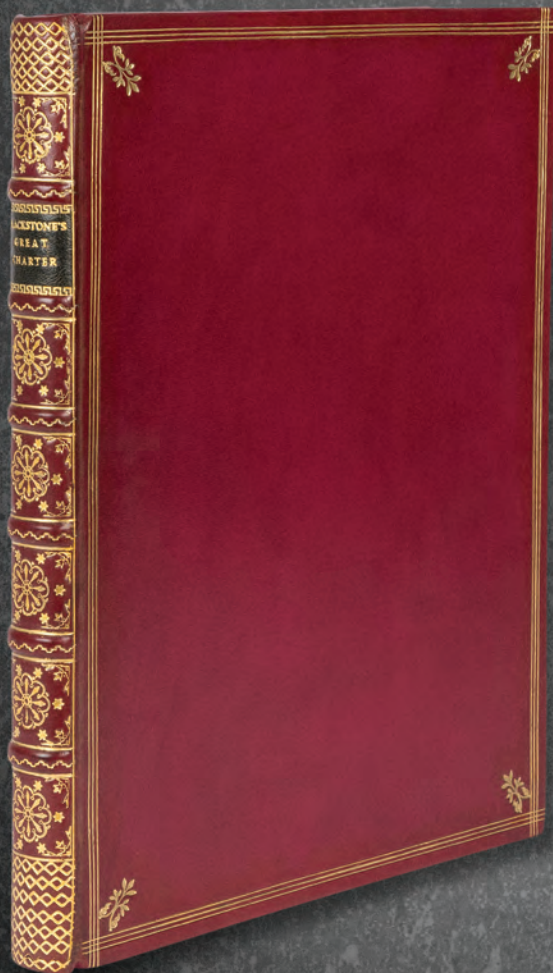


Recent Acquisitions

ENGLISH, AMERICAN &
CONTINENTAL LAW, 1583–1920

20 ITEMS

November 30, 2021

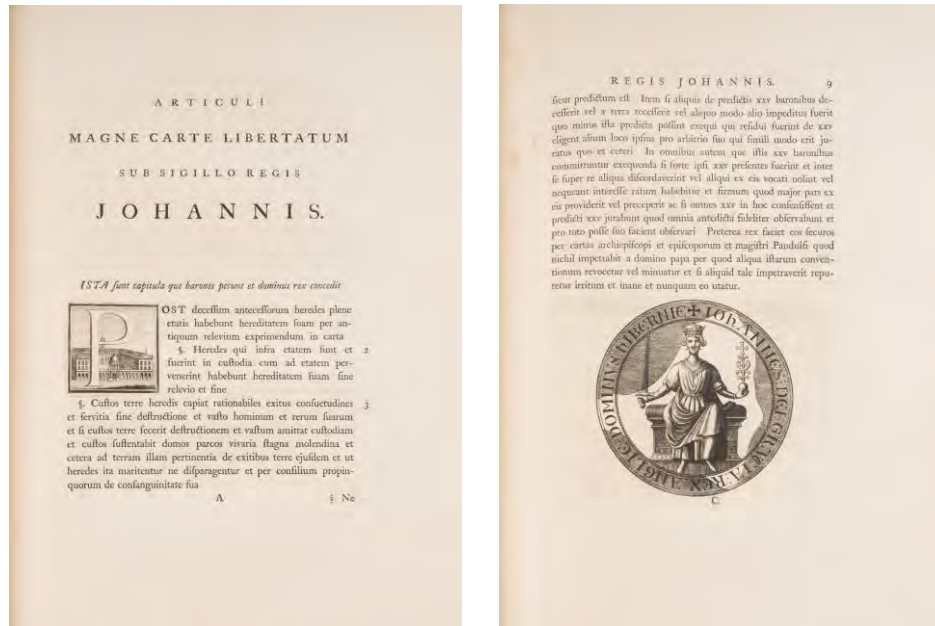


THE
GREAT CHARTER
AND
CHARTER OF THE FOREST,
WITH OTHER
AUTHENTIC INSTRUMENTS:
TO WHICH IS PREFIXED
AN INTRODUCTORY DISCOURSE,
CONTAINING
THE HISTORY OF THE CHARTERS.

BY
WILLIAM BLACKSTONE, ESQ;
BARRISTER AT LAW,
VENERIAN PROFESSOR OF THE LAWS OF ENGLAND, AND D.C.L.

O X F O R D,
AT THE CLARENDON PRESS.
M. DCC. LIX.

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See also cover

Blackstone's First Critical Edition of *Magna Carta* in a Handsome Recent Period-Style Binding

1. Blackstone, Sir William [1723-1780], Editor.

The Great Charter and Charter of the Forest, With Other Authentic Instruments: To Which is Prefixed an Introductory Discourse, Containing the History of the Charters. Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. Half-title and table of contents (Tabula) bound between pp lxxvi and 1. Copperplate engraved tail-pieces. Collated and complete. Folio large paper copy (13-1/2" x 10-1/2").

Recent period-style calf, gilt fillets and large corner fleurons to boards, gilt spine with raised bands and lettering piece, existing marbled endpapers retained, early armorial bookplate (of William Wrightson) to front pastedown. Moderate toning to text, light foxing in a few places, light soiling to a few leaves. An exceptionally handsome wide-margined copy. \$12,000.

* First edition of the first modern critical edition of Magna Carta. Blackstone's first important work, it contains the Articles of the Barons, the issues of the Great Charter in 1215, 1216 and 1217, with several charters of confirmation, the Charter of the Forest, and the Statute of Marlebridge. The introduction is in English and the texts of the Magna Carta and Carta de Foresta in Latin. Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. This idea, first proposed by Coke, was a central tenet of Whig ideology. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter.

This edition is esteemed for its handsome appearance, which was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition" and the "elegance of typography is very great." The engraved dedication to the Earl of Westmoreland is surmounted with his armorial ensigns; engraved historiated initials in the text depict views of buildings at Oxford University. The tail-pieces on pages lxxvi and 73 are historical vignettes; the other ten engraved tail-pieces reproduce the royal seals attached to the original documents. Eller, *The William Blackstone Collection in the Yale Law Library* 237. Laeuchli, *A Bibliographical Catalog of William Blackstone* 548. [Order This Item](#)



Four Important German Legal Studies

2. Böhmer, Justus Henning [1674-1749].

Introductio in Ius Publicum Universale, Ex Genuinis Iuris Naturae Principiis Deductum et in Usam Iuris Publici Particularis Quarum Cunque Rerum Publicarum Adornatum Adiecto Indice Duplici. Halle: Sumptibus Orphanotrophi, 1710. [xiv], 656, [20] pp. Copperplate pictorial frontispiece.

[Bound with]

Zschackwitz, Johann Ehrenfried [1669-1744].

Grundlegung zu dem Lehn-Rechte Des Teutschen Reiches: Worinnen dessen Ursprung und Beschaffenheit, Kürztlich doch Gründlich Untersucht und Abgehandelt, Zugleich aber auch mit von Einigen Wichtigen Materien des Teutschen Staats Rechts Nachricht Ertheilet wird, Mit Zuziehung der Bewährtesten Autoren, Und nach der Gesunden Vernunft Erläutert, Auch mit Nöthigen Register Versehen. Leipzig: Verlegts Augustus Martini, 1714. [xvi], 432, [20] pp.

[And]

Schilter, Johann [1632-1705].

Ad Jus Feudale Utrumque Germanicum et Longobardicum Introductio seu Institutiones ex Genuinis Principiis Succincte Concinnatae, Et ad Fori Feudalis Hodierni usum Directa. Strasbourg: Sumptibus Jo. Friderici Spoor, 1695. [xvi], 108, [4] pp.

[And]

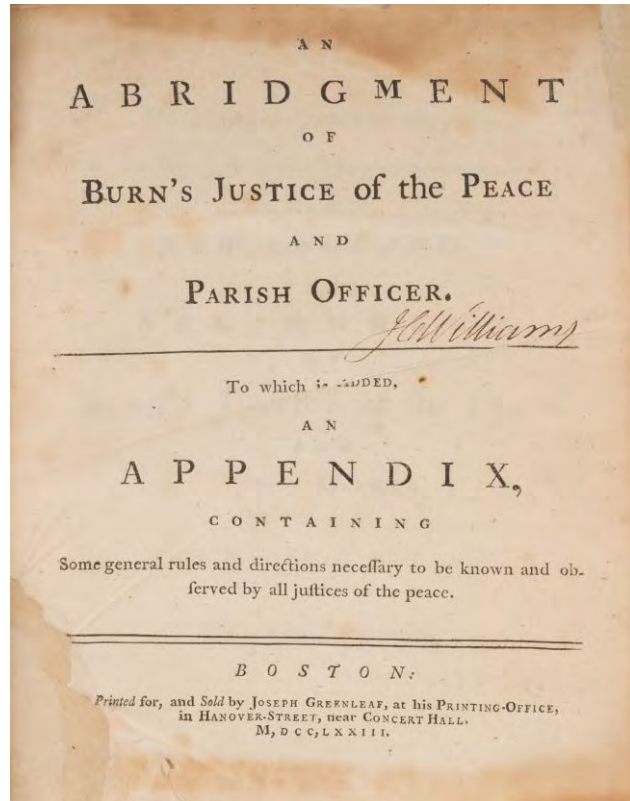
Cocceji, Heinrich von [1644-1719].

Juris Feudalis Hypomnemata. Editio Revisa et cum Aliquot Praecipuarum Difficultatum Enodationibus, Tum alias Plurimum Aucta. Frankfurt an der Oder: Apud Jer. Schrey, & J.G. Conradi, 1715. [iv], 173, [4] pp.

Octavo (6-1/2" x 3-3/4"). Contemporary speckled calf, gilt spine with raised bands and lettering piece, blind tooling to board edges. Light rubbing to boards, moderate rubbing to extremities, chipping to spine ends, joints starting at ends, light soiling and minor worming to pastedowns and endleaves, minor worming to margins of preliminaries and following 25 leaves with minor loss in a few places. Light browning, somewhat heavier in places, occasional light foxing, occasional faint dampstaining to foot of text block, light soiling to title pages and a few other leaves. \$1,500.

* Schilter and Böhmer: first edition; Zschackwitz: only edition; Cocceji: later edition. This volume collects four important works by German jurists. Böhmer's is a jurisprudential study of public law and its relation to feudal and natural law. The books by Zschackwitz and Cocceji address the feudal law of the Holy Roman Empire. Zschackwitz's was a controversial work because it argued for the autonomy of states in the empire. Schilter's is a pioneering critical study of Lombard and early Germanic laws. Böhmer, Zschackwitz, Cocceji: *Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts* 12507814-001, 10216944, 10907483. Schilter: *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 23:239086H.

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The Only American Abridgment Before 1776

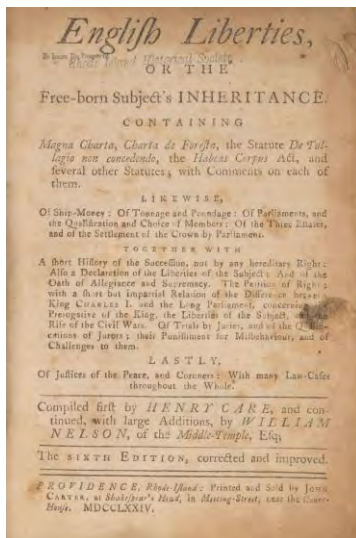
3. Burn, Richard [1709-1785].

Greenleaf, Joseph [1720-1810], Editor.

An Abridgment of Burn's Justice of the Peace and Parish Officer. To Which is Added, An Appendix, Containing Some General Rules and Directions Necessary to be Known and Observed by All Justices of the Peace. Boston: Printed For, And Sold by, Joseph Greenleaf, 1773. [viii], 386, [2] pp. Includes two-page publisher advertisement. Quarto (8-1/2" x 7").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, existing endpapers retained, hinges mended. Light fading to sections of spine, early armorial bookplate (of John C. Williams) to front pastedown. Moderate toning, light foxing in a few places, light offsetting to endleaves, a few chips and tears to front endleaves, recent repair to lower inside corner of title page with no loss to text. A handsome copy. \$1,250.

* Only American edition and the only abridgement of a legal treatise printed in America before the Revolution. Richard Burn was an attorney and antiquarian who edited the ninth, tenth, and eleventh editions of Blackstone's *Commentaries*. His *Justice of the Peace, and Parish Officer* (1755) was perhaps his most important work. Holdsworth considered it to be one of the best treatments of the subject, an opinion shared by Burn's contemporaries, both in England and in the colonies. The "best proof that his book...was accepted as the leading text-book on that topic is the number of editions through which it passed.... It deserved its success. Burn carefully abridged the statutes, and stated the manner in which their clauses had been interpreted by the courts. His treatment of the criminal law was based upon a thorough study of the works of Coke, Hale, and Hawkins." Greenleaf explains the nature of his abridgement in the preface: "The London edition takes in the whole practice of England and Scotland, this renders it both bulky and dear. The circle of a justices business in those places is vastly extensive, and is founded chiefly on acts of the British parliament, which can never have any relation to this colony" [i]. Greenleaf also added an appendix of forms and general rules and directions for American courts. Holdsworth, *A History of English Law* XII:332-333. Cohen, *Bibliography of Early American Law* 8325. [Order This Item](#)



A Profound Influence in Pre-Revolutionary America

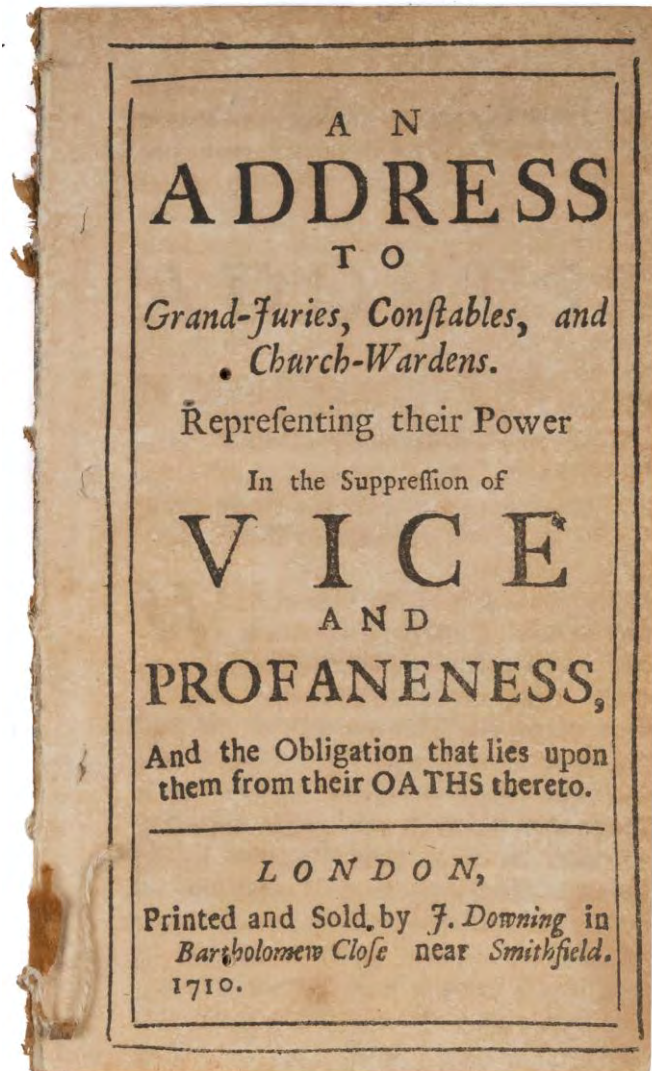
4. [Care, Henry (1646-1688)]. N[elson], W[illiam] [b.1653], Editor.

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, 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.... Providence: Printed and Sold by John Carter, 1774. viii, 350, [6] pp. Includes six-page subscriber list. Octavo (7" x 4-1/2").

Contemporary sheep, blind fillets to boards, raised bands to spine. Moderate rubbing to boards and extremities, small chip to head of spine, joints starting, corners bumped and somewhat worn, hinges cracked, chipping and edgewear to front and free rear endpapers. Light browning to interior, light foxing in a few places, light soiling, a finger smudge and small later library stamp to title page, two tiny holes to its upper outside corner, following leaf has a tiny hole in the same location. well-preserved copy of a rare title. Book housed in recent cloth clamshell box, quarter morocco over cloth, gilt title and gilt-edged raised bands to spine. \$3,500.

* Second American edition. Preceded by a 1721 Boston edition, this 1774 Providence edition was published in the same year as the first Continental Congress and the Intolerable Acts (and about a year after the Boston Tea Party). A publisher's note at the end of the table of contents says this edition was "principally designed for America" and contained "extracts from several late celebrated writers on the constitution" (vi). It is almost certain that this publisher was capitalizing on popular resentment toward the crown and parliament. First published in England in 1680 (or 1682, the first edition was not dated), this layman's guide reviews, from a Whig perspective, the principles of English law and government. Containing the texts of Magna Carta and other foundational documents of the English Constitution, it emphasizes the role of juries in the preservation of civil rights and prevention of tyranny.

First published in America in 1721 by James Franklin, the half-brother of Benjamin Franklin, who may have offered editorial guidance, this was one of the very first legal books published in the American colonies. 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). And Jefferson, who owned two London editions, 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, 2703. Cohen, *Bibliography of Early American Law* 3416. [Order This Item](#)



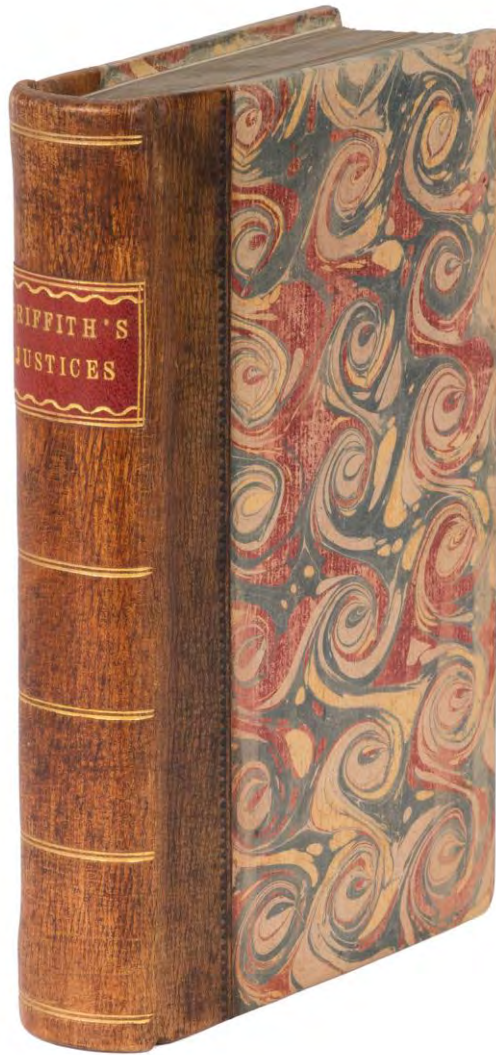
The Suppression of "Vice and Profaneness"

5. Disney, John [1677-c.1729].

An Address to Grand-Juries, Constables, and Church-Wardens. Representing Their Power in the Suppression of Vice and Profaneness, And the Obligation that Lies Upon Them from their Oaths Thereto. London: Printed and Sold by J. Downing, 1710. 48 pp. 12mo (5-1/4" x 3").

Disbound stab-stitched pamphlet. Moderate toning, trimming to edges affecting page numbers and catchwords in a few places, a few worm holes to text block, legibility not affected. \$450.

* Only edition. Disney, a divine with a degree in civil law, was vicar of St. Mary's in Nottingham and a moral reformer. This work decrying "the Prophaneness, Lewdness, and Debaucheries of Men" focused on themes Disney had expounded upon previously in his *Essay Upon the Execution of the Laws Against Immorality and Prophaneness* (1708, 2nd ed. 1710) and *A View of Ancient Laws Against Immorality and Prophaneness* (1729). It was also published as a preface to the second edition of the *Essay*. In 1786, it was reissued with a different title by Disney's grandson. OCLC locates 7 copies, 1 in a law library (Harvard). *English Short-Title Catalogue* T27386. [Order This Item](#)



Handsome Copy of the First Law Book Printed in Newark, New Jersey

6. Griffith, William [1766-1826].

A Treatise on the Jurisdiction and Proceedings of Justices of the Peace, in Civil Suits; with an Appendix, Containing Advice to Executors, Administrators and Guardians--Also, an Epitome of the Law of Landlord and Tenant; the Whole Interpreted with Proper Forms, and Calculated for General Instruction. Newark, NJ: Printed by John Woods, For the Author, 1797. xii, 320, [21] pp. 12mo. (6-1/2" x 4").

Recent period-style quarter calf over marbled boards, blind fillets to calf sections of boards, lettering piece and gilt fillets to spine, endpapers renewed. Light browning and foxing to interior, early owner name (Moses Foote) to head of p.ii. A handsome copy. \$250.

* Second edition, with "improvements and a new chapter on conveyancing." First printed in Burlington, New Jersey in 1796, the 1797 edition was the first law book printed in Newark. The third section of its three-part appendix has a title page reading (in part): *The Scriveners Guide: Containing Concise Precedents of Acquittances, Agreements, Arbitration and Awards.* A third, and final, edition of this book was published in 1813. Felcone, *Printing in New Jersey, 1754-1800* 879. Cohen, *Bibliography of Early American Law* 8400. [Order This Item](#)



A Popular Guide to the Daily Practice of English Law

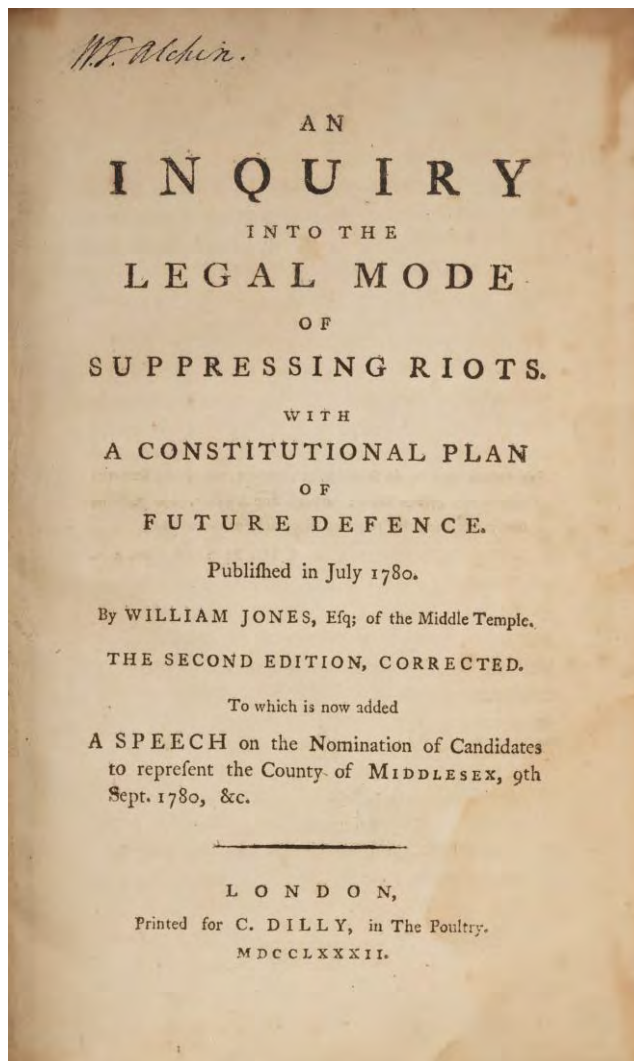
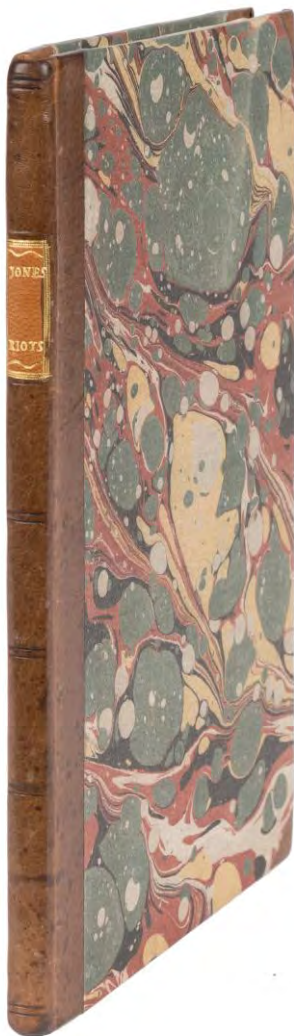
7. [G.T., Of Staple Inn].

The Practick Part of the Law: Shewing the Office of an Attorney, And a Guide for Solicitors in the Courts of the Chancery, King's-Bench, Common-Pleas and Exchequer, With the Manner of Their Proceedings in any Action Real, Personal, Or Mixt (From the Original to the Execution) in All Courts, With the Exact Fees of All Officers and Ministers of Those Courts: To Which is Added the Practice of the Courts in the city of London, Court of Admiralty, ecclesiastical Courts, And Other Inferior Courts in the Country. Carefully Revised, Corrected, And much Enlarged, With an Exact Table, Wherein are Contained all the Principal Matters in the Whole Book. London: Printed by the assigns of Richard and Edward Atkins, 1681. [viii], 592 [i.e. 590], [14] pp. Octavo (6-3/4" x 4-1/4").

Contemporary calf, blind rules and fillets to boards, raised bands to spines, gilt tooling to board edges. Light rubbing and a few minor stains and nicks to boards, moderate rubbing to extremities, corners bumped and moderately worn, front pastedown just beginning to come loose, front free endpaper lacking, large chip and illegible early signatures to rear free endpaper and verso of title page. Moderate toning to interior, faint dampstaining to foot of text block in a few places, stain from laid-in flower to center of title page and following few leaves. An attractive copy in a well-preserved binding. \$350.

* Later edition of a work first published in 1652. This early guide outlines the daily practice of the law in England. A useful and popular work, it went through several editions, the final appearing in 1724. *English Short-Title Catalogue* R184827.

[Order This Item](#)



William Jones's First Legal and Political Essay

8. Jones, Sir William [1746-1794].

An Inquiry into the Legal Mode of Suppressing Riots, With a Constitutional Plan of Future Defence. Published in July 1780. By William Jones, Esq; of the Middle Temple. The Second Edition, Corrected. To Which is Now Added A Speech on the Nomination of Candidates to Represent the County of Middlesex, 9th Sept. 1780, &c. London: Printed for C. Dilly, 1782. 75, [1] pp. With a half-title. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards by Philip Dusel, blind fillets and lettering piece to spine. Moderate toning, occasional light foxing, illegible early owner signature to head of title page. \$1,500.

* Second, final and best edition. Jones's first legal and political essay, it addresses the Anti-Catholic Gordon Riots, the most destructive riot in London's history. Jones draws on Selden, Locke and Milton in his proposals to avoid martial law and defend London through a version of the *posse comitatus*. Both editions of this work are very scarce. OCLC locates 3 copies of the second edition (San Francisco Law Library, UC-Berkeley, University of Michigan). *English Short-Title Catalogue* T69326. [Order This Item](#)



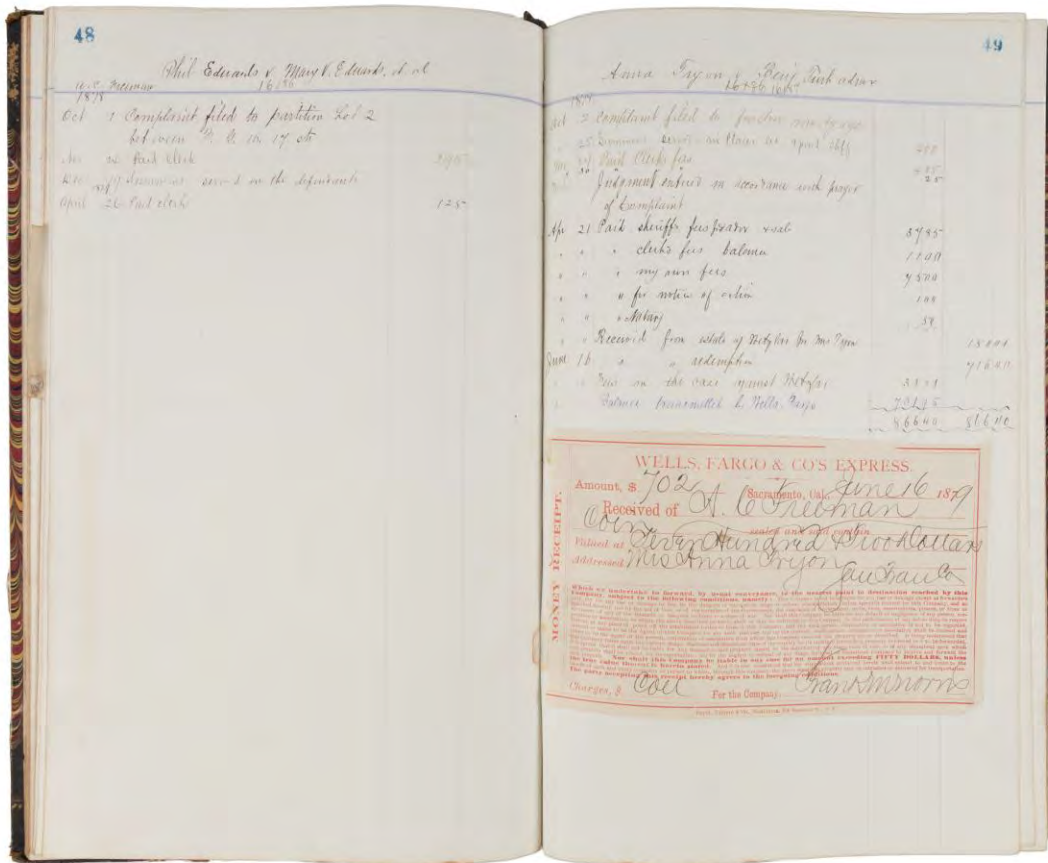
A Guide to Nobility and Titles of Honor During the Reign of Queen Anne

9. [Gosling, Robert, Attributed].

The Laws of Honour: Or, A Compendious Account of the Ancient Derivation of All Titles, Dignities, Offices, &c. As Well Spiritual as Temporal, Civil or Military. Shewing the Prerogative of the Crown, Privileges of Peerage, And of Parliament; The True Rank and Precedency of All Dignify'd Persons; The Most Memorable Debates and Cases of Parliament upon Claim of Honours, Precedency, Or Otherwise. With a Compleat and Useful Table of the Nobility, Setting Forth Their Ancient and Present Honours, Offices, Employments, Creations, Successions, Consecrations, &c. The Whole Illustrated with Proper Sculptures, Engrav'd on Copper Plates. To Which is Added, An Exact List of Officers Civil and Military, In Great Britain, As They Properly and Distinctly Fall Under the Supream Officers of the Kingdom, Or are Any Way Remarkable in the Dispatch of Publick Business. London: Printed for R. Gosling, At the Mitre and Crown Against St. Dunstan's Church in Fleet Street, 1714. [xiv], xii, [4], 250, [2], 251-261, 252-280, [2], 281-440, [4], 70, [2] pp. Text continuous despite pagination. Letterpress leaves inserted between pp. 250-251 pp. 280-281. Three copperplates, one of them a frontispiece. Complete. Octavo (7-1/2" x 4-3/4").

Recent calf, blind rules to boards, gilt dots to corners of boards, raised bands, blind fillets and gilt title to spine, endpapers renewed, frontispiece mounted and re-hinged. A few minor nicks and scratches, light uniform fading to spine. Moderate toning, light foxing in a places, light edgewear to preliminaries and final few leaves, light soiling to frontispiece and title page, which has an illegible one-word annotation and two early owner signatures (of Anne Watson and William Watson) to its upper margin. \$650.

* First edition. A fascinating guide to the ranks of nobility and titles of honor during the time of Queen Anne, along with an explanation of the nation's numerous civil and military offices (including the names of men holding them). A second edition was published in 1726. Our copy matches the collation but lacks the pagination errors noted in the two issues of the first edition listed in the *English Short-Title Catalogue* (T142006, T142007). [Order This Item](#)



An Interesting Piece of California Legal History

10. [Manuscript].

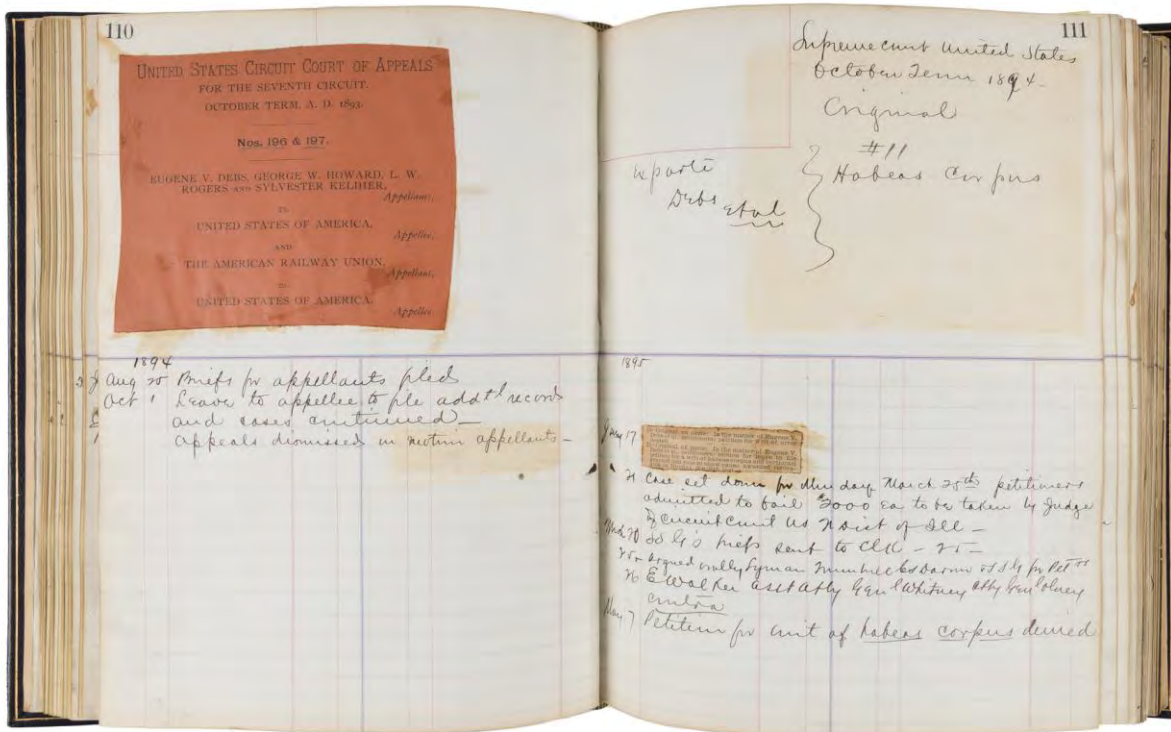
Freeman, Abraham Clark [1843-1911].

Register of Actions and Proceedings. Sacramento County, CA, 1877-1880. 244 pp. Folio (13" x 7-3/4").

Contemporary three-quarter sheep over marbled boards, gilt fillets to spine, marbled edges. Light rubbing to boards, dampstain to rear board, heavier rubbing to extremities with some wear to spine ends and corners, chip to foot of spine, joints starting very slightly at head, hinges starting, slight offsetting to corners affecting first two leaves, contemporary handwritten title reading "Register of Actions and Proceedings" to front pastedown. Light toning to interior, occasional light foxing, minor spots and stains in a few places. Text in single legible hand, related documents tipped or laid in at several places. \$2,500.

* Clark was an influential California lawyer and author. After coming to California from Illinois in 1861, he settled in Sacramento County and received his law license three years later. In the 1870s he wrote a number of legal works, including *A Treatise on the Law of Judgments*, the first national treatise written or published in California and still highly regarded today. He was also a member of California's Constitutional Convention of 1878-1879 and took an active interest in legal reform in the state. In this register, he lists legal cases in which he was involved during his years in private practice. Nearly all are civil, and some involve noted California citizens such as the banker D.O. Mills or the businessman Sam Brannan. Several receipts and case-related documents are laid in. These include a postcard addressed to Freeman from an E.M. Marsham and a receipt for a \$702 money order from Wells Fargo dated 1879 related to the settling of a foreclosure.

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"A Kind of Record of Many a Desperate Professional Struggle"

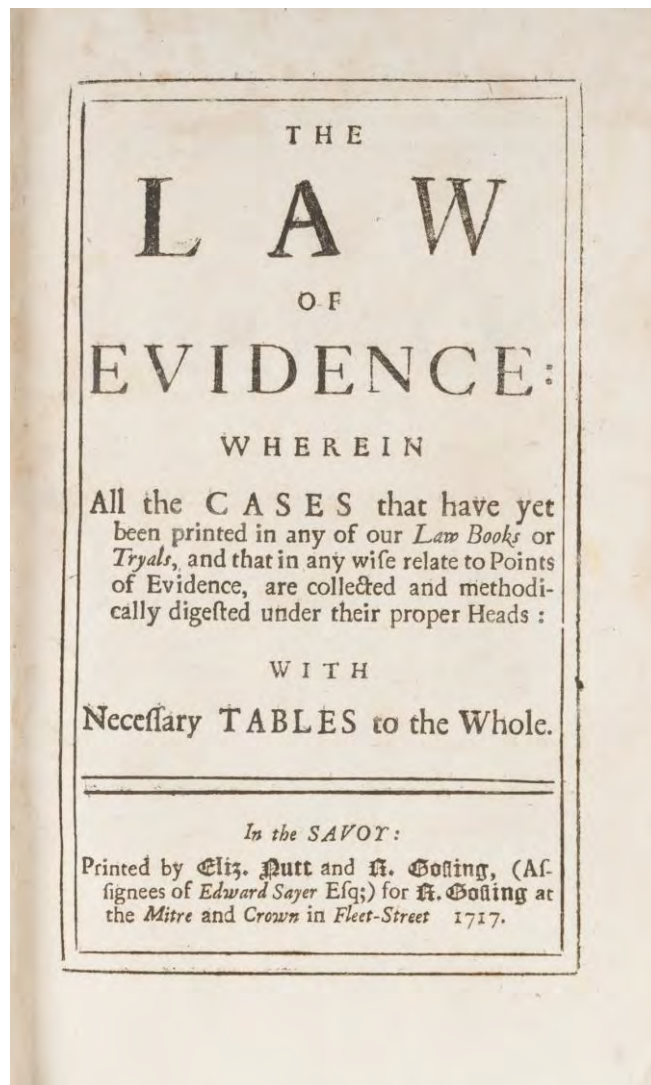
11. [Manuscript].

Gregory, Stephen S. [1849-1920].

[*Manuscript Docket and Scrapbook of Stephen S. Gregory, 1879-1920*]. Chicago. [xii], 501, [1] pp. Author's table of contents to rectos of most initial pages and introductory note to lxii. Quarto (10-1/4" x 7-3/4").

Later morocco, gilt rules to boards, raised bands, gilt fillets and title, reading "S.S. Gregory, Docket and Notes, 1879-1920," to spine, marbled endpapers with gilt rules to inside board edges. A few small scuffs to boards, light toning to interior, small spots and stains in a few places, some pages crudely (but neatly) mended by Gregory. Text to most leaves in neat hand, newspaper clippings and photographs pasted in throughout. Item housed in lightly edgeworn cloth slipcase. \$2,500.

* Gregory was a prominent Chicago lawyer and president of the American Bar Association from 1911 until his death in 1920. The first 184 pp. are a chronological record of Gregory's key cases, including the Debs and Chicago Traction cases, followed by a number of (mostly) blank leaves. The docket is prefaced with an introductory note dated February 8, 1906, but later material is dated until 1920, suggesting that Gregory abandoned the docket in favor of the scrapbook which follows. Pp. 300-427 are an alphabetical compendium of notes and clippings on legal definitions, concepts and anecdotes, material which Gregory compiled for his own reference and may have used in his writings and speeches. The final section is a scrapbook of clippings and photographs related to his friends, colleagues, family and career. A fascinating and handsome volume documenting the life of an important figure in American legal history. Gregory describes the docket thus in his preface: "I have kept this book in most imperfect fashion since 1879...Still though thus imperfect it is a kind of record of many a desperate professional struggle-and recalls to my mind an immense amount of exacting professional labor." [Order This Item](#)



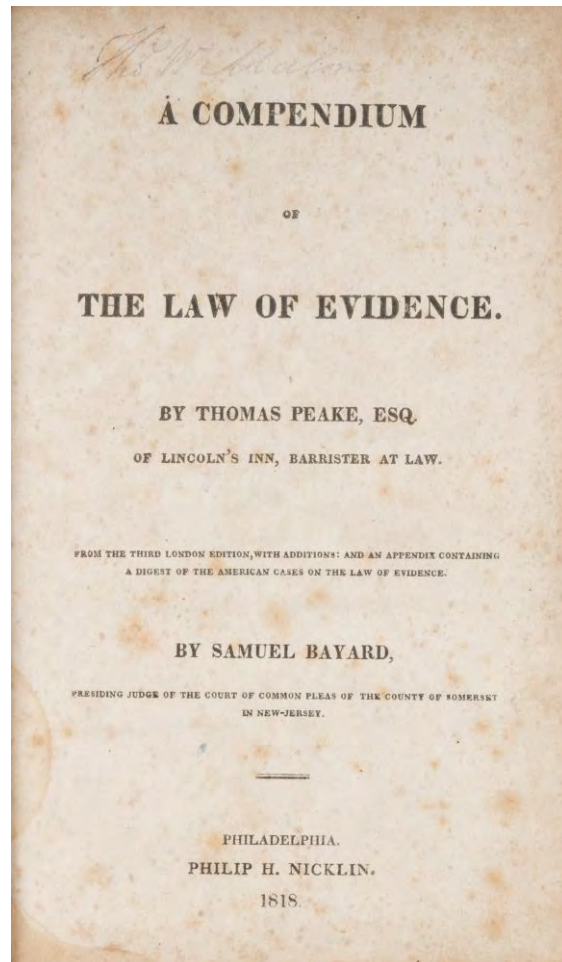
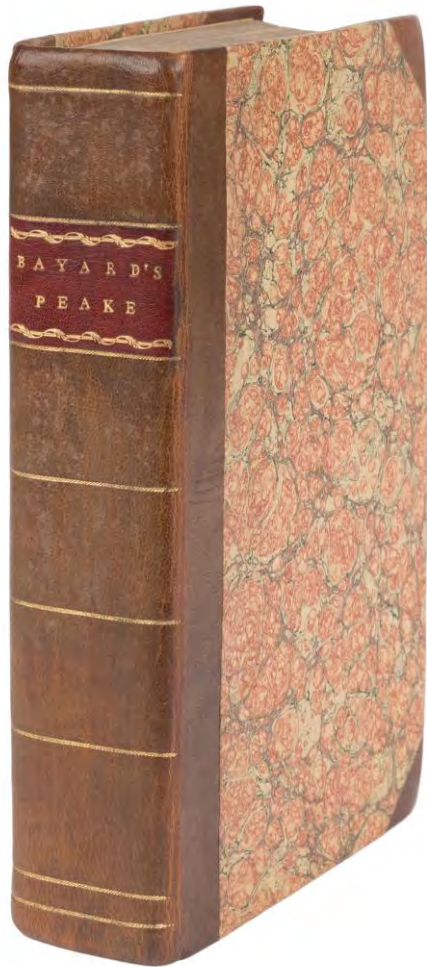
The First Book Devoted Exclusively to the English Law of Evidence

12. [Nelson, William (b.1653), Compiler].

The Law of Evidence: Wherein All the Cases that Have Yet been Printed in Any of Our Law Books or Tryals, And that in Any Wise Relate to Points of Evidence, Are Collected and Methodically Digested Under Their Proper Heads: With Necessary Tables to the Whole. [London]: Printed by Eliz. Nutt and R. Gosling, 1717. [xvi], 243, [77] pp. Octavo (7-3/4" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine, lettering piece lacking, gilt fillets to board edges. Light rubbing and some minor scuffs and stains to boards, moderate rubbing to extremities, chipping to head of spine, corners bumped and somewhat worn, pastedowns loose, small holes to front pastedown and rear endleaf. Light toning to text, somewhat heavier in places, light foxing to margins in a few places, light soiling to title page, early owner signatures ("Wm D Guy" and "Jn Ridout 1760" to front endleaf. \$1,500.

* First edition. The first book devoted exclusively to the law of evidence, it was published at a time when evidence was beginning to be treated as a distinct subject. Its twelve chapters include three on witnesses, one on written evidence and one chapter on criminal evidence. Other editions were published in 1735, 1739 and 1744. All editions are scarce. *English Short-Title Catalogue* T129613. [Order This Item](#)



A Standard Nineteenth-Century English Evidence Treatise with Extensive American Additions

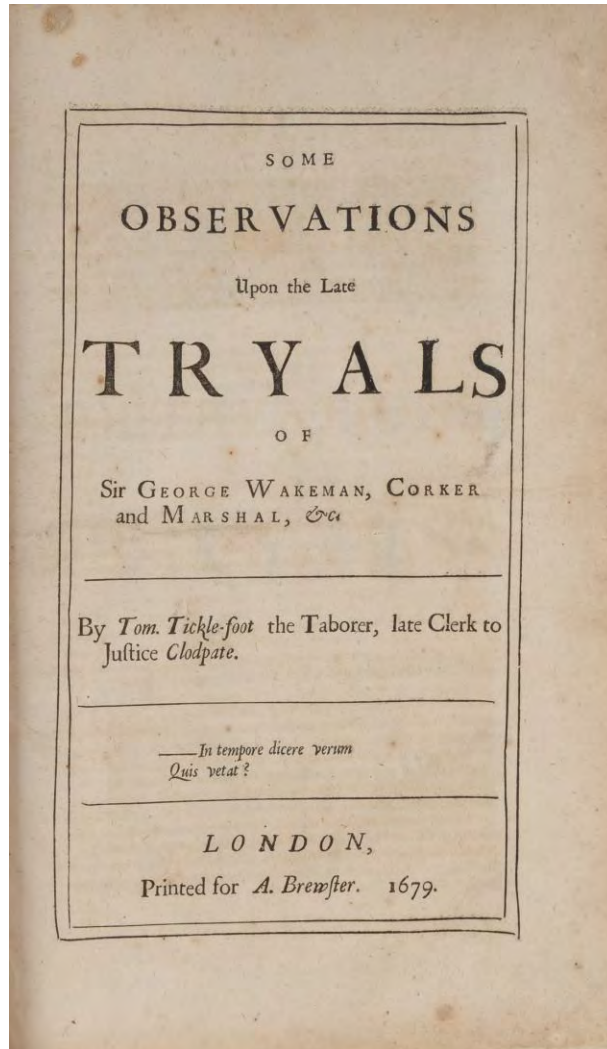
13. Peake, Thomas [1771-1838].

Bayard, Samuel [1767-1840], American Additions.

A Compendium of the Law of Evidence. From the Third London Edition, With Additions: And an Appendix Containing a Digest of American Cases on the Law of Evidence by Samuel Bayard. Philadelphia: Philip H. Nicklin, 1818. xxxii, 460, [1], xcix; xv, [1], 134, [16] pp. Two parts. Each with title page and individual pagination. Title page of second part, by Bayard, dated 1810, has title reading *A Digest of American Cases on the Law of Evidence Intended as Notes to Peake's Compendium of the Law of Evidence.* Octavo (8-1/4" x 5-1/4").

Recent period-style three-quarter calf over marbled boards by Philip Dusel, gilt fillets and lettering piece to spine, endpapers renewed. Moderate toning, somewhat heavier in places, and foxing to text, negligible diminishing faint dampstaining to lower margins of preliminaries and following leaves through p. 8, early owner signature ("Thos W. Malone") in pencil to head of title page. \$350.

* Later American edition, the only one by Bayard. First published in 1802, this was standard treatise in the first decades of the nineteenth century, both in England and America. Its final edition, the fifth, was published in 1822. An American edition followed in 1824. Bayard was a distinguished lawyer, judge and legal author who practiced and held judicial posts in New Jersey and Pennsylvania. Cohen, *Bibliography of Early American Law* 5096. [Order This Item](#)



Perceptive Satirical Commentary on the Popish Plot of 1678

14. [Popish Plot].

[Smith, Francis (fl. 1657-1689)].

Some Observations Upon the Late Tryals of Sir George Wakeman, Corker and Marshall, &c. By Tom Tickle-Foot the Taborer, Late Clerk to Justice Clodpate. London: Printed for A. Brewster, 1679. 8, 7-9, [1] pp. Pagination irregular, text complete. Folio (11-3/4" x 7-3/4").

Stab-stitched pamphlet in recent plain wrappers. Light soiling to exterior, tiny stain to front wrapper, moderate toning and occasional faint spotting to interior, light soiling to title page. \$300.

* Only edition. Supposedly written by a clerk to "Justice Clodpate," this satirical and sensational account of the Popish Plot of 1678 is also a remarkably perceptive and interesting contemporary analysis. One of the cruelest hoaxes in British history, one that led to a wave of anti-Catholic violence, the Popish Plot was the invention of Titus Oates, an Anglican clergyman, and his friend, Dr. Israel Tonge, a cleric and passionate anti-Catholic. They pretended to have discovered a Jesuit plot to assassinate the King, massacre Protestants and set James, Duke of York, the King's Catholic brother, on the throne. After the hoax was discovered in 1685 Oates was convicted of perjury, severely flogged and imprisoned. Under William III he was released and pensioned. Wing, *English Short-Title Catalogue* R12969. [Order This Item](#)



First Edition of the Standard English Textbook on Grotius

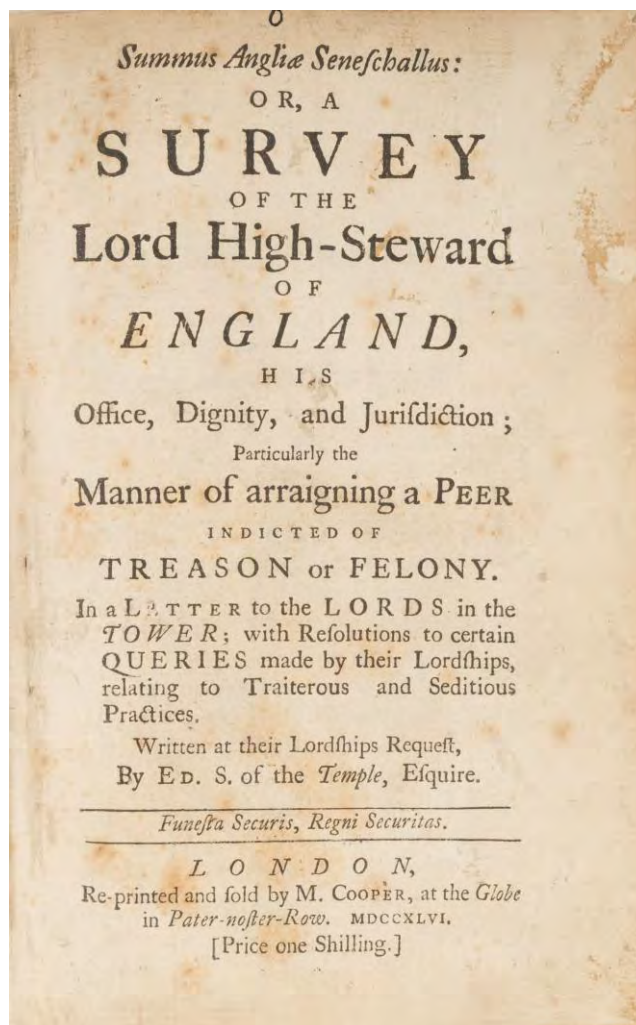
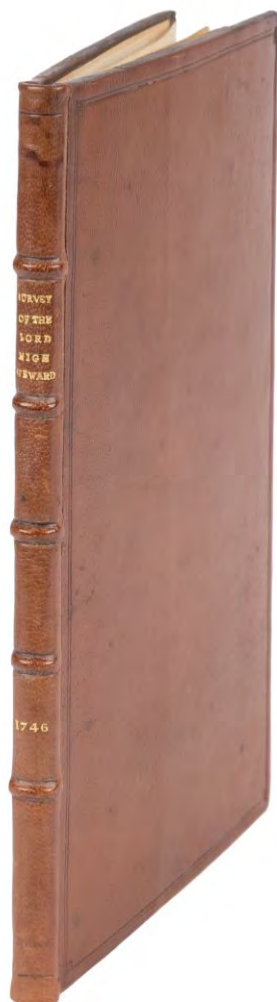
15. Rutherford, Thomas [1712-1771].

Institutes of Natural Law Being the Substance of a Course of Lectures on Grotius de Jure Belli et Pacis Read in S. Johns College Cambridge. In Which are Explained the Rights and Obligations of Mankind Considered as Individuals. Cambridge: Printed by J. Bentham, Printer to the University; For W. Thurlbourn [et al.], 1754. Two volumes. [xvi], 495, [1]; [x], 692 pp. Half-title lacking from Volume II. Octavo (7-1/2" x 5-3/4").

Recent period-style quarter calf over marbled boards, gilt-edged raised bands and gilt titles to spines. Moderate toning, somewhat heavier in places, occasional light foxing, mostly in Volume I, faint dampstaining to text block of Volume II, tear to upper inside corner of leaf B3 (pp.21-22) in Volume I, brief annotations to a few leaves in each volume. \$1,250.

* First edition. This exposition of natural law and *De Jure Belli et Pacis* was one of the most important English treatises of the period. It was a standard text in Great Britain and America for several decades. As late as 1847, Marvin observed that Rutherford was still "considered one of the ablest commentators upon Grotius" because "[h]is work is clearly and logically written, and exhibits great acuteness, sound argument, and learning." This book is from the library of William Dillard, a learned judge from Amherst, Virginia. *Legal Bibliography* 625. *English Short-Title Catalogue* T142202.

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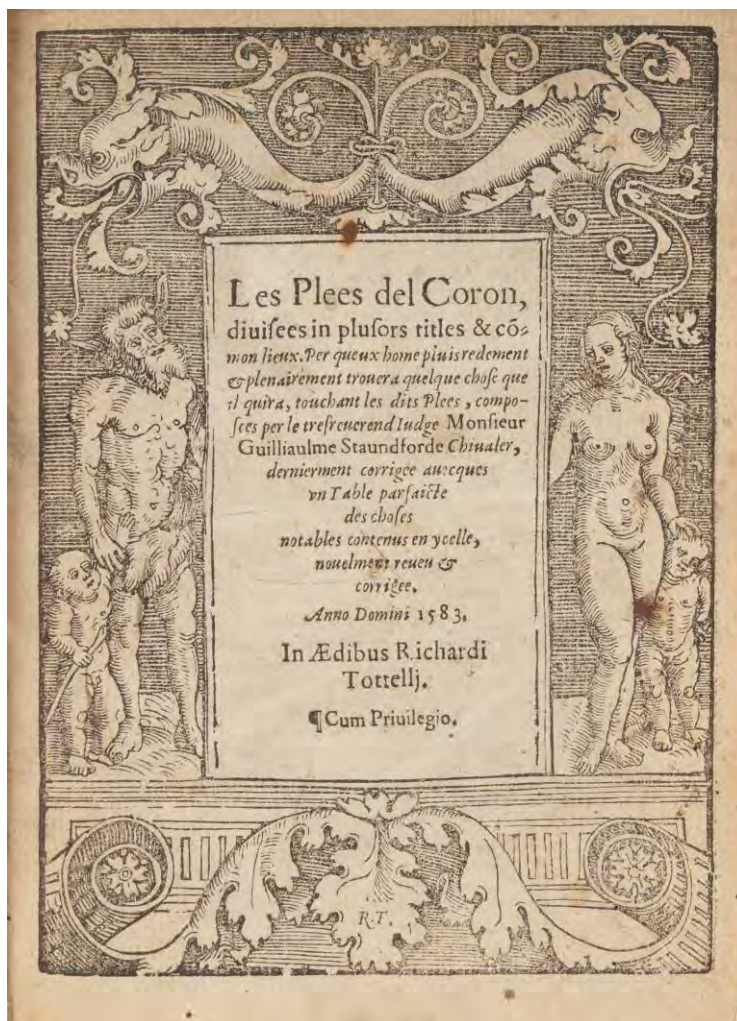
The Office of Lord High Steward

16. S[aunder], Ed[mond] [d. 1683].

Summus Angliæ Seneschallus: Or, A Survey of the Lord High-Steward of England, His Office, Dignity, And Jurisdiction; Particularly the Manner of Arraigning a Peer Indicted of Treason or Felony. In a Letter to the Lords in the Tower; With Resolutions to Certain Queries Made by their Lordships, Relating to Traiterous and Seditious Practices. Written at Their Lordships Request, By Ed. S. of the Temple, Esquire. London: Re-Printed and Sold by M. Cooper, 1746. [ii], 49, [1] pp. Octavo (7-1/4" x 4-3/4").

Recent period-style calf by Philip Dusel, blind rules with corner fleurons to boards, raised bands and gilt title to spine, endpapers renewed. Moderate toning, light foxing to a few leaves and title page, which is lightly soiled, fragment of number at head. An attractive copy. \$750.

* Second and final 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 a ceremonial office that is filled for coronation ceremonies. Saunder's essay on the powers of this office was first printed in 1680. Both editions are scarce. OCLC locates 6 copies of the second edition in North America, 1 in a law library (Library of Congress). *English Short-Title Catalogue* T105685. [Order This Item](#)



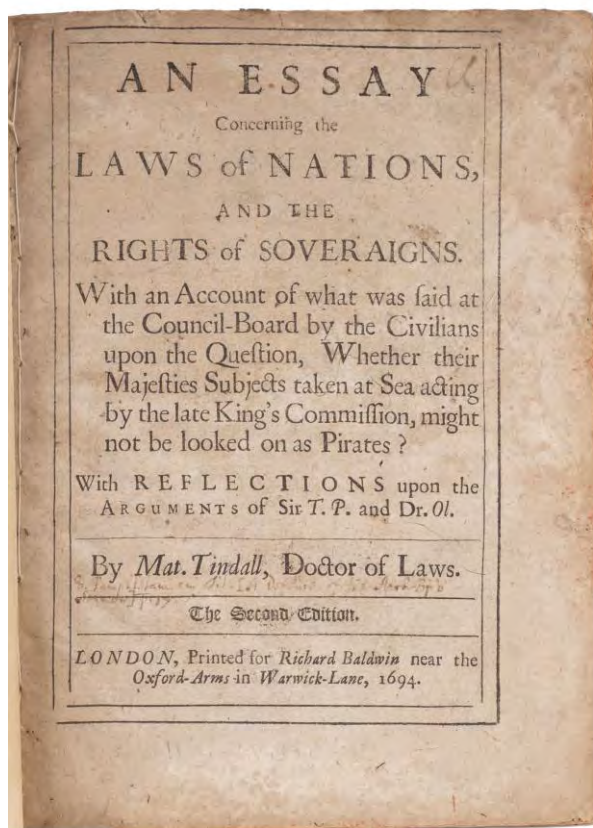
The First Printed Work Devoted Solely to Criminal Law

17. Staunford, Sir William [1509-1558].

Les Plees del Coron, Divisees in Plusors Titles & Comon Lieux. Per Queux Home Plus Redement & Plenairement Trouver a Quelque Chose que Il Quira, Touchant les Dits Plees, Composees per le Tres Reuerend Iudge Monsieur Guillaulme Staunforde Chivaler, Dernierment Correee Auecques un Table Parfaicte des Choses Notables Contenus en Ycelle, Nouelment Reueu & Correee. [London]: In Aedibus Richardi Tottelli, 1583. [xii], 196 [i.e. 198] ff. Quarto (7-1/4" x 5-1/2").

Later three-quarter calf over marbled boards, rebacked, gilt title and blind fillets to spine, edges rouged, endpapers renewed. Light rubbing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, hinges cracked, armorial bookplate (of James Bros) to front pastedown, bookplate (of J.M.B. Crawford, dated January 4, 1979) to front free endpaper. Title printed with woodcut architectural border. Moderate toning, headlines affected in a few places by trimming, minor worming to lower outside corners of final 42 leaves, light soiling to title page. \$950.

* Later editions. Based on Bracton and the Year Books, Staunford's treatise is divided into three parts. The first treats offences, the second jurisdiction, appeals, indictments, and defenses. The third deals with trials and convictions. First published posthumously in 1557, *Plees* was written after Staunford was appointed judge of the common pleas in 1554. Beale, *A Bibliography of Early English Law Books* T490. *English Short-Title Catalogue* S117812. [Order This Item](#)



Are they Pirates, Or Privateers?

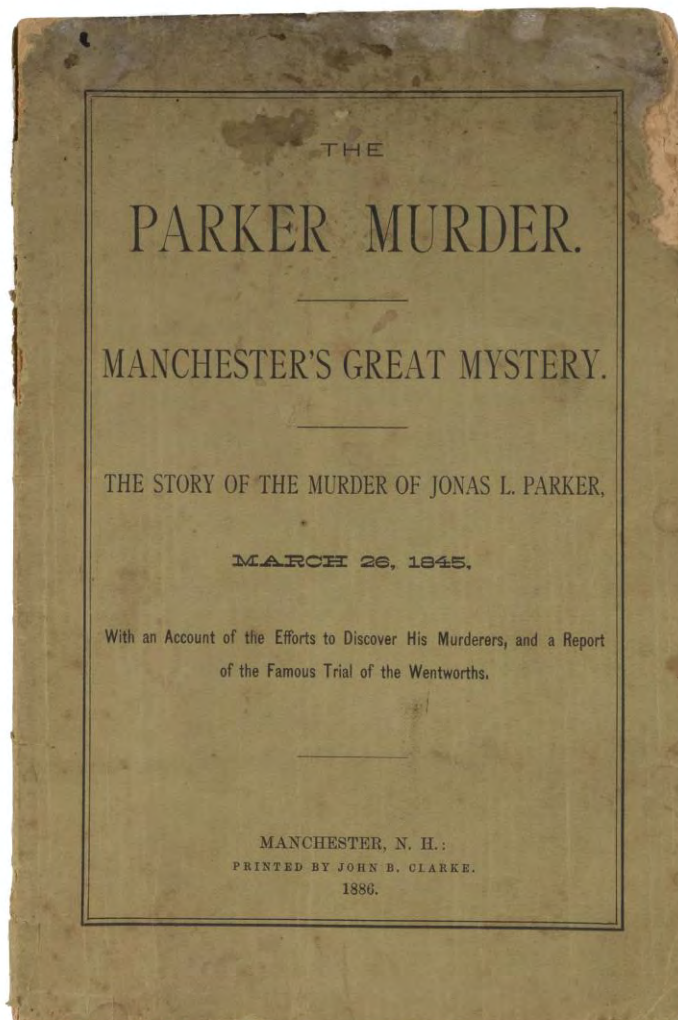
18. Tindal, Matthew [c.1653-1733].

An Essay Concerning the Laws of Nations, and the Rights of Sovereigns. With an Account of What Was Said at the Council-Board by the Civilians upon the Question, Whether Their Majesties Subjects Taken at Sea Acting by the Late King's Commission, Might Not be Looked On as Pirates? With Reflections upon the Arguments of Sir T.P. and Dr. Ol. By Mat. Tindall, Doctor of Laws. London: Printed for Richard Baldwin, 1694. 36 pp. Quarto (7-3/4" x 5-3/4").

Stab-stitched pamphlet bound into recent period-style stiff marbled wrappers. Light toning to interior, light foxing to text, chips to edge of a few leaves, light soiling to title page and verso of final leaf, faint illegible contemporary annotation to title page. \$650.

* Second and final edition, published the same year as the first edition. Tindal's *Essay* argues, in no uncertain terms, that followers of James II who had taken to the seas in the failed Jacobite rising of 1689 ought to be prosecuted as pirates. The legal issue centered around the distinction between pirates and state-sanctioned privateers. This came to a head at the trial of John Golden in 1694, where the captured Jacobites petitioned to be treated as prisoners of war who had received legitimate privateering commissions from James II. This defense was unsuccessful. Golden and his fellow prisoners were drawn and quartered as pirates, just as Tindal had argued they should be. The case marked a major development in English admiralty law and the end of James II's naval campaign. Publication of this pamphlet was a high point in Tindal's career; he was rewarded for his loyalty to William III with public acclaim and (as some speculate) an annual salary of £200 from the Crown. OCLC locates 9 copies of the second edition, 2 in North America (Drew University, Princeton). See "Tindal, Matthew" in *Oxford Dictionary of National Biography*, accessed online. *English Short-Title Catalogue* R38350.

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The Wentworths Kill the Tax Collector: McDade 1075

19. [Trials].

Wentworth, Asa, Defendant.

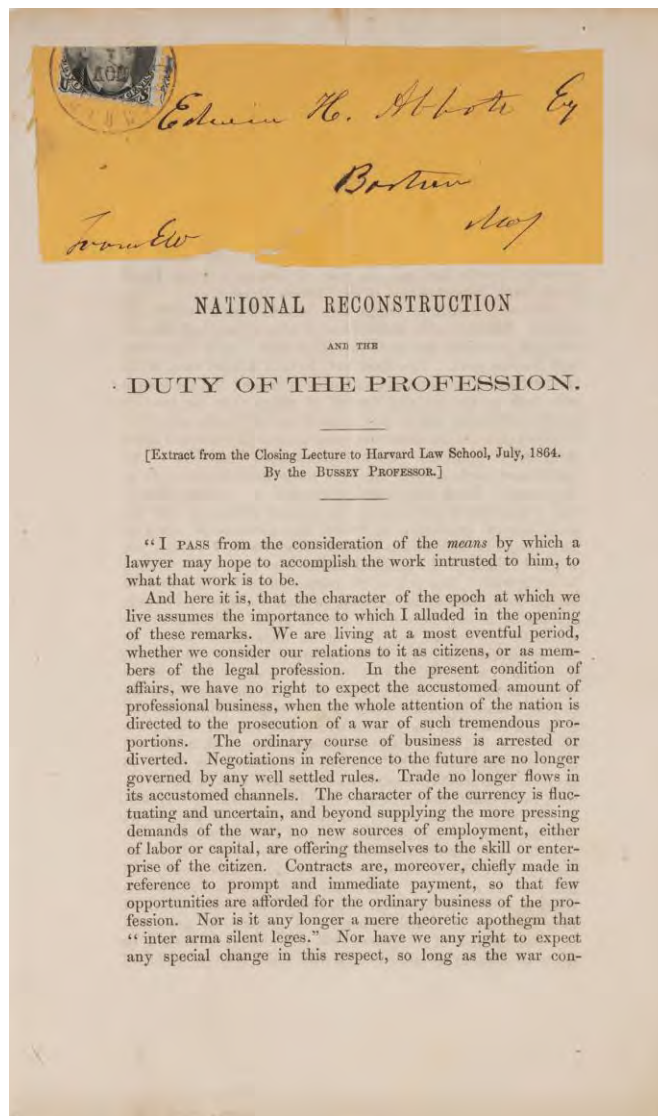
Wentworth, Henry, Defendant.

Wentworth, Horace, Defendant.

The Parker Murder. Manchester's Great Mystery. The Story of the Murder of Jonas L. Parker, March 26, 1845, With an Account of the Efforts to Discover his Murderers, And a Report of the Famous Trial of the Wentworths. Manchester, NH: Printed by John B. Clarke, 1886. 43 pp. Text in parallel columns. Two woodcut text illustrations (maps). Octavo (9" x 6").

Stab-stitched pamphlet in printed wrappers. Rubbing to extremities with wear to spine ends, dampstaining to head of text block, wear to upper outside corner, light soiling and a few minor stains to exterior, light browning and a few small spots to interior. \$650.

* Only edition. "Parker was the local tax collector and his body, with throat cut, was found outside the town. The Wentworths were not tried until 1850; then they were defended by Franklin Piece and Benjamin F. Butler and acquitted" (McDade). OCLC locates 13 copies, 4 in law libraries (Harvard, Social Law, South Texas College of Law, University of Missouri). McDade, *The Annals of Murder* 1075. [Order This Item](#)



The Role of Lawyers in "National Reconstruction"

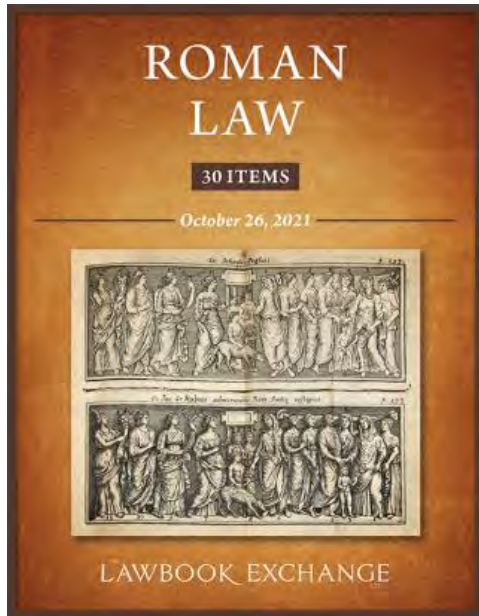
20. Washburn, Emory [1800-1877].

National Reconstruction and the Duty of the Profession: Reprinted from the "Law Reporter." Boston: Published by William Guild and Company, [1864]. 10 pp. Octavo (9-1/4" x 5-3/4").

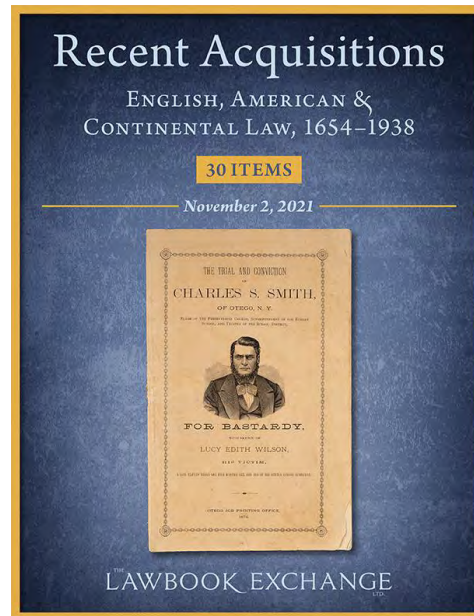
Unsewn self-wrappers, moderate toning, faint vertical crease through center, minor wear to spine ends, light foxing to a few leaves, fragment of envelope addressed to Edwin Hale Abbot with a note reading "From EW" pasted to head of first page. \$150.

* Only edition as a separate work. Washburn taught at Harvard Law School from 1856 to 1876. Also a politician, he served in both houses of the Massachusetts state legislature and was that state's 22nd governor. This "extract from the closing lecture to Harvard Law School, July, 1864" (1) discusses the role lawyers will play in the "national reconstruction" that will follow the end of the Civil War. Abbot [1834-1927], to whom Washburn likely sent this pamphlet, was one of those lawyers. He served as an attorney for the United States in the Alabama Claims, a landmark in international relations concerning British assistance to the Confederacy. [Order This Item](#)

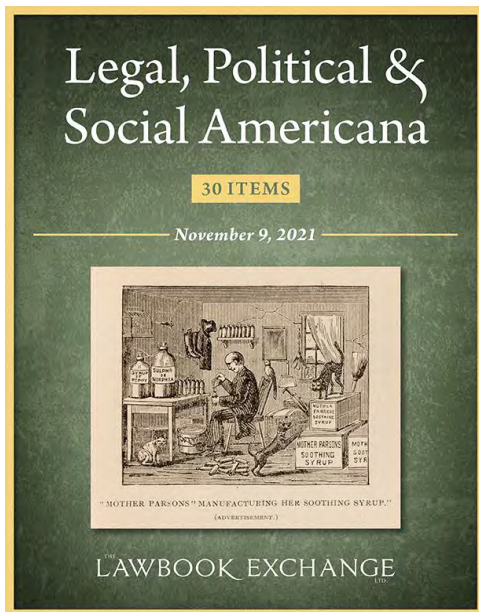
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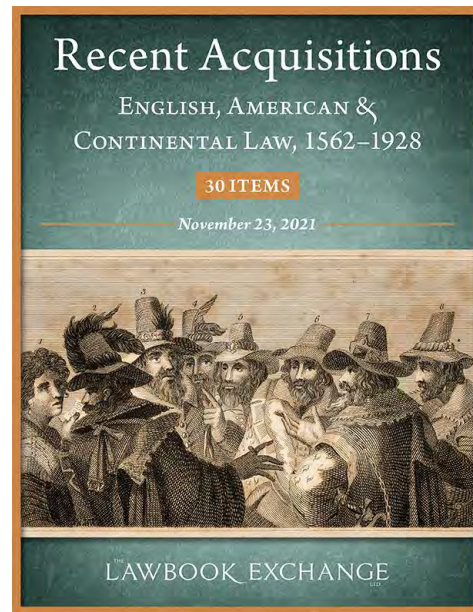
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