

# 30 Recent Acquisitions

*Civil, Common & Natural Law*

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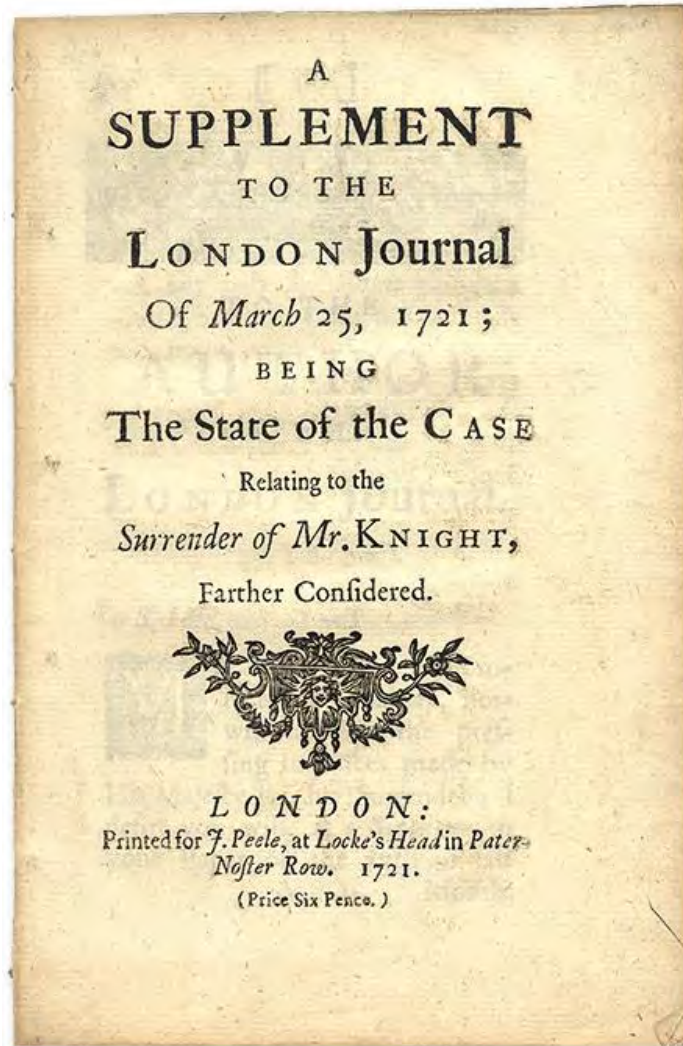
*December 3, 2019*

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**With Interesting Remarks About Asylum and Extradition**

**1. [Asylum].**

**[Extradition].**

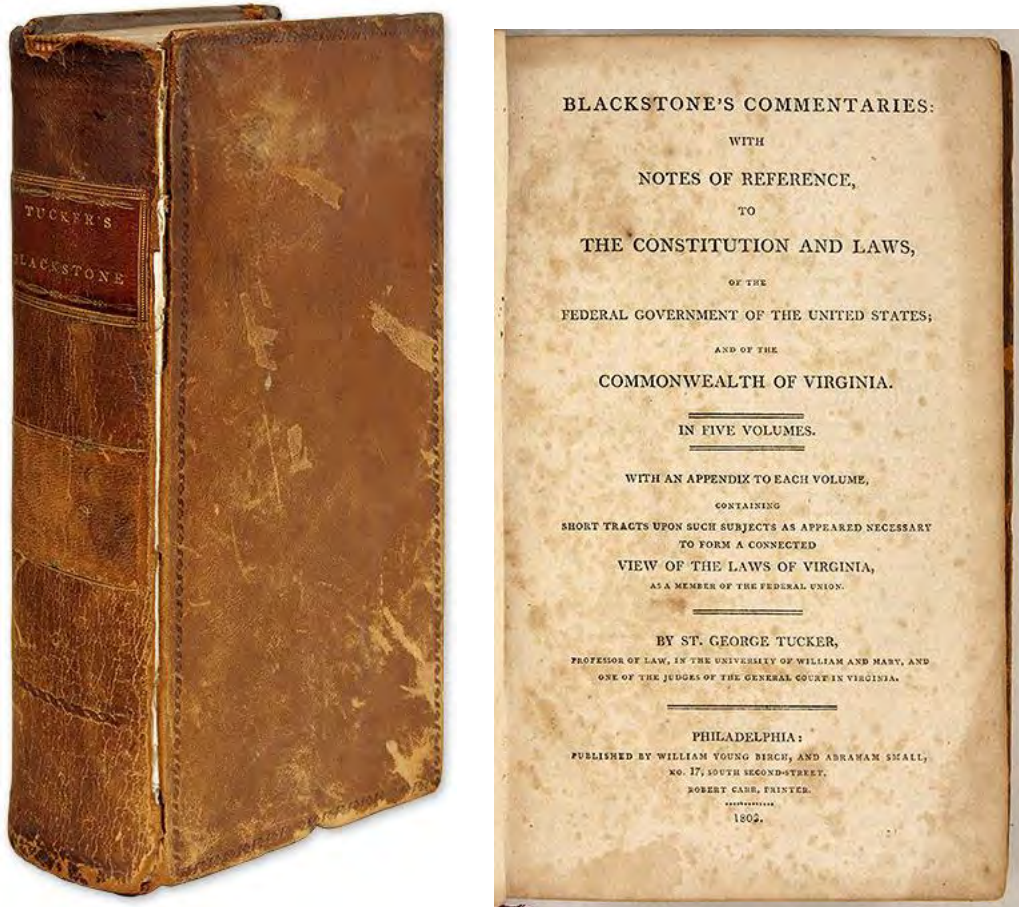
**[Knight, Robert (1702-1772)].**

*A Supplement to the London Journal of March, 25, 1721; Being the State of the Case Relating to the Surrender of Mr. Knight, Farther Considered.* London: Printed for J. Peele, 1721. 30, [2] pp. With a final advertisement leaf. Octavo (7-1/4" x 5-3/4").

Disbound stab-stitched pamphlet. Moderate toning, light soiling to title page, moderate soiling to final page, internally clean. \$500.

\* Only edition. Knight, 1st Earl of Catherlough, was the cashier of the South Sea Company. Partly responsible for the "South Sea Bubble," he fled to France after the collapse of the bubble and established himself as a banker in Paris in February 1721. Creditors demanded his return, which led to a protracted extradition case. Knight eventually returned to England, was exonerated and resumed his life as a member of the nobility. Based on Continental sources, this pamphlet discusses Knight's case as it stood a month later from the perspectives of the international law of extradition and the right of asylum. OCLC locates 11 copies in North America, 1 in a Law Library (Harvard). *English Short-Title Catalogue* T141291.

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Volume V of an Extremely Rare American Blackstone Edition

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

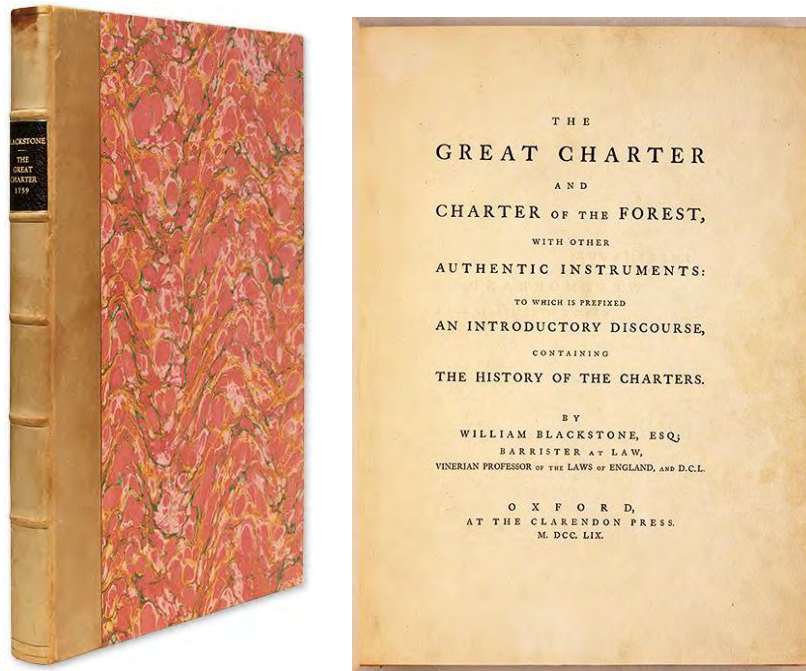
**Tucker, St. George [1752-1827].**

*Blackstone's Commentaries: With Notes of Reference to the Constitution and Laws, of the Federal Government of the United States, and of the Commonwealth of Virginia. In Five Volumes, with an Appendix to Each volume, Containing Short Tracts upon Such Subjects As Appeared Necessary to Form a Connected View of the Laws of Virginia As a Member of the Federal Union.* Philadelphia: William Young Birch and Abraham Small, 1803. Volume V of a five-volume set. Octavo (8" x 5").

Contemporary sheep, blind fillets to boards, lettering piece, blind fillets to spine, lower lettering piece detached but intact. Light rubbing and some shallow scuffing to boards, moderate rubbing to extremities, a few small chips to board edges and head of spine, front board and endleaves partially detached. Moderate toning, light foxing in places, small early owner stamps (county court library) to front pastedown and free endpaper. \$500.

\* First edition. Tucker's *Blackstone* is a key resource for understanding how Americans viewed English common law in the years following the adoption of the Constitution and the Bill of Rights. Based on his lectures at the College of William and Mary, Tucker adapts Blackstone's often anti-democratic viewpoint to American practice. "Tucker's *Blackstone* became a standard reference work for many American lawyers unable to consult a law library, especially those on the frontier. It is impossible to measure its impact on American law, but it is clear that sales were strongest in Virginia, as could be expected; it was also widely used in Pennsylvania and South Carolina" (Bryson). More recently, Tucker's *Blackstone* has been cited in numerous constitutional cases by the U.S. Supreme Court relating to "original intent." Bryson, *The Virginia Law Reporter Before 1800* 102. Laeuchli, *A Bibliographical Catalog of William Blackstone* 137. [Order This Item](#)





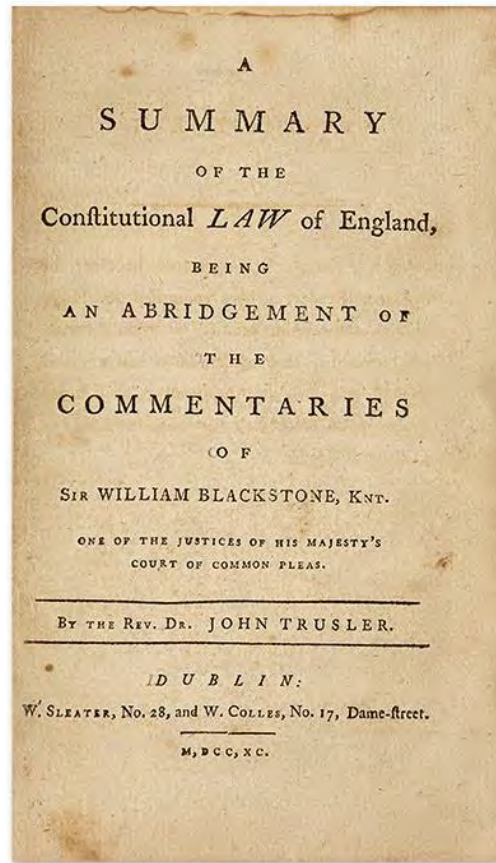
### The First Critical Edition of *Magna Carta*

#### 3. Blackstone, Sir William.

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

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Light rubbing to extremities, small stain to head of spine. Light toning to text, some leaves have finger smudges, faint spotting or minor stains to margins, tiny chip to fore-edge of leaf r2 (pp. ixvii-lxvii), tiny tear to fore-edge of leaf t2 (pp. ixviii-lxiv), light soiling to margins of title page. A desirable wide-margined copy. \$6,000.

\* First edition of the first modern critical edition of the many versions of Magna Carta that were issued between 1215 and 1297. Blackstone's first important work, it contains the Articles of the Barons, the issues of the Great Charter from 1215, 1216 and 1217, with several charters of confirmation, the Charter of the Forest and the Statute of Marlebridge. The introduction is in English and the texts of the Magna Carta and Carta de Foresta in Latin. This remarkable work is esteemed for its appearance and scholarship. Its physical appeal was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition" and with notably elegant typography. Along with its elegant typography, this edition features an elegant engraved dedication to the Earl of Westmoreland surmounted with his armorial ensigns, engraved historiated initials in the text depicting views of buildings at Oxford University, engraved tail-pieces on pages lxxvi and 73 with historical vignettes and ten other ten engraved tail-pieces depicting the royal seals that are attached to the original documents. Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. This idea, first proposed by Coke, was a central tenet of Whig ideology. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter. Eller, *The William Blackstone Collection in the Yale Law Library* 237. Laeuchli, *A Bibliographical Catalog of William Blackstone* 548. [Order This Item](#)



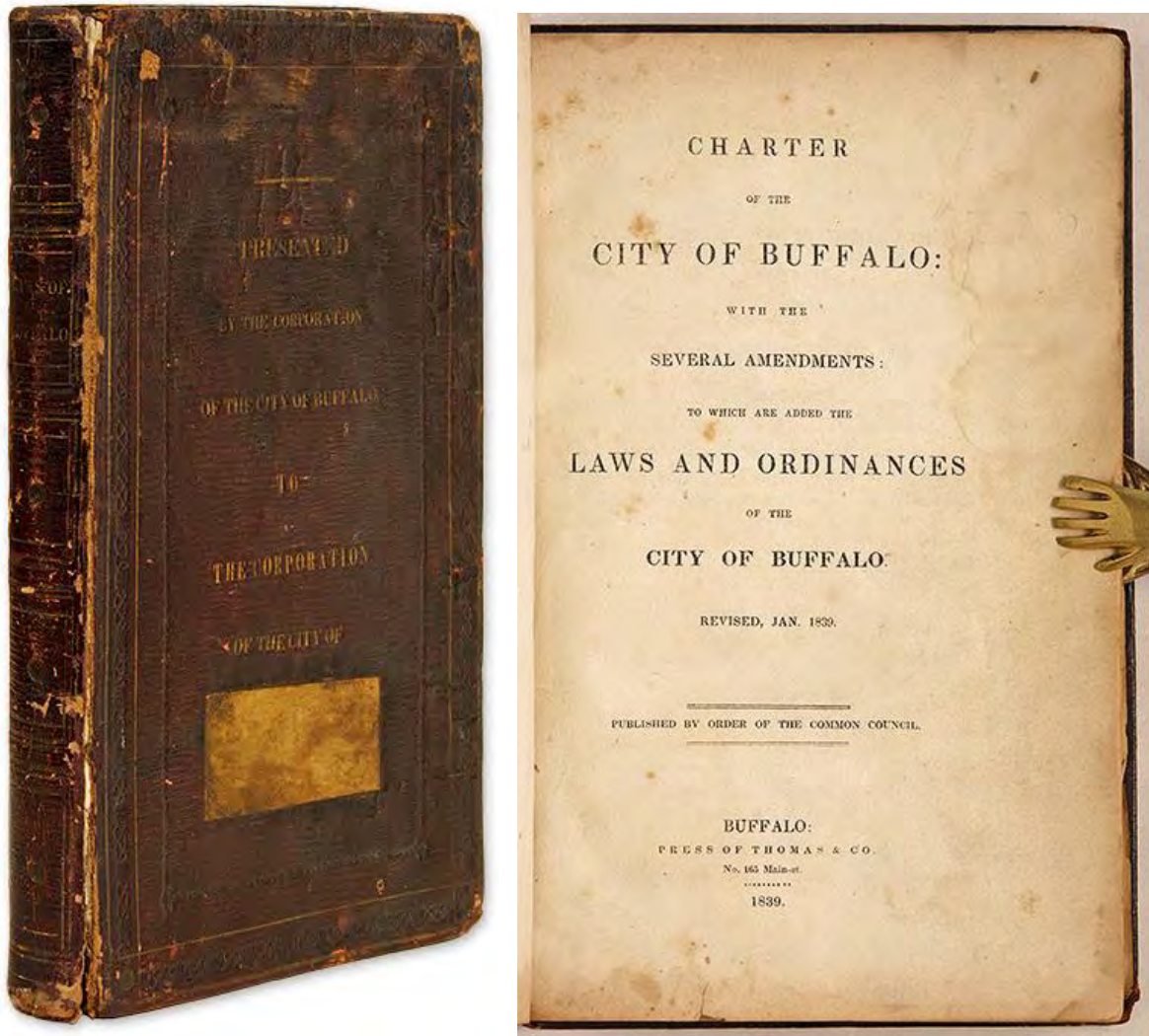
**First Edition of the First  
Abridgement of the *Commentaries***

**4. Blackstone, Sir William.  
Trusler, John [1735-1810], Editor.**

*A Summary of the Constitutional Law of England, Being an Abridgement of Blackstone's Commentaries.* Dublin: W. Sleater, No. 28, And W. Colles, No. 17, Dame-Street, 1790. [iv], 228, [8]. 12mo. (7" x 4-1/2").

Contemporary calf, lettering piece and gilt fillets to spine, joints reinforced. Light rubbing and scuffing to boards, moderate rubbing to extremities with wear to spine ends and corners, front hinge starting, crack in text block between second and third front endleaves. Light browning to text, (illegible) owner signature dated 1860 to front free endpaper, another (of Z.C. Lee, dated 1828) to following endleaf. \$750.

\* Reprint of the first edition, London, 1788, the only Irish printing of this book. According to Laeuchli, "this appears to be the earliest abridgment of Blackstone's *Commentaries*." It was the work of the Rev. John Trusler, a remarkably prolific author of popular books on a variety of subjects ranging from etiquette and gardening to finance and law. His most famous works are *The Way to be Rich and Respectable* (1780) and *Hogarth Moralized* (1768). His legal writings include *Useful and Legal Information to Purchasers & Possessors of Estates*, a treatise on real property, and the present work. According to the book's Advertisement, it offers "every thing in Blackstone necessary for the general reader [with] nothing omitted but what is peculiarly adapted to the profession of a Lawyer" (iii). The book went through two more editions in 1790 and 1796. All three editions are scarce. OCLC locates 4 copies in North American law libraries (Harvard, Library of Congress, Trial Court Library of Worcester, MA, Yale). Not in Eller. Laeuchli, *A Bibliographical Catalog of William Blackstone* 123. [Order This Item](#)



Buffalo, New York, in 1839

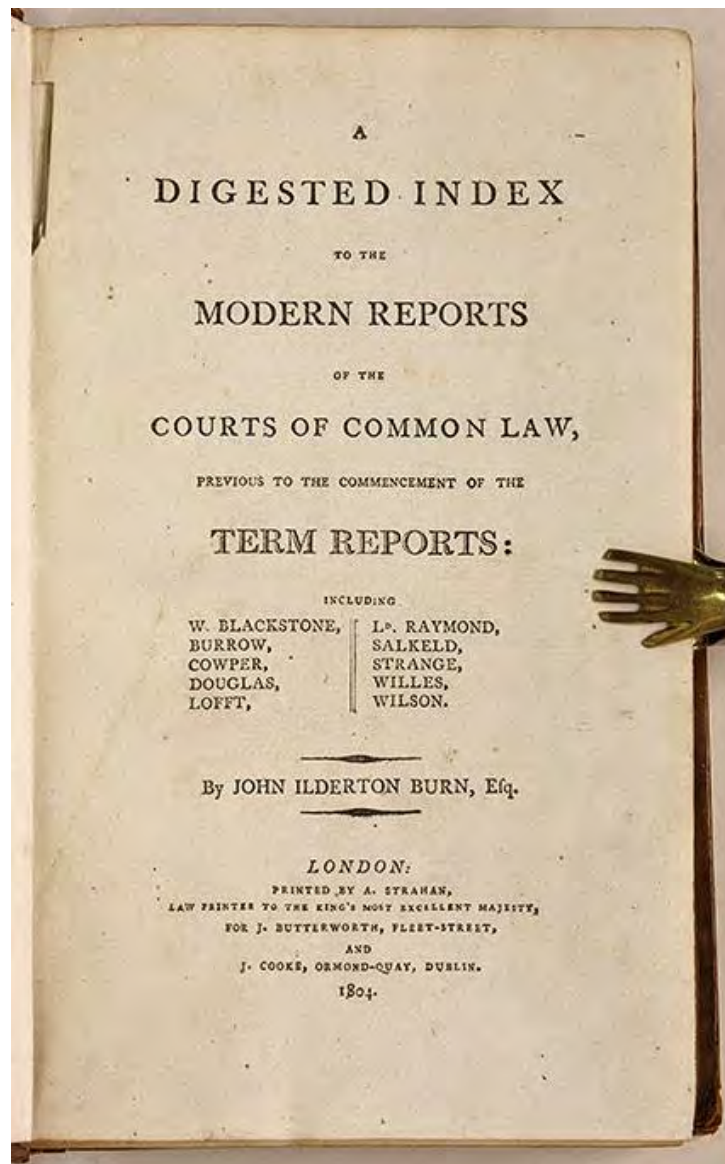
5. [Buffalo, New York].

*Charter of the City of Buffalo: With the Several Amendments: To Which are Added the Laws and Ordinances of the City of Buffalo. Revised, Jan. 1839. Published by Order of the Common Council. Buffalo: Press of Thomas & Co., 1839. 93, 112 pp. Octavo (8-1/2" x 5-1/2").*

Contemporary morocco, blind and gilt frames to boards, gilt title and ornaments to spine, "Presented by the Corporation of the City of Buffalo, to the Corporation of the City of [section of morocco below excised]" gilt-stamped to front board. Moderate rubbing to boards and extremities with wear to spine ends and corners, front board detached. Moderate toning, faint dampstaining to sections of text, light soiling and edgewear to preliminaries. \$250.

\* Settled in the early 1800s, the town of Buffalo grew rapidly when it became the western terminus of the Erie Canal. It was incorporated as a city in 1832. This 1839 edition of the city charter and laws offers a legal perspective of what was then a boom town (with a large number of hard-playing canal and lake sailors). This appears to be the third printing of Buffalo's laws and the second of its charter in book form. The first collection was published in 1833. The second, which included the first printing of the charter, in 1835. OCLC locates 7 copies, 3 of them in Buffalo, 1 in a law library (Harvard). Not in Cohen or Sabin. [Order This Item](#)





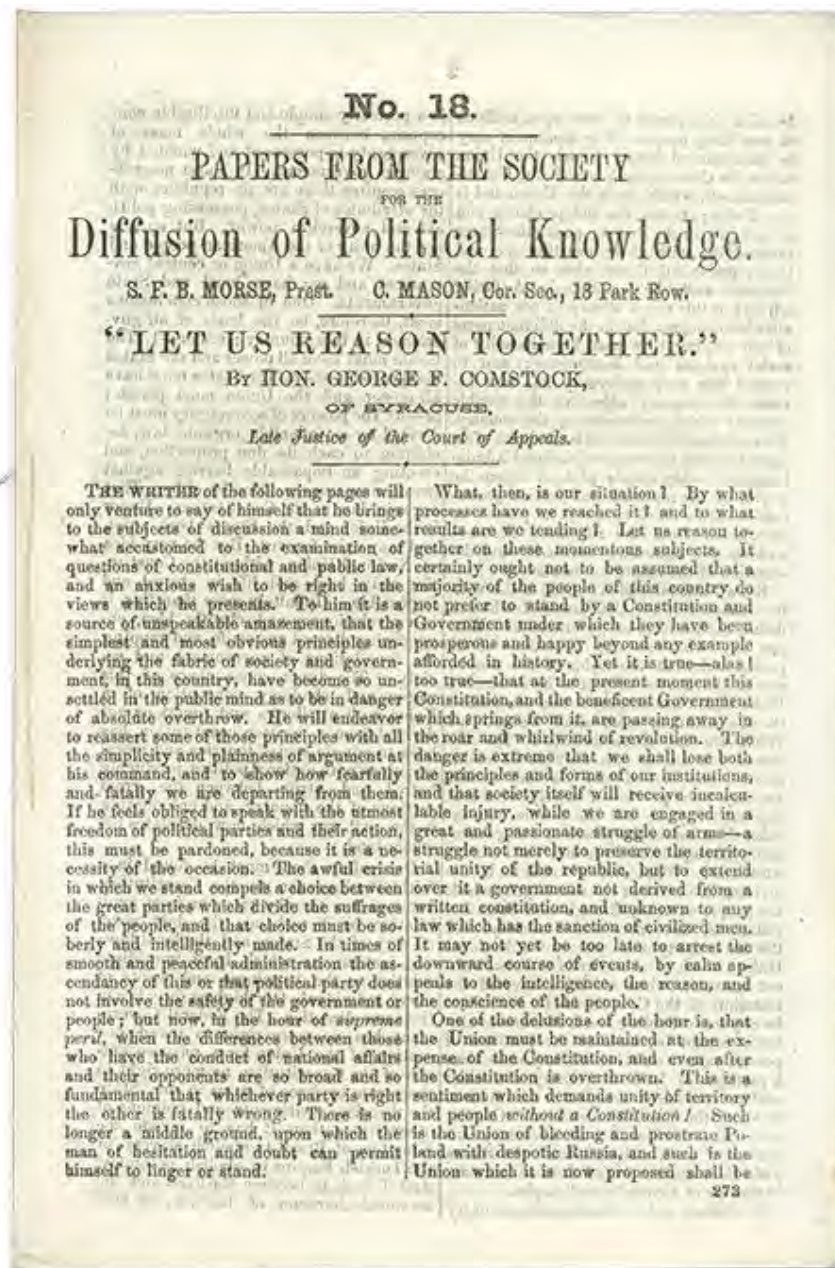
**A Useful Companion to the *Modern Reports***

**6. Burn, John Ilderton [1774?-1848].**

*A Digested Index to the Modern Reports of the Courts of Common Law, Previous to the Commencement of the Term Reports: Including W. Blackstone, Burrow, Cowper, Douglas, Lofft, Ld. Raymond, Salkeld, Strange, Willes, Wilson.* London: Printed by A. Strahan, 1804. xxx, [2], 557 pp. Main text in parallel columns. Final leaf in a 2 pp. publisher advertisement. Octavo (9-1/4" x 5-1/2").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities and spine, boards and preliminaries partially detached, wear to spine ends and corners. Moderate toning to text, somewhat heavier in places, occasional light foxing, early owner signature (Geo. Kerr) to front pastedown. \$100.

\* Only edition. One of the most ambitious and admired works of its time, the *Modern Reports* began as a four-volume set issued from 1682 to 1703. Thomas Leach edited the books and republished them in 1793-1796. OCLC locates 11 copies in North American law libraries. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:50. [Order This Item](#)



An 1864 Reading of the Constitution  
on Behalf of States' Rights and Secession

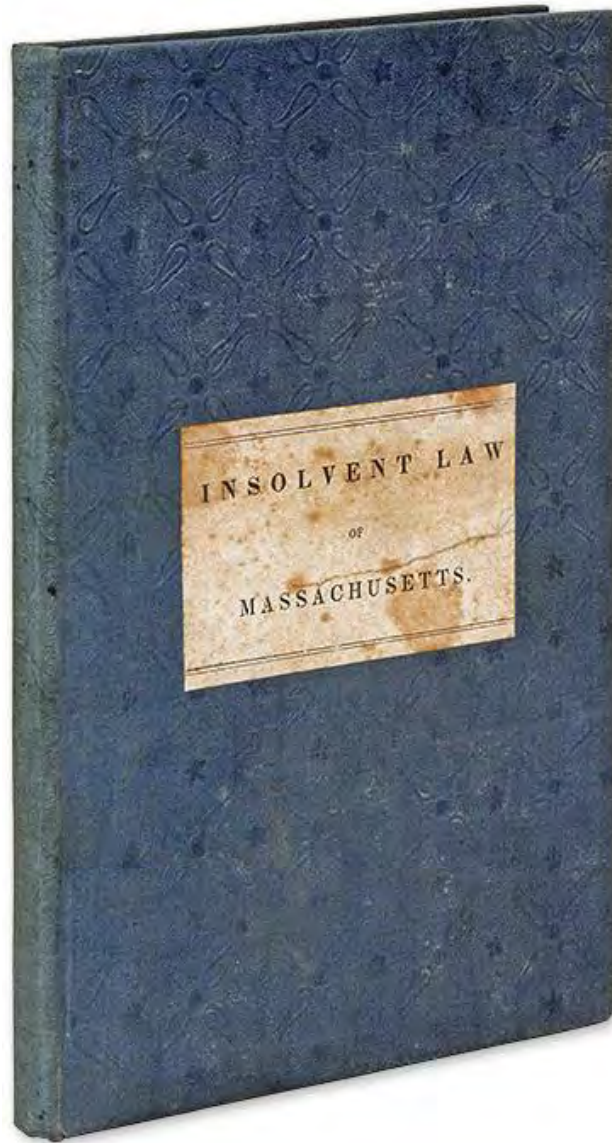
7. Comstock, George F. [1811-1892].

*Let Us Reason Together*. [New York: S.n., c. 1864]. 16 pp. Text in parallel columns. Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet in self-wrappers, light shelfwear, negligible light soiling to exterior, internally clean. \$150.

\* Only edition. At head of title: No. 18. Papers from the Society for the Diffusion of Political Knowledge. Comstock, a distinguished New York jurist and Copperhead, presents a reading of the Constitution that supports states' rights and succession. [Order This Item](#)





**Massachusetts Addresses the Effects of the Panic of 1837**

**8. Cushing, L[uther] S[tearns] [1803-1856].**

*An Act for the Relief of Insolvent Debtors and for the More Equal Distribution of Their Effects; Passed by the Legislature of Massachusetts, April 23, 1838. With an Outline of the System Thereby Introduced, And Forms of Proceeding Under the Same.* Boston: Charles C. Little and James Brown, 1838. vii, [1], 93 pp. 12mo. (7-1/2" x 4-3/4").

Original paper-covered boards with decorative blind stamping, printed paper title label to front board. Light rubbing to extremities, some soiling and staining to title panel, corners lightly bumped and worn, moderate toning and light foxing to text. \$350.

\* Only edition. This annotated edition of the newly-passed laws on debt and insolvency at a time when federal and state law was attempting to devise legislation to remedy the effects of the Panic of 1837. Cushing was an important Massachusetts jurist and expert on parliamentary procedure. He was clerk of the Massachusetts House of Representatives when he published this book. Cohen, *Bibliography of Early American Law* 2499. [Order This Item](#)



## Two of Damhouder's Classic Treatises on Civil and Criminal Law with 71 Illustrations

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

*Practycke in Civile Saken, Seer Nut, Proſytelyck 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. 14 engraved copperplate leaves, 1 depicting an allegory of justice, the others depicting crimes, trials and legal procedures, copperplate engraved portrait to title page.

[Bound with]

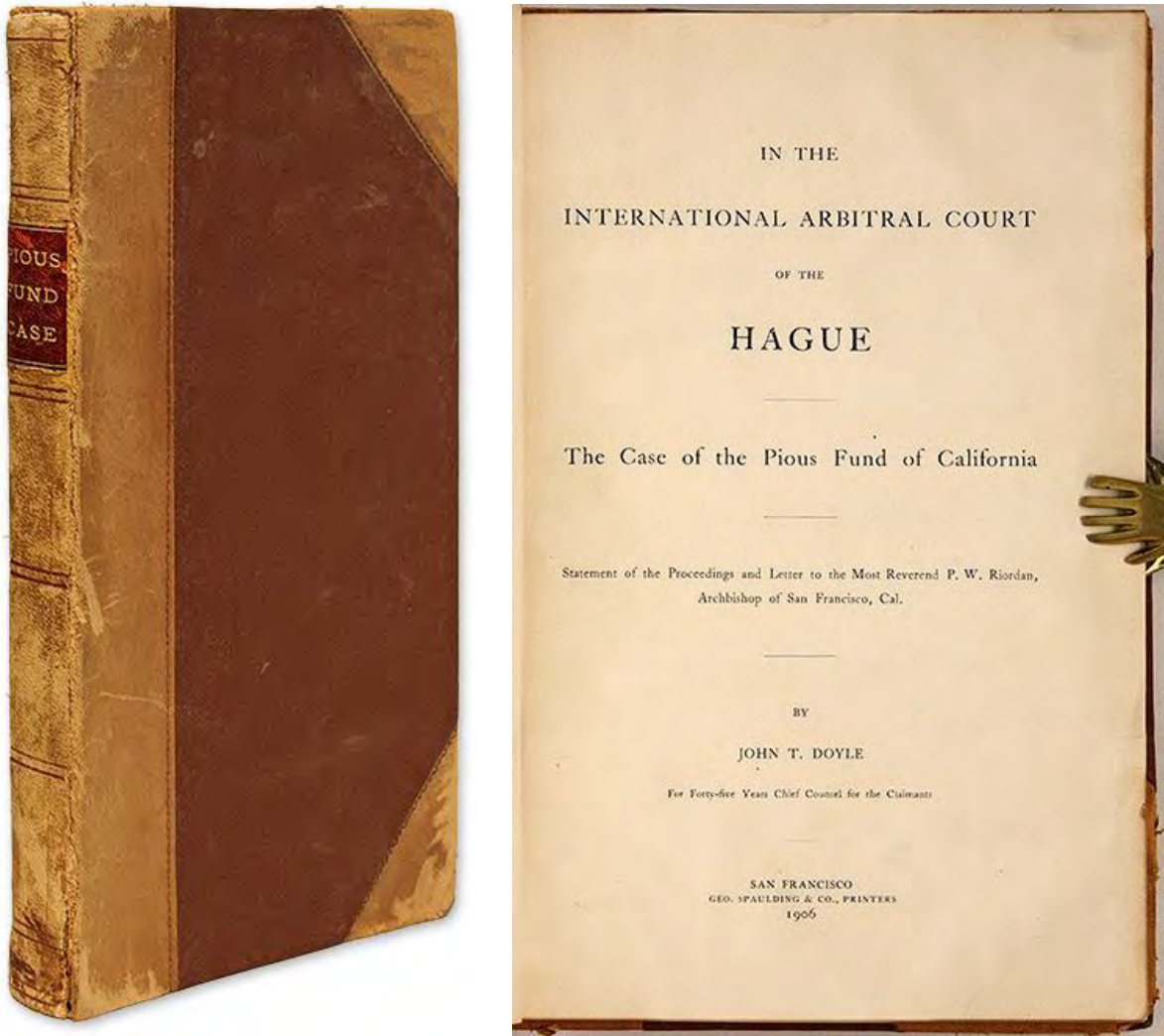
**Damhouder, Josse de.**

*Practycke in Criminele Saken, Seer Nut, Proſytelyck Allen Souverains, Bailjous, Burgermeesteren, Ende Schepenen, &c. Hier is noch by Gevoeght d'Ordonnantie, Op 't Stuck van de Criminele Justitie, In dese Nederlanden. Alles met Schoone Figuren, Daer toe Dienende Verciert.* Rotterdam: By Pieter van Waesberge, 1660. [viii], 264; 59, [1] pp. The final section, with a separate title page dated 1660, is titled *Ordonnantie Edict Ende Gebodt, Ons's Heeren des Konings, Op'tstuck van de Criminale Justitien, In dese Nederlanden*. Copperplate engraved portrait to title page, 56 woodcuts depicting crimes, trials, torture and executions.

Quarto (7-3/4" x 6"). Contemporary vellum with lapped edges, early hand-lettered title and fragments of later paper shelf label to spine. Light soiling and a few minor spots to boards, spine darkened, a few minor nicks to spine ends. Title pages (excepting that of *Ordonnantie*) printed in red and black. Light toning to text, somewhat heavier in places, light browning to outer margins of a few leaves. An appealing copy. \$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. [Order This Item](#)





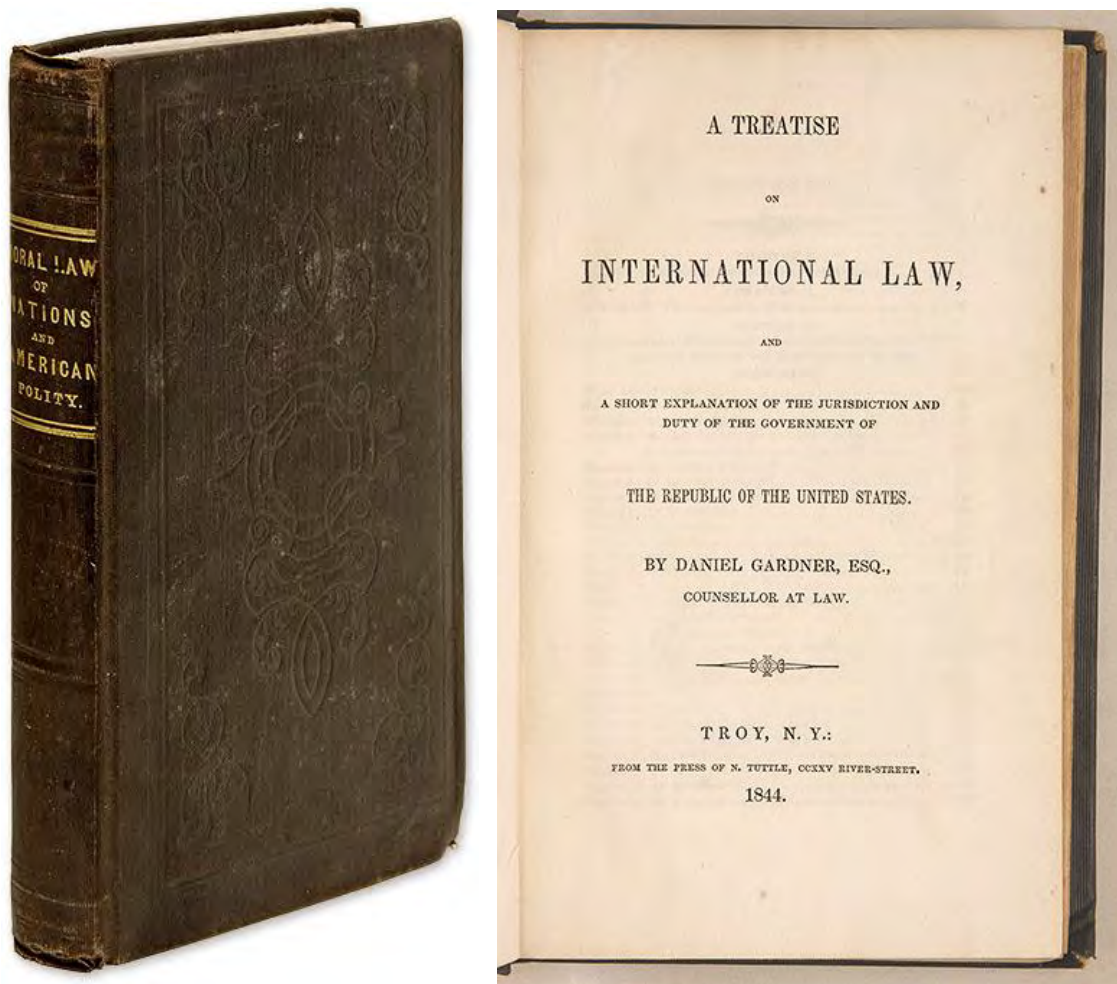
**The First Case Submitted to  
the Permanent Court of Arbitration**

**10. Doyle, John T. [1819-1906].  
[Riorden, Patrick William (1841-1914)].**

*In the International Arbitral Court of the Hague. The Case of the Pious Fund of California. Statment of the Proceedings and Letter to the Most Reverend P.W. Riordan, Archbishop of San Francisco, Cal. By John T. Doyle, For Forty-Five Years Chief Counsel for the Claimants.* San Francisco: Geo. Spaulding & Co., Printers, 1906. 106 pp. Interleaved (as issued).

Contemporary three-quarter sheep over cloth, lettering piece and blind fillets to spine. Moderate rubbing and scuffing to extremities and spine, front board beginning to separate, but secure, rear hinge cracked. Moderate toning to text, some offsetting to margins of preliminaries. \$250.

\* Only edition. Originally administered by the Jesuits, the Pious Fund of the Californias was established in 1697 to sponsor the Roman Catholic missions in Baja California and Alta California in the Viceroyalty of New Spain. It became the object of litigation between the US and Mexican governments after the end of the Mexican-American War and was finally decided in the Permanent Court of Arbitration in 1902. This was the first international case submitted to that tribunal. [Order This Item](#)



### A Return to Scripture

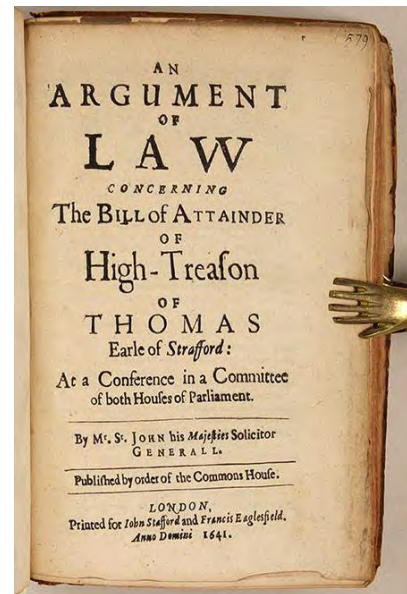
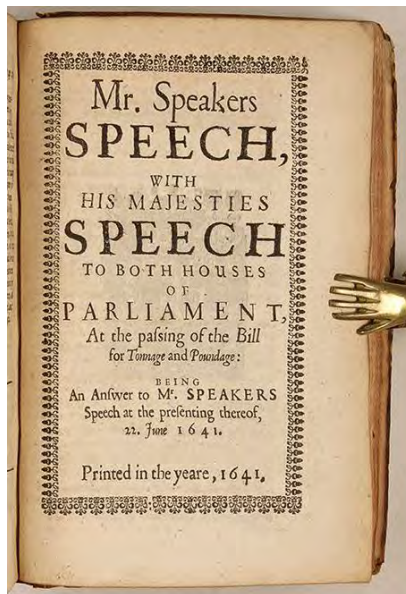
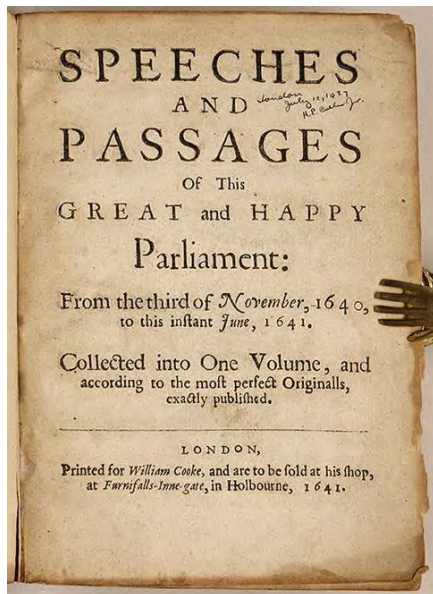
#### 11. Gardner, Daniel [1799-1863].

*A Treatise on International Law, and a Short Explanation of the Jurisdiction and Duty of the Republic of the United States.* Troy: From the Press of N. Tuttle, 1844. xii, [13]-315 pp. 12mo. (7-1/2" x 4-1/2").

Original blind-stamped cloth, gilt title to spine. Light rubbing to boards and extremities, spine ends bumped, corners bumped and moderately worn, author presentation inscription (to "Prof. Yates") to front endleaf. Light toning to text, brief early annotations to a few passages. \$350.

\* Only edition. The first part of this remarkable work argues that international law needs to return to its roots in natural law revealed in Scripture. Two major prejudices are embedded in this argument: the United States has done this, and Great Britain will not, choosing instead to dominate the oceans through force. The brief second part addresses the "internal jurisdiction of our national government over the states, the people of the United States and the Indian tribes possessing a portion of our territory" (269). It dispenses with the theological model of the first section to offer an outline of Federal powers as defined by constitutional law. His analysis of slavery is interesting. Though he clearly despises it, Gardner concludes that it cannot be abolished by Congress. He hopes, however, that the "chivalry of the south" will compel slaveholders to imitate, at some point, "Alexander of Russia and nobly set their vassals free" (286). Gardner was an attorney who practiced in Troy, New York, and a local politician who held several minor municipal offices in that city. Cohen, *Bibliography of Early American Law* 7173. [Order This Item](#)





### The Long Parliament Establishes Fundamental English Liberties

#### 12. [Great Britain].

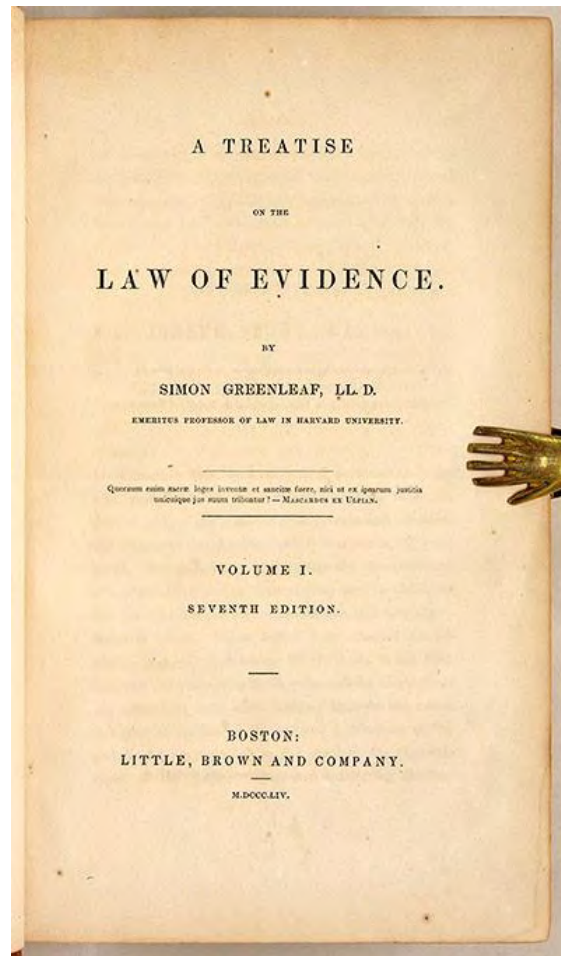
#### [Parliament].

*Speeches and Passages of the Great and Happy Parliament, From the Third of November, 1640, To this Instant June, 1641. Collected into One Volume, And According to the Most Perfect Originalls, Exactly Published.* London: Printed for William Cooke, 1641. [8], 24, 152, 159-174, 169-184, 177-240, 205-220, [8], 233-351, [1], 351-358, 321-335, [1], 385-440, 455-459, 500-534, 24, [2], 6, 14; [ii], 46 pp. Pagination irregular, text complete. Final two sections have their own dated title pages reading *Mr. Speakers Speech, With His Majesties Speech to Both Houses of Parliament, At the Passage of the Bill for Tonnage and Poundage...* and *An Argument of Law Concerning the Bill of Attainder of High-Treason of Thomas Earle of Strafford...* Quarto (7-1/4" x 5-3/4").

Contemporary calf with later rebacking, diced spine with raised bands, lettering piece and gilt ornaments, endpapers renewed, hinges reinforced. Some rubbing and light gatoring to boards, heavier rubbing to extremities with some wear to spine ends and corners, hinges cracked, front free endpaper and title page partially detached but secure. Moderate toning, occasional faint dampspotting, faint dampstaining to fore-edges of final 38 leaves, chips to edges of a few leaves, edgewear to endleaves, small holes to leaf H2 (pp. 53-54) due to paper flaw with minor loss to text, legibility not affected, light soiling and some edgewear and owner signature in tiny hand (H.E. Cullen, Jr. 1928) to title page. \$1,500.

\* Only edition. Opposed to King Charles I, the Long Parliament sat from 1640 to 1660. Its duration lasted until the end Civil War and the close of the Interregnum. *Speeches and Passages* is a record of that Parliament's momentous first months. During that time it abolished the Star Chamber and High Commission and passed the Habeas Corpus and Triennial Acts, which was intended to prevent kings from ruling without Parliament, something Charles I did from 1629 and 1640. The final section, *An Argument of Law* concerns a controversial decision. The Earl of Strafford was a leading supporter and advisor of King Charles I. Scapegoated by Parliament for his "treasonous" role in the Second Bishops' War, one of the preliminary stages of the Civil War, he was condemned to death on shaky legal grounds via a bill of attainder in 1641. Feeling it necessary to yield to Parliament, Charles signed the death warrant. *An Argument of Law* is a summary and defense of Parliament's case. *Mr. Speakers Speech* relates to an episode in Parliament's action to prevent Charles I's levying of tonnage and poundage (a set of customs duties) without parliamentary consent. When the King moved to adjourn Parliament, the members held the speaker, John Finch, in his seat until three resolutions were read, one of which declared that the payment of tonnage and poundage to the king was treason. *English Short-Title Catalogue* R212697.

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**The Standard American  
Evidence Treatise Before Wigmore**

**13. Greenleaf, Simon. [1783-1853].**

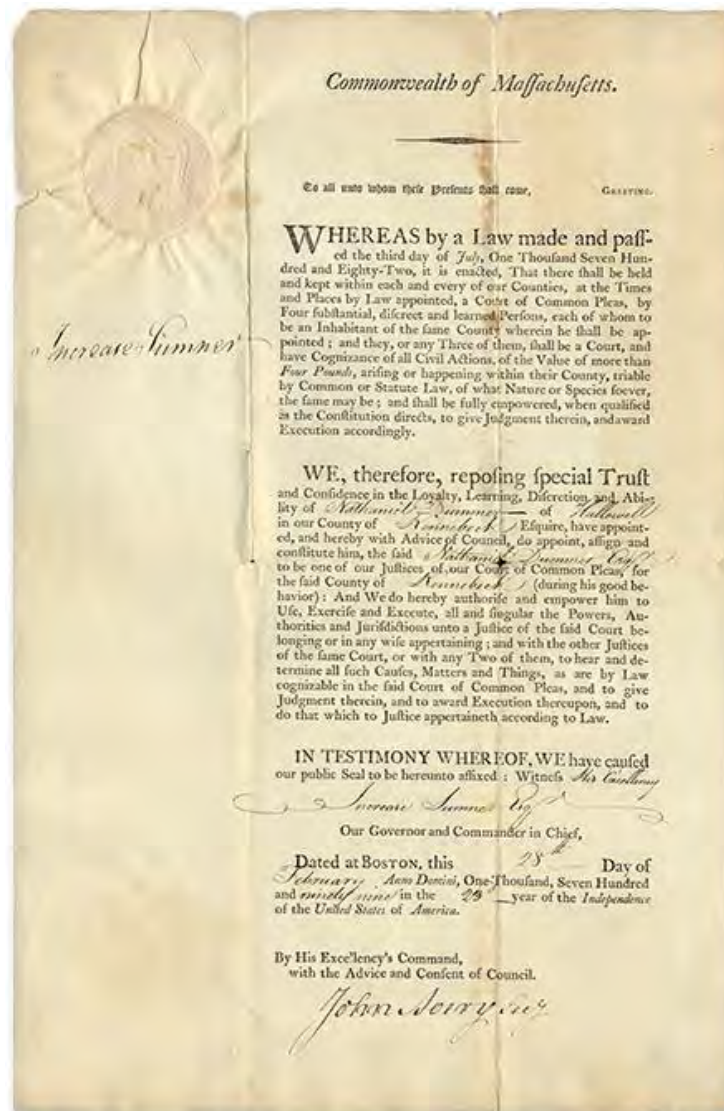
*A Treatise on the Law of Evidence*. Boston: Charles C. Little & James Brown, 1853-1854. Three volumes. 8, lxvi, [2] 780; lx, 708; 8, xxix, [2], 585 pp. Volumes I and III have 8-page publisher catalogues. Octavo (9-1/4" x 5-3/4").

Uniform contemporary sheep, blind frames to boards, lettering pieces, raised bands and blind-stamped volume numbers to spines. Light rubbing and some scuffing to boards, moderate rubbing to extremities, front boards of Volumes I and III beginning to separate, but still secure, chip to head of spine of Volume II, its front hinge starting at foot. Moderate toning, light foxing in places, signatures removed from front pastedowns of Volumes II and III. \$500.

\* Volume I: seventh edition; Volume II: fifth edition; Volume III: second edition, the form of this set current in 1854-1855. Greenleaf's seminal treatise on evidence was the first important American work on the topic. It was originally issued as a one-volume work devoted to general principles of evidence. Greenleaf published a second volume in 1846 on particular cases of evidence. These two books were reissued with a revised Volume I in 1853 as the second edition. That same year Greenleaf published a third volume on criminal evidence and pleading. From that point onward, *Greenleaf on Evidence* remained a three-volume work. Each volume went through several editions at different times until the 13th edition (1876). It remained the standard American work until it was superseded by *Wigmore on Evidence* (1904-1915). See Cohen, *Bibliography of Early American Law* note to 5059. *Catalogue of the Library of the Harvard Law School* (1909) I:827.

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1799 Document Appointed a Judge to the  
Kennebeck County, Maine, Court of Common Pleas

14. [Judges].

[Maine].

[Dummer, Nathaniel (1755-1815)].

*To All Unto Whom These Presents Shall Come, Greeting...* Boston, February 28, 1799.

17" x 11" part-printed document, inscribed in neat hand, docketed on verso, large embossed Massachusetts seal to upper-left corner, signed by Governor Increase Sumner, countersigned by John Avery, first Massachusetts Secretary of the Commonwealth. Light browning and edgewear, light soiling and a few minor spots, vertical and horizontal fold lines, a few minor years along folds with no loss to text. An interesting item. \$350.

\* Dummer resided in Hallowell, Maine, and was judge of the Kennebeck County Court from 1799 until his death in 1815. He was also Hallowell's postmaster from 1792 to 1802. The docket note, witnessed by Joseph North and William Howard, attests that Dummer took his oath of office on April 2, 1799. [Order This Item](#)



Volumes I-III of Kent's *Commentaries*, First Edition

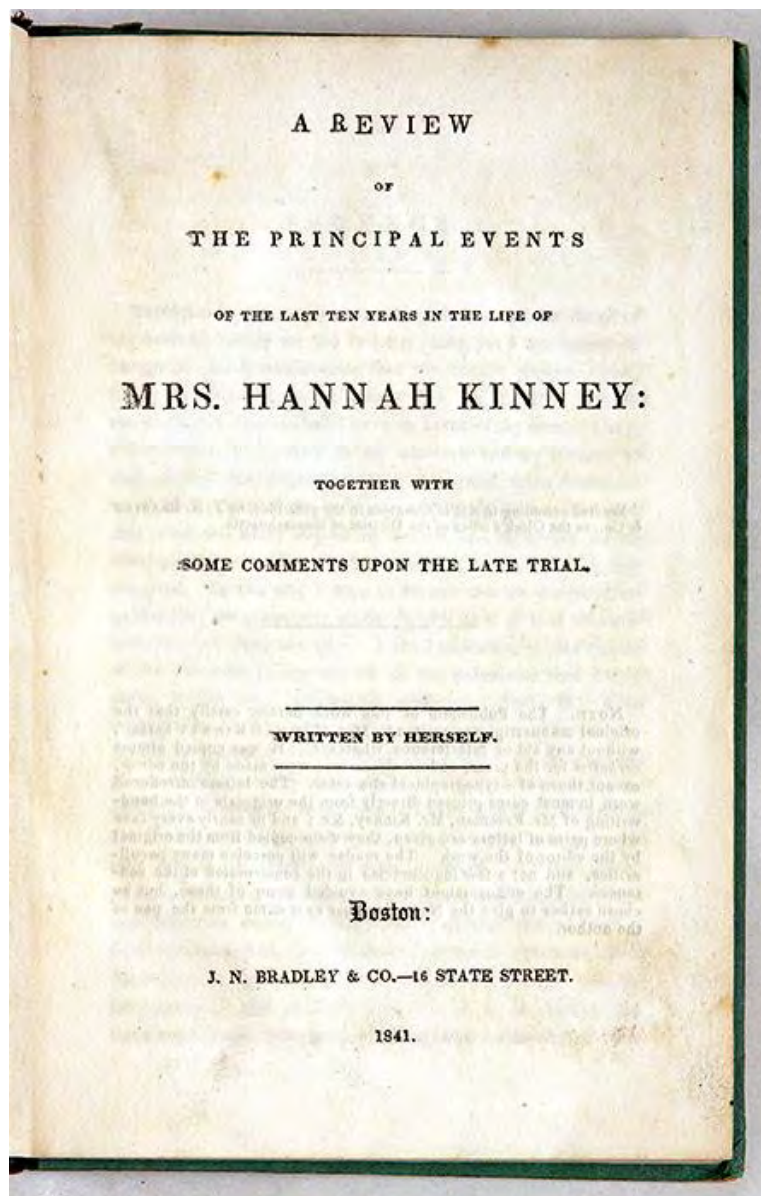
**15. Kent, James [1763-1847].**

*Commentaries on American Law*. New York: O. Halsted, 1826-1828. Volumes I-III of a four-volume set. Octavo (8-3/4" x 5-1/2").

Contemporary calf, blind fillets to boards, lettering pieces and blind fillets to spines. Light rubbing and scuffing to boards, moderate rubbing to extremities, light gatoring to spines, some wear to spine ends, boards beginning to separate, corners bumped and somewhat worn, a few endleaves loose. Some toning and light foxing to text, faint dampstaining to a few leaves in each volume, early owner signature (Charles S. Hempstead) to front free endpapers, small early owner stamp (of Hempstead) to title pages and a few other leaves in each volume. \$1,500.

\* First edition. Probably the single most important interpretation of American law. Marvin ranks it above Blackstone's *Commentaries*, writing that "England has only furnished one Blackstone, and the American rival equals him in classic purity and elegance of style, and surpasses him in extent and copiousness of learning." Marvin, *Legal Bibliography* 438. Cohen, *Bibliography of Early American Law* 5398. [Order This Item](#)





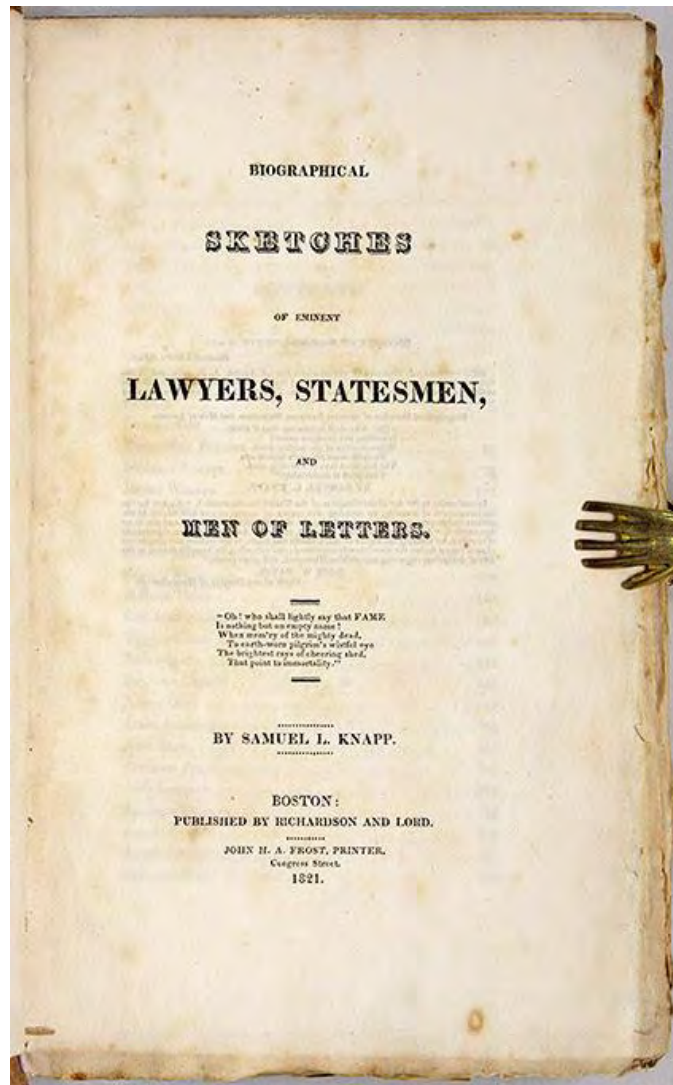
**Mrs. Kinney Defends Herself**

**16. Kinney, Hannah.**

*A Review of the Principal Events of the Last Ten Years in the Life of Hannah Kinney: Together with Some Comments Upon the Late Trial. Written by Herself.* Boston: J.N. Bradley & Co., 1841. 87 pp. Octavo (7" x 4-1/2").

Contemporary cloth, faint label residue to front board, moderate rubbing to extremities, joints starting, hinges cracked, later library stamps to edges of text block and front pastedown. Light browning to endleaves, light toning to text. \$200.

\* Only edition. When Mr. Kinney died of arsenic poisoning, Mrs. Kinney's suspicious behavior brought her to trial. She was acquitted. According to McDade, there is a related work entitled *A Brief Notice of the Life of Mrs. Hannah Kinney for Twenty Years* by Ward Witham, her first husband, who reports that she never tried to poison him. McDade, *The Annals of Murder* 561. [Order This Item](#)



**Includes Biographies of  
Several Eminent Massachusetts Lawyers**

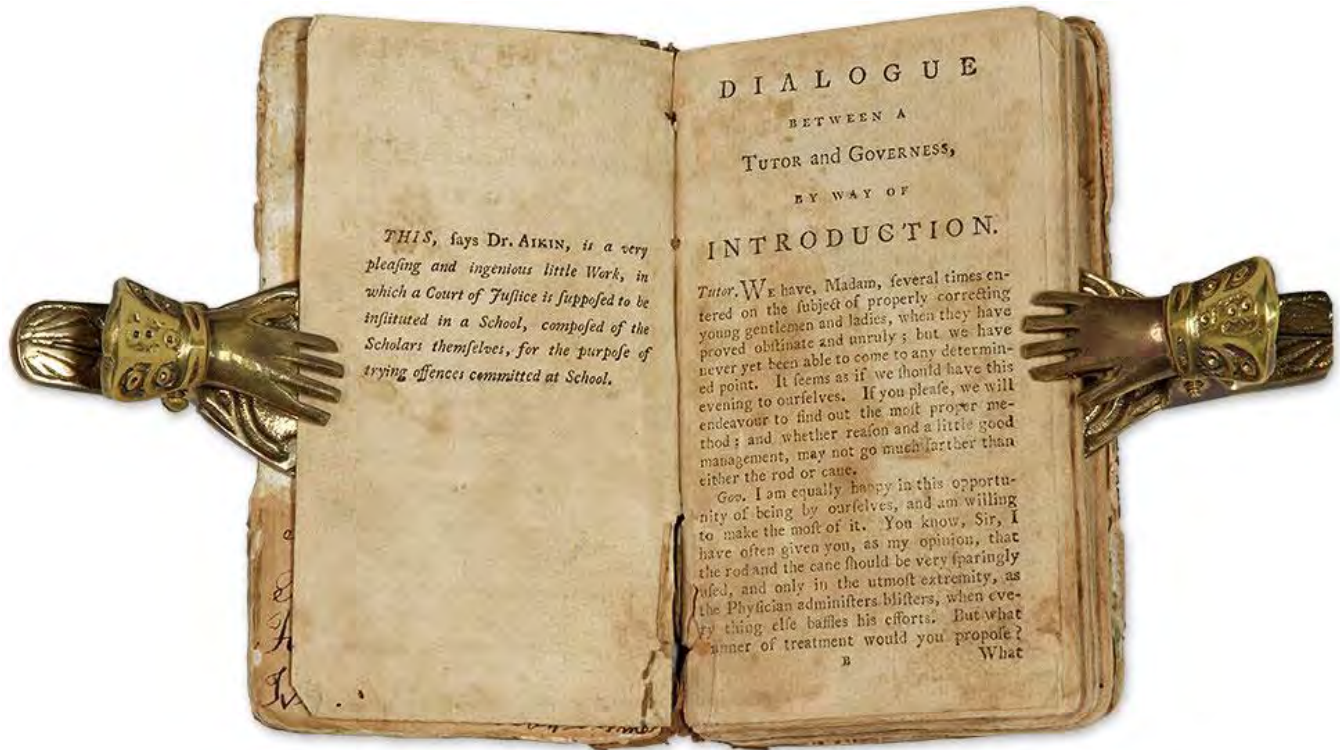
**17. Knapp, Samuel L. [1783-1838].**

*Biographical Sketches of Eminent Lawyers, Statesmen, And Men of Letters.* Boston: Published by Richardson and Lord, 1821. iv, [1], 6-360 pp. Octavo (9-1/2" x 6").

Publisher boards, printed paper title label to spine, untrimmed edges, front hinge reinforced. Light rubbing and a few stains to boards, early owner annotation to front board, moderate rubbing to extremities with wear to spine ends and corners, lower corner lacking from front board, a few cracks to text block. Moderate toning to text, light foxing in a few places, early owner annotations to front free endpaper and a few other leaves. \$300.

\* Only edition. Enriched with biographical information from contemporaries, these are brief accounts of 35 men from Massachusetts. Among the lawyers are Theophilus Parsons, Jeremiah Gridley, Paleg Sprague and Samuel Sewall. Though "End of Volume I" is stated on the final page, no other volumes were published. OCLC locates 8 copies, none in law libraries. [Order This Item](#)





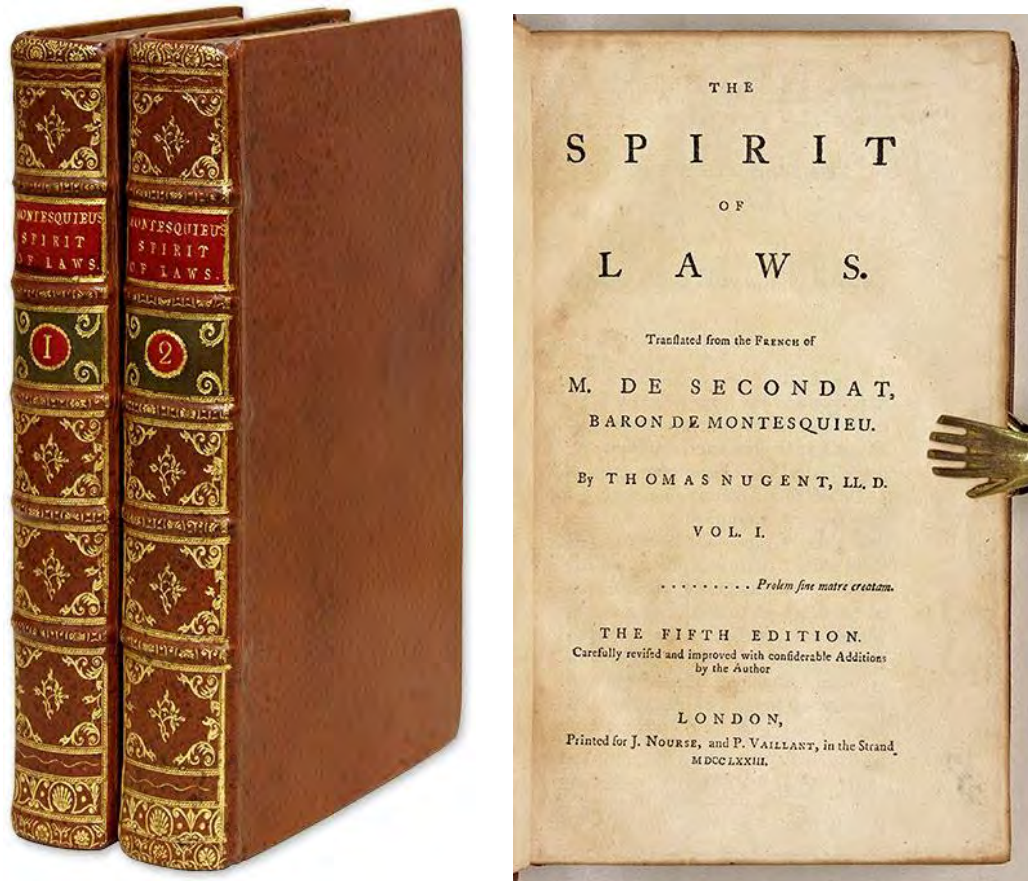
### Moral Guidance for Children

18. Littleton, Tommy, Pseudonym.  
[Johnson, Richard (1733 or 1734-1793)].  
Aikin, John [1747-1822].

*Juvenile Trials for Robbing Orchards, Telling Fibs, and Other Heinous Offenses. By Master Tommy Littleton, Secretary to the Court; With a Sequel by Dr. Aikin.* Boston: Printed for F. Nichols, 1797. [2], xvi, [1], 18-118 pp. 12mo. (4-3/4" x 2-3/4").

Quarter sheep over wooden boards, which were previously covered in paper, a few fragments of paper to front and rear boards, pastedowns presents. Spine abraded, some wear to corners, a few cracks to boards, early annotations and fragment of a watchmaker's label (D.G. Ingersoll, Boston) to front pastedown. Moderate toning and light foxing, a few cracks to text block, some leaves loose, light soiling to title page. \$1,500.

\* First American edition. First published in London in 1772, this book is a work of moral instruction and pedagogy cast in the form of six model trials of children conducted by children. The sixth trial is attributed to Dr. John Aiken. On the verso of the title page "This, says Dr. Aikin, is a very pleasing and ingenious little Work, in which a Court of Justice is supposed to be instituted in a School, composed of the Scholars themselves, for the purpose of trying offenses committed at School." Rosenbach, *Early American Children's Books* 229. Cohen, *Bibliography of Early American Law* 5191. OCLC locates 15 copies worldwide of this edition, none in a law library. [Order This Item](#)



Early English-Language Edition of a  
Landmark in Eighteenth-Century Political Science

**19. Montesquieu, Charles Louis de Secondat, Baron de [1689-1755].**

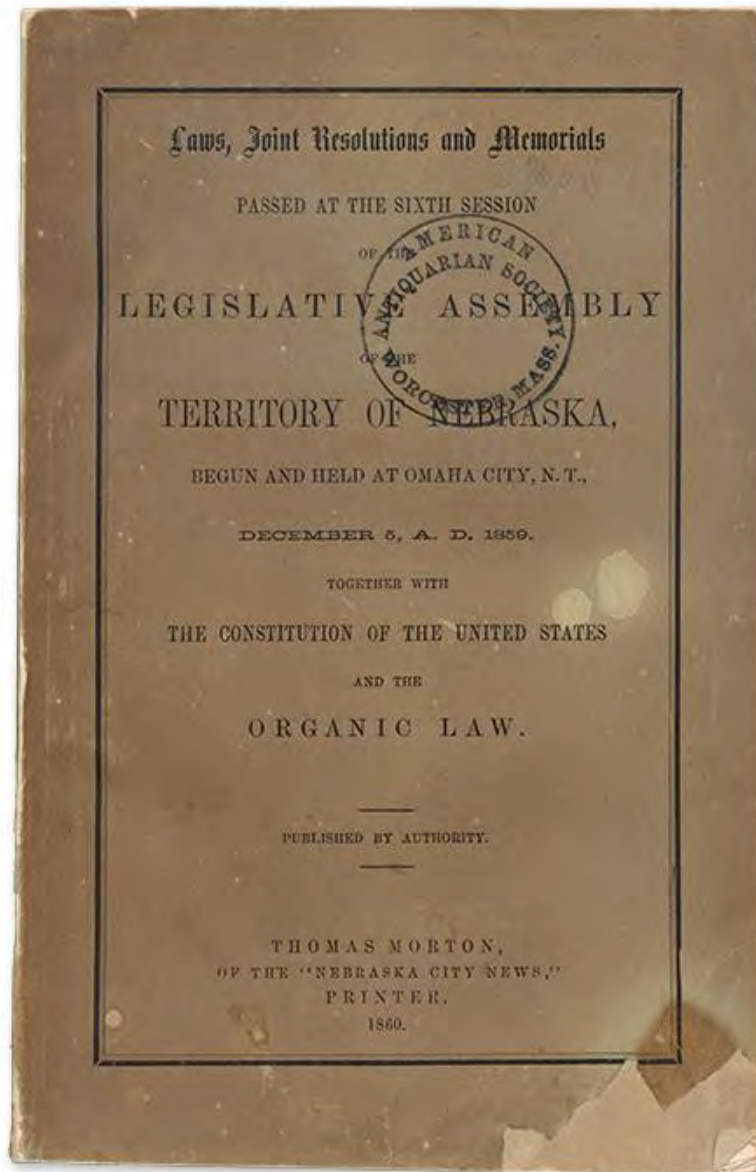
**[Nugent, Thomas (c.1700-1772), Translator].**

*The Spirit of Laws. Translated from the French of M. de Secondat, Baron de Montesquieu. The Fifth Edition. Carefully Revised and Improved with Considerable Additions by the Author.* London: Printed for J. Nourse, And P. Vaillant, 1773. Two volumes. [iv], xlvii, [1], 468; [iv], xvi, 534, [46] pp. Octavo (8-1/4" x 5").

Recent period-style calf binding by Philip Dusel, gilt spine with raised bands and lettering pieces, gilt tooling to board edges, marbled endpapers. Moderate toning to text, faint dampspotting in places, owner signature (of Paul Tilghman dated 1805) to heads of half-title and dedication leaf of Volume I and heads of title page and first page of Table of Contents of Volume II. A handsome copy. \$1,500.

\* Fifth (stated) English edition. *De L'Esprit des Loix* was one of the landmark works of eighteenth-century political science and an immeasurable influence on jurisprudence and political thought, especially in the Americas. It was a profound influence on the founding fathers, such as Thomas Jefferson, and the framers of the U.S. Constitution. It contained provocative and wide-ranging ideas on the sociology of law, the separation of political powers and the need for checks on a powerful executive office. First published in Geneva in 1748, and first translated into English in 1750, it remains one of the most significant studies of political and legal theory ever written. Based on Montesquieu's study of the English Constitution, this work is important as the first work to propose the separation of powers, an idea incorporated into the U.S. Constitution. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2325 (citing a collected edition of Montesquieu's works). *English Short-Title Catalogue* N23470. [Order This Item](#)





**Laws of Nebraska Territory, Sixth Session, 1859**

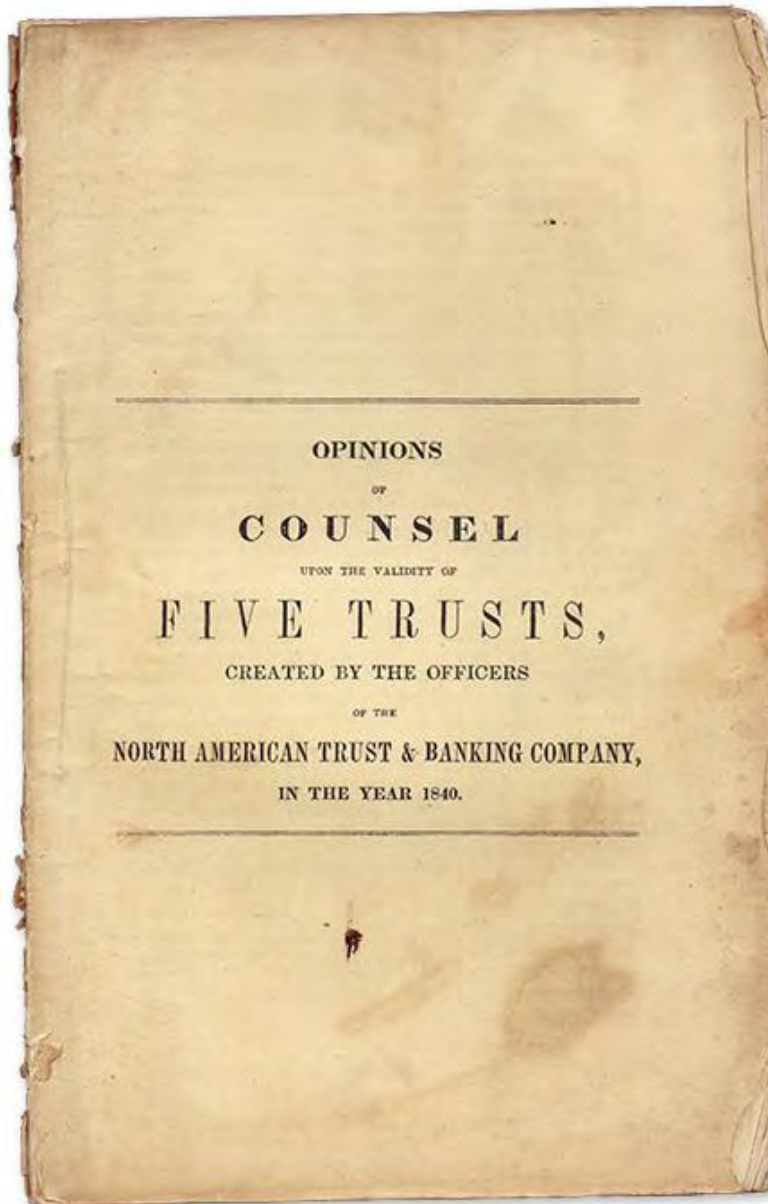
**20. [Nebraska].**

*Laws, Joint Resolutions and Memorials Passed at the Sixth Session of the Legislative Assembly of the Territory of Nebraska, Begun and Held at Omaha City, N.T., December 5, A.D. 1859. Together with the Constitution of the United States and the Organic Law. Published by Authority.* [Omaha]: Thomas Morton, Of the "Nebraska City News," Printer, 1860. 233, 270 pp. Octavo (9" x 5-3/4").

Publisher's printed wrappers. Some fading and moderate wear to extremities, library stamp and part-erased early signature to front wrapper, repair to its lower corner, a few signatures at beginning and end of text beginning to detach at ends but secure, light toning to interior. \$225.

\* First edition. Nebraska Territory was organized in 1854. Its first legislative session commenced on January 16, 1855. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 284. [Order This Item](#)

Tel: (800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887 | [law@lawbookexchange.com](mailto:law@lawbookexchange.com) | [www.lawbookexchange.com](http://www.lawbookexchange.com)



**A Bank Defends the Validity of Its Actions**

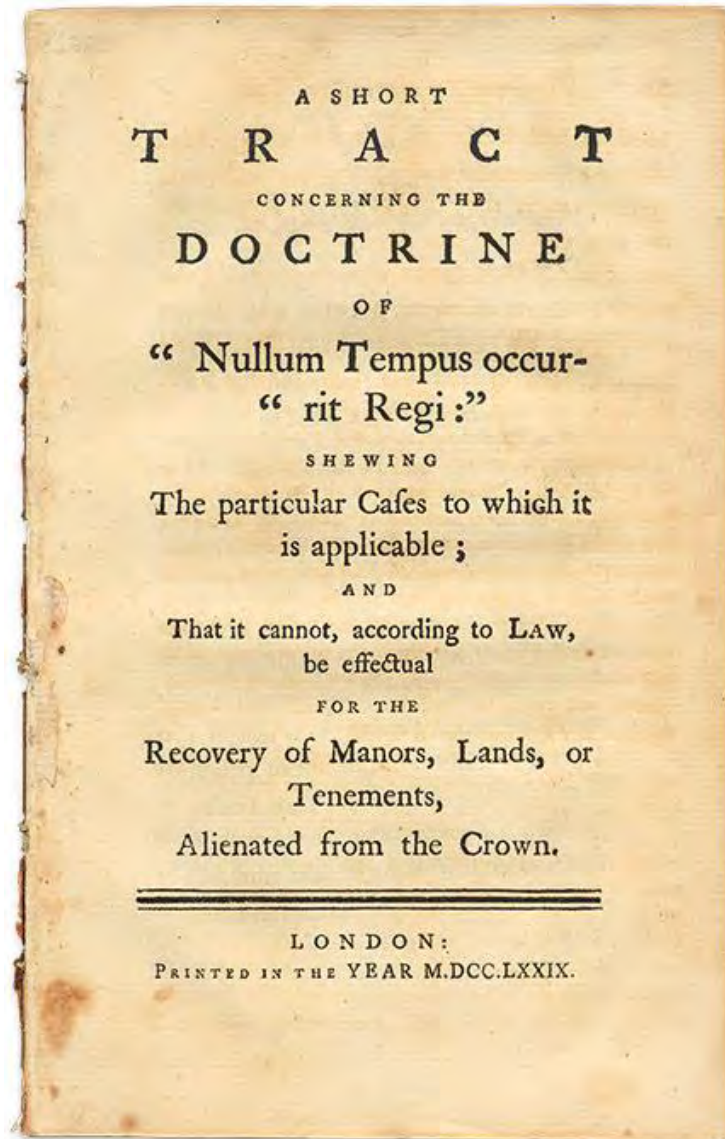
**21. North American Trust and Banking Company.**

*Opinions on Counsel Upon the Validity of Five Trusts, Created by the Officers of the North American Trust & Banking Company, In the Year 1840.* [New York?: S.n. 1844]. 7, [1], 6, 15, [1], 14, 16, 12 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Some soiling and staining, moderate wear to extremities, spine abraded, wrappers partially detached at ends. Moderate toning to text, some wear to corners, light foxing to a few leaves, early marks to margins in a few places. \$300.

\* Only edition. Aimed at the "court of popular opinion," this pamphlet defends the actions of the North American Trust and Banking Company. The opinions are by Charles P. Kirkland, Hiram Denio, Jacob Sutherland and Samuel Stevens. Not in Cohen. [Order This Item](#)





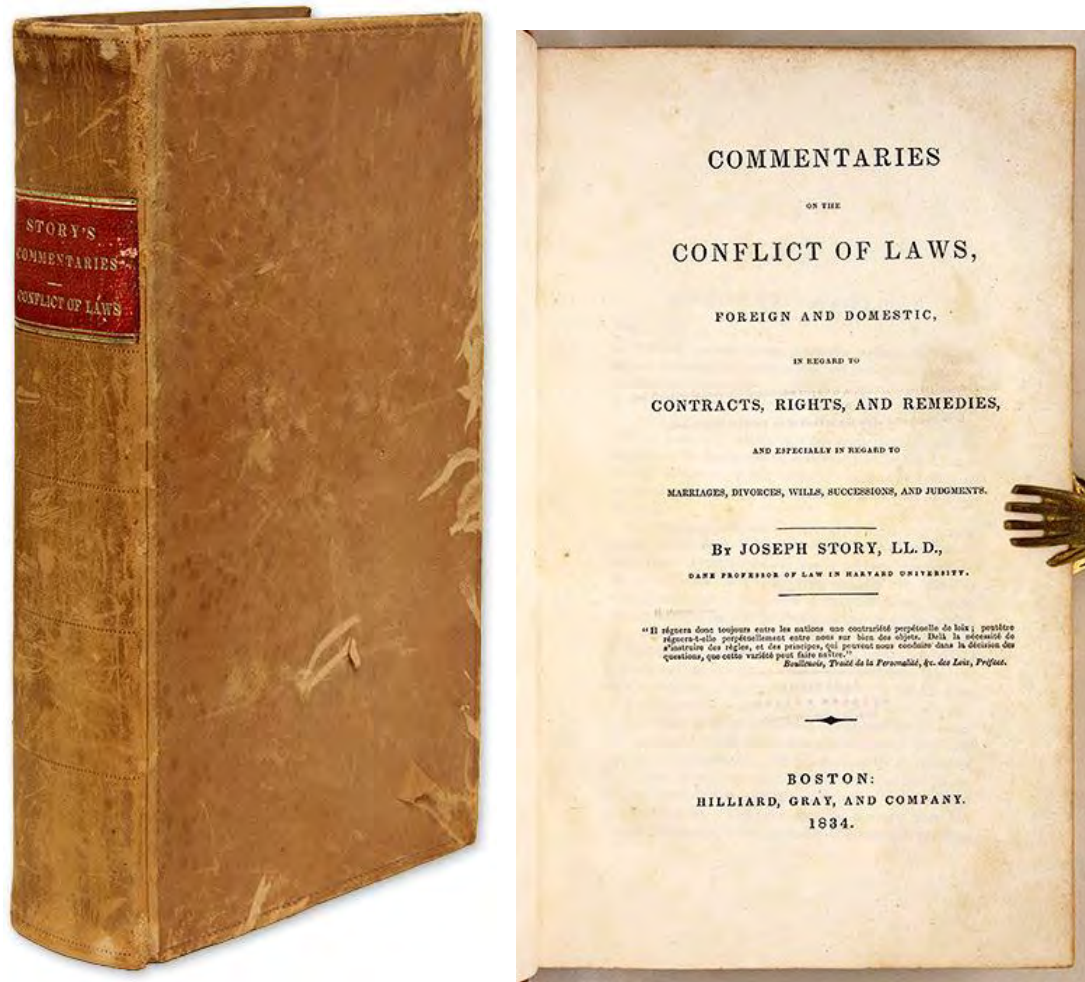
### The Crown and Statutes of Limitation

**22. [Sharp, Granville (1735-1813)].**

*A Short Tract Concerning the Doctrine of "Nullum Tempus Occurrit Regi:" Shewing the Particular Cases to Which it is Applicable; And that it Cannot, According to Law, Be Effectual for the Recovery of Manors, Lands, Or Tenements, Alienated from the Crown.* London: [S.n.], 1779. viii, 31, [1] pp. Octavo (7-1/4" x 4-1/2").

Disbound stab-stitched pamphlet. Light soiling and a few spots to title page, moderate toning to text. \$500.

\* Only edition. Sharp was an important social reformer and the man who initiated the British abolition movement, which led ultimately to the end of slavery in Great Britain. He was also a versatile scholar and antiquarian who wrote pamphlets on a wide variety of subjects. His tract on the doctrine of "nullum tempus occurrit," attacks the concept that the Crown is exempt from statutes of limitation in land cases. Like many of his works, it is grounded in a great mass of archival information, much of it quite arcane. OCLC locates 2 copies in North American libraries (Georgetown, Harvard). *English Short-Title Catalogue* T4210. [Order This Item](#)



**First Edition of "An Epoch in the Law"**

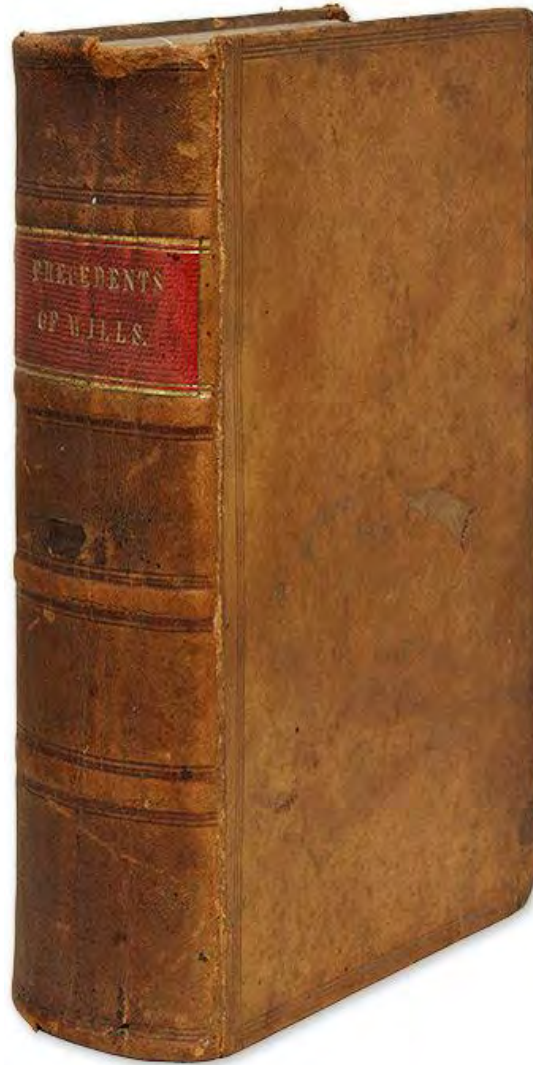
**23. Story, Joseph [1779-1845].**

*Commentaries on the Conflict of Laws, Foreign and Domestic, in Regard to Contracts, Rights, and Remedies, and Especially in Regard to Marriages, Divorces, Wills, Successions, and Judgments.* Boston: Hilliard, Gray and Company, 1834. xxv, [1], 557 pp. Octavo (8-1/2" x 5-1/2").

Contemporary sheep, blind rules to boards, raised bands and lettering piece to spine. Light rubbing and a few shallow scuffs to boards, somewhat heavier rubbing to extremities, early owner signature of Edwin Conant to front pastedown below early annotation in pencil ("Price \$3.50"). Moderate toning to text, somewhat heavier in places, occasional light foxing. An appealing copy of a landmark work. \$2,500.

\* First edition. Story's *Conflict of Laws*, the first systematic treatise on the subject, is one of his greatest and most influential works. Warren says: "It is not too much to say that its publication constituted an epoch in the law; for it became at once the standard and almost the sole authority...[it] received the honor of being practically the first American law book to be cited as authority in English courts." Expanding on this latter point Marvin quotes "a late English writer" who says that "No work on international jurisprudence merited, nor received, greater praise from the jurists of Europe. It impressed English lawyers with the highest respect for [Story's] extensive learning." Conant [1810-1891] was a prominent Worcester, Massachusetts, lawyer, businessman and philanthropist. Marvin, *Legal Bibliography* 471. Warren, *A History of the American Bar* 545. Cohen, *Bibliography of Early American Law* 2723. [Order This Item](#)





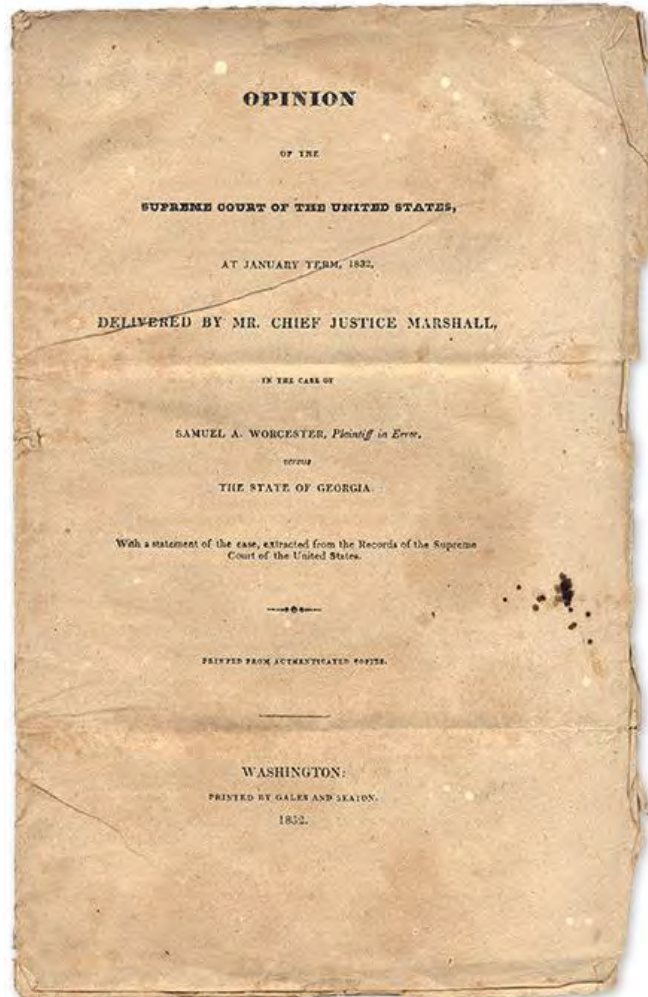
**1843 Treatise on Wills "Drawn  
Conformably to the Revised Statutes of New York"**

**24. Tayler, Thomas [fl. 1833-1843].**

*Precedents of Wills, Drawn Conformably to the Revised Statutes of the State of New York: With Practical Notes: Comprising the Duty of Executors, Administrators and Guardians. Dedicated, By Permission, To the Hon. James Vanderpoel.* New York: Gould, Banks & Co., And John S., Voorhis, 1843. Two volumes in one. xix, 242; [ii], [xxi]-xxii, [1], [243]-788 pp. Octavo (8-3/4" x 5-1/2").

Contemporary sheep, blind frames to boards, raised bands, lettering piece and fragment of paper owner label to spine. A few shallow scuffs to boards, some rubbing to extremities with a few minor chips to spine ends, boards just beginning to separate, but secure, corners bumped and somewhat worn. Moderate toning and light foxing to text, faint dampstaining to fore-edges of preliminaries. \$500.

\* First and only reissue of the only edition (1842-1843). Taylor was a member of Clement's Inn, London, who later moved to Albany, New York. He is best known as the author of *The Law Glossary* (1819 and later editions). Cohen, *Bibliography of Early American Law* 4734. [Order This Item](#)



### The Important Case that Supported the Sovereignty of Native American Tribes

#### 25. [Trial].

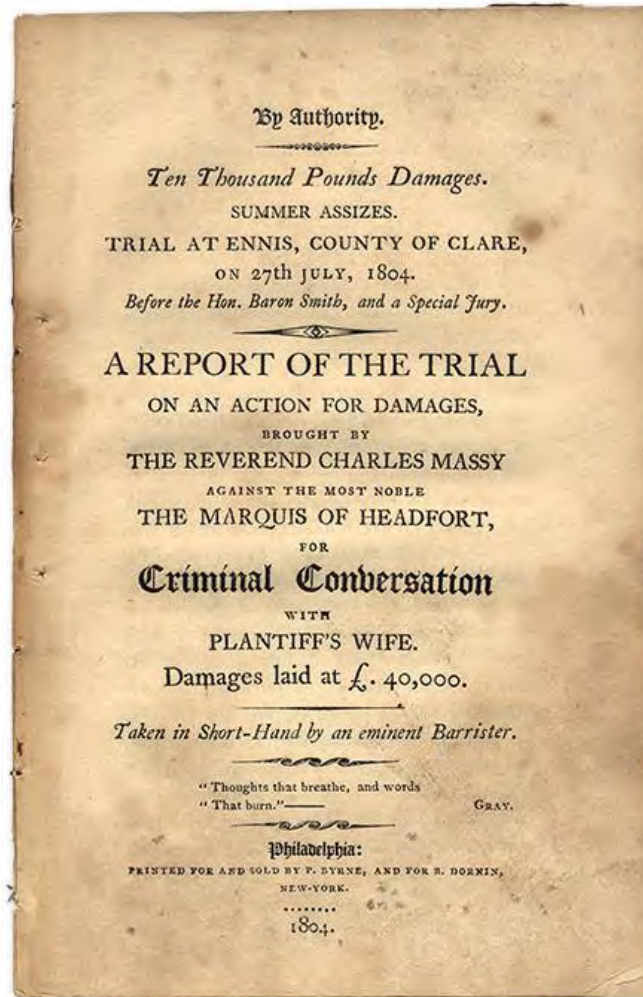
#### Marshall, John [1755-1835].

*Opinion of the Supreme Court of the United States, At January Term, 1832, Delivered by Mr. Chief Justice Marshall, In the Case of Samuel A. Worcester, Plaintiff in Error, Versus the State of Georgia. With a Statement of the Case Extracted from the Records of the Supreme Court of the United States. Printed From Authenticated Copies.* Washington, DC: Printed by Gales and Seaton, 1832. 20 pp. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed self-wrappers, untrimmed edges. Light soiling to exterior, a few minor inkstains to front wrapper, two horizontal fold lines through center, light browning to text, light foxing to a few leaves. \$350.

\* First edition. "Samuel Worcester and other missions to the Cherokee nation were convicted of violating a Georgia act which made it unlawful for whites to live in Indian country without taking an oath of allegiance to the state of Georgia and obtaining a licence to live there. Their cases were appealed to the United States Supreme Court, where the Georgia statute was found unconstitutional and the conviction overruled. Reported in 31 U.S. (6 Peters) 55 (1832). Both Georgia and President Jackson refused to enforce Chief Justice Marshall's decision" (Cohen). In a larger sense, this case defined the relationship between the Federal government to the Indian nations and recognized the latter's sovereignty, above state laws. Cohen, *Bibliography of Early American Law* 13676. [Order This Item](#)





**Designed to Display the  
Corruption of the Irish Nobility**

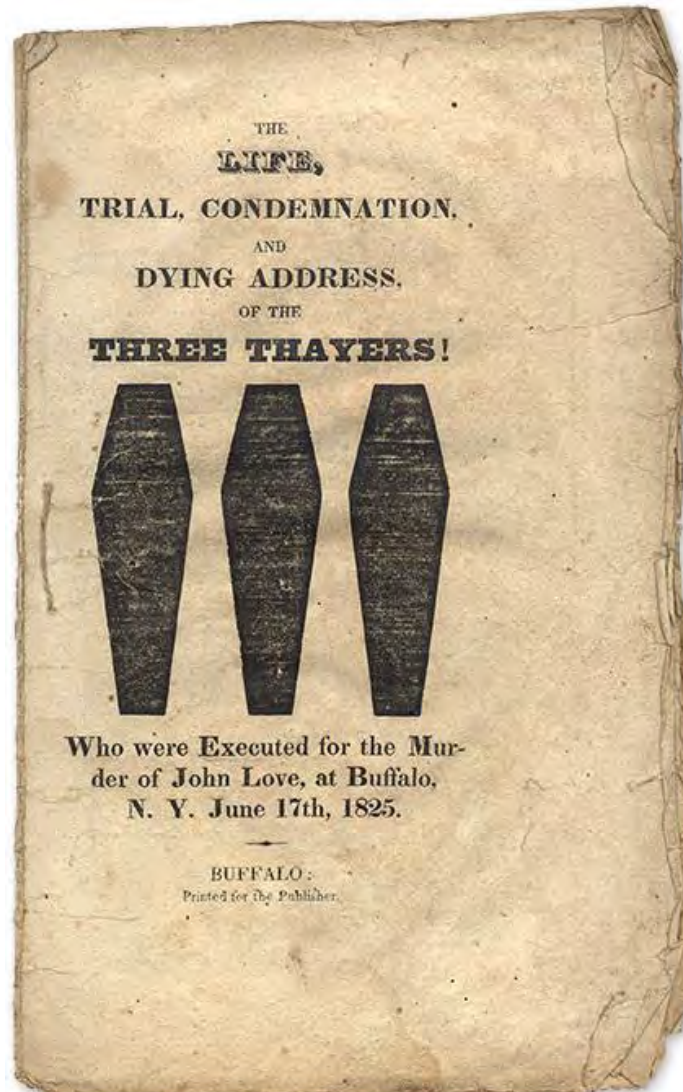
**26. [Trial].**

**Taylor, Thomas, Marquess of Headfort [1757-1829], Defendant.**

*A Report of the Trial on an Action for Damages Brought by the Reverend Charles Massy Against the Most Noble the Marquis of Headfort, For Criminal Conversation With Plaintiff's Wife: Damages Laid at £40,000.* Philadelphia: Printed and Sold by P. Byrne, And for B. Dornin, New-York, 1804. vii, 95 pp. Octavo (8" x 5-1/4").

Disbound stab-stitched pamphlet. Light soiling to exterior, a few minor tears and chips to edges of a few leaves, stitching loose, first signature detached. Light browning to text, faint dampstaining to foot of text block, light foxing to a few leaves. \$950.

\* Only American edition. At head of title: *Ten Thousand Pounds Damages, Summer Assizes, Trial at Ennis, County of Clare, on 27th July, 1804, Before the Hon. Baron Smith, And a Special Jury.* The Marquis of Headfort, a member of the Irish House of Commons, eloped with the wife of a clergyman, who was awarded £10,000 damages. The Patrick Byrne and Bernard Dornin were Irish political radicals living in exile. Published shortly after its printing in Ireland, this American imprint, which was issued in New York and Philadelphia, was probably issued to display the corruption of the Irish nobility. Cohen, *Bibliography of Early American Law* 12010. [Order This Item](#)



Sensational 1825 Murder Trial in Buffalo, N.Y.

27. [Trial].

Thayer Brothers.

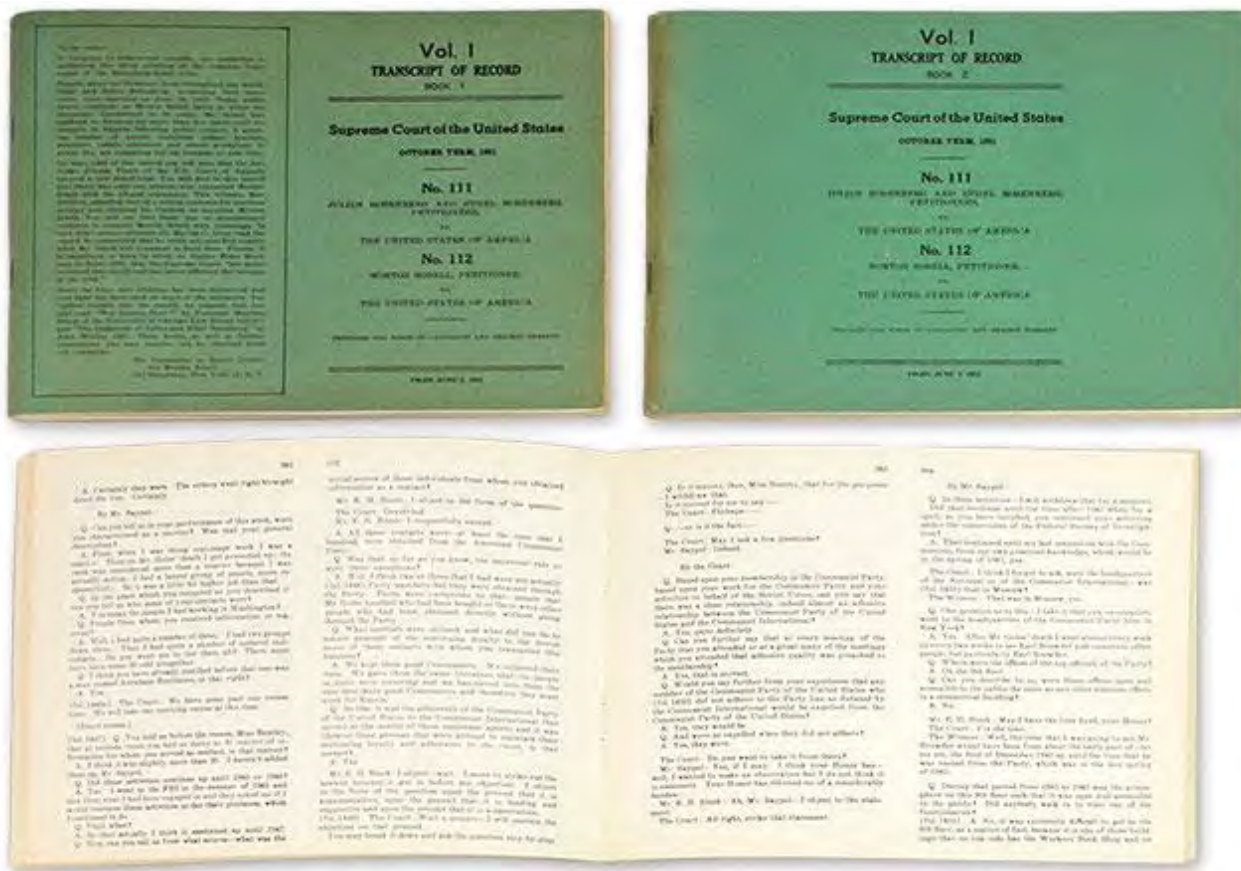
*The Life, Trial, Condemnation and Dying Address, Of the Three Thayers! Who Were Executed for the Murder of John Love, At Buffalo, N.Y. June 17th, 1825.* Buffalo: Printed for the Publisher, [1825]. 16 pp. Octavo (8-1/2" x 5-1/4").

Stab-stitched pamphlet in printed wrappers, untrimmed edges, large woodcut of three coffins to front. Light browning and faint dampspotting, light soiling to exterior, faint stain to foot of front wrapper. A well-preserved copy. \$950.

\* The Thayer brothers were convicted in two separate trials for the robbery and murder of their boarder. They were executed together by hanging on June 17, 1825. A sensational event, it was the subject of several pamphlets. It was probably the first hanging to take place in Erie County, New York. In this edition the dying address is followed by an account of the trial and execution in verse. This imprint, which is listed in Cohen, is a variant of a copy in McDade, which has an image of a single coffin. See McDade, *The Annals of Murder* 972. Cohen, *Bibliography of Early American Law* 13088.

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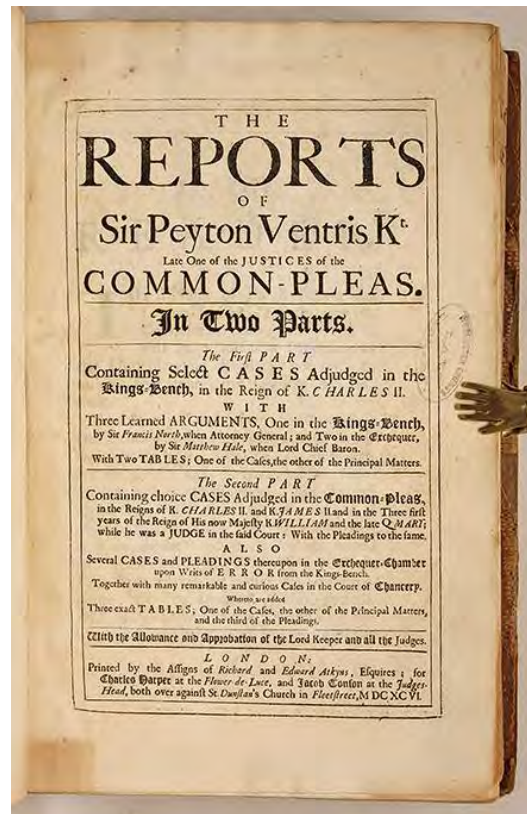
Issued to Support a Convicted  
Associate of Julius and Ethel Rosenberg

28. [Trials].  
Rosenberg, Julius [1918-1953].  
Rosenberg, Ethel [1915-1953].  
Sobell, Morton [1917-2018].

*Transcript of Record: Supreme Court of the United States, October Term, 1951; No. 111 Julius Rosenberg and Ethel Rosenberg, Petitioners, Vs. The United States of America; No. 112 Morton Sobell, Petitioner, Vs. The United States of America; Petitions for Writs of Certiorari and Exhibit Therein, Filed June 7, 1952.* [New York]: The Committee to Secure Justice for Morton Sobell, [1956]. Two volumes in eight oblong-octavo books, each leaf containing four pages.

Stapled softbound volumes in stiff wrappers. Light fading along spines, light wear to spine ends. \$250.

\* Sobell was an associate of the Rosenbergs, who were tried, convicted and executed for spying on behalf of the Soviet Union. As with the Rosenbergs, he claimed to be innocent and his case became a cause among several left-wing intellectuals. Convicted on similar charges, Sobell was sentenced to a 30-year prison term, but was released after serving 18 years. In 2008 he admitted that he and Julius Rosenberg were guilty of some of the charges against them and said Ethel Rosenberg was not a spy. [Order This Item](#)



First Edition of Ventris's *Reports*

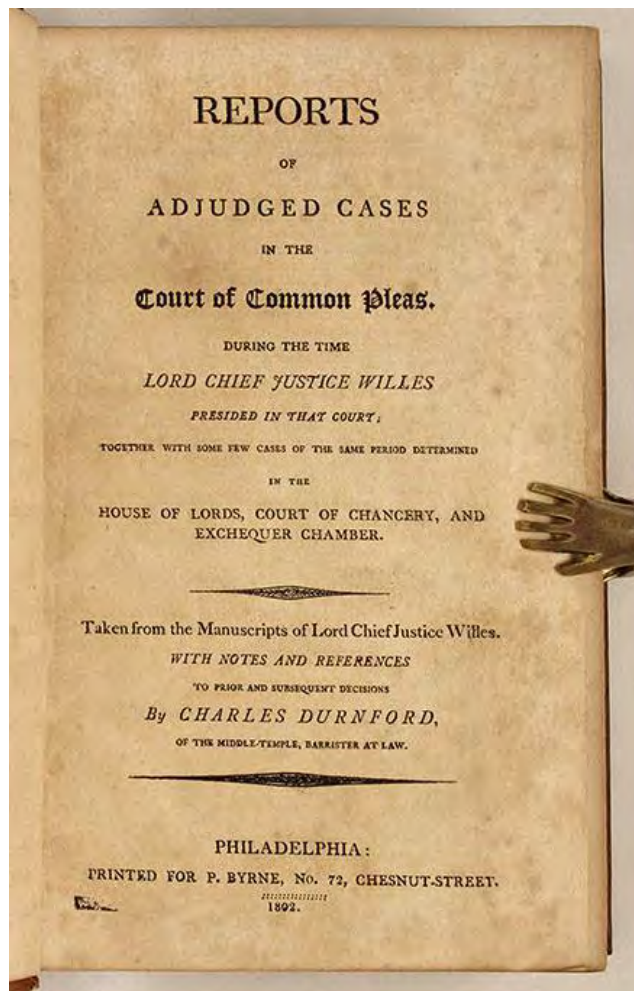
## 29. Ventris, Sir Peyton [1645-1691].

*The Reports of Sir Peyton Ventris Kt. Late One of the Justices of the Common-Pleas. In Two Parts. The First Part Containing Select Cases Adjudged in the Kings-Bench, In the Reign of K. Charles II. With Three Learned Arguments, One in the Kings-Bench, By Sir Francis North When Attorney General, And Two in the Exchequer, by Sir Matthew Hale, When Lord Chief Baron. With Two Tables; One of the Cases, The Other of the Principal Matters. The Second Part Containing Choice Cases Adjudged in the Common-Pleas, In the Reigns of K. Charles II. And K. James II. And in the Three First Years of the Reign of His Now Majesty K. William and the Late Q. Mary; While He was a Judge in the Said Court: With the Pleadings to the Same. Also Several Cases and Pleadings Thereupon in the Exchequer-Chamber upon Writs of Error from the Kings-Bench. Together with Many Remarkable and Curious Cases in the Court of Chancery. Whereunto are Added Three Exact Tables; One of the Cases, The Other of the Principal Matters, And the Third of the Pleadings. With the Allowance and Approbation of the Lord Keeper and All the Judges.* London: Printed by the Assigns of Richard and Edward Atkyns, 1696. [iii], [xii], 429, [29]; [22], 368, [24] pp. Two parts in one volume, each with title page, individual pagination and license leaves, portrait frontispieces lacking. Preliminaries of Part I bound of order following general title page; they should follow the Part I title page. Title page of Part I preceded by general title page. Folio (12-1/2" x 8").

Later three-quarter calf over marbled boards, raised bands and lettering piece to spine, early hand-lettered title to fore-edge of text block. Moderate rubbing to boards and extremities, spine abraded and considerably worn, corners bumped and somewhat worn, boards partially detached, but secured by cords, a few cracks to text block. Light toning to text, occasional crinkling to top-edge of text block with soiling in a few places, a few leaves loose, minor wormholes along gutter in a few places, light foxing to preliminaries of Part I, light soiling, minor edgewear and small library stamp to general title page. \$250.

\* First edition. An important collection of reports covering cases in King's Bench, 1668-1684, and Common Pleas and Chancery 1669-1691. Wallace, *The Reporters* 345. *English Short-Title Catalogue* R7440. [Order This Item](#)





**Perhaps the Most Authoritative  
Reports from the Reign of George III**

**30. Willes, Sir John [1685-1761].  
Durnford, Charles, Editor.**

*Reports of Adjudged Cases in the Court of Common Pleas. During the Time Lord Chief Justice Willes Presided in that Court; Together with Some Few Cases of the Same Period Determined in the House of Lords, Court of Chancery, And Exchequer Chamber. Taken from the Manuscripts of Lord Chief Justice Willes. With Notes and References to Prior and Subsequent Decisions, By Charles Durnford, of the Middle-Temple, Barrister at Law.* Philadelphia: Printed for P. Byrne, 1802. 8, [12], 691, [44] pp. Octavo (8-1/2" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and scuffing to boards, which are slightly bowed, moderate rubbing to extremities, light gatoring to spine, front board partially detached but secure, corners bumped and lightly worn, two small stamps (Rockingham County) to front pastedown and free endpaper, early owner signature (Sam Prescott 1811) to following endleaf. Moderate toning to text, occasional light foxing. \$100.

\* First American edition. Covering the years 1737-1760, these are probably among the most authoritative Reports from the Reign of George III. As Wallace notes, they offer fine examples of judicial integrity and candor. Kent says Durnford's editorial work shows "unequivocal testimony of his diligence of inquiry, and accuracy of information." Kent cited in Marvin, *Legal Bibliography* 736. Wallace, *The Reporters* 438-439. [Order This Item](#)