

30 Recent Acquisitions

Canon, Civil, Common & Roman Law

January 8, 2019



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An Important Nineteenth-Century Pennsylvania Jurist

1. [American School, 19th Century].

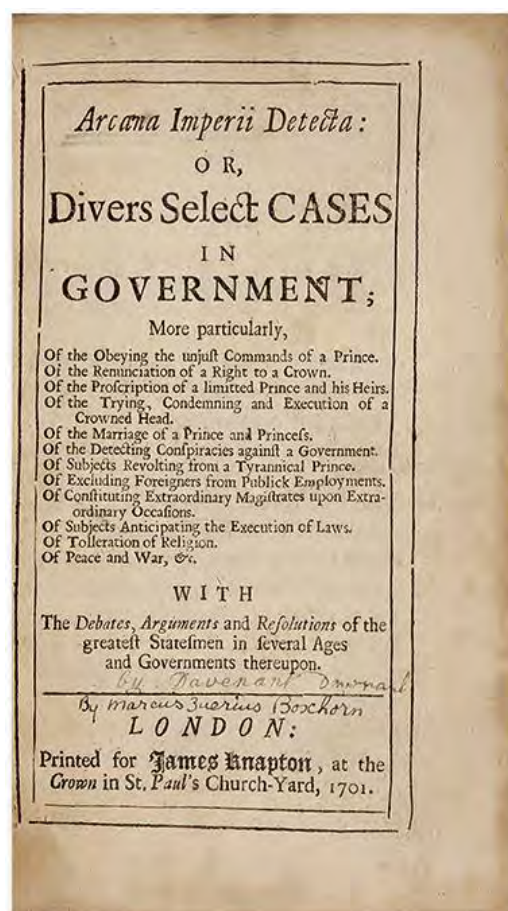
[Troubat, Francis (1802-1868)].

[*Portrait of Francis Joseph Troubat*]. Philadelphia?, c.1837. 29" x 24-1/4" (image size).

Oil on canvas in ornate nineteenth-century gilded wood frame, small plaque reading "Francis J. Troubat/ Born 1802-Died 1868" to head of frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$5,000.

* A prolific writer of legal texts, Troubat is best known as the co- author with William W. Haly, of *The Practice in Civil Actions and Proceedings in the Supreme Court of Pennsylvania, in the District Court and Court of Common Pleas for the City and County of Philadelphia, and in the Courts of the United States* (1837). This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967. [Order This Item](#)

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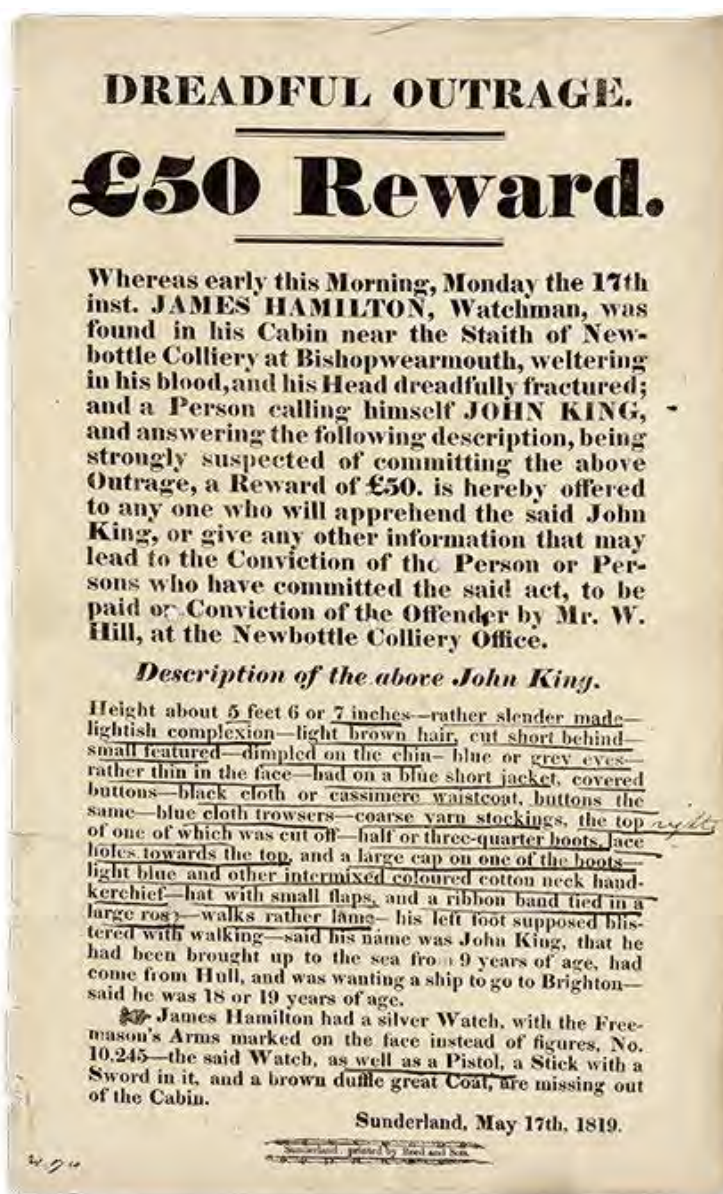
**Interesting Essays on Government
and Parliament by a Notable Seventeenth-Century Dutch Scholar**

2. [Boxhorn, Marcus Zuerius (1612-1653)].

Arcana Imperii Detecta: Or, Divers Select Cases in Government; More Particularly, Of the Obeying the Unjust Commands of a Prince. Of the Renunciation of a Right to a Crown. Of the Proscription of a Limited Prince and his Heirs. Of the Trying, Condemning and Execution of a Crowned Head. Of the Marriage of a Prince and Princess. Of the Detecting Conspiracies Against a Government. Of Subjects Revolting from a Tyrannical Prince. Of Excluding Foreigners from Publick Employments. Of Constituting Extraordinary Magistrates upon Extraordinary Occasions. Of Subjects Anticipating the Execution of Laws. Of Tolleration of Religion. Of Peace and War, &c. With The Debates, Arguments and Resolutions of the Greatest Statesmen in Several Ages and Governments Thereupon. London: Printed for James Knapton, 1701. [xvi], 366, [2] pp. Includes two-page publisher list at rear of text; another one-page list opposite p.1. Octavo (7-1/2" x 4-1/2").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, edges rouged, endpapers renewed. Moderate toning, minor worming to foot of text block in a few places, minor loss to text in two places, faint dampspotting to a few leaves, later owner annotation to title page and its verso. \$750.

* Only edition. Compiled posthumously, this book is a fine introduction to the political and legal scholarship of one of the most interesting thinkers of the seventeenth century. Boxhorn, a prominent linguist, historian and political theorist, was a professor at the University of Leiden. A remarkably prolific scholar, his work stands on the cusp of late-Renaissance humanism and the early-Enlightenment thought epitomized by such philosophers as Hobbes and Pufendorf. He admired England's Parliament and had a keen interest in the history and institutions of English law and government. OCLC locates 9 copies in North American law libraries. *English Short-Title Catalogue* T116021. [Order This Item](#)



"Dreadful Outrage"

3. [Broadside].

[King, John (d. 1819)].

Dreadful Outrage. £50 Reward. Sunderland: May 17, 1819.

13-1/4" x 8" broadside, pasted to plain sheet. Text in single column below headline. Moderate toning, faint horizontal and vertical fold lines, a few minor chips and tears and a few tiny holes to sheet, underlining and a few brief annotations in contemporary hand. \$500.

* This wanted poster was issued after the murder of James Hamilton, a watchman at Bishopswearmouth, and the theft of his watch, pistol, swordstick and greatcoat. A detailed description is given of the prime suspect, a mariner named John King. Perhaps owing to the information in this broadside, King was eventually tracked down, tried and executed. COPAC and OCLC locate 1 copy (Durham University). [Order This Item](#)



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

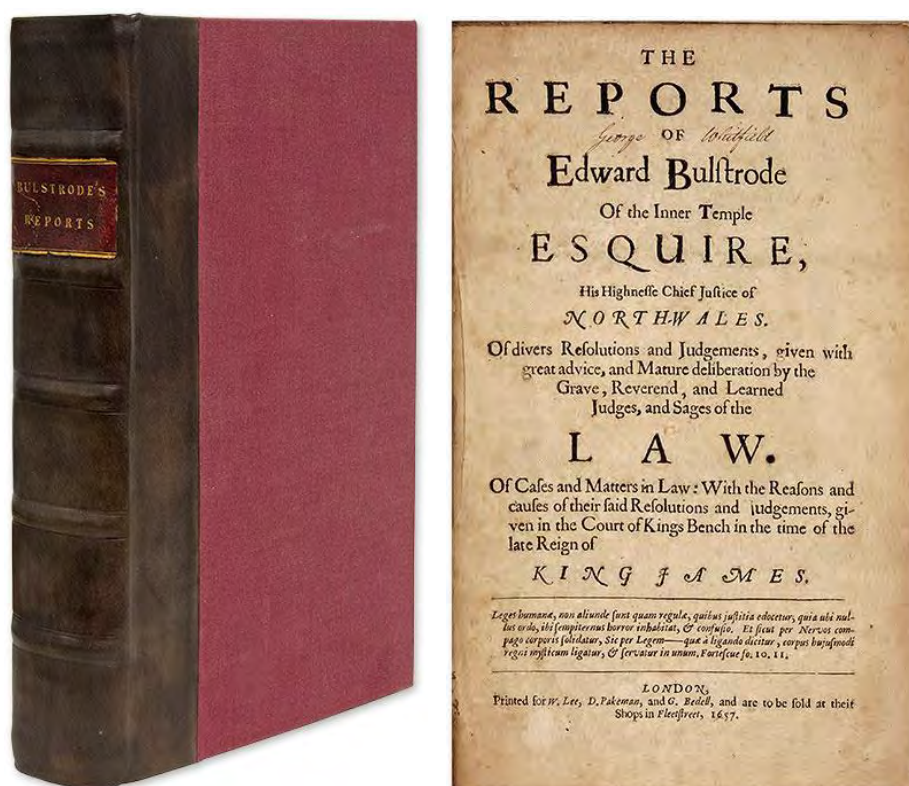
4. [Broadside].

[Louisiana Purchase].

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

18" x 11" broadside, untrimmed edges and foxing, vertical and horizontal fold lines, few minor tears along folds. \$1,500.

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



Bulstrode's Reports, Complete with the Scarce Third Part

5. Bulstrode, Edward [1588-1659].

The Reports of Edward Bulstrode of the Inner Temple Esquire, His Highnesse Chief Justice of North-Wales. Of Divers Resolutions and Judgements, Given with Great Advice, And Mature Deliberation by the Grave, Reverend, And Learned Judges, And Sages of the Law. Of Cases and Matters in Law: With the Reasons and Causes of Their Said Resolutions and Iudgements, Given in the Court of Kings Bench in the Time of the Late Reign of King James. London: Printed for W. Lee, D. Pakeman, And G. Bedell, 1657. [28], 223, [41] pp. Complete.

[Bound with]

Bulstrode, Edward.

The Second Part of the Reports of Edward Bulstrode... London: Printed for W. Lee, D. Pakeman, And G. Bedell, 1658. [28], 216, 209, 226-358, [36] pp. Pagination irregular. Complete.

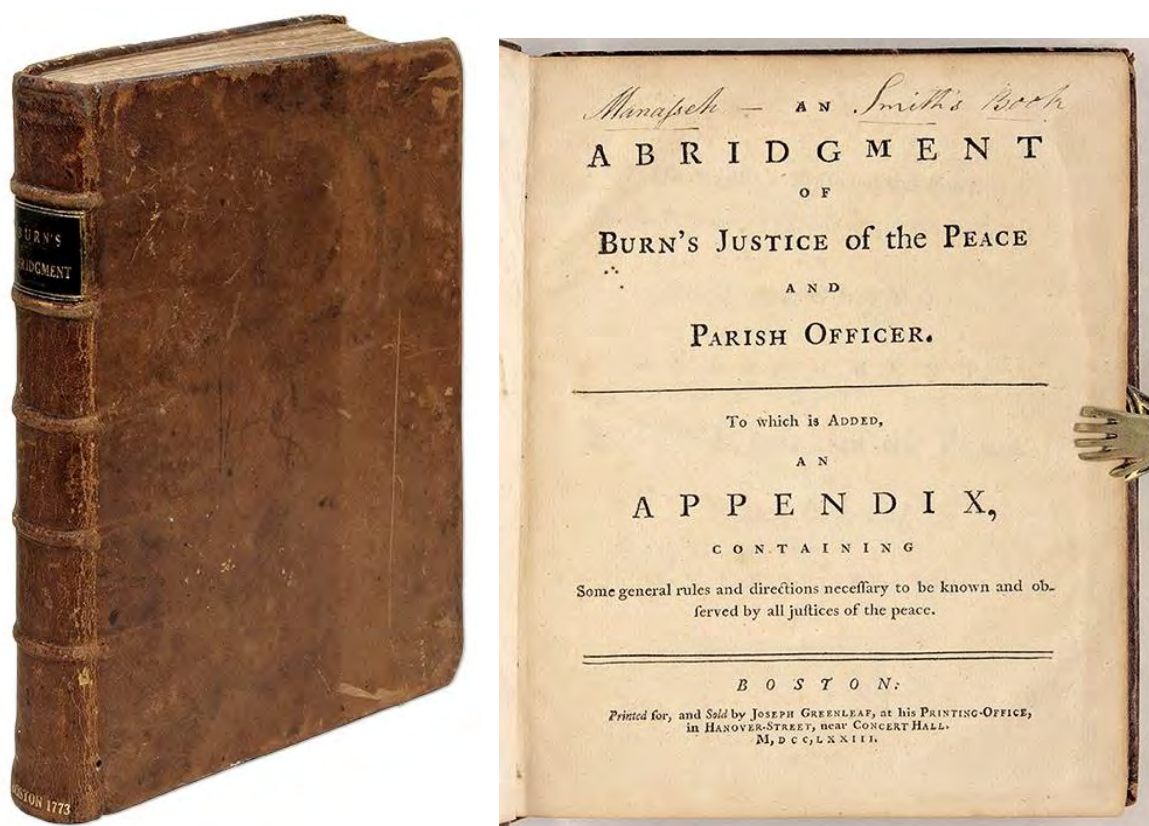
[And]

Bulstrode, Edward.

The Third Part of the Reports of Edward Bulstrode... London: Printed for W. Lee, D. Pakeman, And G. Bedell, 1659. [20], 341, [27] pp. Complete.

Together three parts. Folio (11-1/4" x 7-1/2"). Recent period-style quarter calf over cloth, raised bands and somewhat edgeworn calf lettering piece retained from earlier binding to spine, endpapers added, "Bulstrodes" in early hand to foot of text block. Moderate toning, light foxing in a few places, minor worming to upper corner of final quarter of text block, light edgewear to preliminaries and rear endleaves, a few early manuscripts corrections to page numbers, early owner signature to title page of first part. An attractive copy of an uncommon complete set. \$1,000.

* First editions. Covers the period from 1609-1639. Bulstrode intended his reports to rival "that Leviathan of the law" Lord Coke. According to the preface of the first part, Bulstrode emphasized the care he took to select a well-chosen collection of his "the fittest and choicest cases." Hale gave these reports his seal of approval. Wallace, *The Reporters* 245-246. *English Short-Title Catalogue* R15968, R226766, R226767. [Order This Item](#)



The Only American Abridgment Published Before the Revolution

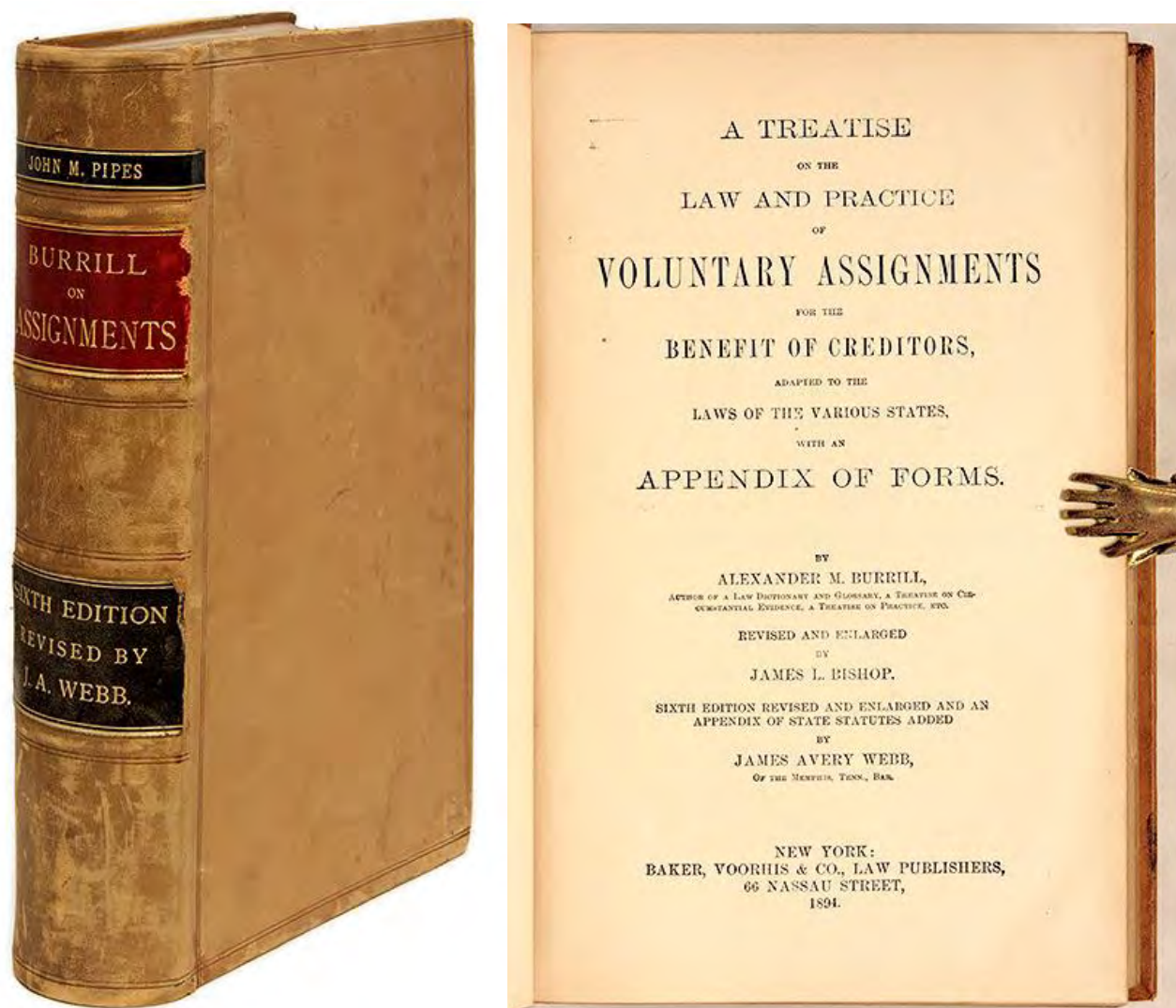
6. Burn, Richard [1709-1785].

Greenleaf, Joseph [1720-1810], Editor.

An Abridgment of Burn's Justice of the Peace and Parish Officer. To Which is Added, An Appendix, Containing Some General Rules and Directions Necessary to be Known and Observed by All Justices of the Peace. Boston: Printed For, And Sold By, Joseph Greenleaf, 1773. [viii], 386, [2] pp. Includes two-page publisher advertisement. Quarto (8-1/2" x 7").

Contemporary sheep, raised bands and later lettering piece to spine, "Boston 1773" gilt-stamped to foot. Light rubbing and a few minor scuffs and stains to boards, moderate rubbing to extremities, corners bumped and somewhat worn. Moderate toning, occasional faint dampspotting, paper flaw at foot of pp. 204-204 not affecting text, early owner signature and inscription of Manessah Smith to front free endpaper and head of title page. A choice copy. \$1,500.

* Only edition of the only abridgement of a legal treatise printed in America before the Revolution. Richard Burn was an attorney and antiquarian who edited the ninth, tenth, and eleventh editions of Blackstone's *Commentaries*. His *Justice of the Peace, and Parish Officer* (1755) was perhaps his most important work. Holdsworth considered it to be one of the best treatments of the subject, an opinion shared by Burn's contemporaries, both in England and in the colonies. The "best proof that his book...was accepted as the leading text-book on that topic is the number of editions through which it passed.... It deserved its success." Greenleaf explains the nature of his abridgement in the preface: "The London edition takes in the whole practice of England and Scotland, this renders it both bulky and dear. The circle of a justices business in those places is vastly extensive, and is founded chiefly on acts of the British parliament, which can never have any relation to this colony" [i]. Greenleaf also added an appendix of forms and general rules and directions for American courts. Manessah Smith [1748-1823] was a 1775 Harvard graduate. He served as a chaplain during the Revolution and later practiced law in Wiscasset, Maine. He was the founder of a legal dynasty. All four of his sons and many of his grandsons became lawyers in mid-coast Maine. Holdsworth, *A History of English Law* XII:332-333. Cohen, *Bibliography of Early American Law* 8325. James, *A List of Legal Treatises Printed in the British Colonies and the American States Before 1801* 41. [Order This Item](#)



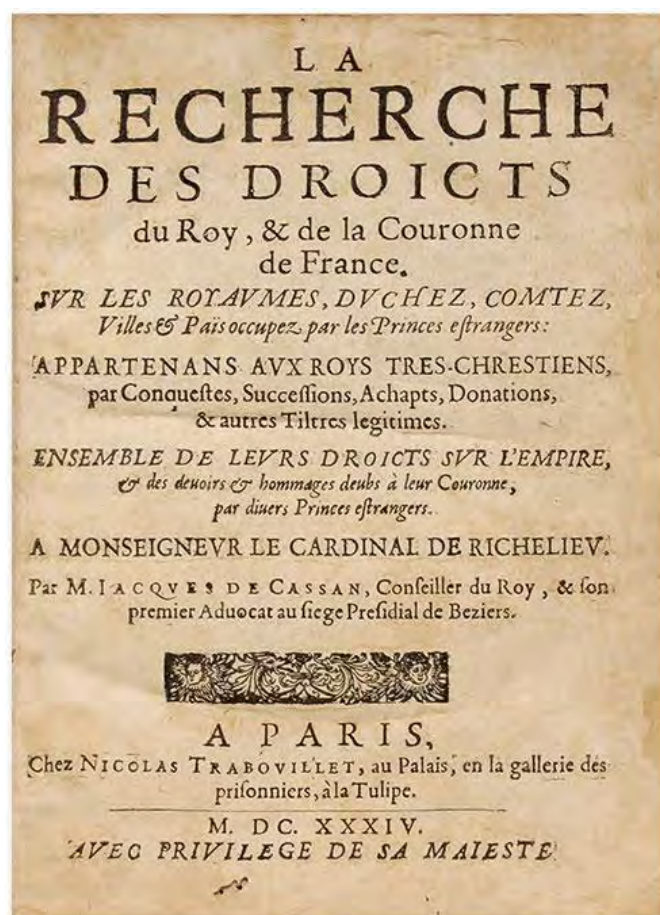
Listed in the Bibliography of *Black's Law Dictionary*

7. Burrill, Alexander M. [1807-1869].
Webb, James Avery [1868-1953], Editor.
Bishop, James L. [1843-1924], Editor.

A Treatise on the Law and Practice of Voluntary Assignments for the Benefit of Creditors, Adapted to the Laws of Various States. Revised and Enlarged and an Appendix of State Statutes Added. New York: Baker, Voorhis & Co., 1894. lxiii, 755 pp. Octavo (9-1/4" x 6-1/4").

Contemporary calf, blind rules to boards, raised bands, red and black lettering pieces and owner label to spine. Light rubbing to boards, somewhat heavier rubbing to extremities with light wear to edges of lettering pieces, corners lightly bumped, early owner signature to front pastedown, front hinge cracked, light toning to text. \$350.

* Sixth and final edition. First published in 1853, this was a standard work during the second half of the nineteenth century. This edition is listed in the bibliography of *Black's Law Dictionary*, 10th Edition. *Catalogue of the Library of the Harvard Law School* (1909) I:280. [Order This Item](#)



**Interesting Seventeenth-Century
French Legal Study of Royal Authority**

8. Cassan, Jacques de.

La Recherche des Droicts du Roy, & De la Couronne de France, Sur les Royaumes, Duchez, Comtez, Villes & Pais Occupez par les Princes Estrangers: Appartenans aux Roys Très Chrestiens, Par Conquestes, Successions, Achapts, Donations, & Autres Titres Legitimes. Ensemble de Leurs Droicts sur l'Empire, & Les Devoirs & Hommages Deubs à Leur Couronne. Par Divers Princes Estrangers. Paris: Chez Nicolas Trabouillet, 1634. [x], 426; 257, [3] pp. Two parts. Second part with drop-head title and individual pagination. Quarto (8-1/2" x 6-1/2").

Contemporary vellum with lapped edges, faint early hand-lettered title to spine, edges rouged. A few minor stains, boards slightly bowed, spine end and corners bumped, vellum just beginning to crack through pastedowns. Moderate toning and light foxing to text, faint dampstaining to margins in a few places, minor worming to foot of first half of text block. A nice copy of a scarce title. \$1,500.

* Second edition. First published in 1634, this is an appraisal of the French King's jurisdiction, political authority and role in diplomatic relations. It is an interesting work because it is legalistic rather than a work of speculative political science or one based on a theory of divine rights. A durable work, it went through seven editions in all, the last one in 1646. All editions are scarce. OCLC locates 6 copies in North America, 1 in a law library (Harvard). This edition not in Camus. *British Museum Catalogue* (Compact Edition) 5:122. [Order This Item](#)



The Proper Forms for Pleading in the Curia Romana

9. [Curia Romana].

[*Formularium Instrumentorum ad Usus Curiae Romanae. Constitutio 19 November 1317 'Exsecrabilis Quorundam' Contra Pluralitatem Beneficiorum; Paulus II, Bulla 23 November 1464 'Cum Detestabile Scelus' Contra Simoniacos; Paulus II, Bulla 1 March 1467 'Ambitiose Cupiditati' de Rebus Ecclesiae non Alienandis*]. [Basel: Michael Wenssler, Not after 1480]. [126] ff. Collation: q6, a11, b-k8, l6, m-o8, p6. Leaf a1, a blank, lacking. Signature q, the table of contents, with blank q1, is bound at front as in the British Library copy. Folio 12" x 8-1/2" (30 x 21.5 cm).

Contemporary blind-stamped red-dyed doeskin, rebaked in period style, central cross and linear frame on covers with 15 repeat stamps, including man of sorrows, 'Maria' in a banner, paschal lamb, a deer, rosette and palmette, apparently not in *Einbanddatenbank*, raised bands and decorative blind tooling and stamps to spine, period-style replica clasps. Light rubbing and a few minor stains to boards, heavier rubbing to extremities with wear to spine ends and corners, partial crack through spine, scattered wormholes to exterior, pastedowns and leaves at front and rear of text block, minor worming to other leaves. 55-line text in single column. Light toning, slightly heavier in places, wrinkling from moisture to margins in a few places, inkspots to a few leaves, brief early annotation to verso of front leaf, 1646 owner inscription of Burghausen, Jesuit college at head of first text leaf. \$17,000.

* First appearing in the 1474 Rome edition of Johann Schurener and Johann Nicolai Hanheymer, the *Formularium Instrumentorum* is a collection of models for legal documents applicable to canon law. Developed in the second quarter of the fifteenth century, they were used in the multifarious business of the Curia. This edition was printed in Wenssler's type 124, later taken over by P. Kunne, Memmingen, and probably first cast for liturgical use. A 1480 date of purchase was noted by Baer, *Bücherfreund* 9 (1911), no 1, 2, 738. Goff, *Incunabula in American Libraries* F254. *Gesamtkatalog der Wiegendrucke* 10201. [Order This Item](#)



King Henry VIII Outlaws Buggery

10. [Great Britain].
[Statutes].
[Homosexuality].

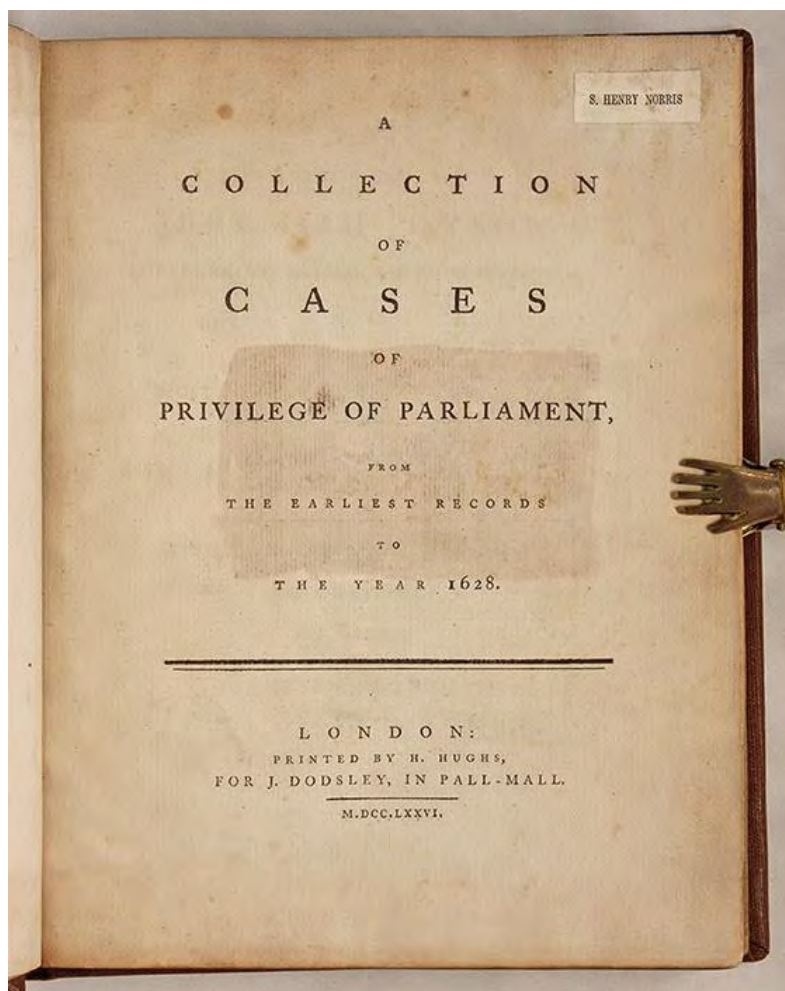
Anno XXV. Henrici Octavi. Actes Made in the Session of this Present Parliament Holden upon Prorogacion at Westminster, the. XV. Day of Januarie, In the .XXV. Yere of the Reigne of Our Most Drad Sovereigne Lord Kyng Henry the .VIII. And There Continued and Kept Till the .xxx. Daie of Marche then Next Ensuyng: to the Honour of God and Holy Church, And for the Common Weale and Profite of this his Realme. London: [T. Powell], 1562. [84] pp. Folio (10-1/4" x 6-3/4").

Nineteenth-century pebbled cloth, paper title label to spine. Corners bumped and lightly worn, fading to spine, light wear to ends, armorial bookplate of Edwin Freshfield to front pastedown, brief annotation to verso of front free endpaper by Anthony C. Taussig. Title printed within woodcut architectural border, woodcut decorated initials. Light toning to text, minor worming to lower margin at gutter. A nice copy. \$2,500.

* First published in 1534, this compilation of statutes includes the infamous "Acte for the punishment of the vice of buggerie" (Chapter VI). Enacted in 1533, this statute took homosexual acts away from the jurisdiction of the ecclesiastical courts and made them capital crimes under the common law. Revoked and revised several times, the act was restored in its original form by Queen Elizabeth I, one year after its republication here. It remained in force for more than two centuries.

Edwin Freshfield [1832-1918] was a solicitor in his great family law firm. Founded in London in 1743, it is now the multi-national Freshfields Bruckhaus Deringer.

Anthony Taussig was a distinguished barrister and scholar. His collection of manuscripts and annotated printed books was acquired by Yale Law School and Yale's Beinecke Rare Book and Manuscript Library. As noted by the *English Short-Title Catalogue*, there are two copies bearing the date 1562. One was probably printed in 1575. Ours is a true 1562 printing, with line 4 of the title page ending "sessions." There are at least five editions of these acts published between 1535 and 1551. All are scarce. OCLC locates 2 copies of our 1562 imprint in North America (Harvard Law School, New-York Historical Society). *English Short-Title Catalogue* S113128. Beale, *A Bibliography of Early English Law Books* S159. [Order This Item](#)



An Authority on Parliamentary Procedure

11. Hatsell, John [1743-1820].

A Collection of Cases of Privilege of Parliament, From the Earliest Records to the Year 1628. London: Printed by H. Hughes, For J. Dodsley, 1776. viii,[4], 211, [17] pp.

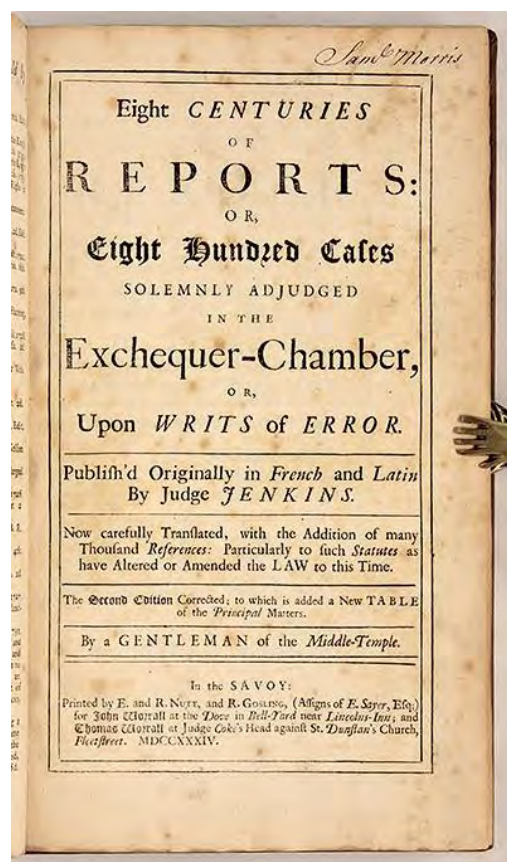
[Bound with]

Hatsell, John.

Precedents of Proceedings in the House of Commons, Under Separate Titles; With Observations. London: Printed by H. Hughes, For J. Dodsley, 1781. xi, [3], 247, [33] pp. Half-title lacking.

Two volumes. Quarto (11" x 9"). Recent library buckram, raised bands, red and black lettering pieces, gilt-stamped volume numbers ("1 & 2") and institution name and shelf label spine, small security tag and blind-stamped institution name to front board, endleaves added. Moderate toning to text, somewhat heavier in places, light foxing to a few leaves, library stamps to edges, tiny later owner label to upper corner of title page, library bookplate to its verso, small library stamp to verso of following leaf, which is a blank. \$500.

* First editions. Hatsell was clerk of the House of Commons from 1768 to 1820 and the author of four books on procedure in that house. Holdsworth cited them frequently in *History of English Law* and considered them to be definitive studies. The first three were originally issued separately and are bibliographically distinct. In 1818 a fourth volume was issued as "Volume IV." At that time the preceding books were reissued as Volume I, Volume II and Volume III. Holdsworth, *A History of English Law* XII:345-346. *English Short-Title Catalogue* T114879, T114572. [Order This Item](#)



A "Father" of Leading Cases

12. Jenkins, [David] [1582-1663].

Eight Centuries of Reports: Or, Eight Hundred Cases Solemnly Adjudged in the Exchequer-Chamber, Or, Upon Writs of Error. Publish'd Originally in French and Latin by Judge Jenkins. Now Carefully Translated, With the Addition of Many Thousand References: Particularly to Such Statutes as Have Altered or Amended the Law to this Time. Corrected; To Which is Added a New Table of the Principal Matters. London: Printed by E. and R. Nutt, And R. Gosling, 1734. [ii], x, [10], 144, 159-341, [29] pp. With an initial advertisement leaf. Pagination irregular, text complete. Folio (12-1/4" x 7-3/4").

Modern library buckram, red and black lettering pieces, gilt-stamped institution name and shelf label spine, small security tag and blind-stamped institution name to front board, retained early armorial owner bookplate to front pastedown, endleaves added. Moderate toning to text, light foxing in places, library stamps to edges and added endleaves, some edgewear to initial advertisement leaf, early owner signature (of Samuel Morris) to head of title page. \$450.

* First edition in English and the second edition overall. First published in 1661, this collection includes cases from the 13th through 17th centuries. By far, it covers a greater time period than any other reporter. The oldest case is from 1220, far earlier than any cases reported in the Year Books. "[T]his book...is not in any true sense a book of reports, though it does...contain certain abstracts of manuscript cases not elsewhere found. The book consists in the main of abstracts of Fitzherbert's *Abridgment*, and perhaps from Statham's and Brooke's; from the *Year Books*, and from the reports of Keilway, Benloe, Dalison, Dyer, Plowden, Coke, and some other persons,- the source from which he gets the abstracts being generally stated in the margin. When the case which he presents is important, he occasionally appends a note of his own; being, in this respect, the father of all the various persons, who, in our own day, have published *Leading Cases*" (Wallace). The owner of this book was a member of the prominent Morris family of Philadelphia, possibly Samuel Morris [1711-1782], merchant, Philadelphia Registrar of Wills and trustee of the University of Pennsylvania. Wallace, *The Reporters* 69. *English Short-Title Catalogue* T32459. [Order This Item](#)



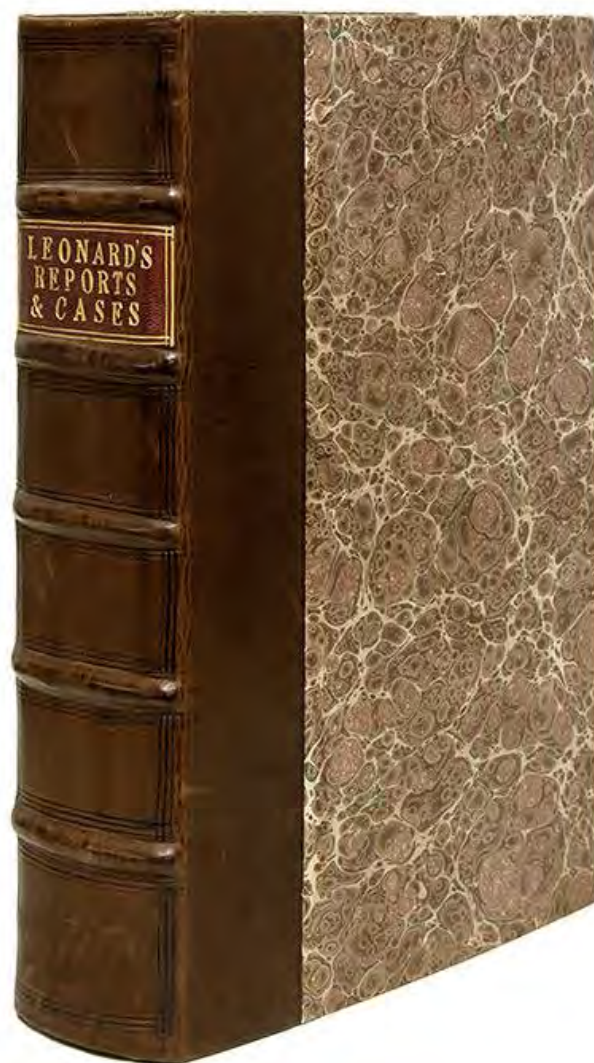
"That Scar Was Won by a Slave"

13. Kemble, E[dward] W[indsor] [1861-1933].

"Look!" He Cried, "And Bless the Sight, For that Scar was Won by a Slave." [New York], September 1887.

Attractively glazed and matted 10-1/2" x 8-1/2" pen-and-ink drawing in handsome 16" x 14-1/2" wooden frame. A few minor nicks and scratches to frame, a few tiny spots to matte, light uniform toning to image. \$1,850.

* An illustration for "De Valley an' de Shadder," A Story by the Macon, Georgia author Harry Stilwell Edwards [1855-1938] published first in *The Century Magazine* (January 1888, p. 476) and reprinted in *Two Runaways and Other Stories* (New York: Century Co., 1889, opposite p. 192 with the caption "See, If I Speak Not the Truth!"). The depiction of African-Americans in Edwards's stories of the Old South are what one would expect. In some of his work Kemble also employed the same deplorable stereotypes. But Kemble is also known for his sympathetic depiction of African-Americans in his work for Mark Twain and other authors. In many cases his work stood in contrast with the stock-racist stories he illustrated. *"Look!" He Cried* is a case in point. It captures the dramatic moment in the story where a lawyer (General Robert Thomas) proves the good character of a former slave (Ben Thomas) accused of murdering a drunken, "low-browed, vicious-looking negro" by revealing how Ben sustained wounds after Pickett's Charge at Gettysburg when he carried to safety the slain body of his master, who was General Thomas's brother. The passage reads: "See if I speak not the truth!" He tore open the prisoner's shirt and laid bare his breast, on which the silent splendor of the afternoon sun streamed. A Great ragged seam marked it from left to right. "Look!" he cried, "and bless the sight, for that scar was won by a slave in an hour that tried the souls of freemen and put to its highest test the best manhood of the South." [Order This Item](#)



"Were Always in High Estimation"

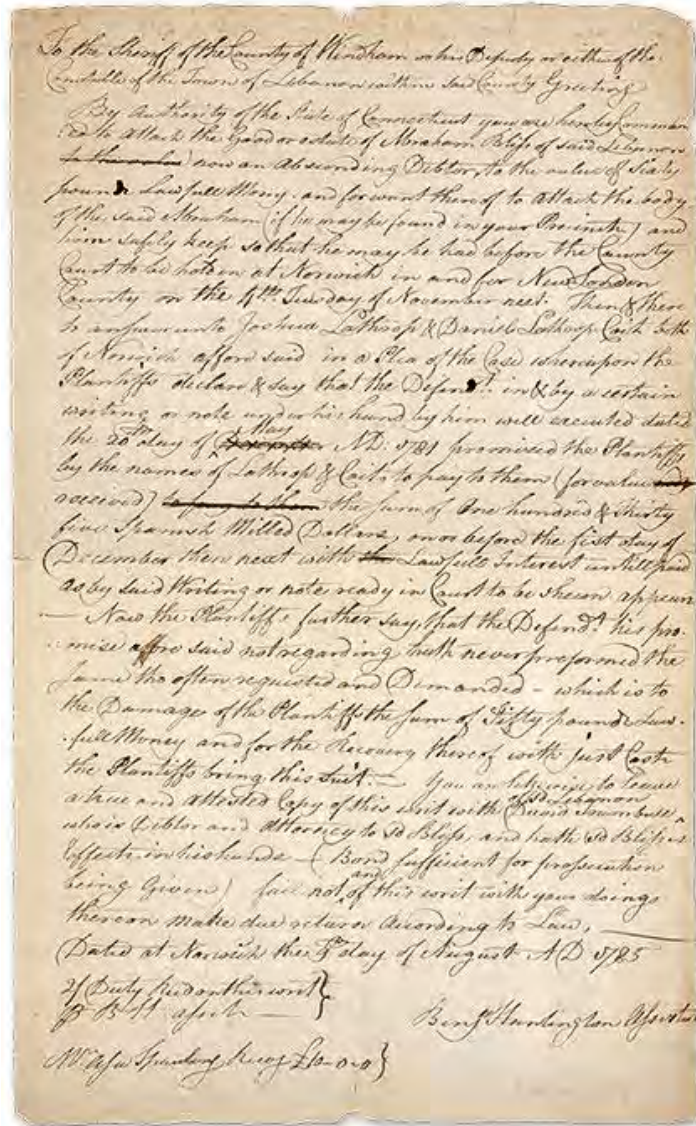
14. Leonard, William.

Hughes, William, Editor.

Reports and Cases of Law: Argued and Adjudged in the Courts of Law, At Westminster, In the Time of the Late Queen Elizabeth, From the 18th to the 33th. Year of Her Raigh. Collected by a Learned Professor of the Law, William Leonard, Esq; Then of the Honourable Society of Grays-Inn. Published by William Hughes of Grays-Inne. Published by Will. Hughes of Grays-Inne, Esq; With Alphabetical Tables of the Names of the Cases, And of the Matters Contained in the Book. London: Printed by Tho. Roycroft, For Nath. Ekins, 1658, 1659, 1663, 1675. Four parts, each with title page and individual pagination. [xii], 336, [8]; [viii], 226, [6]; [xii], 279, [56]; [xii], 252, [12] pp. Imprints vary slightly. Complete. Folio (11" x 7").

Recent period-style quarter calf over marbled boards, raised bands and lettering pieces to spine, endpapers renewed, "1 2 3 4" in early hand to fore-edge of text block. Light browning to text, somewhat heavier in places, occasional faint dampspotting, some edgewear, a few small holes, early owner signatures, and small library stamp to title page. \$500.

* First edition. This work was issued in four parts. Covering the period spanning 1549 to 1615, these reports, were, according to Sir Edward Sugden, "'always in high estimation' and this opinion is confirmed by Lord Nottingham": Wallace, *The Reporters* 142. A second edition was published in 1687. *English Short-Title Catalogue* R200652, R16548. [Order This Item](#)



1785 Connecticut Court Document
Ordering the Arrest of an Absconding Debtor

15. [Manuscript].
[Connecticut].

[Writ from the State of Connecticut Ordering the Seizure of Goods of an Absconding Debtor]. [Hartford or New Haven]: August 9, 1785. 2 pp.

13-1/2" x 8" bifolium, docketed on verso.

Horizontal fold lines, a few with minor tears, light edgewear, light browning and minor edgewear, horizontal and vertical fold lines, content in neat, legible hand. \$650.

* Addressed to the sheriff and deputy sheriff of Windham County, "or either of the Constables of the Town of Lebanon," this writ orders the arrest of Abraham Bliss and his deliverance to court in New London. This writ was issued because Bliss had defaulted on the repayment of 135 "Spanish Milled dollars" to Daniel and Joshua Lathrop. It also fines Bliss 50 pounds and directs the writ to be served to his attorney, David Turnbull of Lebanon. [Order This Item](#)



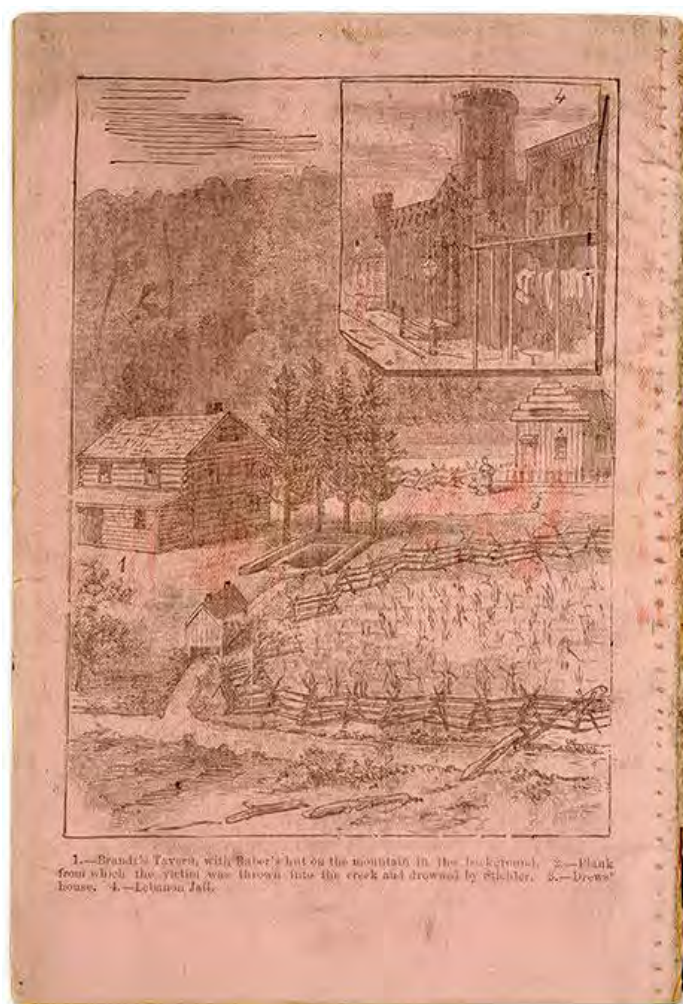
Rare Sixteenth-Century Study of Judicial Jurisdiction

16. Mattei, Antonio.

Prorogationes Fori & Competentiae, Preventionis, & Iuris Revocandi Domum, Reconventionis, Et Reorum Transmissionis. Tractatus. [Rome]: [Impensis Antonii Bladi Asulani, 1547]. [ii], 65, [2] ff. Final leaf, a blank, lacking. Main text in parallel columns. Quarto (8" x 5-1/2").

Recent period-style calf, blind rules and large blind central arabesques to boards, raised bands and blind ornaments to spine, endpapers renewed. Title printed with woodcut architectural border, woodcut decorated initials. Moderate toning to text, faint dampspotting in places, faint dampstains to lower margins of a few leaves below text. A handsome copy of a rare title. \$1,850.

* Only edition. This study addresses the Roman law of prorogation, which addresses the expansion of a court's authority to hear a case beyond its jurisdiction by consent of the parties involved. Mattei, a Roman lawyer, was professor of civil law at the University of Rome from 1548 to 1549. OCLC locates 3 copies, 1 in North America (Harvard Law School). *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE24577. [Order This Item](#)



**"Six of Them Banded Together
to Collect Some Life Insurance"**

**17. [Murder].
[Raber, Joseph].**

The Raber Murder, Containing a Detailed and Accurate Account of the Murder of Joseph Raber, By Drowning in Indiantown Creek, Union Township, Lebanon Co., PA., On the 7th of December, 1878, For the Insurance Money upon His Life. With Illustrations and Results of the Trial and Conviction of the Six Men for the Crime, Also, Full History of Their Lives and Confessions. Lebanon, PA: C.M. Bowman, 1880. 52 pp. One woodcut plate (of crime scene with inset image of execution). Six woodcut text images (of the murderers). Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in pictorial wrappers. Light soiling, some wear to spine ends and corners, a few minor chips to edges, clean tear to lower margin of front wrapper near spine, rear wrapper just beginning to detach, light browning to text. \$350.

* Third (stated) edition. Raber was a "feeble old man who lived among the woodcutters of Lebanon County, Pennsylvania. Six of them banded together to collect some life insurance and selected him as their victim" (McDade). Of the six, five were convicted and hanged. This account brings the story up through the execution of the final three conspirators in the spring of 1880. It also includes biographical sketches of the conspirators, extracts from testimony, two lengthy written confessions, the judge's charge and an account of the executions." McDade, *The Annals of Murder* 782. [Order This Item](#)



A Distinguished Politician and Jurist in Maryland and Pennsylvania

18. Neagle, John [1796-1865]

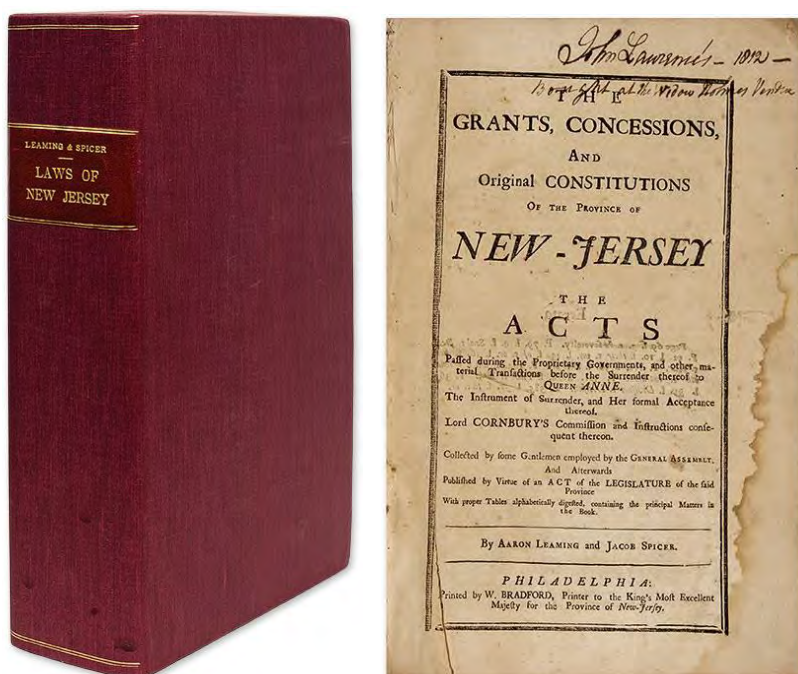
[Peale, Rembrandt (1778-1860), After].

[Tilghman, William (1756-1827)].

[Portrait of William Tilghman]. Philadelphia, c. 1815. 29" x 24" (image size).

Oil on canvas in ornate nineteenth-century gilded wood frame, small plaque reading "William Tilghman/ Chief Justice of Penna. 1806-1827/ Obit Aril 30th, 1827" to head of frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$6,000.

* William Tilghman was a politician and jurist in Maryland and Pennsylvania. He was a member of the Maryland Assembly from 1788 to 1790, and of the Maryland Senate from 1791 to 1793, Chief Judge of the U.S. Circuit Court for Pennsylvania from 1801 to 1802, President Judge of Court of Common Pleas for Philadelphia District in 1805 and Chief Justice of the Pennsylvania Supreme Court, 1806 to 1827. Tilghman ran unsuccessfully for Governor of Pennsylvania as a Federalist in 1811. This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967. [Order This Item](#)



**The First Retrospective Compilation of
New Jersey Law, An Interesting Association Copy**

19. [New Jersey].

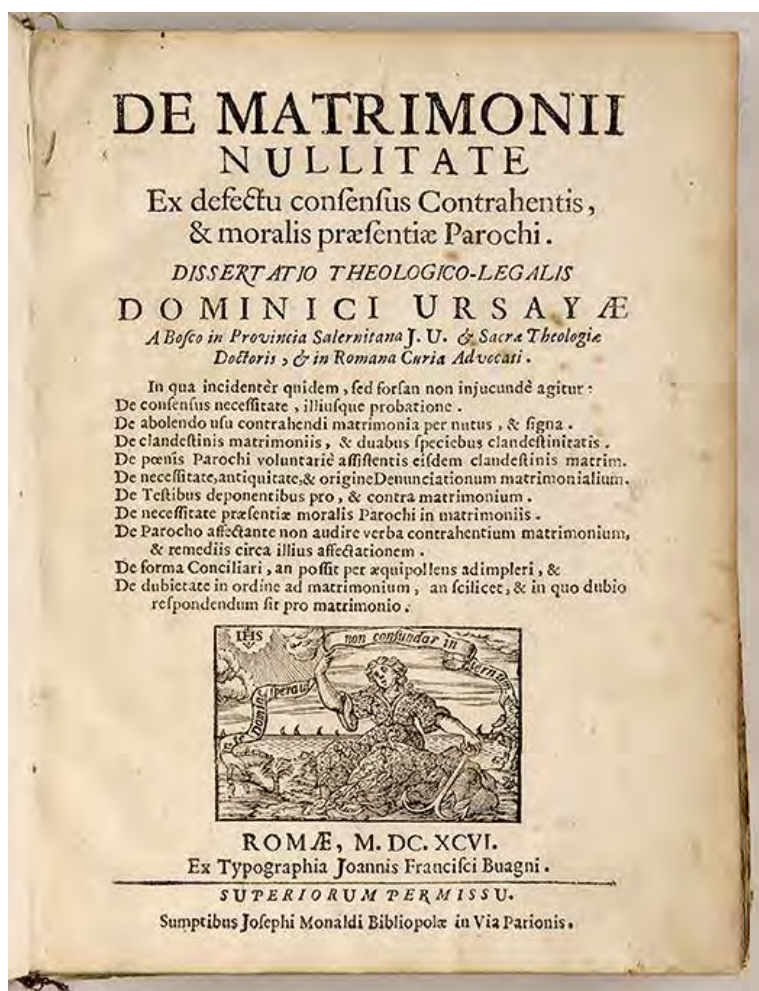
Leaming, Aaron, Compiler.

Spicer, Jacob Compiler.

The Grants, Concessions, And Original Constitutions of the Province of New-Jersey: The Acts Passed During the Proprietary Governments, And Other Material Transactions Before the Surrender Thereof to Queen Anne, The Instrument of Surrender, And Her Formal Acceptance Thereof, Lord Cornbury's Commission and Instructions Consequent Thereon. Collected by Some Gentlemen Employed By the General Assembly, And Afterwards Published by Virtue of an Act of the Legislature of the said Province With Proper Tables Alphabetically Digested, Containing the Principal Matters in the Book. Philadelphia: Printed by W. Bradford, [1758]. [iv], 763 pp. Folio (11-1/4" x 7").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine. Moderate rubbing, boards partially detached, crack through center of backstrip, wear to spine ends, corners bumped and worn, later owner bookplate of Robert Leaming Montgomery to front pastedown, front free endpaper detached and somewhat edgeworn. Moderate toning to text, faint dampspotting in places, dampstaining to margins of title page and a few other leaves, "J. Fisher Leaming Esq/ from Henry Pennington/ May 13, 1850" to front free endpaper, tipped-in annotation in early hand (concerning the Monmouth Patent) to following endleaf, later owner inscription (of John Lawrence, dated 1812) to head of title page. Book housed in lightly rubbed recent cloth slipcase, morocco lettering piece to spine. An interesting association copy. \$2,750.

* First edition. With indexes for East Jersey and West Jersey. The third official compilation of New Jersey law, and the scarcest according to Felcone, it is the first to print fundamental laws, constitutions and documents from 1663 to 1702 and session laws from 1668 to 1702. "This handsome volume, generally known as Leaming and Spicer's Laws, was prepared under the authority of an act of Assembly passed in 1752, and is the largest work issued from the press of Wm. Bradford. Subscribers' names were first solicited in February, 1755, the compilers having spent nearly two years in its preparation. Three more years were consumed in printing, and it was not until May, 1758, that it was ready for delivery. Up to that time 170 copies had been subscribed for, and the editors say, in the *Pennsylvania Journal*, May 11. 1758, 'a number of copies yet remain not subscribed for,' and 'any person may be supplied' until 'the 17th of July next, after which we will not further extend the sale'" (Tower). Robert Leaming Montgomery and J. Fisher Leaming, both attorneys, were descendents of Aaron Leaming. *The Charlemagne Tower Collection of American Colonial Laws* 165. Felcone, *New Jersey Books* 156. [Order This Item](#)



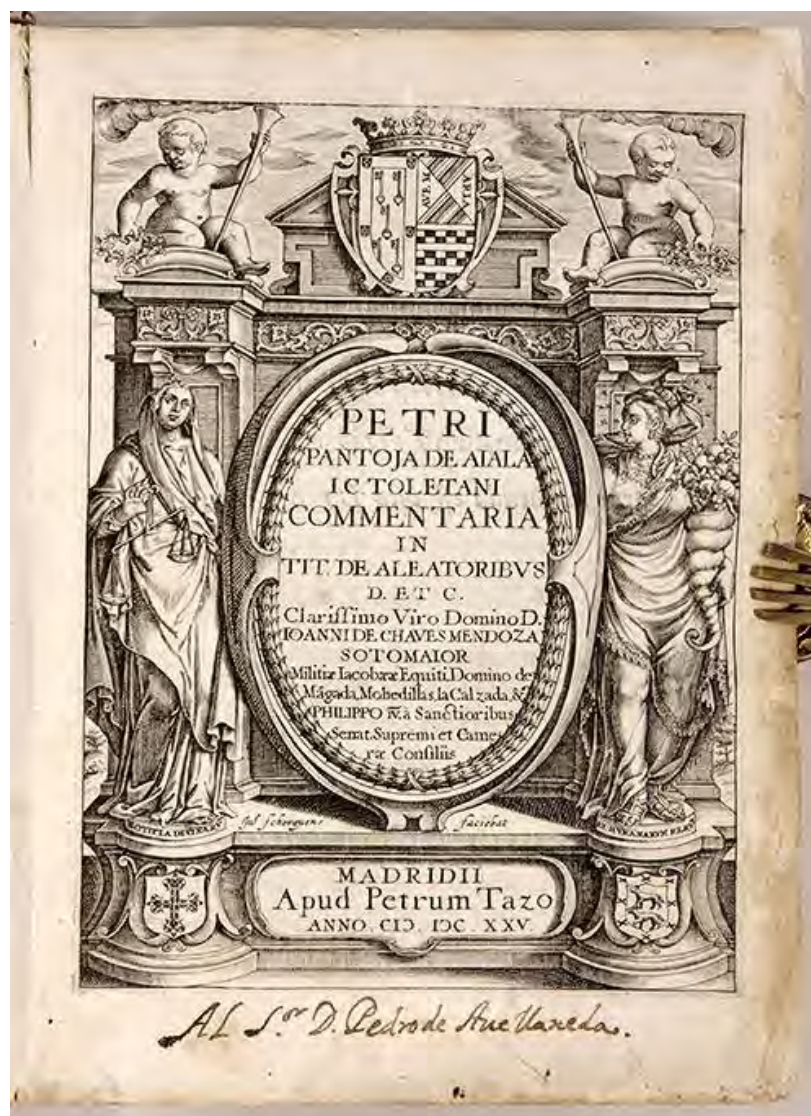
"Matrimonii Nullitate ex Defectu"

20. Orsaio, Domenico (Ursaya, Domingo, Ursaya, Domenicus).

De Matrimonii Nullitate ex Defectu Consensus Contrahentis & Moralis Consensus Contrahentis & Moralis Praesentiae Parochi: Dissertatio Theologico-Legalís Dominici Ursayae, In qua Incidenter Quidem, Sed Forsan non Injucunde Agitur: De Consensus Necessitate, Illiusque Probatione; De Abolendo Usu Contrahendi Matrimonia per Nutus, & Signa.; De Clandestinis Matrimoniis, & Duabus Speciebus Clandestinitatis; De Poenis Parochi Voluntarie Assistentis Eisdem Clandestinis Matrim.; De Necessitate, Antiquitate, & Origine Denunciationum Matrimonialium; De Testibus Deponentibus Pro, & Contra Matrimonium; De Necessitate Praesentiae Moralis Parochi in Matrimoniis; De Parocho Affectante non Audire Verba Contrahentium Matrimonium, & Remediis Circa Illius Affectationem; De Forma Conciliari, An Possit per Aequipollens Adimpleri, & de Dubietate in Ordine ad Matrimonium, An Scilicet, & in Quo Dubio Respondendum sit pro Matrimonio. Rome: Ex Typographia Joannis Francisci Buagni, 1696. [viii], 143, [1], 39, [1] pp. Quarto (8-3/4" x 6-1/4").

Contemporary vellum. Boards lightly bowed, minor worming to rear board, vellum covering spine mostly perished from worming, cords present, boards secure, some worming to hinges, crack in text block between front endleaf and title page. Moderate toning to text, occasional faint dampstaining to foot of text block, light foxing to a few leaves. \$500.

* Only edition located. As indicated by its title page, this treatise examines ten situations in which the nullification of a marriage is allowed under canon law. Unusual for a treatise of this kind, the author notes cases in which clerics bear some responsibility, such as conducting clandestine marriages. OCLC locates 9 copies, 2 in North America (Library of Congress, University of Pennsylvania). Ferreira-Ibarra, *The Canon Law Collection of the Library of Congress* 1852. [Order This Item](#)



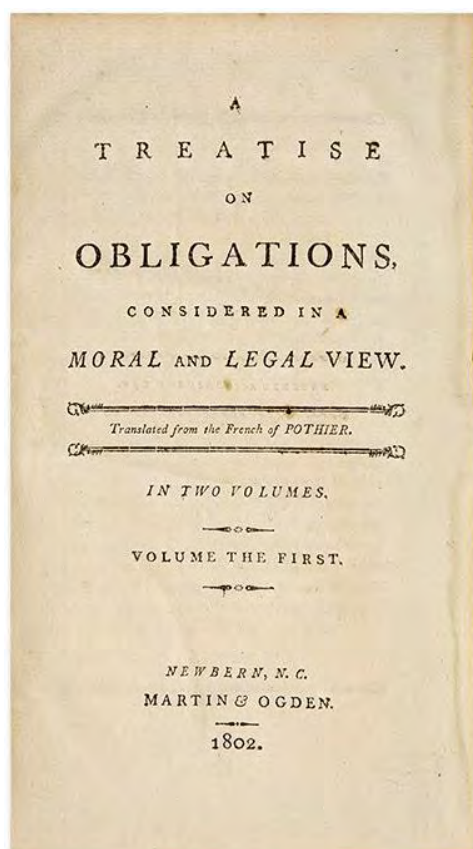
Gambling Under Roman Law

21. Pantoja de Ayala, Pedro.

Commentaria in Tit. de Aleatoribus D. et C. Madrid: Apud Petrum Tazo, 1625. [viii], 272, [12] ff. Copperplate engraved pictorial title page, featuring large female figures representing justice and prosperity. Woodcut table. Quarto (7-3/4" x 5-3/4").

Contemporary limp vellum, early hand-lettered title to spine, ties lacking, endpapers renewed. Light crinkling, light soiling and a few minor stains, spine ends bumped and lightly worn, vellum beginning to crack through front pastedown, rear pastedown detached from pastedown and somewhat edgeworn, text block partially detached but secure. Moderate toning to text, faint dampstaining to margins in a few places, chip to fore-edge of leaf Yyy (ff. 269) with minor loss to side-notes, some edgewear to preliminaries, early owner signature to foot of title page. A nice copy of a scarce title. \$2,000.

* Only edition. The work of a Toledo lawyer, this is a closely argued study of laws concerning gambling in the Digest and Code of Justinian. The book did not have any later editions, but some of its sections were included in Everhard Otto's *Thesaurus Juris Romani* (1741-1744). OCLC locates 7 copies, in North America (UC-Berkeley Law School). Palau, *Manual del Librero Hispano-Americano* 211589. [Order This Item](#)



Translated By the Father of Louisiana Jurisprudence

22. Pothier, Robert Joseph [1699-1722].

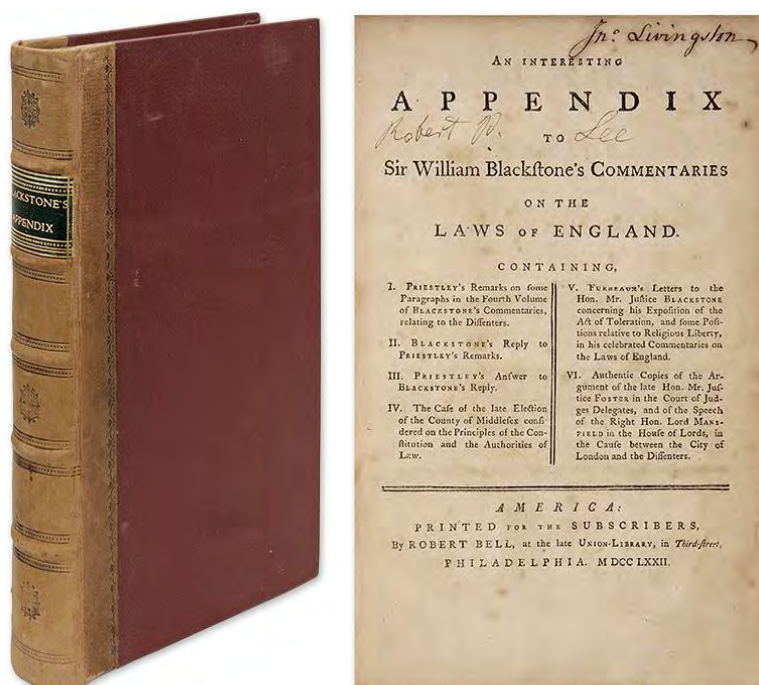
[Martin, François-Xavier (1762-1846), Translator].

A Treatise on Obligations, Considered in a Moral and Legal View. Translated from the French of Pothier. Newbern, NC: Martin & Ogden, 1802. Two volumes bound as one. [xii], 364; [x], 315, [1] pp. Octavo (8" x 4-3/4").

Contemporary sheep, rebacked retaining spine with lettering piece and blind fillets. Light rubbing and a few shallow scuffs to boards, moderate rubbing to board edges with some wear to corners, which are lightly bumped, minor worming to front hinge. Light toning to text, somewhat heavier in places, early owner signatures of Simeon Strong, Solomon Strong and Edwin Conant to endleaves, another Conant signature to head of p. 25. A handsome copy. \$3,500.

* First American edition. In the decades before the Civil War, this classic treatise was required reading for Anglo-American practitioners, scholars and law students. Marvin quotes and endorses Sir William Jones's assessment of Pothier's treatises: "For my own part, I am so charmed with them, that if my undissembled fondness for the study of jurisprudence, were never to produce any greater benefit to the public, than barely the introduction of Pothier to the acquaintances of my countrymen, I should think that I had, in some measure, discharged the debt which every man, according to Lord Coke owes to his profession." An important figure in the legal history of the south, Martin was a French-born lawyer, judge, author, translator, printer and historian. His career began in New Bern, North Carolina; he later moved to the Louisiana territory, where he played the central role in the reorganization of the legal system. Appointed attorney-general when Louisiana became a state, he is considered the father of Louisiana jurisprudence.

This copy is inscribed by three notable owners from Massachusetts: Samuel Strong [1735-1805], a justice of the Massachusetts Supreme Judicial Court, his son Solomon Strong [1780-1850], a lawyer judge and politician and Edwin Conant [1810-1897], a prominent lawyer, businessman and philanthropist. Marvin, *Legal Bibliography* 578. Cohen, *Bibliography of Early American Law* 3656. [Order This Item](#)



Appendix Volume to Bell's American Blackstone Containing a Group of Essays on Religious Liberty

23. Priestley, Joseph [1733-1804].

Blackstone, Sir William [1723-1780].

Furneaux, Philip [1726-1783].

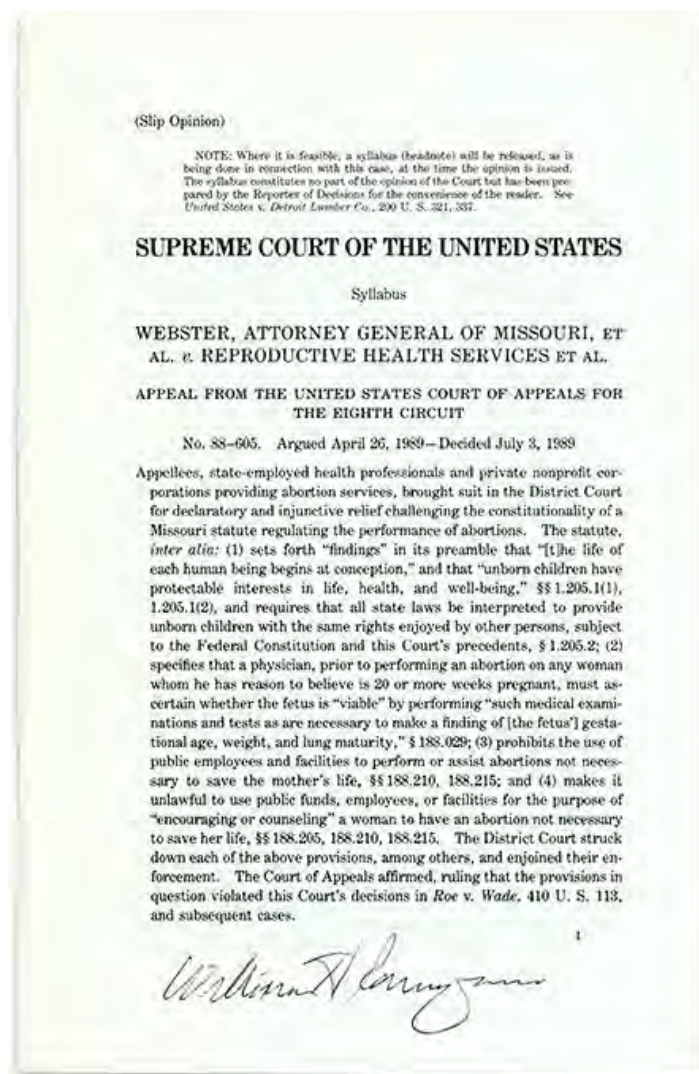
Foster, Sir Michael [1689-1763].

Murray, William, Earl of Mansfield (1705-1793)].

An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries, Relating to the Dissenters. II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's Reply. IV. The Case of the Late Election of the County or Middlesex Considered on the Principles of the Constitution and the Authorities of Law. V. Furneaux's Letters to the Hon. Mr. Justice Blackstone Concerning his Exposition of the Act of Toleration, And Some Positions Relative to Religious Liberty, in his Celebrated Commentaries on the Laws of England. VI. Authentic Copies of the Argument of the Late Hon. Mr. Justice Foster in the Court of Judges Delegates, And of the Speech of the Right Hon. Lord Mansfield in the House of Lords, in the Cause Between the City of London and the Dissenters. [Philadelphia]: Printed for the Subscribers, by Robert Bell, at the late Union-Library, in Third-Street, Philadelphia. 1772-1773. [iv], iv, [5]-119, [1], xii, 155, [1] pp. Includes one-page publisher advertisement for Bell's 1773 printing of Fergusons's *Essay on the History of Civil Society* and a subscription for a second American edition of Blackstone's *Commentaries*. Each section preceded by divisional title page, first section also preceded by general title page. Octavo (9" x 5-3/4").

Recent period-style quarter calf over cloth, raised bands, lettering piece and blind ornaments to spine, endpapers renewed. Light rubbing to spine ends and corners, small recent owner bookplate to front free endpaper. Moderate toning, occasional light foxing, faint dampstaining to margins in places. Early owner inscription dated 1785 to front endleaf, early owner signatures, of Robert P. Lee and Jonathan Livingston, to title page, another Livingston signature to following leaf, annotations signed by Lee to a few leaves. A desirable copy of an uncommon colonial imprint. \$2,500.

* The second printing by Robert Bell of this important and influential commentary on Blackstone, published the year after the first edition. Later re-issued under the title *The Palladium of Conscience*, this book contains a group of essays on religious liberty inspired by a passage from Section III of Book IV, Chapter 4, "Of Offences Against God and Religion." It was originally published in 1772 as a fifth volume to Bell's edition of Blackstone's *Commentaries* (1771-1772). Eller, *The William Blackstone Collection in the Yale Law Library* 256. Laeuchli, *A Bibliographical Catalogue of William Blackstone* 616. [Order This Item](#)



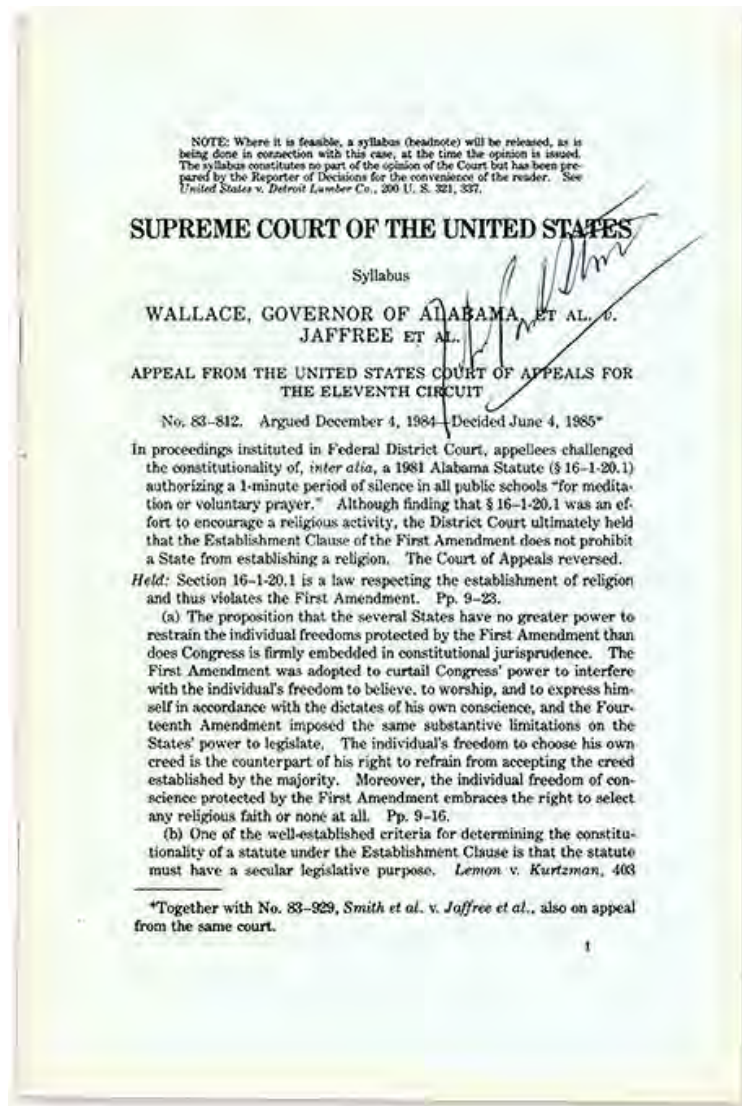
**Pre-US Reports Printing of an Important Case
Concerning Abortion Signed by Chief Justice Rehnquist**

**24. [Supreme Court, United States].
[Rehnquist, William (1924-2005)].**

(Slip Opinion) *Webster, Attorney General of Missouri, Et al. v. Reproductive Health Services, Et al.* [Washington, DC: Government Printing Office, 1989]. vii, [1], 23, [1], 11, [1], 7, [1], 23, [1], 14 pp. Complete. Signature of Chief Justice Rehnquist to head of first page.

A few tiny marks to p.i, otherwise fine. \$750.

* A decision that undermined a key provision of *Roe v. Wade*, *Webster v. Reproductive Health Services* upheld a Missouri law that imposed restrictions on the use of state funds for services relating to abortion. Chief Rehnquist wrote the opinion of the Court for all but Parts II-D and III. Only Justices White and Kennedy joined the opinion in its entirety. Bench opinions are issued by the U.S. Supreme Court immediately after the announcement of a decision. Slip opinions are issued afterwards. Often incorporating corrections, they are the first printings of a decision intended for wide dissemination and review. After that stage the revised slip opinions are added to the latest paperback volume of *U.S. Reports*. A year later, that volume is printed in its final, authoritative, hardcover form. [Order This Item](#)



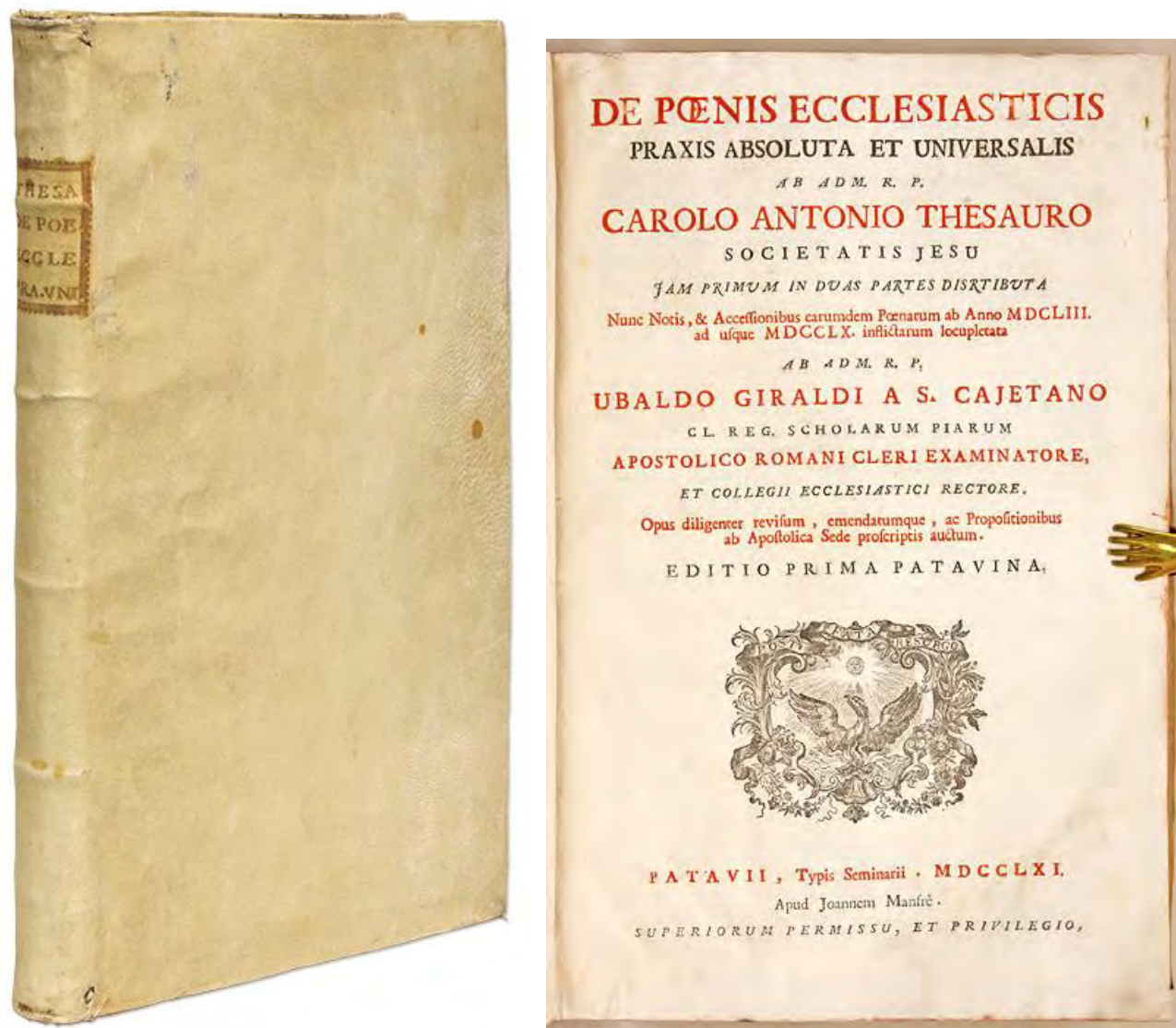
**Pre-US Reports Printing of a Notable Case
Concerning Prayer in Public Schools Signed by Justice Stevens**

**25. [Supreme Court, United States].
[Stevens, John Paul].**

(Slip Opinion) Wallace, Governor of Alabama, Et al. v. Jaffree, Et al. [Washington, DC: Government Printing Office, 1985]. ii, 23, [1], 6, 19, [1], 7, [1], 2, 24 pp. Complete. Signature of Justice Stevens to head of first page.

Light finger smudges to a few leaves, otherwise fine. \$500.

* In this notable case the Supreme Court ruled that an Alabama statute authorizing a one-minute period of silence in all public schools "for meditation or voluntary prayer" violated the First Amendment's establishment clause. Stevens wrote the majority opinion, which was joined by Justices Brennan, Marshall, Blackmun and Powell. Bench opinions are issued by the U.S. Supreme Court immediately after the announcement of a decision. Slip opinions are issued afterwards. Often incorporating corrections, they are the first printings of a decision intended for wide dissemination and review. After that stage the revised slip opinions are added to the latest paperback volume of *U.S. Reports*. A year later, that volume is printed in its final, authoritative, hardcover form. [Order This Item](#)



A Standard Canon-Law Treatise on Punishment

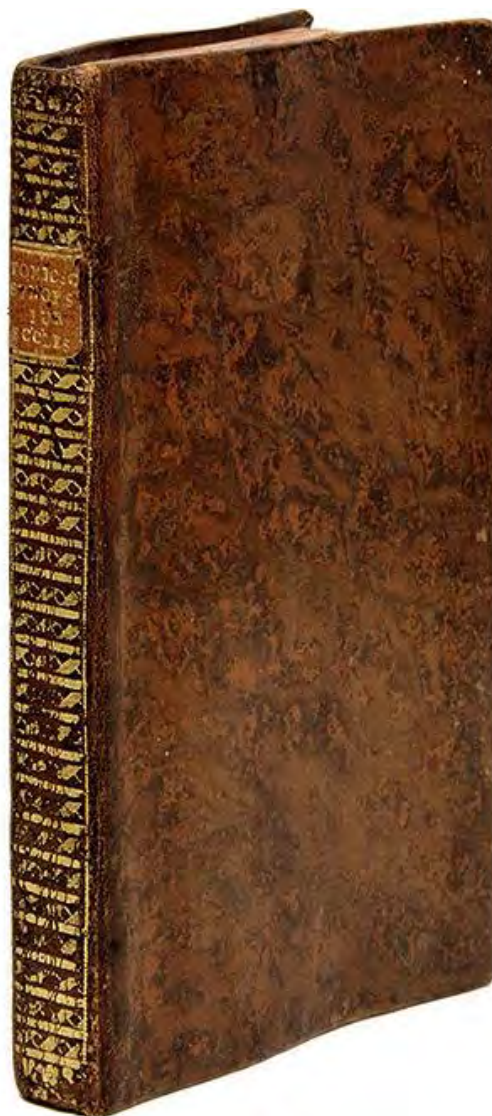
26. Tesauo, Carlo Antonio [1587-1655].

Giraldi, Ubaldo [1692-1775], Editor.

De Poenis Ecclesiasticis Praxis Absoluta et Universalis. Iam Primum in Duas Partes Distributa Nunc Notis, Et Accessionibus Earundem Poenatum ab Anno MDCLIII. ad Usque MDCCLX. Inflictarum Locupletata ab Adm. R.P. Ubaldo Giraldi a S. Cajetano. Opus Diligenter Revisum, Emendatumque, Ac Propositionibus ab Apostolica Sede Proscriptis Auctum. Padua: Typis Seminarii, 1761. [iv], 361 pp. Main text in parallel columns. Folio (13-1/2" x 9").

Contemporary vellum, gilt-stamped title to spine, edges rouged, pastedowns renewed. A few minor smudges to rear board, corners and spine ends bumped. Title page printed in red and black. Light toning to text, minor stains to a few leaves, light soiling to title page. Later owner signature to front free endpaper, interior otherwise clean. A handsome copy. \$950.

* Later edition. First published in 1640, this treatise on punishments by a Jesuit canonist went through at least six editions. It was a standard work into the final decades of the nineteenth century. Not in the *Canon Law Collection of the Library of Congress*. [Order This Item](#)



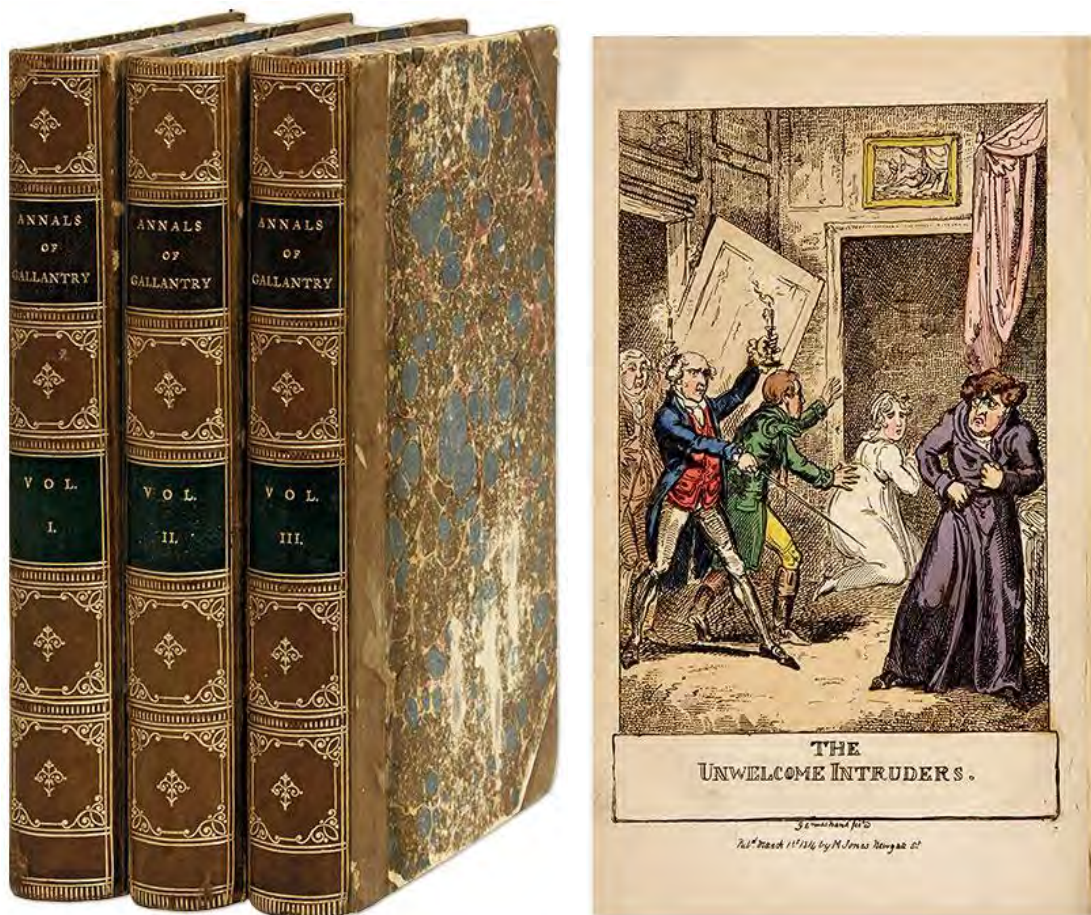
A Rare Textbook on Public Canon Law

27. Tomicich, Francisco de Paula.

Synopsis Doctrinae in Praestituto ex Iure Ecclesiastico Tentamine Propugnandae, Mariae Theresiae Augustae, Reginae Apostolicae Dicata, Atque sub his Sacratissimis Auspiciis Publice Propugnata ad Alexandro Kranner. Graz: Typis Haeredum Widmanstadii, 1774. [xxx], 159, [1]; [16] pp. Final section has a title page. Octavo (7-3/4" x 5").

Contemporary tree calf, gilt spine with lettering piece. A few minor nicks and scuffs, boards slightly bowed, light rubbing to extremities. Moderate toning and light foxing to text, title page and adjacent endleaf partially detached. A handsome copy of a rare title. \$950.

* Second and final edition. First published in 1773, this is a textbook on public canon law issued under the auspices of the University of Graz. Some of its topics are specific to the Holy Roman Empire, such as the legal force of Frankish capitularies, the legal nature of concordats and the Peace of Westphalia. One hundred examination questions are listed at the end of the text. It is an interesting work because it shows how these older areas of public law were interpreted in the later eighteenth century. Counting both editions, OCLC locates 5 copies, none in North America. Not in Ferreira-Ibarra. [Order This Item](#)



With Sixteen Hand-Colored Plates, Three by George Cruikshank

28. [Trials].

Moore, A.

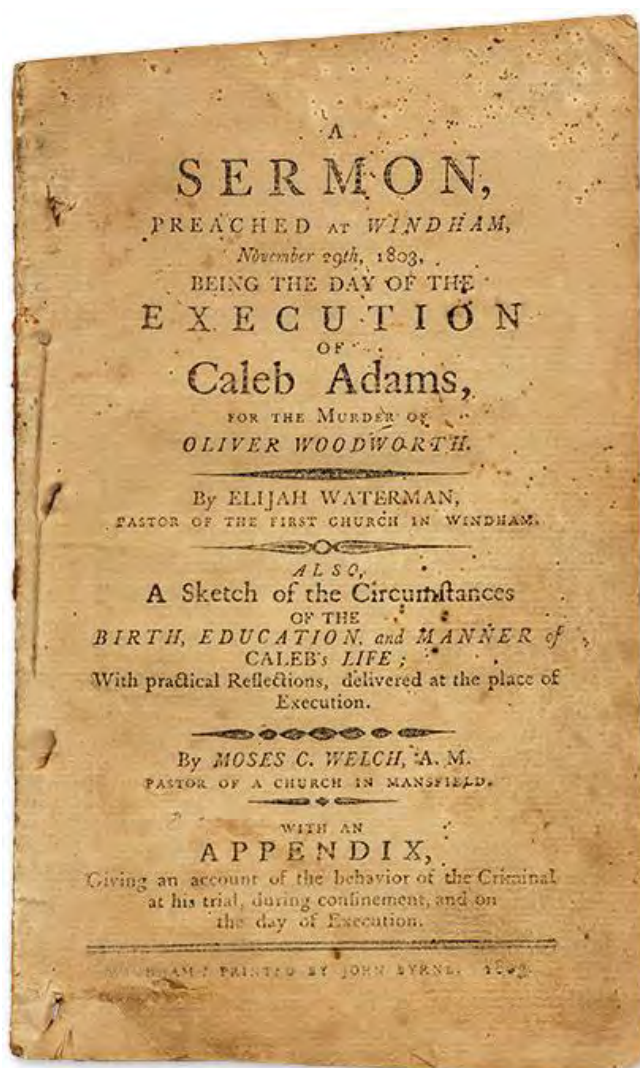
[Cruikshank, George, Illustrator].

[Jenkins, J., Illustrator].

The Annals of Gallantry; Or, The Conjugal Monitor: Being a Collection of Curious and Important Trials for Divorces, And Actions of Crim. Con. During the Present Reign; Accompanied with Biographical Memoirs and Anecdotes, And Illustrated with Notes. London: Printed for the Proprietors, And Sold by M. Jones, 1814-1815. Three volumes. 16 (of 18) hand-colored plates, 1 (of 2) uncolored plates. The 3 color plates by Cruikshank present. Octavo (8" x 5").

Contemporary three-quarter calf over marbled boards, raised bands, lettering pieces and gilt ornaments to spines, marbled edges and endpapers. Moderate rubbing to boards and extremities, corners lightly bumped, front hinges cracked rear hinges starting at ends. Light toning to text, light foxing in a few places, a few leaves have light offsetting from plates. An attractive set. \$4,000.

* Only edition (in this form). The Annals of Gallantry was originally issued in 18 monthly parts from March 1, 1814 to August 1, 1815. This book aimed to amuse and titillate. The accounts in these volumes are valuable nevertheless for their accurate reports and vivid background histories. What is more, this collection is a fascinating document of English social and legal attitudes toward adultery and divorce during the age of George IV and Jane Austen. The Plates by Cruikshank, all in Volume I, are "Lady Grosvenor and the Duke of Cumberland Surprised by the Servant," "The Unwelcome Intruders" and "The Elopement of Lady W---- with Lord Paget." Cohn, *A Bibliographical Catalogue of the Printed Works Illustrated by George Cruikshank* 573. [Order This Item](#)



An Execution Sermon with a Biography of the Condemned Convict

**29. Waterman, Elijah.
Welch, Moses C.**

A Sermon Preached at Windham, November 29th, 1803, Being the Day of Execution of Caleb Adams, For the Murder of Oliver Woodworth. Also, a Sketch of the Circumstances of the Birth, Education, And Manner of Caleb's Life, with Practical Reflections, Delivered at the Place of Execution, by Moses C. Welch. With an Appendix, Giving an Account of the Behavior of the Criminal at his Trial, During Confinement, And on the Day of Execution. Windham, CT: Printed by John Byrne, 1803. 32 pp. Octavo (8" x 5").

Stab-stitched pamphlet with untrimmed edges, neat stab-holes along spine. Light soiling and minor inkspots to exterior, some wear to corners, a few tiny chips and tears, three tears neatly mended with archival tape. Light browning, light foxing in places. \$750.

* First edition. This New England execution sermon on the theme of the effects of bad parenting is unusual because it is followed by an extensive biographical account by a second minister. "Adams, eighteen years old, murdered a five-year-old boy who annoyed him by striking him with an axe, then cutting his throat. The minister's sermon lists all the petty crimes to which the murderer confessed, including the theft of twenty-five cents before." McDade, *The Annals of Murder* 3.

[Order This Item](#)



1-22 Edward IV

30. [Year Book].

Edward IV.

Les Ans ou Reports del Raigne du Roye Edward le Quart, Novelment Revieu et Corrigee en Divers Lieux. Ouesque un Table Perfect des Choses Notables Contenus en Ycel. Auxy vous Aves in Cest Impression las Cases icy Referres al Abridgement de Brooke, & As Auters Lieurs del Common Ley. London: Typis Milonis Flesher & Roberti Young, 1640. [1], 29, 28, 44, 8, 12, 32, 25, 53, 19, 11, 21, 10, 8, 33, 12, 8, 30, 10, 19, 84, 51, [42] ff. Complete. Folio (11-1/2" x 8").

Contemporary paneled calf, rebaked in period style, raised bands, blind ornaments and lettering piece to spine, hinges and corners mended. Some minor nicks and scuffs to boards, small stain to front board, light rubbing to board edges. Light toning to text, light edgewear to preliminaries, light browning, foxing and soiling to title page. A nice copy. \$750.

* Covers regnal years 1 to 22 of Edward IV. It is difficult to overestimate the importance of the Year Books. They are the first examples of common-law court reporting and crucial primary sources for our knowledge of medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. Though it is not known when the first manuscript volumes were compiled, it is clear that cases can be found to date from the 1270's and the series continues to 1535. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present volume is from the so-called "quarto edition." These volumes were issued separately with various dates and impressions between 1522 and the mid-seventeenth century. Holdsworth, *A History of English Law* V: 357-377. *English Short-Title Catalogue* S4271. [Order This Item](#)