



**Prima**

Quandam singulari  
men puta lese maiest  
beat eum iudici filiu  
dus sicut si fuisset ac  
notabilis in l. milite  
tari fm Salice. in l.  
pos. Et per illum tex  
tum de facto in ciuita

ibi erat talis, filius interfecerat vnum ex  
ter ppria auctoritate cepit filium et duxit  
Cōclusit q̄ nō p̄ illū tex. Et adde tu silez  
milita. Et in ciuitate forlinū Pau. de cal

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

America, Great Britain & Europe, 15<sup>th</sup> to 20<sup>th</sup> Centuries

CATALOGUE 94

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# Books, Manuscripts and Ephemera on Law and Related Fields America, Great Britain and Europe, 15th to 20th Centuries

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N°30

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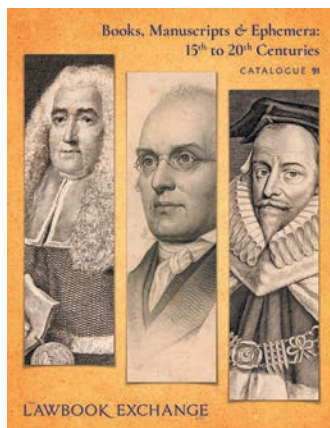
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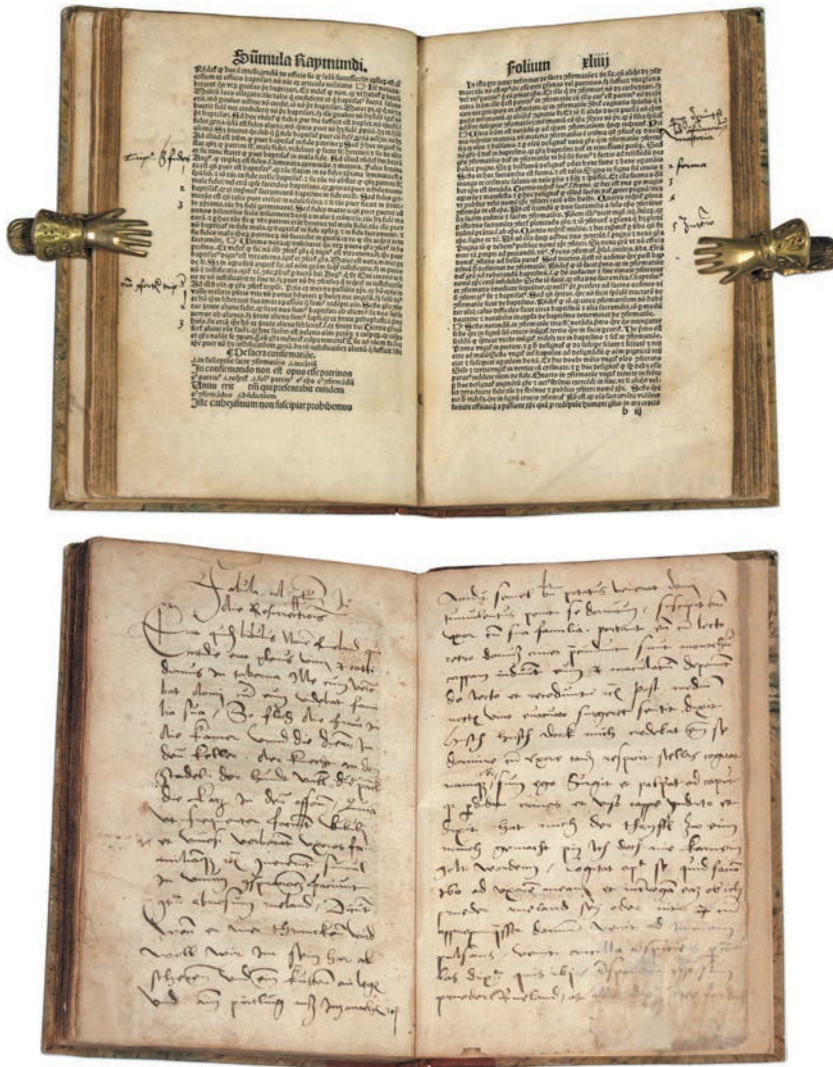


See pages 74–75  
for an index  
to this catalogue.

Because of space limitations,  
we have not included all images  
that are available to describe each  
book. For additional images,  
please visit our website.

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Please contact us if you would like  
us to provide additional specific  
images not shown here  
or on our website.



VERSE EPITOME OF A CLASSIC PENITENTIAL MANUAL

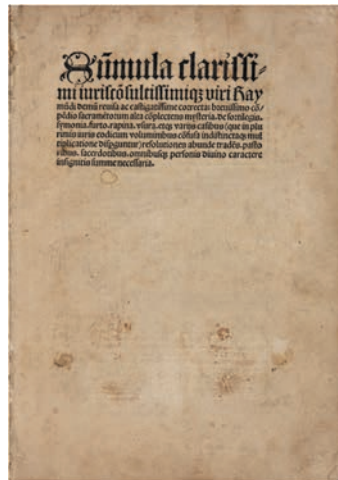
1. [ADAM, MAGISTER (13TH C.)].  
[PENAFORTE, RAYMOND OF [C.1175-C.1240].

**Summula Sacramentorum Raymundi de Pennaforte Metrificata.**

Cologne: [Retro Minores (Martin von Werden?)], for Heinrich Quentell, 18 July 1500]. [i], 148, [7] ff. Collation: a-s6 t-v4 x-z6, aa-cc6, dd4. Leaf x2 (Fol. CXVII) lacking. Quarto (8" x 5-5/8"; 20.5 x 14cm).

Nineteenth-century quarter calf over marbled boards, raised bands to spine, endpapers renewed. Light rubbing to boards, moderate rubbing to extremities, corners bumped and somewhat worn. 46-line text in single column, printed manicules, capital spaces left blank. Moderate toning, occasional dampstaining, light soiling to preliminary and final leaves, first leaf beginning to detach, contemporary or early annotations to several leaves, three full pages of annotations to rear endleaves. \$9,500.

ATTRIBUTED TO MAGISTER ADAM (ADAMUS), a 13th-century Cistercian monk from Aldersbach, lower Bavaria, the *Summula* is an epitome in verse of Raymond of Peñafort's authoritative *Summa de Poenitentia et Matrimonio* with commentary and interlinear glosses. More than a list of sins and suggested penances, this work discussed pertinent doctrinal and canon-law doctrines that pertained to the issue brought to the confessor. In this edition Adam's verse summary is accompanied by a detailed prose commentary on the *Summa*. It also contains the text of the *Summa*, along with Raymond's commentary on the trees of consanguinity and affinity, which indicated if couples were permitted to marry based on their degree of blood kinship. The ISTC locates 4 copies of this imprint in North America (Harvard, Library of Congress, UC-Berkeley Law School, Yale). Goff A48. CW 216.





### THREE RARE ARGENTINEAN ITEMS

#### 2. [ARGENTINA].

##### **Código Penal de la Provincia de Corrientes.**

Buenos Aires: Imprenta de Pablo E. Coni, 1878. 110 pp.

[BOUND WITH]  
LLERENA, JUAN.

##### **La Provincia de Buenos Aires y su Nueva Capital.**

Buenos Aires: Establecimiento Tipografico, 1881. 54 pp.

[AND]  
STEGMANN, CARLOS.

##### **Construcción y Disposición Interior de las Escuelas Públicas en Relación con la Higiene.**

Buenos Aires: Imprenta de Pablo E. Coni, 1878. 24 pp.  
Five plates, two folding.

Octavo (9-1/4" x 6-1/4"). Later cloth, gilt titles to spine.  
Light shelfwear, some toning to text, final three leaves of  
*Construcción* detached, internally clean. \$950.

ONLY EDITIONS LOCATED. The first item is the penal code for Corrientes, one of the provinces of Argentina. The second title, which is not legal in nature, is an essay defending the establishment of Buenos Aires as the national capital in 1880. Illustrated with plates depicting classrooms and school furniture, the final title is a book of regulations governing the construction of schools and the furnishing of classrooms. All of these titles are rare. OCLC locates 1 copy each of *Corrientes* and *Provincia* (both in Germany), no copies of *Construcción*. See Borchard 115-116.



Nº 4

RARE 1530 PRINTING OF THE *SUMMA AZONIS*  
THAT FEATURES A VIGNETTE OF AZO LECTURING TO STUDENTS

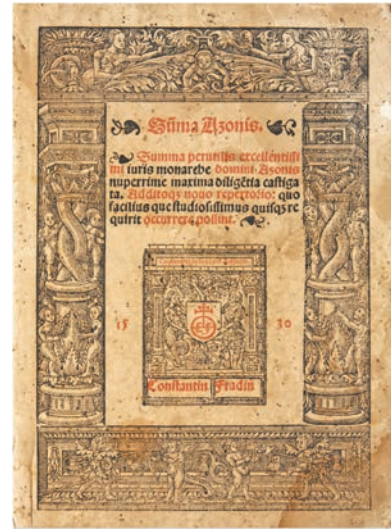
3. AZO, PORTIUS [1150-1235].

**Summa Azonis. Summa Perutilis Excellentissimi Iuris Monarche Nuperrime Maxima Diligetia Castigata, Additoque Novo Repertorio quo Facilius que Studiosissimus Quisque Requirit Occurrere Possint.**

Lyons: Constantin Fradin, 1530. [xiv], 373 ff. Main text in parallel columns. Small woodcut vignette of Azo lecturing to students on verso of title page. Quarto 9-1/2" x 7" (24 x 17 cm).

Contemporary vellum, early hand-lettered title to spine. Light soiling, some staining and a few minor worm holes to boards, some rubbing to extremities with some wear to edges, corners and head of spine, hinges cracked, a few cracks to text block, rear free endpaper lacking. Title page printed in red and black within woodcut architectural border, woodcut decorated initials. Moderate toning, occasional faint dampstaining, dampspotting in a few places, annotations and underlining in two early hand to c.50 leaves, some affected by trimming, moderate edgewear to preliminaries, light soiling to title page, minor rodent damage to lower corners of final 18 leaves, notable damage to the following two leaves, which have minor loss to text, but not legibility. A rare imprint. SOLD

PORTIUS AZO, also known as Azo of Bologna, Azo Porius, Azo Porcius and Azo Soldanus, was a lawyer and professor of law at the University of Bologna whose pupils included Accursius and Johannes Teutonicus. His fame rests on his carefully organized commentaries on the *Code*, *Institutes* and sections of the *Digest* of the *Corpus Juris Civilis*. Known collectively as the *Summa Azonis*, these commentaries form a methodical exposition of Roman law. The *Summa* circulated widely in manuscript; 35 printed editions were issued from 1481 to 1610. It was a work of immense authority for generations of continental lawyers. Azo's *Summae* were synthesized by Accursius in his *Glossa Ordinaria*; his *Summa Codicis* was used (and, in many places, copied verbatim) by Bracton in his treatise on English law. Our 1530 Fradin imprint not in Adams or the *BMC*. OCLC locates 6 copies, 3 in North America (Harvard Law School, Library of Congress, University of Pennsylvania Law School). *USTC* 146212.



TWO SCARCE SIXTEENTH-CENTURY ITALIAN WORKS  
ON ROMAN AND CANON LAW

4. BERO, AGOSTINO [1474-1554].  
THOMASIIUS, JOANNES, EDITOR.

**Questiones Familiares: Pragmaticis Percommodae.**

Venice: Apud Io. Antonium Bertanum, 1574. [lxxii], 445, [3] pp.

[BOUND WITH]  
MARZARI, FRANCESCO.

**In Materiam Fideicomissariam Epitome Francisci Marzarii Vicentini Iurisconsulti ac in Rot. Genuens. Bononiens. Florentina Quondam Auditoris Integerrimi.**

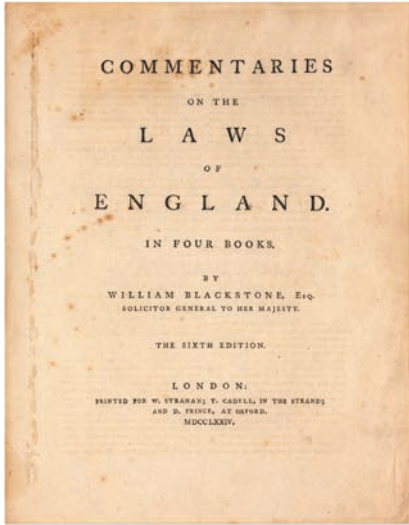
Venice: Apud Vincentium Vianum, 1574. [viii], 67, [1] pp.

Octavo (6" x 4"). Contemporary vellum, early hand-

lettered title to spine. Some soiling, a few minor stains, light rubbing to extremities, vellum beginning to crack through front and rear pastedowns, hinges cracked, text block secure. Moderate toning to text, faint dampstaining to margins of a few leaves, internally clean. Nice copies of two scarce titles. \$1,250.

BERO, LATER EDITION; MARZARI, FIRST EDITION. *Questiones Familiares* was first published in Bologna with title *Familiares Quaestiones*. Its 136 *quaestiones* deal mostly with Roman or canon law. Whatever the topic, most of Bero's authorities come from canon law. A durable work, it went through five editions, the last in 1629. As indicated by its title, Marzari's treatise addresses the Roman law of fideicommissum, the request by a testator to any person who benefited by his will or intestacy to give certain objects to a third party. Both titles are scarce, especially Marzari's. OCLC locates 3 copies in North America, all of the 1574 edition (UT-Austin Ransom Library, Harvard and UC-Berkeley Law Schools). *EDIT16* CNCE5561 (Bero); CNCE38579 (Marzari).

## THE FIRST LONDON EDITION OF BLACKSTONE'S COMMENTARIES



## 5. BLACKSTONE, SIR WILLIAM [1723-1780].

**Commentaries on the Laws of England. In Four Books.**

London: Printed for W. Strahan; T. Cadell, In the Strand; And D. Prince, At Oxford, 1774. Four volumes. Table of Consanguinity and folding Table of Descents in Volume II. Quarto (11" x 8-1/2").

Nineteenth-century speckled calf, gilt fillets to boards, rebacked retaining existing gilt spines with raised bands, lettering pieces and restored spine ends, hinges mended, ribbon markers. Light rubbing and some minor scuffs and scratches to boards, moderate rubbing to extremities, corners bumped and somewhat worn, contemporary armorial bookplates (of Harrington Hulston) to front pastedown of each volume. Light toning to text, light foxing to a few leaves in each volume, later owner annotations to front pastedown and free endpaper of Volume I. A very attractive set. \$3,000.

SIXTH EDITION, the first edition published in London. The most influential publication in the history of modern Anglo-American law, the *Commentaries on the Laws of England* is based on a course of lectures

delivered at Oxford University. Because they were not intending for aspiring practitioners, they described general principles rather than practical specifics. Sensitive to the systematizing trends of the day and the prestige of the natural sciences, it described the common law as an intricate, well-designed system akin to Newton's mechanistic universe. It was also an important account of the law's evolution. As Holdsworth notes, "the *Commentaries* are not only a statement of the law of Blackstone's day, but the best history of English law as a whole which had yet appeared...The skillful manner in which Blackstone uses his authorities new and old, and the analogy of other systems of law, to illustrate the evolution of the law of his day, had a vast influence, both in England and America, in implanting in the profession a sound tradition of the historical development of the law." : Holdsworth *Historians* 22. Eller 9. Laeuchli 12.

## BLACKSTONE'S COMMENTARIES, ELLER 26/LAEUCHLI 33

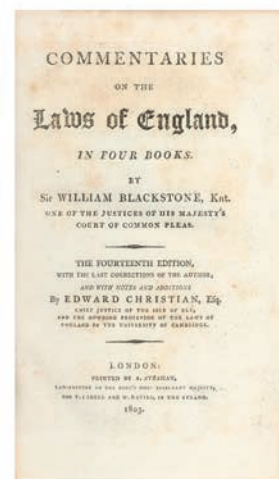
6. BLACKSTONE, SIR WILLIAM.  
CHRISTIAN, SIR EDWARD [D. 1823], EDITOR.**Commentaries on the Laws of England, In Four Books. With the Last Corrections of the Author: And with Notes and Additions.**

London: Printed by A. Strahan for T. Cadell and W. Davies, 1803. Four volumes. Copperplate frontispiece portrait, table of consanguinity, folding table of descents. Octavo (8-1/2" x 5-1/2").

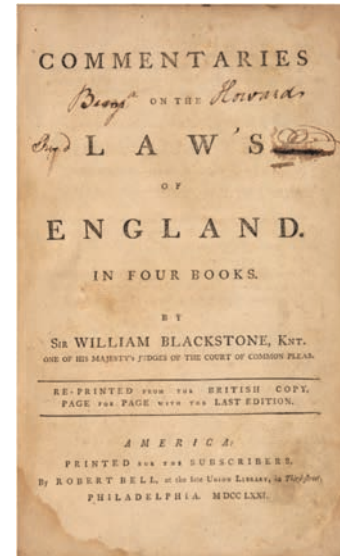
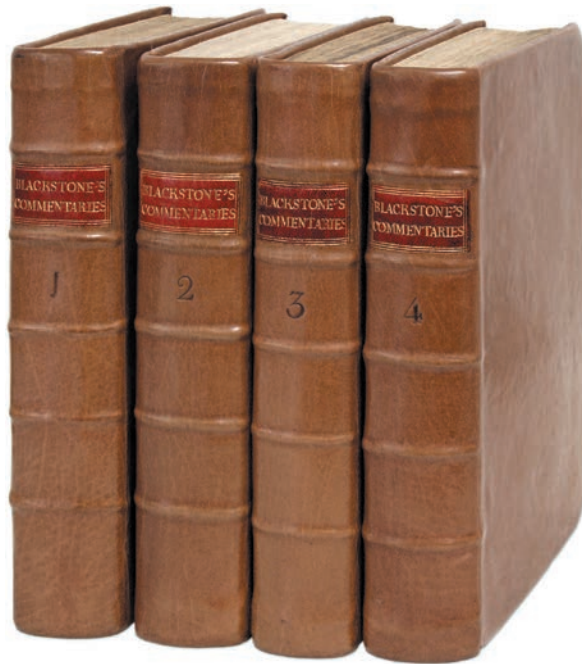
Contemporary polished calf, blind fillets to boards, raised bands and lettering pieces to spines. Moderate rubbing to spines and extremities, corners bumped,

joints starting (or just starting), some hinges cracked, rear board of Volume 2 beginning to separate but still quite secure, contemporary copperplate armorial bookplate (of John Monins) to front pastedown. Light toning to text, negligible foxing in a few places in each volume, interiors otherwise clean. A nice set. \$1,000.

FOURTEENTH EDITION. Paging irregular, following Blackstone's paging in margin. "Since the publication of the thirteenth edition, 1800, Christian had become Chief Justice of the Isle of Ely, and the Downing professor of the laws of England in the University of Cambridge. These titles appear on title pages of this fourteenth edition, in which his notes are printed as footnotes" : Eller 26. Laeuchli 33.







### THE FIRST AMERICAN EDITION OF BLACKSTONE'S COMMENTARIES IN A SUPERB PERIOD-STYLE BINDING

#### 7. BLACKSTONE, WILLIAM.

##### **Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition. America**

[Philadelphia]: Robert Bell, 1771-1772. Four volumes. [viii], ii, [vi], 485; [viii], 520, xix; [viii], 455, [1], xxvii; [xxii], [viii], 436, vii, [1], [39] pp. Copperplate Table Of Consanguinity and copperplate folding Table of Descents in Volume II. Folding table is a high-quality bound-in facsimile printed on paper tinted to match adjacent leaves. 22-page subscriber list in Volume IV. Publisher advertisements in Volume I, 2 leaves before title page, and Volume III, p.456. Publisher advertisement, tipped-in to front endleaf, lacking from Volume IV. Octavo (9" x 5-3/4" ).

Handsome period style calf by Phil Dusel, raised bands, lettering pieces and blind-stamped volume numbers to spines, blind tooling to board edges, endpapers renewed. Moderate toning, light foxing, faint dampspotting and inkspots in places, early owner signatures to preliminaries of Volumes I, III and IV, paper repair to title page of Volume II and chip to fore-edge of Leaf Q2 (pp. 125-126) in Volume IV with negligible loss to text. An appealing copy in a superb binding. \$12,500.

**FIRST AMERICAN EDITION.** Blackstone's *Commentaries* was especially popular in America, where it was the standard introductory legal textbook into the late nineteenth century and the primary, or only, book studied by hundreds of self-taught lawyers, such as Abraham Lincoln. The first multi-volume book printed in America, Bell's edition, a reprint of the fourth London edition, 1770, is a landmark in the history of American publishing. Our set contains the two tipped-in advertisement leaves, for An Interesting Appendix (Volume III) and Ferguson's Essay on the History of Civil Society (Volume IV), that are often missing in copies of this set. Volume IV also includes a 22-page subscriber list of 839 men, who ordered 1,557 sets. This impressive group included John Adams, John Jay, John Dickinson, several colonial governors and many other leaders of colonial America. Sixteen subscribers were signers of the Declaration of Independence who went on to serve as members of the Continental Congress. Eller 80. Laeuchli 131.





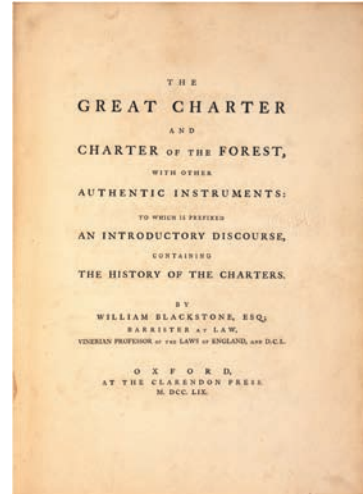
## BLACKSTONE'S EDITION OF MAGNA CARTA IN A HANDSOME BINDING

## 9. BLACKSTONE, SIR WILLIAM.

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

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

Recent period-style calf, gilt fillets to boards, gilt spine with raised bands and lettering piece, existing marbled endpapers retained. Light toning, occasional light foxing, mostly to upper margins, faint offsetting from tail-pieces, small embossed library stamp to title page, a few faint library marks to verso, tiny inkspot to dedication leaf. A handsome copy. \$8,500.



FIRST EDITION. Texts of documents in Latin, Blackstone's essay in English. The engraved dedication to the Earl of Westmoreland is surmounted with his armorial ensigns; initials in the text are ornamented with engravings of various buildings at Oxford University. The tail-pieces on pages lxxvi and 73 are historical vignettes; the other ten tail-pieces are facsimiles of the royal seals are attached to the original documents. This remarkable work is esteemed for its production and scholarship. Its physical appeal was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition." Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. This idea, first proposed by Coke, was a central tenet of Whig ideology. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter. Eller 237. Laeuchli 548.

## TREATISE ON POSSESSION AND INTERDICT IN ROMAN LAW BOUND WITH A COMMENTARY ON THE FIRST CONSTITUTION OF THE PAPAL STATES

## 10. BOCCACCI, VIRGINIO [D. 1596].

**Tractatus de Interdicto Uti Possidetis, Sive De Manutentione in Possessionem: Continens Quaestiones Utiles in Praxi, & Theorica, Quae Versis Paginis Indicantur. Nunc Primum in Lucem Editus, Cum Summariis, & Indice Rerum, Ac Verborum Locupletissimo.**

Macerata: Ex Typographia Sebastiani Martellini, 1581. [viii], 198, [34] pp.

[BOUND WITH]  
BOCCACCI, VIRGINIO.

**Annotationes cum Additionibus in Constitutione Aegidiana, Seu L. Unica C. Si de Mom. Poss. Fuer. Appel. Nunc Primum in Lucem Editae, Quae Autem Contineantur in Additionibus, Post Sequentem Paginam Demonstrabitur. Adiecto Insuper Indice Rerum, Ac Verborum Locupletissimo.**

Macerata: Ex Typographia Sebastiani Martellini, 1581. [viii], 88, [16] pp.

Quarto (8-1/4" x 6"). Nineteenth-century quarter vellum over marbled boards, edges colored green. Gilt fillets and calf lettering piece to spine, endpapers renewed. Light soiling to spine, some rubbing to extremities with minor wear. Title page of first title printed in red and black, woodcut decorated initials. Faint dampstaining to a few leaves, occasional light browning and foxing. Underlining and inkstains to some leaves, interior otherwise clean. \$1,500.

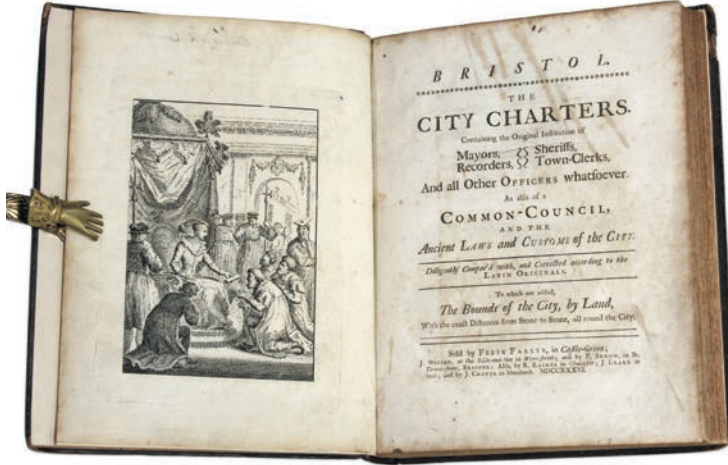


FIRST EDITION (*Tractatus*); Only edition (*Annotationes*). The first title discusses interdictions and actions. A popular work, it was reissued several times well into the eighteenth century. The second work is a commentary on the *Constitutiones Sanctae Matris Ecclesiae*. Also known as the *Constitutiones Aegidiana*. This document, the first constitution of the Papal States, was adopted in 1357 and remained in force until 1816. Though bibliographically distinct, these titles appear to have been issued together. OCLC locates 3 copies of the 1581 *Tractatus* in North American law libraries (Duke, Library of Congress, Yale), 4 copies of *Annotationes* (Harvard, Library of Congress, UC-Berkeley, Yale). EDIT16 CNCE 6218, 6219.

THE CITY CHARTERS AND GEOGRAPHICAL BOUNDARIES OF BRISTOL, ENGLAND

11. [BRISTOL (ENGLAND)].

Bristol. The City Charters. Containing the Original Institution of Mayors, Recorders, Sheriffs, Town-Clerks, And All Other Officers whatsoever. As also of a Common-Council, And the Ancient Laws and Customs of the City. Diligently Compar'd with, And Corrected According to the Latin Originals. To which are Added, The Bounds of the City, By Land, With the Exact Distances from Stone to Stone, All Round the City.



Bristol: Sold by Felix Farley, 1736. 297, [15] pp. A few errors in pagination, text complete. Copperplate frontispiece. Final advertisement leaf. Quarto (9-1/2" x 7-1/2" ).

Contemporary paneled calf, rebacked in period style, lettering piece and gilt-edged raised bands to spine, endpapers renewed. Moderate rubbing to boards and board edges, corners bumped and somewhat worn. Moderate toning, a few leaves somewhat darker, occasional light foxing to margins, minor worming to margins in a few places with no loss to text, early owner signature (of Marmaduke Coules) to recto of frontispiece. \$850.

ONLY EDITION. Includes details on the recently completed 1736 survey indicated by the exact location of some 74 boundary stones on the Gloucestershire side and of 29 on the Somersetshire side. One example: "Stone 1. On the bank of the River of Avon, near a limekiln, on the East, and a sluice on the West, call'd Woodwell's-Lake, standeth the first stone." This is indeed the only edition; a copy at the Ransom Center at the University of Texas, Austin, with a suggested date of "1735?" must surely be a mistake. OCLC locates 12 copies in North America, 3 in law libraries (Harvard, University of Minnesota, University of Pennsylvania). ESTC T143949.

A DECREE OPPOSING THE 1814 CONSTITUTION OF THE MEXICAN REVOLUTION



12. [BROADSIDE]. CALLEJA DEL REY, FELIX MARIA [1755?-1828].

Don Félix María Calleja del Rey, Bruder, Losada, Flores, Campeño, Monetero de Espinosa Teniente General de los Reales Ejércitos, Virey, Gobernador y Capitan General de esta N.E. Presidente de su Real Audiencia Superintendente General, Subdelegado de Real Hacienda, Minas, Azogues y Raino del Tabaco, Juez Conservador de Este, Presidente de su Real Junta y Subdelegado General de Correos en el Mismo Reyno....

[Mexico City]: S.n., May 24, 1815.

28" x 16-3/4" broadside, text in two columns below headline. Light browning, fold lines, negligible light edgewear, small inkspot to margin near upper corner, official inkstamps to verso. Signed below typesigned names at foot of text by Calleja and the secretary of state. \$950.

INTENDED TO BE POSTED IN PUEBLA, this broadside contains the text of a decree by Calleja, the viceroy of New Spain from 1813-1816, condemning the Constitucion de Apatzingán. Named for the city where it was promulgated in 1814, this was the constitution framed by the leaders of the Mexican War of Independence (1810-1821). It was the organic law of the territories controlled by the revolutionaries. OCLC locates 2 copies in North America (University of Pennsylvania, Yale).

FOR SALE: NEW HAMPSHIRE FARM, SAW MILL AND PASTURE

13. [BROADSIDE]. [ESTATES]. BROWN, W[ILLIAM] M., EXECUTOR.

Executor's Sale, Valuable Real Estate at Auction!

Concord, NH: Steam Printing Works of McFarland & Jenks, 1853. 20-1/2" x 12-1/2" broadside.

Light toning, some crinkling and edgewear with small tears and chips, faint vertical and horizontal fold lines, a few minor faint stains. \$350.

"BY VIRTUE OF A LICENSE from the Judge of Probate for the County of Merrimack, the subscriber will sell at public Auction at the Dwelling House of Dexter Pritchard, late of Boscawen, deceased, on Saturday, the 9th day of April next, at 1 o'clock in the afternoon, so much of the Real Estate of said deceased, situated in said Boscawen, as may be necessary to raise \$1,600, to pay debts, legacies, and incidental charges." This state included a 100-acre farm, a saw mill and a 23-acre pasture.



"SEE THE FOUL MEANS TO WHICH THE UNPRINCIPLED OPPONENTS OF JOHN W. TAYLOR RESORT"

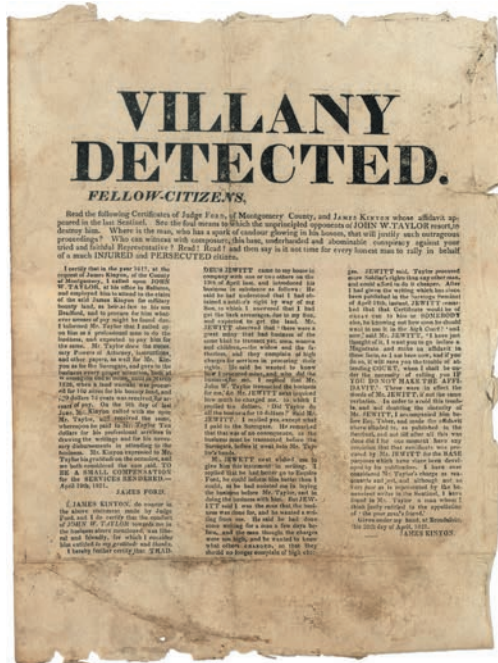
14. [BROADSIDE]. [KINYON, JAMES]. [TAYLOR, JOHN W. (1784-1854)].

Villany Detected: Fellow-Citizens, Read the Following Certificates of Judge Ford, Of Montgomery County, And James Kinyon Whose Affidavit Appeared in the Last Sentinel. See the Foul Means to Which the Unprincipled Opponents of John W. Taylor Resort, to Destroy Him....

[New York: S.n., 1821].

13" x 9-3/4" Broadside. Text in two columns below headline and one single-column paragraph, untrimmed edges. Moderate soiling, vertical and horizontal fold lines. \$1,250.

A CAMPAIGN DOCUMENT, this broadside raises questions about the legal ethics of John W. Taylor, who represented Saratoga County in the U.S. House of Representatives from 1813-1833. It involves a fee Kinyon paid Taylor for legal services regarding a claim for military bounty land. Afterwards Kinyon was approached by one Thaddeus Jewitt who claimed to be investigating high fees charged for such services. Kinyon was persuaded to make an affidavit of the facts in his case claiming he was overcharged. This document was subsequently published in the Saratoga Sentinel. Taylor's claim is corroborated by the certificate of Judge James Ford, who rendered assistance in securing Taylor's services. Taylor was served as the speaker of House of Representatives in 1820-1821 and 1825-1827. He was defeated for re-election as Speaker both times, due in part to his outspoken opposition to slavery. While the South never forgave the part he played in the Missouri controversy, the chief opposition came from his own state: the anti-Clintonian faction in 1821 and the Van Buren Democrats in 1827. OCLC locates 1 copy (New-York Historical Society).



“A WORTHY AND PAINFUL WORK”

15. BROOKE, SIR ROBERT  
[?-1558].

**La Grande Abridgement, Collecte & Escrie per le Iudge Tresreverend Syr Robert Brooke Chivalier, Nadgairs Chiefe Justice del Common Banke.**

[AND]

**La Secunde Part du Grande Abridgment....**

London: In Aedibus Richardi Tottell, 1576.  
Two parts in one. [ii], 351; [i], 328 ff. Collates complete. Small folio (9-1/4" x 6").

Contemporary calf with recent rebacking, blind panels with large corner fleurons to boards, raised bands and lettering piece to spine. Moderate rubbing to board edges, a few minor scratches and scuffs, corners bumped and somewhat worn, hinges starting. Titles printed within woodcut architectural borders, woodcut decorated initials. Moderate toning to text, faint dampstaining to foot of text block, minor loss to fore-edges of title pages due to trimming. Tiny early owner signatures to title page of first part, interiors otherwise clean. An attractive copy.



\$1,000.

SECOND EDITION. Sir Robert Brooke was renowned for his great learning as a scholar and his probity as a judge. Holdsworth notes that Brooke's *Abridgement* "is based on Fitzherbert's *Abridgement*, but it contains much new material. In particular it abridges fully the Year Books of Henry VII's and Henry VIII's reigns." Brooke abridged nearly 21,000 cases under 404 alphabetical headings. He proceeded with great care and accuracy, and is understood to have had access to the original records of the Year Books. Coke calls the *Abridgement* "a worthy and painful work and an excellent repertory or table for the Year Books of the Law." It was first issued in 1573. Coke cited in Marvin 151. Holdsworth, *HEL* II:545. *ESTC* S106717. Beale R471, R472.

INCUNABLE EDITIONS OF TWO PRIMARY VOLUMES OF CANON LAW

16. [CANON LAW].  
BONIFACE VIII [1235-1303], POPE.  
[D'ANDREA, GIOVANNI (C.1270-C.1348)], GLOSSES.

[**Liber Sextus Decretalium, Cum Apparatu Johannes Andreae**].

[Nuremberg: Anton Koberger, 12 March 1482]. [118] ff. Collation: a-q7. Final leaf, a blank, lacking. Text in parallel columns with two-column linear gloss.

[BOUND WITH]

CLEMENT V [C.1266-1314], POPE.  
[D'ANDREA, GIOVANNI (C.1270-C.1348)], GLOSSES.

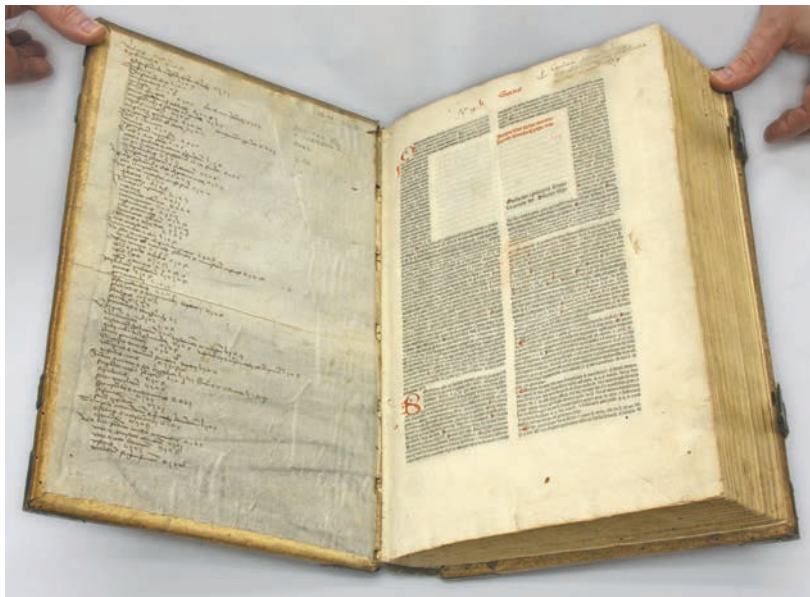
[**Constitutiones, Cum Apparatu Johannes Andreae**].

[Nuremberg: Anton Koberger, 15 January 1482]. [60] ff. Collation: a/A10, B-C8, H2. Text in parallel columns with two-column linear gloss.

Two works in one volume. Folio 13-1/2" x 9" (34 x 23 cm). Contemporary German blindstamped pigskin over wooden boards, covers with large central lozenge within rectangular line borders, embossed with 7 single stamps in circular or lozenge shape, original metal bosses at center and corners, two metal clasps, strap of upper clasp restored, front cover with vellum title label in a contemporary hand, plain spine with raised bands and later manuscript label at head (scattered wormholes). Light soiling, a few minor wormholes. Printed in red and black, both works in double columns with surrounding glosses, rubricated throughout, some initials with marginal extensions, red paragraph marks and capital strokes. Light toning, a few stains and marginal worming to n7-06 of *Decretalium*, without final blank, some worming to lower margin of first signature of *Constitutiones*, decreasing in the second signature. Contemporary manuscript index to pastedowns, ownership inscription of the Minorite Convent, Bohemia, dated 1629 to head of leaf a1 of *Liber Sextus*. A strikingly handsome and well preserved volume.



\$22,000.

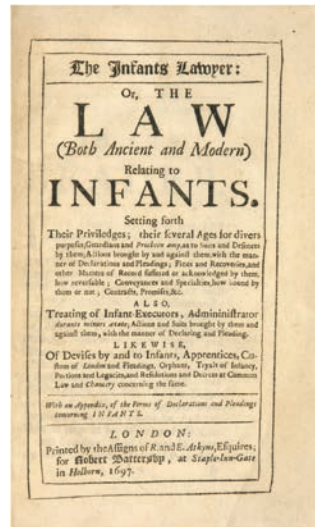


Details  
from  
N° 16

THIS VOLUME JOINS INCUNABLE imprints of two books from the *Corpus Juris Canonici*, a collective title first used in 1441. These writings are the *Decretum Gratiani* (1151), the *Liber Quinque Decretalium* of Gregory IX (1234), the *Liber Sextus* of Boniface VIII (1298), the *Liber Septimus Decretalium*, better known as the *Constitutiones Clementis V*, or *Clementinae* of Clement V (1317) and the *Extravagantes* of John XXII (1325). Two texts were added later: the *Extravagantes Communes* of other popes to 1484 and the *Appendix Pauli Lancellotti* (1563). All of these texts were edited in 1582 in response to the reforms authorized by the Council of Trent. In this form the *Corpus Juris Canonici* remained in force until it was replaced in 1917 by the *Codex Juris Canonici*. Goff B993 (*Liber Sextus*), C725 (*Constitutiones*). GW 4868 (*Liber Sextus*), 7095 (*Constitutiones*).



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



17. [CARTER, SAMUEL].

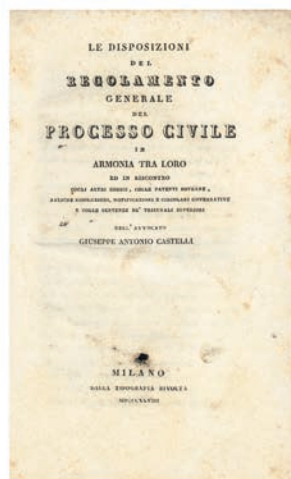
**The Infants Lawyer: Or, The Law (Both Ancient and Modern) Relating to Infants. Setting Forth Their Priviledges; Their Several Ages for Divers Purposes; Guardians and Prochein Amy, As to Suits and Defences by Them; Actions Brought by and Against Them, With the Manner of Declarations and Pleadings; Fines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

**Pleadings, Orphans, Tryals of Infancy, Portions and Legacies, And Resolutions and Decrees at Common Law and Chancery Concerning the Same. With an Appendix, Of the Forms of Declarations and Pleadings Concerning Infants.**

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

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

FIRST EDITION. This is the first English treatise on the subject and the first copy of this edition we have seen in 35 years. Its twenty comprehensive chapters consist of a digest of the case law relating to each topic with explanatory comments. Holdsworth notes that "[i]t was a useful book to practitioners since it covers all the topics connected with its subject." A third edition was published in 1726. All editions are scarce. Holdsworth, *HEL* XII:399-400. *ESTC* R32363

RARE TREATISE ON CIVIL PROCEDURE  
IN THE KINGDOM OF LOMBARDY-VENETIA

18. CASTELLI, GIUSEPPE ANTONIO.

**Le Disposizioni del Regolamento Generale del Processo Civile in Armonia tra Loro ed in Riscontro Cogli Altri Codici, Colle Patenti Sovrane, Auliche Risoluzioni, Notificazioni e Circolari Governative e Colle Sentenze de' Tribunali Superiori.**

Milan: Dalla Tipografia Rivolta, 1828. [xii], 380 pp., about 300 blank interleaves. Octavo (8-1/2" x 5").

Contemporary three quarter marbled sheep over marbled boards, lettering piece, gilt fillets and gilt title to spine, speckled edges, later annotation and bookplate to front pastedown. Some toning, faint dampspotting in places, internally clean. An attractive copy. \$950.

FIRST EDITION. A thorough treatise on civil procedure of the kingdom of Lombardy-Venetia. Established by the

Congress of Vienna in 1815, this northern Italian kingdom was part of the Austrian Empire. Lombardy was annexed to the Sardinia in 1859 and the kingdom ceased to exist when the rest of its territory was annexed to the Kingdom of Italy in 1866. As indicated by this treatise, its legal system was a mixture of Italian, French and Austrian sources. A second edition was published in 1832. No copies located on OCLC. Not in the *BMC*.



RARE SEVENTEENTH-CENTURY DANISH DECREE  
REGULATING BOATMEN AND FIREARMS

19. CHRISTIAN IV, KING OF DENMARK.

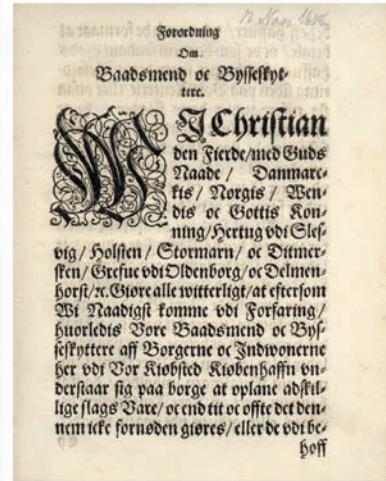
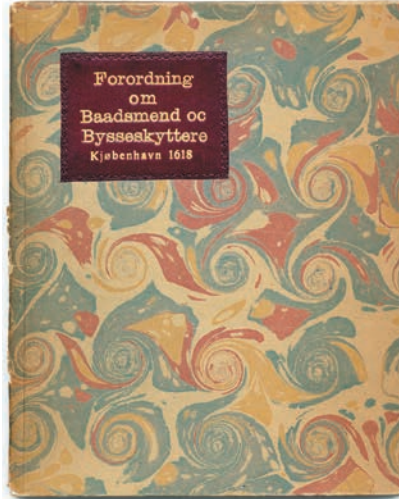
**Forordning om Baadsmænd oc Bysseskytter.**

Copenhagen: S.n., 12 November 1618. [4] pp. Quarto (7" x 5-3/4").

Disbound (?) folded sheet forming 2 leaves bound into recent marbled boards, gilt-stamped calf title label to front. Light rubbing to extremities with minor wear to spine, light toning to text.

\$400.

THIS IS A ROYAL decree regulating boatmen and users of the arquebus, a musket-like firearm popular in the early modern period. OCLC locates 4 copies, none in North America. *Bibliotheca Danica* 19000000.



RARE SEVENTEENTH-CENTURY DANISH DECREE  
REGULATING GUNPOWDER AND ONE OF ITS MAIN COMPONENTS

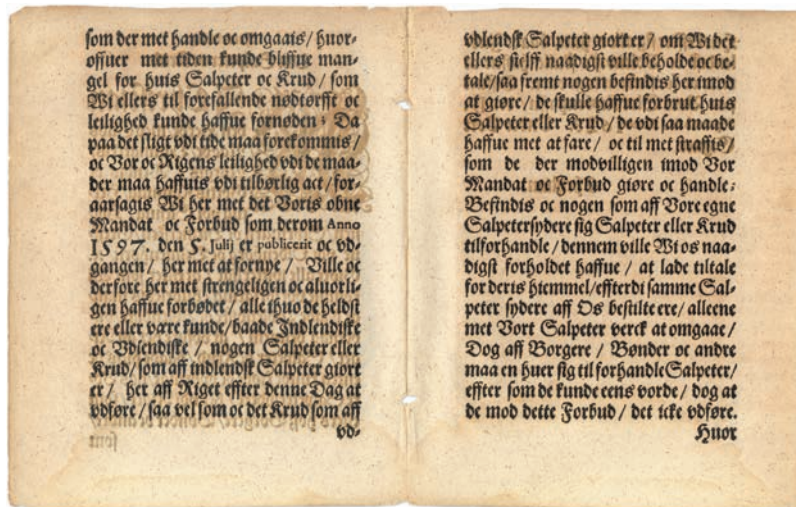
20. CHRISTIAN IV, KING OF DENMARK.

**Forordning om Saltpeter oc Krud.**

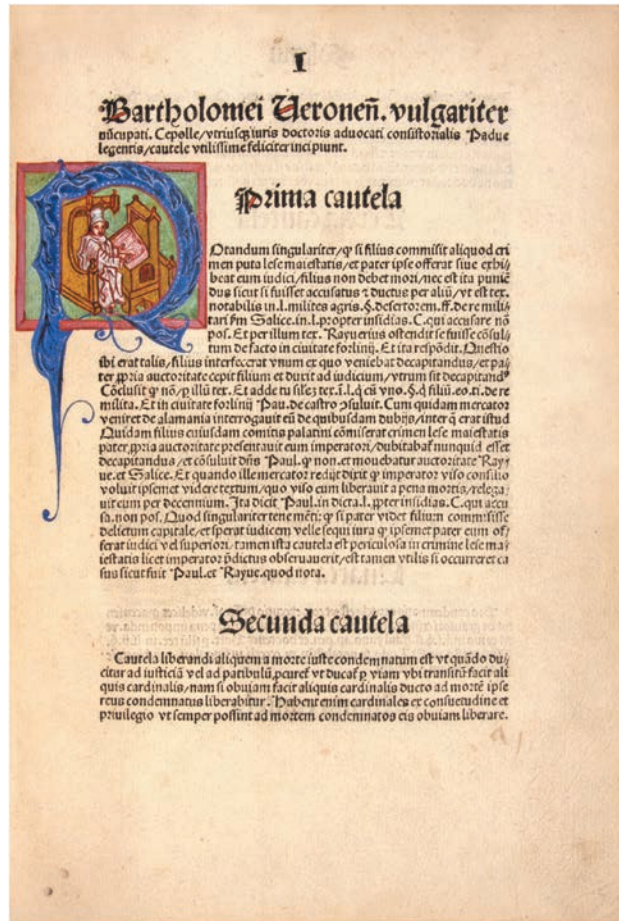
Copenhagen: S.n., 19 September 1628. [4] pp. Quarto (7" x 6").

Disbound (?) folded sheet forming 2 leaves laid into recent textured paper folder, hand-lettered title label to front. Some edgewear, toning and faint dampstaining to text, otherwise fine. \$400.

THIS IS A ROYAL DECREE regarding saltpeter and gunpowder, or "Krud" as it was known in Old Danish. It aimed to discourage unauthorized shipments into his kingdom. OCLC locates no copies. *Bibliotheca Danica* 19000000.



THE LAST INCUNABLE IMPRINT OF CIPOLLA'S "LEGAL CAUTIONS"  
CONCERNING SERVITUDES AND REAL PROPERTY

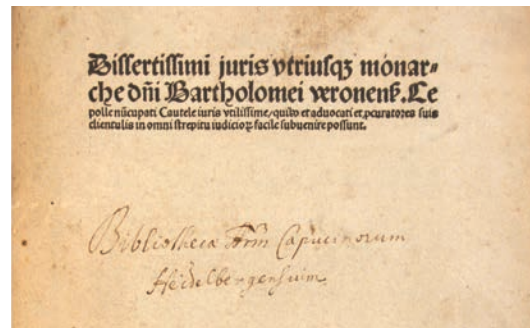


21. CIPOLLA, BARTOLOMEO [1420-1475].

*Cautelae Iuris.*

[Strasbourg: Johann Prüss, 25 February 1490]. [i], 85 ff.  
Collation: [a8, b-c6,d8], e-f6, g8, h-m6, n8. Complete.  
Quarto 9-1/4" x 6-1/2" (23 x 16.5 cm).

Contemporary quarter pigskin with elaborate blind tooling over oak wood boards, clasp (at center of boards) lacking, buckle present, early hand-lettered author name and "X" to spine. Binding slightly cocked, soiling to spine, some wear to corners, second wrap removed from rear of text block, early owner signature of Philipp von Flersheim to front pastedown, later library stamp of Heidelberg Capuchin Library to front free endpaper, early manuscript index and a few other annotations to rear pastedown. 44-line text in single column, comprising 325 numbered sections, text begins with 12-line multi-color illuminated initial depicting a scribe. Moderate toning, slightly heavier in places, brief early annotations in a few places, faint dampstaining to margins of a few leaves, light soiling to title page. \$15,000.



THIRD EDITION, and the last incunable edition. Cipolla was a professor of law at the University of Padua, Venetian diplomat and one of the greatest Italian jurists of the fifteenth century. His works are notable for their humanistic scholarship and coordination of theoretical and practical concerns. *Cautelae Iuris* is a set of 325 knotty legal points, i.e. "legal cautions," concerning servitudes and real property under Roman and canon law. It was first printed in Perugia by Petrus Petri de Colonia and Johannes Nicolai de Bambergia around 1474 and reached its tenth edition in 1577. Philipp von Flersheim [1481-1522] was the bishop of Speyer. OCLC locates 5 copies of this imprint in North America, 1 in a law library (Library of Congress). Goff V381. CW M6484.

CONTROVERSIAL BOOK ON CATHOLIC DIVORCE AND ANNULMENT

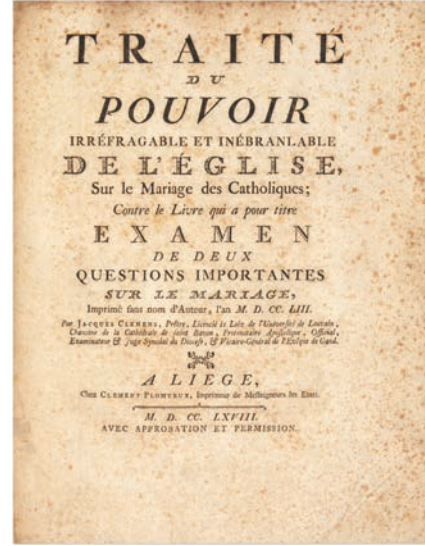
22. CLÉMENS, JACQUES.

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

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

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

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



EARLY EDITION OF COKE ON LITTLETON IN A HANDSOME BINDING

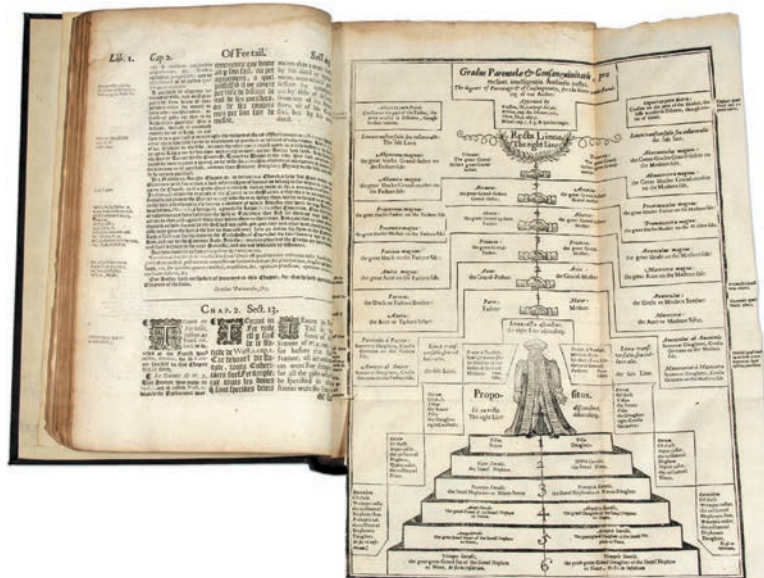
23. COKE, SIR EDWARD [1552-1643].

**The First Part of the Institutes of the Laws of England. Or, A Commentary Upon Littleton, Not the Name of the Author Only, But of the Law It Self.**

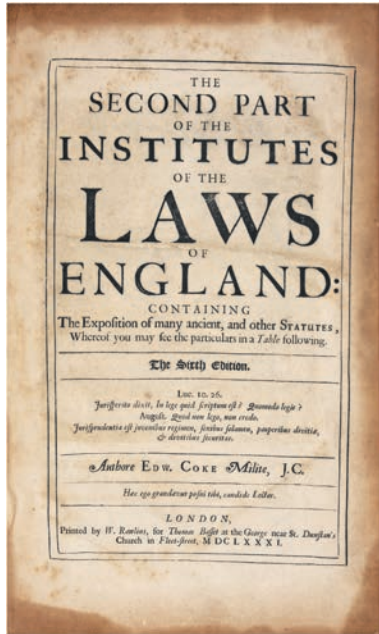
London: Printed for the Company of Stationers, 1656. [v], 395, [30] ff. Folding table (of descents). Lacking initial blank and portrait frontispiece. Folio (11-1/2" x 7-1/4").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed, faint early hand-lettered title to fore-edge of text block. A few minor nicks to boards, corners lightly bumped. Title printed within woodcut architectural border. Moderate toning to text, occasional light dampstaining to margins, some offsetting and chipping to margins of preliminaries and index leaves. A nice copy in a handsome binding. \$750.

FIFTH EDITION, "corrected." Coke's *Institutes*, which eventually comprised four volumes, are thought to be the first textbooks on the modern common law. Taken together, they are a virtual legal encyclopedia of the law as it stood in Coke's lifetime. The first *Institutes*, better known as *Coke on Littleton*, contains the text of Sir Thomas Littleton's *Tenures* with extensive commentary. First published in 1628, it was a standard work for decades and was often used as a textbook. "If Bracton first began the codification of the common law, it was Coke who completed it.... In the *Institutes* (...) the tradition of the common law from Bracton to Littleton, whose name Coke's *Commentary* made famous, firmly established itself as the basis of the constitution of the Realm." : *PMM* 126. *ESTC* R218002.



## INCLUDES COKE'S LANDMARK COMMENTARY ON MAGNA CARTA



## 24. COKE, SIR EDWARD.

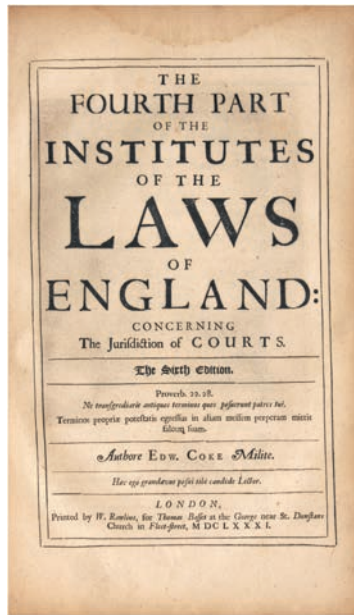
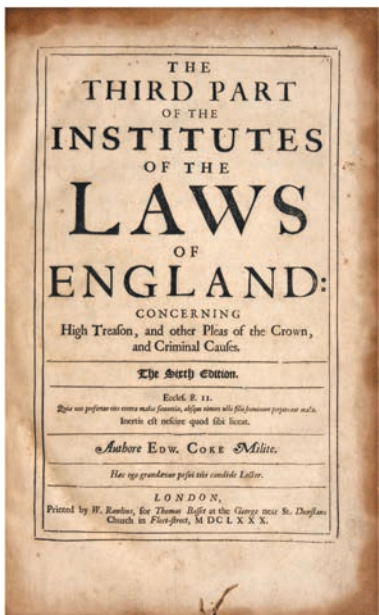
**The Second Part of the Institutes of the laws of England: Containing the Exposition of Many Ancient, And Other Statutes, Whereof you May see the Particulars in a Table Following.**

London: Printed by W. Rawlins, for Thomas Basset, 1681. [xii], 744, [40] pp. Lacking portrait frontispiece. Folio (12-1/4" x 7-3/4").

Recent period style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Light browning and occasional light foxing to text, light wear and moderate offsetting to margins of preliminaries and final leaves, title page partially detached. \$750.

SIXTH EDITION. *The Second Part of the Institutes*, an exposition of "many ancient and other statutes" including Magna Carta, was published by order of the House of Commons after the author's death. It is a landmark work because it offered a novel interpretation of Magna Carta. Reflecting contemporary struggles between the king and Parliament, Coke presented the charter as the ancient constitution of England, one that established the fundamental rights of Englishmen and placed royal power under the laws of the land. Perhaps the most famous section is Coke's commentary on the 29th chapter, in which he traced the origins of trial by jury and the right of habeas corpus. ESTC R24771.

## EARLY EDITIONS OF COKE'S THIRD AND FOURTH INSTITUTES IN A HANDSOME BINDING



## 25. COKE, SIR EDWARD.

**The Third Part of the Institutes of the Laws of England: Concerning High Treason, And Other Pleas of the Crown, And Criminal Causes.**

London: Printed by W. Rawlins, For Thomas Basset, 1680. [vi], 243, [19] pp.

[BOUND WITH] COKE, EDWARD.

**The Fourth Part of the Institutes of the Laws of England: Concerning the Jurisdiction of Courts.**

London: Printed by W. Rawlins, 1681. [x], 364, [36] pp. Portrait frontispiece lacking.

Folio (12-1/4" x 7-3/4"). Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. A few minor nicks and scuffs to boards, upper corners bumped. Moderate toning to interior, somewhat heavier in laces, occasional faint dampstaining to upper margins, minor worming to lower margins of the first six leaves of *Third Part* below text, some offsetting and minor edgewear to first three leaves of *Third Part* and final four leaves of *Fourth Part*. \$1,250.

SIXTH EDITIONS. "Coke's *Third Institutes* gives us a Treatise of great learning, and not unworthy the hand that produced it;... Having run over all criminal matters, and their legal punishments, he concludes with the nature of pardons and restitutions; showing how far, in each of these, our Kings can process alone, and where they want the assistance and joint power of the Parliaments" (Marvin). *The Fourth Part* outlines the authority and jurisdictions of the Court of Star-Chamber, Kings Court, Chancery, the Court of Common Pleas, Ecclesiastical Courts, Courts of Exchequer, Augmentations, Admiralty, the Justices Assize, Courts in Universities of Cambridge and Oxford, Court of the Commissioners Upon the Statute of Bankrupts, the Marshalsea, the Stannaries, the Eighteen Courts of the City of London, the Court of Pipowders (concerning Markets and Fairs), the Courts of the Forest Countries, various ecclesiastical courts and many more. Marvin 208. ESTC R18334, R24769.

## A DURABLE WORK BY A RENOWNED SAXON JURIST



26. COLER, MATTHIAS [1530-1587].

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

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

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

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

## THE "CELEBRATED" FIRST DIGEST OF THE LAWS OF COLOMBIA

27. [COLOMBIA]. POMBO, LINO DE [1797-1862], EDITOR.

**Recopilacion de Leyes de la Nueva Granada, Formada I Publicada en Cumplimiento de la Lei de 4 de Mayo de 1843 I por Comision del Poder Ejecutivo por Lino de Pombo, Miembro del Senado. Contiene Toda la Lejislacion Nacional Vijente Hasta el Ano de 1844 Inclusive.**

Bogota: Imprenta de Zoilo Salazar, Por Valentin Martinez, Febrero 1845. [iv], xxvi, 541 pp. Text in parallel columns. Folio (12" x 8").

Contemporary sheep, blind tooling to board edges, lettering piece to spine, marbled endpapers, edges colored blue. Rubbing to extremities with wear to

spine ends and board edges, joints starting at ends. Large woodcut arms of Colombia to title page, internally fresh. Ex-library. Small location label to spine, small inkstamp to foot of title page. A nice copy. \$1,250.

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



A 1822 FRENCH COMPILATION OF LAWS CONCERNING FREEDOM OF THE PRESS WITH FASCINATING ANNOTATIONS BY A NOTABLE FRENCH JURIST

28. BERNY, ÉTIENNE CHARLES GABRIEL DE.

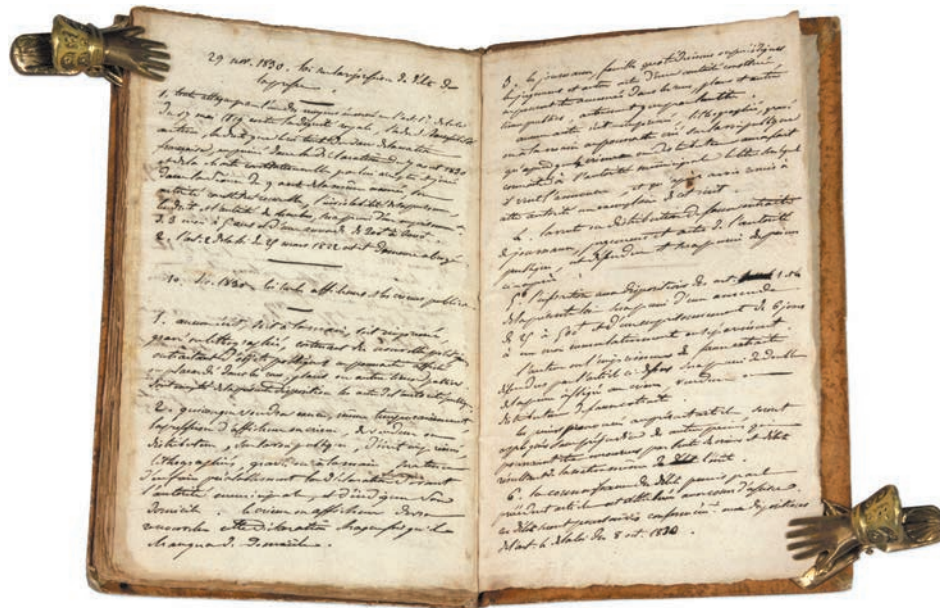
few leaves, extensive annotations to several pages and endleaves. \$10,000.

Concordance des Lois sur la Répression, La Poursuite, Et le Jugement des Infractions Commises par la Voie de la Presse, Ou par Tous Autres Moyens de Publication, Suivie du Texte de ces Mêmes Lois par Ordre Chronologique.

ONLY EDITION. This compilation of laws concerning freedom of the press was published during the repressive reign of King Charles X, France's final Bourbon king. Its author was a conseiller-auditeur of the Cour Royale of Paris. This copy was annotated extensively by one of his colleagues at that court, De Vergès, who would later hold important judicial posts under Napoleon III. The annotations are fascinating because they indicate a deep engagement with the book. Some notes dispute the legitimacy of certain laws. The other ones interrogate their meaning, propose amendments or connect them to specific cases. All of the annotations indicate that De Vergès had a keen legal mind. OCLC locates 5 copies, 2 in North America (Huntington Library, UC-Berkeley Law School). Not in the BMC.

Paris: Imprimerie de Didot l'Ainé, 1822. viii, 1132 pp. Octavo (8-3/4" x 5-1/2").

Contemporary quarter sheep over flexible marbled boards, lettering piece, gilt ornaments and gilt fillets to spine, untrimmed edges. A few creases to boards, some rubbing to extremities, corners bumped and lightly worn. "M. De Vergès" in bold hand to head of front board. Moderate toning, faint dampspotting to a



APPEALING 1479 VENICE IMPRINTS OF TWO PRINCIPAL VOLUMES OF CANON LAW

29. CORPUS JURIS CANONICI. [BONIFACE VIII (1235-1303), POPE. [D'ANDREA, GIOVANNI (C.1270-C.1348), COMMENTARY]. [ALBIGNANI, PIETRO, EDITOR].

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

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

[BOUND WITH] [CLEMENT V (C.1264-1314)), POPE]. [D'ANDREA, GIOVANNI, COMMENTARY]. [ALBIGNANI, PIETRO, EDITOR].

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

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

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



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



HANDSOME INCUNABLE EDITION OF GRATIAN



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

Decretum Gratiani.

[Basel: Johann Froben, 13 June 1493]. [520] ff. Main text in parallel columns with linear gloss. Collation: a-z, 78, A-Z8, AA-SS8. Signatures RR-SS replaced with signatures aA-bb66 from the Froben edition of 1500 before main text (signature a), woodcut portrait of Gratian in duplicate, both hand-colored. Quarto 8-1/4" x 6" (21 x 15 cm).

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

THE FIRST OF TWO FROBEN EDITIONS, a composite copy brought together c. 1500. The

*Decretum Gratiani*, is the cornerstone of modern canon law. The first work of its kind, it was compiled by Gratian, a Camaldolese monk, around 1140. Using the latest scholastic and juristic techniques from Bologna, he attempted to harmonize these disparate texts. Like the *Corpus Juris Civilis* in the study of the civil law, it became the basic text for the study of canon law for many centuries. In the following century an extensive gloss was added by Teutonicus, a German prior living in Bologna. Known as the *Glossa Ordinaria*, it was later revised and enriched by another Bolognese prior, Bartholomew of Brescia. The gloss and its revisions become a standard feature of subsequent manuscripts and printings. Though never an official edition of canon law, it was a standard work for nearly 800 years until it was superseded in 1918 by the Code of Canon Law (*Codex Iuris Canonici*). Remembered today as the moral and satirical poet of *Das Narrenschiff* [The Ship of Fools], Brant was also a noted legal scholar and humanist. He studied at Basel, where he completed a doctor of laws degree. After serving on Basel's law faculty he moved to Strasbourg, his birthplace, where he became city clerk and enjoyed a position of great prominence. Brant was later appointed imperial counselor by the Holy Roman Emperor Maximilian I, who elevated him to the nobility.

In this copy all but the final two signatures are from the 1493 edition. It is augmented by the first two signatures of the 1500 edition, which contain a table of contents that does not appear in the 1493 edition, along with a duplicate title page and author portrait. The uniformity of decoration and the contemporary binding make it clear this marriage occurred around 1500. Goff C384. GW 11377.



## FIRST EDITION OF THE FIRST SYSTEMATIC WORK ON SCOTS LAW

31. CRAIG, SIR THOMAS [1538-1608].

**Jus Feudale Tribus Libris Comprehensum: Quibus Non Solum Consuetudines Feudales & Praediorum Jura, Quae in Scotia, Anglia, & Plerisque Galliae Locis Obtinent, Continentur; Sed Universum Jus Scoticum, et Omnes Fere Materiae Juris Clare & Dilucide Exponuntur, Et ad Fontes Juris Feudalis & Civilis Singula Reducuntur.**

Edinburgh: [S.n.] Impressum Anno. Dom. 1655. [xii], 383, [1 blank] pp. Folio (12" x 8").

Contemporary sheep, blind rules to boards, recent lettering piece to spine. Rubbed with some loss to spine ends, some worming to rear board and head of spine, joints starting at ends, front hinge partially cracked, about half of front free endpaper lacking, recent

armorial bookplate (of the Baron de Spon) to front free pastedown, early wax seals to verso of front free endpaper. Light toning to text, internally clean. A solid copy of an important work. \$500.

FIRST EDITION. Unlike previous compilations, *Jus Feudale* is an original work. "Indeed Craig was the first systematic writer on law in Scotland. The *Jus Feudale* is not a mere textbook of the law of land rights, but is a learned disquisition upon a great social system. The opening chapters are devoted to an examination of the sources of law in general, and trace the history and development of the Civil, Canon and Feudal laws. If Craig had accomplished no more than that he would have been entitled to a foremost place amongst our jurists, for unquestionably the form of his book not only exemplified the philosophical outlook of the learned Scots lawyer, but provided a model of construction and treatment for his successors" : Black 62-63. ESTC R232723.

## THREE TREATISES ON ECCLESIASTICAL PATRONAGE

32. CURTIUS, ROCHUS [FL. 1470-1515].

CITTADINI, PAOLO [D. 1525].

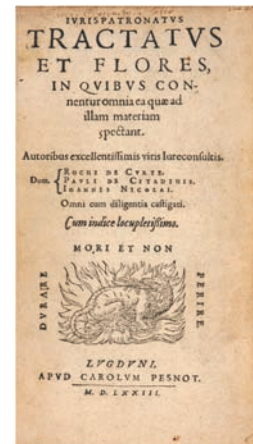
NILSSON, JENS [1538-1600].

**Iurispatronatus Tractatus et Flores: In Quibus Continentur Omnia ea Quae ad Illam Materiam Spectant.**

Lyon: Apud Carolum Pesnot, 1573. [lxxxvi], 879 pp. Octavo (6-3/4" x 4").

Later calf, rebounded in period style, blind frames to boards, raised bands, lettering piece and blind ornaments to spine, hinges mended. Some rubbing to board and board edges, corners bumped and somewhat worn, armorial bookplate (of Sir John William) to front pastedown. Large woodcut printer device, woodcut decorated initials. Moderate toning to text, occasional faint, often very faint, dampstaining, some leaves have neat underlining in contemporary hand. A handsome copy. \$1,500.

ONLY EDITION (in this form), one of two issues from 1573 (the other, with identical format and collation, printed by Pierre Landry). This volume collects three notable canon-law treatises dealing with ecclesiastical patronage. All three were published previously, but our copy appears to be the only one to collect all three. OCLC locates 8 copies of both issues, 1 in North America (at the Library of Congress). Adams C3116.



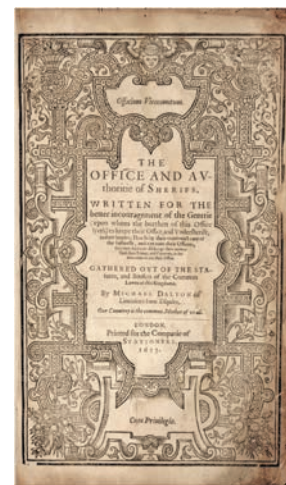
## FIRST EDITION OF THE FIRST ENGLISH TREATISE ON SHERIFFS

33. DALTON, MICHAEL [D.CA. 1648].

**Officium Vicecomitum: The Office and Authoritie of Sherifs, Written for the Better Incouragement of the Gentry (Upon Whom the Burthen of This Office Lyeth) to Keepe Their Office, And Undersherife, In Their Houses; That so by Their Continuall Care of the Businesse, And Eyeover Their Officeres, They May the Better Discharge Their Dutie to God, Their Prince, And Countrey, In the Execution of This Their Office. Gathered Out of the Statutes, And Bookes of the Common Lawes of this Kingdome.**

London: Printed for the Companie of Stationers, 1623. [iv], 194, [6] ff. The first leaf and last leaves are blank. Folio (11" x 7-1/2").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, speckled edges, endpapers renewed. Title printed within woodcut architectural border. Light brownning to text, occasional faint dampstaining, a few leaves dog-eared, some edgewear and chipping to preliminaries and a few other leaves, including final leaves of index, a few chips just touching border of title page, which has two small library stamps to its verso. \$1,250.



FIRST EDITION. This is the first English treatise on sheriffs. As its title suggests, it is a remarkably comprehensive work. Holdsworth, who cites it several times, says "in spite of a growing number of rivals, it continued to be a standard authority until the beginning of the eighteenth century." : HEL IV:119. ESTC S107284.



CLASSIC ILLUSTRATED 16TH-CENTURY TREATISE ON CRIMINAL LAW

34. DAMHOUDER, JOSSE (JOOST) DE [1507-1581].

**Praxis Rerum Criminalium: Praetoribus, Propraetoribus, Consulibus, Proconsulibus, Magistratibus, Reliquisque id Genus Iustitiariis ac Officialiis, Aprime Utilis & Necessaria.**

Antwerp: Ioannem Bellerum, 1570. [xxxii], 508, [64] pp. Latin text printed in double columns. 70 large woodcuts in text. 68 depict criminal acts, 2 depict types of torture. Large armorial woodcuts at beginning and end of book. Quarto (8-1/2" x 6-1/2").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Light soiling, somewhat heavier to spine, a few minor stains, moderate wear to extremities, wear to bottom edge and corner of front cover with some loss, front pastedown loose and worn, rear pastedown loose, recent owner bookplate to front free endpaper, minor, gradually diminishing dog-earring to lower corners of first 16 leaves. Moderate toning to text, somewhat heavier in places, occasional, and negligible, minor dampstaining to bottom edge of text block, faint inkstains to a few leaves. An appealing copy. \$3,500.

FIRST PUBLISHED IN 1554, this was the first comprehensive study of criminal procedure published in northern Europe. A synthetic work drawn mostly from Roman-Dutch sources, it was based on Philip Wielant's *Practycke Crimineele* (c.1510) and other earlier treatises. Published in Latin, Dutch and French, it was standard authority throughout the continent for many years. This Belgium edition from 1570 is illustrated throughout with woodcuts depicting adultery, murder, theft and many other crimes. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. Dekkers 44.





#### FOUR SIXTEENTH-CENTURY WORKS ON ROMAN LAW WORKS BOUND TOGETHER

##### 35. DELLA VALLE, ROLANDO [FL. 1561].

**Tractatus Non Minus Utilissimus Quam Necessarius de Inventarii Confectione. Nunc Primum ad Communem Omnium Utilitatem cum Summarijs et Locupletissimo Omnium Rerum Notabilium Repertorio in Lucem Editus.**

Venice: Ex Officina Ioan. Bapt. Somaschi, 1573 (Colophon date 1572). [xl], 235, [1] ff.

[BOUND WITH]

PIOTTO, GIOVANNI BATTISTA (PLOTUS, JOANNES BAPTISTA) [1518-1570].

**Tractatus de in Litem Iurando, Sive Aurea, Et Solennis Repetitio L. Si Quando. C. Unde VI. Novè in Paragraphos Distinctus, & Summariis Illustratus cum Indice Locupletissimo.**

Venice: Apud Andream Ravenoldum, & Bartholaemeum Rubinum, 1565. 290, [30] ff.

[AND]

VOLPELLI, OTTAVIANO [FL. 1550-1560].

**Tractatus de Pace, Indutiis, Et Promissionibus de non Offendendo. In quo Sex, Et Centum Quaestiones ad Foresem Praxim Pertinentes, Examinantur. Cum Quaestionum, & Materiarum Indice.**

Venice: Ex typographia Guerraea, 1573. [lvi], 204, [4] pp.

[AND]

BARDI, MARCANTONIO [FL. 1550-1560].

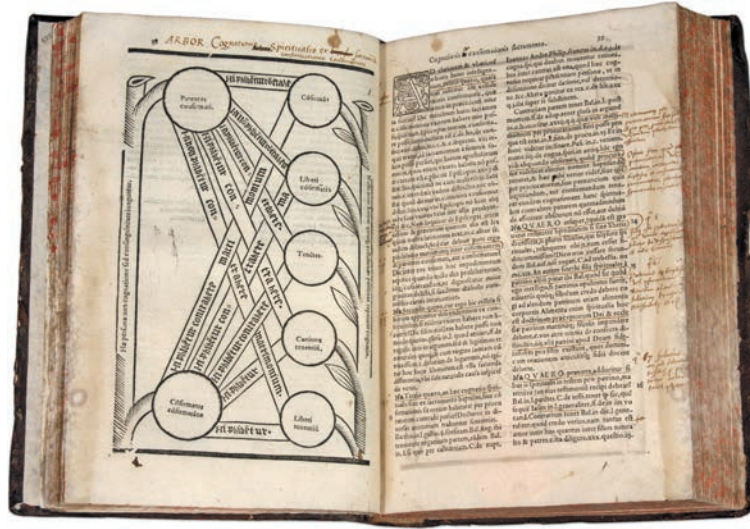
**Tractatus de Tempore Utili, Et Continu ad Appellandum & Prosequendum.**

Venice: [Apud Ioann. Antonium Bertanum], 1573. [xxxii], 182, [2] pp.

Octavo (6" x 4"). Contemporary paneled pigskin with elaborate blind tooling, raised bands to spine, three of four thong ties present. Moderate soiling, corners bumped and somewhat worn, a few partial cracks to text block. Light toning to text, somewhat heavier in places, internally clean. Four scarce titles in a superb binding. \$5,000.

THIS VOLUME COLLECTS early editions of four classic sixteenth-century Venetian legal studies of Roman law. *Tractatus Non Minus Utilissimus* addresses aspects of inheritance and succession. *Tractatus de in Litem Iurando* is a wide-ranging treatise dealing with procedure, trials, oaths and succession. *Tractatus de Pace* discusses criminal law cases involving, as indicated by its title, disturbances of the peace. *Tractatus de Tempore Utili* discusses laws concerning time and chronology, especially in regard to inheritance and succession. *EDIT16* CNCE 16607, 40200, 60701, 4194.





COPY OF A RARE COMMENTARY ON ROMAN LAW  
 BY A DISTINGUISHED PROFESSOR FROM THE UNIVERSITY OF TOULOUSE  
 WITH EARLY ANNOTATIONS

36. FERNAND, BÉRENGER.

**Libri Quinque Antehac in Lucem Editi, Recens Vero ab Eodemdati et Multo Locupletiores Redditi: Quibus Sextum de Futura Conventionali Successione Pacta Complexum Adjuxit, Opera Crede, Jurisprudentiae Studiosis cum Utilia, Tum Maximè Jucunda.**

Toulouse: Apud Lodoicum Yvernage, Io. Iagourt & Ia. Colomiés, 1552. [xxiv], 519, [3] pp. Five parts with continuous pagination, Parts II-VI preceded by divisional title pages. Main text in parallel columns. Seven full-page woodcut tables of descent and consanguinity. Quarto (10" x 7").

Contemporary calf, raised bands and later gilt title to spine, spine ends mended, speckled edges. Some rubbing and a few shallow scuffs to boards, somewhat heavier rubbing to extremities, rear hinge starting, minor worming to rear pastedown, a few minor worm holes to text block. Large woodcut decorated initials. Moderate toning, minor tears to a few leaves, faint dampstaining to margins, underlining, brief annotations and manicules in an early hand throughout text, some affected slightly by trimming or edgewear, which is heaviest in the preliminary leaves, brief early annotations and owner signature to title page. \$6,500.



FIRST EDITION. Fernand was the professor of civil law at the University of Toulouse, the second oldest university in France. He was an expert on issues concerning family law, which is the topic of the first and final sections of *Libri Quinque Antehac*. The other sections address topics in property, possession and contracts. A second edition was published in 1601. Both editions are rare. OCLC locates no copies of either in North America. Not in the USTC. Mégrét and Desgraves 82.



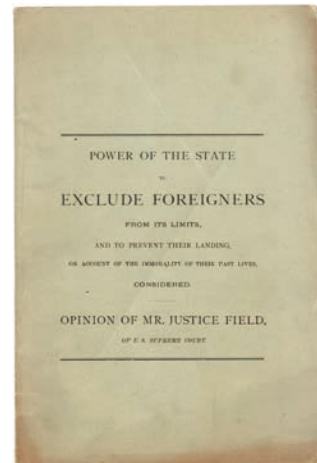
STEPHEN FIELD'S OPINION IN AN EARLY CASE  
CONCERNING THE RESTRICTION OF CHINESE IMMIGRATION

37. FIELD, STEPHEN J. [1816-1899].

**Power of the State to Exclude Foreigners from its Limits, And to Prevent Their Landing, On Account of the Immorality of Their Past Lives, Considered: Opinion of Mr. Justice Field, Of U.S. Supreme Court, Delivered Sept. 21st, 1874, In the Case of Ah Fong, A Chinese Woman, Brought Before the Circuit Court of the United States for the District of California on a Writ of Habeas Corpus.**

San Francisco: Edward Bosqui & Co., Printers, 1874. 22 pp. Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Negligible light soiling and staining, faint creases to wrappers, minor wear to spine ends and corners, light toning to interior. A well-preserved copy. \$1,250.



ONLY EDITION. The case of Ah Fong, a female Chinese immigrant, was tried in 1874 in the U.S. District Court of California. The opinion was written by Field, an associate justice of the U.S. Supreme Court. Field's opinion ruled against the California commissioner of immigration in favor of Ah Fong and other female Chinese immigrants. As a group, these women had been unfairly characterized by the immigration authorities as prostitutes. Field agreed that preventing the immigration of prostitutes was a legitimate goal, but he held that targeting a single foreign group, rather than prostitutes from all nations, was discriminatory. It also infringed on a federal treaty power. The following year, however, Field's point became moot. Congress passed the Page Act of 1875, the first United States law restricting immigration, which effectively excluded female Chinese immigrants. Not in the *HLC*.

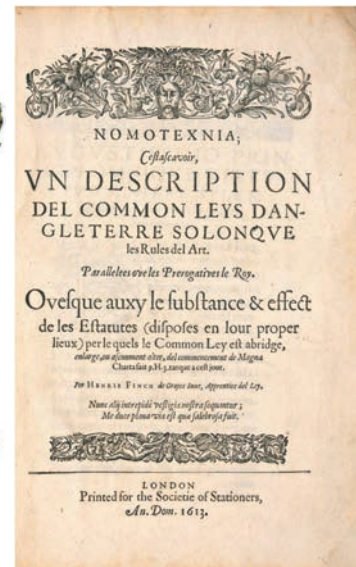
"A PIONEER BOOK OF THE INSTITUTES OF ENGLISH LAW"

38. FINCH, SIR HENRY  
[1558-1625].

**NOMOTEXNIA, Cestascavoir, Un Descrip-tion del Common Leys Dangleterre Solonque les Rules del Art. Parallelees Oue les prerogatives le Roy. Ouesque Auxy le Substance & Effect de les Estatutes (Disposes en Leur Proper Lieux) Per le Quels le Common Ley est Abridge, Enlarge, Ou Ascunment Alter, Del Commencement de Magna Charta Fait 9.H.3 Tanque a Cest Jour.**

London: Printed for the Societe of Stationers, 1613. [viii], 149 ff. Folio (11-1/4" x 7-1/2").

Contemporary limp vellum with yapp edges, gilt panels with central arabesques to covers, gilt fillets, ornaments and faint early hand-lettered title to spine, silk ties. Light rubbing to extremities, spine ends bumped, hinges cracked, text block loose, later armorial morocco bookplate of James P.R. Lyell and more-recent bookplate of John Sparrow to front pastedown. Light toning to text, slightly heavier in places. An attractive copy with an appealing provenance. \$4,500.



FIRST EDITION. Like Bacon, Finch recognized the need for a book of Institutes in the manner of Justinian. Well-arranged and clearly written, the *NOMOTEXNIA* was both a landmark in the history of English legal publishing and the standard elementary textbook before Blackstone's *Commentaries*. As Holdsworth observes, it also influenced "the form and arrangement of Blackstone's *Commentaries*; and, through Blackstone's *Commentaries*, the form and arrangement of the chief institutional book of English law at the present day." Our copy had two notable owners. John Sparrow [1905-1992], was a distinguished bibliophile, barrister, essayist and Warden of All Souls College, Oxford. As Nicolas Barker wrote in *The Warden's Meeting: A Tribute to John Sparrow*, he was "first and last, a great, even a very great, collector of books." By profession a solicitor, James Patrick Ronaldson Lyell [1871-1948] was a significant bibliographer and collector of printed books and manuscripts. Holdsworth, *HEL* V:400. *ESTC* S121340.

DISCUSSION OF AN 1834 MURDER CASE  
BY A "MEDICAL ADVISOR" TO THE DEFENSE COUNSEL

39. FLETCHER, JOHN [1792-1836].

**Remarks on the Trial of Robert Reid, For the Murder of His Wife, Before the High Court of Justiciary at Edinburgh on the 29th of June, 1835.**

Edinburgh: John Carfrae & Son, 1835. 54 pp. Tipped-in errata sheet. Octavo (8-1/2" x 5-3/4").

Stab-stitched pamphlet in recent red wrappers. Light

rubbing to extremities, light toning to text, "From the author" to head of title page, lower margin removed with no loss to text. \$450.

ONLY EDITION. Fletcher was a "Medical Adviser" to Robert Reid's legal counsel during Reid's trial for the murder of his wife in 1834. This pamphlet summarizes the comments he offered at the trial and tears apart the testimony of the Crown's expert. OCLC locates 11 copies in North America, 4 in law libraries (Harvard, Library of Congress, Social Law, University of Minnesota).

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

40. FRITSCH, AHASVER [1629-1701].

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

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

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



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

CONSTITUTION AND LAWS OF A SHORT-LIVED ITALIAN CLIENT STATE  
ESTABLISHED BY NAPOLEON

41. [GENOA (REPUBLIC)].  
[LIGURIAN REPUBLIC].

**Costituzione della Repubblica Ligure con le Successive Leggi Organiche.**

Genoa: Stamperia Nazionale, 1803. 203, [1] pp. Several unopened signatures. Quarto (8-1/2" x 6").

Original plain publisher wrappers, untrimmed edges. Light soiling to exterior, backstrip perished, a few signatures partially detached, remainder of text secure, minor worming to wrappers and parts of text with

no damage to legibility. Light toning to text, internally clean. A solid copy. \$500.

ONLY EDITION. The Ligurian Republic was a short-lived French client state formed by Napoleon on 14 June 1797. It consisted of the old Republic of Genoa and the small Imperial fiefs owned by the House of Savoy inside its territory. Its first Constitution was promulgated on 22 December 1797, establishing a directorial republic dedicated to "Liberta," "Eguaglianza" and "Rappresentanza Nazione." It was annexed by France in June 1805. No copies listed on OCLC. Not in the *BMC*.

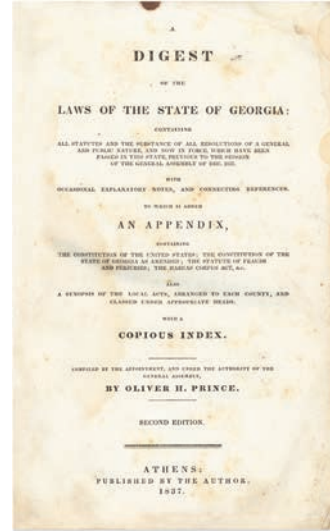
PRINCE'S DIGEST

42. [GEORGIA].  
PRINCE, OLIVER H., COMPILER.

**A Digest of the Laws of the State of Georgia: Containing all Statutes and the Substance of all Resolutions of a General and Public Nature, and Now in Force, Which have Been Passed in This State, Previous to the Session of the General Assembly of Dec. 1837. With Occasional Explanatory Notes, And Connecting References. To Which is Added an Appendix, Containing the Constitution of the United States, The Constitution of the State of Georgia as Amended, The Statute of Frauds and Perjuries, The Habeas Corpus act, &c. Also a Synopsis of the local Acts, Arranged to Each County, And Classed Under Appropriate Heads. With a Copious Index.**

Athens: Published by the Author, 1837. 1046 pp. Octavo (9" x 5-1/2" ).

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Some rubbing to boards and extremities, shallow scuffing to rear board, recent owner bookplate to front pastedown. Some toning, foxing to portions of text, faint dampstaining to preliminaries and rear endleaves, internally clean. \$450.



SECOND EDITION. Known as "Prince's Digest," this important early digest of public and general laws, with a small digest of local laws was originally published in 1822. Its very useful source with a thorough index. *De Renne* II:455-56. Babbitt 87.

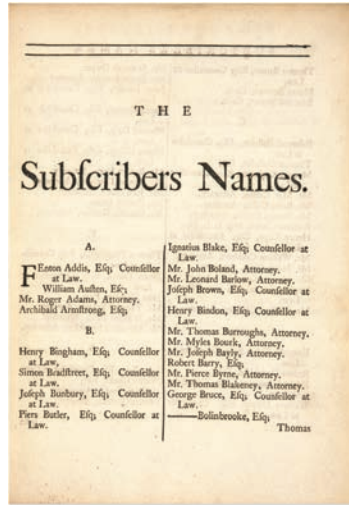
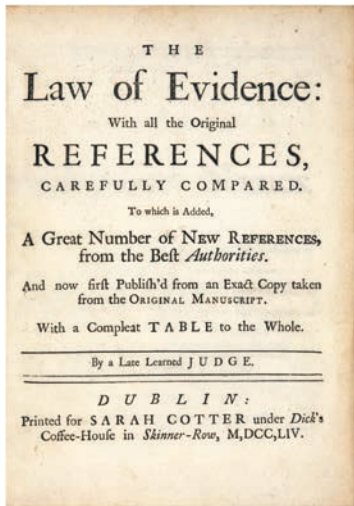
FIRST EDITION OF THE FIRST ENGLISH BOOK ON EVIDENCE, ISSUED BY A FEMALE BOOKSELLER

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

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

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

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



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

RARE ITALIAN TREATISE  
ON THE EVALUATION OF REAL ESTATE



44. GIRRI,  
FRANCESCO  
MARIA  
[1707-1771].

**L'Agrimensore Instru-  
ito. Ristampata, Ed  
Accresciuta.**

Ferrara: Appresso Gio.  
Antonio Coatti, 1767.  
[xvii], 180 pp. Quarto (9-  
1/2" x 7").

Contemporary mottled  
sheep, gilt fillets to  
boards, gilt spine with  
raised bands, patterned  
endpapers. Light rub-bing

to extremities, chipping to spine ends, corners bumped and lightly worn, partial crack in text block between front free endpaper and half-title. Title page printed in red and black, woodcut head-pieces and decorated initials. Moderate toning to text, occasional light foxing. Tiny private (?) library stamp to verso of title page, early owner annotations to verso of front free endpaper, underlining and notes in later pencil to a few leaves. A handsome copy. \$950.

SECOND AND FINAL EDITION, enlarged. First published in Venice in 1758, this is a treatise on legal aspects of surveying and the evaluation of real property as practiced in the Republic of Venice. The second edition was reissued in 1777. All of these issues are rare. OCLC locates 1 copy of the second edition in North America (at the University of Illinois), 3 of the first (at Trinity College, Hartford, University of Michigan and Yale Law School) and none of the second edition reissue. Not in the BMC.

A SCARCE TREATISE ON THE CUSTOMARY LAW  
OF A REGION OF THE NETHERLANDS

45. GORIS, LAMBERT [D. 1651].

Commentatio ad Tres & Viginti Priores  
Titulos Reformatae Consuetudinis Velaviae  
Ejusque Orae ad Ripam Isulae Fluminis,  
Partium Ducatus Gelriae & Comitatus  
Zutphaniae, Cum Translatione Latina Textus  
Vernaculi: In Qua, A Caeteris Ejusdem  
Provinciae ad Finitimorum Aliorumque  
Populorum Legibus ac Moribus, Tum  
Jurecommuni & Hujus Interpretibus Aliisq;  
Bonis Autoribus Praedicta Consuetudo, & In  
Universum Totius Gelriae Mores Illustrantur  
& Explicantur, Cum Enodatione Difficilium  
Aliquot Quaestionum Juris. Summaria  
Passim Sunt Inserta cum Duplici Indice  
tum Caputum tum Rerum & Verborum  
Memorabilium.



Nijmegen: Ex Typographia Nicolai ab Hervelt, 1645. [xxiv], 428, [4], 20, [22] pp. Quarto (8" x 6-1/4").

Contemporary vellum with lapped edges, early hand-lettered title and publication date to spine. Negligible light soiling, light rubbing to extremities, spine ends bumped, rear hinge cracked, final signature of text block beginning to detach (but still secure), vellum just beginning to crack through pastedowns. Light toning to text, slightly heavier in places. SOLD

FIRST EDITION. This is a commentary on the customary law of Veluwe, a region in the province of Gelderland in the Netherlands. In the seventeenth century it was prized for its game, forests and other natural resources. Goris was an practicing attorney, state official and law professor. He was, says the *Geldersche Consultatien*, "a great and jurist." Two other editions his commentary were published in 1664 in Arnheim and Nijmegen. All editions of the book are scarce. OCLC locates 1 copy of the first edition in North America (Harvard Law School). *Geldersche Consultatien* cited in Roberts, *A South African Legal Bibliography* Holdsworth, Sources 135. Dekkers 64.



WITH TWO WELL-ANNOTATED ACTS  
CONCERNING ALCOHOLIC BEVERAGES

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

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



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

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

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

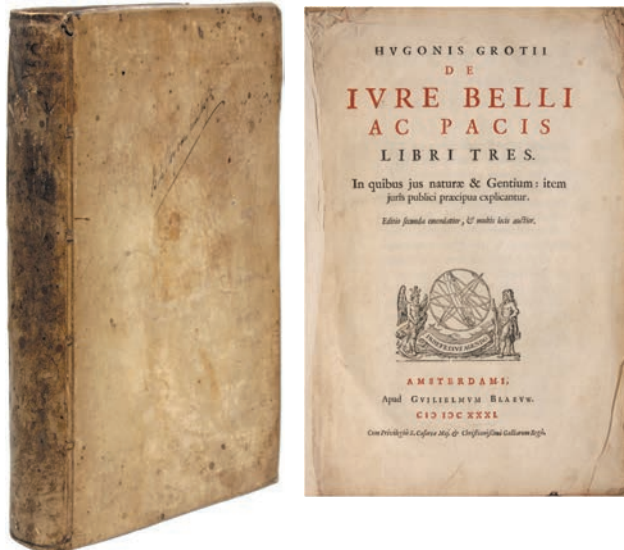
THE "MOST IMPORTANT" EDITION OF *DE JURE BELLI AC PACIS*

47. GROTIUS, HUGO [1583-1645].

*De Iure Belli ac Pacis Libri Tres. In Quibus Jus Naturae & Gentium: Item Juris Publici Praecipua Explicantur. Editio Secunda Emendatior, & Multis Locis Auctior.*

Amsterdam: Apud Guilielmu Blaeuw, 1631. [xxiv], 554, [46] pp. Folio (11-1/2" x 7-1/2" ).

Contemporary vellum with yapp edges, faint early hand-lettered title to spine, later owner signature to front cover, edges rouged. Moderate soiling, spine darkened, some rubbing to extremities with wear to corners, pastedowns loose, chips, tears and other edgewear to endleaves. Title page printed in red and black. Moderate toning, faint dampstaining to head of text block, underlining and annotations in a few places, light soiling and some creases and edgewear to title page. \$4,000.



SECOND EDITION, the first edition in a folio format, the first edition printed in Amsterdam and the first edition with corrections and additions by the author. Ter Muelen and Diermanse say this is the "most important" of the first five editions because it contains the most authorial corrections, which made it the basis for all later editions produced in the author's lifetime. Of all his numerous works *De Jure Belli ac Pacis* will always be considered Grotius's *magnum opus*, the work upon which his reputation most solidly rests. It was "the first expression of the *droit naturel*, the natural law which exercised the great political theorists of the eighteenth century, and is the foundation of modern international law" (Carter and Muir). The first edition was published in Paris 1625. It was followed by a pirate edition printed in Frankfurt in 1626. The 1631 Amsterdam printing was the authorized second edition of this work. PMM 125 (citing first edition). Ter Muelen and Diermanse 567.

THE LEGAL STATUS OF WIVES IN ROMAN LAW

48. GRUPEN, CHRISTIAN ULRICH [1692-1767].

Tractatio De Uxore Romana: Cum Ea, Quae In Manum Convenit, Farre, Coemtione Et Usu, Tum Illa, Quae Uxor Tantummodo Habebatur.

Hanover: Apud Nic. Foersterum et Fil., 1727. [xxx], 348, [20] pp. Blank leaf after p. [xxx] removed. 5 copperplates, 1 folding. Octavo (6-1/2" x 4-1/2").

Later vellum, faint, mostly erased hand-lettered title to spine, speckled edges, endpapers renewed. A few minor stains to boards, corners lightly bumped, pastedowns just beginning to detach from boards. Title page, with woodcut image of a Roman coin, printed in red and black. Some toning, light foxing in a few places, tiny early owner mark (shelf location number?) to front endleaf. A nice copy. \$1,500.



ONLY EDITION. This treatise explores marriage and the legal status and matrimonial responsibilities of women under Roman law. Grupen was a notable legal scholar and historian who served as an advisor to the House of Hanover. He had a particular interest in Woman and issues relating to marriage. His publications include *De Uxore Theoretica* (1748) and *Tractatio Iuridica de Virgine* (1716). VD18 1025516-004.

A RARE GUIDE TO THE SACRAMENTS WITH INTERESTING MATERIAL ON MARRIAGE

49. GUIDO, DE MONTE ROCHERII (ROCHEN) [14TH C.].

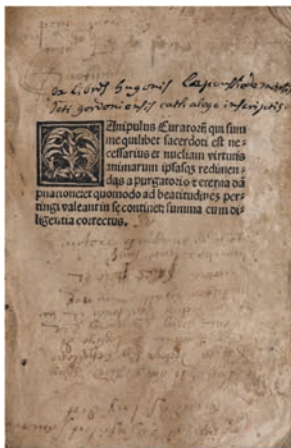
Manipulus Curatorum; Qui summe Quilibet Sacerdoti est Necessarius et Nucliam Virtutis Animarum Ipsasq[ue] Redimendas a Purgatorio & Eterna da[m]pnatione quo Modo ad Beatitudine Pertingi Valeant in se Continet: Summa cum Diligentia Correctus.

[Lyon: Printer of Persius or Paris: Michel Topié], 24 March 1497. 148 ff. Collation: a-s8, t4. Octavo (5-1/2" x 3"; 14cm x 7.5cm).

Recent period-style vellum, large blind arabesques to boards, raised bands to spine, thong ties, endpapers renewed. 32-line text in single column. A few woodcut capitals, other capital spaces, some with guide letters, left blank. Moderate toning, some edgewear to text block, occasional faint dampstaining to margins, wear to corners of first two leaves, early annotations to front endleaf and title page. \$7,500.



INTENDED FOR NOVICE PRIESTS, this pocket guide to the sacraments (with notes on canon law) has a chapter on marriage that discusses sexual problems, "De impedimento ompotentiae coeundi." It was a popular work in its day, but the Council of Trent (1563) and the creation of the Roman Catechism (1566) made this book obsolete. There is some debate concerning the printer of our imprint. The *Catalogue des Incunables (CIBN)* differentiates a Printer of Guido de Monte Rochen from the Printer of Persius, who is there identified with Maillet (cf. *CIBN* S-334 and T-36). The *GW (GW)* identifies proposes, tentatively, Michel Topié. All editions of this title are scarce or rare today. The *Incunabula Short-Title Catalogue* locates 3 copies of our 1497 imprint, 1 in North America (Brown University). Not in Goff. *GW* 11779.



1889 GUIDE FOR NOVICE JUSTICES IN KANSAS

50. HAZEN, W.R.

Justices' Guide, And Forms of Entries.

Topeka, KS: The Geo. W. Crane Publishing Co., 1889. 30 pp. Octavo (8-1/2" x 5-1/2" ).

Stab-stitched pamphlet in printed wrappers. Light rubbing to extremities with minor wear to spine ends and corners, wrappers just beginning to detach at

foot, corner cropped from a page with no loss to text. Early owner signature to front free endpaper, interior otherwise clean. \$450.

ONLY EDITION. This little book was intended "for the justice of the peace who has been elected to office on account of his good common sense and integrity, rather than his knowledge of the law" (1). OCLC locates 1 copy (Pittsburg State University, KS).

ILLUSTRATED THROUGHOUT WITH WITTY COLOR IMAGES



51. HÉMARD, JOSEPH [1880-1961].

Code Pénal: Commentaires Images de Joseph Hémard.

Paris: Editions Littéraires de France, [c. 1940?]. 169 pp. Numerous pochoir color text illustrations throughout. Quarto (8-3/4" x 7" ).

Original publisher stiff wrappers, untrimmed edges. Light shelfwear, front hinge cracked, rear hinge starting, light toning to text, illustrations vivid. \$850.

FROM AN EDITION limited to 900 copies, this number 837. Hémard presents the official text of the French Code Pénal with witty, and often mildly erotic, color pochoir illustrations. It is a sequel to his *Code Civil: Livre Premier, Des Personnes*. In 1944 Hémard issued another legal work: *Code Général des Impôts Directs et Taxes Assimilées*. Hémard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books.



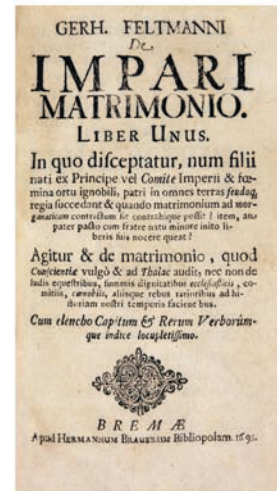
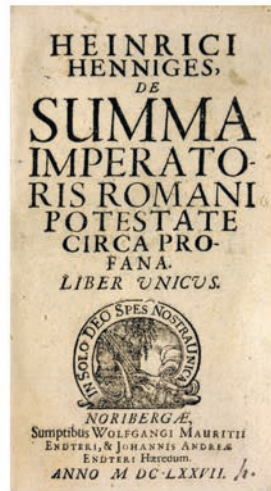
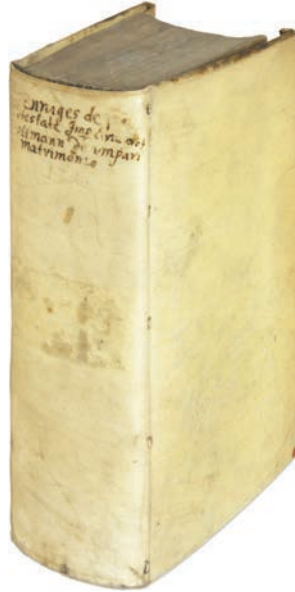
## SCARCE TREATISES ON CHURCH-STATE RELATIONS AND MARRIAGE LAW

52. HENNIGES  
(HENNINGES),  
HEINRICH  
[1645-1711].

*De Summa Imperatoris Romani Potestate Circa Profana. Liber Unicus.*

Nuremberg: Sump-  
tibus Wolfgangi  
Mauritii Endteri, &  
Johannis Andrea  
Endteri, 1677. [xxxii],  
581, [59] pp.

[BOUND WITH]  
FELTMANN,  
GERHARD  
[1637-1696].

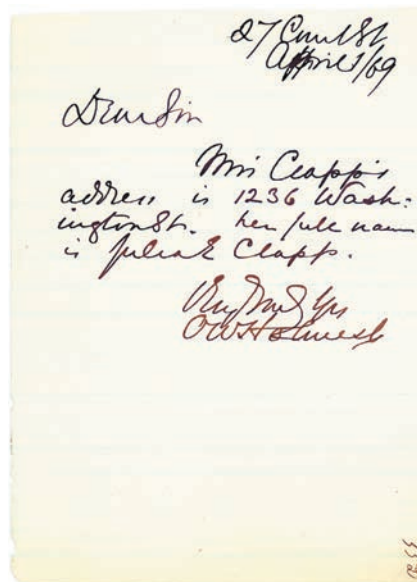


*De Impari Matrimonio. Liber Unus. In quo Disceptatur, Num Filii Nati ex Principe vel Comite Imperii & Foemina Ortu Ignobili, Patri in Omnes Terras Feudaq. Regia Succedant & Quando Matrimonium ad Morganaticam Contractum sit Contrahique Possit? Item, Anpater Pacto cum Fratre Natu Minore Inito Liberis Suis Nocere Queat? Agitur & De Matrimonio, Quod Conscientiae Vulgo & Ad Thlac Audit, Nec non de Ludis Equestribus, Summis Dignitatibus Ecclesiasticis, Comitibus, Coenobiis, Aliisque Rebus Rarioribus ad Historiam Nostri Temporis Facient Bus. Cum Elencho Capitum & Rerum Verborumque Indice Locupletissimo.*

Bremen: Apud Hermannum Brauerum Bibliopolam, 1691. [xxiv], 344 pp.

Octavo (6-1/2" x 4"). Contemporary vellum with lapped edges, early hand-lettered title to spine. Light soiling and a few minor stains, corners and spine ends lightly bumped, recent owner bookplate to front pastedown. Woodcut head and tail-pieces. Light toning to text, internally clean. \$2,500.

*SUMMA*: SECOND AND FINAL EDITION; *Matrimonio*: only edition. First published in 1676, *De Summa Imperatoris*, the work of a lawyer and state official, discusses church-state relations and their respective areas of legal authority. Feltmann was a professor at the University of Aurich. In his treatise on unequal marriages he states that a morganatic marriage could later be declared equal unilaterally by the person of higher station who contracted it. Both titles are very scarce in North America. *Summa*: OCLC locates 1 copy of each edition of *Summa* in a law library (UC-Berkeley, first edition; Harvard, second edition), 2 copies of *Matrimonio* (Harvard Law School, Library of Congress). VD17 155575H (*Summa*), 1:011177U (*Matrimonio*).



Detail from N° 53

THE FIRST GERMAN EDITION OF *THE COMMON LAW*

53. HOLMES, OLIVER WENDELL  
[1841-1935].  
LEONHARD, RUDOLF [1851-1921].

**Das Gemeine Recht Englands und Nordamerikas  
(The Common Law) in Elf Abhandlungen Dargestellt  
von Dr. O.W. Holmes, Jr. Mitglied des Obersten  
Gerichtshofes der Vereinigten Staaten in Washington.**

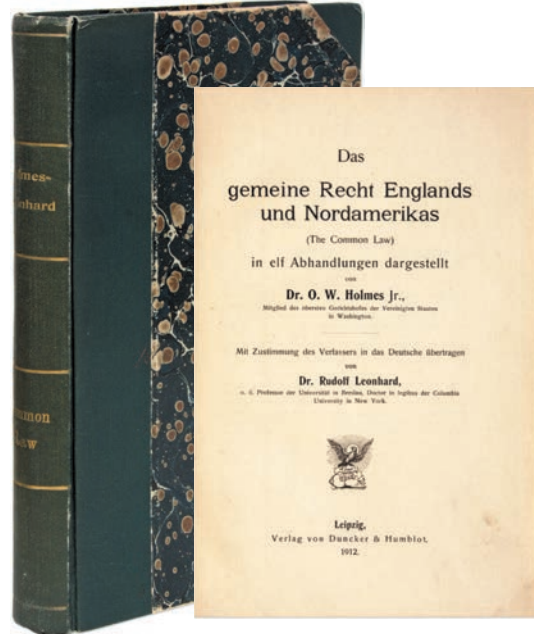
Leipzig: Verlag von Duncker & Humblot, 1912. xix, 423 pp.  
Octavo (9" x 6").

Original three quarter gilt stamped cloth, marbled boards  
and edges, very lightly worn. Bookplate on inside front  
pastedown. An attractive copy.

[WITH]  
HOLMES, OLIVER WENDELL.

[Autograph Note, Signed. (Boston), April 1, 1869].

Single 5" x 7" lined sheet (from notebook). Light edgewear,  
otherwise fine. Two items in all. \$650.



FIRST GERMAN EDITION. The title page states that this work was translated with permission of the author by Dr. Rudolph Leonhard, Professor of the University of Breslau and Doctor of Laws of Columbia University. Leonhard introduced this book to German-speaking Europe. He lectured on it and published an essay about its treatment of possession. The note dates from the time when Holmes was a young lawyer in Boston. It gives the address of Julia E. Clapp, the wife of Boston attorney William Clapp.

## THE UNION OF REASON AND ELOQUENCE

54. HORTENSIVS [HAY, GEORGE  
(1765-1830)].

**Deinology: Or, The Union of Reason and  
Elegance: Being Instructions to a Young  
Barrister. With a Postscript, Suggesting Some  
Considerations of the Viva Voce Examination of  
Witnesses at the English Bar.**

London: Printed for W. Clarke and Sons, 1801. [iv], vii,  
234 pp. Octavo (7-1/2" x 5").

Recent period-style quarter calf over marbled boards,  
lettering piece and blind fillets to spine, endpapers

renewed. Light toning to text, (gradually diminishing)  
staining from title page to middle of text block along  
gutter, internally clean. \$750.

SECOND AND FINAL EDITION of a work first  
published in 1789. "The oratory of the English bar,  
[being] wild and vicious," Hortensius seeks to introduce  
young English lawyers to the superior reasoning and  
eloquence by classical authors, such as Cicero and  
Demosthenes, and later authors, such as Milton. Both  
editions are scarce. OCLC locates 11 copies of the first  
edition in North American law libraries, 3 of the second  
(Columbia, Harvard, Osgoode Hall). BMC 12:678.

## RARE HUNGARIAN TREATISE ON CIVIL ACTIONS AND DEFENSES

55. [HUNGARY].

**Manuale Procuratorum et Causantium:  
Complectens Processus in Jure Hungarico  
Occurrentes, Ordine Alphabetico Exprimens  
Instituta, Quo Quis Actor, Contra Quem  
Incattum, Coram quo Judice Procedendum,  
Quidve Probandum Habeat, Ut Objectum  
Processus Assequatur, Adjectis Nonnullis  
Observationibus.**

Pest: Landerer de Fuskut, 1828. [ii], 172, [4] pp. Octavo  
(8-1/4" x 5-1/4").

Original plain publisher wrappers, early hand-lettered  
title and private-library shelf label to spine. Light soiling  
and shelfwear and a few minor inkstains, minor wear to  
spine ends and corners. Some toning to text, light foxing  
in a few places, minor worm holes near center of final  
three leaves are rear cover. Early owner signature to  
front pastedown, interior otherwise clean. \$650.

FIRST EDITION. This treatise on civil actions and  
defenses went through two later editions in 1835 and  
1841. All are rare. OCLC locates 3 copies of the first  
edition in North America (Harvard Law School, Library  
of Congress, UC-Berkeley Law School).



A MINIATURE SET OF ITALIAN LEGAL CODES,  
EACH VOLUME MEASURES 2-3/4" X 1-3/4"

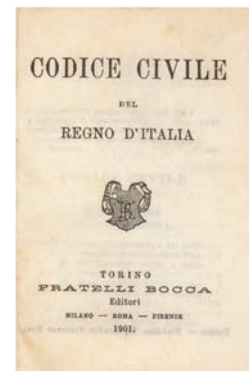
56. [ITALY].  
[MINIATURE BOOKS].

[Italian Legal Codes].

Turin: Fratelli Bocca, 1901-1903. Five volumes, each measures 2-3/4" x 1-3/4", 75 x 50 mm. Finely printed in a small clear type on thin paper.

Original flexible pebble-grained morocco, gilt titles to front boards and spines, patterned endpapers, edges rouged. Light rubbing, chip to front board of one volume, internally clean. A curious set. \$950.

THIS CURIOUS SET contains the Italian legal codes in force in the early 1900s: *Codice Civile del Regno d'Italia* (635 pp., black binding), *Codice di Procedura Civile* (428 pp., brown binding), *Codice di Commercio* (512 pp., brown binding), *Codice Penale* (334 pp., black binding) and *Codici di Procedura Penale* (423 pp., dark blue binding).



### THE "COMPLEAT AFFIDAVIT-MAN"

57. [JACOB, GILES (1686-1744), ATTRIBUTED].

**The Attorney and Solicitor's Companion: Or, Compleat Affidavit-Man. Containing, The Laws, Statutes, Rules, And Orders of Our Courts, Relating to Affidavits; And also Instructions for Drawing, And Great Variety of Forms of Affidavits, In all Courts, And all Causes. To Which are Added, Some Curious Depositions and Interrogatories in the Most Extraordinary Cases, With Directions How to be Taken by Commissioners to Examine Witnesses, &c. Of Use to All Attornies and Solicitors.**

[London]: Printed by E. and R. Nutt, And R. Gosling, 1725. [iv], iv, 113, [7] pp. Main text preceded by an initial advertisement leaf for Jacob's *The Student's Companion*. 12mo. (6-1/4" x 3-3/4").

Contemporary sheep, blind rules to boards, blind fillets along joints, raised bands to spine, blind tooling along board edges. Light rubbing and a few shallow scuffs and scratches to boards, moderate rubbing to extremities, corners bumped and somewhat worn, a few tiny holes to spine, front pastedown beginning to detach, front joint partially cracked. Light toning to text, section removed from foot of title page, just touching lower rule of the frame enclosing the title, early owner signature twice to front endleaf. SOLD

SECOND EDITION, published the same year as the first. This practical pocket-sized guide to the drafting and use of affidavits, statements written under oath and used as evidence in courts, is usually attributed to Giles Jacob, one of the most prolific and wide-ranging English legal writers of the early eighteenth century. Third and fourth editions were published in 1739 and 1740. All editions are rare. OCLC locates no copies of the second edition in North America. The present copy is the first we have offered (of any edition) in the 36-year history of our company. ESTC N15950.



BRITANNIA RULE THE WAVES!

58. [JUSTICE, ALEXANDER].

A General Treatise of the Dominion of the Sea: And a Compleat Body of the Sea-Laws: Containing What is Most Valuable on that Subject in Antient and Modern Authors; And Particularly the Antient Laws of the Rhodians and Romans; Those of Oleron, Wisbuy, And Other Countries; with Curious



Notes and Observations. As also That Excellent Body of Sea Laws lately Publish'd in France: With a Collection of Marine Treaties Concluded During the Last Century. Together with Several Discourses About the Jurisdiction and Manner of Proceeding in the Admiralty of England, Both in Criminal and Civil Matters, And Adjudg'd Cases in Several Courts Concerning Trade and Navigation. In all Which are Explain'd at Large, The Laws and Customs of Merchants, And of the Courts in Cases of Bottomry, Insurances, Charter-Parties, Bills of Lading, Pyracy, And of Letters of Marque and Reprizal. To Which is Subjoin'd, An Appendix Concerning the Present State and Regulations of the Admiralty and Navy. With Large Additions, And Improvements. And a New Appendix, Containing Several Eminent Lawyers Opinions in Important Marine Cases; A Comparison of the English and French Conduct in Their Sea Affairs; An Essay Concerning the Navy of England, Taken from Mr. Pepis's, Mr. Burchet's, And other Authentick Memoirs; An Abstract of all the Acts of Parliament Relating to the Marine; Particularly, That for Establishing Articles and Orders for the Regulating and Better Government of the Fleet, &c.

London: Printed for the Executors of J. Nicholson, [1710?]. [xxvii], 378, 421-684, 107, [1] pp. Pagination irregular, text complete. Folding allegorical copperplate frontispiece. Folding copperplate table of naval flags. Woodcut text illustration of English commercial flag to foot of p. 107. Quarto (8-1/2" x 6-1/2" ).

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed, speckled edges. Moderate toning, somewhat heavier in places, light foxing, occasional faint dampstaining, folding table facing title page mounted, two small early signatures, one partially erased, the other struck-through, to title page, which has a repaired fore-edge and a small library stamp to its verso, p.107 of appendix, which has a blank verso, mounted. A nice copy in a handsome binding. \$750.

THIRD AND FINAL EDITION. This important work includes a well-documented historical section, texts of the most important codes, a collection of treaties, and suggestions for the future of British shipping. It also contains translations of the Rhodian sea laws, those of the Hanse towns, Oleron and Wisbuy and Estienne Cleirac's *Us et Coutumes de la Mer* (This is the "excellent body of sea-laws lately published in France" mentioned in the book's title. "Lately" is misleading; It appears that Justice used the third French edition, which was published in 1670 and reissued in 1671.) "[Justice's treatise] is a valuable work, and was much used by Lord Tenderden in writing his book on shipping" (Sweet & Maxwell. The first edition of this work was published in 1705. An undated second edition followed around 1709. The third edition was reissued in 1724 with identical text, format and pagination. Sweet & Maxwell 1:509. ESTC T113515.





## GIUNTA EDITION OF THE *INSTITUTES* ILLUSTRATED WITH 23 WOODCUTS

59. JUSTINIAN I [483-565 CE],  
EMPEROR OF THE EAST.  
ALDOBRANDINI, SYLVESTRO [1499-1558], EDITOR.

*Institutiones Iuris Civilis. Habes Lector in Novissima hac Institutionum Imperialium Editione textum ac Glosas quam Emendatissimas una cum Additionibus Hucusquam Impressis...*

Venice: Apud Heredes Luceantonii Iunte [Giunta], 1539 (colophon date: November 1538). [lv], 366 ff. Final blank leaf lacking. 23 woodcut text illustrations, 1 full-page. Octavo 6-3/4" x 5-3/4" (17 x 14 cm).

Modern vellum, calf lettering piece to spine, small bookseller description pasted to rear free endpaper. Two-column text with linear gloss by Aldobrandini printed in red and black throughout, large woodcut Giunta device to title page, woodcut decorated initials. Light toning, occasional faint staining to lower margins of text block, minor worming in a few places, some with repairs, with loss to a few letters, lower corner of leaf a4 (fol. 4) repaired with minor loss to text, legibility not affected, faint early struck-through signatures to title page, early underlining and brief annotations in a few places.



\$4,500.

COMMISSIONED BY THE EMPEROR JUSTINIAN in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* preserved and restated all existing Roman law. It has four books: the *Code*, *Novels*, *Institutes* and *Digest*. Intended for students, the *Institutes* is a synopsis of the reformed legal system. Aldobrandini, who edited this edition and added commentary, was a Florentine juriconsult. First published by Giunta in 1534, Aldobrandini's text went through several editions during the sixteenth and seventeenth centuries. It was one of the most popular and influential early editions of the *Institutes*. The charming woodcut vignettes offer visual summaries of the more important titles. The full-page woodcut is an ornate table of descents in the form of a man holding up branches of a family tree. All illustrated Giunta editions are rare. OCLC locates 4 copies of the 1539 (1538) edition, 3 in North America (Baylor Law School, Cornell, Yale Law School). *EDIT16* 13468.





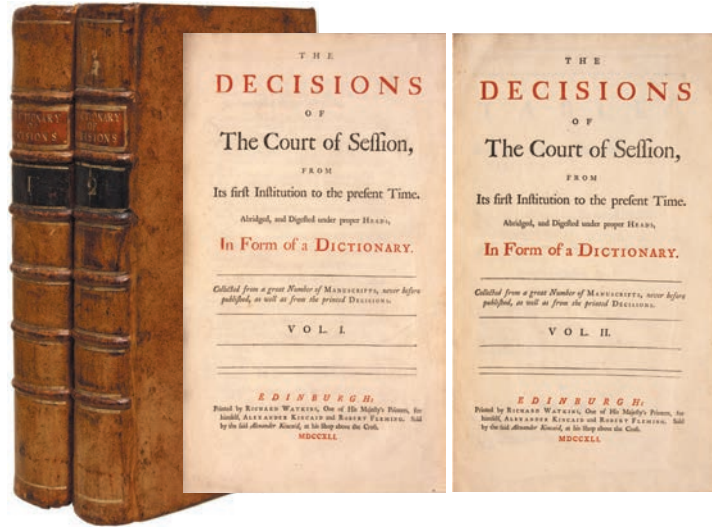
KAMES'S DECISIONS IN "FORM OF A DICTIONARY"

60. [KAMES, HENRY HOME, LORD (1696-1782)].

The Decisions of the Court of Session, From Its First Institution to the Present Time. Abridged, And Digested Under the Proper Heads, In Form of a Dictionary. Collected from a Great Number of Manuscripts, Never Before Published, As Well as from Printed Decisions.

Edinburgh: Printed by Richard Watkins, 1741. Two volumes. [iv], vii, [i], [xxxvii], 601; [xxxii], 555, [32] pp. Folio (12" x 7-1/2").

Contemporary speckled calf, red and black lettering pieces and gilt-edged raised bands to spine, blind tooling to board edges. Negligible light rubbing and a few minor nicks and scuffs to boards, somewhat heavier rubbing to extremities, recent repair to front joint of Volume I, corners bumped and lightly worn, partial crack to text block of Volume I between front free endpaper and title page. Title pages printed in red and black. Early owner annotation to front pastedown of Volume I, text notably fresh. A handsome set. \$2,500.



FIRST EDITION, one of two issues from 1741. The leading Scottish jurist of his day and an important figure of the Scottish Enlightenment, Kames was an influence on David Hume, James Boswell and Adam Smith. A remarkable work of synthesis and organization, his *Decisions* went through later editions in 1778, 1791 and 1797. ESTC T79943.

AN ANCIENT ENGLISH RIGHT

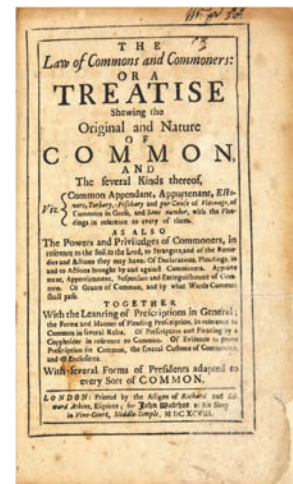
61. [LAND LAW]. [GREAT BRITAIN].

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

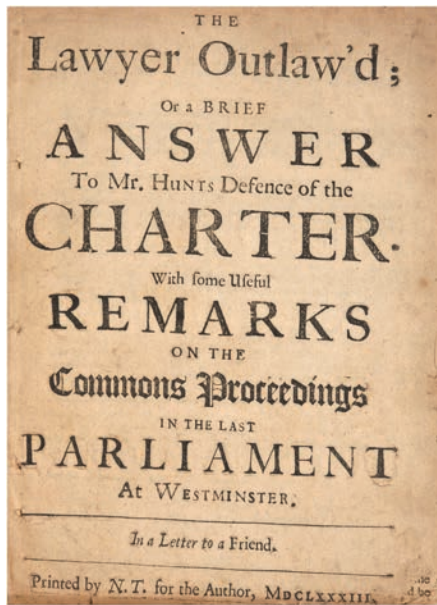
[London]: Printed by the Assigns of Richard and Edward Atkins, 1698. [xxii], 255, [9] pp. With a 2 pp. publisher list (pp. [xxi-xxii]) before main text. Lacking 8 pp. publisher list at end of text. Octavo (7-1/4" x 4-3/4").

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

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



CAN ENGLISH LIBERTIES  
SURVIVE A PAPIST MONARCHY?



62. [L'ESTRANGE, SIR ROGER (1616-1714)].

**The Lawyer Outlaw'd; Or a Brief Answer to Mr. Hunts Defence of the Charter. With Some Useful Remarks on the Commons Proceedings in the Last Parliament at Westminster. In a Letter to a Friend.**

[London]: Printed by N[athaniel] T[hompson] for the Author, 1683. [ii], 38 pp. Quarto (7-3/4" x 5-1/2").

Stab-stitched pamphlet in recent quarter pebbled cloth over paper-covered boards. Light soiling, moderate wear to spine ends and corners, rear joint starting at head, hinges partially cracked. Moderate toning, light soiling to title page and verso of final leaf, margins trimmed close in places with minor loss to text, but not legibility, of a few leaves, small hole in lower corner of title with no loss to text. \$500.

FIRST EDITION, one of three issues from 1683. L'Estrange's essay was a response to Thomas Hunt's *Defence of the Charter, And Municipal Rights of the City of London* (1683), which claimed that when the Duke of York became king "the governments of all the once corporate towns, whose charters were lost, would be put in the hands of the papists whose ultimate aim was the extirpation of the Protestant

religion" (Zook). Our pamphlet is one of two issues by Nathaniel Thompson. The other 1683 edition does not indicate a printer. A second and final edition of this pamphlet was published in 1683. OCLC locates 2 copies in North American law libraries, both of the first edition that does not indicate a printer (Harvard, University of Minnesota). Zook 44. ESTC R25476.

LIVINGSTON'S LOUISIANA CODE OF CIVIL PRACTICE

63. [LOUISIANA].

[LIVINGSTON, EDWARD (1764-1836)].

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

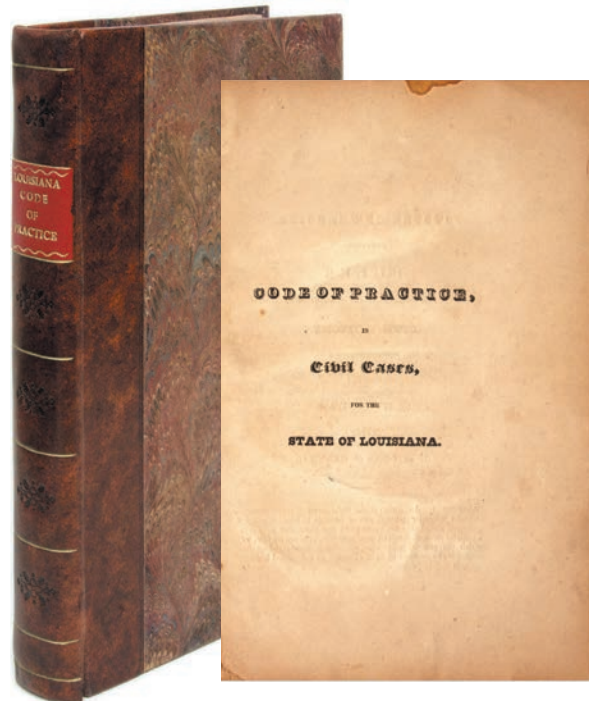
[DERBIGNY, PIERRE (1769-1829)].

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

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

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

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



RARE LANDMARK EARLY PRINTING OF MAGNA CARTA:  
THE FIRST WITH A TITLE PAGE AND THE *SECUNDA PARS*

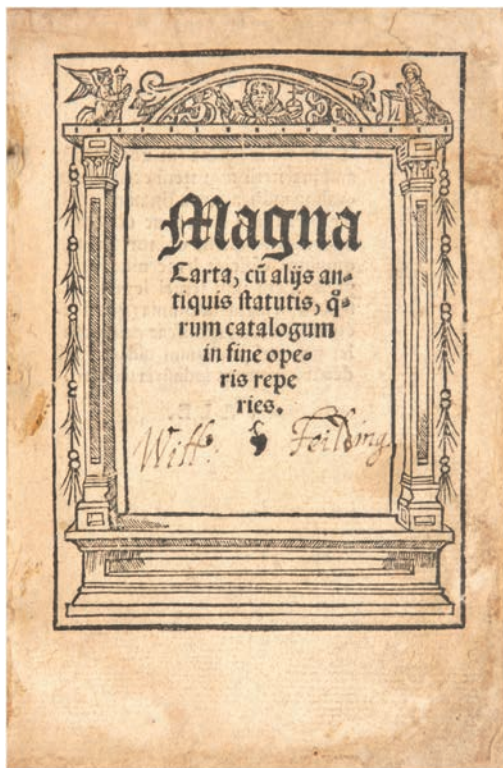
64. [MAGNA CARTA].

**Magna Carta Cu[m] Aliis Antiquis Statutis, Q[u]orum  
Catalogum in Fine Operis Reperies.**

[London: Thomas Berthelet, November 1531]. 150 [i.e. 149], [3]; [iv], 76 ff. Two parts, each with title page, table and individual pagination. Second part, dated 1532 (on colophon), titled *Secunda Pars Veterum Statutorum*. Octavo 5" x 3-1/4."

Contemporary calf blind panels to boards, raised bands and later lettering piece to spine, early hand-lettered title to fore-edge of text block, ties lacking. A few minor nicks and scuffs to boards, light gatoring to spine, moderate rubbing to extremities, corners worn, hinges partially cracked, endpapers lacking. Titles printed within architectural borders, woodcut decorated initials. Light toning to text, light soiling and finger smudges to a few leaves, later owner annotations to front pastedown, later signature to foot of title page (of *Magna Carta*). A handsome copy of an important, and rare, edition. \$20,000.

FIRST EDITION issued with a title page and the *Secunda Pars Veterum Statutorum*, which was published for the first time with this edition. The text of *Magna Carta* is a close reprinting of the 1527 edition by Richard Pynson with additional material. (Pynson printed the first edition around 1508.) It also includes the *Charta de Foresta* and statutes passed before the reign of Edward III. Among the most notorious statutes are those of Edward I concerning Jews, which condemned them for irreverence and prevented them from practicing usury or acquiring land from Christians through pledges. Other "Antique Statutes" relate to women, wills, forcible entry, "Fraudulent Deedes" and other topics. Some sources say incorrectly that the 1539 edition was the first issued with a title page. The source of the confusion is the title page's false imprint date: 1529. (The colophon has the correct date: 1539.) To confuse matters further, Beale, who arranges imprints chronologically, lists that edition according to the date on the title page rather than its colophon (S8). OCLC locates 13 copies of this imprint in North America. Beale S9 and S21. ESTC S101049.





NINETEENTH-CENTURY DOCKET  
BOOK WITH UNUSUALLY DETAILED ENTRIES

65. [MANUSCRIPT].  
[ARKANSAS].

[Justice's Docket Book].

Stone County, Arkansas, 1873-1911. [xxvi], 412 pp. Thumb-tabbed index. Folio (13-3/4" x 8-3/4").

Reversed calf, raised bands to spine, black-stamped panels and calf panels to boards. Rubbed with considerable wear to spine and corners, a few sections lacking from boards, hinges partially cracked. Content in neat hand to approximately 325 pp., 9 related documents laid-in, a few others attached to pages. Moderate toning, occasional staining and edgewear, ink faded in a few places a few leaves excised. An interesting piece. \$1,500.

SITUATED IN THE OZARK MOUNTAINS of north-central Arkansas, Stone County was created in 1873 from parts of various neighboring counties. Containing unusually detailed entries, most of them before 1900, this docket is a rich chronicle of the county's earliest legal history. It contains civil and criminal matters including hearings, trials, suits, jury verdicts, judgments, awarding of damages, case continuances and dismissals, orders of attachment, writs of garnishment, orders to sell foreclosed properties, enforcement of liens, disturbing the peace, attempted murder, assault and battery, disorderly conduct and unlawful detention of property. The entries are in the hands of various justices of the peace including W. A. Younger, J. A. Carman, J. W. Smith, J. L. Pruett, and J. A. Blair. Signatures of those same judicial officers appear throughout volume.

Many entries reflect the county's predominantly agricultural economy. Others concern allegations of violence, such as "William J. Goodman [made] an attempt with a knife to take my life" and "William Ball...slapped his wife Lucinda Steel, and cursed and abused her and threatened to kick her out of his yard if she ever set foot inside of it."



EARLY NINETEENTH-CENTURY  
MANUSCRIPT ACCOUNT BOOK OF PENNSYLVANIA LAWYERS

66. [MANUSCRIPT].  
[BARNARD, JAMES (1755-1806)].  
[BARNARD, ISAAC D. (1791-1834)].  
[BARNARD, THOMAS D. (1793-1873)].

[Acct. of Money Recd. for the Estate of James Barnard, Esq. Decd. in the Office, Etc.][And][Acct. of Money Recd. by Isaac D. Barnard Belonging to His Late Father's Estate].

Chester, PA, February, 26 1806–August 22, 1845. Content in fine hand filling 23 pp. followed by several blank leaves, final six excised. Oblong octavo (8" x 5-1/2").

Stiff marbled sewn wrappers. Moderate rubbing to exterior, some wear to spine and corners, light toning to interior. \$650.

JAMES BARNARD OF CHESTER, Pennsylvania, was married to Susannah Dutton. James served as sheriff, registrar, recorder, prothonotary and clerk of the courts in Delaware County, Pennsylvania. The Barnards had eight children. The eldest son, James Day Barnard, a lawyer, died at 25, a few months after his father's death. Upon his father and brother's death, the eldest surviving male Barnard, Isaac, received, or perhaps he personally recorded, his brother's outstanding legal fees and his father's estate assets and accounts recorded in this manuscript notebook. Like his deceased elder brother, Isaac studied law and was admitted to the Pennsylvania bar in 1816, after notable service as a major in the War of 1812. He served terms in the Pennsylvania State Senate and U.S. Senate.

The accounts are notable as the first segment records all of the monies collected for various legal work performed by Isaac's older brother, James, from recording judgments, estate administration, vendue matters, for certificates for naturalization of citizenship, or for fees earned for specific cases (Gibbons v. Riley, Miles v. Adams, McElroy v. Hibbard, etc.). These accounts span 1806-1807 and suggest that the fees within must have been collected posthumously by Isaac for services performed before his brother's death. The notebook's second segment records moneys earned by the father in office, primarily for recording deeds. Again, the chronology suggests a similar scenario as the notebook's first segment. There are also several leaves of entries with much later dates recording monies received by Thomas Barnard. All accounts are clearly legible and amounts of fees charged for all legal services are provided. In all, this record provides a fine image, in microcosm, of legal costs on Pennsylvania during the early nineteenth century.



UNPUBLISHED AUTOBIOGRAPHY OF  
PROMINENT PHILADELPHIA LAWYER AND JUDGE

67. [MANUSCRIPT].  
LEWIS, EDWIN O. [1879-1974].

[Here Lies an Honest Lawyer].

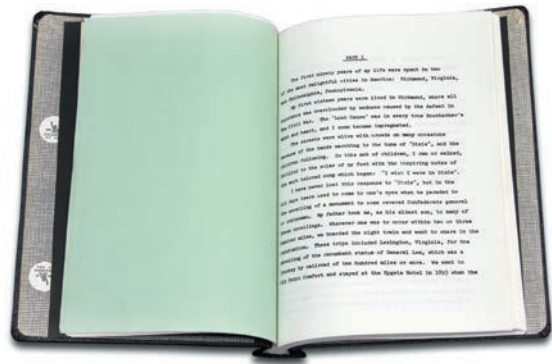
[Philadelphia, c.1969] 125 pp.

[AND]

The Papers of Judge Edwin O. Lewis: Table of Contents.

[Philadelphia, n.d.] 21 pp.

Photocopied typescripts in bound in calf-stamped cloth dissertation binder, light shelfwear. "Here Lies an Honest Lawyer/ Edwin O Lewis retired/ former President, Judge/ Common Pleas Court # 2/ Philadelphia County/ An Autobiography/ (Typographical Corrections/ by CLW) in pencil to sheet preceding typescript. "For Geoffrey/ LB Walton" to head of *Papers*, photocopied (but signed) 4 pp. letter from Edwin O. Lewis clipped to *Papers*. \$750.



BORN IN RICHMOND, Edwin O. Lewis attended law school at the University of Pennsylvania and settled in Philadelphia, where he became a prominent lawyer, judge and civic leader. He led the effort to establish Independence National Historic Park. This photocopy of his interesting and rather charming autobiography, never published, bears corrections by his daughter, Caroline Lewis Walton, who seems to have been assigned the role of editor. According to the letter by Lewis, *Papers* is an inventory of papers Lewis donated to the archives of the Independence National Historic Park. Geoffrey Walton was Lewis's grandson.



Details from N° 68

### A MAINE CONGRESSMAN WHO DIED IN A DUEL

**68. [MANUSCRIPT ARCHIVE].**  
[CILLEY, JONATHAN (1802-1838)].

[Legal Documents and Receipts].

Thomaston, Maine, a few items from Portland and Augusta, Maine, 1824-1842.

22 legal documents and receipts comprising, 2 are bifolia, sizes range from 2" x 6" to 13" x 8." Light to moderate toning, fold lines, minor wear and soiling, faint dampstaining to some items. \$750.

A GRADUATE OF THE FAMOUS BOWDOIN CLASS OF 1825 that included Longfellow and Hawthorne, Cilley was a prominent lawyer of Thomaston, Maine who was active in politics. He became a member of the U.S. House of Representatives in 1837. In 1838 he was involved in a argument with Congressman William J. Graves of Kentucky that resulted in a duel that ended Cilley's life. This event convinced Congress to tighten the laws governing duels in Washington, D.C. Most of the documents in our archive deal with settling his estate. One is a list of several books purchased from his estate. A few documents are signed by Cilley and relate to business activities and purchases.

### RAVISHMENT, EXCOMMUNICATION, SPOUSAL ABUSE AND OTHER MATTERS

**69. [MANUSCRIPT ARCHIVE].**  
[TRIALS].  
[GREAT BRITAIN].

[Legal Documents Relating to Six Trials].

Great Britain, 1631-1632. 6 items, 2 are single leaves, 4 bifolia, sizes range from 9-1/2" x 8-1/3/4" to 12" x 7-1/2."

Moderate toning and soiling, occasional browning, vertical folds, 5 items docketed, some tears, edgewear and wear holes with loss to text in a few places. \$4,500.

SUBMITTED TO THE ecclesiastical courts, these documents are, to use modern language, depositions: Thomas Knowsley v. William Welch and Jane Dawson for fornication and libel (1632), Samuel Royle v. Grace Royle for abusing him, "ill healing" him and leaving him with his mother-in-law (1632), excommunication of Thomas Edge for contempt of court (1631), John Smith v. Richard Hyde for (unspecified) slander (1631), John Bale v. Alice Eaton "for calling him a whoremonger" (1631) and Thomas Eaton for the ravishment of Elizabeth Eaton while her husband was attending church (1631).



FIRST EDITION OF THE FIRST ENGLISH TREATISE ON FAMILY LAW

70. [MARRIAGE LAW]. [GREAT BRITAIN].

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

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

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



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

A CAUTIONARY TALE

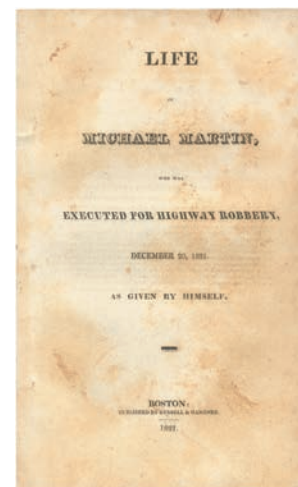
71. MARTIN, MICHAEL [1795-1821]. WALDO, FRANCIS WAINWRIGHT [1791-1836], EDITOR.

**Life of Michael Martin, Who was Executed for Highway Robbery, December 20, 1821. As Given By Himself.**

Boston: Published by Russell & Gardner, 1821. 102 pp. Octavo (8-1/2" x 5-1/4" ).

Recent marbled boards, printed title label to spine. Some toning, light foxing to title page and a few leaves, internally clean. \$450.

ONLY EDITION. "I was induced to undertake the compilation of these pages by the particular request of Martin. (...) The story, however extravagant some parts of it may appear, is given to the world as the last words of a dying man; and as I verily believe, of one who was determined to tell the truth, and the whole truth. The object which he had in view, in desiring that his autobiography might be published, (...) was, that it might be an example and a warning to others" (3). Pp. 101-102 contain the text of Martin's last will and testament. Sabin 44903.





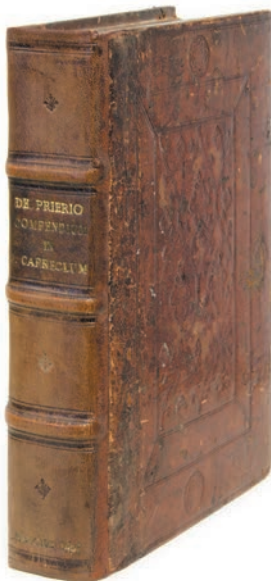
## A POWERFUL OPPONENT OF MARTIN LUTHER

72. MAZZOLINI, SILVERSTRO, DA PRIERIO [1456-1527].

### Compendium in Johannem Capreolum cum Additionibus.

[Cremona: Carolus de Darleriis, 15 and 28 April 1497]. [320] ff. Collation: [\*4], a-n8, aa-kk8, ll-mm4, A-C8, D6, E4, AA-DD8, EE-GC6, HH4, (1-9)4. Complete. Quarto 9-1/4" x 7" (23 x 18 cm).

Contemporary calf with elaborate blind stamping, over wooden boards, rebaked with raised bands, blind ornaments and gilt title, traces of clasps. Light rubbing and minor worming to boards, moderate rubbing to board edges, hinges cracked. 46-line text in parallel columns, extensively rubricated in red, with 8 large 12 line initials in interlocking red and blue with fine purple penwork decoration, other 6 line initials in red. Light toning to text, somewhat heavier in places, early annotations to front pastedown, other annotations and owner signature dated 1606 of Isaias Silberschlag, to title page, occasional annotations in his hand to text. A handsome copy of a rare imprint. \$10,000.



FIRST EDITION. Mazzolini, a theologian and wide-ranging scholar, was an inquisitor and censor of books for Rome. An early opponent of Martin Luther, he was involved in the juridical process against him. (Mazzolini was also involved in cases against Johann Reuchlin, Pietro Pomponazzi and Erasmus). A great deal of his scholarship was devoted to the works of St. Thomas Aquinas. Also known as the *Egregium vel Potius Divinum Opus in Iohannem Capreolum*, Mazzolini's *Compendium* is a summary of a work of another Aquinas scholar, Jean Capreolus [c.1380-c.1444] dealing with Aquinas's commentaries on the *Libri Quattuor Sententiarum* of Peter Lombard [c.1096-1160], one of the great works of Medieval theology. Silberschlag, the former owner of this copy, was a professor of theology at the University of Erfurt. This is a scarce imprint. We located only two auction records for it, one in 1991, the other in 2002. OCLC locates 5 copies in North America (Cornell, Library of Congress, Morgan Library, St. Bonaventure University, Yale). Goff V519. GW M642160.





## AN IMPORTANT PADUAN JURIST

73. MENOCHIO, GIACOMO [1532-1607].

*De Arbitrariis Iudicium Quaestionibus et Causis, Libri Duo, Varia, Recondita, Perfectaque Eruditione Referti, & Omnibus, Iudicia Prefertim Exercentibus, Oppido Quam Necessary: Universam Enim Iuris Tractationem Quae a Iudicium Arbitrio Atque Potestate Pendet, Complectuntur. Nunc Demum Multis in Locis Restituti, & A Quamplurimis Mendis Vindicati, Hacq; Omnium Postrema Auctoris Recognitione, Multarum Rerum Auctione Illustrati, & Locupletati, Quas his Notis [Pointing Hand] Inclusimus. Accessit Praeterea Libro Secundo Centuria Quinta, Eiusdem Authoris Solertia Recens Conscripta, Centum Cases Iudicibus Arbitrarios Continens, In Qua Multa, Quae ad Quotidianum Usus Forensem Spectant, Dilucidissime Pertractantur. Adiecta sunt Summaria, Indicesque Duo Copiosi, Argumentorum Unus, Alter Verborum, Rerum, Sententiarumque Insignium.*

Venice: Ad Signum Concordiae. [Apud Franciscum de Franciscis], 1590. [lxx], 352 ff; [xxxii], 139 pp. Two volumes in one. Main text printed in parallel Columns. Folio (12-1/2" x 8-1/2").

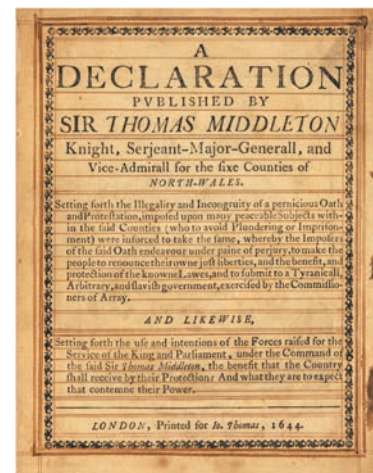
Later calf, gilt double frames with corner fleurons to boards, gilt spine with raised bands and lettering piece, speckled edges, marbled endpapers. Some rubbing, chipping to spine ends, front board detached, rear boards beginning to separate. Large woodcut printer devices to title pages. Some toning, light soiling to first title page, minor worm holes to margins of a few leaves with no loss to text. Ex-library. Early location labels to spine, small blindstamp to title page and a few other leaves. A nice copy. \$950.

FINAL EDITION, CORRECTED. With index. Editorial changes noted with pointing hands (manicules) in margins. Highly regarded in his time, Menochio was a professor of law at the University of Padua. This volume is a collection of writings dealing with judges, judicial discretion and civil procedure, actions and defenses in Roman law. It was first published in 1569 and went through seven subsequent editions. OCLC locates 3 copies of this imprint (at Harvard and UC-Berkeley Law Schools and the University of Kansas). *EDIT16* CNCE 24943.

## A STATEMENT OF PARLIAMENTARY PRINCIPLES TO THE PEOPLE OF NORTH WALES

74. MIDDLETON (MYDDELTON), SIR THOMAS [1586-1666].

*A Declaration Published by Sir Thomas Middleton Knight, Serjeant-Major-Generall, And Vice-Admirall for the Sixe Counties of North-Wales. Setting Forth the Illegality and Incongruity of a Pernicious Oath and Protestation, Imposed upon Many Peaceable Subjects Within the Said Counties (Who to Avoid Plundering or Imprisonment) Were Inforced to Take the Same, Whereby the Imposers of the Said Oath Endeavour Under the Paine of Perjury, To Make the People to Renounce Their Owne Just Liberties, And the Benefit and Protection of the Knowne Lawes, and to Submit to a Tyranicall, Arbitrary, And Slavish Government, Excerised by the Commissioners of Array. And Likewise, Setting Forth the Use and Intentions of the Forces Raised for the Service of the King and Parliament, Under the Command of the Said Sir Thomas Middleton, The Benefit that the Country Shall Receive by Their Protection: And What They are to Expect that Contemne Their Power.*

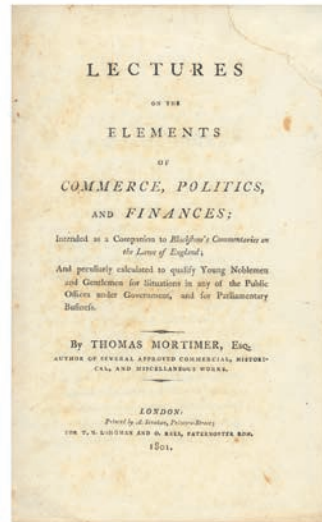
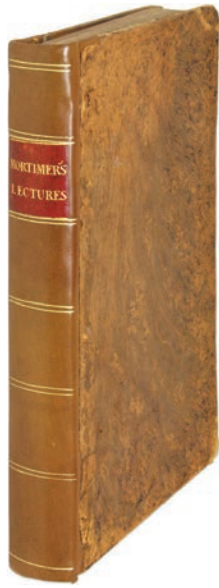


London: Printed for Io: Thomas, 1644. [ii], 6 pp. Woodcut portrait of Middleton on horseback to verso of title page, later lithograph portrait of Middleton inserted before title page. Quarto (7-1/2" x 5-3/4").

Stab-stitched pamphlet bound into nineteenth-century pebbled cloth, gilt title to center of front board. A few tiny stains to boards, moderate rubbing to extremities with some wear to spine ends and corners. Title printed within typographical border, title and text ruled in red ink. Moderate toning and light foxing, faint inkstains to margins. A rare title. \$1,750.

ONLY EDITION. Middleton was a politician and general in the Parliamentary army during the Civil War. He was given command of troops in North Wales, where he encountered fierce opposition from Royalist forces for several years. Distributed among local civilians in the region, Middleton's *Declaration* was intended to win loyalty to the Parliamentary cause. It contrasts Parliament's defense of "just liberties and the benefit and protection of the knowne lawes" with the "Tyranicall, Arbitrary, And Slavish Government" of Charles I. OCLC locates 3 copies, 2 in North America (Harvard University, McGill). The ESTC locates 12 copies, adding 4 more locations in North America (Folger Library, Huntington Library, Newberry Library, Yale). *ESTC* R15187.

“INTENDED AS A COMPANION TO BLACKSTONE’S COMMENTARIES”



75. MORTIMER, THOMAS [1730–1810].  
[BLACKSTONE, SIR WILLIAM].

**Lectures on the Elements of Commerce, Politics, and Finances; Intended as a Companion to Blackstone’s Commentaries on the Laws of England; And Peculiarly Calculated to Qualify Young Noblemen and Gentlemen for Situations in Any of the Public Offices Under Government, And for Parliamentary Business.**

London: Published by A. Strahan, 1801. xxviii, 442 pp. Includes six-page subscriber list. Octavo (8-1/4" x 5").

Contemporary tree sheep, rebaked retaining original spine with lettering piece and gilt fillets, front hinge mended. Some rubbing, corners bumped and lightly worn, upper corner of title page repaired. Light toning, negligible foxing to some leaves, internally clean. A handsome copy. \$850.

ONLY EDITION. Best known as the author of *Every Man His Own Broker* (First edition, 1761), Mortimer was an attorney, diplomat and writer with an interest in commercial law. He believed Blackstone provided an essential component of the nobleman and gentleman’s education. His *Lectures* were intended to cover the remaining areas: commerce, politics and finances. Not in Eller. Laeuchli 481.

ILLUSTRATED ACCOUNT OF A BELGIAN PRIEST WITH A GAMBLING ADDICTION WHO COMMITTED SEVERAL MURDERS

76. [MURDER].  
[PIERLOT, JACQUES (1750–1786)].

**La Vie de Jacques Pierlot, Prêtre & Marguillier de la Paroisse de Vervier, Ville de la Principauté de Liège; Avec tous les Détails de son Crime, De sa Dégradation, & De son Supplice.**

Liège: Chez Lemarié, 1786. 52 [i.e., 50] pp. Etched portrait frontispiece. Four etched plates. Octavo (6-1/2" x 4").

Nineteenth-century quarter sheep over marbled boards, gilt fillets and title to spine, marbled endpapers. Moderate rubbing to extremities with some wear to spine ends and corners, recent owner bookplate to front pastedown. Moderate toning to text, faint dampstaining to head of frontispiece and title page, clean tear to lower inner corner of title repaired on verso, bottom line of caption cropped on second plate, final two leaves cropped and re-hinged. Laid in is a copy of the 17 March 1786 *Avertissemens de Liège*, a handbill of local publisher advertisements, including one for this publication. \$1,850.

ONLY EDITION. A sensationalistic chapbook about a Belgian priest with a gambling addiction who murdered a creditor and members of the latter’s household. He was sentenced by an ecclesiastical tribunal to degradation (permanent removal from clerical office), which was carried out in a public ceremony, then sentenced by a municipal tribunal to be tortured and strangled. The plates depict his degradation and punishment. Chapbooks such as this one were an expression of the anti-clericalism that was a vital part of Enlightenment Francophone culture in the years preceding the French Revolution. OCLC locates 12 copies, 1 in North America (Library of Congress). Not in the BMC.



SCARCE 1641 TRACT CALLING FOR THE REFORM OF LAWS CONCERNING INHERITANCE AND SUCCESSION

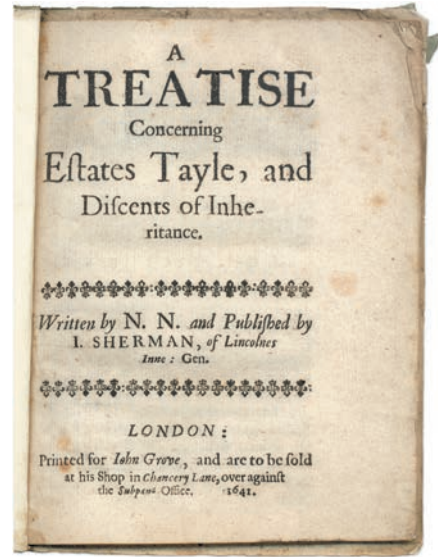
77. N. N.

**A Treatise Concerning Estates Tayle, And Discents of Inheritance. Written by N.N. And Published by I. Sherman, of Lincolnes Inne: Gen.**

London: Printed for Iohn Grove, 1641. [ii], 42, [i.e. 43], [1] pp. Lacking first leaf, a blank. Quarto (6-1/2" x 5-1/2" ).

Stab-stitched pamphlet with untrimmed edges bound into plain later plain wrappers. Light soiling, a few minor stains, moderate edgewear, tiny spark burn to rear wrapper, small tear to front wrapper near foot of spine. Moderate toning to text, light foxing to a few leaves, light soiling to title page. \$1,500.

ONLY EDITION. The Civil-War inspired several proposals to liberalize and modernize areas of the common law. A fine example of this literature, N.N.'s tract disputes the validity of primogeniture and other "ancient" aspects of inheritance and succession. A contentious piece, it offers a clever argument grounded in classic common-law sources and scripture. OCLC locates 18 copies, 7 in North American law libraries (Harvard, Library of Congress, UC-Berkeley, University of Michigan, University of Virginia, University of Washington, York University-Osgoode Hall). ESTC R32142.



1719 COMPILATION OF NEW YORK LAWS PRINTED IN LONDON BY JOHN BASKETT

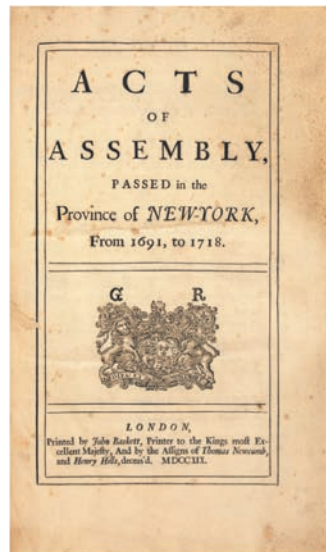
78. [NEW YORK (COLONY)].

**Acts of Assembly Passed in the Province of New-York, From 1691, To 1718.**

London: Printed for John Baskett, Printer to the King's Most Excellent Majesty, 1719. xv, 292 pp. Folio (13-1/2" x 8-1/2" ).

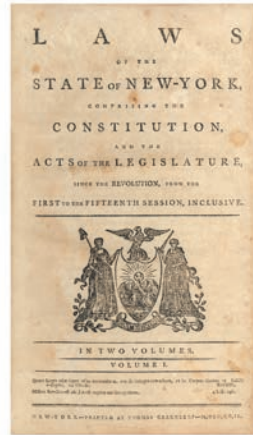
Contemporary calf, rebacked, gilt letters to boards, gilt spine with raised bands and lettering piece, endleaves retained, hinges mended. Shallow scuffing to boards, some rubbing to extremities, corners bumped, hinges starting, early armorial bookplate of the Oswalds of Dunnikier, Fife to front pastedown. Light toning to text, somewhat heavier in places, light foxing to a few laves, light soiling and faint spotting to title page, a tear near the gutter carefully repaired. A handsome copy. \$3,500.

PUBLISHED THE SAME YEAR as William Bradford's compilation, this was the fourth codification of New York laws, preceded by three collections printed by William Bradford in 1694, 1710 and 1713. It comprises all the acts of the New York Assembly from 1691 through 1718, including many concerning trade and slaves, such as the 1709 "Act for Preventing



the Conspiracy of Slaves." According to Rich, Baskett's edition was likely copied from Bradford's and "according to Trott, printed by order of the Lords Commissioners of Trade and Plantation." Titles of expired or repealed laws are included. The Oswalds of Dunnikier, Fife were a politically connected family of Scottish merchants active in the Atlantic trade. Rich, *Bibliotheca Americana Nova* 26. Tower 609. Benedict 332.

## EARLY POST-REVOLUTIONARY COMPILATION OF NEW YORK LAWS



## 79. [NEW YORK].

**Laws of the State of New York, Comprising the Constitution, And the Acts of the Legislature, Since the Revolution, From the First to the Fifteenth Session, Inclusive.**

New York: Printed by Thomas Greenleaf, 1792. Two volumes. [iv], 511, [1] pp.; [iv], 521, [15] pp. Octavo (8" x 4-3/4" ).

Contemporary varnished sheep, blind fillets, lettering pieces and black-stamped volume numbers to spine. Light rubbing to extremities, corners bumped, light fading to spines, minor chipping to spine head of Volume 1, hinges starting. Toning to text, light browning and negligible foxing in places, internally clean. \$950.

ONLY EDITION. With the state constitution, a digested index and subscriber list that includes Aaron Burr, Edward Livingston and other prominent New Yorkers of the period. This was the second compilation of New York's laws published since the Revolution, and the first octavo edition. This format was chosen to make this edition more affordable. 1400 subscriber copies were issued. Complete in itself, a third volume was added to this set in 1798. Babbitt 350.

## RARE TREATISES ON POOR LAWS AND POSSESSION

## 80. NOVARIO, GIOVANNI ANTONIO.

**Tractatus de Miserabilium Personarum Privilegiis, In Quo Complures Singulares Materiae ad Earum Favorem in Usu Forensi Quotidianae, & Frequentes, Tum Iuxta Iuris Communis, Quam Municipalis Regni Dispositionem, Supremorum Totius Orbis Tribunalium, Placita Accuratè, Exactèq; Dilucidantur: Opus Sane Practicabile, Curiosum, Necessarium, & Utile.**

Naples: Ex Typographia Dominici Maccarani, 1637. [xxvii], 228, [36], 97, [11] pp. Main text in parallel columns.

[BOUND WITH]  
BARBATO, ORAZIO.



**De Restitutorio Interdicto ac de Revocanda Possessione Liber Singularis: Ad Intellectum Reg. Pragm. Regni Neap. Incipientis, Assistentiam, Sub Titulo De Assistentia Praestanda. In quo Praeter Huberem Tractatum, Obligationis Bonoru[m], Pacti de Capiendo Constituti, Excussionis, Ac Hypothecariae, Nihilum Penè Desiderari Potest in Materia, Quin Luculenter, Copiosèq[ue] Tractetur.**

Naples: Per Iacobum Gaffarum, 1537 [i.e. 1637]. [ii], 212, [36] pp. Main text in parallel columns.

Folio (12-1/2" x 8" ). Contemporary reversed calf, blind rules to boards, raised bands and calf lettering piece to spine, early repair to head. A few scuffs and some worming to boards, corners worn, spine heavily abraded, boards just beginning to separate, but secure. Title page of *Miserabilium* printed in red and black. Moderate toning, faint dampspotting in a few places, a few minor worm holes at gutter of text block. \$750.

*TRACTATUS DE MISERABILIIUM*: THIRD EDITION; *De Restitutorio Interdicto*: second and final edition. This volume collects two works. The first of these, *Tractatus de Miserabilium* is a treatise on canon and Neapolitan laws concerning the poor. It was first published in 1623 and went through several editions into the eighteenth century. The second work, *De Restitutorio Interdicto* is a study of possessory actions and restitution in Roman and Neapolitan law. Its first edition was published in 1624. In all editions, copies of both titles are rare. OCLC locates 10 copies of the 1637 edition of *Tractatus de Miserabilium*, none in North America, and 6 copies of the 1637 edition of *De Restitutorio Interdicto*, 3 in North America (GWU Law School, Harvard Law School, UC-Berkeley Law School). Neither title in the *BMC*.

## GAMBLING UNDER ROMAN LAW

## 81. PANTOJA DE AYALA, PEDRO.

**Commentaria in Tit. de Aleatoribus D. et C.**

Madrid: Apud Petrum Tazo, 1625. [viii], 272, [12] ff. Copperplate engraved pictorial title page, featuring large female figures representing justice and prosperity. Woodcut table. Quarto (7-3/4" x 5-3/4").

Contemporary limp vellum, traces of early hand-lettered title to spine, ties lacking, endpapers renewed. Light crinkling, spine ends bumped, moderate wear to corners. Moderate toning to text, some places have faint dampstaining. Light edgewear to title page, tiny early owner signature to its top margin, annotation in same tiny hand to its verso. A nice copy of a scarce title. \$2,000.

ONLY EDITION. The work of a Toledo lawyer, this is a closely argued study of laws concerning gambling in the Digest and Code of Justinian. The book did not have any later editions, but some of its sections were included in Everhard Otto's *Thesaurus Juris Romani* (1741-1744). OCLC locates 7 copies, in North America (UC-Berkeley Law School). Palau 211589.



## NOTABLE SIXTEENTH-CENTURY TREATISE ON FAMILY LAW

## 82. PIETRO, D'ANCHARANO (ANCHARANO) [1330-1416].

**Familiarium Iuris Quaestionum Libri Tres. Hac Postrema Editione Prioribus Duobus tum in Utroque Fore Versantibus, Tum in Scholis Docentibus Apprimè Necessarii.**

Venice: Ex Officina Damiani Zenari, 1580. [xxxviii], 217, [1] ff. Final leaf blank. Main text in parallel columns. Folio (11-1/2" x 8-1/4").

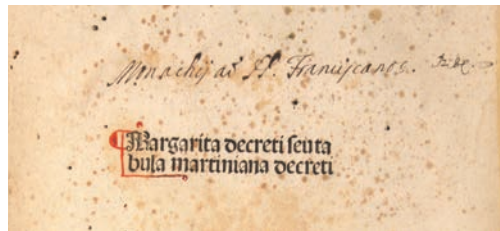
Contemporary paneled pigskin with elaborate blind tooling and beveled edges, raised bands to spine, early hand-lettered title to spine, clasps lacking. Light soiling to spine, some minor scratches and a few minor scuffs and stains to boards, rear board slightly bowed, spine ends bumped, minor tears to joints at head of spine, a few tiny worm holes to front joint at foot, large armorial bookplate (of the Bavarian Ducal Library dated 1618) to front pastedown. Joints starting, some worming to pastedowns, minor worming to margins of preliminaries, crack in text block between front free endpaper and title page, faint dampstaining along crack, light toning to text, slightly heavier in places. \$1,500.



"NEW EDITION," ENLARGED with a "third book," the final edition of this work. Ancharano was a renowned Italian jurist and commentator on canon and Roman law. As indicated by its title, *Familiarium Iuris* is an extensive study of domestic relations in Roman and canon law. Its "Liber Primus" was published in 1563. A two-part edition followed in 1569. EDIT16 CNCE1676.



## THE PEARLS OF THE DECRETALS



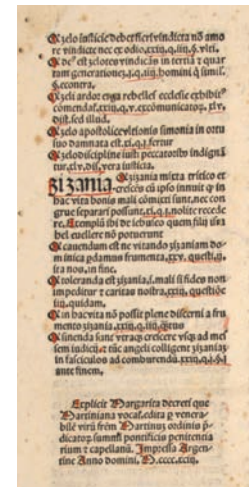
## 83. [POLONUS, MARTINUS (D.1278)].

**Margarita Decreti Seu Tabula Martiniana.**

[Strasbourg: Printer of the 'Casus Breves Decretalium'(Georg Husner?), 1493. [106] ff. Final leaf blank. Thumb-tabbed. Collation: a8 b-q6 r8. Complete. Folio 11" x 7-1/2" (28 x 19 cm).

With final blank, initials and capital strokes rubricated throughout (some wormholes, a few minor marginal holes, occasional spotting or staining).

Contemporary half calf with elaborate blind-tooling over wooden boards, two contemporary diagrams relating to horizontal sundials to front board, clasp lacking. Moderate rubbing, minor worming, light scuffing to calf-covered sections of boards, light gatoring to spine, early owner inscription dated 1528 to front, owner inscription of the Franciscan convent of Munich to head of title page. 52-line text in parallel columns, initials and capital strokes in red. Moderate toning, occasional spotting or staining, negligible minor worming in places.



\$13,500.

LATER EDITION. An important early legal reference work, *The Margarita Decretalium*, i.e. "Pearls of the Decretals," is the index to the *Decretals* of Gregory IX (or *Liber Extra*). First printed in 1481, the *Margarita* was probably assembled during the late thirteenth century, some time before the appearance of the *Liber Sextus* in 1298. There are twelve incunable editions. Our 1493 imprint is the tenth. OCLC locates 3 copies in North America (Huntington Library, Library of Congress, Yale Law School). Goff V327. CW M21422.



## PRYNNE'S REMARKS ON THE 1648 PURGE OF THE LONG PARLIAMENT

84. [PRYNNE, WILLIAM (1600-1669)].

**A Full Declaration of the True State of the Secluded Members Case. In Vindication of Themselves, And Their Privileges, And of the Respective Counties, Cities and Boroughs for Which they were Elected to Serve in Parliament, Against the Vote of Their Discharge, Published in Print Jan. 5, 1659, by Their Fellow Members. Complied and Published by Some of the Secluded Members, Who Could Meet with Safety and Conveniencie, Without Danger of a Forcible Suprize by Red-Coats.**

London: Printed. And are to be Sold by Edward Thomas, 1660. [iii], 54, [4] pp. Quarto (7-1/4" x 5-1/2").

Stab-stitched pamphlet bound into recent period-style three-quarter morocco over marbled boards, raised bands and lettering piece to spine, endpapers added, recent bookplate (of D.G. Mackenzie) to front pastedown. Title page printed with typographical border. Moderate toning, final leaf a little cropped at foot with loss of most of one word and all of the catchword,

final page rather soiled, repairs to upper corner of and fore-edge title page with loss to border of text. \$750.

ONLY EDITION. Pride's Purge of December 1648 was eventually reversed on 21 February 1660 when all the surviving barred Members were restored to the Long Parliament. Prynne includes a list of the secluded Members and here writes up his observations on the subject in a rather more concise way than was his usual practice. The term "Redcoats" to describe soldiers in the English army dates back to February 1645 when Parliament established the New Model Army and it adopted red uniforms. One of the most notable and colorful figures of the seventeenth century, Prynne was a contentious and erudite Puritan attorney and legal antiquarian who wrote around 200 books and pamphlets about legal history, religion and politics. A veteran of numerous pamphlet wars, he had an unrivalled ability to antagonize others. His personality and choice of targets eventually led to his disbarment, imprisonment, and mutilation (loss of ears) by the Court of Star Chamber. After the Restoration Prynne was appointed Royal Archivist in the Tower of London. OCLC locates no copies in North American law libraries. ESTC R22149.

## A HISTORICAL REVIEW AND DEFENSE OF THE KING'S RIGHT TO TAX HIS SUBJECTS IN ORDER TO SUPPORT THE QUEEN

85. PRYNNE, WILLIAM.

**Aurum Reginae; Or a Compendious Tractate, And Chronological Collection of Records in the Tower, And Court of Exchequer Concerning Queen-Gold: Evidencing the Quiddity, Quantity, Quality, Antiquity, Legality of this Golden Prerogative, Duty and Revenue of the Queen-Consorts of England. The Several Oblations, Fines Out of Which it Springs both in England and Ireland; The Queens Officers in the Exchequer to Receive, Collect, Account to Her for It, with their Patents; The Lands, Tenements, Goods, Chattels, Persons Liable to Satisfie it; The Questions of Law About it; The Kings Title to the Arrears Thereof by the Queens Decease; The Process by Which it is to be Levyd, And What Else Concerns It. With an Addition of Some Records Concerning Our Royal Mines of Gold and Silver, And Four Patents of K. Henry the 6. by Authority of Parliament, For Finding the Philosophers Stone, To Transubstantiate Baser Metals into Solid Real Gold and Silver, To Satisfie All the Creditors of the King and Kingdom in New Years Space.**

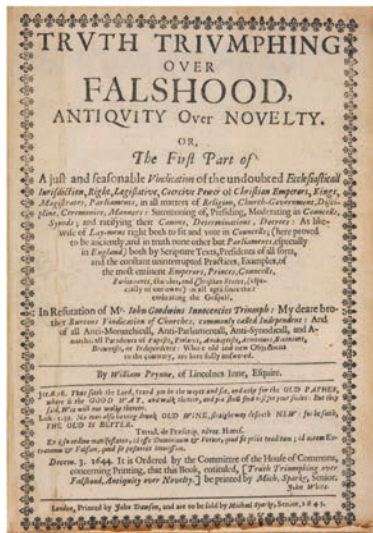
London: Printed for the Author by Thomas Ratcliffe, 1668. [viii], 138, [1] pp. With preliminary Imprimatur leaf and final errata leaf. Quarto (9-1/2" x 7-1/4").

Recent marbled boards, calf lettering piece to spine, endpapers added, original endpapers retained. Title printed within typographical border. Moderate toning to text, some edgewear to preliminaries and final leaves of text, wormhole to fore-edges of final 18 leaves, early owner signature of Thomas Manby, dated April 9, 1668 to front endleaf, note in Manby's hand indicating this copy was a gift from the author ("ex dono Authoris") to foot of imprimatur leaf, a few brief annotations in his hand to text, later owner signatures to head of imprimatur leaf and foot of errata leaf. \$1,250.

ONLY EDITION. Broadly a defense of the King's right to impose taxation on his subjects, these essays are a historical review and defense of the *aurum reginae*, or queen-gold, a revenue raised by the king to support the queen and her retainers. The owner who received this copy from Prynne was probably the Thomas Manby who was the lawyer and legal author who edited later editions of Pulton's *Collection of all the Statutes now in Use*. Prynne and Manby were fellow barristers of Lincoln's Inn. ESTC R4976.



## A CONTENTIOUS ESSAY ON THE RELATIONSHIP BETWEEN CHURCH AND STATE



### 86. PRYNNE, WILLIAM.

**Truth Triumphant over Falshood, Antiquity Over Novelty. Or, The First Part of a Just and Seasonable Vindication of the Undoubted Ecclesiasticall Iurisdiction, Right, Legislative, Coercive Power of Christian Emperors, Kings, Magistrates, Parliaments, In All Matters of Religion, Church-Government, Discipline, Ceremonies, Manners: Summoning Of, Presiding, Moderating in Councells, Synods; And Ratifying Their Canons, Determinations, Decrees: As Likewise of Lay-Mens Right Both to Sit and Vote in Councells; (Here Proved to be Anciently, And in Truth None Other but Parliaments, Especially in England) Both by Scripture Texts, Presidents of All Sorts, And the constant Uninterrupted Practices, Examples, Of the Most Eminent Emperors, Princes, Councells, Parliaments, Churches, And Christian States, (Especially of Our Owne) in All Ages Since Their Embracing the Gospell. In Refutation of Mr. John Goodwins Innocencies Triumph: My Deare Brother Burtons Vindication of Churches, Commonly Called Independent: And of**

**All Anti-Monarchicall, Anti-Parliamentall, Anti-Synodicall, And Anarchicall Paradoxes of Papists, Prelates, Anabaptists, Arminians, Socinians, Brownists, Or Independents: Whose Old and New Objections to the Contrary, Are Here Fully Answered.**

London: Printed by John Dawson, And are to be Sold by Michael Sparke, Senior, 1645. [xii], [2], 156 pp. Final leaf, which should follow p. 156, misbound after p. [xii]. Quarto (8-1/2" x 6-1/2").

Stab-stitched pamphlet with untrimmed edges bound into recent period-style three-quarter morocco over marbled boards, raised bands and lettering piece to spine, endpapers added, recent bookplate (of D.G. Mackenzie) to front pastedown. Title printed within woodcut typographical border, woodcut headpieces. Moderate toning, occasional minor loss to headlines due to printing errors, fore-edges of final two leaves shaved just touching marginal notes with loss of a few letters or figures on p. 156, some edgewear to title page. A nice copy. \$750.

ONLY EDITION, variant issue with the additional leaf signed (\*) and headed "To Master Henry Burton." *Truth Triumphant Over Falshood* is a reply to *Innocencies Triumph. Or An Answer to the Back-Part of a Discourse Lately published by William Prynne, Esquire* (1644) by John Goodwin and *A Vindication of Churches, Commonly Called Independent* (1644) by Henry Burton, two pamphlets that attacked two other pamphlets by Prynne that criticized the government of the Church of England. Prynne asserts the political supremacy of Parliament over the Church of England. ESTC R212479.

## THE BARON CHEATED

### 87. RAKENIUS, CARL.

FITZGERALD-DE ROS, HENRY, 22ND BARON DE ROS, [1793-1839],  
DEFENDANT.

**Der Falsche Whistspieler: Oder Injurien-Klage des Lord de Ros gegen John Cumming wegen Beschuldigter Betrügereien im Kartenspiel.**

Hamburg: Bei Hoffmann & Campe, 1837. viii, 136 pp. Octavo (7" x 4-1/2").

Original printed wrappers, several unopened signatures. Light soiling, a few finger smudges and moderate edgewear, spine abraded, front wrapper partially detached, moderate toning and light foxing to text, light edgewear to half-title. A rare title. \$1,650.

ONLY EDITION. Henry Fitzgerald-de Ros, 22nd Baron de Ros, one of the finest whist players in England, was involved in a gambling scandal in 1836. He was accused of cheating, which led him to initiate an action for libel. This was not a wise move. The trial showed that Ros cheated. Disgraced, he left England and settled in Rotterdam, where he spent the rest of his life. This trial attracted a good deal of attention. As indicated by this German account, interest in this trial was not limited to England. According to the title page, this work was translated from an English source. We were not able to locate any English equivalent to this work, however. The translated portion of our work is a court report, which is not credited to an original source. It is preceded by an original preface that discusses the case and its background. OCLC locates 2 copies, both in Germany. Schroeder V1:3085.





FIRST AMERICAN EDITION OF RASTELL'S  
 TERMES DE LA LEY IN A WELL-PRESERVED CONTEMPORARY BINDING

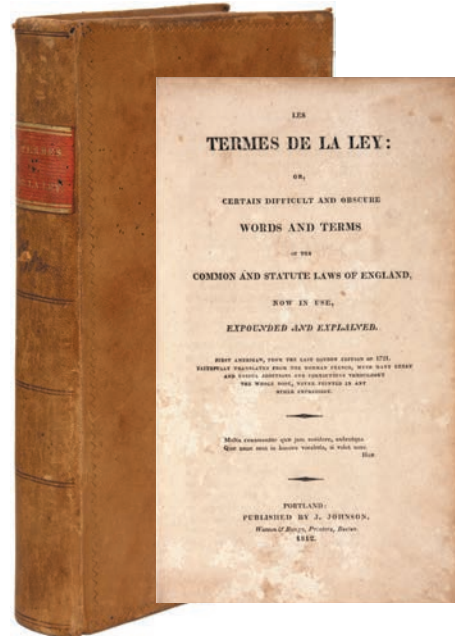
88. [RASTELL, JOHN (D.1536)].

**Les Termes de la Ley, Or Certain Difficult and Obscure Words and Terms of the Common and Statute Laws of England, Now in Use, Expounded and Explained. Faithfully Translated From the Norman French, With Many Great and Useful Additions and Corrections Throughout the Whole Book, Never Printed in Any Other Impression.**

Portland: Printed by J. Johnson, 1812. iv, 391 pp. Octavo (8-1/2" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Negligible light rubbing, a few minor nicks, scuffs and inkspots, faint early owner name to spine, light wear to corners, hinges cracked. Moderate toning and occasional light foxing to text. Owner inscription in pencil (of G.N. Dale dated 1897) to front pastedown, interior otherwise clean. \$850.

FIRST AMERICAN EDITION, from the 1721 London edition. The title was also the second law dictionary printed in America. (A Philadelphia edition of Jacob's *Law Dictionary* was issued in 1811.) First published around 1523, Rastell's is the most important English law dictionary before Cowell's *Interpreter* (1607). Immediately successful, it went through at least twenty-nine editions, the last appearing in 1819. Cohen 5450.



THE CONSTITUTIONAL DANGER  
 POSED BY A "NEW LURKING PRETENDER"

89. [RIDPATH, GEORGE (D.1726)].

**Parliamentary Right Maintain'd or the Hanover Succession Justify'd. Wherein The Hereditary Right to the Crown of England Asserted &c. Is Consider'd, in III. Parts. The Ist. Examins the Plea from Scripture. The II. That from the Laws & History of England, for Indefeasible Right, Nonresistance & Disposition of the Crown by Will. The III. Whether the Parliament, Can Repeal the Hanover Succession, As Now Establish'd by the Treaty of Union. With Reflections on the Treasonable Schemes of the Party, As They Occur in Their Book: & Particularly that of a New Lurking Pretender.**

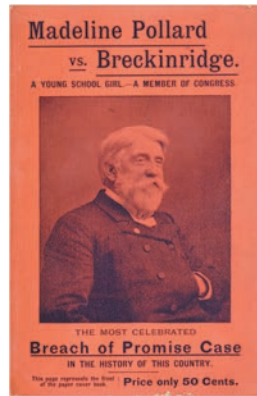
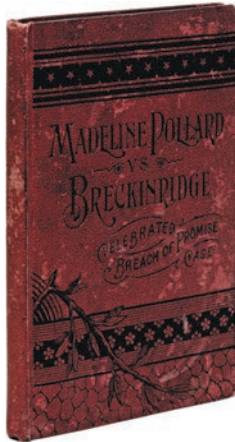
[London?]: Printed in 1714. [x], 262 [i.e. 260] pp. Octavo (7-1/4" x 4-3/4").



Contemporary paneled calf, raised bands to spine, small contemporary paper shelf label to foot, front joint and hinges carefully mended, front free endpaper renewed. a few minor nicks and scuffs to boards, a few small faint stains to rear board, light rubbing to extremities, corners bumped and somewhat worn. Moderate toning to text, faint dampstaining to heads of preliminaries. An appealing copy. \$950.

ONLY EDITION, one of two issues from 1714. This vigorous defence of parliamentary democracy and the legality of the Hanover succession is based on an attack on George Harbin's *Hereditary Right of the Crown of England Asserted* (1713). It reflects the popular sentiment that George I, though a German king who knew little of England and spoke little English, was a Protestant and thus preferable to the hereditary Catholic alternative, James Edward Stuart, the "new lurking pretender." Ridpath, a Whig polemicist, libelist (and bigamist) published this book anonymously while living in exile in Scotland and Holland. In letters to the English minister at the Hague Ridpath described the difficulties of distributing this work from his place in exile: "Copies were sent by various ships to different ports in England; but many were lost or thrown overboard by the captains, who dared not land them, or were returned because no one dared receive them" (DNB). This casts an interesting light on the assumption (expressed in the *ESTC*) that the work was printed in London. *ESTC* T43664.

SALESMAN'S SAMPLE BOOK  
FOR A POPULAR ACCOUNT OF A SENSATIONAL TRIAL



90. [SALESMAN'S SAMPLE BOOK].  
BRECKINRIDGE, WILLIAM C.P. [1837-1904], DEFENDANT.

The Celebrated Trial, Madeline Pollard vs. Breckinridge, The Most Noted Breach of Promise Suit in the History of Court Records. Containing a Graphic Story of the Sensational Incidents in the Joint Lives of the Now Famous Litigants, as Given in Their Own Words. The Two Stories Differ Widely as to the Material Facts in the Case, Testimony of the Kentucky School Girl Directly Contradicts the Story of the Silver-Tongued Orator and Statesman, Testimony of Prominent Witness From Various States Uncovering Startling Incidents in the Lives of Plaintiff and Defendant. The Surprising

Disclosure and Dramatic Scenes that Filled the Court Room With a Throng of Excited Spectators Fully Described, the Most Sensational Testimony Ever Produced in Court. One of the Most Dramatic and Hotly Contested Legal Battles of Modern Times, An Array of Legal Talent Rarely Equaled in Court Annals in Point of Ability and Eloquence. Judge Bradley's Charge to the Jury. Speeches of Counsel and Decision of the Jury. To Which is Added a Complete Biography of Colonel Breckinridge and Miss Pollard, His College Days, War Record, Prominence in Congress. With Many Portraits and Illustrations.

[N.p.]: [The American Printing and Binding Company, 1894]. Irregular pagination; pages appear to have been assembled to highlight salacious headlines and passages. 7 plates. Title page preceded by added pictorial title page (also the front cover for softbound copies). Octavo (8" x 5").

Original cloth, black-stamped title and decoration to front board. Moderate rubbing and dampspotting, spine ends and corners bumped. Light browning to text, preliminaries and a few other leaves detached and lightly edgeworn, three leaves lacking. An interesting piece of law book publishing and marketing history. \$450.

THIS SAMPLE BOOK was used to sell copies of a popular account of one of the most sensational trials of the day. Breckinridge was a notable Kentucky lawyer, statesman, editor and Civil War hero from a prominent political family. This suit, which coincided with his campaign for a sixth term in the U.S. Congress, was front-page news nationally for six weeks. Many were aroused to indignation. Suffragists opposed him with rallies and petitions; the National Christian League for the Promotion of Social Purity denounced him. The court decided in Pollard's favor and awarded her \$15,000 in damages. Tainted by scandal, Breckinridge lost the election. He never held office again. The complete book is a fairly hefty, a 320-page octavo. The considerably lighter sample book was carried door-to-door by salesmen. It contains the title page, the front wrapper of a softbound version, selected pages and plates, a leaf with selling points and price information and two ruled leaves in which to list subscribers.

NOTABLE SEVENTEENTH-CENTURY  
JESUIT TREATISE ON MARRIAGE AND MARRIAGE LAW

91. SANCHEZ, TOMAS [1550-1610].  
SOAREZ, EMANUEL LAURENTIUS, EDITOR.

**Compendium Totius Tractatus de S. Matrimonii Sacramento.**  
Ab Emanuele Laurentio Soares Ulyssiponesi, Presbytero  
Theologo, Alphabetice Breviter Dispositum.

Cologne: Sumptibus Petri Henningii, 1624. [xxiv], 455 pp. 12mo. (5-1/4" x 3-1/4").

Contemporary vellum with lapped edges, ties lacking, blind rules to boards, early hand-lettered title to spine. A few minor scratches, light soiling to spine, boards slightly bowed, vellum just beginning to crack through pastedowns, early owner signature to front free endpaper, partial crack in text block between front endleaf and title page, moderate toning to text. Ex-library. Small bookplates to front pastedown and free endpaper. An attractive copy. \$500.



THIRD EDITION. First published in 1621, this is a comprehensive reference work on the Jesuit view of marriage both as a Christian sacrament and an institution controlled in detail by canon law. Among other topics it addresses adultery, bigamy, cohabitation, impediments to marriage, excommunication, hermaphrodites, impotence, incest, sexual relations and infidelity. A popular work, it went through several editions into the eighteenth century. VD171:010985Z.

A PROFOUND EXAMPLE OF  
SEVENTEENTH-CENTURY SCHOLARSHIP



92. SELDEN, JOHN [1584-1654].

**De Jure Naturali et Gentium, Juxta Disciplinam Ebraeorum, Libri Septem. Accessit Novae Huic Editioni Index Accuratus.**

Leipzig and Frankfurt: Apud Jeremiam Schrey, 1695. [xlviii], 892, [27] pp. Copperplate frontispiece, 7 plates, 3 folding, woodcut text illustrations. Text in Latin, with numerous texts quoted first in Hebrew or Arabic. Quarto (8" x 6-1/2").

Contemporary vellum with lapped edges, early hand-lettered title to spine, front endleaves renewed. Light soiling, spine

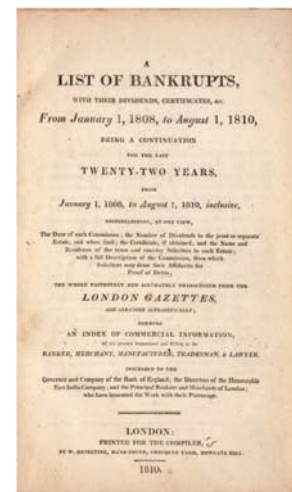
ends and corners bumped, boards slightly bowed, armorial bookplate to front pastedown, rear free endpaper neatly removed. Copperplate pictorial title page, main title page printed in red and black, woodcut decorative initials and text illustration. The plates depict the presentation of the Ten Commandments, elevations of the Temple of Jerusalem and praying angels in the Temple. Light toning to text, somewhat heavier on places, spark burns to a few leaves, woodcut ornament clipped from title page and replaced with blank paper at an early date, internally clean. A nice copy. \$950.

FOURTH EDITION, one of two Schrey issues from 1695. First published in 1640, this is a landmark work in international law and natural law theory. It is also a fundamental work for a collection of Judaica. In Johnson's *Memoirs of John Selden* (1835), he describes this as "one of his most erudite works... Its design is supposed to have been suggested to him by Grotius's celebrated treatise 'De Jure Belli et Pacis,' yet its method is totally different, and its motto from Lucretius, claims for its subject the merit of absolute novelty." This is also the work that caused John Milton to refer to Selden in *Areopagitica* as "the chief of learned me reputed in this land," and refers to "De Jure Naturali" as "that noble volume written by our learned Selden, of the Law of Nature and of Nations." Further, "De Jure Naturali" is named by Milton in *Areopagitica* as the source of his theistic conception of natural law and Samson names "the law of nature, law of nations" in his speech to Dalila at lines 890-91 in book two of *Samson Agonistes*. Finally, Milton makes extensive use of this work in all of his divorce tracts; this stands to reason, since the political argument of the fifth book of "De Jure Naturali" is to reform English marriage law. Johnson 264-65. VD17 14:019946V.

1810 DIGEST OF ENGLISH FINANCIAL FAILURES

93. SMITH, WILLIAM & CO.

**A List of Bankrupts with Their Dividends, Certificates, Etc. From January 1, 1808 to August 1, 1810, Being a Continuation for the Last Twenty-Two Years, From January 1, 1808, To August 1, 1810, Inclusive, Distinguishing, At One View, The Date of Each Commission; The Number of Dividends to the Joint or Separate Estate and When Final; The Certificate, If Obtained; And the Name and Residence of the Town and Country Solicitors to Each Estate; With a Full Commission from Which Solicitors to Each Estate; With a Full Description of the Commission, From Which Solicitors May Draw Their Affidavits for Proof of Debts; The Whole Faithfully and Accurately Transcribed from the London Gazettes, And Arranged Alphabetically; Forming an Index of Commercial Information, Of the Greatest Importance and Utility to the Banker Merchant, Manufacturer, Tradesman, & Lawyer. Inscribed to the Governor and Company of the Bank of England; Directors of the Honourable East India Company: with their Patronage.**

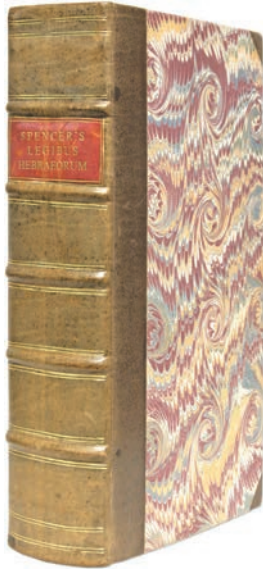


London: Printed for the compiler, by W. Heseltine. 1810. [264] pp. Octavo (9" x 5-1/2").

Original publisher boards rebacked in paper, original spine label retained, untrimmed edges. Light rubbing to boards, moderate rubbing to extremities, hinges mended. Moderate toning to text, light foxing in few places, presentation inscription, "For Wm. Smith [illegible]/ H. Clarke," to verso of half-title. \$650.

AN EXTRAORDINARY SNAPSHOT OF FINANCIAL FAILURES, both private and commercial in Regency Britain. Similar lists were published in several other years, viz. 1794, 1795, 1806, 1808, 1811 and 1812. In addition, monthly lists were included in the *European Magazine*. Our list is not found on COPAC.

FIRST EDITION OF SPENCER'S PIONEERING  
WORK OF COMPARATIVE RELIGION AND LAW



94. SPENCER, JOHN [1630-1693].

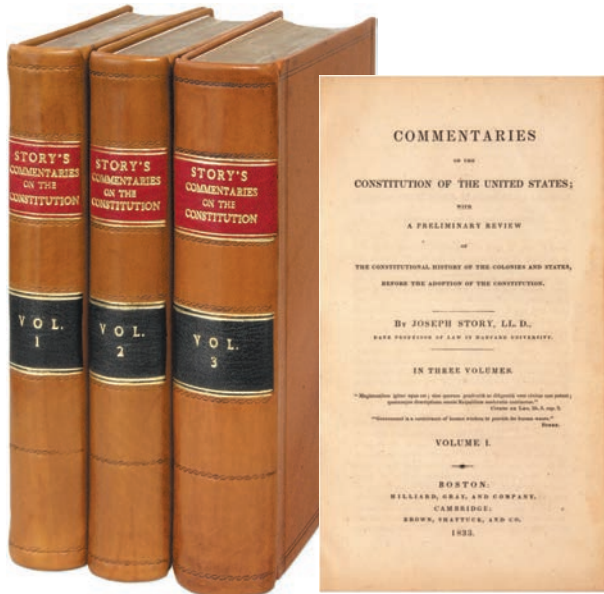
*De Legibus Hebraeorum Ritualibus Et Earum Rationibus, Libri Tres. Primo, Fuse Agitur de Rationibus Legum Judaicarum Generalibus. Huic Ad Calcem Additur Dissertatio Breviuscula de Theocratia Judaica. Secundo, De Legibus Mosaicis Quibus Zabiorum Ritus Occasionem Dedere Fuse Disseritur. Huic, Ob Argumenti Vicinitatem, Adjicitur Dissertatio In Decretum Illud Apostolicum, Act. 15. 20. Ut Abstineant A Pollutionibus Idolorum, & A Fornicatione, & A Suffocato, & A Sanguine, Tertio, De Iis Hebraeorum Legibus & Institutis Agitur, Quibus Gentium Usus Occasionem Praeuit. Hic Octo Dissertationibus Absolutus Est. Harum I. Generalius Agitur De Ritibus E Gentium Moribus In Legem Translatis. II. De Origine Sacrificiorum. III. De purificationibus. IV. De Neomeniis. V. De Arcâ & Cherubinis. VI. De Templo. VII. De Origine [ton] Urim & Thummim. VIII. De Hirco Emissario.*

Cambridge: Ex Officinâ Joan. Hayes, 1685. [xvi], 1051, [1] pp. With a half-title. Three parts, second and third parts preceded by divisional title pages. Folio (12-1/2" x 8").

Recent period-style three-quarter calf over marbled boards, gilt edged raised bands and lettering piece to spine, endpapers renewed. Negligible light rubbing to extremities. Title page printed in red and black. Moderate toning to text, somewhat heavier in places, light spotting to a few leaves, brief later annotation to p. 402, later owner annotation to head of title page. \$1,750.

FIRST EDITION. Spencer was the master of Corpus Christi College, Cambridge. His pioneering study outlines the rituals and laws of the Jews and other Semitic peoples and proposes that Judaism was not the earliest of religions. A landmark work, it laid the "foundations of the science of comparative religion." : *Encyclopedia Judaica* XV:261. ESTC R13440.

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



95. STORY, JOSEPH [1779-1845].

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

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

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

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

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

WITH A CHAINED BINDING AND ENMLEAVES DERIVED FROM A PAPAL BULL RELATING TO THE ENGLISH CROWN PRINTED BY PYNSON IN 1498



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

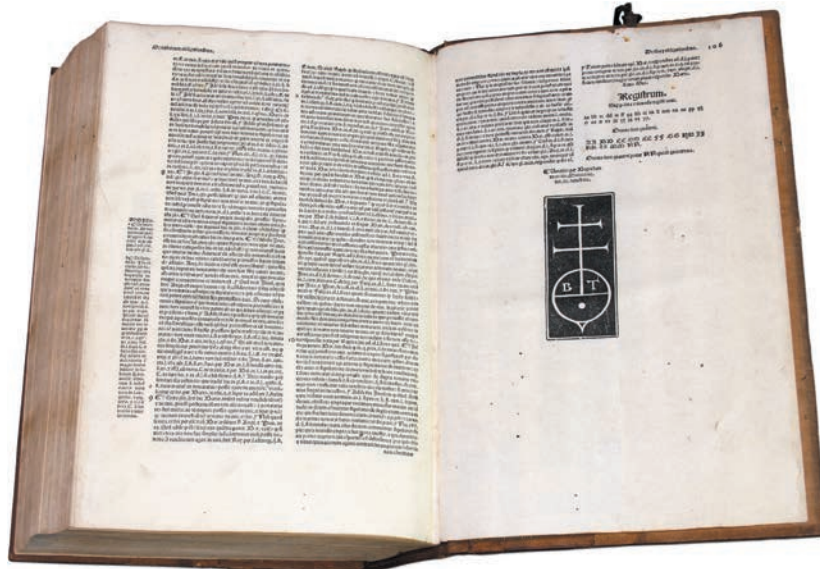
[Alexander de Imola in Prima(m) (et) Secunda(m). ff. Novi Parte(m). Cum Apostillis Doctissimo(rum) Doctorum Domini Fra(n)cisci de Curte (et) Bernardini de Landriano. Et cum Aliis Innumeris Additionibus per Dominum Antonium Franciscum de Doctoribus Patavinum Noviter Editis].

[Venice: Per Baptistam de Tortis, 1514]. 49, [1], 200; 106 ff. Two parts in one volume. Main text in parallel columns with side-notes. Folio 16-1/2" x 11" (42 x 28 cm).

Contemporary chained binding, blind-paneled half-calf over beveled wooden boards, spine with raised bands, carefully restored at ends, brass clasp tabs 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. \$30,000.

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 Barrett. 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 is 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.



## 1764 COMPILATION OF ENGLISH EXCISE TAXES

97. [TAXATION].  
[GREAT BRITAIN].**A Collection of All the Statutes  
Now in Force, Relating to the  
Duties of Excise in England.**

London: Printed by Mark Baskett, 1764.  
[vii], 880, 169 pp. Folio (12" x 7-3/4" ).

Contemporary calf, blind fillets and large gilt arms of Great Britain to front and rear boards, raised bands, lettering piece and tiny early shelf label to spine, later repairs to joints, spine ends and corners. Light rubbing and some minor scuffs to boards and spine, moderate rubbing to extremities, hinges cracked, front free endpaper detached. Light toning to text, somewhat heavier in places, light soiling to a few leaves, "Comptroller's Office" in early hand to head of title page, which features a large woodcut of the arms of Great Britain. \$650.

ONLY EDITION. More comprehensive than earlier compilations, this collection of duties from the reign of James I to the 23rd year of the reign of George III offers unique insights into the mechanisms of taxation, the state of local industry and trade and contemporary assumptions about social utility and discretionary spending. It includes a summary table, list of tax rates and an index. Contents are arranged chronologically. Not in the *ESTC*.

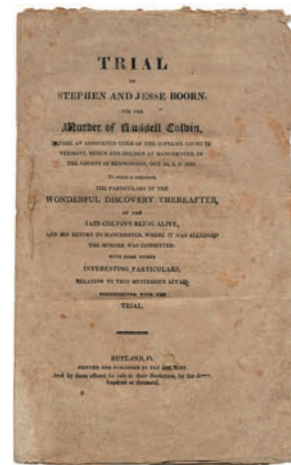
"A CONSTANT REMINDER THAT  
INNOCENT PERSONS CAN BE CONVICTED"

98. [TRIAL].  
BOORN, STEPHEN, DEFENDANT.  
BOORN, JESSE, DEFENDANT.

**Trial of Stephen and Jesse Boorn, For the Murder of Russell Colvin, Before an Adjourned Term of the Supreme Court of Vermont, Begun and Holden in Manchester, In the County of Bennington, Oct. 26, A.D. 1819 To which is Subjoined, The Particulars of the Wonderful Discovery Thereafter, Of said Colvin's Being Alive, And His Return to Manchester, Where it was Alleged the Murder was Committed: With Some Interesting Particulars, Relating to This Mysterious Affair, Disconnected with the Trial.**

Rutland, VT: Printed and Published by Fay and Burt, [1819]. 32 pp. Octavo (9-1/2" x 5-3/4" ).

Stab-stitched pamphlet in printed wrappers, untrimmed edges. Light browning and foxing, tiny hole to front wrapper with no loss to text. \$1,500.



FIRST EDITION. As McDade notes in *The Annals of Murder*, this famous case is a "constant reminder that innocent persons can be convicted. Russell Colvin, the alleged victim, had married a sister of the Boorns and had several children by her. He was mentally deficient and disappeared in 1812. Local gossip credited the Boorns with having disposed of him, presumably because he was a burden on the family. In the spring of 1819 the Boorns were arrested and, either from fear or mental weakness, they told stories involving each other in the death of Colvin--Stephen's amounting to a confession of murder. They were tried and sentenced to be hanged; the state legislature, however, commuted Jesse's sentence to life imprisonment. As a last resort a notice was placed in the papers requesting information about Colvin. A farmer in Monmouth County, New Jersey, believed he recognized a hired man in the vicinity from the description. This man, who was mentally deranged, was enticed to Manchester, arriving...six weeks before the day set for Stephen's execution. It was definitively established that he was the missing Colvin; he had apparently wandered off on his own volition. (...) Though published fifty-four years after the event, the pamphlet was prepared by one of the defense counselors and contains important information on the discovery and return of Colvin" (34). McDade 114.

## RELIGIOUS LIBERTY AND THE TYRANNY OF THE MISSISSIPPI PRESBYTERY

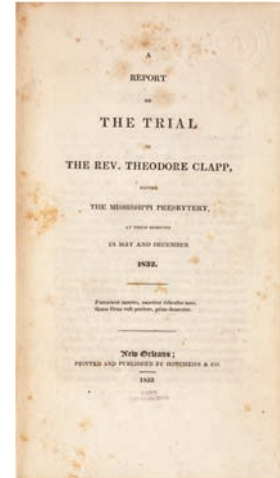
## 99. [TRIAL].

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

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

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

Contemporary quarter cloth over plain boards, printed paper title label to spine. Light soiling and a few minor stains to boards, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, chipping to spine label. Some toning to text, occasional light foxing, brief early annotations in pencil to a few leaves. Ex-library. Location label to foot of spine, bookplate to front pastedown, small embossed stamp to title page. A nice copy of a scarce trial. \$500.



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

## "IN ALL, HE MIGHT HAVE HAD 15 OR 20 CONNECTIONS WITH ME"

## 100. [TRIAL].

FAIRCHILD, JOY HAMLET [1790-1859],  
DEFENDANT.  
WEEKS, JAMES E.P., REPORTER.

**Trial of Rev. Joy Hamlet Fairchild, On a Charge of Adultery with Miss. Rhoda Davidson.**

[Boston]: Boston Daily Times, 1845. 32 pp. Main text in parallel columns. Octavo (9" x 6").

Stab-stitched pamphlet with untrimmed edges bound into recent stiff wrappers with quarter buckram spine, small typed title label to front cover. Light wear to spine ends and corners of wrappers, moderate toning, light foxing to some leaves. Ex-library. Tiny inkstamp to bottom margin of p.2. A well-preserved copy of a scarce pamphlet. \$450.

AT HEAD OF TEXT: "Times" Report, the first of three editions published by the *Boston Daily Times*. One of several publications about this celebrated, notorious case, consuming much contemporary print. Fairchild allegedly seduced a young woman, Rhoda Davidson, of Edgecomb, Maine, while she was a domestic in his family. She had a child, and nominated Fairchild as the father. Fairchild claimed that rival ministers had defamed him by calling him an habitual libertine and adulterer. This pamphlet includes witnesses' testimony, including that of Miss Davidson. "In all, he might have had 15 or 20 connections with me." The pamphlet closes with the verdict of Not Guilty; "the audience burst out in involuntary applause, which was immediately checked." Another, earlier issue does not include the jury verdict, the pamphlet noting that deliberations were ongoing. Accounts of this case are scarce. OCLC locates 3 copies of our account (American Antiquarian Society, Harvard Law School, New Hampshire Historical Society). Cohen 13693.

## HE BEAT HER TO DEATH WITH A SHOVEL

## 101. [TRIAL].

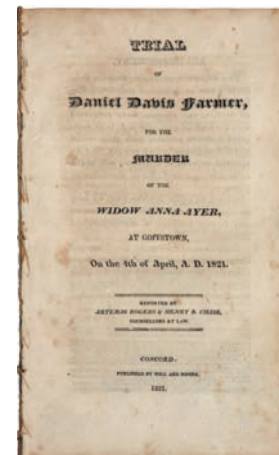
FARMER, DANIEL DAVIS [1793-1822], DEFENDANT.  
ROGERS, ARTEMAS, REPORTER.  
CHASE, HENRY B., REPORTER.

**Trial of Daniel Davis Farmer, For the Murder of the Widow Anna Ayer, At Goffstown, On the 4th of April, A.D. 1821.**

Concord [NH]: Published by Hill and Moore, 1821. 72 pp. Octavo (8" x 5-1/4").

Disbound stab-stitched pamphlet. Light soiling to exterior, light rubbing to extremities, light browning and occasional light foxing to text. \$500.

ONLY EDITION. "Mrs. Ayer had charged Farmer with fathering her child. He beat her to death with a cudgel [sic] and tried to burn her house" (McDade). The report states that the murder weapon was an iron shovel. Farmer was found guilty and executed. McDade 300.



## THE LADY DESERTED HER HUSBAND AND DAUGHTER

102. [TRIAL].  
[HENRY, JOSEPH, DEFENDANT].

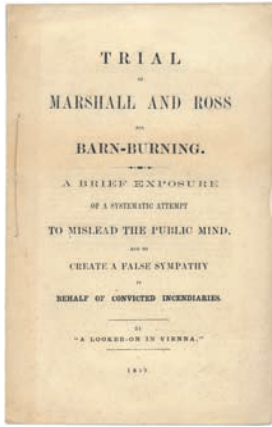
**Report of the Trial of Joseph Henry, Esq., In the Sheriff's Court, On Friday, Jan. 20, 1809, For Criminal Conversation with Lady Emily Best.**

London: Printed by B. McMillan, 1809. [ii], 50, [1] pp. Includes one-page advertisement. Octavo (8-1/2" x 5-1/2").

Disbound stab-stitched pamphlet. Light soiling to exterior, minor edgewear to first and final leaves, light toning to interior. \$350.

A REPORT OF THE INQUIRY to award damages after Lady Emily Best deserted her formerly wealthy husband, who was currently living in a debtor's prison, and her infant daughter. The trial resulted in an award of £2,000. OCLC locates 2 copies (at Cornell and Yale Universities). HLC II:1098

## A CASE OF ARSON IN GLOUCESTER, MASSACHUSETTS



103. [TRIAL].  
LOOKER-ON IN VIENNA.

**Trial of Marshall and Ross for Barn-Burning: A Brief Exposure of a Systematic Attempt to Mislead the Public Mind, And Create a False Sympathy in Behalf of Convicted Incendiaries.**

[Gloucester, MA: S.n.], 1859. 20 pp. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Light soiling and negligible edgewear, rear wrapper lacking, light toning to text. \$650.

ONLY EDITION. Marshall and Ross (we are never given their first names) were a tenant and hired hand of a Mr. Niles, a farmer. They were convicted of arson after Niles's barns were destroyed by fire. This verdict seemed unfair and the defense attorney petitioned successfully for an appeal. Published in the weeks leading up to the second trial, this pamphlet offers an argument for their conviction. An interesting case, it is also a fine record of the social setting of criminal law in small-town New England in the mid-nineteenth century. OCLC locates 5 copies in North America law libraries (Columbia, Harvard, Library of Congress, Social Law, University of Missouri). HLC II:1140.

## WAS PRESIDENT JACKSON SECRETLY INVOLVED WITH SAM HOUSTON'S PLAN TO WREST TEXAS FROM MEXICO?

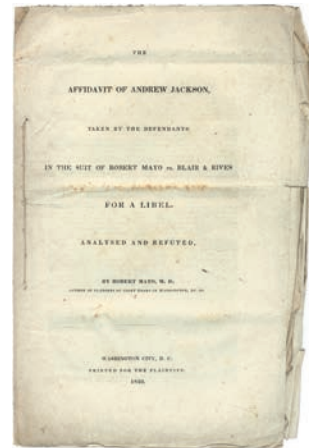
104. [TRIAL].  
MAYO, ROBERT [1784-1864].

**The Affidavit of Andrew Jackson, Taken by the Defendants in the Suit of Robert Mayo vs. Blair & Rives for a Libel, Analysed and Refuted.**

Washington, DC: Printed for the Plaintiff, 1840. 23, [1] pp. Octavo (9-3/4" x 6-1/2").

Stab-stitched pamphlet in self-wrappers, untrimmed edges. Light soiling and edgewear, three faint horizontal creases through pamphlet, moderate toning to interior, light foxing and soiling to a few leaves. A very good fresh copy in the original state. \$750.

FIRST EDITION. Blair and Rives accused Mayo of stealing a letter from President Jackson that showed Jackson's involvement in Sam Houston's plan to invade Texas, something he denied publicly, and sharing it with Jackson's political opponents. Mayo sued for libel. This pamphlet is his refutation of the affidavit submitted by Jackson on behalf of the defendants. "An important chapter in Texas history. Mayo became acquainted with Houston in 1830, wormed from him and others the plans of the contemplated invasion of the Mexican province of Texas, the secret cryptological correspondence, etc., and then sent all of his information to President Andrew Jackson. The burden of the work goes to prove that the President was in collusion with Houston and the other conspirators in the scheme to wrest Texas from the Mexicans": Eberstadt 105:294. Cohen 12012.





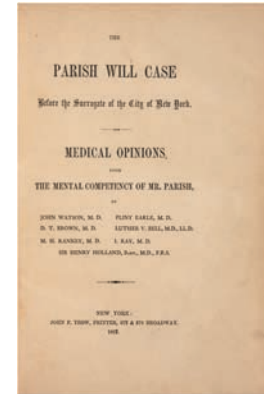
TESTIMONY OF THE SEVEN MEDICAL EXPERTS IN A NOTABLE NINETEENTH-CENTURY WILL CASE INVOLVING QUESTIONS OF SANITY

105. [TRIAL].  
[PARISH WILL CASE].

**The Parish Will Case Before the Surrogate of the City of New York. Medical Opinions upon the Medical Competency of Mr. Parish, by John Watson, M.D., D.T. Brown, M.D., M.H. Ranney, M.D., Pliny Earle, M.D., Luther V. Bell, M.D., LL.D., M.H. Ranney, M.D., I. Ray, M.D., Sir Henry Holland, Bart., M.D., F.R.S.**

New York: John F. Trow, 1857. [iii], 573 pp. Each section preceded by divisional title page. Octavo (9-1/2" x 6-1/4" ).

Contemporary three-quarter morocco over marbled boards, gilt-ruled raised bands and gilt title to spine, speckled edges. Some rubbing to boards and extremities, moderate toning to text, light foxing to a few leaves. A well-preserved copy. \$750.



FIRST EDITION. Henry Parish, a New York merchant, died in 1856, at age 69. He left a will made in 1842 that had been amended with three codicils signed by him some time after suffering a paralyzing stroke in 1849. These codicils were contested on the grounds of mental impairment. This trial, which commenced in 1857, attracted a good deal of attention and it involved testimony by several leading medical and legal experts. Cohen 11386.

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

106. [TRIAL].  
[PARISH WILL CASE].

**The Parish Will Case, In the Court of Appeals. The Statement of Facts, And the Opinion of the Court.**

New York: D. Appleton and Company, 1862. 123, 43 pp. Two parts, each with title page. Title page of Part II reads: *The Parish Will Case, In the Court of Appeals.*

*The Opinion of the Court, And of the Several Judges.* Quarto (9" x 7" ).

Sew pamphlet in printed wrappers. Spine abraded, wrappers detached, lightly soiled and heavily worn along edges, light edgewear to corners of text block. Moderate toning to text, light soiling to upper corner of title page. \$300.

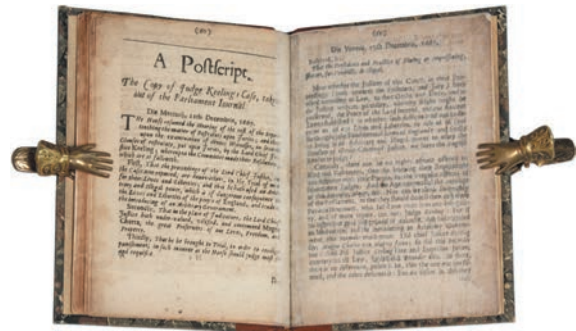
ONLY EDITION. HLC II:1159.

A LANDMARK IN THE HISTORY OF JURIES

107. [TRIAL].  
PENN, WILLIAM [1644-1718], DEFENDANT.  
MEAD, WILLIAM [1628-1713], DEFENDANT.

**The Peoples Ancient and Just Liberties Asserted in the Tryal of William Penn, And William Mead, At the Sessions Held at the Old-Baily in London, The First, Third, Fourth and Fifth of Sept. 70. Against the Most Arbitrary Procedure of that Court. Old-Baily, 1st. 3d. 4th, 5th of Sept. 1670.**

[London], Printed in the Year, 1670. 62 pp. Lacking final blank leaf. Quarto (7-1/4" x 5-1/4" ).



Stab-stitched pamphlet bound into quarter calf over marbled boards, gilt title to spine, top-edge gilt, endleaves added, title page and final leaf mounted, a few leaves re-hinged. Moderate toning, occasional light soiling, faint dampstaining and light foxing to a few leaves, faint inkstamp to foot of p. 62, faint embossed library stamp to title page, small chip to its upper corner. A nice copy in a handsome binding. \$1,500.

FIRST EDITION, one of five issues from 1670. Popularly known as "Bushel's Case," this case was a landmark in the establishment of jury nullification and, more broadly, the idea that juries are independent bodies. Mead, a London merchant, and Penn, later the founder of Pennsylvania, were prominent Quakers. They were arrested for preaching to a large public gathering, an act Penn deliberately provoked to test the validity of the Conventicle Act, which denied the right of assembly to gatherings larger than five people for any religious purpose not affiliated with the Church of England. The jury found the two guilty of speaking in public but refused to say they were addressing an unlawful assembly. The infuriated judge demanded a verdict that declared them violators of the Act. When, following the lead of the foreman, Edward Bushel, the jury refused, the judge imprisoned the jurors for two days without food, water or heat. Upon release, the jury returned a verdict of not guilty. The judge then fined the jurors for contempt of court and returned them to prison until they paid their fines. On behalf of his fellow jurors, Bushel petitioned the Court of Common Pleas for a writ of habeas corpus. Sir John Vaughan, that court's chief justice, ruled ultimately that a jury could not be punished for the verdict it returned. ESTC R40049.

## A SCARCE McDADE ITEM

## 108. [TRIAL].

PHILLIPS, JAMES JETER, DEFENDANT.

**The Drinker's Farm Tragedy, Trial and Conviction of James Jeter Phillips, For the Murder of His Wife. With Portraits.**

Richmond: Published by J. Wall Turner, V.L. Fore, Printer, 1868. 96 pp. 2 full-page woodcut portraits (of Phillips and his wife, Mrs. Mary Emma Phillips). Octavo (7-1/2" x 4-1/2").

Original printed wrappers, with advertisements for various Richmond businesses rear and inside front covers. Some soiling, spotting and rubbing with wear to spine ends. Light toning to interior, somewhat heavier in places, light foxing to a few leaves. \$750.

ONLY EDITION. "Phillips, a scion of a 'good' Virginia family, twenty-four years old, murdered his wife Emily, who was ten years older, on a Henrico County, Virginia, roadside near Drinker's farm. He shot her with a small pistol, and her body was unidentified for three months" (McDade). OCLC locates 4 copies in North American law libraries (Duke, Harvard, University of Virginia, Yale). McDade 747.

LIBEL IN WORCESTER,  
MASSACHUSETTS

## 109. [TRIAL].

RUSSELL, SAMUEL [1798-1835], PLAINTIFF.

**Trial of the Action in Favor of the Rev. Samuel Russell of Boylston Against John Howe of Boylston, For Defamation: At the Supreme Judicial Court, Holden at Worcester, April, A.D. 1831.**

Worcester [MA]: Spooner and Church, Printers, 1831. 27 pp. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in plain wrappers, untrimmed edges. Light soiling and moderate edgewear to wrappers, front wrapper partially detached. Moderate toning and light foxing to text, minor tears to edges of some leaves, internally clean. \$450.

ONLY EDITION. "In protesting Russell's election to the school committee, Howe allegedly accused him of lying to a colleague about an exchange of church ministers. Russell sued for libel, but the jury found for the defendant. Russell's motion for a new trial was denied" [Cohen]. OCLC locates 10 copies, 4 in law libraries (Harvard, Library of Congress, Social Law, Yale). Cohen 12028.

ACCOUNT OF AN ADULTERY TRIAL  
PUBLISHED TO BLOCK AN  
ACADEMIC APPOINTMENT

## 110. [TRIAL].

URE, ANDREW [1778-1857], PLAINTIFF.  
[CHAPMAN, NATHANIEL, EDITOR].

**The Whole of the Proceedings, Duly Authenticated, In the Case of Divorce of Andrew Ure, M.D. v. Catharine Ure, For Adultery with Granville Sharpe Pattison. Tried in the Consistory Court at Edinburgh on the 30th of January, 1819.**

[Philadelphia: W. Fry, Printer, 1821]. [ii], viii, [2], viii, 39 pp. Preface, viii pp. preceding title page, signed: N. Chapman. then a statement of the printer, signed and dated 1 Sept. 1821, followed by the title page. Complete, final two sections bound in reverse order. Octavo (8-1/4" x 5-3/4").

Disbound stab-stitched pamphlet, untrimmed edges. Light browning, light foxing in places, early annotation to head of half-title. \$650.

ONLY EDITION. "This compilation was prepared by Nathaniel Chapman, a Philadelphia doctor, in order to block Granville Sharpe Pattison's academic appointment in this country. Pattison, a Scottish Anatomist, had been named co-respondent in the Ure divorce." : Cohen 11459.

**"A FIGURE WITH THE BODY, FEET,  
AND TAIL OF A RAT,  
WITH THE HEAD AND FACE  
OF A MAN, (RESEMBLING THE  
PLAINTIFF)"**

## 111. [TRIAL].

WOOD, WILLIAM, DEFENDANT.

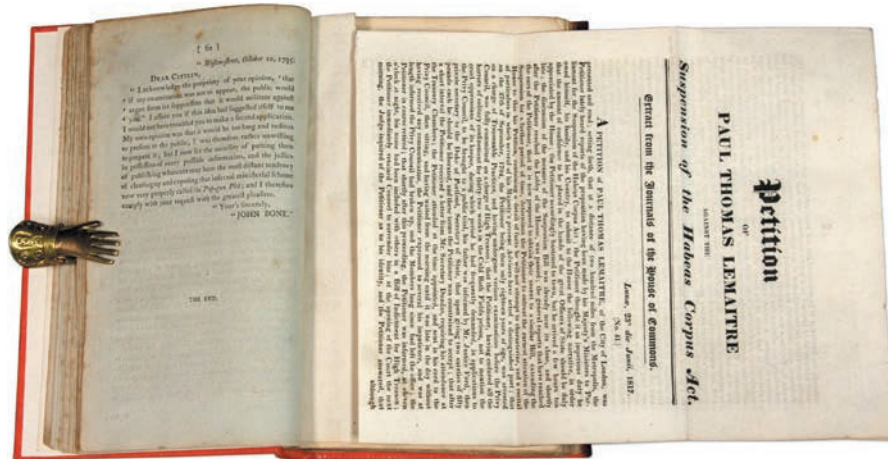
**St. Luke's Parish Malt!!! Fairburn's Edition of the Trial between Doctor Smith and Mr. Wm. Wood: For a Malicious and Scandalous Libel Against the Said Doctor Smith, Contained in a Print, Or Picture, Commonly Called a Caricature!! Intitled, "The Inside of a Newly-Reformed Workhouse with All Abuses Removed": In Which Caricature was Depicted 4 Sacks of Parish Malt and a Figure with the Body, Feet, And Tail of a Rat, With the Head and Face of a Man, (Resembling the Plaintiff), Nibbling at Them...**

London: Published by John Fairburn, [1813]. 24 pp. Octavo (8" x 5-1/4").

Disbound stab-stitched pamphlet. Light browning and foxing, moderate edgewear, final few leaves partially detached, negligible light soiling to exterior, "5" in early hand to head of front wrapper. A rare title. \$750.

ONLY EDITION. "This was an action brought by John Smith, a surgeon and apothecary, (...) against William Wood, a boot and shoe maker, (...), in the same parish; to recover a compensation in damages for publishing a gross, scandalous, and malicious, libel, in the form of a caricature picture, or print, (...) tending to injure and defame the character of the plaintiff.-The damages were laid at one thousand pounds" (pp. 3-4). The court found for the defendant. OCLC locates 1 copy (Cornell University). HLC II:1191

THREE ITEMS ABOUT A PLOT TO ASSASSINATE KING GEORGE III WITH A POISON DART, ONE INSCRIBED BY AN ALLEGED PLOTTER



112. [TRIALS].  
LEMAITRE, P[PAUL] T[THOMAS] [1776-1864], DEFENDANT.

**High Treason!! Narrative of the Arrest, Examinations Before the Privy Council, And Imprisonment of P.T. Lemaître, Accused of Being a Party in the Pop-Gun Plot, or, A Pretended Plot to Kill the King! In Which is Introduced the Correspondence with the Privy Council.**

London: Printed for P.T. Lemaître, 1795. [iv], 60 pp.

[BOUND WITH]  
[LEMAITRE, PAUL THOMAS].

**Petition of Paul Thomas Lemaître Against the Suspension of the Habeas Corpus Act. Extract from the Journals of the House of Commons. Lunae, 23 die Juniii, 1817 (No. 41) [drop-head title].**

[(London): Causton, Printer, Birch-in-Lane, Cornhill, (1817)]. 4 pp.

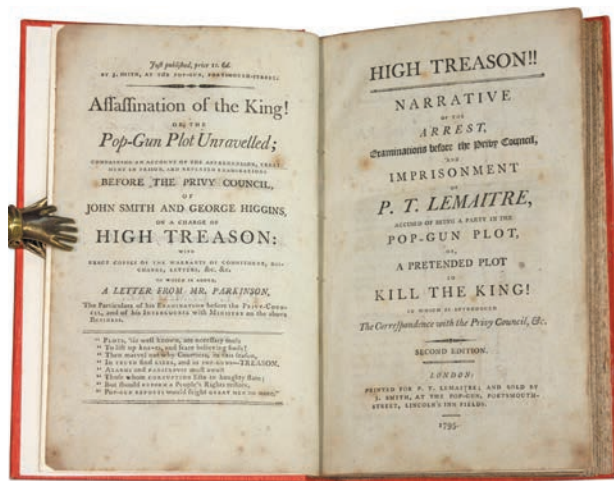
[AND]  
CROSSFIELD, ROBERT THOMAS [1759-1802], DEFENDANT.  
GURNEY, JOSEPH [1744-1815], REPORTER.

**The Trial of Robert Thomas Crossfield, For High Treason, At the Sessions House in the Old Bailey, On Wednesday the Eleventh, And Thursday the Twelfth of May, 1796. Taken in Short-Hand.**

London: Sold by Martha Gurney, 1796. 328, iii, [5] pp. With two leaves of publisher advertisements.

Octavo (8-1/2" x 5-1/2"); *Petition*, Folio (11" x 7-1/2"), bottom margin trimmed, bound along gutter, and folded twice. Two stab-stitched pamphlets and one bifolium bound into 20th-century cloth, "Pop-Gun Plot" and "1795-96" gilt stamped to spine. Negligible shelfwear, moderate toning to interior, light foxing in a few places, presentation inscription from Lemaître "to his friend Miss Starling" to half-title of *High Treason!!*. \$1,250.

**HIGH TREASON!!: SECOND** edition; *Trial*, *Petition*: only edition. The Popgun Plot was an alleged 1794 conspiracy by members of the London Corresponding Society, a British Radical organization, to assassinate King George III with a poison dart fired from a pop-gun (airgun). Lemaître and Crossfield were two of four men indicted as conspirators and charged with treason. All four were acquitted in May 1796 because the chief witness against them died. The first edition of Lemaître's account was first published in 1794. Both editions are rare. OCLC locates 16 copies of both editions, 1 in a North American law library (Social Law, which has a first edition). OCLC locates 9 copies of *Trial* in North American law libraries. The *Petition* appears to be unrecorded; no copies are listed on OCLC or COPAC. ESTC T81543 (*High Treason!!*), T80824 (*Trial*).



A CONTEMPORARY COLLECTION OF TWELVE  
POPISH PLOT TRIALS AND A RELATED BROADSIDE

113. [TRIALS].  
[POPISH PLOT].  
STAYLEY, WILLIAM [D. 1678], DEFENDANT.

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

London: Printed for Robert Pawlet, 1678. 8, 7-10 pp. ESTC (ESTC) R228446.

[BOUND WITH]  
[STAYLEY, WILLIAM].

**An Account of the Digging Up of the Quarters of William Stayley, Lately Executed for High Treason, for that his Relations Abused the Kings Mercy. Nov. 30 1678. Imprimatur, William Scroggs.**

London: Printed for Robert Pawlet at the Bible in Chancery-Lane, 1678. 15-1/2" x 11-1/2" broadside. ESTC R17181

[AND]

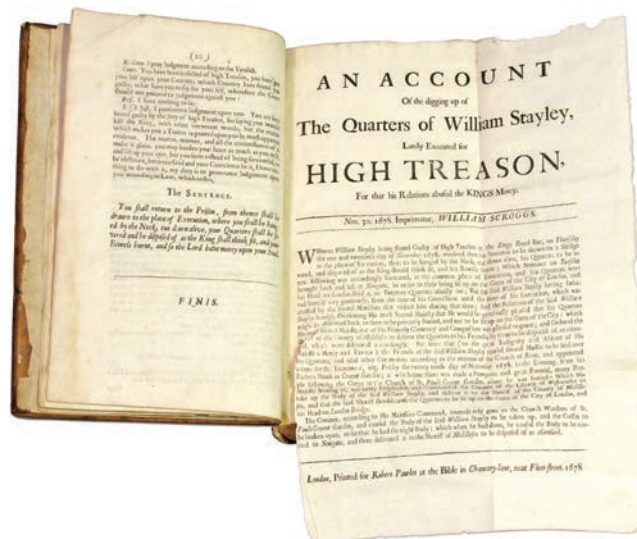
[11 Trials of Men (And a Woman) Implicated in the Popish Plot].

[London: Various printers, 1678-1680].

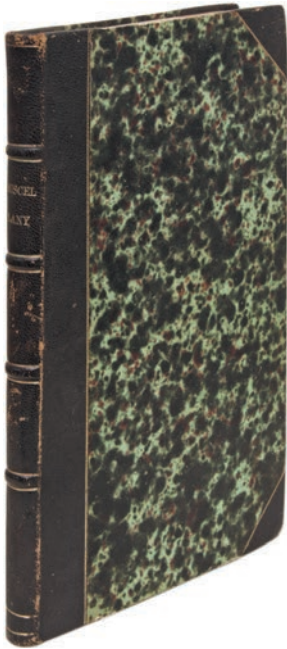
Folio (12-1/2" x 8"). Stab-stitched pamphlets bound into contemporary mottled calf, gilt spine with raised bands and lettering piece (reading Trials), early manuscript index to front free endpaper. Some minor scuffs and scratches to boards, moderate rubbing to extremities with wear to head of spine, small piece of calf lacking below lettering piece, rear joint just starting at head, corners bumped and lightly worn, hinges cracked. Light toning to interior, somewhat heavier in places, faint dampstaining and worming to margins in a few places, inkstains to margins of a few leaves. A unique collection by a contemporary compiler. \$1,750.

THE POPISH PLOT WAS A FICTITIOUS CONSPIRACY TO ASSASSINATE Charles II. It provoked a spasm of anti-Catholic hysteria in England and Scotland that led to the executions of at least 22 men and women between 1678 and 1681 and harsh laws against Catholics. The work of a contemporary compiler, our volume collects 12 trials and a related broadside relating to this horrible event. The other trials are:

- [Edward Coleman] 1678. ESTC R4486.
- [William Ireland, Thomas Pickering and John Grove]. 1678. ESTC 2719.
- [Robert Green, Henry Berry, & Lawrence Hill]. 1679. ESTC R24642.
- [Nathaniel Reading]. 1679. ESTC 7193.
- [Thomas White, William Harcourt, John Fenwick, John Gavan, And Anthony Turner]. ESTC 232961.
- [The Tryall of Richard Langhorn]. 1679. ESTC R1705.
- [Sir George Wakeman, William Marshall, William Rumley, And James Corker]. 1679. ESTC R13879.
- [Andrew Brommich and William Atkins]. 1679. ESTC 18341.
- [Thomas Knox and John Lane]. 1680. ESTC R21831.
- [Lionel Anderson, William Russel, Charles Parris, Henry Starkey, Thomas Corker and William Marshall]. 1680. ESTC R1255.
- [John Tasborough and Ann Price]. 1680. ESTC R23482.



A VOLUME OF FOUR RARE AND SCARCE  
NINETEENTH-CENTURY AMERICAN TRIALS



114. [TRIALS].  
[UNITED STATES].

[Sammelband of Four Murder Trials and One Adultery Trial, 1830-1846].

Octavo (9" x 5-1/2").

Stab-stitched pamphlets bound into contemporary three-quarter morocco over marbled boards, raised bands and gilt title (reading *Miscellany*) to spine. Light rubbing to boards, slightly heavier rubbing to extremities, corners lightly bumped. Moderate toning, occasional light foxing, some leaves have minor tears or edgewear, early owner signature (Prof. F.M. Dodge. Wenham, Mass) to front free endpaper. \$2,000.



CONTENTS:

-Citizen of Danvers, *A Biographical Sketch of the Celebrated Salem Murder, Who for Ten Years Past has been the Terror of Essex County, Mass. Including a Full and Authentic Account of His Daring Exploits; Together with Many New and Interesting Particulars of the Late Murder.* Boston: Printed for the Author, 1830. 24 pp. Woodcut frontispiece. Wrappers lacking. Foot of text block trimmed. OCLC locates 10 copies. McDade 564.

-*A Full Report of the Trial of Albert John Tirrell for the Murder of Mrs. Maria Ann Bickford in Boston, To Which is Added, The Argument of Hon. Rufus Choate, With the Judge's Charge, And the Verdict.* Boston: S.n., 1846. 32 pp. Text in parallel columns. Self-wrappers. Not in McDade. OCLC locates 1 copy (U.S. Supreme Court).

-[*Trial of Henry G. Green, For the Murder of His Wife. Containing the District Attorney's Opening, The Testimony Complete, Judge Parker's Charge in Full, The Verdict and Sentence, The Letter of His Mother, To Green, A Poem Suggested by the Occasion.* Troy: Printed at the Budget Office, 1845]. 48 pp. Text in parallel columns. Wrappers lacking. McDade 388 OCLC locates 14 copies.

-*Trial of Professor John W. Webster, For the Murder of Dr. George Parkman in the Medical College, November 23, 1849.* [Boston]: John A. French, Boston Herald Steam Press, 1850. 91, [5] pp. Text in parallel columns. Two full-page plates of Webster and Parkman, several text illustrations. Wrappers lacking. "Perfect Likeness" in contemporary hand to foot of Parkman plate. McDade 1067

-*Mr. Fairchild's Trial.* [Boston]: S.n., [1842 or 1845]. 24 pp. Text in parallel columns. Wrappers lacking. OCLC locates 5 copies, 3 dated 1842 date (Cornell, University of Chicago, Western University, Ontario), 2 dated 1845 (American Antiquarian Society, Harvard).



## RARE NINETEENTH-CENTURY TREATISE ON SHIP MORTGAGES

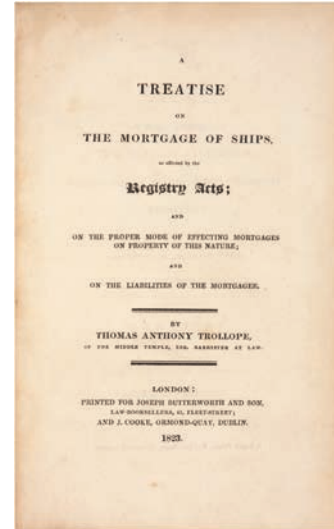
## 115. TROLLOPE, THOMAS ANTHONY [1774-1835].

**A Treatise on the Mortgage of Ships, As Affected by the Registry Acts; And on the Proper Mode of Effecting Mortgages on Property of this Nature, And on the Liabilities of the Mortgagee.**

London: Printed for Joseph Butterworth and Son, 1823. [xii], xxiv, 144 pp. Octavo (8-1/4" x 5-1/4").

Contemporary calf with later rebacking, blind fillets to boards, lettering piece and gilt fillets to spine, blind tooling to board edges. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities, front hinge cracked, rear hinge started. Moderate toning to text, light foxing in a few places, partial crack in text block between pp. 142 and 143. A nice copy of a rare title. \$1,250.

ONLY EDITION. This treatise addresses the intricate law of ship mortgages, which was then in a period of transition. OCLC locates 4 copies (British Library, National Library of Scotland, Oxford, University of Aberdeen). Sweet & Maxwell 2:361.



## ONE OF THE GREAT FIFTEENTH-CENTURY MANUALS FOR CONFESSORS

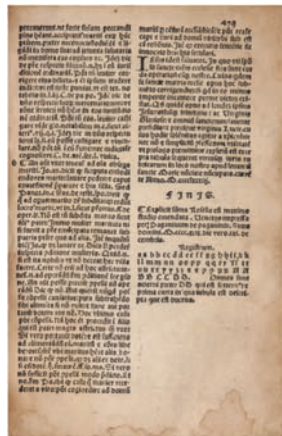
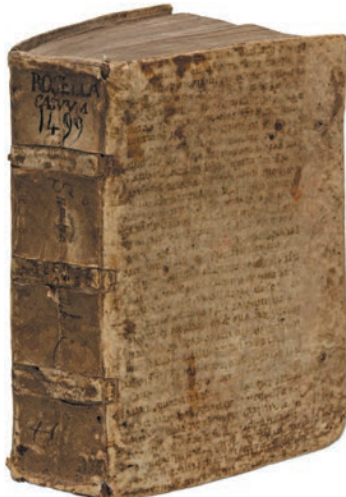
## 116. [TROVAMALA DE SALIS, BATTISTA (D.1496)].

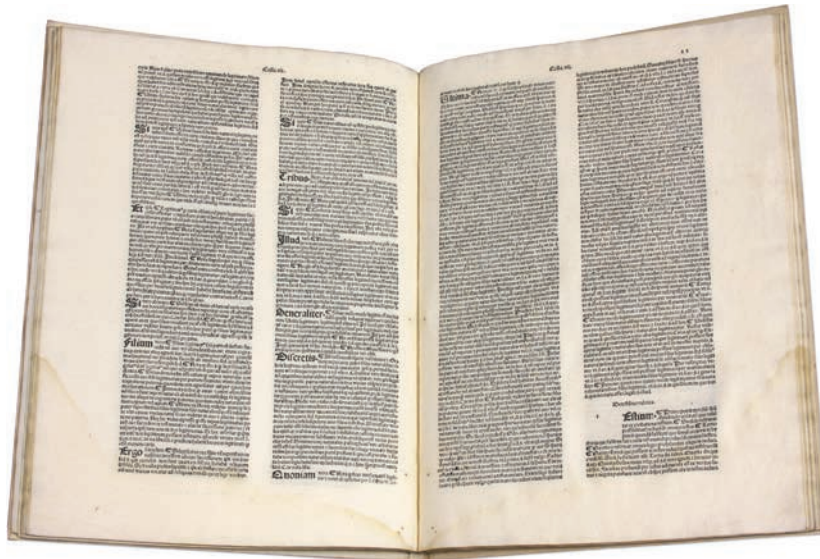
[*Summa Casuum Conscientiae* (Second Version known as *Rosella Casuum*)].

[Venice: Paganinus de Paganinis, 21 Dec. 1499]. [xiv], 479 ff. Collation: π4, a10, aa-CC16, DD12. Complete. Printed register at end does not list the first [14] leaves, which contain the "Rubrica Iuris Civilis" and "Summa Angelica." Leaf π4 includes the Papal bull "Etsi Domini Gregis" with the imprint: Rome, 21 December 1479. Octavo (6" x 4"; 15cm x 10 cm).

Later vellum from a manuscript leaf, raised bands and hand-lettered title to spine, ties lacking, endpapers renewed. Light soiling, moderate rubbing to extremities, a few small sections neatly removed from spine, minor chipping to spine ends, corners bumped, hinges partially cracked. 46-line text in parallel columns, capital spaces left blank. Moderate toning, occasional faint dampstaining, minor worming in places, mostly to margins, minor loss to text on leaves tt4-tt4-tt16 (ff. 292-304), light soiling and edgewear to preliminaries, first three leaves partially detached. \$7,500.

SECOND EDITION in octavo format and the final incunable edition. After the Fourth Lateran council of 1215 a number of manuals of confession appeared. Their purpose was the intellectual preparation of priests for a prudent and informed exercise of the office of confessor. Father Trovamala's is one of the best examples of this literature. Also known as the *Summa Casuum Conscientiae*, *Rosella Casuum* or *Summa Baptistiniana*, it was a standard work. First printed in 1482 and immediately successful, it was revised and expanded by the author as the *Rosella Casuum* or *Summa Rosella*. That edition was printed in 1484 with later editions in 1489, 1495 and 1499. A notable feature is its opinion of usury. Unlike other authors of summa for confessors, Trovamala argues that dry exchange is not usury because of its speculative nature. Goff S50. GW 3326.





A NOTABLE COMMENTARY ON THE AUTHENTICA

117. UBALDI, ANGELO DEGLI [c.1327-1400].

[**Super Authenticis**].

[Venice: Baptista de Tortis, 3 March 1489]. Collation: a-e8. 39 of 40 ff. Folio a1, a blank, lacking, otherwise complete. Text in parallel columns. Folio 15-1/2" x 11-1/2" (40 x 30 cm).

Modern paper-covered boards (illustrated with copies of unrelated incunable leaves), endpapers renewed. Light soiling, corners and spine ends bumped. Text printed in 83-line Gothic type, guide spaces blank. Some toning, light soiling to first leaf, faint dampstaining to foot of text block reaching into text, minor worming to some leaves, first leaf (a2) dust-soiled, fol. b1 mounted on stub, internally clean. Ex-library. Bookplate to front pastedown. A solid copy. \$8,500.

ANGELUS DE UBALDIS, a renowned jurist, was almost as highly regarded as his brother, Baldo Degli Ubaldi (Baldus). First published in 1474, the *Super Authenticis*, also known as the *Lectura de Authenticis*, is a commentary on the *Authentica*, a collection of 134 constitutions of Justinian, later included in the *Novels* of the *Corpus Juris Civilis*. It was believed to be a collection intended for Byzantine Italy, but this assumption is doubted today. Ubaldis's commentary was highly regarded; it went through at least 12 editions before 1500. Today, all editions are scarce. The *ISTC* locates 2 copies of this imprint in North America (University of Michigan Law School, Walters Art Gallery, Baltimore). Goff U10. GW M48377.



THE INDISPENSABLE RECORD OF THE CONTINENTAL CONGRESS,  
THIS SET INCLUDES THE VERY RARE 1777 AITKEN PRINTING OF VOLUME II

118. [UNITED STATES].  
[CONTINENTAL CONGRESS].

[Journals of the Continental  
Congress, 1774-1783].

Philadelphia: Robert Aitken [and others] 1777-1784. Nine volumes. Octavo (7-3/4" x 4-3/4").

Later signed bindings by Sangorski & Sutcliffe, three-quarter calf over cloth, raised bands and lettering pieces to spines, top-edges gilt, endpapers renewed. Occasional light rubbing and minor nicks and scuffs to boards and spines, moderate rubbing to extremities. Some toning to interiors, slightly heavier in places, occasional light foxing and dampspotting, faint offsetting to corners of preliminaries and final leaves of each volume. A handsome set.



\$25,000.

COVERING THE YEARS 1774 TO 1783, the entire period of the American Revolution, this set comprises the first nine volumes of the official journals issued by the Continental Congress. (Thirteen volumes in all were printed through 1789, when the U.S. Constitution was enacted.) Our set includes the rarest imprint of the series: the Robert Aitken printing of Volume II, which records the opening events of the American Revolution. (The complete text of the Declaration of Independence is printed on pp. 241-246.) According to Aitken's account, 532 copies were completed. In the fall of 1777 the British forced Congress to evacuate Philadelphia. Unable to transport many copies of the Journal, many were left behind and later destroyed by the British, which accounts for the scarcity of this volume today. Indeed, the last copy to appear at auction, in 2017, sold for \$11,000.00. Taken together, these volumes provide a vivid real-time account of the American Revolution as it was experienced by the Founding Fathers. See the final image for details about each volume in this set.

· *Journals of Congress. Containing the Proceedings from Sept. 5, 1744. To Jan. 1, 1776. Published by Order of Congress.* Volume I. Philadelphia: Printed and Sold by R. Aitken, 1777. [ii], 310, [12] pp. Evans 15683. Hildeburn 3576.

· *Journals of Congress. Containing the Proceedings in the Year 1776. Published by Order of Congress.* Volume II. Philadelphia: Printed and Sold by R. Aitken, 1777. [ii], 513, [23] Evans 15685. Hildeburn 3577. Early struck-through initials near head of title page.

· *Journals of Congress. Containing the Proceedings from January 1st, 1777, To January 1st, 1778. Published by Order of Congress.* Volume III. Philadelphia: Printed by John Dunlap, [1778]. 603, [1], xxiii pp. Evans 16138. Hildeburn 3728. This copy does not have the "General Index to Volume I" (12 pp.).

· *Journals of Congress, Containing the Proceedings from January 1st, 1778, To January 1st, 1779. Published by Order of Congress.* Volume IV. Philadelphia: Printed by David C. Claypoole, [1779]. [2], 748, [2], lxxxix, [5] pp. Lacking final blank leaf. Evans 16584. Hildeburn 3900.

· *Journals of Congress. Containing the Proceedings [fro]m January 1st, 1779, To January 1st, 1780. Published by Order of Congress.* Volume V. Philadelphia: Printed by David C. Claypoole, 1782. 464, [16], lxxiv pp. Lacking final blank. Evans 17766. Hildeburn 4206. This is the printing with the corrected errors. Early signature to head of title page, small carefully repaired chip along gutter with minor loss to text ("fro").

· *Journals of Congress, From January 1st, 1780, To January 1st, 1781. Published by Order of Congress.* [Volume VI]. Philadelphia: David C. Claypoole, [1781]. 403, [3], xxxviii, [3] pp. Lacking final blank. Evans 17767. Hildeburn 4116. "6 Volume" in small early hand near foot of title page.

· *Journals of Congress, And of the United States in Congress Assembled. For the Year 1781. Published by Order of Congress.* Volume VII. Philadelphia: Printed by David C. Claypoole, 1781. 522, [vi], lxxix pp. Lacking final blank. Evans 17767. Hildeburn 4117. Early signature to head of title page.

· *Journal of the United States in Congress Assembled: Containing the Proceedings from the First Monday in November 1782, To the First Monday in November, 1783. Published by Order of Congress.* Philadelphia: Printed by David C. Claypoole, 1783. Volume VIII. 483 pp. Though our collation matches several copies, such as one held by the Massachusetts Historical Society, Evans calls for 489 pp. and an index of 36 pp. It appears some copies were issued without the index. Evans 18266. Hildeburn 4311.

· *Journal of the United States in Congress Assembled: Containing the Proceedings from the Third Day of November, 1783, To the Third Day of June, 1784. Published by Order of Congress.* Volume IX. Philadelphia: Printed by John Dunlap, [1784]. 317 pp. As is the case with Volume VIII, this copy does not have the index present in most copies. Evans 18840. Hildeburn 4500.



FIRST EDITION  
OF A LANDMARK AMERICAN TREATISE ON PATENTS

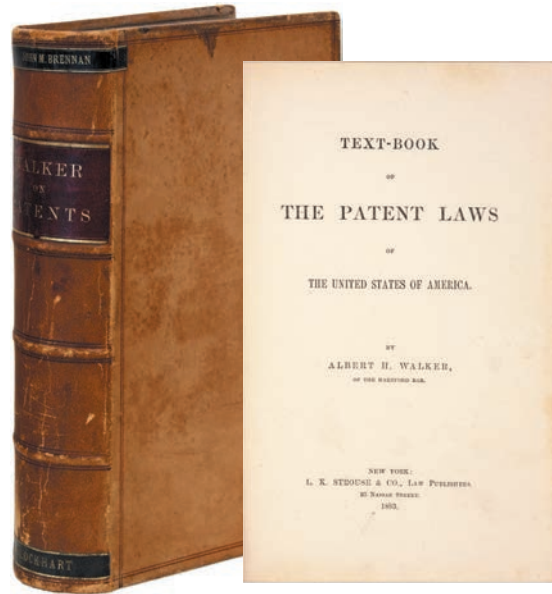
119. WALKER, ALBERT H. [1844-1915].

**Text-Book of the Patent Laws of the United States of America.**

New York: L.K. Strouse & Co., 1883. lvii, 724 pp. Octavo (9" x 5-3/4").

Contemporary calf, blind rules to boards, raised bands, lettering piece and two early calf owner labels to spine. A few minor nicks to boards, some rubbing to extremities, a few light scuffs to spine, corners bumped and moderately worn, hinges cracked, light toning to text. \$750.

FIRST EDITION. Much modified over the decades, this landmark treatise remains in print today as *Moy's Walker on Patents* (2010 and later supplements). HLC II:857.



A GRUESOME 1884 MURDER IN CHESTNUT HILL, PA

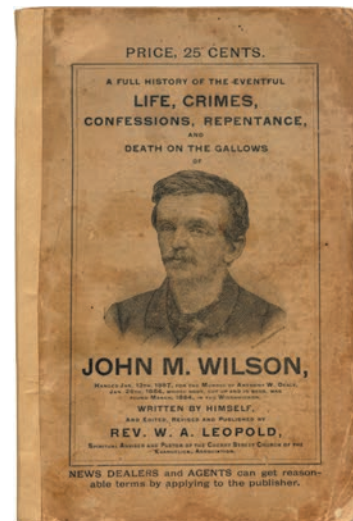
120. WILSON, JOHN M. [1858-1887].  
LEOPOLD, W.A., EDITOR.

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

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

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

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



“THE COMPLEMENT OF SIR W. BLACKSTONE’S COMMENTARIES”

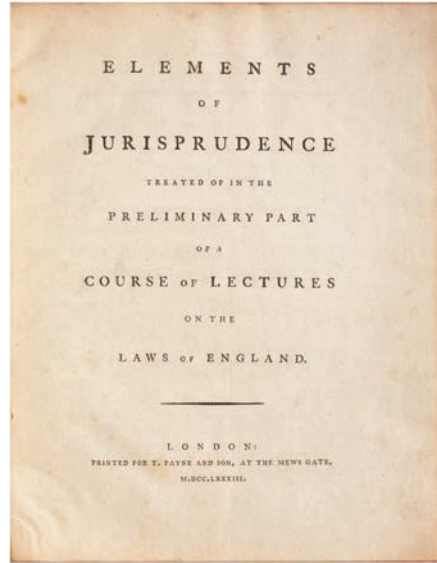
121. WOODDESON, RICHARD [1745-1822].

**Elements of Jurisprudence, Treated of in the Preliminary Part of a Course of Lectures on the Laws of England.**

London: Printed for T. Payne and Son, 1783. [iv], 118 pp. Quarto (10-1/2" x 8-1/2").

Contemporary calf, rebaked in period style, blind fillets to boards, blind fillets and retained contemporary lettering piece to spine. Some rubbing to extremities, corners bumped and somewhat worn, front board just beginning to separate but secure, rear joint starting. Two early armorial bookplates (of Henry C. Compton Esq. Manor House, Lyndhurst, and Scrope Berdmore, S.T.P. Coll. Mert. Custos, 1790) to front pastedown. Offsetting to endleaves, interior otherwise fresh. A nice copy. \$1,850.

FIRST EDITION. Wooddeson was elected a Vinerian Scholar in 1766, became a Vinerian Fellow in 1776 and was Vinerian Professor from 1777 to 1793. He was steeped in Blackstone’s work, and he strove to supplement it. “Dr. Wooddeson’s Lectures form, in a measure, the complement of Sir W. Blackstone’s *Commentaries*, for he supplies some deficiencies in the production of his predecessor, and treats more in detail, some topics, but slightly noticed by him. Though of acknowledged merit, as to learning, method of arrangement, and accuracy of rules, they do not seem to have attained so great a reputation as their real worth entitles them to. In point of style, and beauty of narration, they follow the *Commentaries*, *haud non passibus auquis*” (Marvin). Holdsworth describes each chapter in detail and calls this work a very useful book on legal theory. This book had a second edition published in Dublin in 1792. Marvin 745. Holdsworth, *HEL* XII:428f. *ESTC* T32600.



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

122. ZOUCHE, RICHARD [1590-1661].

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

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

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

ONE OF ENGLAND’S GREATEST CIVILIANS, Zouch was an advocate of Doctors’ Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. He published treatises on a broad range of legal topics, and he is best known for his contributions to international law. The present volume contains four important treatises. *Elementa Jurisprudentiae* (1629) is an ambitious general study that lays out a general theory of legal science. It includes sections on the philosophy of law, civil law, military law and maritime law. The other titles develop topics outlined in *Elementa Jurisprudentiae*. *Descriptio Juris et Judici Sacri* (1636) concerns English ecclesiastical law. *Descriptio Juris & Judici Militaris* (1640) addresses military law and *Descriptio Juris et Judici Maritimi* (1640) deals with the law of ships and sea-borne cargo. According to Willems, some copies of this book were printed by van der Marse, de Croy and Hackius with counterfeit title pages. It is difficult to distinguish these from copies produced by the Elseviers. Willems 717.



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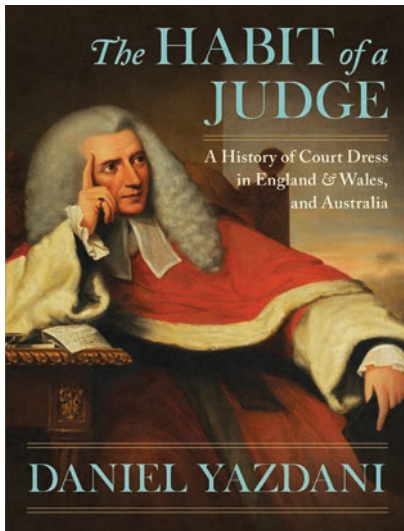
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