

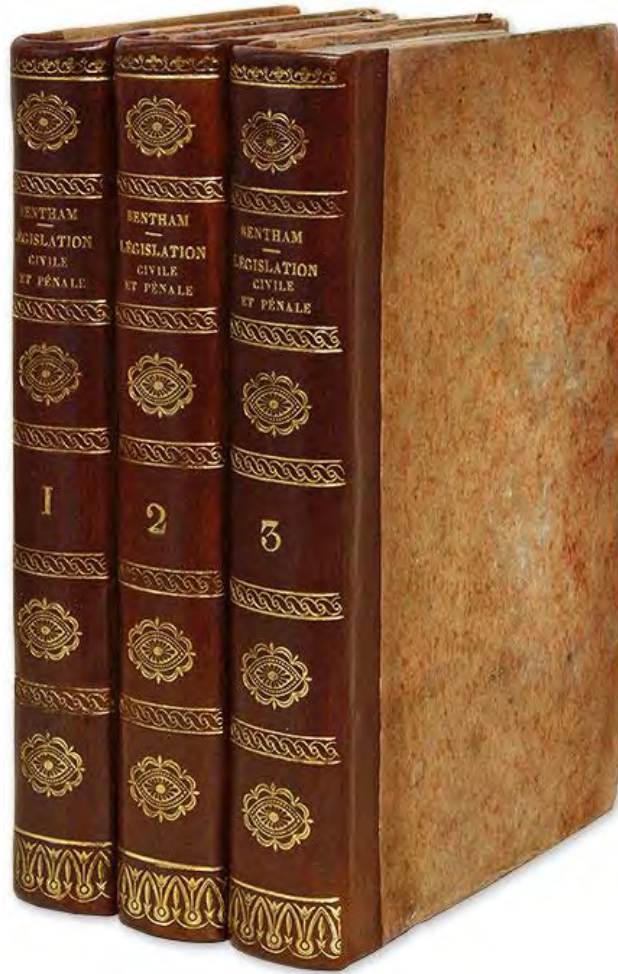
Landmarks in English Law, 1501–1843

30 ITEMS

December 8, 2020



THE
LAWBOOK EXCHANGE
LTD.



First Edition of Bentham's *Theory of Legislation*

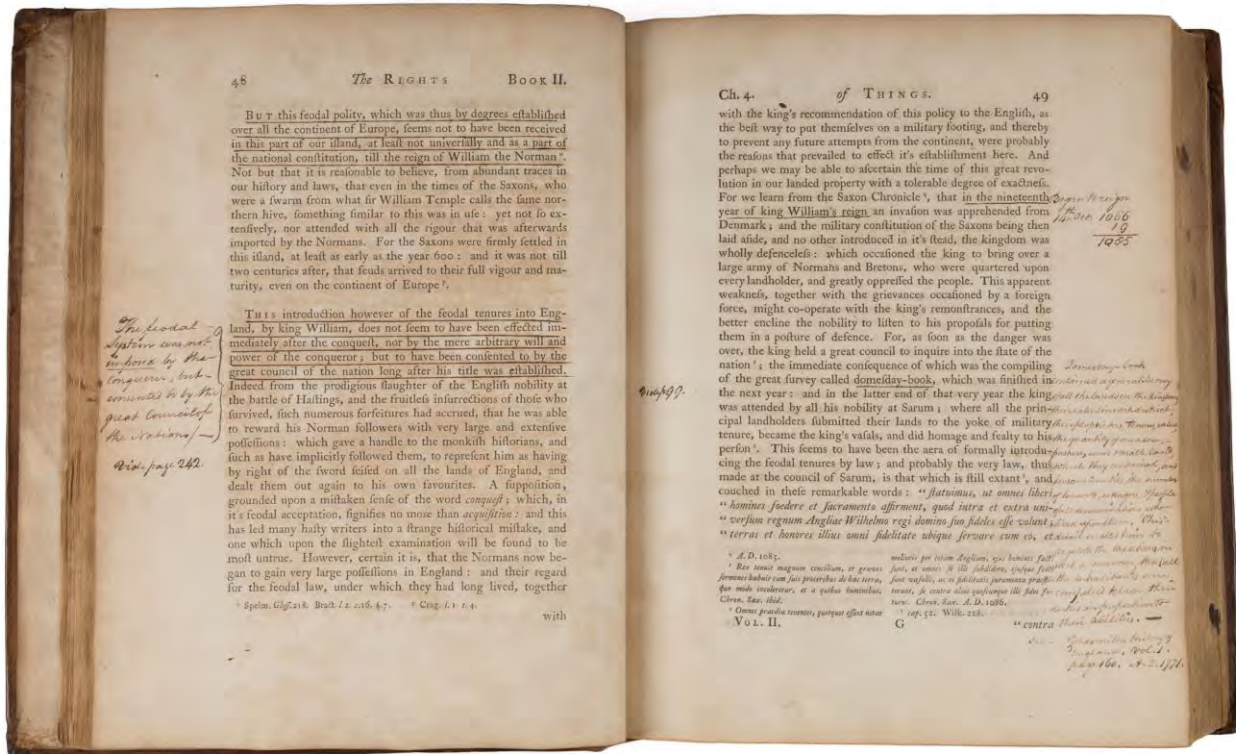
1. Bentham, Jeremy [1748-1832].

Dumont, Pierre Étienne Louis [1759-1829], Editor and Translator.

Traité de Législation Civile et Pénale, Précédés de Principes Généraux de Législation, Et d'une Vue d'un Corps Complet de Droit: Terminés par un Essai sur l'Influence des Termes et des Lieux Relativement aux Lois. Paris: Chez Bossange, Masson et Besson, 1802. Three volumes. xlii, 370; xx, 434; viii, 452 pp. Each volume has half-title. Complete set. Octavo (7-3/4" x 5").

Contemporary quarter calf over marbled boards, gilt title and ornaments to spine. Negligible light rubbing to boards and extremities, corners bumped and lightly worn, small chip to rear board of Volume II near upper corner, early owner bookplate to front free endpaper of Volume I, small institution inkstamps to half-titles of Volumes I and III and title page of Volume II. Moderate toning, light foxing in a few places in each volume. A handsome set. \$1,500.

* First edition. Not published in English until the Boston 1840 American edition, Bentham's seminal work on penal reform and legislation established his reputation. The first of Bentham's works edited by Dumont, it consists partly of papers by Bentham, some of which were originally written in French and partly of a digest by Dumont of Bentham's ideas, including a memoir in French on the Panopticon. Dumont, a Swiss writer and journalist, had met Bentham at the house of Lord Shelburne in 1788. There followed an enduring relationship in which Dumont translated and edited many of Bentham's works, acting at the same time as Bentham's informal literary agent. The first British edition was published in 1864. Harrison, *Bentham* xvii. Muirhead, *A Jeremy Bentham Collection* 17. [Order This Item](#)



First Edition of Blackstone's Commentaries with Extensive Contemporary Annotations

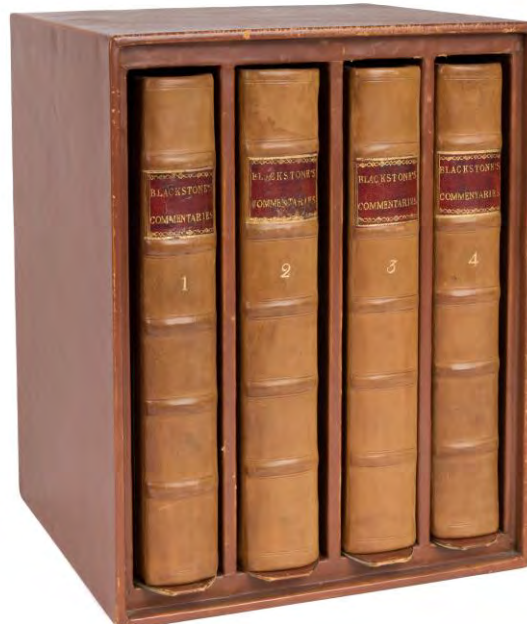
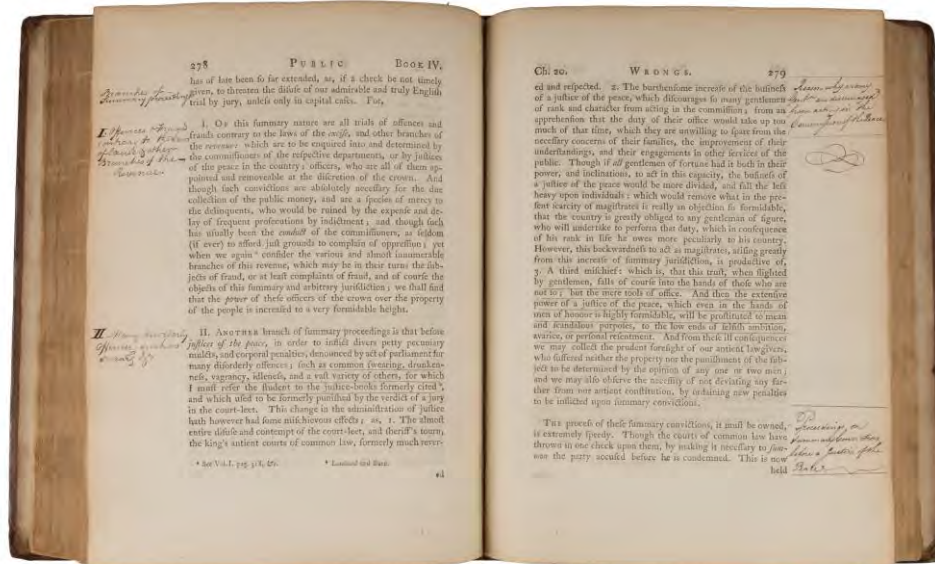
2. Blackstone, Sir William [1723-1780].

Commentaries on the Laws of England, In Four Books. Oxford: Printed at the Clarendon Press, 1765, 1766, 1768, 1769. Four volumes. Volume II has copperplate "Table of Consanguinity" and folding copperplate "Table of Descents." Quarto (10-1/2" x 8-1/2").

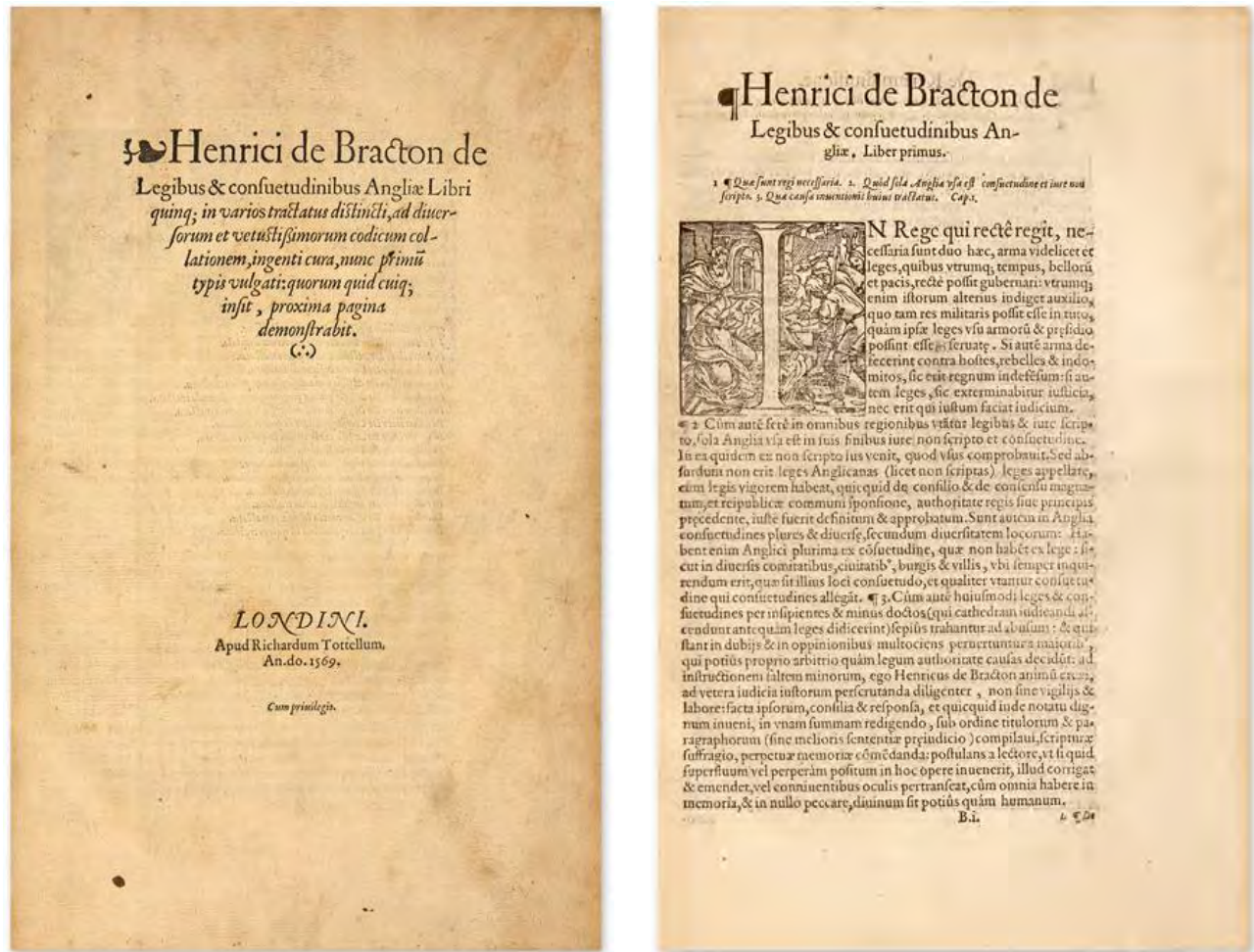
Contemporary calf, rebaked retaining existing lettering pieces, hinges mended, front free endpaper of Volume I renewed. Light rubbing to boards, moderate rubbing to board edges, corners bumped and somewhat worn, early owner signature, "Prickett/ Attorney/ Bridlington/ Yorkshire," to front free endpapers of Volumes II, III and IV. Moderate toning, light foxing and faint dampstaining in places, light soiling to title page of Volume I, repair to its upper corner and the upper corners of the following 10 leaves. Underlining and extensive annotations to all volumes, mostly in Prickett's hand. Volumes housed in impressive lightly rubbed four-compartment calf-covered wood storage case, faint gilt-stamped presentation statement on its top panel. A handsome set. \$10,000.

* First edition. The most influential publication in the history of modern Anglo-American law, the *Commentaries on the Laws of England* is based on a course of lectures delivered at Oxford University. Because they were not intended for aspiring practitioners, they described general principles rather than practical specifics. Sensitive to the systematizing trends of the day and the prestige of the natural sciences, he described the common law as an intricate, well-designed system akin to Newton's mechanistic universe. "Until the Commentaries, the ordinary Englishman had viewed the law as a vast, unintelligible and unfriendly machine. Blackstone's great achievement was to popularize the law and the traditions which had influenced its formation. He did for the English what the imperial publication of Roman law did for the people of Rome" (Carter and Muir).

The annotations and underlining show that Mr. Prickett, most likely Marmaduke Prickett [1733-1809], a member of a prominent Bridlington family, studied this copy carefully and thoroughly. His notes include glosses, cross-references, comparisons and citations to other sources. There are also notes that elaborate or dispute points in the text. Some of the notes appear to be in slightly different hands. They may have been written by Prickett at a later date, or by a subsequent owner, possibly Prickett's son, who was also an attorney.) The presentation statement on the sorage case says this set was presented to Nicholas Katzenbach "in appreciation and recognition of his singular contributions to the IBM Corporation." Katzenbach was IBM's general counsel. *Bailey's British Directory; Or, Merchant's and Trader's Useful Companion, For the Year 1784* (accessed online). Carter and Muir, *Printing and the Mind of Man* 212. Eller, *The William Blackstone Collection in the Yale Law Library* 1. Laeuchli, *A Bibliographical Catalog of William Blackstone* 1.



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Printing and the Mind of Man 89: The "Crown and Flower of Medieval Jurisprudence"

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

De Legibus et Consuetudinibus Angliae, Libri Quinq; In Varios Tractatus Distincti, ad Diversorum et Vetustissimorum Codicum Collationem, Ingenti Cura, Nunc Primu Typis Vulgati; Quorum Quid Cuiq; Insit, Proxima Pagina Demonstrabit. London: Apud Richardum Tottellum, 1569. [xvi], 444 [i.e. 442] ff. Folio (11-1/4" x 7-3/4").

Nineteenth-century diced calf, gilt rules to boards, gilt fillets, ornaments and title to spine, gilt rules to board edges, gilt inside rules, marbled endpapers, ribbon marker. Light rubbing to boards, faint dampstain to front board, moderate rubbing to extremities, front joint just starting at head, corners bumped and somewhat worn, armorial bookplate to front pastedown. Attractive large woodcut decorated initials. Light toning to text, somewhat heavier in places, light foxing and finger smudges to some leaves, some fading to text of ff. 1 and 2. A handsome copy of a landmark work. \$10,000.

* First edition. Written between 1250 and 1256, *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. The principles formulated in this work and its use of precedents determined the development of English law and established the method adopted by Littleton and Coke. In Maitland's words, it is "the crown and flower of English medieval jurisprudence" and "by far the greatest of our medieval law books." Maitland, *Collected Papers* II:43. Beale, *Bibliography of Early English Law Books* T323. *Printing and the Mind of Man* 89. *English Short-Title Catalogue* S122159. [Order This Item](#)



Preferred Edition of "An Excellent Repertory or Table for the Year Books"

4. Brooke, Sir Robert [?-1558].

La Graunde Abridgement, Collecte & Escrite per le Iudge Tresreverend Syr Robert Brooke Chivalier, Nadgairs Chiefe Iustice del Common Banke. [London]: In Aedibus Richardi Tottelli, 1586.

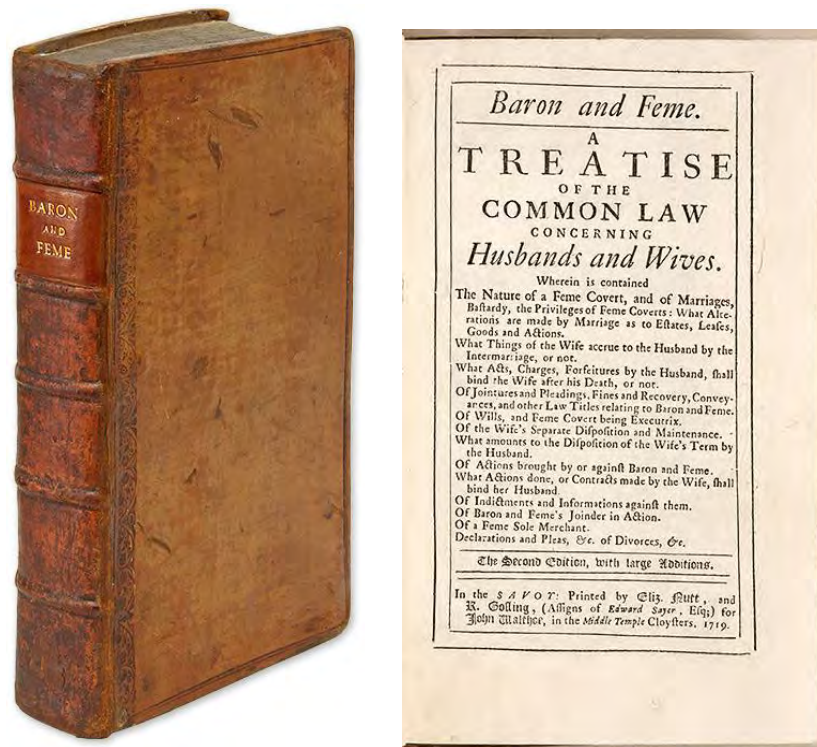
[And]

La Secounde Part du Graunde Abridgement.... [London]: In Aedibus Richardi Tottelli, 1586. [iv], 351; [i], 2-328 ff. Collates complete.

Two parts in one. Small folio (11" x 7-1/2").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. A few nicks to spine, light rubbing to corners. Titles printed within handsome woodcut architectural borders. Moderate toning to text, faint dampstaining and dampspotting in a few places, some edgewear and crinkling to preliminaries and endleaves, crude repair to lower corner of F. 141 of Part I with no loss to text, small early owner signatures to title page of first part, another to F. 351 of Part I and F. 328 of Part II, early markings to a few passages in text, a few early annotations to rear endleaves. A handsome copy. \$1,000.

* Third edition. Sir Robert Brooke was renowned for his great learning and probity as a judge. His *Abridgement* is based on Fitzherbert's *Abridgement*, but it contains much new material. In all, Brooke abridged nearly 21,000 cases and digested them alphabetically under 404 headings. It abridges fully the *Year Books* of Henry VII and Henry VIII. Brooke proceeded with great care and accuracy, and is believed to have had access to the original records of the *Year Books*. Coke calls the *Abridgement* "a worthy and painful work and an excellent repertory or table for the Year Books of the Law." This edition is superior to earlier printings, in which abbreviations are frequently unintelligible. A fair number of important early American lawyers had copies of this title, and it remained a reference into the nineteenth century. Thomas Jefferson, to cite on example, had a copy of the present edition. Coke cited in Marvin, *Legal Bibliography* 151-52. Sowerby, *Catalogue of the Library of Thomas Jefferson* 1777. Beale, *Bibliography of Early English Law Books* R473, R476. [Order This Item](#)



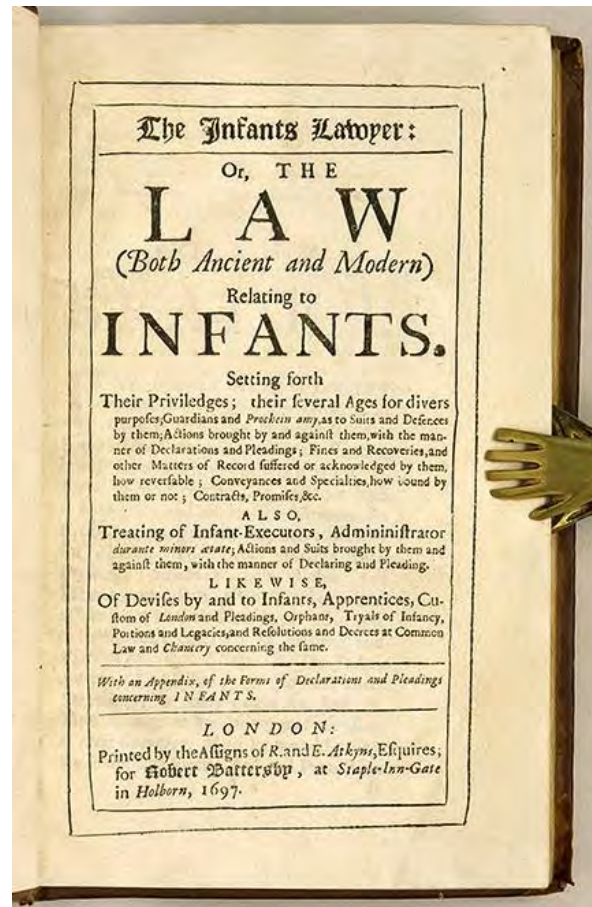
The First English Treatise on Family Law

5. [Carter, Samuel, Attributed].

Baron and Feme: A Treatise of Law and Equity, Concerning Husbands and Wives. Wherein is Contained the Nature of a Feme Covert, And of Marriages, Bastards; The Privileges of Feme Coverts; What Alterations are Made by Marriage as to Estates, Leases, Goods, and Actions; What Things Accrue to the Husband by the Intermarriage or Not; What Acts, Charges, Forfeitures by the Husband Shall Bind the Wife After His Death or Not; Of Jointures, And Pleading, Fines and Recovery, Conveyances and Other Law; Titles Relating to Baron and Feme. Of Wills, And Feme Covert Being Executrix. Of the Wife's Separate Dispositions and Maintenances; What Amounts to the Disposition of the Wife's Term by the Husband; Of Actions Brought by and Against Baron and Feme; What Actions Done or Contracts Made by the Wife Shall Bind Her Husband; Of Indictments and Informations Against Them; Of Baron and Femes Joinder in Action; Of a Feme Sole Merchant; Declaration and Pleas Etc.; Of Divorces Etc.; With Many Other Matters Relating to the Said Subject. London: John Walthoe, 1719. [xxvi], 422, [42] pp. Title page preceded by one-page publisher list, another publisher list after index. Octavo (8" x 5").

Contemporary calf, rebaked in period style, blind frames to boards, blind fillets along joints, raised bands and lettering piece to spine, speckled edges, gilt tooling to board edges, hinges and upper corners of free endpapers mended. Light rubbing to boards, moderate rubbing to extremities, corners bumped and lightly worn, early armorial bookplate (of M. Verney Fermanagh) and owner inscription (of R. Calvert) to front pastedown, early owner initials (?) to front free endpaper, its upper corner removed. Light toning, slightly heavier in places. \$2,500.

* Second edition. First published in 1700, this is the first English treatise devoted exclusively to family law. Its third and final edition was published in 1738. It is a broadly conceived work. "I have herein considered Baron and Feme in all the circumstances of life, from the solemnization of marriage to the divorce, and have not omitted 'those collateral by-blows, (the title of bastardy making a considerable figure in our books;) and the variety of the matter made me some attonement for the labour" (To The Reader). According to the introduction, the anonymous author seems to have also been the author of the *Infants Lawyer: Or the Law (Ancient and Modern) Relating to Infants* (1697), a work attributed to Samuel Carter. *English Short-Title Catalogue* T90323. [Order This Item](#)



First Edition of the First English Treatise on Laws Concerning Infants

6. [Carter, Samuel].

The Infants Lawyer: Or, The Law (Both Ancient and Modern) Relating to Infants. Setting Forth Their Priviledges; Their Several Ages for Divers Purposes; Guardians and Prochein Amy, As to Suits and Defences by Them; Actions Brought by and Against Them, With the Manner of Declarations and Pleadings; Fines and Recoveries, And Other Matters of Record Suffered or Acknowledged by Them, How Reversable; Conveyances and Specialties, How Bound by Them or Not; Contracts, Promises, &c. Also, Treating of Infant-Executors, Administrator Durante Minori Aetate, Actions and Suits Brought by Them and Against Them, With the Manner of Declaring and Pleading. Likewise, Of Devises by and to Infants, Apprentices, Custom of London and Pleadings, Orphans, Tryals of Infancy, Portions and Legacies, And Resolutions and Decrees at Common Law and Chancery Concerning the Same. With an Appendix, Of the Forms of Declarations and Pleadings Concerning Infants. London: Printed by the Assigns of R. and E. Atkyns, Esquires, 1697. [xxxii], 303, [41] pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind rules to boards, raised bands and fragment of paper title label to spine, gilt tooling to board edges. A few minor nicks and scratches to boards, light rubbing to extremities, wear to head of spine, joints starting, corners bumped and somewhat worn, front hinge starting, interior notably fresh. A handsome copy. \$4,500.

* First edition. This is the first English treatise on the subject and the first copy of this edition we have seen in 35 years. Its twenty comprehensive chapters consist of a digest of the case law relating to each topic with explanatory comments. Holdsworth notes that "[i]t was a useful book to practitioners since it covers all the topics connected with its subject." A third edition was published in 1726. All editions are scarce. Holdsworth, *A History of English Law* XII:399-400. *English Short-Title Catalogue* R32363. [Order This Item](#)



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

7. 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, rebaked 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 a title uncommon 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](#)



"The Reports"

8. Coke, Sir Edward [1552-1643].

George Wilson, Editor and Translator.

The Reports of Sir Edward Coke, Knt. in English, In Thirteen Parts Complete; With References to All the Ancient and Modern Books of the Law; Exactly Translated and Compared with the First and Last Edition in French, and Printed Page for Page With the Same. To Which Are Now Added the Respective Pleadings, In English. The Whole Newly Revised and Carefully Corrected and Translated with Many Additional Notes and References. Dublin: Printed for J. Moore, 1793. Seven volumes. Each volume has general title-page, and each part has special title-page. Prefaces in Latin and English in parallel columns. Octavo (8" x 5").

Recent period-style calf, blind rules to boards, to boards, raised bands and red and black lettering pieces from previous binding. Moderate rubbing to board edges, corners bumped and somewhat worn. Light toning to text, somewhat darker in places, internally clean. \$3,500.

* Reprint of the London edition, 1776-1777. First published at the beginning of the seventeenth century, Coke's *Reports* are not reports in the conventional sense but highly detailed anthologies of precedents organized according to the cases they consider. In each instance Coke assembled a large body of cases, outlined their arguments, and explained the reasons for the judgment, using it as a basis for a statement of general principles. Taken together, the *Reports* form the most extensive and detailed treatment of common law pleading that had yet appeared. A work of immense authority, it was often cited as *The Reports*, there being no need to mention the author's name. The first edition in English, which did not include pleadings, was published in 1658. *English Short-Title Catalogue* T121183. [Order This Item](#)



First Edition of the First English Treatise on Sheriffs

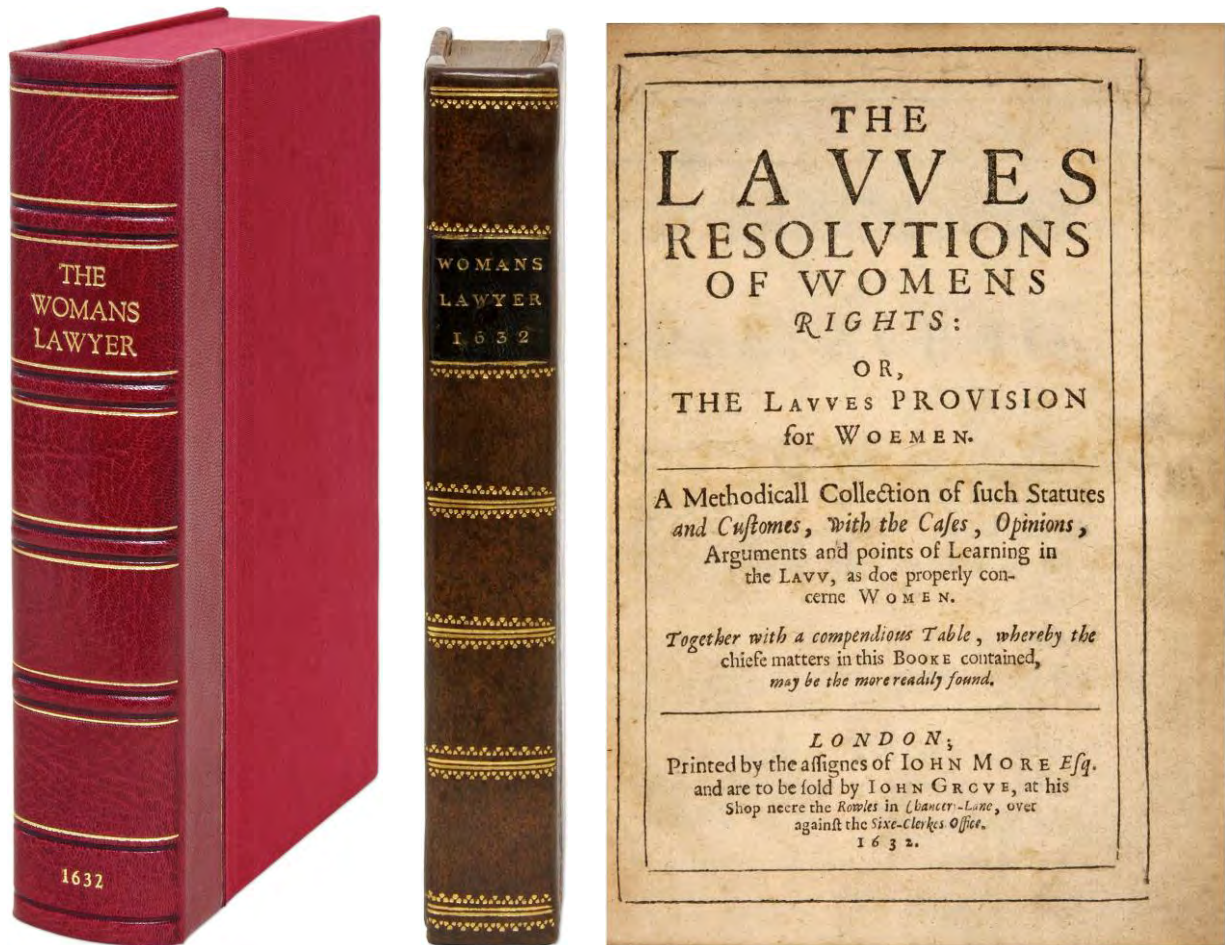
9. Dalton, Michael [d.ca. 1648].

Officium Vicecomitum: The Office and Authoritie of Sheriffs, Written for the Better Incouragement of the Gentrie (Upon Whom the Burthen of This Office Lyeth) to Keepe Their Office, And Undersherife, In Their Houses; That so by Their Continuall Care of the Businesse, And Eyeover Their Officeres, They May the Better Discharge Their Dutie to God, Their Prince, And Countrey, In the Execution of This Their Office. Gathered Out of the Statutes, And Bookes of the Common Lawes of this Kingdome. London: Printed for the Companie of Stationers, 1623. [iv], 194, [6] ff. The first leaf and last leaves are blank. Folio (11-1/4" x 7-1/2").

Contemporary calf, blind rules to boards, raised bands and later gilt-stamped title to spine, endpapers renewed. Light rubbing, recent repairs to spine ends and adjacent corners of boards, front joint partially cracked, corners bumped and lightly worn. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Light toning, faint dampstaining to upper corners of margins, bookplate residue to front pastedown. Early owner signature, interior otherwise clean. An appealing copy. \$1,500.

* First edition. This is the first English treatise on sheriffs. As its title suggests, it is a remarkably comprehensive work. Holdsworth, who cites it several times, says "in spite of a growing number of rivals, it continued to be a standard authority until the beginning of the eighteenth century.": *History of English Law* IV:119. *English Short-Title Catalogue* S107284.

[Order This Item](#)



The Earliest Work in English Devoted to Laws Relating to Women

10. E[dgar], T[homas] [fl. 1615-1649], Attributed Editor.

The Laves Resolutions of Womens Rights: Or, The Laves Provision for Woemen. A Methodicall Collection of Such Statutes and Customes, With the Cases, Opinions, Arguments and Points of Learning in the Law, As Doe Properly Concerne Women. Together with a Compendious Table, Whereby the Chiefe Matters in This Booke Contained, May Be the More Readily Found. London: Printed by [Miles Flesher for] the Assignes of John More Esq., 1632. [xiv], 404 pp. First leaf in collation, a blank, lacking. Quarto (7-1/2" x 5-1/2").

Contemporary speckled calf, rebacked in period style, gilt fillets and lettering piece to spine, gilt tooling to board edges, corners mended, endpapers renewed, speckled edges. Light rubbing to boards, tiny nick to lettering piece. Light toning to text, light foxing to a few leaves. Housed in a custom quarter morocco over cloth clamshell box with gilt-edged raised bands and gilt title to spine. A handsome copy. \$25,000.

* First edition. The earliest work in English devoted to laws relating exclusively to women, this incomparable digest from the time of the Civil War is also known as *The Womens Lanyer*. It is notable, in part, as the first book in English with the phrase "women's rights." A wide-ranging work, it treats such diverse topics as age of consent, dower, hermaphrodites, polygamy, wooing, partition, chattels, divorce, descent, seisin, treason, felonies and rape. Some sources, such as the *English Short-Title Catalogue*, believe this work was written in 1603 by Sir John Doderidge [1555-1628], an important legal figure during the reign of James I. Its preface is signed T.E., who is believed to be Thomas Edgar. Jefferson owned a copy of this book. Sowerby, *Catalogue of the Library of Thomas Jefferson* 1999. *English Short-Title Catalogue* S100217. [Order This Item](#)



Early Tottel Edition of Fitzherbert's *Abridgment*, Jefferson Owned a Copy

11. Fitzherbert, Anthony [1470-1538].

La Graunde Abridgement Collecte par le Iudge Tresreverend Monsieur Anthony Fitzherbert, Dernierment Conferre Ouesque la Copye Escrip et per ceo Correcte, Ouesque le Nombre del Sueil, Per Quel Facilement Poies Trover les Cases cy Abyrdges en les Livres Dans, Novelment Annote: Jamais Devaunt Imprimes.

[And]

La Seconde Part du Grand Abridgment...

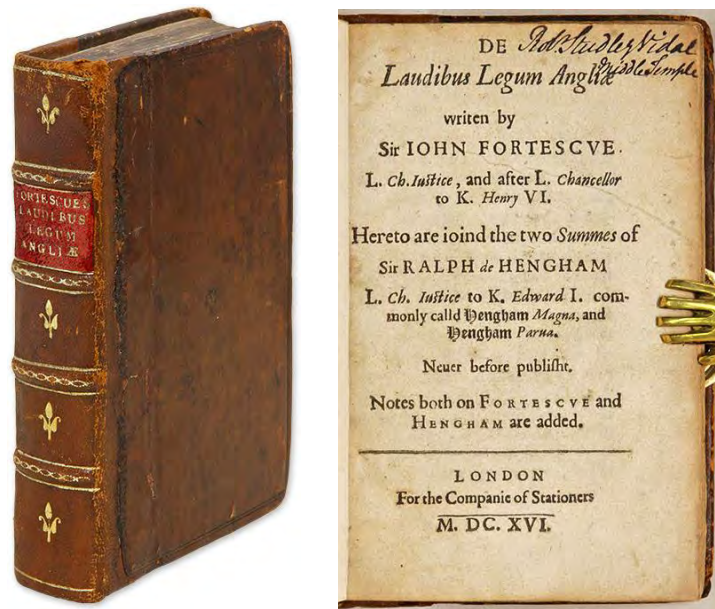
[And]

Tabula. Cy Ensuit la Table pur Trover les Titles.

London: Richard Tottell, 1577. [ii], 342 [i.e. 341]; [ii], 265; [ii], 66 ff. First and second parts of abridgment have title pages. Collates complete. Small folio (9-1/4" x 6-1/2").

Contemporary calf, rebaked with raised bands and gilt title, endpapers renewed, early leaf of notes tipped-in to verso of front endleaf. Boards worn, joints cracked but secure, hinges starting, first signature detached, a few partial cracks to text block. Titles printed within woodcut architectural borders, woodcut decorated initials. Toning, light browning in a few places, some soiling to title page. Occasional early underlining and annotations, interior otherwise clean. \$1,600.

* Second Tottell edition. One of the most imposing volumes in the history of English law, it has abridgements of over 14,000 cases under 260 titles in alphabetical order. First printed around 1514, it was the first serious attempt to arrange the common law systematically and it was a model to such writers as Brooke and Rolle. According to Boersma, Fitzherbert accomplished "nothing less that to abridge all notes of significant cases at common law." Graham and Heckel refer to this work as the "book that 'made' the Common Law.": *Law Library Journal* 51 [1957]: 100-101. Beale, *Bibliography of Early English Law Books* R466, R467, R468. *English Short-Title Catalogue* S102204. Sowerby, *Catalogue of the Library of Thomas Jefferson* 1776. Cowley, *Bibliography of Abridgments* 71. [Order This Item](#)



First Selden Edition of Fortescue's *De Laudibus*

12. Fortescue, Sir John [1394?-1476?]

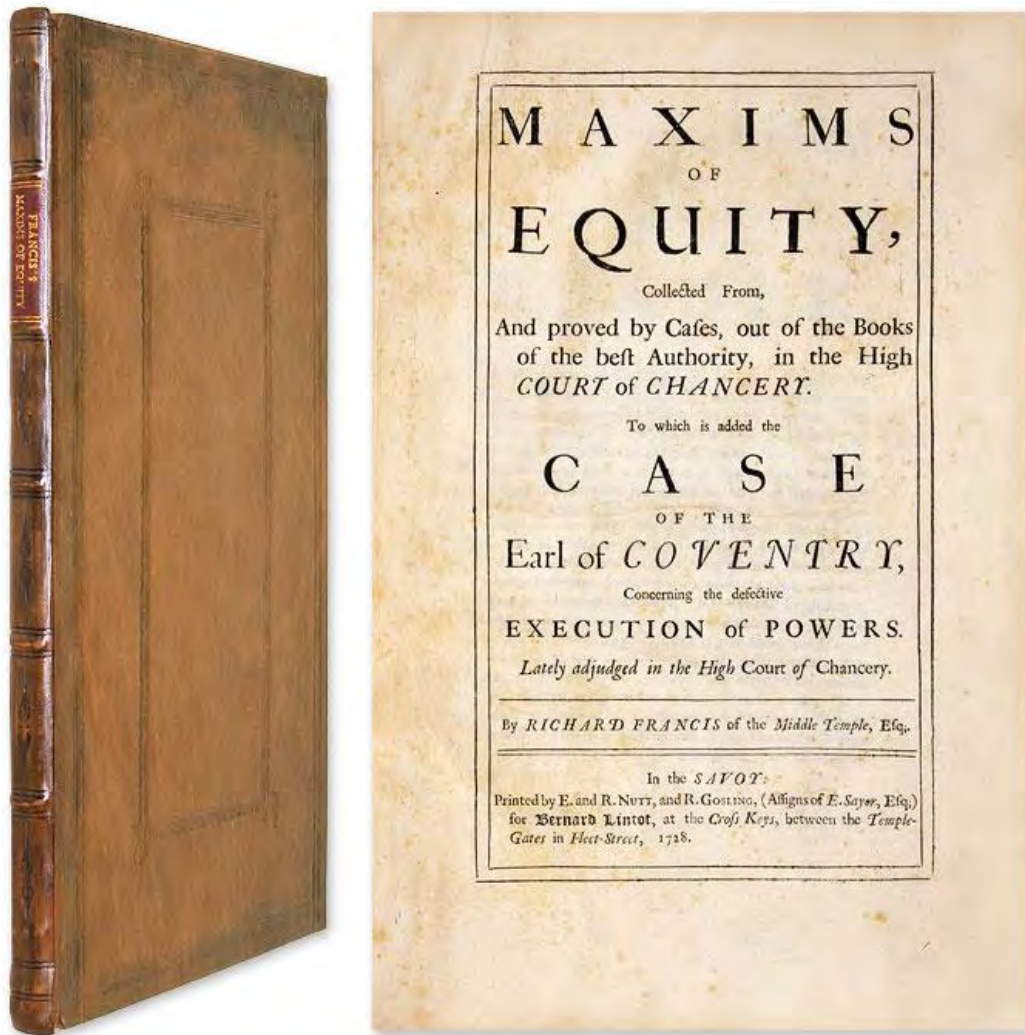
[Selden, John (1584-1654), Editor].

[Mulcaster, Robert, Translator and Editor].

De Laudibus Legum Angliae Written by Sir Iohn Fortescue L. Ch. Iustice, and After L. Chancellor to K. Henry VI. Hereto are Ioined the Two Summes of Sir Ralph de Hengham L. Ch. Iustice to K. Edward I. Commonly Calld Hengham Magna, And Hengham Parva. Never Before Publisht. Notes Both on Fortescue and Hengham are Added. London: Printed [by Adam Islip] for the Companie of Stationers, 1616. [viii], 132, [3] ff.; 56, [12], 35, 34-159, [1] pp. Lacking first leaf, blank except for a small paragraph symbol on the recto, and the last leaf, a blank. Two parts, each with title page and individual pagination. First part in parallel columns; Latin with running English translation. Texts of *Summes* in Latin with notes in English. Octavo (5-1/2" x 3-1/2").

Contemporary calf with later rebacking, blind rules to boards, blind fillets along joints, gilt-decorated raised bands, gilt ornaments and gilt title to spine, endpapers renewed. Light rubbing, corners bumped and somewhat worn, armorial bookplate to front pastedown, front hinge partially cracked. Light toning to text, somewhat heavier in places, faint stains and light edgewear to a few leaves. Early owner signature in tiny hand to head of title page, brief early annotations to a few leaves. \$950.

* First Selden edition. *De Laudibus Legum Angliae*, a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe. It also compares the common and Roman systems and extols the superiority of a constitutionally limited monarchy. *De Laudibus* was written around 1470 and first printed in 1567. Selden's was the first critical edition of this work, perhaps the first critical edition of an early English legal work. Aside from their value to the elucidation of Fortescue's text, Selden's notes interrogate aspects of Fortescue's text and offer rich insights into jurisprudence and the nature of the English constitution. As noted by Christianson, his conclusions disputed "the concept of immemorial custom argued by [Sir John] Davies and the anachronistic historical interpretations displayed by [Sir Edward] Coke." It was reissued in 1660, 1672 and 1737 with various additions. "Fortescue was a favorite among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the Common Law." Marvin, *Legal Bibliography* 321. Christianson, *Discourse on History, Law, and Governance in the Public Career of John Selden* 63. *English Short-Title Catalogue* S102544. [Order This Item](#)



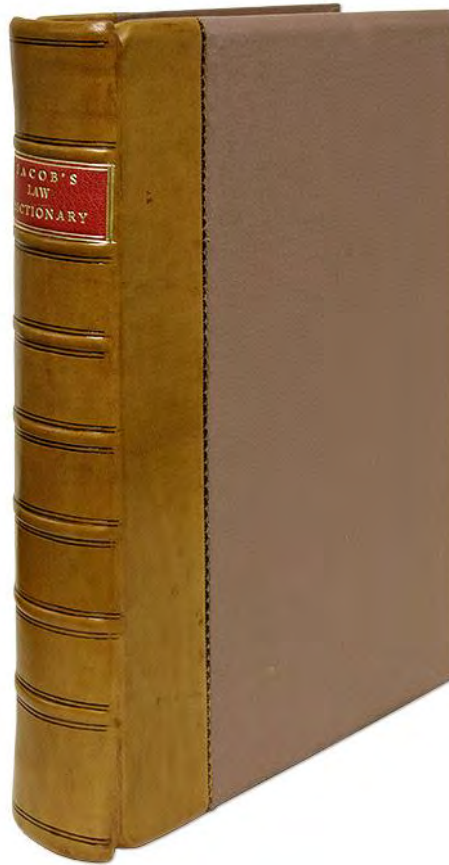
The Book that Established the Field of Equity Jurisprudence

13. Francis, Richard [fl. 1719-1728].

Maxims of Equity, Collected From, And Proved by Cases, Out of the Books of the Best Authority, In the High Court of Chancery. To Which is Added the Case of the Earl of Coventry, Concerning the Defective Execution of Powers Lately Adjudged in the High Court of Chancery. [London]: Printed by E. and R. Nutt, and R. Gosling, 1728. [x], 72, [12], [2], 20 pp. Folio (12" x 8").

Recent period-style paneled calf, raised bands, blind ornaments and lettering piece to spine. Moderate toning and occasional light foxing to text, internally clean. A handsome copy. \$950.

* Second edition, a reissue of the first edition (1727) with an altered titlepage and a preliminary advertisement leaf. This was the first textbook on equity published since St. Germain's *Doctor and Student* (1523). It is generally considered to be the book that founded the field of equity jurisprudence. Francis outlines fourteen maxims, such as "Equality is Equity" and "Equity suffers not a right to be without a remedy." Each maxim is followed by a brief summary of cases that illustrate its application. As Roscoe Pound observed, Francis created a precursor to the casebook: "his maxims for the most part are independent attempts to state principles derived from the study of cases." Pound, "On Certain Maxims of Equity" in *Cambridge Legal Essays* 261-262. *English Short-Title Catalogue* T118767. [Order This Item](#)



First Edition of Jacob's Great Dictionary

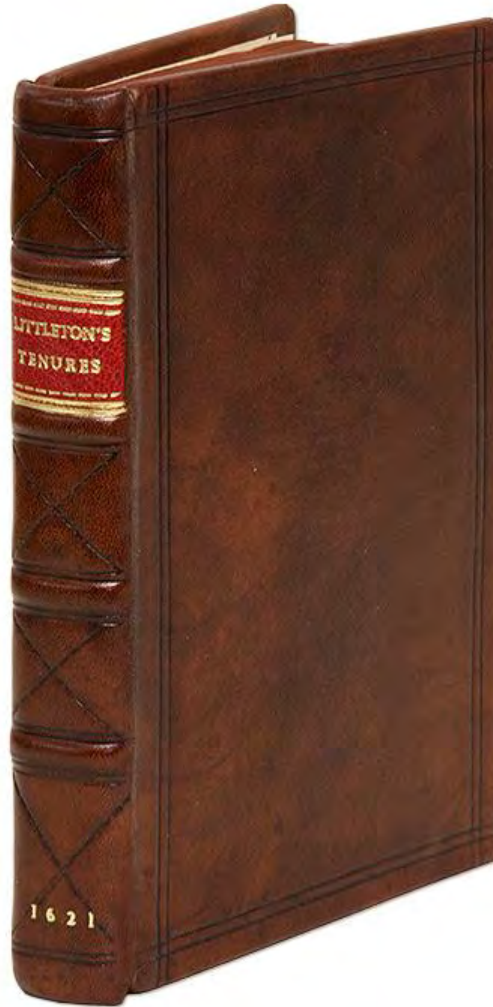
14. Jacob, Giles [1686-1744].

A New Law-Dictionary: Containing, The Interpretation and Definition of Words and Terms Used in the Law; and Also the Whole Law, and the Practice Thereof, Under All the Heads and Titles of the Same. Together With Such Informations Relating Thereto, as Explain the History and Antiquity of the Law, and Our Manners, Customs, and Original Government. Collected and Abstracted From All Dictionaries, Abridgements, Institutes, Reports, Year-Books, Charters, Registers, Chronicles, and Histories, Published to This Time. And Fitted for the Use of Barristers, Students, and Practisers of the Law, Members of Parliament, and Other Gentlemen, Justices of Peace, Clergymen, &c. London: Printed by E. and R. Nutt, and R. Gosling, 1729. [772] pp. Main text in parallel columns. Folio (13" x 8-1/4").

Recent period-style quarter calf over cloth, raised bands and lettering piece to spine, endpapers renewed. Moderate toning, faint dampspotting in places, faint dampstaining to lower corners of first five leaves. A handsomely bound copy of a landmark title. \$1,000.

* First edition. As Cowley has pointed out, *A New Law-Dictionary* was both Jacob's masterpiece and "an entirely new departure in legal literature" that provided a model for several subsequent efforts. In contrast to earlier works, each entry summarizes all of the laws relating to the subject and offers extensive interpretive commentary. Obsolete terms are omitted. It was recognized almost immediately that Jacob created a highly useful legal encyclopedia that was more detailed and concise than any other abridgment of the period. An extremely popular work that went through twelve editions between 1729 and 1800, it offers unparalleled insights into Anglo-American law during the eighteenth century. Cowley, *A Bibliography of Abridgements, Digests, Dictionaries and Indexes to the Year 1800* 217. *English Short-Title Catalogue* T137460.

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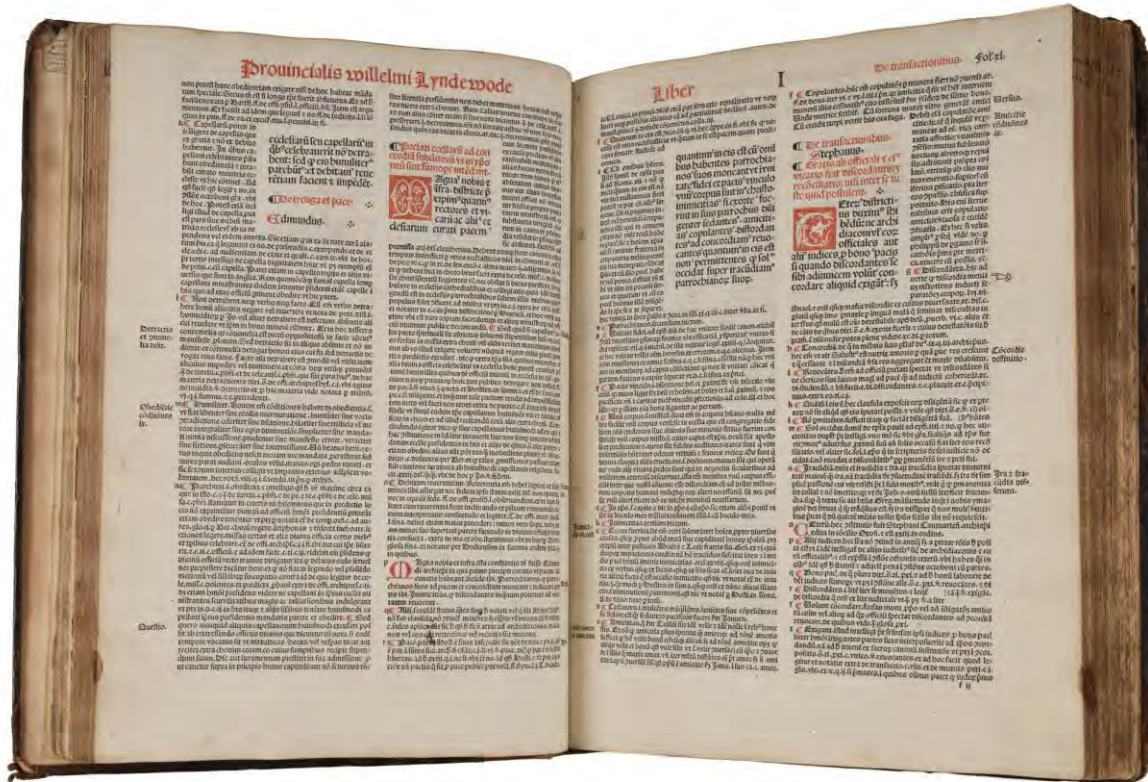
Littleton's *Tenures* in English

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

Littletons Tenures in English, Lately Perused and Amended. London: Printed for the Companie of Stationers, 1621. 142, [2] ff. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, blind rules to boards, raised bands, blind ornaments and lettering piece to spine, edges rouged, endpapers renewed. Moderate toning, light browning to margins, early inkstains and annotations to margins of a few leaves, soiling, some edgewear and owner signature (of John Blome/ 2 August 1644) to title page. \$1,250.

* Later edition. Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is considered a landmark because it renounced the principles of Roman law (and Latin) in favor of guidelines and doctrines drawn from the Year Books and, when necessary, hypothetical cases. The first dated English translation was published in 1538. OCLC locates 6 copies worldwide of the 1621 edition, and 3 in law libraries (Yale, University of Pennsylvania, University of Texas). Holdsworth, *A History of English Law* II:573. *English Short-Title Catalogue* S895. [Order This Item](#)



A Principal English Treatise on Canon Law

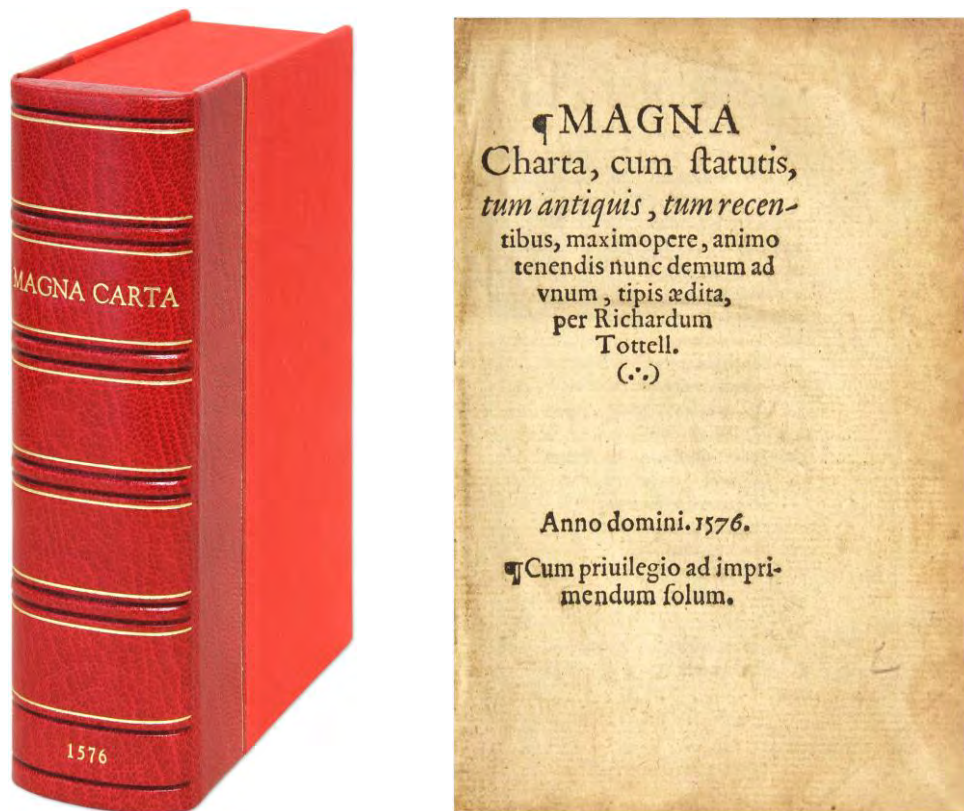
16. [Lyndwood, William (c.1375-1446)].

[Badius, Josse (1462-1535), Editor].

Provinciale seu Constitutiones Anglie cum Summariis Atq[ue] Iustis Annotationibus: Honestis Characteribus: Summa[que] Accurratione Rursus Impresse. [Paris: Printed by Andreas Bocard at the University of Paris, May 28, 1501]. Collation: a8 b6, c-g8 h6 i-q8 r6 s-z8 [et]8 [con]6 A-B6 C8-(C8). excii, [19] ff. Complete. Main text surrounded by two-column linear gloss. Folio 13-1/2" x 9-1/2" (34 x 24 cm).

Contemporary paneled calf, corner fleurons and large arabesques to boards, recently rebacked, raised bands and lettering piece to spine, endpapers added, early hand-lettered title to fore-edge. A few shallow scuffs to boards, moderate rubbing to their extremities, corners bumped and somewhat worn, hinges cracked, later bookseller ticket, owner bookplate (of Walter Wigglesworth, dated 1934) and two 1930s-era auction or bookseller descriptions affixed to front pastedown. Text printed in red and black gothic type, woodcut decorated initials. Light toning to text, faint dampstaining in places, minor edgewear to leaves at beginning and end of text, some with repairs, inkstains and spark burns to a few leaves. Contemporary annotations to endleaves and portions of text, some with minor loss due to trimming. A nice post-incunabular copy of an important title. \$5,000.

* First post-1500 edition. Main text followed by nineteen-page, two-part index (*Tabula*). Compiled around 1433 and first published around 1483-1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This copy was printed in Paris for the English market. Beale, *A Bibliography of Early English Law Books* T403. *English Short-Title Catalogue* S103845. [Order This Item](#)



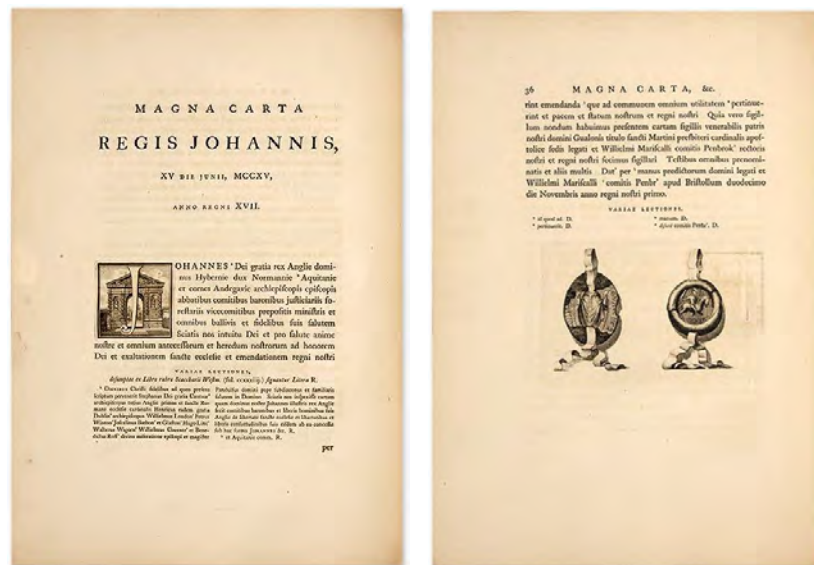
1576 Printing of Magna Carta and Later Statutes with Contemporary Binding and Annotations

17. [Magna Carta].

Magna Charta, Cum Statutis, Tum Antiquis, Tum Recentibus, Maximopere, Animo Tenendis nunc Demum ad Unum, Tipis Aedita, Per Richardum Tottell. [Imprinted at London: In Fleetestrete Within Temple Barre at the Signe of the Hand and Starre, By Richard Tottell, The 8. Day of March. 1576]. [vii], 247 ff. Blank endleaf preceding Fol. 1 lacking. Octavo (5-1/2" x 3-3/4").

Contemporary paneled calf, raised bands to spine, early hand-lettered title to fore-edge, ties lacking. Light rubbing and a few minor gouges, cracks and nicks to boards, moderate rubbing to extremities, spine ends worn, corners bumped and somewhat worn, pastedowns and free endpapers lacking, later armorial bookplate to verso of front board, fragments of an illuminated manuscript Bible used as printer's waste at hinges, attractive woodcut decorated initials. Moderate toning to text, faint staining to a few leaves, annotations and underlining in early hand to margins of approximately 25 pages, light soiling and minor edgewear to title page. Housed in a custom clamshell box, quarter morocco over cloth, gilt-edged raised bands and gilt title to spine. \$7,500.

* An early printing of the Magna Carta, which was first printed around 1508 by Richard Pynson. It also includes the Charta de Foresta of Henry III, the Statutes of Merton and Marlebridge, the Statutes of Edward I and other statutes through the fourteenth regnal year of Elizabeth I, which are digested by topic. Among the most notorious statutes are those of Edward concerning Jews, including the Edict of Expulsion (1290), which banished them from England. Other statutes relate to women, wills, forcible entry, "Fraudulent Deedes" and other topics. The text is mostly in Latin or Law-French, then in English after Fol. 119. The annotations range from a few words to a sentence or two. About half of these are interpretive in nature, the others are references to statutes and cases. Beale, *Bibliography of Early English Law Books* S18. *English Short-Title Catalogue* S101094. [Order This Item](#)



The First Critical Edition of *Magna Carta*

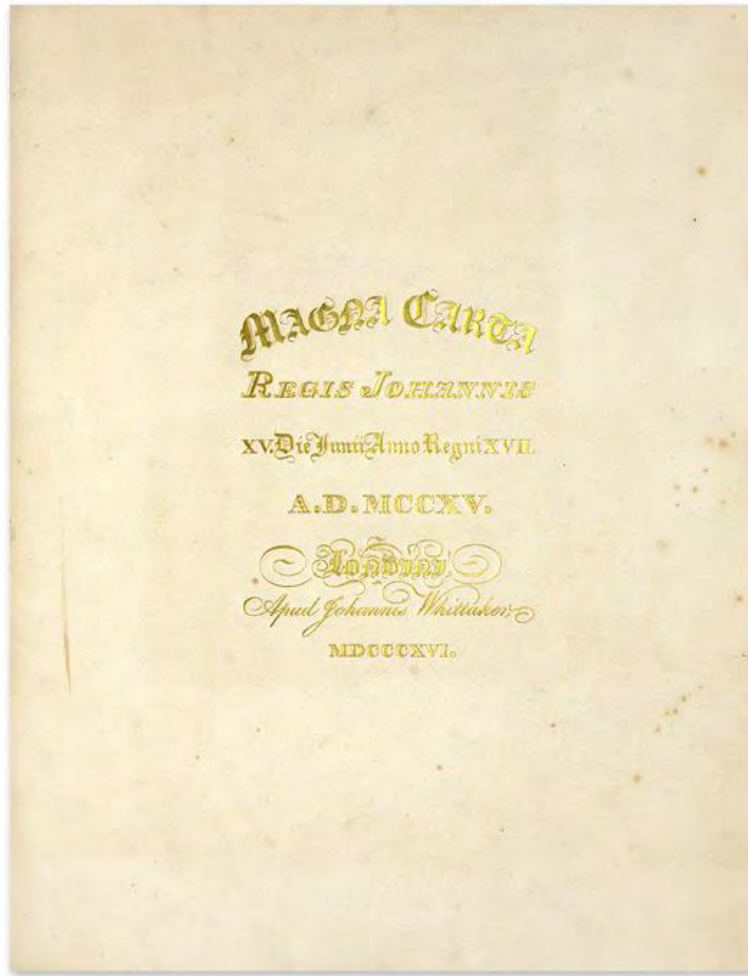
18. [Magna Carta].

Blackstone, Sir William [1723-1780].

The Great Charter and Charter of the Forest, With Other Authentic Instruments: To Which is Prefixed an Introductory Discourse, Containing the History of the Charters. Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. Half-title and table of contents (Tabula) are bound between pp lxxvi and 1. Copperplate engraved tail-pieces. Collated and complete. Folio (13-1/2" x 10-1/4").

Contemporary diced calf, gilt fillets to boards, gilt spine with lettering piece, gilt tooling to board edges, gilt inside dentelles, marbled edges and endpapers. Negligible light rubbing and a few nicks and scuffs to boards, moderate rubbing to extremities, chipping to foot of spine, joints partially cracked, corners bumped, front hinge just starting at head, bookplate residue to front pastedown, early bookplate ("RW" monogram) to verso of front free endpaper. Light toning, light soiling and foxing to a few leaves, occasional light offsetting from engravings. Book housed in lightly worn cloth-covered slipcase. A desirable wide-margined copy. \$10,000.

* First edition of the first modern critical edition of Magna Carta, which surpassed all previous versions. Blackstone's first important work, it contains the Articles of the Barons, the issues of the Great Charter from 1215, 1216 and 1217, with several charters of confirmation, the Charter of the Forest and the Statute of Marlebridge. The introduction is in English and the texts of the Magna Carta and Carta de Foresta in Latin. This remarkable work is esteemed for its appearance and scholarship. Its physical appeal was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition" and with notably elegant typography. Along with its elegant typography, this edition features an elegant engraved dedication to the Earl of Westmoreland surmounted with his armorial ensigns, engraved historiated initials in the text depicting views of buildings at Oxford University, engraved tail-pieces on pages lxxvi and 73 with historical vignettes and ten other ten engraved tail-pieces depicting the royal seals that are attached to the original documents. Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. This idea, first proposed by Coke, was a central tenet of Whig ideology. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter. Eller, *The William Blackstone Collection in the Yale Law Library* 237. Laeuchli, *A Bibliographical Catalog of William Blackstone* 548. [Order This Item](#)



The First British Book Printed in Gold - "The Most Magnificent of All Editions"

19. [Magna Carta].

[Whittaker, John, Publisher].

Magna Carta: Regis Johannis XV. Die Junii Anno Regni XVII. A.D. MCCXV. London: Apud Johannis Whittaker, 1816. 12 ff. Folio (17" x 14").

Contemporary gilt-tooled morocco, textured-cloth central panels to boards, the front has a central gilt-tooled title panel (reading *Magna Carta*, Printed in Letters of Gold), patterned lilac-colored endpapers, ribbon marker. Moderate rubbing to extremities, corners and spine ends bumped, soiling, a few stains and a few scuffs to boards, cracks in text block between front free endpaper and title page and final leaf and free endpaper. Printed in gold on card, initial at beginning of text decorated by hand in watercolor with royal regalia and floral border, probably designed by Thomas Willement. Light toning, occasional finger smudges, small inkspot to first text leaf (with offsetting to verso of title page). \$10,000.

* The first book printed in gold in England. Lowndes described it as "the most magnificent of all editions of the *Magna Carta*." The Westminster binder John Whittaker planned this book "for the display of a new branch of the art of printing." Although all are printed in gold, rarely are two copies alike. Some were printed on colored vellum and even jeweled, all have different levels of ornamentation. Some have a list of Barons. The present copy contains the text of *Magna Carta* only, printed on glazed card, and is richly bound. Lowndes, *Bibliographer's Manual of English Literature* (Revised edition, 1864) II:1450. [Order This Item](#)



First Edition in English of the First Nominative Reporter

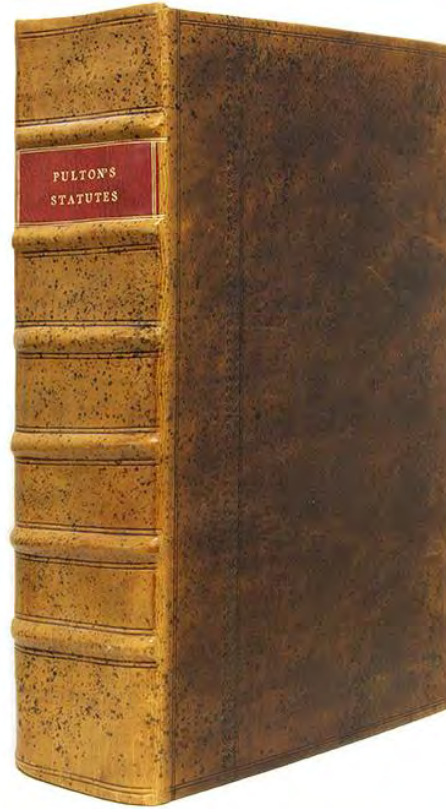
20. Plowden, Edmund [1518-1585].

The Commentaries, Or Reports of Edmund Plowden, Of the Middle-Temple, Esq; An Apprentice of the Common Law, Containing Divers Cases upon Matters of Law, Argued and Adjudged in the Several Reigns of King Edward VI. Queen Mary, King and Queen Philip and Mary, And Queen Elizabeth. Originally Written in French, And now Faithfully Translated into English, And Considerably Improved by Many Marginal Notes and References to All the Books of the Common Law, Both Ancient and Modern. To Which are Added, The Quaeries of Mr. Plowden, Now First Rendered into English at Large, With References, And Many Useful Observations. In Two Parts. With Two New Tables, More Compleat than any Yet Published, The One, Of the Names of the Cases, The Other of the Principal Matters. [London]: Printed by Catharine Lintot, and Samuel Richardson, 1761. vi, [2], 401, [3], 403-567, [1]; 15, [1]; [2], 68; [48] pp. Two parts. Part II has a separate title page beginning: *The Second Part of the Commentaries...* with the imprint: "London: Printed for the Translator..., 1761." Copperplate portrait frontispiece. Pagination and register continuous. Text complete. Folio (14" x 9").

Contemporary calf, rebaked in period style, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, blind tooling to board edges, hinges mended. Light rubbing, scratches and some shallow scuffs to boards, moderate rubbing to board edges, corners bumped and somewhat worn. Moderate toning, light foxing in a few places, faint dampstaining to heads of preliminaries near gutter, light soiling and faint offsetting from frontispiece to title page, which has a small early repair and "1776" in tiny hand near its upper corner. A handsome copy. \$1,000.

* First edition in English. Covering the years 1550-1580, Plowden's Reports was the first nominative reporter and the first to go beyond arguments to deduce points of law. "In every sort of professional excellence [it ranks] among the best reports of any age" (Wallace). The translation has a great number of additional notes and references. Two works are appended to Part II: the case of "Basset and Morgan versus Manxel at Serjeant's Inn" and Plowden's "Quaeries." These works have individual title pages and paginations. Wallace, *The Reporters* 143-153. *English Short-Title Catalogue* T144729.

[Order This Item](#)



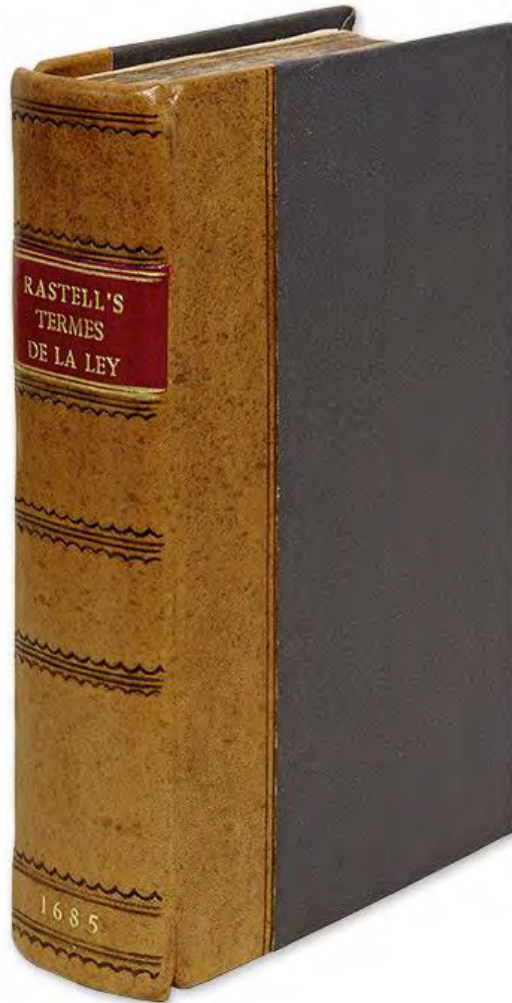
"An Advance Upon All Former Editions of the Statutes"

21. Pulton, Ferdinando [1536-1618].

A Collection Of Sundrie Statutes, Frequent in Use: With Notes in the Margent, and References to the Booke Cases and Books of Entries and Registers, Where They be Treated of. Together with an Abbrgement of the Residue Which be Expired, Repealed, Altered, and Worne Out of Use, or Doe Concerne Private Persons, Places, or Things, And Not the Whole Common-wealth. Whereunto be Added Certaine Materiall Statutes, Never Printed Before in English. Also a Necessary Table, Or Kalender, Is Annexed Hereunto, Expressing in Titles the Most Materiall Branches of Those Statutes in Use, and Practice. London: Printed by M. Flesher, I. Haviland, & R. Young, 1632. [vi], 1464, [4], [86] pp. Lacking final blank leaf. Title printed within woodcut architectural border. Folio (13-1/2" x 9").

Recent period-style speckled calf, blind rules to boards, blind fillets parallel to joints, raised bands and lettering piece to spine, endpapers renewed. Subtle light fading to spine and upper edges of boards, Moderate toning to text, light foxing and faint dampstaining in places, rodent damage (?) to lower corners of leaves Nn6-Pp5 (pp. 419-440) with no loss to text, some edgewear to preliminaries, soiling, faint dampstaining and a few tiny signatures to title page, two other signatures to foot of following leaf. An impressive volume. \$1,500.

* Third edition. Pulton was a commoner of Brasenose College, Oxford, a fellow of Christ's College, Cambridge, and a member of Lincoln's Inn. As a Catholic Pulton was not allowed to practice, so he devoted his energies to editing the statutes. He published *An Abstract of All the Penal Statutes* in 1560 and *A Kalender, Or Table, Comprehending the Effect of All the Statutes* in 1606. *A Collection of Sundrie Statutes*, his *magnum opus*, was first published in 1618. Though it had its defects, "it is clear that Pulton's edition was an advance upon all former editions of the statutes. He set a new standard to the makers of these editions, to which subsequent editors made at least an attempt to conform. We shall see that this standard was a good deal higher than that either aimed at or attained by those who edited the Reports of this period.": Holdsworth, *A History of English Law* IV:310. *English Short-Title Catalogue* S122253. [Order This Item](#)



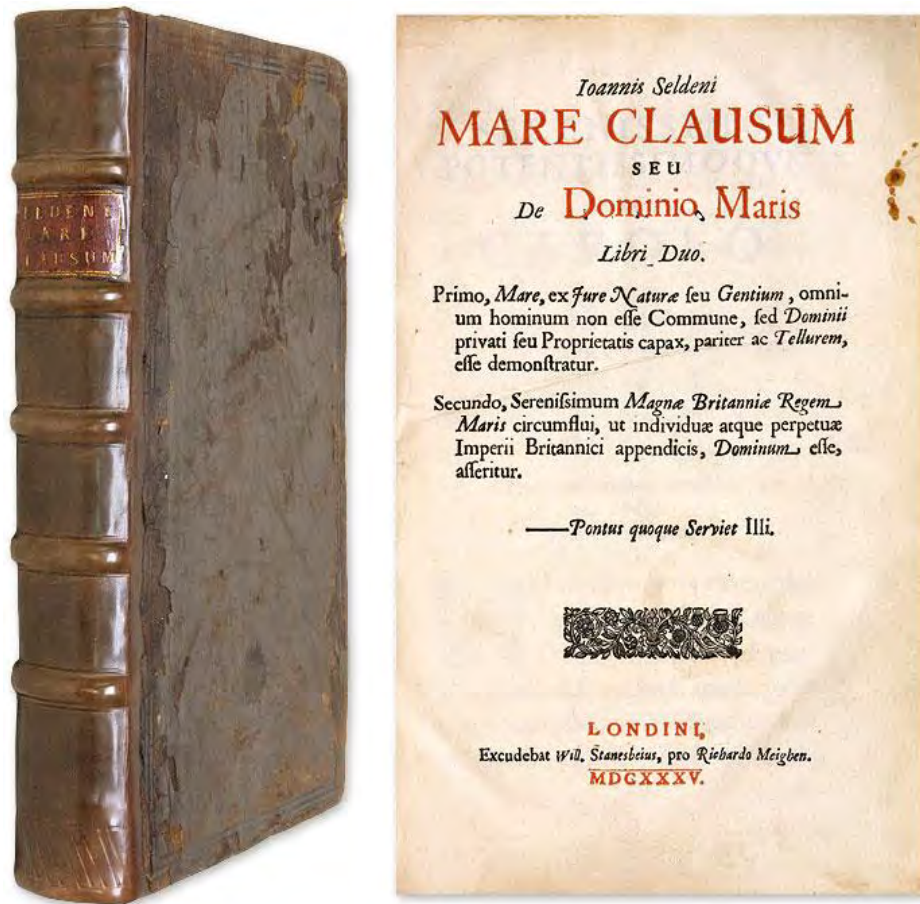
1685 Printing of the First English Law Dictionary

**22. [Rastell, John (d.1536)].
[Rastell, William, Editor].**

Les Termes de la Ley: Or, Certain Difficult and Obscure Words and Terms of the Common Laws and Statutes of this Realm Now in Use, Expounded and Explained. Now Corrected and Enlarged. With Very Great Additions Throughout the Whole Book, Never Printed in Any Other Impression. London: Printed by W. Rawlins, S. Roycroft and M. Flesher, 1685. [iv], 463, 468-671, [1] pp. Main text in parallel columns. Pagination irregular. Text complete. Octavo (6-1/2" x 4-1/4").

Recent period-style quarter calf over cloth, blind fillets and lettering piece to spine, endpapers renewed, title page, with repair to upper corner, mounted. Moderate toning to text, two small later signatures and embossed and ink library stamps to title page, brief annotations to verso. A nice copy in a handsome binding. \$650.

* Later edition. English and Law French in parallel columns. First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title *Expositiones Terminorum Legum Anglorumae*. Later editions were produced by his son, William. Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity.": *Legal Bibliography* 599. *English Short-Title Catalogue* R201044. [Order This Item](#)



The First Major English Text on International Law

23. Selden, John [1584-1654].

Mare Clausum Seu de Domino Maris Libri Duo. Primo, Mare, ex Jure Naturae Seu Gentium, Omnium Hominum non Esse Commune, Sed Domini Privati seu Proprietatis Capax, Pariter ac Tellurem, Esse Demonstratur. Secundo, Serenissimum Magnae Britanniae Regem Maris Circumflui, ut Individuae Atque Perpetuae Imperii Britannici Appendicis, Dominum Esse, Asseritur. London: Excudebat Will. Stanesbeius, pro Richard Meighen, 1635. [xxvi], 304, [12], [1] pp. Copperplate map, woodcut map, six woodcut text illustrations.

[Bound with]

Selden, John.

De Successionibus in Bona Defuncti, Ad Leges Ebraeorum, Liber Singularis. Editio Altera, Correctior & Multum Auctior. Accedunt Ejusdem De Successione in Pontificatum Ebraeorum, Libri Duo. Prior Historicus Est; Pontificum ab Aharone Usque ad Templi Secundi Excidium Successionem Continens. Posterior est Iuridicus; Legitima, Seu Quae in Successione Pontificali Adeoque in Admissionem ad Munus Sacerdotale Apud Ebraeos Juris Fuere Complexus. London: Excudebat Richardus Bishop, 1636. [vi], xxiv, [4], 266 pp.

[And]

Vossius, Dionysius [1612-1642].

Panegyricus Datus Frederico Henrico Arausionensium Principi. Ejusdem Fredericus Victor. Amsterdam: Apud Guilielmum Blaeu, 1633. 31 pp.

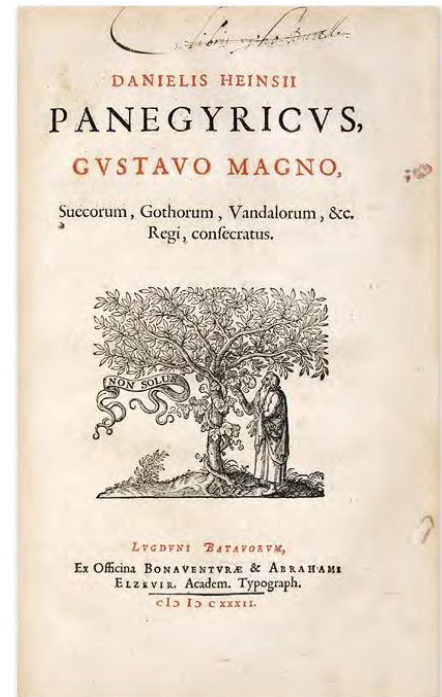
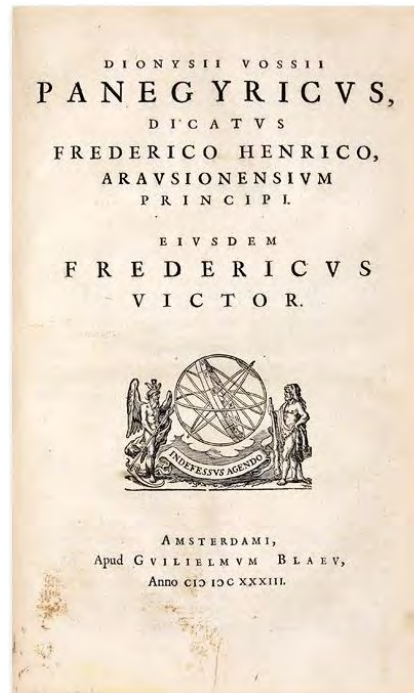
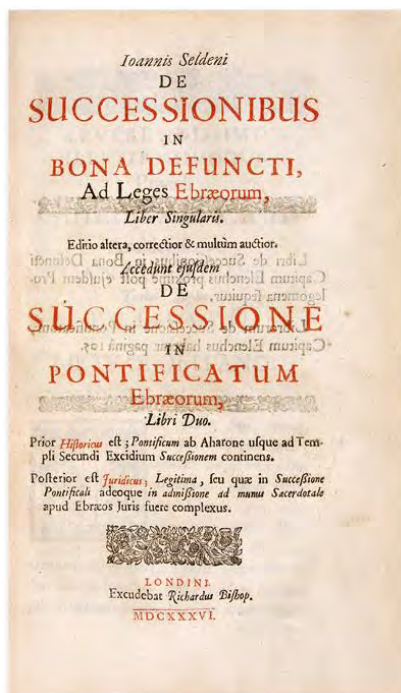
[And]

Heinsius, Daniel [1580-1655].

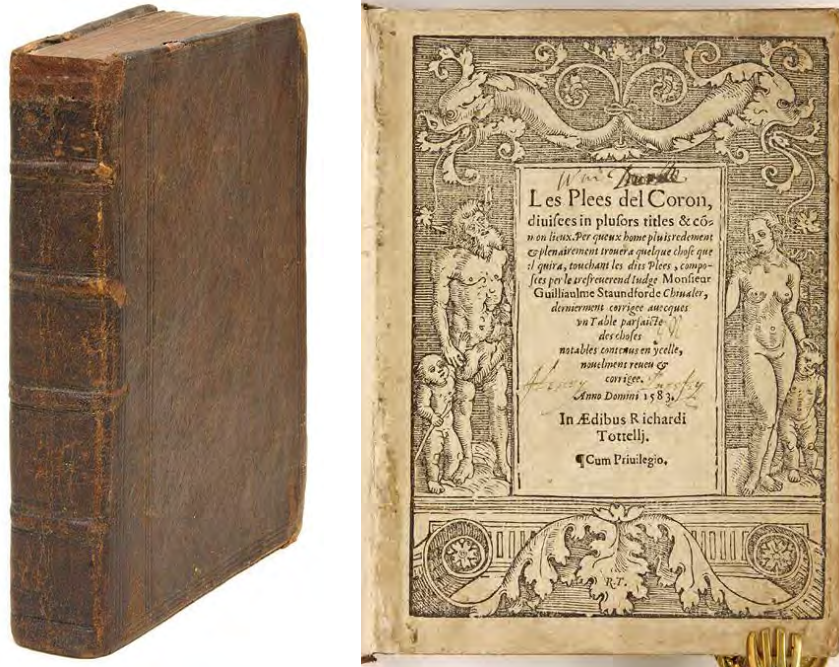
Panegyricus, Gustavo Magno, Suecorum, Gothorum, Vandalorum, &c. Regi, Consecratus. Leiden: Ex Officina Bonaventurae & Abrahami Elzivir, 1632. [iii], 66, [1] pp.

Folio (11" x 7"). Contemporary calf, blind rules to boards, rebacked in period style with raised bands and retained lettering piece, endpapers renewed, hinges mended. Moderate rubbing to extremities, moderate scuffing to boards, corners bumped and some what worn, small gouge to front board. Title pages of the Selden and Heinsius titles printed in red and black. Woodcut head-pieces, tail-pieces, tail, pieces and decorated initials, title pages of works by Vossius and Heinsius have large woodcut printer devices. Light toning to text, somewhat heavier in places, minor stains to a few leaves. Recent owner signature to front free endpaper, early owner signature to head of *Panegyricus*, *Gustavo Magno*, interior otherwise clean. \$2,500.

* *Mare Clausum*, *Panegyricus*, *Gustavo Magno*, first edition; *Successionibus*, second edition; *Panegyricus Dicitus*, only edition. Selden's *Mare Clausum* is the most famous British reply to the argument of Hugo Grotius's *Mare Liberum*, which denied the validity of England's claim to the high seas south and east of England. Selden, argued that England's jurisdiction extends, in fact, to all waters surrounding the isles. His use of legal history and common-law principles to rebut Grotius's philosophical argument is quite impressive. *De Successionibus* is an exposition of rabbinical law and laws of inheritance by a commentator whose "familiarity with rabbinical literature was such as has been acquired by few non-Israelite scholars; and many details of oriental civilization and antiquities were certainly brought to the knowledge of Europeans for the first time in them" (DNB). The other two titles remind us that *Mare Clausum* dates from one of the most turbulent eras in European history. Vossius's piece is a poem commemorating the deeds of Frederick Henry, Prince of Orange [1584-1647], who led Dutch forces to victory, established the independence of the United Provinces and governed them for a large part of its golden age. Heinsius's essay praises Gustavus Adolphus of Sweden [1594-1632]. One of the greatest military commanders in European history, he established Sweden as a leading European power during the Thirty Years War. Two other editions of Heinsius's essay were published in 1633 and 1637. *Dictionary of National Biography* XVII:1157. Selden: *English Short-Title Catalogue* S117048 (*Mare Clausum*), S117055 (*De Successionibus*); Vossius, Heinsius: *British Museum Catalogue* (Compact Edition) 26:402, 11:1107.



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The First Printed Work Devoted Solely to Criminal Law

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

Les Plees del Coron, Divisees in Plusors Titles & Comon Lieux. Per Queux Home Plus Redement & Plenairement Trouver a Quelque Chose que Il Quira, Touchant les Dits Plees, Composees per le Tres Reuerend Iudge Monsieur Guillaulme Staundforde Chivalier, Dernierment Corrigees Auecques un Table Parfaicte des Choses Notables Contenus en Ycelle, Nouelment Reueu & Corrigees. [London]: In Aedibus Richardi Tottelli, 1583. [xii], 196 [i.e. 198] ff.

[Bound with]

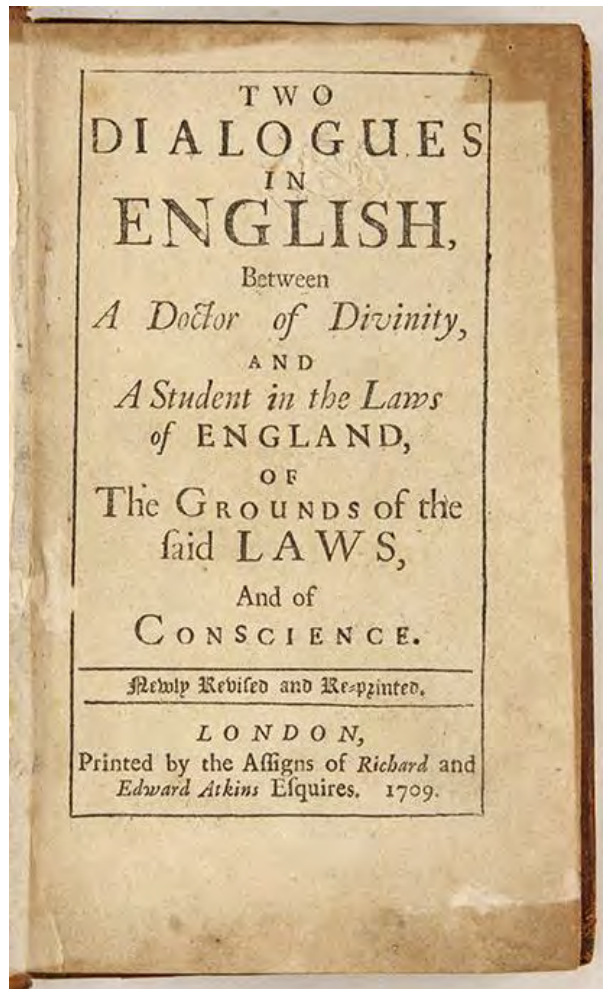
Staunford, Sir William.

An Exposition of the Kinges Prerogative, Collected Out of the Great Abridgement of Iustice Fitzherbert, And Other Olde Writers of the Lawes of England, By the Right Worshipfull Sir William Staunford Knight, Latey One of the Iustices of the Queenes Maiesties Court of Common Pleas Where Unto is Annexed the Proces to the Same Praerogative Appertayning. London: In Fleet-Streate Within Temple Barre at the Signe of the Hand and Starre, by Richard Tottel, 1577. [i], 85 ff.

Quarto (7-1/2" x 5-1/2"). Contemporary sheep, blind rules to boards, raised bands to spine, recent repair to head of spine and scorners, early hand-lettered title to fore-edge of text block. Light rubbing to boards, a few shallow scuffs to rear board, moderate rubbing to extremities, corners bumped. Title of *Plees* printed within woodcut architectural border, woodcut initials. Moderate toning to text, occasional minor worming and faint dampstaining to margins. Early owner signatures to title pages, annotations to a few leaves in each book. Nice copies in a well-preserved contemporary binding. \$1,250.

* Later editions. Based on Bracton and the Year Books, Staunford's treatise is divided into three parts. The first treats offences, the second jurisdiction, appeals, indictments, and defenses. The third deals with trials and convictions. First published posthumously in 1557, *Plees* was written after Staunford was appointed judge of the common pleas in 1554. *Exposition* was first published in 1567. It addresses discretionary rights enjoyed by the monarchy in foreign policy, domestic affairs, legal and governmental administration, religion and economic matters. Holdsworth, *History of English Law* V:394. *English Short-Title Catalogue* S117812, S117820. Beale, *A Bibliography of Early English Law Books* T490, T494.

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Influenced Blackstone and Others

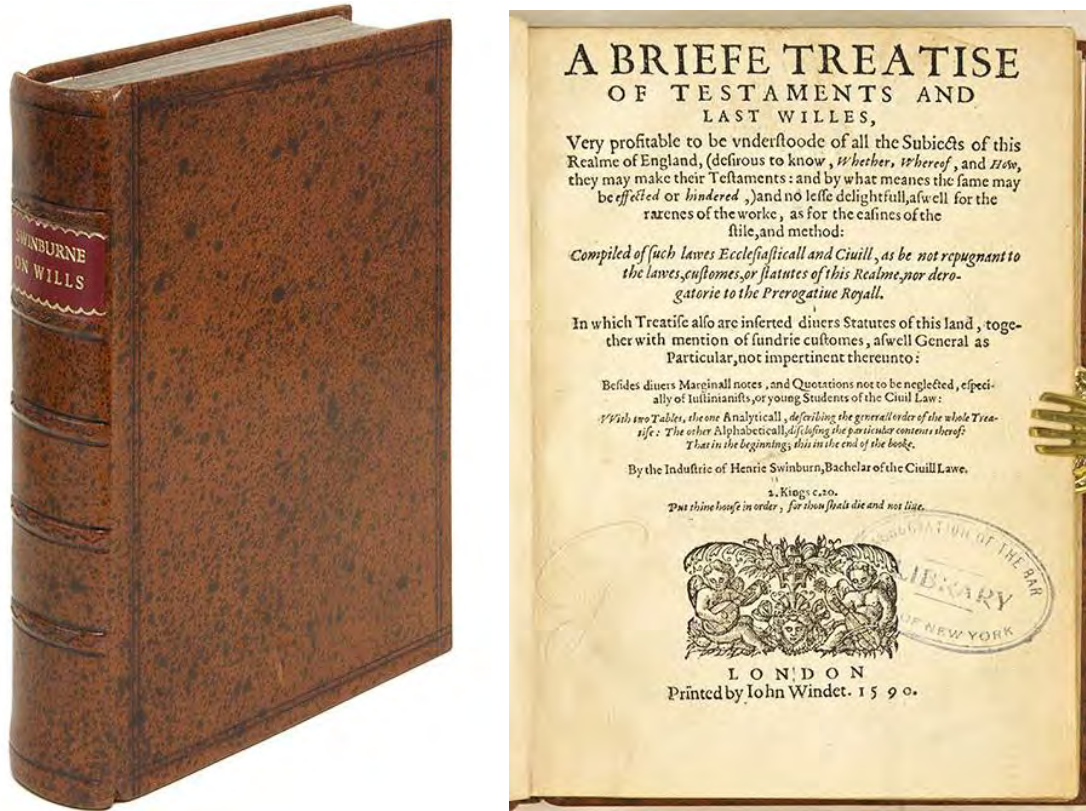
25. [St. Germain, Christopher].

Two Dialogues in English Between a Doctor of Divinity, and a Student in the Laws of England, of the Grounds of the Said Laws, and of Conscience. Newly Revised and Reprinted. London: Printed by the Assigns of Richard and Edward Atkins, 1709. [ii], 366, [8] pp. Octavo (6-1/4" x 3-3/4").

Contemporary sheep, blind rules to boards, raised bands and tiny paper shelf label to spine. Light rubbing to boards, several small gouges to rear board, moderate rubbing to extremities, joints and hinges partially cracked but secured by cords, corners bumped and somewhat worn, early armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamps to title page and following leaf. Moderate toning to text, somewhat heavier in places, a few sections have light foxing. \$250.

* Written originally in Latin in 1523, this work contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and other issues regarding the jurisdiction of Parliament. A very important work in the development of equity, *Doctor and Student* appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. Our copy once belonged to the library of Shirburn Castle, the library of the Earls of Macclesfield, one of the finest private libraries in Great Britain. *English Short-Title Catalogue* T78054.

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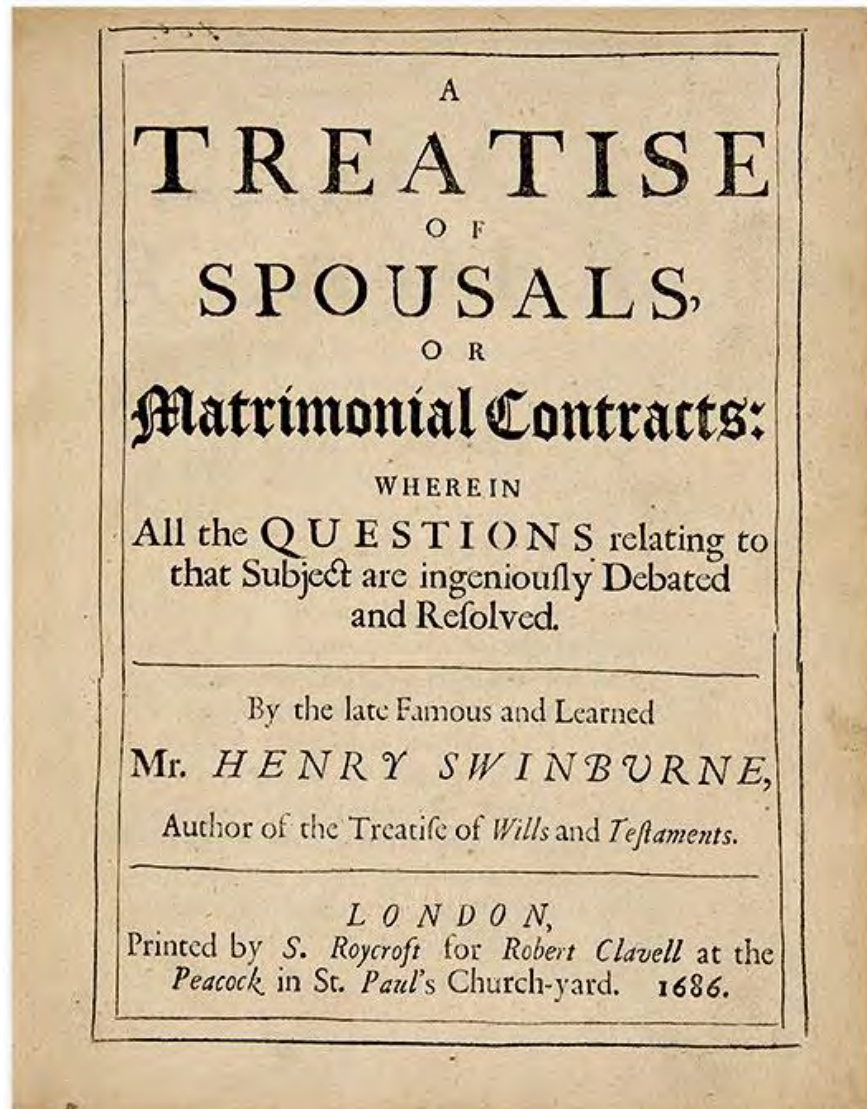
First Edition of the First Standard Treatise on Wills

26. Swinburne, Henry [1560?-1623].

A Brieue Treatise of Testaments and Last Willes, Very Profitable to be Understoode of All the Subjects of This Realme of England, (Desirous to Know, Whether, Whereof, And How, They May Make Their Testaments: And by What Meanes the Same May be Effecte or Hindered,) And no Lesse Delightfull, Aswell for the Rareness of the Worke, As for the Easines of the Stile, And Method: Compiled of such Lawes Ecclesiasticall and Ciuill, As be Not Repugnant to the Lawes, Customes, Or Statutes of this Realme, Nor Derogatorie to the Prerogative Royall. In which Treatise Also are Inserted Divers Statutes of this Land, Together with Mention of Sundrie Customes, As Well General as Particular, Not Impertinent Thereunto: Besides Divers Marginall Notes, And Quotations Not to be Neglected, Especially of Iustinianists, Or Young Students of the Civil Law: With Two Tables, The One Analytical, Describing the Generall Order of the Whole Treatise: The Other Alphabetically, Disclosing the Particular Contents Thereof: That in the Beginning: This in the End of the Booke. London: Printed by Iohn Windet, 1590 [colophon date 1591]. [xii], 293, [13] ff. As in many copies, our copy lacks the errata leaf and pasted one-word slip-cancel on Leaf K5r (Fol. 65) (changing "whether" to "where"). Quarto (7-1/2" x 6-1/2").

Recent period-style speckled calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Light toning to text, tiny inkspots to a few leaves, small burn hole to Leaf Kk3 (Fol. 247), mended with archival tape, with no loss to legibility, faint small library stamp to title page, brief annotations to verso. An appealing copy in a handsome binding. \$2,000.

* First edition. The testamentary jurisdiction of ecclesiastical law was a separate branch that produced its own literature. From the sixteenth until well into the seventeenth century Swinburne's was the standard treatise on this subject. Holdsworth, who cites it often and considers it "the most practically useful book of [its] period" notes that "it is a very useful summary of the law as to wills and executors as administered in the ecclesiastical courts." *A History of English Law* V:14. *English Short-Title Catalogue* S118058. Beale, *A Bibliography of Early English Law Books* T498. [Order This Item](#)



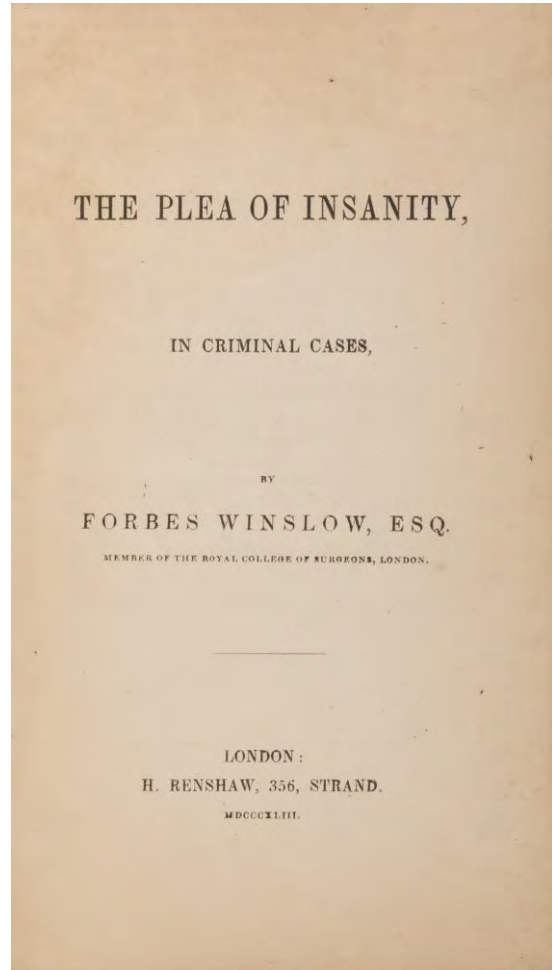
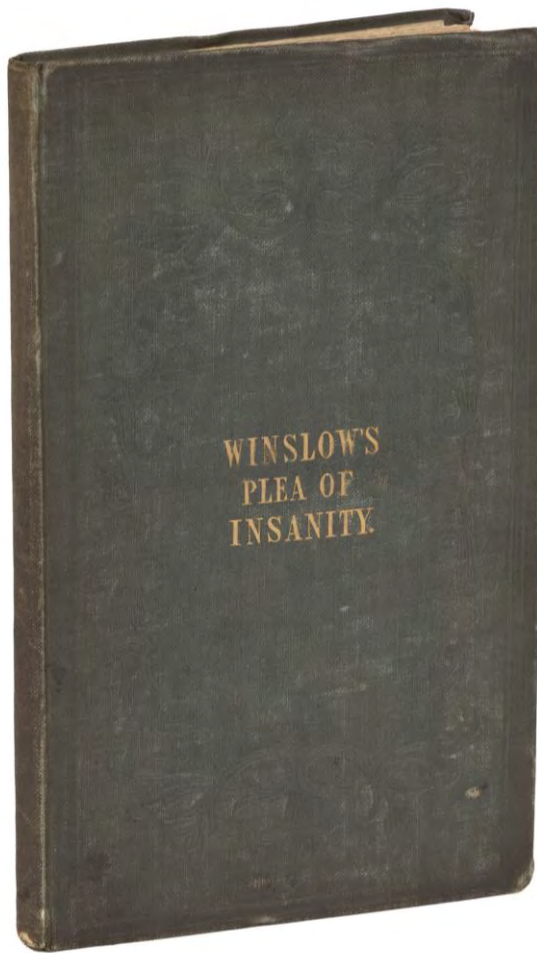
First Edition of the First English Treatise on Matrimonial Law

27. Swinburne, Henry [1560?-1623].

A Treatise of Spousals, Or Matrimonial Contracts: Wherein All the Questions Relating to that Subject are Ingeniously Debated and Resolved. London: Printed by S. Roycroft for Robert Clavell, 1686. [xvi], 240 pp. Quarto (7-1/2" x 6-1/2").

Recent period-style calf, blind rules and large blind central arabesques to boards, raised bands and lettering piece to spine, endpapers renewed. Title printed within ruled border. Moderate toning to text, spark burns to a few leaves, a few small library marks to verso of title page. A handsome copy. \$1,750.

* First edition. Published posthumously, this was the first English ecclesiastical law treatise devoted to marriage, the relationship between spousal contracts and marriage contracts, the dissolution of those contracts and divorce. It is also notable as one of the first four English legal treatises devoted to laws concerning women. Swinburne was commissary of the exchequer and judge of the consistory court at York. He is best known for his influential treatise on wills, which went through seven editions between 1590 and 1793. *English Short-Title Catalogue* R22016. [Order This Item](#)



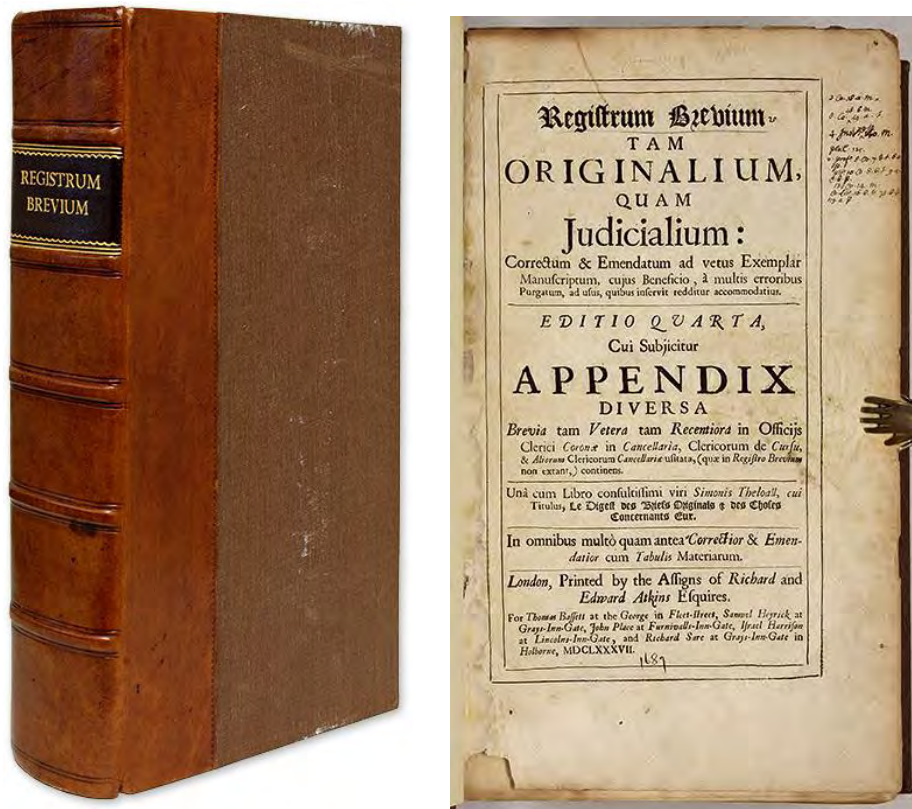
Landmark in the Evolution of Insanity Jurisprudence

28. Winslow, Forbes [1810-1874].

The Plea of Insanity, In Criminal Cases. London: H. Renshaw, 1843. viii, 78, [2] pp. Tipped-in errata sheet. Final leaf of publisher advertisements (for other books by Winslow). Octavo (7-1/2" x 4-1/4").

Original textured cloth with decorative blind stamping, gilt title to front board. Light rubbing and a few small nicks to boards, moderate rubbing to extremities with some wear to spine ends and corners, front free endpaper lacking, moderate toning to text. This copy was once the property of the renowned psychiatrist J.R. Oliver. \$750.

* First edition. The frequent establishment of the plea of insanity in criminal cases was largely due to Winslow's influence, and he was called as a witness in many celebrated trials. This treatise was one of the first attempts to outline criteria through which to determine the legitimacy of an insanity plea. This issue would be resolved later that year with the establishment of the McNaghten Rules, which this work undoubtedly influenced, and which are still applied in England today. Dr. Winslow, a London physician, was a member of the Royal College of Surgeons and the father of Dr. Winslow Lyttleton Forbes, who is best known for his work on the case of Jack the Ripper. *British Museum Catalogue* (Compact Edition) 27:316. [Order This Item](#)



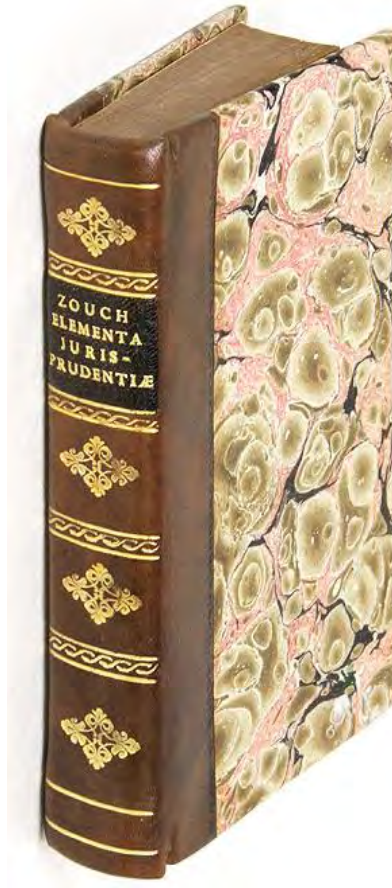
"It is Doubtful Whether Any Book Used by Mediaeval Practitioners Has Greater Importance in the History of Our Law"

**29. [Writs].
[Great Britain].**

Registrum Brevium tam Originalium, Quam Judicialium: Correctum & Emendatum ad Vetus Exemplar Manuscriptum, Cujus Beneficio, a Multis Erroribus Purgatum, Ad Usus, quibus Inservit Reddatur Accommodatus. Editio Quarta, Cui Subjicitur Appendix Diversa Brevia tam Vetera tam Recentiora in Officiis Clerici Coronae in Cancellaria, Clericorum de Cursu, & Aliorum Clericorum Cancellariae Usitata, (Quae in Registro Brevium non Extant,) Continens. Unà cum Libro Consultissimi Viri Simonis Theloall, Cui Titulus, Le Digest des Brieves Originales & des Choses Concernants Eur. In Omnibus Multò Quam Antea Correctior & Emendatior cum Tabulis Materialium. London: Printed by the Assigns of Richard and Edward Atkins Esquires. 1687. [x], 321, 85 ff., [4], 59, [13], 239, [1] pp. The "Appendix" and "Le Digest des Brieves Originales" have separate title pages and paginations. Folio (12-1/2" x 7-1/2").

Recent period-style half-calf over cloth, endpapers renewed, early hand-lettered title to fore-edge of text block, title page re-hinged. Corners lightly bumped, a few light stains to front board. Moderate toning, somewhat heavier in places, occasional faint dampstaining to head of text block above headlines, light foxing in a few places, some edgewear to preliminaries and final leaves of text, early owner annotations to title page and a few other leaves. \$1,500.

* Fourth stated edition, the fifth and final edition of this work. As Winfield notes, "it is doubtful whether any book used by mediaeval practitioners has greater importance in the history of our law than the collection of writs known as *Registrum Brevium*," an opinion shared by Maitland, Holdsworth and present-day legal historians. An essential companion to the Year Books, the *Registrum* collects a body of writs dating back to the Middle Ages. It has its origins in versions that circulated in manuscript. Distilled from several examples, the first printed collection appeared in 1531. A welcome reference, it went through five editions by 1687, all with similar content. Winfield, *Chief Sources of English Legal History* 298. *English Short-Title Catalogue* R34567. [Order This Item](#)



The First English Writer on Jurisprudence

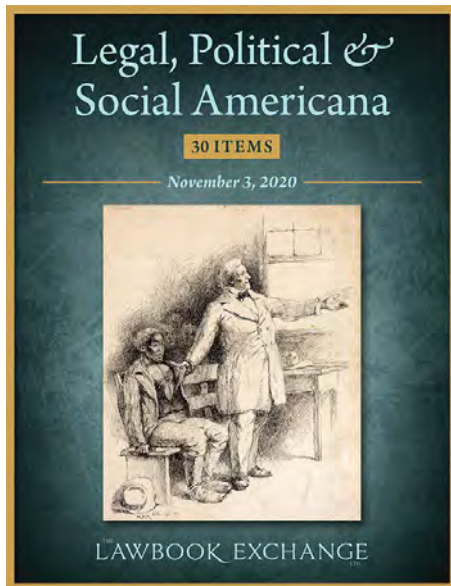
30. Zouch Richard [1590-1661].

Elementa Jurisprudentiae, Definitionibus, Regulis & Sententiis Selectoribus Juris Civilis, Illustrata; Accesserunt Descriptiones Juris & Judicii, Sacri, Militaris, Et Maritimi. Amsterdam: Sumptibus Joh. Nevilsoni, [1652]. [x], 439 pp. Four parts with continuous pagination and divisional title pages. 12mo. (5" x 2-3/4").

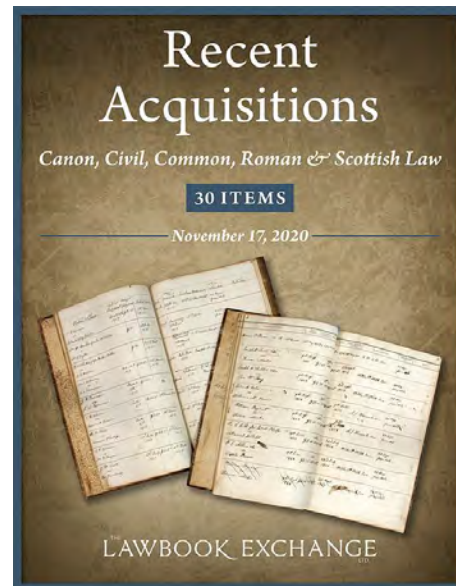
Recent period-style quarter calf over marbled boards, lettering piece and gilt ornaments to spine. Light toning to text. A handsome copy. \$750.

* Third edition, an issue of the Elzevier edition of 1652 with a cancel title page. One of England's greatest civilians, Zouch was an advocate of Doctors' Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. He published treatises on a broad range of legal topics and is best known for his contributions to international law. He is equally important as the first English writer to publish works on jurisprudence. *Elementa Jurisprudentiae* is an ambitious general study that lays out a general theory of general principles applicable to all branches and systems of legal science. The second, third and fourth parts, *Descriptio Juris et Judicii Sacri; Ad Quam Leges, Quae Religionem, Et Piam Causam Respiciunt, Referuntur*, *Descriptio Juris & Judicii Militaris; Ad Quam Leges, Quae rem Militarem et Ordinem Personarum* and *Descriptio Juris et Judicii Maritimi; Ad Quam quae Navigationem et Negotiationem Maritimam Respiciunt, Referuntur* are distinct essays on topics in English ecclesiastical law, the laws of war and military discipline and laws concerning ships and sea-borne cargo. The latter two essays also deal with international law. The first two editions were published in Oxford in 1629 and 1636. The following two editions, with different additional contents, were issued in Holland in 1652 and 1665. According to Willems, some copies of this title were printed by other printers, some with cancel title pages, others with counterfeit Elzevier title pages. See Willems, *Les Elzevier: Histoire et Annales Typographiques* 717. [Order This Item](#)

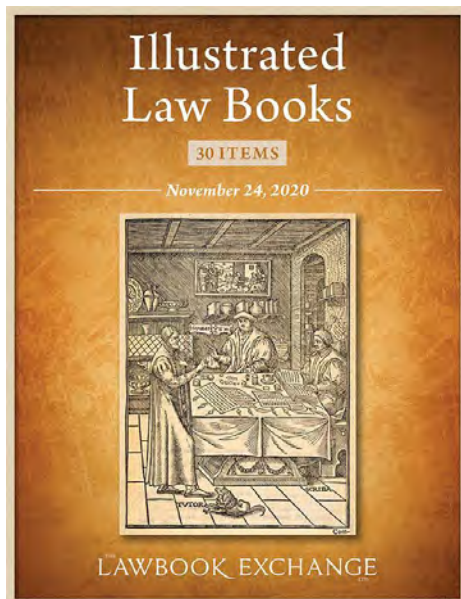
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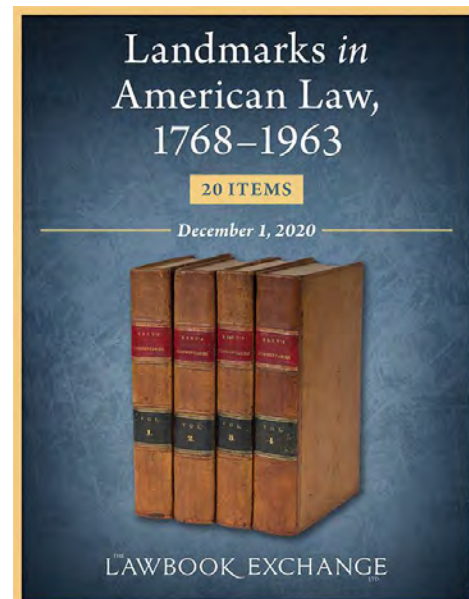
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