

30

RECENT
ANTIQUARIAN
ACQUISITIONS

November 15, 2016



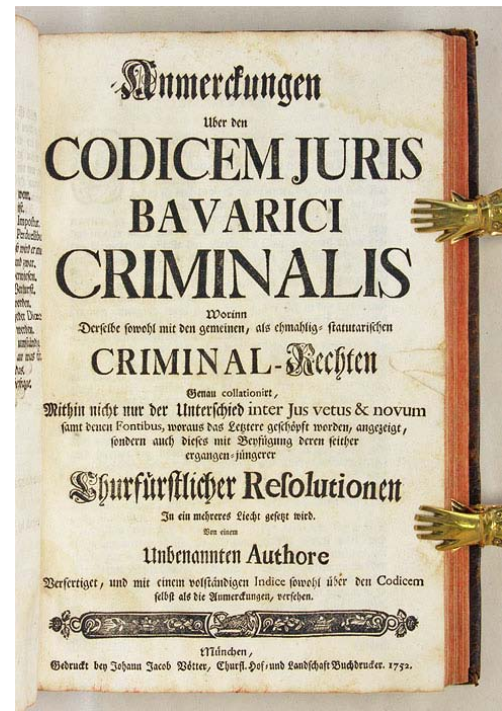
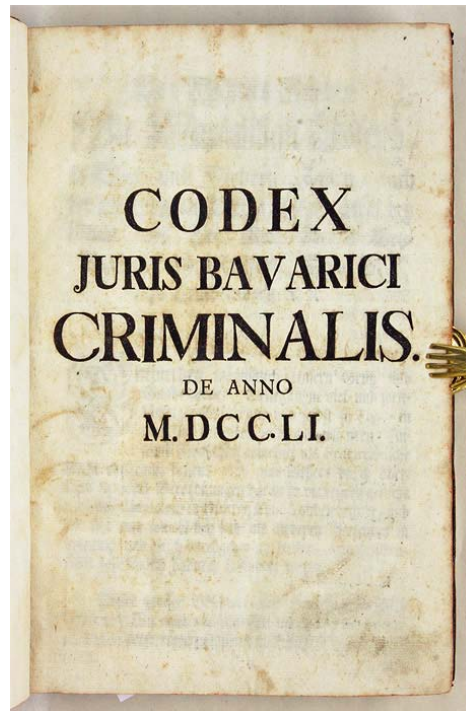
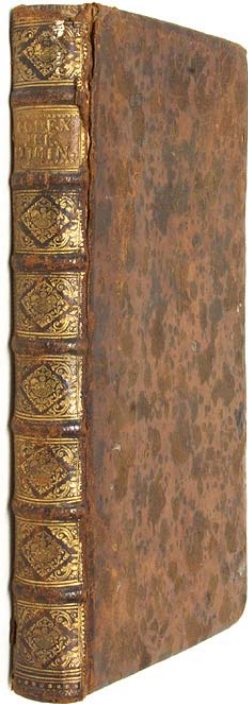
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30 Recent Antiquarian Acquisitions



First Edition of the First German Criminal Code

1. [Bavaria].

Kreittmayr, Wigulus Aloysius Xaverius von [1705-1790].

Codex Juris Bavarici Criminalis de Anno M.DCC.LI. [Munich: Gedruckt bey Johann Jacob Vötter], 1751. [viii], 139, [1] pp.

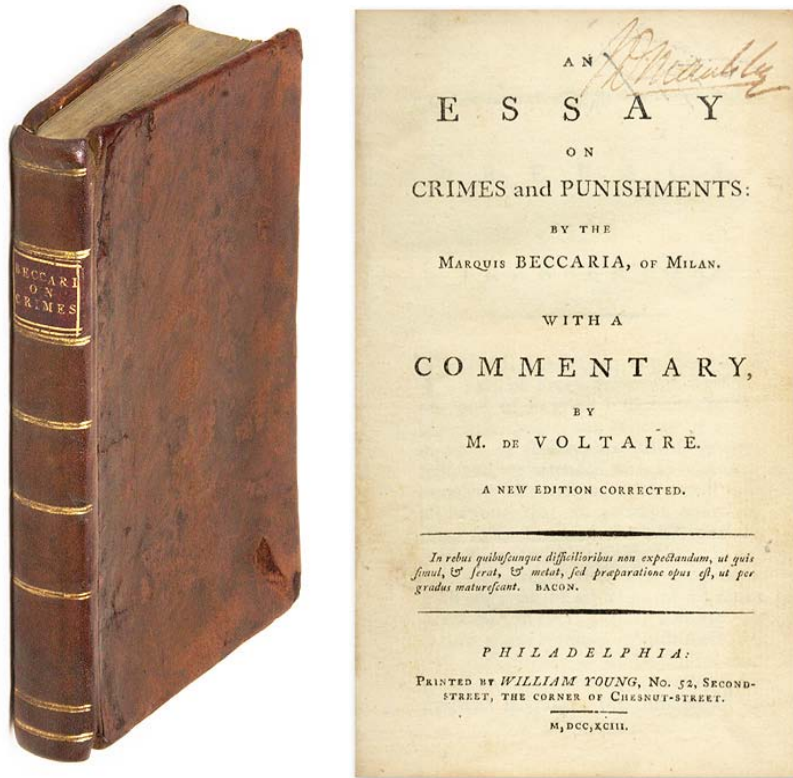
[Bound with]

[**Kreittmayr, Wigulus Aloysius Xaverius von**].

Anmerckungen Über den Codicem Juris Bavarici Criminalis Worinn Derselbe Sowohl mit den Gemeinen, Als Ehemalig-Statutarischen Criminal-Rechten Genau Collationirt, Mithin nicht nur der Unterschied inter Jus Vetus & Novum samt Denen Fortibus, Woraus das Letztere Geschoefft Worden, Angezeigt, Sondern auch Dieses mit Beyfügung Deren Seither Ergangan-Jüngerer. Churfürstlicher Resolutionen in ein Mehreres Liecht Gesetzzt Wird. Von einem Unbenannten Authore Verfertiget, Und mit einem Volständigen Indice Sowohl über den Codicem Selbst als die Anmerckungen, Versehen. Munich: Gedruckt bey Johann Jacob Vötter, 1753. [iv], 165, [1], [16] pp.

Folio (12" x 7-1/2"). Contemporary sheep, gilt spine with raised bands and lettering piece, marbled endpapers, edges roughed. Moderate rubbing to boards and extremities, chipping to head of spine, joints partially cracked, corners bumped and somewhat worn. Light toning to text block, somewhat heavier in places, faint, mostly very faint, dampstaining to head and foot of text block, occasionally touching text, light foxing in a few places, later owner signature to front endleaf. An appealing copy of two scarce titles. \$1,250.

* First editions. The first criminal law code produced in Germany, the *Codex Juris Bavarici Criminalis* is also known as the "Codex Maximilianeus," or "Churbairisches Landrecht." It is a remarkable distillation of local, natural and Roman law and Enlightenment ideas on penology. Enacted in 1756, it remained in force until 1813, when it was replaced by the Bavarian Criminal Code written by Paul Johann Anselm von Feuerbach. Kreittmayr was a Bavarian jurist and state official. Along with the criminal code, he produced codes of procedure (1753) and civil law (1756). He also wrote commentaries on the codes. His commentary of the criminal code is included in our volume. There are few copies of the first editions of the criminal code and its commentary in North America. OCLC locates 2 copies of the code (Harvard Law School, University of Michigan Law School), 1 copy of the commentary (University of Michigan). Stintzing-Landsberg, *Geschichte der Deutschen Rechtswissenschaft* III:1, 223, 225. Stobbe, *Beiträge zur Geschichte des Deutschen Rechts* II:444.



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

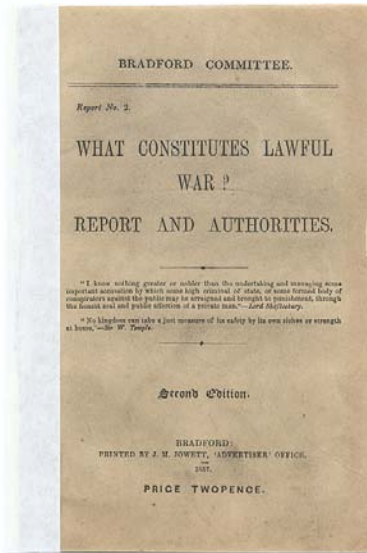
2. Beccaria, [Cesare Bonesana, Marchese de] [1738-1794].

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

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

Contemporary sheep, rebaked in calf, gilt fillets and contemporary lettering piece to spine. Light rubbing to boards, corners bumped. Moderate toning to text, somewhat darker along margins, occasional light foxing. Struck-through owner signatures to endleaves, small early owner signatures to head of title page, interior otherwise clean. An attractive copy. \$750.

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



Item 3



Item 4

Lawful War

3. Bradford Foreign Affairs Committee.

What Constitutes Lawful War?: Report and Authorities. Bradford [England]: Printed by J.M. Jowett, 1857. 24 pp. Octavo (8" x 5-1/4").

Stab-stitched pamphlet in printed wrappers, spine reinforced. Light soiling to exterior, some edgewear, rear wrapper lacking, some toning and faint dampspotting to text. \$50.

* Second and final edition, published the same year as the first edition. This study, part report and part anthology of opinions, was a response to the conclusion of the Crimean War [1853-1856]. OCLC locates 3 copies in North American law libraries (Columbia, LA-County, Library of Congress).

A Missouri Judge Responds to His Critics

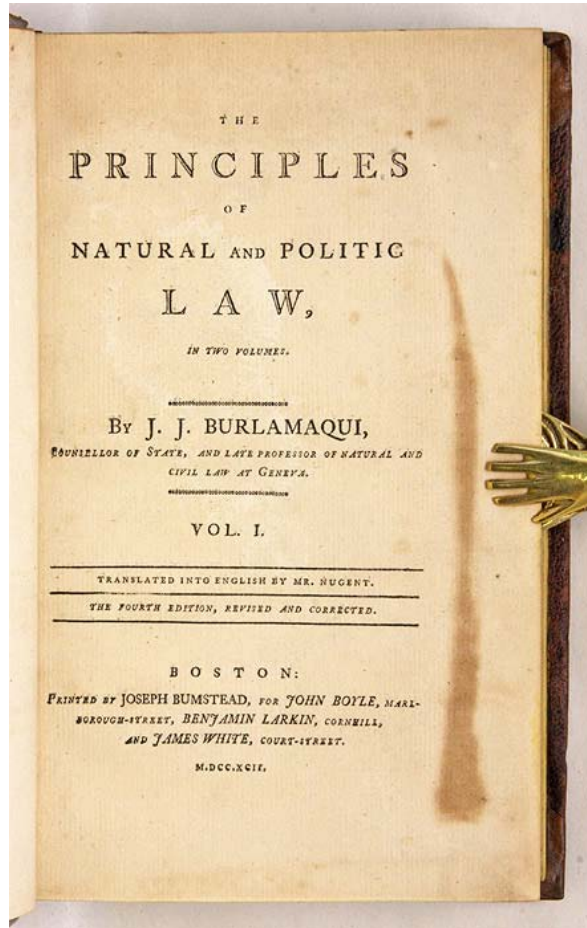
4. [Broadside].

Killen, Thomas J.

To The Public. In A Handbill Dated April 21, 1854, And Signed In Large Capital Letters "John Poynter McMillin," That Gentleman Makes "Three Specific Charges" Against The Rev. Matthias M. Barron [first line of text]. [Hannibal, MO? 1854].

18-1/2" x 8-1/2" broadside. Text in three columns. Moderate toning and light foxing, minor edgewear, fine vertical and horizontal fold lines, contemporary docketing to verso. \$2,500.

* An apparently unrecorded broadside issued by Judge Thomas J. Killen in response to an attack published by a former litigant, John Poynter McMillin. McMillin, who lives "within three miles of the City of Hannibal," lost a lawsuit decided by Judge Killen. McMillin then published his version of the trial and his testimony in an attempt to refute the verdict against him. Killen's broadside is a rebuttal. It reads, in part: "To the Public. In a handbill dated April 31, 1854, and signed in large capital letters 'John Poynter McMillin,' that gentleman makes 'three specific charges' against the Rev. Matthias M. Barron. On these charges I have nothing to say. Mr. Barron is an aged gentleman, well known to this community; but when J.P. McMillin, in his hot haste to prove his charges and thereby prevent himself from 'sinking to the degraded level of a mere slanderer,' (as he terms it,) attempts to give the public a history of his lawsuit, and in so doing, misrepresents every important event of said lawsuit; and even publishes downright falsehood, concerning it. I take it upon myself as a party misrepresented, and falsified, to give the public a correct statement of said lawsuit." Killen goes on to disprove McMillin's "superlatively ridiculous" charges, mocks his evident insolvency, suggests he is a deadbeat, and assures McMillin: "you may banish fears of sinking to the degraded level of a mere slanderer. Both your tongue and your pen, sir, have lost all power of slander, or detraction; true like the native polecat, they may occasionally offend and disgust the community yet no one blames it because it is the nature of the beast." No copies located on OCLC or the online catalogs of AAS, Harvard or the Library of Congress.



**The First American
Edition of Burlamaqui, Boston 1792**

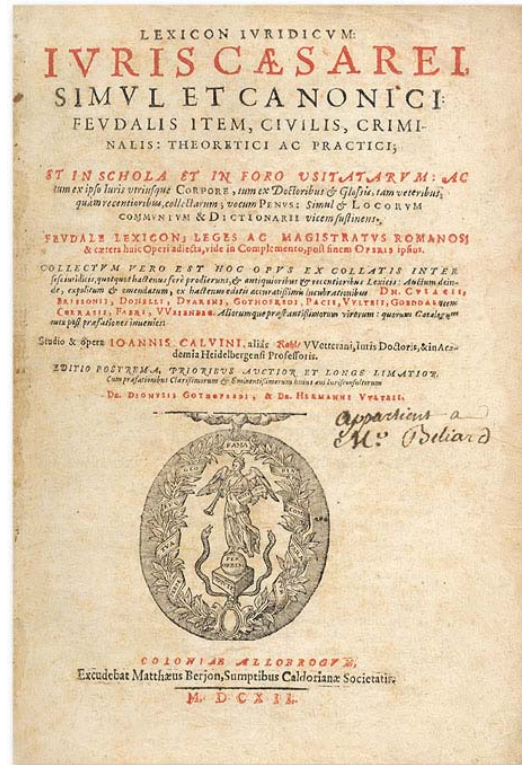
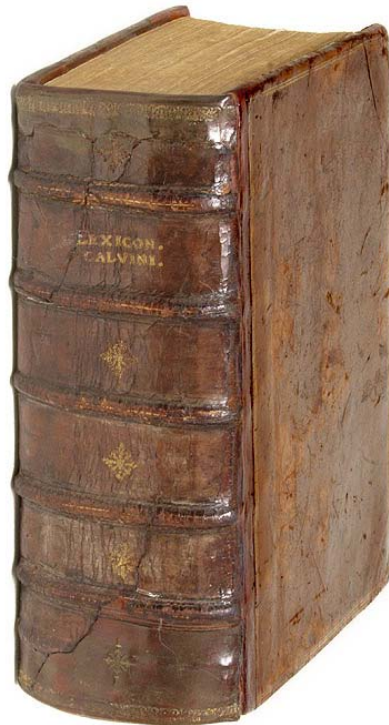
5. Burlamaqui, J[ean] J[acques] [1694-1748].

Nugent, [Thomas] [1700?-1772], Translator.

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

Contemporary speckled sheep, rebacked in calf, gilt fillets and original lettering piece to spine, corners mended, endpapers retained. Light edgewear and a few shallow scuffs to boards, light toning to text, somewhat heavier in places, light foxing to a few leaves. A handsome copy. \$1,500.

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



Important Seventeenth-Century Law Dictionary

6. Calvinus, Johannes [c.1550-c.1610].

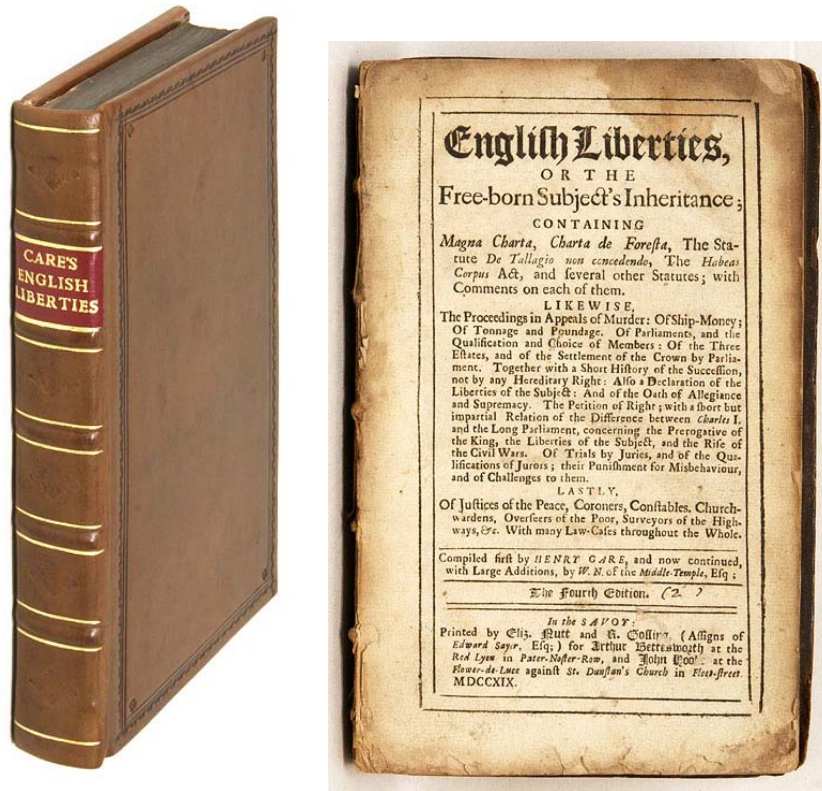
Godefroy, Denis [1615-1681], Preface, Editor.

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

*Lexicon Iuridicum: Iuris Caesaris Simul et Canonici: Feudalis Item, Civilis, Criminalis, Theoretici Ac Practici; Et in Schola et in Foro Usitatarum: Ac Eum ex ipso Iuris Utriusque Corpore, Tum ex Doctoribus & Glossis, Tam Veteribus, Quam Recentioribus, Collectarum; Vocum Penus: Simul & Locorum Communium & Dictionarii Vicem Sustinens. Feudale Lexicon, Leges ac Magistratus Romanos; & Caetera huic Operi Adjuncta, Vide in Complemento, Post Simem Operis Ipsius. Collectum Vero est hoc Opus ex Collatis Inter sese Iuridicis, Quotquot Hactenus ferè Proderunt, & Antiquioribus & Recentioribus Lexicis, Auctum Deinde, Expolitum & Emendatum, Ex Hactenus Editis Accuratissimis Lucubrationibus dn. Cuiacii, Brissonii, Donelli, Duareni, Gothofredi, Pacii, Vultei, Goeddaei, item Corrasii, Fabri, Wesembec. Aliorumque Praestantissimorum Virorum: Quorum Catalogum enox Post Prefationes Inuenies. Editio Postrema, Prioribus Auctior et Longe Limatior. Cologne: Excudebat Matthaeus Berjon: Sumptibus Caldorianae Societatis, 1612. [14], 2878 cols., 235 pp. Two parts, each with title page. Title of second part begins: *Complementum Lexici Perfecti: Coronidis Vice, Ne Quid Omino Deesse Videatur, Adjectum*. Main texts in parallel columns. Quarto (9-1/4" x 6-1/4").*

Contemporary calf, blind rules to boards, rebacked retaining most of existing spine with raised bands, gilt title and gilt ornaments, corners repaired. Light rubbing to boards, corners bumped, rear hinge cracked. Title page printed in red and black, woodcut head and tail-pieces. Moderate toning, occasional light foxing, faint dampstaining to margins, inkstains to a few leaves. Early owner signatures to endleaves, small early owner signature to title page, interior otherwise clean. A handsome copy. \$850.

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



A Profound Influence in the American Colonies, One of the Two Editions Owned by Jefferson

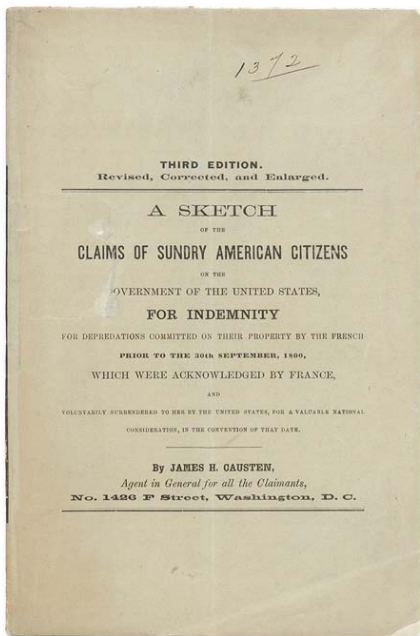
7. [Care, Henry (1646-1688)].

N[elson], W[illiam] [b.1653], Editor.

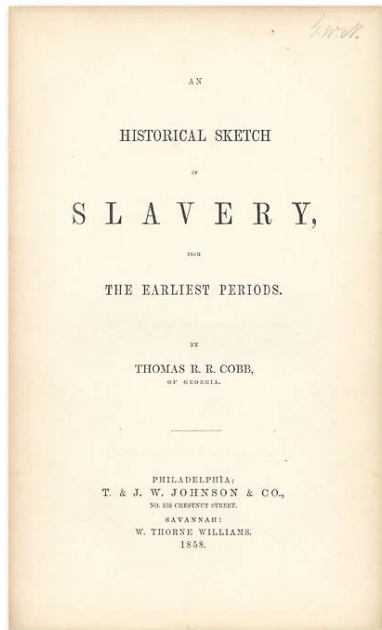
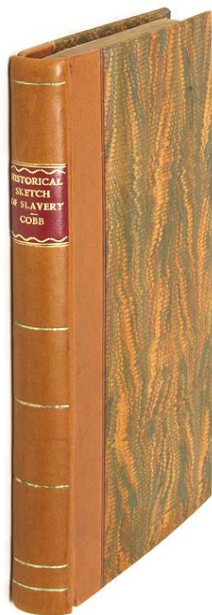
English Liberties, Or the Free-Born Subject's Inheritance; Containing Magna Charta, Charta de Foresta, The Statute De Tallagio non Concedendo, The Habeas Corpus Act, And Several Other Statutes; With Comments on Each of Them. Likewise, The Proceedings in Appeals of Murder: Of Ship-Money; Of Tonnage and Poundage. Of Parliaments, And the Qualification and Choice of Members: Of the Three Estates, And of the Settlement of the Crown by Parliament. Together with a Short History of the Succession, Not by Any Hereditary Right: Also a Declaration of the Liberties of the Subject: And of the Oath of Allegiance and Supremacy. The Petition of Right; With a Short but Impartial Relation of the Difference Between Charles I. And the Long Parliament, Concerning the Prerogative of the King, The Liberties of the Subject, And the Rise of the Civil Wars. Of Trials by Juries, And of the Qualifications of Jurors: Their Punishment for Misbehaviour, And of Challenges to Them. Lastly, Of Justices of the Peace, Coroners, Constables, Church-Wardens, Overseers of the Poor, Surveyors of the Highways, &c. With Many Law Cases Throughout the Whole. Compiled First by Henry Care, And Now Continued, With Large Additions, By W.N. of the Middle Temple, Esq. [London]: Printed by Eliz. Nutt and H. Gosling, 1719. [xii], 356 pp. Octavo (7-1/2" x 4-3/4").

Recent period-style calf, blind rules to boards, raised bands, blind ornaments and lettering piece to spine, endpapers renewed, title page mounted. Moderate toning to text, light foxing to places, minor edgewear to a few leaves at beginning and end of text, light soiling, faint stain and "(2)" in tiny early hand to title page. A handsome copy of an important work. \$1,500.

* Fourth edition. First published in 1680 (or 1682, the first edition was not dated), this classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Privilege of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned copies of this edition and the first edition, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. See Sowerby, *Catalogue of the Library of Thomas Jefferson* 2702 (London 1719 edition), 2703 (London 1680 edition). *English Short-Title Catalogue* T112711.



Item 8



Item 9

A Notable Chapter in Franco-American Relations

8. Causten, James H. [1788-1874].

A Sketch of the Claims of Sundry American Citizens on the Government of the United States, For Indemnity for Depredations Committed on Their Property by the French Prior to the 30th September, 1800, Which Were Acknowledged by France, And Voluntarily Surrendered to Her by the United States, For a Valuable National Consideration, In the Convention of That Date. Washington, DC: Printed by W.H. Moore, 1873]. 32 pp. Appendix leaf laid-in (as issued). Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Light soiling and rubbing to extremities, vertical crease through center, small scuff to front wrapper, light toning to text. Early annotation to head of front wrapper, internally clean. \$350.

*Third and final edition. Causten reviews claims against France by U.S. citizens as a result of the Quasi-War that were assumed by the Federal government by the Convention of 1800 and the terms of the Louisiana Purchase (1803). Many of these claims were not settled until the early part of the twentieth century. First published as a pamphlet in 1826, Causten's notable study was based on a series of articles published in the *Baltimore Chronicle*. Other issues and editions appeared in 1836, 1871 and 1872. All are rare. OCLC locates 2 copies of the 1873 edition (American Antiquarian Society, Yale Law School).

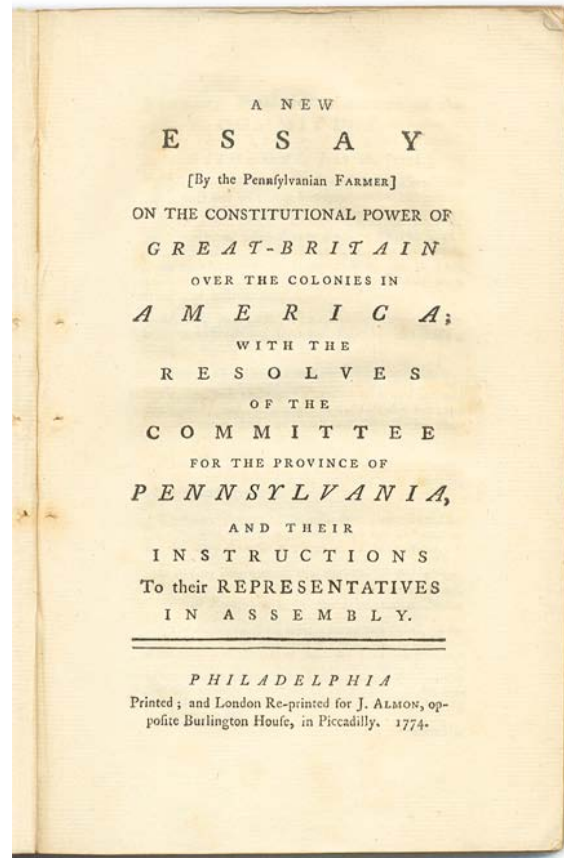
Background for Cobb's *Law of Negro Slavery*

9. Cobb, Thomas R.R.

An Historical Sketch of Slavery, From the Earliest Periods. Philadelphia: T. & J.W. Johnson & Co., 1858. [iv], xxiii-ccclii pp. Octavo (9-1/4" x 6").

Recent quarter calf over marbled boards, gilt fillets and lettering piece to spine, endpapers renewed. Early markings and underlining in light pencil in a few places, interior otherwise clean. A handsome copy. \$850.

* Only edition. Complete in itself, this book was also published as the preface and the two chapters of Cobb's *Inquiry Into the Law of Negro Slavery in the United States of America* (1858). The same plates were used for both publications; this is why the book is numbered with Roman numerals. This important book was the most comprehensive antebellum statement on the law of slavery and the only treatise on the subject by a southerner. (Cobb was a Georgian.) Sabin, *A Dictionary of Books Relating to America* 13861.



The Rights of American Colonists

10. [Dickinson, John (1732-1808)].

A New Essay by the Pennsylvanian Farmer on the Constitutional Power of Great-Britain Over the Colonies in America; With the Resolves of the Committee for the Province of Pennsylvania, And Their Instructions to Their Representatives in Assembly. London: Philadelphia Printed; And London Re-Printed for J. Almon, 1774. viii, 126, [2] pp. Includes half-title and one-page publisher list. Octavo (8-1/4" x 5").

Stab-stitched pamphlet in later patterned wrappers. Light rubbing to extremities, minor wear to edges and corners. Light toning to text, light foxing to a few leaves, minor tear to half-title with careful repair. An appealing copy. \$1,750.

* First London edition, printed the same year as the first edition, printed in Philadelphia. Dickinson, a member of a prominent family, was a lawyer educated at London's Middle temple. He established his reputation as a leading spokesman for colonial rights in his *Late Regulations Respecting the British Colonies on the Continent of America Considered* (1765), a pamphlet denouncing the Stamp Act, and, especially, *Letters from a Farmer in Pennsylvania* (1768). He was elected to the chairmanship of the Pennsylvania Committee of Correspondence in 1774. The contents of *A New Essay* are three papers adopted by the Committee. They address the principles under which the colonies claimed redress, instructions to the delegates chosen by the Assembly to attend the First Continental Congress and an essay on the constitutional power of Great Britain to tax the colonies. All of his writings helped to propel the movement towards independence. However, Dickinson, fearful of war and an existence outside of the British Empire, opposed the Declaration of Independence. *English Short-Title Catalogue* T39834. Sabin, *A Dictionary of Books Relating to America* 20046. Adams, *The American Controversy* 74-28b.



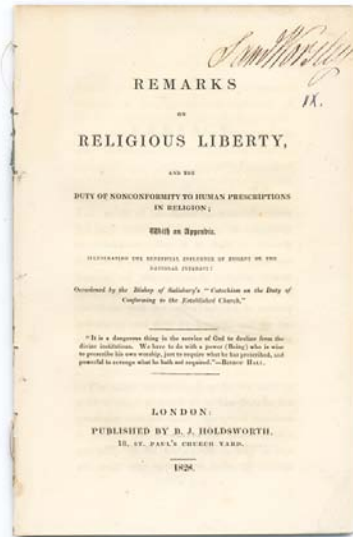
The First Book Printed
in Germany with an Author Portrait

11. [Florentinus, Paulus (Paulo) Attavanti (c.1445-1499)].

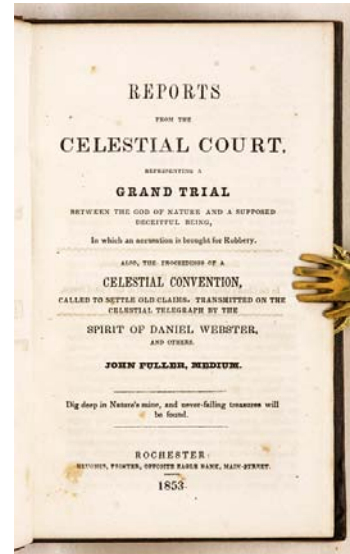
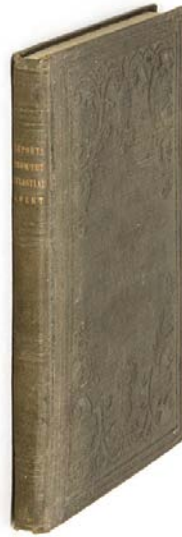
[*Breviarium Totius Iuris Canonici, Sive Decretorum Breviarium*]. [Memmingen: Albrecht Kunne, 1486]. [IV], CXXIX ff. Last leaf, a blank, lacking. Woodcut portrait frontispiece of author. Collation: [A4, B10, C-N8, O10, P8, Q5 (of 6)]. Text in parallel columns with side-notes. Chancery folio (9-1/2" x 7-1/4").

Seventeenth-century flexible vellum, blind rules to boards and spine, ties lacking. A few minor scuffs, a bit of staining and a few worm holes to front board, light rubbing to extremities, chip to head of spine. Text printed in 50-line Gothic type on wide-margined paper, rubricated throughout with Lombard ranging from 4 to 10 lines, many with handsome penwork. Light toning to text, faint dampstaining to head of first 11 and fore-edges of final 16 leaves, minor, often very minor, worming to foot of text block. Later annotations in pencil to front endleaves, early annotations and underlining to a few passages, 2-1/2" x 2-1/2" sheet of notes in early hand affixed to foot of verso of final leaf. A handsome copy. \$15,000.

* Third edition, and the first of two editions published by Kunne. Kunne's edition of the *Breviarium Totius Iuris Canonici*, an elegant summary of the *Corpus Iuris Canonici*, was the first book printed in Germany with an author portrait. It is a reprint, with some differences in appearance, of the first edition, which was printed in Milan by Leonardus Pachel and Ulrich Scinzenzeler on August 28, 1479. The woodcut in that edition was copied from another work of Paulus, the *Quadragesimale* (Milan, September 10, 1479). This was the first book to feature an author portrait. In both the original portrait and its later copies, the initials under the figure identify the subject as "Magister Paulus Florentinus Ordinis Sancti Spiritus." A member of the humanistic circle associated with Lorenzo de' Medici and Marsilio Ficino, Paulus was praised for his culture and eloquence. OCLC locates 9 copies in North America, 2 in law libraries (Harvard, UC-Berkeley). Goff, *Incunabula in American Libraries* P180. *Gesamtkatalog der Wiegendrucke* M30141.



Item 12



Item 13

Equal Rights for Dissenters

12. [Freedom of Religion].

[Great Britain].

Remarks on Religious Liberty, And the Duty of Nonconformity to Human Prescriptions in Religion; With an Appendix, Illustrating the Beneficial Influence of Dissent on the National Interest: Occasioned by the Bishop of Salisbury's "Catechism on the Duty of Conforming to the Established Church." London: Published by B.J. Holdsworth, 1828. viii, 63, [1] pp. Octavo (8-1/4" x 5-1/4").

Disbound stab-stitched pamphlet. Very light soiling to exterior, minor chip and small tear to final leaf, light toning to text. Early owner signature to head of title page, internally clean. \$300.

* Only edition. This anonymous essay on church-state relations advocates equal rights for dissenters and the continued removal of civil disabilities against them. The author grounds his argument in the tradition of civil liberties confirmed by the Glorious Revolution of 1688. OCLC locates 8 copies, 3 in North America (Columbia. Pittsburgh Theological Seminary, Yale).

A Medium from Upstate New York

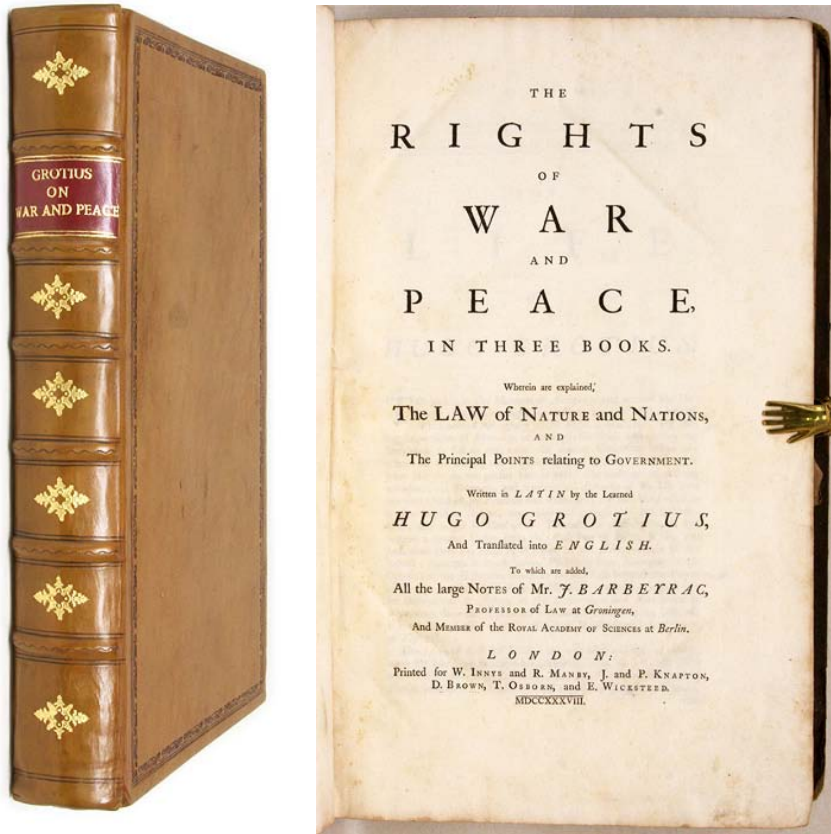
Reports a "Celestial" Trial and a Report from the Spirit of Daniel Webster

13. Fuller, John.

Reports from the Celestial Court, Representing a Grand Trial Between the God of Nature and a Supposed Deceitful Being, In which an Accusation is Brought for Robbery. Also, The Proceedings of a Celestial Convention, Called to Settle Old Claims. Transmitted on the Celestial Telegraph by the Spirit of Daniel Webster, And Others. Rochester, NY: Heughes, Printer, 1853. 144 pp. 12mo. (6-1/2" x 3-3/4").

Contemporary cloth, blind stamped frames to boards, gilt title and blind rules to spine. Light rubbing to extremities, corners and spine ends bumped, some fading to spine. Moderate toning, light foxing in places, minor dampspots to edges of a few leaves. A nice copy of a scarce title. \$450.

* Only edition. Fuller, a farmer from Elba, New York, claims to have the ability to receive messages from "a country which all are destined to inhabit" through "spiritual communion." Fuller's account of a celestial trial and his lengthy message from the late Daniel Webster all tend to suggest that hell does not exist and that Progressive Protestantism is the ideal path on earth. OCLC locates 8 copies (American Antiquarian Society, Harvard, McMaster University, New York Public Library, Rochester Public Library, University of Rochester, UCLA, University of Michigan).



The "Best Edition" of Grotius, With "Excellent" Notes

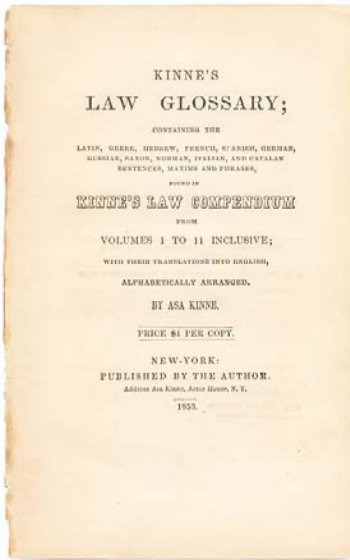
14. Grotius, Hugo [1535-1645].

[Morrice, John (1685-1740), Translator and Editor].

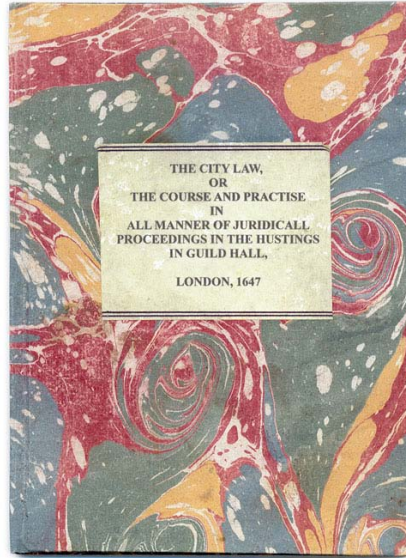
The Rights of War and Peace, In Three Books. Wherein are Explained, The Law of Nature and Nations, And the Principal Points Relating to Government. Written in Latin by the Learned Hugo Grotius, And Translated into English. To Which are Added, All the Large Notes of Mr. J. Barbeyrac. London: Printed for W. Innys [et al.], 1738. [iv], xxxvi, 817 pp. Notes in parallel columns beneath single-column main text. Folio (19" x 14").

Recent period-style calf, raised bands, gilt ornaments and lettering piece to spine, endpapers renewed. Very light toning to text, somewhat heavier in places, light foxing in a few places, spark burns to a few leaves, internally clean. A handsome copy. \$1,500.

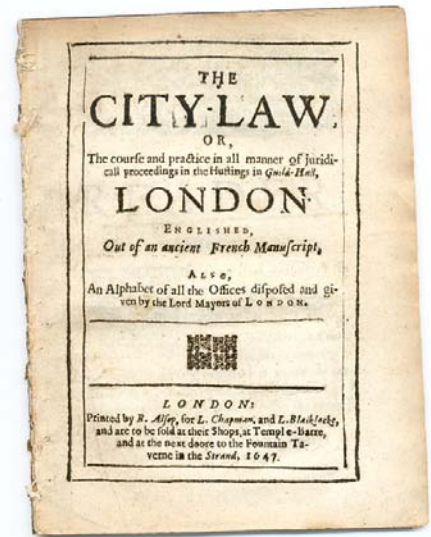
* First English edition with Barbeyrac's notes. Lowndes describes this is the "best edition;" Marvin says Barbeyrac's notes are excellent. First published in Paris in 1625, *The Rights of War and Peace* established the system of modern public international law, based on the concept of "*droit naturel*," a morality-based law that superseded the personalities of individuals or nations. Grotius describes the situations in which war is a valid tool of law enforcement and outlines the principles of armed combat. Though based on Christian natural law, Grotius advanced the novel argument that his system would still be valid if it lacked a divine basis. In this regard he pointed to the future by moving international law in a secular direction. First published in 1715 (with Barbeyrac's notes), Morrice's edition and translation was produced with the assistance of Edward Littlehales (1690-1724) and John Spavan (1685-1718). Lowndes, *Bibliographer's Manual of English Literature* (rev. ed.) III:950. Marvin, *Legal Bibliography* 353. *English Short-Title Catalogue* T110924.



Item 15



Item 16



A Rare American Law Dictionary from 1853

15. Kinne, Asa.

Kinne's Law Glossary; Containing the Latin, Greek, Hebrew, French, Spanish, German, Russian, Saxon, Norman, Italian, and Catalan Sentences, Maxims and Phrases, Found in Kinne's Law Compendium from Volumes 1 to 11 Inclusive; With Their Translations into English, Alphabetically Arranged. New York: Published by the Author, 1853. [i], 80 pp. Octavo (7-1/4" x 4-1/2").

Original textured red cloth, rebacked in period style, gilt titles to boards, gilt ornaments to spine, all edges gilt, endpapers renewed. Moderate rubbing to extremities, corners bumped and lightly worn. Moderate toning, creases to lower corners of a few leaves, internally clean. \$450.

* Only edition. Both an author and publisher, Kinne produced an array of legal works for laymen and professionals. As we can see in the subtitle of his *Law Glossary*, he often used one work to promote another, in this case Kinne's *Law Compendium*, a quarterly digest of American and British cases published in the 1840s and 50s. OCLC locates 2 copies (New York Public Library, UC-Davis Law School). Cohen, *Bibliography of Early American Law* 5448.

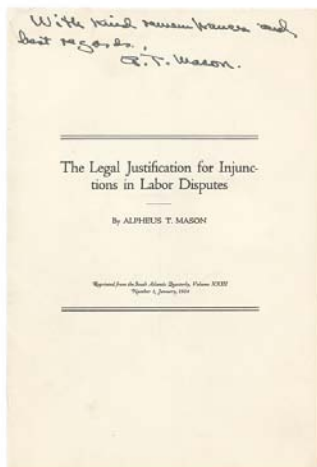
Preserving the Customary Law of London During the Civil War

16. [London].

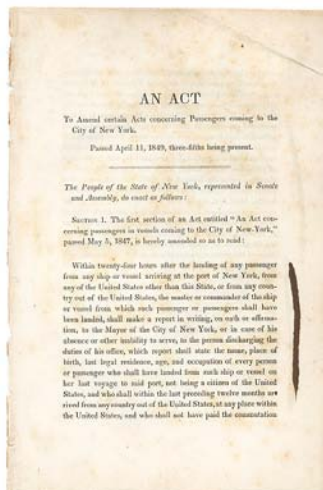
The City-Law, Or, The Course and Practise in All Manner of Juridicall Proceedings in the Hustings in Guild-Hall, London. Englished, Out of an Ancient French Manuscript, Also, An Alphabet of All the Offices Disposed and Given by the Lord Mayors of London. London: Printed by B. Alsop, for L. Chapman, and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

Stab-stitched pamphlet in recent marbled wrappers, printed paper title label to spine. Very light browning to text, internally clean. \$950.

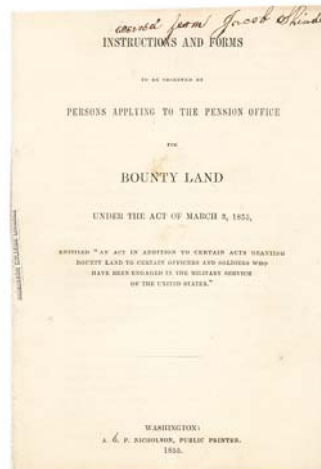
* Only edition. Very likely a political statement against possible encroachments on local power by the King or Parliament, this handbook from the time of the Civil War outlines the jurisdictions of London's courts and London's lord mayor. More than a historical artifact, it is useful for its insights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



Item 17



Item 18



Item 19

Inscribed by Mason

17. Mason, Alpheus T. [1899-1989].

"The Legal Justification for Injunctions in Labor Disputes." Offprint from the *South Atlantic Quarterly*, Volume XXIII, Number 1 (January, 1924) 40-49 pp.

Stapled pamphlet in stiff wrappers. Lightly soiled, minor wear to spine ends, author inscription to head of front wrappers, internally clean. \$25.

* A careful analysis of one of the most controversial social issues of the 1920s. Mason, a distinguished judicial biographer, was a professor of political science and the McCormick Professor of Jurisprudence at Princeton University.

Controlling the Arrival of Passengers and Immigrants

18. [New York City].

An Act to Amend Certain Acts Concerning Passengers Coming to the City of New York. Passed April 11, 1849, Three-Fifths Being Present [running title]. [New York: S.n., 1849]. 16 pp. Octavo (8-1/2" x 5-1/2").

Disbound, first leaf, with crease to upper corner, detached, light browning and foxing, ink markings to margins of a few leaves. \$150.

* This act imposed tighter rules for the registration and, when necessary, quarantine of immigrants and foreign and domestic visitors to New York City.

Guidance for Veterans Entitled to Bounty Land

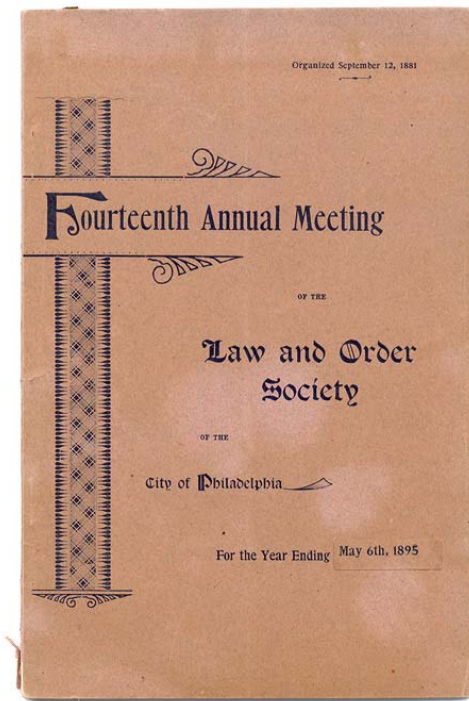
19. [Pension Bureau].

[United States].

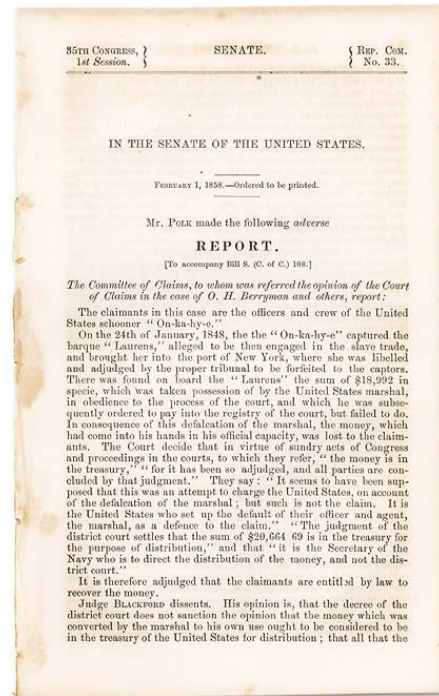
Instructions and Forms to be Observed by Persons Applying to the Pension Office for Bounty Land Under the Act of March 3, 1855, Entitled "An Act in Addition to Certain Acts Granting Bounty Land to Certain Officers and Soldiers Who Have Been Engaged in the Military Service of the United States." Washington, DC: A.O.P. Nicholson, Public Printer, 1855. 16 pp. Octavo (6-3/4" x 4-3/4").

Sewn self-wrappers. Light soiling and a few minor smudges to exterior and a few leaves, early owner signature and small alter library stamp to front cover, faint vertical crease through center, light toning to text. \$25.

* These regulations applied to all veterans, from the Revolution through the Mexican-American war.



Item 22



Item 23

Dedicated to Keeping the Sabbath

**22. [Sabbath Laws].
[Philadelphia].**

Fourteenth Annual Meeting of the Law and Order Society of the City of Philadelphia, For the Year Ending May 6th, 1895. Philadelphia: Press of A. Van Horn, 1895. 46 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Light soiling and a few minor tears to wrappers, rubbing to spine ends with some wear, front wrapper partially detached but secure, faint vertical crease through center, light toning to text. \$95.

* Founded in 1881, the Law and Order Society worked to "secure, by all proper means, the enforcement of the laws against Sunday traffic of whatever nature and character of the same may be, and of all such laws and ordinances as may from time to time exist in this commonwealth relating to the liquor traffic" (44). This meeting includes a report by a Dr. Parkhurst about the negative effects of immigration in New York City.

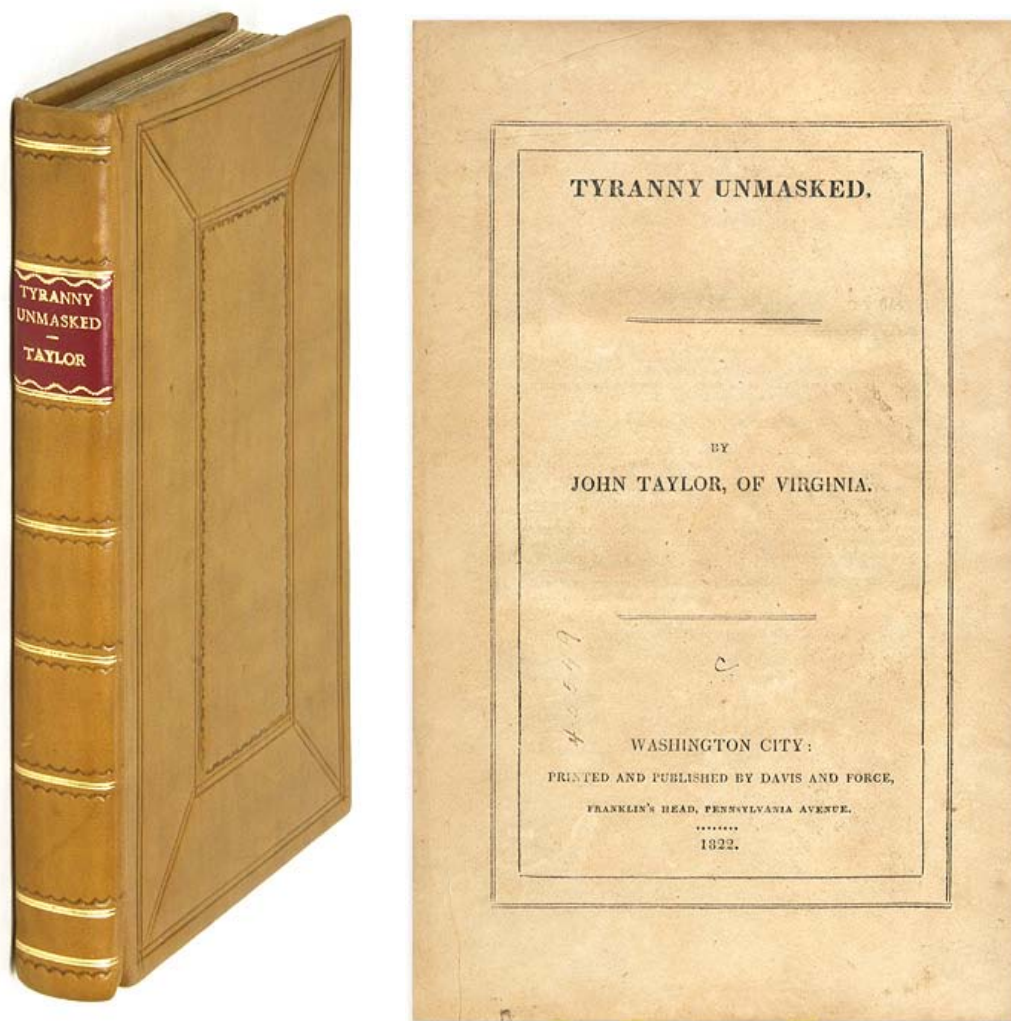
Dividing Prize Money After the Capture of a Slave Ship

**23. [Slavery].
[United States].**

In the Senate of the United States. February 21, 1858-Ordered to Be Printed. Mr. Polk Made the Following Adverse Report [To Accompany Bill S. (C. of C.) 108.]: The Committee of Claims, To Whom was Referred the Opinion of the Court of Claims in the Case of O.H. Berryman and Others, Report: The Claimants in this Case are the Officers and Crew of the United States Schooner "On-Ka-Hy-E" [drop-head title]. 13 pp. Octavo (9" x 5-1/2").

Disbound, light rubbing to extremities, some toning and light foxing. \$95.

* 35th Congress, 1st Session, Senate, Rep. Com. No. 33. This speech disputes the distribution of prize money between the Federal government and the crew that captured the slave ship Laurens.



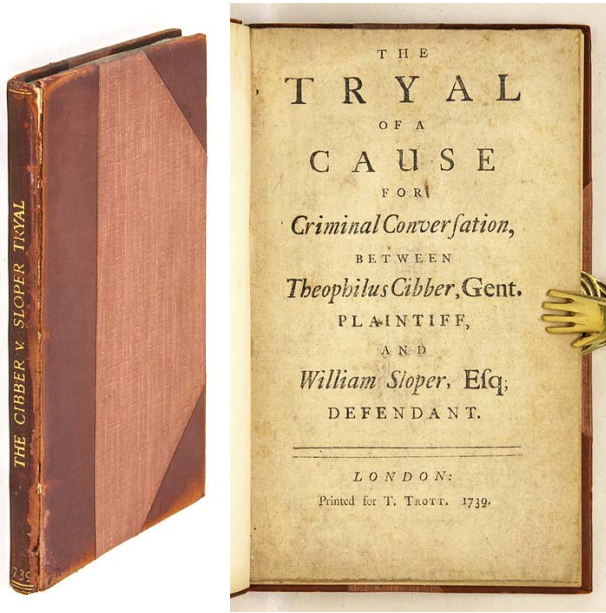
**An Important Southern Voice in the
Political Debates That Followed the War of 1812**

24. Taylor, John, Of Caroline [1753-1824].

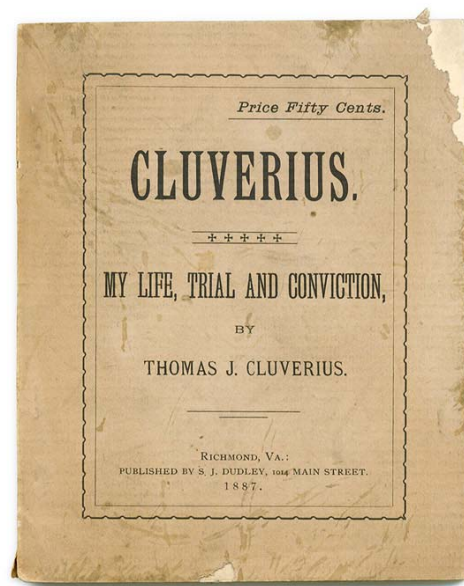
Tyranny Unmasked. Washington City [DC]: Printed and Published by Davis and Force, 1822. 349 pp. Octavo (8-1/2" x 5").

Recent period-style calf, blind panels to boards, lettering piece and gilt fillets to spine, endpapers renewed. Moderate toning, light foxing in places, a few leaves have faint markings in pencil, two very faint tiny marks in pen to title page ("45549" and "c"). A handsome copy. \$1,200.

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



Item 25



Item 26

An Notable Attempt to Profit from Adultery

25. [Trial].

Cibber, Theophilus [1703-1758], Plaintiff.

The Tryal of a Cause for Criminal Conversation, Between Theophilus Cibber, Gent. Plaintiff, And William Sloper, Esq; Defendant. London: Printed for T. Trott, 1739. 32 pp. Octavo (7-3/4" x 4-3/4").

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

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

"My Life, Trial and Conviction": McDade 193

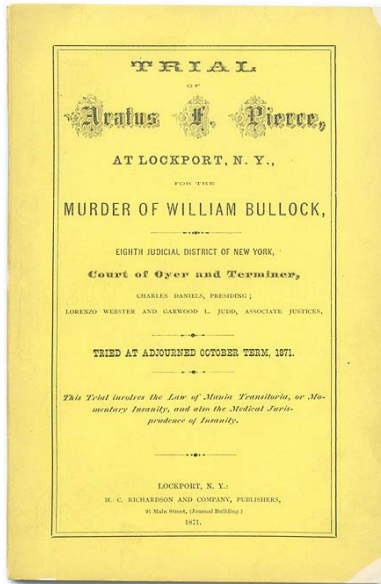
26. [Trial].

Cluverius, Thomas J. [1861-1887].

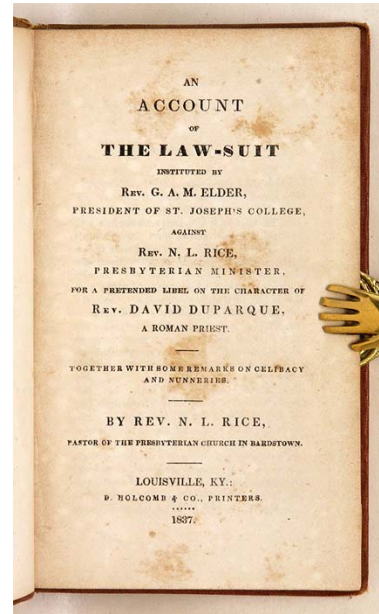
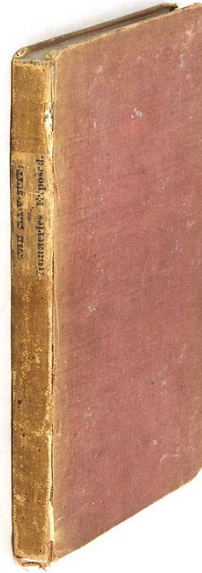
Cluverius: My Life, Trial and Conviction. Richmond: Andrews, Baptist & Clemmitt, 1887. 112 pp. Quarto (6" x 5").

Stapled pamphlet in printed wrappers. Some soiling and few chips and creases to wrappers. Light toning, minor stains to a few leaves, some soiling to p. 112, tiny chip to foot of title page. \$350.

* First edition. "Cluverius came from one of the 'better' Virginia families. He had married Lillian Madison, a country girl, but had kept the marriage a secret from his family and friends. He finally had her come to Richmond, where he murdered her and threw her body into the reservoir. He was quickly traced, tried, and executed" (McDade). A second edition, which adds a brief account of Cluverius's execution, was published later in 1887. Both editions are scarce. McDade, *The Annals of Murder* 193.



Item 27



Item 28

A Successful "Mania Transitoria" Defense

27. [Trial].

Pierce, Aratus F., Defendant.

Trial of Aratus F. Pierce, At Lockport, N.Y., For the Murder of William Bullock, Eighth Judicial District, Court of Oyer and Terminer, Charles Daniels, Presiding; Lorenzo Webster and G.L. Judd, Associate Justices, Tried at Adjoined October Term, 1871. Lockport, NY: M.C. Richardson and Co., 1871. 101 pp. Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Minor wear to spine neds, a few small chips to edges, light soiling to rear wrapper, light toning to interior. A well-preserved copy of a scarce title. \$950.

* Only edition. Pierce killed a man who seduced his sister, then refused to marry her. The trial is notable because it involved a successful defense based on the law of "mania transitoria," or momentary insanity (McDade). OCLC locates 13 copies, 4 in law libraries (Harvard, Social Law, Supreme Court of New York, U.S. Supreme Court). McDade, *The Annals of Murder* 748.

**Anti-Catholic Sentiment
in Early Nineteenth-Century Kentucky**

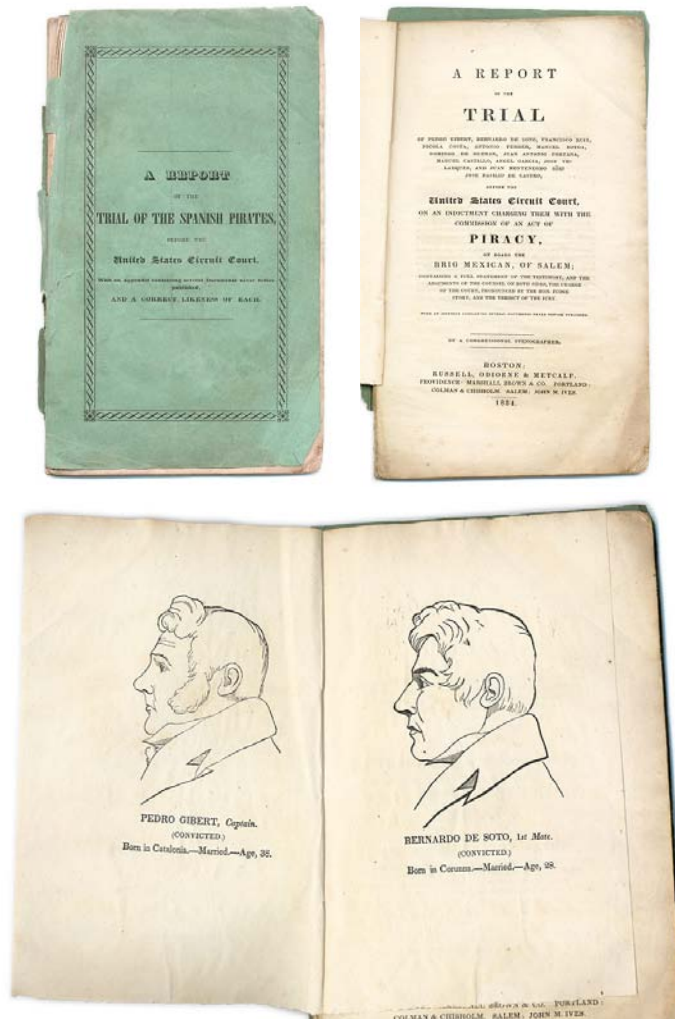
28. [Trial].

Rice, N[athan] L[ewis] [1807-1877].

An Account of the Law-Suit Instituted by Rev. G.A.M. Elder, President, Of St. Joseph's College, Against N.L. Rice, Presbyterian Minister, For a Pretended Libel on the Character of Rev. David Duparque, A Roman Priest. Louisville, KY: D. Holcomb & Co., Printers, 1837. 192 pp. 12mo. (7" x 4").

Contemporary cloth, printed paper title label to spine. Rubbing to extremities with wear to spine ends and corners, which are bumped, joints starting at ends, hinges cracked. Moderate toning and occasional light foxing to text. \$950.

* Only edition. Elder, a Catholic priest and President of the Catholic St. Joseph's College, successfully sued Rice, the author of a series of anti-Catholic articles. As one would expect, Rice blamed his loss on the political influence of "the Roman clergy" and "Popery." Rice's *Account* reviews the case from his perspective and adds prefatory chapters on "the subject of celibacy, Nunneries, &c. designed to show the immorality of such establishments" (iv). OCLC locates 5 copies in North American law libraries (Harvard, Library of Congress, Social Law, UC-Davis, Yale). Not in Cohen.



Illustrated Account of a Trial of the Twelve Spanish Pirates Heard by Joseph Story

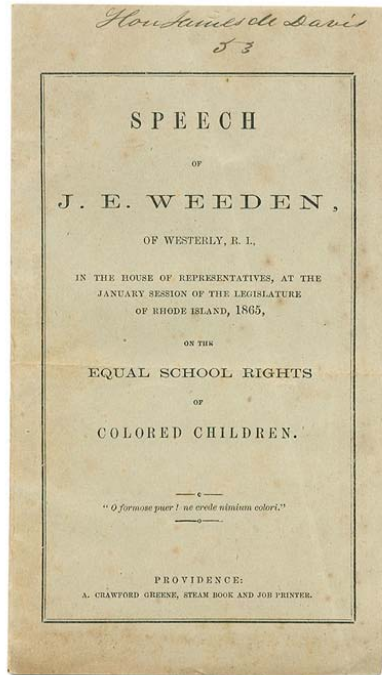
29. [Trials].

Gibert, Pedro [1796-1835], Primary Defendant.

A Report of the Trial of Pedro Gibert, Bernardo de Soto, Francisco Ruiz, Nicola Costa, Antonio Ferrer, Manuel Boyga, Domingo de Guzman, Juan Antonio Portana, Manuel Castillo, Angel Garcia, Jose Velazquez, and Juan Montenegro Alias Jose Basilio de Castro, Before the United States Circuit Court: On an Indictment Charging Them with the Commission of an Act of Piracy, On Board the Brig Mexican, Of Salem; Containing a Full Statement of the Testimony, And the Arguments of the Counsel on Both Sides, The Charge of the Court, Pronounced by the Hon. Judge Story: And the Verdict of the Jury: With an Appendix Containing Several Documents Never Before Published. Boston: Russell, Odiorne & Metcalf/Providence: M. Brown & Co./ Portland: Colman & Chisholm/ Salem: John M. Ives, 1834. 79, [1] pp., [12] leaves of plates with portraits of each defendant. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Spine perished, wrappers detached, lightly soiled and lightly edgeworn. Moderate toning to text, light foxing to a few leaves, corners of most leaves creased, internally clean. \$1,850.

* First edition. Believed to be the last American pirate, Don Pedro Gilbert was based in south Florida. A former privateer in the service of the Colombian government, Gilbert began raiding American merchant vessels off the east coast of Florida in early 1832 in his schooner Panda. That same year Gilbert was charged with boarding and robbing the Mexican, a brig based in Salem, Massachusetts. The British Navy captured Gilbert's ship and crew in 1833 and delivered the captain and crew to Boston. The jury found Gilbert and six of his men guilty and acquitted the others. A motion for a new trial was rejected and the prisoners were sentenced to death. Bernardo de Soto, the first mate, was pardoned by President Jackson. A second edition of this account, billed incorrectly as the "third edition," was published later in 1834. Cohen, *Bibliography of Early American Law* 13898.



**An 1865 Speech on the Effects of Legal
Discrimination on Academic Performance**

30. Weedon, John E.

Speech of J.E. Weedon, of Westerly, R.I.: In the House of Representatives, At the January Session of the Legislature of Rhode Island, 1865, On the Equal School Rights of Colored Children. Providence: A. Crawford Greene, [1865]. 17 pp. Octavo (7-1/2" x 4-1/4").

Stab-stitched pamphlet in printed wrappers. Light foxing and a few minor creases, light toning to text. "Hon. James M. Davis" to head of front wrapper, a few check marks and other markings to text in pencil. A nice copy of a scarce item. \$950.

* Only edition. Weedon's speech offers a remarkably progressive statement on the negative effects of legal discrimination on academic performance. Its remarks on the notion of "separate but equal" schools anticipates the doctrine of *Brown v. Board of Education*. Weedon was a prominent Rhode Island textile manufacturer and advocate for racial justice. James M. Davis was a Rhode Island textile manufacturer and state legislator. OCLC locates 6 copies (Brown, Cornell, Drake University, New York Public Library, University of Rhode Island, University of Rochester), none in law libraries.

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