



Cloniam. hec prima pars dicit caufam

d (Domű &i.i.eccleliam. 92 deus lpi kritualiter ibi inhabitat: & cuius multi Iplici expolitione dicaz. J. colli. pxima

Dicincipiút 2stitutiões

domini Othonis cardina:

lis apostolice fedis legati.

Sumaria alcentianu.

T Duonia domum mini

Arola dei lactitudo decet:

quazhuaní generishoftis

pollucre conat: bt cius co=

natibus obuiaret-has leat

in prin.et not. Buy.ek de co-Cecta.eccle.vel alta.c.i.in pn. lib.vi.

c (Sanctitus w.hoclumitur un plalmo Düs regnauit. qd ex pone y guy. ex de imunit. ect. c.decet.i.relp. lib.vi.

d A dño dici tur.leuitic.rix et. riy.c.et pzi ma epist. petri dmo.c. x.lxxxi di. opoztet. et no. Guy.i deo c.decei.ires.

mille mo flutia.i. callidi

dis nocet tas elata e imaginativa. habet enim mille modos diabolus nocendi. rbi. q. ij. vilis. §.i. et expone ibi mille.i. infinitos modos. et lie finitus pro infinito ponit. de pe. distin. iii. septies.

Diaboli f Dumani generis inimici d. Diaboli qui pluri nomina . bus vocabulis nuncupatur. Nam vt no. Jo. an.

extra de sum. trini. danamus. S. fi. ver. pater men dacij. Diabolus vocatur pater mendacij. di ibi et merito. qu rpus qui est sibi cotrarius vocatur vertas.co. c. s. cum ergo. Aliquando dicitur diabolus extra de sum. trinita. c. i. extra de hereti. c. ii.

Domini ioannis

de Aton. in constitu=
tiones legitimas an=
glie glossemata.

timas constitutiones dominus Otho legat papsicus/
anglicane tulit ecclesse.

Cet domin



cet domú b dei fáctitu: do : Amini stris eius a domino di=

citurde Sancti effote/ qm ego sctus suz dicit doming deg noster: satagit astutia humani generis inimici: bt sanctitatez emedatione subtrahat et destruat. q2

Aliquando di= citur inimicus hollis.extra de clect.licet.Ali= quando bocat lupgrapar.co. titu.ne p20 de= fectu. Aliquan do hoftis antiquo.g.q.b.ha bet hoc ppzin. extra ne clevici belmona.c.iii. Aliquadoviu= tus holtis. rbi. q.i.c.i. Align atiquus Cophi sta.j.e. consti. cum fit ars. in prin. Et de cau lis huiulmodi nucupationus latis no. Buy.

in Rofa. riif. diffin. numeri. i pzin. ct ibi ple. notatur. ct cf fimilis textus. xbifi. q. ff. peruenit ad

nos Johannes de Aton.

g (Bubtrahat. C. paulatim. et deltruat. i. finalit et ppetuo. ar. p20 hac expolitioc. ff. de B. lig. dero gatur. Et lignater d2 diabolo hūani gnis imico.

Diabolo conatur enis. bt. rbi. q. if. bilis. G.i.ct laboziolius iclericos inuidet elericis: bt eos a rectitudinis tramite fa= . ciat deniare.in q.i.nullus. qui textus ponitur in parte decifus.er ne cle. vel mo.ne in agro. i pin.

fed ficut per inuidiam inimici diaboli mozs intra uit ozbe terrax

lap.i.ita p gra= tia rpi repara= mur ad vitam/ dicente domino Jo.r. Ego vc= ni bt bitam ha beant et abun= datius habcat. non ergo delve ret quilo bt di cam. j.in cofti. otho.iustus.

btrobig du in pluribus lo cis/aneg cosecrentureccle fie impedit bel deturbat: & ne suo digne fungatur offi cio/ministrop mozes avi tammultozű biciat 'et de= pauath: fanctozu patrus regulis et statutis: et gene

g Che confe= crentur ecclefic. de hoc dicet fatim. j.c. proxi. h Calores, bt diri lupra in prefatione.

i Cliciat.al.oppzimit.

k Deprauat frequenter fub fpecie boni. rli.di. c.fepc. ervi.q. vn. ammoucat.

1 Sc. scz diabolum.

m Doponedo. vt bene legitur.i.q.iij. fa luatoz

n Duic. if. ps die huic. f. iimico hūani generis. o Carmata manu. Pon eni debem imicis moz talibus nos inermes piculofe exponere ar.ad hoc qo le. et no.er de rell. spo. c. freques. in. g.illuz.li. bi. quintellige de armis birtutu de quibus le. ct no.Tin cofti.otho.cu in armis in prin. Ccuto fidei femp protegente că lit omniă spiritualium bono rum fundamentum.ad hebze.ri.c.i.q.i.cum pau lus. et not. extra de fum.trim.in tubzica.ctibi p Joan andz. T.e. confti. ad baptilmum.i.tel.

p Tn fide. que est media inter fcientiaz et dubi tationem. bt not. bb. de fumma trinit.c.i.in glo. i. ber. valde.in cle. et dicant. j.c. confti.c.fi.f.i.in glo. B. generale. Pluribus aute modis dicitur fi= des. bt not. rru. g.i. mouet. led hie intelligo de fide actuali de qua dicitur: fides line operibus moz tua eft. Ja. y. c. de pe. dil. y. S. hicitag. et. S. filioli

ber quomodo enim.

q fortiter.no ergo dubitater led in fabilitate. bt leg.et no.extra de homic.c.i.li.vi.qd dicp bb. ertra de fumma trini.c.i.poft prin. ver. firmiter. et in glo. fe. et fe. in confti. cle. bt dicam poll eu. j.

in glo.prorima.

ta Kelistendu. pma pe. b.c. bbi dicitur. relistite fortes in fide.i.fortiter et audacter. et publice. io chrisma, enim chrismamurin fronte bt omni timoze & eru beleetia polipolitis audacter bt fortes milites pu gnemus contra ca que fidei aduerlantur. de cole. di. b.c. u. fides lit ergo tibi tano leutu i quo oia ignita iacula inimici extinguas. ri.q.iii. qui reli= fit in fi. spes enim firma in deum animi corporis et imperij dat falutem.au.de.pauile. do.g.i.colf. big. Lirca quam fabilem fidei firmitatem eft di-Ainguendum. quia aut queritur de dubitatione fidei que fit pertinaciter et proterue animo deli=

berato et cum quadam placentia. et talis eft here tica.extra de heretic. dubius.xxx.diffinc.nulli.et extra de lumma trinitate .c.i.in pzin. bbi dicitur firmiter credimus : led limplicater confitemur.i. line plica bel involutioe aliqua. Aut fit indelibe=

raliter omnibus chistia= ne religionis profectibus le tons conatibus opponendo". Duic"estigit armata "manua cunctis chaistifidelibusi fide for titer reliftendum et ad f ei9 bolumia trenouatis b

rate er quodaz Crupulo colcie tie. et tuc potis est pena & cul= pa debilitas p= prie imaginati onis & peccatie tuc licet hoc lit abuciedum:no th hocest here= ticu.crtra de lo mo.ptuas.ct de tali 02 Bat.ir. credo adiuna i=

credulitate meam de pe. diftin.ij.cum conscientia infi. facit. rring. q.in. dirit. Pam bt frequenter huiulmodi scrupulosi hesitant contra suuz velle. bnæ li reliftetes huiulmõi motibus le firmiter in fide teneat potius meretur of peccat ad inflar fiz mulozu carnis. bi. dif. fed penfandum.ct.c. teftas mentu. Item bidetut potius pati & agerc. er qo mc.ca.factis.bt notat bb.in remissionibus quas feci lupra in glo. proxima. Unde august. heretica Beretica re pollum. hereticus elle non pollum. rriii.q.iii. te hereti herelis. Pam talis habet fidem implicitam quia cu no ca credit eccleliam iam hoc tenere. et lic opinionem fuam fupponit fidei ecclefie. Vt no. vv.et Innoc. extra de fum. trinit.c.i.in principio. Unde poteft poni exemplum in diminarus plonar equalitate. licet clericus vel laicus limplex ob quedam reue= rentia non credidit filium in diuinis no elle cqua lem patri sed minozez prout est in huiusmodi per fonis terrenis:propter hor non potest elle hereticus.aliter vero crederet fi per ecclefia recte inftitucretur. bt ibi notat Junocen. et plura exempla articulof de huiulmodi implicitis et generaliter creditur li cut credit ccclesia catholica. habes de cose. distinc. tij.c. blit. articulos enim fidei in fymbolo apolto- plicite fci lozum. Eredo in den patre fc.illos contentos ibi te op; tenet quilibet rfiauus intellectu habes explicite scire.i. spualiter et actualiter credere. de conse. di. im.andies ec. i.no. Buy. rb. dillin.c.i. in fi.

for Ad cius. Linimici diaboli.

t Molimina.i.conamina.a molioz iris b Menouatis. licertra de centi.c.i.poft prin.ibi na. tepozibus nouillimis tenouatis. ct. f.pe. in fi.in con.cle.extra de lepul.dudum pun.cle. Eftergo Roufet aliud noun. bt in glo.i. aliud renouatuz. bt patet renoua = extra de centi. Lignificauit. extra de iudeis. confu- tu diffett luit extra de bap. litteras. in cle. bt ibi no. To. an. ff.deno.op.nuc.l.i.S.liquis edificium.ff.de itine re.actum pua. bndc.g.reficere. Pio quo fcias qz aut aligo renouatur cuius principia fuerut oino resoluta de cure e de facto t fue renouatu censet noun. bter de lepul.dudum i pzin.cle. vbificbat refolutio illi coftitutiois sup cathedia. petraria legislatiõez. sic. ff. diure w.l. stipulatiõez. bbi nec

fideict=

fides

Rides

Molimt

Ioannis Seldeni

MARE CLAUSUM

SEU

De Dominio, Maris

Libri Duo.

Primo, Mare, ex fure Naturæ seu Gentium, omnium hominum non esse Commune, sed Dominii privati seu Proprietatis capax, pariter ac Tellurem, esse demonstratur.

Secundo, Serenissimum Magnæ Britanniæ RegemMaris circumflui, ut individuæ atque perpetuæ
Imperii Britannici appendicis, Dominum esse,
asseritur.

-Pontus quoque Serviet Illi.

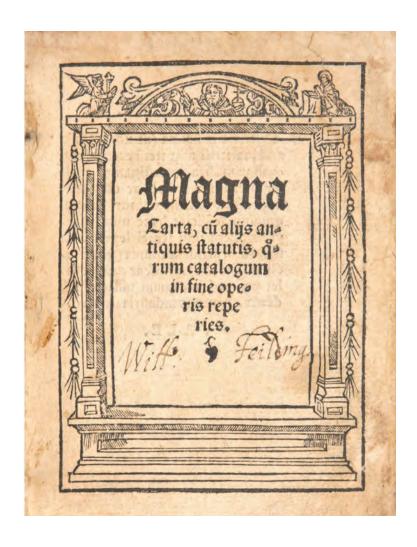


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Excudebat Will. Stanesbeius, pro Richardo Meighen.

English Law Before 1776

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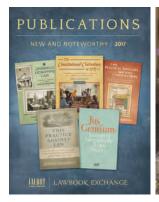
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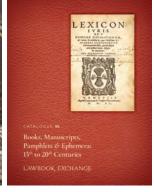
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The Importance of Early English Law to American Legal History

Herbert A. Johnson*

This attractive and carefully researched rare books catalogue will be of primary interest to librarians and collectors, but it also will be enthusiastically received by students of early American legal and constitutional history. English law books published in the colonial period are of critical value since it was early established that colonial legislative enactments must not be "repugnant" to the laws of England. And decisions of colonial courts were held to the same standard through appellate review by the King and Privy Council in London.

Even more significant is persistent American acquisition of English legal publications *after* independence was secured. Despite popular resistance to English influence in the post-war years, American courts and the practicing bar were forced to resort to imported English law books, and used them extensively as persuasive precedents in newly established American state and federal tribunals. Few American jurisdictions published case reports or legal treatises in the first fifteenth years after 1776¹, and traditionally English imprints were the backbone of colonial legal research.²

In 1608, only one year after the settlement of Jamestown in Virginia, the English Court of Exchequer Chamber's decision in Calvin's Case established the principle that English law in existence when an initial settlement was made in a colony was to be the law of that territory. Subsequent court decisions and colonial legislation were to conform to English law, and colonial initiatives "repugnant" to English law would be invalid. The supremacy of English law within the colonies was predicated on Calvin's Case (1608). All persons who at their birth were situated in territory in *ligeance* to the person of the English monarch held a birth-right citizenship in England.³ Therefore, migration to an English colony in North America did not deprive the migrants of their rights and privileges as Englishmen.4 However, given the likelihood that English law might be inappropriate, due to unanticipated colonial conditions

and circumstances, charter provisions and subsequent royal directives or instructions tended to provide flexibility in applying the "repugnancy" standard within the colonies.⁵

More recent scholarship has provided very persuasive arguments that, regardless of irregularities in applying the "repugnancy" standard to colonial law, the Crown through the Privy Council effectively controlled the empire through the royal prerogative.⁶ Globalization of historical study has also introduced new potential answers to the nature of colonial constitutions and the importance of English law and liberties. This "negotiated authorities" approach suggests that while England succeeded in imposing an Englishoriented legal system on pre-1776 America, the maintenance of order and local acceptance of English legal concepts was conditioned by, and restricted by, the colony's express acceptance of the rule or its tacit acquiescence in its provisions.⁷ Thus colonial customs and usage were important factors in balancing the relative political power of the center (London), and the peripheries (the

Clearly it is important that scholars considering the nature of colonial law must have access to the then current English law on any given subject. Such law is only available in documentary sources, including the titles incorporated within this catalogue.

An exception to the "settlement rule" was applicable to the former Dutch colony of New Netherland, renamed New York after its conquest by the English in 1664. The "conquest rule," also established by *Calvin's Case*, stipulated that the conquest of territory by the English monarch empowered the King or Queen to determine the applicability of English law to that territory.

^{*} Herbert A. Johnson is the Distinguished Professor Emeritus of Law, University of South Carolina School of Law. Among his many books and articles are *Imported Eighteenth–Century Law Treatises in American Libraries*, 1700–1799 (1978) and *The Law Merchant and Negotiable Instruments in Colonial New York*, 1664 to 1730 (1963, reprint 2002).

In the case of a "Christian" territory, the preconquest law might be continued in effect until the monarch decided how to govern the newly acquired land; should the area not be settled or claimed by a Christian nation, the English monarch might rule at his or her discretion, but subject to the rules of natural equity. However, once the people of the territory were empowered to elect a representative legislature, the monarch was required to act through Parliament or the colonial legislature to make laws for the colony.⁸

After its 1664 conquest New Netherland was granted to the Duke of York as a proprietor and became a royal colony in 1685 when the Duke acceded to the Crown as James II. The royal governor was authorized to call a legislature in 1691, and this became the date when New York received English law as its foundation for future law making. Although this represents an exception to the "settlement rule" it is nevertheless true that careful study of English law is necessary to determine the underlying body of English law that was ultimately applicable to New York. Again, English law imprints are critical in this process.



Close examination of colonial law-making has suggested that while English law was predominant in the process, other influences were also present, including considerations of natural law, European civil law, and attention to the political evolution of England through the English Civil War, Interregnum, and the Glorious Revolution. North American settlement provided an opportunity for experimentation, both in refashioning private law and in shaping of governmental institutions.¹⁰ Freedom from English and international law restrictions on migration meant that English colonists in America were free to change their place of residence. Anxious to encourage settlement and enhance population density, imperial administrators in London, along with corporate investors and proprietors of colonies, were cautious not to impose any restrictions on settlers' religious beliefs; toleration of religious diversity became a hallmark of colonial policy.11

More than antiquarian curiosity is involved in the search for an understanding of American colonial lawand the "settlement rule." A substantial portion of the eastern and mid-western United States draws upon English precedents to establish the basic law of the colonies which eventually declared independence in 1776. My impression, from a quick review of "Common Law" in the West Digest system, is that the "settlement rule" applies to all but New York among the original thirteen states that participated in the declaration of Independence on July 4, 1776. And it also includes subsequently admitted states located east of the Mississippi River and north of the Ohio River, in what was called the "Old Northwest," who also apply Virginia's "settlement rule." 12 This is a topic that needs more extensive investigation because of its importance in shaping the constitutional and legal foundations of many American states as well as because of its impact on the formation of our current federal union.

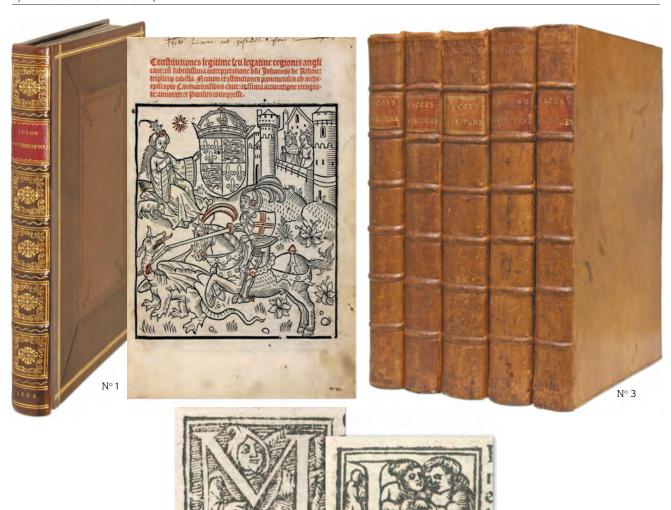


Although most historians are sensitive to the need to consult original imprints of case reports, statutes, and treatises, it is important that we recognize the unique details that such books may contribute to historical research. Quite frequently successive owners of a volume will have included their name and address on the title page or frontispiece;13 marginalia or under-linings may demonstrate the owner's agreement or rejection of what the author wrote. Comparison of subsequent editions of a book may alert the reader to changes in interpretation or application that otherwise might go unnoticed. Finally, the physical condition of an original book may reveal other secrets: is it water-stained, weak in the bindings, are there lost pages, has a reader or owner inserted new material between the pages? These are the sort of insights that are in danger of being lost because of modern history's growing reliance on reprint editions, incautious photocopying, or the current widespread activity of "digitalizing."

NOTES

- 1. Josiah Quincy's Massachusetts Reports, containing cases from 1761 to 1772 were published in 1865; Alexander J. Dallas' Pennsylvania Reports, containing cases from 1754 to 1776, were published in 1790; and Thomas Harris, Jr. and John McHenry's Maryland Reports from 1770 to 1774 were published in 1809. In the colonies most precedents were orally transmitted and many colonial lawyers and law clerks gained their knowledge of substantive law from attendance at "motion" days of the colonial courts.
- 2. See Herbert A. Johnson, *Imported Eighteenth-Century Law Treatises in American Law Libraries 1700–1799* (Knoxville: University of Tennessee Press, 1978): South Carolina's traditional preference for training at the Inns of Court in London persisted well into the nineteenth century. *Ibid.*, xxv-xxvi.
- 3. Calvin's Case, also known as the Case of the Post Nati, is reported at 7 Coke Reports 5a-28a (Exchequer Chamber, 1608).
- 4. A second rule, applicable to New York's conquest in 1664, vested in the Crown the authority to govern a conquered territory by natural equity until that land was granted its own legislature. See *ibid.*, 17b–18b, as modified by *Campbell v. Hall*, 1 Cowper's Reports 204, 98 English Reports, Full Reprint 1045 (King's Bench, 1774), as reprinted in Joseph H. Smith, *Cases and Materials on the Development of Legal Institutions* (St. Paul: West Publishing Company, 1965), 420–426.
- 5. See Herbert A. Johnson, "English Statutes in Colonial New York," in *Essays on New York Colonial Legal History* (Westport: Greenwood Press, 1981; earlier published New York History, 1977), 194-200.
- 6. For a high prerogative view of colonial law and administration see Ken MacMillan, *The Atlantic Imperial Constitution: Center and Periphery in the English Atlantic World* (New York: Palgrave Macmillan, 2011), 19–28; an earlier and perhaps even more sweeping view of English legal and administrative control over the colonies is in the same author's *Sovereignty and Possession in the English New World: the Legal Foundations of Empire*, 1576–1640 (New York: Cambridge University Press, 2006), 33–41), at 33–41.
- 7. Philip D. Morgan and Jack P. Greene, "Introduction: The Present State of Atlantic History," in Morgan and Greene, eds., *Atlantic History: A Critical Appraisal* (New York: Oxford University Press, 2009), 17-18; Jack P. Greene, *Peripheries and Center: Constitutional Development in*

- the Extended Politics of the British Empire and the United States, 1607-1788 (Athens: University of Georgia Press, 1986), 75, 172.
- 8. 7 Coke Reports, 1a at 17a-18a (1608); as modified by Campbell v. Hall, 1 Cowper's Reports 204 (King's Bench, 1774).
 9. The complexity of New Netherland /New York jurisprudence between 1664 and 1691 is examined in Herbert A. Johnson, "The Advent of Common Law in Colonial New York" (Barre: Barre Publishers, 1965), at 75-91.
 10. Elizabeth Mancke, "The Language of Liberty in British North America, 1607-1776," in *Exclusionary Liberty: English Liberties Overseas, 1607-1776*, Jack P. Greene, ed., (New York: Cambridge University Press, 2010), 25-26, 35-36, 49.
 11. Ibid., 27, 30-31, 35, 43.
- 12. That is, the law of England as it existed on May 24, 1607, the establishment date of the Jamestown settlement. In South Carolina a 1712 legislative act utilized the "settlement" rule to extend English law as of the 1670 settlement date; it also identified those English statutes, enacted either before or after 1670, that were not to be part of South Carolina law. Herbert A. Johnson, "The Palmetto and the Oak: Law and Constitution in Early South Carolina, 1670–1800," in Kermit L. Hall and James W. Ely, Jr., An Uncertain Tradition: Constituti—onalism and the History of the South (Athens: University of Georgia Press, 1989), 83, at 90–91.
- 13. John Jay's law library, now at the Columbia University School of Law library, bears evidence of wear probably incurred when it was evacuated from New York City in advance of British invasion and occupation; individual volumes bear a prior owner's signature, "John Chambers," Jay's maternal uncle, and a former associate justice of the colonial Supreme Court of Judicature. Herbert A. Johnson, John Jay: Colonial Lawyer (Washington: Beard Books, 1989), 186-93. Sir Edward Coke's library contains several volumes formerly owned by a deceased Lord Chancellor, Sir Christopher Hatton, his second wife's father. Although Coke and his wife, Lady Elizabeth Hatton, were subsequently separated and became bitter enemies in litigation before the Privy Council, he made sure to retain the law books until his death. Walter O. Haskell, A Catalogue of the Library of Sir Edward Coke (New Haven: Yale University Press, 1950), iv, xiii, xvi-xvii; see also Allen D. Boyer, Sir Edward Coke and the Elizabethan Age (Stanford: Stanford University Press, 2003), iv, xiii, xvi-xvii, 140-43. 207-14.



Details from N° 81





Detail from N° 4 N° 84

"A LITTLE TOO HUMAN TO BE STRICTLY SCIENTIFIC"

1 ACTON, JOHN [d. 1350]. [BADIUS, JOSSE (1462-1535), EDITOR].

Constitutiones Legitime seu Legatine Regionis Anglicane: Cu[m] Subtilissima Interpretatione D[omi]ni Johannis de Athon: Tripliciq[ue] Tabella.

[Paris: Wulfgangi Hopilii et P[ro]vissimi Bibliopole Joa[n]nis Co[n] flue[n]tini, (13) September 1504]. Collation: A-B8, a-e8, f10, g-o8, p6, q-s8 (-r1-8), t-v6 (-v6, a blank). [xvi], clv ff. Complete. Main text in parallel columns surrounded by two-column linear gloss. Quarto (10-1/2" x 7-1/2").

Recent calf, boards have gilt rules enclosing handsomely tooled blind panels, gilt spine with raised bands and lettering piece, endpapers renewed. Printed throughout in red and black, woodcut pictorial title page, divisional title page (f. 1) and vignette at head of main text (f. 2), woodcut initials, some pictorial. Light toning to text, faint dampstaining in places, mostly confined to margins, occasional worming, mostly to rear of text, with negligible loss to text, brief early annotations to a few leaves. A handsome copy. \$4,500.

FIRST EDITION BY BADIUS. Acton's Constitutiones was the first major treatise on English canon law. It is a commentary on the constitutions (edicts) of Otto and Ottobone, the papal legates in England during the mid-thirteenth century. For decades, these constitutions formed the majority of English canon law. Acton's commentary was authoritative. Several copies circulated in manuscript. It was first printed in 1496 by Wynkyn de Worde in an edition of William Lyndwood's Provinciale. An excellent summation of English canon law at the time, it is also notable for its insights into the Church's place in English society. As Maitland notes in Roman Canon Law in the Church of England, Acton was "a little too human to be strictly scientific. His gloss often becomes a growl against the bad world in which he lives, the greedy prelates, the hypocritical friars, the rapacious officials" (7-8). OCLC locates 9 copies of this edition in North American law libraries (Columbia, George Washington, Harvard, Library of Congress, Ohio State, UC-Berkeley, University of Minnesota, Washington University, Yale). ESTC S104759. Beale, T404.

PLEADING DURING THE COMMONWEALTH AND RESTORATION

2 A[STON], R[OBERT].

Placita Latinè Rediviva: A Book of Entries; Containing Perfect and Approved Precedents of Counts, Declarations, Barrs, Avowries, Replications, Pleas in Abatement, Issues, Judgments, As Well in Actions Real as Personal, And Sundry Other Entries; Useful for All Clerks, Attorneys, And Practisers in the Courts at Westminster, And Inferiour Courts. Not Heretofore Published in Print. Collected in the Times, And Out of Some of the Manuscripts, Of Those Famous and Learned Protonotaries. Richard Brownlow, John Gulston, Robert Moyl, and Thomas Cory, Esquires; Digested Into an Exact Method, With a Table. Corrected and Amended.

London: Printed for H. Twyford, John Place, And T. Basset, 1673. [viii], 144, 177-332, 369-520, [16] pp. Text continuous despite pagination.

[BOUND WITH] S[MALL], W[ILLIAM].

An Exact Collection of Choice Declarations, With Pleas, Replications, Rejoynders, Demurrers, Assignement of Errours: And the Entries of Judgments Thereupon Affirmed. Collected by W.S. One of the Clerks of the Upper Bench Office: In the Reignes of Queene Elizabeth, King James, And the Late King Charles. Diligently Perused, And Translated into English, For the Benefit and Helpe of Young Clerkes. With an Exact Table, Wherein May be Found the Principall Matters Contained in the Whole Book.

London: Printed by T.W. and T.R. for John Place, 1653. [iv], 52, 56, 65–112, 107, [13] pp. Text continuous despite pagination.

Quarto (8-1/4 x 6-1/4"). Recent period-style quarter morocco over marbled boards, gilt-edged raised bands and lettering piece to spine. Negligible light rubbing to extremities, corners lightly bumped. Moderate toning to text, occasional faint dampspotting. Woodcut head-pieces, tail-pieces and decorated initials. Two nice copies in a handsome binding. \$1,000.

ASTON: SECOND AND FINAL EDITION; Small: only edition. The collections by Aston and Small are fine examples of seventeenth-century pleading manuals. Sometimes attributed incorrectly to William Sheppard, Small's manual reflects changes introduced during the Commonwealth. As suggested by its title, Aston's, first issued at the beginning of the Restoration in 1661, aimed to revive aspects of pleading that were discarded during the Civil War and Commonwealth. Small's manual is scarce. OCLC locates 6 copies in North American law libraries (Harvard, LA County, Library of Congress, University of Minnesota, Northwestern, University of Pennsylvania). *ESTC* R27666 (Aston), R10408 (Small).

A HANDSOME COMPLETE SET OF BACON'S ABRIDGEMENT

3 BACON, MATTHEW [FL. 1730]. [GILBERT, SIR JEFFREY [1674-1726]. [SAYER, JOSEPH (F. 1750)]. [RUFFHEAD, OWEN (1723-1769)].

A New Abridgment of the Law. By a Gentleman of the Middle Temple.

[London]: Printed by E. and R. Nutt, And R. Gosling, [and other printers], 1736, 1740; 1768, 1770. Five volumes. Complete set. Folio $(13-1/2" \times 8-1/2")$.

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands, lettering pieces and blind volume numbers to spines, joints and spine heads of Volumes I-III discreetly reinforced. Light rubbing to spines, moderate rubbing to extremities with wear to spine ends and heads of Volumes IV and V, corners bumped and somewhat worn, some scuffs and scratches to boards, front joints of Volumes IV and V starting, hinges of all volumes starting or cracked. Light foxing to endleaves, light toning to texts, slight heavier in places, occasional faint dampspotting to Volume IV. A handsome set in matching bindings.

VOLUMES I-III: FIRST EDITION; Volumes IV-V: third edition. Bacon's *Abridgment* is a digest of cases and treatises written by Sir Jeffrey Gilbert. In frequent use by practitioners in Great Britain and the United States into the early nineteenth century, it went through several editions. Its comprehensiveness and, still more, the logical system of subdivisions employed within each title, was a significant improvement over previous compendia of its kind. This made it, according to Marvin's *Legal Bibliography*, "quite a law library in itself" (85). The *Abridgment* was compiled and edited by Bacon. However, he died after he completed the entry for "Sheriff" and the rest of the work was produced editors by Sayer and Ruffhead. *ESTC* T145688, N5624.

FROM THE LIBRARY OF JARED INGERSOLL, SR., THE FATHER OF A SIGNER OF THE U.S. CONSTITUTION

4 [BALLOW (OR BELLEWE), HENRY (1707-1782)]. [INGERSOLL, JARED, SR. (1722-1781)].

A Treatise of Equity.

[London]: In the Savoy, Printed by E. and R. Nutt, and R. Gosling, (Assigns of Edward Sayer) for D. Browne, at the Black Swan without Temple-Bar; and J. Shuckburgh, at the Sun next the Inner Temple gate in Fleetstreet, 1737. [xv], 132 pp. Includes one-page publisher list. Folio ($12" \times 7-1/2"$).

Contemporary paneled sheep, raised bands and fragments of early paper title label to spine. Light rubbing and a few minor scuffs to boards, heavier rubbing to extremities with wear to spine ends and corners, joints starting at ends, hinges cracked, armorial bookplate of Jared Ingersoll to front pastedown, "Jared Ingersoll's Nove.r 1751" to head of title page. Moderate toning, faint dampstaining to margins of preliminaries and final four leaves of text, faint spotting to title page. A nice copy with an interesting association. \$1,850.

FIRST EDITION. This was the standard treatise in Great Britain and North America before Story's Commentaries on Equity Jurisprudence (1836). (Jefferson was a notable American owner of this title.) According to Holdsworth, it "can be taken as a good starting point for the history of the development of many of the principles and rules of modern equity." The former owner of this book, Jared Ingersoll, was a New Haven lawyer and prominent colonial official. He is remembered as Connecticut's agent for the Stamp Act and as the father of Jared Ingersoll, Jr. [1749–1822], a delegate to the Continental Congress, signer of the United States Constitution and distinguished attorney and judge. HEL VI:191. Sowerby 1719. ESTC T72192.

SIX SCARCE TITLES ON BANKRUPTCY, HERETICS, LEGAL REFORM AND THE PROFESSIONAL CONDUCT OF LAWYERS

5 [BARLOW, THOMAS (1607-1691)].

A Discourse Concerning the Laws, Ecclesiastical and Civil, Made Against Hereticks, By Popes, Emperors and Kings, Provincial and General Councils, Approved by the Church of Rome: Shewing I. What Protestant Subjects May Expect to Suffer Under a Popish Prince Acting According to Those Laws. II. That No Oath or Promise of Such a Prince Can Give Them Any Just Security That He Will not Execute these Laws Upon Them. With a Preface Against Persecuting and Destroying Hereticks. By a Cordial Friend to the Protestant Religion Now by Law Established in These Realms. Now Re-Published, With an Introduction.

London: Printed for John Wyat, 1723. xviii, [6], 128 pp. Octavo (7-1/4" x 4-1/2"). Third edition. *ESTC* T31931.

[BOUND WITH]

AN ATTORNEY.

Proposals Humbly Offered to the Parliament for Remedying the Great Charge and Delay of Suits at Law and in Equity. The Sixth Edition.

London: Printed for James Roberts, 1730. [ii], iv, 42 pp. Octavo (7-1/4" x 5"). Seventh and final edition. *ESTC* N12389.

[AND]

The Statutes at Large Concerning Bankrupts, Containing a Compleat Collection of All Such Acts of Parliament as in Any Wise Relate to Bankrupts. To Which is Added, A Table by Way of Abstract, Of All the Aforesaid Acts, Digested Under Proper Heads.

London: Printed by J. Baskett, 1735. [iv], 143, [27], 4, [2] pp. Octavo (7–1/2" x 5"). Third edition. *ESTC* T225267.

[AND]

[FOBTON, JOHN].

Friendly Hints to Young Gentlemen, Who Are or Intend to be Bound by Articles to Attorneys or Solicitors.

[London?: S.n.], 1754. 15 pp.

Octavo (7-1/2" \times 5"). Second edition? Not in the *ESTC*, which lists editions from 1751 and 1758.

[AND]

Observations on the Duty of an Attorney and Sollicitor. Submitted to the Publick Consideration, But Addressed More Especially to Young Practisers of the Law.

London: Printed for J. Shuckburgh, 1759. Octavo $(7-1/2" \times 4-3/4")$. Only edition. *ESTC* T63402.

[AND]

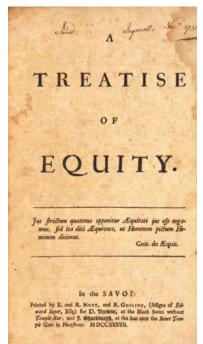
AN ATTORNEY.

A Serious Address to All Gentlemen of the Law, Who Are Zealous for Promoting the Honour of Their Profession.

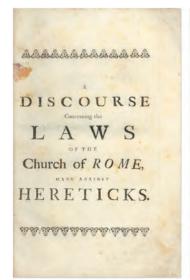
London: Printed for the Author, 1760. v, 35, [1] pp. Octavo (7-1/2" \times 4-3/4"). Only edition. *ESTC* N38086.

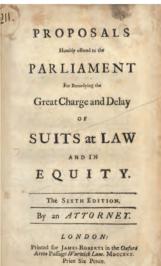
Six titles in all. Nineteenth-century three-quarter calf over pebbled cloth, gilt-edged raised bands and lettering piece to spine (reading: Juridical Tracts 1723–60). Some dampspotting to calf (which looks like intentional mottling), light rubbing to extremities with negligible wear to spine ends, joints and corners, armorial bookplate of the Earl of Macclesfield to front pastedown. Light to moderate toning, browning and light foxing in a few places. Occasional annotations to margins of *Proposals*, markings to a few other leaves elsewhere, interiors otherwise clean. An interesting group. \$4,000.

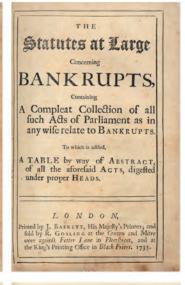
THE FIRST EDITION of the Statutes at Large Concerning Bankrupts appeared in 1728. It offers an interesting perspective on the legal ramifications of the South Sea Bubble and other financial failures associated with Great Britain's transformation into a market society based on overseas trade and colonization. Later editions appeared in 1733, 1735, 1756 and 1765. Proposals was originally published in 1707. It offers reforms to expedite law suits, which could go on for decades in eighteenth-century England. Barlow's Discourse, first published in 1686, the eve of the Glorious Revolution, is an anti-Jacobite tract. It was republished in 1723 and 1744, the years of two Jacobite threats: The Atterbury Plot and the ill-fated French invasion of 1744. The final three items deal with the legal profession. Friendly Hints and Duty deal with professional conduct. A Serious Address outlines a proposal to establish a fund for widows and children of indigent lawyers. All editions of Bankrupts are scarce, as are copies of Friendly Hints, Observations and a Serious Address

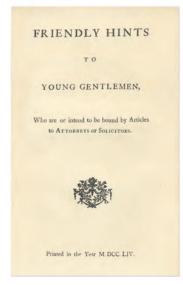


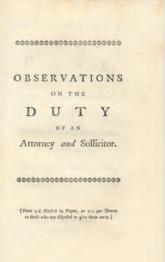
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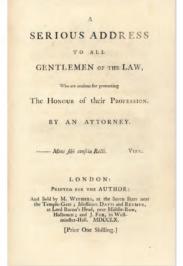












Details from N° 5



Nº 6

"SUPPLIES A CHASM IN THE PRINTED YEAR BOOKS"

6 BELLEW(E), RICHARD, COMPILER.

Les Ans du Roy Richard le Second Collect' Ensemble' Hors de les Abridgments de Statham, Fitzherbert et Brooke. London: Imprinted by Robert Robertson, Dwelling in Fewter Lane Neere Holborne, 1585. [viii], 326 [i.e. 342], [6] pp. Complete. Octavo (6" \times 4–1/2").

Contemporary calf, blind rules and large central arabesques to boards, raised bands to spine, later repair to foot of spine, endpapers renewed. Moderate rubbing to extremities, with some wear to head of spine, corners bumped and somewhat worn, joints just starting near head. Title printed within woodcut typographical border, large woodcut arms to verso of title page, woodcut headpieces, tail-pieces and decorated initials. Moderate toning to text, very light foxing in places, faint dampstaining to a few leaves, internally clean. \$2,500.

FIRST EDITION (one of 3 imprints issued in 1585). As Wallace notes, this alphabetical abridgement of a Year Book of Richard II covering the Courts of King's Bench and Common Pleas from 1378 to 1400 "supplies a chasm in the Year Books." He says it is "very rare," and it is indeed rather scarce. OCLC locates 12 copies of this edition (all imprints). Wallace 111–112. Beale R478.

7 BIRD, [WILLIAM].

DODDRIDGE, SIR JOHN [1555-1628].

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

"NOBILITY OF THE REALME"

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

Later three-quarter morocco over cloth, gilt title and raised bands to spine. Some rubbing to extremities, light soiling and some minor stains to boards, front hinge starting. Moderate toning, occasional light foxing, internally clean. \$450.

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

HANDSOME EARLY EDITION OF BLACKSTONE'S COMMENTARIES

THE GENESIS OF BLACKSTONE'S COMMENTARIES

8 BLACKSTONE, SIR WILLIAM [1723-1780].

Commentaries on the Laws of England, In Four Books.

Oxford: Printed at the Clarendon Press, 1766, 1766, 1768, 1769. Four volumes. Volume II has copperplate "Table of Consanguinity" and fold-out "Table of Descents." Quarto $(10-1/2" \times 8-1/2")$.

Contemporary calf, gilt fillets and cat's-paw decoration to boards, gilt spines with raised bands and lettering pieces, gilt tooling to board edges, marbled endpapers, a few early repairs to joints and corners, speckled edges. Light rubbing and some minor scuffs and scratches to boards, moderate rubbing to extremities, joints cracked or starting, corners bumped and somewhat worn. Light toning to text, somewhat heavier in places, occasional light foxing. A handsome set. \$3.500.

FIRST EDITION OF VOLUMES II, III AND IV, second edition of Volume I. The most influential publication in the history of modern Anglo-American law, the Commentaries on the Laws of England is based on a course of lectures delivered at Oxford University. Because they were not intended for aspiring practitioners, they described general principles rather than practical specifics. Sensitive to the systematizing trends of the day and the prestige of the natural sciences, he described the common law as an intricate, well-designed system akin to Newton's mechanistic universe. The first edition of Volume I was published in 1765. By the time Volume II was published Volume I had been re-published in its second edition; both were issued in 1766. (A revised Volume II was published in 1767.) Due to this publication history there are many so-called "mixed" editions today. Volumes III and IV were later revised, along with the first two volumes, for the fourth edition, 1770. Eller 1, 2. Laeuchli 1, 3.

EARLY DUODECIMO EDITION OF BLACKSTONE'S COMMENTARIES

9 BLACKSTONE, SIR WILLIAM.

Commentaries on the Laws of England, In Four Books.

Dublin: Printed for the Company of Booksellers, 1775. Four volumes. Copperplate frontispiece portrait, table of consanguinity, folding Table of Descents. 12mo. $(6-1/2" \times 3-3/4")$.

Contemporary calf, blind fillets to boards, lettering pieces and blind fillets to spines, blind tooling to board edges. Some minor nicks and spots to boards, moderate rubbing to extremities, minor chipping to spine ends, joints starting, Volume I has split through center of backstrip, corners bumped and somewhat worn. Light toning, minor worming in a few places, minor tears to edges of a few leaves, some edgewear to table of descents. Small early signature to head of Volume I title page, interiors otherwise clean. A handsome set.

"SIXTH EDITION." This pirated Dublin edition follows the text of the fourth Oxford edition, 1770. It is similar to another pirated Dublin edition published by John Colles, also in 1775. Not in Eller. Laeuchli 14.

10 BLACKSTONE, SIR WILLIAM.

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

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

Later three-quarter calf over pebbled cloth, "Blackstone" gilt-stamped to center of front board. Light rubbing to extremities with minor wear to spine ends and corners, small bookseller ticket to front pastedown, light toning to text, a bit of offsetting to corners of title page and verso of final leaf.

\$5,000.

FIRST EDITION. This is the published version of Blackstone's inaugural lecture as Vinerian professor of English law. Presented to a large audience, it was "[h]astened into print less than a fortnight later as *A Discourse on the Study of the Law*, by late December a London correspondent claimed to hear Blackstone's lecture 'commended wherever I go.' What one reviewer terms 'this sensible, spirited, and manly exhortation to the study of the law' was reprinted in a further thousand copies next year; it also prefaced subsequent editions of the *Analysis of the Laws*, and eventually the first volume of the *Commentaries*": Prest 151. Eller 233. Laeuchli 542.

FIRST EDITION OF BLACKSTONE'S ESSAY ON DESCENTS

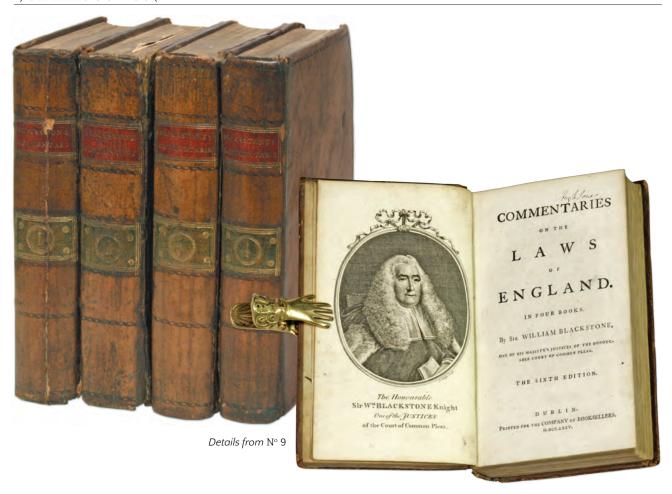
11 BLACKSTONE. SIR WILLIAM.

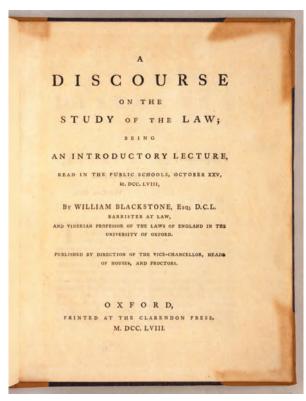
A Treatise on the Law of Descents in Fee-Simple.

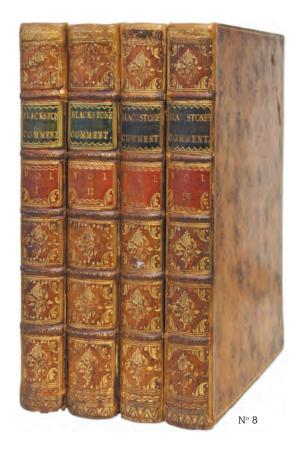
Oxford: at the Clarendon Press, 1759. 87, [1] pp. Two folding copperplate tables: "Table of Consanguinity" and "Table of Descents." Octavo $(8-3/4" \times 4-3/4")$.

Contemporary calf, carefully rebacked retaining spine, blind rules and fillets to boards, corners repaired, raised bands and lettering piece to spine, original endpapers retained. Some rubbing, a few minor nicks to boards, chipping to edge of lettering piece, hinges cracked. Moderate toning to text, some staining to margins of preliminaries and tables, which are lightly soiled. A handsome copy. \$1,950.

FIRST EDITION. Originally published as a learning aid for his students, this brief treatise on "the rules by which landed property was transferred, whether by direct inheritance or by one remove by purchase" (6), formed the basis, almost word for word, of Chapters 14 and 15 of the *Commentaries of the Laws of England*, Book II (1766). An excerpt in James Parker's *Conductor Generalis* (1764) was the first work by Blackstone published in America. Eller 244 Laeuchli 566







Nº 10





PMM 89: THE "CROWN ANDFLOWER OF MEDIEVAL JURISPRUDENCE"

12 BRACTON, HENRY DE, [D. 1268].

De Legibus et Consuetudinibus Angliae, Libri Quinq; In Varios Tractatus Distincti, ad Diversorum et Vetustissimorum Codicum Collationem, Ingenti Cura, Nunc Primu Typis Vulgati; Quorum Quid Cuiq; Insit, Proxima Pagina Demonstrabit.

London: Apud Richardum Tottellum, 1569. [xvi], 444 [i.e. 442] ff. Folio (11-1/4" x 7-3/4").

Nineteenth-century diced calf, gilt rules to boards, gilt fillets, ornaments and title to spine, gilt rules to board edges, gilt inside rules, marbled endpapers, ribbon marker. Light rubbing, faint dampstain to front board, moderate rubbing to extremities, front joint just starting at head, corners bumped and somewhat worn, armorial bookplate to front pastedown. Attractive large woodcut decorated initials. Light toning to text, somewhat heavier in places, light foxing and finger smudges to some leaves, some fading to text of Fols. 1 and 2. A handsome copy of a landmark work. \$12,500.

FIRST EDITION. Written between 1250 and 1256, *De Legibus et Consuetudinibus Angliae* [The Laws and Customs of England] is the first treatise on English law. A systematic work, it emphasizes the separation of procedural and substantive matters and also cites cases as sources of at least intellectual, if not formal, authority. The principles formulated in this work and its use of precedents determined the development of English law and established the method adopted by Littleton and Coke. In Maitland's words, it is

"the crown and flower of English medieval jurisprudence" and "by far the greatest of our medieval law books." : Maitland, *Collected Works* II:43. Beale T323. *PMM* 89. *ESTC* S122159.

THE SECOND PRINTING OF BRACTON

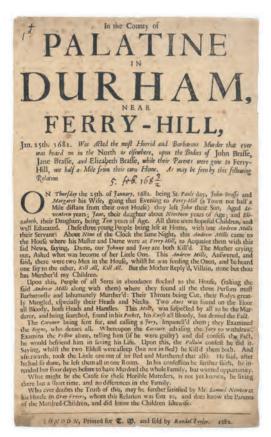
13 BRACTON, HENRY DE.

De Legibus et Consuetudinibus Angliae, Libri Quinque; In Varios Tractatus Distincti, Ad Diversorum et Vetustissimorum Codicum Collationem, Ingenti Cura, Denuo Typus Vulgati. Quorum Quid Cuique Insit, Proxima Pagina Demonstrabit.

London: Typis Milonis Flesher & Roberti Young, 1640. [xvi], 444 [i.e. 442] ff. Quarto (9" \times 6-1/2").

Later quarter calf over buckram, raised bands and lettering piece to spine, endpapers renewed, early hand-lettered title to fore-edge of text block. Light rubbing to extremities, corners bumped, chipping to head of spine. Light browning to text, light spotting in places, light soiling and later owner signature to title page, some leaves have brief annotations in an early hand. \$1,000.

REISSUE OF THE FIRST EDITION (1569) and the second printing of this work. *ESTC* S119285.



Nº 14

"THE MOST HORRID AND BARBAROUS MURDER THAT EVER WAS HEARD ON IN THE NORTH OR ELSEWHERE"

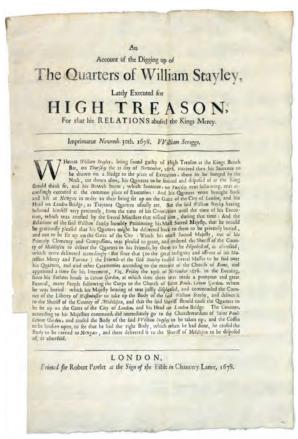
14 [BROADSIDE]. [MURDER].

In the County of Palatine in Durham, Near Ferry-Hill, Jan. 25th. 1682. Was Acted the Most Horrid and Barbarous Murder that Ever was Heard on in the North or Elsewhere, Upon the Bodies of John Brasse, Jane Brasse, and Elizabeth Brasse, While Their Parents were Gone to Ferry-Hill, Not Half a Mile from Their Own Home. As May be Seen by This Following Relation.

London: Printed for T.M. and sold by Randal Taylor, 1682.

11" x 6-1/2" broadside, text in single column below boldface caption title. Light browning and foxing, "5. feb 1683/2" in contemporary hand near center of broadside, another small mark to upper left corner. A well-preserved copy of a very scarce item. \$1,750.

ONLY PRINTING. A horrid account of a home invasion that resulted in the murder of three children while their parents were away. An event such as this was horrifying not only as a murder, but a violation of the English principle that a man's home was inviolate, that it is "his castle." This is a rare broadside. No copies located on OCLC. The ESTC locates 3 copies, none in North America. ESTC R178413.



Nº 15

THE LAST DECAPITATED HEAD DISPLAYED ON LONDON BRIDGE

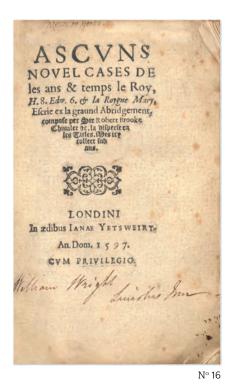
15 [BROADSIDE]. STAYLEY, WILLIAM.

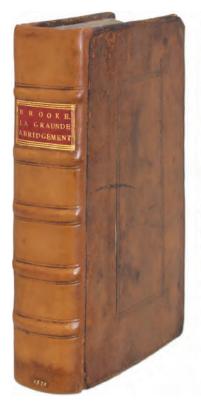
An Account of the Digging Up of the Quarters of William Stayley, Lately Executed for High Treason, For That His Relations Abused the Kings Mercy. Imprimatur Novemb 30. 1678. William Scroggs.

London: Printed for Robert Pawlet at the Sign of the Bible in Chancery-Lance [sic], near Fleet-street. 1678.

11–1/2" x 16" broadside. Light toning, faint vertical and horizontal fold lines, 4–1/2" section excised from foot of left margin, old tear professionally repaired with no loss of printed surface. A well-preserved copy. \$850.

WILLIAM STALEY (or Stayley) was one of the victims of the Popish Plot, one of the cruelest hoaxes in British history and the inspiration for a wave of anti-Catholic violence. It was the invention of Titus Oates, an Anglican clergyman, and his friend, Dr. Israel Tonge, a cleric and passionate anti-Catholic. They pretended to have discovered a Jesuit plot to assassinate the King, massacre Protestants, and set James, Duke of York, the King's Catholic brother, on the throne. Convicted as a conspirator, Staley was executed and quartered in 1678. "Instead of his quarters being set upon the city gates the king allowed them to be delivered to his relatives. Mass was said over his remains and a 'grand' funeral was arranged from his father's house on 29 November, before his burial in St Paul's, Covent Garden. This incensed the government so much that the coroner ordered the body to be dug up and delivered to the sheriff to be set upon the city gates" [Oxford DNB]. William Stayley's head has a small place in London's history; it was the last to be displayed on London Bridge. ESTC R211806.







Nº 17

A SELECTION FROM BROOKE'S ABRIDGEMENT

16 [BROOKE, SIR ROBERT (D.1558)].

[BELLEW, RICHARD, EDITOR].

Ascuns Novel Cases de les Ans & Temps le Roy, H.8. Edw.6. & La Roygne Mary, Escrie en la Graund Abridgement, Compose per Sir Robert Brooke Chivaler &c. La Disperse en les Titles. Mes Icy Collect Sub Ans.

London: In Aedibus Ianae Yetsweirt, 1597. [i], 116, [3] ff. Octavo (5-1/2" x 3-3/4").

Contemporary limp vellum with lapped edges, recased, blind rules to covers, later hand-lettered title to spine, ties lacking. Spine and front cover darkened, some rubbing to extremities, a few cuts to front cover and fore-edge, a few small cracks to spine, most of front pastedown and free endpaper removed, front endleaf soiled, edgeworn and torn. Text printed with wide margins. Moderate toning to interior, light spotting in a few places, tiny inkspots and spark burns to a few leaves, light soiling to title page. Front endleaves filled with contemporary doodles, a tiny contemporary and a later signature to title page, early underlining to a few passages of text. \$1,000.

THIRD EDITION. Also known as *Brooke's New Cases, Petit Brook* or *Bellewe Temp. Henry VIII*, this book is a selection of cases from 1514–1558 taken from Brooke's great *Abridgement* (1568), a digest of more than 20,000 cases and notes from the Year Books, Fitzherbert's *Natura Brevium*, and other sources. First published in 1578, it went through later editions in 1587, 1597, 1604, 1624, 1625, 1628 and 1651. All of these are scarce. Concerning the first edition, OCLC locates 2 copies, 1 in North America, both in law libraries (Huntington Library). *ESTC* S106975. Beale R480a.

"A WORTHY AND PAINFUL WORK"

17 BROOKE, SIR ROBERT.

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

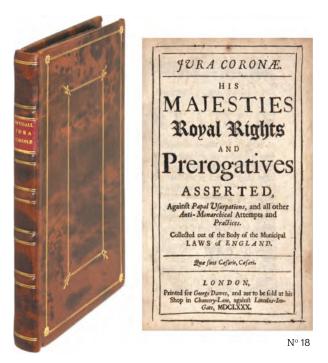
[AND]

La Secounde Part du Graunde Abridgment....

London: In Aedibus Richardi Tottell, 1576. Two parts in one. [ii], 351; [i], 328 ff. Complete, Folio $(9-1/4" \times 6")$.

Contemporary calf with recent rebacking, blind panels with large corner fleurons to boards, raised bands and lettering piece to spine. Moderate rubbing to board edges, a few minor scratches and scuffs, corners bumped and somewhat worn, hinges starting. Titles printed within woodcut architectural borders, woodcut decorated initials. Moderate toning to text, faint dampstaining to foot of text block, minor loss to fore-edges of title pages due to trimming. Tiny early owner signatures to title page of first part, interiors otherwise clean. An attractive copy. \$1,000.

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



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

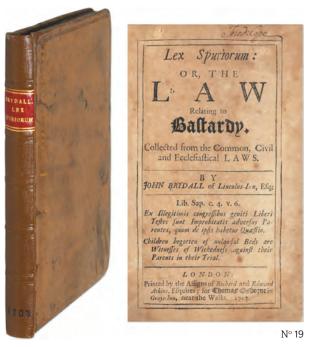
18 [BRYDALL, JOHN (B.1635?)].

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

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

Recent period-style calf, gilt frames to boards, lettering piece and gilt-edged raised bands to spine. Light toning to text, somewhat heavier in places, light foxing to a few leaves, internally clean. Exlibrary. Very faint inkstamp to top-edge of text block. A handsome copy. \$950.

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



1703 TREATISE ON THE LAW RELATING TO BASTARDY

19 BRYDALL, JOHN.

Lex Spuriorum: Or, The Law Relating to Bastardy. Collected from the Common, Civil and Ecclesiastical Laws.

London: Printed by the assigns of Richard and Edward Atkins, Esquires; For Thomas Osborne, 1703. [viii], 127, [9] pp. Octavo (6-3/4" \times 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, rebacked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners worn, a few minor scuffs to boards, crack in text block between title page and following leaf. Light browning and foxing to text. Small early owner signature to head of title page, interior otherwise clean. Exlibrary. Bookplate to front pastedown. \$850.

ONLY EDITION. Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." *Lex Spuriorum*, a handbook of English laws concerning illegitimacy, is cited in Holdsworth's review of legal writings of the seventeenth and eighteenth centuries. OCLC locates 6 copies in North American law libraries (Harvard, NY State Appellate Division, Ohio State, Southern Methodist University, University of Michigan, US Supreme Court). *HEL* VI:605, 607. *ESTC* T116601.

FIRST ENGLISH EDITION OF BURLAMAOUI'S POLITIC LAW

LAND TENURE ON ECCLESIASTICAL PROPERTY

20 BURLAMAQUI, J[EAN] J[ACQUES] [1694-1748].

The Principles of Politic Law: Being a Sequel to the Principles of Natural Law. Translated into English by Mr. Nugent.

London: Printed for J. Nourse, 1752. [viii], 372 pp. Octavo (8" x 5").

Contemporary speckled calf, raised bands, letting piece and gilt ornaments to spine. Some rubbing to extremities with wear to spine ends, boards partially detached but secure, corners bumped, a few minor early inkstains to boards, early armorial book plate to front pastedown. Moderate toning to text, light foxing in places, offsetting to margins of endleaves. Early struck-through signature to head of title page, interior otherwise clean. \$1,500.

FIRST EDITION IN ENGLISH. The sequel to *The Principles* of Natural Law, his other major work, The Principles of Politic Law 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, 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. Harvey 178-179. ESTC T112807.

21 [BURROUGHS, SAMUEL (D. 1761)].

An Enquiry into the Customary-Estates and Tenant-Rights of Those who Hold Lands of Church and Other Foundations, By the Tenure of Three Lives and Twenty-One Years. With Some Considerations for Restraining Excessive Fines. By Everard Fleetwood, Esq.

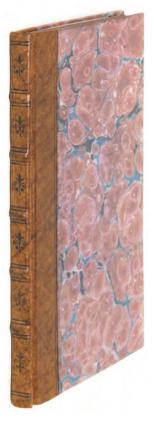
London: Printed for J. Roberts, 1731. [iv], 109, [1] pp. Octavo (7-3/4" \times 4-3/4").

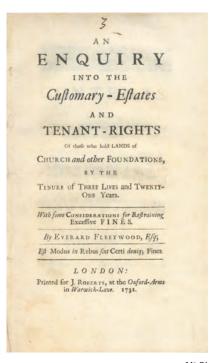
Recent period-style quarter calf over marbled boards, raised bands and blind ornaments to spine, endpapers renewed. Light toning to text, light soiling to title page, "3" at head in small early hand. A nice copy in a handsome binding. \$650.

FIRST EDITION. Burroughs, writing under a pseudonym, addresses conflicts between civil and ecclesiastical law in cases regarding land tenure on church owned lands. A second edition was published in 1732. It was reprinted in Dublin in 1768. *ESTC* T113249.



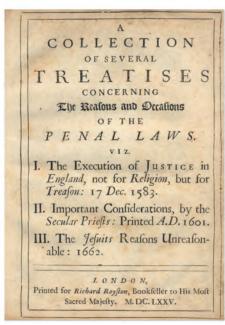
Detail from N° 18





Nº 21





N° 23

CARE SUPPORTS A CONTROVERSIAL DECISION BY KING JAMES II

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

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

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

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

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

FEAR AND DISTRUST OF CHARLES II

23 [CECIL, WILLIAM, LORD BURGHLEY (1520-1598)].

[BLUET, THOMAS]. [SERGEANT, JOHN (1622-1707)].

A Collection of Several Treatises Concerning the Reasons and Occasions of the Penal Laws. Viz. I. The Execution of Justice in England, Not for Religion, But for Treason: 17 Dec. 1583. II. Important Considerations, By the Secular Priests: Printed A.D. 1601. III. The Jesuits Reasons Unreasonable: 1662.

London: Printed for Richard Royston, 1675. [8], 104, 109–13 [i.e. 131] pp. *The Jesuits Reasons* has separate title page dated 1662. Quarto $(7^{\circ} \times 5-1/4^{\circ})$.

Later three-quarter morocco over marbled boards, gilt title to spine. Moderate rubbing to extremities, lighter rubbing to boards, final three leaves of text loose (but secure), bottom edge of *The Jesuits Reasons* trimmed with some loss to text. Moderate toning to text, occasional faint dampspotting, smudges and minor inkstains to a few leaves. A solid copy. \$750.

FIRST EDITION. This volume was assembled at a time when Charles II was arousing fear and distrust due to his increasingly overt support of Catholicism. Its title alludes to the Royal Declaration of Indulgence (1673), an unsuccessful attempt by the king to abolish the Penal Laws, thus extending religious liberty and civil rights to Protestant nonconformists and Roman Catholics. The first treatise, by William Cecil, Lord Burghley, was originally published in 1583 as The Execution of Iustice in England. The second treatise, by Thomas Bluet, was first published in 1601 as Important Considerations Which Ought to Move All True and Sound Catholikes. The third treatise, by John Sergeant, was originally published in 1662 as The Jesuite's Reasons Unreasonable. OCLC locates 9 copies in North American law libraries (Columbia, Harvard, Library of Congress, Northwestern, UC-Berkeley, University of Michigan, University of Minnesota, University of Pennsylvania, University of Virginia). ESTC R11022.

FIRST EDITION OF COKE'S LANDMARK COMMENTARY ON MAGNA CARTA AND "ENGLISH LIBERTIES"

24 COKE, SIR EDWARD [1552-1634].

The Second Part of the Institutes of the Lawes of England. Containing the Exposition of Many Ancient, And Other Statutes; Whereof you May See the Particulars in a Table Following.

London: Printed by M. Flesher, and R. Young, for E[phraim] D[awson], R[ichard] M[eighen], W[illiam] L[ee] and D[aniel] P[akeman], 1642. [xii], 745, [3] pp. Copperplate portrait frontispiece. Colophon leaf gives full names of publisher, pages 28 and 29 numbered correctly. Folio $(10-3/4"\times7")$.

Contemporary reversed calf, rebacked in calf, blind rules to boards, raised bands and lettering piece to spine, date gilt-stamped to foot, endpapers renewed with marbled paper, early hand-lettered title to fore-edge of text block. Some minor scuffing to boards, moderate rubbing to extremities with some wear to spine ends and corners. Title printed within woodcut architectural border,

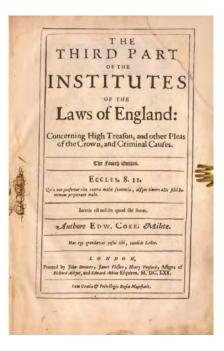
typographical head-pieces, woodcut tail-pieces. Light toning to text, minor worming to margins of the first few leaves below text. An appealing copy of an uncommon title in commerce. \$5,000.

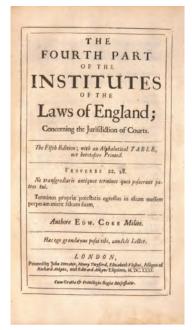
FIRST EDITION. The Second Part of the Institutes, an exposition of "many ancient and other statutes" including Magna Carta, was published by order of the House of Commons after the author's death. It is a landmark work because it offered a novel interpretation of Magna Carta. Reflecting contemporary struggles between the king and Parliament, Coke presented the charter as the ancient constitution of England, one that established the fundamental rights of Englishmen and placed royal power under the laws of the land. Perhaps the most famous section is Coke's commentary on the 29th chapter, in which he traced the origins of trial by jury and the right of habeas corpus. According to the ESTC, this edition has two states: "state 1 has pages 28-29 misnumbered 38-39; state 2 has the pages numbered correctly." Yet another issue is listed in a separate record, R231698, but it is believed to be a ghost. The last copy of the first edition seen at auction was in 2005. ESTC R12887.



Nº 24







N° 25

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

25 COKE, SIR EDWARD.

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

London: Printed by John Streater, James Flesher, Henry Twyford, 1670. [x], 243, [19] pp. Copperplate portrait frontispiece. Lacking final blank leaf.

[BOUND WITH] COKE, EDWARD.

The Fourth Part of the Institutes of the Laws of England; Concerning the Jurisdiction of Courts. With an Alphabetical Table, Not Heretofore Printed.

London: Printed by John Streater, Henry Twyford, Elizabeth Flesher, 1671. [x], 364, [38] pp. Lacking copperplate portrait frontispiece, which is identical to the frontispiece in the *Third Institutes*.

Folio (11–1/4" x 7–1/2"). Contemporary reversed calf, blind rules to boards, raised bands to spine, two small repairs at head. Light rubbing and a few minor nicks and scuffs to boards, slightly heavier rubbing to extremities, corner bumped, a few tiny worm holes and a bit of faint shelf-label residue to spine, pastedowns loose. Title pages printed within ruled borders, woodcut head and tail-pieces. Light toning to text, occasional faint staining to lower margins of each volume, a few leaves have minor tears, early struck-through signature to inner margin of the title page of the *Third Institutes*, with a bit of offsetting to facing margin of frontispiece, upper corner of that title page skillfully replaced with a facsimile, lower portion of final leaf of *Fourth Institutes*, which contains the word Finis between rules, neatly removed. A handsome volume. \$1,000.

THIRD INSTITUTE: FOURTH EDITION; Fourth Institute: fifth edition, one of three issues from 1671, "Coke's Third Institutes gives us a Treatise of great learning, and not unworthy the hand that produced it;... Having run over all criminal matters, and their legal punishments, he concludes with the nature of pardons and restitutions; showing how far, in each of these, our Kings can process alone, and where they want the assistance and joint power of the Parliaments" (Marvin). The Fourth Part outlines the authority and jurisdictions of the Court of Star-Chamber, Kings Court, Chancery, the Court of Common Pleas, Ecclesiastical Courts, Courts of Exchequer, Augmentations, Admiralty, the Justices Assize, Courts in Universities of Cambridge and Oxford, Court of the Commissioners Upon the Statute of Bankrupts, the Marshalsea, the Stannaries, the Eighteen Courts of the City of London, the Court of Pipowders (concerning Markets and Fairs), the Courts of the Forest Countries, various ecclesiastical courts and many more. ESTC R27899, R235361.

THE CITY LAW

26 [CORPORATION OF LONDON]. [COURT OF COMMON COUNCIL].

Lex Londinensis; Or, The City Law. Shewing the Powers, Customs and Practice of All the Several Courts Belonging to the Famous City of London: viz. The Lord Majors Court. The Orphans Court. The Court of Hustings. The Court of Common Councel. The Court of Aldermen. The Wardmotes. The Courts of Conservacy for the River of Thames. The Court of Conscience. The Sheriffs Court. The Chamberlains Court. Together with Several Acts of Common Councel, Very Useful and Necessary to be Known by All Merchants, Citizens, And Freemen of the Said City. And also, A Method for the Ministers Within the Said City to Recover Their Tithes. With a Table to the Whole Book.

London: Printed by S. Roycroft for Henry Twyford, 1680. [viii], 260, [12] pp. Octavo (6-1/2" x 4").

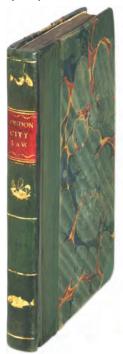
Later three-quarter calf over marbled boards, rebacked retaining spine, which has gilt ornaments and later lettering piece, endpapers renewed. Some rubbing to boards and extremities, corners bumped and lightly worn. Light browning and occasional light foxing to text. Early owner underlining to title page, which has some edgewear, interior otherwise clean. An appealing copy. \$1,350.

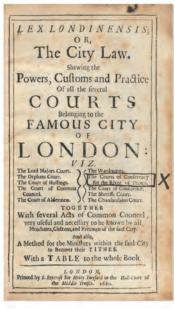
ONLY EDITION. This book was the first digest of the London's laws and guide to its courts after the revisions of the city laws from 1647 and 1658. A useful work that gathered a great deal of disparate information, it is a valuable resource today for students of seventeenth-century London and its legal system. *ESTC* R2792.

THE FIRST EXTENSIVE STUDY OF CORPORATIONS

27 [CORPORATIONS].

The Law of Corporations: Containing the Laws and Customs of All the Corporations and Inferior Courts of Record in England. Treating of the Essentials of, And Incidents to, A Corporation. Of Mayors, Bailiffs, Serjeants, &c. And Their Executing Process. Conusance of Pleas. Actions Brought in Inferior Courts, Declarations Pleadings, Venue, &c. Habeas Corpus, Procedendo, Bail, Errors in the Stile, Declarations, Pleadings, Venire's &c. Actions Brought by and Against Corporations. Of Grants by Or to a Corporation and of Misnomer in Both. By-Laws Customs, Disfranchisements and Causes of Disfranchisements. Quo Warranto's, Mandamus's and Their Returns. Dissolution of Corporations. With the Explication of Several Acts of





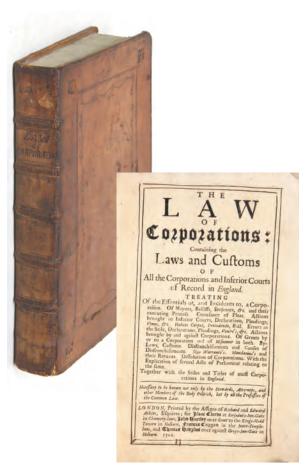
Nº 26

Parliament Relating to the Same. Together With the Stiles and Titles of Most Corporations in England. Necessary to be Known Not Only by the Stewards, Attorneys, And Other Members of the Body Politick, But by All the Professors of the Common Law.

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

Contemporary paneled calf, raised bands and early hand-lettered title to spine. Light rubbing to extremities with minor wear to spine ends, corners bumped and lightly worn, a few shallow scuffs to boards and spine, front hinge starting, rear pastedown loose. Light toning to text, light soiling to half title. An attractive copy. \$1,000.

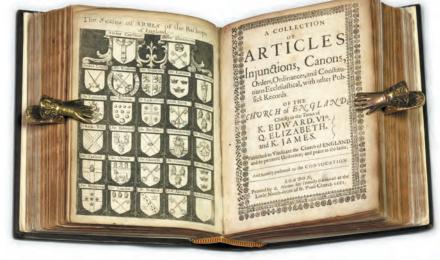
ONLY EDITION. Preceded only by William Sheppard's *Of Corporations, Fraternities and Guilds* (1659), a brief duodecimo volume, this 1702 work was the only treatise in English published before Stewart Kyd's *Treatise on Law of Corporations* (1793-1794), which is often cited as the first work on the subject.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



AN INFLUENTIAL CODE PREPARED FOR THE CHURCH OF ENGLAND BOUND WITH THREE RELATED WORKS

28 [CRANMER, THOMAS

(1489-1556)].
[FOXE, JOHN (1516-1587), EDITOR].
[CHEKE, SIR
JOHN (1514-1557),
TRANSLATOR].
[HADDON, WALTER
(1516-1572),
TRANSLATOR].
[COMMISSIONERS
ON REVISION
OF THE
ECCLESIASTICAL
LAWS, 1550-1552].



Reformatio Legum Ecclesiasticarum, Ex

Authoritate Primum Regis Henrici. 8. Inchoata: Deinde per Regem Edouardum 6. Provecta, Adauctaque in Hunc Modum, Atq; Nunc ad Pleniorem Ipsarum Reformationem in Lucem Edita.

[S.n.]: Iuxta Exemplar Londinense 1571. & Venales Habentur Apud T. Garthwait, 1661. [xvi], 303, [1] pp. Frontispiece lacking.

[BOUND WITH]

[CHURCH OF ENGLAND].

A Collection of Articles Injunctions, Canons, Orders, Ordinances, And Constitutions Ecclesiastical, With Other Publick Records of the Church of England; Chiefly in the Times of K. Edward. VIth. Q. Elizabeth. And K. James. Published to Vindicate the Church of England and to Promote Uniformity and Peace in the Same. And Humbly Presented to the Convocation.

London: Printed by R. Norton for Timothy Garthwait, 1661. [xiv], [2], 31, [3], 33-92, 63-85, [9], 87-99, 200-247, [2], 303-372, [3], 6, [2], 54 pp. 16 parts, each with title page. Section containing [2], 372, which should be final section of text, mis-bound after p. 247. Copperplate frontispiece. Complete.

[AND]

[CHURCH OF ENGLAND].

Constitutions and Canons Ecclesiasticall, Treated Upon by the Bishop of London, President of the Convocation for the Province of Canterbury, And the Rest of the Bishops and Clergy of the Sayd Province: and Agreed Upon with the Kings Maiesties Licence in Their Synod Begun at London, Anno Dom. 1603. And in the Yeere of the Raigne of Our Soveraigne Lord lames by the Grace of God, King of England, France, and Ireland the First, And of Scotland, The 37. And Now Published for the Due Observation of Them, By his Maiesties Authority Under the Great Seale of England.

London: Printed by Iohn Norton, for loyce Norton, and Richard Whitaker, 1633. [120] pp.

[AND]

[CHURCH OF ENGLAND].

Constitutions and Canons Ecclesiasticall; Treated Upon by the Archbishops of Canterbury and York, Presidents of the for the Respec-Provinces Canterbury and York, And the Rest of the Bishops and Clergie of Those Provinces; And Agreed Upon with the Kings Majesties Licence in Their Severall Synods Begun at London and York. 1640. And Now Published for the

Convocations

Due Observation of Them, By His Majesties Authority Under the Great Seal of England.

London: Printed by Robert Barker, Printer to the Kings Most Excellent Majestie, 1640. [iv], 10, [42] pp. Signature-mark "A" in a woodcut mortised ornament.

Quarto (7-3/4" x 5-1/2"). Recent period-style calf, blind rules to boards, raised bands and blind-tolled lettering piece to spine, endpapers renewed. Light rubbing to extremities, corners bumped, later armorial bookplate of Sir Walter Phillimore and small later private library stamp to front pastedown. Most title pages printed within typographical borders, text of *Reformatio Legum* printed within ruled borders. Light toning to interior, somewhat heavier in places, most leaves of interior skillfully reinforced with rice paper, some leaves have repairs to their edges. Early annotations to endleaves, interior otherwise clean. \$1,850.

LATER EDITIONS, EXCEPT A Collection of Articles, which is a first edition. Also known as the Henrican Canons, the Reformatio Legum Ecclesiasticarum is a revision of Roman canon law intended for the newly established Church of England. It was written between 1550 and 1552 by the Commissioners on Revision of the Ecclesiastical Laws, which was headed by Thomas Cranmer, the Archbishop of Canterbury and first published in 1571. One of the first acts of the English Reformation, it is an important source of information about the state of English canon law and church discipline in the mid-Tudor period and the challenges faced by the reformed church's leaders. It was edited by John Foxe after Cranmer's death and translated into Latin by Cheke and Haddon. Although it was never ratified by Parliament, it was highly esteemed by later lawyers and for many years an unofficial authority in ecclesiastical courts. Bound to this copy is A Collection of Articles, a volume of founding documents and creeds of the Church of England, and two editions of the Constitutions and Canons Ecclesiasticall. Written in 1604 in Latin as the Constitutiones Sive Canones Ecclesiastici, it is the principal body of canon law of the Church of England. The 1640 edition, the last item in our volume, is notable because it reflects a refinement of the canons, greater Royal influence and a hardening of attitudes toward Puritans and other dissenters. This copy belonged to Sir Walter Phillimore [1845-1929], the eminent judge and ecclesiastical lawyer. ESTC R200494, R211415, S101555 R212834.

A "LOAD OF INFAMY"

CUNNINGHAM'S PRACTICE OF A JUSTICE OF PEACE

29 CRESSWELL, THOMAS ESTCOURT [D.1788].

A Narrative of the Affair Between Mr. Cresswell, And Miss Sc--e, Address's to G--v--e Sc---e, Esq. By Which May be Discover'd the Falsities, Misrepresentations, &c. In a Letter in the General Evening-Post, October 31; Signed Lancelot Lee.

London: Printed for Charles Green, [1747]. [iv], 78 pp. Octavo (7-1/2" x 4-1/2").

Stab-stitched pamphlet in later (?) marbled paper wrappers, small hand-lettered title label to front, light shelfwear. Toning and light foxing to title page and verso of final leaf, interior otherwise fresh. A well-preserved copy. \$250.

ONLY EDITION. This pamphlet offers a unique perspective on contemporary English law concerning breach of promise, bigamy, adultery. In it Cresswell defends himself against accusations of these transgressions, along with much else, by Gervase Scrope, the father of Elizabeth Scrope. "I thought myself under a necessity of publishing the following Sheets, in order to take off part of that Load of Infamy that has been laid upon me" (Preface). Mr. Scrope was right, however. A few years after entering into a clandestine marriage with Elizabeth Cresswell he married Anne Warneford in order to acquire her fortune. This scandal was one of the great events of the day. *ESTC* T39569.

FIRST EDITION OF CROMPTON'S SURVEY OF THE COURTS

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

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

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

Later three-quarter calf over marbled boards, raised bands and lettering piece to spine. Light rubbing to extremities, a few minor nicks to boards, hinges cracked. Woodcut head-pieces and decorated initials. Moderate toning to text, somewhat heavier in places, some leaves have faint dampspotting or edgewear. Small early owner initials and struck-through signatures to title page, one with burn-though, early annotations and underlining to a few leaves, interior otherwise clean. An appealing copy. \$1,000.

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

31 CUNNINGHAM, T[IMOTHY] [D.1789].

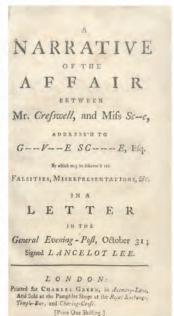
The Practice of a Justice of Peace: Containing the Statutes Which Give Jurisdiction to that Magistrate. With a Greater Variety of Precedents Formed the Words of the Acts of Parliament than in Any Other Book Extant. Compiled and Published Under the Direction of the Right Honourable Lord Ward.

London: Printed by E. Richardson and C. Lintot, 1762. Two volumes. iv, 528; [ii], 561, [87] pp. Octavo (8" x 5").

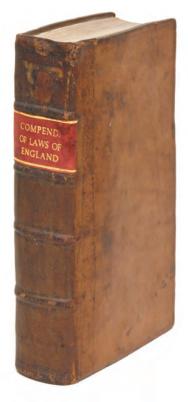
Contemporary calf, rebacked in period style, blind rules to boards, blind fillets along joints, raised bands and lettering pieces to spines, hinges mended. Light rubbing, faint stains and minor scuffing to boards, heavier rubbing to board edges, corners bumped and somewhat worn, early armorial bookplates to front pastedowns. Moderate toning, light foxing in places. Early owner signature to head of title pages, interiors otherwise clean. \$950.

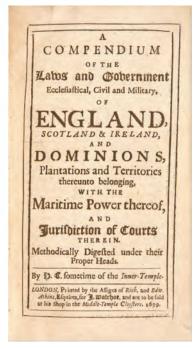
FIRST EDITION. "As the furnishing of justices of the peace with a sufficient variety of precedents, formed upon the words of the acts of parliament, was the sole motive for compiling the following sheets; so the reader may be assured that no forms are published, but such as appear to the compiler to be accurate. (...) The statutes under each title are inserted in a chronological order; which may serve to give the reader an idea of the progressive improvements made in the statute law, and be useful for many other purposes" (iii). Cunningham was a member of the Middle Temple and the author of an important law dictionary. A second edition of his JP manual was published in 1769; a supplemental volume to this edition followed in 1770. ESTC T140365.





Nº 29





N° 32

WITH INTERESTING NOTES ON ENGLAND'S COLONIES

32 [CURSON, HENRY].

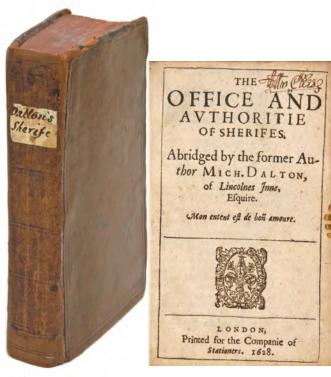
A Compendium of the Laws and Government Ecclesiastical, Civil and Military, of England, Scotland & Ireland, And Dominions, Plantations and Territories Thereunto Belonging, With the Maritime Power Thereof, and Jurisdiction of Courts Therein: Methodically Digested Under Their Proper Heads.

London: Printed by the Assigns of Rich. And Edw. Atkins, Esquires, for J. Walthoe, 1699. [xvi], 642, [14] pp. Four parts, each with title page. Variant cancel title page with horizontal chain lines. Title preceded by publisher advertisement. Final leaf is a blank. 12mo. $(6-1/2" \times 4-3/4")$.

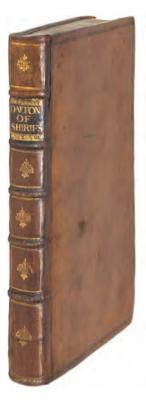
Contemporary calf, blind rules to boards, blind fillets along spine, raised bands and recent lettering piece to spine, gilt fillets along board edges. A few minor scratches and a few inkspots to boards, moderate rubbing to extremities, small chip to head of spine, front hinge cracked. Light toning to text, somewhat heavier in places. An attractive copy. \$1,650.

FIRST EDITION, ONE OF TWO ISSUES FROM 1699. This compendium of English law during the early years of the Restoration is perhaps most notable for its three appendices: "A Compendium of the Laws and Government of Scotland, With the Islands Thereunto Belonging", "A Compendium of the Laws and

Government of Ireland, With the Islands Thereunto Belonging," "A Compendious Description of the English Plantations in Asia, Africa and America" and "Addenda, Or, A Supplement of Things Omitted in the Impression of the Book." A second edition was published in 1732. This is a scarce title. OCLC locates 7 copies of the first edition in North American law libraries (Columbia, Furman, Harvard, Library of Congress, University of Cincinnati, University of Michigan, University of Pennsylvania. *ESTC* R9670.



N° 34





Nº 33

HANDSOME FIRST EDITION OF THE FIRST ENGLISH TREATISE ON SHERIFFS

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

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

London: Printed for the Companie of Stationers, 1623. [iv], 194, [6] ff. The first leaf and last leaves are blank. Folio $(11-1/4" \times 7-1/2")$.

Contemporary calf, blind rules to boards, raised bands and later gilt ornaments and lettering piece to spine. Light rubbing to extremities, a few nicks to boards, corners bumped and lightly worn, head of spine expertly restored. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, minor worming to margins in a few places, internally clean. A handsome copy. \$1,950.

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

FIRST ABRIDGED EDITION OF OFFICIUM VICECOMITUM

34 DALTON, MICHAEL.

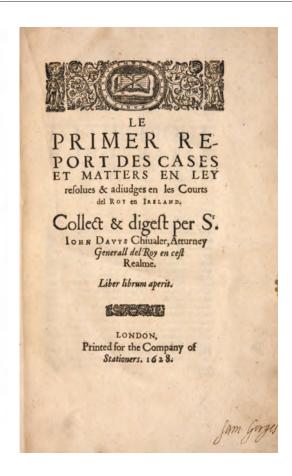
The Office and Authoritie of Sherifes. Abridged by the Former Author Mich. Dalton, of Lincolnes Inne, Esquire.

London: Printed for the Companie of Stationers, 1628. [iv], 64, 85-108, 119-150, 150-205, 205-236, 235-260, [4] ff. Foliation irregular, text complete. Octavo $(5-1/2" \times 3-3/4")$.

Contemporary sheep, blind rules to boards, rebacked retaining existing spine with blind fillets and early hand-lettered title label, spine ends and corners repaired, early hand-lettered title to fore-edge of text block. Faint stain and small worm track to rear board, moderate rubbing to board edges, pastedowns loose, lower section lacking from rear pastedown. Light toning to text, slightly heavier in places, worm holes and faint dampstaining to margins of final 30 leaves, small early owner signature to title page and following leaf.

FIRST EDITION. The *Office and Authoritie* is an abridged version of Dalton's *Officium Vicecomitum*. A second edition was published in 1651. Both are rare. OCLC locates 6 copies of the first edition, 3 in North America (Huntington Library, Library of Congress, Yale Law School). The *ESTC* adds 4 more copies in England and 5 more copies in North America (Columbia, Columbia Law School, Harvard Law School, University of Minnesota, University of Vermont). *ESTC* S116874.





DAVIES'S REPORTS

35 DAVIES, SIR JOHN [1569-1626].

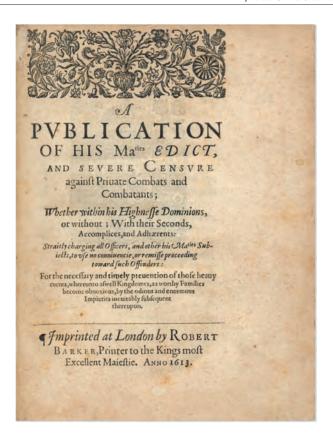
Le Primer Report des Cases et Matters en Ley Resolues & Adiudges en les Courts del Roy en Ireland. Collect & Digest per Sr. Iohn Dauys Chivaler, Atturney Generall del Roy en Cest Realme.

London: Printed [by Adam Islip] for the Company of Stationers, 1628. [16], 84, 84-99 ff. Complete as issued. Folio (11" \times 6-3/4").

Contemporary sheep, blind rules to boards, rebacked in period-style calf, raised bands, lettering piece and blind ornaments to spine, early hand-lettered title to fore-edge of text block, hinges mended. A few shallow scuffs to boards, moderate rubbing to extremities, corners

bumped. Large woodcut devices to title page, woodcut headpieces and decorated initials. Moderate toning to text, small chip to fore-edge of fol. 68, small early owner signature to foot of title page. A handsome copy. \$1,000.

SECOND EDITION (and the first published in England). Davies, or Davys, was a highly respected lawyer, judge, statesman and man of letters. First issued in Dublin in 1615, Davies's *Reports* covers cases from 1604 to 1612. No other volumes were issued. Selected "principally for the use and benefit of our practisers here in Ireland," it soon became an oft-cited authority in England; It was praised by Willes, Lee and Lords Kenyon and Tindal. Sweet & Maxwell 1:299 (42). *ESTC* S123364.



JAMES I PROHIBITS DUELING

36 [DUELING].
[GREAT BRITAIN].
JAMES I [1566-1625], KING OF ENGLAND.

A Publication of His Maljes]ties Edict, And Severe Censure Against Private Combats and Combatants; Whether Within his Highnesse Dominions, Or Without; With their Seconds, Accomplices, And Adhaerents: Straitly Charging All Officers, And Other his Maljes]ties Subiects, To Use no Connivencie, Or Remisse Proceeding Toward Such Offenders: For the Necessary and Timely Prevention of Those Heavy Events, Whereunto Aswell Kingdomes, As Worthy Families Become Obnoxious, By the Odious and Enormous Impieties Inevitably Subsequent Thereupon.

London: Imprinted by Robert Barker, 1613 [i.e. 1614]. [iv], 119, [1] pp. (Original endleaves, counted in the *ESTC* collation, renewed.) Quarto $(7" \times 6-1/2")$.

Recent cloth, gilt title to spine. Large woodcut arms of Great Britain to verso of title page, large woodcut head-piece. Some toning to text, (very) faint dampstaining to foot of text block, some soiling to title page and verso of final leaf, internally clean. \$1,350.

ONLY EDITION, ONE OF TWO ISSUES from the same year. A series of high-profile duels between leading courtiers in 1613 prompted James I to launch a campaign to suppress the practice. He prohibited dueling in a 1613 proclamation, classifying it a serious offense punishable in Star Chamber. He also reorganized the Court of Chivalry to serve as a substitute to the field of honor. (In a sense, these actions laid the foundation of the modern laws of libel and slander.) Several related rules and decrees followed. The proclamations and later edicts are collected in this book. Counting both issues, OCLC locates no copies in North American law libraries. We located a copy, however, at the law library of George Washington University. *ESTC* S100678.

CUSTOMS HANDBOOK WITH INFORMATION ABOUT COLONIAL PRODUCTS

37 EDGAR. WILLIAM.

Vectigalium Systema: Or, A Complete View of That Part of the Revenue of Great Britain, Commonly Called Customs. Wherein I. The Several Branches of that Revenue are Distinctly Treated of, And Explain'd by Examples. II. The Manner and Method of Computing Both in the Customhouses, And at the Waterside, Are Demonstrated; With Rules, Directions, And Variety of Tables, For the More Certain and Expeditious Operations. III. The Rates of all Merchandizes Inwards, and the Net Duties to be Paid or Secured at Importation, Or Drawnback on Exportation in Time, On all Goods Whatsoever, Both Rated and Unrated, Are Exactly and Carefully Calculated, With References Respectively for Working and Proving Them; And Likewise the Rates and Duties Payable Outwards and Coastwise. IV. The Laws Relative to the Customs, Navigation, And Trade, Are Abstracted Under Proper Heads in Alphabetical Order; With Lists of Goods Prohibited to be Imported or Exported, And of the Legal Ports, Members, And Creeks in Great Britain, A Table of Fees, And Several Other Useful Tables. The Whole Digested in a Plain and Easie Method for the Benefit of the Officers of the Customs, And of All Concern'd in Trade.

London: Printed, For the Author, by John Baskett, 1714. [vi], 330 pp. Folding table. Dedication leaf lacking. Octavo $(7-3/4" \times 4-3/4")$.

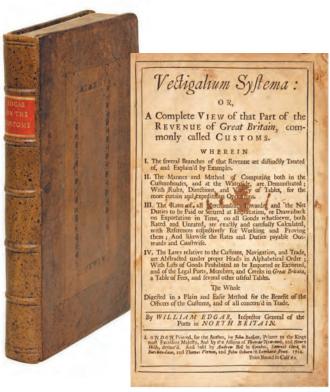
Contemporary paneled calf, rebacked in period style with raised bands and lettering piece, blind tooling to board edges, hinges mended. Light rubbing and a few minor nicks and scuffs to boards, corners bumped and somewhat worn. Moderate toning, somewhat heavier in places, occasional faint dampstaining, light foxing to a few leaves, minor edgewear to folding table, later annotation to rear endleaf. \$1,000.

REISSUE OF THE FIRST EDITION, one of two reissues, published the same year as the first edition. Edgar was inspector general of the ports in North-Britain. Enriched with numerous with rates and tables, this handbook offers excellent insights into English trade in the early eighteenth century. It includes a good deal of information about products from colonies of West Indies and North America, such as sugar, tobacco and animal hides. A second edition was published in 1718. OCLC locates 2 copies in North American law libraries (Library of Congress, Yale, Which has a second edition). *ESTC* T136751.

THREE EIGHTEENTH-CENTURY WORKS ON
ENGLISH ELECTION LAW WITH AN INTERESTING MARYLAND
ASSOCIATION

38 [ELECTION LAW]. [MARYLAND, COLONIAL PERIOD].

Orders and Resolutions of the Honourable House of Commons, On Controverted Elections and Returns: Determining the Qualifications of Candidates and Voters; The Rights of Election for the Several Cities and Boroughs; The Nature of Evidence Proper on the Hearing; And the Duty of Returning Officers. The Statutes in Force Concerning Elections, Are Also Pointed Out Under Proper Heads. With Additions.



N° 37

London: Printed for J. Stagg, 1736. ix, [i], [3]-48-48*, 49-209, [8] pp.

[BOUND WITH]

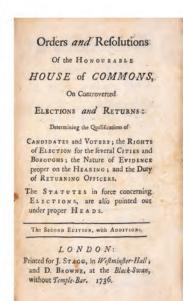
The Statutes at Large Concerning Elections of Members to Serve in the House of Commons; Containing A Compleat Collection of All the Acts of Parliament Now in Force, Which Relate Thereto, Continued to the End of the Last Session of Parliament, 1734.

London: Printed by John Baskett, Printer to the King's Most Excellent Majesty, And Sold by Him, Robert Gosling in Fleetstteet [sic], and John Stagg in Westminster-Hall, 1734. [vi], 73, 64–109, [17], 10 pp. The text is continuous despite pagination.

[AND] [COWLEY, JOHN, ATTRIBUTED].

The Candidates Guide: Or, The Electors Rights Decided. Shewing the Determination of the Rights of Elections, By the Hon'ble the Commons of Great Britain in Parliament, In All Contraverted Elections for the Counties and Boroughs in South Britain, From the Year 1624 to 1730. Corrected and Improved. To Which is Added, The Like Determinations in Contraverted Elections for North Britain, Since the Union. With Several Resolutions and Standing Orders Relating to Elections, Qualifications, Returns, Petitions, and Proceedings in General. Together with the Head of the Statutes Now in Force Concerning the Same; And Several Adjusted Cases in Disputed Points of Admitting of Evidence on Hearings at the Bar of the House. The Whole Digested into Alphabetical Order, With Proper References and Genuine Quotations.





Nº 38

London: Printed for J. Brindley in New Bond-Street, And Sold by Mrs. Dodd Without Temple-Bar, And by the Booksellers of London and Westminster: Likewise in Most Great Towns in England, 1735. 64 pp.

12mo. (6" x 4"). Contemporary calf, gilt spine with raised bands and lettering pieces. Moderate rubbing to extremities with some wear to spine ends, joints starting, some chipping to lettering pieces, one mostly defaced, corners bumped and somewhat worn, eighteenth-century copperplate armorial bookplate of Legh Master of Newhall. Light toning to text, a bit heavier in places. "No 2" and "John Hanson Thomas March 1815" in small early hand to front free endpaper, interior otherwise clean. An appealing volume with an interesting association. \$750.

SECOND EDITIONS. An appealing volume with a choice dual Anglo-American provenance. John Hanson Thomas [1779-1815], eminent Maryland lawyer, acquired this volume two months before his death in 1815, the year in which he was appointed to the U.S. Senate" selected by his party for a seat in the United States Senate. The volume originally belonged to the British aristocrat, Legh Master of Newhall [1717-1796], who came to Maryland in 1773 (other sources say ca. 1765) and established a plantation and pigiron blast furnace on his estate in Frederick County. The estate was confiscated in 1775 when he was suspected of being a Loyalist. It was later restored to him. He committed a gruesome double murder after the war. "[He] was said to have sexually harassed a Negro slave girl. He became angry when another slave called Sam attempted to help her. He threw Sam into the furnace alive, then killed the girl and disposed of the body by bricking it up in an oven. During renovations of Avandale house in the 1930s, the oven was opened and a human skeleton was found inside.": Codner & District Local History and Heritage Website, The Master Family (available online). ESTC T73467, T78250, T73466.

THE ADMINISTRATION OF EXCISE LAWS

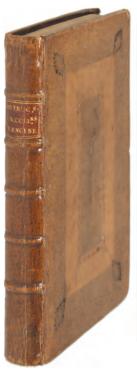
39 [ELLIS, JOHN (D. 1728)].

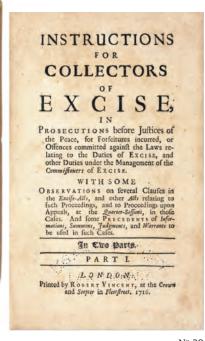
Instructions for Collectors of Excise, In Prosecutions Before Justices of the Peace, For Forfeitures Incurred, Or Offences Committed Against the Laws Relating to the Duties of Excise, And Other Duties Under the Management of the Commissioners of Excise. With Some Observations on Several Clauses in the Excise-Acts, And Other Acts Relating to Such Proceedings, And to Proceedings upon Appeals, At the Quarter-Sessions, In those Cases. And Some Precedents of Informations, Summons, Judgments, And Warrants to be Used in Such Cases.

London: Printed by Robert Vincent, 1716. [xvi], 112; [iv], 5–245, [17] pp. Two parts in one volume, second part preceded by divisional title page. Octavo (7–1/2" x 4–3/4").

Contemporary paneled calf, raised bands and lettering piece to spine, which is lightly varnished. Light rubbing to extremities, somewhat heavier along joints, corners bumped, a few minor scuffs to and stains to boards, hinges starting. Moderate toning to text, light foxing to a few leaves. Owner signature to front free endpaper, interior otherwise clean. Ex-library. Bookplate to front pastedown, small perforated stamp to title page. An attractive copy.

FIRST EDITION. According to the preface, Ellis, an excise officer, produced this treatise to clarify the excise law for the benefit of justices of the peace. It is interesting to present-day scholars for its summary of the laws as they stood in the early eighteenth century and the administration of the law at that time. A second edition was published in 1735. *Goldsmiths'-Kress* 5304. *ESTC* T136283.





Nº 39

DEFENSE OF THE ADMIRALTY COURTS

40 EXTON, JOHN [1600?-1668].

The Maritime Dicaeologie; Or, Sea-Jurisdiction of England. In Three Books. I. Setting Forth the Antiquity of the Admiralty in England, Proving the Same to Have Been Settled Before Edward the Third's Time, Shewing the Beginning of the Sea Laws. The Laws of Oleron. The King of England's Dominion over the British Seas. The Sea Laws of the Grecians, Romans, &c. And the Power of the Admiral of Scotland. II. Proving the Ports, Havens, and Creeks of the Sea to be Within the Jurisdiction of the Admiralty, From the Rhodian Laws, The Laws of Oleron, and Several Antient Records and Adjudications as Well in England as in Other Nations. III. Shewing that All Contracts Concerning Maritime Affairs are Within the Jurisdiction of the Admiralty, And There Cognizable, From the Antient Statutes of the Admiralty, The Laws of Oleron, Several Antient Records in the Tower, Chancery, &c. And Arguments to the Contrary Drawn from Several Statutes, &c. Answered.

London: Sold by J. Worrall, 1755. xvi, vi, 404 pp. Octavo (8" x 5").

Recent period-style calf, blind rules and corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed, retained armorial bookplate of William Curtis Noyes and bookseller ticket to front pastedown. Light toning to text, early owner signature (of J. Matson) to head of title page. \$1,500.

"SECOND EDITION," ACTUALLY THE FOURTH and final edition, a reissue of the sheets of the 1746 edition with a cancel title leaf and the addition of six pages following p. xvi. First published in 1664, this book, though ostensibly descriptive, was written chiefly to maintain the jurisdiction of the Admiralty court in the new government. Beyond its political interest, it offers a detailed analysis of seventeenth-century maritime law and admiralty jurisdiction at the time when Great Britain was emerging as a major maritime and colonial power. Exton was educated at Cambridge, earning the LL.D. in Civil Law in 1634. He was appointed President of the High Court of Admiralty by Parliament in 1649, and was reappointed by the Duke of York after the Restoration. Noyes [1805-1864] was a leading New York lawyer and a member of the commission to codify the state's laws, which resulted in the Field Codes. A man of extensive learning, he owned one of the finest law libraries in the United States. ESTC T130727.

EARLY TOTTEL EDITION OF FITZHERBERT'S ABRIDGMENT,
IEFFERSON HAD A COPY

41 FITZHERBERT, ANTHONY [1470-1538].

La Graunde Abridgement Collecte par le ludge Tresreverend Monsieur Anthony Fitzherbert, Dernierment Conferre Ouesque la Copye Escript et per ceo Correcte, Ouesque le Nombre del Sueil, Per Quel Facilement Poies Trover les Cases cy Abrydges en les Livers Dans, Novelment Annote: Iammais Devaunt Imprimes.

[AND]

La Secounde Part du Graund Abridgment...

[AND]

Tabula. Cy Ensuit la Table pur Trover les Titles.

London: Richard Tottell, 1577. [ii], 342 [i.e. 341]; [ii], 265; [ii], 66 ff. First and second parts of abridgment have title pages. Complete. Small folio $(9-1/4" \times 6-1/2")$.

Contemporary calf, rebacked with raised bands and gilt title, endpapers renewed, early leaf of notes tipped-in to verso of front endleaf. Boards worn, joints cracked but secure, hinges starting, first signature detached, a few partial cracks to text block. Titles printed within woodcut architectural borders, woodcut decorated initials. Toning, light browning in a few places, some soiling to title page. Occasional early underlining and annotations, interior otherwise clean. \$1,600.

SECOND TOTTELL EDITION. One of the most imposing volumes in the history of English law, it has abridgements of over 14,000 cases under 260 titles in alphabetical order. First printed around 1514, it was the first serious attempt to arrange the common law systematically and it was a model to such writers as Brooke and Rolle. Graham and Heckel refer to this work as the "book that 'made' the Common Law.": Law Library Journal 51 [1957]: 100–101. Beale R466, R467, R468. ESTC S102204. Sowerby1776. Cowley 71.

HIGHLY ESTEEMED BY COKE AND BLACKSTONE

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

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

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

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

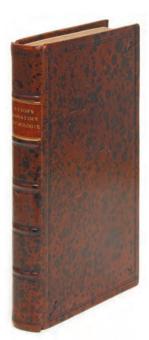
FIRST PUBLISHED IN 1534, the *Nouvelle Natura Brevium* is a manual of procedure. Winfield notes that "Coke put it among the books which he considered most necessary and of greatest authority and excellency"; Blackstone considered it an authority as well. Compiled from the earlier *Natura Brevia* and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







Nº 41









Nº 42



ANNOTATED COPY OF A WORK HIGHLY ESTEEMED BY COKE AND BLACKSTONE

43 FITZHERBERT, SIR ANTHONY. RASTELL, WILLIAM.

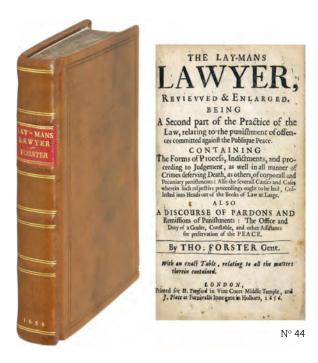
La Novel Natura Brevium du Iudge Tresreverend Monsieur Anthony Fitzherbert Dernierement Revieu & Corrigee per Laucteur, Avecques un Table Perfect, Des Choses Notables Contenus en Ycel, Novelment Compose per Guilliaulme Rastall.

London: In Edibus Thomae Wight, & Bonhami Norton, 1598. [xxxii], 271, [1] ff. Final leaf, a blank, lacking. Octavo $(6-1/2" \times 4")$.

Recent period-style paneled calf, raised bands and blind ornaments to spine, endpapers renewed. Negligible light fading to spine. Title printed within woodcut architectural border. Moderate toning to text, early owner annotations to title page in neat small hand, early annotations to margins in several places, some slightly affected by trimming, but legible. A handsome copy. \$2,500.

THE ANNOTATIONS RANGE FROM FEW WORDS to single sentences. They are mostly summaries of legal points. Most of the others are bibliographical references and case citations. *ESTC* S102179. Beale T351.







44 FORSTER, THOMAS.

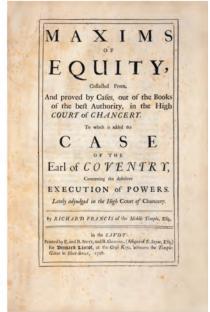
The Lay-Mans Lawyer, Reviewed & Enlarged. Being a Second Part of the Practice of the Law, Relating to the Punishment of Offences Committed Against the Publique Peace. Containing the Forms of Process, Indictments, And Proceeding to Judgement, As Well in All Manner of Crimes Deserving Death, As Others, Of Corporall and Pecuniary Punishments: Also the Severall Causes and Cases Wherein such Respective Proceedings Ought to be Had; Collected into Heads Out of the Books of Law at Large. Also a Discourse of Pardons and Remissions of Punishments: The Office and Duty of a Goaler, Constable, And Other Assistants for Preservation of the Peace. With an Exact Table, Relating to All the Matters Therein Contained.

London: Printed for H. Twyford, and J. Place, 1656. [xiv], 338, [24] pp. Octavo $(6-3/4" \times 3-1/2")$.

Recent period-style calf, blind rules to boards, gilt-edged raised bands and lettering piece to spine, endpapers renewed. Some toning to text, occasional minor staining to margins. Early annotations to endleaves and a few text leaves, early owner initials to fore edge. A nice copy of a scarce title. \$2,400.

ONLY EDITION. This guide was first published in 1654 as the second part of Forster's *Complete Attorney* (i.e. "Practice of the Law"). It was "reviewed and enlarged" as an independent work. It is a remarkably comprehensive layman's guide. To quote the introduction, it "contains the formes of all manner of Warrants and Precepts sent out from Authority, to attach and apprehend all manner of Offendors against the publick peace; the formes of all Mittimusses made thereupon, of all indictments, for all sorts of Offences, from the highest to the lowest, very exact: Supersediasses, Certioraries, the proceedings in Tryalls against all Offendors for Treason, Felony &c: together with the whole Learning of Clergy, who shall have it allowed, And in what Offences, and who shall not have it: As also the Office and Duty of a Gaoler, never before in any of the Books of the Law, so exactly set forth; the duty of Church-wardens, so far onely as they are impowered





Nº 45

by divers Statutes, to be assistant to the Constables, the Ordinary conservators of the Peace in this Commonwealth" ([xii-xiv]). OCLC locates 4 copies in North American law libraries (Library of Congress, University of Michigan, University of Pennsylvania, Yale). *ESTC* R40962.

THE BOOK THAT ESTABLISHED THE FIELD OF EQUITY JURISPRUDENCE

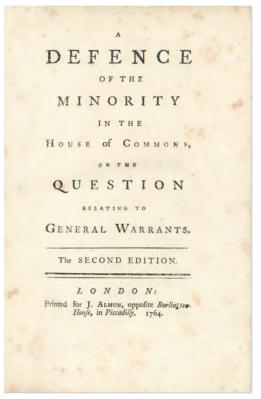
45 FRANCIS, RICHARD [FL. 1719-1728].

Maxims of Equity, Collected From, And Proved by Cases, Out of the Books of the Best Authority, In the High Court of Chancery. To Which is Added the Case of the Earl of Coventry, Concerning the Defective Execution of Powers Lately Adjudged in the High Court of Chancery.

[London]: Printed by E. and R. Nutt, and R. Gosling, 1728. [x], 72, [12], [2], 20 pp. Folio $(12" \times 8")$.

Recent period-style paneled calf, raised bands, blind ornaments and lettering piece to spine. Moderate toning and occasional light foxing to text, internally clean. \$950.

SECOND EDITION, a reissue of the first edition (1727) with an altered title page and a preliminary advertisement leaf. This was the first textbook on equity published since St. Germain's *Doctor and Student* (1523). It is generally considered to be the book that founded the field of equity jurisprudence. Francis outlines fourteen maxims, such as "Equality is Equity" and "Equity suffers not a right to be without a remedy." Each maxim is followed by a brief summary of cases that illustrate its application. As Roscoe Pound observed, Francis created a precursor to the casebook: "his maxims for the most part are independent attempts to state principles derived from the study of cases.": Pound, "On Certain Maxims of Equity" in *Cambridge Legal Essays* 261-262. *ESTC* T118767.



Nº 46

INSPIRED BY THE WILKES LIBEL CASE

OF ANGLICAN ECCLESIASTICAL LAW

46 [FREEDOM OF THE PRESS]. [TOWNSEND, CHARLES (1725-1767), ATTRIBUTED].

A Defence of the Minority in the House of Commons, On the Question Relating to General Warrants.

London: Printed for J. Almon, 1764. [iv] 38, [2] pp. With half-title and publisher advertisement. Octavo (8" \times 5").

Stab-stitched pamphlet bound into recent period-style quarter calf over cloth, raised bands and lettering piece, endpapers renewed. Light foxing in a few places, interior otherwise fresh. \$350.

SECOND EDITION. "A leading opponent of the government, especially of the King's favourite, Lord Bute, Wilkes was arrested after the publication on 23 April 1763 of an article in No. 45 of his paper, the *North Briton*, and charged with seditious libel. He successfully challenged the use of general warrants which had been issued, but could not avoid condemnation by Parliament.... Wilkes fled to the continent in 1764.": Cannon 985. *ESTC* T32269.

47 GIBSON, EDMUND [1669-1748].

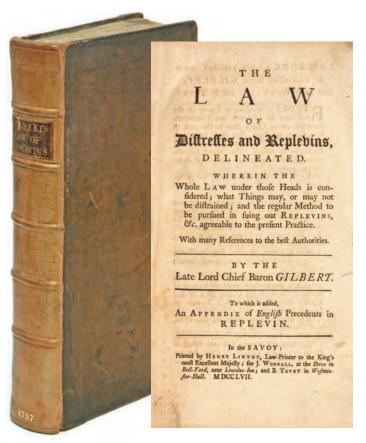
Codex Juris Ecclesiastici Anglicani: Or, The Statutes, Constitutions, Canons, Rubricks and Articles of the Church of England, Methodically Digested Under Their Proper Heads. With a Commentary, Historical and Juridical. Before it, Is an Introductory Discourse, Concerning the Present State of the Power, Discipline and Laws, Of the Church of England: And After It, An Appendix of Instruments, Ancient and Modern. Revised and Improved with Large Additions by the Author.

BEST EDITION OF A DEFINITIVE STUDY

Oxford: At the Clarendon Press, 1761. Two volumes. [iv], xxx, [26], 746; [ii],747-1575, [99] pp. Folio (14-1/2" x 9-1/2").

Recent period-style quarter calf over marbled boards, raised bands, black-stamped ornaments and lettering pieces to spines, endpapers renewed. Light toning to text, negligible foxing in places, internally clean. Ex-library. Small inkstamps to title pages. An attractive copy. \$750.

SECOND, FINAL AND BEST EDITION. Holdsworth, who discusses this book at length, holds it in the highest regard. The *Encyclopaedia Britannica* says it "discusses more learnedly and comprehensively than any other the legal rights and duties of the English clergy, and the constitution, canons and articles of the English Church." First published in 1713, it went through several printings. An abridged edition by Richard Grey was published in 1730 that went through four other editions in 1732, 1735 and 1743. Gibson, an English divine and jurist, was chaplain and librarian to the archbishop of Canterbury. He went on to become the Bishop of London. In addition to *Codex Juris Anglicani* he produced several important works, including editions of the *Chronicon Saxonicum* (1692) and the collected works of Sir Henry Spelman (1698). *HEL* 12:607-611. *ESTC* T148435.



"ADMIRED" FOR ITS "GREAT PROFESSIONAL LEARNING"

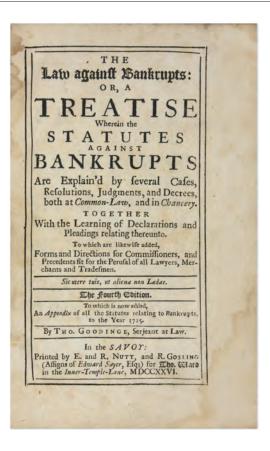
48 GILBERT, SIR GEOFFREY [1674-1726].

The Law of Distresses and Replevins, Delineated. Wherein the Whole Law Under Those Heads is Considered; What Things May, Or May Not be Distrained; And the Regular Method to be Pursued in Suing Out Replevins, &c. Agreeable to the Present Practice. With Many References to the Best Authorities. To Which is Added, An Appendix of English Precedents in Replevin.

[London]: Printed by Henry Lintot, 1757. viii, 358, [40], [2] pp. Includes two-page publisher advertisement, another one-page advertisement precedes title page. Octavo (8" x 5").

Contemporary calf, rebacked in period style, blind rules to boards, blind fillets along joints, raised bands and retained contemporary lettering piece to spine, hinges and corners mended. Light staining and a few nicks and scratches to boards, moderate rubbing to extremities, some wear to upper corner of front board, early owner bookplate to front pastedown. Light toning to text, somewhat heavier in places, light foxing to a few leaves, gift inscription dated 1884 to front pastedown. An attractive copy. \$1,000.

FIRST EDITION. This classic treatise reached its fourth and final edition in 1823. "The great professional learning which this Treatise displays, has long been acknowledged, and the judicious manner in which it is disposed has ever been admired.": *Critical Review* 49:292 cited in Marvin 335. *ESTC* T123878.



THE FIRST ENGLISH TREATISE ON BANKRUPTCY

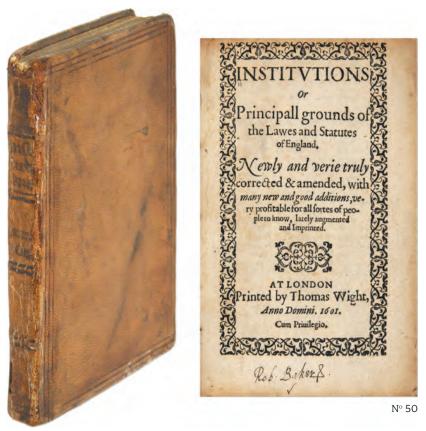
49 GOODINGE, THOMAS.

The Law Against Bankrupts: Or, A Treatise Wherein the Statutes Against Bankrupts are Explain'd, By Several Cases, Resolutions, Judgments and Decrees, Both at Common-Law and in Chancery. Together with the Learning of Declarations and Pleadings Relating Thereunto. To Which are Likewise Added, Forms and Directions for Commissioners, And Precedents Fit for the Perusal of All Lawyers, Merchants and Tradesmen. To Which is Now Added, An Appendix of All the Statutes Relating to Bankrupts, To the Year 1725.

[London]: Printed by E. and R. Nutt, and R. Gosling (Assigns of Edward Sayer), 1726. [xxiii], 296, [36], 50, [2]; [28] pp. One-page publisher list at the beginning of text, two-page and 28-page catalogues at the end. Octavo (8" x 5").

Contemporary calf, blind rules and fillets to boards, raised bands and fragment of paper label to spine. Spine ends worn, corners bumped, boards beginning to separate, but still quite secure, a few minor scuffs and scratches to boards. Some toning and faint dampspotting to text, dampstaining to lower corners of preliminaries, internally clean. \$2,500.

FOURTH AND FINAL EDITION. An enlarged work with an appendix of statutes. The first English treatise on bankruptcy, it was first published in 1694 and reissued in 1695. The second edition was published in 1701, with a 1704 reissue. The third edition followed in 1713, with a 1719 reissue; a fourth in 1726. All are scarce. OCLC locates 4 copies of the fourth edition, all in law libraries (Georgetown, Ohio State, UC-Berkeley, University of Pennsylvania). *ESTC* T90159.



A SUCCESSOR TO LITTLETON

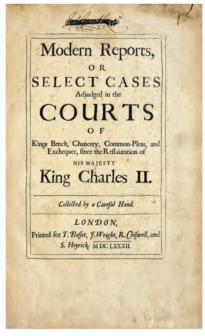
50 [GREAT BRITAIN].

Institutions or Principall Grounds of the Lawes and Statutes of England. Newly and Verie Truly Corrected & Amended, With Many New and Good Additions, Very Profitable for All Sortes of People to Know, Lately Augmented and Imprinted.

London: Printed by Thomas Wight, 1601. 66, [2] ff. Complete. Octavo (5–1/4" \times 3–1/2").

Contemporary sheep, blind rules to boards, raised bands, blind fillets and early hand-lettered title to spine and fore-edge of text block. Light rubbing to joints, chip to head of spine, a few light scuffs to boards, corners bumped and lightly worn, hinges cracked, later armorial book plate to front pastedown. Title printed within woodcut ornamental border, moderate toning to text, small wormhole to bottom corner of final ten leaves. Early owner signatures and inscriptions to front endleaves, small early owner signature to foot of title page, interior otherwise clean. Ex-library. Bookplate to verso of front free endpaper. An appealing copy. \$950.

LATER EDITION. Dealing mostly with land law, this treatise, originally published around 1538, can be considered a successor to Littleton's *Tenures* (c. 1481). Like Littleton, it was written for students and practitioners and was a popular book that went through at least 20 editions, with various titles, into the seventeenth century. All editions are scarce. OCLC locates 1 copy of the 1601 imprint (at Columbia Law School). Sweet & Maxwell 1:446 (17). *ESTC* S406.



Detail from N° 51

RARE COMPLETE SET OF THE MODERN REPORTS

51 [GREAT BRITAIN]. [MODERN REPORTS]. [COLQUITT, ANTHONY, COMPILER].

Modern Reports...

London: Printed for J. Basset, 1682. [xii], 314, [22] pp.

[WITH]

2. The Second Part of Modern Reports...

London: Printed by the Assigns of Rich. And Edw. Atkins, 1698. [x], 322, [22] pp. Tables.

[AND]

The Third Part of Modern Reports...

London: Printed by the Assigns of Rich. And Edw. Atkins, 1700. [xx], 338, [38] pp.

[AND]

4. The Fourth and Last Part of Modern Reports...

London: Printed by the Assigns of Rich. And Edw. Atkins, 1703. [viii], 424, [24] pp.

[AND]

[NELSON, WILLIAM (B. 1653), COMPILER]. **5.** *The Fifth and Last Part of Modern Reports...*

[London]: Printed by John Nutt, 1711. [xii], 464, [20] pp.

[AND]

[SALKELD, WILLIAM (1671-1715), COMPILER].

6. Modern Cases...

[London]: Printed by John Nutt, 1713. [viii], 314, [22] pp.

[AND]

FARRESLEY, THOMAS, COMPILER.

7. Modern Cases...

[London]: Printed by E. and R. Nutt, 1725. Second Edition. [iv], 32, 37–160, [12] pp.

[AND

8. Modern Cases in Law and Equity...In Two Parts

[London]: Printed by E. and R. Nutt, 1730. [viii], 384, [44]; [iv], 210, [12] pp. [And]

[LUCUS, ROBERT (D. 1776), REPORTER].

9. Cases in Law and Equity...

[London]: Printed by E. and R. Nutt, And R. Gosling, 1736. [ii], ii, [8], 538, [94] pp.

[AND]

10. A Report of Cases...

[London]: Printed by E. and R. Nutt, And R. Gosling, 1737. v, [4], 276, [20] pp.



[AND]

11. Cases Adjudged in the Court of King's Bench...

[London]: Printed by E. And R. Nutt, And R. Gosling, 1738. iv, [x], 690, [78] pp. Twelve volumes in eleven books. Complete. Folio (12-1/2" x 8").

1, 2: Contemporary calf, raised bands and recent lettering pieces to spines, later repairs to spine ends. Moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, minor scuffing to boards, hinges cracked, early armorial bookplates to 1. Some toning to

text, light foxing and dampstaining in places, occasional early annotations.

- 3, 4, 5, 10: Contemporary calf, raised bands and lettering pieces to spines. Moderate rubbing to extremities with some wear to spine ends and corners, light scuffing to boards, front joint of Volume 3 starting at head, hinges cracked or starting. Light to moderate toning, early owner signatures to preliminaries, occasional early annotations.
- 6: Contemporary calf, raised bands and lettering piece to spine, joints and portion of front board repaired. Moderate rubbing to extremities with some wear to spine ends and corners, a few shallow scuffs to boards. Moderate toning to text, staining to margins in a few places. Early owner annotations to preliminaries, interior otherwise clean.
- 7: Contemporary calf, rebacked in period style retaining lettering piece, raised bands, hinges mended. Some scuffing to boards, corners somewhat worn, early armorial bookplate to front pastedown. Light toning to text, somewhat heavier in places. Early owner signature to head of title page, annotations to a few leaves. 8: Contemporary calf, rebacked retaining most of original spine, recent lettering piece, hinges mended. Light scuffing to boards, corners bumped and somewhat worn, minor worming to front pastedown, dampstain to rear pastedown, interior otherwise fresh. 9: Recent period-style quarter morocco over marbled boards, raised bands and lettering piece to spine. Some print-through to preliminaries, early owner signature and annotation to title page, interior notably fresh.
- 11: Recent period-style quarter calf over cloth, raised bands and lettering piece to spine. Boards very slightly bowed, light toning to text, occasional soiling to margins, somewhat heavier toning and foxing to preliminaries.

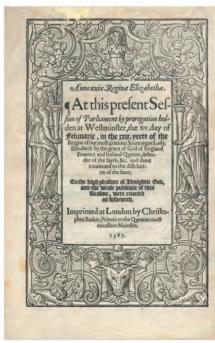
Detailed descriptions of individual volumes available on request. \$3,000

FIRST EDITIONS, EXCEPT 7, which is a second edition. One of the most ambitious and admired works of its time, the *Modern Reports* began as a four-volume set issued from 1682 to 1703. A fifth volume was added in 1711. Six more, one of them in two parts, were issued by later reporters. Taken together, these books report cases from 21 Charles II to 4 George II (1669–1732). Thomas Leach edited the books and republished them in 1793–1796 as a twelve-volume set. Complete sets of early editions, such as ours, are rare in the trade. Very few have ever appeared at auction; we have not seen any sets in the past 30 years. (The Sweet & Maxwell annotation, otherwise excellent, gives incorrect publication dates for 3.) Wallace 347–390. Sweet & Maxwell 1:304–305 (88).









N° 53

WITH INTERESTING REMARKS ABOUT JOHN LOCKE

52 [GREAT BRITAIN].
[POLITICS AND GOVERNMENT].

An Essay on Civil Government in Two Parts: Part I. An Enquiry into the Ends of Government, And the Means of Attaining Them. Part II. On the Government and Commerce of England; With Reflections on Liberty, And the Method of Preserving the Present Constitution.

London: Printed for R. Willock, At Sir Isaac Newton's Head, In Cornhill, 1743. [iv], ix, [15], 363, [1] pp. With a half-title. Octavo (7-3/4" x 4-3/4").

Recent period-style calf, blind rules to boards, raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Moderate toning to text, somewhat heavier in places, light foxing in a few places, contemporary pen marks and brief annotations to a few leaves, signature clipped from upper right-hand corner of title page with no loss to text. \$1,500.

ONLY EDITION. Completed in 1739, this book is a spirited attack on the Whig administration of Robert Walpole, which had recently fallen. It is notable for its conservative view of civil government and pointed criticism of John Locke's ideas concerning the rejection of patriarchal authority, the purely civil authority of the magistrate, the right of resistance and taxation. This is a scarce title. OCLC locates 11 copies in North America, none in law libraries. *ESTC* T55970.

THE LAST REGNAL YEAR BEFORE THE SPANISH-ARMADA

53 [GREAT BRITAIN]. [STATUTES]. [ELIZABETH I, QUEEN (1558-1603)].

Anno XXIX. Reginae Elizabethae. At This Present Session of Parliament by Prorogation Holden at Westminster, The XV. Day of Februarie, In the XXIX. Yeere of the Reigne of Our Most Gratious Soveraigne Lady, Elizabeth by the Grace of God of England Fraunce and Ireland Queene, Defender of the Fayth, &c. And There Continued to the Dissolution of the Same, To the High Pleasure of Almightie God, And the Weale Publique of this Realme, Were Enacted as Followeth.

[London: Christopher Barker, Printer to the Queenes Most Excellent Maiestie, 1587]. [84] pp. Complete. Folio $(10-1/2" \times 7")$.

Nineteenth-century three-quarter calf over marbled boards, gilt title to spine. Light wear to extremities, front hinge cracked. Title printed within woodcut architectural border (Beale Border No. 50), large woodcut decorated initials. Faint dampstaining to heads of a few leaves, internally clean. \$1,950.

THIS VOLUME RECORDS 10 ACTS for the 29th year of Elizabeth's reign. These include "An Acte for the Continuance and Perfecting of Divers Statutes" and "An Acte to Avoyde Fraudulent Assurances Made in Certaine Cases by Traitours." The ESTC records a variant printing of this title (S121564). ESTC S4259. Beale S301.



KING HENRY VIII MAKES SOME OF HIS FIRST MOVES AGAINST THE CATHOLIC CHURCH

54 [GREAT BRITAIN].
[STATUTES].

[HENRY VIII, SOVEREIGN].

Anno. XXI. Henrici VIII. Statuta ad Remp. Spectantia, Edita in Prima Sessione Parliamenti, Primo Inchoati in Civitate Londin. Tertio die Novembris, Anno Regni Inuictissimi Principis Henrici Octavi, Angliae & Franciae Regis, Fidei Defensoris, & Domini Hiberniae. XXI & Ex ea Civitate tam Adiurnati Qluam Prorogati ad Palatium Westmonast. & Ibidem Continuati per XLIIII. Dies, Videlicet Usque ad XVII Diem Decembris, & Ab Eisdem Loco & Die Prorogat [sic] Usqlue] ad. XXVI. diem Aprilis tunc Proxime Instantisy.

[London: In Aedibus Thomae Bertholeti (i.e. Bertheleti) Regii Impressoris, 1551?]. XXVII, [1] ff. Complete. Folio (11-1/4" x 7-3/4").

Later quarter morocco over marbled boards. Light rubbing to boards, moderate rubbing to extremities, armorial bookplate of Edwin Freshfield to front pastedown. Title printed within woodcut architectural border, woodcut decorated initials. Some toning to text, faint dampstaining to foot of text block. A handsome copy. \$1,950.

THIS VOLUME RECORDS 21 ACTS for the 21st regnal year of Henry VIII (April 22, 1529–April 21, 1531). This was the second regnal year of the Reformation Parliament, so called because it was the first Parliament to enact legislation against the Catholic Church. The 21st year included acts secularizing inheritance matters (Chapters 4 and 5) and eliminating the rights of clergy to hold multiple benefices (Chapter 13). OCLC locates 3 copies of this imprint in North America (Harvard Law School, Huntington Library, Yale Law School). Edwin Freshfield [1832–1918] was a solicitor in his great family law firm. Founded in London in 1743, it is now the multi-national Freshfields Bruckhaus Deringer. *ESTC* S121435. Beale S130.

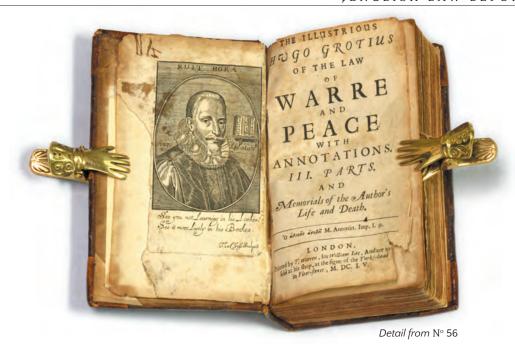
WITH TWO WELL-ANNOTATED ACTS

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

An[n]o Regni Iacobi, Regis Angl. Scotiae, Franc. & Hybern. Viz. Angl. Franc. & Hybern. 4. Scotiae 40. At the Parliament Begun and Holden at Westminster by Prorogation, The 18. Day of November, In the Fourth Yeere of the Raigne of Our Most Gracious Soveraigne Lord Iames, By the Grace of God of England, France & Ireland King; Defender of the Faith, &c. And of Scotland the 40. And There Continued



Nº 54



Untill the 4. Day of Iuly 1607. And Then Proroged Until the 16. Day of November Next Following. To the High Pleasure of Almighty God, And to the Weale Publique of this Realme, Were Enacted as Followeth.

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

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

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

THE FIRST ENGLISH TRANSLATION OF GROTIUS

56 GROTIUS, HUGO [1583-1645]. [BARKSDALE, CLEMENT (1609-1687), EDITOR AND TRANSLATOR].

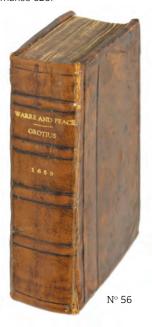
> The Illustrious Hugo Grotius: Of the Law of Warre and Peace, With Annotations. III. Parts. And Memorials of the Author's Life and Death.

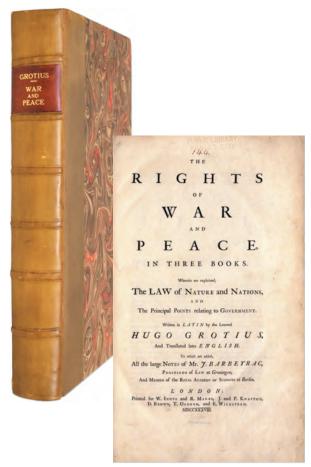
> London: Printed by T. Warren, For William Lee, 1655. [lxxx], [ii], 660, [82 of 92] pp. Lacking index. Two-page list of biblical references misbound at beginning of text after [p. lxxx]. Copperplate portrait frontispiece. Eight-page publisher catalogue. Octavo (6-1/2" x 4").

Contemporary calf, blind rules to boards, early rebacking with raised bands and gilt title, repairs to corners, hinges mended. Some rubbing to extremities, corners bumped, a few minor scuffs to boards, hinges partially cracked. Moderate toning to text, some

edgewear and minor tears to preliminaries, repair to fore-edge of frontispiece (with no loss to text). Underlining and annotations in a few places, interior otherwise clean. Ex-library. Bookplate to front free endpaper. A scarce title. \$2,000.

REISSUE OF THE FIRST ENGLISH TRANSLATION, 1654, one of two from 1655, the other with a cancel title page identifying the editor as "C.B." First published in 1625 De Jure Belli et Pacis, this momentous work describes situations in which war is a valid tool of law enforcement and outlines principles for the use of force. Though based on Christian natural law, Grotius advances the novel argument that his system would still be valid if it lacked a divine basis. In this regard he points to the future by moving international law in a secular direction. Barksdale's annotated translation, the first in English, appeared in 1654. It includes an original biographical sketch of the author. Barksdale edited this work considerably and added numerous annotations to add a stronger Christian component. These editorial changes reflect contemporary debates about the nature of foreign policy and the roles of civil and ecclesiastical authority. ESTC R16252. Ter Meulen and Diermanse 628





N° 57

THE "BEST EDITION" OF GROTIUS, WITH "EXCELLENT" NOTES

57 GROTIUS, HUGO.

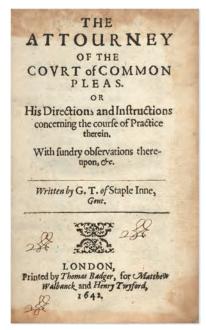
[MORRICE, JOHN (1685-1740), TRANSLATOR AND EDITOR].

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.

London: Printed for W. Innys [et al.], 1738. [iv], xxxvi, 817 pp. Notes in parallel columns beneath single-column main text. Folio (19" x 14").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities with light wear to joints and corners. Light toning to text, spark burns to a few leaves, edgewear to preliminaries and a few other leaves, internally clean. Ex-library. Small perforated stamp to half-tile, another perforated stamp and "144" in small hand to head of title page. A handsome copy. \$1,000.

FIRST ENGLISH EDITION WITH BARBEYRAC'S notes. Lowndes describes this is the "best edition;" Marvin says Barbeyrac's notes are excellent. First published in 1715 (with Barbeyrac's notes), Morrice's edition and translation was produced with the assistance of Edward Littlehales (1690–1724) and John Spavan (1685–1718). Lowndes III:950. Marvin 353. ESTC T110924.



Nº 58

HANDBOOK PUBLISHED ON THE CUSP OF THE CIVIL WAR

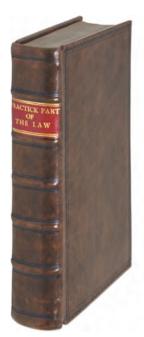
58 G.T., OF STAPLE INNE.

The Attourney of the Court of Common Pleas, Or His Directions and Instructions Concerning the Course of Practice Therein. With Sundry Observations Thereupon, &c.

London: Printed by Thomas Badger, For Matthew Walbanck and Henry Twyford, 1642. [vi], 104 pp. Octavo (5-1/4" x 3-1/4").

Contemporary sheep, blind rules to boards, blind fillets to spine. Light rubbing to boards, moderate rubbing to extremities with some chipping to spine ends, corners bumped and lightly worn, joints just starting at ends, pastedowns loose. Some toning to text, early annotations and doodles to pastedowns, interior otherwise clean. \$1,250.

FIRST EDITION. Published in the first year of the English Civil War, this handbook outlines procedure, pleading, drafting of briefs, judgment, execution and other topics. It offers a nice overview of the systems and procedures that would soon be affected by the war and the political changes that ensued. A second edition was published in 1648. Both are scarce. OCLC locates 5 copies of the first edition in North America (at the Huntington Library, Library of Congress, University of Minnesota Law School, Yale and Yale Law School). *ESTC* R26270.

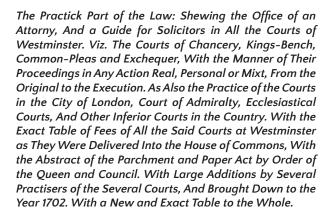




Nº 59



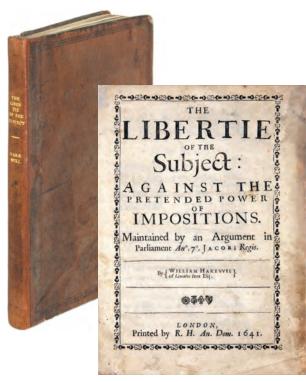




London: Printed for the Assigns of Richard and Edward Atkins, 1702. [viii], 583, [23]; 16; [2], 120, [4] pp. *An Abstract of the Act* and *An Exact Table of Fees* have separate title pages, pagination and registers. *An exact Table* is "The fourth edition, with additions", with imprint: "Printed by the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

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

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



Nº 60

THE POWER TO TAX IS RESTRICTED TO PARLIAMENT

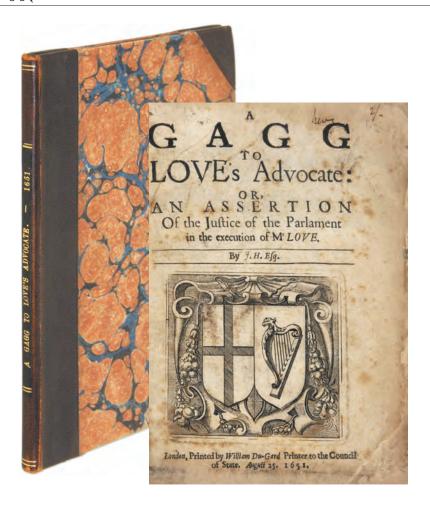
60 HAKEWILL, WILLIAM [1574-1655].

The Libertie of the Subject: Against the Pretended Power of Impositions. Maintained by an Argument in Parliament An. 7. Jacobi Regis.

London: Printed by R.H., An. Dom. 1641. [viii], 142, [2] pp. including the final licence leaf. Quarto $(7-1/2" \times 5-1/4")$.

Contemporary calf with later rebacking, blind rules to boards, gilt title to spine, lower corners repaired, early hand-lettered title to fore-edge of text block. Some rubbing to extremities, a few scratches to front board, corners bumped, upper corners somewhat worn, hinges cracked. Title printed within typographical border, typographical head-pieces and tail-pieces. Moderate toning to text, fore-edge of title page stained and neatly strengthened, minor stains to a few leaves, two tiny wormholes to lower margins of several leaves, touching text in a few places with no loss to legibility, internally clean. An appealing copy with wide margins. \$1,650.

ONLY EDITION. This book was based on an unpublished speech delivered in 1610 at the last session of the long Parliament before the Civil War by Hakewill, M.P. for Bossiney in Cornwall, Bencher of Lincoln's Inn and a notable legal antiquarian. Copies of the text circulated widely in manuscript. Appreciating its value, the Long Parliament ordered it to be printed. Based on a wide range of historical sources, some from the time of the Saxon kings, it asserts the illegality of extra-parliamentary taxation. It is an important early statement of the principal that taxation without representation is illegal and tyrannical. *ESTC* R9193.



CROMWELL REFUSED TO GRANT A PARDON

61 H[ALL], J[OHN] [1627-1656]. [HINDE, JOHN, ATTRIBUTED].

A Gagg to Love's Advocate: Or, An Assertion of the Justice of the Parlament in the Execution of Mr Love.

London: Printed by William Du-Gard, Printer to the Council of State, 1651. [iv], 22 pp. Quarto $(7" \times 5-1/2")$.

Stab-stitched pamphlet bound into later three-quarter calf over marbled boards. Light rubbing to extremities with negligible wear to spine ends and corners. Large copperplate arms of the Commonwealth to title page, woodcut head-pieces and decorated initials. Moderate toning to text, dampstaining to head of text block, title page soiled and edgeworn, worming to lower margin of text block, edgewear to a few leaves at beginning and end of text, small chips to heads of final three leaves with minor loss to text. Two miniscule annotations in later hand to head of title page, small recent owner stamp to rear pastedown, interior otherwise clean. A solid copy of a scarce title.

ONLY EDITION. Hall was a poet employed as a pamphleteer by Cromwell. He was, in other words, a propagandist for the Commonwealth. A Gagg to Love's Advocate defends the recent execution of Christopher Love [1618–1651], a controversial Welsh Protestant preacher and advocate of Presbyterianism. He was convicted of treason when the Commonwealth learned that he was communicating with the exiled Stuart court with the goal of restoring the Stuart monarchy. He went to his death as a martyr of the Presbyterians, who petitioned in vain to secure his pardon. Cromwell denied these petitions because we wished to suppress dissent among the Presbyterians. OCLC locates 6 copies in North America, none in law libraries. A few sources, most notably Wing's Short-Title Catalogue, suggest an attribution to John Hinde. The ESTC does not offer an attribution, though most scholarship indicates that Hall was the author. ESTC R206702.

AN IMPORTANT RESTORATION-ERA CRITIQUE OF GREAT BRITAIN'S ECCLESIASTICAL COURTS

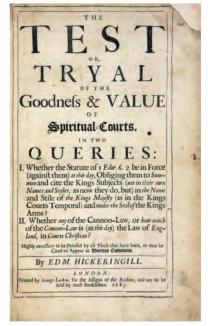
63 HICKERINGILL, EDM[UND] [1631-1708].

The Test or, Tryal of the Goodness & Value of Spiritual-Courts in Two Queries I. Whether the Statute of I Edw. 6.2. be in Force (Against Them) at This Day, Obliging Them to Summon and Cite the Kings Subjects (Not in Their Own Names and Styles, As Now They do, But) In the Name and Stile of the Kings Majesty (As in the Kings Courts Temporal) and Under the Seal of the Kings Arms? II. Whether Any of the Cannon-Law, Or How Much of the Cannon-Law is (At this Day) the Law of England, In Courts Christian, Highly Necessary to be Perused by All Those That Have Been, Or May be Cited to Appear at Doctors Commons.

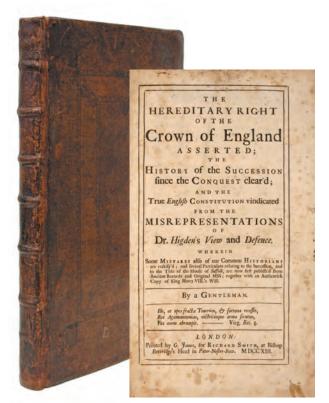
London: Printed by George Larkin, 1683. [iv], 22, 18 pp. Lacking final leaf, a blank. Folio $(11-3/4" \times 5-1/2")$.

Stab-stitched pamphlet bound into recent cloth, gilt title to spine, endpapers renewed. Negligible light rubbing to extremities. Light toning to text, some edgewear and light soiling to first and final leaves, faint dampstaining in a few places, chip to fore-edge of leaf with some loss to side-notes. Early manuscript page numbers added to upper corners of leaves, showing this item was once part of a bound volume, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$500.

FIRST EDITION. Britain's ecclesiastical courts received a great deal of scrutiny in early years of the Restoration. Dissenters, Parliamentarians and others who feared the power of the Church of England under the control of a Catholic or crypto-Catholic king, believed it was necessary to limit the scope of its courts. The work of an idiosyncratic Anglican Churchman who supported the Commonwealth, Hickeringill's pamphlet was one of the most important and legally detailed contributions to this argument. Recognized as an important work, a second edition was issued in 1683, a third in 1706. All are scarce. OCLC locates 2 copies of the first edition in North American law libraries (University of Michigan, University of Pennsylvania). ESTC R2631.



Nº 63



Nº 62

"THE TRUE ENGLISH CONSTITUTION VINDICATED"

62 [HARBIN, GEORGE].

The Hereditary Right of the Crown of England Asserted; the History of the Succession Since the Conquest Clear'd; And the True English Constitution Vindicated from the Misrepresentations of Dr. Higden's View and Defence. Wherein Some Mistakes also of Our Common Historians are Rectify'd; And Several Particulars Relating to the Succession, And to the Title of the House of Suffolk, Are now First Publish'd from Ancient Records and Original MSS; Together with an Authentick Copy of King Henry VIII.'s Will. By a Gentleman.

London: Printed for Richard Smith, At Bishop Beveridge's Head in Pater-Noster-Row, 1713. [viii], 274; lxiii, [5] pp. Includes five-page publisher catalogue. Folio (12-1/2" x 7-1/2").

Contemporary paneled calf, rebacked retaining existing spine, corners mended, endpapers renewed. Light rubbing and some minor scratches and tiny scuffs to boards, moderate rubbing to extremities, corners bumped. Moderate toning, somewhat heavier in places, faint dampstaining to margins, some chipping to margins of final five leaves. A handsome copy. \$850.

ONLY EDITION, ONE OF TWO ISSUES FROM 1713. This vigorous argument in support of the restoration of the Stuart succession is a reply to the pro-Hanoverian argument advanced in William Higden's A Defence of The View of the English Constitution with Respect to the Sovereign Authority of the Prince, And the Allegiance of the Subject (1710). George Ridpath replied to Harbin with a defense of Higden titled Parliamentary Right Maintain'd or the Hanover Succession Justify'd (1714). Some sources attribute Harbin's book to Hilkiah Bedford, who probably edited it and saw it through the press, and, erroneously, to Charles Leslie. ESTC N17449.



64 HOBBES, THOMAS [1588-1679].

Leviathan, Or, The Matter, Form, And Power of a Common-Wealth Ecclesiastical and Civil.

THE "ORNAMENTS" EDITION OF HOBBES'SLEVIATHAN, THE LAST WITH AUTHORIAL CORRECTIONS

London: Printed for Andrew Crooke, At the Green Dragon in St. Pauls Church-yard, 1651 [but probably 1695-1702]. [vi], 250, 249-256, 261-394 [i.e. 396] pp. Text continuous despite pagination. Main title page, with upside down triangle of 25 ornaments grouped in 5 rows, preceded by copperplate pictorial title page. Folding table. Folio (11-3/4" x 7-1/2").

Recent period-style calf, original paneled calf boards laid down, gilt-edged raised bands and lettering piece to spine, endpapers renewed. Some gatoring and a few scuffs to boards, some chipping to edges of retained boards. Moderate toning to text, faint dampstaining in a few places, faint dampspotting to a few leaves. Recent owner signature to front pastedown, early owner signature to head of pictorial title page, tiny early initials to foot. A nice copy.

DEFINITIVE EDITION, WITH THE FINAL corrections by the author, the so-called "ornaments" edition distinguished by a title page device consisting of an inverted triangle of 25 ornaments grouped in five rows. One of the greatest works of political science, Leviathan analyzes the structure of society and legitimate government and is one of the most influential statements of social contract theory (under the rule of an absolute sovereign). Written during the time of the English Civil War, it is notable for its deeply pessimistic view of human nature. The early editions of Leviathan, all with the famous pictorial title page, list the same publisher and publication date: Andrew Crooke, 1651. They are distinguished by slight variations in the spelling of the title and the devices on their title pages. The first has a winged cherub's head, the second, actually printed in 1678, has a bear grasping two sprays of foliage. It was followed by the present issue. The ESTC gives a publication date of 1680, but some sources place its publication date between 1695 and 1702. Hobbes, Leviathan, ed. Noel Malcom (2014) 312-316. PMM 138. ESTC R13935.

MONARCHY OR ANARCHY?

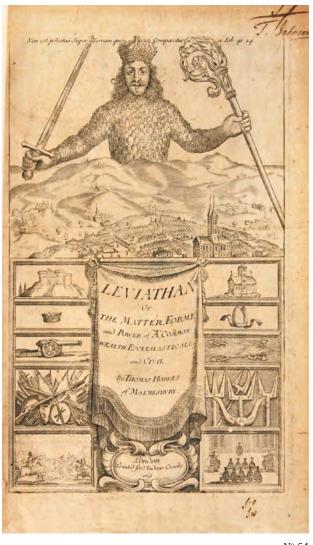
65 HOLLAND, SIR JOHN [1603-1701].

Sir Iohn Holland His Speech in Parliament. Declaring the Great and Manifold Grievances of this Kingdome, Both in Church and Common-wealth. Occasioned by the Wicked Practises and Arbitrary Power of the Disturbers and Subverters of Our Peace, Our Liberties, And Our Lawes. Published by a True Copie.

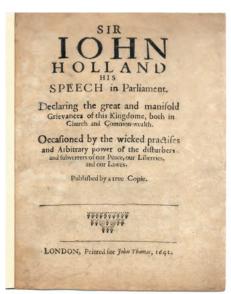
London: Printed for John Thomas, 1641. [ii], 5, [1] pp. Quarto (7-1/4" $\times 5-3/4$ ").

Stab-stitched pamphlet in recent marbled wrappers. Moderate toning, very faint dampstaining, a few minor smudges to versos of wrappers and final leaf. A well-preserved copy.

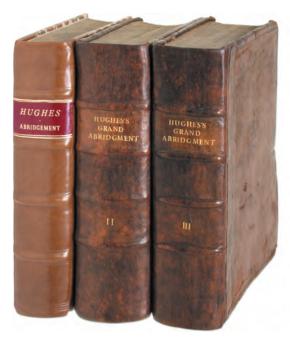
ONE OF THREE ISSUES, ALL FROM 1641. Holland, 1st Baronet Holland, sat in Parliament at various times from 1640 and 1679. He was created a baronet by Charles I and was a moderate Royalist. He lost his seat during the Civil War, but returned to Parliament after the Restoration in 1661. This pamphlet reprints urging moderation in efforts to limit the king's power. Doing so will enable the efforts of "disturbers and subverters of our peace, our liberties, and our lawes." All three issues of this work are scarce. OCLC locates 1 copy of the John Thomas issue in North America (Yale), no copies on any issue in a law library. ESTC R8511.

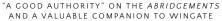


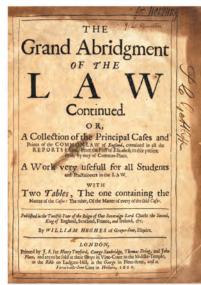
Nº 64



Nº 65







Nº 66

WELL-PRESERVED COPY OF JACOB'S TREATISE ON REAL PROPERTY

66 HUGHES, WILLIAM.

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

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

Volume I: Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine. Volumes II-III: Contemporary calf, blind rules to boards, rebacked in period style, raised bands and gilt titles to spines. Light rubbing and minor nicks to boards, faint dampstain to front board of Volume II, moderate rubbing to extremities, corners bumped and somewhat worn, pastedowns loose. Moderate toning to text, somewhat heavier in places, offsetting to margins of preliminaries and rear endleaves. Later owner signatures to title pages of Volume II and III, "2" and "3" in later hand to fore-edges of Volume II and III, otherwise clean. An appealing set.

ONLY EDITION. Hughes, a barrister of Gray's Inn, conceived this abridgement as a continuation of a continuation of Robert Brooke's *Graunde Abridgement* of English case reports (first edition 1573). "These volumes embrace but a short period, and the work is a mere supplement to the earlier Abridgements, but it is a good authority.": Marvin 402. Sweet & Maxwell 1:19 (15).

67 JACOB, GILES [1686-1744].

The Complete Court-Keeper: Or, Land-Steward's Assistant: Containing, First, The Nature of Courts Leet and Courts Baron; With a General Introduction to Every Thing Incident to Them, According to Law and Custom. Secondly, The Manner of Holding Courts Leet, Courts Baron, and Courts of Survey, With the Charge to the Juries; And the Forms of Entring Those Courts in the Minute Books and in the Court Rolls; With Precedents... Thirdly, The Manner of Keeping the Court Baron for Trying of Actions; The Nature and Kinds of Actions; And of Pleadings; and Precedents of Declarations and Pleadings... Fourthly, Precedents of Contracts, Conditions, Covenants, Leases for Life, Leases for Years, Assignments, Mortgages, Surrenders of Such Leases... Fifthly, The Power and Authority of the Lord, and of the Steward, and the Privilege of the Tenants, With Variety of Law-Cases and Resolutions Concerning Copyholders... With Large Additions and Amendments from the Best Reporters, Lord Raymond, Comyns, &c. to the Present Time.

London: Printed by Henry Lintot, 1752. viii, 518, [25] pp. Octavo (8-1/4" x 4-3/4").

Contemporary calf, raised bands, blind frames to boards. Light rubbing and a few tiny scuffs, some wear to joints and spine ends, corners bumped with some wear at tips. Rear hinge just starting, some offsetting to margins of pastedowns and free endpapers, interior notably fresh. A well–preserved unrestored copy. \$350.

FIFTH EDITION. This comprehensive treatise on landlord and tenant was one of Jacob's most successful works. First published in 1713, it remained a standard work for many years. (Its final edition, the eighth, was issued in 1819.) A practical book designed mainly for the use of stewards, it reflects the author's experience with court keeping. Holdsworth includes this title among his list of notable works on land law and speaks well of it. See his *HEL* XII: 380–381. *ESTC* N5074.

JACOB'S POPULAR GUIDE, THE LAST EDITION PUBLISHED DURING THE AUTHOR'S LIFETIME

68 IACOB. GILES.

Every Man His Own Lawyer: Or, A Summary of the Laws of England in a New and Instructive Method, Under the Following Heads, Viz. I. Of Actions and Remedies, Writs, Process, Arrests, and Bail. II. Of Courts, Attornies and Solicitors Therein, Juries, Witnesses, Trials, Executions, &c. III. Of Estates and Property in Lands and Goods, and How Acquired; Ancestors, Heirs, Executors and Administrators. IV. Of the Laws Relating to Marriage, Bastardy, Infants, Ideots, Lunaticks. V. Of the Liberty of the Subject, Magna Charta, The Habeas Corpus Act, and Other Statutes. VI. Of the King and His Prerogative, The Queen and Prince, Peers, Judges, Sheriffs, Coroners, Justices of the Peace, Constables, &c. VII. Of Publick Offences, Treason, Murder, Felony, Burglary, Robbery, Rape, Sodomy, Forgery, Perjury, &c., And Their Punishment. All of Them so Plainly Treated of, That All Manner of Persons May be Particularly Acquainted With Our Laws and Statutes, Concerning Civil and Criminal Affairs, And Know How to Defend Themselves and Their Estates and Fortunes; In All Cases Whatsoever. With Additions.

[London]: Printed by E. and R. Nutt, And R. Gosling, 1740. vi, 456, [14] pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, rebacked retaining original spine with raised bands, hinges mended. Minor scuffing to boards, negligible chipping to foot of spine, corners bumped and lightly worn. Some toning to text, light foxing in a few places. Early owner annotations and signatures to endleaves, interior otherwise clean.

THIRD EDITION, THE LAST ONE PUBLISHED in the author's lifetime. The eleventh and final edition of this popular layman's guide was published in 1791 and reissued at least two more times in the 1800s. The mention of "All Manner of Persons" in the subtitle is significant. Jacob, though certainly interested in boosting sales by attracting the widest audience possible, was an idealist who believed that widespread knowledge of the law would help create a more just society. This is also evident in his other publications, such as The Common Law Common-Placed (1726) and Treatise of Laws (1721). The ESTC notes eight leaves of advertisements at the end of this title, these not present in our copy. OCLC locates 2 copies in North American law libraries (Harvard and the University of Georgia). ESTC N9500.

A LEGAL GUIDE FOR "GENTLEMEN OF ALL RANKS"

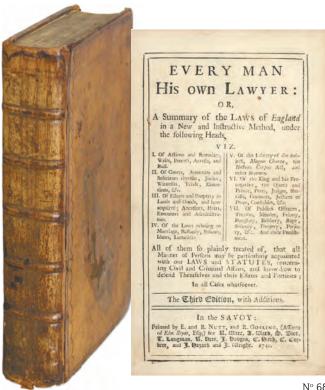
69 JACOB, G[ILES].

Lex Constitutionis: Or, The Gentleman's Law. Being, A Compleat Treatise of All the Laws and Statutes Relating to the King, And the Prerogative of the Crown; The Nobility, And House of Lords; House of Commons; Officers of State; The Exchequer and Treasury; Commissioners and Officers of the Customs; Of the Excise; Of the Post-Office; Stamp-Office; Forfeited Estates; Publick Accounts; The Navy-Office; War-Office; Lieutenancy of Counties; Justices of Peace, &c. Wherein Near One Hundred Authors of the Best Reputation, Both Ancient and Modern, On the Subject, Have Been Consulted, And are Referr'd to. And also, An Introduction to the Common Law of England, With Respect to Tenures of Lands, Descents, Marriage-Contracts, Coverture, &c. Of Property, Creation and Forfeiture of Estates; Trials of Offenders, Courts at Westminster, &c. To Which are Added, Under Their Proper Heads, The Manner of Passing Bills in Both Houses of Parliament, the Judicature of the Lords; Variety of Adjudg'd Cases; And some Curious History of Antiquity.

[London]: Printed by Eliz. Nutt and R. Gosling, (Assigns of Edward Sayer, Esq;) for B. Lintot, 1719. [ii], [v]-xiv, 360, [12] pp.Octavo (7- $1/2" \times 4-3/4"$).

Recent period-style calf, blind panels to boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, faint dampspotting in places, internally clean. A handsome \$1,000. сору.

FIRST EDITION. In his preface, Jacob indicates that he did not write this treatise on England's Constitution for the landed gentry exclusively, but for "gentlemen of all ranks," that is, the literate general public. Another edition of the Lex Constitutionis was published in 1737. Sweet & Maxwell 1:102 (48). ESTC T137002.



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

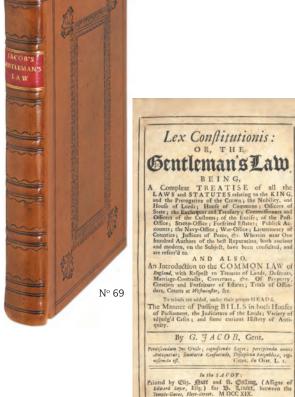
70 [JACOB, GILES].

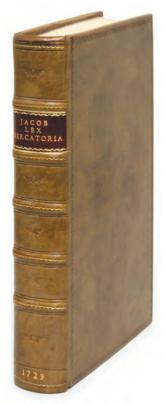
Lex Mercatoria: or, The Merchant's Companion. Containing all the Laws and Statutes Relating to Merchandize. Wherein Our Trade with Foreign Nations, and Trade in General Amongst Our Selves, With What Belongs to Particular Companies, and all Maritime Affairs, in the way of Traffick, are illustrated and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

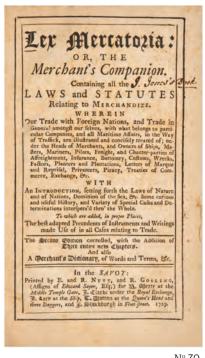
[London]: Printed by E. and R. Nutt, 1729. [xii], 404, [12] pp. Octavo $(7-1/2" \times 5")$.

Recent period-style calf, raised bands and lettering piece to spine, endpapers renewed. Some toning, light foxing to portions of text. Early annotations and signatures, including that of Thomas Carpenter, to preliminaries, two tiny glue spots to title page. A handsome copy.

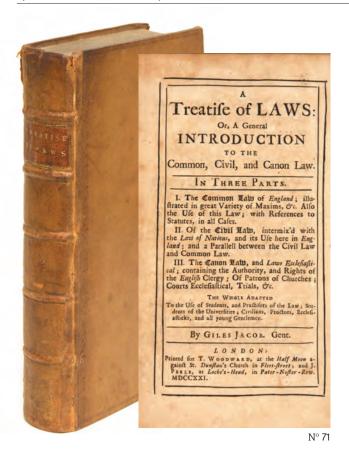
SECOND, AND FINAL, EDITION, "Corrected, with the Addition of Three Entire New Chapters. And Also A Merchant's Dictionary, of Words and Terms, &c." Thomas Carpenter [1804-1876] was a prominent New Jersey attorney and a judge of that state's Supreme Court. ESTC T137820.



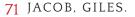




Nº 70



SCARCE TREATISE BY JACOB
ON COMMON, CIVIL AND CANON LAW

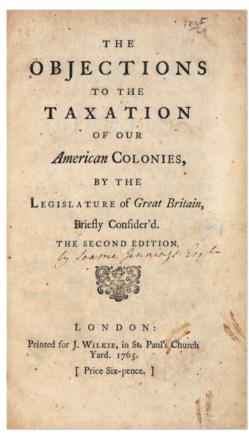


A Treatise of Laws: Or, A General Introduction to the Common, Civil, and Canon Law. In Three Parts. I. The Common Law of England: Illustrated in Great Variety of Maxims &c. Also the Use of this Law; With References to Statutes, in All Cases. II. Of the Civil Law, Intermix'd With the Law of Nations, and Its Use Here in England; and a Parallell Between Civil Law and Common Law. III. The Canon Law, and Laws Ecclesiastical; Containing the Authority, and Rights of the English Clergy; Of Patrons and Churches; Courts Ecclesiastical, Trials, &c. The Whole Adapted to the Use of Students, and Practicers of the Law; Students of the Universities; Civilians, Proctors, Ecclesiasticks, and All Young Gentlemen.

London: Printed for T. Woodward and J. Peele, 1721. [ii], vi, [6], 533, [15] pp. Octavo (8" x 5").

Contemporary calf, rebacked retaining existing spine with raised bands and lettering piece, blind rules to boards, blind fillets along joints, front hinge mended. A few minor nicks and scuffs to boards, some rubbing to extremities, corners bumped, joints just starting at ends, rear hinge cracked. Moderate toning to text, somewhat heavier in places, brief early annotations to a few passages. A nice copy of a scarce title. \$1,500.

FIRST EDITION, ONE OF TWO ISSUES from 1721. This title is unique in Jacob's prolific output because it discusses civil and canon law at length. Counting both issues, OCLC locates 9 copies in North American law libraries. Jefferson owned a copy of this book: Sowerby1804. ESTC N13977.



Nº 72

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

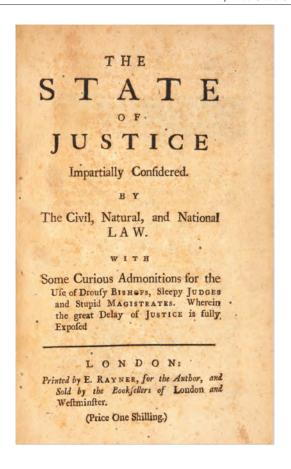
72 [JENYNS, SOAME (1704-1787)].

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

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

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

SECOND EDITION, PUBLISHED the same year as the first. (Both editions have identical content.) Jenyns, a Member of Parliament, defends the Stamp Act and, more broadly, Parliament's right to tax the colonies. Notably testy and dismissive of Colonial grievances, the pamphlet provoked several responses, most notably *Consideration on Behalf of the Colonists* by James Otis. *ESTC* T45477. Sabin, *A Dictionary of Books Relating to America* 36053.



RARE ESSAY ON INJUSTICE BOUND WITH A WARNING ABOUT STANDING ARMIES

73 [JUSTICE]. [GREAT BRITAIN].

The State Of Justice Impartially Considered. By The Civil, Natural, And National Law. With Some Curious Admonitions For The Use Of Drousy Bishops, Sleepy Judges And Stupid Magistrates. Wherein The Great Delay Off Justice Is Fully Exposed.

London: Printed by E. Rayner, for the author, and sold by the booksellers of London and Westminster, [1732?]. 47, [1] pp.

[BOUND WITH]

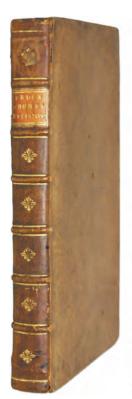
TRENCHARD, THOMAS [1662-1723].

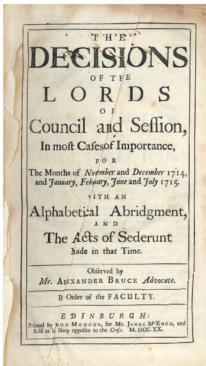
A Short History of Standing Armies in England.

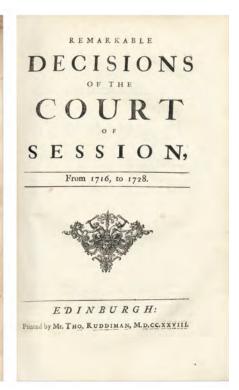
London: Printed in the Year 1698. And Now Re-Printed and Sold by W. France, 1731. 70 pp.

Octavo (7-1/4" x 4-1/2"). Stab-stitched pamphlets bound into recent period-style quarter calf over marbled boards, gilt-edged raised bands to spine. Light toning to text, somewhat heavier in places, light foxing to a few leaves. Excellent copies in a handsome binding. \$2,500.

STATE OF JUSTICE: ONLY EDITION; Short History: reissue of a title issued three times in 1698. The anonymous author of The State of Justice positions himself as an opponent of bribery and the sale of offices and sinecures and a supporter of an equal distribution of justice and the rule of law. He warns: "It is not the law alone that makes a right government, but upright justice, and the equal distribution of it, which ought to be deeper engraven in the hearts of those who are authorised to execute justice, than in tables of stone" (9). It is a learned, and somewhat cranky, essay filled with references to Roman, European and English history. Trenchard's Short Essay is a classic argument against standing armies, a central theme in the commonwealthmen tradition (that was quite influential in America). This issue was probably a reaction to the expansion of England's military establishment during the Anglo-Spanish War (1727-29) The State of Justice is a rare title. OCLC locates 6 copies worldwide, 4 in North America (Case Western Reserve University, Harvard Law School, Northwestern Law School, UNC-Chapel Hill). The ESTC adds the University of Kansas. ESTC N23107, T126898.







Nº 74

FIRST EDITION OF LORD KAMES'S FIRST PUBLICATION

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

Remarkable Decisions Of The Court Of Session, From 1716, to 1728.

Edinburgh: Printed by Mr. Tho. Ruddiman, 1728. iv, 287, [1], xx pp.

[BOUND AFTER]

BRUCE, ALEXANDER [D. 1729], REPORTER.

The Decisions Of The Lords Of Council And Session, In Most Cases of Importance, For the Months of November and December 1714, And January, February, June and July, 1715. With an Alphabetical Abridgment, And the Acts of Sederunt Made in that Time.

Edinburgh: Printed by John Moncur for James M'Euen, 1720. vi [i.e. iv], 178, 14 pp.

Folio (11–1/2" x 7"). Contemporary speckled calf, raised bands, lettering piece and gilt ornaments to spine, free endpapers lacking. Some rubbing to extremities, joints starting at ends, light toning to text. Early owner signature to front free endpaper, interior otherwise clean. An appealing copy. \$1,250.

FIRST EDITION. This was Kames's first publication and an auspicious beginning to a long and successful publishing career. Admitted to the Scottish Bar in 1724, Kames was initially "not very successful. In 1728, however, he published his 'Remarkable Decisions ...,' a carefully executed work, which drew attention to (his) abilities. From this time his progress was assured" (*DNB*). Some copies were issued with a 6-page preface; this one was not, nor were two other copies we have handled; the copy in the British Library and the entry in the NUC also omit the preface. Whether this represents the "normal issue" is undetermined, but by no means is it uncommon. *DNB* IX:1126. Sweet & Maxwell 5:57 (listing Kames's continuation of these reports to 1752). Wallace 553.

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

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

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

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

Contemporary calf, blind rules and small blind-stamped initials "GW" to boards, raised bands and later lettering piece and small hand-lettered shelf labels to spine. Light rubbing to extremities, a few minor scuffs to boards, corners bumped small tears to head of spine, pastedowns loose, later armorial bookplate of the Earl of Macclesfield to verso of front board, small embossed Macclesfield stamp to head of title page. Moderate toning to text, faint dampstaining and soiling to preliminaries, light foxing in a few places. Early owner signature of Thomas Parker to head of title page, markings and brief annotations in his hand to the margins of several leaves. A nice copy with an interesting association. \$1,000.

LATER EDITION. First published in 1579 Kitchin's work is an important source of information on local courts and government. By outlining the differences between the previously undivided court, Kitchin, along with Coke, helped lay the foundations of modern legal theory. "In fact Kitchin was doing on a small scale what Coke was doing on a grand scale. Both were representatives of that school of literate Elizabethan lawyers...whose great and enduring work was the adaptation of medieval law and institutions to modern needs. Imagination necessarily played some part in this process of adaptation; and thus they are responsible not only for the enunciation of the rules of modern law, but also for legal and historical theories, the soundness of which was considered by many generations of lawyers and historians to be as incontestable as their statements of law." This copy belonged to Thomas Parker [1666-1732], 1st Earl of Macclesfield, chief baron of the Court of Exchequer and Lord Chancellor from 1718 to 1725. His markings are mostly pointing hands (manicules). Housed in Shirbirn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. OCLC locates 5 copies of this imprint in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Texas, Washington University). HEL IV:130. ESTC S3959. Beale T374.

AN INTERESTING PERSPECTIVE ON EARLY-MODERN ENGLAND

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

Eirenarcha, Or of the Office of the Iustices of Peace, In Foure Bookes: Revised, Corrected, And Enlarged, In the Eighth Yeere of the Peaceable Raigne of Our Most Gracious King Iames.

London: Printed for the Companie of Stationers, 1619. [ii], 634, [84] pp.

[BOUND WITH] LAMBARD(E), WILLIAM.

The Duties of Constables, Borsholders, Tythingmen, And such Other Low and Lay Ministers of the Peace. Whereunto be Adjoyned the Severall Offices of Church Ministers and Churchwardens, And Overseers for the Poore, Surveyors of the High-Waies, And Distributors of the Provision Against Noysome Fowle and Vermine.

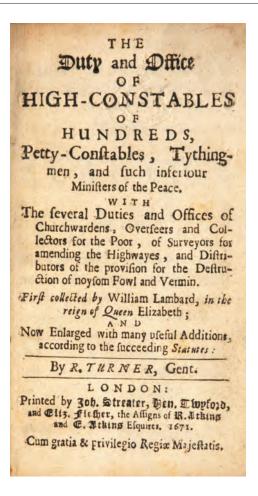
London: Printed for the Companie of Stationers, 1619. 94 pp. Last leaf, a blank, lacking.

Octavo (6-1/4" x 4"). Contemporary calf with later rebacking, blind rules to boards, raised bands, gilt ornament and lettering piece to spine, early hand-lettered title to fore-edge of text block, endpapers renewed. Light rubbing and some gatoring to boards, edges rubbed with some wear, corners bumped and somewhat worn, early armorial bookplate (of James Burrow) to front pastedown. Moderate toning to text, somewhat heavier in places, minor chips to edges of a few leaves, a few just touching text, a few side-notes in *Duties* affected slightly by trimming. Tick marks in pencil to some leaves, interior otherwise clean. \$950.

LATER EDITIONS. Lambard, or Lambarde, a barrister and legal historian, was the keeper of records at the Rolls Chapel and the Tower of London. First published in 1581, *Eirenarcha* is esteemed for its comprehensive and systematic account of local legal and political life. It was the standard authority for many years and often reprinted. Like many books of its kind, *Eirenarcha* offers fascinating insights into the society that produced it. This is evident in the detailed indictments for such offenses as murder via witchcraft, raping a child or maid (the age of distinction was ten), hearing a Catholic Mass, practicing usury and operating a bowling alley. A companion work first published in 1582, *The Duties of Constables* concerns the duties of other lay officers. Taken together, these books offer an interesting perspective on early-modern England. *ESTC* S108213, S108233.



Nº 75



ADAPTED FROM EIRENARCHA

77 LAMBARD(E), WILLIAM. TURNER, R., EDITOR.

The Duty and Office of High-Constables of Hundreds, Petty-Constables, Tythingmen, And Such Inferiour Ministers of the Peace. With the Several Duties and Offices of Churchwardens, Overseers and Collectors for the Poor, Of Surveyors for Amending the Highwayes, And Distributors of the Provision for the Destruction of Noysom Fowl and Vermin. First Collected by William Lambard, In the Reign of Queen Elizabeth; And Now Enlarged with Many Useful Additions, According to the Succeeding Statutes: by R. Turner, Gent.

London: Printed by Joh. Streater, Hen. Twyford, And Eliz. Flesher, 1671. [xii], 144 pp. 12mo $(5-1/2" \times 3-1/2")$.

Later sheep, blind rules to boards, lettering piece and gilt fillets and ornaments to spine. Moderate rubbing to spine and extremities, chipping to head of spine and lettering piece, joints starting, faint dampstain to rear board, a few cracks to text block, armorial bookplate of the Earls of Macclesfield to front board, small embossed Macclesfield stamp to title page. Some toning to text, internally clean. A nice copy. \$1,500.

FIRST EDITION. Turner extracted the main parts of this book from the second edition of Lambarde's *Eirenarcha* and added material to bring the contents up to date (i.e. 1671). A second edition was published in 1671. Our copy once belonged to the library of Shirbirn Castle, the library of the Earls of Macclesfield, one of the finest private libraries in Great Britain. Both editions of this work are rare. OCLC locates 2 copies of the first edition in North America at the Huntington Library and University of Illinois. The *ESTC* adds the Folger Shakespeare Library and Harvard Law School. *ESTC* R41023.



THE BOOKE OF ASSISES ABRIDGED, BEALE R53

78 [LIBER ASSISARUM]. [CALLOW, WILLIAM, SIR (FL. 1555), ATTRIBUTED].

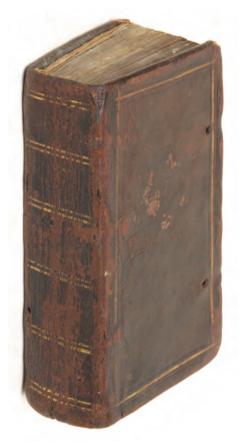
The Abridgement of the Boke of Assises, Lately P[er]used Over & Corrected, & Nowe Newlye Imprynted by Rycharde Tottle, Ye Laste Daye of Septe[m]ber. An. Do. 1555.

[London: Imprinted...in Fletestrete Within Temple Barre, At the Signe of the Hand & Starre, By Richard Tottel, (1555)]. [i], 165, [2] ff. Complete. Octavo $(5-1/4" \times 3-1/2")$.

Recent period-style calf, raised bands, blind ornaments, and lettering piece to spine, endpapers renewed. Title printed within woodcut architectural border. Toning to text, some soiling and edgewear to title page and following leaf, early check-marks in pen to a few leaves, interior otherwise clean. Ex-library. Small stamp to foot and verso of title page. A handsome copy. Rare.

\$3,500.

SECOND EDITION. Text in Law-French. With a table. The Liber Assisarum is a selection of reports from the Year Books covering regnal years 1-50 of Edward III (1327-77). The contents are arranged alphabetically by topic. "The Book of Assizes (...) is of great authority in law; and so called because it principally contains proceedings upon Writs of Assize of Novel Disseisin, which in those days was festinum et freems renaedium. 'Tis often quoted and referred to by most of our ancient writers. (...) The questions are here discussed with more precision and clearness, and they contain more of those points of law that have survived to the present times. In regard to precision and clearness, all the reports of this reign excel those of the preceding; but the merit of these [reports] is of a peculiar kind, and has a very different appearance from what has in later times been considered as excellent in this way" (Rastell). OCLC locates 5 copies, the ESTC locates 6 in the British Isles, 6 in North America and 1 in Australia. Rastell, John, Preface to London, 1679, Livre des Assises et Pleas del' Corone cited in Marvin 754. ESTC S101227. Beale R53.







TWO CLASSIC WORKS ON THE ENGLISH LAW OF REAL PROPERTY

79 [LITTLETON, SIR THOMAS (1402-1481)].

Les Tenures de Monsieur Littleton: Ouesque Certeine Cases Addes per Auters de Puisne Temps, Queux Cases vous Troveres Signes Ouesque Cest Signe * Al Commencement, & Al Fine de Chescun de Eux: Au Fine Que ne Poies eux Misprender pur les Cases de Mounsieur Littleton; Pur Quel Inconvenience, Ils Fueront Dernierment Tolles de Cest Lieur; Et Cy vn Foits Pluis Admotes al Request des Gentlehomes, Students en le Ley Dengleterre.

London: Imprinted [by A. Islip?] for the Company of Stationers, 1608. [1], 170, [25] ff.

[BOUND WITH]
PERKINS, JOHN [D. 1545].

A Profitable Booke of Master Iohn Perkins, Fellow of the Inner Temple. Treating of the Laws of England.

London: Printed [by Adam Islip?] for the Company of Stationers, 1609. [xxiv], 168 ff.

Octavo (4–1/2" \times 2–1/2"). Contemporary calf, gilt rules to boards, gilt fillets to spines, fragments of thong ties. Moderate rubbing to spine and extremities with some wear to corners, light scuffing to boards, a

few tiny wormholes to spine, pastedowns loose, a few partial cracks to text block, wormhole from preliminaries through first third of text with no loss to legibility, final two signatures of *A Profitable Booke* a bit loose and slightly edgeworn, edges trimmed closely occasionally touching side-notes (with no loss to legibility). Light toning to text, somewhat heavier in places, internally clean. \$1,650.

LATER EDITIONS. This volume collects two classic English treatises on the law of real property. Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is a considered a landmark because it renounced the principles of Roman law (and Latin) in favor of a set of guidelines and doctrines drawn from the Year Books, and when necessary, hypothetical cases.

A popular work during the sixteenth and early seventeenth centuries that was held in high regard by Coke, Perkins' *Profitable Booke* was first published in 1528 and went through numerous editions in both English and Law-French. Devoted mostly to the land law as developed in the Year Books, it is divided into the following topics: grants, deeds, feoffments, exchanges, dower, curtesy, wills, devises, surrenders, reservations, and conditions. *HEL* II:573, V:388. *ESTC* S93514, S114287.



A PRINCIPAL ENGLISH TREATISE ON CANON LAW

80 [LYNDWOOD, WILLIAM (C.1375-1446)]. [BADIUS, JOSSE (1462-1535), EDITOR].

Provinciale seu Constitutiones Anglie cum Summariis Atq[ue] Iustis Annotationibus: Honestis Characteribus: Summaq[ue] Accuratione Rursum Impresse.

[Paris: Printed by Andreas Bocard at the University of Paris, May 28, 1501]. Collation: a8 b6, c-g8 h6 i-q8 r6 s-z8 [et]8 [con]6 A-B6 C8(-C8). cxcii, [19] ff. Complete. Main text surrounded by two-column linear gloss. Folio (13-1/2" x 9-1/2").

Contemporary paneled calf, corner fleurons and large arabesques to boards, recently rebacked, raised bands and lettering piece to spine, endpapers added, early hand-lettered title to foreedge. A few shallow scuffs to boards, moderate rubbing to their extremities, corners bumped and somewhat worn, hinges cracked, later bookseller ticket, owner bookplate (of Walter

Wigglesworth, dated 1934) and two 1930s-era auction or bookseller descriptions affixed to front pastedown. Text printed in red and black gothic type, woodcut decorated initials. Light toning to text, faint dampstaining in places, minor edgewear to leaves at beginning and end of text, some with repairs, inkstains and spark burns to a few leaves. Contemporary annotations to endleaves and portions of text, some with minor loss due to trimming. A nice post-incunable copy of an important title. \$5,000.

FIRST POST-1500 EDITION. Main text followed by nineteen-page, two-part index (*Tabula*). Compiled around 1433 and first published around 1483-1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This copy was printed in Paris for the English market. Beale T403. *ESTC* S103845.

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

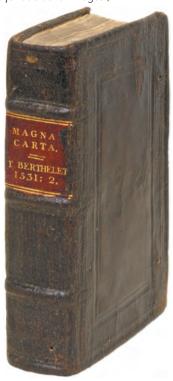
81 [MAGNA CARTA].

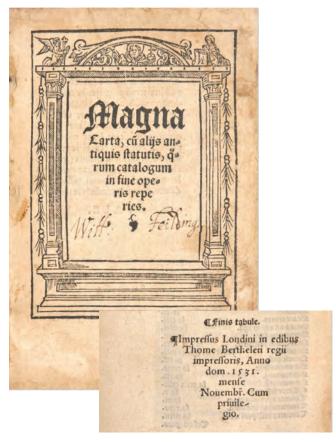
Magna Carta Cu[m] Aliis Antiquis Statutis, Q[u]orum Catalogum in Fine Operis Reperies.

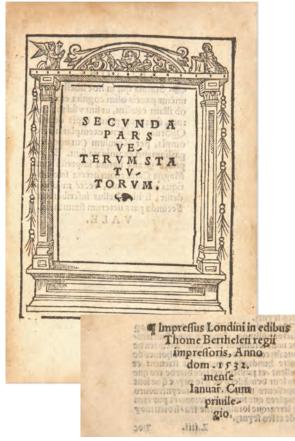
[London: Thomas Berthelet, November 1531]. 150 [i.e. 149], [3]; [iv], 76 ff. Two parts, each with title page, table and individual pagination. Second part, dated 1532 (on colophon), titled Secunda Pars Veterum Statutorum. Octavo (5" x 3-1/4")

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

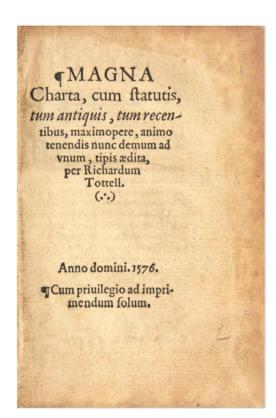
FIRST EDITION ISSUED with a title page and the Secunda Pars Veterum Statutorum, which was published for the first time with this edition. The text of Magna Carta is a close reprinting of the 1527 edition by Richard Pynson with additional material. (Pynson printed the first edition around 1508.) It also includes the Charta de Foresta and statutes passed before the reign of Edward III. Among the most notorious statutes are those of Edward I concerning Jews, which condemned them for irreverence and prevented them from practicing usury or acquiring land from Christians through pledges. Other "Antique Statutes" relate to women, wills, forcible entry, "Fraudulent Deedes" and other topics. Some sources say incorrectly that the 1539 edition was the first issued with a title page. The source of the confusion is the title page's false imprint date: 1529. (The colophon has the correct date: 1539.) To confuse matters further, Beale, who arranges imprints chronologically, lists that edition according to the date on the title page rather than its colophon (S8). OCLC locates 13 copies of this imprint in North America. Beale S9 and S21. ESTC S101049. (See page 8 for additional images.)







1576 PRINTING OF MAGNA CARTA AND LATER STATUTES WITH CONTEMPORARY ANNOTATIONS



82 [MAGNA CARTA].

Magna Charta, Cum Statutis, Tum Antiquis, Tum Recentibus, Maximopere, Animo Tenendis nunc Demum ad Unum, Tipis Aedita, Per Richardum Tottell. Anno Domini. 1576. Cum Privilegio ad Imprimendum Solum.

[Imprinted at London: In Fleetestrete Within Temple Barre at the Signe of the Hand and Starre, By Richard Tottel, The 8. Day of March. 1576]. [vii], 247 ff. Blank endleaf preceding Fol. 1 lacking. Octavo $(5-1/2" \times 3-3/4")$.

Contemporary paneled calf, raised bands to spine, early hand-lettered title to fore-edge, ties lacking. Light rubbing and a few minor gouges, cracks and nicks to boards, moderate rubbing to extremities, spine ends worn, corners bumped and somewhat worn, pastedowns and free endpapers lacking, later armorial bookplate to verso of front board, fragments of an illuminated manuscript Bible used as printer's waste at hinges, attractive woodcut decorated initials. Moderate toning to text, faint staining to a few leaves, annotations and underlining in early hand to margins of approximately 25 pages, light soiling and minor edgewear to title page. \$7,500.

AN EARLY PRINTING OF THE Magna Carta. It also includes the Charta de Foresta of Henry III, the Statutes of Merton and Marlebridge, the Statutes of Edward I and other statutes through the fourteenth regnal year of Elizabeth I, which are digested by topic. Beale S18. ESTC S101094.





Muches Vaces 1776 1843! Shower 5th Bear Stead for the the bear of the same of the same and the same of fragment than I would be the same of th 2100 Month with him at the Boat town Amer when to good Industration . hat being to hills. & send the five The like in the loveryfollowy by way of the december of decine a Her undertaken guick but to be ft boping the her in Long here falls Sour Good per in & to Receif togthod Payme of \$2.8.8 for los of amongs a for the Esquent of LADS on the 18 April 1714-All some hit on At South to and for my Article Sell was have the of the Bond of France Enjoye by for reary the deposal King you the of some for between to trap don't Some to Wheel this less to d. S. Man it is see so were you at of four eyou began to go a start four is the a four a good hadden Istardes 7th Dear for and is the tray - after my on changes at affect a ten to have her found that that is county to red the section has Mens Henerally with how relative to the Page Athiners by I love hours in his beads to distribute hate to Mit to was to love in when to profine Which lesing supercised for to the South make becount that of hy to gave me hat to Frances through blas the Jake lofor sand

1776-1777 DAY BOOK OF LONDON ATTORNEY WITH ENTRIES CONCERNING A LAND DEAL IN FLORIDA

83 [MANUSCRIPT]. [LONDON ATTORNEY].

Day Book.

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

Contemporary vellum, hand-lettered title and date to spine and front board. Moderate soiling, some rubbing to extremities with wear to head and tail, front hinge cracked, bookseller ticket of London dealer Richard Blamire to front pastedown. Light toning to text, content written in neat hand on red-ruled leaves. An interesting item. \$1,250.

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





MANUSCRIPT C.1673 PARLIAMENTARY MANUAL FOR A MEMBER OF THE HOUSE OF LORDS

84 [MANUSCRIPT]. [PARLIAMENT]. [HOUSE OF LORDS].

> Remembrances for Order and Decency to be Kept in Super House of Parliament, By the Lords when His Maljesltie is not There; Leaving the Solemnities Belonging to His Self Comeing to Be Marshalled by Those Lords to Whom it More Properly Apertains.

[London, c.1673]. 83, [5] pp. Octavo (5-1/4" x 3").

Contemporary morocco, recently rebacked, gilt frames with corner fleurons enclosed by gilt rules, gilt-edged raised bands to spine, all edges gilt. Negligible light rubbing to boards, moderate rubbing to board edges, corners bumped and somewhat worn, front hinge cracked, rear, rear free endpaper lacking. Content in fine secretarial hand to rectos and versos of most leaves. (32 are blank.) Negligible light toning to interior. A well-preserved item.

\$1.500.

WITH AN INDEX. This is a fair copy of a compilation of parliamentary procedure and rules of conduct for a member of the House of Lords extracted from the journals of that house. The latest order is dated 1673. OCLC and COPAC record a small number of similar manuscripts from the eighteenth century, but only a few compiled before 1700. (See page 8 for image.)

18TH-CENTURY ENGLISH MANUSCRIPT FORMBOOK WITH AN INTRIGUING ENTRY RELATING TO BARBADOS

85 [MANUSCRIPT]. WHINCOP, ROBERT.

[Manuscript Formbook].

[Walsingham, Norfolk, England, c.1777]. [iv], 275, [30] pp. 28 blank leaves. Includes thump-tabbed index. Oblong octavo $(3-3/4" \times 6-1/2")$.

Contemporary sheep, blind fillets to board and spine, bronze clasp. Light rubbing to boards, moderate rubbing to extremities and spine, joints cracked. Light toning, fragments of wax seals to endleaves. Text in elegant, neat hand, leaves numbered on rectos and versos. \$4.500.

WRITTEN IN A DIFFERENT HAND, likely that of a bookseller, the title page indicates the provenance of this manuscript: "No. 3/ E. Lib. Robt. Whincop Clk to Mr John/ Pye Walsingham Norfolk May 3rd/ 1777./ Price 1/9" Pye was a leading lawyer in Walsingham, a town in East Anglia, England best known as a pilgrimage site. Whincop would go on to prominent legal career and also served in a few local bureaucratic posts in Norfolk, such as the town clerk of Lynn (1785-1802). (Pye and Whincop appear in a number of local histories and others sources that are available online.) A fair copy in a notably elegant hand, this collection of precedents has an unusual item: a "Letter of Attorney from the Trustees of a Trust Estate to manage Estates &c. in the Island of Barbadoes." Eight pages long, it is one of the longest items in this manuscript. Norfolk had little to do with the Atlantic trade, so the inclusion of this form may have reflected Whincop's ambition to practice in London or some other city with ties to Great Britain's colonies. Other entries include several affidavits and letters of attorney, a "Bail Bond," a "Dissenting Preachers Certificate," an "Opinion Respecting Hard Riding a Horse, and "Order to Receive a Debt" and "A Replevin Warrant."



Nº 85

"THE YOUNG CLERK'S VOCABULARY"

86 MERITON, GEORGE [1634-1711].

Nomenclatura Clericalis: Or, The Young Clerk's Vocabulary, In English & Latine, Being a Collection of Several Useful and Necessary Things Digested into Several Sections, Under Proper Heads, Very Necessary and Useful not Only for Young Clerks, But Also for Young Scholars, Apothecaries, Chirurgions, Coroners, Clerks of the Peace, &c. And Several Other Persons. In this Vocabulary are Several Hundreds of English Words Rendred into Latine, Not Elsewhere to be Found. And After all are Several Presidents of Warrants, And Other Things Useful for Young Clarks, Not in Print in Any Other Book.

London: Printed for Richard Lambert, 1685. [iii], v, [1], v, [1], 128, 127-238, 299-474 pp. Text in English with parallel Latin translation. Octavo $(5-3/4" \times 3-3/4")$.

Contemporary calf, rebacked in period style, blind rules to boards, lettering piece and blind fillets to spine, endpapers renewed. Light toning to text, somewhat heavier in places, faint dampstaining to foot of text block, light foxing to a few leaves. \$1,950.

ONLY EDITION. Meriton was a lawyer and a prodigious writer on a wide range of legal and non-legal topics. Born in the North Riding of Yorkshire, he is also remembered for his dialect poem *The Praise of Yorkshire Ale* (1683). *Nomenclatura Clericalis* is a wide-raging glossary of legal terms in English with their Latin equivalents. Not restricted to legal terms, it has sections devoted to such fields as botany, medicine, food and commerce. The final section is a collection of precedents. OCLC locates 2 copies in North American law libraries (Harvard, University of Pennsylvania). *ESTC* R23284.

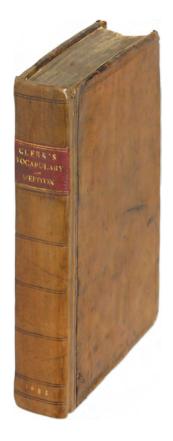


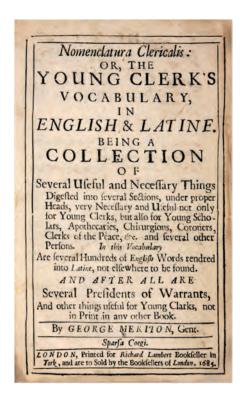
87 MIDDLETON (MYDDELTON), SIR THOMAS [1586-1666].

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

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

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





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

A

DECLARATION

PVBLISHED BY

SIR THOMAS MIDDLETON

Knight, Serjeant-Major-Generall, and

Vice-Admirall for the fixe Counties of

NORTH-WALES.

Setting forth the Illegality and Incongruity of a pernicious Oath
andProtestation, imposed upon many peaceable Subjects within the faid Counties (who to avoid Plundering or Imprisonment) were inforced to take the same, whereby the Imposers of the faid Oath endeavour under paine of perjury, to make the people to renounce their owne just liberties, and the benefit, and protection of the knownel Lawes, and to submit to a Tyranicall, Arbitrary, and slavish government, exercised by the Commissioners of Array.

AND LIKEWISE,

Setting forth the use and intentions of the Forces raised for the Service of the King and Parliament, under the Command of the said Sir Thomas Middleton, the benefit that the Country shall receive by their Protection: And what they are to expect that contemne their Power.

Nº 87



Detail from N° 87

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

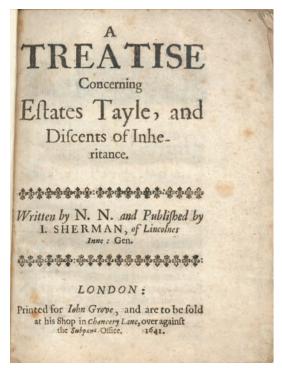
88 N.N.

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

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

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

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



Nº 88



1584 TOTTEL EDITION OF THE OLD NATURA BREVIUM

A SCARCE NATURA BREVIUM, BEALE T94

89 [NATURA BREVIUM].

La Vieux Natura Brevium, Dernierment Corrigee et Amend', &c. Nouelment Imprimee.

London: In Aedibus Richardi Tottelli, 1584. 180, [4] ff. Complete. 12mo. (5-3/4" x 4").

Contemporary calf, blind-stamped insignia and monogram "WC," and later blind stamp "SC" to upper corner, raised bands. Moderate rubbing to extremities with wear to spine ends and corners, front hinge starting. Occasional light dampstaining. Despite these minor impediments, a well-preserved, highly desirable copy in its original state.

A CORNERSTONE OF THE COMMON LAW, the Natura Brevium is a selection of writs, with commentary, based on the Registrum Brevium dating from the reign of Edward III. The first printed edition of the Natura Brevium was published in 1494 by Richard Pynson. After Sir Anthony Fitzherbert published his New Natura Brevium in 1534 it was referred to as the Old Natura Brevium. They were indispensible handbooks for lawyers and clerks. This edition stands apart from the numerous editions produced during the sixteenth century because it was printed by Richard Totell [fl. 1553-1594]. Totell was an important London printer who owned the patent for many common law books. Walker, Oxford History of Law 867. ESTC S113106. Beale T97.





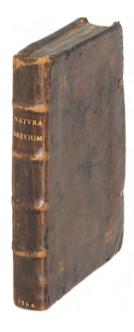
90 [NATURA BREVIUM].

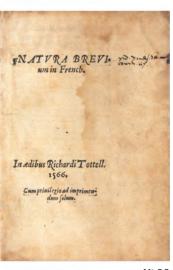
Natura Brevium in French.

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

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

WITH TABLE. Text in Law-French and Latin. The actual date for this imprint is stated in the colophon: "Imprinted...1567 Ianuarii vicesimo primo." Most of the annotations are citations to the Year Books. The notes on the front endleaves form a brief index of selected topics. OCLC locates 4 copies. The ESTC locates five copies in the British Isles and five copies in North America. ESTC S113105. Beale T94.





Nº 90

RARE IMPRINT OF A PROFITABLE BOOKE THAT IS NOT LISTED IN BEALE

91 PERKINS, JOHN [D. 1545].

A Profitable Booke of Maister Iohn Perkins, Felowe of the Inner Temple Treating of the Lawes of Englande.

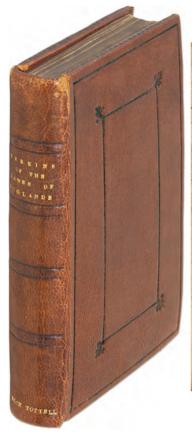
[London]: Apud Richardum Totell, [c.1560-1565]. 19, 168 ff. Complete except for blank leaf C4, which precedes Fol. 1. Octavo $(5-1/4" \times 3-3/4")$.

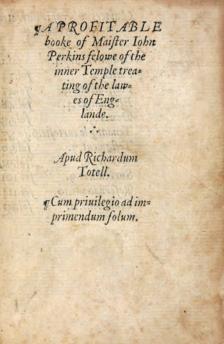
Attractive late-nineteenth century maroon polished calf, blind frames to boards, raised bands and gilt titles to spine, endpapers renewed. Negligible light rubbing to spine ends and joints. Top edge gilt. The first leaf of the proem has a splendid decorated initial illuminated in gold against a blue background, main text has a woodcut decorated initial. Early underlining and brief annotations to a few leaves. Offsetting to margins of endleaves, negligible light wear and browning to a few leaves, interior otherwise fresh. A desirable copy of a rare imprint. \$3,500.

EARLY EDITION OF A WORK first published in 1528. Main text in Law-French, preface in Latin. A popular work during the

sixteenth and early seventeenth centuries that was held in high regard by Coke, Perkins' *Profitable Booke* went through numerous editions in both English and Law-French. Devoted mostly to the land law as developed in the Year Books, it is divided into the following topics: grants, deeds, feoffments, exchanges, dower, curtesy, wills, devises, surrenders, reservations, and conditions. According to Marvin's *Legal Bibliography*, "the English translations are, more or less, inaccurate, and have accumulated errors...the French editions, therefore, are generally to be preferred" (563).

This copy does not have a publication date, but its colophon, pagination (stated above) and printing errors suggest either 1560 or 1565. The colophon reads: "Imprinted at Lon-/ don in fletestrete with-/ in temple barre, at the signe of/ the hande and starre, by/ Richarde Tottle"; leaf 154 is numbered 167. All of the imprints listed in Beale have printed dates. However, Pollard and Redgrave list two undated imprints with the provisional dates of 1560 and 1565. Records on OCLC with an identical colophon, pagination and printing errors of our copy state 1560, except for Harvard, which gives a provisional date of 1559. Our copy thus falls between the 1555 and 1567 Tottel editions. OCLC locates 7 copies. *HEL* V:388. Pollard & Redgrave 19634/19634.5. *ESTC* S4042. Marvin 563.







"A PROFITABLE BOOKE"

92 PERKINS, JOHN.

A Profitable Booke of Master John Perkins, Fellowe of the Inner Temple. Treating of the Lawes of Englande.

[London: In Fletestreete...Within Temple Barre...By Richarde Tottell, 1586]. [xx], 168 ff. Complete. Octavo (5-1/2" x 4").

Contemporary calf, blind rules and large central arabesques flanked by owner initials (E B) to boards, rebacked, lettering piece and blind rules to spine, corners repaired, endpapers renewed. Some rubbing to extremities, corners bumped and somewhat worn, crack in text block between title page and following leaf. Some toning, minor edgewear to preliminaries, chip to fore-edge of fol. [xvii] faint dampstaining to fore-edge and lower margins of most of text. Brief early annotations to a few leaves, a few minor inkstains, interior otherwise clean. \$1,250.

LATER EDITION. Main text in Law-French, preface in Latin. *ESTC* S108588. Beale T424.

CLASSICAL ROOTS OF THE ENGLISH JURY

93 PETTINGAL, JOHN [1708-1781].

An Enquiry Into the Use and Practice of Juries among the Greeks and Romans; from whence the Origin of the English Jury May Probably be Deduced.

London: Printed for the Author, by W. and W. Strahan, 1769. xv, [1], 200 pp. Quarto $(10-3/4" \times 8-1/4")$.

Recent period-style quarter calf over cloth, raised bands and lettering piece to spine, endpapers renewed. Light browning to text, faint dampstaining to margins in a few places. Early owner signature (of Jas. Neilson) to foot of title page, interior otherwise clean. \$850.

ONLY EDITION. This early history of juries is enriched with numerous citations from Greek and Latin authors. "[T]he Reader (...) will be pleased to find the glorious Characteristic of this Nation, a Jury, to be originally founded in the Liberty of Greece, and handed down to us Through the Channel of the Commonwealth of Rome, and the Colonies Planted in their conquests.": Preface xiii. Pettingal, a Doctor of Divinity and a Fellow of the Society of Antiquaries, was a prebendary of Lincoln Cathedral. ESTC T32774.

"ONE OF THE HANDFUL OF FIRST-RATE ECONOMIC TREATISES AND A CLASSIC ON ITS SUBJECT"

94 [PETTY, SIR WILLIAM (1623-1687)].

A Discourse of Taxes and Contributions: Shewing the Nature and Measures of Crown-Lands, Assessments, Customs, Poll-Moneys, Lotteries, Benevolence, Penalties, Monopolies, Offices, Tythes, Hearth, Excise, &c. With Several Intersperst Discourses and Digressions Concerning Wars, The Church, Universities, Rents and Purchases, Usury and Exchange, Banks and Lombards, Registries for Conveyances, Beggars, Ensurance, Exportation of Money, Wooll, Free Ports, Coins, Housing, Liberty of Conscience, &c. The Same Being Frequently Applied to the State and Affairs of Ireland, And is Now Thought Seasonable for the Present Affairs of England; Humbly Recommended to the Present Parliament.

London: Printed for Edward Poole, 1689. [x], 72 pp. Lacking half-title and two initial blank leaves. Quarto $(7-3/4^{\circ} \times 6^{\circ})$.

Stab-stitched pamphlet bound into later cloth, gilt title to spine, endleaves renewed. Light rubbing, a few minor stains, spine ends and corners bumped. Very light browning and light foxing to text, early repairs to margins of a few leaves. \$3,500.

SIXTH AND FINAL EDITION. Petty, an economist, scientist and philosopher, is considered the father of laissez-faire economic policy and an important theorist of the division of labor. Originally published in 1662, A Discourse of Taxes and Contributions, addresses the theoretical foundations of value and wages, profit or surplus, interest, the value of land, and foreign exchange. "Written in the midst of urgent practical tasks, the Treatise was plainly occasioned by another question of great immediate importance - the reorganisation of the Revenue by the Restoration Parliament. However, in contrast to the many economic treatises written in defence of concrete interests, while professing to be unbiased theoretical pronouncements, Petty's work is even more remarkable for its theoretical digressions than for its acute and important analysis of its immediate subject. So far from making any claim to scientific detachment, it contains a devastating attack on his bêtes noires, the parasites on the body politic, primarily the clergy and the lawyers, but its greatest achievement is his searching treatment of the main problems of scientific economics. The book is brimful of brilliant ideas, although it inevitably suffers from the defects of its qualities - lack of system, prejudice and sometimes inconsistency. These blemishes cannot shake its position as one of the handful of first-rate economic treatises and a classic on its subject" (Strauss). All editions of this work are scarce. OCLC locates 16 copies of the sixth edition, 9 in North America, none in law libraries. Strauss, Sir William Petty: Portrait of a Genius 176. Goldsmiths'-Kress 2749. ESTC R20953.

FEAR OF A STANDING ARMY

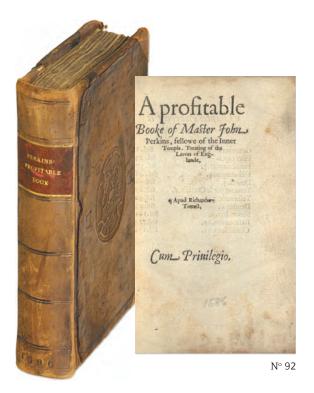
95 PHILIPPS, FABIAN [1601-1690].

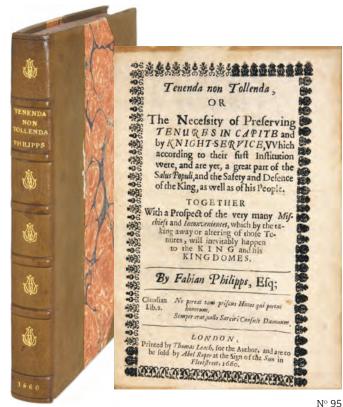
Tenenda non Tollenda, Or the Necessity of Preserving Tenures in Capite and by Knight-Service, Which According to Their First Institution Were, and are Yet, a Great Part of the Salus Populi, and the Safety and Defense of the King, as Well as of His People. Together with a Prospect of the Very Many Mischiefs and Inconveniences, Which by the Taking Away or Altering of Those Tenures, Will Inevitably Happen to the King and His Kingdomes.

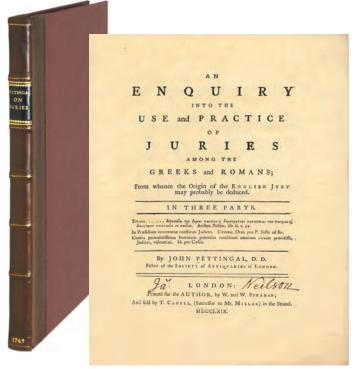
London: Printed by Thomas Leach, 1660. [xiv], 276 pp. Quarto (7-1/4" x 5-1/4").

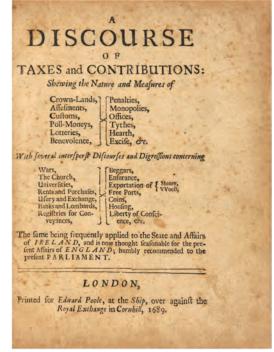
Later three quarter calf over marbled boards, raised bands, gilt title and gilt ornaments to spine, speckled edges, endpapers renewed. Negligible light rubbing to extremities, a bit of worming to front board and rear pastedown, front hinge cracked, rear hinge starting. Title printed within woodcut typographical border. Light toning to text, somewhat heavier in places, offsetting to margins of title page and final text leaf. A few cross-outs and corrections in a small early hand, interior otherwise clean. \$1,250.

AN IMPORTANT BOOK according to Holdsworth, *Tenenda non Tollenda* was written to protest the recent abolition of military tenures, a system through which the crown granted lands in exchange for military services, either personal or through the provision of troops. He feared this would eventually lead to the creation of a standing army, a potential tool of royal oppression. On a broader level the abolition of military tenure eliminated a legal bond that balanced the interests of the monarchy and large landholders. A thoroughly argued thesis, it is supported by 72 points. *HEL* VI:610. *ESTC* R16070.









Nº 93

Nº 94



Detail from Nº 96

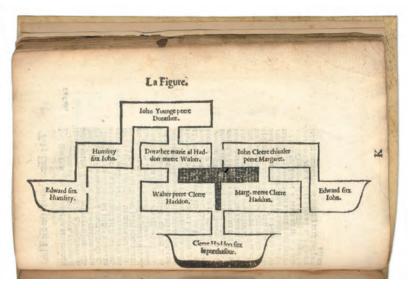
FIRST EDITION IN ENGLISH OF THE FIRST
NOMINATIVE REPORTER

96 PLOWDEN, EDMUND [1518-1585].

The Commentaries, Or Reports of Edmund Plowden, Of the Middle-Temple, Esq; An Apprentice of the Common Law, Containing Divers Cases upon Matters of Law, Argued and Adjudged in the Several Reigns of King Edward VI. Queen Mary, King and Queen Philip and Mary, And Queen Elizabeth. Originally Written in French, And now Faithfully Translated into English, And Considerably Improved by Many Marginal Notes and References to All the Books of the Common Law, Both Ancient and Modern. To Which are Added, The Quaeries of Mr. Plowden, Now First Rendered into English at Large, With References, And Many Useful Observations. In Two Parts. With Two New Tables, More Compleat than any Yet Published, The One, Of the Names of the Cases, The Other of the Principal Matters.

[London]: Printed by Catharine Lintot, and Samuel Richardson, 1761. vi, [2], 401, [3], 403–567, [1]; 15, [1]; [2], 68; [48] pp. Two parts. Part II has a separate title page beginning: *The Second Part of the Commentaries...* with the imprint: "London: Printed for the Translator..., 1761." Copperplate portrait frontispiece. Pagination and register continuous. Text complete. Folio (14" x 9").

Contemporary calf, rebacked in period style, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, blind tooling to board edges, hinges mended. Light rubbing, scratches and some shallow scuffs to boards, moderate rubbing to board edges, corners bumped and somewhat worn. Moderate toning, light foxing in a few places, faint dampstaining to heads of preliminaries near gutter, light soiling and faint offsetting from



Detail from N° 97

frontispiece to title page, which has a small early repair and "1776" in tiny hand near its upper corner. A handsome copy. \$1,000.

FIRST EDITION IN ENGLISH. Covering the years 1550–1580, Plowden's *Reports* "In every sort of professional excellence... rank among the best reports of any age" (Wallace). The translation has a great number of additional notes and references. Two works are appended to Part II: the case of "Basset and Morgan versus Manxel. at Serjeant's Inn" and Plowden's "Quaeries." These works have individual title pages and paginations. Plowden produced this the first nominative reporter which is notable for its focus on points of law rather than arguments. Wallace 143–153. *ESTC* T144729.

AN EARLY GUIDE TO PLOWDEN'S REPORTS

97 PLOWDEN, EDMUND. A[SHE], T[HOMAS] [FL. 1599-1618].

Abridgement des Touts les Cases Reportes Alarge per Mounsieur Plowden, Ouesque les Exceptions al Pleadings, & Leur Responses, Les Resolutions des Matters in Ley, & Touts Auters Principal Matters Surdants sur les Arguments de Mesmes. Composee & Digest per T.A.

London: Printed [by Adam Islip] for the Company of Stationers, 1607. 91, [1] ff. Table. Octavo $(5-1/2" \times 3-1/2")$.

Recent flexible vellum, calf lettering piece to spine, endpapers renewed. Title printed within typographical border. Moderate toning to text, somewhat heavier in places, faint dampstaining to lower margins of rear third of text block, light browning and some edgewear to preliminaries. Three (indecipherable) eighteenth-century signatures in miniscule hands to title page, brief early annotations and marks to margins of a few leaves. A nice copy.

\$950.

SECOND EDITION. Published around 1597, Ashe's was the first abridgment of Plowden. Well received, it had a second edition in 1607 and was reissued in an English translation in 1650. First published in 1571 and covering the period of 1550–1580, Plowden's *Reports* marks the transition away from the cumulative method of the Year Books to one based on exposition and commentary. In most respects it is a precursor of the modern reporter. *ESTC* S114927.

"FOR THE GENEREALL EASE AND DAILY USE OF ALL SUCH AS SHALL HAVE OCCASION TO REMOVE ANY PERSON, CAUSE OR RECORD"

98 POWELL, THOMAS [1572?-1635?].

The Attornies Almanacke. Provided & Desired for the Generall Ease and Daily Use of All Such as Shall Have Occasion to Remove any Person, Cause or Record, From an Inferiour Court to Any the Higher Courts at Westminster.

London: Printed by B[ernard] A[lsop] and T[homas] F[awcet] for Ben: Fisher, 1627. [viii], 72 pp. Quarto (7" x 5-1/4").

Stab-stitched pamphlet bound into recent calf, gilt title to spine, endleaves added. Light rubbing, corners and spine ends bumped. Moderate toning to text, slightly heavier in places, light soiling to front endleaf and p. 72. A handsome copy. \$1,000.

ONLY EDITION. Powell was a notable poet, a man of letters and an industrious legal antiquarian. In this work, the *Attourney's Academy* and the *Direction for Search of Records* Powell offered guidance to lawyers concerning the location and use of records, mostly to settle title claims. All are mentioned favorably by Holdsworth, who notes that the study of early records was an important aspect of legal education. In a sense, these books helped students to locate material for study. They are also important sources for students of Shakespeare. (All are listed in Lee's *Catalogue of Shakespeareana*). OCLC locates 6 copies in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Pennsylvania, University of Washington, Yale). *HEL* V:381. *ESTC* S115029.

THE ATTOURNEY'S ACADEMY:
ONE OF THE FIRST PROCEDURE MANUALS

99 POWELL, THOMAS.

The Attourney's Academy: Or, The Manner and Forme of Proceeding Practically, Upon any Suite, Plaint or Action Whatsoever, in Any Court of Record Whatsoever, Within this Kingdome. Especially, in the Great Courts of Westminster, To Whose Motion All Other Courts of Law or Equitie; As Well Those of the Two Provinciall Counsailes, Those of Guild Hall London; As Those of Like Cities and Townes Corporate, And All Other of Record are Diurnally Mooved. With the Moderne and Most Usuall Fees of the Officers and Ministers of Such Courts. The Third Impression Corrected and Inlarged With Additions of the Verge Court And Others. Publisht by His Maiesties Speciall Priviledge, And Intended for the Publike Benefit of All His Subjects.

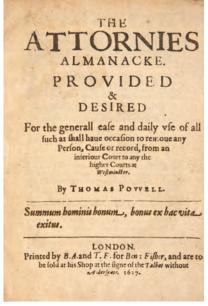


London: Printed for Benjamin Fisher, And are to be Sold at his Shop in Aldersgate–Street, At the Signe of the Talbot. 1630. [xii], 88, 89–230, [60], 16, [4] pp. 16pp. Section titled, *The Marshalsey, Or Verge Court* bound at end between pp. [60] and [61]. Text complete. Quarto $(7" \times 5-1/2")$.

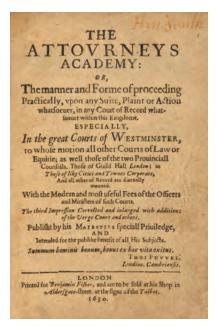
Early 20th-century fine binding in sprinkled polished calf (by Henry Young & Sons, Liverpool), expertly rebacked retaining

original extra gilt spine with lettering piece and raised bands, gilt frames to boards, all edges gilt, gilt inside dentelles, hinges mended. Moderate rubbing to extremities, a few light cracks and minor scuffs to boards. Woodcut head and tail-pieces. Light browning to text, very light soiling to title page. Later inscription to front free endpaper, early owner signature to head of title page, brief annotation to following leaf. A very attractive copy. \$750.

"THIRD IMPRESSION, CORRECTED," one of two issues published in 1630. "The Register and the commentaries upon it were, as we have seen, books of the old order. As Trespass and its offshoots gradually encroached upon the sphere of the older forms of actions, as newer courts sprang up, the procedure of which was not that of the common law, these book became less useful to the practitioner. Their place tended to be taken by books of practice which shortly and tersely described the procedure of all the different courts. One of the oldest...is the *Attourney's Academy*, written...in 1623. *ESTC* S106028. Sowerby 1921.



Nº 98



N° 99

PRIESTLEY'S FIRST SUBSTANTIAL POLITICAL WORK, AN INFLUENCE ON THE CONSTITUTIONAL THOUGHT OF THE AMERICAN FOUNDING FATHERS

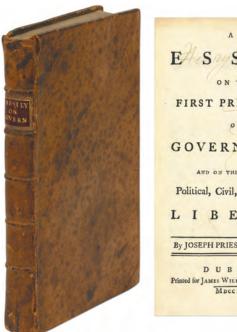
100 PRIESTLEY, JOSEPH [1733-1804].

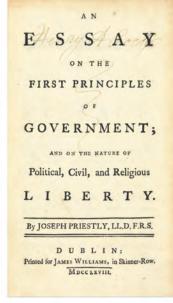
An Essay on the First Principles of Government; And on the Nature of Political, Civil, And Religious Liberty.

Dublin: Printed for James Williams, 1768. xii, 214 pp. Octavo (6-1/2" $\times 3-3/4"$).

Contemporary mottled calf, raised bands and lettering piece to spine. Moderate rubbing to extremities, small chip to head of spine, front joint just starting at head, corners bumped, light toning to text. Faint early owner signature to title page, small mark in miniscule hand ("17.355") to front pastedown, interior otherwise clean.

FIRST DUBLIN EDITION, and the second edition overall, a reprint of the London edition published the same year. Priestley's first substantial political work, one that influenced several American founding fathers, such as John Adams and Thomas Jefferson, An Essay on the First Principles of Government is a full expression of his deeply held humanitarian beliefs. It is based on Priestley's Essay on a Course of Liberal Education (1765), which took issue with the authoritarian educational philosophy favored by John "Estimate" Brown in his Thoughts on Civil Liberty. Priestley develops the theme of his earlier essay further, arguing for a system of education compatible with the liberal political philosophy that he advocates as a matter of morality and a prerequisite for social progress. Adams and Jefferson owned copies of this book. A note in Sowerby says Jefferson often recommended it to others and cites a letter from 1802 in which he says it expressed the principles of the U.S. Constitution and their practical development in many of its articles. Sowerby 2332 (listing the second edition, London, 1771). www.johnadamslibrary.org/book/?book=241467Adams291.1 (listing the second edition). ESTC N9377.





Nº 100

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

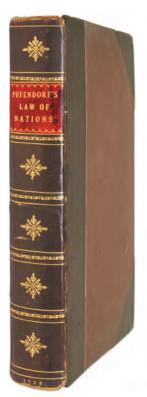
101 PRYNNE. WILLIAM [1600-1669].

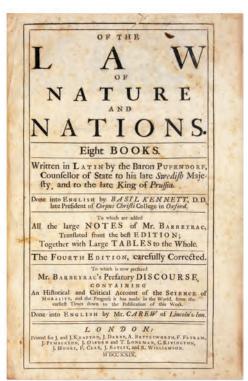
Aurum Reginae; Or a Compendious Tractate, And Chronological Chronological Collection of Records in the Tower, And Court of Exchequer Concerning Queen-Gold: Evidencing the Quiddity, Quantity, Quality, Antiquity, Legality of this Golden Prerogative, Duty and Revenue of the Queen-Consorts of England. The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

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

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

ONLY EDITION. Broadly a defense of the King's right to impose taxation on his subjects, these essays are a historical review and defense of the aurum reginae, or queen-gold, a revenue raised by the king to support the queen and her retainers. Prynne was a contentious and erudite Puritan attorney and legal antiquarian who wrote several books and pamphlets about legal history, religion and politics. He had an unrivalled ability to antagonize others. His personality and choice of targets eventually led to his disbarment, imprisonment, and mutilation (loss of ears) by the Court of Star Chamber. After the Restoration Prynne was appointed Royal Archivist in the Tower of London. The owner who received this copy from Prynne was probably the Thomas Manby who was the lawyer and legal author who edited later editions of Pulton's Collection of all the Statutes now in Use. Prynne and Manby were fellow barristers of Lincoln's Inn. ESTC R4976.





Nº 102

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

102 PUFENDORF, SAMUEL VON [1632-1694].
BARBEYRAC, JEAN [1674-1744], PREFATORY DISCOURSE.

Of the Law of Nature and Nations. Eight Books. Written in Latin by the Baron Puffendorf. Done Into English by Basil Kennet. 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. 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.

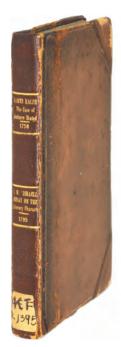
London: Printed for J. Walthoe, R. Wilkin, [et. al.], 1729. [xxiv], 316, 321–480, 477–878; [iv], 39, 44–88, [4], [22] pp. Pagination irregular. Complete, but Barbeyrac's prefatory discourse is misbound at rear of text. Main text in parallel columns. Folio (13" x 8–1/2").

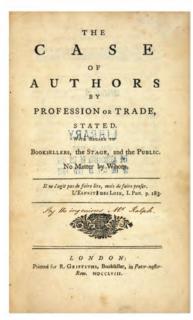
Nineteenth-century three-quarter calf over cloth, gilt fillets to boards, raised bands, lettering piece and gilt ornaments to spine, endpapers renewed, hinges reinforced with cloth tape. Moderate rubbing to extremities with some wear to spine ends and corners, joints cracked, later owner bookplate to front pastedown. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing in places. Early owner corrections in a miniscule hand, to passages in a few leaves, interior otherwise fresh. \$950.

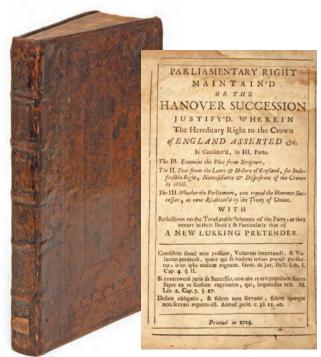
FOURTH ENGLISH EDITION. In 1662 Pufendorf was appointed to the first modern professorship in natural law (at the University of Heidelberg). In 1670 he became professor of natural law at the University of Lund in Sweden. First published in 1672,

De Jure Naturae et Gentium 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. ESTC N61031.









Nº 104

Nº103



Details from N° 103

INDIRECT INFLUENCES ON THE DEVELOPMENT OF COPYRIGHT LAW

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

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

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

[BOUND WITH]
D'ISRAELI, ISAAC [1766-1848].

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

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

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

FIRST EDITIONS. Born in New Jersey, Ralph was a versatile writer of literary works, histories and political criticism. He began his career in Philadelphia, where he associated with Benjamin Franklin. He traveled with Franklin to London in 1725 and remained there for the rest of his life. An author of some stature, he worked closely with Henry Fielding and was one of the writers satirized in Pope's *Dunciad*. The Case of Authors is one of his most important and enduring works. It argues that the decline of aristocratic patronage has placed the writer at the mercy of the marketplace, with negative financial, artistic and intellectual consequences. Although it sold poorly, it went on to influence literary criticism and the development of copyright law. It was reissued in 1762. Cited in works by Oliver Goldsmith and Thomas Babington Macaulay, it also influenced the Essay on the Manners and Genius of the Literary Character. It was a popular book that reached its fourth edition in 1828. Its author, the father of the Prime Minister, was a notable literary scholar and essayist. George P. Philes, a previous owner of this volume, was a notable bibliographer, literary critic and bibliophile. ESTC T19997 (Ralph), T10985 (D'Israeli).

THE CONSTITUTIONAL DANGER
POSED BY A "NEW LURKING PRETENDER"

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

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

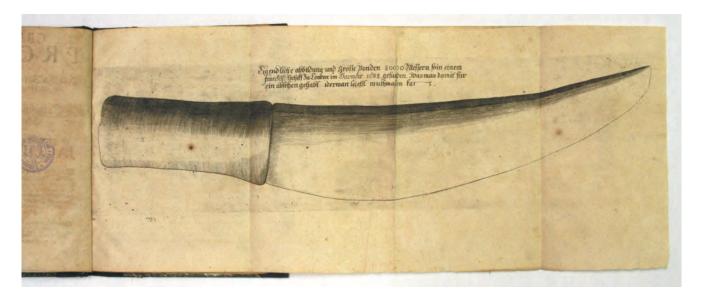
[London?]: Printed in 1714. [x], 262 [i.e. 260] pp. Octavo $(7-1/4" \times 4-3/4")$.

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

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



Detail from N° 103



EARLY ACCOUNT OF JAMES II'S ATTEMPT TO RECAPTURE THE ENGLISH THRONE

105 [SCOTLAND]. [JAMES II, KING OF ENGLAND, SCOTLAND AND IRELAND (1633-1701)].

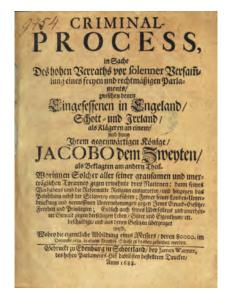
Criminal-Process, In Sache Des Hohen Verraths vor Solenner Versam[m]lung eines Freyen und Rechtmäßigen Parlaments/ Zwischen denen Eingesessenen in Engeland/ Schott- und Irrland/ als Klägeren an Einem/ und dann Ihrem Gegenwärtigen Könige/ Jacobo dem Zweyten/ als Beklagten am Andern Theil: Worinnen Solcher aller seiner Grausamen und Unerträglichen Tyranney gegen Erwehnte drey Nationen; Dann Seines Vorhabens umb die Reformirte Religion Auszurotten/ und Hingegen das Pabstthum nebst der Sclaverey Einzuführen; Ferner Seiner Landes-Unterdrückung und Vermessenen Unternehmungen gegen Jener Grund-Gesetze/ Freyheit und Privilegien; Endlich auch Seines uberfallens und Unervöter Gewlt gegen Derselbigen Leben/ Guter und Eigenthum/ Etc. Beschuldigt/ und aus denen Gesetzen Überzeuget Wird; Wobey die Eigentliche Abbildung eines Messers/ Deren 80000. Im Decembr. 1688. In einem Frantzös. Schiffe zu Londen Gefunden Worden.

4 6 754

Edinburgh: Bey James Warner, 1688. 36 pp. Folding copperplate (of a knife). Quarto $(7-1/2" \times 6")$.

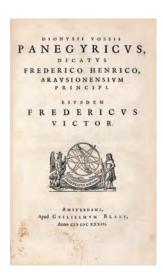
Stab-stitched pamphlet bound into nineteenth-century threequarter pebbled cloth over marbled boards. Some rubbing to extremities with light wear to spine ends and corners. Light browning to text, early notation to head of title page in small hand. Ex-library. Shelf label to front board, stamps and annotations to verso of title page, another stamp to verso of folding plate. A nice copy of a scarce title. \$1,850.

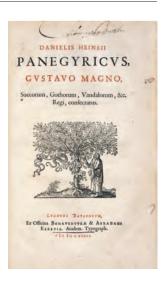
FIRST EDITION. Published during the 1688–1691 Williamite War (or Williamite–Jacobite War) for the predominately Protestant German community in Scotland, this is an indictment of James II's attempt to regain the English throne through force in the form of a legal brief. It pays particular attention to the military assistance provided to James II by France. As indicated in the title, French support included a supply of long knives to the Jacobites. The plate depicts one of these knives. Another edition of this pamphlet was published in 1689. Both editions are very scarce, OCLC locates 1 copy of the 1688 edition in North America (UCLA), 1 of the 1689 (University of Pennsylvania). *VD17* 3:007223K.











THE FIRST MAJOR ENGLISH TEXT ON INTERNATIONAL LAW

106 SELDEN, JOHN [1584-1654].

Mare Clausum Seu de Domino Maris Libri Duo. Primo, Mare, ex Jure Naturae Seu Gentium, Omnium Hominum non Esse Commune, Sed Dominii Privati seu Proprietatis Capax, Pariter ac Tellurem, Esse Demonstratur. Secundon, Serenissimum Magnae Britanniae Regem Maris Circumflui, ut Individuae Atque Perpetuae Imperii Britannici Appendicis, Dominum Esse, Asseritur.

London: Excudebat Will. Stanesbeius, pro Richard Meighen, 1635. [xxvi], 304, [12], [1] pp. Copperplate map, woodcut map, six woodcut text illustrations.

[BOUND WITH] SELDEN, JOHN.

De Successionibus in Bona Defuncti, Ad Leges Ebraeorum, Liber Singularis. Editio Altera, Correctior & Multum Auctior. Accedunt Ejusdem De Successione in Pontificatum Ebraeorum, Libri Duo. Prior Historicus Est; Pontificum ab Aharone Usque ad Templi Secundi Excidium Successionem Continens. Posterior est Iuridicus; Legitima, Seu Quae in Successione Pontificali Adeoque in Admissione ad Munus Sacerdotale Apud Ebraeos Juris Fuere Complexus.

London: Excudebat Richardus Bishop, 1636. [vi], xxiv, [4], 266 pp.

[AND]

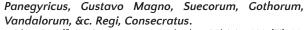
VOSSIUS, DIONYSIUS [1612-1642].

Panegyricus Dicatus Frederico Henrico Arausionensium Principi. Ejusdem Fredericus Victor.

Amsterdam: Apud Guilielmum Blaeu, 1633. 31 pp.

[AND]

HEINSIUS, DANIEL [1580-1655].



Leiden: Ex Officina Bonaventvrae & Abrahami Elzivir, 1632. [iii], 66, [1] pp.

Folio (11" x 7"). Contemporary calf, blind rules to boards, rebacked in period style with raised bands and retained lettering piece, endpapers renewed, hinges mended. Moderate rubbing to extremities, moderate scuffing to boards, corners bumped and some what worn, small gouge to front board. Title pages of the Selden and Heinsius titles printed in red and black. Woodcut head-pieces, tail-pieces, tail, pieces and decorated initials, title pages of works by Vossius and Heinsius have large woodcut printer devices. Light toning to text, somewhat heavier in places, minor stains to a few leaves. Recent owner signature to front free endpaper, early owner signature to head of *Panegyricus, Gustavo Magno*, interior otherwise clean. \$3,500.

MARE CLAUSUM, Panegyricus, Gustavo Magno, first edition; Successionibus; second edition; Panegyricus Dicatus, only edition. Selden's Mare Clausum is the most famous British reply to the argument of Hugo Grotius's Mare Liberum, which denied the validity of England's claim to the high seas south and east of England. Selden, argued that England's jurisdiction extends, in fact, to all waters surrounding the isles. His use of legal history and common-law principles to rebut Grotius's philosophical argument is quite impressive. De Successionibus is an exposition of rabbinical law and laws of inheritance by a commentator whose "familiarity with rabbinical literature was such as has been acquired by few non-Israelite scholars; and many details of oriental civilization and antiquities were certainly brought to the knowledge of Europeans for the first time in them" (DNB). The other two titles remind us that Mare Clausum dates from one of the most turbulent eras in European history. Vossius's piece is a poem commemorating the deeds of Frederick Henry, Prince of Orange [1584-1647], who led Dutch forces to victory, established the independence of the United Provinces and governed them for a large part of its golden age. Heinsius's essay praises Gustavus Adolphus of Sweden [1594-1632]. One of the greatest military commanders in European history, he established Sweden as a leading European power during the Thirty Years War. Two other editions of Heinsius's essay were published in 1633 and 1637. DNB XVII:1157. Selden: ESTC S117048 (Mare Clausum), S117055 (De Successionibus); Vossius, Heinsius: BMC 26:402, 11:1107.

WITH A EULOGY FOR SELDEN BY BEN JONSON

107 SELDEN, JOHN.

Titles of Honor, By Iohn Selden.

London: Printed by William Stansby for Richard Whittakers, 1631. [xxxvi], 67, 98-102, 101-941, [3] pp. Pagination irregular, text complete. Copperplate portrait frontispiece, woodcut, and a few copperplate, text illustrations. Folio (11" x 7").

Eighteenth-century speckled sheep, rebacked retaining spine, gilt-stamped owner insignia to front and rear boards, raised bands, recent (?) period-style lettering piece and, at foot, "1631" to spine, hinges mended. A few negligible light scuffs to boards, moderate rubbing to extremities. Title page printed in red and black. Moderate toning, somewhat heavier in places, faint dampstaining to foot of text block below text, notes in early hand to a few leaves, early owner signatures to front endleaves, light soiling to title page. A strikingly handsome binding. \$1,000.

SECOND EDITION, ONE OF TWO ISSUES from 1631. With a eulogy by Ben Jonson. Selden's great historical work on nobility begins with a general discussion of titles and nobility. The following chapters consider the nobility of ancient Greece and Rome, Europe, the British Isles, the Roman Catholic and Greek Orthodox Churches, the Middle East and Asia. The final chapters survey various aspects of ceremony and precedence. First published in 1614, this work went through three editions. The third is the best because it contains substantial additions. The text has numerous illustrations of court dress, insignia and maps. *ESTC* S124237.

SELDEN'S GROUND-BREAKING UXOR EBRAICA

108 SELDEN, JOHN.

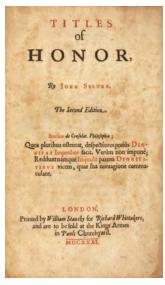
Uxor Ebraica, Seu de Nuptiis et Divortiis Ex Jure Civili, Id est, Divino & Talmudico, Veterum Ebraeorum, Libri Tres. Ejusdem de Successionibus ad Leges Ebraeorum, Libri Tres, Ejusdem de Successionibus ad Leges Ebraeorum in Bona Defunctorum. Liber Singularis: In Pontificatum, Libri Duo.

Frankfurt-on-Oder: Sumptibus Jeremiae Schrey, 1695. [2], 456 [i.e. 460], [36], 248 pp. Two parts with individual pagination; second part, $De\ Successionibus$, preceded by divisional title page. Quarto $(8" \times 6-1/2")$.

Contemporary vellum, blind frames and large central arabesques to boards, raised bands and early hand-lettered title to spine, endpapers renewed. Light soiling, corners and spine ends bumped, a few minor scuffs to rear board, some creases and edgewear to endleaves. Main title page printed in red and black. Moderate toning to text, occasional light foxing to text, light soiling to title page. "102" in small recent hand to front pastedown, interior otherwise clean. \$850.

LATER EDITION. A scarce edition of Selden's work on the laws of Jewish marriage and divorce, applying his more general theory of natural law, and approaching the views of Milton. It was first published in 1646. Speaking of this and other works dealing with Jewish customs the DNB says "[his] acquaintance with the original of the Old Testament and the ancient versions and commentaries which all these works display is very great. Their author's familiarity with rabbinical literature was such as has been acquired by few non-Israelite scholars; and many details of oriental civilisation and antiquities were certainly brought to the knowledge of Europeans for the first time in them" (DNB). Despite the importance of this work it was not translated into English until 1991. DNB XVII:1157. VDI7 14:019894G.

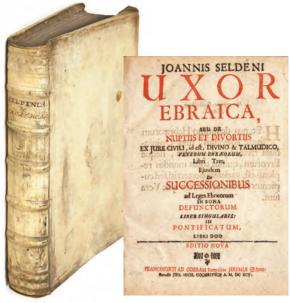




Nº 107



Detail from N° 107



Nº 108

VAIN MODISH LADIES

"INIOUITY OF THE TONGUE"

109 SHANNON, FRANCIS BOYLE, VISCOUNT [1623-1699].

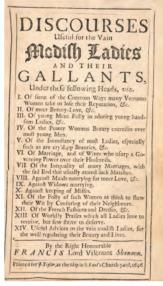
Discourses Useful for the Vain Modish Ladies and their Gallants Under these Following Heads, Viz I. Of Some of the Common Ways Many Vertuous Women Take to Lose their Reputation, &c. II. Of Meer Beauty-Love, &c. III. Of Young Mens Folly in Adoring Young Handsom Ladies, &c. IV. Of the Power Womens Beauty Exercises Over Most Young Men. V. Of the Inconstancy of Most Ladies, Especially Such as are Cry'd-up Beauties, &c. VI. Of Marriage, And of Wives who Usurp a Governing Power Over their Husbands. VII. Of the Inequality of Many Marriages, With the Sad End that Usually Attend Such Matches. VIII. Against Maids Marrying for Meer Love, &c. IX. Against Keeping of Misses XI. Of the Folly of Such Women as Think to Shew Their Wit By Censuring of Their Neighbours. XII. Of the French Fashions and Dresses, &c. XIII. Of Wordly Praises Which All Ladies Love to Receive, But Few Strive to Deserve. XIV. Useful Advices to the Vain Modish Ladies, for the Well-Regulating Their Beauty and Lives.

[London]: Printed for J. Taylor, At the Ship in S. Paul's Church-Yard, 1696. [xx], 60, 199, [1] pp. Each discourse has caption title; register and pagination begin anew with the third discourse. Octavo (6-3/4" x 4").

Contemporary mottled calf, blind rules to boards, raised bands and lettering piece to spine, hinges mended. A few minor nicks, light rubbing to extremities, corners bumped and somewhat worn. Light toning to text, somewhat heavier in places, early inkstains to rear free endpaper. A handsome, well-preserved copy of a rare title. \$3,500.

ONLY EDITION, ONE OF TWO ISSUES FROM 1696. Boyle was a privy councillor of Ireland and held the office of governor of County Cork. He was married to Elizabeth, daughter of Sir Robert Killigrew and sister of the dramatist Thomas Killigrew. His wife had a daughter by Charles II, Charlotte Jemima Fitzroy [ca. 1650–1684]. Counting both issues, OCLC locates 10 copies worldwide. *ESTC* R222490.





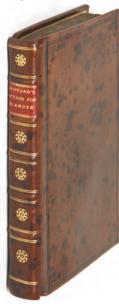
110 SHEPPARD, WILLIAM [D. 1675?].

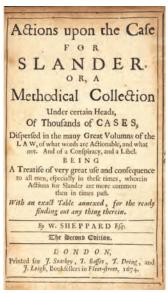
Actions Upon the Case for Slander. Or, A Methodical Collection Under Certain Heads, Of Thousands of Cases, Dispersed in the Many Great Volumes of the Law, Of What Words are Actionable, And What are Not. And of a Conspiracy, And a Libel. Being a Treatise of Very Great Use and Consequence to All Men, Especially in These Times, Wherein Actions for Slander are More Common Then in Times Past. With an Exact Table Annexed, For the Ready Finding Out Any Thing Therein.

London: Printed for J. Starkey, T. Basset, T. Dring, and J. Leigh, 1674. [viii], 287, [17] pp. Octavo $(6-3/4" \times 4-1/4")$.

Recent period-style calf. Blind rules with corner fleurons to boards, raised bands, gilt ornaments and lettering piece to spine. Woodcut head-pieces and decorated initials. Moderate toning to text, somewhat heavier in places, faint spotting to a few leaves, some discoloration and minor edgewear to title page. A nice copy in a handsome binding.

SECOND AND FINAL EDITION. Sheppard's treatise, originally published in 1662 as Action Upon the Case for Slander, was one of the first two books to address the topic. (The other was William March's Actions for Slaunder, 1647.) As indicated by its preface, Sheppard's is especially interesting. "[A]mong the abiding Iniquity of this Age, the iniquity of the Tongue, that little Member, set on fire by Hell, is not the least; And among the evils of the Tongue, is there any more pernicious and deadly, and yet more common and epidemical then Backbiting and Slander? (...) It is true, that in former times, wee finde Actions of the Case for Slanderous words very rarely brought; which speaks this much, that such words were then very rarely spoken. But in these daies they are become almost as natural to men, as their language and discourse; and therefore the disease, so deeply rooted, and overspreading, calls for the application of the Remedy, which our Law doth abundantly furnish us withall. And hence it is, I have been encouraged to ingage in this work; which is nothing else but a naked and Methodical Collection of the remedies prescribed by the Law against this Malady." OCLC locates 5 copies in North American law libraries (Library of Congress, State of Oregon Law Library, University of Pennsylvania, University of Washington, Yale). ESTC R31192.





Nº 109

Nº 110

ONE OF THE BEST MANUALS OF ITS KIND

111 [SHERIFFS].

The Compleat Sheriff: Wherein is Set Forth, His Office and Authority; With Directions, How and in What Manner to Execute the Same, According to the Common and Statute Laws of This Kingdom, Which are Now in Force and Use: And the Judgments and Resolutions of the Judges in Divers Late Cases, In the Several Courts of Westminster, Relating Thereunto. Likewise of Under-Sheriffs and Their Deputies; And Where the High-Sheriff Shall be Answerable for Their Defaults, And Where Not, &c. Together with the Learning of Bail Bonds; With an Explication of Stat. 23 H.6. Cap. 10. And Pleadings Thereon. Retorns of Writs, Remedies Against Non Retorn and Faux Retorn, Habeas Corpus, Venires, Challenges and Enquiry of Damages. Prisoners and Prisons. Execution by Fieri Fac', Elegit, &c. Escapes, Actions and Pleadings Therein. Fresh Pursuit, And Other Pleas. Attachment, Americament: Actions, Declarations and Pleadings on the Sheriffs Non-Fesance or Male-Fesance. Customs of London, As to Prisons, Courts, Process, Sheriffs Fees, Extortion, Sheriffs Accompts, &c. To Which is Added, The Office and Duty of Coroners.

London: Printed by the Assigns of R. and E: Atkyns, Esquires; For John Walthoe, 1696. [xxiv], 443, [21] pp. With preliminary advertisement leaf. Octavo $(7-1/2" \times 4-1/2")$.

Contemporary calf, blind rules to board, blind fillets along joints, raised bands and later lettering piece to spine, early repair to head of spine. Light rubbing and a few faint stains to boards, moderate rubbing to extremities, tiny chip to foot of spine, corners bumped and somewhat worn, hinges cracked. Moderate toning to text, faint dampstaining in places, Signature G (pp. 81–95) partially detached with some wear along fore-edge, horizontal tear through rear free endpaper. Early signatures to preliminaries (Gerrit van Schak, 1756), early annotations front pastedown and some leaves, additional annotations in same hand on small slips of paper pasted to edges of a few other leaves. An appealing copy. \$950.

FIRST EDITION. One of the most thorough books of its kind, the aptly-titled *Compleat Sheriff* is notably descriptive. It also includes citations of legal cases and bibliographical references. A useful and long-lived work, it saw five later editions, the last in 1778. All are scarce. OCLC locates 8 copies of the first edition in North American law libraries (Columbia, Georgetown, Harvard, LA County, Library of Congress, Southern Methodist University, University of Pennsylvania, University of Virginia). *ESTC* R1060.

A LOW POINT IN SOMERS'S CAREER

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

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

[London]: Printed by E. and R. Nutt, and R. Gosling, 1733. [ii], 128 pp. Quarto (8" \times 7").

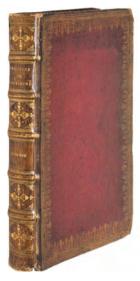
Stab-stitched pamphlet bound into recent quarter calf over cloth, raised bands, blind fillets and lettering piece to spine. Some toning to text, light foxing to a few leaves. A handsome copy. \$600.





Nº 111

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





Nº 115

CLASSIC ESSAY ON THE RIGHTS OF ENGLISHMEN

113 SOMERS, JOHN, BARON, ATTRIBUTED. DEFOE, DANIEL [1661?-1731], ATTRIBUTED. DUNTON, JOHN [1659-1733], ATTRIBUTED.

The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power and Prerogative of Kings, And the Rights, Priviledges, And Properties of the People: Shewing, The Nature of Government in General, Both from God and Man. An Account of the British Government; And the Rights and Priviledges of the People in the Time of the Saxons, And Since the Conquest. The Government Which God Ordain'd Over the Children of Israel; And that All Magistrates and Governors Proceed From the People, By Many Examples in Scripture and History; And the Duty of Magistrates From Scripture and Reason. An Account of Eleven Emperors, And Above Fifty Kings Depriv'd for Their Evil Government. The Rights of the People and Parliament of Britain, To Resist and Deprive Their Kings for Evil Government, By King Henry's Charter, And Likewise in Scotland, By Many Examples

London: Reprinted and Sold by J. William, 1771. [viii], 168 pp. Octavo $(7-1/2" \times 4-1/2")$.

Contemporary calf, gilt fillets to boards, rebacked with period-style spine with gilt-edged raised bands and contemporary lettering piece, marbled endpapers. Some rubbing to extremities, scuff to head of front board, negligible shallow scuff to rear, corners bumped and somewhat worn, early armorial bookplate to front pastedown, hinges mended. Light toning to text, spark burns and foxing to a few leaves. Later annotations to verso of front free endpaper, interior otherwise clean. An attractive copy. \$750.

TENTH EDITION, CORRECTED. This highly popular tract was first published in 1709 with the title *Vox Dei, Being True Maxims of Government*. Somers, a barrister of the Middle Temple, was Lord Chancellor of England and the author of *The Security of Englishmen's Lives* (1681), a tract on juries and one's right to a jury trial. The present work outlines the development of English freedoms, and calls for religious freedom, resistance to tyranny and a limited monarchy. It found a ready audience in the colonies on the eve of the American Revolution and was issued by presses in Philadelphia, Boston and Newport. It was read by several Founding Fathers, including Thomas Jefferson, who, owned the 1773 Philadelphia imprint. This work is attributed sometimes to John Dunton or Daniel Defoe. See Sowerby 2712. *ESTC* T29265.

HISTORIC STUDY OF GAVELKIND

114 SOMNER, WILLIAM [1598-1669].

A Treatise of Gavelkind, Both Name and Thing. Shewing the True Etymologie and Derivation of the One, the Nature, Antiquity, and Original of the Other. With Sundry Emergent Observations, Both Pleasant and Profitable to be Known of Kenting-Men and Others, Especially Such as Are Studious, Either of the Ancient Custome, Or the Common Law of This Kingdome. By (A Well-Wisher to Both).

London: Printed by R. and W. Leybourn, 1660. [xxiv], 216 [8] pp. Quarto (7" \times 5-1/2").

Nineteenth-century three-quarter calf over marbled boards, raised bands, gilt fillets and lettering piece to spine, endpapers renewed. Light rubbing to boards, some wear to extremities,

joints just starting at ends, front hinge cracked but secure, rear hinge starting, title page partially detached but secure. Armorial bookplate to front pastedown, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, occasional light foxing. An attractive copy overall. \$1,250.

FIRST EDITION, SECOND ISSUE. Gavelkind is a form of land tenure unique to Kent (and its environs) in which land descends equally to the decedent's sons. It was common during the Saxon era, but was gradually supplanted by primogeniture after 1066. Produced during the first wave of modern English legal scholarship, Somner's pioneering work was the first study of gavelkind, and one of the first important studies of early English law. Philological in orientation, it is a history of gavelkind and an analysis of its forms. Texts of significant documents are included. He also goes beyond his subject in one section to discuss the law of succession to chattels. Somner, a pupil of Causubon, was an ecclesiastical lawyer and historian of Anglo-Saxon law and literature who is best known for his pioneering Saxon-Latin-English dictionary (1659). ESTC R20010.

HISTORIC STUDY OF GAVELKIND

115 SOMNER, WILLIAM.

A Treatise of Gavelkind, Both Name and Thing. Shewing the True Etymologie and Derivation of the One, The Nature, Antiquity, And Original of the Other. With Sundry Emergent Observations, Both Pleasant and Profitable to be Known of Kentish-Men and Others, Especially Such as Are Studious, Either of the Ancient Custome, Or the Common Law of This Kingdome. By (A Well-Wisher to Both).

London: Printed for F. Gyles, 1726. [xiv], 136, [4], 216, [8] pp. Copperplate frontispiece. Quarto $(10-1/2" \times 8")$.

Nineteenth-century morocco, gilt fillets and dentelles to boards, gilt spine with raised bands and lettering piece, gilt edges, marbled endpapers, detached ribbon marker laid in. Moderate rubbing to extremities, small chip to foot of spine, corners bumped and worn, early armorial bookplate (of Thomas Hall) to verso of title page, which is printed in red and black. Woodcut head and tail-pieces, text printed with wide margins. Moderate toning to text, faint dampspotting in places, internally clean. A handsome copy

\$2,000.

SECOND AND FINAL edition. ESTC T132060.



Nº 114

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

116 SPENCER, JOHN [1630-1693].

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

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

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

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



Nº 116

WITH CONTEMPORARY ANNOTATIONS

117 STAUNFORD, SIR WILLIAM [1509-1558].

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

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

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

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

APPEALING EARLY EDITION OF STAUNFORD'S PLEES

118 STAUNFORD, SIR WILLIAM.

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

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

Eighteenth century calf with later rebacking, panels with corner fleurons to boards, raised bands and gilt title to spine, corners repaired. Light rubbing to extremities, a few minor scratches to boards, corners bumped and lightly worn, hinges starting at ends, later armorial bookplate (a letter C beneath a coronet) to front pastedown. Title printed within woodcut architectural border, woodcut decorated initials. Some toning to text. Underlining and brief annotations to some leaves in a fine early hand, interior otherwise clean. An appealing copy. \$2,000.

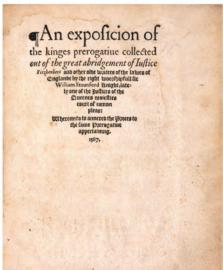
SECOND EDITION. First published in 1557, Staunford's *Plees* is considered a "principal book" by Pollock and Maitland, one that enables us "to trace our modern laws of crimes, from the later middle ages onwards." Based on Bracton and the Year Books, Staunford's treatise is divided into three parts. The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

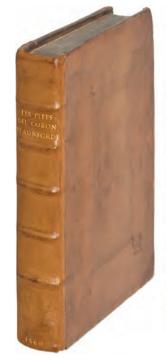






Details from N° 117

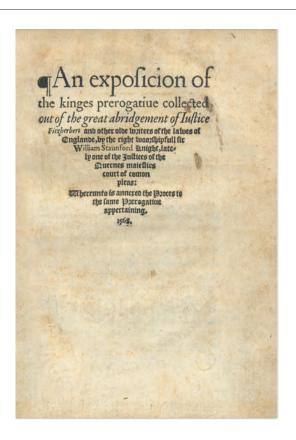






Nº 118





APPEALING COPY OF STAUNFORD'S PLEES AND KINGES PREROGATIVE

119 STAUNFORD. SIR WILLIAM.

Les Plees del Coron, Divisees in Plusors Titles & Comon Lieux. Per Queux Home Plus Redement & Plenairement Trovera Quelque Chose quil Quira, Touchant les Dits Plees. Dernierment Corrigee Avecques un Table Parfaicte des Choses Notables Contenues en Ycelle, Nouvelment Revue et Corrigee.

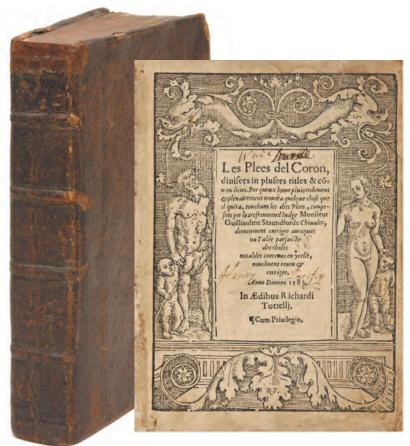
[London]: In Aedibus Richardi Tottelli, 1574. [xiv], 198 ff.

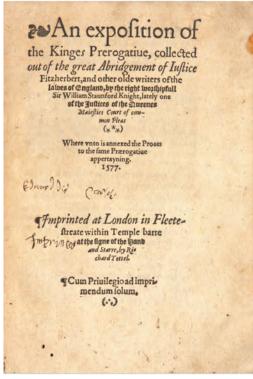
[BOUND WITH] STAUNFORD, SIR WILLIAM.

An Exposition of the Kinges Prerogative Collected Out of the Great Abridgement of Iustice Fitzherbert And Other Olde Writers of the Lawes of Englande. Whereunto is Annexed the Proces to the Same Prerogative Appertaining. [London: Imprynted...in Flete Strete Within Temple Barre...By Rychard Tottel, 1568]. [i], 85 ff.

Quarto (7-1/4" \times 5-1/4"). Contemporary calf, blind frames to boards, corners mended, rebacked, raised bands and lettering pieces to spine, early hand-lettered title to fore-edge, endpapers renewed. Moderate rubbing to extremities, minor chipping to spine ends, front joint cracked, rear joint starting, cracks in text block before title page and after final index leaf. Title page of *Plees* printed within large woodcut architectural border, woodcut decorated initials to both works. Minor toning, light soiling to title pages. Later owner signature (of Wm. H. Stillingfleet, 1797) to front endleaf, notes in sixteenth and eighteenth-century hands in a few places, some affected by trimming with negligible loss. A nice copy. \$1,750.

LATER EDITIONS. ESTC S117813, S117817. Beale T489, T492.





THE FIRST PRINTED WORK DEVOTED SOLELY TO CRIMINAL LAW

120 STAUNFORD. SIR WILLIAM.

Les Plees del Coron, Divisees in Plusors Titles & Comon Lieux. Per Queux Home Pluis Redement & Plenairement Trover a Quelque Chose que Il Quira, Touchant les Dits Plees, Composees per le Tres Reuerend Iudge Monsieur Guilliaulme Staundforde Chiualer, Dernierment Corrigee Auecques un Table Parfaicte des Choses Notables Contenus en Ycelle, Nouelment Reveu & Corrigee. [London]: In Aedibus Richardi Tottelli, 1583. [xii], 196 [i.e. 198] ff.

[BOUND WITH] STAUNFORD, SIR WILLIAM.

An Exposition of the Kinges Prerogative, Collected Out of the Great Abridgement of Iustice Fitzherbert, And Other Olde Writers of the Lawes of England, By the Right Worshipfull Sir William Staunford Knight, Lately One of the Iustices of the Queenes Maiesties Court of Common Pleas Where Unto is Annexed the Proces to the Same Praerogative Appertayning.

London: In Fleet-Streate Within Temple Barre at the Signe of the Hand and Starre, by Richard Tottel, 1577. [i], 85 ff.

Quarto (7-1/2" x 5-1/2"). Contemporary sheep, blind rules to boards, raised bands to spine, recent repair to head of spine and scorners, early hand-lettered title to fore-edge of text block. Light rubbing to boards, a few shallow scuffs to rear board, moderate rubbing to extremities, corners bumped. Title of *Plees* printed within woodcut architectural border, woodcut initials. Moderate toning to text, occasional minor worming and faint dampstaining to margins. Early owner signatures to title pages, annotations to a few leaves in each book. Nice copies in a well-preserved contemporary binding. \$2,500.

LATER EDITIONS. *HEL* V:394. *ESTC* S117812, S117820. Beale T490, T494.

AN ELIZABETHAN LAW STUDENT WORKS HIS WAY THROUGH STAUNFORD'S PLEES AND KINGES PREROGATIVE

121 STAUNFORD, SIR WILLIAM.

Les Plees del Coron, Divisees in Plusors Titles & Comen Lieux. Per **Queux Home Plus Redement &** Plenairement Trovera Quelque Chose queil Quira, Touchant les Dits Plees. Dernierment Corrigee Avecques un Table Parfaicte des Choses Notables Contenues en Ycelle, Nouvelment Revue et Corrigee.

[London]: In Aedibus Richardi Tottelli, 1574. [xiv], 198 ff. Complete.

[BOUND WITH]

An Exposition of the Kinges Prerogative Collected Out of the Great Abridgement of Iustice

Fitzherbert, And Other Olde Writers of the Lawes of England. Whereunto is Annexed the Proces to the Same Prerogative Appertaynyng.



[London]: Richarde Tottle, 1573. [i], 85 ff. Complete.

Quarto (7-3/4" \times 5-1/2"). Contemporary calf, blind frames and large arabesques to boards, rebacked in period style with blind fillets and raised bands, early hand-lettered title to fore-edge, ties lacking, corners repaired, hinges mended. Title page of Plees printed within large woodcut architectural border, woodcut decorated initials to both works. Light toning, underlining and annotations throughout in contemporary hand.

THIS HEAVILY ANNOTATED VOLUME, which contains two standard works of the Elizabethan era, provides excellent insights into the study habits of a contemporary law student, Henry Tilston, whose name appears on the title page of *Plees*. (He also notes that he purchased the book on 15 November 1604 for 12 shillings.) The annotations, some in English, some in law-French, include extensive underlining, case citations, cross-references, references to other legal texts, glosses and analytical comments. He also added a list of twelve principles to a rear endleaf. He even records the dates when he completed the two books: "1 February" at the end of Plees and "24 february 1604 (i.e. 1604/5)" at the end of Exposition. Henry Tilston of Cheshire [b.1589], the probable owner of this copy, matriculated at Brasenose College, Oxford, in 1600 and became a barrister of the Inner Temple in 1610. Beale T489 (Plees), T493 (Kinges Prerogative).



the Kinges Prerogative collected ut of the great Abridgement of Iustice Fitzherbert, and other olde Writers of the latines of England, by the right two thirth in William Stanoforde Knighte, lately one of the Austices of the Australia Maisflies Course of com-mon Pleas. nohereunto is annexed the Pro-ces to the fame prerogative appertaphynge. 1573.

Amprinted at London in Fleete-





A READING ON BANKRUPTCY

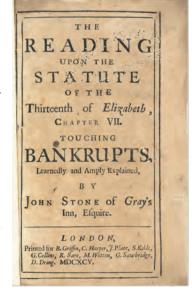
THE FIRST STANDARD ENGLISH TREATISE ON WILLS

122 STONE, JOHN.

The Reading Upon the Statute of the Thirteenth of Elizabeth, Chapter 7. Touching Bankrupts, Learnedly and Amply Expained.

London: Printed for B. Griffin, C. Harper [et al.], 1695. [ii], 124 [i.e. 134] pp. Octavo (6-3/4" x 4").

Later library cloth, lettering piece to spine, hinges reinforced. Light rubbing to extremities, a bit of fading to spine. Some soiling and edgewear to title page and following



leaf, moderate toning and occasional faint dampspotting to rest of interior, internally clean. Ex-library. Stamps to edges and free endpapers, bookplate to front pastedown, perforated stamp to title page. A solid copy of a scarce title. \$950.

SECOND AND FINAL EDITION, one of two issues from 1695. First published in 1656, this is the published version of a lecture presented at Gray's Inn. As Holdsworth notes, these presentations were an important part of a law student's education. They usually addressed recent statutes, narrow topics or complicated legal points. Stone's *Reading* is one of the examples cited (with approval) by Holdsworth. OCLC locates 6 copies of the first edition in North America, but only one copy of the second (at UCLA). *HEL* V:393, 395. *ESTC* R43936.

STRACHEY'S RECORDS

123 [STRACHEY, WILLIAM]. [AYLOFFE, SIR JOSEPH, ATTRIBUTED].

An Index to the Records, With Directions to the Several Places where They are to be Found, and Short Explanations of the Different Kinds of Rolls, Writs, &c. To Which is Added, A List of the Latin Sir-Names, and Names of Places, as They are Written in the Old Records, Explained by the Modern Names. Also a Chronological Table, Shewing at One View the Year of Our Lord, Answering to the Particular Year of each King's Reign; The Several Parliaments, and the Different Titles by Which our Kings are Styled in the Records.

London: Printed for G. Hawkins, 1739. [viii], 182, [2] pp. Includes two-page publisher's catalogue at rear. Octavo (7" \times 4-1/2").

Recent period-style quarter calf over cloth, raised bands and lettering piece to spine. Light toning to text. Signature to front free endpaper and brief annotations to a few leaves in fine early hand. Ex-library. Small inkstamps to title page and a few leaves. An attractive copy. \$300.

FIRST EDITION. Lists records in institutional and private libraries. A useful source, enhanced by the Latin and chronological charts. An undated re-issue was published around 1775. *ESTC* T146961.

124 SWINBURNE, HENRY [1560?-1623].

A Briefe Treatise of Testaments and Last Wils [sic], Very Profitable to be Understood of All the Subjects of This Realme of England, (Desirous to Know, Whether, Whereof, And How, They May Make Their Testaments: And by What Meanes the Same May be Effected or Hindered) And no Lesse Acceptable, Aswell for the Rareness of the Work, As for the Easinesse of the Style, And Method. Compiled of such Lawes Ecclesiasticall and Civill, As be not Repugnant to the Lawes, Customes, Or Statutes of this Realme, Nor Derogatorie to the Prerogative Royall. In Which Treatise Also are Inserted Divers Statutes of this Land, Together with Mention of Sundry Customes, As Well Generall as Particular; Not Impertinent Thereto: Newly Corrected and Augmented, With Necessary Tables.

London: Printed by I.L. for the Company of Stationers, 1640. [xxiv], 344, 215, [32] pp. Quarto $(9" \times 6-1/2")$.

Contemporary calf, blind rules to boards, raised bands to spine, early hand-lettered title to fore-edge of text block. A few faint stains to boards, some rubbing to extremities, joints starting, corners bumped, pastedowns loose. Attractive woodcut head-pieces, tail-pieces and decorated initials, large woodcut arms facing dedication. Some soiling to title page, light toning to text, early repair (or paste-over) at center of fore edge of pp. 203-04. Extensive annotations in contemporary chancery hand to front endleaves and foot of title page, interior otherwise clean. An appealing unsophisticated copy. \$850.

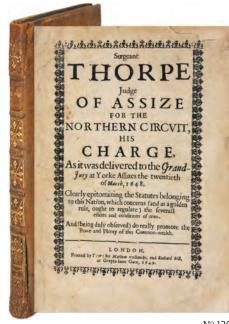
FIFTH EDITION. The testamentary jurisdiction of ecclesiastical law was a separate branch that produced its own literature. Swinburne's treatise was the standard work on this subject from its first publication in 1590-91 until the early nineteenth century. (Its last edition, the tenth, appeared in 1803.) Holdsworth, who cites it often and considers it "the most practically useful book of [its] period" notes that "it is a very useful summary of the law as to wills and executors as administered in the ecclesiastical courts.": HEL V:14. ESTC S118071.











Nº 126

AN IMPORTANT EARLY WORK ON WRITS

125 THELOALL, SIMON.

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

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

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

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

IMPORTANT ESSAY ON MAGNA CARTA
BOUND WITH SCARCE PAMPHLETS ON PROPERTY
AND JUDICIAL ADMINISTRATION

126 THORPE, FRANCIS [1595-1665].

Sergeant Thorpe, Judge of Assize for the Northern Circuit, His Charge, As it Was Delivered to the Grand-Jury at Yorke Assizes the Twentieth of March, 1648. Clearly Epitomizing the Statutes Belonging to this Nation, Which Concerns (And as a Golden Rule, Ought to Regulate) the Severall Estates and Conditions of Men. And (Being Duly Observed) Do Really Promote the Peace and Plenty of this Common-Wealth.

London: Printed by T: W: for Mathew Walbancke, and Richard Best, 1649. [ii], 30 pp. Only edition, one of two issues from 1649.

[BOUND WITH] COLLET, HENRY.

A Treatise on the Laws of England; Concerning Estates in Lands, Advowsons, Or Hereditaments, Of What Kind Soever; Advising Persons Interested Therein, Either as Purchasers, Mortgagees, Or Otherwise, --As Well as Conveyancers, What Methods are Proper to be Used in Relation to the Security of Titles to Such Estates: With Some Observations on the Laws of Bankruptcy.

[London]: Printed by Henry Lintot, 1754. [iv], 74, [2] pp. Only edition.

[AND]

The Oath of a Constable, So Far as It Relates to Apprehending Night-Walkers, And Idle Persons, And His Presenting Offences Contrary to the Statutes Made Against Unlawful Gaming, Tipling, and Drunkenness, And for the Suppressing of Them [running title].

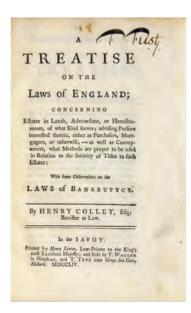
[London: Printed by J. Downing, 1701]. 3, [1] pp. First edition.

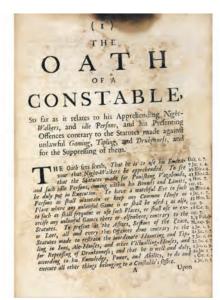
[AND]

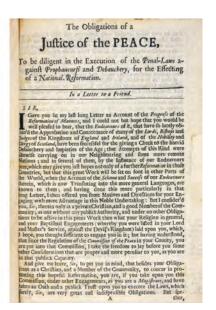
The Obligations of a Justice of the Peace, To be Diligent in the Execution of the Penal-Laws Against Prophaneness and Debauchery, For the Effecting of a National Reformation. In a Letter to a Friend [running title].

[London: Printed and Sold by J. Downing, 1705]. 3, [1] pp. Second edition, one of two issues from 1705.

Quarto (7-3/4" x 5-1/2"). Pamphlets bound into contemporary speckled calf, gilt spine with raised bands and lettering piece,



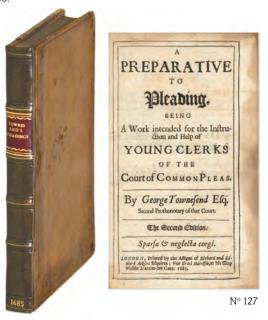




Details from No 126

spine ends repaired. Rubbing to extremities, corners bumped and lightly worn, a few minor scuffs to fore-edges, hinges cracked. Light toning to text, *Oath of a Constable* somewhat darker and faintly dampstained, light soiling and edgewear to title page of *Sergeant Thorpe*, last two leaves have pieces torn from fore-edge, just touching the text without loss, slight shaving to side-notes of *Oath* and *Obligations*. Owner signature dated 1922 to front free endpaper, early annotations to a few laves, interior otherwise clean. \$1.850.

THORPE'S IS A NOTABLE DOCUMENT of Magna Carta's reception during the Commonwealth. After noting the different, but negative, perceptions of Royalists and the politically indifferent in 1215, he praises a third group who, using their innate reason, perceived it then as the source of "their own future happiness" (1–2). This dream was fulfilled, of course, by Parliament and Cromwell. Intended for gentlemen, Collet's essay discusses issues relating to land titles, real property and bankruptcy. The others deal with aspects of judicial administration. *ESTC* R203780, T51651, T61192, T176956.



RESTORING THE ART OF PLEADING
IN THE WAKE OF THE CIVIL WAR AND PROTECTORATE

127 TOWNESEND, GEORGE.

A Preparative to Pleading: Being a Work Intended for the Instruction of Young Clerks of the Court of Common Pleas.

London: Printed by the Assigns of Richard and Edward Atkins, 1685. [viii], 236 pp. Octavo $(7" \times 4")$.

Contemporary calf, blind frames and corner fleurons to boards, rebacked in period style with raised bands, hinges mended. Some rubbing to extremities, a few faint stains to boards, small clean tear to front free endpaper. Browning to margins of endleaves and title page, toning to text. Later owner signatures to front free endpaper, small owner stamp to verso of title page, interior otherwise clean.

SECOND EDITION. Townesend was a clerk of the Court of Common Pleas. First published in 1675, he wrote his manual to improve the quality of pleadings, which had "much decayed" during the Civil War and Protectorate. A Latin-English dictionary for the most part, it aimed to "direct Attornies and Young Clerks, in the formalities of their Words and Writings" so "their Businesses may be more Clerklike drawn, and fairly entred on record" (Preface). The work was well-received. Its fourth and final edition was published in 1721. All are scarce today. OCLC locates 3 copies of this (1685) edition in North American law libraries (Columbia, Library of Congress, Yale). *ESTC* R7084.

A NOTABLE TO PROFIT FROM ADULTERY

128 [TRIALS].

CIBBER, THEOPHILUS [1703-1758], PLAINTIFF.

The Tryal of a Cause for Criminal Conversation, Between Theophilus Cibber, Gent. Plaintiff, And William Sloper, Esq; Defendant.

London: Printed for T. Trott, 1739. 32 pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet bound into nineteenth-century threequarter calf over cloth, gilt title to spine. Moderate rubbing to extremities with some wear to spine ends and corners, front hinge cracked, hinges starting, bookplate residue to front pastedown, early bookseller description tipped-in to front free endpaper. Light soiling to title page and verso of p. 32. Moderate toning to text, minor stains and smudges to a few leaves. \$950.

ONLY EDITION, ONE OF TWO ISSUES, both from 1739. The Cibber trial, which involved two well-known actors, was a sensational event because it appears that Cibber pushed his wife toward adultery in a scheme to make money from her affair. William Sloper was a frequent visitor to the Cibber's country home, having been asked by Mr. Cibber to teach his wife backgammon while he pursued his interest in hunting. There were reports that the Cibbers and Mr. Sloper lived together and that a door connected Mr. Sloper and Mrs. Cibber's bedrooms. It appears that Mr. Cibber had already "borrowed" ,400.00 from Mr. Sloper and that matters might have continued in a similar manner, with Mrs. Cibber serving as a kept woman procured by her husband. However, Mrs. Cibber detested the situation because she fell in love with Mr. Sloper. She ran off with him, but Mr. Cibber brought her back by force and confined her. She was rescued by her brother and returned to Mr. Sloper. Though ruling in his favor, the jury was convinced that Mr. Cibber had instigated the affair and awarded him ,10.00 instead of the ,5,000.00 he sought. The other issue of this pamphlet is identical except for a title-page statement reading "Price Six Pence." OCLC locates 3 copies in North American law libraries (Harvard, Library of Congress, Worcester Law Library). ESTC T51983.

SENTENCED TO DEATH FOR DUELING, BUT PARDONED SOON AFTERWARDS

129 [TRIALS].

CLARK, WILLIAM [D.1779], DEFENDANT.

The Trial of Capt. Edward Clark, Commander of His Majesty's Ship the Canterbury, For the Murder of Capt. Tho. Innes, Commander of His Majesty's Ship the Warwick; In a Duel in Hyde-Park, March 12. 1749. At Justice-Hall in the Old Bailey; On Thursday the 26th of April 1750. Being the Fourth Sessions in the Mayoralty of the Rt. Hon. Sir Samuel Pennant, Knt. Lord-Mayor of London.

London: Printed, And Sold by M. Cooper, 1750. 18, [2] pp. Text in parallel columns. Second leaf, a publisher advertisement, misbound at rear of text. Quarto (8–1/2" x 6–3/4").

Disbound stab-stitched pamphlet. Light soiling to title page, small chip to its bottom edge, moderate toning, edgewear and minor stains to a few leaves, two clean tears to leaf C4 (pp. 13-14) with no loss to text, internally clean. \$650.

ONLY EDITION. Captain Clark was convicted of murder and sentenced to death after he fatally shot Captain Innes in a duel. He received a royal pardon almost immediately afterwards. The trial, reported in detail and apparently verbatim, is remarkable for the number of distinguished character witnesses produced

for the defence. These include Lord Southwell, Admiral Martin, Admiral Bing, Admiral Fox, Lord Montague Bertie, Sir John Cross and several naval captains. This account was reprinted in Dublin in 1750. Both are scarce. Concerning the London edition, OCLC locates 11 copies, 3 copies in North America, 1 in a law library (University of Minnesota). *ESTC* T25541.

"THE MURDER OF MRS. SARAH STOUT, A QUAKER"

130 [TRIALS].

COWPER, SPENCER [1669-1728], PRINCIPAL DEFENDANT.

The Tryal of Spencer Cowper, Esq; John Marson, Ellis Stevens, And William Rogers, Gent. Upon an Indictment for the Murther of Mrs. Sarah Stout, a Quaker. Before Mr. Baron Hatsell, At Hertford Assizes, July 18, 1699. Of Which They were Acquitted. With the Opinions of the Eminent Physicians and Chyrurgeons on Both Sides, Concerning Drowned Bodies, Delivered in the Tryal. And the Several Letters Produced in Court.

London: Printed for Isaac Cleave in Chancery-Lane, Matt. Wotton in Fleet-street, and John Bullord, 1699. [ii], 22 [i.e.46] pp. Folio (11-1/2" x 7").

[BOUND WITH]

P.D.

The Hertford Letter: Containing Several Brief Observations on a Late Printed Tryal, Concerning the Murder of Mrs. Sarah Stout.

London: Printed and Sold by the Booksellers of London, and Westminster, 1699. 16 pp. Octavo $(8-1/2" \times 5")$.

[AND]

A Reply to the Hertford Letter: Wherein the Case of Mrs. Stout's Death is More Particularly Considered; And Mr. Cowper Vindicated from the Slanderous Accusation of Being Accessory to the Same.

London: Printed; And Sold by the Booksellers of London, and Westminster, 1699.8 pp. Octavo (8-1/2" x 5").

Three titles in an 11-1/2" \times 7-1/2" binding. Three-quarter cloth over paper-covered boards, gilt title to spine. Light soiling, dampspotting and offsetting to boards, some rubbing to extremities, early owner bookplate top front pastedown. Light browning and foxing to interior, internally clean. \$3,500.

ONLY EDITIONS. Spencer Cowper, a judge, was indicted for the murder of Sarah Stout. He was at her house late on the evening before she was found drowned in a river. Cowper's alleged motivations were a desire to end an illicit love affair and avoid payment of a debt. Cowper's lawyers argued that Stout's parents wanted to hide the fact that their daughter committed a suicide, a heinous act among Quakers. The defence also suggested a political motivation: a desire by local Tories to harm the career of a rising Whig. Cowper had been at the woman's house late on the evening before she was found drowned in the river, but there was little material evidence against him. Also, his lawyers benefited from expert medical testimony from three leading physicians, Samuel Garth, Hans Sloane and William Cowper." He was acquitted. The trial attracted a good deal of attention and generated several pamphlets, including post-verdict pamphlets that attempted unsuccessfully to reopen the case. Our volume collects three examples. The Tryal of Spencer Cowper is one of the standard accounts of the trial. The Hertford Letter and A Reply to the Hertford Letter reflect the posttrial debates about the verdict. The Tryal and The Hertford Letter are scarce; A Reply is rare and apparently unrecorded. No copies are found on OCLC. The ESTC lists a pamphlet with the same title, but it has a different imprint and a much-different collation. ESTC R226805 (Tryal), R493540 (Letter).

> NOTABLE SEVENTEENTH-CENTURY CASE OF ASSAULT AND BATTERY

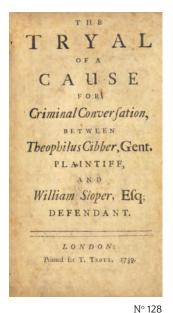
131 [TRIALS]. GILES, JOHN, DEFENDANT.

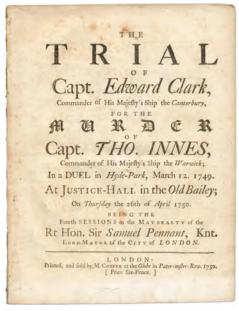
> The Tryal of John Giles at the Sessions-House in the Old Bayly: Held by Adjournment from the 7th Day of July, 1680 Until the 14th Day of the Same Month the Adjournment Being Appointed on Purpose for the Said Giles, His Trial for a Barbarous and Inhumane Attempt to Assassinate and Murther John Arnold, Esq.

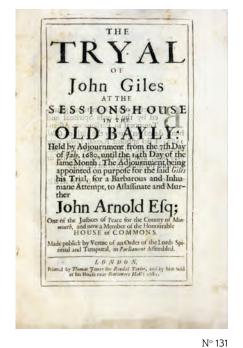
London: Printed by Thomas James for Randal Taylor, 1681. 58 pp. Folio (12" x 7-1/2").

Later paper-covered boards, calf lettering piece to spine. Light soiling, some rubbing to extremities, corners and spine ends bumped and lightly worn. Light toning to text, light foxing to title page and final leaf, internally clean.

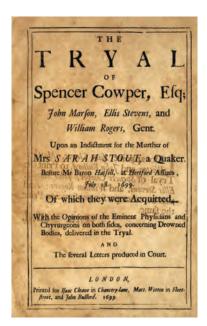
ONLY EDITION. An account of a sensational case of assault and battery. John Arnold, a justice of the peace from Monmouth, was attacked by a gang of men armed with knives and swords. Stabbed several times, Arnold survived the attack. One of these men, Giles, was apprehended and brought to trial. He was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

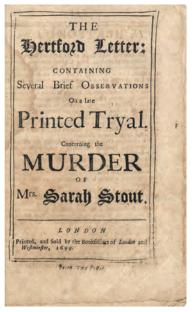


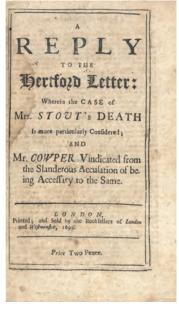




Nº 129







Details from Nº 130

TRIAL OF THE LEADERS OF THE FIRST JACOBITE REBELLION

132 [TRIALS].

[JACOBITE REBELLION].

CHARNOCK, ROBERT [1663?-1696], PRIMARY DEFENDANT.

The Tryals and Condemnation of Robert Charnock, Edward King, And Thomas Keyes, for the Horrid and Execrable Conspiracy to Assassinate His Sacred Majesty, K. William, in Order to a French Invasion of This Kingdom. Who Upon Full Evidence Were Found Guilty of High-Treason, at the Sessions-House in the Old-Baily, March 11, 1695/6, Together With a True Copy of the Papers Delivered by Them to the Sheriffs of London and Middlesex at the Time of Their Execution.

London: Printed for Samuel Heyrick and Isaac Cleave, 1696. [iv], 76 pp. Folio (12-1/2" \times 8").

Recent cloth, gilt title to spine. Light rubbing to extremities, moderate toning to text, spark burns and finger smudges to a few leaves, minor dampstaining to foot of title page and following few leaves. Early owner signature to front endleaf, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$450.

FIRST EDITION. Charnock, Keyes and King were tried and executed for their leading roles in the first Jacobite Rebellion, which aimed to restore the exiled James II to the English throne after the Glorious Revolution of 1688. The leading figure was Charnock, who held a captain's commission from King James. This report contains a record of the charges against the defendants and the circumstances surrounding their plot to assassinate King William III, the arguments and testimony for the prosecution and defense, the judgment, sentence and the final statements of the condemned before their execution. Another edition was published in Dublin in 1696. ESTC R4539.

A LAWYER WHO PLAYED A ROLE IN THE FIRST JACOBITE REBELLION

133 [TRIALS].

[JACOBITE REBELLION].
PARKYNS [PERKINS] [PARKINS], SIR WILLIAM [1649?-1696], DEFENDANT.

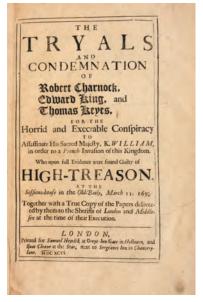
At the Time of Their Execution.

The Arraignment, Tryal and Condemnation of Sir William Parkins Knt. for the Most Horrid and Barbarous Conspiracy to Assassinate His Most Sacred Majesty King William; And for Raising of Forces, In Order to a Rebellion, And Encouraging a French Invasion Into This Kingdom. Who was Found Guilty of High-Treason, March 24. 1695/6. At the Sessions-House in the Old-Baily. Together with a True Copy of the Papers Delivered by Sir William Parkins, And Sir John Friend, To the Sheriffs of London and Middlesex,

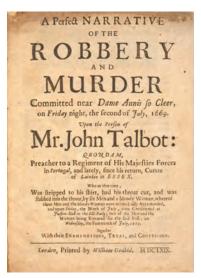
London: Printed for Samuel Heyrick, 1696. [ii], 48 pp. Lacking licence leaf. Folio $(12-1/2" \times 8")$.

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light soiling to extremities. Light browning and occasional foxing to text, inkstain to fore-edge of title page, smudges to a few other leaves. Ex-library. Bookplate to front pastedown. A nice copy. \$350.

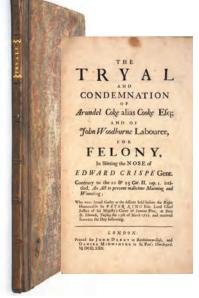
ONLY EDITION. Sir William Parkyns, also spelled Parkins or Perkins, was an English lawyer who was executed for his part in the first Jacobite Rebellion. Parkyns did not participate personally; he purchased military equipment and ammunition for the Jacobites, which he stored in his country house. Parkyns defended himself in court, without success. He was found guilty and executed. *ESTC* R11595.

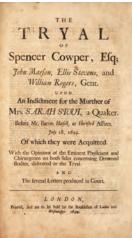


Nº 132



Nº 135





Nº 136

HIGHWAY ROBBERY

134 [TRIALS].
LAIDLY, WILLIAM, DEFENDANT.

Authentick Coppie of the Tryal of Scot and Mackpherson, Anno 1712: Laid Before the House, Pursuant to their Lordships Order for that Purpose, 18 Aprilis, 1737.

London: Printed by John Baskett, 1737. 33, [1] pp. Folio (12-1/2" x 8").

Later quarter morocco over cloth, gilt title to spine, endpapers renewed. Some rubbing to extremities, minor blistering to boards, partial crack near center of text block. Light toning to text. Later annotations in pencil to endleaves, interior otherwise clean. \$250.

TRIAL OF WILLIAM LAIDLY (alias Scot of Mossphennan) for assault and robbery before the High Court of Justiciary. Laidly, assisted by his brother and three servants, attacked McPherson and stole 5 of 6 of his cattle. During the attack several cattle were driven over a cliff and died. Laidly and his brother were convicted and punished with substantial fines. OCLC locates 13 copies in North America, 3 in law libraries (Yale, Harvard and the University of Washington). ESTC T22795.

A PREACHER MURDERED BY THREE MEN AND A "BLOODY WOMAN"

135 [TRIALS]. [MURDER].

A Perfect Narrative of the Robbery and Murder Committed near Dame Annis so Cleer, On Friday Night, The Second of July, 1669. Upon the Person of Mr. John Talbot: Quondam, Preacher to a Regiment of His Majesties Forces in Portugal, And Lately, Since his Return, Curate of Laindon in Essex. Who at that Time, Was Stripped to His Shirt, Had his Throat Cut, And was Stabbed into the Throat, By Six Men and a Bloody Woman, Whereof Three Men and the Bloody Woman were Miraculously Apprehended, And Upon Friday, The Ninth of July, Were Condemned at Justice-Hall in the Old-Baily; Two of the Men and the Woman Being Executed for the Said Fact, On Wednesday, The Fourteenth of July, 1669. Together With Their Examinations, Tryal, And Confession.

London: Printed by William Godbid, 1669. 38 pp. Quarto $(7-1/4" \times 5-1/4")$.

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light fading to spine, small owner bookplate to rear pastedown, moderate toning to text, light foxing to a few leaves. A rare title. \$1,500.

ONLY EDITION. A vivid account of the robbery and murder of a regimental minister in Finsbury, then a borough of London, by a gang consisting of five men and one woman. Four of the attackers, Stephen Eaton, Henry Pritchard, George Rhodes and Sarah Swift, were convicted and hanged. OCLC locates 2 copies in North America at the Huntington Library and Yale University. The ESTC adds copies at the British Library, Folger Shakespeare Library and University of Illinois. *ESTC* R36665.

SCARCE ENGLISH TRIALS CONCERNING A BOTCHED MURDER ATTEMPT AND THE MURDER OF A QUAKER WOMAN

136 [TRIALS].

COKE, ARUNDEL [D. 1722], DEFENDANT. WOODBURNE, JOHN, [D. 1722], DEFENDANT.

The Tryal and Condemnation of Arundel Coke Alias Cooke Esq; And of John Woodburne Labourer, For Felony, in Slitting the Nose of Edward Crispe Gent. Contrary to the 22 & 23 Car. II. Cap. I. Intitled, An Act to Prevent Malicious Maiming and Wounding; Who Were found Guilty at the Assizes Held Before the Right Honourable Sir Peter King Knt. Lord Chief Justice of his Majesty's Court of Common Pleas, At Bury St. Edmonds, Tuesday the 13th of March 1721. And Received Sentence the Day Following.

London: Printed for John Darby in Bartholomew-Close, And Daniel Midwinter in St. Paul's Church-Yard, 1722. 16, *17-*18, 17-37, [1] pp. With an initial imprimatur leaf; text is continuous (and complete).

[BOUND WITH]

COWPER, SPENCER [1669-1728], PRINCIPAL DEFENDANT.

The Tryal of Spencer Cowper, Esq; John Marson, Ellis Stevens, And William Rogers, Gent. Upon an Indictment for the Murther of Mrs. Sarah Stout, A Quaker. Before Mr. Baron Hatsell, At Hertford Assizes, July 18, 1699. Of Which They Were Acquitted. With the Opinions of the Eminent Physicians and Chirurgeons on Both Sides Concerning Drowned Bodies, Delivered in the Tryal. And the Several Letters Produced in Court.

London: Printed and Are to be Sold by the Booksellers of London and Westminster, 1699. 38 pp.

Folio (12–1/2" x 8"). Contemporary marbled boards with recent period-style re-backing, raised bands and lettering piece to spine, endpapers retained, hinges repaired. Moderate rubbing and scuffing to boards, corners bumped and somewhat worn, early armorial bookplate to front pastedown, tiny wormhole through bottom margin of text block. Moderate toning, somewhat heavier in places, some leaves have light foxing or stains. Early owner annotation to front free endpaper, interior otherwise clean. Two scarce trials in a handsome binding. \$1,750.

COKE: FIRST EDITION; COWPER: ONLY EDITION, one of three issues from 1699. Coke, a barrister, lost his money in the South Sea Bubble. He hired Woodburn to kill his brotherin-law, Edward Crisp, aiming to inherit his money. In his failed murder attempt Woodburn managed to cut Edward Crisp's nose. This led to the first convictions under the Coventry Act, which outlawed assault with the intention to maim or mutilate. Both men were convicted and hanged. Spencer Cowper, a judge, was indicted for the murder of Sarah Stout. He was at her house late on the evening before she was found drowned in a river. Cowper's alleged motivations were a desire to end an illicit love affair and avoid payment of a debt. Cowper's lawyers argued that Stout's parents wanted to hide the fact that their daughter committed a suicide, a heinous act among Quakers. The defence also suggested a political motivation: a desire by local Tories to harm the career of a rising Whig. Cowper had been at the woman's house late on the evening before she was found drowned in the river, but there was little material evidence against him. Also, his lawyers benefited from expert medical testimony from three leading physicians, Samuel Garth, Hans Sloane and William Cowper. He was acquitted. The trial attracted a good deal of attention and generated several pamphlets, including post-verdict pamphlets that attempted unsuccessfully to reopen the case. The Tryal of Spencer Cowper is one of the standard accounts of the trial. ESTC T136036, R219713.

ANTI-PRESBYTERIAN PROPAGANDA

TRIALS AT OLD BAILEY, INDEXED BY CRIME

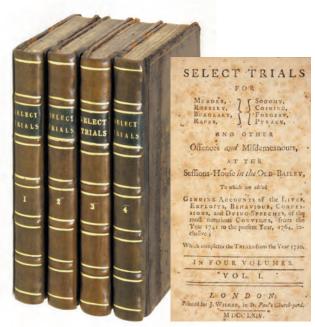
137 [TRIALS]. [GREAT BRITAIN].

Select Trials for Murder, Robbery, Burglary, Rapes, Sodomy, Coining, Forgery, Pyracy, And Other Offences and Misdemeanours, At the Sessions-House in the Old-Bailey. To Which are Added, Genuine Accounts of the Lives, Exploits, Behaviour, Confessions, And Dying Speeches. Of the Most Notorious Convicts, From the Year 1741 to the Present Year, 1764, Inclusive; Which Completes the Trials from the Year 1720.

London: Printed for J. Wilkie, 1764. Four volumes. 12mo. (6" x 4").

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

INDEXED BY CRIME, THIS SET presents reports of trials held at the "Court of Oyer and Terminer and Gaol Delivery for London and Middlesex," better known as Old Bailey. Contents are arranged chronologically from 1740 to 1764. These accounts were published to amuse, titillate and perhaps instruct, and they are interesting today for their insights into the legal and cultural history of the early Georgian period. This title is the third and final set in a series of multi-volume trial collections, one published in 1734–35, another in 1742. Although these titles were issued by different publishers they have a uniform format and were later republished as a five-volume work in 1764. ESTC T82548.



Nº 137

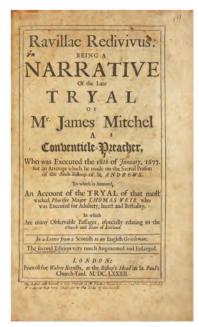
138 [TRIALS]. [HICKES, GEORGE (1642-1715)].

Ravillac Redivivus. Being a Narrative of the Late Tryal of Mr. James Mitchel a Conventicle-Preacher, Who was Executed the 18th of January, 1677. For an Attempt Which he Made on the Sacred Person of the Arch-Bishop of St. Andrews. To Which is Annexed, An Account of the Tryal of that Most Wicked Pharisee Major Thomas Weir, Who Was Executed for Adultery, Incest and Bestiality. In Which are Many Observable Passages, Especially Relating to the Church and State of Scotland. In a Letter from a Scottish to an English Gentleman.

London: Printed for Walter Kettilby, 1682. [iv], 46, [2], 47-54 pp. The unpaginated leaf after page 46 contains publisher advertisements. Folio $(12-1/4" \times 7-3/4")$.

Recent period-style quarter calf over marbled boards, gilt title and date to spine, title page and final leaf re-hinged. Moderate toning light foxing in a few places, soiling to title page, early owner annotations to title page in neat small hand, a few marks and brief marks in recent hand in a few places. \$1,250.

THIRD AND FINAL EDITION. Hickes was a bishop of the nonjuring Church of England in Scotland. A work on propaganda commissioned by his superior in Scotland, John Maitland, Duke of Lauderdale, Ravillac Redivivus, first published in 1678, is an account of the trial of the Scots-nationalist Presbyterian (covenanter) James Mitchell [d.1678] for an attempt to assassinate James Sharpe, the archbishop of St Andrews. Hickes linked Mitchell's story to that of the notorious covenanter Major Thomas Weir [c. 1600-1670], a suspected sorcerer who was executed for bestiality and incest in 1670, in order to demonstrate that fanatical dissenters violated the boundaries of moral law and were capable of committing the most outrageous crimes in the name of religion. A note at the foot of the title page, which identifies the author, reads: "The author calls himself a Scots Addvocate: (p. 46). I rather think him an English Man, probably Dr. Hicks, at that time Chaplane to the Duke of Lauderdale." ESTC R19059.



Nº 138

PLOTS AGAINST THE ENGLISH CROWN

139 [TRIALS]. [PLOTS AGAINST THE CROWN].

The Arraignment, Tryal and Condemnation of Robert Earl of Essex, And Henry Earl of Southampton, At Westminster the 19th of February, 1600. And in the 34th Reign of Queen Elizabeth: For Rebelliously Conspiring and Endeavouring the Subversion of the Government, By Confederacy with Tyr-Owen, That Popish Traytor and His Accomplices; Of Whom, These Following, Viz: Sir Christopher Blunt, Sir Charles Danvers, Sir Gillie Merrick and Henry Cusse Were the 5th of March Following, By a Special Commission of Oyer and Terminer, Arraigned, Condemned, And Executed. The Peers Had for Their Assistance the Learned Judges. Counsel for the Queen. Sir Henry Yelverton, The Queen's Serjeant. Sir Edward Cook, The Queens Attorney-General; Afterwards Lord Chief Justice of England. Mr. Bacon, Afterwards Lord Chancellor.

London: Printed for Tho. Bassett, 1679. [ii], 30 pp. ESTC R18141.

[BOUND WITH]

The Tryal of Henry Baron Delamere for High Treason, In Westminster- Hall, The 14th Day of January, 1685. Before the Right Honourable George Lord Jeffreys, Baron of Wemm, Lord High Chancellour of England, Constituted Lord High Steward on that Occasion. On Which Day, After a Full Hearing, The Lord Delamere was Acquitted from All Matters Laid to His Charge.

London: Printed for Dorman Newman, 1686. [ii], 87 pp. ESTC R23568.

[AND]

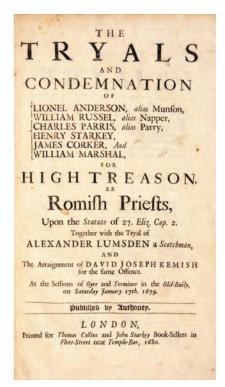
[Sixteen Trials and Essays Relating to Conspiracies Against the Crown].

Folio ($12" \times 7-1/2"$). Eighteen pamphlets bound into contemporary paneled calf, rebacked in period style with raised bands and lettering piece. A few light scuffs to boards, moderate rubbing to extremities, corners bumped and lightly worn, hinges mended. Moderate toning to text, somewhat heavier in places, light soiling to a few leaves. Large early owner signatures of the Earl of Dartmouth to front pastedown and title pages (or preceding blank)

of each pamphlet, which are also numbered in his hand, some signatures and numbers affected by trimming, manuscript table of contents in his hand to front free endpaper, doodles to a few other leaves, later bookseller note laid in. A unique collection with an interesting provenance. \$5,000.

THIS VOLUME COLLECTS SEVENTEEN PAMPHLETS relating to seventeenth-century plots against the English Crown, such as the Popish Plot, Rye House Plot and Tyrone's Rebellion. Seven are trial accounts, four discuss trials, the others address background issues. Two titles are identified above; the others are (in short-titles): The Arraignment, Trials, Conviction of Sir Rich. Grahme, And John Ashton (1691, two parts, [iv], 76; 77-138 pp., ESTC R22452), The Arraignment, Tryal and Condemnation of Sir William Parkins (1696, [ii], 48 pp., ESTC R11595), The Arraignment, Tryal & Condemnation of Algernon Sidney (1684, [iv], 67 pp., ESTC R23343), The Late Lord Russel's Case, With Observations Upon It (1686, [ii], 104 pp., ESTC R27291), The Tryals of Henry Cornish... And John Fernley, William Ring, And Elizabeth Gaunt (1685, [ii], 42 pp., ESTC R25662), The Character of an Ill-Court-Favourite: Representing the Mischiefs that Flow from Ministers of State (1681, 19, [1] pp., ESTC R35809), Grimalkin, Or, The Rebel-Cat: A Novell (1681, [ii], 13, [1] pp., ESTC R30323), A Speech Without Doors. Made by A Plebean to His Noble Friends (1681, 4 pp., ESTC R37582), The French Intrigues Discovered (1681, [ii], 31, [1] pp., ESTC R9404), Remarques Upon a New Project of Association (1682, 8 pp., ESTC R3820), The Oath and Covenant Signed by Several Members of the House of Commons (1681, 8 pp., Not in the ESTC or Wing, may be lacking a title page), The Proceedings Held at the Sessions of the Peace Held at Hicks-Hall (1682, [ii], 8 pp., ESTC R6287), The Great and Weighty Considerations, Relating to the Duke of York, Or Successor of the Crown...Considered (1680, [ii], 37, [1] pp., ESTC R20436), The Act of Parliament of the 27th. Of Queen Elizabeth, To Preserve the Queen's Person, And Protestant Religion, And Government (1679, [ii], 6 pp., ESTC R34890) and A Letter from a Gentleman of Quality in the Country to His Friend (1679, [ii], 18 pp., ESTC R19698). The binding style and manuscript hand date to the eighteenth century. However, the identity of "Dartmouth" is unclear. According to the laid-in note, the bookseller, H.W. Edwards, says he purchased this volume came from "the Earl of Dartmouth's library." He may be referring to William Legge, 1st Earl of Dartmouth [1672-1750] or William Legge, 2nd Earl of Dartmouth. [1731-1810]. The 2nd Earl is remembered as a colonial administrator in the decades leading to the American Revolution. He was First Lord of Trade from 1765 to 1766 and Secretary of State for the Colonies and First Lord of Trade from 1772 to 1775.





Nº 140

A GROUP OF PRIESTS CONVICTED IN THE POPISH PLOT

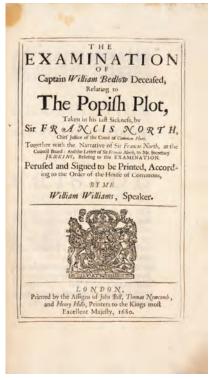
140 [TRIALS].
[POPISH PLOT].
ANDERSON, LIONEL [C.1620-1710], PRINCIPAL
DEFENDANT.

The Tryals and Condemnation of Lionel Anderson, Alias Munson, William Russel, Alias Napper, Charles Parris, Alias Parry, Henry Starkey, James Corker, And William Marshal, For High Treason, As Romish Priests, Upon the Statute of 27. Eliz. Cap. 2. Together with the Tryal of Alexander Lumsden a Scotchman, And the Arraignment of David Joseph Kemish for the Same Offence. At the Sessions of Oyer and Terminer in the Old-Baily, On Saturday January 17th. 1679. Published by Authority.

London: Printed for Thomas Collins and John Starkey, 1680. [ii], 53, [1] pp. Folio ($12^n \times 8^n$).

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light soiling to extremities. Moderate toning, light foxing to a few leaves, early owner signature (Chomly) to foot of p. 17. Ex-library. Bookplate to front pastedown. A nice copy. \$250.

ONLY EDITION. The Popish Plot was a fictitious conspiracy to assassinate Charles II. It provoked a spasm of anti-Catholic hysteria in England and Scotland that led to the executions of at least 22 men between 1678 and 1681 and harsh laws against Catholics. This pamphlet concerns the trial of a group of priests who were convicted and imprisoned for practicing their Catholic faith, but eventually released and sent into exile. OCLC locates 6 copies in North American law libraries (Columbia, Harvard, Library of Congress, University of Minnesota, University of Pennsylvania, University of Washington). *ESTC* R1255.



Nº 141

A CONFIDENCE MAN WHO PLAYED A LEADING ROLE IN THE POPISH PLOT

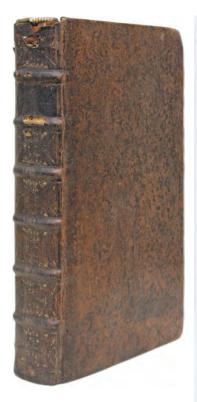
141 [TRIALS].
[POPISH PLOT].
BEDLOE, WILLIAM [1650-1680].
GUILFORD, FRANCIS NORTH, BARON [1637-1685].

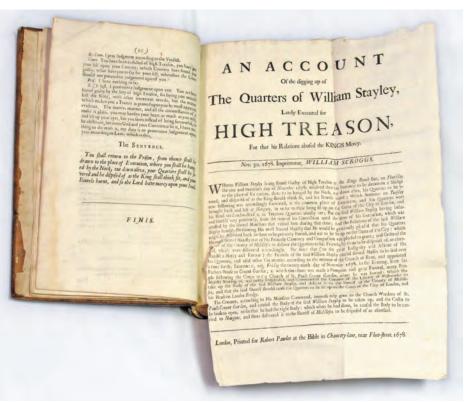
The Examination of Captain William Bedlow Deceased, Relating to the Popish Plot, Taken in His Last Sickness, By Sir Francis North, Chief Justice of the Court of Common Pleas. Together With the Narrative of Sir Francis North, At the Council Board: And the Letter of Sir Francis North, To Mr. Secretary Jenkins, Relating to this Examination. Perused and Signed to be Printed, According to the Order of the House of Commons, by Me William Williams, Speaker.

London: Printed by the Assigns of John Bill, Thomas Newcomb, And Henry Hills, Printers to the Kings Most Excellent Majesty, 1680. 16 pp. Main text preceded by "Order to Print" (imprimatur) leaf. Folio (12-1/2" x 8").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light soiling and rubbing to extremities. Light toning to text, faint dampstaining to a few leaves. Ex-library. Bookplate to front pastedown. A nice copy. \$250.

FIRST EDITION. Bedloe, or Bedlow, was a confidence man who played a role in the Popish Plot as an informer, an act that made him rich and famous while destroying several innocent lives. He also wrote A Narrative and Impartial Discovery of the Horrid Popish Plot (1679). He died of natural causes while the trials were underway. This report was reprinted in Dublin in 1680. OCLC locates 5 copies in North American law libraries, all of the London edition (Harvard, Osgoode Hall, Southern Methodist University, University of Maryland, UC-Davis). ESTC R519.





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

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

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

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

[BOUND WITH]
[STAYLEY, WILLIAM].

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

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

[AND]

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

[London: Various printers, 1678-1680].

Folio (12–1/2" x 8"). Stab–stitched pamphlets bound into contemporary mottled calf, gilt spine with raised bands and lettering piece (reading Trials), early manuscript index to front free endpaper. Some minor scuffs and scratches to boards, moderate rubbing to extremities with wear to head of spine, small piece of calf lacking below lettering piece, rear joint just starting at head, corners bumped and lightly worn, hinges cracked. Light toning to interior, somewhat heavier in places, faint dampstaining and worming to margins in a few places, inkstains to margins of a few leaves. A unique collection by a contemporary compiler. \$2,500.

THE WORK OF A CONTEMPORARY COMPILER, our volume collects 12 trials and a related broadside relating to the Popish Plot. The other trials are: [Edward Coleman] 1678. ESTC R4486; [William Ireland, Thomas Pickering and John Grove]. 1678. ESTC 2719; [Robert Green, Henry Berry, & Lawrence Hill]. 1679. ESTC R24642; [Nathaniel Reading]. 1679. ESTC 7193; [Thomas White, William Harcourt, John Fenwick, John Gavan, And Anthony Turner]. ESTC 232961; [The Tryall of Richard Langhorn]. 1679. ESTC R1705; [Sir George Wakeman, William Marshall, William Rumley, And James Corker]. 1679. ESTC R13879; [Andrew Brommich and William Atkins]. 1679. ESTC 18341; [Thomas Knox and John Lane]. 1680. ESTC R21831; [Lionel Anderson, William Russel, Charles Parris, Henry Starkey, Thomas Corker and William Marshall]. 1680. ESTC R1255; [John Tasborough and Ann Price]. 1680. ESTC R23482.

TOWN-GOWN RELATIONS
IN SEVENTEENTH-CENTURY OXFORD

143 [UNIVERSITY OF OXFORD].

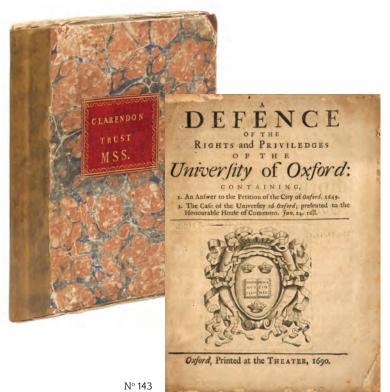
[HARRINGTON, JAMES (1664-1693)]. [LANGBAINE, GERARD (1609-1658)].

A Defence of the Rights and Priviledges of the University of Oxford: Containing, 1. An Answer to the Petition of the City of Oxford. 1649. 2. The Case of the University of Oxford; Presented to the Honourable House of Commons. Jan. 24. 1689/90.

Oxford: Printed at the Theater, 1690. [viii], 54, [2] pp. *The Case of the University of Oxford* has separate dated title page on leaf E2r [pp. 35–36]. Quarto (8–1/4" x 6–3/4").

Stab-stitched pamphlet with untrimmed edges bound into recently rebacked eighteenth-century three-quarter calf over marbled boards, calf label (reading Clarendon/ Trust/ MSS.) to front board, hinges mended. Light rubbing to boards, moderate rubbing to extremities. Large copperplate Oxford arms to main title page, large copperplate image of Oxford's Sheldonian Theatre to title page of *The Case*. Moderate toning to text, slightly heavier in places, some soiling and a few minor chips to main title page. \$500.

ONLY EDITION, ONE OF TWO ISSUES FROM 1690. Relations between the City of Oxford and the University of Oxford were strained during much of the seventeenth century. The city attempted to reduce the university's autonomy and power during the Interregnum, but was ultimately defeated after the Restoration. This pamphlet records the main points of this conflict. It begins with "To the Supream Authority of the Nation, The Commons in Parliament Assembled the Humble Petition of the Maior, Aldermen, Bayliffs, And Commonaltie of the City of Oxon." (1649). The following essays are replies on the university's behalf. "The Case of the University of Oxford is by Harrington, "Answer to the Petition of the City of Oxford" is by Langbaine. *ESTC* R9958.



A USEFUL REFERENCE FOR CIVIL WAR-ERA

144 [W]INGATE, E[DMUND] [1596-1656].

Statuta Pacis: Or a Perfect Table of All the Statutes (Now in Force) Which any Way Concerne the Office of a Justice of Peace. Cleerly also Setting down the Severall Duties of Sheriffes, Head-Officers of Corporations, Stewards in Leets, Constables, And Other Officers, So Far Forth as the Said statutes do in Any Sort Concern Them. Faithfully Collected, And Alphabetically Digested Under Apt Titles.

London: Printed by M. Flesher and J. Young, 1644. [xx], 286 pp. First and final leaves blank. Tables. 12mo. $(5-1/2" \times 3-1/4")$.

Contemporary sheep, blind rules to boards, rebacked, blind fillets and lettering piece to spine, pastedowns renewed. Light rubbing to extremities, corners bumped. Light toning to text, a few tiny worn holes (with no loss to text), faint dampstaining to final third of text block. An appealing copy of a rare title.

ONLY EDITION. Also a notable mathematician, Wingate wrote several important legal books, including *Maximes of Reason* (1658) and *An Exact Abridgment of the Statues in Force* (1642). Intended as a handy reference, and thus pocket-sized, *Statuta Pacis* is a digest of statutes relevant to the jurisdiction of a justice of the peace. The contents are organized alphabetically by topic. OCLC locates 4 copies in North America, 3 in law libraries (Duke, Harvard, Southern Illinois University). *ESTC* R25185.

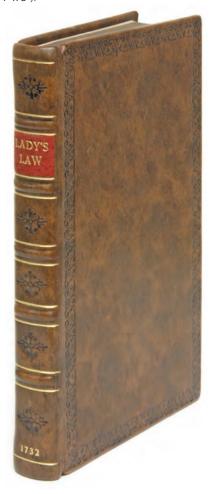


"THE LADY'S LAW": ONE OF THE VERY FIRST TREATISES ON LAWS CONCERNING WOMEN

145 [WOMEN].

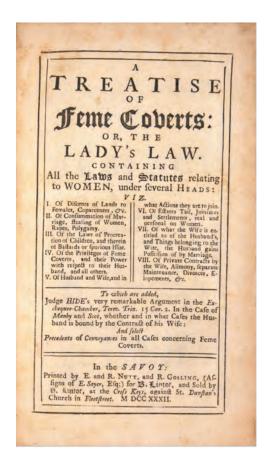
A Treatise of Feme Coverts: Or, The Lady's Law. Containing All the Laws and Statutes Relating to Women, and Several Heads: I. Of Dissents of Lands to Females, Coparceners, Etc. II. Of Consummation of Marriage, Stealing of Women, Rapes, Polygamy. III. Of the Laws of Procreation of Children, and Therein of Bastards or Spurious Issue. IV. Of the Privileges of Feme Coverts, and Their Power with Respect to Their Husband, and All Others. V. Of Husband and Wife, and in What Actions They Are to Join. VI. Of Estates Tail, Jointures and Settlements, Real and Personal on Women. VII. Of What the Wife is Entitled to of the Husband's, and Things Belonging to the Wife, the Husband Gains Possession of by Marriage. VIII. Of Private Contracts by the Wife, Alimony, Separate Maintenance, Divorces, Elopements, etc. To Which are Added, Judge Hide's very Remarkable Argument in the Exchequer-Chamber, Term. Trin. 15 Car. 2 In the Case of Manby and Scot, Whether and in What Cases the Husband is Bound by the Contract of His Wife: And Select Precedents of Conveyances in all Cases Concerning Feme Coverts.

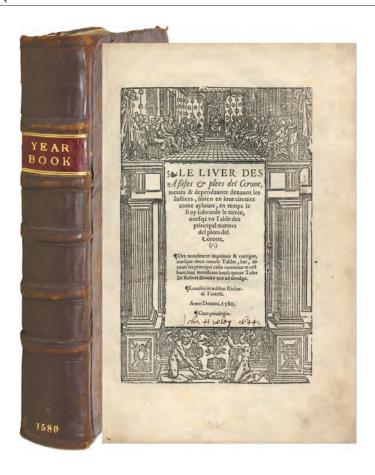
[London]: E. and R. Nutt, and R. Gosling, 1732. [viii], 264, [16] pp. Octavo $(8-1/4" \times 5")$.



Recent period-style calf, blind rules to boards, blind ornaments, lettering piece and gilt-edged raised bands to spine, endpapers renewed. Moderate toning to text, faint dampspotting in places. \$6.500.

FIRST EDITION. One of the first of four books of the subject, A Treatise of Feme Coverts examines the doctrines of English common law relating to a "feme covert," that is a woman under the legal guardianship of the man who heads the household she belongs to. (Stated simply, this group included all females except divorced women and widows.) Written from a perspective sympathetic to women, it deals with precedents of conveyances not covered in The Law of Baron and Feme (1700), and as such can be seen as a companion volume. The treatise concludes with an account of Robert Hyde's argument in the case of Manby v. Scott (1663), in which he argued that a husband who is separated from his wife is not liable to a vendor for goods the wife purchased from the vendor. Commenting on the case in his diary, Samuel Pepys referred to Hyde's judgment as "most amusing." Diary of Samuel Pepys, January 28, 1663. Robert Hyde was a Chief Justice of the King's Bench from 1663-1665, having gained appointment through the influence of his cousin, Edward Hyde, first Earl of Clarendon. A second edition of *The Lady's Law* was published in 1737. Both editions of this work are scarce. ESTC T72208.





"RICH IN APPARENT CURIOSITIES"

146 [YEAR BOOK].

EDWARD III, KING.

[RASTELL, JOHN, EDITOR].

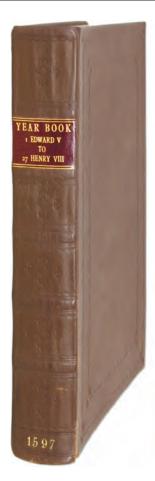
Le Liver des Assises & Plees del Corone, Moves & Dependauntz Devaunt les Iustices Sibien en Lour Circuitz Come Aylours, En Temps le Roy Edwarde le Tierce, Ouesque un Table des Principal Matters del Plees del Corone.

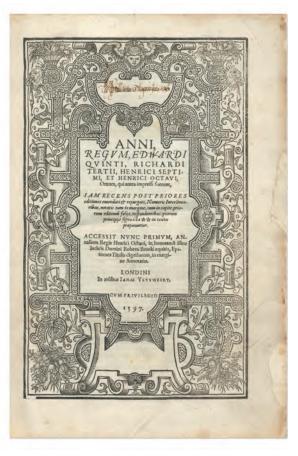
London: In Aedibus Richardi Tottelli, 1580. [xxxvi], cccxxvi, [10] ff. Complete. Folio (11" x 7-1/2").

Contemporary paneled calf with corner fleurons enclosing large blind-stamped central arabesques flanked with the initials L B, rebacked, raised bands and lettering piece to spine, faint early hand-lettered title to edges of text block, endpapers renewed. A few scuffs to boards, some rubbing to extremities with some wear to edges, corners bumped and rather worn, hinges partially cracked. Title page printed within attractive woodcut architectural

border, woodcut decorated initials. Light toning to text, faint dampstaining and worming to margins of some leaves, some soiling to title page. Owner signature (of John Hawley dated 1644) to foot of title page, brief annotations to a few leaves. An appealing copy. \$1,500.

LATER EDITION, ONE OF TWO ISSUED BY TOTTELL in 1580. A selection of reports for 1–50 Edward III (1327–1377), the *Book of Assizes*, is one of the most important of the Year Books and of unique value to the study of English legal history. As Stanley Milsom has observed, it is the "only collection of reports from the country," that is the only collection of reports from the justices on assize (circuit) rather than in the central courts at Westminster. It is therefore "rich in apparent curiosities" because "it reports processes we do not otherwise see, on circuit, before juries." The first edition was printed in 1514 by John Rastell. OCLC locates 5 copies of the 1580 edition in North American law libraries (Boston College, Harvard, UC Berkeley, University of Michigan, University of Pennsylvania). Milsom, *Historical Foundation of the Common Law* (2nd. Ed., 1981) 299, 55. *ESTC* S121396. Beale R51.





NOT IN BEALE

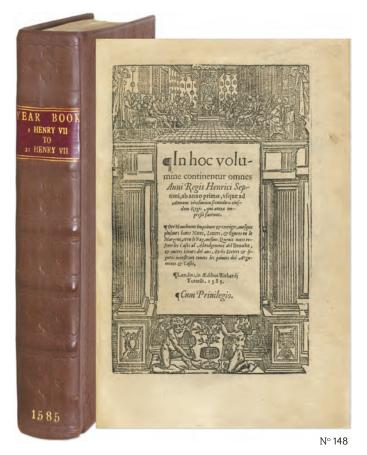
147 [YEAR BOOK]. EDWARD V, KING [1470-C.1483]. RICHARD III, KING [1452-1485]. HENRY VII, KING [1457-1509]. HENRY VIII, KING [1491-1547].

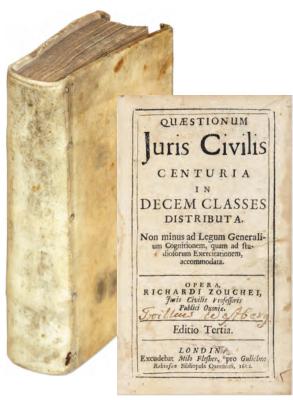
Anni, Regum, Edwardi Quinti, Richardi Tertii, Henrici Septimi, Et Henrici Octavi, Omnes, Qui Antea Impressi Fuerunt, Iam Recens Post Priores Editiones Emendati & Repurgati, Numeris Interlinearibus, Notatis Tum in Margine, Tum in Capite, Priorum Editionu[m] Foliis, Respondentibus, Quorum Principijs Signa Ista ** In Textu Praeponuntur. Accessit nunc Primum, Annalium Regis Henrici Octavi, In Honorandi Illius Iudicis Domini Roberti Brooki Equitis, Epitomes Titulis Digestorum, in Margine Annotatio.

London: In Aedibus Ianae Yetsweirt, 1597. [390] ff. in various pagings. Complete. Folio $(11-3/4" \times 8")$.

Recent period-style calf, blind double fillets forming two panels with corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed with marbled paper, early handlettered title to fore-edge of text block. Light rubbing to extremities, cracks in text block between text block and free endpapers. Title printed within handsome woodcut architectural border, woodcut decorated initials. Some toning to text, light browning in a few places, struck through signature to head of title page, annotations in tiny early chancery hand to a few leaves. Ex-library. Perforated stamp to title page. A handsome copy. \$1,500.

COVERS REGNAL YEARS 1 EDWARD V (1483), 1-2 Richard III (1483-85), 1-16, 20-21 Henry VII (1485-1509), and 12-14, 18-19, 26-27 Henry VIII (1509-1547). With an index of cases, side-notes and cross-references to Brooke, Fitzherbert and other authorities. It is difficult to overestimate the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are of crucial primary sources for our knowledge of medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Maitland believed that the earliest volumes were notes taken by law students in court copied for the use of pleaders in later cases. Holdsworth maintains that they were records of cases made by lawyers for personal use. Though it is not known when the first manuscript volumes were compiled, it is clear that cases can be found to date from the 1270's and the series continues to 1535. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present volume belongs to the so-called "Quarto Edition." Not a set in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. OCLC locates four copies of the present imprint in North American law libraries (Columbia, Harvard and the Universities of Minnesota and Pennsylvania). HEL V: 357-377. Not in Beale or its supplement (published 1943), but it is given the designation "382a" in an annotated copy and an unpublished "Supplement 2" held by the Harvard Law School Library (as noted in its online catalogue). ESTC S121406. Not in Beale.





N° 150

1-16, 20, 21 HENRY VII

148 [YEAR BOOK]. HENRY VII, KING.

In Hoc Volumine Continentur Omnes Anni Regis Henrici Septimi, Ab Anno Primo, Usque ad Annum Vicesimum Secundum Eiusdem Regis, Qui Antea Impressi Fuerunt. Ore Novelment Imprimee & Corrigee, Ouesque Plusours Bones Notes, Letters, & Figures en le Margent, Et en le Pag. Mesme. Queux Notes Referre les Cases al Abridgement del Brooke, [et] Auters Lieurs del Ans. Et les Letters & Figures Monstront Toutes les Pointes del Arguments & Cases.

London: In Aedibus Richardi Tottelli, 1585. Colophon dated 1583. xxxi, xix, xv, xviii, xli, ii-xvi, ii-xvi, xiii, ii-xxvi, ii-xxxi, ii-xxix, ii-xxix, ii-xxiii, xviii, xviii, xviii, xviii, xiii, xlii ff. Complete. Folio (10-1/2" x 7-1/2").

Recent period-style calf, blind fillets and large central ornaments to boards, raised bands and lettering piece to spine, endpapers renewed with marbled paper. Negligible light rubbing to extremities. Title printed within handsome woodcut architectural border, woodcut decorated initials. Some toning to text, light foxing in a few places, minor worm holes to margins in a few places, light soiling to title page. Occasional annotations in tiny early chancery hand, some affected by trimming, interior otherwise clean. An attractive copy. \$2,000.

COVERS REGNAL YEARS 1–16, 20 and 21 Henry VII. With an index of cases, side-notes and cross-references to Brooke, Fitzherbert and other authorities. The present volume belongs to the so-called "Quarto Edition." Not a set in the conventional sense, these volumes were issued separately with various dates

and impressions between 1522 and 1619. OCLC locates two copies of the present imprint in North American law libraries (Harvard, University of Pennsylvania). *HEL* V: 357-377. *ESTC* S121423. Beale R414.

HEAVILY ANNOTATED COPIES OF FOUR YEAR BOOKS FROM THE REIGN OF HENRY V

149 [YEAR BOOK]. [HENRY VI, KING (1421-1471)].

De Termino Michaelis Anno XXXVII. Henrici Sexti.

[London: Imprinted...by Rychard Tottel the I. Daye of June in the Yere of Our Lord. 1575]. 38 ff.

[BOUND WITH]

De Termino Michaelis Anno XXXVIII. Regni Regis Henrici Sexti.

[London: Imprinted...by Rychard Tottel the V. Daye of Maye in the Yere of Our Lord. 1575]. 40 $\,\mathrm{ff.}$

[AND]

De Termino Michaelis Anno XXXIX. Henrtici Sexti.

[London: Imprinted...by Rychard Tottel the 21. Daye of June in the Yere of Our Lord. 1575]. [63] ff. Lacking ff. 9–28, 47, 48, 55, 61 (and final blank leaf), but bound with 9 ff from Tottel's Year Books from the 35th and 38th Regnal years. Signatures F and G, ff. 21–28, and leaves M1 and Q1, ff. 55 and 61, bound out of order.



[AND] **Anno XXXVI.H.VI.**

[London: Imprinted...by Rychard Tottel, 1575]. 34 ff.

Folio (11" \times 7-1/2"). Later vellum, blind rules to boards, hand-lettered title label to spine. Some soiling and a few minor stains, moderate rubbing to extremities, chipping to head of spine, another chip near foot, Boards slightly bowed, a few shallow cut marks to rear board, hinges starting, armorial bookplate and later presentation and private library bookplates to front pastedown. Moderate toning to text, somewhat heavier in places, occasional faint dampstaining, edgewear to margins in some places, a few tears and chips, lower corner lacking from a leaf in $Anno\ XXXIX$ with minor loss to text (but not legibility). Margins annotated throughout in fine early hand.

THE MARGINS OF THIS VOLUME ARE FILLED with annotations. All but a few are in a neat early hand; the others are in a somewhat later style. Most of these appear to be cross-reference to other cases in the Year Books. A few are interpretive comments. According to the presentation bookplates, this copy belonged to George Chaworth, First Viscount Chaworth of Armagh [c. 1568–1639], a lawyer, Irish Chief Justice and Member of the House of Commons between 1621 and 1624, and, in 1636, William Cartwright "an eminent lawyer." It is possible that they were the annotators. The rear endleaf in this volume was taken from a 1577 Tottel edition of Fitzherbert's Abridgement. ESTC S101469, S101470, S101474, S101466. Beale R213, R217, R222, R207.

ZOUCH POSES QUESTIONS ON THE CIVIL LAW FOR STUDENTS

150 ZOUCH, RICHARD [1590-1661].

Quaestionum Juris Civilis Centuria in Decem Classes Distributa. Non Minus ad Legum Generalium Cognitionem, Quam ad Studiosorum Exercitationem, Accommodata.

London: Excudebat Milo Flesher, Pro Gulielmo Robinson, 1682. [xvi], 511 pp. One endleaf at rear of text, a blank, lacking. 12mo. $(5" \times 3")$.

Contemporary vellum with lapped edges. Some soiling and rubbing to extremities, rear free endpaper lacking. Moderate toning to text, faint dampstaining to margins of a few leaves, small piece trimmed from bottom edge of title page with the loss to text. Small early owner signature to title page, interior otherwise. An appealing copy. \$1,500.

THIRD AND FINAL EDITION. One of England's greatest civilians, Zouch was an advocate of Doctors' Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. He published treatises on a broad range of legal topics and is renowned for his contributions to international law. *Quaestionum Juris Civilis Centuria* is a volume of sample examination questions for students of the civil law. It was first published in 1659 (with a title page stating 1660). *ESTC* R217442.

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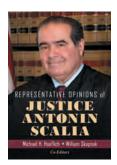


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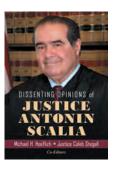
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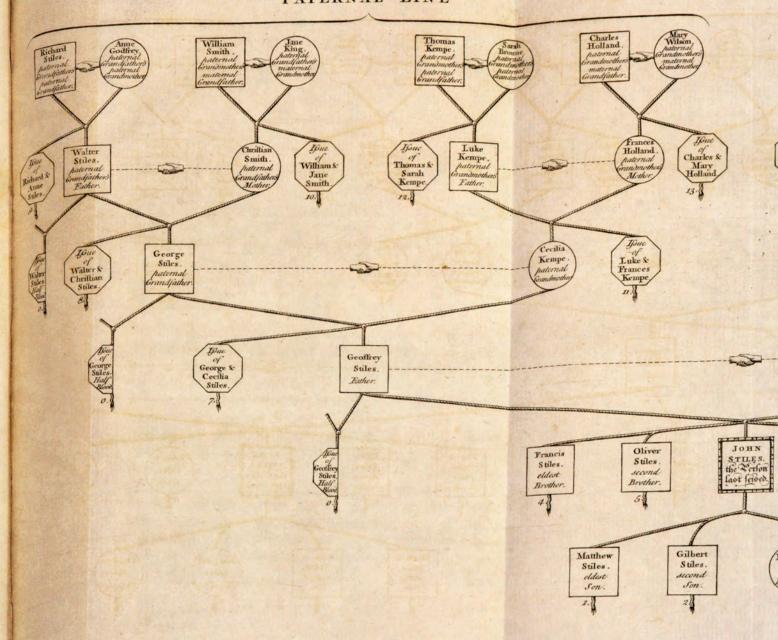
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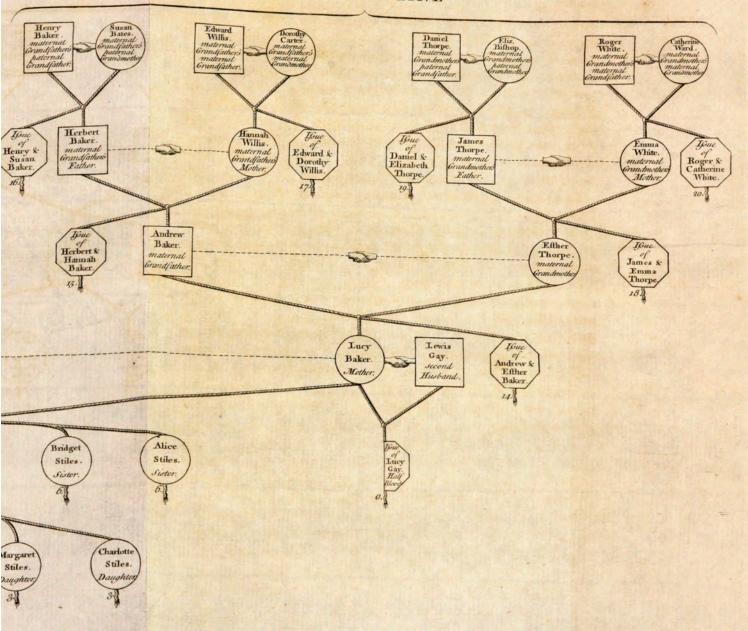
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