

A SELECTION OF 30
ANTIQUARIAN
ITEMS

Civil, Common & Roman Law

— December 18, 2018 —



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LTD.



Two Rare Portuguese Treatises on Water Law and Damages

1. Almeida e Sousa de Lobao, Manuel de [1745-1817].

Tractado Pratico e Compendiario das Aguas, Dos Rios Publicos, Fontes Publicas, Ribeiros, E Nascentes Dellas. Obra Apurada, Em que se Adopta o Mais Racionavel da Legislacao Romana; Cortado o que Hoje he Reprovado Pelo uso Moderno das Nacoes. Com Dous Indices, Hum dos Capitulos, Outro das Conclusoes Mais Notaveis. E com Duas Dissertacoes Analogas: 1. Sobre as Aguas Pluvias; 2. Sobre as Aguas Subterraneas. Lisbon: Na Impressao Regia, 1827. xxix, 244 pp.

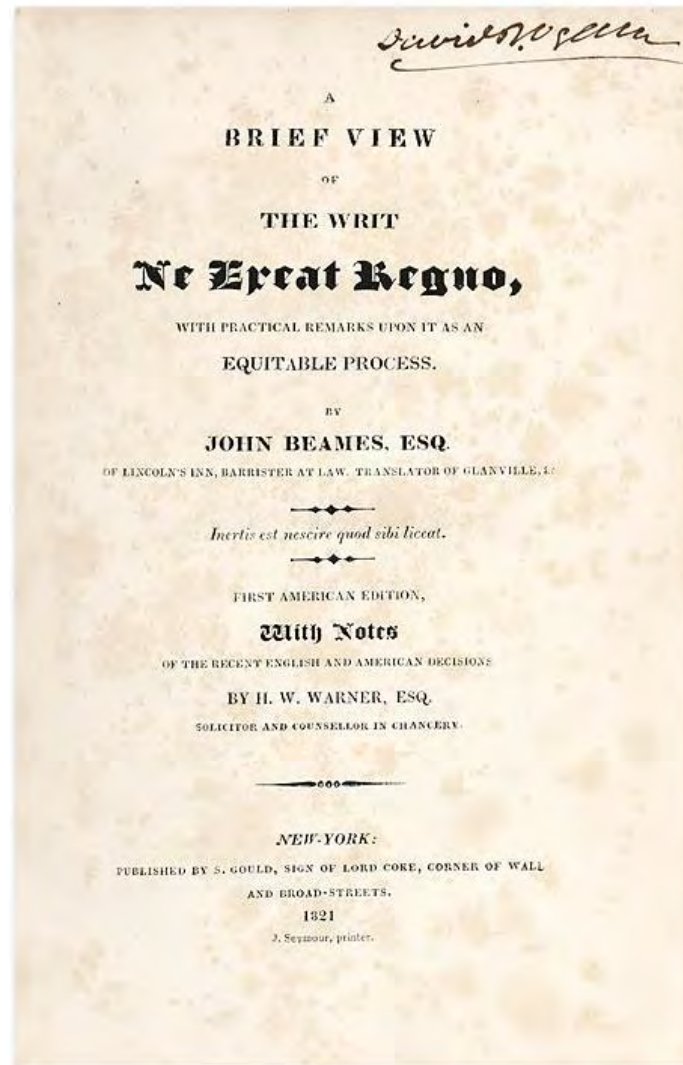
[Bound with]

Almeida e Sousa de Lobao, Manuel de.

Tractado Pratico das Avaliações, E dos Damnos. Lisbon: Na Impressao Regia, 1826. 231 pp.

Quarto (7-1/2" x 5"). Contemporary tree calf, lettering pieces and gilt ornaments to spine, speckled edges. Light rubbing to extremities, corners bumped and lightly worn. Light toning to text, somewhat darker in places. Light pencil scribbled to front free endpaper, small later owner stamp to title page of *Aguas*, interior otherwise clean. A handsome volume. \$1,000.

* *Aguas*: first edition; *Avaliacoes*: only edition. These treatises on water law and the law of valuations and damages were quite respected and cited often by jurists in Portugal, its colonies and Brazil. *Aguas* was reprinted in 1911. Both titles are rare. OCLC locates 2 copies of *Aguas* in North America (at Yale Law School and UC-Berkeley Law School), 1 copy of *Avaliacoes*, at Harvard Law School. Neither title in the *British Museum Catalogue*. [Order This Item](#)



"Valuable Guide" to the Writ *Ne Exeat Regno*

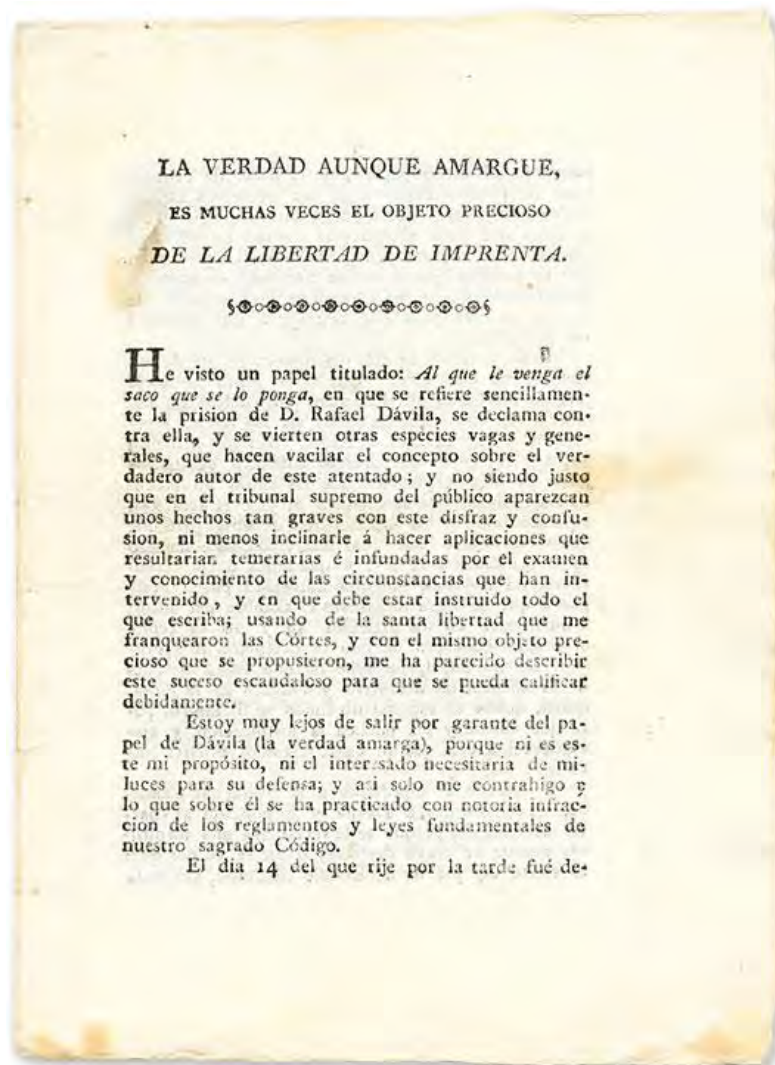
2. Beames, John [1781?-1853].

Warner, H.W., Notes.

A Brief View of the Writ Ne Exeat Regno, With Practical Remarks Upon It as an Equitable Process With Notes of the Recent English and American Decisions. New York: Published by S. Gould, 1821. 7, xi, 77 (i.e. 67) pp. Paged irregularly, following the paging of the original (London) edition, which is given in footnotes. (The beginnings of the pages are indicated in the text by asterisks.) Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter sheep over paper boards, lettering piece and blind fillets to spine. Some rubbing with wear to spine ends, corners bumped, front joint cracked but secure. Toning, light foxing. Early (illegible) owner signature to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A solid copy of a scarce title. \$350.

* First American edition, from the first London edition (1812). The equity writ *Ne Exeat Regno* is a tool to restrain a person from leaving a country or the jurisdiction of a court. It also refers to the process equity courts used to obtain bail or security to abide a decree. "This work will be found a valuable guide to the profession in those states having Courts of Equity." Marvin, *Legal Bibliography* (1847) 103. Cohen, *Bibliography of Early American Law* 4929. [Order This Item](#)



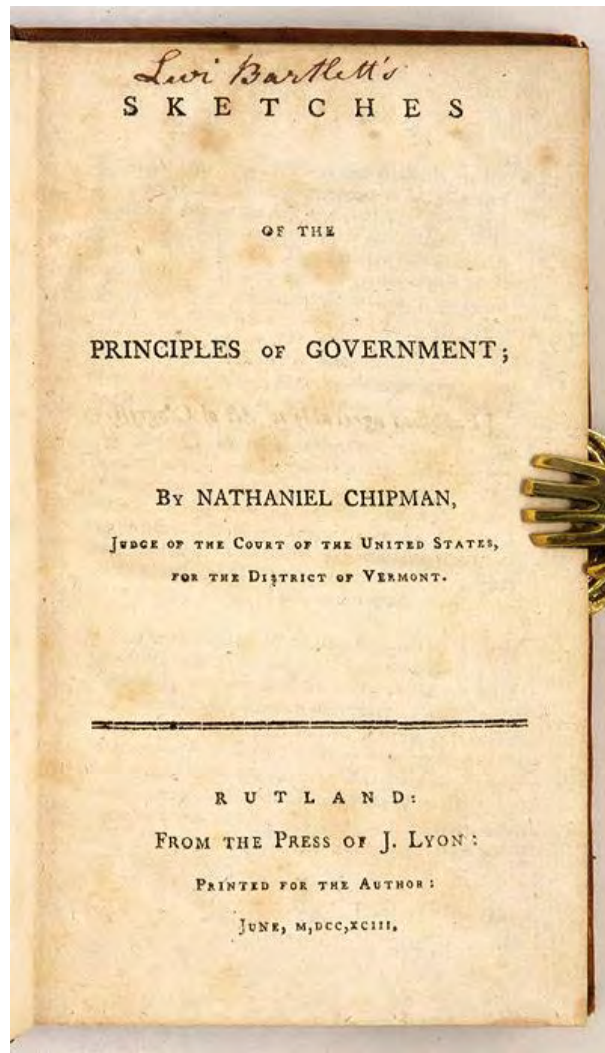
**Rare Anonymous 1820 Mexican
Pamphlet Advocating Freedom of the Press**

**3. [Censorship].
[N., Pseudonym].**

La Verdad Aunque Amargue, Es Muchas Veces el Objeto Precioso de la Libertad de Imprenta. [Running Title]. Mexico City: S.n., October 28, 1820. 8 pp. Quarto (8-1/2" x 6-1/4").

Unbound sheets, as issued. Minor smudges and some light staining, otherwise fine. \$500.

* First printing of a pamphlet defending the imprisoned liberal pamphleteer Rafael Davila. Freedom of the press was granted under the Constitution of 1812. Repudiated by Ferdinand VII in 1814, but eventually revived after the revolt of Rafael del Riego y Nunez in 1820. Richard H. Dillon notes Davila's importance and observes: "Pamphlets constitute the major source of fresh new material on nineteenth-century and earlier Mexico.... [O]ne can find no surer guide to the troublous times of eighteenth-and nineteenth-century Mexico than these booklets. Written in the heat of argument, of battle, of revolution, they bring to life a time and place removed from us by hundreds of miles and years.": *The Hispanic American Historical Review* 45, No. 2 (May 1965), 270-271. Sabin, *A Dictionary of Books Relating to America* 98934. Palau, *Manual del Librero Hispano-Americano* 359296. [Order This Item](#)



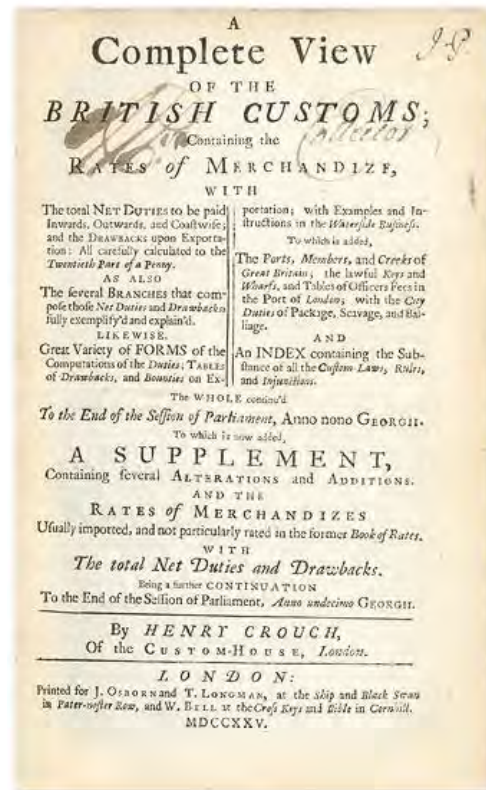
One of the Earliest American Books on Political Science

4. Chipman, Nathaniel [1752-1843].

Sketches of the Principles of Government. Burlington [VT]: From the Press of J. Lyon, 1793. xii, [13]-292 pp. 12mo. (6-1/4" x 4-1/4").

Contemporary speckled sheep, lettering piece and gilt fillets to spine. Light rubbing to boards, heavier rubbing to spine and extremities with wear to spine ends and corners, which are bumped, front joint cracked, later owner bookplate to front pastedown. Some toning to text, light foxing to a few leaves. Owner signature of Levi Bartlett to head of title page, interior otherwise clean. \$1,500.

* Only edition. Among the first American books on political science, *Sketches* is a study of civil laws and obligations, the social state, rights of property, sovereignty and political power. He published an expanded version of this in 1833 titled *The Principles of Government*. Chipman was a Hamiltonian Federalist who played a key role in Vermont's admission to the Union. He was a United States Senator from 1797 to 1803, Vermont's Chief Justice from 1813 to 1815 and professor of law at Middlebury College from 1816-1843. Levi Bartlett [1763-1828], a New Hampshire physician and politician, was the son of Josiah Bartlett, a signer of the Declaration of Independence for New Hampshire, later New Hampshire's chief justice and governor. Jefferson owned a copy of this book: Sowerby, *Catalogue of the Library of Thomas Jefferson* 2361. Cohen, *Bibliography of Early American Law* 5751. [Order This Item](#)



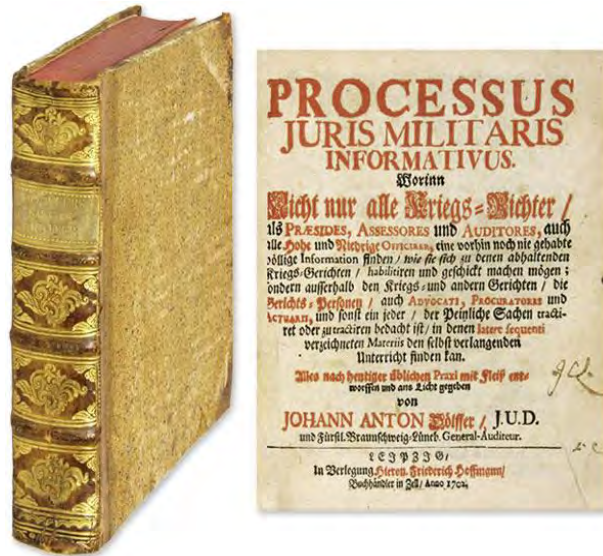
"A Complete System of His Majesty's Revenue of Customs"

5. Crouch, Henry [d. 1732].

A Complete View of the British Customs. Containing, I. A Perfect and Distinct Account of the Several Particular Branches Whereof that Revenue Consists. II. The Former and Additional Books of the Rates of Merchandizes, From Which Most of Those Branches are Chargeable (...) All Calculated to the Utmost Exactness. Together With the Several Rules, Orders, &c. Annexed to the Book of Rates. III. Directions for, And Examples of, the Method of Computing the Aforesaid Duties to be Paid and Repaid; With the Drawbacks and Bounties on the Exportation of Several British Goods, &c. IV. The Several Ports, Members and Creeks of Great Britain; The Lawful Keys, Wharfs, &c. And the Fees Payable to the Officers of the Customs in the Port of London: with the Duties of Scavage, Package, &c. Payable to the Said City. V. An Index, Wherein is Comprahended the Substance of the Several Laws Now in Force, Relating to the Customs, &c. The Whole Being a Complete System of His Majesty's Revenue of Customs. Continued to the End of Session of Parliament, Anno Noni Georgii. To Which is Now Added, A Supplement, Containing Several Alterations and Additions. And the Rates of Merchandizes Usually Imported, And Not Particularly Rated in the Former Book of Rates. With the Total Net Duties and Drawbacks. Being a Further Continuation to the End of the Session of Parliament, Anno Undecimo Georgii. London: Printed for J. Osborn and T. Longman, 1725. [iv], [2], 439, [1] pp. Octavo (8" x 5").

Contemporary calf, gilt rules enclosing blind fillets to boards, gilt-edged raised bands and lettering piece to spine. Rubbing to extremities with wear to spine ends and corners, a few scuffs to rear board, joints cracked but secure, hinges partially cracked. Toning, annotations in early hand to endleaves, early signature to head of title page. A nice copy. \$500.

* Second edition. First published in 1724, a time when Great Britain was consolidating its status as the world's leading maritime power, Crouch's handbook is an encyclopedic account of English customs law. As one would expect, it contains a great deal of information relating to colonies. It went through five editions, the final in 1755. Taken together, they are a valuable source of information for students of Atlantic history and the economic origins of the American Revolution. OCLC locates 3 copies of this edition, 1 in North America (at the University of Iowa Law School). *English Short-Title Catalogue* T135021. [Order This Item](#)



**Rare Eighteenth-Century Treatise on Military Law
Bound with an Annotated *Constitutio Criminalis Carolina***

6. Dölffer, J[ohann] A[nton].

Processus Juris Militaris Informativus. Worinn Nicht nur alle Kriegs-Richter, Als Praesides, Assessores und Auditores, Auch Alle Hohe und Niedrige Officier, Eine Vorhin noch nie Gehabte Voellige Information Finden, Wie sie Sich zu Denen Abhaltenden Kriegs-Gerichten, Habitiren und Geschickt Machen Mogen, Und sonst ein Jeder, Der Peinliche Sachen Tractiret oder zu Tractiren Bedacht Ist, In Denen Latere Sequenti Verzeichneten Materiis den Selbst Verlangenden Unterricht Finden Kan. Leipzig: In Verlegung Hieron. Friederich Hoffmann 1702. [iv], 315 pp.

[Bound with]

Stephani, Matthaeus [1576-1646], Editor.

[Charles V [1500-1558], Holy Roman Emperor].

Caroli Quinti, Imperatoris Invictissimi, & Gloriosissimi Principis, Constitutiones Publicorum Judiciorum: Cum Jure Communi Collatae; Ex Eoque Latius Declaratae, & Utilissimis Additionibus, Observationibusque Practicis Illustratae. Articulorum Carolinarum Constitutionum, Intemq[ue] Rerum Praecipuarum, Elenchus Duplex Adjectus Est. Hannover: Sumptibus Gothofredi Freytagii, u. Rudolstadt, Urban 1702. [xx], 243, [5] pp. Quarto (7-1/2" x 6"). Three-quarter calf over speckled boards, gilt spine with raised bands and lettering piece, edges rouged. Moderate rubbing to boards, light rubbing to extremities with some wear to spine and corners, edge of lettering piece just beginning to peel away. Title page of *Processus* printed in red and black. Moderate toning, somewhat heavier in places. Early initials to title page of *Processus*, early underlining and notes to a few pages in *Constitutiones*. An appealing volume. \$2,500.

* *Processus*: only edition; *Constitutiones*: sixth and final edition. The *Processus* is a comprehensive guide to the laws that apply to European soldiers. It is a digest of positive law and conventions established by treaty. Each point is illustrated with a case study. The work reflects both the greater destructive power of eighteenth century armaments and the Enlightenment-inspired movement to civilize the rules of military engagement. "Von der Section und Inspection des Coerpers," its eleventh chapter, is especially interesting. An early example of medical jurisprudence, it discusses methods to distinguish signs of torture or other unacceptable deeds on the corpses of soldiers or civilians. *Constitutiones*, a commentary on the great 1502 *Constitutio Criminalis Carolina* of Holy Roman Emperor Charles V, was first published in 1626. A standard work, it went through further editions in 1661, 1665, 1670, 1678 and 1702. The owner of this copy added a few references in the index concerning the sections on torture. Provisions for the liberal use of torture was one of the most controversial aspects of this code. There are very few copies of either title in North America. OCLC locates 1 copy of *Processus* (at Harvard Law School) and a few copies of *Constitutiones*, 1 of the 1702 edition (at Harvard Law School). *Processus*: *Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 18. Jahrhunderts* 10336591; *Constitutiones*: this edition not in *VD18*.

[Order This Item](#)

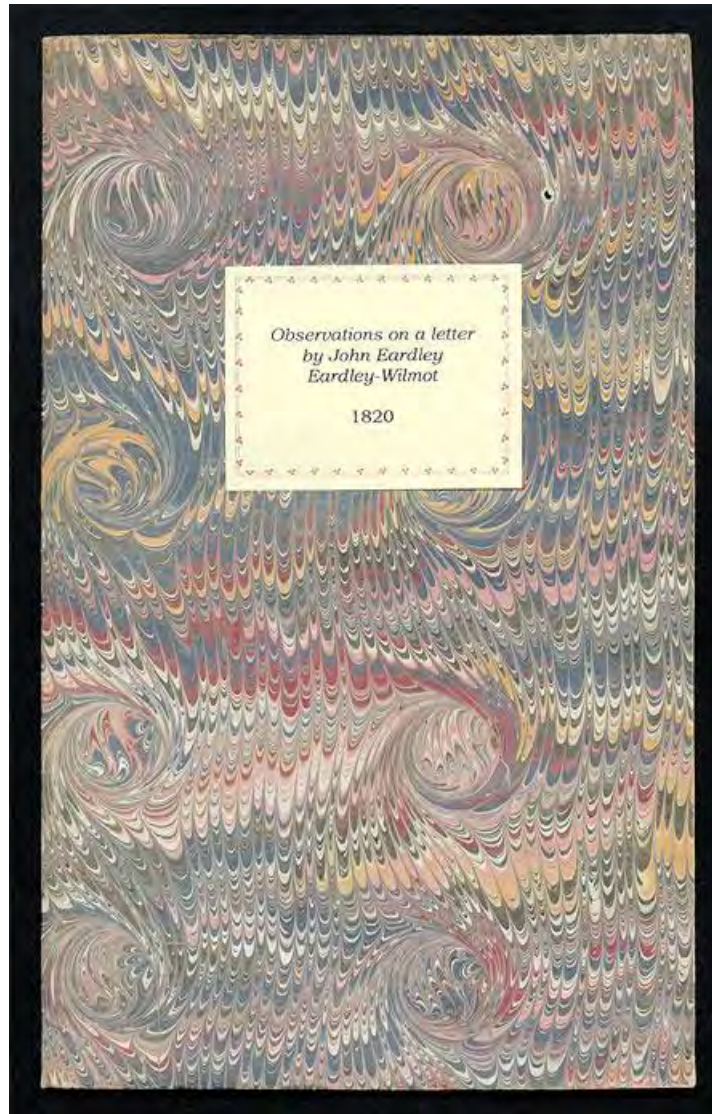


Inscribed Portrait Photograph of William O. Douglas

7. Douglas, William O. [1898-1980].

[*Inscribed Portrait Photograph of Douglas in Judicial Attire*]. N.p., c. 1960. 4" x 5" halftone black-and-white photograph on 8" x 10" sheet, tipped-in to an 8" x 10" illustration board. Autograph inscription by Douglas below image. Small stain to upper right hand corner, smudge though part of inscription, otherwise fine. \$100.

* The inscription reads: For Norman C. Zeter/ with all good wishes/ W O Douglas." This photo was probably produced for reproduction in newspapers and magazines. [Order This Item](#)



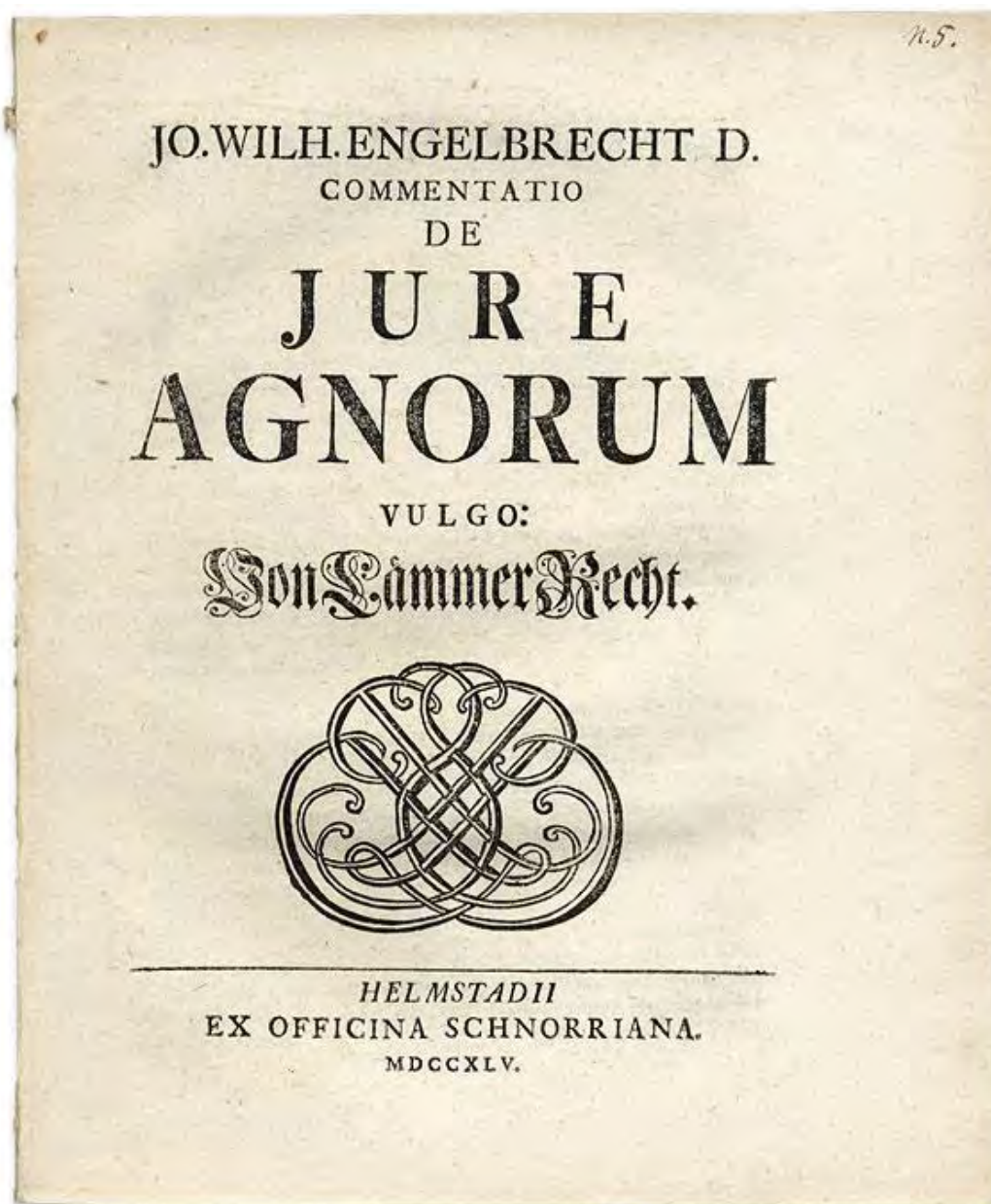
Juvenile Offenders in Nineteenth-Century Warwickshire

8. [Eardley-Wilmot, Sir John Eardley (1783-1847)].

Observations on a Letter by John Eardley Eardley-Wilmot, Esq. One of His Majesty's Justices of the Peace for the County of Warwick, To the Magistrates of Warwickshire. London: Published by T. & G. Underwood and Beilly and Knott, Birmingham, 1820. [iv], 23 pp. With a half-title.

Recent staff marbled wrappers, printed paper title label to front cover. Moderate toning to text, some edgewear to title page. A very good copy of a rare pamphlet. \$500.

* Only edition. A paper on the increase in crime in Warwickshire, relative to the size of population, its causes and possible remedies. The author suggests that young offenders must be punished as much as older offenders. The paper was in response to Eardley-Wilmot's *A Letter to the Magistrates of England on the Increase of Crime: And an Efficient Remedy Suggested for Their Consideration*, first published in 1820, which suggesting that severe punishment of juvenile offenders often led them to a lifetime of criminal activity. He also argued for better prison conditions as an aid to rehabilitation of offenders, a claim refuted in *Observations*. OCLC and COPAC locate 2 copies (Cambridge University, Senate House Library of the University of London). *Goldsmiths'-Kress Library of Economic Literature* 22967. [Order This Item](#)



Laws Concerning Sheep

9. Engelbrecht, Jo[hann] Wil[helm].

[Lammermann, Johann Jacob, Respondent].

Commentatio de Jure Agnorum Vulgo: Von Lämmer Recht. Helmstadt: Ex Officina Schnorriana, 1745. 70 pp. Quarto (8" x 6-1/2").

Disbound pamphlet. Light toning to text, "No.5" in tiny hand to head of title page. A well-preserved copy. \$175.

* Only edition. An interesting study on laws relating to sheep, this is a dissertation defended at the University of Helmstadt. As one would expect, it considers Roman law and, to a lesser extent, the civil law of the Holy Roman Empire. OCLC locates 8 copies, 1 in North America (University of Michigan Law School). Not in VD18. [Order This Item](#)

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An English Card Game Used to Promote the Cause of Female Suffrage

10. [Female Suffrage].

[Great Britain].

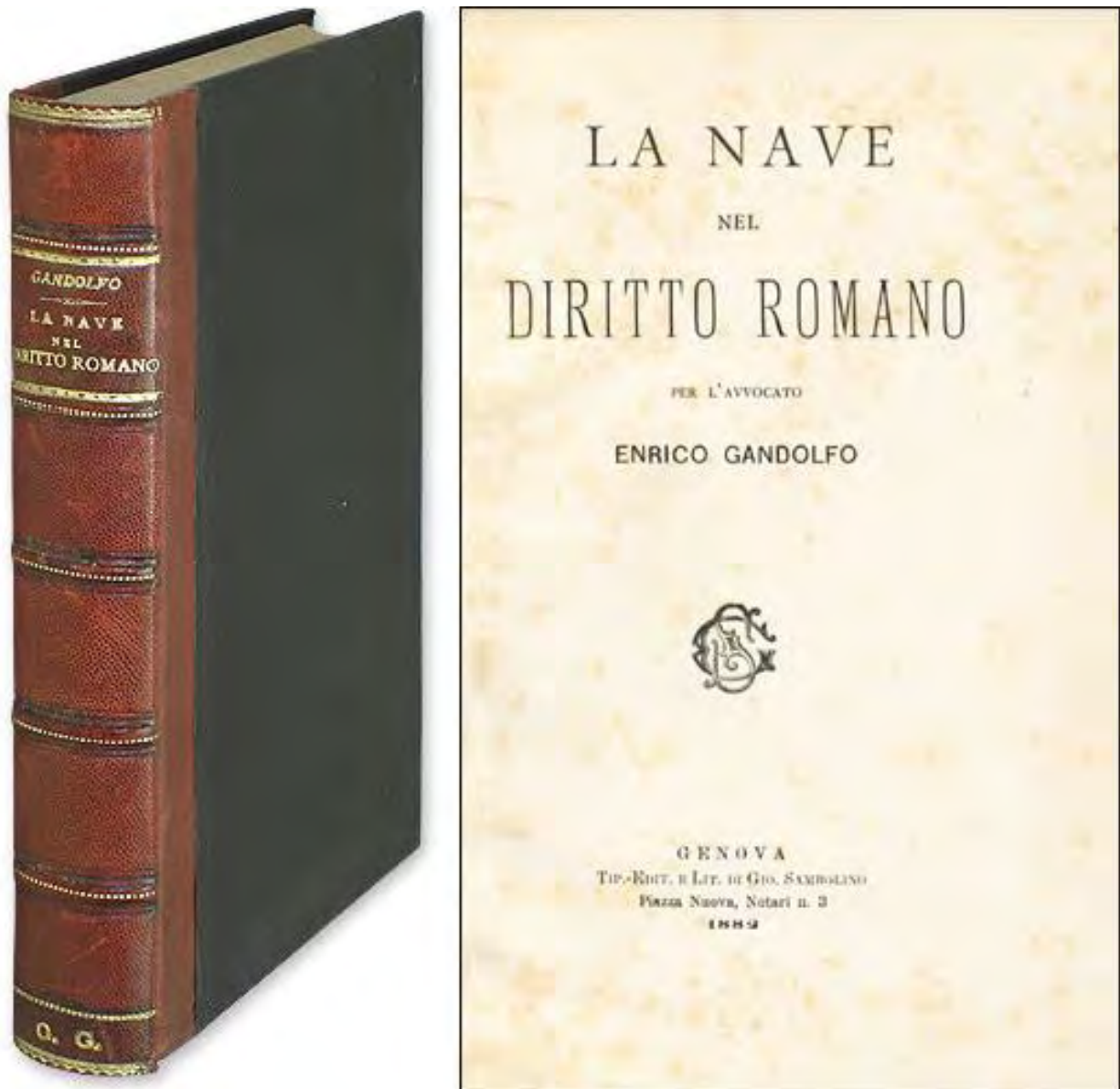
Reed, E[dward] T[ennyson] [1860-1933], Illustrator.

Panko or Votes for Women: The Great Card Game, Suffragists v. Anti-Suffragists. London: Peter Gurney, c.1909. 48 color 3-1/2" x 2-1/2" lithographed cards on heavy coated stock in 3-1/3/4" x 2-3/4" slipcase, text on front, color illustration on rear, 6-3/4" x 4-3/4" instruction sheet enclosed. Complete as issued.

Moderate rubbing and light soiling to slipcase, one of the bottom joints cracked through, fragment of shop label to front. Light soiling and some edgewear to cards, some toning to instruction sheet, a few minor tears along fold lines. \$3,500.

* Named after the English suffragist Emmeline Pankhurst [1858-1928], Panko was produced by the Women's Social and Political Union (WSPU) to raise funds for its activities and publicize its goals. The cards were illustrated by E.T. Reed, best known for his work for *Punch* magazine. They reflect some of the key moments and characters in the Suffrage movement, such as Pankhurst wearing her WSPU sash, a Suffragist being escorted to a police station, a group of Suffragists trying to gain entry to the House of Commons, a Suffragist declaring a hunger strike in jail and an image of the attorney Christabel Pankhurst [1880-1958] Emmeline's daughter, addressing the viewer in her robes. [Order This Item](#)

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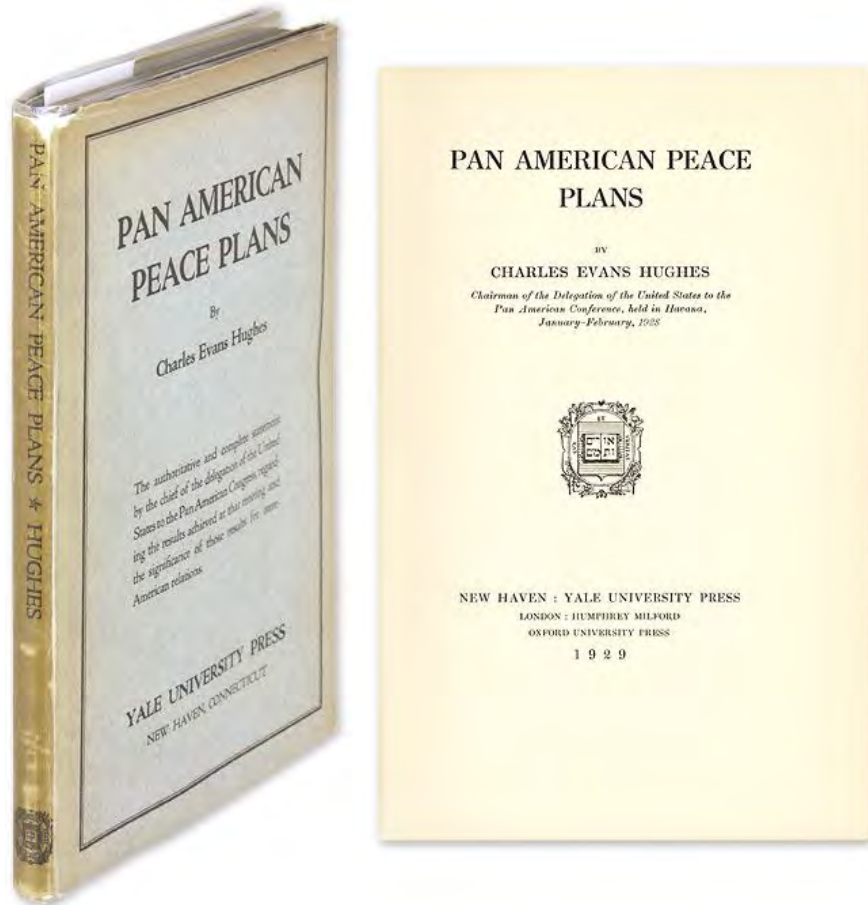
Uncommon Italian Study of Roman Maritime Law

11. Gandolfo, Enrico.

La Nave del Diritto Romano. Genoa: G. Sambolino. 1882. [iii], [3]-347 pp. Octavo (9" x 6").

Contemporary quarter morocco over pebbled cloth, raised bands and gilt title to spine, speckled edges. Light rubbing to extremities. Occasional light foxing, interior otherwise fresh. \$400.

* Only edition. Gandolfo offers a thorough overview of Roman maritime law and its historical development. It was reprinted in 1980. Both issues are rare. OCLC locates 3 copies, all in Europe, none of the reprint. *British Museum Catalogue* (Compact Edition) 10:75. [Order This Item](#)



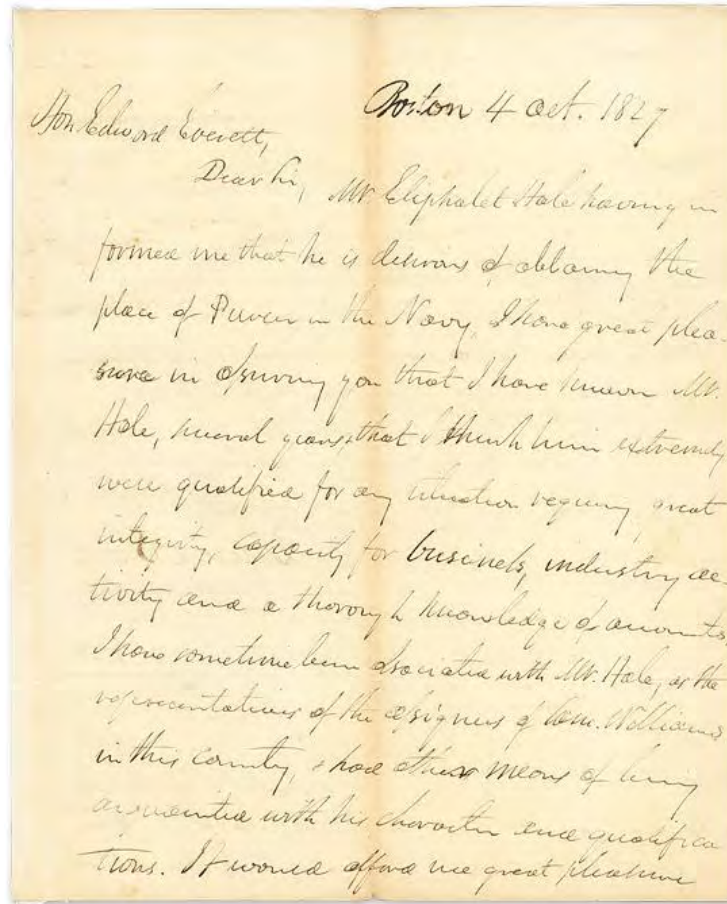
Pan American Peace Plans, Signed by Hughes

12. Hughes, Charles Evans [1862-1948].

Pan American Peace Plans. New Haven: Yale University Press, 1929. [iv], 68 pp.

Cloth in dust jacket. Light edgewear to dust jacket, some fading to spine, chipping to ends. "Charles E. Hughes" in bold hand to front free endpaper, internally clean. \$500.

* First edition. An associate justice of the U.S. Supreme Court from 1910-1916, Hughes resigned to accept the Republican presidential nomination. Secretary of State from 1921 to 1925, Hughes was appointed again to the Court as Chief Justice, an office he held from 1930 to 1941. He is the only person who served two terms on the Court. In 1928 Hughes represented the U.S. at the Pan American Conference. *Pan American Peace Plans* is his review of that event. Hughes believed this conference "represented the most complete and effective cooperation that has been witnessed in any meeting of the representatives of the American republics" (68). [Order This Item](#)



Mr. Edward Everett, Boston 4 Oct. 1827
Dear Sir, Mr. Eliphalet Hale having in-
formed me that he is desirous of obtaining the
place of Purser in the Navy, I have great plea-
sure in informing you that I have known Mr.
Hale, several years, that I think him extremely
well qualified for any situation requiring great
integrity, capacity for business, industry ac-
tivity and a thorough knowledge of accounts.
I have sometimes been associated with Mr. Hale, as the
representative of the signers of Gen. Williams
in this country, & have other means of being
acquainted with his character and qualifica-
tions. It would afford me great pleasure

**Lemuel Shaw Asks Edward Everett
to Help a Friend Seeking a Naval Commission**

13. [Manuscript].

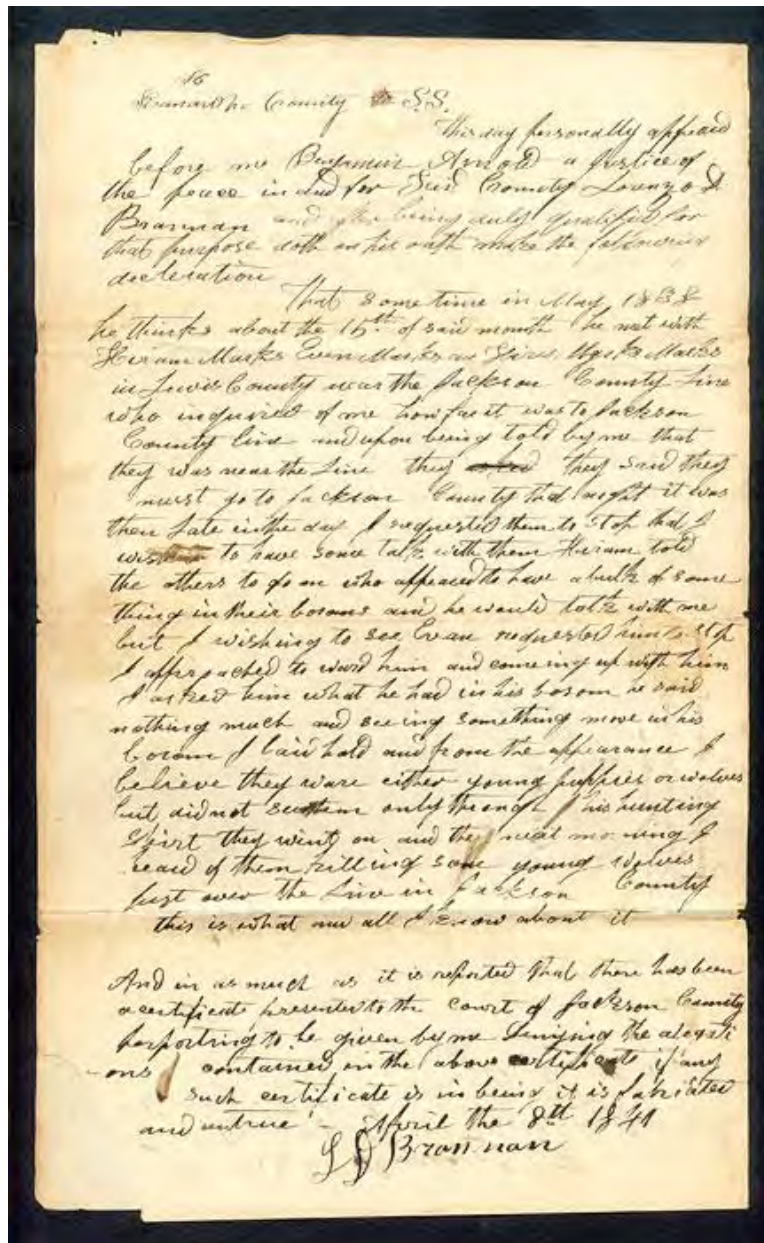
Shaw, Lemuel [1781-1861].

Everett, Edward [1795-1865].

[Autograph Letter, Signed, to Edward Everett with Everett's Appended, And Signed, Letter of Transmittal, Boston, October 4, 1827 and October 12, 1827]. Single leaf folded to form 9-3/4" x 7-3/4" bifolium with integral address leaf, franked in red on verso of second leaf.

Some toning, old lines with short tears at ends, some remnants of paper from old mounting on back with no loss of legibility. \$750.

* This item from future Chief Justice of Massachusetts Lemuel Shaw to then Congressman and future Gettysburg orator Edward Everett contains two letters. It contains Shaw's original letter, requesting help for a friend who was seeking a commission as a purser in the Navy, and Everett's appended letter on behalf of Shaw's friend to the Secretary of the Navy, Samuel L. Southward. In the 19th century, Edward Everett was celebrated as a preacher and public orator. He is most famous for delivering a two-hour oration in 1863 at the dedication of the Gettysburg military cemetery. Everett's speech was subsequently eclipsed by President Abraham Lincoln's immortal, two-minute Gettysburg Address. At the time this letter was written Shaw had already served in both houses of the Massachusetts Legislature and had drafted the first charter of the City of Boston. In 1830, he became the Chief Justice of the Commonwealth of Massachusetts. He served on that court for 30 years and participated in such notable cases as the "Parkman-Webster" murder case and in *Commonwealth v. Hunt*, an important labor law precedent establishing that labor unions were not criminal conspiracies. [Order This Item](#)



Fraudulent Collection of Wolf Bounties in Virginia

14. [Manuscript].
[Virginia].
[Wolf Bounties].

[Autograph Deposition Addressed to J.P. Thomasson and other justices of Jackson County, Signed by Justice of the Peace Benjamin Arnold, Kanawha County, Virginia, April 8, 1841]. 4 pp. 12-1/2" x 7-1/2" bifolium, docketed on verso of second leaf.

Horizontal fold lines, a few with minor tears, tear through most of fold between the leaves, light browning and minor edgewear, a few small chips to edges. Content in neat small hand filling one page and a quarter of another. \$300.

* This deposition says the Marks family from Lewis County was carrying wolf puppies into Jackson county lines in order to kill them there in order to collect wolf-killing bounties awarded by the county. [Order This Item](#)



"Seldom Photographed"

15. McReynolds, James Clark [1862-1946].

[7" x 9" Black-and-White Press Photograph of McReynolds]. [New York: Acme Newspictures, October 13, 1933].

Minor wear to corners, light wrinkling, annotations, stamps and tipped-in caption to verso. \$125.

* The caption reads (in part): "Justice James Clark McReynolds of the U.S. Supreme Court in Washington, D.C., Oct. 12th, arriving to attend a session of the Fall term which opened recently. Seldom photographed in other than group pictures, Justice McReynolds is shown in an informal action pose as he arrives at the Supreme Court..." McReynolds was best known for his overt anti-semitism, and being one of the "Four Horsemen" (together with Willis Van Devanter, George Sutherland, and Pierce Butler), who represented the opposition to Roosevelt's New Deal. [Order This Item](#)



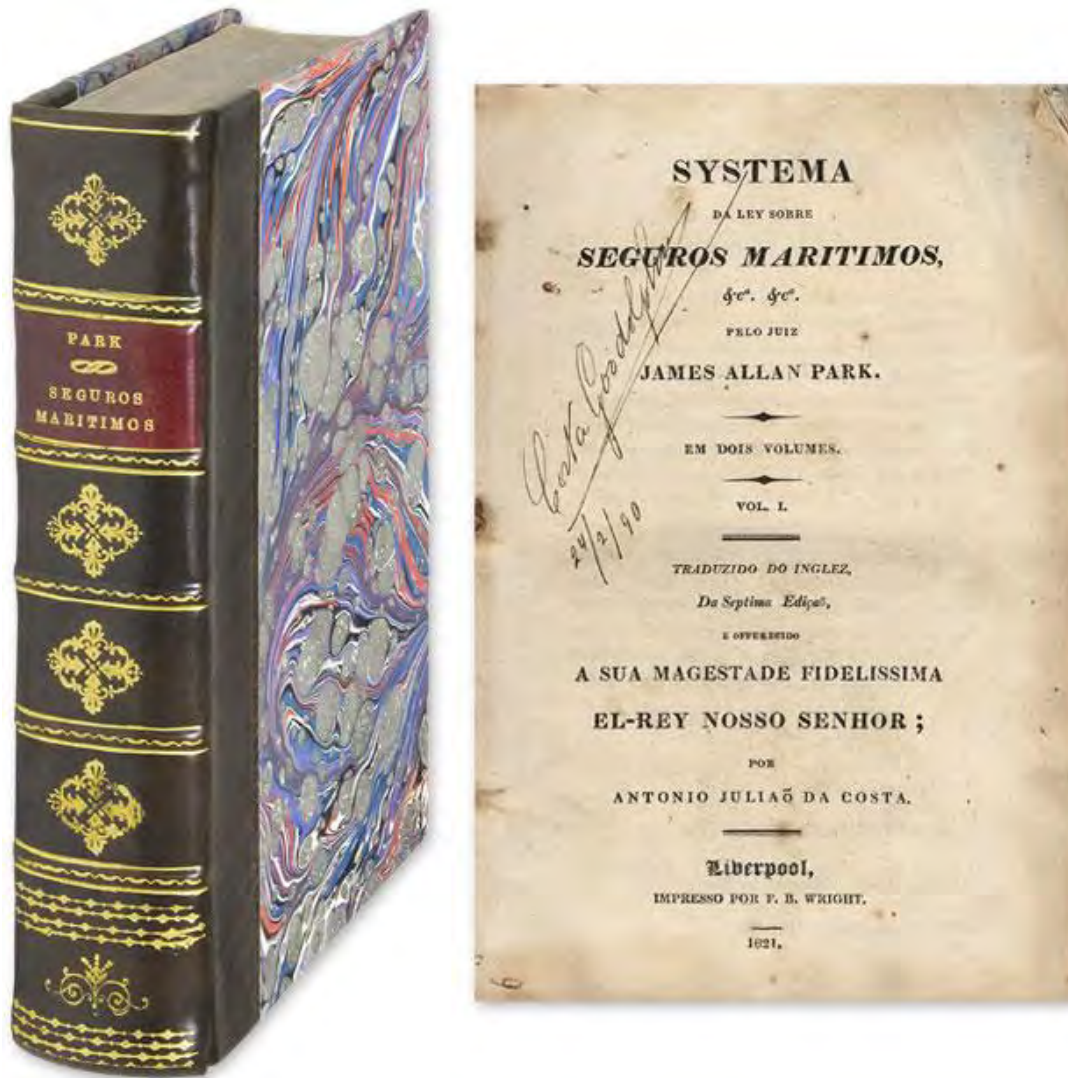
**A Notable Civil-War General
Attempts to Build a Railroad in Mexico**

**16. [Mexico].
[Railroads].**

Decreto Original y Alteraciones al Mismo de la Concesion del Ferrocarril y Telegrafo de Tuxpan. Mexico: Tip. de la v. e Hijos de Marguía, 1872. 33, [1] pp. Octavo (10-1/2" x 7").

Stab-stitched pamphlet in original printed wrappers. Covers darkened, light soiling and minor edgewear, small ink spot on front wrapper. Light browning, some chipping and foxing, creasing to corners of most leaves. Contemporary annotations to several leaves and two sheets of laid-in notes in Spanish and English. Rare. \$500.

* Text of the original concession, issued to Antonio D. Richards, Santiago Smith, and Jose Brennan, facing the altered concession issued to General W. S. Rosecrans. "In 1868 President Johnson appointed Rosecrans to be Minister to Mexico. Five months later, President Grant terminated the appointment. His brief diplomatic career convinced him that a prosperous Mexico would need peace, immigration, and railways, and he applied for a concession to build a narrow-gauge railway and telegraph line from Tampico to the Coast. The record of toil and travel, scheming, waiting on rich men and politicians, and of the final collapse of his Mexican dreams, forms a wearying chapter of the frustrating years from 1869 through 1873. Yet he was almost the first, and perhaps the most important, in a long line of Yankee railroad promoters in Mexico.": Lamers, *The Edge of Glory: A Biography of General William S. Rosecrans, U.S.A.* No copies located on OCLC. One copy located in the Biblioteca Nacional de Mexico. [Order This Item](#)



Rare Portuguese Edition of Park's Treatise on Marine Insurances

17. Park, James Allan [1763-1838].

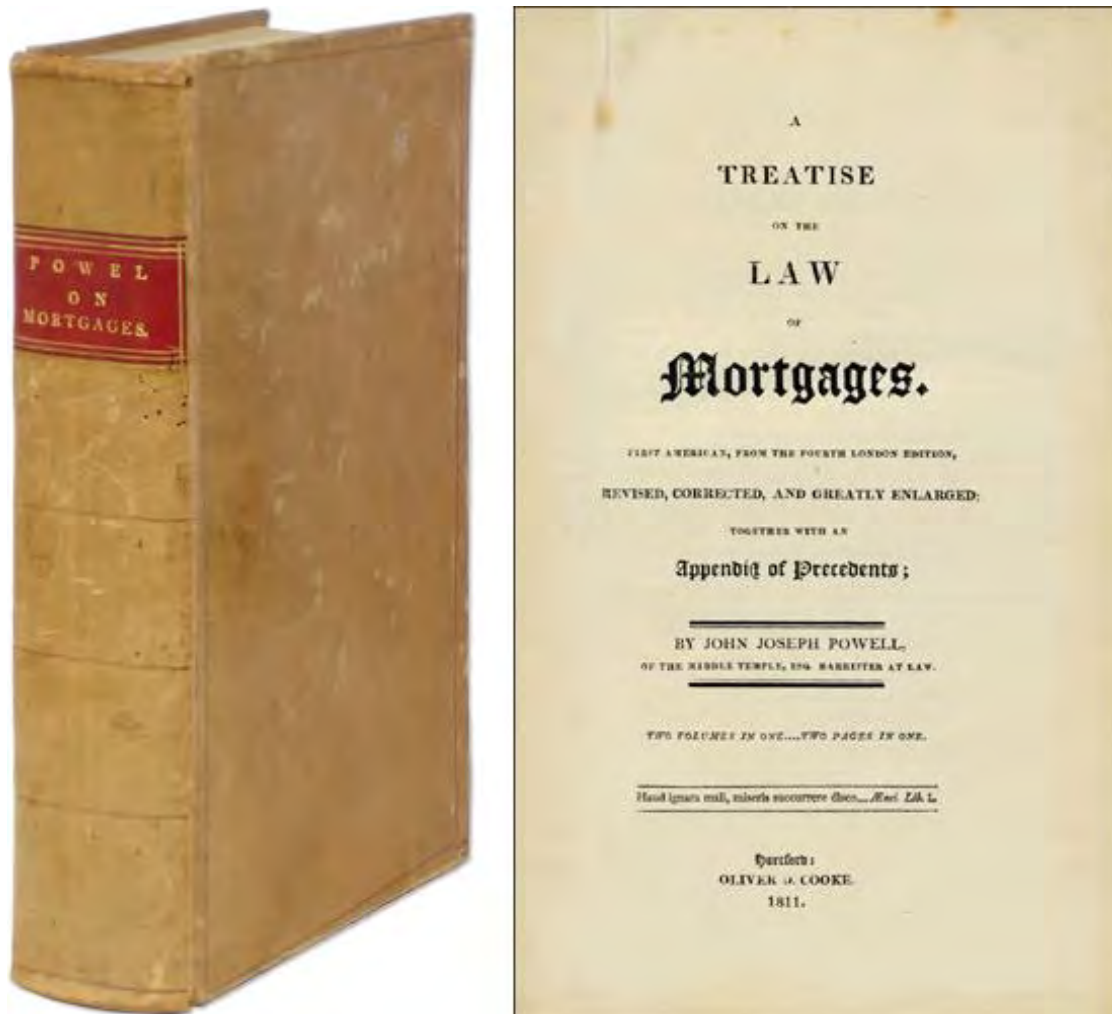
Costa, Antonio Juliao da, Translator.

Systema da Ley Sobre Seguros Maritimos, &c. &c. Liverpool: Impresso por F.B. Wright, 1821. Two volumes bound as one. Volume II has a folding table. Octavo (8" x 5").

Recent period-style quarter calf over marbled boards, gilt fillets, ornaments and lettering piece to spine, endpapers renewed. Moderate toning to text, faint dampstaining to head of text block. Later owner signature to title page, underlining in a few places, interior otherwise clean. \$850.

* Only Portuguese edition, from the seventh London edition. With an introduction and notes by the translator. First published in 1787, Park's Marine Insurances was the first legal work on insurance written by an English lawyer. Holdsworth has called it "the best text-book upon the law of insurance." A work of great authority, *System of Marine Insurances* went through numerous English and American editions and remained the standard text until the middle of the nineteenth century. This rare Portuguese edition was produced for lawyers and merchants in Portugal and Brazil. Holdsworth, *History of English Law* XII:390. OCLC locates 2 copies of this edition, 1 in North America (at UVA Law School). [Order This Item](#)

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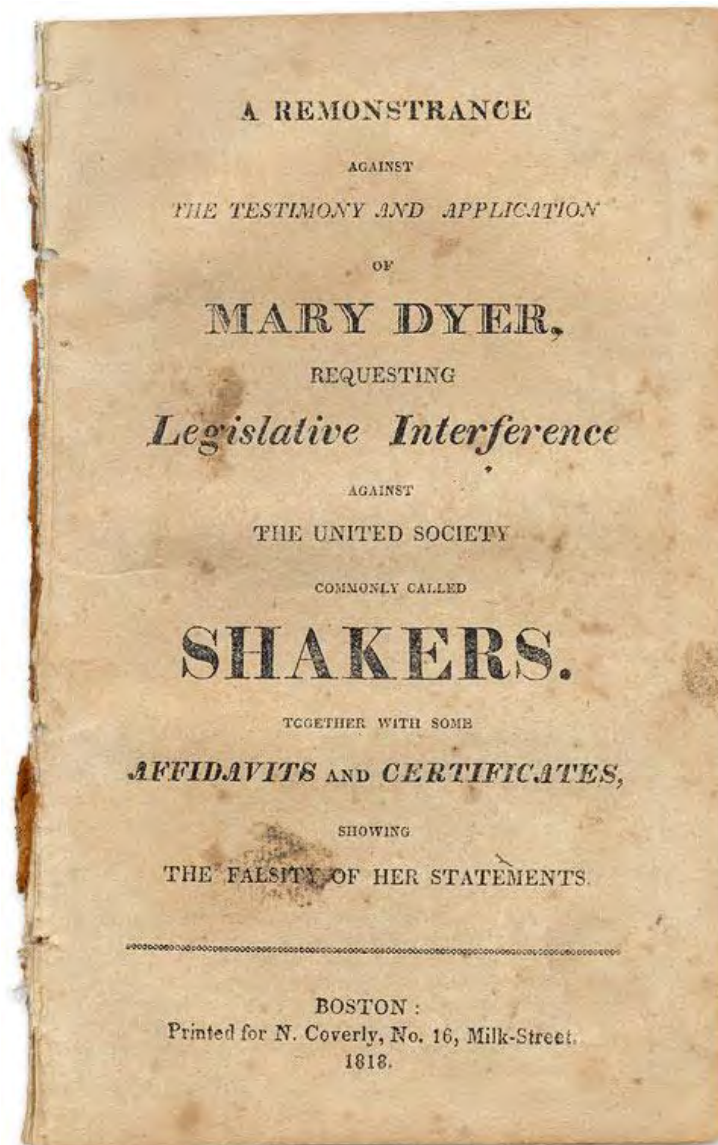
Well-Preserved Early American Edition of *Powell on Mortgages*

18. Powell, John Joseph [c.1755-1801].

A Treatise Upon the Law of Mortgages. Hartford: Oliver D. Cooke, 1811. Two volumes in one with continuous pagination. viii, 1199 (i.e. 621) Octavo (8-3/4" x 5-1/4").

Contemporary sheep, blind fillets to boards, blind fillets and lettering piece to spine. Light rubbing to extremities, a few tiny spots and scratches, tiny hole at top of front joint, hinges cracked but secure. Light offsetting to edges of endleaves, interior otherwise fresh. An unusually well-preserved copy. \$300.

* Second issue of the first American edition (1807), from the fourth London edition (1799). With an index of cases, an index of topics and side-notes. Marvin praises this distinguished treatise for its "skill, learning and sound judgment." Holdsworth agrees, adding that "it is a systematic and well-arranged treatise...which gives a clear account of the law, and able summaries of and comments on the cases. Its merits are proved by the fact that it reached a sixth edition by 1826." Powell's original text was gradually overwhelmed by additions. By 1826, notes Marvin, the work had become "a mere appendage to the notes, and the large collections of the [American and English editors] have rendered it somewhat difficult for the reader to know, without considerable attention, upon what ground he stands." Marvin, *Legal Bibliography* (1847) 581. Holdsworth, *A History of English Law* XII:382. Cohen, *Bibliography of Early American Law* 9571 (listing both the 1807 and 1811 imprints). [Order This Item](#)



A Legal Defense of the Shakers

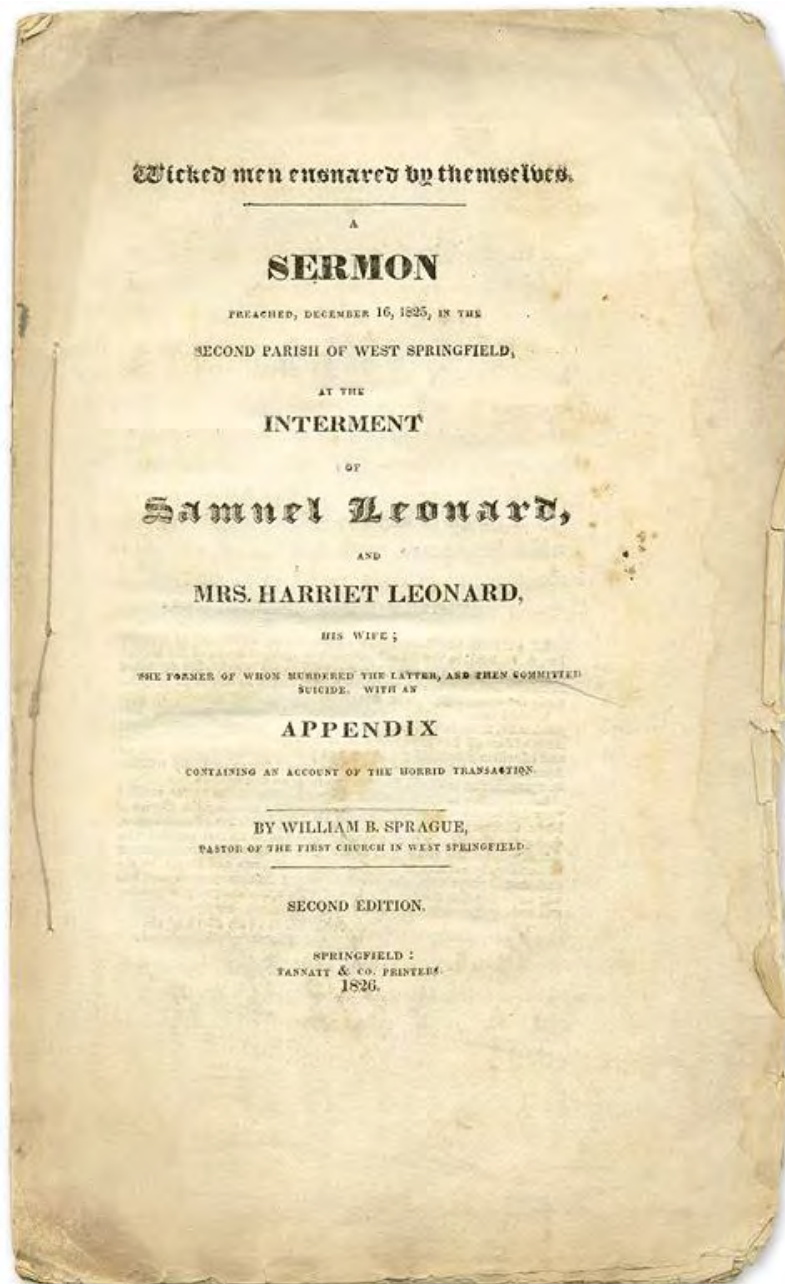
19. [Shakers].
[Dyer, Mary].

A Remonstrance Against the Testimony and Application of Mary Dyer, Requesting Legislative Interference Against the United Society, Commonly Called Shakers, Together [sic] With the Affidavits and Certificates Showing the Falsity of her Statements. Boston: Printed for N. Coverly, 1818. 24 pp. Octavo (7" x 4").

Disbound stab-stitched pamphlet. Light edgewear, some browning and foxing, internally clean. \$1,500.

* Only edition, also issued the same year in Concord, New Hampshire. A spirited defense of the Shakers by Enfield and Canterbury leaders against Mary Dyer's attempt to get the New Hampshire legislature to interfere with Shaker communities. Dyer and her family joined the Enfield community, but eventually left it. Her husband refused to release any of their children to her, so Mary began a 50-year campaign against the sect. OCLC locates 4 copies worldwide of the Boston imprint (at Brigham Young University, Hamilton College, Library of Congress, Syracuse University), no copies of either imprint in North American law libraries. Sabin, *A Dictionary of Books Relating to America* 21596. [Order This Item](#)

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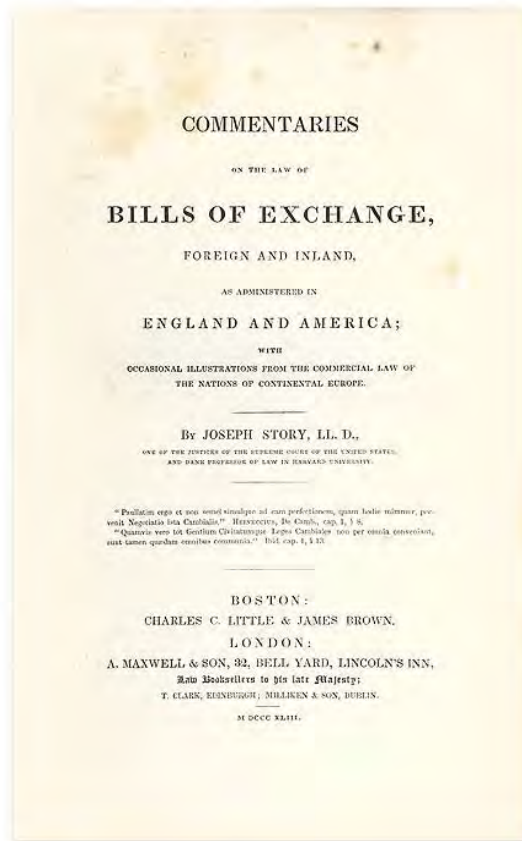
Wicked Men Ensnared by Themselves, McDade 601.

20. Sprague, William Buell [1795-1876].

Wicked Men Ensnared by Themselves: A Sermon Preached, December 16, 1825 in the Second Parish of West Springfield, At the Interment of Samuel Leonard, And Mrs. Harriet Leonard, His Wife; The Former of Whom Murdered the Latter, And then Committed Suicide. Springfield, MA: Tannatt & Co., Printers, 1826. [iii], 4-44 pp. Octavo (9-3/4" x 5-3/4").

Stab-stitched pamphlet, untrimmed edges. Toning, light soiling and faint dampstain to title page, internally clean. \$450.

* First edition. After threatening several times to do so, Leonard killed his wife with an ax and then cut his own throat": McDade, *The Annals of Murder* 601. [Order This Item](#)



One of the Standard American Texts of the Nineteenth Century

21. Story, Joseph [1779-1845].

Commentaries on the Law of Bills of Exchange, Foreign and Inland, as Administered in England and America; with Occasional Illustrations from the Commercial Law of the Nations of Continental Europe. Boston: Charles C. Little and James Brown, 1843. xxiv, 608 pp. Octavo (9" x 6").

Contemporary sheep, blind fillets to boards, raised bands, lettering piece and fragment of owner label (Eno) to spine. Moderate rubbing to extremities and a few minor scuffs, front board partially detached. "Stephen Eno's Book/ May 16-1843/ Price \$5-" to front free endpaper, "L. Eno" to following endleaf, endleaves filled with annotations, occasional check marks, brief annotations and underlining. Toning, light foxing in a few places. A solid copy with an interesting association. \$250.

* First edition. In *The Formative Era of American Law*, Pound refers to the *Commentaries on the Laws of Bills of Exchange* as one of the standard texts of the nineteenth century. As Marvin pointed out in 1847, it was certainly the most complete and wide-ranging text of its day. In addition to American and English sources Story draws on the work of Heineccius and other civil-law jurists. Apart from James Kent, no man has had greater influence on American law than Joseph Story. He was Dane Professor of Law at Harvard and an Associate Justice of the U.S. Supreme Court. His many books have been cited extensively in America and in Britain, and he remains an authority today. Stephen Eno [1762-1852] was a prominent lawyer and civic leader in Dutchess County, New York who practiced in Pine Plains, Amenia, and Poughkeepsie. A very wealthy man, he was known for his extreme frugality, which may be why he noted the purchase price in his owner inscription. Several of his descendants were lawyers, including his son (?), "L. Eno." The annotations are statements of legal principles with page references and bibliographical notes. Pound, *The Formative Era of American Law* 140-141. Marvin, *Legal Bibliography* 673. Cohen, *Bibliography of Early American Law* 2555. [Order This Item](#)



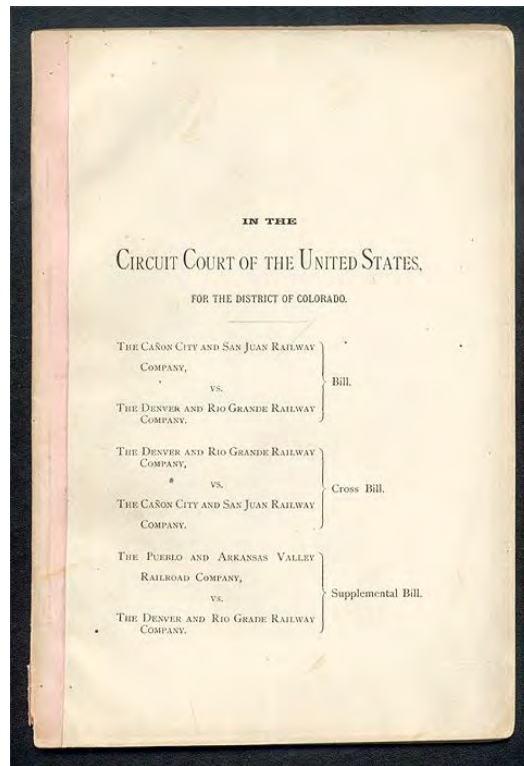
Interesting Treatise on Maritime Law Praised by Joseph Story

22. Targa, Carlo [1614-1700].

Ponderazioni Sopra la Contrattazione Marittima. Genoa: Dagli Eredi di Adamo Scionico, 1787. [viii], 259 pp. Quarto (8" x 5-1/2").

Contemporary tree calf, blind rules to boards, lettering piece and gilt ornaments to spine, edges rouged. Light rubbing to extremities with minor wear to corners, a few minor scuffs to boards, hinges cracked. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown. A handsome copy. \$500.

* An enlarged later edition of an interesting treatise on maritime law, contracts and insurance. The main text is followed by a critical edition of the Rhodian Sea Law (in Greek with a parallel Latin text), which was compiled between 600-800 CE, and the complete text of the Florentine insurance statutes, which were enacted in 1529. Joseph Story held this work in high regard: "We had almost forgotten to speak of Targa, who, in his *Reflections on Maritime Contracts*, has drawn from the civil and canon law, the *Consolato del Mare*, the usages of maritime nations, and preceding writers, the most useful learning on all the subjects of maritime law except insurance; and has adapted his work to practice by collecting the forms of the various contracts, with hints for their proper application. He is generally esteemed as an industrious and correct author; but his fame seems lost in the superior blaze of his illustrious countryman.": "Literature of the Maritime Law" (1818) reprinted in *The Miscellaneous Writings of Joseph Story*, ed. William W. Story 111-112. OCLC locates 4 copies of this edition, 2 in the United States, both in law libraries (University of Michigan, University of Virginia). Not in Kress or Goldsmiths.' This edition not in the *British Museum Catalogue*. [Order This Item](#)



Court Brief Relating to the Grand Canyon War

23. [Trial].

Bass, Lyman K. [1836-1889].

In the Circuit Court of the United States, District of Colorado. The Pueblo and Arkansas Valley Railroad Company vs. the Denver and Rio Grande Railway Company. No. 155. Defendant's Brief of Evidence on Supplemental Bill. Lyman K. Bass, Solicitor for Defendant [Caption docket title to rear printed wrapper]. [Denver?]. Late December, 1879]. [ii], 3-51, [1] pp. Octavo (9" x 6").

Stab-stitched pamphlet, pink publisher half-wrapper with docket title printed on left side of back cover. Light soiling to exterior, minor edgewear, vertical center fold. A well-preserved copy. \$950.

* Likely the only printing. Lyman Kidder Bass had been a Buffalo, New York attorney and was Grover Cleveland's law partner. Bass's brief on behalf of the Denver and Rio Grande Railway Company was filed with the U.S. Circuit Court in Colorado in late December 1879, subsequent to a U.S. Supreme Court ruling in favor of the railway company that reversed an injunction against the company's intended route from Denver to Leadville. It includes a statement of facts, his arguments against and objections to the supplemental bill, and an extensive review of the testimony. Witnesses here include Oliver Wendell Holmes, Jr. and extensive testimony from General William Jackson Palmer, co-founder of the Denver and Rio Grande Railroad. This brief was a concluding event in what became known as the Grand Canyon War, which pitting the Atchison, Topeka and Santa Fe Railroad Company against the Denver and Rio Grande Railway Company. Both railroads sought dominance to monopolize the right of way through the Grand Canyon of the Arkansas River. The "War" was not limited to the courts; it involved violence between "armies" of the railroad laborers and townsfolk.

Despite the ruling of the U.S. Supreme Court, new issues were raised by a supplemental bill in December 1879 opposing the Denver and Rio Grande Company to which Bass responds here. On the 13th day of May the opinion and mandates of the Supreme Court were filed in the Circuit Court, and a motion was made for a decree in conformity thereto. After several more rounds of legal action culminating in a January 2, 1880 decision by the Circuit Court for Colorado affirming the Denver and Rio Grand's right of way and the U.S. Supreme Court's announcement to review the case, both parties decided to settle out of court. No copies listed on OCLC, which locates single copies of other titles relating to this case. [Order This Item](#)



"All the Interesting Scenes Fully, Minutely, And Circumstantially Displayed"

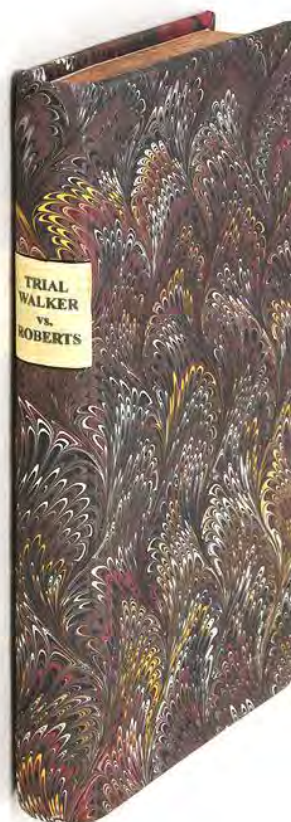
24. [Trial].

Newton, Catherine.

The Trial of the Hon. Mrs. Catherine Newton, Wife of John Newton, Esq. and Daughter of the Right Honourable and Reverend Lord Francis Seymour; At the Consistory Court of Doctors Commons; Upon A Libel and Allegations, Charging Her with the Crime of Adultery with Mr. Isham Baggs, A Young Oxonian; Mr. Brett, A Player at Bath; Thomas Cope, Mrs. Newton's Coachman; Isaac Hatheway, Her Footman; John Ackland, Of Fairfield, In the County of Somerset, Esq. And Divers Other Persons. With All the Interesting Scenes Fully, Minutely, And Circumstantially Displayed. Containing the Whole of the Evidence in That Very Extraordinary Trial. London: Printed for G. Lister, [1782]. 72; 70, [2] pp. Two parts, each with title page and individual pagination. First part preceded by copperplate frontispiece. Second part followed by 2 pp. publisher catalogue. Octavo (7-1/4" x 4-3/4").

Later three-quarter calf over marbled boards, gilt spine with raised bands, top edge gilt, marbled endpapers. Light rubbing to boards, moderate rubbing to extremities with some wear to spine ends and corners. Moderate toning to text, light foxing in a few places, light browning to a few leaves. \$2,500.

* First edition, one of two issues, the other with an imprint stating (in part) "Printed for the Proprietors" and the date 1782. A fine example of Augustan ribaldry, this is an account of the colorful Catherine Newton, who was accused of committing adultery with four named men, ranging from a footman to a "young Oxonian," along with "divers other persons." The frontispiece depicts the student caressing Newton's legs with a washcloth by a stream. There were two subsequent editions, both printed in 1782. *English Short-Title Catalogue* T152335. [Order This Item](#)



"Mr. Thomas Walker Commenced his Virulence Against Me..."

25. [Trial].

Roberts, William, Defendant.

Gurney, Joseph, Reporter.

The Whole Proceedings on the Trial of an Action Brought by Thomas Walker, Merchant, Against William Roberts, Barrister at Law, For a Libel. Tried by a Special Jury at the Assizes at Lancaster, March 28, 1791, Before the Hon. Sir Alexander Thomson, Knight, One of the Barons of his Majesty's Court of Exchequer. Taken in Short Hand by Joseph Gurney. Manchester: Printed by Charles Wheeler, 1791 208 pp. Lacking half-title.

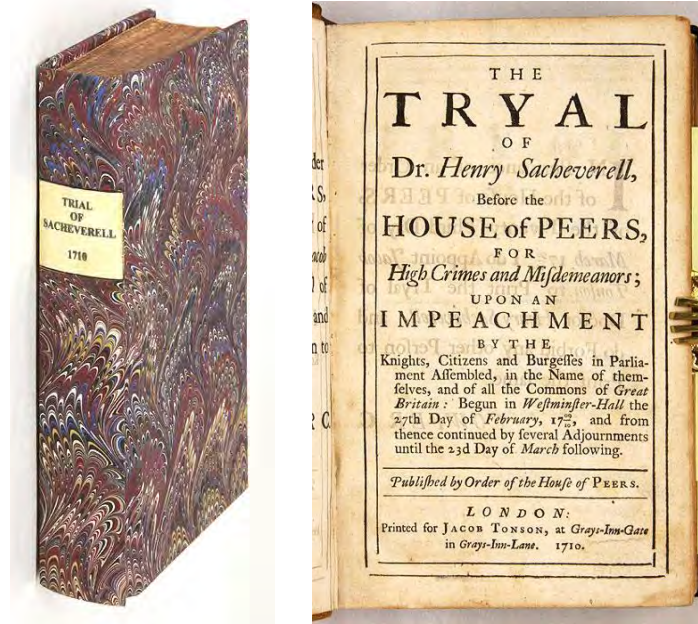
[Bound with]

[Roberts, William].

Supplementary Facts and Observations Occasioned by Mr. Walker's Publication of His Prosecution of Mr. Roberts; With Notes, &c. [Manchester?: S.n., 1791?]. 24 pp. Octavo (7-3/4" x 4-3/4").

Recent marbled boards, printed title label to spine, speckled edges. Moderate toning, light foxing and minor stains to a few leaves, light soiling to title pages, minor staining along gutter of the title page to *The Whole Proceedings*. A handsome volume. \$500.

* Only editions. Unhappy with his treatment by Walker during a lawsuit, Roberts circulated a flyer reading: "Mr. Thomas Walker commenced his virulence against me like a BULLY, has conducted it like a FOOL, has acted in it like a SCOUNDREL, has ended it like a COWARD, at last has turned BLACKGUARD and unworthy of association with, or notice of any Gentleman, who regards his own character." Walker won his case; Roberts paid damages of £100. *The Whole Proceedings* is scarce, OCLC locates 9 copies in North American law libraries; *Supplementary Facts* is rare, OCLC locates 4 copies worldwide, 2 in North America, Princeton University, Temple University). *English Short-Title Catalogue* T99785, N37623. [Order This Item](#)



A Triumph for Tories and High-Churchmen

26. [Trial].

Sacheverell, Henry [1674-1724], Defendant.

The Tryal of Dr. Henry Sacheverell, Before the House of Peers, For High Crimes and Misdemeanors; Upon an Impeachment by the Knights, Citizens and Burgesses in Parliament Assembled, In the Name of Themselves, And of All the Commons of Great Britain: Begun in Westminster-Hall the 27th Day of February, 1709/10, And from Thence Continued by Several Adjournments Until the 23d Day of March Following. Published by Order of the House of Peers. London: Printed for Jacob Tonson, 1710. 456 pp.

[Bound with]

The Bishop of Salisbury's, And the Bishop of Oxford's Speeches in the House of Lords, On the First Article of the Impeachment of Dr. Henry Sacheverell; Also the Bishop of Lincoln's and Bishop of Norwich's Speeches At the Opening of the Second Article of the Said Impeachment. London: Printed, And Sold by John Morphew, Near Stationers-Hall, 1710. 16; 16; [2], 35-52; 53-63, [1] pp. Four parts, each with title page, first three parts have individual pagination.

[And]

An Impartial Account of What Pass'd Most Remarkable in the Last Session of Parliament, Relating to the Case of Dr. Henry Sacheverell. Done on Such Another Paper and Letter, And May Therefore be Bound up with the Tryal of the Said Doctor, [sic] [London]: Printed for Jacob Tonson, at Grays-Inn Gate in Grays-Inn-Lane, 1710. 47, [1] pp.

[And]

A List of the Lords, Who Protested Against Some Proceedings, In Relation to the Case of Dr. Henry Sacheverell, In the House of Peers; with Their Lordships Reasons for Entering Their Protestations. London: [S.n.] Printed in the Year, 1710. 15, [1] pp.

Octavo (7-1/2" x 4-1/2"). Recent period-style marbled boards, printed paper title label to spine, speckled edges. Light toning to text, internally clean. An appealing copy. \$300.

* First octavo editions (each one among several issues from 1710). The volume collects a group of four fundamental documents relating to the ideological controversy between Whigs and Tories. Dr. Henry Sacheverell was impeached for preaching two sermons that advocated the Tory doctrines of non-resistance and passive obedience. His punishment was unique. He was not allowed to preach for three years, but he was allowed to perform other clerical functions and accept preferment during that time. His two sermons were ordered burned by the common hangman. Such a sentence was felt to be a triumph for him and the High-Church and Tory party, and the news of it was received with great enthusiasm throughout the kingdom. See *Dictionary of National Biography* XVIII:569-572. *English Short-Title Catalogue* T176104, T22852, T13225, T75808. [Order This Item](#)



A Sensational Case of Kidnapping

27. [Trial].

Wikoff, Henry [1813-1884], Principal Defendant.

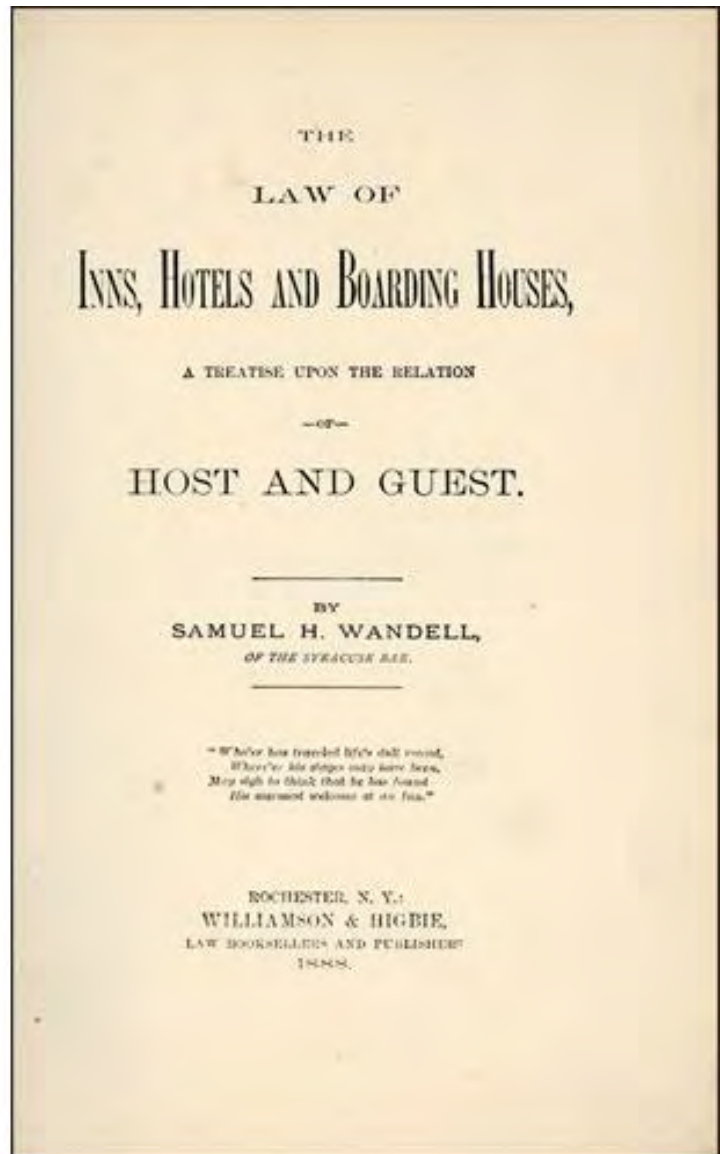
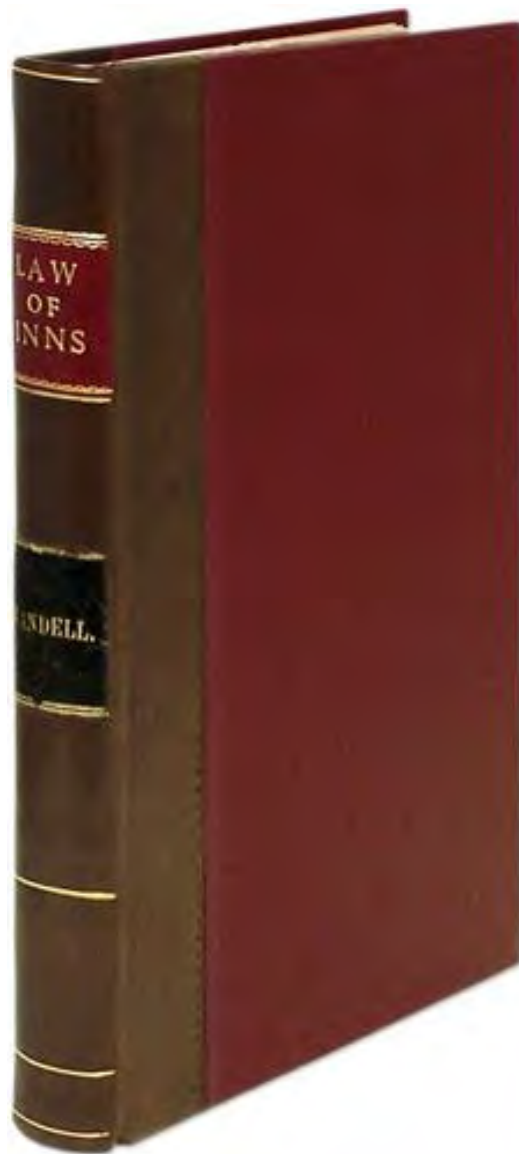
Vannoud, Louis, Defendant.

Cavallari, Luigi, Defendant.

Trial of Wikoff, Vannoud, And Cavallari, For a Forced Marriage Between Miss Gamble and One of the Accused. Before the High Court of Genoa, February 9-10, 1852. London: William Shoberl, 1852. 64 pp. Lithograph portrait frontispiece of Wikoff. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Moderate soiling, rubbing to extremities with some wear to spine ends and corners. Light toning to text, foxing to a few leaves, internally clean. \$750.

* Only edition. An account of one of the sensational trials of the early 1850s. Wikoff, or as he called himself, Chevalier Wikoff, was an American impresario, occasional European correspondent for the *New York Herald* and, possibly, a spy for Lord Palmerston. He was engaged to Jane Catherine Gamble, an English woman. Gamble changed her mind shortly before the wedding and fled to Genoa. Wikoff tracked her down and apparently tricked her into coming along with him to his apartment. Shortly afterwards Gamble filed a complaint of kidnapping that landed Wikoff in an Italian jail for 15 months. He was found guilty in an Italian court and forced to return her letters and "extorted promise of marriage." Ever enterprising, Wikoff responded to the negative publicity with a memoir entitled *My Courtship and Its Consequences* (1855), which became a best-seller. Copies of *The Trial of Wikoff* are scarce. OCLC locates 7 worldwide: 2 in the British Library and 5 in North American law libraries (Harvard, Library of Congress, University of Georgia, University of Minnesota, University of Pennsylvania). [Order This Item](#)



Engagingly Written Treatise on Hotel Law Illustrated With Anecdotes

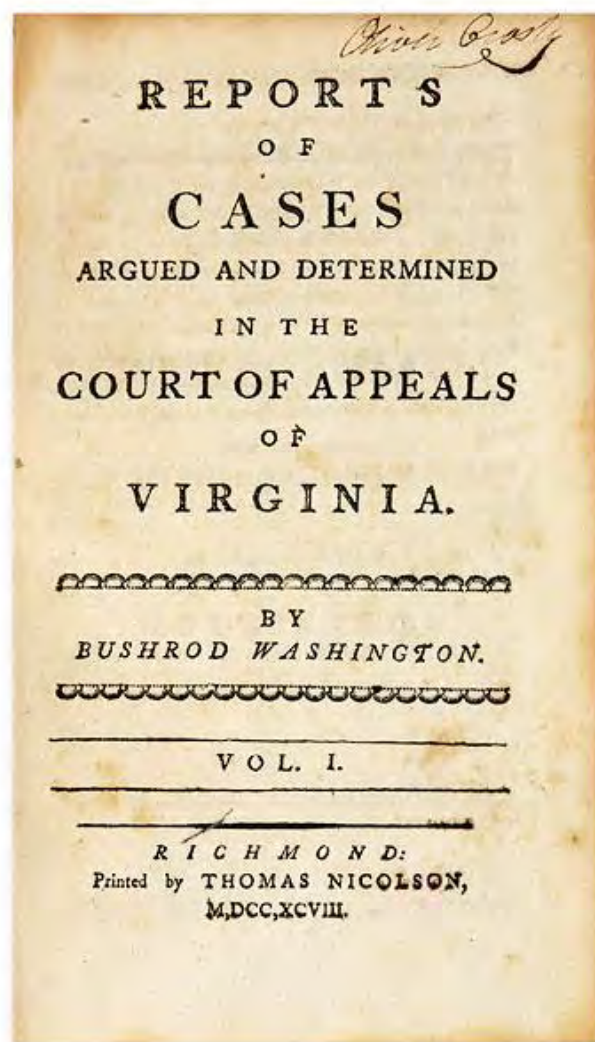
28. Wandell, Samuel H. [1860-1943].

The Law of Inns, Hotels and Boarding Houses, A Treatise Upon the Relation of Host and Guest. Rochester, NY: Williamson & Higbie, 1888. 5, xix, 271 pp. Octavo (9" x 6").

Recent period-style quarter calf over cloth, lettering piece to spine, endpapers renewed. Light toning to text, internally clean. A nice copy. \$350.

* Only edition. Enjoyable for its engaging prose and skillful use of anecdote, Wandell's comprehensive treatise addresses such topics as theft, fire and damages, as well as such recent developments as civil-rights legislation and the status of railroad sleeping cars. A preliminary chapter traces the legal history of the hospitality industry from the ancients to the late nineteenth century. Wandell, a member of the Syracuse, NY, bar, was the author of *The Law of the Theatre: The Legal Relations of Actors, Managers and Audiences* and a notable biography of Aaron Burr. *Catalogue of the Library of the Harvard Law School* (1909) II:886. [Order This Item](#)

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First Edition of Washington's *Reports*, Richmond 1790-1799

29. Washington, Bushrod [1762-1829], Reporter.

Reports of Cases Argued and Determined in the Court of Appeals of Virginia. Richmond: Thomas Nicolson, 1798-1799. Two volumes. [x], 392, [30]; vii, [1], 302, 19 pp. Errata sheet in Volume I bound between Table of Contents and main text. Octavo (8" x 5").

Contemporary sheep, blind fillets to boards, lettering pieces and blind fillets to spines. Moderate rubbing to extremities, chipping to spine ends, corners worn, front board of Volume I just beginning to separate, insect damage to portions of boards. Moderate toning, occasional light foxing, small paper flaw to pp. 299-300 of Volume II with negligible loss to text. Small early owner signatures to head of each title page, interior otherwise clean. An appealing unsophisticated nice set. \$450.

* First edition. Covers the years 1790-1796, includes Tables of Cases and an Index. Gathered when Washington was in practice in Richmond, these reports demonstrate his methodical attention to legal detail. Washington, nephew of President Washington, was a member of the Virginia House of delegates in 1787 (voting for ratification of the U.S. Constitution) and later an associate justice of the U.S. Supreme Court from 1798-1829. This was one of the first, and one of the best, American reporters of the eighteenth century. Marvin, *Legal Bibliography* 719. [Order This Item](#)



Classic Treatise on the Maritime Law of Average

30. Weytsen, Quintyn (Quintijn) [1518-1565].

van Leeuwen, Simon [1625/6-1682], Notes.

Wicq, Matthaeus de, Translator and Editor.

Tractatus de Avariis: Id est, Communi Contributione Mercium Rerumque in Navi Repertarum ad Sarcendum Damnum Bonis Mercatorum Sive Nautarum Quorundam Ultro Illatum Eum in Finem ut Vita, Navis, ac Reliqua Bona Salva Evadant. Compositus per Quintinum Weitsen, Quondam Regiae Majestatis in Curia Hollandiae Consiliarium. Denuo Perlustratus, Atque Allegatione Legum, Jureconsultorum, Edictorum, Placitorum, Ordinationum, Statutorum, etc. Una Cum Necessariis Quibusdam Observationibus Confirmatus & Datus per D. Simonem a Leeuwen Advocatum, Latina Vero Toga Indutus Atque Amplissima Dote Observationum Adauctus, Studio Atque Opera Matthaei de Vicq. J.U.D. Amsterdam: Apud Henricum & Theodorum Boom, 1672. [xvi], 127 [1] pp. Octavo (6" x 4").

Recent marbled boards. Light rubbing to extremities, minor wear to spine ends. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown, small inkstamp and shelfmark to title page, small inkstamps to a few other leaves. An attractive copy of a scarce title. \$750.

* Only edition in Latin, with significant additions. The Roman maritime law of average, which requires all parties involved in a shipping enterprise to share the cost of sacrificing some goods in order to save others, is a principle that still applies in most countries. This classic treatise was written in the sixteenth century, but first published in 1617 in Dutch. It went through eleven more Dutch-language editions, the final in 1736. A French-language edition was published in 1703. The Latin edition incorporates the notes and observations of Simon van Leeuwen, which were added to later Dutch editions, and additional commentary by Matthaeus de Vicq. The notes are identified and arranged in double columns. Educated at the University of Louvain, Weytsen was a King's Counselor at the Hague during the mid-sixteenth century. OCLC locates no copies of this edition, and few copies of any other, in North America. Dekkers, *Bibliotheca Belgica Juridica* 190.

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