

30 RECENT ACQUISITIONS

ANTIQUARIAN & SCHOLARLY

December 8, 2015



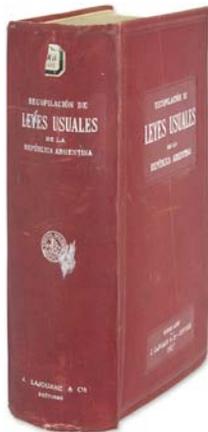
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30 Recent Acquisitions: Antiquarian and Scholarly



Item 1



Item 2

Argentina Under the Constitution of 1853

1. [Argentina].

Recopilacion de Leyes Usuales de la Republica Argentina con sus Correspondientes Decretos Reglamentarios. Buenos Aires: J. Lajouane & Cia., 1927. xl, 1460 pp.

Original cloth, white-stamped titles to front board and spine. Moderate shelfwear, a few minor stains to boards, crack in text block between front free endpaper and title page, light toning to text, internally clean. Ex-library. Location label to spine, tipped-in note to front free endpaper, small stamp to title page. \$50.

* Later edition. Digested laws of Argentina under the constitution of 1853. OCLC locates copies in 9 North American law libraries.

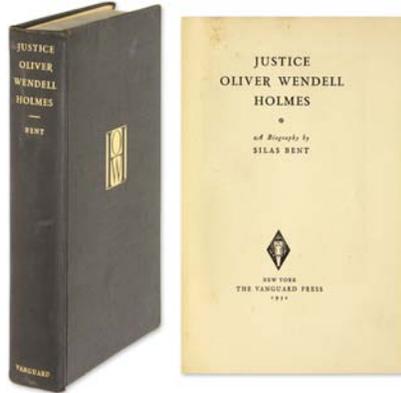
The Roman Law of Creditor and Debtor

2. Asinio, Giovanni Baptista [fl 1562].

De Executionibus Tractatus, Nonnullas Etiam Iuris Materias Copiosissime Explicans, Ut Nil Amplius tam Iuris Utriusque Professores in Scholis, Quam in Foro Versantes Desiderare Queant, Quarum Omnium Nomina Quarta Pagina Indicabit: Nunc Primum Summo Studio ac Diligentia Excusus. Cum Summariis, & Indice Verborum ac Sententiarum Locupletissimis. Venice: Apud Philippum Iuntum, 1589. [1], 460 ff. Extra copy of signature Ii (ff. 187-192) bound between ff. 198 and 199. Main text in parallel columns. Folio (13-3/4" x 9").

Later quarter calf over paper-covered boards, raised bands and gilt title to spine, early hand-lettered title to foot of text block. Light rubbing to extremities, a few minor smudges and scratches to boards, hinges cracked. Woodcut arms of the Medici family to title page, woodcut head and tail-pieces. Light toning to text, worming to a final twelve leaves with minor loss to legibility to ff. 454-456. Early annotations to the second f. 187 (noting the duplicates), later annotation to front endleaf, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy. \$850.

* First edition. Asinio was a notable Florentine jurist who was patronized by Cosimo I de Medici. He is best-known for his treatises on practice and procedure in Roman and Florentine law. *De Executionibus* is a comprehensive treatise on creditors and debtors in Roman law. It appears to have been a well-received work; later editions were published in 1602 and 1607. All are scarce. OCLC locates 12 copies the first edition worldwide, 3 in North America, none in law libraries. *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE3267.



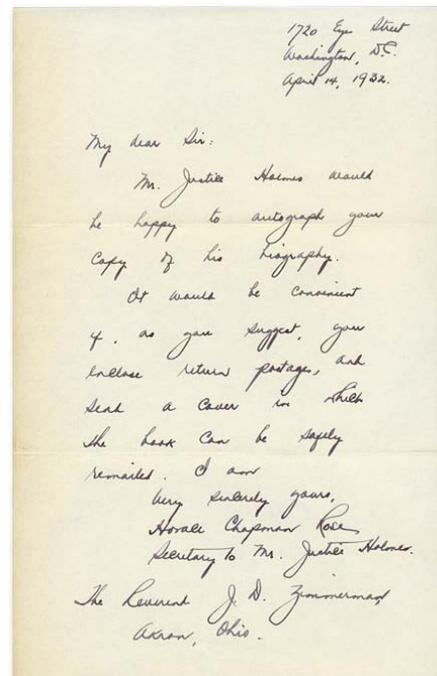
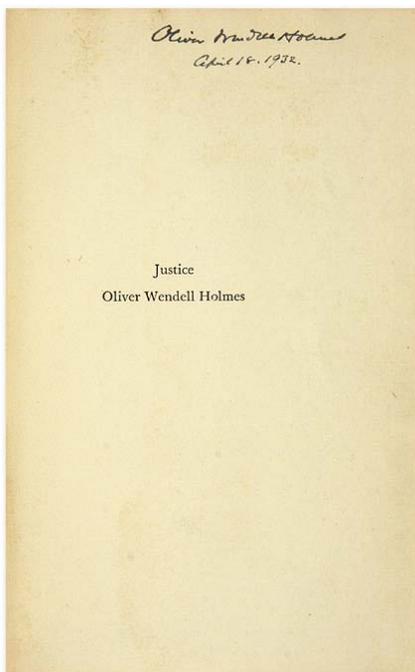
The First Biography of Oliver Wendell Holmes, Signed by Holmes

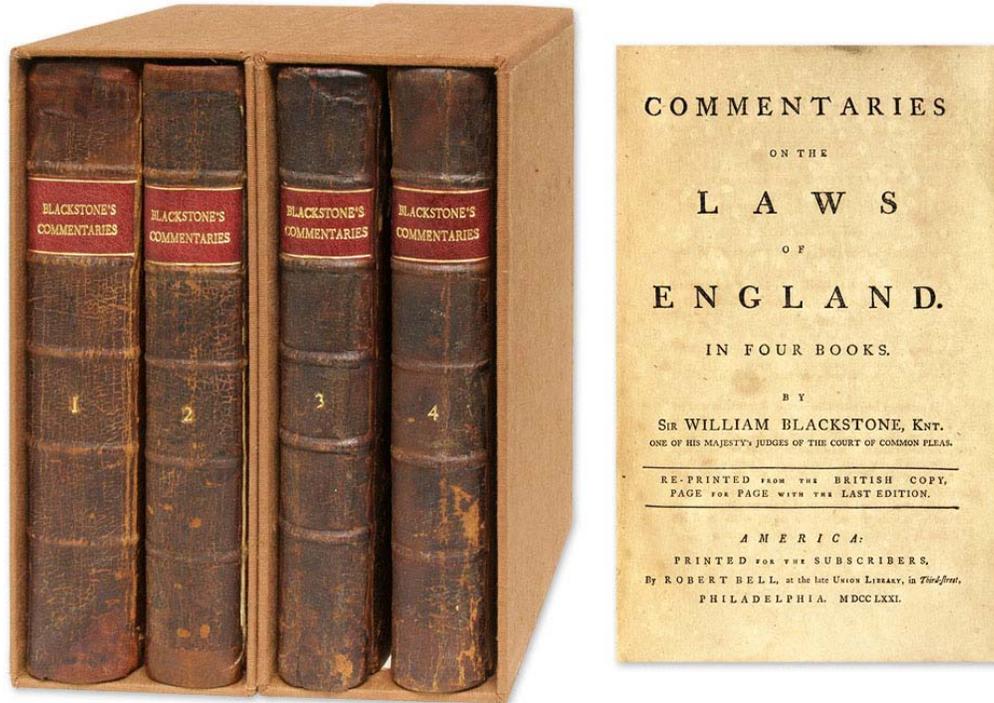
3. Bent, Silas.

Justice Oliver Wendell Holmes. New York: The Vanguard Press, 1932. xi, 386 pp. Frontispiece. Illustrated.

Original cloth, light rubbing to extremities, rear hinge cracked. Owner signature to front free endpaper, light marks in pencil to some pages, notes in pencil to rear pastedown, light foxing to a few leaves. "Oliver Wendell Holmes/ April 18, 1932" to head of half-title, single-sheet 8-1/2" x 5-1/2" letter from Holmes's secretary, Horace Chapman Rose, laid-in. \$750.

* First edition. This was the first biography of Holmes. The letter from Rose, Holmes's secretary, is a reply to the book owner's request for Holmes's signature. It reads, in part, "Mr. Justice Holmes would be happy to autograph your copy of his biography." The rest of the letter discusses shipping details.





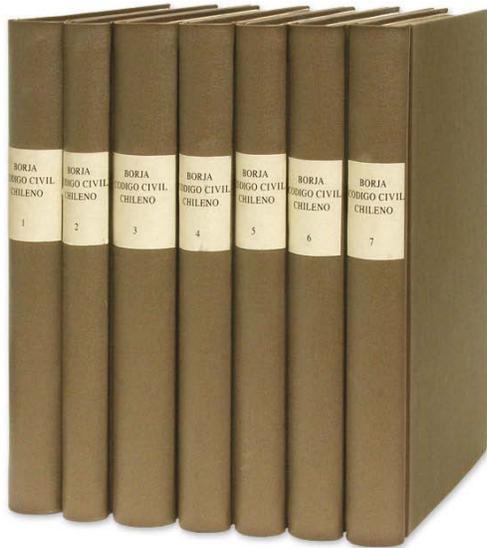
Subscriber's Copy of the First American Edition of Blackstone's *Commentaries*

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

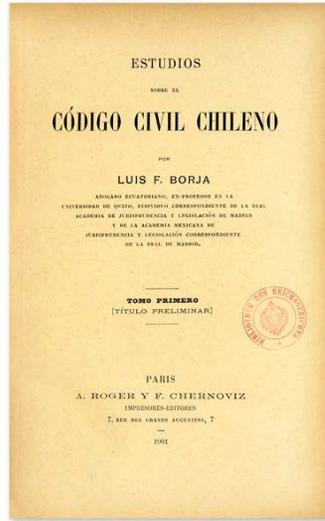
Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition. America [Philadelphia]: Robert Bell, 1771-1772. Four volumes. [viii], ii, [vi], 485; [viii], 520, xix; [viii], 455, [1], xxvii; [xxii]; [viii], 436, vii, [1], [39] pp. Copperplate Table Of Consanguinity and copperplate folding Table of Descents in Volume II. 22-page subscriber list in Volume IV. Publisher advertisement in Volume I, two leaves before title page, and Volume III, p. 456. Our copy does not have the tipped-in publisher advertisements, present in front endleaves of some copies of Volumes III and IV. Complete set. Octavo (8-3/4" x 5-1/2").

Contemporary calf, Volume I and II, and sheep with later calf rebacking, matching first two volumes, Volumes III and IV, raised bands and later uniform gilt volume numbers and calf lettering pieces to spines, repairs to spine ends of Volumes I-III and front joints of Volumes III and IV. Moderate rubbing to extremities with some wear, corners bumped, front joint of Volume III cracked, hinges starting, most of front pastedown removed from Volume I, early armorial bookplates of subscriber William Nicoll to pastedowns of other volumes. Moderate toning, somewhat heavier in places, occasional faint dampspotting, some places have foxing, a few leaves have light stains, moderate edgewear to endleaves, a few have chips, front free endpaper of Volume II partially detached. Owner signatures of Benjamin Nicoll to front free endpapers, later signatures in pencil of S.B. Nicoll, F. Nicoll, dated 1820, and William Nicoll to front free endpaper of Volume I. Books housed in attractive cloth slipcases. A set with an appealing association. \$17,500.

* First American edition. Blackstone's *Commentaries*, a synoptic review of the English legal system, is the most influential publication in the history of modern Anglo-American law. It was especially popular in America, where it was the standard introductory textbook into the late nineteenth century and was the primary, or only, book studied by hundreds of self-taught lawyers, such as Abraham Lincoln. The first multi-volume book printed in America, Bell's edition, a reprint of the fourth London edition, 1770, is a landmark in the history of American publishing. Our set contains the two tipped-in advertisement leaves, for *An Interesting Appendix* (Volume III) and *Ferguson's Essay on the History of Civil Society* (Volume IV), that are often missing in copies of this set. Volume IV also includes a 22-page subscriber list that includes John Adams, John Jay, John Dickinson, several colonial governors and many leading merchants, judges and military officers of colonial America. William Nicoll, an attorney and major landowner, was a member of the distinguished Long Island family that established the town of Islip. Eller, *The William Blackstone Collection in the Yale Law Library* 80, 255. Laeuchli, *A Bibliographical Catalogue of William Blackstone* 131.



Item 5



Item 6

**Borja's Comprehensive
Comparative Study of the Chilean Civil Code**

5. Borja, Luis Felipe [1845-1912].

Estudios Sobre el Código Civil Chileno. Paris: A. Roger, F. Chernoviz, 1901-1908. Complete set.

Softbound volumes bound into recent cloth, printed paper title labels to spine. Light browning to text, internally clean. Ex-library. Stamps to title pages. A scarce complete set. \$1,500.

* Second and best edition. "[This work offers] a comparative treatment of the articles of the Chilean code, by concordances to the Roman law, the Code Napoleon, and the civil codes of a number of other South American countries, with references to the writings of the leading jurists, including appropriate translations and a brief commentary by the author. The work was inspired by the success of St. Joseph's celebrated 'Concordances,' and as a reference work has a decided value" (Borchard). This work was reissued in 1919. Its first edition is a one-volume work published in Quito in 1899. All editions are scarce. OCLC locates 9 copies of the second edition in North American law libraries. Borchard, *Guide to the Law and Legal Literature of Argentina, Brazil and Chile* 393.

**Will a New Tax be
Necessary to Finance the Louisiana Purchase?**

6. [Broadside].

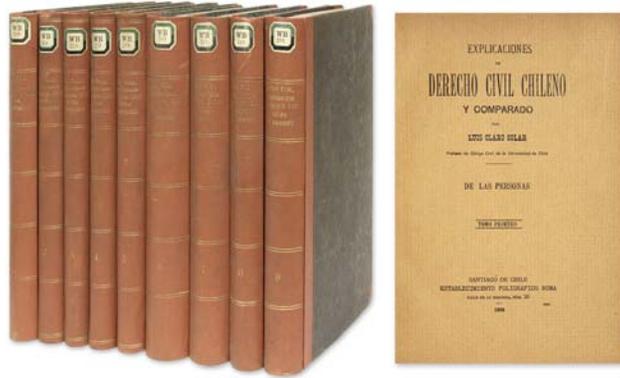
[Louisiana Purchase].

Direct Tax. [New Hampshire: S.n, c.1807].

18" x 11" broadside, untrimmed edges, text in three columns and a table.

Fold lines, light browning. A well-preserved item. \$850.

* Signed in type by "Americanus," this broadside discusses the cost of the Louisiana Purchase. The writer argues the difficulty, if not impossibility, of paying France without a special tax due to the revenue lost to the Embargo Act. The table described the proportionate cost to each New Hampshire county of the \$15 million bill. The author also warns of the threat of European war. No copies listed on OCLC. Shaw and Shoemaker, *American Bibliography* 11983.



Authoritative Commentaries on the Chilean Law of Persons and Goods

7. Claro Solar, Luis.

Explicaciones de Derecho Civil Chileno y Comparado. Santiago: Volumes I-VII: Imprenta Cervantes, 1931-1932; Volumes VIII-IX: Imprenta Nascimento: 1933-1935. Nine volumes of an 18-volume set comprising two complete sections.

Softbound volumes bound into contemporary three-quarter cloth over marbled boards, gilt fillets and titles to spines. Light shelfwear and soiling, light toning to text, internally clean. Ex-library. Location labels to spines, annotations in pencil to preliminaries, stamps to versos of title pages. A nice set. \$850.

* First edition, Volume I a reprint of the first edition. Originally a one-volume work from 1898, this work evolved into one of the fundamental studies of Chilean law, a multi-part work in eighteen volumes completed in 1942. Our set offers the first two parts, each an individual study: De las Personas (Volumes 1-5) and De Los Bienes (Volumes 6-9). The other sections are: De las Pruebas del estado civil, De las Obligaciones, De la Sucesion por Causa de Muerte, De la Sucesion por Causa de Muerte and De la Prescripcion.



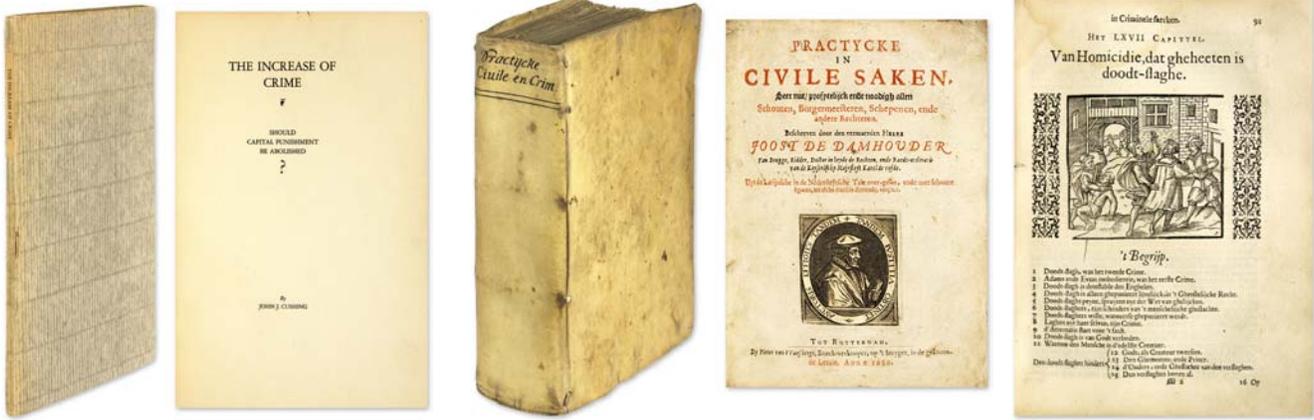
Scarce Argentinean Treatise on Obligations and Contracts

8. Colmo, Alfredo [1878-1934].

Tratado Teorico-Practico de las Obligaciones en el Derecho Civil Argentino: Tomo I [All Published], *De las Obligaciones en General.* Buenos Aires: Libreria y Casa Editoria de Jesus Menendez, 1928. lii, 824 pp.

Softbound volume bound into quarter cloth over marbled boards, gilt title to spine. Some shelfwear, light browning to text, chipping to edges of some leaves, internally clean. Ex-library. Location label to spine, small inkstamp to verso of title page. \$250.

* Second and final edition, "corrected and augmented." This notable treatise on obligations and contracts under the Argentinean Civil Code of 1871, in force until 2015, was first published in 1920. Colmo intended to publish a second volume on specific cases, but he died before he could complete it. Both editions of Volume I are scarce. OCLC locates 8 copies of the second edition in North America, 6 in law libraries (Harvard, LA County, Library of Congress, Tulane, University of Michigan, Yale).



Item 9

Item 10 [See Also Cover Image]

Fine-Press Essay Advocating the Abolition of Capital Punishment

9. Cushing, John J.

The Increase of Crime: Should Capital Punishment be Abolished. [Los Angeles: Frank Myrel Cushing, 1930]. [iv], 9, [3] pp.

Patterned paper-covered boards. Light rubbing to extremities, corners bumped, some fading to spine, minor wear to spine ends, small crack near center of front joint. Light toning to text, signatures uncut. \$150.

* Only edition, limited to 127 copies hand-printed for the author "for private circulation." "The recent barbarous beheading of a woman in Mississippi, while being hanged and the general discussion of the subject of capital punishment which has followed, is the excuse for this brochure. May 5, 1930" (Preface). OCLC locates 8 copies, 3 in law libraries (Library of Congress, University of Southern California, UT-Austin).

Damhouder's Classic Illustrated Treatises on Civil and Criminal Law

10. Damhouder (Damhoudere), Josse de [1507-1581].

Practycke in Civile Saken. Seer Nut, Profytelijck Ende Noodigh Allen Schouten, Burgermeesteren, Schepenen, Ende Andere Rechteren. Uyt de Latijnsche in de Nederduytsche Tale Over-Geset, Ende met Schoone Figuren, Tot Elcke Materie Dienende, Verciert. Rotterdam: By Pieter van Waesberge, 1660. [xxxvi], 592, [32] pp. 11 full-page copperplates.

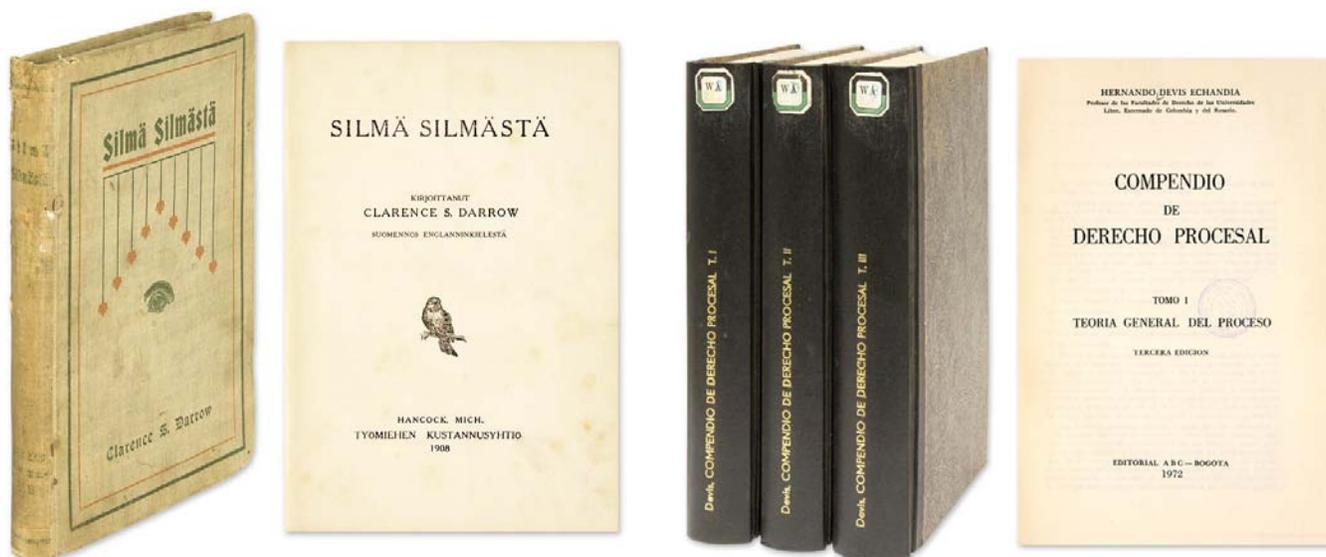
[Bound with]

Damhouder, Josse de.

Practycke in Criminele Saken, seer Nut Ende Profijtelyck Allen Souverains, Bailjous, Borgermeesters, Ende Schepenen, &c. Hier is noch by Ghevoecht d'Ordonnantie, Op 't Stuck van de Criminele Justitien, In dese Nederlanden. Alles met Schoone Figueren, Daer toe Dienende Verciert. Rotterdam: By Pieter van Waesberge, 1650. [viii], 264; 59, [1] pp. The final section, with a separate title page dated 1650, has a title beginning *Ordonnantie Edict Ende Ghebod...* 55 woodcuts, 2 depicting torture, 1 depicting executions.

Quarto (8-3/4" x 6-1/2"). Contemporary vellum, early hand-lettered title to spine. Light soiling and some inkstains to boards, moderate rubbing to extremities, corners bumped and somewhat worn, boards slightly bowed, a few cracks to text block. Title pages, each with a small copperplate portrait of Damhouder, printed in red and black. Moderate toning to text, light soiling to title pages, occasional faint dampstaining, minor worming to margins in a few places. Early annotations to rear endleaf, interior otherwise clean. \$2,950.

* Later editions. First published in 1557 and 1554 as *Praxis Rerum Civilium* and *Praxis Rerum Criminalium*, were standard works that went through several editions in Latin, French and Dutch into the early seventeenth century. Synthetic works drawn mostly from Roman-Dutch sources, they are notable as early examples of illustrated law books. Our 1660 edition of *Civile Saken* is distinguished by fine copperplates, most of them illustrating aspects of legal process. Our 1650 edition of *Criminele Saken* is illustrated throughout with cruder, but more vivid, woodcuts depicting adultery, murder, theft and many other crimes. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. Dekkers, *Bibliotheca Belgica Juridica* 44.



Item 11

Item 12

**Edition of Darrow's
An Eye for an Eye for Finnish-Americans**

11. Darrow, Clarence S.

Silmä Silmästä. Hancock, MI: Tyomiehen Kustannusyhtio, 1908. 170 pp. Portrait frontispiece of Darrow.

Cloth, title to spine, title within decorative frame to front board. Moderate soiling, some rubbing to extremities, corners and spine ends bumped and lightly worn, minor rodent damage to rear joint, crack in text block between front free endpaper and half-title, owner bookplate to front pastedown. Light toning to text, somewhat heavier in places, foxing and finger smudges to a few leaves. \$250.

* This edition in Finnish was published for the large Finnish-American community of Upper Michigan, which included many miners and lumberjacks who admired Darrow's effort to promote the rights of laborers. First published in 1905, *An Eye for an Eye* was Darrow's only fictional work, aside from his autobiographical novel, *Farmington*, published in 1904. It is a sociological novel about a man who, after a lifetime of poverty and abusive relationships, murders his wife in a fit of rage. OCLC locates 6 copies (Cleveland Public Library, Kent State University, National Library of Finland, Oregon Historical Society, University of Minnesota, University of Minnesota Law School). Hunsberger, *Clarence Darrow: A Bibliography* 67.

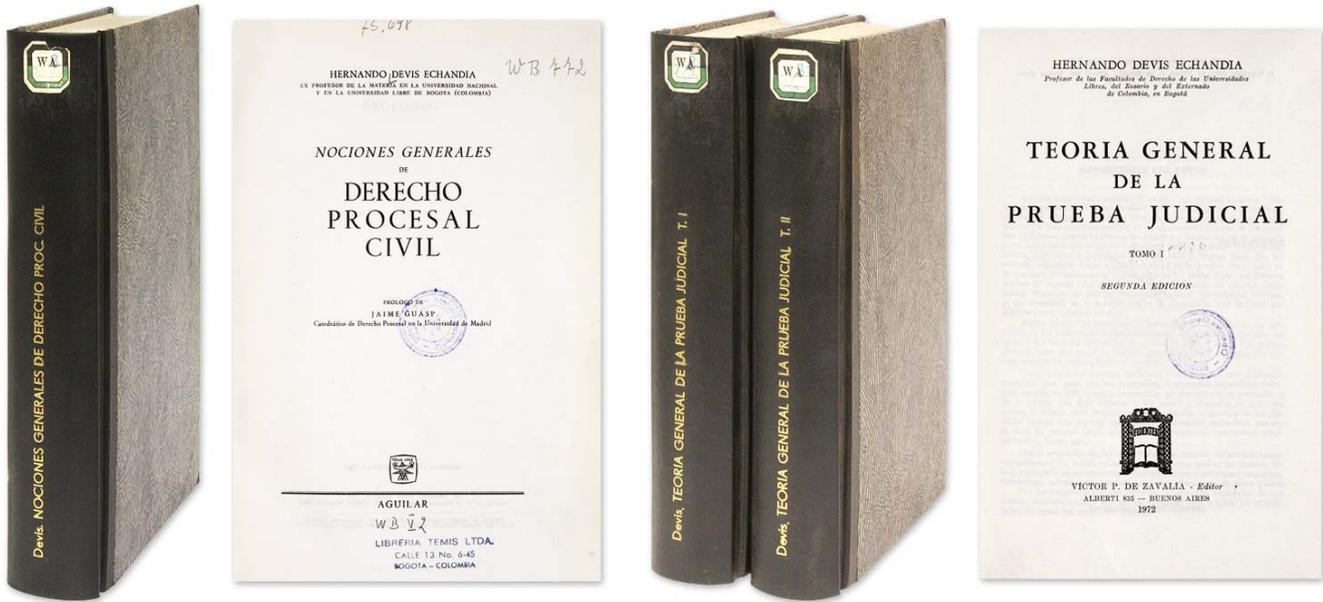
**A Standard Treatise on
Colombia's Code of Civil Procedure**

12. Devis Echandia, Hernando.

Compendio de Derecho Procesal. Bogota: Editorial ABC, 1972. Three volumes.

Quarter cloth over patterned paper boards, gilt titles to spine. Light soiling and shelfwear. Author inscription to half-title of Volume I, interior otherwise clean. Ex-library. Location labels to spines, small inkstamps to versos of title pages. An attractive set. \$100.

* Third edition. First published in 1963 and currently in its eleventh edition, this is a standard treatise on Colombia's Code of Civil Procedure. Volume 1: *Teoria General del Proceso*, Volume 2: *Pruebas Judiciales*, Volume 3: *El Proceso Civil*.



Item 13

Item 14

**Treatise on Civil Procedure
by a Distinguished Colombian Jurist**

13. Devis Echandia, Hernando.

Nociones Generales de Derecho Procesal Civil: Estudio Sobre Processo Civil. Sao Apresentadas Notas Historicas com Enfase nas Questoes Doutriniais e Conceituais, Com a Discussao de Varias Teorias do Direito Processual. [Madrid]: Aguilar, 1966. xxviii, 722 pp.

Quarter cloth over patterned paper boards, gilt titles to spine. Light soiling and shelfwear. Author inscription to half-title, interior otherwise clean. Ex-library. Location label to spine, small inkstamp to verso of title page. \$100.

* Second edition. This is a treatise on the Colombian Code of Civil Procedure by a distinguished Colombian jurist.

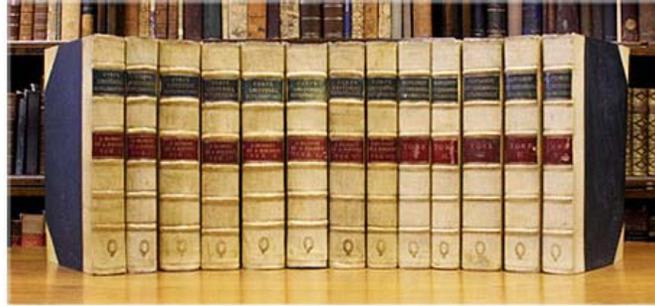
**Highly Regarded
Colombian Treatise on Evidence**

14. Devis Echandia, Hernando.

Teoria General de la Prueba Judicial. Buenos Aires: Victor P. de Zavalia, 1972. Two volumes. 780, [1]; 743, [1] pp.

Quarter cloth over patterned paper boards, gilt titles to spine. Light soiling and shelfwear. Author inscription to half-title of Volume I, interior otherwise clean. Ex-library. Location labels to spines, small inkstamps to versos of title pages. An attractive set. \$100.

* Second edition. First published in 1970 and currently in its sixth edition, this is a highly regarded treatise on evidence according to the laws of Colombia.



A Monumental Collection of Treaties

15. Dumont, Jean, Baron de Carelscroon [1667-1727].

Rousset de Missy, Jean [1686-1762].

Barbeyrac, Jean [1674-1744].

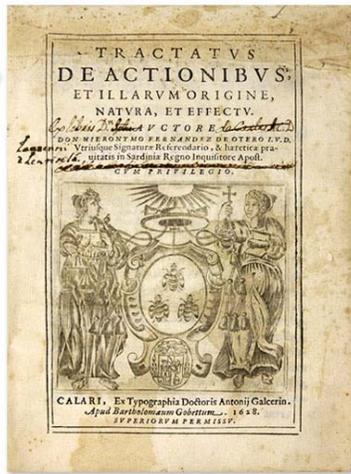
Corps Universel Diplomatique du Droit des Gens; Contenant un Recueil des Traitez d'Alliance, de Paix, De Treve, de Neutralite, De Commerce, d'Echange, de Protection & de Garantie, De Toutes les Conventions, Transactions, Pactes, Concordats, & Autres Contrats, Qui ont Ete Faits en Europe, Depuis le Regne de l'Empereur Charlemagne Jusques a Present. Amsterdam and The Hague: Chez P. Brunel, R. et G. Wetstein, Les Janssons Waesberge, et L'Honore et Chatelain [et al.], 1726-31.

[With]

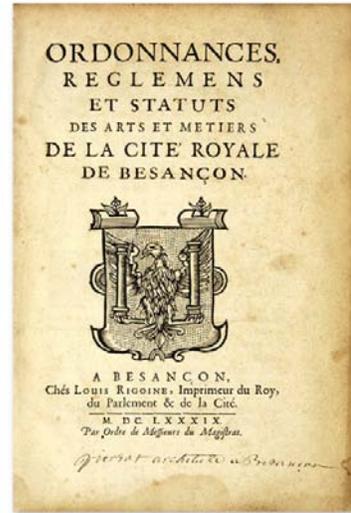
Supplement au Corps Universel Diplomatique du Droit des Gens... Amsterdam and The Hague: Chez P. Brunel, R. et G. Wetstein, Les Janssons Waesberge, et L'Honore et Chatelain [et al.], 1739.

24 books bound in 13 volumes. Main text in parallel columns. Complete set. Folio (18" x 11"). Contemporary three-quarter vellum over cloth, raised bands and lettering pieces to spines, edges rouged. Light soiling, some rubbing to extremities with wear to corners and heads of spines, a few hinges starting, first gathering of Volume I partially detached. Title pages printed in red and black, woodcut head and tail-pieces, Volume I of *Corps* and Volume I of the *Supplement* have additional copperplate pictorial title, wide margins throughout. Some toning, light browning in places, internally clean. Ex-library. Small gilt stamps to foot of each spine. A handsome set. \$13,500.

* Only edition. This remarkable collection of nearly 2,000 annotated treaties from 315 CE to 1730 is a notable testament to the Enlightenment belief that humanity would progress when it applied reason to large bodies of hitherto-unavailable evidence. It was begun by Carelscroon, a French publicist and continued in 1739 by Rousset de Missy and Barbeyrac. The treaties are in their original languages (Latin, German, Spanish and Dutch). The first volume of the five-volume *Supplement* is a history of diplomacy during antiquity by Barbeyrac. Other volumes contain additional treaties, both ancient and modern, essays on diplomacy and indexes. Camus, *Bibliothèque Choisie des Livres de Droit* 236-237.



Item 16



Item 17

A Rare Seventeenth-Century Treatise on Civil Actions

16. Fernandez De Otero, Jeronimo.

Tractatus de Actionibus; Et Illarum Origine, Natura, Et Effectu. Cagliari: Ex Typographia Doctoris Antonii Galcerin, Apud Bartholomaeum Gobettum, 1628. [xxiv], 290, [30] pp. Quarto (7-3/4" x 5-1/2").

Contemporary limp vellum, faint early hand-lettered title to spine, ties partially lacking. Light soiling, some rubbing to spine ends and corners, vellum just beginning to crack through pastedowns, front hinge cracked. Large copperplate vignette to title page (arms of Pope Urban VIII, with lady justice with scales and sword). Light toning to text, faint dampspotting and minor worming to margins in a few places, faint staining, edgewear and a few minor chips to title page and following leaf. Early struck-through owner signature to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown, inventory label to rear pastedown. A nice copy of a rare title. \$1,250.

* Only edition located. Dedicated to Pope Urban VIII, this treatise presents a systematic overview of civil actions in Roman law, canon law and the law of the Kingdom of Sardinia. OCLC locates 5 copies, none in North America. *British Museum Catalogue* (Compact Edition) 9:164.

Regulating the Guilds of Besançon, France

17. [France].

[Besançon].

Ordonnances, Reglemens et Statuts des Arts et Metiers de la Cite Royale de Besancon. Besancon: Ches Louis Rigoine, 1689. 146, [3] pp. Quarto (9-1/4" x 6-1/4").

Contemporary calf, gilt spine with raised bands and lettering piece. Moderate rubbing to boards, heavier rubbing to extremities with wear to spine ends and corners, joints starting at ends, hinges cracked, rear free endpaper lacking. Large woodcut arms of Besançon to title page, woodcut head-pieces, tail-pieces and decorated initials. Toning and light dampspotting to text. Early owner signatures to front free endpaper and foot of title page, interior otherwise clean. \$750.

* First edition. Besançon is an important city in the Franche-Comte region in eastern France, close to the Swiss border. This collection of laws provides a fine overview of the city's commercial activity. The first section includes general information and regulations. The following chapters concern carpenters, roofers, launderers, metalsmiths, farriers, pavers, goldsmiths, silversmiths, pewterers, cabinet makers, hat makers, tailors, shoemakers, weavers, tanners, saddlers, harness makers, apothecaries, surgeons, bakers, pastry makers and butchers. Each chapter includes details concerning apprenticeships, trade regulations and other details. Later editions were published in 1698 and 1784. All are scarce. OCLC locates 1 copy of the first edition in North America (Columbia University). Another copy located at George Washington University Law Library. Not in Camus.



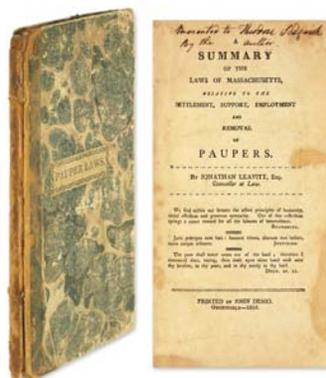
**The Law of Freedom and Bondage,
A Presentation Copy to a Notable Boston Lawyer**

18. Hurd, John Codman [1816-1892].

The Law of Freedom and Bondage in the United States. Boston: Little, Brown & Company, 1858-1862. Two volumes. xvii, [1], 617; xliii, [1], 800 pp. Octavo (8-1/2" x 5-1/2").

Original textured cloth with decorative blind stamping, gilt titles to spines. Some rubbing to extremities, light wear to corners, minor chipping to heads of spines, front hinges cracked, some fading to binding of Volume II, author presentation inscription to Timothy Farrar, Jr. to front free endpaper of volume I, Farrar's signature to front free endpaper of Volume II, one-page transmittal letter from Hurd to Farrar on 8" x 5" sheet with envelope laid in to Volume I. Light toning to text, somewhat heavier on places, internally clean. \$450.

* Only edition. A valuable work today, this well-respected study begins with an early history of bondage and its construction in natural and positive law and the laws of European nations. He then outlines the evolution of slavery under English law and the United States Constitution. One of the book's most striking features is its neutral tone. As he notes in his presentation letter, this book, "published before the Rebellion on questions more directly affecting slavery as they appeared at that time," was soon obsolete, but he hoped it would retain some "historical interest." Hurd was an attorney and legal scholar in New York City. Farrar [1788-1874] was a distinguished lawyer and politician who served as a judge of the New Hampshire Court of Common Pleas and as a member of the Massachusetts House of Representatives. Cohen, *Bibliography of Early American Law* 9840.



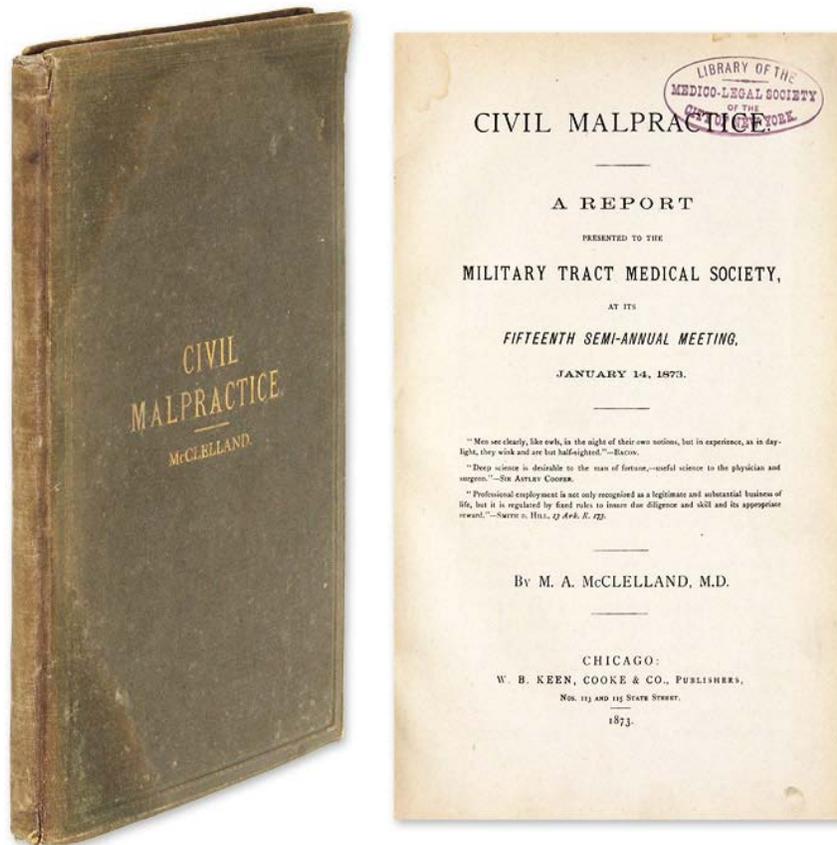
1810 Handbook on the Poor Laws of a Massachusetts Presented to a Notable Jurist

**19. Leavitt, Jonathan [1764-1821].
[Sedgewick, Theodore (1746-1813)].**

A Summary of the Laws of Massachusetts, Relative to the Settlement, Support, Employment and Removal of Paupers. Greenfield: Printed by John Denio, 1810. 64 pp. Octavo (8-1/2" x 4-3/4").

Contemporary quarter sheep over marbled boards, printed paper title label to front board. Moderate rubbing with wear to corners, spine worn, front board detached, rear board partially detached. Light browning, light foxing in a few places, faint dampstaining to a few leaves. Presentation inscription from author to Theodore Sedgwick to head of title page, interior otherwise clean. \$350.

* Only edition. The author of this handbook, which covers the period from 1692 to 1810, was a probate judge from 1814 to 1821. Theodore Sedgwick, who served in the Continental Congress, was a United States Representative and Senator from Massachusetts. He served as the fourth Speaker of the United States House of Representatives. Appointed to the Massachusetts Supreme Judicial Court in 1802, he remained there until the end of his life. Print copies of this title are scarce. OCLC locates 1 copy (at the British Library). Cohen, *Bibliography of Early American Law* 9045.



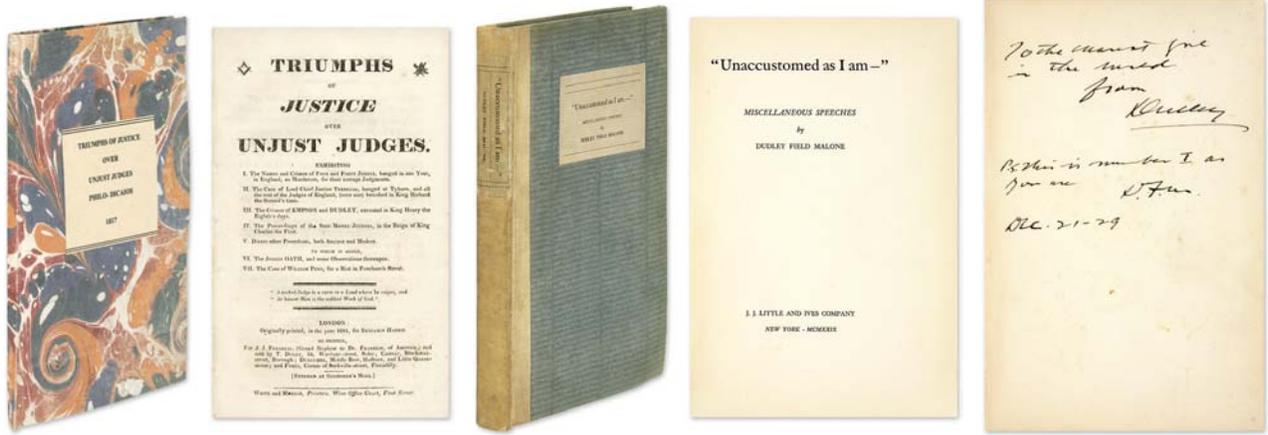
Interesting 1873 Essay on Medical Malpractice

20. McClelland, M[ilo] A[dams].

Civil Malpractice: A Report Presented to the Military Tract Medical Society, At Its Fifteenth Semi-Annual Meeting, January 14, 1873. Chicago: W.B. Keen, Cooke & Co., 1873. 74 pp. Octavo (8-3/4" x 5-1/2").

Original cloth, blind rules to boards, gilt title to front. Some rubbing to extremities with some wear to spine ends and corners, light damp staining and dampspotting to boards, a few partial cracks to text block, presentation inscription to front pastedown. Light toning to text, internally clean. Ex-library. Small inkstamp to title page. A sound copy of a scarce title. \$100.

* First edition. A coherent overview based on legal and medical authorities. Four years later the author, a physician, published a full-scale treatise on surgical jurisprudence.



Item 21

Item 22

Triumphs Over Unjust Judges

21. [Philo-Dicaaios].

Triumphs of Justice Over Unjust Judges: Exhibiting, I. The Names and Crimes of Four and Forty Judges, Hang'd in One Year, In England, As Murderers, For Their Corrupt Judgments; II. The Case of Lord Chief Justice Tresilian, Hanged at Tyburn, And All the Rest of the Judges of England, (Save One) Banished in King Richard the Second's Time. III. The Crimes of Empson and Dudley, Executed in King Henry the Eighth's Days. IV. The Proceedings of the Ship-Money-Judges, In the Reign of King Charles the First. V. Divers Other Precedents, Both Ancient and Modern. To Which is Added, VI. The Judges Oath, And Some Observations Thereupon. VII. The Case of William Penn, For a Riot in Fenchurch Street. London: Re-Printed for J.J. Franklin, [1817]. [iv], 36 pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title panel to front board, head of title page features Masonic symbols. Light toning, occasional early underlining and emphasis notes in margins. A handsome copy. \$250.

* Originally printed in 1681, this essay on judicial error and judicial corruption reflects the tensions between King Charles II and his subjects near the end of his reign. It details the fates of Royalist judges during the reign of Charles I and earlier times. Probably inspired by the political repression relating to the Napoleonic Wars, corn laws, economic unrest and the suffrage movement, this 1817 reprint contains a seventh section, *The Case of William Penn*. J.J. Franklin was the grand nephew of Benjamin Franklin. OCLC locates 9 copies of this imprint, 3 in North America (Hamilton College, Southern Illinois University, UCLA). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:220 (11).

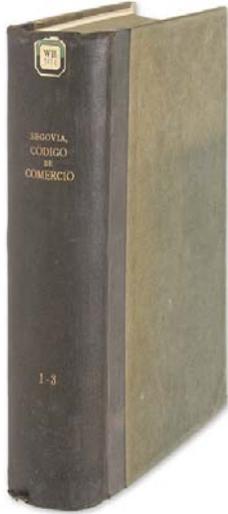
**With Material
Concerning the Scopes Trial**

**22. [Scopes, John (1900-1970)].
Malone, Dudley Field [1882-1950].**

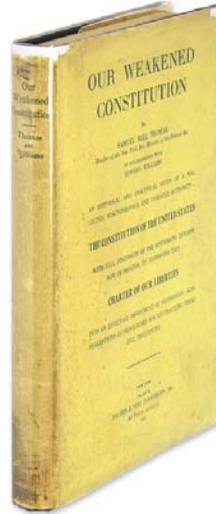
"Unaccustomed as I Am-": Miscellaneous Speeches. New York: J.J. Little and Ives Company, 1929. 196 pp.

Quarter cloth over patterned paper boards, title panels to front board and spine, deckle edges. Light rubbing to boards, corners bumped and lightly worn, some soiling to spine, several signatures unopened. Light toning to text, author inscription to front free endpaper. \$100.

* Only edition. Malone was part of John Scopes's defense team at the famous "Monkey Trial," where he made the opening and closing statements. This book contains this closing statement, as well as a speech about the trial delivered on July 29, 1925. The other speeches in this book address prohibition, female suffrage, international affairs and the nature of democracy.



Item 23



Item 24

Learned 1892 Commentary on the Argentinean Commercial Code of 1871

23. Segovia, Lisandro.

Explicacion y Critica del Nuevo Codigo de Comercio de la Republica Argentina: Con el Texto Integro del Mismo Codigo. Buenos Aires: Felix Lajouane, 1892. Three volumes in one. xlv, 504; vi, 487; vii, 486 pp. Quarto (10" x 7").

Softbound volumes bound into contemporary quarter-cloth over paper-covered boards, gilt title to spine. Light rubbing with some wear to spine ends and corners, a few cracks to text block, light toning to text, internally clean. Ex-library. Location label to spine, small inkstamp to title page. \$65.

* Only edition. An important commentary on the code in force from 1871 to 2015. "Segovia's commentary is distinguished by its learned treatment of comparative legislation and the author's valuable criticisms of the code in force." Borchard, *Guide to the Law and Legal Literature of Argentina, Brazil and Chile* 81.

Examines the Legality of the Eighteenth Amendment

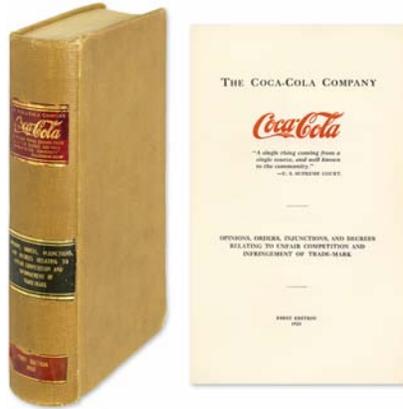
24. Thomas, Samuel Bell.

Williams, Edward, Collaborator.

Our Weakened Constitution: An Historical and Analytical Study of the Constitution of the United State [sic] and of the Additions to the Original Text Undertaken to Place the Facts before the American People, and to Emphasize the Present Necessity for a Movement in Behalf of an Unviolated Constitution, State Integrity and the Rights and Immunities Established by the Founders of this Republic. New York: Dauber & Pine Bookshops, 1932. viii, 321 pp.

Cloth very good in moderately shelfworn and soiled dust jacket. \$35

* A comprehensive study of the constitutionality of the Eighteenth Amendment, which established prohibition. Ranging over the history of the other amendments, Thomas concludes that the eighteenth amendment is unconstitutional.



Scarce Title with Color Facsimiles of Cola Company Trademarks

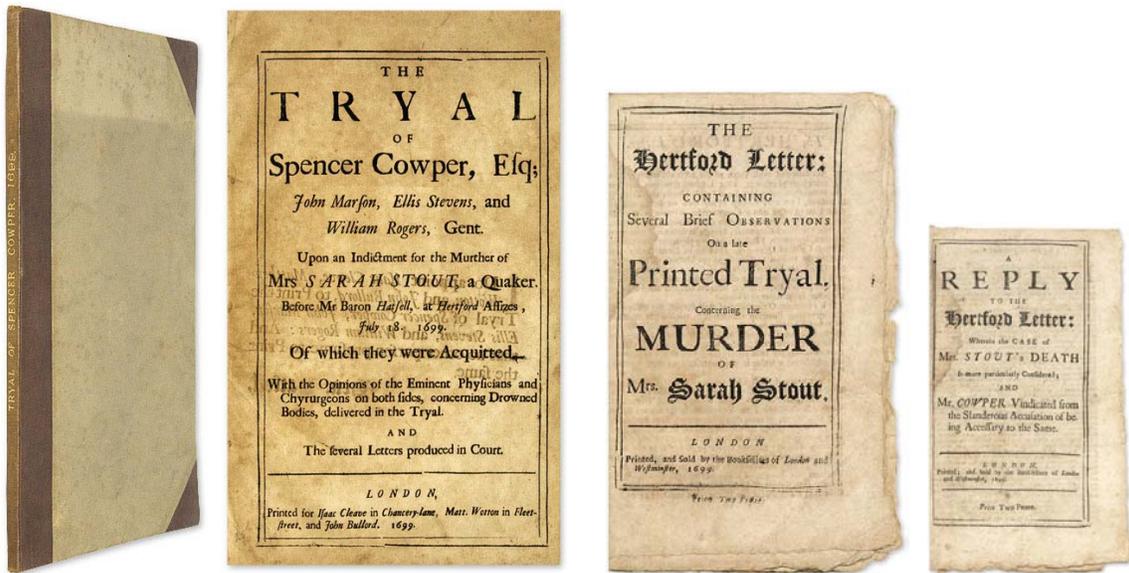
**25. [Trademarks].
[Coca-Cola].**

The Coca-Cola Company: Opinions, Orders, Injunctions, And Decrees Relating to Unfair Competition and Infringement of Trade-Mark. [Atlanta: The Coca-Cola Company, 1923]. 648, viii pp. Color plates. Facsimiles.

Original buckram, three lettering pieces to spine, two red, one black. Light rubbing to extremities, light soiling, minor chipping to edges of lettering pieces, light toning to text. Early annotations to front free endpaper, interior otherwise clean. \$950.

* First edition. Illustrated throughout with several color reproductions of cola company trademarks, this volume collects briefs and other documents relating to the several appellate, district and U.S. Supreme Court decisions regarding the Coca-Cola trademark from 1886 to 1923, including a famous decision by Justice Holmes. OCLC locates 4 copies in North American law libraries (Catholic University, Jenkins, University of Cincinnati and University of Denver).





"The Murder of Mrs. Sarah Stout, A Quaker"

26. [Trial].

Cowper, Spencer [1669-1728], Principal Defendant.

The Tryal of Spencer Cowper, Esq; John Marson, Ellis Stevens, And William Rogers, Gent. Upon an Indictment for the Murther of Mrs. Sarah Stout, a Quaker. Before Mr. Baron Hatsell, At Hertford Assizes, July 18, 1699. Of Which They were Acquitted. With the Opinions of the Eminent Physicians and Chyrurgeons on Both Sides, Concerning Drowned Bodies, Delivered in the Tryal. And the Several Letters Produced in Court. London: Printed for Isaac Cleave in Chancery-Lane, Matt. Wotton in Fleet-street, and John Bullord, 1699. [ii], 22 [i.e.46] pp. Folio (1-1/2" x 7").

[Bound with]

P.D.

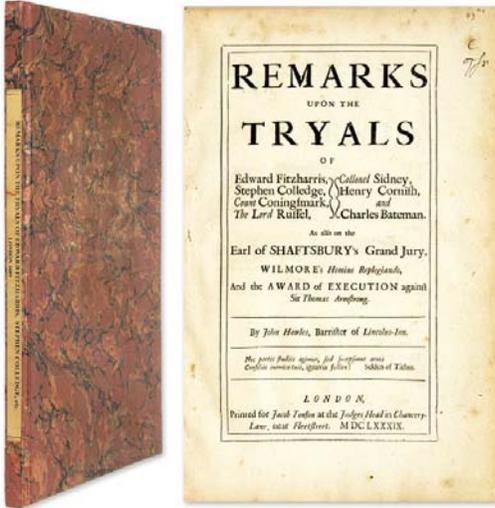
The Hertford Letter: Containing Several Brief Observations on a Late Printed Tryal, Concerning the Murder of Mrs. Sarah Stout. London: Printed and Sold by the Booksellers of London, and Westminster, 1699. 16 pp. Octavo (8-1/2" x 5").

[And]

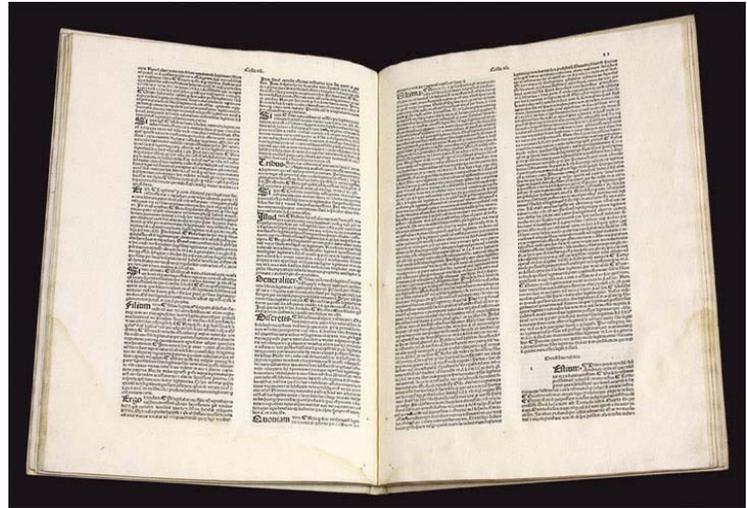
A Reply to the Hertford Letter: Wherein the Case of Mrs. Stout's Death is More Particularly Considered; And Mr. Cowper Vindicated from the Slandereous Accusation of Being Accessory to the Same. London: Printed; And Sold by the Booksellers of London, and Westminster, 1699. 8 pp. Octavo (8-1/2" x 5").

Three titles in an 11-1/2" x 7-1/2" binding. Three-quarter cloth over paper-covered boards, gilt title to spine. Light soiling, dampspotting and offsetting to boards, some rubbing to extremities, early owner bookplate top front pastedown. Light browning and foxing to interior, internally clean. \$3,500.

* Only editions. Spencer Cowper, a judge, was indicted for the murder of Sarah Stout. He was at the her house late on the evening before she was found drowned in a river. Cowper's alleged motivations were a desire to end an illicit love affair and avoid payment of a debt. Cowper's lawyers argued that Stout's parents wanted to hide the fact that their daughter committed a suicide, a heinous act among Quakers. The defence also suggested a political motivation: a desire by local Tories to harm the career of a rising Whig. Cowper had been at the woman's house late on the evening before she was found drowned in the river, but there was little material evidence against him. Also, his lawyers benefited from expert medical testimony from three leading physicians, Samuel Garth, Hans Sloane and William Cowper." He was acquitted. The trial attracted a good deal of attention and generated several pamphlets, including post-verdict pamphlets that attempted unsuccessfully to reopen the case. Our volume collects three examples. The *Tryal of Spencer Cowper* is one of the standard accounts of the trial. *The Hertford Letter* and *A Reply to the Hertford Letter* reflect the post-trial debates about the verdict. The *Tryal* and *The Hertford Letter* are scarce; *A Reply* is rare and apparently unrecorded. No Copies are listed on OCLC. The ESTC lists a pamphlet with the same title, but it has a different imprint and a much-different collation. *English Short-Title Catalogue* R226805 (Tryal), R493540 (Letter).



Item 27



Item 28

An Illegal Treason Trial?

27. [Trials].

Hawles, Sir John [1645-1716].

Remarks Upon the Tryals of Edward Fitzharris, Stephen Colledge, Count Coningsmark, The Lord Russel, Collonel Sidney, Henry Cornish, And Charles Bateman. As Also on the Earl of Shaftsbury's Grand Jury, Wilmore's Homine Replegiando, And the Award of Execution Against Sir Thomas Armstrong. London: Printed for Jacob Tonson, 1689. [iv], 104 pp. Folio (11-3/4" x 7-3/4").

Recent stiff marbled boards, printed title panel to spine. Moderate toning to text, occasional light foxing and dampstaining, spark burns to a few leaves. Brief early owner annotation to head of title page, interior otherwise clean. \$400.

* Only edition. Edward Fitzharris [1648?-1681] and his accomplices were conspirators against King Charles II and James, Duke of York. The trials of Fitzharris and his accomplices are notable because they raised a set of jurisdictional issues involving the courts and the two Houses of Parliament. These issues, which involve constitutional issues as well, are discussed in Hawles's *Remarks*. He concludes that the parties, while guilty, were tried illegally. *English Short-Title Catalogue* R10368.

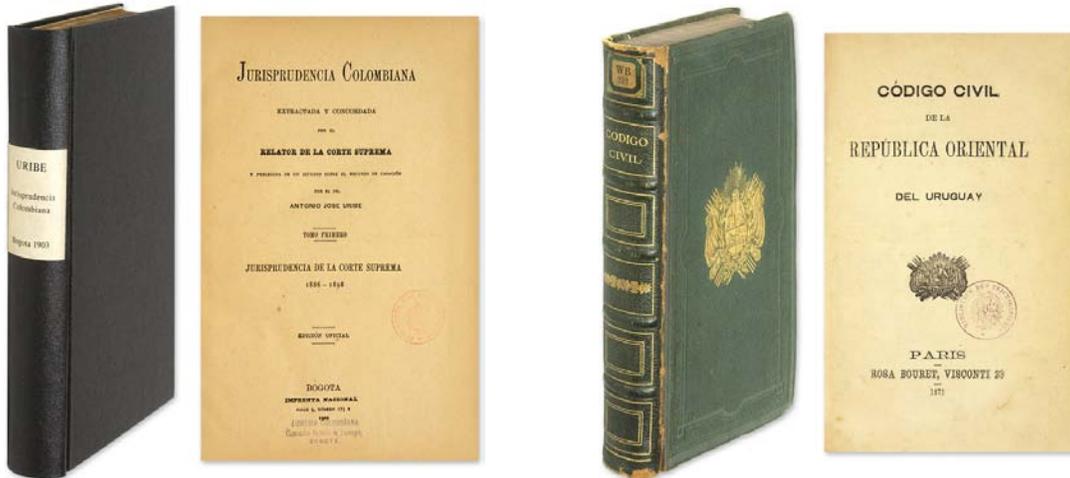
A Notable Commentary of the *Authentica*

28. Ubaldis, Angelus de [c.1327-1400].

[*Super Authenticis*]. [Venice: Baptista de Tortis, 3 March 1489]. Collation: a-e8. 39 of 40 ff. Folio a1, a blank, lacking. Text in parallel columns. Folio (15-1/2" x 11-1/2").

Recent paper-covered boards (illustrated with copies of unrelated incunable leaves), endpapers renewed. Light soiling, corners and spine ends bumped. Text printed in 83-line Gothic type, guide spaces blank. Some toning, light soiling to first leaf, faint dampstaining to foot of text block reaching into text, minor worming to some leaves, first leaf (a2) dust-soiled, fol. b1 mounted on stub, internally clean. Ex-library. Bookplate to front pastedown. A solid copy. \$8,500.

* Angelus de Ubaldis, a renowned jurist, was almost as highly regarded as his brother, Baldus de Ubaldis. First published in 1474, the *Super Authenticis*, also known as the *Lectura de Authenticis*, a commentary on the *Authentica*, a collection of 134 constitutions of Justinian, later included in the *Novels* of the *Corpus Juris Civilis*. It was believed to be a collection intended for Byzantine Italy, but this assumption is doubted today. Ubaldis's commentary was highly regarded; it went through at least 12 editions before 1500. Today, all editions are scarce. OCLC locates no copies of this imprint in North America. However, the GW locates copies at the University of Michigan Law School and the Walters Art Museum, Baltimore. Goff, *Incunabula in American Libraries* U10. *Gesamtkatalog der Wiegendrucke* M48377.



Item 29

Item 30

Digested Decisions of the Colombian Supreme Court

29. Uribe, Jose Antonio, Compiler.

Jurisprudencia Colombiana Extractada y Concordada por el Relator de la Corte Suprema y Precedida de un Estudio Sobre el Recurso de Casacion. Tomo Primero [All Published]: *Jurisprudencia de la Corte Suprema, 1886-1898*. Bogota: Imprenta Nacional, 1900 (date on front wrapper: 1903). lxxiv, 589 pp.

Softbound volume bound into recent cloth, printed paper title label to spine, bookseller slip bound between front free endpaper and front wrapper. Light browning to text, internally clean. Ex-library. Small inkstamp to verso of title page. A nice copy of a scarce title. \$250.

* Only edition, second and final printing. Digested alphabetically by topic, this is a collection of Colombian Supreme Court decisions from 1886 to 1898. Counting both printings, OCLC locates 6 copies in North American law libraries (Columbia, Harvard, LA County, University of Michigan, Stanford, Yale).

Early Printing of Uruguay's Civil Code

30. [Uruguay].

Codigo Civil de la Republica Oriental del Uruguay. Paris: Rosa Bouret, 1871. xxiii, 542 pp. Octavo (8-1/2" x 5").

Contemporary quarter morocco over pebbled cloth with blind-stamped panels, large gilt arms of Uruguay to front board, Raised bands, gilt title and gilt ornaments to spine, marbled edges and endpapers. Moderate rubbing to extremities with light wear to spine ends and joints, corners bumped, cracks to text block between front free endpapers and adjacent endleaves. Moderate toning to text, light foxing in places, internally clean. Ex-library. Location label to spine, small inkstamp to title page. A nice copy of a rare title. \$450.

* Second edition. With index. Originally published on 1 January 1868, this code is based, for the most part, on the Chilean Civil Code, the Spanish Civil Code and the Code Napoleon, with material drawn from with Roman, canon and Spanish law. OCLC locates 2 copies worldwide, neither in North America.



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