

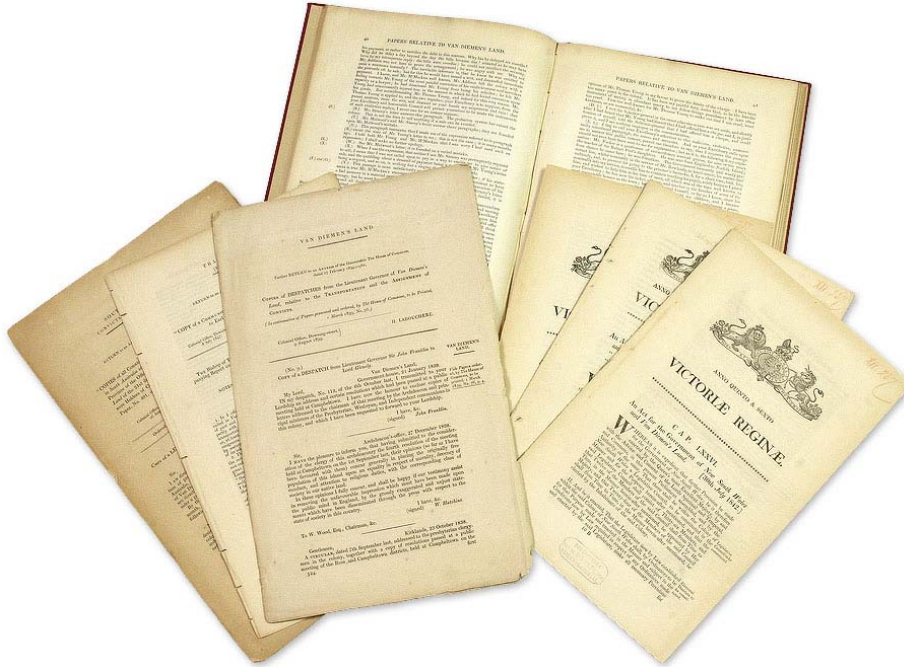
30 Antiquarian Items

CIVIL, COMMON & ECCLESIASTICAL LAW

November 21, 2017



THE
LAWBOOK EXCHANGE
LTD.



**Parliamentary Documents Relating to the Penal
Colony of Van Dieman's Land and New South Wales, 1839-1855**

**1. [Australia].
[Transportation].
Van Dieman's Land.**

Van Dieman's Land. Copies of Despatches from the Lieutenant-Governor of Van Dieman's Land, Relative to Transportation and the Assignment of Convicts. [London]: Ordered, By the House of Commons, To be Printed, 12 August 1839. 4 pp.

[With]

An Act for the Government of New South Wales and Van Dieman's Land [30th July 1842]. [Running title]. London: Printed by George E. Eyre and Andrew Spottiswoode, 1842. [833]-850 pp.

[And]

An Act to Explain and Amend the Act for the Government of New South Wales and Van Dieman's Land [6th August 1844]. [Running title]. London: Printed by George E. Eyre and Andrew Spottiswoode, 1842. [577]-580 pp.

[And]

South Australia. Convicts (Van Dieman's Land). Copies of All the Correspondence Between Any Person or Persons Interested in South Australia and the Colonial Office, Respecting the Effect Upon that Province of the Official Notice of the Comptroller General of Van Dieman's Land, Of the 21st Day of June 1845, Relative to Convicts in that Colony Who were Holders of Conditional Pardons. [London]: Ordered, By the House of Commons, To be Printed, 26 August 1846. 9. [1] pp.

[And]

Transportation. (Van Dieman's Land.) Copy of a Communication upon the Subject of Transportation, Addressed to Earl Grey by the Lord Bishop of Tasmania. (Viscount Mabon.) [London]: Ordered, By the House of Commons, To be Printed, 23 July 1847. 11, [1] pp.

[And]

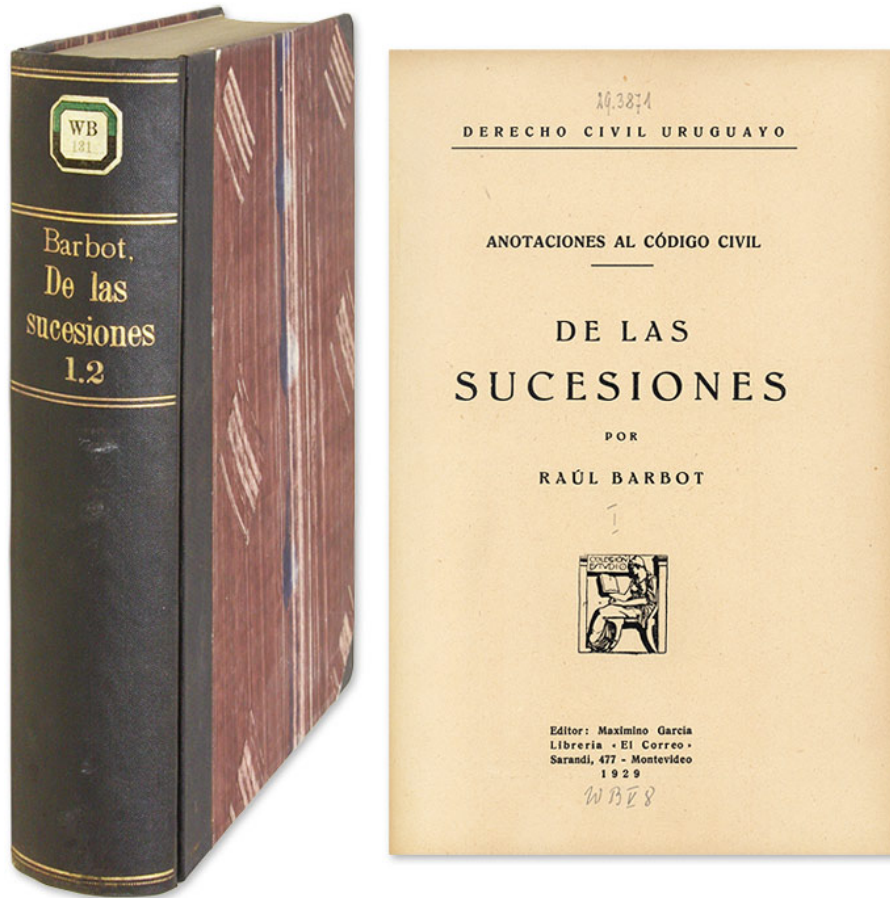
Van Dieman's Land. Copies of Despatches, With Their Enclosures, Relating to the Cases of Mr. Justice Montagu and Chief Justice Pedder, With Other Documents. [London]: Ordered, By the House of Commons, To be Printed, 29 July 1848. 112, [2] pp.

[And]

An Act to Enable Her Majesty to Assent to a Bill, As Amended, Of the Legislature of New South Wales, "To Confer a Constitution on New South Wales, And to Grant a Civil List to Her Majesty [16th July 1855]. [Running title]. London: Printed by George E. Eyre and Andrew Spottiswoode, 1855. [401]-422 pp.

7 items in all ranging in size from 12" x 7-1/2" to 13" x 8." Disbound, moderate toning, occasional edgewear, 4 items have small library marking of the Netherlands Foreign Office, *Van Dieman's Land* (1848) bound into recent cloth with gilt spine title. An interesting collection. \$1,500.

* The penal colony of Van Dieman's Land (in present-day Tasmania) was established in 1803 and received its last group of convicts in 1853. This was Australia's second penal colony. The first was established in New South Wales in 1788. Transportation to that colony ended in 1850. The seven items in the present collection are from a period when these two colonies were evolving into tradition colonies of the British Empire. This transition is most apparent in the latest item in our group, which concerns the establishment of a constitution for New South Wales. [Order This Item](#)



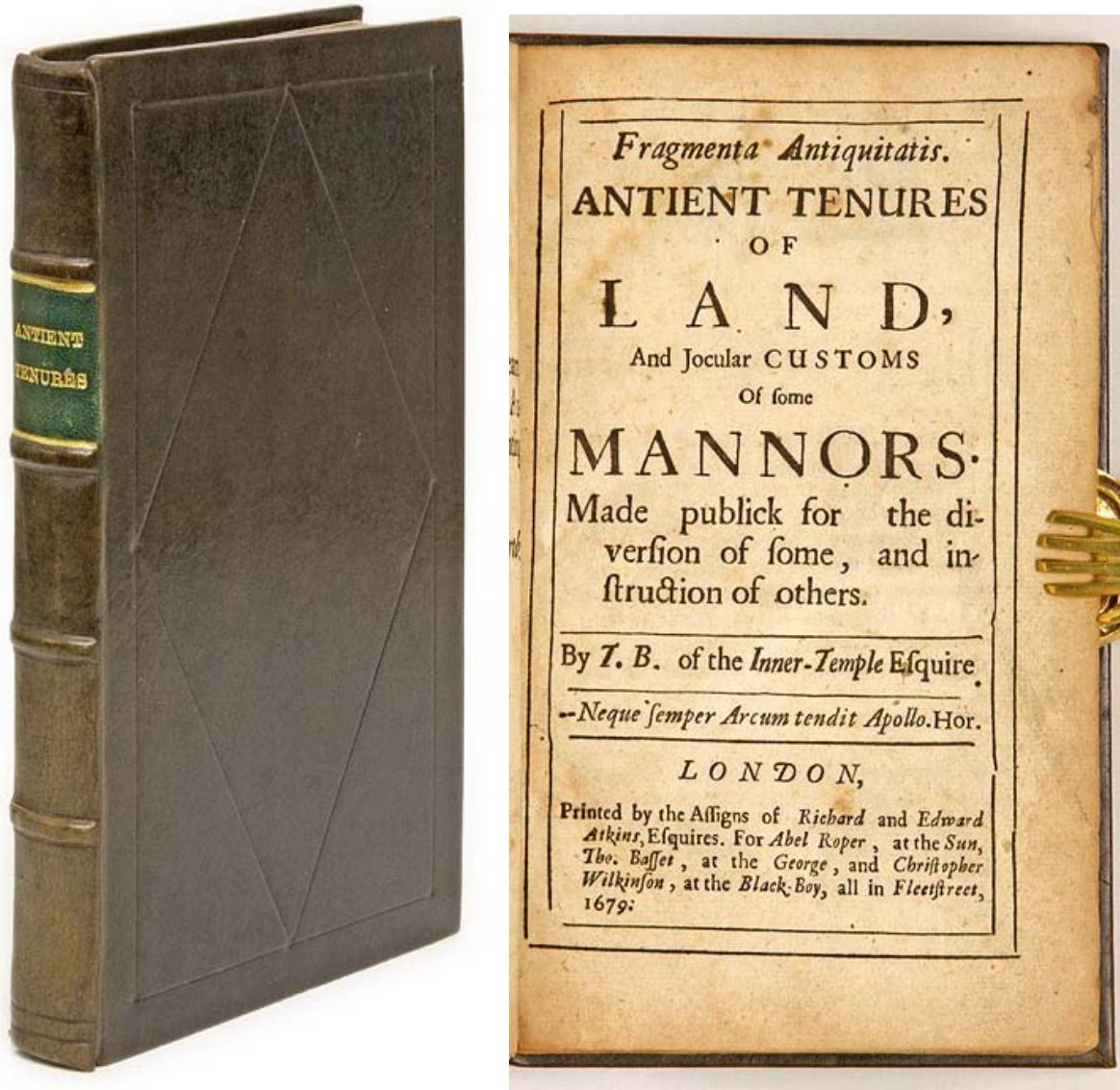
Inheritance and Succession in Uruguay

2. Barbot, Raul.

De las Sucesiones: Anotaciones al Código Civil. Montevideo: Maximino Garcia, 1929. Two volumes bound in one book.

Contemporary three-quarter cloth over marbled boards, gilt title to spine. Negligible shelfwear and soiling, light browning to text, internally clean. Ex-library. Location label to spine, brief annotations to endleaves, small inkstamps to versos of title pages. \$250.

* Only edition. Annotations on the portions of the Uruguayan Civil Code dealing with inheritance and succession. OCLC locates 10 copies in North American law libraries (Columbia, Harvard, LA County, Library of Congress, SMU, Universities of Miami, Michigan and Minnesota, Tulane, and Yale). [Order This Item](#)



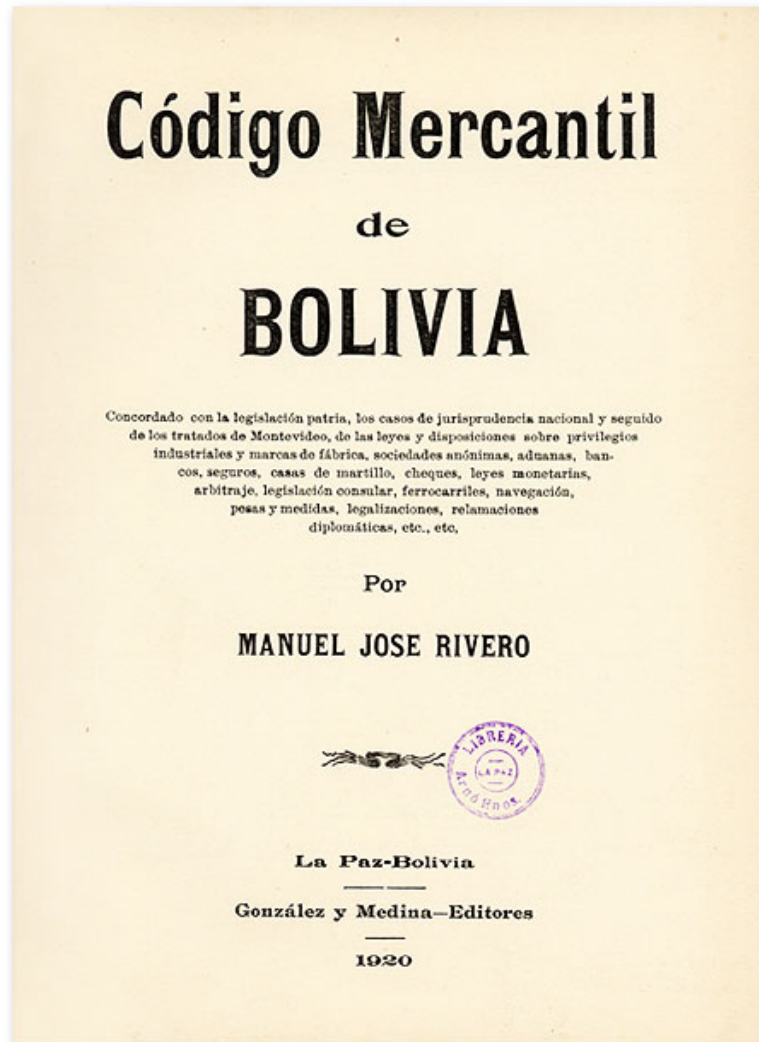
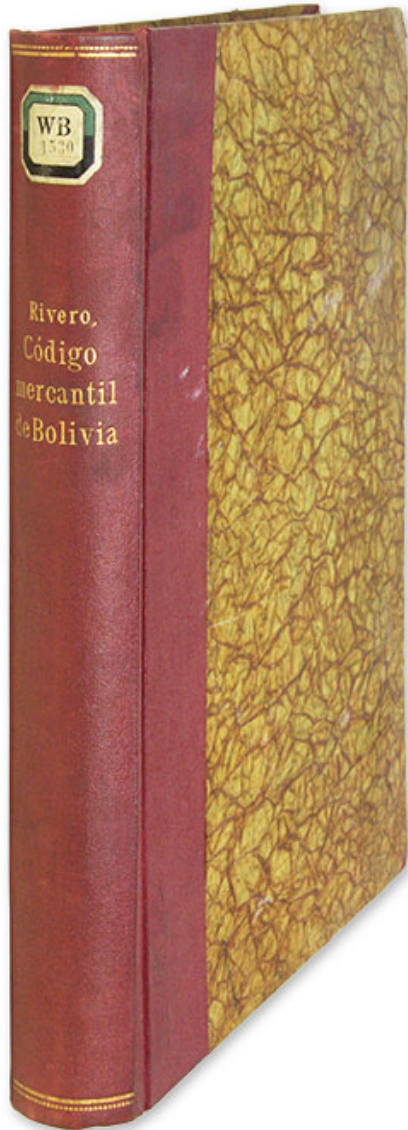
"Meant Both to Amuse and Instruct"

3. B[lount], T[homas] [1618-1679].

Fragmenta Antiquitatis: Antient Tenures of Land, and Jocular Customs of Some Mannors. Made Public for the Diversion of Some, and the Instruction of Others. London: Printed by the Assigns of Richard and Edward Atkins, 1679. [viii], 175, [15] pp. With a preliminary imprimatur leaf. Octavo (7" x 4-1/4").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, occasional faint dampspotting, light soiling to title page. \$300.

* First edition. Blount provides "under the heads of various places in which the land was situated, various curious tenures, and customs of manors, which he had come across in his study of records. It was meant both to amuse and instruct; and it does instruct, because it is a painstaking piece of work, taken from the original authorities, which preserved the memory of many old customs which were rapidly decaying when the book was written.": Holdsworth, *History of English Law* VI:611. *English Short-Title Catalogue* R2884. [Order This Item](#)



Bolivia's Mercantile Code (As It Stood in 1920)

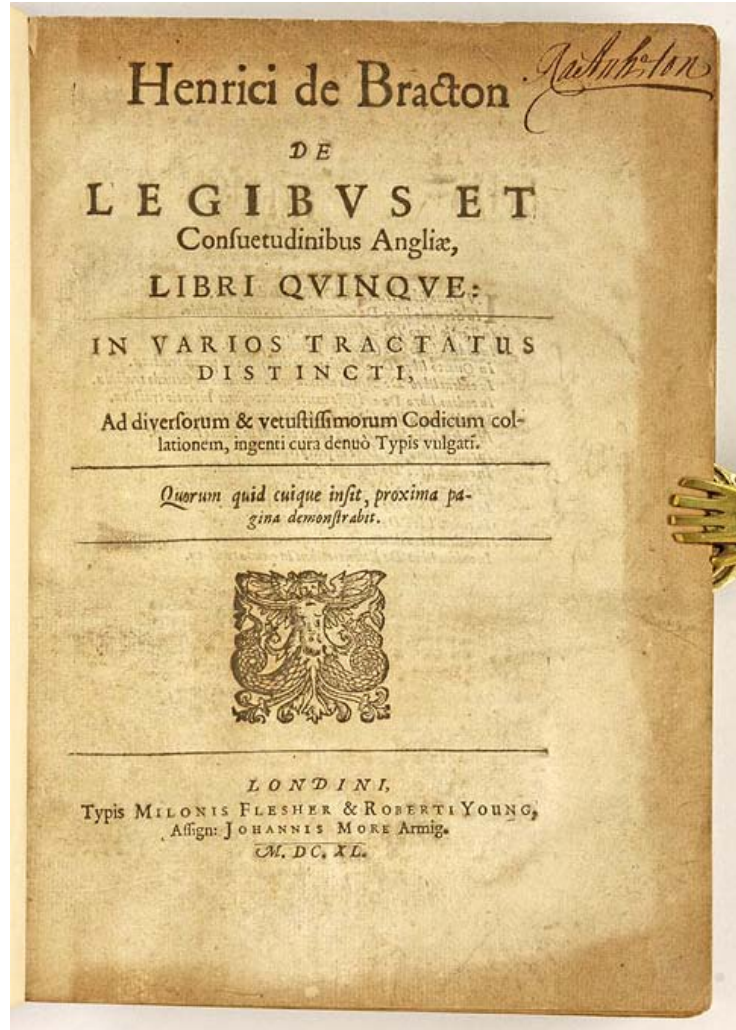
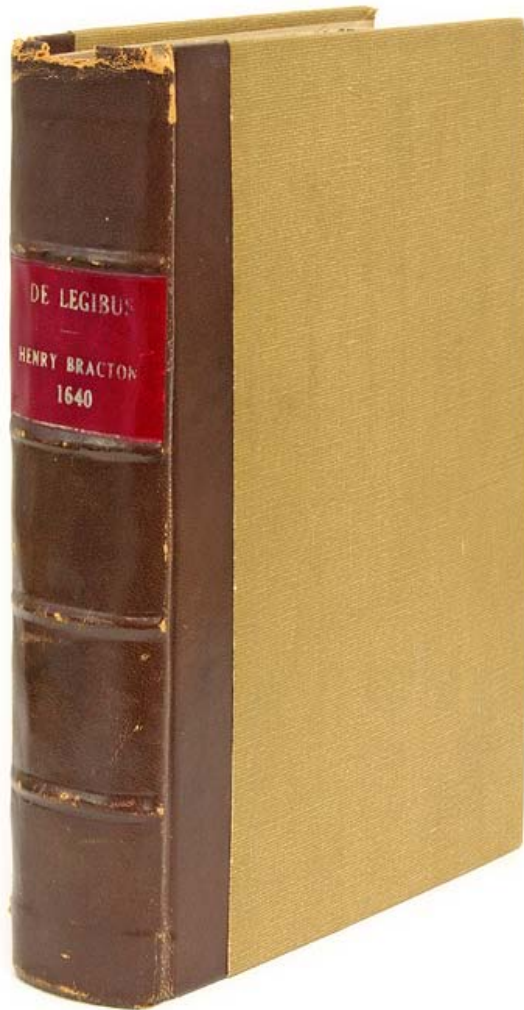
4. [Bolivia].

Rivero, Manuel Jose, Notes.

Código Mercantil de Bolivia: Concordado con la Legislación Patria, los Casos de Jurisprudencia Nacional y Seguido de los Tratados de Montevideo, de las Leyes y Disposiciones Sobre Privilegios Industriales y Marcas de Fabrica, Sociedades Anonimas, Aduanas, Bancos, Seguros, Casas de Martillo, Cheques, Leyes Monetarias, Arbitraje, Legislación Consular, Ferrocarriles, Navegación, Pesas y Medidas, Legalizaciones, Relamaciones Diplomáticas, Etc., Etc. La Paz: Gonzalez y Medina, 1920. ii, 287, [7] pp.

Stiff printed wrappers bound into contemporary three-quarter cloth over marbled boards, gilt title to spine. Light rubbing to extremities, bookseller stamp to title page, some toning to text, internally clean. Ex-library. Location label to spine, small inkstamp to verso of title page. \$250.

* OCLC locates 9 copies in North American law libraries (Columbia, Harvard, LA County, Ohio State, St. John's, Tulane, Universities of Miami, Michigan and Pennsylvania). [Order This Item](#)



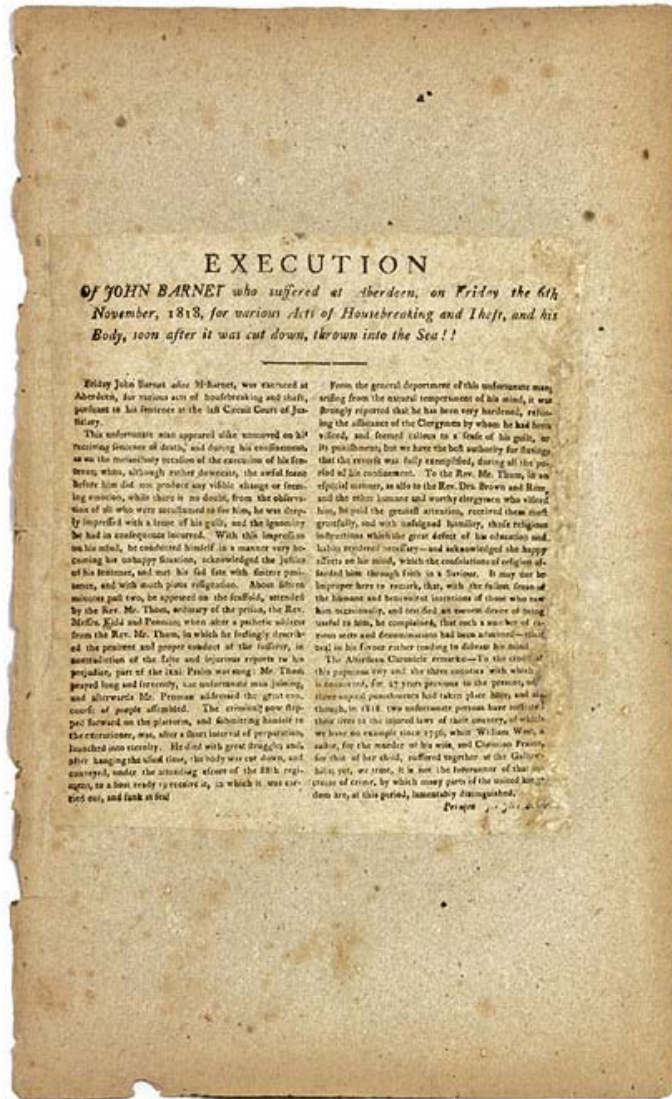
The "Crown and Flower of Medieval Jurisprudence"

5. Bracton, Henry de, [d. 1268].

De Legibus et Consuetudinibus Angliae, Libri Quinque; In Varios Tractatus Distincti, Ad Diuersorum et Vetustissimorum Codicum Collationem, Ingenti Cura, Denuo Typus Vulgati. Quorum Quid Cuique Insit, Proxima Pagina Demonstrabit. London: Typis Milonis Flesher & Roberti Young, 1640. [xvi], 444 [i.e. 442] ff. Quarto (9" x 6-1/2").

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

* Reissue of the first edition (1569) and the second printing of this work. *De Legibus et Consuetudinibus Angliae* [*The Laws and Customs of England*] is the first treatise on English law. A systematic work, it emphasizes the separation of procedural and substantive matters and also cites cases as sources of at least intellectual, if not formal, authority. In Maitland's words, Bracton's *Legibus* is "the crown and flower of English medieval jurisprudence" and "by far the greatest of our medieval law books." Sweet & Maxwell add that it "is distinguished by rich casuistic details, and by the careful reproduction of the judicial decisions on individual cases of law.": Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:51 (6). Maitland, *Collected Works* II:43. *English Short-Title Catalogue* S119285. [Order This Item](#)



With a Curious Note of Local Pride

6. [Broadside].

[Execution].

Barnet, John [d. 1818].

Execution of John Barnet Who Suffered at Aberdeen on Friday the 6th November, 1818, For Various Acts of Housebreaking and Theft, And His Body, Soon After it was Cut Down, Thrown Into the Sea!! [Aberdeen]: Printed for [John Muir?], [1818].

8-1/2" x 7-1/2" broadside pasted to contemporary 15-1/4" x 9-1/2" sheet. Text in two columns below headline. Moderate toning and negligible light soiling to broadside, somewhat heavier along right-hand margin. \$1,250.

* Barnet "died with great struggle." Afterwards, his body was "cut down and conveyed, under the attending escort of the 88th Regiment, to a boat ready to receive it, in which it was carried out and sunk at sea." The broadside ends with a flourish of local pride. Quoting from the *Aberdeen Chronicle*, it states: "To the credit of this populous city and the three counties with which it is connected, for 27 years previous to the present, only three capital punishments have taken place here." No copies listed on OCLC. [Order This Item](#)



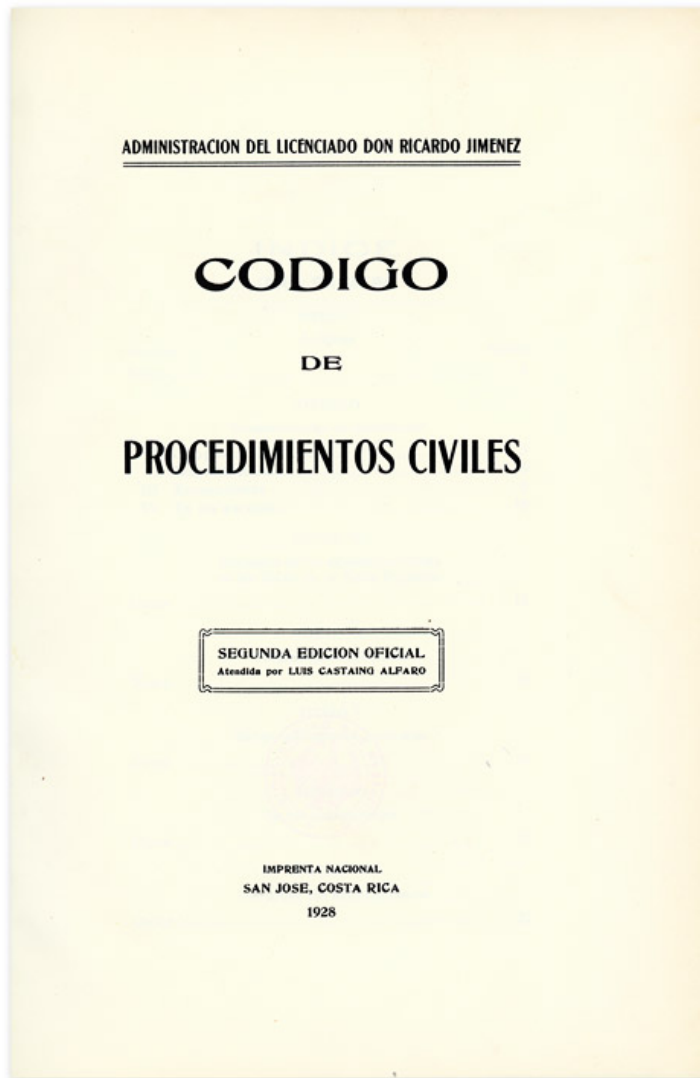
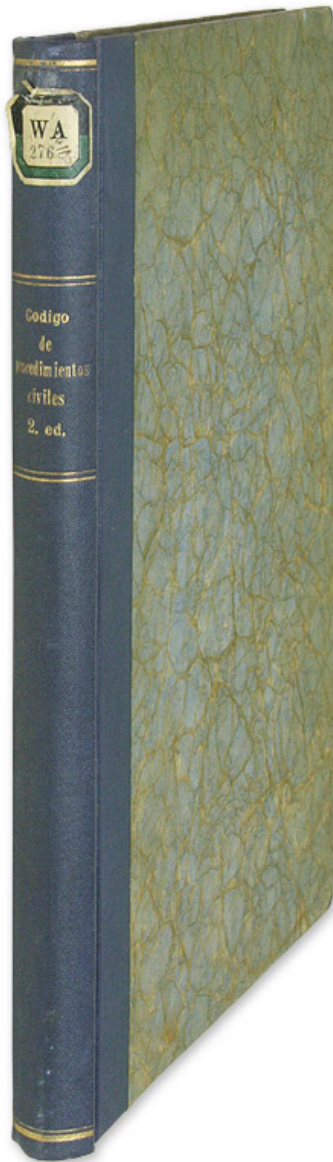
**First Edition of Coke's Landmark
Commentary on Magna Carta and "English Liberties"**

8. Coke, Sir Edward [1552-1634].

The Second Part of the Institutes of the Lawes of England. Containing the Exposition of Many Ancient, And Other Statutes; Whereof you May See the Particulars in a Table Following. London: printed by M. Flesher, and R. Young, for E[phraim] D[awson], R[ichard] M[eighen], W[illiam] L[ee] and D[aniel] P[akeman], 1642. [xii], 745, [3] pp. Copperplate portrait frontispiece. Colophon leaf gives full names of publisher, pages 28 and 29 numbered correctly. Folio (10-3/4" x 7").

Contemporary reversed calf, rebacked in calf, blind rules to boards, raised bands and lettering piece to spine, date gilt-stamped to foot, endpapers renewed with marbled paper, early hand-lettered title to fore-edge of text block. Some minor scuffing to boards, moderate rubbing to extremities with some wear to spine ends and corners. Title printed within woodcut architectural border, typographical head-pieces, woodcut tail-pieces. Light toning to text, minor worming to margins of the first few leaves below text. An appealing copy of an uncommon title in commerce. \$5,000.

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



Civil Procedure in Costa Rica

9. [Costa Rica].

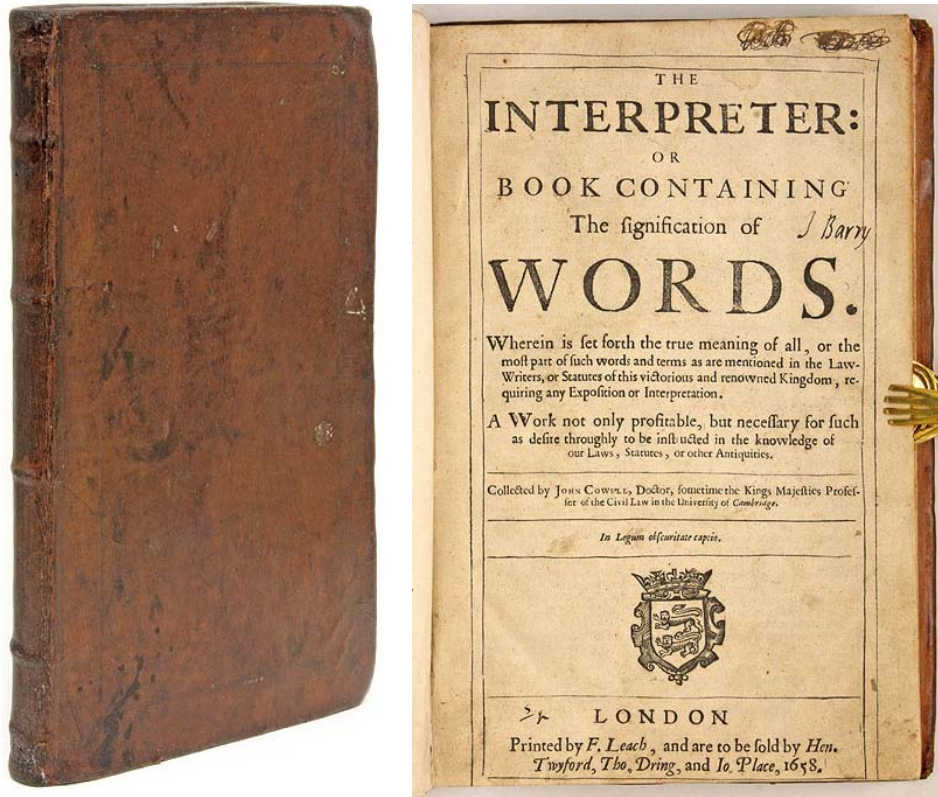
Castaing Alfaro, Luis, Annotator.

Codigo de Procedimientos Civiles. San Jose, Costa Rica: Imprenta Nacional, 1928. ix, [ii], 260 pp.

Stiff printed wrappers bound into contemporary three-quarter cloth over marbled boards, gilt title to spine. Light rubbing to extremities, some toning to text, internally clean. Ex-library. Location label to spine, small inkstamp to verso of title page. \$150.

* "Segunda Edicion Oficial." OCLC locates 9 copies in North American law libraries (Columbia, Florida International University, Harvard, LA County, Library of Congress, Stanford, Tulane, University of Miami, Yale). [Order This Item](#)

Tel: (800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887 | law@lawbookexchange.com | www.lawbookexchange.com



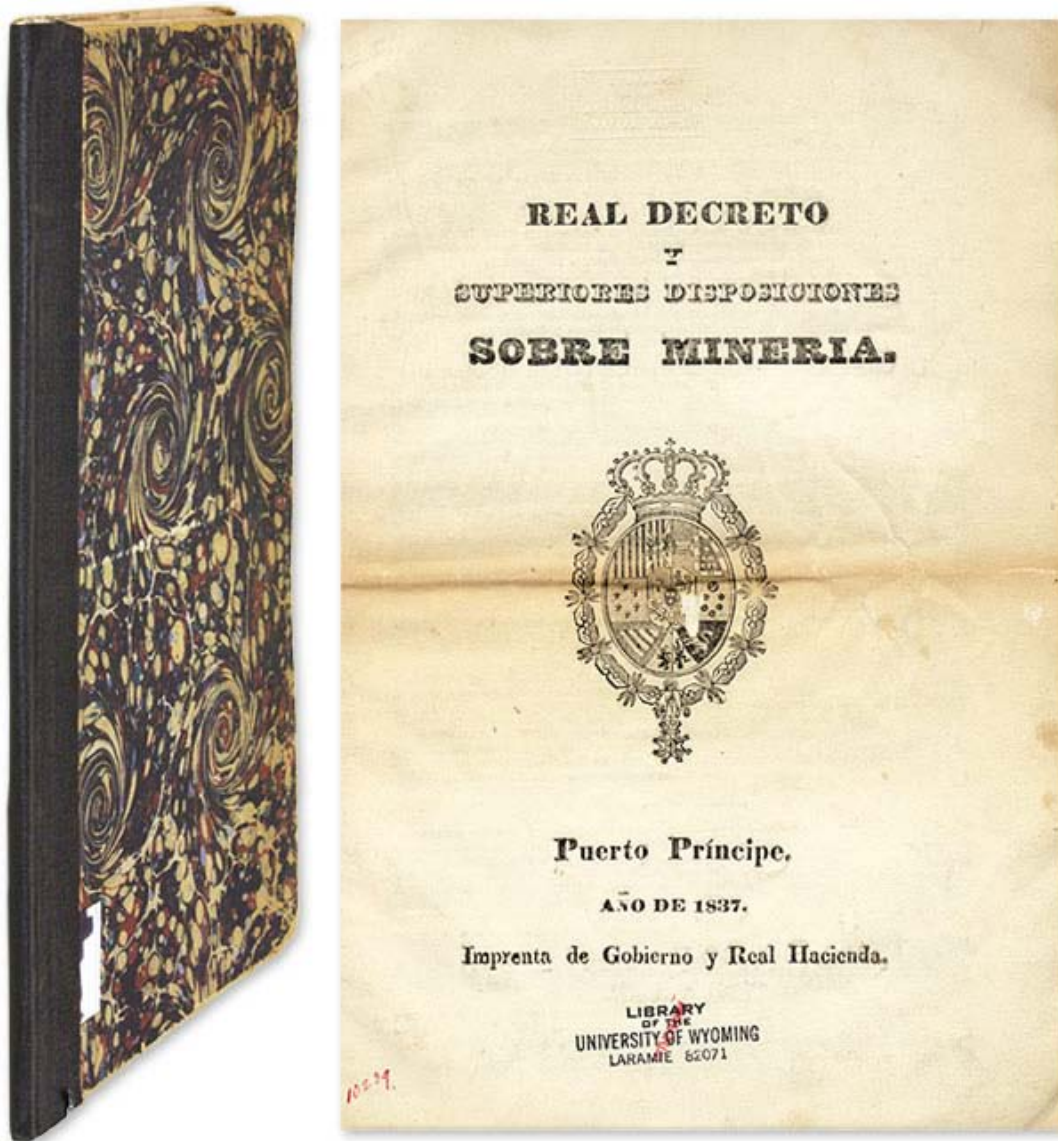
**The Best English Law Dictionary
of the Seventeenth and Early Eighteenth Centuries**

10. Cowell, John [1554-1611].

The Interpreter: Or Book Containing the Signification of Words. Wherein is Set Foorth the True Meaning of All, Or the Most Part of Such Words and Termes as are Mentioned in the Law-Writers, Or Statutes of This Victorious and Renowned Kingdom, Requiring Any Exposition or Interpretation. A Work not Only Profitable, But Necessary for Such as Desire Throughly to be Instructed in the Knowledge of Our Laws, Statutes, and Other Antiquities. London: Printed by F. Leach, 1658. 2584] pp. Text in parallel columns within black-ruled borders. Quarto (11-1/4" x 7-1/2").

Contemporary paneled calf, raised bands to spine. Minor scratches and a few nicks and tiny stains to boards, moderate rubbing to extremities, corners bumped and lightly worn, hinges starting. Moderate toning to text, faint dampstaining to margins in a few places, light soiling and two early owner signatures to title page (one blotted out). A handsome copy. \$450.

* Third edition. The *Interpreter* is considered to be the best law dictionary until Jacob's and it is still used by scholars of early English legal documents. Its publication provoked controversy. At a time when Parliament and crown were vying for power, the Commons disapproved of Cowell's royalist sympathies, which were evident in such definitions as "King," "Parliament," "Prerogative," "Recoveries" and "Subsidies." When a joint committee of Lords and Councilors reviewed the work, the ensuing controversy nearly halted the affairs of government. What is more, it contained a quotation that criticized Littleton's scholarship, which angered Sir Edward Coke. James I intervened in fear that his own fiscal interests would not be approved by Parliament. Encouraged by Coke, the king imprisoned Cowell, suppressed the book and ordered all copies burned by a public hangman on March 10, 1610. The present edition contains several changes that were made posthumously to placate the dictionary's enemies. Despite its stormy reception, *The Interpreter* remains a useful gloss to Coke's *Littleton* and other early legal texts. Marke, *Vignettes of Legal History* 309-312. *English Short-Title Catalogue* R31653. [Order This Item](#)



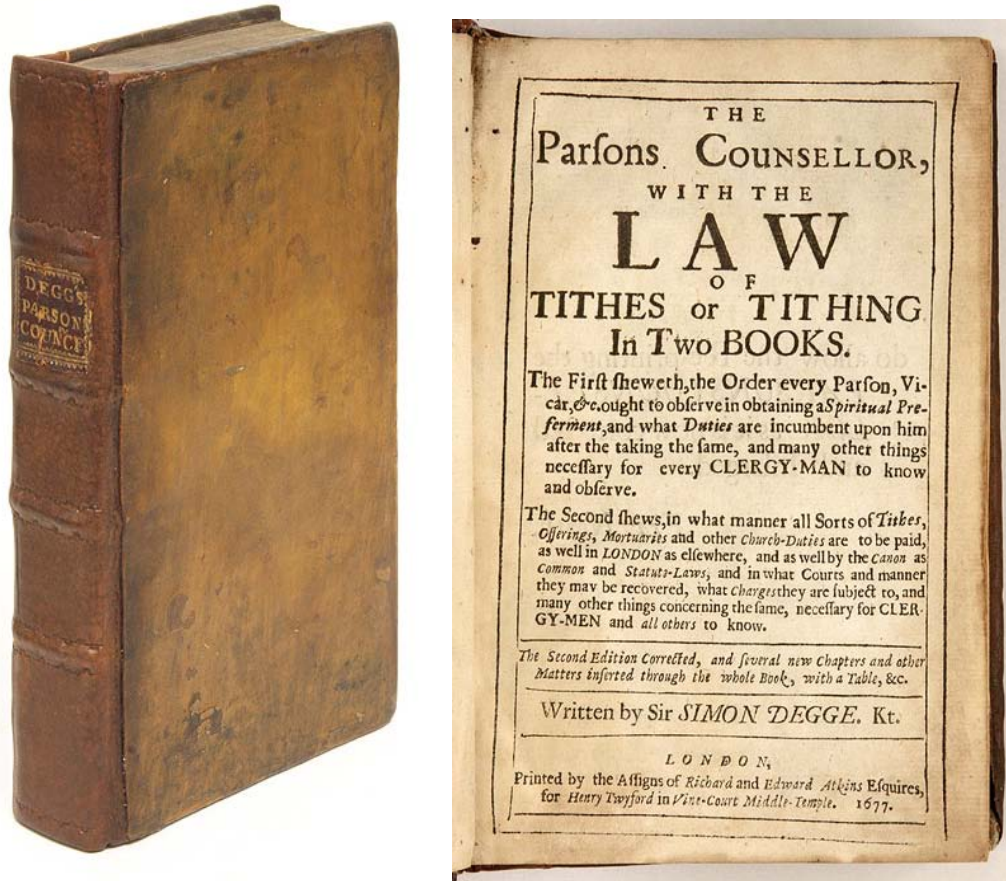
1837 Compilation of Cuban Mining Laws

11. [Cuba]. Mining.

Real Decreto y Superiores Disposiciones Sobre Minería. Puerto Príncipe: Imprenta de Gobierno y Real Hacienda, 1837. [ii], 22 pp. Folio (11" x 8").

Later quarter cloth over thin marbled boards, hinges reinforced with cloth tape. Some rubbing to extremities, upper corner lacking from rear board, other corners worn. Large woodcut arms of Cuba to title page. Toning to text, internally clean. Ex-library. Stamp to bottom edge, bookplate and stamp to front pastedown, fragment of date due sheet to rear free endpaper. A rare item. \$300.

* Only edition located. A collection of laws and decrees regulating mining and the processing and sale of minerals. OCLC locates 1 copy (at the University of Miami). [Order This Item](#)



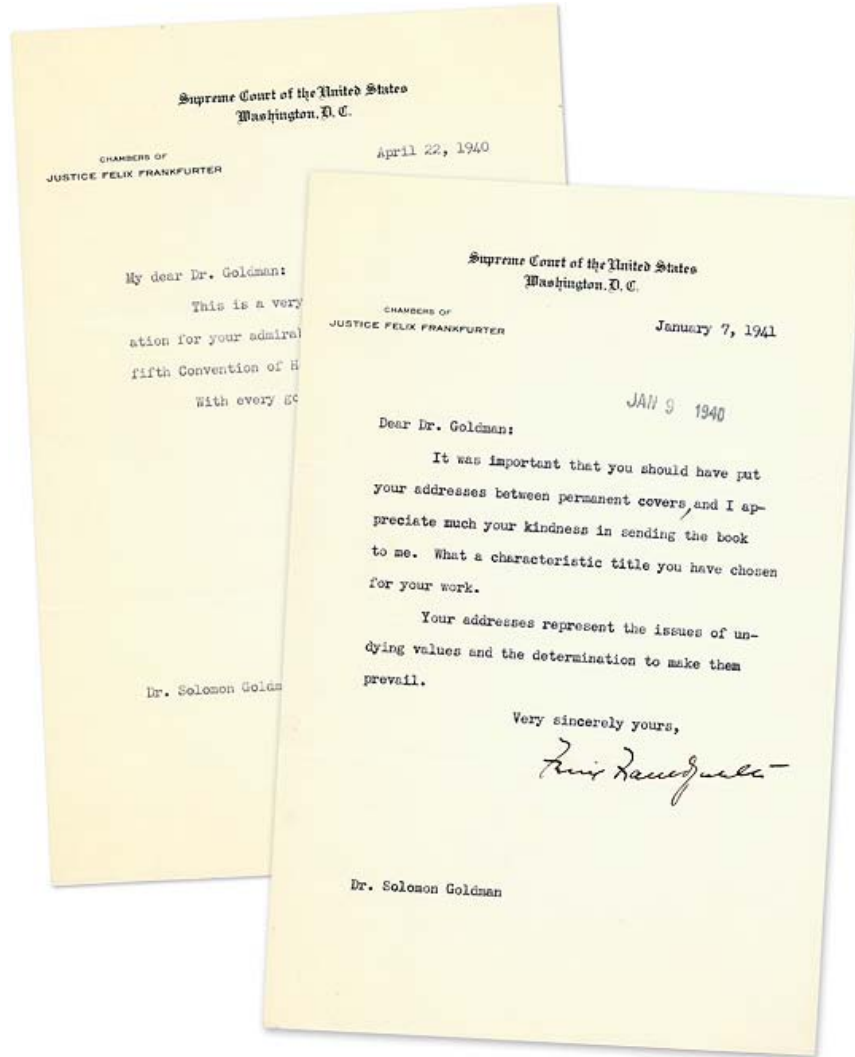
**A Well-Respected
Work on English Church Law**

12. Degge, Simon [1612-1704].

The Parsons Counsellor, With the Law of Tithes or Tithing. In Two Books. The First Sheweth, The Order Every Parson, Vicar, &c. Ought to Observe in Obtaining a Spiritual Preferment, And What Duties are Incumbent upon Him After the Taking the Same, And Many Other Things Necessary for Every Clergy-Man to Know and Observe. The Second Shews, In What Manner All Sorts of Tithes, Offerings, Mortuaries and Other Church-Duties are to be Paid, as Well in London as Elsewhere, And as Well by the Canon as Common and Statute-Laws, And in What Courts and Manner They May be Recovered, What Charges They are Subject to, And Many Other Things Concerning the Same, Necessary for clergy-men and all others to know. The second edition corrected, and Several New Chapters and Other Matters Inserted Through the Whole Book, With a Table, &c. London: Printed by the Assigns of Richard and Edward Atkins for Henry Twyford, 1677. [xxxii], 384, 383-408, [38] pp. Pagination irregular, text complete. Part II has separate title page. Octavo (6-1/2" x 4").

Contemporary calf, rebaked, blind rules to boards, raised bands and retained contemporary lettering piece to spine. Light rubbing to boards and extremities, corners bumped, hinges cracked. Moderate toning to text, final quarter of text has faint dampstaining to margins. \$250.

* Second, enlarged edition, first published in the previous year. There were four more editions to 1703 and an 1820 "7th edition, with great additions, by Charles Ellis." Holdsworth called this "a comprehensive and clearly written work (that) was very popular." Marvin cites this as a book of authority. Sir Simon Degge was a barrister and bencher of the Inner Temple, justice of the Welsh marches, and high sheriff of Derbyshire. This is his only published work. Holdsworth, *History of English Law* XII:602f. *English Short-Title Catalogue* R214458. [Order This Item](#)



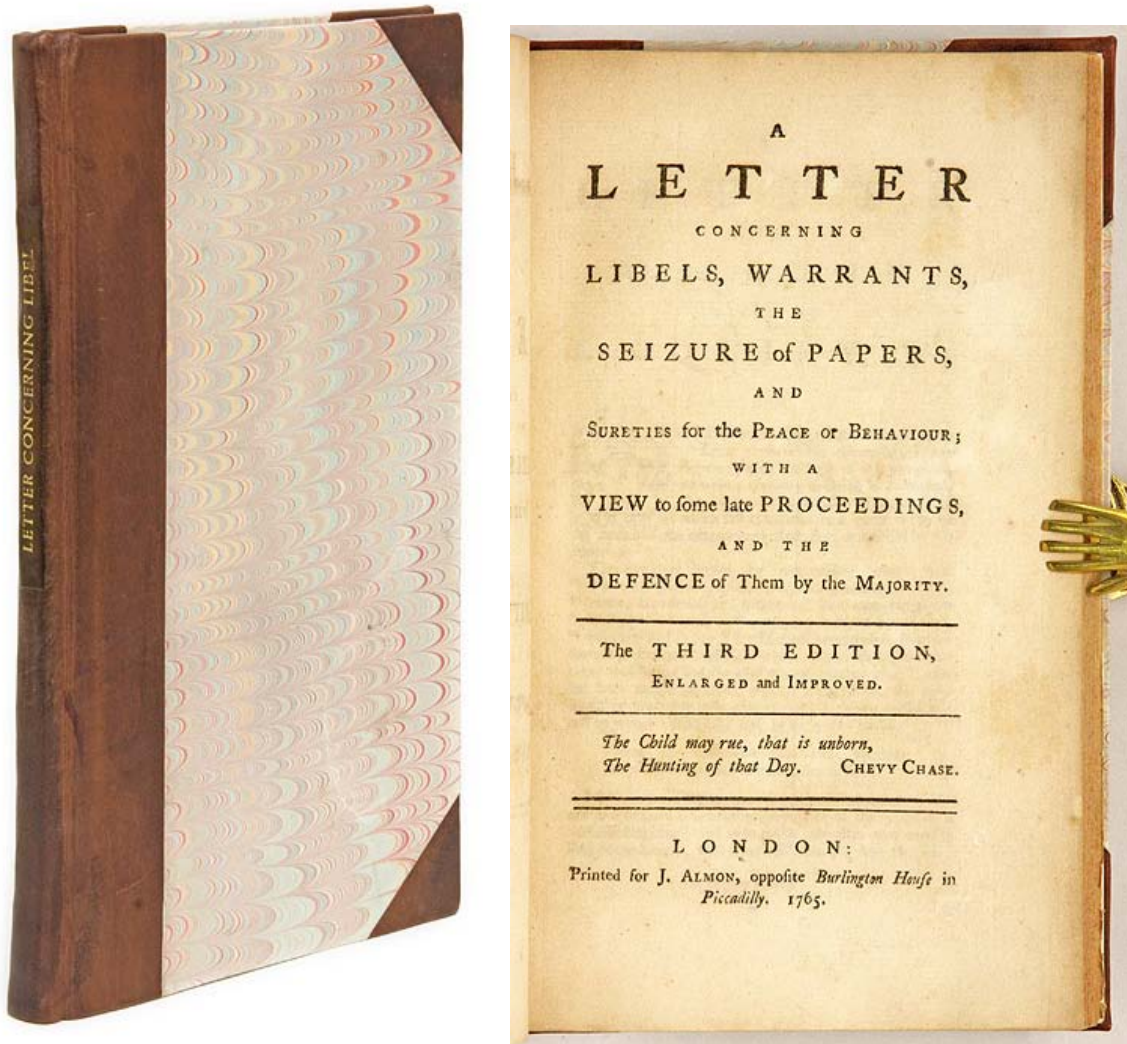
**Frankfurter Expresses Admiration and Thanks
to the President of the Zionist Organization of America**

**13. Frankfurter, Felix [1882-1965].
[Goldman, Solomon (1893-1953)].**

[Two Typed Letters, Signed, To Dr. Solomon Goldman, On U.S. Supreme Court Letterhead, April 22, 1940 and January 7, 1941].

Single-sided letters on 6-1/2" x 9" sheets, signed "Felix Frankfurter." Faint fold lines, date stamp to head of letter from 1941. \$950.

* Goldman was the president of the Zionist Organization of America. The first letter, from 1940, expresses appreciation for Goldman's address at the 25th Annual Convention of Hadassah. (It was a rousing speech in which Goldman asked: "Will American Jewry...rise to its full stature, or will this giant among the Jewries of the world fetter its own hands and feet? A timid Jewry in America is no asset to world Jewry. (...) We are becoming habituated to defeat, whispering, begging. It is not ours to beg for tolerance. We must demand justice.") The second letter, from 1941, thanks Goldman for sending him a copy of his published addresses and expresses the opinion that his "addresses represent the issues of undying values and the determination to make them prevail." [Order This Item](#)



**An Important Argument for
Freedom of the Press Inspired by the Wilkes Libel Case**

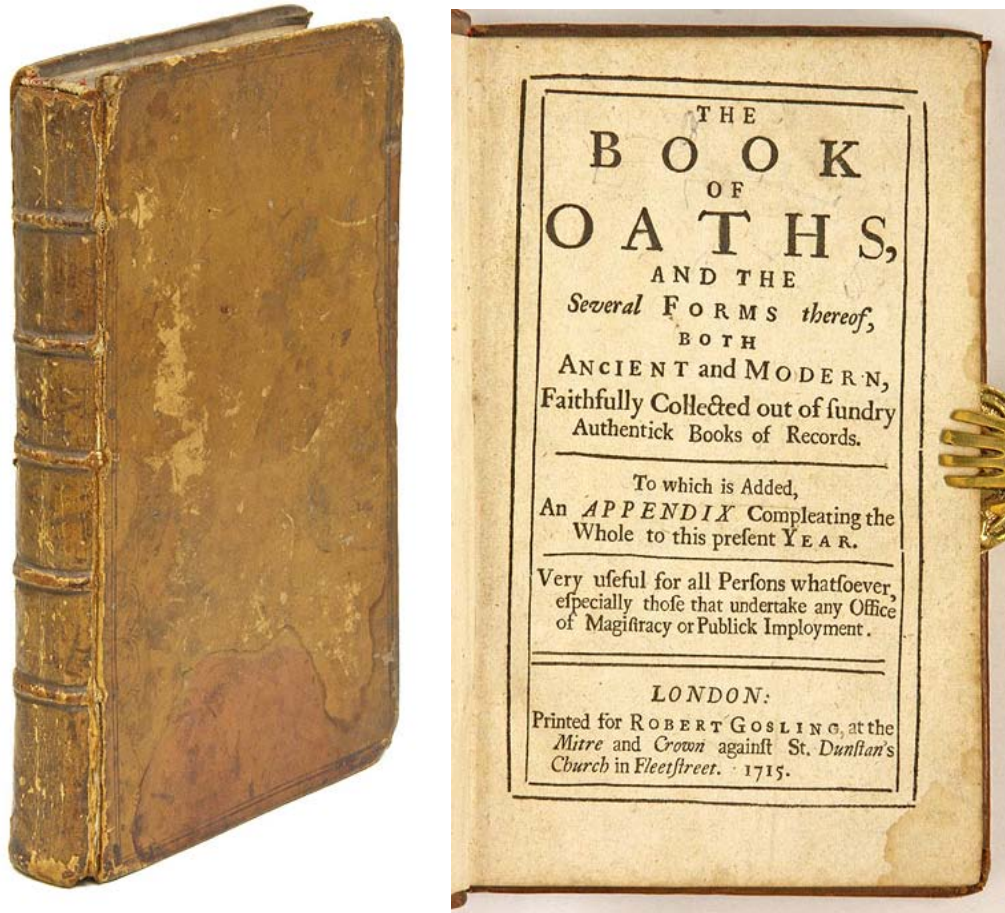
14. Father of Candor.

[Almon, John (1735-1773), Attributed].

A Letter Concerning Libels, Warrants, The Seisure of Papers, And Sureties for the Peace of Behaviour; With a View of Some Late Proceedings, And the Defence of Them by the Majority. With the Postscript and an Appendix. London: Printed for J. Almon, Opposite Burlington-House in Piccadilly, 1765. 112 pp. Octavo (8" x 5-1/4").

Stab-stitched pamphlet bound into recent period-style three-quarter quarter calf over marbled boards, gilt title to spine, endpapers renewed, retained early owner bookplate to front pastedown. Light foxing to margins in a few places, interior otherwise fresh. Light browning to text, light foxing to a few leaves. An attractive copy. \$250.

* Third edition. Originally issued in 1764 after John Wilkes fled to Europe after his condemnation by Parliament for seditious libel in 1764, this pamphlet contains one of the most famous defenses of freedom of the press. Notable for emphasizing the distinction between words and deeds, it anticipated Erskine's unsuccessful defense of Thomas Paine, who was charged with seditious libel after the publication of his *Rights of Man* (1791). *English Short-Title Catalogue* T37758. [Order This Item](#)



A Fascinating Anthology of Oaths

15. [Garnet, Richard, Attributed].

The Book of Oaths, And the Several Forms Thereof, Both Ancient and Modern, Faithfully Collected Out of Sundry Authentick Books of Records. To Which is Added, An Appendix Compleating the Whole to this Present Year. Very Useful for all Persons Whatsoever, Especially Those that Undertake any Office of Magistracy or Publick Employment. London: Printed for Robert Gosling, 1715. [xvi], 160, 191-206, 177-264, 35, [3] pp. Pagination irregular. Text complete. Octavo (6-1/2" x 4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine. Light rubbing and faint staining to boards, tiny early label to rear board, moderate rubbing to extremities, some chipping to spine ends, corners bumped and somewhat worn, boards beginning to detach. Moderate toning to text, light foxing to a few leaves, light soiling and a few minor dampstains to title page. A scarce title. \$1,250.

* Third, final and best edition, enlarged with a new appendix, with index, that includes an oath of a jury of matrons (for deciding if a woman is pregnant) and several others unique to this edition. Attributed to Garnet, this is a fascinating collection of oaths for a remarkably wide range of offices, such as an attorney, archbishop, verderer of a forest and lieutenant of the tower. Several oaths are quite revealing. The oath for a midwife, for example, states that she will not "exercise any manner of Witchcraft, Charm, or Sorcery" (192). That of a ship master engaged in the slave trade contains a promise that a manifest of goods originally put on board still be correct, "Negroes exempted," a tacit admission that enslaved people die in transit (Appendix, 16). It also includes historical oaths, such as the Oath of King Charles. The first two editions were published in 1649 and 1689. All three editions are scarce. *English Short-Title Catalogue* N16582. [Order This Item](#)



Note: matte cropped in this image

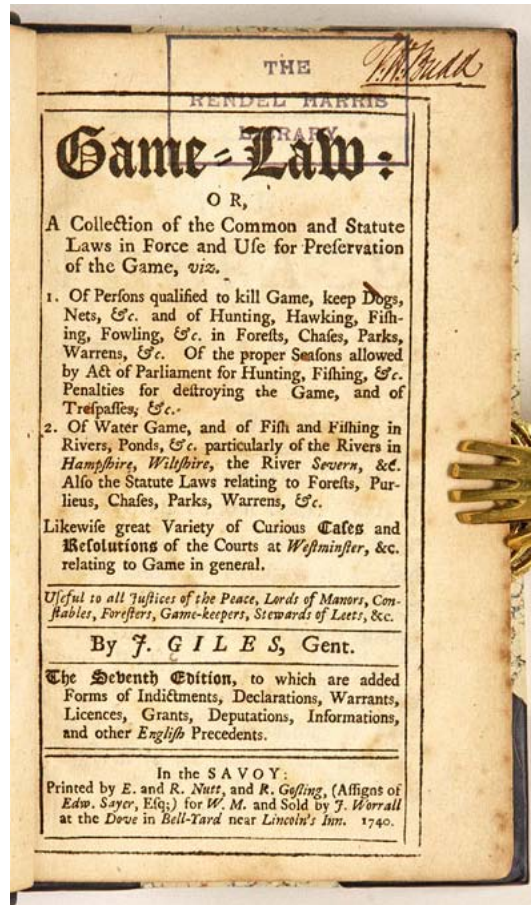
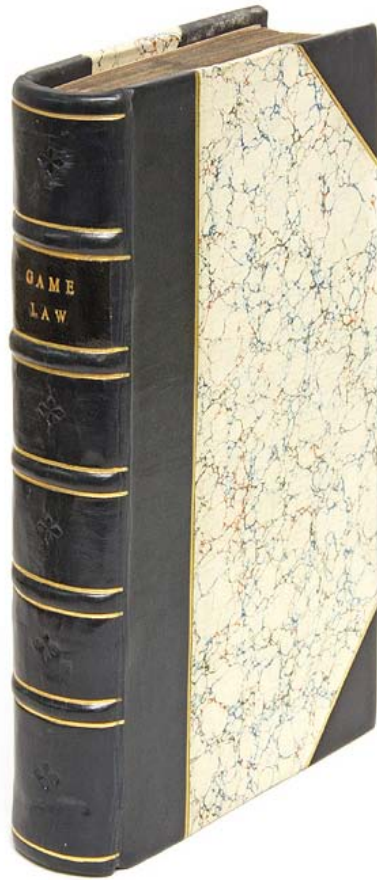
**"His Office Shelves With Parish
Laws are Grac'd, But Spelling Books and Guides Between Them Plac'd"**

16. Hogarth, William [1697-1764], After.

Cook, Thomas [c.1744-1818], Engraver.

A Woman Swearing Her Child to a Grave Citizen. Copperplate engraving by Thomas Cook after a painting by William Hogarth. London c. 1795-1822. 19-1/4" x 21" image size 11-3/4" x 14," copperplate engraving. Attractively mounted and matted. Negligible light toning and dampspotting to margins, image notably fresh. \$250.

* A fine example of Hogarth's satirical work, this engraving is captioned with twelve lines of verse describing the scene. It depicts a pregnant woman pleading with a seated justice of the peace to order the "rich old lecher" at the centre of the print to acknowledge his paternity and provide for the unborn child. (The books on the shelves are: *The Complete Justice* and *The Art of Spelling*; a just-consulted *Law of Bastardy* sits on the justice's table.) Hogarth never produced a print of this work during his lifetime. Cook's was the first. A skilled engraver, Cook played an important role in the preservation of Hogarth's legacy through his *Hogarth Restored: The Whole Works of the Celebrated William Hogarth* (1795 and later editions through 1822), which is the source of this plate. [Order This Item](#)



Handbook on Game Law Attributed to Giles Jacob

17. Jacob, Giles [1686-1744], Attributed.

Game-Law: Or, A Collection of the Common and Statute Laws in Force and Use for Preservation of the Game, Viz. 1. Of Persons Qualified to Kill Game, Keep Dogs, Nets, &c. And of Hunting, Hawking, Fishing, Fowling, &c. In Forests, Chases, Parks, Warrens, &c. 2. Of Water Game, And of Fish and Fishing in Rivers, Ponds, &c. Particularly of the Rivers in Hampshire, Wiltshire, The River Severn, &c. Also the Statute Laws Relating to Forests, Purlieus, Chases, Parks, Warrens, &c. Likewise Great Variety of Curious Cases and Resolutions of the Courts at Westminster, &c. Relating to Game in General. Useful to All Justices of the Peace, Lords of Manors, Constables, Foresters, Game-Keepers, Stewards of Leets, &c. By J. Giles. To Which are Added, Forms of Indictments, Declarations, Warrants, Licences, Grants, Deputations, Informations, And Other English Precedents. [London]: P printed by E. and R. Nutt, and R. Gosling, 1740. [vi], 96, [10]; 180, [16] pp. Two parts, each with title page and individual pagination. 12mo. (6-1/4" x 3-3/4").

Recent period-style three-quarter calf over marbled boards, lettering piece, gilt-edged raised bands and blind ornaments to spine, endpapers renewed. Moderate toning to text, light foxing to a few leaves, small early owner signature and small later library stamp to head of the title page of Part I. \$1,000.

* Seventh edition. First published in 1705-1707, this handbook contains laws with commentary, along with general observations about fines and other punishments. This work went through several editions, issues and adaptations into the nineteenth century. All are scarce, some rare). OCLC locates few copies of any edition, none of the seventh. The ESTC locates 3 copies of this edition, 1 at Oxford, 1 at Harvard University, 1 at Harvard Business School. *English Short-Title Catalogue* N70766. [Order This Item](#)



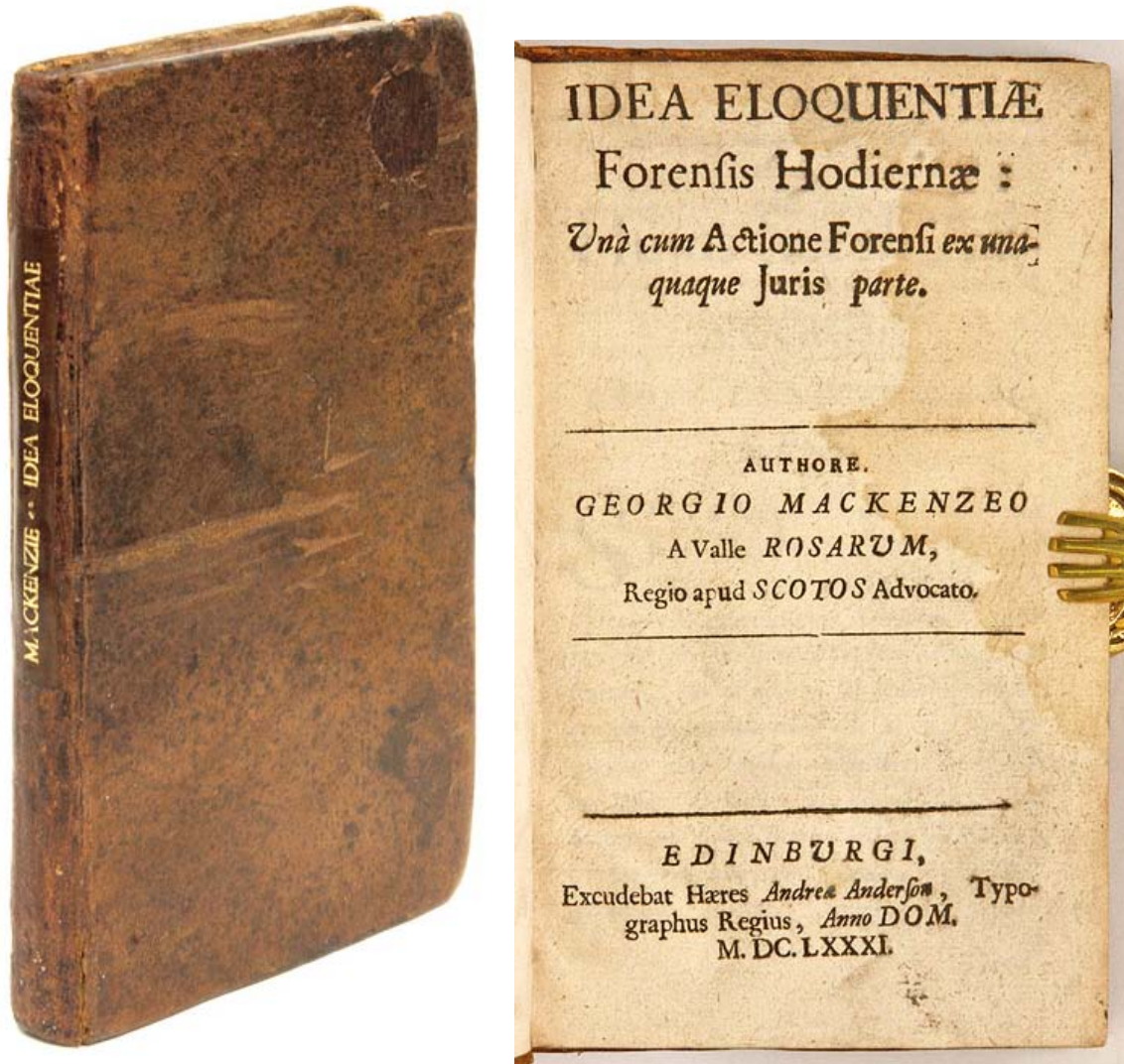
Commercial Code of Peru

18. Lama, Miguel Antonio de la.

Código de Comercio y ley Procesal de Quiebras y Suspensión de Pagos. Con Notas Críticas, Explicativas y de Concordancia. Lima: Librería e Imprenta Gil, 1902-05. Two volumes.

Printed stiff wrappers bound into contemporary quarter calf over paper-covered boards, raised bands and gilt titles to spines, hinges reinforced. Moderate rubbing with wear to backstrip and chipping to spine ends, front joints cracked, light browning to text, internally clean. Ex-library. Location label to spines, small inkstamps to title pages. \$350.

* Only edition. OCLC locates 14 copies in North American law libraries (Columbia, Harvard, LA County, Library of Congress, Louisiana State University, Stanford, Tulane, the Universities of Arizona, Florida, Michigan, Miami, Minnesota and Pennsylvania, Yale). [Order This Item](#)



A Great Scottish Jurist on "Forensic Oratory"

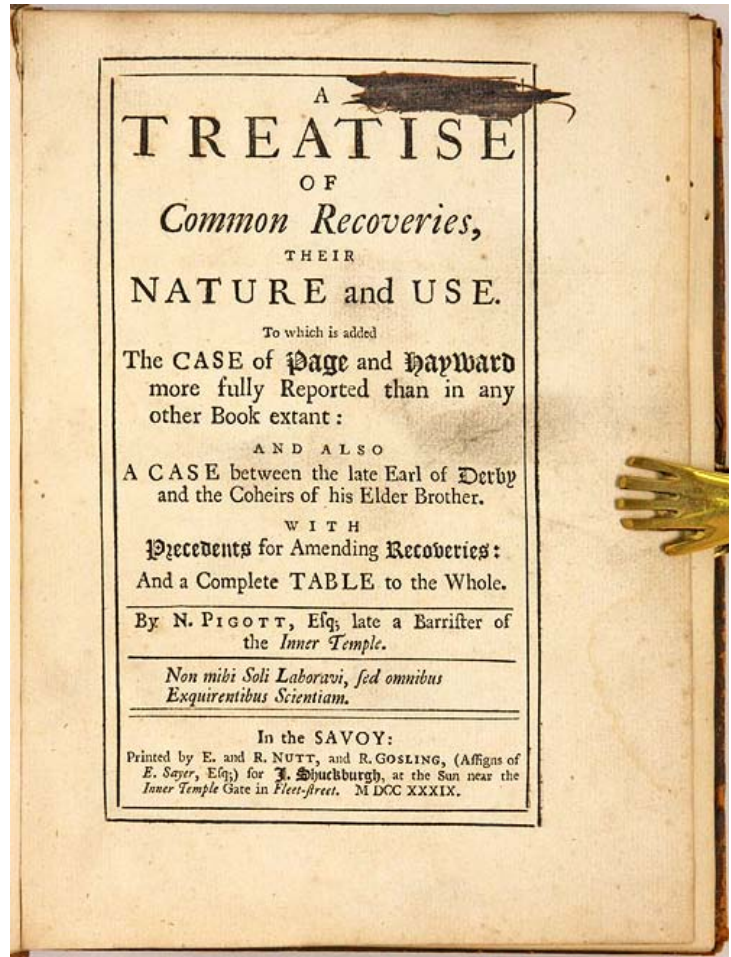
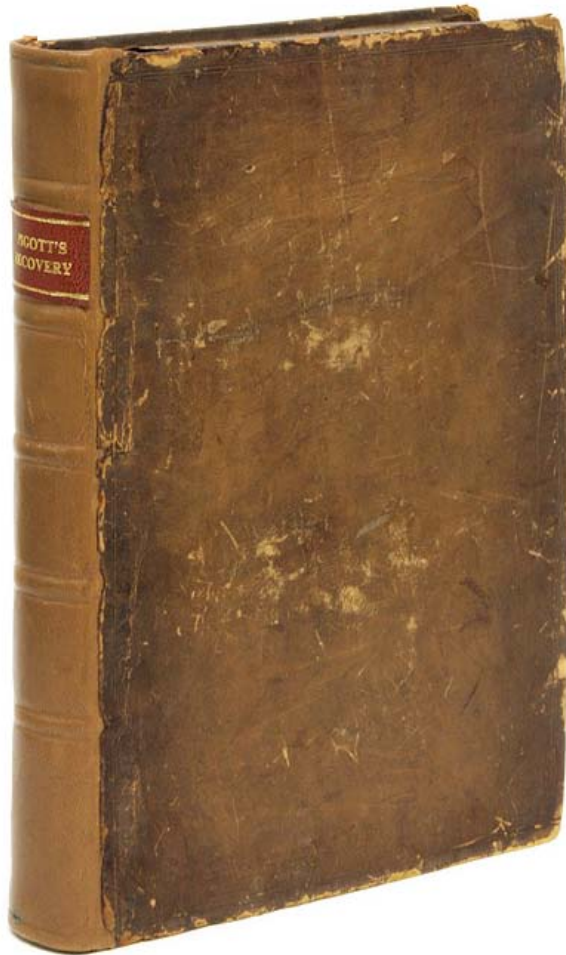
19. Mackenzie, Sir George [1636-1691].

Idea Eloquentiae Forensis Hodiernae: Una cum Actione Forensi ex Unaquaque Juris Parte. Edinburgh: Excudebat Haeredes Andreae Anderson, 1681. [xii], 182 pp. Octavo (6-1/2" x 4").

Contemporary sheep, later calf lettering piece to spine. Moderate rubbing to extremities, some shallow nicks and scuffs to boards, front joint just starting at foot, corners and lightly worn, rear free endpaper neatly removed. Moderate toning and some crinkling to text, faint dampstaining to upper corners of preliminaries. An appealing copy of a scarce title. \$750.

* Only edition. A key treatise on the subject of "forensic oratory" by the great Scottish lawyer Sir George Mackenzie. MacKenzie "became notable for his resistance to the pretensions of the Crown, but in 1677, he was made Lord Advocate and in the next few years prosecuted and persecuted Covenanters with such zeal as to earn the title 'The Bloody Mackenzie.' In many cases he strained the law so as to obtain a conviction" (Walker). He is also well-known for having founded the Advocates Library, now the national law library for Scotland. OCLC locates 13 copies in North America, 2 in law libraries (Harvard, Library of Congress, UC-Berkeley). *English Short-Title Catalogue* R11799.

[Order This Item](#)



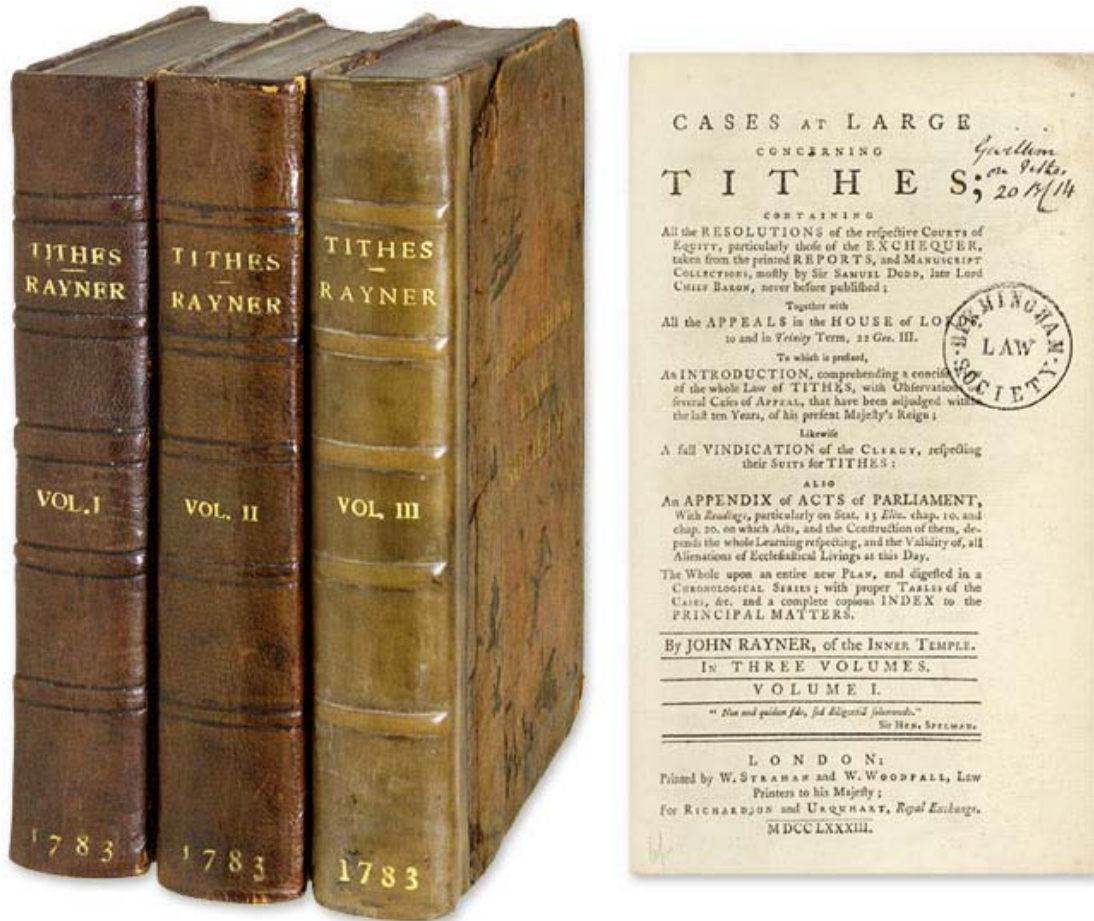
**First Edition of Pigott's
Well-Esteemed Treatise on Recoveries**

20. Pigott, N[athaniel] [1661-1737].

A Treatise of Common Recoveries, Their Nature and Use. To Which is Added the Case of Page and Hayward More Fully Reported Than in Any Other Book Extant: And also a Case Between the Late Earl of Derby and the Coheirs of His Elder Brother. With Precedents for Amending Recoveries: And a Complete Table to the Whole. [London]: Printed by E. and R. Nutt, and R. Gosling, 1739. [iv], 232, [16] pp. Includes one-page publisher advertisement. Quarto (7-3/4" x 6").

Contemporary calf, rebacked, blind rules to boards, raised bands and lettering piece to spine. Moderate rubbing to boards, heavier rubbing to board edges with wear to corners, early armorial bookplate to front pastedown, partial crack to text block between title page and following leaf. Light toning to text, early owner signature to front pastedown, brief annotation to front free endpaper, another stuck-through signature to head of title page. \$300.

* First edition. According to Marvin, Pigott was "a profound lawyer" and notes that this treatise "long continued to be the best text book on [this] very difficult and complicated subject." Later editions were published in 1753, 1770 and 1792. Marvin, *Legal Bibliography* 572. *English Short-Title Catalogue* N67234. [Order This Item](#)



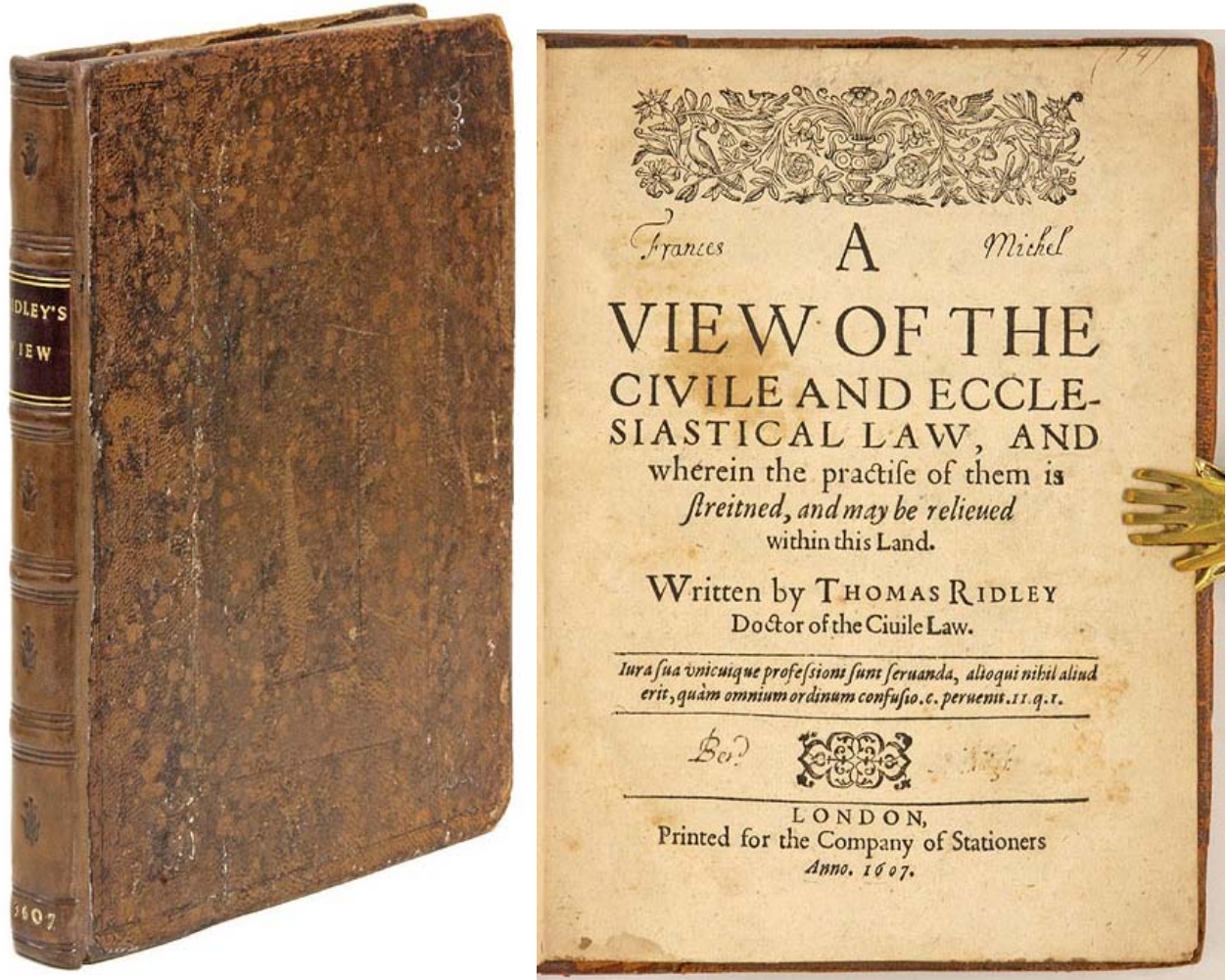
An Exhaustive Study of Tithes

21. Rayner, John, Editor.

Cases at Large Concerning Tithes; Containing All the Resolutions of the Respective Courts of Equity, Particularly Those of the Exchequer, Taken from the Printed Reports, And Manuscript Collections, Mostly by Sir Samuel Dodd, Late Lord Chief Baron, Never Before Published; Together with All the Appeals in the House of Lords, To and in Trinity Term, 22 Geo. III. To Which is Prefixed, An Introduction, Comprehending a Concise View of the Whole Law of Tithes, With Observations on Several Cases of Appeal, That have Been Adjudged Within the Last Ten Years, Of His Present Majesty's Reign; Likewise A Full Vindication of the Clergy, Respecting Their Suits for Tithes: Also An Appendix of Acts of Parliament, With Readings, Particularly on Stat. 13 Eliz; Chap. 10. And Chap. 20. On Which Acts, And the Construction of Them, Depends the Whole Learning Respecting, And the Validity of, All Alienations of Ecclesiastical Livings at this Day. The Whole upon an Entire New Plan, And Digested in a Chronological Series; With Proper Tables of the Cases, &c. And a Complete Copious Index to the Principal Matters. London: Printed by W. Strahan and W. Woodfall, 1783. Three volumes. Octavo (8" x 5").

Contemporary calf, rebaced in morocco, raised bands and gilt titles to spines, endpapers renewed. Moderate rubbing to extremities, a few scuffs to boards, corners worn, crack in Volume I text between front free endpaper and following leaf. Some toning to text, a few early annotations in each volume. Ex-Birmingham Law Society library. Institution name and insignia to boards, bookplates to front pastedowns, inkstamps to preliminaries. A solid set. \$300.

* Only edition. Probably the most exhaustive study of this topic produced in the eighteenth century, it includes all cases from 1575 to 1782. It is a useful companion to the treatises on tithes by such authors as Bohun and Selden. *English Short-Title Catalogue* T94808. [Order This Item](#)



**Ridley's "Learned and Clearly Expressed"
Treatise on English Civil and Ecclesiastical Law**

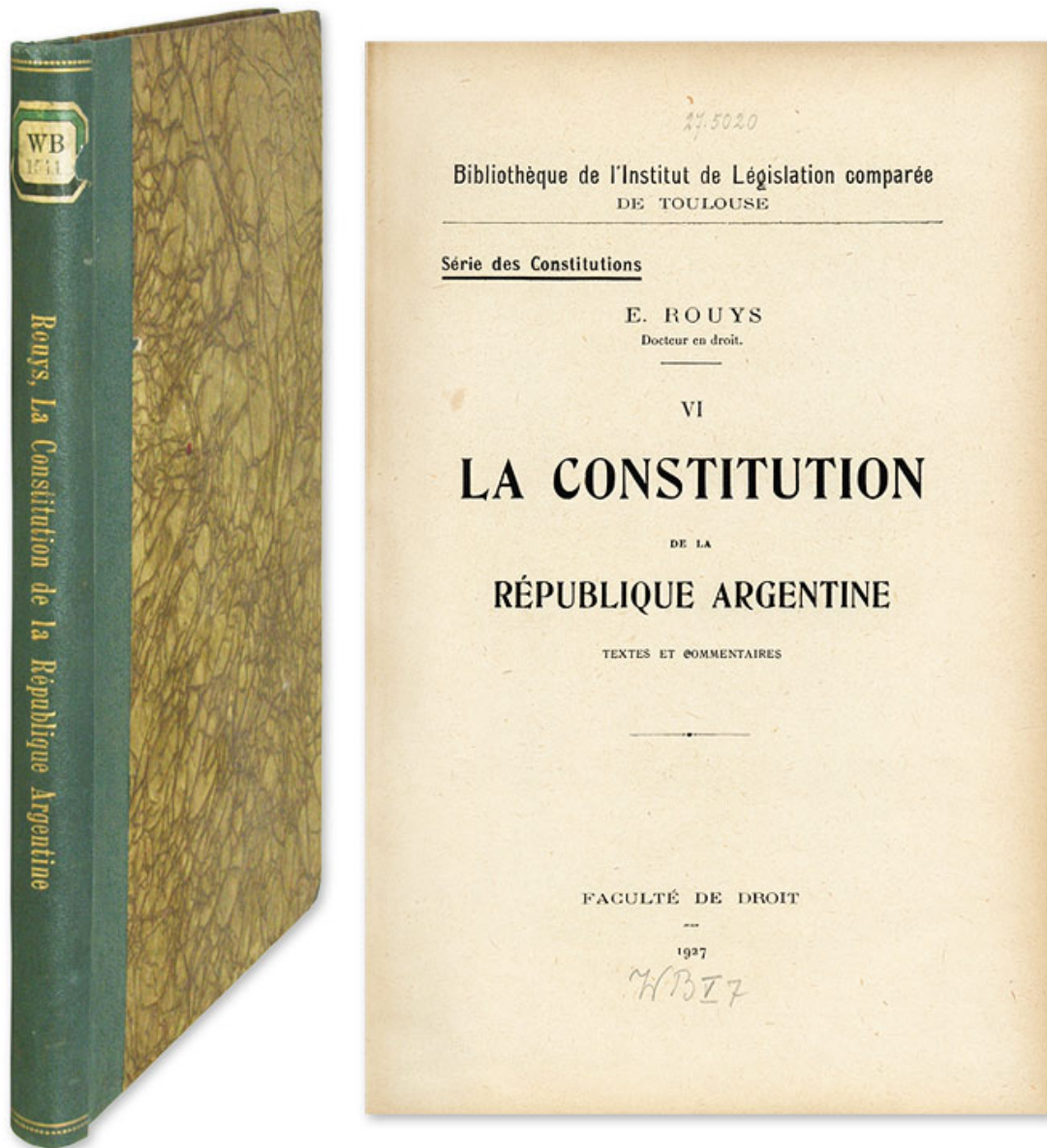
22. Ridley, Sir Thomas [1550-1629].

Gregory, J[ohn], Notes.

A View of the Civile and Ecclesiastical Law, And Wherein the Practice of Them is Streitned, And May be Relieved Within this Land. London: Printed for the Company of Stationers, 1607. [xvi], 230, [2] pp. Quarto (7-1/4" x 5-1/4").

Contemporary sheep, recently rebacked in calf, blind panels to boards, raised bands, blind ornaments and lettering piece to spine, hinges mended. Moderate rubbing to boards and board edged with wear to corners. Moderate toning to text, light foxing in a few places, two early owner signatures to title page, brief early annotation to verso. \$750.

* First edition. This was the of the earliest books on civil and ecclesiastical jurisdiction in Great Britain, which included large areas of admiralty, chancery, family and commercial law and such matters as defamation, divorce, wills and bastardy. Also a prescriptive work, it proposes several reforms, such as a method to simplify the law of executors and intestate succession. Holdsworth describes it as "learned and clearly expressed." Ridley held the post of master in Chancery, chancellor of the diocese of Winchester, and vicar-general for Archbishop Abbot. The first edition is rare. OCLC locates 3 copies of the first edition in North American law libraries (Harvard, Library of Congress, McGill). Holdsworth, *History of English Law* V:13. *English Short-Title Catalogue* S115989. [Order This Item](#)



Annotated French Edition of Argentina's Constitution

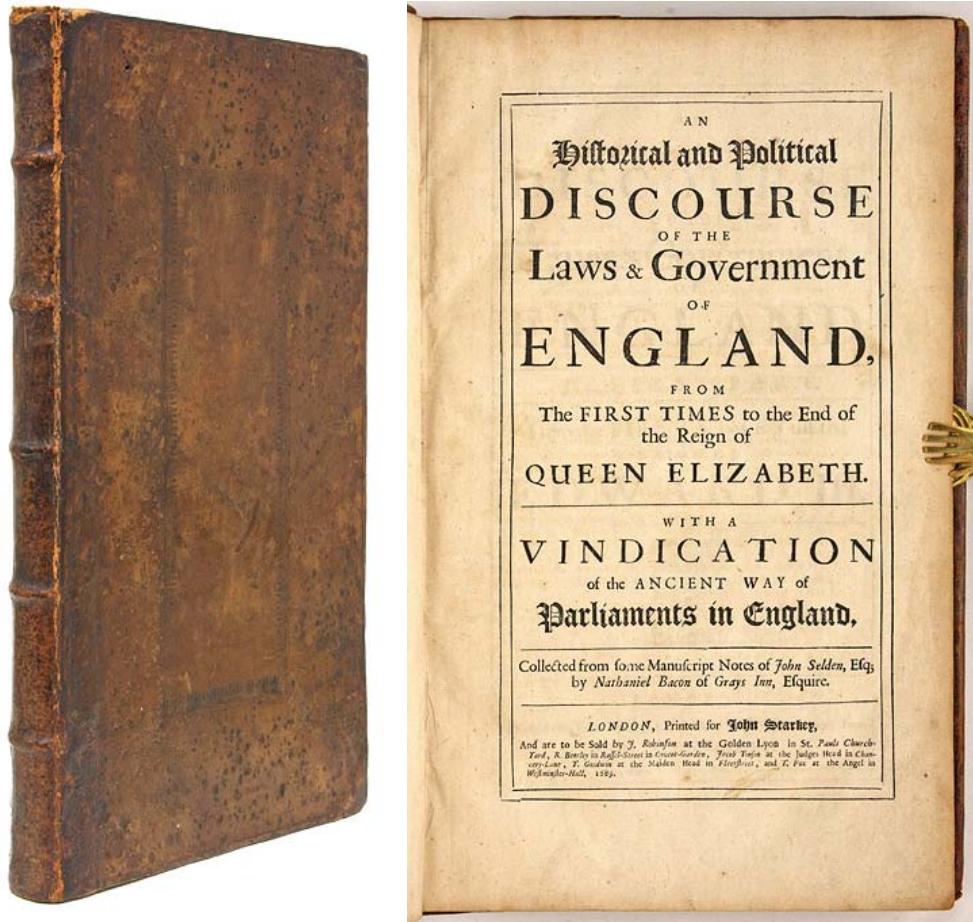
23. Rouys, E[mnest].

La Constitution de la République Argentine: Textes et Commentaires. Toulouse: Faculte de Droit, 1927. xii, 239 pp. Map.

Printed wrappers bound into contemporary quarter cloth over marbled boards, gilt title to spine. Light shelfwear and soiling, some browning to text, internally clean. Ex-library. Location label to spine, brief annotations to endleaves, small inkstamp to title page. \$250.

* Second and final issue. A title in the series Bibliothéque de l'Institute de Legislation Comparee. OCLC locates 5 copies in North American law libraries (Columbia, Harvard, Universities of Michigan, Ohio and Pennsylvania, Yale).

[Order This Item](#)



Selden's *Historical Discourse*

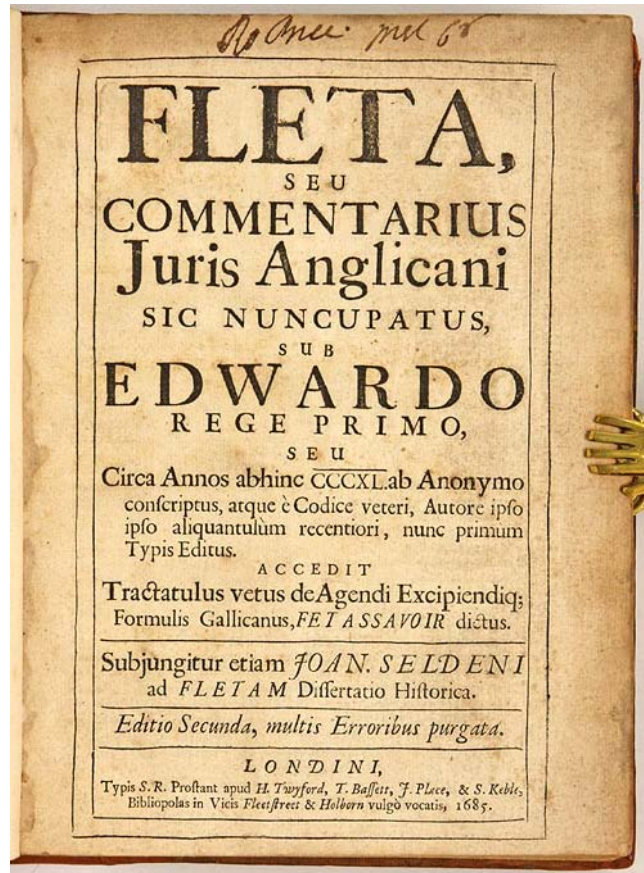
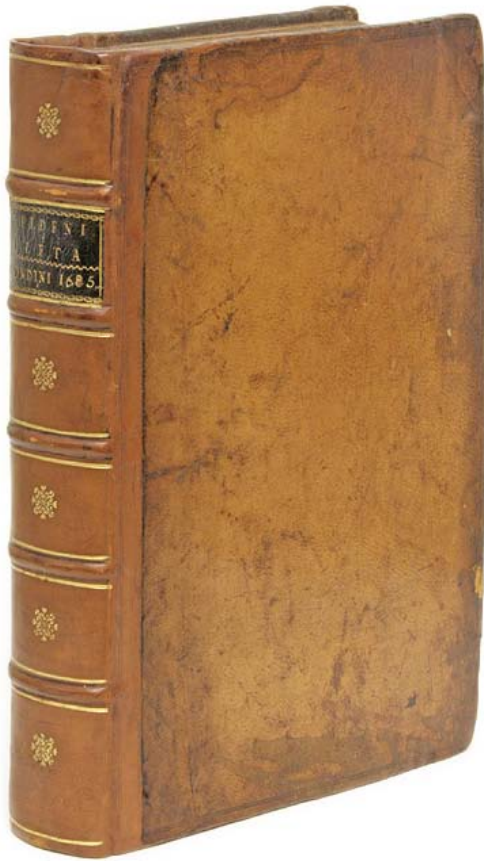
24. Selden, John [1584-1654]

Bacon, Nathaniel [1593-1660], Editor, Attributed Author.

An Historical and Political Discourse of the Laws and Government of England, From the First Times to the End of the Reign of Queen Elizabeth. With a Vindication of the Ancient Way of Parliaments in England. Collected from Some Manuscript Notes of John Selden by Nathaniel Bacon of Grays Inn, Esquire. London: Printed for D. Browne and A. Millar, 1689. [xx], 203, [5]; 168, 167-188, [6] pp. Pagination irregular, text complete. Two parts, each with title page (dated 1682). First part preceded by general title page (dated 1689). Folio (13" x 8").

Contemporary mottled calf, blind panels to boards, raised bands to spine. A few minor nicks and scratches to boards, moderate rubbing to extremities, small chip to head of spine, corners bumped and lightly worn, front hinge cracked, early armorial bookplate to front pastedown, front free pastedown and following leaf partially detached. Moderate toning to text, somewhat heavier in places, minor spark burns to a few leaves. An appealing copy. \$650.

* Fourth edition. Often attributed to Bacon, the *Historical Discourse* "is a sort of constitutional history of England, showing much knowledge of the development of the institutions, civil and ecclesiastical, and pervaded by a strong spirit of hostility to the claims of the royal prerogative and to hierarchical pretensions." (DNB). "The first edition having become so rare a second edition was secretly printed in 1672 which was suppressed. It was again secretly reprinted in 1682 and the publishers were prosecuted. The 1682 edition appears to have been reissued in 1689 with the 1682 imprint" (Sweet & Maxwell). *Dictionary of National Biography* I:836-837. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:99(9). *English Short-Title Catalogue* R16514. [Order This Item](#)



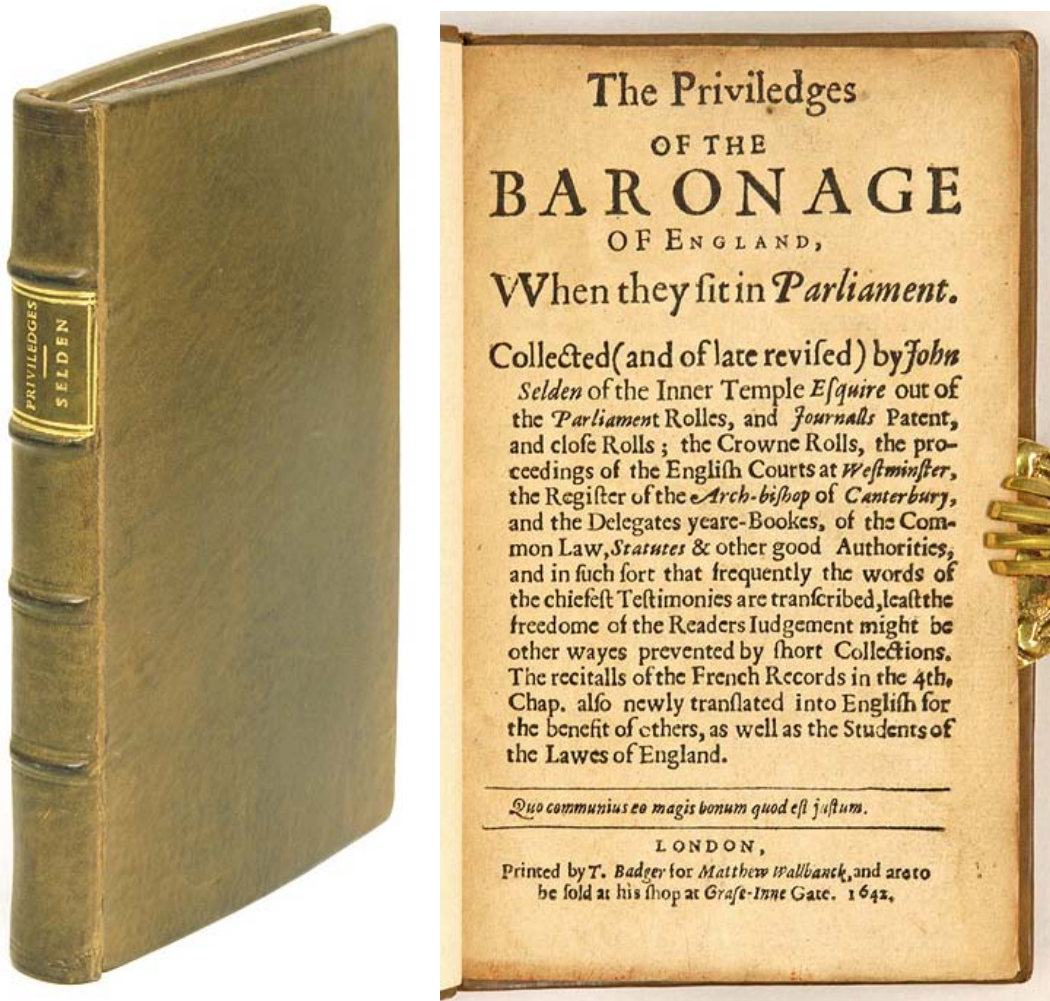
Selden's Edition of *Fleta* And His *Ad Fletam Dissertatio*

25. Selden, John, Editor.

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

Later sheep, rebacked in calf, blind rules to boards, raised bands, gilt ornaments and retained existing lettering piece to spine, endleaves renewed, early hand-lettered title to fore-edge of text block. A few minor nicks, scuffs and stains to boards, moderate rubbing to board edges, corners bumped and somewhat worn. Moderate toning to text, light foxing in a few places, light soiling and small early owner signature to title page. \$400.

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



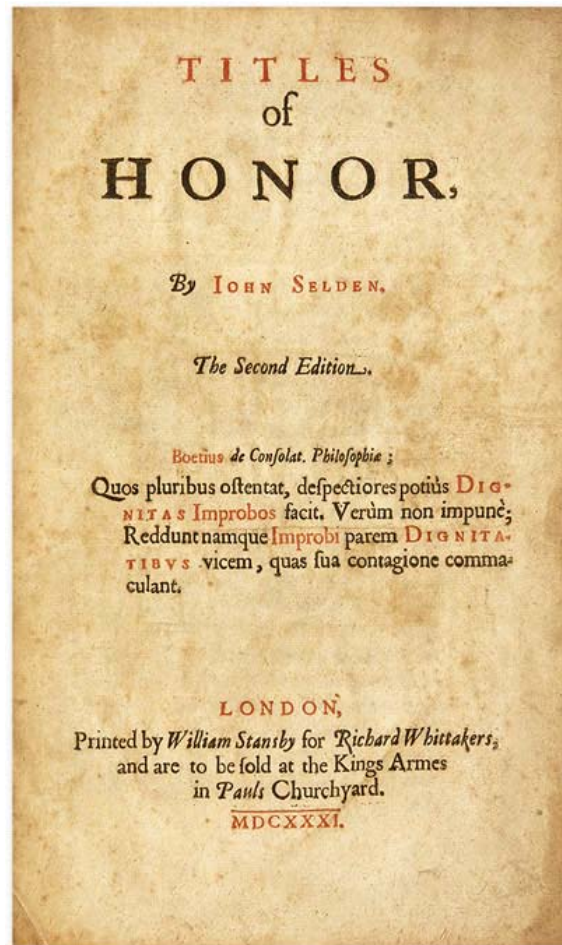
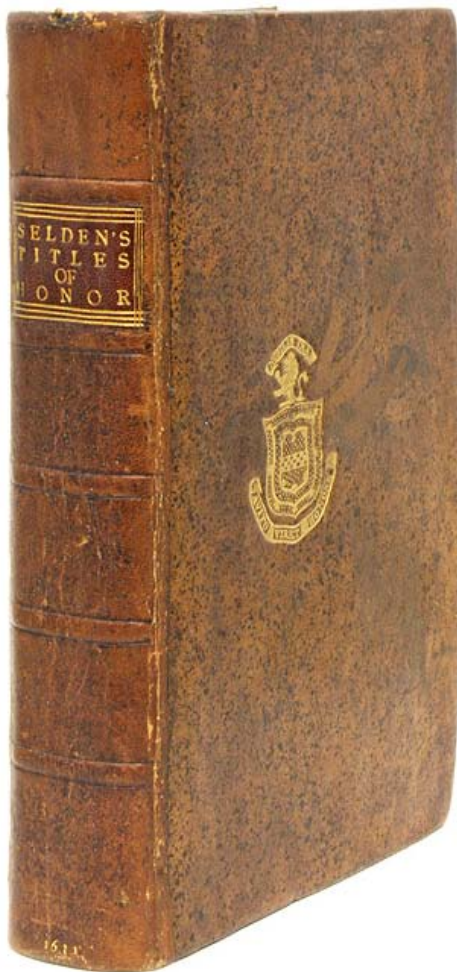
Selden Defines the Judicial Power of the House of Lords

26. Selden, John.

The Priviledges of the Baronage of England, When They Sit in Parliament. Collected (And of Late Revised) by John Selden of the Inner Temple Esquire Out of the Parliament Rolles, And Journalls Patent, And Close Rolls; The Crowne Rolls, The Proceedings of the English Courts at Westminster, The Register of the Arch-Bishop of Canterbury, And the Delegates Yeare-Bookes, Of the Common Law, Statutes & Other Good Authorities, And in Such Sort that Frequently the Words of the Chiefest Testimonies are Transcribed, Least the Freedome of the Readers Iudgement Might be Other Wayes Prevented by Short Collections. The Recitalls of the French Records in the 4th. Chap. Also Newly Translated into English for the Benefit of Others, As Well as the Students of the Lawes of England. London: Printed by T. Badger for Matthew Wallbanck, 1642. [viii], 167, [1] pp. First leaf, a blank, replaced. Octavo (5-3/4" x 3-3/4").

Recent period-style calf, raised bands and lettering piece to spine, endpapers renewed. Negligible light rubbing to extremities, moderate toning to text, somewhat heavier in places. A handsome copy. \$350.

* First edition. Selden's *Priviledges* was commissioned by the House of Lords to define its rights during a period of mounting tension between the king and Parliament. A work that angered the king, it asserted the House of Lords's power of judicature and provided historical grounds for such "special rights" as freedom from lawsuits during the sitting of Parliament. A second edition was published in 1689. *English Short-Title Catalogue* R10915. [Order This Item](#)



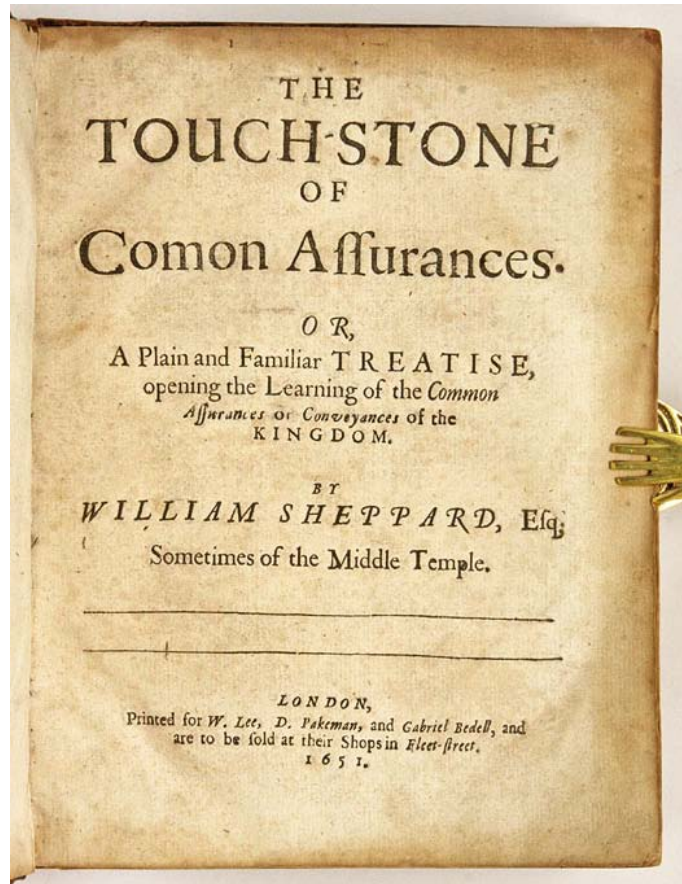
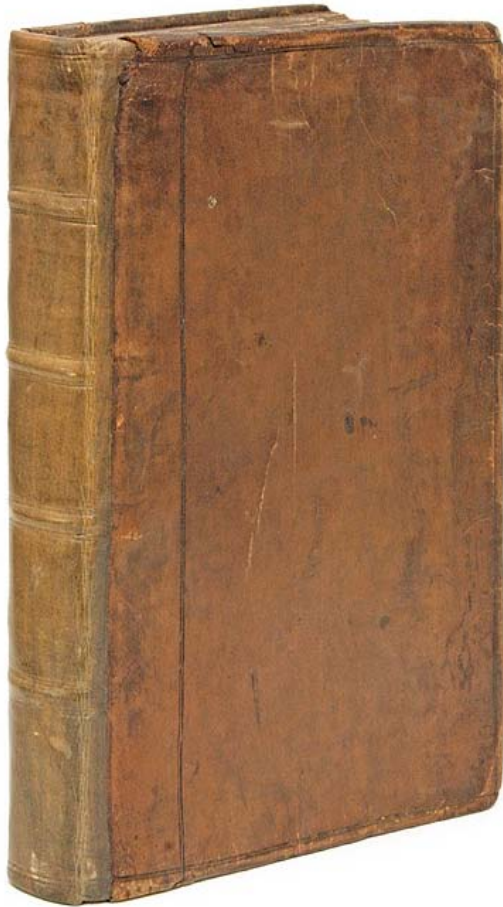
With a Eulogy for Selden by Ben Jonson

27. Selden, John.

Titles of Honor, By John Selden. London: Printed by William Stansby for Richard Whittakers, 1632. [xxxvi], 67, 98-102, 101-941, [3] pp. Pagination irregular, text complete. Copperplate portrait frontispiece, woodcut, and a few copperplate, text illustrations. Folio (11" x 7").

Eighteenth-century speckled sheep, rebacked retaining spine, gilt-stamped owner insignia to front and rear boards, raised bands, recent (?) period-style lettering piece and, at foot, "1632" to spine, hinges mended. A few negligible light scuffs to boards, moderate rubbing to extremities. Title page printed in red and black. Moderate toning, somewhat heavier in places, faint dampstaining to foot of text block below text, notes in early hand to a few leaves, early owner signatures to front endleaves, light soiling to title page. An attractive copy. \$1,000.

* Second edition, one of two issues from 1632. With a eulogy by Ben Jonson. Selden's great historical work on nobility begins with a general discussion of titles and nobility. The following chapters consider the nobility of ancient Greece and Rome, Europe, the British Isles, the Roman Catholic and Greek Orthodox Churches, the Middle East and Asia. The final chapters survey various aspects of ceremony and precedence. First published in 1614, this work went through three editions. The third is the best because it contains substantial additions. The text has numerous illustrations of court dress, insignia and maps. *English Short-Title Catalogue* S124237. [Order This Item](#)



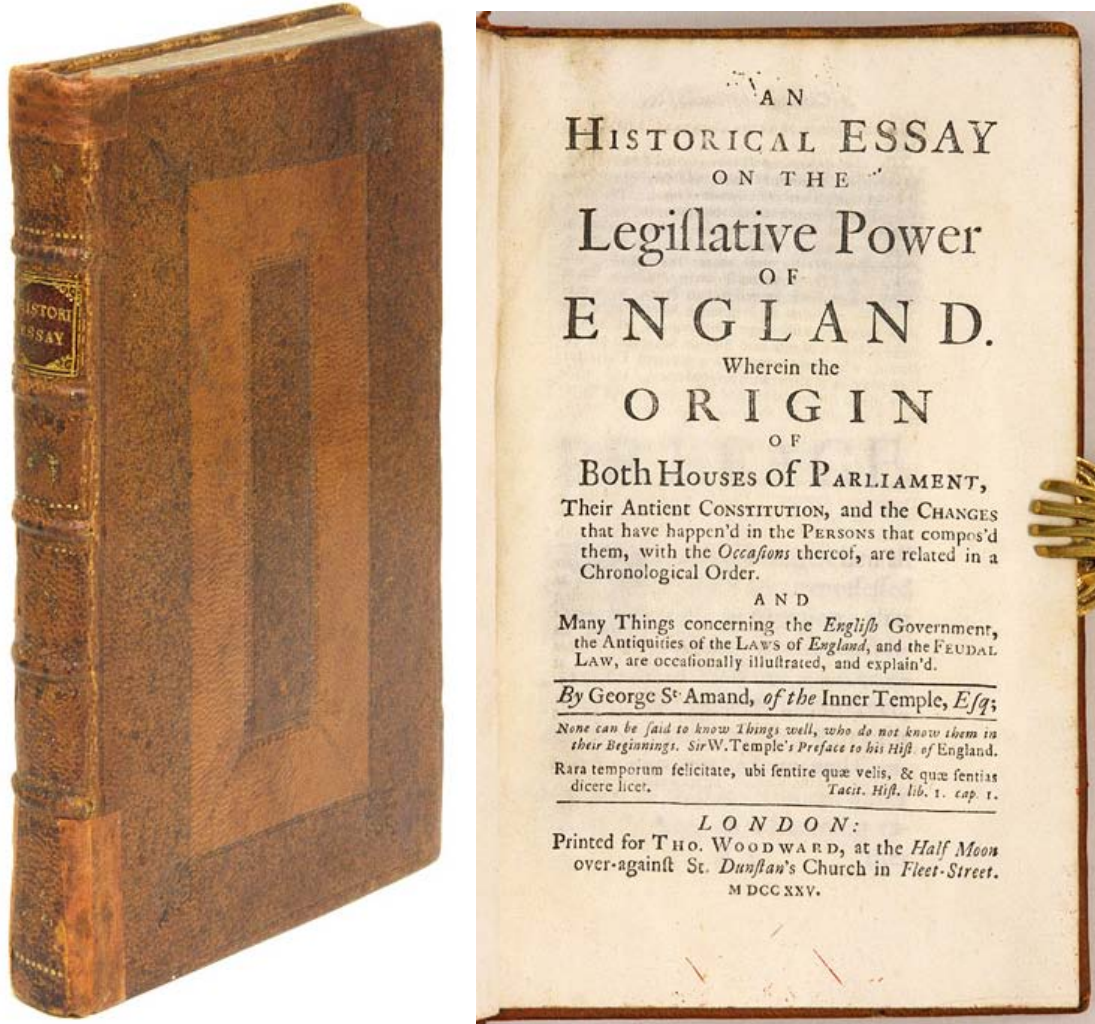
The First English Treatise on Conveyancing

28. Sheppard, William [fl. 1660].

The Touch-Stone of Common Assurances. Or, A Plain and Familiar Treatise Opening the Learning of the Common Assurances or Conveyances of the Kingdom. London: Printed for W. Lee, D. Pakeman, And Gabriel Bedell, 1651. [xii], 348, 353-529, [7] pp. Final leaf blank. Text complete. Quarto (8" x 6-1/2").

Contemporary calf, rebacked in period style, blind rules to boards, raised bands to spine. A few scratches to boards, moderate rubbing to extremities, corners bumped and somewhat worn, front pastedown loose, rear pastedown removed. Very light browning to text, annotations in contemporary hand to a few leaves, light foxing in a few places, offsetting and minor wear to edges of preliminaries and final few leaves, light soiling to title page. \$450.

* Second edition. The *Touchstone* is the earliest work devoted to the theory of conveyancing. Each chapter opens with a definition of a type of conveyance followed by an outline of the rules, principles and legal maxims that govern it. Sheppard's comments are supported by textual authorities and case examples, and he includes variations, specific conditions and limitations. Sheppard's claim of authorship has been a point of controversy since the eighteenth century. Many scholars believe that the *Touchstone* was written as a manuscript for personal use by Sir John Dodderidge, a judge during the reign of Charles I. According to this theory, Sheppard purchased the manuscript at auction, then edited it for publication. Whether the author was Sheppard or Dodderidge, the treatise was an immediate success when it was published in 1648. It has been esteemed highly ever since. As late as 1925, Holdsworth observed that it "is still regarded as a high authority on this subject.": Holdsworth, *Sources and Literature of English Law* 124. *English Short-Title Catalogue* R2310. [Order This Item](#)



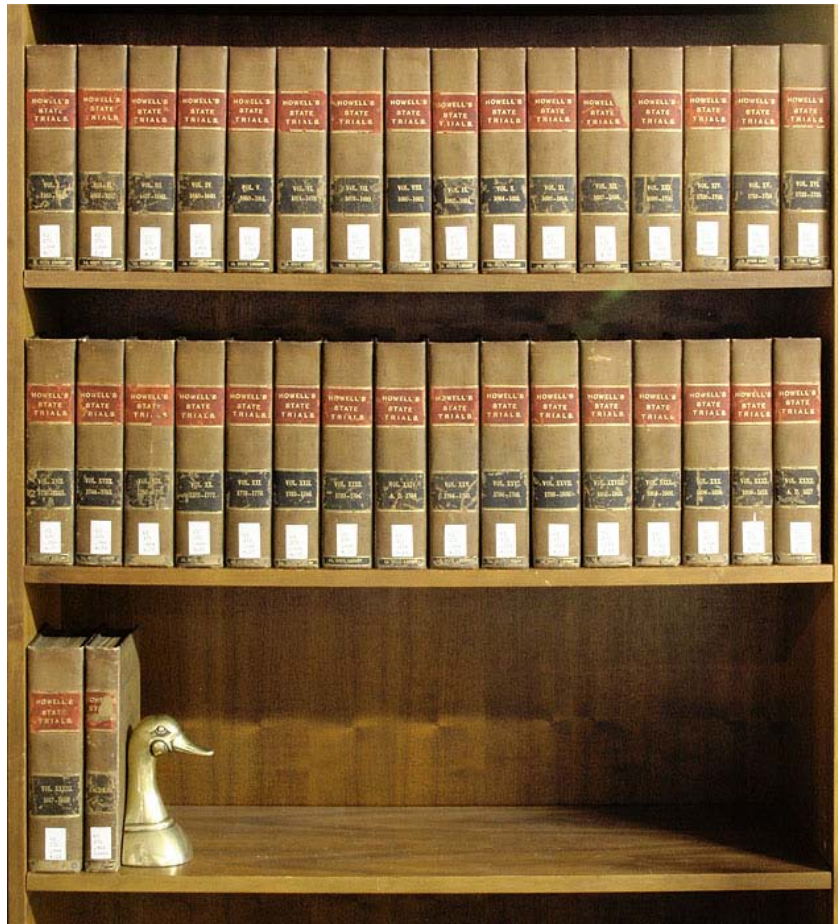
British Liberty: A Legacy of "Our Ancestors in Germany"

29. St. Amand, George.

An Historical Essay on the Legislative Power of England. Wherein the Origin of Both Houses of Parliament, Their Antient Constitution, And the Changes That Have Happen'd in the Persons that Compos'd them, With the Occasions Thereof, Are Related in a Chronological Order. And Many Things Concerning the English Government, The Antiquities of the Lams of England, And the Feudal Law, Are Occasionally Illustrated and Explain'd. London: Printed for Tho. Woodward, 1725. [xvi], 197, 23 pp. includes four-page publisher catalogue. Octavo (7-1/2" x 4-3/4").

Contemporary paneled sheep, speckled outer frames and contrasting central panel, raised bands, lettering piece and gilt ornaments to spine, later repairs to spine ends, speckled edges. Moderate rubbing to extremities, corners bumped and lightly worn, hinges partially cracked, early armorial bookplate to front pastedown. Very light toning to text, early owner signature to front free endpaper, brief annotation to verso. An attractive copy. \$350.

* Only edition. St. Amand locates the origins of British liberty under the law in the political culture of the Saxons. "[O]ur Ancestors in Germany were a free people, and had a right to assent, or dissent to all Laws. And may an uninterrupted exercise thereof (for the right itself can never be extinguish'd) continue 'till Time shall be no more" (iii). A second edition was published in 1767. This work was later included in John Almon's *A Complete Collection of the Lords' Protests* (1767). *English Short-Title Catalogue* T116335. [Order This Item](#)



Best Edition of *Howell's State Trials*

30. [Trials].

Howell, T[homas] B[ayly] [1768-1815], Compiler.

[Cobbett, William (1763-1835)], Compiler.

A Complete Collection of State Trials and Proceedings for High Treason and Other Crimes and Misdemeanors from the Earliest Period to 1783, With Notes and Other Illustrations. Including, in Addition to the Whole of the Matter Contained in the Folio Edition of Hargrave, Upwards of Two Hundred Cases Never Before Collected; To Which is Subjoined a Table of Parallel Reference, Rendering This Edition Applicable to Those Books of Authority in Which References Are Made in the Folio Edition.

[With]

Howell, Thomas Jones [1793-1858], Compiler.

A Complete Collection of State Trials...Continued From the Year 1783 to the Present Time.

[And]

Jardine, David [1794-1860], Compiler.

General Index to the Collection of State Trials.

London: T.C. Hansard for Longman, Hurst, Rees, Orme and Brown [et. al.], 1814-1828. Thirty-four volumes. Complete set. Octavo (9-1/2" x 6").

Later buckram, red and black lettering pieces to spines. Moderate shelfwear and soiling, heavier soiling to some volumes, chipping to spine labels. Light browning and occasional foxing and light dampstaining, a few volumes have loose or detached leaves, all with some edgewear, bookplates (of binder) to front pastedowns. Ex-library. Location labels and owner labels to spines, stamps to edges and preliminaries. A solid set. \$1,000.

* Fifth and final edition. This edition is considered the best. Holdsworth, for one, considers it "an invaluable collection of nearly all the important criminal trials and constitutional cases, and of some important civil cases, which have some bearing upon public law." As indicated by the title, it incorporates Francis Hargrave's *Collection of State Trials* (fourth edition), an eleven-volume collection published between 1776 and 1781. The majority of the cases are from the King's Bench, and many are not reported elsewhere. The coverage is chronological from Thomas Becket in 1163 through 1820. According to Sweet & Maxwell and the *Harvard Law Catalogue*, the first twelve volumes were compiled by William Cobbett. They seem to have drawn this conclusion because Cobbett's name appears on the title pages of early printings. Wallace disputes this claim. He believes that Cobbett was simply a general editor who hired Thomas Howell to do the actual work. This edition was issued between 1809 and 1826. Volumes 1-22 in this set are reprint copies dated 1816. The *Table or Parallel Reference* is dated 1814. Holdsworth, *A History of English Law* XII: 130. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:370. Wallace, *The Reporters* 67-68. [Order This Item](#)