

Recent Acquisitions

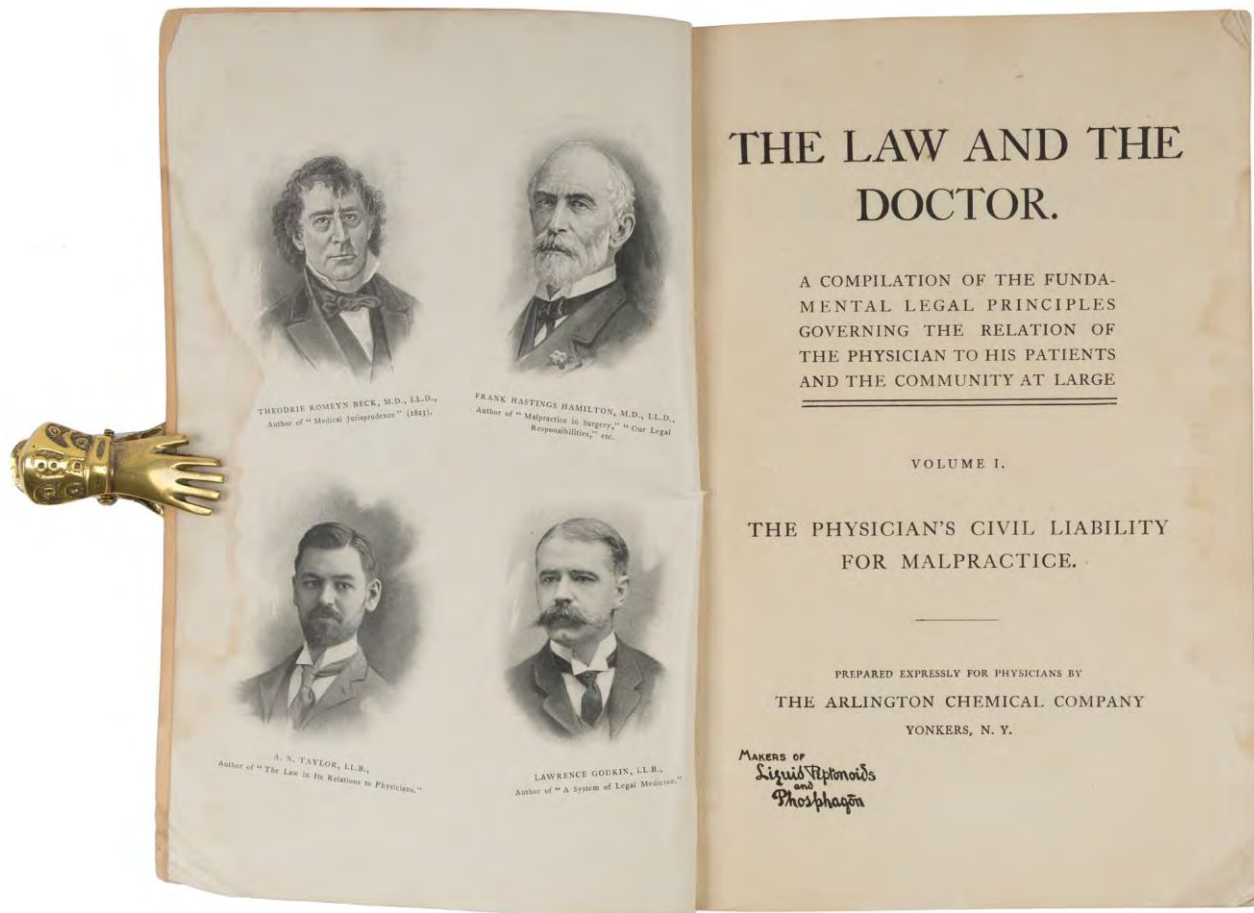
ENGLISH, SCOTTISH, AMERICAN &
CONTINENTAL LAW, 1639–c.1940

30 ITEMS

October 19, 2021



THE
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Legal Advice for Busy Doctors

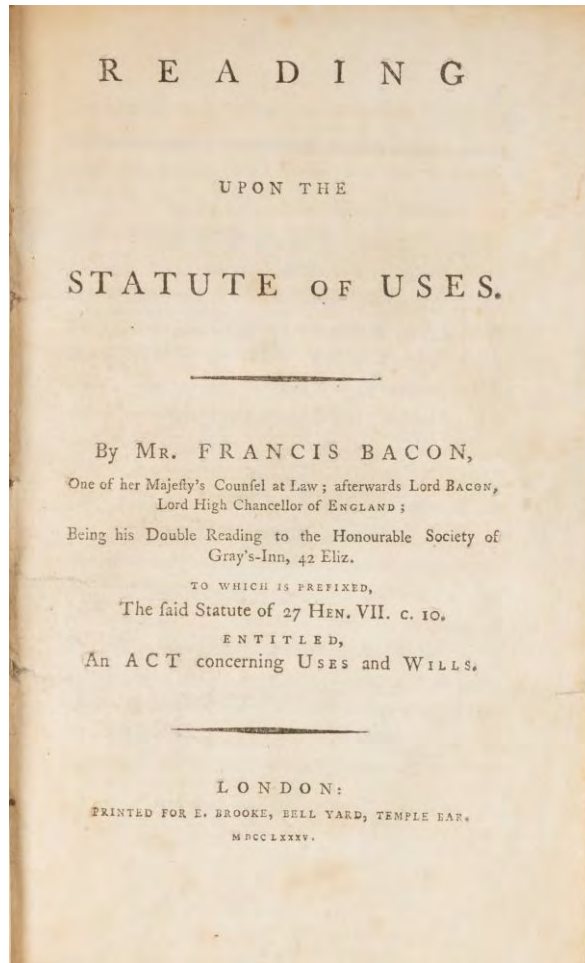
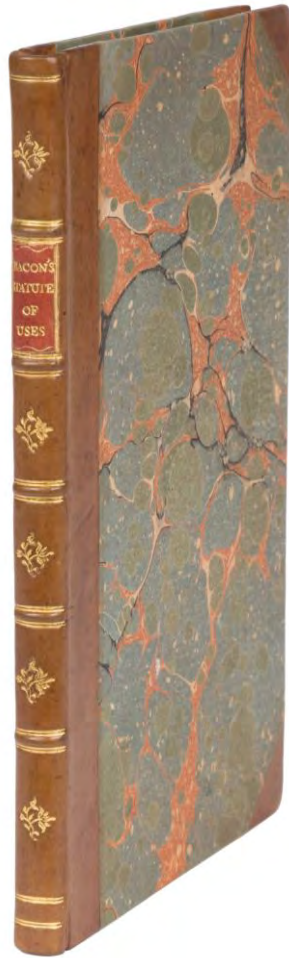
1. Arlington Chemical Company.

The Law and the Doctor: A Compilation of the Fundamental Legal Principles Governing the Relation of the Physician to His Patients and the Community at Large. Volume I: The Physician's Civil Liability for Malpractice. Yonkers, NY: The Arlington Chemical Company, [1903]. 50 pp. Frontispiece. 3 pp. of company advertisements (for Liquid Peptonoids and Phosphagen).

Printed wrappers (in the style of a law book). Light soiling and edgewear, dampstaining to wrappers and margins of frontispiece and title page, a few jottings to foot of front wrapper, moderate toning to interior. \$350.

* Only edition. This handbook was prepared by an "eminent member of the New York Bar" to help physicians understand their rights, privileges and liabilities when sued for malpractice. A second volume, *The Physician as Witness*, was issued in 1905. The two books were also issued that year in a single volume. The Arlington Chemical Company specialized in treatments for neurasthenia and other nervous disorders. The frontispiece depicts four authors of important treatises on medical jurisprudence: Theodric Romeyn Beck, Frank Hastings Hamilton, A.N. Taylor and Lawrence Godkin.

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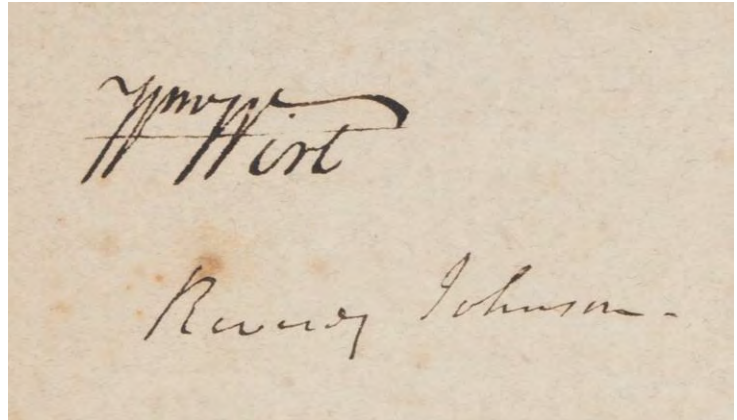
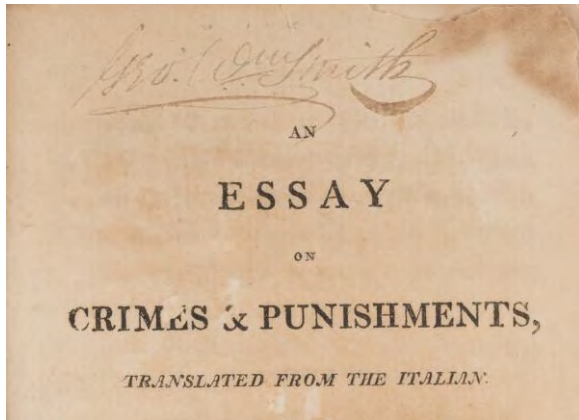
Best Edition of Bacon's Discourse on a Controversial Statute of King Henry VIII

2. Bacon, Sir Francis [1561-1626].

Reading Upon the Statute of Uses. By Mr. Francis Bacon, One of Her Majesty's Counsel at Law; Afterwards Lord Bacon, Lord High Chancellor of England; Being His Double Reading to the Honourable Society of Gray's-Inn, 42 Eliz. To Which is Prefixed, The Said Statute of 27 Hen. VII [sic].c.10., Entitled, An Act Concerning Uses and Wills. London: Printed for E. Brooke, 1785. xvi, 67, [1] pp. Octavo (8-1/4" x 5").

Recent period-style three-quarter calf over marbled boards by Philip Dusel, gilt-edged raised bands, gilt ornaments and lettering piece to spine, endpapers renewed, moderate toning to interior, light foxing to a few leaves, small chip to head of leaf A2 (pp. [iii]-iv). A handsome copy. \$750.

* Second, final and best edition. This is the published version of a lecture presented at Gray's Inn by one of the great intellectuals and jurists of his era. It concerns a controversial statute enacted in 1535 by King Henry VIII to end the practice of creating uses in real property by changing a title to a use into one that grants absolute ownership with the right of possession. This statute eliminated an arcane legal strategy used to avoid royal fees for land transfers. The first edition of this work was published in 1642 and, with edits, in Bacon's *Law Tracts* (1737). The second edition is preferred because it has additional corrections and side-notes, as well as the text of the act. OCLC locates 5 copies, 3 in North America, 2 in law libraries (Library of Congress, UC-Davis). The *English Short-Title Catalogue* (ESTC) adds another copy (Lincoln's Inn). ESTCT89380. [Order This Item](#)



Early American Edition of Beccaria with Three Notable Associations

3. [Beccaria, Cesare Bonesana, Marchese de (1738-1794)].

[Smith, George William (1762-1811), Former Owner].

[Wirt, William (1772-1834), Former Owner].

[Johnson, Reverdy (1796-1876), Former Owner].

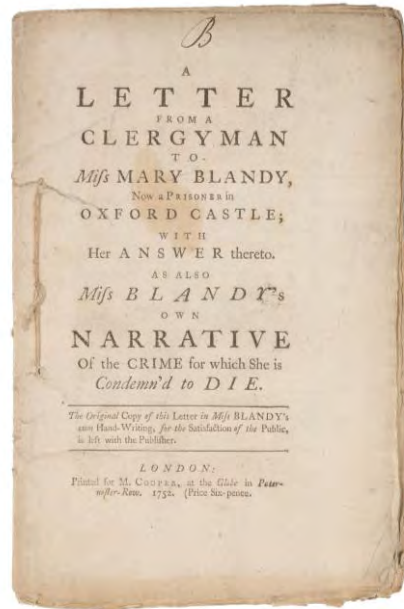
An Essay on Crimes and Punishments. Translated from the Italian. With a Commentary, Attributed to M. de Voltaire. Translated from the French. New York: Published by Stephen Gould, 1809. [ii], ix, [11]-191 pp. Octavo (6-3/4" x 4").

Contemporary plain paper-covered boards, rebacked in plain calf, hinges mended. Moderate rubbing and a few minor stains to boards, heavier rubbing to extremities with wear to corners. Moderate toning to interior, edgewear and a few minor tears to preliminaries, signatures of William Wirt and Reverdy Johnson to front pastedown, signature of George William Smith to head of title page, early annotation in pencil to foot of p. 36. \$5,000.

* *Dei Delitti e Delle Pene* (1764) was the first systematic study of the principles of crime and punishment. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought. A profound influence on the development of criminal law, it was especially influential in America.

This copy belonged to three eminent American attorneys and public servants, each of whom would have taken great interest in the reforms advocated by Beccaria. The first of these, George William Smith, was a Virginia politician who served as lieutenant governor, then Acting Governor while a member of the Council of State during most of 1811. He was appointed governor by the State Legislature on December 6, 1811. On December 26th of that year, he perished in a fire at the Richmond Theatre. The second owner was William Wirt, another prominent Richmond attorney and politician. Among other achievements, he was the attorney general during the administrations of James Monroe and John Quincy Adams. The longest-serving holder of that office, he did the most to establish its role in the Federal government. It is possible that Wirt acquired this book in Richmond, perhaps from Smith's estate. The third owner was Reverdy Johnson, a prominent Baltimore lawyer, later politician, who is remembered today as the principal attorney on the winning side of the Dred Scott case.

In August 1835, Johnson's house was looted and burned by a mob that was infuriated by his assistance to the directors of the failed Bank of Maryland. Johnson received a large settlement for the damages, rebuilt his house and replaced part of his library by purchasing the law library of the recently deceased William Wirt, which must have including the present volume. The comment at the foot of page 36 in this copy, referring to a passage about honor, reads: "Had not the 'Depotism of Opinion' existed long before the authority of the laws?" It is impossible to determine which if any of the three distinguished owners of this book may have written this comment, the only notation in this volume. Cohen, *Bibliography of Early American Law* 4235. [Order This Item](#)



The "Love Philtre" was Arsenic

4. [Blandy, Mary (1720-1752)].

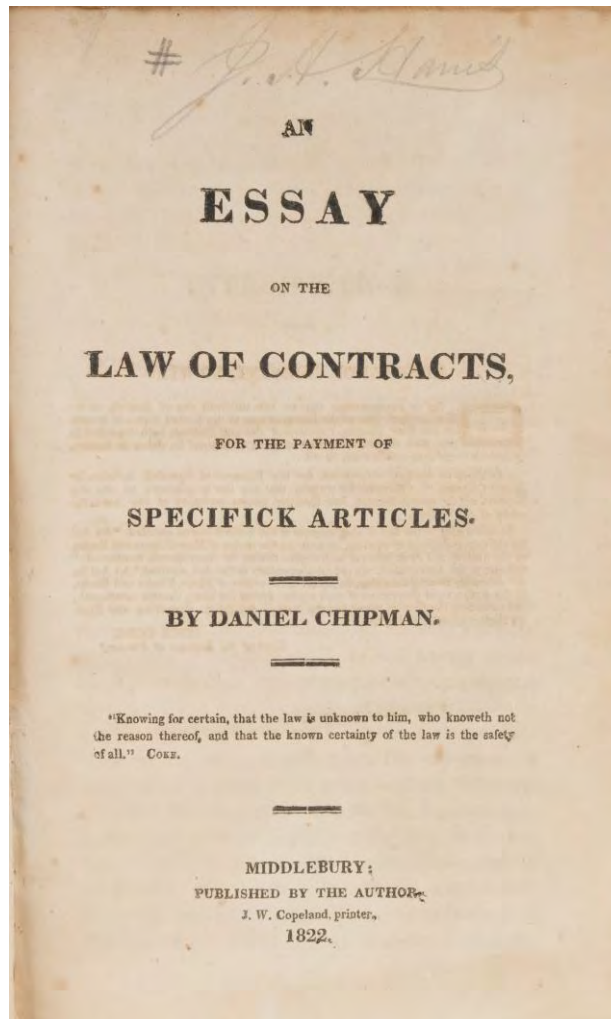
A Clergyman [Possibly William Stockwood].

A Letter from a Clergyman to Miss Mary Blandy, Now a Prisoner in Oxford Castle; With Her Answer Thereto. As also Miss Blandy's Own Narrative of the Crime for Which she is Condemned to Die. The Original Copy of this Letter in Miss Blandy's Own handwriting, For the Satisfaction of the Public, Is Left with the Publisher. To Which is Prefixed, A Letter Occasioned by Reading Miss Blandy's Trial. London: Printed for M. Cooper, at the Globe in Pater-Noster-Row, 1752. [iv], 26 pp. Octavo (8-1/2" x 5-1/2").

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

* Only edition, 1 of 2 issues by Cooper. The well-educated daughter of a prosperous lawyer, Blandy was not a typical female criminal of the era. Her unfortunate story begins with a dowry. Her father, Francis, advertised an unusually large dowry for Mary, £10,000. This attracted many suitors, including one who captivated Mary, the Honourable Captain William Henry Cranstoun, the son of a Scottish nobleman. Mr. Blandy became angry when he learned that Cranstoun was already married and realized that he was after the dowry. Sensing danger, Cranstoun persuaded Mary to give her father an ancient "love philtre" he acquired. Cranstoun said it would make the father like him. It was actually arsenic. Mary was fooled by this ruse and administered the powders. When her father was stricken and she learned what she had done, Mary foolishly burned Cranstoun's letters and disposed of the remaining powder. Cranstoun fled to France when it was clear that Mary was going to be arrested.

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



The First American Treatise on Contracts

5. Chipman, Daniel [1765-1850].

An Essay on the Law of Contracts, for the Payment of Specifick Articles. Middlebury, VT: Published by the Author, 1822. xvi, [17]-224 pp. Octavo (8" x 5").

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

* First edition. Chipman's *Essay* was the first original treatise on the subject written in the United States. In 1847 Marvin criticized Chipman for "show[ing] what the law of contracts ought to be rather than what the law of contracts is." This remark reflects Marvin's failure to grasp the changing nature of contract law, and it shows that Chipman's ideas were ahead of their time. Indeed, as Horwitz points out, Chipman was the first American to submerge the "dominant equity theory of contract in a conception of contractual obligation based exclusively on express bargains" determined by market values. Chipman was a Vermont lawyer, a professor of law at Middlebury, a representative to the state legislature and the U.S. Congress and a delegate to several Vermont constitutional conventions. Marvin, *Legal Bibliography* (1847) 189. Horwitz, *The Transformation of American Law* 181. Cohen, *Bibliography of Early American Law* 3621. [Order This Item](#)



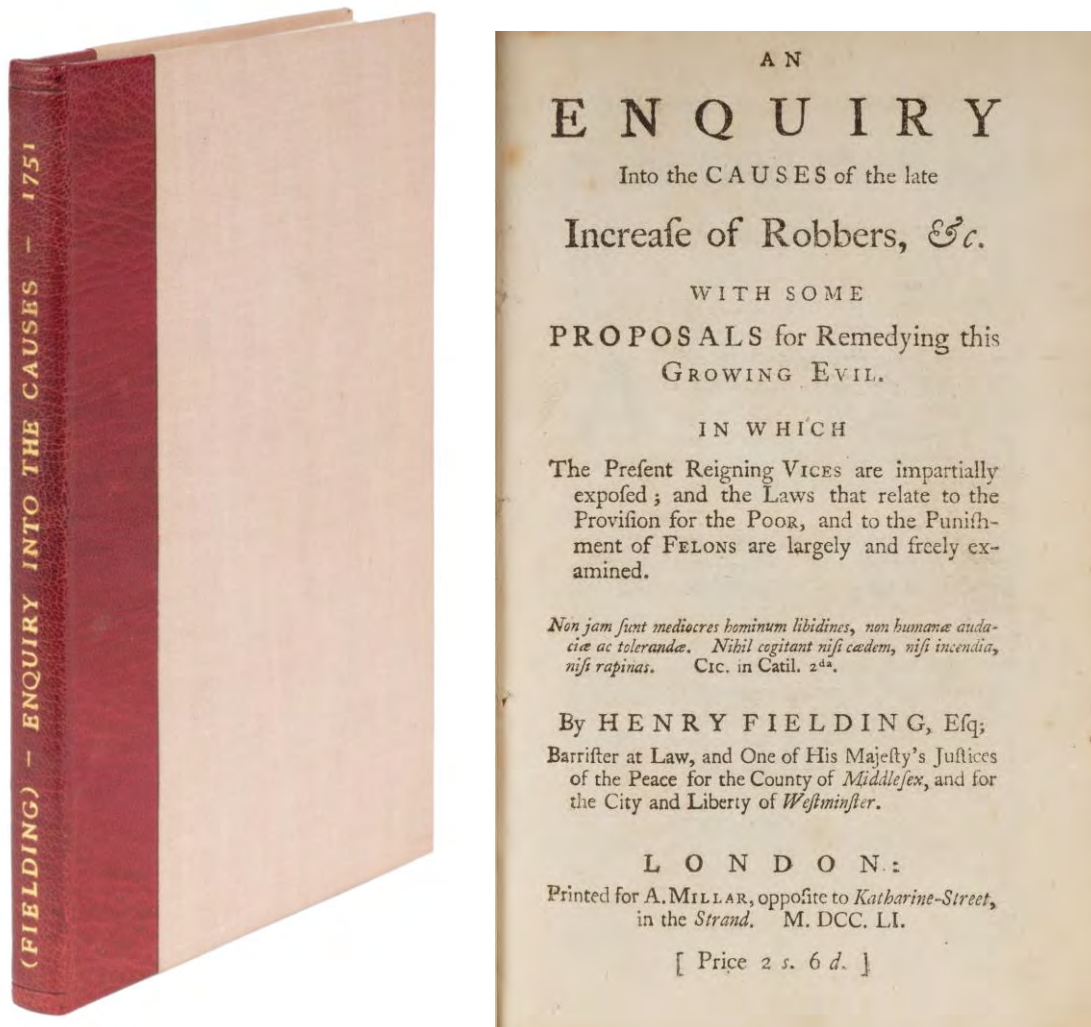
"The Dissolution of Marriage"

6. [Divorce]. [Great Britain].

Cases of Divorce for Several Causes; Viz. I. Memoirs of the Life of Robert Feilding, Esq., Containing an Account of his Amours: With a True Copy of his Last Will and Testament. II. The Case of Barbara, Late Dutchess of Cleaveland, With the Whole Proceedings Between Her Grace. And Major-General Feilding in Doctors-Commons; And Sir John Cooke's Definitive Sentence at Large in this Remarkable Tryal. III. The Case of Sir George Downing, Bart. And Mrs. Mary Forester. IV. The Case of John Dormer, Esq. V. The Case of the Lord Roos. VI. The Judgment of the Most Eminent Divines, &c. Concerning the Dissolution of Marriage. London: Printed for E. Curll, 1723. [x], xlvi [i.e.xlvii], [1], 144, 36 pp. Portrait frontispiece (of Robert Feilding). 12mo. (6" x 3-3/4").

Contemporary sheep, gilt rules to boards, gilt-edged raised bands to spine. Light rubbing and a few minor scuffs to boards, spot of worming to rear board, moderate rubbing to extremities, corners bumped and somewhat worn, early armorial book plate to front pastedown, hinges cracked. Moderate toning to text, somewhat heavier in places, light foxing to a few leaves, light soiling and early owner signature to title page, early owner annotation to front free endpaper, which has a short tear to its lower outside corner. \$1,500.

* Second and final edition. First published in 1715, this anonymous work offers salacious accounts of five notable seventeenth and eighteenth-century divorces proceedings involving members of the aristocracy for such causes as adultery, impotence and bigamy. The final section is a collection of documents on the "dissolution of marriage," many of them concerning impotence. It is a fine example of Curll's press, which specialized in salacious and otherwise offensive material. He is remembered today as the nemesis of Alexander Pope. Both editions of this work are scarce. OCLC locates 4 copies of the second edition in North American law libraries (Harvard, Library of Congress, San Francisco Law Library, University of Victoria). *English Short-Title Catalogue* T76889. [Order This Item](#)



Fielding's Proposals to Reduce Crime

7. Fielding, Henry [1707-1754].

An Enquiry Into The Causes Of The Late Increase Of Robbers, &c. With Some Proposals For Remedying This Growing Evil. In Which The Present Reigning Vices Are Impartially Exposed; And The Laws That Relate To The Provision For The Poor, And To The Punishment Of Felons Are Largely And Freely Examined. London: Printed for A. Millar, 1751. xv, [1], [1]-127, [1] pp. Octavo (7-3/4" x 4-3/4").

Recent quarter morocco over cloth, gilt title to spine, endpapers renewed. Light toning to text, somewhat heavier in places, light foxing to a few leaves, light soiling to title page and verso of final leaf. A handsome copy. \$1,000.

* First edition. This tract by the great writer draws attention to the social evils of the time, gin consumption among the poor especially. An influential piece, it inspired a bill to restrict gin production and Hogarth's famous engraving, "Gin Lane." The advertisement on the last page, possibly written by Sir John Fielding, is headed "To the Public." It advertises a domestic employment agency that offers servants free of "the rude Behaviour and Insolence of Servants of all Kinds" that has "become a general complaint." A second edition with minor revisions was published in 1751. There is also a Dublin imprint of the first edition issued in 1751 by M. Faulkner. *English Short-Title Catalogue* T89870. [Order This Item](#)



Handsomely Bound Copy of Hémard's *Code Pénal*

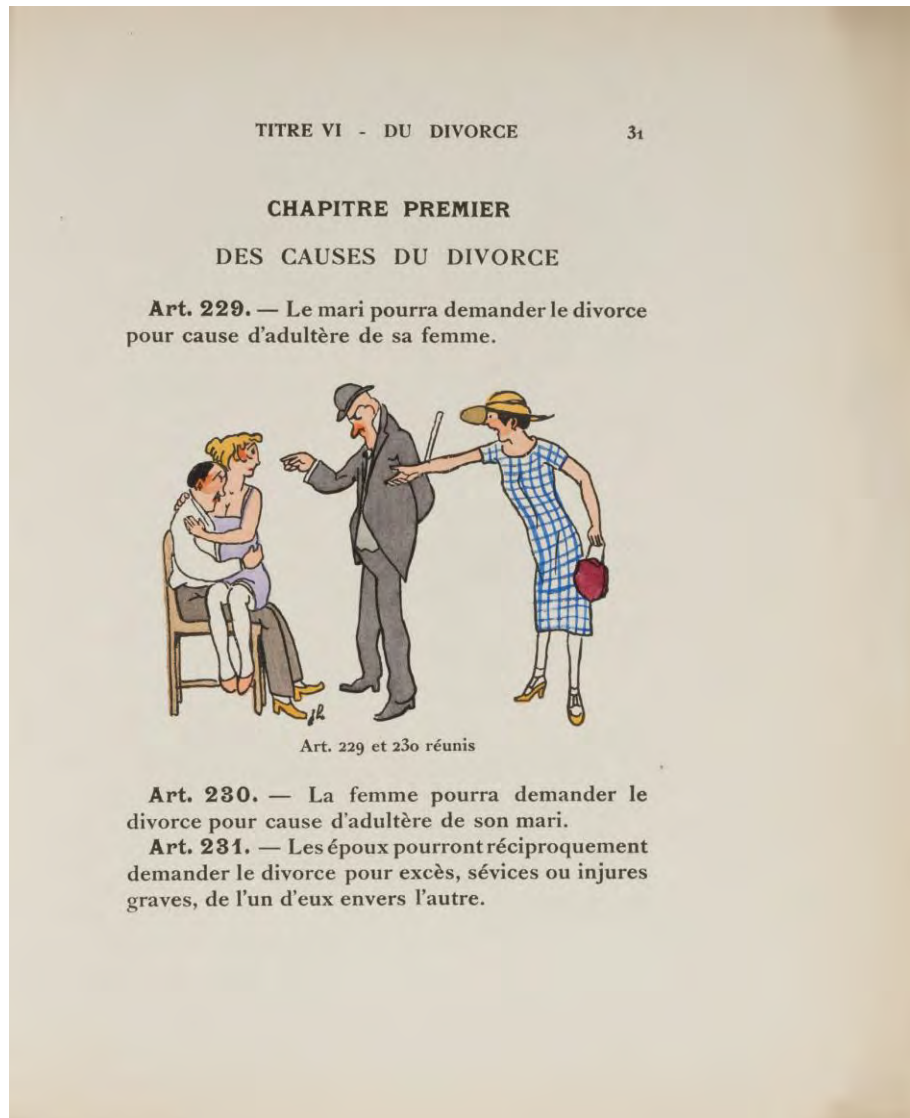
8. Hémard, Joseph [1880-1961].

Code Pénal: Commentaires Images de Joseph Hémard. Paris: Editions Littéraires de France, [c. 1940?]. 169 pp. Numerous pochoir color text illustrations throughout. Quarto (8-3/4" x 7").

Original publisher stiff printed color wrappers, untrimmed edges. Negligible light soiling, minor wear to spine ends, hinges partially cracked. Light toning to interior, illustrations vivid. \$850.

* From an edition limited to 900 copies, this is number 689. Hémard presents the official text of the French Code Pénal with witty, and often mildly erotic, color pochoir illustrations. It is a sequel to his *Code Civil: Livre Premier, Des Personnes*. In 1944 Hémard issued another legal work: *Code Général des Impôts Directs et Taxes Assimilées*. Hémard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books.

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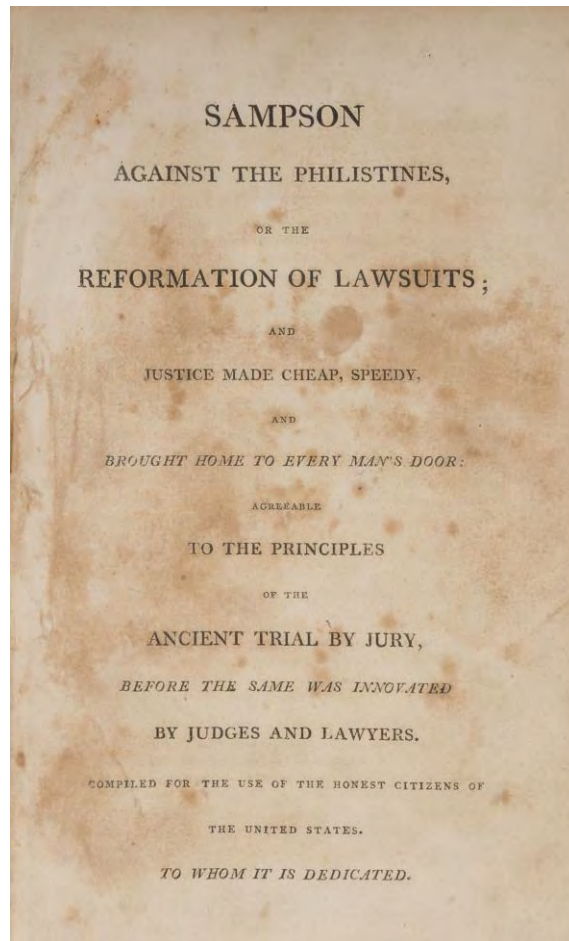
A Witty (And Very French) View of Family Law

9. Hémard, Joseph [1880-1961], Illustrator.

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

Original publisher stiff wrappers, untrimmed edges. Negligible light rubbing to extremities, light fading to spine. Light toning to interior, vivid illustrations. \$750.

* From an edition limited to 900 copies, this number 141. Hémard presents the official text of the sections of the French Civil Code dealing with family law with witty, and often mildly erotic, color pochoir illustrations. Hemard applied this treatment to two other legal works *Code Penal* (1940) and *Code General des Impôts Directs et Taxes Assimilées* (1944). Hémard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books. [Order This Item](#)



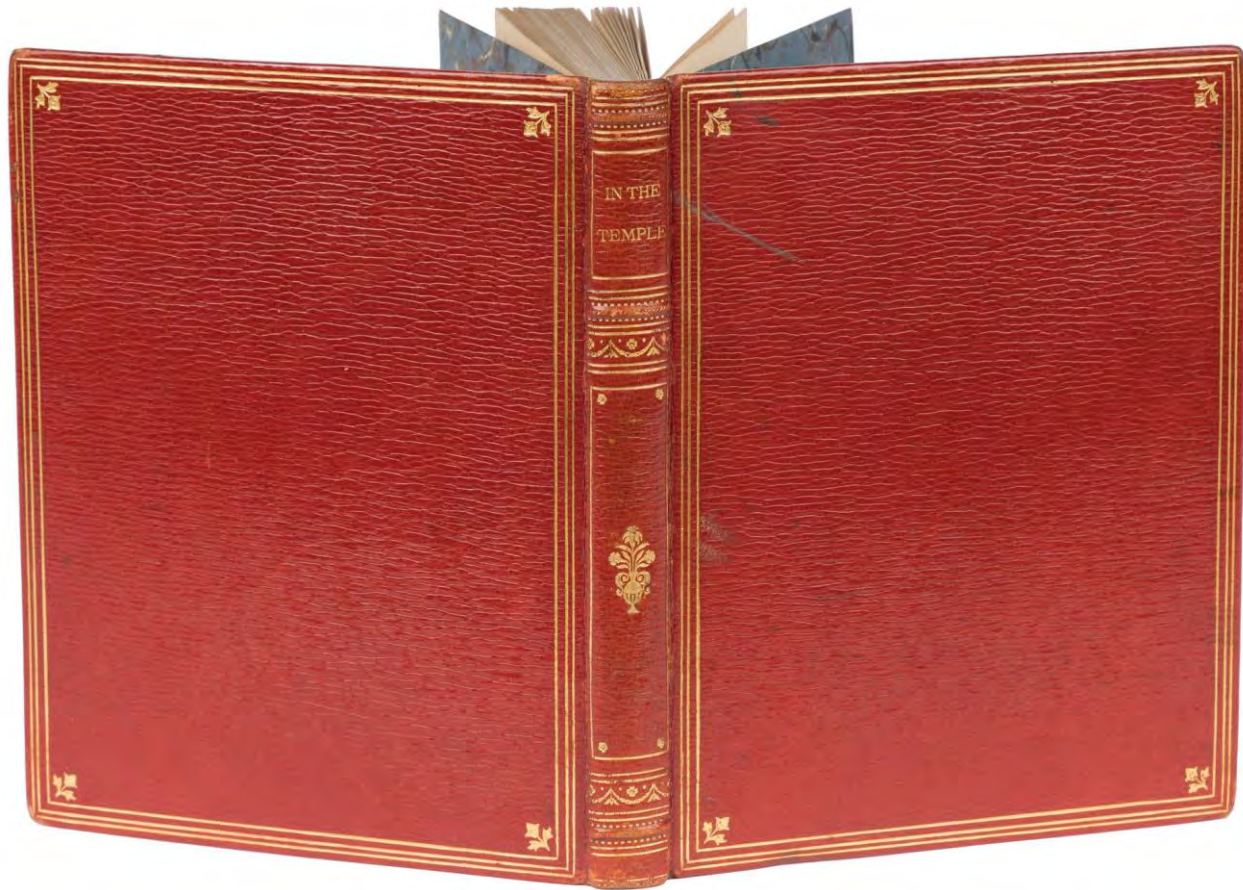
"Justice Made Cheap, Speedy, And Brought to Every Man's Door"

10. [Higgins, Jesse (b. 1763), Attributed].

Sampson Against the Philistines, Or the Reformation of Lawsuits; And Justice Made Cheap, Speedy, And Brought Home to Every Man's Door: Agreeable to the Principles of the Ancient Trial by Jury, Before the Same was Innovated by Judges and Lawyers. Compiled for the Use of the Honest Citizens of the United States. To Whom It is Dedicated. [Washington, DC: Printed by W. Duane, 1805]. v, 98, xxiii (i.e. xxii) pp. Octavo (7-3/4" x 5-3/4").

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

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



Handsomely Bound Treasury of Whimsical Anecdotes About London's Temple

11. [Inns of Court].

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

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

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



Jacob's Continuation of Hale's *Pleas of the Crown*

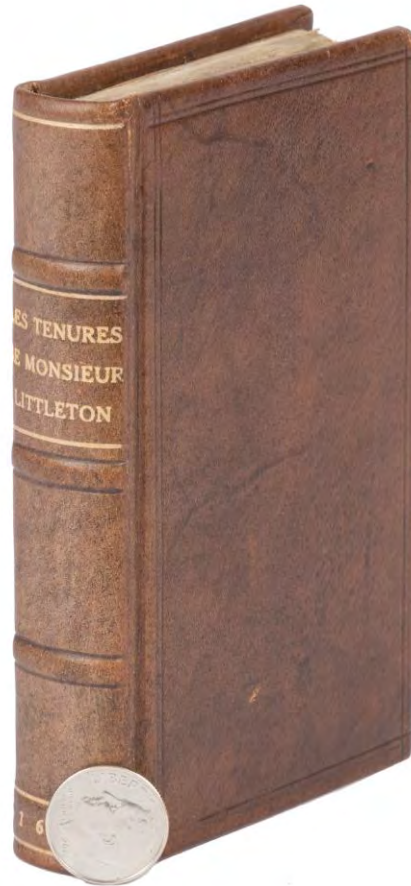
**12. Jacob, Giles [1686-1744].
[Hale, Sir Matthew (1609-1676)].**

Pleas of the Crown: The Second Part. Or, A Methodical Summary of the Principal Matters Relating to that Subject. By way of supplement to Sir Matthew Hale. Being a Continuation Thereof to This Time, From the Acts of Parliament and Books of Reports, &c. In Sir Matthen's Method. London: Printed by J[ohn] N[utt], Assignee of E. Sayer, for D. Brown [et al.], 1716. [iv], 121 [i.e. 131], [1] pp. Pp. 129-131 misnumbered 119-121. General title page of Hale's *Pleas of the Crown*, with the same publisher and imprint date, bound after title page.

Recent period-style paneled calf by Philip Dusel, raised bands and lettering piece to spine, gilt tooling to board edges, endpapers renewed. Moderate toning to interior, light soiling to title page, faint finger smudges to a few leaves. \$1,250.

* Only edition by Jacob. First published in 1678, Hale's important study of criminal law, the predecessor to his landmark *History of the Pleas of the Crown* (1736), went through seven editions, the last in 1773. The 1716 edition by John Nutt is in two parts. The first is Hale's treatise, the second is Jacob's continuation. Nutt also issued the two parts as separate titles. Mistakenly added to our copy is the general title page for the two-part version. *English Short-Title Catalogue* T147428.

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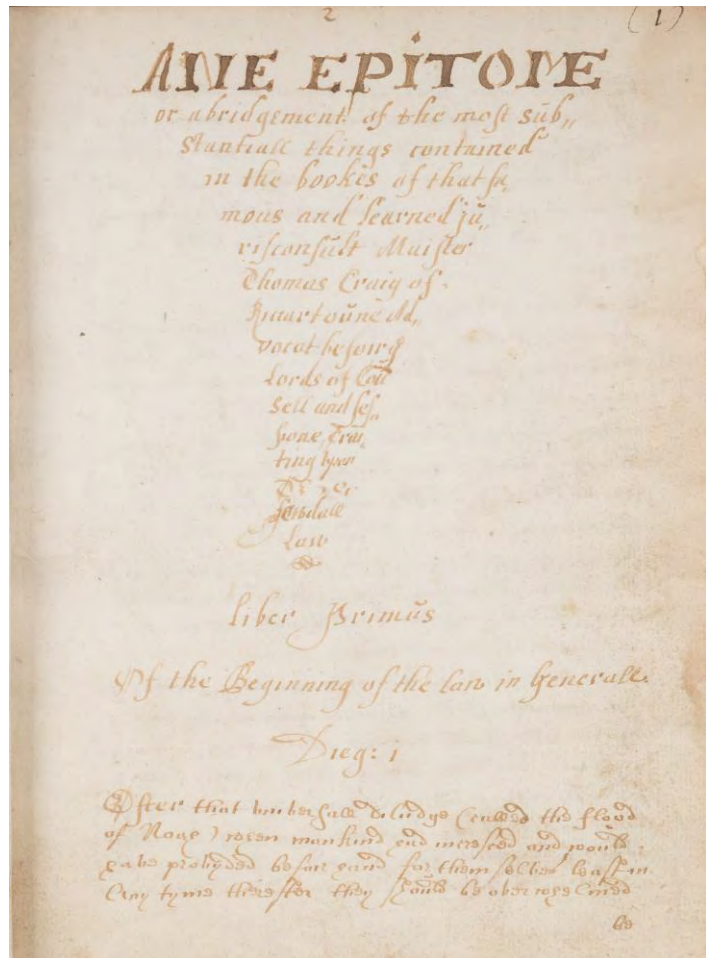
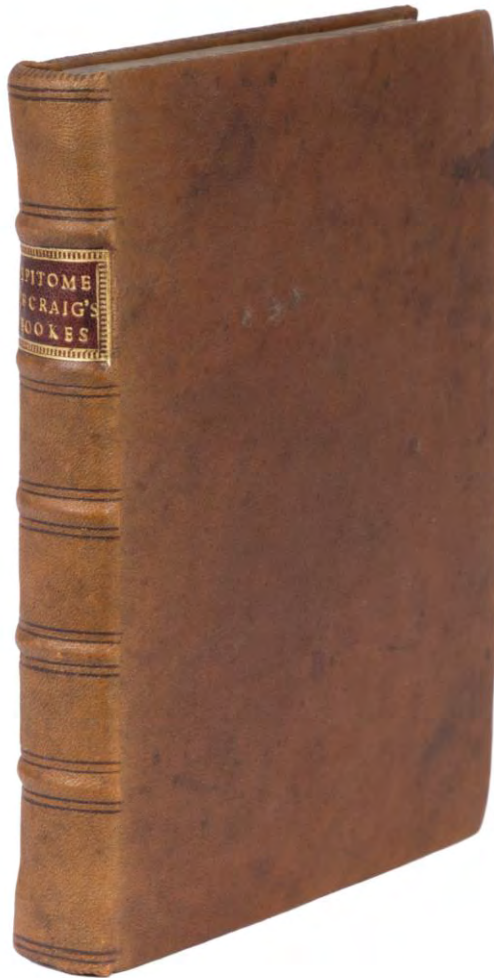
Pocket-Sized Edition of Littleton's *Tenures*

13. Littleton, Sir Thomas [1402-1481].

*Les Tenures de Monsieur Littleton: Ouesque Certaine Cases Addees per Auters de Puisne Temps, Quenx Cases vous Troveres Signes Ouesque; Cest Signe * Al Commencement, & Al Fine de Chescun de Eux: Au Fine Que ne Poies eux Misprenner par les Cases de Mounsieur Littleton; Pur Quel Enconvenience, Ils Fueront Dernierment Tolles de Cest Lieur; Et Cy un Foits Plus Admonetes al Request des Gentlehomes, Students en le Ley Dengleterre.* London: Printed for the Assignes of John More Esquire, 1639. [i], 170, [1] ff. Lacking index. Octavo (4-1/4" x 2-3/4").

Recent period-style calf, blind rules to boards, raised bands and gilt title to spine, endpapers renewed, title page re-hinged, repair to its bottom edge. Moderate toning, faint dampstaining, mostly to margins, light soiling, "XXXIII m. 12" in tiny early hand to title page. \$250.

* Later edition. 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. We located copies with the same collation as ours, which indicates that some were not issued with indexes. Holdsworth, *A History of English Law* II:573. *English Short-Title Catalogue* S108663. [Order This Item](#)



Manuscript Epitome of Sir Thomas Craig's *Jus Feudale*

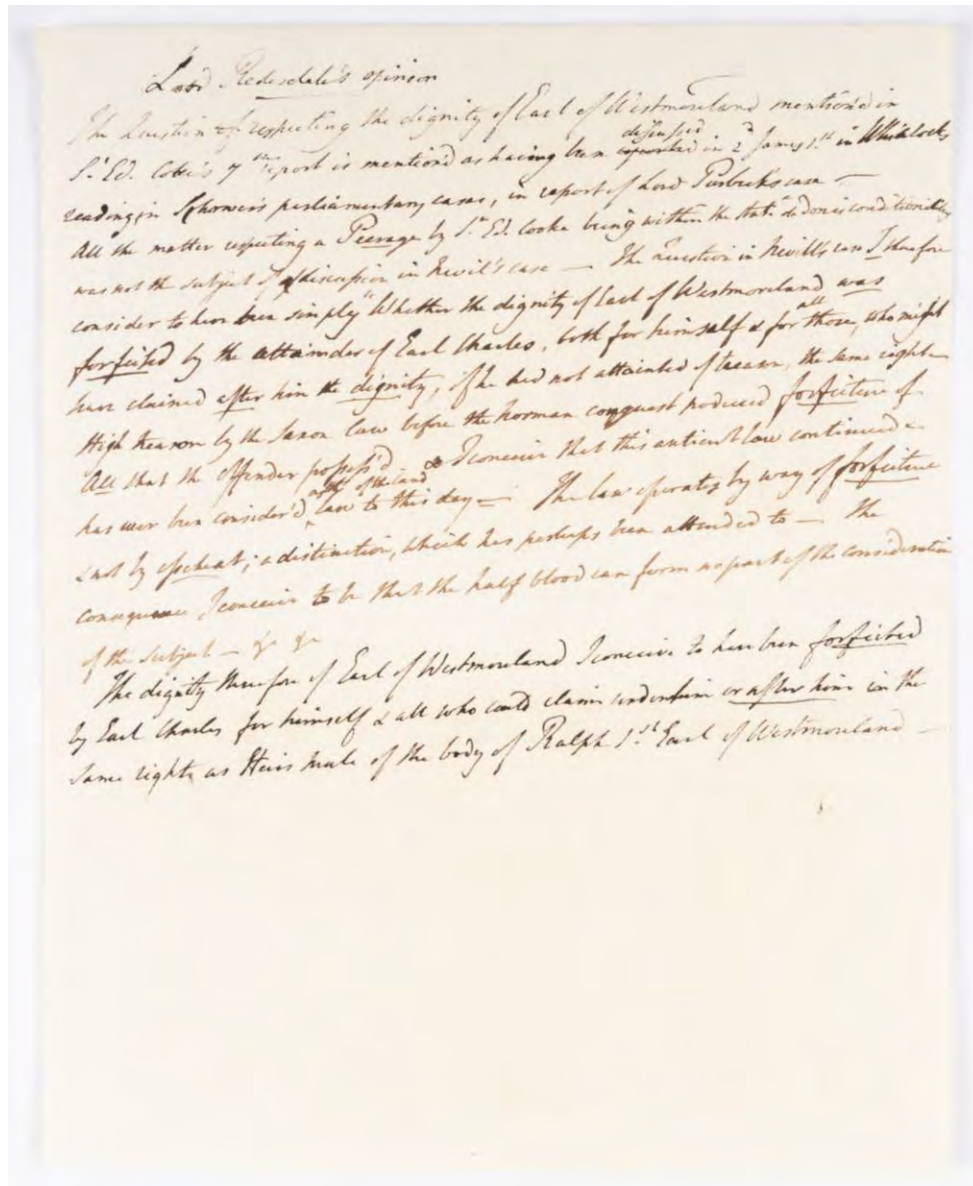
14. [Manuscript].

[Craig, Sir Thomas (c.1548-1608)].

An Epitome or Abridgement off the Most Substantiall Things Contained in the Bookes off that Famous and Learned Jurisconsult Mr. Thomas Craiges off Riccartown, Advocat before the Lords of Counsell and Session, Treating Upon the Feudal Law. [Scotland, 17th Century]. [iv], 326 pp. Octavo (6-3/4" x 5-1/4").

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

* A neatly written manuscript copy of an unpublished epitome of Sir Thomas Craig's *Jus Feudale*, one of the first comprehensive legal treatises written in Scotland. First published in 1603, it is an essential work in seventeenth-century Scottish legal history. Craig's object was to assimilate the laws of England with those of Scotland. Unfortunately for him, however, the work had the opposite effect and became important in the codification of Scottish law as a body separate from English law. OCLC locates a similar manuscript at Harvard Law School; we located another similar copy at the British Library. [Order This Item](#)



The Authoritative Opinion of Lord Redesdale

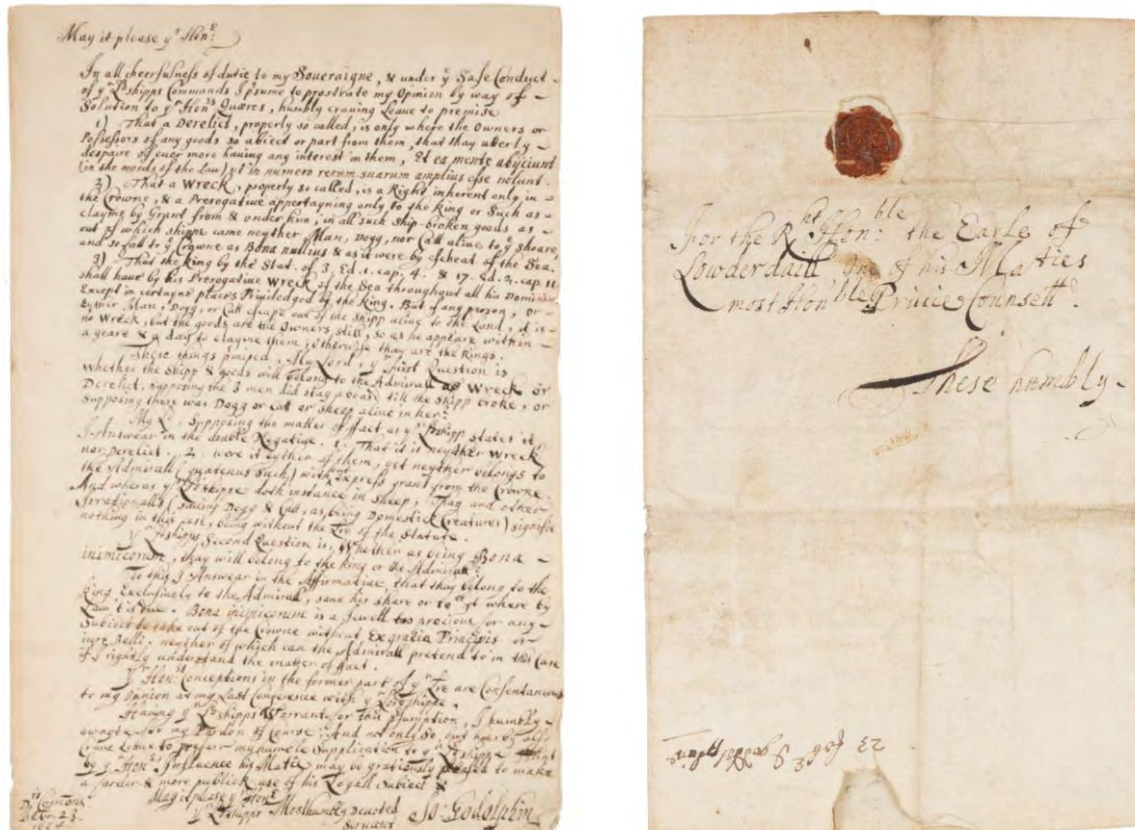
15. [Manuscript].

Freeman-Mitford, John, 1st Baron Redesdale [1748-1830].

Lord Redesdale's Opinion. London?, c.1829.

9" x 7-1/4" leaf, content to recto. Light toning, single horizontal fold, text in neat hand. \$200.

* The authoritative opinion of Lord Redesdale, discussing whether the dignity of the Earl of Westmoreland, created in 1397 during the reign of Richard II, is forfeited by a descendant convicted of high treason and outlawed. Redesdale distinguishes Coke's view in *Nevill's Case*, and holds that pre-Conquest law still governs, forfeiting a dignity for all descendants, direct or indirect. This opinion contains language very similar to that used in the *Reports from the Lords Committees Touching the Dignity of a Peer of the Realm, &c. &c.* (London, 1829) and may have been an early draft of a report Redesdale gave to the Lords. [Order This Item](#)



An Eminent Admiralty Lawyer Offers Legal Advice in Hope of Regaining Royal Favor

16. [Manuscript].

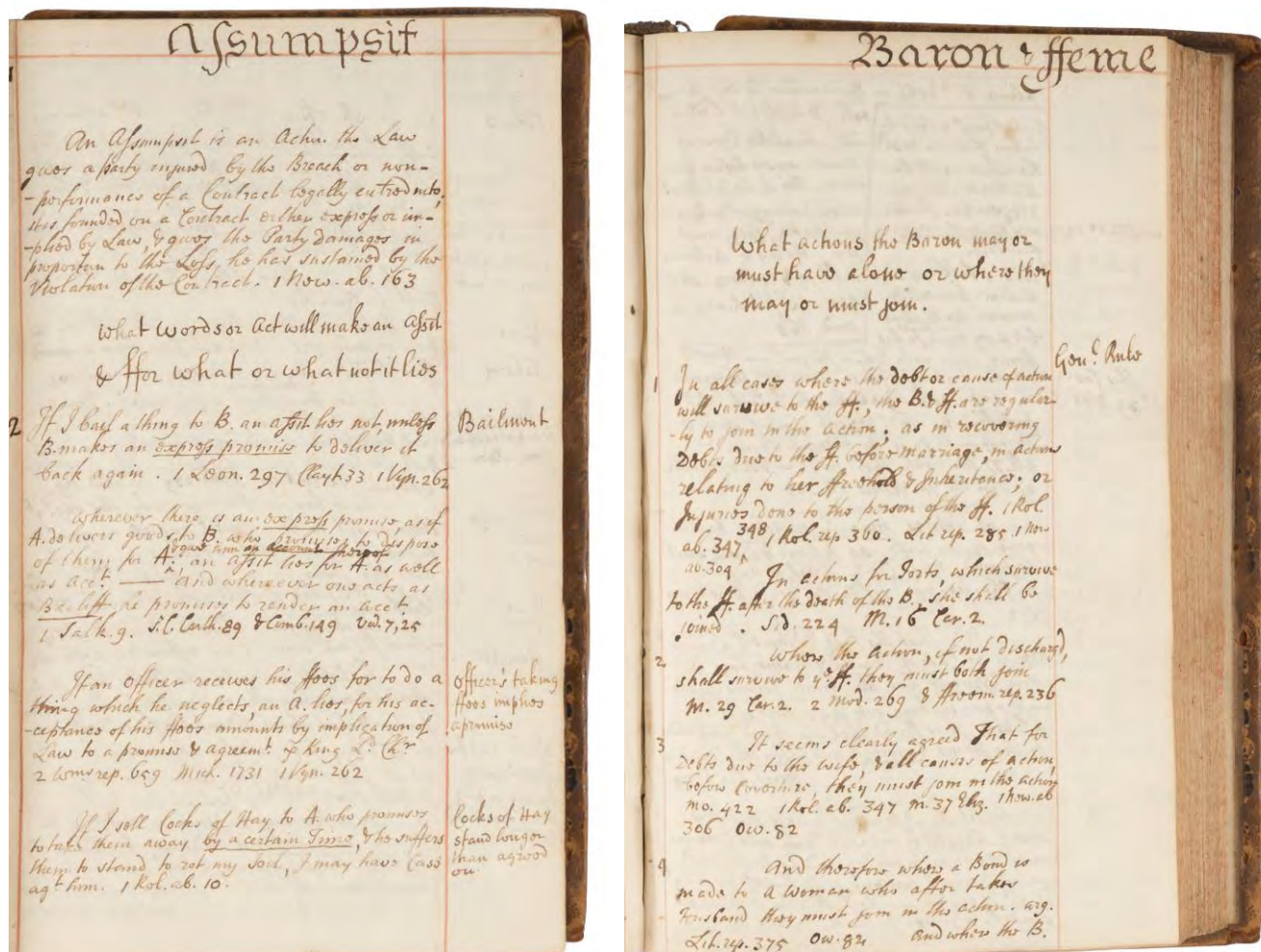
Godolphin, John [1617-1678].

[Autograph Letter, Signed, To the Earl of Lauderdale, London, Doctors Commons, February 23, 1664]. Single leaf folded to form bifolium (12" x 8") with integral address leaf and red wax seal. Light toning, very slight foxing, some soiling to address panel, small tears along creases and under seal. Typed transcript included. \$1,250.

Light toning, very slight foxing, some soiling to address panel, small tears along creases and under seal. Typed transcript included. \$1,250.

* John Godolphin had been a Parliamentarian from the early stages of his career, and the Barebones Parliament appointed him a judge of the admiralty court in 1653 where he remained until the Restoration of Charles II in 1660 cost him the job. John Maitland, Earl, later First Duke, of Lauderdale to whom Godolphin addresses this letter, became a favorite of Charles II after helping the king gain support in Scotland and by the time of the Restoration was "never from the king's ear nor council."

Godolphin is perhaps best known for his treatise *A View of the Admiral Jurisdiction*, which appeared in 1661 and may have brought him to Maitland's attention. This letter reflects Godolphin's deep knowledge of admiralty law and precarious political position after the English Civil Wars. Here, he uses the former to restore the latter, begging the influential Maitland to leverage the advice Godolphin has given into a formal "pardon of course," perhaps to allow him to regain his position on the admiralty court. It is unclear from available records whether Godolphin ever received such a pardon, but his legal career continued and there is some speculation that he was even made a King's advocate. A fascinating letter from both a legal and a historical perspective. See Collins, Jeffrey R. "Godolphin, John (1617-1678), civil lawyer," in *Oxford Dictionary of National Biography* (accessed online); and Philip Chesney Yorke, "Lauderdale, John Maitland, Duke of," in *Encyclopaedia Britannica* 16, vol. 11. [Order This Item](#)



Manuscript Reference Dealing with Assumpsit and Family Law

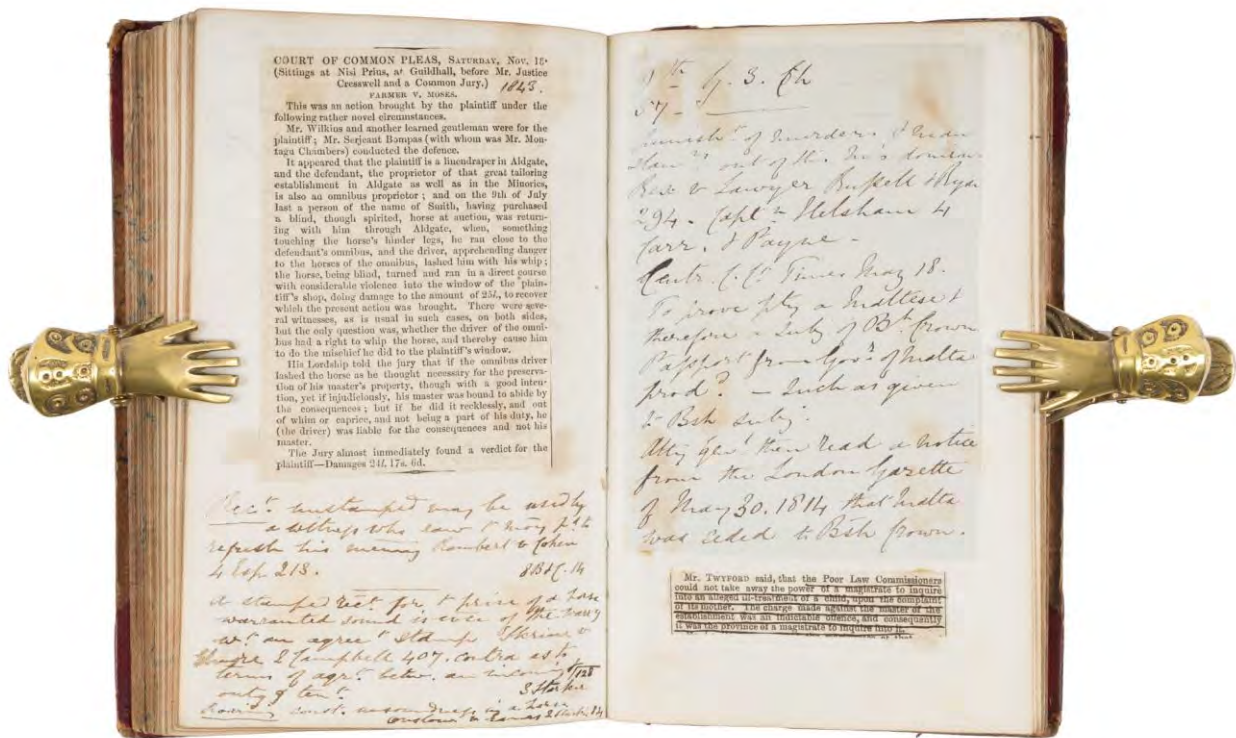
17. [Manuscript].

[Great Britain].

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

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

* This manuscript is divided into two sections: Assumpsit and Baron and Feme, which has a subsection on and Master and Servant. Topics covered include torts, debt, coverture and the master-servant relationship. The text is arranged as a set of principles supported by case and statutory citations, some of them in side-notes. [Order This Item](#)



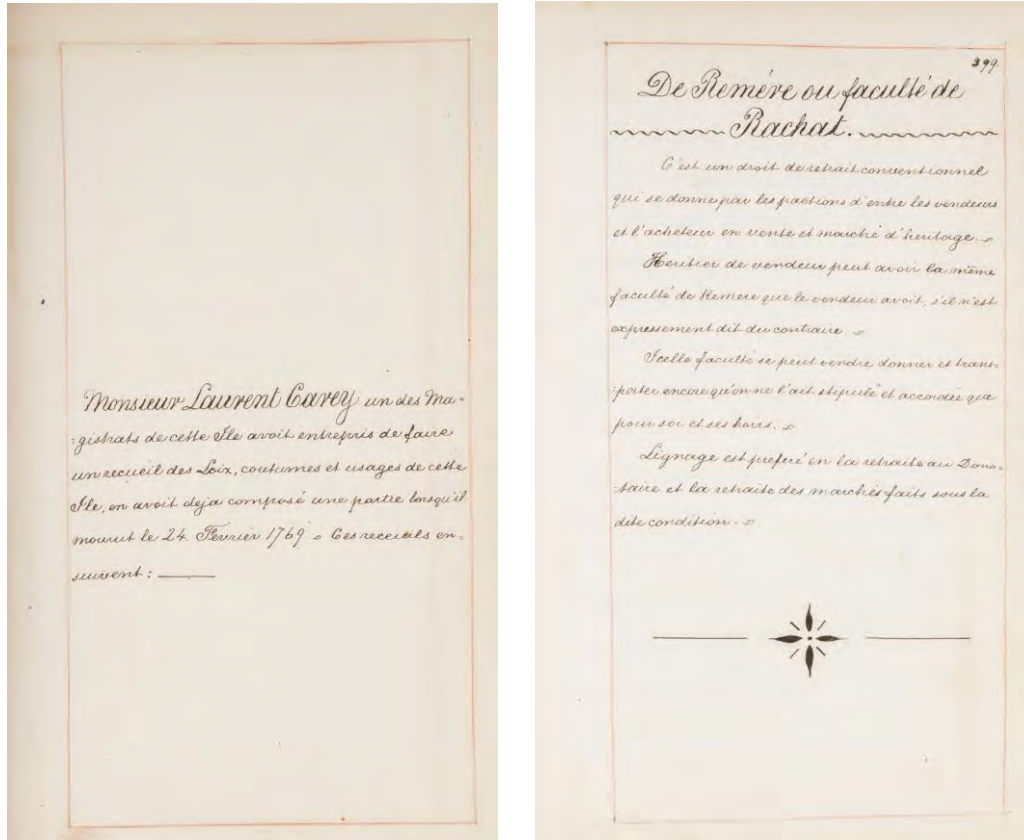
A Justice's Commonplace Book Enriched with Newspaper Clippings

18. [Manuscript]. [Great Britain].

Manuscript Commonplace Book of a Justice of the Peace [Spine Title]. [England?, c.1842-1858]. [i], 188, [7] ff. With a 4 ff. index. Octavo (6-3/4" x 4-1/4").

Contemporary 3/4 morocco over marbled boards, contemporary hand-lettered paper label, reading "Law," to front board, blind tooling along joints and inner edges of corners, gilt fillets and later hand-lettered title label to spine. Moderate rubbing to boards, light creasing to spine, some rubbing to extremities with wear to spine ends and corners, which are bumped and somewhat worn, marbled endpapers and edges, owner bookplate of Anne and Fernand Gabriel Renier to front pastedown. Negligible toning, crack in text block between first and second signatures, both secure. Text in a neat hand, several pasted-in newspaper cuttings interspersed. \$2,500.

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



Rare Manuscript Treatise on the Laws of Guernsey

19. [Manuscript].

[Guernsey].

[Carey, Laurent (1723-1769)].

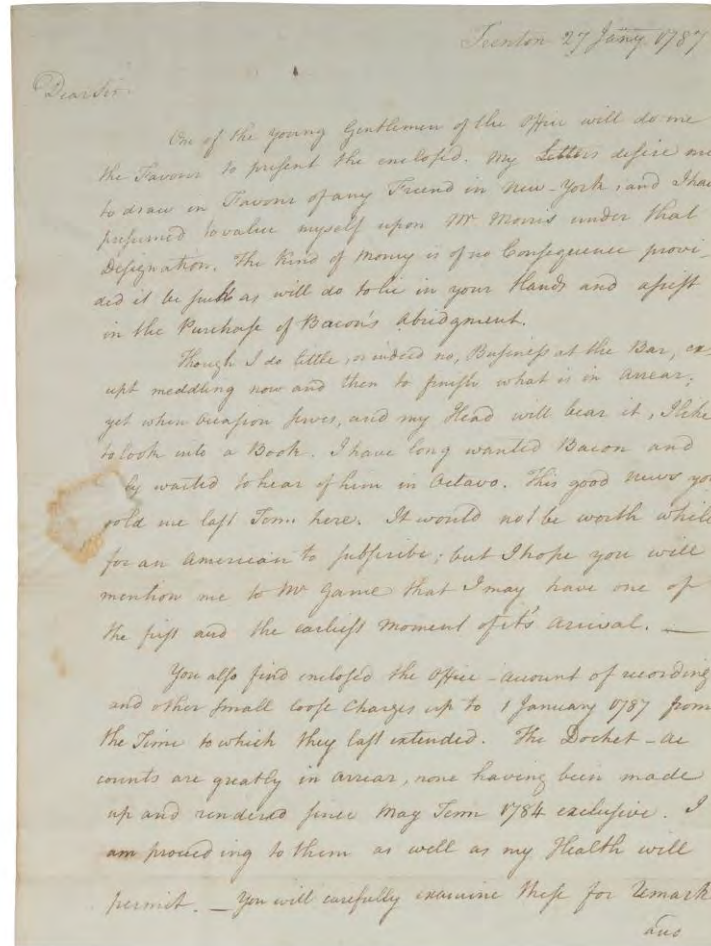
[Renouf, Thomas W., Transcriber].

[*Loix, Coutumes et Usages de Cette Ile*]. [Guernsey, c.1846]. 399, [8] pp. Octavo (8" x 5-1/4").

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

* Laurent Carey, a Guernsey magistrate, wrote his *Essai sur les Institutions, Loix et Coutumes de l'Ile de Guernesey* in the mid-18th century but left it in manuscript form upon his death. His account was well-received and served as an indispensable daily reference for lawyers and magistrates in Guernsey even after his death. Renouf was perhaps one of these lawyers; his surname is common in Guernsey, although no specifics about our Renouf could be discovered. His copy of Carey's work is comprehensive and beautifully organized, with frequent side notes and an index suggesting the work's prominence in daily use. A (likely different) copy of the manuscript belonging to an H. Torode, scribe of the Royal Court, was eventually published in 1889 by order of the Royal Court, which shows the importance of this text and the need to preserve it.

Despite its importance to Guernsey's legal community, there appear to be few extant manuscript copies of the work. Harvard has one copy of a similar manuscript, possibly based on a different work. The British Library has another manuscript on the same topic but from a different author. OCLC locates 10 copies of the printed version of this work, 2 in North America (Library and Archives Canada, University of Pennsylvania Law Library). [Order This Item](#)



"When Occasion Serves, And My Head Will Bear It, I Like to Look Into a Book"

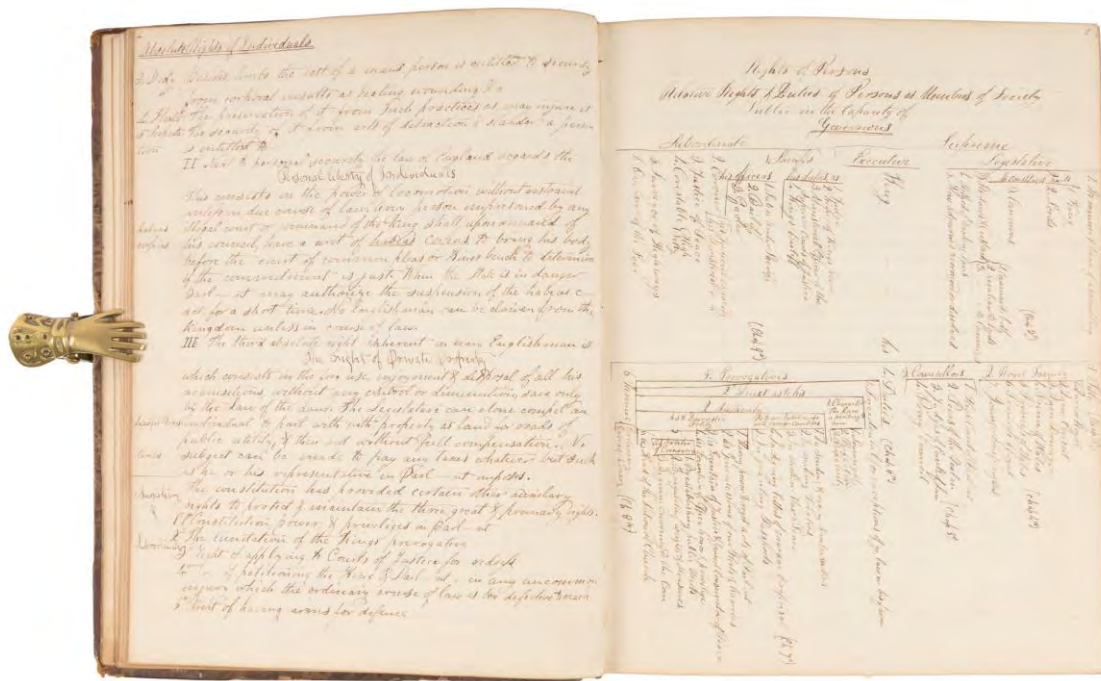
20. [Manuscript].

Houston, William Churchill [c.1746-1788].

[Autograph Letter, Signed, to Robert Morris, Trenton, January 27, 1787]. Single leaf folded to form 9-1/2" x 7" bifolium with integral address leaf, docketed in Morris's hand to verso of second leaf.

Light toning and some soiling along creases, small tear and residual adhesive from seal. Typed transcript of the letter included. \$750.

* A charming letter from William Churchill Houston to Robert Morris. Houston was a teacher, lawyer and early American statesman. After a term of active service in the Revolutionary War, he was elected to the Continental Congress as a New Jersey delegate, where he served with Robert Morris, a delegate for Pennsylvania and one of the founders of the American financial system. They worked together on issues of supply and finance. Houston's letter speaks both of business and of pleasure, possibly referencing overdue accounts of Morris's while asking him to find him some books in octavo and teasing him about the amount of exertion the task will require. In addition to the close working relationship between the two men, the letter illuminates the wide networks of American statesmen in this period. Houston mentions Abraham Clark, a signer of the Declaration of Independence, and Hugh Gaine, a prominent New York printer; Morris's docket indicates the involvement of Robert R. Livingston, Chancellor of New York and member of the Committee of Five. An interesting piece of early legal Americana. [Order This Item](#)



Richly Detailed Commonplace Book of an
Early Nineteenth-Century New London Law Student

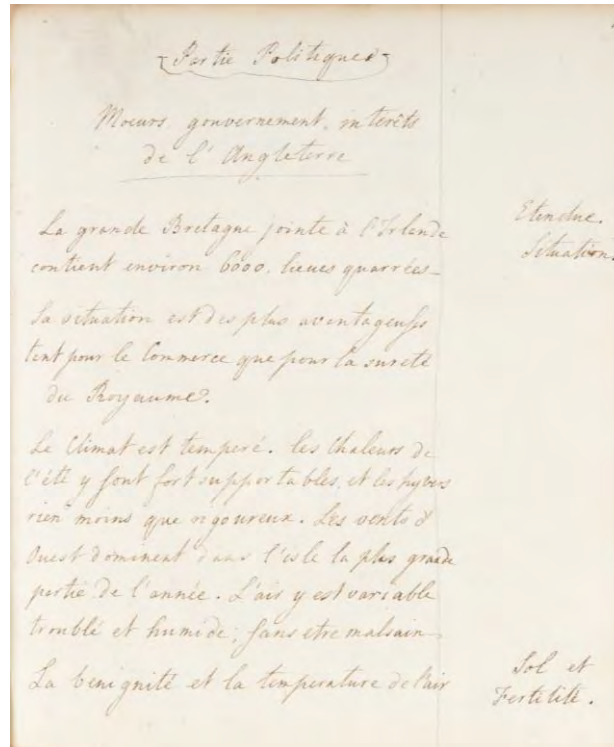
21. [Manuscript].

Lee, Alfred [1807-1887].

[*Law Student's Commonplace Book*]. [New London, CT, 1827-1833]. Manuscript text in *The Lawyers Common-Place Book, With an Alphabetical Index of Most of the Heads Which Occur in General Reading and Practice*, Boston: Cummings, Hilliard, & Co., 1825. 20, [249], [1] pp. Several annotated clippings from newspapers and legal periodicals pasted in. Quarto (9-1/2" x 7-1/2").

Contemporary three-quarter sheep over marbled boards, gilt rules to joints and corners, gilt fillets and title to spine, marbled edges and endpapers. Some rubbing to boards and extremities with wear to spine ends and corners, which are bumped, a few scratches and small chips to spine. Light toning to interior, soiling in a few places in second half of text block, stain from pressed flora between pp. 134 and 135, small dampstain to lower margin of front preliminaries. Text in elegant hand, inscription from Alfred Lee to his son dated 1876 accompanied by a note that it was "used by A.L. Sr. in 1827" to front endleaf. \$1,250.

* A graduate of Harvard, Lee read law in New London from 1827 to 1833. He then decided to enter the ministry, graduated from the General Theological Seminary in 1837 and went on to become a distinguished Episcopalian minister, later serving as the Bishop of Delaware, the first in that state, from 1841-1887. He presented his commonplace book to his son, Alfred Lee, Jr., a lawyer, when he was admitted to the Philadelphia Bar in 1876. The manuscript begins with a 90-page analysis of English law based on Blackstone's *Commentaries*. A 40-page section of property law follows. Lee takes pains to clarify the differences between English and American law, concluding with a summary of some judgments from 1833. The work is very crisply organized, with each section summed up in an "Analysis." Illustrative cases are seldom mentioned in the text, but many footnotes refer either to American practice or to judgments in a variety of courts as reported in newspapers of the day. (Many examples are annotated clippings from periodicals.) A remarkably rich and detailed manuscript, it is of particular interest to anyone interested in American legal education in early nineteenth-century New England. [Order This Item](#)



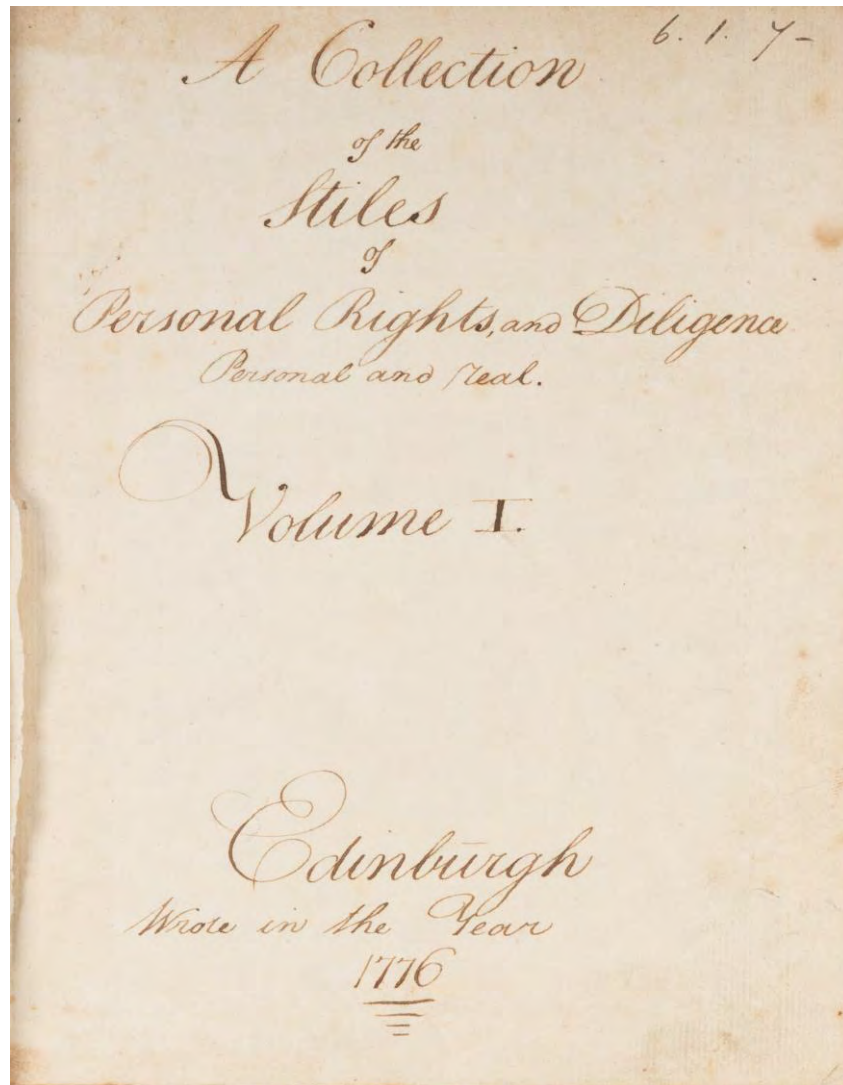
c.1783 French Manuscript on Political Science and National Character

22. [Manuscript].
[Political Science].

[French Manuscript Account of English and European History]. [France, c.1783]. 140-219; 1-169 ff. Two parts. Quarto (7-3/4" x 6-1/2").

Contemporary 3/4 vellum over marbled boards, raised bands and faint early hand-lettered title to spine, ends rouged. Moderate rubbing and some stains to boards, spine lightly soiled, heavier rubbing to extremities with some wear to board edges, corners bumped, later ownership stamps to pastedowns and endleaves. Light toning and infrequent light foxing, slight soiling and trimming to upper margins in a few places, light soiling to first leaf. Written in ink in an elegant hand with a possible second contemporary hand appearing in latter third of text block, rules to right margins and some contemporary corrections/additions in pencil. \$1,250.

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



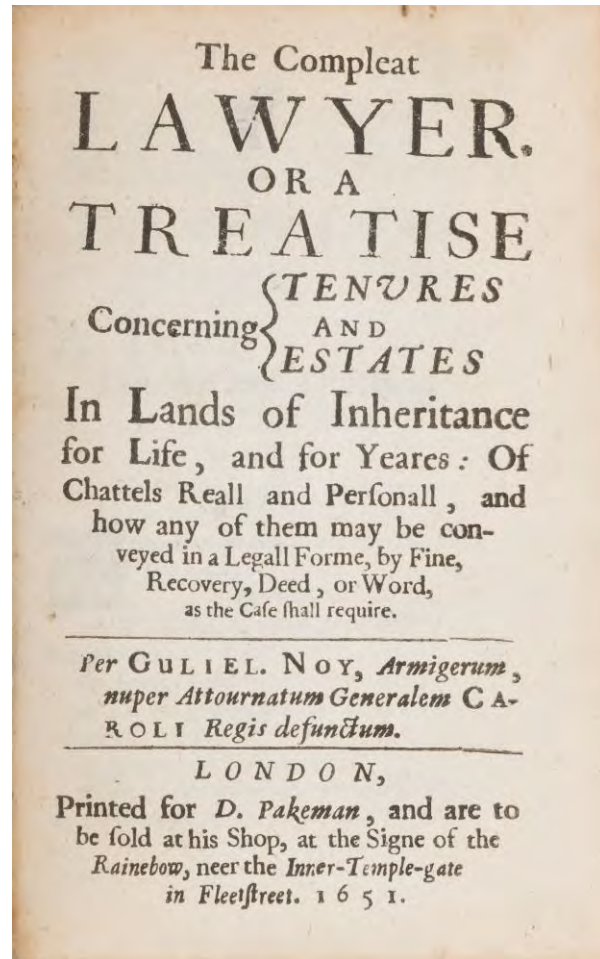
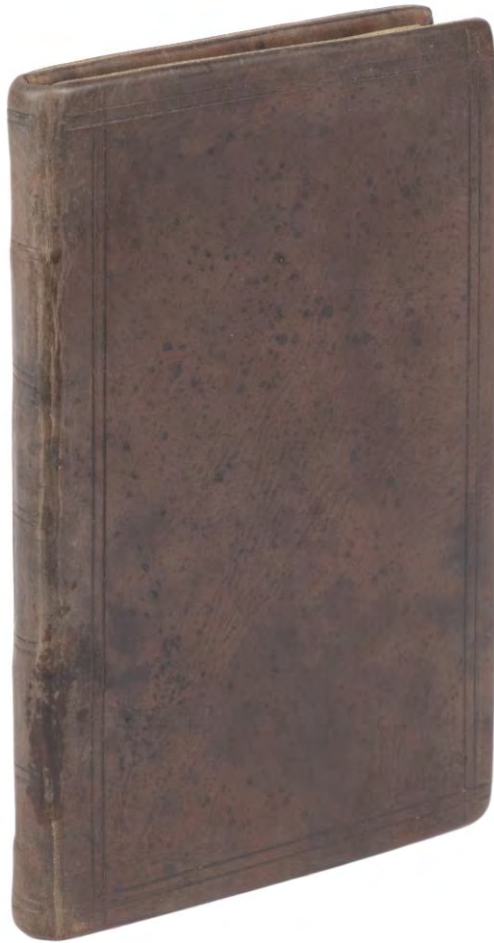
Manuscript Precedent Book, Edinburgh, 1776

**23. [Manuscript].
[Scotland].**

A Collection of the Stiles of Personal Rights and Diligence. Personal and Real. Volume I. Edinburgh, 1776. 355, [4] pp. With an index. Quarto (8" x 6-1/4").

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

* A neatly organized precedent book with text copied from various contemporary Scottish and English sources. The designation of "Volume I" and paper spine label suggest this manuscript was part of a set of volumes used in a law office. Topics covered in this book include land law, bonds, assignation and inheritance. The index contains entries from "Adjudication" to "Suspension." [Order This Item](#)



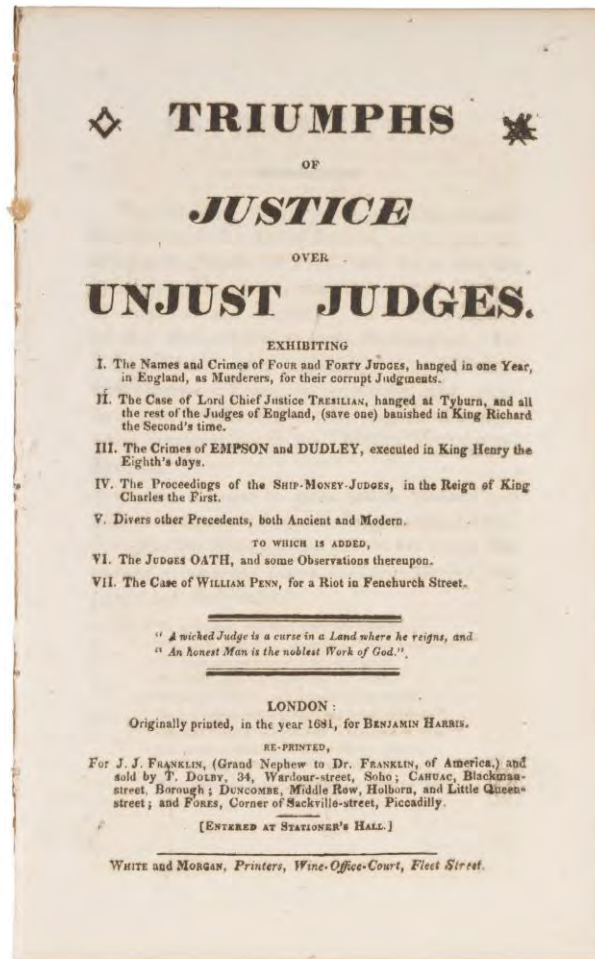
Handsome Copy of Noy's Scarce Handbook on Real Property and Conveyancing

24. Noy, William [1577-1634].

The Compleat Lanyer, Or a Treatise Concerning Tenures and Estates in Lands of Inheritance for Life, And for Yeares: Of Chattels Reall and Personall, And How Any of Them May be Conveyed in a Legall Forme, by Fine, Recovery, Deed, Or Work, As the Case Shall Require. London: Printed for D. Pakeman, And Are to be Sold at His Shop, At the Signe of the Rainebow, Neer the Inner-Temple-Gate in Fleetstreet, 1651. [2], 125, [1] pp. Lacking final leaf, a blank. *A Brieft Treatise Concerning Tenures & Estates in Lands and Other Hereditaments, And of Chattels Reall and Personall*, which follows p. 54, has separate dated title page, pagination continuous. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, blind rules to boards and spine, gilt tooling to board edges, endpapers renewed. Moderate toning to interior, tiny inkspots to a few leaves, upper outside corner of final leaf repaired with no loss to text. A handsome copy. \$850.

* First edition, One of six imprint variants of this edition, all issued in 1651. Known today as the author of *On the Grounds and Maxims of the Laws of this Kingdom* (1641), Noy was attorney-general to King Charles I. Intended for law students and laymen, *The Compleat Lanyer* was a highly regarded and useful work that went through four later editions in 1661, 1665, 1670 and 1674. The first part of this work is cast in the form of a catechism. Despite its popularity and long publication history of this work, all of its issues and editions are scarce. OCLC and the ESTC locates 2 copies of our imprint in North America (Library of Congress, Yale Law School). *English Short-Title Catalogue* R181121. [Order This Item](#)



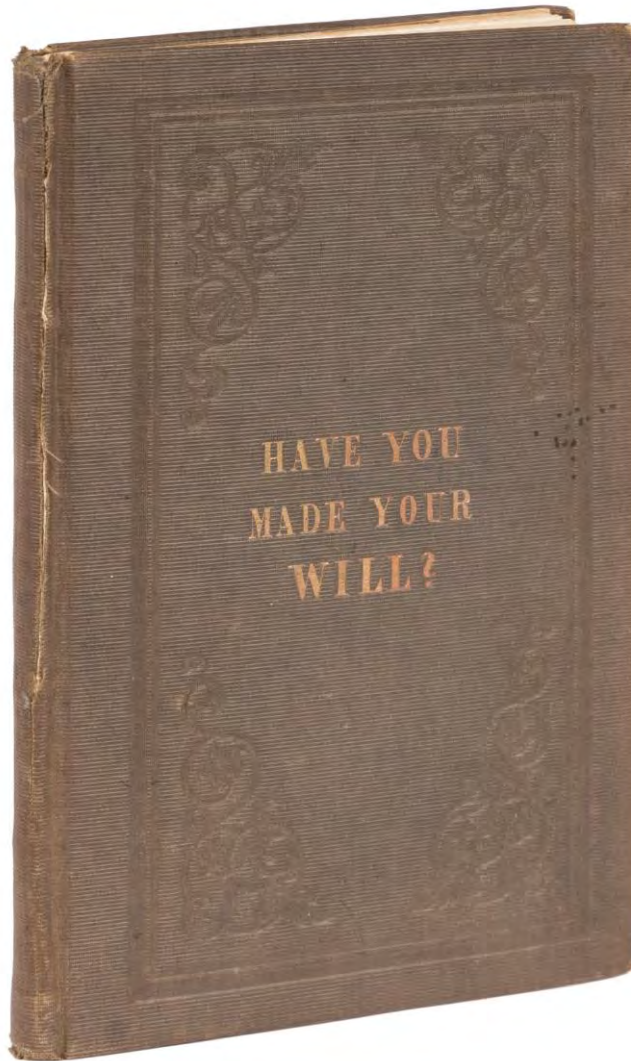
Triumphs Over Unjust Judges

25. [Philo-Dicaios].

Triumphs of Justice Over Unjust Judges: Exhibiting I. The Names and Crimes of Four and Forty Judges, Hang'd in One Year, In England, As Murderers, For Their Corrupt Judgments; II. The Case of Lord Chief Justice Tresilian, Hanged at Tyburn, And All the Rest of the Judges of England, (Save One) Banished in King Richard the Second's Time. III. The Crimes of Empson and Dudley, Executed in King Henry the Eighth's Days. IV. The Proceedings of the Ship-Money-Judges, In the Reign of King Charles the First. V. Divers Other Precedents, Both Ancient and Modern. To Which is Added, VI. The Judges Oath, And Some Observations Thereupon. VII. The Case of William Penn, For a Riot in Fenchurch Street. London: Re-Printed for J.J. Franklin [by] White and Morgan, Printers, [1817]. [iv], 36 pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet, moderate toning, light soiling to exterior, light foxing to final leaf. \$500.

* Originally printed in 1681, this essay on judicial error and judicial corruption reflects the tensions between King Charles II and his subjects near the end of his reign. It details the fates of Royalist judges during the reign of Charles I and earlier times. Probably inspired by the political repression relating to the Napoleonic Wars, corn laws, economic unrest and the suffrage movement, this 1817 reprint contains a seventh section, *The Case of William Penn*. J.J. Franklin was the grand nephew of Benjamin Franklin. OCLC locates 11 copies of this imprint, 4 in North America (Hamilton College, Southern Illinois University, UCLA, University of Missouri-Columbia). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:220 (11). [Order This Item](#)



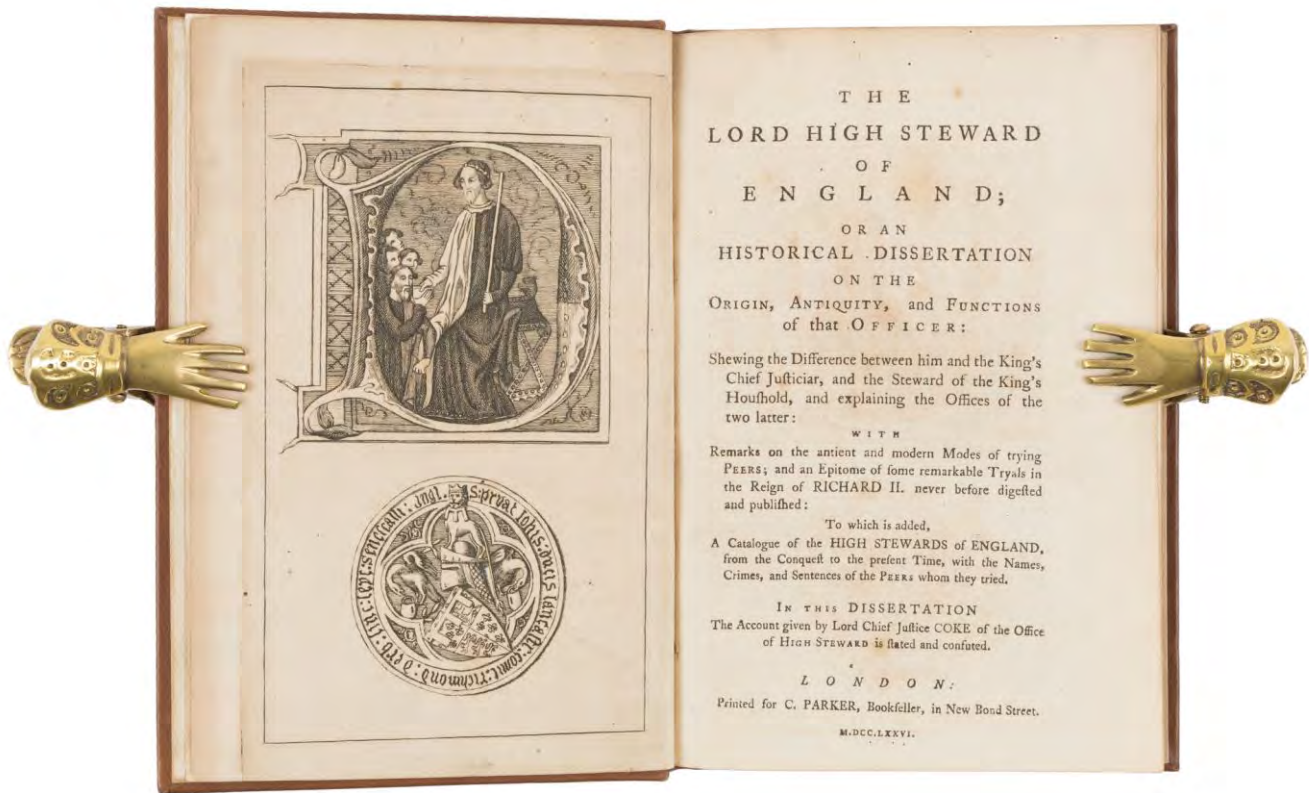
"Have You Made Your Will?"

26. A Retired Solicitor.

Testamentary Counsels, And Hints to Christians on the Right Distribution of Their Property by Will. Carefully Revised by a Member of the American Bar. Troy, NY: W. And H. Merriam, 1845. xii, 13-108 pp. 12mo. (6-1/4" x 4").

Contemporary cloth, blind panels to boards, gilt title to front board reading "Have You Made Your Will?". A few small spots to boards, some wear to spine ends and corners, front board and endleaves separating but secure. Light toning, occasional light foxing, pp. 77-80 detached, crack in text block between pp. 84-85. \$350.

* Only American edition of a book published under the same pseudonym and title in London in 1835. This book is a guide to American testamentary law for Christians based on a series of cautionary (and often amusing) anecdotes. Notably, it highlights the provisions which Christians ought to make to widows, children, faithful servants, and poor relatives, friends, and ministers. An appendix breaks down the finances of issues like life insurance and annuity. An interesting and charming look at the nineteenth-century Christian's interaction with the bureaucracy of death. Both editions are scarce. OCLC locates 10 copies of the American edition, 2 in law libraries (Harvard, Yale). Not in Cohen. [Order This Item](#)



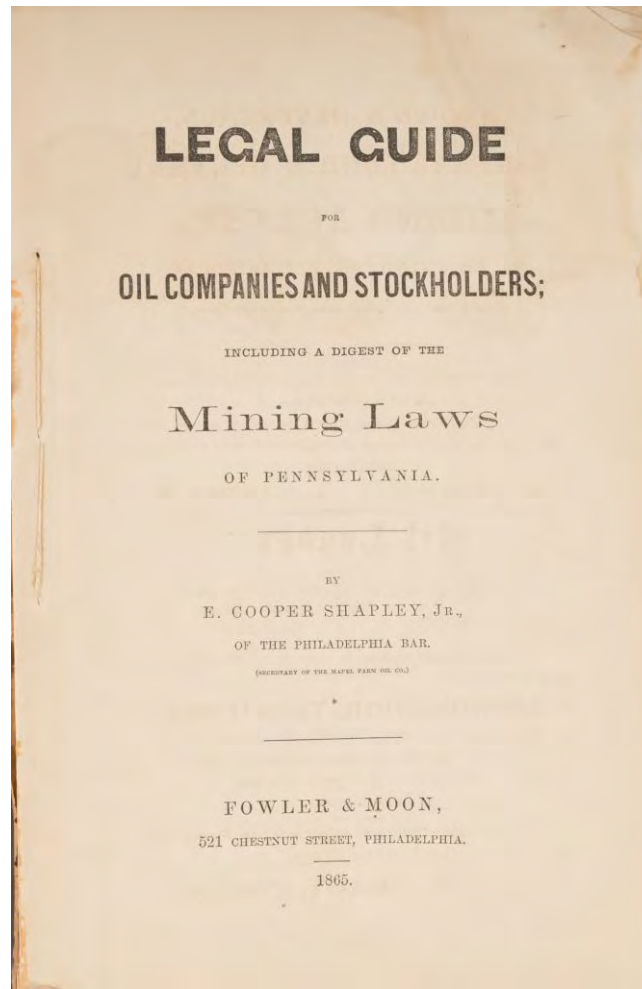
The First History of the Office of Lord High Steward

27. [Russell, Sambrook Nicholas].

The Lord High Steward of England; Or An Historical Dissertation on the Origin, Antiquity, And Functions of That Officer: Shewing the Difference Between Him and the King's Chief Justiciar, And the Steward of the King's Houshold, And Explaining the Offices of the Two Latter: with Remarks on the Antient and Modern Modes of Trying Peers; And an Epitome of Some Remarkable Tryals in the Reign of Richard II. Never Before Digested and Published: To Which is Added, A Catalogue of the High Stewards of England, From the Conquest to the Present Time, With the Names, Crimes, And Sentences of the Peers whom They Tried. In This Dissertation The Account Given by Lord Chief Justice Coke of the Office of High Steward is Stated and Confuted. London: Printed for C. Parker, Bookseller, 1776. [iv], 155, [1] pp. Octavo (7-1/4" x 4-3/4").

Recent period-style calf by Philip Dusel, gilt-edged raised bands and lettering piece to spine, gilt tooling to board edges, endpapers renewed. Moderate toning, faint spotting to title page and a few other leaves. An attractive copy. \$850.

* Only edition. The Lord High Steward ranked above the Lord Chancellor and the Prime Minister. One of the office's most important powers was the sole legal power to preside over impeachment trials of peers. Since 1421 the office has generally remained vacant. (For trials of peers, the Lord Chancellor was deputized to act as Lord High Steward.) Today, it is now a ceremonial office that is filled for coronation ceremonies. Russell's was the first study of this important office. A fine example of eighteenth-century historical scholarship, a time when antiquarianism was beginning to be displaced by more rigorous research methods, it provided a great deal of unknown information. Also an interpretive work, it refutes Coke's history and definition of the office in his *Third Institutes*. OCLC locates 7 copies in North American law libraries (Duke, LA-County, Library of Congress, University of Cincinnati, University of Minnesota, University of Washington, Yale). *English Short-Title Catalogue* T145623. [Order This Item](#)



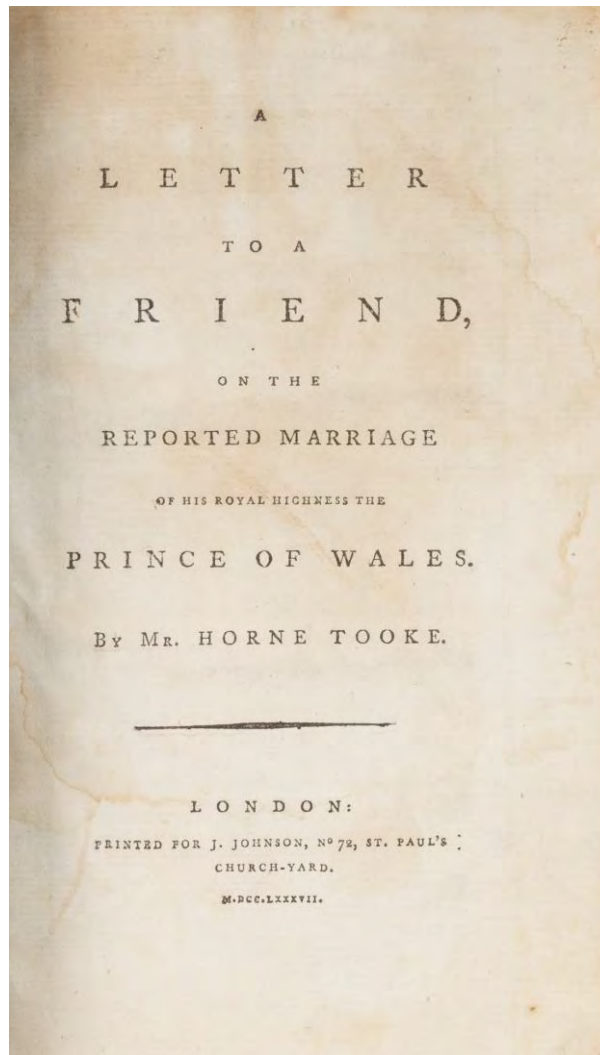
An Early Legal Guide to the Petroleum Industry

28. Shapley, Ezekiel Cooper, Jr. [1841-1919].

Legal Guide for Oil Companies and Stockholders; Including a Digest of the Mining Laws of Pennsylvania. Philadelphia: Fowler & Moon, 1865. [iii], 4-34 pp. Advertisements to rear wrapper and verso of front wrapper. Octavo (9" x 5-3/4"). \$450.

Stab-stitched pamphlet in printed wrappers. Light soiling and faint pencil marks to exterior, some wear to spine ends and corners, faint dampstain to upper-right corners of front wrapper and following three leaves, moderate toning to interior.

* Shapley was a Philadelphia lawyer and one-time secretary of the Mapel Farm Oil Co. His pamphlet provides an overview of Pennsylvania's corporate, tax and mining laws as they might relate to a "casual observer" or "hasty businessman" excited by the possibilities of the nascent oil industry, which began with the drilling of the first oil in Titusville, Pennsylvania in 1859. The audience for a pamphlet like this was wide, as the Pennsylvania legal system was struggling to keep up with the demands of a booming industry commanding massive amounts of capital. The Mapel Farm Oil Co. was one of the many small companies incorporated during the Pennsylvania oil rush. Mapel Farm's success was thought to be assured, according to a November 1864 issue of *The American Exchange and Review*. Whether they struck oil or not, the company was likely caught in the swift, brutal consolidation of Standard Oil in the 1870s and no further records of this company could be found. A rare glimpse into the pre-Rockefeller oil industry. OCLC locates 4 copies, one in a law library (Social Law). [Order This Item](#)



Commentary on the Clandestine Marriage of the Prince of Wales

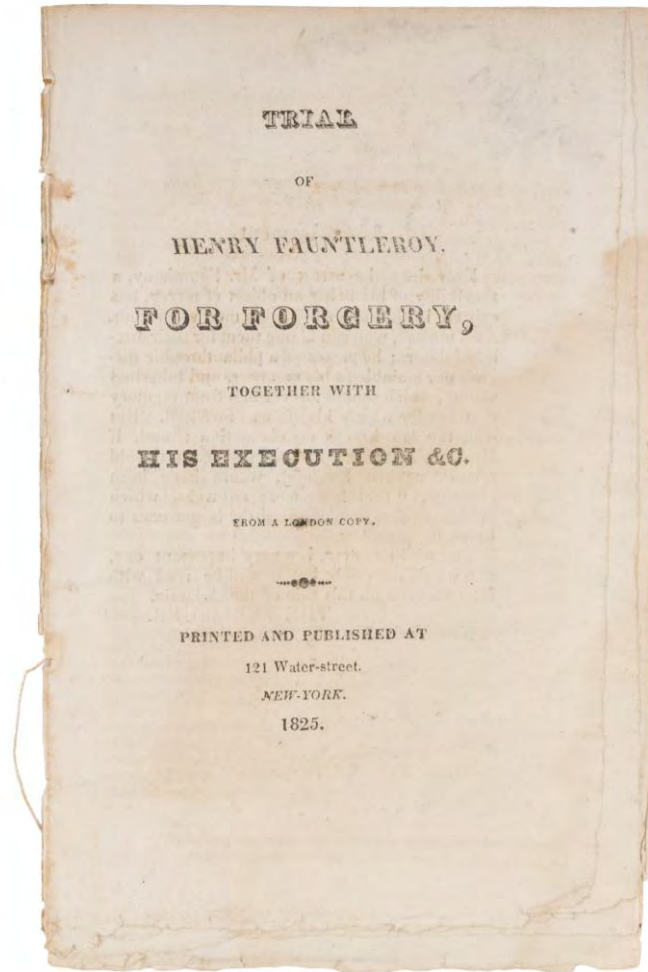
29. Tooke, John Horne [1736-1812].

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

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

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

[Order This Item](#)



**Unrecorded New York Imprint of an Account of
One of the Last People Executed for Forgery in Great Britain**

30. [Trial].

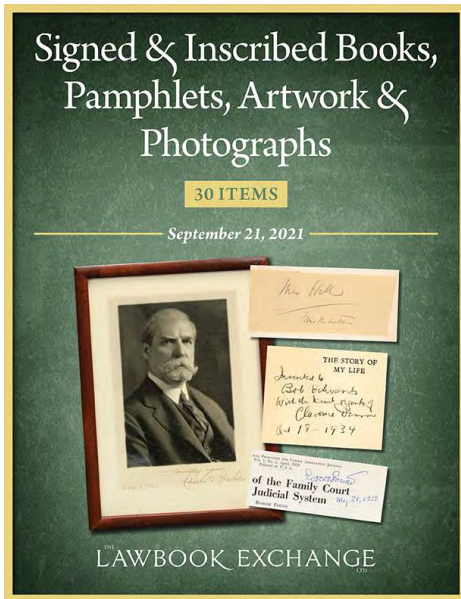
Fauntleroy, Henry [1785-1824], Defendant.

Trial of Henry Fauntleroy for Forgery, Together with His Execution &c. From a London Copy. New York: Printed and Published at 121 Water-Street [by Joseph C. Spear?], 1825. 36 pp. Octavo (8" x 5").

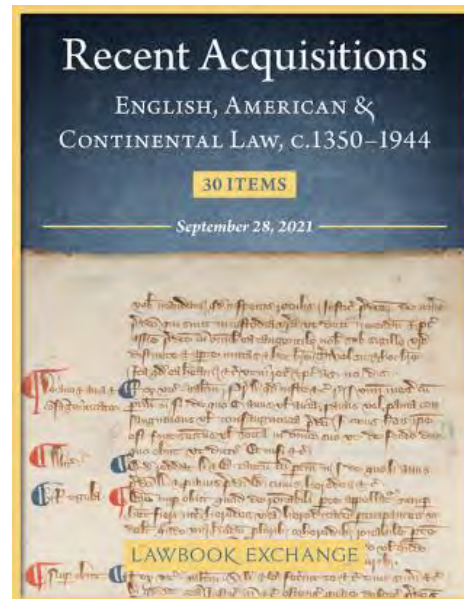
Original self-wraps, disbound stab-stitched pamphlet, untrimmed edges. Moderate toning, faint dampstaining to lower half, light soiling to exterior, final signature partially detached but secure. A good copy in the original state. \$1,250.

* First American edition. Fauntleroy was an English banker convicted of forgery in 1824. He admitted his guilt, but pleaded that he forged documents in order to access funds to pay his firm's debts. Several bankers and merchants stepped forward to defend his integrity during the trial, but he was sentenced to be hanged. He appealed his case twice without success. Appeals for clemency followed, but they were not successful. He was hanged in November 1824, one of the last people to be executed for forgery before it ceased to be a capital crime in 1836. The first edition of our account, published in London in 1824, is fairly common; our 1825 New York edition, most likely printed by Joseph C. Spear, who had a shop on Water Street, appears to be unrecorded. No copies are listed on OCLC; it lists 3 copies of a nearly identical 36 pp. 1825 imprint by Spear dated billed as the "Second American Edition." Neither is noted by Cohen or Sabin. [Order This Item](#)

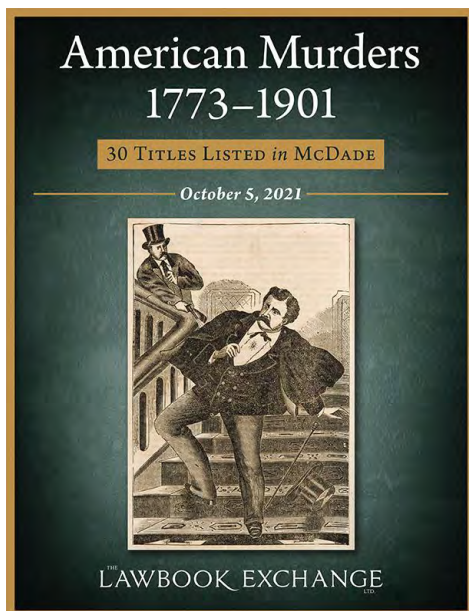
Recent Weekly E-Lists



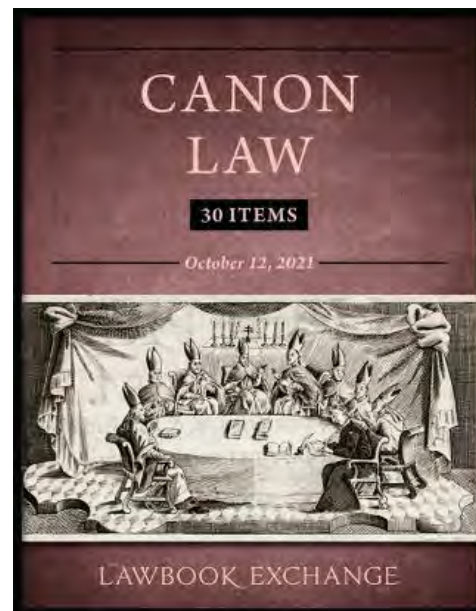
[September 21, 2021](#)



[September 28, 2021](#)



[October 5, 2021](#)



[October 12, 2021](#)

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