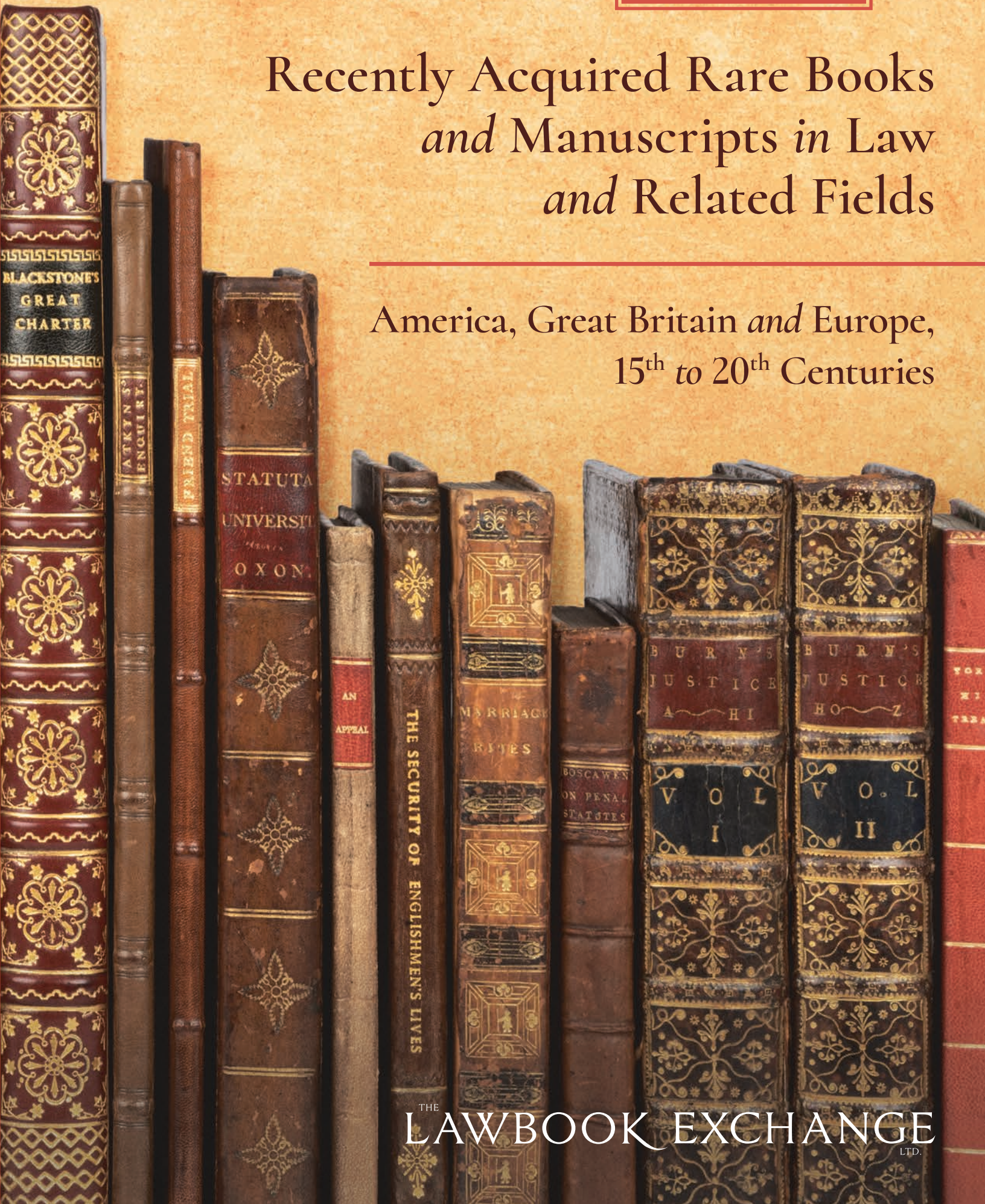


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America, Great Britain *and* Europe,
15th to 20th Centuries



Gregorius. **C** In hmoi libri principio qnq; pte
cipue sunt pnotanda: videlicet q sit intentio: que
materia: que vtilitas: cui parti pbie supponat: qis
modus agendi. z qis libri titulus. **C** Intetio dñi
gregorij in hac pñti cõpilatione fuit diuersas con

stitutiones z decreta-
les eplas pdecessorũ
suoz in diuersa disp-
sas volumina seu cõ-
pilatões: q difficulta-
tes studentib? ingere
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tionẽ refecatis super-
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cere: put in eiusdem
dñi gregorij pstitutio-
ne euidenti? declaraf

Materia in h ope
sunt ipse cõstitutiões
z decretales eple sub
singul' titulis colloca-
e. **Vtilitas** e vt b
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lmus discernere inter
equũ z iniquũ: et vni
cuq; reddẽ qd suũ e:
z in h iusticia cõsistit:
vt iusti. de iusti. z iuf.
in pn. et. xij. q. j. cũ de
notissimã. **C** Suppo-

nif et bice. i. morali scie: sicut z aliq; libri iuris. vñ etiã dicit impe-
rator: legibus nris boim mores intendim? corrigere. **C** de se-
cund. nup. l. j. **C** Modus agendi talis e. Diuidit em op? suuz
in qnq; ptes. In pñtia pte tractat de summa trinitate z fide ca-
tholica z de pstitutiõib? de rescriptis de iudiciis? z eoz officijs
In scda pte tractat de iudiciis z cooperantib? ad iudicia. In
tertia pte tractat de vita z honestate clericorũ z rebus eozuz z
ecclesiaz. In qrta de sponsalib? z mrimonijs z impedimentis
eoz. In quinta de accusationib? z criminibus z penis eoz. Et
sic terminat tractatũ suũ ipm diuidẽs in quinq; ptes ad similitudi-
nẽ quinq; sensuũ corporis: qis quilibet qui iudicat bñe debz: ali-
ter nõ est idoneus iudex. sic em ois copula cõiugalitatis restricta
est vsq; ad qrtuz gradũ ad similitudinẽ qrtuoz humorũ vñ elemẽ-
toz corpis hñani: vt. j. de cõ. z affi. nõ d3. S. pbibitio. **C** Di-
cẽs. Gregorius eps seruus seruoz dei zc. z hic est libri titulus.

Seruus: sic etiã impator appellat se seruũ. **C** de offi. pre.
pzetoz z pbzice. l. j. circa prin. vl' dic q dicit ex humilitate: quia
q maior est vestrũ: fiat sicut minister vester. ix. q. iij. nullus pri-
mas matth. xx. luce. xxi. z mar. c. r. vel seruus dicit: qia sicut p
seruũ acquirif dño. instit. p qis pso. nobis acqui. circa prin. ita
etiã p dñm papã cuiuslibet ecclie põt acquiri. j. de cens. cũ instan-
tia: in pñcula q decisa est de pn. j. vt li. pen. ecclia. ij. sic p impa-
tozẽ acqriẽ boib?. in auc. cõsti. q digni. fi. libe. a pa. po. S. illud
q3. col. vj. z noctes ducit insomnes: vt subiecti sub omi quiete
cõsistant: in auc. vt iudices sine quoq; suffra. in pn. col. ij. et di-
cit impator v olũtarios labores appetim?: vt quietẽ alijs ppa-
rem?: in auc. vt diuini iussi. vel subscrip. babe. gloriosissi. qsto. in
pn. col. viij. z j. de resti. spo. c. frequẽs. **C** Filij: bñdicit fi-
lij: qz solũ modo pñarchas archiepos z epõs fratres appellat
oẽs alios filios. j. de cri. fal. quã graui. **C** Bononie cõmorã
tibus: z ita nõ in castris: qm si in castris studeant: bñficia ex p-
uilegio sibi cõcessa occasione studij bñe nõ debent. j. de de. non
refi. tue fraternitat. **C** Preterea exq dicit bononie. non videt q
alia mittant? alibi? qntib? q sic nõ tenent? recipiẽ bñc cõpi-

In noie scẽ trinitatis amẽ. Lõ
pilatio decretaliũ Gregorij. ix.



REGIUS
Episco-
pus ser-
uus ser-
uorum dei. Dilectis filijs docto-

cipis post duos menses a tpe publicatõis omẽs astringit: in auc.
vt facte noue cõsti. circa prin. col. v. z j. de sen. excom. nouerit.
C Salutẽ: p talẽ salutationẽ non tollif excoicatio: si aliqui
scholares vel magistri essent excoicati tpe publicationis. j. de
sen. excom. si aliquãdo vbi de hoc Bern.

Ex pacificis.
Prio põit
exordiu in q cõcludit
finalem intentũ iuris
general. Scdo narra-
tionẽ i q õndit finale
intentũ b? cõpilatõis
seu iuris pñicularis:
ibi: sane. Tertio pcludit
ibi: volentes. Pri-
ma subdividit: qz pri-
mo ponit finẽ viato-
ris. i. hominis ad quẽ a
deo disposit? e. Scdo
cãm deuiaõnis ab h
fine ibi: sed effrenata.
Tertio vt ad debitũ
finẽ viator deducatur
cõcludit legẽ necessa-
riã z õndit tres virtu-
tes ac pñtates legẽ
ibi: ideoq; lex p dicitur
Scda ps subdividit
qz: Primo ponit euẽ-
tum circa cõstitutio-
nes ecclesiasticas. or-

ribus et scholaribus vniuersis
bononie commorantibus: Sa-
lutem et apostolicã benedictio-
nem.

Ex pacificis pia misera/
tõe disposuit sibi sãditos
fore pudicos pacificos z mode-
stos. s. effrenata cupiditas sui-
p diga pacis emula: mater litũ
die noua litigia generat: vt nisi

rectioni summittendas: z ponit materiã z causam impulsinã
hui? cõpilatõis. Scdo cõcludit cãm finale ibi: ad cõem. Ter-
tio cãm coadiuatiuã ibi: p dilectũ. Quarto formale ibi: refe-
catis. Et h diuisio sufficit p sũmario. Abbas sicut? f. **C** Rex:
alibi appellat impator. xi. q. iij. iulian?. g. **C** Pacificus: q vt
pacẽ docet venit in mũdũ. xxij. q. j. nisi bella. regnũ tñ ei? nõ e
de h mũdo. e. cã. q. iij. S. j. z in euangelio Jobis. c. xvij. **C** Z.
b. **C** Disposuit. i. p puidetiã z pdestinationẽ nõ necessitate qz
vasis ire zc. xxij. q. iij. nabuchodonosor. de pe. di. iij. S. sic itaq;
z in pcedẽtib? z seqũtib?. S. i. **C** Subditos. i. pdestinatos q si
etiã peccat corã dño dicunt peccare: de pe. di. j. z venit: q etiã
si peccat: nihilomin? saluabunt. de pe. di. iij. S. sic itaq;. Cõtra
pñmũ dictũ est. de pe. di. iij. S. hanc societate. k. **C** Pudicos. i.
castos: sic z impator sãditos suos castitatẽ seruare hortat. vñ
dñ castitas sola e q cũ fiducia possibilis est deo aias pñtare in
auc. de lenoib?. S. sancim?. col. iij. q suaderi põt. impari vero
nõ põt. xxij. q. j. integritas. vñ debem? esse pudici qz ipudicus
oculus ipudici cordis e nunci?. xxij. q. v. nec solo. l. **C** Pacifi-
cos. i. pacẽ custodiẽtes. vñ etiã dñ: bñi pacifici qm filij dei voca-
bunt. xxij. q. j. noli. z matth. c. v. **C** Z. m. **C** Modestos. i. tẽ-
peratos: qz qlibet d3 bñe in se tpantiã: vt sciat suare miscdiaz
z rigozẽ: vl' simul vtrũq;. xlv. di. disciplina. ber. n. **C** Cupidi-
tas: q e radix oim maloz. xlvij. di. bonoz. i. auc. vt iudices sine
qã suffragio. S. cogitatio. col. ij. z h idẽ innuit: de pe. di. ij. S. qã
radix oim: post illũ. S. ex pmissis. ber. o. **C** Prodigã: qz nõ solu
rerũ: s. etiã fame qis pdig? e. vt habet. C. de bis q pe. nõ. l. j. j.
de accu. c. prela. ex. z tal' crudel' e: q famã suã negligit. xij. q. j. nõ
lo. z vere. qz ois etas ab adolefcentia pna e in malũ. xij. q. j. ois
etas. z ois creatura sub viciõ e. de pe. di. ij. S. charitas. ad fi. et
hñana natura qdamõ labif ad delicta. in auc. de monachis. S.
si qis igif. col. j. z pcliuus e boim cursus ad voluptatẽ: z natu-
ra e imitatrix viciõz. xx. q. iij. pcliu?. vñ claudian? Procliuoz
vsus i peiora dat: s. in eo qd dicit. pdigã videt sibi ðria lra ista
qãmo dicit cupiditas: qã est cupidus: nõ est p dñi? s. iustit

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America, Great Britain *and* Europe,
15th to 20th Centuries

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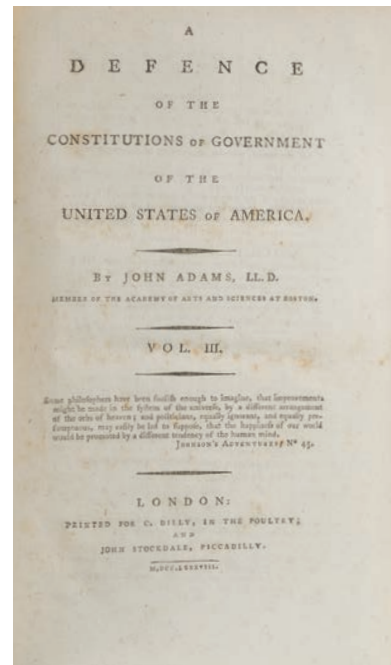
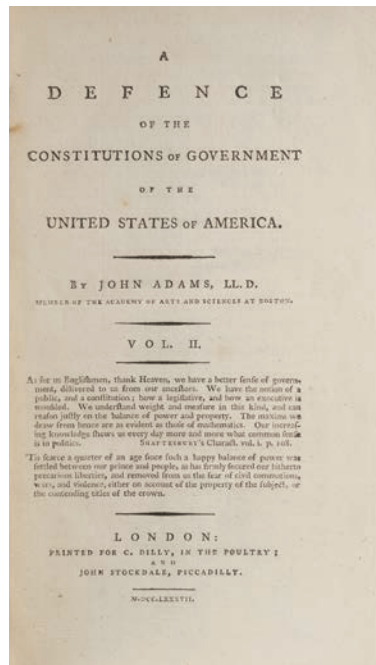
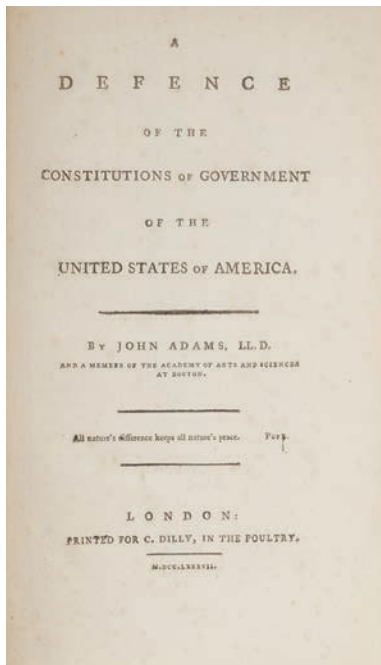
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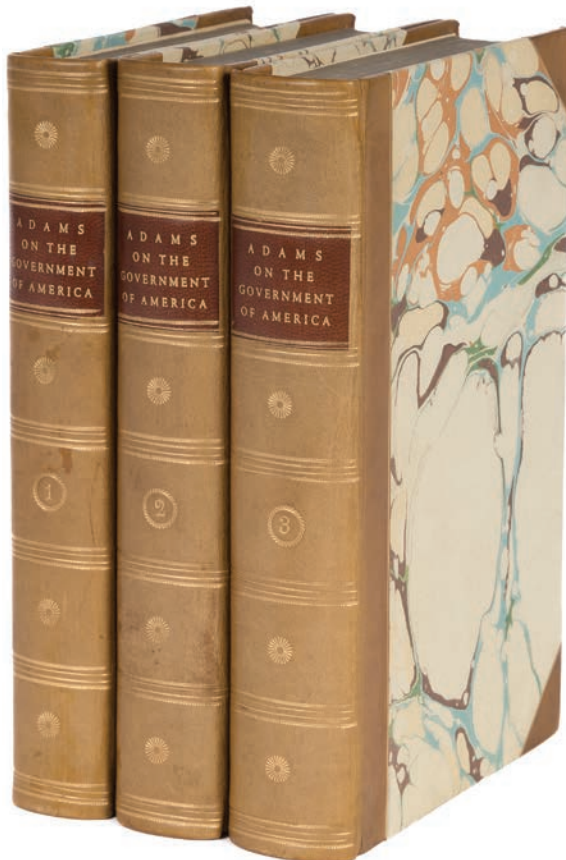
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1. ADAMS, JOHN [1735-1826].

A Defence of the Constitutions of Government of the United States of America.



London: Printed for C. Dilly and J. Stockdale, 1787-1788.
Three volumes. [ii], xxxi, [1], 3-392; [iv], 451; [iii], 528, [36] pp.
Volume II has half-title. Octavo (8-1/4" x 5").

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Adams intended the *Defence* to be a one-volume work. It attracted a good deal of critical attention after its publication in 1787, which Adams addressed in two more volumes published in 1788. Since this book was published in two stages, complete sets are uncommon. They are rare in the trade, having appeared only three times at auction since 1955. Cohen 2731. Sabin 234.

“ALMOST EVERY INTERESTING PARTICULAR CONCERNING THAT SEX”



2. ALEXANDER, WILLIAM [D.1783].

The History of Women, From the Earliest Antiquity, To the Present Time; Giving an Account of Almost Every Interesting Particular Concerning that Sex, Among All Nations, Ancient and Modern. With a Complete Index.

Philadelphia: Published by J.H. Dobelbower, 1796. Two volumes. xxv, 377, [1], xxx; 346, xx [i.e. xxv], [1], 10 pp. Title page of each volume preceded by copperplate allegorical frontispiece. Octavo (8" x 5").

Contemporary tree calf, rebacked in period-style calf, raised bands and retained contemporary lettering pieces to spine, hinges mended. Light rubbing, a few scuffs and some light gatoring to boards, moderate rubbing to extremities, corners bumped and somewhat worn. Light browning to interior, light foxing in a few places, minor tears and chips to a few leaves with no loss to text, some offsetting and light edgewear to margins of preliminaries. A handsome set.

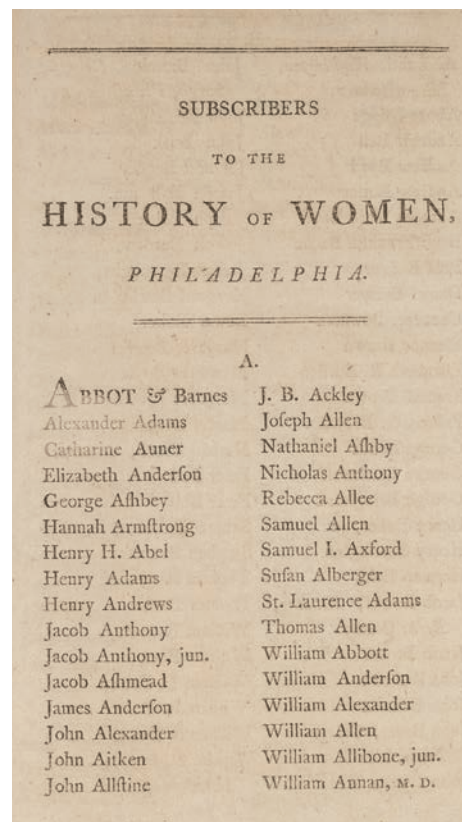
\$3,500.

SECOND AMERICAN EDITION, the final edition of this work. With a subscriber list and two indexes. Originally published in London in 1779, this wide-ranging study traces the subservient role of women since antiquity. The final chapter of Volume II considers “the Rights, Privileges, And Immunities of the Women of Great Britain; The Punishments to Which They are Liable by Law; And the Restrictions They are Laid Under by Law and Custom.”

A patronizing work overall, it is nevertheless laudable for its advocacy of better educational opportunities and greater social freedom for women. The list of 570 subscribers, mostly Philadelphians, includes Thomas Mifflin, then governor of Pennsylvania, James Wilson, then an associate justice of the U.S. Supreme Court, and 65 women, several from prominent families. The frontispieces are by two notable Philadelphia engravers, James Smither, sometimes spelled Smithers, [d.ca.1799] and James Thackara [1767-1848]. ESTC W12754. Evans 29964.



Frontispiece detail



Interior detail

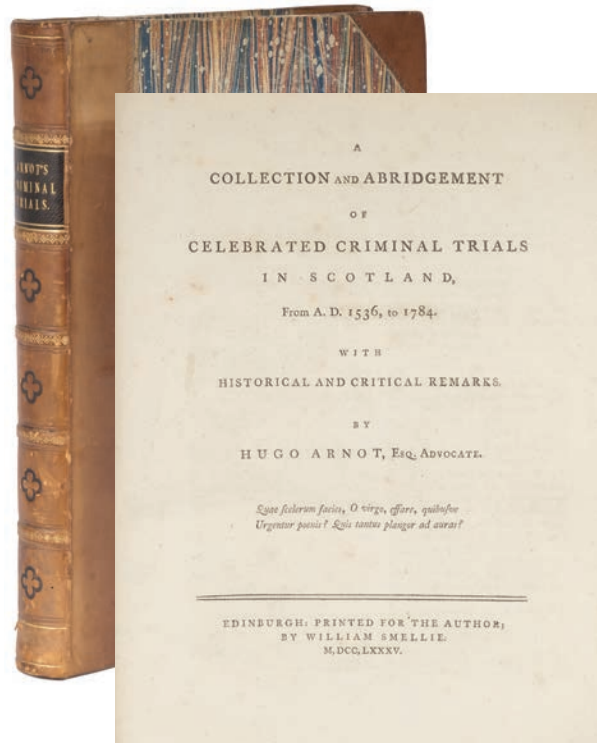
FIRST EDITION OF THE
MOST FAMOUS COLLECTION
OF SCOTS TRIALS

3. ARNOT, HUGO [1749-1786].

A Collection and Abridgement of Celebrated Criminal Trials In Scotland, From A.D. 1536, to 1784. With Historical and Critical Remarks.

Edinburgh: Printed for the Author; by William Smellie, 1785. xxiii, [1], 400 pp. Additional leaf of "Subscribers Omitted" inserted between pp. xiv and xv. Quarto (10-1/2" x 8-1/4").

Contemporary three-quarter calf over marbled boards, blind fillets to calf edges, raised bands, gilt fillets, blind stamping and lettering piece to spine, marbled edges. Light rubbing and a few scuffs, nicks and scratches to boards, moderate rubbing and light wear to extremities, including corners, which are bumped, front hinge cracked, rear hinge starting at head, slight offsetting to endleaves. Light toning, occasional light foxing, light soiling in a few places, small tear to bottom edge of leaf Aa4 (pp. 191-192) without loss.



\$750.

FIRST EDITION. According to Walker, Arnot's work contains the only accounts of many trials otherwise unknown. Contents include chapters on treason, murder, piracy, forgery, incest, adultery, blasphemy, witchcraft and crimes against religion and the state among others. With a twelve-page list of over 800 subscribers that includes the Prince of Wales, Adam Smith, Thomas Erskine, Lord Chancellor Thurlow and many other luminaries. Walker 79. ESTC T142881.

A WORK CENTRAL TO THE POLITICAL
THEORY OF THE GLORIOUS REVOLUTION

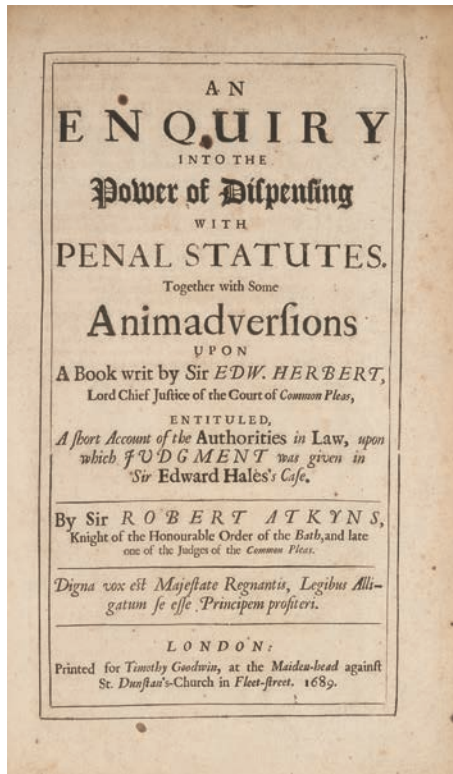
4. ATKYNS, SIR ROBERT [1621-1710].

An Enquiry into the Power of Dispensing with Penal Statutes. Together with Some Animadversions upon A Book Writ by Sir Edw. Herbert, Lord Chief Justice of the Court of Common Pleas, Entitled, A Short Account of the Authorities in Law Upon Which Judgment Was Given in Sir Edward Hales's Case.

London: Printed for Timothy Goodwin, 1689. [ii], 58 pp. Lacking initial leaf, a printer advertisement, and final leaf, a blank. Folio (11-1/4" x 7-1/2").

Recent period-style goatskin, blind rules to boards, raised bands, blind fillets and lettering piece to spine. Light browning and occasional light foxing to interior, negligible faint dampstaining to margins, underlining, annotations and tiny spark burns to a few leaves, light soiling to title page and verso of final leaf of text. An appealing copy in a notably handsome binding. \$650.

FIRST EDITION. A work central to the political theory of the Glorious Revolution, this essay refutes the Royalist claim that monarchs have the exclusive power to dispense with laws. Instead, it argues, this is a power shared equally with Parliament. A second edition was also published in 1689. ESTC R22814.





N° 5

A SUPERB SET OF THE RARE
FIRST EDITION OF AZUNI'S
COMMERCIAL LAW DICTIONARY

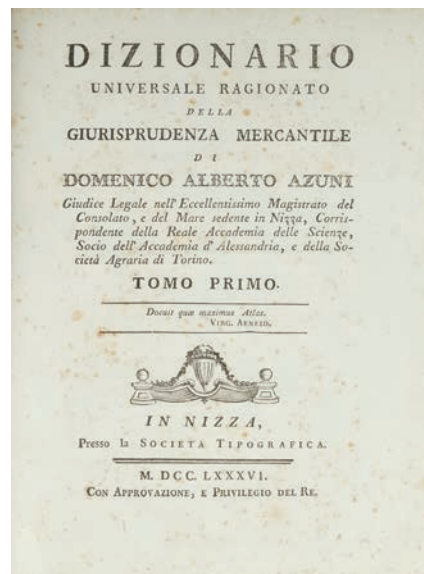
5. AZUNI, D[OMENICO] A[LBERTO]
[1749-1827].

Dizionario Universale Ragionato Della Giurisprudenza
Mercantile.

Nizza: Presso la Società Tipografica, 1786-1788. Four
volumes. [v], xx, 392, [2]; [viii], 378, [2]; [viii], 398, [2] pp.,
[2]; [viii], 296 pp., 55 pp., [3]. Volume IV contains a 55 page
Supplement. Quarto (9-1/2" x 7-1/4").

Contemporary vellum, gilt fillets and red and black calf
lettering pieces to spines, speckled edges. Boards lightly
bowed. spine ends lightly bumped. light wear to edges
of lettering pieces. Light toning to interiors, light foxing in
places. Rare in commerce. \$2,000.

FIRST EDITION. An authority on mercantile law,
Azuni was an Italian jurist and a writer who later became
a French citizen, president of the appeal court at Genoa
and judge of the Commercial Court at Cagliari. He is
best-known for his *Maritime Law of Europe* (1806),
which was a standard authority in the United States.
Adapted in part from Baldasseroni's *Dizionario* (1807),
it is more an encyclopedia or essay collection than a
dictionary. Both synthetic and critical, it refers often to
the leading treatises of commercial law. Marvin found it
useful because it "contains the results of many authors,
not readily accessible." Useful for its definitions, it is
equally interesting because it has detailed criticism
of the literature by a contemporary expert. The final
edition, the fifth, was issued in 1844. Marvin 81-82
(citing the second edition).



N° 5

THE EARLIEST TEXTBOOK
OF SCOTTISH LAW

6. BALFOUR, SIR JAMES, LORD
PETTINDREICH [D. 1583].

Practicks, Or a System of the More Ancient Law
of Scotland. Carefully Published From Several
Manuscripts.

Edinburgh: Printed by Thomas and Walter Ruddimans,
1754. [ii], xvii, 684, 10 pp. Folio (12-1/4" x 7-1/2").

Contemporary three-quarter calf over marbled boards,
rebacked in period style, lettering piece and gilt-edged
raised bands to spine, hinges mended. Moderate rubbing
to boards and board edges, later armorial bookplate (of
Sir Alexander Gordon of Culvennan) to front pastedown.
Moderate toning to interior, light foxing in a few places,
including title page, which is lightly soiled. \$750.

ONLY EDITION. One of the most important books
on Scots law, *Practicks* is widely believed to be the first
textbook of its kind. It was compiled during the late
sixteenth century and circulated for several decades as
manuscript copies. Balfour was part of the commission
that consolidated Scottish law. Similar in its general
form to the *Institutes* of Justinian, this book grew out of
his association with the commission. Although it is not
certain how much was written by him, the work became
known as "Balfour's Practicks." "This was the first of the
great digest Practicks, and is notable to most lawyers as it
was published in 1754 and has been continually quoted in
our law books both before and after." McKechnie 33-34.
ESTC T93691.

A COMPARATIVE-LAW RESPONSE TO THE ACT OF UNION

7. BANKTON, ANDREW MACDOWALL, LORD [1685-1760].

An Institute of the Laws of Scotland in Civil Rights: With Observations Upon the Agreement or Diversity Between Them and the Laws of England. In Four Books. After the General Method of the Viscount of Stair's Institutions.

Edinburgh: Printed by R. Fleming, for A. Kincaid and A. Donaldson, 1751-1753. Three volumes. xii, [ii], 696; [viii], 681; [iv], 190 pp. Folio (12-1/2" x 8").

Contemporary calf, raised bands, gilt ornaments and lettering pieces to spine, speckled edges, blind tooling to board edges. Light rubbing and minor scuffs to boards, somewhat heavier rubbing to extremities, light wear to corners, small chip to spine head of Volume I, front joint of Volume II and most hinges starting. Light toning to interiors, light soiling to margins in a few places in each volume, clean tear to fore-edge of leaf Eeeee 2 (pp. 387-388) of Volume I. A handsome set. \$2,500.

FIRST AND ONLY EDITION. With side-notes and comprehensive indexes. The 1707 Act of Union compelled Scottish and English jurists to comprehend each other's legal systems. As Bankton put it, "now, since the union of the two kingdoms, there is such an intercourse between subjects of South and North Britain, that it must be of great moment that the laws of both be generally understood, and their agreement or diversity attended to; so that people, in their mutual correspondence, may regulate themselves accordingly" (Preface). As one would expect of an eighteenth-century Scottish jurist, the arrangement of the *Institute* is strongly influenced by the *Institutes* of Justinian. ESTC T90336.

RIGHT OF PASTURE IN THE HOLY ROMAN EMPIRE

8. BARTH, GOTTFRIED [1650-1728]. HAHN, HEINRICH [1605-1668]. STRUVE, GEORG ADAM [1619-1692]. STRYK, SAMUEL [1640-1710].

De Jure Pascendi et in Primis de Jure Ovium, Materiisque Affinibus, German. Von Hut- und Weide-Schafen, Schäfereyen, Und Andern Hiebey Gehörigen Materien. Tractat. Selectiss. Annexis Consiliis, Resolutionibus et Decisionibus Nonnullorum Inter eos Celeberrimorum Recentioris Aevi Jure Consultorum, e.g. Berlichii, Carpovii, Rittershusii, Brunnemanni, Mevii, Lynckeri,



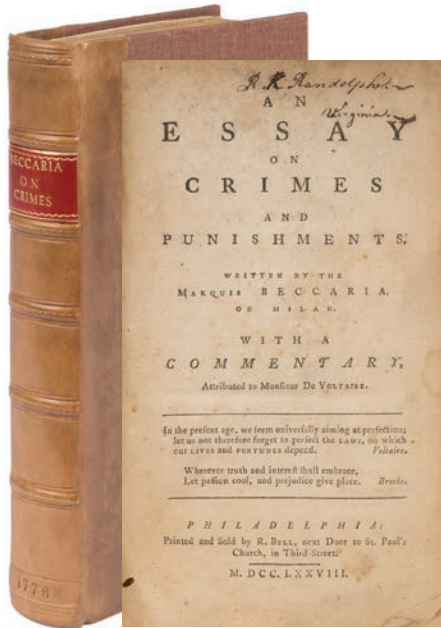
N° 7

Harprehti, Bergeri, Homburgi, Koeppii, In Quibus Praecipui Rarioresque Circa Hasce Materias in Praxi Obvenientes Casus Solide Explanantur, Et Deciduntur.

Celle: Impensis Hieron. Fried. Hoffmanni, Bibliopolae, 1714. [ii], 337, [1] pp. Quarto (7-3/4" x 6").

Contemporary sheep, raised bands with black-stamped title and ornaments to spine, fragment of later paper shelf label to foot, speckled edges. Moderate rubbing, some shallow scuffing to boards, corners bumped and somewhat worn, some worming to foot of spine and parts of text block with very minor loss to text in a few places, two early owner inscriptions and a shelf location number to front pastedown. 8-1/4" x 6" title page, bottom edge folded, printed in red and black. Light browning and foxing to text, faint dampspotting in places, light soiling to title page. \$1,250.

FIRST EDITION. This book concerns laws relating to pastures. Its main part is a series of four essays: "Dissertatio Juridica de Jure Pascendi" by Barth, "Dissertatio Inauguralis de Jure Pascendi" by Hahn, "De Jure Pascendi" by Struve and "Dissertatio de Jure Cratium" by Stryk. These essays are followed by a collection of related consilia by Matthias Berlich, Benedict Carpov, Jakob Brunnemann and other distinguished German jurists. A second edition was issued in 1741. Both editions are scarce. OCLC locates 2 copies of the first edition in North America (Harvard Law School, UC-Berkeley Law School), none of the second. VD18 1474145-009.



"NO MAN WHO READS THIS BOOK
WILL BE A TYRANT"

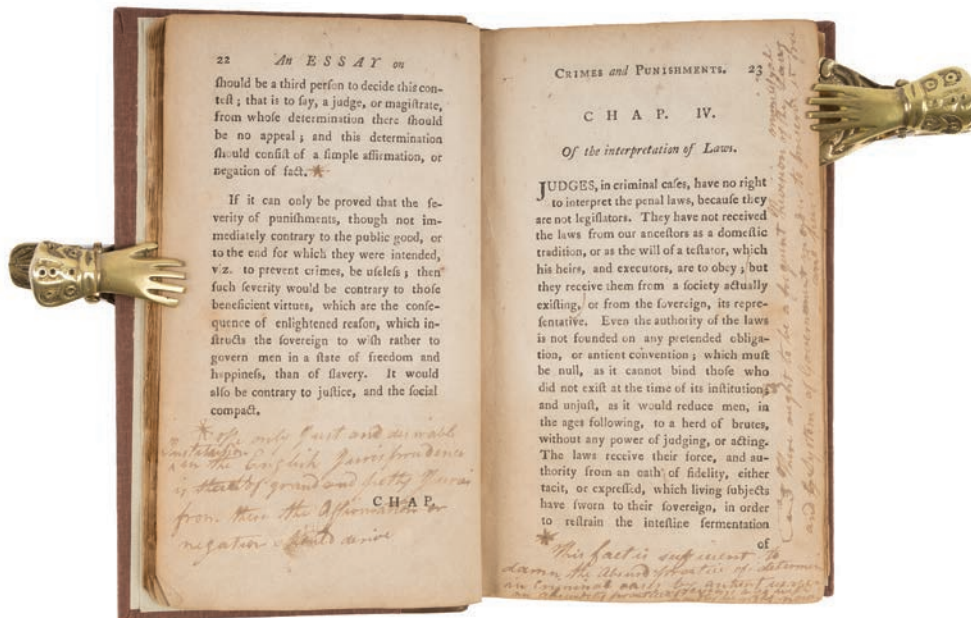
9. BECCARIA, [CESARE BONESANA, MARCHESE DI] [1738-1794].
SHARPE, GRANVILLE [1735-1813].
ROUSSEAU, JEAN-JACQUES [1712-1778].

An Essay on Crimes and Punishments. Written by the Marquis Beccaria of Milan. With a Commentary Attributed to Monsieur De Voltaire.

Philadelphia: Printed by R. Bell, 1778. [iv], 352, [4] pp. Includes one-page publisher list. Three works in one with continuous pagination. The second work, preceded by a half-title and title page, is Sharpe's *Remarks on the Opinions of Some of the Most Celebrated Writers on Crown Law, Respecting the Due Distinction Between Manslaughter and Murder*, the third, with a drop-head title, is *J.J. Rousseau, Citizen of Geneva, His Opinion on Duelling*. Octavo (7-1/2" x 4-1/4").

Recent period-style quarter calf over cloth, blind tooling to calf edge, gilt-edged raised bands, blind fillets, lettering piece and date to spine, endpapers and endleaves renewed. Moderate toning to interior, occasional light foxing, faint dampstaining in a few places, a few folded corners, small wormhole to gutter of first few leaves, light edgewear and chipping to half-title and title pages, small tear to top-edge of leaf E6 (pp. 43-44). Ownership signature of a Richard Randolph dated 1796 to half-title and title pages, early annotations (possibly Randolph's) throughout Crimes and Punishments. \$3,500.

WITH A TABLE OF AUTHORITIES AND CASES. *Dei Delitti e Delle Pene* (1764) was the first systematic study of the principles of crime and punishment. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the medieval era. It had a profound influence on the development of criminal law. It was especially influential among American thinkers, who saw Beccaria as a source of enlightened ideas to reform English common law. Though a matter of some debate, the first American edition was published in Charleston, SC, in 1777. (Earlier American imprints, including one printed in New York in 1773, are ghosts). The Randolphs were an elite Virginia family. Our copy likely eventually belonged to Richard Kidder Randolph [1781-1849], although it may have had a previous Randolph owner. The frequent annotations show an engaged reader at work, from reviews ("no man who reads this book will be a tyrant") to other musings ("How many Lives have depended on the composition of a Judge's Dinner!"). Cohen 4233.



Interior detail

THE NOTORIOUS HALIFAX GIBBET

10. BENTLEY, WILLIAM.
[MIDGLEY, SAMUEL (D.1695)].

Hallifax, And its Gibbet-Law Placed in a True Light. Together with a Description of the Town; The Nature of the Soil; The Temper and Disposition of the People; The Antiquity of its Customary Law, And the Reasonableness Thereof: With an Account of the Gentry, And Other Eminent Persons Born and Inhabiting Within the Said Town, And the Liberties Thereof: With Many Other Matters and Things of Great Remark, Never Before Publish'd. To which are Added, The Unparalle'd Tragedies Committed by Sir John Eland, Of Eland, And His Grand Antagonists.

London: Printed by J. How, For William Bently, At Hallifax, In Yorkshire, 1708. [vi], 174 pp. With woodcut illustration of the Halifax gibbet opposite title page. 12mo (5-3/4" x 3-1/4").



Frontispiece detail

Contemporary sheep, gilt paneling to boards, rebacked in period-style vellum, raised bands and blind fillets to spine, gilt tooling to board edges, marbled endpapers, blind tooling to inside edges. Light rubbing with some scuffing and wear to boards, moderate rubbing to extremities, including corners, which are bumped and worn, front hinge cracked. Moderate toning to interior, occasional faint dampspotting, faint dampstain to bottom half of text block in a few places, slight loss to corners in a few places with no loss to text, ownership signature (of "N. Hunton") dated 1712 to front endleaf, early(?) annotations to illustration leaf and p. 67. \$500.

FIRST EDITION. The Halifax gibbet was an early guillotine used to execute petty criminals until the mid-seventeenth century, long after use of the devices had been abandoned elsewhere. The law allowing the executions was an echo of feudal privileges given to the Lord of the Manor of Wakefield allowing him to execute anyone for the theft of goods of a certain value. The practice of Halifax's gibbet law was ultimately ended by Cromwell in 1650, but its legacy loomed large in the town. Midgely wrote our account while in prison for debt, either from his own imagination or an existing manuscript, but could not afford to have it published. Bentley, the parish clerk, discovered the manuscript and published it under his own name with some additions (likely the story of Eland, which seems unrelated to the gibbet). It was reissued in 1712 with a new title page and again in 1761 by Bentley's grandson. ESTC T33072.

THE FIRST EXTRACT FROM BLACKSTONE'S COMMENTARIES IN FRENCH

11. BLACKSTONE, SIR WILLIAM [1723-1780].
COYER, [GABRIEL FRANÇOIS] [1707-1782], TRANSLATOR AND EDITOR.

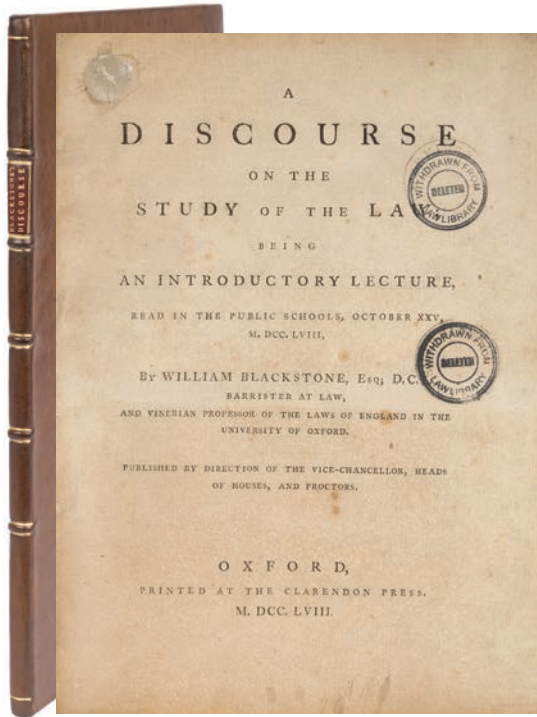
Commentaire Sur le Code Criminel d'Angleterre, Traduit de l'Anglais, De Guillaume Blackstone, Ecuyer, Solliciteur General de Sa Majesté Britannique; Par M. l'Abbe Coyer, Des Académies de Nancy, De Rome & De Londres.

Paris: Chez Knapen, 1776. Two volumes in one book, each with title page and individual pagination. xiv, 264; [ii], 252, [3] pp. Octavo (7-1/2" x 4-1/2").

Contemporary mottled calf, gilt spine with raised bands and lettering piece, marbled endpapers, edges rouged. Minor nicks, scuffs and scratches to boards, moderate rubbing to extremities, wear to spine ends and corners, hinges cracked. Moderate toning to interior, light foxing to a few leaves in each volume, faint dampstaining to gutter of second volume after p. 235, light soiling to title page of first volume, tiny hole and later mark in tiny hand to its upper outside corner. \$500.

ONLY EDITION, one of two issues, both in 1776. The first extract from the *Commentaries* in French, "this translation of... book 4, 'Of Public Wrongs,' omits the appendix and index. (...) In the footnotes, Coyer's notes are marked with the letter 'T' (for translator) to distinguish them from Blackstone's notes" (Laeuchli). Coyer, a man of letters and academician, was a member of the Jesuit order from 1728 to 1736. The other issue is in two volumes. The layout of its title page is also slightly different. Counting both issues, OCLC locates 15 copies worldwide. Eller 180. Laeuchli 415.

THE GENESIS OF BLACKSTONE'S COMMENTARIES



12. BLACKSTONE, SIR WILLIAM.

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

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

Recent period-style calf by Philip Dusel, raised bands, gilt fillets and lettering piece to spine, gilt tooling to board edges. Light toning, light foxing to a few leaves, soiling and two later library stamps to title page, another library stamp to pp. 23 and 39, discreet repairs to edges of title page and final leaf. A handsomely bound copy. \$2,500.

FIRST EDITION. This is the published version of Blackstone's inaugural lecture as Vinerian professor of English law. Presented to a large audience, it was "[h]astened into print less than a fortnight later as *A Discourse on the Study of the Law*, by late December a London correspondent claimed to hear Blackstone's lecture 'commended wherever I go.' What

one reviewer terms 'this sensible, spirited, and manly exhortation to the study of the law' was reprinted in a further thousand copies next year; it also prefaced subsequent editions of the *Analysis of the Laws*, and eventually the first volume of the *Commentaries*." : Prest, *William Blackstone* 151. Eller 233. Laeuchli 542.

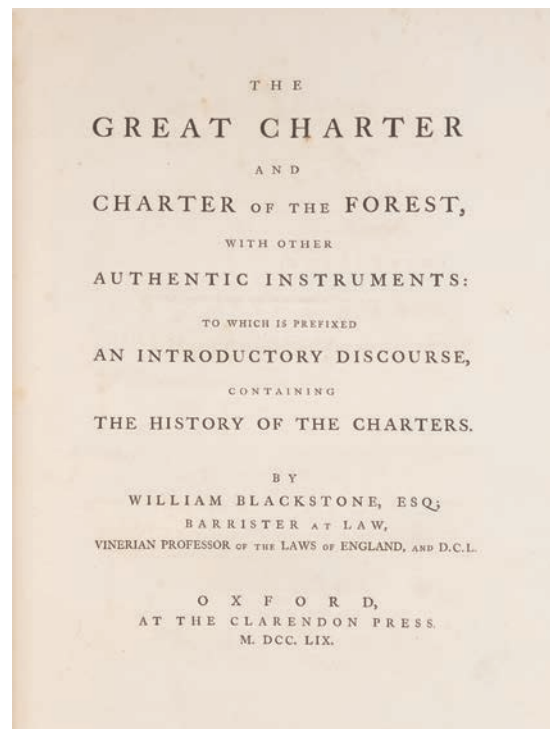
BLACKSTONE'S FIRST CRITICAL EDITION OF MAGNA CARTA
IN A HANDSOME RECENT PERIOD-STYLE BINDING13. BLACKSTONE, SIR WILLIAM,
EDITOR.

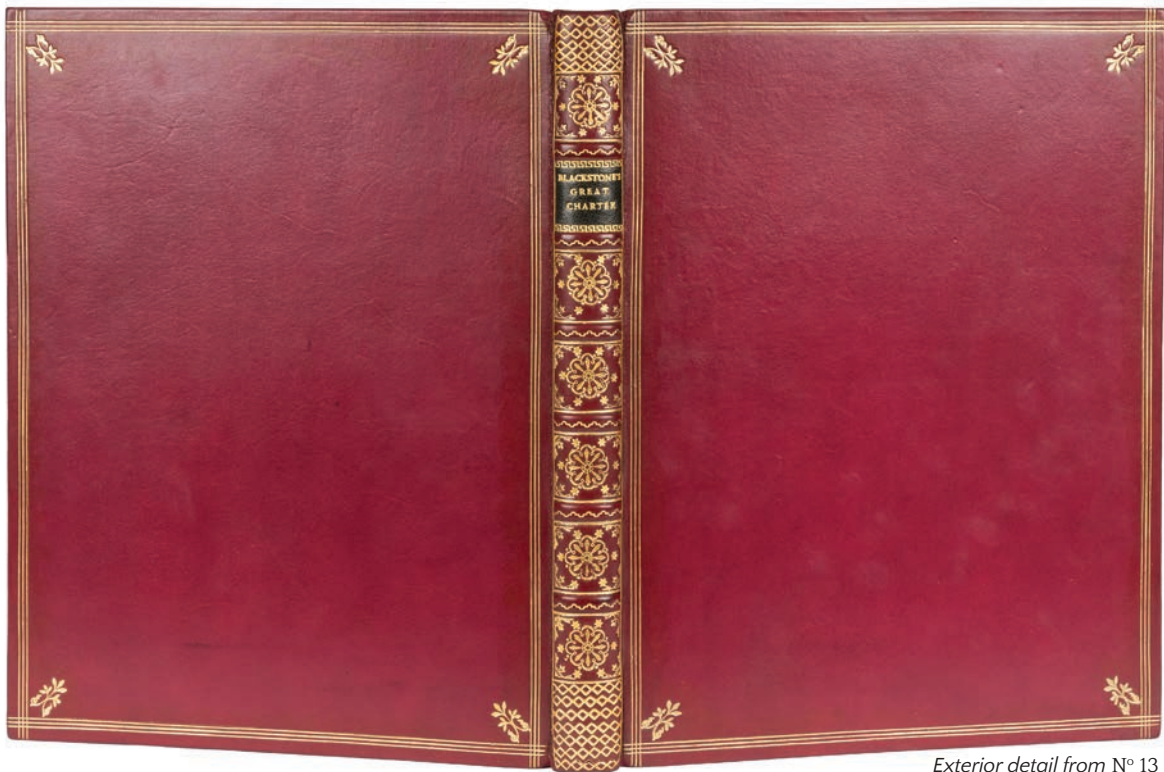
The Great Charter and Charter of the Forest, With Other Authentic Instruments: To Which is Prefixed an Introductory Discourse, Containing the History of the Charters.

Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. Half-title and table of contents (Tabula) bound between pp lxxvi and 1. Copperplate engraved tail-pieces. Collated and complete. Folio large paper copy (13-1/2" x 10-1/2"). 34.5 x 26.7 cm.

Recent period-style calf, gilt fillets and large corner fleurons to boards, gilt spine with raised bands and lettering piece, existing marbled endpapers retained, early armorial bookplate (of William Wrightson) to front pastedown. Moderate toning to text, light foxing in a few places, light soiling to a few leaves. An exceptionally handsome wide-margined copy. \$12,000.

FIRST EDITION of the first modern critical edition of Magna Carta. Blackstone's first important work, it contains the Articles of the Barons, the issues of the Great Charter

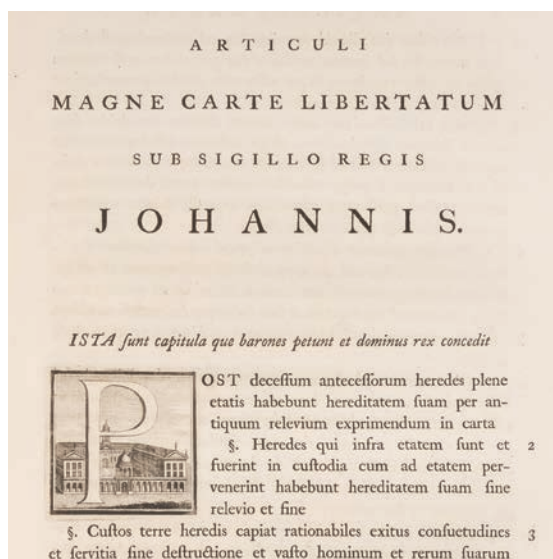




Exterior detail from N° 13

in 1215, 1216 and 1217, with several charters of confirmation, the Charter of the Forest, and the Statute of Marlebridge. The introduction is in English and the texts of the Magna Carta and Carta de Foresta in Latin. 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.

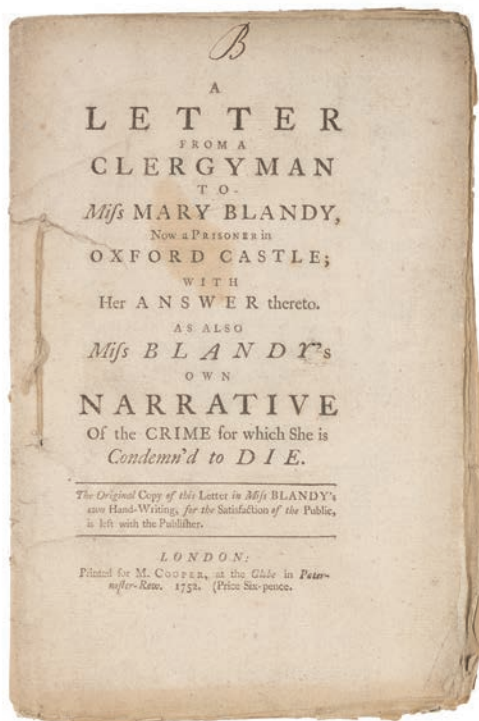
This edition is esteemed for its handsome appearance, which was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition" and the "elegance of typography is very great." The engraved dedication to the Earl of Westmoreland is surmounted with his armorial ensigns; engraved historiated initials in the text depict views of buildings at Oxford University. The tail-pieces on pages lxxvi and 73 are historical vignettes; the other ten engraved tail-pieces reproduce the royal seals attached to the original documents. Eller 237. Laeuchli 548.



Interior detail from N° 13



Detail from N° 13



THE "LOVE PHILTRE" WAS ARSENIC

14. [BLANDY, MARY (1720-1752)]. A CLERGYMAN [POSSIBLY WILLIAM STOCKWOOD].

A Letter from a Clergyman to Miss Mary Blandy, Now a Prisoner in Oxford Castle; With Her Answer Thereto. As also Miss Blandy's Own Narrative of the Crime for Which she is Condemned to Die. The Original Copy of this Letter in Miss Blandy's Own Handwriting, For the Satisfaction of the Public, Is Left with the Publisher. To Which is Prefixed, A Letter Occasioned by Reading Miss Blandy's Trial.

London: Printed for M. Cooper, at the Globe in Paternoster-Row, 1752. [iv], 26 pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in self-wrappers, untrimmed edges. Moderate toning, light foxing in a few places, light soiling to exterior, short tears to a few leaves around stab-holes, faint stain to front wrapper, "B" in early hand above title. \$650.

ONLY EDITION, 1 of 2 issues by Cooper. The well-educated daughter of a prosperous lawyer, Blandy was not a typical female criminal of the era. Her unfortunate story begins with a dowry. Her father, Francis, advertised an unusually large dowry for Mary, £10,000. This attracted many suitors, including one who captivated Mary, the Honourable Captain William Henry Cranstoun, the son of a Scottish nobleman. Mr. Blandy became angry when he learned that Cranstoun was already married and realized that he was after the dowry. Sensing danger, Cranstoun

persuaded Mary to give her father an ancient "love philtre" he acquired. Cranstoun said it would make the father like him. It was actually arsenic. Mary was fooled by this ruse and administered the powders. When her father was stricken and she learned what she had done, Mary foolishly burned Cranstoun's letters and disposed of the remaining powder. Cranstoun fled to France when it was clear that Mary was going to be arrested.

Mary defended herself ably, but her case was hopeless. She was sentenced to death by hanging. This was a sensational trial, and it generated a large pamphlet literature. It is also a historic trial because it was the first to consider medical evidence (derived from autopsy rather than traditional methods of observation). Blandy wrote a great deal in prison to promote her cause, including the pamphlet *Miss Mary Blandy's Own Account of the Affair Between Her and Mr. Cranstoun*. Her campaign failed to get her an appeal or a pardon. Some sources attribute this pamphlet to William Stockwood, the rector of Henley. It was issued four times: twice by Cooper and twice by Dublin printers. Some copies of our issue have a laid-in portrait of Blandy. It is not included in the collation register but is sometimes counted with the preliminary leaves. OCLC locates 3 copies of our issue in North American law libraries (Harvard, Library of Congress, Yale). ESTC T155192.

FOUR IMPORTANT GERMAN TREATISES

15. BÖHMER, JUSTUS HENNING [1674-1749].

Introductio in Ius Publicum Universale, Ex Genuinis Iuris Naturae Principiis Deductum et in Usum Iuris Publici Particularis Quarum Cunque Rerum Publicarum Adornatum Adiecto Indice Duplici.

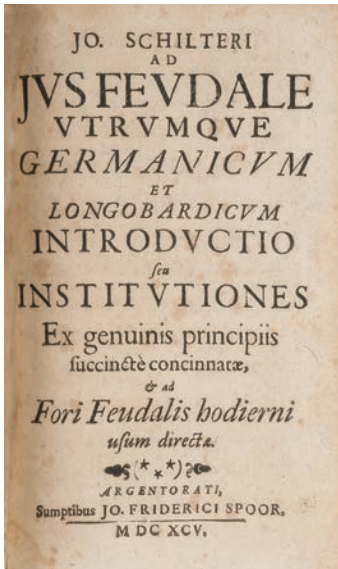
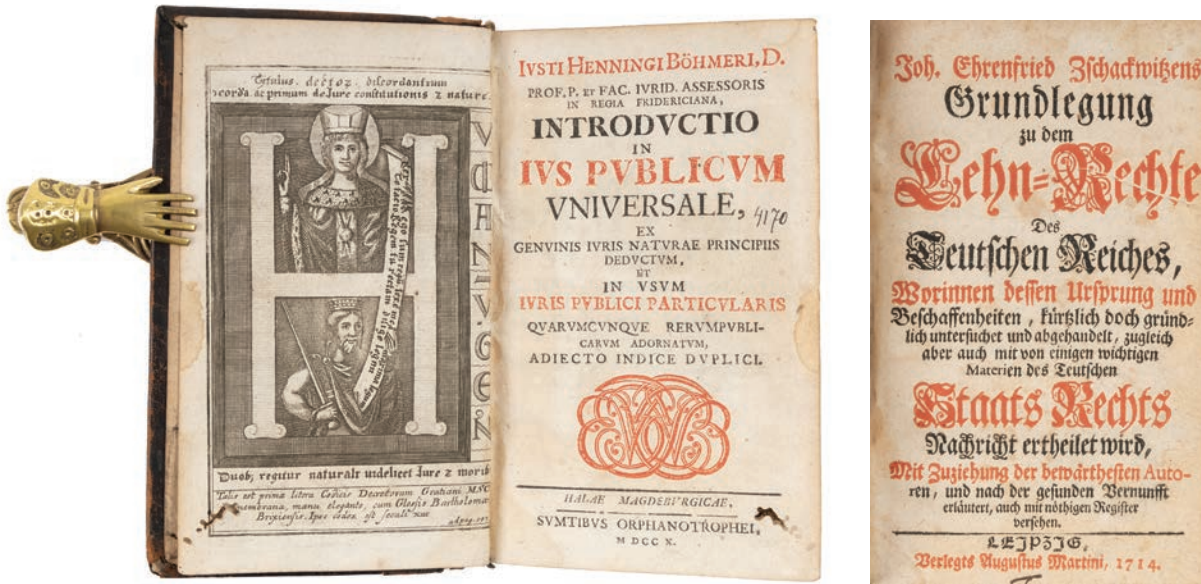
Halle: Sumptibus Orphanotropei, 1710. [xiv], 656, [20] pp. Copperplate pictorial frontispiece.

[BOUND WITH]

ZSCHACKWITZ, JOHANN EHRENFRIED [1669-1744].

Grundlegung zu dem Lehn-Rechte Des Teutschen Reiches: Worinnen dessen Ursprung und Beschaffenheit, Kürztlich doch Gründlich Untersucht und Abgehandelt, Zugleich aber auch mit von Einigen Wichtigen Materien des Teutschen Staats Rechts Nachricht Ertheilet wird, Mit Zuziehung der Bewärthesten Autoren, Und nach der Gesunden Vernunft Erläutert, Auch mit Nöthigen Register Versehen.

Leipzig: Verlegts Augustus Martini, 1714. [xvi], 432, [20] pp.



[AND]

SCHILTER, JOHANN [1632-1705].

Ad Jus Feudale Utrumque Germanicum et Longobardicum Introductio seu Institutiones ex Genuinis Principiis Succincte Concinnatae, Et ad Fori Feudalis Hodierni usum Directa.

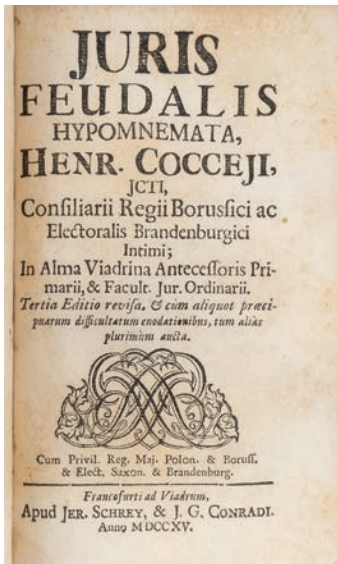
Strasbourg: Sumptibus Jo. Friderici Spoor, 1695. [xvii], 108, [4] pp.

[AND]

COCCEJI, HEINRICH VON [1644-1719].

Juris Feudalis Hypomnemata. Editio Revisa et cum Aliquot Praecipuarum Difficultatum Enodationibus, Tum alias Plurimum Aucta.

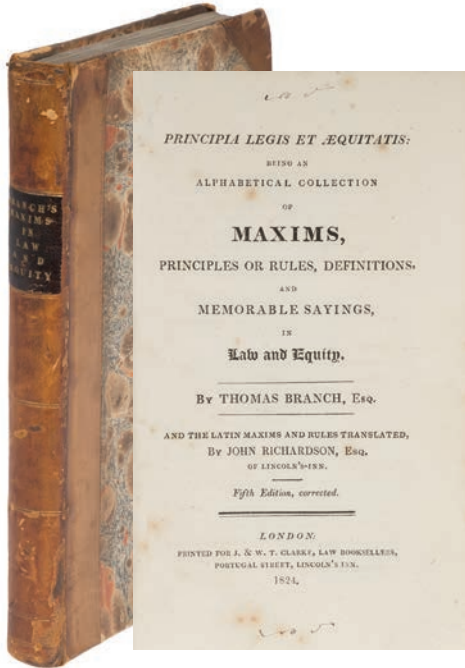
Frankfurt an der Oder: Apud Jer. Schrey, & J.C. Conradi, 1715. [iv], 173, [4] pp.



Octavo (6-1/2" x 3-3/4"). Contemporary speckled calf, gilt spine with raised bands and lettering piece, blind tooling to board edges. Light rubbing to boards, moderate rubbing to extremities, chipping to spine ends, joints starting at ends, light soiling and minor worming to pastedowns and endleaves, minor worming to margins of preliminaries and following 25 leaves with minor loss in a few places. Light browning, somewhat heavier in places, occasional light foxing, occasional faint dampstaining to foot of text block, light soiling to title pages and a few other leaves. \$1,500.

SCHILTER AND BÖHMER: first edition; Zschackwitz: only edition; Cocceji: later edition. This volume collects four important works by German jurists. Böhmer's is a jurisprudential study of public law and its relation to feudal and natural law. The books by Zschackwitz and Cocceji address the feudal law of the Holy Roman Empire. Zschackwitz's was a controversial work because it argued for the autonomy of states in the empire. Schilter's is a pioneering critical study of Lombard and early Germanic laws. Böhmer, Zschackwitz, Cocceji: VD18 12507814-001, 10216944, 10907483. Schilter: VD17 23:239086H.

FINAL EDITION OF BRANCH'S COLLECTION OF LEGAL MAXIMS

16. BRANCH, THOMAS [FL. 1738-1753].
RICHARDSON, JOHN, TRANSLATOR.

Principia Legis et Aequitatis: Being an Alphabetical Collection of Maxims, Principles or Rules, Definitions, and Memorable Sayings in Law and Equity. And the Latin Maxims and Rules Translated. Fifth Edition, Corrected.

London: Printed for J. & W.T. Clarke, 1824. [viii], 244 pp. Octavo (7" x 4-1/4").

Contemporary three quarter calf over marbled boards, lettering piece and gilt fillets to spine. Light rubbing to boards, moderate rubbing to extremities with light wear to spine ends and corners, a few shallow scuffs and minor nicks to spine, hinges cracked, two early bookplates to front pastedown (of James Barratt, Lymm Hall and Charles J. Bewlay, Carleton Hall). Moderate toning to interior, light foxing in a few places, annotations in miniscule early hand to a few passages and title page.

\$500.

FIFTH AND FINAL EDITION. This popular book was first published in 1753. (The first edition by Richardson, the fourth, was published in 1822.) According to Marvin, "As a manual, this little book contains more law and more useful matter, than any one book of the same size which can be put into the hands of the student.' It is more extensive than Noy's Maxims, and 'draws so copiously from the common law reports and writers of the age of Elizabeth, and since that time, that it may be regarded as the accumulated spirit and wisdom of the great body of the English law.'" Marvin's first quote is from *Preston on Abstracts*, the second from Kent's *Commentaries on American Law*. Marvin 143.

SIGNED BY BRANDEIS

17. [BRANDEIS, LOUIS D. (1856-1941)].
UNITED STATES RAILROAD ADMINISTRATION.

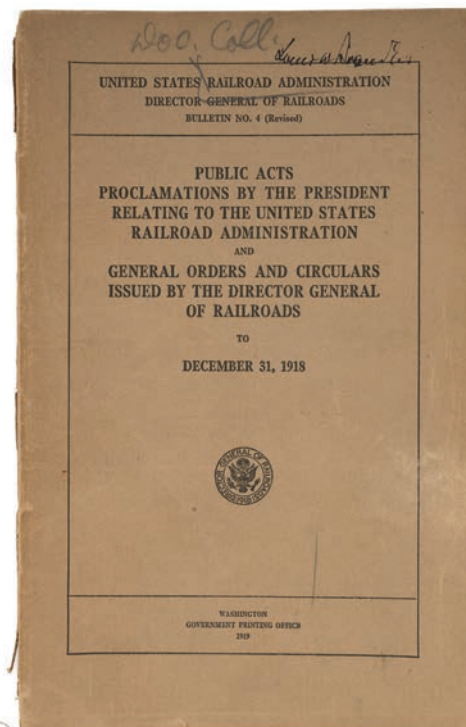
Public Acts Proclamations by the President Relating to the United States Railroad Administration and General Orders and Circulars Issued by the Director General of Railroads. At head of title page: United States Railroad Administration Director General of Railroads Bulletin No. 4 (Revised).

Washington, DC: Government Printing Office, 1919. 452 pp. With two folding tables and an index. Octavo (9" x 5-3/4").

Stiff printed wrappers. Light toning and soiling to wrappers, front wrapper detaching at foot but secure, illegible mark in ink to rear wrapper, which is starting at head, chipping to spine ends, small note in pencil and ownership signature of Louis D. Brandeis in ink to head of front wrapper. Moderate toning to interior, light soiling in a few places, cracks to text block between pp. 160-161, 176-177, 336-337, all signatures secure, small faint stain to p. 333.

\$650.

ONLY EDITION. Brandeis's ownership of this title, a list of internal and external acts relating to railroad administration from 1917-1918, typifies the deep and broad legal research made famous by the Brandeis brief. Railroad administration was a hot-button issue of the early twentieth century, touching on various aspects of the federal government's commercial and military authority. It was also a topic close to Brandeis's heart after his successful actions against J.P. Morgan's New Haven railroad monopoly in 1914.



THE FIRST COMPILATION OF ILLINOIS SUPREME COURT CASES

18. BREESE, SIDNEY [1800-1878].

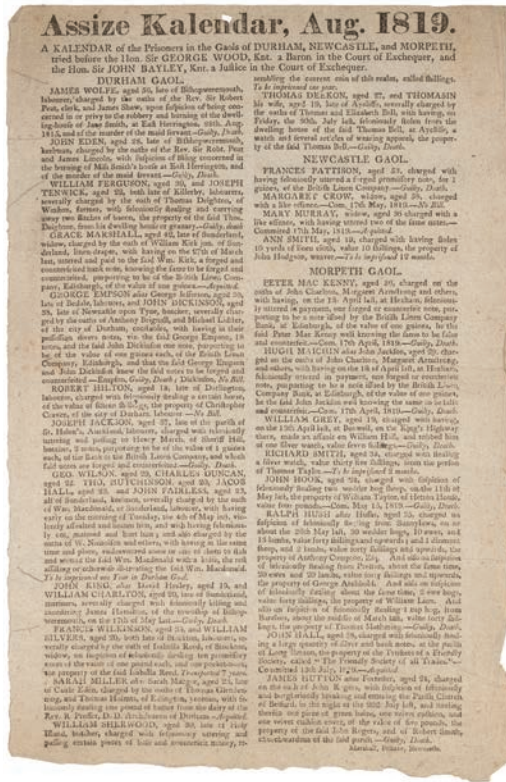
Reports of Cases at Common Law and in Chancery, Argued and Determined in the Supreme Court of the State of Illinois, From its First Organization in 1819, To the End of December Term 1830.]

Kaskaskia: Printed by Robert K. Fleming, 1831. xii, [4], 333, 39 pp. Octavo (9" x 5-1/2").

Contemporary sheep, blind fillets and lettering piece to spine, "Smith Turner/ Mason County/ State of Illinois" in bold hand, along with some faint illegible contemporary markings, to front board. Light rubbing and faint dampstaining to boards, moderate rubbing to spine and extremities with wear to corners, front hinge cracked. Moderate toning to interior, faint dampstaining to head of text block, early signatures and annotations to preliminaries, one on front free endpaper stating this book belonged to Breese. \$850.



FIRST EDITION. This is the first compilation of Illinois Supreme Court cases. Though not authorized, the state sanctioned the publication by subscribing to 150 copies. It was reprinted with additions in 1861 and 1877. An important figure in the history of Illinois, Breese was a jurist who gained national prominence for his decision in Munn v. Illinois, upheld by the U.S. Supreme Court, favoring the regulatory power of the state over business corporations. His fifty-year career spanned the legal and political development of Illinois. Smith Turner was a lawyer, later a judge, in Mason County, Illinois from 1838 to 1861. The annotation regarding Breese states incorrectly that his signature is written above. (It reads "Smith Turner, Breese.") Wallace 573.



FATES OF 34 PRISONERS HELD IN THE PRISONS DURHAM, NEWCASTLE AND MORPETH, AUGUST 1819

19. [BROADSIDE]. [CRIMINALS]. [GREAT BRITAIN].

Assize Kalendar, Aug. 1819. A Kalendar of the Prisoners in the Gaols of Durham, Newcastle, And Morpeth, Tried Before the Hon. Sir George Wood, Knt. A Baron in the Court of Exchequer, And the Hon. Sir John Bayley, Knt. A Justice in the Court of Exchequer.

Newcastle: Marshall, Printer, 1819.

11-3/4" x 8" broadside, text in two columns below headline. Moderate toning, light soiling and light egwear, tiny hole to upper margin. \$1,250.

16 OF THE 34 TRIALS, several for mild offences, ended with death sentences. Among these were five convicts who passed counterfeit promissory notes issued by the British Linen Company Bank in Edinburgh. Two of the Durham prisoners, Francis Wilkinson, aged 35, and William Silvers, aged 20, both

Stockton laborers, were "severally charged by the oath of Isabella Reed, of Stockton, widow, on suspicion of feloniously stealing ten promissory notes of the value of one pound each, and one pocket-book, the property of the said Isabella Reed." Both men were found guilty and sentenced to be transported for seven years.

THE TRIAL OF THE EIGHTEENTH CENTURY SATIRIZED IN VERSE

20. [BROOME, RALPH (D. 1805)].
[HASTINGS, WARREN (1732-1818)].

Letters from Simkin the Second to his Dear Brother in Wales, For the Year 1792; Giving a Full and Circumstantial Account of All the Most Material Points Both in the Speeches of the Honourable Managers, And in the Written and Oral Evidence Brought before the High Court of Justice, In Westminster Hall, During the Trial of Warren Hastings, Esq. In the Three Last Sessions of the Last Parliament.

London: Printed for John Stockdale, 1790. [iv], 124, [8] pp. With a half-title and an eight-page publisher catalogue. Octavo (8-1/4" x 5").

Later marbled boards, paper label to spine, endpapers renewed. Light rubbing to boards, which are slightly bowed. Light toning to interior, occasional light foxing, light soiling and spotting in a few places. \$500.

FIRST EDITION. A mock-heroic verse satire of perhaps the most sensational English trial of the eighteenth century. Published under the pseudonym "Simkin the Second," it was originally printed in installments in the London *World* while the trial was underway. Hastings was impeached by the House of Commons in 1788 for alleged improprieties and abuses by his administration as the first Governor-General of India. The trial, which took seven years due to adjournments of Parliament, became a flashpoint for debate about the future of the British Empire and the rights of the colonized. Edmund Burke led the prosecution. In the end, Hastings was overwhelmingly acquitted and his vision of absolute control in service of British nationalism would become the legacy of the Empire in India. Broome, who had himself served in India as a cadet in the Bengal Army, published several works in defense of Hastings, many of these in verse. OCLC locates 9 copies of this title in North America, none in law libraries. ESTC T149067.

NOTABLY HANDSOME FIRST EDITION OF THE MOST POPULAR WORK EVER WRITTEN ON JUSTICES OF THE PEACE

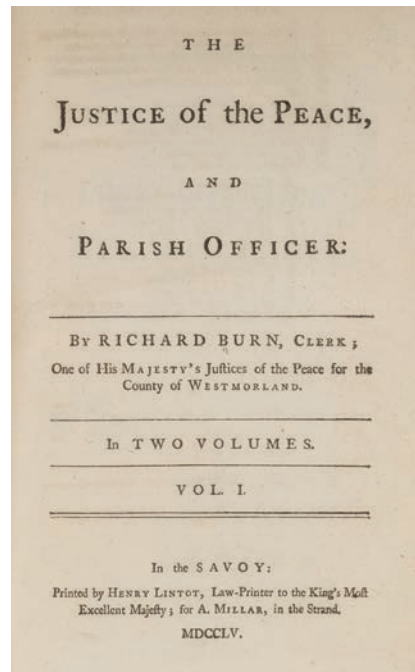
21. BURN, RICHARD [1709-1785].

The Justice of the Peace, And Parish Officer.

[London]: Printed by Henry Lintot, 1755. Two volumes. xxvii, [1], 541, [3]; [iii], 573, [11] pp. Three-page publisher advertisement at end of Volume I, another one-page advertisement facing title page of Volume II. Octavo (8-1/4" x 5").

Contemporary sprinkled calf, gilt frames and large gilt fillets to boards, gilt spines with raised bands and lettering pieces, gilt tooling to board edges, all edges of text blocks gilt, gilt inside dentelles, marbled endpapers. A few minor nicks and scuffs to boards, light rubbing to extremities, corners bumped, front board of Volume I just beginning to separate but secure, rear joint of Volume I and rear joints of Volume II starting, armorial bookplate of Hugh Cecil Lowther, 5th Earl of Lonsdale to front pastedowns. Moderate toning to text, light foxing to a few leaves, early hand-lettered location mark to versos of front free endpapers. A notably handsome set. \$1,500.

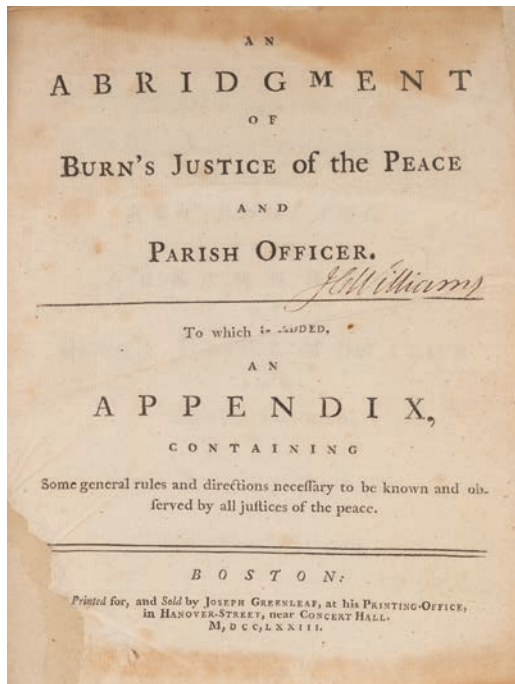
FIRST EDITION. A durable work, Burn's *Justice* went through 30 editions by 1869 and was excerpted often in early American justice manuals, such as Parker's *Conductor Generalis* (1764) and Burn's *Abridgment of Burn's Justice of the Peace and Parish Officer* (1773). It covers such topics as Accessory, Alehouses, Aliens, Assault and Battery, Bail (By Writ of Habeas Corpus), Bankrupt, Bastards, Burglary, Clergy, Dogs, Evidence, Excise and Customs, Forgery, Game, Homicide, Jurors, Libel, Oaths, Insolvent Debtors, Polygamy, Promissory Notes, Rape, Riot, Robbery, Taxes and Vagrants. Holdsworth notes that "a perusal of these headings tells us something of the development of the system of local government" during the time of the book's publication. Lowther [1857-1944] was an English soldier, sportsman and founder of the Dumb Friends League, now the Blue Cross, an important English animal welfare society. Holdsworth X:162. ESTC T68627.





Exterior detail from N° 21

THE ONLY AMERICAN ABRIDGMENT BEFORE 1776



22. BURN, RICHARD. GREENLEAF, JOSEPH [1720-1810], EDITOR.

An Abridgment of Burn's Justice of the Peace and Parish Officer. To Which is Added, An Appendix, Containing Some General Rules and Directions Necessary to be Known and Observed by All Justices of the Peace.

Boston: Printed for, and sold by, Joseph Greenleaf, 1773. [viii], 386, [2] pp. Includes two-page publisher advertisement. Quarto (8-1/2" x 7").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, existing endpapers retained, hinges mended. Light fading to sections of spine, early armorial bookplate (of John C. Williams) to front pastedown. Moderate toning, light foxing in a few places, light offsetting to endleaves, a few chips and tears to front endleaves, recent repair to lower inside corner of title page with no loss to text. A handsome copy. \$1,250.

ONLY AMERICAN EDITION and the only abridgement of a legal treatise printed in America before the Revolution. Richard

Burn was an attorney and antiquarian who edited the ninth, tenth, and eleventh editions of Blackstone's *Commentaries*. His *Justice of the Peace, and Parish Officer* (1755) was perhaps his most important work. Holdsworth considered it to be one of the best treatments of the subject, an opinion shared by Burn's contemporaries, both in England and in the colonies. The "best proof that his book...was accepted as the leading text-book on that topic is the number of editions through which it passed.... It deserved its success. Burn carefully abridged the statutes, and stated the manner in which their clauses had been interpreted by the courts. His treatment of the criminal law was based upon a thorough study of the works of Coke, Hale, and Hawkins." Greenleaf explains the nature of his abridgement in the preface: "The London edition takes in the whole practice of England and Scotland, this renders it both bulky and dear. The circle of a justices business in those places is vastly extensive, and is founded chiefly on acts of the British parliament, which can never have any relation to this colony" [i]. Greenleaf also added an appendix of forms and general rules and directions for American courts. Holdsworth XII:332-333. Cohen 8325.

THE FIRST CALIFORNIA LAW COMPILATION

23. [CALIFORNIA].
GARFIELDE, S., COMPILER.
SNYDER, F.A., COMPILER.

Compiled Laws of the State of California: Containing all the Acts of the Legislature of a Public and General Nature, Now in Force, Passed at the Sessions of 1850-51-52-53. To Which are Prefixed the Declaration of Independence, The Constitution of the United States and of California, The Treaty of Queretaro, And the Naturalization Laws of the United States. By Authority.

Benicia: Published by S. Garfielde, Press of the Franklin Printing House, 210 Washington Street, Boston, Mass., 1853. xix, [1], 1071 pp. Octavo (9" x 6").

Recent period-style calf, blind frames to boards, lettering piece and blind fillets to spine, endpapers renewed. Light toning to interior, browning to section of text, light foxing and soiling to margins in some places. \$500.

ONLY EDITION. California's first compiled laws, this book records the state's first four years of legislation, based on the acts as enrolled (as opposed to issued in print), with notes of California Supreme Court opinions provided as applicable. It includes a 100-page index. Babbitt 24.

CARDOZO'S MOST INFLUENTIAL WORK

24. CARDOZO, BENJAMIN N.
[1870-1938].

The Nature of the Judicial Process.

New Haven: Yale University Press, 1922. 180 pp.

Original publisher cloth, gilt title to spine, untrimmed edges. Light rubbing to spine ends and corners, which are lightly bumped, bookseller ticket to front pastedown, signature of Kingman Brewster and stamp reading "Property of Kingman Brewster, Southern Building, Washington, DC" to front free endpaper. Moderate toning to text, crack in text block between front free endpaper and half-title, some discoloration to endleaves. An attractive copy. SOLD

FIRST EDITION, third printing. One of the most important legal works of the twentieth century, *The Nature of the Judicial Process* argued that judges create law. Along with Holmes' *The Common Law*, this book is one of the seminal works that helped the American bar to move beyond the formalism (and conservatism) of nineteenth-century jurisprudence. Brewster [1882-1957],

a successful Washington, DC lawyer, was the father of Kingman Brewster, Jr. [1919-1988], the influential president of Yale University, later U.S. ambassador to Great Britain and master of University College, Oxford.

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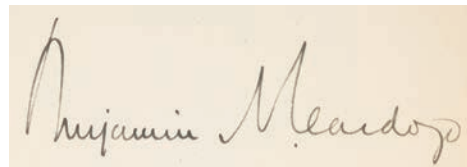
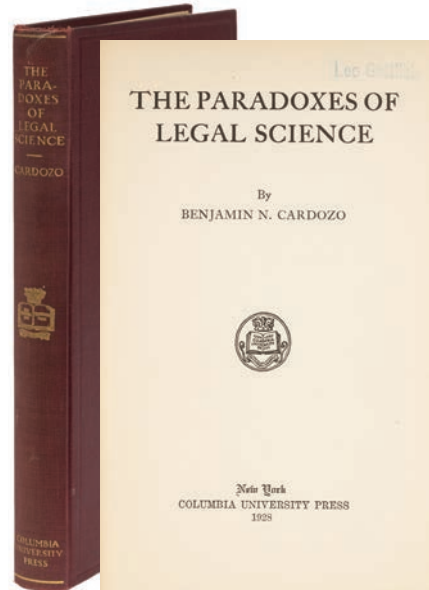
25. CARDOZO, BENJAMIN N.

The Paradoxes of Legal Science.

New York: Columbia University Press, 1928. v, 142, [1] pp.

Original cloth, gilt title to spine, blind frames to boards, gilt Columbia University Press crest to center of front board. Light rubbing to extremities with minor wear to spine ends, tiny stain to head of spine. Moderate toning to interior, owner stamp of Leo Gottlieb to preliminaries and rear pastedown, large Cardozo signature to front free endpaper. \$1,500.

FIRST EDITION. One of Cardozo's most important books, *The Paradoxes of Legal Science* is a classic statement of juristic pragmatism. As Goodhart points out, it also reveals the non-legal sources, such as Greek philosophy, that informed his work. Leo Gottlieb [1896-1989] was a founding partner of the Wall Street law firm, Cleary Gottlieb, and the president of the New York County Lawyers Association in the early 1960s. He endowed the Leo Gottlieb Professorship at Harvard Law School, which was formerly held by Elizabeth Warren. Goodhart 59-60.

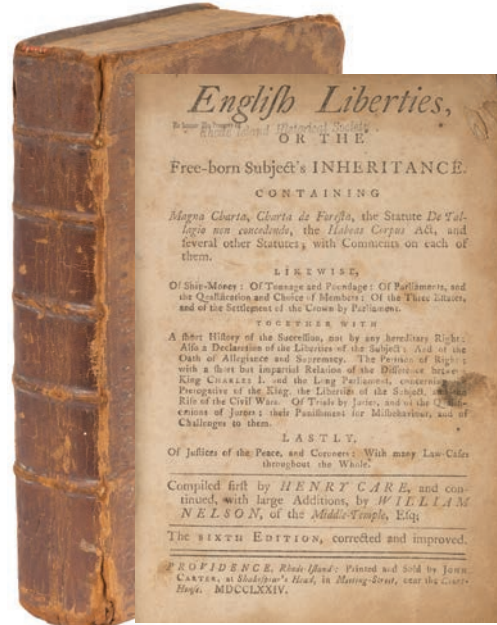


Details from N° 25

A PROFOUND INFLUENCE IN PRE-REVOLUTIONARY AMERICA

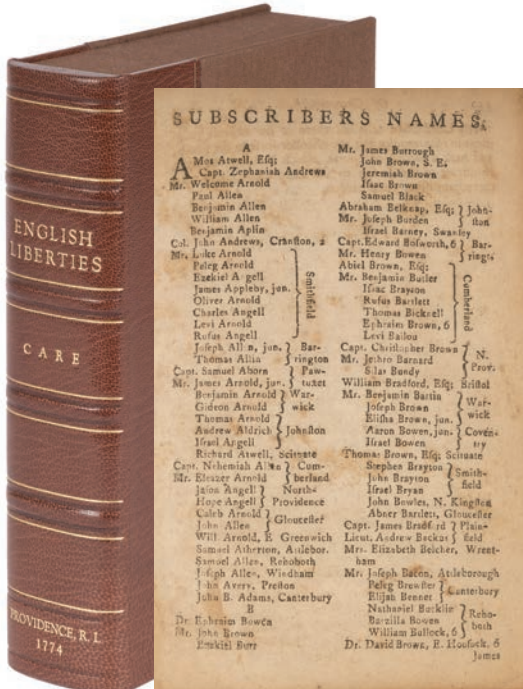
26. [CARE, HENRY (1646-1688)]. N[ELSON], W[ILLIAM] [B.1653], EDITOR.

English Liberties, Or The Free-Born Subject's Inheritance. Containing Magna Charta, Charta de Foresta, The Statute De Tallagio, Non Concedendo, The Habeas Corpus Act, And Several Other Statutes; With Comments on Each of Them. Likewise, Of Ship-Money: Of Tonnage and Poundage. Of Parliaments, and the Qualification and Choice of Members: Of the Three Estates, And of the Settlement of the Crown by Parliament. Together with a Short History of the Succession, Not by Any Hereditary Right: Also a Declaration of the Liberties of the Subject: And of the Oath of Allegiance and Supremacy. The Petition of Right; With a Short but Impartial Relation of the Difference Between King Charles I and the Long Parliament, Concerning the Prerogative of the King, The Liberties of the Subject, And the Rise of the Civil Wars. Of Trials by Juries, and of the Qualifications of Jurors; Their Punishment for Misbehaviour, And of Challenges to Them. Lastly, Of Justices of the Peace, And Coroners: With Many Law Cases Throughout the Whole. Corrected and Improved.



Providence: Printed and Sold by John Carter, 1774. viii, 350, [6] pp. Includes six-page subscriber list. Octavo (7" x 4-1/2").

Contemporary sheep, blind fillets to boards, raised bands to spine. Moderate rubbing to boards and extremities, small chip to head of spine, joints starting, corners bumped and somewhat worn, hinges cracked, chipping and edgewear to front and free rear endpapers. Light browning to interior, light foxing in a few places, light soiling, a finger smudge and small later library stamp to title page, two tiny holes to its upper outside corner, following leaf has a tiny hole in the same location. A well-preserved copy of a rare title. Book housed in recent cloth clamshell box, quarter morocco over cloth, gilt title and gilt-edged raised bands to spine. \$3,500.



SECOND AMERICAN EDITION. Preceded by a 1721 Boston edition, this 1774 Providence edition was published in the same year as the first Continental Congress and the Intolerable Acts (and about a year after the Boston Tea Party). A publisher's note at the end of the table of contents says this edition was "principally designed for America" and contained "extracts from several late celebrated writers on the constitution" (vi). It is almost certain that this publisher was capitalizing on popular resentment toward the Crown and parliament. First published in England in 1680 (or 1682, the first edition was not dated), this layman's guide reviews, from a Whig perspective, the principles of English law and government. Containing the texts of Magna Carta and other foundational documents of the English Constitution, it emphasizes the role of juries in the preservation of civil rights and prevention of tyranny.

First published in America in 1721 by James Franklin, the half-brother of Benjamin Franklin, who may have offered editorial guidance, this was one of the very first legal books published in the American colonies. It had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Priviledge of Liberty and Property* (1687), a work that inspired support for the

revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). And Jefferson, who owned two London editions, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. See Sowerby 2702, 2703. Cohen 3416.

A COMPILATION OF SCOTTISH JUSTICIARY RECORDS
ANNOTATED BY LORD ALLOWAY



27. CATHCART, DAVID, LORD ALLOWAY [1763-1829].

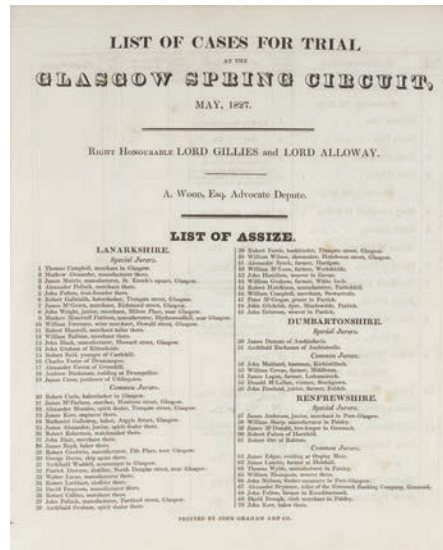
List of Cases for Trial at the Glasgow Spring Circuit, May, 1827. Right Honourable Lord Gillies and Lord Alloway. A. Wood, Esq. Advocate Depute [Drop-Head Title].

[Glasgow]: Printed by John Graham and Co., [1827]. [788] pp. Quarto (10" x 8-1/4").

Contemporary three-quarter morocco over marbled boards, gilt-stamped label reading "The Right Hon. Lord Alloway" to front board, blind decoration, gilt-edged raised bands and title to spine. Light rubbing to boards, a few small scuffs, nicks and scratches, moderate rubbing to extremities, corners bumped. Light toning to interior, occasional light foxing, two slight horizontal fold lines to many leaves, a few folded corners, light soiling in a few places, crack to text block before final leaf. A handsome volume. \$1,500.

COMPILED over the course of the term, this volume is comprised of a list of 77 cases on the docket for the Glasgow Circuit Court of Justiciary in May 1827 followed by records for 72 of those cases. The records, typically 5-8 pp. in length, consist of a short summary of the indictment along with a list of witnesses and jury members, if applicable. Each record is individually paginated and docketed in print on the verso of the final leaf, suggesting that they were issued individually as the term progressed.

The list of cases and many of the records are annotated by Lord Alloway, a Scottish lord of session appointed to the Justiciary Court in 1826. The charges range in severity from murder to petty theft. Almost certainly rebound by Alloway for his future reference, this handsome volume is a fascinating glimpse of the work of a nineteenth-century court in Scotland from a judge's perspective. Compilation volumes like these were created for the personal use of judges and advocates and are quite scarce. OCLC locates 6 copies of compilations from the Glasgow Justiciary Court, 5 at the University of Glasgow and 1 at Harvard, none of which match ours.



THE FIRST AMERICAN TREATISE ON CONTRACTS

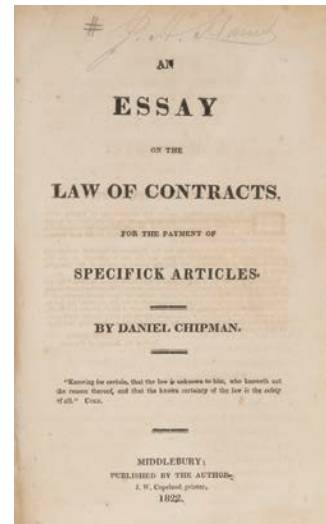
28. CHIPMAN, DANIEL [1765-1850].

An Essay on the Law of Contracts, For the Payment of Specifick Articles.

Middlebury, VT: Published by the Author, 1822. xvi, [17]-224 pp. Octavo (8" x 5").

Contemporary calf, blind rules to boards, blind fillets and lettering piece to spine. Minor rubbing and a few minor scuffs and nicks to boards, moderate rubbing to extremities, some darkening near center of front joint and spine. Moderate toning to interior, some offsetting to endleaves, light foxing in a few places, (illegible) early owner signatures and annotations to front free endpaper, another early signature (J.H. Harris) to head of title page. \$650.

FIRST EDITION. Chipman's *Essay* was the first original treatise on the subject written in the United States. In 1847 Marvin criticized Chipman for "show[ing] what the law of contracts ought to be rather than what the law of contracts is." This remark



reflects Marvin's failure to grasp the changing nature of contract law, and it shows that Chipman's ideas were ahead of their time. Indeed, as Horwitz points out, Chipman was the first American to submerge the "dominant equity theory of contract in a conception of contractual obligation based exclusively on express bargains" determined by market values. Chipman was a Vermont lawyer, a professor of law at Middlebury, a representative to the state legislature and the U.S. Congress and a delegate to several Vermont constitutional conventions. Marvin 189. Horwitz 181. Cohen 3621.

FIRST AMERICAN EDITION OF CHRISTIAN'S NOTES ON BLACKSTONE

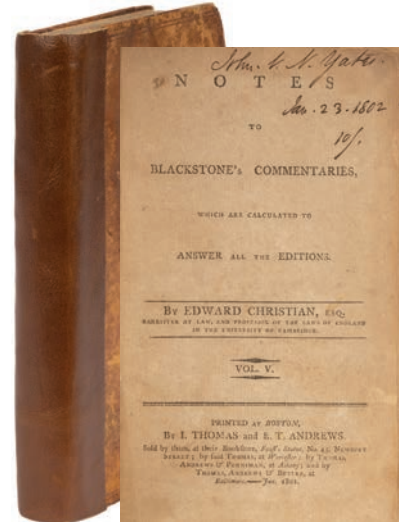
29. CHRISTIAN, EDWARD [D. 1823].

Notes to Blackstone's Commentaries, Which Are Calculated to Answer All the Editions. Volume V.

Boston: Printed by I. Thomas and E.T. Andrews, 1801. [v], 6-123, [1]-79, [1]-32, [1]-38 pp. 12mo. (6-3/4" x 4").

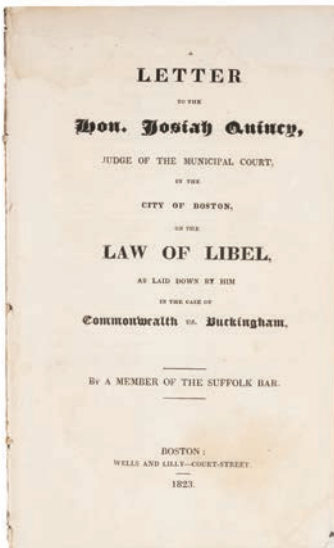
Contemporary sheep front board with blind rules, contemporary calf rear board with gilt rules, crudely (but neatly) rebacked in recent plain calf. Moderate rubbing and a few nicks and scratches to boards and extremities, corners worn, some chipping to edges of endleaves, which bear several early and later annotations. Moderate toning to interior, light foxing in a few places, early owner signatures of members of a Yates family to preliminaries, one dated 1802, another 1833.

\$1,500.



FIRST AMERICAN EDITION, published as volume 5 of the 1799 Boston edition of the *Commentaries* "so as to answer the quarto, the octavo, and duodecimo editions of Blackstone's *Commentaries*" (Preface). "These *Notes* were first published as a separate volume in Dublin, 1797. In this form they were pirated from the twelfth edition of the *Commentaries*, published in London, 1793-1795. The *Notes* were also printed in a pirated edition of the *Commentaries*, Dublin, 1796...This Boston edition of the *Notes* is reprinted from either the separate Dublin volume of *Notes*, 1797, or the Dublin edition of the *Commentaries*, 1796": Laeuchli 136.

A NOTABLE NINETEENTH-CENTURY MASSACHUSETTS LIBEL TRIAL



30. [COMMONWEALTH V. BUCKINGHAM].
[OTIS, HARRISON GRAY (1792-1827)].

A Letter to the Hon. Josiah Quincy, Judge of the Municipal Court, In the City of Boston, On the Law of Libel, As Laid Down by Him in the Case of Commonwealth vs. Buckingham.

Boston: Wells and Lilly, 1823. 62, [2] pp. Includes 2 pp. publisher catalogue. Octavo (8-1/4" x 5").

Disbound stab-stitched pamphlet. Moderate toning, faint dampstaining to head of text block, light foxing to a few leaves, recent repair to head of title page with no loss to text.

\$450.

ONLY EDITION. This pamphlet relates to a notable nineteenth-century Massachusetts libel trial. "Joseph Buckingham, publisher of the *New England Galaxy*, was indicted on the charge of printing a libel on John Maffitt, a Methodist preacher (sometimes spelled Maffit). His defense was built on proving the truth of the alleged libel, and he was acquitted. Several works about the trial itself were published long after it took place; their intent was to damage Maffitt's reputation, as he was by then engaged in parochial conflicts. Maffitt's career was also a factor in a libel suit brought twenty-eight years later, in which his father-in-law, a judge, was sued by Maffitt's friend, the Reverend John C. Green" (Cohen). OCLC locates 6 copies in law libraries (Georgetown, Harvard, Library of Congress, LA County, Social Law, University of Florida). Cohen 13289.



WITH INTERESTING CONTENT
ABOUT ENGLAND'S COLONIES

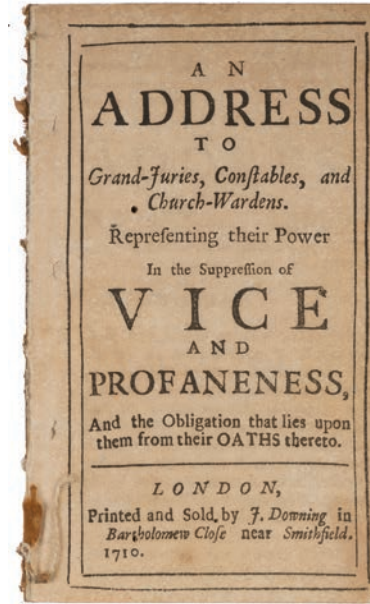
31. CURSON, H[ENRY].

A Compendium of the Laws and Government Ecclesiastical, Civil and Military, Of Great Britain and Ireland, And Dominions, Plantations and Territories Thereunto Belonging. With the Maritime Power Thereof, And Jurisdiction of Courts Therein. Methodically Digested Under Their Proper Heads.

London: Printed for John Walthoe Junr., 1716. [xiv], 441, [1], 441, 447-460, 463-488, 491-532, 535-642, [14] pp. Text continuous despite irregular pagination. Lacking publisher advertisement that precedes title page and divisional title page after p. 441, text complete. 12mo. (6-1/4" x 3-3/4").

Recent period-style quarter calf over marbled boards, endpapers renewed. Moderate toning to interior, early annotations to margins in a few places, recent repair to head of title page, which is lightly soiled and marked with a small library stamp, library stamps to a few other leaves of text. \$1,500.

SECOND AND FINAL EDITION. First published in 1699, this work is perhaps most notable for its appendices dealing with the laws and governments of Scotland, Ireland and colonies in Asia, Africa and America. The second is a rare edition. OCLC locates no copies. The ESTC locates 4 (Folger Shakespeare Library, Harvard Law School, Library of Congress, US Supreme Court). ESTC N15360.



THE SUPPRESSION OF
"VICE AND PROFANENESS"

32. DISNEY, JOHN [1677-C.1729].

An Address to Grand-Juries, Constables, and Church-Wardens. Representing Their Power in the Suppression of Vice and Profaneness, And the Obligation that Lies Upon Them from Their Oaths Thereto.

London: Printed and Sold by J. Downing, 1710. 48 pp. 12mo (5-1/4" x 3").

Disbound stab-stitched pamphlet. Moderate toning, trimming to edges affecting page numbers and catchwords in a few places, a few worm holes to text block, legibility not affected. \$450.

ONLY EDITION. Disney, a divine with a degree in civil law, was vicar of St. Mary's in Nottingham and a moral reformer. This work decrying "the Prophaneness, Lewdness, and Debaucheries of Men" focused on themes Disney had expounded upon previously in his *Essay Upon the Execution of the Laws Against Immorality and Prophaneness* (1708, 2nd ed. 1710) and *A View of Ancient Laws Against Immorality and Prophaneness* (1729). It was also published as a preface to the second edition of the *Essay*. In 1786, it was reissued with a different title by Disney's grandson. OCLC locates 7 copies, 1 in a law library (Harvard). ESTC T27386.



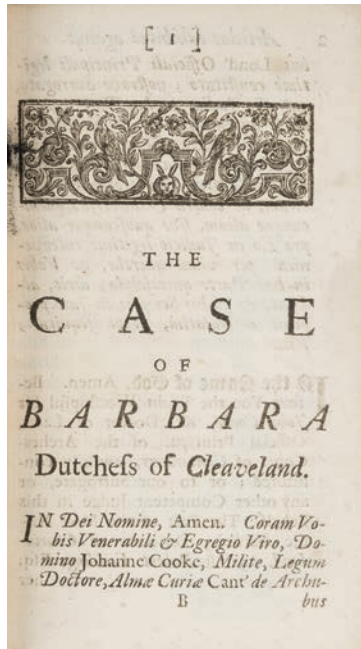
“THE DISSOLUTION OF MARRIAGE”

33. [DIVORCE].
[GREAT BRITAIN].

Cases of Divorce for Several Causes; Viz. I. Memoirs of the Life of Robert Feilding, Esq., Containing an Account of his Amours: With a True Copy of his Last Will and Testament. II. The Case of Barbara, Late Dutchess of Cleaveland, With the Whole Proceedings Between Her Grace. And Major-General Feilding in Doctors-Commons; And Sir John Cooke's Definitive Sentence at Large in this Remarkable Tryal. III. The Case of Sir George Downing, Bart. And Mrs. Mary Forester. IV. The Case of John Dormer, Esq. V. The Case of the Lord Roos. VI. The Judgment of the Most Eminent Divines, &c. Concerning the Dissolution of Marriage.

London: Printed for E. Curll, 1723. [x], xlvi [i.e. xlvii], [1], 144, 36 pp. Portrait frontispiece (of Robert Feilding). 12mo. (6" x 3-3/4").

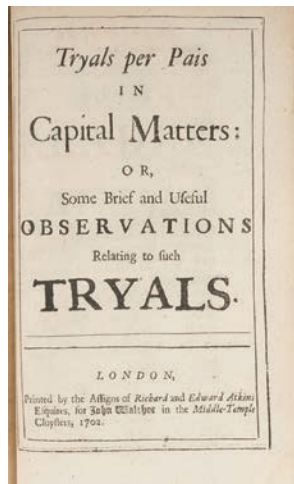
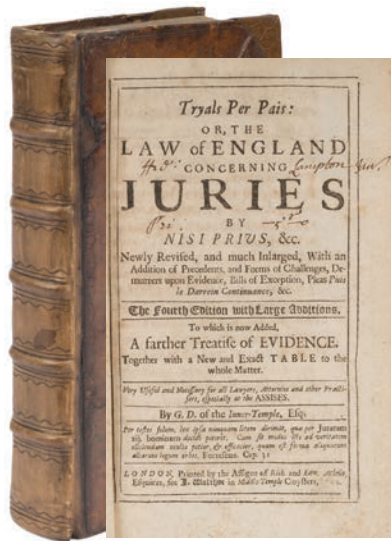
Contemporary sheep, gilt rules to boards, gilt-edged raised bands to spine. Light rubbing and a few minor scuffs to boards, spot of worming to rear



board, moderate rubbing to extremities, corners bumped and somewhat worn, early armorial bookplate to front pastedown, hinges cracked. Moderate toning to text, somewhat heavier in places, light foxing to a few leaves, light soiling and early owner signature to title page, early owner annotation to front free endpaper, which has a short tear to its lower outside corner. \$1,500.

SECOND AND FINAL EDITION. First published in 1715, this anonymous work offers salacious accounts of five notable seventeenth and eighteenth-century divorce proceedings involving members of the aristocracy for such causes as adultery, impotence and bigamy. The final section is a collection of documents on the “dissolution of marriage,” many of them concerning impotence. It is a fine example of Curll’s press, which specialized in salacious and otherwise offensive material. He is remembered today as the nemesis of Alexander Pope. Both editions of this work are scarce. OCLC locates 4 copies of the second edition in North American law libraries (Harvard, Library of Congress, San Francisco Law Library, University of Victoria). ESTC T76889.





THE FIRST SUBSTANTIAL ENGLISH
TREATISE ON JURIES
AND EVIDENCE

34. D[UNCOMBE], G[ILES].

Tryals per Pais: Or, The Law of England Concerning Juries by Nisi Prius &c. Newly Revised and Much Inlarged, With an Addition of Precedents, And Forms of Challenges, Demurrers upon Evidence, Bills of Exception, Pleas Puis le Darrein Continuance, &c. The Third Edition Corrected and Amended. To Which is now Added, A Farther Treatise of Evidence. Together With a New and Exact Table to the Whole Matter. Very Useful and Necessary for All Lawyers, Attornies and Other Practicers, Especially at the Assises. By G.D. of the Inner-Temple, Esq.

London: Printed by the Assigns of Rich. and Edw. Atknis [i.e. Atkins], Esquires, for J. Walthoe in Middle-Temple Cloysters, 1702. [xxiv], 416, [24] pp. Includes one-page publisher list.

[BOUND WITH]

[DUNCOMBE, GILES].

Tryals per Pais in Capital Matters: Or, Some Brief and Useful Observations Relating to Such Tryals.

London: Printed by the Assigns of Richard and Edward Atkins, 1702. [vi], 41, [1] pp.

Octavo (7-1/2" x 4-1/2"). Contemporary calf, rebacked in period style, raised bands and gilt fillets to spine, corners mended, early repair to front board, existing endpapers retained. A few minor nicks and scuffs to boards, moderate rubbing to extremities, fragment of library shelf label, small library stamp and a bit of paper residue to front pastedown, part-erased signature to front free endpaper. Moderate toning to interior, occasional light foxing, illegible early owner signature to title page of first title. \$750.

TRYALS PER PAIS: fourth (stated) edition, the seventh edition of this work; *Tryals...in Capital Matters*: only edition. First published in 1665, *Tryals per Pais* is the first substantial English treatise on juries and the law of evidence. A work of authority for more than a century, it went through several editions, the final appearing in 1793. The second work was is arranged alphabetically by topic (from "Accessary" to "Writing.") Originally published anonymously, these titles are sometimes attributed erroneously to Samson Euer. The second work is scarce. OCLC locates 10 copies in North America, 3 in law libraries (Library of Congress, LA County, Yale). ESTC T121427, T121428.

"A REMARKABLE PRECURSOR"
TO BENTHAM

35. [EDEN, WILLIAM, BARON
AUCKLAND (1744-1814)].

Principles of Penal Law.

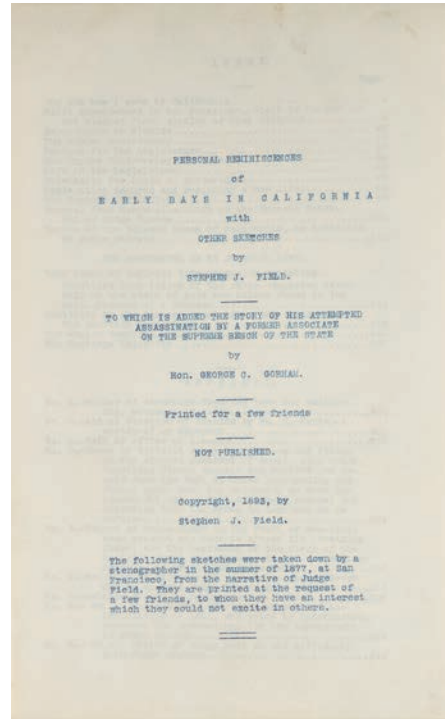
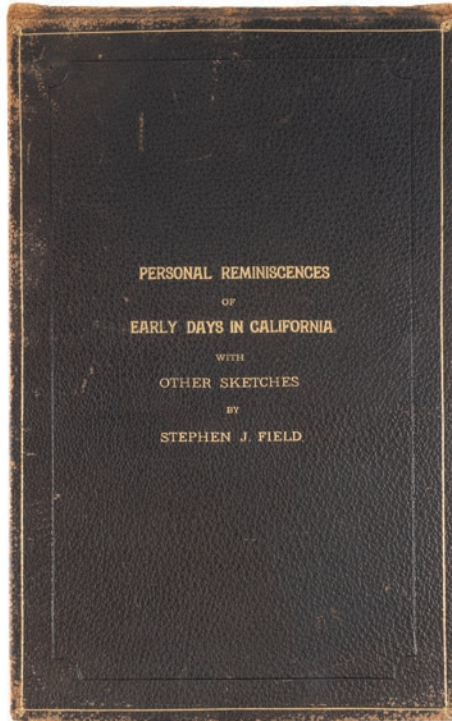
London: Printed for B. White and T. Cadell, 1771. xxvii, 331 pp. With a half-title. Octavo (8-1/4" x 5-1/4").

Contemporary calf, blind rules to boards, blind fillets along joints, gilt-edged raised bands and lettering piece to spine, blind tooling to board edges. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, front joint cracked, rear joint starting, contemporary armorial bookplate (of Joseph Pickford, Esq.) and annotation to front pastedown, some offsetting to endleaves. Light toning to interior, light foxing to a few leaves, early annotation to page 124. A handsome copy. \$650.

SECOND EDITION, published the same year as the first edition. This important treatise reached its third

and final edition in 1775. "The first person to review English criminal law at once critically and comprehensively was William Eden.... [His] book is a pioneer treatise. It discusses topics which, under the influence of Bentham and Romilly, aroused much attention in the last years of the eighteenth and the first years of the nineteenth century; and it discussed them effectively, because, as the author says in his closing chapter he had tried to establish his principles not as abstract propositions, 'but rather as argumentative inferences, interwoven with, and to be collected from, observations on the penal systems of different governments. (...) The conclusion which he draws, that the reform of the English penal code 'is become an important and almost necessary work,' is irresistible. (...) The book is a remarkable precursor of that new era of agitation for the reform of the law, which, under Bentham's leadership, was soon to begin.": Holdsworth XII:364-65. ESTC T144607.

PRIVATELY ISSUED PRE-PUBLICATION TYPESCRIPT
COPY OF STEPHEN FIELD'S *PERSONAL REMINISCENCES*



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

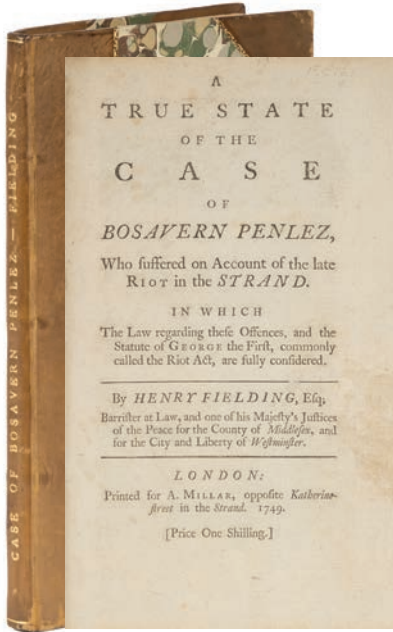
Personal Reminiscences of Early Days in California, With Other Sketches. To Which is Added the Story of His Attempted Assassination by a Former Associate on the Supreme Bench of the State. By Hon. George C. Gorman.

[Washington, D.C.]: Printed for a Few Friends. Not Published, 1893. [iii], 193 pp. Oblong octavo (7-3/4" x 13").

Contemporary pebbled calf, blind frames enclosed by gilt rules to boards, gilt title to center of front board, patterned endpapers. A few minor nicks to boards, moderate rubbing to extremities. Typescript text, running parallel to spine, on carbon paper to versos of leaves, interior notably fresh. \$3,500.

PRIVATELY ISSUED pre-publication version of the second edition, which was printed later in 1893. An important figure in California history, Field was alcalde of the Gold Rush town of Marysville from 1849 to 1850, a member of the State Assembly from 1852-1852, an associate justice of the California Supreme Court from 1857 to 1859 and the chief justice of that court from 1859 to 1863. He became an associate justice of the United States Supreme Court in 1863 and remained on the bench until 1897. Dictated in his later years "for a few friends," his *Reminiscences* provide vivid sketches of California during the boisterous early years of settlement. The second section, by his associate George C. Gorman, recounts an attempt on his life in 1889 by David S. Terry, a former California chief justice. This part does not appear in the first edition, which was published in 1880. As noted by the *DAB*, this "book evinces devotion to the fact and energy of purpose, as well as some appreciation of humorous situations." *DAB* III:373. Not in Howes, Cowan, Graff or Eberstadt.

A VICTIM OF THE RIOT ACT?



37. FIELDING, HENRY [1707-1754].

A True State of the Case of Bosavern Penlez, Who Suffered on Account of the Late Riot in the Strand. In Which the Law Regarding These Offences, And the Statute of George the First, Commonly Called the Riot Act, Are Fully Considered.

London: Printed for A. Millar, 1749. [2], 54 pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, gilt fillets to boards, gilt title to spine, endpapers renewed. Light rubbing to extremities, recent bookplate (of Renato Rabaiotti) to front pastedown. Light toning to interior, light soiling in a few places. \$600.

FIRST EDITION, second printing. Penlez [1726-1749] was a wig-maker who had been present at a series of riots against brothels started by sailors who had been robbed at the brothel "The Crown." After he and several others were examined by Fielding, Penlez was convicted under the Riot Act and executed. This caused a good deal of controversy, especially since there was some doubt over the extent of Penlez's involvement in the riot, and several pamphlets were

published criticizing the decision to execute him. Our pamphlet, an attempt by Fielding to defend himself, was published in response to the anonymous *The Case of the Unfortunate Bosavern Penlez* (1749). ESTC N51550.

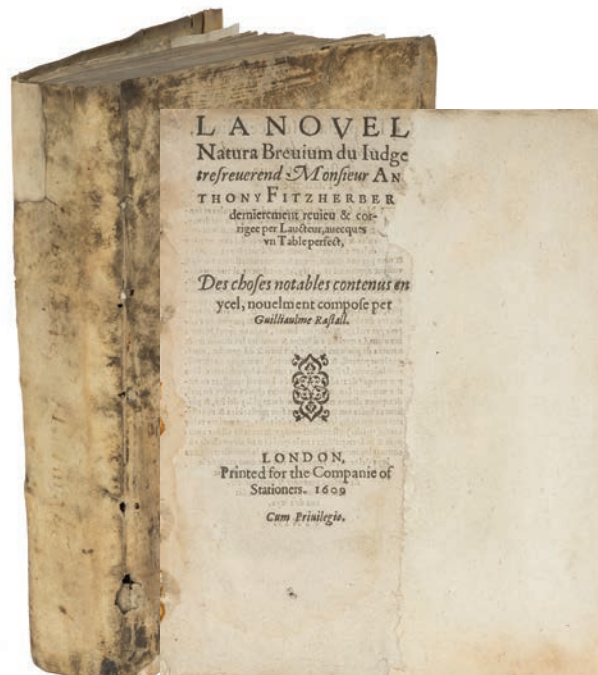
COPY OF A WORK PRAISED BY COKE AND BLACKSTONE WITH CONTEMPORARY ANNOTATIONS

38. [FITZHERBERT, ANTHONY (1470-1538)].
[RASTELL, WILLIAM (C.1508-1565).
EDITOR].

La Novel Natura Brevium du Iudge Tresreverende Monsieur Anthony Fitzherbert, Dernierement Reviu & Corrigeé per Lauteur, Avecques un Table Perfect, Des Choses Notables Contenues en Ycel, Novelment Compose per Guillaulme Rastall.

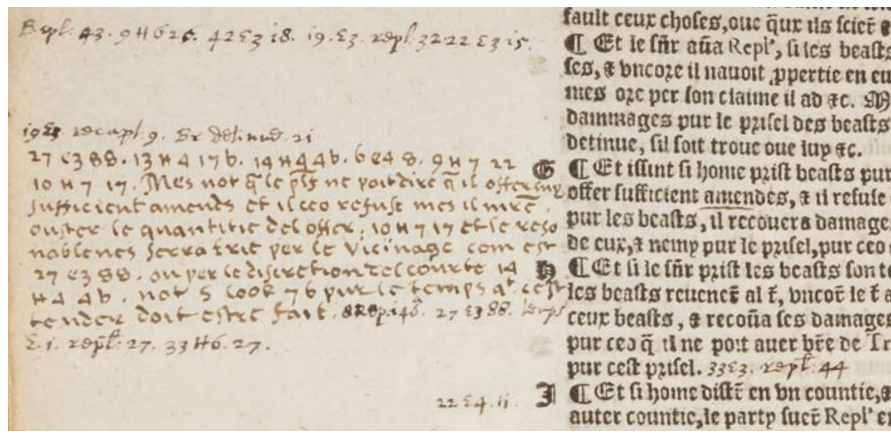
London: Printed for the Companie of Stationers, 1609. [xxxii], 271 ff. Octavo (7-1/4" x 5-3/4").

Contemporary limp vellum with remnants of green fabric ties, faint early (illegible) title to spine in ink. Exterior soiled, a few neat repairs to binding, a few small wormholes to rear cover, a few small cracks to joints, front endleaves lacking, rear pastedown loose. Light toning to interior, light worming and faint dampstaining and soiling to margins in a few places, several cracks to text block, title page, rear pastedown and several other leaves mended, some loss to text of title page, contemporary annotations in Law French throughout in two neat hands, manuscript note in English to separate 3-1/2" x 5-3/4" sheet laid in.

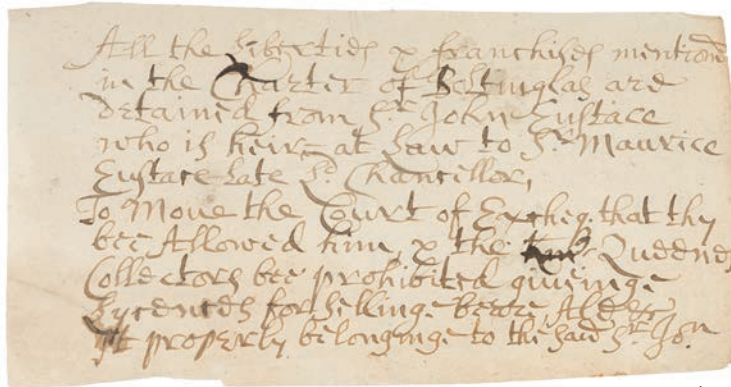


\$1,500.

FOURTH EDITION. First published in 1534, the *Nouvelle Natura Brevium* is a manual of procedure written by a Judge of the Common Pleas during the reign of Henry VIII. Winfield notes that "Coke put it among the books which he considered most necessary and of greatest authority and excellency"; Blackstone considered it an authority as well. Compiled from the earlier *Natura Brevia* and the *Registrum Brevium*, it includes several original observations on the form and function of writs. Rastell's



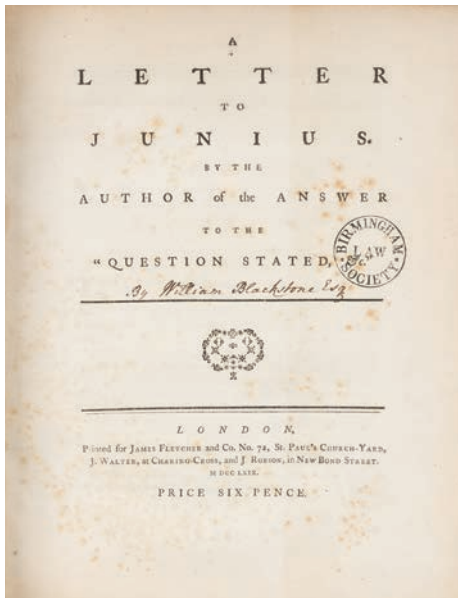
Annotation detail



Manuscript note detail

revisions include the addition of a table. A popular work, it went through numerous editions in Law French and English, the final appearing in 1794. It remains significant to this day for its descriptions of writs that were becoming obsolete in the early sixteenth century. The numerous annotations to our copy mostly consist of case citations with a few notes on the content. The separate sheet describes a legal problem with the estate of Sir Maurice Eustace [c.1590-1665]. ESTC S5134.

NATHANIEL FORSTER SIDES WITH BLACKSTONE



39. [FORSTER, NATHANIEL (C.1726-1790)].

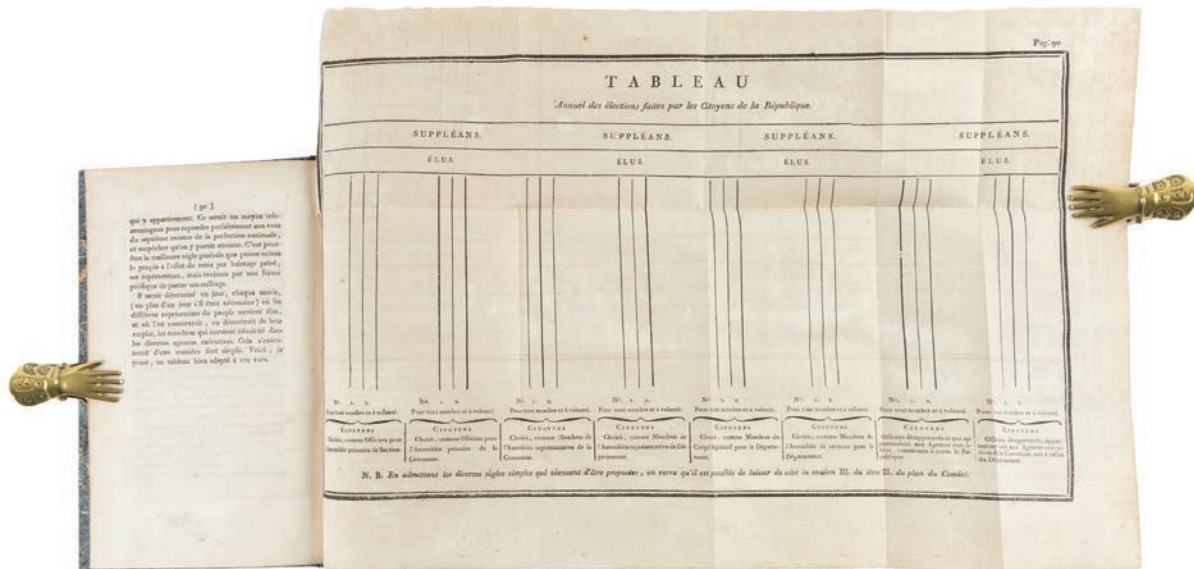
A Letter to Junius. By the Author of the Answer to "The Question Stated, &c."

London: Printed for James Fletcher and Co., 1769. 15, [1] pp. Quarto (10-1/2" x 8").

Stab-stitched pamphlet neatly disbound and recently re-sewn into plain wrappers. Light toning to interior, light foxing to title page and first two leaves, library stamp and early annotation reading (erroneously) "By William Blackstone Esq." to title page. \$1,250.

ONLY EDITION. This pamphlet represents another voice in the debate concerning the expulsion of the publisher John Wilkes from Parliament in 1769 after his conviction for seditious libel. Sir William Blackstone had endorsed Wilkes's expulsion, creating further controversy after several pointed out perceived inconsistencies between his position in Parliament and in his *Commentaries*. Forster

jumped in to defend Blackstone, but in doing so incurred the ire of popular anonymous writer Junius. Their argument over the Wilkes debacle occasioned this pamphlet; since it was not published under Forster's name, many attributed it incorrectly to Blackstone. OCLC locates 8 copies, 1 in a law library (Yale). See Laeuchli 627. ESTC T11015.



Foldout detail from N° 40

THOUGHTS ON A PROPOSED CONSTITUTION FOR THE NEW FRENCH REPUBLIC

40. [FRANCE].
[CONSTITUTION].
[EDWARDS, GEORGE (1752-1823)].

Plan d'une Constitution: Tiré de la Constitution Française, Telle Qu'elle a été Présentée par le Comité de la Convention Nationale; d'une Autre Constitution Intitulée: "Idées pour Former une Nouvelle Constitution de la France"; Par Georges Edwards, Anglais; Et de Nombres d'Additions qui y ont été Faites. Par un Étranger.

Paris: l'An Deuxième de la République Française [1793]. [iv], viii, 94, iii pp. Folding table.

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine. Moderate toning, light soiling to a few leaves, lower outside corner of leaf D2 (pp. 51-52) torn away with no loss to text. A handsome copy. \$750.

ONLY EDITION. A commentary by an unknown author on George Edwards's *Idées Pour Former Une Nouvelle Constitution de la France* (1793). Not much is known about Edwards. Born in Edinburgh, he was a physician in London and the author of a several books on politics and social reform. It is quite possible that he never visited France. OCLC locates 5 copies (Bibliothèque Nationale de France, Bibliothèque Saint-Genevieve, British Library, Harvard, Newberry Library).

A FIRST EDITION INSCRIBED BY FRANKFURTER

41. FRANKFURTER, FELIX [1882-1965].

Felix Frankfurter Reminiscences: An Intimate Portrait as Recorded in Talks with Dr. Harlan B. Phillips.

New York: Reynal & Company, [1960]. [ix], 310 pp.

Cloth in lightly rubbed, price-clipped dust jacket with some edgewear to extremities. Light toning to interior, presentation inscription from Frankfurter to front free endpaper. \$750.

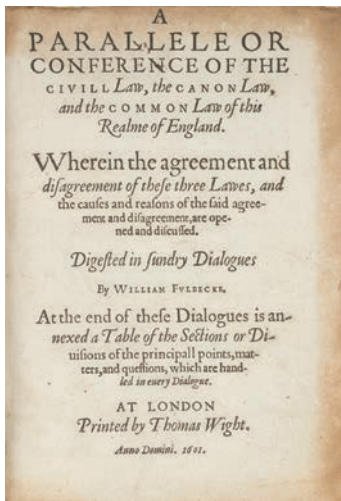
For
Berdie Hellinger,
with happy memories and
the best wishes, affectionately
July 29, 1960
Felix Frankfurter

Inscription detail

FIRST EDITION, first printing. The inscription reads "For Berdie Hellinger./With happy memories and/ the best wishes. Affectionately, Felix Frankfurter/ July 29, 1960." This incisive and fascinating memoir was transcribed from a series of interviews with Phillips conducted for the Columbia University Oral History Research Department. The only commercially published oral history conducted with a Supreme Court justice, it traces his life, career and his thoughts on such topics as religion and the function of judges. Berdie Hellinger was probably the wife of Samuel Hellinger, a notable New York City lawyer who studied with Frankfurter at Harvard Law School.



AN IMPORTANT EARLY ENGLISH CONTRIBUTION TO COMPARATIVE LAW



42. FULBECKE [FULBECK], WILLIAM (1560-1603?).

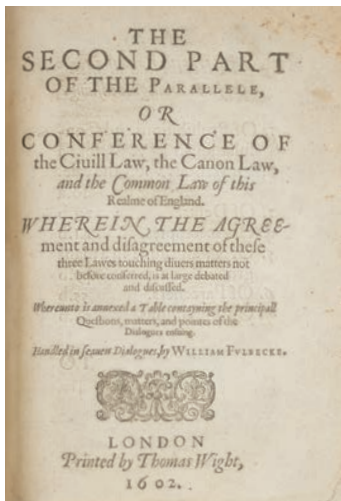
A Parallele or Conference of the Civil Law, the Canon Law, And the Common Law of this Realme of England. Wherein the Agreement and Disagreement of these Three Lawes, And the Causes and Reasons of the Said Agreement and Disagreement, Are Opened and Discussed. Digested in Sundry Dialogues by William Fulbecke. At the End of These Dialogues is Annexed a Table of the Sections or Divisions of the Principall Points, Matters, and Questions, Which are Handled in Every Dialogue.

London: Printed by [Adam Islip for] Thomas Wight, 1601. [xii], 104. [9] ff.

[BOUND WITH]

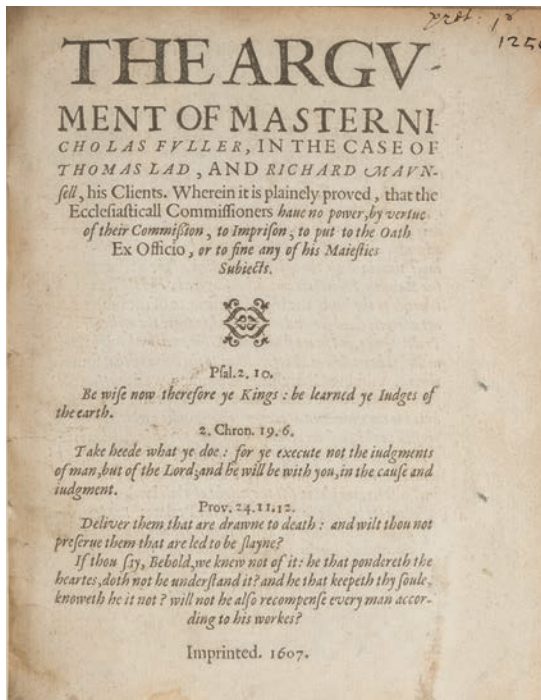
The Second Part of the Parallele, or Conference of the Civill Law, The Canon Law, And the Common Law of this Realme of England. Wherein the Agreement and Disagreement of These Three Lawes Touching Divers Matters Not Before Conferred, Is at Large Debated and Discussed. Whereunto is Annexed a Table Contayning the Principall Questions, Matters, and Pointes of the Dialogues Ensuing. Handled in Seaven Dialogues, By William Fulbecke.

London: Printed by [Adam Islip for] Thomas Wight, 1602. [viii], 74. [8] ff.



Quarto (7-1/4" x 5-1/4"). Contemporary calf, rebacked in period style, blind rules to boards, gilt fillets and title to spine, corners and bottom edge of front board mended, existing endpapers retained. Light rubbing and a few minor nicks to boards, free endpapers loose and somewhat edgeworn, four owner signatures (two of them dated 1651 and 1794) to front pastedown, brief early owner annotation (noting the price paid for this copy) to rear endleaf. Moderate toning to interior, light soiling to title pages, some offsetting and a few minor chips to margins of preliminaries of *A Parallele*. \$5,000.

FIRST EDITIONS. Both a civilian (civil lawyer) and a member of Gray's Inn, Fulbecke was one of the most interesting legal authors of his time. Also a playwright, it is likely that he knew Shakespeare through one of the Inns of Court plays, masques or revels, in which it is believed both were involved. There is evidence that Shakespeare was familiar with Fulbecke's legal works and used them as sources in his plays, particularly in *King Lear*. The *Parallele* is a remarkable early example of comparative law. It demonstrates the similarities and differences of England's legal systems through 22 conversations on various legal topics between a canonist, a civilian and a barrister. ESTC S102689, S102691.



A BOLD CHALLENGE TO THE ECCLESIASTICAL COURTS

43. [FULLER, NICHOLAS (1543-1620)].

The Argument of Master Nicholas Fuller, In the Case of Thomas Lad, And Richard Maunsell, His Clients. Wherein it is Plainly Proved, That the Ecclesiasticall Commissioners Haue No Power, By Vertue of Their Commission, To Imprison, To Put to the Oath Ex Officio, Or to Fin Any of His Maiesties Subiects.

[S.l.]: Imprinted [at William Jones's secret press], 1607. [iv], 32 pp. Quarto (7" x 5-1/4").

Recent three-quarter morocco over marbled boards, gilt rules to morocco edges, gilt title to spine, speckled edges, marbled endpapers. Several blank leaves inserted after text block by binder. Light toning to interior, faint dampstain to top-edge and gutter, light soiling in a few places, small page numbers in an early hand in ink to upper corners with underlining to a few other pages. \$850.

FIRST EDITION. Fuller, a longtime advocate for religious freedom, engaged in a series of constitutional scuffles with the ecclesiastical courts beginning in 1607. Thomas Ladd and Richard Mansell had both been imprisoned for refusing to incriminate themselves by taking an *ex officio* oath. Fuller viewed this as a serious breach of their rights by a Popish institution that ought to have limited, if any, secular authority, and said so in no uncertain terms. For this heresy, Fuller was held in custody by the High Commission and eventually imprisoned. He was later freed after Coke took his side against the ecclesiastical courts. Our title recounts Fuller's argument in sympathetic terms. A second edition was published in 1641. OCLC locates 2 copies of the first edition in North American law libraries (Harvard, Columbia). ESTC S102744.

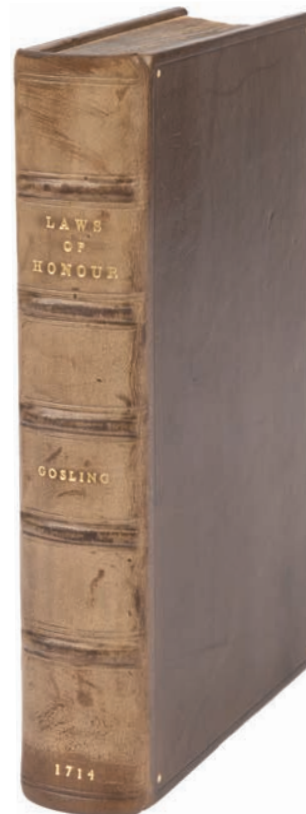
A GUIDE TO NOBILITY AND TITLES OF HONOR DURING THE REIGN OF QUEEN ANNE

44. [GOSLING, ROBERT, ATTRIBUTED].

The Laws of Honour: Or, A Compendious Account of the Ancient Derivation of All Titles, Dignities, Offices, &c. As Well Spiritual as Temporal, Civil or Military. Shewing the Prerogative of the Crown, Privileges of Peerage, And of Parliament; The True Rank and Precedency of All Dignify'd Persons; The Most Memorable Debates and Cases of Parliament upon Claim of Honours, Precedency, Or Otherwise. With a Compleat and Useful Table of the Nobility, Setting Forth Their Ancient and Present Honours, Offices, Employments, Creations, Successions, Consecrations, &c. The Whole Illustrated with Proper Sculptures, Engrav'd on Copper Plates. To Which is Added, An Exact List of Officers Civil and Military, In Great Britain, As They Properly and Distinctly Fall Under the Supream Officers of the Kingdom, Or are Any Way Remarkable in the Dispatch of Publick Business.

London: Printed for R. Gosling, At the Mitre and Crown Against St. Dunstan's Church in Fleet Street, 1714. [xiv], xii, [4], 250, [2], 251-261, 252-280, [2], 281-440, [4], 70, [2] pp. Text continuous despite pagination. Letterpress leaves inserted between pp. 250-251 and pp. 280-281. Three copperplates, one of them a frontispiece. Complete. Octavo (7-1/2" x 4-3/4").

Recent calf, blind rules to boards, gilt dots to corners of boards, raised bands, blind fillets and gilt title to spine, endpapers renewed, frontispiece mounted and re-hinged. A few minor





nicks and scratches, light uniform fading to spine. Moderate toning, light foxing in places, light edgewear to preliminaries and final few leaves, light soiling to frontispiece and title page, which has an illegible one-word annotation and two early owner signatures (of Anne Watson and William Watson) to its upper margin. \$650.

FIRST EDITION. A fascinating guide to the ranks of nobility and titles of honor during the time of Queen Anne, along with an explanation of the nation's numerous civil and military offices (including the names of men holding them). A second edition was published in 1726. Our copy matches the collation but lacks the pagination errors noted in the two issues of the first edition listed in the ESTC (T142006, T142007).

OBSERVATIONS
ON THE
INCREASE OF FEES AND COSTS,
IN THE
Courts of Law and Equity.
WITH
AN APPENDIX
CONTAINING THE
MEASURE (OR RULE) OF COSTS
ESTABLISHED BY
The Prothonotaries in Michaelmas Term, 1733;
AND THE
ITEMS OF COSTS
Amounting to £3329. 12s. 6d.
WHICH HAVE BEEN
ALLOWED BY MR. PROTHONOTARY ON TAXING COSTS
ON A
RULE FOR A NEW TRIAL
IN
THE CAUSE LOPES AGAINST DE TASTET.

LONDON:
PRINTED FOR JOSEPH BUTTERWORTH AND SON,
43, FLEET-STREET;
AND J. COOKE, ORMOND QUAY, DUBLIN.
1820.

*Presented to
The Hon. Secy of State
by the Author*

THE
INDIRECT CLAIMS
OF THE UNITED STATES,
UNDER THE
TREATY OF WASHINGTON,
OF MAY 8, 1821,
AS SUBMITTED TO THE TRIBUNAL OF ARBITRATION AT GENEVA.

—BY—
WILLIAM BEACH LAWRENCE, LL. D.
AUTHOR OF LAWRENCE'S WRITINGS AND OF THE COMMENTARIES
ON THE DUTY OF INTERNATIONAL AC.

PROVIDENCE:
SIDNEY S. RIDER & BROTHERS.
1872.

REFORM.

BY
BASIL MONTAGU, ESQ.

LONDON:
PUBLISHED BY W. PICKERING,
CHANCERY LANE.
1827.

REFORM
OF
THE BANKRUPT COURT.

BY
A COMMISSIONER OF BANKRUPTS.
G. J. Cotton

" Unless a complete alteration be made in the tribunal, by which bankrupt law is primarily administered, it will be in vain to expect that the reproach which has attached to the system will be removed."—Introduction to *Major Eden's Treatise of the Bankrupt Law.*

LONDON:
STEVENS AND SONS, BELL YARD, LINCOLN'S INN.
Robt. Westellers and Debitors.
MCCCXXXIX.
[Price Two Shillings and Sixpence.]

Selected title pages





Foldout detail

**A REMARKABLE COLLECTION OF
NINETEENTH-CENTURY WORKS ON LEGAL REFORM AND
INTERNATIONAL LAW COMPILED BY A NOTABLE SCOTTISH LAWYER**

45. [GREAT BRITAIN].
[LAW REFORM].
[MURRAY, DAVID (1842-1928)].

[The David Murray Collection of Law Reform and International Law].

16 volumes. 155 titles. Various paginations. Octavo (8-1/2" x 5," Vols. 1-15; 9-1/4" x 6," Vol. 16).

Contemporary three-quarter calf over marbled boards, gilt-stamped insignia of the Royal Faculty of Procurators, Glasgow, to front boards, blind rules to joint edges and corners, raised bands and lettering piece to spines, marbled edges and endpapers, presentation bookplate from David Murray to the society dated April 29, 1902 to front pastedown of first volume. Light rubbing to boards, light residue from leather treatment, occasional scuffs, nicks, scratches and spots to boards and extremities, which are more moderately rubbed with darkening in a few places, some lettering pieces loose but secure, cracking to spines of Volumes 14-16, rear board of Volume 1 detached, front joints of Volumes 1-2 starting at foot, joints of Volume 16 starting at ends. Volumes 1, 5, 6, 7, 9, 10 and 13 have descriptions of their contents in Murray's hand to their half-titles. A remarkable, handsomely bound collection. \$15,000.

THIS COLLECTION pertains chiefly to the subjects of law reform and international law. It was formed during the nineteenth century by the notable Scottish lawyer, bibliophile and antiquary, David Murray, who presented it to the Library of the Royal Faculty of Procurators in Glasgow in 1902. As we can see in the contents, which span almost the entire nineteenth century, Murray had long possessed a sustaining interest in law reform. Many titles touch upon the numerous areas of law that were dramatically reformed during the 1800s, including bankruptcy law, conveyancing and real property law, judicial administration, chancery and equity, and, to a lesser extent, codification, criminal law and jurisprudence. Many of the titles are presentation copies inscribed to other well-known international lawyers and reformers of the nineteenth century, among them Sir Travers Twiss, Sir John Connell, and Edwin Wilkins Field. Among the authors themselves are John Austin, Basil Montagu, Lords Brougham and Grenville, Edward Sugden and John Westlake. Most of the works appear to be quite rare. Preliminary searching indicates that among those checked about 50% are not located in OCLC, and over 80% are found in two locations or fewer. Further details, including a searchable list of works, available upon request.

FIVE TITLES INVESTIGATING
A JACOBITE PLOT

46. [GREAT BRITAIN].
[LAYER, CHRISTOPHER (1683-1723)].
PULTENEY, WILLIAM [1684-1764].

A Report from the Committee Appointed by Order of the House of Commons to Examine Christopher Layer, And Others; And to whom Several Papers and Examinations Laid Before the House, Relating to the Conspiracy Mentioned in His Majesty's Speech, At the Opening of this Parliament, To be Carrying On Against His Person and Government....

London: Printed for Jacob Tonson, Bernard Lintot, and William Taylor, 1722. [iv], 76; [iv], 31, [1]; 10; 16, 13-64; [iii], 2; 44; 31, [1]; [iv], 58; 20; 10; 20; 15, [1]; [iii], 2 pp. 13 parts, each with individual title page, pagination and register.

[BOUND WITH]

Several Examinations Taken Before One of His Majesty's Principal Secretaries of State: Together with Two Letters Referred to in Some of the Said Examinations.

London: Printed for Jacob Tonson, Bernard Lintot, and William Taylor, 1723. [iv], 7, [1] pp.

[AND]

A Declaration Signed by Archibald Hutcheson Esq; And Given to Several of His Acquaintance, Soon After He had Perus'd the Examination of Christopher Layer, In the Appendix to the Report of the Secret Committee; In Which Layer Has Made Mention of His Name, As One of Burford's Club; Which the Said Layer, In his Examination, Saith, He Was Told by One Plunket.

London: [S.n.], 1723. 4 pp.

[AND]

The Declaration of William Earl Cowper, Shewing, That the Matters Contained in Some Hear-says, Relating to Him, In the Examinations of Christopher Layer, Are False and Groundless.

London: [S.n.], 1723. 4 pp. Lacking final imprimatur leaf.

[AND]

A Report from the Lords Committees to Whom the Report and Original Papers Delivered by the House of Commons at Several Conferences were Referred,

And who were Impowered by the House of Lords to Examine Christopher Layer....

London: Printed for Edmund Parker and Jacob Tonson, 1723. [iv], 16, [4], 32 pp.

Folio (12-1/4" x 7-3/4"). Stab-stitched pamphlets bound into recent period-style three-quarter calf over cloth boards, raised bands, gilt fillets, blind stamping and lettering piece to spine, speckled edges. A few small spots and scratches to boards, light rubbing and wear to extremities. Light toning to interior, more moderate in some places, light soiling and foxing in a few places, some folded corners, small crease to lower corners and faint dampstaining to head of last several leaves, 2 leaves of Appendix K of the first *Report* mended at gutter without loss. \$750.

ONLY EDITIONS. Layer, a dedicated Jacobite, was a leading member of the so-called Atterbury Plot to restore the Stuarts. This volume contains five titles related to his investigation and subsequent trial, with many of the relevant documents from Layer reproduced in full. *ESTC* T122580, T122578, T63849, T63847, T122577.

"ABSOLUTE NECESSITY OF A
REFORM IN PARLIAMENT"

47. [GREAT BRITAIN].
A TRUE FRIEND TO THE CONSTITUTION,
AND NOTHING BUT THE CONSTITUTION.

Reform in Parliament. An Address to the People of England, On the Absolute Necessity of a Reform in Parliament, To Which are Annexed, Complete Copies of the Magna Charta, And the Bill of Rights with Explanatory Notes.

London: Printed for J. Blacklock and J. Luffman, c.1809. [ii], 64 pp. Octavo (8" x 4-3/4").

Recent marbled boards, printed paper spine label, speckled edges, endpapers renewed. Light toning to interior, moderate soiling to title page, a few creases to final leaf. \$750.

ONLY EDITION. After the Duke of York scandal in 1809, which involved the sale of military commissions through his mistress, Mary Anne Clarke, interest in Parliamentary reform surged. Our work draws particular attention to the constitutional aspects of the issue, making frequent reference to particular contemporary scandals and their relationships to the appended Magna Carta and Bill of Rights. *OCLC* locates 8 copies, 5 in North America (Newberry, Princeton, Bowdoin, Queens University, McMaster).

A HANDSOMELY-BOUND SET OF PAMPHLETS ON PENOLOGY AND CONFINEMENT

48. [GREAT BRITAIN].
[VALPY, ABRAHAM JOHN (BAP.1786-1854),
PUBLISHER].

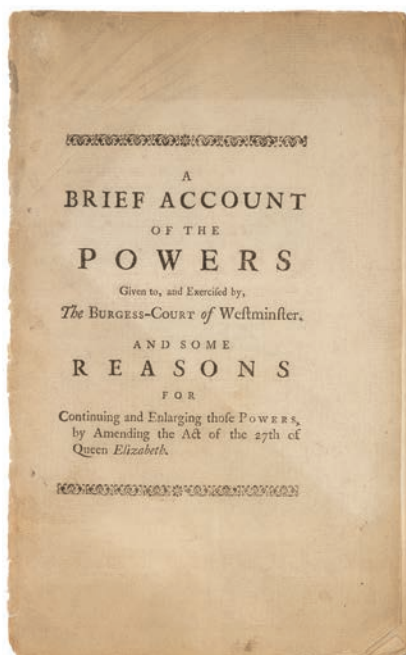
[36 Legal Pamphlets from the *Pamphleteer*].

London: Printed by A.J. Valpy, 1812-1826. Three volumes. [438]; [320]; [404]
pp. Octavo (8-1/4" x 5").

Contemporary calf, rebaked in period style, gilt fillets and small central monogram stamp to boards, gilt fillets and lettering pieces to spines, gilt tooling to corners of board edges, marbled endpapers, speckled edges. Light rubbing and a few spots, scuffs, nicks and scratches to boards, moderate rubbing to extremities, corners lightly bumped. Light toning to interior, light spotting in a few places, trimming to fore-edge of third pamphlet of Volume III with minor loss to legibility. A handsome set. \$1,500.



A COLLECTION of 36 pamphlets bound in three volumes, all extracted from various issues of the *Pamphleteer* and presented in chronological order. Authors include Basil Montagu, Henry Parnell and Joseph John Gurney. The subject matter has a broad focus on penology and confinement, with topics including prison conditions in Great Britain and abroad, penal laws against Irish Catholics, capital punishment, madhouses in England, hospitals and lunatic asylums, arrests for debt, the English criminal code, etc. The *Pamphleteer*, a quarterly publication intended to represent a curated selection of the best pamphlets of the day, was issued by Valpy for fifteen years (1813-1828). Some of these pamphlets are quite scarce in their original form, and many are exclusive to the *Pamphleteer*. A searchable list of included works is available upon request.



A RARE WORK ON LONDON'S BURGESS COURT

49. [GREAT BRITAIN].
[WESTMINSTER COURT OF BURGESSES].

A Brief Account of the Powers Given to, And Exercised by, The Burgess-Court of Westminster. And Some Reasons for Continuing and Enlarging those Powers, By Amending the Act of the 27th of Queen Elizabeth.

[London]: [s.l.], c.1720. 16 pp. Octavo (8-1/4" x 5").

Stab-stitched pamphlet in self wrappers, thread lacking. Light toning, somewhat heavier to first and final leaves, which are detached and lightly soiled, light foxing to a few pages. \$1,500.

ONLY EDITION. Established in 1585 by Queen Elizabeth, the Westminster Court of Burgesses oversaw the appointment of constables and the regulation of the night watch, among other issues of immigration, morality and public order. It was chaired by the Dean or High Steward of Westminster Abbey. By the early eighteenth century, the court's powers

had begun to wane in favor of the more influential parish and sessions courts, and its jurisdiction became largely confined to nuisance and regulatory offenses. Our pamphlet argues that the power given to the burgesses should be restored and strengthened based on their track record for fairness and Westminster's need for governance. Such action was never taken, but the court was not disbanded until 1900.

OCLC and Library Hub locate 2 copies of this title worldwide (British Library, National Library of South Africa). Not in the ESTC. Sweet & Maxwell 1:432.

1496 KOBERGER IMPRINT WITH A STRIKING INITIAL
AND ELABORATE CONTEMPORARY BINDING



50. [GREGORY IX, POPE (c.1170–1241)].
[BOTTONI, BERNARDO (D.1266), GLOSSES].
[CLARIUS, HIERONYMUS, ADDITIONS].

[Decretales cum Glossa].

[Nuremberg: Anton Koberger, 10 June 1496]. [iv], 382 ff. Index to first 4 leaves. Collation: [*4], a-z8, A-Z8, AA6, BB8. Complete. Folio (13" x 9"; 33 x 23 cm).

Contemporary or near-contemporary elaborately stamped paneled calf, 7 (of 10) brass bosses to boards, blind-stamped title to head of front board, brass catches to fore-edges, straps lacking, raised bands, blind stamping and fragment of later paper title label to spine. Moderate rubbing and scuffing, occasional wormholes to boards, heavier rubbing, moderate wear and faint gatoring to spine with chipping to spine ends, front board beginning to separate but secured by cords, rear board starting at head, hinges cracked, minor worming to pastedowns, two later bookplates with ms. notes, small shelf label and ink shelf number to front pastedown. Text in parallel columns, 62 to 72/73-line linear gloss surrounding 6 to 56-line main text. Printed in red and black gothic type. Occasional Lombards in red and blue, first initial of main text decorated with gold leaf and bordered in red, green and yellow ink. Moderate toning, light

browning in places, occasional light soiling and small wormholes with no loss

to legibility, light wear to lower corner of first four leaves, crack in text block between leaves a1

and a2 (fols. I and II), small tears to outer margin of leaf P5 (fol. CCC1) with upper corner lacking (no loss to text),

later faint penciled note to fol. I, small early annotations throughout text in ink in at least 2 hands, possibly 3. A well-used and often-referenced copy with an elaborate binding and a striking initial. \$22,000.

THE *DECRETALS* OF GREGORY IX are the first authentic general collection of papal decrees and constitutions. Compiled by Raymond of Penafort at the request of Pope Gregory IX in 1230-1234 and promulgated in 1234, it is one of the compilations known collectively as the *Corpus Juris Canonici*, a collection of papal decisions concerning ecclesiastical hierarchy, procedure, the functions and duties of clerks, marriage, crime and vast areas of what are now called "private law." It was revised in 1580-1582 to reflect changes ordered by the Council of Trent. In this form it remained in force until the enactment of the Code of Canon Law (*Codex Iuris Canonici*) in 1918. The most important commentary on the *Decretals* of Gregory IX, which is included in our copy, is the gloss of Bernard of Botone, also known as Bernard of Parma (Bernardus Parmensis), who composed it shortly before 1263. It is known as the "Ordinary Gloss," or *Glossa Ordinaria*. The *ISTC* locates 3 copies of this imprint in North America (Harvard Law School, Huntington Library, University of Notre Dame). *OCLC* adds no more. *ISTC* ig00473000.



Initial detail

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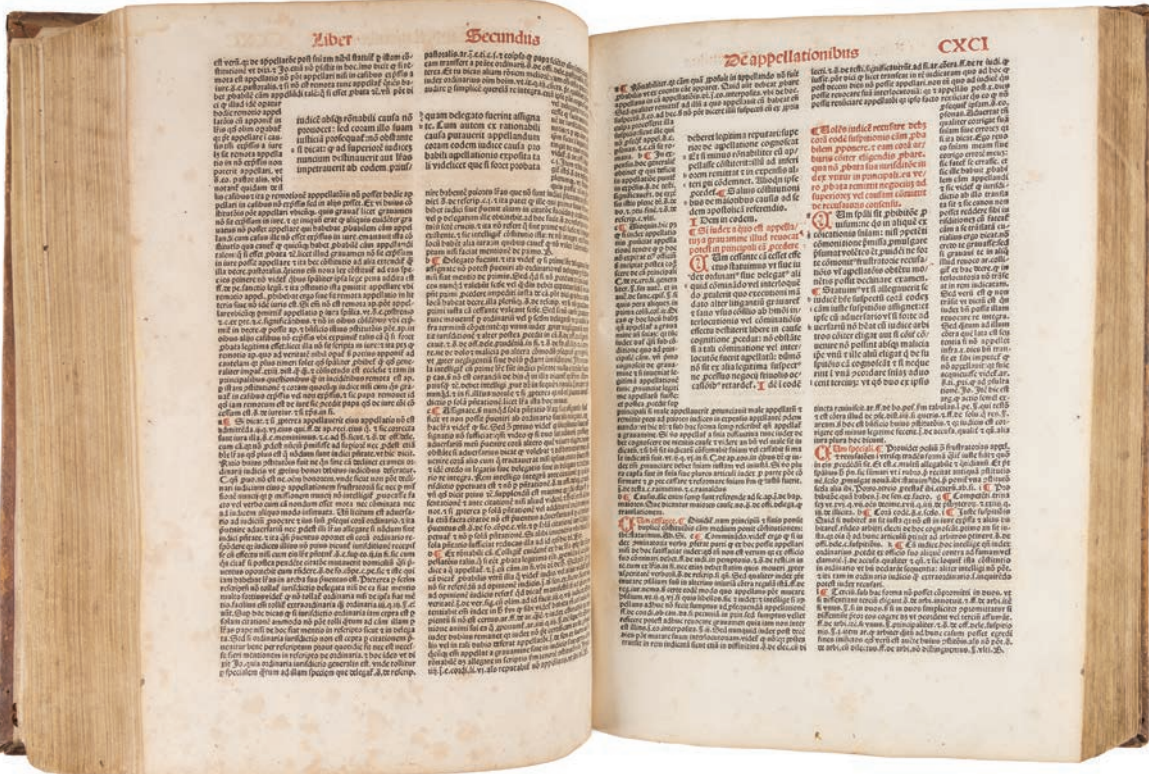
Aliud est possessio in bona aliena
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Annotation detail

200 MILIAR
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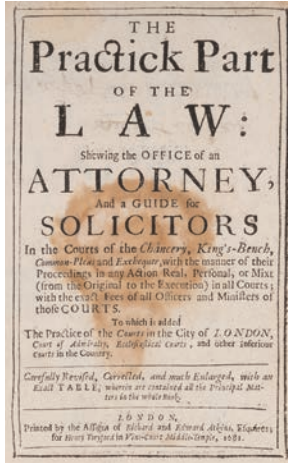
Front cover detail



Decretalium hanc Georgicanam compilationem cum apparatu domini Bernardi candidi lector habes illustratam lucubrationibus clarissimi ytriusq; iuris doctoris dñi Hiero. clarj brix. cum quibusdā additamentis suis pter emendationē: rem certe nouā: tam p multis additis singulis decretalibus cum earū diuisionibus ac cōtinuationibus Rubricarū q̄ etiā casibus p̄sertim difficilioribus sine quibus q̄ plures decretales intelligi nō possunt. Per Antoniū koberger nō sine exacta diligentia Nuremberge imp̄ssam r feliciter p̄summatā Anno salutis, M. dccc. xcvj. x. die mensis Junij.

Colophon detail

A POPULAR GUIDE TO THE DAILY PRACTICE OF ENGLISH LAW



51. [G.T., OF STAPLE INN].

The Practick Part of the Law: Shewing the Office of an Attorney, And a Guide for Solicitors in the Courts of the Chancery, King's-Bench, Common-Pleas and Exchequer, With the Manner of Their Proceedings in any Action Real, Personal, Or Mixt (From the Original to the Execution) in All Courts, With the Exact Fees of All Officers and Ministers of Those Courts: To Which is Added the Practice of the Courts in the City of London, Court of Admiralty, Ecclesiastical Courts, And Other Inferior Courts in the Country. Carefully Revised, Corrected, And Much Enlarged, With an Exact Table, Wherein are Contained all the Principal Matters in the Whole Book.

London: Printed by the assigns of Richard and Edward Atkins, 1681. [viii], 592 [i.e. 590], [14] pp. Octavo (6-3/4" x 4-1/4").

Contemporary calf, blind rules and fillets to boards, raised bands to spines, gilt tooling to board edges. Light rubbing and a few minor stains and nicks to boards, moderate rubbing to extremities, corners bumped and moderately worn, front pastedown just beginning to come loose, front free endpaper lacking, large chip and illegible early signatures to rear free endpaper and verso of title page. Moderate toning to interior, faint dampstaining to foot of text block in a few places, stain from laid-in flower to center of title page and following few leaves. An attractive copy in a well-preserved binding. \$350.

LATER EDITION of a work first published in 1652. This early guide outlines the daily practice of the law in England. A useful and popular work, it went through several editions, the final appearing in 1724. ESTC R184827.

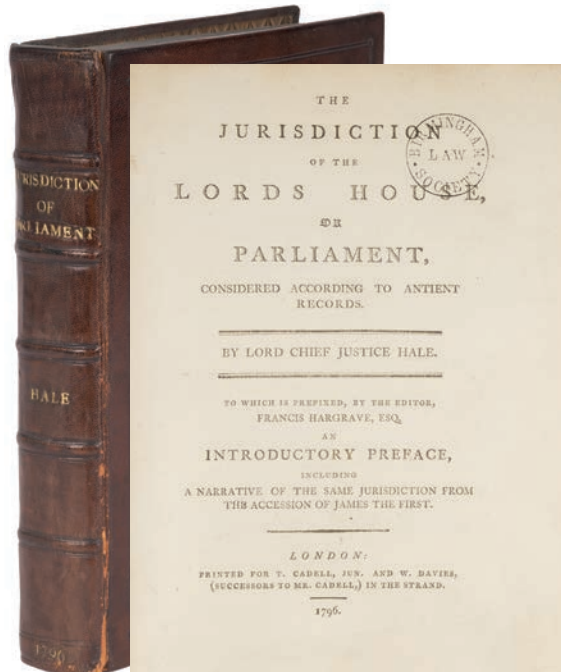
"THE MOST IMPORTANT OF [HALE'S] BOOKS ON THE CONSTITUTIONAL LAW"

52. HALE, SIR MATTHEW [1609-1676]. HARGRAVE, FRANCIS [1741?-1821], EDITOR.

The Jurisdiction of the Lords House, Or Parliament, Considered According to Antient Records. To Which is Prefixed, By the Editor, An Introductory Preface, Including a Narrative of the Same Jurisdiction from the Accession of James the First.

London: Printed for T. Cadell & W. Davies, 1796. [xii], ccxxx, 208 pp. Quarto (9-1/4" x 7-1/4").

Later morocco, blind rules to boards, raised bands and gilt title to spine, marbled endpapers, cloth-reinforced hinges. Light rubbing to extremities with minor wear to joints and corners, library bookplate and small location label to front pastedown. Moderate toning to interior, crack in text block between leaves Dd1 and Dd2 (pp. 202-203). Light foxing and soiling in a few places, small library stamp to title page and a few other leaves. A handsome copy. \$850.



ONLY EDITION. Based on a work first published in 1707, "[this is] the most important of [Hale's] books on the constitutional law published by Hargrave with an elaborate preface in 1796. This topic comprised some of the most controverted political questions of the day; and Hale had written much upon it in the early days of the Long Parliament, the Commonwealth and after the Restoration. This essay...represents his final judgment on the matter; and he himself tells us that the MS was complete and only needed his final revision. (...) The whole book is a striking testimony to Hale's mastery of records, to his impartiality and to his statesmanlike qualities.": Holdsworth, *Makers* 140. ESTC T110601.

THE FIRST WORK IN ENGLISH ON HINDU LAW

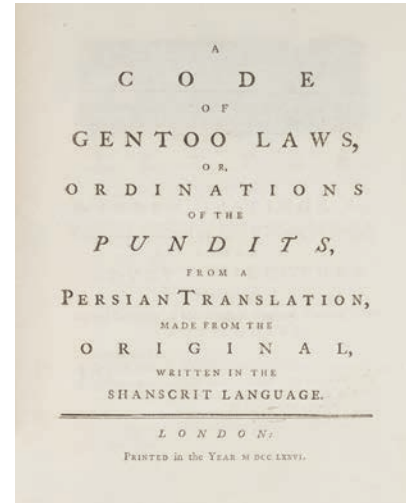
53. [HALHED, NATHANIEL BRASSEY (1751-1830), TRANSLATOR AND EDITOR].

A Code of Gentoo Laws, Or, Ordinations of the Pundits: From a Persian Translation, Made from the Original, Written in the Shanscrit Language.

London: [S.n.], 1776. lxxiv, 61, [1], 322 pp. 8 copperplate leaves with tissue overlays. Quarto (11-1/2" x 9-1/2").

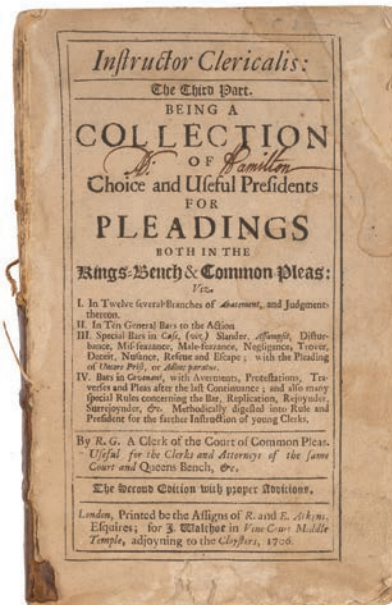
Plain-paper publisher boards, backed in calf and rebacked in period-style quarter calf with raised bands, blind fillets and lettering piece, untrimmed edges, hinges reinforced. Light rubbing and soiling to boards, moderate rubbing to board edges, corners bumped, early armorial bookplate (of Peter DuCane) to front pastedown. Moderate toning to interior, some creasing and discoloration to tissue guards. An appealing copy with wide margins. \$500.

FIRST EDITION. This is the first work in English describing the principles of Hindu jurisprudence. It is a translation from the *Vivadarnavasetu*, a digest of Hindu law in 21 sections (taranga). This work was compiled for Warren Hastings, the governor-general of the East India Company. The pandits (pundats) are Banesvara, Kriparama, Rama Gopala, Krishnajivana, Viresvara, Krishnacandra, Guarikanta, Kalisankara, Syamasundara, Krishnakesava and Sitarama. The plates depict examples of the original Sanskrit texts. Later editions were published in 1777 and 1781. ESTC T112179.



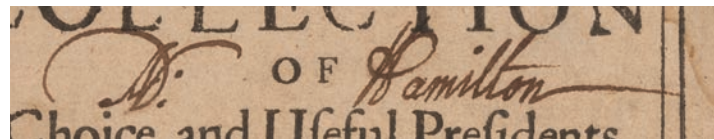
Title page detail

OWNED BY JOHN PETER ZENGER'S DEFENSE LAWYER



54. [HAMILTON, ANDREW (C.1646-1741)]. G[ARDINER], R[OBERT].

Instructor Clericalis, The Third Part, Being a Collection of Choice and Usual Pleas for Pleadings Both in the Kings-Bench & Common-Pleas.



Signature detail

London: Printed by [sic] the Assigns of R. And E. Atkyns, Esquires, 1706. [viii], 500, [36] pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, lacking front board and most of spine, rear board detached and worn, several signatures loose, "Instructor Clericalis 3d Part" in early hand to fore-edge of text block. Moderate toning, occasional dampstaining to margins, soiling and some edgewear to preliminaries and final leaves, signature of Andrew Hamilton to title page, brief early annotations, probably by Hamilton, to rear endleaves. Book housed in attractive cloth clamshell box. \$7,500.

ANDREW HAMILTON was regarded as perhaps the finest lawyer in the colonies before he volunteered his services in defense of John Peter Zenger, who had been charged with libel in New York in 1735 for criticizing decisions of the governor in his newspaper. Hamilton's appearance in this case generated extraordinary public attention. Hamilton's defense was ingenious. Admitting that Zenger had violated the law, he used this admission as a defense by saying the jury (and not simply the court) was capable of judging both the law and the facts. Hamilton asked to the jury to judge the accuracy of Zenger's article. If it was accurate, he reasoned, it was not libelous. Acclaimed by the public, Zenger's acquittal is generally regarded as the first major victory for freedom of the press in the American colonies and a precedent for the First Amendment of the U.S. Constitution. The annotations note sums owed by two men, J. Porrin and P. Wyatt, with a memo about reciprocal covenants. ESTC T200710.



Signature detail

SIGNED BY LEARNED HAND

55. [HAND, LEARNED (1872-1961)].

[Annotated Copy of a Marriage Service with Witness Signature of Learned Hand].

October 21, 1896. In *The Marriage Service of the Book of Common Prayer. Our Marriage Vow---The Service and Minister's Certificate*. New York: Thomas Whittaker, 1877. [x], 16, [19] pp. Octavo (6-1/2" x 4-1/4").

Contemporary cloth, gilt title to front board, all edges gilt. Some soiling and a few minor stains to boards. Light toning to interior, crack in text block between pp. 12 and 13. Text in red and black, manuscript notes to pp. 5-7, 9, marriage certificate after p. 16 with 4 pp. of witness signatures following. \$650.

THIS BOOK RECORDS the marriage service of Richard Tracy Stevens [1865-1941] and Georgiana Schanck Hand [1872-1965]. Georgiana was a cousin by marriage of Learned Hand, whose signature appears on the third page of witnesses. Also present is the signature of his cousin, Augustus Noble Hand [1869-1954], a New York judge who served on the District and Circuit courts. An interesting piece of Americana with a notable association.

THE MADNESS OF KING GEORGE

56. [HARGRAVE, FRANCIS (1741?-1821)].

Brief Deductions Relative to the Aid and Supply of the Executive Power, According to the Law of England, In Cases of Infancy, Delirium, Or Other Incapacity of the King.

London: Printed for J. Debrett, 1788. iv, 6 pp. Quarto (8-3/4" x 7").

Stab-stitched pamphlet rebound into recent three-quarter morocco over marbled boards, gilt fillets and lettering piece to spine. Light toning to interior, two slight horizontal fold lines to text block, light soiling in a few places. \$500.

SECOND AND FINAL EDITION. In late 1788, King George III suffered an acute relapse of the mental illness that would define the last years of his reign, triggering a fight in Parliament over the terms of a regency. Pitt,

who had the most to lose should the Prince of Wales gain power, argued for a restricted regency governed by Parliamentary authority. Our pamphlet disagrees, advocating a strong regency in the interest of preserving executive power. Perhaps fittingly, Hargrave would succumb to mental illness himself in 1813, and remained in the care of his wife until his death. OCLC locates 5 copies of the second edition (British Library, University of Scotland, University of Manchester, Huntington, Queen's University), to which the ESTC adds 2 (Harvard Law, Newberry). ESTC N15416.

"JUSTICE MADE CHEAP,
SPEEDY, AND BROUGHT
TO EVERY MAN'S DOOR"

57. [HIGGINS, JESSE (B. 1763), ATTRIBUTED].

Sampson Against the Philistines, Or the Reformation of Lawsuits; And Justice Made Cheap, Speedy, And Brought Home to Every Man's Door: Agreeable to the Principles of the Ancient Trial by Jury, Before the Same was Innovated by Judges and Lawyers. Compiled for the Use of the Honest Citizens of the United States. To Whom It is Dedicated.

[Washington, DC: Printed by W. Duane, 1805]. v, 98, xxiii (i.e. xxii) pp. Octavo (7-3/4" x 5-3/4").

Disbound, moderate toning and light foxing. light soiling and faint staining to title page and verso of final leaf, final two leaves have some loss to text due to trimming. A nice copy of a rare imprint. \$950.

FIRST EDITION. "The authorship of [this work] was ascribed previously to William Sampson and to William Duane. The attribution to Jesse Higgins, a wealthy Delaware landholder, is now well established, based in large part on "Memoirs of a Senator from Pennsylvania, Jonathan Roberts, 1771-1854" in *Pennsylvania Magazine of History & Biography* 62 (April 1938) 213. The work stems from Higgins's own difficulties in the chancery courts and was probably the most influential of many attacks on the legal profession in this period" (Cohen). Scharf cites a letter from Duane to Higgins indicating that printing may have commenced around November 18, 1804, which has led a few sources to give that year as a publication date. (Cohen does not agree.) A second edition, with less content than the first, was published in Philadelphia in 1805. It was re-issued in Knoxville, TN in 1817 and New York in 1842. The first edition is rare. OCLC locates 2 copies, both given an 1805 publication date (American Philosophical Society, Penn State University). Cohen 1014.

PRESENTATION COPIES FROM
OLIVER WENDELL HOLMES AND FELIX FRANKFURTER
INSCRIBED TO HARLAN FISKE STONE

58. HOLMES, OLIVER WENDELL [1841-1935].

Speeches.

Boston: Little, Brown, and Company, 1918. [vi], 103 pp.

Original printed paper boards. Light soiling, somewhat heavier on spine, moderate rubbing to extremities with some wear to spine ends and corners. Moderate toning to text, author inscription to front free endpaper.

[BOXED WITH]

FRANKFURTER, FELIX [1882-1965].

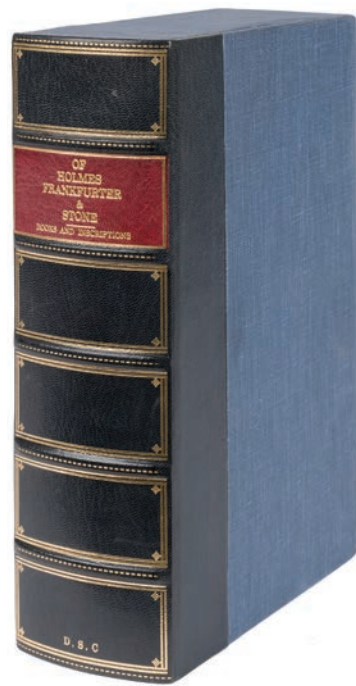
Mr. Justice Holmes and The Supreme Court.

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

Original cloth, gilt title to spine. Light rubbing to extremities with light wear to spine ends and corners, light fading to spine. Moderate toning to interior, author inscription to front free endpaper.

Books, each in a cloth flap folder, housed in handsome two-compartment cloth slipcase, quarter morocco spine with raised bands, gilt ornaments and gilt title reading: *Of Holmes Frankfurter & Stone, Books and Inscriptions*. \$10,000.

SPEECHES: later printing; *Mr. Justice Holmes*: first edition. Both of these books were presented to Harlan Fiske Stone when he was an associate justice of the U.S. Supreme Court. (He was chief justice from 1941 to 1946.) *Speeches* is inscribed: "To Harlan F. Stone from his associate and friend Oliver Wendell Holmes. May 23, 1928." *Mr. Justice Holmes* is inscribed: "For H.F.S., a meagre conveyance of your great friend, but it comes to you with the highest regards from F.F. Cambridge, 6 October 1938." Frankfurter became Stone's associate on the Court in 1939. Holmes retired in 1932.

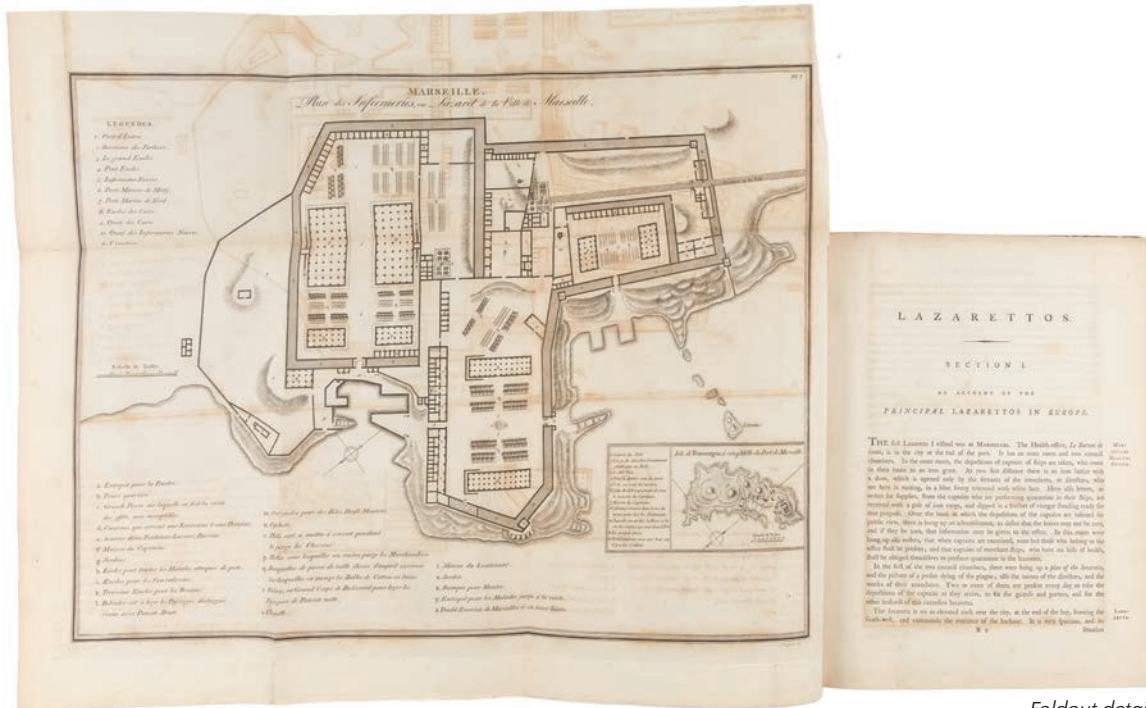


To Harlan F. Stone
from his associate and friend
Oliver Wendell Holmes
May 23, 1928

Speeches inscription detail

For H. F. S., a meagre
conveyance of your
great friend, but it
comes to you with the
highest regards, from
F.F.
Cambridge,
6 October 1938

Mr. Justice Holmes and The Supreme Court inscription detail



Foldout detail

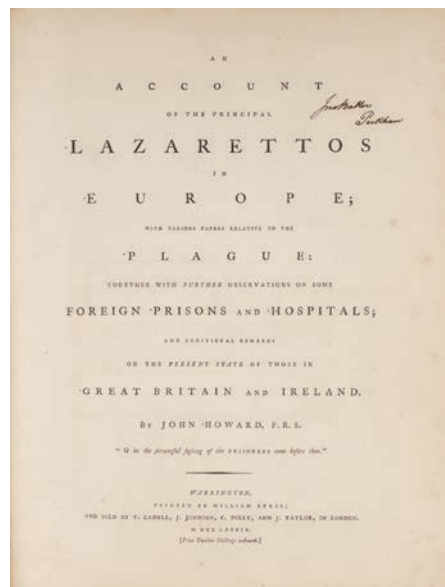
QUARANTINE CONDITIONS

59. HOWARD, JOHN [1726-1790].

An Account of the Principal Lazarettos in Europe; With Various Papers Relative to the Plague: Together with Further Observations on Some Foreign Prisons and Hospitals; And Additional Remarks on the Present State of Those in Great Britain and Ireland.

Warrington: Printed by William Eyres; And Sold by T. Cadell, J. Johnson, C. Dilly, And J. Taylor, In London, 1789. viii [i.e. vi], 259, [15] pp. With a folding table and 22 diagrams and illustrations, 20 of which are folding. Quarto (11" x 8-3/4").

Recent quarter calf over marbled boards, endpapers renewed. Moderate toning, occasional light foxing, heavier to some leaves, light soiling in a few places, light wear with clean tears to edges of some folding plates affecting images without loss, early (illegible) ownership signature to head of title page. An attractive copy. \$650.



FIRST EDITION. After being shocked by the conditions of his county prison as High Sheriff, Howard dedicated himself to touring hundreds of prisons in Great Britain and Western Europe and reporting on their conditions. His primary focus was on improving hygiene and cleanliness, and his work *The State of the Prisons* (1777) is credited with establishing the practice of single-celling in the United Kingdom. Our work, published after his final tour of English prisons in 1787, focuses on quarantine stations and prison hospitals with detailed diagrams and illustrations. ESTC T115289.



Foldout detail

VERY HANDSOMELY BOUND TREASURY OF
WHIMSICAL ANECDOTES ABOUT LONDON'S TEMPLE

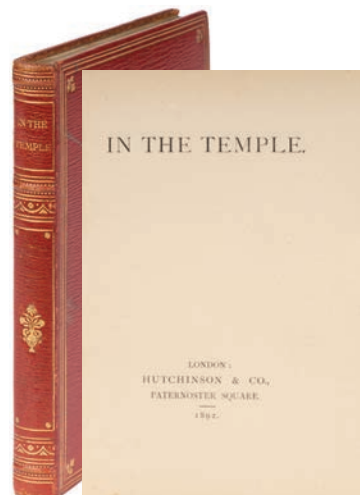
60. [INNS OF COURT].

In the Temple.

London: Hutchinson & Co., 1892. [iv], 117, [1] pp. Quarto (6" x 5").

Contemporary straight-grained morocco by Birdsall & Son Northampton, triple gilt fillets with corner fleurons to boards, Raised bands and gilt title and ornaments to spine, gilt tooling to board edges and text block, gilt inside dentelles, marbled endpapers. Negligible light rubbing to extremities, a few minor scratches to boards. Moderate toning to text, negligible light foxing in a few places, faint floral stain to gutter between pp. 66 and 67, early gift inscription to front endleaf. A handsome volume. \$500.

ONLY EDITION. This is a light-hearted guide to London's Temple, including its medieval round church. Several of its chapters are reprinted from the *Law Gazette* and are humorous and sardonic sketches of life and customs among the students, lawyers and clerks of this ancient legal institution. "The first stage on the road to the Woolsack is peculiarly pleasant to travel, since it imposes no greater trouble than is incident to the eating of a certain number of dinners" (80). OCLC locates 4 copies, none in North America.



A HANDBOOK TO COMFORT THE DYING AND THOSE CONDEMNED
TO DEATH BOUND WITH A MANUAL ON A YOUTH'S PROPER CONDUCT



61. ISELLA, FRANCISCUS.
[ISSELT, MICHAEL VON (1550-1597)], TRANSLATOR].

Brevis Instructio ad Corroborandos ac Juvandos Morituros, Eos Praesertim qui ob Flagitia Sua, Publica Judicium Sententia Morti Addicti Sunt.

Cologne: In Officina Birckmannica, Sumptibus Arnoldi Mylii, 1588. [iv], 124 pp.

[BOUND AFTER]

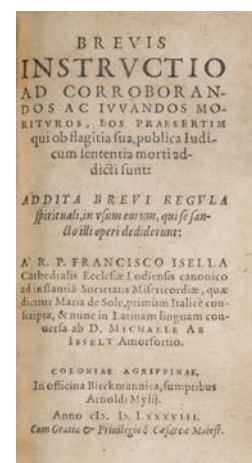
BALDESANO, GUGLIELMO [1547-1613].

Stimuli Virtutum Adolescentiae Christianae Dicati, Libri Tres. Conscripti Primum Lingua Italica à D. Guilielm. Baldesano. Nunc Recens in Gratiam Sodalium Germanorum, Latinè Redditi à Quodam Societatis Iesu. Quae Singularis Libris Contineantur Sequens Pagella Indicat.

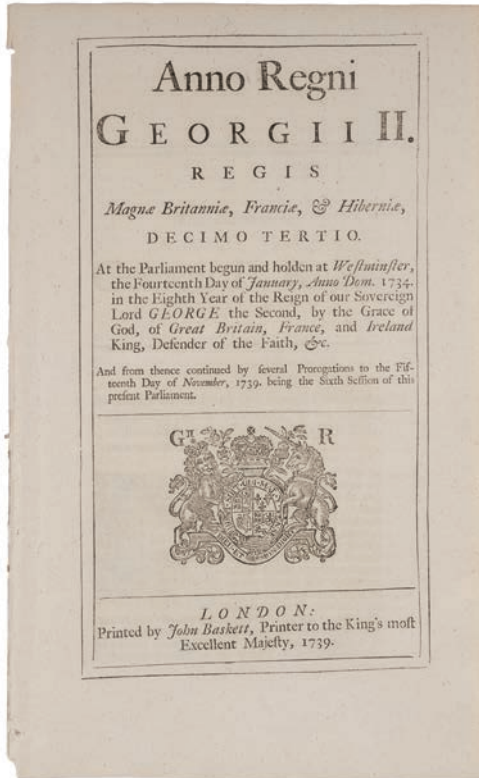
Cologne: Sumptibus Arnoldi Mylii, 1595. [xlviij], 642 pp.

12mo. (5-1/4" x 2-3/4"). Contemporary paneled pigskin, 1595 stamped to foot of front board, raised bands to spine, bronze clasps. Light rubbing and spotting to boards, moderate rubbing to extremities with wear to corners, some darkening to spine, minor worming near head, two early owner inscriptions to front pastedown, one dated 1656, another to foot of title page of *Stimuli Virtutum*. Moderate toning, light browning and foxing in places. Brief early annotations to some passages in *Brevis Instructio*. \$1,500.

BREVIS INSTRUNCTIO: first edition in Latin, second edition overall; *Stimuli Virtutum*: later edition, the second in Latin. The *Brevis Instructio* is a pocket manual to provide spiritual comfort, strength and guidance to those who are dying, especially those who are awaiting execution. It was first published in Italian around 1586. The title page identifies Isella as a canon of Liège Cathedral. *Stimuli Virtutum* is a popular work for the edification of youth. The work has been attributed to Auber Le Mire and Bernardino Rossignoli. Some sources propose that Baldesano is a pseudonym for Rossignoli. VD16 1344 (*Brevis Instructio*), R3169 (*Stimuli Virtutum*).



FIRST PRINTING OF THE PLANTATION ACT OF 1740



62. [JEWS].
[QUAKERS].
[GREAT BRITAIN].

An Act for Naturalizing Such Foreign Protestants, And Others Therein Mentioned, As are Settled, Or Shall Settle in Any of His Majesty's Colonies in America [Drop-Head Title]. At head of drop-head title: Anno Decimo Tertio Georgii II. Regis.

London: Printed by John Baskett, 1739. [ii], 167-171, [1] pp. Woodcut royal arms to title page. Folio (11-1/2" x 7").

Disbound stab-stitched pamphlet. Light toning, small chip to foot of spine. \$1,750.

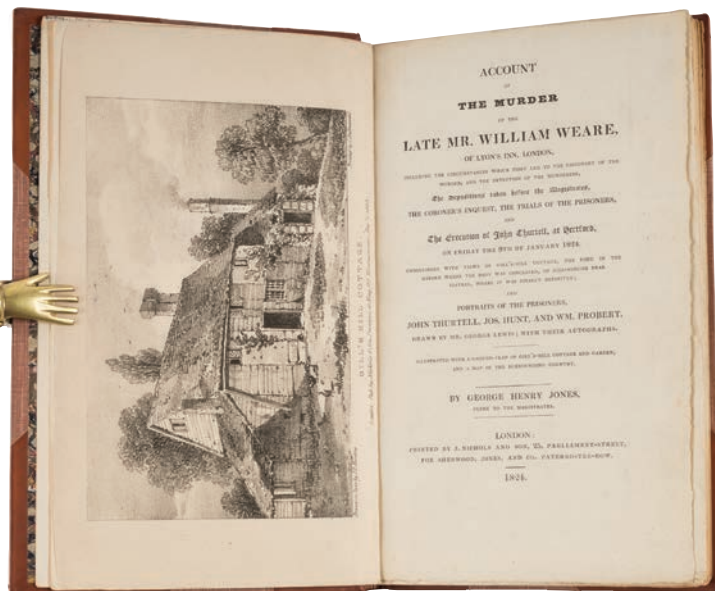
FIRST EDITION. The landmark legislation permitting the naturalization of both Jews and Quakers in the American colonies, rights which had not yet been accorded to them in England. Known as the "Plantation Act" after its design in encouraging colonial settlement, it allowed foreigners who had resided in any British colony for at least seven years to be naturalized by taking oaths of allegiance, supremacy and abjuration and receiving the sacrament. The additional provisions of the Act notably excepted Jews and Quakers from the sacramental requirement, in addition to changing the language of the oaths. Jews could omit the phrase "on the true faith of a Christian" and Quakers

could affirm the oath rather than swear it. Notably, no such exceptions were made for Roman Catholics. Acts such as these were compiled over the course of a session and bound afterwards. They were issued with general title pages, which were often discarded. It is present in the issue offered here. ESTC N51531.

A SORDID TALE OF GAMBLING AND MURDER

63. JONES, GEORGE HENRY.

Account of the Murder of the Late Mr. William Weare of Lyon's Inn, London, Including the Circumstances Which First Led to the Discovery of the Murder and the Detection of the Murderers, The Depositions Taken Before the Magistrates, The Coroner's Inquest, the Trials of the Prisoners and the Execution of John Thurtell, At Hertford on Friday the 9th of January 1824, Embellished with Views of Gill's-Hill Cottage, The Pond in the Garden Where the Body was Concealed of Hill-Slough near Elstree, Where it was Finally Deposited and Portraits of the Prisoners, John Thurtell, Jos. Hunt and Wm. Probert, Drawn by Mr. George Lewis with Their Autographs: Illustrated with a Ground-Plan of Gill's-Hill Cottage and Garden and a Map of the Surrounding Country.



London: Printed by J. Nichols and Son for Sherwood, Jones and Co., 1824. [iv], 344 pp. 4 lithographed plates, 1 a frontispiece, 2 folding maps. Octavo (8-1/4" x 5-1/4").

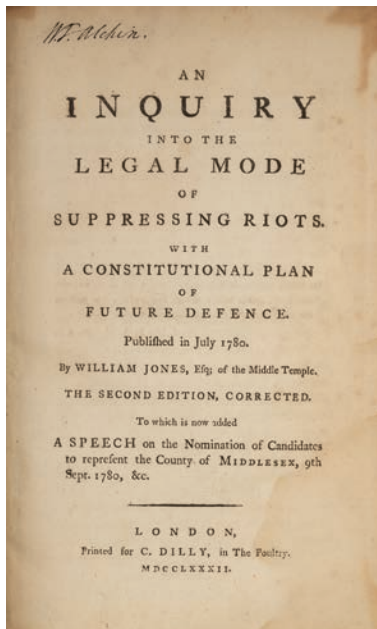


Lithograph detail

Later three-quarter polished calf over cloth, lettering pieces, gilt fillets and gilt-edged raised bands to spine, marbled endpapers. Signed binding by Morrell, London. Light rubbing to extremities, owner bookplate (Stoughton R. Vogel, M.D.) to front pastedown. Light toning to interior, light foxing in a few places. \$650.

ONLY EDITION. John Thurtell, an unlucky gambler, was deeply in debt to the crooked bookmaker William Weare. Deciding to take revenge, Thurtell, along with his friends Joseph Hunt and William Probert, murdered Weare in a grisly manner and tossed his body into a pond. Thurtell tried to escape conviction. He was hanged. Hunt confessed his involvement and stated that Thurtell was the killer. He was sent to the penal colony in Botany Bay, Australia. Charges against Probert were dropped in exchange for his wife's testimony. OCLC locates 10 copies in North America law libraries. Not in the HLC or BMC.

SIR WILLIAM JONES'S FIRST LEGAL AND POLITICAL ESSAY



64. JONES, SIR WILLIAM [1746-1794].

An Inquiry into the Legal Mode of Suppressing Riots, With a Constitutional Plan of Future Defence. Published in July 1780. By William Jones, Esq; Of the Middle Temple. The Second Edition, Corrected. To Which is Now Added A Speech on the Nomination of Candidates to Represent the County of Middlesex, 9th Sept. 1780, &c.

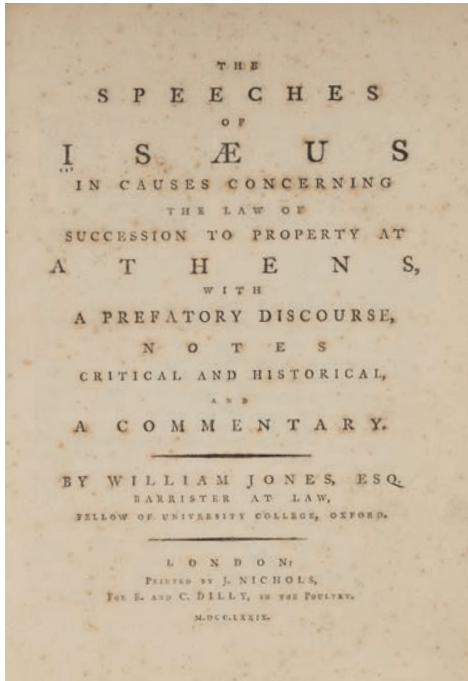
London: Printed for C. Dilly, 1782. 75, [1] pp. With a half-title. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards by Philip Dusel, blind fillets and lettering piece to spine. Moderate toning, occasional light foxing, illegible early owner signature to head of title page. \$1,500.

SECOND, FINAL AND BEST EDITION. Jones is perhaps best known today as one of the founders of modern linguistics for his contributions to understanding the relationship between Indo-European languages. His first legal and political essay, *An Inquiry into the Legal Mode of Suppressing Riots* addresses the anti-Catholic Gordon Riots, the most destructive riot in

London's history. Jones draws on Selden, Locke and Milton in his proposals to avoid martial law and defend London through a version of the *posse comitatus*. Both editions of this work are very scarce. OCLC locates 3 copies of the second edition (San Francisco Law Library, UC-Berkeley, University of Michigan). ESTC T69326.

THE BOOK THAT ESTABLISHED
SIR WILLIAM JONES'S REPUTATION AS A LEGAL SCHOLAR



65. JONES, SIR WILLIAM.

The Speeches of Isaeus in Causes Concerning the Law of Succession to Property at Athens, With a Prefatory Discourse, Notes Critical and Historical, And a Commentary.

London: Printed by J. Nichols, For E. and C. Dilly, In the Poultry, 1779. vii, [1], xxxix, [1], 204, [2] pp. 11 copperplates, one folding. Quarto (10-3/4" x 7-1/2").

Recent period-style three-quarter calf over marbled boards, lettering piece and gilt fillets to spine, endpapers renewed. Moderate toning to interior, occasional light foxing, pencil marks to the right margins in a few places, fore-edge of leaf P1 (pp. 105-106) discreetly mended. A nice copy of an interesting work. \$650.

ONLY EDITION of Jones's first treatise on law, establishing his reputation as a legal scholar. A man of wide interests, Jones was a philologist and scholar of ancient India in addition to his service as a puisne judge in Bengal. This book is the first translation of Isaeus into English. In his commentary, Jones distinguishes Isaeus from other, better-known Attic orators and suggests changes to English land

law on the basis of principles laid out in the speeches. The translation was well-received and was praised by Burke and Gibbon. ESTC T82184.

OWNED BY SAMUEL MORSE'S BROTHER

66. [KENDALL, AMOS (1789-1869)].
[MORSE, SAMUEL (1791-1872)].
[JACKSON, CHARLES THOMAS (1805-1880)].

Morse's Patent. Full Exposure of Dr Chas.T.Jackson's Pretensions to the Invention of the American Electro-Magnetic Telegraph.

[Washington, DC: S.n., c.1850]. 66 pp. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet. Light toning, occasional light to moderate foxing, light soiling in a few places, some folded corners, last leaf partially detached but secure. Signature of Sidney E. Morse to head of title page, corrections, most likely by Morse, to pp. 3 and 66. \$950.

EARLY EDITION. Morse had developed a single-wire telegraph, cheaper and simpler than other versions emerging at the time, after meeting Jackson in 1832 and witnessing the other man's various electromagnetic experiments. He submitted a patent application for the final version in 1849, but Jackson claimed prior discovery and a bitter conflict ensued. (This was something of a habit for Jackson, who made many other spurious priority claims.) Kendall, former Postmaster General and Morse's business partner, leapt to Morse's defense in this pamphlet. Jackson's claim was ultimately proven false, and Morse's telegraph became the dominant version.

Our copy was owned by Sidney Edwards Morse, Samuel's brother and owner of the *New York Observer*, a pro-slavery newspaper. No date or publisher are given, but the text of a later edition suggests that the work was first published in 1850. Ours is similar to Cohen 11519, with a variation in the title (Chas.T. vs. Cohen's C.T.) also seen in a copy at Harvard. (Cohen does not give a date.) Early issues are scarce: OCLC locates 2 published before the 1852 edition, in addition to Harvard's copy. See Cohen 11519.



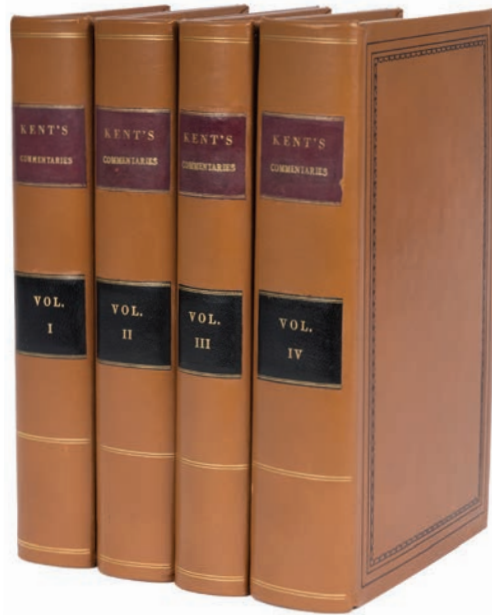
A HANDSOME FIRST-EDITION SET OF KENT'S COMMENTARIES

67. KENT, JAMES [1763-1847].

Commentaries on American Law.

New York: Published by O. Halsted, 1826-1830. Four volumes. 508; 528; 413; 550 pp. Octavo (8-3/4" x 5-1/4").

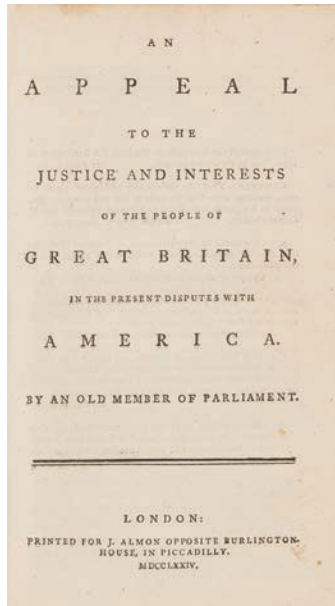
Recent period-style calf, black-stamped frames to boards, gilt fillets and red and black lettering pieces, retained from earlier binding, endpapers renewed. Light toning to interiors, slightly heavier toning to Volume IV, negligible light foxing and ink spots to a few leaves in each volume, section of *The United States Review and Literary Gazette* (May 1827) containing an anonymous review of Volume I, with a contemporary manuscript note identifying Theron Metcalf as the reviewer, bound after index of Volume IV, two contemporary owner signatures to each title page (of Edwin Hutchingson, struck through, and Charles A.F. Swan), another signature (Edwin Hutchingson) to head of p. 1 of Volume IV. A handsomely bound copy with notably fresh interiors. \$5,000.



FIRST EDITION. Kent's *Commentaries* is probably the single most important interpretation of American law. Writing in 1847, Marvin ranked it above Blackstone and observes that it contains "not only a clear statement of the English law, with all the alterations that have taken place since the time of Blackstone, but a full account of the main principles of Equity, also, a review of the modifications engrafted on the English law by the different states of the Union." Marvin's latter observation points to the significance of this landmark work.

Published at a time when there was considerable opposition to English law, Kent's *Commentaries* established it in a manner that appealed to the majority of influential American jurists and legislators. As Roper notes, by transplanting English common law, the *Commentaries* "had the two-prong effect of helping to maintain the primacy of judge-made law in contrast to codification by legislatures, while providing the legal profession with the degree and kind of certainty it craved." Marvin 438. Roper, "James Kent" in *ANB* 12:598-199. Cohen 5398.

AN EARLY AMERICAN PLEA FOR SYMPATHY



68. [LEE, ARTHUR (1740-1792)].

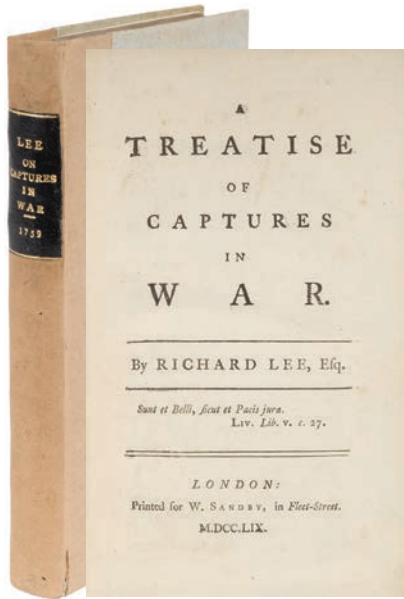
An Appeal to the Justice and Interests of the People of Great Britain, In the Present Disputes with America, By an Old Member of Parliament.

London: Printed for J. Almon, 1774. [iv], 63, [5] pp. With a half-title. Final two leaves are publisher advertisements. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet bound into recent period-style calf, blind rules and fillets to boards, lettering piece and blind fillets to spine. Light rubbing to extremities, a few minor nicks to boards, moderate toning to interior, early ink doodles to pp. 2-3, mostly to margins, small chip to fore-edge of half-title, which is lightly soiled, as is the verso of the final leaf. \$2,000.

FIRST EDITION. A response to the Townsend Acts, this pamphlet argues that the rights of the colonists enjoy the same rights as other British subjects and predicts dire consequences if those rights are ignored. Three more editions were published in 1775; its final edition, the fourth, in 1776. Lee also published a sequel in 1775 titled *A Second Appeal to the Justice and Interests of the People, On the Measures Respecting America*. This pamphlet and its sequel have been attributed to William Pitt the Elder, Richard Glover and Benjamin Franklin. Both were, in fact, written by Lee. A member of the prominent Virginian family and a longtime resident of London, where he practiced law, Lee was an American diplomat and spy during the American Revolution. *ESTC* T22274. *Howes* L183. *Sabin* 39697.

AN ADAPTATION OF BYNKERSHOEK



69. LEE, RICHARD.
[BYNKERSHOEK, CORNELIS VAN (1673-1743)].

A Treatise of Captures in War.

London: Printed for W. Sandby, 1759. viii, 264 pp. Octavo (8-1/2" x 5-1/2").

Recent paper-covered boards, contrasting spine with morocco lettering piece, endpapers renewed. Negligible light rubbing to extremities, front and rear joints just starting at foot. Moderate toning to interior, light foxing to a few leaves at the beginning and end of text. \$750.

FIRST EDITION. This is an annotated translation of the first book of Bynkershoek's *Quaestionum Juris Publici* (1737). Bynkershoek considers questions dealing with international law and the customs of war. "De Rebus Bellicus," its most important chapter, addresses the customs of war on land and sea. Notably humane, it condemns actions against civilians and advocates the fair treatment of prisoners of war. Beginning with Lord Mansfield, scholars have considered this to be his greatest work. A second edition was published in 1803. ESTC T112924.

TWO TITLES BY AN IMPORTANT SCOTTISH JURIST, ONE WITH SEVERAL HAND-COLORED LEAVES OF ARMS AND HERALDIC DEVICES

70. MACKENZIE, SIR GEORGE [1636-1691].

Observations Upon the Laws and Customs of Nations, As to Precedency.

Edinburgh: Printed by the Heir of Andrew Anderson, Printer to His most Sacred Majesty, 1680. [xviii], [2], 92, 89-92 pp., text continuous. With engraved portrait frontispiece of George Mackenzie.

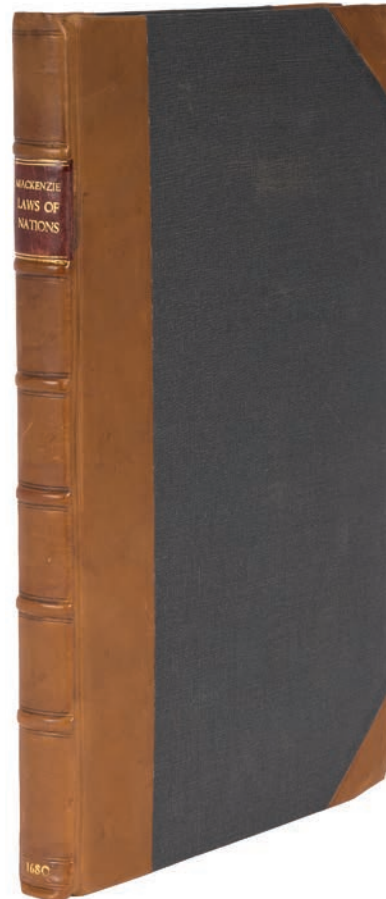
[WITH]

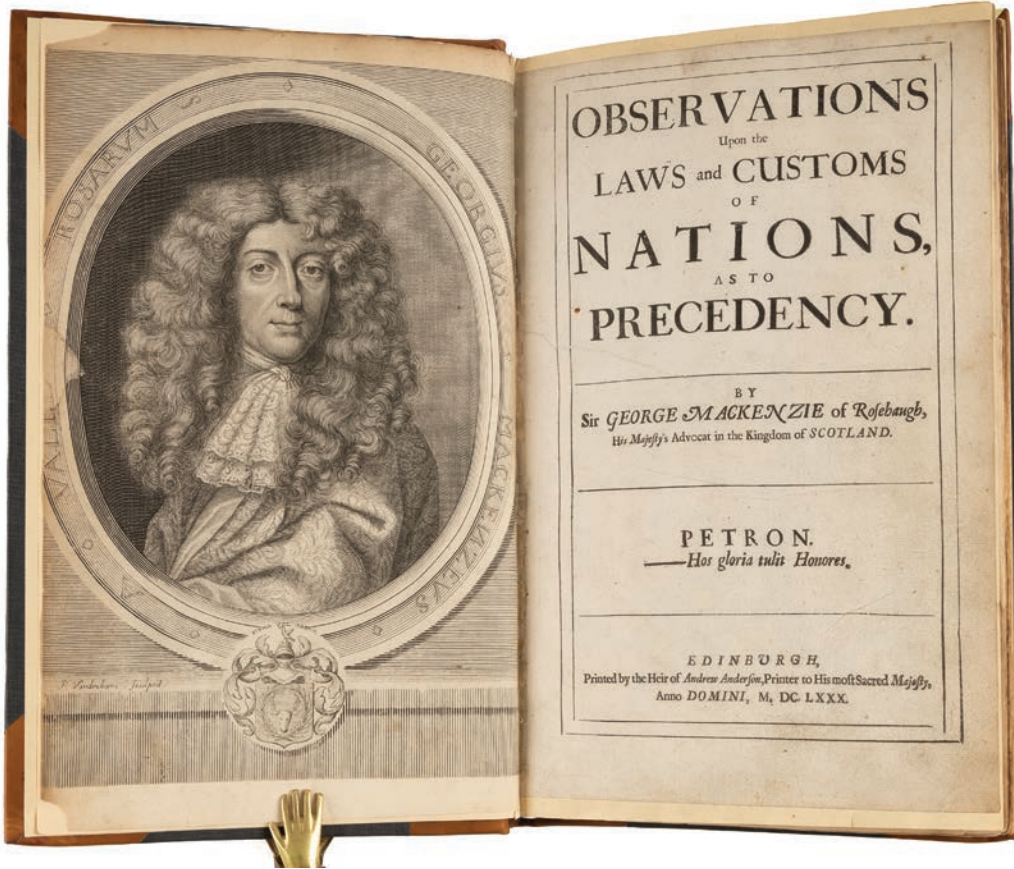
The Science of Heraldry, Treated as a Part of the Civil Law, And Law of Nations: Wherein Reasons are Given for its Principles, And Etymologies for its Harder Terms.

Edinburgh: Printed by the Heir of Andrew Anderson, Printer to His most Sacred Majesty, 1680. [xiii], 98 [i.e. 102], [6] pp. With a copperplate pictorial title page and 30 leaves of arms and other heraldic devices, several hand-colored.

Folio (15" x 9-1/2"). Recent three-quarter calf over cloth boards, raised bands, blind fillets, lettering piece and gilt date to spine, endpapers renewed. A few small nicks, scratches and stains to calf, corners slightly bumped. Light toning to interior, light soiling in a few places, title page of *Observations* crudely mended without loss, both frontispieces and several corners in *Heraldry* mended with minor loss, small tears to two plates in *Heraldry* mended. \$950.

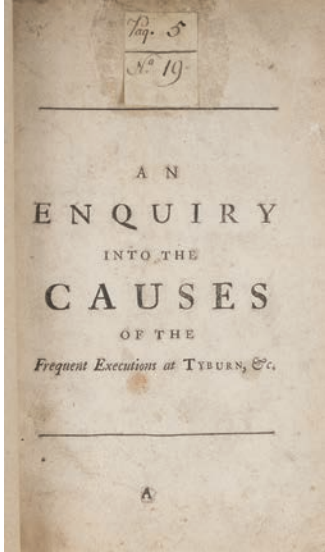
FIRST EDITIONS. Mackenzie was Lord Advocate during the reigns of Charles II and James II. He is best known for his leading role in the persecution of Scottish Presbyterians, which earned him the nickname "Bloody MacKenzie." An important jurist, scholar and author, he was also the founder of the Advocates Library, which is now Scotland's national law library. This volume features two of his legal and historical works. *Observations* is an overview of a wide range of topics related





to the precedence of heirs, including women, twins and madness. *The Science of Heraldry* discusses the history, legal rights and entitlement to the use of heraldic arms, and also describes the components of arms. It is supplemented by detailed plates, several of which are colored beautifully in ink by an early hand. ESTC R5733, R21727.

EXECUTIONS AND THE CAUSES OF CRIME



71. MANDEVILLE, B[ERNARD] [1670-1733].

An Enquiry Into the Causes of the Frequent Executions at Tyburn: And A Proposal for Some Regulations Concerning Felons in Prison, And the Good Effects to be Expected from Them. To which is Added, A Discourse on Transportation, And a Method to Render that Punishment More Effectual.

London: Printed and Sold by J. Roberts, 1725. [xvi], 55, [1] pp. Octavo (7-3/4" x 5").

Stab-stitched pamphlet in recent plain wrappers. Moderate toning to interior, light foxing, finger smudges and minor tears to a few leaves, some soiling to half-title, which has an early label (reading "Pag. 5 No. 19"), and verso of final leaf. \$1,500.

ONLY EDITION. Mandeville's vivid account of the wretched state of public executions in England and the causes of crime introduced several themes that would be explored further by Henry Fielding, Adam Smith and Adam Ferguson. Mandeville was an Anglo-Dutch social philosopher, political economist and satirist. His most important work, and the source of his fame, is *The Fable of the Bees* (1714), an allegorical

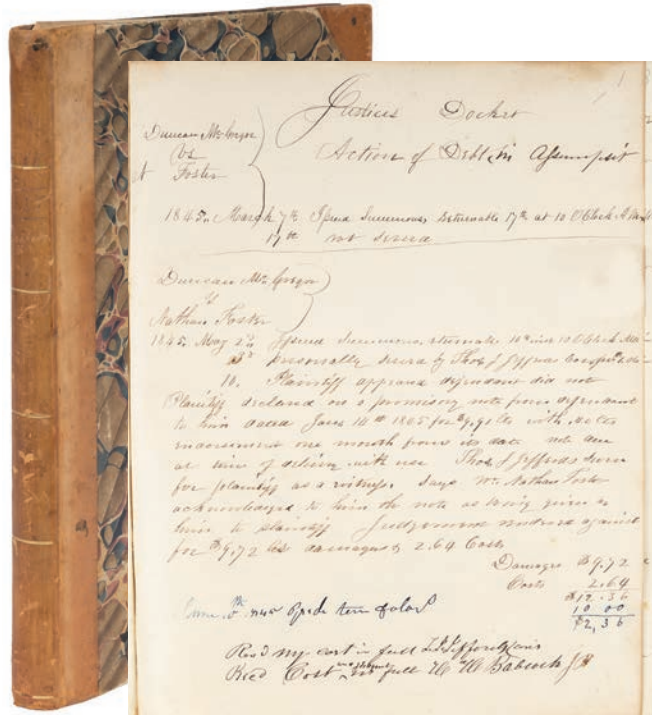
study of social behavior. OCLC locates 3 copies in North American law libraries (Library of Congress, University of Iowa, Yale). ESTC T61379.

MID-NINETEENTH-CENTURY DOCKET BOOK
OF AN UPSTATE NEW YORK JUSTICE OF THE PEACE72. [MANUSCRIPT].
BABCOCK, HENRY H.

Docket 1845.

Rush, NY, March 1845–February 1850. [120] pp., content to 63 pp. Quarto (9-3/4" x 7-3/4").

Contemporary three-quarter calf over marbled boards, gilt fillets and hand-lettered title (reading "HHB 1845 Docket") to spine. Light rubbing to boards, moderate rubbing to extremities, a few nicks and scuffs to spine, small chip to foot of spine, corners bumped, contemporary annotations to endleaves, owner signature and "Docket 1845" in ink to front free endpaper. Moderate toning and occasional light foxing to interior, text in a single neat hand on ruled pages with scrap paper and a legal document pinned in, penultimate two leaves loose and pinned together, pp. 15-16 and 43-44 removed, likely by Babcock. \$650.



LITTLE IS KNOWN about Babcock himself other than that he belonged to a large family with deep roots in New York and in the legal system. His docket book includes many prosaic entries on highway obstruction or unpaid bills, but some are more interesting, like a legal dust-up between William Erwin and Cyrus Davis. Erwin came in front of Babcock for "assaulting and beating the said Cyrus Davis," for which he was fined two dollars. He refused to pay and indeed sued Davis himself, but withdrew and paid court costs for both cases. Several documents are pinned in, including an original 1850 summons signed by Babcock. A good example of the period, written in a fine hand and with more complete entries than those in most records of this type.

MANUSCRIPT CATALOGUE OF BOOKS BELONGING TO
A NINETEENTH-CENTURY EDINBURGH LAWYER

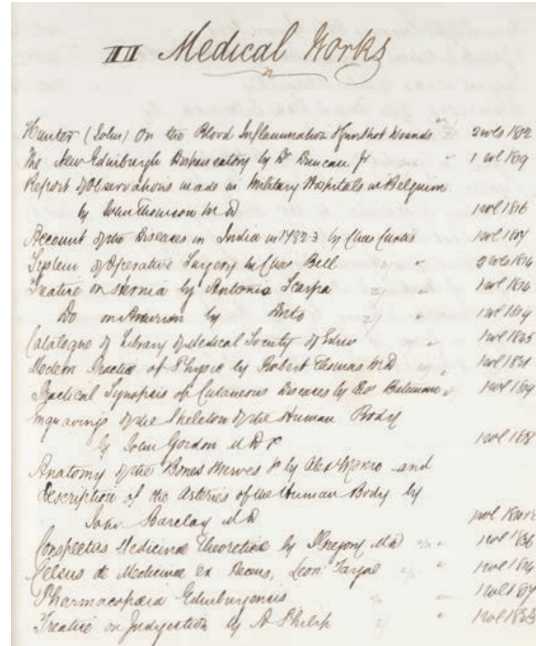
73. [MANUSCRIPT].
CATHCART, ROBERT ALFRED [1825-1855].

Catalogue of Books Belonging to R.A. Cathcart Esq, WS.

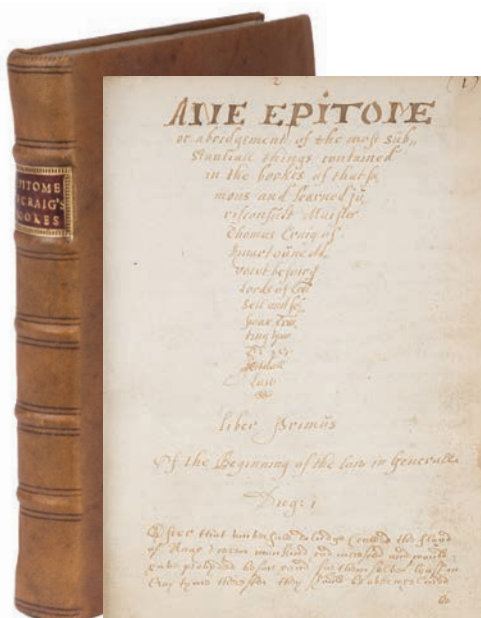
Edinburgh, c.1852. [31] pp. Text mostly to rectos, followed by 25 blank leaves. Quarto (9" x 7-1/2").

Contemporary three-quarter sheep over cloth boards, blind rules to spine, blind fillets to joint and corner edges, marbled edges and endpapers. Light rubbing to boards, moderate rubbing to extremities, a few scuffs to spine, some wear to corners, which are bumped. Light toning to interior, light foxing in a few places, text in a single neat hand, mostly in ink with some entries and headings in pencil. \$950.

ROBERT ALFRED CATHCART was, like several other members of his family, an Edinburgh lawyer and member of the Society of Writers to her Majesty's Signet. The catalogue is an interesting glimpse into the lives of lawyers practicing in this time, showing what a wealthy lawyer's library might contain - in this case some 150 legal and 200 other works. The works are organized into "Law Books," "Medical Works," and "Miscellaneous Works." Among the legal texts are a manuscript copy of Baron Hume's *Commentaries on the Law of Scotland Respecting Trial for Crimes* (1819) and quite a few works on Roman law. Medical works cover the fundamentals of anatomy and pathology. Cathcart may have relaxed at the end of a long day with *The Arabian Nights' Entertainment* (1843) or *The Mysteries of Paris* (n.d.). The catalogue captures a unique snapshot of what a young nineteenth-century Scottish lawyer at the beginning of his career deemed the essentials of daily reference and practice.



MANUSCRIPT EPITOME OF SIR THOMAS CRAIG'S *JUS FEUDALE*



74. [MANUSCRIPT].
[CRAIG, SIR THOMAS (C.1548-1608)].

An Epitome or Abridgement off the Most Substantiall Things Contained in the Books off that Famous and Learned Jurisconsult Mr. Thomas Craiges off Riccartown, Advocat before the Lords of Counsell and Session, Treating upon the Feudal Law.

[Scotland, 17th Century]. [iv], 326 pp. Octavo (6-3/4" x 5-1/4").

Recent period-style sheep, raised bands, blind fillets and lettering piece to spine, blind tooling to board edges, endpapers renewed. Light toning, somewhat heavier in places, occasional light foxing and soiling, faint dampstaining to first third of text block, text in a small elegant hand. \$2,750.

A NEATLY WRITTEN MANUSCRIPT COPY of an unpublished epitome of Sir Thomas Craig's *Jus Feudale*, one of the first comprehensive legal treatises written in Scotland. First published in 1603, it is an essential work in seventeenth-century Scottish legal

history. Craig's object was to assimilate the laws of England with those of Scotland. Unfortunately for him, however, the work had the opposite effect and became important in the codification of Scottish law as a body separate from English law. OCLC locates a similar manuscript at Harvard Law School; we located another similar copy at the British Library.

THOROUGH RECORDS FROM A
NINETEENTH-CENTURY
MISSOURI COURT

75. [MANUSCRIPT].

[Docket Book].

[Missouri, c.1880]. 289 pp. Octavo (8" x 5-1/2").

Contemporary sheep, gilt fillets to boards, gilt-edged raised bands and gilt title to spine (reading "Record"), marbled edges. Light rubbing, a few scuffs and nicks, some soiling to boards, illegible signature to rear board, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, rear joint and front hinge cracked, rear hinge starting, front endleaf lacking, fragment of court calendar dated 1880 affixed to rear pastedown. Text in single elegant hand to approximately 250 pages, mostly in black ink with some entries in purple ink or pencil. \$650.

RECORD BOOK OF PROCEEDINGS in an unspecified Missouri court in the late nineteenth century. Thorough entries cover a wide range of topics, from real estate transactions to a husband's liability for slander uttered by a wife. A mostly typical and occasionally exciting example of a record book of the period.

DU PONCEAU ADVISES A FELLOW
PHILADELPHIA ATTORNEY

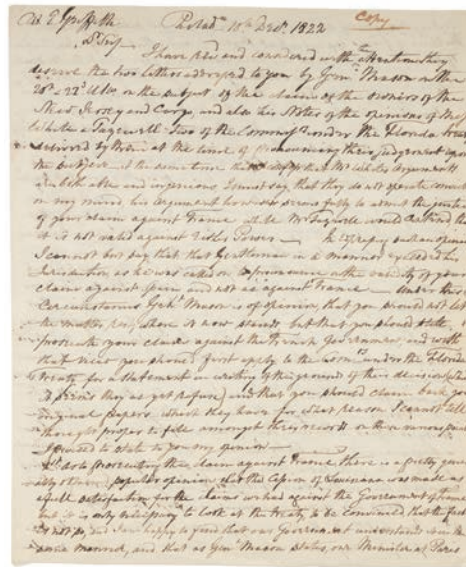
76. [MANUSCRIPT].

DU PONCEAU, PETER S. [1760-1844].

[Copy of Letter to Robert E. Griffith, Philadelphia, December 10, 1822].

Single leaf folded to form 10" x 8" bifolium, "Copy" to head of recto of first leaf, franked and docketed (and marked "Copy") on verso of second leaf. Moderate toning, light rubbing to edges, two horizontal fold lines. Content in neat hand to rectos and verso of first leaf and recto of second leaf. Letter accompanied by typed transcription. \$750.

DU PONCEAU provides detailed legal advice to a fellow Philadelphia attorney regarding his firm's claims against France and Spain under the settlements of the Louisiana Purchase (1803) and the Adams-Onis Treaty (1819). Under the Louisiana Purchase treaty, Griffith and his law firm, Nicklin and Griffith (along with other agents) had been issued an order of restitution for the ship *New Jersey* and her cargo, which had been captured by the French in the West Indies in 1798 and condemned at a Spanish port. The settlement, however, was significantly reduced a few months later. Many years later, the case was brought to



No 76

the attention of two commissioners of the Adams-Onis Treaty, which established the border between the U.S. and Spanish Florida, for further review. Du Ponceau says Griffith has a strong case. Du Ponceau is an important figure in the early history of American law and letters. He founded the Law Academy of Philadelphia in 1821, was the President of the American Philosophical Society and was an expert on international relations and linguistics.

SIR JOHN FENWICK BETRAYS HIS
FELLOW JACOBITES

77. [MANUSCRIPT].

[FENWICK, SIR JOHN (C. 1645-1697)].

[Information Given by Sir John Fenwick, London, c.1696].

12-1/2" x 7-1/2" bifolium. Light toning, slight horizontal fold lines, negligible creasing at edges with small tears at head and fore-edge. Text in at least two hands, possibly three. \$450.

THIS APPEARS TO BE a lightly corrected manuscript copy of evidence given by Sir John Fenwick against his fellow Jacobites after his arrest in 1696. He was a known conspirator against William III, and had likely been involved in the 1696 assassination plot led by George Barclay. His confession was made in an attempt to save himself from execution. When his evidence against several prominent Whigs did not prove useful, or truthful, he was beheaded in 1697, the last person to be the subject of an act of attainder. Another manuscript copy of Fenwick's information is found in the collection of the Duke of Buccleuch and Queensberry at Drumlanrig Castle. Our manuscript, which appears to have been corrected by another author, may be an early draft or another circulated copy.



Handwritten title detail

AN INTERESTING PIECE OF CALIFORNIA LEGAL HISTORY

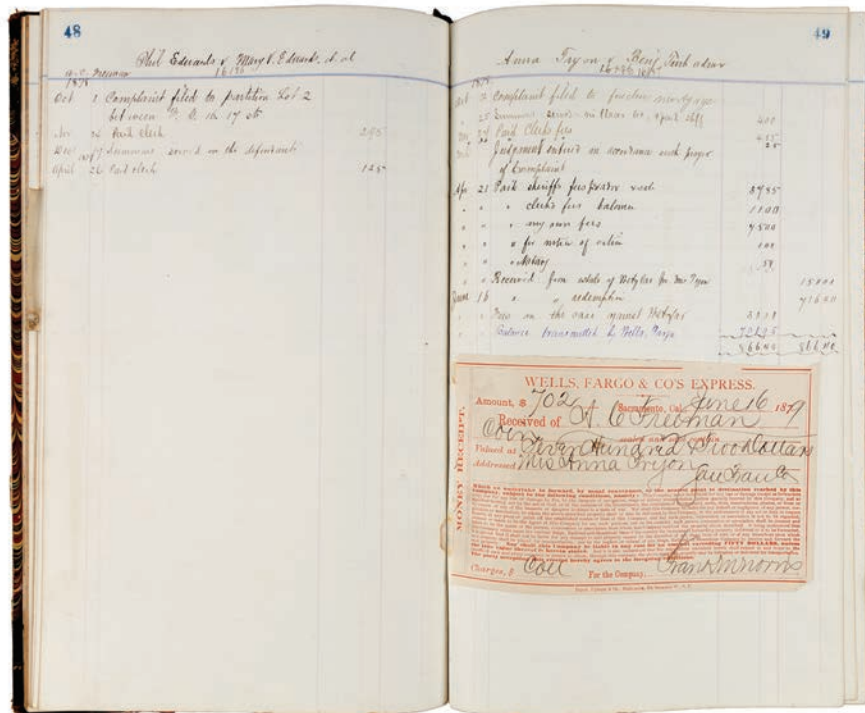
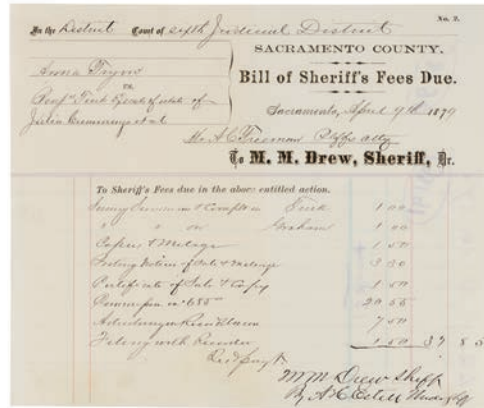
78. [MANUSCRIPT].
FREEMAN, ABRAHAM CLARK [1843-1911].

Register of Actions and Proceedings.

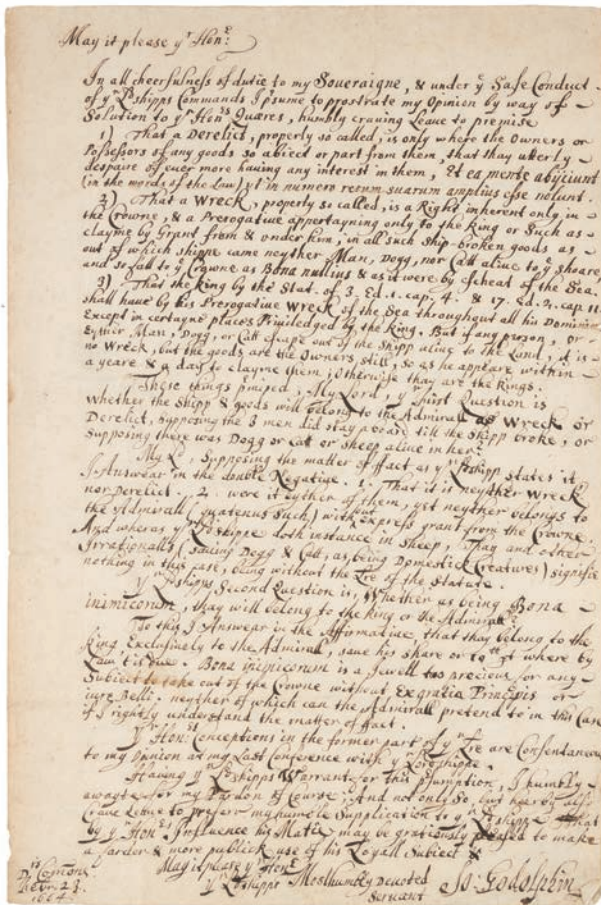
Sacramento County, CA, 1877-1880. 244 pp. Folio (13" x 7-3/4").

Contemporary three-quarter sheep over marbled boards, gilt fillets to spine, marbled edges. Light rubbing to boards, dampstain to rear board, heavier rubbing to extremities with some wear to spine ends and corners, chip to foot of spine, joints starting very slightly at head, hinges starting, slight offsetting to corners affecting first two leaves, contemporary handwritten title reading "Register of Actions and Proceedings" to front pastedown. Light toning to interior, occasional light foxing, minor spots and stains in a few places. Text in single legible hand, related documents tipped or laid in at several places. \$2,500.

CLARK was an influential California lawyer and author. After coming to California from Illinois in 1861, he settled in Sacramento County and received his law license three years later. In the 1870s he wrote a number of legal works, including *A Treatise on the Law of Judgements*, the first national treatise written or published in California and still highly regarded today. He was also a member of California's Constitutional Convention of 1878-1879 and took an active interest in legal reform in the state. In this register, he lists legal cases in which he was involved during his years in private practice. Nearly all are civil, and some involve noted California citizens such as the banker D.O. Mills or the businessman Sam Brannan. Several receipts and case-related documents are laid in. These include a postcard addressed to Freeman from an E.M. Marsham and a receipt for a \$702 money order from Wells Fargo dated 1879 related to the settling of a foreclosure.



AN EMINENT ADMIRALTY LAWYER OFFERS LEGAL ADVICE
IN HOPE OF REGAINING ROYAL FAVOR



79. [MANUSCRIPT].
GODOLPHIN, JOHN [1617-1678].

[Autograph Letter, Signed, To the Earl of Lauderdale, London, Doctors Commons, February 23, 1664].

Single leaf folded to form bifolium (12" x 8") with integral address leaf and red wax seal. Light toning, very slight foxing, some soiling to address panel, small tears along creases and under seal. Typed transcript included. \$1,250.

JOHN GODOLPHIN had been a Parliamentarian from the early stages of his career, and the Barebones Parliament appointed him a judge of the admiralty court in 1653 where he remained until the Restoration of Charles II in 1660 cost him the job. John Maitland, Earl, later First Duke, of Lauderdale to whom Godolphin addresses this letter, became a favorite of Charles II after helping the king gain support in Scotland. Godolphin is perhaps best known for his treatise *A View of the Admiralty Jurisdiction*, which appeared in 1661 and may have brought him to Maitland's attention. This letter reflects Godolphin's deep knowledge of admiralty law and precarious political position after the English Civil Wars. Here, he uses the former to leverage the advice Godolphin has given into a formal

"pardon of course," perhaps to allow him to regain his position on the admiralty court. It is unclear from available records whether Godolphin ever received such a pardon, but his legal career continued and there is some speculation that he was even made a King's advocate. A fascinating letter from both a legal and a historical perspective.

MANUSCRIPT REFERENCE DEALING
WITH ASSUMPSIT AND FAMILY LAW

80. [MANUSCRIPT].
[GREAT BRITAIN].

[Legal Handbook].

[Great Britain, c.1750]. 400 pp., 357 pp. with content. Octavo (7" x 4-1/4").

Contemporary calf, gilt rules to boards, extra-gilt spine with raised bands, blind tooling to board edges, speckled edges. A few scuffs, nicks and spots to boards, which are separated but secure, rubbing to extremities with wear to spine ends, corners and joints, front free endpaper detached, some offsetting to initial and final leaves. Text written in a small, tidy hand within ruled margins, one leaf neatly removed (likely by the author), light toning and occasional foxing. \$2,500.

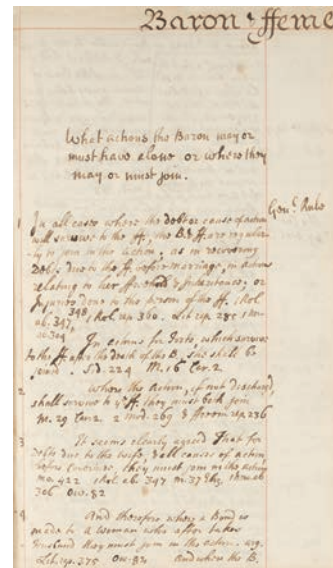
THIS MANUSCRIPT IS DIVIDED into two sections: Assumpsit and Baron and Feme, which has a subsection on Master and Servant. Topics covered include torts, debt, coverture and the master-servant relationship. The text is arranged as a set of principles supported by case and statutory citations, some of them in side-notes.

A JUSTICE'S COMMONPLACE BOOK
ENRICHED WITH NEWSPAPER
CLIPPINGS

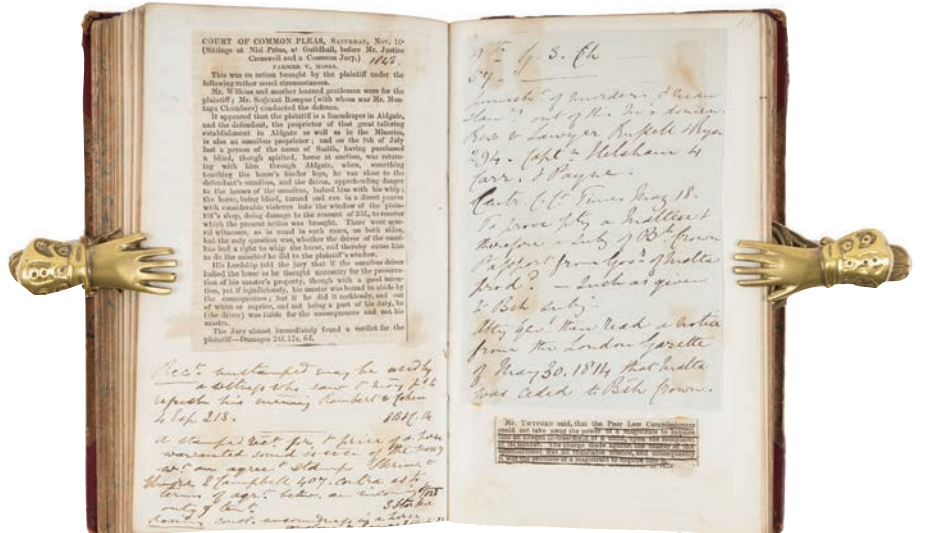
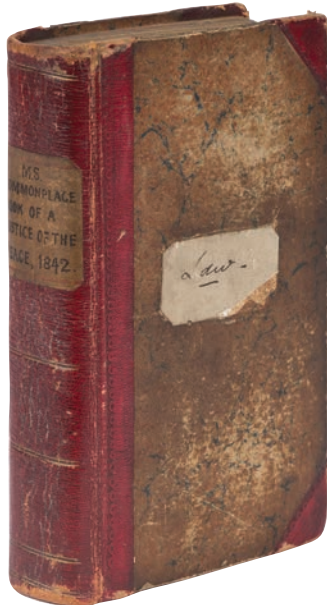
81. [MANUSCRIPT].
[GREAT BRITAIN].

Manuscript Commonplace Book of a Justice of the Peace [Spine Title].

[England?, c.1842-1858]. [i], 188, [7] ff. With a 4 ff. index. Octavo (6-3/4" x 4-1/4").



Details from N° 80

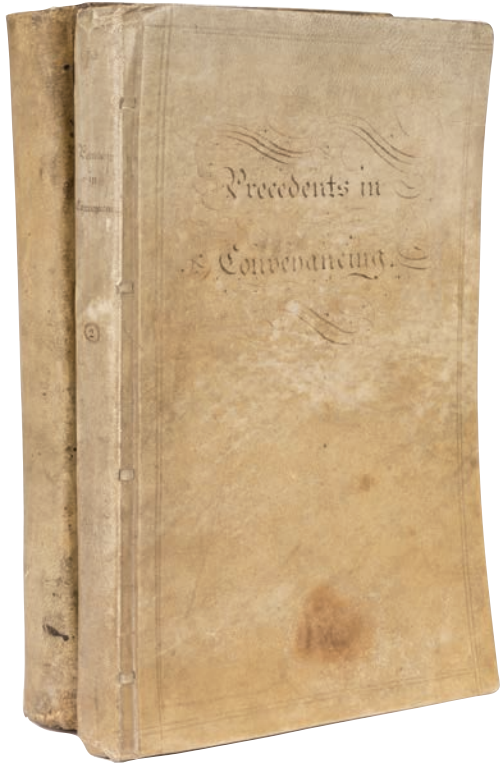


Details from N° 81

Contemporary three-quarter morocco over marbled boards, contemporary hand-lettered paper label, reading "Law," to front board, blind tooling along joints and inner edges of corners, gilt fillets and later hand-lettered title label to spine. Moderate rubbing to boards, light creasing to spine, some rubbing to extremities with wear to spine ends and corners, which are bumped and somewhat worn, marbled endpapers and edges, owner bookplate of Anne and Fernand Gabriel Renier to front pastedown. Negligible toning, crack in text block between first and second signatures, both secure. Text in a neat hand, several pasted-in newspaper cuttings interspersed. \$2,500.

THE UNNAMED OWNER gives extensive notes on all aspects of the law. Many of these have been entered in order to clarify a point of law or a facet of legal terminology, such as the difference between a misdemeanor and a felony. To illustrate points and provide case studies, the owner has pasted in numerous official reports of trials extracted from contemporary journals and newspapers, with pertinent passages occasionally underlined. It is possible that some of the articles selected, most dating from the 1830s or early 1840s, refer to cases in which the compiler was involved. Much of what is recorded is indicative of the often prosaic nature of the role of Justice of the Peace. Among the cases cited are 'fowls damaging a barley field', 'the unlawful driving of a dog-cart in the Metropolitan police district', and 'writing a defamatory reference'. However, more high-profile cases are also cited: in one place reference is made to the trial of the radical Horne Tooke, an important case at the end of the 18th century in which Tooke was tried (and acquitted!) for sedition. Overall, a well-preserved and interesting item, in a largely legible hand, demonstrative of legal practice in England in the early Victorian era. Fernand Gabriel and Anne Renier were important English book collectors.

MANUSCRIPT PRECEDENT BOOKS FROM AN ENGLISH LAW OFFICE



82. [MANUSCRIPT].
[GREAT BRITAIN].

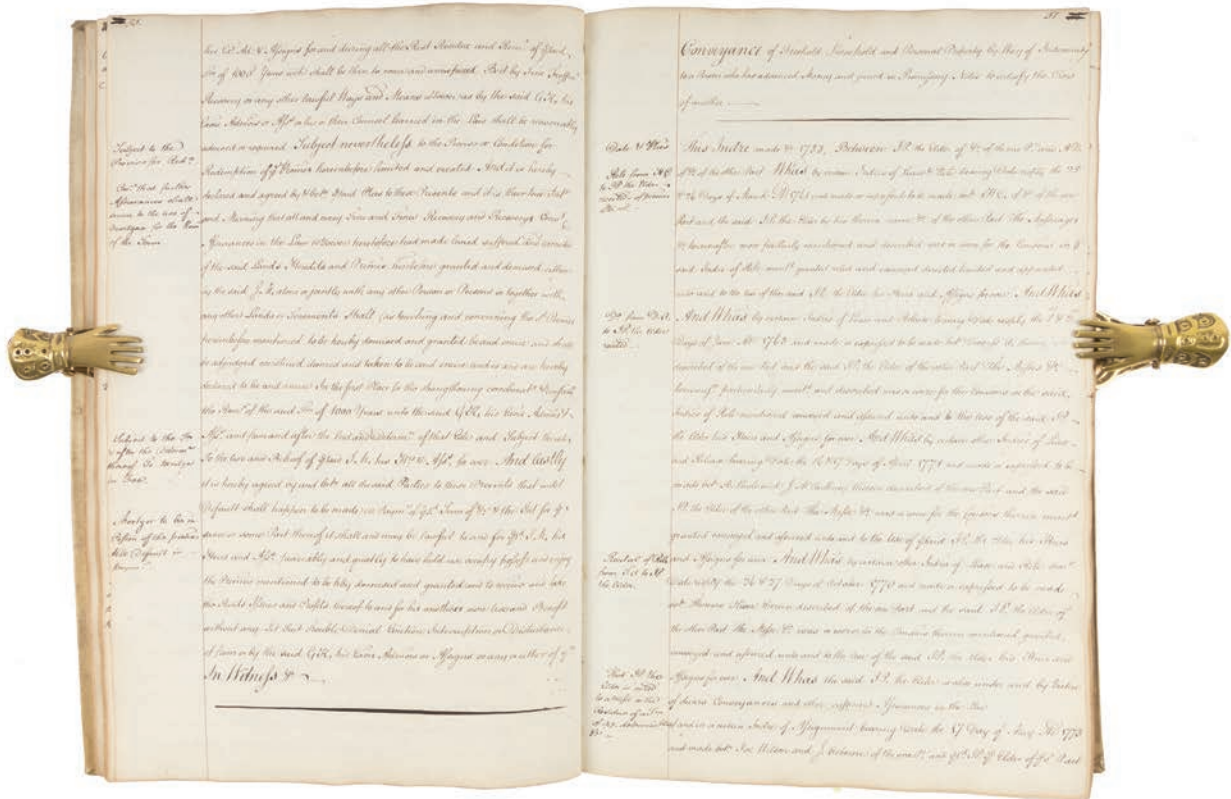
[Two Manuscript Precedent Books].

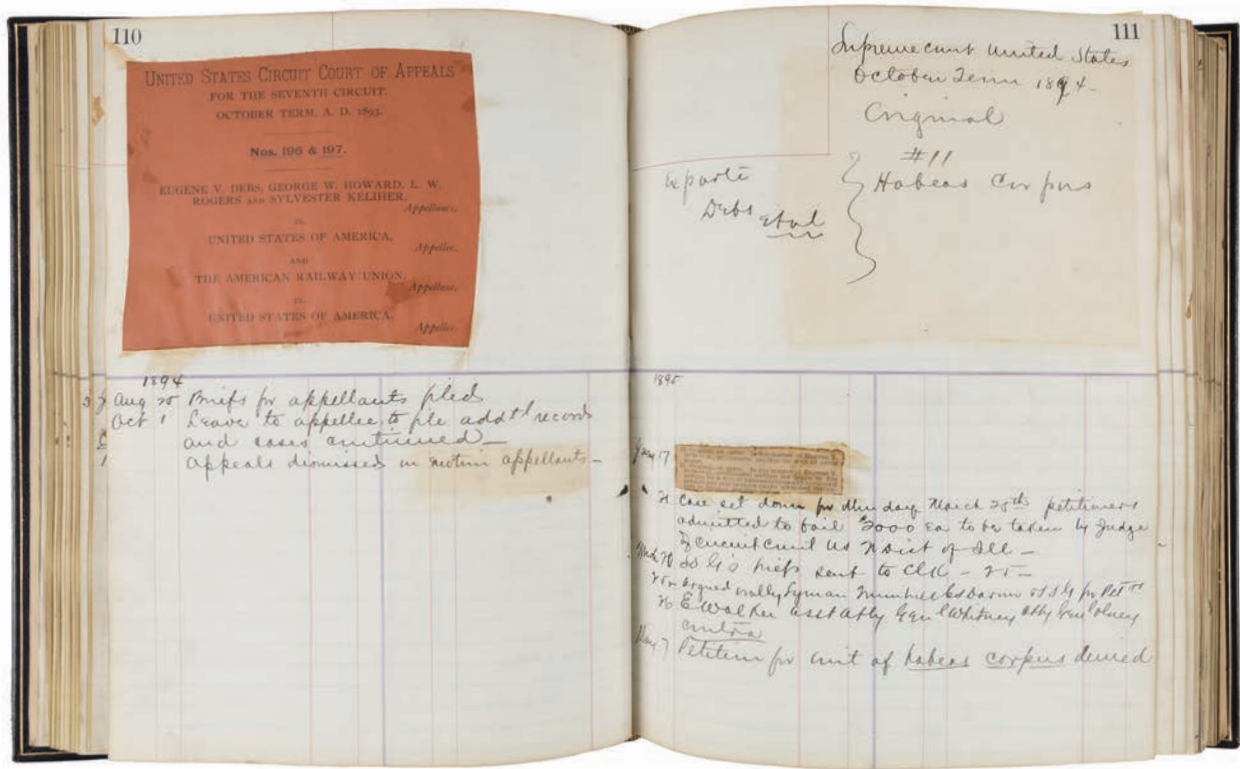
[Great Britain, c.1794, 1808]. 350 pp.; 200, 33 pp. Both manuscripts indexed. Folio (12-1/4" x 8"; 12-1/2" x 7-1/2").

Vellum, blind rules and hand-lettered ink titles to boards, reading "Precedents in Conveyancing" and "Precedent Book 1808," respectively, hand-lettered ink title and number "2" to spine of "Conveyancing" volume. Moderate soiling and a few spots to boards, which are slightly bowed, spine ends lightly worn. Signature of Edward Sampson dated September 1st, 1791 to front pastedown of "Conveyancing" volume. Light toning to interiors, light foxing in a few places, cracks in text block of "Conveyancing" between pp. 16 and 17 and 330 and 331, text in three neat hands to most leaves, inside margins ruled in red ink. \$1,850.

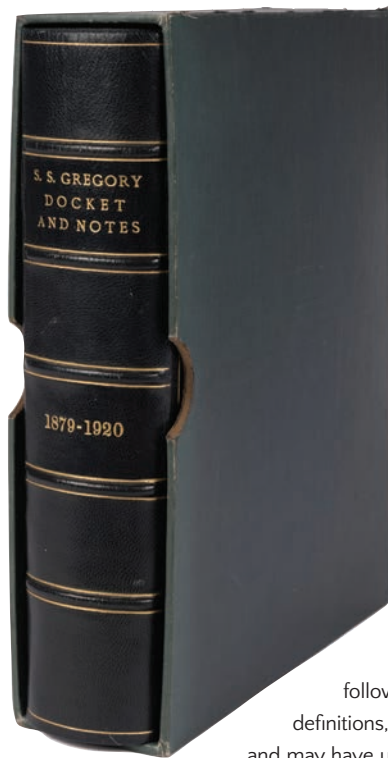
CAREFULLY ORGANIZED, these are fine examples of precedent books of the late 18th and early 19th centuries, likely created by law clerks for use in an office. The conveyancing manuscript is written in two different hands, strengthening this possibility. The volumes are very similar in both appearance and genre, indicating that they may have come from the same source or been intended for reference in

the same office. Both contain fair copies of texts from a wide range of topics in English law of the period. Frequent side notes throughout the conveyancing text provide additional notes and commentary on a variety of topics in property and contract law, such as inheritance, coverture, and mortgages. Cases cited in the 1808 manuscript cover various affidavits, agreements, bonds, conclusions, letters, warrants, etc. The 1808 manuscript also includes a separate 33 pp. section on assignment cases with its own index at the end of the notebook.





“A KIND OF RECORD OF MANY A DESPERATE PROFESSIONAL STRUGGLE”



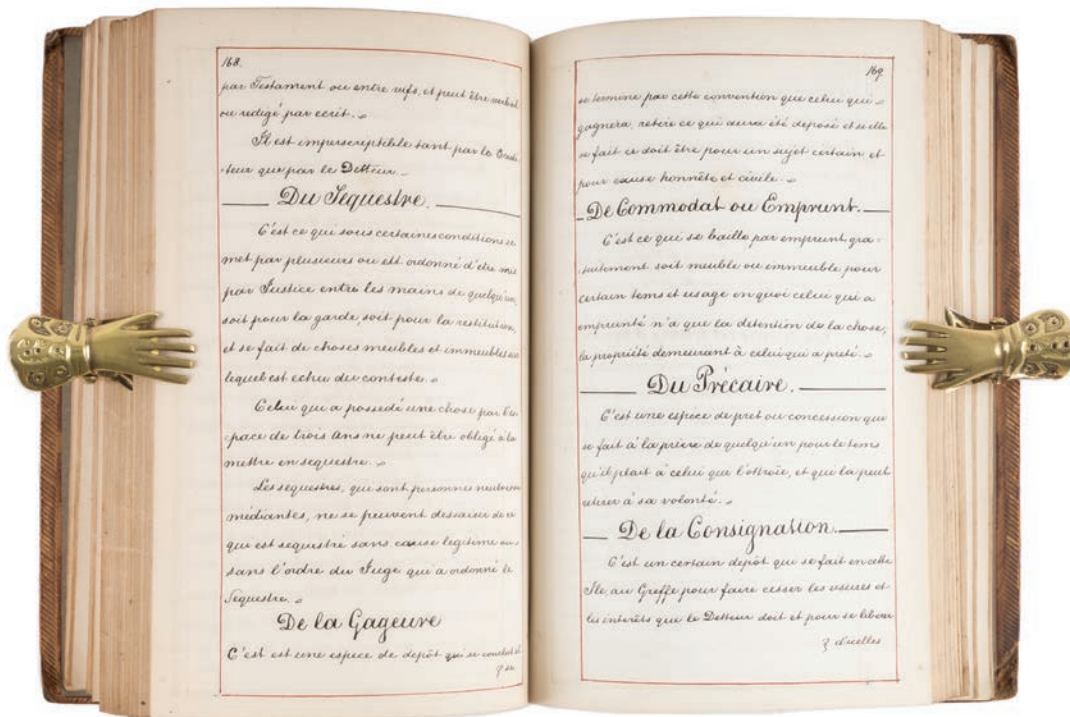
83. [MANUSCRIPT].
GREGORY, STEPHEN S. [1849-1920].

[Docket and Scrapbook of Stephen S. Gregory, 1879-1920].

Chicago. [lxii], 501, [1] pp. Author's table of contents to rectos of most initial pages and introductory note to lxii. Quarto (10-1/4" x 7-3/4").

Later morocco, gilt rules to boards, raised bands, gilt fillets and title, reading "S.S. Gregory, Docket and Notes, 1879-1920," to spine, marbled endpapers with gilt rules to inside board edges. A few small scuffs to boards, light toning to interior, small spots and stains in a few places, some pages crudely (but neatly) mended by Gregory. Text to most leaves in neat hand, newspaper clippings and photographs pasted in throughout. Item housed in lightly edgeworn cloth slipcase. \$2,500.

GREGORY was a prominent Chicago lawyer and president of the American Bar Association from 1911 until his death in 1920. The first 184 pp. are a chronological record of Gregory's key cases, including the Debs and Chicago Traction cases, followed by a number of (mostly) blank leaves. The docket is prefaced with an introductory note dated February 8, 1906, but later material is dated until 1920, suggesting that Gregory abandoned the docket in favor of the scrapbook which follows. Pp. 300-427 are an alphabetical compendium of notes and clippings on legal definitions, concepts and anecdotes, material which Gregory compiled for his own reference and may have used in his writings and speeches. The final section is a scrapbook of clippings and photographs related to his friends, colleagues, family and career. A fascinating and handsome volume documenting the life of an important figure in American legal history. Gregory describes the docket thus in his preface: "I have kept this book in most imperfect fashion since 1879...Still though thus imperfect it is a kind of record of many a desperate professional struggle—and recalls to my mind an immense amount of exacting professional labor."



Monsieur Laurent Carrey un des Ma-
gistrats de cette Ile avoit entrepris de faire
un recueil des Loix, coutumes et usages de cette
Ile, on avoit déjà composé une partie lorsqu'il
mourut le 24. Février 1769. Ces recueils en-
suivent: _____

Details from N° 84



141.
Louis XIV. rendit la plus part de ses conquêtes.
Il rendit les réunions qu'il avoit faites
hors de l'Alsace. La ville de Strasbourg
lui fut néanmoins cédée par cette paix.
Louis XIV. ne fit ses résolutions que sous la
clause, qui les innovations qu'il avoit faites
dans la religion contre la taxe de la paroisse
de Nîmes et de l'année révoquée,
seroient main tenues dans les endroits restitués.
C'est cette clause changée de l'article de la
paix de Nîmes, contre laquelle des Etats
de l'Empire se font élevés dans le tems et
contre laquelle les Electeurs Protestans pro-
testent encore dans toutes les capitulations.
Louis XIV. avoit hâté la conclusion de la
paix de Nîmes, parce qu'il pressuroit
la mort prochaine de Charles II. Roi
d'Espagne, et qu'il comptoit faire valoir
sa prétention à la monarchie d'Espagne.
Il avoit fait droit de Monsieur Thiers

N° 85

RARE MANUSCRIPT TREATISE ON THE LAWS OF GUERNSEY

84. [MANUSCRIPT].
 [GUERNSEY].
 [CAREY, LAURENT (1723-1769)].
 [RENOUF, THOMAS W., TRANSCRIBER].

[Loix, Coutumes et Usages de Cette Ile].

[Guernsey, c.1846]. 399, [8] pp. Octavo (8" x 5-1/4").

Contemporary calf, blind rules to boards, raised bands, gilt fillets and lettering piece to spine, blind tooling to board edges and outer margins of pastedowns. Minor nicks, scuffs and dampspots, boards separated but secure, moderate rubbing to extremities, a few small chips to spine ends, corners bumped and worn. Negligible light toning, text in neat hand within red-ruled borders. Signature of "Thos. W. Renouf" dated 1846 to front free endpaper. \$2,500.

LAURENT CAREY, a Guernsey magistrate, wrote his *Essai sur les Institutions, Lois et Coutumes de l'Île de Guernesey* in the mid-18th century but left it in manuscript form upon his death. His account was well-received and served as an indispensable daily reference for lawyers and magistrates in Guernsey even after his death. Renouf was perhaps one of these lawyers; his surname is common in Guernsey, although no specifics about our Renouf could be discovered. His copy of Carey's work is comprehensive and beautifully organized, with frequent side notes and an index suggesting the work's prominence in daily use. A (likely different) copy of the manuscript belonging to an H. Torode, scribe of the Royal Court, was eventually published in 1889 by order of the Royal Court, which shows the importance of this text and the need to preserve it. Despite its importance to Guernsey's legal community, there appear to be few extant manuscript copies of the work. Harvard has one copy of a similar manuscript, possibly based on a different work. The British Library has another manuscript on the same topic but from a different author. OCLC locates 10 copies of the printed version of this work, 2 in North America (Library and Archives Canada, University of Pennsylvania Law Library).

c.1783 FRENCH MANUSCRIPT ON
POLITICAL SCIENCE AND NATIONAL CHARACTER

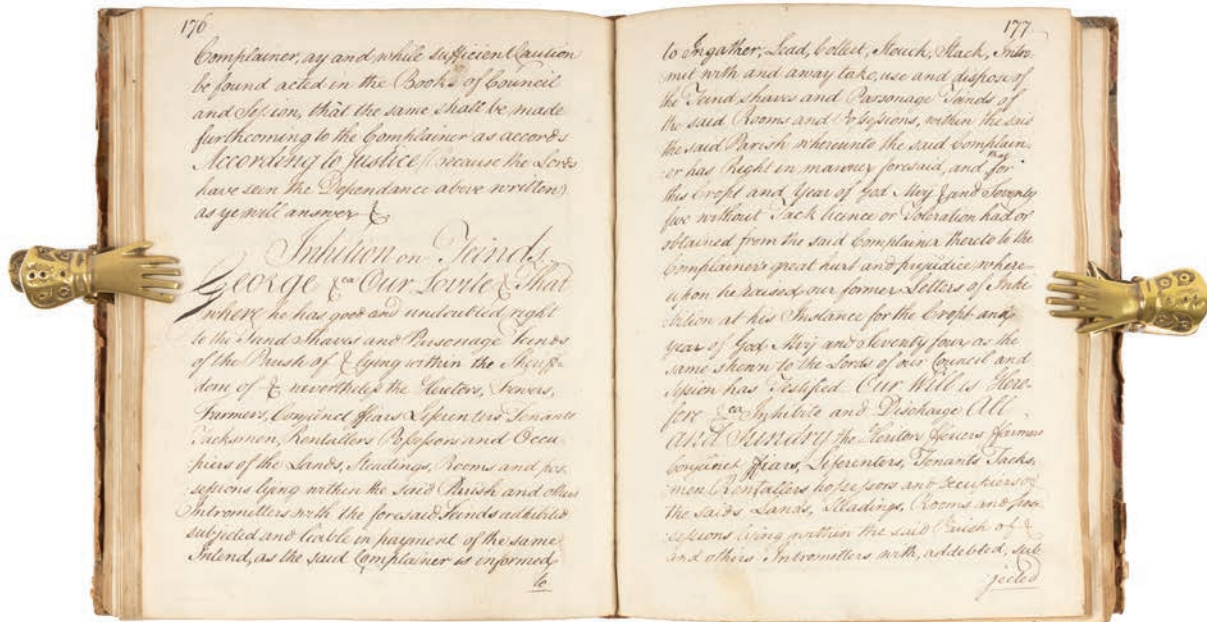
85. [MANUSCRIPT].
 [POLITICAL SCIENCE].

[Manuscript Account of English and European History].

[France, c.1783]. Two parts. 140-219; 1-169 ff. Quarto (7-3/4" x 6-1/2").

Contemporary three-quarter vellum over marbled boards, raised bands and faint early hand-lettered title to spine, ends rouged. Moderate rubbing and some stains to boards, spine lightly soiled, heavier rubbing to extremities with some wear to board edges, corners bumped, later ownership stamps to pastedowns and endleaves. Light toning and infrequent light foxing, slight soiling and trimming to upper margins in a few places, light soiling to first leaf. Written in ink in an elegant hand with a possible second contemporary hand appearing in latter third of text block, rules to right margins and some contemporary corrections/additions in pencil. \$1,250.

THE MANUSCRIPT APPEARS to be in two parts. Preceded by a genealogy of the House of Bourbon, Part 1 (140-219 ff.), which is largely concerned with treaties and dynasties, covers the history of Europe in the seventeenth and eighteenth centuries. It seems to be incomplete as pagination starts at p. 140. A new section heading appears on p. 168. Part 2 (1-169 ff.), titled *Partie Politique*, is a treatise on the national character, government and interests of England, rendered in great and sometimes fascinating detail. Remarks on the English character are cutting but affectionate: despite their "melancholic and choleric" temperament, "one may depend on their friendship." There is an extensive discussion of the structure of Parliament and the check it places on the monarch's power, indicative of the sharp contrast to the French system at the time. This section does not end "finis" as part one does and may therefore be incomplete as well, with the manuscript being the second volume of three or more in a set. Neither the order nor contents of the manuscript correspond precisely with any major English histories and constitutional studies of the period, such as those of de Lolme or Voltaire. This suggests that it is not an exact copy of another text and possibly even represents an original work of some kind. An unusual manuscript that gives an interesting look into international relations of the late eighteenth century, particularly between France and Britain.



N° 86

MANUSCRIPT PRECEDENT BOOK,
EDINBURGH, 1776

86. [MANUSCRIPT].
[SCOTLAND].

A Collection of the Stiles of Personal Rights and Diligence. Personal and Real. Volume I.

Edinburgh, 1776. 355, [4] pp. With an index. Quarto (8" x 6-1/4").

Contemporary quarter calf over marbled boards, raised bands, gilt fillets, lettering piece reading "Stiles" and contemporary paper hand-lettered shelf label to spine. Moderate rubbing and a few ink spots to boards, joints starting at head, light creasing to spine, rubbing to extremities with notable wear to spine ends, board edges and corners, which are bumped, front and rear endleaves lacking, along with final index leaf. Text in attractive clear hand. Light toning, light foxing and stains from pressed flora in a few places. \$650.

A NEATLY ORGANIZED PRECEDENT BOOK with text copied from various contemporary Scottish and English sources. The designation of "Volume I" and paper spine label suggest this manuscript was part of a set of volumes used in a law office. Topics covered in this book include land law, bonds, assignation and inheritance. The index contains entries from "Adjudication" to "Suspension."

LORD JOHN SOMERS
ON HERIOT

87. [MANUSCRIPT].
SOMERS, JOHN, BARON [1651-1716].

[Manuscript Brief on Heriot with Autograph Opinion of Lord John Somers].

[London?, c.1680]. 2 pp.

Single leaf with text to both sides, docket to verso reading "John Somers opininnion about Geo. Higgons Herryatt," possibly in Somers's hand. Light toning, horizontal and vertical fold lines, light soiling, heavier to verso, moderate edgewear and chipping with minor loss to text at lower right corner, trace amount of wax residue from seal to recto. \$1,500.

SCRIBAL BRIEF on the case of George Higgons with signed annotations by Somers. Higgons had died in prison, and his landlord sought to collect heriot, a feudal death duty that permitted the lord of a manor to claim the "best beast" (or the equivalent in cash or kind) from a tenant's estate upon the tenant's death or the succession of a new tenant. Somers is skeptical of the claim here, noting that "Geo: Higgons not dying Ten[an]t...I think no Herriot was due upon his death" and ultimately concluding that "if ye party who is to pay te best Beast for a Herriot has no beast at his death ye Ld loses ye Herriot." The brief and its annotations date to the seventeenth century, likely when Somers was in the Middle Temple before his election to Parliament in 1689.

The London made in the 14th year of the reign of King James the first and Geo. the first... [The text continues with a detailed legal discussion, mentioning various legal principles and precedents.]

George Burgess died of a fever at the line of his house... [This section discusses a specific case involving George Burgess and his property.]

Quest. Whether the said Burgess died of a fever... [This section addresses a legal question regarding the cause of death and its legal implications.]

Answer. That the said Burgess died of a fever... [This section provides the answer to the legal question, supported by legal reasoning.]

Recto of N° 87

The recto and verso of the George Burgess case... [The text continues with further details of the case and legal analysis.]

Quest. George Burgess dying and his wife... [This section discusses another aspect of the case involving George Burgess's wife.]

Answer. That George Burgess died of a fever... [This section provides the answer to the legal question.]

Quest. Whether the said Burgess died of a fever... [This section addresses another legal question.]

Answer. That the said Burgess died of a fever... [This section provides the answer to the legal question.]

Verso of N° 87

LEGAL ADVICE FROM A PROMINENT JURIST

1770

I have received a letter from you written on behalf of Mrs Allison, and desiring my advice to her on the subject of joining in the sale of part of her estate... [The text continues with a detailed letter of legal advice.]

You represent the whole as to be a year, and the rest proposed to be sold a third year, for three, a sixth, and for ever and ever, the rest of a year. To this Mrs Allison adds that it is her wish from the main body that it should be sold for the farm; and that she had been in debt for the same sum, after her second year.

I am very glad they have applied to a person who is coming into life with so good a character as you have, because I shall have no scruple to advise her upon any representation made by a man of reputation in his profession.

88. [MANUSCRIPT]. THURLOW, EDWARD, FIRST BARON [1731-1806].

[Autograph Letter, Signed, Discussing Land Law. London, Inner Temple, January 2, 1770].

9" x 7-1/4" bifolium. Light toning, some light foxing around edges, creasing and some tearing at folds, franked on verso of second leaf: "Edward Thurlow, Esq. about Mr. Allison," "afterwards Lord Chancellor" added to Thurlow's name in a later hand. \$500.

LETTER WRITTEN to an unknown colleague and signed "your most obedient servant, E. Thurlow". The letter discusses the finer points of a land conveyance and Thurlow's own proposed involvement as trustee, apparently on behalf of Mrs. Allison. The warmth of the letter suggests that Thurlow and the colleague to whom he writes the letter knew each other well, probably through his time as a barrister in the Inner Temple. Thurlow would go on to have a lengthy political

career, culminating in his appointment as Chancellor in 1778 on the strength of his Tory views and loyalty to King George III. The letter reads, in part: "I am very glad They have applied to a person who is coming into Life with so good a character as you have, because I shall have no scruple to advise Her upon any representation made by a man of reputation in His profession."



EARLY NINETEENTH-CENTURY
COURSE NOTES ON
ABSTRACTS OF TITLE

89. [MANUSCRIPT].
TWEMLOW, FRANCIS.
[PRESTON, RICHARD (1768-1850)].

[Manuscript on Abstracts of Title].

[London], 1807. 343, [1] pp. Folio (12-1/2" x 7-1/2").

Contemporary three-quarter calf over marbled boards, raised bands, gilt fillets and title "M.S. On Abstracts" to spine. Moderate rubbing to boards and extremities, some creasing to spine, rear joint starting at foot, corners bumped and somewhat worn, some light offsetting to corners of pastedown and endleaves, owner signature "Fra. Twemlow 1807" and "6" to front pastedown. Light toning to interior, light foxing in a few places, text in a single neat hand, mostly to rectos, followed by sixteen blank leaves. \$450.

THIS APPEARS to be a fair transcript of lectures given by Richard Preston at King's College, London, which formed the basis of his *Essay in a Course of Lectures on Abstracts of Title* (1818-1819). There are also some additional notes to versos from the transcriber. An important scholar, Preston edited an edition of Sheppard's *Touchstone* and wrote four important treatises on conveyancing. According to the *DNB*, "his knowledge of the technique of real-property law was profound, and his works on conveyancing are masterpieces of patient research and lucid exposition" (XVI:312).

Recto of N° 90

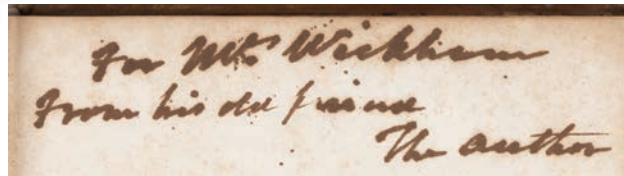
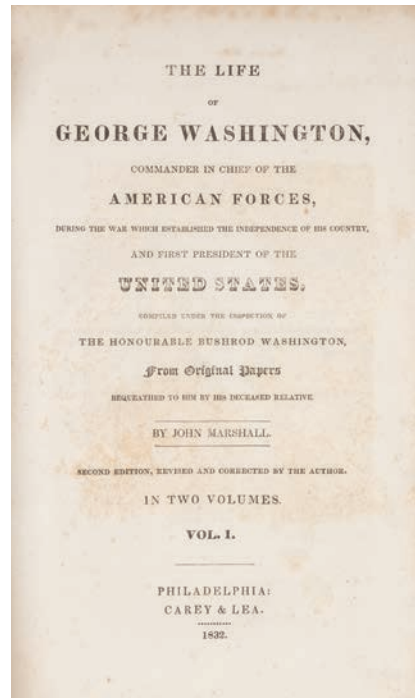
SIGNED BY THE
"THIEF-TAKER GENERAL"

90. [MANUSCRIPT].
WILD, JONATHAN [c.1682-1725].

[Reward for Apprehending Thieves with Autograph Signature of Jonathan Wild, London, March 7, 1718].

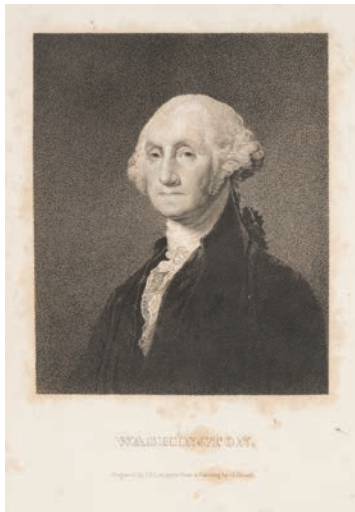
Single 7" x 8-1/2" vellum sheet, text to both sides. Moderate soiling, horizontal and vertical fold lines, faint dampstaining to top edge, left and right fore-edges and corners lacking with loss to text but no loss to signatures of Wild or other reward recipients. \$850.

THIS DOCUMENT DETAILS a reward to be given to five men, Wild among them, for "apprehending and taking the said Thomas Draper and Samuel Davis... who...feloniously and Burglariously did break and enter" and steal some thirteen pounds worth of fabric. Wild, no stranger to theft himself, was notorious for apprehending thieves and subsequently pocketing the rewards to fund his extensive criminal empire. Popularly known as the "thief-taker general," he became a stock figure in literature and political satire after his execution in 1725, appearing in the works of Arthur Conan Doyle and Henry Fielding, among others. Reward certificates paid to Wild by the treasury are rare.



Inscription detail

INSCRIBED BY JOHN MARSHALL



Frontispiece detail

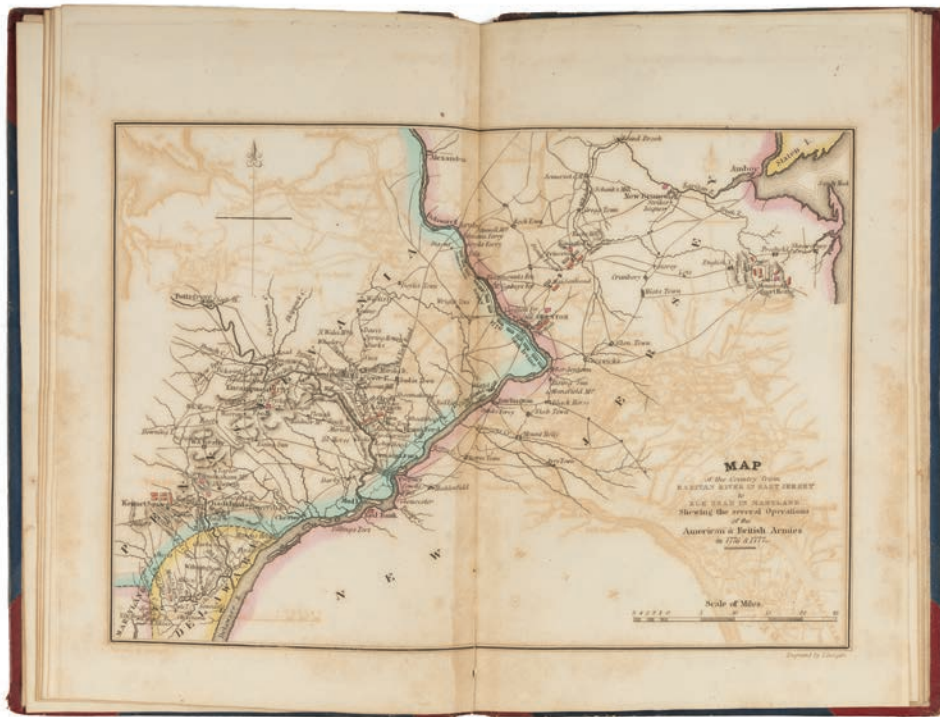
91. MARSHALL, JOHN [1755-1835].

The Life of George Washington, Commander in Chief of the American Forces, During the War Which Established the Independence of His Country, And First President of the United States, Compiled Under the Inspection of the Honourable Bushrod Washington, From Original Papers Bequeathed to Him by His Deceased Relative. Revised and Corrected by the Author. In Two Volumes.

Philadelphia: Carey & Lea, 1832. Two volumes. [iv], 460, [42], [viii]; 448, [32], [v] pp. Volume I has a lithographed portrait frontispiece of Washington. Complete set. Octavo (9" x 5-1/2").



Contemporary calf, raised fillets on spine, black spine labels with gilt title and volume number, gilt tooling to board edges. Some scratches and rubbing to boards, general wear to spine. Marbled edges and endpapers. Moderate toning and foxing throughout; some signatures show more soiling than others but without loss to legibility. Loose signature near front of second volume, a few cracks to text block of Volume II. Inscription "For Mr. Wickham from his old friend the author" to front free endpaper of Volume I. Several annotations in pencil, possibly Wickham's.



[WITH]

Map detail

[MARSHALL, JOHN].
[YEAGER, JOSEPH (1792-1859),
ENGRAVER].

Atlas to Marshall's Life of Washington.

Philadelphia: J. Crissy, [1832]. [22] pp. Copperplate vignette, "Washington Passing the River Delaware," to title page, 10 double-page maps of Revolutionary War battlefields, 9 hand-colored. Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter morocco over paper-covered boards, paper title label to front board. Moderate rubbing to boards, a few scuffs, nicks, scratches and light soiling, lower left corner of title label worn, heavier rubbing and some wear to extremities, chipping to head of spine, corners bumped, front board beginning to separate but secure. Moderate toning and light foxing to interior, somewhat heavier to title page, light offsetting to maps, the first of which is detached, ownership signature "Wickham" or "J. Wickham" in pencil to head of title page.



Title page vignette detail

Together two titles.

\$17,500.

LIFE: Second edition, and the first abridged edition, based on the first edition, Philadelphia 1804-1807. *Atlas*: only edition, one of three 1832 issues for which priority has not been established. John Wickham [1763-1839], an attorney and former Loyalist, was a close friend of Marshall. He defended Aaron Burr at the latter's trial for treason in 1807, a case over which Marshall presided. Wickham was also a contact of Bushrod Washington, editor of the abridged editions of *Life*, who asked him in an 1814 letter from Mt. Vernon to write a short biography of Marshall for inclusion in a journal edited by a friend. A set clearly well-read and often referenced, likely by Wickham.

There are two issues of the second edition: one by James Crissy, which includes an atlas volume, and another by Carey and Lea, which does not. A copy of the Atlas was added to our set. It has a Wickham ownership signature, possibly that of John Wickham or one of his relatives. The Carey and Lea issue is scarce. OCLC locates 4 copies (Abilene Christian College, Bryn Mawr, Columbia, Virginia Historical Society). Howes M-317. Sabin 44789.

“A BOLD AND SUCCESSFUL
CONSPIRACY TO DEFRAUD”

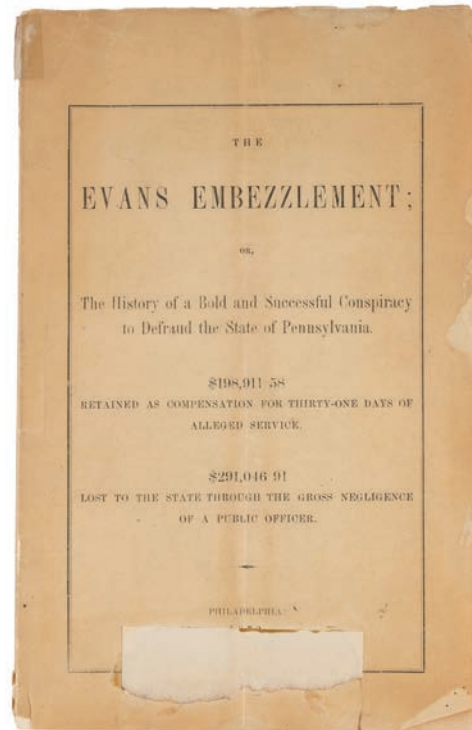
92. MCCLURE, JOSEPH M.

The Evans Embezzlement; Or, The History of a Bold and Successful Conspiracy to Defraud the State of Pennsylvania. \$198,911 58 Retained as Compensation for Thirty-One Days of Alleged Service. \$291,046 91 Lost to the State Through the Gross Negligence of a Public Officer.

Philadelphia: [s.n.], 1872. 68 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Vertical crease to center, moderate toning to exterior, light chipping and edgewear to wrappers, some wear to spine ends, head of spine crudely mended with tape, small scrap of paper pasted (intentionally?) over date at foot of front wrapper. Light toning to interior, faint dampstaining to edges, some fading to text block, small spots and stains in a few places, some signatures unopened. \$500.

ONLY EDITION. The Evans scandal took place in the chaotic aftermath of the Civil War, when state and federal governments were struggling to determine who would bear the heavy financial burden of the war. In response to the nearly \$2 billion levied on Pennsylvania by the federal government, the state made its own counterclaim, and George O. Evans [d.1875] was made responsible for collecting that claim. From 1867-1871, he collected over \$900,000 from the federal government, but pocketed \$291,000 of it himself and declared bankruptcy when apprehended, including a claim of \$198,000 as an unpaid fee. None of the money was ever recovered from Evans. OCLC locates 6 copies, none in law schools.



THE FIRST ENGLISH TREATISE ON
WILLS FOR LAYMEN

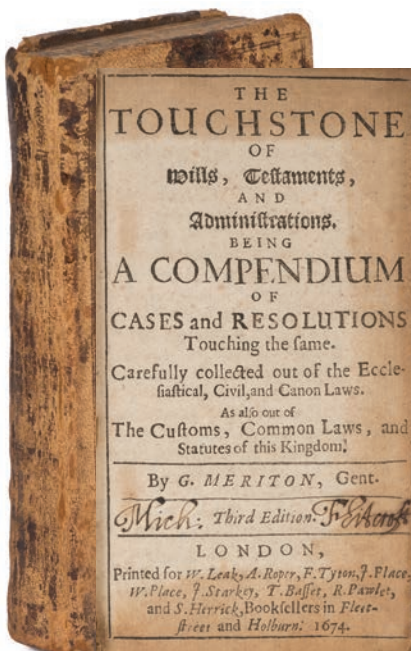
93. MERITON, GEORGE [1634-1711].

The Touchstone of Wills, Testaments, And Administrations. Being a Compendium of Cases and Resolutions Touching the Same. Carefully Collected Out of the Ecclesiastical, Civil and Canon Laws. As also Out of the Customs, Common Laws, And Statutes of this Kingdom.

London: Printed for W. Leak, A. Roper, [et al.], 1674. [viii], 257, [11] pp. 12mo. (5-1/2" x 3").

Contemporary sheep, blind rules to boards, blind fillets to spine, blind tooling to board edges. Rubbing to boards and extremities, a few scuffs, nicks and scratches to boards, corners bumped and somewhat worn, rear joint starting at head, armorial bookplate (of Thomas Flitcroft) to inside of front board, hinges cracked, offsetting and edgewear to endleaves and final leaf of text. Moderate toning to interior, somewhat heavier in places, early ownership signature (of Michael Flitcroft) to foot of title page. \$850.

THIRD AND FINAL EDITION. Meriton was a lawyer and a prodigious writer on a wide range of legal and non-legal topics. Born in the North Riding of Yorkshire, he is also remembered for his dialect poem *The Praise of*



Yorkshire Ale (1683). A well-regarded work first published in 1665, with a second edition in 1671, the *Touchstone* was the first English treatise on wills written for laymen. ESTC R703.

A CONTROVERSIAL TREATISE ON ECCLESIASTICAL JURISDICTION

94. MOCKET, RICHARD [1577-1618]. [ZOUCH, RICHARD (C.1590-1661)].

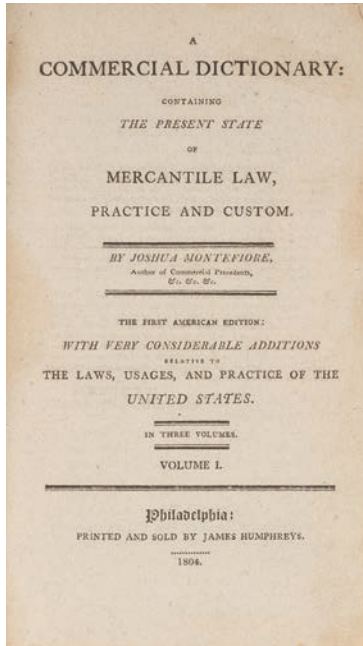
Tractatus de Politia Ecclesiae Anglicanae. Cui Accesserunt Richard Zouch, L.L.D. Descriptio Juris & Judicii Ecclesiastici Secundum Canones & Constitutiones Anglicanas. Necnon Descriptio Juris & Judicii Temporalis Secundum Consuetudines Feudales & Normonicas.

London: Typis Gul. Sayes, Impensis R. Clavel, 1705. [xvi], 280 pp. Octavo (7-1/4" x 4").

Recent quarter pebbled cloth over marbled boards, edges rouged, endpapers renewed. Light toning to interior, light

foxing and soiling in a few places, corner of leaf G2 (pp. 83-84) lacking and bottom edge of leaf K1 (pp. 129-130) torn without loss to text, light edgewear to title page, which has a small note in pencil along with a few leaves. \$750.

THIRD AND FINAL EDITION. First published in 1616 as *Doctrina et Politia Ecclesiae Anglicanae*, this treatise on ecclesiastical jurisdiction proved controversial and was condemned and burnt by an edict of James I in 1617. It was republished under the present title in 1683 with a work by Zouch on English ecclesiastical law, to which our third edition added his work on feudal, private and customary law. *OCLC* locates 4 copies of this title in North American law libraries (Harvard, University of Virginia, Northwestern, Berkeley) *ESTC* T118538.



FIRST AMERICAN EDITION OF MONTEFIORE'S FASCINATING COMMERCIAL DICTIONARY

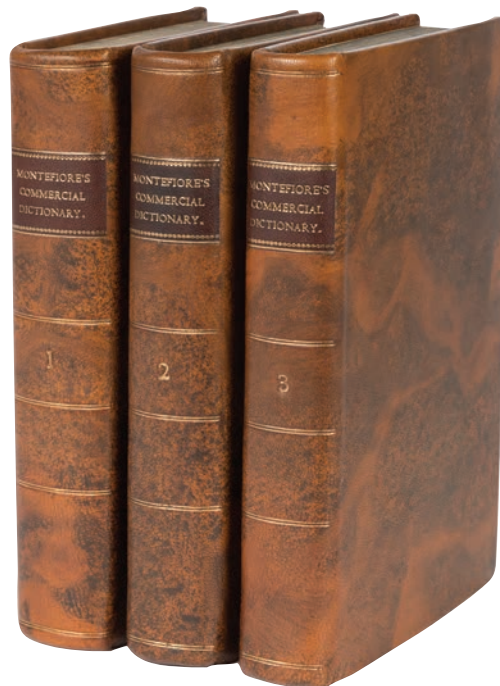
95. MONTEFIORE, JOSHUA [1762-1843].

A Commercial Dictionary: Containing the Present State of the Mercantile Law, Practice and Custom. With Very Considerable Additions Relative to the Laws, Usages, and Practice of the United States.

Philadelphia: Printed and Sold by James Humphreys, 1804. Three volumes. li, [2], 54-562, [6]; [ii], 481, [3]; 479, [1] pp. 4 pp. publisher advertisements at rear of each volume. Subscriber list at beginning of Volume I. Octavo (8-1/2" x 5").

Recent period-style speckled goatskin, lettering pieces, gilt fillets and gilt volume numbers to spines, speckled edges, endpapers renewed. Moderate toning, light foxing and ink spots to a few leaves in each volume. A handsome copy of a scarce title. \$5,000.

FIRST AMERICAN EDITION, based on the 1803 London edition with much American material added. The subscriber list includes businessmen throughout the eastern seaboard and several notable Philadelphia jurists, such as Horace Binney, Alexander James Dallas, Peter S. Du Ponceau and William Rawle. Intended for merchants, this dictionary offers a wealth of information about contemporary commercial and maritime law, international business practices and commercial ports and their primary imports and exports. It also discusses the present state of banks and insurance companies in the United States, the laws of copyright and letters patent, the regulation of coastal trade and the funding system and state of the U.S. national debt. A Jewish solicitor from London who moved to the United States after the War of 1812, Montefiore published several works on commercial law. *Sabin* 50100. *Kress* 4827. *Cohen* 2433.



A LANDMARK IN THE COLONIAL HISTORY OF THE WESTERN HEMISPHERE

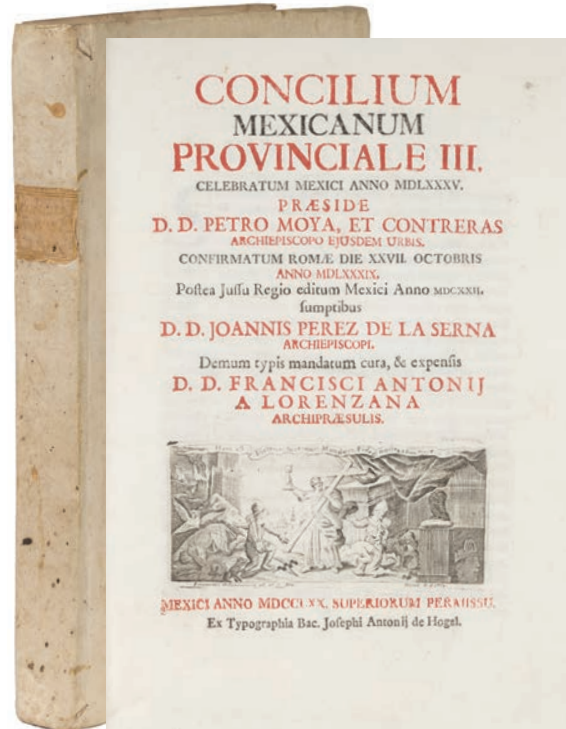
96. MOYA DE CONTRERAS, PEDRO
[C.1530–1591].

Concilium Mexicanum Provinciale III. Celebratum Mexici Anno MDLXXXV. Praeside D.D. Petro Moya, Et Contreras Archiepiscopo Ejusdem Urbis. Confirmatum Romae die XXVII. Octobris Anno MDLXXXIX. Postea Jussu Regio Editum Mexici Anno MDCXXII. Sumptibus D.D. Joannis Perez de la Serna Archiepiscopi. Demum Typis Mandatum Cura, & Expensis D.D. Francisci Antonij a Lorenzana Archiepiscopi.

[Mexico City]: Ex Typographia Bac. Josephi Antonij de Hogal, 1770. [xii], 328, [4]; [2], 141, [5] pp. Two parts. Second part has divisional page and separate pagination. Folio (10-1/2" x 7-1/2").

Contemporary vellum, calf lettering piece to spine, edges rouged. Light rubbing, soiling and a few minor faint stains to boards, light chipping to edges of lettering piece, a few minor wormholes to pastedowns, rear endleaves, gutter at final half of text block and final eight leaves of text (with no loss to legibility).

Title page, with large copperplate vignette, printed in red and black, large copperplate vignette and historiated initial at beginning of text (p.1). Light toning to interior, slightly heavier in places. A handsome copy. \$1,500.



LATER EDITION. A landmark in the colonial history of the Western Hemisphere, the Third Provincial Council of the Church in Mexico brought the Counter-Reformation to New Spain and established standards for the Church that endured until the end of the colonial era. It was convened by Moya de Contreras (or Moya y Contreras), who then held the three highest offices in New Spain: viceroy, archbishop and inquisitor general. The council's work is notable, in part, for its treatment of indigenous people. One of the council's most important decisions banned their enslavement. Others aimed to assimilate these people into colonial society by teaching them Spanish, Christian doctrine and European-style trades. The first part of our 1770 imprint is a record of the council's proceedings. The second is the set of statutes ordered by the council and confirmed by the pope in 1589. Sabin 42064. Palau 142389.

THE FIRST BOOK DEVOTED EXCLUSIVELY TO THE ENGLISH LAW OF EVIDENCE

97. [NELSON, WILLIAM (B.1653), COMPILER].

The Law of Evidence: Wherein All the Cases that Have Yet been Printed in Any of Our Law Books or Tryals, And that in Any Wise Relate to Points of Evidence, Are Collected and Methodically Digested Under Their Proper Heads: With Necessary Tables to the Whole.

[London]: Printed by Eliz. Nutt and R. Gosling, 1717. [xvi], 243, [77] pp. Octavo (7-3/4" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine, lettering piece lacking, gilt fillets to board edges. Light rubbing and some minor scuffs and stains to boards, moderate rubbing to extremities, chipping to head of spine, corners bumped and somewhat worn, pastedowns loose, small holes to front pastedown and rear endleaf. Light toning to text, somewhat heavier in places, light foxing to margins in a few places, light soiling to title page, early owner signatures ("Wm D Guy" and "Jn Ridout 1760") to front endleaf. \$1,500.

FIRST EDITION. The first book devoted exclusively to the law of evidence, it was published at a time when evidence was beginning to be treated as a distinct subject. Its twelve chapters include three on witnesses, one on written evidence and one chapter on criminal evidence. Other editions were published in 1735, 1739 and 1744. All editions are scarce. ESTC T129613.

THE UNION OF SCOTLAND AND ENGLAND

98. NICOLSON, WILLIAM, LORD BISHOP OF CARLISLE [1665-1727].

Leges Marchiarum, Or Border-Laws: Containing Several Original Articles and Treaties, Made and Agreed upon by the Commissioners of the Respective Kings of England and Scotland, For the Better Preservation of Peace and Commerce upon the Marches of Both Kingdoms: From the Reign of Henry III. To the Union of the Two Crowns, in King James I. With a Preface, And an Appendix of Charters and Records Relating to the Said Treaties.

London: Printed for Mess. Hamilton and Balfour, Booksellers in Edinburgh, 1747. [iv], xxxiv, 262 pp. 12mo. (6-1/2" x 4").

Recent period-style quarter calf over paper-covered boards, endpapers renewed. Negligible light rubbing to extremities, a few tiny nicks to spine. Moderate toning to interior, light foxing in a few places, crack in text block between A12 and a1 (pp. xxii and xxiii), early owner inscription to head of title page, later small library stamp to verso. \$450.

SECOND AND FINAL EDITION, a reissue of the first edition, 1705. Nicholson, Lord Bishop of Carlisle, was a strong advocate of the union of England and Scotland. Published two years before the Act of Union, his *Leges Marchiarum* addresses the legal issues that will confront the union of these two states. ESTC T56114.

OXFORD UNIVERSITY
STATUTES, 1768-1813

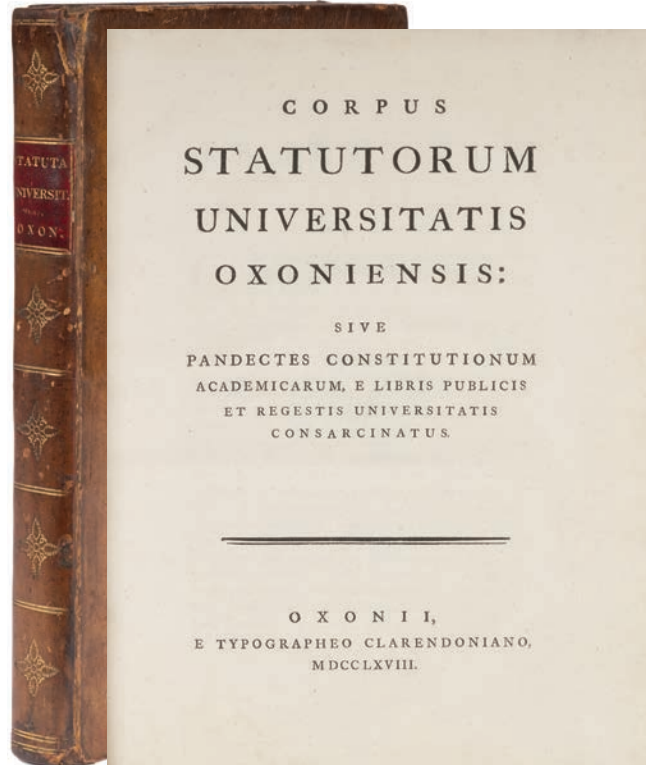
99. [OXFORD UNIVERSITY].

Corpus Statutorum Universitatis Oxoniensis: Sive Pandectes Constitutionum Academicarum, E Libris Publicis et Regestis Universitatis Consarcinatus.

Oxford: E Typographeo Clarendoniano, 1768. [xxxiv]; 11, [1]; 205, [1]; 89; "91", [1]; 33, [1]; 12; 28; 4; 9, [1] pp. Contains original 1768 statutes with revisions and addenda through 1813. Quarto (10-1/2" x 8").

Contemporary calf, lettering piece and gilt fillets and ornaments to spine, blind tooling to board edges, edges of text block speckled red, later repairs to spine ends, "Wor: Coll: Comm: Room." gilt-stamped to center of front board. Light rubbing and a few scuffs, nicks and scratches to boards, moderate rubbing to extremities, corners bumped, front hinge cracked, pastedowns lightly foxed and soiled,

minor worming to rear pastedown. Light toning to interior, light soiling in a few places, minor worming to gutter of last half of text block, last six leaves separating slightly at foot but secure, light creasing and small tear to bottom-edge of leaf B3 of second section (pp. 5-6), no loss to text. \$950.



ONLY EDITION. The original section contains the unpaginated preface and the 205 and 89 pp. parts; a binding error resulted in the 11 pp. 1803 addendum appearing before the 1768 statutes. The leaf paginated "91" was likely issued with that 1803 addendum, intended to supplement the original 89 pp. portion. The other parts were issued in 1807, 1808, 1809 and 1813, respectively. Oxford's independence had been severely reduced by the reforms of Archbishop Laud in the seventeenth century, but by the mid-eighteenth century, figures like Sir William Blackstone began to argue for the University's right to govern itself. These statutes represent the assertion of that authority and appear to be the first printing of the University's governing body. This copy belonged to Worcester College; "Comm. Room" probably refers to its common room. See ESTC T58699, which has addenda slightly differing from our copy.

DISCUSSES NEW YORK'S COURTS
AND PENAL INSTITUTIONS

100. PELL, FERRIS.

A Review of the Administration and Civil Police of the State of New York, From the Year 1807, To the Year 1819.

New York: Printed by E. Conrad, 1819. 184 pp. Octavo (8-1/4" x 5-1/2").

Sewn pamphlet, spine reinforced with contrasting paper. Moderate edgewear, light soiling to exterior, wear to outside corners of a few leaves at the beginning and end of text block, inscription in pencil to head of front wrapper. Moderate toning and occasional light foxing to interior, early marks in pencil in a few places. \$450.

ONLY EDITION. "Despite its title, this work does not deal with police, but is rather a general overview of the state government. It includes, however, discussion of law courts and penal institutions.": Cohen 6059.

THE REPORT THAT ESTABLISHED
THE PENNSYLVANIA SYSTEM
OF PENOLOGY

101. [PENNSYLVANIA].
[COMMISSION TO REVISE THE
PENAL CODE].

Report on Punishments and Prison Discipline: By the Commissioners Appointed to Revise the Penal Code. Commissioners: Hon. Judge Shaler, Hon. Judge King, T.I. Wharton, Esq.

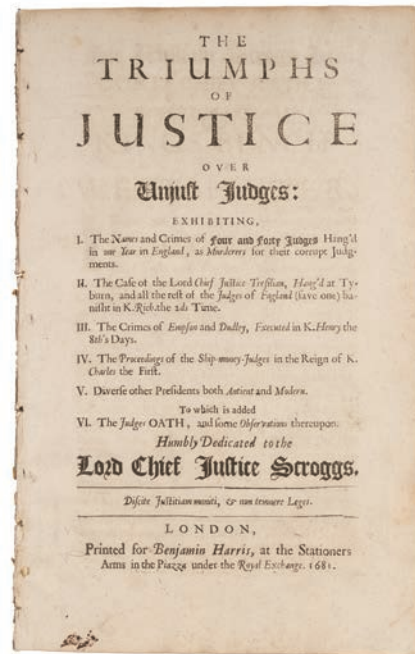
Philadelphia: Printed by John Clarke, 1828. [i], 77 pp. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet bound into recent quarter calf over marbled boards. Moderate toning and foxing, "To His Royal Highness the Duke of Sussex from his obliged friend [illegible]" to head of title page. \$500.

SECOND AND FINAL EDITION. This report led to the establishment of Pennsylvania's innovating criminal code and penal system, which emphasized prevention and reform. Also published in 1828, the first edition adds an appendix of supporting documents and plans. Both editions are scarce. Cohen 3741.



Title page detail



Nº 102

"UNJUST JUDGES"

102. [PHILO-DICAIOS].

The Triumphs of Justice Over Unjust Judges: Exhibiting, I. The Names and Crimes of Four and Forty Judges, Hang'd in One Year in England, As Murderers for Their Corrupt Judgments. II. The Case of Lord Chief Justice Tresilian, Hang'd at Tyburn, And All the Rest of the Judges of England (Save One) Banished in K. Rich. The 2ds Time. III. The Crimes of Empson and Dudley, Executed in K. Henry the 8th's Days. IV. The Proceedings of the Ship-Money-Judges, In the Reign of K. Charles the First. V. Diverse Other Presidents, Both Ancient and Modern. To Which is Added, VI. The Judges Oath, And Some Observations Thereupon. Humbly Dedicated to the Lord Chief Justice Scroggs.

London: Printed for Benjamin Harris, 1681. [iv], 36 pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet. Light soiling to exterior, light wear to spine ends and corners, moderate toning to interior, light foxing and light browning to a few leaves. \$950.

FIRST EDITION. This essay on judicial error and judicial corruption reflects the tensions between King Charles II and his subjects near the end of his reign. It details the fates of Royalist judges during the reign of Charles I and earlier times. Later editions were published in 1732 and 1735. OCLC locates 7 copies of the first edition in North American law libraries (Duke, Georgetown, Harvard, Library of Congress, University of Cincinnati, UT-Austin, York). ESTC R3571.

1826 STUDY OF THE AUBURN STATE PRISON BY ITS WARDEN

103. POWERS, G[ERSHOM] [1789–1831].

A Brief Account of the Construction, Management, & Discipline &c. &c. Of the New-York State Prison at Auburn: Together with a Compendium of Criminal Law. Also a Report of the Trial of an Officer of Said Prison for Whipping a Convict.

Auburn, NY: Printed by U.F. Doubleday, 1826. iv, 82 pp. Plan of prison on p. 73. Octavo (8-1/2" x 5-1/4").

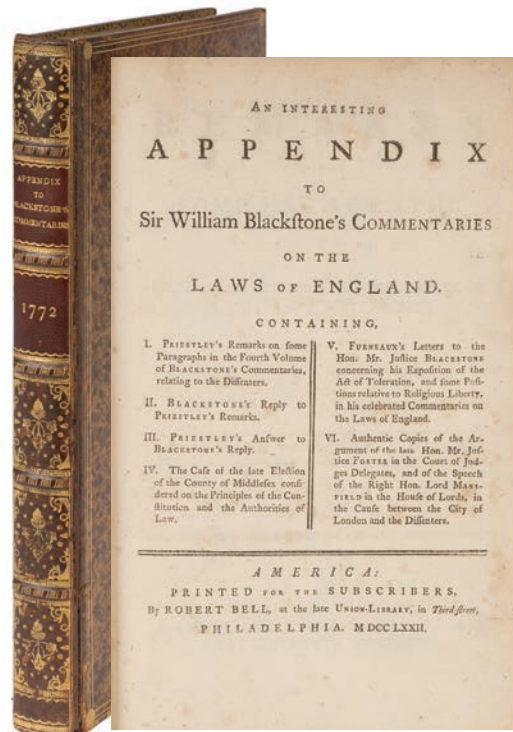
Stab-stitched pamphlet in printed wrappers. Light soiling to exterior, moderate edgewear, spine ends abraded, a few chips to wrappers, which are just beginning to detach at foot. Moderate toning to interior, early marks to margins in a few places, struck through and mostly illegible presentation inscription by Powers. \$450.

FIRST EDITION. A lawyer and politician from Auburn, Powers was the warden of Auburn State Prison from 1820 to 1823 and the inspector of that prison from 1830 until his death. A revised edition of his *Brief Account*, with a title beginning *Report of Gershom Powers*, was published in 1828. Both editions are scarce. Cohen 4452.

ON RELIGIOUS LIBERTY, THE SEPARATION OF CHURCH AND STATE AND FREE SPEECH: BELL'S INTERESTING APPENDIX TO BLACKSTONE, LAEUCHLI 616

104. PRIESTLEY, JOSEPH [1733–1804].
BLACKSTONE, SIR WILLIAM [1723–1780].
FURNEAUX, PHILIP [1726–1783].
FOSTER, SIR MICHAEL [1689–1763].
[MURRAY, WILLIAM, EARL OF MANSFIELD
(1705–1793)].

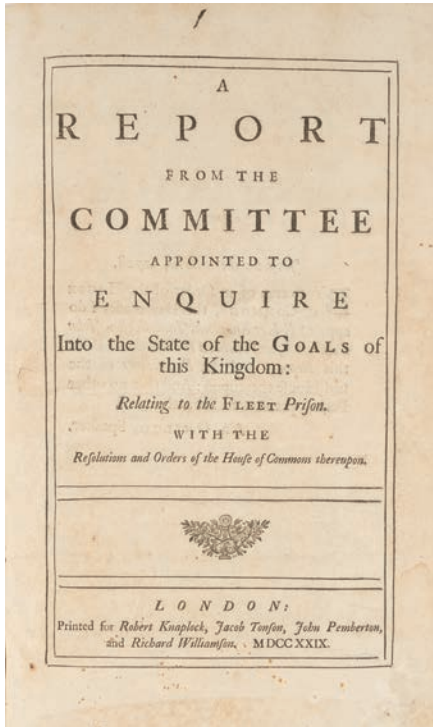
An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries, Relating to the Dissenters. II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's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



[Philadelphia]: Printed for the Subscribers, By Robert Bell, 1772 [-1773]. [iv], iv, [5]-119, [1], xii, 155, [1] pp. Each section preceded by divisional title page, first section also preceded by general title page, title page of *Letters to the Honourable Mr. Justice Blackstone* dated 1773. Includes one-page publisher advertisement for Bell's 1773 printing of Ferguson's *Essay on the History of Civil Society* and a subscription for a second American edition of Blackstone's *Commentaries*. Octavo (9" x 5-1/2").

Twentieth-century sprinkled calf, gilt rules with corner ornaments to boards, gilt spine with raised bands and lettering piece, gilt tooling to board edges, top-edge of text block gilt, gilt inside dentelles, marbled endpapers, hinges reinforced. Some rubbing to extremities, joints cracked. Moderate toning to interior, light foxing and dampspotting in a few places, annotation to front endleaf stating this book was purchased from Kenneth Nebenzahl. \$1,500.

THIS INFLUENTIAL COMMENTARY was issued as an appendix volume to Bell's edition of Blackstone's *Commentaries* (1771-1772). Reissued in 1773 and again in 1774, as *The Palladium of Conscience*. Most of the essays comprise a debate on religious liberty and the separation of church and state relating to Priestley's rebuttal of a passage in Blackstone that classified non-conformity to the Church of England as a crime. Part IV., which concerns freedom of speech, summarizes a debate concerning Blackstone's endorsement of the expulsion of the publisher John Wilkes from Parliament after his conviction for "seditious libel." The creation of this volume by Bell indicates the importance of these issues in colonial America on the eve of the Revolution. Laeuchli notes five different version of the 1772 issue, some, such as the present copy, with sections printed in 1773. Nebenzahl [1927-2020] was a distinguished Chicago dealer in antiquarian books and maps. Also a scholar, he published four important books on cartography. Eller 255. Laeuchli 615.



REPORTS OF THE LANDMARK
1729 INVESTIGATION OF BRITAIN'S PRISONS
BY A COMMITTEE CHAIRED BY THE
FOUNDER OF GEORGIA

105. [PRISONS].
[GREAT BRITAIN].
[HOUSE OF COMMONS].

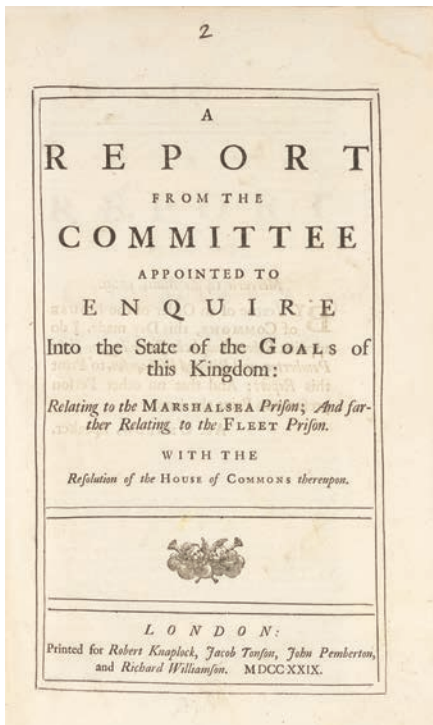
A Report from the Committee Appointed to Enquire into the State of the Goals of this Kingdom: Relating to the Fleet Prison. With the Resolutions and Orders of the House of Commons Thereupon.

London: Printed for Robert Knaplock, Jacob Tonson, John Pemberton, And Richard Williamson, 1729. [ii], 20 pp.

[BOUND WITH]

A Report from the Committee Appointed to Enquire Into the State of the Goals of this Kingdom: Relating to the Marshalsea Prison; And Farther Relating to the Fleet Prison. With the Resolution of the House of Commons Thereupon.

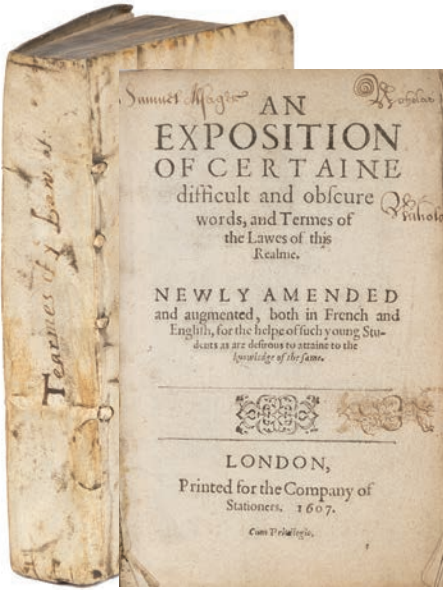
London: Printed for Robert Knaplock, Jacob Tonson, John Pemberton, And Richard Williamson, 1729. [ii], 29, [1] pp.



Folio (12-1/4" x 8"). Stab-stitched pamphlets bound into recent plain paper-covered boards. Moderate toning to interior, occasional faint dampstaining to margins, faint dampspotting to a few leaves, "1" and "2" to heads of title pages, which are lightly soiled. \$500.

ONLY EDITIONS. James Oglethorpe, then a Member of the House of Commons, became aware of the horrible nature of England's prisons after one of his friends, a debtor, died in one of them. This experience led him to demand an investigation of the prison system, which resulted with the establishment of the Goals Committee in 1729. Chaired by Oglethorpe, the committee managed to conduct investigations of the Fleet, Marshalsea and Southwark prisons before it was shut down by political opposition. The work of the committee was important. It established a set of ideas about prison reform that would eventually result in the Penitentiary Act 1779. Oglethorpe's experience with Britain's prison system, especially its treatment of debtors, inspired him to establish the colony of Georgia in 1732. ESTC T44667, T44668.

THE FIRST ENGLISH LAW DICTIONARY



106. [RASTELL, JOHN (1470?-1536)].

An Exposition of Certain Difficult and Obscure Words, And Termes of the Lawes of this Realme. Newly Amended and Augmented, Both in French and English, For the Helpe of Such Young Students as are Desirous to Attaine to the Knowledge of the Same.

London: Printed [by Adam Islip?] for the Company of Stationers, 1607. [iv], 196 ff. Text printed in parallel columns. Octavo (5-3/4" x 3-3/4").

Contemporary limp vellum, early hand-lettered title to spine. Light soiling, small hole to front cover, spine ends and corners bumped, pastedowns loose, later owner bookplates (of G.H. Gardner and John William Whittaker), to inside front cover and front endleaf, recent owner bookplate (of Dr. & Mrs. H.R. Knohl) to inside rear cover, early and later signatures, brief annotations and doodles to front endleaves and title page (George Gardner, Daniel Davies, others illegible). Moderate toning to text, faint dampstaining to head of text block after fol. 156, small burn hole to leaf X3 (ff. 159). An appealing copy. \$2,800.

LATER EDITION. "John Rastell..., a printer and barrister of Lincoln's Inn, wrote and then published the first edition of this book in 1527. Originally, it was in Law Latin and Law French. In the second edition of 1530, a parallel English translation was added - perhaps by Rastell's son William (1508-1565), who had been studying law at Oxford and would soon become a barrister himself. This [present] edition reflects the joint efforts of father and son. A reviser named Paget (a barrister of the Middle Temple may also have contributed to the work. The Rastells' work is notable in several ways. First, it is a lexicographic landmark because it antedates by 11 years the first general English dictionary, written by Sir Thomas Elyot. Second, for the its time it was a sophisticated piece of lexicography that would provide definitions for legal terms in other dictionaries for generations to come. (...). Third, the side by side translations marked a typographic innovation for dictionary-makers; apart from the typefaces, the columns look surprisingly modern more than 400 years later. Fourth, the dictionary had an extraordinary life through 29 editions that spanned a period of 292 years (the final American edition having appeared in 1819) - a longevity that few if any other lawbook can rival": Garner 365. ESTC S495.

AN INTERESTING FORM OF PARTIBLE INHERITANCE

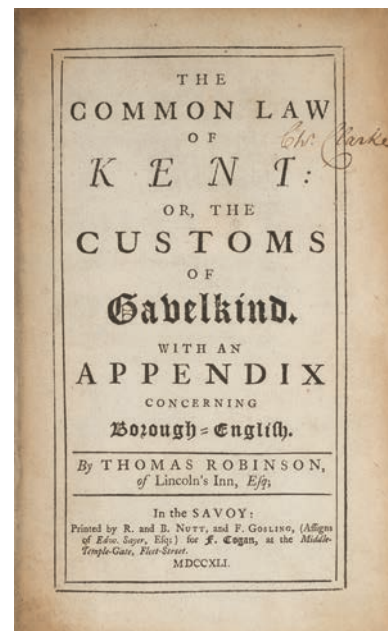
107. ROBINSON, THOMAS [D. 1747].

The Common Law of Kent: Or, The Customs of Gavelkind. With an Appendix Concerning Borough-English.

[London]: Printed by R. And B. Nutt, And F. Gosling, 1741. xxiii, [1], 300, [16] pp. Octavo (7-3/4" x 4-3/4").

Recent period-style calf by Philip Dusel, blind rules to boards, blind fillets along joints, raised bands, blind fillets and lettering piece to spine, gilt tooling to board edges, blind inside dentelles, endpapers renewed. Moderate toning to interior, early owner signature ("Chr' Clarke") to title page, light offsetting to its margins. A handsome copy. \$500.

FIRST EDITION. Gavelkind is a type of land tenure used mostly in Kent, but also in other parts of England, Ireland and Wales. It is a form of partible inheritance in which land descends equally to the decedent's sons. It was common during the Saxon era, but was gradually supplanted by primogeniture after 1066. A second edition was published in 1788. ESTC T100327.



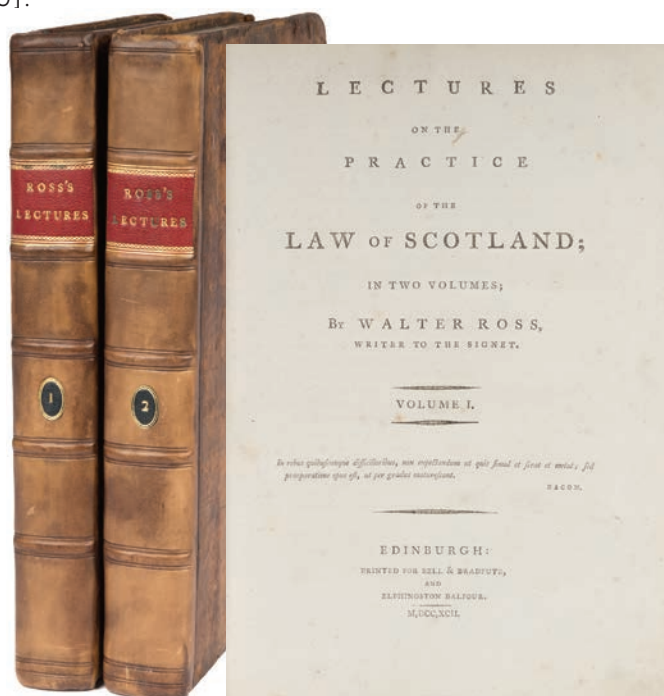
THE FIRST SYSTEMATIC WORK ON SCOTTISH CONVEYANCING

108. ROSS, WALTER [1738–1789].

Lectures on the Practice of the Law of Scotland; In Two Volumes.

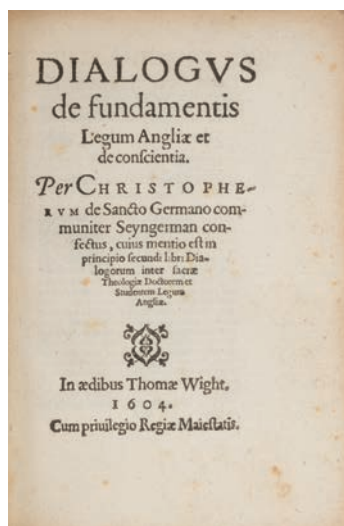
Edinburgh: Printed for Bell & Bradfute, and Elphinston Balfour, 1792. xiii, [2], 499, [1]; [iv], 508 pp. Two volume set. Quarto (10-1/2" x 8").

Contemporary calf, blind rules to boards, rebaked in period style with raised bands, lettering pieces and volume numbers to spines, blind tooling to board edges. Light rubbing with scuffs, nicks, scratches to boards, moderate rubbing and wear to board edges and corners, which are bumped, light offsetting to endleaves, faint ownership stamp (of J.Y. Simpson) to front free endpapers with his signature to p. 100 of Volumes 1 and 2. Light toning to interior, occasional light foxing, light soiling in a few places, notes in pencil in a later hand to pp. 45 and 46 of Volume 2. \$1,000.



FIRST EDITION, published posthumously. Originally presented as a series of lectures on conveyancing and legal diligence to the Society of Writers to the Signet, Ross's work represents "the first attempt to state this branch of the law of Scotland in a coherent and comprehensible way" (*ODNB*). A work of great authority, it was referenced frequently in the court of session and reissued in 1822. *OCLC* locates 15 copies, 6 in law libraries (Berkeley, Yale, University of Michigan, University of Pennsylvania, University of Missouri, Southern Methodist University). K.J. Campbell, "Ross, Walter" in *ODNB*, accessed online. *ESTC* T118757.

EARLY LATIN EDITION OF DOCTOR AND STUDENT



109. SAINT GERMAN (GERMAIN), CHRISTOPHER [1460?–1540].

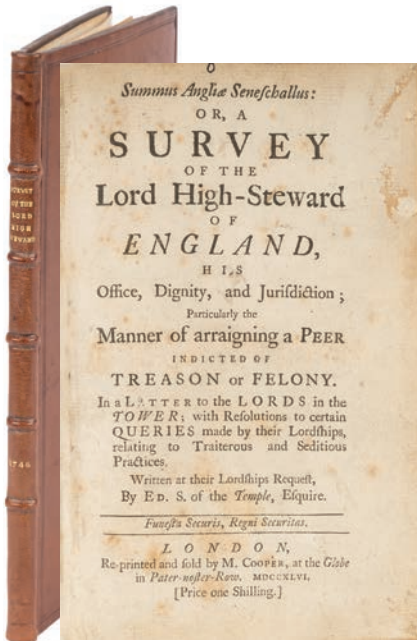
Dialogus de Fundamentis Legum Angliae et de Conscientia. Per Christopherrum de Sancto Germano Communiter Seyngerman Confectus, Cuius Mentio est in Principio Secundi Libri Dialogorum Inter Sacrae Theologiae Doctorem et Studentem Legum Angliae.

[London?]: In Aedibus Thomae Wight, 1604. [iv], 73, [2] ff. Lacking final blank leaf. Octavo (5-1/2" x 3-1/2").

Recent calf, gilt rules to boards, gilt title to spine, endpapers renewed. Light toning to interior, light foxing and soiling in a few places, small notes in pencil to leaves A3–5. A handsome copy. \$650.

SECOND LATIN EDITION. Written originally in Latin in 1528, *Dialogus de Fundamentis Legum Angliae et de Conscientia* is better known in its English version, *Doctor and Student*, first published in 1530. It contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. It was also a key work in the development of equity law. *Doctor and Student* went through numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. The 1604 Latin edition contains a biography of Saint Germain and the text of his will. *ESTC* S103137.

THE OFFICE OF LORD HIGH STEWARD



110. S[AUNDERS], ED[MOND] [D. 1683].

Summus Angliae Seneschallus: Or, A Survey of the Lord High-Steward of England, His Office, Dignity, And Jurisdiction; Particularly the Manner of Arraigning a Peer Indicted of Treason or Felony. In a Letter to the Lords in the Tower; With Resolutions to Certain Queries Made by their Lordships, Relating to Traiterous and Seditious Practices. Written at Their Lordships Request, By Ed. S. of the Temple, Esquire.

London: Re-Printed and Sold by M. Cooper, 1746. [ii], 49, [1] pp. Octavo (7-1/4" x 4-3/4").

Recent period-style calf by Philip Dusel, blind rules with corner fleurons to boards, raised bands and gilt title to spine, endpapers renewed. Moderate toning, light foxing to a few leaves and title page, which is lightly soiled, fragment of number at head. An attractive copy. \$750.

SECOND AND FINAL EDITION. The Lord High Steward ranked above the Lord Chancellor and the Prime Minister. One of the office's most important powers was the sole legal power to preside over impeachment

trials of peers. Since 1421 the office has generally remained vacant. (For trials of peers, the Lord Chancellor was deputized to act as Lord High Steward.) Today, it is a ceremonial office that is filled for coronation ceremonies. Saunder's essay on the powers of this office was first printed in 1680. Both editions are scarce. OCLC locates 6 copies of the second edition in North America, 1 in a law library (Library of Congress). ESTC T105685.

TWO GUIDES TO PRACTICE IN THE HOLY ROMAN EMPIRE,
ONE WITH AN EXTENSIVE DICTIONARY

111. SCHADE, FRANZ HENNING [C.1699-1732].

Der Auf Neue Manier Abgefasse und Expedite Notarius Worinnen Der I. Theil der Notarien Geschäfte, Amts-Verrichtungen, Darauf sich das Examen Gründet, Wie auch Käysers Maximilian I. Constitution von Notarien de an. 1512. und Andere Edicta &c. Der II. Theil alle Cautelen und Formulen, So bey Obligationen, Bürgschafften, Kauff- Mieth- oder Pacht-Gesellschafts-Contract, Bey Vollmachten, Tutelen, Erbschafften, Schenkungen, Wechseln, Bergleichen, Zahlungen, Quittungen, Enden, Attestaten, Recesten, Vidimir- und Insinuirungen, Suppliquen, Rgistraturen, Protocollen u.d.g. zu Observiren, Der III. Theil aber den Notarium Immatriculatum, Nebst einem Wörter-Lexicon, Neuen Anhang und vollständigen Register Vorstellet; Allen Notarien, Actuarien, Studiosis und Andern Schreibern in Nutz und Gebrauch nach dem Gewöhnlichen und Heutigen Curial-Style Eingerichtet, Revidiret und zum Vierden mahl Vermehret.



Front cover insignia detail



Frankfurt and Leipzig: Zu Finden bey Hieronymo Philippo Ritschel, 1726. [xiv], 832, [16] pp.

[BOUND WITH]

SUTTINGER, JOHANN BAPTIST [1608-1662].

Verneuerte Observationes Practicae, Oder: Bewisse Berichts-Bräuch, Wie Dieselben Sonderlich bey dem Lobl. Land-Marschallischen Gericht in Oesterreich

Unter der Enns, In Acht Genommen, Und Gehalten Werden. Vor Diesem nach Ordnung des Gemeinen Process, Zusammen Getragen, Und Anjetzo nach Denen Diss. Jahrs Publicirten neuen Execution und Revisions-Ordnungen Corrigirt und Verändert auch Sonst an Vielen Orten Vermehrt.

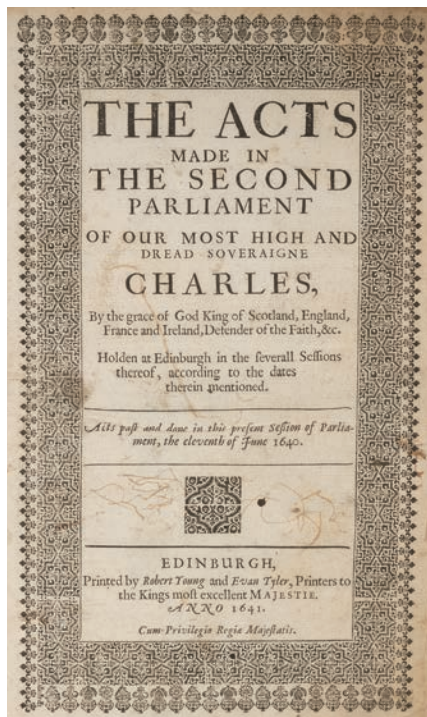
Nuremberg: In Verlegung Johann Adolphs, 1713. [xxx], 432, [30] pp.

Octavo (6-1/2" x 4"). Contemporary vellum with lapped edges, owner initials, "1730" and small central gilt insignia to front board, stamped title panel to spine, edges of text block colored green. Light soiling and a few minor stains, light rubbing to extremities. Title pages preceded by copperplate pictorial frontispieces, that of *Notarius* printed in red and black. Moderate toning, faint dampstaining to margins of a few leaves at rear of text block, light soiling to title pages.



of text block, light soiling to title pages. \$2,500.

LATER EDITIONS. The two books in this volume deal with practice and procedure in the Holy Roman Empire. Schade's handbook for notaries, which includes forms and an extensive dictionary, was a popular work first published in 1714. Suttinger's procedure manual, intended mostly for Austrian lawyers, was first published in 1656. All editions of both titles are scarce. OCLC locates very few copies in North American law libraries. VD18 18:1080719, 14734745-001.



ACTS OF CHARLES I AND II, 1640-1649

112. [SCOTLAND].

The Acts Made in the Second Parliament of Our Most High and Dread Sovereigne Charles, By the Grace of God King of Scotland, England, France and Ireland, Defender of the Faith, &c. Holden at Edinburgh in the Severall Sessions Thereof, According to the Dates Therein Mentioned. Acts Past and Done in This Present Session of Parliament, The Eleventh of June 1640.

Edinburgh: Printed by Robert Young and Evan Tyler, 1641. 160. [20] pp.

[BOUND WITH]

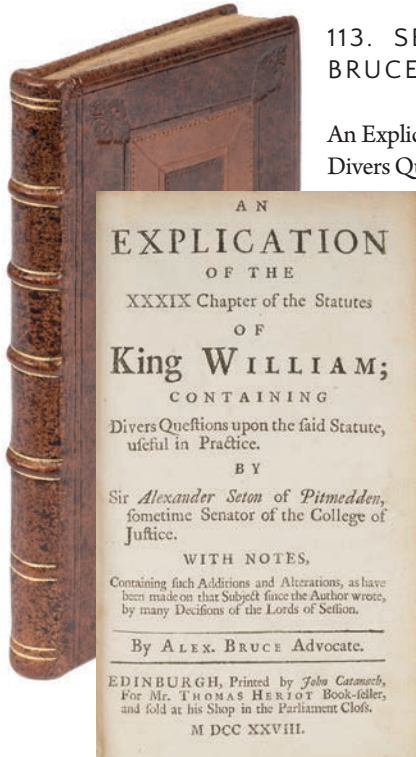
[Five Other Volumes of Acts Covering June 4-July 29, 1644, November 3, 1646-March 27, 1647, March 2, 1648 June 10, 1648, January 4, 1649-March 16, 1649 and May 23, 1649-August 7, 1649].

Edinburgh: Printed by Evan Tyler, 1644-1649.

Folio (10" x 6-1/4"). Recent period-style calf, blind fillets and corner fleurons to boards, gilt-edged raised bands, gilt-stamped decoration to compartments and lettering piece to spine, edges rouged. A few small scuffs and scratches to boards, larger scratch to rear board, light rubbing to extremities, corners lightly bumped. Moderate toning to interior, trimming to head and foot with slight loss to running title and catchwords in a few places but no loss to legibility, occasional faint dampstaining with no loss to legibility, light soiling in a few places, gutter of leaf N1 (pp. 145-146) of first title and fore-edge of leaf A2 (pp. 1-2) of fifth title mended, small tears to edges of folding table, which is mended on verso, small hole to text block of final three leaves without loss to legibility. An appealing volume. \$1,000.

FIRST COLLECTED EDITIONS. This volume contains Scottish acts from 1640-1649, spanning the reigns of Charles I and II and the first and second English Civil Wars. ESTC R33336, R12952, R11735, R21983, R19064, R19030.

PROTECTING THE PROPERTY RIGHTS OF MINORS



113. SETON, SIR ALEXANDER [1639?-1719].
BRUCE, ALEXANDER, NOTES.

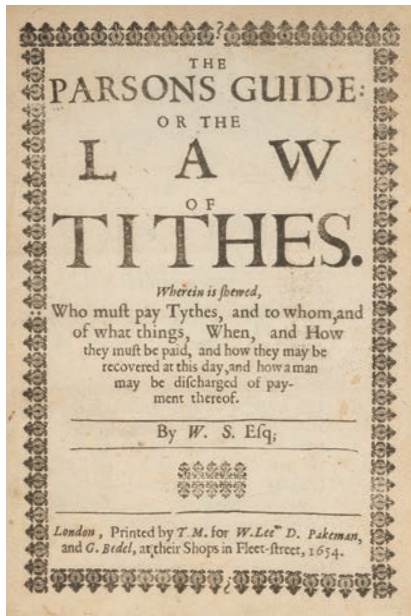
An Explication of the XXXIX Chapter of the Statutes of King William; Containing Divers Questions upon the Said Statute, Useful in Practice. With Notes, Containing Such Additions and Alterations, As Have been Made on that Subject Since the Author Wrote, By Many Decisions of the Lords of Session.

Edinburgh: Printed by John Catanach, For Mr. Thomas Heriot, 1728. xvi, 112 pp. Octavo (6" x 3-1/2").

Recent period-style paneled calf by Philip Dusel, gilt-edged raised bands to spine, blind tooling to board edges, endpapers renewed. Moderate toning to interior, tiny smudge to fore-edge of title page, negligible light soiling to p.112. A handsome copy of a scarce work. \$750.

ONLY EDITION. Seton's essay discusses a statute designed to protect minors from claims against their real property. He offers a detailed study of this act, its application in Scottish cases and its historical background in Scots and Roman law. OCLC locates 2 copies, both in Great Britain. The ESTC locates 13 copies, 4 in North America, 1 in a law library (Harvard). ESTC N9869.

PAYING TITHES TO CROMWELL



114. [SHEPPARD, WILLIAM (D.1675?)].

The Parsons Guide: Or the Law of Tithes: Wherein is Shewed, Who Must Pay Tithes, And to Whom, And of What Things, When, And How They Must be Paid, And How they May be Recovered at this Day, And How a Man May be Discharged of Payment Thereof. By W.S. Esq;

London: Printed by T.M. for W. Lee, D. Pakeman, And G. Bedell, At Their Shops in Fleet-street, 1654. [vi], 31, [1] pp. Lacking first leaf, a blank. Quarto (7-1/4" x 5-1/2").

Stab-stitched pamphlet bound into recent half cloth over marbled boards, untrimmed edges. Moderate toning to interior, light soiling and a few tiny spots to title page. \$500.

FIRST EDITION, one of four issues from 1654. A pamphlet supporting Cromwell's financial demands for

the clergy. Active in the Protectorate, where he was Cromwell's legal advisor, Sheppard aimed to reform English law. Ahead of his time in many ways, many of his proposals anticipate changes that were adopted in the nineteenth century. *The Parsons Guide* supported Cromwell's reforms of tithing laws, which were drafted by Sheppard. Two other editions were published in 1670 and 1671. All editions and issues are scarce. ESTC R203561.

The TABLE.	
Custom	Chap.9. Sect.1
Discharge of Tithes.	Chap.9
Glebe	Chap.1
Mortuary	Chap.1 and 10.
Oblations	ibid
Obventions	ibid
Parson	Chap.1
Plurality	Chap.4
Prescription	Chap.4. and Chap.9 Sect.1
Tithes. The kinds thereof.	Chap.2
The nature of them	Chap.3
Who must pay Tithes, and who must receive them	Chap.4
Of what things they are to be paid	Chap.5
How, when, and where they must be paid	Chap.6
Who must pay them, and to whom they must be paid	Chap.7.
How they may be recovered	Chap.8
How they may be discharged	Chap.9
Vicar	Chap.1

Interior detail

A SCARCE SIXTEENTH-CENTURY COLLECTION OF LEGAL MAXIMS

115. SOCCINI, BARTOLOMMEO [1436-1507]. VADI, BENEDETTO [16TH. C.]. GERLIER, JEAN. PETRUCCI, FEDERICO. MOLINARUS, JACOBUS.

Fallentiae. Regule cu[m] suis Ampliationibus et Fallentiis e Toto Iure Delecte: P[er] P[er]spicacissimum Utriusq[ue] Iuris Docto[r]ez do. Bartholomeum Socinum (...) [et] Co[r]recte: Nuperrimeq[ue] [et] Denuo Emendate Atq[ue] Frequentib[us] (Quibus Scaturiebat) Erro[r]ibus Expurgate.

[Lyon: Opera Benoît Bonyn Expensis François Giunta et Jacques Giunta, 1524]. [xvi], 224 ff. Octavo (5-1/2" x 4").

Contemporary paneled pigskin, image of Venus and Cupid to center of front board, image of Hercules and Antaeus to rear, raised bands and fragments of paper labels to spine, faint early hand-lettered title to fore-edge of text block. Moderate soiling, boards slightly bowed, moderate rubbing to extremities, tiny hole near center of front joint, front hinge cracked. Title page, with large woodcut vignette of a professor and students, printed in red and black. Moderate toning, faint dampstaining to foot of text block through fol. [ix], annotations to endleaves and parts of text, light soiling and edgewear to preliminaries and endleaves, illegible early owner signature to head of title page, clean tear to fore-edge of leaf G4 (fol. 52). An attractive copy of a scarce title.



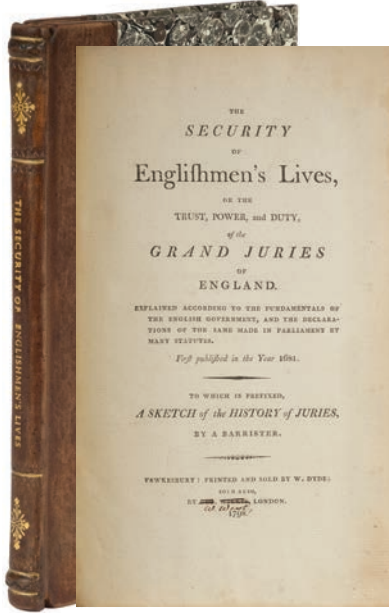
center of front joint, front hinge cracked. Title page, with large woodcut vignette of a professor and students, printed in red and black. Moderate toning, faint dampstaining to foot of text block through fol. [ix], annotations to endleaves and parts of text, light soiling and edgewear to preliminaries and endleaves, illegible early owner signature to head of title page, clean tear to fore-edge of leaf G4 (fol. 52). An attractive copy of a scarce title. \$3,000.

LATER EDITION. The main part of this work is a collection of legal maxims, mostly relating to the civil law, arranged alphabetically with critical commentary, mostly by Soccini. First published in 1510, was a popular work that went through several editions into the late sixteenth century with additions by later jurists. It was also included in the *Tractatus Universi Iuris* (1584-1586), the great eighteen-volume anthology commissioned by Pope Gregory XIII. All editions of Soccini's work are scarce in North American law libraries. OCLC locates 5 copies of the 1524 edition, 1 in North America (Harvard Law School). Adams S1345.



Annotation and interior detail

THE PRIORITY OF ENGLISH LAW OVER THE CROWN



116. [SOMERS, JOHN, BARON (1651–1716)].

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

Tewkesbury: Printed and Sold by W. Dyde, 1798. [ii], 113, [1] pp. Lacking final leaf, a publisher advertisement. First leaf is a list of subscribers. Octavo (8-1/4" x 5").

Recent period-style quarter calf over marbled boards, gilt title, gilt ornaments and gilt and blind fillets to spine. Moderate toning to interior, faint tiny stain to title page, light foxing to a few leaves. A handsome copy. \$750.

FINAL EIGHTEENTH-CENTURY EDITION. This influential essay defined a hearing before a grand jury of peers as a fundamental English right. An assertion of the priority of the law over the English crown, it was written to support the right of a grand jury to reject the bill of indictment against Anthony Ashley-Cooper, First Earl of Shaftesbury, issued by Charles II. Somers, a barrister

of the Middle Temple and an important Whig statesman, was Lord Chancellor of England during the reigns of William and Mary and Queen Anne. He presided over the framing of the Bill of Rights (1689). ESTC N22518.

RARE PRINTING OF THE SHORT-LIVED BUT INFLUENTIAL CONSTITUTION OF 1812

117. [SPAIN].
[CONSTITUTION].

Costituzione Politica della Monarchia Spagnuola Promulgata in Cadice il 19 Marzo 1812.

Piacenza: Dai Tipi d'Ignazio Orcesi, 1814. 72 pp. Octavo (6" x 4").

Stab-stitched pamphlet bound into recent paper-covered boards, lettering piece to spine. Moderate toning, negligible faint dampstaining to head of text block and upper outside corners in a few places. \$650.

VERY RARE PIACENZA PRINTING, based on the translation that had appeared in Milan in the same year, of the short lived but influential Spanish constitution of 1812, one of the first attempts to construct a codified constitutional monarchy, which applied not only to Spain but to the Spanish holdings in South America and the Philippines, and gave Spanish citizenship to the natives of any territory that belonged to the Spanish monarchy (but not necessarily those of African descent, who could acquire citizenship through naturalization). This constitution was driven by the need to give legitimacy to the newly installed Joseph Bonaparte as king. Although it was repealed shortly after the restoration in 1814 of Ferdinand VII, its influence was widespread. It was the

model for the constitutions of Norway in 1814 and Mexico in 1824. A number of Italian printings appeared, in several varying translations, between 1812 and 1814; this is one of the rarest, with no copies located outside Italy. No copies are listed on OCLC.

THE FIRST PRINTED WORK DEVOTED SOLELY TO CRIMINAL LAW

118. STAUNFORD, SIR WILLIAM
[1509–1558].

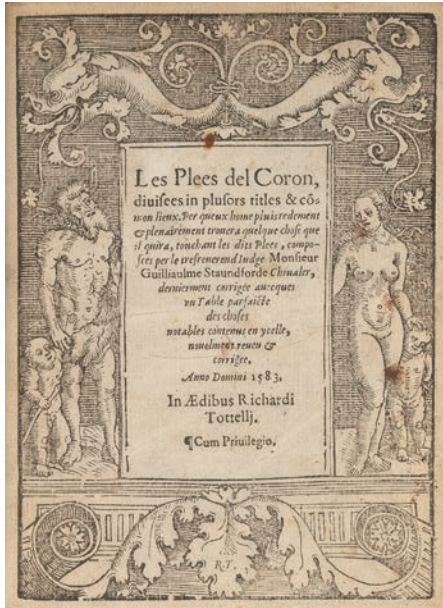
Les Plees del Coron, Divisees in Plusors Titles & Comon Lieux. Per Queux Home Pluis Redement & Pleinement Trover a Quelque Chose que Il Quira, Touchant les Dits Plees, Composees per le Tres Reuerend Iudge Monsieur Guillaulme Staundforde Chiualer, Dernierment Corrigees avecques un Table Parfaicte des Choses Notables Contenus en Ycelle, Nouelment Reveu & Corrigees.

[London]: In Aedibus Richardi Tottelli, 1583. [xii], 196 [i.e. 198] ff. Quarto (7-1/4" x 5-1/2").

Later three-quarter calf over marbled boards, rebounded, gilt title and blind fillets to spine, edges rouged, endpapers renewed. Light rubbing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, hinges cracked, armorial bookplate (of James Bros) to front pastedown, bookplate (of J.M.B.

Crawford, dated January 4, 1979) to front free endpaper. Title printed with woodcut architectural border. Moderate toning, headlines affected in a few places by trimming, minor worming to lower outside corners of final 42 leaves, light soiling to title page. \$950.

LATER EDITIONS. Based on Bracton and the Year Books, Staunford's treatise is divided into three parts. The first treats offences, the second jurisdiction, appeals, indictments, and defenses. The third deals with trials and convictions. First published posthumously in 1557, *Plees* was written after Staunford was appointed judge of the common pleas in 1554. Beale T490. ESTC S117812.



N° 118

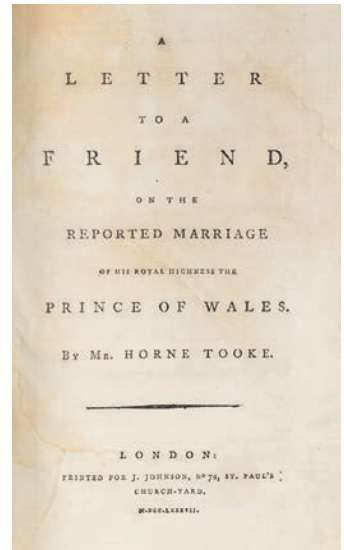
A HEARTWARMING (BUT FICTIONAL) AUTOBIOGRAPHY
119. [STEWART, JAMES].

The Life of a Lawyer. Written by Himself.
London: Saunders and Benning, 1830. [ii], 421, [1] pp. Octavo (7-1/2" x 4-1/2").

Contemporary three-quarter calf over marbled boards, gilt rules to calf edges, raised bands, gilt and blind-stamped fillets and lettering piece to spine, gilt decoration to compartments, marbled edges and endpapers. Light rubbing and two small scuffs to boards, moderate rubbing and wear to extremities, corners bumped. Light toning to interior, small spots and stains to a few leaves, small tear to top-edge of leaf T7 (pp. 231-232) without loss to text. \$450.

ONLY EDITION. This fictional autobiography, attributed to a James Stewart (although sources disagree

on which one), follows the life of John Eagle, a young boy orphaned at an early age who dreams of becoming a lawyer. He succeeds with some distinction, eventually becoming Lord High Chancellor and obtaining a wife and son along the way. Not in Wolff.



N° 120

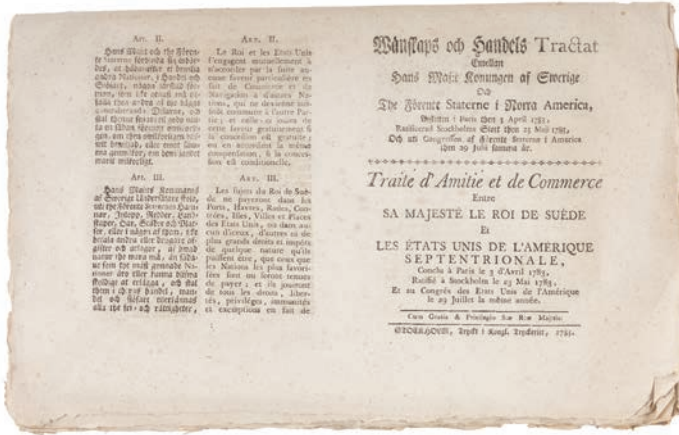
COMMENTARY ON THE CLANDESTINE MARRIAGE OF THE PRINCE OF WALES
120. TOOKE, JOHN HORNE [1736-1812].

A Letter to a Friend, On the Reported Marriage of His Royal Highness the Prince of Wales.
London: Printed for J. Johnson, 1787. [ii], 75 pp. Lacking half-title. Octavo (8-1/2" x 5-1/4").

Stab-stitched pamphlet in recent plain paper wrappers, speckled edges. Light toning to interior, occasional light dampstaining, light foxing in a few places, upper outside corners of leaves E6 (pp. 59-60) and E8 (pp. 63-64) lacking with no loss to text. \$650.

FIRST EDITION, second issue. A letter apparently written in April and May 1787 in which Horne Tooke asserts the legality of the private marriage of Mrs. Maria Fitzherbert and the Prince of Wales in spite of the public denial of the marriage by Fox in the House of Commons. The two had been "married" on 21 December 1785 in Mrs. Fitzherbert's own drawing-room, by a Church of England clergyman, in the presence of her brother and uncle. By the Marriage Act of 1772 every marriage contracted by a member of the Royal Family under 25 years of age without the King's consent was invalid; and by the Act of Settlement if the heir-apparent married a Roman Catholic he forfeited his right to the crown. The Prince of Wales was barely 23 years old and Mrs. Fitzherbert was a Roman Catholic. ESTC T38032.

THE UNITED STATES'S FIRST POST-REVOLUTIONARY WAR TREATY



121. [TREATY].
[SWEDEN].
[UNITED STATES].

Wanskaps och Handels Tractat Emellan Hans Maj:t Konungen af Swerige och the Forente Staterne i Norra America, Afsluten i Paris then 3 April 1783, Ratificerad Stockholms Slott then 23 Maji 1783, Och uti Congressen af Forente Staterne i America then 29 Julii Samma Ar. / Traite d'Amitie et de Commerce Entre Sa Majeste Le Roi de Suede et Les Etats Unis de l'Amerique Septentrionale,

Conclu a Paris le 3 d'Avril 1783, Ratifie a Stockholm le 23 Mai 1783, Et au Congres des Etats Unis de l'Amerique le 29 Juillet la Meme Annee.

Stockholm: Tryct i Kongl. Tryckeriet, 1785. [48] pp. Text in Swedish with parallel French translation. Quarto (9-1/4" x 14-1/2").

Unsewn, untrimmed sheets. Moderate toning, light soiling to exterior, light foxing in a few places.

\$1,750.

FIRST EDITION. Diplomatic relations between the United States and Sweden began during the Revolutionary War when Swedish diplomats approached Benjamin Franklin in Paris. Sweden was officially a neutral party (although England had previously infringed on that neutrality), so negotiations were kept secret until the official end of the war. The resulting treaty with Sweden was a major diplomatic success for the young republic. OCLC locates 3 copies published in 1783, but these are ghosts. Sabin 100931.

ACCUSED OF POISONING HER ELDERLY PARAMOUR

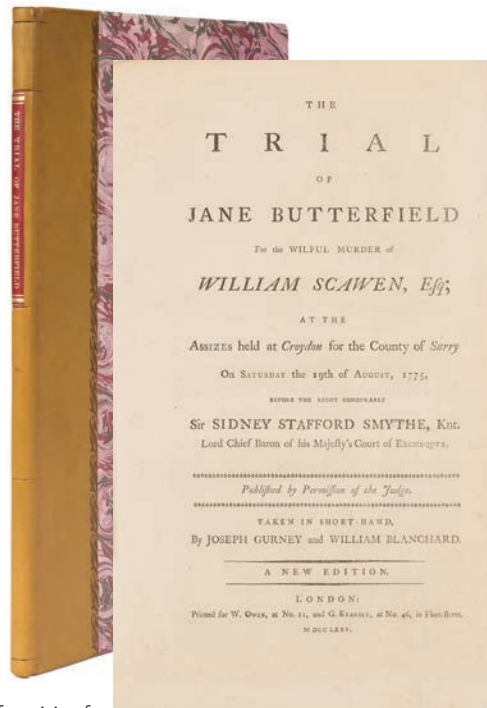
122. [TRIAL].
BUTTERFIELD, JANE, DEFENDANT.

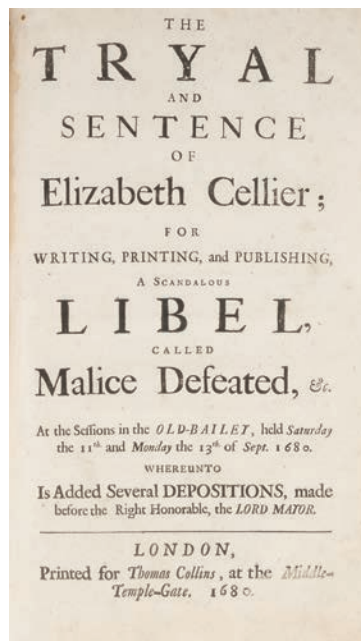
The Trial of Jane Butterfield for the Wilful Murder of William Scawen, Esq; At the Assizes Held at Croydon for the County of Surry on Saturday the 19th of August, 1775, Before the Right Honourable Sir Sidney Stafford Smythe, Knt. Lord Chief Baron of His Majesty's Court of Exchequer.

London: Printed for W. Owen and G. Kearsly, 1775. [iv], 53, [1] pp. Folio (13-1/4" x 8-1/2").

Stab-stitched pamphlet bound into recent quarter calf over marbled boards, blind fillets to calf edge, lettering piece and blind fillets to spine. Moderate toning to interior, occasional light foxing, light soiling and cellotape repairs to edges of a few leaves without loss to text, light browning to first and final leaves. \$750.

ONLY EDITION. Butterfield met Scawen, an elderly gentleman, when she was fourteen and was persuaded by a female accomplice to live with him as a kind of housekeeper-cum-mistress. When her father disowned her as a result, Scawen apparently had something of a crisis of conscience and promised to act as a new father to her. The two lived together quite happily, and when he grew ill, she became his devoted caretaker. When he died, his doctor, egged on by a suspicious maid, accused her of poisoning him in order to gain the inheritance he had supposedly left. The jury deliberated only ten minutes before acquitting Butterfield. ESTC T93407.





THE "POPISH MIDWIFE"
ON TRIAL FOR LIBEL

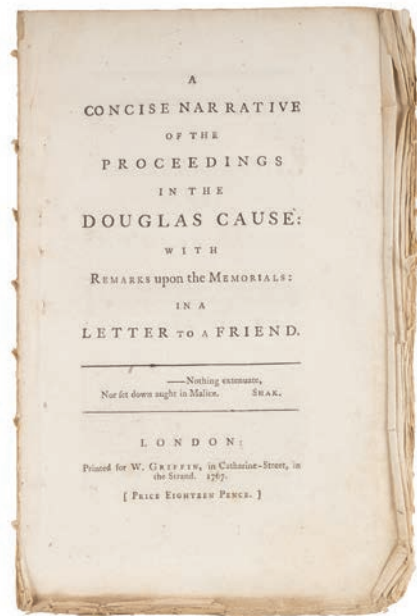
123. [TRIAL].
[CELLIER, ELIZABETH
(FL.1668-1688), DEFENDANT].

The Tryal and Sentence of Elizabeth Cellier, For Writing, Printing, and Publishing, A Scandalous Libel, Called Malice Defeated, &c. At the Sessions in the Old-Bailey, Held Saturday the 11th. And Monday the 13th. Of Sept. 1680. Whereunto is Added Several Depositions, Made Before the Right Honorable, The Lord Mayor.

London: Printed for Thomas Collins, 1680. [iv], 9-39, [1] pp. Folio (11" x 7-1/4").

Recent period-style paneled calf by Philip Dusel, edges rouged. Light toning to interior, negligible worming and light dampstaining to margins, light dampspotting to title page and following few leaves. An attractively bound copy. \$650.

ONLY EDITION. The principal contemporary account of the trial of Elizabeth Cellier for libel. Cellier had previously been acquitted of treason in the fabricated "Meal-Tub Plot." She subsequently published her account of those events, *Malice Defeated*, which alleged the torture of Catholic prisoners in Newgate. For this claim she was again put on trial, this time for libel, and was convicted, pilloried, fined £1,000, and had her book burnt. The fine was remitted seven years later, but Cellier was forced to spend the interim in prison. She went on to advocate for the incorporation of a royal college of midwives and foundling hospital, but nothing is known of her after the Glorious Revolution of 1688. ESTC R24639.



A SENSATIONAL
INHERITANCE CASE

124. [TRIAL].
[DOUGLAS CAUSE].

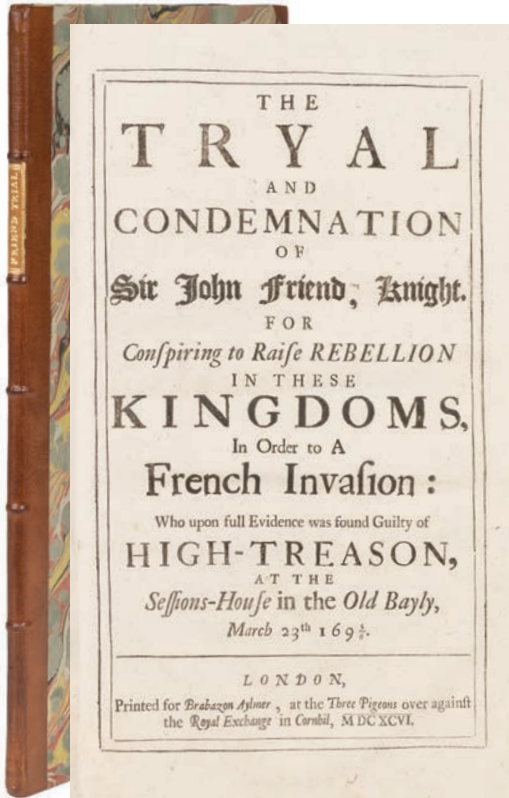
A Concise Narrative of the Proceedings in the Douglas Cause: With Remarks Upon the Memorials: In a Letter to a Friend.

London: Printed for W. Griffin, 1767. 56, 23, [1] pp. Octavo (9" x 5-3/4").

Disbound stab-stitched pamphlet, fore and bottom edges untrimmed. Light toning, light soiling to exterior, light foxing in a few places, a few creases to final leaf. \$500.

FIRST EDITION. The "Douglas Cause," which involved claims on the estate of Duke Douglas, was one of the most sensational Scottish trials of the eighteenth century. Douglas died without issue, leaving his sister Lady Jane Douglas the heir presumptive. His relatives the Hamiltons had hoped to lay claim to the estate, but were foiled when Lady Jane had twin sons at the age of 50. A bitter dispute ensued over whether these children were in fact legitimate, but the case was decided against the Hamiltons, and the estate went to Lady Jane's surviving child Archibald Stewart Douglas. This was a rancorous case which attracted a great deal of public attention, most of it sympathetic to the young Douglas. A second edition was published later the same year. ESTC T184001.

TRIED FOR TREASON WITHOUT BENEFIT OF COUNSEL



125. [TRIAL].
FRIEND, SIR JOHN [D.1696], DEFENDANT.

The Tryal and Condemnation of Sir John Friend, Knight. For Conspiring to Raise Rebellion in These Kingdoms, In Order to a French Invasion: Who Upon Full Evidence was Found Guilty of High-Treason, At the Sessions-House in the Old Bayly, March 23th 1695/6.

London: Printed for Brabazon Aylmer, 1696. 35, [1] pp. Folio (12" x 7-1/4").

Recent period-style three-quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, light soiling to title page and verso of final leaf. \$650.

ONLY EDITION. Friend was charged with high treason for his role in the 1696 Jacobite assassination plot, one of a series of Jacobite plots to reverse the Glorious Revolution of 1688-1689. Friend's trial was the penultimate instance under English law in which a defendant was tried for treason without benefit of counsel. The Treason Act of 1695, which allowed counsel in cases of treason, went into effect two days later. ESTC R37160.

A "PENURIOUS OLD REPTILE"

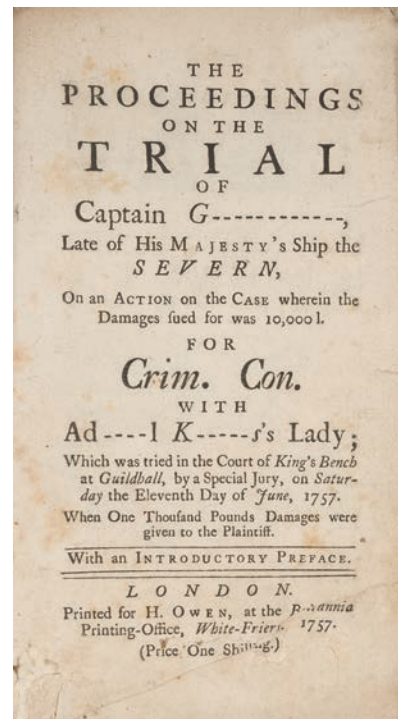
126. [TRIAL].
GAMBIER, JAMES, DEFENDANT [1723-1789].

The Proceedings on the Trial of Captain G-----, Late of His Majesty's Ship the *Severn*, On an Action on the Case Wherein the Damages Sued for was 10,000 l. for *Crim. Con.* With Ad----l K-----s's Lady; Which was Tried in the Court of King's Bench at Guildhall, By a Special Jury, On Saturday the Eleventh Day of June, 1757. When One Thousand Pounds Damages were Given to the Plaintiff. With an Introductory Preface.

London: Printed for H. Owen, At the Britannia Printing-Office, White-Friers, 1757. vii, 3-56 pp. Octavo (8" x 4-1/2").

Stab-stitched pamphlet in later plain wrappers, typed label with title and date to front wrapper. Light soiling and creasing to wrappers. Light toning to interior, occasional light foxing, light soiling and tiny wear holes in a few places, crease and a few small holes to foot of title page without loss to legibility, light edgewear and small tears to fore-edges of a few leaves, a few small thin spots to p. 35 and leaf E4 (pp. 33-34), which is separating at foot but secure. \$450.

FIRST EDITION, one of four London issues from the same year. Admiral Sir Charles Knowles, the plaintiff, accused Captain James Gambier of adultery with his second wife, Maria de Bouget [1733-1796]. Gambier, widely disliked by his men and once described as a "penurious old reptile," failed to win the sympathy of the jury and was fined £1,000 (ODNB). ESTC N20182.



ONLY KNOWN COPY OF A RAUCOUS DIVORCE CASE

127. [TRIAL].
HALL V. HALL.

The Full Report of the Newman Hall Divorce Case [Drop-Head Title]. At head of drop-head title: Police News Edition.

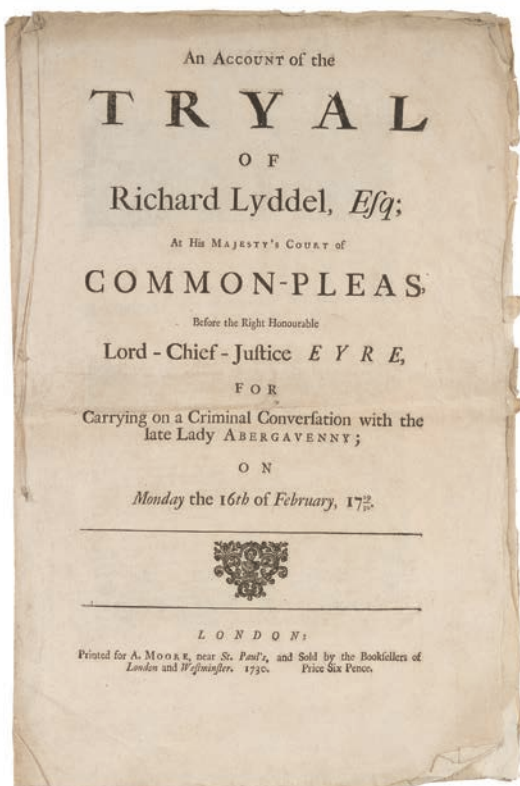
London: [S.n.], c.1880. 16 pp. Title page has large woodcut portraits of the Halls. Octavo (8-1/4" x 5-1/4").

Stab-stitched pamphlet, thread lacking. Moderate toning, light edgewear and chipping to spine, light foxing to final few leaves, title page affected by trimming to top and fore-edges without loss to legibility. Rare. \$850.

ONLY EDITION. In 1880, Christopher Newman Hall, a minister who had gained fame in Britain and the United States with his tract *Come to Jesus* (1848), accused his wife of adultery with a friend of the couple. She denied the accusations and accused him of infidelity in turn. The couple was not particularly compatible; Charlotte was a free spirit who loved to hunt and smoke, habits her husband despised on moral grounds. Newman Hall's high profile and the humor of much of the testimony made the trial a raucous affair, with frequent bursts of laughter from witnesses to the despair of the judge. Newman Hall ultimately succeeded in obtaining a decree nisi and remarried later that year. Our title, one of the many penny tracts that circulated among the literate poor, has slipped through the cracks of history and bibliography. Not located at Harvard or the British Library. No physical copies listed on OCLC or Library Hub.



"CARRYING ON A CRIMINAL CONVERSATION"



128. [TRIAL].
LIDDELL, RICHARD, DEFENDANT
[C.1694-1746].

An Account of the Tryal of Richard Lyddel, Esq; At His Majesty's Court of Common-Pleas, Before the Right Honourable Lord-Chief-Justice Eyre, For Carrying on a Criminal Conversation with the Late Lady Abergavenny; On Monday the 16th of February, 1729/30.

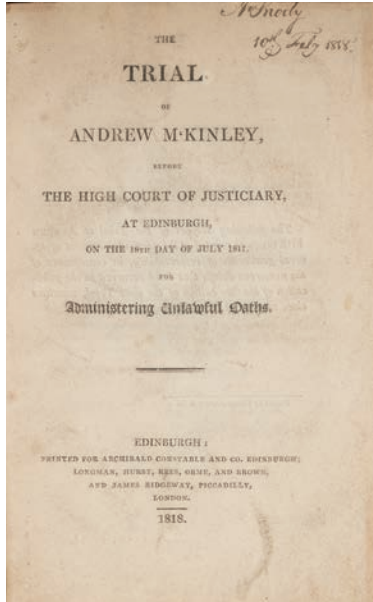
London: Printed for A. Moore, 1730. 8 pp. Pages 6 and 7 printed in reverse order. Folio (13" x 8-1/4").

Stab-stitched pamphlet in self-wrappers, untrimmed. Moderate toning, single horizontal fold, slight creasing to first signature at spine, light wear to fore-edge of second and fourth leaves, moderate soiling to verso of final leaf. \$850.

EARLY EDITION, one of two from the same year under the same fictitious imprint. Liddell, an Irish MP and something of a rake, was caught in bed with Lady Abergavenny, the wife of a close friend. When the two were found out, Lady Abergavenny went into shock and died twenty-six days later. The sensational case drew a great deal of public attention. Despite Liddell's penitence, the jury issued a harsh fine of £10,000, which ruined

him financially. OCLC locates 5 copies, 2 in North America (University of Illinois, University of Minnesota). ESTC T105385.

"FOR ADMINISTERING UNLAWFUL OATHS"



129. [TRIAL].
MCKINLEY, ANDREW [1799-1817],
DEFENDANT.

The Trial of Andrew McKinley, Before The High Court of Justiciary, At Edinburgh, On the 18th Day of July, 1817, For Administering Unlawful Oaths.

Edinburgh: Printed for Manners and Miller, 1818. [iv], 70 pp. Octavo (7-3/4" x 5").

Stab-stitched pamphlet in near-contemporary three-quarter calf over marbled boards, gilt title to spine. Moderate rubbing to extremities with some wear to spine ends and corners, front hinge cracked, rear board beginning to separate but secure, front hinge mended, later owner bookplate (of Norman and Janey Buchan) to front pastedown. Light browning to interior, light soiling to p. 70 and title page, which has an illegible signature dated 1858 to the upper outside corner. \$650.

ONLY EDITION. Intended to suppress radicalism, the Unlawful Oaths Act of 1812 (c.104. 52 Geo. 3) prescribed the death penalty for anyone guilty of "administering of any oath or engagement, purporting or intending to bind the person taking the same to commit any treason or murder, or any felony, punishable by law with death." McKinley was tried under this act, and ultimately acquitted, for his role in an unsuccessful 1817 labor uprising, one of many instigated by the economic depression that followed the Napoleonic Wars. These uprisings culminated in the Cato Street Conspiracy and Radical War, or Scottish Insurrection, a week of strikes and unrest in Scotland, England and Ireland. OCLC locates 6 copies, 1 in North America (University of Pennsylvania Law School). HLC II:1137.

"THE CONSEQUENCES OF TOWN
GALLANTRY ARE ALWAYS FATAL"

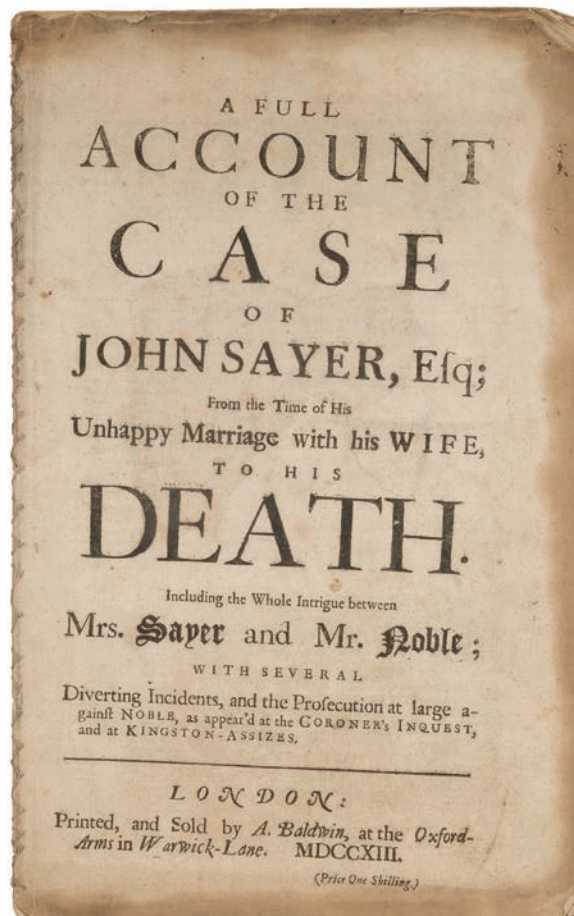
130. [TRIAL].
NOBLE, RICHARD, DEFENDANT
[1684-1713].

A Full Account of the Case of John Sayer, Esq; From the Time of His Unhappy Marriage with his Wife, To His Death. Including the Whole Intrigue Between Mrs. Sayer and Mr. Noble; With Several Diverting Incidents, And the Prosecution at Large against Noble, As Appear'd at the Coroner's Inquest, And at Kingston-Assizes.

London: Printed, And Sold by A. Baldwin, 1713. 20 pp. Folio (12-3/4" x 8").

Stab-stitched pamphlet with later side stitching. Light toning, negligible horizontal fold line, light soiling in a few places, light offsetting to title page and first few leaves, slight chipping to top-edge of title page without loss to text, small hole to text block of leaf B1 (pp. 3-4) with no loss to legibility. \$750.

FIRST EDITION, one of three from the same year. As the title indicates, the Sayers did not have a happy marriage, with Mrs. Sayer refusing marital relations and Mr. Sayer turning elsewhere for satisfaction in an act of



what the work calls "Town Gallantry." Mrs. Sayer turned to Noble for help in obtaining a legal separation, and the two ran away together in 1712. Mr. Sayer retaliated by bringing an action for criminal conversation against Noble and obtaining a warrant for his wife's arrest. When he found the two living together with his wife's mother, Noble murdered him on the spot, in front of the two constables Sayer had brought with him. Noble was arrested along with Mrs. Sayer and her mother, who were charged as accomplices and later acquitted. Despite the lavish amount of money spent by the two women in his defense, he was condemned to death and executed. OCLC locates 6 copies of this edition, 3 in North America (University of Illinois, Middlebury, New York State Library). ESTC T108029.

PRESENTED BY PARKER TO A FELLOW ABOLITIONIST

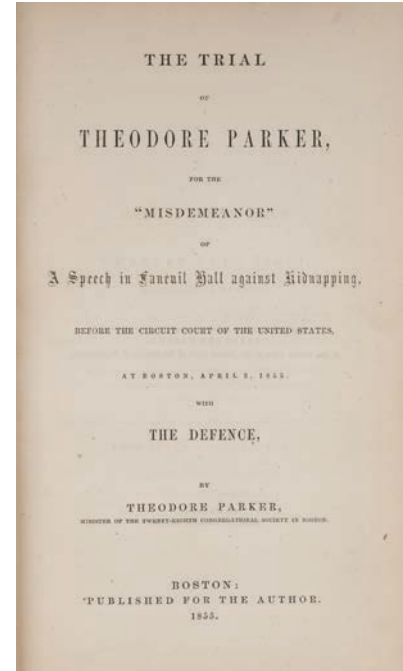
131. [TRIAL].
PARKER, THEODORE [1810-1860], DEFENDANT.

The Trial of Theodore Parker, For the "Misdemeanor" of a Speech in Faneuil Hall Against Kidnapping, Before the Circuit Court of the United States, At Boston, April 3, 1855. With the Defence.

Boston: Published for the Author, 1855. xx, 221, [2] pp.

Original textured cloth, blind frames to boards, gilt title, blind ornaments and small paper shelf label to spine. Light rubbing to boards, moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, front joint starting, two small bookplates, of Swarthmore College (stamped withdrawn) and Joseph S. Elkinton, to front pastedown, autograph letter, signed, from Theodore Parker to Passmore Williamson tipped-in to front free endpaper. Light toning to interior, minor corrections in pencil, most likely by Theodore Parker, to a few passages. SOLD

ONLY EDITION. Parker was a distinguished Transcendentalist, Unitarian minister and abolitionist. "Parker and seven others who spoke at the Faneuil Hall protest against the arrest of the fugitive slave, Anthony Burns, were indicted for obstruction of justice. A *nolle prosequi* was entered and the prosecution was dropped. This item is Parker's publication of his defense, including the evils of the fugitive slave laws (Cohen). As stated in the tipped-in letter, our copy was presented to the important Philadelphia abolitionist Passmore Williamson [1822-1895], who was serving a

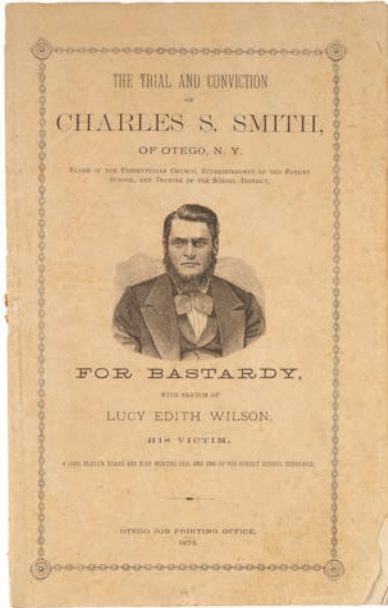


Boston Nov 3, 1855.
Passmore Williamson Esq.
Dear Sir
I take
pleasure in sending you this little
which accompanies this note. I
trust you will have the certitude
to do the manly duty which
the circumstances require. The eyes
of America turn to you in your
jail. Our hearts are with you.
Yours faithfully
Theo. Parker.

90-day sentence for a contempt charge related to a violation of the Fugitive Slave Law. Dated November 3, 1855, it reads, in part, "I take pleasure in sending you this little [book] which accompanies this note. I trust you will have the certitude to do the manly duty which the circumstances require. The eyes of America turn to you in your jail & our hearts are with you." One of the bookplates is that of Joseph S. Elkinton [1830-1905], a member of a prominent Philadelphia Quaker Family. A note on the bookplate, most likely by Elkinton, says the book was purchased from "Haldeman & Smith from their stock of Books from Passmore Williamson Estate. 2.12.1896." The Swarthmore bookplate, dated April 27, 1906, indicates this book was donated by Charles F. Jenkins [1865-1951], later a prominent member of several Quaker organizations. Cohen 13746.

Autograph letter detail

A CASE OF "CRIMINAL INTERCOURSE" IN OTEGO, NY

132. [TRIAL].
SMITH, CHARLES S., DEFENDANT.

The Trial and Conviction of Charles S. Smith, Of Otego, N.Y., Elder of the Presbyterian Church, Superintendent of the Sunday School, And Trustee of the School District, For Bastardy, With Sketch of Lucy Edith Wilson, His Victim, A Girl Eleven Years and Five Months Old, And One of His Sunday School Scholars.

Otego, NY: Otego Job Printing Office, 1874. 60 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers, portrait of Charles S. Smith to front wrapper and title page. Light soiling to wrappers, some chipping to extremities with loss to lower right front corner, small tear to back wrapper near spine. Light toning to interior, occasional light foxing, some small folds to corners. \$650.

ONLY EDITION. Smith, a married Presbyterian elder, was put on trial in December 1873 for repeatedly raping and ultimately impregnating Edith Wilson, an eleven-year-old girl. Although the account is highly sympathetic to

the victim, the assault, described as "criminal intercourse," was apparently less at issue than the bastardy. Edith swore an affidavit in November 1873 that she was pregnant by Charles Smith, "without means of support," and "likely to become a charge upon the town." Still pregnant, she testified against Smith in open court, a remarkable act of bravery and self-possession. The scandal rocked the small upstate New York town. Despite gossip that Edith's father had been involved and a certain degree of scapegoating by other witnesses, Smith was convicted of criminal bastardy on the strength of her testimony. Nothing is known about the aftermath of this remarkable trial. OCLC locates 8 copies, 3 in law libraries (Harvard, Social Law, University of Missouri).

TRIED FOR KILLING
BOSWELL'S SON IN A DUEL133. [TRIAL].
STUART, JAMES [1775-1849],
DEFENDANT.

The Trial of James Stuart, Esq., Younger of Dunearn, Before the High Court of Justiciary, At Edinburgh, On Monday, June 10, 1822. With an Appendix of Documents. Taken in Short Hand.

Edinburgh: Printed for Archibald Constable and Co./ London: Hurst, Robinson, and Co.: James Ridgway, 1822. [iv], 186. [2], 20 pp. Octavo (8-1/4" x 5-1/4").

Recent period-style quarter calf over marbled boards, lettering piece and blind fillets to spine, marbled edges, endpapers renewed. Moderate toning to text, light foxing to a few leaves, light soiling and owner signature ("Archb. Speirs Esq. of Elderley") to title page, faint fold line to its upper outside corner. A nice copy in a handsome binding. \$450.

FIRST EDITION. The son of Samuel Johnson's associate James Boswell, Sir Alexander Boswell, First Baronet [1775-1822] was a Scottish poet, antiquary and

songwriter. He used the funds from his inheritance to purchase a seat in Parliament and later achieved a Baronetcy for his political support of the government. After he left Parliament, Boswell wrote a series of anonymous essays denouncing James Stuart, a prominent Whig. When Stuart suspected Boswell's authorship, he demanded that Boswell deny authorship or apologize. Boswell refused to do either, so Stuart challenged him to a duel. Boswell deliberately fired wide, but Stuart, who had never before handled a gun, shot Boswell in the collarbone. The wound was fatal. Despite Boswell's popularity, Stuart was acquitted unanimously. HLC II:1200.

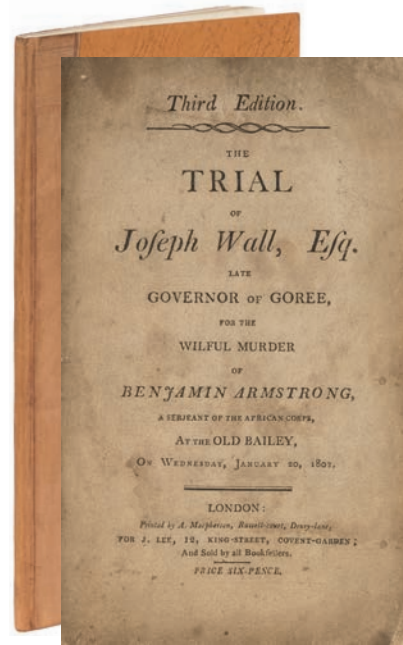
THE CONSEQUENCES OF
OVERZEALOUS FLOGGING134. [TRIAL].
WALL, JOSEPH, DEFENDANT [1737-1802].

The Trial of Joseph Wall, Esq. Late Governor of Goree, For the Wilful Murder of Benjamin Armstrong, A Serjeant of the African Corps, At the Old Bailey, On Wednesday, January 20, 1802.

London: Printed by A. Macpherson for J. Lee, [1802]. [ii], 22 pp. Octavo (7" x 4-1/2").

Stab-stitched pamphlet bound in recent quarter calf over textured boards. Moderate toning to interior, occasional light soiling, heavier to first and final leaves, faint dampstain to fore-edge of last three leaves. \$1,000.

THIRD STATED EDITION. The account of the eventual trial of Joseph Wall, an officer in the British Army and Lieutenant Governor of Goree, an island used to control the mouth of the river Gambia. In 1782 Wall was approached by Armstrong and others with regard to unpaid salary. Wall decided this was mutinous and, without holding a court-martial, ordered Armstrong and two others to be flogged eight hundred times with a knotted rope. All three men later died from the injuries sustained. Wall was initially charged, but the charges were dropped when the ship carrying the witnesses was believed lost. However, the witnesses appeared in 1784. Wall was arrested but escaped to the continent where he married and lived for several years. Later, believing many or all of the witnesses were dead, he wrote to the Home Secretary Thomas Pelham and surrendered himself for trial. He was tried for murder and found guilty. Despite efforts made by a relative of his wife's to obtain a pardon, it was deemed unwise to spare the life of an officer condemned for brutality while sailors were executed for mutiny and Wall was hanged. No copies of this edition located by *OCLC* or *Library Hub*. *OCLC* locates 3 copies of a different edition with the same title.



THE TRIAL AND CONFESSION OF A SCOTTISH TRAITOR



Frontispiece detail

135. [TRIAL].
WATT, ROBERT, DEFENDANT [C.1761-1794].

Trials of Robert Watt and David Downie for High Treason, Before the Courts of Oyer and Terminer, Held at Edinburgh Aug. 14. 15. 22. 27.-Sept. 3. 5. 6. 1794. With an Engraving of the Pikes Found in the Possession of Robert Watt and Others. To Which is Subjoined the Celebrated Speech of Sir Hercules Langrishe, On Parliamentary Reform, Delivered in the House of Commons, Ireland, March 4. 1794.

Edinburgh: Printed for Manners and Miller. [1794]. [4], 92 pp. With a woodcut illustration after title page.

[BOUND WITH]

WATT, ROBERT.

By Authority. The Declaration and Confession of Robert Watt, Written, Subscribed, & Delivered by Himself, The Evening Before His Execution, For High Treason, At Edinburgh, October 15. 1794. Attested by the Reverend Dr Baird, Principal of the University of Edinburgh; And the Reverend T.S. Jones, One of the Ministers of Lady Glenorchie's Chapel.

Edinburgh: Printed for Bell & Bradfute, 1794. iv, [35], [1] pp. With a lithograph portrait frontispiece, moved to beginning of *Trials* by binder. Publisher advertisement to final page.

Octavo (8" x 4-3/4"). Disbound stab-stitched pamphlets. Light toning to interior, more moderate in some places, light soiling in a few places, red monogram stamp ("AB") to upper gutter of title pages and p. [1] of *Trials*, ms. notes in an early hand to versos of first two leaves of *Trials* and to foot of title page of *Confession*. \$650.

ONLY EDITIONS. Watt, a wine merchant and political radical, was the architect of a somewhat confused plot to establish Scotland as an independent country. After a search of his house turned up a number of pikes and the type for a seditious handbill, he was arrested and tried for treason. Downie, a co-conspirator, was pardoned, but Watt was not so lucky. He was convicted and sentenced to be hanged and beheaded despite the jury's recommendation of mercy. The sentence reflected the courts' opinion of the severity of Watt's crime. It was also intended to be a warning to other radicals. *ESTC* T174262, T94672.

“UNABLE TO PERFORM THE CONJUGAL RITES”

136. [TRIAL].
WELD V. WELD.

The Whole of the Proceedings in the Arches-Court of Canterbury, In a Cause Between the Hon. Mrs. Catherine Weld, Daughter to the Lord Aston, And Edward Weld Esquire, Her Husband. Containing, I. Her Libel Exhibited Against Him for Impotency. II. Her Answer and Replication. III. Certificates of Ambrose Dickens Esq; His Majesty's Serjeant-Surgeon, Mr. Williams, And Several Other Surgeons, Who Examin'd Mr. Weld; And Also of Three Midwives who Examined Mrs. Weld. IV. Copies of the Depositions of Several Noble Persons, Relating to this Cause. V. The Sentence Pronounced by the Worshipful Dr. Bettesworth, Feb. 15. 1731. To Which is Prefixed a Preface, By the Author of the Tryal of F. Girard and Miss Cadiere.

London: Printed for E. Rayner, 1732. 48 pp., leaves B3 and B4 (pp. 13-16) misnumbered 9-12. Octavo (7-1/2" x 4-1/2").

Stab-stitched pamphlet bound into later quarter calf over marbled boards, gilt title and date to spine, a number of blank leaves added by binder after p. 48. Light rubbing to extremities, front joint just starting at ends. Light toning to interior, occasional light foxing, light soiling in a few places, slight offsetting to preliminaries and first two leaves. \$750.

FIFTH AND FINAL EDITION. The Welds married in 1727, but when there was no issue after three years, Catherine sued Edward for divorce in ecclesiastical court on the grounds that he was “unable to perform the Conjugal Rites, by Reason of some natural Imperfection which he well knew in himself.” Edward fought to clear his name, claiming that after a simple surgical procedure he had, in fact, consummated the marriage twice. The case gained a great deal of public attention, largely because the detail of Catherine's claim and the amount of medical evidence presented were unusual even for an impotency trial. Ultimately, the divorce was denied and the couple reached a private resolution to live apart. Edward remarried after Catherine's death and successfully produced a daughter and four sons. ESTC T52462.

“THAT EXTRAORDINARY AND UNPARALLEL'D JESUITICAL AFFAIR”

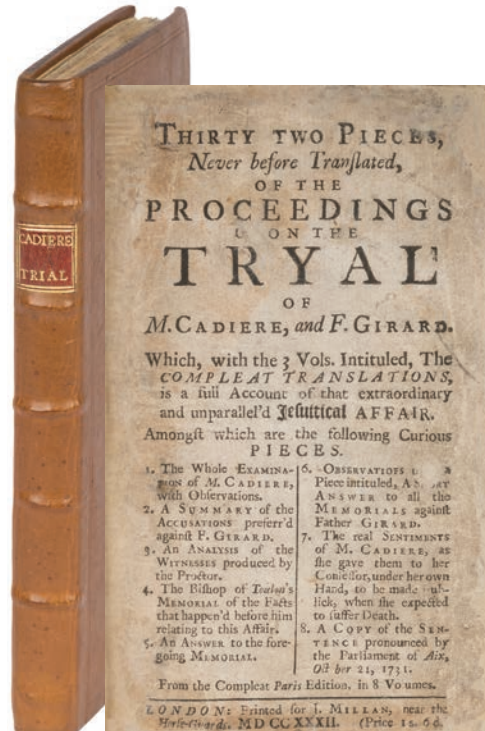
137. [TRIAL].
[WITCHCRAFT].
CADIÈRE, MARIE-CATHERINE, DEFENDANT
[B.1709].

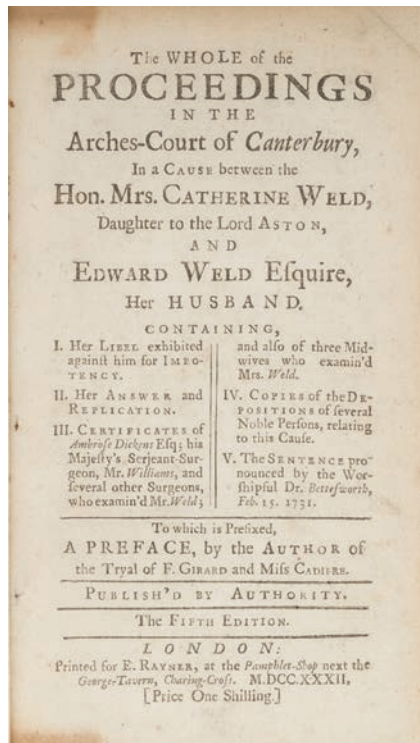
Thirty Two Pieces, Never Before Translated, Of the Proceedings Upon the Trial, Of M. Cadiere, And F. Girard. Which, With the 3 Vols. Intituled, The Compleat Translations, Is a Full Account of that Extraordinary and Unparallel'd Jesuitical Affair.

London: Printed for J. Millan, 1732. 164, [4] pp., publisher's advertisements to final 4 pp. 12mo (6-1/4" x 3-3/4").

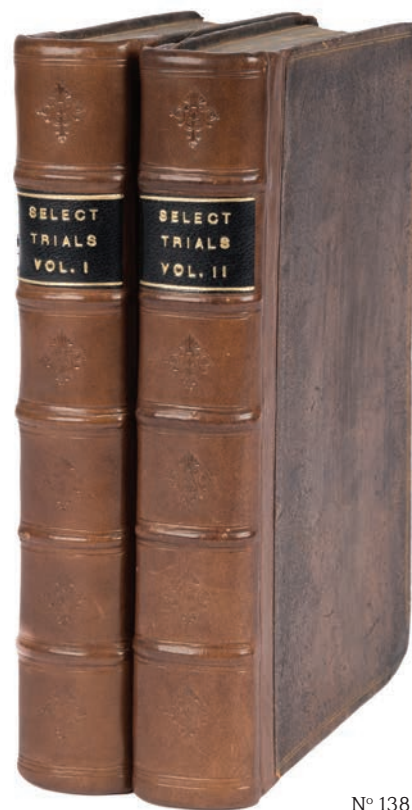
Recent period-style speckled calf by Philip Dusel, blind rules to boards, raised bands and lettering piece to spine, blind tooling to board edges. Light toning to interior, light soiling to first half of text block, light foxing and faint dampspotting in a few places, several leaves neatly mended with minor loss to text on title page only, legibility not affected. \$1,500.

ONLY EDITION. Cadière was a devotee of the Third Order of St. Theresa in Aix, an unofficial convent-like organization led by the Jesuit priest Jean-Baptiste Girard. She was told by Girard that she was experiencing stigmata and spiritual visions, which he then used as a pretext for visiting her frequently and likely sexually abusing her. In June 1730, the abuse was discovered, and Girard was investigated for corruption while Catherine was accused of witchcraft. The sensational case drew a great amount of public attention and was seen as a symbol of Jesuit corruption. Our title is a translation of charges and evidence given before the Parliament of Aix in 1731, intended to supplement other English-language accounts of the trial issued in three volumes in 1732. OCLC locates 9 copies, 2 in law libraries (Harvard, Social Law). ESTC T174927.



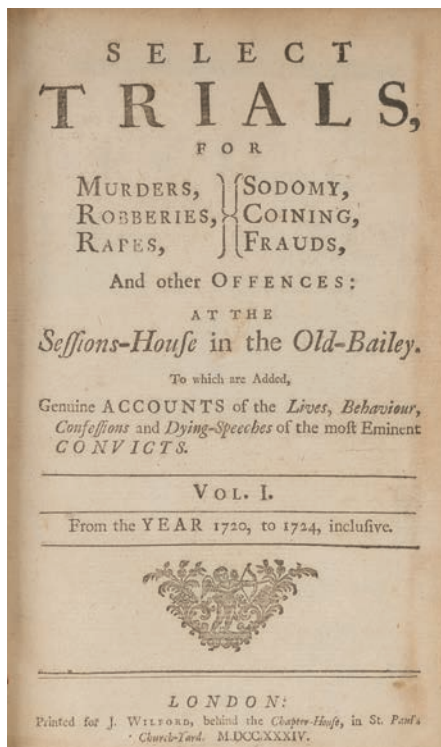


N° 136



N° 138

“SELECT” TRIALS AT OLD BAILEY



138. [TRIALS].
[GREAT BRITAIN].

Select Trials for Murders, Robberies, Rapes, Sodomy, Coining, Frauds, And Other Offences: At the Sessions-House in the Old-Bailey. To Which are Added, Genuine Accounts of the Lives, Exploits, Behaviour, Confessions and Dying-Speeches of the Most Eminent Convicts.

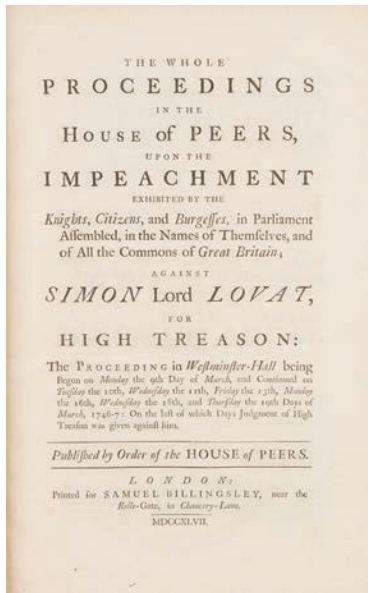
London: Printed for J. Wilford, 1734-1735. Two volumes. [iv], 479, [9]; [viii], 500 pp. Main text in parallel columns. Octavo (7-3/4" x 4-3/4").

Contemporary calf with recent rebacking, gilt fillets to boards, lettering pieces and blind ornaments to spines, existing endpapers retained, hinges mended. Light rubbing to boards, moderate rubbing to board edges with wear to corners. Moderate toning to interior, somewhat heavier in places, offsetting and light foxing to endleaves. An attractive set. \$1,500.

ONLY EDITION. This set presents reports of trials held at the "Court of Oyer and Terminer and Gaol Delivery for London and Middlesex," better known as Old Bailey. Contents are arranged chronologically from 1740 to 1764. These accounts were published to amuse, titillate and perhaps instruct, and they are interesting today for their insights into the legal and cultural history of the early Georgian period. Ours is

the first in a series of three multi-volume trial collections, the others published in 1742 and 1764. Although these titles were issued by different publishers, they have a similar format and nearly identical contents. ESTC T82604.

TWO NOTABLE BRITISH EXECUTIONS

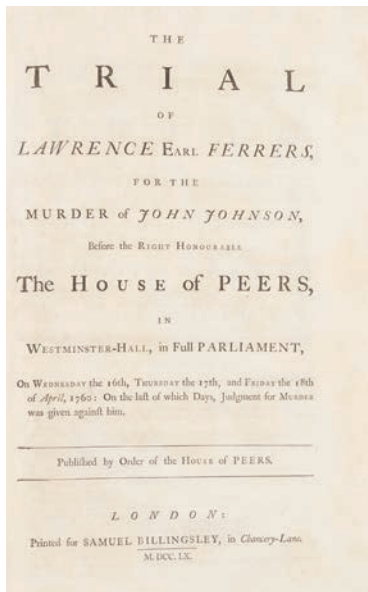


139. [TRIALS].
LOVAT, SIMON, LORD [1675?-1747], DEFENDANT.

The Whole Proceedings in the House of Peers, Upon the Impeachment Exhibited by the Knights, Citizens, And Burgesses, In Parliament Assembled, In the Names of Themselves and of All the Commons of Great Britain; Against Simon Lord Lovat, For High Treason: The Proceedings in Westminster-Hall Being Begun on Monday the 9th day of March, And Continued on Tuesday the 10th, Wednesday the 11th, Friday the 13th, Monday the 16th, Wednesday the 18th, And Thursday the 19th Days of March 1746-7: On the Last of Which Days Judgment of High Treason Was Given Against Him.

London: Printed for Samuel Billingsley, 1747. [iv], 188 pp.

[BOUND WITH]



FERRERS, LAWRENCE, EARL [1720-1760],
DEFENDANT.

The Trial of Lawrence Earl Ferrers, For the Murder of John Johnson, Before the Right Honourable the House of Peers, In Westminster-Hall, In Full Parliament, On Wednesday the 16th, Thursday the 17th, And Friday the 18th of April, 1760: On the Last of Which Days, Judgment for Murder was Given Against Him.

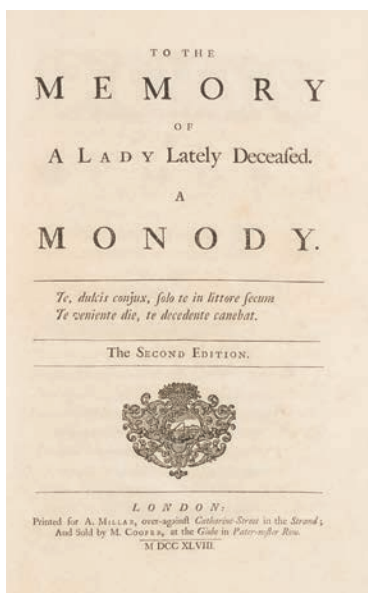
London: Printed for Samuel Billingsley, 1760. [iv], 55, [1] pp.

[AND]

[LYTTTELTON, GEORGE, 1ST BARON (1709-1773)].

To the Memory of a Lady Lately Deceased. A Monody.

London: Printed for A. Millar and sold by M. Cooper, 1748. [iv], 15, [1] pp.



Folio (14" x 8-1/2"). Contemporary calf, gilt rules to boards, raised bands, gilt fillets and blind-stamped lettering piece to spine, blind tooling to board edges. Light rubbing with a few scuffs, nicks and scratches to boards, moderate rubbing and some wear to extremities, boards beginning to detach but held securely by cords, corners bumped, light foxing and offsetting to endleaves, list of contents in an early hand in ink to back free endpaper. Light toning to interior, light foxing in several places, leaf O2 mended on verso with no loss to legibility. \$750.

LOVAT AND FERRERS: first editions; Lyttelton: second edition. Lovat, one of the leaders of the (second) Jacobite Rebellion, was among those defeated at Culloden and subsequently sentenced to death for high treason. Ferrers, an eccentric nobleman with a violent temper, was convicted of killing his steward in a drunken rage. Both men hold the dubious honor of being the last British peers beheaded and hanged, respectively. Lovat's execution is also notable as the likely source of the popular expression "laughing your head off." As he was being led to the scaffold a viewing stand collapsed, much to his amusement. (Several of these spectators died from their injuries afterward.) The third title, written by Lyttelton to his late wife and published anonymously, is unrelated. ESTC T114300, T143971, T4628.

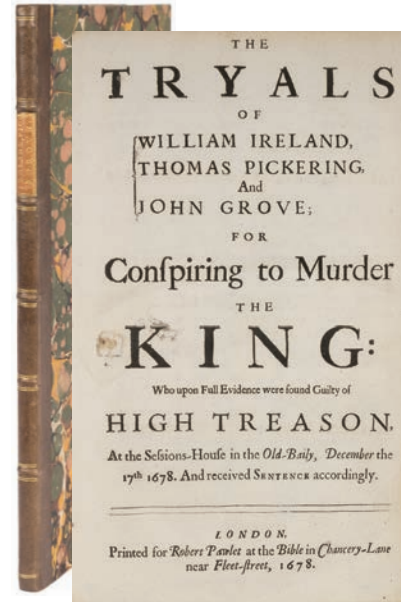
THREE VICTIMS OF THE POPISSH PLOT

140. [TRIALS].
[POPISSH PLOT].
IRELAND, WILLIAM [1636-1679], DEFENDANT.
PICKERING, THOMAS, [D. 1679], DEFENDANT.
GROVE, JOHN [D. 1679], DEFENDANT.

The Tryals of William Ireland, Thomas Pickering, And John Grove; For Conspiring to Murder the King: Who Upon Full Evidence were Found Guilty of High Treason, At the Sessions-House in the Old-Baily, December the 17th 1678. And Received Sentence Accordingly.

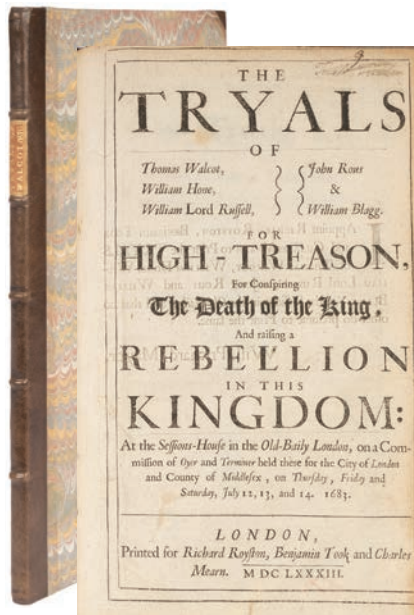
London: Printed for Robert Pawlet, 1678. [iv], 84 pp. With licence leaf. Folio (11" x 6-3/4").

Recent period-style quarter calf over marbled boards by Philip Dusel, raised bands, gilt fillets and lettering piece to spine. Light toning to interior, small faint stains in a few places, small holes from worming near gutter affecting first four leaves without loss to text. \$450.



FIRST EDITION. One of the cruelest hoaxes in British history and the inspiration for a wave of anti-Catholic violence, the Popish Plot was the invention of Titus Oates, an Anglican clergyman, and his friend, Dr. Israel Tonge, a cleric and passionate anti-Catholic. They pretended to have discovered a Jesuit plot to assassinate the King, massacre Protestants, and set James, Duke of York, the King's Catholic brother, on the throne. Grove, Ireland and Pickering were three victims of this hoax. Ireland and Pickering, now Catholic martyrs, were beatified in 1929 by Pope Pius XI. ESTC R2719.

TRIALS OF CONSPIRATORS IN THE RYE HOUSE PLOT

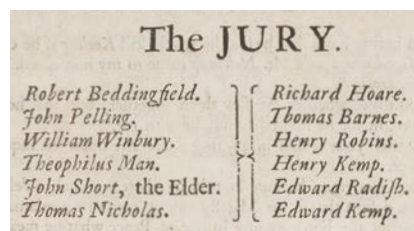


141. [TRIALS].
[RYE HOUSE PLOT].

The Tryals of Thomas Walcot, William Hone, William Lord Russell, John Rous & William Blagg, For High-Treason, For Conspiring the Death of the King, And Raising a Rebellion in this Kingdom: At the Sessions-House in the Old-Baily London, On a Commission of Oyer and Terminer Held There for the City of London and County of Middlesex, On Thursday, Friday and Saturday, July 12, 13, And 14. 1683.

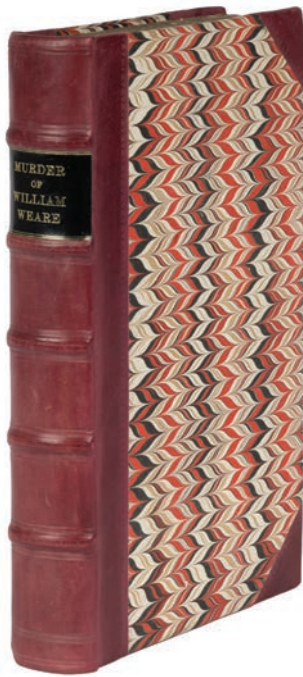
London: Printed for Richard Royston, Benjamin Took and Charles Mearn, 1683. [iii], 81, [1] pp. Folio (11" x 6-3/4").

Recent period-style three-quarter calf over marbled boards by Philip Dusel, raised bands and lettering piece to spine. Light toning to interior, very slight foxing in a few places, some trimming to head of text block affecting headlines in a few places, legibility not affected. Brief contemporary annotation to head of title page, illegible contemporary ownership signature to verso. \$500.



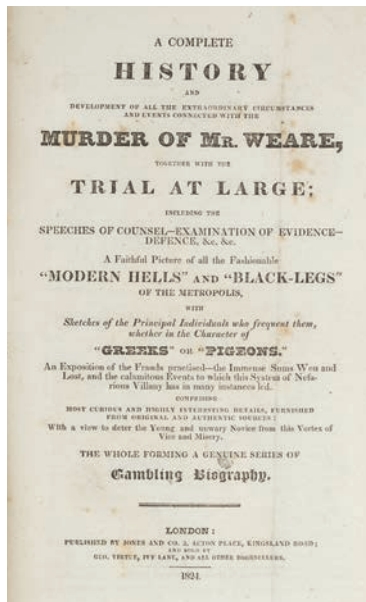
Interior detail

ONLY EDITION. The principal contemporary account of the trial of conspirators in the "Rye House Plot" to kill Charles II and his brother, the Duke of York. The defendants were found guilty and summarily hanged, drawn and quartered. While most likely were guilty, Lord Russell's guilt was later called into question. He received a posthumous pardon and is remembered as a Whig martyr. Popular discontent at Charles II's use of the Rye House Plot to remove many of his political opponents ultimately led to the Glorious Revolution of 1688 and the reform of English treason law. ESTC R21861.



Foldout detail from N° 142

"A FAITHFUL PICTURE OF ALL THE FASHIONABLE
'MODERN HELLS' AND 'BLACK-LEGS' OF THE METROPOLIS"



142. [TRIALS].
THURTELL, JOHN (1794-1824).
PROBERT, WILLIAM (D.1825).
HUNT, JOSEPH.

A Complete History and Development of all the Extraordinary Circumstances and Events Connected with the Murder of Mr. Weare, Together with the Trial at Large, Including the Speeches of Counsel, Examination of Evidence, Defence, &c. &c. A Faithful Picture of All the Fashionable "Modern Hells" and "Black-Legs" of the Metropolis, With Sketches of the Principal Individuals Who Frequent Them, Whether in the Character of "Greeks" or "Pigeons." An Exposition of the Frauds Practised, The Immense Sums Won and Lost, And the Calamitous Events to Which this System of Nefarious Villany Has in Many Instances Led. Comprising Most Curious and Highly Interesting Details, Furnished from Original and Authentic Sources, With a View to Deter the Young and Unwary Novice from this Vortex of Vice and Misery. The Whole Forming a Genuine Series of Gambling Biography.

London: Published by Jones and Co., 1824. 60, [3], 8-72, 61-266; 74 pp. 8 plates: 7 in text, 1 a folding portrait frontispiece (of Thurtell, Probert and Hunt). Final section has drop-head title reading: *A History of the Gaming Houses, And Gamblers of the Metropolis*. Complete. Octavo (9" x 5-3/4").

Recent three-quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed, untrimmed edges. Moderate toning to interior, light foxing to margins of plates and a few leaves, light soiling and foxing to title page. A handsome copy with the apparently rare folding frontispiece.

\$1,250.



Plate detail

ONLY EDITION. one of two issues, the other without a folding frontispiece. John Thurtell, an unlucky gambler, was deeply in debt to the crooked bookmaker William Weare. Deciding to get even with him, Thurtell, along with his friends Joseph Hunt and William Probert, murdered Weare in a grisly manner and tossed his body into a pond. Thurtell tried to escape conviction. He was hanged. Hunt confessed his involvement and stated that Thurtell was the killer. He was sent to the penal colony in Botany Bay, Australia. Charges against Probert were dropped in exchange for his wife's testimony. OCLC lists no copies indicating a folding frontispiece. We have only seen one copy (which was missing a section). Nash IV:2949-2950. HLC II:1207.

THE WENTWORTHS KILL THE TAX COLLECTOR: MCDADE 1075

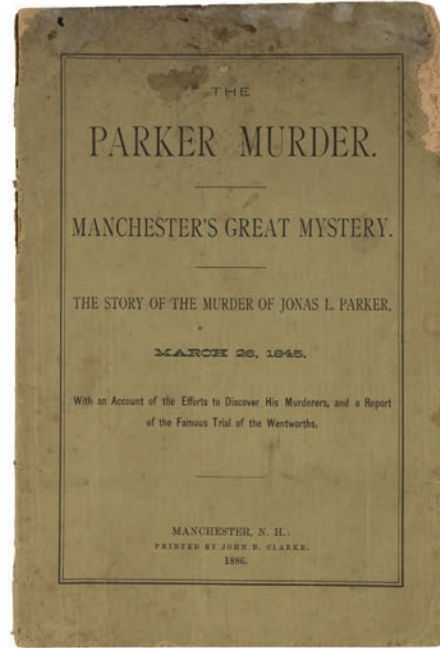
143. [TRIALS].
WENTWORTH, ASA, DEFENDANT.
WENTWORTH, HENRY, DEFENDANT.
WENTWORTH, HORACE, DEFENDANT.

The Parker Murder. Manchester's Great Mystery. The Story of the Murder of Jonas L. Parker, March 26, 1845, With an Account of the Efforts to Discover his Murderers, And a Report of the Famous Trial of the Wentworths.

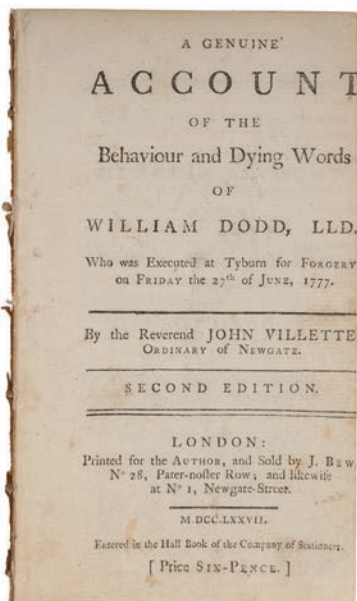
Manchester, NH: Printed by John B. Clarke, 1886. 43 pp. Text in parallel columns. Two woodcut text illustrations (maps). Octavo (9" x 6").

Stab-stitched pamphlet in printed wrappers. Rubbing to extremities with wear to spine ends, dampstaining to head of text block, wear to upper outside corner, light soiling and a few minor stains to exterior, light browning and a few small spots to interior. \$650.

ONLY EDITION. "Parker was the local tax collector and his body, with throat cut, was found outside the town. The Wentworths were not tried until 1850; then they were defended by Franklin Pierce and Benjamin F. Butler and acquitted" (McDade). OCLC locates 13 copies, 4 in law libraries (Harvard, Social Law, South Texas College of Law, University of Missouri). McDade 1075.



THE LAST WORDS OF THE "MACARONI PARSON"



144. VILLETTE, REVEREND JOHN [D.1799].
[DODD, WILLIAM (1729-1777)].

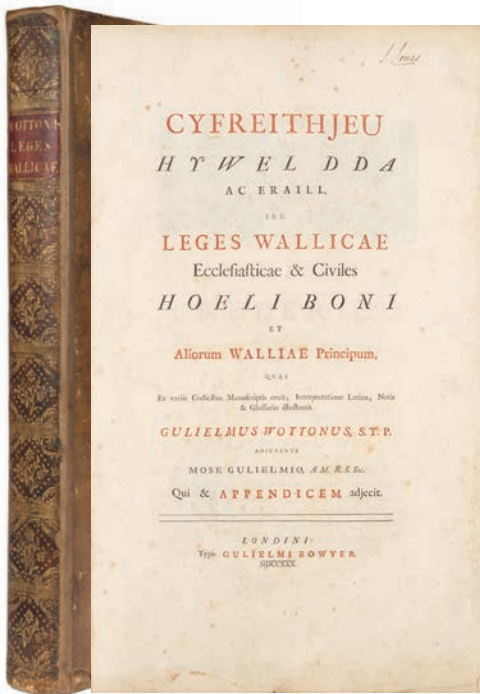
A Genuine Account of the Behaviour and Dying Words of William Dodd, LLD. Who was Executed at Tyburn for Forgery on Friday the 27th of June, 1777. By the Reverend John Villette, Ordinary of Newgate.

London: Printed for the Author and Sold by J. Bew, 1777. 24 pp. Octavo (7" x 4").

Disbound stab-stitched pamphlet. Light toning, trimming to fore-edge with minor loss to title page and a few other leaves, all text still legible, light soiling to first and final leaves. \$650.

SECOND EDITION. Dodd, known to many as the "Macaroni Parson" for his extravagant lifestyle, had turned to forgery in an attempt to clear his debts and was sentenced to death. Although Dodd was deeply penitent and many petitioned for him to be pardoned (Samuel Johnson among them) he was nevertheless hanged at Tyburn in 1777. His final addresses and dying words received some posthumous attention due to his notoriety, though they were in fact largely written for him by Johnson. ESTC N18090.

NOTABLE EIGHTEENTH-CENTURY COMPILATION OF
WELSH CIVIL AND ECCLESIASTICAL LAW



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

Cyfreithjeu Hywel Dda ac Eraill, Seu Leges Wallicae Ecclesiasticae & Civiles Hoeli Boni et Aliorum Walliae Principum, Quas Ex Variis Codicibus Manuscriptis Eruit, Interpretatione Latina, Notis & Glossario Illustravit Guilielmus Wottonus, S.T.P. Adjuvante Mose Guilielmio, A.M.R.S. Soc. Qui & Appendicem Adjecit.

London: Typis Gulielmi Bowyer, 1730. [xlii], 586, [20] pp. Lacking half-title. Parallel Welsh and Latin texts. Folio (18-1/4" x 11-1/2").

Contemporary calf, rebaked retaining existing gilt spine with lettering piece, gilt tooling to board edges, corners mended, endpapers renewed, hinges reinforced with cloth. Light rubbing and some nicks and scuffs to boards, moderate rubbing to extremities, wear to

board edges in a few places, corners bumped. Title page printed in red and black, copperplate text vignette in preface, large copperplate vignette to head of dedication, large woodcut vignettes at the beginnings of each section. Light to moderate toning, light foxing in a few places, early owner signature (J. Jones) to head of title page. An attractive wide-margined copy. \$500.

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

"A VERY VALUABLE TREATISE
ON THAT VERY INTRICATE AND IMPORTANT SUBJECT"

146. WATKINS, CHARLES [D.1808].

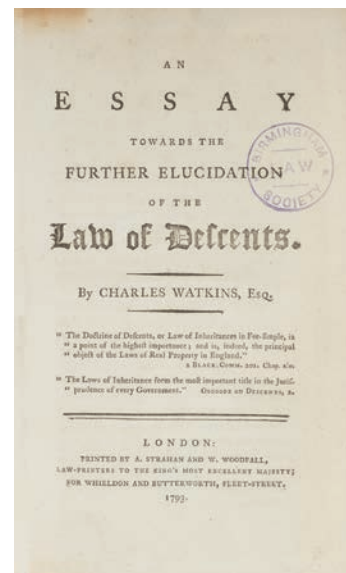
An Essay Towards the Further Elucidation of the Law of Descents.

London: Printed by A. Strahan and W. Woodfall, 1793. viii, 192, [16] pp. Folding copperplate Table of Descents. Octavo (8-1/4" x 5").

Recent period-style quarter calf over cloth, blind fillets, ornaments and somewhat edgeworn retained early lettering piece to spine, "1793" gilt-stamped to foot, endpapers renewed. Moderate toning to text, some soiling, creases and minor wear to edges of folding table, small library stamps to title page and a few other leaves.

\$650.

FIRST EDITION. This is a useful supplement to Chapter 14, Volume II, of Blackstone's *Commentaries*, "Of Title by Descent". (This is, according to Blackstone, "the principal object of the laws of real property in England.") "Mr. Watkins' Essay on Descents is a very valuable treatise on that very intricate and important subject": Barton, *Modern Precedents in Conveyancing* cited in Marvin 721. This treatise went through four editions, the final in 1837. ESTC T69322.



AN OUTSPOKEN CRITIC
OF THE ECCLESIASTICAL COURTS

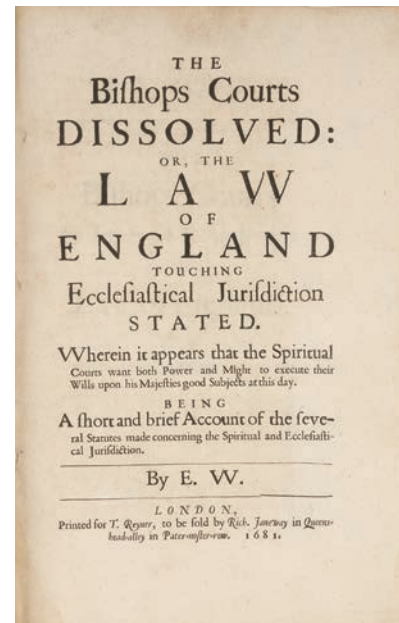
147. [WHITAKER, EDWARD].

The Bishops Courts Dissolved: Or, The Law of England Touching Ecclesiastical Jurisdiction Stated. Wherein it Appears that the Spiritual Courts Want Both Power and Might to Execute Their Wills upon His Majesties Good Subjects At This Day. Being a Short and Brief Account of the Several Statutes Made Concerning the Spiritual and Ecclesiastical Jurisdiction. By E.W.

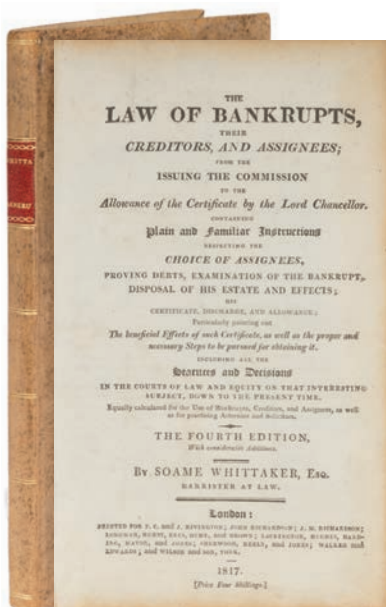
London: Printed for T. Reyner, To be sold by Rich. Janeway, 1681. [iv], 36, 32–35 pp. Folio (11-1/2" x 7-1/2").

Disbound stab-stitched pamphlet. Moderate toning, faint dampstain to lower right corner not affecting text, light foxing and soiling in a few places, slight creasing to first leaf (a blank), small hole to text block of final leaf without loss to legibility. \$950.

FIRST (LIKELY ONLY) EDITION. Although little is known about his life, Whitaker was a strong and prolific opponent of the Church of England and Charles II's government. In this strident tract, he criticizes the authority given to the ecclesiastical courts and lists a number of statutes in service of his argument. As in some of his other works, he advocates for greater tolerance by churchmen who act "as if every member of Christs Church were not the Clergy or Gods heritage as well as they." The *ESTC* lists a 1689 edition, but notes that it may be a ghost based on an error in Wing. *OCLC* locates 1 copy of this title in a North American law library (University of Georgia). *ESTC* R8907.



A RARE NINETEENTH-CENTURY GUIDE TO
BANKRUPTCY LAW AND PROCEDURE



148. WHITTAKER, SOAME.

The Law of Bankrupts, Their Creditors, And Assignees; From the Issuing the Commission to the Allowance of the Certificate by the Lord Chancellor. Containing Plain and Familiar Instructions Respecting the Choice of Assignees, Proving Debts, Examination of the Bankrupt, Disposal of His Estate and Effects; His Certificate, Discharge, And Allowance; Particularly Pointing Out the Beneficial Effects of Such Certificate, As Well as the Proper and Necessary Steps to be Pursued for Obtaining It. Including All the Statutes and Decisions in the Courts of Law and Equity on that Interesting Subject, Down to the Present Time. Equally Calculated for the Use of Bankrupts, Creditors, And Assignees, As Well as for Practising Attornies and Solicitors. With Considerable Additions.

London: Printed for F.C. Rivington; John Richardson [et al.], 1817. [ii], 126 pp. Octavo (8-1/4" x 5").

Recent period-style sprinkled calf, morocco lettering piece and gilt fillets to spine, blind tooling to board edges, endpapers renewed. Light toning to interior, somewhat heavier toning to title page and edges of text block. Rare. \$950.

FOURTH and, we assume, final edition. First published in 1801, this is a practical guide to bankruptcy law and procedure written for professional and lay readers. A second edition, published in 1807, was reissued in 1808. We located no records of a third, fifth or later edition. All editions of this work are rare. No copies on any edition listed in the *BMC*. No copies of the fourth edition listed on *OCLC* or in the *HLC* or Sweet & Maxwell, which only list the first edition.



Rear board detail from N° 149

A STRONG CASE
FOR ROYAL REVIEW
OF CHANCERY COURTS

149. WILLIAMS, WALTER.

Jus Appellandi ad Regem Ipsum à Cancellaria: Or, A Manifestation of the King's Part and Power to Relieve His Subjects Against Erroneous and Unjust Decrees in Chancery. Collected out of the Authorities of Law. By Walter Williams of the Middle-Temple, Esq.

London: [S.n.], 1683. [xiii], 128 [i.e. 136] pp. Octavo (5-3/4" x 3-1/2").

Later three-quarter calf over pebbled boards, gilt title and date to spine, endpapers renewed. Moderate rubbing to extremities, slight creasing to spine and joints, corners bumped and somewhat worn, front hinge just starting at head. Moderate toning to interior, light foxing and dampspotting to a few leaves, small holes to upper corner of leaves B2-C5 (pp. 3-26) without loss to text and to text block of leaf A2 (pp. [iii]-[liv]) with no loss to legibility. Ex-library with institution's name and seal in gilt to boards, bookplate to front pastedown, and small ink stamps to title page and several other leaves (affecting legibility slightly on p. 99). \$850.

FIRST EDITION. The seventeenth century saw a wave of anxiety over the role of the Court of Chancery, and the topic of chancery reform became increasingly important. Our work puts forward a strong, historically-grounded case for the King's personal review of Chancery. It was reissued in 1684 along with a second part. Williams was a Middle Temple bencher and the Keeper of its library in the early eighteenth century. OCLC locates 13 copies of this edition, 4 in law libraries (Harvard, Columbia, Northwestern, Jenkins). ESTC R7919.

ONE OF THE EARLIEST
ENGLISH TREATISES ON WILLS

150. [WILLS].

Of Last Wills and Testaments: A Common-Law Treatise, Containing Several Rules for the Construction of Last Wills, And the Diversities Between Limitations and Conditions in a Will. Of Treating Also of Contingent Remainders, And of Executory Devises: And by What Names, Descriptions, Extents or References, Things Shall Pass in a Will; What Words or Sentences in a Will Shall Amount to a Fee-Simple, Fee-Tail or Term of Life. Of Surrenders to the Use of a Man's Last Will. Of Devises for Term of Years. Of Perpetuities. Of Executory Devises, Contingencies, Possibilities. Devises of Lands to be Sold for Payment of Debts, Or Raising Portions. Devises of Rents, Annuities. Of Evidence and Witness to a Last Will: And of Revocations, Codicils and Nuncupative Wills; And Several Cases Adjudged and Resolved Upon the Several Late Statutes, That Have Altered the Common-Law.

London: Printed by the Assigns of R. and E. Atkins for J. Walthoe, 1703. [xxviii], 247, [21] pp. Lacking 16-page publisher catalogue. Octavo (8" x 5").

Contemporary sheep, blind rules to boards, blind fillets along joints, raised bands to spine. Light rubbing and some shallow scuffing to boards, which are slightly bowed, moderate rubbing to extremities with some wear to corners, heavier rubbing to spine with some chipping to ends, front board beginning to separate but secure, rear joint starting at head. Moderate toning to interior, cracks in text block between leaves P8 and Q1 (pp. 224 and 225), faint dampstaining to margins of preliminaries and a few other leaves, illegible early owner signature to verso of front free endpaper. \$850.

ONLY EDITION. This is one of the earliest treatises devoted to wills and their construction, legacies and conditional and executory devises. OCLC locates 8 copies in North American law libraries. ESTC T95469.

"LIKE VEINS AND ARTERIES"

151. [WRITS].
[GREAT BRITAIN].

Officina Brevium. Select and Approved Forms of Judicial Writs, And Other Process: With Their Returns and Entries in the Court of Common Pleas at Westminster. As also Special Pleadings to Writs of Scire Facias. Collected Out of Many Choice Manuscripts by Several Eminent Clerks and Practicers of the Said Court.

London: Printed by George Sawbridge, William Rawlins, And Samuel Roycroft, 1679. [vi], 414, [30] pp. Folio (12-1/4" x 7-1/4").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Light edgewear and chipping to endleaves. Moderate toning to interior, somewhat heavier in places, small faint dampstain to top-edge of text block, occasional light foxing and spotting, a few folded corners, small chip to top-edge of a few leaves without loss to text, signature of Edward Shippen to head of title page. \$750.

ONLY EDITION, one of two issues from 1679. A collection of official writs issued by the *Officina Brevium*, or secretary of the courts, for use in the Court of Common Pleas. "Writs (like Veins and Arteries, which, by conveying the blood and spirits into every part of the body, do thereby give it life and motion, which otherwise would be but an imperfect Lump of flesh, altogether unactive) are of that force and efficacy, that no Proceedings at Law (nay, even Records of the highest nature) can be available without them" (Preface). Shippen [1677-1714], a lawyer, was a member of one the most elite families of colonial and post-Revolutionary Pennsylvania. (His father, for example, served terms as mayor of Philadelphia and chief justice of the Philadelphia Supreme Court.) ESTC R22362.

FROM THE LIBRARY OF GEORGE DUNN:
YEARS 17 AND 18, HILARY TERMS, OF EDWARD III, BEALE 6 AND 9

152. [YEAR BOOK].
EDWARD III [REIGNED 1312-1377].

De Termino Hillarii. Anno. XVII. Edwardi Tertii [Drop Head Title].

[London: Richard Tottell, 1561]. 80 ff.

[BOUND WITH]

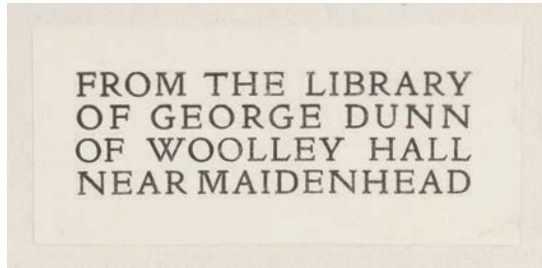
EDWARD III.

De Termino Hillarii. Anno. XVIII. Edwardi Tertii [Drop Head Title].

[London: Richard Tottell, 1561]. 59, [1] ff.



Endpaper detail



Bookplate detail

Folio (10-3/4" x 7-1/4"). Nineteenth-century pebbled cloth, gilt fillets and title to spine with hand-lettered paper spine label at head, endpapers renewed. A few minor nicks and stains to boards, moderate rubbing to extremities with light wear to spine ends and corners, which are bumped, front joint starting at head, tear to front pastedown with later bookplate reading "From the Library of George Dunn of Wooley Hall near Maidenhead" at foot, Dunn's initials dated 1884 to front free endpaper. Moderate toning to interior, occasional worming and faint dampstaining to margins,

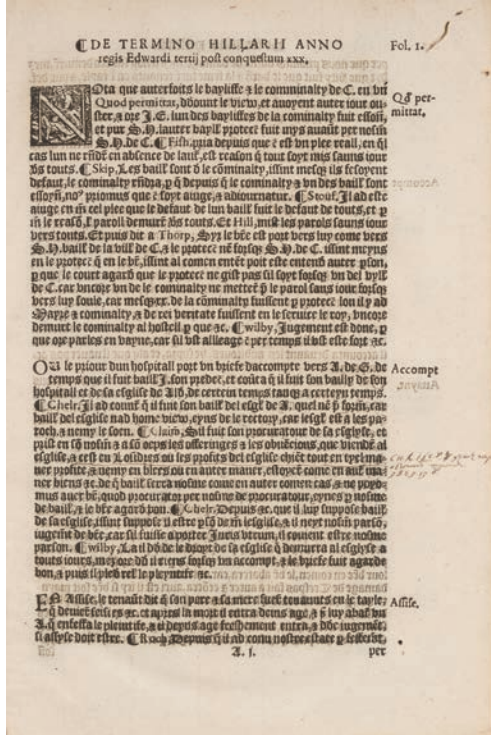
crack in text block between items. Some leaves have underlining and brief case references in early hands, final leaf of *Anno XVII* has a later annotation, possibly by Dunn, in pencil. \$2,000.

IT IS DIFFICULT to overestimate the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are of crucial primary sources for our knowledge of medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Some scholars believe the earliest volumes were notes transcribed by law students for study and for the use of lawyers in later cases while others maintain they were made by lawyers. Though it is not known when the first manuscript volumes were compiled, the cases date from the 1270s to 1535. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482.

The present volume belongs to the so-called "Quarto Edition." Not a set or edition in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619.

George Dunn [1865-1912] was an important nineteenth-century English book collector who amassed a vast library of early legal manuscripts and printed books at his home in Wooley Hall. A portion of his library forms the core of Harvard Law School's early English law collection. ESTC S101319, S101320. Beale R5, R8.

YEAR 30, HILARY TERM, OF EDWARD III, BEALE R23



153. [YEAR BOOK].
EDWARD III [REIGNED 1312–1377].

De Termino Hillarii Anno Regis Edwardi Tertii Post Conquestum XXX. [Drop Head Title].

London: Imprinted...in Fleetestreet Within Temple Barre, At the Signe of the Hande and Starre, By Richard Tottell, 1585. 32 ff. Folio (10–3/4" x 7-1/4").

Nineteenth-century pebbled cloth, hand lettered title panel (reading: 30/ Edward III/ Tottell/ 1585/ R.23) to front board, endpapers renewed. A few minor nicks and stains to boards, moderate rubbing to extremities with some wear to spine ends and corners, small later owner stamp (of Samuel Stern) to front free endpaper. Moderate toning to interior, occasional worming and faint dampstaining to margins, some leaves have underlining and brief case references in early hands. \$1,000.

THE PRESENT VOLUME belongs to the so-called "Quarto Edition." Not a set or edition in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. ESTC S101237. Beale R23.

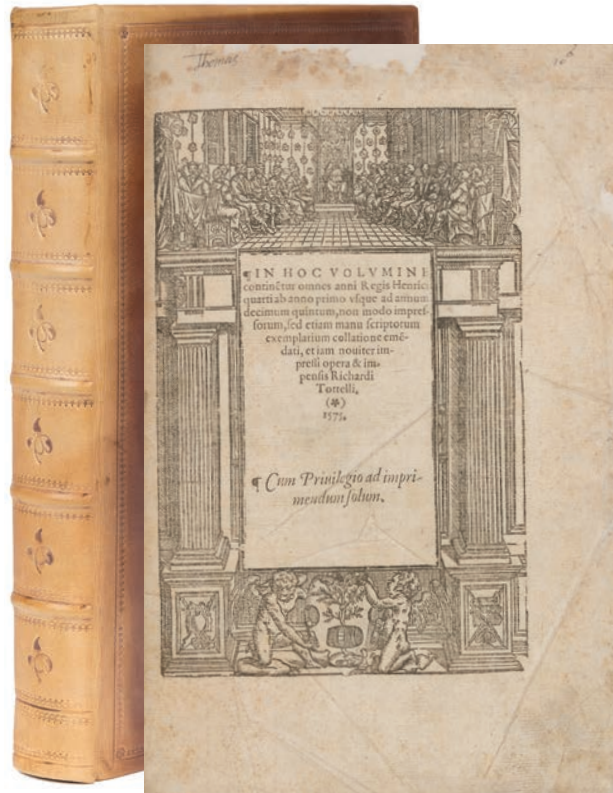
YEAR BOOKS OF HENRY IV, BEALE R62

154. [YEAR BOOKS].
HENRY IV [REIGNED 1399–1413].

In Hoc Volumine Contine[n]tur Omnes Anni Regis Henrici Quarti ab Anno Primo Usque ad Annum Decimum Quintum, Non Modo Impressorum, Sed Etiam Manu Scriptorum Exemplarium Collatione Eme[n]dati, Et Iam Noviter Impressi Opera & Impensis Richard Tottelli.

London: Imprinted...in Fletestrete Within Temple Barre, At the Signe of the Hande and Starre, By Rycharde Tottel, 1576. [i], cccxxviii, [1] ff. Folio (11-1/4" x 7-1/2").

Recent paneled calf, raised bands and blind-stamped decoration to spine, marbled endpapers. A few small nicks to rear board and some fading to spine. Light toning to interior, light soiling in a few places, worming to lower right margin without loss to text, neat cellotape repairs to edges of title page. Early ownership signature ("Thomas") to head of title page, with annotations in two small, neat hands throughout, most of which are case citations. \$4,500.



THE PRESENT VOLUME belongs to the so-called "Quarto Edition." Not a set or edition in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. ESTC S102017. Beale R62.

YEAR BOOKS OF HENRY V, BEALE R67

155. [YEAR BOOKS].
HENRY V [REIGNED 1413-1422].

In Hoc Volumine Continentur Aliquot Anni Regis Henrici Quinti cum Aliquibus Manuscriptis Exemplariis Collati Noviter Impressi.

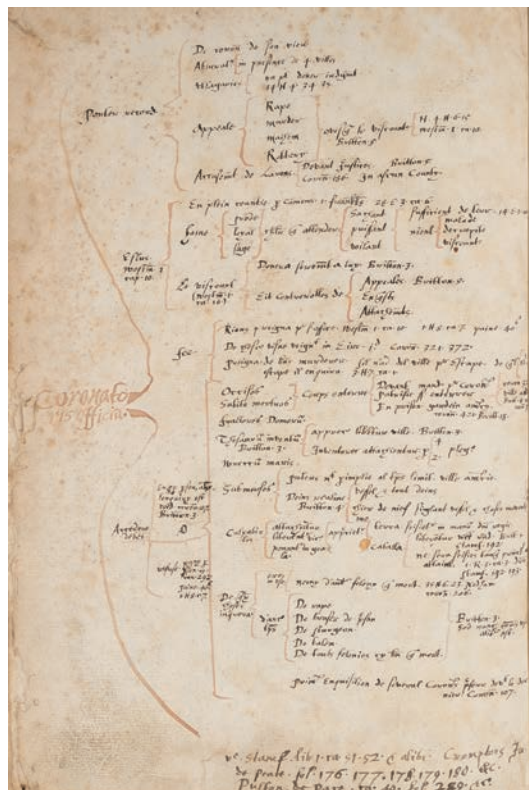
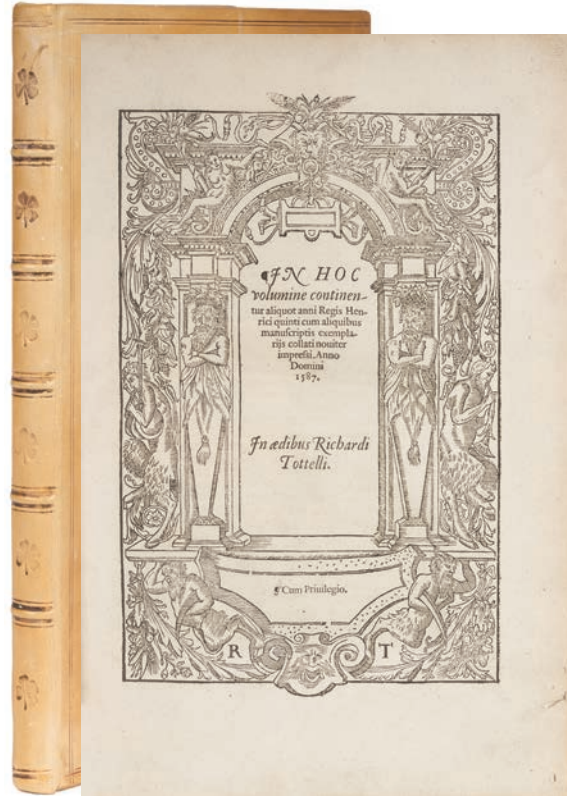
London: Imprinted...in Fleetestrete Within Temple Barre, At the Signe of the Hande and Starre by Richarde Tottyll, 1587. Three volumes in one with individual paginations. [77] ff. Folio (11-1/4" x 7-1/4").

Recent paneled calf, raised bands and blind stamping to spine, marbled endpapers. A few small scratches and some fading to boards, light toning to interior, light soiling in a few places, occasional worming and faint dampstaining to margins, light wear to fore-edge of final few leaves, occasional brief case references in an early hand with a large hand-written table to final leaf titled "Coronatoris Officia."

\$3,500.

THE PRESENT VOLUME belongs to the so-called "Quarto Edition." Not a set or edition in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619.

Our copy includes a large hand-written table describing a coroner's duties with case citations. OCLC locates 5 copies of this edition, none in North America. ESTC S2021. Beale R67.



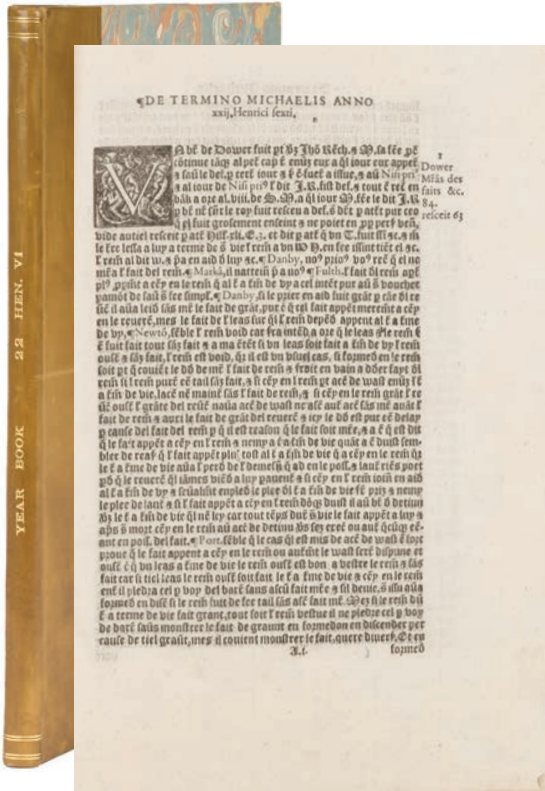
"Coronatoris Officia" detail



Initial detail



Colophon detail



N° 156

YEAR 22, MICHAELMAS TERM, OF HENRY VI, BEALE R23

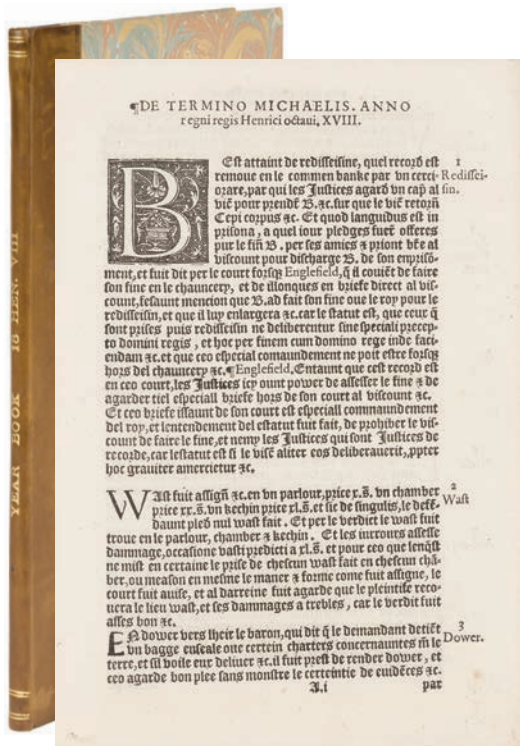
156. [YEAR BOOK]. HENRY VI [REIGNED 1422-1461, 1470-1471].

De Termino Michaelis Anno XXII. Henrici Sexti [Drop Head Title].

London: Imprinted...in Fletestrete Within Temple Barre, At the Signe of the Hande and Starre, By Rychard Tottell the 18. Day of October in the Yere of Our Lord, 1585. 60 ff. Folio (11-1/2" x 8").

Recent quarter calf over marbled boards, gilt title to spine, endpapers renewed. Negligible light rubbing to extremities, faint scratch to front board. Light toning to interior, worm hole through first six leaves with negligible loss to text. A handsome copy. \$1,000.

THE PRESENT VOLUME belongs to the so-called "Quarto Edition." Not a set or edition in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. ESTC S101448. Beale R159.



N° 157

YEAR 18, MICHAELMAS TERM, OF HENRY VIII, BEALE R434

157. [YEAR BOOK]. HENRY VIII [REIGNED 1509-1547].

De Termino Michaelis Anno Regni Regis Henrici Octavi, XVIII. [Drop Head Title].

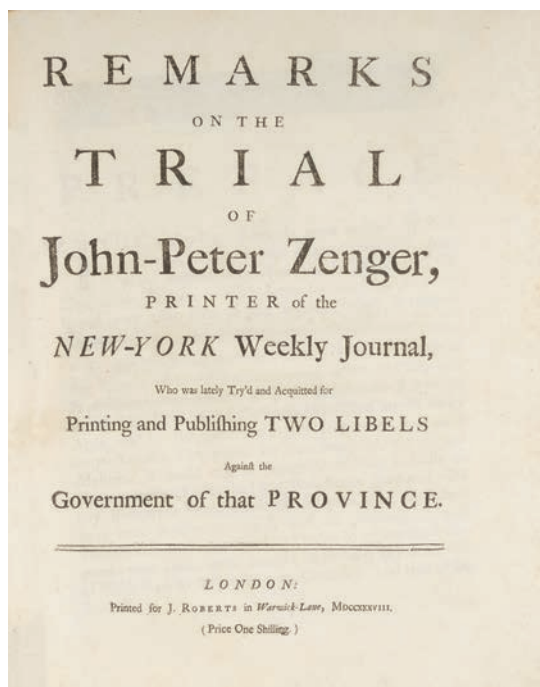
London: Imprinted...in Fletestrete Within Temple Barre at the Signe of the Hande and Starre, By Rychard Tottell. Anno., 1569. 18 ff. Folio (9-1/2" x 6-1/2").

Recent quarter calf over marbled boards, gilt title to spine, endpapers renewed. Negligible light rubbing to extremities, light toning to interior. A handsome copy. \$1,000.

THE PRESENT VOLUME belongs to the so-called "Quarto Edition." Not a set or edition in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. ESTC S101238. Beale R434.



TWO ATTACKS ON THE LEGAL ARGUMENTS
FOR FREEDOM OF THE PRESS PRESENTED BY ZENGER'S LAWYER



158. [ZENGER, JOHN PETER (1697-1746)].
[HAMILTON, ANDREW (C.1676-1741)].

Remarks on the Trial of John-Peter Zenger, Printer of the New-York Weekly Journal, Who was Lately Try'd and Acquitted for Printing and Publishing Two Libels Against the Government of that Province.

London: Printed for J. Roberts, 1738. vi, 27, [1] pp. Main text in parallel columns. Quarto (8-1/2" x 7").

Stab-stitched pamphlet bound into recent period-style calf by Philip Dusel, gilt rules to boards, raised bands and lettering piece to spine, blind tooling to board edges. Light toning to interior, light, often negligible, foxing, mostly to margins. A handsome copy. \$4,500.

FIRST LONDON EDITION. Two attacks on the legal arguments of Andrew Hamilton who successfully defended Zenger in 1735 from a charge of seditious libel. The first, signed on page 16 as "Anglo-Americanus," is attributed to Jonathan

Blenman, the attorney general of Barbados, where it was first printed in the *Barbados Gazette* in 1737. The second anonymous attack, also printed in the *Barbados Gazette*, is signed on page 27 as "Indus-Britannicus." The original pamphlet edition of these two articles was published in Philadelphia in 1737, as, *Remarks on Zenger's Tryal: Taken Out of the Barbados Gazette's*. The great Americana collector Thomas Streeter had a copy of our edition. (He did not have a copy of the Philadelphia edition.) See *Streeter* II:866. McCoy A-202. Cohen 13382. ESTC T89134.

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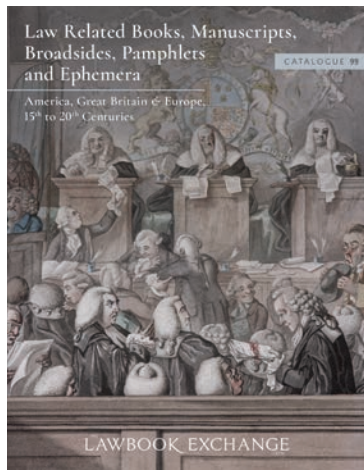
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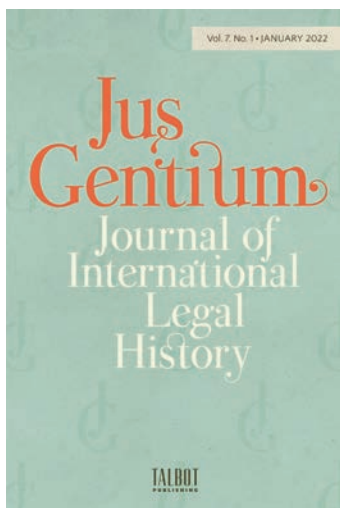


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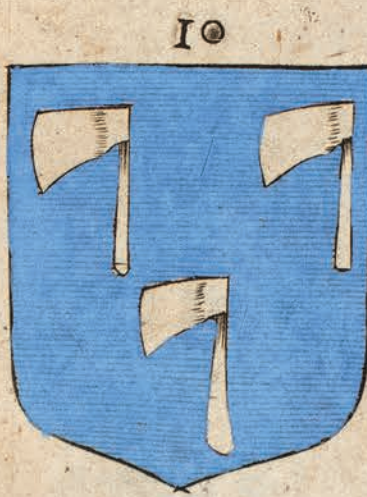
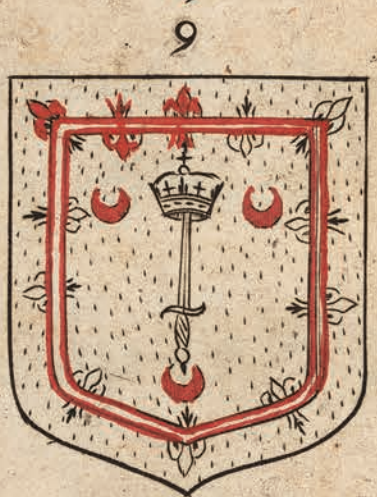
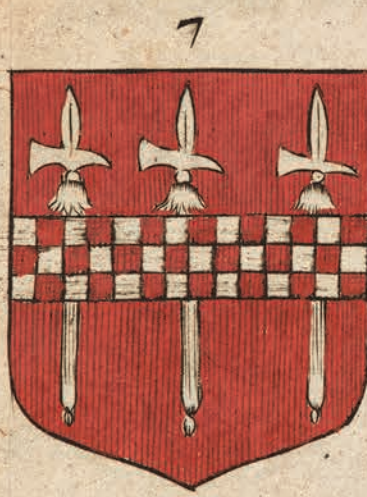
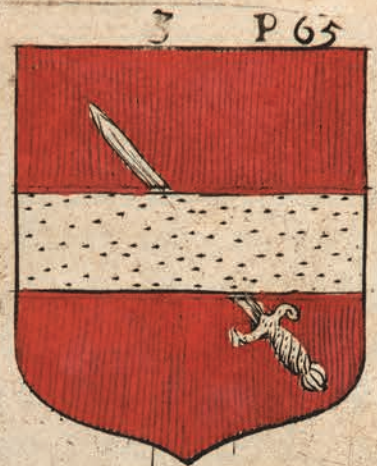
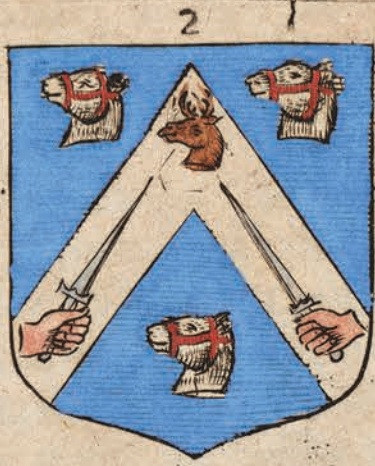
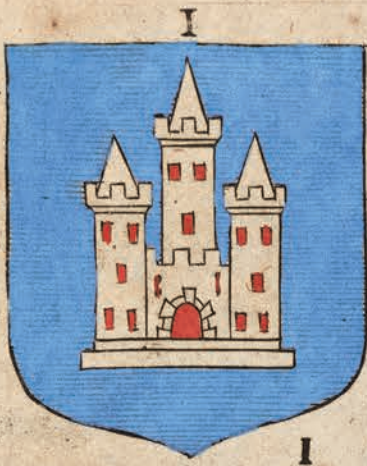
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