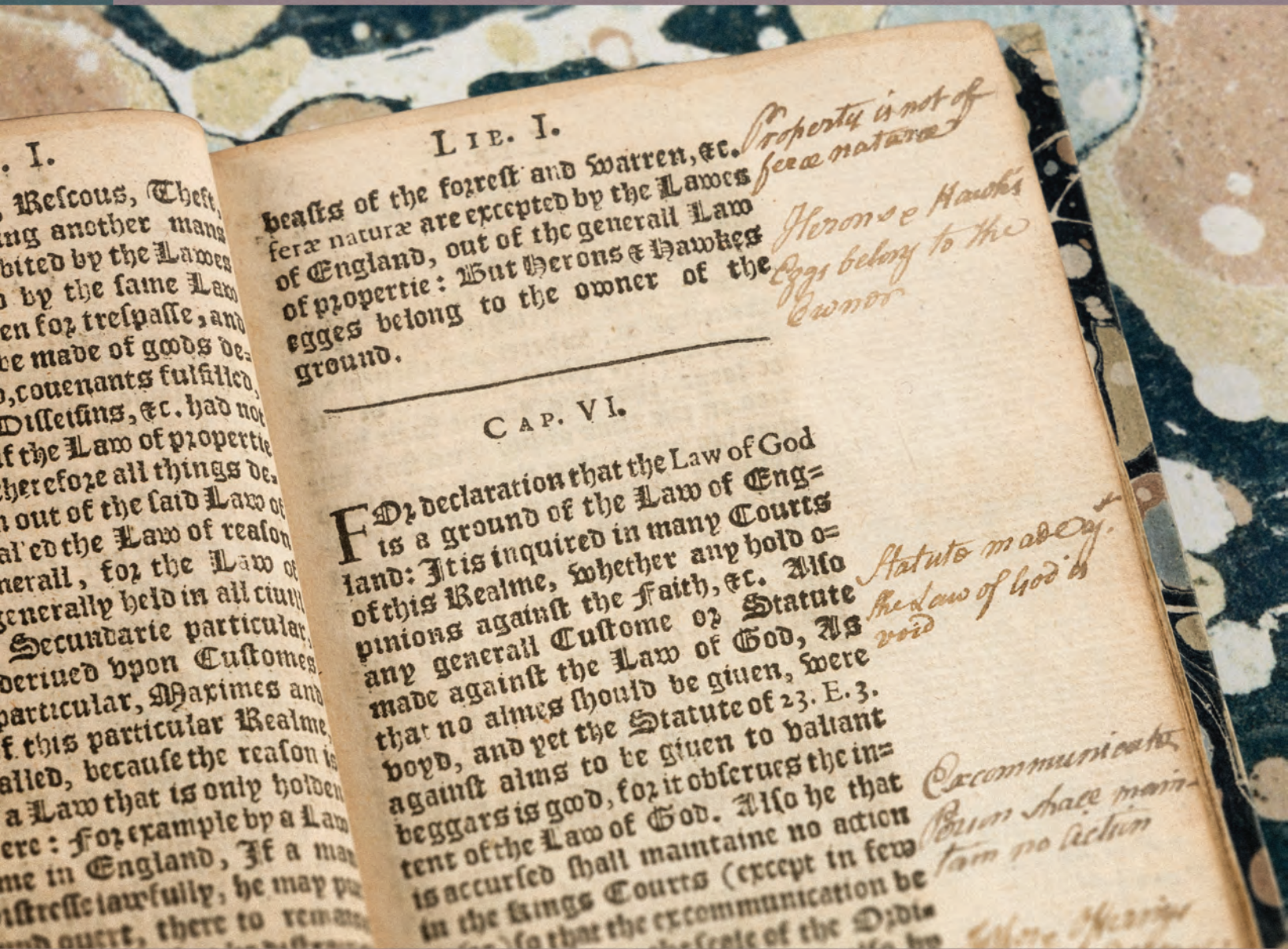


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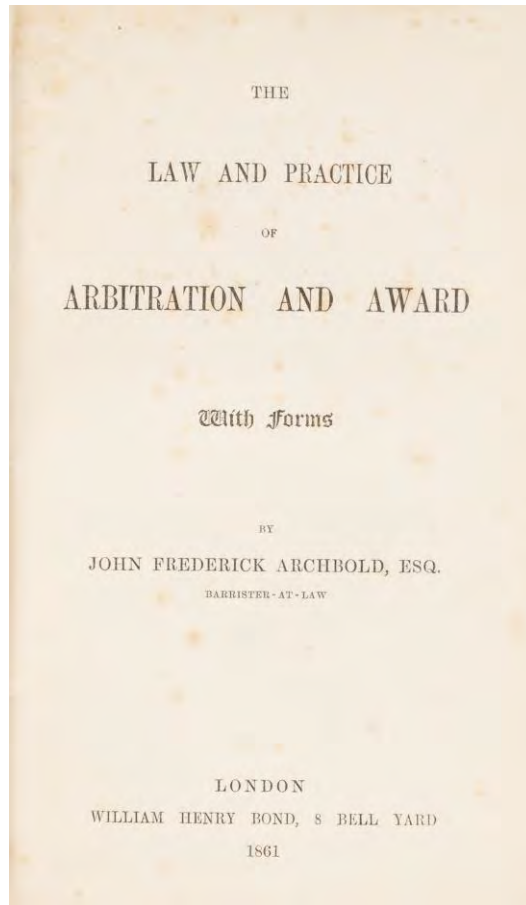
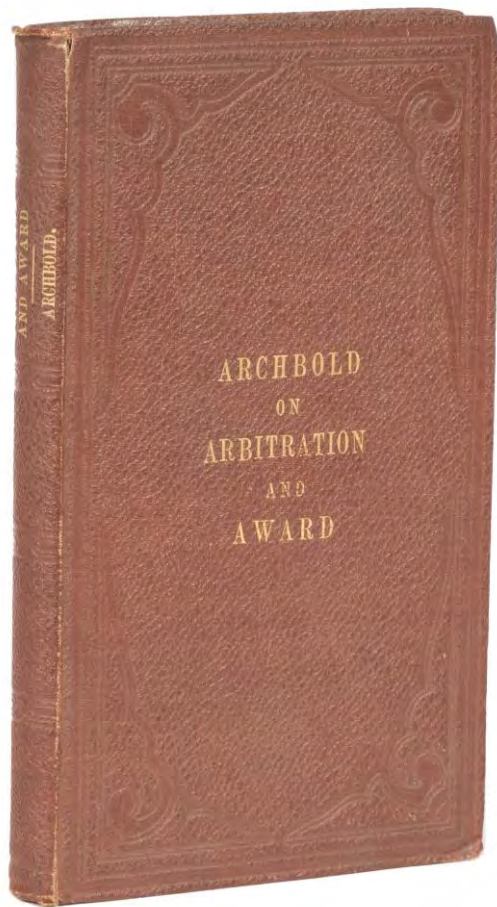
English & American Law, 1585–1909

30 ITEMS



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"No Superior as a Writer of Practical Works"

1. Archbold, John Frederick [1785-1870].

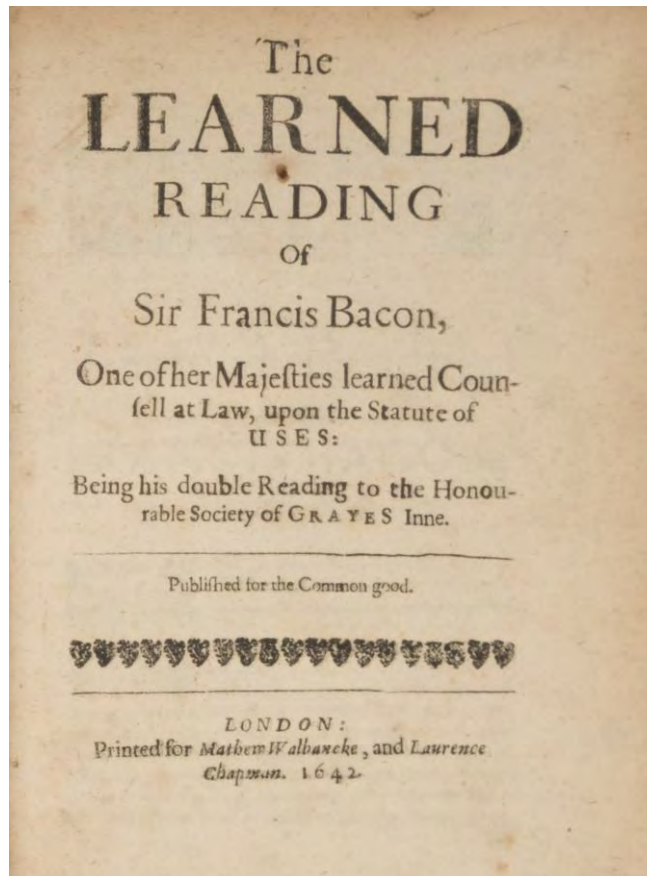
The Law and Practice of Arbitration and Award, With Forms. London: William Henry Bond, 1861. viii, 128 pp. Octavo (7" x 4-1/4").

Original pebbled cloth, ornate blind frames to boards, gilt title to front boards, blind fillets and gilt title to spine. Light rubbing, some wear to head of spine, corners bumped. Moderate toning to interior, light foxing to a few leaves, two contemporary newspaper clippings concerning two cases involving arbitration and award tipped-in to front free endpaper. \$350.

* Only edition. This was the first work to appear after the 1854 legislation which introduced several important legal reforms, some of which affected arbitration and award. Renowned for his lucid prose, Archbold was a distinguished and prolific author on several legal topics. Highly regarded, Marvin expressed a common opinion when he wrote that "Mr. Archbold has no superior as a writer of practical works, whether we regard their number or utility, and but one equal, Mr. Chitty." OCLC locates 6 copies, 3 in North America, 1 in a law library (Yale).

Marvin, *Legal Bibliography* 69. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:9.

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Bacon's "Profound" Reading on Conveyancing

2. Bacon, Sir Francis [1561-1626].

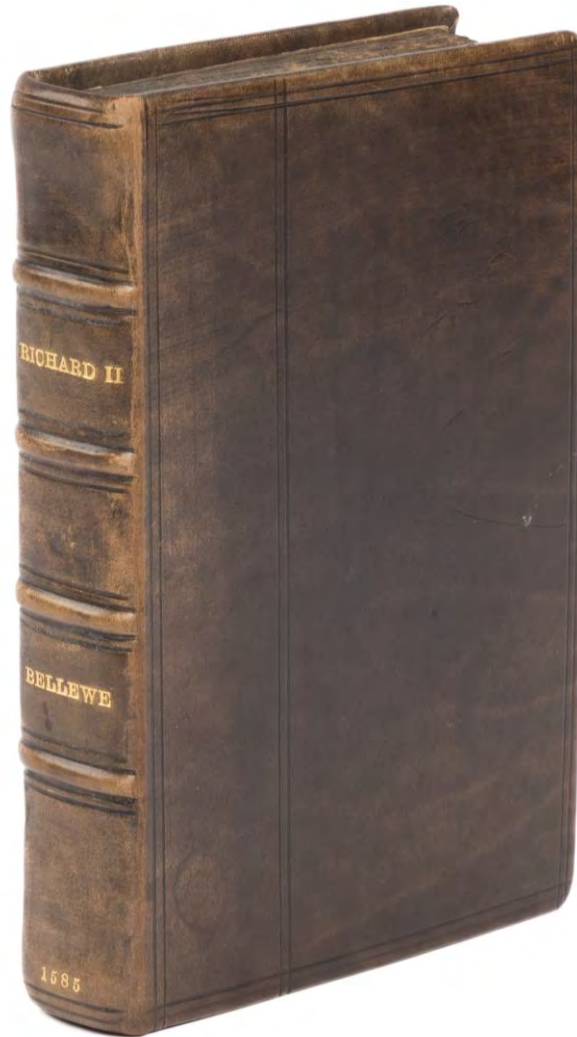
The Learned Reading of Sir Francis Bacon, One of Her Majesties Learned Counsell at Law, Upon the Statute of Uses: Being His Double Reading to the Honourable Society of Grayes Inne. Published for the Common Good. London: Printed for Mathew Walbancke, And Laurence Chapman, 1642. [ii], 58 pp. Portrait frontispiece and final leaf, a blank, lacking. Quarto (7" x 5-1/4").

Stab-stitched pamphlet bound into nineteenth-century three-quarter calf over marbled boards, raised bands, lettering piece, blind fillets and gilt ornament to spine, marbled endpapers. Moderate rubbing to extremities with some wear to spine ends and corners, chip to foot of spine, joints just starting at ends, cracks in text block before title page and after last text leaf. Moderate toning to interior, light foxing to a few leaves, light soiling to title page, presentation inscription to rear endleaf (from F.W. Ramstad to David B. Sherwood dated 1883. \$350).

* First edition. Bacon, one of the great intellectuals of the age, held the posts of solicitor general, attorney general and lord chancellor during the reign of James I. *The Learned Reading* collects his thoughts on conveyancing. According to Hargrave this is "a very profound treatise on the subject as far as it goes, and shows that he had the clearest conception of one of the most abstruse parts of our law." It was reissued in 1785, 1804 and in an undated nineteenth-century edition. It was also incorporated into his *Law Tracts*.

Hargrave cited in Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:478 (2). *English Short-Title Catalogue* R9108.

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Bridges a "Chasm" in the Year Books

3. Bellew(e), Richard, Compiler.

Les Ans du Roy Richard le Second Collect' Ensemble' Hors de les Abridgments de Statbam, Fitzherbert et Brooke. London: Imprinted by Robert Robertson, Dwelling in Fewter Lane Neere Holborne, 1585. [viii], [6], 145, 144-270, 255-326 [i.e. 342], [8] pp. Pagination irregular, text complete. Table misbound after p. [viii]. Final leaf, a blank, lacking. Octavo (6" x 4-1/2").

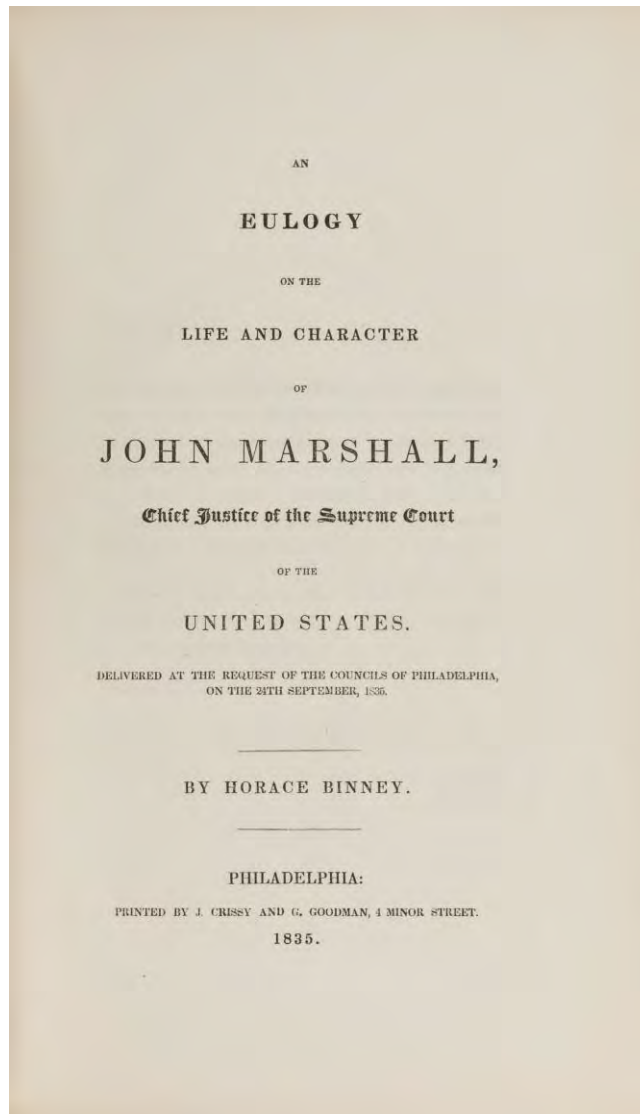
Recent period-style calf, blind rules to boards, raised bands, blind fillets, gilt title and gilt publication date to spine, endpapers renewed. A few minor nicks and scratches to boards, light fading to spine. Light browning to interior, negligible faint dampstaining to corners of a few leaves, light soiling and small later owner signature (H.Gray Jr.) to title page. \$2,750.

* First edition, one of 3 issues, all by Robertson in 1585. This is an alphabetical collection of cases from the abridgments of Statham, Fitzherbert and Brooke from 1378 to 1400. As Wallace observes, it covers a "chasm" between the Year Books of Edward III and Henry IV "and is, therefore, sometimes dignified with the title of the Year Book of King Richard II."

Wallace, *The Reporters* 112. Beale, *A Bibliography of Early English Law Books* R478. *English Short-Title Catalogue* S101603.

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Eulogy of John Marshall by an Eminent Pennsylvania Jurist

4. Binney, Horace [1780-1875].

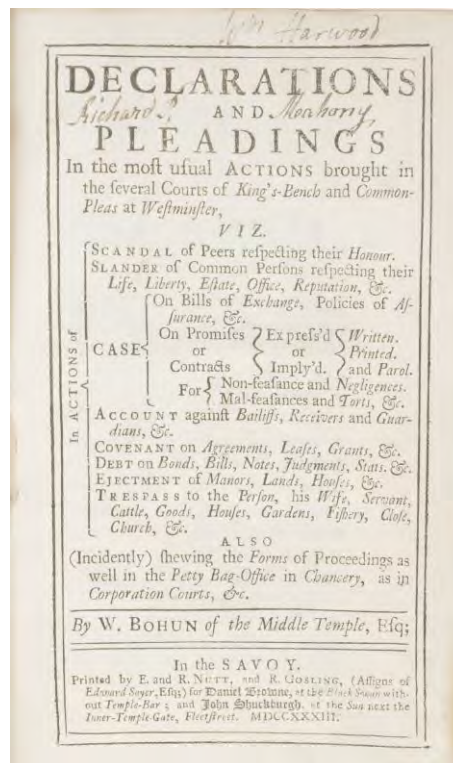
An Eulogy on the Life and Character of John Marshall, Chief Justice of the Supreme Court of the United States. Delivered at the Request of the Councils of Philadelphia, On the 24th September, 1835. Philadelphia: Printed by J. Crissy and G. Goodman, 1835. 70 pp. With a half-title and tipped-in errata slip. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed stiff wrappers. Light soiling, faint stain to front, light wear to spine ends. Light toning to interior, semi-circular brown mark to heads of last 10 leaves above text. \$125.

* Only edition. Along with Binney's eulogy, this pamphlet includes related official letters. Binney was an eminent Pennsylvania judge and legal writer.

Cohen, *Bibliography of Early American Law* 2054.

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Bohun's *Declarations and Pleadings*

5. Bohun, W[illiam].

Declarations and Pleadings in the Most Usual Actions Brought in the Several Courts of King's-Bench and Common-Pleas at Westminster, Viz. In Actions of Scandal of Peers Respecting Their Honour. Slander of Common Persons Respecting Their Life, Liberty, Estate, Office, Reputations, &c. Case on Bills of Exchange, Policies of Assurance, &c. On Promises or Contracts, Express'd or Imply'd, Written, Printed and Parol. For Non-Feasance and Negligences, Mal-Feasances and Torts, &c. Account Against Bailiffs, Receivers and Guardians, &c. Covenant on Agreements, Leases, Grants, &c. Debt on Bonds, Bills, Notes, Judgments, Stats. &c. Trespass to the Person, His Wife, Servant, Cattle, Goods, Houses, Gardens, Fishery, Close, Church, &c. Also (Incidentally) Shewing the Forms of Proceedings as Well as in the Petty Bag-Office in Chancery, As in Corporation Courts, &c. [London]: Printed by E. and R. Nutt, and R. Gosling for Daniel Browne and John Shuckburgh, 1733. [xxiv], 448 pp. Octavo (8" x 5").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and early hand-lettered paper title label to spine, blind tooling to board edges. Minor nicks and stains, boards slightly bowed, light rubbing to extremities, corners bumped, hinges cracked, "6.6" in early hand to front free endpaper, "M.M." in similar hand to rear free endpaper. Light toning to interior, faint dampstaining to lower outside corners of a few leaves at end of text, two early owner signatures (Wm. Harwood, Richard P. Maehony) to title page, "R.A." in early hand to fore-margin of following leaf (recto). \$250.

* First edition. This was one of the first books published after the 1732 act that required that English be used in the Royal courts. It is also notable as an early work using the word 'torts' in its title, distinguishing between negligence as nonfeasance and torts as malfeasance. A second edition of this book was published in 1743. Bohun was an attorney and a prolific author who published well-received treatises on legal education, Parliament, ecclesiastical law and other subjects.

English Short-Title Catalogue T129536.

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An Updated Edition of Dugdale's *Origines Juridicialia*

6. Cooke, Edward, Compiler.

[Dugdale, Sir William (1605-1686)].

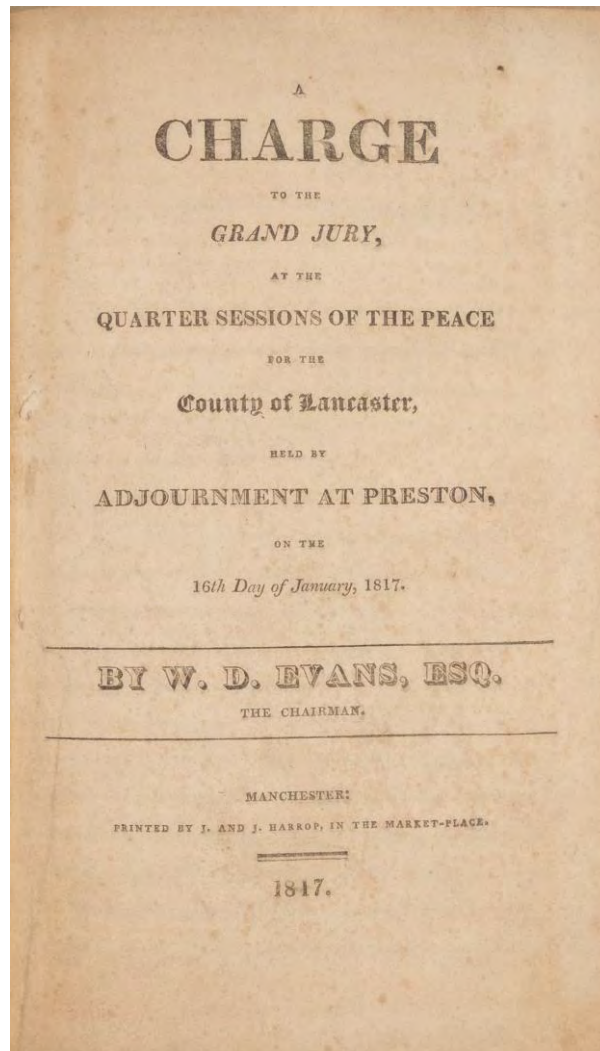
Chronica Juridicialia: Or, A General Calendar of the Years of Our Lord God, And Those of the Several Kings of England, From the First Year of William the Conqueror, Successively Down to this First Year of the Reign of our Most Dread Sovereign K. James II. Together with a Chronological Table of the Names of all the Lord Chancellors, And Lord Keepers of the Great Seal of England, Justices of the Kings-Bench and Common-Pleas, Barons of the Exchequer, And Serjeants at Law. With a Table of All Their Names, Alphabetically Disposed, For the Greater Ease of the Peruser, And the Years Both of Our Lord and the King Joyned with Them. To Which is Added a Catalogue of All Those Arch-Bishops and Bishops, Who have been Intrusted with the Most Eminent and Honorary Places in the Civil State of this Kingdom. London: Printed for H. Sawbridge, At the Bible on Ludgate Hill, And T. Simmons, 1685. [xvii], 209, [89] pp. Octavo (7" x 4-1/2").

Contemporary calf, rebaked in period style with raised bands, lettering piece, blind fillets and gilt publication date, corners of boards mended, hinges mended. Light rubbing and a few minor scuffs to boards, moderate rubbing to board edges, final line of dedication leaf affected by trimming (text was placed too low on page due to a printer error). Moderate toning to interior, offsetting to margins of preliminaries and final few leaves, early owner inscription (Ingilby/ Ripley) to front free endpaper. \$400.

* First edition, one of two issues from 1685. This is an updated version of Dugdale's *Origines Juridiciales*. First published in 1666, it is a rich mine of information concerning the sources of English law and the history of the early English legal profession, and provides a wealth of interesting information about the procedures, customs, ceremonies and administration of the Inns of Court and Chancery. "[This] book was the chief authority for the history of the Inns; and it is by no means superseded even at the present day." (Holdsworth). Cooke's updated version was reissued in 1739 and c.1740. The *ESTC* says both 1685 issues have a portrait frontispiece, but we have examined several copies that do not have one.

Holdsworth, *The Historians of Anglo-American Law* 41. *English Short-Title Catalogue (ESTC)* R229396.

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**"A Spirit of Disaffection and
A Contempt for the Authority of the Law"**

7. Evans, W[illiam] D[avid] [1767-1821].

A Charge to the Grand Jury, At the Quarter Sessions of the Peace for the County of Lancaster, Held by Adjournment at Preston, On the 16th Day of January, 1817. Manchester: Printed by J. and J. Harrop, 1817. vi, 21, [1] pp. Octavo (8-1/4" x 5").

Stab-stitched pamphlet bound in recent paper-covered boards, black-stamped title to front board and fillets to spine, edges rouged. Moderate toning and light foxing to interior, faint offsetting to final (blank) page. \$250.

* Only edition. Grand jury charges, long considered a duty for justices of the peace, could be a useful vehicle for the speaker's social, moral and political vision for society. Evans, Manchester's first stipendiary magistrate, delivered this address in response to "a spirit of disaffection and a contempt for the authority of the law" (iii). The general spirit of unrest in the region was likely due to the aftermath of the "year without a summer" of 1816, in which a colossal volcanic eruption in Indonesia caused global crop failures and profound social unrest in regions already stricken by food shortages and poverty.

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"Taken Exactly from His Mouth at the Place of Execution"

8. [Execution].
[Great Britain].
College (Colledge), Stephen [c.1635-1681].

The Speech and Carriage of Stephen Colledge Before the Castle at Oxford, Wednesday, Aug. 31. 1681. Taken Exactly from His Mouth at the Place of Execution. London: Printed for T. Bassett, And John Fish, 1681. 2 pp.

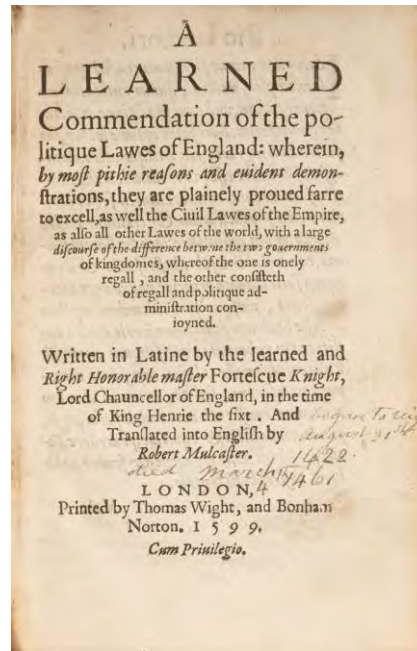
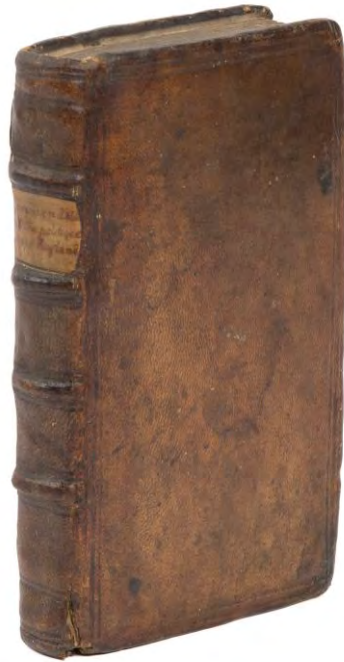
10-3/4" x 6" handbill, text in two columns below headline, removed from an early bound volume, affixed along left-hand margin to 1" strip of paper. Moderate toning, horizontal fold line through center, a few chips and creases to edges, paper strip just touching text along right-hand margin of p.2. \$750.

* Only edition. Colledge, sometimes spelled Colledge, was a fervent Protestant propagandist and printmaker. (He also invented a weapon called "the Protestant flail.") He was known as the "Protestant Joiner," a reference to his original trade, fine carpentry. When Parliament moved to Oxford, in March 1681, Colledge went there on horseback, armed and wearing armor, and advocated Parliament's resistance to the absolutist tendencies and Catholic sympathies of King Charles II. His willingness to incite violence led to his arrest on invented charges of sedition in June 1681, and he was eventually convicted, hanged and quartered after a show trial in August. There are two versions of the *The Speech and Carriage*. The other has the text in a single column. There are also two issues in pamphlet form, both in 1681, one by Bassett and one printed in Dublin by B. Tooke and J. Crooke.

English Short-Title Catalogue R171435.

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1599 Edition of Fortescue's *De Laudibus*

9. Fortescue, Sir John [1394?-1476?].

Mulcaster, Robert [16th. c.], Translator.

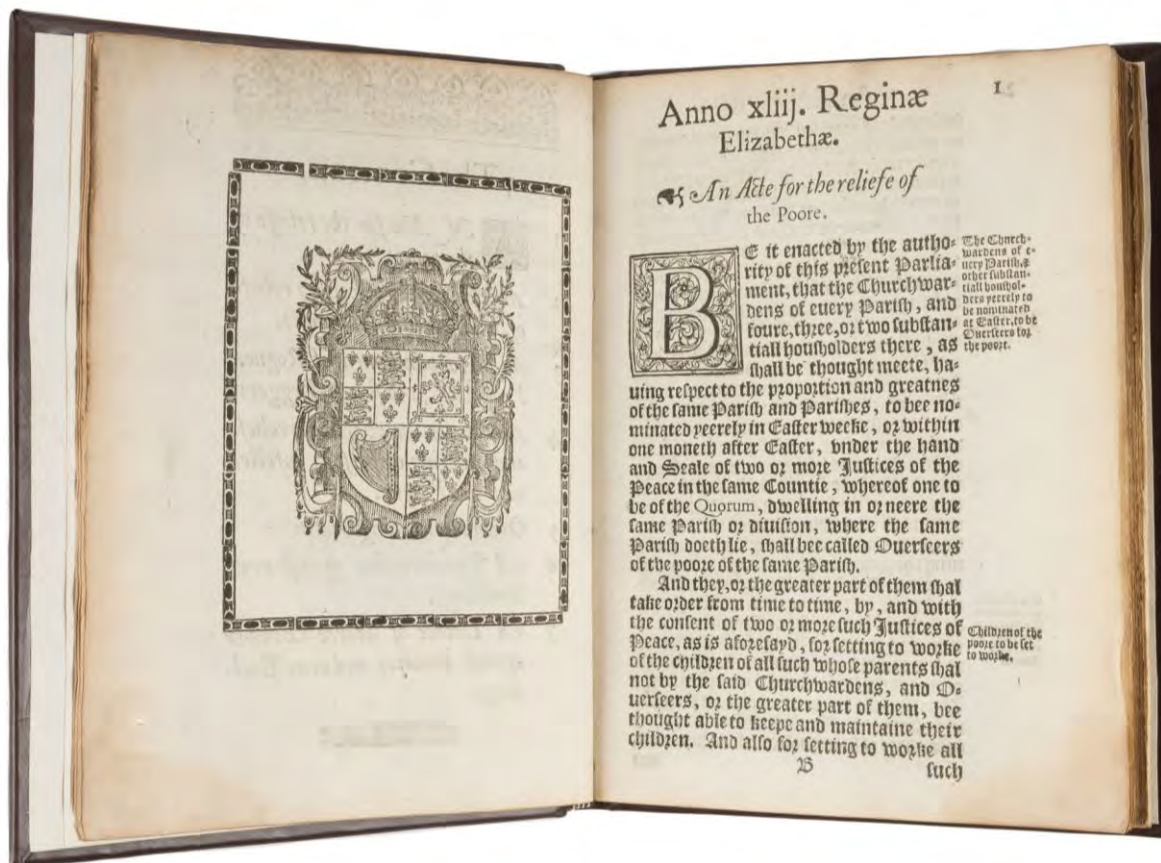
A Learned Commendation of the Politique Lawes of England: Wherein, By Moste Pitthy Reasons and Evident Demonstrations, They are Plainely Proved Farre to Excell, As Well the Ciuil Lawes of the Empire, As Also All Other Lawes of the World, With a Large Discourse of the Difference Betwene the Two Governements of Kingdomes, Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conjoyned. Written in Latine by the Learned and Right Honorable Master Fortescue Knight, Lord Chauncellor of England, In the Time of King Henrie the Sixt. And Translated into English by Robert Mulcaster. London: Printed by Thomas Wight, and Bonham Norton, 1599. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/2").

Contemporary sheep, blind rules to boards, raised bands, blind fillets and later hand-lettered paper title label to spine, "Fortescue" in early hand to fore-edge of text block, front hinge mended. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, front joint starting at foot, corners bumped and lightly worn, rear hinge cracked, signatures I and R (ff. 64-71, 128-[3]) partially detached but secure. Moderate toning to interior, negligible faint dampstaining to head of text block beginning at fol. 115, early underlining and brief annotations and minor stains and smudges to a few leaves, light soiling and later brief annotation to title page, other later annotations to front endleaves. \$2,500.

* Third edition with an English text. Written around 1470 for the instruction of Edward of Lancaster, the son of King Henry VI, *De Laudibus Legum Angliae* was the first work to examine trial by jury and the Inns of Court at length. It was first published, in Latin, in 1567. Cast in dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe and extols the superiority of a constitutionally limited monarch to an absolute monarch. It was a standard text for generations.

Beale, *A Bibliography of Early English Law Books* T359. *English Short-Title Catalogue* S102543.

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1609 Collection of Acts Concerning Plague,
The Poor, Vagabonds, Soldiers, London and Star Chamber

10. [Great Britain].

Foure Statutes, Specially Selected and Commanded by his Maiestie to be Carefully put in Execution by All Iustices and Other Officers of the Peace Throughout the Realme. Together with a Proclamation, A Decree of the Starre-Chamber, And Certaine Orders Depending Upon the Former Lawes, More Particularly Concerning the Citie of London, And Counties Adioyning. London: Robert Barker, Printer to the Kings Most Excellent Maiestie, 1609. [viii], 117, [1] pp. Quarto (7" x 5-1/2").

Recent calf, blind frames to boards, blind fillets, gilt title and gilt publication date to spine, endpapers added. Woodcut Royal arms to verso of title page. Moderate toning, faint dampstaining to lower outside corner of text block, light soiling to recto of front endleaf and verso of rear endleaf. \$1,250.

* Only edition. Addressed to justices of the peace, these statutes of Elizabeth I and James I incorporate over a dozen acts, orders, and decrees concerning the poor, soldiers and mariners, "rogues, vagabonds and sturdie beggars," plague and construction of new buildings in London. Appended is a collection of related Star Chamber proceedings involving Coke and Ellesmere. Several parts of these statutes relate to the effects of the plagues of 1603 and 1606. OCLC locates 12 copies in North America, 1 in a law library (Harvard).

English Short-Title Catalogue S121227.

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Orders Regulating Grain Allotment Among the Poor

11. [Great Britain].

Charles I [1600-1649], King of England.

Orders Appointed by His Maiestie to be Straitly Observed, For the Preventing and Remedying of the Dearth of Graine and Victuall: With His Maiesties Proclamation, Declaring His Royall Pleasure and Further Commandement Therein. London: Imprinted...by Robert Barker and by the Assignes of Iohn Bill, 1630. [xviii], 27, [1] pp. First leaf, a blank, signed "A." Quarto (7" x 5").

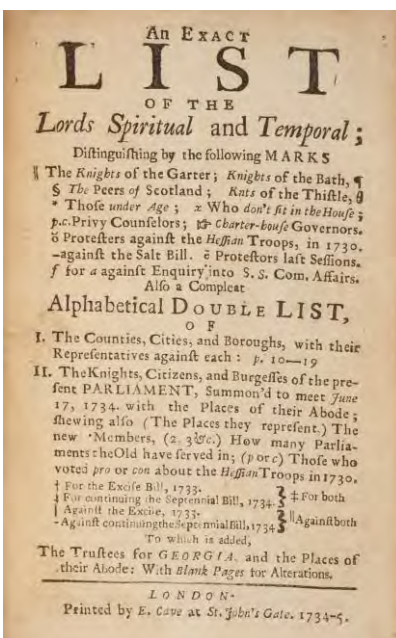
Stab-stitched pamphlet bound in recent three-quarter morocco over marbled boards, blind rules to morocco edges, raised bands and gilt title to spine, top-edge gilt. Negligible light rubbing to extremities, boards very slightly bowed. Light toning to interior, very light foxing and soiling to a few leaves, early ownership signature (of Sir Robert Gordon) and brief early notation to title page. A handsome copy. \$1,250.

* Only edition. A collection of orders to justices of the peace and other overseers of the poor dictating how they were to respond to food scarcity in their communities. As the proclamation itself notes, this was largely an expansion of similar orders and reforms to the poor laws made by Elizabeth I and James I. (The practice of grain market regulation after crop failures had expanded significantly under Elizabeth in 1586.) Among other requirements, the orders mandated that corn be sold in an open market and that justices of the peace be present to ensure fair prices and prevent hoarding.

Our copy was owned by Scottish politician and courtier Sir Robert Gordon [1580-1656], whose extensive private library was sold at auction in 1816. OCLC locates 5 copies of this title in North America (Harvard, University of Illinois, University of Pennsylvania, Boston Public Library, Huntington Library). The *ESTC* adds 1 more (Northwestern University).

English Short-Title Catalogue (ESTC) S101037.

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**Includes a List of the Trustees
and Commissioners of the Colony of Georgia**

**12. [Great Britain].
[Parliament].**

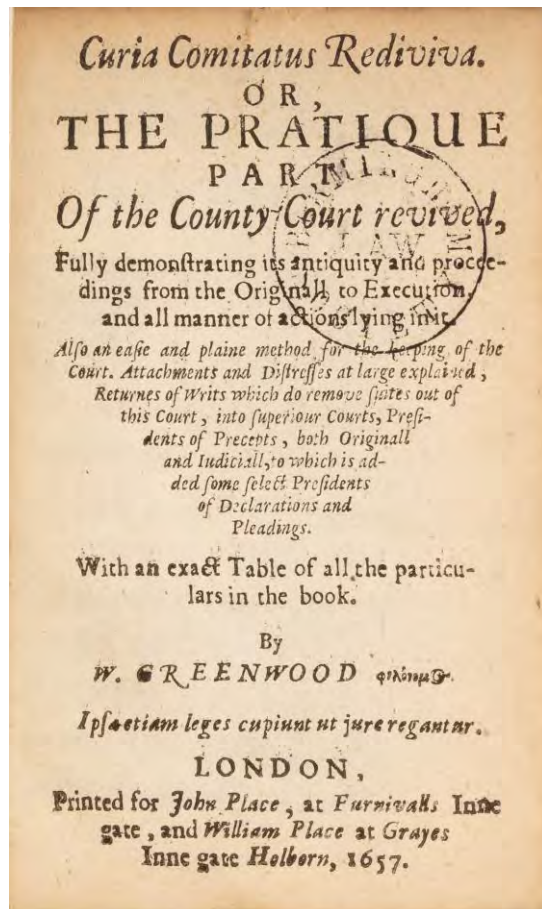
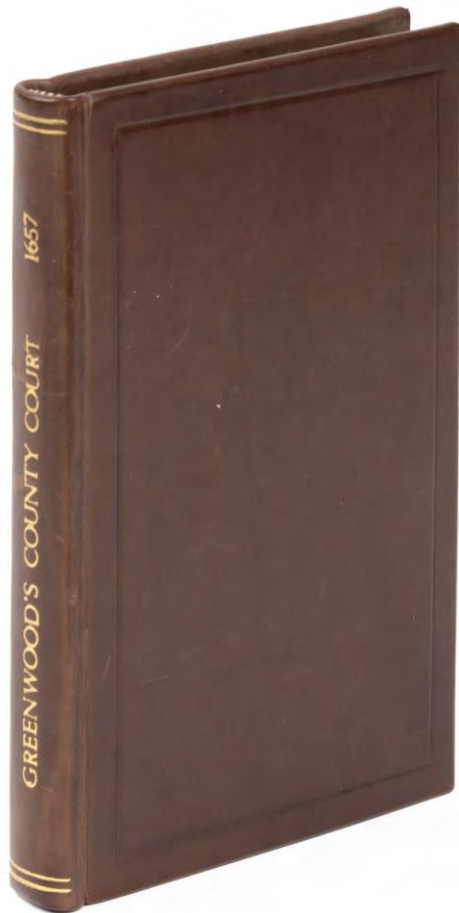
An Exact List of the Lords Spiritual and Temporal, Distinguishing by the Following Marks The Knights of the Garter; Knights of the Bath, The Peers of Scotland; Knts of the Thistle, Those Under Age; Who Don't Sit in the House; Privy Counselors; Charter-House Governors. Protesters Against the Hessian Troops, In 1730. Against the Salt Bill. Protesters Last Sessions. For Against Inquiry into S.S. Com. Affairs. Also a Compleat Alphabetical Double List, Of I. The Counties, Cities, And Boroughs, With Their Representatives Against Each: P. 10-19 II. The Knights, Citizens, And Burgesses of the Present Parliament, Summon'd to Meet June 17, 1734, With the Places of Their Abode; Shewing Also (The Places They Represent,) The New Members (2, 3 &c.) How Many Parliaments the Old Have Served In [...] To Which is Added, The Trustees for Georgia, And The Places of Their Abode: With Blank Pages for Alterations. London: Printed by E. Cave at St. John's Gate, 1734-35. [ii], 37 [i.e. 72], [4] pp. Printed on one side of leaf only, alternating recto and verso. 12mo. (5-1/4" x 3-1/4").

Contemporary sheep, blind rules to boards, rebaced in period style calf with blind fillets, lettering piece and gilt date, blind tooling to board edges, endleaves renewed. Light rubbing to boards, moderate rubbing to board edges, corners bumped and lightly worn. Light toning to interior, light soiling in a few places, faint dampstain to lower gutter of pp. 10-16, light foxing and pencil marks to a few leaves, margins trimmed close affecting text (headline) on last page only without loss to legibility, illegible early owner initials to p. 1. A nice copy of a rare title. \$850.

* Only edition. A detailed list of the names of those serving in Parliament with additional information about their notable recent votes. An interesting complement is the list of the names and places of abode (in Britain) of the trustees and commissioners for the colony of Georgia, established by royal charter in 1732. These include James Oglethorpe, the colony's founder, and the Earl of Egmont, president of the trustees. OCLC and the ESTC locate 5 copies of this title, 3 in North America (University of Georgia, University of Virginia, John Carter Brown Library).

English Short-Title Catalogue (ESTC) N48489.

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A Scarce 1657 Treatise on County Courts

13. Greenwood, W[illiam].

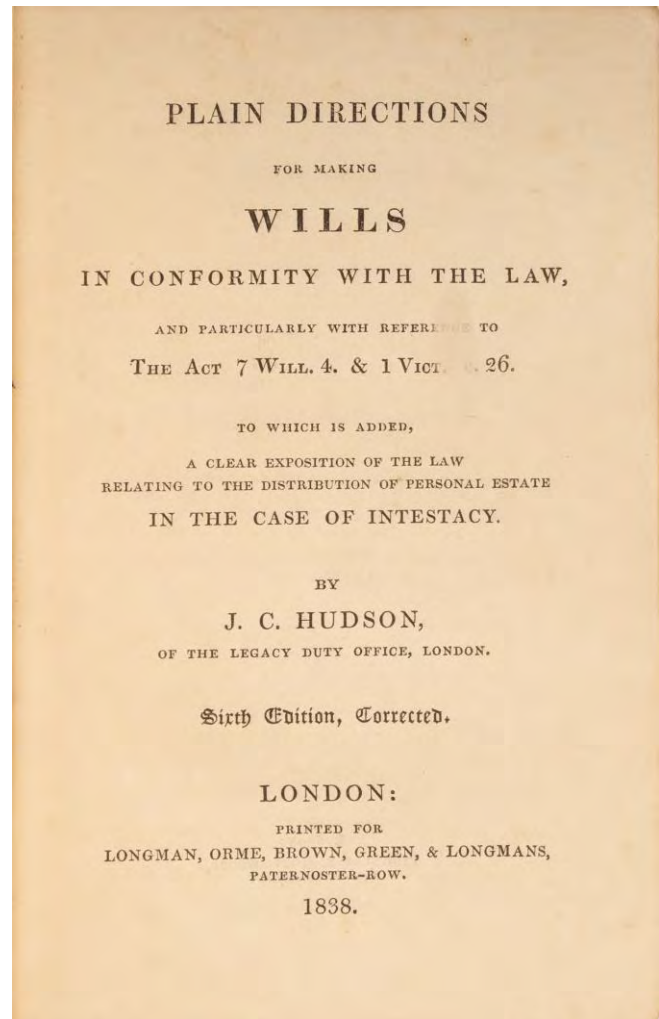
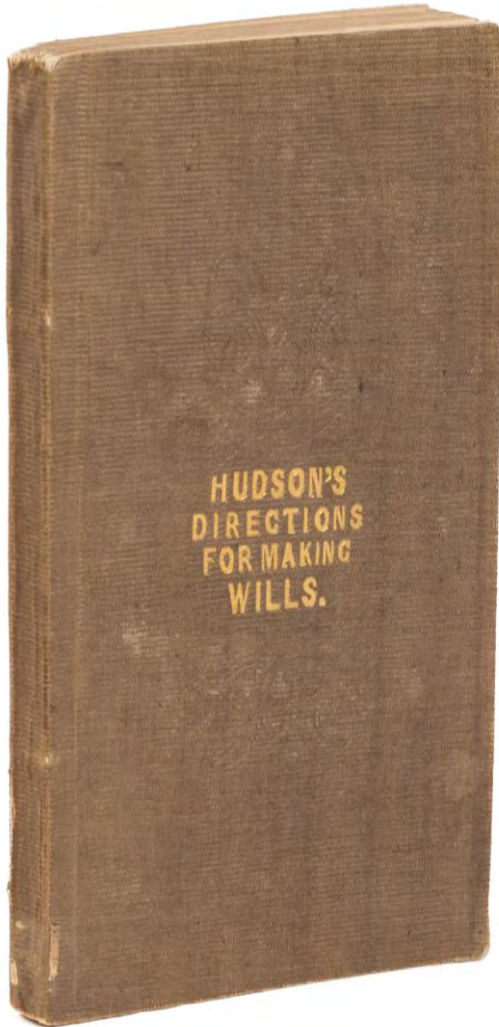
Curia Comitatus Rediviva. Or, The Pratique Part of the County-Court Revived, Fully Demonstrating Its Antiquity and Proceedings From the Originall to Execution, And All Manner of Actions Lying in It. Also an Easie and Plaine Method for the Keeping of the Court. Attachments and Distresses at Large Explained, Returnes of Writs which do Remove Suites Out of This Court, Into Superiour Courts, Presidents of Precepts; Both Originall and Iudiciall, To which is Added Some Select Presidents of Declarations and Pleadings. With an Exact Table of All the Particulars in the Book. London: Printed for John Place, At Furnivalls Inne Gate, And William Place at Grayes Inne Gate Holborn, 1657. [viii], 175, 116-117, [15] pp. Pagination irregular, text complete. Octavo (5-1/4" x 3-1/2").

Recent calf, blind frames to boards, gilt title and fillets to spine, endpapers renewed. Moderate toning to interior, library stamps to title page and a few other leaves, light soiling and minor edgewear to final leaf. \$750.

* Only edition. The first legal treatise by an expert on local and lay courts, *Curia Comitatus Rediviva* is a comprehensive treatment of the county court, tracing its origin to Saxon centuries, with an emphasis on the offices of sheriff and coroner and on debt, case, trespass and replevin. This is a scarce title. OCLC locates 4 copies in North American law libraries (Columbia, Harvard, University of Pennsylvania, Yale). The ESTC adds one more (University of Chicago).

English Short-Title Catalogue R223663.

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A Popular Layman's Guide to Drafting Wills

14. Hudson, J[ohn] C[orrie].

Plain Directions for Making Wills in Conformity with the Law, And Particularly with Reference to the Act 7 Will. 4. & 1 Vict. c. 26 : To Which is Added a Clear Exposition of the Law Relating to the Distribution of Personal Estate in the Case of Intestacy. London: Printed for Longman, Orme, Green, And Longmans, 1838. iv, 92, 4 pp. Main text followed by 4 pp. publisher catalogue. 12mo. (5-3/4" x 3-3/4").

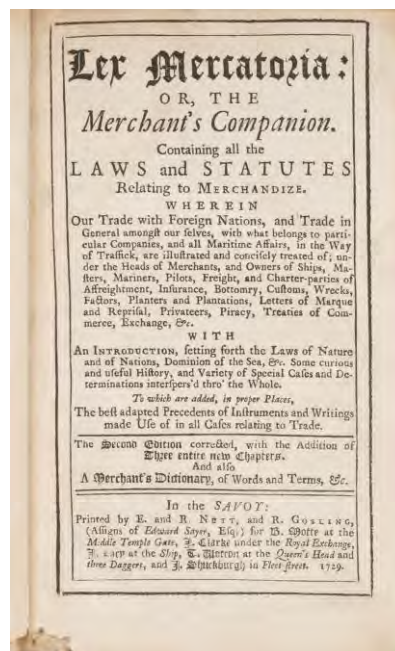
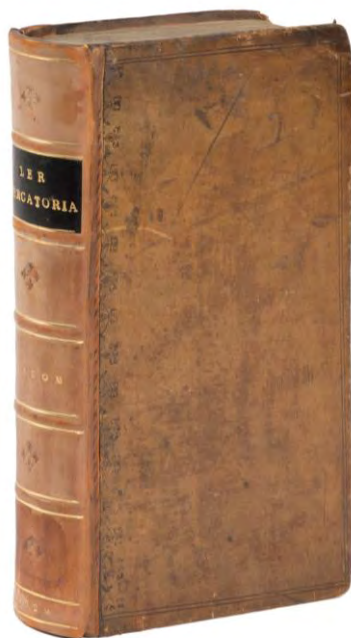
Flexible moire cloth with decorative blind stamping, gilt title to front board, all edges gilt. Light rubbing to boards, somewhat heavier rubbing to extremities, light toning to interior, rear hinge cracked, a few partial cracks to text, all leaves secure. \$150.

* Sixth edition, one of eight editions published in 1838. This popular layman's pocket-sized handbook had a ninth edition in 1839 and a final "New Edition" in 1859.

Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:174.

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With A "Merchant's Dictionary of Words and Terms"

15. [Jacob, Giles (1686-1744)].

Lex Mercatoria: Or, The Merchant's Companion. Containing all the Laws and Statutes Relating to Merchandize. Wherein Our Trade with Foreign Nations, and Trade in General Amongst Our Selves, With What Belongs to Particular Companies, and all Maritime Affairs, in the way of Traffick, are illustrated and Concisely Treated of; Under the Heads of Merchants, and Owners of Ships, Masters, Mariners, Pilots, Freight, and Charter-Parties of Affreightment, Insurance, Bottomry, Customs, Wrecks, Factors, Planters and Plantations, Letters of Marque and Reprisal, Privateers, Piracy, Treaties of Commerce, Exchange, &c. With an Introduction, Setting forth the Laws of Nature and of Nations, Dominion of the Sea, &c. Some Curious and Useful History, and Variety of Special Cases and Determinations Interspers'd Thro' the Whole. To which are Added, in Proper Places, The Best Adapted Precedents of Instruments and Writings Made Use of in All Cases Relating to Trade. [London]: Printed by E. and R. Nutt, 1729. [xii], 404, [12] pp. Octavo (7-3/4" x 4-3/4").

Contemporary calf, rebaked in period style, blind rules to boards, blind fillets along joints, lettering piece, gilt-edged raised bands and gilt publication date to spine, hinges mended. Light rubbing and a few nicks and scuffs to boards, moderate rubbing to board edges, corners bumped and somewhat worn, small faint stain to foot of spine, front hinge cracked, minor, gradually diminishing worming at foot of gutter of first quarter of text block. Moderate toning to interior, light soiling to title page. \$1,150.

* Second, and final, edition, "Corrected, with the Addition of Three Entire New Chapters. And Also A Merchant's Dictionary, of Words and Terms, &c." Both a treatise and a handbook, it provides information ranging from a form for "An Assignment of Negroes" (pp. 170-171) to a discussion of the South Sea Company (pp. 288-295). Its first edition was published in 1718. Known for his *New Law-Dictionary*, Jacob was the most prolific English legal writer of the eighteenth century. Although he was interested in boosting sales by attracting the widest audience possible, Jacob was also an idealist who believed that widespread knowledge of the law would help create a more just society. This is the goal of *Lex Mercatoria* (1718) and several other publications, such as *Every Man His Own Lawyer* (1736) and *Treatise of Laws* (1721).

English Short-Title Catalogue T137820.

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The Colorful Dutchess of Kingston

16. [Kingston, Elizabeth Chudleigh Hervey, Duchess of (1720-1788)].

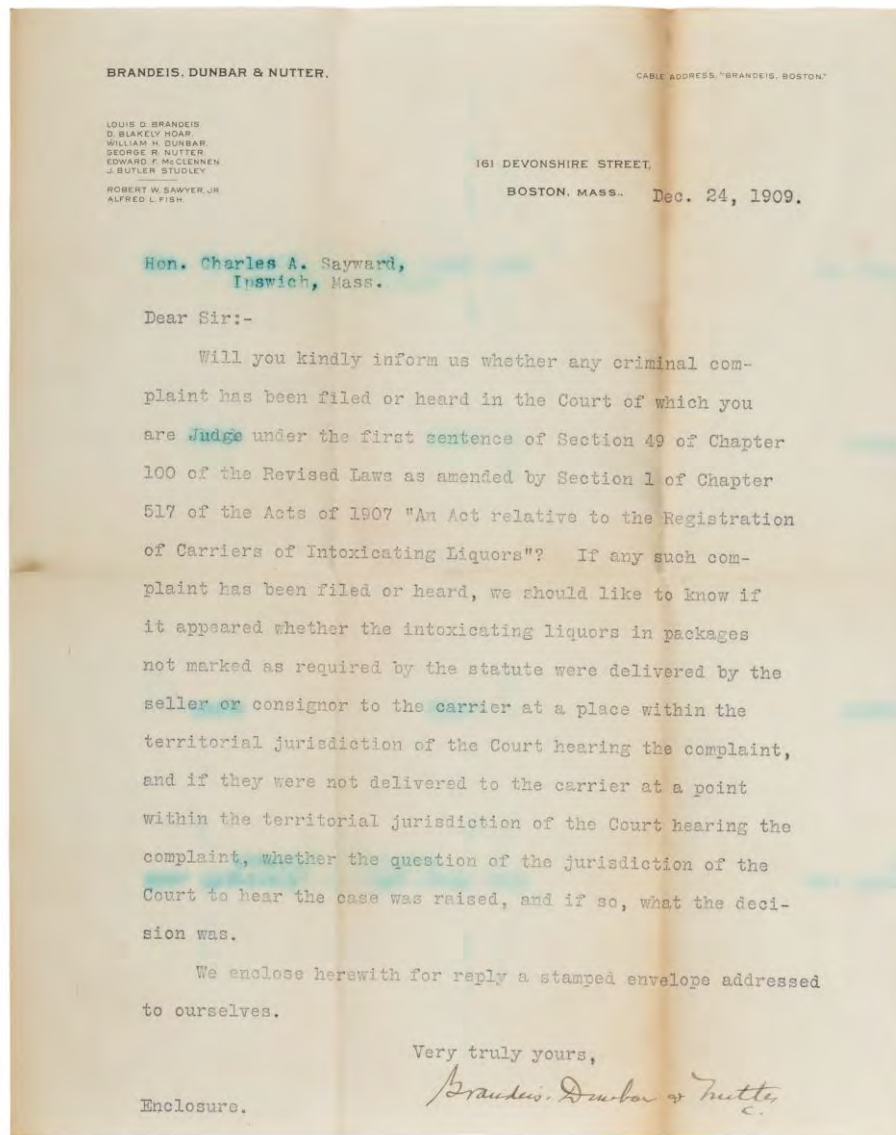
An Authentic Detail of Particulars Relative to the Late Duchess of Kingston. A New Edition. London: Printed for G. Kearsley, at Johnson's Head, No. 46, Fleet-Street, 1788. [ii], ii, 178 pp. Copperplate portrait frontispiece. Octavo (8-1/4" x 5-1/4").

Later quarter morocco over marbled boards, gilt fillets and title to spine. Wear to spine ends and joints and corners, which are bumped, front board partially detached but secure, small armorial bookplate (Carlingford) to front pastedown. Moderate toning to interior, soiling and smudges to a few leaves, heavier soiling to p. 178, light soiling to title page and frontispiece, which has light edgewear and a short tear to its fore-edge with no damage to image. \$350.

* Second edition, published the same year as the first. A final edition, designated the third, was published in 1790. Kingston was well-known for a colorful life of romantic entanglements and scandals. When she determined to marry the Duke of Kingston, Elizabeth feared the scandal of divorce from her first husband, Augustus Hervey, later Earl of Bristol, who wanted a divorce, so she instituted a suit of jactitation against him. His negative response ignored, she took an oath that she was unmarried, and the court so declared her. She married the Duke of Kingston in 1769, and he died in 1770 and left her a substantial estate on the condition that she remain a widow. The duke's nephew, Mr. Evelyn Meadow, brought suit against her for bigamy shortly after the duke's death, while she was traveling in Italy. She returned to England to stand trial. Found guilty, she would have been "burned on the hand" but she claimed the privilege of her peerage which served to exempt her from corporal punishment. She continued a life of travel and adventure until her sudden death in Paris in 1788.

Dictionary of National Biography IX:730. *English Short-Title Catalogue* T93420.

[Order This Item](#)



The Brandeis Firm Seeks Information from a Judge

17. [Manuscript].

[Brandeis, Louis D. (1856-1941)].

[Typed Letter on Brandeis, Dunbar & Nutter Letterhead, Boston, December 24, 1909].

Single-sided letter on 10-1/4" x 8" sheet. Moderate toning, fold lines, some with browning. Letter signed, most likely by a secretary or clerk, "Brandeis, Dunbar & Nutter C." \$150.

* Addressed to Judge Charles A. Sayward, this letter seeks information about two 1907 acts relating to carriers of intoxicating liquors.

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First Edition of an Important Early English Treatise on Maritime and Naval Law

18. Molloy, Charles [1646-1690].

De Jure Maritimo et Navali: Or, A Treatise of Affaires Maritime, And of Commerce. London: Printed for John Bellinger in Clifford's Inne Lane Against the West Doore of St. Dunstan's Church; And George Dawes in Chancery Lane Against Lincolns-Inne, 1676. [xxii], 452 [i.e. 380], [24] pp. Copperplate allegorical frontispiece. Octavo (8" x 5-1/4").

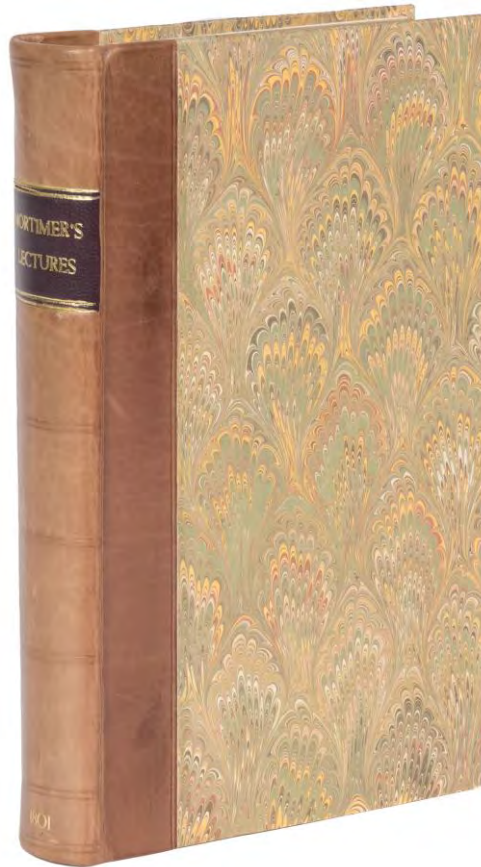
Contemporary mottled calf, rebacked in period style, blind rules to boards, lettering piece, gilt-edged raised bands and gilt publication date to spine, corners and hinges mended. Light rubbing, gatoring and a few nicks and scuffs to boards, moderate rubbing to board edges. Moderate toning to interior, light soiling, early owner signature (John Durrant) and later gift inscription ("gift of William Bruce to John Scales" dated 1761) to title page. \$1,250.

* First edition, one of three issues, all in 1676. The first treatise on international, commercial and maritime by an English common lawyer, *De Jure Maritimo et Navali* addresses international, naval, maritime and commercial law. Among its topics are rights of maritime nations, privateers, piracy, rights and laws of maritime nations with letters of marque, privateers, piracy, ships-of-war, crews, cargo and shipwrecks. A standard work for decades, it went through several editions, the last in 1778. A Spanish translation was published in 1793. Holdsworth and Coquillette note the importance of this work and its value to the legal historian. All of the 1676 imprints are scarce.

Holdsworth, *Sources and Literature of English Law* 210. Coquillette, *Comparative Studies in Continental and Anglo-American Legal History* 140-146. *English Short-Title Catalogue* R232280. R43462.

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"Intended As a Companion to Blackstone's Commentaries"

19. Mortimer, Thomas [1730-1810].

[Blackstone, Sir William (1723-1780)].

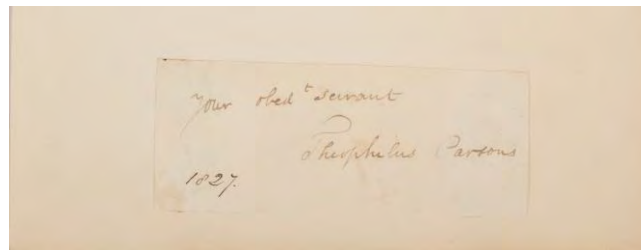
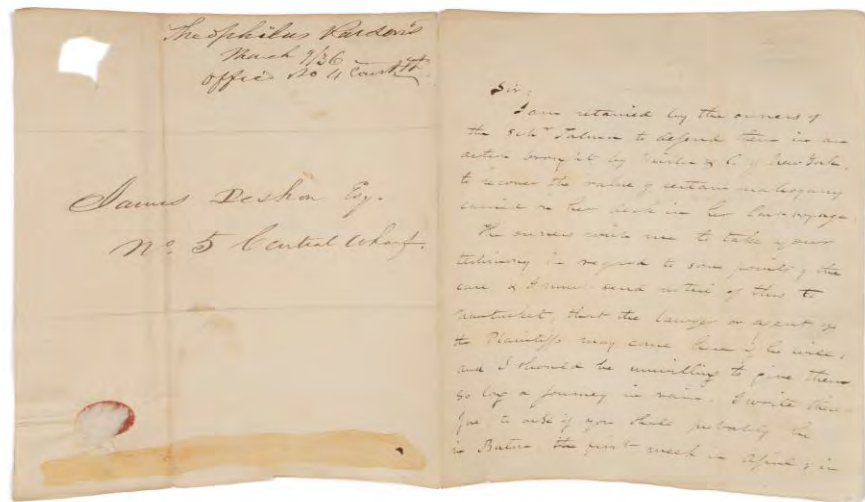
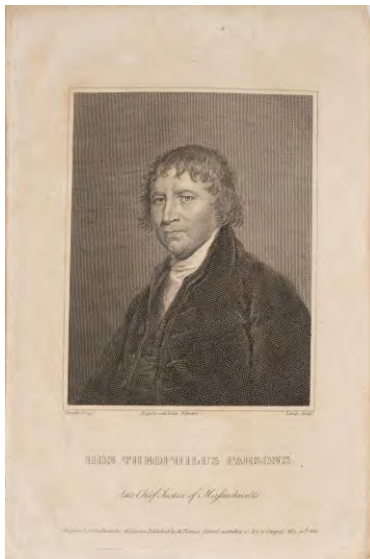
Lectures on the Elements of Commerce, Politics, and Finances; Intended as a Companion to Blackstone's Commentaries on the Laws of England; And Peculiarly Calculated to Qualify Young Noblemen and Gentlemen for Situations in Any of the Public Offices Under Government, And for Parliamentary Business. London: Published by A. Strahan, Printers-Street; For T.N. Longman and O. Rees, Paternoster Row, 1801, 1801. xxviii, 442 pp. Includes six-page subscriber list. Added stipple-engraved portrait frontispiece. Octavo (8-1/4" x 5").

Recent period-style quarter calf over marbled boards, lettering piece, blind fillets and gilt publication date to spine, endpapers renewed. Moderate toning to interior, somewhat heavier in places, light foxing to a few leaves, owner inscription (of Dudley P. Bailey, Jr, dated 1846) to verso of portrait. \$850.

* Only edition. Best known as the author of *Every Man His Own Broker* (First edition, 1761), Mortimer was an attorney, diplomat and writer with an interest in commercial law. He believed Blackstone provided an essential component of the nobleman and gentleman's education. His *Lectures* were intended to cover the remaining areas: commerce, politics and finances. The engraving is based on a portrait by Sir William Beechey [1753-1839]. Titled "Thomas Mortimer, Esq.," it was published in London by J. Sewell in 1799. Not in Eller.

Laeuchli, *A Bibliographical Catalog of William Blackstone* 481.

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With Two Autograph Items and a Portrait

20. Parsons, Theophilus [1797-1882].

Memoir of Theophilus Parsons, Chief Justice of the Supreme Judicial Court of Massachusetts; With Notices of Some of His Contemporaries. By His Son, Theophilus Parsons. Boston: Ticknor & Fields, 1859. viii, 476, [11] pp. With an 11 pp. published catalogue at rear of text. Portrait frontispiece with tissue overlay. Octavo (7-3/4" x 5").

Original textured cloth with blind-stamped frames and ornaments, gilt title to spine. Light rubbing to boards, somewhat heavier rubbing to extremities, tiny tear to head of spine, moderate rubbing to interior.

[With]

[Laid-in Folder Containing an Undated Autograph Letter, Signed, a Clipped Signature, Affixed to Folder, and Steel-Plate Portrait of Parsons].

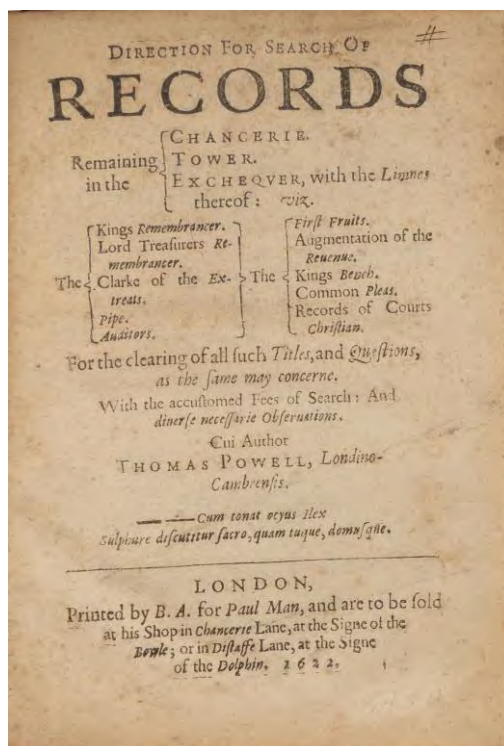
Light soiling and edgewear, a few minor tears along fold lines of letter.

Together 4 items. \$150.

* Only edition. One of the great New England jurists of the nineteenth century, Parsons [1750-1813] played a major role in the Americanization of the common law. The letter is addressed James Deshon. It concerns a legal case involving cargo lost at sea. According to its caption, the portrait, dated 1818, was removed from an issue of *The Analectic Magazine*.

Cohen, *Bibliography of Early American Law* 2070.

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"For the Clearing of All Such Titles, And Questions"

21. Powell, Thomas [1572?-1635?].

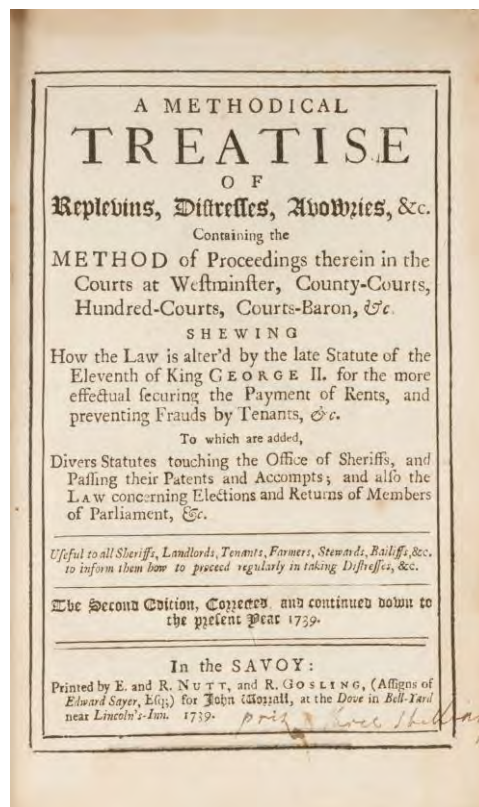
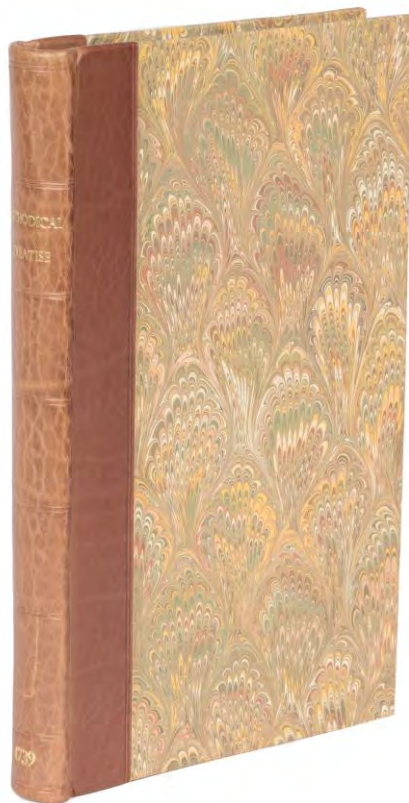
Direction for Search of Records Remaining in the Chancerie. Tower. Exchequer, With the Limmes thereof: Viz. The Kings Remembrancer. Lord Treasurers Remembrancer. Clarke of the Extreats. Pipe. Auditors. The First Fruits. Augmentation of the Revenue. Kings Bench. Common Pleas. Records of Courts Christian. For the Clearing of All Such Titles, And Questions, As the Same May Concerne. With the Accustomed Fees of Search: And Diverse Necessary Observations. London: Printed by B.A. for Paul Man, 1622. [xiv], 78, [2] pp. Lacking first and final leaves, both blanks. Quarto (7-3/4" x 5-1/2").

Later speckled calf, blind rules to boards, rebacked and recormered in period style retaining original lettering piece, gilt tooling to board edges, blind tooling to inner board edges, endpapers renewed. Light rubbing and a few minor nicks, scratches and stains to boards, a few chips to edges of lettering piece, moderate rubbing to board edges. Woodcut head-pieces, tail-pieces and decorated initials. Light toning to interior, occasional faint dampstaining to top-edge, light foxing and soiling in a few places, minor tears and chips to edges of a few leaves, text not affected, early manicules to a few pages and ink mark to title page. \$650.

* Only edition. Powell was a notable poet, a man of letters and an industrious legal antiquarian. In this work, the *Attourney's Academy* and the *Attornies' Almanack* Powell offered guidance to lawyers concerning the location and use of records, mostly to settle title claims. All are mentioned favorably by Holdsworth, who notes that the study of early records was an important aspect of legal education. In a sense, these books helped students to locate material for study. They are also important sources for students of Shakespeare. (All are listed in Lee's Catalogue of Shakespeareana). OCLC locates 4 copies in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Pennsylvania).

Holdsworth, *History of English Law* V:381. *English Short-Title Catalogue* S115034.

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The Law of Replevin in the Early Eighteenth Century

22. [Replevin].

A Methodical Treatise of Replevins, Distresses, Avowries, &c., Containing the Method of Proceedings Therein in the Courts at Westminster, County-Courts, Hundred-Courts, Courts-Baron, &c., Shewing How the Law is Alter'd by the Late Statute of the Eleventh of King George II. For the More Effectual Securing the Payment of Rents, And Preventing Frauds by Tenants, &c. To Which are Added, Divers Statutes Touching the Office of Sheriffs, And Passing Their Patents and Accompts; And Also the Law Concerning Elections and Returns of Members of Parliament, &c. Useful to All Sheriffs, Landlords, Tenants, Farmers, Stewards, Bailiffs, &c. To Inform Them How to Proceed Regularly in Taking Distresses, &c. Corrected, And Continued Down to the Present Year. [London] Printed by E. and R. Nutt, And R. Gosling, (Assigns of E. Sayer, Esq.) for J. Worrall, 1739. viii, 164, [8] pp. Includes 1 pp. publisher advertisement. Octavo (7-3/4" x 5").

Recent period-style quarter calf over marbled boards, blind fillets, gilt title and gilt publication date to spine, endpapers renewed. Moderate toning to interior, light soiling and edgewear to preliminaries, early owner signature (Edith Philipps) and offsetting to front endleaf, illegible early annotation to foot of title page. \$650.

* Second and final edition, enlarged, the best edition of this work. First published in 1718, this was the first treatise on replevins, distresses and related topics. Well-arranged, it offers an excellent overview of this legal area as it existed in the first half of the eighteenth century. OCLC locates 9 copies in North American Law Libraries. This edition not in Sweet & Maxwell.

English Short-Title Catalogue T123428.

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A Copy of the Only Abridgment of
Doctor and Student with Contemporary Annotations

23. Saint German, Christopher [1460?-1540].

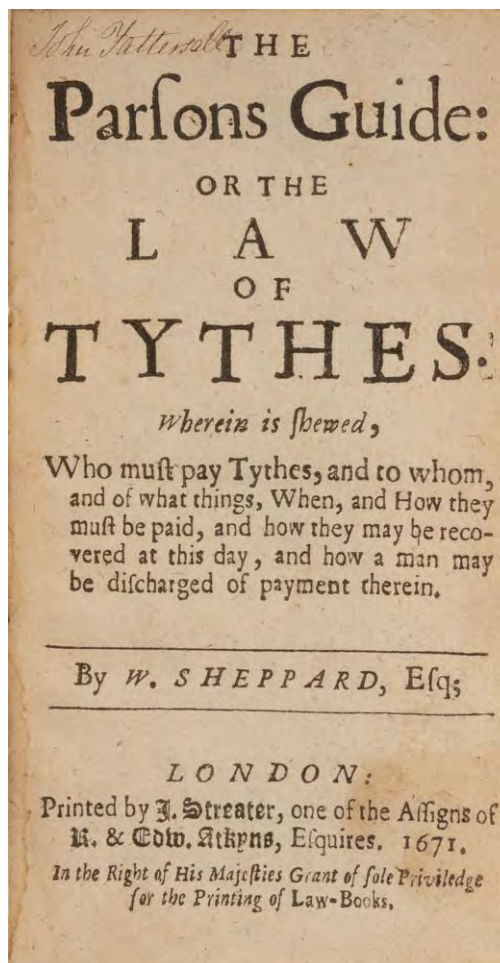
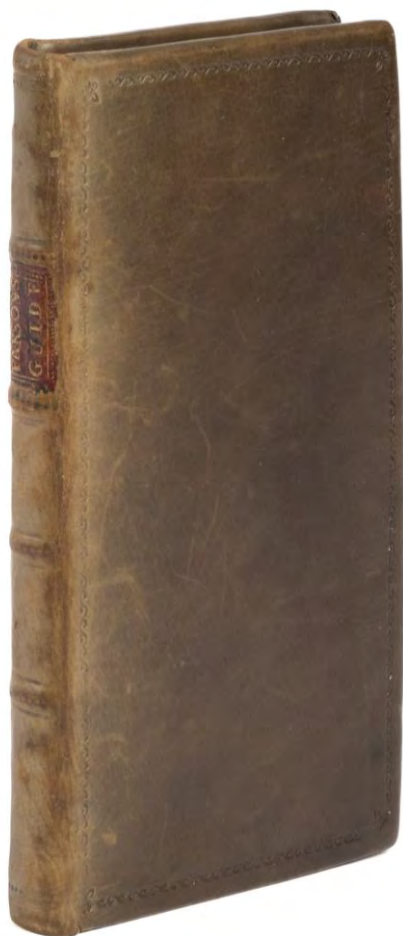
An Exact Abridgement of That Excellent Treatise Called Doctor and Student. London: Printed by [John Haviland for] the Assignes of Iohn More Esquire, And are Sold by Mathew Walbancke, At Grayes Inne Gate, 1630. [192] pp. Octavo (5-1/4" x 3-1/2").

Recent period-style quarter calf over marbled boards, blind fillets and gilt title to spine, endpapers renewed. Minor worming to upper-inside corner of rear board, rear joint just starting at foot. Moderate toning to interior, early repair to head of title page with some loss to text ("An"). Early owner signature (of Ben Basher, dated 1640) to center of title page, brief annotations in similar hand to verso of title page and several leaves. \$400.

* First edition. *Doctor and Student* was first published in 1523, and is cast in the form of two dialogues between a doctor of divinity and a law student. It discusses the nature and object of law, the religious and ethical standards of law, the foundations of the common law, equity and the jurisdiction of Parliament. It was an influential work into the eighteenth century. Its only abridgment, *An Exact Abridgement* was produced by an anonymous editor with the initials, seen at then end of the preface, "I.L." A second edition was published in 1658. The annotations in our copy are brief glosses on the text.

English Short-Title Catalogue S116394.

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Cromwell's Financial Demands on the Clergy

24. Sheppard, William [d.1675?].

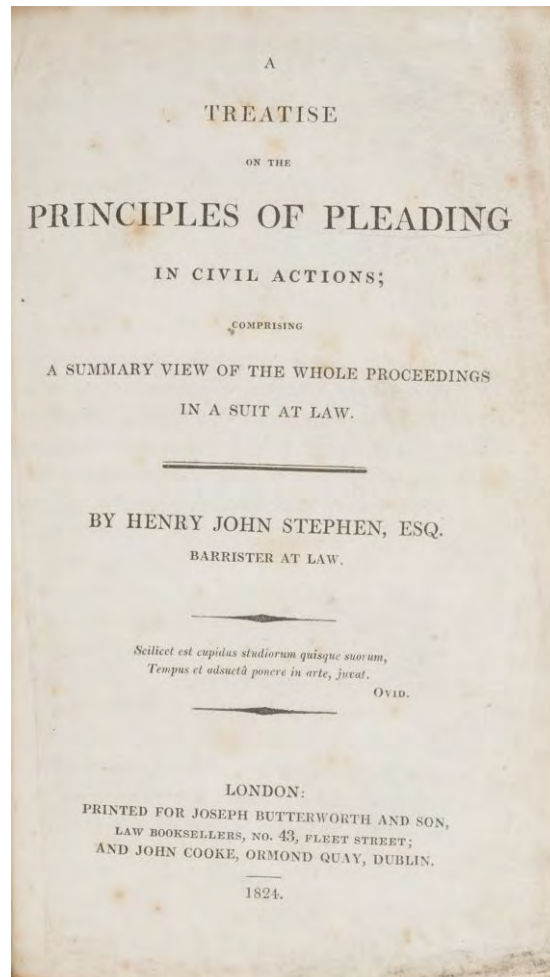
The Parsons Guide: Or the Law of Tythes. Wherein is Shewed, Who Must Pay Tythes, And to Whom, And of What Things, When, And How They Must be Paid, And How they May be Recovered at this Day, And How a Man May be Discharged of Payment Thereof. London: Printed by J. Streater, 1671. [12], 96pp. 12mo. (5-1/2" x 3").

Recent period-style calf by Philip Dusel, blind fillets to boards, raised bands and lettering piece to spine, existing endpapers retained. Corners lightly bumped, light fading to spine, moderate toning to interior, faint stain to foot of title page, tiny early owner signature (John Tattersall) to head). A nice copy in a notably handsome binding. \$850.

* Third and final edition. Originally published in 1654, this brief treatise supporting Cromwell's financial demands on the clergy. Active in the Protectorate, where he was Cromwell's legal advisor, Sheppard aimed to reform English law. Many of his proposals anticipated changes that were adopted in the nineteenth century. *The Parsons Guide* supported Cromwell's reforms of tithing laws, which were drafted by Sheppard. All editions and issues are scarce. OCLC locates 3 copies of the third edition in North American law libraries (Columbia, Harvard, University of Pennsylvania).

English Short-Title Catalogue R217585.

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First Edition of a Classic Treatise on Pleading

25. Stephen, Henry John [1787-1864].

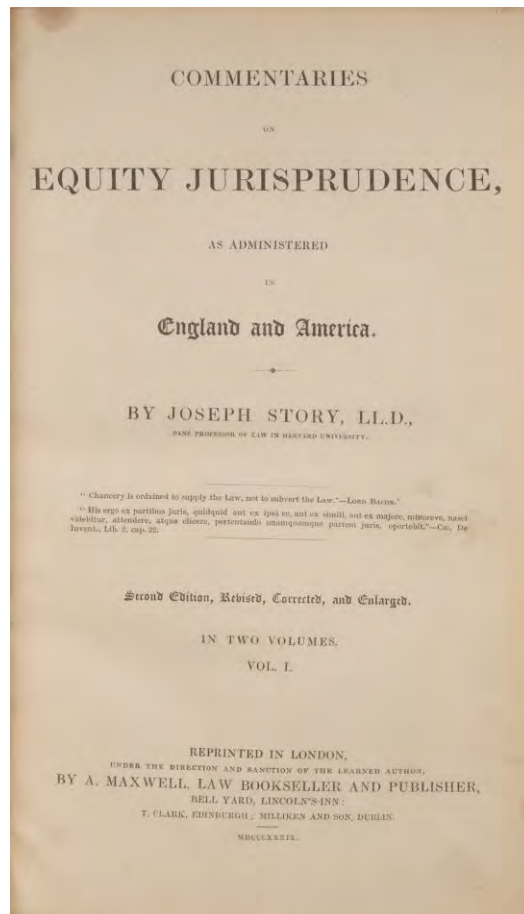
A Treatise on the Principles of Pleading in Civil Actions; Comprising a Summary View of the Whole Proceedings in a Suit at Law. London: Printed for Joseph Butterworth and Son, 1824. xix, [1], 463, cv, [3] pp. With a 2 pp. publisher catalogue. Octavo (8-1/2" x 5-1/2").

Later quarter sheep over cloth, gilt and blind fillets, gilt title and gilt publication date to spine, endpapers added. Light rubbing to extremities, somewhat heavier to spine ends. Moderate toning to interior, light foxing and brief early markings in pencil in a few places, soiling and edgewear to preliminaries and final few leaves of text. \$450.

* First edition. The success of this classic treatise, a standard work for decades, can be traced to its organization, clarity and style. According to Dicey, Stephen "exhibited the whole theory in scientific form, arranged the principles in logical order, and expressed them in a series of rules of unequalled clearness and brevity" (*DNB*). Marvin called it "a masterpiece of exhausting and elegant legal writing" that was notable for its "accurate statement and clear elucidation" of principles.

Dictionary of National Biography (DNB) XVIII:1047. Marvin, *Legal Bibliography* 664. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:339.

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"A Major Step in the Transformation of Equity"

26. Story, Joseph [1779-1845].

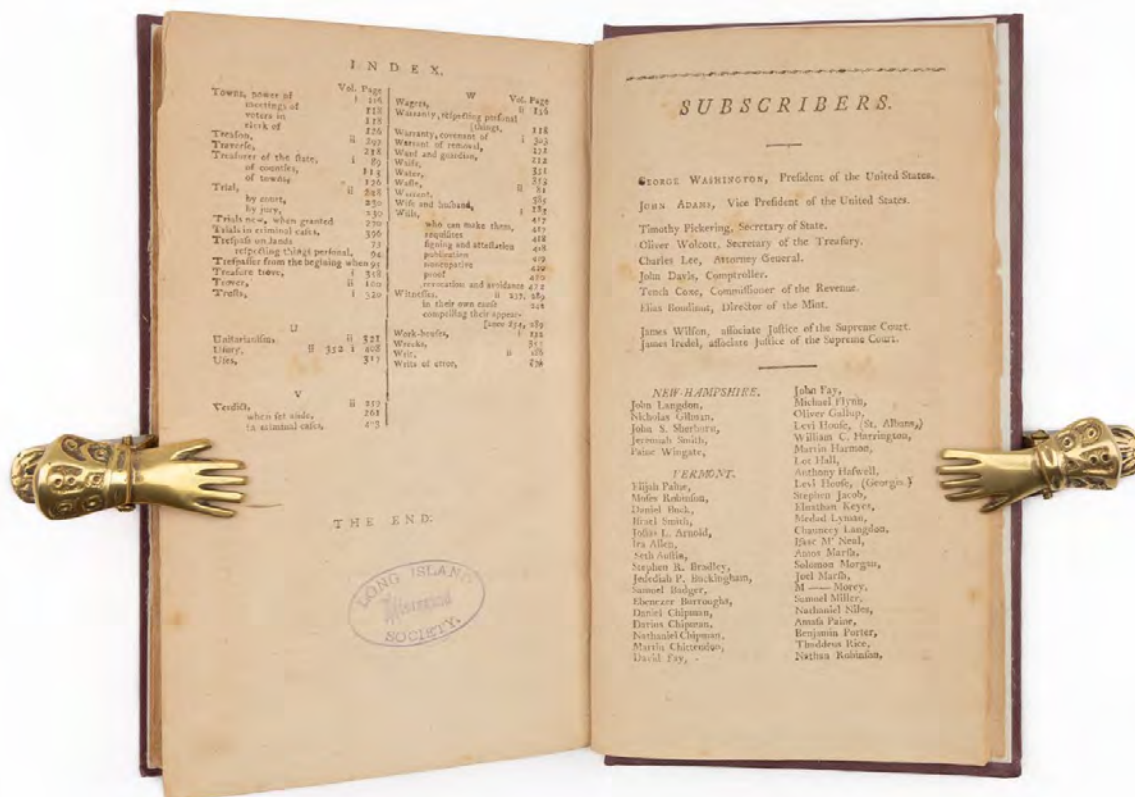
Commentaries on Equity Jurisprudence, As Administered in England and America. Revised, Corrected, And Enlarged. London: Reprinted...Under the Direction and Sanction of the Learned Author, By A. Maxwell, 1839. Two volumes. [i], xxxiii, 773; xl, 947 pp. Octavo (9-1/2" x 6").

Contemporary calf, rebaked in period style, blind fillets to boards, gilt library insignia to front board, raised bands, blind fillets and retained contemporary lettering pieces to spines, endpapers renewed. Moderate rubbing to boards, heavier rubbing to boards edges, front joint and hinges of Volume I partially cracked, library label to its front pastedown. Light toning to interior, somewhat heavier in places, finger smudges and marks in light pencil to a few leaves in each volume. \$750.

* Second English edition, published the same year as the second American edition. As Horwitz notes, this treatise "marks a major step in the transformation of Equity from an eighteenth century system of substantive rules derived from 'natural justice' to a nineteenth century positivist conception of Equity as simply providing a more complete and inclusive set of procedural remedies."

Horwitz, *The Transformation of American Law, 1780-1860* 265. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:342. Cohen, *Bibliography of Early American Law* 5013.

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The First American Legal Text

27. Swift, Zephaniah [1759-1823].

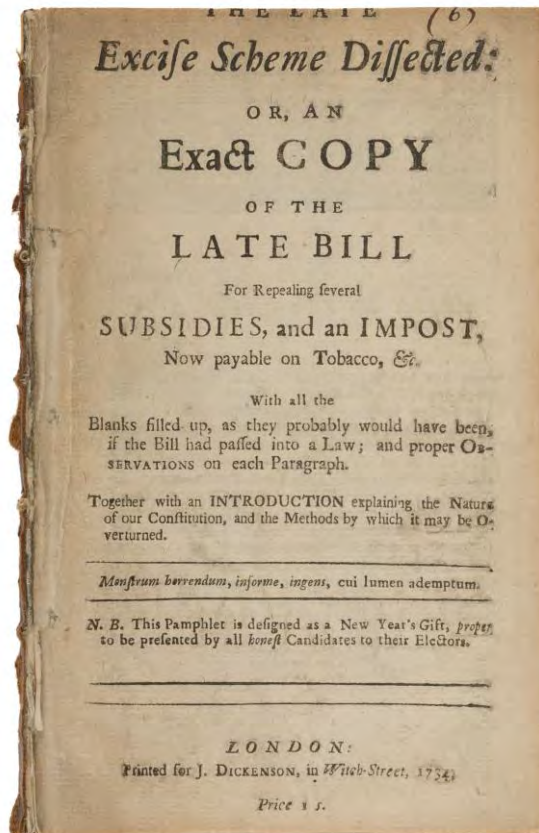
A System of the Laws of the State of Connecticut. In Six Books. Windham, CT: Printed by John Byrne for the Author, 1795-1796. Two volumes. vii [i.e. iv], 452; v, [1], 479, [12] pp. Folding copperplate table of descents. 6 pp. subscriber list at end of Volume II. Octavo (8-1/4" x 4-1/2").

Recent library cloth, printed paper labels to spines, endpapers renewed. Negligible light soiling, slight bubbling to spines, hinges cracked, front endleaves of Vol. II detaching at head but secure, small ink library stamps to title pages and p. 442 of Volume I. Moderate toning to interior, occasional light foxing, several cracks to text blocks, a few leaves loosening very slightly but secure, chips, small tears or lacking corners to edges of several leaves, affecting text without loss on pp. 229-230 of Volume I only, all leaves of signature Ll (pp. 257-264) in Vol. I duplicated due to printer error, vertical tear to folding table without loss to legibility, faint dampstaining to a few leaves of Vol. II. \$500.

* First edition. Structured in the manner of Blackstone's *Commentaries*, Swift's *System* was the first original American legal treatise. It presented an overview of the common law of Connecticut, and the common law generally, based on local court decisions and legislation. "More than a hundred years later it was still cited by Connecticut courts" (Woxland and Ogden). The work was highly regarded outside of Connecticut. Published on a subscription basis, its subscribers included, among other notables, George Washington, John Adams, Aaron Burr, James Kent and James Madison.

Woxland and Ogden, *Landmarks in American Legal Publishing* 22. Cohen, *Bibliography of Early American Law* 5628.

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"Designed as a New Year's Gift"

28. [Taxation].
[Great Britain].

[Erskine, James, Lord Grange (1679-1754), Attributed].

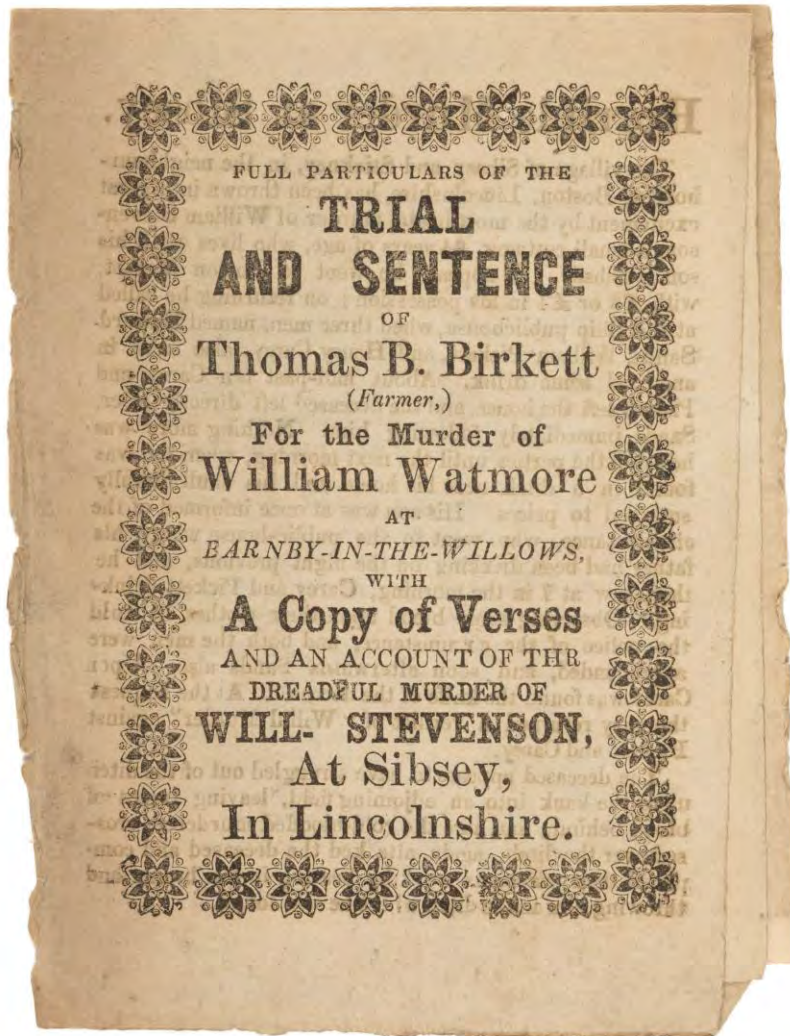
The Late Excise Scheme Dissected, Or, An Exact Copy of the Late Bill for Repealing Several subsidies, And an Impost, Now payable on Tobacco, &c. With All the Blanks Filled Up, As They Probably Would Have Been, If the Bill Had Passed Into a Law; And Proper Observations on Each Paragraph. Together With an Introduction Explaining the Nature of Our Constitution, And the Methods by Which it May be Overturned. N. B. This Pamphlet is Designed as a New Year's Gift, Proper to be Presented by All Honest Candidates to Their Electors. London: Printed for J. Dickenson, In Witch-Street, 1734. v, 80, 89-90 pp. Octavo (7" x 4-1/2").

Disbound stab-stitched pamphlet, "(6)" in early hand to upper outside corner of title page. Moderate toning, head of text block trimmed with loss to head lines and first line of text on title page, light soiling to exterior light edgewear to title page, which is beginning to detach at foot. \$350.

* Only edition, one of two issues from 1734. An attack on Walpole's proposed Excise Bill of 1734, which taxed a variety of consumer products. Hostility to this bill was fervent because it authorized revenue officers to search private homes for contraband untaxed merchandise. The *ESTC* notes this pamphlet is sometimes attributed to two political opponents: James Erskine, Lord Grange [1679-1754] and William Pulteney, 1st Earl of Bath [1684-1764].

English Short-Title Catalogue (ESTC) N10281.

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"So Much for the Game Laws!"

29. [Trial].

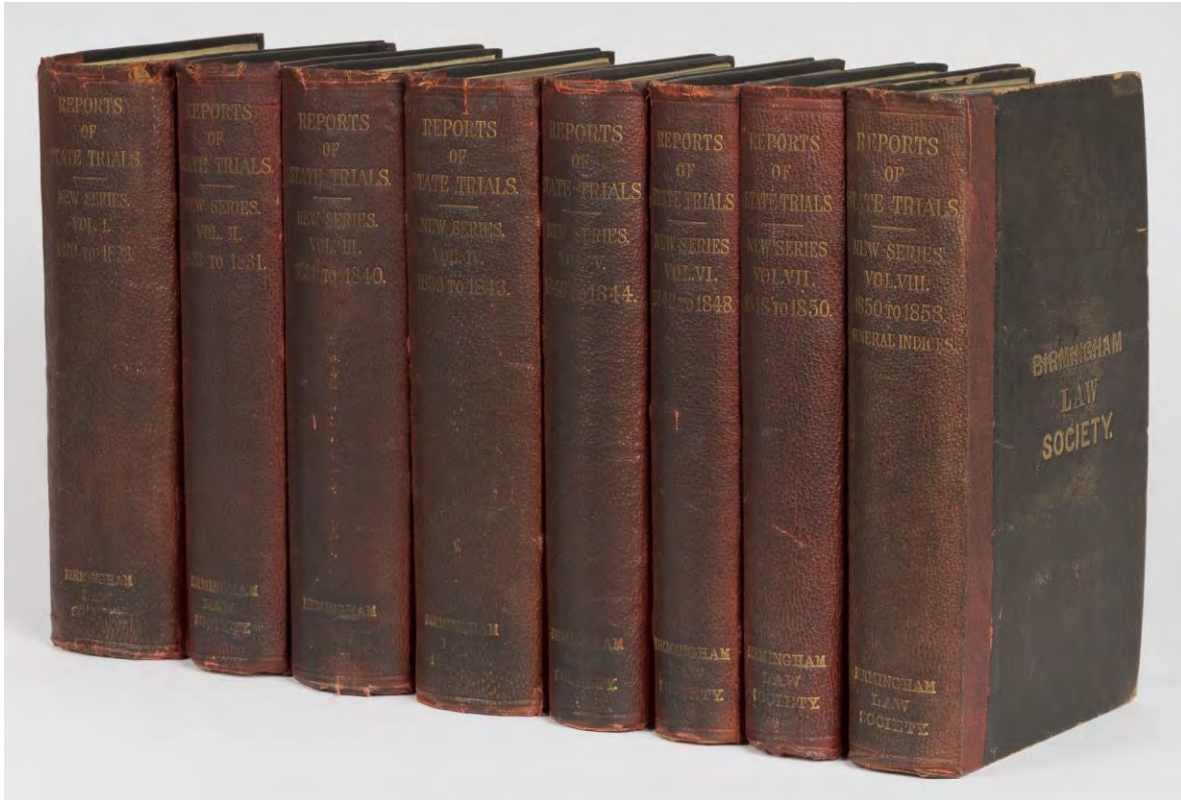
Birkett, Thomas B, Defendant.

Full Particulars of the Trial and Sentence of T.B. Birkett (Farmer) For the Murder of William Watmore at Barnby-in-the-Willows. With a Copy of Verses and an Account of the Dreadful Murder of Will-Stevenson, At Sibsey, In Lincolnshire. [(London): Taylor, Printer, 93, Brick Lane, Bethnat Green, (1859)]. 8 pp. Quarto (5-1/2" x 4").

Uncut, untrimmed, and unsewn chapbook. Moderate toning, light soiling, moderate edgewear, partial tears along fold lines. \$250.

* Only edition. Birkett shot and killed Watmore after a heated dispute about the placement of rabbit traps. Upon receiving his sentence, Birkett exclaimed: "So much for the game laws!" A poem at the end of the account blames obsolete game laws for Birkett and Watmore's fateful confrontation. Rare. OCLC and Library Hub locate 2 copies, both at the British Library.

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Complete Set of MacDonnell's "Excellentlly Edited" *Reports*

30. [Trials].

Macdonell, Sir John, Editor.

Wallis, John E.P., Editor.

Reports of State Trials: New Series, 1820-[1858]. Published Under the Direction of The State Trials Committee. London: Printed for H.M.S.O., by Eyre and Spottiswoode, Printers to the Queen, 1888-1898. Eight volumes. Complete set. Main text in parallel columns. Portrait frontispieces with tissue guards. Maps. Fold-out plans. Facsimiles. Octavo (9" x 6").

Cotemporary quarter morocco-stamped cloth over contrasting cloth boards, gilt title to spines, library name to front boards and foot of spines, library insignia to rear boards. Light rubbing to boards, moderate rubbing to extremities, somewhat heavier rubbing to boards and extremities of Volume VIII, a few minor tears to spine ends, front hinge of Volume VIII cracked, library bookplates, labels and card pockets to front pastedowns and endleaves, small inkstamps to title pages and a few leaves of each volume. Light toning to interiors, light soiling to endleaves. \$500.

* First edition. The first collection of English state trials was published in 1719. It formed the nucleus of later collections produced in the next hundred years under the direction of later editors, most notably Francis Hargrave and William Cobbett. The final volume, containing reports of cases from 1820, appeared in 1826. In 1885 Parliament decided to produce an edition of later reports, so they commissioned a "new series" covering the years from 1820 to 1858 under Macdonell's direction. Holdsworth says it is an "excellently edited" work, an opinion shared by many critics. Cited frequently, it remains a standard work.

Holdsworth, *A History of English Law* XII:128.

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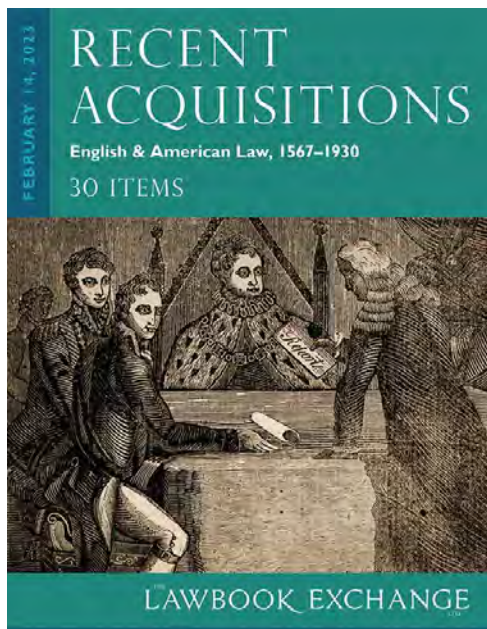
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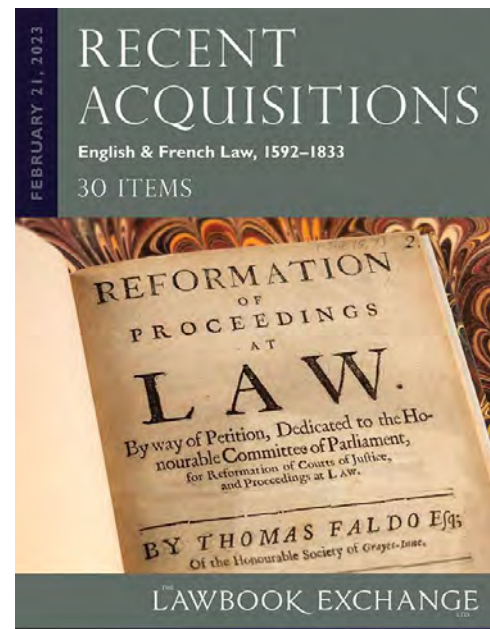
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