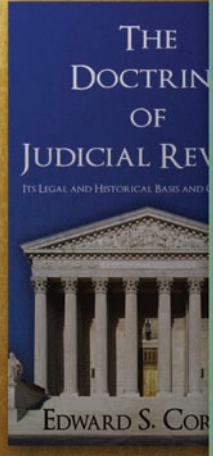
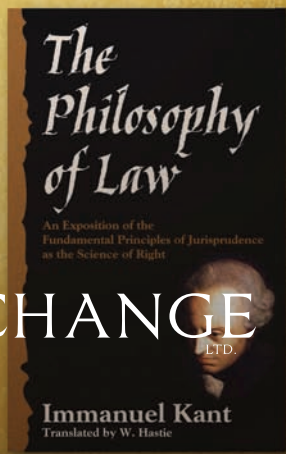
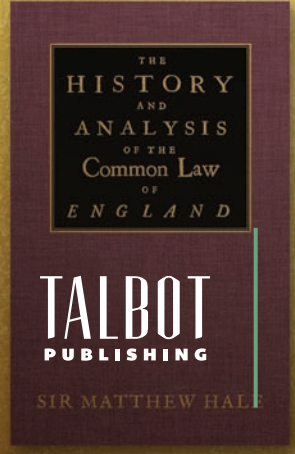
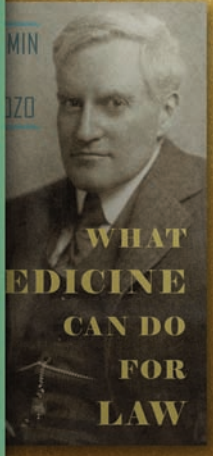
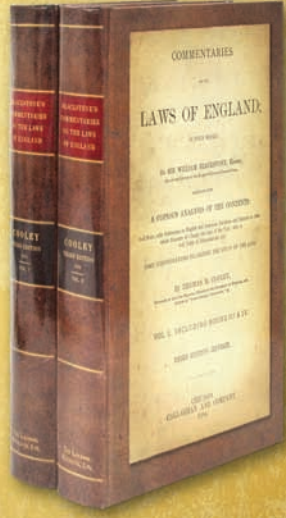
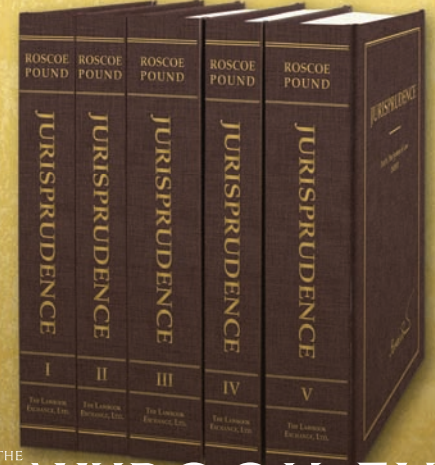
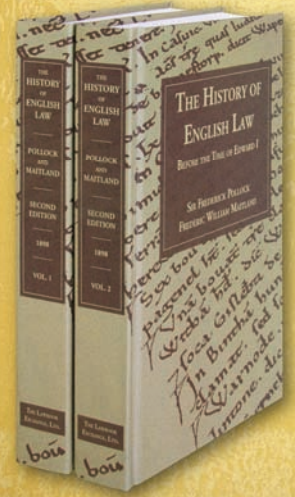
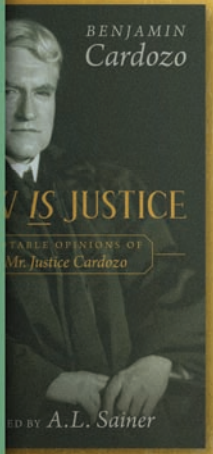
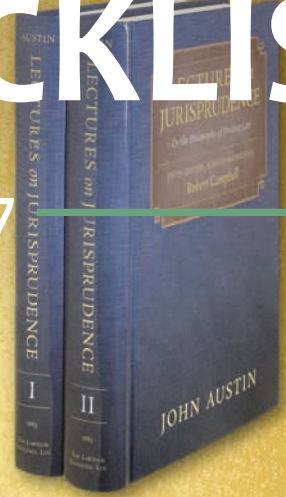
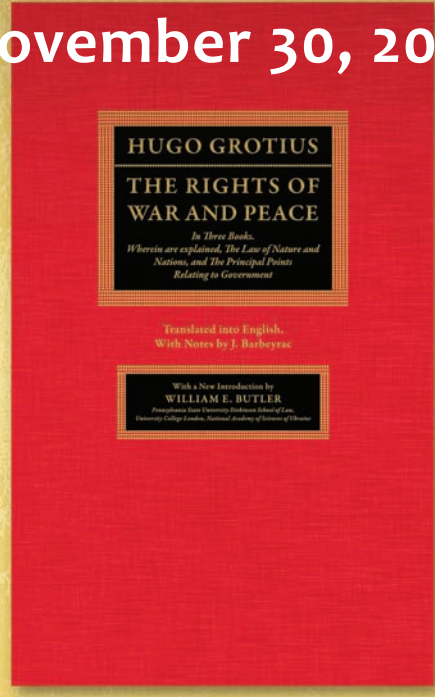
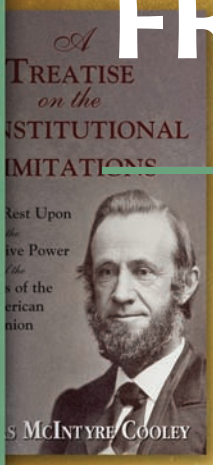
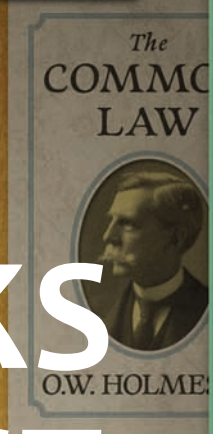
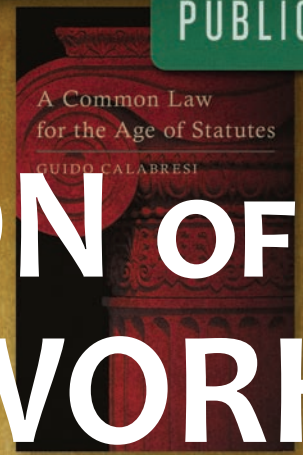
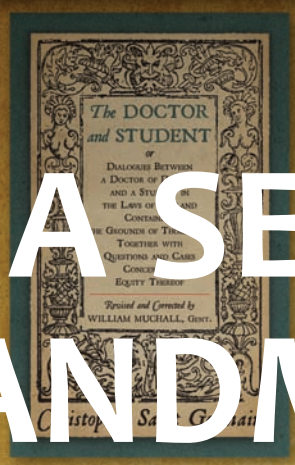
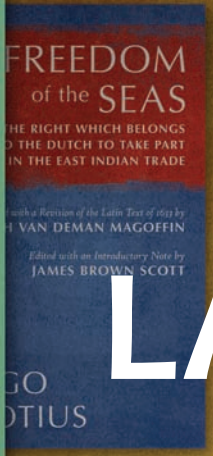


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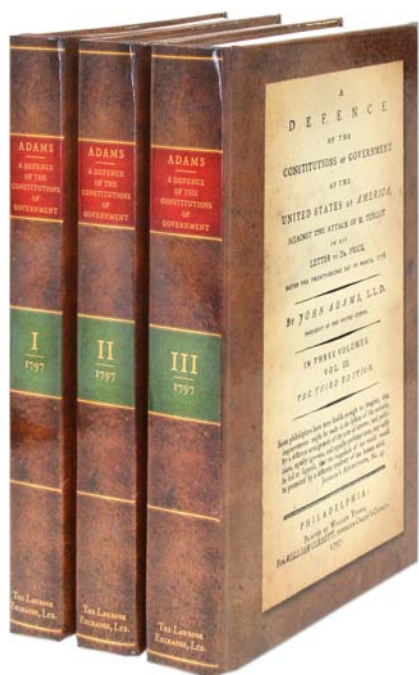
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ADAMS' STUDY OF CONSTITUTIONS AND GOVERNMENTS THAT INFLUENCED THE FOUNDERS

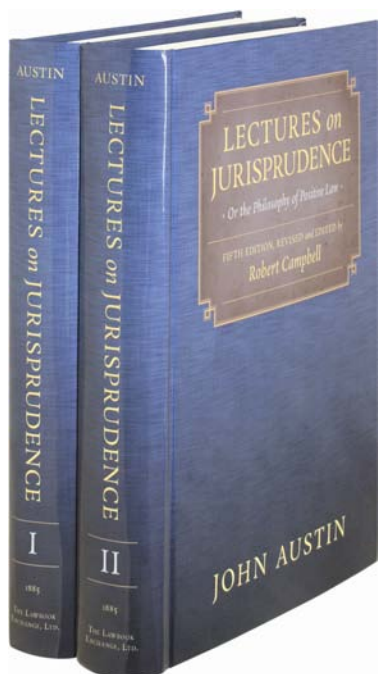
ADAMS, JOHN

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

Originally published: Philadelphia: Printed by Budd and Bartram, for William Corbett, 1797.
3 Vols. xxxiii, 392; [4], 451; [4], 546 pp.

Reprint of the final authorial edition published in Philadelphia during Adams' [1735-1826] presidency. His review and analysis of various constitutions and models of republics played an important role in the development of American political theory. He calls for a doctrine of the separation of powers, a system of checks and balances, and a legislature of two houses. The work's timely publication and thesis influenced the delegates to the Constitutional Convention of 1787. Written and originally published in London in 1787 while Adams was serving at the Court of King James. With a list of subscribers that includes senators, congressmen and other distinguished statesmen.

3 vols. Hardcover ISBN 978-1-58477-140-1 \$125. [Order this item](#)



AUSTIN, JOHN

Lectures on Jurisprudence or the Philosophy of Positive Law Fifth Edition, Revised and Edited by Robert Campbell

Originally published: London: John Murray, 1885. 2 Vols. xxiii, 507; xiii, 509-1132 pp.

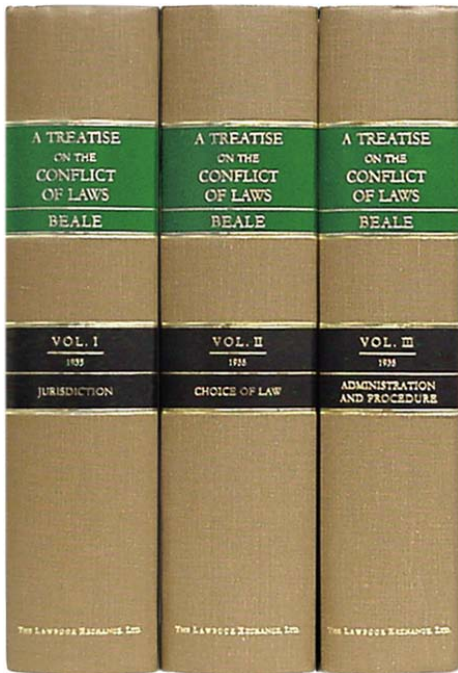
Reprint of the fifth and best edition of Austin's *magnum opus*. First published in 1863, this work is a landmark in the development of modern legal thought. Its most important contributions are the strict delimitation of law and its distinction from morality, the elaboration of the idea of law as a kind of command and the close examination of such common legal terms as right, duty, liberty, injury and punishment. Widely regarded as the best, this fifth edition, edited by Campbell, had a profound influence on several important Anglo-American jurists such as Oliver Wendell Holmes, Jr.

"No writer whom we know had more of the qualities needed for initiating and disciplining other minds in the difficult art of precise thought. Though the merit and worth of his writings as a contribution to the philosophy of jurisprudence are conspicuous, their educational value, as a training school for the higher class of intellects, will be found, we think, to be still greater. Considered in that aspect, there is not extant any other book which can do for the thinker exactly what this does. Independently of the demands which its subject makes upon the attention, not merely of a particular profession, but of all liberal and cultivated minds, we do not hesitate to say that as a mere organon for certain faculties of the intellect, a practical logic for some of the higher departments of thought, these volumes have a claim to a place in the education of statesmen, publicists, and students of the human mind." --JOHN STUART MILL, *The Edinburgh Review* 118 (October 1863) 139.

JOHN AUSTIN [1790-1859] was the founder of English analytical jurisprudence and the first to subject the law to inductive analysis. When University College, London was founded, in 1826, he was appointed its first professor of jurisprudence, a subject that had previously occupied an unimportant place in legal studies. Posthumously influential, the only work published during his lifetime was *The Province of Jurisprudence Determined* (1832), which was taken from his *Lectures*.

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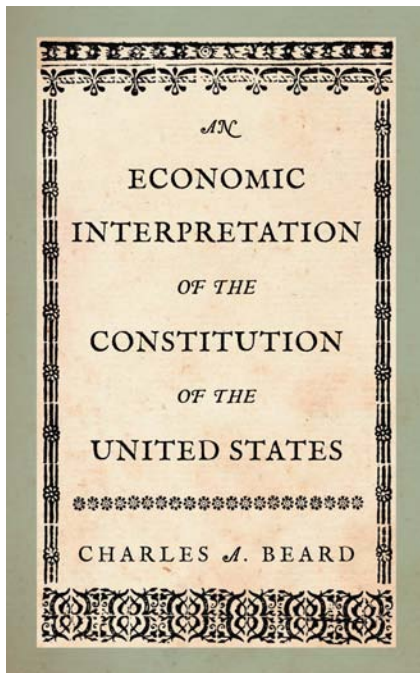
BEALE, JOSEPH H.

A Treatise on the Conflict of Laws

Originally published: New York: Baker, Voorhis & Co., 1935.
3 Vols. cxii, 646; xix, 647-1440; viii, 1441-2127 pp.

Reprint of the first edition. Beale's treatise ranks with *Williston on Contracts* and *Wigmore on Evidence* as one of the undisputed classics of twentieth-century American law. In fact, Jerome Frank claimed in *Law and the Modern Mind* that it may be the best legal work produced in his lifetime (48). The reasons for its importance are summarized nicely in an early review: "Originally the plans of the Institute called for treatises to accompany the black-letter text of the Restatements, and this was at the start the plan for the Conflict of Laws. For reasons which seemed to the authorities of the [American Law] Institute decisive, this plan for accompanying treatises was abandoned relatively early. Instead, therefore, of a treatise bearing the quasi-official imprimatur of the Institute, we now have Professor Beale's own treatise. (...) We can...be sure that the doctrines here set forth represent the mature convictions of the most distinguished student of the subject in America, one who has devoted a life time to its study. (...) In the first place, it contains the most exhaustive collection of the American cases on the conflict of laws ever made. In the second place, it gives us the matured conclusions of the outstanding American student on the subject, conclusions arrived at and expressed in the prevailing philosophy of the legal profession. In the third place, it gives us in useable form the needed commentary upon the various sections of the Restatement without which it would be difficult if not impossible to know in many cases just what is meant or upon what authority the 'restatements' are made.": Walter Wheeler Cook, *Columbia Law Review* 35 (1935):1154-1162.

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BEARD, CHARLES

An Economic Interpretation of the Constitution of the United States

Originally published: New York: The Macmillan Company, 1925. vii, 330 pp.

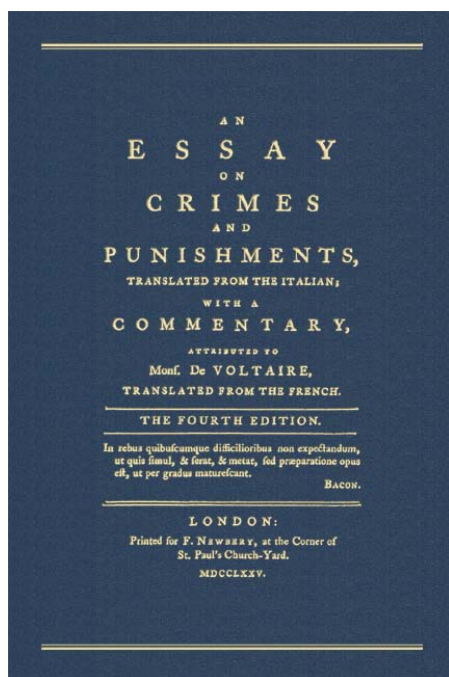
Beard's interpretation proposes that the Framers of the Federal Constitution were motivated primarily by economic concerns. This argument was widely held until the late 1950s, when it was gradually undermined by later research, much of it stimulated by Beard's work. Although most scholars today see the origins of the revolution in terms of the history of ideas, especially republicanism, Beard's work remains fundamental and has insured a continued focus on the economic aspect of the nation's establishment, as well as a wider awareness of the role of economic interests in history.

". . . one of 'the basic works' on the Federal Convention of 1787." --James Willard Hurst, *The Growth of American Law* 458.

CHARLES A. BEARD [1874-1948] was one of the most influential American historians of the first half of the 20th century. A founder of The New School for Social Research, he was the author of several works including *The Supreme Court and the Constitution* (1912), *Economic Origins of Jeffersonian Democracy* (1915) and *The Rise of American Civilization* (1927), co-written with his wife, the historian Mary Beard.

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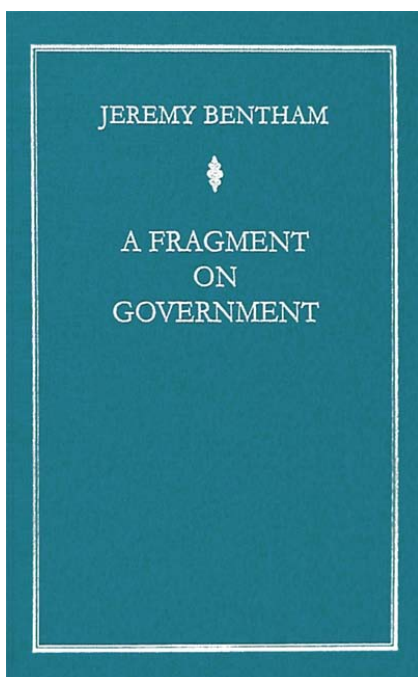
An Essay on Crimes and Punishments

Translated from the Italian; With a Commentary Attributed to Mons. De Voltaire, Translated from the French

Originally published: London: Printed for E. Newberry, 1775. viii, [iv], 179, lxxix pp.

Reprint of the fourth edition, which contains an additional text attributed to Voltaire. Originally published anonymously in 1764, *Dei Delitti e Delle Pene* 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 Middle Ages. It had a profound influence on the development of criminal law in Europe and the United States.

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BENTHAM, JEREMY

A Fragment on Government

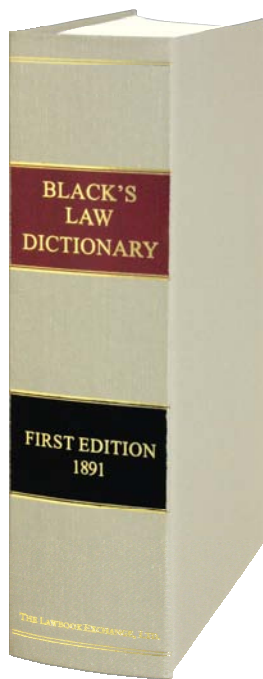
Edited with an Introduction by F.C. Montague

Originally published: Oxford: The Clarendon Press, 1891. xii, 241 pp.

Bentham's first published work, an essay on sovereignty that criticizes Blackstone's *Commentaries* and attacks contemporary views on politics and law. This edition includes F.C. Montague's scholarly introduction that shows the significance of the Fragment and includes a biography of Bentham [1748-1832] and a discussion of his role in the history of jurisprudence. "The *Fragment on Government* is primarily a criticism. If it were nothing more, it would have no interest for later generations, which do not regard Blackstone as an authority upon speculative questions of politics or history, and therefore do not need to have Blackstone's theories corrected or disproved. But in criticizing Blackstone's views, Bentham necessarily expounds his own. As Bentham is one of the few English writers of mark upon the theory of political institutions, and as his doctrine forms a link in the chain of English political philosophy, we still read the *Fragment of Government* in order to see, not how far Blackstone was wrong, but how far Bentham was right.": Introduction 59. Laeuchli, *A Bibliographical Catalog of William Blackstone* 588.

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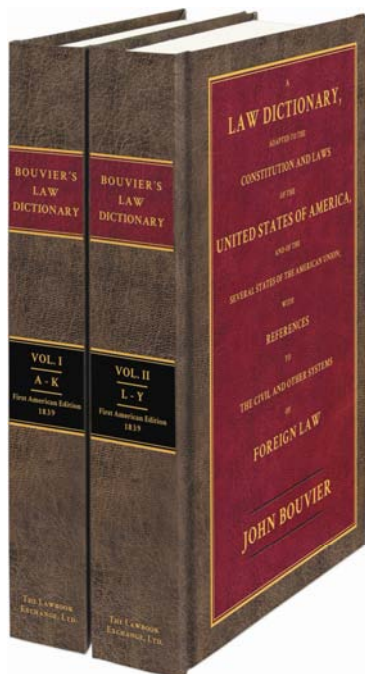
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Containing Definitions of the Terms and Phrases of American and English Jurisprudence, Ancient and Modern. Including the Principal Terms of International, Constitutional, and Commercial Law; with a Collection of Legal Maxims and Numerous Select Titles from the Civil Law and Other Foreign Systems

Originally published: St. Paul, Minn.: West Publishing, 1891. x, 1253 pp.

Reprint of the rare first edition of the classic American law dictionary, now in its tenth edition. Contains definitions of the terms and phrases of American and English jurisprudence, ancient and modern (including the principal terms of international, constitutional, and commercial law). There is also a collection of legal maxims, as well as a bibliography of the principal law dictionaries in English and other languages to 1891.

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BOUVIER, JOHN

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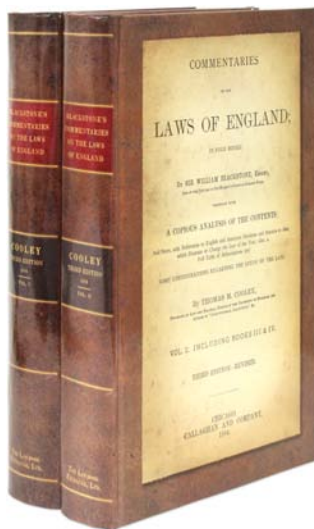
Adapted to the Constitution and Laws of the United States of America, and of the Several States of the American Union; with References to the Civil and Other Systems of Foreign Law

Originally published: Philadelphia: T. & J.W. Johnson, 1839. 2 Vols. 559; 628 pp.

Reprint of the first edition of the first American law dictionary. Long recognized as a leading authority, all other American law dictionaries are inevitably compared with this one. A concise encyclopedia of Anglo-American law, its outstanding feature is its emphasis on the American elements in the law. The original volumes are quite rare.

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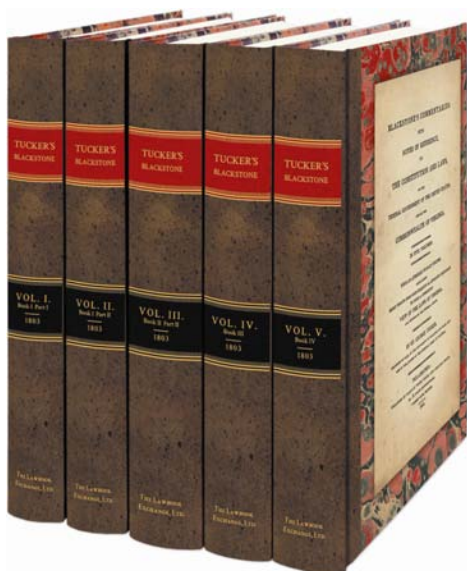
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In Four Books. With A Copious Analysis of the Contents. And Notes with References to English and American Decisions and Statutes to Date Which Illustrate or Change the Law of the Text; Also, a Full Table of Abbreviations, and Some Considerations Regarding the Study of the Law

Originally published: Chicago: Callaghan and Company, 1884. Four books, in 2 volumes. cxv, 644; xxvii, 629 pp. (Blackstone's paging retained in margin.) Portrait frontispiece. Two tables, one folding.

Reprint of the third edition, revised. This edition is notable in part because it omits the notes of English editors found in Cooley's earlier editions and adds a good deal of new commentary by Cooley, most of it dealing with American statutes and decisions. It also has several new sections, such as advice on legal study and a review of the recent progress in law and essays on local government in Great Britain, the British colonial system and local government in the United States and its territories. Cooley [1824-1898] was one of the most prominent American jurists of the nineteenth century and an authority on Constitutional law. First issued in 1870, "Cooley's Blackstone" was the standard American edition of the late nineteenth century. Laeuchli, *A Bibliographical Catalog of William Blackstone* 269.

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With a New Critical Introduction by Paul Finkelman and David Cobin

BLACKSTONE, SIR WILLIAM
TUCKER, ST. GEORGE, EDITOR

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Originally published: Philadelphia: William Young Birch and Abraham Small, 1803. Five volumes. xvi, xviii, star-paged 120, [2], 446, [1]; [ix], star-paged 485, 118; [viii], iv, star-paged 520, xiv, 112; [viii], iv, star-paged 455, 74, [1]; [viii], iii, star-paged 443, vii, 60, [51] pp. Volume III has 4 tables, 3 folding.

The "American Blackstone." A monumental work of continuing relevance, this reprint edition is prefaced by a new critical introduction by Paul Finkelman, President William McKinley Distinguished Professor of Law and Public Policy, Albany Law School and David Cobin, Professor, Hamline University School of Law, St. Paul Minnesota. Tucker's Blackstone is a key resource for understanding how Americans viewed English common law in the years following the adoption of the Constitution and the Bill of Rights. Based on his lectures at the College of William and Mary,

Tucker interprets Blackstone's often antidemocratic viewpoint in an American context. A strong proponent of the First Amendment, he elaborates a theory of free speech that is more expansive than in the English tradition. More recently, Tucker's Blackstone has been cited in numerous constitutional cases by the U.S. Supreme Court relating to "original intent." Reprint of the rare sole edition.

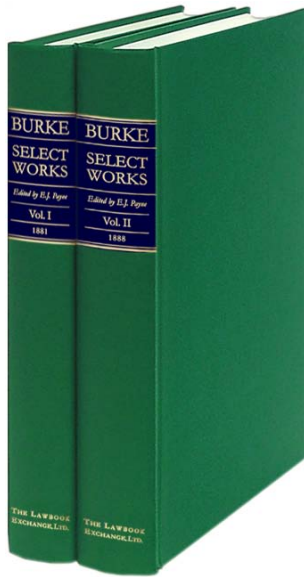
"Tucker's *Blackstone* became a standard reference work for many American lawyers unable to consult a law library, especially those on the frontier. It is impossible to measure its impact on American law, but it is clear that sales were strongest in Virginia, as could be expected; it was also widely used in Pennsylvania and South Carolina." William H. Bryson, *The Virginia Law Reporter Before 1800* 102. Tucker's *Blackstone* has been cited in numerous cases by the U.S. Supreme Court in an attempt to discern the original intent of the Constitution. Laeuchli, *A Bibliographical Catalog of William Blackstone* 138, 268.

SIR WILLIAM BLACKSTONE [1723-1780], a Fellow of All Souls College, Oxford, was a bencher of the Middle Temple, Vinerian Professor of Law at Oxford, and a member of Parliament. In 1763 he became solicitor general to the queen and was knighted in 1770. His *Commentaries on the Laws of England* [1765-69] is the most influential publication in the history of Anglo-American law. In its many editions by Tucker and others it remained the standard legal textbook in America into the late nineteenth century and was the primary, or only, book studied by hundreds of self-taught lawyers, such as Abraham Lincoln.

ST. GEORGE TUCKER [1752-1827] was the professor of law at the College of William and Mary. In 1804 he was appointed to the Virginia Court of Appeals in Richmond.

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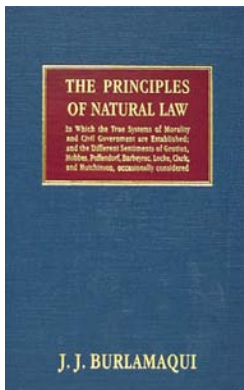
Select Works

Edited with an Introduction and Notes by E.J. Payne

Originally published: Oxford: At the Clarendon Press, 1881. 2 Vols. lxii, 328; lxx, 384 pp.

An appealing compilation of Burke's principal works, including *On the Causes of the Present Discontents* (1770), which treats the expulsion of Wilkes from Parliament and the value of political parties, the speech *On Conciliation with the American Colonies* (1775), which supported the cause of the colonists, and *Reflections on the Revolution in France* (1790), a classic criticism of the revolution and its actors. Burke [1729-1797] is considered a founder of modern conservatism. This is true to some extent, but not quite. He believed in popular government and recognized the inevitability of change. Indeed, he believed that a state that could not adapt to change was a state doomed to failure.

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BURLAMAQUI, J[EAN] J[ACQUES]

The Principles of Natural Law

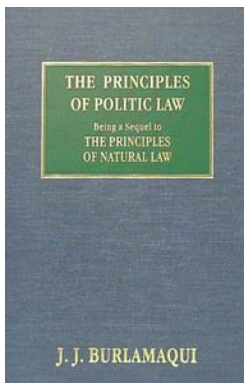
In Which the True Systems of Morality and Civil Government are Established; and the Different Sentiments of Grotius, Hobbes, Puffendorf, Barbeyrac, Locke, Clark, and Hutcheson, occasionally considered

Translated into English by Mr. Nugent

Originally published: London: J. Nourse, 1748. xlii, 312 pp.

Reprint of the first English edition. Burlamaqui [1694-1748], a Swiss jurist and professor of civil and natural law at Geneva, 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. Marvin stated a general opinion when he observed that "his works are deservedly held in high esteem." Blackstone was one of many jurists influenced by Burlamaqui's work. Marvin, *Legal Bibliography* (1847) 162. Harvey, *Jean Jacques Burlamaqui: A Liberal Tradition in American Constitutionalism* 178-179.

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The Principles of Politic Law

Being a Sequel to the Principles of Natural Law

Translated into English by Mr. Nugent

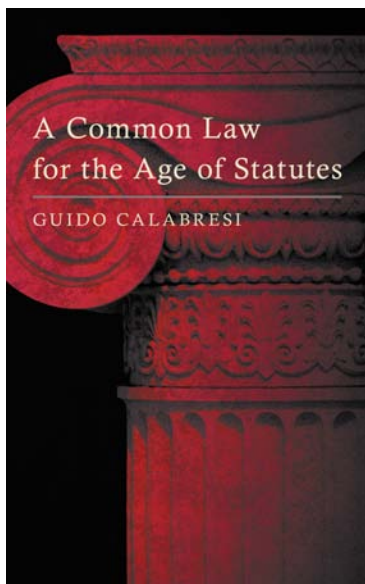
Originally published: London: J. Nourse, 1752. viii, 372 pp.

Here he develops his thesis that international law is based on natural law and examines the principles of sovereignty with respect to considerations such as foreign rights, the necessity of war, the concept of absolute power, public treaties and economic factors. Burlamaqui's views were a primary source of the theory voiced in the Declaration of Independence. The principles of his constitutional system are strikingly like those of the American, and he had considerable influence on Blackstone's lectures on jurisprudence. Reprint of first English translation. Sequel to Burlamaqui's other major work, *The Principles of Natural Law* (1748) (also published in reprint by The Lawbook Exchange, Ltd.).

JEAN JACQUES BURLAMAQUI [1694-1748] was a Swiss jurist and professor of civil and natural law at Geneva.

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CALABRESI, GUIDO

A Common Law for the Age of Statutes

Originally published: Cambridge: Harvard University Press, 1982. [x], 319 pp.

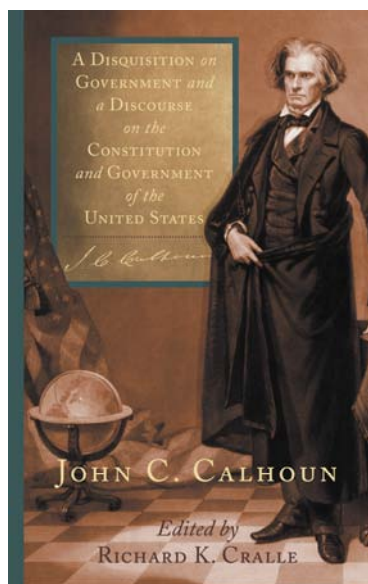
Calabresi complains that we are "choking on statutes" and proposes a restoration of the courts to their common law function. From a series of lectures given by Calabresi as part of The Oliver Wendell Holmes Lectures delivered at Harvard Law School in March 1977.

"In his most recent publication, *A Common Law for the Age of Statutes*, based on the Oliver Wendell Holmes lectures he delivered at Harvard in March of 1977, Professor Calabresi has brought his ample juristic talents to bear on a foundational problem of the legal and democratic process. He has produced a monograph that in its quality, timeliness and provocativeness is likely to stand alongside the seminal works of Ronald Dworkin and Grant Gilmore."

Allan C. Hutchinson and Derek Morgan, 82 *Columbia Law Review* 1752 1982

GUIDO CALABRESI [1932-] is Sterling Emeritus Professor of Law and Professorial Lecturer in Law at Yale Law School. He was Dean of Yale Law School from 1985-1994, and was appointed United States Circuit Judge in 1994. He is also the author of *The Costs of Accidents* (1970), *Tragic Choices* (1978) and *Ideals, Beliefs, Attitudes, and the Law* (1985).

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AN INFLUENTIAL THEORY OF MINORITY RIGHTS

CALHOUN, JOHN C.

A Disquisition on Government and a Discourse on the Constitution and Government of the United States

Edited by Richard K. Cralle

Originally published: Charleston, S.C.: Steam Power-Press of Walker and James, 1851. viii, 406 pp.

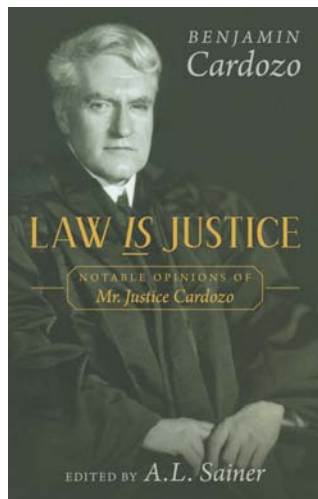
"In Calhoun's last years he drafted two essays that set forth his ideas on political theory. The first and shorter essay, 'The Disquisition on Government,' is the more significant in that Calhoun sought to develop a consistent theory of minority rights within the context of majority rule. He urged universal recognition of the inequality of mankind and the differentiation of social and economic concerns. For an organized society to work in a harmonious and practical sense, these differences, Calhoun contended, had to be recognized and then institutionalized. He was, of course, arguing for his section and its 'peculiar institution,' but nowhere does he mention slavery in the essay. Calhoun's thought as developed in the "Disquisition," and to a lesser extent in his "Discourse on the Constitution," remains an original contribution to the history of political theory. His assertion of pluralism in political representation has influenced diverse critics of society, including liberal supporters of civil rights and conservative defenders of special social and economic interests." --JOHN NIVEN, "JOHN C. CALHOUN," *American National Biography* 4:215-216

Secretary of war and state, a two-time vice president and one of the more notable senators in U.S. history, **JOHN C. CALHOUN** [1782-1850] was one of the greatest American statesmen of the nineteenth century. An important political theorist and inspiration to the secessionists, he advanced sophisticated and impassioned arguments in favor of slavery, limited government and states' rights.

See Cohen, *Bibliography of Early American Law* II: 358 (5748).

Hardcover 2012 ISBN 978-1-58477-127-2 \$28.95 [Order this item](#)

A SELECTION OF LANDMARK WORKS FROM OUR BACKLIST



CARDOZO, BENJAMIN N.

Law is Justice

Notable Opinions of Mr. Justice Cardozo

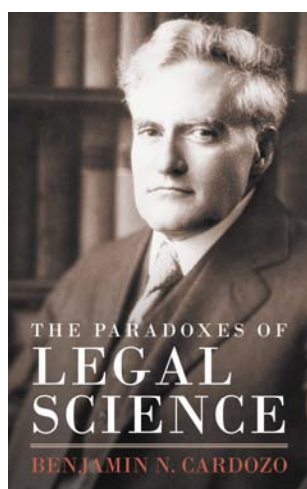
Foreword by Robert F. Wagner. Edited by A.L. Sainer

Originally published: New York: Ad Press Ltd., [1938]. xvii, 441 pp. Frontispiece.

A collection of notable opinions by the great judge in the areas of civil rights, crime, contractual relations, injuries, estates, labor and social matters, and international relations. Cardozo's opinions bear the mark of careful preparation, of patient and laborious research, of a profound understanding of legal principles and their present ethical, social and economic setting. Each opinion is accompanied by an introduction that explains the background and legal substance of the case.

BENJAMIN N. CARDOZO [1870-1938] an Associate Justice of the Supreme Court, was one of the most influential American jurists of the twentieth century. He is the author of *The Nature of the Judicial Process* (1921), *The Paradoxes of Legal Science* (1928) and *What Medicine Can Do For Law* (1930).

Hardcover 2014 ISBN 978-1-58477-010-7 \$39.95 [Order this item](#)



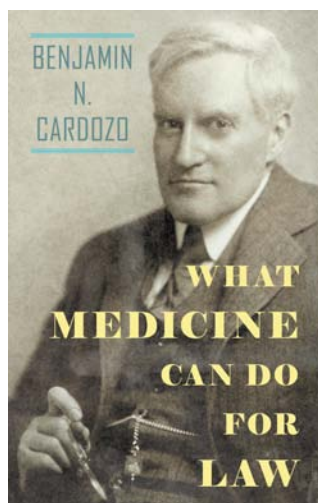
CARDOZO, BENJAMIN N.

The Paradoxes of Legal Science

Originally published: New York: Columbia University Press, 1928. v, 142 pp.

Here the influential Associate Justice of the Supreme Court Benjamin Cardozo [1870-1938] examines the nature of the relationship between justice and law. "His many references in these lectures to Greek philosophy show how great a part his early classical training played in the formation of his ideas; in relating his general principles to the concrete cases which, in his words, he used as a kind of legal litmus paper, he was a true Aristotelian.": Arthur L. Goodhart, *Five Jewish Lawyers of the Common Law* 59-60.

Hardcover, 2012 ISBN 978-1-58477-097-8 \$37.95 [Order this item](#)



CARDOZO, BENJAMIN N.

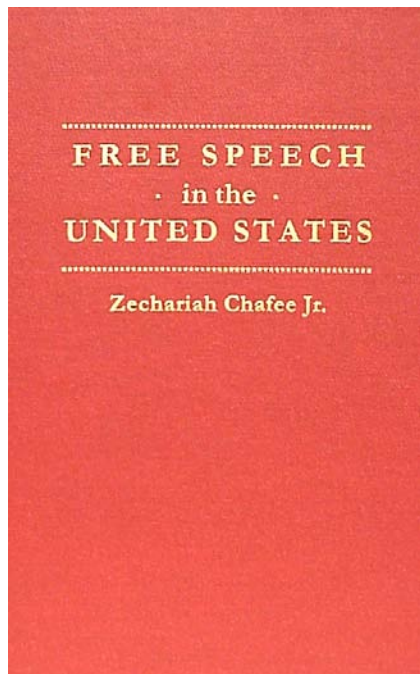
What Medicine Can Do For Law

Originally published: New York: Harper & Brothers, 1930. 52 pp.

Reprint of the first edition. Cardozo [1870-1938], an Associate Justice of the Supreme Court, was one of the most influential American jurists of the twentieth century. "This noteworthy address, with its appreciation of the scientific problems involved, its courage and social vision, will go down in history as one of the most valuable contributions in our time to medico-legal jurisprudence.": Bernard L. Shientag, *Moulders of Legal Thought* 39.

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A SELECTION OF LANDMARK WORKS FROM OUR BACKLIST



CHAFEE, ZECHARIAH

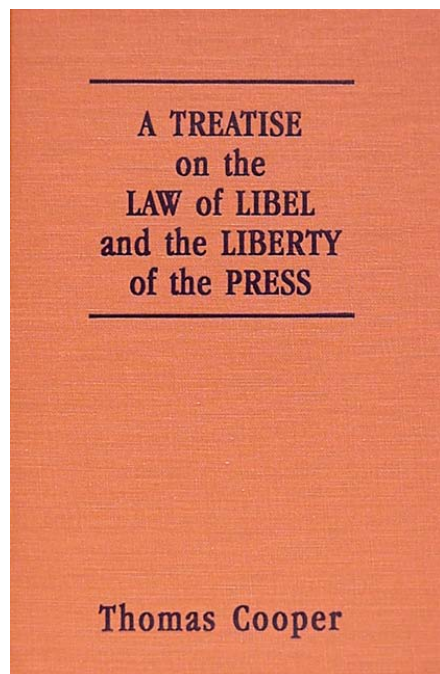
Free Speech in the United States

Originally published: Cambridge, Massachusetts: Harvard University Press, 1967. xviii, 634 pp.

Reprint of the second edition. Originally published: Cambridge, Massachusetts: Harvard University Press, 1967. xviii, 634 pp. A rewritten and expanded version of his seminal *Freedom of Speech* (1920) which established modern First Amendment theory, this work became a foremost text of U.S. libertarian thought. It considers the social necessity of free speech in the United States from the 1920's through 1941. Discusses freedom of speech in the Constitution, relevant cases in the Supreme Court under Hughes, war-time prosecutions, legislation against sedition, and more. This leading treatise on civil liberties influenced the jurisprudence of Oliver Wendell Holmes, Jr. and Louis Brandeis. "One of the most valuable treatises in the field." Seckler-Hudson, *Bibliography on Public Administration, Annotated* 45.

ZECHARIAH CHAFEE [1885-1947] was Langdell Professor of Law in Harvard University and a prominent first amendment scholar.

Hardcover 2001 ISBN 978-1-58477-085-5 \$69.95 [Order this item](#)



COOPER, THOMAS

A Treatise on the Law of Libel and the Liberty of the Press

Showing the Origin, Use, and Abuse of the Law of Libel: With Copious Notes and References to Authorities in Great Britain and the United States: As Applicable to Individuals and to Political and Ecclesiastical Bodies and Principles

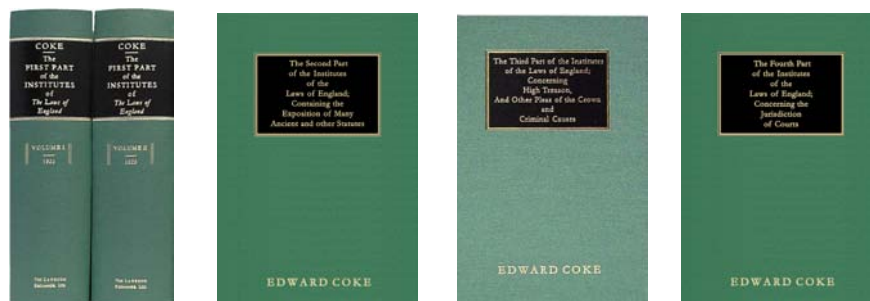
Originally published: New York: G.F. Hopkins & Son, 1830. xxxviii, 184 pp.

Cooper [1759-1835] was an attorney, chemistry professor and influential Jeffersonian political pamphleteer who was, according to *Dictionary of American Biography*, "one of the first to sow the seeds of secession." *DAB* II: 415. His "passionate hostility to tyranny in any form" (*DAB* II: 415) is evident in this commentary on freedom of the press wherein he links the law of libel to the Sedition Act of 1798. During the six months he spent in prison for his objection to the Sedition Act he wrote the first treatise on American bankruptcy laws, *The Bankrupt Law of America, Compared with The Bankrupt Law of England*, which was published in 1801. See Cohen, *Bibliography of Early American Law* 3445.

Hardcover 2002 ISBN 978-1-58477-134-0 \$95. [Order this item](#)

A SELECTION OF LANDMARK WORKS FROM OUR BACKLIST

SIR EDWARD COKE [1552-1643] was considered to be the greatest legal practitioner of his day. Coke's *Institutes* are thought to be the first textbooks on the modern common law. "If Bracton first began the codification of the common law, it was Coke who completed it.... "In the *Institutes*,... the tradition of the common law from Bracton to Littleton, whose name Coke's *Commentary* made famous, firmly established itself as the basis of the constitution of the Realm." *Printing and the Mind of Man* 126.



COKE, SIR EDWARD

The First Part of the Institutes of the Laws of England

Or, A Commentary upon Littleton

By Charles Butler, Esq. The Eighteenth Edition, Corrected

Originally published: London: J. & W.T. Clarke, 1823. 2 Vols. ccxvi, [620]; [vi], [772] pp., retaining pagination of thirteenth edition. Engraved table of consanguinity in Vol. 1.

This reprint of the eighteenth edition is among the editions that Marvin claims are "preferred to the elder editions, both on account of the convenient reference to notes and for the excellent index." Marvin 205.

2 vols. Hardcover 2015 ISBN 978-1-58477-033-6 \$95. [Order this item](#)

The Second Part of the Institutes of the Laws of England

Containing the Exposition of Many Ancient and Other Statutes

Originally published: London: Printed for W. Clarke and Sons, 1817. [xvi], [1], 746, [49] pp. Paging irregular; star-paged to 1681 folio edition.

Reprint of the last and best edition with Butler and Hargrave's notes, with mistakes corrected from the 1681 folio edition. "[Coke's] Commentary upon the Magna Charta, and particularly on the celebrated 29th Chapter [on *habeas corpus*], is deeply interesting to the lawyers of the present age, as well from the value and dignity of the text, as the spirit of justice and of civil liberty which pervades and animates the work." Marvin, *Legal Bibliography* (1847) 208.

Hardcover 2012 ISBN 978-1-58477-200-2 \$49.95 [Order this item](#)

The Third Part of the Institutes of the Laws of England

Concerning High Treason, and Other Pleas of the Crown and Criminal Causes

Originally published: London: Printed for W. Clarke and Sons, 1817. [xii], 244, [21] pp. Paging irregular; star-paged to 1681 folio edition.

Reprint of the last and best edition with Butler and Hargrave's notes, and with mistakes corrected from the 1681 folio edition. "Coke's *Third Institutes* gives us a Treatise of great learning, and not unworthy the hand that produced it;... Having run over all criminal matters, and their legal punishments, he concludes with the nature of pardons and restitutions; showing how far, in each of these, our Kings can process alone, and where they want the assistance and joint power of the Parliaments." Marvin, *Legal Bibliography* (1847) 208.

Hardcover 2012 ISBN 978-1-58477-201-9 \$34.95 [Order this item](#)

The Fourth Part of the Institutes of the Laws of England

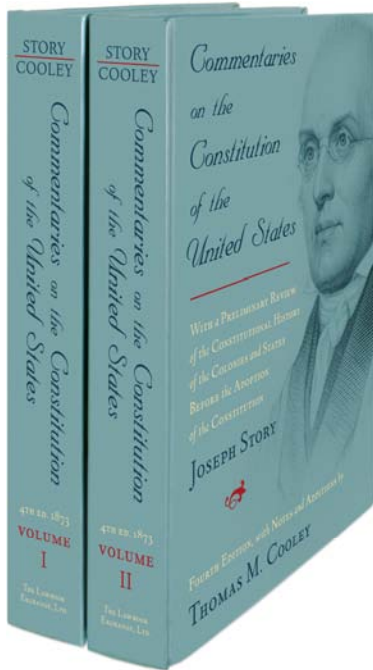
Concerning The Jurisdiction of Courts

Originally published: London: Printed for W. Clarke and Sons, 1817. [xiv], [1], 364, [49] pp. Paging irregular; star-paged to 1681 folio edition.

Reprint of the last and best edition with Butler and Hargrave's notes, and with mistakes corrected from the 1681 folio edition. For this *Institute* Coke gathered miscellaneous materials that were not in the first three *Institutes*, and included translations of ancient statutes that appeared in the earlier *Institutes* in the original Latin or Law French, with notes and references to later authorities cited by Butler and Hargrave. *The Fourth Part* outlines the authority and jurisdictions of the Court of Star-Chamber, Kings Court, Chancery, the Court of Common Pleas, Ecclesiastical Courts, Courts of Exchequer, Augmentations, Admiralty, the Justices Assise, Courts in Universities of Cambridge and Oxford, Court of the Commissioners Upon the Statute of Bankrupts, the Marshalsea, the Stannaries, the Eighteen Courts of the City of London, the Court of Pipowders (concerning Markets and Fairs), the Courts of the Forest Countries, various ecclesiastical courts and many more.

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IMPORTANT EDITION BY COOLEY

STORY, JOSEPH
COOLEY, THOMAS M., EDITOR

Commentaries on the Constitution of the United States
With a Preliminary Review of the Constitutional History of the Colonies and States Before the Adoption of the Constitution. Fourth Edition, with Notes and Additions by Thomas M. Cooley

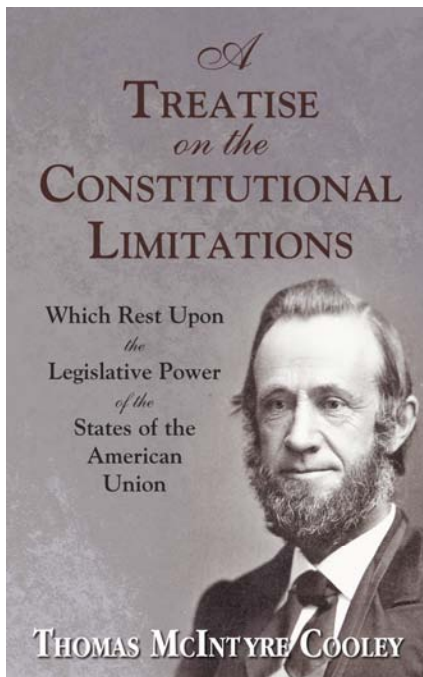
Originally published: Boston: Little, Brown, and Company, 1873. 2 Vols. xxxii, 752; 737 pp.

Reprint of the important fourth edition edited by Thomas M. Cooley. *Commentaries on the Constitution* was the most extensive and widely discussed study of the Constitution written during the antebellum period. It was originally published in 1833 and went through two more editions in 1851 and 1858. Divided into three books, it offers a strongly nationalist interpretation of the Federal constitution. Book I contains a history of the colonies and a discussion of their charters. Book II discusses the Continental Congress and analyzes the flaws that crippled the Articles of Confederation. Book III begins with a history of the Constitution and its ratification. This is followed by a brilliant line-by-line exposition of each of its articles and amendments. Published in 1873, Cooley's edition updated Story's text to include discussion of the 13th, 14th and 15th Amendments, as well as other changes introduced during the Civil War and Reconstruction.

Apart from James Kent, no man has had greater influence on the development of American law than **JOSEPH STORY** [1779-1845]. He was Dane Professor of Law at Harvard, where he played a key role in the growth of the school and the establishment of its national eminence, and an associate justice of the U.S. Supreme Court, where he was the author of several landmark decisions, such as *Martin v. Hunter's Lessee*. His many books have been cited extensively, and he remains an authority today.

THOMAS M. COOLEY [1824-1898] was perhaps the most significant American jurist of the later nineteenth century. A deeply influential justice, later chief justice, of the Michigan Supreme Court, he also played a leading role in the establishment of the University of Michigan Law School and was a charter member, and first chairman, of the Interstate Commerce Commission. His 1868 *Treatise on Constitutional Limitations* was the most important study of the U.S. Constitution published after Story's *Commentaries*.

2 vols. Hardcover 2011 ISBN 978-1-58477-878-3 \$95. [Order this item](#)



COOLEY, THOMAS M.

A Treatise on the Constitutional Limitations Which Rest Upon the Legislative Power of the States of the American Union
[First Edition]

Originally published: Boston: Little, Brown, and Co., 1868. xlvii, 720 pp.

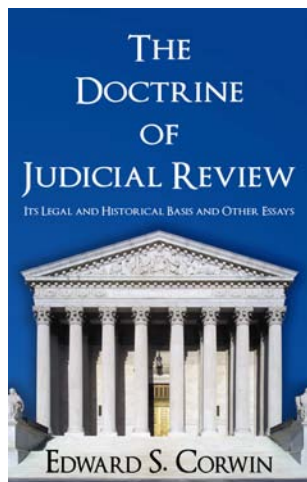
Reprint of a classic treatise by one of the greatest commentators on the Constitution examines the construction of state constitutions and the enactment of laws. Probably the best-known legal treatise of its time, it went through six editions by 1890. Its treatment of such subjects as the protection of property by the "due process" clause of state constitutions and the protection of individual rights from arbitrary regulations dominated American constitutional thinking for generations. Reprint of the first edition. Referring also to Cooley's *General Principles of Constitutional Law in the United States* (1880), Walker declares that these "...are classics, and he ranks with Story among the foremost commentators on the Constitution." Walker, *Oxford Companion to Law* 288. The Lawbook Exchange has also published a reprint of the fifth and final authorial edition.

". . . the real source of his [Cooley's] fame. This book originated from the need of introducing a course on Constitutional Law in the school. . . . The text was developed as a basis for lectures. . . . His discussion attained immediate fame and his views and suggestions practically dominated American Constitutional Law. . . . Like Blackstone, Pomeroy and many other legal works, the influence of *Constitutional Limitations* rests partly upon literary qualities, upon clarity and grace of unaffected statement." --James G. Rogers, *American Bar Leaders* 70.

"The most influential work ever published on American Constitutional law." --Edward S. Corwin, *Constitutional Revolution* 87.

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CORWIN ON JUDICIAL REVIEW

CORWIN, EDWARD

The Doctrine of Judicial Review

Its Legal and Historical Basis and Other Essays

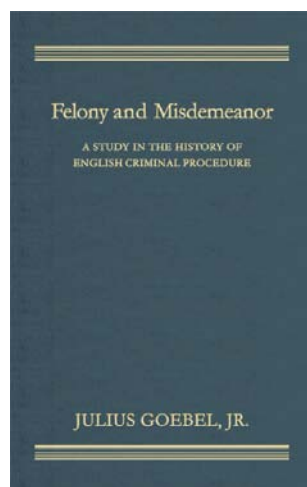
Originally published: Princeton: Princeton University Press, 1914. ix, 178 pp.

This book contains five historical essays, three of them on the concept of "judicial review," which is defined as the power and duty of a court to disregard ultra vires legislative acts.

- In "Marbury v. Madison and the Doctrine of Judicial Review," Corwin asks: "What is the exact legal basis of the power of the Supreme Court to pass upon the constitutionality of acts of Congress?"
- "We, the People" examines the issues of secession and nullification.
- "The Pelatiah Webster Myth" demolishes Hannis Taylor's thesis that Webster was the "secret" author of the United States Constitution.
- "The Dred Scott Decision" considers Chief Justice Taney's argument concerning Scott's title to citizenship under the Constitution.
- "Some Possibilities in the Way of Treaty-Making" discusses how the US Constitution relates to international treaties.

EDWARD S. CORWIN [1878-1963] succeeded Woodrow Wilson as the McCormick Professor of Jurisprudence at Princeton University, and was the first chairman of the Department of Politics. The author of numerous books on constitutional law, he is best known for *The Constitution and What It Means Today* (1920). He was the president of the American Political Science Association, winner of the American Philosophical Society's Franklin Medal and Phillips Prize and was among the notable scholars acknowledged at the Harvard Tercentenary. In 1952 Princeton's Woodrow Wilson Hall was renamed Edward S. Corwin Hall.

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GOEBEL, JULIUS, JR.

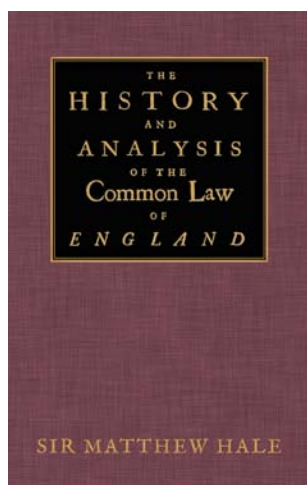
Felony and Misdemeanor

**A Study in The History of English Criminal Procedure
Volume I [all published]**

Originally published: New York: The Commonwealth Fund, 1937. xxix, 455, [1] pp.

Immediately acclaimed as one of the most important contributions to European legal history, *Felony and Misdemeanor* has a broader scope than its title suggests. It is a history of the legal institutions in the Frankish Empire, Normandy and pre-conquest England and their contributions to the formation of Anglo-American private law, public law and judicial administration. It is also a social and political history of the early Middle Ages. This work, complete in itself, was intended to have a second volume which was never published. Reviewing this book in 1938 for the *Harvard Law Review*, Max Radin said it was "one of the most notable contributions to European legal history that has been made anywhere in recent years" and "a first-rate achievement" (51:1463, 1465).

Hardcover 2006 ISBN 978-1-58477-603-1 \$39.95 [Order this item](#)



THE FIRST HISTORY OF THE COMMON LAW

[HALE, SIR MATTHEW]. Written by a Learned Hand.

The History and Analysis of the Common Law of England

Two parts, each with title page and individual pagination: The History of the Common Law of England: Divided into Twelve Chapters; The Analysis of the Law: Being a Scheme, Or Abstract, Of the Several Titles and Partitions of the Law of England, Digested into Method

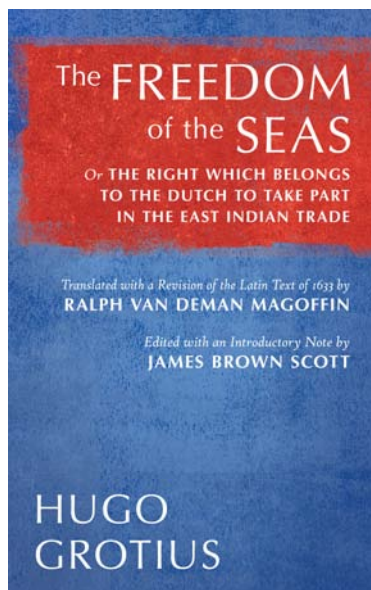
Originally published: [London]: Printed by J. Nutt, 1713. [iii], 264, [12]; [xvi], 171 pp.

Reprint of the first edition. Published anonymously, this highly respected work was the first history of the common law. A series of chronological essays drawn from Hale's manuscripts, it "give[s] us a clear statement of the history of some of the important external features of the common law...Sketch as it is his history is living history because its author had a clear view of its whole course" (Holdsworth). Hale [1609-1676] was a Judge of the Common Pleas, well-known for his *History of the Pleas of the Crown*. Holdsworth, *Sources and Literature of English Law* 151-152.

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A CLASSIC TREATISE ON INTERNATIONAL MARITIME LAW



GROTIUS, HUGO

The Freedom of the Seas or The Right which Belongs to the Dutch to Take Part in the East Indian Trade

Translated with a Revision of the Latin Text of 1633 by Ralph van Deman Magoffin. Edited with an Introductory Note by James Brown Scott

Originally published: New York: Oxford University Press, 1916. xv, 79, 79, 81-83 pp. Main text paged in duplicate with translation and original Latin text on facing leaves (total 182 pp).

Translation of Grotius' work, *Mare Liberum*, with Latin and English on facing pages. This groundbreaking work was commissioned by the Dutch East India Company to dispute the monopoly on East Indian trade routes claimed by the Portuguese. It argues that the seas are international territory open to all nations, thus rejecting the idea that any area of the seas could belong to a country. An instant classic, it received a great deal of attention when it was published in 1609. Perhaps the most important reply is John Selden's *Mare Clausum* (1635), which defends British claims to sovereignty over the coastal waters of the British Isles.

Hardcover 2017 ISBN 978-1-58477-182-1 \$22.95 [Order this item](#)

HIGHLY REGARDED TRANSLATION

GROTIUS, HUGO

The Rights of War and Peace, in Three Books

Wherein are Explained, The Law of Nature and Nations, and The Principal Points Relating to Government. Written in Latin by the Learned Hugo Grotius, And Translated into English. To which are Added, All the Large Notes of Mr. J. Barbeyrac...

Originally published: London: Printed for W. Innys [et al.], 1738. xvi (iii-xvi new introduction), xxxvi, 817 pp. Folio, 9" x 14."

With a new introduction by **WILLIAM E. BUTLER**, Pennsylvania State University Dickinson School of Law, University College London, National Academy of Sciences of Ukraine.

This is considered to be the "best edition" of a landmark work on law and government by Hugo Grotius [1535-1645] (Lowndes, *Bibliographer's Manual of English Literature*, Rev. ed. III, 950). First published in Paris in 1625, it established the system of modern public international law, based on the concept of "*droit naturel*," a morality-based law that superseded the personalities of individuals or nations. These ideas influenced the American Revolution, whose leaders often cited Grotius.

This edition features the notes of J. Barbeyrac described by Marvin as desirable. In his research William E. Butler has determined, "In the absence of evidence to the contrary, on the balance of probabilities it seems plausible that the entire 1738 version, including the Barbeyrac notes, may be attributed to John Morrice alone, inclusive of any adjustments he may have made to the original contributions of his associates to the 1715 version." (Introduction, iii).

With index.

"No legal work ever enjoyed a more widely extended reputation, and none ever exercised such a wonderful influence over the public morals of Europe."

J. G. Marvin, *Legal Bibliography* 353

Folio, 9" x 14." Hardcover 2015 ISBN 978-1-58477-386-3 \$195. [Order this item](#)

HUGO GROTIUS [1583-1645] a pre-eminent contributor to international legal doctrine, was an influential Dutch jurist, philosopher, and theologian.

A SELECTION OF LANDMARK WORKS FROM OUR BACKLIST

WITH AN ORIGINAL LEAF FROM THE FIRST EDITION, 1788

[HAMILTON, ALEXANDER, JAMES MADISON AND JOHN JAY]

The Federalist

A Collection of Essays, Written in Favour of the New Constitution, As Agreed Upon by the Federal Convention, September 17, 1787

New-York: Printed and sold by J. and A. M'Lean, no. 41, Hanover-Square., 1788. 2 Volumes. vi, 227; vi, 384 pp.

Special limited numbered facsimile reprint edition, 193 copies, of the very rare first edition containing an original bound-in leaf from the first edition, 1788.

The views of Hamilton, Madison and Jay expressed in this landmark work have had a lasting effect on U.S. Constitutional law. Most scholars agree that 51 of the essays were written by Hamilton, 29 by Madison and 5 by Jay. Most of the individual essays appeared under the collective pseudonym "Publius" in New York newspapers and journals from October 27, 1787 to early June 1788. The first edition was published anonymously and printed by the M'Lean brothers, who collected and published the first 36 essays as Volume I in March, 1788, with the final 49 essays in Volume II in May of the same year, along with the text of the Constitution. The essays were intended to encourage ratification of the proposed



constitution by New York State, but were immediately recognized as the most compelling commentary on the most radical form of government the world had seen. Hamilton's essays especially express a strong concern for the rights of property over the natural rights of "life, liberty and the pursuit of happiness," as outlined by Jefferson in the Declaration of Independence.

2 vols. Hardcover 2001 ISBN 978-1-58477-204-0 \$295. [Order this item](#)

HAMILTON, ALEXANDER, JAMES MADISON AND JOHN JAY]

The Federalist

A Collection of Essays, Written in Favour of the New Constitution, As Agreed Upon by the Federal Convention, September 17, 1787

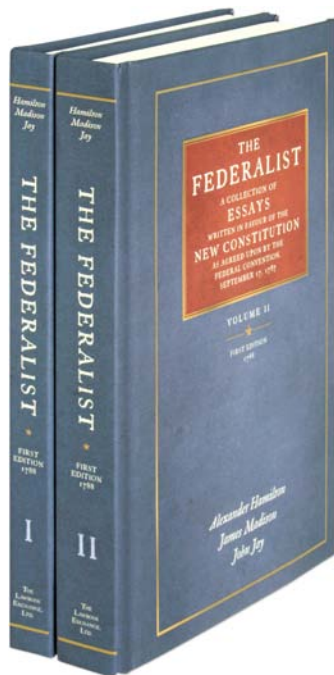
Originally published: London New-York: Printed and sold by J. and A. M'Lean, no. 41, Hanover-Square., 1788. 2 Volumes. vi, 227; vi, 384 pp.

Facsimile reprint of the complete text of the rare first edition in two volumes. "Most famous and influential American political work." Howes, *U.S. IANA, 1650-1950 H114c*. The views of Hamilton, Madison and Jay expressed in this landmark work have had a lasting effect on U.S. Constitutional law.

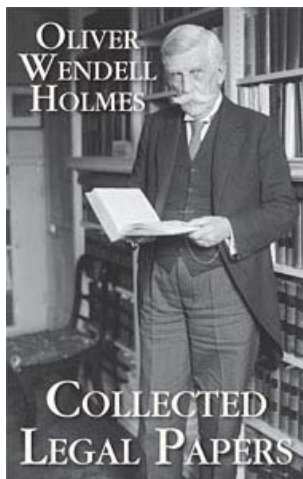
Eighty-five of the essays were almost entirely written by Hamilton and Madison, and probably only five were written by Jay. Most of the individual essays appeared under the collective pseudonym "Publius" in New York newspapers and journals from October 27, 1787 to early June 1788. The first edition was published anonymously and printed by the M'Lean brothers, who collected and published the first 36 essays as Volume I in March, 1788, with the final 49 essays in Volume II in May of the same year, along with the text of the Constitution.

The essays were intended to encourage ratification of the proposed constitution by New York State, but were immediately recognized as the most compelling commentary on the most radical form of government the world had seen. Hamilton's essays especially express a strong concern for the rights of property over the natural rights of "life, liberty and the pursuit of happiness," as outlined by Jefferson in the Declaration of Independence. Sabin, *A Dictionary of Books Relating to America* 23979.

2 vols. Hardcover 2016 ISBN 978-1-58477-529-4 \$95. [Order this item](#)



A SELECTION OF LANDMARK WORKS FROM OUR BACKLIST



HOLMES'S MOST FAMOUS SPEECHES AND PAPERS

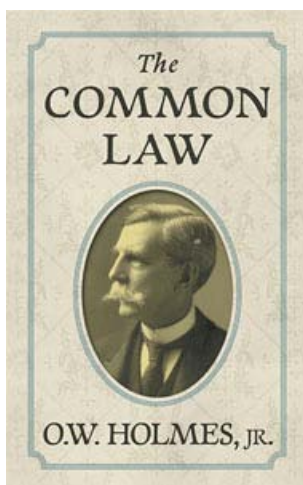
HOLMES, OLIVER WENDELL, JR.

Collected Legal Papers

Originally published: New York: Harcourt, Brace & Howe, 1920. [2], 316 pp.

A valuable compilation, this volume contains Holmes' most famous speeches and papers from 1885 to 1918. Its publication in 1920 was an important event in the legal community, and it was reviewed with great enthusiasm in the major journals and law reviews. Roscoe Pound offered the finest assessment in "Judge Holmes's Contributions to the Science of Law," an essay-review from 1921 that analyzed the place of these writings in the development of American law from the 1880s to the 1920: "Rereading them consecutively in their new form and remembering the dates of their original publication, one can but see that their author has done more than lead American juristic thought of the present generation. Above all others he has shaped the methods and ideas that are characteristic of the present as distinguished from the immediate past." *Harvard Law Review* 34 (1920-1921):449.

Hardcover 2010 ISBN 978-1-58477-611-6 \$22.95 [Order this item](#)



HOLMES, OLIVER WENDELL, JR.

The Common Law

Originally published: Boston: Little, Brown, and Company, 1881. xvi, 422 pp.

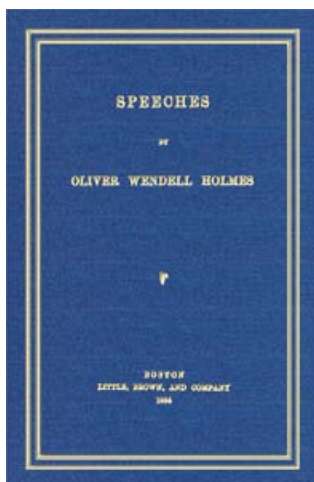
This landmark work, which, according to Winfield, "blew fresh air into lawyer's minds encrusted with Blackstone and Kent," was a decisive influence on sociological jurisprudence, legal realism and the general development of American law in the twentieth century. (Percy H. Winfield, *Chief Sources of Anglo-American Law* 38.)

Rejecting the reigning positivist ethos of the nineteenth century, Holmes proposed that the law was not a science founded on abstract universal principles but a body of practices that responded to particular situations. This functionalist interpretation led to his radical conclusion that law was not discovered, but invented. This theme is announced in the famous quote at the beginning of Lecture I: "The life of the law has not been logic: it has been experience."

CONTENTS: Lecture I: Early Forms of Liability. Lecture II: The Criminal Law. Lecture III: Torts. Trespass and Negligence. Lecture IV: Fraud, Malice and Intent. The Theory of Torts. Lecture V: The Bailee at Common Law. Lecture VI: Possession and Ownership. Lecture VII: Contract. I. History. Lecture VIII: Contract. II. Elements. Lecture IX: Contract. III. Void and Voidable. Lecture X: Successions. I. After Death. II. Inter Vivos. Lecture XI: Successions. II. Inter Vivos.

Hardcover 2017 ISBN 978-1-58477-499-0 \$20.95 [Order this item](#)

Paperback 2010 ISBN 978-1-58477-846-2 \$10.95 [Order this item](#)



HOLMES, OLIVER WENDELL, JR.

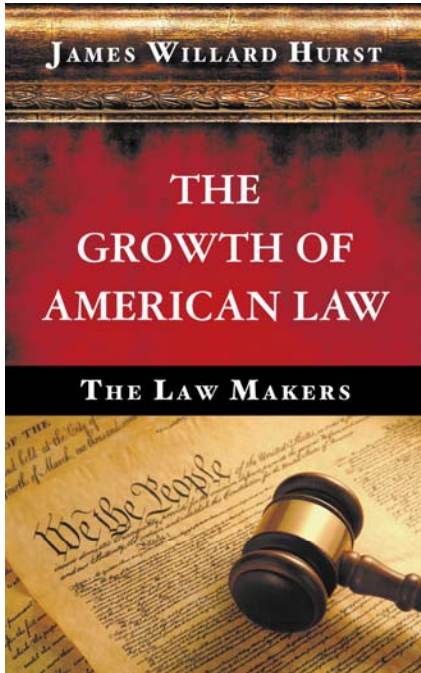
Speeches

Originally published: Boston: Little, Brown, and Company, 1934. vi, 103 pp.

Reprint of the last edition compiled by Holmes [1841-1935]. Contents: "Memorial Day" (1884), "Harvard College in the War" (1885), "The Puritan" (1886), "The Profession of the Law" (1886), "On Receiving the Degree of Doctor of Laws" (1886), "The Use of Law Schools" (1886), "Sidney Bartlett" (1889), "Daniel S. Richardson" (1890), "The Use of Colleges" (1891), "William Allen" (1891), "The Soldier's Faith" (1895), "Learning and Science." (1895), "George Otis Shattuck" (1897), "Walbridge Abner Field" (1899), "At a Dinner Given by the Bar Association of Boston" (1900), "John Marshall" (1901), "Ipswich" (1902), "The Class of '61" (1911) and "Law and the Court" (1913).

Hardcover 2006 ISBN 978-1-58477-705-2 \$24.95 [Order this item](#)

A SELECTION OF LANDMARK WORKS FROM OUR BACKLIST



HURST, JAMES WILLARD

The Growth of American Law
The Law Makers

Originally published: Boston: Little, Brown and Company, 1950. xiii, 502 pp.

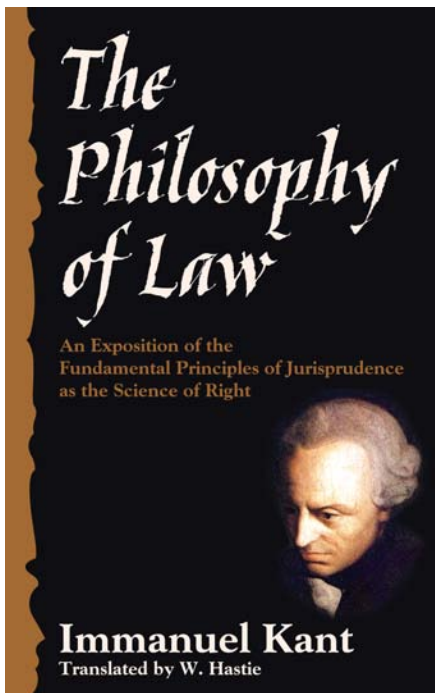
The first contemporary history of the development of American law, this book revolutionized the field of American legal history. The first study published after World War II and a ground-breaking work that devoted attention to several issues neglected in earlier histories, it surveys the nature and success of American law and its law-making agencies and legislative bodies from roughly 1740-1940.

Considered "...a pioneering attempt to evaluate in broad terms the contributions to the development of American law made by its five chief formative agencies, the legislatures, the courts, the constitution-making process, the bar and the executive." William F. Fracher, *Mo. L. Rev.* 15:332-333. By the major legal historian whose writings led "... scholars from other disciplines... to look at law with a fresh and sometimes illuminating eye." Friedman, *A History of American Law* 595. An important work that has been highly regarded for its social perspective, Henry Steele Commager called it "...a pioneer work in this badly neglected field ...combine(s) scholarship, insight, and narrative and analytical skill in a striking manner."

JAMES WILLARD HURST [1910-1997] was an important and influential legal scholar, the father of American legal history. He developed a new approach to legal history in moving it beyond the subject of the common law of England and its influence on the American revolution or a history of the American court system. Instead Hurst created a type of American legal history that encompassed its social and economic implications and the role of individual law makers. Born in Rockford, Illinois, he attended

Williams College and the Harvard Law School, graduating in 1935. He serves as a research assistant for his law professor, Felix Frankfurter, and later clerked for Justice Louis Brandeis on the Supreme Court of the United States. He taught law at the University of Wisconsin Law School, Madison (1937-80, emeritus 1981). His books on American legal history include *Law and the Conditions of Freedom in the 19th Century United States* (1956) and *Law and Economic Growth: The Legal History of the Lumber Industry in Wisconsin 1836-1915* (1964).

Hardcover 2011 ISBN 978-1-58477-194-4 \$39.95 [Order this item](#)



KANT, IMMANUEL

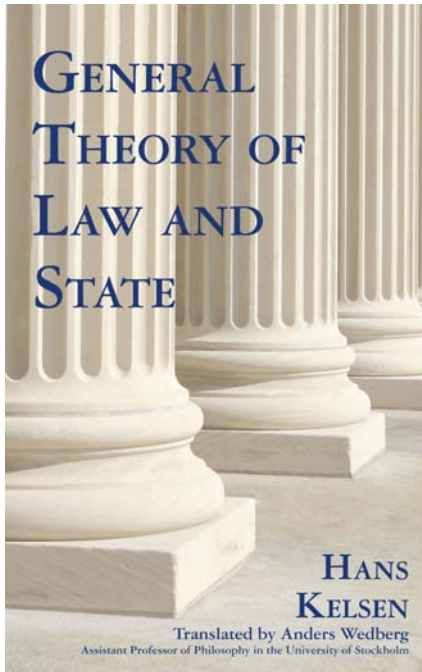
The Philosophy of Law
An Exposition of the Fundamental Principles of Jurisprudence as the Science of Right
Translated from the German by W. Hastie, B.D.

Originally published: Edinburgh: T. & T. Clark, 1887. xxxvi, 265 pp.

Published in 1797, *The Philosophy of Law* [*Rechtslehre*] stands as one of the most significant late works by the great Prussian philosopher. Though he lived in an atmosphere of political and social repression, it is evident that Kant [1724-1804] was sensitive to the revolutionary spirit that was spreading throughout Europe in the wake of Napoleon's armies. Claiming that man is born with reason and an innate desire for freedom, he argued that the union of these natural gifts could bring about a new sense of order and harmony in future generations. This edition also reprints Kant's later *Supplementary Explanations* (1797), which was added to the second edition (1798).

Hardcover 2010 ISBN 978-1-58477-131-9 \$24.95 [Order this item](#)

A SELECTION OF LANDMARK WORKS FROM OUR BACKLIST



KELSEN, HANS

General Theory of Law and State

Translated by Anders Wedberg

Originally published: Cambridge: Harvard University Press, 1945. xxxiii, 516 pp.

Reprint of the first edition. This classic work by the important Austrian jurist is the fullest exposition of his enormously influential pure theory of law, which includes a theory of the state. It also has an extensive appendix that discusses the pure theory in comparison with the law of nature, positivism, historical natural law, metaphysical dualism and scientific-critical philosophy.

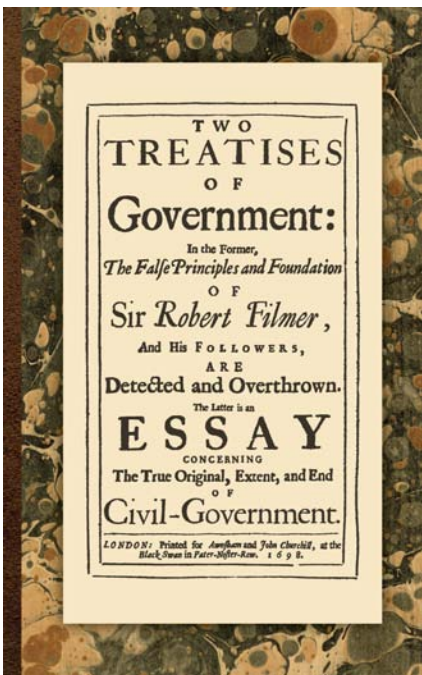
"The scope of the work is truly universal. It never loses itself in vague generalities or in unconnected fragments of thought. On the contrary, precision in the formulation of details and rigorous system are characteristic features of the exposition: only a mind fully concentrated upon that logical structure can possibly follow Kelsen's penetrating analysis. Such a mind will not shrink from the effort necessary for acquainting itself with...the pure theory of law in its more general aspects, and will then pass over to the theory of the state which ends up with a carefully worked out theory of international law."

Julius Kraft, *American Journal of International Law* 40 (1946):496

Possibly the most influential jurisprudent of the twentieth century, **HANS KELSEN** [1881-1973] was legal adviser to Austria's last emperor and its first republican government, the founder and permanent advisor of the Supreme Constitutional Court of Austria, and the author of Austria's Constitution, which was enacted in 1920, abolished during the Anschluss, and restored in 1945. He was the author of more than forty books on law and legal philosophy. Active as a teacher in Europe and the United States, he was Dean of the Law Faculty of the University of Vienna and taught at the universities of Cologne and Prague, the Institute of International Studies in Geneva, Harvard, Wellesley, the University of California at Berkeley, and the Naval War College.

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ONE OF THE GREAT TREATISES ON GOVERNMENT

LOCKE, JOHN

Two Treatises of Government

In the Former, The False Principles and Foundation of Sir Robert Filmer, and His Followers, are Detected and Overthrown. The Latter is an Essay Concerning the True Original, Extent, and End of Civil Government

Originally published: London: Printed for Awnsham and John Churchill, 1698. [6], 358 pp.

Reprint of the third edition. Reprint of the third edition. Published after the Glorious Revolution of 1688 brought William of Orange and Mary to the throne, but written in the throes of the Whig revolutionary plots against Charles II in the early 1680s, John Locke offers a theory of natural law and natural rights which distinguish between legitimate and illegitimate civil governments, and argues for the legitimacy of revolt against tyrannical governments. These radical ideas remain influential today. In these two treatises the political philosopher John Locke espouses radical theories which influenced the ideologies of the American and French revolutions, and became the basis for the social and political philosophies of Rousseau, Voltaire and the United States founding fathers. In the first treatise Locke aims to refute the doctrine of the patriarchal and absolute right of the Divine Right of Kings doctrine put forth by Sir Robert Filmer's Patriarcha. He examines key Biblical passages to prove that scripture does not support Filmer's premise. The second treatise offers Locke's positive theory of government in which he establishes a theory which reconciles the liberty of the citizen with political order. His basic premise is founded on the independence of the individual. He declares that men are born free and equal in their rights and that wealth is the product of labor. In his revolutionary theory of the social contract he proposes that a legitimate civil government must preserve the rights to life, liberty, health and property

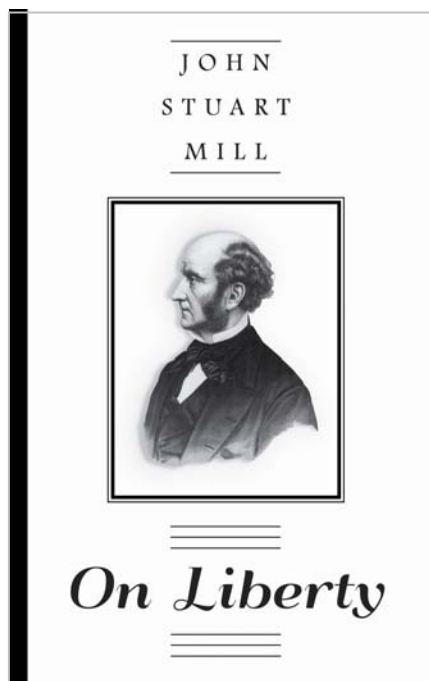
of its citizens, and prosecute and punish those in violation of those rights.

JOHN LOCKE [1632-1704], a leading philosopher of the Enlightenment, is widely considered to be the father of liberalism. He was initially trained as a physician, receiving a doctorate in medicine at Oxford. He was an important influence on Montesquieu, Rousseau, Voltaire and the founding fathers of the United States, especially Hamilton, Jefferson and Madison.

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A SELECTION OF LANDMARK WORKS FROM OUR BACKLIST



THE ORIGIN OF LIBERALISM

MILL, JOHN STUART

On Liberty

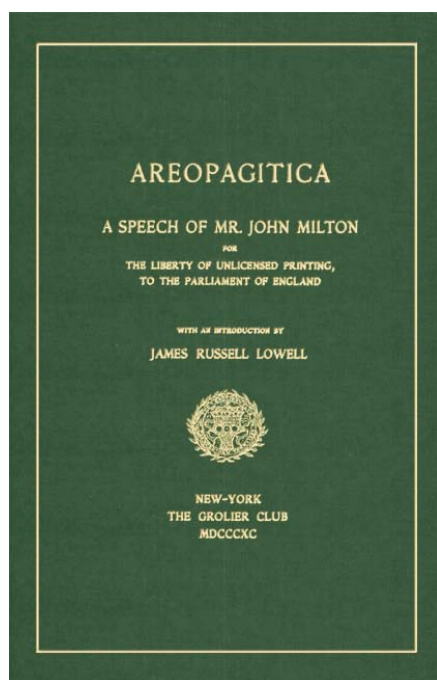
Originally published: London: John W. Parker and Son, 1859. 207 pp.

Influenced by the Utilitarian philosopher Jeremy Bentham, Mill adopted a modified laissez-faire position, believing in the efficiency of free enterprise, but aware of the frequent failure of the market to maximize utility. Later refining this stance, he argued that the promotion of happiness is a moral duty (though he made a clear distinction between desirable and undesirable forms of pleasure). These ideas had a decisive influence on Mill's classic 1859 essay, perhaps the most celebrated defense of individual freedom and self-protection based on utilitarian values rather than natural right to appear in English.

JOHN STUART MILL [1806-1873] was an English philosopher whose works made significant contributions to individualistic liberal political thought. He worked for the East India Company and was a Member of Parliament for one term. Mill's influence continues today in this and his other widely-read texts Utilitarianism (1863), The Subjection of Women (1869) and his Autobiography (1873).

Oxford Companion to British History 643. *Printing and the Mind of Man* 345. *Dictionary of National Biography* XIII 390-399.

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A LANDMARK WORK ON FREEDOM OF THE PRESS

MILTON, JOHN

Areopagitica

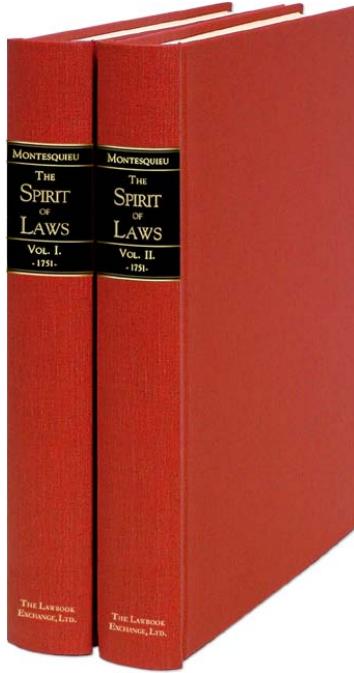
A Speech of Mr. John Milton for the Liberty of Unlicensed Printing, to the Parliament of England
With an Introduction by James Russell Lowell

Originally published: New York: The Grolier Club, 1890. Ivii, 189 pp.

Reprint of the 1890 Grolier Club edition, which was limited to 325 copies. The victory of Parliament over Crown during the Civil War prompted many questions including those regarding the liberty of the press under the new regime. The Stationers Company, which enjoyed Royal patronage and a monopoly on printing and bookselling granted by the Crown, petitioned Parliament for the continuation of its privileges under the new regime. This was a controversial request because Milton and others resented the Company's censorship of political and religious publications in the years before the Civil War. Milton [1608-1674], in what has been called his "most important" prose, urged Parliament to reject its petition in the name of intellectual freedom. This edition has a long introduction by James Russell Lowell [1819-1891], the notable poet and associate of Henry Wadsworth Longfellow, John Greenleaf Whittier and Oliver Wendell Holmes, Sr.

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ONE OF THE MOST SIGNIFICANT STUDIES OF POLITICAL
AND LEGAL THEORY EVER WRITTEN

MONTESQUIEU, CHARLES-LOUIS DE SECONDAT, BARON DE

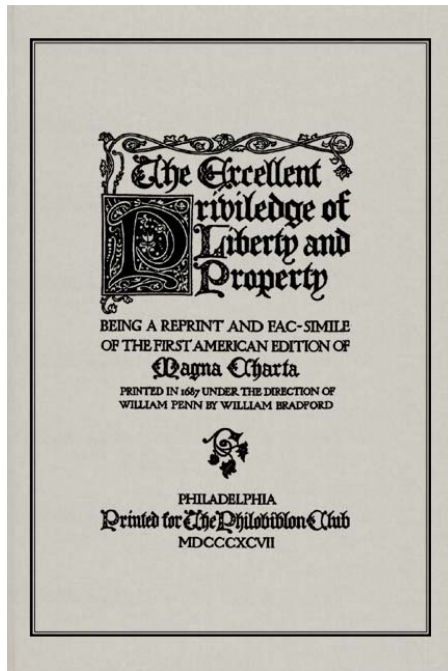
The Spirit of Laws

Translated from the French. With Corrections and Additions Communicated by the Author

Originally published: Dublin: Printed for G. and A. Ewing and G. Faulkner, 1751. 2 vols. xxii, 392; xiv, 422, [46] pp.

Reprint of the first Dublin edition which followed the first English edition by one year. One of the landmark works of the eighteenth century, *De L'Esprit des Loix* had an immeasurable influence on jurisprudence and political thought, especially in America. It contained provocative and wide-ranging ideas on the sociology of law, the separation of political powers and the need for checks on a powerful executive office. First published in Geneva in 1748, it remains one of the most significant studies of political and legal theory ever written.

2 vols. Hardcover 2006 ISBN 978-1-58477-607-9 \$95. [Order this item](#)



**[PENN, WILLIAM]
[MAGNA CHARTA]**

The Excellent Priviledge of Liberty and Property

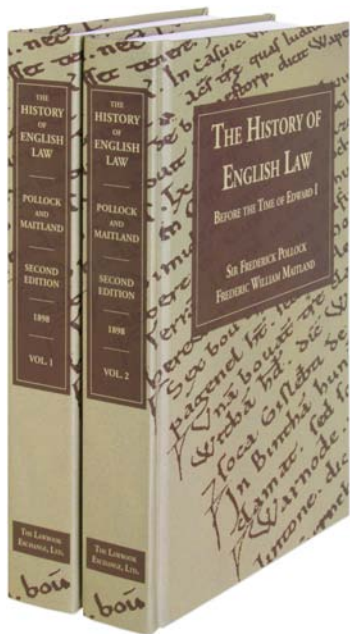
Being a Reprint and Fac-Simile of the First American Edition of Magna Charta
Printed in 1687 Under the Direction of William Penn and William Bradford

Originally published: Philadelphia: Printed for the Philobiblon Club, 1897. xv, 168, 63 pp.

Reprint of the 1897 edition, which was limited to 155 copies. There are only three known copies of the original 1687 edition. A lavish production, it has decorations by noted illustrator Edward Stratton Holloway, an introduction by Frederick D. Stone, extensive notes and a table of dates. It also includes texts of the *Magna Charta*, *A Confirmation of the Liberties of England*, and of the *Forest, Made Anno XXV. Edward I*, *The Sentence of the Clergy Against the Breakers of Those Articles*, *The Sentence or Curse Given by the Bishops Against the Breakers of the Great Charter*, *A Statute Made Anno XXXIV. Edward I.*, *Commonly Called De Tallegio non Concedendo*, *The Comment Upon the Statute De Tallegio non Concedendo* and *An Abstract of the Patent Granted by the King to William Penn and His Heirs and Assigns for the Province of Pennsylvania and The Frame of the Government of the Province of Pennsylvania and Territories Thereunto Annexed, in America.*

Hardcover 2004 ISBN 978-1-58477-398-6 \$49.95 [Order this item](#)

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ONE OF THE TRULY GREAT PIECES
OF HISTORICAL LITERATURE OF ALL TIME"

POLLOCK, FREDERICK AND FREDERIC WILLIAM MAITLAND

The History of English Law Before the Time of Edward I

Originally published: Cambridge: Cambridge University Press, 1898.
2 volumes. xxxviii, 688; xiv, 691 pp.

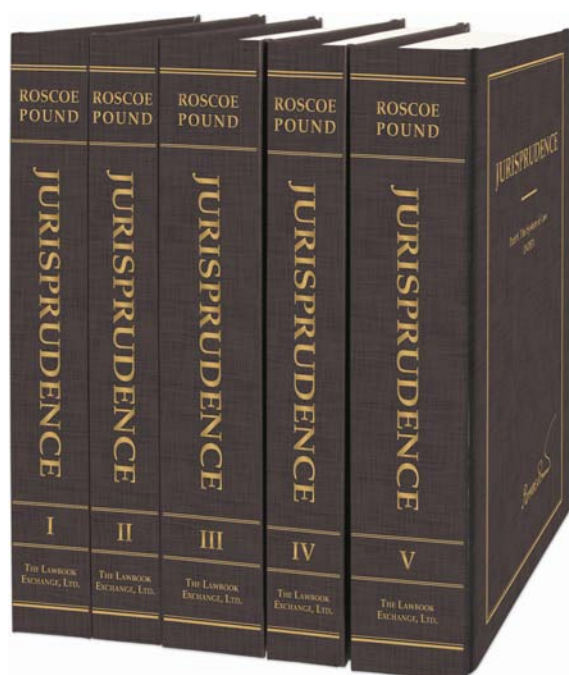
Reprint of the second and best edition. The *History of English Law* was the first systematic history based on modern historical methods. It addresses the period before the Norman Conquest in 1066, but deals primarily with the creation and establishment of the common law, a process initiated in the reign of Henry II (1154-1189) and concluded in the reign of Edward I (1272-1307). The first volume traces this history. The second volume treats the doctrines of the common law, including tenure, the law of personal condition, status and estate, and the jurisdiction and communities of the land. Gracefully written and enriched with countless references this is an essential book. First published in 1895, it remains a primary text for students of legal history and the social history of medieval England. "[Its] interpretation of the making of the common law made all previous accounts completely obsolete and was unchallenged until the 1960s. (...) It is an astonishing achievement, one of the truly great pieces of historical literature of all time, these chapters by Pollock and Maitland.": Norman F. Cantor, *Inventing the Middle Ages* 58, 66.

SIR FREDERICK POLLOCK [1845-1937] was an English jurist best known for this work as well as his extensive correspondence with US Supreme Court Justice Oliver Wendell Holmes, which was published posthumously as *The Holmes-Pollock Letters*. His treatises on contracts, jurisprudence the common law and other subjects did much to clarify and systematize English law. Several of these were standard texts that went through several editions. He was educated at Trinity College, Cambridge, and admitted to the Bar in 1871. He taught at the University of Oxford from 1883-1903.

Widely considered the father of legal history, **FREDERIC WILLIAM MAITLAND** [1850-1906] was an English jurist and historian best known for this standard work. He was educated at Eton and Cambridge and studied at Lincoln's Inn, London. Maitland was called to the bar in 1876, and practiced until 1884 when he became a reader in English law (1884) and professor (1888) at Cambridge. He founded the Selden Society in 1887. Hailed for his original outlook on history, his works profoundly influenced legal scholarship. An extraordinarily productive career was shortened by his death from pneumonia at the age of 56.

2 vols. Hardcover 2013 ISBN 978-1-886363-22-9 \$65. [Order this item](#)

2 vols. Paperback 2014 ISBN 978-1-58477-718-2 \$49.95 [Order this item](#)



Pound, Roscoe

Jurisprudence

Originally published: St. Paul, Minn.: West Publishing Co., 1959. 5 volumes. xxvii, 547; xv, 466; xv, 738; xv, 543; xv, 855 pp.

Reprint of the sole edition of Pound's magnum opus. This monumental work which was the culmination of a life devoted to the study of the law and its philosophical underpinnings. One of the most important contributions to the world's legal literature of the century in which he advances his views on sociological jurisprudence. According to Pound, the law should be flexible to meet the changing needs of society. More important, it must recognize the needs of humanity and take contemporary social conditions into account. Within are parts that cover The Nature of Law, Sources, Forms, Modes of Growth, Application and Enforcement of Law, The System of Law, chapters include Law and Morals-Jurisprudence and Ethics, Law and the State-Jurisprudence and Politics, The Judicial Process in Action, Obligations-Duties of Performance and of Restitution, Comparative Civil Procedure.

ROSCOE POUND [1870-1964] was a pre-eminent legal educator, scholar and prolific author of influential writings on law. After private practice he was for many years a law professor, dean of Harvard law school from 1916-1936, and in his later years taught all over the world.

5 vols. Hardcover 2012 ISBN 978-1-58477-119-7 \$295. [Order this item](#)

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A LANDMARK IN THE HISTORY OF NATURAL AND INTERNATIONAL LAW

PUFENDORF, SAMUEL VON
[BARBEYRAC, JEAN]

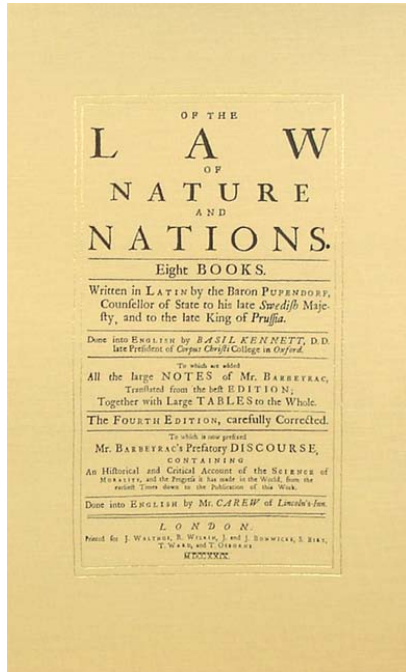
Of the Law of Nature and Nations

Eight Books. Written in Latin by the Baron Pufendorf. Done Into English by Basil Kennett. Carefully Corrected, with Two Tables. To Which Are Added All the Large Notes of Mr. Barbeyrac, Translated From the Best Edition; Together with Large Tables to the Whole. The Fourth Edition, Carefully Corrected. To Which is Now Prefixed Mr. Barbeyrac's Prefatory Discourse, Containing an Historical and Critical Account of the Science of Morality, and the Progress It has Made in the World, From the Earliest Times Down to the Publication of This Work. Done Into English by Mr. Carew

Originally published: London: Printed for J. Walthoe, R. Wilkin, [et. al.], 1729. [xxviii] 88, 878, [22] pp. Folio, 10" x 14."

Reprint of the fourth English edition of *De Jure Naturae et Gentium*. In 1662 Samuel Pufendorf [1632-1694] was appointed to the first modern professorship in natural law (at the University of Heidelberg). In 1670 he became professor of natural law at the University of Lund in Sweden. First published in 1672, this is his principal work and a landmark in the history of natural and international law. It proposed a thorough system of private, public, and international law based on natural law. Beginning with a consideration of fundamental legal ideas and their various divisions, Pufendorf proceeded to a discussion of the validity of customs, the doctrines of necessity and innate human reason. The work is significant in part because it developed principles introduced by Grotius and Hobbes. Unlike Hobbes, Pufendorf argued that peace, not war, was the state of nature, and he proposed that international law was not restricted to Christendom.

Folio, 10" x 14." Hardcover 2013 ISBN 978-1-58477-394-8 \$150. [Order this item](#)



THE NATURE OF ENGLISH LAW

[SAINT GERMAIN [GERMAN], CHRISTOPHER]

The Doctor and Student

Or Dialogues Between a Doctor of Divinity and a Student in the Laws of England Containing the Grounds of Those Laws Together with Questions and Cases Concerning the Equity Thereof Revised and Corrected by William Muchall, Gent. to which are added two pieces concerning Suits in Chancery by Subpoena

Originally published: Cincinnati: Robert Clarke & Co., 1874. xiii, 401 pp.

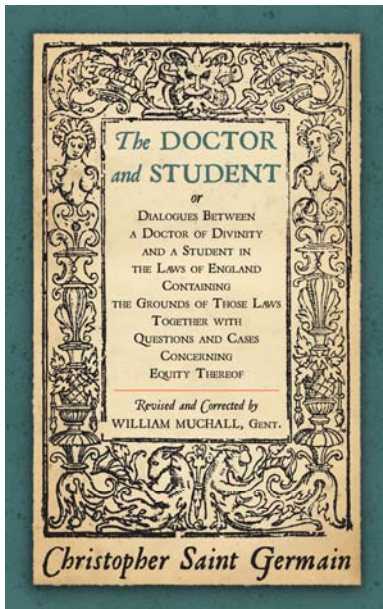
Originally written in Latin in 1523, this work contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. A very important work in the development of equity, *Doctor and Student* appeared in numerous editions. An authority well into the eighteenth century, it influenced several legal writers, including Blackstone. Marke, *A Catalogue of the Law Collection of New York University* (1953) 38. *Catalogue of the Library of the Law School of Harvard University* (1909) II:516-517.

"... surely the most remarkable book relating to English law published in the Tudor period, and quite unlike any book to have come from the pen of an English lawyer before."

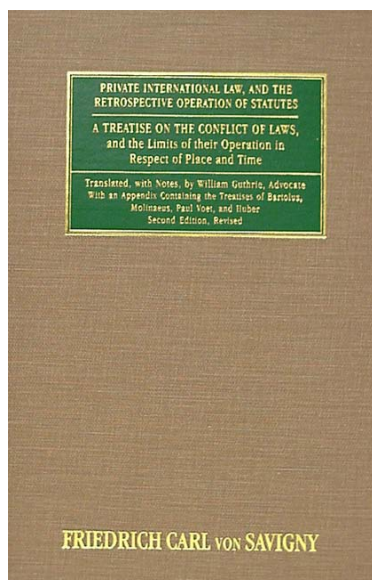
Dictionary of National Biography XVII:616

CHRISTOPHER SAINT GERMAIN [c.1460-1540] was a legal writer and controversialist who wrote on a variety of topics. His noteworthy works include *A Treatise Concernynge the Dilusion Betwene the Spiritualltie and Temporalitie* (1532) and *Salem and Bizance* (1533). Also a notable bibliophile, his library exceeded that of any other lawyer of his time.

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SAVIGNY, FRIEDRICH CARL VON

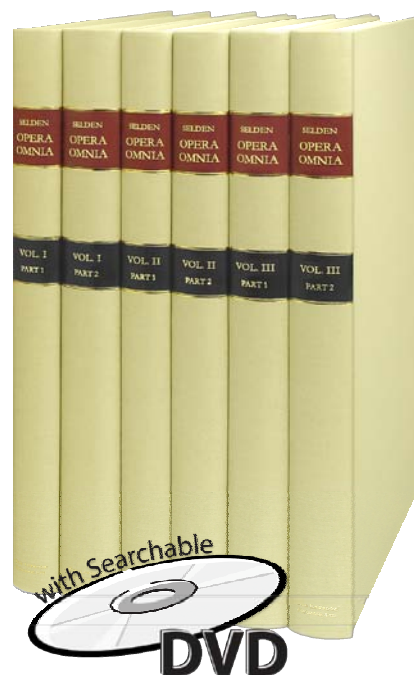
Private International Law, and the Retrospective Operation of Statutes

A Treatise On the Conflict of Laws, and the Limits of Their Operation in Respect to Place and Time
Translated, with Notes, by William Guthrie. With an Appendix Containing the Treatises of Bartolus, Molinaeus, Paul Voet, and Huber

Originally published: Edinburgh: T. & T. Clark, Law Publishers, 1880. xii, 567 pp.

Reprint of the second revised edition. Savigny [1779-1861] was an important German jurist and an excellent scholar of Roman law. A principal member of the historical school of jurisprudence, he had a keen interest in its role in the subsequent development of European law. *Private International Law* is a volume drawn from his *System of Modern Roman Law* (1840-1849), an eight-volume study of contemporary legal systems based on Roman law. As the translator observes, this volume is valuable because it "deals with a subject of great practical importance, as to which the opinions of foreign jurists have always been respected in the British courts. And not only has the eighth volume itself been cited as an authority in our tribunals, but English writers have borrowed and enforced its doctrines with more or less exactness of reproduction" (Introduction, 9). Beyond its lucid exposition of a complex subject, this book offers a wonderful introduction to Savigny's monumental study. With an appendix containing a biography of Savigny and an index of English and Scottish cases.

Hardcover 2003 ISBN 978-1-58477-367-2 \$150. [Order this item](#)



SELDEN, JOHN

Opera Omnia, Tam Edita Quam Inedita

Collegit ac Recensuit; Vitam Auctoris, Praefationes, & Indices Adjecit, David Wilkins

Originally published: London: Guil Bowyer [Volume One]; S. Palmer [Volume Two]; T. Wood [Volume Three], 1726.

Folio, 10" x 16." 3 vols. in 6 books. Complete set. Portrait frontispiece by George Vertue after P. Lely, with text illustrations and ornaments. Text in double columns. Vols. 1-2 Latin; Vol. 3 English.

xiv (new introduction and table of contents), x, xxxiv, lvi, 757 cols.; vi, 765-1892 cols., lxxx; xviii, 860 cols.; 861-1721 cols., [xliv]; [x], 1058 cols.; 1069-2081 cols., [xxxviii] pp.

With a new introduction "The Works of John Selden: An Introduction for the American Reader" by Steve Sheppard, William Enfield Professor of Law, University of Arkansas School of Law.

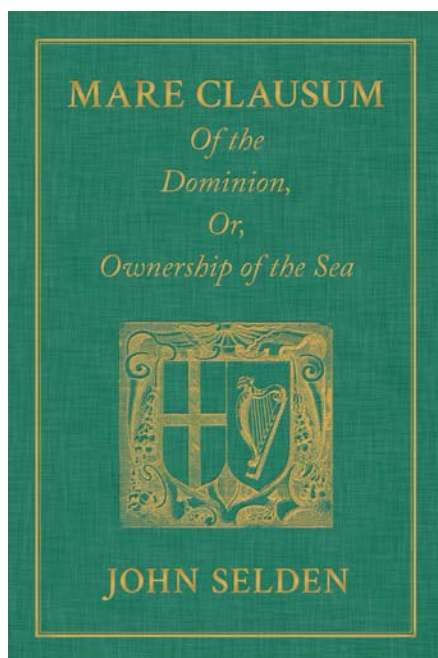
DVD available separately at USD 1,395. Reprint of the first collected edition which was limited to 750 sets, edited, with preface, index and life of the author, by Dr. David Wilkins. Collects all of the major legal treatises and antiquarian studies of one of the greatest figures in English legal history. Among the titles included are *De Anno Civili Veteris Ecclesiae Judaicae Dissertatio*, *De Diis Syris*, *Dissertatio ad Fletam*, *Mare Clausum*, *Epistolae & Poemata*, *Titles of Honour*, *Uxor Ebraica*, *The History of Tythes*, *Of the Judicature in Parliament*, *Speeches and Arguments* and *Table Talk*. This set is notable also for its handsome layout and typography, which features Roman, Italic and Hebrew type created for Bowyer by William Caslon. In *Printing Types* Updike refers to it as Bowyer's "greatest achievement" and as "a

stupendous piece of work" (II:102, 136-137).

Folio, 10" x 16." 3 vols. in 6 books. Hardcover 2006, [with] (1) searchable DVD for the entire set. ISBN 978-1-58477-670-3 \$1,495. [Order this item](#)

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SELDEN'S FAMOUS REPLY TO *MARE LIBERUM*



SELDEN, JOHN

Mare Clausum. Of the Dominion, or, Ownership of the Sea

Two Books: In the First, is Shew'd that the Sea, by the Law of Nature, or Nations, is Not Common to All Men but Capable of Private Dominion or Proprietie as well as the Land in the Second, is Proved That the Dominion of the British Sea, or That Which Incompasseth the Isle of Great Britain, is, and Ever Hath Been, a Part or Appendant of the Empire of that Island. Written at First in Latin and Entituled Mare Clausum, Seu, De Dominio Maris

Translated into English and set Forth with Some Additional Evidences and Discourses by Marchamont Nedham

Originally published: London: William Du-Gard, 1652. [xlvi], 500, [2]; [10], 37 pp.

Reprint of the first edition in English. *Mare Clausum (Dominion of the Sea)* is the most famous British reply to the argument of Grotius's *Mare Liberum*, which denied the validity of England's claim to the high seas south and east of England. Selden [1584-1654], argued that England's jurisdiction extends, in fact, to all waters surrounding the isles. His use of common-law principles to rebut Grotius's philosophical argument is quite impressive. Holdsworth notes that his case was enriched by "a vast historical knowledge," replete with references to the customs of peoples from the times of the Greeks to his time."": Holdsworth, *A History of English Law* V: 10-11.

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FIRST AMERICAN EDITION

SIDNEY, ALGERNON

Discourses on Government

To which is Added, An Account of the Author's Life, and a Copious Index

Originally published: New York: Richard Lee, 1805. 3 Volumes. 454; 478; 460 pp.

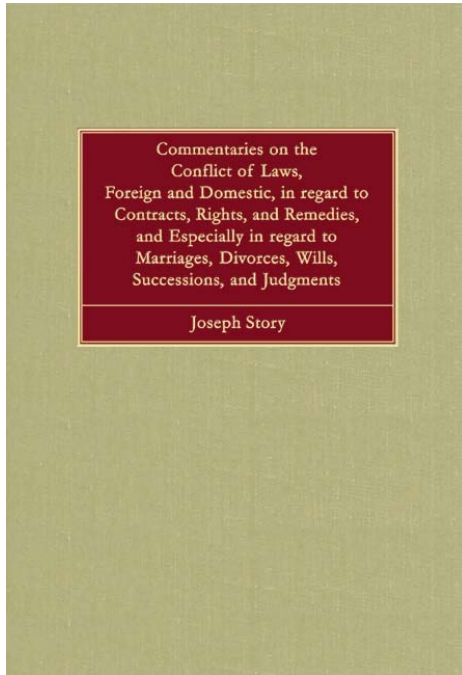
First American edition (first published in England 1698). This important work appeared fifteen years after Sidney's execution for treason in 1683. A reply to Filmer's *Patriarcha*, the *Discourses* is one of the earliest modern statements of republican ideals. He proposes a doctrine of natural justice and governmental order from which all institutions vary at their peril. More important, Sidney asserts that a king's authority is granted by parliament, which has the additional power to depose him, indeed a controversial idea during the Restoration period. Thomas Jefferson, one of several individuals influenced by this text, described it as "...probably the best elementary book of the principles of government, as founded in natural right which has ever been published in any language; and it is much to be desired in such a government as ours that it should be put into the hands of our youth as soon as their minds are sufficiently matured for that branch of study." (Sowerby).

ALGERNON SIDNEY [1622-1683] was beheaded by Charles II in part for his involvement in the Rye House plot. One of the other charges against him was that he had committed treasonable libel in this work, which was still in manuscript at that time.

Sowerby, *Catalogue of the Library of Thomas Jefferson*, III: 12. Marke, *A Catalogue of the Law Collection at New York University* (1953) 953. *Catalogue of the Library of the Harvard Law School* (1909) II: 588. Sweet and Maxwell, *A Legal Bibliography of the British Commonwealth of Nations* I: 107. Wing, *Short Title Catalogue of English Books 1641-1700* S3761.

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A SELECTION OF LANDMARK WORKS FROM OUR BACKLIST



STORY, JOSEPH

Commentaries on the Conflict of Laws

Foreign and Domestic, in Regard to Contracts, Rights, and Remedies, and Especially in Regard to Marriages, Divorces, Wills, Successions, and Judgments Second Edition. Revised, Corrected and Greatly Enlarged

Originally published: London: A. Maxwell, 1841. xxxiv, 927 pp. (misnumbered in original, pp. 753-756 omitted.)

Reprint of the second edition and last edition written by Joseph Story. Along with James Kent, Joseph Story [1779-1845] shares the distinction of having had the greatest influence on American law during the nineteenth century. Marvin considers Story's *Conflict of Laws* to be the first systematic work on the subject. Story collected material from all available sources, and systematized it in a manner useful to all practitioners.

This facsimile reprint of the second edition published in London is the final authorial edition, produced "under the direction and sanction of the learned author.": Sweet and Maxwell, *A Legal Bibliography of the British Commonwealth of Nations* XV:337

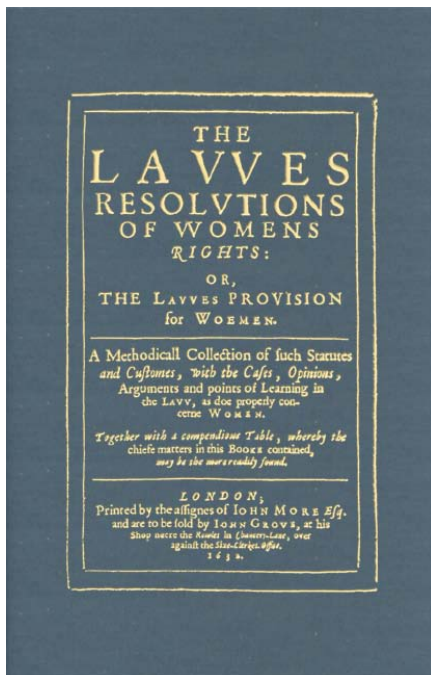
"No work on international jurisprudence merited, nor received, greater praise from the jurists of Europe. It impressed English lawyers with the highest respect for the extensive learning of Mr. Justice Story."

J.G. Marvin, *Legal Bibliography* (1847) 670-671

"It is not too much to say that its publication constituted an epoch in the law; for it became at once the standard and almost the sole authority...[it] received the honor of being practically the first American law book to be cited as authority in English courts."

Julius J. Marke, *A Catalogue of the Law Collection at New York University* (1953) 358

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[T. E.]

The Lawes Resolutions of Womens Rights

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

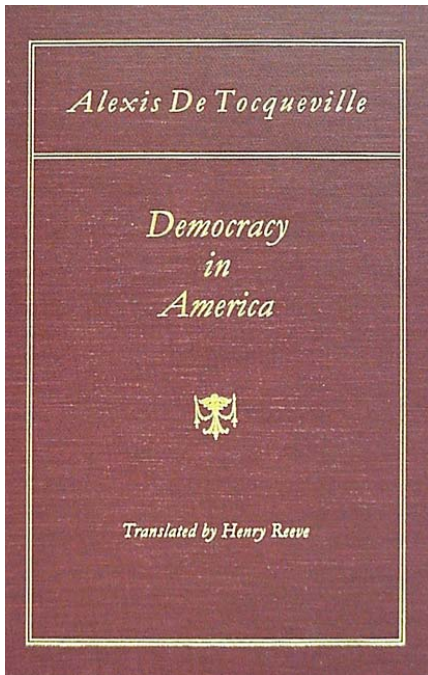
Originally published: London: Printed by the Assignes of John More, 1632. [xiv], 404 pp.

Reprint of the rare first edition. The first work devoted exclusively to women's law, this incomparable digest of laws is also known as *The Womens Lawyer*. An anonymous work, its preface is signed T.E. Often attributed to Thomas Edgar [fl. 1615-1649], some believe the author was actually Sir John Doderidge [1555-1628], an important legal figure during the reign of James I. Lord Campbell considers it "a learned work on the subject of marriage" (cited in Sweet & Maxwell). It also treats such diverse topics as age of consent, dower, hermaphrodites, polygamy, wooing, partition, chattels, divorce, descent, seisin, treason, felonies and rape. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth of Nations* 1:500 (24).

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THE FIRST EDITION IN ENGLISH



TOCQUEVILLE, ALEXIS DE

Democracy in America

Translated by Henry Reeve, Esq. With an Original Preface and Notes by John C. Spencer

Originally published: New York: Adlard and Saunders, 1838. xxx, 464 pp.

Reprint of the first English-language edition. In 1831, Alexis de Tocqueville [1805-1859] and Gustave de Beaumont [fl.1835] were sent to the United States by the French government to study American prisons, which were renowned for their progressive and humane methods. They were pleased to accept this assignment because they were intrigued by the idea of American democracy. Tocqueville and Beaumont spent nine months in the country, traveling as far west as Michigan and as far south as New Orleans. Throughout the tour, Tocqueville used his social connections to arrange meetings with several prominent and influential thinkers of the day. He recorded his thoughts on the structure of the government and the judicial system, and commented on everyday people and the nation's political culture and social institutions. His observations on slavery, in particular, are impassioned and critical. These notes formed the basis of *Democracy in America*. This landmark work initiated a dialogue about the nature of democracy and the United States and its people that continues to this day.

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CHITTY'S EDITION OF VATTEL

VATTEL, EMMERICH DE

Chitty, Joseph Chitty

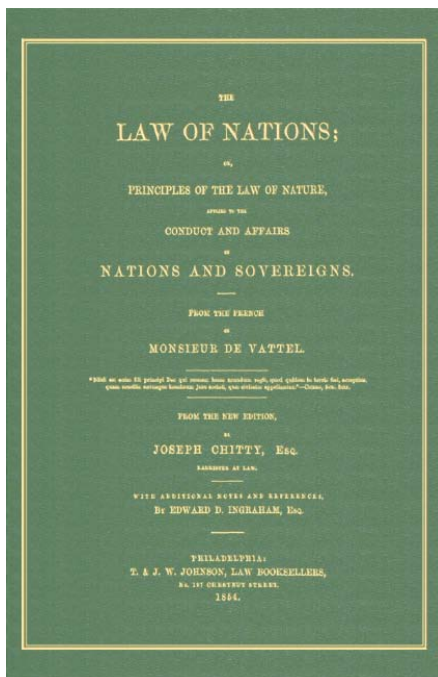
The Law of Nations

Or Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns. From the French of Monsieur De Vattel. With Additional Notes and References by Edward D. Ingraham, Esq.

Originally published: Philadelphia: T. & J.W. Johnson, 1854. lxvi, 656 pp.

Chitty [1776-1841], the distinguished English legal scholar, produced this edition of Vattel's classic study to bring it to the attention of a wider audience. "[I]t is of *infinitely more extended utility*, he observed, because it "contains a practical collection of ethics, principles, and rules of conduct to be observed and pursued, as well by *private individuals* as by *states*, and these of the utmost practical importance to the well-being, happiness, and ultimate and permanent advantage and benefit of all mankind." It should therefore be studied "by *every gentleman of liberal education*, and by *youth*, in whom the best moral principles should be inculcated. The work should be familiar in the *Universities*, and in every class above the inferior ranks of society. And, as regards *lawyers*, it contains the clearest rules of construing *private contracts*, and respecting Admiralty and Insurance law.": Preface v.

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VINOGRADOFF, SIR PAUL

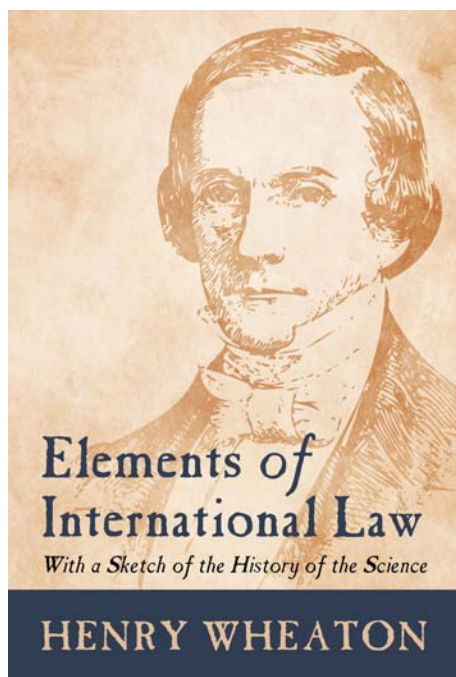
Outlines of Historical Jurisprudence

Originally published: London: Oxford University Press, 1920. Two volumes. 428; x, 315 pp.

A complex description and analytical perspective of the growth of jurisprudence from tribal to modern law, beginning with the concept of marital union among tribes and clans and continuing to the "Jurisprudence of the Greek City" in the fourth and fifth centuries. "He goes into everything and differs, where he thinks fit, from the lifelong specialist. He is always himself, never an echo." Marke, *A Catalogue of the Law Collection of New York University* (1953) 929-930. Each volume is thoroughly indexed.

2 vols. Hardcover 1999 ISBN 978-1-886363-64-9 \$69.95 [Order this item](#)

"CLEARLY ENTITLED TO RANK AMONG THE CLASSICS"



WHEATON, HENRY

Elements of International Law With a Sketch of the History of the Science

Originally published: Philadelphia: Carey, Lea & Blanchard, 1836. xiv, 375 pp.

Written when the author was a diplomat posted in Berlin, this distinguished treatise went through several American and English editions, and several more in French, Italian, Spanish and Chinese. A standard work during the nineteenth century, an edition was published in England as late as 1936.

"On his own merits Wheaton is clearly entitled to rank among the classics. Like Grotius, he embodied a happy combination of profound scholarship with a wide experience of diplomatic and public life, and his work further resembles that of Grotius in that it cannot be classified under the conventional labels of any doctrinal system. His insistence upon the fundamental principles of natural law is balanced by his analysis of practice as an immediate source of positive law."

H.A. Smith, *Law Quarterly Review* 307-308

"Mr. Wheaton's early familiarity with the jurisprudence and foreign relations of the United States, his long experience in diplomacy, his intimate acquaintance with European languages and foreign diplomatic writers, entitles his writings upon International Law to more than ordinary consideration. His works enjoy the highest reputation for the soundness of their views, and the learning and research displayed in illustrating the various topics discussed."

J.G. Marvin, *Legal Bibliography* 728

"(A)n excellent work...Indisputably the best of its kind in the English language."

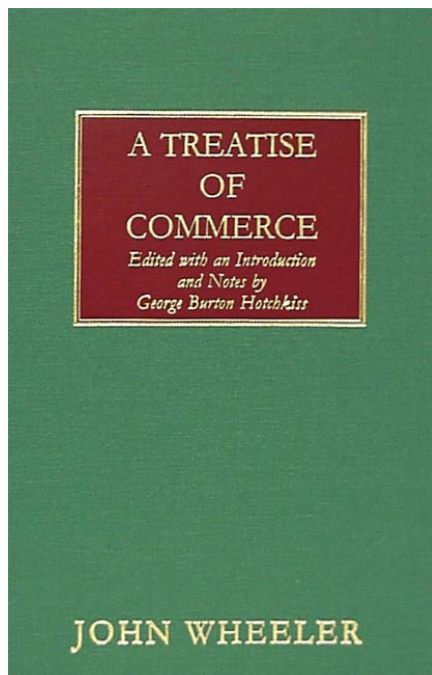
James Reddie, *Inquiries into International Law* (1842) 106

HENRY WHEATON [1785-1848] was a justice of the Marine Court of New York City, a member of the New York State constitutional convention of 1821, a one-term representative to the New York State Assembly and a high-level diplomat who served in Denmark and Prussia. An important legal writer, he was the reporter of the U.S. Supreme Court from 1816 to 1827 and the author of several notable treatises, including *A History of the Law of Nations in Europe and America* (1838) and *An Enquiry into the Validity of the British Claim to a Right of Visitation and Search of American Vessels Suspected to be Engaged in the Slave Trade* (1842).

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WHEELER, JOHN

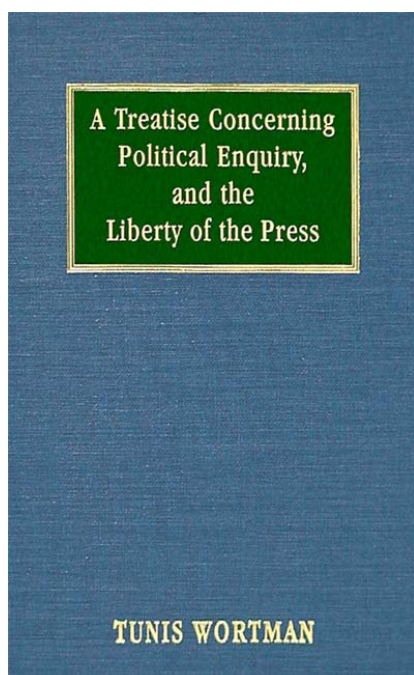
A Treatise of Commerce

Edited With an Introduction and Notes by George Burton Hotchkiss

Originally published: New York: The New York University Press, 1931. xi, 484 pp.

Published in 1601, this treatise is an unabashed work of propaganda on behalf of the Merchants Adventurers of England, an international trading company. Written by the company's secretary, John Wheeler [fl. 1601-1608], it is the earliest important example of corporate publicity. Moreover, it offers a detailed picture of business organizations and public-private partnerships during the Elizabethan era and glimpses of such personalities as Burghley, Cecil (the younger) and Queen Elizabeth. This book contains a facsimile of the rare first edition, as well as an unabridged critical edition by Hotchkiss, with detailed notes and an extensive introduction.

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WORTMAN, TUNIS

A Treatise Concerning Political Enquiry, and the Liberty of the Press

Originally published: New York: Printed by George Forman for the Author, 1800. xii, 296 pp.

A logical presentation of his political philosophy promoting freedom of expression, the work advocates the integral role of government and a free press in efforts to achieve a society in which freedom of speech is an inherent right and activity. Published soon after the first amendment to the Constitution was ratified, the work can be seen as an evolution of Jefferson's and Madison's proposal of freedom of speech. Wortman's treatise, however, achieves a moral and ethical analysis of government and free speech beyond their original appeal for freedom of the press.

TUNIS WORTMAN [d. 1822] was a New York lawyer, author, newspaper publisher and orator prominent in Tammany politics. He is also known for his political tracts, one of which, *A Solemn Address to Christians and Patriots*, defended Jefferson against charges of atheism prior to the election of 1800.

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