

Recent Acquisitions

ENGLISH, AMERICAN &
CONTINENTAL LAW, 1582–1921

30 ITEMS

December 14, 2021



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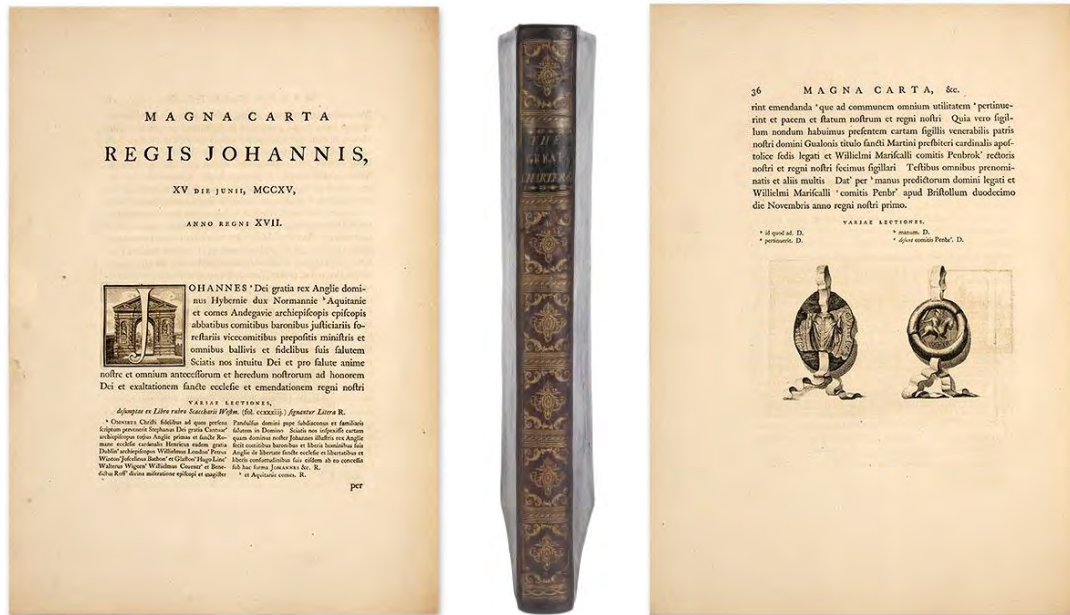
**A Superb Set of the Rare First
Edition of Azuni's Commercial Law Dictionary**

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

Dizionario Universale Ragionato Della Giurisprudenza Mercantile. Nizza: Presso la Società Tipografica, 1786-1788. Four volumes. [v], xx, 392, [2]; [viii], 378, [2]; [viii], 398, [2] pp., [2]; [viii], 296 pp., 55 pp., [3]. Volume 4 contains a 55 page Supplement. Quarto (9-1/2" x 7-1/4")

Contemporary vellum, gilt fillets and red and black calf lettering pieces, speckled edges. Boards lightly bowed, spine ends lightly bumped, light wear to edges of lettering pieces. Light toning, light foxing in places. Rare in commerce. \$2,000.

* First edition. An authority on mercantile law, Azuni was an Italian jurist and a writer who later became a French citizen, president of the appeal court at Genoa and judge of the Commercial Court at Cagliari. He is best-known for his *Maritime Law of Europe* (1806), which was a standard authority in the United States. Adapted in part from Baldasseroni's *Dizionario* (1807), it is more an encyclopedia or essay collection than a dictionary. Both synthetic and critical, it refers often to the leading treatises of commercial law. Marvin found it useful because it "contains the results of many authors, not readily accessible." Useful for its definitions, it is equally interesting because it has detailed criticism of the literature by a contemporary expert. The final edition, the fifth, was issued in 1844. Marvin, *Legal Bibliography* 81-82 (citing the second edition). [Order This Item](#)



The First Critical Edition of *Magna Carta*

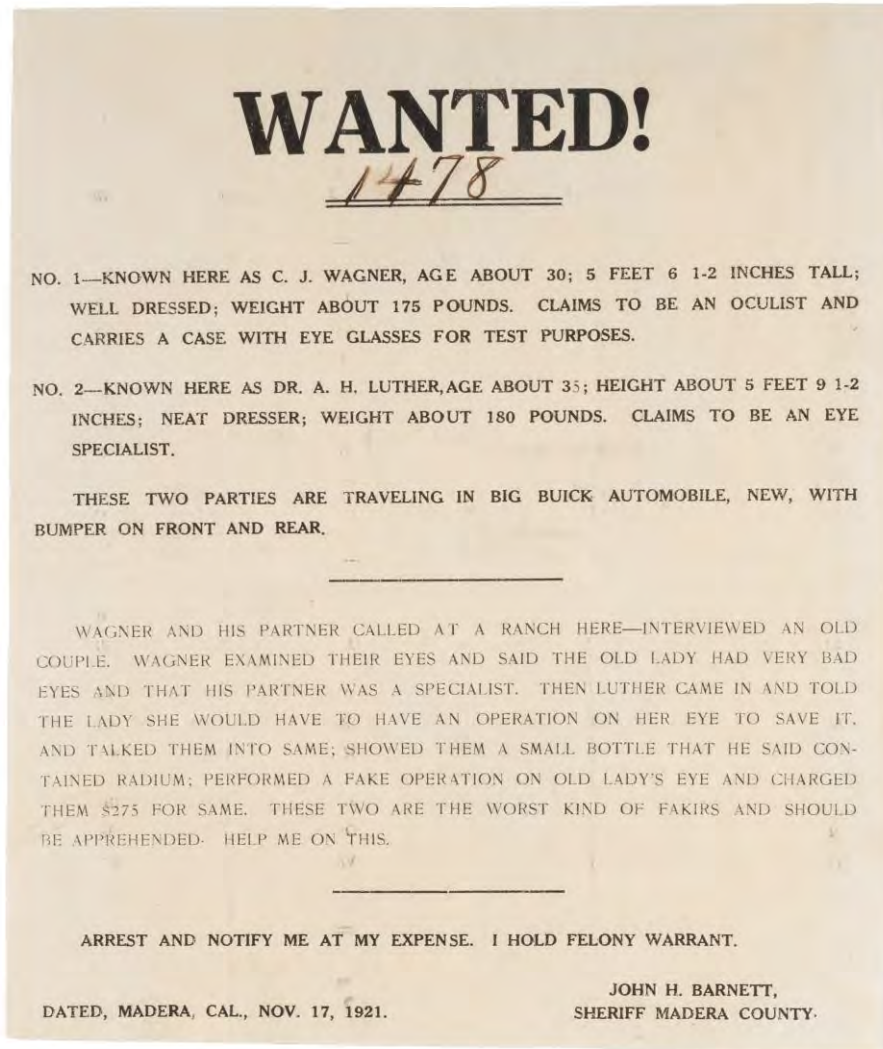
2. Blackstone, Sir William [1723-1780].

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

Contemporary diced calf, gilt fillets to boards, rebaced retaining existing gilt spine with lettering piece, gilt tooling to board edges, gilt inside dentelles, marbled edges and endpapers. Negligible light rubbing and a few nicks and scuffs to boards, moderate rubbing to extremities, bookplate residue to front pastedown, early bookplate ("RW" monogram) to verso of front free endpaper. Light toning, light soiling and foxing to a few leaves, occasional light offsetting from engravings. A very desirable wide-margined copy. \$10,000.

* First edition of the first modern critical edition of Magna Carta. Blackstone's first important work, it contains the Articles of the Barons, the issues of the Great Charter in 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. 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.

This edition is esteemed for its handsome appearance, which 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 the "elegance of typography is very great." The engraved dedication to the Earl of Westmoreland is surmounted with his armorial ensigns; engraved historiated initials in the text depict views of buildings at Oxford University. The tail-pieces on pages lxxvi and 73 are historical vignettes; the other ten engraved tail-pieces reproduce the royal seals attached to the original documents. Eller, *The William Blackstone Collection in the Yale Law Library* 237. Laeuchli, *A Bibliographical Catalog of William Blackstone* 548. [Order This Item](#)



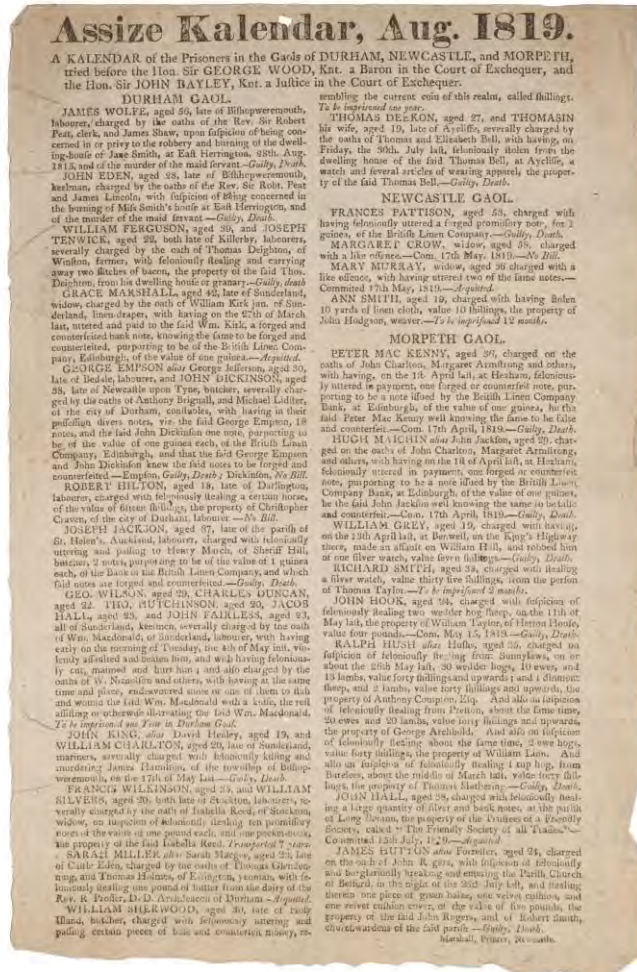
"These Two Parties are Traveling in a Big Buick Automobile"

3. [Broadside].
[Criminals].
[California].

Wanted! No. 1 - Known Here as C.J. Wagner, Age About 30; 5 Feet 6 1-2 Inches Tall; Well Dressed; Weight About 175 Pounds. Claims to be an Oculist and Carries a Case with Eye Glasses for Test Purposes. No. 2 -Known Here as Dr. A.H. Luther, Age About 35; Height about 5 Feet 9 1-2 Inches; Neat Dresser; Weight About 180 Pounds. Claims to be an Eye Specialist. These Two Parties are Traveling in a Big Buick Automobile, New, With Bumper on Front and Back. Madera, CA, November 17, 1921.

8-3/4" x 7-1/2" broadside, single-column text below headline. Light toning and soiling, horizontal and vertical fold lines, "1478" in ink below headline. \$350.

* Signed in type by John H. Barnett, Sheriff of Madera County, CA. C.J. Wagner and Dr. A.H. Luther were traveling around the county and offering eye exams at ranches in the area. They "performed a fake operation on old lady's eye" and charged her \$275. (...) These two are the worst kind of fakirs [sic] and should be apprehended." [Order This Item](#)



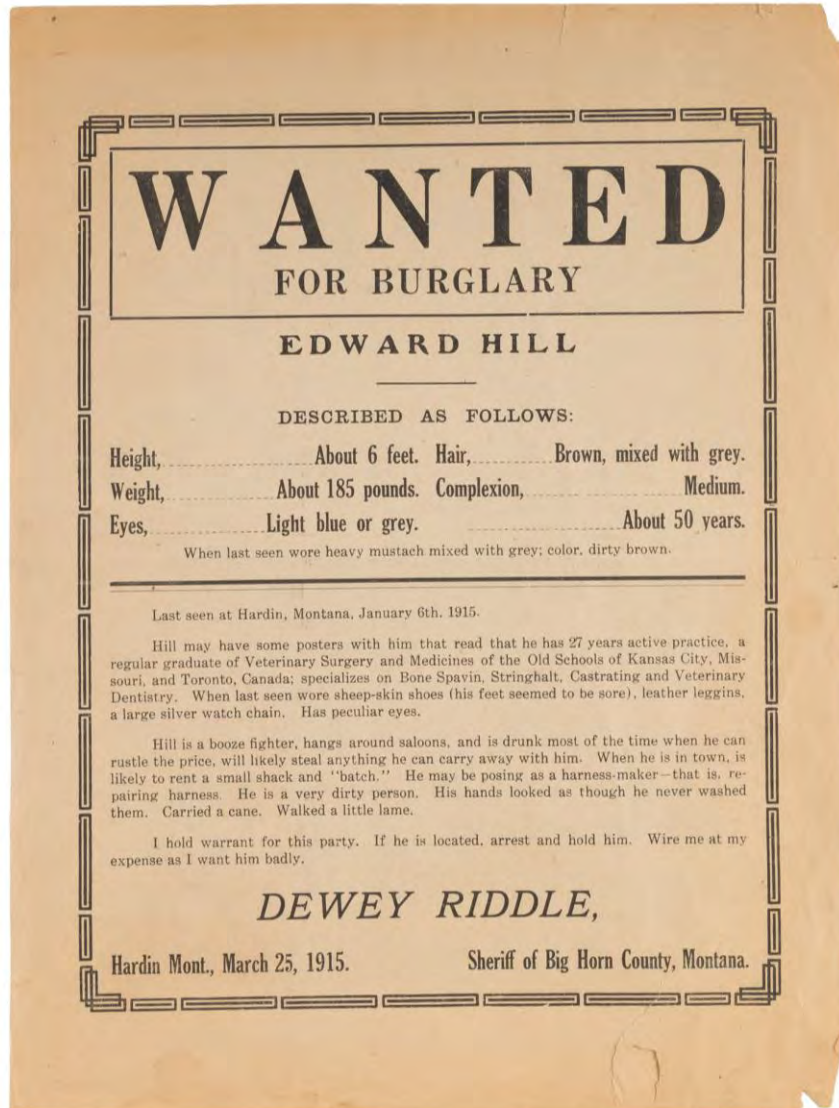
Fates of 34 Prisoners Held in the Prisons Durham, Newcastle and Morpeth, August 1819

4. [Broadside].
[Criminals].
[Great Britain].

Assize Kalendar, Aug. 1819. A Kalendar of the Prisoners in the Gaols of Durham, Newcastle, And Morpeth, Tried Before the Hon. Sir George Wood, Knt. A Baron in the Court of Exchequer, And the Hon. Sir John Bayley, Knt. A Justice in the Court of Exchequer. Newcastle; Marshall, Printer, 1819.

11-3/4" x 8" broadside, text in two columns under headline. Moderate toning, light soiling and light edgewear, tiny hole to upper margin. \$1,250.

* 16 of the 34 trials, several for mild offences, ended with death sentences. Among these were five convicts who passed counterfeit promissory notes issued by the British Linen Company Bank in Edinburgh. Two of the Durham prisoners, Francis Wilkinson, aged 35, and William Silvers, aged 20, both Stockton laborers, were "severally charged by the oath of Isabella Reed, of Stockton, widow, on suspicion of feloniously stealing ten promissory notes of the value of one pound each, and one pocket-book, the property of the said Isabella Reed." Both men were found guilty and sentenced to be transported for seven years. [Order This Item](#)



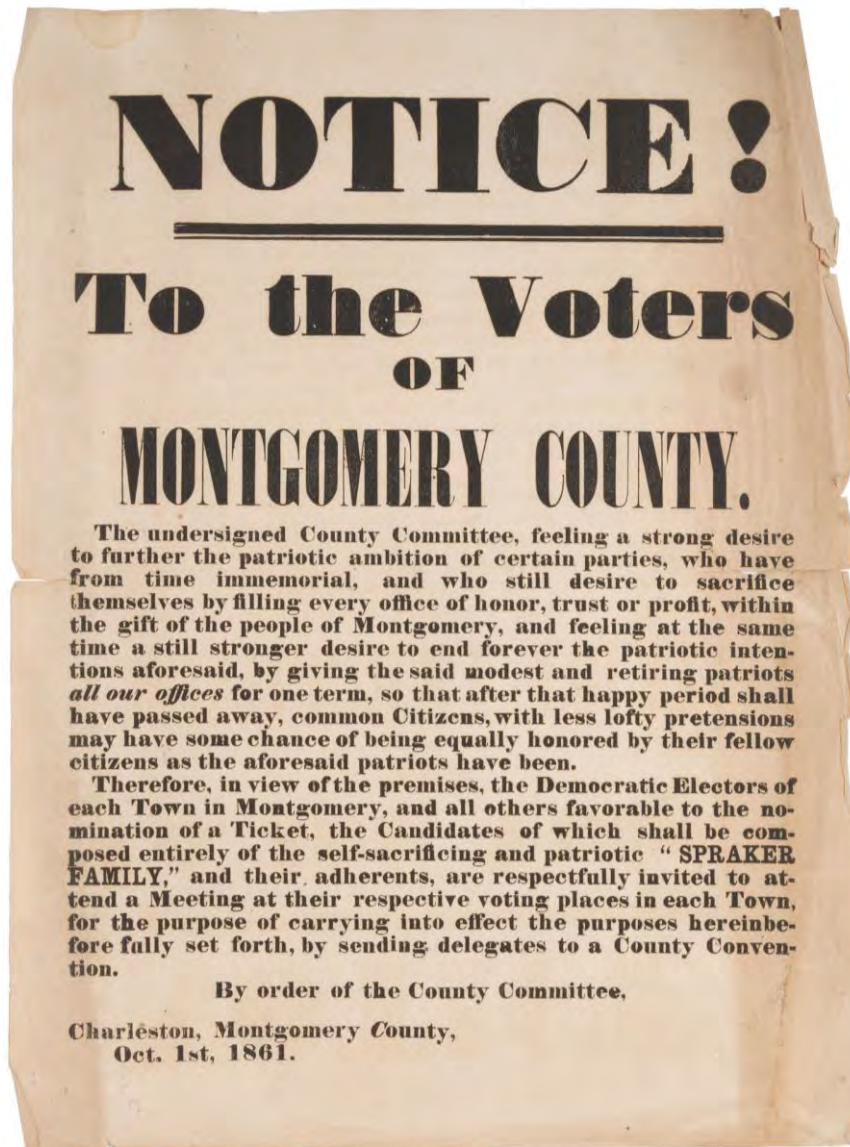
"Will Likely Steal Anything He Can Carry Away With Him"

5. [Broadside].
[Criminals].
[Montana].
[Hill, Edward].

Wanted for Burglary: Edward Hill, Hardin, Montana, March 25, 1915.

11" x 8-1/4" broadside, physical description of Hill in two columns with main text in single column below. Moderate toning, a few small tears and chips to edges. \$250 .

* Hill, a thief operating out of Big Horn County in southern Montana, is described as "a booze fighter" and "a very dirty person" whose "hands looked as though he never washed them." According to local prison rosters, he may have also been active in Kansas around 1887, although it is unclear whether he ever was apprehended in Montana. [Order This Item](#)



Possibly Satirical 1861 New York Political Broadside

6. [Broadside].

[Politics].

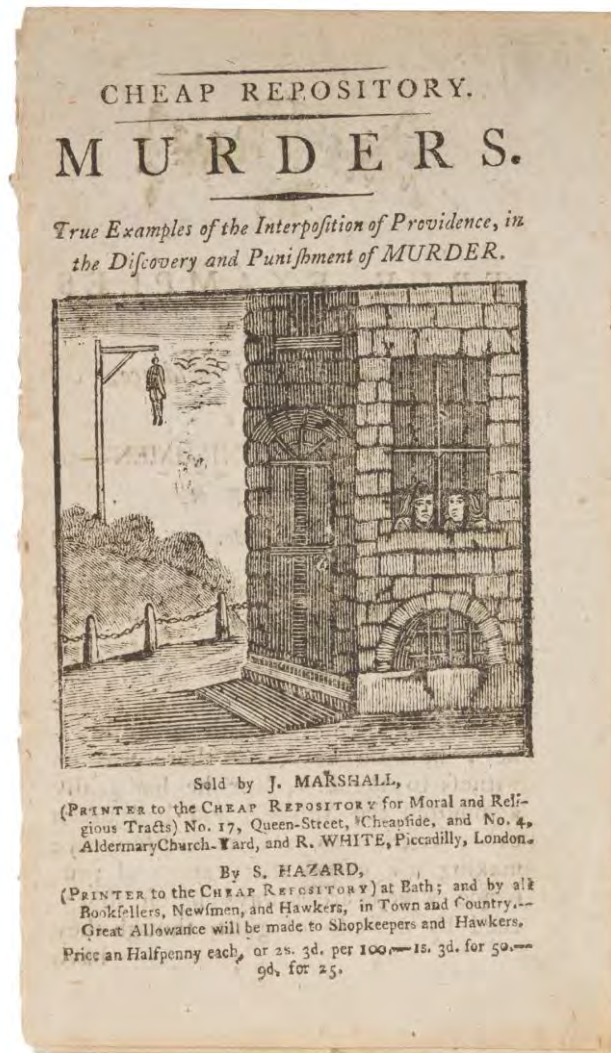
[New York].

Notice! To the Voters of Montgomery County. Charlestown, Montgomery County, NY, October 1, 1861.

12" x 9-3/4" broadside, single-column text below headline. Moderate toning, light soiling, horizontal and vertical fold lines, some chipping to edges, a few clean tears along fold lines. \$350.

* Possibly satirical, the text argues for one more election for those who "from time immemorial" have filled every office "of honor, trust or profit, within the gift of the people of Montgomery." After this final term, these people must retire so "common citizens, with less lofty pretensions may have some chance of being honored by their fellow citizens."

[Order This Item](#)



"The Interposition of Providence"

7. [Cheap Repository Tracts].

Fielding, Henry [1707-1754].

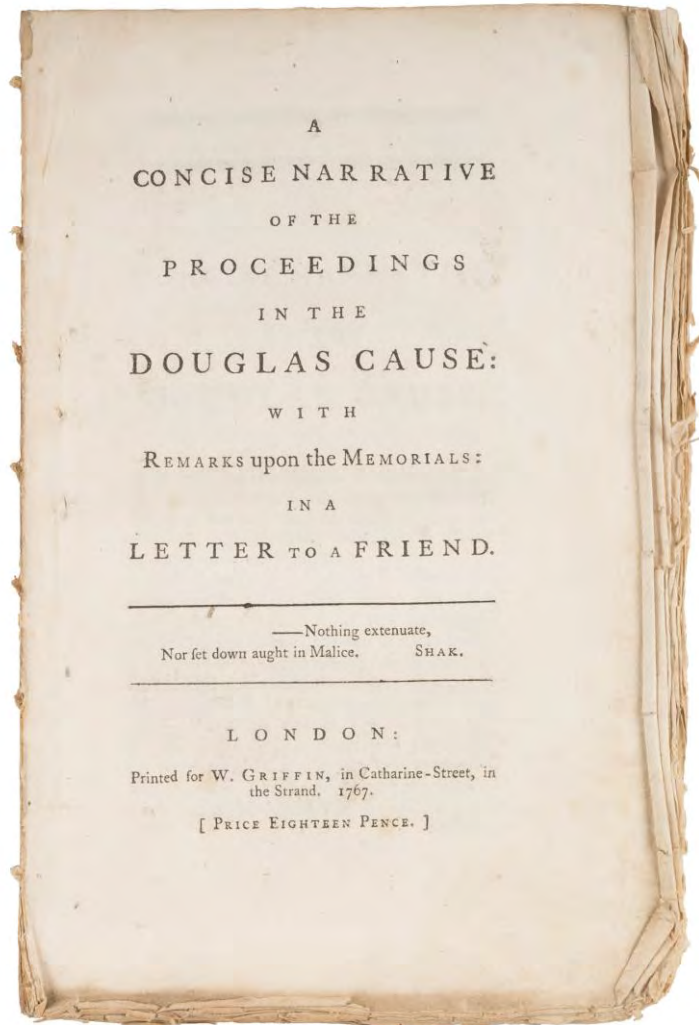
[More, Hannah (1745-1833)].

Murders. True Examples of the Interposition of Providence, In the Discovery and Punishment of Murder [Drop-Head Title]. At head of drop-head title: *Cheap Repository*. [London]: Sold by J. Marshall; Bath: Sold by S. Hazard, [1795]. 12 pp. Woodcut illustration to title page. 12mo (6-1/4" x 3-1/2").

Stab-stitched pamphlet, thread lacking. Moderate toning, light soiling and small spots in a few places. \$250.

* Second edition. The Cheap Repository Tracts, issued from 1795-1817, were devised by More as an educational alternative to the sensational broadside and chapbook publications so popular among the literate poor. Our tract, an abridgment (likely by More) of Fielding's 1752 *Examples of the Interposition of Providence in the Detection and Punishment of Murder*, was issued individually until 1797 and also appeared in yearly collections. *English Short-Title Catalogue* T160505.

[Order This Item](#)



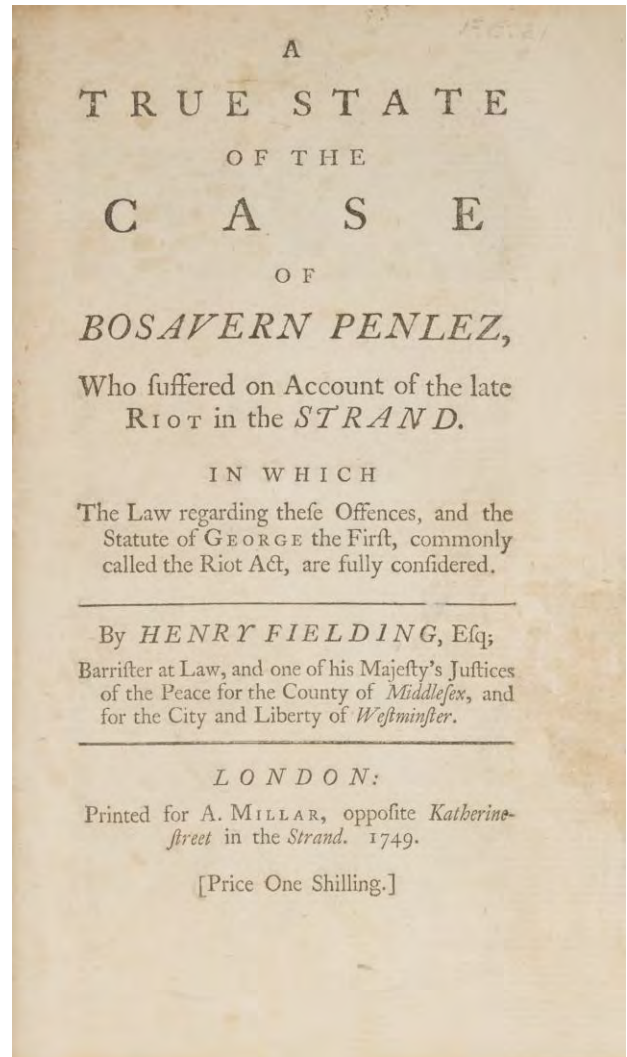
A Sensational Inheritance Case

8. [Douglas Cause]. [Great Britain].

A Concise Narrative of the Proceedings in the Douglas Cause: With Remarks Upon the Memorials: In a Letter to a Friend. London: Printed for W. Griffin, 1767. 56, 23, [1] pp. Octavo (9" x 5-3/4").

Disbound stab-stitched pamphlet, fore and bottom edges untrimmed. Light toning, light soiling to exterior, light foxing in a few places, a few creases to final leaf. \$500.

* First edition. The "Douglas Cause," which involved claims on the estate of Duke Douglas, was one of the most sensational Scottish trials of the eighteenth century. Douglas died without issue, leaving his sister Lady Jane Douglas the heir presumptive. His relatives the Hamiltons had hoped to lay claim to the estate, but were foiled when Lady Jane had twin sons at the age of 50. A bitter dispute ensued over whether these children were in fact legitimate, but the case was decided against the Hamiltons, and the estate went to Lady Jane's surviving child Archibald Stewart Douglas. This was a rancorous case which attracted a great deal of public attention, most of it sympathetic to the young Douglas. A second edition was published later in 1767. *English Short-Title Catalogue* T184001. [Order This Item](#)



A Victim of the Riot Act?

9. Fielding, Henry [1707-1754].

A True State of the Case of Bosavern Penlez, Who Suffered on Account of the Late Riot in the Strand. In Which the Law Regarding These Offences, And the Statute of George the First, Commonly Called the Riot Act, Are Fully Considered. London: Printed for A. Millar, 1749. [2], 54 pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, gilt fillets to boards, gilt title to spine, endpapers renewed. Light rubbing to extremities, recent bookplate (of Renato Rabaiotti) to front pastedown. Light toning to interior, light soiling in a few places. \$600.

* First edition, second printing. Penlez [1726-1749] was a wig-maker who had been present at a series of riots against brothels started by sailors who had been robbed at the brothel "The Crown." After he and several others were examined by Fielding, Penlez was convicted under the Riot Act and executed. This caused a good deal of controversy, especially since there was some doubt over the extent of Penlez's involvement in the riot, and several pamphlets were published criticizing the decision to execute him. Our pamphlet, an attempt by Fielding to defend himself, was published in response to the anonymous *The Case of the Unfortunate Bosavern Penlez* (1749). *English Short-Title Catalogue* N51550. [Order This Item](#)



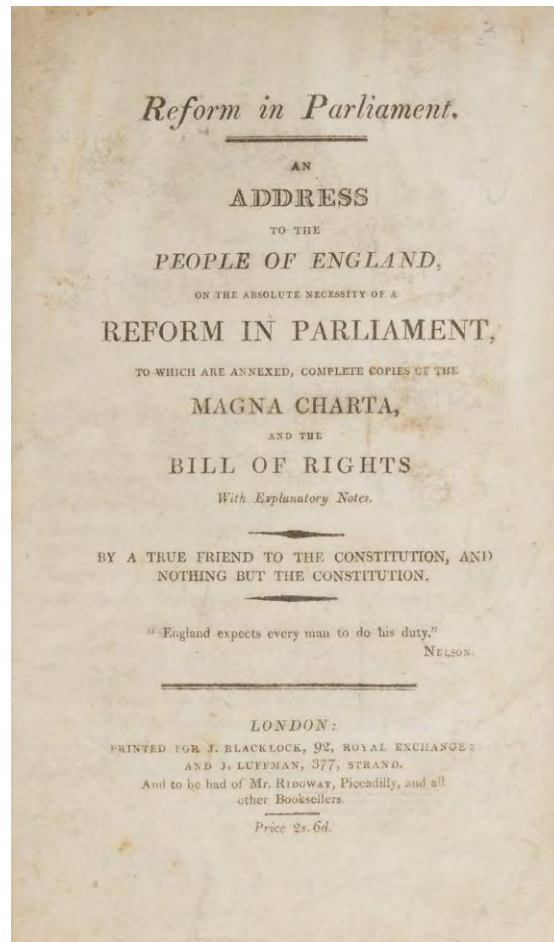
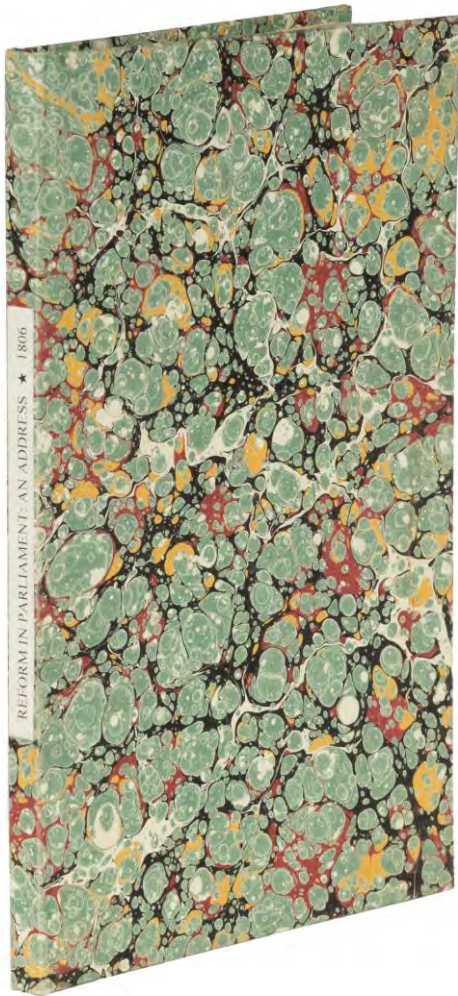
Copy of a Work Praised by Coke and Blackstone with Contemporary Annotations

10. [Fitzherbert, Anthony (1470-1538)]. [Rastell, William (c.1508-1565). Editor].

La Novel Natura Brevium du Iudge Tresreverende Monsieur Anthony Fitzherbert, Dernierement Reviu & Corrigeé per Lauteur, Avecques un Table Perfect, Des Choses Notables Contenues en Ycel, Novelment Compose per Guillianlme Rastall. London: Printed for the Companie of Stationers, 1609. [xxxii], 271 ff. Octavo (7-1/4" x 5-3/4").

Contemporary limp vellum with remnants of green fabric ties, faint early (illegible) title to spine in ink. Exterior soiled, a few neat repairs to binding, a few small wormholes to rear cover, a few small cracks to joints, front endleaves lacking, rear pastedown loose. Light toning to interior, light worming and faint dampstaining and soiling to margins in a few places, several cracks to text block, title page, rear pastedown and several other leaves mended, some loss to text of title page, contemporary annotations in Law French throughout in two neat hands, manuscript note in English to separate 3-1/2" x 5-3/4" sheet laid in. \$1,500.

* Fourth edition. First published in 1534, the *Nouvelle Natura Brevium* is a manual of procedure written by a Judge of the Common Pleas during the reign of Henry VIII. Winfield notes that "Coke put it among the books which he considered most necessary and of greatest authority and excellency"; Blackstone considered it an authority as well. Compiled from the earlier *Natura Brevia* and the *Registrum Brevium*, it includes several original observations on the form and function of writs. Rastell's revisions include the addition of a table. A popular work, it went through numerous editions in Law French and English, the final appearing in 1794. It remains significant to this day for its descriptions of writs that were becoming obsolete in the early sixteenth century. The numerous annotations to our copy mostly consist of case citations with a few notes on the content. The separate sheet describes a legal problem with the estate of Sir Maurice Eustace [c.1590-1665]. *English Short-Title Catalogue* S5134. [Order This Item](#)



"Absolute Necessity of a Reform in Parliament"

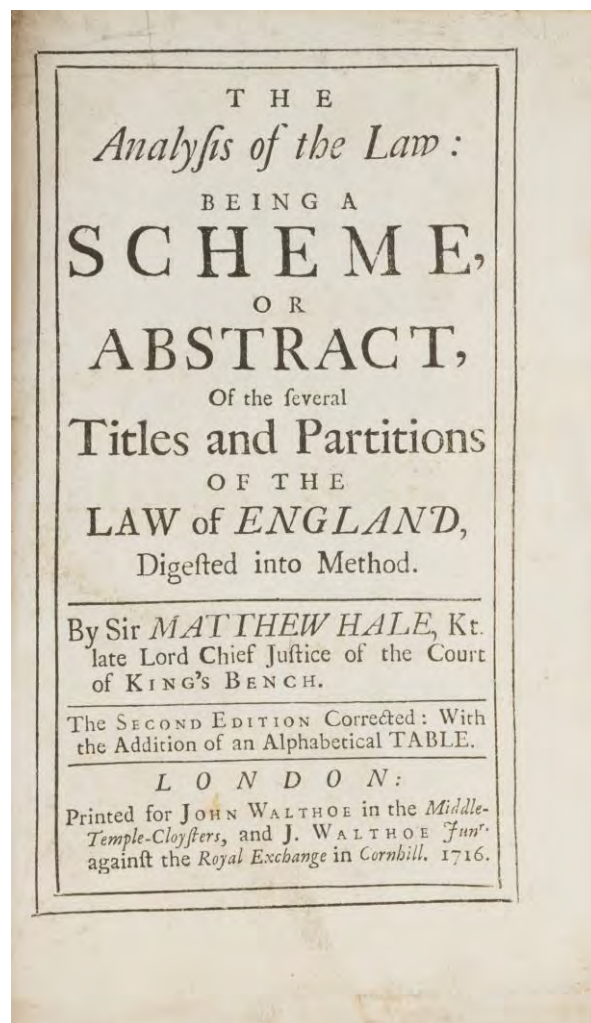
11. [Great Britain].

A True Friend to the Constitution, And Nothing But the Constitution.

Reform in Parliament. An Address to the People of England, On the Absolute Necessity of a Reform in Parliament, To Which are Annexed, Complete Copies of the Magna Charta, And the Bill of Rights with Explanatory Notes. London: Printed for J. Blacklock and J. Luffman, c.1809. [ii], 64 pp. Octavo (8" x 4-3/4").

Recent marbled boards printed paper spine label, speckled edges, endpapers renewed. Light toning to interior, moderate soiling to title page, a few creases to final leaf. \$750.

* Only edition. After the Duke of York scandal in 1809, which involved the sale of military commissions through his mistress, Mary Anne Clarke, interest in Parliamentary reform surged. Our work draws particular attention to the constitutional aspects of the issue, making frequent reference to particular contemporary scandals and their relationships to the appended Magna Carta and Bill of Rights. OCLC locates 8 copies, 5 in North America (Newberry, Princeton, Bowdoin, Queens University, McMaster). [Order This Item](#)



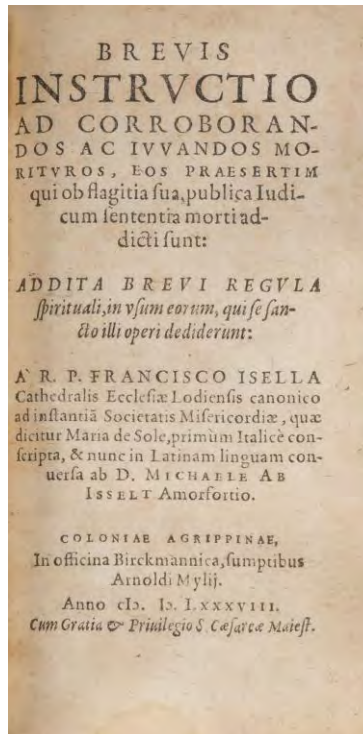
Praised by Blackstone and Holdsworth

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

The Analysis of the Law: Being a Scheme, Or Abstract, Of the Several Titles and Partitions of the Law of England, Digested into Method. Corrected, With the Addition of an Alphabetical Table. [London]: Printed for John Walthoe, 1716. [xiv], 148, [28] pp. With three final pages of publisher advertisements, advertisement leaf preceding title page lacking. Octavo (7-1/2" x 4-3/4").

Recent quarter calf over cloth, endpapers renewed. Negligible light rubbing to extremities, recent owner bookplate (of J.M.B. Crawford) to front pastedown, owner name (Crawford) to verso of title page. Light toning to text, light soiling to title page, verso of final leaf, and margins of a few other leaves. \$400.

* Second edition, one of two issues from 1716. This title was originally the second part of Hale's *History and Analysis of the Common Law of England* (1713). It was then published separately in 1713 and went through several later editions as an independent work. (Its third edition was also issued with the third edition of the *History*). Blackstone's *Commentaries* holds the *Analysis* and *History* in high regard; Holdsworth, speaking of Hale's scholarship, praises his "very wide knowledge of both the legal and historical literature," "historical perspective" and "complete mastery of the law of his own day," which "enables him to detect the remote origins of the important doctrines of later law, to give the history of those doctrines their due weight, and thus, even when dealing with remote periods, to avoid unprofitable antiquarianism.": *History of English Law* VI:586-587. *English Short-Title Catalogue* N14895. [Order This Item](#)



A Handbook to Comfort the Dying and Those Condemned to Death Bound with a Manual on a Youth's Proper Conduct

13. Isella, Franciscus.

[Isselt, Michael von (1550-1597)], Translator].

Brevis Instructio ad Corroborandos ac Iuvandos Morituros, Eos Praesertim qui ob Flagitia Sua, Publica Iudicum Sententia Morti Addicti sunt: Addita Brevis Regula Spiritualis, In Usus Eorum, Qui se Sancto illi Operi Dederunt. Cologne: In Officina Birckmannica, Sumptibus Arnoldi Mylij, 1588. [iv], 124 pp.

[Bound After]

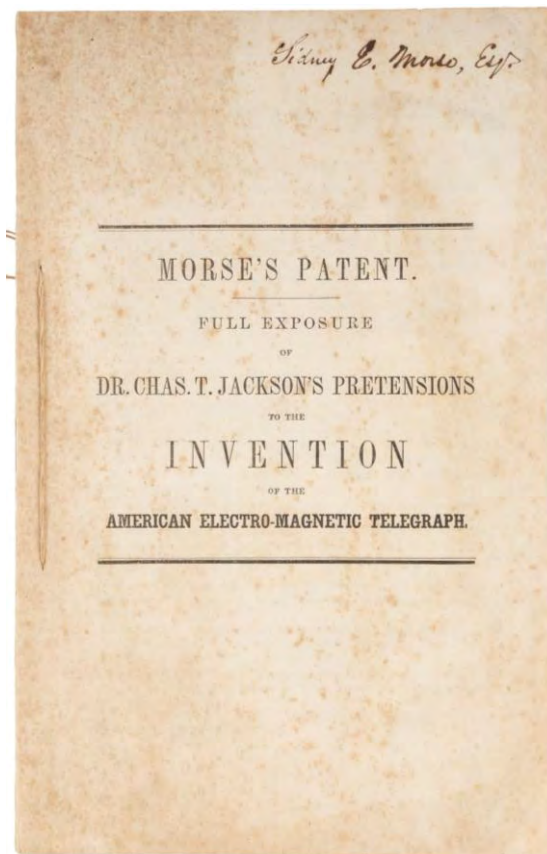
Baldesano, Guglielmo [1547-1613].

Stimuli Virtutum Adolescentiae Christianae Dicati, Libri Tres. Conscripti Primum Lingua Italica à D. Guilielm. Baldesano. Nunc Recens in Gratiam Sodalium Germanorum, Latinè Redditi à Quodam Societatis Iesu. Quae Singularis Libris Contineantur Sequens Pagella Indicat. Cologne: Sumptibus Arnoldi Mylij, 1595. [xlviii], 642 pp.

12mo. (5-1/4" x 2-3/4"). Contemporary paneled pigskin, 1595 stamped to foot of front board, raised bands to spine, bronze clasps. Light rubbing and spotting to boards, moderate rubbing to extremities with wear to corners, some darkening to spine, minor worming near head, two early owner inscriptions to front pastedown, one dated 1656, another to foot of title page of *Stimuli Virtutum*. Moderate toning, light browning and foxing in places. Brief early annotations to some passages in *Brevis Instructio*. \$1,500.

* *Brevis Instructio*: first edition in Latin, second edition overall; *Stimuli Virtutum*: later edition, the second in Latin. The *Brevis Instructio* is a pocket manual to provide spiritual comfort, strength and guidance to those who are dying, especially those who are awaiting execution. It was first published in Italian around 1586. The title page identifies Isella as a canon of Liège Cathedral. *Stimuli Virtutum* is a popular work for the edification of youth. The work has been attributed to Auber Le Mire and Bernardino Rossignoli. Some sources propose that Baldesano is a pseudonym for Rossignoli. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* I344 (*Brevis Instructio*), R3169 (*Stimuli Virtutum*).

[Order This Item](#)



Owned by Samuel Morse's Brother

14. [Kendall, Amos (1789-1869)].

[Morse, Samuel (1791-1872)].

[Jackson, Charles Thomas (1805-1880)].

Morse's Patent. Full Exposure of Dr Chas.T.Jackson's Pretensions to the Invention of the American Electro-Magnetic Telegraph. [Washington, DC: S.n., c.1850]. 66 pp. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet. Light toning, occasional light to moderate foxing, light soiling in a few places, some folded corners, last leaf partially detached but secure. Signature of Sidney E. Morse to head of title page, corrections, most likely by Morse, to pp. 3 and 66. \$950.

* Early edition. Morse had developed a single-wire telegraph, cheaper and simpler than other versions emerging at the time, after meeting Jackson in 1832 and witnessing the other man's various electromagnetic experiments. He submitted a patent application for the final version in 1849, but Jackson claimed prior discovery and a bitter conflict ensued. (This was something of a habit for Jackson, who made many other spurious priority claims.) Kendall, former Postmaster General and Morse's business partner, leapt to Morse's defense in this pamphlet. Jackson's claim was ultimately proven false, and Morse's telegraph became the dominant version.

Our copy was owned by Sidney Edwards Morse, Samuel's brother and owner of the *New York Observer*, a pro-slavery newspaper. The date or publisher are not given, but the text of a later edition suggests that the work was first published in 1850. Ours is similar to Cohen 11519, with a variation in the title (Chas. T. vs. Cohen's C.T.) also seen in a copy at Harvard. (Cohen does not give a date.) Early issues are scarce: OCLC locates 2 published before the 1852 edition, in addition to Harvard's copy. See Cohen, *Bibliography of Early American Law* 11519. [Order This Item](#)

**MCCARTY'S
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The legal profession as well as all others interested in the matter are hereby informed that the CIVIL PROCEDURE REPORTS as edited by GEO. D. McCARTY, Esq., will hereafter be known as **MCCARTY'S CIVIL PROCEDURE REPORTS**, and will be published by us. Volume 2, of this popular series is now being issued in parts, and those who desire to continue the work upon the original plan, as improved by the experience of the editor, are requested to send their names and address to us. Price to subscribers \$4.00 per vol. in parts. Early orders will ensure prompt delivery.

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Sketches of the Lives, Times and Judicial Services of the
Chief Justices of the Supreme Court of the United States,
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CHASE and WAITE,
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See other side.

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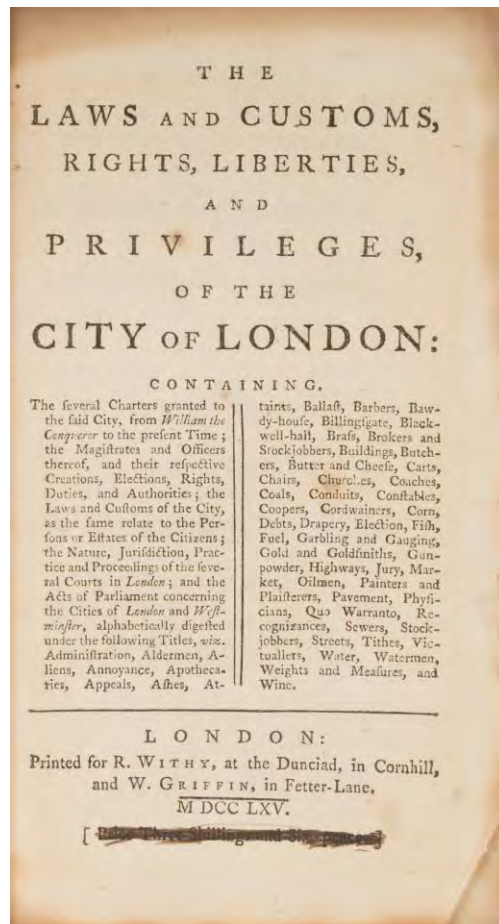
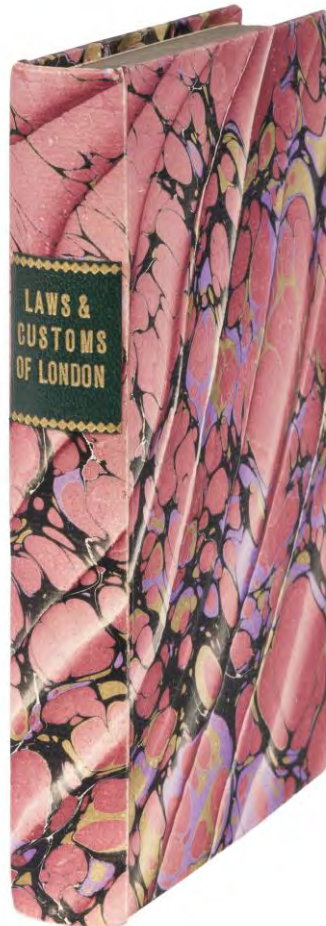
15. [Legal Publishing].

[List of Books Recently Issued by W.C. Little & Co]. Albany, NY, c.1882.

11" x 8-1/2" sheet with text to both sides. Light toning, light soiling and two small spots, horizontal fold line with minor tears to either side, four holes punched in left margin. \$350.

* An interesting piece of ephemera from the world of legal publishing, this advertisement describes five recent titles.

[Order This Item](#)



Rights, Liberties and Privileges of London

16. [London].

The Laws and Customs, Rights, Liberties, And Privileges, Of the City of London: Containing: The Several Charters Granted to the Said City, From William the Conqueror to the Present Time; The Magistrates and Officers Thereof, And Their Respective Creations, Elections, Rights, Duties and Authorities; The Laws and Customs of the City, As the Same Relate to the Persons or Estates of the Citizens; The Nature, Jurisdiction, Practice and Proceedings of the Several Courts in London; And the Acts of Parliament Concerning the Cities of London and Westminster, Alphabetically Digested Under the Following Titles, Viz: Administration, Aldermen, Aliens, Annoyance, Apothecaries, Appeals, Ashes, Attaints, Ballast, Barbers, Bawdy-House, Billingsgate, Blackwell-Hall, Brass, Brokers and Stockjobbers, Buildings, Butchers, Butter and Cheese, Carts, Chairs, Churches, Coaches, Coals, Conduits, Constables, Coopers, Cordwainers, Comm Debts, Drapery, Election, Fish, Fuel, Garbling and Gauging, Gold and Goldsmiths, Gunpowder, Highways, Jury, Market, Oilmen, Painters and Plasterers, Pavement, Physicians, Quo Warranto, Recognizances, Sewers, Stockjobbers, Streets, Tithes, Victuallers, Water, Watermen, Weights and Measures, And Wine. London: Printed for R. Withy, 1765. [iv], xix, [1], 315, [1], xii pp. Complete. Octavo (6-3/4" x 4").

Recent marbled boards, morocco lettering piece to spine, endpapers renewed. Light rubbing to extremities, moderate toning to interior, light foxing in places, mostly to margins, lower corner lacking from lower outside corner of title page, price at foot of title page struck-through in ink. \$300.

* Only edition. An interesting collection drawn from charters, laws and other documents from the time of William the Conqueror to the 1760s. *English Short-Title Catalogue* T106481. [Order This Item](#)

Personal
Supreme Court of the United States
Washington, D.C.
Chatham, Mass. Aug. 29/35
Hon. W. Celler: Re/entry 264
Very much thank you for
sending the report.
Sincerely
Louis Brandeis
Hon. Emanuel Celler.

Letter from Brandeis to an Activist Congressman

17. [Manuscript].

[Brandeis, Louis (1856-1941)].

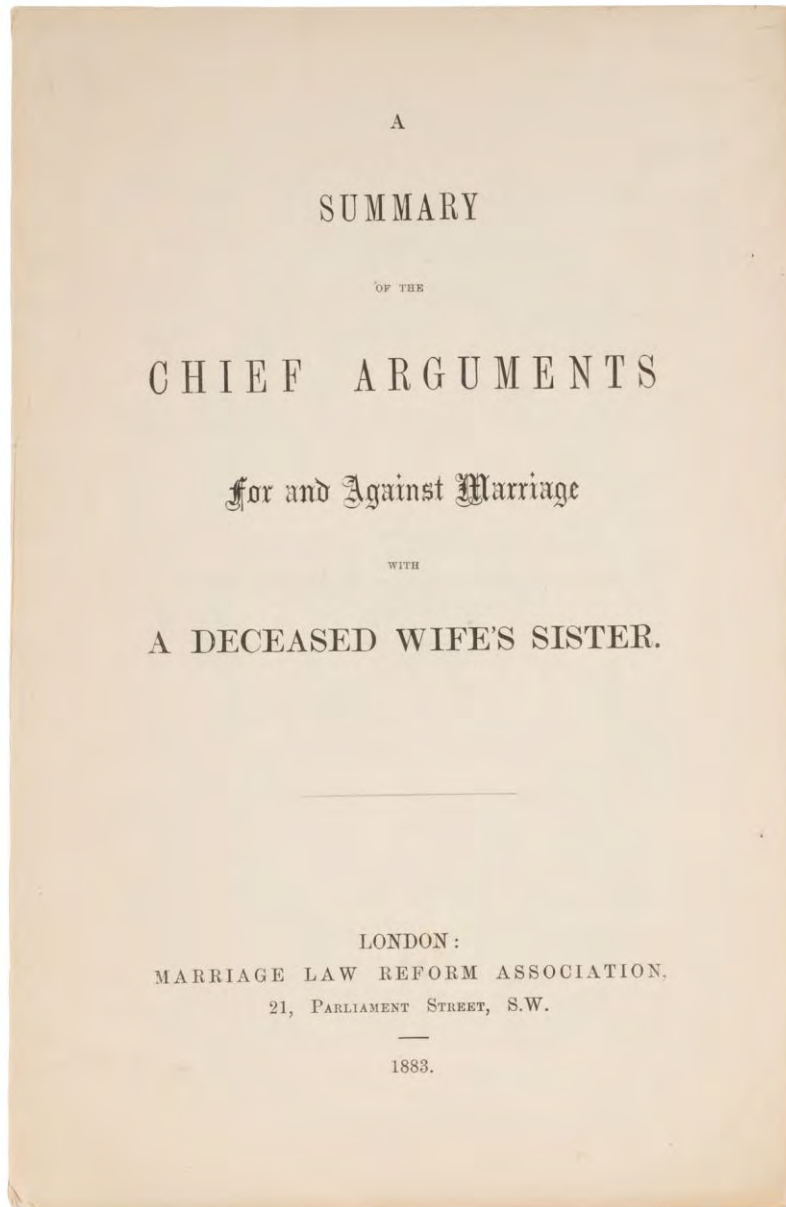
[Celler, Emanuel (1888-1981)].

[Autograph Letter, Signed, On Supreme Court Letterhead, From Louis Brandeis to Emanuel Celler, Chatham, Massachusetts, August 29, 1935].

6-3/4" x 4-1/2" bifolium, U.S. Supreme Court letterhead, "Washington, D.C." crossed out by Brandeis and replaced with "Chatham, Mass." Light toning, single horizontal fold, light soiling along fold line, a few light stains and a small flaw to verso of second leaf. Content to recto of first leaf, "Personal" written at head. \$450.

* Celler was a Democratic Congressional representative from New York best known for his strong support for Jewish refugees fleeing Europe during World War II and his involvement in drafting and passing major civil rights legislation after the war. All of Celler's grandparents were German immigrants, which likely influenced his views on immigration rights. In this letter, Brandeis thanks him for sending a report, likely related to Celler's pre-war immigration advocacy in Congress.

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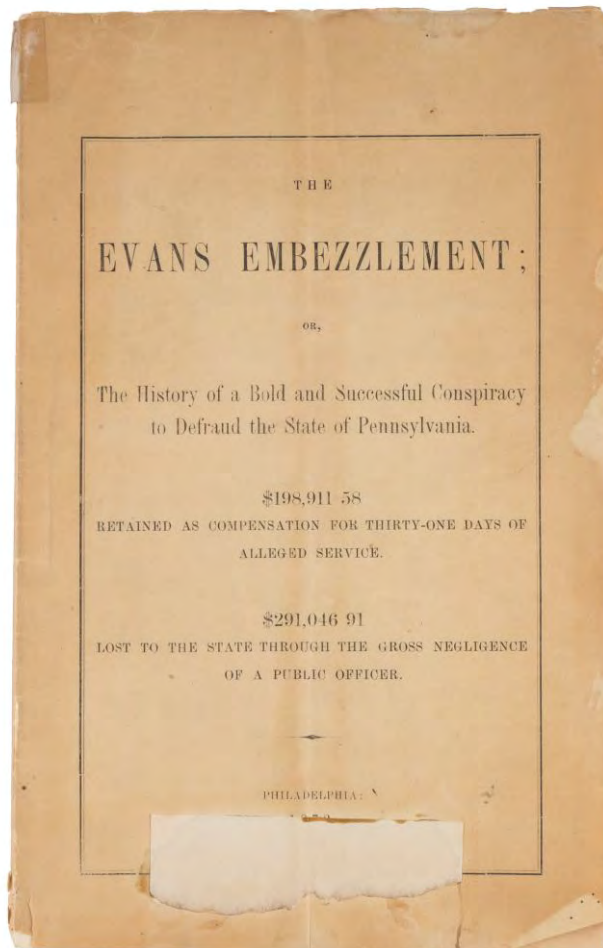
Opposition to the Marriage Act of 1835

18. Marriage Law Reform Association.

A Summary of the Chief Arguments For and Against Marriage With A Deceased Wife's Sister. London: Marriage Law Reform Association, 1883. 15, [1] pp. Octavo (8-1/4" x 5-1/2").

Stab-stitched pamphlet in self wrappers. Light toning, negligible edgewear, light foxing in a few places. \$350.

* Third and final edition. The Marriage Law Reform Association was incorporated in 1851 as opposition to Lord Lyndhurst's Marriage Act of 1835 grew. The Act prohibited the marriage of a widower to his deceased wife's sister, reflecting Victorian anxieties around incest, family purity and the role of the Church. Despite the Association's long campaign, the Act was not repealed until the Deceased Wife's Sister's Marriage Act in 1907. [Order This Item](#)



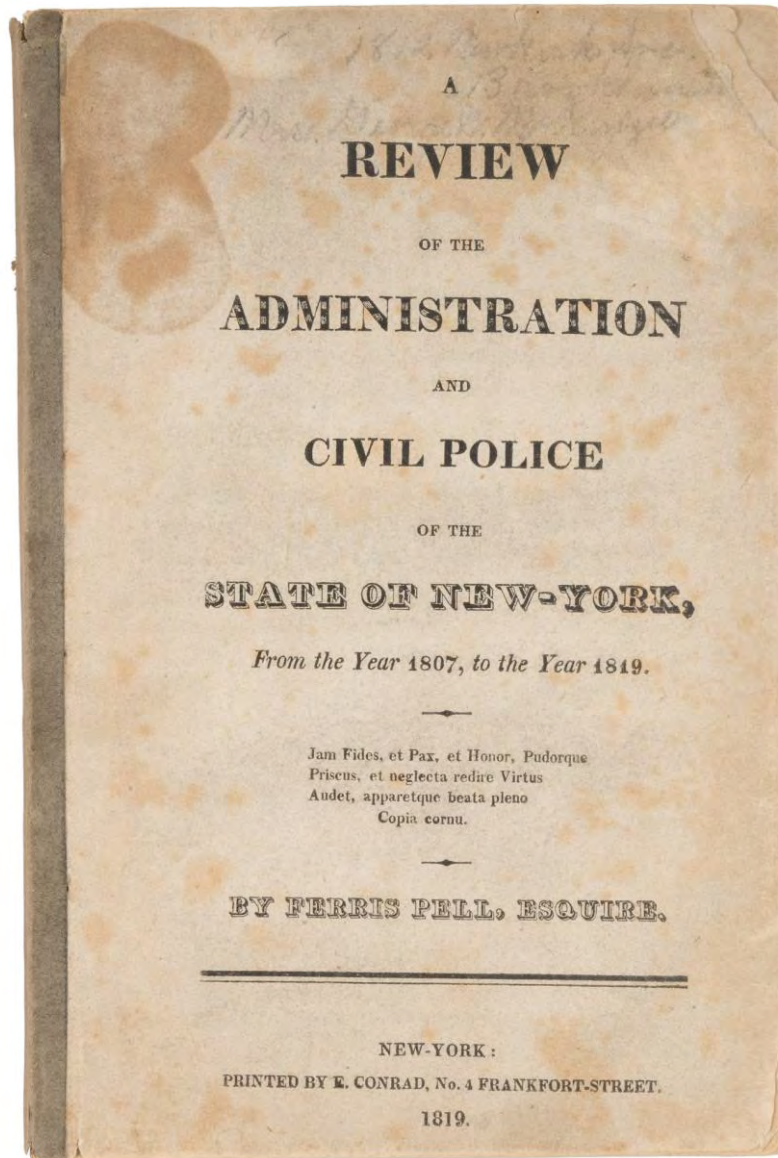
"A Bold and Successful Conspiracy to Defraud"

19. McClure, Joseph M.

The Evans Embezzlement; Or, The History of a Bold and Successful Conspiracy to Defraud the State of Pennsylvania. \$198,911 58 Retained as Compensation for Thirty-One Days of Alleged Service. \$291,046 91 Lost to the State Through the Gross Negligence of a Public Officer. Philadelphia: [s.n.], 1872. 68 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Vertical crease to center, moderate toning to exterior, light chipping and edgewear to wrappers, some wear to spine ends, head of spine crudely mended with tape, small scrap of paper pasted (intentionally?) over date at foot of front wrapper. Light toning to interior, faint dampstaining to edges, some fading to text block, small spots and stains in a few places, some signatures unopened. \$500.

* Only edition. The Evans scandal took place in the chaotic aftermath of the Civil War, when state and federal governments were struggling to determine who would bear the heavy financial burden of the war. In response to the nearly \$2 billion levied on Pennsylvania by the federal government, the state made its own counterclaim, and George O. Evans [d.1875] was made responsible for collecting that claim. From 1867-1871, he collected over \$900,000 from the federal government, but pocketed \$291,000 of it himself and declared bankruptcy when apprehended, including a claim of \$198,000 as an unpaid fee. None of the money was ever recovered from Evans. OCLC locates 6 copies, none in law schools. [Order This Item](#)



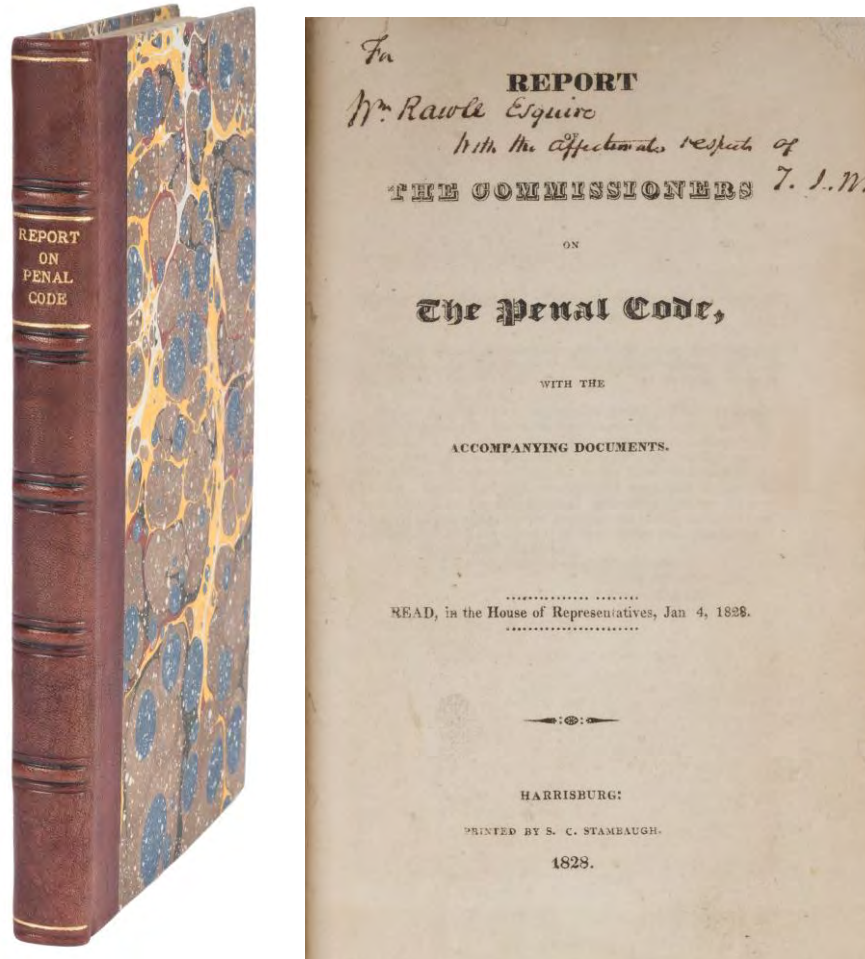
Discusses New York's Courts and Penal Institutions

20. Pell, Ferris.

A Review of the Administration and Civil Police of the State of New York, From the Year 1807, To the Year 1819. New York: Printed by E. Conrad, 1819. 184 pp. Octavo (8-1/4" x 5-1/2").

Sewn pamphlet, spine reinforced with contrasting paper. Moderate edgewear, light soiling to exterior, wear to outside corners of a few leaves at the beginning and end of text block, inscription in pencil to head of front wrapper. Moderate toning and occasional light foxing to interior, early marks in pencil in a few places. \$450.

* Only edition. "Despite its title, this work does not deal with police, but is rather a general overview of the state government. It includes, however, discussion of law courts and penal institutions.": Cohen, *Bibliography of Early American Law* 6059. [Order This Item](#)



The Report That Established the Pennsylvania System of Penology, This Copy Presented to William Rawle

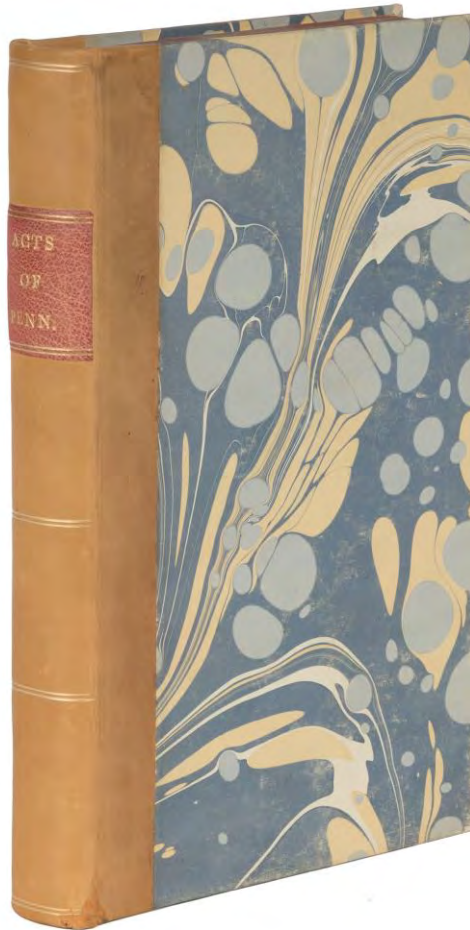
21. [Pennsylvania].

[Commission to Revise the Penal Code].

Report of the Commissioners on the Penal Code, With the Accompanying Documents. Read, In the House of Representatives, Jan 4, 1828. Harrisburg: Printed by S.C. Stambaugh, 1828. 192 pp. Two folding plans (of Eastern State Penitentiary and the Pittsburgh Penitentiary), two folding tables. Octavo (9" x 5-1/2").

Stab-stitched pamphlet bound into recent quarter calf over marbled boards. Moderate toning to interior, recent repairs to edges of title page, corner of following leaf, and edges of final leaf, presentation inscription from Thomas I. Wharton to William Rawle to title page, occasional brief corrections in Wharton's hand to text. \$750.

* First edition, one of two issues from 1828, the other read before the state senate. The report of commissioners Edward King, Charles Shaler and Thomas I. Wharton led to the establishment of Pennsylvania's innovating criminal code and penal system, which emphasized prevention and reform. The report reviews the plans for the Eastern State Penitentiary, the first modern penitentiary, then under construction. A second edition, which omits the accompanying documents, was also published in 1828. Both editions are scarce. Rawle [1759-1836] was a distinguished Philadelphia lawyer, judge and author of legal and historical works. In 1830, Rawle was one of the revisers of the Pennsylvania civil code. Cohen, *Bibliography of Early American Law* 3741. [Order This Item](#)



Compilation of Pennsylvania Acts

22. [Pennsylvania].

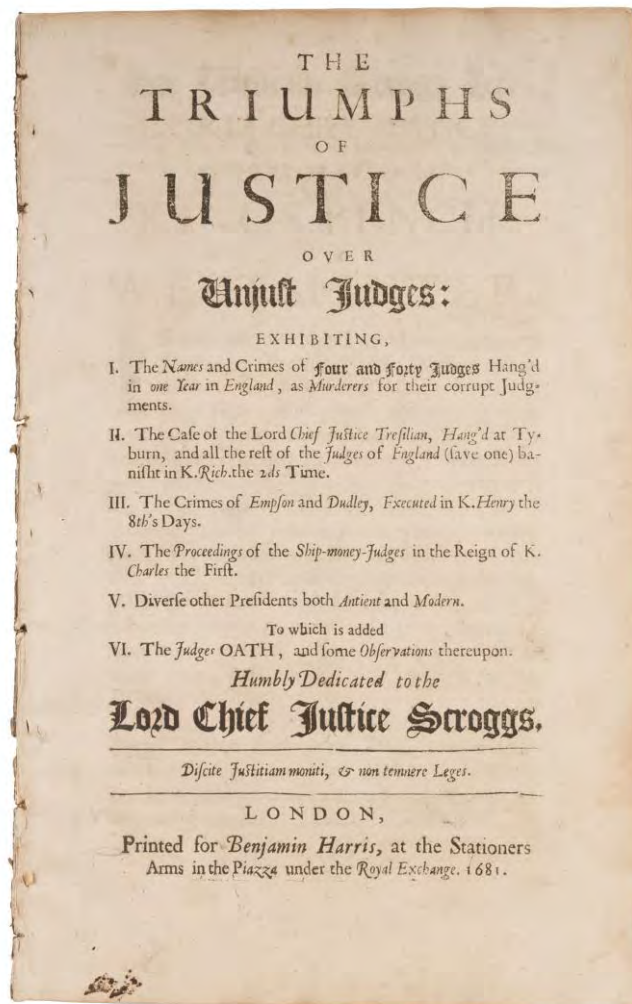
General Assembly.

Acts of the General Assembly of the Commonwealth of Pennsylvania: Passed at a Session, Which Was Begun and Held at the Borough of Lancaster, On Tuesday the Fourth Day of December, In the Year of Our Lord One Thousand Eight Hundred and Four, And of the Independence of the United States of America the Twenty-Ninth. Marked Vol. VII at foot of p. 3, issued as part of the *Laws of the Commonwealth of Pennsylvania* (1804-1806). Published by Authority. Octoraro, PA: Published by Francis Bailey, 1805. 291, x pp. Octavo (8" x 5").

Recent period-style quarter calf over marbled boards, gilt fillets and lettering piece to spine, edges rouged, endpapers renewed. Light rubbing to boards, moderate rubbing to extremities, a few scratches to calf with light wear to foot of spine, recent bookseller's note in ink to front pastedown. Light to moderate toning to interior, heavier to some signatures, occasional light foxing, light soiling in a few places, illegible ink annotation to foot of title page, small tear to top-edge of leaf 2A4 (pp. 201-202). \$350.

* Only edition. Topics covered include real property, gambling and an act to raise "a sum not exceeding eight thousand dollars, for the use and benefit of the minister, wardens, and vestry of the African Episcopal church of St. Thomas, in the city of Philadelphia." St. Thomas still stands in Philadelphia today. Shaw & Shoemaker, *American Bibliography* 9115.

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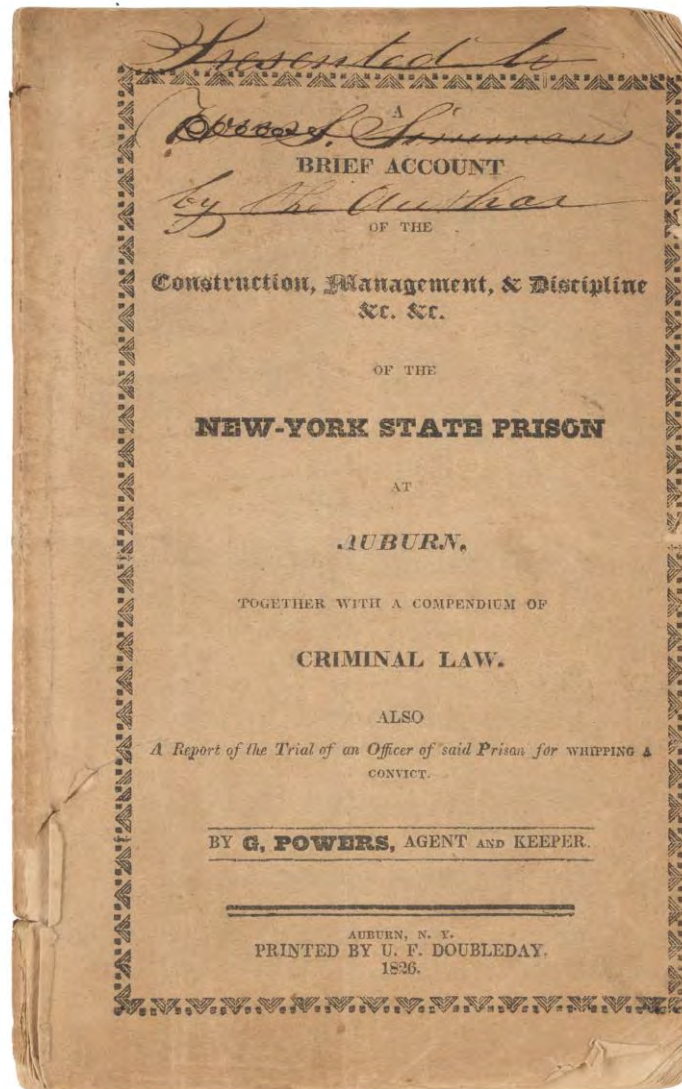
"Unjust Judges"

23. [Philo-Dicaio].

The Triumphs of Justice Over Unjust Judges: Exhibiting, I. The Names and Crimes of Four and Forty Judges, Hang'd in One Year in England, As Murderers for Their Corrupt Judgments. II. The Case of Lord Chief Justice Tresilian, Hang'd at Tyburn, And All the Rest of the Judges of England (Save One) Banished in K. Rich. the 2ds Time. III. The Crimes of Empson and Dudley, Executed in K. Henry the 8th's Days. IV. The Proceedings of the Ship-Money-Judges, In the Reign of K. Charles the First. V. Diverse Other Presidents, Both Ancient and Modern. To Which is Added, VI. The Judges Oath, And Some Observations Thereupon. Humbly Dedicated to the Lord Chief Justice Scroggs. London: Printed for Benjamin Harris, 1681. [iv], 36 pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet. Light soiling to exterior, light wear to spine ends and corners, moderate toning to interior, light foxing and light browning to a few leaves. \$950.

* First edition. This essay on judicial error and judicial corruption reflects the tensions between King Charles II and his subjects near the end of his reign. It details the fates of Royalist judges during the reign of Charles I and earlier times. Later editions were published in 1732 and 1735. OCLC locates 7 copies of the first edition in North American law libraries (Duke, Georgetown, Harvard, Library of Congress, University of Cincinnati, UT-Austin, York). *English Short-Title Catalogue* R3571. [Order This Item](#)



1826 Study of the Auburn State Prison by Its Warden

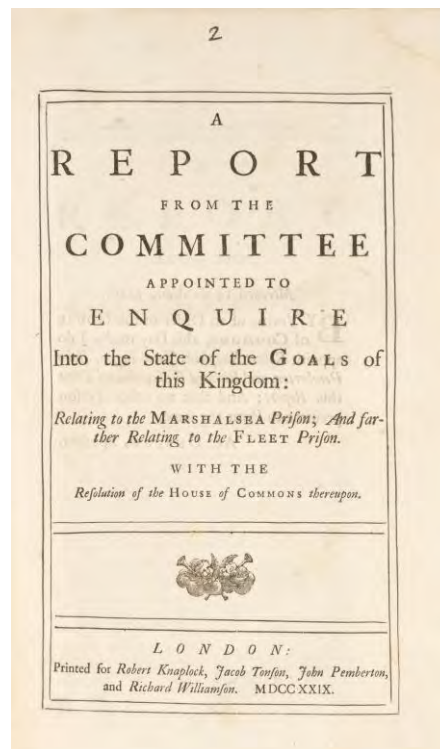
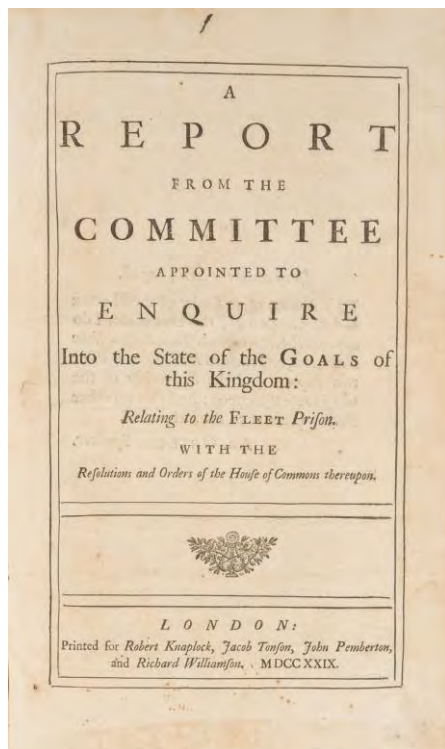
24. Powers, G[ershom] [1789-1831].

A Brief Account of the Construction, Management, & Discipline &c. &c. Of the New-York State Prison at Auburn: Together with a Compendium of Criminal Law. Also a Report of the Trial of an Officer of Said Prison for Whipping a Convict. Auburn, NY: Printed by U.F. Doubleday, 1826. iv, 82 pp. Plan of prison on p.73. Octavo (8-1/2" x 5-1/4").

Stab-stitched pamphlet in printed wrappers. Light soiling to exterior, moderate edgewear, spine ends abraded, a few chips to wrappers, which are just beginning to detach at foot. Moderate toning to interior, early marks to margins in a few places, struck through and mostly illegible presentation inscription by powers. \$450.

* First edition. A lawyer and politician from Auburn, Powers was the warden of Auburn State Prison from 1820 to 1823 and the inspector of that prison from 1830 until his death. A revised edition of his *Brief Account*, with a title beginning *Report of Gershom Powers*, was published in 1828. Both editions are scarce. Cohen, *Bibliography of Early American Law* 4452.

[Order This Item](#)



Reports of the Landmark 1729 Investigation of Britain's Prisons by a Committee Chaired by the Founder of Georgia

25. [Prisons].
[Great Britain].
[House of Commons].

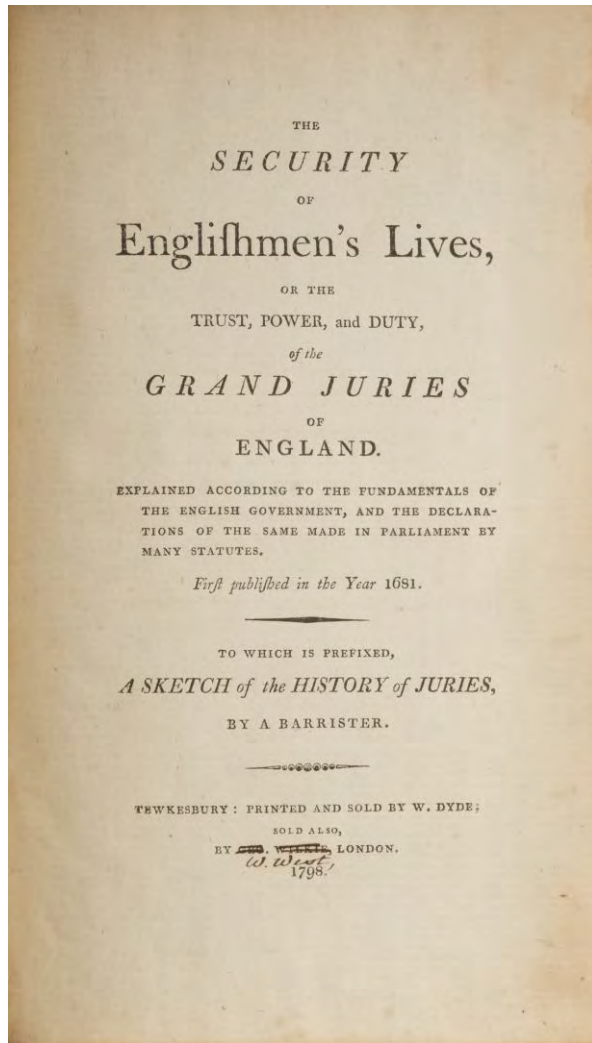
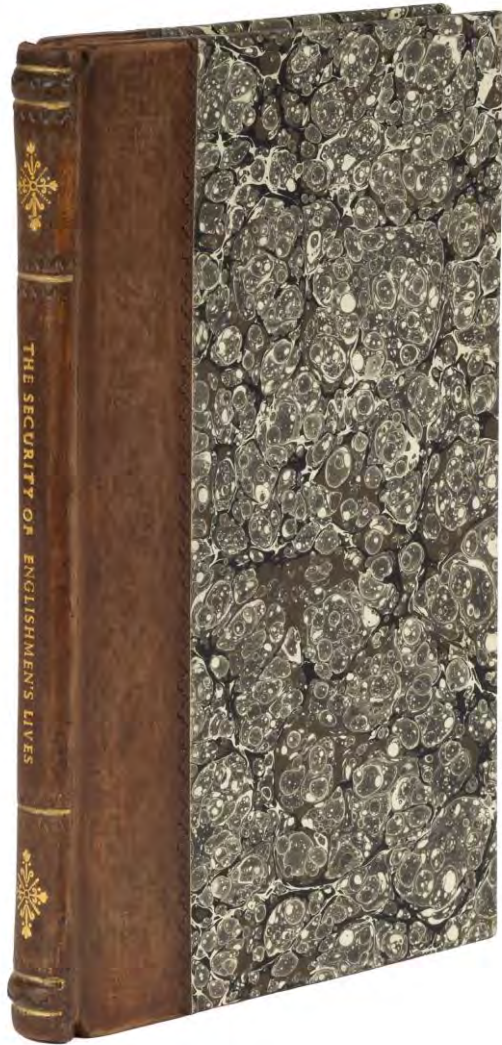
A Report from the Committee Appointed to Enquire into the State of the Goals of this Kingdom: Relating to the Fleet Prison. With the Resolutions and Orders of the House of Commons Thereupon. London: Printed for Robert Knaplock, Jacob Tonson, John Pemberton, And Richard Williamson, 1729. [ii], 20 pp.

[Bound with]

A Report from the Committee Appointed to Enquire Into the State of the Goals of this Kingdom: Relating to the Marshalsea Prison; And Farther Relating to the Fleet Prison. With the Resolution of the House of Commons Thereupon. London: Printed for Robert Knaplock, Jacob Tonson, John Pemberton, And Richard Williamson, 1729. [ii], 29, [1] pp.

Folio (12-1/4" x 8). Stab-stitched pamphlets bound into recent plain paper-covered boards. Moderate toning to interior, occasional faint dampstaining to margins, faint dampspotting to a few leaves, "1" and "2" to heads of title pages, which are lightly soiled. \$500.

* Only editions. James Oglethorpe, then a Member of the House of Commons, became aware of the horrible nature of England's prisons after one of his friends, a debtor, died in one of them. This experience led him to demand an investigation of the prison system, which resulted with the establishment of the Gaols Committee in 1729. Chaired by Oglethorpe, the committee managed to conduct investigations of the Fleet, Marshalsea and Southwark prisons before it was shut down by political opposition. The work of the committee was important. It established a set of ideas about prison reform that would eventually result in the Penitentiary Act 1779. Oglethorpe's experience with Britain's prison system, especially its treatment of debtors, inspired him to establish the colony of Georgia in 1732. *English Short-Title Catalogue* T44667, T44668. [Order This Item](#)



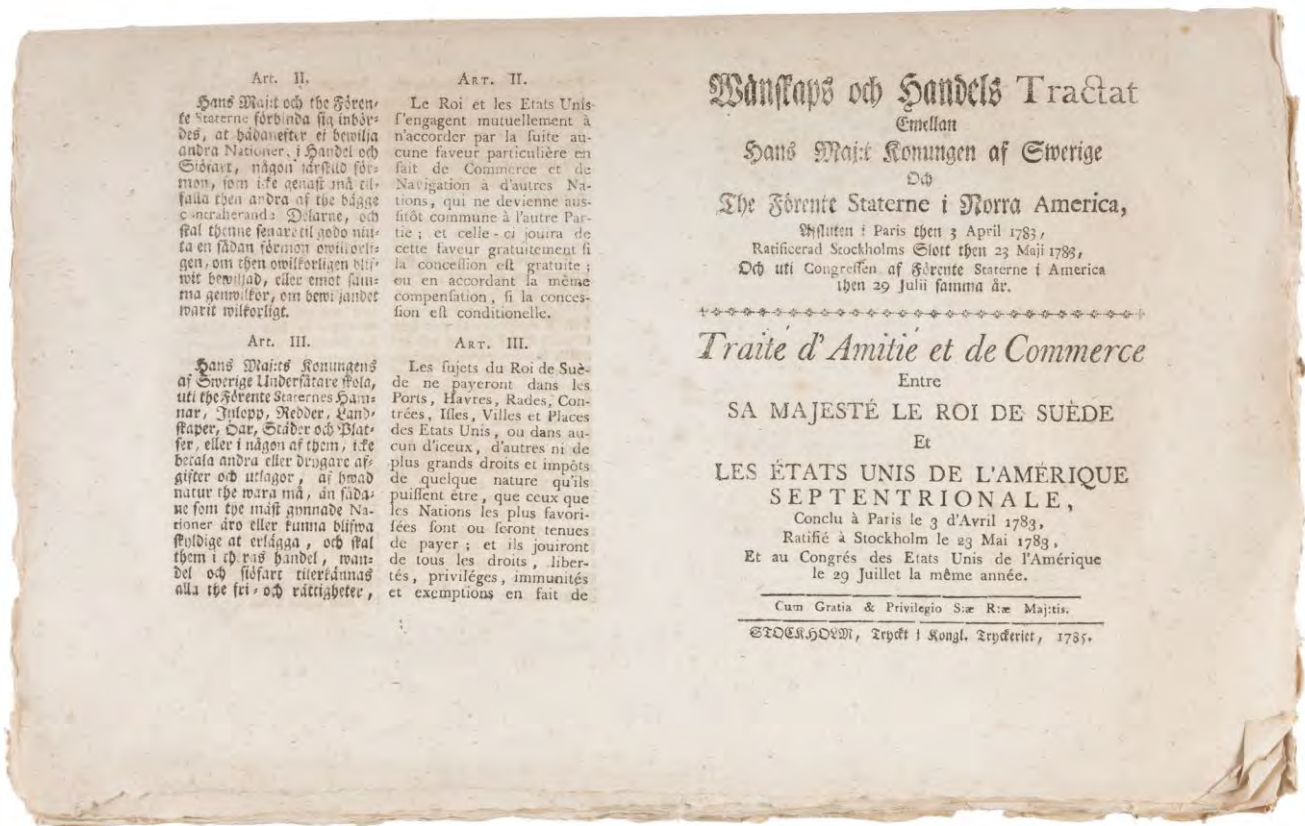
The Priority of English Law Over the Crown

26. [Somers, John, Baron (1651-1716)].

The Security of Englishmen's Lives, Or the Trust, Power, And Duty of the Grand Juries of England. Explained According to the Fundamentals of the English Government, And the Declaration of the Same Made in Parliament by Many Statutes. First Printed in the Year 1681. Tewkesbury: Printed and Sold by W. Dyde, 1798. [ii], 113, [1] pp. Lacking final leaf, a publisher advertisement. First leaf is a list of subscribers. Octavo (8-1/4" x 5").

Recent period-style quarter calf over marbled boards, gilt title, gilt ornaments and gilt and blind fillets to spine. Moderate toning to interior, faint tiny stain to title page, light foxing to a few leaves. A handsome copy. \$750.

* Final eighteenth-century edition. This influential essay defined a hearing before a grand jury of peers as a fundamental English right. An assertion of the priority of the law over the English crown, it was written to support the right of a grand jury to reject the bill of indictment against Anthony Ashley-Cooper, First Earl of Shaftesbury, issued by Charles II. Somers, a barrister of the Middle Temple and an important Whig statesman, was Lord Chancellor of England during the reigns of William and Mary and Queen Anne. He presided over the framing of the Bill of Rights (1689). *English Short-Title Catalogue* N22518. [Order This Item](#)



The United States's First Post-Revolutionary War Treaty

27. [Treaty].
[Sweden].
[United States].

Wanskaps och Handels Tractat Emellan Hans Maj:et Konungen af Swerige och the Forente Staterne i Norra America, Afsluten i Paris then 3 April 1783, Ratificerad Stockholms Slott then 23 Maji 1783, Och uti Congressen af Forente Staterne i America then 29 Julii Samma Ar./ Traite d'Amitie et de Commerce Entre Sa Majeste Le Roi de Suede et Les Etats Unis de l'Amerique Septentrionale, Conclu a Paris le 3 d'Avril 1783, Ratifie a Stockholm le 23 Mai 1783, Et au Congres des Etats Unis de l'Amerique le 29 Juillet la Meme Annee. Stockholm: Tryct i Kongl. Tryckeriet, 1785. [48] pp. Text in Swedish with parallel French translation. Quarto (9-1/4" x 14-1/2").

Unsewn, untrimmed sheets. Moderate toning, light soiling to exterior, light foxing in a few places. \$1,750.

* First edition. Diplomatic relations between the United States and Sweden began during the Revolutionary War when Swedish diplomats approached Benjamin Franklin in Paris. Sweden was officially a neutral party (although England had previously infringed on that neutrality), so negotiations were kept secret until the official end of the war. The resulting treaty with Sweden was a major diplomatic success for the young republic. OCLC locates 3 copies published in 1783, but these are ghosts. Sabin, *Dictionary of Books Relating to America* 100931. [Order This Item](#)



Best Edition of *A Complete Collection of State Trials*

28. [Trials].

[Cobbett, William (1763-1835)].

Howell, Thomas Bayly [1768-1815], Editor.

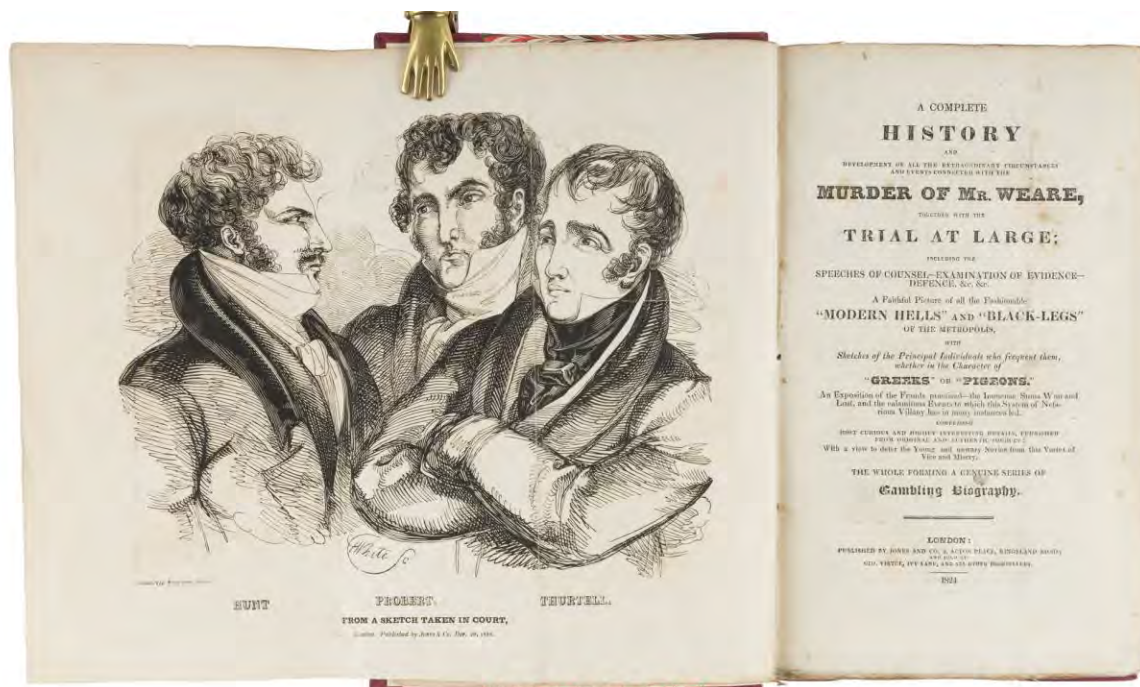
[Howell, Thomas Jones [1793-1858], Editor.

Jardine, David [1794-1860], Compiler of Index.

A Complete Collection of State Trials and Proceedings for High Treason and Other Crimes and Misdemeanors from the Earliest Period to the Year [1820], With Notes and Illustrations. London: Printed by T.C. Hansard, Published by R. Bagshaw [and other publishers], 1816-1828. 34 volumes, complete set. Main text in parallel columns. Complete set. Octavo (9-1/4" x 6").

Contemporary three-quarter calf over marbled boards, raised bands and lettering pieces to spines, speckled edges. Light rubbing to boards, moderate rubbing to extremities, wear to spine ends and corners of some volumes, front joint of Volume 8 partially cracked. Light to moderate toning to interiors, occasional light foxing, early signature (Warner) to front endleaf of Volume 2. \$2,000.

* Also known as "Cobbett's State Trials," this was the fifth, final and best collection of state trials. It incorporates Francis Hargrave's *Collection of State Trials*, an eleven-volume collection published between 1776 and 1781. (Hargrave's edition incorporated three earlier collections.) The majority of the cases are from the King's Bench, and many are not reported elsewhere. The coverage is chronological from Thomas Becket in 1163 through 1820. According to Sweet & Maxwell and the *Harvard Law Catalogue*, the first twelve volumes were compiled by William Cobbett. Wallace and Marvin dispute this claim. They say Cobbett was simply a general editor who hired Thomas Howell and his son to do the actual work. (Howell's son completed the project after his father's death.) Later printings, such as the present set, attribute every volume to the Howells. *Catalogue of the Library of the Harvard Law School* (1909) I:960. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:370. Marvin, *Legal Bibliography* 660-661. Wallace, *The Reporters* 67-68. [Order This Item](#)



**"A Faithful Picture of All the Fashionable
'Modern Hells' and 'Black-Legs' of the Metropolis"**

29. [Trials].

Thurtell, John (1794-1824).

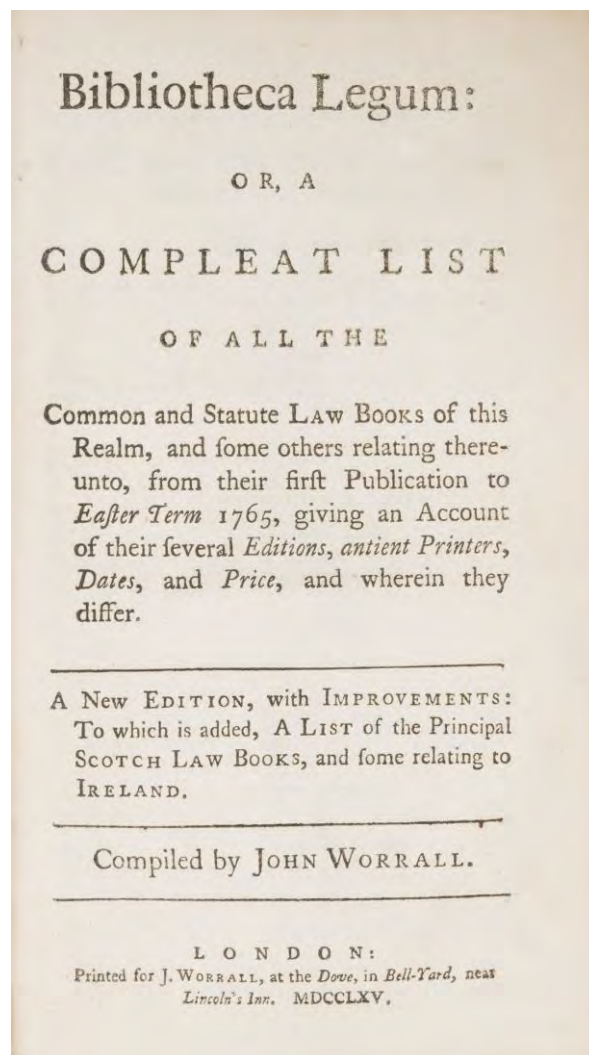
Probert, William (d.1825).

Hunt, Joseph.

A Complete History and Development of all the Extraordinary Circumstances and Events Connected with the Murder of Mr. Weare, Together with the Trial at Large, Including the Speeches of Counsel, Examination of Evidence, Defence, &c. &c. A Faithful Picture of All the Fashionable "Modern Hells" and "Black-Legs" of the Metropolis, With Sketches of the Principal Individuals Who Frequent Them, Whether in the Character of "Greeks" or "Pigeons." An Exposition of the Frauds Practised, The Immense Sums Won and Lost, And the Calamitous Events to Which this System of Neferious Villany Has in Many Instances Led. Comprising Most Curious and Highly Interesting Details, Furnished from Original and Authentic Sources, With a View to Deter the Young and Unvary Novice from this Vortex of Vice and Misery. The Whole Forming a Genuine Series of Gambling Biography. London: Published by Jones and Co., 1824. 60, [3], 8-72, 61-266; 74 pp. 8 plates: 7 in text, 1 a folding portrait frontispiece (of Thurtell, Probert and Hunt). Final section has drop-head title reading: *A History of the Gaming Houses, And Gamesters of the Metropolis.* Complete. Octavo (9" x 5-3/4").

Recent three-quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed, untrimmed edges. Moderate toning to interior, light foxing to margins of plates and a few leaves, light soiling and foxing to title page. A handsome copy with the apparently rare folding frontispiece. \$1,250.

* Only edition, one of two issues, the other without a folding frontispiece. John Thurtell, an unlucky gambler, was deeply in debt to the crooked bookmaker William Weare. Deciding to get even with him, Thurtell, along with his friends Joseph Hunt and William Probert, murdered Weare in a grisly manner and tossed his body into a pond. Thurtell tried to escape conviction. He was hanged. Hunt confessed his involvement and stated that Thurtell was the killer. He was sent to the penal colony in Botany Bay, Australia. Charges against Probert were dropped in exchange for his wife's testimony. OCLC lists no copies indicating a folding frontispiece. We have only seen one copy (which was missing a section). Nash, *Encyclopedia of World Crime* IV:2949-2950. *Catalogue of the Library of the Harvard Law School* (1909) II:1207. [Order This Item](#)



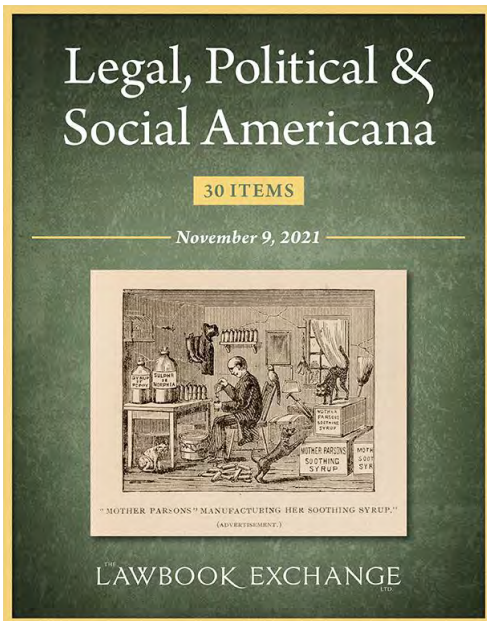
The First Annotated English Legal Bibliography

30. Worrall, John [d. 1771], Compiler.

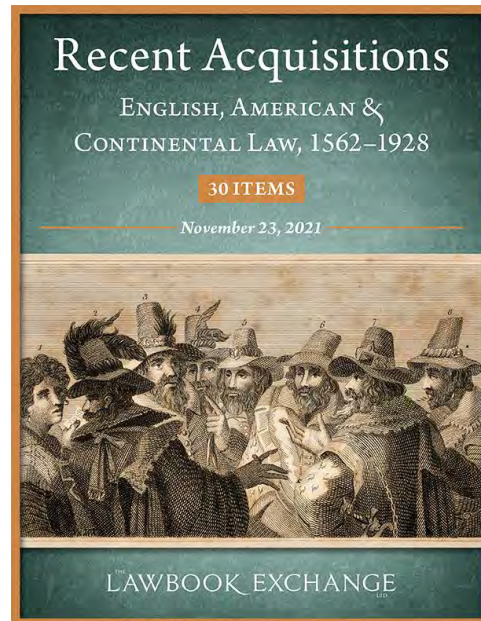
Bibliotheca Legum: Or, A Compleat List of All the Common and Statute Law Books of this Realm, And Some Others Relating Thereunto, From Their First Publication to Easter Term 1765, Giving an Account of Their Several Editions, Antient Printers, Dates, And Price, And Wherein They Differ. A New Edition, With Improvements: To Which is Added, A List of the Principal Scotch Law Books, And Some Relating to Ireland. London: Printed for J. Worrall, 1765. [xii], 133, [11] pp. Publisher advertisement facing title page. 12mo. (6-1/4" x 3-3/4").

Contemporary sheep, rebounded in period style, blind rules to boards, blind fillets along joints, raised bands to spine. A few scuffs, nicks and minor stains to boards, moderate rubbing to board edges with some wear to corners, hinges partially cracked, owner signature (of Michael Blisteed Westrop dated 1765) to front pastedown, early owner annotations to rear endleaves and pastedown. Light toning to interior, light soiling to a few leaves. \$450.

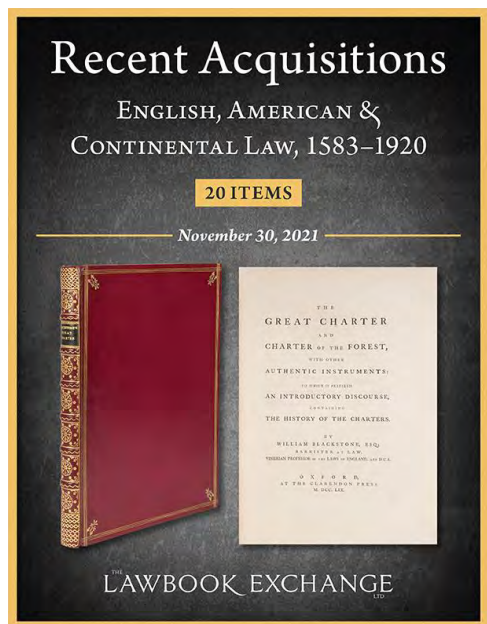
* Later edition. The first annotated English legal bibliography, it remains an important reference due to its excellent annotations, many gathered from leading authorities of the time, and comparative bibliographical information. John Worrall, believed to be the first law bookseller, issued the first edition in 1732, and published numerous editions during his lifetime. Friend, *Anglo-American Legal Bibliographies* 138. *English Short-Title Catalogue* N43429. [Order This Item](#)



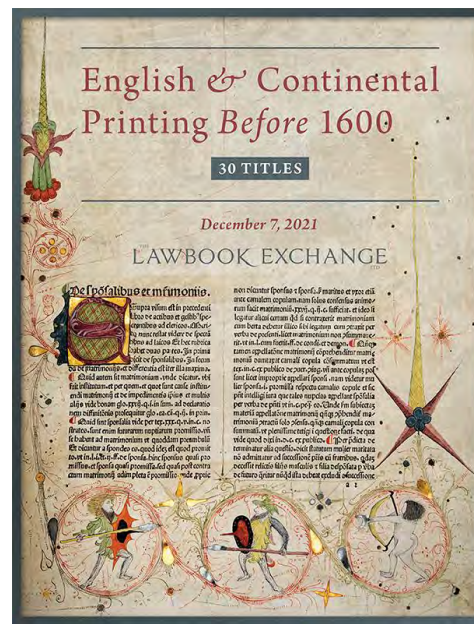
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