

A SELECTION OF 30

# Antiquarian Items

*Canon, Civil, Common & Roman Law*

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*January 29, 2019*

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**A Notable Nineteenth-Century Philadelphia Lawyer and Democratic Politician**

**1. [American School, 19th Century].**

**[Hirst, William L. (1804-1876)].**

*[Portrait of William L. Hirst]*. 31-1/4" x 39-1/2" (image size).

Oil on canvas in ornate nineteenth-century gilded wood frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$4,000.

\* Hirst had a thriving private law practice and was active in Democratic politics. In 1853, Hirst was elected President of the Democratic State Convention. He was an early proponent of the City of Philadelphia consolidation. 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](#)



**A Philadelphia Lawyer Who Served as Pennsylvania's Deputy Attorney General**

**2. [American School, 19th Century].**

**[Smith, Lewis Waln (1846-1881)].**

*[Portrait of Lewis Waln Smith]*. Philadelphia, c.1870. 24" x 30" (image size).

Oil on canvas in ornate nineteenth-century gilded wood frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$2,000.

\* Lewis Waln Smith was a lawyer who served as Deputy Attorney General for the State of Pennsylvania. 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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### An Important Humanist Scholar

#### 3. Baudouin, Francois [1520-1573].

*Commentarius de Iurisprudentia Muciana. Accessit Rerum & Verborum Praecipue Memorabilium Index.* Basel: Per Ioannem Oporinum, [1558]. [xvi] 306 [6] pp.

[Bound with]

**Baudouin, Francois.**

*De Legibus XII Tabularum. Tertia sed Plane noua Editio.* Basel: Per Ioannem Oporinum, [1557]. [viii] 252 [18] pp.

[And]

**Baudouin, Francois, Commentary.**

*Ad Edicta Veterum Principum Rom. de Christianis.* Basel: Per Ioannem Oporinum, [c. 1557]. 122, [10] pp. Lacking leaves HH5 and HH6, the final text leaf (pp. 121-2) and the first index leaf.

Octavo (7" x 4-1/2"). Contemporary calf, blind frames and central medallions to boards, raised bands, blind ornaments and later hand-lettered paper title label to spine. Some rubbing to boards, heavier rubbing to extremities with wear to spine ends and corners, joints starting at ends, hinges cracked but secure, later armorial bookplate and tipped-in leaf of notes to front pastedown. Light toning to text, light foxing and dampstaining in places. Occasional notes and glosses in a contemporary hand, interior otherwise clean. \$2,500.

\* Later editions. Baudouin was an eminent French humanist jurist and theologian. Interested in the early history of Roman law, he emphasized the importance of history in the development of the law. This volume collects two of his principal works, *De Legibus XII Tabularum*, a study of the history and significance of the Twelve Tables, and *Commentarius de Iurisprudentia Muciana*, a study of Roman law during the Republic. The final title addresses the legal status of the early Christian Church. Adams, *Catalogue of Books Printed on the Continent of Europe, 1501-1600* B87, B93, B84. [Order This Item](#)



**"Valuable Guide" to the Writ *Ne Exeat Regno***

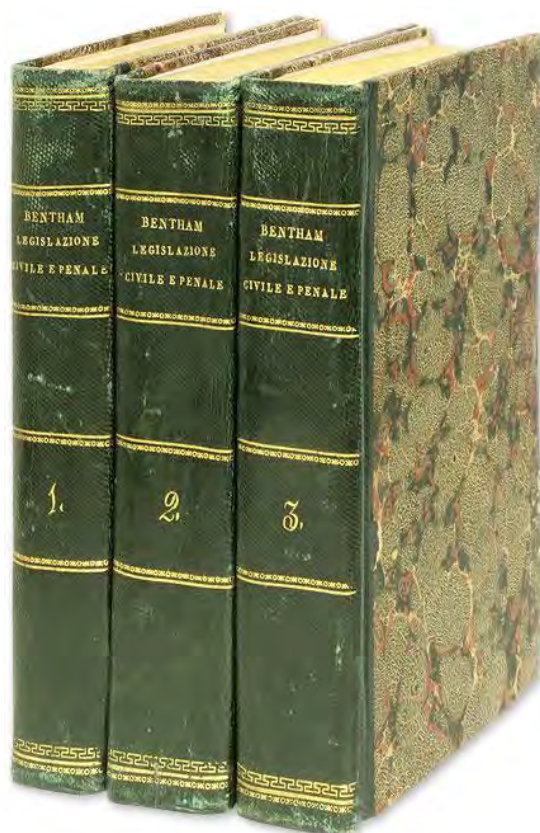
**4. Beames, John [1781?-1853].**

**Warner, H.W., Notes.**

*A Brief View of the Writ Ne Exeat Regno, With Practical Remarks Upon It as an Equitable Process With Notes of the Recent English and American Decisions.* New York: Published by S. Gould, 1821. 7, xi, 77 (i.e. 67) pp. Paged irregularly, following the paging of the original (London) edition, which is given in footnotes. (The beginnings of the pages are indicated in the text by asterisks.) Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter sheep over paper boards, lettering piece and blind fillets to spine. Some rubbing with wear to spine ends, corners bumped, front joint cracked but secure. Toning, light foxing, early (illegible) owner signature to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A solid copy of a scarce title. \$350.

\* First American edition, from the first London edition (1812). The equity writ *Ne Exeat Regno* is a tool to restrain a person from leaving a country or the jurisdiction of a court. It also refers to the process equity courts used to obtain bail or security to abide a decree. "This work will be found a valuable guide to the profession in those states having Courts of Equity." Marvin, *Legal Bibliography* (1847) 103. Cohen, *Bibliography of Early American Law* 4929. [Order This Item](#)



**First Italian Edition of Bentham's *Theory of Legislation***

**5. Bentham, Jeremy [1748-1832].**

**Dumont, Pierre Étienne Louis [1759-1829], Editor and Translator.**

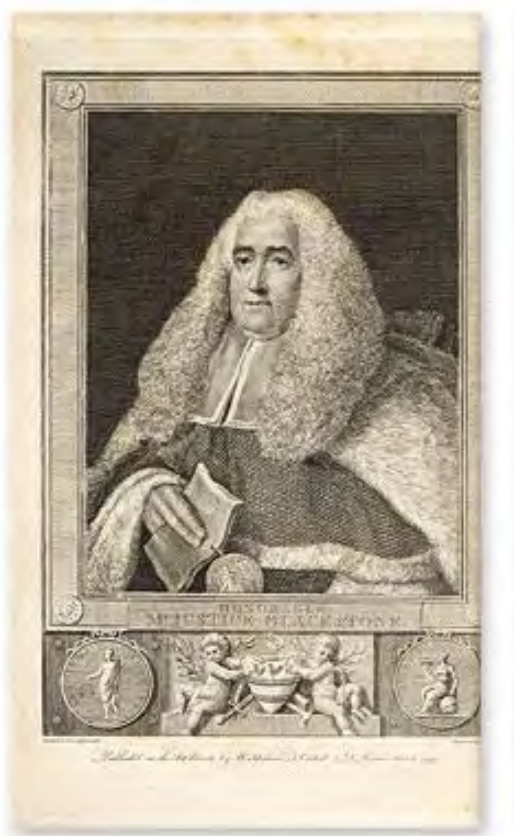
**Azzariti-Stella, Michele, Translator (into Italian).**

*Trattati di Legislazione Civile e Penale: Preceduti da' Principi Generali di Legislazione, E da un Progetto di un Corpo Completo di Dritto: Terminati da un Saggio Sulla Influenza de' Tempi e de' Luoghi Relativamente alle Leggi.* Naples: Presso Angelo Trani, 1818. Three volumes. viii, 432, [2]; xii, 484; xi, 504 pp. Each volume has half-title. Complete set. Octavo (7-3/4" x 5").

Contemporary quarter morocco over marbled boards, gilt titles, fillets and volume numbers to spine. Light rubbing to boards, somewhat heavier rubbing to extremities, corners bumped, hinges of Volumes I and II cracked, text blocks of both somewhat loose. Light toning to text, faint dampstaining and light foxing to some leaves. Later owner stamp to front free endpaper of each volume, interiors otherwise clean. A handsome copy of a rare edition. \$3,000.

\* First Italian edition. This seminal work on penal reform and legislation established Bentham's reputation. The first of his works edited by Dumont, it consists partly of papers by Bentham, some originally written in French, and partly of a digest by Dumont of Bentham's ideas, including an essay on the Panopticon. Dumont, a Swiss writer and journalist, met Bentham at the house of Lord Shelburne in 1788. This meeting resulted in an enduring relationship. Devoted to Bentham's ideas, Dumont translated and edited many of his works and served as his informal literary agent. The first edition of *The Theory of Legislation* was published in Paris in 1802 as *Traité de Législation Civile et Pénale*. Our Italian edition came next, followed by an edition in Spanish in 1821-1822 and one in German, with an abridged text, in 1830. The first edition in English was published in Boston in 1840. The first British edition followed in 1864. Harrison, *Bentham* xvii. OCLC locates 2 copies of the first Italian edition in North America (at George Washington Law School and Yale). Muirhead, *A Jeremy Bentham Collection* 17. [Order This Item](#)





**Blackstone's *Commentaries*, Eller 26/Laeuchli 33**

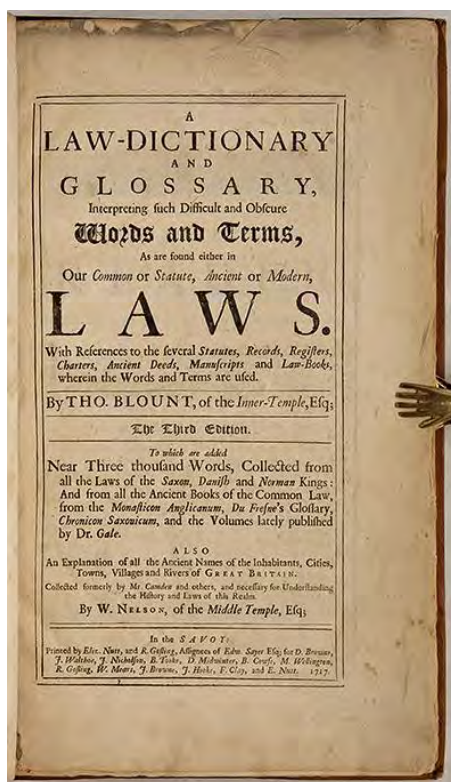
**6. Blackstone, Sir William [1723-1780].**

**Christian, Sir Edward [d. 1823], Editor.**

*Commentaries on the Laws of England, In Four Books. With the Last Corrections of the Author: And with Notes and Additions.* London: Printed by A. Strahan for T. Cadell and W. Davies, 1803. Four volumes. Copperplate frontispiece portrait, table of consanguinity, folding table of descents. Octavo (8-1/2" x 5-1/2").

Contemporary polished calf, blind fillets to boards, raised bands and lettering pieces to spines. Moderate rubbing to spines and extremities, corners bumped, joints starting (or just starting), some hinges cracked, rear board of Volume 2 beginning to separate but still quite secure, contemporary copperplate armorial bookplate (of John Monins) to front pastedown. Light toning to text, negligible foxing in a few places in each volume, interiors otherwise clean. A nice set. \$1,000.

\* Fourteenth edition. Paging irregular, following Blackstone's paging in margin. "Since the publication of the thirteenth edition, 1800, Christian had become Chief Justice of the Isle of Ely, and the Downing professor of the laws of England in the University of Cambridge. These titles appear on title pages of this fourteenth edition, in which his notes are printed as footnotes": Eller, *The William Blackstone Collection in the Yale Law Library* 26. Laeuchli, *A Bibliographical Catalog of William Blackstone* 33. [Order This Item](#)



Final Edition of Blount's Dictionary

## 7. Blount, Thomas [1618-1679].

Nelson, William, Editor.

*A Law-Dictionary and Glossary, Interpreting Such Difficult and Obscure Words and Terms, As are Found Either in Our Common or Statute, Ancient or Modern, Laws. With References to the Several Statutes, Records, Registers, Charters, Ancient Deeds and Manuscripts, Wherein the Words and Terms are Used. To Which are Added Above Two Thousand Two Hundred Words, Collected from All the Laws of the Saxon, Danish and Norman Kings: And From All the Ancient Books of the Common Law, From the Monasticon Anglicanum, Du Fresne's Glossary, The Chronicon Saxonicum, And the Volumes Late Published by Dr. Gale. Likewise an Explanation of All the Ancient Names of the Inhabitants, Cities, Towns, Villages and Rivers of Great Britain. Collected Formerly by Mr. Camden and Others, And Necessary for the True Understanding the History and Laws of this Realm.* By W. Nelson, of the Middle Temple, Esq. [London]: Printed by Eliz. Nutt and R. Gosling, 1717. [330] pp. Main text in parallel columns. Folio (13" x 8").

Early-twentieth-century three-quarter law calf over cloth, raised bands and gilt title to spine, library shelf label to foot, small library security tag to front board, endpapers mended, hinges reinforced with cloth, library stamps to edges of text block. Negligible rubbing to boards, moderate rubbing to extremities. Moderate toning and occasional light foxing to text, brief early annotations to a few leaves, moderate edgewear and faint library stamp to title page, two other library stamps to front free endpaper. \$350.

\* Third and final edition, one of two issues from 1717. Blount was a barrister and a member of the Inner Temple. Prohibited to practice at the Bar because he was a Catholic, Blount turned to legal scholarship and lexicography. Blount aimed to correct the defects he found in Cowell's *Interpreter* (1607) and Rastell's *Termes de la Ley* (1523). Nelson, the editor of the final edition, claimed to have added nearly three thousand words, which he collected from all the laws of the Saxon, Danish and Norman kings. Blount's *Law-Dictionary* was first published in 1670, and along with Rastell's, Cowell's and Spelman's, is one of the earliest English law dictionaries. Cowley, *A Bibliography of Abridgments, Digest, Dictionaries and Indexes to the Year 1800* 202. *English Short-Title Catalogue* T143722. [Order This Item](#)





Scarce Treatise on an Important Concept in Roman Law

8. Bonfini, Francesco Antoni [d. 1739].

*De Jure Fideicommissorum Magis Controverso Disputationes Præcipuæ in Quatuor Titulos Distributæ Quibus Selectiores Articuli ad Hanc Materiam Spectantes in Supremis Plerumque Tribunalibus Dispuncti Theorice Simul & Practice Resoluntur.* Venice: Apud Nicolaum Pezzana, 1741. Two volumes in one book, each with title page and individual pagination. [xxxvi], 432; 328, [106] pp. Main text in parallel columns. Complete. Folio (14-1/2" x 9-1/2").

Three-quarter contemporary vellum over patterned boards, faint early hand-lettered title to spine. Some rubbing and light edgewear, spine ends and corners bumped. Title page of Volume I printed in red and black, woodcut printer devices, head-pieces, tail-pieces and decorated initials. Light toning to text, light foxing in a few places, light inkstains and minor worming to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. A nice copy. \$750.

\* First edition. One of the most durable concepts in Roman law, *fideicommissum* involves situations in which something is committed to somebody's trust. It is central to the law concerning testators and was the subject of several treatises. Notable for its clarity and organization, Bonfini's treatise was one of the best. Later editions were published in 1755, 1760, 1781-1789. (The last edition has an additional volume of related Rota decisions.) All are scarce. OCLC locates 6 copies of the first edition in North America, 4 in law libraries (Catholic University of America, Columbia, Harvard, Southern Methodist University). Not in Roberts. This edition not in the *British Museum Catalogue*. [Order This Item](#)



"Establish Peace Throughout  
the Land and Drive King Bacchus Out"

9. [Broadside].

Gork, W.H.

*A Convict's Confession.* [Johnstown, PA?, 1890?].

12-1/4" x 6" broadside, verse text in two columns below headline. Light browning, three horizontal fold lines, negligible light edgewear, a (tiny) bit of tape residue near top and bottom edges. \$300.

\* Gork, born and raised in Johnstown, PA, failed to follow his mother's advice and turned to a life of crime. He blames his failure on alcoholism and calls for prohibition, which will "establish peace throughout our land" by driving "King Bacchus out." Our conjectured date for this piece is based on a reference in the first stanza to the Johnstown flood, which took place in 1889. [Order This Item](#)





**"The Reports"**

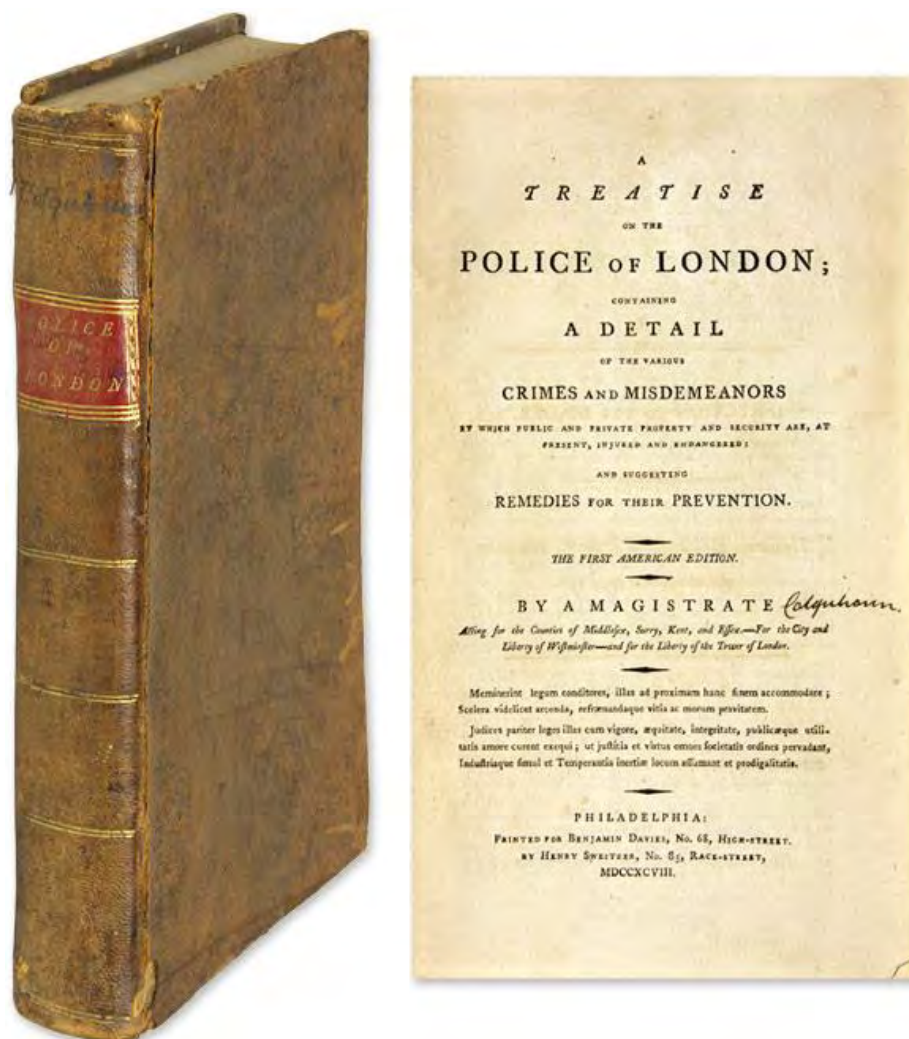
**10. Coke, Sir Edward [1552-1643].**

**George Wilson, Editor and Translator.**

*The Reports of Sir Edward Coke, Knt. in English, In Thirteen Parts Complete; With References to All the Ancient and Modern Books of the Law; Exactly Translated and Compared with the First and Last Edition in French, and Printed Page for Page With the Same. To Which Are Now Added the Respective Pleadings, In English. The Whole Newly Revised and Carefully Corrected and Translated with Many Additional Notes and References.* Dublin: Printed for J. Moore, 1793. Seven volumes. Each volume has general title-page, and each part has special title-page. Prefaces in Latin and English in parallel columns. Octavo (8" x 5").

Recent period-style calf, blind rules to boards, to boards, raised bands and red and black lettering pieces from previous binding. Moderate rubbing to board edges, corners bumped and somewhat worn. Light toning to text, somewhat darker in places, internally clean. \$3,500.

\* Reprint of the London edition, 1776-1777. First published at the beginning of the seventeenth century, Coke's *Reports* are not reports in the conventional sense but highly detailed anthologies of precedents organized according to the cases they consider. In each instance Coke assembled a large body of cases, outlined their arguments, and explained the reasons for the judgment, using it as a basis for a statement of general principles. Taken together, the *Reports* form the most extensive and detailed treatment of common law pleading that had yet appeared. A work of immense authority, it was often cited as *The Reports*, there being no need to mention the author's name. The first edition in English, which did not include pleadings, was published in 1658. *English Short-Title Catalogue* T121183. [Order This Item](#)



**Only American Edition of an Important Work on Crime**

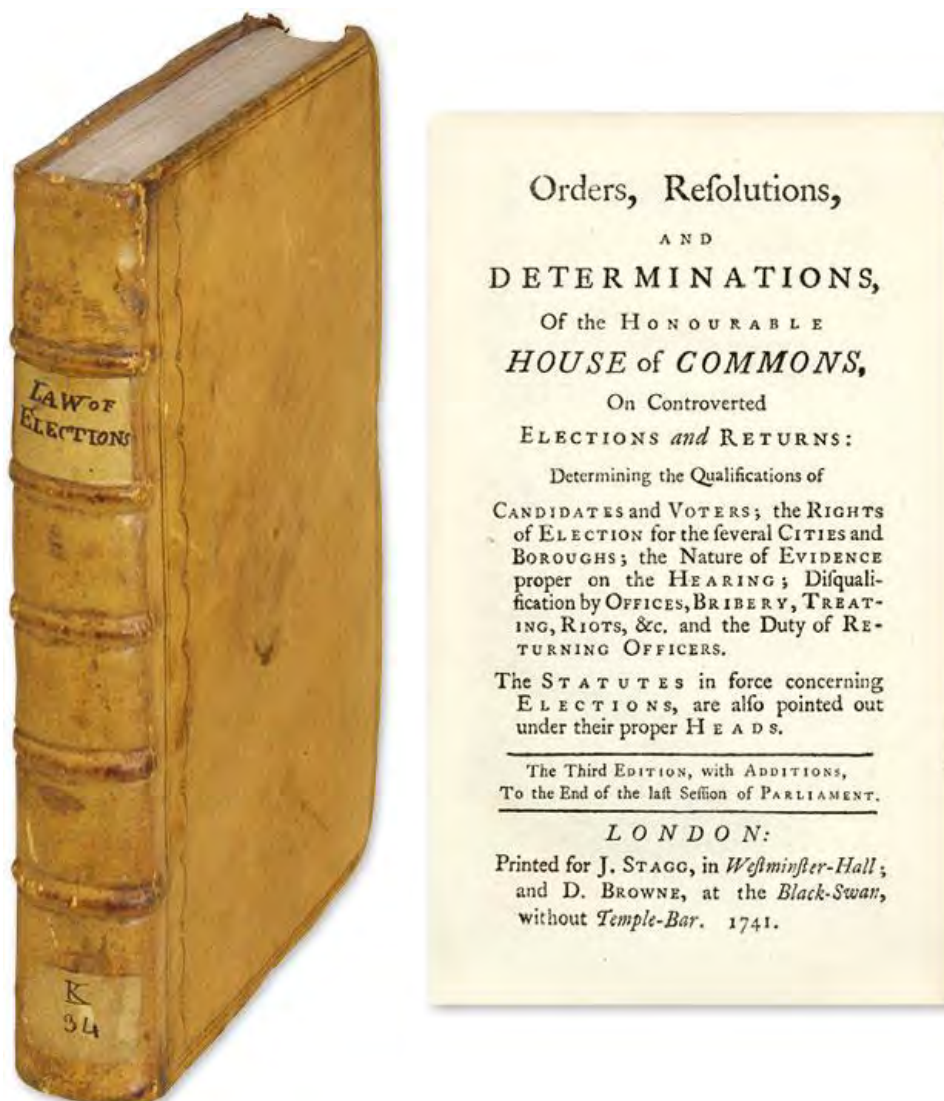
**11. [Colquhoun, Patrick (1745-1820)].**

*A Treatise on the Police of London; Containing a Detail of the Various Crimes and Misdemeanors By Which Public and Private Property and Security Are, At Present, Injured and Endangered: And Suggesting Remedies for Their Prevention.* Philadelphia: Printed for Benjamin Davies, 1798. xii, [7], 342, xxiv pp. Folding table. Octavo (8-1/4" x 5").

Contemporary sheep treated to resemble tree calf, lettering piece, gilt fillets and faint early hand-lettered author name to spine. Some rubbing to extremities with wear to corners and head of spine, joints starting at head, a few minor scuffs to boards, hinges partially cracked, bookplate (of Thomas Robbins, 1827) to front pastedown. Moderate toning to text, "Colquhoun" added to title page in contemporary hand. A nice copy. \$750.

\* Only American edition. Colquhoun was an tireless reformer and public-minded citizen. First published in London in 1796, his treatise on criminology offered innovative proposals, such as the appointment of public prosecutors and paid magistrates, productive labor by convicts and a system of preventative police. This Philadelphia imprint was a response to the keen interest in this subject among elite circles of reformers and legislators in America. Their efforts were reflected in Philadelphia's Eastern State Penitentiary, New York's Auburn Prison and Livingston's penal code. Cohen, *Bibliography of Early American Law* 1010. [Order This Item](#)





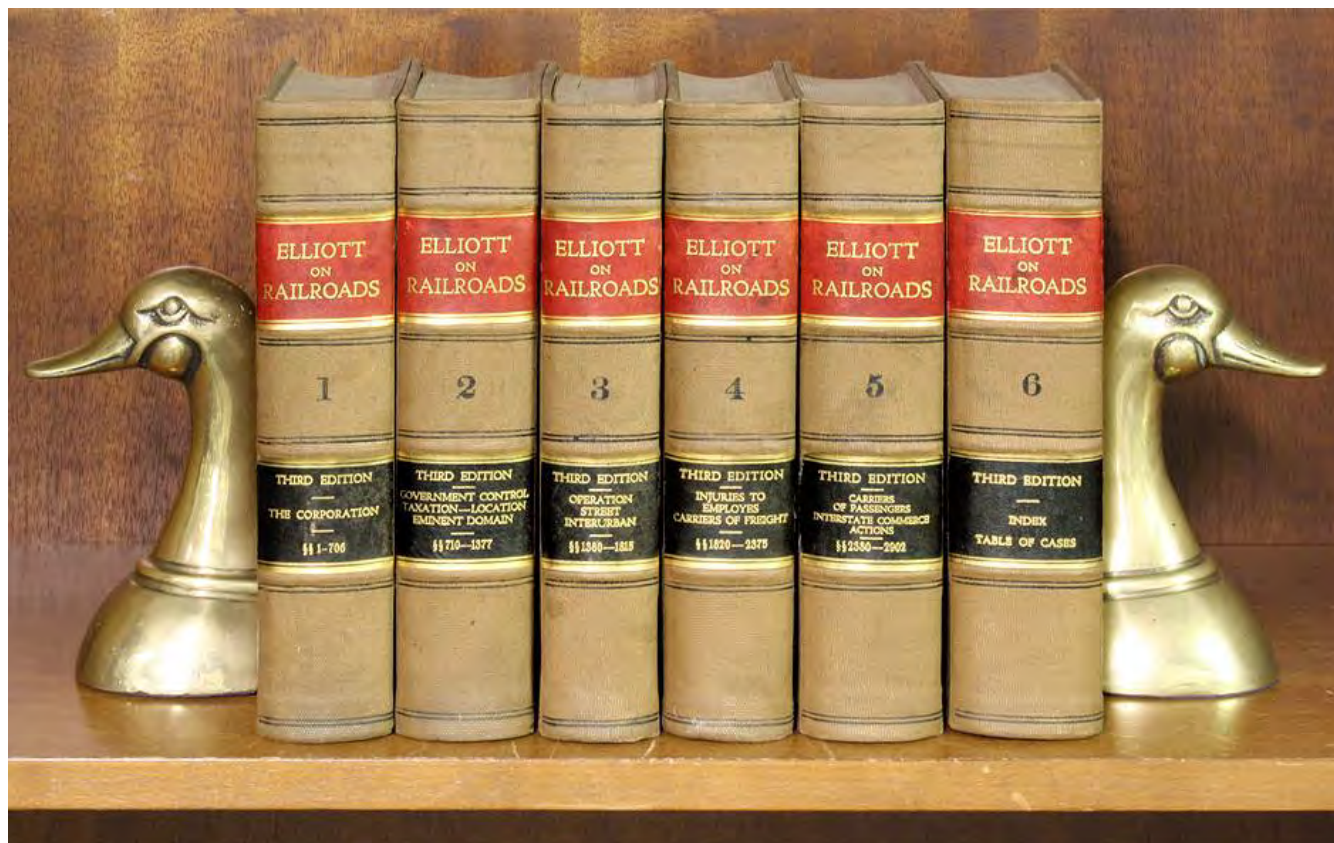
Acts and Cases Concerning Elections to Parliament

12. [Elections].  
[Great Britain].

*Orders, Resolutions, and Determinations of the Honourable House of Commons, On Controverted Elections and Returns: Determining the Qualifications of Candidates and Voters; The Rights of Election for the Several Cities and Boroughs; The Nature of Evidence Proper on the Hearing; Disqualification by Offices, Bribery, Treating, Riots, &c. And the Duty of Returning Officers. The Statutes in Force Concerning Elections, Are Also Pointed Out Under Their Proper Heads.* London: Printed for J. Stagg, 1741. viii, 287, [9] pp. 12mo. (6-1/2" x 4").

Contemporary calf, blind rules and fillets to boards, raised bands and early hand-lettered title label and (private?) library shelf label to spine. Light rubbing to extremities, corners bumped and somewhat worn, interior notably fresh. \$125.

\* Third edition. This book digests over 300 cases from 1628 to 1740. It was first published in 1734. Its last edition, designated the third but actually a revised edition of the third, was published in 1747. Our 1741 issue not listed in Sweet & Maxwell. *English Short-Title Catalogue* N42135. [Order This Item](#)



### A Standard Treatise on Railroad Law

#### 13. Elliott, Byron K. [1835-1913].

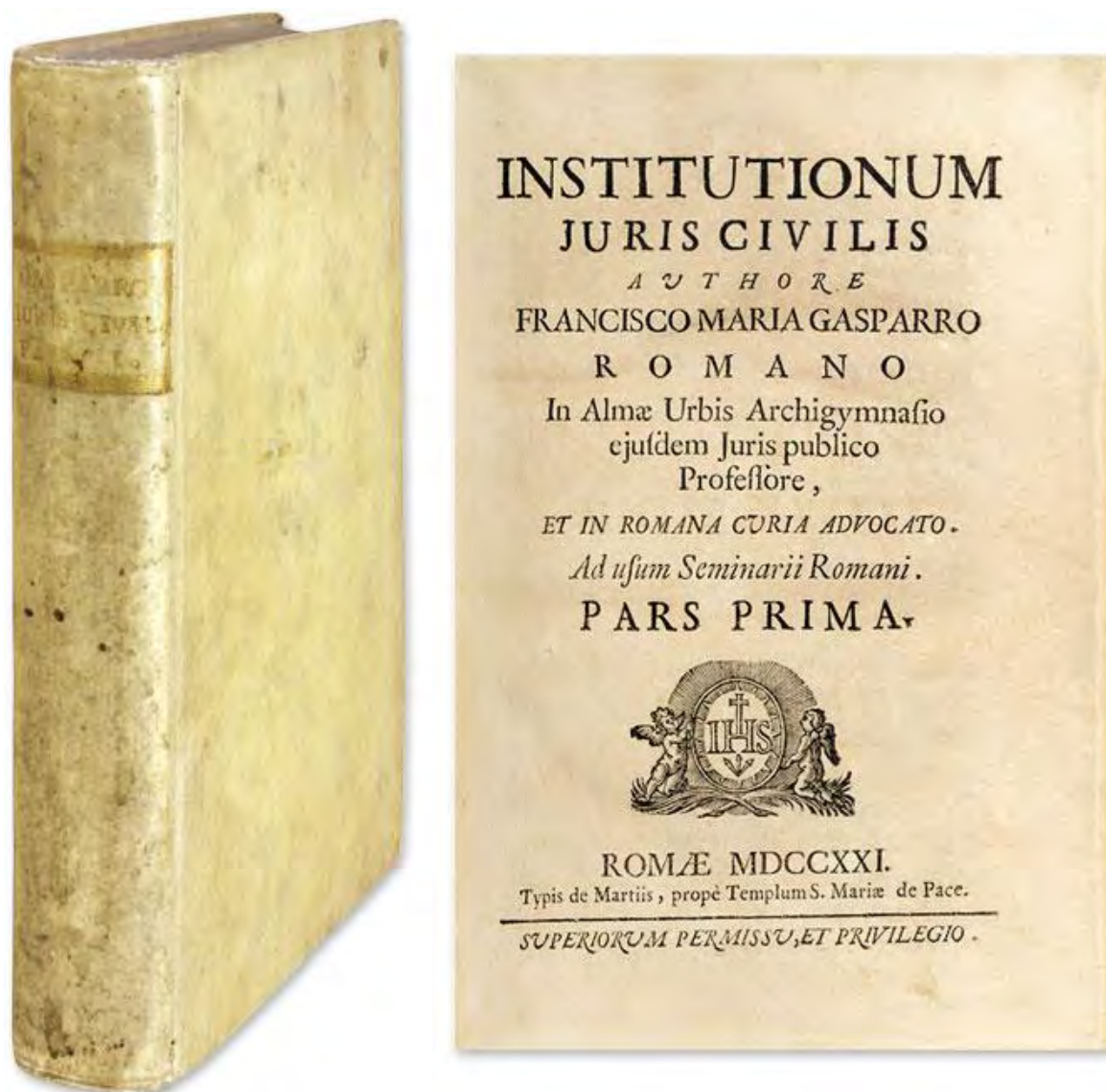
Elliott, William F. [b. 1859].

*A Treatise on the Law of Railroads: Containing a Consideration of the Organization, Status and Powers of Railroad Corporations, And of the Rights and Liabilities Incident to the Location, Construction and Operation of Railroads; Together with Their Duties, Rights and Liabilities as Carriers, Including both Street and Interurban Railways.* Indianapolis: The Bobbs-Merrill Company, [1921-1922]. Six volumes.

Original buckram, blind frames to boards, raised bands, black-stamped volume numbers and red and black lettering pieces to spine. Light soiling, light rubbing to extremities. Finger smudges and minor tears to some leaves, interior otherwise clean. Ex-law office library. Owner stamp to front board of each volume. A nice set. \$500.

\* Third and final edition. First published in 1897, with a second edition in 1907, this was the standard, and most comprehensive, treatise on railroad law during the first half of the twentieth century. The third edition was edited by his son, William. [Order This Item](#)





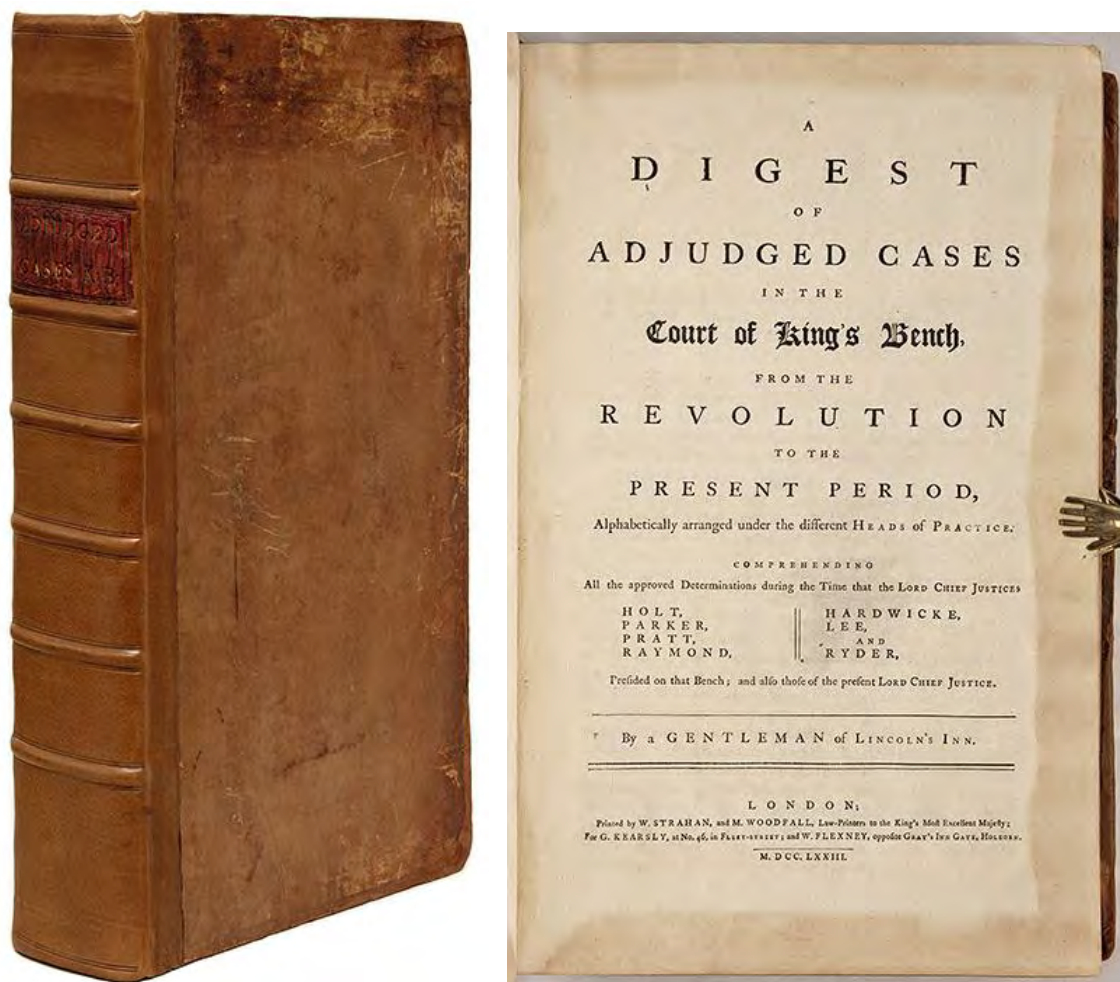
**A Jesuitical Restatement of the *Institutes***

**14. Gasparro, Francesco Maria [1679-1735].**

*Institutionum Juris Civilis. Ad Usum Seminarii Romani.* Rome: Typis de Martiis, 1721-22. Four parts in two volumes bound as one. Quarto (9" x 6-1/4").

Contemporary vellum, gilt title to spine. Light soling to spine, spine ends bumped, negligible spotting to boards. Woodcut head and tail-pieces. Some toning to text, light foxing and browning in places, internally clean. \$1,500.

\* Second and final edition. Gasparro, a Jesuit canon lawyer and member of the Papal Curia, taught criminal and civil law and the University of Rome. Published with Jesuit sponsorship, and notable for its Jesuitical perspective, Gasparro's restatement of Justinian's *Institutes* was a standard text throughout the eighteenth century. First published in 1707, editions appeared as late as 1787. Despite its popularity, all editions of this title are scarce today, especially in North America. Of all editions, OCLC locates 1 copy of the second (at UC-Berkeley Law School) and 2 copies of the first (at Harvard and Stanford Law Schools). Not in the *British Museum Catalogue*. [Order This Item](#)



**A Scarce Digest of Cases from 1688 to 1773**

**15. Gentleman of Lincoln's Inn.**

*A Digest of Adjudged Cases in the Court of King's Bench, From the Revolution to the Present Period, Alphabetically Arranged Under the Different Heads of Practice. Comprehending all the Approved Determinations During the Time that Lord Chief Justices Holt, Parker, Pratt, Raymond, Hardwicke, Lee, And Ryder, Presided on that Bench; And also Those of the Present Lord Chief Justice.* London: Printed by W. Strahan, And M. Woodfall, 1773. [iv], 839, [1], xxxiv, [2] pp. Folio (14" x 9").

Contemporary calf, rebaked in period style, blind rules to boards. Raised bands and retained contemporary lettering piece to spine, corners mended. Light rubbing and a few scuffs to boards, one with early repair, moderate rubbing to extremities, gilding mostly rubbed away from lettering piece, hinges cracked, library bookplate to front pastedown, early owner signature to front free endpaper, very light browning to text, light foxing to a few leaves, library stamp to head of p. 1. A nice copy of a scarce title. \$500.

\* Only edition. Covering cases from the end of the Glorious Revolution to 1773, this digest was intended for the "younger part of the profession" that lacked the resources to build a library of reporters or the time to compile a digest of cases. Apparently well-received, it was reissued with same format and pagination in 1775. The first issue is scarce. OCLC locates 4 copies in North America, 3 in law libraries (Harvard, Yale, University of Washington). *English Short-Title Catalogue* N8868. [Order This Item](#)





### Confiscation in Civil and Canon Law

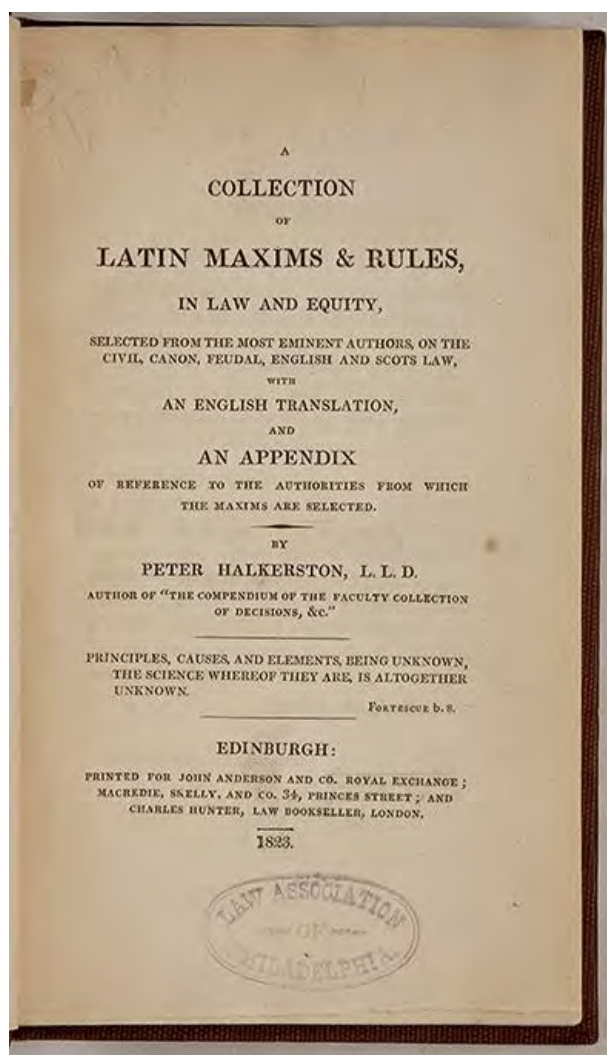
#### 16. Guazzini Sebastiano.

##### Massini, Seraphino.

*Tractatus de Confiscatione Bonorum, Cui Accessit in hac Postrema Editione Semicenturia Practicarum Quaestionum Eandem Materiam Tractantium Seraphini Massini. Opus Nunquam Antea Impressum, Omnibus Iurisprudentiae Professoribus, Tam in Scholis, Quam in Utroque Foro Versantibus, Valde Utile, Ac Necessarium. Nec Tantum Magis Communibus DD. Placitis. Sed Etiam Plurium Supremorum Tribunalium Auctoritate, & Signanter Quamplurimis S.R. Rom. Decisionib. Exornatum. Cum Summariis, & Duplici Indice Rerum, Ac Sententiarum Locupletissimo.* Macerata: Typis Heredum Augustini Grisei, & Iosephi Piccini, 1658. 160, [36], 307, [79] pp. The second part, by Massini, has the title: *Practicarum Quaestionum de Confiscatione Semicenturia*. Main text in parallel columns. Folio (12" x 8").

Contemporary vellum, contrasting vellum spine with raised bands and calligraphic title. Some rubbing to board edges, corners bumped, about half of backstrip lacking due to worming, cords secure, front hinge broken, front free endpaper and half-title detached, rear hinge partially cracked, minor worming to final few leaves and rear endleaves, a few signatures loose. Early armorial bookplate to front pastedown, title page printed in red and black, woodcut head-piece and decorated initials. Toning to text, occasional faint dampspotting, internally clean. A solid copy of a scarce title. \$700.

\* Third edition. First published in 1611, this was a well-regarded treatise on the appropriation, under legal authority, of private property to the state in Roman, canon and Italian law. Little is known about Guazzini. The title page of our copy says he was an advocate and expert on criminal law associated with the Roman Curia. This edition is enhanced by an extensive second treatise by Massini. According to the title page, he was jurisconsult associated with the Rota in Macerata. OCLC locates 4 copies in North American law, 1 of this edition (at UC-Berkeley). *British Museum Catalogue* 11:193. [Order This Item](#)



**A Scarce Scottish Anthology of Legal Maxims**

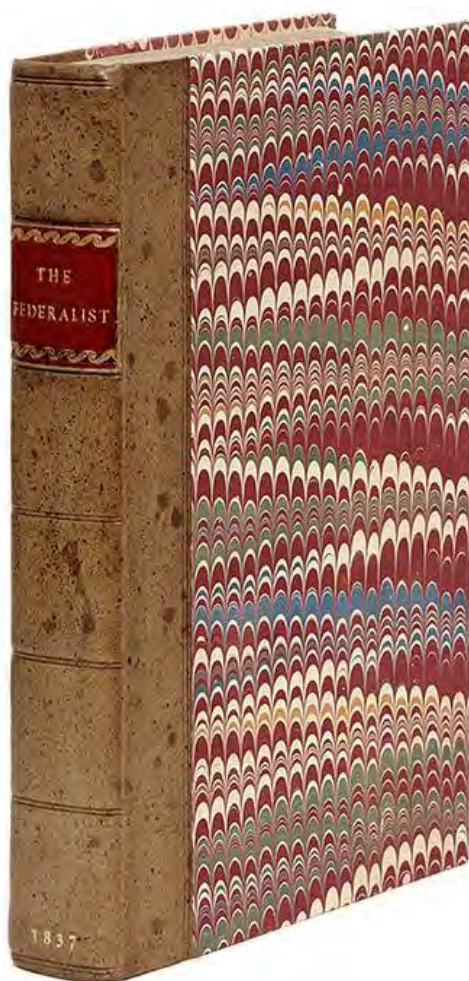
**17. Halkerston, Peter [d. 1833?].**

*A Collection of Latin Maxims & Rules, In Law and Equity, Selected from the Most Eminent Authors, On the Civil, Canon, Feudal, English and Scots Law, With an English Translation, And an Appendix of Reference to the Authorities from Which the Maxims are Selected.* Edinburgh: J. Anderson and Co., 1823. [viii], 198 pp. Tipped-in advertisement leaf. Octavo (8-1/2" x 5").

Recent library buckram, red and black lettering pieces and paper shelf label to spine, small security tag and embossed library name to front board, library stamps to edges of text block, endpapers added, hinges reinforced. Some rubbing to spine ends and corners, chipping to lettering pieces, small bookseller ticket to front pastedown, front free endpaper nearly detached. Moderate toning to text, light foxing in a few places, signature erased from half-title, library stamps to title page and a few other leaves. \$250.

\* Only edition. "Maxims are general principles. General principles afford the most beneficial subjects of reflection; hence it is obvious, that the memory cannot be too well stored with Maxims. With regard to law, Maxims are the pillars upon which the system is erected. When the memory is stored with them, the lawyer can have no difficulty in his practice, to fill up the outline" (Preface). OCLC locates 11 copies in North American law school libraries. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 5:49. [Order This Item](#)





**1837 Printing of *The Federalist* in a Handsome Period-Style Binding**

**18. Hamilton, Alexander [1755-1804].**

**Madison, James [1751-1836].**

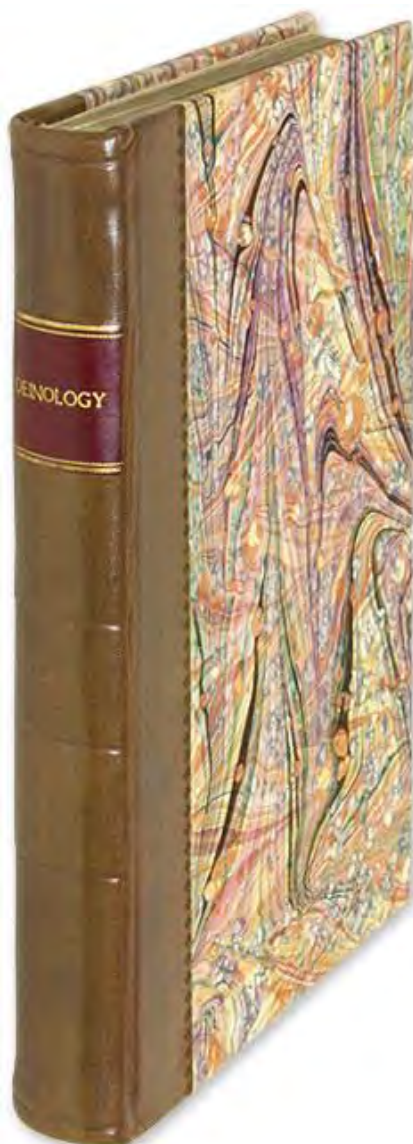
**Jay, John [1745-1829].**

*The Federalist, or The New Constitution, Written in the Year 1788, by Mr. Hamilton, Mr. Madison, and Mr. Jay: With an Appendix, Containing the Letters of Pacificus and Helvidius on the Proclamation of Neutrality of 1793; Also, The Original Articles of Confederation, and the Constitution of the United States, With the Amendments Made Thereto. A New Edition. The Numbers Written by Mr. Madison Corrected by Himself.* Hallowell, ME: Glazier, Masters & Smith, 1837. 500 pp. Octavo (9" x 5-1/4").

Recent period-style quarter calf over marbled boards, lettering piece and blind fillets to spine, endpapers renewed. Light browning to text, light foxing to a few leaves, light edgewear and faint dampstaining to title page and following leaf. \$850.

\* Later edition. With index and the text of the U.S. Constitution. Of the eighty-five essays John Jay wrote numbers 1-5 and 54, Madison wrote numbers 10, 14, and 37-48. Numbers 18-20 were written by all three. The remaining 50 were written by Hamilton. The essays aimed to encourage ratification of the proposed constitution by New York State, but were immediately recognized as the most compelling commentary on the most radical form of government the world had yet seen. The present item follows the text of the 1818 Gideon edition, which was the first to contain Madison's notes and corrections. The author of each essay is indicated. Cohen, *Bibliography of Early American Law* 2818.

[Order This Item](#)



**The Union of Reason and Eloquence**

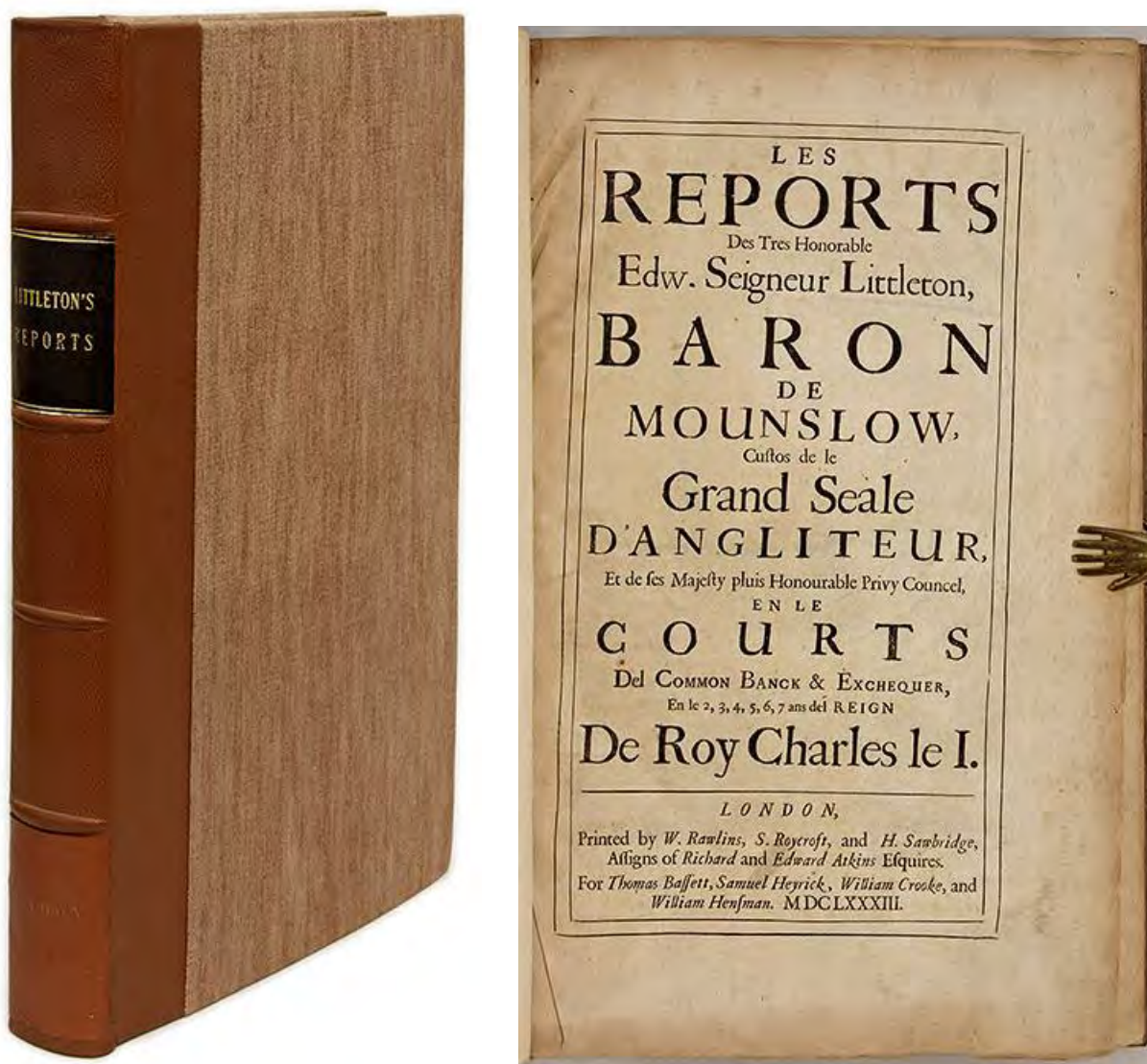
**19. Hortensius [Hay, George (1765-1830)].**

*Deinology: Or, The Union of Reason and Elegance: Being Instructions to a Young Barrister. With a Postscript, Suggesting Some Considerations of the Viva Voce Examination of Witnesses at the English Bar.* London: Printed for W. Clarke and Sons, 1801. [iv], vii, 234 pp. Octavo (7-1/2" x 5").

Recent period-style quarter calf over marbled boards, lettering piece and blind fillets to spine, endpapers renewed. Light toning to text, (gradually diminishing) staining from title page to middle of text block along gutter, internally clean. \$750.

\* Second and final edition of a work first published in 1789. "The oratory of the English bar, [being] wild and vicious," Hortensius seeks to introduce young English lawyers to the superior reasoning and eloquence by classical authors, such as Cicero and Demosthenes, and later authors, such as Milton. Both editions are scarce. OCLC locates 11 copies of the first edition in North American law libraries, 3 of the second (Columbia, Harvard, Osgoode Hall). *British Museum Catalogue* (Compact Edition) 12:678. [Order This Item](#)





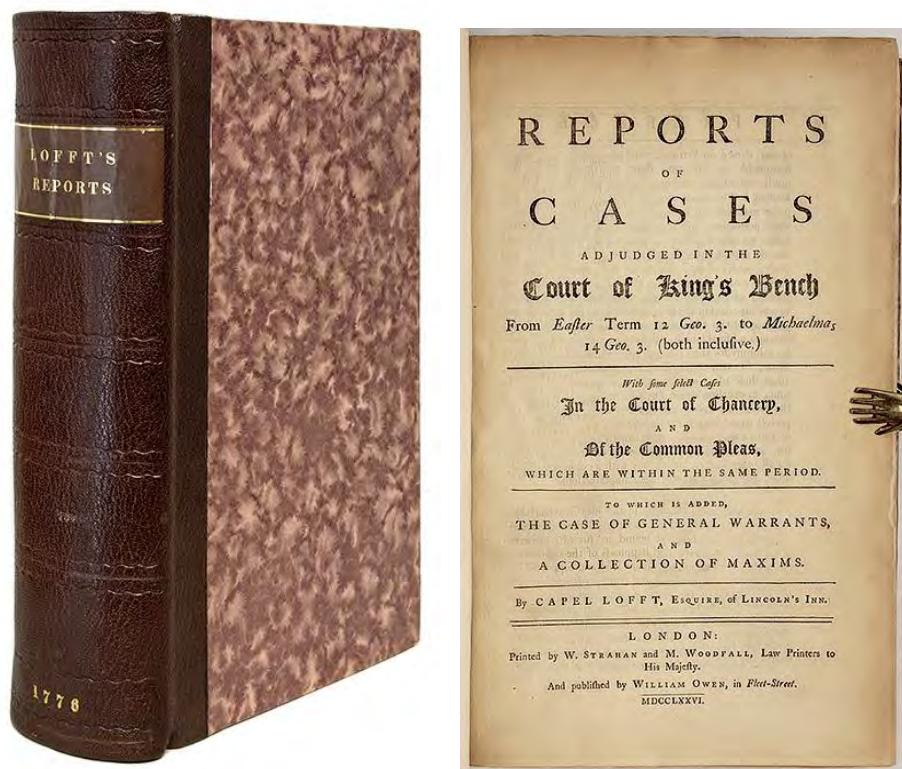
Littleton's *Reports*

**20. Littleton, Edward [1589-1645], Reporter.**

*Les Reports des Tres Honorable Edw. Seigneur Littleton, Baron de Mounslow, Custos de la Grand Seale d'Angliteur, Et de ses Majesty Plus Honourable Privy Council, En le Courts del Common Banck & Exchequer, En le 2,3,4,5,6,7 ans del Reign de Roy Charles le I.* London: Printed by W. Rawlings, S. Roycroft, and H. Sawbridge, 1683. [xii], 376, [20] pp. Copperplate portrait frontispiece lacking, copperplate leaf of Littleton arms facing p.1. Folio (12" x 8").

Recent quarter morocco over cloth, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, occasional browning to outer margins, light foxing and faint dampspotting in places, brief early annotations to a few leaves, a few burn holes (from iron gall ink) to lower margins of two preliminary leaves, text not affected. An appealing copy. \$100.

\* Only edition, one of two issued in 1683. Edward Littleton was a descendant of Sir Thomas Littleton. *Les Reports* were published posthumously after the death of the author's brother, who kept them for his personal use. See Wallace, *The Reporters* 265-270. *English Short-Title Catalogue* R21830. [Order This Item](#)



**An Important Set of Reports that Includes  
the Landmark Somerset Case and an Appendix of Maxims**

**21. Lofft, Capel.**

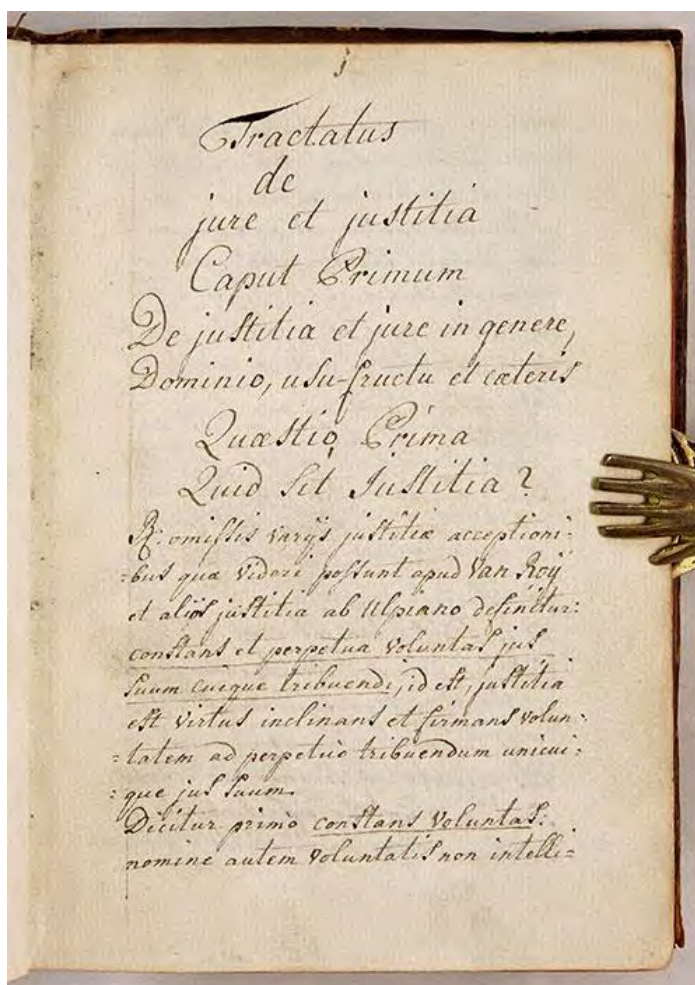
*Reports of Cases Adjudged in the Court Of King's Bench from Easter Term 12 Geo. 3. To Michaelmas 14 Geo. 3 (Both Inclusive). With Some Select Cases in the Court of Chancery, And of the Common Pleas, Which are Within the Same Period. To Which is Added, the Case of General Warrants, And a Collection of Maxims.* London: Printed by W. Strahan and M. Woodfall, 1776. [ii],xx,[12], 19, [1], 814, 43, [63] pp. Pagination irregular, text complete. Folio (12-1/4" x 8").

Recent quarter morocco over marbled boards, lettering piece and blind fillets to spine, endpapers renewed. Moderate toning, faint dampspotting in places, moderate browning to title page. \$750.

\* Only edition (later reprinted in Dublin in 1790). A very important collection of reports heard before Lord Mansfield from 1772 to 1774. It is notable on several accounts, foremost being its unique coverage of the full proceedings in the case *Somerset v. Stewart* (1772). The first major legal victory for the British abolitionist movement, it established the fundamental illegality of slavery under the laws of England. Also included (retrospectively) is the case of *Wilkes v. Wood* (1763), in which John Wilkes won a precedent-setting suit involving in the illegal seizure of Wilkes's papers during Wilkes' prosecution for the publication of *North Briton* No. 45. Wallace, in an otherwise uncomplimentary review, concedes that Lofft's reports "embraced a portion of Lord Mansfield's judicial life not covered by any other reporter," and that Lofft was the only reporter to preserve a record of the *Somerset* case. Hargrave's argument in defense of *Somerset* was published separately in pamphlet form in 1772, but for the proceedings *as a whole*, Lofft's report remains the sole printed source. Appended to the reports is an original collection of 652 Latin maxims followed by a useful 60-page index. Lofft had a distinguished career as a radical Whig statesman whose sympathy with the colonies made him a prominent opponent of the American War. He also took part in the agitation against slavery and served alongside Cartwright as an advocate of English constitutional reform. Wallace, *The Reporters* 452. *English Short-Title Catalogue* T97779.

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### Class Notes on Jurisprudence, 1769

#### 22. [Manuscript].

#### [Canon Law].

*Tractatus de Jure et Justitia*. Louvain?, 1769. 375, [11] pp. Quarto (6-3/4" x 4-3/4").

Contemporary sheep, gilt spine with raised bands and lettering piece (reading *De Jure et Justitia*), edges rouged. Light rubbing to boards, moderate rubbing to extremities, corners bumped, endpapers detached, but intact, text block partially detached. Light toning, a few cracks to text block, content in attractive neat hand. \$1,500.

\* With an index. This appears to be a fair copy of lectures, or a text that circulated in manuscript, on jurisprudence in Roman and canon law. It is divided into 8 chapters: *De Justitia et Jure in Genere, Dominio Usufructu et Caeteris, De Subjecto Dominy, De Modis Acquirendi Dominium, De Injuria et Restitutione, De Injuria Ratione Homicidi et Mutilationis, De Injuria et Restitutione Ratione Stupri et Adultery, De Injuria et Restitutione, Actione Furti and De Injuria et Restitutione, Honoris et Famae*. The text ends with a note reading "finis hac 22. Aug. a[nn]o 1769. The item's provenance and Catholic orientation suggest it was produced by a student at the University of Louvain. [Order This Item](#)



**A Distinguished Nineteenth-Century Pennsylvania Jurist and Politician**

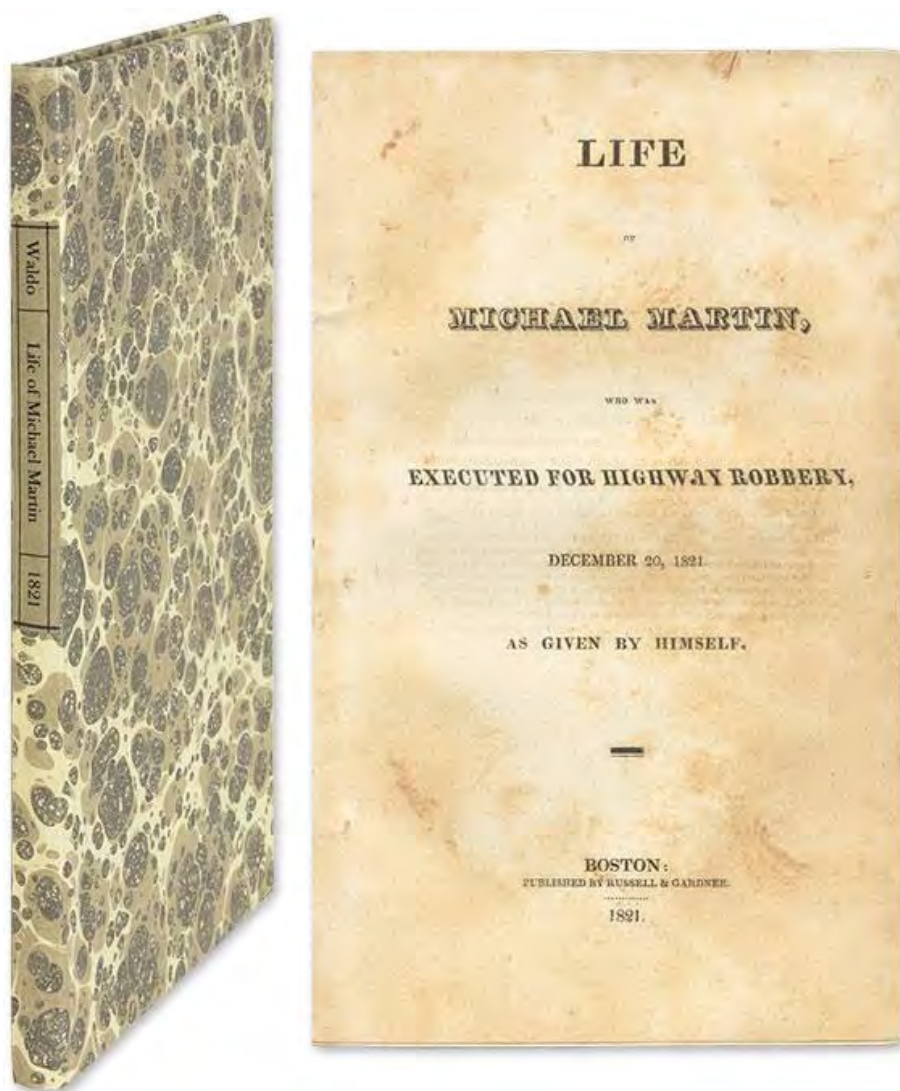
**23. [Marchant, Edward D. (1806-1887)].**

[*Portrait of James Thompson*]. 41" x 53-1/2" (image size).

Oil on canvas in ornate nineteenth-century gilded wood frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$3,500

\* Thompson was a jurist and politician serving in the Pennsylvania State Legislature from 1832 to 1834 and in 1855 and as speaker of the Pennsylvania State Legislature in 1834. He was a member of the Pennsylvania Constitutional Convention in 1838 and president judge of the 6th Judicial District from 1838 to 1844. He was elected to the United States Congress as a Democrat in 1845 and served until 1851, eventually becoming chairman of the Judiciary Committee. He became associate judge of The Supreme Court of Pennsylvania from 1857 to 1866 and served as chief justice from 1866 to 1874. 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](#)





### A Cautionary Tale

#### 24. Martin, Michael [1795-1821].

Waldo, Francis Wainwright [1791-1836], Editor.

*Life of Michael Martin, Who was Executed for Highway Robbery, December 20, 1821. As Given By Himself.* Boston: Published by Russell & Gardner, 1821. 102 pp. Octavo (8-1/2" x 5-1/4").

Recent marbled boards, printed title label to spine. Some toning, light foxing to title page and a few leaves, internally clean. \$450.

\* Only edition. "I was induced to undertake the compilation of these pages by the particular request of Martin. (...) The story, however extravagant some parts of it may appear, is given to the world as the last words of a dying man; and as I verily believe, of one who was determined to tell the truth, and the whole truth. The object which he had in view, in desiring that his autobiography might be published, (...) was, that it might be an example and a warning to others" (3). Pp. 101-102 contain the text of Martin's last will and testament. Sabin, *A Dictionary of Books Relating to America* 44903.

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### Children's Card Game with a Racist Element

#### 25. [Playing Cards].

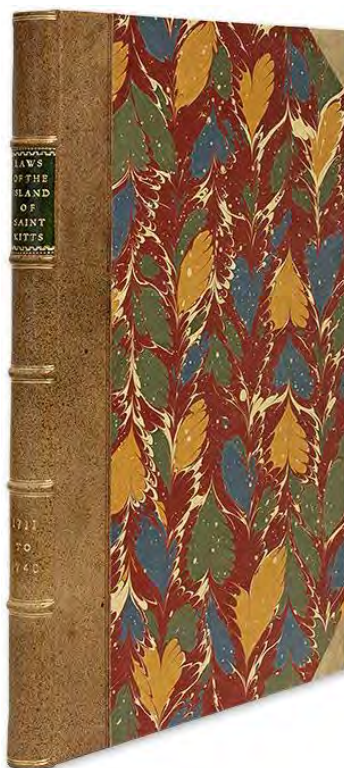
#### [Children's Games].

*Zwarte Piet*. [Fürth: Spear and Söhne, c. 1925]. 31 color 4-1/8" x 2-1/2" lithographed cards on heavy coated stock in 4-1/2" x 3" slipcase, lithographed color illustration on front. Instruction sheet lacking (or never issued).

Moderate rubbing and light soiling to slipcase, small owner initials to front, a few partial cracks around lower corners. Light soiling to cards, a few have minor edgewear. \$500.

\* Black Peter is a European version of the card game Old Maid. Produced for the Dutch market, this version features a Black Peter portrayed as a combination Golliwog and minstrel performer. The 15 card-pairs depict white and two Asian children, most of them pursuing such activities as hiking, sailing and skating. The image on the box is a tuxedo-clad minstrel performer with black hands and a blue face. [Order This Item](#)





**The First Published Compilations of the Laws of St. Kitts and the Leeward Islands**

**26. [Saint Kitts].**

*Acts of Assembly, Passed in the Island of St. Christopher; From 1711, to 1735, Inclusive.* London: Printed by John Baskett, 1739. x, 182 pp.

**[Bound with]**

*An Abridgment of the Acts of Assembly, Passed in the Island of St. Christopher; From 1711, To 1740, Inclusive.* London: Printed by John Baskett, 1740. [ii], clvii-clviii, 169-198.

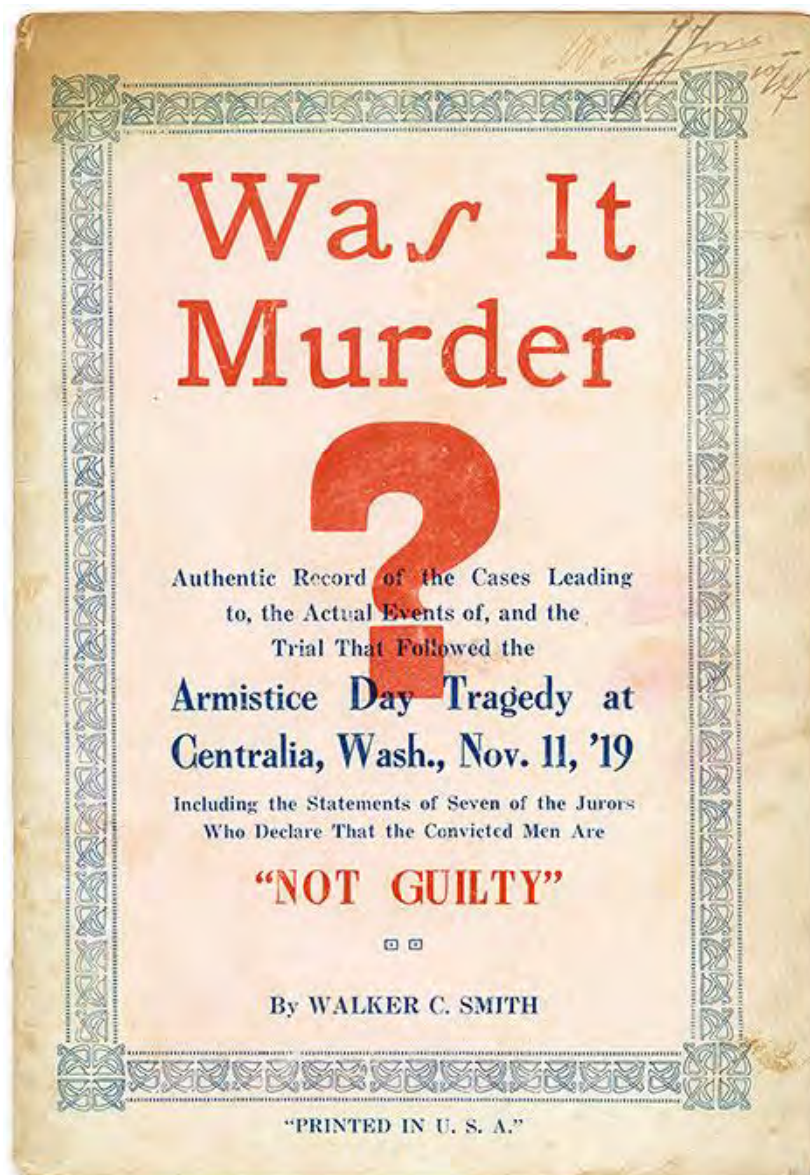
**[And]**

**[Leeward Islands]**

*Acts of Assembly, Passed in the Charibbee Leeward Islands, From 1690, To 1730.* London: Printed by John Baskett, 1740. [v], [i], 24, [iv] pp.

Folio (14-1/2" x 9-1/2"). Recent period-style quarter calf over cloth, raised bands and lettering piece to spine, vellum-covered corners, endpapers renewed. Each volume has identical attractive copperplate vignette featuring King George II, attractive woodcut initials, head-pieces and tail-pieces. Moderate toning, somewhat darker in places, occasional light foxing, internally clean, library stamps to title page of first title, a few library markings to its verso. An appealing copy in a handsome binding. \$2,500.

\* Only editions. St. Christopher (St. Kitts) was discovered by Columbus in 1493. It was colonized by the British in 1623 and was the first British colony in the Leeward Islands. It was held jointly by the French and English from 1628 to 1713 and returned to exclusive British rule under the terms of the Treaty of Utrecht in 1713. Often bound together, these two volumes are the first published compilations of the laws of St. Kitts. Pp. 165-82 of the 1739 *Acts of Assembly* contain acts from 1739-1740. The third title is the first printed edition of acts of the government of the Leeward Islands (Antigua, Barbuda, St. Kitts, Nevis and Anguilla). Saint Kitts: OCLC locates 3 copies of the St. Kitts acts in North American law schools (Columbia, University of Michigan, Yale), one of the Leeward Islands (Harvard). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 7:318-19, 310. [Order This Item](#)



**The Controversial Convictions of Six  
IWW Members After a Bloody 1919 Riot**

**27. Smith, Walker C.**

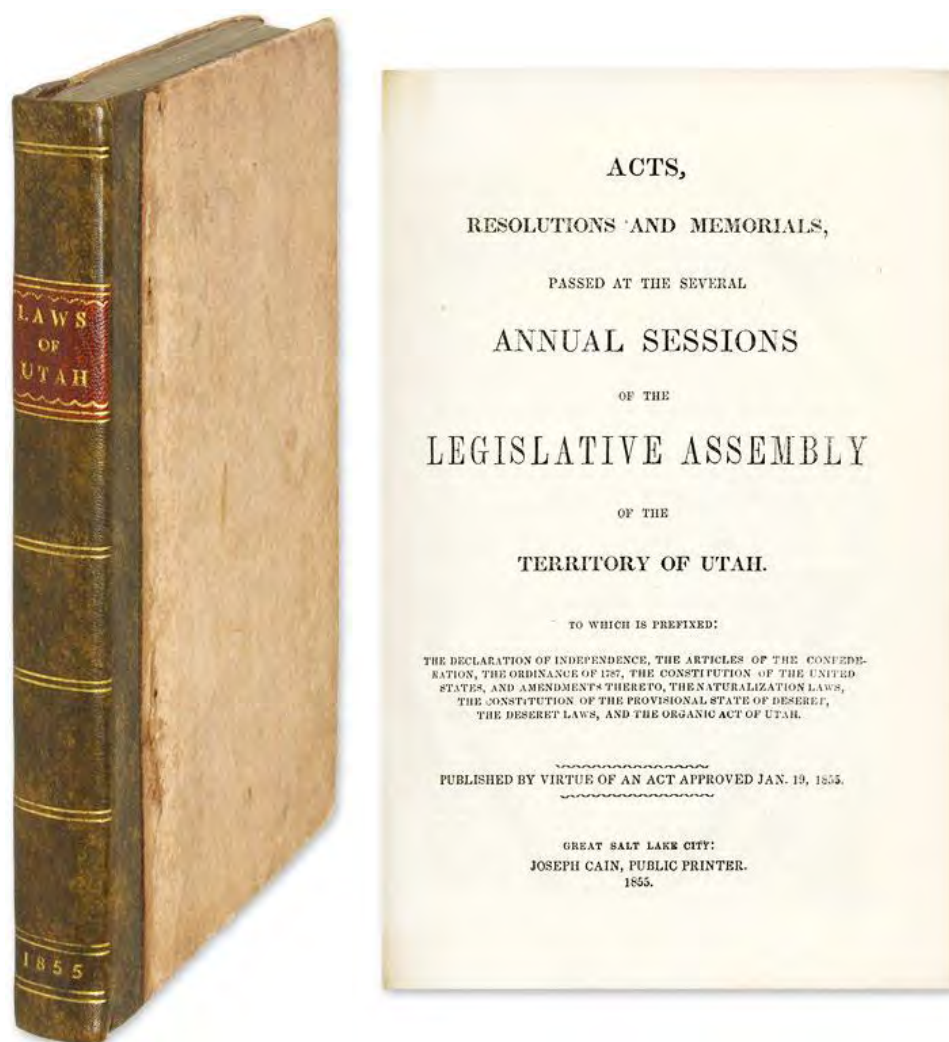
*Was it Murder?: The Truth About Centralia.* Seattle: Northwest District Defense Committee, 1927. 48 pp. Illustrations.

Stiff wrappers printed in red and blue. Light soiling and a few minor creases, light wear to spine ends and corners, faint owner signature to head of front wrapper, browning to text. \$125.

\* Written by a labor sympathizer, this pamphlet re-examines the murder convictions of six members of the Industrial Workers of the World (IWW) after the Centralia Massacre, also known as the Armistice Day Riot. All were serving long prison sentences. The riot was fought between members of the IWW and members of the American Legion in Centralia, Washington on November 11, 1919. Four legionnaires were killed; one member of the IWW was lynched.

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### First Collected Laws of Utah Territory

#### 28. [Utah Territory].

*Acts, Resolutions and Memorials, Passed at the Several Annual Sessions of the Legislative Assembly of the Territory of Utah. To Which is Prefixed: The Declaration of Independence, The Articles of the Confederation, The Ordinance of 1787, The Constitution of the United States, And Amendments Thereto, The Naturalization Laws, The Constitution of the Provisional State of Deseret, The Deseret Laws, And the Organic Act of Utah. Published by Virtue of an Act Approved Jan. 19, 1855. Great Salt Lake City: Joseph Cain, Public Printer, 1855. 460 pp. Octavo (7-1/2" x 5").*

Recent quarter calf over contemporary paper-covered boards, lettering piece and gilt fillets to spine. Light soiling, edgewear and a few minor stains to boards, corners bumped, corners bumped. Light toning to text, internally clean. \$450.

\* With side notes and indices. This volume collects to first laws of Utah Territory, established by Mormon settlers as the State of Deseret in 1849 and organized as Utah Territory by the Federal government in 1850. The laws of the fourth annual session were not printed separately; they only appeared in this compilation. It also contains the first published versions of the constitution of the State of Deseret and the 1851 Ordinances of General Assembly. A few laws concern grants and concessions to Brigham Young, Ezra T. Benson and other early Mormon leaders. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 563, 565, 566. [Order This Item](#)



## Final Edition of Ventriss's Reports with Interesting Contemporary Annotations

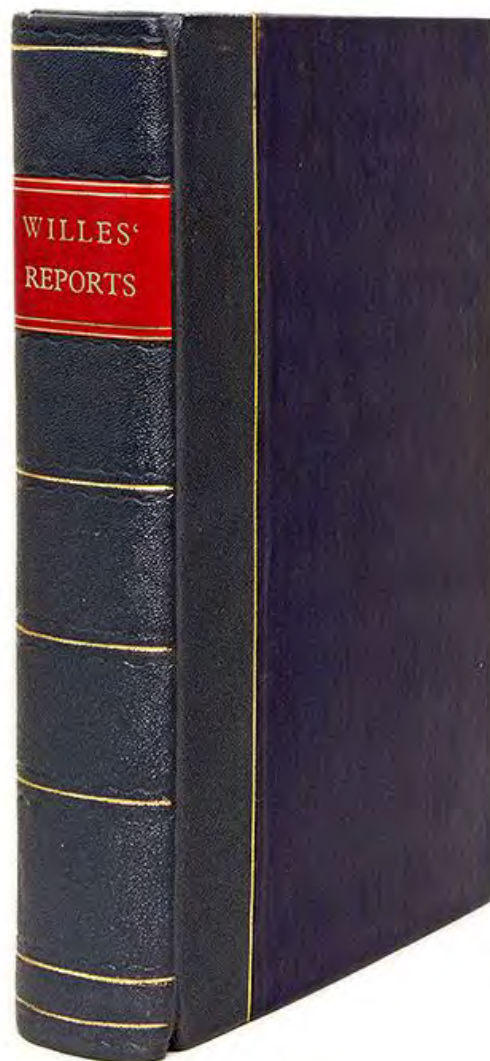
### 29. Ventriss, Sir Peyton [1645-1691].

*The Reports of Sir Peyton Ventriss Kt. Late One of the Justices of the Common-Pleas. In Two Parts. The First Part Containing Select Cases Adjudged in the King's Bench, In the Reign of K. Charles II. With Three Learned Arguments, One in the King's Bench, By Sir Francis North, When Attorney General; And Two in the Exchequer; by Sir Matthew Hale, When Lord Chief Baron. With Two Tables; One of the Cases, The Other of the Principal Matters. Part II. Containing Choice Cases Adjudged in the Common Pleas, In the Reigns of K. Charles II. And K. James II. And in the Three First Years of the Reign of Their Late Majesties K. William and Q. Mary; While He was a Judge in the Said Court: With the Pleadings to the Same. Also Several Cases and Pleadings Thereupon in the Exchequer-Chamber upon Writs of Error from the Kings-Bench. Together with Many Remarkable and Curious Cases in the Court of Chancery. Whereunto are Added Three Exact Tables; One of the Cases, The Other of the Principal Matters, And the Third of the Pleadings. With the Allowance and Approbation of the Lord Keeper and All the Judges. Carefully corrected, With the Addition of Several Thousands of References, Never Before Printed.* [London]: Printed by E. and R. Nutt, and R. Gosling, (Assigns of Edward Sayer Esq), 1726. Two volumes bound as one. [xii], 429, [25]; [xviii], 368, [20]. Lacking frontispiece, a copperplate author portrait. Final page is a publisher advertisement. Folio (12-1/4" x 8").

Contemporary calf, rebaked in period style, blind fillets along joints, raised bands and retained contemporary lettering piece to spine, gilt tooling to board edges, hinges mended. Light rubbing and scuffing to board edges, corners bumped and somewhat worn. Light to moderate toning, annotated throughout in contemporary hand. \$500.

\* Fourth and final edition. An important collection of reports covering cases in King's Bench, 1668-1684, and Common Pleas and Chancery 1669-1691. The annotations, many with secondary references, are mostly glosses or interpretive statements of underlying principles. Others link statements with cross-references. Wallace, *The Reporters* 345. *English Short-Title Catalogue* T97363. [Order This Item](#)





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

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

**Durnford, Charles, Editor.**

*Reports of Adjudged Cases in the Court of Common Pleas During the Time Lord Chief Justice Willes Presided in that Court; Together with Some Few Cases of the Same Period Determined in the House of Lords, Court of Chancery, And Exchequer Chamber. Taken from the Manuscripts of Lord Chief Justice Willes. With Notes and References to Prior and Subsequent Decisions, By Charles Durnford, of the Middle-Temple, Barrister at Law.* London: Printed by A. Strahan, 1799. [iv], 4, [14], 691, [35] pp. Folio (12-1/4" x 7-3/4").

Recent quarter morocco over cloth, gilt rules at junction of cloth and morocco, lettering pieces, and blind and gilt fillets to spine, endpapers renewed. Moderate toning to text, light foxing to a few leaves, clean tears to dedication leaf mended with cellotape, tiny glued paper fragment and two small library stamps to title page. \$500.

\* First edition. Covering the years 1737-1760, these are probably among the most authoritative Reports from the Reign of George III. As Wallace notes, they offer fine examples of judicial integrity and candor. Kent says Durnford's editorial work shows "unequivocal testimony of his diligence of inquiry, and accuracy of information." Kent cited in Marvin, *Legal Bibliography* 736. Wallace, *The Reporters* 438-439. *English Short-Title Catalogue* T97033. [Order This Item](#)