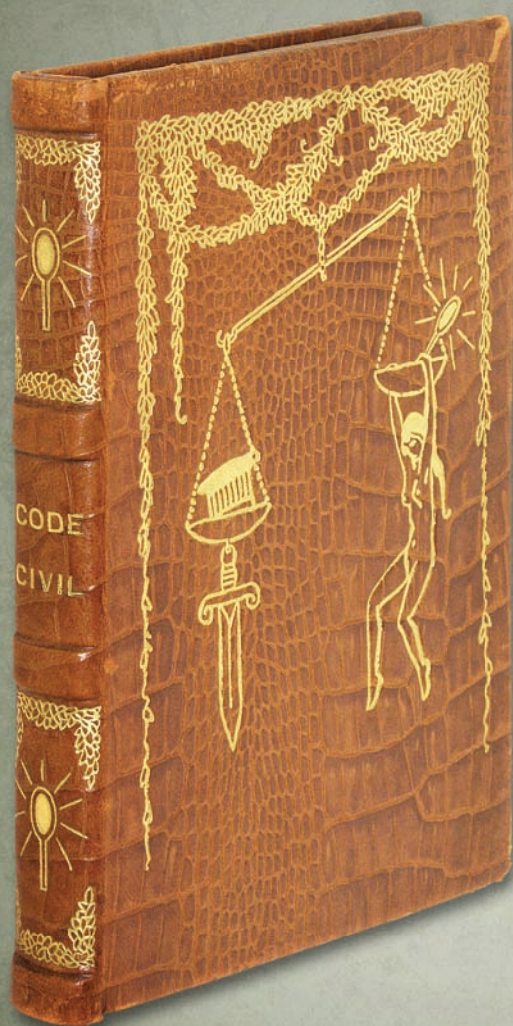


# 30

# RECENT ANTIQUARIAN ACQUISITIONS

October 11, 2016



## CODE CIVIL

LIVRE PREMIER  
DES PERSONNES

### TITRES

- |                       |                                 |
|-----------------------|---------------------------------|
| V. Du mariage.        | IX. De la puissance paternelle. |
| VI. Du divorce.       | X. De la minorité.              |
| VII. De la paternité. | XI. De la majorité.             |
| VIII. De l'adoption.  |                                 |



ILLUSTRATIONS EN COULEURS DE  
JOSEPH HÉMARD

RENÉ KIEFFER, RELIEUR-ÉDITEUR  
18, RUE SÈGUIER, PARIS

THE  
LAWBOOK EXCHANGE  
LTD.

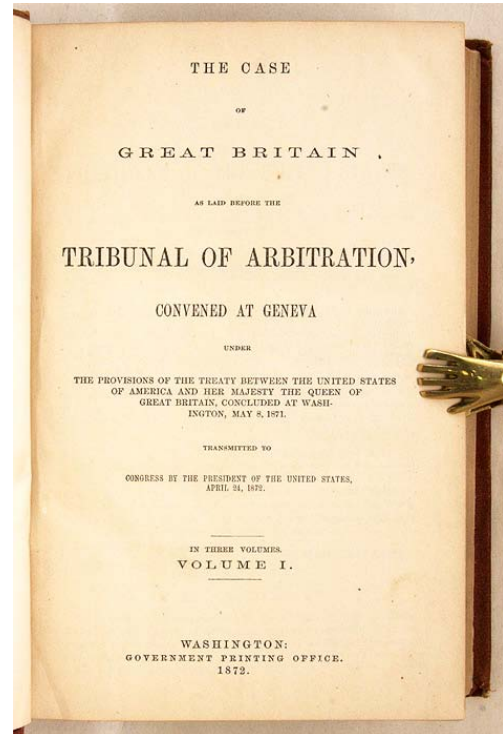
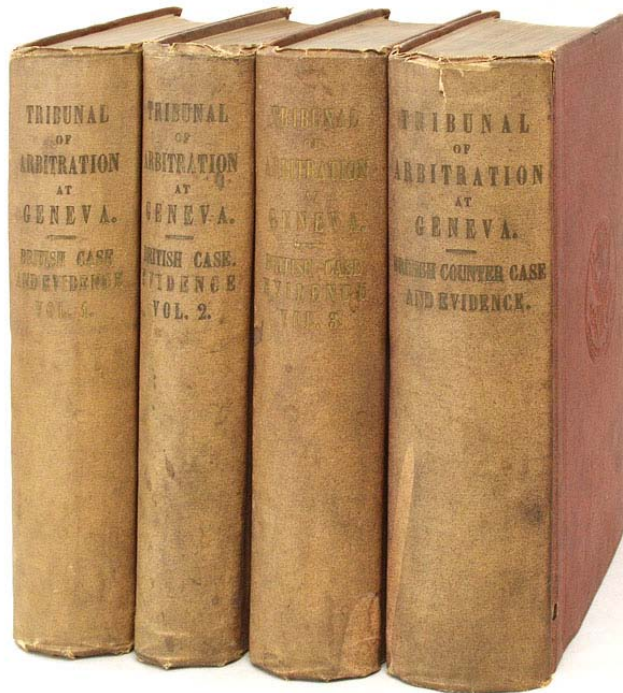


# The Lawbook Exchange, Ltd.

(800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887

law@lawbookexchange.com | [www.lawbookexchange.com](http://www.lawbookexchange.com)

## 30 Recent Antiquarian Acquisitions



### A Landmark in the History of International Law

#### 1. [Alabama Claims].

##### [Geneva Arbitration Tribunal].

*The Case of Great Britain as Laid Before the Tribunal of Arbitration, Convened at Geneva Under the Provisions of the Treaty Between the United States of America and Her Majesty the Queen of Great Britain, Concluded at Washington, May 8, 1871. Transmitted to Congress by the President of the United States, April 24, 1872.* Washington, DC: Government Printing Office, 1872. Three volumes. Folding map. Complete.

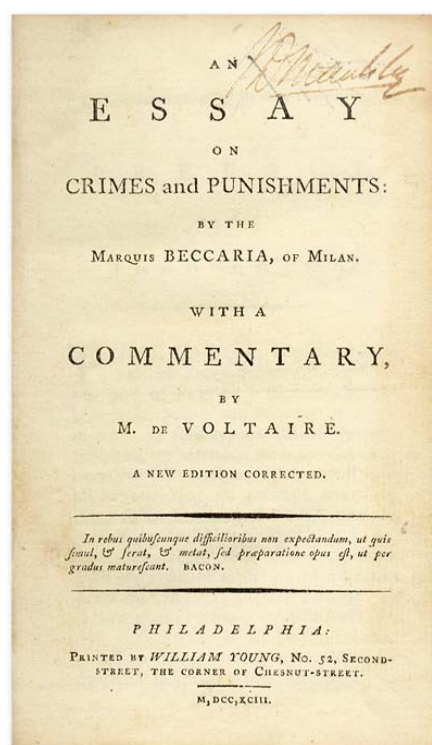
##### [And]

##### [Geneva Arbitration Tribunal].

*The Counter Case of Great Britain as Laid Before the Tribunal of Arbitration, Convened at Geneva: Under the Provisions of the Treaty Between the United States of America and Her Majesty the Queen of Great Britain, Concluded at Washington, May 8, 1871: Together with Volumes V, VI, and VII of Appendix to the British Case. Printed for the Use of State Department.* Washington, DC: Government Printing Office, 1872. [ii], 1105 pp. Folding map. 11 folding tables. Complete.

Octavo (8-3/4" x 5-3/4"). Original cloth, blind frames to boards, large blind-stamped State Department Seals to front boards, gilt titles to spines. Some soiling and stains, a few tiny scuffs, minor chipping and wear to spine ends, titles oxidized, corners bumped, a few hinges starting, owner bookplate of Christopher Raymond Perry Rodgers to front pastedown of each book. Light toning to text, internally clean. \$300.

\* Only editions. A landmark in the history of international law, the Alabama Claims were damages sought by the United States from Great Britain for the attacks upon Union merchant ships during the Civil War by Confederate Navy commerce raiders built in British shipyards, most notably the CSS *Alabama*. The claims were presented in 1869 and settled by international arbitration in 1872 with a payment to the United States of \$15.5 million. This case established a precedent for the settlement of international disputes and promoted interest in the establishment of permanent bodies for international arbitration and the codification of international law. Our four volumes record Britain's side. *The Case of Great Britain and Counter Case* are replies to *The Case of the United States, To be Laid before the Tribunal of Arbitration to be Convened at Geneva Under the Provisions of the Treaty Between the United States of America and her Majesty the Queen of Great Britain, Concluded at Washington, May 8, 1871* (1871). Rodgers [1819-1892], the owner of these volumes, was a naval officer who commanded an unsuccessful mission to capture or destroy one of the raiders, the CSS *Shenandoah*.



**Early American Edition of "One of the Most Influential Books in the Whole History of Criminology," PMM 209**

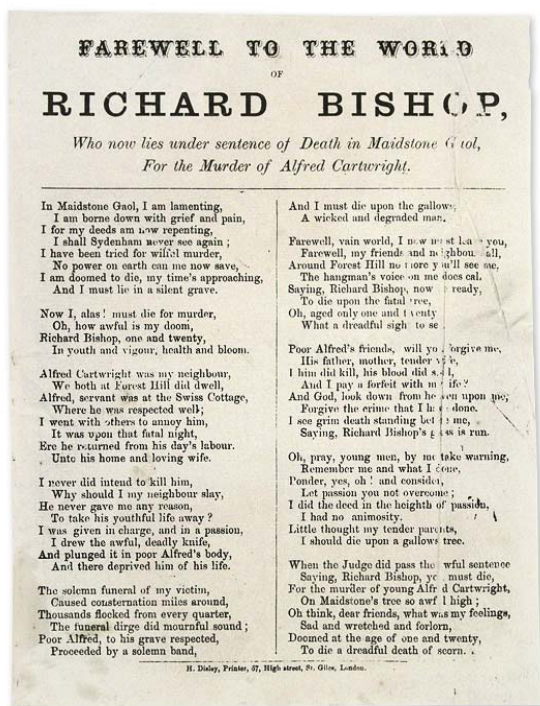
**2. Beccaria, [Cesare Bonesana, Marchese de] [1738-1794].**

**Voltaire (Arouet, Francois-Marie) [1694-1778].**

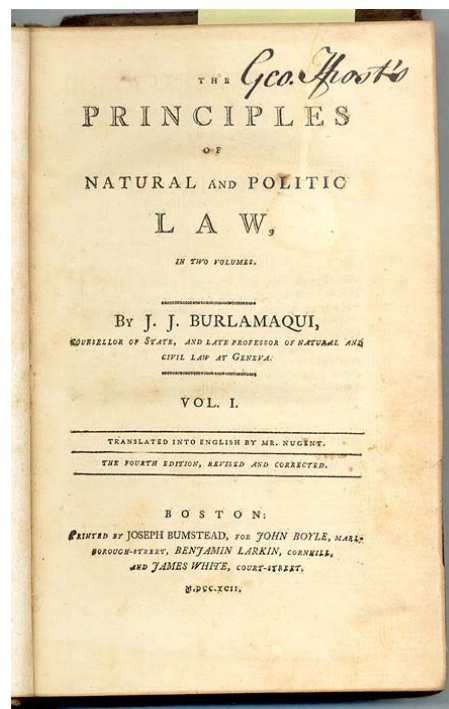
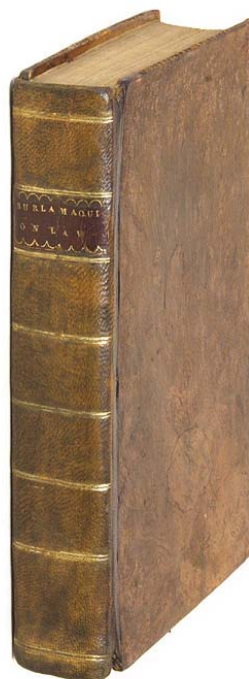
*An Essay on Crimes and Punishments: By the Marquis Beccaria, Of Milan. With a Commentary by M. De Voltaire. A New Edition Corrected.* Philadelphia: Printed by William Young, 1793. x, [13]-230 pp. 12mo. (6" x 3-1/2").

Recent period-style calf, gilt fillets and contemporary lettering piece to spine, endpapers renewed. Moderate toning to text, somewhat darker along margins, occasional light foxing. Small early owner signatures to head of title page, interior otherwise clean. An attractive copy. \$750.

\* Third American edition. First published in Livorno in 1764 as *Dei Delitti e Delle Pene*, this landmark work is, to quote *Printing and the Mind of Man*, "one of the most influential books in the whole history of criminology. It is significant because it was the first systematic study of the subject. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the Middle Ages. It had a profound influence on the development of criminal law. It was especially influential among American thinkers, such as Thomas Jefferson, who wished to use Beccaria to reform the system of criminal law Americans inherited from England. The first two American editions were issued Charleston in 1777 and Philadelphia in 1778. *Printing and the Mind of Man* 209. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2349. *English Short-Title Catalogue* T138985. Cohen, *Bibliography of Early American Law* 4234.



Item 3



Item 4

## Annoyed to Death

### 3. [Broadside]. [Execution]. [Great Britain].

*Farewell to the World of Richard Bishop, Who Now Lies Under Sentence of Death in Maidstone Gaol, For the Murder of Alfred Cartwright.* London: H. Disley, Printer, [1868]. 9-1/2" x 7-1/2" verse broadside. Main text in two columns separated by rules.

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

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

## The First American Edition of Burlamaqui, Boston 1792

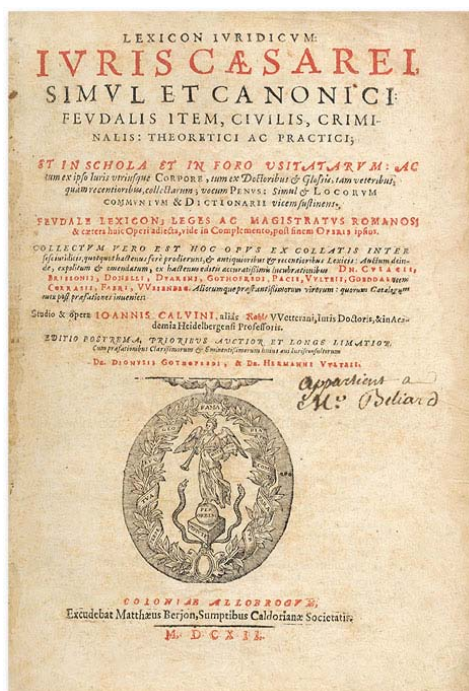
### 4. Burlamaqui, J[ean] J[acques] [1694-1748]. Nugent, [Thomas] [1700?-1772], Translator.

*The Principles of Natural and Politic Law, In Two Volumes.* Boston: Printed by Joseph Bumstead for John Boyle, 1792. viii, [20], 424 pp. Octavo (8-1/4" x 5-1/2").

Contemporary tree sheep, carefully rebaked in period style with gilt fillets and existing lettering piece, hinges mended. Light toning to text, negligible light foxing and faint dampstaining to some leaves. Early owner signature (Geo. Frost) to head of title page and a few other leaves, interior otherwise clean. A handsome copy. \$1,500.



\* First American edition (title page states "Fourth Edition, Revised and Enlarged" in reference to the preceding London editions). Burlamaqui outlined a constitutional system based on principles similar to those of the American founding fathers. "Burlamaqui formulated the principles of popular sovereignty, of delegated power, of a constitution as a fundamental law, of a personal and functional separation of powers into three independent departments...and finally, he provided for an institutional guardian of the fundamental law" (Harvey). Burlamaqui's other great achievement was to put Pufendorf's theories into systematic form. Blackstone was among the many jurists influenced by this work. Marvin stated a general opinion when he observed that "his works are deservedly held in high esteem.": *Legal Bibliography* (1847) 162. Harvey, *Jean Jacques Burlamaqui: A Liberal Tradition in American Constitutionalism* 178-179. Cohen, *Bibliography of Early American Law* 7809.



Important Seventeenth-Century Law Dictionary

**5. Calvinus, Johannes [c.1550-c.1610].**

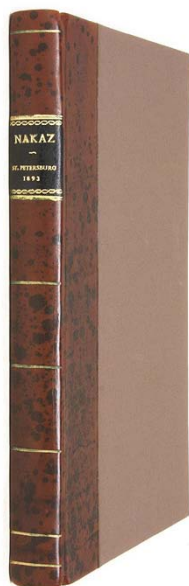
**Godefroy, Denis [1615-1681], Preface, Editor.**

**Vulteus (Vultejus), Hermann [1555-1634], Preface, Editor.**

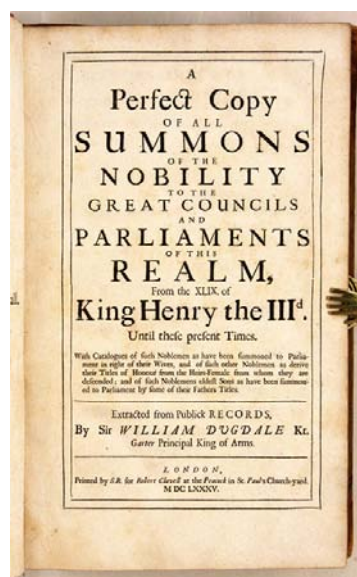
*Lexicon Iuridicum: Iuris Caesaris Simul et Canonici: Feudalis Item, Civilis, Criminalis, Theoretici Ac Practici; Et in Schola et in Foro Usitatarum: Ac Eum ex ipso Iuris Utriusque Corpore, Tum ex Doctoribus & Glossis, Tam Veteribus, Quam Recentioribus, Collectarum; Vocum Penus: Simul & Locorum Communium & Dictionarii Vicem Sustinens. Feudale Lexicon, Leges ac Magistratus Romanos; & Caetera huic Operi Adjuncta, Vide in Complemento, Post Simem Operis Ipsius. Collectum Vero est hoc Opus ex Collatis Inter sese Iuridicis, Quotquot Hactenus ferè Prodierunt, &c.* Cologne: Excudebat Matthaeus Berjon: Sumptibus Caldorianae Societatis, 1612. [14], 2878 cols., 235 pp. Two parts, each with title page. Title of second part begins: *Complementum Lexici Perfecti: Coronidis Vice, Ne Quid Omino Deesse Videatur, Adjectum*. Main texts in parallel columns. Quarto (9-1/4" x 6-1/4").

Recent period-style quarter calf over marbled boards, raised bands, lettering pieces and blind ornaments to spine, endpapers renewed. Title page printed in red and black, woodcut head and tail-pieces. Moderate toning, occasional light foxing, faint dampstaining to margins, inkstains to a few leaves. Small early owner signature to title page, interior otherwise clean. A handsome copy. \$850.

\* Later edition. Edited by Denis Godefroy and Hermann Vulteus, who added prefaces. Calvinus was a German jurist and professor of law at the University of Heidelberg who wrote several books on politics, Jewish law and Roman law. The *Lexicon Iuridicum* proved to be his most honored and durable publication. First published in 1600, it went through numerous editions during the seventeenth and eighteenth centuries. It draws on several authors, including Albericus, Brisson, Cicero, Hotoman and Tacitus. A scholarly work, it contains an extensive list of sources. The definitions are admirably clear and concise; each one includes a list of citations. Roberts says this dictionary is "more useful" than those of Vicat and Brisson. Roberts, *South African Legal Bibliography* 72 (citing other editions). This edition not in VD17.



Item 6



Item 7

### The Last Edition of the Nakaz Published in the Nineteenth Century

#### 6. Catherine II [1762-1796], Empress of Russia.

**Bezgin, Il'ia Grigor'evich, Editor.**

*Nakaz Eja Imperatorskago Velicestva Ekateriny Vtoryja Samoderzicy Vserossijskija Danyj Kommissii o Socinenii Proekta Novago Ulozenija.* St. Petersburg: Izd. L.F. Pantelieeva, 1893. 53, 201 pp. Text of *Nakaz* in Russian with parallel French translation.

Original printed stiff wrappers bound into recent quarter calf over cloth, gilt fillets and lettering piece to spine, endpapers renewed. Light soiling and edgewear to wrappers, moderate toning to text, faint dampspotting to a few leaves. Small early owner label to front free endpaper, internally clean. \$1,750.

\*The last edition published in the nineteenth century. The *Nakaz*, or *Instruction*, is a statement of legal principles written by Catherine II between 1764 and 1766. It was among her most ambitious and significant undertakings. Infused with the ideas of the French Enlightenment, and copied mostly from the work of Voltaire, Montesquieu and Beccaria, it was compiled as a guide for the All-Russia Legislative Commission convened by the Empress in 1767 to create a new code to replace the 1649 Muscovite Code. Revised in consultation with Frederick the Great and Voltaire, the *Instruction* proclaimed the equality of all men before the law and denounced torture and the death penalty. Unfortunately, her proposed code was never completed. The first two editions, one with parallel texts in Russian and German, were published in 1767. OCLC locates 1 copy in a North American law library (Columbia). Another copy located at Harvard Law School. Butler, *The Nakaz of Catherine the Great* 526 (Entry 18).

### Summoning Lords to Parliament

#### 7. Dugdale, Sir William [1605-1686].

*A Perfect Copy of All Summons of the Nobility to the Great Councils and Parliaments of this Realm, From the XLIX. of King Henry the III<sup>d</sup>. Until These Present Times. With Catalogues of Such Noblemen as Have been Summoned to Parliament in Right of Their Wives, And of Such Other Noblemen as Derive Their Titles of Honour from the Heirs Female from Whom They are Descended.* London: Printed by S[amuel] R[oycroft] for Robert Clavell at the Peacock in St. Paul's Church-yard, 1685. [xiv], 580, [28] pp. With an initial imprimatur leaf and a final blank leaf. Folio (12" x 7-1/4").

Contemporary paneled calf, later rebacking, gilt-edged raised bands and lettering piece to spine, hinges reinforced with cloth tape. A few shallow scuffs to boards, light rubbing to extremities, corners bumped, hinges starting. Moderate toning to text, light browning and foxing in places, large chip to leaf rrr4 (pp.495-496), both sides of leaf supplied in facsimile, internally clean. Ex-library. Small bookplate to front pastedown. An attractive copy. \$350.

\* First edition, one of three issues from 1685. A useful source for research into the House of Lords, this work is a compilation of decrees calling the Lords to Parliament and lists of lords who were called. The period covered in 1265 to 1685. It was reprinted in Birmingham in 1795. *English Short-Title Catalogue* R22596.



## Revising the Piracy Act of 1698

8. [Great Britain].

[Parliament].

[Piracy].

[An Act to Prevent Disturbances by Seamen, And Others; And to Preserve the Stores Belonging to His Majesties Navy Royal; And Also for Explaining an Act for the Better Preventing the Imbezlement of His Majesties Stores of War; And Preventing Cheats, Frauds, And Abuses in Paying Seamens Wages; And for Reviving and Continuing an Act for the More Effectual Suppression of Piracy] [drop-head title]. London: Printed by John Baskett, Printer to the Kings Most Excellent Majesty, 1715. [ii], 445-452 pp.

[And]

[Great Britain].

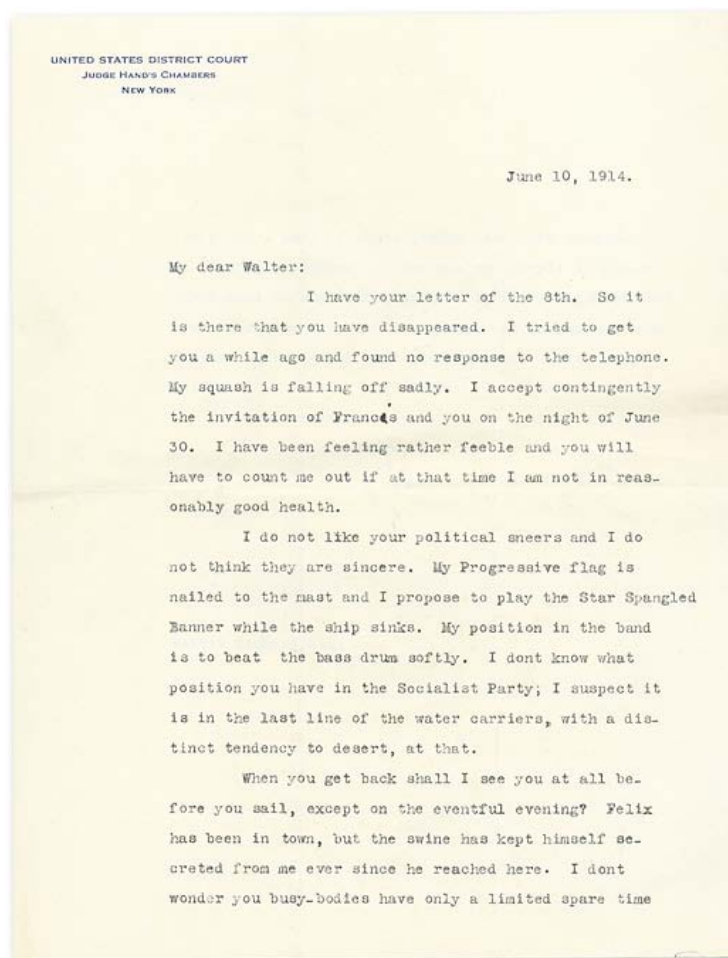
[Parliament].

[Piracy].

[An Act to Amend an Act Made in the Eleventh Year of the Reign of King William the Third, Intituled, An Act for the More Effectual Suppression of Piracy] [drop-head title]. London: Printed by John Baskett, Printer to the Kings Most Excellent Majesty, 1745. [ii], 659-662 pp.

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

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



**Friendly Letter from Hand to Walter Lippmann  
Regarding Socialism and the (Often Dreary) Life of a Judge**

**9. Hand, Learned [1872-1961].**

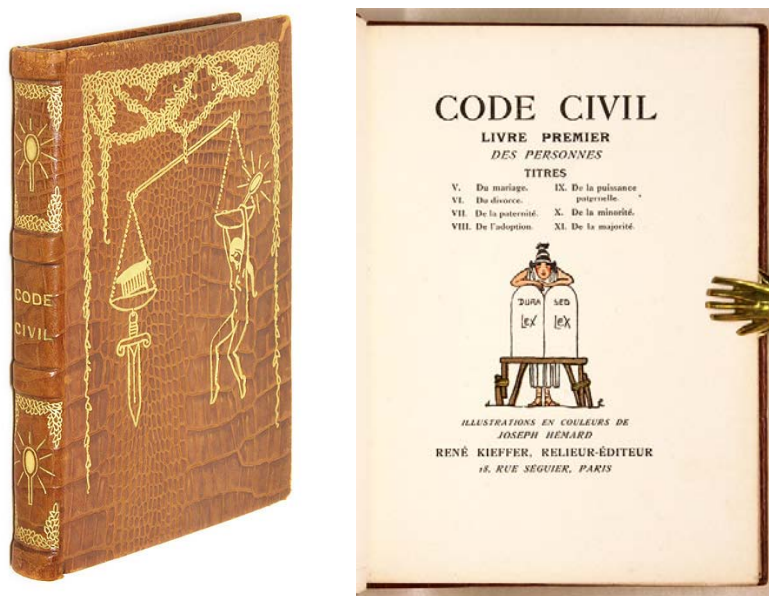
**[Lippmann, Walter (1889-1974)].**

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

Two 10-1/2" x 8" sheets. Some toning, fold lines, two vertical and one horizontal, a few minor corrections by Hand, letter signed L.H. \$1,250.

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





Hémard's View of Family Law in an Extraordinary Binding

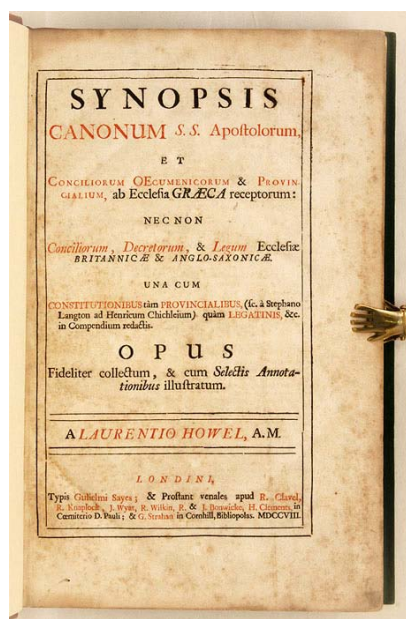
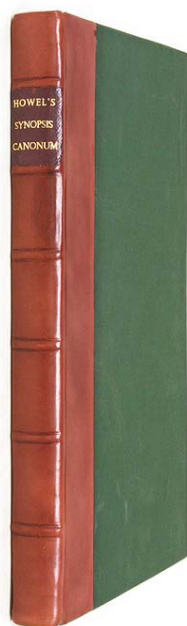
**10. Hémard, Joseph [1880-1961], Illustrator.**

*Code Civil: Livre Premier, Des Personnes: Titres V. Du Mariage. VI. Du Divorce. VII. De la Paternité. VIII. De l'Adoption. IX. De la Puissance Paternelle. X. De la Minorité. XI. De la Majorité.* Paris: Rene Kieffer, [1925]. [vi], 126, [4] pp. Pochoir color text illustrations. Quarto (8" x 6-1/2").

Original publisher stiff wrappers bound into alligator-stamped calf, front board features a large gilt vignette depicting a nude women dangling from the scales of justice below an elaborate laurel band, the rear a gilt crutch upon a laurel wreath, raised bands, gilt ornaments, depicting mirrors surrounded by laurel, and gilt title to spine, marbled endpapers, gilt top-edge, deckle for and bottom edges, spine from wrappers tipped-in to rear endleaf. Light rubbing to extremities, tiny scuff to upper corner of front board, small bookseller ticket to verso of front free endpaper. Very light toning to text, somewhat heavier along fore-edges, vivid illustrations, internally clean. \$1,500.

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





Item 11



Item 12

### Early Sources of English Ecclesiastical Law

#### 11. Howel, Laurence [1664?-1720].

*Synopsis Canonum S.S. Apostolorum, Et Conciliorum Oecumenicorum & Provincialium, Ab Ecclesia Graeca Receptorum: Nec non Conciliorum, Decretorum, & Legum Ecclesiae Britannicae & Anglo-Saxonicae.* London: Typis Gulielmi Sayes; & Prostant Venales apud R. Clavel [et al.], 1708. [xxiv], 90, 93-124, [2], 46, 51-158, 8, 14, [2], 69, [17] pp. Text continuous, and complete, despite pagination. With an initial imprimatur leaf. Folio. (12-1/2" x 8").

Recent period-style quarter calf over cloth, raised bands and lettering piece to spine. Title page printed in red and black. Moderate toning and light foxing to text, occasional minor worming to margins, touching text in places with no loss to legibility. A nice copy. \$750.

\* First edition. Howel's interesting collection of statutes, constitutions, canons, rubrics and articles relating to ecclesiastical law and ecclesiastical affairs from antiquity to the fifteenth century is modeled on Lyndwood's *Provinciale*. A second edition was published in 1710. Both editions are scarce. OCLC locates 4 copies of the first edition in North American law libraries (Social Law, Southern Methodist University, Tulane, UC-Berkeley). *English Short-Title Catalogue* T86091.

### Early Godefroy Edition of the Corpus Juris Civilis

#### 12. Justinian I (483-565 CE), Emperor of the East.

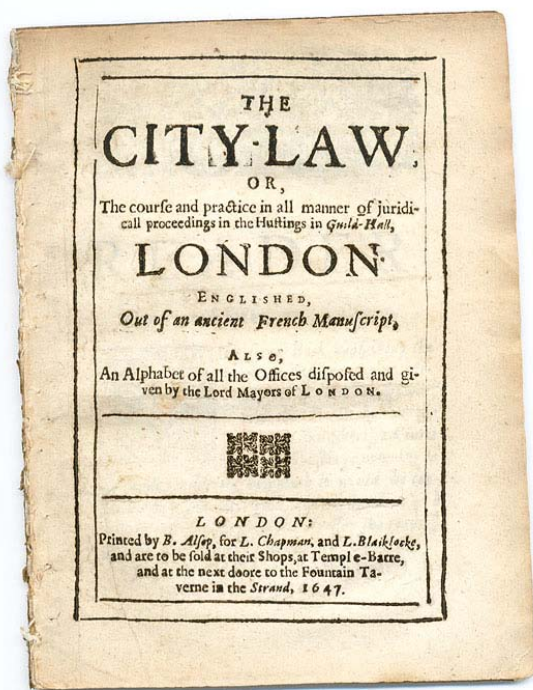
##### Godefroy, Denis [1549-1622], Editor.

*Corpus Iuris [Juris] Civilis A Dio. Gothofredo I.C. Recognitum.* [Geneva]: Excudebat G. Laemarius Impensis Haer. Eust. Vignon & I. Chouet, 1598. [xxxvi] pp., 1882 cols.; [32] pp., 872, 614 cols., [12] pp. Main text in parallel columns. Two volumes in one book, each with title page and individual pagination. Quarto (8-1/4" x 5").

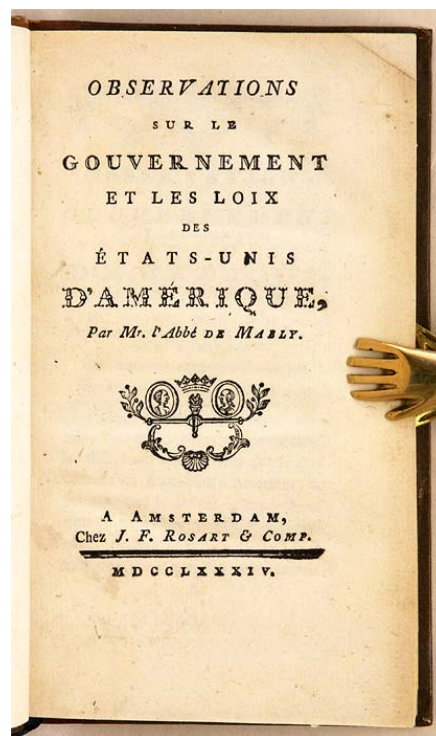
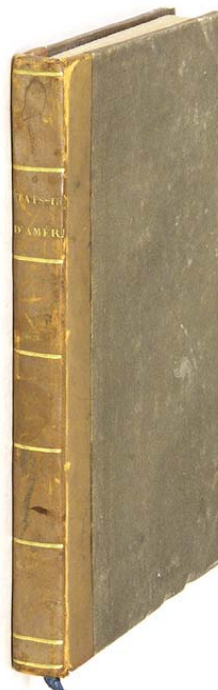
Contemporary paneled pigskin, raised bands and early hand-lettered titles to spine and fore-edge, ties lacking. Soiled, a few minor inkstains, moderate rubbing to extremities, wear to top-edge of rear board, a few short tears to head of spine, corners bumped and worn, a few minor wormholes to binding,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



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



Item 13



Item 14

### Preserving the Customary Law of London during the Civil War

#### 13. [London].

*The City-Law, Or, The Course and Practice in All Manner of Juridicall Proceedings in the Hustings in Guild-Hall, London. Englished, Out of an Ancient French Manuscript, Also, An Alphabet of All the Offices Disposed and Given by the Lord Mayors of London.* London: Printed by B. Alsop, for L. Chapman, and L. Blaiklocke, 1647. [viii], 69, [1] pp. Final blank leaf lacking. Quarto (7-1/4" x 5-1/2").

Stab-stitched pamphlet in recent marbled wrappers, printed paper title label to spine. \$950.

\* Only edition. Very likely a political statement against possible encroachments on local power by the King or Parliament, this handbook from the time of the Civil War outlines the jurisdictions of London's courts and London's lord mayor. More than a historical artifact, it is useful for its insights into the city's customary law and system of courts. OCLC locates 6 copies in North American law libraries (Harvard, Library of Congress, Northwestern, Osgoode Hall, UC-Berkeley, University of Pennsylvania). *English Short-Title Catalogue* R210027.

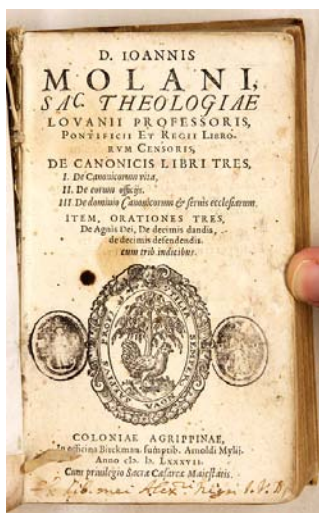
### Advice for John Adams

#### 14. Mably, Abbe [Gabriel Bonnot] de [1709-1785].

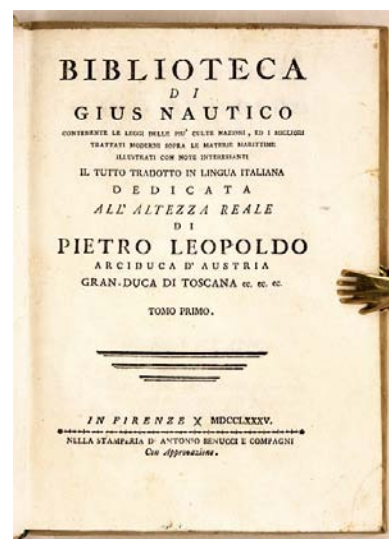
*Observations sur le Gouvernement et les Loix des Etats-Unis d'Amérique.* Amsterdam: Chez J.F. Rosard & Comp., 1784. [ii], 180, 213, [1] pp. 12mo. (6-3/4" x 4").

Somewhat later quarter calf over paper-covered boards. Light rubbing to boards, moderate rubbing to extremities, very light toning to text, somewhat heavier in places. A handsome copy. \$450.

\* First edition, one of two issues from 1784, the other version, 180 pp., lacks a preface, notes and index. "In four letters dated between 24 July and 20 August 1783, the Abbe Mably comments on the American approach to government as reflected in the constitutions of the thirteen states, and, more specifically, those of Massachusetts, Pennsylvania and Georgia. Replying to John Adams 'in accordance with your desire,' he offers advice on a national constitution, urging a loose federation rather than a strong central government and warning against excessive democracy. The book is dedicated to Adams.... Adams, in a postscript to V. 1 of his 1787 *Defense of the Constitutions of the United States*...minimizes his 'desire' and is less than appreciative of the advice. That work was probably designed in part as a response to Mably and other French critics" (Cohen). There is some debate about the priority of the 1784 Amsterdam imprint. Cohen, Howes and Sabin say it the first; Echeverria & Wilkie say it is the second. Most scholars agree with Cohen and Howes. This is one of two versions of this printing; page 159 is numbered 59, leaf G7 is signed C7. Howes, *U.S.Iana* M5, "aa." Echeverria & Wilkie, *The French Image of America* 784:66. Sabin, *A Dictionary of Books Relating to America* 42923. Cohen, *Bibliography of Early American Law* 2761.



Item 15



Item 16

### Canon Law and the Regulation of Clerical Life

#### 15. Molanus, Johannes [1533-1585].

*De Canonicorum Libri Tres, I. De Canonicorum Vita, II. De eorum Officiis, III. De Dominio Canonicorum et Servis Ecclesiarum. Item, Orationes Tres, De Agnis Dei, De Decimis Dandis, De Decimis Defendendis. Cum Trib. Indicibus.* Cologne: In officina Birckman. Sumptib. Arnoldi Mylii, 1587. 6, [10], 437, [5] pp. Octavo (5-3/4 x 3-3/4").

Contemporary limp vellum, early hand-lettered titles to spine and foot of text block, ties lacking. Light soiling, spine ends and corners bumped, front endleaves lacking, rear pastedown renewed. Light toning to text, light foxing to title page, which is lightly soiled, and a few other leaves. Two small early owner stamps and signature to title page interior otherwise clean. \$1,250.

\* Second edition. A legal handbook on the organization and administration of clerical institutions and the rights, responsibilities and liabilities of clerics. It has a chapter on library management and librarians. The appended essays discuss tithes and the proper form of the *agnus dei* in a mass. First published in 1582, this work went through four later editions, the last one in 1675. Adams, *Catalogue of Books Printed on the Continent of Europe, 1501-1600* M1552.

### Eighteenth-Century Anthology of Writings on Maritime Law

#### 16. Raù, Francesco, Translator and Editor.

Rivani, Alessandro, Translator and Editor.

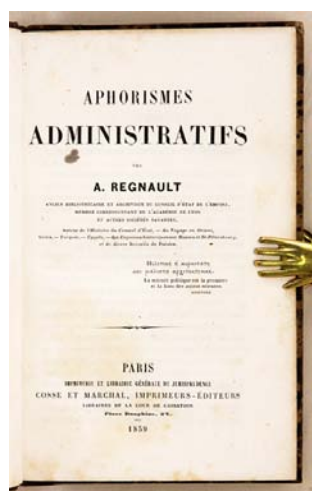
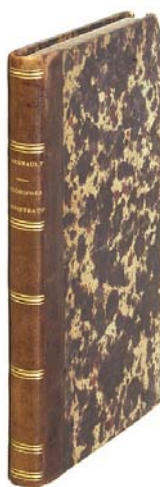
Sella, Gaspero, Translator and Editor.

*Biblioteca di Gius Nautico, Contenenente le Leggi delle Piu' Colte Nazione, Ed i Migliori Trattati Moderni Sopra le Materie Marittime Illustrati con Note Interessanti. Il Tutto Tradotto in Lingua Italiana.* Florence: Nella Stamperia di Antonio Benucci e Compagni, 1785. Two volumes. xxxii, 264; viii, 287, [1] pp. Quarto (9" x 6-1/2").

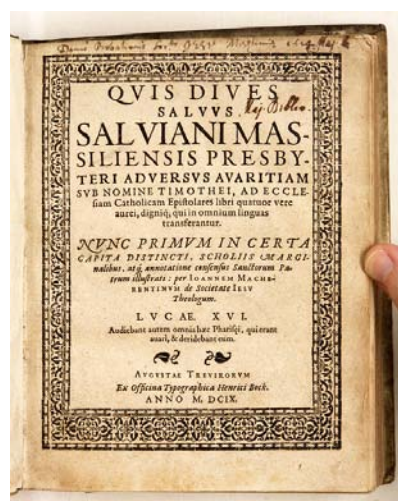


Contemporary vellum, gilt title panels to spines, speckled edges. Light rubbing and a few minor nicks to extremities, spine ends bumped, boards slightly bowed, stain to spine of Volume II. Very light toning to text, somewhat heavier in placing, light foxing to a few leaves. A handsome copy. \$2,500.

\* Only edition. This is a carefully edited, translated and well-annotated anthology of classic writings on maritime law for an Italian audience. Arranged chronologically, its oldest work is the Byzantine Rhodian Sea Law (7th century CE); its newest work is the 1681 Marine Ordinance of Louis XIV. Among the other texts are the Laws of Oleron, the Laws of Wisby and a selection of laws from the Theodosian Code relating to maritime affairs. OCLC locates 12 copies worldwide, 4 in North America, 2 in law libraries (Library of Congress, University of Michigan).



Item 17



Item 18

### A Rare Collection of French Legal and Political Aphorisms

#### 17. Regnault, Amable [1798-1897].

*Aphorismes Administratifs*. Paris: Cosse et Marchal, Imprimeurs-Editeurs, 1859. [iv], II, 206 pp. 12mo. (6-3/4" x 4-1/4").

Contemporary quarter calf over marbled boards, gilt title and fillets to spine, speckled edges, marbled endpapers. Some rubbing to extremities with minor wear to spine ends and corners, light fading to spine, partial crack to text block between front free endpaper and following endleaf. Light toning to text, light foxing in a few places. A handsome copy. \$1,350.

\* Only edition. Organized by topic, this is a collection of aphorisms on, for the most part, administrative law and political science. Each entry is accompanied by a Latin translation on a facing page. Regnault was an archivist, translator, historian and bibliographer. OCLC locates 4 copies, 1 in North America (U.S. Supreme Court). Another copy located at the Library of Congress.

### Give to the Church, Not to Your Children

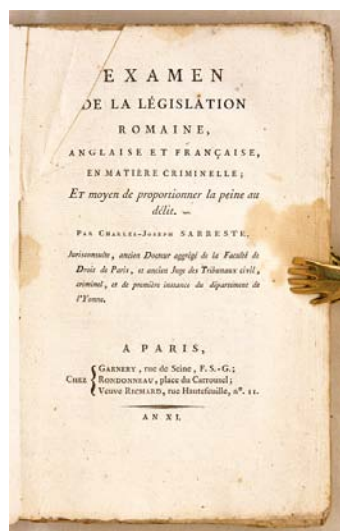
#### 18. Salvian (Salvianus) [c.390-c.484 CE].

**Macherentinus, Johannes [1540-1610], Editor.**

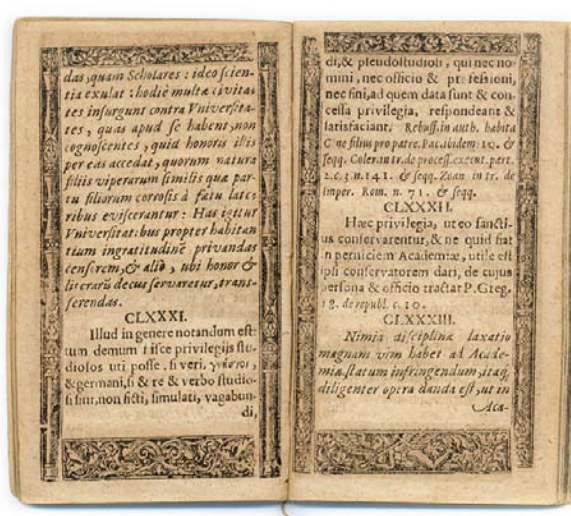
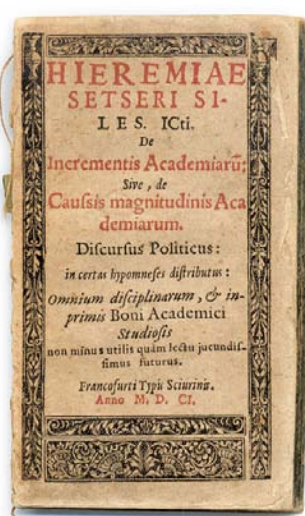
*Quis Dives Salvus. Salviani Massiliensis Presbyteri Adversus Avaritiam Sub Nomine Timothei, Ad Ecclesiam Catholicam Epistolares Libri Quatuor Vere Aurei, Digni[ue] qui in Omnium Linguas Transferantur Nunc Primum In Certa Capita Distincti, Scholiis Marginalibus, Atq[ue] Annotatione Consensus Sanctorum Patrum Illustrati: Per Joannem Macherentinum de Societate Jesu Theologum*. Trier: Ex Officina Typographica Henrici Bock, 1609. 28, 226, [10] pp. Quarto (7-1/4" x 6-1/4").

Contemporary flexible vellum, later lettering piece to spine, ties lacking. Light rubbing to extremities, some soiling and spotting, vellum just beginning to crack through pastedowns. Title printed within woodcut typographical border, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing to a few leaves. Early annotations to endleaves, interior otherwise clean. \$950.

\* First edition (by Macherentinus). Salvian of Gaul was an important Christian thinker and canonist of the fifth century. Enhanced with arguments drawn from canon law, his *Adversus Avaritiam* outlines reasons to give alms to the church. More interesting, it says parents should bequeath their estates to the Church rather than their children; It is better for children to suffer want in this world to save their parents from damnation in the next. Salvian also has much to say on the duty of self-denial by priests, nuns and monks. Macherentinus, the editor of this edition, was a Jesuit theologian. OCLC locates no copies of this edition in North America. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 39:129323G.



Item 19



Item 20

## Let the Punishment Fit the Crime

### 19. Sarreste, Charles Joseph.

*Examen de la Législation Romaine, Anglaise et Française, En Matière Criminelle; Et Moyen de Proportionner la Peine au Délit.* Paris: Chez Garnery/Rondonneau/Veuve Richard, An 11 [1801]. 192 pp. Octavo (8-1/2" x 5-1/4").

Original publisher wrappers, untrimmed edges, unopened signatures. A few minor stains, some fading to spine. Light toning to text, light foxing to a few leaves, internally clean. \$500.

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

## Rare Academic Address on the Role of Universities from 1601

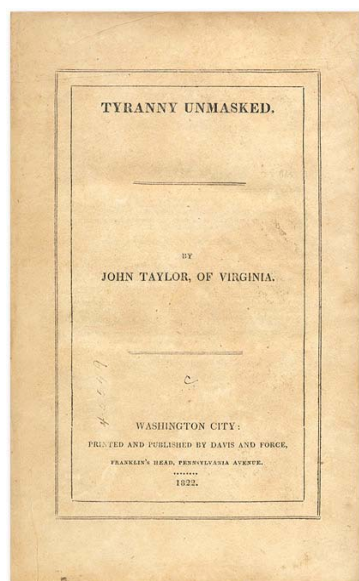
### 20. Setzer, Jeremias [1568-1608].

*De Incrementis Academicarum[m]: Sive, De Causis Magnitudinis Academicarum. Discursus Politicus: In Certas Hypomneses Distributus; Omnium Disciplinarum, & In primis Boni Academici Studiosi non Minus Utilis quam Lectu Iucundissimus Futurus.* Frankfurt am Oder: Typis Sciriinis, 1601. [66] ff. 12mo. (5" x 2-3/4").

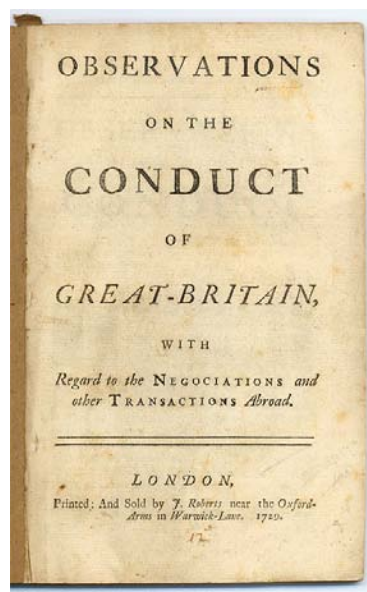
Stitched pamphlet in printed wrappers, cover printed in red and black within woodcut ornamental border, cover, with similar border, printed in red and black. Light soiling, some edgewear to wrappers and a few adjacent leaves, binding slightly cocked. Moderate toning to text, internally clean. Ex-library. Two small inkstamps to rear wrapper. An appealing copy of a rare title. \$250.



\* Only edition. Setzer was a jurist and law professor who taught at the University of Jena and, later, University of Frankfurt am Oder. A fine example of late-humanist rhetoric, *De Incrementis Academicarum* is the published version of an academic address, most likely an inaugural address delivered at the commencement of the academic year at the University of Frankfurt am Oder. Setzer praises the role of universities and learned societies in the wider diffusion of knowledge in the last century and the qualities of a good university. This is a rare title. OCLC and VD17 locate 3 copies, all in Germany (Berlin Staatsbibliothek, Niedersächsische Staats- und Universitätsbibliothek, Göttingen, Herzog-August-Bibliothek, Wolfenbüttel). OCLC locates an additional copy, in Denmark (Det Kongelige Bibliotek, Copenhagen). *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 23:258502E.



Item 21



Item 22

### An Important Southern Voice in the Political Debates That Followed the War of 1812

#### 21. Taylor, John, Of Caroline [1753-1824].

*Tyranny Unmasked*. Washington, DC: Printed and Published by Davis and Force, 1822. 349 pp. Octavo (8-1/2" x 5").

Recent period-style calf, lettering piece and gilt fillets to spine, endpapers renewed. Moderate toning, light foxing in places, a few leaves have faint markings in pencil, two very faint tiny marks in pen to title page ("45549" and "c"). A handsome copy. \$1,500.

\* Only edition. Taylor's work is an essential part of the political and intellectual history of the South, especially Southern constitutional theories used to justify secession. *Tyranny Unmasked* expands his theories of society, government and the U.S. Constitution introduced in *An Inquiry Into the Principles and Policy of the Government of the United States* (1814) and expanded in *Construction Construed* (1820). *Tyranny Unmasked* discusses the effect of the Constitution on social policies, particularly taxation, banking, tariffs, protectionism and currency. Along with many other Southerners, Taylor feared centralized national government. He believed it would corrupt the virtue of the American people and upset the proper constitutional balance between state and federal authority. Sabin, *A Dictionary of Books Relating to America* 94495. Cohen, *Bibliography of Early American Law* 6334.

### English Trade in the West Indies

#### 22. [Trade].

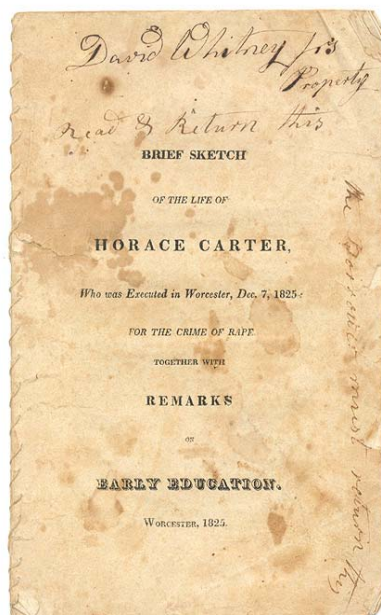
[Great Britain].

[Amhurst, Nicholas (1697-1742), Attributed].

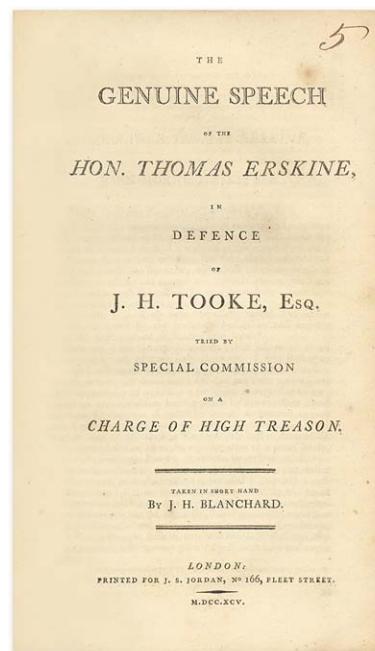
*Observations on the Conduct of Great-Britain, With Regard to the Negotiations and Other Transactions Abroad*. London: Printed: And Sold by J. Roberts, 1729. 61, [1] pp. Octavo (7-3/4" x 4-1/2").

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

\* First edition. Attributed in some sources to Nicholas Amhurst, this pamphlet defends Sir Robert Walpole, then chancellor of the exchequer, against accusations of neglecting England's West Indian commerce, to the advantage of Spain. It describes English expeditions to counter Spanish influence and, in the interest of fairness, lists English ships taken by Spain since the Treaty of Hanover (1725). *English Short-Title Catalogue* T41776.



Item 23



Item 24

### The Value of Education

#### 23. [Trial].

**Carter, Horace [d.1825], Defendant.**

*A Brief Sketch of the Life of Horace Carter, Who Was Executed in Worcester, Dec. 7, 1825, For the Crime of Rape. Together with Remarks on Early Education.* Worcester: S.n., 1825. 16 pp. Octavo (8-1/2" x 5-1/4").

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

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

### One of Lord Erskine's Great Courtroom Speeches

#### 24. [Trial].

**Erskine, Thomas, Baron [1750-1823].**

**Tooke, J[ohn] H[orne] [1736-1812], Defendant.**

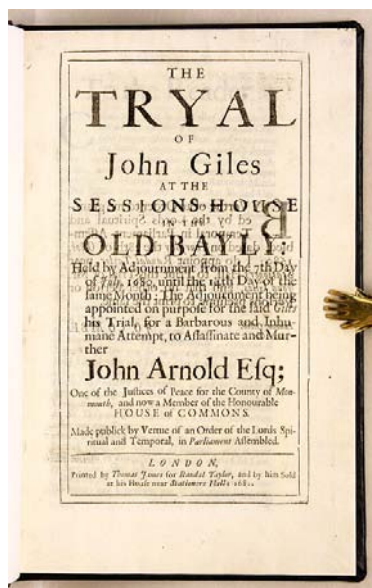
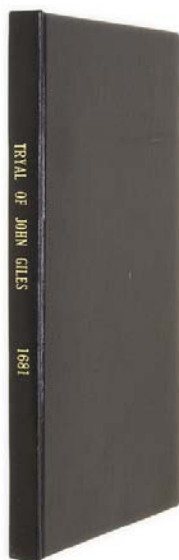
**Blanchard, J[ohn] H[ill], Stenographer.**

*The Genuine Speech of the Hon. Thomas Erskine, In Defence of J.H. Tooke, Esq. Tried by Special Commission on a Charge of High Treason. Taken in Short Hand.* London: Printed for J. S. Jordan, 1795. [iii], 6-75, [1] pp. Complete. Octavo (8-1/4" x 5").

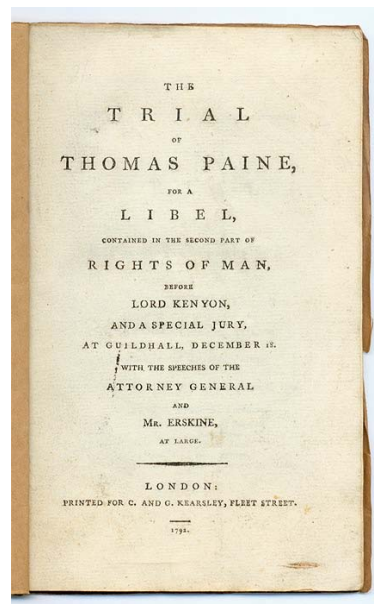


Stab-stitched pamphlet, re-sewn, later plain wrappers. Moderate edgewear to wrappers, light toning to text, foxing to a few leaves, "S" in early hand to head of title page. A well-preserved copy of very scarce title. \$500.

\* Only edition, one of two accounts issued in 1795. The French Revolution struck fear in the British government. It enacted a series of measures to repress radical activity, which led to a series of treason trials in 1794, all of them based on flimsy evidence and conducted with questionable legality. The trial of Tooke, a veteran radical, was notable in part because he was defended by Baron Erskine, the brilliant lawyer/politician. Published as *The Genuine Speech*, his summation to the jury is a masterpiece of courtroom forensics. Tooke's trial lasted six days (17-22 November, 1794) and ended in his acquittal. The jury took eight minutes to reach a verdict. There are two published accounts of this speech by stenographers present at the trial, Blanchard and Manoah Sibly. Both accounts are very scarce. OCLC locates 5 copies of the Blanchard account (Columbia Law School, North Carolina State, UC-Berkeley, University of Cambridge, University of Washington Law School). The ESTC adds another library (John Carter Brown). *English Short-Title Catalogue* N36180.



Item 25



Item 26

### Notable Seventeenth-Century Case of Assault and Battery

#### 25. [Trial].

##### Giles, John, Defendant.

*The Tryal of John Giles at the Sessions-House in the Old Bayly... for a Barbarous and Inhumane Attempt to Assassinate and Murther John Arnold, Esq.* London: Printed by Thomas James for Randal Taylor, 1681. 58 pp. Folio (11-1/2" x 7-1/4").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Negligible light toning to text, light foxing to a few leaves. Early hand-lettered numbers to upper left-hand corners of each leaf, most affected by trimming, interior otherwise clean. \$250.

\* Only edition. An account of a sensational case of assault and battery. John Arnold, a justice of the peace from Monmouth, was attacked by a gang of men armed with knives and swords. Stabbed several times, Arnold survived the attack. One of these men, Giles, was apprehended and brought to trial. He was convicted, fined, compelled to offer sureties for good behavior for the rest of his life and sentenced to three hour-long sessions in the pillory over the course of three days, one facing Lincoln's Inn, another facing Gray's Inn and a third "by the May-Pole in the Strand." OCLC locates 13 copies, 3 in North American law libraries (Harvard, Osgoode Hall, Yale). *English Short-Title Catalogue* R24640.

### One of the Earliest Accounts of Thomas Paine's Trial for Libel

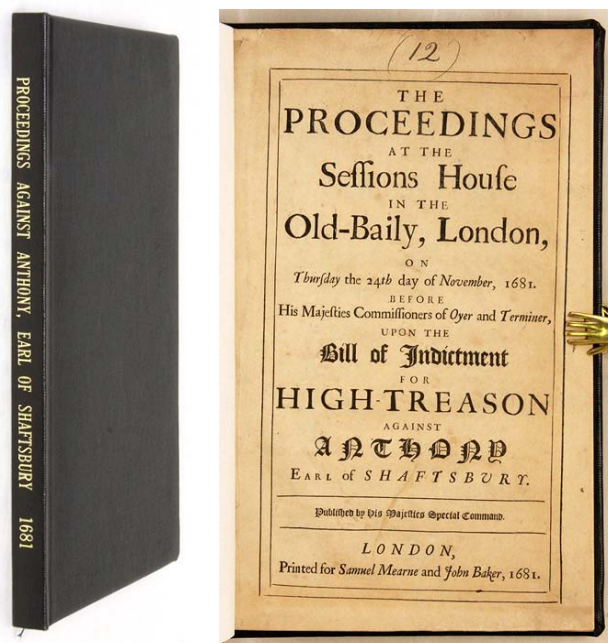
#### 26. [Trial].

##### Paine, Thomas [1737-1809], Defendant.

*The Trial of Thomas Paine, For a Libel, Contained in the Second Part of Rights of Man... With the Speeches of the Attorney General and Mr. Erskine, At Large.* London: Printed for C. and G. Kearsley, Fleet Street, 1792. [ii], 45, [1] pp. Octavo (8-1/4" x 5-1/4").

Stab-stitched pamphlet in later plain wrappers. Light soiling and some edgewear, a few minor inkstains. Light toning to text, light soiling to title page and verso of final leaf. A nice copy. \$850.

\* The first part of Paine's *Rights of Man* did not generate much controversy when it was published in March 1791. Unnerved by the course of the French Revolution, the British government reacted differently when the second part appeared in February 1792. At this point Pitt's administration did what it could to suppress the influence of radical thought in Great Britain. Following this policy, the government indicted Paine on charged with seditious libel. Though he fled to France, he was tried in absentia. Though represented by Thomas Erskine, who offered a skillful and impassioned defense, he was found guilty. Paine's conviction was the first of many show trials that aimed to suppress the publications and other acts of political radicals. The present account of Paine's trial is one of the earliest, one of three (possibly five) issued in 1792, two of them by Kearsley. *English Short-Title Catalogue* N13831.



### Treason Trial of a Founding Member of the Whig Party

#### 27. [Trial].

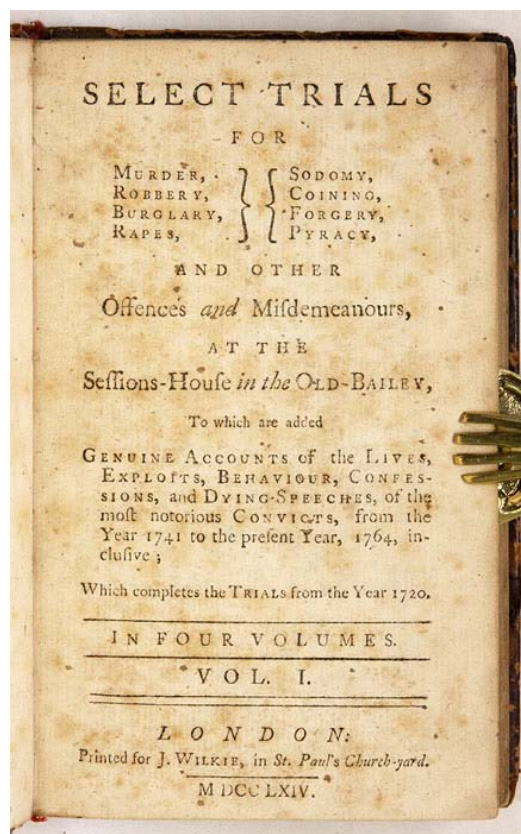
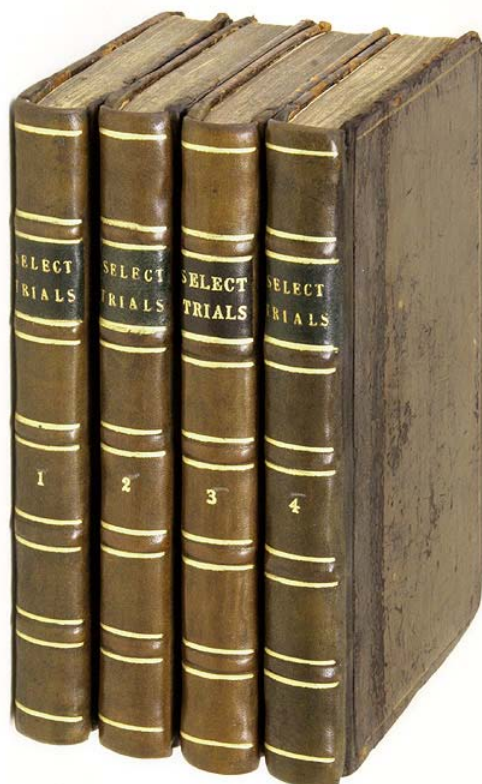
**Shaftesbury, Anthony Ashley Cooper, Earl of [1621-1683].**

*The Proceedings at the Sessions House in the Old-Baily, London on Thursday the 24th Day of November, 1681. Before His Majesties Commissioners of Oyer and Terminer, Upon the Bill of Indictment for High-Treason Against Anthony Earl of Shaftsbury. Published by His Majestie Special Command.* London: Printed for Samuel Mearne and John Baker, 1681. [ii], 48 pp. Lacking initial blank leaf. Folio (11" x 6-3/4").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title

to spine. Moderate toning to text, light foxing to a few leaves, light soiling to title page. "(12)" in early hand to head of title page, interior otherwise clean. \$200.

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



### **Trials at Old Bailey, Indexed by Crime**

#### **28. [Trials].**

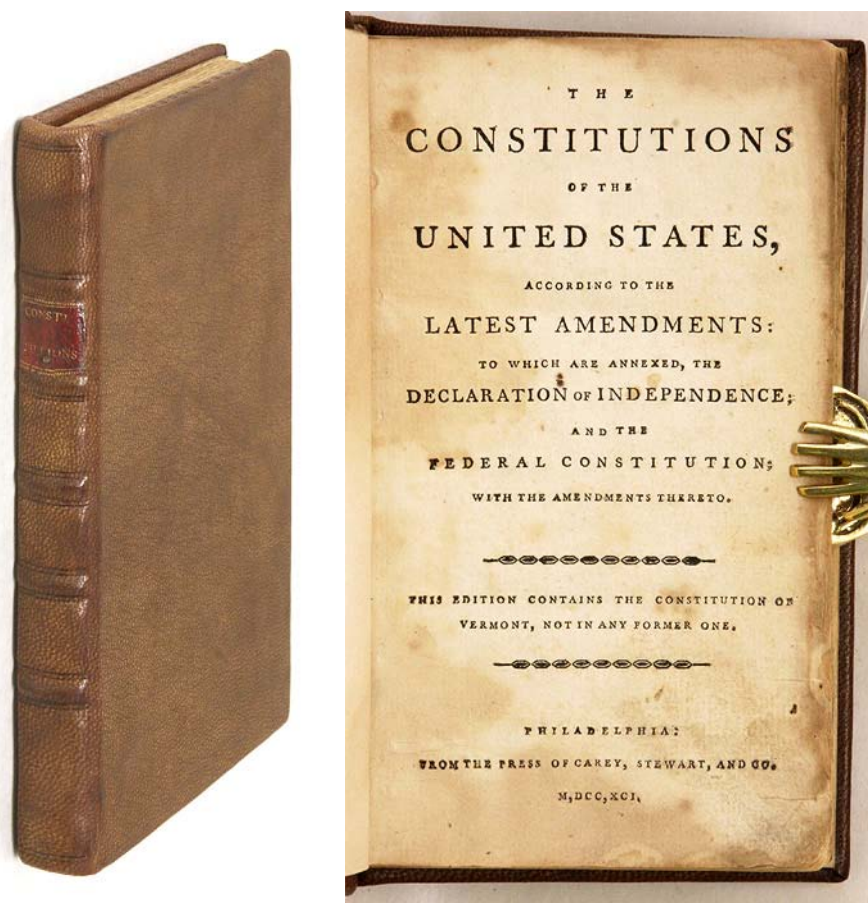
#### **[Great Britain].**

*Select Trials for Murder, Robbery, Burglary, Rapes, Sodomy, Coining, Forgery, PyracY, And Other Offences and Misdemeanours, 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 Notorious Convicts, From the Year 1741 to the Present Year, 1764, Inclusive; Which Completes the Trials from the Year 1720.* London: Printed for J. Wilkie, 1764. Four volumes. 12mo. (6" x 4").

Contemporary calf with recent rebacking, gilt fillets to boards, lettering pieces and gilt-edged raised bands to spine, endpapers retained, hinges mended. Moderate rubbing to extremities with some wear to spine ends and corners, light scuffing and some minor gatering to boards, boards of Volume I just beginning to separate, but secure, a few joints and hinges starting. Some toning to text, light foxing in places, lower corner lacking from pp. 119-120 in Volume I with loss to catchword. pp. 217-165 of this volume have misprinted page numbers corrected in early pencil, interior otherwise clean. A nice set. \$1,750.

\* Indexed by crime, 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. This title is the third and final set in a series of multi-volume trial collections, one published in 1734-35, another in 1742. Although these titles were issued by different publishers they have a uniform format and were later re-published as a five-volume work in 1764. *English Short-Title Catalogue* T82548.





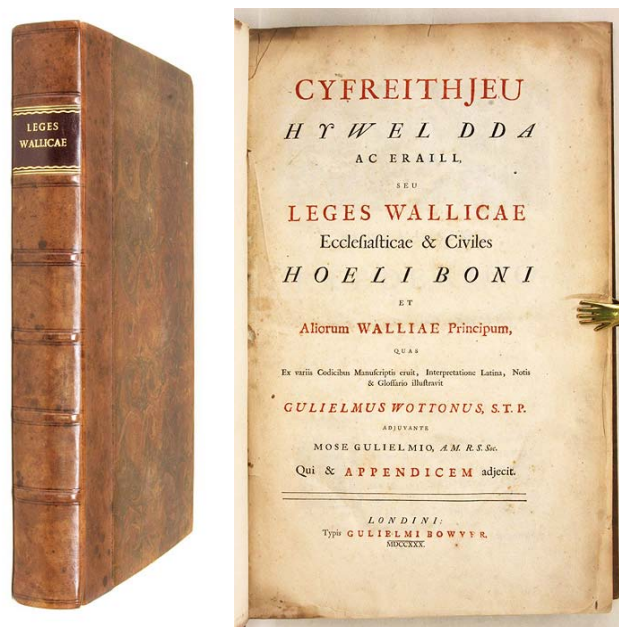
**The First Post-Ratification Collection of State Constitutions, Includes the Declaration of Independence, U.S. Constitution and Bill of Rights in Its Original Form**

**29. [United States].  
[Constitutions].**

*The Constitutions of the United States, According to the Latest Amendments: To Which are Annexed, The Declaration of Independence; And the Federal Constitution; with the Amendments Thereto. This Edition Contains the Constitution of Vermont, Not in any Former One.* Philadelphia: From the Press of Carey, Stewart, and Co., 1791. [iv], 176 pp. Pages 1, 71 unnumbered as issued. 12mo. (6-3/4" x 4").

Recent period-style calf, raised bands and retained early lettering piece to spine, endleaves renewed. Light browning to text, occasional light foxing, minor edgewear to title page and following leaf. Early owner signature (of William Pennock) to head of table of contents and p. 1, interior otherwise clean. A handsome copy. \$1,950.

\* This is the first collection of state constitutions published after the ratification of the U.S. Constitution, and the first to contain a printing of the Constitution of the United States, with the first twelve proposed constitutional amendments, ten of which would become the Bill of Rights. A statement dated August 1791 says amendments one and two were not ratified by enough states and that the other 10 had been ratified by nine states. Virginia became the 10th state, completing the ratification process on December 15, 1791. This edition is also the first to include the Constitution of Vermont, along with those of the 13 original states: New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia. Pennock was a Philadelphia attorney. Sabin, *A Dictionary of Books Relating to America* 16097. Howes, *USIana* C716. Evans, *American Bibliography* 23887. Cohen, *Bibliography of Early American Law* 3036.



**Notable Eighteenth-Century  
Compilation of Welsh Civil and Ecclesiastical Law**

**30. [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 (15-1/4" x 9-1/2").

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

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

**The Lawbook Exchange, Ltd.**  
**Antiquarian Bookseller and Publisher**  
**New and Used Titles for Practitioners and Scholars**  
**Subscription Agent • Collection Development • Appraisals**  
**(800) 422-6686 or (732) 382-1800. Fax: (732) 382-1887**  
**law@lawbookexchange.com**  
**www.lawbookexchange.com**

