English Law Before 1776

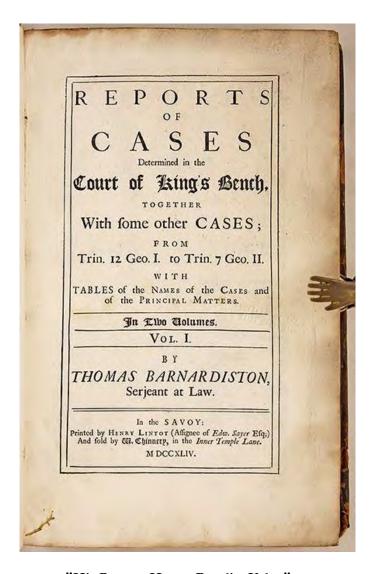
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Part V

October 1, 2019



L'AWBOOK EXCHANGE



"His Reports Have a Peculiar Value"

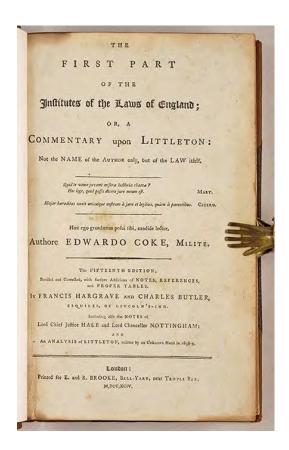
1. Barnardiston, Thomas [d. 1752].

Reports of Cases Determined in the Court of King's Bench, Together with Some Other Cases; From Trin. 12 Geo. I. to Trin. 7 Geo. II. With Tables of the Names of the Cases and of the Principal Matters. [London]: Printed by Henry Linton, 1744. Two volumes. [xiv], 470, 28; [xii], 470, [24] pp. Folio (12" x 7-3/4").

Contemporary calf with later rebacking, blind rules to boards, blind fillets along joints, raised bands and lettering pieces to spines, corners mended, endpapers renewed. Some rubbing and scuffing to boards, heavier rubbing to extremities with wear to spine ends and corners, joints starting at ends, hinges cracked, card pocket residue to pastedowns, library stamps to preliminaries and a few other leaves. Light toning to text, dampcrinking to head of text block above headlines with occasional light soiling, notes in early to a few leaves in each volume. \$500.

* Only edition. "His reports have a peculiar value, from the fact of containing the decisions of the great Lord Hardwicke, and if the author has occasionally fallen into slight errors, they are neither so glaring or numerous as to detract much from their merits" (Marvin). 94. Barnardiston was a legal reporter and serjeant-at-law. He also published reports on Chancery cases. Marvin, *Legal Bibliography* 94. Wallace, *The Reporters* 423-426. *English Short-Title Catalogue* T97750.

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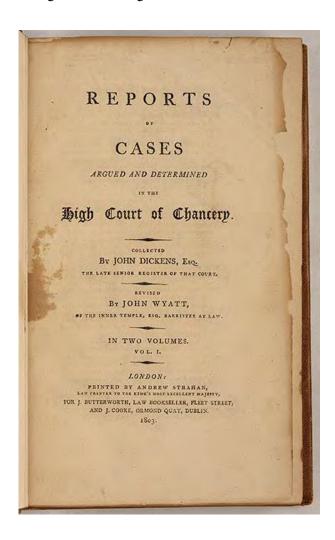
Coke on Littleton

Coke, Sir Edward [1552-1634]. Hargrave, Francis [1741?-1821], Editor. Butler, Charles [1750-1832], Editor.

The First Part of the Institutes of the Laws of England: A Commentary Upon Littleton. Not the Name of the Author Only, But of the Law Itself. Revised and Corrected, With Further Additions of Notes, References, And Proper Tables by Francis Hargrave and Charles Butler, Including Also the Notes of Lord Chief Justice Hale and Lord Chancellor Nottingham, And an Analysis of Littleton, Written by an Unknown Hand in 1658-9. London: E. and R. Brooke, 1794, 1809. Three volumes. Volume III, which has a portrait frontispiece of Butler, is titled Notes on Lord Coke's First Institute, Or Commentary Upon Littleton. Volume I has folding table of descents. Three volumes. Octavo (9-1/4" x 5-1/2").

Volume I-II: Later three-quarter calf over cloth, lettering pieces and gilt volume numbers and dates to spines, endpapers renewed. Volume III; Contemporary calf, rebacked, blind fillets to boards, lettering piece to spine, endpapers renewed. Light rubbing to boards and extremities, slightly heavier to board edges of Volume III, corners bumped and lightly worn, a few small nicks to spines of Volumes I and II. Moderate toning to interiors, light foxing in a few places in each volume. \$300.

* Volumes I-II: Fifteenth edition, Volume III: Sixteenth edition, an unaltered reprint of the fifteenth. Coke's *Institutes* are considered the first textbooks on the modern common law. They are virtually a legal encyclopedia. "If Bracton first began the codification of the common law, it was Coke who completed it.... In the *Institutes* (...) the tradition of the common law from Bracton to Littleton, whose name Coke's commentary made famous, firmly established itself as the basis of the constitution of the Realm." *Printing and the Mind of Man* 126. The fifteen and sixteenth editions are the first in the octavo format. The editions with notes by Hargrave and Butler are the best. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:451. Order This Item



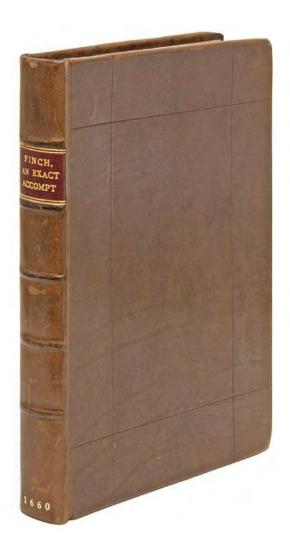
A Well-Respected Set of Chancery Reports

3. Dickens, John. Wyatt, John, Editor.

Reports of Cases Argued and Determined in the High Court of Chancery. London: Printed by Andrew Strahan, For J. Butterworth, 1803. Two volumes. xxxix, [1], 430; [ii], [431]-875 pp. Octavo (9-1/4" x 5-3/4").

Later library buckram, raised bands, lettering pieces and location numbers to spines, endpapers renewed. Some shelfwear and soiling, joints starting, light chipping to heads of spines, hinges just starting at ends, embossed library stamps to pastedowns, title page of Volume I detached and edgeworn. Light browning to text, light foxing in a few places. \$100.

* Only edition. Dickens was a register of the Court of Chancery who was held in high regard by Lord Eldon and Lord Redesdale, among others. Considered "valuable" by Wallace, this collection of his reports was compiled and edited posthumously by Wyatt. It includes cases from 1559 to 1798. Wallace, *The Reporters* 476-777. Order This Item



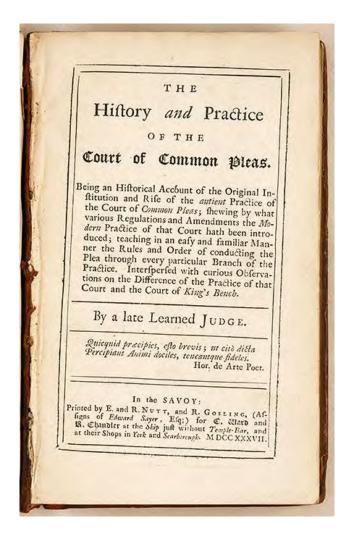
The Fate of the Regicides

4. [Finch, Heneage, Earl of Nottingham (1621-1682)].

An Exact and Most Impartial Accompt of the Indictment, Arraignment, Trial, and Judgment (According to Law) of Twenty Nine Regicides; The Murtherers of His Late Sacred Majesty of Most Glorius Memory: Begun at Hicks-Hall on Tuesday, The 9th of October, 1660. And Continued (At the Sessions-House in the Old-Bayley) Untill Friday, The Nineteenth of the Same Month. Together with a Summary of the Dark, And Horrid Decrees of Those Caballists, Preparatory to That Hellish Fact. Exposed to View for the Reader's Satisfaction, And Information of Posterity. London: Printed for Andrew Crook at the Green Dragon in St. Paul's-Church-Yard, And Edward Powel at the White-Swan, 1660. Quarto (7-1/4" x 5-1/2").

Recent period-style calf, blind rules to boards raised bands and lettering piece to spine, endpapers renewed. Light browning to text, light foxing to a few leaves, early owner inscription in tiny hand to head of title page, later owner inscription to front endleaf. \$450.

* First edition, one of four issues from 1660. An extended account of the trial of those who precipitated the execution of King Charles I. Ten were condemned to death and hanged, drawn and quartered. Finch, a distinguished lawyer and Member of Parliament from an eminent family, held several high legal posts. He was Lord Chancellor of England from 1675 to 1682. At the time of this book's publication he was England's solicitor general. A second edition was published in 1679. English Short-Title Catalogue R202957. Order This Item



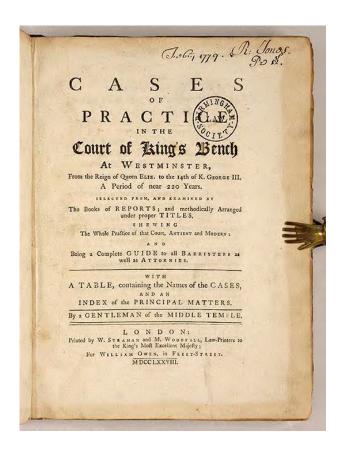
Recommended by Blackstone

5. Gilbert, Sir Geoffrey [1674-1726].

The History and Practice of the Court of Common Pleas. Being an Historical Account of the Original Institution and Rise of the Antient Practice of the Court of Common Pleas; Shewing by What Various Regulations and Amendments the Modern Practice of that Court Hath been Introduced; Teaching in an Easy and Familiar Manner the Rules and Order of Conducting the Plea Through Every Particular Branch of the Practice. Interspersed with Curious Observations on the Difference of the Practice of that Court and the Court of King's Bench. By a Late learned judge. [London]: Printed by E. and R. Nutt, 1737. [viii], xviii, 223, [49] pp. Title page preceded by publisher advertisement. Octavo (7-3/4" x 5-3/4").

Contemporary sheep with later rebacking, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, endpapers renewed. Front board detached, along with front free end paper and following endleaf, a few scuffs to boards, corners worn, some chipping to head of spine. Negligible light soiling to advertisement and title page, interior otherwise fresh. \$250.

* First edition. "[In the *Commentaries*] Sir William Blackstone highly recommends this work to the perusal of the student, which, he says, has traced out the reason of many parts of our modern practice from the feudal institutions, and primitive construction of our courts, in a most clear and ingenious manner." It went through three later editions, the last reissued in Dublin in 1792. Blackstone cited in Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:270 (73). *English Short-Title Catalogue* N7556. Order This Item



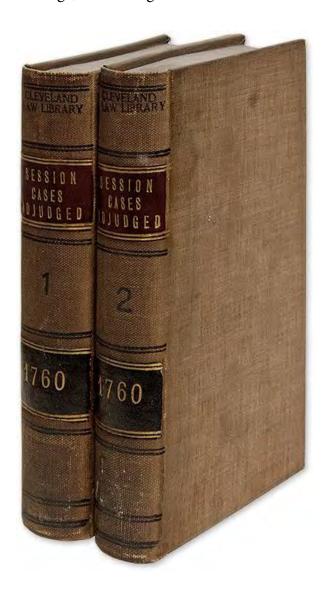
Cases "Shewing the Whole Practice" of the Court of King's Bench

6. [Great Britain]. [Court of King's Bench].

Cases of Practice in the Court of King's Bench at Westminster, From the Reign of Queen Eliz. To the 14th of K. George III. A Period of Near 220 Years. Selected From, And Examined by The Books of Reports; And Methodically Arranged Under Proper Titles. Shewing the Whole Practice of that Court, Antient and Modern; And Being a Complete Guide to All Barristers as Well as Attornies. With a Table, Containing the Names of the Cases, And an Index of the Principal Matters. By a Gentleman of the Middle Temple. London: Printed by W. Strahan and M. Woodfall, 1778. [iv], ii, [10], 256, [24] pp. Quarto (10-3/4" x 8-1/2").

Contemporary calf with later buckram rebacking, blind fillets to boards, library name to front, library insignia to rear, raised bands, calf lettering piece and gilt library name to spine, hinges reinforced with cloth tape. Light rubbing to boards, heavier rubbing to extremities with wear to corners, library bookplate to front pastedown, a few cracks to text block. Moderate toning to text, somewhat heavier in places, brief annotations in early hand in a few places, small library stamps to title page and a few other leaves. \$200.

* Only edition. The contents, derived from cases reported from 1558 and 1775, are arranged alphabetically by topic. "The advantage of such a compilation to the *Barrister* and the *Attorney* is manifest. The former sees at one view, without the trouble of turning over the voluminous reports of ages, all they contain on the subject of his enquiries: the latter hath the same advantage.... For understanding the practice of the court, the attorney should assist himself by every means he can; for other questions that come before the court, he must apply for the information and assistance of the bar. This was the line that formerly separated the two parts of the profession from each other, and which, if gone into some disuse in these enlightened times, doth not always turn out to the advantage of the suitor" (Preface). *English Short-Title Catalogue* T95695. Order This Item



With Several Cases Relating to Poor Laws

7. [Great Britain]. [Court of King's Bench].

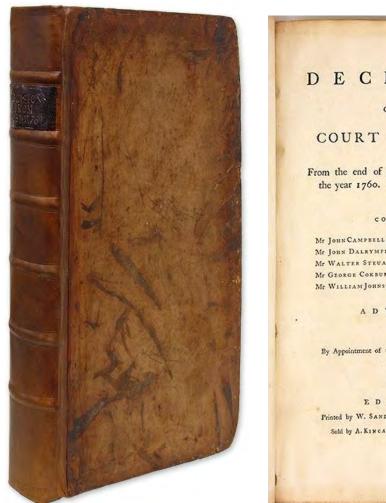
Sessions Cases Adjudged in the Court of King's Bench, Chiefly Touching Settlements, From the Latter End of Queen Anne's Reign to the Present Time: With Two Tables, The One of the Names of the Cases, The Other of the Principal Matters Therein Contained. Corrected and Improved with New References, And the Acts of Parliament Which have Altered this Law Since the First Edition. [London]: Printed by Catherine Lintot for Daniel Browne [et al.], 1760. Two volumes. [xx], 432, [40]; [xii], 395, [20] pp. Octavo (7-3/4" x 5").

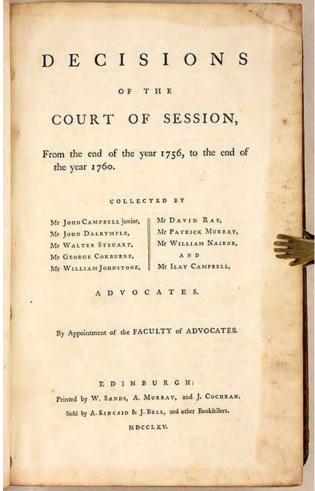
Later library buckram, red and black lettering pieces and black-stamped institution name to spines, joints reinforced with cloth tape, endpapers renewed. Some shelfwear and soiling, somewhat heavier soiling to spines. Moderate toning to text, somewhat heavier in places, library stamps and markings to title pages. \$250.

* Second edition, revised, the final and best edition of this work. This collection of cases from 1710-1748 includes several relating to poor laws. First published in 1750, Wallace says this work with held in low regard. However, it had two subsequent editions. Wallace, *The Reporters* 417. *English Short-Title Catalogue* N22211. Order This Item

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The Lawbook Exchange, Ltd. English Law Before 1776 October 1, 2019





Decisions in the Court of Session, 1756-1760

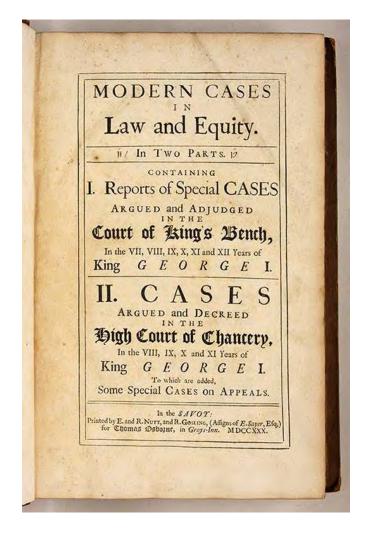
8. [Great Britain]. [Scotland]. [Court of Session].

Decisions of the Court of Session, From the End of the Year 1756, To the End of the Year 1760. Collected by John Campbell Junior, Mr John Dahrymple, Mr Walter Steuart, And Mr G eorge Cokburne, Mr William Johnstone, Mr David Rae, Mr Patrick Murray, Mr William Nairne, And Mr Ilay Campbell, Advocates. By Appointment of the Faculty of Advocates. Edinburgh: Printed by W. Sands, A. Murray, and J. Cochran, 1765. [ix], [1], 520 pp. Folio (12-1/4" x 7-3/4").

Contemporary calf, rebacked in period style, raised bands and retained contemporary lettering piece to spine, hinges mended. Some rubbing and shallow scuffing to boards, moderate rubbing to board edges, chip to lettering piece, corners worn, rear hinge cracked, small later owner stamp to front pastedown. Moderate toning and occasional light foxing to text, offsetting and light edgewear to margins of preliminaries and rear endleaves. \$500.

* First edition. The work of a distinguished group of advocates, this reporter includes all cases heard in sessions of Scotland's supreme civil court from 1756 to 1760. A second edition was published in 1798. *English Short-Title Catalogue* T78725. Order This Item

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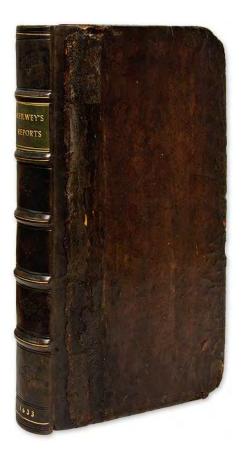
Modern Cases in Law and Equity

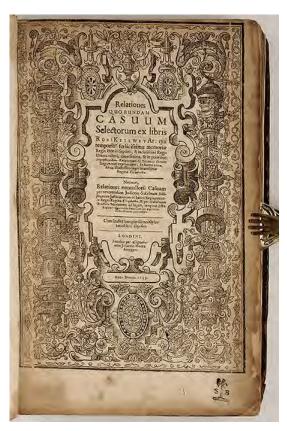
9. [Great Britain].[Court of King's Bench].[High Court of Chancery].

Modern Cases in Law and Equity. In Two Parts. Containing I. Reports of Special Cases Argued and Adjudged in the Court of King's Bench, In the VII, VIII, IX, X, XI and XII Years of King George I. II. Cases Argued and Decreed in the High Court of Chancery, In the VIII, IX, X and XI Years of King George I. To Which are Added, Some Special Cases on Appeals. [London]: Printed by E. and R. Nutt, And R. Gosling, 1730. [viii], 384, [44]; [iv], 210, [12] pp. Two parts. Cases Argued and Decreed in the High Court of Chancery has separate title page and pagination. Folio (12" x 7-3/4").

Contemporary calf blind frames to boards, blind fillets along joints, raised bands to spine, lettering piece lacking. Moderate rubbing and scuffing to boards and extremities, wear to spine ends and corners, early hand-lettered shelf number (?) to center of spine, joints cracked, hinges starting. Light toning to text, crinkling to head of text block with occasional light soiling, all above headlines, brief annotations in early hand in a few places, spotting and light soiling to title pages. \$350.

* First edition. This is a collection of cases from 1718 to 1726. Bibliographically distinct when published, this title was incorporated into the Modern Reports series. Editions beginning with the second are designated Volumes VIII and IX. English Short-Title Catalogue T97754. Order This Item





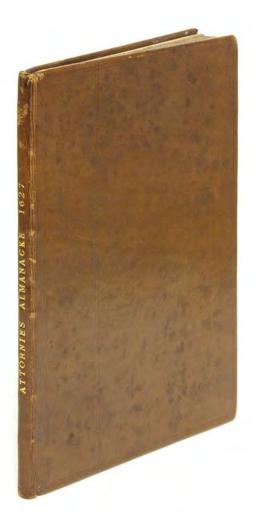
Early Edition of Keilwey's Reports

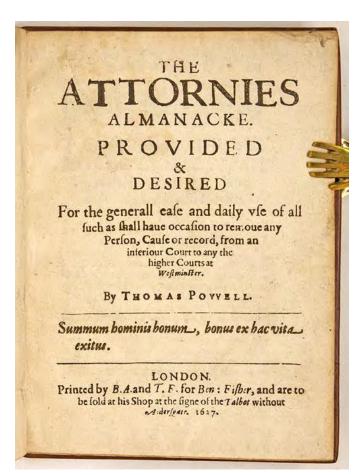
10. Keilwey, Robert [1497-1581]. Croke, Sir John [1553-1620], Editor. [Caryll, John, Reporter].

Relationes Quorundam Casuum Selectorum ex Libris Rob: Keilwey Ar: Qui Temporib[us] Foelicissimae Memoriae Regis Henrici Septimi, & Inclitissimi Regis Henrici Octavi, Emerserunt, & In Prioribus Impressionibus Relationum de Terminis Illorum Regum non Exprimuntur: In Lucem Editae, An. 44. Illustrissimi Regni Serenissimae Reginae Elizabethae. Necnon, Relationes Nonnulloru[m] Casuum per Reverendum Judicem Gulielmum Dalison, Unum Justiciariorum de Banco Regis, Tempore Regni Reginae Elizabetha, & Per Gulielmum Bendloes Servientem ad Legem, Tempore dictae Reginae: Quorundam Statutorum per Aequitatem Constructionem Continentes. Cum Indice Locupletissimo Alphabeticâ serie Disposito. London: Excusum per Assignationem Johannis Moore Armigeri, 1633. [iv], 215, [13 ff. Folio (11" x 7-1/2").

Contemporary calf, rebacked in period style, blind rules to boards, gilt-edged raised bands, lettering piece and blind ornaments to spine, hinges mended, rear free endpaper renewed. Moderate rubbing to boards, heavier rubbing to board edges with wear to corners, recent owner bookplate to front pastedown, hinges starting. Title printed within woodcut architectural border. Moderate toning to text, some chipping to edges of preliminaries and final three leaves, brief annotations in early hand to a few leaves, light soiling to title page, small later owner stamp to bottom margin, later owner signature to front free endpaper. \$500.

* Second edition. First published in Latin 1602, this collection "from the library of Rob. Keilway" reports cases from 1495 to 1531. It includes "many decisions in these reigns [12 Hen. VII-22 Hen. VIII], not printed in any prior reports, and contains, in addition, some cases *incerti temporis*, and some *temp. Ed. III*" (Wallace). Most of these cases were reported by John Caryll. Wallace, *The Reporters* 119. *English Short-Title Catalogue* R4204. Order This Item





"For the Genereall Ease and Daily Use of All Such as Shall Have Occasion to Remove any Person, Cause or Record"

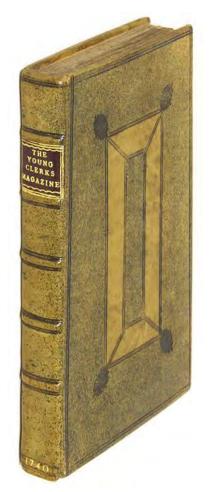
11. Powell, Thomas [1572?-1635?].

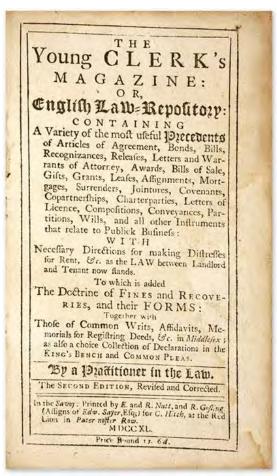
The Attornies Almanacke. Provided & Desired for the Generall Ease and Daily Use of All Such as Shall Have Occasion to Remove any Person, Cause or Record, From an Inferiour Court to Any the Higher Courts at Westminster. London: Printed by B[ernard] A[lsop] and T[homas] F[awcet] for Ben: Fisher, 1627. [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. \$1,850.

* 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). Holdsworth, *A History of English Law* V:381. *English Short-Title Catalogue* S115029.

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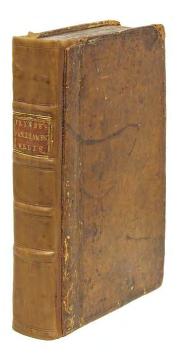
Guidance for Young Clerks

12. [Practitioner in the Law].

The Young Clerk's Magazine: Or, English Law-Repository: Containing a Variety of the Most Useful Precedents of Articles of Agreement, Bonds, Bills, Recognizances, Releases, Letters and Warrants of Attorney, Awards, Bills of Sale, Gifts, Grants, Leases, Assignments, Mortgages, Surrenders, Jointures, Covenants, Copartnerships, Charterparties, Letters of Licence, Compositions, Conveyances, Partitions, Wills, And All Other Instruments that Relate to Publick Business: With Necessary Directions for Making Distresses for Rent, &c. As the Law Between Landlord and Tenant Now Stands. To Which is Added The Doctrine of Fines and Recoveries, And Their Forms: Together with Those of Common Writs, Affidavits, Memorials for Registring Deeds, &c. In Middlesex; as Also a Choice Collection of Declarations in the King's Bench and Common Pleas. By the Author of The Student's Law-Dictionary, in 8vo, Revised and Corrected. [London]: Printed by E. and R. Nutt, and R. Gosling, 1740. [iv], 192, [8] pp. Lacking 2 plates (illustrating Court hands), 12mo. (6-1/4" x 3-3/4").

Recent period-style paneled calf, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, faint dampstaining to preliminaries and a few other leaves, rear hinge starting, faint early owner signature to front endleaf. A handsomely bound copy of a scarce title. \$350.

* Second edition. First published in 1739, with "Practitoner in the Law" listed as the author, this is a formbook with a section containing instructions for conveyancing. It was intended for law clerks, lawyers and laymen. It went though six editions in London, the last one in 1772 and four editions in Philadelphia published in 1774, 1788, 1792 and 1795. English Short-Title Catalogue N14348. Order This Item





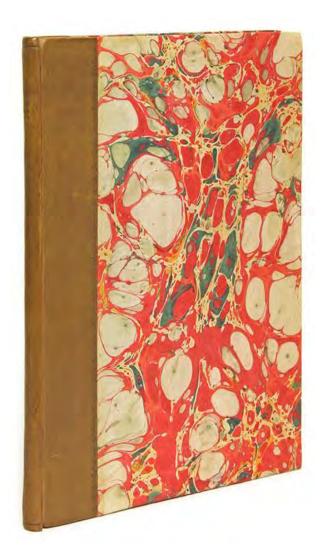
Prynne Reviews the History of Parliamentary Writs and Practice

13. Prynne, William [1600-1669].

Brevia Parliamentaria Rediviva. In XIII Sections Conteining Several Catalogues of the Numbers, Dates of All Bundles of Original Writs of Summons and Elections Newly Found, Or Formerly Extant in the Tower of London During the Reigns of King Edw. 1, 2, 3. R. 2. H. 4, 5, 6. And E. 4 Being 117 Bundles: Of All the Knights Names of Each County Retorned on These Writs; And all Cities, Boroughs, Ports Therin Summoned to Elect, Send, Or Actually Returning Citizens, Burgesses, Barons, And How Oft They Did it During These Kings Reigns: With 3. Catalogues of All the Citizens, Burgesses Retorned on These Writs for Bathe, Bristol, London: The Ancient Forms of Elections, Retorns Cedules, Indentures Relating to Each County, City, Borough, Port; Besides Sundry Rare Writs, Records, Memorials, And Observations from them Touching Elections, Retorns: The True Original Creation, Continuance, Discontinuance, Exemption of Antient Boroughs: The Late Erections of New, and Revival of Some Old Petty Boroughs; Most of Which Writs, Bundles, Records, Rarities (Long Buryed in Dust and Darknesse in Caesars Chappel) Hitherto Unknown, Were Lately Discovered, And Here Published for the Benefit of Posterity. London: Printed for the Author, 1662. [xxiv], 232 pp., 233-248 ff., [4], 249-384, 369-376, 393-398, [2] pp. Pagination irregular, text complete. Quarto (7-1/2" x 5-1/2").

Contemporary sheep, recently rebacked in calf, blind rules to boards, raised bands and retained contemporary lettering piece to spine. Light rubbing and a some minor nicks and scuffs to boards, moderate rubbing to board edges, corners bumped and somewhat worn, hinges cracked, recent owner bookplate to front pastedown. Title page printed within typographical border. Moderate toning to text, occasional minor worming to foot of text block, light soiling to title page. \$750.

* Only edition. Complete in itself, this is the third part of a four-volume collection issued from 1659 to 1664 known collectively as the *Brief Register*. The 1662 volume contains Parliamentary material from the reigns of King Edward I trough King Edward IV. Other volumes contain writs from different periods. 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 Star Chamber. After the Restoration Prynne was appointed Royal Archivist in the Tower of London. He compiled the latter volumes of the *Brief Register* during this period. *English Short-Title Catalogue* R14426. Order This Item



Importance of the Great Seal of England

14. Prynne, William.

The Opening of the Great Seale of England. Containing Certain Brief Historicall and Legall Observations, Touching the Originall, Antiquity, Progresse, Use, Necessity of the Great Seal of the Kings and Kingdoms of England, In Respect of Charters, Patents, Writs, Commissions, And Other Processe. Together with the Kings, Kingdoms, Parliaments Severall Interests in, And Power over the Same, And Over the Lord Chancellour, And the Lords and Keepers of It, Both in Regard of Its New-Making, Custody, Administration for the Better Execution of Publike Justice, The Republique Necessary Safety, And Utility. Occasioned by the Over-Rash Censures of Such who Inveigh Against the Parliament, For Ordering a New Great Seale to be Engraven, To Supply the Wilfull Absence, Defects, Abuses of the Old, Unduely Withdrawne and Detained from Them. Lodon [sic]: Printed for Michael Spark Senior, 1643. [viii], 48 pp. Quarto (8-1/2" x 6-1/2").

Stab-stitched pamphlet bound into recent quarter calf over marbled boards. A few minor nicks, corners lightly bumped. Title printed within typographic border. Light toning to text, negligible minor worming to inner margin of title page and a few other leaves. \$500.

* Only edition. A product of Prynne's antiquarian interests, the *Opening of the Great Seale* is a discussion of the role and significance of the great seal affixed to state documents. *English Short-Title Catalogue* R234376. <u>Order This Item</u>

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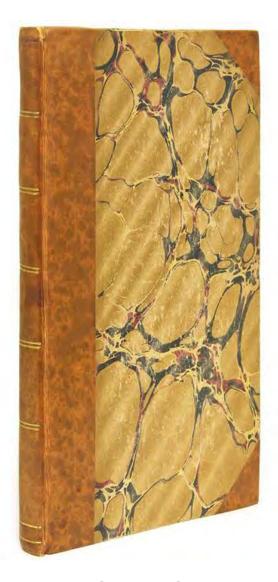
Early Collection of Political and Personal Writings of Sir Walter Raleigh

15. Raleigh, Sir Walter [1552?-1618].

Remains of Sir Walter Raleigh; Viz. Maxims of State. Advice to His Son: His Sons Advice to His Father. His Sceptick. Observations Concerning the Causes of the Magnificency and Opulency of Cities. Sir Walter Raleigh's Observations Touching Trade and Commerce With the Hollander and Other Nations; Proving that Our Sea & Land Commodities Inrich and Strengthen Other Countreys Against Our Own. The Prerogative of Parliaments in England, Proved in a Dialogue Between a Councellour of State and a Justice of Peace. His Letters to Divers Persons of Quality. London: Printed by Iohn Redmayne for Margaret Sheares, 1664. [xii], 264; [10], 122 pp. Copperplate portrait frontispiece. Two parts. The second, The Prerogative of Parliaments in England Proved, has individual title page and pagination. With a 4 pp. publisher catalogue. 12mo. (4-3/4" x 2-3/4").

Contemporary calf with recent rebacking, blind rules to boards, lettering piece and gilt fillets to spine, endpapers renewed. Moderate rubbing with some wear to extremities, some worming to bottom edge of front board, hinges starting. Moderate toning and occasional faint dampstaining to text, repair to head of frontispiece with minor loss to headline. \$450.

* Third edition. This collection of Sir Walter Raleigh's writings was first published in 1657. It contains his principal political writings as well as essays, of fatherhood, the conduct of life and cities. The final edition of this collection, the eighth, was published in 1726. English Short-Title Catalogue R26912. Order This Item



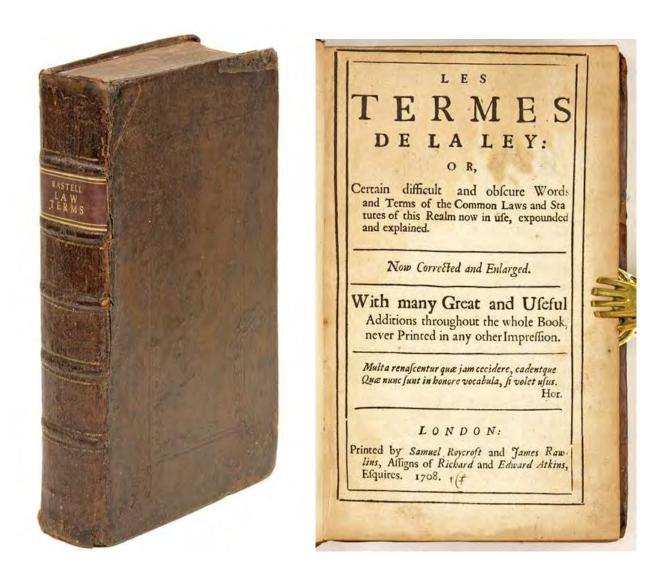
Adherence to the Creed of the Church of England

16. [Randolph, Thomas (1701-1783), Attributed].

A Summary View of the Laws Relating to Subscriptions, &c. With Remarks, Humbly Offered to the Consideration of the British Parliament. London: [S.n.], Printed in the Year 1771. 36 pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, gilt fillets to spine, endpapers renewed. Negligible light rubbing to spine ends and corners, light toning to text. \$500.

* First edition, one of two issues from 1771 (the other an 8 pp. quarto). Subscription refers to one's adherence to the 39 Articles of Religion, the statement of the doctrines and practices of the Church of England that are part of the Book of Common Prayer. Degree candidates at Cambridge and Oxford were required to submit to a formal declaration of subscription. Using a legal argument, a *Summary View* opposes a recent movement to abolish this requirement. (Proponents of abolition, basing their case on William and Mary's 1701 Act of Toleration, presented a petition to Parliament in 1772 that was defeated.) Randolph, the presumed author, was a theologian and the president of Corpus Christi College, Oxford. A second edition of this pamphlet was published in 1772. *English Short-Title Catalogue* T57412. Order This Item



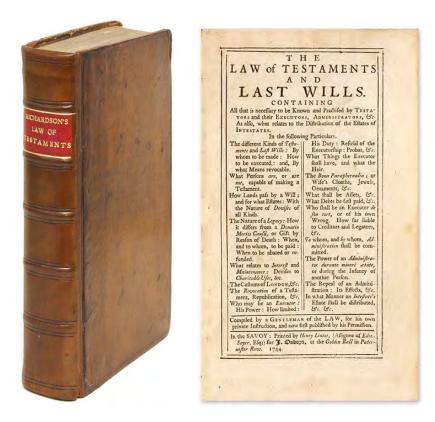
The First English Law Dictionary

17. [Rastell, John (d. 1536)]. [Rastell, William (1508?-1565), Editor].

Les Termes de la Ley: Or, Certain Difficult and Obscure Words and Terms of the Common Laws and Statutes of This Realm Now in Use, Expounded and Explained. Now Corrected and Enlarged. With Many Great and Useful Additions Throughout the whole Book, Never Printed in Any Other Impression. London: Printed by Samuel Roycroft and James Rawlins, 1708. [iv], 556 [i.e.598] pp. Parallel Law French and English texts. Octavo (7-1/2" x 4-1/2").

Contemporary paneled calf, raised bands and recent lettering piece to spine, early repair to head of spine. Light rubbing and a few shallow scuffs, moderate rubbing to extremities, corners bumped and somewhat worn, front hinge cracked. Moderate toning to text, occasional dampspotting, occasional faint dampstaining to margins. \$450.

* Later edition. Corrected and greatly enlarged with Law French and an English translation in Parallel columns. First published in 1527, originally composed in French, with a Latin title page, *Expositiones Terminorum Legum Anglorumae*. The first English law dictionary, it "reflects the common law at the close of the year-book period with much fidelity.": Marvin, *Legal Bibliography* 599. *English Short-Title Catalogue* T59645. <u>Order This Item</u>



Drafting Wills in Eighteenth-Century England

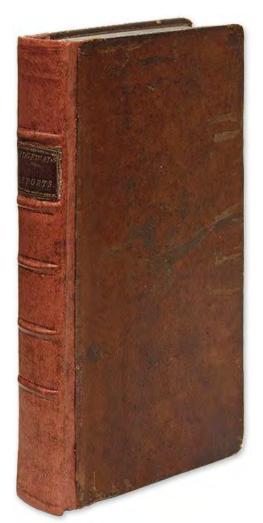
18. [Richardson, Robert].

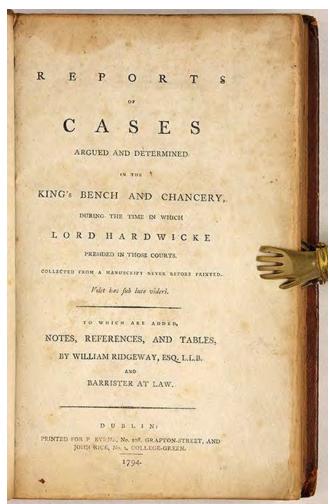
The Law of Testaments and Last Wills. Containing All That is Necessary to be Known and Practised by Testators and Their Executors, Administrators, &c. As Also, What Relates to the Distribution of the Estates of Intestates. In the Following Particulars. The Different Kinds of Testaments and Last Wills: By Whom to be Made: How to be Executed: And, By What Means Revocable. What Persons are, Or are Not, Capable of Making a Testament. How Lands Pass by a Will; And for What Estates: With the Nature of Devises of all Kinds. The Nature of a Legacy: How it Differs from a Donatio Mortis Causa, Or Gift by Reason of Death: When, And to Whom, To be paid: When to be Abated or Refunded. What Relates to Interest and Maintenance: Devises to Charitable Uses, &c. The Customs of London, &c. The Revocation of a Testament, Republication, &c. Who May be an Executor: His Power: How Limited: His Duty: Refusal of the Executorship: Probat, &c. What Things the Executor Shall Have, And What the Heir. The Bona Paraphernalia; Or Wife's Cloaths, Jewels, Ornaments, &c. What Shall be Assets, &c. What Debts be First Paid, &c. Who Shall be an Executor de Son Tort, Or of His Own Wrong. How Far Liable to Creditors and Legatees, &c. To Whom, And by Whom, Administration Shall be Committed. The Power of an Administrator Durante Minori Aetate, Or During the Infancy of another Person. The Repeal of an Administration: Its Effects, &c. In What Manner an Intestate's Estate Shall be Distributed, &c. &c. Compiled by a Gentleman of the Law, For His Own Private Instruction, And Now First Published by his Permission. [London]: Printed by Henry Lintot, 1744. vii, [25], 488, [16] pp. Octavo (7-3/4" x 4-3/4").

Contemporary calf, rebacked in period style, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, gilt tooling to board edges, hinges mended. Negligible light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, corners bumped and somewhat worn. Light toning to text, somewhat heavier in places, light foxing to some leaves, early owner signature to front free endpaper. A handsome copy of a scarce title. \$950.

^{*} First edition. A clearly written, well-indexed treatise intended for the general practitioner, the book cites individual cases, with marginal notes. A second edition was published in 1769. *English Short-Title Catalogue* T135725.

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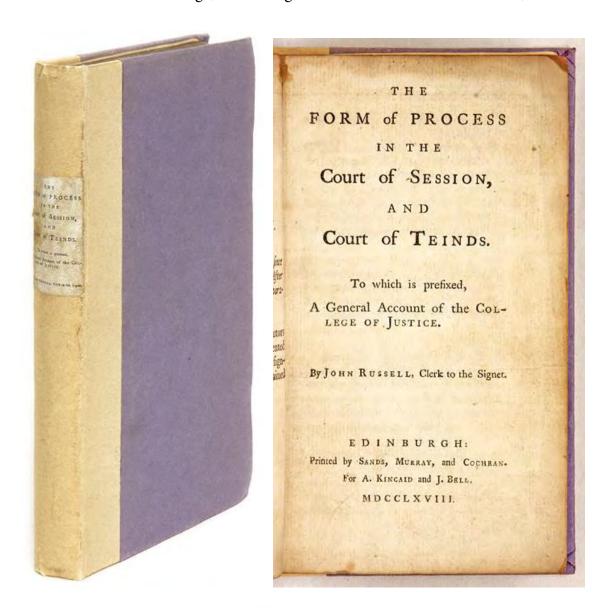
Ridgeway's Hardwicke

19. Ridgeway, William, Editor.

Reports of Cases Argued and Determined in the King's Bench and Chancery, During the Time in Which Lord Hardwicke Presided in Those Courts. Collected from a Manuscript Never Before Printed. To Which are Added, Notes, References, And Tables. Dublin: Printed for P. Bryne, 1794. vi, [2], 345, [1], xxxviii pp. Two parts with continuous paginition. Part (p. 164) preceded by title page. Octavo (8-3/4" x 5-3/4").

Contemporary speckled sheep, rebacked in period-style calf, raised bands and retained contemporary lettering piece to spine, blind tooling to board edges, hinges mended. A few shallow scuffs to boards, some rubbing to board edges with wear to corners, front hinge starting, early owner bookplate (of William F. McCoun) to front pastedown, front free endpaper loose. Moderate toning to text, light foxing in a few places. \$250.

* Only edition. Wallace, who offers a positive review of this work, notes it was derived "from a manuscript of some reputation, though the author of it is not known. In addition to the common-law cases reported in it, the book contains about an equal number of cases in Chancery, decided between the years 1744 and 1746. There are three issues of this book, two with Dublin imprints, one with a London imprint. Wallace, *The Reporters* 434. *English Short-Title Catalogue* N26377. Order This Item



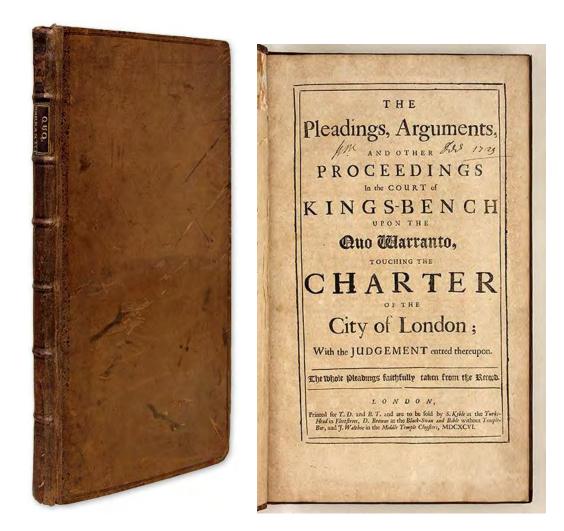
Scarce Treatise on Procedure in Two Important Scottish Courts

20. Russell, John [1710-1796].

The Form of Process in the Court of Session, And Court of Teinds. To which is Prefixed, A General Account of the College of Justice. Edinburgh: Printed by Sands, Murray, and Cochran. For A. Kincaid and J. Bell, 1768. [ii], ix, [3], 246 pp. 12mo. (6-3/4" x 4").

Recent paper-covered boards with contrasting spine with printed paper title label, endpapers renewed. Light soiling to spine, corners bumped. Moderate toning, somewhat heavier in places, later underlining in pencil in a few places. Exlibrary. Stamps to a few leaves and verso of title page. \$500.

* Only edition, one of two issues from 1768. A useful overview of mid-eighteenth century civil procedure in Scotland's supreme civil court and the ecclesiastical court with jurisdiction over the payment and allotment of tithes (teinds). Including both issues, OCLC locates 17 copies, 4 in North American law libraries (Harvard, North Carolina Supreme Court, UT-Austin, University of Virginia). English Short-Title Catalogue N6867. Order This Item



An Important Statement About the Rights of Corporations

21. [Sawyer, Sir Robert (1633-1692)].

The Pleadings, Arguments, And Other Proceedings in the Court Of Kings-Bench Upon the Quo Warranto, Touching The Charter Of The City Of London; With the Judgement Entred Thereupon. The Whole Pleadings Faithfully Taken from the Record. London: Printed by T.D. and B.T., 1696. [iv], 35, [1], 22, 16, 25-55, [1], 55, [1], 65-126 pp. Text continuous despite pagination. Folio (12-1/2" x 7-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, which are reinforced, raised bands and lettering piece to spine, small early shelf label (?) to rear board, front free endpaper and following leaf re-hinged. A few scuffs to boards, moderate rubbing to extremities, chipping to spine ends, corners bumped and somewhat worn, recent owner bookplate to front pastedown, rear hinge cracked, another crack between front endleaf and title page. Moderate toning to text, somewhat heavier in places, occasional faint spotting to first half of text, (illegible) early owner signature to title page. \$350.

* Second and final edition. First published in 1690, this volume relates to the passage of an act of Parliament during the glorious Revolution that restored a group of privileges granted under the Charter of the City of London to officers, companies, and corporations that had been seized under a writ of *quo warranto* by Charles II and James II to augment the royal revenue. An important assertion of Parliamentary power in its day, this act went on to become an important statement about the rights of corporations. *English Short-Title Catalogue* R28154. Order This Item

The Lawbook Exchange, Ltd. English Law Before 1776 October 1, 2019







An Appealing Collection of Scottish Acts from 1424 to the Act of Union

22. [Scotland].

Murray, Thomas [1630-1684], Compiler.

The Laws and Acts of Parliament Made by King James the First, And His Royal Successors, Kings and Queen of Scotland in Two Parts. Part I. Collected, And Extracted, From the Publick Records of the Said Kingdom. Edinburgh: Printed by Iosua van Solingen, And Iohn Colmar, for David Lindsay, And His Co-Partners, 1682 [i.e. 1683]. [xii], 1018, [2] pp.

[With]

Murray, Thomas, Compiler.

[Part II] The Acts Made in the First Parliament of Our Most High and Dread Soveraign, Charles the First.... Holden by Himselfe, Present in Person, With the Three Estates at Edinburgh, Upon the Twenty Eight Day of June, Anno Domini, 1633. Edinburgh: Printed by David Lindsay, 1683. 130, [4], 133-371, [13], 373-640, [2] pp.

[Bound with]

An Index or Abridgement of the Acts of Parliament, Made by K. James the I. And II. III. IV. V. Queen Mary, Ja. VI. K. Charles I. And Charles the II. Kings and Queen of Scotland. Digested into Heads, Set Down After the Order of the Alphabet. Edinburgh: Printed by John Reid, 1685. 292 pp.

[And]

The Laws and Acts Made in the First Parliament of Our Most High and Dread Sovereign James VII.... Holden at Edinburgh, April 23. 1685. By His Grace William Duke of Queensbury.... Lord High Treasurer of Scotland. His Majesty's High Commissioner for Holding this Parliament, By Virtue of a Commission Under His Majesty's Great Seal of this Kingdom. With Special Advice and Consent of the Estates of Parliament. Edinburgh: Printed by Robert Freebairn and Company, 1685. 875, [1] pp. Each session preceded by divisional title page.

Four books bound as a three-volume set. 12mo. (5-3/4" x 3-1/4"). Contemporary calf, rebacked retaining portions of original gilt spines with raised bands and lettering pieces, spines of Volumes I and II reversed, blind rules to boards, blind tooling to board edges, hinges mended, endleaves retained. Some minor scuffs and tiny stains to boards, light rubbing to extremities, corners bumped, rear hinge of Volume I cracked, early owner bookplate to front pastedown of each volume. Light toning to text, light foxing, somewhat heavier in places, minor worming, faint dampstaining and foxing in a few places, a few passages have brief annotations and markings in a recent hand. A handsome set. \$850.

* Assembled during the eighteenth-century, this set contains Scottish acts from 1424 to the Act of Union (1707). The second volume in this collection was issued in two forms: as an independent work and as Part II of Murray's collection beginning with the acts of King James I. Both are identical except for the title page. Our set has the version published as an independent work. Also included are the *Index* to these two volumes and the 1685 *Laws* an additional work, which has an index. *English Short-Title Catalogue* R3054, R22587, T134395. Order This Item



A Handbook for Gentlemen Presiding Over Their Manorial Courts

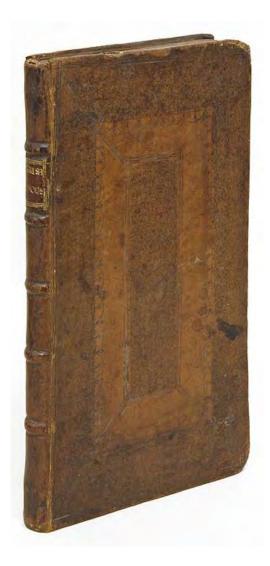
23. Scroggs, Sir William [1623?-1683].

The Practice of Courts-Leet, And Courts-Baron. With Full and Exact Directions for Making up Court-Rolls, As Well of Courts Leet as of Courts-Baron: As Also, The Manner of Drawing and Entring all Sorts of Presentments of Forfeitures in Courts-Leet, And of Surrenders, Admissions, and Recoveries in the Nature of Writs of Entry sur Disseisin en le Post at the Common Law. Likewise, Several Curious Matters and Notes in Law, Relating to Presentments; Distress, Amerciaments, Fines, Rescous, Replevin, Wastes, Estrays, By Laws, Harriots, Escheat, Surrenders, &c. With Directions for Giving Charges to the Jury and Homage at a Court-Leet and a Court-Baron. Published from the Manuscripts of Sir Will. Scroggs, Knt. Sometime Lord Chief Justice of England. To This Third Edition are Added, Very Large Additions, And the Late Acts of Parliament Concerning the Duty on Surrenders, Admittances, &c. The Whole Carefully Corrected from the Errors of the Former Impression. [London]: Printed by J. Nutt, Assignee of Edward Sayer Esq; For D. Browne, In Exeter Exchange in the Strand, A. And J. Churchill at the Black Swan in Pater-Noster Row, And J. Walthoe in the Middle-Temple Cloysters, 1714. [iv], 498, [14] pp. Includes one-page publisher advertisement. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and fragment of early hand-lettered title label to spine. A few minor nicks, scuffs and stains to boards, a few scuffs to spine, joints just starting at head, corners bumped, hinges partially cracked. Light toning to text, slightly heavier in places, light foxing to a few leaves, early owner signatures to preliminaries, another signature to head of p. 1., gift inscription to front free endpaper. \$450.

* Third edition, one of two issues from 1714. This handbook for gentlemen presiding over their manorial courts was first published in 1701, with later editions in 1702, 1714 and 1728. The inscription is interesting because it records a gift from a mother to a daughter, which is unusual for a legal book more likely to be passed from a gentleman to a son. It reads "Margaret Joseph Her/ Book given Her by her/ Mother 1781." *English Short-Title Catalogue* N39789. Order This Item

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A Guide to Eighteenth-Century English Nobility and Their Ancestors

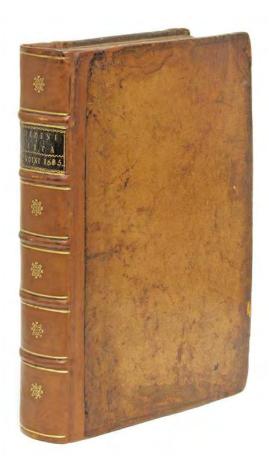
24. [Segar, Simon].

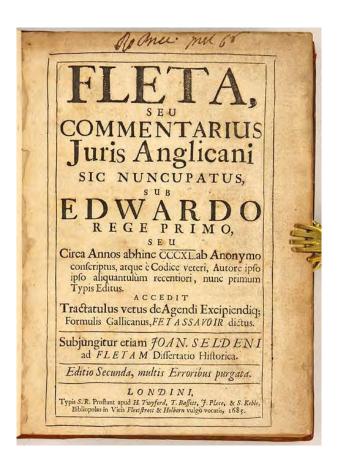
Honores Anglicani: Or, Titles of Honour the Temporal Nobility of the English Nation (Quaterus Such) Have Had, Or do Now Enjoy, Viz. Dukes, Marquisses, Earls, And Viscounts, From the Time of the Conquest; And Barons from Their First Investiture by Charter, Whether by Tenure, Writ of Summons to Parliant, Or Patent. In a Method Altogether New; Wherein Their Several Gradations are Set Down so as Their Precedency May be Collected and Known; And also Some New Matter Advanc'd in Relation to Our Baronage. To which is Added, A Compleat Alphabetical Index. London: Printed for John Baker, 1712. [iv], 188 pp. Octavo (7-1/4" x 4").

Contemporary paneled calf, raised bands and lettering piece to spine, gilt tooling to board edges. A few minor scratches and tiny inkstains to boards, moderate rubbing to extremities, chip to head of spine, corners bumped, hinges cracked, rear free endpaper lacking, later bookplate to front pastedown. Moderate toning and faint spotting to text, internally clean. \$250.

* First edition. Other editions were published in 1715 and 1720. All are scarce. Both a guidebook and a genealogy, this was a useful tool for research into peerage claims. OCLC locates 9 copies of the first edition in North America, 1 in a law library (Harvard). English Short-Title Catalogue T114134. Order This Item

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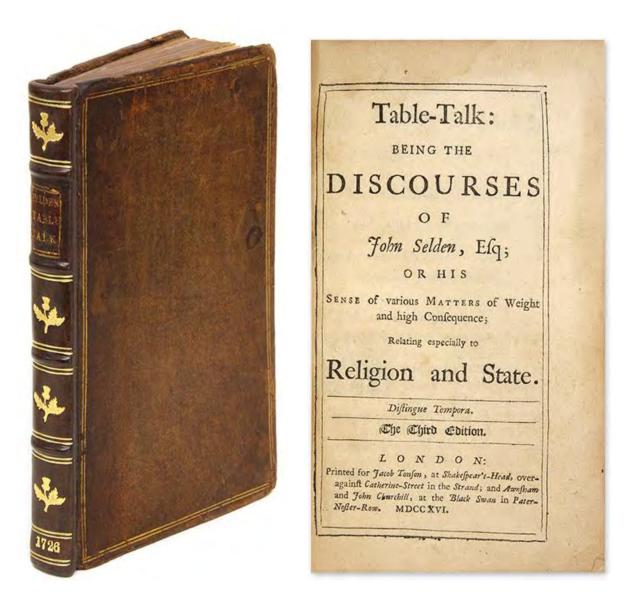
Selden's Edition of Fleta and His Ad Fletam Dissertatio

25. Selden, John [1584-1645], Editor.

Fleta, Seu Commentarius Juris Anglicani Sic Nuncupatus, Sub Edwardo Rege Primo, Seu Circa Annos ab Hinc CCCXL. Ab Anonymo Conscriptus, Atque e Codice Veteri, Autore Ipso Aliquantulum Recentiori, Nunc Primum Typis Editus. Accedit Tractatulus Vetus de Agendi Excipiendique; Formulis Gallicanus, Fet Assavoir Dictus. Subjungitur Etiam Joan. Seldeni ad Fletam Dissertatio Historica. London: Typis S.R. Prostant apud H. Twyford, T. Bassett [et al.], 1685. [viii], 64, 63-452, [2], 453-553, [1] pp. Pagination irregular, text complete. Quarto (8-1/2" x 6-1/2").

Later sheep, rebacked in calf, blind rules to boards, raised bands, gilt ornaments and retained existing lettering piece to spine, endleaves renewed, early hand-lettered title to fore-edge of text block. A few minor nicks, scuffs and stains to boards, moderate rubbing to board edges, corners bumped and somewhat worn. Moderate toning to text, light foxing in a few places, light soiling and small early owner signature to title page. \$350.

* Second and best edition, "Multis Errobis Purgata." The work by an anonymous author describes the practice of the courts, the forms of writs and an explanation of law terms as they existed during the reign of Edward I. It was John Selden who first called the attention of the public to this ancient treatise, and was instrumental in procuring its publication. While Bracton earns the highest praise as the father of legal learning, Fleta earns a share of it for the illustrations he offered to some of the obscurities found in Bracton. Selden's appended dissertation (pp.453-553) contains many interesting observations about Bracton, Britton, Fleta, and Thornton "and shows what use was made of the Imperial law in England whilst the Romans governed here, at what time it was introduced into this nation, what use was formerly made of it, how long it continued, and when the use of it totally ceased in the King's Courts at Westminster.": Bridgman, A Short View of Legal Bibliography 87. English Short-Title Catalogue R37347. Order This Item



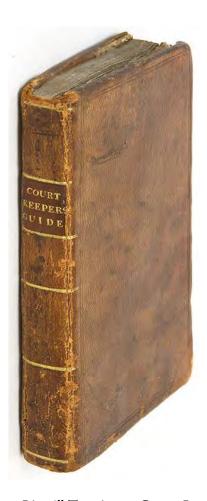
"His Sense of Various Matters of Weight and High Consequences"

26. Selden, John.

Table-Talk: Being the Discourses of John Selden, Esq. Or, His Sense of Various Matters of Weight and High Consequence. Relating Especially to Religion and State. London: Printed for Jacob Tonson, 1716. [viii], 136 pp. 12mo. (6-3/4" x 3-1/2").

Contemporary speckled calf, rebacked in period style, blind rules to boards, raised bands, gilt ornaments and retained contemporary lettering piece to spine, hinges mended. A few faint spots to boards, moderate rubbing to extremities, corners worn. Moderate toning to text, faint dampstaining in a few places, faint early owner signature to front free endpaper. \$250.

* Third edition. Perhaps the most personal of Selden's works, *Table Talk* was compiled by Selden's secretary, Richard Milward. It was first printed in 1689, when the Civil War had given freedom to the press. "The work may safely be accepted as the most vivid picture extant of the habits of thought and the modes of expression of the great Erastian lawyer. The conversations cover a great range of subjects relative to human life and history...": *Dictionary of National Biography* XVII:1159. *English Short-Title Catalogue* T115346. Order This Item



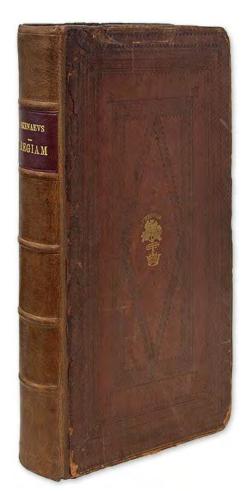
The "Longest Lived" Treatise on Courts Leet and Baron

27. Sheppard, William [d.1675?].

The Court-Keepers Guide: Or, A Plain and Familiar Treatise, Needful and Useful for the Help of Many That are Imployed in the Keeping of Law-Days, Or Courts Baron. Wherein is Largely and Plainly Opened the Jurisdiction of These Courts, With the Learning of Mannors, Copyholds, Rents, Harriots, And Other Services and Advantages Belonging Unto Mannors, To the Great Profit of Lords of Mannors, And Owners of These Courts. With Additions by the Author. London: Printed by W[illiam] G[odbid] for Gabriel Bedel, and Thomas Collins, 1662. [iv], 254, [4], [14] pp. Includes 14-page publisher catalogue. Octavo (5-3/4" x 3-1/2").

Contemporary sheep, blind rules to boards, later lettering piece and gilt fillets to spine, endpapers renewed. Moderate rubbing to extremities with wear to head of spine, corners bumped and somewhat worn, a few shallow scuffs to boards, early repair to lower corner of rear board, later owner bookplate to front pastedown, a few cracks to text block. Light toning to text, a few leaves loose and lightly edgeworn, small stain and tiny hole to title page. A nice copy. \$450.

* Fifth edition. In his discussion of the common law in the sixteenth century Holdsworth observes "[t]here was still a considerable amount of work to be done by [the courts leet and baron]. The common field system of agriculture needed regulation; the rights and duties of copy-holders were matters for the manorial court to determine, subject to the control of the courts of common law; and statutes of this period had assigned new duties to the leet. Thus a want was felt for something more than the single stereotyped tract which various publishers went on issuing from the press during the first half of this century. (...) [T]he longest lived...was the Court Keeper's Guide of William Sheppard, first published in 1641 and re-issued as late as 1791.": Holdsworth, A History of English Law IV:120-121. English Short-Title Catalogue R33880. Order This Item





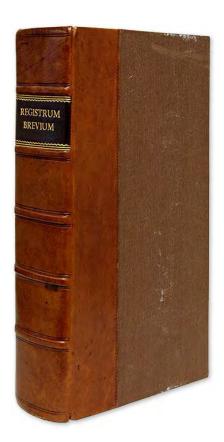
Ancient Laws of Scotland

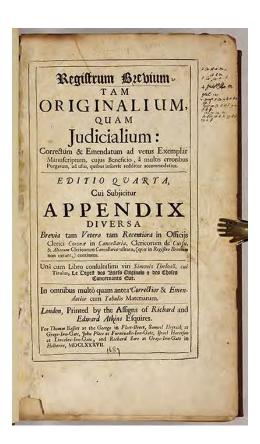
28. Skene, John [?1543-1617].

Regiam Majestatem Scotiae Veteres Leges et Constitutiones, Ex Archivis Publicis, Et Antiquis Libris Manuscriptis Collectae, Recognitae, Et Notis Juris Civilis, Canonici, Nortmannici Auctoritate Confirmatis, Illustratae, Opera & Studio Joannis Skenaei, Regiae Majestati à Conciliis & Archivis Publicis. Annotantur in Margine, Concordantiae Juris Divini, Legum Angliae, Et Juris Novissimi Scotiae quod Acta Parliamenti, Vulgò, Vocant. Catalogum Eorum quae in his Libris Continentur Vicesima Pagina, Indicat. Cum Duplici Indice, Altero Rerum, Altero Verborum Locupletissimo. Edinburgh: Excudebat Thomas Finlason, 1609. [x], 172 ff.; 17, [3] pp., 19-116, 118-122, [1] ff. Statuta, Sine Assisae Regis Wilhelmi, Regis Scotiae (caption title) has separate foliation and register. Added copperplate frontispiece of the arms of Scotland. Folio (11" x 7").

Nineteenth-century paneled calf with recent rebacking, gilt heraldic crests to centers of boards, gilt rules along edges raised bands and lettering piece to spine, gilt dentelles, marbled edges and endpapers, hinges reinforced with cloth. Rubbing to board edges with moderate wear, heavier wear to corners, later owner bookplate (R. Hamilton Esq.) to front pastedown. Moderate toning to text, light foxing to a few leaves, front free endpaper and following endleaf, with owner siganture (John MacDowall) partially detached at foot, light soiling to title page. \$650.

* First edition in Latin, published the same year as the first edition in English (1609). Skene was the first great Scottish legal historian. Regiam Maistaten Scotiae is an important collection of medieval Scottish laws and constitutions. An important source for the history of civil procedure and criminal law in Scotland, it provides interesting comparisons with common, canon and civil law. English Short-Title Catalogue S117417. Order This Item





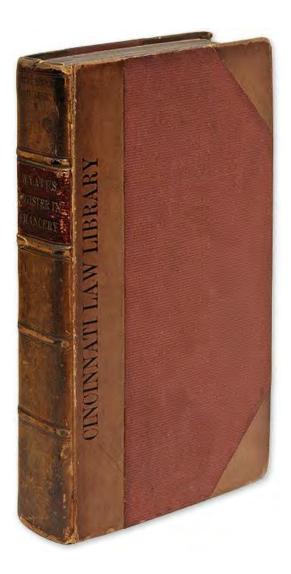
"It is Doubtful Whether Any Book Used by Mediaeval Practitioners Has Greater Importance in the History of Our Law"

29. [Writs]. [Great Britain].

Registrum Brevium tam Originalium, Quam Judicialium: Correctum & Emendatum ad Vetus Exemplar Manuscriptum, Cujus Beneficio, A Multis Erroribus Purgatum, Ad Usus, Quibus Inservit Redditur Accommodatius. Editio Quarta, Cui Subjicitur Appendix Diversa Brevia tam Vetera tam Recentiora in Officiis Clerici Coronae in Cancellaria, Clericorum de Cursu, & Aliorum Clericorum Cancellariae Usitata, (Quae in Registro Brevium non Extant,) Continens. Unà cum Libro Consultissimi Viri Simonis Theloall, Cui Titulus, Le Digest des Briefs Originals et des Choses Concernants Eur. In Omnibus Multò Quam Antea Correctior & Emendatior cum Tabulis Materiarum. London: Printed by the Assigns of Richard and Edward Atkins, 1687. [x], 321, 85 ff., [4], 59, [13], 239, [1] pp. The "Appendix" and "Le Digest des Briefs Originals" have separate title pages and paginations. Folio (12-1/2" x 7-1/2").

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30. Wyatt, John [1763 or 1764-1856].

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