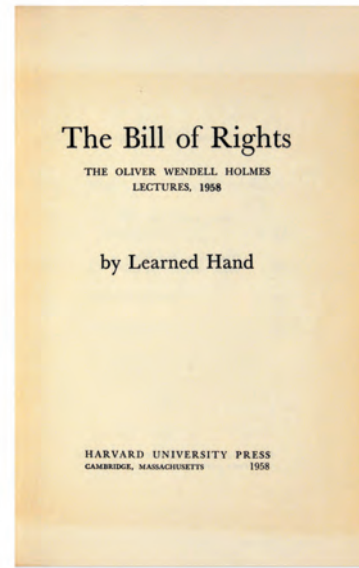
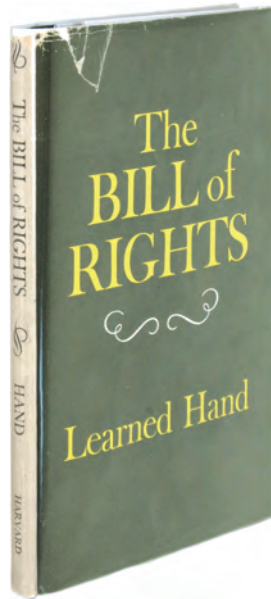
Hallowell, ME: Glazier, Masters & Smith, 1837. 500 pp. Octavo (9" x 5-1/4").

Contemporary sheep, gilt fillets to spine, with lettering piece. Moderate rubbing, front board beginning to separate, rear hinge starting. Toning, occasional light foxing, offsetting to small section of pp. 324 and 325 from laid-in newspaper clipping. Early owner signature (of J.A. Ackley) to front pastedown, interior otherwise clean. \$400.

LATER EDITION. With index and the text of the U.S. Constitution. The author of each essay is indicated. Cohen 2818.



INSCRIBED BY LEARNED HAND



N° 18

RARE AMERICAN STUDY
OF PRISON TREADMILLS AND PENAL REFORM

18 HAND, LEARNED [1872-1961].

The Bill of Rights.

Cambridge: Harvard University Press, 1958. v, 82 pp.

Cloth very good in moderately worn dust jacket with lightly soiled rear panel. Author inscription to front free endpaper in bold hand, internally fresh. \$1,500.

FIRST EDITION. The inscription reads To Ralph Goodman/ With my regards/ Learned Hand/ March 20, 1958. The published version of the Oliver Wendell Holmes Lectures delivered at Harvard University in 1958, this influential book discusses the propriety of judicial efforts to expand the scope of the first ten amendments. It has three chapters, "When a Court Should Intervene," "The Fifth and Fourteenth Amendments" and "The Guardians." One of the most significant American jurists of the twentieth century, Hand was a judge of the U.S. Southern District of New York from 1904-1924 and a judge of the Court of Appeals, Second Circuit, from 1924 to 1956. His judgments were renowned for their lucidity and elegance.

INSCRIBED BY HAND TO A NOTABLE INTERNATIONAL LAWYER

19 HAND, LEARNED

The Spirit of Liberty: Papers and Addresses of Learned Hand Collected, And With an Introduction and Notes, by Irving Dilliard.

New York: Alfred A. Knopf, 1952. xxx, 262, [2] pp. Cloth in moderately worn dust jacket, large chip to foot of spine. Author inscription to Frank Oppenheimer on front free endpaper, interior otherwise clean. \$1,000.

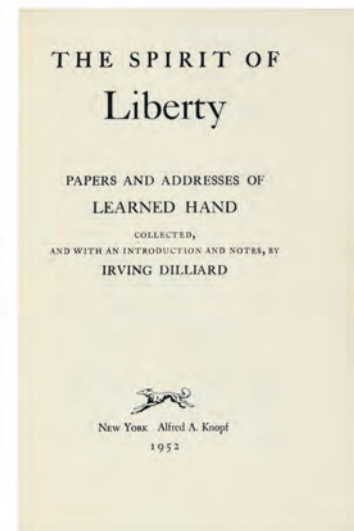
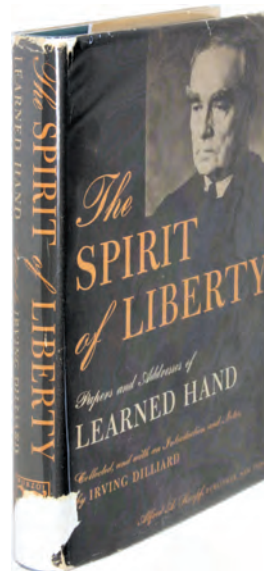
THE INSCRIPTION READS: "To Franz M. Oppenheimer,/ We both see things through/ much the same lenses, I think,/ and that is indeed a bond./ Learned Hand."

20 HARDIE, JAMES [1760?-1826?].

The History of the Tread-Mill, Containing an Account of Its Origin, Construction, Operation, Effects as it Respects the Health and Morals of the Convicts, With Their Treatment and Diet. Also, A General View of the Penitentiary System, With Alterations Necessary to be Introduced Into Our Criminal Code, For its Improvement.

New York: Printed by Samuel Marks, 1824. viii, [9]-70 pp. Woodcut frontispiece of convicts on treadmill. 12mo. (7" x 4").

Recent quarter cloth over paper-covered boards, speckled edges. Negligible light soiling and shelfwear. Moderate toning and light foxing. Early owner signature to head of title page, interior otherwise clean. **SOLD**



N° 19

ONLY EDITION. A fascinating look at the origins of the treadmill and its value to American penology. Devised in England by William Cubitt in 1818, treadmills were used as a more humane punishment and a form of labor for prison inmates. In addition to punishment and discipline, they served to prevent idleness, promote health and generate power for mills. Joining the distinguished chorus of early nineteenth-century prison reformers, Hardie offers valuable insights into the nature of punishment, prison overcrowding, juvenile offenders and the treatment of women (usually prostitutes) who labored on the treadmill. No print copies listed on OCLC. Cohen 4309.

CONGRESSIONAL SPEECHES
AGAINST THE INDIAN REMOVAL ACT OF 1830

- 21 [INDIAN REMOVAL ACT OF 1830].
[EVARTS, JEREMIAH (1781-1831), EDITOR].

Speeches on the Passage of the Bill for the Removal of the Indians, Delivered in the Congress of the United States, April and May, 1830.

Boston: Published by Perkins and Marvin, 1830. viii, 304 pp. Octavo (7-1/2" x 4-1/2").

Later buckram, gilt title to spine, several signatures unopened. Light rubbing to extremities, a few cracks to text block. Moderate toning to text, occasional light foxing, minor tears to a few leaves, internally clean. Ex-library. Location label to spine, stamps to title page and rear pastedown. \$200.

ONLY EDITION. A collection of speeches by senators and congressmen, including Davy Crockett, opposing passage of the Indian Removal Bill of 1830. Proposed to Congress by President Jackson in December 1830, and enacted in May of that year, it resulted in the removal of the Cherokee, Chickasaw, Choctaw, Muscogee-Creek and Seminole Tribes to territory west of the Mississippi. Everts, the compiler of this volume, was a missionary and early activist for the rights of Native Americans. Sabin 89222.

LANDS DISTRIBUTED AFTER THE INDIAN REMOVAL ACT OF 1830

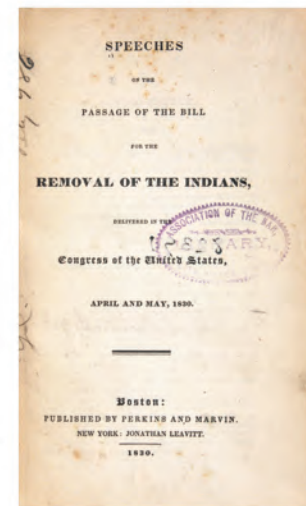
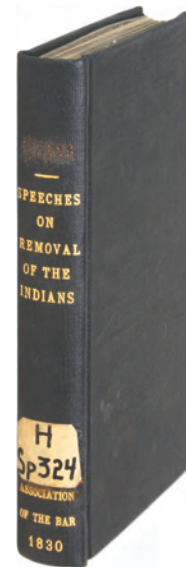
- 22 [INDIAN REMOVAL ACT].
[SMITH, JAMES F., COMPILER].

The Cherokee Land Lottery, Containing a Numerical List of the Names of the Fortunate Drawers in Said Lottery.

New York: Printed by Harper & Brothers, 1838. [ii], [4], 413, [1], [2] pp. 56 of 59 engraved maps. Octavo (8-3/4" x 5-1/2").

Later library buckram. Worn, boards and front endleaves detached, rear hinge cracked. Moderate toning, occasional light foxing, dampstaining in a few places, edgewear to some of the maps, chipping to top-edges of final 11 leaves with minor loss to text and one map. Early owner annotations to several leaves. Ex-library. Location label to spine, stamps to title page and rear pastedown. \$50.

ONLY EDITION. Lists the lands distributed by lottery after the Cherokee and other Indian tribes were expelled from Georgia according to the Indian Removal Act of 1830. *De Renne* 462. Sabin 82790.



Nº 21

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

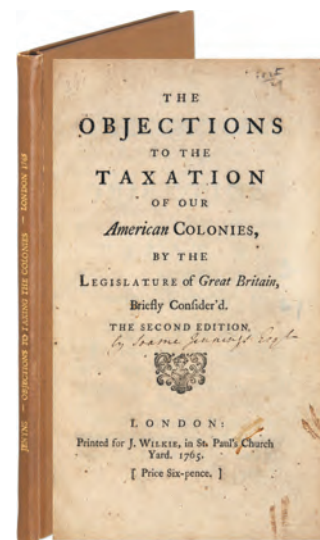
- 23 [JENYNS, SOAME (1704-1787)].

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

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

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

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



Nº 23

"HOLDS A PLACE COMPARABLE TO THAT WHICH PLOWDEN'S COMMENTARIES HOLDS IN ENGLISH LEGAL LITERATURE"

SOUVENIR OF A LANDMARK ANTITRUST CASE

24 KIRBY, EPHRAIM [1757-1804], REPORTER.

Reports of Cases Adjudged in the Superior Court of the State of Connecticut. From the Year 1785, to May, 1788; With Some Determinations in the Supreme Court of Errors.

Litchfield: Printed by Collier & Adam, 1789. v. [iii], 456. [32] pp. Octavo (8" x 5").

Contemporary sheep, blind frames to boards, lettering piece and blind fillets to spine. Moderate rubbing to extremities, chipping to spine ends and edges of lettering piece, corners bumped and somewhat worn, boards beginning to separate, but secure. Light browning to text, occasional light foxing, faint dampstaining to margins of a few leaves. Early owner signature of "Robinson Crusoe/ East Haddam" to front free endpaper, other signatures, of Joseph Platt, 1813, and Isaac Webb, 1827, to head of title page, interior otherwise clean. A nice copy of a notable early American law book. **SOLD**

FIRST EDITION. With a subscriber list that includes Nathaniel Chipman, James Kent, Tapping Reeve, Zephaniah Swift and other distinguished jurists. Kirby's *Reports* and Hopkinson's *Judgments in Admiralty in Pennsylvania* were the first reporters published in America, both in 1789. Although their priority is still a subject of debate, most experts say Kirby's volume appeared first. A landmark in American legal history, its importance was recognized almost immediately. "[Kirby's] was the first fully developed volume of law reports published in the United States and in American legal literature holds a place comparable to that which Plowden's *Commentaries* holds in English legal literature" (*DAB*). One of the book's owners, Isaac Webb [1798-1842], a Yale-educated lawyer, established and ran a distinguished prep school in Middletown, Connecticut. One of his pupils was Rutherford B. Hayes. *Dictionary of American Biography* 10:424. *HLC* 1:1100.

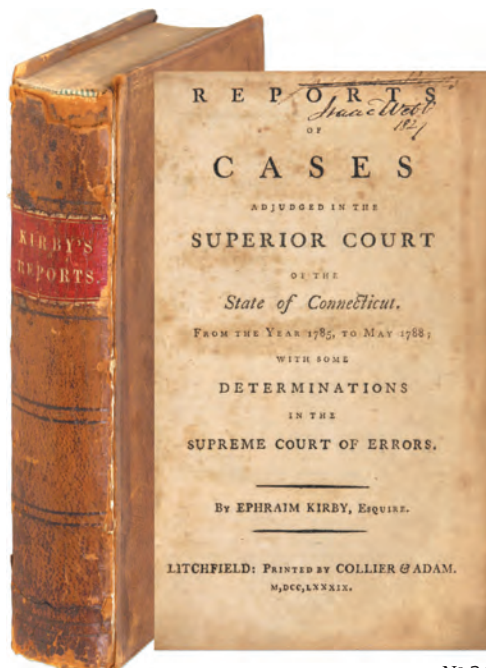
25 [KNOX, PHILANDER (1853-1921)].
[NORTHERN SECURITIES CO. V. UNITED STATES].

In the Supreme Court of the United States, October Term, 1903. Northern Securities Company [et al.] v. United States of America, Appellee. Appeal for the Circuit Court of the United States for the District of Minnesota. Argument and Brief for the United States.

[Washington, DC: Government Printing Office, 1904]. [iv], 94; [ii], ii, 180 pp. Two parts preceded by general title page.

Contemporary morocco, gilt frames to boards, gilt title to spine, untrimmed edges. Moderate rubbing to extremities, with some wear to spine ends and corners, scuffing and light soiling to front board, which is slightly bowed, a few cracks to text block. Light toning to text, foxing in a few places, internally clean. \$950.

FIRST EDITION. This volume, containing Attorney General Philander C. Knox's Supreme Court argument in the landmark Northern Securities Case, and the federal government's appeal of the case from the Circuit Court to the Supreme Court, was likely bound by Knox as a gift to a colleague or friend. Decided in 1904, the Northern Securities Case was a pivotal case in the legal history of the Progressive Era and the history of railroads in the American West. The Northern Securities Company was a powerful trust formed by J.P. Morgan and James G. Hill to control railroad trunk lines in the Northwest and into Chicago and stifle competition. President Roosevelt, seeing an opportunity to exert federal power against a business monopoly, instructed Knox to bring suit against the Northern Securities Company. Knox handled the case personally, writing the appeal from the decision of the Minnesota Circuit Court, and arguing the government's case before the U.S. Supreme Court. Invoking the Sherman Antitrust Act of 1890, Knox argued that The Northern Securities Company acted in restraint of trade. The court's decision, on a 5-4 vote with Oliver Wendell Holmes and Chief Justice Melville Fuller dissenting, upheld the government's argument, affirming the constitutionality of the Sherman Antitrust Act.



N° 24



N° 25

"I COULD NOT HELP BUT WIN"

26 [LEGAL PUBLISHING].
[EDWARD THOMPSON COMPANY].

[Publisher Advertisement Backed with a Cloth Ink Blotter].

[Northport, Long Island: Edward Thomson Co., February–March 1895]. 3-1/2" x 8-3/4" Cloth-backed lithographed advertisement on thick cardstock. Light edgewear, inkstains to verso. **\$OLD**

A CHARMING PROMOTIONAL ITEM for Thomson's *American and English Encyclopedia of Law*. A central image of that book is flanked by calendars for February and March 1895 and images of lawyers and their clients at the end of a case. The winner says: "Of Course, I'm glad to have you congratulate me, Harry, but I could not help but win. I did not take the case till yesterday, but I had not worked on it half an hour before I found half a dozen precedents in my *Encyclopedia of Law*."

LITTLE & BROWN SEEK SUBSCRIBERS
FOR A NEW SERIES OF LAW REPORTS

27 [LEGAL PUBLISHING].
LITTLE & BROWN.

[Subscription Prospectus for English Reports in Law and Equity].

Boston: [Little & Brown]: March, 1851. Single 10" x 7-3/4" sheet, text to both sides. Light shelfwear, horizontal and vertical fold lines, contemporary annotations to foot of verso. A remarkably well-preserved item. **\$200.**

THIS PROSPECTUS would have been folded, sealed, addressed and mailed to a potential buyer. It promises "a new series of English Law and Equity Reports, which shall, in all respects, be far in advance of any other reprint of English Reports in this country, and which shall furnish to the American lawyer the decisions of Westminster Hall, nearly two years before they could otherwise be obtained, and long before the publication of the contemporaneous decisions of most of our tribunals." This was a successful pitch: publication commenced in 1851.

NINETEENTH-CENTURY ADVERTISING TOOL
OF AN IOWA LEGAL PUBLISHER

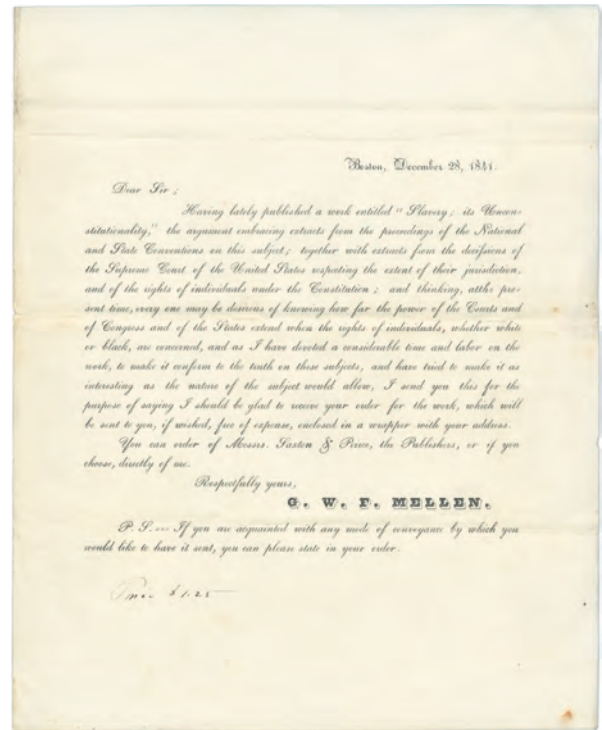
28 [LEGAL PUBLISHING].
NEW NONPAREIL COMPANY.

Complete Directory of Iowa Attorneys, Compiled by the New Nonpareil Company.

Council Bluffs, IA: [New Nonpareil Company], July 1895. 49, [1] pp. Text printed within ruled borders. 12mo. (6-1/2" x 4-1/2").

Softbound, front wrapper lacking, rear wrapper detached and lightly edgeworn. Moderate toning to text, two small chips and a minor tear to edges of title page. An interesting item. **\$200.**

ORGANIZED BY TOWN, this directory was a marketing tool for a printing company that specialized in legal forms and legal job-printing. It also published *The Daily Nonpareil*, the "best all round newspaper in the west." Eight of the pages are a publisher catalogue, one is an advertisement, illustrated with a woodcut of the company printing works, for the press and newspaper. The rear wrapper has ads for Kinsman & McCloud, a legal bookseller, and the Citizens State Bank of Council Bluffs.



Nº 29

PROMOTIONAL ITEM FOR AN ANTI-SLAVERY PUBLICATION

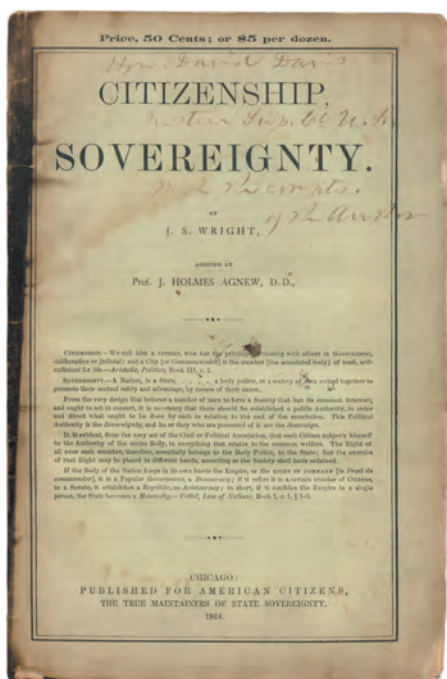
29 [LEGAL PUBLISHING].
SAXTON & PEIRCE
MELLEN, G[EOERGE] W[ASHINGTON] F[ROST].

[Promotional Letter for Mellen's Argument on the Unconstitutionality of Slavery].

[Boston: Saton & Peirce, December 28, 1841]. Single sheet folded once to form two 8" x 10" leaves. Printed text on one page, fourth page franked and postmarked (to a member of the U.S. House of Representatives, whose name is illegible).

Light edgewear and soiling, some fading along edges, horizontal and vertical fold lines, some with minor tears. Manuscript annotation "Price \$1.25" to foot of text. **\$450.**

PUBLISHED UNDER THE AUTHOR'S NAME, this printed form letter is an offer for a complimentary copy of the recently-published *An Argument on the Unconstitutionality of Slavery, Embracing an Abstract of the Proceedings of the National and State Conventions on this Subject*. "I send you this for the purpose of saying I should be glad to receive you order for the work, which will be sent to you, if wished, free of expense, enclosed in a wrapper." As indicated by the address, Mellen offered free promotional copies to members of the U.S. Congress and other influential men. This strategy may have been successful; a second Mellen's book was published in 1849.



N° 30

A BOOK FOR EVERY CITIZEN! FOR EVERY CITIZEN-SOLDIER!

- 30 [LEGAL PUBLISHING].
WRIGHT, J[OHN] S.
AGNEW, J[OHN] HOLMES.

***Citizenship, Sovereignty* [Book prospectus].**

Chicago: Published for American Citizens, The True Maintainers of State Sovereignty, 1864. [iii], 12, [2] pp. Errata slip. Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet. Light soiling and edgewear, darkening along spine, rear wrapper lacking. Moderate toning, faint dampstaining to a few leaves. "Hon. David Davis, Justice Sup. Ct. U.S./ With the Compts./ of the Author" to front wrapper, internally clean.

[And]

***A Book for Every Citizen! For Every Citizen-Soldier!... Citizenship, Sovereignty* [Running title].**

Four-page 11-1/4" x 4-1/2" circular. Some toning, dampstaining and minor edgewear. Two items in all. \$750.

A PUBLISHER PROSPECTUS and an accompanying circular for a book addressing the legal issues surrounding the Civil War and its eventual resolution first published in 1863. The pamphlet contains a detailed synopsis of the forthcoming book and "Opinions of Competent Judges, such as Samuel Morse and Erastus Corning;" the circular lists chapter headings and a smaller selection of opinions. (Readers are referred to the pamphlet for more information). Published in 1864 (with an 1863 imprint date), *Citizenship, Sovereignty* was meant to be the first volume of a five-volume work entitled *Our Federal Union*. No other volumes were published. Wright was a prominent Chicago businessman, newspaper publisher and philanthropist. David Davis [1815-1886], a justice of the U.S. Supreme Court, was Abraham Lincoln's campaign manager in 1860. OCLC locates 1 copy of the circular (at the Wisconsin Historical Society), no copies of the prospectus.

COURT FEES FROM AN 1801 NEW JERSEY EJECTMENT CASE
INVOLVING A PROMINENT LAWYER

- 31 [MANUSCRIPT].
BOUDINOT, ELISHA [1749-1819].

[List of Court Fees in an Ejectment Case].

[Trenton, NJ], 1801. 13" x 8," leaf, docketed on verso.

Horizontal foldlines, light browning, foxing, two small dampstains and minor edgewear. \$150.

A DETAILED LIST OF COURT EXPENSES, \$20.19 in all, in the matter of Elisha Boudinot v. Richard Few and William White, Tenant. Elisha Boudinot, brother of New Jersey lawyer-statesman Elias Boudinot, was a prominent Newark lawyer, later the chief justice of the New Jersey Supreme Court. Active in the cause of American independence, he associated with such men as Washington and Hamilton. Legal bills and other court documents offer useful glimpses into daily legal practice. This one is especially appealing due to its association with an important lawyer.

LECTURE NOTES COMPILED BY A STUDENT
AT THE UNIVERSITY OF MICHIGAN LAW SCHOOL IN 1890-1891

- 32 [MANUSCRIPT].
[LIEGHLEY, I.A.].
[WELLS, WILLIAM P (1831-1891)].

[Lectures Notes from Courses on Agency and Partnership Taught by Prof. Wells].

[Ann Arbor, October 3, 1890-March 4, 1891]. 161 [i.e. 191] pp. Quarto (9" x 6").

Quarter cloth over pebbled paper. Light rubbing to boards, heavier rubbing with some wear to extremities, hinges cracked, binding still intact. Light toning to interior, content in clear hand to rectos and versos of pp. 1-186, occasional annotations to final 28 leaves, including an index, additional annotations to endleaves, newspaper obituary of Prof. Wells affixed to rear endleaf. \$750.

THIS NOTEBOOK OFFERS AN OPPORTUNITY to "audit" two courses taught at the University of Michigan in the early 1890s by one of its leading professors. These appear to be notes taken in class. Lieghley added an index at a later point. The notes indicate the durability of the lecture format at Michigan, but with some influence from the new case-method system. Lieghley signed the front pastedown and noted his membership in the Sigma Alpha Epsilon fraternity. The lower part of the page contains a note stating the date of Professor Wells's death. Wells, the Kent Professor of Law, taught at the university from 1874 to 1891. After Thomas M. Cooley, he was the most distinguished member of Michigan's faculty in the late nineteenth century. Little is known about Lieghley. Martindale directories from 1890s and early 1900s indicate that he had a private practice in Detroit.

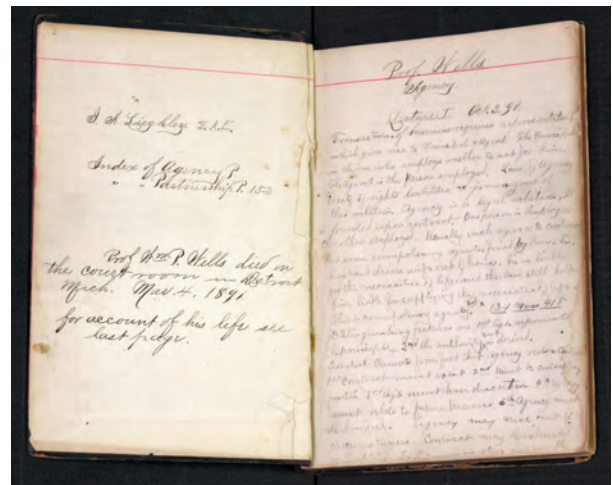
ACCOUNT BOOK OF NINETEENTH-CENTURY LAWYER
FROM GARDINER, MAINE

33 [MANUSCRIPT].
[STILPHEN, A[SBURY] C[OKE] (B. 1842)].

Account of Monies Expended from May 1st 1865 to 1880.
[Collection and Cash Book].

Gardiner, ME, 1870-1874. [120] pp. Folio (13" x 8").

Three-quarter sheep over marbled boards, gilt fillets and title (reading "Ledger") to spine. Considerable rubbing with loss to spine ends and corners, boards abraded and scuffed, a few cracks to text block, Stilphen's stamp to front pastedown, his signature to front free endpaper. Light toning to interior, faint dampstaining in a few places, content in fine neat hand to rectos and versos of most of the leaves, tipped-in bill of sale for musical instruments, instructional books and sheet music from "Joseph Stilphin, Deputy Sheriff" to rear pastedown. \$850.



Nº 32

THIS LEDGER RECORDS THE DAILY PRACTICE OF a prominent lawyer and businessman who practiced in Gardiner, Maine, a town near Augusta, the state capitol. Stilphin was both a lawyer with a specialty in corporate practice and a dealer in investment securities. He was also the auditor (comptroller) of the Kennebec Central Railroad. The ledger indicates that he devoted most of his time to investment services. Considered a leading citizen of Gardiner, he was active in civic enterprises and held several political offices. He was also active as a local historian. Mercantile Publishing Company, Boston, *Leading Business Men of Lewiston, Augusta and Vicinity* 147.

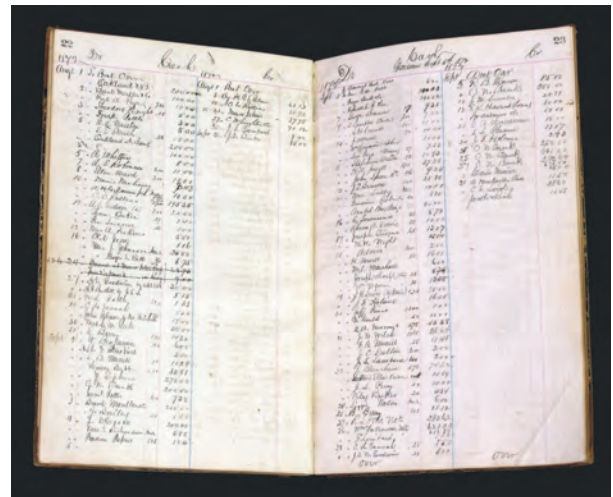
DOCKET BOOK OF A NOTABLE NINETEETH-CENTURY
RHODE ISLAND LAWYER
WHO TOOK PART IN THE DORR REBELLION

34 [MANUSCRIPT].
[TITUS, JONAH (1796-1876)].

[Docket Book of Jonah Titus, Rhode Island Lawyer and Dorrite Attorney General].

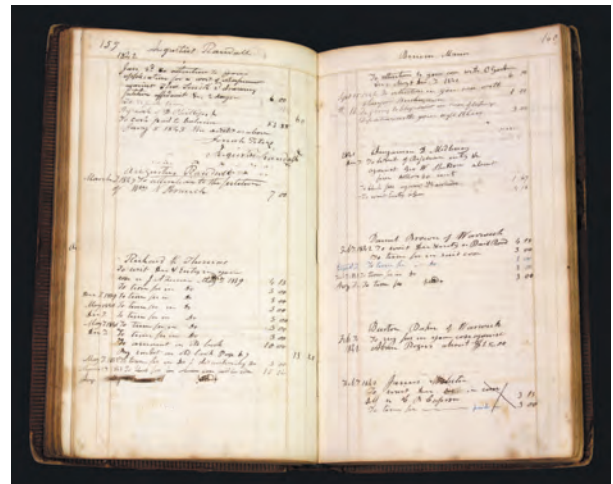
[Scituate, RI, May 1836-December 23, 1875]. [400] pp. Folio (13" x 8").

Reversed calf, black-stamped panels to boards, raised bands, black-stamped ornaments and lettering piece (reading "Ledger") to spine. Moderate rubbing and a few minor scuffs and stains to boards, heavier rubbing to extremities with wear to spine ends and corners. Light toning, text in small neat hand on 378 hand-numbered pages, entries on 8 other leaves at rear of text. \$950.

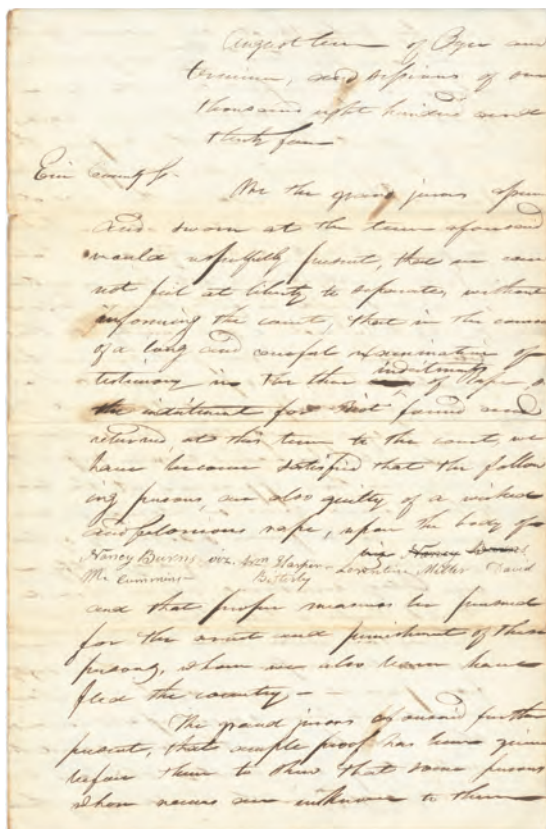


Nº 33

TITUS, BELIEVED TO BE THE FIRST LAWYER to establish a practice in Scituate, was a leader of the Rhode Island bar. He is remembered for his participation in the Dorr Rebellion of 1841-1842, an attempt to force broader democracy in Rhode Island by establishing a rival state government under "Governor" Thomas Wilson Dorr. Titus was Dorr's attorney general. The turbulence of that period is not reflected in this docket book, which lists memoranda of cases, services rendered and fees charged. Also listing personal expenses, this offers a fine perspective on the working life of a well-respected attorney with a thriving practice over a 39-year period. Payne, *Reminiscences of the Rhode Island Bar* 41-43.



Nº 34



N° 35

"BRIBES, THREATS AND ALARMS"

35 [MANUSCRIPT].
[TRIAL].
[PENNSYLVANIA].

[Grand Jury Presentment Concerning Improprieties a Rape Case].

[Erie County, PA, August 8, 1834]. 4 pp. 13" x 8" bifolium, docketed on verso of second leaf.

Horizontal fold lines, a few with minor tears, light browning and minor edgewear. Content in small hand filling three pages. Item accompanied by typed transcription. \$1,500.

THIS APPEARS TO BE A DOCUMENT from an unrecorded rape case. It reads, in part: "We the grand jurors...have become satisfied that the following persons are also guilty of a wicked and felonious rape, upon the body of Nancy Burns viz., Wm. Harper, Lorentine Miller, David McCummins and that proper measures be pursued for the arrest and punishment of these persons, whom we also learn have fled the country. The grand jurors further present, that ample proof has been given before them to show that some persons whose name are unknown to them have by bribes, threats and alarms, spirited away one of two or three very important witnesses in this very important matter..."

36 MARTIN, FRANCOIS-XAVIER [1762-1846].

A General Digest of the Acts of the Legislatures of the Late Territory of Orleans and of the State of Louisiana, And the Ordinances of the Governor Under the Territorial Government: Preceded by the Treaty of Cession, The Constitution of the United States, And of the State, With the Acts of Congress, Relating to the Government of the Country and the Land Claims Therein. Published Under a Resolve of the Legislature.

New Orleans: Printed by Peter K. Wagner, 1816. Three volumes. 742; 696; 290, 295-513, [3], 107 pp. Volume III lacking pp. 291-294, which are supplied in facsimile. English and French translation on facing pages. Added title page in French reading: *Digeste General des Actes des Legislatures du Territoire d'Orleans et de l'Etat de la Louisiane...* Folding table in Volume I. Four pages of contemporary manuscript notes bound to rear of Volume II. Octavo (8" x 5").

Recent period-style calf, blind rules to boards, lettering pieces and gilt fillets to spine. Moderate toning, somewhat heavier near margins, light browning in places, light foxing to text. Faint dampstaining in places, worming to middle leaves of the bottom edge of Volume II with minor loss to margin (text not affected), a bit of edgewear to folding leaf, internally clean. Ex-library. Faint stamps to title pages, hand-lettered inventory numbers to versos. A handsome set. \$3,000.

FIRST EDITION. One of the great landmarks in Louisiana's history, this was the first post-territorial digest of the Louisiana legislature. It contains the treaty ceding the Territory of Louisiana to the United States and, on pp. 601-691 of Volume I, the infamous *Code Noir* of 1685, which ordered the expulsion of the Jews from French colonies, banned non-Catholic practices there and provided a system for the regulation of slavery. Martin was an important figure in the legal history of the south. A French-born lawyer, judge, author, translator, printer and historian, he began his career in North Carolina. He later moved to the Louisiana territory, where he played the leading role in the reorganization of its legal system. Appointed attorney-general when Louisiana became a state, he is considered the father of Louisiana jurisprudence. The manuscript pages at the end of Volume II are an index. Jumonville 281, 282, 283. Cohen 5663.

RARE ACCOUNT OF A SENSATIONAL MINNEAPOLIS MURDER

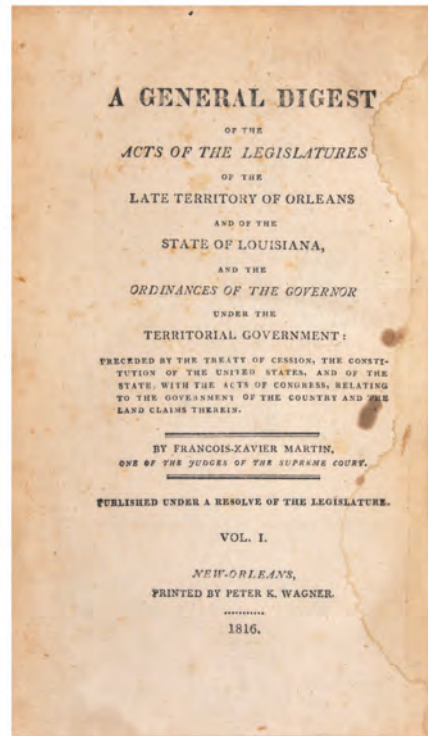
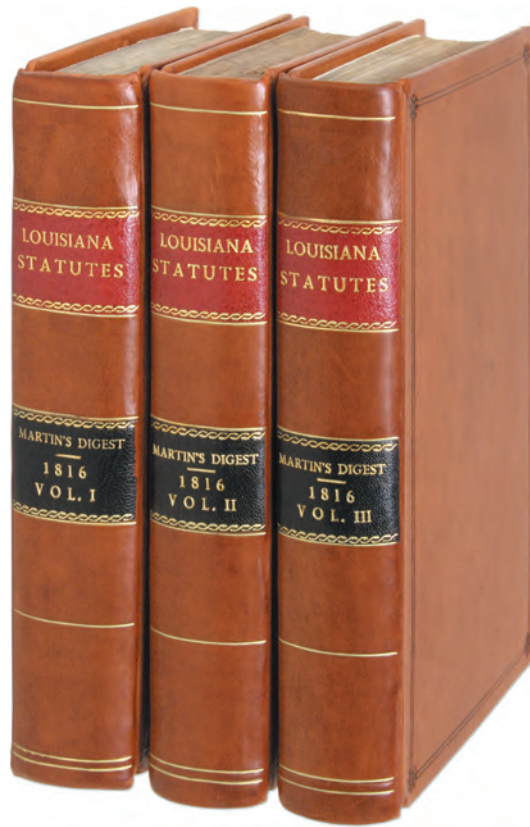
37 [MURDER].
[GOODSELL, EDWARD H.]
HAYWARD, HARRY T. [1866-1895].

Hayward's Confession. Supplement to the Minneapolis Times.

Minneapolis, MN, December 20, 1895. 23 pp. Text in three columns. Seven woodcuts, two full-page. Pictorial front wrapper. Quarto (12" x 9").

Stapled pamphlet. Light browning and light edgewear, faint vertical crease through center, minor chips and tears to edges of a few leaves, internally clean. A well-preserved copy of a rare item.

SOLD



Nº 36

ONLY EDITION. Hayward convinced Catherine M. Ging to insure her life with a large policy and list Hayward as the beneficiary. He then hired a man to kill her. She was killed, the crime was detected and Hayward was convicted and hanged. The trial generated a good deal of attention and several publications. *Hayward's Confession* was included in copies of the December 20, 1895 issue of the *Minneapolis Times*. Complete in itself, it is presented as a section of a forthcoming title, *Harry Hayward's Confession and Criminal Life*, a "thrilling volume" of "200 pages of sensational matter" advertised on the last page. This book was published in 1896. A clever promotional item. OCLC locates 1 copy (Minnesota Historical Society), no copies of the 1896 book. McDade 462.

to retain the American colonies by granting them a larger role in the British Empire. *Thoughts* examines the grievances that led to the revolution and supports the demand of the colonists for rights of representation. Its appendix prints letters from Benjamin Franklin to the London *Chronicle* and to William Shirley, colonial governor of Massachusetts. ESTC T50234. Sabin 66647.

1778 PAMPHLET URGING CONCILIATION WITH THE AMERICAN COLONIES

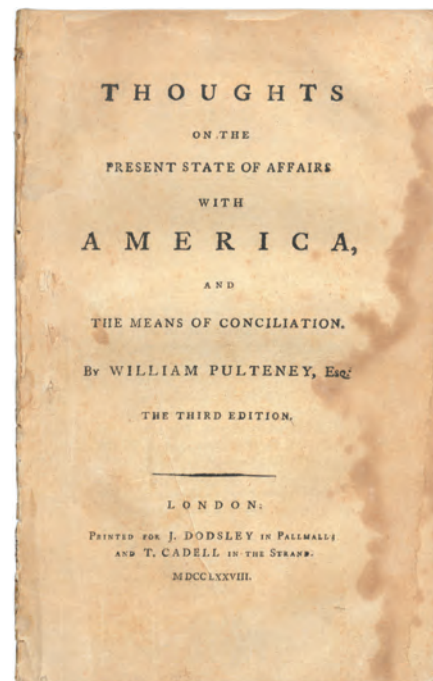
38 PULTENEY, WILLIAM.

Thoughts on the Present State of Affairs with America, And the Means of Conciliation.

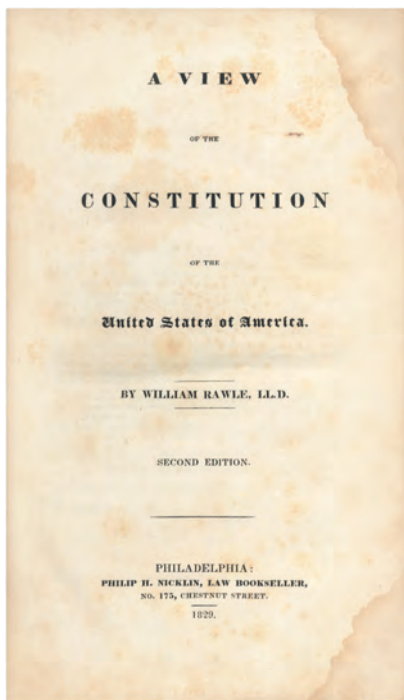
London: Printed for J. Dodsley in Pallmall; And T. Cadell in the Strand, 1778. [ii], 1032 pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet. Light edgewear to title page and final leaf, light browning, faint dampstaining to fore-edges of title page and following leaf. \$150.

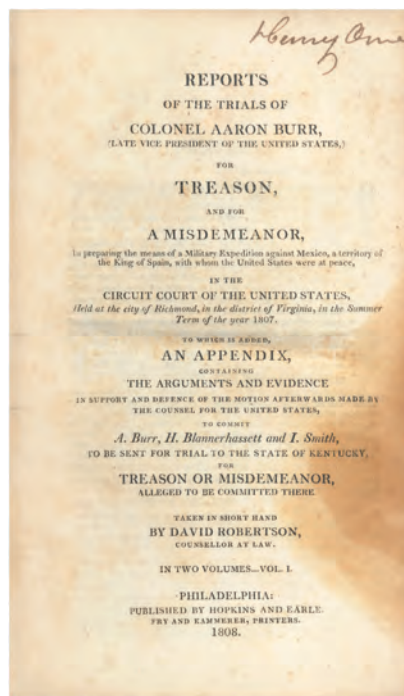
THIRD EDITION, one of seven editions and issues, all published in 1778. Pulteney was a Member of Parliament with a keen interest in economic matters and colonial affairs. He hoped



Nº 38



N° 39



N° 40

USED TO JUSTIFY SECESSION

39 RAWLE, WILLIAM [1759-1836].

A View of the Constitution of the United States of America.

Philadelphia: Philip H. Nicklin, Law Bookseller, 1829. viii, [9]-349 pp. Octavo (8-3/4" x 5-1/2").

Contemporary sheep, rebacked in period style retaining lettering piece. Moderate rubbing and a few light scuffs to boards, corners bumped and worn. Moderate toning, occasional foxing and faint dampstaining. Early owner signature to front free endpaper, interior otherwise clean. A nice copy of an important work. \$1,750.

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

EARLY REPORT OF THE TRIAL OF AARON BURR

40 [TRIAL].

BURR, AARON [1756-1836], ET AL., DEFENDANTS.
ROBERTSON, DAVID, REPORTER.

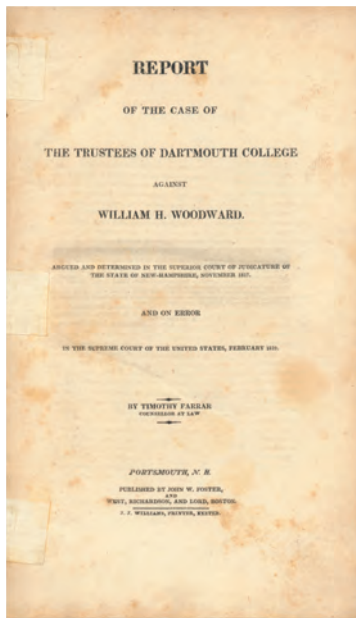
Reports of the Trials of Colonel Aaron Burr, (Late Vice President of the United States), for Treason, And for a Misdemeanor, In Preparing the Means of a Military Expedition Against Mexico, A Territory of the King of

Spain, With Whom the United States Were at Peace, In the Circuit Court of the United States, Held in the City of Richmond, In the District of Virginia, In the Summer Term of the Year 1807. To Which is Added an Appendix, Containing the Arguments and Evidence in Support and Defense of the Motion Afterwards Made by the Counsel for the United States, to Commit A. Burr, H. Blannerhassett and I. Smith, To be Sent for Trial to the State of Kentucky, For Treason and Misdemeanor, Alleged to be Committed There. Taken in Short Hand.

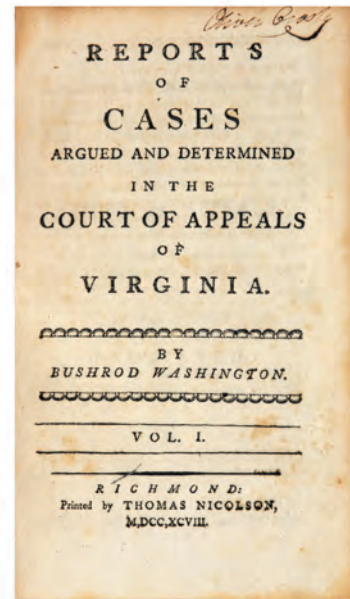
Philadelphia: Published by Hopkins and Earle, 1808. Two volumes. [viii], 596; [iv], 539 pp. Octavo (9" x 6").

Volume I: Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and minor scuffs to boards and spine, moderate rubbing to extremities, crack in text block between front endleaf and title page. Volume II: Later three-quarter calf over marbled boards, raised bands and gilt title to spine, marbled endpapers. Some rubbing to extremities, chipping to foot of spine, corners bumped and lightly worn, inkspot to front board, which is detached, rear hinge cracked. Moderate toning to text, occasional light foxing, staining to preliminaries of Volume I, inkspatters to margins of a few leaves, tear to pp. 383-384 of Volume II with no loss to text. Small early owner signatures to title pages, interiors otherwise clean. \$150.

ONLY EDITION. This is one of the most detailed and well-reported accounts of the Burr trial and the trials of his associates. Burr was accused of leading a conspiracy to steal land from Mexico and the Louisiana Purchase in order to establish a nation under his rule. Burr was arrested in 1807 and brought to trial on charges of treason, for which he was acquitted. Israel Smith [1759-1810] served in the Vermont legislature and both houses of the United States Congress. He went on to be Chief Justice of the Supreme Court of Vermont and the Governor of that state. Harman Blannerhassett [1765-1831], a wealthy Irish immigrant, owned the island where Burr's troops assembled. Cohen 14090.



N° 41



N° 42

FIRST REPORT OF THE LANDMARK DARTMOUTH COLLEGE CASE

- 41 [TRIAL].
[DARTMOUTH COLLEGE CASE].
FARRAR, TIMOTHY [1788-1874], REPORTER.

Report of the Case of the Trustees of Dartmouth College Against William H. Woodward. Argued and Determined in the Superior Court of Judicature of the State of New-Hampshire, November 1817. And on Error in the Supreme Court of the United States, February 1819.

Portsmouth: Published by John W. Forster, And West, Richardson, And Lord, Boston, [1819]. [iv], 406 pp. Octavo (9" x 5").

Original publisher boards, untrimmed edges, rebaked, period style contrasting paper spine with printed paper title label, preliminaries re-hinged. Light rubbing and minor staining to boards, moderate rubbing to extremities with wear to corners. Moderate toning and light foxing to text, minor edgewear to preliminaries, minor tears to margins of a few leaves, small hole near center of Leaf 24 (pp. 177-178) with negligible loss to text. Brief early owner annotation to head of Page 1, interior otherwise clean. \$1,500.

FIRST PUBLISHED REPORT. This is probably the most important American case concerning the contract right of corporations. The New Hampshire legislature passed a bill in 1816 that revoked Dartmouth College's original charter and converted the college from a private to a state institution. The college challenged the constitutionality of this act in the state Supreme Court without success, but the U.S. Supreme Court reversed the state's decision in a landmark opinion based on the contract clause of the Constitution. "By construing the contract clause as a means of protecting corporate charters from state interventions, Marshall derived a significant limitation on state authority. As a result, various forms of private economic and social activity would enjoy security from state regulatory policy. Marshall thus encouraged, through constitutional sanction, the emergence of the relatively unregulated private, autonomous economic actor as the major participant in a liberal political economy that served

the commonwealth by promoting enlightened self interest" (Konefsky). Farrar's comprehensive report contains all material related to the case, including the arguments of Webster and Wirt and the opinions of Chief Justice Marshall and Justices Story and Washington and texts of related documents. Konefsky, "Dartmouth College v. Woodward" in *the Oxford Companion to Law* 218-219. Sabin 23887. Cohen 11614.

FIRST EDITION OF WASHINGTON'S REPORTS.
RICHMOND 1790-1799

- 42 WASHINGTON, BUSHROD [1762-1829].

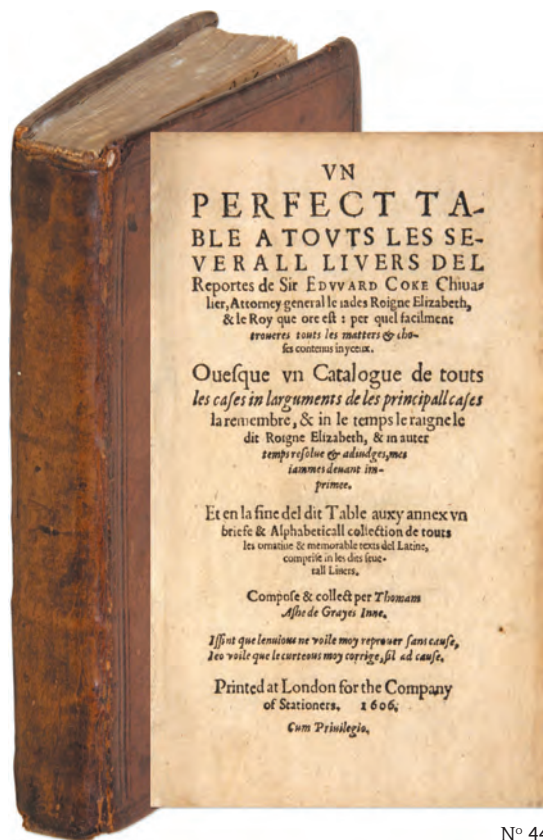
Reports of Cases Argued and Determined in the Court of Appeals of Virginia.

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

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

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

GREAT BRITAIN



AN EARLY GUIDE TO DYER'S REPORTS

N° 44

- 43 A[SHE], T[HOMAS] [FL. 1599-1618].
[DYER, SIR JAMES (1510-1582)].

La Table al Lieur des Reports del Tresreverend Judge Sir James Dyer Chivaler, lades Chiefe Iustice del Common Banke. Per Quel Facilment cy Troveront Toutes Choses Contenus in Icel Ore Tarde Compose per T.A.

London: In Aedibus Richardi Tottelli, 1588. [viii], 167, [1] ff. Octavo (5" x 3-1/2").

Contemporary calf, rebacked retaining spine, blind rules, central blind arabesques and initials "E R" to boards, raised bands and later hand-lettered title label to spine, endpapers renewed, bookplates retained. Moderate rubbing to extremities, corners bumped, later armorial bookplate of William Hopkinson to front pastedown, presentation bookplate from Hopkinson to the County Magistrates, Lincoln, and another plate listing previous owners of the book to rear pastedown. Moderate toning to text, light foxing in a few places, internally clean. \$950.

FIRST EDITION. Ashe was highly regarded for his treatises and indexes of reporters. Issued two years after the first edition of *Dyer's Reports*, this 1588 table was Ashe's first publication. Later editions were published in 1602 and 1609. A bookplate on the rear pastedown traces part of this book's ownership history to 1636, when it belonged to George Viscount Chaworth of Armagh, Chief Justice of Common Pleas in Ireland. OCLC locates 8 copies of the first edition in North America, 5 in law libraries (Columbia, Georgetown, Harvard, Library of Congress, Yale) and 1 copy in Great Britain (British Library) and 1 copy in Ireland (Trinity College). The *ESTC* adds 2 more copies in North America (Folger Library, University of Minnesota) and 6 more copies in the British Isles (Cambridge, Cashel Cathedral, National Library of Wales, Bodleian Library, Oxford, Peterborough Cathedral). *ESTC* S100017. Beale R482a.

FIRST EDITION
OF A NOTABLE EARLY DIGEST OF COKE'S REPORTS

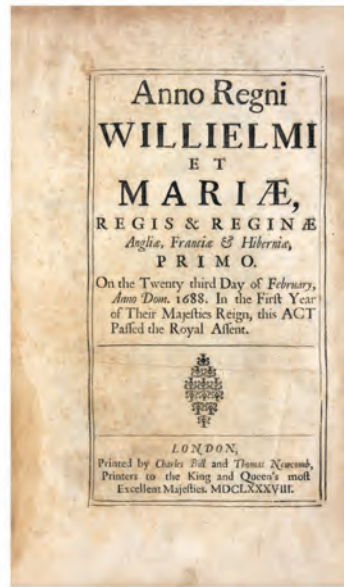
- 44 ASHE, THOMAS.
[COKE, SIR EDWARD (1552-1634)].

Un Perfect Table a Touts les Severall Livres del Reportes de Sir Edward Coke Chivalier, Attorney General le lades Roigne Elizabeth, & le Roy que Ore Est: Per quel Facilment Troveres Touts les Matters & Choses Contenus in Yceux. Ouesque un Catalogue de Touts les cases in Larguments de les Principall Cases la Remembre, & In le Temps le Raigne le Dit Roigne Elizabeth, & In Auter Temps Resolue & Adjudges, mes lammes Devant Imprimee. Et en la Fine del Dit Table Auxy Annex un Brief & Alphabetical Collection de Touts les Ornative & Memorabile Texts del Latine, Comprise in les Dits Severall Livres.

London: Printed for the Company of Stationers, 1606. [xvii], 148 ff. Octavo (5-1/2" x 3-3/4").

Contemporary calf, blind rules to boards, blind fillets to spine, ties lacking. Light rubbing and a few minor nicks to boards, moderate rubbing to extremities, chip to head of spine, corners bumped and somewhat worn, hinges starting. Woodcut head-pieces and decorated initials. Moderate toning to text. Early owner signature to front free endpaper, interior otherwise clean. \$850.

FIRST EDITION. This is an important early digest of the *Reports* of Edward Coke then published (Parts 1-11, first published 1600-1615). A popular and durable work, it went through two more editions in Law-French (in 1618 and 1631) and three editions in English (in 1652, 1653 and 1672). It was also reprinted in 1664 and 1680 editions of *Coke's Reports*. Sweet & Maxwell 1:297 (16, 17). *ESTC* S108463.



N° 45

INCLUDES THE FIRST PRINTING OF THE ENGLISH BILL OF RIGHTS

45 [BILL OF RIGHTS].
[GREAT BRITAIN].

“An Act Declaring the Rights and Liberties of the Subject, And Settling the Succession of the Crown.”

[Bound with]
[163 Parliamentary Acts Issued During Regnal Years 1-6 of King William III and Queen Mary II].

London: Printed by Charles Bill and Thomas Newcomb, 1688-1690; London: Printed by Charles Bill and the Executrix of Thomas Newcomb, Deceas'd, 1691-1693. Six parts, containing 164 acts, gathered in two volumes, each part has continuous pagination and index, each act has a title page. Folio (11" x 7").

Contemporary calf, gilt spines with raised bands and lettering pieces. Light rubbing to boards and spine, moderate rubbing to extremities, corners bumped and lightly worn, a few minor chips to spine ends, boards beginning to separate but secure. Woodcut

arms to title pages, woodcut head-pieces and tail-pieces. Light to moderate toning to text, light foxing in some places, internally clean. \$6,000.

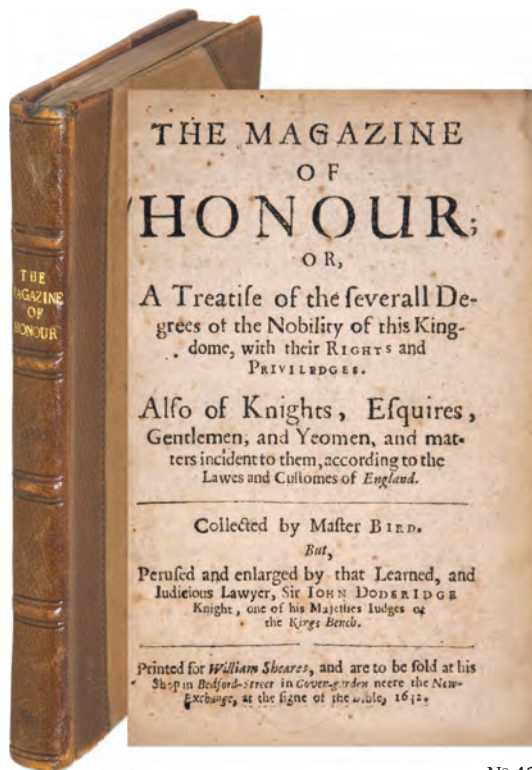
FIRST EDITION OF EACH ACT. These volumes record acts passed during the first six years of the reign of William and Mary. The most notable is the Bill of Rights, officially “An Act Declaring the Rights and Liberties of the Subject, And Settling the Succession of the Crown,” which was passed on 16 December 1689. One of the great documents of English constitutional history, it is a formal restatement of the Declaration of Right presented by the Convention Parliament to William and Mary in February 1689 (1688 in Old Style dating). It helped to establish the modern constitutional monarchy and was a source for several North American colonial constitutions and the American Bill of Rights. The other acts, though less momentous, are quite interesting because they trace the resolution of the Glorious Revolution and the early years of William Mary’s reign. The first edition of the English Bill of Rights is a rare title in commerce. A copy sold at auction in 2014 for \$6,750. Bill of Rights: ESTC R236544.



Detail from N° 45



Detail from N° 45



N° 46

"NOBILITY OF THE REALME"

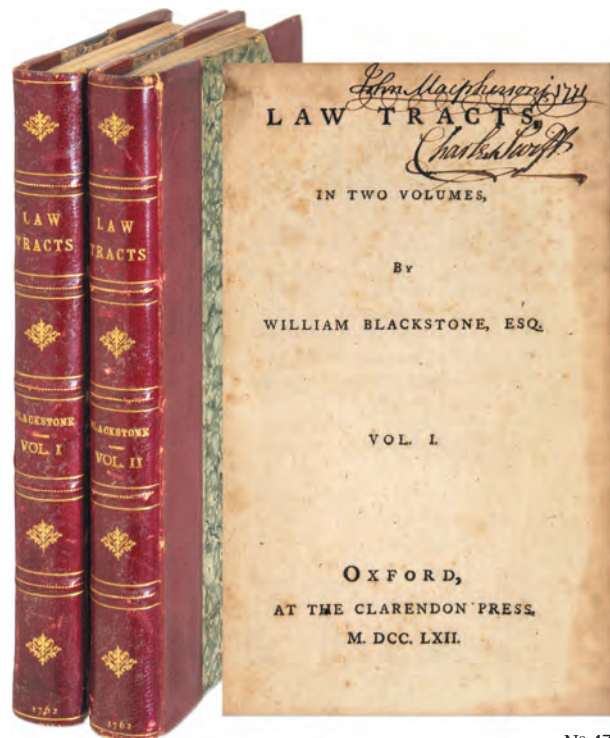
- 46 BIRD, [WILLIAM].
DODDRIDGE, SIR JOHN [1555-1628].

The Magazine of Honour; Or, A Treatise of the Severall Degrees of the Nobility of this Kingdome, With Their Rights and Priviledges. Also of Knights, Esquires, Gentlemen, And Yeomen, And Matters Incident to Them, According to the Lawes and Customes of England. Collected by Master Bird. But, Perused and Enlarged by That Learned, And Iudicious Lawyer, Sir Iohn Doderidge Knight, One of His Majesties Iudges of the Kings Bench.

London: Printed for Laurence Chapman, And William Sheares, 1642. [iv], 56, 65-114, 139-170, 105-158 pp. Text continuous despite pagination. Octavo (6-1/4" x 4").

Later three-quarter morocco over cloth, gilt title and raised bands to spine. Some rubbing to extremities, light soiling and some minor stains to boards, front hinge starting. Moderate toning, occasional light foxing, internally clean. \$500.

ONLY EDITION. This book, a general handbook on peerage law with original material by Doddridge, was derived from a polemical 1642 essay regarding the legitimacy of Edward Nevill's claim to the title of Lord Bergavenny titled *A Treatise of the Nobilitie of the Realme*. Sweet & Maxwell 1:203 (6). ESTC R6100.



N° 47

AN IMPORTANT COLLECTION OF BLACKSTONE TEXTS

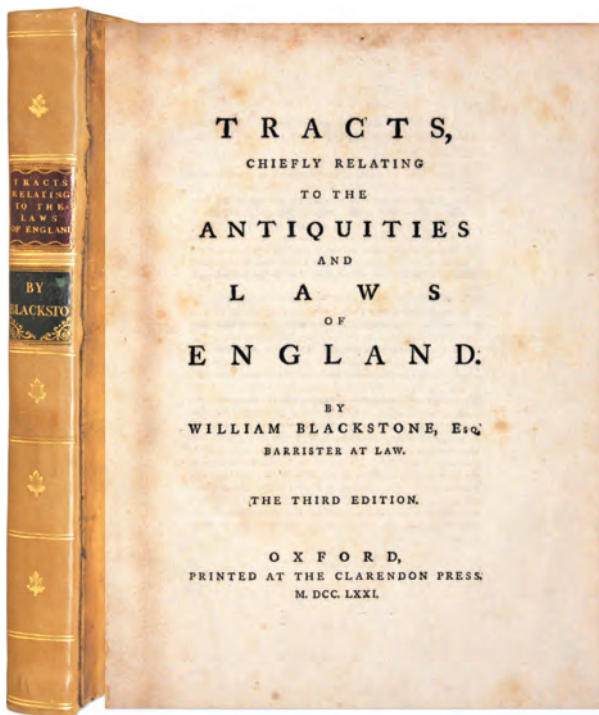
- 47 BLACKSTONE, SIR WILLIAM [1723-1780].

Law Tracts, In Two Volumes.

Oxford: At the Clarendon Press, 1762. Two volumes. [iv], 257, [7]; [iv], cxv, [5], 135, [9] pp. 4 parts, each with divisional title page. 8 copperplate facsimiles (of royal seals), copperplate Table of Descents, folding Table of Consanguinity. Octavo (7-3/4" x 5").

Nineteenth-century three-quarter morocco over marbled boards, raised bands, gilt title and gilt ornaments to spines, marbled endpapers. Moderate rubbing to extremities, later repairs to cracks in text block between title pages and facing endleaves. Moderate toning to text, light foxing in places. Early owner signatures to title pages (of John MacPherson, dated 1771, and Charles Swift), interior otherwise clean. \$2,500.

FIRST EDITION. The first collected edition, with revisions, of five early works, several of which are quite rare in their original editions. They are reprinted here "with a few corrections and additions"; each of the volumes contains a general index. The works are: *An Essay on Collateral Consanguinity* (1750, Blackstone's first legal publication), *Considerations on Copyholders* (1758), *Treatise on the Law of Descents in Fee-Simple* (1759), *The Great Charter* (1759) and *Magna Carta, Carta de Forest, Etc.* (1759). A "third" edition was published in 1771. (There is no evidence of a second edition, unless one counts the pirated Dublin reissue of the first, which was printed in 1767.) The contents of the two editions differ. The first does not have *Analysis of the Laws of England* (1756) or *Observations on the Oxford Press* (1757); the "third" does not have *Treatise on the Law of Descents in Fee-Simple*. Eller 238. Laeuchli 551.



N° 48

FINAL EDITION OF BLACKSTONE'S TRACTS

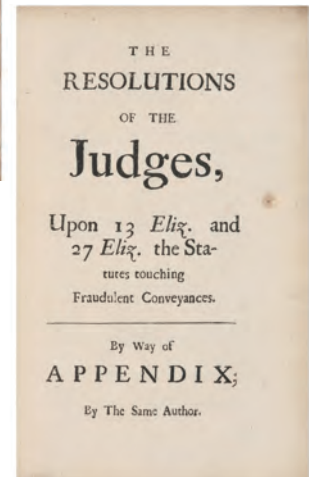
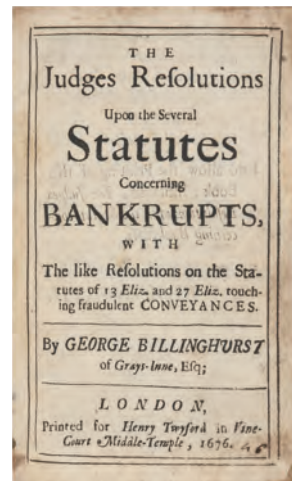
48 BLACKSTONE, SIR WILLIAM.

Tracts, Chiefly Relating to the Antiquities and Laws of England.

Oxford: Printed at the Clarendon Press, 1771. [iv], 353, [3], lxxx, [20] pp. Six parts, each preceded by divisional title page. 8 copperplate facsimiles (of royal seals), copperplate Table of Consanguinity, 2 copperplate tail-pieces. Quarto (11-1/4" x 8-1/2").

Contemporary calf, gilt rules and inside dentelles to boards, rebaced in period style retaining existing lettering pieces, gilt fillets and ornaments to spine, marbled endpapers, ribbon marker. Light rubbing to boards, corners bumped and somewhat worn, hinges cracked, small early bookplate to front pastedown. Moderate toning to text, light foxing to a few leaves, light offsetting from copperplate images, internally clean. \$1,500.

"THIRD" AND FINAL EDITION. There is no evidence that a second edition was published, unless one counts the pirated Dublin reprint of the first edition, which was printed in 1767. Eller 240. Laeuchli 553.



N° 49

EARLY ENGLISH TREATISE ON BANKRUPTCY AND FRAUDULENT CONVEYANCES

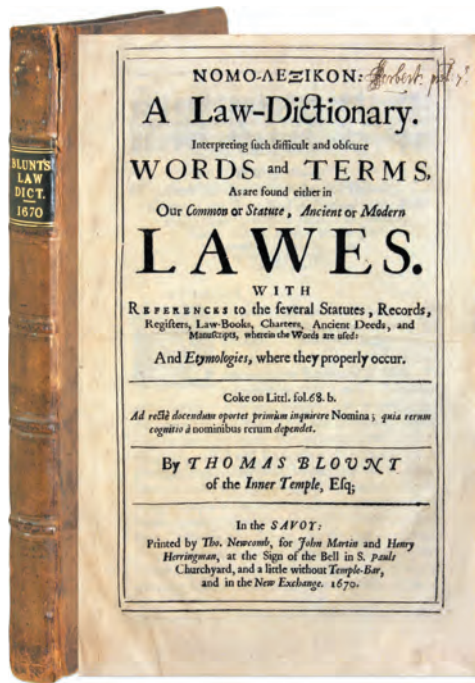
49 [BLOUNT, THOMAS (1618-1679)]. BILLINGHURST, GEORGE, ATTRIBUTED.

The Judges Resolutions Upon the Several Statutes Concerning Bankrupts, With the Like Resolutions on the Statutes of 13 Eliz. and 27 Eliz. Touching Fraudulent Conveyances.

London: Printed for Henry Twyford, 1676. 206, [2] pp. A second part, beginning on p. 176, has a divisional title page reading *The Resolutions of the Judges, Upon 13 Eliz. and 27 Eliz. the Statutes Touching Fraudulent Conveyances*. Octavo (5-1/2" x 3-1/2").

Contemporary sheep, blind rules to boards, "Bankrupts" in early hand to fore-edge of text block. A few light scuffs and moderate edgewear to boards, rear board slightly bowed and partially detached, spine abraded with chipping at ends, pastedowns loose and edgeworn, later armorial bookplate of the Earls of Macclesfield to verso of front board, small embossed Macclesfield stamp to head of title page. Moderate toning to text, browning to margins in a few places, faint dampspotting to a few leaves. Early owner signature (of Jacob Ashton, dated 18 July 1681) to front endleaf, "46" in miniscule early hand to foot of title page, interior otherwise clean. \$950.

SECOND AND FINAL EDITION. Blount was a member of the Inner Temple. Prohibited to practice at the Bar because he was a Catholic, and blessed with a large private income, Blount turned to legal scholarship, historical studies and lexicography. One of the earliest books on the topic, *Judges* was originally published in 1670 under Blount's name with a slightly different title. Both editions of this title are scarce. OCLC locates 12 copies of the 1676 edition in North America, 10 in law libraries. ESTC R4175.



N° 50

50 BLOUNT, THOMAS.

NOMO LEXIKON: A Law-Dictionary. *Interpreting Such Difficult and Obscure Words and Terms, as are Found Either in Our Common or Statute, Ancient or Modern, Laws. With References to the Several Statutes, Records, Registers, Law-Books, Charters, Ancient Deeds, and Manuscripts, Wherein the Words are Used: And Etymologies, Where They Properly Occur.*

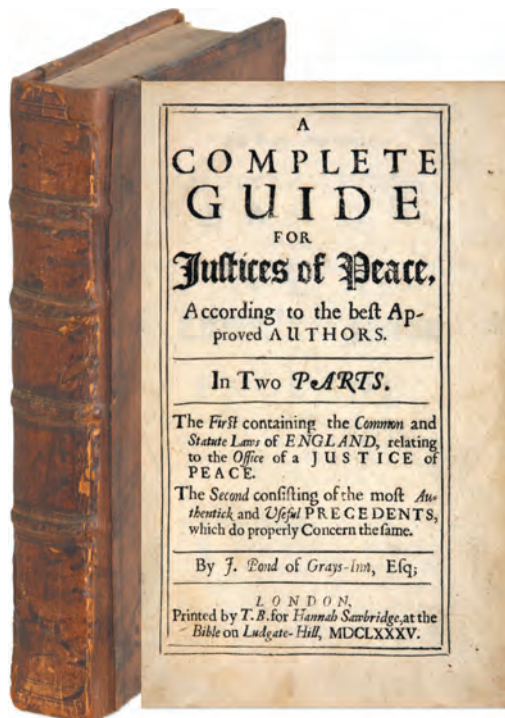
London: Printed by Tho. Newcomb for John Martin and Henry Herringman, 1670. [286] pp. Text printed in parallel columns within black-ruled borders. Folio (11-1/4" x 7").

Contemporary calf, speckled blind frames to boards, raised bands and later lettering piece to spine, gilt tooling to board edges. Moderate rubbing to extremities, minor scuffing and staining to boards, front joint starting near head, a few cracks to text block, one between front endleaf and title page. Light toning to text, somewhat heavier in places. Early owner signature to head of title page, interior otherwise clean. An appealing copy. \$650.

FIRST EDITION. Blount aimed to correct the defects he found in Cowell's *Interpreter* (1607) and Rastell's *Termes de la Ley* (1523). In his preface, he observed that Cowell "is sometimes too prolix in the derivation of a Word, setting down several Authors Opinions, without categorically determining which is the true"; Rastell "wrote so long hence, that his very Language and manner of expression was almost antiquated." He hoped that by correcting these flaws he would create a dictionary useful to everyone in the profession from "the Coif to the puny-Clerk." The *Nomo-Lexikon* is clearer and more detailed than its predecessors. It is also the first English-language dictionary with entries that include word etymologies and citations. An immediate success that quickly supplanted its predecessors, it was reissued in larger and revised editions throughout the eighteenth century. Cowley, *A Bibliography of Abridgments, Digest, Dictionaries and Indexes to the Year 1800* 160. Holdsworth HEL XII:175-176. Starnes and Noyes, *The English Dictionary from Cawdrey to Johnson* 46. Sweet & Maxwell 1:6 (8). ESTC R19028.

"ADAPTED TO OUR PRESENT AGE"

51 BOND, J[OHN].



N° 51

A Complete Guide for Justices of Peace, According to the Best Approved Authors. In Two Parts. The First Containing the Common and Statute Laws of England, Relating to the Office of a Justice of Peace. The Second Consisting of the Most Authentick and Useful Precedents, Which do Properly Concern the Same.

London: Printed by T.B. for Hannah Sawbridge, 1685. [14], 252, [4]; 150, [10] pp. Two parts. Each with title page and individual pagination. Octavo (7" x 4-1/4").

Contemporary calf, rebacked retaining existing backstrip, blind rules to boards, raised bands to spine. Light rubbing and a few scratches to boards, moderate rubbing to extremities, hinges cracked, rear pastedown loose, some edgewear to endleaves. Moderate toning to text, minor worming to margins in a few places, spark burns and smudges to a few leaves. A few brief annotations to rear endleaves, interior otherwise clean. \$600.

FIRST EDITION. Bond thought his manual was necessary to restate the laws and procedures concerning justices, which he felt had been corrupted during the years of the Civil War and Commonwealth. The contents are digested alphabetically by topic. A useful work, it went through three more editions, the last in 1707. All editions are scarce. OCLC locates 5 copies of the first edition in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Pennsylvania, Yale). ESTC R35355.

INSPIRED BY THE PURITANS OF MASSACHUSETTS?

52 BOOTH, A., ATTRIBUTED.

Examen Legum Angliae: Or, The Laws of England Examined, By Scripture, Antiquity, And Reason. Cujus Author Anagrammatos Est, Ha Nomos Boa Hos Bary.

London: Printed by James Cottrel, 1656. [xvii], 151, [8] pp. Errata leaf lacking. Quarto (7-1/2" x 5-1/2").

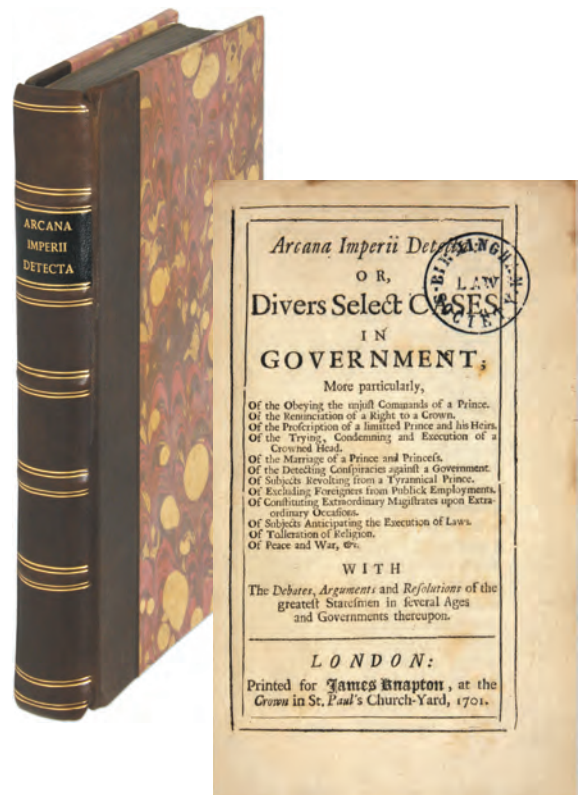
Contemporary calf, blind rules to boards, blind fillets to spine, sprinkled edges. Light rubbing to boards, which are slightly bowed, moderate rubbing to extremities, front pastedown loose and edgeworn, following endleaf and rear endleaves lacking, some wear and discoloration to margins of title page and final four leaves. Woodcut head-pieces. Moderate toning to text, minor to margins of a few leaves, Early scribbling to front pastedown, interior otherwise clean. An appealing copy. \$1,500.

ONLY EDITION. Legal reform was a priority when the Puritans assumed power during the Interregnum. Among many proposals put forward at this time were the establishment of courts for small claims, the conduct of pleading in English, the adoption of civil marriage and abolition of the benefit of clergy. These points are made in *Examen Legum Angliae*. Other proposals include capital punishment for adultery and partible inheritance with a double portion for the eldest son. As Haskins has shown, many ideas in this book may have been inspired by the laws of Massachusetts. "Although Puritans on both sides of the Atlantic turned constantly to the guidance of Scripture and drew upon a common fund of moral attitudes, the English proposals [recorded in the *Examen Legum Angliae*] bear so striking a resemblance to the laws in force in Massachusetts that it is tempting to conjecture that copies of the [Massachusetts] Code had reached the hands of the English reformers. Significantly, the author of the *Examen Legum Angliae* showed an awareness of colonial developments in referring to the laws of New England 'collected into a body, and endeavoured to be made agreeable to the Jews Law morall and judicial'" (Haskins). Published anonymously, this book is usually attributed to "A. Booth." Some sources say "A. Boon." See Wing B3738. OCLC locates 9 copies in North American law libraries. Haskins 191. ESTC R38641.

INTERESTING ESSAYS ON GOVERNMENT AND PARLIAMENT BY A NOTABLE SEVENTEENTH-CENTURY DUTCH SCHOLAR

53 [BOXHORN, MARCUS ZUERIUS (1612-1653)].

Arcana Imperii Detecta: Or, Divers Select Cases in Government; More Particularly, Of the Obeying the Unjust Commands of a Prince. Of the Renunciation of a Right to a Crown. Of the Proscription of a Limited Prince and



Nº 53

his Heirs. Of the Trying, Condemning and Execution of a Crowned Head. Of the Marriage of a Prince and Princess. Of the Detecting Conspiracies Against a Government. Of Subjects Revolting from a Tyrannical Prince. Of Excluding Foreigners from Publick Employments. Of Constituting Extraordinary Magistrates upon Extraordinary Occasions. Of Subjects Anticipating the Execution of Laws. Of Tolleration of Religion. Of Peace and War, &c. With The Debates, Arguments and Resolutions of the Greatest Statesmen in Several Ages and Governments Thereupon.

London: Printed for James Knapton, 1701. [xvii], 366, [2] pp. Includes two-page publisher list. Octavo (7-1/2" x 4-1/2").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine. Moderate toning to text, light foxing in a few places, browning and edgewear to front endleaf, internally clean. Ex-library. Small inkstamps to title page and a few other leaves. A nice copy in a handsome binding. \$850.

ONLY EDITION. Compiled posthumously, this book is a fine introduction to the political and legal scholarship of one of the most interesting thinkers of the seventeenth century. Boxhorn, a prominent linguist, historian and political theorist, was a professor at the University of Leiden. A remarkably prolific scholar, his work stands on the cusp of late-Renaissance humanism and the early-Enlightenment thought epitomized by such philosophers as Hobbes and Pufendorf. He admired England's Parliament and had a keen interest in the history and institutions of English law and government. OCLC locates 9 copies in North American law libraries. ESTC T116021.



N° 54

"NO GUILTY DEED LIKE THIS BEFORE,
E'ER SAW THE LIGHT OF DAY"

54 [BROADSIDE].
[EXECUTION].
[LONDON, ENGLAND].

The Trial and Execution of Henry Hughes, Who Suffered Death this Morning, At the County Goal, Horsemonger Lane, Southwark, For Violating Emma Cock, A Girl Only 8 Years Old.

[London]: G. Smeeton, Printer, 74, Tooley Street., [1834]. 15" x 10" broadside mounted to 19" x 13" board with hinged matte. Text in three columns enclosed by black rules, large woodcut vignette of irons, hanging and prison above of text, untrimmed edges. Text concludes with seven-verse poem.

Some toning, otherwise fine. \$850.

EMMA COCK WAS GATHERING FLOWERS in a field in the London borough of Southwark with her little sister when she was raped by the 23-year-old Henry Hughes. The case was tried at Kingston Assizes where the court was "crowded almost to suffocation." Emma testified at the trial. Standing on a chair in the witness box, "the clearness and precision with which she gave her testimony astonished all present." Although the broadside has a detailed account of the trial, details about the crime are mostly omitted because they were "wholly unfit for publication." At the foot of the broadside is a seven-verse poem, which begins: "No guilty deed like this before, E'er saw the light of day; Unequall'd in the list of crime, for savage cruelty."



N° 55

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

55 [BROADSIDE].
[EXECUTION].
[STAFFORDSHIRE, ENGLAND].

The Trials of Charles Shaw, Aged 16, For Murdering John Oldcroft, Aged 9, Richard Tomlinson, For murdering Mary Evans, His Sweetheart, Mary Smith, For Drowning Her Infant Child. Who All Three Received Sentence of Death at the Late Staffordshire Spring Assizes, And Were Ordered for Execution Last Wednesday, March 18, 1834.

[London]: G. Smeeton, Printer, 74, Tooley Street., [1834]. 15" x 10" broadside. Text in three columns enclosed by black rules, large woodcut vignette of execution flanked by excerpts from Genesis IX, 6 and Matthew XIX, 18. Verse poems at the end of the accounts of Shaw, Tomlinson and Smith.

Some toning and edgewear, otherwise fine. \$850.

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



Nº 56

"YOUNG LOVERS ALL I PRAY ATTEND,
WHILE I RELATE A DEED,
THE BARE RECITAL OF THE SAME,
WILL MAKE YOUR HEARTS TO BLEED."

56 [BROADSIDE].
[EXECUTION].
[SUFFOLK, ENGLAND].

Execution of William Corder, For the Murder of Mary Martin in the Red Barn.

[London]: Printed by J. Catnach, 2 Monmouth-Court, 7 Dials, [1828]. 15" x 20" broadside. Text in five columns separated by black rules, five large woodcut vignettes, three at top of text, two below, depicting moments in the history of the crime. All but the hanging scene have captions. Account concludes with a long verse poem.

Moderate toning, horizontal and vertical fold-lines, some edgewear and a few chips and minor tears along fold-lines, otherwise fine. \$1,500.

"THE RED BARN MURDER was a notorious homicide committed in Polstead, Suffolk, England in 1827. A young woman, Maria Marten, was shot dead by her lover, William Corder. The two had arranged to meet at the Red Barn, a local landmark, before eloping to Ipswich. Maria was never heard from again. Corder fled the scene and, although he sent Martin's family letters claiming she was in good health, her body was later discovered buried in the barn after her stepmother spoke of having dreamt about the murder. Corder was tracked down in London, where he had married and started a new life. He was brought back to Suffolk, and after a well-publicized trial, found guilty of murder. He was hanged at Bury St. Edmonds in 1828; a huge crowd witnessed Corder's execution. The story provoked numerous articles in newspapers, and songs and plays. The village where the crime had taken place had become a tourist attraction and the barn was stripped by souvenir hunters.": *Wikipedia*.

RIGHTS RESERVED BY THE CROWN:
JEFFERSON OWNED A COPY OF THIS BOOK

57 [BRYDALL, JOHN (B.1635?)].

Jura Coronae. His Majesties Royal Rights and Prerogatives Asserted, Against Papal Usurpations, And All Other Anti-Monarchical Attempts and Practices. Collected Out of the Body of the Municipal Laws of England.

London: Printed for George Dawes, 1680. [xvi], 147, [5] pp. Copperplate frontispiece (of the royal arms of Great Britain). Includes five-page publisher catalogue. Octavo (6-1/2" x 4-1/2").

Recent period-style calf, blind frames to boards, raised bands and lettering piece to spine, edges rouged. Light toning to text, somewhat heavier in places, light foxing to a few leaves, internally clean. A handsome copy. \$950.

ONLY EDITION. Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." Written near the end of the Stuart Monarchy, *Jura Coronae* is a strongly monarchist overview of the laws and legal rights reserved by the Crown. Thomas Jefferson owned a copy of this work. OCLC locates 10 copies in North American law libraries. HEL VI:605. Sowerby 2706. ESTC R36323.

CARE SUPPORTS A CONTROVERSIAL DECISION BY KING JAMES II

58 [CARE, HENRY (1646-1688)].

A Vindication of the Proceedings of His Majesties Ecclesiastical Commissioners, Against the Bishop of London, And the Fellows of Magdalen-College.

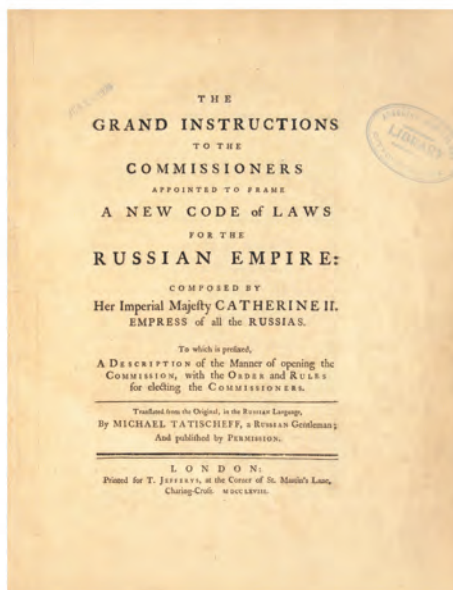
London: Printed by Tho. Milbourn, 1688. [iv], 8, 17-78 pp. Text continuous despite pagination. With a preliminary imprimatur leaf. Quarto (8-1/4" x 6-1/2").

Recent marbled boards, printed paper title panel to front cover, untrimmed edges. Light rubbing to spine. Title printed within double-ruled border. Light toning to text, faint dampstain to head of title page, internally clean. A handsome copy. \$350.

ONLY EDITION, ONE OF TWO ISSUES FROM 1688. In April 1687 King James II interfered in the presidential election of Magdalen College. The ensuing controversy ended with the installation of the pro-Catholic Bishop of Oxford, backed by the Royal Ecclesiastical Commissioners, as president. The fellows acquiesced, but this was not enough for the king, who ordered them to admit their wrongdoing and ask for his pardon. Most of the fellows refused and were ejected and replaced by Catholics. Care supported the King's actions. For most of his career, Care was an opponent of Catholicism and royal power, but he shifted course during the reign of James II, becoming an unofficial royal propagandist. Though not uncommon, few copies of this title are held in North American law libraries. Counting both issues. OCLC locates 3 (at Harvard, the Library of Congress and York University). ESTC R202803.



A BOTTLE OF SMOKE!!



N° 60

FIRST EDITION OF THE NAKAZ IN ENGLISH

59 [CAROLINE OF BRUNSWICK (1768-1821)].
[PAINS AND PENALTIES BILL].

All a Bottle of Smoke!! Or John Bull and the Secret Committee.

[London]: Published by John Fairburn, July 1820.

11" x 17" hand-colored lithograph. A few chips, minor tears and light soiling to margins, colors vivid. A well-preserved copy. \$500.

THE REPUDIATION of Queen Caroline by King George IV was one of the most sensational trials in English history. Estranged soon after their marriage, Caroline was eventually banished to a private residence after the birth of her daughter, Princess Charlotte Augusta. In 1814 Caroline moved to Europe. In 1820 her husband's accession to the throne brought her back to Britain. The King asked his ministers to get rid of her. After she refused a monetary offer, the Earl of Liverpool introduced The Pains and Penalties Bill to the House of Lords in July 1820 in order to strip Caroline of the title of Queen Consort and dissolve her marriage. (The bill alleged that Caroline had an affair with a servant, Bartolomeo Bergami, while in Italy.) The bill was approved by the House of Lords, but it was not submitted to the House of Commons, where it would have been defeated. Despite the King's best attempts, Caroline remained a popular favorite. Indeed, her popularity increased during the trial. Although she prevailed, she fell ill and died shortly after the coronation of George IV. She was certain that she was poisoned by one of the King's agents.

The trial inspired numerous books, pamphlets and ephemera, such as this anonymous print. One of many publications that supported Caroline's cause, it dismisses the Bill as both as groundless and a perversion of the legal system. John Bull pulls a "bottle of smoke" out of the seat of justice, the Green Bag, while a serpent representing George IV slithers out of a hole in its side. Several members of the House of Lords with padlocked mouths stand in the background. George 13761.

60 CATHERINE II [1729-1796],
EMPRESS OF RUSSIA
TATICHTCHEV, MIKHAIL, TRANSLATOR.

The Grand Instructions to the Commissioners Appointed to Frame a New Code of Laws for the Russian Empire: Composed by Her Imperial Majesty Catherine II, Empress of All the Russias. To which is Prefixed a Description of the Manner of Opening the Commission, With the Order and Rules for Electing the Commissioners. Translated from the Original, In the Russian Language.

London: Printed for T. Jefferys, 1768. xxiii, [1], 3-258 pp. Quarto (10-1/4" x 8-1/4").

Recent period-style paneled calf, raised bands, lettering piece and blind ornaments to spine. Moderate toning and foxing to text. Occasional markings and brief notes in light pencil to margins, interior otherwise clean. Ex-library. Two small inkstamps to title page, annotations to verso. A handsome copy. \$2,500.

FIRST EDITION IN ENGLISH. The *Nakaz*, or *Instruction*, is a statement of legal principles written by Catherine II between 1764 and 1766. It was among her most ambitious and significant undertakings. Infused with the ideas of the French Enlightenment, and copied mostly from the work of Voltaire, Montesquieu and Beccaria, it was compiled as a guide for the All-Russia Legislative Commission convened by the Empress in 1767 to create a new code to replace the 1649 Muscovite Code. Revised in consultation with Frederick the Great and Voltaire, the *Instruction* proclaimed the equality of all men before the law and denounced torture and the death penalty. Unfortunately, her proposed code was never completed. Catherine's manuscript was written in French, and she later produced a Russian translation. It was published in Moscow in 1767. An edition with a parallel German translation was published in the same year, also in Moscow. According to the *ESTC*, this was the source of Tatichchev's translation. The first German edition was published in Frankfurt and Leipzig in 1769. The book was initially banned in France because it was too liberal; the first edition in Francophone Europe was produced in Switzerland (with a false imprint) in 1769. OCLC locates 12 copies of Tatichchev's translation in North American law libraries. See Camus 3301. *ESTC* N6651.

THE FIRST EXTENSIVE STUDY OF THE SUBJECT

61 [CORPORATIONS].

The Law of Corporations: Containing the Laws and Customs of All the Corporations and Inferior Courts of Record in England. Treating of the Essentials of, And Incidents to, A Corporation. Of Mayors, Bailiffs, Serjeants, &c. And Their Executing Process. Conusance of Pleas. Actions Brought in Inferior Courts, Declarations Pleadings, Venue, &c. Habeas Corpus, Procedendo, Bail, Errors in the Stile, Declarations, Pleadings, Venire's &c. Actions Brought by and Against Corporations. Of Grants by Or to a Corporation and of Misnomer in Both. By-Laws Customs, Disfranchisements and Causes of Disfranchisements. Quo Warranto's, Mandamus's and Their Returns. Dissolution of Corporations. With the Explication of Several Acts of Parliament Relating to the Same. Together With the Stiles and Titles of Most Corporations in England. Necessary to be Known Not Only by the Stewards, Attorneys, And Other Members of the Body Politick, But by All the Professors of the Common Law.

London: Printed by the Assigns of Richard and Edward Atkins, 1702. [xxxii], 365, [3] pp. With a half-title and a three-page publisher catalogue. Title printed within double-ruled border. Octavo (7-1/4" x 4-3/4").

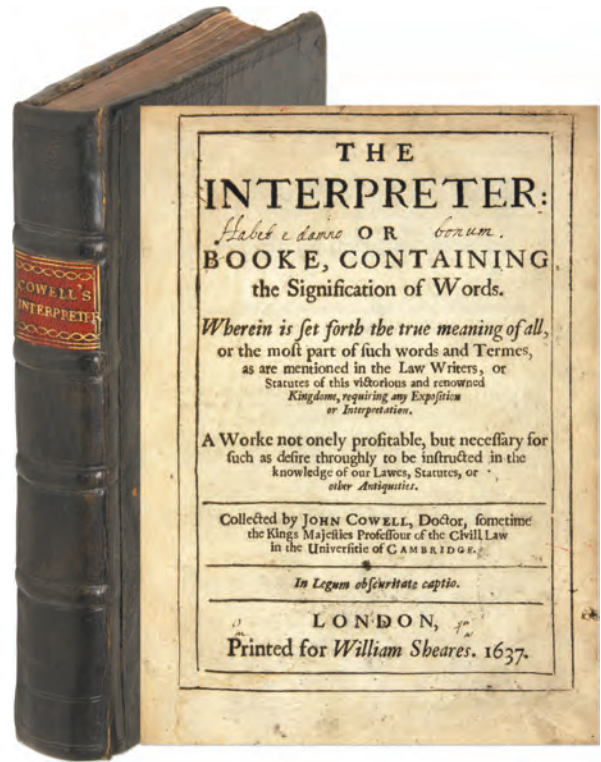
Recent period-style paneled calf, raised bands, blind ornaments and lettering piece to spine. Moderate toning, light foxing in places, chips and minor tears to edges of a few leaves (with no loss to text). Small struck-though early owner signature and small inkstamp to title page, interior otherwise clean. \$1,500.

ONLY EDITION. Preceded only by William Sheppard's *Of Corporations, Fraternities and Guilds* (1659), a brief duodecimo volume, this 1702 work was the only treatise in English published before Stewart Kyd's *Treatise on Law of Corporations* (1793-1794), which is often cited as the first work on the subject. (Kyd does not seem to have been aware of these earlier books.) The anonymous author mentions Sheppard's book but dismisses it, claiming that it "extends not to the fortieth part of the matters relating to Corporations (v). He is correct; his book is much more extensive than Sheppard's and is more an analytical treatise than a handbook. This was clearly the author's ambition: "I have not only shewed the nature of Corporations, and by what words erected, but the several sorts thereof. And the power of executing Process within the Jurisdiction, and the Duties of Officers, is matter of Great Consideration, which I have not omitted" (v). Pike [1835-1915] was a notable English legal scholar. Hornstein, *Review of Corporations* by Henry W. Ballantine, *Columbia Law Review* 47/4 (1947) 696. Sweet & Maxwell 1:417 (15), 533 (55). ESTC T116022.

THE BEST ENGLISH LAW DICTIONARY
OF THE SEVENTEENTH AND EARLY EIGHTEENTH CENTURIES

62 COWELL, JOHN [1554-1611].

The Interpreter: Or Booke Containing the Signification of Words: Wherein is Set Foorth the True Meaning of All, Or the Most Part of Such Words and Termes, as are Mentioned in the Lawe Writers, or Statutes of This Victorious and Renowned Kingdome, Requiring Any Exposition or Interpretation. A Worke not Onely Profitable, but Necessary for Such as Desire Thoroughly to be Instructed in the Knowledge of Our Lawes, Statutes, and Other Antiquities.



Nº 62

London: Printed for William Sheares, 1637. [584] pp. Text in parallel columns within black-ruled borders. Quarto (7-1/2" x 5-1/2").

Contemporary calf, blind rules to boards, rebaked in period style with raised bands and lettering piece, hinges mended, edges rouged. Moderate rubbing to extremities, a few negligible scuffs to boards, corners bumped. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light staining to a few leaves. Early owner annotation to head of title page in small hand, another annotation in miniscule later hand to foot of another leaf, interior otherwise clean. A handsome copy. \$1,000.

SECOND EDITION, one of two issues from 1637. *The Interpreter* is considered to be the best law dictionary until Jacob's and it is still used by scholars of early English legal documents. Its publication provoked controversy. At a time when Parliament and crown were vying for power, the Commons disapproved of Cowell's royalist sympathies, which were evident in such definitions as "King," "Parliament," "Prerogative," "Recoveries" and "Subsidies." When a joint committee of Lords and Councilors reviewed the work, the ensuing controversy nearly halted the affairs of government. What is more, it contained a quotation that criticized Littleton's scholarship, which angered Sir Edward Coke. James I intervened in fear that his own fiscal interests would not be approved by Parliament. Encouraged by Coke, the king imprisoned Cowell, suppressed the book and ordered all copies burned by a public hangman on March 10, 1610. The present edition contains several changes that were made posthumously to placate the dictionary's enemies. Despite its stormy reception, *The Interpreter* remains a useful gloss to Coke's *Littleton* and other early legal texts. Marke 309-312. Cowley 129. ESTC S108965.

63 [CRIME AND CRIMINALS].
[GREAT BRITAIN].

*At the Assizes Held at Rochester, For the County of Kent,
On Monday, March 17, 1755. George Sayer, Esq; Sheriff.*

[Rochester: s.n., 1755]. 4 pp. Folio (15" x 9-1/2").

Moderate toning, three horizontal fold lines, some edgewear with two tears along folds, text annotated throughout in contemporary hand, docketed at foot of p.4: "Kent Calendar/Lent Assizes 1755/Geo. Sayer Esq./ Sheriff." \$1,250.

A LIST OF 40 PRISONERS, 36 printed and 4 added in contemporary manuscript, with detailed charges held against them while being held at Rochester Goal, Kent, England. The annotations list the sentences passed on each detainee, such as "Transported," "Death," "Not Guilty," and "Whipt [sic]." The annotations were probably written by Sheriff Sayer or one of his clerks. An example of one of the charges: "William Savage, committed by S. Stevenson, Esq; (Mayor of Maidstone) the 12th of December, charged on a strong Suspicion of feloniously conveying certain Instruments into his Majesty's Goal at Maidstone aforesaid, in order to facilitate the Escape of certain Prisoners in the said Goal, charged or Convicted of diverse Felonies." Savage was sentenced to transportation. Not listed on OCLC or ESTC; neither locate any assizes for Rochester goal.

FIRST EDITION OF CROMPTON'S SURVEY OF THE COURTS

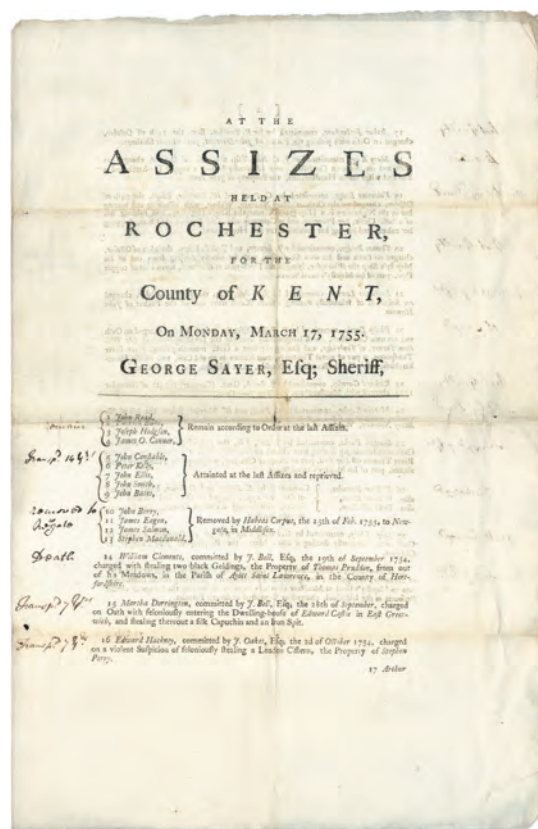
64 [CROMPTON, RICHARD (D. 1599)].

L'Autoritie et Iurisdiction des Courts de la Maiestie de la Roygne: Nouelment Collect & Compose, Per R. Crompton del Milieu Temple Esquire, Apprentice del Ley. Si Seuris Index, Mitisis Corde Memento, Dicit, Quae Possunt Dicta Decere Senem.

London: In Aedibus Caroli Yetsweirti, 1594. [iv], 232 ff. Quarto (7-1/4" x 5-1/4").

Later three-quarter calf over marbled boards, raised bands and lettering piece to spine. Light rubbing to extremities, a few minor nicks to boards, hinges cracked. Woodcut head-pieces and decorated initials. Moderate toning to text, somewhat heavier in places, some leaves have faint dampspotting or edgewear. Small early owner initials and struck-through signatures to title page, one with burn-through, early annotations and underlining to a few leaves, interior otherwise clean. An appealing copy. \$2,000.

FIRST EDITION. Crompton was a bencher of the Middle Temple during the reign of Henry VIII and the author of several notable juristic works. *L'Autoritie et Iurisdiction* is considered to be his principal work. It is essentially a digest of the Year Books and other cases applicable to the subject. Turning to William Fulbecke's *A Direction or Preparative to the Study of the Lawe* (1600), we see that its value was recognized almost immediately: "Master Crompton has taken great paynes in this study, and his books are in every man's hands, which prooveth their generall allowance, his cases are very profitable, and apt for the title to which they are applied, and so compendiously collected, that a man may by them in a few howers gaine great knowledge" (cited in Holdsworth). On a broader scale, Crompton offers legal justification for the creation of a rigidly hierarchical "natural" society governed by a powerful monarch. This attitude, articulated by Bodin among others, was shared by several conservatives in England and Europe during the Late Renaissance. Holdsworth, *History of English Law* IV: 212. ESTC S109077. Beale T328.



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N° 64

65 DODDRIDGE, SIR JOHN [1555-1628].

The English Lawyer. Describing a Method for the Managing of the Lawes of this Land. And Expressing the Best Qualities Requisite in the Student, Practizer, Judges and Fathers of the Same.

London: Printed by the Assignes of I. More Esq. 1631. [viii], 271, [1] pp. Quarto (7-1/4" x 5-1/4").

Contemporary calf, rebacked, raised bands to spine. Light rubbing to extremities, a few shallow scuffs to boards. Woodcut head-pieces and decorated initials. Moderate toning to text, faint dampstaining to corners of a few leaves. Neat underlining in several places, brief recent notes in faint pencil to a few places. A handsome copy. \$2,500.

ONLY EDITION. Doddridge wrote this book to advise aspiring lawyers. Among other points, such as suggested readings and advice concerning personal demeanor, he urges the student to acquire a solid liberal-arts education that emphasizes subjects with practical application, such as logic and etymology. Regarding the specifics of legal education, he discusses the best methods of study and information on the sources and principles of English law. Holdsworth said it was the "most notable" book of its kind. As distinguished a jurist as Coke and Bacon, Doddridge was a counselor of the King's Bench, a Serjeant for Prince Henry, Solicitor-General, a Member of Parliament and the author of five important works, all published posthumously. HEL V:397-398. ESTC S109764.

RARE ENGLISH ANTI-DUELING PAMPHLET

66 [DUELING].
[GREAT BRITAIN].

A Hint on Duelling: In a Letter to a Friend.

London: Printed for M. Sheepey, 1751. [iv], 22 pp. With a half-title. Octavo (8" x 5").

Stab-stitched pamphlet in contemporary marbled wrappers. Light rubbing, a few creases to wrappers. Moderate toning to text, light soiling to preliminary leaves and verso of final leaf. Early owner inscription to head of half-title, interior otherwise clean. A nice copy of a rare title. \$2,500.

FIRST EDITION. The author does not want to suppress dueling in all cases, but suggests that the practice could be diminished substantially by the "The erecting of a proper Court, A Tribunal of Honour," where aristocratic court officers and jurymen "shall sit to prevent the Calamities of which Duelling may be productive, or to exact proper penalties of the proper offenders. No longer let Men of Honour be hauled before incompetent judges, whose Stations incapacitate them from sympathizing with the Accused, or entering into the merits of the Case; but let them have the Common Right of Englishmen and be tried by their Peers. No longer let the unfortunate Challenger, but he who made the challenge unavoidable, be punish'd. No longer let a shameful Death be the Retribution of an Action which the Voice proclaims it Infamous to Decline. The Decision of Men of adequate Character and Authority would in most Cases after Insults received prevent Duels; and where they fail'd, a due-proportioned Punishment judiciously and impartially inflicted would soon lessen the frequency of the practice" (12-13). A second edition was published in 1752. It provoked a response by Abraham Clarke entitled, *A Home-Thrust at Duelling, Intended as an Answer to a Late Pamphlet Intituled, A Hint on Duelling*. Both editions of *A Hint* are rare. OCLC and



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the ESTC locate 1 copy (Lambeth Palace Library) and 2 copies of the second edition (British Library, National Library of Scotland). ESTC T202128.

"THE BEST OF THE OLD TREATISES UPON PLEADING"

67 [EUER, SIR SAMSON].

A System of Pleading: Including a Translation of the Doctrina Placitandi; Or, The Art and Science of Pleading: Originally Written by Samson Euer, Serjeant at Law, And Now First Translated From the Obsolete Norman French. Shewing Where, In What Cases, And by What Persons, Pleas, As Well Personal, Or Mixed, May Be Properly Pleaded; With References to and Extracts from, The Most Approved Writers on that Subject, Carefully Digested Under Their Proper Titles, And Brought Into One Collective Point of View. Together With an Introduction, Explaining the Different Terms Made Use of in the Proceedings of Each Respective Court; Also a Preface and Table.

Dublin: Printed by James Moore, 1791. xxii, [18], viii, 534 pp. Octavo (8-1/4" x 5-1/4").

Contemporary calf, raised bands and lettering piece to spine. Light rubbing and a few minor scuffs and inkspots to boards, small white stain to top-edge, moderate rubbing to extremities, head of spine worn away, corners bumped and lightly worn, front joint starting at ends, front hinge partially cracked. Moderate toning to text, somewhat heavier in places, occasional light foxing, spark burns to a few leaves. Early owner signature and annotations to front free endpaper, interior otherwise clean. \$300.

SECOND AND FINAL EDITION. This anonymously edited pleader is based on Sampson's *Doctrina Placitandi, Ou L'Art et Science de Bon Pleading* (1677). Marvin says it is "the best of the old treatises upon pleading." OCLC locates 21 copies. Marvin 299. Sweet & Maxwell 1:268.



N° 68

THE BOOK THAT "MADE" THE COMMON LAW

68 FITZHERBERT, SIR ANTHONY [1470- 1538].

La Grande Abridgement Collecte par le Iudge Tresreverend Monsieur Anthony Fitzherbert, Dernierment Conferre Ouesque la Copy Escript et per Ceo Correct: Aueques le Nombre del Sueil, Per Quel Facilement Poies Trouver les Cases cy Abyrdges en les Livres Dans, Novelment Annote: Iammais Devaunt Imprimee.

[And]

La Secunde Part du Grand Abridgment...

London: Richard Tottell, 1565. Three parts in two books [i], 379; [j], 128, 207 ff. First and second parts have title pages. Folio (13-1/2" x 9").

Recent paneled morocco, gilt rules, corner fleurons and central contrasting panels to boards, title to front panel, raised bands and gilt ornaments to spine, endpapers renewed, armorial bookplate (of Charles Gresley Arminger of Lichfield, 1854) mounted to front pastedown. Titles printed within woodcut architectural borders, woodcut decorated initials. Moderate toning, a few leaves have light edgewear, tears or dampstaining, early repair to upper margin of Fol. 1, title page of first part, which is lightly soiled and edgeworn, mounted. Early annotations and underlining in some places, later owner signature (of John Purivand) to head of title page, interior otherwise clean. A nice copy in a notably handsome binding. \$5,000.

FIRST TOTTELL EDITION. Arguably one of the most imposing volumes in the history of English law, Fitzherbert abridged 13,485 cases under 263 titles in alphabetical order. First published in 1514 (or 1516), it was the first serious attempt to arrange the common law in a systematic manner and was a model for such writers as Brooke and Rolle. According to Boersma, Fitzherbert accomplished "nothing less than to abridge all notes of significant cases at common law." A standard work in Great Britain, it was equally important in the American colonies. Thomas Jefferson, for

example, owned a copy from 1577. Graham and Heckel refer to this work as the "book that 'made' the common law.": *Law Library Journal* 51 (1957) 100-101. Beale's record for the second part differs from our copy, which matches that in the *ESTC*. The most notable difference is that the Beale copy does not include the first 128 leaves of the second part. Beale R463, R464. *ESTC* S122166. Sowerby 1776.



Detail from N° 68

HIGHLY ESTEEMED BY COKE AND BLACKSTONE

69 [FITZHERBERT, SIR ANTHONY].
[RASTELL, WILLIAM (?1508-1565)].

La Nouvelle Natura Breviu[m] du Iudge Tresreverende Monsieur Anthony Fitzherbert, Denierement Renue & Corrige per Laucteur, Avecques un Table Perfecte des Choses Notables Contenus en Ycell, Novelment Compose per Guiliaulme Rastell, & Iammais per Cydeuaunt Imprimee.

London: In Aedibus Richardi Tottelli, 1567 [i.e. 1576, date on colophon]. [xxxii], 271 ff. Octavo (6-1/2" x 4-1/2").

Contemporary paneled calf, blind fleurons and central arabesques to boards, raised bands and blind rules to spine, ties lacking. Some rubbing to extremities, minor nicks to boards, a few small worm holes, corners bumped and somewhat worn, spine ends bumped and lightly chipped, front joint just starting at head, front pastedown loose, a few cracks to text block. Title printed within woodcut architectural border. Moderate toning to text, occasional discoloration to outer margins in a few places, soiling to some leaves. Early owner signature to front free endpaper, brief annotations in early hand to head of title page and some text leaves, along with some underlining, rear endleaf filled with notes. A nice copy. \$2,500.

FIRST PUBLISHED IN 1534, the *Nouvelle Natura Brevium* is a manual of procedure written by a Judge of the Common Pleas during the reign of Henry VIII. Winfield notes that "Coke put it among the books which he considered most necessary and of greatest authority and excellency"; Blackstone considered it an authority as well. Compiled from the earlier *Natura Brevia* and the *Registrum Brevium*, it includes several original observations on the form and function of writs. Rastell's revisions include the addition of a table. A popular work, it went through numerous editions in Law French and English, the final appearing in 1794. It remains significant to this day for its descriptions of writs that were becoming obsolete in the early sixteenth century. Winfield 303. Beale T348. *ESTC* S4100.

1554 EDITION OF FITZHERBERT'S IMPORTANT JP MANUAL

70 FITZHERBERT, SIR ANTHONY.

The New Boke of Iustices of Peace Made by Anthonie Fitz Herbard Iudge Lately Translated Out of Fre[n]ch into Englishe and Newly Corrected.

[London: In Fletestrete Within Temple Barre, At the Signe of the Hande and Starre, by Richarde Tottle], 1554. 173, [3] ff. Octavo (5-1/4" x 3-1/2").

Contemporary calf with later rebacking and recorning, raised bands to spines, early owner initials "G.T." to edges of text block, endpapers renewed, title page and final leaf rehinged. Moderate rubbing to extremities, a few chips to spine ends, some gatoring to boards and spine, hinges cracked. Title printed within woodcut architectural border. Moderate toning and occasional light soiling to text, heavier soiling and edgewear to title page and final two leaves, lower corner lacking from title page with minor loss to woodcut border, faint dampstaining in places. "Henry Rutter" to head of Fol. 1, annotations in early hands to several leaves. An appealing copy. \$3,500.



N°69

FIRST PRINTED IN 1538, Fitzherbert's manual was issued eight more times; its final edition was printed in 1617. Editions beginning in 1583 were edited by Richard Crompton. Despite his efforts, this work was eventually superseded by William Lambard's *Eirenarcha* (1581). Several leaves have legal notes ranging from a phrase to a sentence or two. Other leaves have non-legal comments and doodles. ESTC S4295. Beale T341.

HANDSOME 1584 PRINTING OF FITZHERBERT'S JP MANUAL IN LAW-FRENCH

71 FITZHERBERT, SIR ANTHONY. CROMPTON, RICHARD (FL. 1573-1599), EDITOR.

Loffice et Authortie de Iustices de Peace, In Part Collect per le Tresreverende, Monsier Antho. Fitzherbert, lades, Un de les Iustices del Common Banke, & Inlarge per Richard Crompton, Un Apprentice de la Commen Ley, & Ore pur Luy Reuyse, Corrygie, & Augment. 1584. A Que est Annex Loffice de Vicountes, Baylifes, Escheators, Constables, Coroners, &c. Collect per le Dit Mounsier Fitzherb.

London: By Richard Tottell, [1584]. [xii], 227, [1] ff. Quarto (7-1/2" x 5").

Contemporary sheep, blind rules to boards, rebacked retaining spine with raised bands, early hand-lettered title to fore-edge of text block. Light rubbing to extremities, somewhat heavier rubbing to spine, a few shallow scuffs to boards, corners bumped and lightly worn, pastedowns loose. Title printed within typographical border, woodcut decorated initials. Light toning to text, light soiling to title page, minor edgewear to preliminaries and rear endleaves. Lengthy annotation in court hand to rear endleaf, interior otherwise clean. A handsome copy. \$2,000.



N° 70



N° 71

LATER EDITION. ESTC S102244. Beale T330.

72 [F.O.].

The Law-French Dictionary Alphabetically Digested; Very Useful for All Young Students in the Common Laws of England. To Which is Added, The Law-Latin Dictionary: Being an Alphabetical Collection of Such Law-Latin Words as Are Found in Several Authentic Manuscripts, And Printed Books of Precedents, Whereby Entering-Clerks, And Others, May be Furnished with Fit and Proper Words, In a Common Law Sense, For Any Thing They Shall Have Occasion to Make Use of, In Drawing Declarations, Or Any Parts of Pleading. Also, A More Compendious and Accurate Exposition of the Terms of the Common Law (Interspers'd Throughout) Than in Any Hitherto Extant, Containing Many Important Words of Art Used in Law Books.

[London]: Printed by Eliz. Nutt and R. Gosling, 1718. [154]; [492] pp. Front free endpaper and half-title lacking. Two volumes in one, each with title page. Text in parallel columns. Octavo (7-3/8" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine, lettering piece lacking. Light rubbing and minor stains to boards, moderate rubbing to extremities with some wear to corners, boards beginning to separate, but secure, front board slightly bowed, recent owner bookplate to front paste-down, title page partially detached. Light toning to text, offsetting to margins of title page and rear endleaves, internally clean.

\$350.

SECOND AND FINAL EDITION, corrected and enlarged, without the F.O. authorship of the first edition. First published in 1700, this landmark work was the first dictionary written to aid lawyers in the translation of the Year Books, old deeds and other early documents. Each definition carries one or more references to examples in works by such authors as Brook, Coke, Crompton, Fitzherbert, Littleton and Plowden. The second part, a Latin dictionary, aimed to assist attorneys in the drafting of pleadings. ESTC T146978.

"FORGERY AND PERJURY, LIKE POISENOUS VERMIN,
HAVE OFTEN SUCKED OUT,
AND DESTROYED THE VERY JUICE AND BEAUTY
OF MANY FLOURISHING FLOWERS"

73 [FORGERY].

[PERJURY].

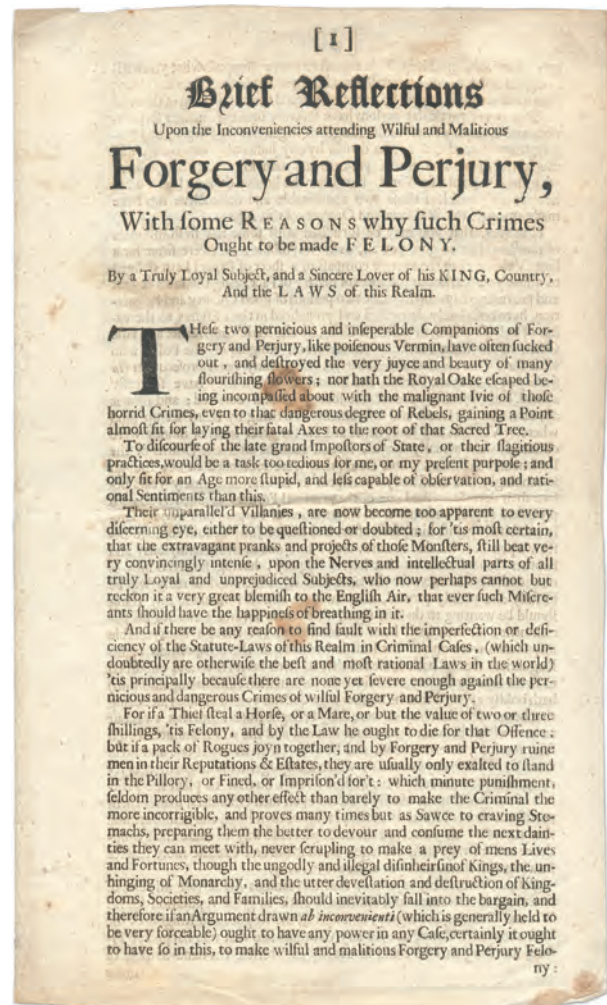
[GREAT BRITAIN].

Brief Reflections Upon the Inconveniencies Attending Wilful and Malitious Forgery and Perjury, With some Reasons Why Such Crimes Ought to be Made Felony. By a Truly Loyal Subject, And a Sincere Lover of His King, Country, And the Laws of this Realm [Running title].

[London: Printed for Mark Pardoe, 1685]. 4 pp. Folio (11" x 6-1/2").

Single folded leaf, light soiling and a few minor stains, moderate edgewear and a few tiny tears. A well-preserved copy of a rare item.

\$1,250.



Nº 73

ONLY EDITION. The anonymous author calls for the redefinition of the "pernicious and inseparable" common-law crimes of forgery and perjury as statutes, and thus felonious. This distinction would allow for the dispensing of capital sentences instead of the "minute punishment" of the pillory, fines or imprisonment, which "seldom produces any other effect than barely to make the Criminal the more incorrigible, and proves many times but as Sawce to craving Stomachs, preparing them the better to devour and consume the next dainties they can meet with" (2). OCLC locates 4 copies, none in North America (British Library, Cambridge University, National Library of Scotland, University of Wales, Lampeter), the ESTC adds 2 more (Bodleian Library, Dublin Honourable Society of King's Inns). ESTC R41280.



Nº 74

JAMES BRADLEY THAYER'S COPY OF "THE FIRST CLASSICAL TEXTBOOK OF ENGLISH LAW" BOUND WITH A LATIN EDITION OF *DOCTOR AND STUDENT*

74 GLANVILLE, RANULF DE [D. 1190].

*Tractatus de Legibus et Consuetudinibus Regni Angliæ, Tempore Regis Henrici Secundi Compositus, Iusticia Gubernacula Tenente Illustri Viro Ranulpho de Glanvilla iuris Regni & Antiquarum Consuetudinum eo Tempore Peritissimo. Et Illas Solum Leges Continet & Consuetudines Secundum quas Placitatur in Curia Regis ad Scaccarium & Coram Insticiis Ubicunque Fuerint. Qui nunc Imprimitur Post 50. Annos a Priori & Prima Impressione, Quia in Pluribus Concordat cum Antiquo Libro Legum Scotie Vocato Regiam Majestatem Precipue in Locis Hoc Signo Notatis *. Cum Diversis Manuscriptis Nuper Examinatis: Cum Duplici Indice; Uno Alphabetice in Principio Libri; Altero Summorum Capitulorum in Fine.*

[London: Printed by A. Islip for] Thomas Wight, 1604. [ix], 116, [17] ff.

[Bound with]
SAINT GERMAN (GERMAIN),
CHRISTOPHER [1460?-1540].

Dialogus de Fundamentis Legum Angliæ et de Conscientia. Per Christopherum de Sancto Germano Communiter Seyngerman Confectus, Cuius Mentio est in Principio Secundi Libri Dialogorum Inter Sacre Theologie Doctorem et Studentem Legum Angliæ.

[London?]: In Aedibus Thomæ Wight, 1604. [iv], 73, [3] ff.

Octavo (5-1/2" x 3-1/2"). Handsome period-style calf, blind rules to boards, blind fillets to spine. Attractive woodcut head-pieces,

tail-pieces and decorated initials. Moderate toning to text, faint dampspotting and foxing in some places, bookseller description affixed to front pastedown. Owner signature of James Bradley Thayer to front endleaf, neat underlining and brief annotations in later hands to margins of several leaves, including several by Thayer, who annotated the bookseller description on the front pastedown. Two nice wide-margined copies in an attractive binding. \$1,750.

GLANVILLE: SECOND EDITION; Saint German: later edition. As Winfield has noted, the anonymous Latin text attributed to Glanville is the "first classical textbook of English law." Completed around 1189, it describes the procedure of the King's Bench. There is much information pertaining to litigation and includes the texts of approximately eighty writs. Glanville was a major contribution to the development of the common law tradition, and it was a primary reference for several generations. Coke, to cite a distinguished example, praised it and used it liberally in his *Reports*. It is still cited today. It also remains useful for its unparalleled insights into the nature of land law and procedure in medieval England. Written originally in Latin in 1523, *Dialogus de Fundamentis Legum Angliæ et de Conscientia*, better known by its colloquial English title, *Doctor and Student*, contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. It was also a key work in the development of equity law. *Doctor and Student* went through numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. James Bradley Thayer [1831-1902], the Royall, and later Weld Professor at Harvard Law School, was the author of several important works on the historical evolution of law. Winfield 257. ESTC S103136, S103137.



N° 75

FROM MAGNA CARTA TO ELIZABETH I

75 [GREAT BRITAIN].
[STATUTES AT LARGE].
[MAGNA CARTA].

The Whole Volume of Statutes at Large, Which at Anie Time Heeretofore Have Beene extant in Print, Since Magna Charta, Untill the XXIX. Yeere of the Reigne of Our Most Gracious Sovereigne Ladie Elizabeth by the Grace of God, Queene of England, France and Ireland, Defender of the Faith, &c. With Marginall Notes, And a Table of Necessarie Use Newlie Added Hereunto.

London: Printed [by H. Denham and H. Middleton?] for Christopher Barker, 1587. [xxviii], 1043, [1], 786, [2] pp. First and final leaves are blanks. Folio (11" x 8").

Contemporary paneled calf, raised bands and later gilt title to spine, blind inside dentelles, endpapers renewed, large early hand-lettered title to fore-edge of text block. Light rubbing to boards and extremities, corners bumped and somewhat worn, small recent

bookplate to front pastedown. Title printed within typographical border, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, somewhat heavier in places, light soiling to title page. Faint dampstaining to outer edges of text block and worming to margins in a few places, some edgewear to preliminaries. Early owner signature to foot of title page, interior otherwise clean. An impressive volume. \$6,000.

ONLY EDITION. This massive volume was the final sixteenth-century effort to compile a complete collection of English statutes in English translation. Arranged in chronological order, the statutes begin with Magna Carta (1215), and continue to the 29th regnal year of Elizabeth I (1587). Beale S31. ESTC S101176.

POPULAR EARLY GUIDE TO THE DAILY PRACTICE OF ENGLISH LAW

76 G.T., OF STAPLE INNE.

The Practick Part of the Law: Shewing the Office of an Attorney, And a Guide for Solicitors in All the Courts of Westminster. Viz. The Courts of Chancery, Kings-Bench, Common-Pleas and Exchequer, With the Manner of Their Proceedings in Any Action Real, Personal or Mixt, From the Original to the Execution. As Also the Practice of the Courts in the City of London, Court of Admiralty, Ecclesiastical Courts, And Other Inferior Courts in the Country. With the Exact Table of Fees of All the Said Courts at Westminster as They Were Delivered Into the House of Commons, With the Abstract of the Parchment and Paper Act by Order of the Queen and Council. With Large Additions by Several Practisers of the Several Courts, And Brought Down to the Year 1702. With a New and Exact Table to the Whole.

London: Printed for the Assigns of Richard and Edward Atkins, 1702. [viii], 583, [23]; 16: [2], 120, [4] pp. *An Abstract of the Act and An Exact Table of Fees* have separate title pages, pagination and registers. An exact Table is "The fourth edition, with additions", with imprint: "Printed by the assigns of Richard and Edward Atkins, Esquires; for John Walthoe"; 'An abstract' has imprint: "Printed by Charles Bill, And the Executrix of Tho. Newcomb: And sold by J. Walthoe." Octavo (7-3/4" x 4-1/2").

Recent period-style calf, blind rules and fillets to boards, raised bands and lettering piece to spine. Light toning to text, somewhat heavier in places, chips to corners of a few leaves, light soiling to title page. A nice copy. \$500.

LATER EDITION of a work first published in 1652, one of two issues from 1702. This early guide outlines the daily practice of the law in England. A useful and popular work, it went through several editions, the final appearing in 1724. ESTC N38435.

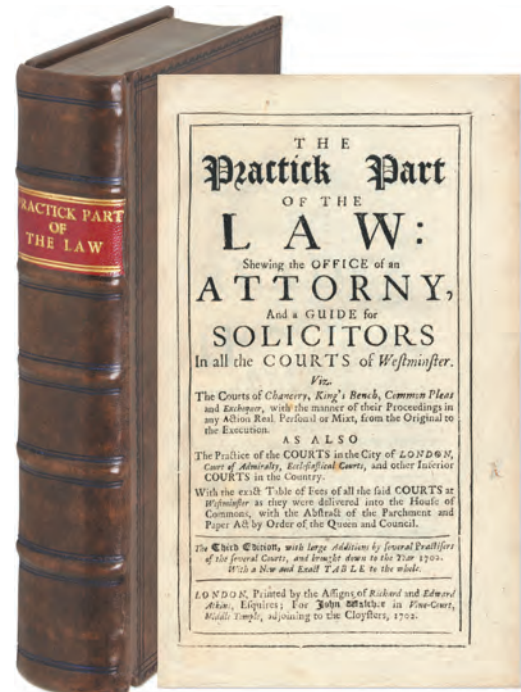
"A GOOD AUTHORITY" ON THE ABRIDGEMENTS AND A VALUABLE COMPANION TO WINGATE

77 HUGHES, WILLIAM.

The Grand Abridgment of the Law Continued. Or, A Collection of the Principal Cases and Points of the Common-Law of England, Contained in All the Reports Extant, From the First of Elizabeth, to this present Time, By Way of Common-Place. A Work Very Usefull for All Students and Practitioners in the Law. With Two Tables, The One Containing the Names of the Cases, The Other, Of the Matter of Every of the Said Cases. Published in the Twelfth Year of the Reign of Our Sovereign Lord Charles the Second, King of England, Scotland, France, and Ireland, &c.

London: Printed by J.S. for Henry Twyford, George Sawbridge, Thomas Dring, and John Place, 1660-1662. Three Volumes and Appendix in three books. [I], 344, 353-758; [cxii], 759-1268, 1277-1418, 1423-1576; [cxviii], 1577-2132, [102], 2133-2418, [64] pp. Text continuous despite pagination. Main text in parallel columns. Quarto (8-1/2" x 6-1/2").

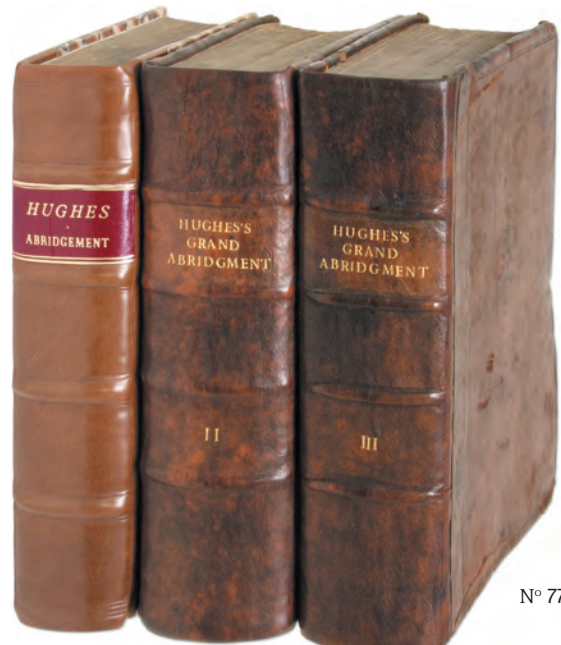
Volume I: Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine. Volumes II-III: Contemporary calf, blind rules to boards, rebaced in period style, raised bands and gilt titles to spines. Light rubbing and minor nicks to boards, faint dampstain to front board of Volume II, moderate



Nº 76

rubbing to extremities, corners bumped and somewhat worn, pastedowns loose. Moderate toning to text, somewhat heavier in places, offsetting to margins of preliminaries and rear endleaves. Later owner signatures to title pages of Volumes I and II, "2" and "3" in later hand to fore-edges of Volume II and III, otherwise clean. An appealing set. \$1,500.

ONLY EDITION. Hughes, a barrister of Gray's Inn, conceived this abridgement as a continuation of a continuation of Robert Brooke's *Grande Abridgement* of English case reports (first edition 1573). "These volumes embrace but a short period, and the work is a mere supplement to the earlier Abridgments, but it is a good authority." Marvin402. Sweet & Maxwell 1:19 (15).



Nº 77



Detail from N° 79

WITH A "MERCHANTS'S DICTIONARY OF WORDS AND TERMS"

78 [JACOB, GILES (1686-1744)].

Lex Mercatoria: Or, The Merchant's Companion. Containing all the Laws and Statutes Relating to Merchandize. Wherein Our Trade with Foreign Nations, and Trade in General Amongst Our Selves, With What Belongs to Particular Companies, And all Maritime Affairs, In the way of Traffick, Are Illustrated and Concisely Treated of; Under the Heads of Merchants, And Owners of Ships, Masters, Mariners, Pilots, Freight, and Charter-Parties of Affreightment, Insurance, Bottomry, Customs, Wrecks, Factors, Planters and Plantations, Letters of Marque and Reprisal, Privateers, Piracy, Treaties of Commerce, Exchange, &c. With an Introduction, Setting Forth the Laws of Nature and of Nations, Dominion of the Sea, &c. Some Curious and Useful History, And Variety of Special Cases and Determinations Interspers'd Thro' the Whole. To Which are Added, in Proper Places, The Best Adapted Precedents of Instruments and Writings Made Use of in All Cases Relating to Trade.

[London]: Printed by E. and R. Nutt [et al.] for B. Motte [et al.], 1729. [xii], 404, [12] pp. Octavo (7-1/2" x 5").

Contemporary calf, blind fillets and rules to boards, raised bands to spine, gilt dentelles to board edges. Light rubbing to boards, moderate rubbing to extremities, joints and hinges starting. Light toning to text, negligible foxing to a few leaves, internally clean. A handsome copy. \$1,250.

SECOND AND FINAL EDITION, "Corrected, with the Addition of Three Entire New Chapters, And Also A Merchant's Dictionary, of Words and Terms, &c." Jacob, best-known for his *New Law-Dictionary*, was the most prolific English legal writer of the eighteenth century. Although he was interested in boosting sales by attracting the widest audience possible, Jacob was also an idealist who believed that widespread knowledge of the law would help create a more just society. This is the goal of *Lex Mercatoria* (1718) and several other publications, such as *Every Man His Own Lawyer* (1736) and *Treatise of Laws* (1721). Sweet & Maxwell 1:522 (46). ESTC T137820.

TRACTS BY A PROMINENT ROYALIST
WRITTEN "WHILST A PRISONER IN THE TOWER"

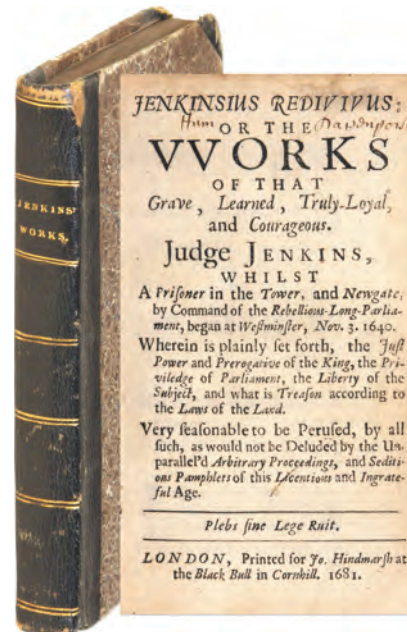
79 JENKINS, DAVID [1582-1663].

Jenkinsius Redivivus: Or the Works of That Grave, Learned, Truly-Loyal, And Courageous. Judge Jenkins, Whilst a Prisoner in the Tower, and Newgate, By Command of the Rebellious-Long-Parliament, Began at Westminster, Nov. 3. 1640. Wherein is Plainly Set Forth, The Just Power and Prerogative of the King, The Priviledge of Parliament, The Liberty of the Subject, And What is Treason According to the Laws of the Land. Very Seasonable to be Perused, By All Such, As Would Not be Deluded by the Unparalle'd Arbitrary Proceedings, And Seditious Pamphlets of this Licentious and Ingrateful Age.

London: Printed for Jo. Hindmarsh, 1681. [xxxvii], 81, 81-82, 82-213, [3] pp. Text continuous despite pagination. Each selection has separate dated title page. Copperplate portrait frontispiece. 12mo. (5-1/2" x 3-1/2").

Later three-quarter morocco over marbled boards, lettering piece and gilt fillets to spine, speckled edges. Light rubbing to boards, moderate rubbing to extremities, corners bumped, partial crack between rear endleaf and free endpaper, nineteenth-century (?) bookseller description tipped-in to front pastedown, frontispiece trimmed and mounted. Moderate toning to text. Early owner signature to title page (H. Davenport), interior otherwise clean. A nice copy. \$300.

SECOND AND FINAL EDITION. Jenkins was a Welsh judge and prominent Royalist during the English Civil War. He was indicted for treason by Parliament and imprisoned in the Tower of London in 1645 and tried in 1647, where he was notably defiant, but released in 1657. While imprisoned he wrote the tracts collected in *Jenkinsius Redivivus*, which was first published in 1648. The tracts are: "Lex Terrae," "The Armies Indemnity," "The Cordial of Judge Jenkins for the Good People of London" and "The Answer of Judge Jenkins to the Imputation put Upon His Plea in Chancery." ESTC R13419.



N° 79



N° 80

COPY OF KITCHIN'S *COURT LEETE, ET COURT BARON* FROM LIBRARY OF THOMAS PARKER, FIRST EARL OF MACCLESFIELD

80 KITCHIN, JOHN [C.1520-C.1590].

Le Court Leete et Court Baron Collect per Iohn Kitchin de Greies Inne un Apprentice in Ley. Et les Cases & Matters Necessaryes pur Seneschals de Ceux Courts a Scier, & Pur les Students de les Measons del Chauncerie. Ore Novelment Imprimee, & Per le Author Mesme Corrigee, Ouesque Divers Novel Additions, Come Court de Marshalsey; Auncient Demesne, Court de Pipowders, Essoines, Imparlanse, View, Actions, Contracts, Pleadings, Maintenance, & Divers Auter Matters.

[London]: In Aedibus Thomae Wight, & Bonhami Norton, 1598. [xii], 289, [3] pp. Octavo (6" x 4").

Contemporary calf, blind rules and small blind-stamped initials "GW" to boards, raised bands and later lettering piece and small hand-lettered shelf labels to spine. Light rubbing to extremities, a few minor scuffs to boards, corners bumped small tears to head of spine, pastedowns loose, later armorial bookplate of the Earl of Macclesfield to verso of front board, small embossed Macclesfield stamp to head of title page. Moderate toning to text, faint dampstaining and soiling to preliminaries, light foxing in a few places. Early owner signature of Thomas Parker to head of title page, markings and brief annotations in his hand to the margins of several leaves. A nice copy with an interesting association.

\$1,250.

LATER EDITION. First published in 1579 Kitchin's work is an important source of information on local courts and government. By outlining the differences between the previously undivided court, Kitchin, along with Coke, helped lay the foundations of modern legal theory. "In fact Kitchin was doing on a small scale what Coke was doing on a grand scale. Both were representatives of that school of literate Elizabethan lawyers...whose great and enduring work was the adaptation of medieval law and institutions to modern needs. Imagination necessarily played some part in this process of adaptation; and thus they are responsible not only for the enunciation of the rules of modern law, but also for legal and historical theories, the soundness of which was considered by many generations of lawyers and historians to be as incontestable



N° 81

as their statements of law." This copy belonged to Thomas Parker [1666-1732], 1st Earl of Macclesfield, chief baron of the Court of Exchequer and Lord Chancellor from 1718 to 1725. His markings are mostly pointing hands (manicules). Housed in Shirbirn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. OCLC locates 5 copies of this imprint in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Texas, Washington University). HEL IV:130. ESTC S3959. Beale T374.

AN INTERESTING PERSPECTIVE ON ELIZABETHAN ENGLAND

81 LAMBARD(E), WILLIAM [1536-1601].

Eirenarcha: Or of the Office of the Iustices of Peace, In Two Bookes: Gathered 1579. And Now Revised, And First Published, In the 24. Yeere of the Peaceable Reigne of Our Gracious Queene Elizabeth.

London: Imprinted by Ra. Newbery, And H. Bynnean, 1582. [vii], 511. [15] pp. Octavo (6-1/4" x 4-1/2").

Recent period-style paneled calf, blind fleurons to inside panels, raised bands and blind ornaments to spine, early hand-lettered title to fore-edge of text block. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials, woodcut arms of dedicatee, Sir Robert Bromley, facing dedication leaf, large woodcut device to verso of final leaf. Light toning to text, some edgewear to endleaves and title page. Brief early annotation to front endleaf, interior otherwise clean. An appealing copy. \$3,500.

SECOND EDITION. one of two issues from 1582. 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 the organization of local government under the justices of the peace at the end of the sixteenth century. 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. Beale T388. ESTC S108154.

82 [LEGAL PUBLISHING].

A Catalogue of Law Bookes, And Such as Appertain to the Law.

[London?: S.n., c. 1657]. [4] pp. 11-1/2" x 7"

[And]

A Catalogue of Law-Books, And Such as Appertain to the Law.

[London?: S.n., c. 1657]. [4] pp. 11-1/2" x 7"

Items housed in handsome three-quarter calf over cloth clamshell case, 13-1/4" x 8-3/4," raised bands and lettering pieces to spine, double-sided velvet-lined display inserts enclosed on each side by hinged covers that are marbled paper on the outside, archival cotton-rag paper on the inside. Text printed on bifolium sheets in parallel columns. *Law Bookes* has negligible toning near edges and no discernable wear, *Law-Books* has light browning, some edgewear and appears to have been glued together along the fold line. An interesting item. \$450.

MORE THAN ADVERTISEMENTS, comprehensive book lists like the ones offered here, which include titles by several printers, are early legal bibliographies. Featuring the best titles in each subject area, they can also be seen as reading lists. Our two examples appear to have come from the same printer, but their contents are not identical. *Law Bookes* was found loosely inserted in a 1657 edition of Robert Lane's *Reports in the Court of Exchequer* (London: Printed for W. Lee, D. Pakeman, and G. Bedell). It is listed in the *ESTC*. The other list appears to be an unrecorded later setting of the *ESTC* copy. Both offer most of the standard works of the day, both new and old, from Littleton's *Tenures* to the latest reports. None of the titles in this list were first published after 1658; about half of them were published in 1640s and 1650s. *ESTC* R176687.

THE CUSTOMARY LAW OF PROTECTORATE-ERA LONDON

83 [LONDON].

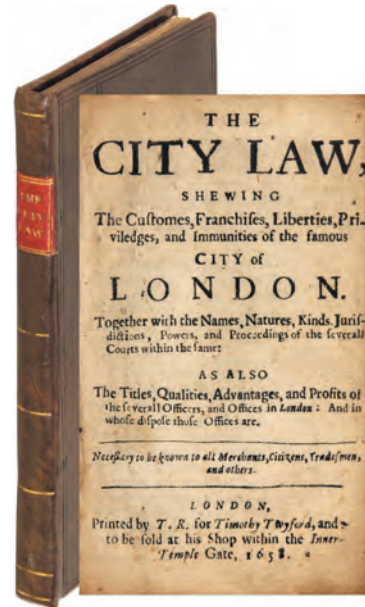
The City Law, Shewing the Customes, Franchises, Liberties, Priviledges, And Immunities of the Famous City of London. Together With the Names, Natures, Kinds, Jurisdictions, Powers, And Proceedings of the Severall Courts Within the Same: As Also the Titles, Qualities, Advantages, And Profits of the Severall Officers, And Offices in London: And in Whose Dispose Those Offices Are. Necessary to be Known to All Merchants, Citizens, Tradesmen, And Others.

London: Printed by T.R. for Timothy Twyford, 1658. [viii], 127, [1] pp. Octavo (5-1/4" x 3-1/4").

Recent period-style calf, blind rules to boards, gilt fillets and lettering piece to spine, edges rouged. Light rubbing and a few minor nicks to boards. Moderate toning to text, minor loss to side-notes of a few leaves due to trimming, spark burns and minor edgewear to a few other leaves, light soiling to title page, internally clean. A handsome copy. \$1,250.

SECOND, FINAL AND BEST EDITION. Rich in legal and historical interest, this handbook of London's customary law during the Protectorate (1653-1659) is an expanded version of a book published at the end of the Civil War in 1647 as *The City Law: Or, The Course and Practice in all Manner of Juridicall Proceedings in the Hustings in Guildhall, London*. It offers an interesting

perspective on the relationship between London's old customary laws with the reforms introduced by Cromwell's government. Both editions are scarce. OCLC locates 5 copies of the 1658 edition in North American law libraries (Columbia, Harvard, SMU, University of Pennsylvania, Yale). *ESTC* R24831.



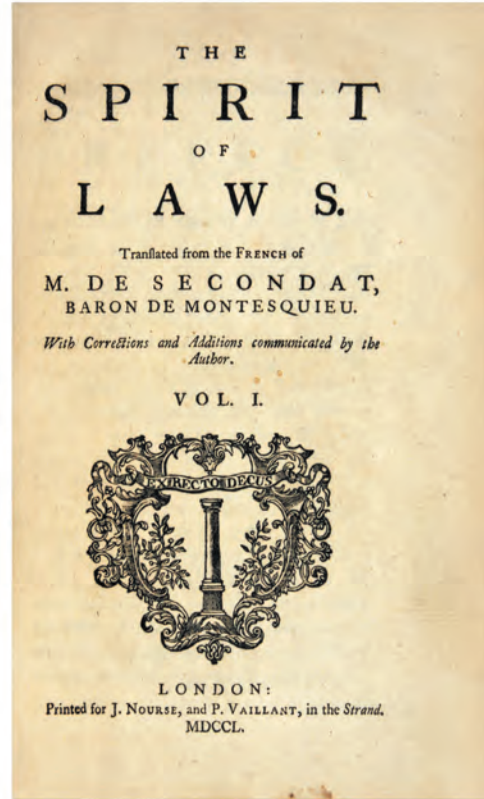
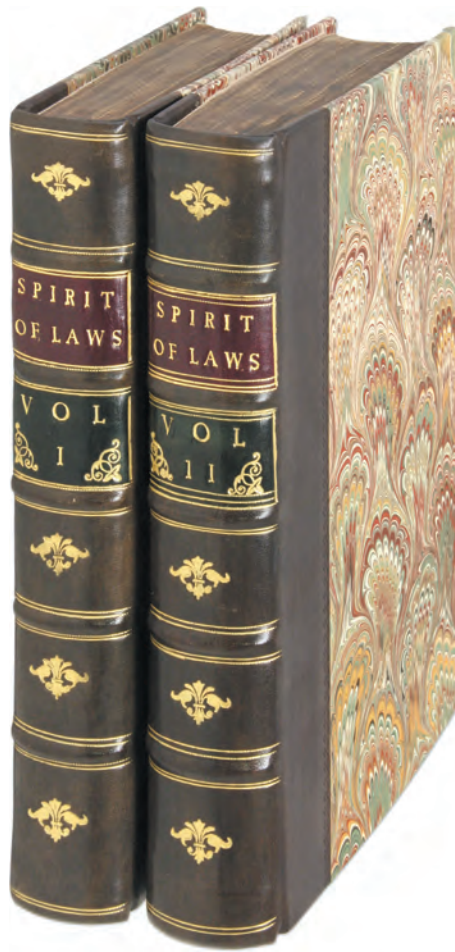
N° 83

1776-1777 DAY BOOK OF LONDON ATTORNEY
WITH ENTRIES CONCERNING A LAND DEAL IN FLORIDA84 [MANUSCRIPT].
[LONDON ATTORNEY].***Day Book.***

[S.n. (but no doubt London), October 1776–November 1777. c. 200 ff., 22 ff. filled with content on rectos and versos. Folio (12-1/2" x 8").

Contemporary vellum, hand-lettered title and date to spine and front board. Moderate soiling, some rubbing to extremities with wear to head and tail, front hinge cracked, bookseller ticket of London dealer Richard Blamire to front pastedown. Light toning to text, content written in neat hand on red-ruled leaves. An interesting item. \$1,500.

THOUGH UNSIGNED, this day book was clearly the work of a London attorney. Folio 11 has an interesting entry concerning a conveyance in Florida: "Took Instructions to draw conveyance of Lands in *FLORIDA* (sic) under Grant of Mr. Tompson." Florida was ceded to Britain 1763 but taken by the Spanish in 1781 and guaranteed to them 1783. (It was ceded to the U.S. in 1820.) Many of the entries concern property transactions. Others illustrate the pressures of the lawyer's life. For example, an entry of Folio 5: "Mrs Cheasley being very bad Mr Ward came & desired I would go down immediately & get Power of Attorney executed. Mr. Thompson & self went in a chaise & 4 at 10 (o'clock) at night & returned next Day at 2 (o'clock) & got Power executed"; Fol. 21: ".the whole of this day with them & at my House till 11oC at night." This lawyer worked with a variety of individuals. He notes, in Fol. 10, that he met with a Mr. Atkinson concerning "the Payment of Prize Money in his hands to distribute." In Fol. 15b we see he "Attended Mr Child (the banker) re an account, their refusal to pay a client's bill &c." A note in Fol. 20b may relate to the noted legal historian Francis Hargrave [1741-1821]: "Attd. Mr. Hargrave & took his Draft for the money." An entry on Fol. 13: "Ent'd. in Waste Book Fo 67" above an entry crossed through in this volume suggests this book was one of a series of records kept by the lawyers concerned.



N° 85

FIRST ENGLISH-LANGUAGE EDITION OF A LANDMARK IN EIGHTEENTH-CENTURY POLITICAL SCIENCE

85 MONTESQUIEU, CHARLES LOUIS DE SECONDAT, BARON DE [1689-1755]. [NUGENT, THOMAS (C.1700-1772), TRANSLATOR].

The Spirit of Laws. Translated from the French of M. de Secondat, Baron de Montesquieu. With Corrections and Additions Communicated by the Author.

London: Printed for J. Nourse, And P. Vaillant, 1750. Two volumes. viii, [xx], 452; [ii], xvi, 483, [49]. Volume II has two-page publisher advertisement. Octavo (8" x 5").

Recent period-style three-quarter calf over marbled boards, raised bands, gilt ornaments and lettering pieces to spines, cracks in text blocks between front endleaf and title page and final text leaf and rear endleaf of each volume. Light toning to text, negligible foxing and faint dampstaining in a few places, internally clean. A desirable set. \$6,500.

FIRST ENGLISH EDITION. *De L'Esprit des Lois* was one of the landmark works of eighteenth-century political science and an immeasurable influence on jurisprudence and political thought, especially in the Americas. A profound influence on the founding fathers, such as Thomas Jefferson, including the framers of the U.S. Constitution, it contained provocative and wide-ranging ideas on the sociology of law, the separation of political powers and the need for checks on a powerful executive office. First published in Geneva in 1748, it remains one of the most significant studies of political and legal theory ever written. Based on Montesquieu's study of the English Constitution, this work is important as the first work to propose the separation of powers, an idea incorporated into the U.S. Constitution. "In many ways one of the most remarkable works of the eighteenth century": Carter and Muir 197. Sowerby 2325. ESTC T90872.

THE "LOVE PHILTRE" WAS ARSENIC

86 [MURDER].
[BLANDY, MARY (1720-1752)].

A Genuine and Impartial Account of the Life of Miss Mary Blandy, Particularly from the Time of Her Commitment to Oxford-Castle, To Her Execution at Oxford, Monday, April 6, 1752, For Poisoning Her Father. With Her Own Account of the Affair Between Her and Mr. Cranstoun, From Their First Acquaintance, In 1746: In a Narrative of the crime for Which She Suffered. Also Copies of Original Letters to Her, And Her Answers Thereto: And a Copy of Her Declaration, (in Which is Contained a Solemn Confession of Her Faith) Which She Sign'd Immediately After Receiving the Sacrament, And Desired to be Made Publick After Her Death. Likewise the Declaration Which She Made at the Place of Execution.

London: Printed and Sold by W. Jackson, 1752. 17 [1] pp. Includes one-page publisher advertisement. Title page has large copperplate portrait of Blandy, who is holding the fatal "love philtre." Main text in parallel columns. Quarto (9" x 6-1/2").

Stab-stitched pamphlet bound into recent period-style quarter calf over marbled boards, gilt title and raised bands to spine, title page re-hinged. Moderate toning and light foxing, minor tears to margins of a few leaves, light soiling to title page. A handsomely bound copy of a scarce title. \$1,250.

ONLY EDITION. The well-educated daughter of a prosperous lawyer, Blandy was not a typical female criminal of the era. Her unfortunate story begins with a dowry. Her father, Francis, advertised an unusually large dowry for Mary, £10,000. This attracted many suitors including one who captivated Mary, the Honourable Captain William Henry Cranstoun, the son of a Scottish nobleman. Francis became angry when he learned that Cranstoun was already married and realized that he was after the dowry. Sensing danger, Cranstoun persuaded Mary to give her father an ancient "love philtre" he acquired. Cranstoun said it would make the father like him. It was actually arsenic. Mary was fooled by this ruse and administered the powders. When her father was stricken and she learned what she had done, Mary foolishly burned Cranstoun's letters and disposed of the remaining powders. Cranstoun fled to France when it was clear that Mary was going to be arrested. The trial was interesting because it was the first of its kind to employ detailed medical evidence. Mary defended herself ably, but her case was hopeless. She was sentenced to death by hanging. This was a sensational trial, and it generated a large pamphlet literature. She also wrote a great deal in prison including "Miss Mary Blandy's Own Account of the Affair between her and Mr. Cranstoun." As indicated by her last request to the execution officials, she remained a proper middle-class lady to the end. "For the sake of decency, gentlemen," she pleaded, "don't hang me high" (16). OCLC locates 9 copies worldwide, 1 in law library (Harvard). ESTC N1714

A SCARCE NATURA BREVIUM, BEALE T94

87 [NATURA BREVIUM].

Natura Brevium in French.

[London]: In Aedibus Richardi Tottell, 1566 [i.e. 21 January 1567]. 180. [4] ff. Octavo (5" x 3-1/4").

Contemporary paneled calf, blind central ornaments and gilt



N° 87

corner fleurons to inside panels, carefully rebacked, raised bands and later gilt title to spine, ties lacking. Light rubbing to boards, somewhat heavier rubbing to extremities, corners bumped, later armorial bookplate (of Hopetoun) to front pastedown, a few cracks to text block. Moderate toning to text, faint dampstaining in places, occasional underlining and brief annotations to title page and elsewhere, more extensive annotations to front endleaves, all annotations in early hand. An appealing copy. \$3,000.

WITH TABLE. TEXT IN LAW-FRENCH AND LATIN. A cornerstone of the common law, the *Natura Brevium* is a selection of writs, with commentary, based on the *Registrum Brevium* dating from the reign of Edward III. The first printed edition of the *Natura Brevium* was published in 1494 by Richard Pynson. After Sir Anthony Fitzherbert published his *New Natura Brevium* in 1534 it was referred to as the *Old Natura Brevium*. The actual date for this imprint is stated in the colophon: "Imprinted...1567 lanuarii vicesimo primo." Most of the annotations are citations to the Year Books. The notes on the front endleaves form a brief index of selected topics. OCLC locates 4 copies. The ESTC locates five copies in the British Isles and five copies in North America. ESTC S113105. Beale T94.

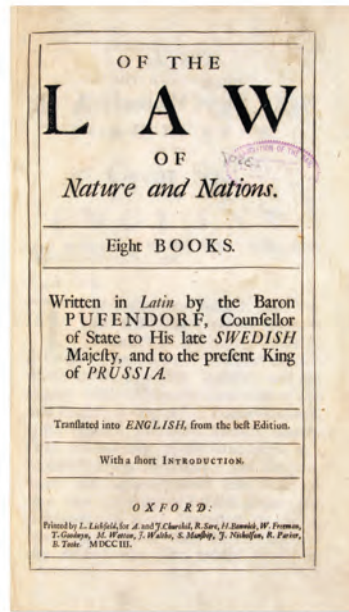
THE JURISDICTION OF THE IRISH COURTS OF PETTY SESSIONS

88 O'DONOGHUE, JOHN.

The Summary Jurisdiction of Magistrates; Being a Precise of All the Acts, Or Such Parts of Them, As are Administrable at the Petty Sessions Courts in Ireland, With an Appendix on the Course of Proceedings Deduced from the Latest Authorities.

Dublin: Hodges and Smith, 1835. xix, 238 pp. Octavo (8-1/4" x 5-1/4").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Moderate rubbing to spine and extremities, a few small scuffs and stains to boards, which are slightly bowed,



N° 90

FIRST ENGLISH EDITION OF PUFENDORF'S
LAW OF NATURE AND NATIONS

front hinge starting at foot, crack in text block between front free endpaper and following leaf. Light toning to text. Extensive early annotations and a few brief annotations to front endleaves, interior otherwise clean. A nice copy of a scarce title. \$350.

ONLY EDITION. The Courts of Petty Sessions were established in the 1820s and organized formally by the Irish Petty Sessions Act of 1851. Judged by justices of the peace, they were the lowest courts and handled most of Ireland's civil and criminal cases. The extensive annotation in our copy is the text of an act regulating weights and measures ("5 & 6 Wm. IV. C. 63"). OCLC locates 10 copies, 3 in North America, 1 in a law library (St. Louis University). Sweet & Maxwell 4:65.

UNRECORDED 1882 SCREED
AGAINST THE ENGLISH COUNTY COURTS

89 POOLEY, EDMUND.

County Courts: What They are and What They Should Be. A Useful Treatise for the Public; Shewing the Present Complete Insufficiency of the Procedure of these Courts from a Comparison With That of the Superior Courts, And Suggesting Radical Reforms, Before Their Jurisdiction is Increased, As Contemplated by Legislation.

London: Waterlow and Sons Limited, Printers, 1882. 14 pp. Octavo (8-1/2" x 5-1/2").

Disbound pamphlet. Negligible light browning, some darkening to edges, especially bottom margin, otherwise fine. \$350.

AN UNRECORDED SCREED against the prevailing English system of county courts. The author, a solicitor from Chelsea, wrote this pamphlet to influence parliamentary reform of the courts. The text is cast in the form of a sixteen-question catechism. For example, the first question is: "What are County Courts?" Answer: "County Courts may be defined to be certain places of resort where judicial protection (either partial or complete) is afforded to rogues, adventurers, and the impecunious, from what appears to such persons the harshness of the law as administered in any other Courts of the land." No copies located on OCLC or COPAC.

90 PUFENDORF, SAMUEL VON [1632-1694].
[KENNETT, BASIL, TRANSLATOR].

Of the Law of Nature and Nations. Eight Books. Written in Latin by the Baron Pufendorf, Counsellor of State to His Late Swedish Majesty, And to the Present King of Prussia. Translated Into English, From the Best Edition. With a Short Introduction.

Oxford: Printed by L. Lichfield, For A. and J. Churchil, R. Sare [et al.], 1703. [xxvii], 27. [3], 239, [1], 273-400, 104, 107-231, [1], 143-262 pp. With a final errata leaf. Text continuous despite pagination and register. Main text in parallel columns. Folio (12-1/2" x 8").

Recent period-style paneled calf, raised bands, blind ornaments and gilt title to spine. Title printed within double-ruled border. Moderate toning to text, minor dampstaining to margins in a few places, finger smudges, minor tears and chips to margins of a few leaves. Ex-library. Small inkstamp to title page. A handsome copy. \$5,000.

FIRST EDITION IN ENGLISH of *De Jure Naturae et Gentium*, one of two issues by the same publishers from 1703. In 1662 Pufendorf was appointed to the first modern professorship in natural law (at the University of Heidelberg). In 1670 he became professor of natural law at the University of Lund in Sweden. First published in 1672, this is his principal work and a landmark in the history of natural and international law. It proposed a thorough system of private, public, and international law based on natural law. Beginning with a consideration of fundamental legal ideas and their various divisions, Pufendorf proceeded to a discussion of the validity of customs, the doctrines of necessity and innate human reason. The work is significant in part because it developed principles introduced by Grotius and Hobbes. Unlike Hobbes, Pufendorf argued that peace, not war, was the state of nature, and he proposed that international law was not restricted to Christendom. As noted by the ESTC, the preface, introduction and errata page are arranged differently in some copies, which gives them the following collation: [viii], 27, [19] or [21], 239, [1], 273-400, 104, 107-231, [1], 143-262, [2] pp. Sweet & Maxwell 1:597 (72). ESTC N10427.



N° 92

INDIRECT INFLUENCES ON
THE DEVELOPMENT OF COPYRIGHT LAW

91 [RALPH, JAMES (D. 1762)].

The Case of Authors by Profession or Trade, Stated. With Regard to Booksellers, The Stage, And the Public. No Matter by Whom.

London: Printed for R. Griffiths, 1758. [iv], 68 [i.e.76] pp.

[Bound with]

D'ISRAELI, ISAAC [1766-1848].

An Essay on the Manners and Genius of the Literary Character.

London: Printed for T. Cadell, 1795. xxiii, [1], 226 pp.

Octavo (7-3/4" x 4-3/4"). Contemporary calf, gilt rules to boards, rebaked and recorned, gilt titles to spine, marbled edges. Moderate rubbing to extremities, minor gatoring to boards, hinges starting, later owner bookplate of George P. Philes to front pastedown, pocket, with nine leaves of bibliographical and critical notes by Philes, to rear pastedown. A few cracks to text block, moderate toning to text, light foxing in places, annotations and check marks in Philes's hand to some leaves, other owner signatures (J. Mitford and Chas. Wright, dated November 1853) to front endleaf, "By the ingenious Mr. Ralph" in early hand to title page of *The Case*. Ex-library. Shelf label to spine, small inkstamp to verso of title page of *The Case*. Two scarce titles with an interesting association. \$1,500.

FIRST EDITIONS. Born in New Jersey, Ralph was a versatile writer of literary works, histories and political criticism. He began his career in Philadelphia, where he associated with Benjamin Franklin. He traveled with Franklin to London in 1725 and remained there for the rest of his life. An author of some stature, he worked closely with Henry Fielding and was one of the writers satirized in Pope's *Dunciad*. *The Case of Authors* is one of his most important and enduring works. It argues that the decline of aristocratic patronage has placed the writer at the mercy of the marketplace, with negative financial, artistic and intellectual consequences. Although it sold poorly, it went on to influence literary criticism and the development of copyright law. It was reissued in 1762. Cited in works by Oliver Goldsmith and Thomas Babington Macaulay, it also influenced the *Essay on the Manners and Genius of the Literary Character*. It was a popular book that reached its fourth

edition in 1828. Its author, the father of the Prime Minister, was a notable literary scholar and essayist. George P. Philes, a previous owner of this volume, was a notable bibliographer, literary critic and bibliophile. ESTC T19997 (Ralph), T10985 (D'Israeli).

ASPECTS OF ENGLISH NOBILITY

92 SELDEN, JOHN [1584-1654].

The Priviledges of the Baronage of England, When They Sit in Parliament. Collected (And of Late Revised) by John Selden of the Inner Temple Esquire Out of the Parliament Rolles, and Journalls Patent, and Close Rolles; The Crowne Rolles, And Journalls Patent, And Close Rolles; The Proceedings of the English Courts at Westminster, The Register of the Arch-Bishop of Canterbury, And the Delegates Yeare-Bookes, Of the Common Law, Statutes & Other Good Authorities, And in Such Sort that Frequently the Words of the Chiefest Testimonies are Transcribed, Least the Freedome of the Readers Iudgement Might be Other Wayes Prevented by Short Collections. The Recitals of the French Records in the 4th. Chap. Also Newly Translated into English for the Benefit of Others, As Well as the Students of the Lawes of England.

London: Printed by T. Badger for Matthew Wallbanck, 1642. [viii], 167. [1] pp. First leaf blank.

[Bound with]

[BIRD, WILLIAM].

A Treatise of the Nobilitie of the Realme. Collected Out of the Body of the Common Law, With Mention of Such Statutes as are Incident Hereunto, Upon a Debate of the Barony of Aburgavenny. With a Table of the Heads Contained in this Treatise.

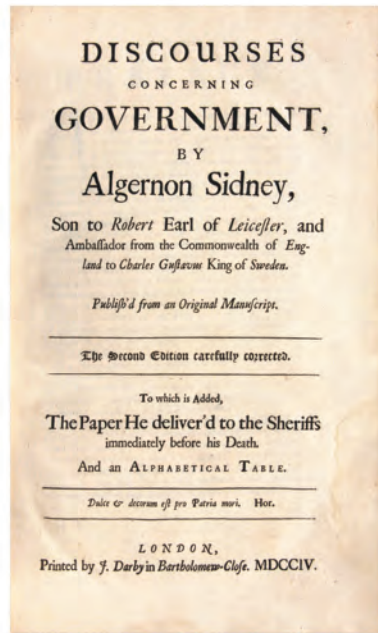
London: Printed by A.N. for Mathew Walbanke and Richard Best, 1642. [iv], 157, [1] pp. Woodcut illustrations (genealogical tables).

Octavo (5-1/2" x 3-1/2"). Contemporary sheep, blind rules to boards, later calf rebacking, lettering piece and blind fillets to spine, early hand-lettered title to fore-edge of text block. Some rubbing to extremities with wear to corners, boards slightly bowed, scuff to front board, rear pastedown loose, later armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamp to head of title page and following leaf, armorial bookplate of Thomas Parker, First Earl of Macclesfield to verso of title page. Title page of *Nobilitie* printed within woodcut border. Some toning to text, brief annotations to endleaves, interior otherwise clean. \$650.

PRIVILEGES: FIRST EDITION; *Nobilitie*: only edition. This volume collects two books on the nobility that were responses to specific incidents. Selden's *Priviledges* was commissioned by the House of Lords to define its rights during a period of mounting tension between the king and Parliament. A work that angered the king, it asserted the House of Lords's power of judicature and provided historical grounds for such "special rights" as freedom from lawsuits during the sitting of Parliament. Bird's *Nobilitie* was a response to a contemporary controversy regarding the legitimacy of Edward Nevill's claim to the title of Lord Bergavenny. His claim is the starting point for a general review of peerage law. A later edition, with additions by Sir John Doddridge, was published later in 1642 as *The Magazine of Honour; Or, A Treatise of the Severall Degrees of the Nobility of this Kingdome*. Thomas Parker, distinguished jurist, was Lord Chancellor from 1718 to 1725. Housed in Shirburn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. ESTC R10915, R18509.



"THE MARROW OF THE LAW"



N° 94

A LANDMARK IN THE PHILOSOPHY OF REPUBLICAN GOVERNMENT, A BOOK ADMIRER BY JEFFERSON

93 SHEPPARD, WILLIAM [D. 1675].

The Faithful Councillor: Or the Marrow of the Law in English. In Two Parts. The First, Methodically and Plainly Shewing, How Any Action May be Warrantably Laid in the Common Law, For Relief in Most Causes of Wrongs Done; In Which is Handled Many of the Special and Most Useful Heads of the Law Now in Practice. The Second, By Way of Appendix, In What Cases, And for What Injuries Relief is to be Had in the High Court of Chancery; Wherein is Set Forth Very Much of the Learning Touching the Jurisdiction and Method of Proceedings in That Court. With an Exact Alphabetical Table of the Most Material Things Contained in Each Chapter. Published by Authority.

London: Printed by R[obert]. W[hite] for E. Dod, N. Ekins, T. Brewster, and G. Moule, 1651. Part I Only. [vi], 164, 177–368, 553–703, [13] pp. Quarto (7-1/4" x 5-1/2").

Contemporary sheep, blind rules to boards and spine. Light rubbing to extremities, a few shallow scuffs to boards, joints just starting at ends, corners bumped and lightly worn, front pastedown loose, rear endleaves lacking. Moderate toning to text, faint dampstaining to foot of text block, faint dampspotting in a few places, edgewear to preliminaries, a few text leave and a few index leaves. Early owner signatures and a small inkstain to title page, interior otherwise clean. An appealing copy. \$1,500.

FIRST EDITION. Sheppard's comprehensive account of common and chancery law procedure is important for being written and published in English, rather than Latin or Law French, the language of the courts and the legal profession. Its purpose was political, in the broadest sense, as much as legal, to stabilize the new Commonwealth by making its legal system comprehensible to the common man and amenable to reform, thereby lending legitimacy to the state and to the legal profession. Digested alphabetically by topic, it is also one of the first legal encyclopedias in English. This book was reissued in 1653. A second part was published in 1654. Matthews 97-99. ESTC R19496.

94 SIDNEY, ALGERNON [1622-1683].

Discourses Concerning Government, By Algernon Sidney, Son to Robert Earl of Leicester, And Ambassador from the Commonwealth of England to Charles Gustavus King of Sweden. Publish'd from an Original Manuscript. Carefully Corrected. To Which is Added, the paper he Deliver'd to the Sheriffs Immediately Before His Death. And an Alphabetical Table.

London: Printed by J. Darby, 1704. [viii], 424 [i.e.420], [48] pp. Copperplate portrait frontispiece. Folio (12" x 7-1/2").

Contemporary paneled calf, raised bands and lettering piece to spine. Light rubbing to boards and extremities, some minor nicks and scratches, a bit of edgewear to lettering piece, corners bumped and lightly worn, front hinge cracked, rear pastedown loose, early armorial bookplate to front pastedown (St. Columbs). Light toning, negligible faint dampstaining to a few leaves, internally clean. A handsome copy. \$1,000.

SECOND EDITION. The first edition of this important work was published in 1698, fifteen years after Sidney's execution for treason in 1683. A reply to Filmer's *Patriarcha*, the *Discourses* is one of the earliest modern statements of republican ideals. He proposes a doctrine of natural justice and governmental order from which all institutions vary at their peril. More important, Sidney asserts that a king's authority is granted by parliament, which has the additional power to depose him—controversial ideas indeed during the Restoration period. Thomas Jefferson, one of several individuals influenced by this text, described it as "... probably the best elementary book of the principles of government, as founded in natural right which has ever been published in any language; and it is much to be desired in such a government as ours that it should be put into the hands of our youth as soon as their minds are sufficiently matured for that branch of study." (Sowerby). Sidney was beheaded by Charles II in part for his involvement in the Rye House plot. One of the other charges against him was that he had committed treasonable libel in his *Discourses*, which was still in manuscript at that time. Sowerby III:12. ESTC T113295.

A LOW POINT IN SOMERS'S CAREER

95 SOMERS, JOHN SOMERS, BARON [1651-1716].

The Argument of the Lord Keeper Sommers, On His Giving Judgment in the Bankers Case: Deliver'd in the Exchequer-Chamber, June 23, 1696.

[London]: Printed by E. and R. Nutt, and R. Gosling, 1733. [ii], 128 pp. Quarto (8-1/2" x 7").

Contemporary calf, blind rules to boards, blind fillets to joints, gilt tooling to board edges, raised bands and lettering piece to spine. Some rubbing to extremities with wear to spine ends and corners, part of lettering piece lacking, partial crack in text block between front free endpaper and title page, minor worming to front endleaves, later armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamp to head of title page. Moderate toning to text, somewhat heavier in a few places, occasional faint dampspotting, light browning and dampstaining (?) to title page. Early owner signature (Thomas Parker) to front free endpaper, interior otherwise clean. \$600.

ONLY EDITION and the only complete account. This case was an unfortunate moment in Somers's otherwise brilliant career. (He was an important Whig jurist, Lord Chancellor during the reigns of William & Mary and Queen Anne and framer of the English Bill of Rights). "In the most important case which came before him in the Exchequer Chamber, that of the bankers who had recovered judgment in the court of exchequer for arrears of interest due to them as assignees of certain perpetual annuities charged by Charles II upon the hereditary excise as security for advances, he expended some hundreds of pounds and an immense amount of thought and research, with no better result than to defeat an intrinsically just claim, on the technical ground that it was not cognisable in the Court of Exchequer, but only by petition of right. No judgment so elaborate had ever been delivered in Westminster Hall as that by which, in November 1696, he reversed the decision of the Court of Exchequer." (DNB). This decision was reversed by the House of Lords three years later. Despite Somers's importance, few accounts of his legal work exist today; it is known mostly through summaries. This copy belonged to Thomas Parker [1666-1732], 1st Earl of Macclesfield and Lord Chancellor from 1718 to 1725. Housed in Shirbourn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. OCLC locates 7 copies in North American law libraries. DNB XVIII:632. Sowerby 2015. ESTC T79392.

A LANDMARK WORK ON GRAND JURIES

96 [SOMERS, JOHN SOMERS, BARON , ATTRIBUTED].

The Security of English-Mens Lives, Or the Trust, Power, And Duty of the Grand Jurys of England. Explained According to the Fundamentals of the English Government, And the Declarations of the Same Made in Parliament by Many Statutes. Published for the Prevention of Popish Designs Against the Lives of Many Protestant Lords and Commoners, Who Stand Firm to the Religion and Ancient Government of England.

London: Printed for Benj. Alsop, 1682. 168 pp. Octavo (6" x 3-3/4").

Recent calf, blind rules to boards, raised bands and gilt title to spine. Moderate toning to text, negligible faint dampstaining to rear quarter of text, faint dampspotting to a few leaves, internally clean. \$600.

SECOND EDITION. This influential pamphlet defined a hearing before a grand jury of peers as a fundamental English right. An assertion of the priority of the law over the English crown, it was written to support the right of a grand jury to reject the bill of indictment against Anthony Ashley-Cooper, First Earl of Shaftesbury, issued by Charles II (a Catholic). Published anonymously, this work is attributed in most sources to Somers. A barrister of the Middle Temple and an important Whig statesman, he was Lord Chancellor of England during the reigns of William and Mary and Queen Anne and presided over the framing of the Bill of Rights (1689). As one would suspect, this book was studied by the American founding fathers. Sweet & Maxwell 1:378 (34). ESTC R10363.

THE RIGHT TO A GRAND JURY

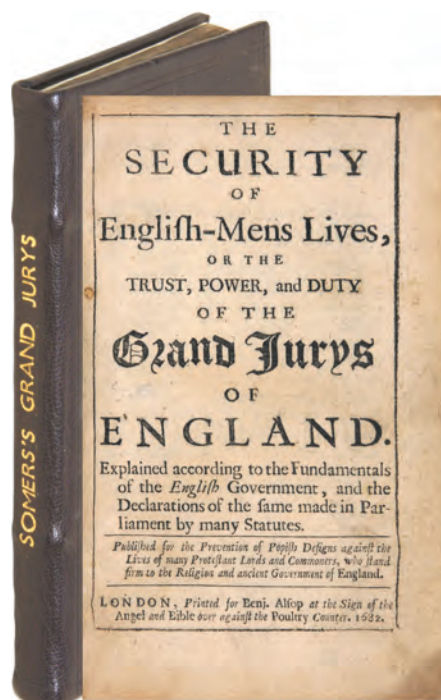
97 SOMERS, JOHN SOMERS, BARON.

The Security of Englishmen's Lives: Or the Trust, Power and Duty of the Grand Juries of England Explained According to the Fundamentals of the English Government, And the Declaration of the Same Made in Parliament by Many Statutes. First Printed in the Year 1681.

London: Printed for J. Almon, 1766. 112 pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine. Interior notably fresh. Light toning to text, light soiling to title page and p. 112, internally clean. \$450.

FIFTH EDITION. ESTC T47413.



N° 96



N° 99



A LANDMARK IN ENGLISH LEGAL LEXICOGRAPHY

CLASSIC STATEMENT
OF ENGLISH LIBERTIES AND WHIG IDEOLOGY

98 [SOMERS, JOHN SOMERS, BARON].
[LEWIS, JOHN, EDITOR. AUTHOR OF THE SEQUEL OF
ADVICE TO POSTERITY].

A Guide to the Knowledge of the Rights and Privileges of Englishmen. Containing, I. Magna Charta, with Remarks Thereon; II. The Bishops Curses; III. The Habeas Corpus Act; IV. The Bill of Rights; and, V. The Act Settlement: With an Exhortation to the Christian and Independent Clergy, the Gentry, Freeholders, and Other Electors of Members to Serve in Parliament. To Which is Added, The Security of Englishmens Lives: Or, The Trust, Power, and Duty of the Grand Juries of England. Published in Consequence of the Recommendation of the Author of, Advice to Posterity, In his Sequel Thereof. With a Short Prefatory Address to the Public by the Editor.

London: Printed for J. Scott, 1757. ix, [1], 254 pp. Includes one-page publisher list. 12mo. (6-1/2" x 4").

Contemporary calf, lettering piece and gilt fillets to spine. Negligible light rubbing to extremities, corners lightly bumped, early armorial bookplate (of John Cromie) to front pastedown. Light toning to text, foxing to a few leaves, early annotations to title page. A notably well-preserved copy. \$1,250.

FIRST EDITION (of this anonymously edited imprint). First published in 1681, his *The Security of Englishmen's Lives* (1681) is an important tract on juries and one's right to a jury trial. It went through numerous editions and was usually printed with the text of Magna Carta and other foundational documents of English liberty. (This 1757 imprint is one of several variants.) Classic statements of Whig ideology, many copies were eagerly consumed in the American colonies on the eve of the Revolution. OCLC locates 9 copies in North American Law Libraries. ESTC T61073.

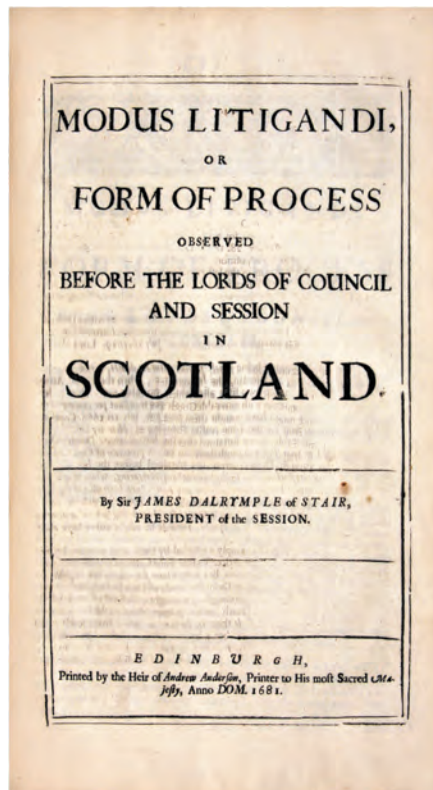
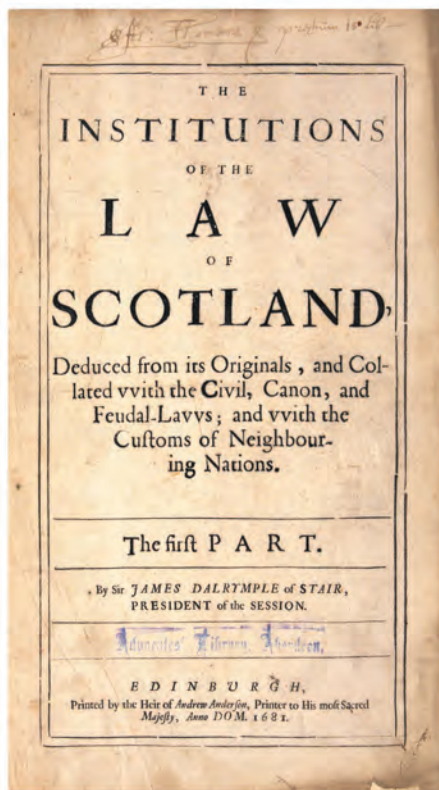
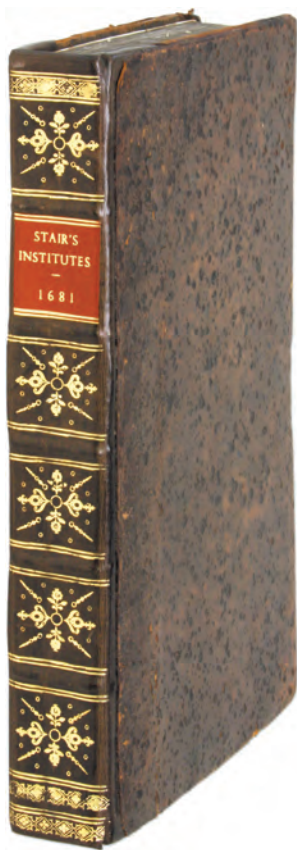
99 SPELMAN, SIR HENRY [1564-1641].

Henrici Spelmanni Equit. Anglo-Brit. Archaeologus. In Modum Glossarii ad Rem Antiquam Posteriorem: Continentis, Latino-Barbara, Peregrina, Obsoleta, Et Novatae Significationis Vocabula, Quae Post Labefactatas a Gothis Vandalisq[ue]; Res Europaeas, In Ecclesiasticis Profanisq[ue]; Scriptoribus; Variarum Item Gentium Legibus Antiquis, Chartis & Formulis Occurrunt Scholiis et Commentariis Illustrata, in Quibus Prisci Ritus quam Plurimi, Magistratus, Dignitates, Munera, Officia, Mores, Leges, Et Consuetudines Enarrantur [sic].

London: Apud Johannem Beale, 1626. [vi], 110 [i.e. 164], 177-194, 193-250, 241-452 pp. Main text in parallel columns. Folio (11" x 7").

Later three-quarter calf over marbled boards, raised bands and gilt title to spine, front joint starting at head, hinges cracked. Moderate rubbing to boards and extremities, corners bumped. Woodcut head and tail-pieces. Moderate toning to text, occasional faint dampstaining to lower half of text block, light foxing to a few leaves. Later owner signature (of David Leadbetter, 1820) to head of title page, interior otherwise clean. A nice copy. \$1,500.

FIRST EDITION. ONE OF TWO ISSUES FROM 1626. The *Glossarium* was the first English dictionary of legal and historical terms based on philological methods. The product of considerable archival research and consultation with scholars throughout Europe, it superseded all previous attempts at legal lexicography. As Holdsworth observes, "It is a great deal more than a law dictionary, being a dictionary of Latin and other words to be found in all the post-classical authors and documents English and foreign....In fact it is a product of that new school of historians and historically minded lawyers" (V:402). This point is supported by Winfield, who notes its usefulness when interpreting terms used in the Domesday Book. The first edition contains terms from A to L. Unfortunately, Spelman did not live to bring his proposed second volume to print. The second edition, which was edited by Dugdale, is the first with terms from A to Z. Cowley lxxxviii, 75 (155). Winfield 112. ESTC S123508.



N° 100

"IT REMAINS OF THE HIGHEST AUTHORITY"

100 STAIR, JAMES DALRYMPLE, VISCOUNT OF [1619-1695].

The Institutions of the Law of Scotland, Deduced from its Originals, and Collated with the Civil, Canon, And Feudal-Laws; And with the Customs of Neighbouring Nations.

Edinburgh: Printed by the Heir of Andrew Anderson, Printer to His Most Sacred Majesty, 1681. Two parts, each with title page and individual pagination. [xxii], 444; [ii], 96, 93-192, 189-192 pp.

[Bound with]

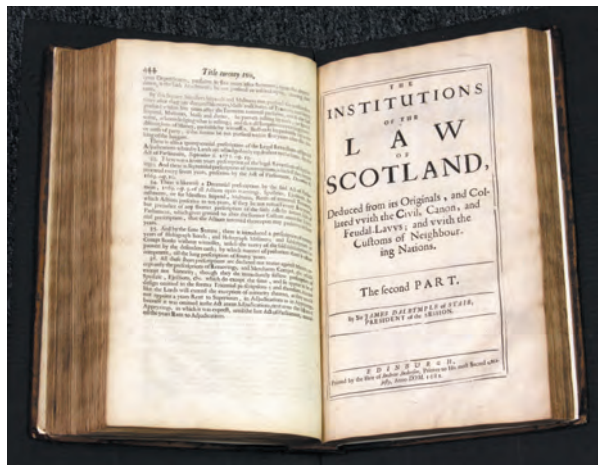
STAIR, JAMES DALRYMPLE, VISCOUNT OF.

Modus Litigandi, Or Form of Process Observed Before the Lords of Council and Session in Scotland.

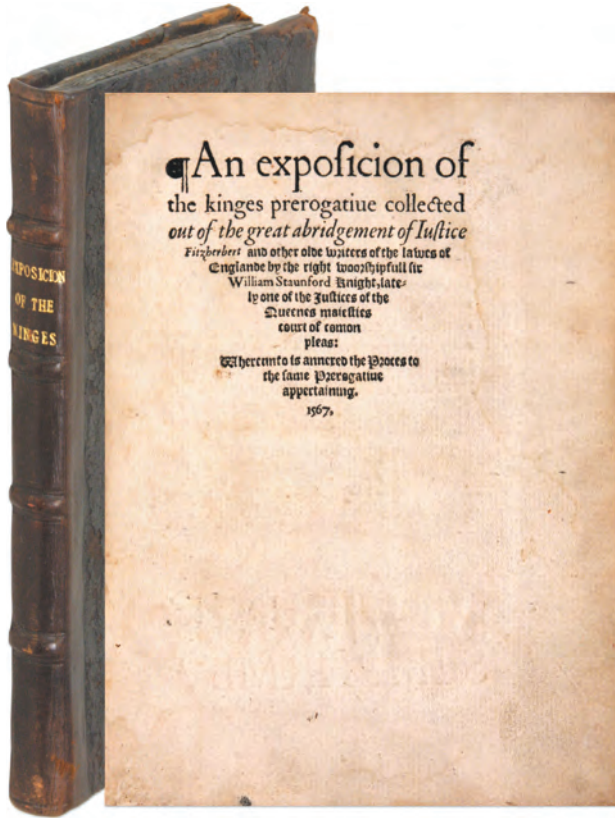
Edinburgh: Printed by the Heir of Andrew Anderson, Printer to His Most Sacred Majesty, 1681. 44 pp.

Folio (12" x 7-1/4"). Contemporary mottled calf, rebacked in period style, raised bands, gilt ornaments and lettering piece to spine. Some rubbing to boards, heavier rubbing to extremities with wear to corners, title page, which is lightly edgeworn, mounted, partial crack in text block between pp. [x] and [xi]. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing in a few places, minor inkstains to a few leaves. Early owner signature (of H. Thomsons) to title page of Part I and final leaf of Part II, interior otherwise clean. Ex-library. Inkstamp of Advocates Library of Aberdeen to head of dedication page. A handsome volume. \$1,500.

INSTITUTES: FIRST EDITION; *Modus Litigandi*: only edition. As Walker has pointed out. "Stair's [*Institutes*], in which rules are derived from their underlying principles and their sources in Roman, canon, and feudal law (...) remains of the highest authority and in default of contrary later authority is deemed to settle the law." *Modus Litigandi*, a handbook for advocates, is one of the best sources of information on procedure in seventeenth-century Scotland. *Oxford Companion to Law* 331. ESTC R226246, R13544.



Detail from N° 100



N° 101

ROYAL PREROGATIVES

101 STAUNFORD, SIR WILLIAM [1509-1558].

An Exposition of the Kinges Prerogative Collected Out of the Great Abridgement of Justice Fitzherbert and Other Olde Writers of the Lawes of England. Whereunto is Annexed the Proces to the Same Prerogative Appertaining.

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

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

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



N° 102

APPEALING EARLY EDITION OF STAUNFORD'S PLEES

102 STAUNFORD, SIR WILLIAM.

Les Plees del Coron: Divisees in Plusiours Titles & Common Lieux. Per Queux Home Plus Redement & Plenaieme[n]t Trovera, Quel[ue]; Chose que il Quira, Touchant les Ditz Plees.

[London]: In Aedibus Richardi Tottelli, 1560. [xiv], 198 ff. Quarto (7-1/4" x 5-1/4").

Eighteenth century calf with later rebacking, panels with corner fleurons to boards, raised bands and gilt title to spine, corners repaired. Light rubbing to extremities, a few minor scratches to boards, corners bumped and lightly worn, hinges starting at ends, later armorial bookplate (a letter C beneath a coronet) to front pastedown. Title printed within woodcut architectural border, woodcut decorated initials. Some toning to text. Underlining and brief annotations to some leaves in a fine early hand, interior otherwise clean. An appealing copy. \$2,500.

SECOND EDITION. First published in 1557, Staunford's *Plees* is considered a "principal book" by Pollock and Maitland, one that enables us "to trace our modern laws of crimes, from the later middle ages onwards." Based on Bracton and the Year Books, Staunford's treatise is divided into three parts. The first treats offences, the second treats jurisdiction, appeals, indictments, and defenses. The third addresses trials and convictions. *Plees* was written after Staunford was appointed judge of the common pleas in 1554. Pollock and Maitland, *The History of English Law* II:448. ESTC S117819. Beale T48.

AN IMPORTANT EARLY WORK ON WRITS

103 THELOALL, SIMON.

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

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

Recent period-style vellum with lapped edges. Spine ends bumped, crack in text block between title page and following leaf. Some toning to text, light soiling, faint dampstaining to a few leaves, early owner signature and annotations to title page, other annotations in similar hand to a few other leaves, including a manuscript to the rear endleaves. A handsome copy. \$2,000.

FIRST EDITION. An important early work on writs, Theloall's *Digest* owes its origin to the suggestion of Staunford that it would be a good idea if lawyers would write treatises on the other titles of the abridgments similar to his study of the Title "Prerogative." Staunford illustrated his meaning by showing how the Title "Brief" might be treated. Theloall chose this title, and wrote a treatise on it for his own use. The manuscript, having been lent, eventually found its way to a printer. "It deserved to be printed, as it is the most orderly treatise on procedure, founded on the Year Books, that had yet appeared... Historically, it comes between the older commentaries upon writs and the modern books on procedure.": Holdsworth HEL V:381. A second edition was published in 1678. Beale T499. ESTC S118369.

THE ROLE OF JURIES
IN THE DETERMINATION OF SEDITIOUS LIBEL

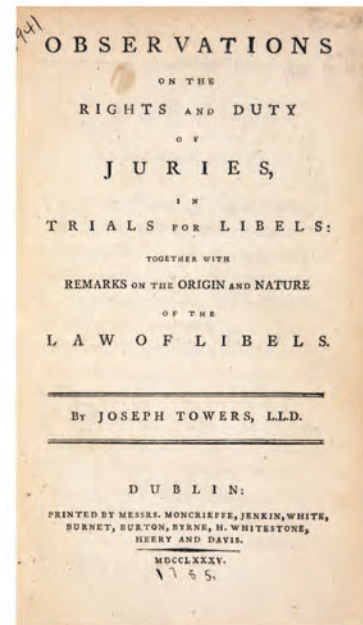
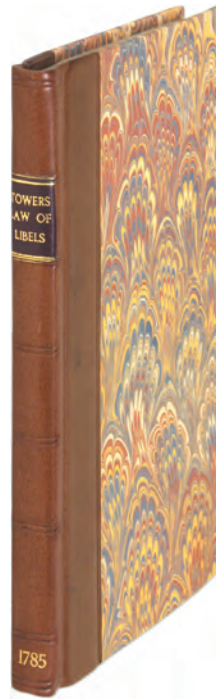
104 TOWERS, JOSEPH [1737-1799].

Observations on the Rights and Duty of Juries in Trials for Libels: Together with Remarks on the Origin and Nature of the Law of Libels.

Dublin: Printed by Messrs. Moncrieffe, Jenkin, White, Burnet, Burton, Byrne, H. Whitestone, Heery and Davis, 1785. viii, 147, [1] pp. Octavo (7-1/2" x 4-1/2").

Recent period-style quarter calf over marbled boards, lettering piece and blind fillets to spine, endpapers renewed. Light toning, finger smudges to a few leaves, small tear to fore-edge of title page, minor repair to following leaf. Early owner signature to half-title, "1785" to foot of title page, interior otherwise clean. \$950.

SECOND EDITION, AND THE ONLY IRISH EDITION. Originally published in London in 1784, this is the first work to popularize Erskine's famous argument in the Dean of St. Asaph's case seeking the jury's right to determine seditious libel. It is notable for its faith in juries and distrust of government. OCLC locates 7 copies of this imprint in North American law libraries. Not in Sweet & Maxwell, which lists the 1784 London edition. ESTC N10039.

N^o 104

ACCOUNT OF A NOTABLE BRITISH MURDER TRIAL
BOUND WITH A RELATED BOOK ON TRIAL BY BATTLE

105 [TRIAL].

COOPER, JOHN.

[THORNTON, ABRAHAM (D. 1860), DEFENDANT].

A Report of the Proceedings Against Abraham Thornton at Warwick Summer Assizes, 1817, For the Murder of Mary Ashford; And Subsequently in the Court of King's Bench in an Appeal of the Said Murder.

Warwick: Printed at the General Printing Office by Heathcote and Foden, 1818. [ii], viii, 141, [1] pp. Includes one-page publisher catalogue. Lithograph portrait frontispiece of Thornton and Ashford, lithographed portrait plate of Ashford, woodcut folding map.

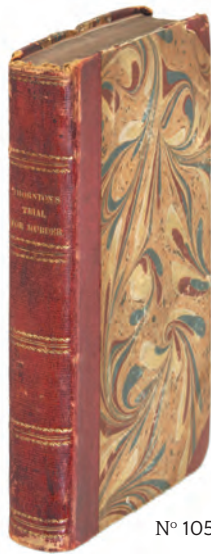
[Bound with]

KENDALL, E[DWARD] A[UGUSTUS].

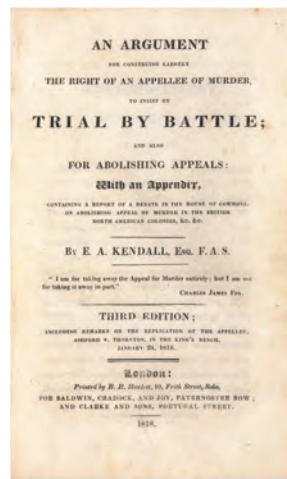
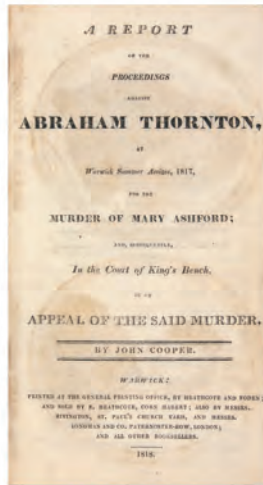
An Argument for Construing Largely the Right of an Appellee of Murder, to Insist on Trial by Battle; And Also for Abolishing Appeals; With an Appendix, Containing a Report of a Debate in the House of Commons, On Abolishing Appeal of Murder in the British North American Colonies, Etc. Etc. Third Edition; Including Remarks on the Replication of the Appellee Ashford V. Thornton, In the King's Bench, Jan. 24, 1818.

London: Printed by B.R. Howlett, for Baldwin, Cradock, and Joy and Clarke and Sons, 1818. xxxi, [1], 307, [1] pp. Lithograph frontispiece of a medieval trial by battle.

Octavo (8" x 5"). Contemporary three-quarter morocco over marbled boards, gilt fillets and title to spine. Light rubbing to boards, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, a few cracks to text block. Moderate toning, some leaves have light foxing, minor edgewear to map and a few other leaves, internally clean. \$1,250.



N° 105



Detail from N° 105

A SENSATIONAL CASE OF KIDNAPPING

REPORT: ONLY EDITION; ARGUMENT, third, final, and best edition, one of three editions, all published in 1818. Abraham Thornton, a bricklayer, "was accused of rape and murder after attending a dance where he became intimate with a gardener's daughter named Mary Ashford. They left the dance together and her body was found the next morning in a deep pool of water near a local footpath. Thornton was tried at the Warwick assizes on 8 August 1817. Since the marks on Mary's body were not necessarily inconsistent with Thornton's claim that she had consented to sexual intercourse, and since the times on the morning in question when Thornton was seen walking home to Bromwich suggested he could not have been with her when she met her death, the jury found him not guilty. (...) Many were convinced of Thornton's guilt and he was assailed in local and London newspapers. A group collected around the Birmingham solicitor William Bedford invoked the old legal process of 'appeal of murder,' by which a person acquitted of murder could be tried again for the same offense. This process was generally regarded as obsolete, though there had been several instances in the eighteenth century. More controversy arose when Thornton came before the court of King's Bench in November 1817 and demanded ordeal by battle, which was open to the subject of an appeal of murder but had not been claimed since Charles I's reign. After several hearings between November 1817 and April 1818 the court decided that the appellee did have this right. The appeal of murder was dropped. Appeals of murder were abolished in 1819 partly because of this case" (Turner). Unable to lead a normal life, Thornton moved to the U.S. and settled in Baltimore. The third edition of *Argument* is a scarce title; *Report* is rare. In North American law libraries, OCLC locates 3 copies (Harvard, UT-Austin, Yale). Turner, Michael J., "Thornton, Abraham," *Oxford DNB* (online edition).

106 [TRIAL]. WIKOFF, HENRY [1813-1884], PRINCIPAL DEFENDANT. VANNOUD, LOUIS, DEFENDANT. CAVALLARI, LUIGI, DEFENDANT.

Trial of Wikoff, Vannoud, And Cavallari, For a Forced Marriage Between Miss Gamble and One of the Accused. Before the High Court of Genoa, February 9-10, 1852.

London: William Shoberl, 1852. 64 pp. Lithograph portrait frontispiece of Wikoff. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Moderate soiling, rubbing to extremities with some wear to spine ends and corners. Light toning to text, foxing to a few laves, internally clean. \$750.

ONLY EDITION. An account of one of the sensational trials of the early 1850s. Wikoff, or as he called himself, Chevalier Wikoff, was an American impresario, occasional European correspondent for the *New York Herald* and, possibly, a spy for Lord Palmerston. He was engaged to Jane Catherine Gamble, an English woman. Gamble changed her mind shortly before the wedding and fled to Genoa. Wikoff tracked her down and apparently tricked her into coming along with him to his apartment. Shortly afterwards Gamble filed a complaint of kidnapping that landed Wikoff in an Italian jail for 15 months. He was found guilty in an Italian court and forced to return her letters and "extorted promise of marriage." Ever enterprising, Wikoff responded to the negative publicity with a memoir entitled *My Courtship and Its Consequences* (1855), which became a best-seller. Copies of *The Trial of Wikoff* are scarce. OCLC locates 7 worldwide: 2 in the British Library and 5 in North American law libraries (Harvard, Library of Congress, University of Georgia, University of Minnesota, University of Pennsylvania).



Detail from N° 105



Detail from N° 106

THE BOOK OF THE BENCH IN A REMARKABLE SIGNED BINDING
(WITH SLIPCASE)

107 [VANITY FAIR].
SPY (SIR LESLIE WARD [1851-1922]), AND OTHERS.

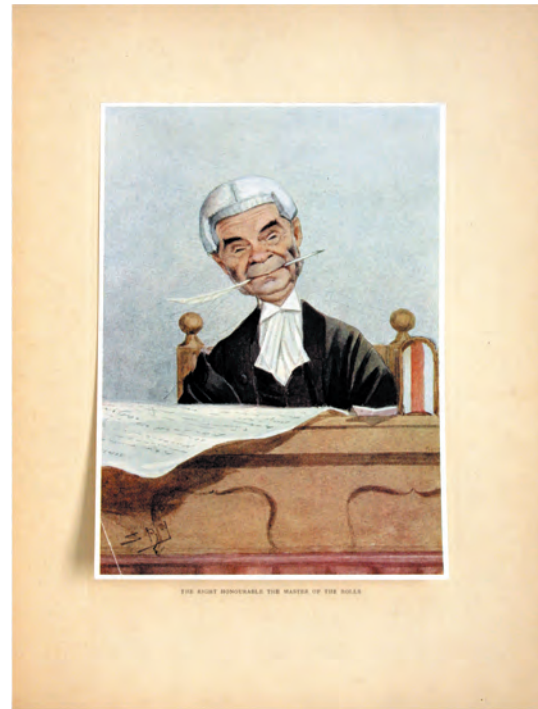
The Book of the Bench: With Thirty-Nine Reproductions in Color by "Spy" and Other Cartoonists.

London: James Mackenzie Limited, [1909]. Unpaginated. 39 tipped-in color portrait plates. Quarto (10-1/2" x 8").

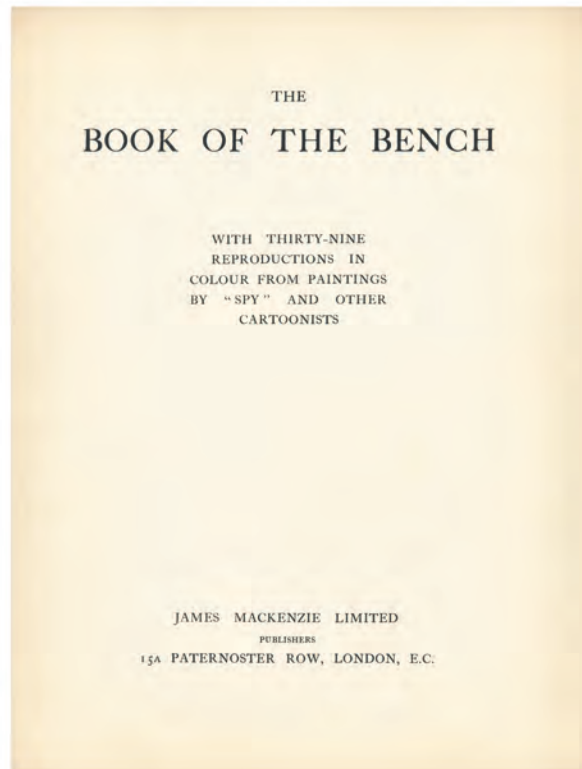
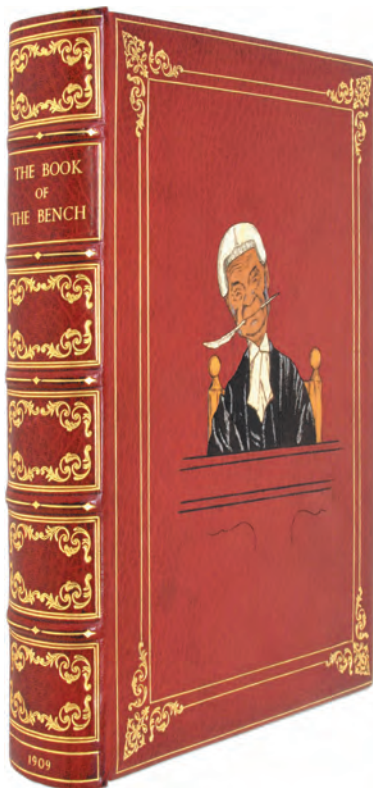
Mid-twentieth century period-style morocco signed binding in cloth clamshell box with morocco spine (by Christopher Lewis of Brian Frost & Company, Bath, England). Gilt double frames with corner fleurons to boards, which have beveled edges, front board has a color portrait (based on the plate of Sir Herbert Hardy Cozens-Hardy), raised bands, gilt rules to board edges, all edges gilt, pastedowns and free endpapers covered in silk moire, pastedowns have gilt-ruled morocco margins with corner fleurons. Spines of book and slipcase have identical spines with raised bands, gilt titles and gilt ornaments. Light toning to text, negligible foxing to a few leaves. Light shelfwear to box, edges of its spine carefully mended. A notably handsome copy.

\$1,750.

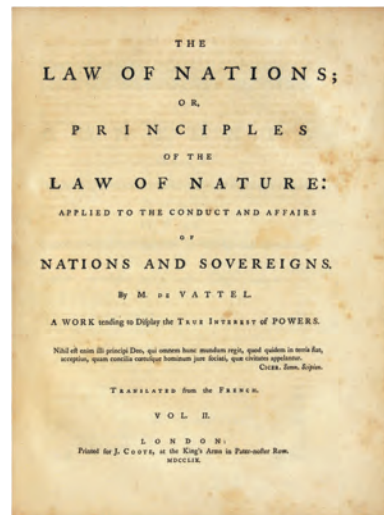
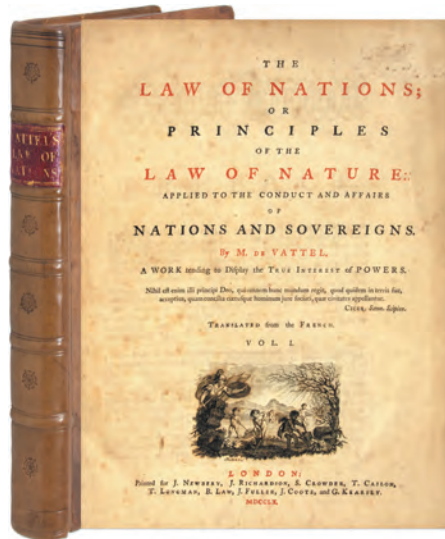
DELUXE FOLIO EDITION. A marvelous collection of color portrait plates by Sir Leslie Ward, Carlo Pellegrini and others, each accompanied by a brief biography, were originally published in *Vanity Fair*.



Detail from N° 107



N°107



N° 108

THE FIRST ENGLISH TRANSLATION OF VATTEL'S CLASSIC TREATISE

THE RIGHT TO A TRIAL BY JURY

108 VATTEL, [EMMERICH] DE [1714-1767].

The Law of Nations; Or Principles of the Law of Nature: Applied to the Conduct and Affairs of Nations and Sovereigns. A Work Tending to Display the True Interest of Powers. Translated from the French.

Volume I: London: Printed for J. Newbery, J. Richardson [et al.], 1760; Volume II: London: Printed for J. Coote, 1759. Two volumes in one. xxxvi, 254; [ii], xiv, 170 pp. Quarto (10" x 8").

Contemporary speckled calf, gilt filleting to edges of boards, rebacked in period style retaining existing lettering piece, raised bands and blind ornaments to spine, edges of text block rouged, hinges mended. Light rubbing to boards, which are slightly bowed, corners bumped and somewhat worn. Volume I title page, with small copperplate vignette, printed in red and black, woodcut head and tail-pieces. Moderate toning to text, somewhat heavier in places, some leaves have light foxing. Later owner signature dated 1836 to front free endpaper, interior otherwise clean. An appealing copy of a scarce title. \$1,500.

FIRST ENGLISH EDITIONS. Volume I a second issue (see below). First published in French in Neuchatel with a false London imprint in 1758, this is one of the great treatises on international law. It was especially influential in the United States. Jefferson ranked it with the works of Grotius, Pufendorf and Wolff. It was also cited more frequently than any other writer on international law in early U.S. courts. "Le Droit de Gens is certainly a work of the first magnitude. It modernized the whole theory and business of International Law, brought it out of the study into the field, the mart, the council chamber, and the palace. (...) He did indeed, much for nations, for he imposed upon them theories of moral rational development up to which it became, in a sense, necessary for them to live" (MacDonnell). The first English edition was published as a two-volume set in 1759. According to the *ESTC*, the date and misnumbering of pp. vi-vii as iv-v in our copy of Volume I indicates that it is a reissue of the 1759 Volume I with a cancel title page. This edition is scarce in the trade; 2005 was the last time it appeared at auction. MacDonnell 479, 504. *ESTC* T112820, T228799.

109 [W.B., EDITOR]. WILLIAMS, THOMAS [1513?-1566]. [RISDEN, THOMAS]. [HALE, SIT MATTHEW (1609-1676)].

The Excellency and Praeheminence of the Law of England, Above All Other Humane Lawes in the World. Asserted in a Learned Reading Upon the Statute of 35 h. 8. Cap. 6. Concerning Tryals by Jury of Twelve Men, And Tales be Circumstantibus. By Thomas Williams, Late of the Inner Temple, Esq; Sometime Speaker of the Commons House in Parliament. II. Mr. Risdens Reading Upon the Statute of 21 H. 8. Chap. 19. Of Avowries. III. Judge Hale's Opinion in Some Select Cases. IV. Certain Cases Which Have Been Formerly Mooted by the Society of Greys-Inn.

London: Printed by the Assigns of R. and E. Atkins, Esquires, for Norman Nelson, 1680. [viii], 170; [ii], 195-318 pp. Four parts, each with title page, continuous pagination in Parts II, III and IV. Octavo (7" x 4-1/2").

Contemporary sheep, blind rules to boards. Moderate rubbing to extremities, a few light scuffs to boards, spine abraded with loss to ends, corners bumped and lightly worn, boards slightly bowed, rear joint starting at head, front pastedown loose, rear pastedown loose and partially excised, armorial bookplate of the library of the Earls of Macclesfield to verso of front board, the library's small embossed stamp to title page and a few other leaves. Moderate toning, some sections lightly browned, occasional faint dampspotting, offsetting and light edgewear to preliminaries and final few leaves, clean tears to a couple of leaves, chip to final leaf just touching text, internally clean. \$1,500.

ONLY EDITION. TEXT IN ENGLISH AND LAW-FRENCH. Edited by "W.B." this book collects four tracts on the nature of English law with and emphasis on the right to trial by jury. The tract by Williams is followed by *The Cases of Mr. Risdens, In His Reading in August, 1612. Upon the Statute of the 21 H. 8. Chap. 19. of Avowries, Judge Hale His Opinion in Some Select Cases and Certain Select Moot-Cases, Intituled, Les Cases de Greys-Inn, Which Have Been Formerly Mooted by that Society*. OCLC locates 6 copies, 1 in Europe, 4 in North America (Harvard Law School, Library of Congress, University of Chicago, UC-Davis, University of Virginia, U.S. Supreme Court Library). *ESTC* adds 7 copies in Great Britain. *ESTC* R2394.

CONTINENTAL EUROPE



N° 110

TWO PRINCIPAL TEXTS OF ANTONINUS IN A HANDSOME CHAINED BINDING

110 [ANTONINUS, SAINT (1389-1459), ARCHBISHOP OF FLORENCE].

[*De Censuris Ecclesiasticis, Sive de Excommunicationibus. De Sponsalibus et Matrimonio*].

[Venice: Johannes de Colonia and Johannes Manthen, 10 May 1480]. Collation: ab10, c-k8, l6, m-q8, r6. [136] pp. First leaf (a1), a blank, lacking. Text in parallel columns. Thumb-tabbed. Quarto (9-1/2" x 7").

Contemporary chained binding in paneled calf (by Antonius-Meister II of Lubeck), recent clasps and copper corner bosses, rebaced in period style with raised bands and blind ornaments, early hand-lettered title to foot of spine. Light rubbing and a few minor nicks and worm holes to boards, rear endleaves from contemporary vellum manuscript. Text printed in 41-line Gothic type, initial on first leaf in red and blue on gold ground with marginal floral extension, gilded and colored foliage decoration

to foot of leaf, many initials in red or blue. Moderate toning, occasional minor worming to bottom margins, dampstaining to heads of several leaves, light soiling and brief early annotations to first leaf, occasional brief early annotations to text, later owner annotation to verso of final leaf. Book housed in recent velvet-lined cloth solander case with a morocco spine with gilt title and raised bands. A handsome volume. \$30,000.

SECOND COMPLETE EDITION. Antoninus, Archbishop of Florence, had a great reputation as a moral theologian and canonist. He is best-known as the author of the great four-part *Summa Theologica Moralis. De Censuris* collects two of his principal texts: *De Censuris*, which deals with censures and punishments, and *De Sponsalibus et Matrimonio*, which concerns marriage and marital issues, such as infertility. It was first published in 1474. Both editions are rare. OCLC locates 2 copies of the second edition (at the State Libraries of Bavaria and Regensburg). Goff A777. GW 2071.

Antonini Flori Episcopi.

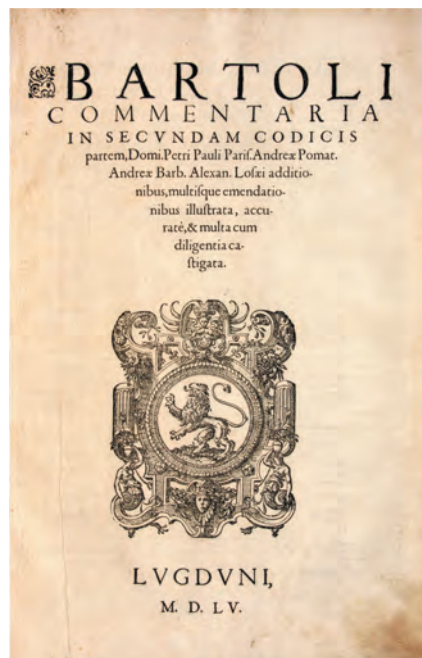
Incipit tractatus notabilis de ex-
coicationibus suspensionibus inter-
dictis irregularitatibus et penis Fratris
Antonini archiepi Florentini de or-
dine predicatorum.

Excoicatio dicitur exclusio a com-
muniōe. Sicut autem triplex est coio
fidelium. in quibusda loquela cibo
et huiusmodi: in sacramentorum susce-
ptione: in bonorum spiritualium par-
ticipacione que fiunt in ecclesia iuxta
illud: Particeps ego sum omnium ti-
mentium te: et custo. man. tua. Sic tri-
plex potest dici excoicatio alijs omis-
sis. **P**rima est excoicatio maior que
etiam dicitur anathema: et excludit a
predicta triplici coione: de hac. 3. q. 4.
engeltrudam. et. 2. q. 3. sicut apostoli. et
c. nihil. **S**ecunda excoicatio est mi-
nor que excludit a participacione et
coione sacramentorum: passiva tamen
est. **I**o. de ligna. de de. ex. depo. si cele-
brat. et hoc. ii. q. 3. cum excoicato. et. 3. q.
4. engeltrudam. **T**ertia est excoi-
cacio data a deo: scilicet inflicta per quosdam
mortales: et de hac. ii. q. 3. audi. **I**sta g
de ceteris ecclesiasticis quarta pars
sex titulos habet. **I**n primo tractabitur
de excoicatione maior. **I**n secundo de
minor. **I**n 3. de interdicto. **I**n 4. de
suspensione. **I**n 5. de irregularitate
In 6. de penis in genere. **Q**uan-
tum ad primus sciendum quod excoicatio
maior quoniam infertur ab homine siue a iudi-
ce: et quod ista potest inferrī pro varijs et
innumeris casibus etiam iniustis: id non potest
poni casus ipsi. **Q**uoniam infertur a iure

particulari per constituciones vel syno-
dales alicuius diocesis: vel provincia-
les factas in concilio provinciali: vel
per legatum alicuius provincie que non
extenduntur ad alia loca scilicet extra pro-
vincias vel diocesis: et quia hec vari-
antur etiam multis modis: quia quot
dioceses tot quodammodo constitutio-
nes: ideo etiam ipse omittuntur. **Q**uoniam
infertur a iure communi excoicatio: seu per
constituciones factas in concilio vniuersali-
bus vel a summis pontificibus que astrigunt
et ligant ubique terrarum fideles: quare quod
dam habentur in corpore iuris. **V**nde
Dost. de sen. ex. in prin. enumerat. 30. ex-
coicationes collectas ex decretis et de
cretalibus. **I**o. vero an. de sen. ex. c. eos
li. 6. in glo. enumerat triginta duas:
que habentur in ipso libro. 6. **E**t ideo
in de. i. de sen. ex. enumerat quinquaginta
duas: que habentur in clemen. **Q**uedam
alie sunt per extraneas diuersorum sum-
morum pontificum. **E**t iteque quedam
alie sunt que annuatim fiunt a
summo pontifice in curia que quedam
personas seu committentes quedam
vicia: vt. j. patebit. **I**gitur circa istam
materiam excoicationis maioris sic
procedit. **P**rimo ponentur casus ipsi
propter quos incurrit ipsa excoicatio
maior: quorum quedam sunt apostolice
sedi reseruatim que ad absolutos. et
tractabitur de ipsa excoicatione. et
de ipsius absolute. in ponendo autem
ipsum casum excoicationis iuris: prius
agetur de illis in quibus frequenter
incurritur cum aliqua declaracione
scilicet nota per doctores. **E**t exinde de
alijs breuissime expedietur. **D**emum
ponentur de vbiis quedam extraneas et
ipse per cessus que fiunt annuatim in
curia per papam continentes plures
excoicationes.



Detail from N° 110



Details from N° 112

ONE OF THE FIRST COMPREHENSIVE TREATISES
ON LAWS CONCERNING MARRIAGE

111 ARNISAÆUS, HENNING [1575-1636].

De iure Connubiorum Commentarius Politicus, In Quo Pleraque, Quae Circa Sponsalia & Nuptias Moveri Solent Controversiae a Theologis, Jctis, & Philosophis, Politicis Argumentis, Suo Quaeq. Loco, Disputantur & Deciduntur.

Frankfurt: Impensis Iohannis Thimij, Typis Andreae Eichorn, 1613. [vii], 388 [i.e. 478], [4] pp. Quarto (7-1/2" x 6").

Recent period-style calf, raised bands and lettering piece to spine. Title page printed in red and black. Moderate toning to text, minor worming in a few places, negligible insect damage to edges of some leaves, faint dampstaining to a few leaves, internally clean. \$950.

FIRST EDITION. Arnisaeus, a German physician and moral philosopher, wrote important works on political philosophy. Grounded in a solid knowledge of civil and canon law, this was one of the first comprehensive treatises on the laws concerning marriage. It was a useful and durable work; later editions were published in 1635, 1636 and 1686. All are scarce. OCLC locates 3 copies of the first edition in North America (Harvard Law School, UC-Berkeley, University of Illinois). VD171:001798U.



N° 112

BARTOLUS ON THE CODE AND AUTHENTICUS

- 112 BARTOLO OF SASSOFERRATO [1313-1357].
ALEXANDER DE IMOLA. ANNOTATIONS.
PARISIUS, PETRUS PAULUS. ANNOTATIONS,
EDITOR.

Commentaria in Primam Codicis Partem, Cum non Paucis Additionibus D. Alexandri, & Petri Pauli Parisii Nuper Illustrata, Accurateque Castigata: & In Magnam Iurispaë. Utilitatem Recognita.

Lyons: [Compagnie des Libraires de Lyon, [Excudebat Claudius Servanius], 1555. 217 ff. Main text in parallel columns with side-notes.

[BOUND WITH]

BARTOLO OF SASSOFERRATO.
BARBATIUS, ANDREAS. ANNOTATIONS.
LOSEO, ALEXANDER. ANNOTATIONS.
PARISIUS, PETRUS PAULUS. ANNOTATIONS, EDITOR.

Commentaria in Secundam Codicis Partem, Domi. Petri. Pauli Paris. Andreae Pomat. Andreae Barb. Alexan. Losaei Additionibus, Multisque Emendationibus, Illustrata, Accurate, & Multa cum Diligentia Castigata.

Lyons: [Compagnie des Libraires de Lyon, Excudebat Claudius Servanius], 1555. 150 ff. Main text in parallel columns with side-notes.

[And]

BARTOLO OF SASSOFERRATO.
[ALEXANDER DE IMOLA. ANNOTATIONS].
[UBALDUS, ANGELUS DE. ANNOTATIONS].
[VADIS, BENEDICTUS DE. ANNOTATIONS].
PARISIUS, PETRUS PAULUS. ANNOTATIONS, EDITOR.

Commentaria in Tres Libros Codicis, Doctissimi Viri Do. Petri Pauli Parisii Cardinalis Admodum Reverendi non Paucis Additionibus Nuper Illustrata, Accurateque Castigata.

Lyons: [Compagnie des Libraires de Lyon, Excudebat Claudius Servanius], 1555. 68 ff. Main text in parallel columns with side-notes.

[And]

BARTOLO OF SASSOFERRATO.
VADIS, BENEDICTUS DE. ANNOTATIONS.
LOSEO, ALEXANDER. ANNOTATIONS.

Bartoli Commentaria Super Authenticis, Cum non Paucis Additionibus D. Benedicti de Vadis, & Alexandri Losaei, Nuper Illustrata, Accurateque Castigata, Quae Bibliopola Titulis Necessariis Adornavit.

Lyons: [Compagnie des Libraires de Lyon, Excudebat Claudius Servanius], 1555. 66, [1] ff. Main text in parallel columns with side-notes.

Folio (16" x 11"). Contemporary vellum derived from antiphonal, somewhat later patterned paper added to boards, later hand-lettered title label to spine, endpapers renewed, edges rouged. Soiled, rubbing to extremities, some wear to fore-edges and corners, chipping to foot of spine, a few chips to head and front joints, hinges starting. Large woodcut printer device to title pages, woodcut decorated initials. Moderate toning to text, somewhat heavier in places, some leaves have minor worming and dampstaining to margins, holes near bottom edges of ff. 27-29 of *Secunda* due to iron-gall inkstain with some loss to text, facsimile copies of these leaves laid-in. Small somewhat later stamp to title page of *Prima*, faint smudges to a few leaves. An impressive volume containing four scarce imprints. \$2,500.

BETWEEN 1250 AND 1450 THE POST-GLOSSATORS, a group of legal scholars and teachers in Italy, initiated the recovery of Roman law texts from the corruptions of the medieval Glossators. Their efforts to apply Roman law to the jurisprudence of their day also prepared the way for the natural law school of the seventeenth century and helped to lay the foundations of the modern state. The greatest member of this group was Bartolus, a practicing lawyer and professor at the University of Perugia. His unrivalled reputation derives from his enormous literary output, much of it dealing with the texts later collected as the *Corpus Juris Civilis*. He produced commentaries on most of these texts. The most notable are the ones dealing with the *Code* and the books of the *Digest*; all of them went through numerous editions. The present volume includes all three of commentaries on the *Code* and another commentary of the *Authentica*, a collection of 134 constitutions of Justinian. Later included in the *Novels* of the *Corpus Juris Civilis*, the *Authentica* was believed to be a collection intended for Byzantine Italy. This assumption is doubted today. Complete in themselves and bibliographically distinct, the titles in our volume are part of a twelve-volume series issued in 1555-1556 by Lyons's Compagnie des Libraires. All of these are scarce; few copies are held in North American libraries. These imprints not in Adams or the *BMC*.



N° 113

BARTOLUS ON THE *DIGESTUM VETUS*

- 113 BARTOLO OF SASSOFERRATO. ALEXANDER DE IMOLA. ANNOTATIONS. BARBATIUS, ANDREAS, ANNOTATIONS. CELSUS, DESCOSU, ANNOTATIONS. PARIISIUS, PETRUS PAULUS, ANNOTATIONS, EDITOR.

Prima In Digestum Vetus: Alexandri Imolaei, Andraeae Barbatiae, Celsi Hugonis ac Petri Pauli Parisii Adnotamentis Rerumque Summis Ornata Fidelissimisque Typis Excusa.

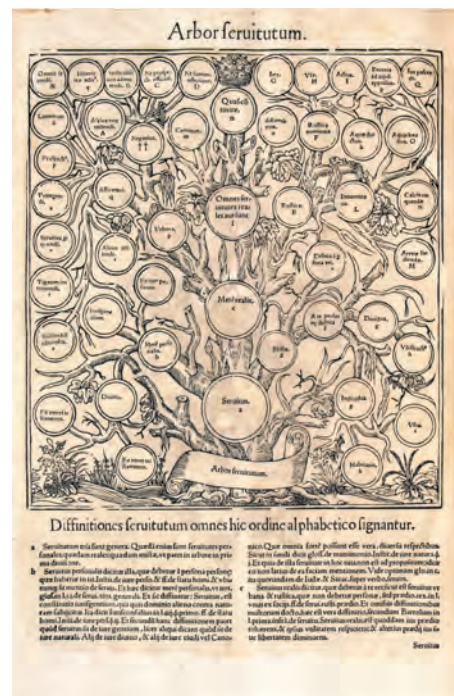
Lyons: [Compagnie des Libraires de Lyon, Excudebat Claudius Servanius], 1555. 242 ff. Main text in parallel columns with side-notes.

[Bound with] BARTOLO, OF SASSOFERRATO. PARIISIUS, PETRUS PAULUS, ANNOTATIONS, EDITOR.

Commentaria in Secundam Digesti Veteris Partem, Doctis. Viri Do. Petri P. Parisii Cardinalis Admodum Reverendi non Paucis Additionibus Nuper Illustrata, Accurateque, Castigata.

Lyons: [Compagnie des Libraires de Lyon, Excudebat Claudius Servanius], 1555. 176 ff. Main text in parallel columns with side-notes. Folio (16" x 11"). Contemporary vellum derived from antiphonal, somewhat later patterned paper added to boards, later hand-lettered title label to spine, endpapers renewed, edges rouged. Soiled, rubbing to extremities with wear to fore-edges and corners, joints partially cracked, leaves c4-c5 (ff. 20-21) of *Prima* detached with no edgewear, a few signatures loose. Large woodcut printer device to title pages, woodcut decorated initials. Moderate toning to text, somewhat heavier in places, dampstaining, soiling and light foxing in places, spark burns to a few leaves. Small somewhat later stamp to title page of *Prima*, brief annotations to a few leaves. An appealing copy of a handsome imprint. \$2,500.

THE *DIGESTUM VETUS* (VETERIS), OR "OLD PART" comprises Books I-XXIV, Title 2 of the *Digest*. It was the first part recovered by the glossators. (The other sections, listed in the order of their recovery, are the *Infortiatum*, Books XXIV, Title 3-XXXVIII, and the *Digestum Novum*, Book XXXIX-L). Complete in themselves and bibliographically distinct, these volumes are part of a twelve-volume series issued in 1555-1556 by Lyons's Compagnie des Libraires. All of these are scarce; few copies are held in North American libraries. These imprints not in Adams or the *BMC*.



Detail from N° 113

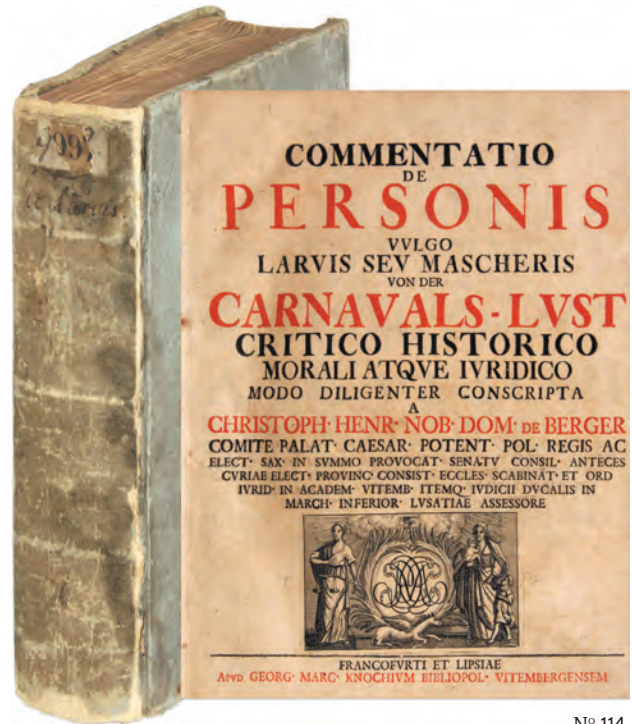
DISCUSSES LEGAL ASPECTS OF THEATER AND CARNIVALS

114 BERGER, CHRISTOPH HEINRICH, EDLER HERR VON [1687-1737].

Commentatio de Personis Vulgo Larvis seu Mascheris von der Carnavals-Lust, Critico, Historico, Morali Atque Iuridico Modo Diligenter Conscripta.

Frankfurt: Apud Georg Marc Knochium, [1723]. [xvi], 340, [70] pp. Copperplate portrait frontispiece, repeated as vignette at head of main text. 85 leaves of folding plates with 153 numbered illustrations. Complete. Quarto (8" x 6-1/2").

Contemporary paper-covered boards, early hand-lettered title and private library shelf label to spine. Moderate rubbing with some wear to extremities, spine darkened, faint dampstain to front board, some scuffing to rear board with loss of paper, twentieth-century bookseller ticket to rear pastedown. Title page printed in red and black. Moderate toning to text, somewhat heavier in places. Early owner annotations to front board, front pastedown and free endpaper, interior otherwise clean. An appealing copy. \$2,500.

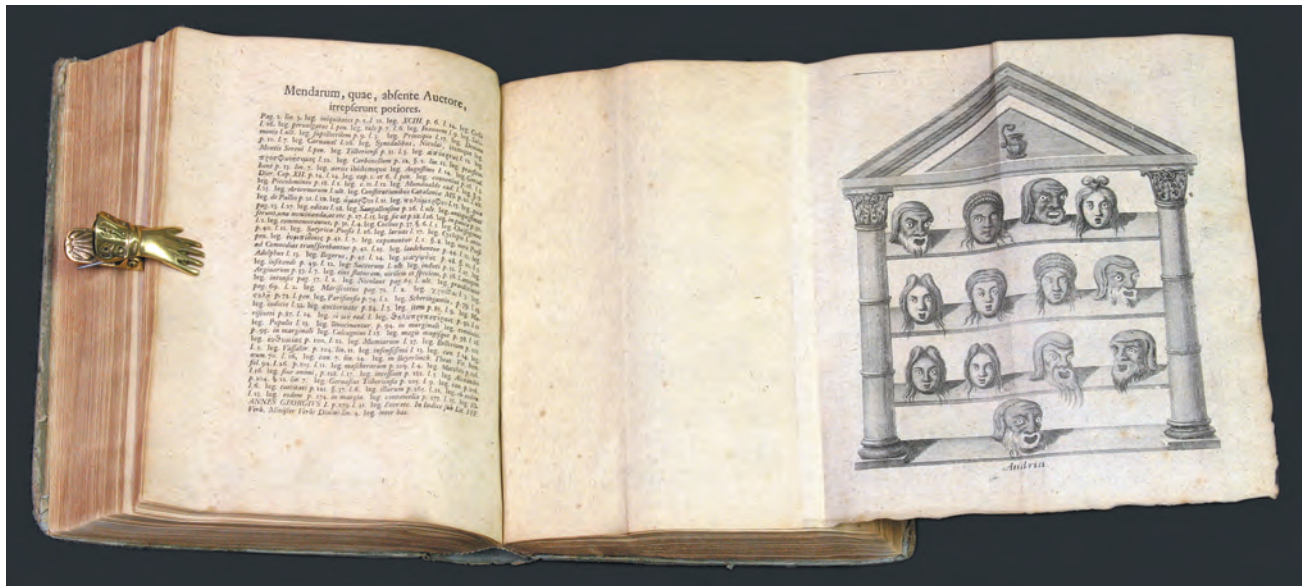


N° 114

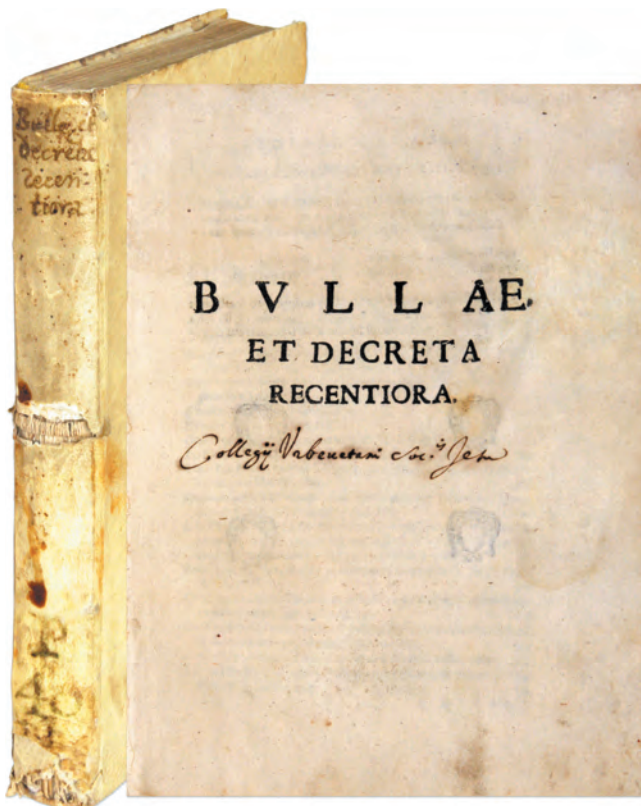
ONLY EDITION. Berger was a jurist, state official and student of theatrical history. His *Commentatio de Personis Vulgo Larvis seu Mascheris von der Carnavals-Lust* is an important work on classical Greek and Roman theater. Berger discusses issues involved in modern performances of classical plays, including masks and costumes, with examples drawn from Terence, which are the subject of the plates. A conscientious jurist, Berger also considers the legal dimension of theatrical performance. About half of the text, pp. 129-340, discusses laws concerning theater, carnivals, acting, costumes and masks in the German states. It is an enlarged edition of the author's *Dissertatio de Iure Personarum, Quasvulgus Larvas, Seu Mascheras, Dicitat, I.E. Vom Carnavalsrecht*, his dissertation submitted to the University of Wittenburg in 1720. No copies listed in law libraries on OCLC. Jugler I:63. VD18 1086184X.



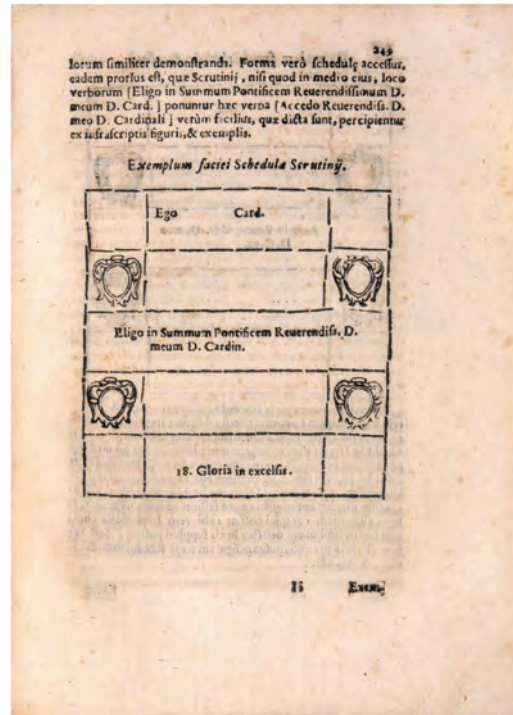
Detail from N° 114



Detail from N° 114



N° 115



Detail from N° 115

A RARE COLLECTION OF SEVENTEENTH-CENTURY PAPAL BULLS

A LANDMARK IN THE RECOVERY OF EARLY MEDIEVAL LAW

115 [CANON LAW].

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

Bullae et Decreta Recentiora.

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

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

WITH INDEX. Arranged chronologically, this volume contains papal bulls and related documents from the pontificates of Popes Gregory XV and Urban VIII issued between 1621-1628. They offer an interesting perspective on the Church and Papal States at an important point in its history. (The expansion of political territory and church missions are two highlights from this period.) Analogous in organization to volumes of session laws, collections of papal bulls were issued sporadically from the fifteenth century onward. All are scarce today. OCLC locates 5 examples in North America, all from the seventeenth century, 2 in law schools (Harvard, UC-Berkeley). None are identical to our copy. Not in the BMC or Ferreira-Ibarra.

116 DU TILLET, JEAN [D. 1570], EDITOR.

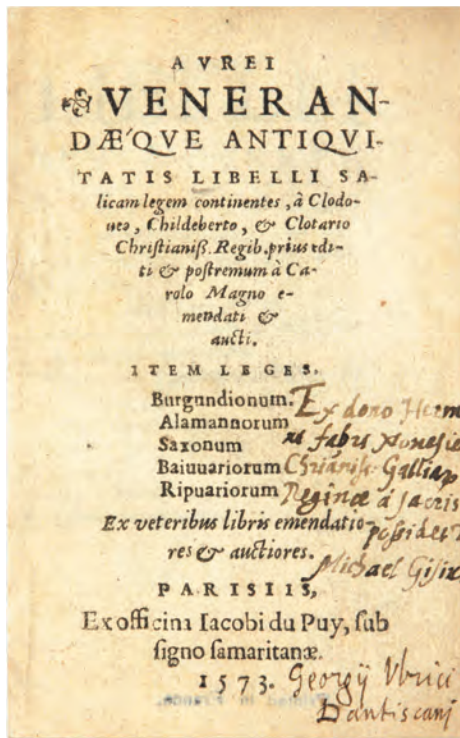
Aurei Venerandaeque Antiquitatis Libelli Salicam Legem Continentes, A Clodoveo, Childeberto, & Clotario Christianiss. Regib. Prius Editi & Postremum a Carolo Magno Emendati & Aucti; Item Leges Burgundionum, Alamannorum, Saxonum, Baivuariorum, Ripuariorum, Ex Veteribus Libris Emendatiores & Auctiores.

Paris: Ex Officina Iacobi du Puy, 1573.

[ii], 127, [1]; 95, [1]; 70, [2]; 15, [1]; 119, [1]; 56 pp. Six parts, each with divisional title page. Work preceded by general title page. 16mo. (4-1/4" x 2-3/4")

Later varnished three-quarter calf over speckled boards, raised bands and lettering piece to spine, endpapers renewed. Moderate rubbing, corners bumped and somewhat worn, chipping to spine ends, joints cracked. Light toning, faint dampstaining in a few places. Early owner annotations to title page and a few other leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. A rare title. \$2,500.

SECOND EDITION, a reissue of the first edition. An important landmark in the recovery of early medieval law, this volume contains critical editions of the principal texts of Frankish, Burgundian, Germanic, Saxon, Salic and Riparian Frankish law (*Lex Alemannorum, Antiquae Burgundionum Leges, Ripuariorum Leges a Theodorico Rege Francorum Latiae, Antiqua Baivuariorum*



Detail from N° 116

Lex and *Vetus Lex Saxonum*.) The list of topics treated in these codes includes commerce, land ownership, inheritance, criminal procedure and civil procedure. A French humanist jurist and associate of Cujas, Du Tillet was also the Bishop of Brieuç, later Meaux. He edited Ulpian's *Regulae* and assisted Cujas with his edition of the *Codex Theodosianus*. The first edition of this work was issued by Charlotte Guillard in 1550 with a title beginning *Libelli Seu Decreta*. Excepting the title page and imprint, both editions are identical. And rare. OCLC locates 5 copies of the first edition in North America (University of Kansas, Library of Congress, UC-Berkeley Law School, University of Pennsylvania, Yale), 2 of the second (Harvard Law School, UC-Berkeley). This edition not in Adams.

A NOTABLE LEGAL ENCYCLOPEDIA

117 DURAND, GUILLAUME [C.1230-1296].

Repertorium Singulare ad Totum Aureum Opus Speculi Valde Utile et Necessarium ad Praxim Anhelantibus: Et ad Communem Omnium in Iure Militantium Utilitate Diebus Novissimis: Remoto Obscure Indaginis Pristine Nubilo: Copaginatam Singularia Dicta: Et que Notatu Digna Sunt Colprehendes et Ordine Adeo Facili. Ut Quequid Lector Desideraverit Ictu Oculi Reperiet. Quod in Aliis Bucusa Impressis Sparsim Querebat. Et Quid Denotent Marginales Illi Numeri. In Principio Terme Pagine Legito.



Detail from N° 117

Paris: Apud Franciscum Regnault, [1523]. 171, [1] ff. Main text in parallel columns. Quarto (8-1/2" x 6-1/2").

Seventeenth-century sheep, raised bands, lettering piece and gilt ornaments to spine. Moderate rubbing to front board with wear to corners, heavier rubbing to rear board and spine, pieces of sheepskin lacking, hinges cracked, a few cracks to text block. Title page, with four-part woodcut and crible architectural border and large Regnault elephant device, printed in red and black, crible initials throughout. Moderate toning to text, faint dampstaining in places, dampspotting to a few leaves. Early annotations to title page, interior otherwise clean. \$2,500.

A HANDSOME EXAMPLE of Durand's *Repertorium* by Regnault. Written in the thirteenth century, it is an alphabetically digested guidebook based on Durand's great *Speculum Judiciale*, which was written in 1271 and revised in 1286 and 1291. This work, an encyclopediac survey of civil and canon law and procedure. A standard work for centuries, it was esteemed for its clarity, organization and usefulness to scholars and practitioners. It received commentary by Giovanni Andrea and Baldus de Ubaldis. The *Repertorium* is a complement to this work. Written by Durand between 1271 and 1291 and first published in 1474, it offers a topic-by-topic overview of the *Speculum* with citations. A useful book, it went through 14 editions during the fifteenth century. Durand was a French canonist, liturgical writer and Bishop of Mende. OCLC locates 2 copies of this imprint in North America (at the Hagley Museum and the Maryland State Library). Not in Adams.



Nº 119

LAWS CONCERNING SHEEP

118 ENGELBRECHT, JO[HANN] WIL[HELM].
[LAMMERMANN, JOHANN JACOB, RESPONDENT].

Commentatio de Jure Agnorum Vulgo: Von Lammer Recht.

Helmstadt: Ex Officina Schnorriana, 1745. 70 pp. Quarto (8" x 6-1/2").

Recent marbled boards over nineteenth-century wrappers (taken from a French book), card pocket to rear pastedown. Moderate toning to text, light soiling to wrappers, internally clean. \$250.

ONLY EDITION. An interesting study on laws relating to sheep, this is a dissertation defended at the University of Helmstadt. As one would expect, it considers Roman law and, to a lesser extent, the civil law of the Holy Roman Empire. OCLC locates 8 copies, 1 in North America (University of Michigan Law School). Not in VD18.



Nº 120

PROPOSALS TO REFORM THE SPANISH MONARCHY

119 FERNANDEZ NAVARRETE, PEDRO [1564-1632].

Conservacion de Monarquias: Discursos Politicos Sobre la Gran Consulta que el Consejo Hizo al Senor Rey don Felipe Tercero.

Madrid: En la Imprenta Real, 1626. [viii], 344 pp. Copperplate pictorial title page. Text in parallel columns printed within ruled borders. Folio (11" x 8").

Contemporary mottled calf, gilt spine with raised bands and lettering piece, speckled edges, marbled endpapers. Moderate rubbing to extremities, shallow scuffing to boards, some chipping to spine ends, front joint starting at head, corners bumped and somewhat worn. Text printed within ruled borders, woodcut decorated initials and tail pieces. Light toning to text, foxing to a few leaves. Contemporary underlining and brief annotations in a few places, interior otherwise clean. Ex-library. Location label to spine, small inkstamps to title page, brief annotation in ink to verso. A solid copy of a scarce title. \$1,500.

FIRST EDITION. Fernandez Navarrete was the Royal Chaplain and Secretary to the Spanish Kings Philip III and Philip IV. An elaboration of a 1621 work, *Discursos Politicos, Conservacion de Monarquias* is a commentary on the proposals by the Consejo Real de Castilla, a committee convened by Philip III to explore ways to modernize the monarchy. (The book reprints the text of the Consejo Real's report.) Among other suggestions, the committee proposed the promotion of agriculture, tax reductions, the suppression of religious orders and the abolition of primogeniture. Fernandez Navarrete supported most of the proposals and offered suggestions to realize them. Other editions were published in 1792 and 1805. All are scarce. OCLC locates 7 copies of the first edition in North America, none in law libraries. Palau 89491.

EXCERPTS FROM ROMAN LAW SELECTED BY GROTIUS

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

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

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

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

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



N° 121

HANDSOME REGNAULT IMPRINT WITH COMMENTARIES BY ACCURSIUS

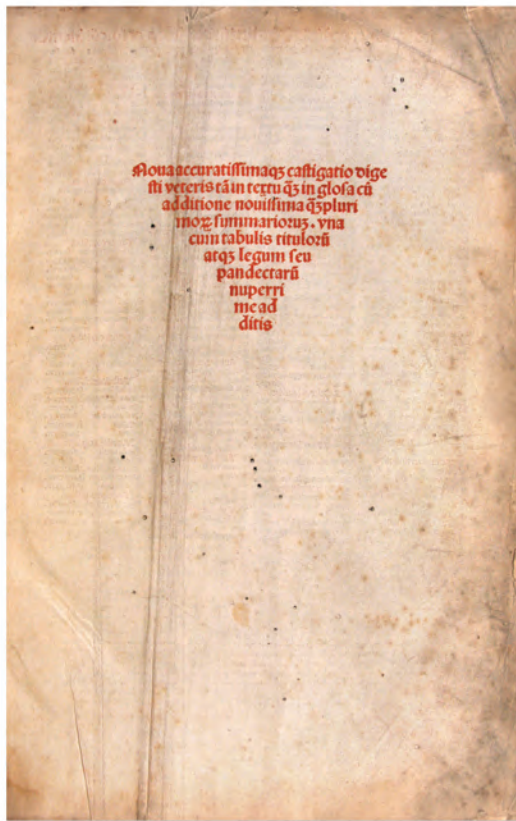
121 [JUSTINIAN I (485-565 CE), EMPEROR OF THE EAST].
 D'AURIGNY, GILLES [D. 1553], EDITOR.
 [ACCURSIUS, FRANCISCUS (C. 1185-1263), GLOSSATOR].

Digesti Novi Textus; Cum Summariis Amplissimis.

[Paris]: Venalis Habetur Parisius ex Adverso Sa[n]cti Yuo[n]is in Edibus Francisci Regnault, c.1518]. 300, [28]. Text in parallel columns. Octavo (5-1/2" x 3-1/2").

Contemporary paneled calf, rebacked, raised bands and blind tooling to spine, early hand-lettered title to text block, corners mended, ties lacking. Some rubbing to extremities, a few chips to board edges, hinges cracked, later owner bookplate to front pastedown. Handsome woodcut title page of Justinian and his court, woodcut image repeated at beginning of main text, large Regnault elephant device to verso of Fol. 300. Title page and text printed in red and black, crible initials throughout. Moderate toning, occasional light foxing. Early owner annotations to front pastedown, title page and a few other leaves, interior otherwise clean. \$1,950.

REGNAULT'S EDITION OF THE DIGESTUM NOVUM of Justinian's *Digest* with notes by Accursius, the great medieval editor of the *Institutes*, *Code* and *Digest* of Justinian. (These are printed within the text columns and distinguished from the laws by pointing hands.) Summaries of the titles are included as well. The *Digest* (or *Pandects*) was commissioned by the Emperor Justinian in 530 CE. Compiled in three years under the direction of Tribonius, it is a critical edition of writings by Gaius, Ulpian, Papinian and 36 other eminent jurists organized by topic. The medieval Glossators divided the *Digest* into three sections, or *Volumina*: the *Digestum Vetus*, the *Digestum Infortiatum* and the *Digestum Novum*. These divisions are based on the order in which the sections of the *Digest* were recovered during the thirteenth century. Along with the *Institutes*, *Code* and *Novels*, the *Digest* is one of the groups of books known collectively as the *Corpus Juris Civilis*. Its subsequent influence on European jurisprudence is difficult to overestimate. OCLC locates 4 copies of the c. 1518 Regnault edition in North America, 3 in law libraries (Library of Congress, UC-Berkeley, University of Georgia). Adams J549.



N° 122



Detail from N° 122

IMPRESSIVE 1508 LYONS IMPRINT OF THE *DIGESTUM VETUS*

122 JUSTINIAN I, EMPEROR OF THE EAST.
ACCURSIUS, FRANCISCUS [C. 1185–1263], GLOSSATOR.

Nova Accuratissima[ue] Castigatio Digesti Veteris ta[m] in Textu Q[uam] in Glosa Cu[m] Additione Novissima Q[uam] Plurimo[rum] Summarioru[m]. Una cum Tabulis Tituloru[m] Atq[ue] Legum seu Pandectaru[m] Nuperrime Additis.

[Lyons: Nicolas de Benedictis, 1508]. CCCLVIII ff. Text in parallel columns surrounded by linear gloss. Folio (16" x 11").

Handsome modern calf blind tooled in period style, raised bands, lettering piece. Light rubbing to extremities, a few nicks to boards, corners bumped and somewhat worn. Text, in a handsome italic font, printed throughout in red and black, woodcut decorated initials. Light toning to text, light soiling and some edgewear to first five and final three leaves. Detailed manuscript index to rear endleaf and occasional reference numbers to text in miniscule early hand, later reference numbers in pencil by a later hand in some places. A very desirable post-incunable imprint. Rare.

\$5,000.

THE *DIGESTUM VETUS* (OR *VETERIS*) corresponds to Book 1 to Book 24, Title 2; the *Digestum Novum* corresponds to Book 39 to Book 50; the *Infortiatum* corresponds to Book 24, Title 3, to Book 38. Accursius, the most important editor of the medieval era, arranged the vast body of notes and comments on the *Institutes*, *Code* and *Digest* in a more orderly fashion than his predecessors. Known as the *Glossa Ordinaria* or *Magistralis* [Great Gloss], it superseded earlier glosses and summaries. Complete in itself, the 1508 Lyons imprint is also part of an edition of the *Digest* issued by Benedictis in four parts in 1508 and 1509. OCLC locates 4 copies of its *Vetus* volume worldwide, none in North America. The *USTC* adds three more locations, all in Europe. We located a copy in North America at the New York Public Library. *USTC* 143404.

EARLY COMMENTARY ON PUFENDORF'S
THEORY OF RELIGIOUS TOLERANCE BY A NOTABLE JURIST

123 KRESS, JOHANN PAUL [1677–1741].

Liber Commentarius ad Samuelis Pufendorffii Tractatum de Habitu Religionis ad Statum.

Jena: Apud Christianum Pohlium, 1712. [x], 542, [7] pp. Quarto (7-3/4" x 6").

Contemporary sprinkled sheep, raised bands, gilt ornaments and lettering piece to spine, speckled edges. Some rubbing to extremities, chip to head of spine, corners bumped and somewhat worn, shallow scuff to rear board, hinges cracked. Moderate toning to text, occasional light foxing. Early owner signature and stamp to title page, interior otherwise clean. Ex-library. Location label to spine, small stamp to title page. A handsome copy of a rare title.

SOLD

ONLY EDITION. Pufendorf's *De Habitu Religionis Christianae ad Vitam Civilem* outlines a doctrine of religious toleration according to the principles of natural law and offers an argument for the separation of church and state. First published in 1687, it was an influential work and a primary source for John Locke's important *Letter Concerning Toleration* (1689). Kress was a distinguished jurist, legal writer and professor of law at the University of Helmstadt. His *Liber Commentarius* is an exposition of *De Habitu* with analytical commentary. A useful guide, it is also notable as a document of that work's reception history. OCLC locates 6 copies, none in North America. *VD18* 11139471.



Detail from N° 124

EIGHTEENTH-CENTURY FRENCH LEGAL MANUSCRIPT

124 [MANUSCRIPT].
[ANYOT FAMILY].

Manuscript Law Dictionary.

[Paris, 1718?]. [176] pp. 12mo. (5-1/2" x 3-1/2").

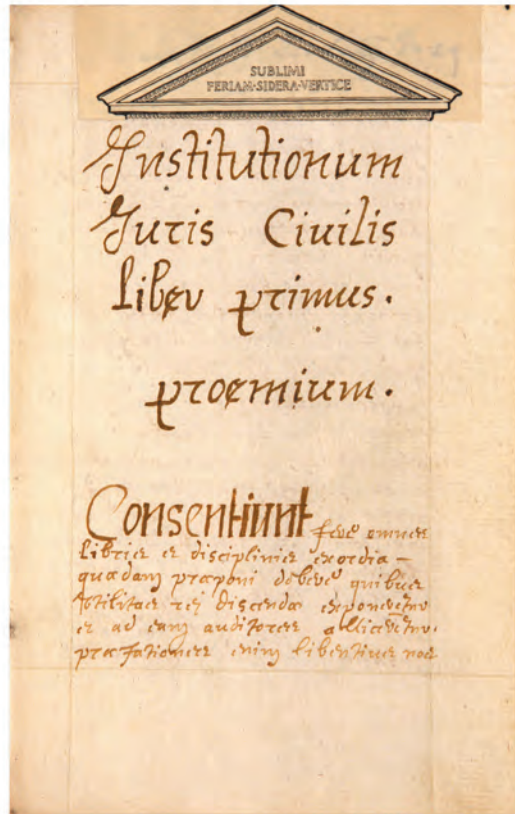
Contemporary calf, gilt spine with raised bands. Moderate rubbing to extremities, chipping to spine ends, corners bumped and somewhat worn, joints starting. Text in fine hand to rectos and versos of most leaves, a few leaves blank. Moderate toning, several leaves with folds for easy reference. A wonderful example of an early eighteenth century legal vademecum.

\$2,850.

ARRANGED ALPHABETICALLY, and with foldable margins to facilitate the marking of places, the book provides a quick and simple reference guide to the principle terms and concepts of Roman civil law. All the principle aspects of civil law are covered, from inheritances and property rights through to contracts and martial law. A section also deals with 'Juris Primordia,' detailing the structure and development of the *Corpus Iuris Civilis*. The book seems to have been compiled either by or for a member of the Anyot family, according to a note on the front paste-down ('dominus Anyot eques, 1718'). While we have been unable to identify the owner precisely, a number of Anyots were active as doctors, lawyers, and watchmakers in the later part of the seventeenth century; as a Huguenot family, many left France after the revocation of the Edict of Nantes to move to England.



N° 124



N° 125

EIGHTEENTH-CENTURY LECTURE NOTES ON THE *INSTITUTES* OF JUSTINIAN

125 [MANUSCRIPT].
[ROMAN LAW].
[ROUSSEL, JEAN].

[*Institutionum Juris Civilis* [and] [*Tractatus de Usuris*].

[France?, c. 1750]. 206 pp. Quarto (5-1/2" x 4").

Contemporary calf, gilt double rules and central cartouches, the front reading "lean," the rear reading "Roussel," to boards, raised bands, gilt title and gilt ornaments to spine, marbled pastedowns, free endpapers lacking. Moderate rubbing to extremities, chipping to spine ends, corners bumped, front joint starting, recent owner

bookplate to front pastedown. Text to rectos and versos of most leaves in neat script, woodcut pediment from an engraving of a classical building affixed to head to first leaf of main text. Light toning to interior. \$3,950.

WITH INDEX. This is a fair copy of student notes from a course of lectures on the *Institutes* of Justinian. It is followed by a "Tractatus de Usuris," which may be a copy or an original work. This manuscript is not dated; the binding, paper, ink and handwriting indicate it was compiled and bound in the mid-eighteenth century. A pleasure to read, it is valuable for its insights into the reception of Roman law in the lecture halls of eighteenth-century France.



N° 126

LEGAL ASPECTS OF DEATH

126 MEDICI, SEBASTIANO [D.1595].

Tractatus Mors Omnia Solvit. Nunc Iterum in Lucem Editus. Nunc Iterum.

Florence: In Officina Iunctarum, 1580. [viii], 279 [i.e. 269], [3] pp. Octavo (6" x 4").

Contemporary limp vellum with lapped edges, ties lacking, early hand-lettered title to foot of text block. Moderate rubbing, spine darkened, a few light stains to boards, vellum just beginning to crack through front pastedown, front hinge starting, small piece clipped from fore-edge of title page. Large Giunta fleur-de-lis device to title page and verso of final leaf. Moderate toning, somewhat heavier in places, light foxing to a few leaves. Two early owner signatures to title page, interior otherwise clean. \$1,250.

LATER EDITION. Medici was a Florentine jurist and a member of that city's dominant family. First published in 1573, *Tractatus Mors Omnia Solvit* is a treatise on medical and legal aspects of death. It contains extensive references to the literature of Roman, civil and canon law. It was a fairly popular work; later editions were published in 1574, 1579, 1580 and 1585. All are scarce today. OCLC locates few copies of any edition in North America, 1 of the 1580 edition (At Harvard Law School). *EDIT16* CNCE28493.



N° 127

VENERABLE ALPHABETICALLY DIGESTED
HANDBOOK ON CANON LAW127 MILIS, JOANNES NICOLAUS DE [15TH C.].
FERRANDAT, HENRI, EDITOR.

[Repertorium Aureum] Repertorium Aureum do Nicolai de Milis, Repertorium Admodum Solenne (Quod Merito Opus Singularius) Dictorum Appellant...

[Lyons: Jacques Giunta and Jean Flajollet], 1543. [xvi], 396 ff. Octavo (5-1/2" x 3-3/4").

Contemporary limp vellum, early calligraphic title to spine, endpapers renewed, thong ties lacking. Moderate soiling and a few minor inkstains to covers, spine darkened, chipping to spine ends. Title page, with handsome large vignette and Giunta device, printed in red and black, large Giunta device to verso of final leaf, woodcut decorated initials. Some toning, faint staining in a few places, internally clean. A nice copy. **SOLD**

WRITTEN IN THE EARLY FIFTEENTH CENTURY and first printed in Rome around 1471, this work was issued with various titles but is generally known as the *Repertorium Juris Canonici* or *Repertorium Aureum*. Arranged alphabetically by topic, it is a venerable handbook on canon law for clerics. The identity of the author is uncertain, but most sources attribute authorship to Niccolo di Milis, a 15th-century Franciscan friar from Sardinia. It went through numerous editions, but all are scarce today. OCLC locates 3 copies of this imprint, 1 in North America (at George Washington University Law School). Schulte, *Die Geschichte der Quellen und Literatur des Canonischen Rechts* 2:299. Baudrier, *Bibliographie Lyonnaise* XII:434.



N° 128

SCARCE SIXTEENTH-CENTURY TREATISE
ON THE ROMAN LAW OF CONTRACTS

128 MOZZI, PIETRO NICCOLO [16TH C.].

Tractatus de Contractibus ad Theoricam, Praximque Utilissimi, In Quibus Etiam Contrariarum Inter se Pugnantium Opinionum Octoginta Conciliationes, Veraeque Resolutiones Explicantur. Hac Postrema Editione Diligenter Recogniti, & a Multis Mendis Lectorum Distincti. Accessit Index Verborum, Rerum, Sententiarumque Insignium, Locupletissimus. Tractatus Vero, Qui hoc Volumine Continentur, Versa Indicabit Pagina.

Cologne: Apud Viduam Ioannis Gymnici, Sub Monocerote, 1597. [lxxxviii], 1176 pp. Octavo (6-3/4" x 4-1/2").

Contemporary vellum, faint early hand-lettered title to spine, ties lacking. Moderate rubbing, chipping to foot of spine, corners bumped and lightly worn, worming to pastedowns and rear endleaves, front hinge cracked, front free endpaper lacking, moderate toning to text. Early owner initials and date to title page, brief early annotations to a few leaves. A nice copy. \$1,500.

FOURTH EDITION. Mozzi was a lawyer from an aristocratic family. *Tractatus de Contractibus*, a remarkably comprehensive treatise on the Roman law of contracts, was his only publication. First published in 1584, it went through five more editions, the last in 1633. All are scarce. OCLC locates 3 copies of the first edition in North America (Harvard Law School, Library of Congress, Princeton University). VD16 M6465.

INTERESTING COLLECTION OF TREATIES AND RELATED DOCUMENTS FROM THE GOLDEN AGE OF THE DUTCH REPUBLIC

129 [NETHERLANDS].

Recueil van de Tractaten, Gemaect en Geslotenusschen de Hoogh Mog. Heeren Staten Generael der Vereenighde Nederlanden ter Eenre, Ende Verscheyde Koningen, Princes en Potentaten ter Andere Zyde.

The Hague: By Jacobus Scheltus, [1701]. 72 parts in one volume, each with individual pagination and publication date. Thumb-tabbled. Quarto (7-3/4" x 5-3/4").

Contemporary vellum, later hand-lettered title to spine, ties lacking. Moderate soiling, chipping to head of spine, vellum beginning to crack through pastedowns, a few partial cracks to text block. Woodcut title-page devices and decorated initials. Moderate toning to text, somewhat heavier in places, a few thumb tabs lacking. Later notes in pencil to front endleaf, interior otherwise clean. Ex-library. Location label to spine, small inkstamp to title page, annotations to verso. A solid copy. \$1,250.

ONLY EDITION (IN THIS FORM). This volume collects 72 treaties, proclamations and related documents of the United Provinces (Dutch Republic) from 25 April 1576 to 15 June 1701. This was the era when the United Provinces was a major commercial and colonial power. Indeed, many treaties in this collection deal with activities in North and South America. The texts are in Dutch, Dutch and Latin, Dutch and French, or Dutch, Latin and French. The title pages or colophons containing the original imprints and dates. OCLC locates 6 copies in North America, 1 in a law library (University of Michigan). Not in Dekkers. Sabin 68457 (citing a 1684 issue).

RARE SEVENTEENTH-CENTURY TREATISE
ON AUCTIONS, PLEDGES AND INHERITANCE

130 NIGER, ANTONIUS [D. 1555].

Tractatus Duo. De Iudicialis, Et Praetorii Pignoris Subhastatione, Et de Eorumdem Pignorum, Et Aliorum sub Hasta Venditione Facienda Alter. Opus Iudicibus & In Foro Versantibus Aprime Utile, & Necessarium; Nec Futurum Ingratum Ijs, Qui Varia Delectantur Lectione.

Venice: Apud Bertanos, 1641. [xii], 308, [40] pp. Main text in parallel columns. Folio (12" x 8-1/2").

Contemporary vellum with early rebacking, raised bands and early hand-lettered title to spine. Moderate rubbing and light soiling, worming and chipping to spine, upper section (about two inches) lacking, boards slightly bowed, hinges cracked, minor worming to hinges and pastedowns. Title page, with large woodcut printer device, printed in red and black, woodcut head-pieces and decorated initials. Moderate toning to text, somewhat heavier in places, light foxing to a few leaves. Early struck-through signature to title page, interior otherwise clean. \$1,250.

FIRST EDITION. Niger was a Paduan lawyer. His treatise discusses the civil law concerning auctions, pledges, executions and matters concerning inheritance. A second edition was published in 1644. Both are scarce. OCLC locates 1 copy of the first edition in North America (at Emory Pitts Theological Seminary), 2 of the second (Columbia Law School, Emory Pitts Theological Seminary). BMC18:705

RARE CATALONIAN TREATISE
ON CIVIL AND CRIMINAL PROCEDURE

131 PEGUERA, LLUYS (LUIS) DE [1540-1610].

RIPOLI I MAS, ACACI DE [C. 1475-C.1555].
BICHI, CELIO [D. 1657].

Praxis Criminalis, Et Civilis, Haec Additionata Juribus Decisionibusque Diversos Senatuum per Nobilem Don Accacium de Ripoll. Adest Etiam Praxis in Curia Vicarii



WITH ENDELEAVES DERIVED FROM A PAPAL BULL
RELATING TO THE ENGLISH CROWN PRINTED BY PYNSON IN 1498

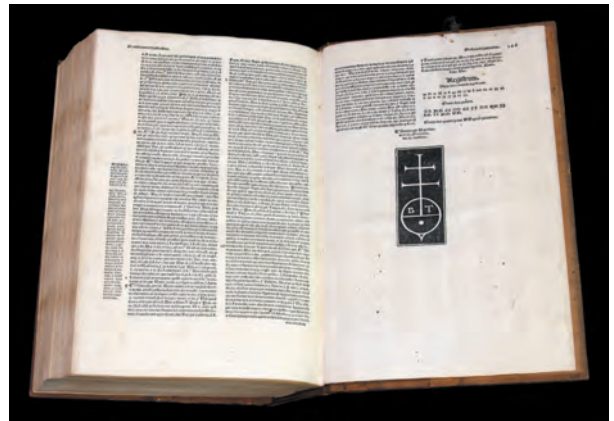
- 134 TARTAGNI, ALESSANDRO [1424-1477].
CORTE, FRANCESCO [D. 1495], ANNOTATIONS.
LANDRIANO, BERNARDINO DE. [15TH/16TH. C.],
ANNOTATIONS.

[Alexander de Imola in Prima(m) (et) Secunda(m). ff. Novi Parte(m). Cum Apostillis Doctissimo(rum) Doctorum Domini Fra(n)cisci de Curte (et) Bernardini de Landriano. Et cum Aliis Innumeris Additionibus per Dominum Antonium Franciscum de Doctoribus Patavinum Noviter Editis].

[Venice: Per Baptistam de Tortis, 1514]. 49, [1], 200; 106 ff. Two parts in one volume. Main title page printed in red, text in handsome rounded Gothic type, woodcut decorated initials throughout text, large woodcut printer device at ends of text. Light toning, faint dampstaining to margins in a few places, light foxing to a few leaves, early repairs to fore-edges of the first two leaves. Some leaves have annotations, interior otherwise clean. A handsome post-incunable volume with an interesting addition. \$35,000.

Contemporary chained binding, blind-paneled half-calf over beveled wooden boards, spine, with raised bands, carefully restored at ends, clasp buckles present, pastedowns derived from 1498 papal bull printed by Richard Pynson, described below, recent bookseller description and owner bookplate (Hans Furstenberg) to front pastedown. Main title page printed in red, text in handsome rounded Gothic type, woodcut decorated initials throughout text, large woodcut printer device at ends of text. Light toning, faint dampstaining to margins in a few places, light foxing to a few leaves, early repairs to fore-edges of the first two leaves. Some leaves have annotations, interior otherwise clean. A handsome post-incunable volume with an interesting addition. \$35,000.

LATER EDITION. Tartagni, also known as Alexander de Tartagnis de Imola, was a professor of law at the University of Bologna and a leading member of the generation of jurists that followed Bartolus. Like his illustrious predecessor, he was the author of several important commentaries on the *Code* and books of the *Digest*. *In Primam et Secundam. ff. Novi Partem* addresses the first and second parts of the *Digestum Novum* (Books 39-45, Title 1). These books deal mostly with property and contracts. This copy is bound with most of a single-leaf, single-sided papal bull printed on vellum on 8 March 1498 by Richard Pynson. Issued by John Morton, Archbishop of Canterbury, it confirms the succession of Henry VII and his heirs and endorses his marriage to Elizabeth of York. The document is signed by the episcopal notary, John Baret. The binder cut it into two parts. About ten inches are missing from the left side of the document, along with its top four lines. There are also two small holes with minor loss to the text. The 1514 Tartagni imprint and 1498 papal bull are rare. Neither are listed on OCLC. The book is not recorded in Adams, the *BMC* or *EDIT16*. The *GW* locates three copies of the papal bull: one in the Cologne State Library and two other fragmentary copies in the Library of Canterbury Cathedral and the Trier State library. Not in Goff. *GW* M13152/M1315220.



Details from N° 134





N° 135

ZOE'S COMMENTARY ON THE *INSTITUTES*

- 135 ZOE, HENDRIK [1571-1627].
ANDREAS, VALERIUS [1588-1655], EDITOR.

Commentarius ad Institutionum Juris Civilis Libros IV. Brevis, Analiticus, Methodicus. Quaestionibus Controversis Passim Insertis: Cum Additionibus Perpetuis, Wx Jure Potissimum Consuetudinario Harem Vicinarumque Provinciarum, Auctire Valeria Andrea, Desselio.

Louvain: Typis Hieronymi Nempaei, 1653. [xii], 758, [20] pp. Quarto (10" x 7-1/4").

Contemporary vellum with lapped edges and later cloth ties, marbled paper pasted to boards, spine, with later lettering piece and gilt author name, colored to resemble calf, speckled edges. Light rubbing to boards, moderate rubbing to extremities, vellum beginning to crack through pastedowns, which have some minor worming, along with the hinges. Title page, with large woodcut printer device, printed in red and black, some worming to pastedowns. Moderate toning to text, somewhat heavier in places. Neat early underlining in a few places, interior otherwise clean. Ex-library. Stamps to endleaves and a few other places. An appealing copy of a scarce title. \$950.

FIRST EDITION. Zoes was a notable Dutch humanist jurist, later the rector of the University of Louvain. His commentaries on the *Code*, *Digest* and *Institutes* of Justinian and the *Decretals* of Gregory IX were highly regarded works that went through several editions. His commentary on the *Institutes* was first published in 1653. All editions of this work are scarce. No copies of this edition located on OCLC. Dekkers 197.



N° 136

COMMENTARY ON THE *INSTITUTES* BY A NOTABLE DUTCH HUMANIST

- 136 ZOE, HENDRIK.
ANDREAS, VALERIUS, EDITOR.

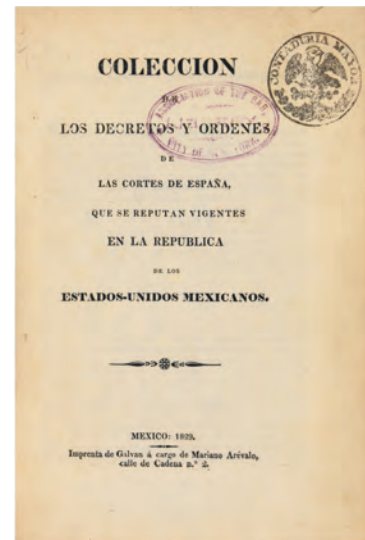
Commentarius ad Institutionum Juris Civilis. Libros IV. Brevis, Analiticus, Methodicus, In quo Praeter Quaestiones Plurimas, Ac Controversias Passim Insertas, Additiones hinc Inde ex Jure Potissimum Consuetudinario Nonnullarum Provinciarum Reperiuntur.

Venice: Apud Nicolaum Pezzana, 1757. [viii], 554, [2] pp. Main text in parallel columns. Quarto (10" x 7-1/4").

Contemporary quarter calf over marbled boards, gilt fillets and title to spine, speckled edges. Moderate rubbing to extremities with wear to fore-edges of boards, corners bumped, a few minor scuffs to boards, front joint starting at ends, rear joint cracked, minor worming to hinges, leaf Mm2 (pp. 545-546) detached and mildly edgeworn. Light toning to text, foxing in a few places, internally clean. \$950.

LATER EDITION. OCLC locates 2 copies of our 1757 edition, neither in North America. This edition not in Dekkers. Saporiti: 668.

LATIN AMERICA



Detail from N° 138

EARLY DIGEST OF COLOMBIAN LAW

137 COLOMBIA, REPUBLIC OF.

Cuerpo de Leyes de la Republica de Colombia: Que Comprende Todas las Leyes, Decretos y Resoluciones Dictados por sus Congresos Desde el de 1821 Hasta el Ultimo de 1827. Reimpreso Cuidadosamente por la Edicion Oficial de Bogota Publicada en Tres Volúmenes. Con un Índice Cronológico y Otro Alfabético de la Materia de las Leyes.

Caracas: En la Imprenta de Valentin Espinal, 1840. [iii], XVI, [1], XIX-XL, [2], 2-592 pp. Octavo (9" x 5-1/2").

Contemporary quarter cloth over marbled boards, printed paper title panel to spine. Light rubbing to boards, moderate wear to extremities, chipping to spine ends, corners somewhat worn, text block partially detached. Moderate toning to text, light foxing and browning in a few places, internally clean. Ex-library. Location label to spine, small inkstamp to title page, annotations to verso.

\$500.

THE REPUBLIC OF COLOMBIA, or Gran Colombia, was established by Simon Bolivar in 1819. It included present-day Venezuela, Panama and Ecuador and parts of present-day Brazil. Internal tensions caused this nation to collapse in 1830-1831. This volume is based on a three-volume digest of the nation's laws issued in 1825. OCLC locates 5 copies in North American law libraries (Harvard, LSU, UC-Berkeley, UT-Austin, Yale).

REVOLUTIONARY-ERA COLLECTION OF SPANISH COLONIAL LAWS FOR MEXICO

138 [MEXICO].

Coleccion de los Decretos y Ordenes de las Cortes de Espana, Que se Seputan Vigentes en la Republica de los Estados Unidos Mexicanos.

Mexico City: Imprenta de Galvan a Cargo de Mariano Arevalo, 1829. [ii], xvi, 216 pp. Quarto (8-1/2" x 5-3/4").

Contemporary sheep, lettering piece and gilt fillets to spine, speckled edges. Moderate wear to boards, front board detached, chipping to spine ends. Mexican government stamps to title page and head of main text. Moderate toning to text, minor stains and edgewear to a few leaves, internally clean. Ex-library. Location label to spine, stamp to title page, a few annotations to verso.

\$500.

ONLY EDITION. With topical index. Contents arranged by month and year. This volume collects laws issued by the Spanish government from January 1811 to September 1821, the period of the Mexican War of Independence. This compilation appears to be a historical record rather than a book for lawyers. OCLC locates no copies in North America. Not in Clagett and Valderrama.

THE MEXICAN CONSTITUTION IN 1870

139 [MEXICO].
[CONSTITUTION].

Constitucion Federal de los Estados Unidos Mexicanos, Sancionada y Jurada por el Congreso General Constituyente el 5 Dia de Febrero de 1857. Y Coleccion de las Constituciones de los Estados que Forman la Confederacion.

Toluca: Tip. del Instituto Literario, Dirigida por Pedro Martinez, 1870. 657, [3] pp. Octavo (8-1/4" x 5-1/2").

Contemporary three-quarter calf over marbled boards, raised bands, lettering pieces, blind ornaments and early owner label to spine. Moderate rubbing to extremities with some wear to spine ends and corners, small scuff to rear board. Moderate toning to text, internally clean. Ex-library. Location label to spine, small inkstamp to title page. A nice copy.

\$250.

ONLY EDITION. Mexico's 1857 constitution remained in force until 1917. It received its first amendment in 1873 and numerous amendments and additions until its repeal, which is why annotated editions from are helpful. OCLC locates 8 copies in North American law libraries. See Clagett and Valderrama 9-10.



Nº 141

AN IMPORTANT MEXICAN TREATISE ON CIVIL RIGHTS

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

Estudio Sobre Garantias Individuales.

Mexico City: Imprenta de Gobierno, 1873. 608 pp. Octavo (8-1/2" x 5-1/2").

Contemporary quarter calf over marbled boards, raised bands, gilt titles and gilt ornaments to spine. Moderate rubbing to extremities, a few scuffs to boards, corners worn, chip to head of spine, front board beginning to separate (but secure), front free endpaper lacking, rear hinge cracked. Moderate toning to text, internally clean. Ex-library. Location label to spine, annotations in pencil to front pastedown, small inkstamp to front pastedown. \$350.

ONLY EDITION. Montiel y Duarte, an important statesman and legal author, is renowned for his work on Mexican constitutional law and civil rights. *Estudio Sobre Garantias Individuales* is perhaps his most important work to address the relationship between these two subjects. This is, to cite Clagett and Valderrama, a "monumental work." OCLC locates 5 copies in North American law libraries (Duke, Harvard, LA County, Tulane, University of Michigan). Clagett and Valderrama 50.

EARLY COMPILATION OF THE CONSTITUTIONS
AND LAWS OF YUCATAN

- 141 [MEXICO].
[YUCATAN].

Colección de Leyes, Decretos y Ordenes del Augusto Congreso del Estado Libre de Yucatan. Corregida y Aumentada por una Comisión Nombrada por la Sexta Lejislatura Constitucional.

Merida: Imprenta de Lorenzo Segui, 1832. Two volumes. [ii], xxiv, 176 [i.e. 276]; [iii], xx, 254 pp. Octavo (7-1/2" x 5").

Contemporary quarter calf over marbled boards, titles stamped to spine. Light rubbing to boards, chipping to spine ends, gilding worn away from titles, corners bumped and moderately worn, a few partial cracks to text blocks, early owner bookplates to front pastedowns. Light toning to text, somewhat darker in places, foxing and dampstaining to a few leaves, internally clean. Ex-library. Location labels to spines, stamps and annotations to versos of title pages. A nice copy of a very scarce title. \$950.

YUCATAN, WHICH INCLUDES the present-day states of Campeche and Quintana Roo, was a sovereign state during two periods of the nineteenth century. The first Republic of Yucatan was established on May 29, 1823 during the collapse of the Mexican Empire. It joined the succeeding Federated Republic of Yucatan on December 23, 1823. The second Republic of Yucatan was established in 1841. It lasted seven years, after which it rejoined the Mexican Federation. The first compilation of Yucatan's laws was issued in 1825. That and the more-extensive 1832 compilation offer a legal and legislative record of the first republic and an interesting look at Yucatan's place in the Federated Republic. Volume I: *Comprende las del Constituyente*; Volume II: *Comprende las de las Seis Primeras Lejislaturas Constitucionales Desde 20 de Agosto de 1825 Hasta 5 de Marzo de 1832*. OCLC locates 3 copies in North America (Harvard Law School, NY Public Library, University of Michigan Law School).

DRAFT OF ONE OF THE EARLIEST CODES
PRODUCED IN POST-COLONIAL LATIN AMERICA

- 142 [PERU].
[BOLIVIA].
[SANTA CRUZ Y CALAUMANA, ANDRES (1792-1865)].

Codigo de Procederes Santa-Cruz.

[Chuquisaca]: Imprenta Chuquisaquena Dirijida por Aillon y Castillo, 1833. [iv], 112 [i.e. 212], VIII pp. Quarto (7-1/2" x 5-1/2").

Contemporary calf, gilt frames and central ornaments to boards, gilt title and ornaments to spine, gilt edges. Spine abraded, head and foot of backstrip lacking, boards and detached and moderately rubbed, corners bumped and worn. Negligible light toning to text, internally clean. Ex-library. Location label to spine, bookplate to front pastedown, small inkstamps to title page, annotations to verso. A very scarce title. \$750.

FIRST EDITION. This is one of the earliest codes produced in post-colonial Latin America. Santa Cruz was the President of Peru in 1827, then divided into the states of North and South-Peru, President of Bolivia from 1829 to 1839 and the Supreme Protector of the short-lived Peru-Bolivian Confederation (1836-1839), which he established. He was such a Francophile that he was known as "El Afrancesado." While president of Bolivia he reformed the legal system along French lines and introduced a series of codes based on the *Code Napoleon*. *Codigo de Procederes* is a draft civil and criminal code. It was enacted in 1836. OCLC locates 3 copies in North America (Brown, Harvard Law School, UC-Berkeley Law School). Not in Clagett.

EARLY PENAL CODES FOR BOLIVIA AND PERU

143 [PERU].
[BOLIVIA].
[SANTA CRUZ Y CALAUMANA, ANDRES (1792-1865)].

Codigo Penal Santa-Cruz.

Ayacucho: Imprenta del Colejio de Educandas, 1831. vi, 6, 134 [234] pp.

[Bound with]
[SANTA CRUZ Y CALAUMANA, ANDRES].

Codigo Penal Santa-Cruz para el Regimen de la Republica Boliviana.

Cochabamba: Imprenta de la Restauracion, 1873. v, 164, 30, vi pp.

Octavo (8" x 5-1/2"). Later buckram, red and black lettering pieces to spine. Some soiling and shelfwear, chipping to edges of lettering pieces. Moderate toning to text, internally clean. Ex-library. Location label to spine, small inkstamps and annotations in pencil to title pages. Solid copies of two rare imprints. \$1,500.

FIRST EDITIONS. Santa Cruz was the President of Peru in 1827, then divided into the states of North and South-Peru, President of Bolivia from 1829 to 1839 and the Supreme Protector of the short-lived Peru-Bolivian Confederation (1836-1839), which he established. He was such a Francophile that he was known as "El Afrancesado." While president of Bolivia he reformed the legal system along French lines and introduced a series of codes based on the *Code Napoleon*. These codes, including the 1831 Bolivian criminal code, are among the earliest codes produced in post-colonial Latin America. The 1875 code is a reprinting of a heavily revised version of Santa Cruz's code adopted in 1862. OCLC locates 5 copies of the 1831 code, 1 in North America (at LA County Law Library), 1 copy of the 1873 code (at the National Library of Chile). See Clagett 76-77.



Detail from N° 143



Detail from N° 142



N° 143



Nº 144

NOTABLE FRAUD CASE
AT AN IMPORTANT ARGENTINEAN TRADING HOUSE

144 [TRIAL].
[ITURRIAGA, JOSE DE, DEFENDANT].
CAVALLERO, MANUEL.

Respuesta a la Acusacion Formada por la Sindicatura de los Concursos de Lezica y Hornung Contra D. Jose Iturriaga.

Buenos Aires: Imprenta Argentina, 1836. [iv], 47 pp.

[Bound with]
I[TURRIAGA], J[OSE DE].

Breve Contestacion al Libelo Publicado por Manuel Sainz de la Maza.

Buenos Aires: Imprenta Argentina, 1836. 8 pp.

[And]
O., G.

Manifiesto en Derecho a Favor de Jose de Iturriaga, Acusado de Ocultacion de Unos Ganados y de Complicidad en la Falsificacion de su Firma, Ejecutada por Federico Hornung.

[Buenos Aires]: Imprenta Argentina, [1836]. 83 pp.

Contemporary quarter calf over marbled boards, gilt ornaments and title (reading *Causa de Iturriaga*) to spine. Rubbing to extremities with heavy wear to corners, chipping to head of spine, hinges starting, owner bookplate to front pastedown. Manuscript divisional title pages between items. Moderate toning and occasional foxing to text, internally clean. Ex-library. Location label to spine, small inkstamps to title page of *Respuesta*, brief annotations to verso. Solid copies of three rare items. \$750.

ONLY EDITIONS. These items relate to a trial that followed the collapse of a notable Argentinean trading house. "Corruption or mismanagement by employees or partners of non-British houses frequently made news during the century. One of the more celebrated cases was the failure of Sebastian Lezica Brothers in September 1835. The manager of the house, a German named



Nº 145

Frederick Hornung, apparently forged bills of exchange without the knowledge of his employers, three Argentine brothers. After the failure of a British house, Thwaites and Company, and after the retention of money in the Chilean branch, the Lezica Brothers had to raise money. Originally Hartung procured the signatures of a number of people, including Thwaites; but when persons declined, he began to forge names on bills of exchange--both the drawer's and drawee's names--in order to prevent bankruptcy. He thought this would need to be done for only a short time, but he became involved until the total sum owed the market was over one and a half million pesos." (Reber). OCLC locates 1 copy of *Respuesta* (at UC-Berkeley), 1 copy of *Breve Contestacion* (at the Biblioteca Nacional de Chile) and no copies of *Manifiesto*. Reber 107.

RARE COLLECTION OF MUNICIPAL LEGISLATION
FOR CARACAS, VENEZUELA

145 [VENEZUELA].
[CARACAS].

Ordenanzas, Resoluciones y Acuerdos de la Diputacion Provincial de Caracas, Que se Hallan Vigentes el Dia 10 de Diciembre de 1834. Impreso por Acuerda Especial de la Diputacion.

Caracas: Imprenta de A. Damiron, 1834. 179 pp. Octavo (8" x 5").

Contemporary sheep treated to resemble tree calf, gilt ornaments and lettering piece to spine. Some rubbing to extremities, a few scuffs to boards, chip to head of spine, partial crack to text block between front endleaf and title page, worm hole through text block with minor loss to text and no loss to legibility, worming to rear endleaves and pastedown, moderate toning and occasional light foxing to text. Early owner signature to front endleaf, interior otherwise clean. Ex-library. Location label to spine, stamps and annotations to verso of title page. A solid copy of a rare title. \$500.

ONLY EDITION. With index. A collection of municipal legislation from 1831 to 1834. This volume is interesting for its insights into the city's early post-colonial development. It was intended to be the first volume of a serial publication, but other volumes appeared sporadically. They were published in 1837, 1846, 1850 and 1853-1856. OCLC locates 4 copies of the 1853 volume in North America (at the NY Public Library, University of Chicago, UNC-Chapel Hill and UT-Austin).

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ADVANCE PRAISE

The addition of Dr. Cairns' comparative work *Codification, Transplants and History* greatly enriches the scholarship of Louisiana legal history and can serve as a fruitful starting point for newcomers. Cairns first explored the relationships of legal and social change in comparing the early codifications of Louisiana and Quebec through the lens of Alan Watson's "legal transplants" theory in his University of Edinburgh PhD thesis completed in 1980. Renewed interest in this work afforded Cairns the opportunity to build on that foundation and add his own well respected approach to this welcome contribution. His excellent introduction is required reading for anyone interested in Louisiana legal history.

GEORGIA CHADWICK

Director, Law Library of Louisiana

John Cairns' *Codification, Transplants and History* may be the most important book about the origins of the Louisiana Civil Code ever published. Originally written in the late 1970s as his Ph.D. thesis for the University of Edinburgh under the tutelage of Alan Watson, Cairns' study provides a detailed analysis of the methods and sources used by the first codifiers of Louisiana and Quebec Civil Law and the legal, political and social context in which they worked. In particular, Cairns' analysis of the drafting of the 1808 Digest of the Territory of Orleans resolves, to a greater extent than any work published to date, the famous debate between Robert Pascal and Rodolfo Batiza over the sources, purposes and meaning of Louisiana's first attempt at codification. Moreover, with its insightful, newly drafted historiographic introduction, Cairns' book explains why resolution of that debate cannot be marginalized as an obsession of scholars enthralled by Louisiana exceptionalism but rather remains central to any complete understanding of Louisiana legal history. Cairns' comparative account of codification in Louisiana and Quebec will also be the starting point of all other comparative studies of these two important North American mixed jurisdictions for years to come.

JOHN A. LOVETT

De Van D. Daggett, Jr. Distinguished Professor,
Loyola University New Orleans College of Law

Completed in the era of fountain pen, typewriters and snail-mail, this book is a major contribution to legal history and to legal theory. Professor Cairns shows that in Louisiana (1808) and in Quebec (1865), codifiers enjoyed a remarkable degree of freedom when restating the former law or, in the second case, suggesting amendments. His painstaking analysis of the rules they needed to consult allow him to deduce the reasons for the choices they made. He argues that a variety of factors explained innovation or stasis, such as legal or conservative ideologies, political considerations and socio-economic changes. Therefore, he considers lawmakers to be essentially social actors, instead of skilled technicians.

MICHEL MORIN

Faculty of Law, University of Montreal

Legal historians in Louisiana and Quebec will experience an epiphany in reading this masterful study. Though written and researched more than thirty five years ago, it deals with timeless questions and ancient debates and seems as fresh and relevant as if it had been penned yesterday. Cairns brings to historical controversies such as the Pascal-Batiza debate over legal sources what has been essentially missing from that debate all along. Instead of unproven assertions and unhistorical assumptions, he examines core codal ideas through a comparative conceptual lens and brings to the debate all the light that comparative law and legal history can shed. This work is sophisticated, meticulous and immensely illuminating.

VERNON VALENTINE PALMER

Thomas Pickles Professor of Law, Co-Director, Eason Weinmann Center for
International and Comparative Law, Tulane Law School
author of *Through the Codes Darkly: Slave Law and Civil Law in Louisiana*,
The Louisiana Civilian Experience: Critiques of Codification in a Mixed Jurisdiction
and *Louisiana: Microcosm of a Mixed Jurisdiction*

At last, this classic is widely available. John W. Cairns reminds us of the complexity of codification, a process intensified in the pluralist and rapidly changing North American jurisdictions of Quebec and Louisiana. A crackling review of the recent literature of codification, including the 'New Louisiana Legal History', adds to the work's relevance.

BRIAN YOUNG

McGill University
author of *The Politics of Codification: The Lower Canadian Civil Code of 1866*

CODIFICATION, TRANSPLANTS AND HISTORY

Law Reform in Louisiana (1808)
and Quebec (1866)

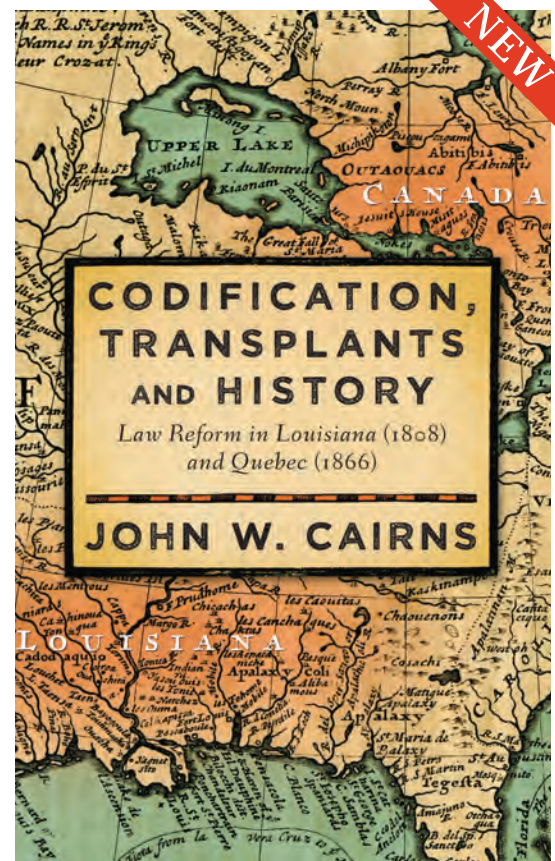
JOHN W. CAIRNS

When Louisiana enacted its Digest of the Civil Laws in 1808 and Quebec its Civil Code of Lower Canada in 1866, both jurisdictions were in a period of transition – economic, social and political. In both, the laws had originally been transplanted from European nations whose societies were in many ways different from theirs.

This book offers the first systematic and detailed exploration of the two new codes in light of social and legal change. Cairns examines the rich, complex, and varying legal cultures – French, Spanish, Civilian and Anglo-American – on which the two sets of redactors drew in drafting their codes. He places this examination in the context surrounding each codification, and the legal history of both societies.

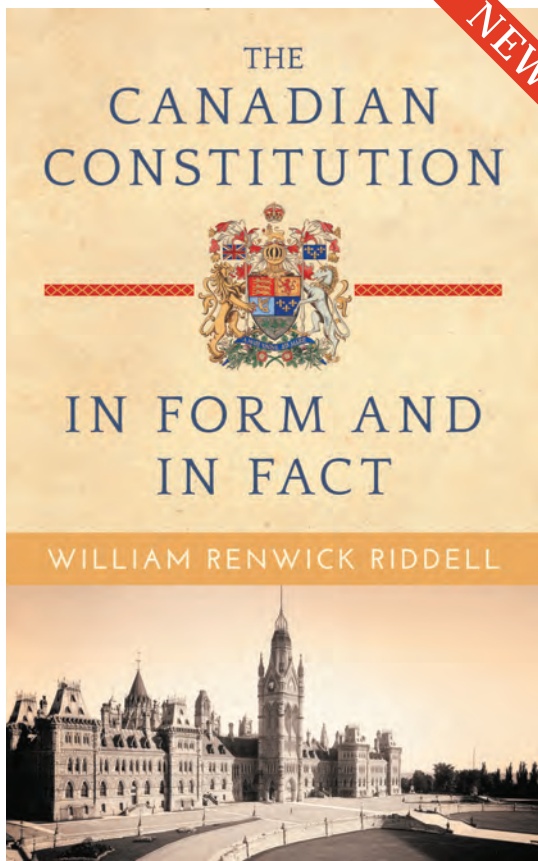
Cairns offers a detailed analysis of family law and employment in the two codes, showing how their respective redactors selected from a defined range of sources and materials to construct their codes. He shows that they acted relatively freely, attempting to inscribe into law rules reflecting what they understood to be the needs of their society, from an essentially intuitive and elite perspective. While not propounding a universal theory of legal development, Cairns nonetheless shows the types of factors likely to influence legal change more generally.

JOHN W. CAIRNS is a graduate of the University of Edinburgh, where he now occupies the Chair of Civil Law. He has taught at the Queen's University Belfast (1980–1984) and served as a Visiting Professor at Southern Methodist University, Dallas, and the University of Miami, Florida. He was elected a Fellow of the Royal Society of Edinburgh in 2007. His research has focused on the history of Scots law (particularly legal literature, legal education, and the legal profession in the eighteenth century) slavery and the law (particularly in the eighteenth century) and the legal history of Louisiana and Quebec.



JUST PUBLISHED
MAY 2015

xliv, 559 pp.
Clark, NJ: Talbot Publishing
Hardcover 2015
ISBN 978-1-61619-509-0
\$85.



Clark, NJ: The Lawbook Exchange, Ltd.

Hardcover 2015

ISBN 978-1-58477-962-9

\$24.95

Paperback 2015

ISBN 978-1-61619-472-7

\$14.95

THE CANADIAN CONSTITUTION IN FORM AND IN FACT

WILLIAM RENWICK RIDDELL

Originally published: New York: Columbia University Press, 1923
[x], 77 pp.

Text of four lectures delivered in Kent Hall at Columbia University in April and May, 1923 by a well-known Canadian Supreme Court justice and legal historian.

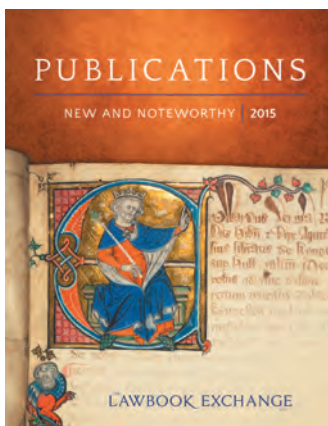
The four lectures are:

- I. The Constitution
- II. The Executive and Legislature
- III. The Elected Legislative Houses
- IV. The Judicature

Mr. Justice Riddell's lectures, delivered in 1923 at Columbia University, aim at bringing out the essentially democratic character of the constitution of Canada, despite the traditional monarchical form of the government. Apart from their immediate object, they have a more general appeal as a result of the elaborate notes which illustrate and support the statements of the text. The exposition is, of course, of great interest and value as representing the views of one immediately engaged in the interpretation of the Dominion Constitution.

A. BERRIEDALE KEITH
6 *Journal of Comparative Legislation
and International Law* 3d ser. 174 1924

WILLIAM RENWICK RIDDELL [1852-1945], a native of Hamilton Township, Ontario, was a lawyer, judge and prolific historian of Canadian law. He was appointed to the bench of the Supreme Court of Ontario in 1906 and promoted to the appeal division in 1925. He was the author of more than 1,000 reviews, pamphlets and books, including *The Legal Profession in Upper Canada in its Early Periods* (1916), *The Constitution of Canada in its History and Practical Working* (1917) and *The Bar and the Courts of the Province of Upper Canada or Ontario* (1928).



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ALL A BOTTLE OF SMOKE!! or JOHN BULL and the SECRET COMMITTEE.

Published July 1820, by John Fairburn, Broadway, Ludgate Hill.

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