

Recent Acquisitions

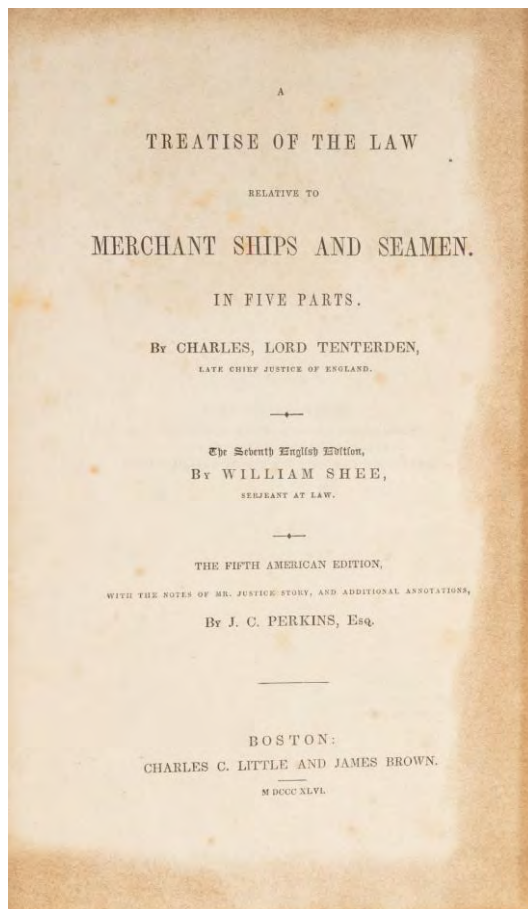
AMERICAN, ENGLISH &
SCOTTISH LAW, 1671–1909

30 ITEMS

March 22, 2022



THE
LAWBOOK EXCHANGE
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Classic Maritime Treatise with Notes by Joseph Story

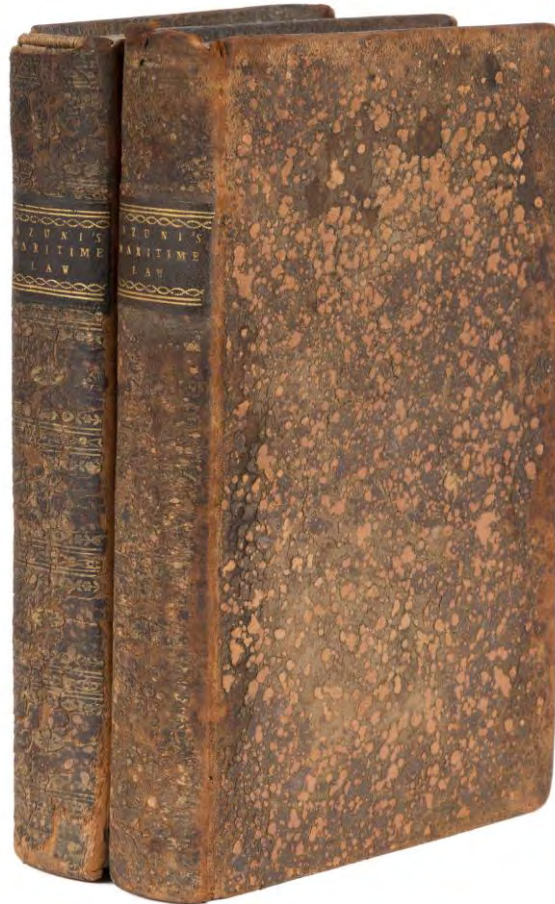
- 1. Abbott, Charles, Lord Tenterden [1762-1832].**
Shee, William [1804-1868], Editor.
Perkins, J[onathan] C[ogswell] [1809-1877], Editor.
Story, Joseph [1779-1845].

A Treatise of the Law Relative to Merchant Ships and Seamen. In Five Parts. Boston: Charles C. Little and James Brown, 1846. lxiii, [1], 1004 pp. Octavo (9-1/2" x 5-1/2").

Contemporary sheep, blind fillets to boards, raised bands, gilt-edged red and black lettering pieces and owner label ("Daniel Rygel") to spine, blind tooling to board edges. Moderate rubbing with a few scuffs, nicks and scratches to boards, rubbing to extremities, light gatoring and spotting to spine, which is slightly faded and detaching, boards detached but secured by cords, corners bumped and somewhat worn, faint offsetting to preliminaries and dampspotting to top-edge of text block. Moderate toning to interior, light foxing to a few sections. \$450.

* Fifth American edition, from the seventh London edition, to which it is star-paged. First published in 1802, it was the first English treatise devoted exclusively to the law of shipping. "This book is a legal classic of high character, and is frequently cited upon questions of commercial law not altered by statute. It is equally distinguished for practical good sense, and for extensive and accurate learning, remarkably compressed, and appropriately applied" (Marvin). Our edition includes scrupulous and impressive notes, often mini-essays in their own right, by Joseph Story. They were originally published in the fourth edition. Marvin, *Legal Bibliography* 47. Cohen, *Bibliography of Early American Law* 1564.

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An Influential Work on European Maritime Law

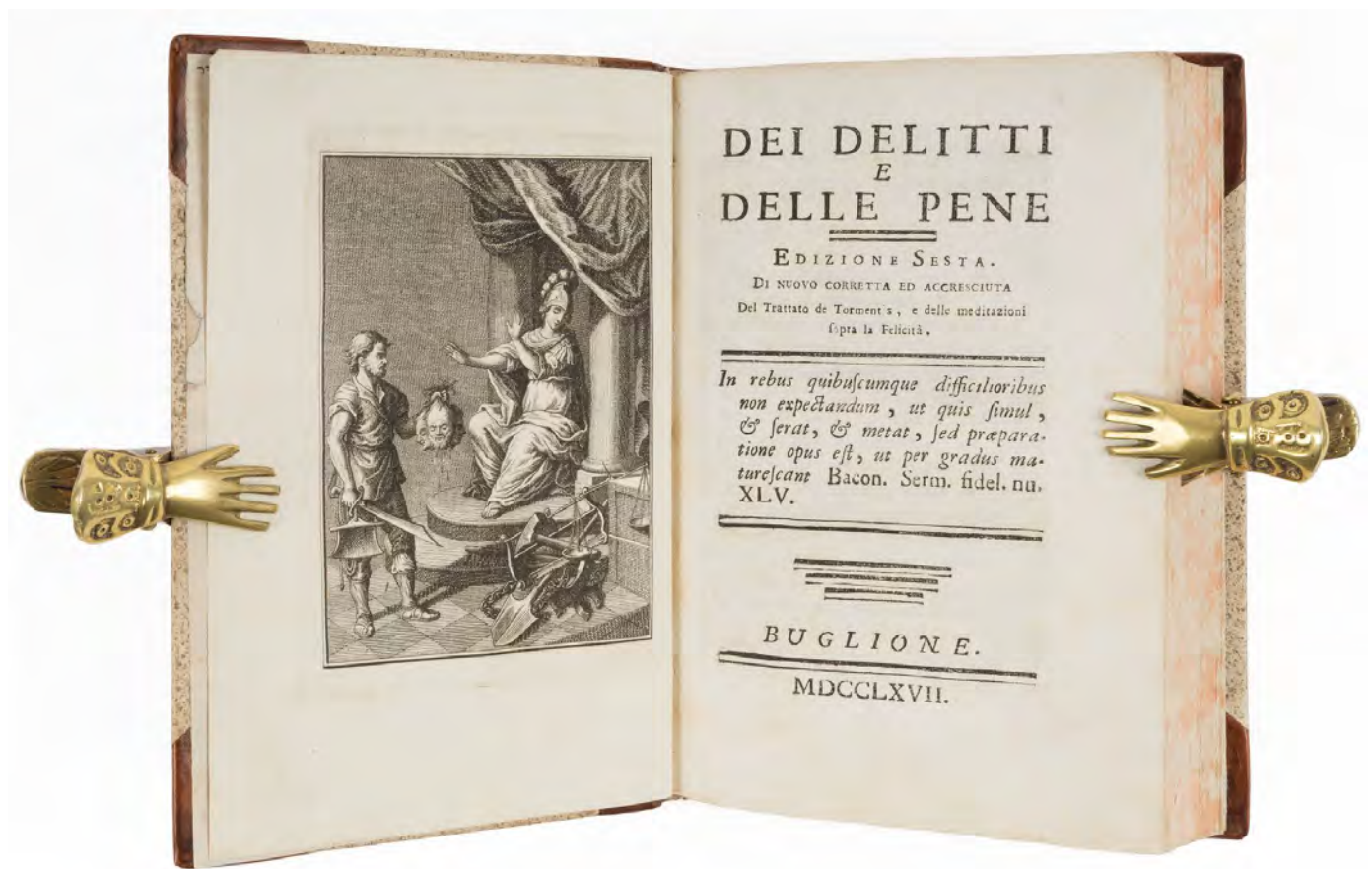
2. Azuni, D[omenico] A[lberto] [1749-1827].

Johnson, William, Translator.

The Maritime Law of Europe. Translated from the French. New York: Printed by George Forman for I. Riley & Co., 1806. Two volumes. xxxii, 424; viii, 430, [1] pp. Octavo (8" x 5").

Contemporary mottled calf, gilt decorations and lettering piece to spines, gilt tooling to board edges, edges of text block speckled green. Gatoring and wear, moderate rubbing to extremities, chipping to head of spines, heavier to Volume I, corners bumped and somewhat worn, joints of Volume I starting at head with front joint starting at foot, rear hinge of Volume I and front hinge of Volume II cracked, foxing and light soiling to endleaves. Moderate toning to interiors, slightly heavier in places, occasional light foxing, slight creasing to first third of text block of Volume I. \$400.

* Only American edition and the only edition in English. Azuni was an Italian jurist and a writer on mercantile law who later became a French citizen and then president of the appeal court at Genoa and judge of the Commercial Court at Cagliari. First published in Italian in 1795 as *Sistema Universale dei Principii del Diritto Marittimo dell'Europa* and later translated by Azuni into French, this systematic work on the maritime law of Europe was of great influence on prize laws. It was also highly regarded for its treatment of Rhodian laws and the Consolato del Mare. "It points out what is always of the highest importance to the diligent inquirer after truth, the sources of information upon maritime jurisprudence... The English translation from the French, by William Johnson is excellent, and his notes show a familiarity and accurate acquaintance with legal and classical antiquities.": Marvin, *Legal Bibliography* (1847) 82. [Order This Item](#)



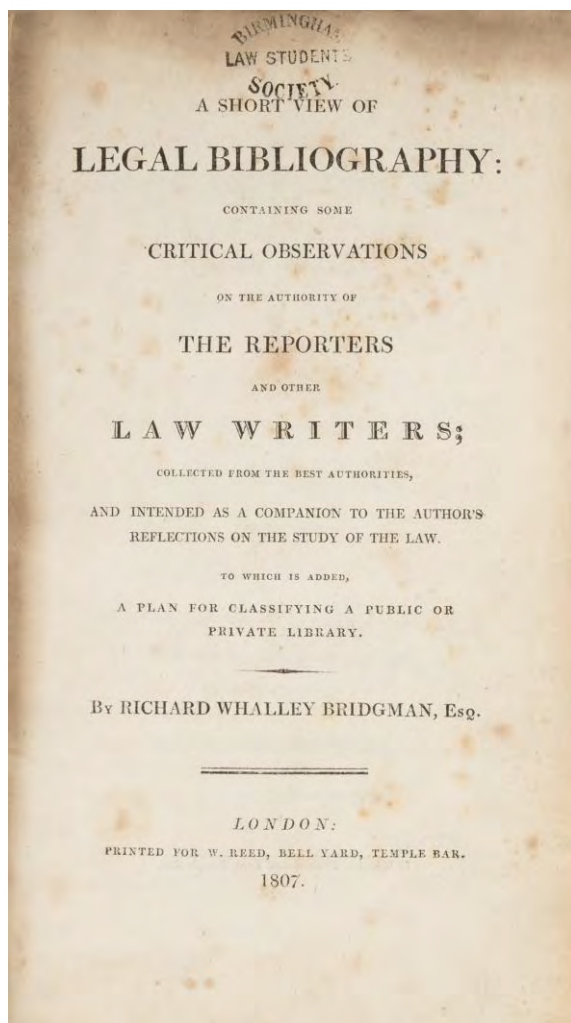
Attractive 1767 Edition of *On Crimes and Punishments*

3. [Beccaria, Cesare Bonesana, Marchese de (1738-1794)].

Dei Delitti e Delle Pene. Edizione Sesta. Di Nuovo Corretta ed Accresciuta. Buglione: [S.n.], 1767. 336 pp. Copperplate allegorical frontispiece. Octavo (7-1/4" x 5").

Recent period-style three-quarter speckled calf over speckled boards, gilt rules to calf edges, gilt spine with raised bands, marbled edges. A few small scratches to boards, light foxing to pastedowns. Very light toning to interior, light foxing in a few places, interiors notably fresh. A well-preserved copy in an attractive binding. \$1,250.

* Sixth stated edition. First published in 1764, *Dei Delitti e Delle Pene* was the first systematic study of the principles of crime and punishment. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the Middle Ages. It had a profound influence on the development of criminal law in Europe and the United States. At least one other "sixth edition" was issued the previous year. OCLC locates 12 copies of the present issue, 1 in North America (Harvard Law School). Not in Goldsmiths' or the *British Museum Catalogue*. [Order This Item](#)



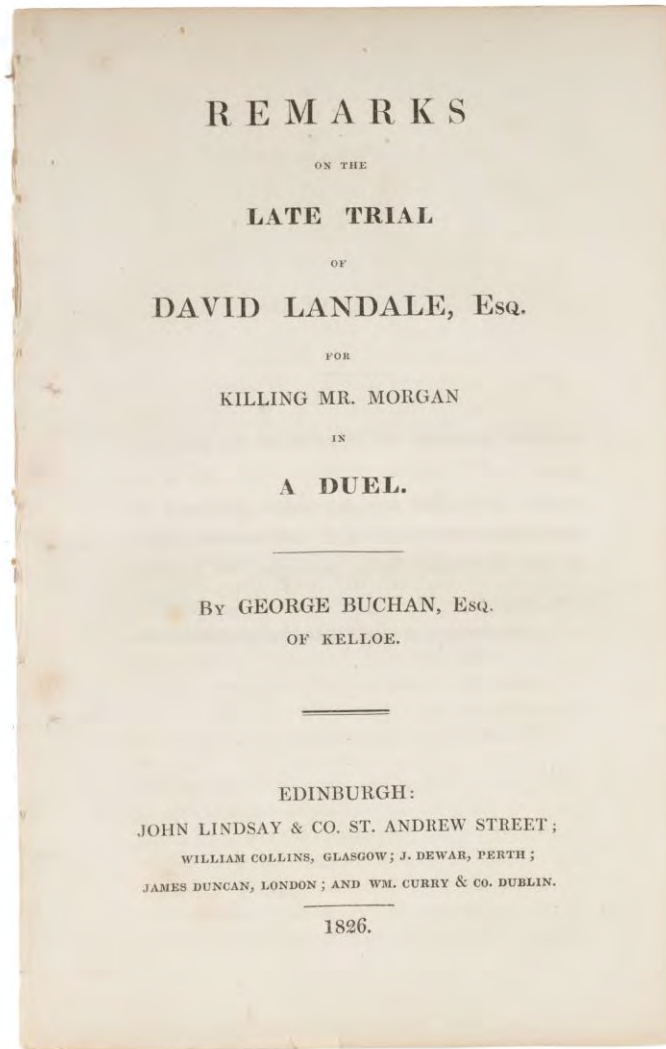
"Removing Rubbish From the Republic of Letters"

4. Bridgman, Richard W. [c.1761-1820].

A Short View of Legal Bibliography: Containing Some Critical Observations on the Authority of the Reporters and Other Law Writers; Collected from the Best Authorities, And Intended as a Companion to the Author's Reflections on the Study of the Law. To Which is Added, A Plan for Classifying a Public or Private Library. London: Printed for W. Reed, 1807. xviii, 429, [1] pp. Includes one-page publisher advertisement. Octavo (8-1/4" x 4-3/4").

Contemporary calf, blind fillets to boards, gilt-stamped institutional name to front board, rebacked with blind fillets, gilt title and institutional name to spine, endpapers renewed. Rubbing and wear to boards and extremities, somewhat heavier to board edges and corners, front hinge cracked, light offsetting to endleaves, front free endpaper detached. Light toning to interior, occasional light foxing, light soiling in a few places early pencil annotations to a few pages, small ink stamp to head of title page. \$500.

* Only edition. Arranged alphabetically by author, and containing valuable critical and descriptive bibliographic observations, Bridgman's classic reference remains a valuable work. Bridgman intended this work as a guide with the "double advantage of easing the labors of the rising generation, and of removing rubbish from the republic of letters. It is our duty to do the best we can for our posterity, and not reject the task under the illiberal idea that posterity can do nothing for us" (v). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:42. [Order This Item](#)



The Last Duel Fought in Scotland

5. Buchan, George [1775-1856].

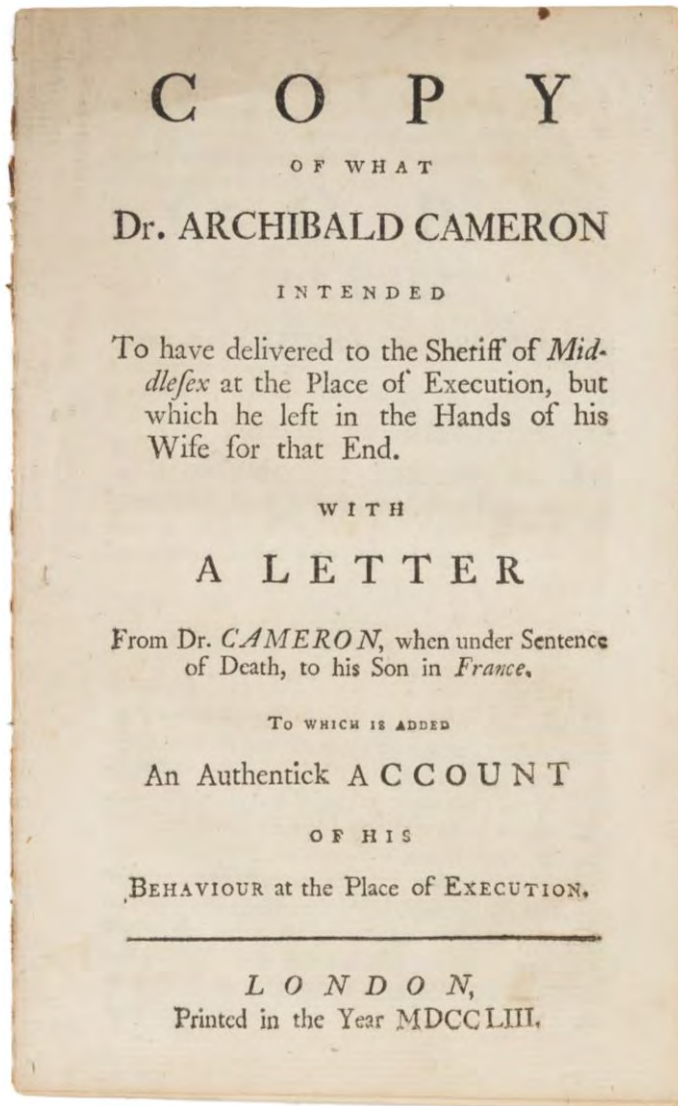
Landale, David.

Morgan, George [d.1826].

Remarks on the Late Trial of David Landale, Esq. For Killing Mr. Morgan in a Duel. Edinburgh: John Lindsay & Co [et al.], 1826. 33, [1] pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet, edges speckled black. Light toning, light foxing to first few leaves, last two leaves beginning to detach at head, light soiling to final page. \$200.

* Only edition. Landale was a Scottish linen merchant and Morgan a banker and retired soldier with a fiery temper. When the two quarreled over the details of a loan, Morgan spread rumors about Landale's reliability. Landale retaliated by beating Morgan about the head with his umbrella, and the two decided to settle their differences on the dueling ground. Despite his relative lack of experience, Landale killed Morgan and immediately fled the country. He surrendered himself for trial a month after the duel and was acquitted. Our pamphlet focuses on the legal, religious and moral implications of dueling rather than Landale's guilt or innocence. [Order This Item](#)



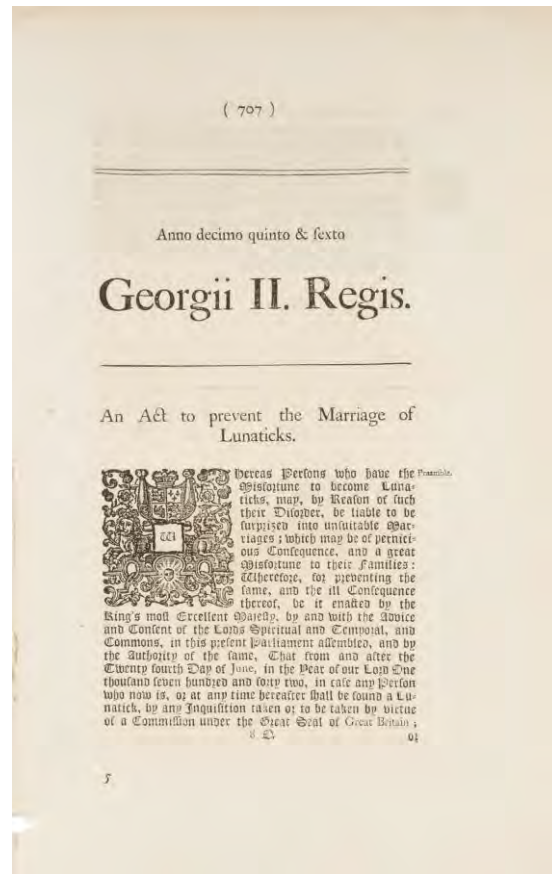
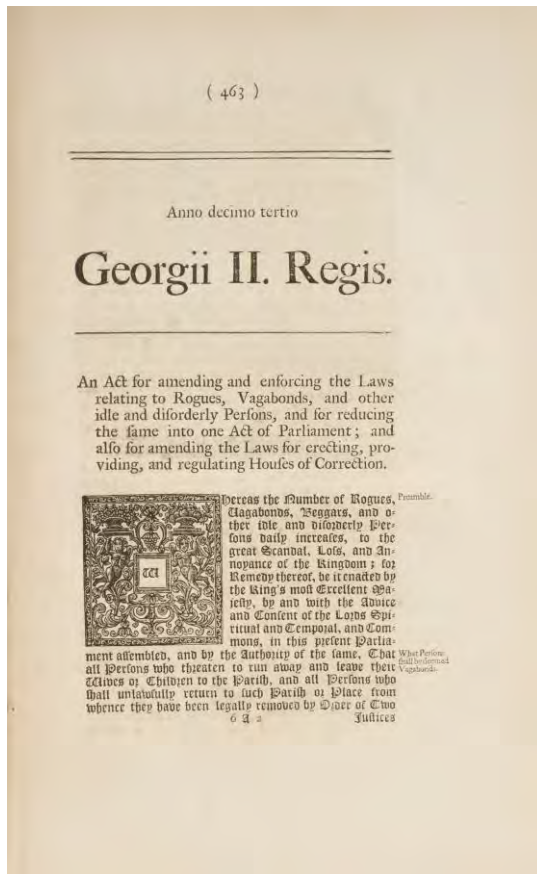
The Last Jacobite Executed for High Treason

6. [Cameron, Archibald (1707-1753)].

Copy of What Dr. Archibald Cameron Intended to Have Delivered to the Sheriff of Middlesex at the Place of Execution, But Which He Left in the Hands of His Wife for that End. With a Letter from Dr. Cameron, When Under Sentence of Death, To His Son in France. To Which is Added an Authentick Account of His Behaviour at the Place of Execution. London: [s.n.], Printed in the Year 1753. 16 pp. Octavo (7-1/2" x 4-3/4").

Disbound stab-stitched pamphlet. Light toning and soiling, neatly split into two parts between pp. 8 and 9. \$250.

* Second, expanded edition. Cameron was a doctor who came from a prominent Jacobite family. He became a fugitive after the Battle of Culloden in 1745. Eventually betrayed and brought to trial in 1753, he was the last Jacobite to receive the death penalty for high treason. He avowed his loyalty to the Jacobite cause until his death, as our account documents. A shorter edition appeared earlier in 1753. OCLC locates 8 copies of this edition, 2 in North America (New York Public Library, University of Missouri-Columbia). *English Short-Title Catalogue* T34168. [Order This Item](#)



Two Scarce Acts Dealing With "Lunaticks" and the "Furiously Mad"

7. [Great Britain].

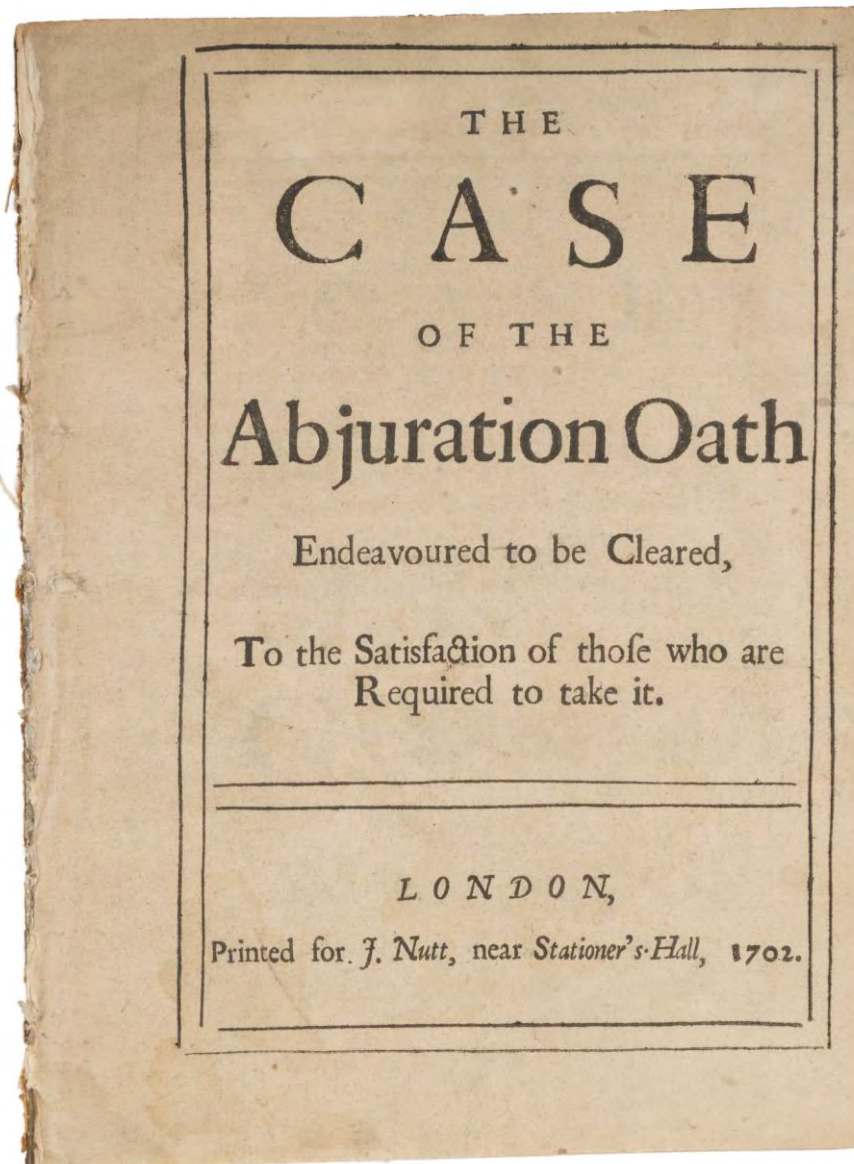
An Act for Amending and Enforcing the Laws Relating to Rogues, Vagabonds, And Other Idle and Disorderly Persons, And for Reducing the Same into One Act of Parliament; And Also for Amending the Laws for Erecting, Providing, And Regulating Houses of Correction [Drop-Head Title]. At head of drop-head title: *Anno Decimo Tertio Georgii II. Regis*. London: Printed by John Baskett, 1740. [ii], 463-490 pp. Woodcut royal arms to title page.

[With]

An Act to Prevent the Marriage of Lunaticks [Drop-Head Title]. At head of drop-head title: *Anno Decimo Quinto & Sexto Georgii II. Regis*. London: Printed by Thomas Baskett and Robert Baskett, 1742. [ii], 707-708 pp. Woodcut royal arms to title page.

Folio (12-1/4" x 8"). Disbound stab-stitched pamphlets. Light toning, somewhat heavier in places, occasional light foxing, leaves of first Act separating along spine. \$650.

* Only editions. The first act deals with the treatment and confinement of vagrants, particularly the mentally ill "of little or no Estates, who by Lunacy, or otherwise, are furiously mad or so far disordered in their senses" that they pose a risk to the public. The act made it legal to effectively imprison such people without charge. The second act disallows the marriages of "Persons who have the Misfortune to become Lunaticks" on the grounds that they are "liable to be surprized into unsuitable Marriages." Acts such as these were compiled over the course of a session and bound afterwards. They were issued with general title pages, which were often discarded but are present in the issues offered here. OCLC locates no single copies of the second act and 1 copy of the first (New York Public Library). *English Short-Title Catalogue* N51613, N51752. [Order This Item](#)



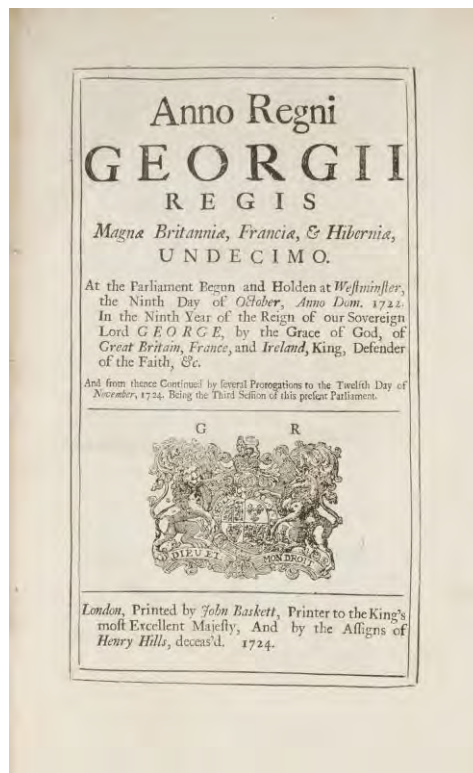
In Favor of Oaths of Abjuration

8. [Great Britain].

The Case of the Abjuration Oath Endeavoured to be Cleared, To the Satisfaction of Those who are Required to Take It. London: Printed for J. Nutt, 1702. [ii], 20 pp. Quarto (7-3/4" x 5-3/4").

Disbound stab-stitched pamphlet. Light toning, light foxing to last half of text block, light soiling to title page, which is detaching at head but secure, early underlining in ink to p. 16. \$350.

* Only edition. First proposed in 1690, the Abjuration Act of 1701 required everyone taking civil, military or spiritual office to renounce the Stuart dynasty and the temporal power of the Pope. This caused controversy among religious groups like Quakers and Catholics, many of whom refused to comply. Our work, written in the form of a dialogue, supports the provisions of the Act. *English Short-Title Catalogue* T11105. [Order This Item](#)



Public and Private Acts of Parliament, 1722-1724

9. [Great Britain].

George I [1660-1727], King of Great Britain.

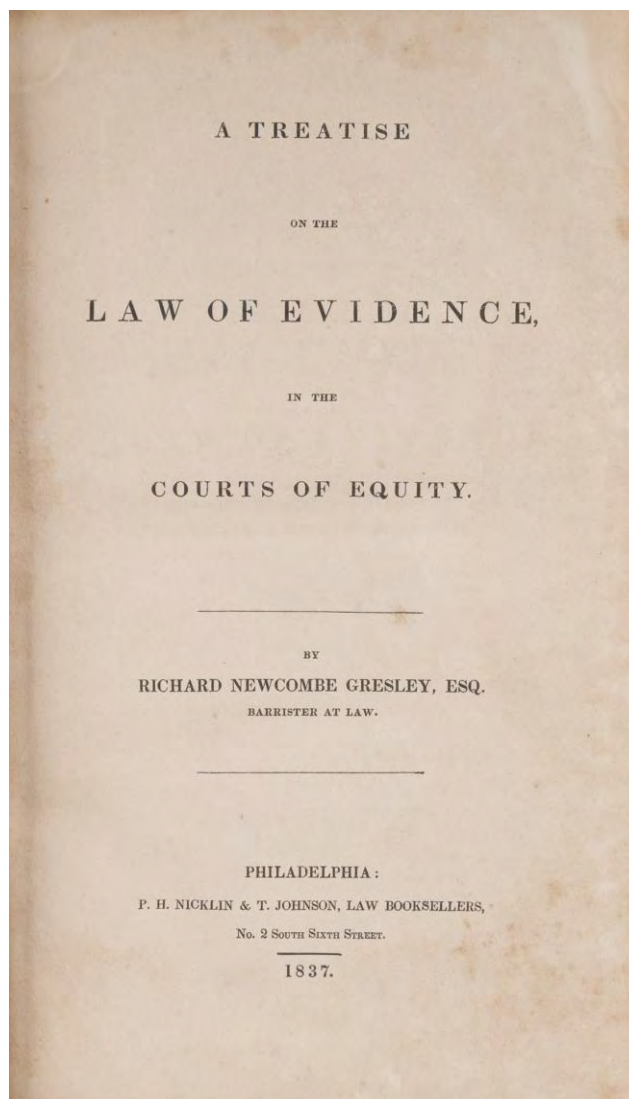
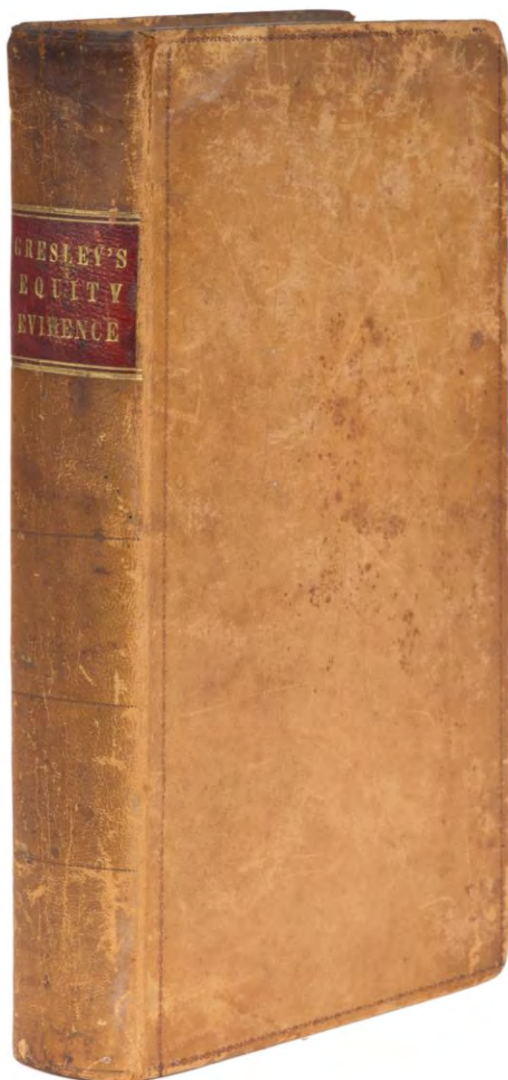
Anno Regni Georgii Regis Magnae Britanniae, Franciae, & Hiberniae, Undecimo. At the Parliament Begun and Holden at Westminster, the Ninth Day of October, Anno Dom. 1722. In the Ninth Year of the Reign of our Sovereign Lord George, By the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. And From Thence Continued by Several Prorogations to the Twelfth Day of November, 1724. Being the Third Session of this Present Parliament. London: Printed by John Baskett, 1724 [i.e. 1725]. 523, [5] pp. Same general title page preceding each act, Acts XVIII-XXX dated 1725.

[Bound With]

An Abstract of All the Acts Passed in the Third Session of the Sixth Parliament of Great Britain, And in the Eleventh Year of the Reign of Our Most Gracious Sovereign Lord King George. London: Printed by John Baskett, 1725. 60 pp.

Folio (12-1/4" x 7-1/2"). Contemporary paneled calf, gilt royal arms to boards, rebacked and recorned in period style with raised bands, blind fillets and lettering piece to spine, blind tooling to board edges, edges speckled red. Light rubbing to boards, a few small scuffs, nicks and scratches, faint dampstain to lower corner of rear board affecting last two leaves, moderate rubbing to board edges, corners slightly bumped, hinges cracked. Light toning to interior, light browning, foxing and soiling in a few places. An appealing copy. \$500.

* A collection of 30 acts passed in the third session of the sixth Parliament of Great Britain, with tables listing the titles of the public acts and summaries of 43 private acts. Some of the more interesting acts include the "Act for More Effectual Disarming the Highlands" after the Jacobite rising of 1719, several acts to do with debt relief and the so-called "Adulteration of Tea and Coffee Act," which forbade mixing tea or coffee with any other substances in order to preserve the Crown's tax revenue. Appended is the separately-issued volume of abstracts. *English Short-Title Catalogue* N50436, T149260. [Order This Item](#)



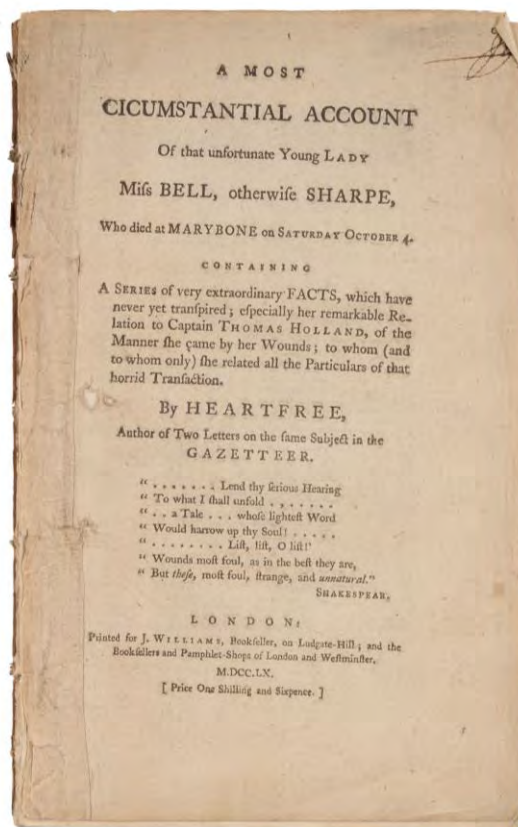
"A Complete and Satisfactory Work"

10. Gresley, Richard Newcombe [1804-1837].

A Treatise on the Law of Evidence in the Courts of Equity. Philadelphia: P.H. Nicklin & T. Johnson, 1837. [iii], [ix]-xl, 564 (i.e. 464) pp. Octavo (9" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine, blind tooling to board edges. Light rubbing and faint spotting to boards, moderate rubbing to extremities, tiny chip to head of spine, corners bumped, hinges cracked. Light browning to interior, light foxing in a few places, faint dampstaining to upper corners of several leaves at rear of text. \$450.

* First American edition, reprinted from the first London edition (1836). Marvin notes: "The author is the first to present the evidence applicable to a difficult and important subject, and he has given the profession a complete and satisfactory work." A second London edition was published in 1847. It was reprinted in America by two different publishers in 1848. Marvin, *Legal Bibliography* 350. Cohen, *Bibliography of Early American Law* 5069. [Order This Item](#)



Murder or Venereal Disease?

11. Heartfree.

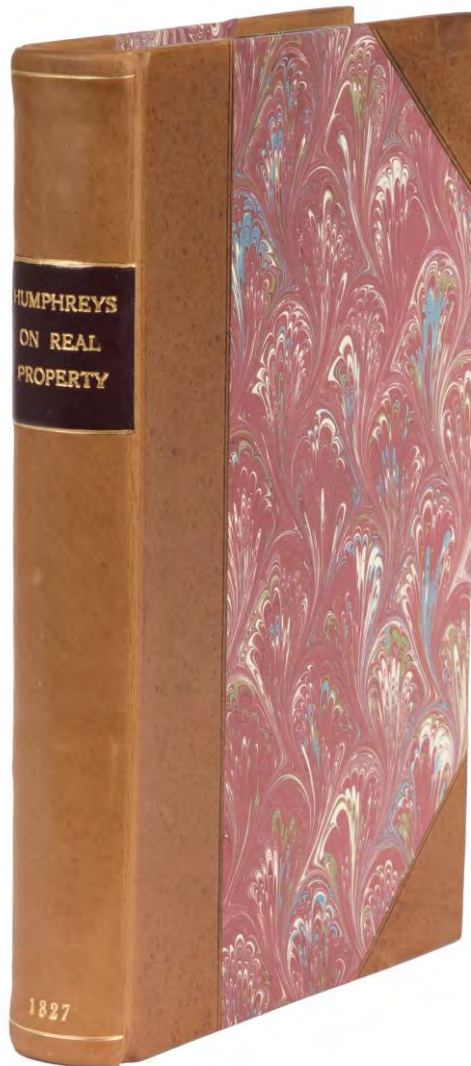
[Bell (Sharpe), Anne (1738?-1760)].

A Most Circumstantial Account of that Unfortunate Young Lady Miss Bell, Otherwise Sharpe, Who Died at Marybone on Saturday October 4. Containing a Series of Very Extraordinary Facts, Which Have Never Yet Transpired; Especially Her Remarkable Relation to Captain Thomas Holland, Of the Manner She Came by Her Wounds; To Whom (And to Whom Only) She Related all the Particulars of that Horrid Transaction. By Heartfree, Author of Two Letters on the Same Subject in the Gazetteer. London: Printed for J. Williams, 1760. [ii], 69, [1] pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet. Moderate toning, light soiling and early (illegible) owner initials to title page, which is detached and slightly creased along left margin with three small holes (not affecting text), lower corner of final leaf folded slightly. \$650.

* First edition, one of seven from the same year. Little is definitively known about the life of Anne Bell, but it was, by all accounts, a tragic one. According to the present work, she ran away from her family at a young age and had a series of affairs with various men who took advantage of her youth and naivety. She was discovered by Holland, a family friend, who found her recuperating from stab wounds in a London boarding house. She had sustained the injuries in a fight with one of her paramours. When she died, her friends and family demanded that the man who had allegedly stabbed her be prosecuted. The coroner's inquest found that her true cause of death was venereal disease. The sordid tale reverberated through Grub Street. At least two other differing accounts were published in 1761 and 1762. OCLC locates 5 copies of this edition, 2 in North America (Huntington Library, University of Minnesota). *English Short-Title Catalogue* N35355.

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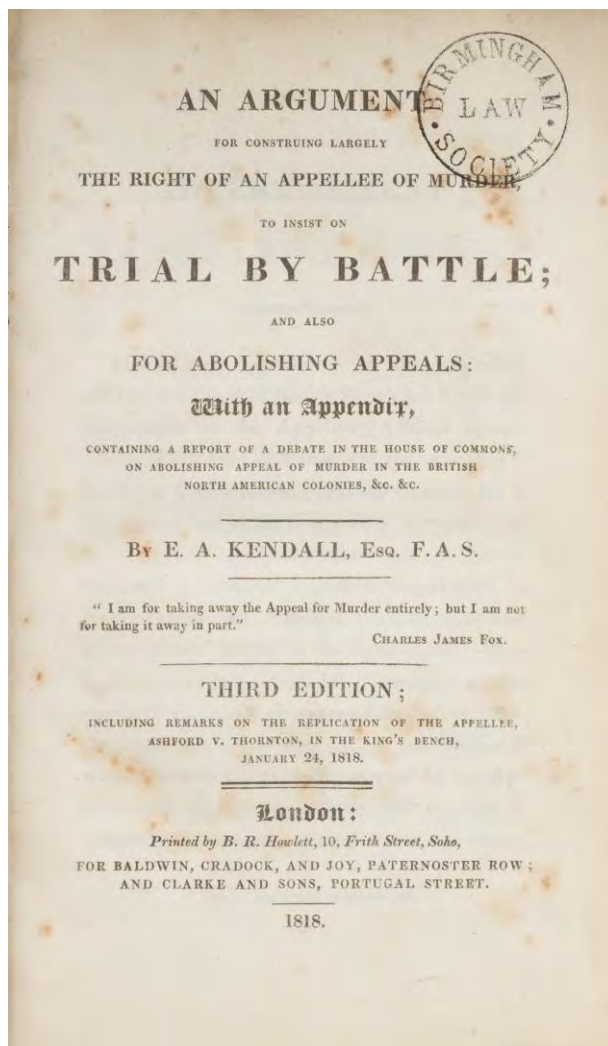
"Bold and Original Thoughts"

12. Humphreys, James [d.1830].

Observations on the Actual State of the English Laws of Real Property: With Outlines for a Systematic Reform. London: John Murray, 1827. xvii, 400 pp. Two folding tables of descents. Octavo (8-1/2" x 5-1/4").

Recent period-style three-quarter calf over marbled boards, lettering piece and gilt fillets to spine, gilt publication date to foot of spine, endpapers renewed. Moderate toning to interior, small library stamps to title page and a few other leaves, light edgewear to folding tables. \$450.

* Second and final edition. "Mr. Humphreys' writings are distinguished by bold and original thoughts, which he does not hesitate to express, relative to the defects of certain parts of the English Law. The present work is remarkable for profound knowledge, and a liberal and philosophical spirit, which bespeaks a mind conversant with the details of practice, and yet above them. As a compendium, concise yet clear, it is unrivalled.": Marvin, *Legal Bibliography* 405. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:176. [Order This Item](#)



Should We Revive Trial by Battle?

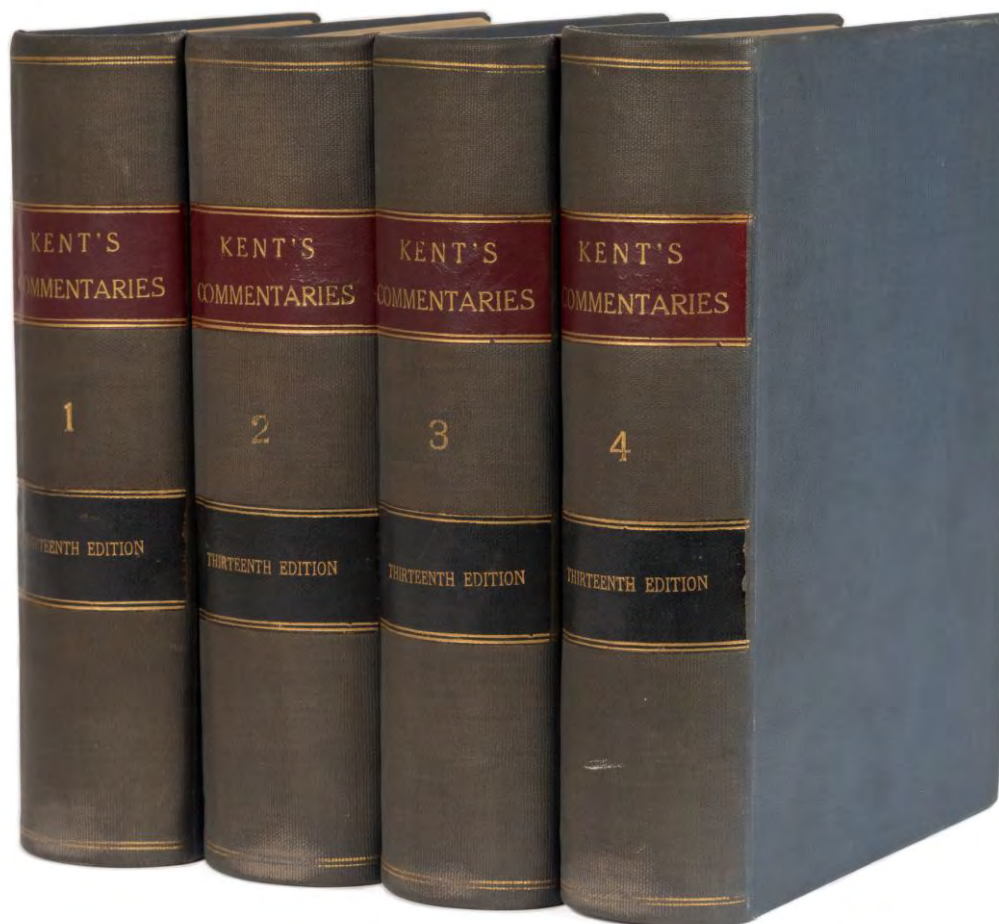
13. Kendall, E[dward] A[ugustus] [1776?-1842].

An Argument for Construing Largely the Right of an Appellee of Murder, To Insist on Trial by Battle; And Also for Abolishing Appeals: With an Appendix, Containing a Report of a Debate in the House of Commons, on Abolishing Appeal of Murder in the British North American Colonies, &c. &c... Including Remarks on the Replication of the Appellee Ashford V. Thornton, in the King's Bench, January 24, 1818. London: Printed by B.R. Howlett, 10, Frith Street, Soho, for Baldwin, Cradock, and Joy and Clarke and Sons, 1818. [ii], v-xxxi, [1], 307 [1] pp. Engraved frontispiece. Lacking pp. iii-iv, which contains the advertisement for the second edition. Octavo (8-1/4" x 5-1/4").

Later library cloth, gilt title and library name to spine. Light shelfwear and soiling, later library bookplate to front pastedown.

Moderate toning to interior, light foxing in a few places, small library stamps to title page and a few other leaves. \$650.

* Third and much enlarged final edition. Notable as an author of children's books, Kendall was also active as a social reformer. *An Argument* is a satirical essay on contemporary criminal procedure. It "argues" for the revival of the medieval practice of trial by battle, a judicially authorized duel between a plaintiff and a defendant. The first two editions were published in 1817. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:196. [Order This Item](#)



With Holmes's Notes

14. Kent, James [1763-1847].

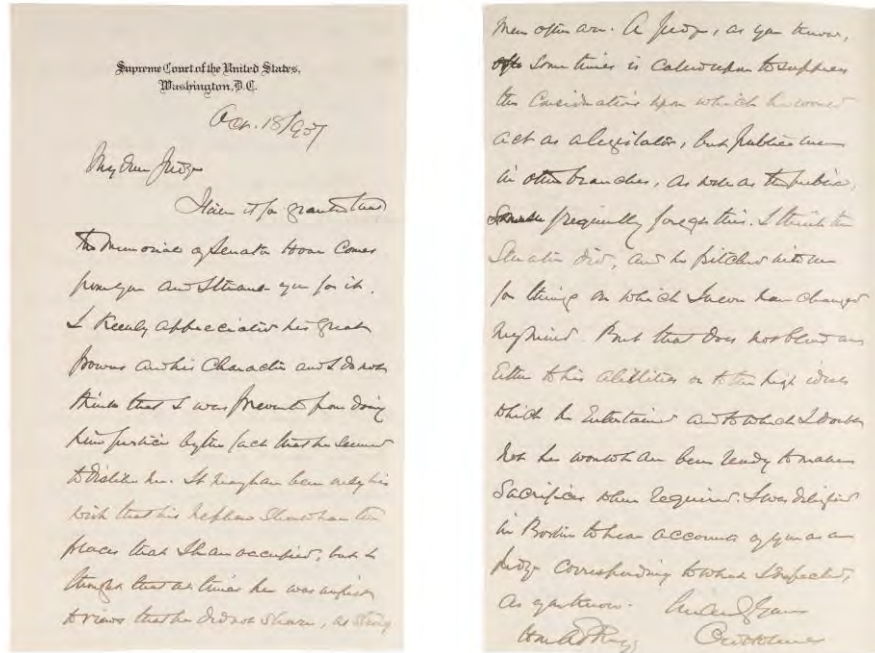
Holmes, Oliver Wendell [1841-1935], Editor of Twelfth Edition.

Barnes, Charles M., Editor of Thirteenth Edition.

Commentaries on American Law. Boston: Little, Brown, And Company, 1884. Four volumes. [2], ccxxii, 548; x, 647; viii, 514; vii, 696 pp. Star-paged to the twelfth edition. Octavo (9" x 6").

Later library cloth, red and black lettering pieces to spines. Light shelfwear and soiling, small owner stamp (Morris Barasch) to front pastedown of each volume, light browning to interiors. \$950.

* Thirteenth edition. Published originally between 1826-1830, Kent's *Commentaries* is probably the single most important interpretation of American law. Writing in 1847, Marvin ranked it above Blackstone and observes that it contains "not only a clear statement of the English law, with all the alterations that have taken place since the time of Blackstone, but a full account of the main principles of Equity, also, a review of the modifications engrafted on the English law by the different states of the Union." America's first classic legal text, it continues to exercise great influence today. The edition with notes by Holmes, published in 1873, is considered by many to be the best. Barnes retained Holmes notes and added additional notes and case references. Marvin, *Legal Bibliography* 438. *Catalogue of the Library of the Harvard Law School* (1909) I:1088. [Order This Item](#)

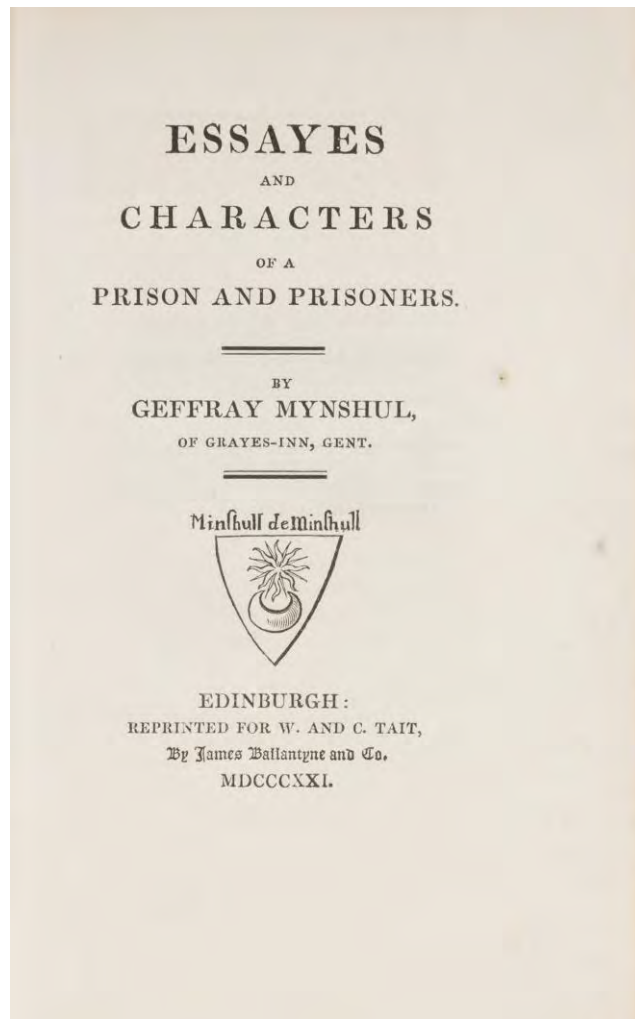
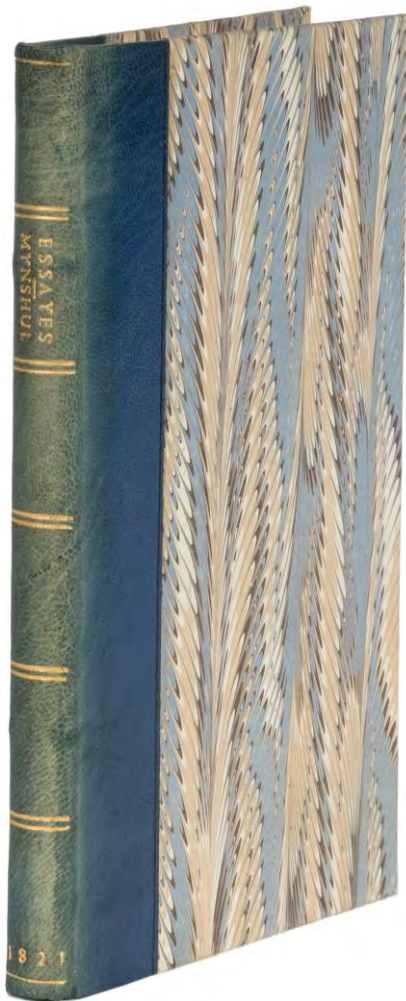


Holmes Praises a US Senator

15. [Manuscript].
 Holmes, Oliver Wendell Jr. [1841-1935].
 [Rugg, Arthur Prentice (1862-1938)].
 [Autograph Letter, Signed "O W Holmes," Washington, D.C., October 18, 1907].

8" x 5" bifolium, United States Supreme Court letterhead, content to recto and verso of first leaf. Light toning, two slight horizontal fold lines. With transmittal envelope postmarked October 18, 1907, small tears to top-edge. \$1,250.

* Rugg was a justice on the Massachusetts Supreme Judicial Court from 1906-1928. In this letter, Holmes thanks him for sending a copy of memorial remarks on the death of George Frisbie Hoar [1826-1904], a senator from Massachusetts. Hoar was a fiery legislator known for battles against political corruption and American imperialism, in addition to his advocacy for women's suffrage. Holmes remarks: "I keenly appreciated his great powers and his character and I do not think that I was prevented from doing him justice by the fact that he seemed to dislike me." He goes on to describe Hoar's character and career, and concludes by noting that he "was delighted" to hear reports of Rugg "as a judge corresponding to the man I respected." [Order This Item](#)



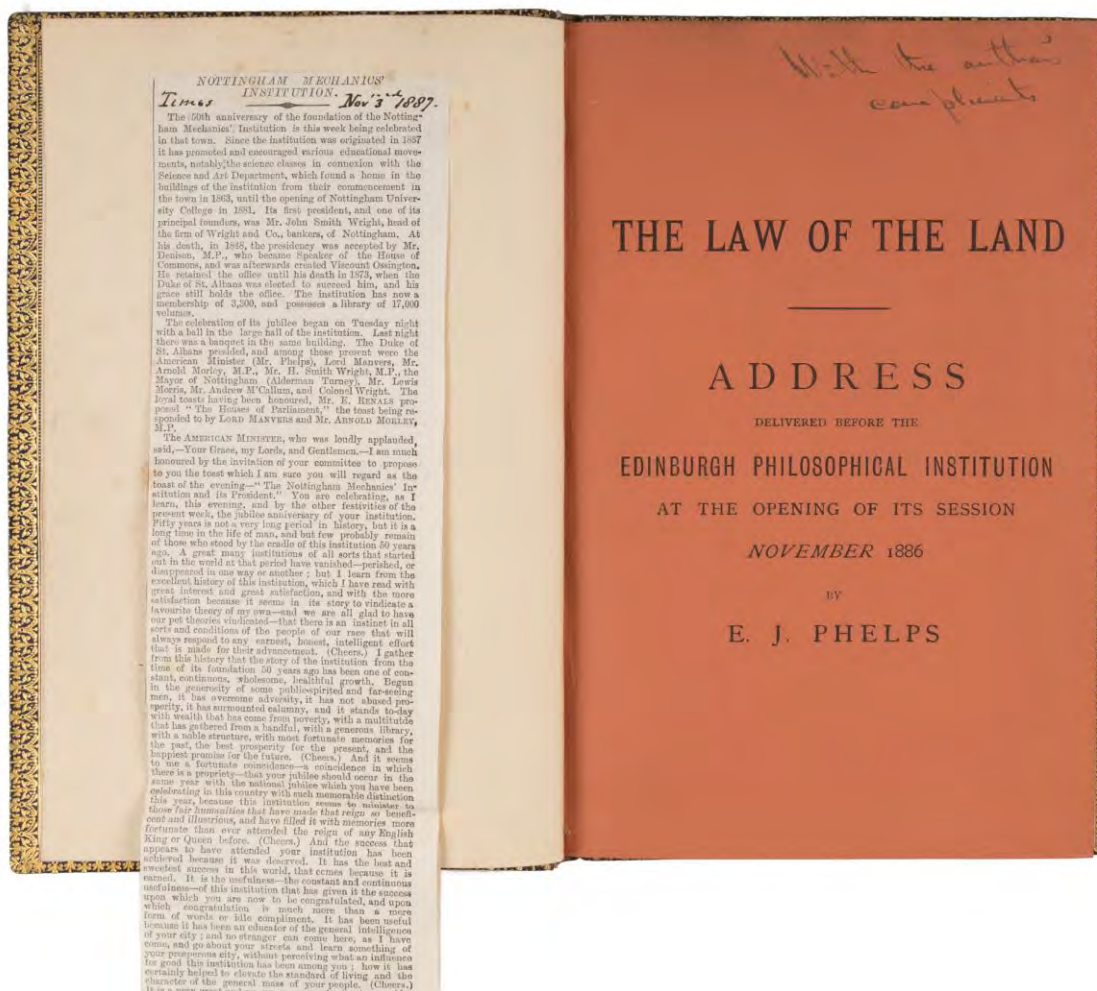
"A Little World of Woe, A Map of Misery"

16. Mynshul, Geffray [1594?-1668].

Essayes and Characters of a Prison and Prisoners. Edinburgh: Reprinted for W. and C. Tait, by James Ballantyne, 1821. xviii, 91 pp. Octavo (7-1/2" x 4-1/2").

Recent period-style quarter calf over marbled boards, gilt fillets and title to spine, endpapers renewed with marbled paper, untrimmed edges. Negligible light rubbing to corners, light fading to spine, tiny owner bookplate to front pastedown, light toning to interior. An attractive copy. \$300.

* Reprint edition limited to 150 copies. Mynshul, a member of Gray's Inn, wrote this work in debtors' prison. First printed in 1618, it is believed to be the first account of life in a British prison by an inmate. Notable for its candor and vivid prose, it describes prison as "a grave to bury men alive, and a place wherein experience may learne more law, than he can at Westminster for an hundred pound. It is a Microcosmos, a little world of woe, it is a map of msery, it is a place that will learne a young man more villany, if he is apt to take it, in one halfe yeare, than he can learne at twenty dicing-houses, bowling-allies, brothell-houses or ordinaries; and an old man more policie than if he had been pupil to Machiavel" (14). OCLC locates 14 copies, 2 in North America (Faulkner Law School, Southern University Law School). *British Museum Catalogue* (Compact Edition) 18:198. [Order This Item](#)



A Well-Reviewed Address on the Fundamental Principles of English Law

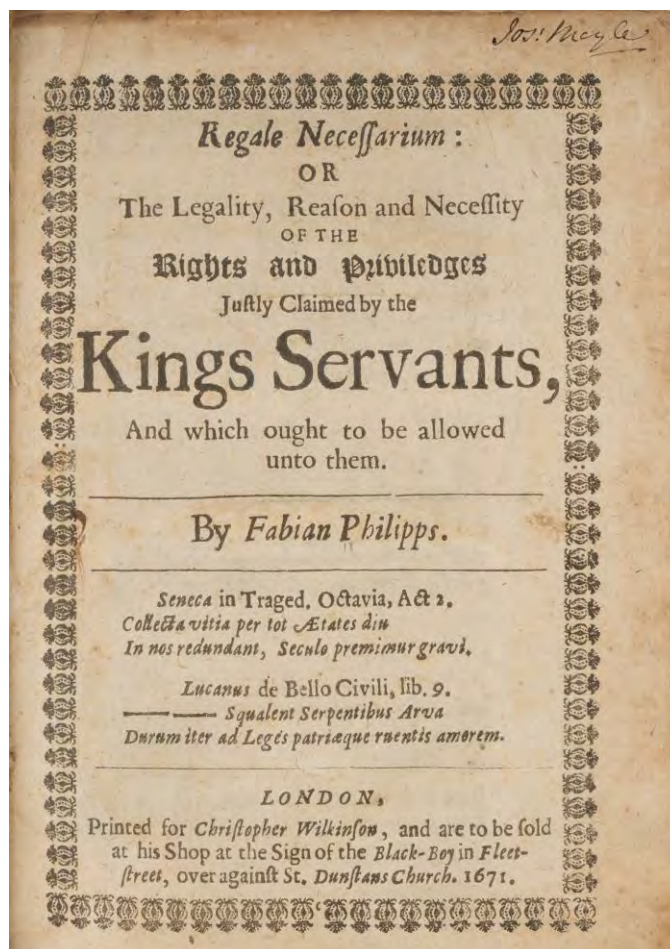
17. Phelps, E[dward] J[ohn] [1822-1900].

The Law of the Land: Address Delivered Before the Edinburgh Philosophical Institution at the Opening of Its Session, November 1886. London: Harrison & Sons, 1887. 64 pp. Octavo (8-3/4" x 5-3/4").

Stapled pamphlet in stiff printed wrappers, bound in contemporary morocco, gilt rules to boards, gilt title and decoration to spine, gilt rules to board edges, gilt text block edges, gilt dentelles to pastedown edges, morocco bookplate of Dudley C. Marjoribanks to front pastedown, contemporary newspaper clippings pasted to free endpapers, contemporary newspaper review laid in. Light rubbing and a few small scuffs to boards and extremities, front board slightly bowed, corners and spine ends very lightly worn, light foxing and faint offsetting to endleaves. Light toning to interior, presentation inscription by author to front cover, internally clean. A handsome copy. \$650.

* Only edition. This review of Magna Carta and other fundamental principles of English law was delivered by Phelps during his tenure as the United States envoy to the Court of St. James's (1885-1889). He was popular in British society and taught law at Yale Law School, Boston University and the University of Vermont on his return to the United States. Marjoribanks [1820-1894] was a British MP and eventual First Baron Tweedmouth. Not in the *British Museum Catalogue*.

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The Rights of the King's Servants

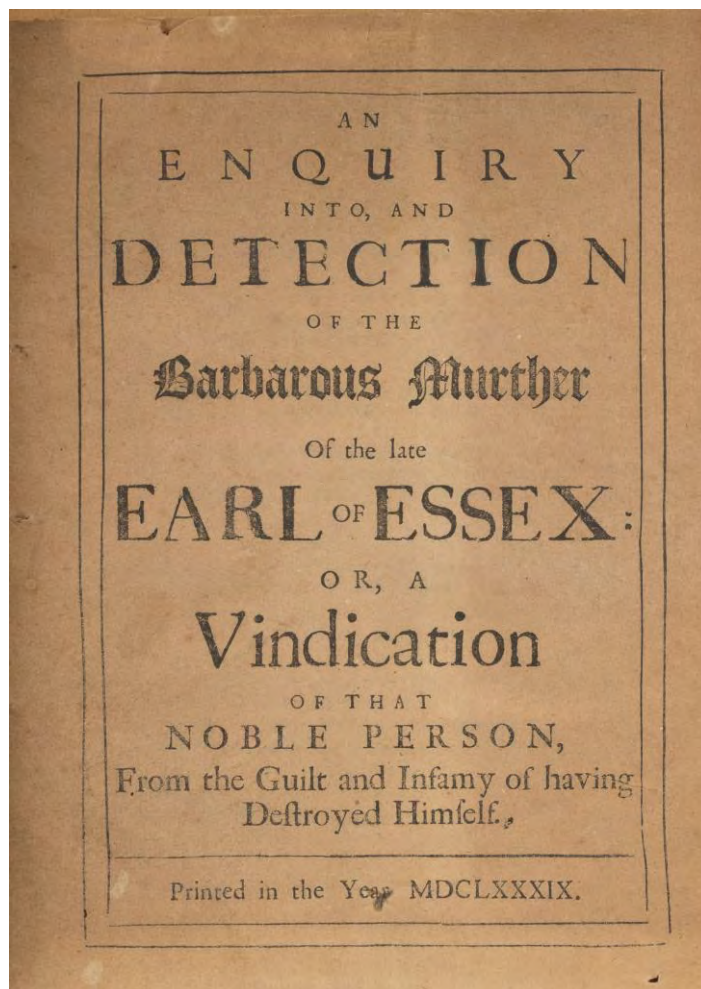
18. Philipps, Fabian [1601-1690].

Regale Necessarium: Or the Legality, Reason and Necessity of the Rights and Priviledges Justly Claimed by the Kings Servants, And Which Ought to be Allowed Unto Them. London: Printed for Christopher Wilkinson, 1671. [xxxii], 552, 552-634 pp. Complete. Quarto (7-1/2" x 5-1/4").

Early sprinkled calf, blind rules to boards, rebacked with raised bands and red and black lettering pieces to spine, blind tooling to board edges, edges rouged, endleaves renewed. Light rubbing and a few nicks and scratches to boards, which have faint library stamps, moderate rubbing to extremities with light chipping to joints, corners bumped, faint library stamp to bottom edge of text block, library bookplate to front pastedown and ink stamps to endleaves. Moderate toning to interior, somewhat heavier in places, occasional light foxing, light soiling in a few places, small tears to fore-edge of leaf P4 (pp. 111-112) mended on verso without loss to legibility, early ownership signature to head of title page and brief corrections in ink in an early hand to a few pages. \$650.

* Only edition. Philipps, a member of an old gentry family educated at inns of chancery, Oxford and Middle Temple, was a notable, and prolific, legal antiquarian. A committed Royalist, most of his scholarship aimed to promote the rights of the Crown though the use of old records. *Regale Necessarium* deals with the rights and respect which ought to be accorded to ministers and household servants of the king. OCLC locates 5 copies of this title in law libraries (Harvard, New York University, Library of Congress, Northwestern, University of Pennsylvania). *English Short-Title Catalogue* R26879.

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Suicide or "Barbarous Murther"?

19. [Rye House Plot].

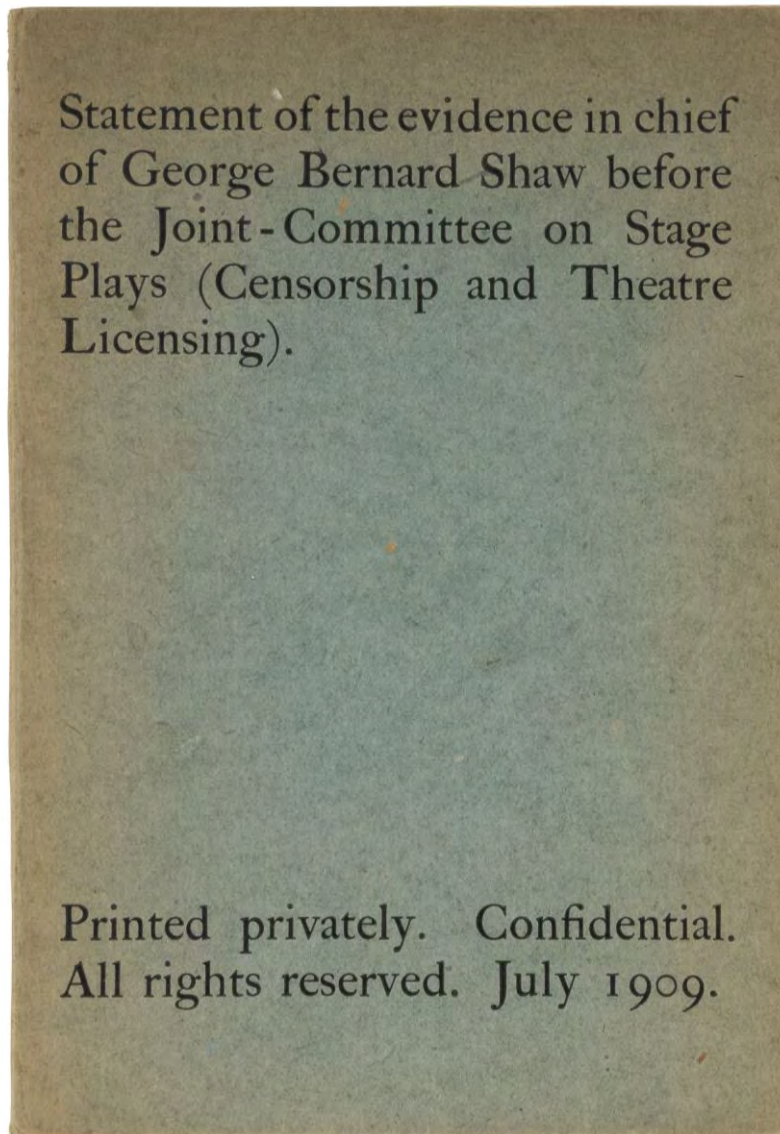
[Ferguson, Robert (c.1637-1714)].

[Capell, Arthur, 1st Earl of Essex (1631-1683)].

An Enquiry Into, And Detection of the Barbarous Murther of the Late Earl of Essex: Or, A Vindication of that Noble Person, From the Guilt and Infamy of Having Destroyed Himself. [London: s.n.], Printed in the Year 1689. [iv], 76 pp. Quarto (8" x 6").

Stab-stitched pamphlet in later plain wrappers, typed title and date to spine. Moderate fading to wrappers, which are chipped and edgeworn with a small tear to top-edge of front wrapper. Moderate toning to interior, light soiling in a few places, light foxing to first few leaves, light browning to title page and final leaf. \$250.

* Second edition, one of several issues and variants from the same year. Essex, awaiting sentence after being convicted of participation in the Rye House Plot to assassinate King Charles II and his brother, was discovered in his cell with his throat cut. Though Essex's friends believed that he had, in fact, committed suicide in order to avoid an attainder and preserve his estate for his descendants, the public was unconvinced. Our anonymous pamphlet is often attributed to Robert Ferguson, another member of the Rye House Plot. Ferguson was so determined a conspirator that he earned himself the nickname "the Plotter" for his participation in several conspiracies against various monarchs. OCLC locates no copies of this issue; the *ESTC* locates 11 of all variants, 3 in North America (California State Library, Huntington, Library Company of Philadelphia). *English Short-Title Catalogue* R226516. [Order This Item](#)



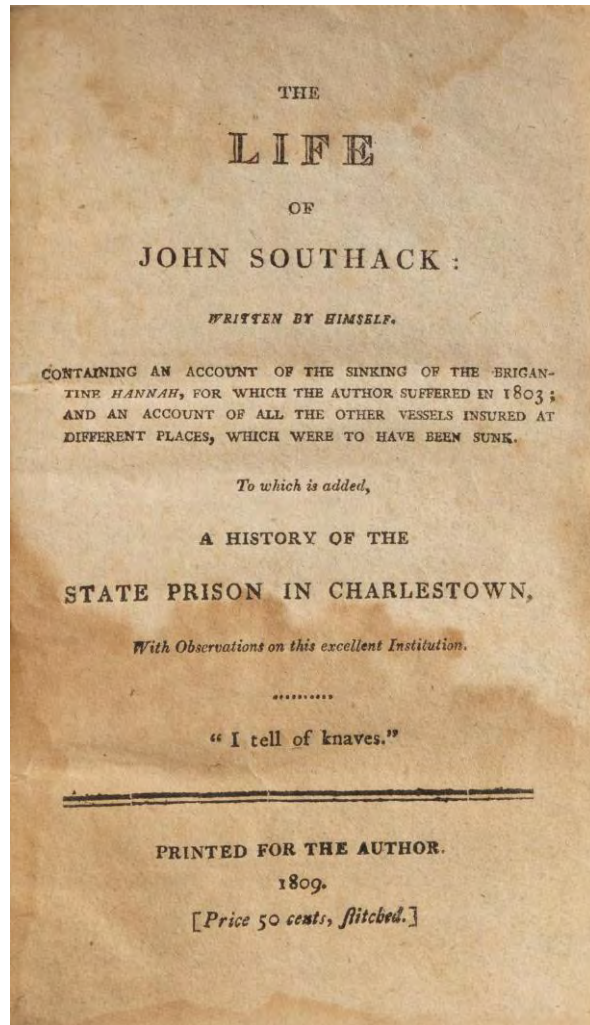
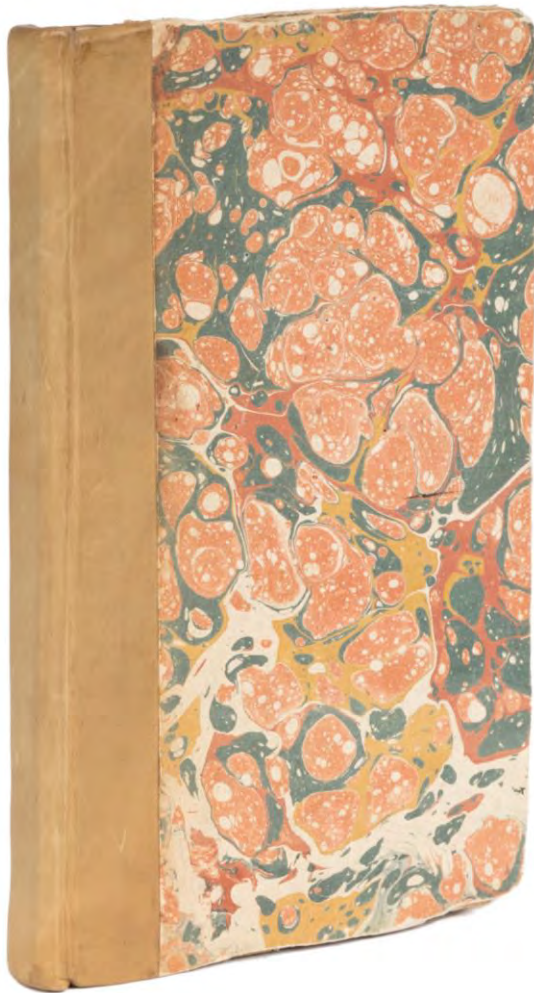
Shaw's Parliamentary Testimony against Censorship

20. Shaw, George Bernard [1856-1950].

Statement of the Evidence in Chief of George Bernard Shaw Before the Joint-Committee on Stage Plays (Censorship and Theatre Licensing). [Edinburgh]: Printed Privately [by R. and R. Clark], 1909. 55, [1] pp. Octavo (6-3/4" x 4-1/2").

Stab-stitched pamphlet in stiff printed wrappers. Light toning and fading to wrappers, which are separating slightly from text block at head but secure, light soiling to rear wrapper. Light toning to interior, negligible light foxing to a few leaves. \$450.

* Only edition, one of 250 copies. Shaw's testimony before the 1909 Parliamentary committee was part of his lifelong campaign to end censorship in the theater. He prepared the present volume beforehand, but the committee (perhaps as anticipated) rejected his request to read it out or print it in its report. It remains a key document in the history of censorship in Great Britain, which officially ended for the stage in 1968. [Order This Item](#)



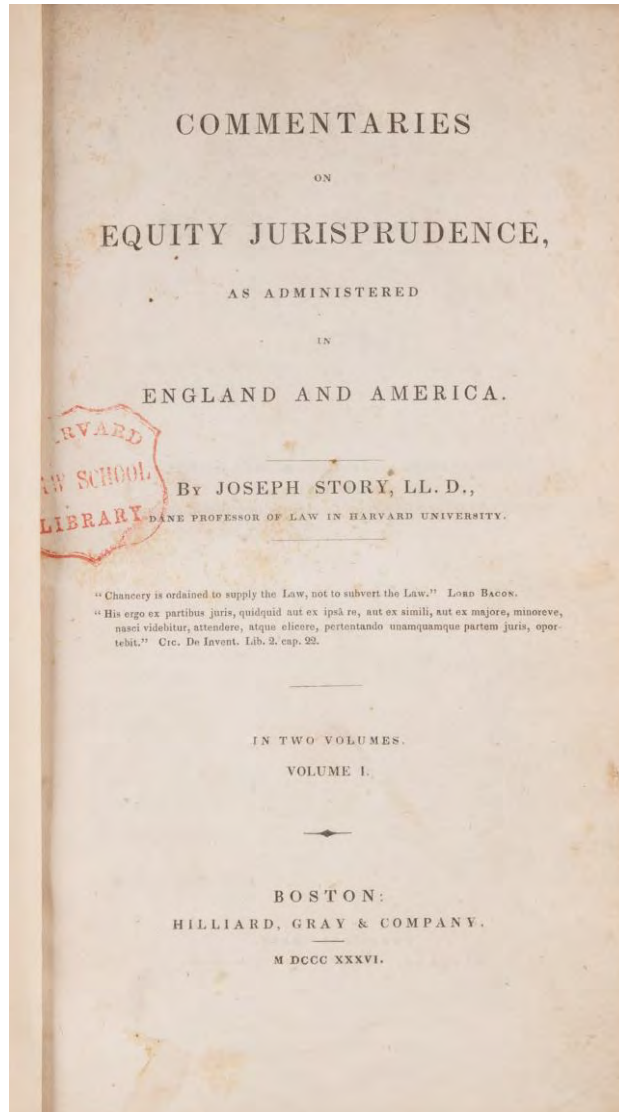
"Here Began My Career of Vice and Dissipation"

21. Southack, John [b.1774].

The Life of John Southack: Written by Himself. Containing an Account of the Sinking of the Brigantine Hannah, For Which the Author Suffered in 1803; And an Account of All the Other Vessels Insured at Different Places, Which Were to Have Been Sunk. To Which is Added, A History of the State Prison in Charlestown, With Observations on this Excellent Institution. [Charlestown?, MA]: Printed for the Author, 1809. 119 pp. Octavo (6-1/2" x 3-1/2").

Contemporary marbled boards rebaced in calf retaining existing endpapers. Light rubbing and wear to board edges, faint dampstaining to preliminaries. Moderate toning to interior, occasional light foxing and dampstaining, legibility not affected. \$650.

* Only edition. Southack was a Boston merchant with a penchant for extravagant spending and a tendency to lose money on bad investments. Around 1802, he conspired with his impatient creditors to scuttle several ships for the insurance money. When the scheme looked as if it would be discovered, Southack confessed and was sent to prison. His autobiography became important in the prison reform movement for its extensive discussion of the conditions in the Charlestown prison. Several relevant Massachusetts statutes are appended. OCLC locates 1 copy of this title in a law library (Library of Congress). Cohen, *Bibliography of Early American Law* 4382. [Order This Item](#)



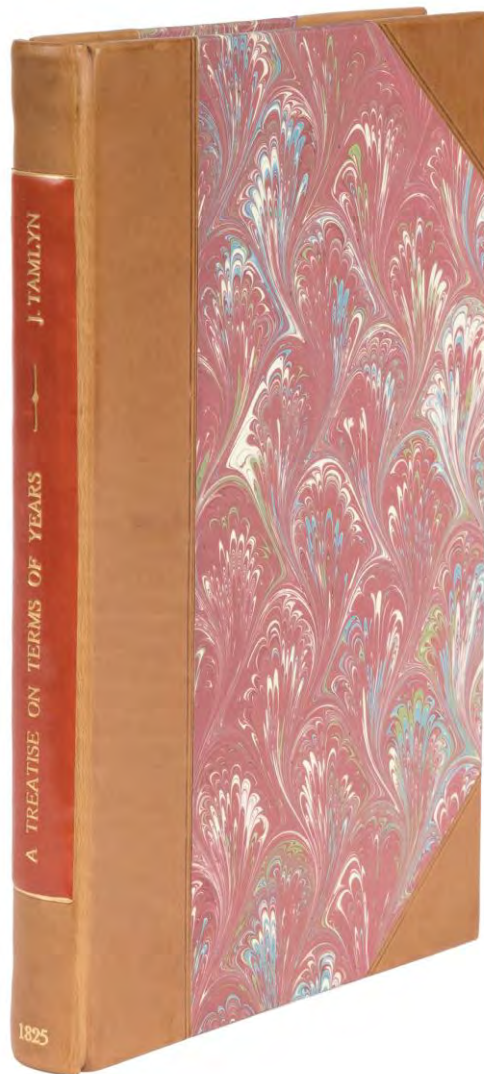
"A Major Step in the Transformation of Equity"

22. Story, Joseph [1779-1845].

Commentaries on Equity Jurisprudence, As Administered in England and America. Boston: Hilliard, Gray & Company, 1836. Two volumes. xliii, [1], 690; li, [1], 769, [1] pp. Octavo (8-1/2" x 5-1/2").

Later library cloth, red and black lettering pieces to spines, endpapers renewed. Light soiling, a few minor stains to spines, light fading to rear board of Volume I, later owner signature (Morris Barasch) to front pastedown of each volume. Moderate toning to interiors, occasional light foxing, early annotations and other markings in pencil to a few places in each volume, library stamp (of Harvard Law School) to title pages, de-accession sale stamps to versos. \$1,500.

* First edition. This treatise "marks a major step in the transformation of Equity from an eighteenth century system of substantive rules derived from 'natural justice' to a nineteenth century positivist conception of Equity as simply providing a more complete and inclusive set of procedural remedies": Horwitz, *The Transformation of American Law, 1780-1860* 265. Cohen, *Bibliography of Early American Law* 5011. [Order This Item](#)



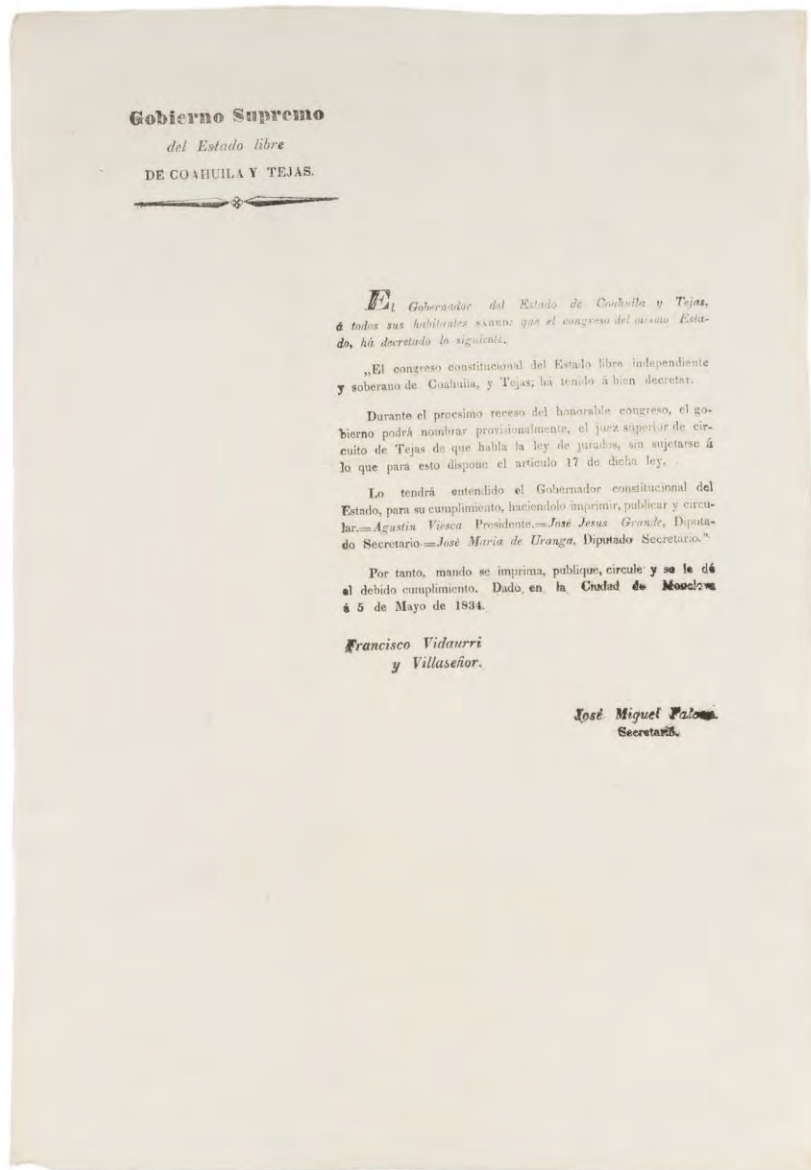
A Scarce 1825 Treatise on Estate Law

24. Tamlyn, John [d.1869].

A Treatise on Terms of Years and Other Chattels. Including a Dissertation on Executory Interests and Trusts; And an Inquiry into the Point Whether Terms of Years Merge in Each Other. London: S. Sweet [et al.], 1825. xii, 207, [1] pp. Octavo (8-1/4" x 4-3/4").

Recent period-style three-quarter calf over marbled boards, blind fillets to calf edges, lettering piece and gilt date to spine, endleaves renewed. Light toning to interior, faint offsetting to first and final leaves, two ink library stamps to title page without loss to legibility, interior otherwise fresh. An appealing copy. \$350.

* Only edition. Tamlyn was a prolific treatise writer in the first half of the nineteenth century with a particular focus on estate law and conveyancing. In the present work, he discusses freehold, executory interests and inheritance more generally. OCLC locates 10 copies of this title, 6 in law libraries (Supreme Court of New York, Library of Congress, Harvard, University of Pennsylvania, University of Cincinnati, University of Victoria). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:351. [Order This Item](#)



1834 Decree from the State of Coahuila and Texas

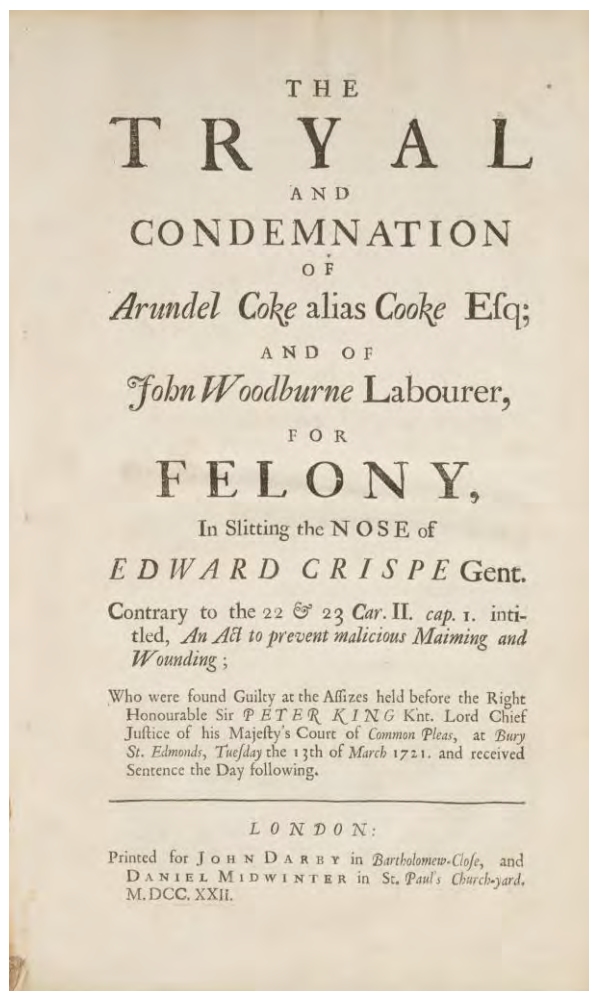
25. [Texas].

Vidaurri y Villesenor, Francisco Vidaurri.

[*Decree Authorizing Governor Vidaurri y Villesenor to Appoint a Superior Court Judge in Texas*]. Monclova, May 5, 1834.

12" x 8-1/2" broadside with heading: Gobierno Supremo del Estado libre de Coahuila y Tejas. Signed in type: José Miguel Falcon, Secretario. Untrimmed edges, light toning. A notably well-preserved copy. \$750.

* One of the grievances of the Texans in the period of 1832-1833 was with the administration of justice in the province, which declared its independence in 1835. It seems possible this action to promptly replace a judge during the Congressional recess may have been, in part, to respond to those concerns. No copies listed on OCLC. Kimball, *Laws and Decrees of the State of Coahuila and Texas* 286. [Order This Item](#)



A Botched Murder Attempt

26. [Trial].

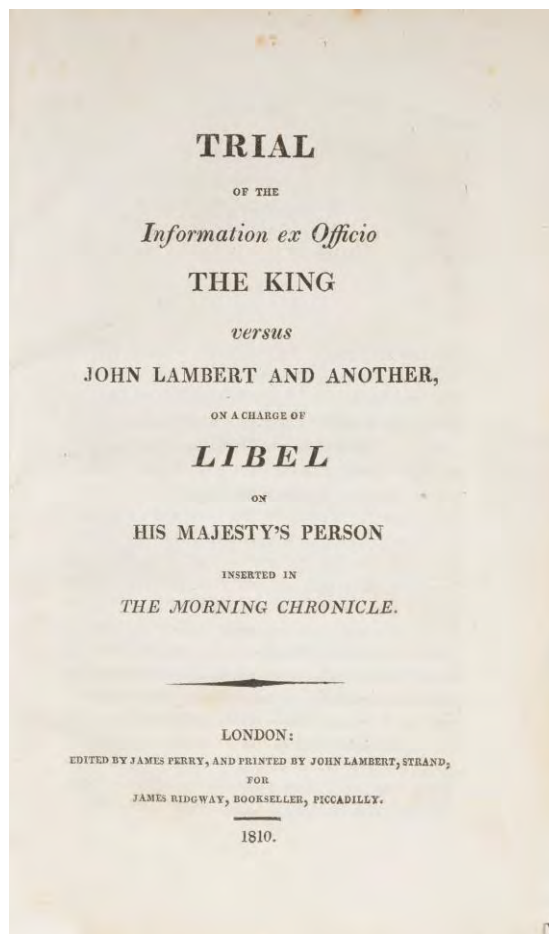
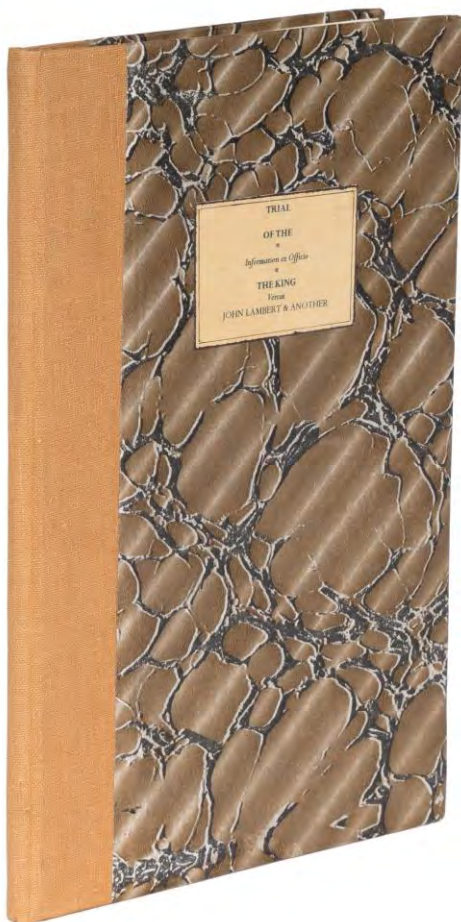
Coke, Arundel [d. 1722], Defendant.

Woodburne, John, [d. 1722], Defendant.

The Tryal and Condemnation of Arundel Coke Alias Cooke Esq; And of John Woodburne Labourer, For Felony, in Slitting the Nose of Edward Crispe Gent. Contrary to the 22 & 23 Car. II. Cap. I. Intituled, An Act to Prevent Malicious Maiming and Wounding; Who Were found Guilty at the Assizes Held Before the Right Honourable Sir Peter King Knt. Lord Chief Justice of his Majesty's Court of Common Pleas, At Bury St. Edmonds, Tuesday the 13th of March 1721. And Received Sentence the Day Following. London: Printed for John Darby in Bartholomew-Close, And Daniel Midwinter in St. Paul's Church-Yard, 1722. 16, *17-*18, 17-37, [1] pp. With an initial imprimatur leaf; text is continuous (and complete). Folio (12" x 7-1/2").

Disbound stab-stitched pamphlet. Moderate toning, somewhat heavier to a few pages, occasional light foxing, light soiling in a few places, first two leaves detached, small hole near bottom edge of final leaf, which is starting to detach at both ends but secure. \$350.

* First edition. Coke, a barrister, lost his money in the South Sea Bubble. He hired Woodburn to kill his brother-in-law, Edward Crisp, aiming to inherit his money. In his failed murder attempt Woodburn managed to cut Edward Crisp's nose. This led to the first convictions under the Coventry Act, which outlawed assault with the intention to maim or mutilate. Both men were convicted and hanged. *English Short-Title Catalogue* T136036. [Order This Item](#)



With an Essay on Freedom of the Press

27. [Trial].

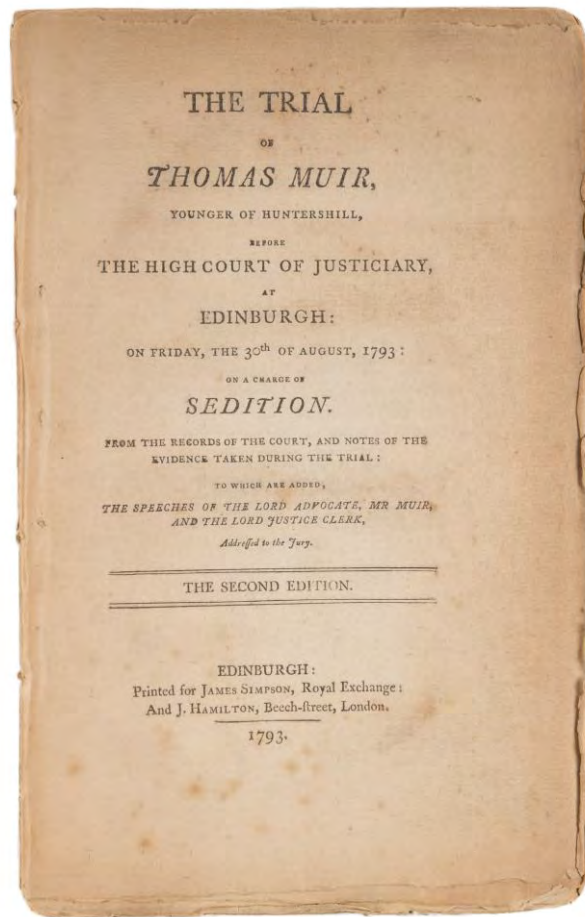
Lambert, John, Defendant.

Perry, James [1756-1821], Defendant.

Trial of the Information Ex Officio The King versus John Lambert and Another, On a Charge of Libel on His Majesty's Person, Inserted in The Morning Chronicle. London: Edited by James Perry, And Printed by John Lambert for James Ridgway, 1810. xxxi, [1], 52 pp. Octavo (8-1/4" x 5").

Stab-stitched pamphlet bound in quarter cloth over marbled boards, paper title label to front board, edges speckled. Light toning to interior, light foxing in a few places. \$250.

* Only edition. Lambert and his co-defendant Perry were journalists with the *Morning Chronicle*, of which Perry was the editor. The Whig-leaning *Chronicle* had regular brushes with the conservative government. In 1798, Perry had served three months in Newgate for libeling the House of Lords. On this occasion, he and Lambert were charged with libel after copying a paragraph criticizing the prince regent from another newspaper. Our account documents the trial and subsequent acquittal, including the remarkably evenhanded summing-up by Lord Ellenborough. It is prefaced by a powerful essay by Perry on the rights of the English press, which details an "obnoxious resolution" in the House of Commons which would have further curtailed press freedom had it passed. [Order This Item](#)



**Highly Politicized Trial of Scottish
Radical Who Promoted Thomas Paine's *Rights of Man***

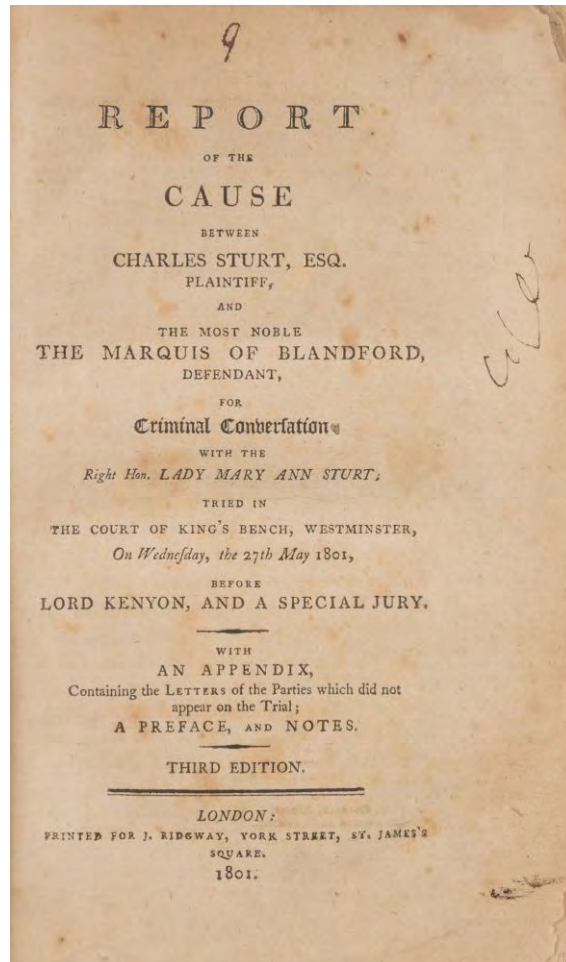
28. [Trial].

Muir, Thomas [1765-1798], Defendant.

The Trial of Thomas Muir, Younger of Huntershill, Before the High Court of Justiciary, At Edinburgh: On Friday the 30th of August, 1793: On a Charge of Seditious. From the Records of the Court, And Notes of the Evidence Taken During the Trial: To Which are Added, The Speeches of the Lord Advocate, Mr Muir, And the Lord Justice Clerk, Addressed to the Jury. Edinburgh: Printed for James Simpson and J. Hamilton, 1793. [iv], 105, [1] pp. Octavo (9" x 5-3/4").

Disbound, edges untrimmed. Moderate toning, somewhat heavier in places, occasional light foxing, light soiling in a few places, final leaf detaching slightly at foot but secure. \$250.

* Second, expanded edition. Scots radical Thomas Muir, an advocate, was an ardent supporter of the American and French Revolutions and a proponent of comprehensive parliamentary reform in Great Britain. His activities in Great Britain and France eventually led to a highly politicized trial on seditious charges in 1793. In the end Muir was found guilty of distributing and promoting Thomas Paine's *The Rights of Man*. He was sentenced to fourteen years transportation to the Australian penal colony of Botany Bay. He had a remarkable escape, but his health was ruined and he died soon afterwards. OCLC locates 7 copies of this edition, 4 in North America (Columbia, Newberry Library, University of Rochester, Washington State Law Library). *English Short-Title Catalogue* T175339. [Order This Item](#)



"Perfidy and Depravity"

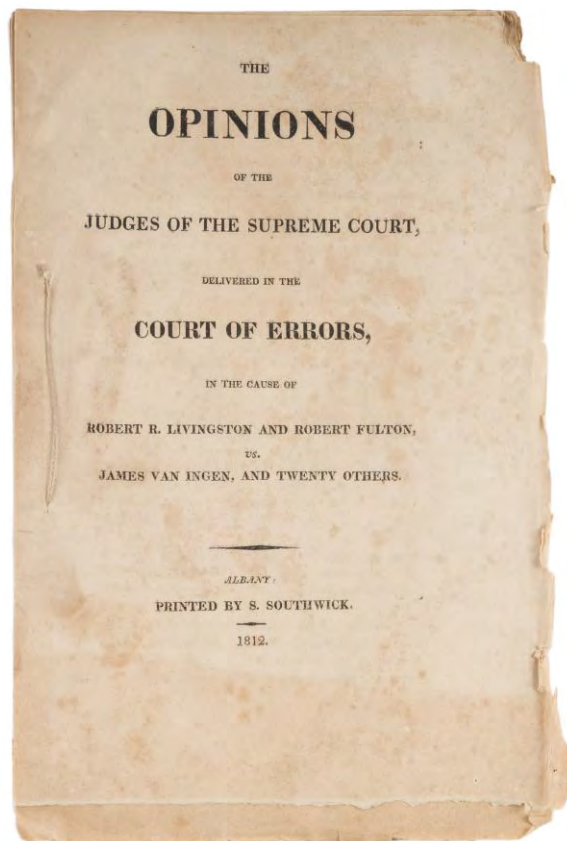
29. [Trial].

Spencer-Churchill, George [1766-1840], Defendant.

Report of the Cause between Charles Sturt, Esq. Plaintiff, And the Most Noble The Marquis of Blandford, Defendant, For Criminal Conversation with the Right Hon. Lady Mary Ann Sturt; Tried in the Court of King's Bench, Westminster, On Wednesday, The 27th May 1801, Before Lord Kenyon, And a Special Jury. With an Appendix, Containing the Letters of the Parties Which Did Not Appear on the Trial; A Preface, And Notes. London: Printed for J. Ridgway, 1801. xxiii, [1], 149, [3] pp. Publisher advertisements to last 3 pp. Octavo (8-1/2" x 5-1/2").

Recent buckram, gilt fillets, title and date to spine, endleaves renewed. Light browning to interior, occasional light foxing, light edgewear with corners lacking in a few places, chipping and small marginal tears to last two leaves, no loss to text. \$350.

* Third and final edition. Spencer-Churchill, known for his free-wheeling lifestyle, had an affair with Sturt's wife. Sturt had himself been unfaithful, as he himself admitted during the trial and in the preface to this work. This did not temper his anger. Feeling betrayed at the marquis's conduct, which he describes as "a singular instance of perfidy and depravity," he brought a suit for £20,000. The judge concluded that Sturt's adultery had precluded damages, but the jury disagreed and awarded him one hundred pounds. OCLC locates 8 copies of this edition, 4 in North America (New York Public Library, George Washington Law School, University of Georgia Law School, Harvard Law School). [Order This Item](#)



Justices Kent, Yates and Thompson Uphold Fulton's Steamboat Monopoly

30. [Trials].

Livingston, Robert [1746-1813], Defendant.

Fulton, Robert [1765-1815], Defendant.

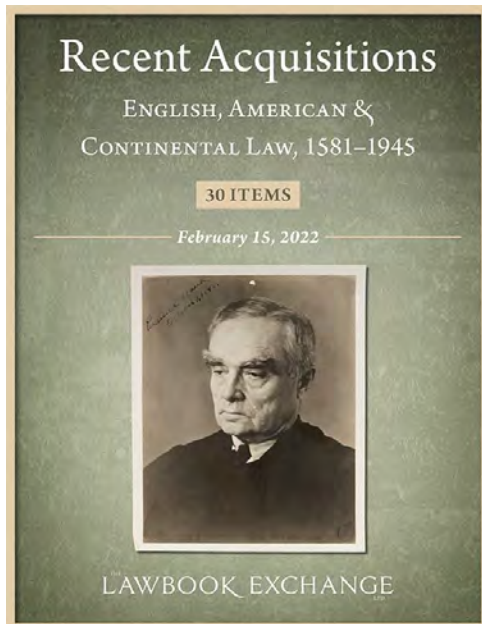
The Opinions of the Judges of the Supreme Court, Delivered in the Court of Errors, In the Cause of Robert E. Livingston and Robert Fulton, vs. James Van Ingen, And Twenty Others. Albany: Printed by S. Southwick, 1812. Three parts. 12; 12; 23, [1] pp. Octavo (9" x 6").

Stab-stitched pamphlet with untrimmed edges, most signatures unopened. Light browning and faint dampspotting, early manuscript annotations to margins of p. 10 in the first part and p. 7 in the second, fold lines to final leaf. \$750.

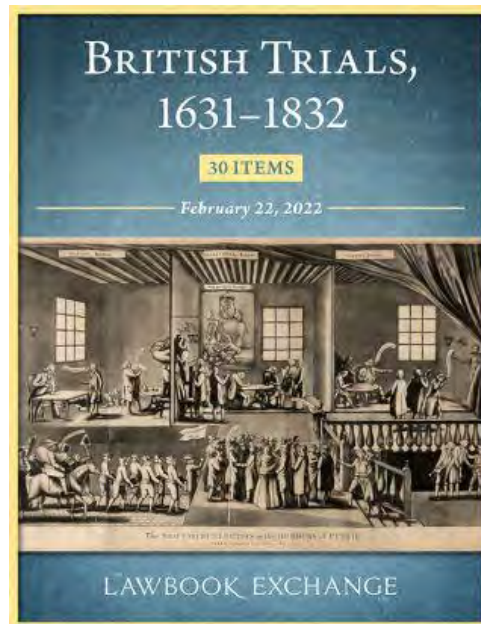
* Only edition. This unanimous decision the Supreme Court of New York upheld the thirty-year monopoly on steamboat navigation on the Hudson River granted by the state legislature to Fulton and Livingston. This pamphlet contains the opinions of the court's three judges: Joseph C. Yates [1768-1837], Smith Thompson [1768-1843] and James Kent [1763-1847]. The longest of these is by Kent, the chief justice. A few years later another steamboat entrepreneur, Thomas Gibbons, defied the law and established a ferry line between New York and New Jersey. This led to the 1824 U.S. Supreme Court ruling *Gibbons v. Ogden*. Declaring that states cannot regulate interstate commerce, the court struck down Fulton's monopoly. The annotations are side-notes. We have seen identical notes in other copies in the same hand, which suggests they were last-minute additions by the printer or one of his assistants. Some copies we have seen do not have these notes. Sabin, *A Dictionary of Books Relating to America* 41637. Cohen, *Bibliography of Early American Law* 11509.

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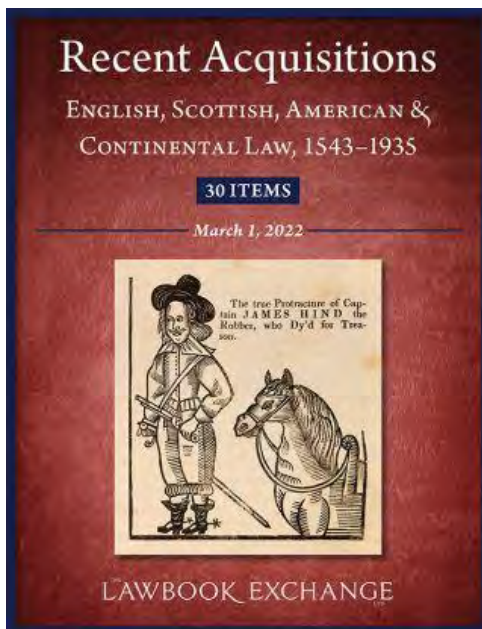
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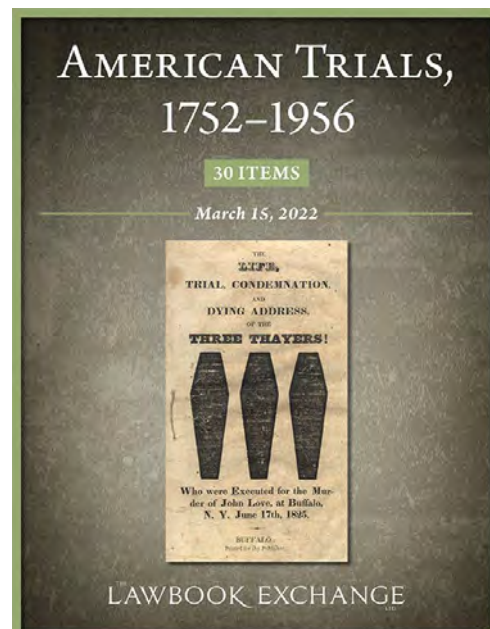
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