

MARCH 14, 2023

# RECENT ACQUISITIONS

English, American & Continental Law, 1553–1913

30 ITEMS

## THE AWFUL Execution and Confession OF JAMES BLOOMFIELD RUSH, WHO WAS EXECUTED ON SATURDAY MORNING AT NORWICH.

### RUSH'S CONFESSION AND SENTENCE.

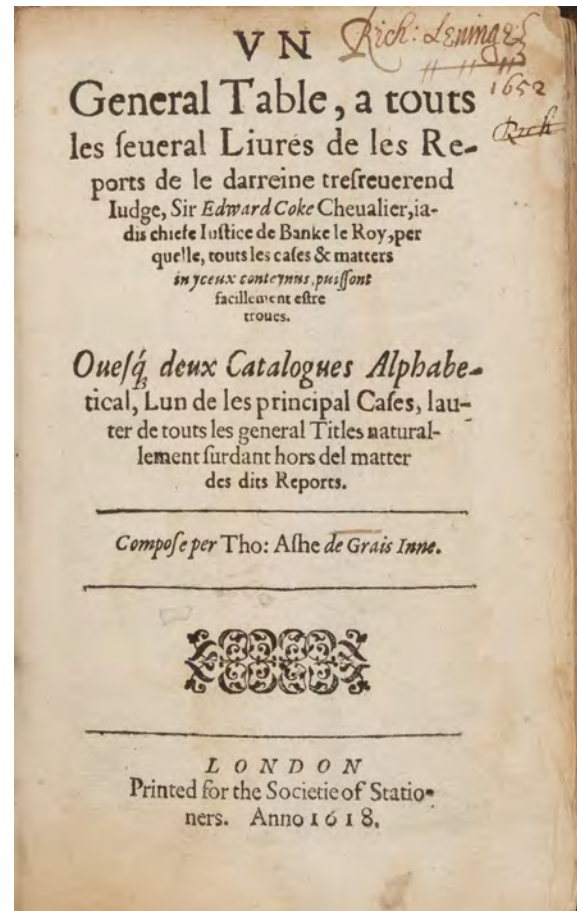
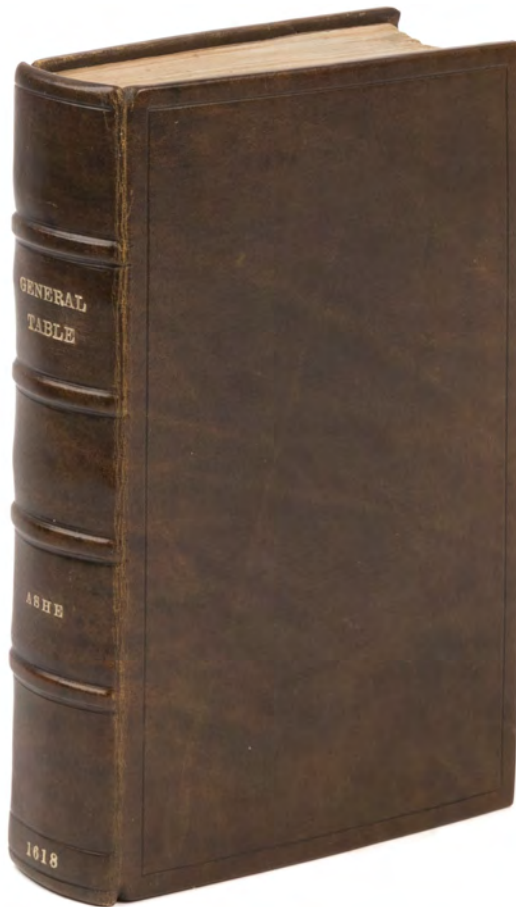
On Tuesday Afternoon the convict Rush was visited by all his family and 9 children accompanied by his brother. Rush at first seemed to be deeply affected, but having regained his innocence of the foul crime, he called upon God to witness his innocence and his prayers recommended his crimes imputed to him, and with many prayers recommended his children, especially the younger ones to the protecting care of the Almighty.



It will be recalled that on Feb. 24, when the execution took place, the convict Rush was visited by all his family and 9 children accompanied by his brother. Rush at first seemed to be deeply affected, but having regained his innocence of the foul crime, he called upon God to witness his innocence and his prayers recommended his crimes imputed to him, and with many prayers recommended his children, especially the younger ones to the protecting care of the Almighty.

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### Notable Early Digest of Coke's Reports

#### 1. Ashe, Thomas [fl. 1699-1618].

#### [Coke, Sir Edward (1552-1634)].

*Un General Table, A Touts les Several Livres de les Reports de le Darreine Tresreverend Iudge, Sir Edward Coke Chevalier, Iadis Chiefe Iustice de Banke le Roy, Per Quelle, Touts les Cases & Matters in Yceux Conteynus, Puissent Facilement Estre Troues. Ouesq̃ue Deux Catalogues Alphabetical, Lun de les Principal Cases, Lautre de Touts les General Titles Naturellement Surdant Hors del Matter des Dits Reports.* London: Printed for the Societie of Stationers, 1618. [560] pp. Main text in parallel columns. Octavo (6-1/2" x 4-1/4").

Recent period-style calf, blind rules to boards, raised bands, gilt title and gilt publication date to spine. Moderate toning to interior, hinges starting, faint stains to margins in a few places, light edgewear to preliminaries and final few leaves, two illegible contemporary owner signatures, one dated 1654, to front free endpaper, another illegible signature, dated 1652, to head of title page. \$850.

\* Second Law-French edition. First published in 1606, this is an important early digest of the *Reports* of Edward Coke then published (Parts 1-11, first published 1600-1615). A popular work, it went through three editions in Law-French (in 1606, 1618 and 1631) and three editions in English (in 1652, 1653 and 1672). It was also reprinted in the 1664 and 1680 editions of Coke's *Reports*.

*English Short-Title Catalogue* S108464.

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### Scarce Treatise on Notarial Instruments, Oaths and Compromise

#### 2. Bertazzoli, Bartolommeo [1520-1588].

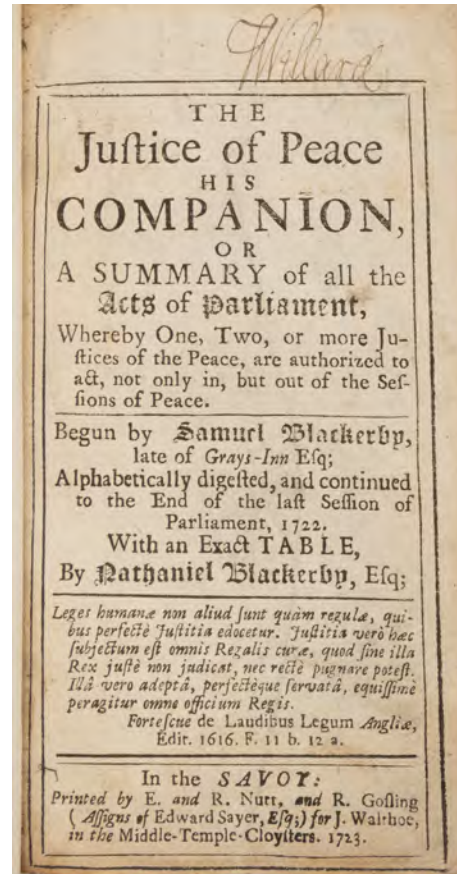
*Tractatus Clausularum Instrumentalium, In Quo, Praeter ea Quae ad Litium Integram Discussionem, & Causidicorum Faciliorem Pariter Instructionem Necessario Requiri Videntur, Accurate Omnia Etiam Difficilium Quasi Legum Aenigmata Passim Enodata Reperiuntur. Opus Profecto Cunctis Iurium Alumnis ut Utile, Sic & Advocatis ac Potissimum Tabellionibus Publicis Summe Proficuum, Quotidianae[ue] Praxi Eorundem Forensi Gnaniter Exercendae Maxime Necessarium. Cui ad Extremum Eiusdem Autoris Elegans Admodum Repetitio Adnexa Est L. Si Quis Maior, C. De Transactionibus. Indice Rerum Memoria Dignarum, Ut Copiosissimo, Ita & Serie Alphabetica Ordinate Digesto, Accedente. Ad S.D.N. Clementem VIII. Pont. Max. Venice: Apud Florauantem Pratum, 1601. [46], 219, [1]; [2], 26 ff. Main text in parallel columns. Folio (12-1/2" x 8-1/2").*

Contemporary vellum with later repairs to spine and corners, faint illegible inscription to front board, raised bands and later hand-lettered title label to spine, hand-lettered title to foot of text block. Light rubbing and soiling to boards, which are slightly bowed, spine ends and corners bumped, minor chipping to foot of spine, front free endpaper, which has some show through from early inscriptions, affixed to front pastedown, front hinge cracked, title page and following leaf partially detached and lightly edgeworn, but secure. Moderate toning to interior, light foxing and faint dampstaining in a few places. \$1,400.

\* Second (stated) edition, actually the third. Written by a judge and state official from Modena, this is a digest of notarial instruments for canon courts of Ferrara and the Emilia-Romagna region. It also discusses the historical background of these instruments and the subjects of oaths and compromise in Roman law. This work was first published in 1598 with later editions in 1599, 1601 and 1624. All editions are scarce and few copies of any edition are held in North American libraries. OCLC locates 1 of the 1601 edition (Catholic University of America).

*Universal Short-Title Catalogue* 4036493.

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### A Primary Source for Later Manuals

#### 3. Blackerby, Samuel [d.1714].

##### Blackerby, Nathaniel.

*The Justice of Peace His Companion, Or a Summary of All the Acts of Parliament, Whereby One, Two, Or More Justices of the Peace, Are Authorized to Act, Not Only in, but Out of the Sessions of Peace. Alphabetically Digested, And Continued to the End of the Last Session of Parliament, 1722. With an Exact Table, by Nathaniel Blackerby, Esq.* [London]: Printed by E. and R. Nutt, and R. Gosling, 1723. [ü], [xxxü], 439, [1] pp. Includes one-page publisher list. 12mo. (5-1/2" x 3").

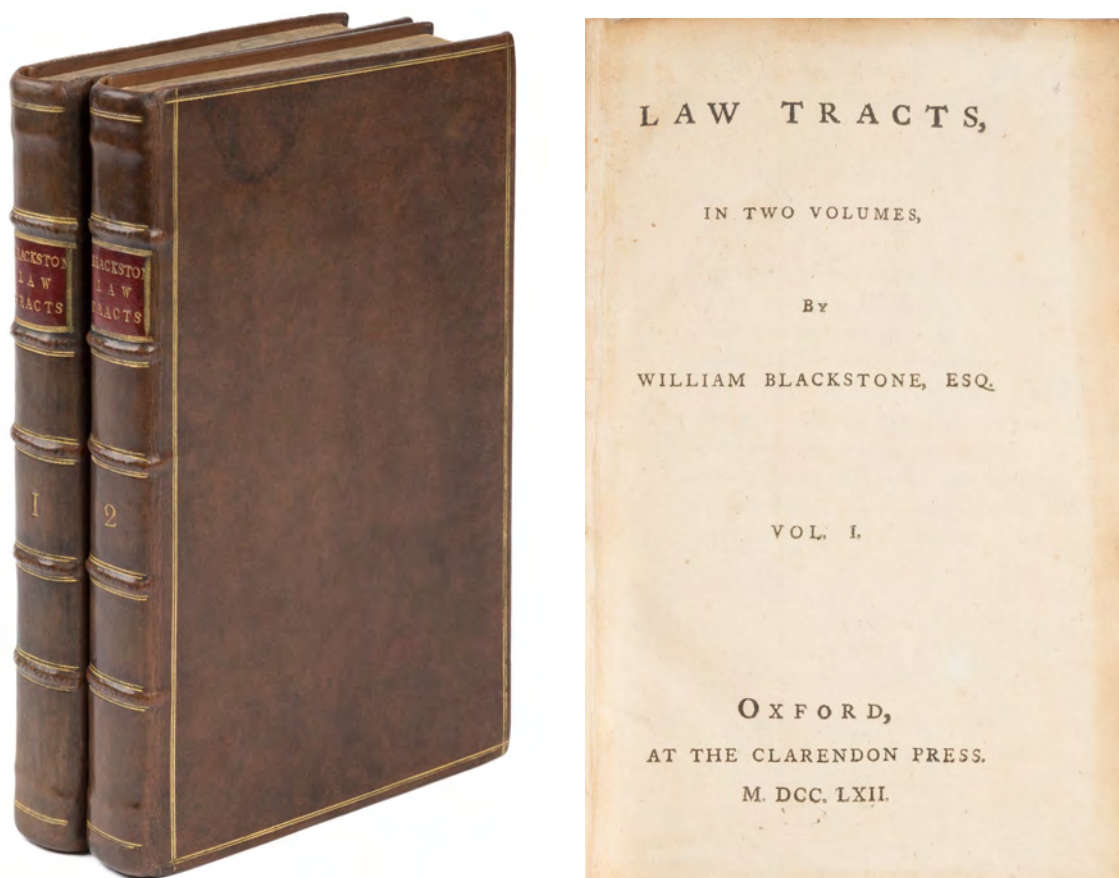
Contemporary sheep, rebaked in period style calf, blind rules to boards, blind fillets along joints, raised bands and blind fillets to spine, endpapers renewed. Light rubbing and a few minor stains and scuffs to boards, moderate rubbing to board edges, corners bumped and somewhat worn. Moderate toning, faint dampstaining to foot of text block, early owner signature to head of title page, faint later doodles in pencil to its verso. \$350.

\* Fourth edition. First published in 1711, Blackerby's book went through eight subsequent editions, the final one in 1749. Arranged alphabetically, it treats the statutes that give authority to justices. Each is briefly summarized in one column; the penalty for its breach is stated in a parallel column. According to Holdsworth, "the book had many of the qualities of an index, and it was so used, Burn said, by writers of larger books on this topic." (Burn was the author of the magisterial *Justice of the Peace and Parish Officer*, first published in 1755 and long a standard work.) Nathaniel Blackerby, the author's son, produced the table for this edition. He edited the final four editions after his father's death.

Holdsworth, *A History of English Law* XII:334. *English Short-Title Catalogue* T66083.

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**A First Edition of Blackstone's *Law Tracts* in an Exceptional Binding**

#### **4. Blackstone, Sir William [1723-1780].**

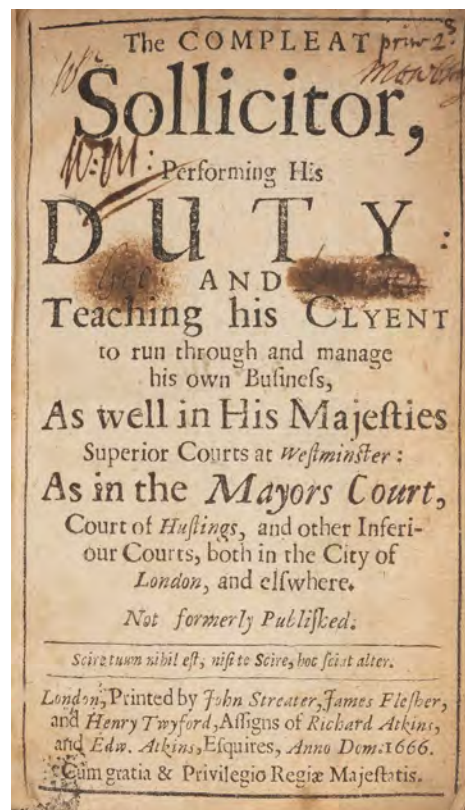
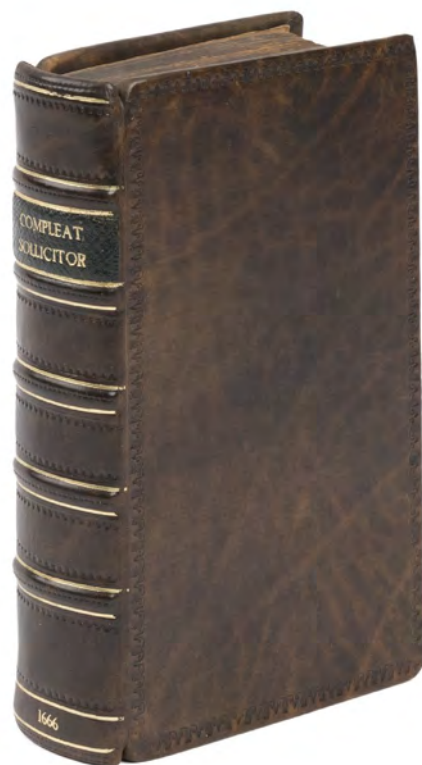
*Law Tracts, In Two Volumes.* Oxford: At the Clarendon Press, 1762. Two volumes. [iv], 257, [7]; [iv], cxv, [5], 135, [9] pp. 4 parts, each with divisional title page. 8 copperplate facsimiles (of royal seals), copperplate Table of Descents and folding Table of Consanguinity. Octavo (7-3/4" x 5").

Superb period-style calf by Philip Dusel, gilt rules to boards, raised bands, lettering pieces, gilt fillets and gilt volume numbers to spines, blind tooling to board edges, pastedowns and free endpapers renewed. Light toning to interiors, minor dampstaining to heads of text blocks in a few places, faint offsetting and light edgewear to margins of preliminaries and final few leaves. A handsome set in an exceptional binding. \$3,500.

\* First edition. The first collected edition, with revisions, of five early works, several of which are quite rare in their original editions. They are reprinted here "with a few corrections and additions"; each of the volumes contains a general index. The works are, Volume I: *An Essay on Collateral Consanguinity* (1750, Blackstone's first legal publication), *Considerations on Copyholders* (1758), *Treatise on the Law of Descents in Fee-Simple* (1759), Volume II: *The Great Charter* (1759) and *Magna Carta, Carta de Forest, Etc.* (1759). A "third" edition was published in 1771. (There is no evidence of a second edition, unless one counts the pirated Dublin reissue of the first, which was printed in 1767.) The contents of the two editions differ. The first does not have *Analysis of the Laws of England* (1756) or *Observations on the Oxford Press* (1757); the "third" does not have *Treatise on the Law of Descents in Fee-Simple*.

Eller, *The William Blackstone Collection in the Yale Law Library* 238. Laeuchli, *A Bibliographical Catalog of William Blackstone* 551.

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Cited by Holdsworth for Its Insights into Seventeenth-Century Practice

##### 5. [Booth, William, Attributed].

*The Compleat Sollicitor, Performing His Duty: And Teaching his Clyent to Run Through and Manage His Own Business, As Well in His Majesties Superior Courts at Westminster: As in the Mayors Court, Court of Hustings, And Other Inferiour Courts, Both in the City of London, And Elsewhere. Not Formerly Published.* London: Printed by John Streater, James Flesher, and Henry Twyford, Assigns of Richard Atkins, And Edw. Atkins, Esquires, 1666. [xxiv], 550 pp. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, blind fillets to boards, raised bands and gilt title, fillets and publication date to spine, pastedowns and free endpapers renewed, early hand-lettered title to fore-edge of text block. Moderate toning to interior, faint, mostly negligible, dampstaining to lower-outside corner of the final quarter of text block, light foxing and dampspotting to a few leaves, moderate soiling, edgewear and early owner signature (W. Mowbray) to front endleaf, light soiling, early initials and early (illegible) owner names, one struck through, to title page. An appealing copy. \$1,500.

\* First edition. Holdsworth considered this book one of the best of its kind and cited it for its insight into seventeenth-century legal practice. A book of "intensely practical character," it discusses the "process of the different courts, with instructions as to the manner and time of taking the various steps in an action, with the forms of pleading, with the modes of executing, with the fees payable at the different offices of the courts, with the forms of conveyances and other documents which clients would be likely to need." Later editions, titled *The Compleat Sollicitor*, with one "l," were published in 1668 (twice), 1672 and 1683. No copies of any edition recorded at auction on Rare Book Hub. All are scarce. OCLC locates 7 copies of the first in North American law libraries (Columbia, Library of Congress, Northwestern University, University of Minnesota, University of Pennsylvania, University of Washington, Yale).

Holdsworth, *A History of English Law* VI:437. *English Short-Title Catalogue* R211660.

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### The Execution of the Stanfield Hall Murderer

#### 6. [Broadside].

#### [Execution].

#### Rush, James Bloomfield [1800-1849].

*The Awful Execution and Confession of James Bloomfield Rush, Who was Executed on Saturday Morning at Norwich.* Exeter: W. Cooper, Printer, [1849].

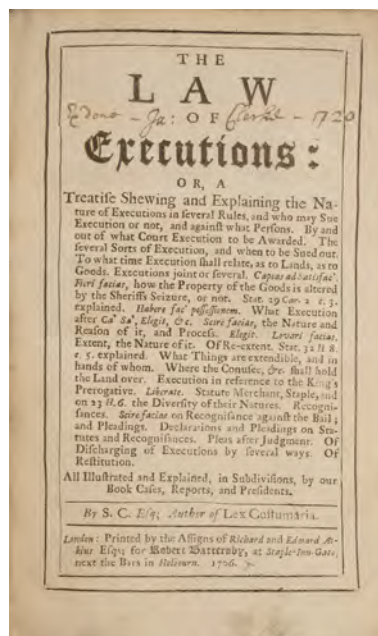
19-1/2" x 14-3/4" broadside, text in three columns below headline and woodcut vignette. Moderate toning, faint horizontal and vertical fold lines, a few faint dampstains, small chip to left edge, small tear to bottom-edge affecting last two lines of text, small holes to text block of third column affecting a few words of text, no loss to legibility. Rare. \$3,850.

\* Rush, a delinquent tenant of Isaac Jermy and his son, devised a plan to kill the two men, their servant, and the son's wife and blame the murders on rival claimants to the Jermy estate. He succeeded in killing the Jermys but failed to kill Mrs. Jermy and the servant, who survived to identify him. Popularly known as the "murders at Stanfield Hall," the killings became a national sensation, and many businesses sought to cash in on the lurid tale. A wax figure of Rush was displayed at Madame Tussauds after Rush's execution; our broadside notes that "agents of Madame Tussaud" were seeking to purchase the disguises Rush wore on the night of the murder. It also reports a Norwich bookseller's offer of five hundred pounds to each of Rush's children for a history of his life.

This broadside appears to be unrecorded. No copies located on OCLC or Library Hub.

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### Scarce Eighteenth-Century Treatise on Executions

#### 7. C[arter], S[amuel].

*The Law of Executions: Or, A Treatise Shewing and Explaining the Nature of Executions in Several Rules, And Who May Sue Execution or Not, And Against What Persons. By and Out of what Court Execution to be Awarded. The Several Sorts of Execution, And When to be Sued Out. To what Time Execution Shall Relate, As to Lands, As to Goods. Executions Joint or Several. Capias ad Satisfac. Fiori Facias, How the Property of the Goods is Altered by the Sheriffs Seizure, Or Not. Stat. 29 Car. 2 c. 3. Explained. Habere fac' Possessionem. What Execution After Ca' Sa', Elegit, &c. Scire-Facias, the Nature and Reason of It, And Process. Elegit. Levari Facias. Extent, The Nature of It. Of Re-Extent. Stat. 32 H.8. C. 5. Explained. What Things are Extendible, And in Hands of Whom. Where the Conusee, &c. Shall Hold the Land Over. Execution in Reference to the King's Prerogative. Liberate. Statute Merchant, Staple, And on 23 H. 6. The Diversity of Their Natures. Recognisances. Scire Facias on Recognisance Against the Bail; And Pleadings. Declarations and Pleadings on Statutes and Recognisances. Pleas after Judgment. Of Discharging of Executions by Several Ways. Of Restitution. All Illustrated and Explained, in Subdivisions, by our Book Cases, Reports, And Presidents. By S. C. Esq; Author of Lex Custumaria. London: Printed by the Assigns of Richard and Edward Atkins, 1706. [xvi], 323, [21] pp. Includes two-page publisher catalogue. Octavo (7" x 4-1/4").*

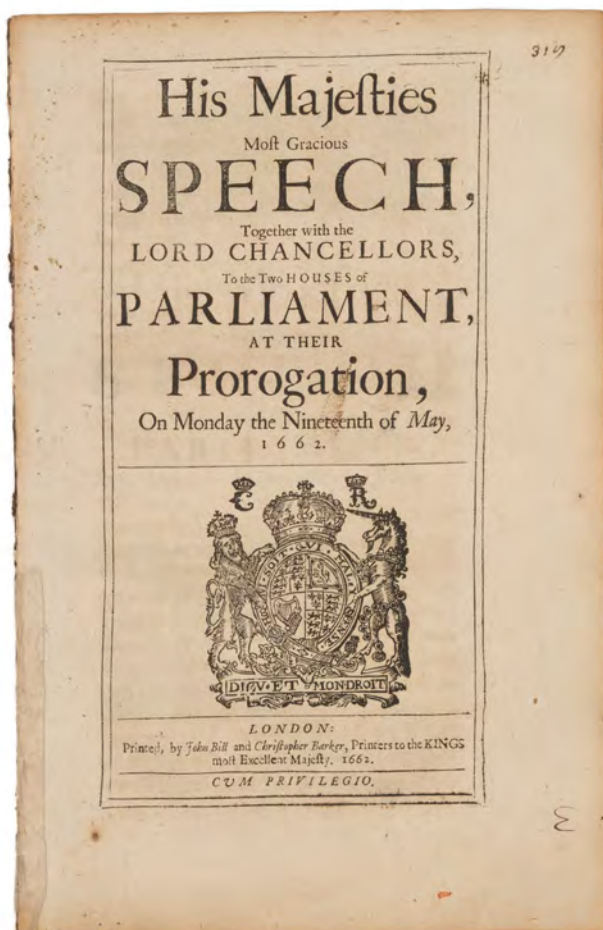
Contemporary calf, blind frames, fillets and corner fleurons to boards, raised bands, blind fillets and fragment of early paper title label to spine, blind tooling to board edges. early hand-lettered title to fore-edge of text block. Light rubbing and a few nicks and scuffs to boards, which are slightly bowed, moderate rubbing to extremities, tiny chip to head of rear joint, corners bumped and somewhat worn, pastedowns loose, a few cracks to text block. Moderate toning to interior, smudges to lower margins of preliminaries, owner inscription (of Richard Goodnough) dated 1745 to front endleaf, owner name (Ja. Clarke) dated 1720 to head of title page. \$650.

\* Only edition. Carter was the author of two notable treatises: *The Infants Lawyer* (1697), the first English treatise on laws concerning infants, and *Lex Custumaria, Or, A Treatise of Copy-Hold Estates* (1696). As indicated by the title, *The Law of Executions* addresses the various ways (non-criminal) judicial decisions are carried out. OCLC locates 9 copies in North American law libraries (Columbia, Harvard, LA-County, Library of Congress, Ohio Supreme Court, University of Georgia, Social Law, Wisconsin State Law Library, Yale).

*English Short-Title Catalogue* T32964.

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### Charles II and the Earl of Clarendon Address the Cavalier Parliament

#### 8. Charles II [1630-1685], King of England.

##### Hyde, Edward, 1st Earl of Clarendon.

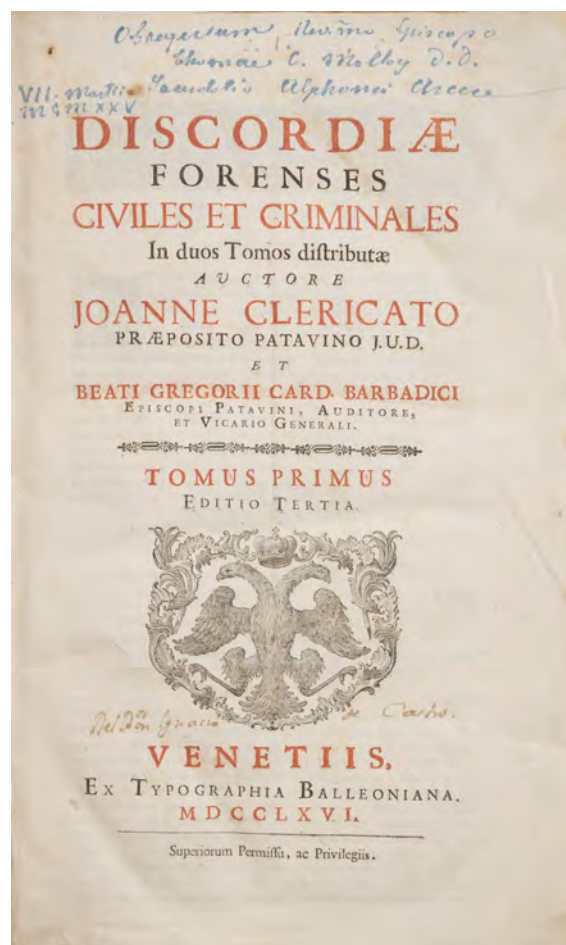
*His Majesties Most Gracious Speech, Together with the Lord Chancellors, To the Two Houses of Parliament, At their Prorogation, On Monday the Nineteenth of May, 1662.* London: Printed, by John Bill and Christopher Barker, 1662. 23, [1] pp. Folio (10-3/4" x 7").

Disbound stab-stitched pamphlet. Moderate toning, light foxing, leaves separating but secure, first leaf reinforced at gutter on recto, handwritten folio numbers in ink to upper right corners. \$650.

\* Only edition. Delivered at the end of the first session of the Cavalier Parliament, this speech followed the passage of many acts consolidating the king's power and restricting religious freedom, including the Corporation Act, the Act of Uniformity and the Quaker Act. Charles II's speech primarily focuses on the "Affection and Kindness" of Parliament in awarding him generous revenue, while the longer speech of Edward Hyde cites Machiavelli ("an Author much studied of late in this Kingdom") in a warning to listeners against being complacent during peacetime.

*English Short-Title Catalogue* R16202.

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### Distinctions Between Civil and Criminal Matters in Canon Law

#### 9. Chiericato, Giovanni Maria [1633-1717].

*Discordiae Forenses Civiles et Criminales in Duos Tomos Distributae*. Venice: Ex Typographia Balleoniana, 1766. Two volumes. xxiv, 487; xx, 349 pp. Main text in parallel columns. Folio (15-1/4" x 9-1/4").

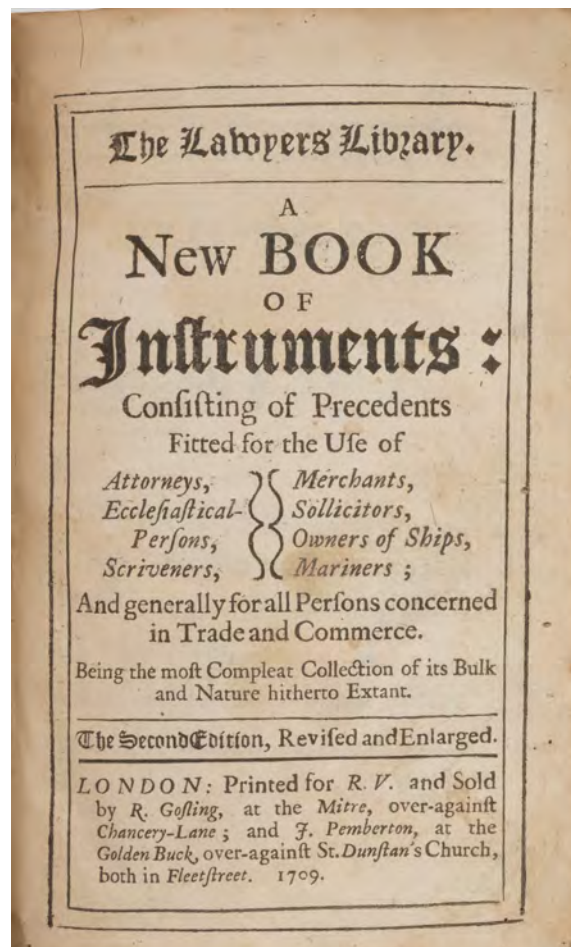
Contemporary flexible vellum, thong ties, early hand-lettered titles to spines. Minor stains to boards and spines, moderate rubbing to extremities with minor chips and wear to spine ends and corners, hinges cracked, vellum just beginning to crack through pastedowns. Title pages printed in red and black. Light toning to text, light foxing and dampstaining in places, light edgewear to preliminaries and final leaves, illegible early owner signature and inscription to title page of Volume I. A handsome set. \$1,500.

\* Third and final edition. Chiericato, or Clericato, was a highly regarded expert in canon-law jurisprudence. Vicar-general of the Diocese of Padua for much of his career, he published several books on canon and civil law. First published in 1708-1715, *Discordiae Forenses Civiles et Criminales* is a comprehensive, carefully organized treatise on distinctions between civil and criminal matters in canon law. All editions of this work are scarce. OCLC locates 5 copies of the third in North America, 3 in law libraries (Columbia, Harvard, Library of Congress).

Stapleton, John H., "Clericato, Giovanni," in *The Catholic Encyclopedia* ([www.ecatholic2000.com/cathopedia/title.shtml](http://www.ecatholic2000.com/cathopedia/title.shtml)).  
Ferreira-Ibarra, *The Canon Law Collection of the Library of Congress* 2139.

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"A New Book of Instruments"

#### 10. [Forms].

#### [Great Britain].

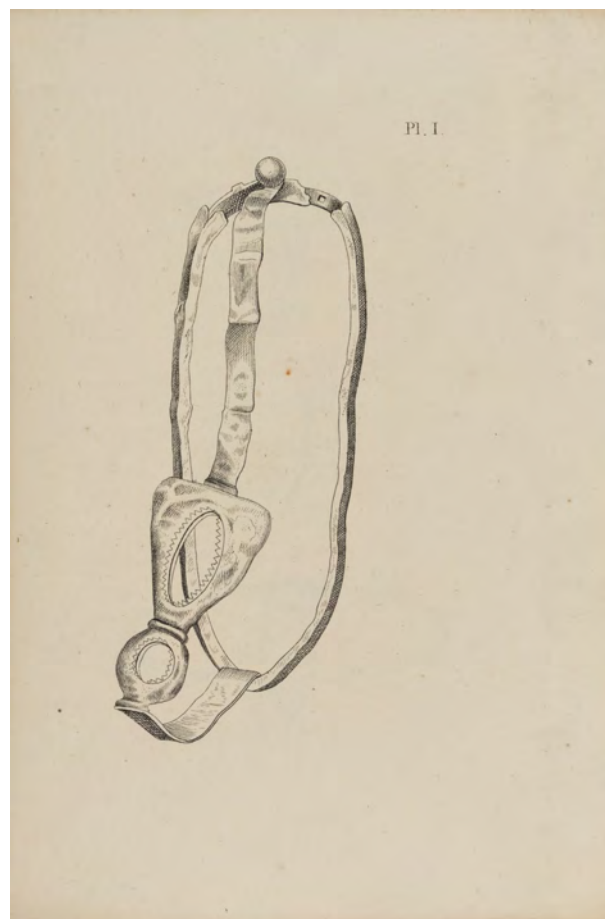
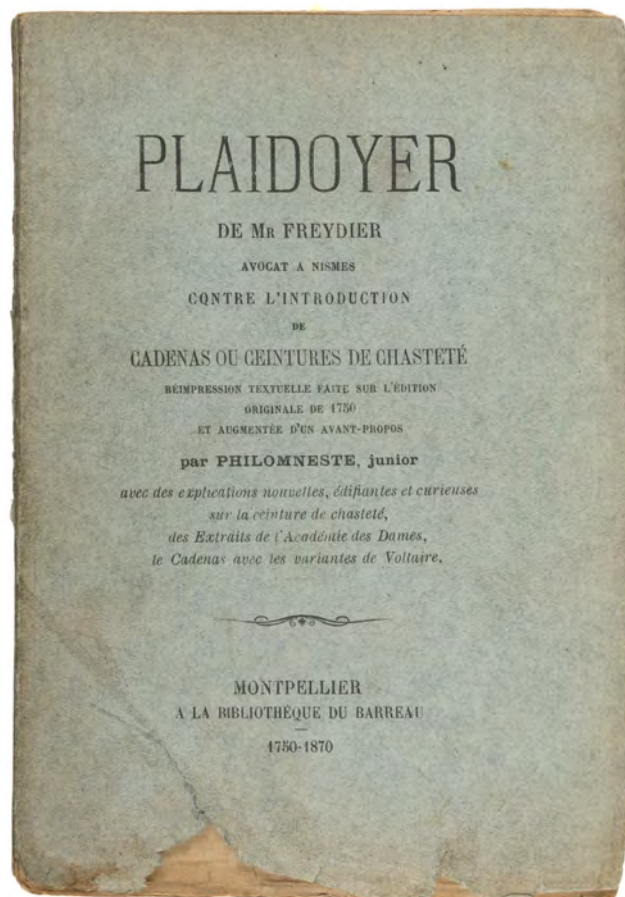
*The Lawyers Library. A New Book of Instruments: Consisting of Precedents Fitted for the Use of Attorneys, Ecclesiastical-Persons, Scriveners, Merchants, Solicitors, Owners of Ships, Mariners; And Generally for All Persons Concerned in Trade and Commerce. Being the Most Compleat Collection of Its Bulk and Nature Hitherto Extant. Revised and Enlarged.* London: Printed for R. V. And Sold by R. Gosling, 1709. [viii], 256; 215, [15] pp. Two parts, each with separate pagination. Title page preceded by publisher advertisement. Octavo (6" x 3-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spines, recent repairs to corners, top-edges of boards and head of spine, endpapers renewed. Light rubbing and a few minor nicks and scuffs to boards, spine ends bumped, some rubbing to joints, a few cracks to text block. Moderate toning to interior, faint dampstaining to preliminaries and final few leaves of text. \$850.

\* Second and final edition. Arranged alphabetically by subject and represented as "Being the most Compleat Collection" of its kind, this work was first published in 1680. Both editions of this title are rare. OCLC locates 3 copies of the second edition, all in law libraries (University of Georgia, University of Pennsylvania, Yale). The *ESTC* adds 1 more (Harvard).

*English Short-Title Catalogue* N10404.

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### A Chastity Belt and a Breach of Promise

#### 11. Freydier, M[onsieur]. [Brunet, Gustave (1807-1896)].

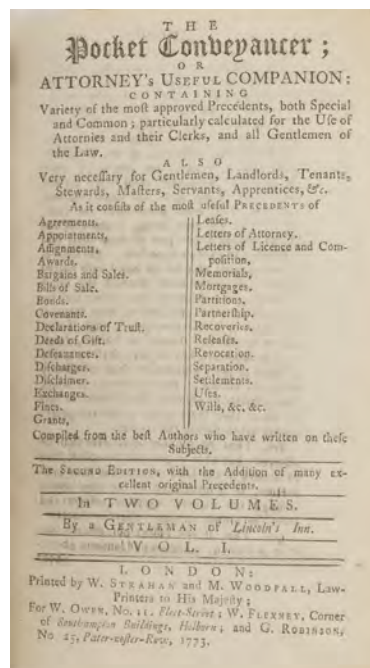
*Plaidoyer de Mr. Freydier, Avocat a Nismes, Contre l'Introduction de Cadenas, Ou Ceintures de Chasteté. Réimpression Textuelle Faite sur l'Édition Originale de 1750 et Augmentée d'un Avant-Propos, Par Philomneste, Junior. Avec des Explications Nouvelles Édifiantes et Curieuses sur la Ceinture de Chasteté des Extraits de l'Académie des Dames, Le Cadenas avec les Variates de Voltaire.* Montpellier: Bibliothèque du Barreau, 1870. xvi, 80 pp. Two plates (depicting chastity belts). 12mo. (6-1/2" x 4-1/2").

Stitched pamphlet in printed wrappers, deckle fore and bottom edges. Light soiling and a few chips and tears to wrappers, rubbing and a few cracks to spine, text block and wrappers secure. Moderate toning to interior, somewhat heavier in places, browning to title page, light foxing to a few leaves. \$250.

\* From an edition of 100 numbered copies, this number 43. After seducing Marie Lajon, Pierre Barthe refused to marry her and forced her to wear a chastity belt. She brought suit for breach of promise and hired the counselor Freydier, whose first name is not recorded. In great detail, the lawyer describes the chastity belt in question, embellishing his argument with references to Plato, the Book of Genesis and St. Jerome and other Church Fathers. As the original publication and its various reprints seem to be the only record, this case may be fictional. The section by Philomneste, Junior, a pseudonym of Gustave Brunet, is a historical and literary discussion of chastity belts. Jules Guy, the publisher of this edition, was an important bibliographer of works on human sexuality.

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### The "Attorney's Useful Companion"

#### 12. Gentleman of Lincoln's Inn.

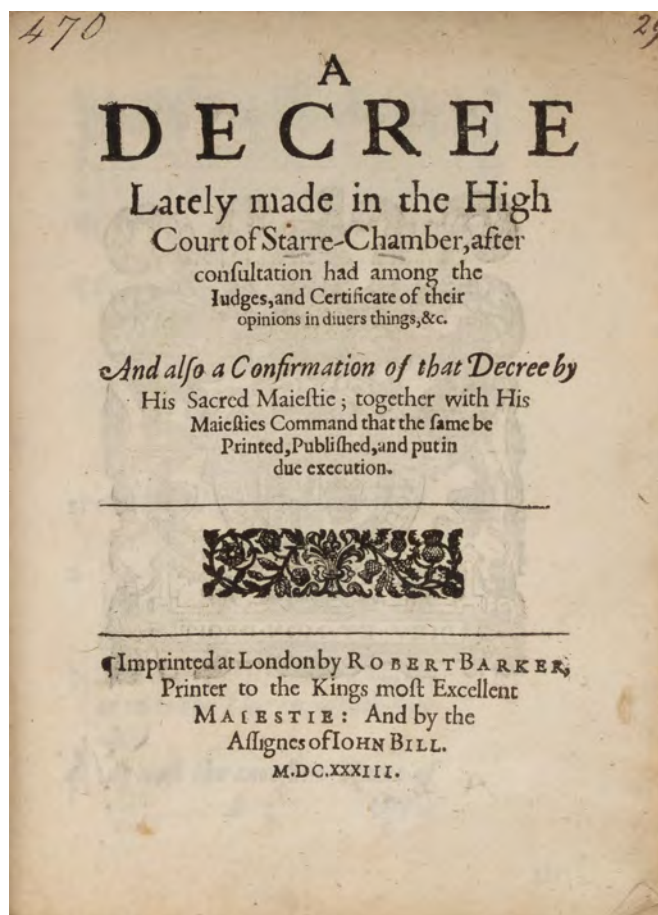
*The Pocket Conveyancer; Or Attorney's Useful Companion: Containing Variety of the Most Approved Precedents, Both Special and Common; Particularly Calculated for the Use of Attornies and Their Clerks, And All Gentlemen of the Law. Also Very Necessary for Gentlemen, Landlords, Tenants, Stewards, Masters, Servants, Apprentices, &c. As it Consists of the Most Useful Precedents of Agreements. Appointments. Assignments. Awards. Bargains and Sales. Bills of Sale. Bonds. Covenants. Declarations of Trust. Deeds of Gift. Defeazances. Discharges. Disclaimer. Exchanges. Fines. Grants. Leases. Letters of Attorney. Letters of Licence and Composition, Memorials, Mortgages. Partitions. Partnership. Recoveries. Releases. Revocation. Separation. Settlements. Uses. Wills, &c. &c. Compiled from the Best Authors who have Written on These Subjects. The Second Edition, With the Addition of Many Excellent Original Precedents.* London: Printed by W. Strahan and M. Woodfall, Law-Printers to His Majesty; for W. Owen [et al.], 1773. Two volumes. ix, [13], 362; [xiv], 323 pp. 12mo (6-3/4" x 4").

Contemporary sheep, blind fillets to boards, raised bands, renewed lettering pieces and black stamped dates and volume numbers to spines, blind tooling to board edges. Light rubbing and some scuffing and scratching to boards, a few shallow gouges to boards of Vol. II, moderate rubbing to extremities, "Pocket Conveyancer" written on head of spines in an early hand, Vol. II lettering piece loosening slightly but secure, front joint of Vol. II just starting at foot, corners bumped and lightly worn, hinges cracked or starting, small bookseller's ticket to front pastedowns, upper portion of front free endpapers excised (to remove ownership signatures), rear pastedown of Vol. II loose. Light toning to interior, light creasing to a few leaves, negligible light foxing to a few pages, internally clean. \$450.

\* Second edition. The author arranged this manual and chose a small format so it could be used "by county attornies and their clerks, who have frequent occasions to be at market-towns, and indeed by all who are at any time absent from the office" (volume I, vi). This title's first edition was published in 1760, its third and final edition in 1783. All editions of this work are scarce. OCLC locates 4 copies in North American law libraries (Georgetown, Harvard, University of Colorado, University of Pennsylvania).

*English Short-Title Catalogue* T107701.

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### Star Chamber Regulates Bakers and Tavern Owners

#### 13. [Great Britain].

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

*A Decree Lately Made in the High Court of Starre-Chamber, After Consultation Had Among the Iudges, And Certificate of their Opinions in Divers Things, &c. And Also a Confirmation of that Decree by His Sacred Maieftie; Together with His Maieftie's Command that the Same be Printed, Published, And Put in Due Execution.* London: Imprinted...by Robert Barker and by the assignes of Iohn Bill, 1633. [32] pp. First blank leaf signed "A." Quarto (7-1/2" x 5-3/4").

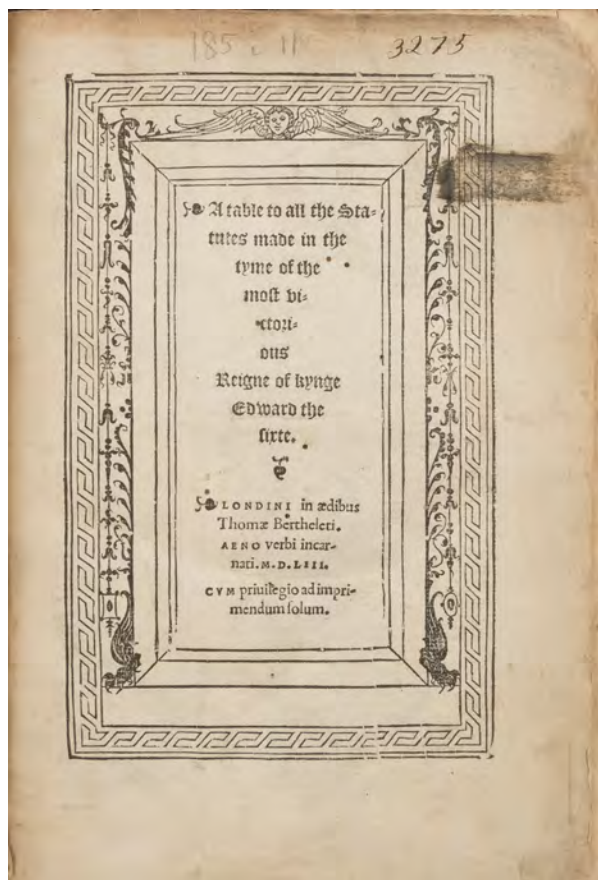
Stab-stitched pamphlet in plain wrappers, front wrapper lacking. Moderate toning, very faint dampstain to upper corner, light soiling in a few places, somewhat heavier to first leaf, "ffor the Councell Chamber" written in an early hand on rear wrapper, early ink annotation to title page. Housed in modern 8" x 6-1/4" buckram folder with calf spine label. \$1,850.

\* Only edition. A decree of Star Chamber governing suppliers of food and drink, including bakers and tavern owners. Among other stipulations, it forbade tavern owners and other sellers of alcohol from operating houses of gaming. It also regulated sales of horsemeat. Although the court of Star Chamber was infamous for its abuses in cases of sedition and libel, Charles I increasingly used it for everyday business as a substitute for Parliament during his Personal Rule. OCLC locates 6 copies of this title in North American law libraries (Harvard, Yale, New York University, University of Minnesota, Washington State, Library of Congress).

*English Short-Title Catalogue* S100572.

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### Edward VI's Protestant Reforms

#### 14. [Great Britain].

#### Edward VI [1537-1553], King of England.

*A Table to All the Statutes Made in the Tyme of the Most Victorious Reigne of Kynge Edward the Sixte.* London: In aedibus Thomae Bertheleti aeno verbi incarnati, 1553. [8] pp.

#### [Bound with]

#### Edward VI, King of England.

*Anno Secundo et Tertio Eduardi Sexti. Actes Made in the Session of this Present Parliament, Holden Upon Prorogation at Westminster, The Fourthe Day of November, In the Seconde Yere of Our Most Drad Sovereigne Lorde, Edward the .VI. By the Grace of God, Kyng of England, Fraunce, And Irelande, Defendour of the Faythe, And of the Church of Englande, And Also of Irelande, In Earth the Supreme Head: And There Continued and Kept to the .xiiii. Day of Marche, In the .III. Yere of Our Said Sovereigne Lorde, As foloweth.* [[London]: Richardus Graftonus [i.e. Richard Tottell?], Typographus Regius excudebat, 1552 [i.e. 1557?]]. lxxvi [i.e. lxxviii] ff.

#### [And]

#### Edward VI, King of England.

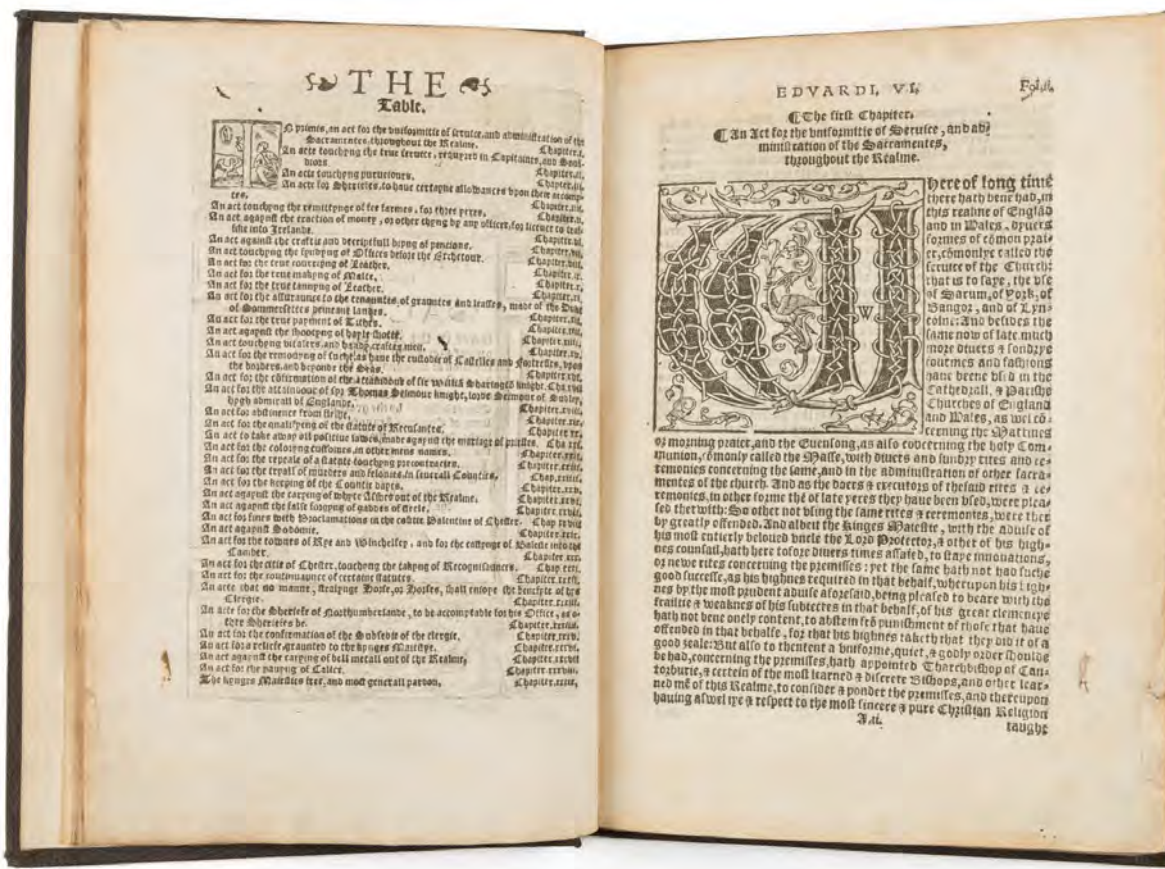
*Anno. III & IIII. Edwardi Sexti....* [London: Imprinted...by Richard Grafton [i.e. Richard Tottell?], 1553 [i.e. 1560?]]. xxix-xxxii ff. [ONLY].

Folio (11" x 7-1/2"). Later (nineteenth-century) pebbled cloth, fragment of paper label to spine. Light rubbing and minor soiling to boards, moderate rubbing and light fading to extremities, rear joint starting at ends, small holes at ends of front joint, spine ends and corners bumped and lightly worn, later armorial bookplate (of Edwin Freshfield) to front pastedown. Moderate toning to interior, light soiling in a few places, several small wormholes to text block of the *Table* and minor worming to a few leaves of *Anno Secundo et Tertio*, no loss to legibility, small pencil and ink annotations to title page of *Table*. \$2,000.

\* *Table*: only edition; *Anno Secundo et Tertio*: later edition. 39 public acts passed under Edward VI in 1548-1549. Some of the more interesting acts involve significant Protestant reforms to the English Church, including the Act of Uniformity, which established the *Book of Common Prayer* as the sole form of legal worship in England. Also included is the Clergy Marriage Act, which abolished the prohibition on marriage for priests in the Church of England. The *Table* is a separately printed index encompassing all of Edward's reign and intended to accompany collections of the statutes. Appended to the volume is "An Acte of the Kinges Maiesties Moste Free and General Pardon" from a later group of statutes. Our volume was owned by Edwin Freshfield [1832-1918], a solicitor in his great family law firm. Founded in London in 1743, the firm is now the multinational Freshfields Bruckhaus Deringer.

OCLC and the ESTC locate 2 copies of the *Table* in North American law libraries (Harvard, Library of Congress) and 2 copies of *Anno Secundo et Tertio* in North America (Harvard, University of Minnesota).

Beale, *A Bibliography of Early English Law Books* S37a, S223, S228. *English Short-Title Catalogue* (ESTC) S113186, S113153, S92187.



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### Public and Private Acts of Parliament, 1695-1696

#### 15. [Great Britain].

#### William III [1650-1702], King of England.

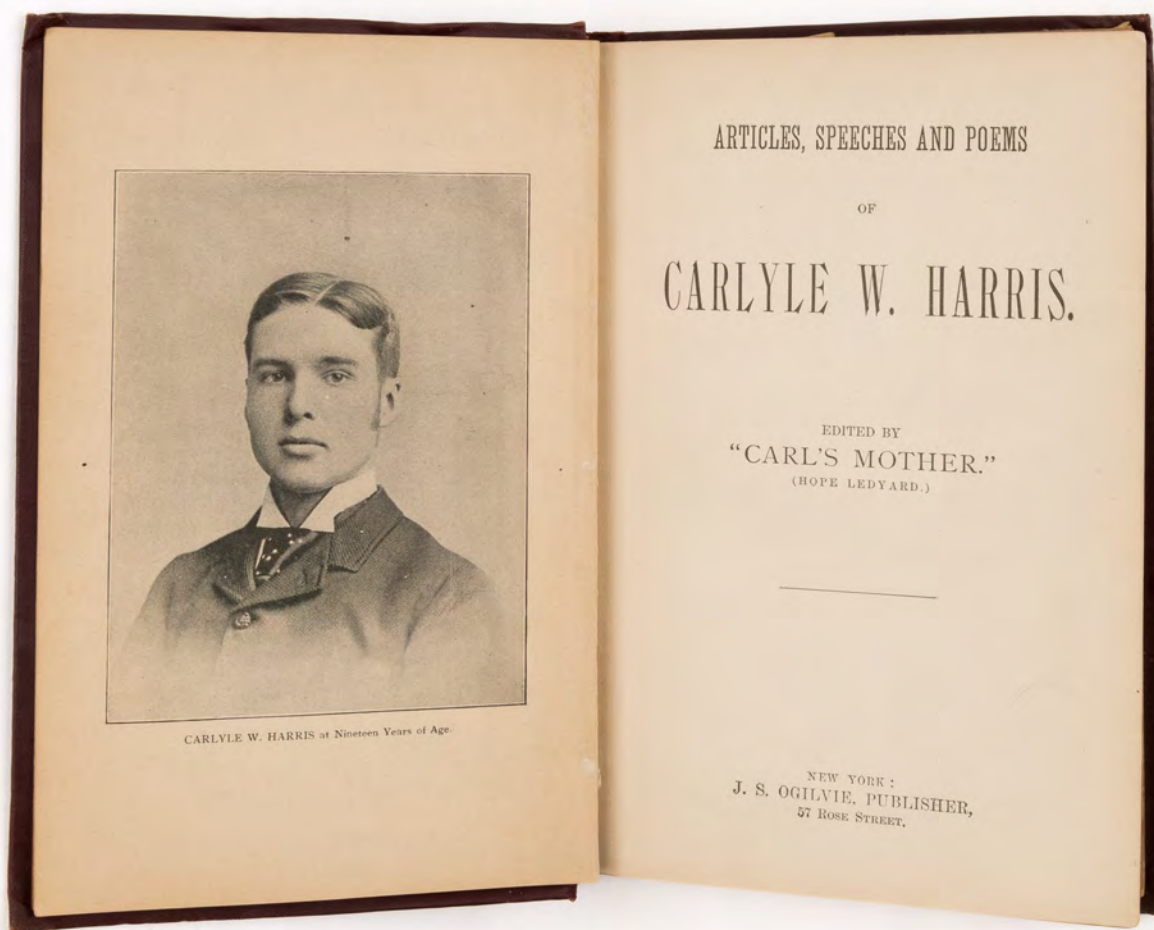
*Anno Regni Gulielmi III. Regis Angliae, Scotiae, Franciae & Hiberniae, Septimo. At the Parliament Begun at Westminster the Two and Twentieth Day of November, Anno Dom. 1695. In the Seventh Year of the Reign of our Sovereign Lord William the Third, By the Grace of God, of England, Scotland, France and Ireland, King, Defender of the Faith, &c.* London: Printed by Charles Bill, and the executrix of Thomas Newcomb, decess'd, 1695 [i.e. 1696]. 759, [5] pp. Same general title page preceding each act, c.5-14 dated 1695 and all others dated 1696. Folio (10-3/4" x 6-1/2").

Contemporary paneled calf, rebacked and recorned in period style with raised bands, blind fillets, lettering piece and gilt date to spine, blind tooling to board edges, edges speckled red, hinges mended. Light rubbing and some scuffs, nicks and scratches to boards, moderate rubbing to board edges, corners bumped. Light toning to interior, somewhat heavier in places, light foxing and soiling in a few places, occasional faint dampstaining to lower corner of first 200 or so pages, minor worming to bottom margin of first 50 leaves not affecting text, clean tear to bottom edge of leaf R2 (pp. 67-68) just touching catchword on p. 68 without loss, early ink annotation to p. 292. \$950.

\* A collection of 39 acts passed in the seventh and eighth years of the reign of William III, with tables listing the titles of the public acts and summaries of 41 private acts. Some of the more interesting acts include acts dealing with election reform, including an act intended to prevent bribery of constituents by MPs, the Treason Act of 1695, which gave more rights, such as the right to counsel, to defendants in treason trials, and the acts creating the British gold standard, among other significant monetary reforms. The system created by the latter acts became known as the Great Recoinage of 1696.

*English Short-Title Catalogue* R223064.

[Order This Item](#)



### Murdered with Poisoned Sleeping Pills: McDade 444

#### 16. Harris, Carlyle [1869-1893].

[Harris, Francis McCreedy], Editor.

*Articles, Speeches and Poems of Carlyle W. Harris. Edited by "Carl's Mother" (Hope Ledyard).* New York: J.S. Ogilvie, [1893]. 205 pp. Portrait frontispiece. Octavo (7-1/4" x 4-3/4").

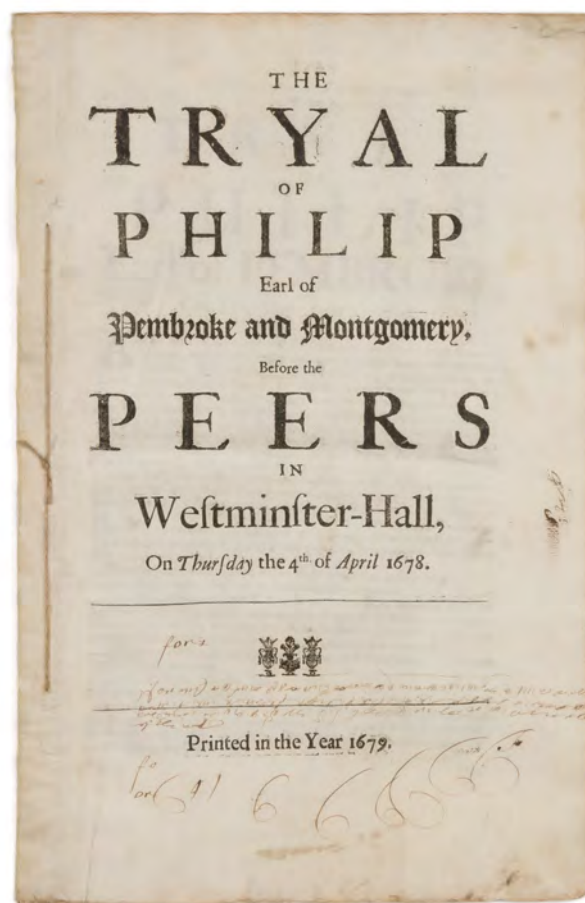
Original cloth, blind fillets to front board, gilt title and blind fillets to spine, patterned endpapers. Some rubbing to extremities, spine ends and corners bumped, small bump to head of front board, crack in text block between frontispiece and title page. Moderate toning to interior, minor tears and creases to heads of two leaves at rear of text (pp. 197-200). \$350.

\* First and only edition. This was a famous case in which Harris, a medical student, murdered his wife with poisoned sleeping pills. He was convicted and executed in the electric chair at Sing Sing Prison. Harris's mother, who believed her son to be innocent, was the author of several edifying books for children and young women published under the pen name Hope Ledyard. OCLC locates 1 copy in a law library (Harvard).

McDade, *The Annals of Murder* 444.

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### An Infamous Earl Gets Away with Murder

#### 17. Herbert, Philip, 7th Earl of Pembroke [1653-1683], Defendant.

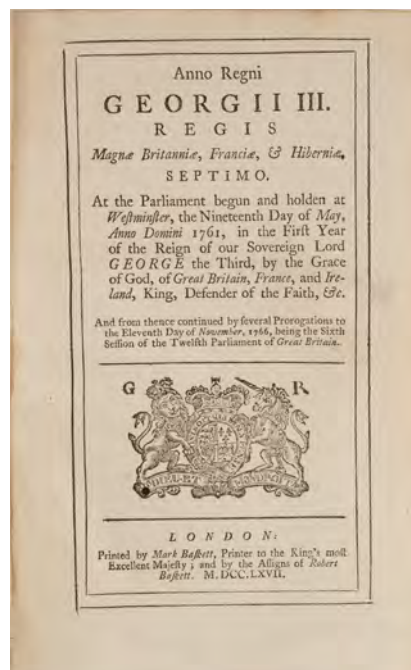
*The Tryal of Philip Earl of Pembroke and Montgomery, Before the Peers in Westminster-Hall, On Thursday the 4th. Of April 1678.* [London: s.n.], Printed in the Year 1679. [2], 28 pp. Folio (12" x 7-3/4").

Disbound stab-stitched pamphlet, recently resewn, marbled edges. Light toning, spine and edges of a few leaves discreetly mended with tissue, light foxing and soiling in a few places, illegible early annotations to foot of title page. \$750.

\* Only edition. Pembroke was a nobleman from an eminent family. Notorious for his fits of violent rage, he had an extensive criminal record. In 1678, he kicked Nathaniel Cony to death in a tavern and was indicted for murder. Using his nobility to the fullest possible advantage, Pembroke claimed his right to be tried by his peers in the House of Lords. When they convicted him of manslaughter, he then invoked the privilege of peerage, which allowed him to escape punishment for his first offense. His reputation was such that the presiding judge warned him that "no man can have the benefit of that Statute but once," advice that Pembroke was unable to heed; he committed at least one additional murder, and possibly more, though he continued to evade justice.

*English Short-Title Catalogue* R18066.

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### Regulation in Response to the "Turnpike Boom"

#### 18. [Highways].

#### [Great Britain].

#### George III [1738-1820], King of Great Britain.

*Anno Regni Georgii III Regis Magnae Britanniae, Franciae, & Hiberniae, Septimo. At the Parliament Begun and Holden at Westminster, The Nineteenth Day of May, Anno Domini 1761, In the First Year of the Reign of Our Sovereign Lord George the Third, By the Grace of God, Of Great Britain, France, And Ireland, King, Defender of the Faith, &c. And from thence Continued by Several Prorogations to the Eleventh Day of November, 1766, Being the Sixth Session of the Twelfth Parliament of Great Britain.* London: Printed by Mark Baskett and by the assigns of Robert Baskett, 1767. [ii], 5-125, [1], [62] pp. Octavo (7" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands, blind fillets and lettering piece to spine, blind tooling to board edges. Light rubbing and a few very minor nicks and scratches to boards, moderate rubbing to extremities, front joint just starting at head, corners bumped and lightly worn, hinges starting, early ink annotation to rear pastedown. Light toning, negligible light foxing to a few pages, internally clean. \$750.

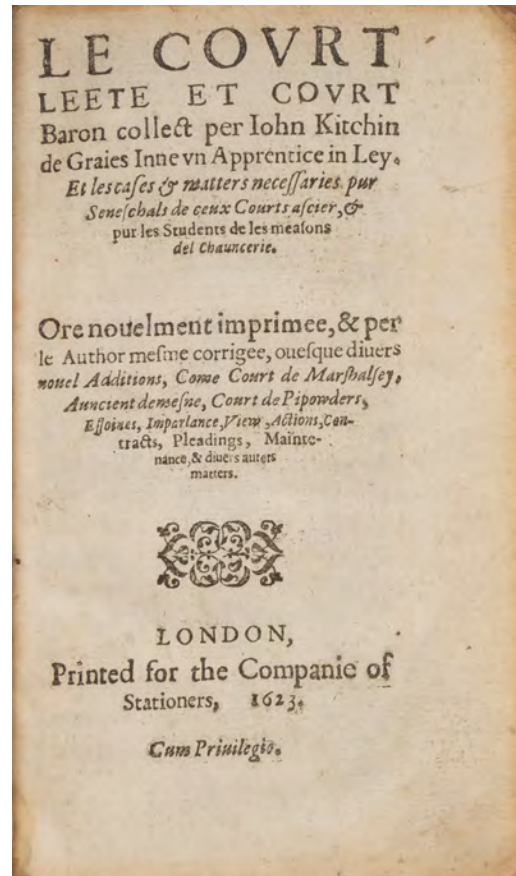
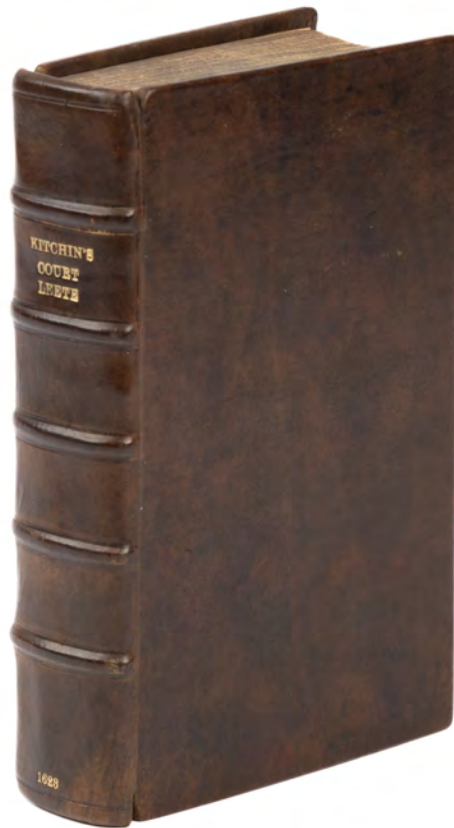
\* Two acts of Parliament consolidating and regulating turnpike trusts in the wake of the "turnpike boom" of the late eighteenth century. Turnpike trusts, established by individual acts of Parliament, had the power to collect tolls that would be used for road maintenance. Before the widespread use of these trusts, local parishes were responsible for raising revenue via taxation and repairing highways and often found the task difficult. The first act, the Turnpike Act of 1766, established basic rules for drivers and provided for the erection of milestones to indicate the distance between towns. The second act, the Highways Act 1766, expanded on provisions and standards for road repair. The volume includes a thorough 62 pp. index to both acts.

The *ESTC* lists a 64 pp. index and an additional act from 1768. Our 62 pp. index appears complete, and we have seen another copy without this additional act. As in the *ESTC* record, our copy lacks leaf A1, which may have been blank or unissued. OCLC and the *ESTC* locate 2 copies of this title (British Library, Cardiff University).

See *English Short-Title Catalogue (ESTC)* T225917.

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### An Important Contribution to the Development of Modern Legal Theory

#### 19. Kitchin, John [c.1520-c.1590].

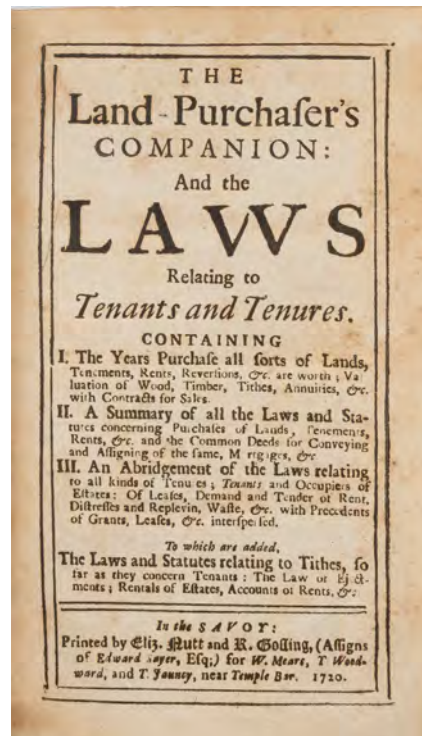
*Le Court Leete et Court Baron Collect per Iohn Kitchin de Graies Inne un Apprentice in Ley. Et les Cases & Matters Necessaries pur Seneschals de Ceux Courts Ascier, & Pur les Students de les Measons del Chauncerie.* London: Printed for the Companie of Stationers, 1623. [xii], 289, [3] ff. Octavo (6-1/8" x 3-3/4").

Recent period-style calf, raised bands, gilt fillets, and gilt title and publication date to spine, pastedowns and free endpapers renewed. "Kitchin" in early hand to fore-edge of text block, "Kitchin's Courts" to foot. Moderate toning to interior, inkstains to edges of a few leaves, faint offsetting and light edgewear to preliminaries and final two leaves, brief eighteenth-century annotations and an illegible owner name to front endleaf. An attractive copy. \$750.

\* Later edition. By outlining the differences between the previously undivided court, Kitchin, along with Coke, helped lay the foundations of modern legal theory. "In fact Kitchin was doing on a small scale what Coke was doing on a grand scale. Both were representatives of that school of literate Elizabethan lawyers...whose great and enduring work was the adaptation of medieval law and institutions to modern needs. Imagination necessarily played some part in this process of adaptation; and thus they are responsible not only for the enunciation of the rules of modern law, but also for legal and historical theories, the soundness of which was considered by many generations of lawyers and historians to be as incontestable as their statements of law" (Holdsworth). The first edition of this work was published in 1579. Our edition also includes the anonymous *Retorna Brevium*, a treatise on writs originally published in 1538.

Holdsworth, *A History of English Law* IV:130. *English Short-Title Catalogue* S108081.

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### With Interesting Content on Land Valuation

#### 20. [Land Law].

[Great Britain].

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

*The Land-Purchaser's Companion: And the Laws Relating to Tenants and Tenures. Containing I. The Years Purchase All Sorts of Lands, Tenements, Rents, Reversions, &c. Are Worth Valuation of Wood, Timber, Tithes, Annuities, &c. With Contracts for Sales. II. A Summary of All the Laws and Statutes Concerning Purchases of Lands, tenements, Rents, &c. And the Common Deeds for Conveying and Assigning of the Same, Mortgages, &c. III. An Abridgement of the Laws Relating to All Kinds of Tenures and Occupiers of Estates: Of Leases, demand and Tender of Rent, Distresses or Replevin, Waste, &c. With Precedents of Grants, Leases, &c. Interspersed. To Which are Added, The Laws and Statutes Relating to Tithes, So Far as They Concern Tenants: The Law of Ejectments; Rentals of Estates, Accounts of Rents, &c.* [London]: Printed by Eliz. Nutt and R. Gosling, 1720. xi,[1], 283, [17] pp. Final leaf is a 2 pp. publisher catalogue. 12mo. (6-1/2" x 3-3/4").

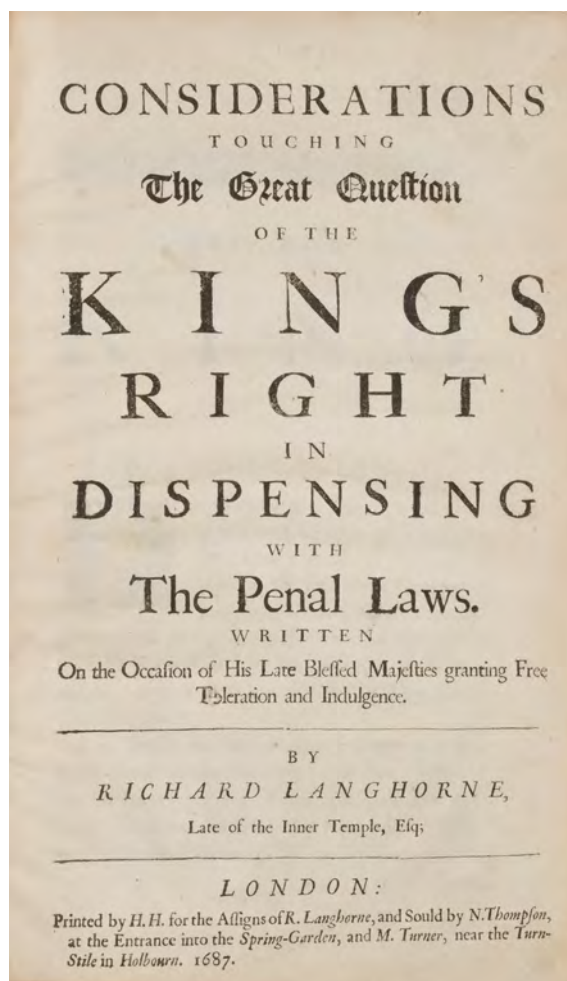
Contemporary calf, blind rules to boards, gilt tooling to board edges. Blind fillets along joints, raised bands to spine. A few light stains and minor nicks and scuffs to boards, moderate rubbing to extremities, front joint starting at head, corners bumped, rear hinge cracked, crack in text block between front endleaf and title page, "Glass Cuphoard" and struck through signature, both in early hands, to front pastedown. Moderate toning to interior, light foxing in a few places. \$1,350.

\* Only edition. Directed at potential purchasers, this unusual guide discusses land valuation and its associated legal problems. Some sources attribute this work to Giles Jacob, a claim rejected by the ESTC. This is a scarce title. OCLC locates 3 copies in North American law libraries (Library of Congress, University of Washington, Yale). The ESTC adds 1 more (Harvard).

*English Short-Title Catalogue (ESTC)* T82732.

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**A Defense of the Declaration of Indulgence by a Roman Catholic Martyr**

**21. Langhorne, Richard [1624?-1679].**

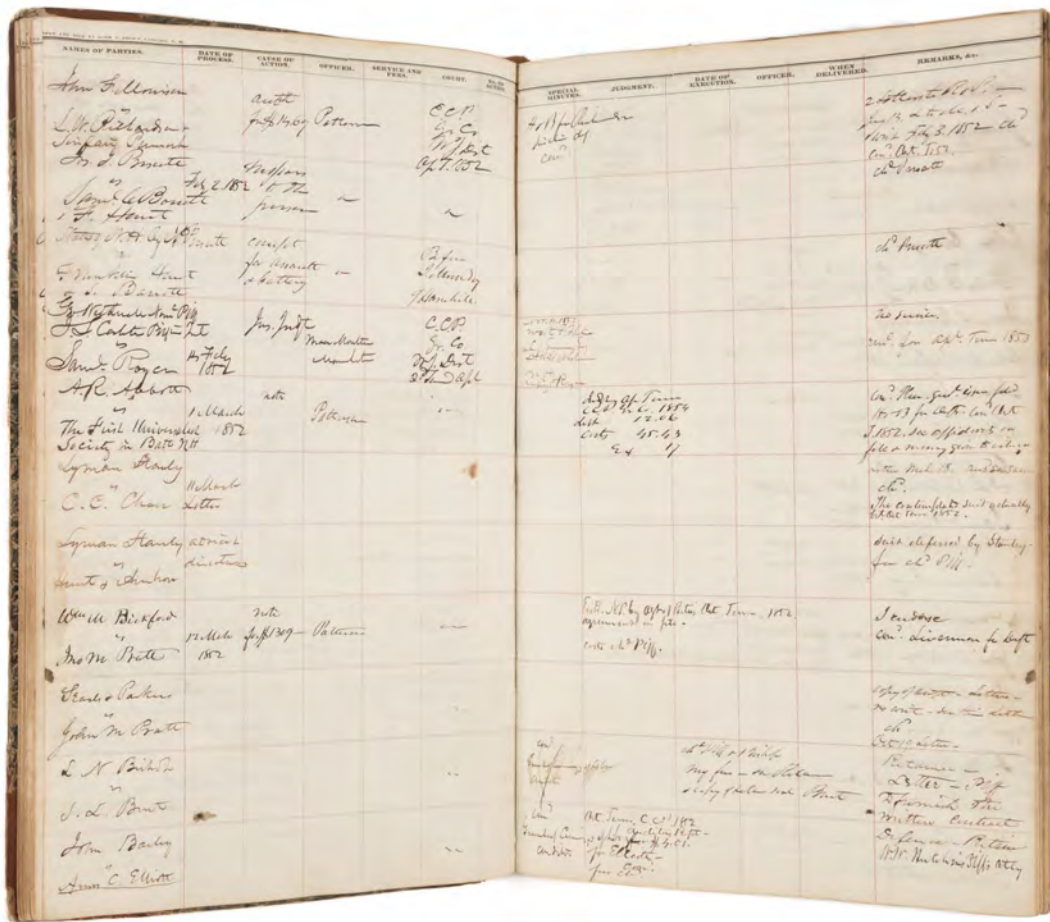
*Considerations Touching the Great Question of the King's Right in Dispensing with the Penal Laws. Written on the Occasion of His Late Blessed Majesties Granting Free Toleration and Indulgence.* London: Printed by H.H. for the assigns of R. Langhorne, 1687. [ii], ii, 31, [1] pp. Folio (12-1/4" x 7-1/2").

Stab-stitched pamphlet bound in recent quarter sheep over patterned boards, raised bands, blind fillets and gilt title to spine, marbled endpapers. Moderate rubbing and light wear to spine, corners bumped, ownership signature (of J.A.S. Proctor, dated 1968) to verso of front free endpaper, typed notes on Langhorne pasted to verso of front endleaf. Light toning to interior, light foxing and soiling in a few places, light creasing to a few leaves. \$650.

\* Only edition, one of two 1687 imprints. Langhorne was a Roman Catholic barrister who provided legal and financial advice to Jesuits in London. Swept up in the Popish Plot, a cruel anti-Catholic hoax devised by Titus Oates and Israel Tonge, he was executed for treason in 1679. This work defends Charles II's extension of greater religious liberty to nonconformists and Roman Catholics in the 1672 Declaration of Indulgence. Published posthumously, it features a dedication signed by his son. Langhorne was beatified as a Catholic martyr by Pope Pius XI in 1929.

*English Short-Title Catalogue* R10974.

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### Nineteenth-Century Ledger from Rural New Hampshire

#### 22. [Manuscript].

#### [New Hampshire].

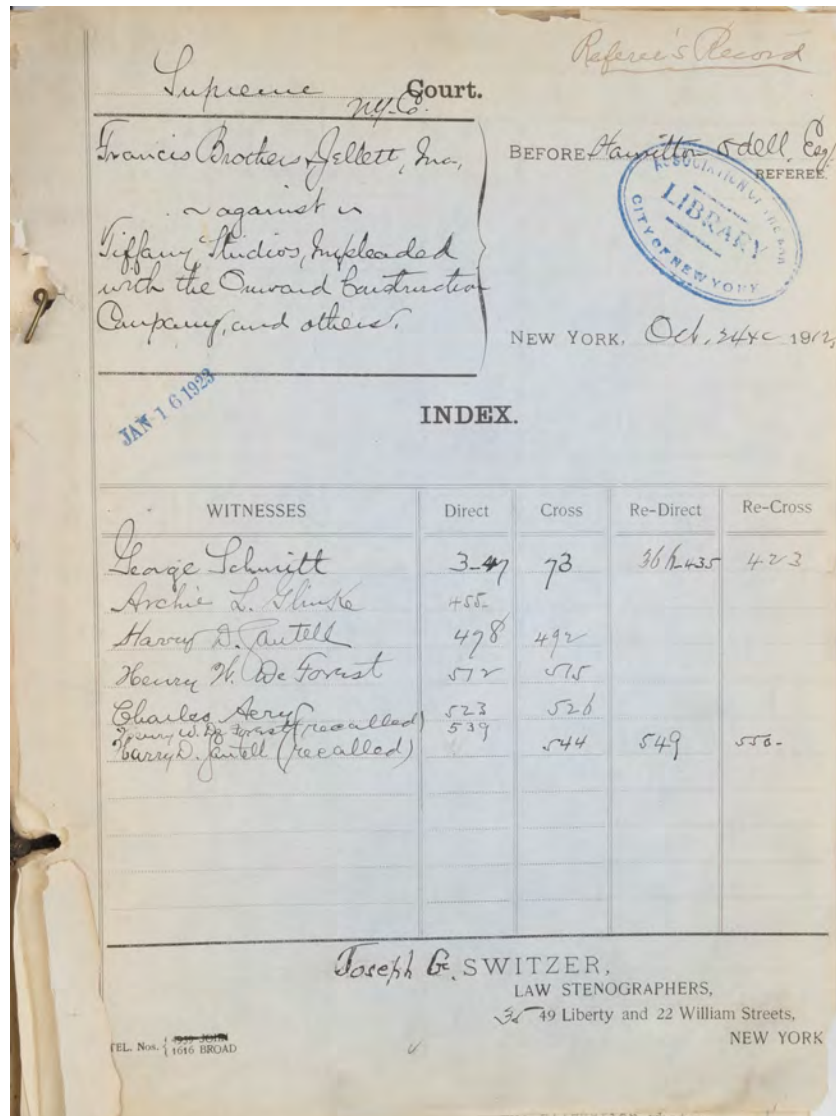
[Docket Book]. Grafton County, New Hampshire, 1839-1877. [360] pp. Folio (13-1/2" x 8").

Contemporary three-quarter sheep over marbled boards, gilt fillets and title to spine. Moderate rubbing, a few scuffs and stains and faint dampstaining to boards, which are slightly bowed, somewhat heavier rubbing to extremities, a few small wormholes to spine, a few chips to joints, chipping to foot of spine, corners bumped and worn. Light toning, faint dampstain to upper corner of text block, small holes (pinholes?) to most leaves, legibility not affected, a few partial cracks to text block, all leaves secure. Text in ink and pencil in single neat hand to first 188 pp. \$650.

\* This ledger records court appearances in Grafton County, New Hampshire between 1839 and 1877. Most appear to take place in the Court of Common Pleas and deal with financial matters such as debt, breach of contract and small claims. Several cases deal with injuries from poorly maintained highways, including a case where a man sued after his wife was injured and his sleigh damaged. Other cases include divorces, assault, slander and bastardy. Provides an interesting look at court proceedings in rural nineteenth-century New Hampshire.

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Includes a Wealth of Detail About the Interior  
of One of New York City's Grandest Apartment Buildings

23. [Manuscript].

[Trial].

[Francis Brothers & Jellett v. Tiffany].

Supreme Court, New York Co. Francis Brothers & Jellett Against Tiffany Studios, Impleaded With the Onward Constuction Company, And Others Before Hamilton Odell, Esq., Referee, New York, October 24th, 1912. New York: Joseph G. Switzer, Law Stenographers, [October 24, 1912-December 16, 1913]. Small folio (11" x 8").

Original typescript in tied binding with stiff three-quarter cloth over marbled boards, typescript label reading "FRANCIS BROS. & JELLETT vs. TIFFANY STUDIOS" to front board. Moderate rubbing to boards, heavier rubbing and chipping to board edges, one of the two clasps securing ties detached from front board. Text in six sections, the first preceded by part-printed cover sheet completed in manuscript, other sections preceded by divisional pages with dates of trial in manuscript. Light toning to interior, first two leaves detached and moderately edgeworn, "Referee's Record" in pencil and small library stamp of the New York City Bar Association and small date stamp, "Jan 16, 1923," to cover sheet. \$2,500.

\* One of a handful of copies, this transcript records a dispute concerning payment and fees involving an important Philadelphia architecture and engineering firm, America's premier interior design firm and one of New York City's greatest residential buildings: The Ansonia, which was intended by its builder, the eccentric William Earl Dodge Stokes, to be the world's greatest residential hotel. It belonged to Hamilton Odell [1834-1922], a distinguished New York City lawyer who was appointed to hear the case. The core of the dispute was compensation for construction and installation owed by Tiffany to Francis Brothers.

This transcript is interesting, in part, as a record of how firms like these contracted business. More important, it records a wealth of detail about the design, construction, materials and furnishings used in the public rooms of this building, most of which were subjected to decay, destruction and subsequent remodelings. It states, for example, that the Palm Garden on the ground floor had a floor of quarter-sawn oak and four doors with mahogany casings with classically fluted pilasters and cornices with small carved heads. Its detail is often granular: each of the four doors was constructed from 30 square feet of pine and covered on both sides with 30 square feet of mahogany in a quarter-inch veneer, which was intended to match a custom-built reception desk. Along with furnishings, it discusses the techniques and materials used in their installation, the names of craftspeople and sub-contractors and vendors and expenses (the desk was \$350.00). In all, it is a valuable supplement to the plans, visual documentation and written accounts of this New York City landmark.

	19
Private dining room, second floor, white enamel finish, ornament of composition and plaster,	\$ 8,000.00
Palm garden, finished and trimmed with San Domingo mahogany,	1,800.00
Assembly room, finished and trimmed with San Domingo mahogany,	1,155.00
57 corridor doors in mahogany, at \$55. each, in place,	3,135.00
Reception room and toilets on 73rd Street, westerly side, trim complete, in place,	2,000.00
Reception room and toilets on 73rd Street, easterly side, trim complete, in place,	1,000.00
Erecting and decorating in best quartered oak, main office on first floor, complete,	1,400.00
Constructing and erecting entrance to dining room, 16th floor, with musician's gallery, complete,	1,150.00
Ornamental plaster work on ceiling of Broadway restaurant and private dining room, complete,	4,500.00
One pine vestibule door for florist's store,	185.00
Repairs to plastering in room occupied by United States Mortgage & Trust Co's office, 15 days labor at 6,	\$90.
Material for same	5. 95.00
Total	\$47,970.00
That no part of said sum of \$47,970. has been paid, excepting the sum of \$24,010., leaving a balance due and owing to this defendant, at the time of filing its lien, of \$23,960.00, with interest thereon from the 6th day of June, 1903.	

	Schmitt	58
Q	The early part of 1903?	A. Yes.
Q	Can you tell me the month?	A. I cannot recollect the month.
Q	Was it prior to March?	A. I think it was prior to March. I cannot recollect.
Q	Take up the next item and describe the work, labor and materials?	A. Assembly Room, finished and trimmed with San Domingo mahogany. The Assembly Room is an adjoining room to the Palm Garden, and the work there consisted of the doors, circular heads, trims and jambs, and was similar in design to the work in the Palm Garden.
Q	Made of San Domingo mahogany?	A. Yes.
Q	And did the trim go all around the room, or was it only in connection with windows and doors?	A. Only in connection with windows and doors. The walls were all Caen stone, and the windows were Caen stone.
Q	Do you remember how many windows and doors there were?	A. I think there were two <del>xxxxxx</del> doors, two very large doors, opening into the reception room east and west, and two small doors.
Q	And no windows?	A. No windows.
Q	Was this work done under your supervision and direction?	A. Yes.
Q	And at the shops of the Allied Arts Company and the Tiffany Studios at Corona?	A. Yes.
Q	And erected in the building by their workmen?	A. Yes.
Q	What was the fair value of the labor and materials?	A. \$1310.

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### Colonial Laws of Maryland

#### 24. [Maryland].

**Bacon, Thomas [c.1700-1768], Compiler.**

*Laws of Maryland at Large, With Proper Indexes. Now First Collected into One Compleat Body, and Published from the Original Acts and Records, Remaining in the Secretary's-Office of the Said Province. Together With Notes and Other Matters, Relative to the Constitution Thereof, Extracted from the Provincial Records. To Which is Prefixed, The Charter, With an English Translation.* Annapolis: Printed by Jonas Green, 1765. [736] pp. Folio (15-3/4" x 9-1/2").

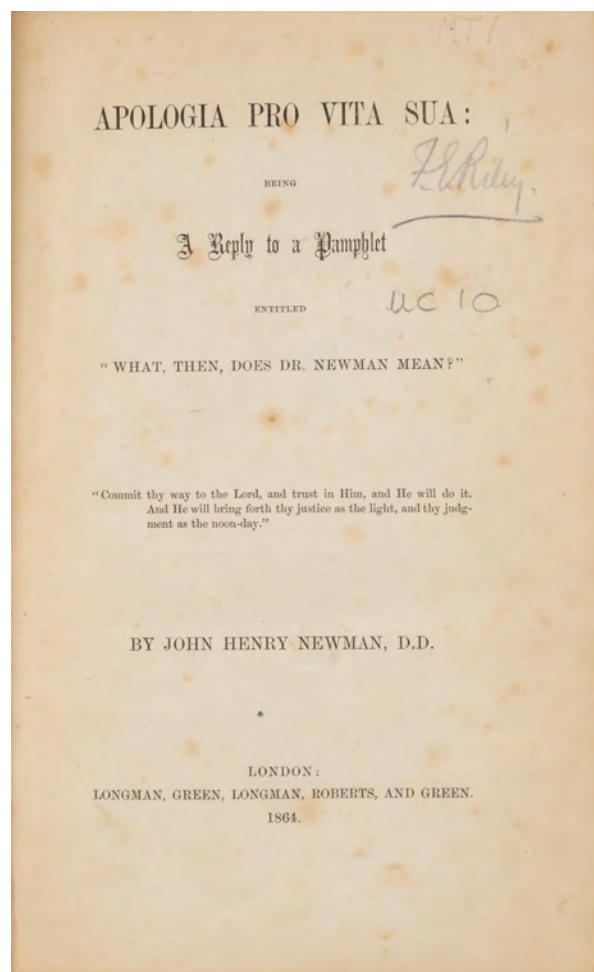
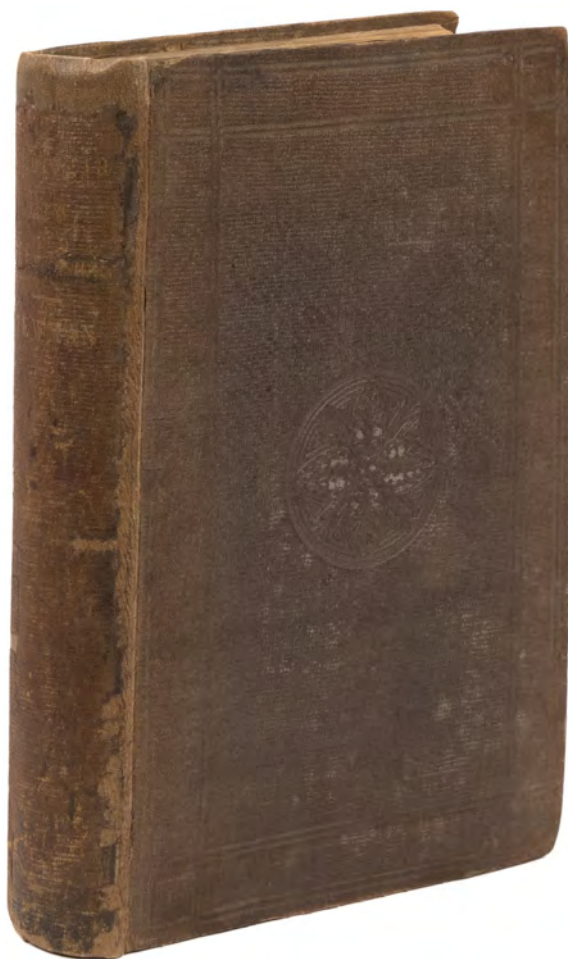
Contemporary reverse calf, blind fillets to boards, raised bands and lettering piece to spine, blind tooling to board edges. Light rubbing and faint dampstaining to boards, a few small scuffs, nicks and inkstains, early ink annotation to front board, which is separated but secured by cords, rear board detaching at ends but secure, moderate rubbing and wear to extremities, spine ends abraded, corners bumped and worn, front free endpaper lacking, rear free endpaper detached, later ownership signature (of "Mrs. Robert Stockslager Funkstown Md.") to front pastedown. Moderate toning and light foxing to interior, light browning in places, occasional faint dampstaining, somewhat heavier to first and final few leaves, light edgewear to first few leaves, small hole to head of title page, which has two struck-through annotations (ownership signatures?) and early ownership signature of Adam Ott to title page, early annotations, possibly by Ott, in several places. \$1,500.

\* First edition. Bacon was the rector of All-Saints Parish in Frederick County and chaplain to the province's governor Frederick Calvert, 6th Baron Baltimore. His extensive compilation, spanning the years 1637-1763, is considered "not only the most important of the legal publications of the Province of Maryland, but a specimen of typography which was not exceeded in dignity and beauty by any production of an American colonial press" (Wroth). The former owner of our copy may have been Adam Ott [1748-1827], Revolutionary War veteran and later sheriff of Washington County. The annotations, possibly his, describe repeals or reforms that took place after the Revolution.

Wroth, *A History of Printing in Colonial Maryland* 254. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 169. Benedict, *Acts and Laws of the Thirteen Original Colonies and States* 84. *The Charlemagne Tower Collection of Colonial Laws* 128.

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**Cardinal Newman's Sharp Defense  
of his Conversion to Catholicism**

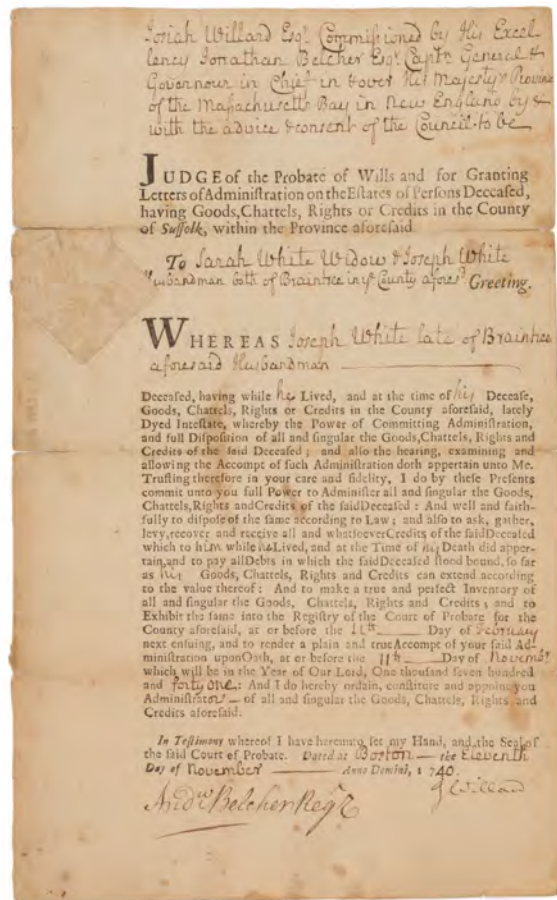
**25. Newman, John Henry [1801-1890].**

*Apologia Pro Vita Sua: Being a Reply to a Pamphlet Entitled "What, Then, Does Mr. Newman Mean?"* London: Longman, Green, Longman, Roberts, and Green, 1864. iv, 430, 127 pp. Octavo (8-3/4" x 5-1/4").

Contemporary patterned cloth, rebacked retaining most of existing spine with gilt title and author name, edges untrimmed. Binding slightly cocked, light rubbing, soiling and fading to boards, moderate rubbing to board edges, spine ends and corners bumped, corners lightly worn. Moderate toning to interior, light foxing and soiling in a few places, printer's flaw to p. 203 with loss to text but not legibility, early pencil marks to margins of a few pages, ownership signature ("F.E. Riley") and pencil notations to title page. \$200.

\* First edition in book form. Originally printed in parts, this spirited religious autobiography details the conversion of John Henry Newman, formerly an Anglican priest, to Catholicism. Newman had already established himself as a controversial figure as a leader of the conservative, high church Oxford Movement, and drew still more ire with his conversion to Catholicism during a time of significant anti-Catholic sentiment in England. The *Apologia* sought to refute the claims of Newman's detractors that he had been a Catholic agent during his time as an Anglican and that his conversion was less than genuine. The work was highly successful and well-reviewed by both Catholics and Protestants.

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**"I Do Hereby Ordain, Constitute  
and Appoint You Administrators..."**

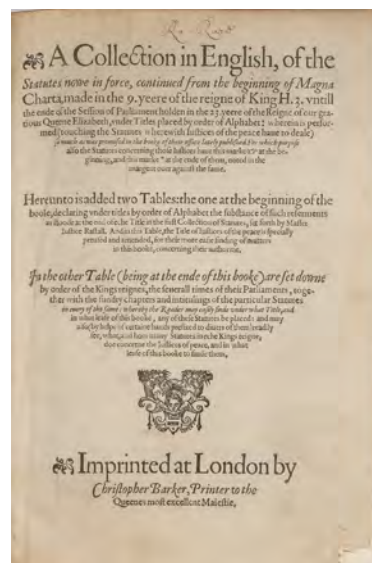
**26. [Probate].  
[Massachusetts].**

[Josiah Willard Esq...] *Judge of the Probate of Wills and for Granting Letters of Administration on the Estate of Persons Deceased, Having Goods, Chattels, Rights or Credits in the County of Suffolk, Within the Province Aforesaid To [Sarah White Widow & Joseph White Husbandman Both of Braintree in ye County Aforesaid.] Greeting.* Boston, November 11, 1740.

12" x 7-1/4" part-printed document inscribed in neat hand and signed by Willard and Andrew Belcher, Registrar, wax seal to left margin, docket to verso. Moderate toning, light foxing and soiling, a few minor stains, light edgewear, three horizontal fold lines, clean tears starting at edges of fold lines affecting text without loss. \$950.

\* A letter of administration for the estate of Joseph White, who died intestate. The letter makes his widow Sarah and son Joseph the executors of the estate. Their responsibilities included making "a true and perfect Inventory of all and singular the Goods, Chattels, Rights and Credits" and filing the inventory and an account of the estate's administration with the court in a year's time. Josiah Willard [1681-1756] was a merchant and public official who served as secretary of the Massachusetts Bay Colony and as a member of the Massachusetts Council in addition to his duties as a probate judge.

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### 1583 Edition of Rastell's *Statutes*

#### 27. Rastell, William [1508-1565], Compiler.

*A Collection in English, Of the Statutes Now in Force, Continued from the Beginning of Magna Charta, Made in the 9. Yeere of the Reigne of King H.3. Untill the Ende of the Parliament Holden in the 23. Yeere of the Reigne of Our Gracious Queene Elizabeth, Under Titles Placed by Order of Alphabet: Wherein is Performed (Touching the Statutes Wherewith Iustices of the Peace Have to Deale) so Much as was Promised in the Booke of Their Office Lately Published.... Hereunto is Added Two Tables: The One...Declaring Under Titles by Order of Alphabet the Substance of Such Referments as Stood at the Ende of Eche Title in the First Collection of Statutes, Set Forth by Master Iustice Rastal. And in this Table, The Title of Iustices of the Peace is Specially Perused and Amended, For Their More Easie Finding of Matters in this Booke, Concerning Their Authoritie. In the Other Table...Are Set Downe by Order of the Kings Reignes, The Severall Times of Their Parliaments, Together with the Sundry Chapters and Intitulings of the Particular Statutes in Every of the Same: Whereby the Reader May Easily Finde Under what Title, And in What Leaf of this Booke, Any of These Statutes be Placed: And May Also...Readily See, What, And How Many Statutes in Eche Kings Reigne, Doe Concerne the Iustices of Peace, And in What Leaf of this Booke to Finde Them.* London: Imprinted...by Christopher Barker, Printer to the Queenes Most Excellent Maiestie, [1583]. [xxxiv], 265, [1], 266-297, 297-559, [19] ff. Pagination irregular. Text complete. Main text in parallel columns. Folio (10-1/2" x 7-1/2").

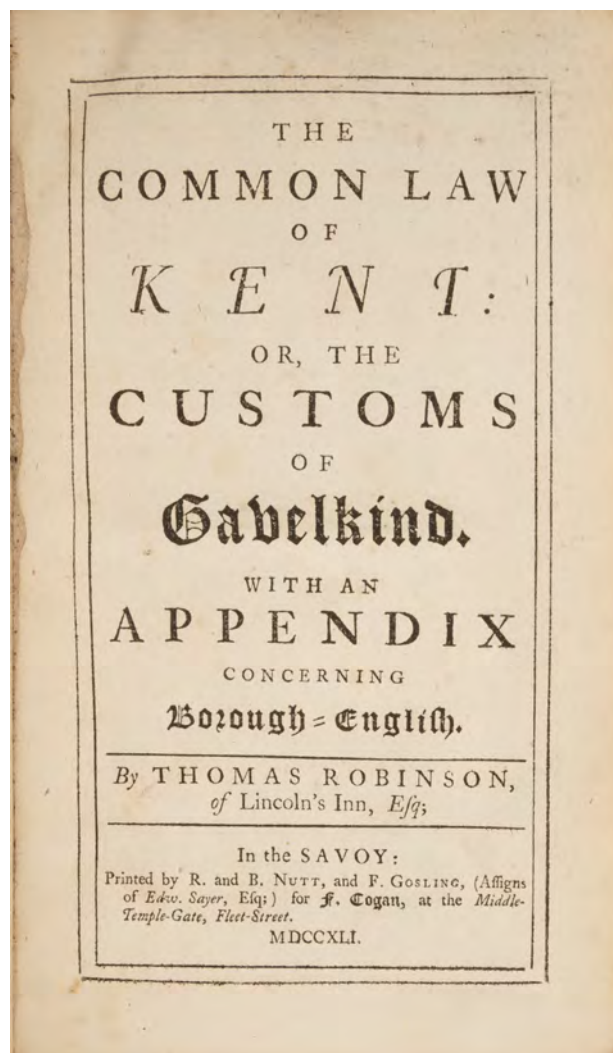
Seventeenth-century calf, rebaked in period style, gilt frames, gilt central arabesques and tie-holes to boards, raised bands, gilt fillets and retained existing lettering pieces to spine, edges rouged, corners and hinges mended. Light rubbing and some nicks and shallow scuffs to boards, a few small chips to board edges, later owner signature (R.W. Broadwood) and bookplate (Sir John Frederick) to front pastedown. Light toning to interior, minor worming to margins in a few places, light soiling and small early owner signature (Ra. Rard.) to title page, recent repair to its lower outside corner. \$4,500.

\* Rastell first published his great collection of statutes from Magna Carta to the present in 1557. It was updated periodically, the final edition appearing in 1625. As the title indicates, it had finding aids to facilitate its use by justices of the peace. Holdsworth: "It is partly of the nature of an edition of the Statutes at large, as the enacting parts of the public statutes in force are printed nearly word for word, and in their original language. But it is more of the nature of an abridgment.... The book was frequently republished and brought up to date in successive editions and in 1579 the Latin and French statutes were translated."

Holdsworth, *A History of English Law* IV:311-312. Beale, *Bibliography of Early English Law Books* S67. *English Short-Title Catalogue* S101092.

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### An Interesting Form of Partible Inheritance

#### 28. Robinson, Thomas [d. 1747].

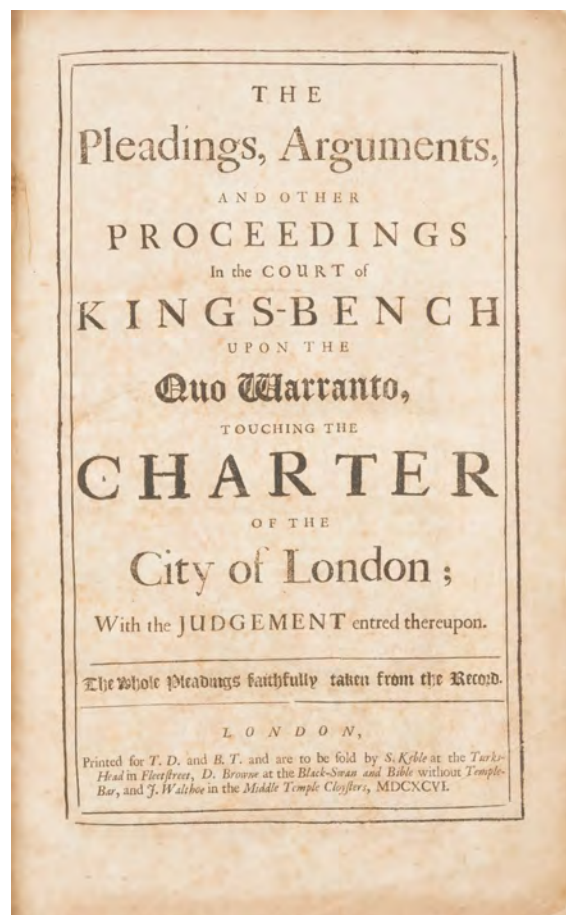
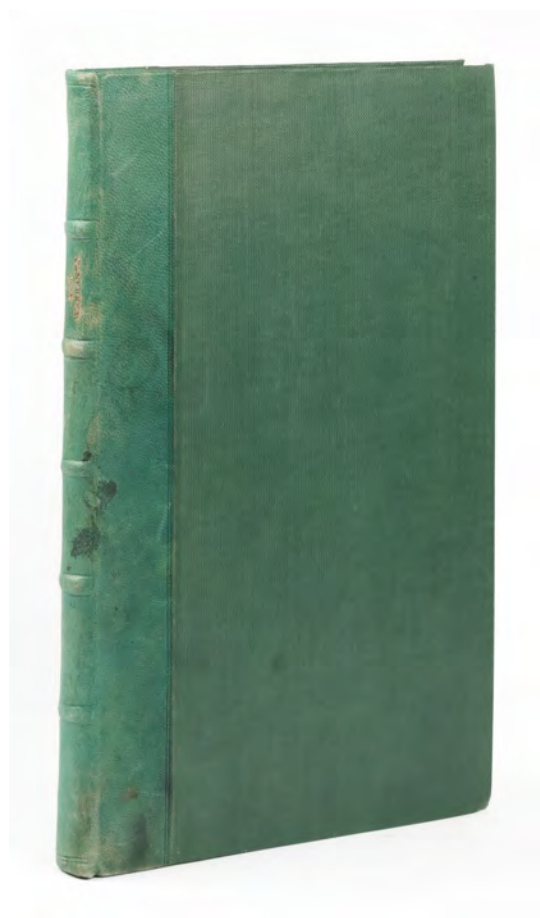
*The Common Law of Kent: Or, The Customs of Gavelkind. With an Appendix Concerning Borough-English.* [London]: Printed by R. And B. Nutt, And F. Gosling, 1741. xxiii, [1], 300, [16] pp. Octavo (7-3/4" x 4-3/4").

Contemporary calf, blind and (later) gilt rules to boards, blind fillets along joints, rebacked and recornered in period style with gilt spine, raised bands and retained lettering piece, blind tooling to board edges. Light rubbing and a few minor nicks and scratches to boards, front joint just starting at head, moderate rubbing to board edges, hinges cracked, later bookplates (of Charles Kadwell and James Hobbs) and ownership signatures (of Walter Field and Charles Kadwell) to front endpaper. Light toning to interior, very light foxing and soiling in a few places, internally clean. \$275.

\* First edition. Gavelkind is a type of land tenure used mostly in Kent, but also in other parts of England, Ireland and Wales. It is a form of partible inheritance in which land descends equally to the decedent's sons. It was common during the Saxon era, but was gradually supplanted by primogeniture after 1066. A second edition was published in 1788.

*English Short-Title Catalogue* T100327.

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**An Important Seventeenth-Century  
Statement About the Rights of Corporations**

**29. [Sawyer, Sir Robert (1633-1692)].**

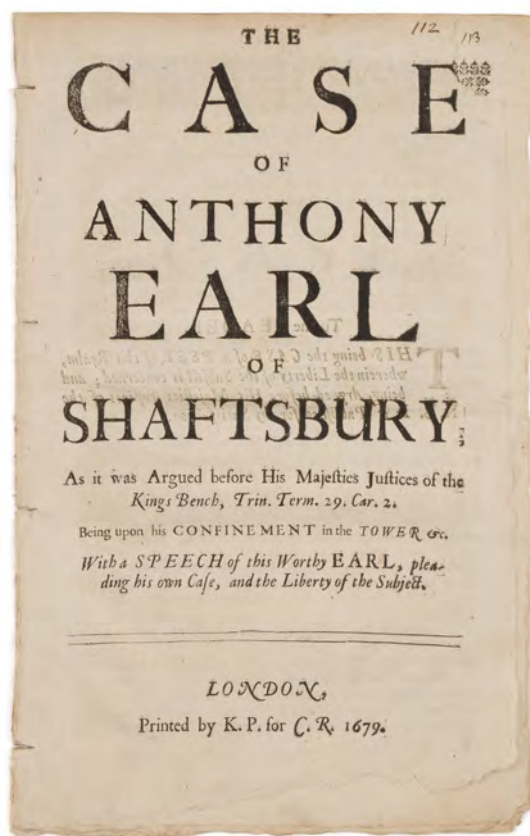
*The Pleadings, Arguments, And Other Proceedings in the Court Of Kings-Bench Upon the Quo Warranto, Touching The Charter Of The City Of London; With the Judgement Entred Thereupon. The Whole Pleadings Faithfully Taken from the Record.* London: Printed by T.D. and B.T., 1696. [iv], 35, [1], 22, 16, 25-55, [1], 55, [1], 65-126 pp. Text continuous despite pagination. Folio (11-3/4" x 7-3/4").

Recent quarter morocco over buckram, raised bands and gilt title to spine, endpapers renewed. Light fading and a few minor stains to joints and spine, corners bumped and lightly worn. Moderate toning to interior, light browning and foxing in places, including title page, moderate edgewear to final two leaves and preliminaries, brief early annotation and underlining to several leaves, recent repair to lower outside corner of leaf preceding title page. \$550.

\* Second and final edition. First published in 1690, this volume relates to the passage of an act of Parliament during the Glorious Revolution that restored a group of privileges granted under the Charter of the City of London to officers, companies, and corporations that had been seized under a writ of *quo warranto* by Charles II and James II to augment the royal revenue. An important assertion of Parliamentary power in its day, this act went on to become an important statement about the rights of corporations.

*English Short-Title Catalogue* R28154.

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### A Powerful Defense of *Habeas Corpus*

#### 30. [Trial].

##### **Shaftesbury, Anthony Ashley Cooper, Earl of [1621-1683], Defendant.**

*The Case of Anthony Earl of Shaftsbury; As it was Argued before His Majesties Justices of the Kings Bench, Trin. Term. 29. Car. 2. Being Upon His Confinement in the Tower &c. With a Speech of this Worthy Earl, Pleading His Own Case, And the Liberty of the Subject.* London: Printed by K.P. for C.R., 1679. 16 pp. Folio (12" x 7-1/2").

Disbound stab-stitched pamphlet, fore and bottom edges untrimmed. Light toning, folio numbers to upper corners in an early hand, upper corner of first leaf lacking with minor loss to "E" of "Case," negligible light foxing and soiling to a few pages. \$500.

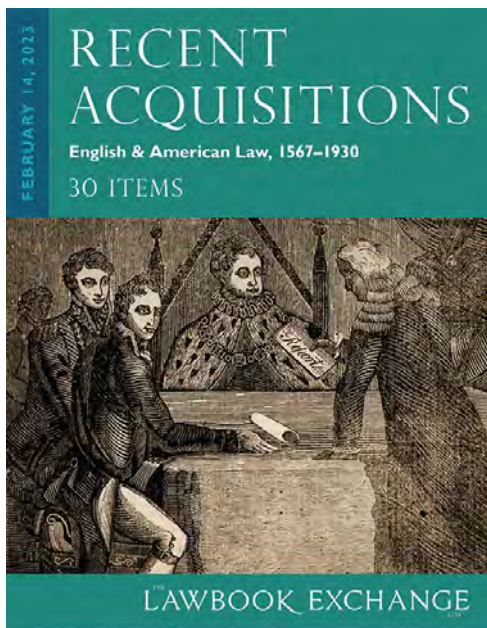
\* Only edition. A founder of the Whig party and an important patron of John Locke, Shaftesbury was a prominent English politician during the Interregnum and reign of King Charles II. He frequently clashed with the king and Tory leadership, including in 1676, when he and allies argued that the current parliament was illegitimate and were subsequently sent to the Tower. When Shaftesbury's petition for release failed, he brought a writ of *habeas corpus*. "In a very powerful argument he admitted the supreme judicature of the lords, but denied their power to commit to indefinite imprisonment on a general warrant. The judges, however, said that they had no jurisdiction in the case, and Shaftesbury was sent back to the Tower" (DNB).

*Dictionary of National Biography* (accessed online). *English Short-Title Catalogue* R4010.

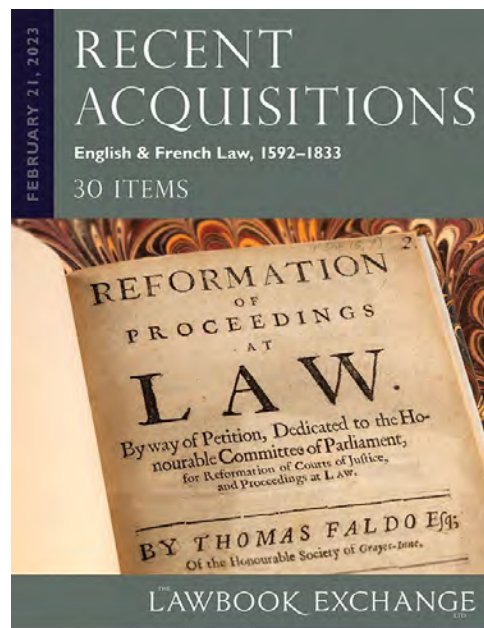
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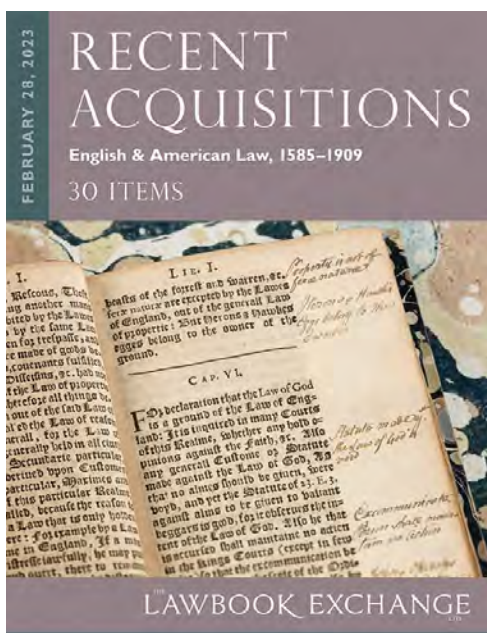
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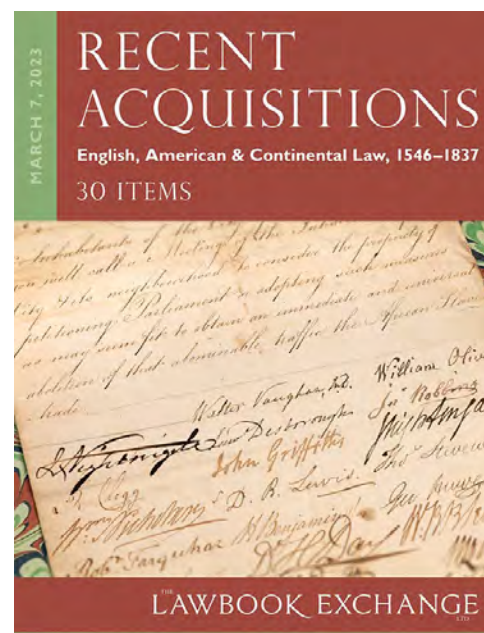
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