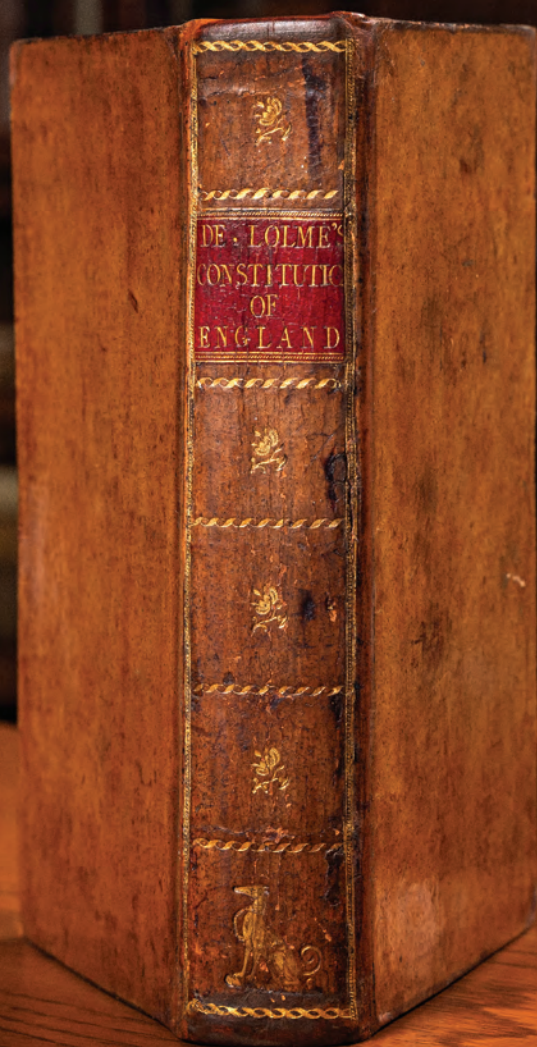


JANUARY 9, 2024

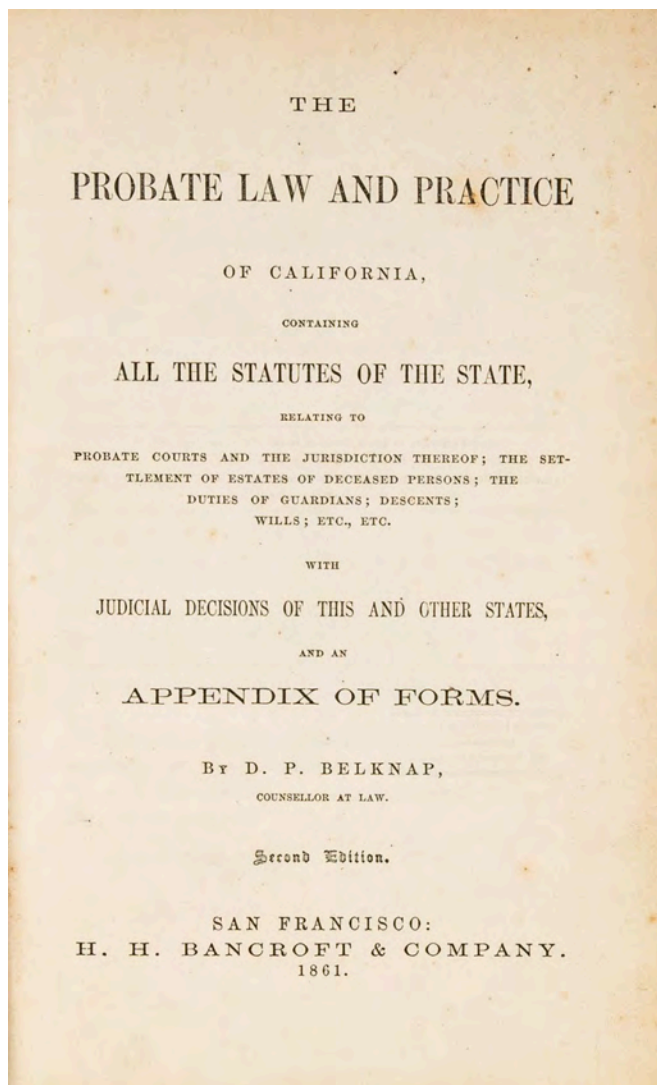
RECENT ACQUISITIONS

English, American & Continental Law, 1660–1929

30 ITEMS



THE
LAWBOOK EXCHANGE
LTD.



Pre-Fire San Francisco Imprint

1. Belknap, D[avid]. P[rice].

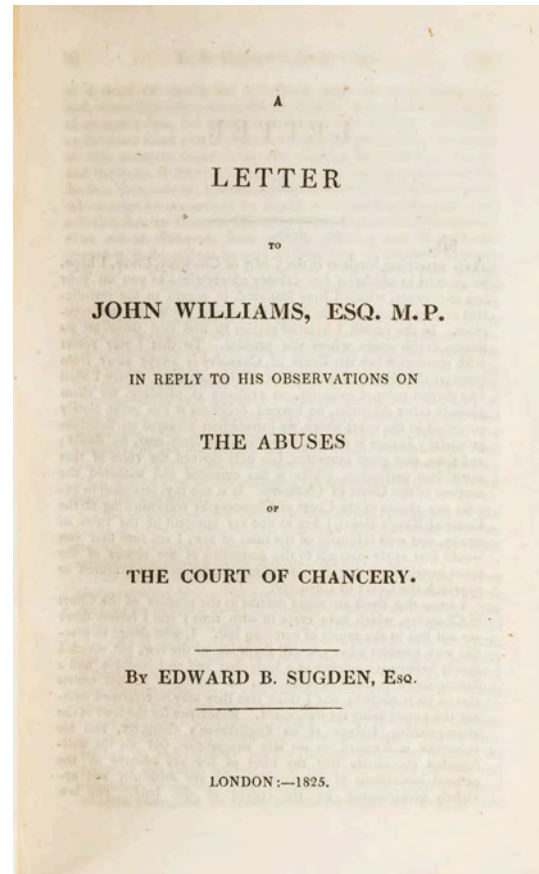
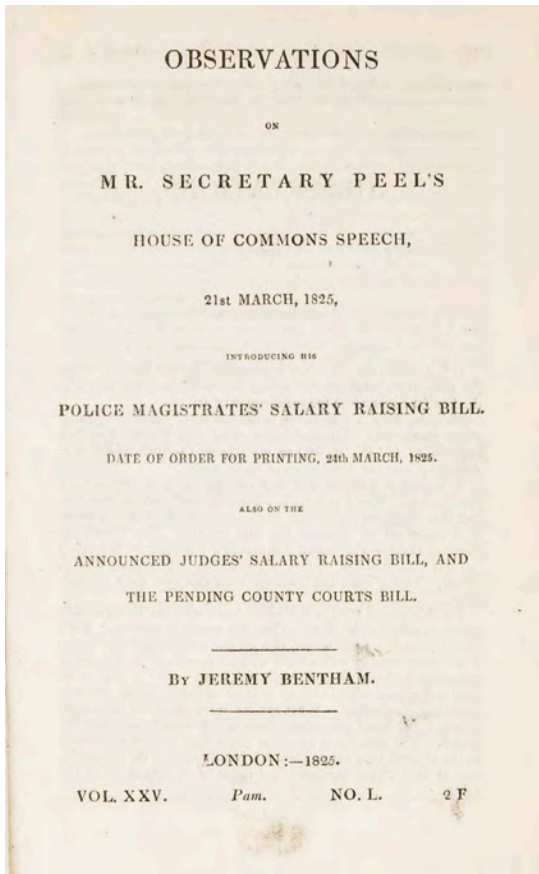
The Probate Law and Practice of California, Containing All the Statutes of the State, Relating to Probate Courts and the Jurisdiction Thereof; The Settlement of Estates of Deceased Persons; The Duties of Guardians; Descents; Wills; Etc., Etc. With Judicial Decisions of This and Other States, And an Appendix of Forms. San Francisco: H.H. Bancroft & Company, 1861. xvi, 241, cclxix pp. Cancel slips tipped in periodically. Octavo (8-1/2" x 5-1/4").

Recent cloth, printed label to spine, endpapers renewed. Moderate toning to interior, occasional light foxing, a few partial cracks to text block, all leaves secure, faint stains (adhesive from cancel slips?) to a few leaves. \$250.

* Second edition. First published in 1858 under the title *California Probate Law and Practice*, this treatise provides a thorough guide to probate and estate management for executors, administrators and guardians and includes an appendix of forms. The tipped-in slips list relevant amendments and changes through 1868.

Catalogue of the Library of the Harvard Law School (1909) I:143.

[Order This Item](#)



Two Works on Law Reform, One by Bentham

2. Bentham, Jeremy [1748-1832].

Observations on Mr. Secretary Peel's House of Commons Speech, 21st March, 1825, Introducing His Police Magistrates' Salary Raising Bill. Date of Order for Printing, 24th March, 1825. Also on the Announced Judges' Salary Raising Bill, And the Pending County Courts Bill. London: [Printed by A.J. Valpy], 1825. [405]-443 pp.

[Bound with]

Sugden, Edward [1781-1875].

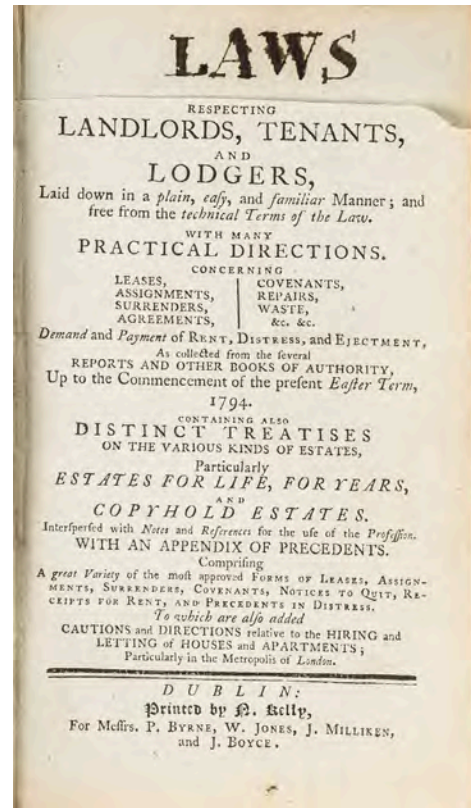
A Letter to John Williams, Esq. M.P. In Reply to His Observations Upon the Abuses of the Court of Chancery. London: [Printed by A.J. Valpy], 1825. [445]-454 pp.

Octavo (8" x 5"). Disbound in recent stiff green wrappers. Light toning, a few faint smudges to first title page, internally clean. \$350.

* Two pamphlets on law reform from different perspectives. The first, by Bentham, rails against a proposal by Peel to raise the salaries of police magistrates and judges on the grounds that such a measure would be costly and do nothing to increase the aptitude of those serving in those roles. It was later reprinted in his 1835 collection of essays *Official Aptitude Maximized, Expense Minimized*. The second, written by Sugden during his time as a barrister and chancery practitioner, defends the chancery courts from accusations of delays, incompetence and corruption. Both are extracted from Volume XXV, Number 50 of the *Pamphleteer* and were published separately the same year; the priority of *Observations* is uncertain.

Observations: Chou University Library, *A Bibliographical Catalogue of the Works of Jeremy Bentham* O1.

[Order This Item](#)



With Detailed Contemporary Annotations

3. Bird, James Barry.

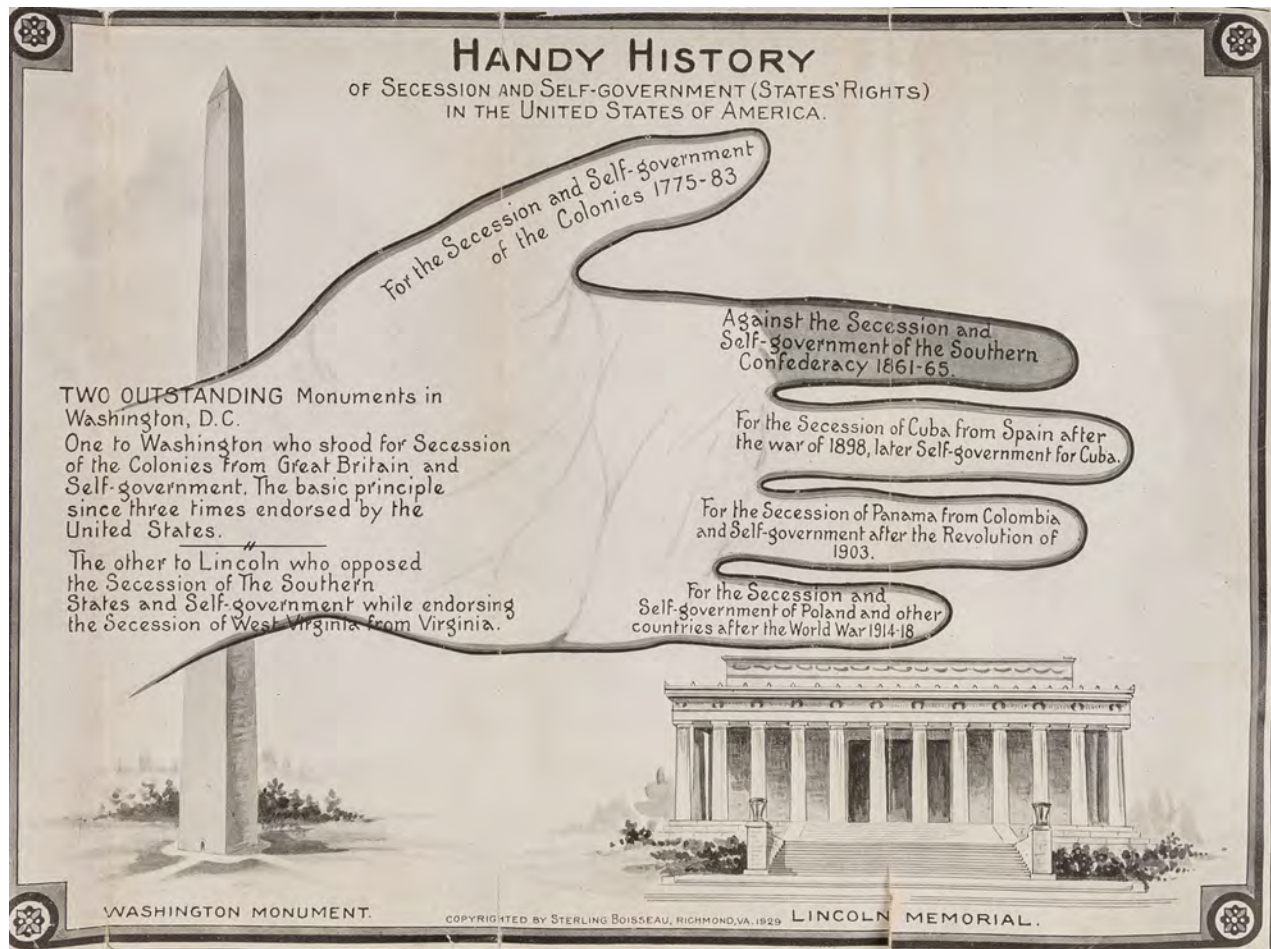
The Laws Respecting Landlords, Tenants, And Lodgers, Laid Down in a Plain, Easy, And Familiar Manner; And Free from the Technical Terms of the Law. With Many Practical Directions. Concerning Leases, Assignments, Surrenders, Agreements, Covenants, Repairs, Waste, &c. &c. Demand and Payment of Rent, Distress, And Ejectment, As Collected from the Several Reports and Other Books of Authority, Up to the Commencement of the Present Easter Term, 1794. Containing Also Distinct Treatises on the Various Kinds of Estates, Particularly Estates for Life, For Years, And Copyhold Estates. Dublin: Printed by N. Kelly, For Messrs. P. Byrne [et al.], [1794]. [xii], 157, [11] pp. 12mo. (6-3/4" x 3-3/4").

Contemporary calf, blind rules to boards, blind fillets and lettering piece to spine, blind tooling to board edges, ten 6-1/4" x 3-3/4" sheets loosely sewn into front endleaves. Light rubbing and some small ink spots to boards, moderate rubbing to extremities, corners bumped, faint dampstaining to rear endleaves, annotations in a single neat hand to endleaves and sewn-in sheets. Light toning to interior, light foxing in a few places, early annotations to several leaves, upper part of title page excised with loss to first two words, completed on following leaf with "Laws" in manuscript. \$750.

* Only Dublin edition, published the same year as the first London edition. Bird produced a well-regarded series of handbooks on a broad range of legal topics. Written for both "the general reader" and "the young practitioner," *The Laws Respecting Landlords* was not an exception and went through many editions with the final edition published in London in 1833. The annotations to our copy, most to sheets sewn into the front endleaves, are statutory references. Primarily related to distress, they update the text for use in Ireland and were likely made by an Irish landlord or practitioner. OCLC locates 4 copies of the Dublin edition in North American law libraries (DePaul, Ohio State, University of Iowa, Social Law).

English Short-Title Catalogue N12323.

[Order This Item](#)



A "Lost Cause" Defense of Secession

4. [Broadside].

Boisseau, Sterling.

Handy History of Secession and Self-Government (States' Rights) in the United States of America. Richmond, VA: Sterling Boisseau, 1929.

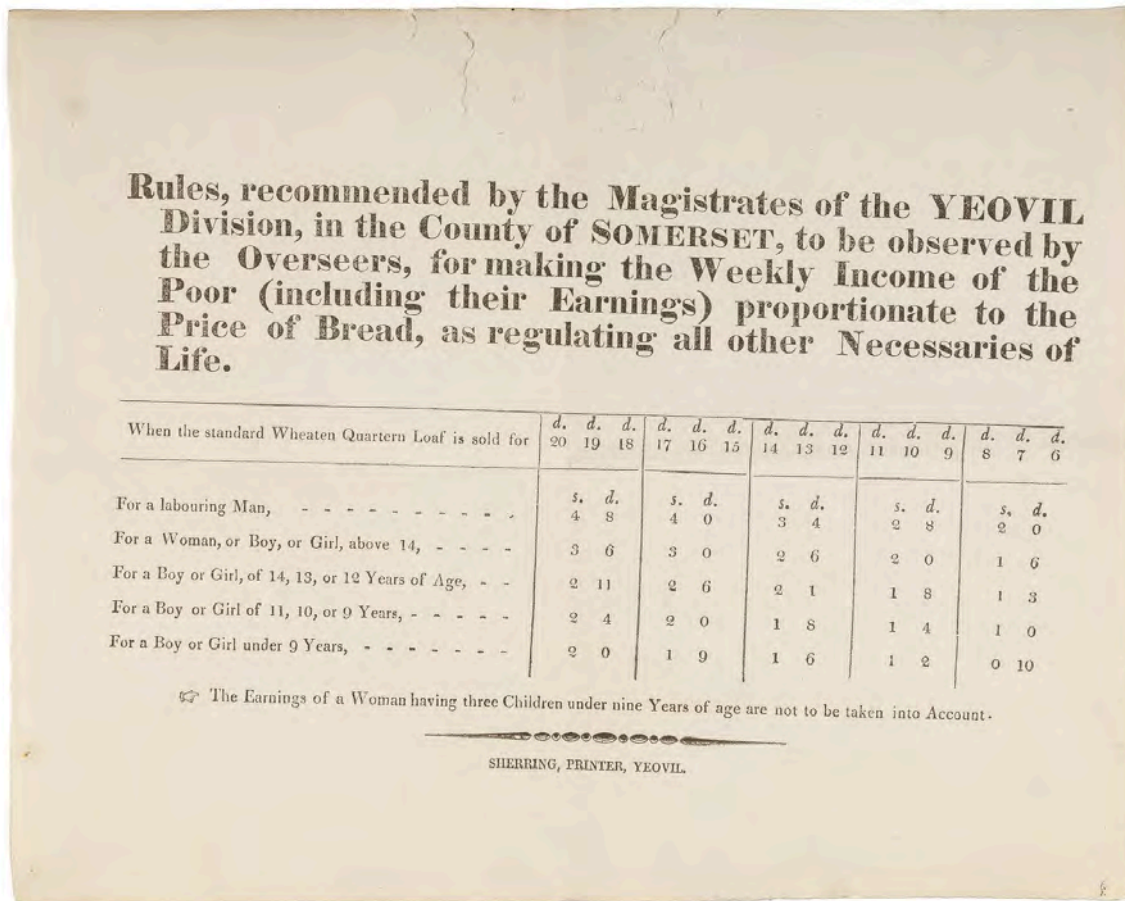
9" x 12" pictorial broadside on glossy paper, text on image of outstretched hand below headline, images of the Washington Monument and Lincoln Memorial in background. Light edgewear, three vertical fold lines with short tears at ends, a few other tiny tears to edges. \$450.

* A curious piece of "Lost Cause" propaganda. Boisseau shows, through an example on each finger, that opposition to the Confederacy was hypocritical because Americans and the Federal government have supported it in all other cases, from "Secession and Self-government of the Colonies 1775-83" to the "Secession and Self-government of Poland and other countries after the World War 1914-1918."

The caption to the Washington Monument and Lincoln Memorial reads: "Two outstanding monuments.... One to Washington who stood for secession of the Colonies from Great Britain and Self-government. (...) The other to Lincoln who opposed the Secession of the Southern States and Self-government while endorsing the Secession of West Virginia from Virginia."

OCLC locates 1 copy (The Library of Virginia).

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A Georgian-Era Program to Alleviate Rural Poverty

5. [Broadside].
 [Poor Laws].
 [Great Britain].

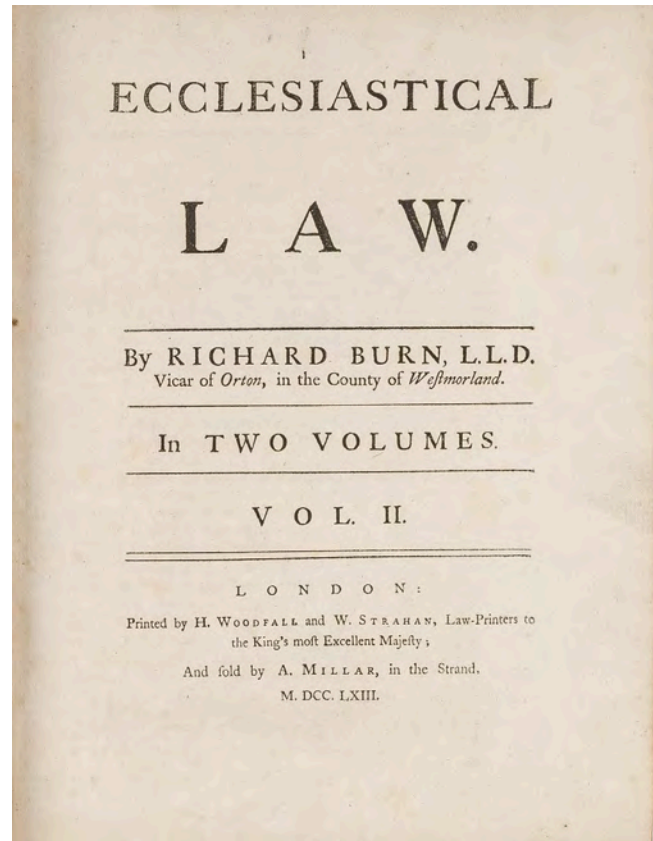
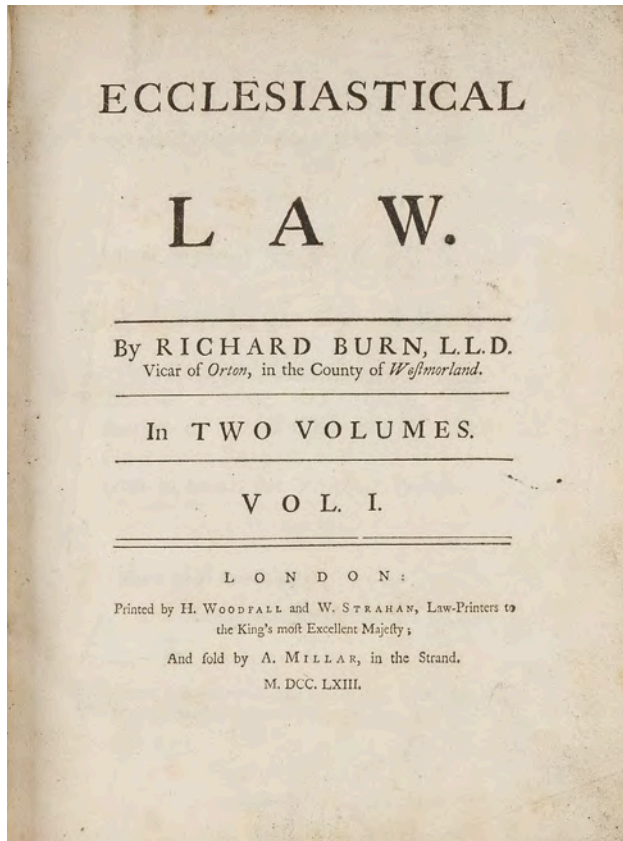
Rules, Recommended by the Magistrates of the Yeovil Division. in the County of Somerset, To be Observed by the Overseers, For Making the Weekly Income of the Poor (Including Their Earnings) Proportionate to the Price of Bread, As Regulating All Other Necessities of Life.
 Yeovil: Sterling, Printer, c.1795.

7-1/2" x 9-1/2" broadside, text, with table, in single column below headline. Moderate toning, vertical and horizontal folds, light creasing and a few minor tears near center of top-edge, a few negligible light spots to margins. \$350.

* This is a broadside outlining the Speenhamland system, a form of rural poor relief devised by a group of magistrates at a meeting in Speenhamland, Berkshire in 1795. A response to a sharp increase in grain prices due to a series of bad harvests and Britain's involvement in the French Revolution and Napoleonic wars, it established a system of price subsidies based on income. The costs associated with this program, and evidence that was not especially successful, created the political pressure that led to the 1834 Poor Law, which restricted poor relief to the occupants of workhouses.

No copies listed on OCLC or Library Hub.

[Order This Item](#)



"It Has Always Been Deemed a Book of Authority"

6. Burn, Richard [1709-1785].

Ecclesiastical Law. London: Printed by H. Woodfall and W. Strahan, 1763. Two volumes. [vi], xxii, [16], [2], 685; [ii], 784 pp. Quarto (11" x 9").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands, lettering pieces to spines, volume-number label to Volume II, that of Volume I lacking. Light rubbing and a few shallow scuffs to boards, which are beginning to separate, minor nicks and scratches to spines, moderate rubbing to extremities with wear to spine ends, corners bumped and somewhat worn, signed early owner inscription (Edward Fielding Palmer) to front pastedown of Volume I, later library bookplate and shelf label to pastedowns, front free endpapers lacking, rear free endpapers partially detached. Moderate toning to interiors, light foxing and dampspotting in a few places, light soiling, creases and edgewear to endleaves, small worm track to front pastedown and adjacent endleaf of Volume II, a few contemporary manuscript notes to one of its rear endleaves. \$300.

* First edition. Long a standard work, it reached its final edition, the ninth, in 1842. Marvin notes: "It has always been deemed a book of authority; and Blackstone, in his *Commentaries*, mentions it as one of the very few publications on the subject of Ecclesiastical Law on which the reader can rely with certainty. Burn, by his diligent and accurate research, and by great judgment in the selection and use of his materials, laid the foundation of a work which subsequent editors have reared to a complete and full Treatise upon English Ecclesiastical Law. The author not only gives his authorities for his positions, but frequently the authority of the authorities."

Marvin, *Legal Bibliography* 163-164. *English Short-Title Catalogue* T70032.

[Order This Item](#)



**First Edition of a Classic Guide to English Law
and Government that Inspired the American Founding Fathers**

7. [Care, Henry (1646-1688)].

English Liberties: Or, The Free-Born Subject's Inheritance, Containing I. Magna Charta, The Petition of Right, The Habeas Corpus Act; And Divers Other Most Useful Statutes: With Large Comments Upon Each of Them. II. The Proceedings in Appeals of Murther; The Work and Power of Parliaments; The Qualifications Necessary for Such as Should be Chosen to that Great Trust. Plain Directions for All Persons Concerned in Ecclesiastical Courts; And How to Prevent or Take Off the Writ De Excommunicato Capiendo. As Also the Oath and Duty of Grand and Petty Juries. III. All the Laws Against Conventicles and Protestant Dissenters with Notes, And Directions both to Constables and Others Concern'd, Thereupon; And an Abstract of All the Laws Against Papists. London: Printed by G. Larkin, For John How, At the Seven-Stars at the South-West Corner of the Royal Exchange in Cornhil, [1682]. [xii], 228 pp. Lacking final four leaves of advertisements. 12mo. (5-3/4" x 3-1/4").

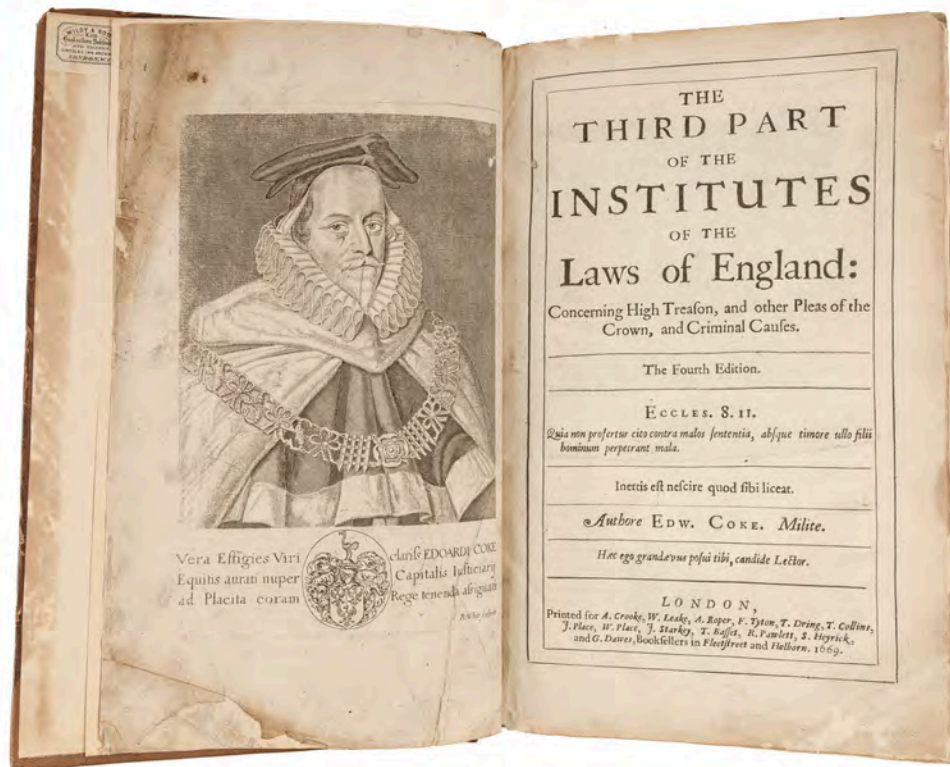
Later three-quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Light rubbing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, hinges cracked, front endleaves and title page partially detached but secure, partial crack to text block between H1 and H2 (pp.146-147). Light browning to interior, faint dampstaining in places, fore-edge of title page affected by trimming and two small chips resulting in small loss to text. \$2,500.

* First edition, one of two imprints from that year (1682 publication date conjectured by Wing). This classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Priviledge of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned this edition and another copy, printed in London in 1719, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights.

OCLC locates 2 copies of this imprint (at Harvard Law School and the Library of Congress, Law Division). The two undated imprints were followed by a series of dated imprints, the first from 1682.

Wing, *Short-Title Catalogue of Books Printed in England, Scotland, Ireland, Wales and British America* C515. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2702, 2703. *English Short-Title Catalogue* R32534.

[Order This Item](#)



Coke's Third and Fourth *Institutes*

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

The Third Part of the Institutes of the Laws of England: Concerning High Treason, And Other Pleas of the Crown, And Criminal Causes. London: Printed for A. Crooke, W. Leake [et al.], 1669. [viii], 243, [19] pp. Copperplate portrait frontispiece.

[Bound with]

Coke, Edward.

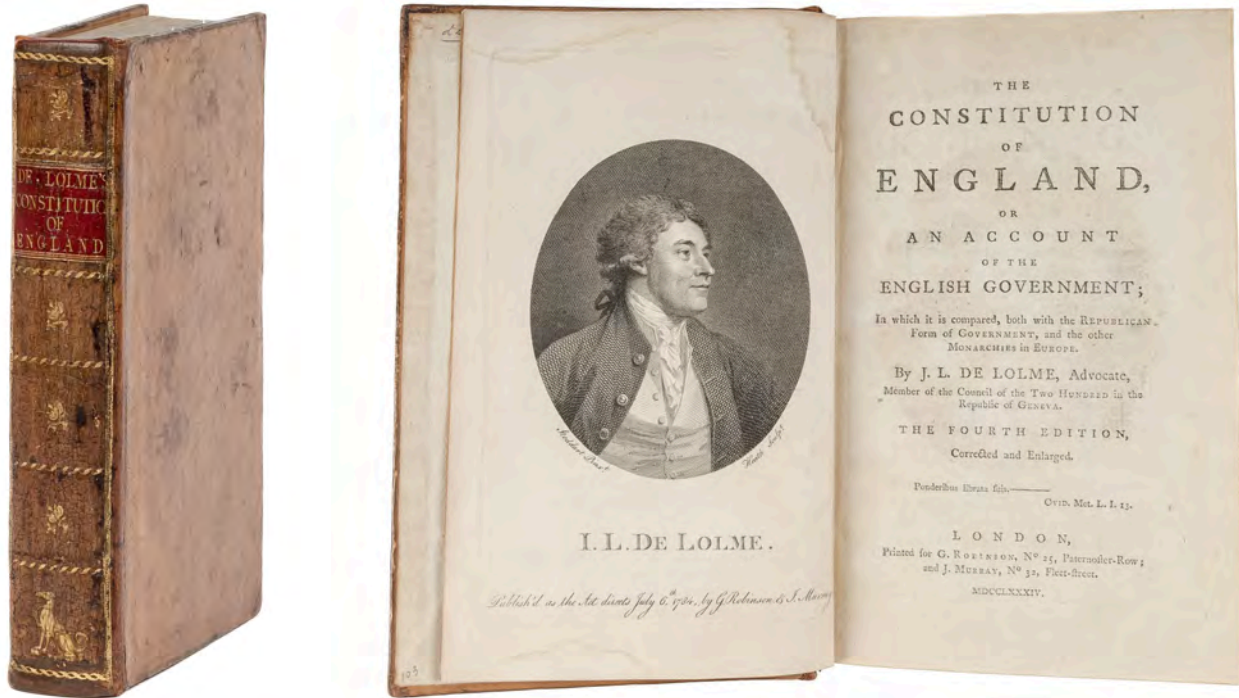
The Fourth Part of the Institutes of the Lawes of England; Concerning the Jurisdiction of Courts. With an Alphabetical Table, Not Heretofore Printed. London: Printed by A. Crooke, W. Leake [et al.], 1669. [x], 364, [36] pp. Added copperplate portrait frontispiece.

Contemporary calf with later rebacking and re-cornering, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed, early hand-lettered title to fore-edge of text block. Moderate rubbing, shallow scuffing to boards, front joint starting at head, corners bumped and somewhat worn, hinges cracked, small recent bookseller ticket to front pastedown, frontispiece of *Third Institutes*, which is somewhat soiled and edgeworn, mounted and re-hinged. Moderate toning to interior, light foxing in places, brief annotations to a few leaves, small piece of leaf L (pp. 69-70), accompanied by words "Muck" and "Miste," excised with minor loss to text, some edgewear and light soiling to title page, that of *Fourth Institutes* has a few faint small early doodles. \$950.

* Fourth editions. The *Third Institutes* is devoted to criminal law, with important sections that address how far the Crown can act alone and where it requires the assistance and joint power of Parliament. The *Fourth Institutes* outlines the authority and jurisdictions of several courts, among them the Court of Star-Chamber, Kings Court, Chancery, the Court of Common Pleas and Arches Court.

English Short-Title Catalogue R26617, R35651.

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Definitive Edition of De Lolme's Influential Treatise on the English Constitution

9. De Lolme, J[ean] L[ouis] [1740-1806].

The Constitution of England, Or an Account of The English Government; In Which it is Compared, Both With the Republican Form of Government, And the Other Monarchies in Europe. Corrected and Enlarged. London: Printed for G. Robinson, 1784. [viii], xvi, 540, [20] pp. Copperplate portrait frontispiece. Octavo (8" x 5").

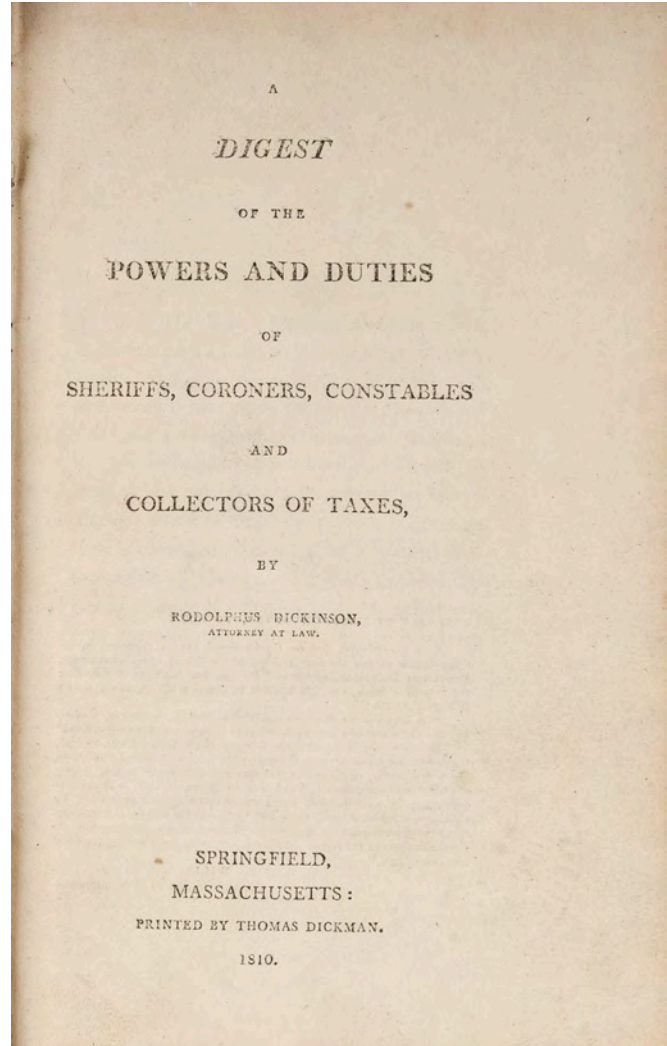
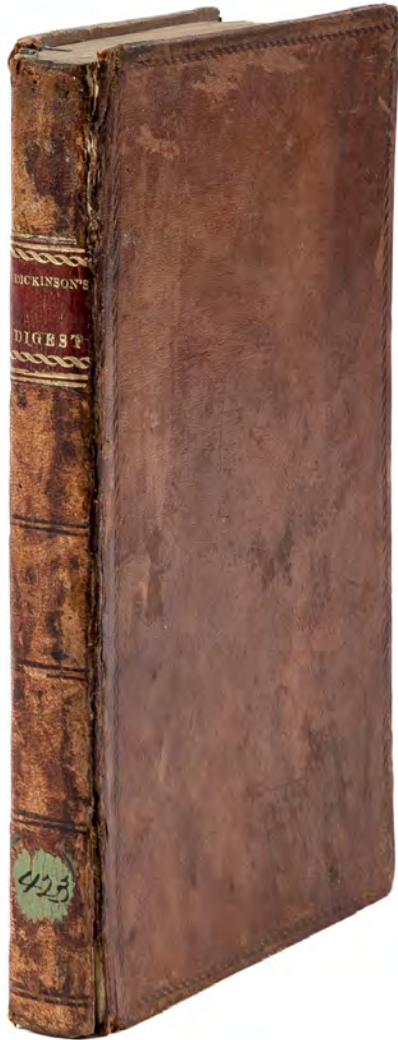
Contemporary speckled calf, expertly rebaced retaining existing spine with gilt fillets, lettering piece and gilt decoration to compartments, gilt tooling to board edges, hinges mended with tissue. Light rubbing, a few small shallow scratches to boards, faint creasing to spine, armorial bookplate (of Sir John Smith) to front pastedown, faint offsetting to endpapers. Light toning to interior, light foxing and soiling to a few leaves, clean tear to upper corner of leaf G8 (pp. 95-96) not affecting text, faint offsetting to title page from frontispiece, which has faint dampstains to its edges not affecting image or caption. A handsome copy. \$1,500.

* Fourth edition. The definitive authorial revision of the text, with corrections, a new preface, and substantial additions to the third edition of 1781. First published in French in 1771, this highly regarded popular exposition of the English constitution went through several editions well into the nineteenth century. It was the first book-length analysis of the "separation of powers" proposed in Book XI of Montesquieu's *Spirit of the Laws*, which sketched an institutional distinction between the legislative, executive, and judicial branches of government.

As one would expect, it was held in high regard by many of the founding fathers; Hamilton cites it favorably in *The Federalist*, and Adams relied upon this edition extensively in writing *A Defence of the Constitutions of Government*. Marvin notes: "This work has been held in high estimation from its first publication, and still holds a distinguished place. (...) It has been made the basis of larger works upon the same subject, by Stephens and Western. Judge Story remarks that the author 'has presented a view of English Equity Jurisprudence, far more exact and comprehensive than many of the English text writers on the same subject.'"

Marvin, *Legal Bibliography* 263. *English Short-Title Catalogue* T109210.

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Local Massachusetts Law in the Early 1800s

10. Dickinson, Rodolphus [1787-1863].

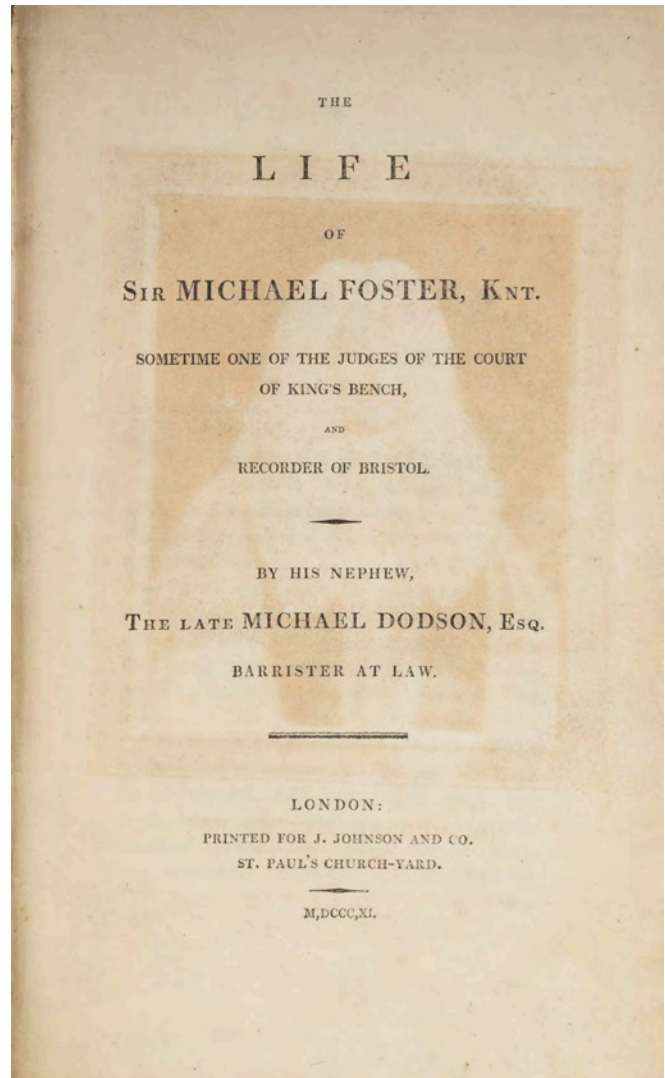
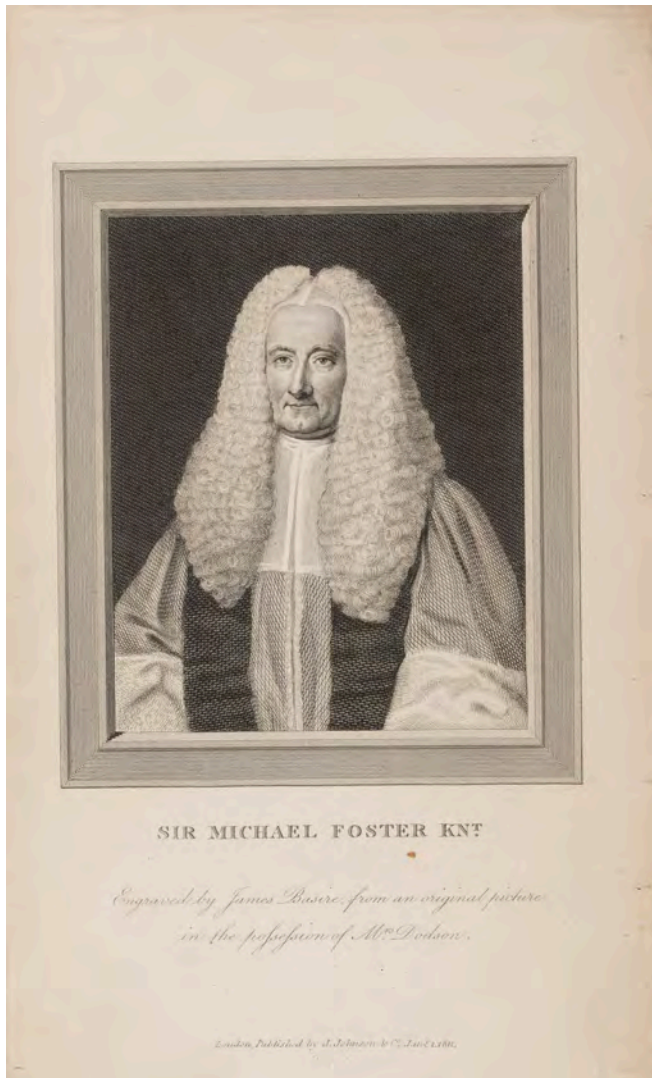
A Digest of the Powers and Duties of Sheriffs, Coroners, Constables and Collectors of Taxes. Springfield, MA: Printed by Thomas Dickman, 1810. [3], 232 pp. Folding table. Octavo (8-1/4" x 5-1/4")

Contemporary sheep, blind fillets to boards and board edges, calf lettering piece, blind fillets and tiny early shelf label to spine. Light rubbing to boards, moderate rubbing to extremities, front board beginning to separate but secure, chipping to head of spine, corners bumped and somewhat worn, chip to upper inside corner of front free endpaper, rear hinge cracked. Moderate toning to interior, browning and light foxing in a few places, faint later embossed library stamp to title page, small later inkstamp to its verso. \$200.

* Only edition, one of two issues, both from 1810, the other published in Boston. The folding table indicates the proper column headings for registers of "Original Writs" and "Executions." An Episcopal clergyman and a lawyer, Dickinson lived most of his life in Deerfield, Massachusetts. He published several books on law, geography and other fields.

Cohen, *Bibliography of Early American Law* 8380.

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A Nephew Remembers Sir Michael Foster

11. Dodson, Michael [1732-1799].

Disney, John [1746-1816], Editor.

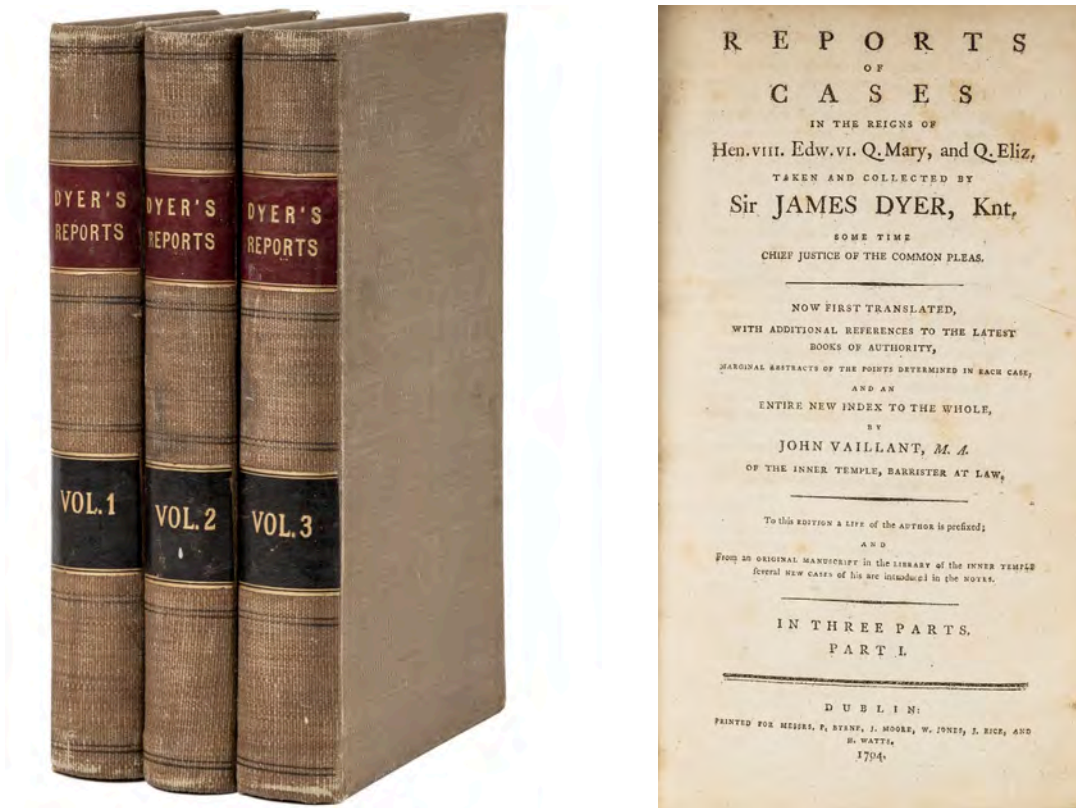
The Life of Sir Michael Foster, Knt. Sometime One of the Judges of the Court of King's Bench, And Recorder of Bristol. By His Nephew, The Late Michael Dodson, Esq. London: Printed for J. Johnson and Co., 1811. viii, 98 pp. Copperplate portrait frontispiece. Octavo (9" x 5-1/2").

Contemporary pebbled cloth, lettering piece and gilt fillets to spine. Moderate rubbing to boards, joints cracked, considerable chipping to spine, hinges partially cracked, a few cracks to text block. Moderate toning to interior, light foxing and early underlining and marks in pencil to a few leaves, clipped signature of Disney pasted at the end of the introduction (foot of p. viii). \$150.

* Only edition. Foster [1689-1763] was a highly regarded judge and law reporter.

British Museum Catalogue (Compact Edition) 7:493.

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The Best Edition of Dyer's Important *Reports*

12. Dyer, Sir James [1512-1582].

[Vaillant, John, Editor and Translator].

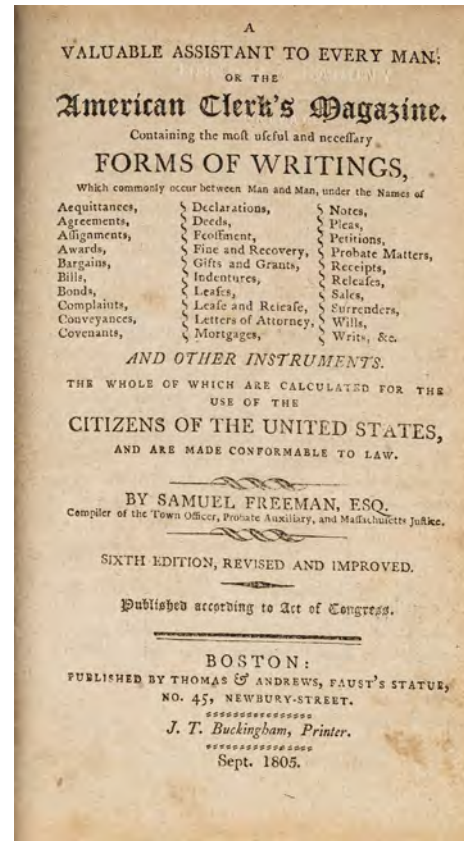
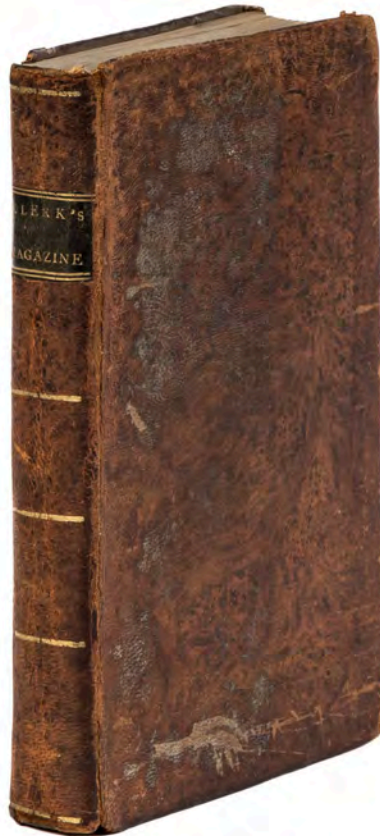
Reports of Cases in the Reigns of Hen. VIII. Edw. VI. Q. Mary, and Q. Eliz.; Now First Translated, With Additional References to the Latest Books of Authority, Marginal Abstracts of the Points Determined in Each Case, And an Entire New Index to the Whole. To This Edition a Life of the Author is Prefixed; And From an Original Manuscript in the Library of the Inner Temple Several New Cases of His Are Introduced in the Notes. Dublin: Printed for Messrs. P. Byrne, J. Moore [et al.], 1794. Three parts in three volumes. Octavo (9" x 5-1/4").

Later cloth, black-stamped fillets and red and black lettering pieces to spines, endleaves renewed, cloth hinges. Light soiling to exteriors, light rubbing to extremities. Light toning, occasional light foxing, more moderate to pp. 229a-235b of Vol. III, small stains to a few leaves, trimming to fore-edges of three leaves affecting side notes and catchwords with minor loss to legibility. \$450.

* Only Dublin edition, from the seventh London edition (the only edition in English). Dyer's *Reports*, which contains cases heard in the Courts of Common Pleas, King's Bench, Exchequer and Chancery from 1513 to 1582, was originally issued in 1585. One of the first publications of its kind, it was also the first to be referred to regularly as "Reports." A work of great authority (second only to that of the *Year Books*), it went through six editions in Law-French. "In 1794," Wallace notes, "Mr. Vaillant gave to the profession a yet much more improved edition, in English, containing several cases not found in the old ones, and now printed from Dyer's MSS., a part of which, from some private reasons, his editors, on the first publication, 'thought fitt not to make them vulgarr.'"

Wallace, *The Reporters* 127, see also 126-132. *English Short-Title Catalogue* T208162.

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"Calculated for the Use of the Citizens of the United States"

13. Freeman, Samuel [1743-1831].

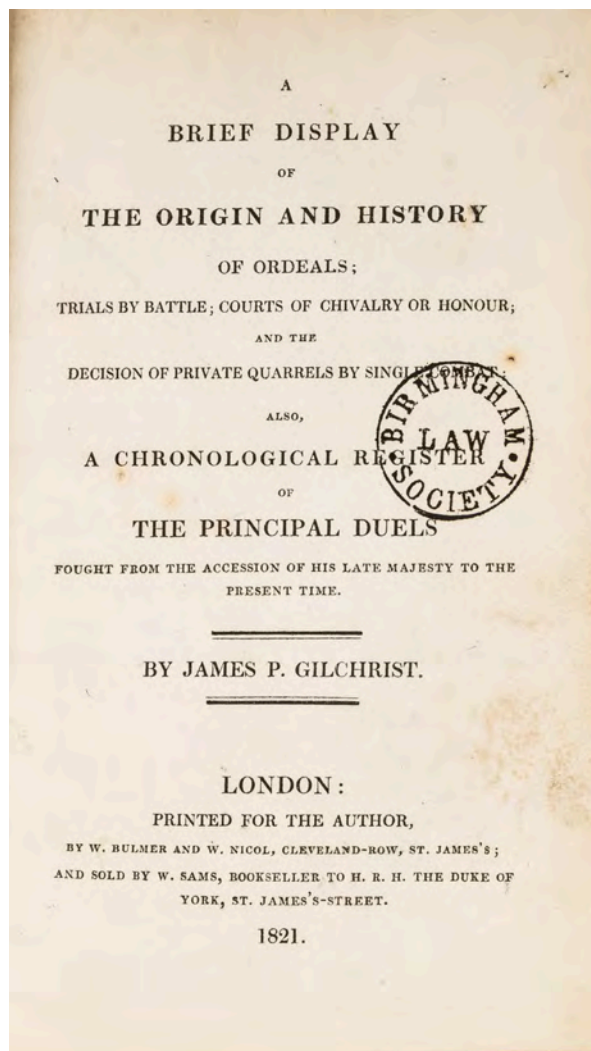
A Valuable Assistant to Every Man: Or the American Clerk's Magazine. Containing the Most Useful and Necessary Forms of Writings, Which Commonly Occur Between Man and Man, Under the Names of Acquittances, Agreements, Assignments, Awards, Bargains, Bills, Bonds, Complaints, Conveyances, Covenants, Declarations, Deeds, Feoffment, Fine and Recovery, Gifts and Grants, Indentures, Leases, Lease and Release, Letters of Attorney, Mortgages, Notes, Pleas, Petitions, Probate Matters, Receipts, Releases, Sales, Surrenders, Wills, Writs, &c. And Other Instruments. The Whole of Which are Calculated for the Use of the Citizens of the United States. And are Made Conformable to Law. Revised and Improved. Published According to Act of Congress. Boston: Printed by [Isaiah] Thomas and [Ebenezer T.] Andrews, Sept. 1805. 294, [3] pp. Includes a three-page list of law books published or distributed by Thomas and Andrews. 12mo. (6-1/2" x 4").

Contemporary tree sheep, lettering piece and gilt fillets to boards, blind tooling to board edges. A few shallow scuffs to boards, moderate rubbing to extremities, spine ends bumped, corners bumped and somewhat worn, hinges starting, later owner bookplate (Joseph A. Sadony) to front pastedown, early owner signature (W. Thorndike) to front endleaf, small embossed stamp (of Sadony) to title page. Light browning to interior, light foxing in places. An attractive copy. \$100.

* Sixth edition. Freeman was clerk of courts, a register of probate and a probate judge in Massachusetts. Isaiah Thomas [1749-1831] was an important early Massachusetts printer, newspaper publisher and author. He was also the founder of the American Antiquarian Society. One of the titles advertised with the heading "Just published" is Joseph Story first book, *A Selection of Pleadings in Civil Actions* (1805).

Cohen, *Bibliography of Early American Law* 8016.

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With Vivid Descriptions of 173 Duels

14. Gilchrist, James.

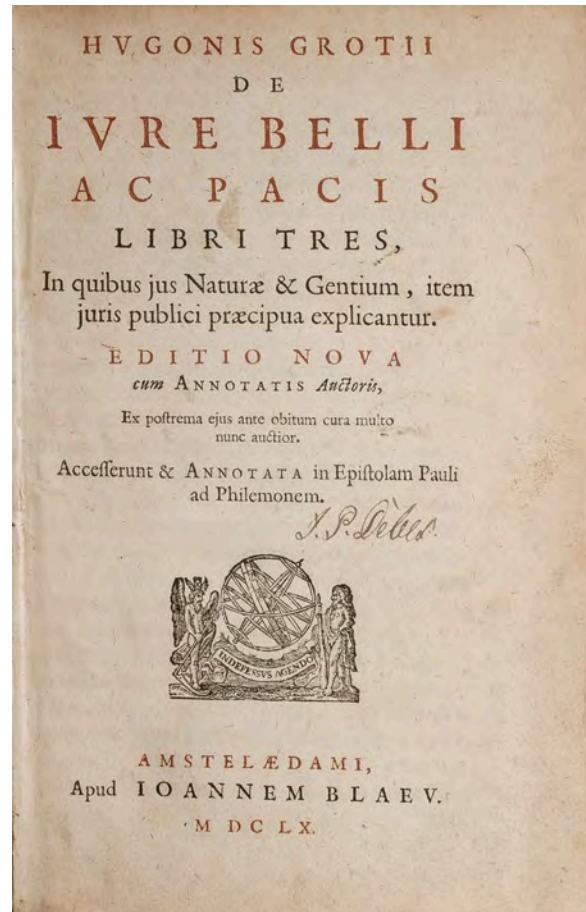
A Brief Display of the Origin and History of Ordeals; Trials by Battle; Courts of Chivalry or Honour; And the Decision of Private Quarrels by Single Combat: Also, A Chronological Register of the Principal Duels Fought from the Accession of His Late Majesty to the Present Time. London: Printed for the Author, 1821. xliii, 346 pp. Octavo (8-1/4" x 5").

Recent cloth, gilt title, date and library name to spine, endpapers renewed. Light rubbing to spine ends and corners, some fading to spine, library bookplate and small circular shelf label to front pastedown. Light toning to interior, light foxing to a few leaves, library stamp to title page and several other pages. \$200.

* Only edition. This study explores the history of dueling and trial by single combat, a legal right that existed until 1819. It contains a wealth of curious details about these practices. Most of the book is a set of histories, ranging in length from a paragraph to several pages, of 172 duels, mostly English and American, conducted from 1762 to 1821. Among these are some famous examples, such as the Hamilton-Burr duel.

British Museum Catalogue (Compact Edition) 10:579.

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Corrected Reissue of the Last Edition Published During Grotius's Lifetime

15. Grotius, Hugo [1535-1645].

De Iure Belli Ac Pacis Libri Tres, In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur. Editio Nova Cum Annotatis Auctoris, Ex Postrema Ejus Ante Obitum Cura Multo Nunc Auctior. Accesserunt & Annotata in Epistolam Pauli ad Philemonem. Amsterdam: Apud Joannem Blaeu, 1660. [xxiv], 618, [46] pp. Octavo (7-3/4" x 5").

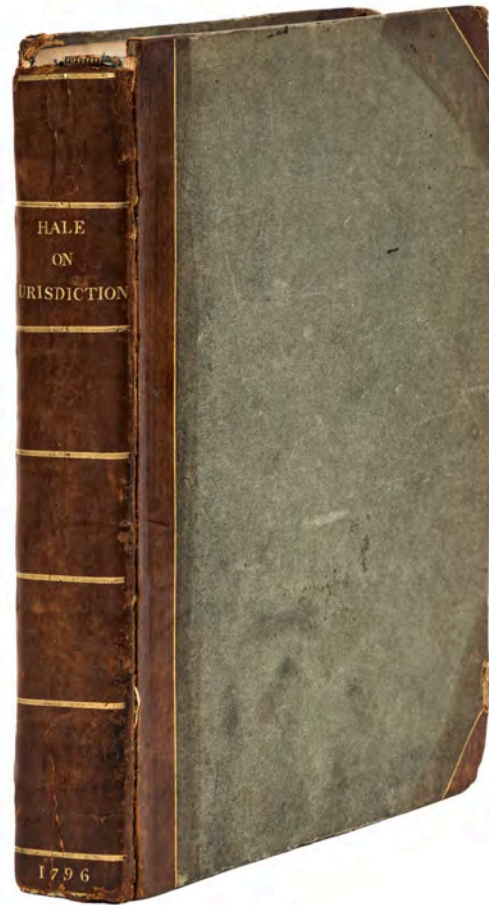
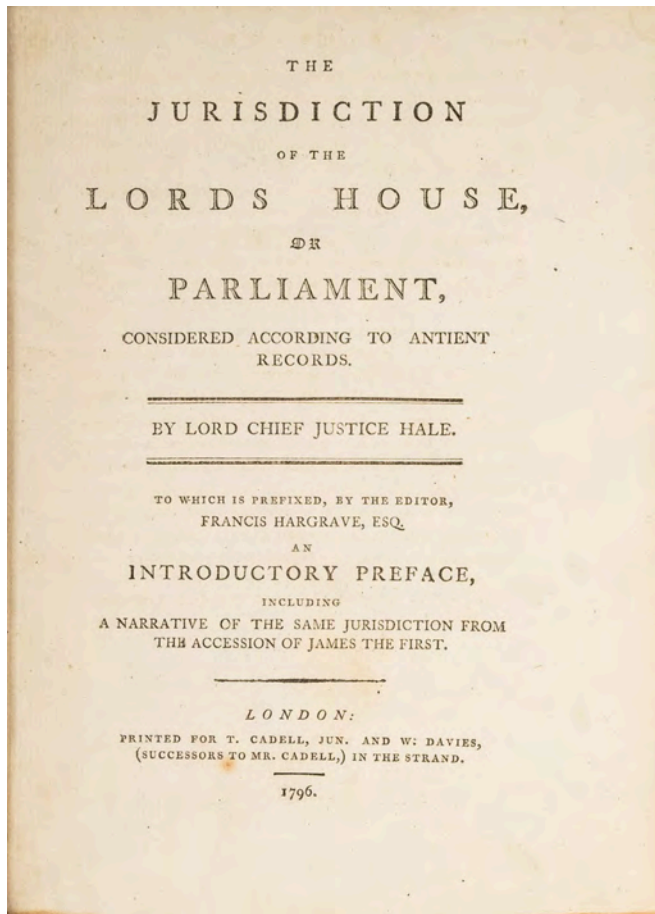
Contemporary vellum, yapp-style fore-edges. Light rubbing, a few faint stains to boards, which are slightly bowed, spine ends and corners bumped, vellum beginning to crack through pastedowns, later owner annotations and signatures (F. Brant, Edward Hambro, Johannes Bodtker) to front pastedown, illegible brief annotation in early hand to rear free endpaper, partial crack in text block between front endleaf and title page, which is printed in red and black. Moderate toning to interior, light foxing to a few leaves, illegible later owner signature to title page. \$950.

* A corrected reissue of the 1642 Blaeu edition, the last published during Grotius's lifetime, which contained his final notes. With the *Annotata in Epistolam Pauli ad Philemonem*, a commentary on St. Paul's Epistle to Philemon.

First published in Paris in 1625, *De Iure Belli Ac Pacis* established the system of modern public international law, based on the concept of "droit naturel," a morality-based law that superseded the laws of individuals or nations. Though based on Christian natural law, Grotius advanced the novel argument that his system would still be valid if it lacked a divine basis. In this regard Grotius pointed to the future by moving international law in a secular direction.

Ter Meulen and Diermanse, *Bibliographie de Grotius* 577.

[Order This Item](#)



"The Most Important of [Hale's] Books on the Constitutional Law"

16. Hale, Sir Matthew [1609-1676].

Hargrave, Francis [1741?-1821], Editor.

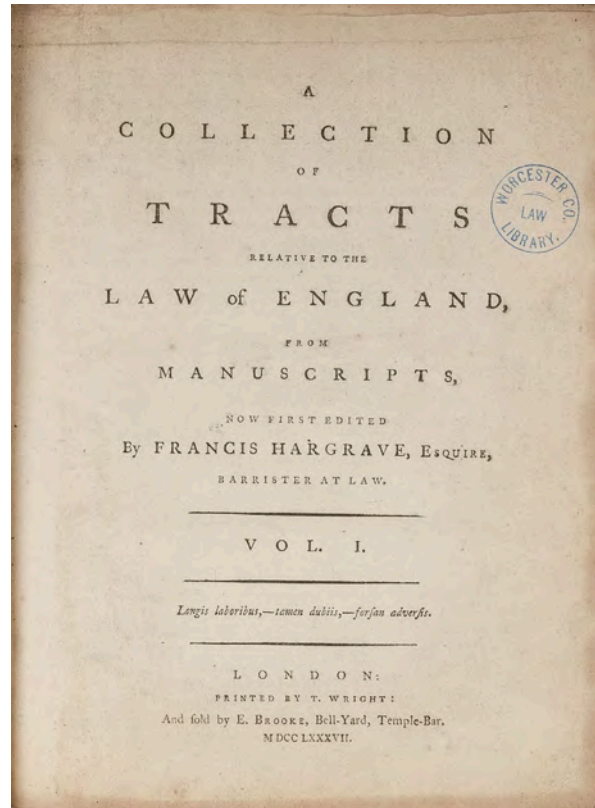
The Jurisdiction of the Lords House, Or Parliament, Considered According to Antient Records. To Which is Prefixed, By the Editor, An Introductory Preface, Including a Narrative of the Same Jurisdiction from the Accession of James the First. London: Printed for T. Cadell & W. Davies, 1796. [xii], ccxxx, 208 pp. Quarto (9-1/4" x 7").

Contemporary three-quarter calf over paper-covered boards, gilt rules to calf edges, gilt fillets and title to spine, marbled edges. Light rubbing and soiling to boards, front board separated but secured by cords, rear board detached, faint offsetting along edges of paper, moderate rubbing to extremities, chipping to spine ends, corners bumped and worn. Light toning to interior, negligible light foxing and faint offsetting to title page, internally clean. \$600.

* Only edition. Based on a work first published in 1707, this is, notes Holdsworth, "the most important of [Hale's] books on the constitutional law published by Hargrave with an elaborate preface in 1796. This topic comprised some of the most controverted political questions of the day; and Hale had written much upon it in the early days of the Long Parliament, the Commonwealth and after the Restoration. This essay...represents his final judgment on the matter; and he himself tells us that the MS was complete and only needed his final revision. (...) The whole book is a striking testimony to Hale's mastery of records, to his impartiality and to his statesmanlike qualities."

Holdsworth, *Some Makers of English Law* 140. *English Short-Title Catalogue* T110601.

[Order This Item](#)



Includes Rare Works by Blackstone and Hale

17. Hargrave, Francis [1741?-1821], Editor.

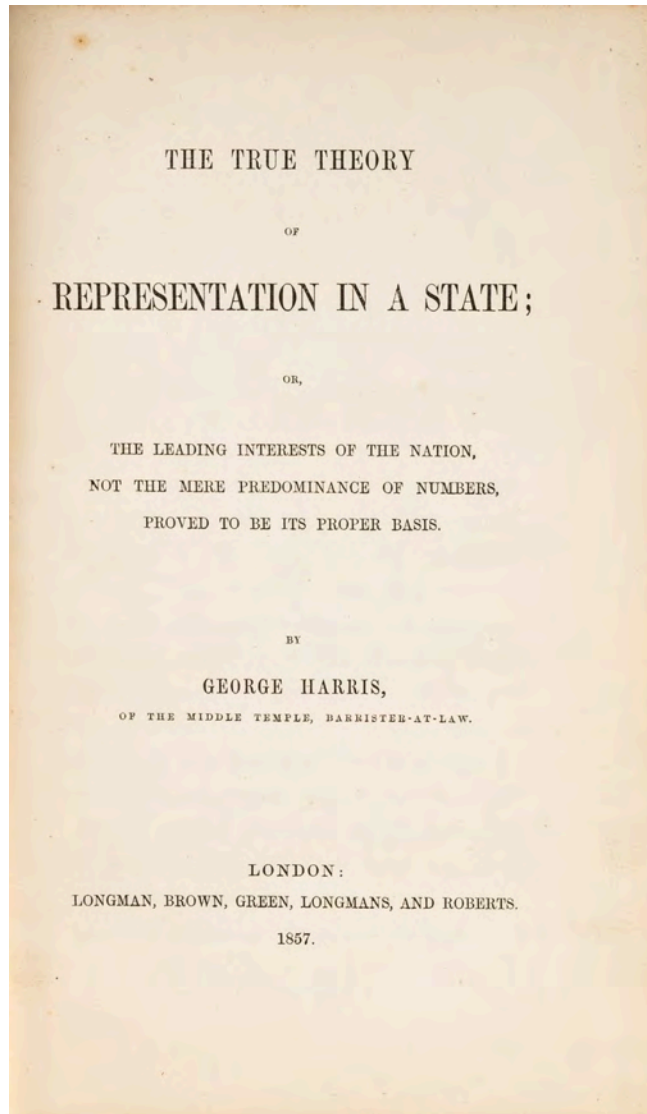
A Collection of Tracts Relative to the Law of England, From Manuscripts, Now First Edited. Vol. I. [All published]. London: Printed by T. Wright: And Sold by E. Brooke, 1787. [iv], lii, 578 pp. Lacking errata leaf. Quarto (10-1/2" x 8-1/2").

Contemporary calf with later rebacking and re-cornering, blind fillets to boards, raised bands, lettering piece, gilt publication date, gilt library name and small paper location label to spine, endpapers renewed. Moderate rubbing, corners bumped and somewhat worn, front hinge cracked, another crack between final leaf of text and rear free endpaper. Moderate toning to interior, light browning to edges of text block, light soiling, minor edgewear and small library stamp to title page, a few minor chips to lower outside corners of final two leaves. \$950.

* Only edition, followed by a Dublin reissue, also in 1787. Among the eleven items collected in this volume is "*An Argument in the Exchequer Chamber on Giving Judgment in the Case of Perrin and Another Against Blake By the Hon. Mr. Justice Blackstone.*" This rare work has footnotes by Hargrave. Another notable essay is "*A Treatise, In Three Parts,*" by Sir Matthew Hale. The first part deals with the right of the king and private persons to the rivers and foreshore, the second with sea ports, and the third and longest with the custom of goods imported and exported. It is the first systematic treatise upon all these topics. Holdsworth notes, the "third part of this treatise is especially interesting. The question of the king's imposing power had not long been settled. An impartial account of this branch of the law, by a man who had lived during the time when the right to impose customs duties had been one of the most fiercely controverted political questions of the day, is invaluable."

Holdsworth, *History of English Law* VI:588-89. Laeuchli, *A Bibliographical Catalog of William Blackstone* 536. Eller, *The William Blackstone Collection in the Yale Law Library* 229.

[Order This Item](#)



A Cautious Perspective on Parliamentary Reform

18. Harris, George [1809-1890].

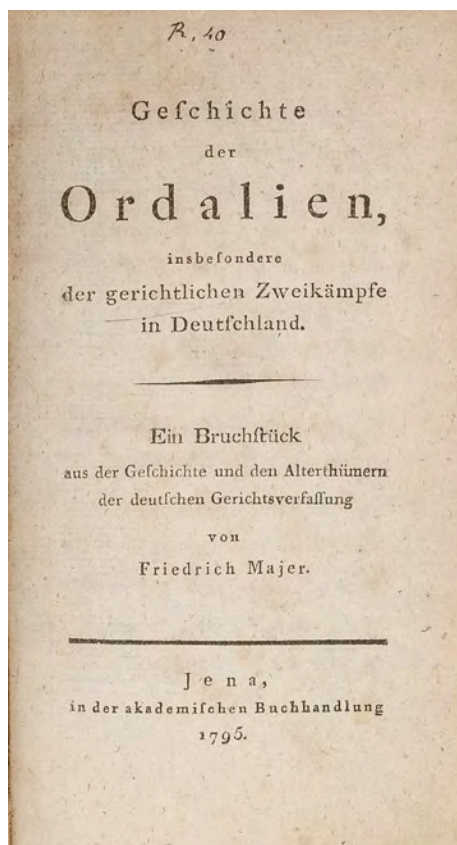
The True Theory of Representation in a State; Or, The Leading Interests of the Nation, Not the Mere Predominance of Numbers, Proved to be its Proper Basis. London: Longman, Brown, Green, Longmans, and Roberts, 1857. xii, 101, [1]; 2, 24 pp. With a half-title and 26 pp. of publisher advertisements bound at rear. Octavo (8-3/4" x 5-1/2").

Recent cloth, gilt fillets and title to spine, endpapers renewed. Moderate toning to interior, light foxing in a few places, faint stains to a few leaves. \$450.

* Second and final edition. First published in 1852, this expanded edition sets out principles for parliamentary reform, an important topic in nineteenth-century Britain. It discusses the Reform Act of 1832 at length and concludes that modest, conservative reforms would be more prudent. OCLC locates 3 copies of the second edition, none in North America.

British Museum Catalogue (Compact Edition) 11:766.

[Order This Item](#)



A History of Ordeals and Judicial Combat in Germany

19. Majer, Friedrich [1772-1818].

Geschichte der Ordalien, Insbesondere der Gerichtlichen Zweikämpfe in Deutschland. Ein Bruchstück aus der Geschichte und den Alterthümern der Deutschen Gerichtsverfassung. Jena: In der Akademischen Buchhandlung, 1795. [viii], 319, [1] pp. Octavo (6-3/4" x 3-3/4").

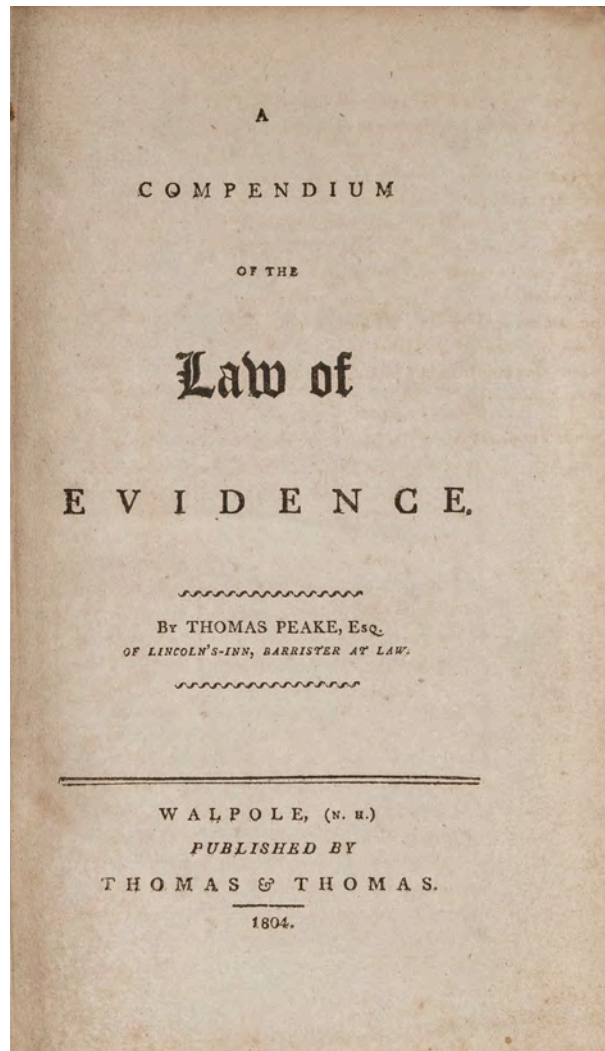
Contemporary paper-covered boards, edges rouged. Light rubbing and minor soiling to boards, moderate rubbing to extremities, light wear to board edges and corners, which are bumped, small bookseller ticket to rear pastedown, early owner signature ("Zoppi") to front free endpaper. Moderate toning to interior, light foxing in a few places, early annotation to head of title page. \$1,850.

* Only edition. This book discusses the history of judicial combat and ordeals in Germany, practices intended to determine the truth of a person's claims through violence or gruesome tests with a supernatural element. Examples of ordeals listed include submersing the arm of the accused in boiling water or overtly religious tests such as the consumption of a communion wafer. It also provides extensive bibliographic details with contemporary sources for each type of ordeal. Notably, Majer's goal was not only historical, but ideological, and the work treats the history of ordeals as reflective of German national identity and essential to understanding German culture.

OCLC locates 4 copies in North American law libraries (Columbia, Yale, Library of Congress, Harvard). We located an additional copy at UC-Berkeley.

Dorn, "Collection Highlights: Supernatural Ordeals and the Law of the Jungle in the Works of Friedrich Majer" (accessed online). *Verzeichnis Deutscher Drucke des 18. Jahrhunderts* 14614014-001.

[Order This Item](#)



Early American Edition of a Standard Nineteenth-Century Evidence Treatise

20. Peake, Thomas [1771-1838].

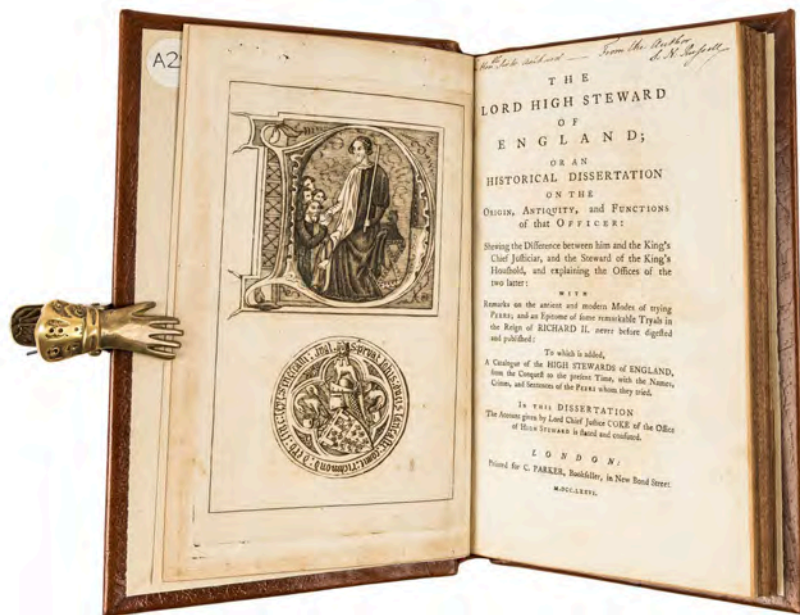
A Compendium of the Law of Evidence. Walpole, NH: Published by Thomas & Thomas, 1804. xvi (i.e. xiv), 199 pp. Octavo (8-1/4" x 4-3/4").

Contemporary sheep, blind rules to boards, blind fillets and fragment of calf lettering piece to spine, blind tooling to board edges. Light rubbing and a few small scuffs and gouges to boards, moderate rubbing to extremities, front joint just starting at ends, corners bumped, hinges cracked, early owner signature, "S. Dinsmoors," to front pastedown, early price ("10/6"), another Dinsmore signature and a later signature "P.F. Shea/ July 17th 1865" to front free endpaper, which is neatly detached. Light browning to interior, faint dampspotting to a few leaves, offsetting and light edgewear to margins of endleaves. \$250.

* Second American edition. First published in 1802, this was a standard treatise in the first decades of the nineteenth century, both in England and America. Its final edition, the fifth, was published in 1822.

Cohen, *Bibliography of Early American Law* 5092.

[Order This Item](#)



Inscribed Copy of The First History of the Office of Lord High Steward

21. [Russell, Sambrook Nicholas].

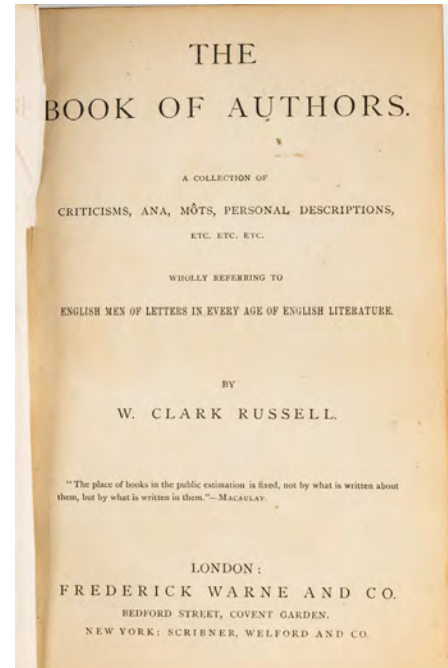
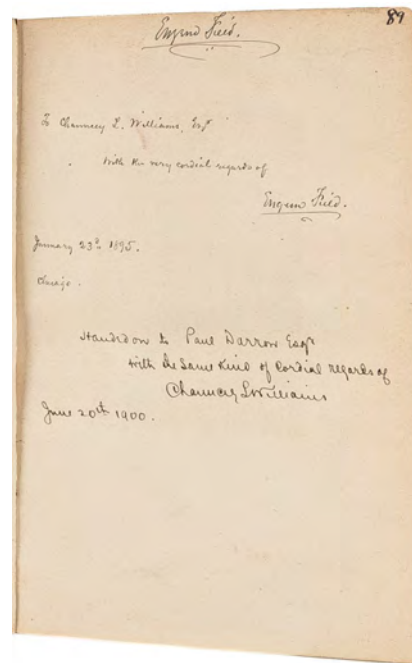
The Lord High Steward of England; Or An Historical Dissertation on the Origin, Antiquity, And Functions of That Officer: Shewing the Difference Between Him and the King's Chief Justiciar, And the Steward of the King's Houshold, And Explaining the Offices of the Two Latter: with Remarks on the Antient and Modern Modes of Trying Peers; And an Epitome of Some Remarkable Tryals in the Reign of Richard II. Never Before Digested and Published: To Which is Added, A Catalogue of the High Stewards of England, From the Conquest to the Present Time, With the Names, Crimes, And Sentences of the Peers whom They Tried. In This Dissertation The Account Given by Lord Chief Justice Coke of the Office of High Steward is Stated and Confuted. London: Printed for C. Parker, Bookseller, 1776. [iv], 155, [1] pp. Copperplate frontispiece. Octavo (8" x 5").

Later calf, gilt library name to front board, gilt fillets and title to spine, endpapers renewed. Light fading to spine, library bookplate, small circular shelf label and binder's ticket to front pastedown. Light toning to interior, light foxing in a few places, faint offsetting to title page from frontispiece, inscription "The Hon:ble Sir W. Ashurst - From the Author S: N: Russell" to its head. \$650.

* Only edition. The Lord High Steward ranked above the Lord Chancellor and the Prime Minister. One of the office's most important powers was the sole legal power to preside over impeachment trials of peers. Since 1421 the office has generally remained vacant. (For trials of peers, the Lord Chancellor was deputized to act as Lord High Steward.) Today, it is now a ceremonial office that is filled for coronation ceremonies. Russell's was the first history of this important office. A fine example of eighteenth-century historical scholarship, a time when antiquarianism was beginning to be displaced by more rigorous research methods, it provided a great deal of unknown information. Also an interpretive work, it refutes Coke's history and definition of the office in his *Third Institutes*. Sir William Henry Ashurst [1725-1807] was an esteemed English judge. OCLC locates 7 copies of this title in North American law libraries (Duke, LA-County, Library of Congress, University of Cincinnati, University of Minnesota, University of Washington, Yale).

English Short-Title Catalogue T145623.

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Presented to Paul Darrow

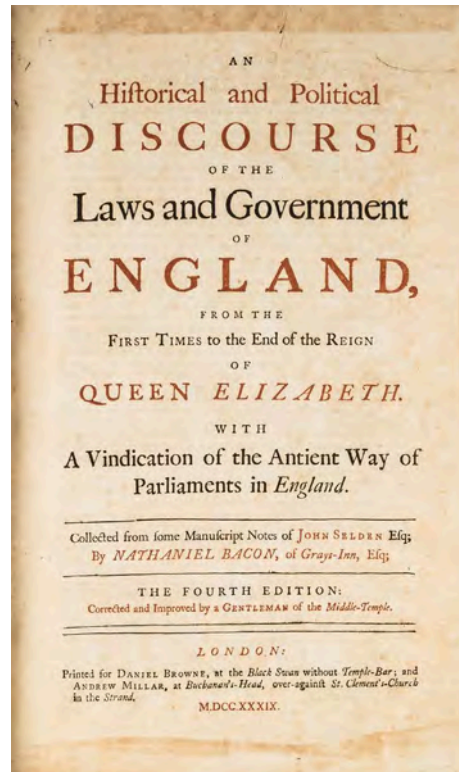
22. Russell, William Clark [1844-1911].

The Book of Authors. A Collection of Criticisms, Ana, Môts, Personal Descriptions, Etc. Etc. Etc. Wholly Referring to English Men of Letters in Every Age of English Literature. London: F. Warne and Co.; New York: Scribner, Welford and Co., [1871?]. iv, 516 pp. With tissue-guarded portrait frontispiece. Octavo (6-3/4" x 4-1/4").

Contemporary signed three-quarter calf over marbled boards, blind fillets to calf, gilt spine with raised bands and lettering piece, marbled endpapers. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities, chipping to spine ends, joints cracked and mended with adhesive, corners bumped and worn, hinges mended with cloth tape. Light toning, internally clean. Bookplates of Eugene Field and Paul Darrow to front pastedown, clipped photo of Field to verso of front free endpaper, ownership signature of Eugene Field, presentation inscriptions "To Chauncey L. Williams, Esq. with the very cordial regards of Eugene Field. January 23d 1895. Chicago." and "Handed on to Paul Darrow Esq. with the same kind of cordial regards of Chauncey L. Williams June 20th 1900." to following endleaf, owner signature of Daniel G. Bean dated 1876 to verso of frontispiece. A copy with interesting associations. \$500.

* This collection of short biographies of famous authors was owned by Eugene Field [1850-1895], a writer and Chicagoan best known for his poetry for children. He then passed the book on to Chauncey L. Williams [b.1872], a publisher and notable figure in Chicago literary and artistic circles, who gave it to Paul Darrow [1883-1956]. He was the only child of American attorney Clarence Darrow, who was well-known as a labor lawyer and progressive thinker at the time. Paul was a businessman in Chicago for most of his adult life.

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Selden's *Historical Discourse*

23. Selden, John [1584-1654]

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

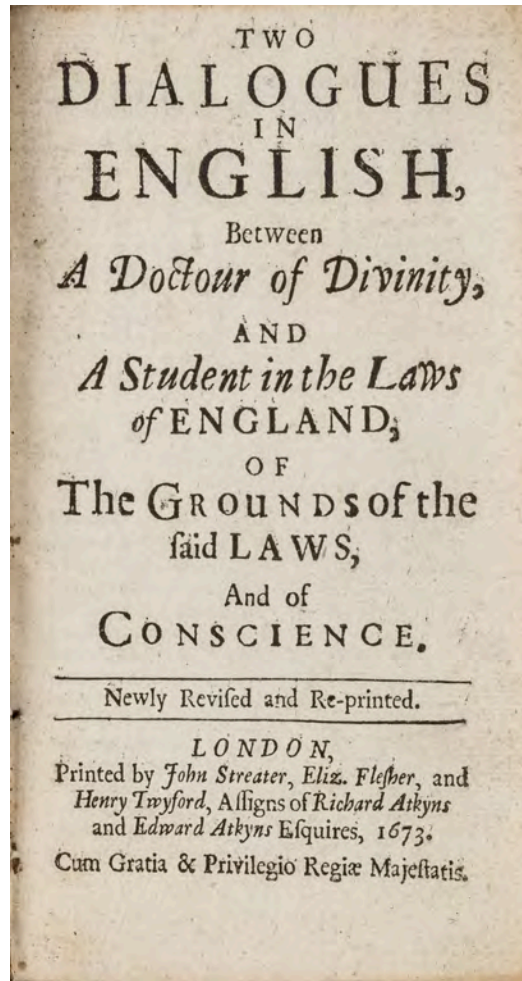
An Historical and Political Discourse of the Laws and Government of England, From the First Times to the End of the Reign of Queen Elizabeth. With a Vindication of the Antient Way of Parliaments in England. Collected from Some Manuscript Notes of John Selden, Esq; By Nathaniel Bacon, Of Grays Inn, Esq; Corrected and Improved by a Gentleman of the Middle-Temple. London: Printed for Daniel Browne... and A. Millar, 1760. Two parts. [iv], viii, xiii-xix, 203, [1]; xii, 178, [8] pp. Leaves between [iv] and xiii-xix bound out of order. Text complete. Folio (12-1/2" x 7-1/2").

Contemporary calf, gilt rules to boards, gilt-edged raised bands and lettering piece to spine, speckled edges, blind tooling to board edges. Light rubbing and some shallow scuffing to boards, moderate rubbing to extremities, boards beginning to separate, but quite secure. Title page printed in red and black. Light toning to interior, light soiling to upper margins and light foxing in a few places, minor worming to front pastedown and free endpaper, light browning and offsetting to title page and sections of following leaf, upper-outside corner removed from title page with no loss to text. \$200.

* Fourth edition. Often attributed to Bacon, the *Historical Discourse* "is a sort of constitutional history of England, showing much knowledge of the development of the institutions, civil and ecclesiastical, and pervaded by a strong spirit of hostility to the claims of the royal prerogative and to hierarchical pretensions." (DNB). "The first edition having become so rare a second edition was secretly printed in 1672 which was suppressed. It was again secretly reprinted in 1682 and the publishers were prosecuted. The 1682 edition appears to have been reissued in 1689 with the 1682 imprint" (Sweet & Maxwell). The final edition, the fifth was published in 1760.

Dictionary of National Biography I:836-837. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:99. *English Short-Title Catalogue* T142997.

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A Work that Influenced Blackstone

24. [St. German (Germain), Christopher].

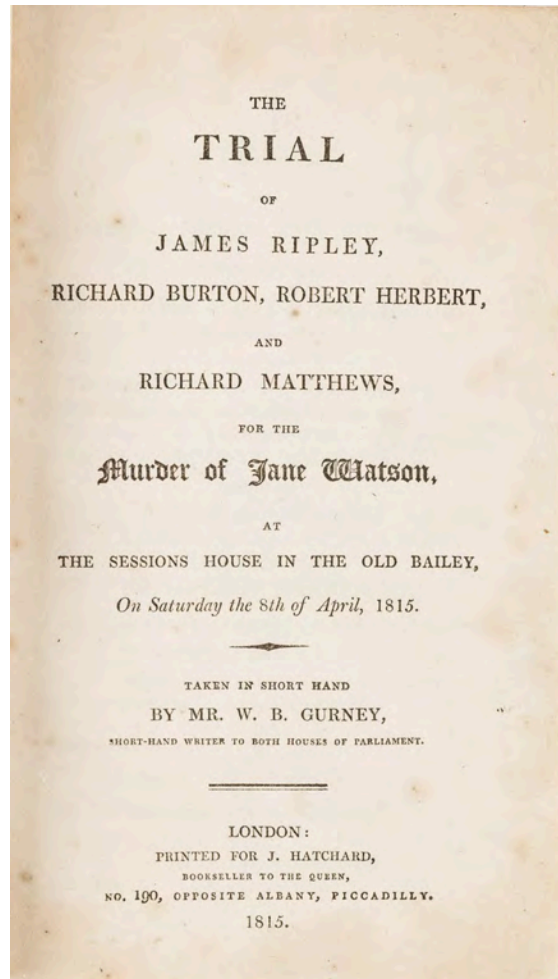
Two Dialogues in English Between a Doctour of Divinity, And a Student in the Lawes of England, Of the Grounds of the Said Lawes, And of Conscience. Newly Revised and Reprinted. London: Printed by John Streeter, Eliz. Flesher, And Henry Twyford, Assigns of Richard Atkyns and Edward Atkyns, Esquires, 1673. [ii], 366, [8] pp. Octavo. (5-1/2" x 3-1/2").

Contemporary sheep, blind rules to boards, blind fillets to spine. Light rubbing and shallow scuffing to boards, some loss to head of spine, minor chipping to foot of spine, corners bumped and somewhat worn, pastedowns loose. Light toning to interior, somewhat heavier in places, light soiling to title page. \$500.

* Later edition. With the second dialogue. Written originally in Latin in 1523 and cast in dialogic form, this was the first work to study the role of equity in common law and, by its nature, was the first jurisprudential work written in England. It also considers the relative merits of common, canon and civil law, the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. Doctor and Student appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone.

English Short-Title Catalogue R32072.

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A Deadly Riot at the Home of a Future Prime Minister

25. [Trial].

Ripley, James, Primary Defendant.

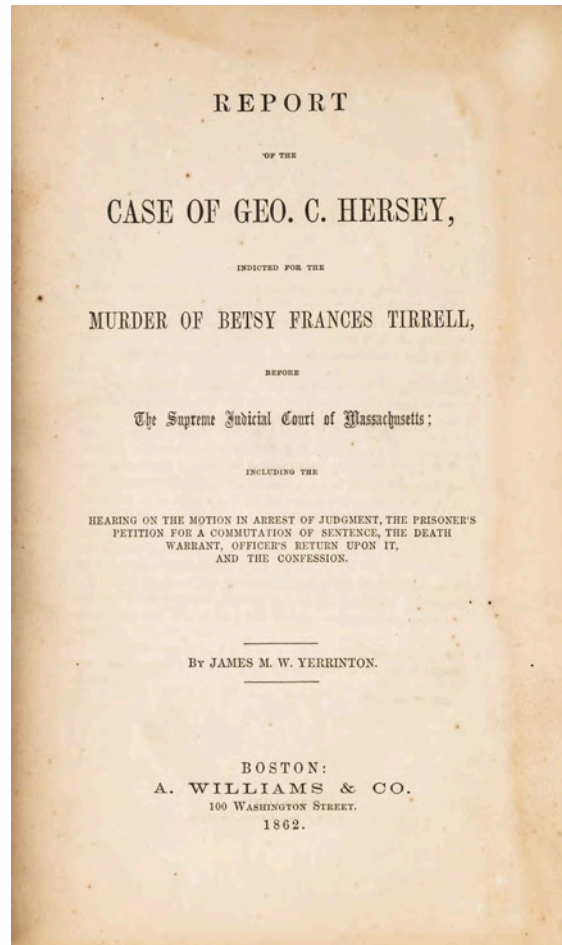
The Trial of James Ripley, Richard Burton, Robert Hebert, And Richard Matthews, For the Murder of Jane Watson, At the Sessions House in the Old Bailey, On Saturday the 8th of April, 1815. Taken in Short Hand by Mr. W.B. Gurney, Short-Hand Writer to Both Houses of Parliament. London: Printed for J. Hatchard, 1815. 100 pp. Octavo (8" x 5").

Stab-stitched pamphlet, disbound and recently resewn, spine reinforced with tissue. Light toning, occasional light foxing, small stains to a few leaves. \$350.

* Only edition. Ripley was a butler and his fellow defendants soldiers. All were called upon to defend the house of Frederick John Robinson, a senior trade minister and future Prime Minister, after an angry mob gathered at his house; Robinson was the target of public ire for his sponsorship of the Corn Laws of 1815, which led to high grain prices that disproportionately burdened the poor. A woman was shot in the chaos and later died of her wounds. Ripley pled self-defense, citing Hale, Hawkins and Mansfield among others. He and his fellow defendants were acquitted. OCLC locates 7 copies of this title, 2 in law libraries (Library of Congress, Harvard).

British Museum Catalogue (Compact Edition) 21:691.

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A Lethal Dose of Strychnine Intended to Induce Abortion: McDade 472

26. [Trial].

Hersey, George C, Defendant.

Yerrinton, James M.W., Reporter.

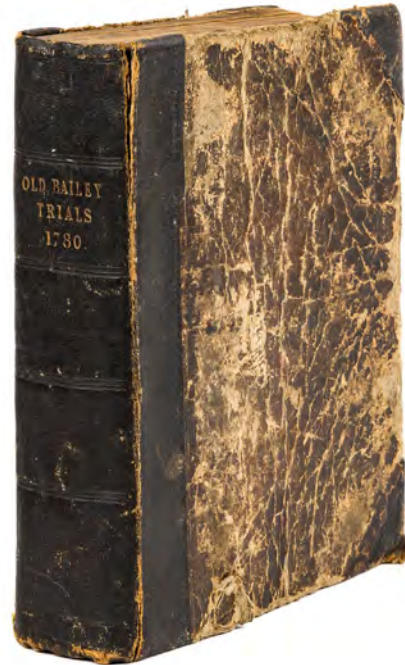
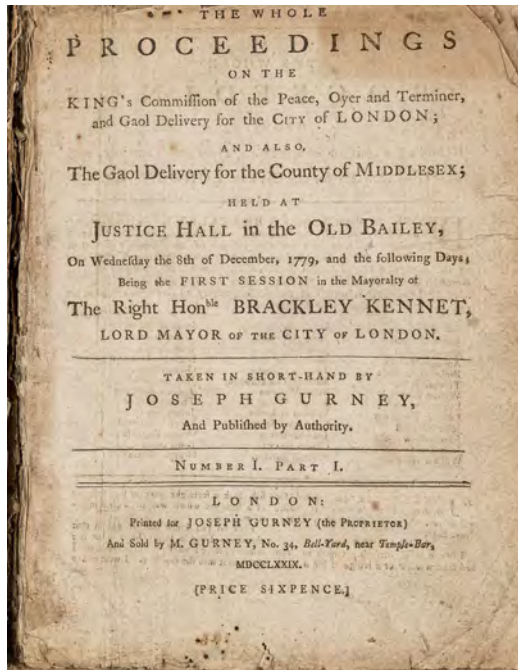
Report of the Case of Geo. C. Hersey, Indicted for the Murder of Betsy Frances Tirrell Before the Supreme Judicial Court of Massachusetts; Including the Hearing on the Motion in Arrest of Judgment, The Prisoner's Petition For a Commutation of Sentence, The Death Warrant, Officer's Return Upon It, And the Confession. Boston: A. Williams & Co., 1862. 267 pp. Octavo (9-1/2" x 6").

Original cloth, blind stamped frames to boards, gilt title to spine. Light rubbing and a few faint stains to boards, moderate rubbing to extremities, spine gilt oxidized, chipping to spine ends, joints starting at ends, corners bumped and worn. Light browning to interior, faint marginal dampstaining, light foxing to a few leaves. \$100.

* First edition. According to McDade, "Hersey had been living in Weymouth [Massachusetts] with the Tirrell family since the sudden death four months before of their daughter and his fiancee, Mary Tirrell. A second daughter, Betsy became pregnant by him, and he gave her a drug which he represented would cause an abortion. Actually, it was strychnine which he had obtained in Boston allegedly to poison a dog. He was convicted and hanged. The preface claims this to be the only (in 1862) published trial in which strychnine was detected by analysis in the deceased."

McDade, *The Annals of Murder* 472.

[Order This Item](#)



A Year in the Life of the Old Bailey

27. [Trials].

[Great Britain].

Gurney, Joseph [1744-1815], Reporter.

The Whole Proceedings on the King's Commission of the Peace, Oyer and Terminer, Gaol Delivery for the City of London; And Also, The Gaol Delivery for the County of Middlesex; Held at Justice Hall in the Old Bailey... London: Printed for Joseph Gurney (the Proprietor) And Sold by M. Gurney, 1779-1780. 796, [4] pp. 8 numbers, No. I in 2 parts, No. VI in 12 parts, all others in 3 parts. Each part with separate special title page and continuous pagination. Final part with index. Quarto (9" x 6-3/4").

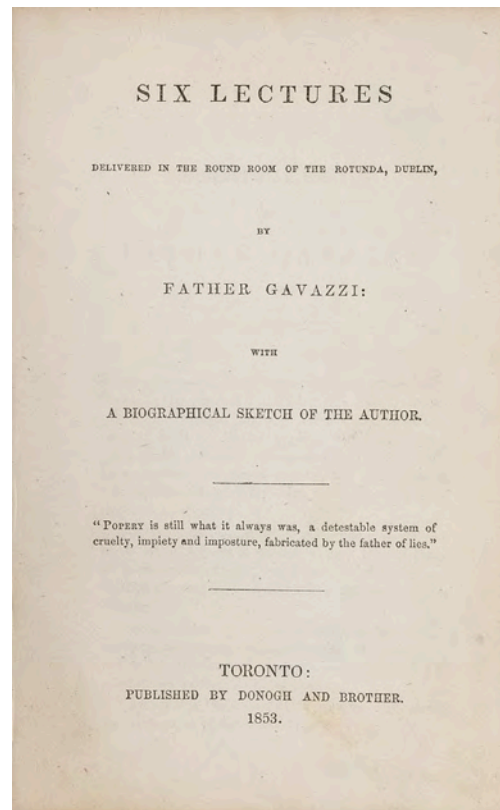
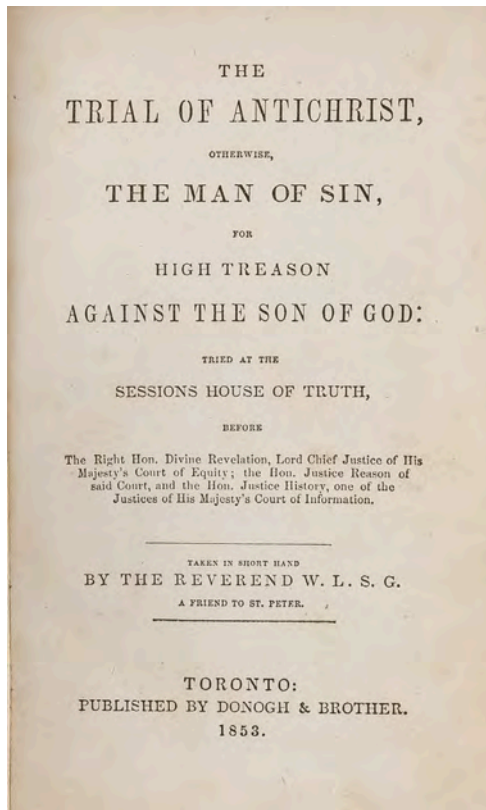
Near-contemporary three-quarter sheep over paper-covered boards, blind fillets to sheep edges, gilt title and blind fillets to spine. Worn, paper of boards creased and partially abraded in places, front board separating, rear joint starting, wear to board edges, corners bumped, lower outside corner of rear board worn away, hinges cracked, free endpapers lacking, later bookseller description tipped onto front pastedown, faint later pencil doodles to rear pastedown. Moderate toning to interior, occasional light foxing and faint dampstaining, creasing and light edgewear to first and final few leaves, a few cracks to text block, a few leaves loosening slightly but secure, leaf 9H1 (pp. 765-766) misbound after 9H2 (pp. 767-768), text complete, trimming (or printing errors?) to a few leaves with loss to page numbers but not main text. \$1,500.

* Published in parts and later bound together, these reports of trials held at the "Court of Oyer and Terminer and Gaol Delivery for London and Middlesex," better known as Old Bailey, cover sessions held from December 8, 1779 to October 18, 1780. The trials deal with matters such as theft, assault, forgery and murder; the high number of capital cases and punishments reflects the punitive nature of British justice in the eighteenth century. Other convicts were sentenced to imprisonment, whipping and "navigation," which in practice meant hard labor or imprisonment during the suspension of transportation from 1776-1787.

Complete volumes such as ours are scarce. OCLC locates 4 in North America for the years 1779-1780, 2 in law libraries (Yale, Library of Congress (imperfect)).

English Short-Title Catalogue T073786.

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A Notable Example of Nineteenth-Century Anti-Catholic Propaganda

28. W.L.S.G. (Gregory, William).

Gavazzi, Alessandro [1809-1889].

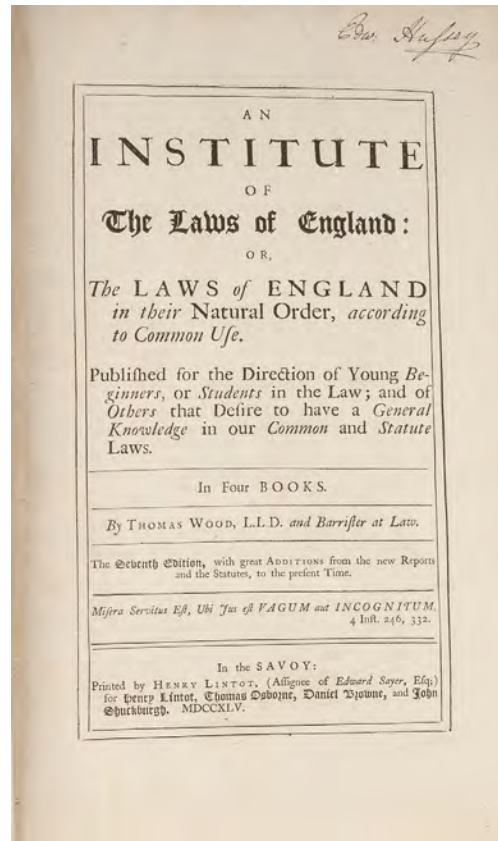
The Trial of Antichrist, Otherwise, The Man of Sin, For High Treason Against the Son of God: Tried at the Sessions House of Truth, Before the Right Hon. Divine Revelation, Lord Chief Justice of His Majesty's Court of Equity; The Hon. Justice Reason of Said Court, And the Hon. Justice History, One of the Justices of His Majesty's Court of Information. Taken in Short Hand by the Reverend W.L.S.G., A Friend to St. Peter. Toronto: Published by Donogh & Brother, 1853. 240 pp. Two parts with continuous pagination. Second part, beginning on p. 175, has title page reading *Six Lectures Delivered in the Round Room of the Rotunda, Dublin, By Father Gavazzi: With a Biographical Sketch of the Author.* 12mo. (7" x 4-1/2")

Contemporary cloth, printed paper title label to spine. Moderate rubbing with light chipping to spine ends, label mostly rubbed away, corners bumped and somewhat worn, circular dampstain to center of front board, front hinge cracked. Moderate toning to interior, light foxing in a few places. \$350.

* Only Toronto edition. A notable example of nineteenth-century anti-Catholic propaganda, this is a vivid "transcript" of a mock trial of the Pope (i.e. the "Antichrist") for high treason against Jesus. It was first published in Dublin in 1806; several editions followed into the 1900s; the first North American editions were published in Boston in 1806 and New York in 1817.

Gavazzi's *Six Lectures* are unique to the Toronto edition, which was almost certainly a response to the then-recent Gavazzi Riots. Gavazzi, a former monk, delivered his strongly anti-Catholic lectures, originally presented in Dublin, on a North American tour in 1853. Preceded by his reputation, mobs, composed mostly of Irish Catholics, gathered to disrupt his readings in Quebec and Montreal. In both places police needed military assistance to restore order. OCLC locates no copies of this edition outside of Canada.

[Order This Item](#)



An Admired Forerunner to Blackstone's *Commentaries*

29. Wood, Thomas [1661-1722].

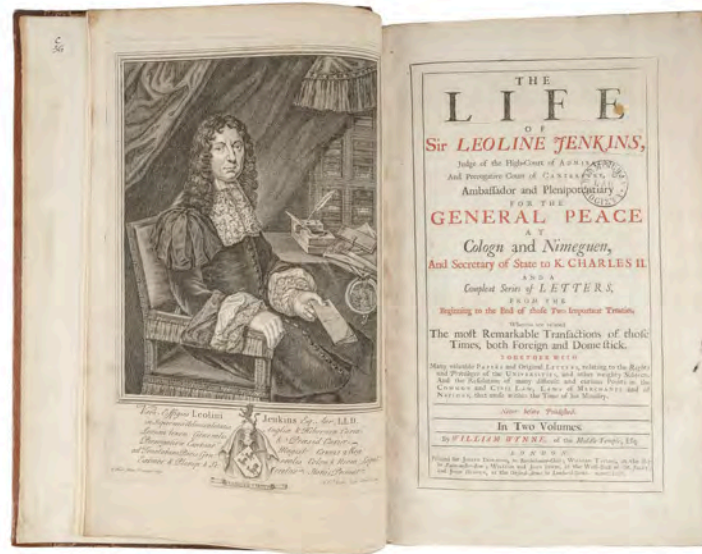
An Institute of the Laws of England: Or, The Laws of England in Their Natural Order, According to Common Use. Published for the Direction of Young Beginners, Or Students in the Law; And of Others that Desire To Have a General Knowledge in Our Common and Statute Laws. In Four Books. With Great Additions from the New Reports and the Statutes, To the Present Time. [London]: Printed by Henry Lintot, (Assignee of Edward Sayer, Esq;) for Henry Lintot [et al.], 1754. [ii], xi, [1], 88, [36] pp. Folio (13-1/2" x 8-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, gilt tooling to board edges. Light rubbing and shallow scuffing to boards, which are beginning to separate but secure, moderate rubbing to board edges and spine, chipping to spine ends, corners bumped and somewhat worn, faint bookplate residue to front pastedown. Light toning to interior, moderate toning to rear third of text, light crinkling and minor soiling to top-edge of text block in a few places, early owner signature (Edward Hussey) to head of title page. \$300.

* Seventh edition. First published in 1720, Wood's *Institute* was the only comprehensive treatise on English law until Blackstone's *Commentaries*. According to Holdsworth, Wood "anticipates Blackstone, just as, in some respects, he anticipates him in the design and execution of his book. In fact, as Blackstone recognized, the book had considerable merits. 'Upon the whole,' he said, 'his work is undoubtedly a valuable performance; and great are the obligations of the student to him, and his predecessor Finch, for their happy progress in reducing the elements of law from their former chaos to a regular methodical science.'" The tenth and final edition appeared in 1772.

Holdsworth, *A History of English Law* XII:419. *English Short-Title Catalogue* T108294.

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30. Wynne, William [1692-1765].

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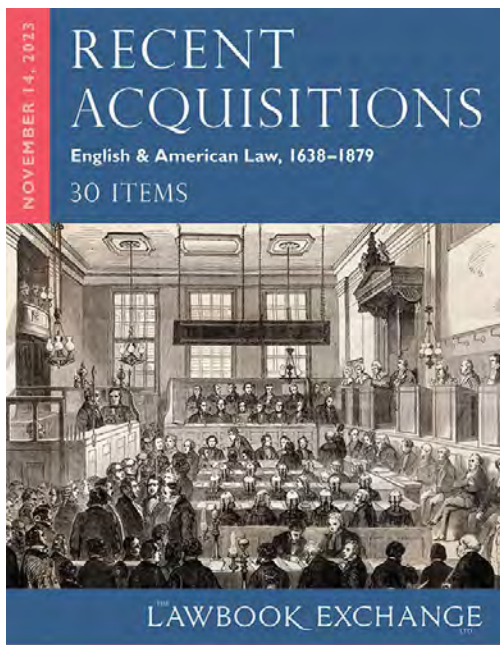
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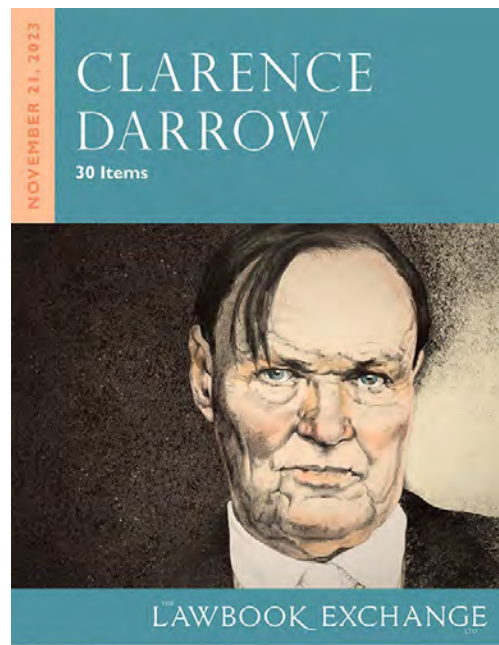
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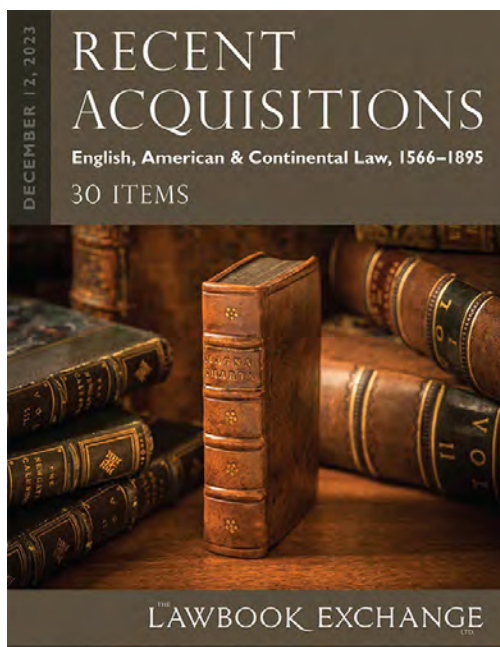
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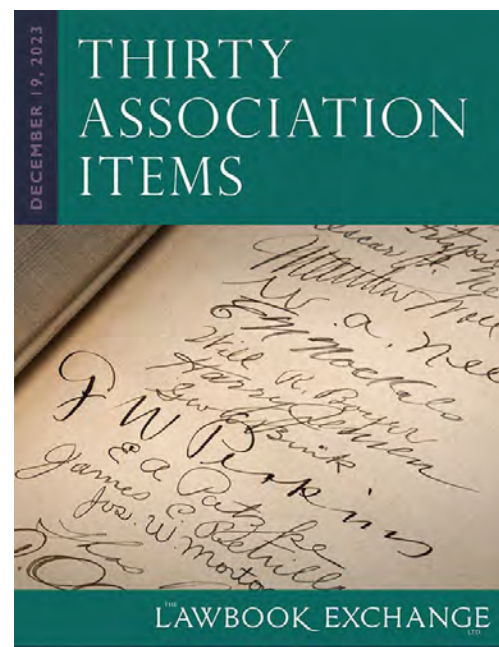
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