

APRIL 25, 2023

# RECENT ACQUISITIONS

English, American & Continental Law, 1599–1928

30 ITEMS



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### Early Collected-Works Edition of Beccaria

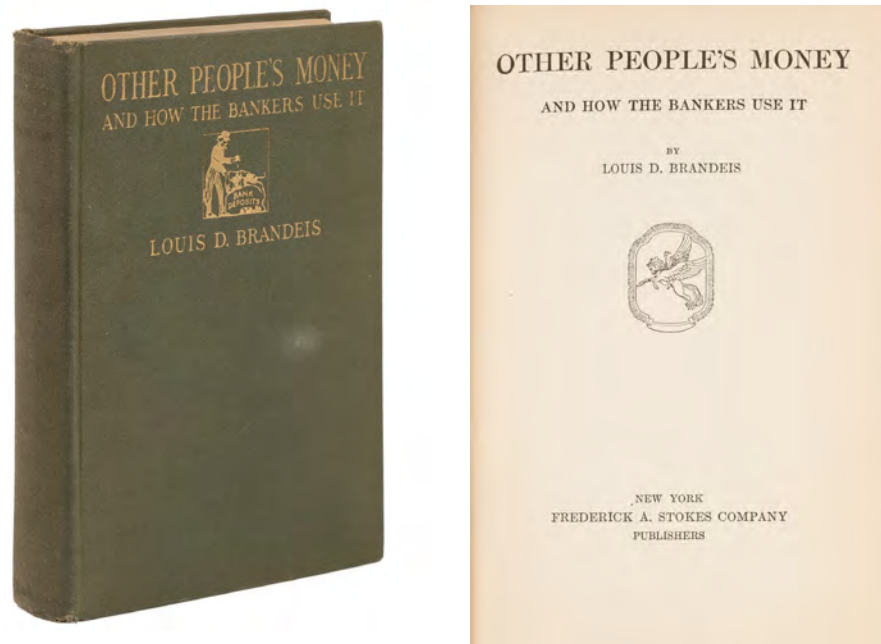
#### 1. Beccaria, Cesare Bonesana, Marchese de [1738-1794]. [Voltaire (Arouet, Francois-Marie) (1694-1778)].

*Opere Diverse del Marchese Cesare Beccaria Bonesana Patrizio Milanese.* Naples: Nella Stamperia di Giovanni Gravier, 1770. Three parts in two volumes. [xii], 316, [4]; [iv], 128, [4], 178, [2] pp. 6 folding tables. Volume I has copperplate allegorical frontispiece of an executioner before Athena, who has features similar to Lady Justice. Octavo (7-1/2" x 4-1/4").

Contemporary three-quarter vellum over marbled boards, red and green lettering pieces and gilt decoration to spines, ribbon markers. Light rubbing to boards, moderate rubbing to board edges, light soiling to spines, chipping to edges of lettering pieces, spine ends and corners bumped, corners lightly worn, small blind embossed ownership stamps to preliminaries and a few leaves in each volume. Light toning and foxing to interior, light creasing to folding tables, one of which has a small clean tear just touching table, faint dampstain to upper corner of first 20 or so leaves of Vol. I. \$1,500.

\* One of the first collections of Beccaria's works. Volume I contains *Dei Delitti e Delle Pene*, Voltaire's famous commentary on that work and two anonymous commentaries: "Giudizio di Celebre Professore Sopra il Libro de' Delitti e Delle Pene" and "Riposta ad uno Scritto, Che s'Initola Note ed Osservazioni sul Libro de' Delitti e Delle Pene." The other two volumes collect Beccaria's writings on economics, aesthetics and other topics. The frontispiece appears to be a variant on Perseus's presentation of Medusa's head to Athena. In this version Perseus is an executioner holding three severed heads in one hand and a sword and guillotine blade in the other. Athena, who is horrified, represents Lady Justice. (Her scales are resting beside her with symbols of justice and industry.) OCLC locates 16 complete copies, 10 in North America, 1 in a law library (Yale). Not in the *British Museum Catalogue*.

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To Francis Shea  
with the cordial regards  
& good wishes of  
Felix Frankfurter

### The First Edition, Inscribed by Frankfurter to a Protégé

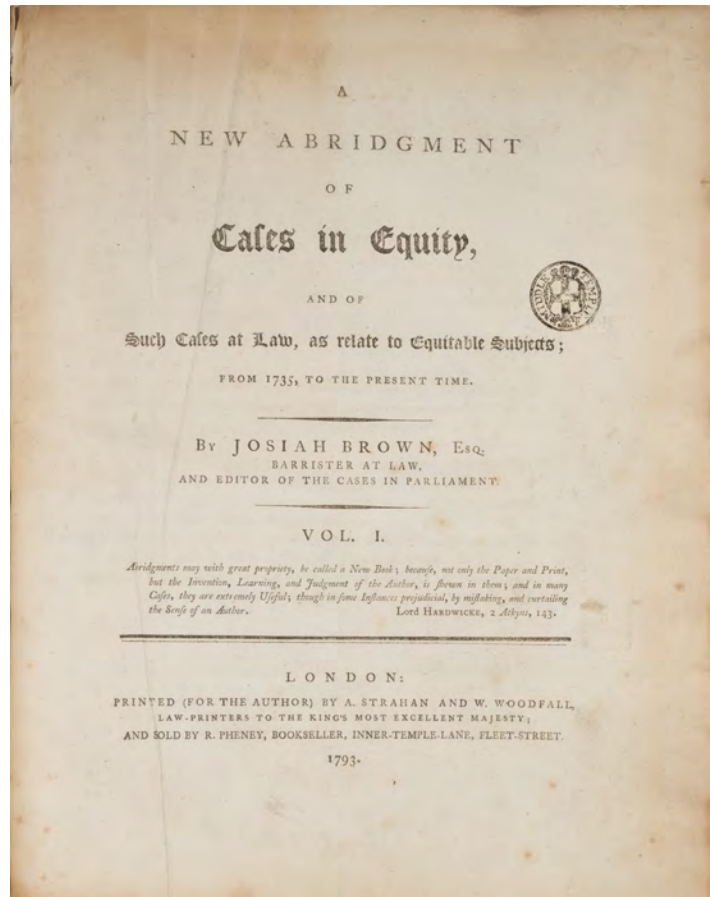
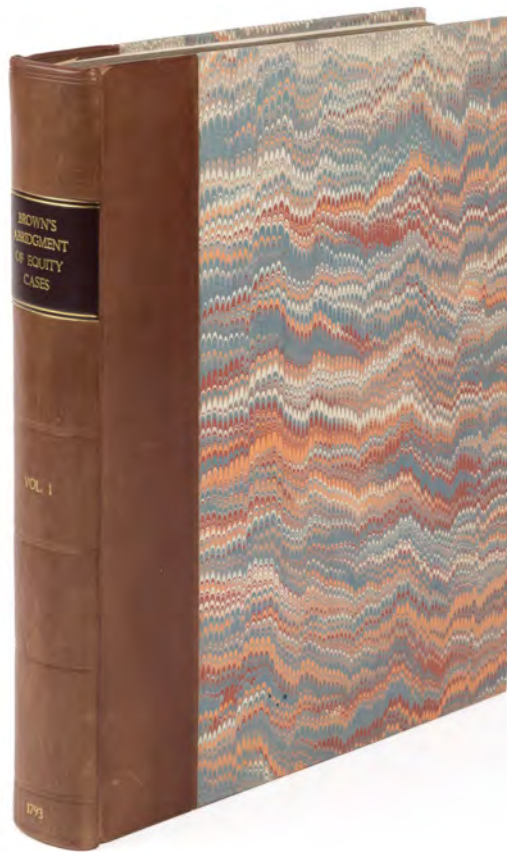
#### 2. Brandeis, Louis D. [1856-1941].

*Other People's Money and How the Bankers Use It*. New York: Frederick A. Stokes Company, [1914]. xiv, [2], 223 pp.

Original cloth, gilt titles to front board and spine. Small stain to front board, light wear to spine ends and corners, majority of gilding rubbed away from spine title. Moderate toning to interior, gift inscription from Felix Frankfurter to front free endpaper. \$1,950.

\* First edition, first issue. This scathing critique of "Our Financial Oligarchy" is based on a series of articles published in *Harper's Weekly* from 1913 to 1914. Frankfurter [1882-1965], a protégé of Brandeis, inscribed this copy to one of his protégés, Francis Shea [1905-1989], who was one of his former Harvard Law students (LL.B., 1928). Shea became a prominent New Deal official and went on to a distinguished career as the dean of the University of Buffalo School of Law, which experienced a renaissance under his direction. Recruited by Robert H. Jackson, he was Roosevelt's Assistant Attorney General, heading the Claims (now Civil) Division. In 1945 he joined the staff of American lawyers that helped to design the International Military Tribunal at Nuremberg, then served on as a prosecutor at the trials. Returning to Washington after the war, he established what became a leading Washington law firm, Shea & Gardner. The inscription reads: "To Francis Shea/ With the cordial regards/ & good wishes of/ Felix Frankfurter."

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### A Rare Eighteenth-Century Work on Equity

#### 3. Brown, Josiah [d.1793].

*A New Abridgment of Cases in Equity, And of Such Cases at Law, As Relate to Equitable Subjects; From 1735, To the Present Time.* Volume I (All Published). London: Printed (For the Author) by A. Strahan and W. Woodfall, Law-Printers To The King's Most Excellent Majesty, 1793. xviii, [2], 535, [1]; xxviii pp. Quarto (11-1/2" x 9-1/2").

Recent period-style quarter calf over marbled boards, lettering piece, blind fillets and gilt volume number and publication date to spine, endpapers renewed. Moderate toning to interior, faint spotting in a few places, light soiling and small library stamp to title page, another small library stamp to p. 535, light browning, light soiling, moderate edgewear and light foxing to final 28 pp. \$1,500.

\* Only edition. Brown's ambitious attempt to abridge all matters relating to equity was cut short by his death. The one completed volume begins with "abatement" and ends with "award." Bound with our copy is a "Table of the Principal Matters Contained in This Volume" that appears to be unrecorded; we were not able to locate any copies in any online catalogues we consulted, including OCLC and the *ESTC*. The *New Abridgment* is almost as rare. OCLC locates 2 copies (at the British Library); the *ESTC* adds 1 more (University College, Oxford). None of the copies located have the table.

*English Short-Title Catalogue (ESTC)* T119222.

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#### 1805 Printing of *Burn's Justice* in a Handsome Contemporary Binding

#### 4. Burn, Richard [1709-1785].

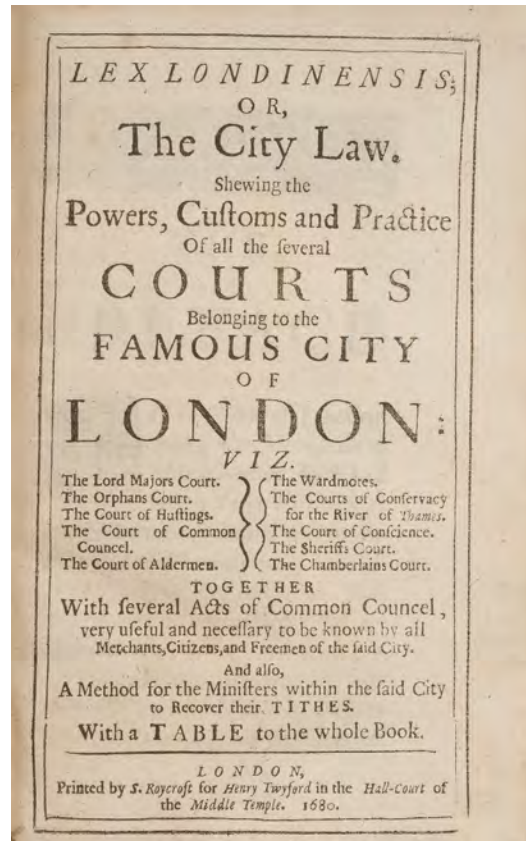
*The Justice of the Peace, And Parish Officer. Corrected, And Considerably Enlarged, Including the Late Adjudged Cases, And the Statutes, To the Present Time (May, 45 Geo. III).* London: Printed by A. Strahan, Law-Printer to the King's Most Excellent Majesty, 1805. Four volumes. Octavo (8-1/4" x 5-1/4").

Contemporary calf, blind fillets to boards, raised bands, black-stamped volume numbers and lettering pieces to spine, those of Volumes II and IV replaced at a later date. Negligible light shelfwear to boards and extremities, tiny stain to spine of Volume I, owner inscription ("Wm. Jackson's/ Book/ Yanwath/ 1806") to front and rear endleaves of each volumes, rear hinge of Volume I and front hinge of Volume II starting. Light toning to interiors, slightly heavier in a few places, minor stains to a few leaves. A handsome set. \$500.

\* Twentieth edition. A durable work, Burn's *Justice* went through 30 editions by 1869 and was excerpted often in early American justice manuals, such as Parker's *Conductor Generalis* (1764) and Burn's *Abridgment of Burn's Justice of the Peace and Parish Officer* (1773). It covers such topics as Accessory, Alehouses, Aliens, Assault and Battery, Bail (By Writ of Habeas Corpus), Bankrupt, Bastards, Burglary, Clergy, Dogs, Evidence, Excise and Customs, Forgery, Game, Homicide, Jurors, Libel, Oaths, Insolvent Debtors, Polygamy, Promissory Notes, Rape, Riot, Robbery, Taxes and Vagrants. Holdsworth notes that "a perusal of these headings tells us something of the development of the system of local government" at the time when the book was written.

Holdsworth, *A History of English Law* X:162. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:226.

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### The City Law

#### 5. [City of London].

#### [Court of Common Council].

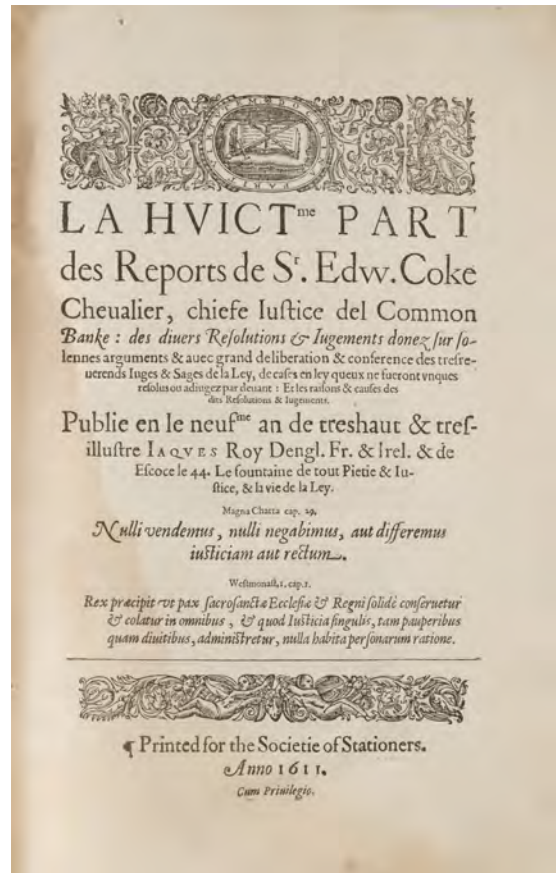
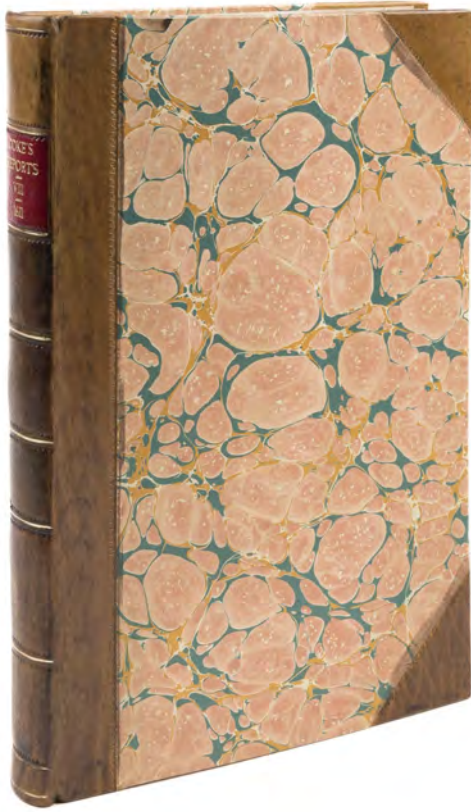
*Lex Londinensis; Or, The City Law. Shewing the Powers, Customs and Practice of All the Several Courts Belonging to the Famous City of London: viz. The Lord Majors Court. The Orphans Court. The Court of Hustings. The Court of Common Council. The Court of Aldermen. The Wardmotes. The Courts of Conservacy for the River of Thames. The Court of Conscience. The Sheriffs Court. The Chamberlains Court. Together with Several Acts of Common Council, Very Useful and Necessary to be Known by All Merchants, Citizens, And Freemen of the Said City. And also, A Method for the Ministers Within the Said City to Recover Their Tithes. With a Table to the Whole Book.* London: Printed by S. Roycroft for Henry Twyford, 1680. [viii], 260, [12] pp. Octavo (6-3/4" x 4-1/4").

Contemporary or near-contemporary calf, blind panels and corner fleurons to boards, raised bands, blind fillets, later lettering piece and gilt publication date to spine, gilt tooling to board edges, edges of text block rouged. Very light gatoring in a few places, light rubbing and a few nicks and scratches to boards, moderate rubbing to extremities, somewhat heavier to joints, two small nicks to spine, spine ends chipped, corners bumped and worn, pastedowns loosening, small ink annotation (shelfmark?) to front pastedown, minor worming to lower gutter of front pastedown and front endleaves. Light toning to interior, very light foxing and soiling in a few places, minor edgewear to a few leaves. A nice copy. \$700.

\* Only edition. This book was the first digest of London's laws and guide to its courts after the revisions of the city laws from 1647 and 1658. A useful work that gathered a great deal of disparate information, it is a valuable resource today for students of seventeenth-century London and its legal system.

*English Short-Title Catalogue* R2792.

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### First Edition of the Eighth Part of Coke's *Reports*

#### 6. Coke, Sir Edward [1552-1634].

*La Huictme Part des Reports de Sr. Edm. Coke Cheualier, Chiefe Iustice del Common Banke: Des Divers Resolutions & Ingemens Donez sur Solennes Arguments & Avec Grand Deliberation & Conference des Tresreverends Iuges & Sages de la Ley, De Cases en Ley Quenx ne Fueront Unques Resolus ou Adindgez par Devant: Et les Raisons & Causes des Dits Resolutions & Ingemens. Publie en le Neufme an de Treshaut & Tresillustre Iaques Roy Dengl. Fr. & Irel. & De Escoce le 44. Le Fontaine de Tout Pietie & Iustice, & La Vie de la Ley.* [London]: Printed for the Societie of Stationers, 1611. [16], 171 [i.e. 173], [1] ff. First and final leaves blank. Text in Law-French and Latin. Folio (11" x 7").

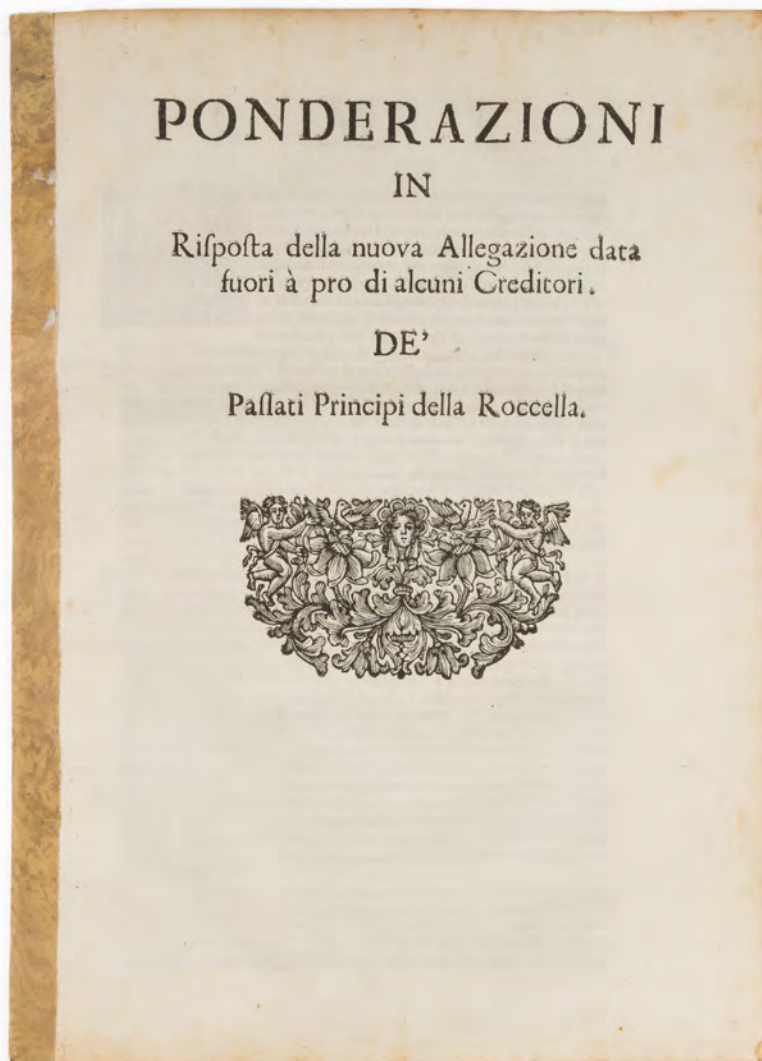
Recent three-quarter calf over marbled boards, blind fillets to calf edges, gilt and blind fillets and lettering piece to spine, endpapers renewed. Boards very slightly bowed. Light toning to interior, faint dampstaining to gutter and lower margin not affecting legibility, light soiling in a few places, early annotations and underlining to several leaves. \$1,500.

\* First edition. Coke's *Reports* are not reports in the conventional sense; they are highly detailed anthologies of precedents organized by topic. Taken together, they 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. A highlight of the eighth part is the preface's lengthy discussion of the ancient laws of England. The annotations in our copy are brief case citations and references to other reporters.

*English Short-Title Catalogue* S107236.

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### Settling the Debts of the Prince of Roccella

#### 7. [Creditors]. [Calabria].

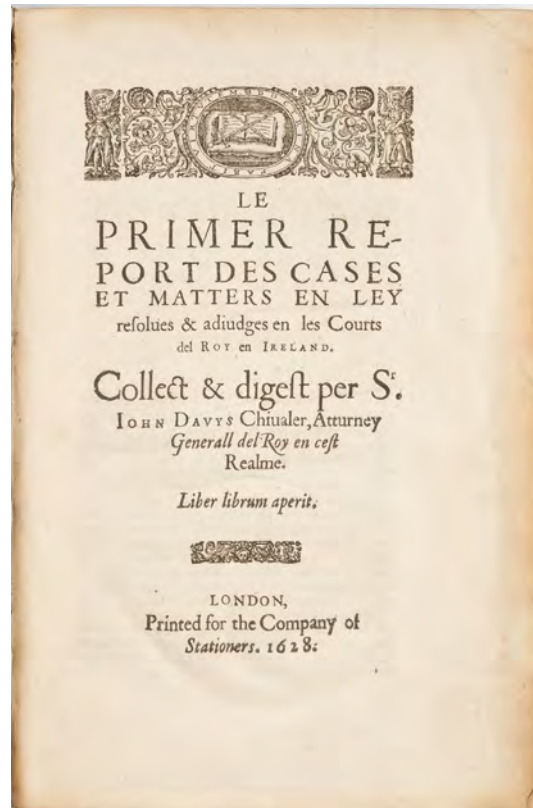
*Ponderazioni in Risposta della Nuova Allegazione data Fuori à Pro di Alcuni Creditori de' Passati Principi della Roccella.* [Naples?]: S.n, [1715]. [26] pp. Folio (11-1/4" x 8-1/4").

Stitched pamphlet, spine reinforced with patterned paper, title page features a woodcut device with putti, flowers and birds, following leaf features a large woodcut decorated initial featuring an amored soldier. Light toning, negligible light soiling and light foxing to title page and final leaf. Rare. \$750.

\* Only known edition. This odd ruling concerns the settlement of debts and discharge from creditors of the Calabrian Prince of Roccella who had been involved in the sale of the feudal estate of Roccella. No copies listed on OCLC or other online catalogues.

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### Davies's Reports

#### 8. Davies, Sir John [1569-1626].

*Le Primer Report des Cases et Matters en Ley Resoluës & Adiudges en les Courts del Roy en Ireland. Collect & Digest per Sr. Iohn Davys Chivaler, Attorney Generall del Roy en Cest Realm.* London: Printed [by Adam Islip] for the Company of Stationers, 1628. [16], 84, 84-99 ff. Complete. No other volumes issued. Folio (10-1/2" x 6-3/4").

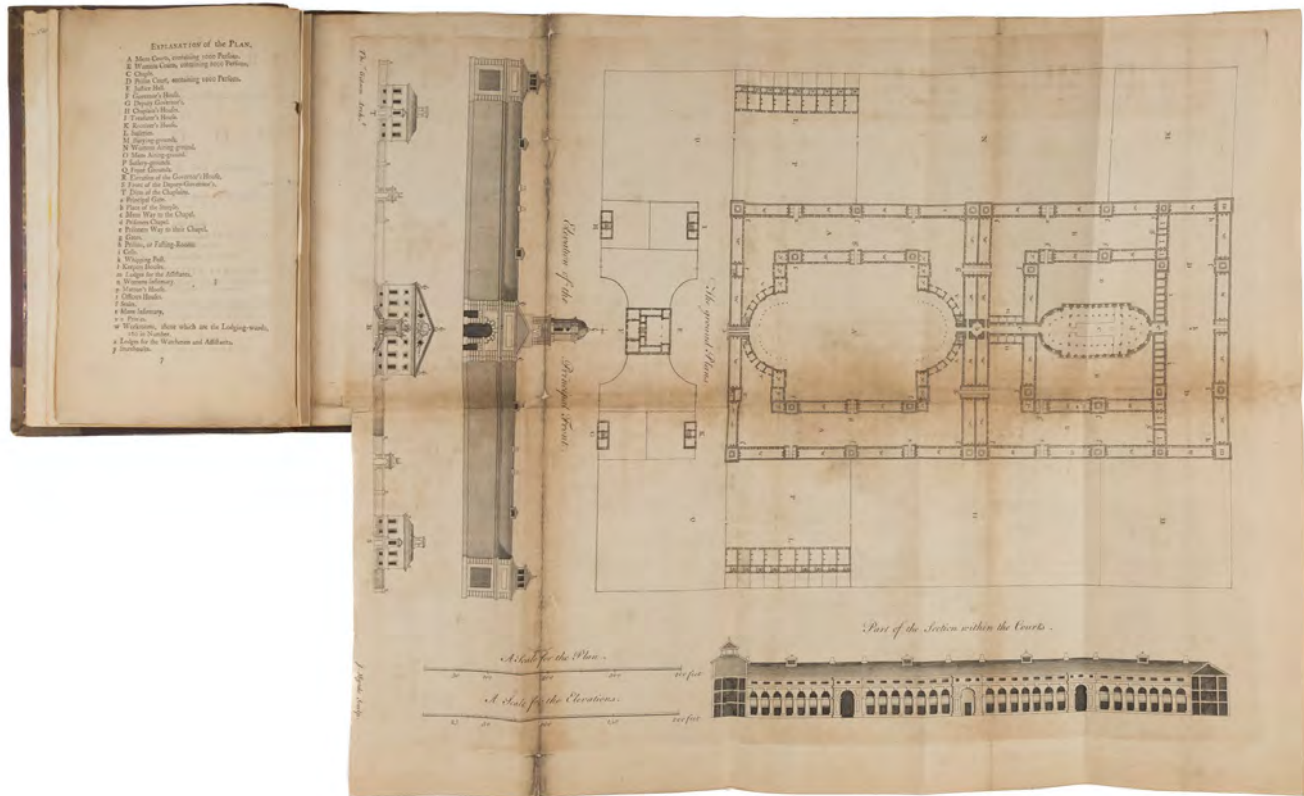
Contemporary speckled calf, blind rules to boards, raised bands, blind fillets and later handwritten label to spine, gilt rules to board edges. Light rubbing and a few scuffs, nicks and scratches to boards, which are bowed, moderate rubbing to extremities, spine ends crudely (but neatly) mended, corners bumped and somewhat worn, hinges starting at head, later armorial bookplate (of William Hopkinson), presentation bookplate from Hopkinson to the County Magistrates, Lincoln, and another plate listing previous owners of the book to front pastedown. Light toning to interior, somewhat heavier in a few places, very light foxing, light soiling and faint dampstaining to margins in a few places, a few partial cracks to text block, all leaves secure, occasional ink annotations in a later hand. \$1,000.

\* Second edition (and the first published in England). Davies, or Davys, was a highly respected lawyer, judge, statesman and man of letters. First issued in Dublin in 1615, Davies's *Reports* covers cases from 1604 to 1612. Selected "principally for the use and benefit of our practisers here in Ireland," it soon became an oft-cited authority in England; it was praised by Willes, Lee and Lords Kenyon and Tindal. The first edition was published in Dublin in 1615.

The annotations to our copy are mostly brief glosses with a few references to later cases, with the latest of these dated 1896. A bookplate on the front pastedown traces part of this book's ownership history to 1636, when it belonged to George Viscount Chaworth of Armagh, Chief Justice of Common Pleas in Ireland.

Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:299 (42). *English Short-Title Catalogue* S123364.

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### Fielding's Proposals for Reform of the Poor Laws

#### 9. Fielding, Henry [1707-1754].

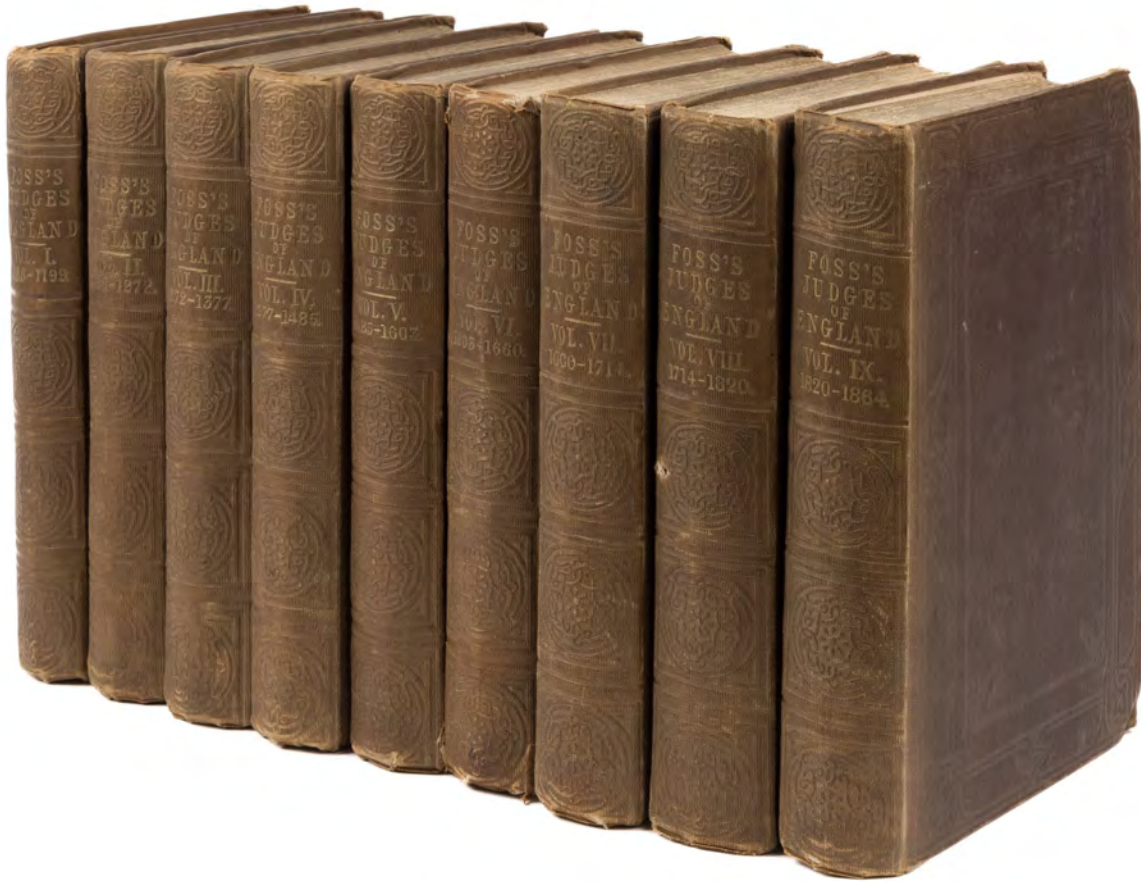
*A Proposal for Making an Effectual Provision for the Poor, For Amending Their Morals, And for Rendering Them Useful Members of the Society. To Which is Added, A Plan of the Buildings Proposed, With Proper Elevations. Drawn by an Eminent Hand.* London: Printed for A. Millar, 1753. iv, 91, [1] pp. Large folding diagram, publisher advertisements to final page. Octavo (8" x 5").

Later (nineteenth-century) three-quarter calf over cloth, gilt spine with title and date, marbled endpapers, folding plate mended and backed onto fabric. Small faint dampstain to lower left corner, light rubbing and a few small scuffs to boards, slight bubbling to front board, moderate rubbing to extremities, spine ends and corners bumped, hinges cracked. Moderate toning to interior, occasional light foxing, light soiling in a few places, including to folding plate, which has a small hole at intersection of fold lines and very minor loss to image in two places. \$950.

\* Only edition, reprinted in Dublin the same year. Fielding, a writer, magistrate and founder with his brother of the Bow Street Runners, had a keen interest in social reform sparked by his work as London's chief magistrate. A complement to his *Enquiry Into the Causes of the Late Increase of Robbers* (1751), which discussed the social ills that led to crime among the poor, the *Proposal* lays out suggestions for reform of the poor laws in Middlesex County. Fielding's reforms center around the construction of a large workhouse complex and correctional facility, depicted in the elaborate folding diagram based on plans from architect Thomas Gibson. Like those that would follow in the late nineteenth and early twentieth centuries, his proposals emphasize the necessity and dignity of work for those able to carry it out.

Cross, *The History of Henry Fielding* III:325. *English Short-Title Catalogue* T4736.

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### Foss's Important *Judges of England*

#### 10. Foss, Edward [1787-1870].

*The Judges of England; with Sketches of Their Lives, and Miscellaneous Notices Connected with the Courts of Westminster, from the Time of the Conquest.* London: Longman, Brown, Green, and Longmans, 1848-1864. 9 volumes. Complete set. Octavo (8-1/2" x 5-1/2").

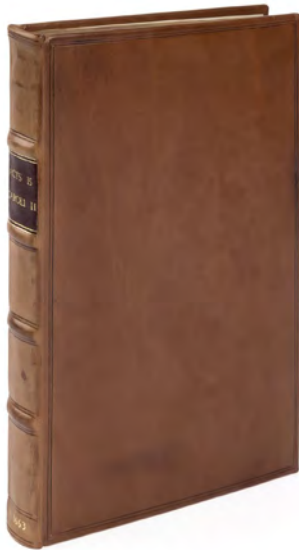
Contemporary textured cloth, ornate blind panels to boards, gilt titles and blind fillets and ornaments to spine, colored endpapers. Light rubbing to boards, uniform light fading to spines, spine ends and corners bumped and lightly worn, a few joints just starting at ends, a few hinges starting. Moderate toning to interior, light foxing in places. An attractive complete set. \$1,750.

\* Only edition. Authoritative biographies of 1,589 chancellors, masters of the rolls and judges of the courts are provided for each reign, from the time of the Norman Conquest through the reign of Queen Victoria, 1066-1864. Based on original sources, it is an important reference work for legal historians. Considered "the standard authority" in its field by the *Dictionary of National Biography*, it is cited frequently by Holdsworth in *A History of English Law*.

*Dictionary of National Biography* VII:492. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:127.

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### Includes an Important Navigation Act

#### 11. [Great Britain]. [Statutes].

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

*Anno Regni Caroli II. Regis Angliae, Scotiae, Franciae & Hiberniae, Decimo Quinto. At the Parliament Begun at Westminster the Eighth Day of the Reign of Our Most Gracious Sovereign Lord Charles, By the Grace of God, of England, Scotland, France, And Ireland King, Defender of the Faith, &c. And There Continued till the 19th of May, in the 14th Year of His Majesties Said Reign: And Thence Prorogued to the 18th of February Then Next Following. And There Continued to the 27th of July, In the 15th Year of His Majesties Reign. And Thence Prorogued to the 16th of March Then Next Following.* London: Printed by John Bill and Christopher Barker, 1663. [vi], 312 pp. Same general title page for most acts, first two acts with separate table and slightly different general title page for both, reading, in part, *And Then on the 3d of June Next Following, Several Acts were Passed by the Royal Assent.* Folio (10-3/4" x 6-3/4").

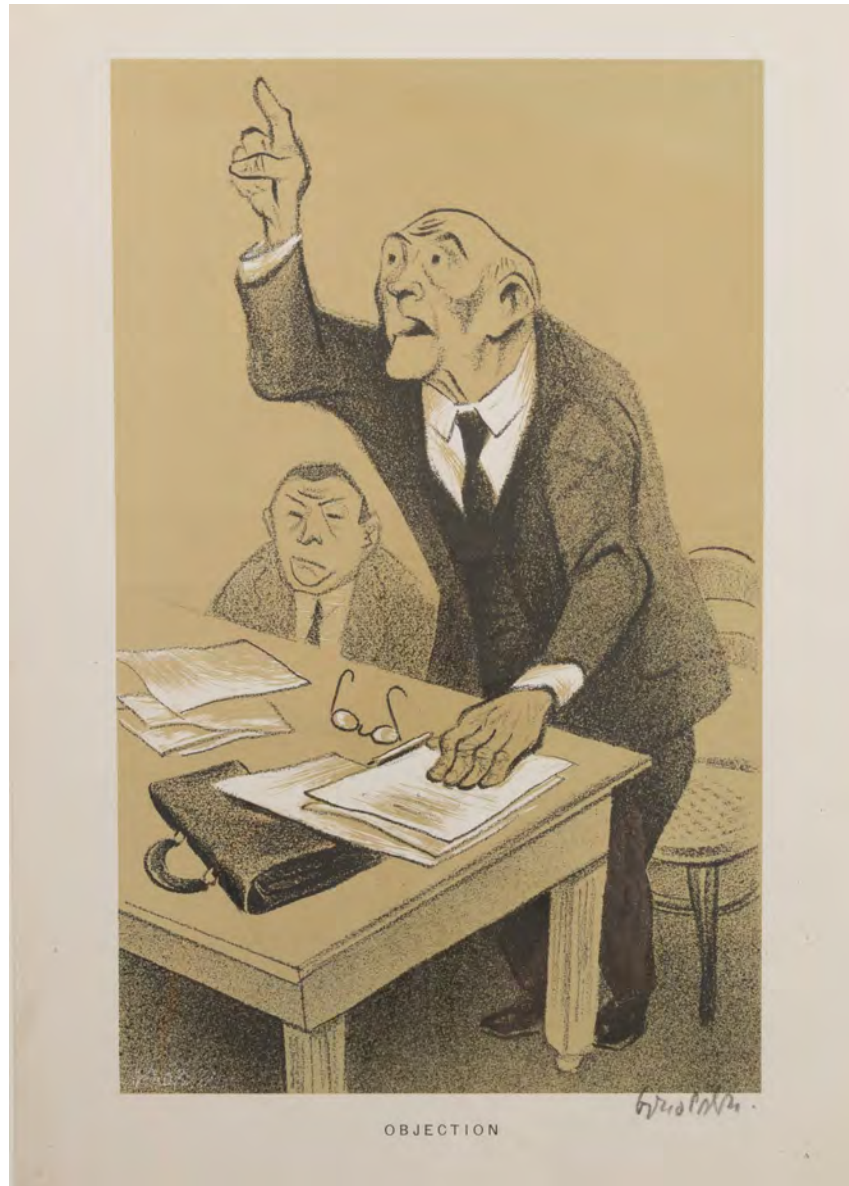
Recent calf, blind frames to boards, raised bands, blind fillets, lettering piece and gilt publication date to spine, endpapers renewed. Small nick to edge of front board. Moderate toning to interior, occasional light foxing, folio numbers added in ink in an early hand, a few small holes from ink oversaturation not affecting text. \$750.

\* A collection of sixteen public acts of the second session of the Cavalier Parliament with tables listing the private acts. Among the more interesting acts are an act expanding on the provisions of the Act of Uniformity 1662 and "An Act for the Encouragement of Trade." Also known as the Navigation Act of 1663, it required all European goods being shipped to America and other British colonies to be shipped through England to be unloaded, inspected, taxed and reloaded. This was an attempt to stop the colonies from establishing independent trade with Europe. The act also repealed legislation that had prohibited the exporting of coin and bullion. This provision significantly benefited the East India Company by allowing it to export large quantities of silver to India and exchange it for Indian gold without paying taxes to the Crown; the company paid significant bribes to secure the passage of the legislation.

Like other copies we have seen, this 312-page compilation does not include the full text of the Bedford Level Act 1663, which is called for by the *ESTC*. All acts listed in the tables are present in this copy.

See *English Short-Title Catalogue (ESTC)* R474847.

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### Objection!

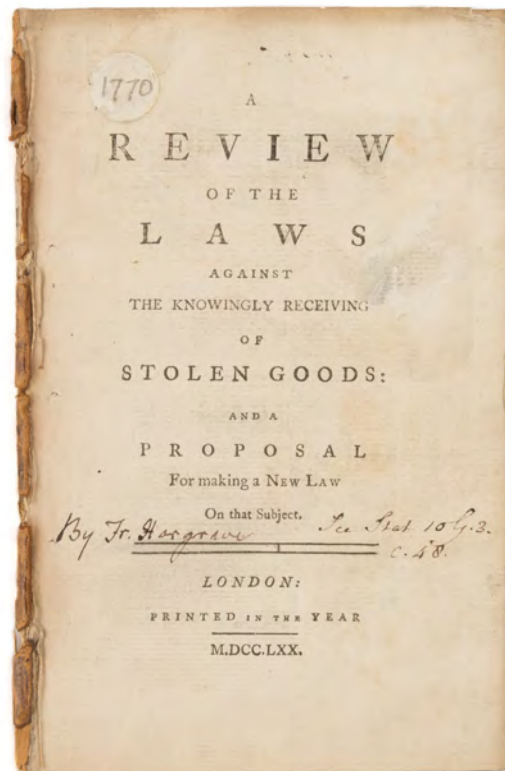
#### 12. Gropper, William [1897-1977].

*Objection.* c.1950s-1960s (1968?).

14" x 10" lithographic print (image size 12" x 7-1/2") with typed caption and penciled signature of William Gropper, professionally shrink-wrapped onto 14-1/2" x 10-1/2" foamcore board with hang tag. Light toning and minor soiling to margins, image vivid. \$250.

\* This image of an elderly lawyer raising an objection in a courtroom is one of several depictions of courtroom scenes by the American artist William Gropper. A lifelong radical and the son of Jewish immigrants from Romania and Ukraine, he is best known for his cartoons for left-wing magazines and his work as a WPA artist, though he dealt with a variety of subjects.

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### A Rare Review of the Laws on Stolen Goods

#### 13. [Hargrave, Francis (1741?-1821)].

*A Review of the Laws Against the Knowingly Receiving of Stolen Goods: And a Proposal for Making a New Law on That Subject.* London: [s.n.], 1770. [ii], ii, 47 pp. Octavo (7-1/2" x 4-3/4").

Disbound stab-stitched pamphlet. Moderate toning, light soiling to exterior and a few other leaves, small circular label and early ink annotation to title page, which has a small chip to its upper corner. Brief annotations and corrections in two early hands to several leaves. Rare. \$1,750.

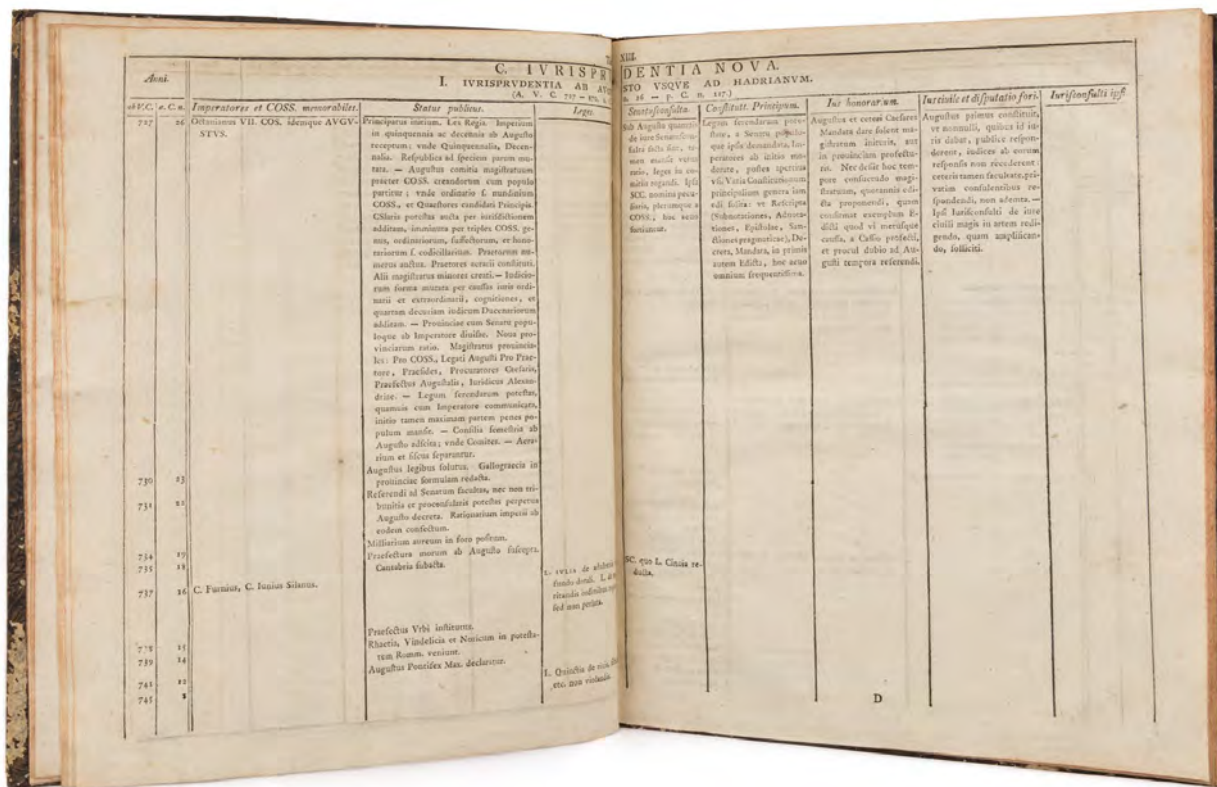
\* Only edition. Hargrave is remembered today as the most prominent of the five advocates who defended James Somersett in the 1772 case that determined the legal status of slaves in England. As Holdsworth attests, he was also a first-class jurist and legal historian, an opinion echoed by later legal historians. Here, he discusses the laws concerning the receiving of stolen goods in light of a parliamentary inquiry into the causes of "the great number of burglaries lately committed within Westminster." He proposes, among other reforms, that authorities should be able to search the possessions of a suspect for tools for jewel theft, rather than only the jewels themselves. This provision was enacted later in 1770, as noted on the title page by an annotator.

The annotations to our copy are in two hands. One, which appears to be authorial, makes corrections and minor additions to the text. The other notes additional statutes and cases in the margin. OCLC and the *ESTC* locate 3 copies of this title worldwide (British Library, Manchester Central Library, Harvard Law School).

Holdsworth, *A History of English Law* XII:410. *English Short-Title Catalogue (ESTC)* T6303.

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53 Tables Outlining the History of Roman Law

14. Haubold, Christian Gottlieb [1766-1824].  
 [Bach, Johann August (1721-1758)].

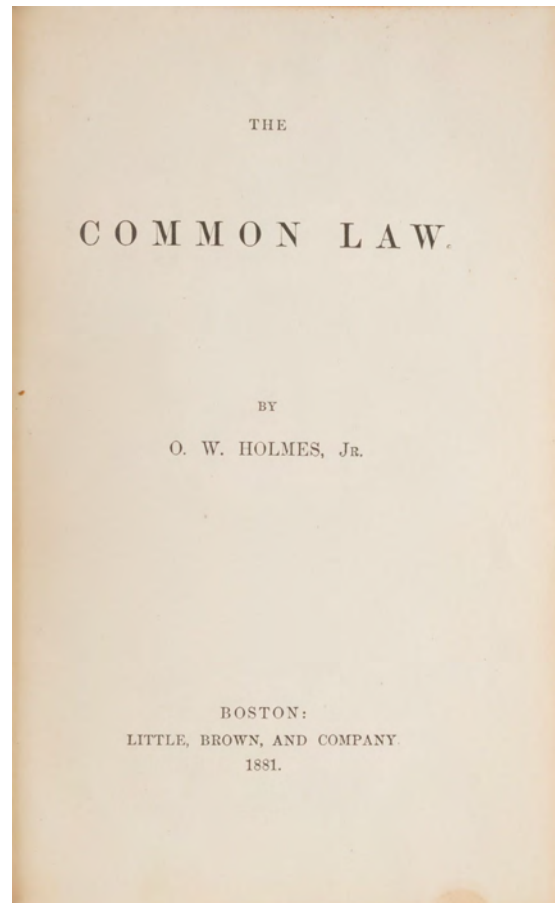
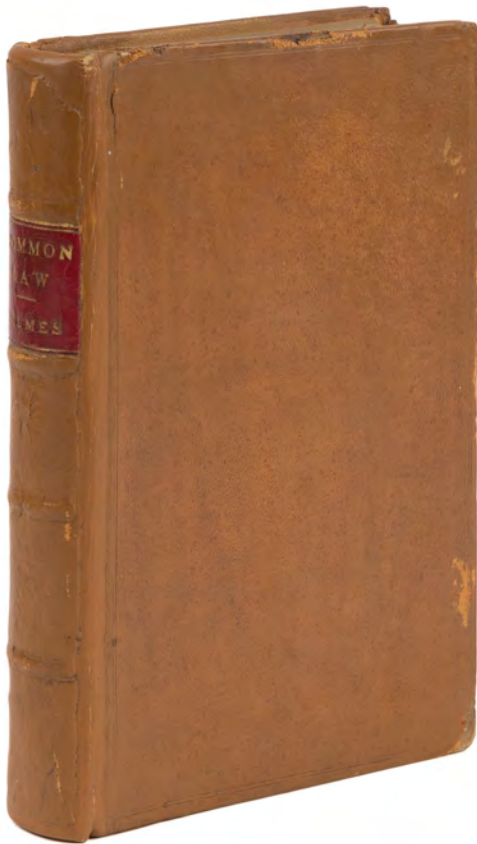
*Historia Iuris Romani. Tabulis Synopticus Secundum Bachium Concinnatis Illustrata.* Leipzig: Sumptibus Io. Ambrosii Barthii, 1790.  
 [44] ff. 53 tables. Quarto (9-3/4" x 7-3/4").

Contemporary patterned paper-covered boards, early hand-lettered title label to spine. Some light scuffing to boards, moderate rubbing to extremities, corners bumped and lightly worn, owner inscription, "M. v. Kerckerinck Stud Jur. Heidelb. 1825/519," to front free endpaper, brief annotation, "Afc/f," to rear pastedown, light browning to interior, light foxing and tiny spark burns to a few leaves. \$1,500.

\* Only edition. This series of 53 tables tracing the history of Roman law to 1788 was designed to serve as a companion to Bach's *Historia Iurisprudentiae Romanae Quatuor Libris Comprehensa* (first edition 1754), a standard history of Roman law in the German states into the mid-1800s. As indicated by the owner inscription in our copy, this work was intended for students. This is a rare title. OCLC locates no copies in North America.

*British Museum Catalogue* (Compact Edition) 11:897.

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**First Edition of *The Common Law* in the Scarce Law-Calf Binding**

**15. Holmes, Oliver Wendell, Jr. [1841-1935].**

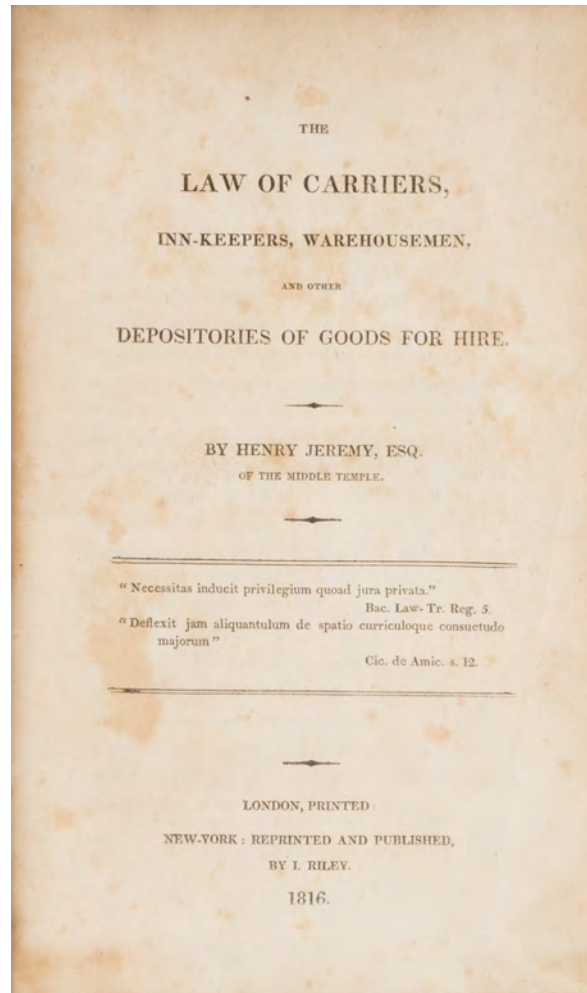
*The Common Law*. Boston: Little, Brown, And Company, 1881. [i]-xvi, 422 pp. Octavo (8-1/4" x 5-1/4").

Original law calf, rebacked retaining existing spine with raised bands and lettering piece, blind frames to boards, hinges mended. A few light scuffs to boards, a few small chips to board edges, faint creases to spine, corners bumped and moderately worn, early owner signature (Samuel L. Morris, Jr., 1/13/1908) to front and rear pastedowns. Moderate toning to interior, offsetting, light soiling and a few tiny chips to edges of endleaves. \$1,750.

\* First edition, second issue, with the one-line printer statement reading "The University Press, Cambridge, Mass., U.S.A." at foot of the title page, verso, and foot of p. 422. As Friedman points out, "*The Common Law* was easily the most distinguished book on law by an American published between 1850 and 1900." In contrast to earlier Anglo-American jurists, and the reigning positivist ethos of the nineteenth century, Holmes proposed that the common law was not a science founded on abstract principles but a body of practices that responded to particular situations. This functionalist interpretation led to his radical idea that law was not discovered, but invented. This theme is announced at the beginning of Lecture I: "The life of the law has not been logic: it has been experience" (1).

"Oliver Wendell Holmes and *The Common Law*," Meyer Boswell Books, Inc., *Rare and Unusual Law Books, Catalogue Fourteen* 2. Friedman, *A History of American Law* 544. Grolier Club, *One Hundred Influential American Books* 84.

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### The Law of Carriers, Hotels, Bars and Warehouses

#### 16. Jeremy, Henry.

*The Law of Carriers, Inn-keepers, Warehousemen, And Other Depositories of Goods for Hire.* London, Printed: New York: Reprinted and Published by I. Riley, 1816. vii, 163 [i.e. 139], [5] pp. Octavo (8-1/4" x 5").

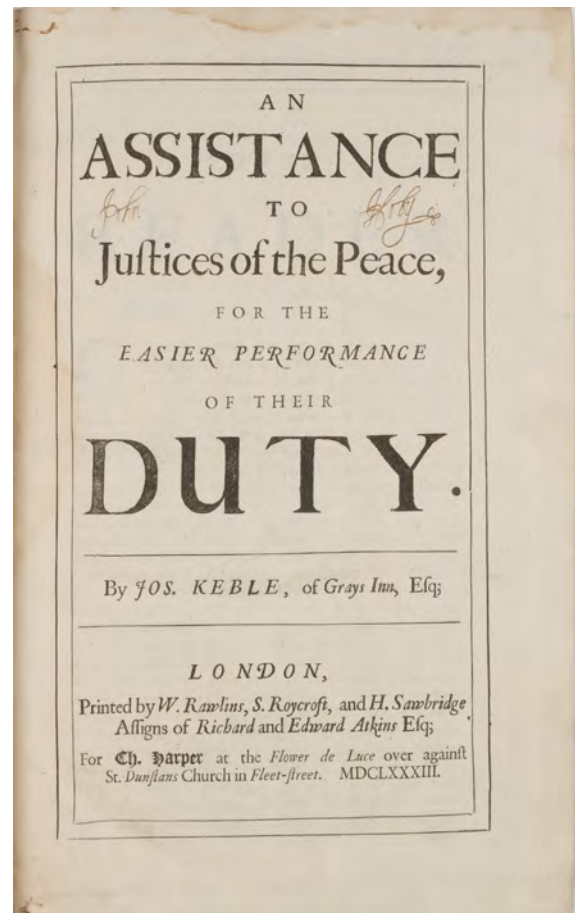
Contemporary three-quarter calf over marbled boards. Moderate rubbing and a few shallow scuffs to boards, a few nicks to spine, moderate rubbing to extremities, corners bumped, early owner signature (Nich. Brewer, Jr.) to front pastedown, later owner signature (Raphael Hayden, 1892) to front free endpaper. Moderate toning to interior, browning and light foxing in places. \$850.

\* Only American edition, based on the only London edition (1815), to which it is star-paged. Its chapters are entitled, "Who Are Considered to be Carriers Under That Term," "Conveyance of Persons," "Conveyance of Goods; And First, Of the Extent of Liability at Common Law," "Liability--How Restrained by the Act of Parties, Or Otherwise," "What Acts Shall be a Discharge of this Liability," "Miscellaneous Duties Connected with this Contract," "In Case of Suit," "Of the Duties and Privileges of Inn-keepers" and "Appendix: Regulations as so Portorage in London by Statute Cases."

Cohen, *Bibliography of Early American Law* 10951.

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### A Curious Guide for Justices of the Peace

#### 17. Keble, Joseph [1632-1710].

*An Assistance to Justices of the Peace, For the Easier Performance of Their Duty.* London: Printed by W. Rawlins, S. Roycroft, and H. Sawbridge, 1683. [viii], 139, [1], 137-152, 151-430, 457-719, [9] pp. Folio (12-1/2" x 7-1/2").

Contemporary calf, blind panels with corner fleurons to boards, raised bands to spine, gilt fillets to board edges, recent repair to foot of spine. Light scratches and a few minor scuffs and light stains to boards, light rubbing to extremities, corners bumped and moderately worn, hinges cracked. Light toning to interior, slightly heavier in a few places, faint dampstaining to margins of endleaves and beginning and end of text, minor worming to front pastedown and margins of preliminaries, (illegible) early signature to front endleaf, another early signature (John Roby) to title page. \$550.

\* First edition, one of three issues from 1683. This curious work combines elements of an abridgment, a digest and a traditional JP manual. It has two parts. The first is a chronological digest, with side-notes, of "the particular clauses of statutes of the order and introduction of the power of keeping the peace." The second, and larger, part offers a digest of topics, from Abby to Women, "wherein Lambert, Crompton, and Dalton are reduced, and the Particular Statutes accommodate to present use." A second edition was published in 1689. Keble was a notable reporter and the compiler of the important *Statutes at Large* (1676).

*English Short-Title Catalogue* R32999.

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### Rare Statement Concerning a Land Dispute in Mallorca

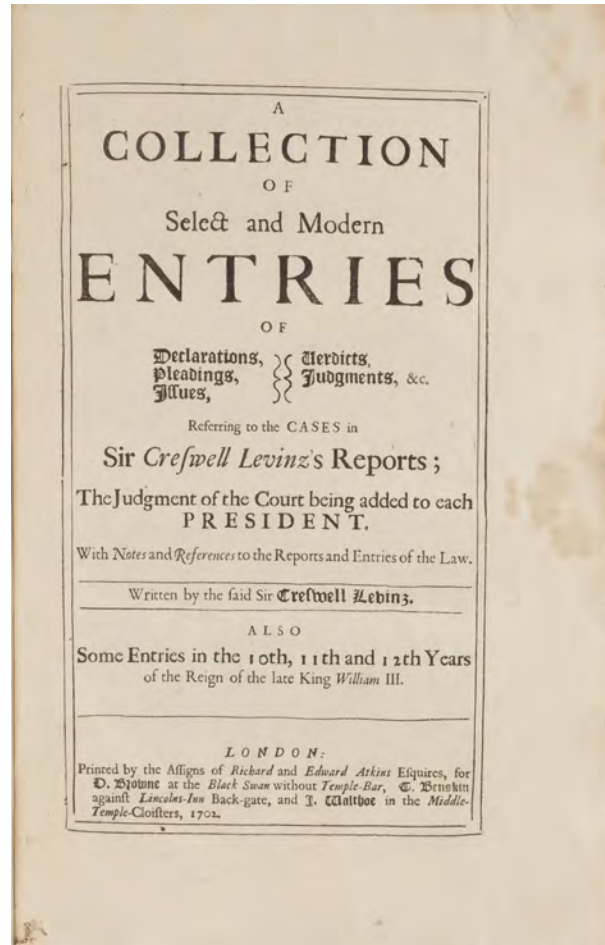
#### 18. [Land Law]. [Mallorca (Majorca)].

*Defensa Legal por Don Bartholome dez-Clapes, Puydorfila, y Suñer de Num. 31. Contra Don Pedro Gual de Num. 28. Sobre Vidicacion del Predio son Berga, Sito en el Termino de Esta Ciudad.* Mallorca: Por Salvador Savall Impresor, [1798]. [ii], 39 pp. Folio (11-1/4" x 8-1/4").

Stitched pamphlet, spine reinforced with patterned paper, title page features a woodcut border with corner fleurons and large woodcut image of the Madonna. Light toning, light edgewear, soiling, creases and a few minor stains to title page, following leaf and final two leaves. Rare. \$650.

\* Only known edition. This court statement, by a Dr. Don Antonio Pujals, was part of a land case initiated by Don Barthome Dez-Clapes and Don Francisco Suñer against Don Pedro Gaul. This imprint appears to be unrecorded. No copies listed on OCLC or other online catalogues.

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### A Companion to the Reports of Sir Creswell Levinz

#### 19. Levinz, Sir Creswell [1627-1701].

*A Collection of Select and Modern Entries of Declarations, Pleadings, Issues, Verdicts, Judgments, &c. Referring to the Cases in Sir Creswell Levinz's Reports; The Judgment of the Court Being Added to Each President. With Notes and References to the Reports and Entries of the Law.* London: Printed by the Assigns of R. and E. Atkins, for D. Browne [etc.], 1702. [iv], 1-223 [i.e. 215], [21] pp. Lacking copperplate portrait frontispiece. Folio (12-1/4" x 7-1/2").

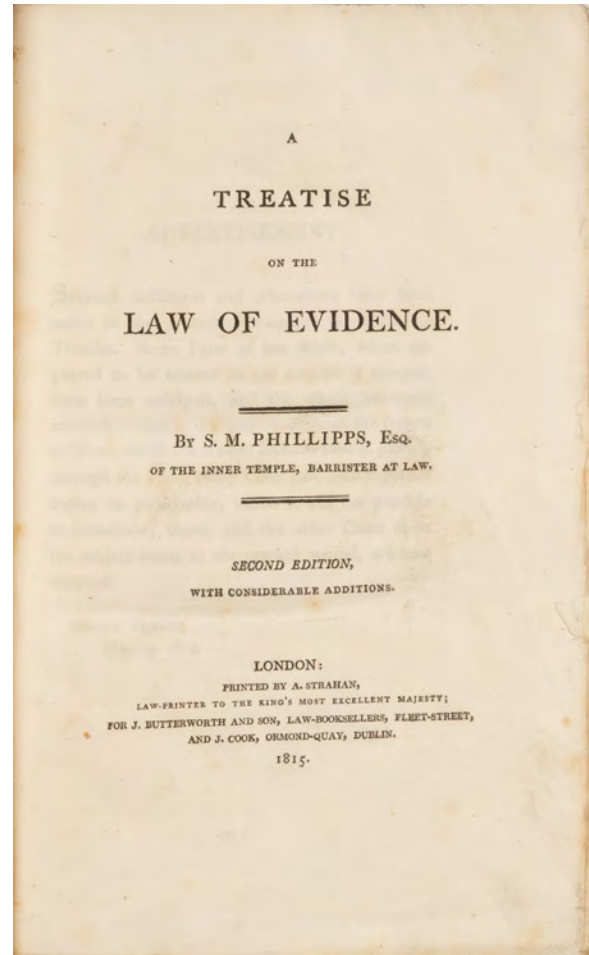
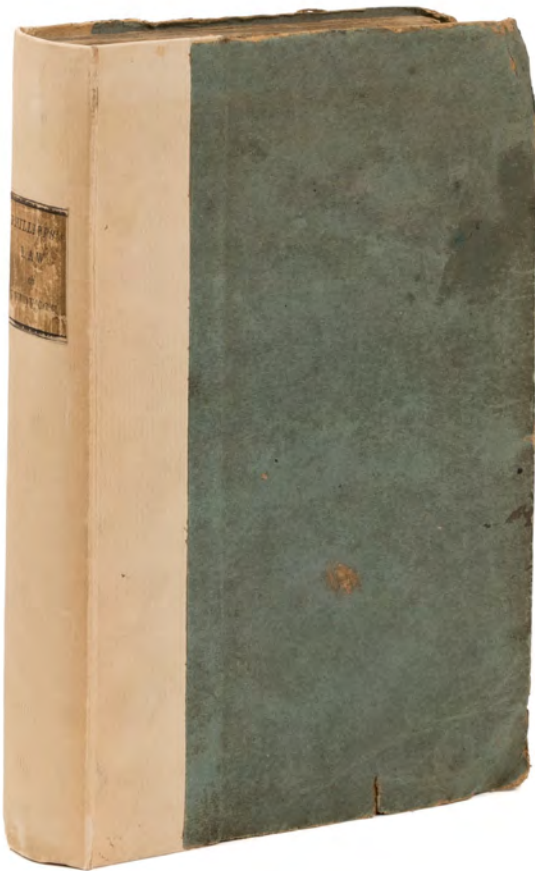
Contemporary calf, blind frames to boards, blind fillets along joints, raised bands to spine, gilt tooling to board edges, endpapers renewed, early hand-lettered title to spine. Binding slightly cocked, light staining and a few minor nicks and scratches to boards, moderate rubbing to extremities, gilding rubbed away from title, small chip to head of spine, corners bumped and somewhat worn. Light toning, faint dampstaining to foot of text block (below text), worming to margins in a few places, gradually diminishing dampstaining to fore-edges of title page and following nine leaves. \$200.

\* Only edition. The reports of Sir Creswell Levinz cover the years 1660 to 1697 (12 Car. II-9 Wm. III). Contemporary opinions of their quality vary, but they were widely cited and considered authorities by the early 1700s, both in Great Britain and the American colonies. *A Collection* is an abridged and digested version with citations to the three-volume *Les Reports de Sr. Creswell Levinz* (London, 1702).

*English Short-Title Catalogue* T96774.

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### A Popular Practitioner's Guide to Evidence

#### 20. Phillipps, S[amuel] M[arch].

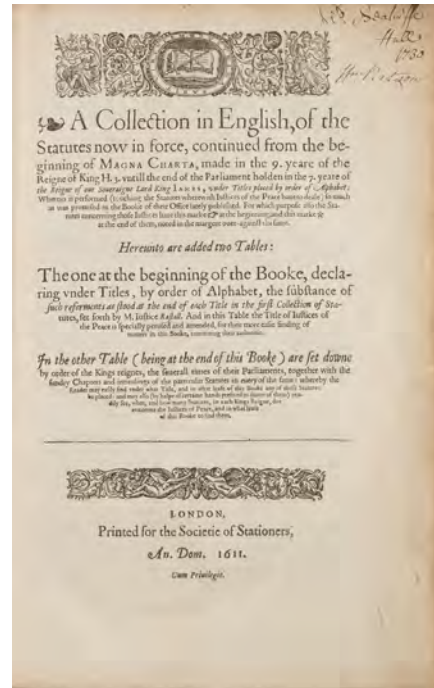
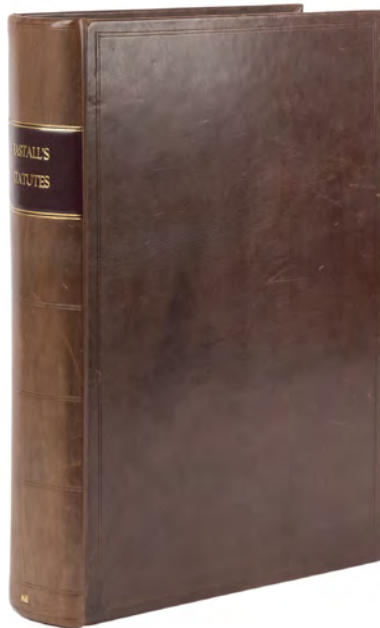
*A Treatise on the Law of Evidence*. London: Printed by A. Strahan for J. Butterworth and Son, 1815. xxxvi, 520 pp. Octavo (9" x 5-1/2").

Original plain publisher's boards, rebacked in paper retaining existing spine label, edges untrimmed. Moderate rubbing and light soiling to boards, light rubbing to joints, negligible light soiling to spine, lower left corner of spine label lacking, rubbing and light wear to board edges, corners bumped and worn, hinges cracked, light foxing to endpapers, pencil drawing to front free endpaper, pencil annotations to rear pastedown and free endpaper. Light toning to interior, occasional light foxing, light soiling and marginal pencil marks in a few places. \$350.

\* Second London edition. Phillipps "set out to expound the principles of his subject in a clear and systematic way. Rather than trying to provide a compendium of all authorities, he mainly used cases as examples to illustrate problems and points of practice as well as legal rules" (Twining). Written with the primary goal of utility to practitioners, the work was highly popular. It went through 10 London editions, the first in 1814 and the last in 1852, and additional American and Dublin editions were also published.

Twining, *Rethinking Evidence* 46. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:279.

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### 1611 Edition of Rastell's Statutes

#### 21. 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 7. Yeare of Our Souveraigne Lord King Iames, 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 are Added Two Tables: The One at the Beginning of the Booke, Declaring Under Titles, By Order of Alphabet, The Substance of Such Referments as Stood at the Ende of Each Title in the First Collection of Statutes, Set Forth by M. Justice 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 (Being at the End of this Booke) 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: Printed for the Societie of Stationers, 1611. Folio (13" x 9").

Recent calf, blind frames to boards, lettering piece, blind fillets and gilt publication date to spine, endpapers renewed. Light toning to interior, slightly heavier in places, faint dampstining and wormholes to margins in a few places, light soiling and two later owner signatures, (Robert Bealiffe, dated 1720, and William Ritson) to title page. \$2,500.

\* 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 notes, "[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. *English Short-Title Catalogue* S122928.

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### The Scandal that Led to the First U.S. Law Governing Abortion

#### 22. Rogers, Ammi [1770-1852].

*Memoirs of the Rev. Ammi Rogers, A.M. A Clergyman of the Episcopal Church, Educated at Yale College in Connecticut, Ordained in Trinity Church in the City of New-York,- Persecuted in the State of Connecticut, On Account of Religion and Politics, For Almost Twenty Years- And Finally, Falsely Accused and Imprisoned in Norwich Gaol for Two Years, On the Charge of Crimes Said to have been Committed with a Young Woman in the Town of Griswold, In the County of New-London, When He was Not Within About One Hundred Miles of Her: And of Which He was Absolutely as Innocent as the Judge who Pronounced the Sentence, Or as Either of the Jury who Declared Him Guilty, Or as Any Other Person in the World.* [Connecticut?]: Published for Subscribers, By the Author, 1824. 264 pp. Octavo (7" x 4").

Contemporary quarter sheep over marbled boards, gilt fillets to spine. Worn, rubbing to boards, marbled paper mostly abraded, a few faint stains to front board, rubbing and light wear to extremities, chipping to spine ends, corners bumped. Moderate toning and light foxing to interior, several cracks to text block, several signatures loosening slightly but secure, light soiling in a few places. \$500.

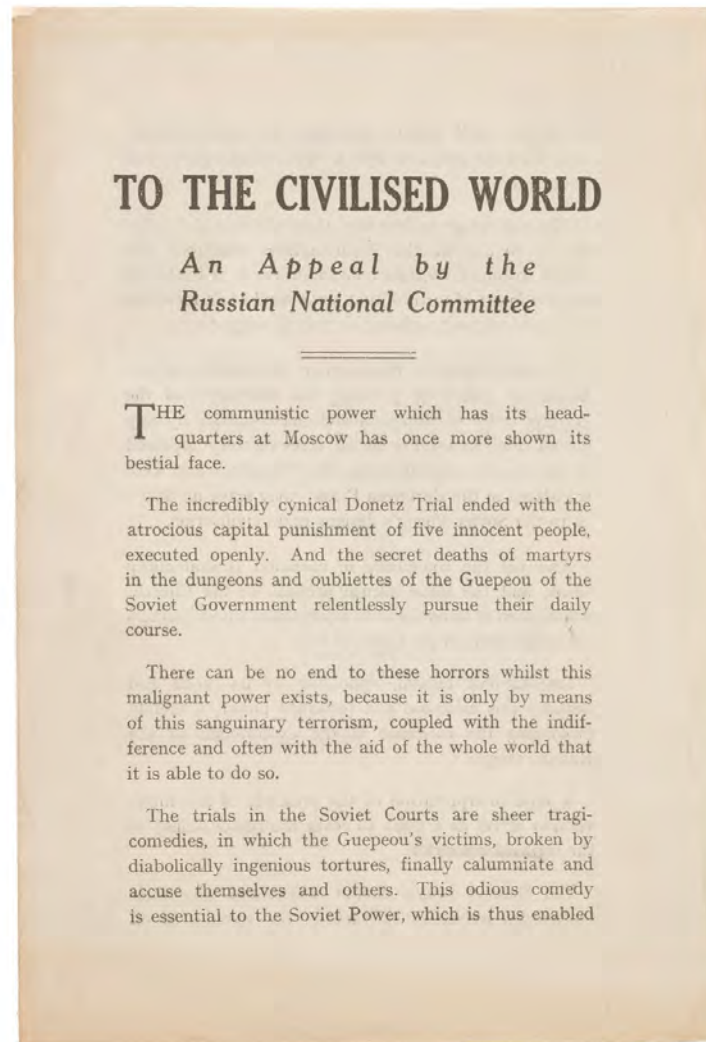
\* First edition. Ammi Rogers was an itinerant dissenting preacher in a relationship with a young woman named Asaneth Smith. When she told him she was pregnant, he feared damage to his reputation and refused to marry her unless she allowed him to help her have an abortion. He gave her poison, which was ineffective, used a tool to disrupt the pregnancy, and left her before the procedure was complete. Her family called a doctor, who delivered a stillborn child. Word of Rogers's involvement in the stillbirth spread and he was brought to trial in 1820. At the time, abortion was not criminalized in the United States, and he could only be charged with sexual assault; he was convicted and sentenced to two years in prison. After the trial, the Connecticut legislature outlawed administering poison with the intent to cause an abortion, though they did not criminalize abortions performed with medical instruments. This was the first law governing abortion in the United States.

Published after his release from prison, Rogers's memoirs are a lengthy protestation of his innocence and a vehement assertion that the trial was no more than religious persecution. They were published by subscription, with at least seven women appearing on the list of subscribers. Wildly popular, subsequent editions appeared until 1846.

Schettino, "Teaching Women's History: The Strange and Sordid Tale Behind the First U.S. Abortion Law" (accessed online). Sabin, *A Dictionary of Books Relating to America* 72608. Cohen, *Bibliography of Early American Law* 13860.

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### An Appeal Against the "Sanguinary Terrorism" of Stalinist Russia

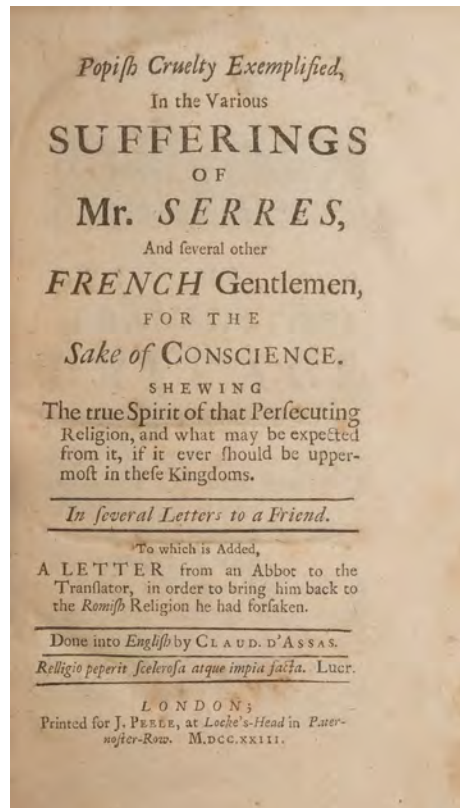
#### 23. Russian National Committee.

*To the Civilised World: An Appeal by the Russian National Committee.* [Paris: Russian National Committee, 1928]. [4] pp.

7-1/2" x 5" bifolium leaflet. Moderate toning, very small chips to edges, ink library stamps, one a deaccession stamp, the other reading "Gift/ H.L. Mencken/ Jan. 2 1929," to p. [2] and verso of final leaf. Rare. \$650.

\* The Russian National Committee was an anti-Bolshevik activist group co-founded in 1921 by Vladimir Burtsev and other revolutionary activists. In this leaflet, they protest the "incredibly cynical" Shakhty trial, one of the first major Soviet show trials, which resulted in the execution of five mining engineers and the imprisonment of thirty-four on charges of sabotage. They also criticize the "malignant power" and "sanguinary terrorism" of the Soviet state and call upon "the conscience of mankind" and "international capital" to "repudiate your direct or indirect alliance with the criminal power that has established itself in Russia." OCLC locates 2 copies of this leaflet (Brooklyn Museum, Yale).

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**"Shewing the True Spirit of That Persecuting Religion"**

24. [Serres, Etienne (fl.1685-1688)].

**D'Assas, Claude, Translator.**

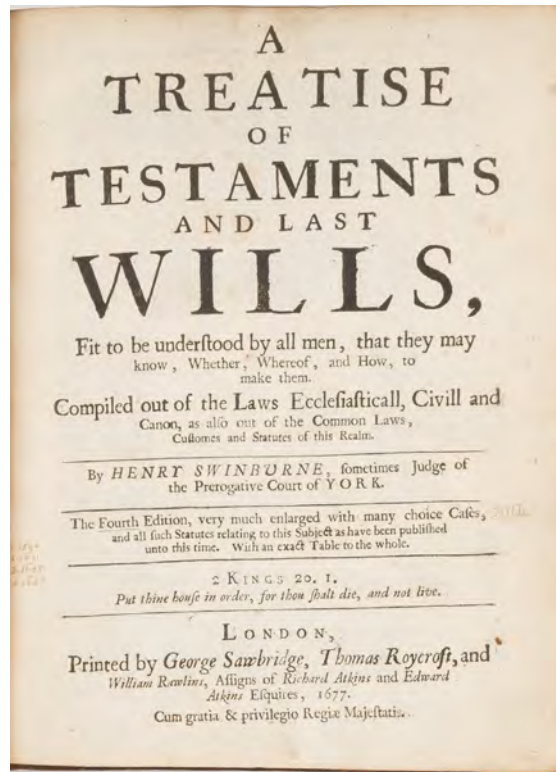
*Popish Cruelty Exemplified, In the Various Sufferings of Mr. Serres, And Several Other French Gentlemen, For the Sake of Conscience. Shewing the True Spirit of that Persecuting Religion, And What May be Expected from It, If It Should Ever be Uppermost in These Kingdoms. In Several Letters to a Friend. To Which is Added, A Letter from an Abbot to the Translator, In Order to Bring Him Back to the Romish Religion He had Forsaken.* London: Printed for J. Peele, 1723. 208 pp. Octavo (7-1/2" x 4-1/2").

Contemporary speckled calf, raised bands, gilt decoration and fragment of lettering piece to spine, gilt tooling to board edges, edges speckled red. Light rubbing and a few scuffs and scratches to boards, front board separated but secured by cords, moderate rubbing to extremities, rear joint starting at ends, chipping to spine ends, corners bumped and lightly worn, rear hinge cracked, front endleaves detached and lightly edgeworn, bookplates, one partially covered (the other of Sir John Dashwood) to front pastedown. Moderate toning to interior, light foxing and soiling in a few places. \$950.

\* Only edition in English. First published in French as *Quatre Relations Veritables* (1688), this account of the life and "various sufferings" of Etienne Serres highlights French cruelty towards Protestant Huguenot refugees who fled the country after the revocation of the Edict of Nantes in 1685. The stories of these refugees were often highlighted as anti-Catholic propaganda in controversial literature. Our English translation includes a preface from the translator, himself a converted Catholic before he "discovered the Errors of that cruel Religion," and an appendix, a purported attempt by an abbot to reconvert the translator. The covered bookplate is likely that of a Sir Francis Dashwood, though it is unclear which. OCLC locates 4 copies of this title, 2 in North America (Columbia, Earlham College).

*English Short-Title Catalogue* T160510.

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The First Standard English Treatise on Wills

**25. Swinburne, Henry [1560?-1623].**

*A Treatise of Testaments and Last Wills, Fit to be Understood by All Men, That they May Know, Whether, Whereof, And How, To Make Them. Compiled Out of the Laws Ecclesiasticall, Civill and Canon, As also Out of the Common Laws, Customes and Statutes of this Realm. The Fourth Edition, Very Much Enlarged with Many Choice Cases, And All such Statutes Relating to this Subject as Have been Published Unto this Time. With an Exact Table to the Whole.* London: Printed by George Sawbridge, Thomas Roycroft, And William Rawlins, 1677. [xiv], 167, [1], 201-303, [1], 295-466, [20] pp. Quarto (9-1/4" x 7-1/4").

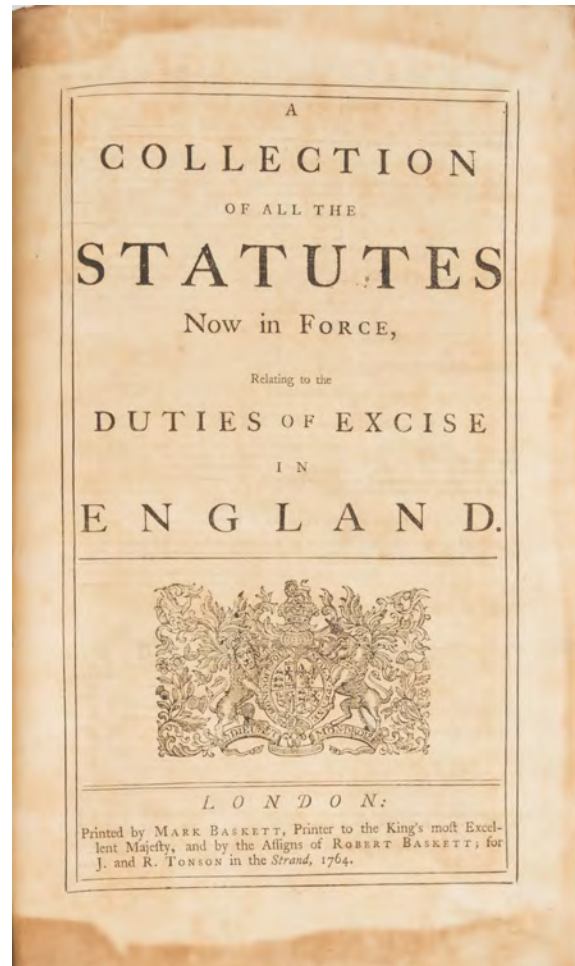
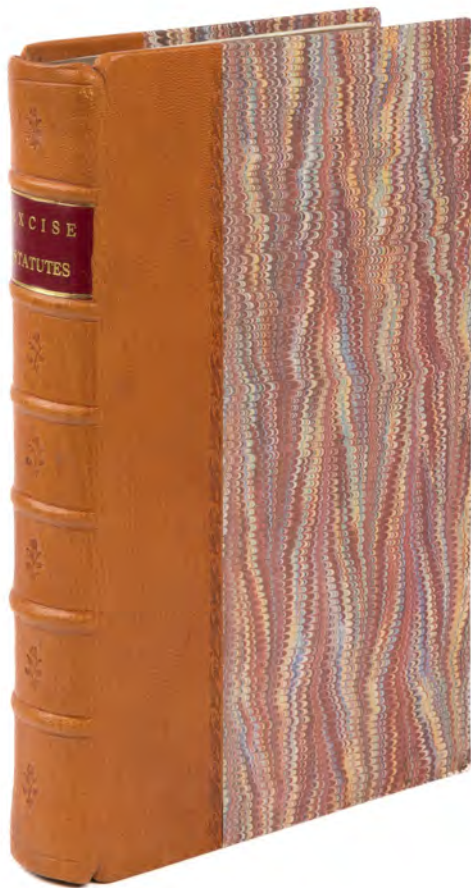
Contemporary calf, rebaked in period style, blind rules to boards, raised bands, blind fillets and lettering piece to spine, corners and hinges mended. Moderate rubbing and some shallow scuffing to boards, moderate wear to board edges, front hinge cracked, early owner signature (Thomas Walker) and later armorial bookplate (Sir John E. Swinburne) to front pastedown, another later armorial bookplate (Thomas Walker) to verso of title page. Moderate toning to interior, faint spotting in a few places, offsetting and moderate edgewear to endleaves, brief early annotations in miniscule hand to rear pastedown and title page, which is lightly soiled. \$750.

\* Fourth stated edition, actually the fifth. The testamentary jurisdiction of ecclesiastical law was a separate branch that produced its own literature. Swinburne's treatise was the standard work on this subject from its first publication in 1591 until the early nineteenth century. (Its last edition, the tenth, appeared in 1803.) Holdsworth, who cites it often and considers it "the most practically useful book of [its] period" notes that "it is a very useful summary of the law as to wills and executors as administered in the ecclesiastical courts." Many of the annotations in our copy are page references to a book noted as "God," most likely Godolphin's treatise on wills, *The Orphans Legacy: Or, A Testamentary Abridgment* (first edition, 1677).

Holdsworth, *A History of English Law* V:14. *English Short-Title Catalogue* R34630.

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### 1764 Compilation of English Excise Taxes

#### 26. [Taxation].

#### [Great Britain].

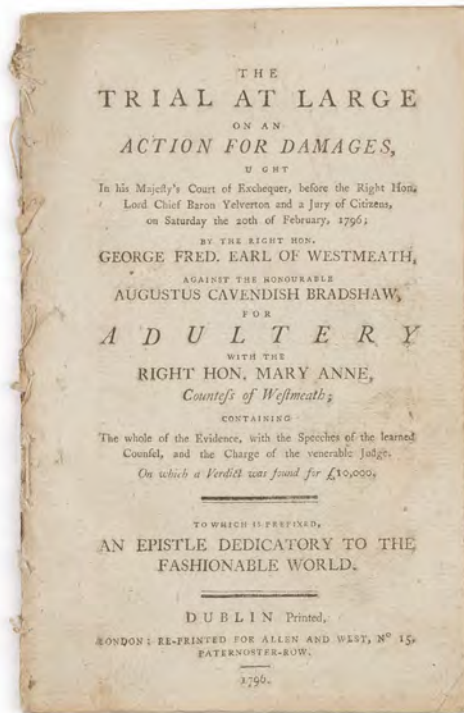
*A Collection of All the Statutes Now in Force, Relating to the Duties of Excise in England.* London: Printed by Mark Baskett, Printer to the King's Most Excellent Majesty, 1764. iv, 587, [55] pp. Folio (12" x 7-1/2").

Recent period-style half morocco over marbled boards, raised bands, blind fillets, blind ornaments and lettering piece to spine, endpapers renewed. Moderate toning to interior, light foxing in places, worm hole to fore-edge at rear of text block (final 18 leaves), light browning to preliminaries, offsetting to its margins and those of final few leaves. A handsome volume. \$550.

\* More comprehensive than earlier compilations, this collection of duties from the reign of James I to the 4th year of the reign of George III offers unique insights into the mechanisms of taxation throughout the young British Empire, the state of local industry and trade and contemporary assumptions about social utility and discretionary spending. It includes a summary table, a list of tax rates and an index. Contents are arranged chronologically. The *ESTC* records two later versions with a 1764 publication date and later statutes.

*English Short-Title Catalogue (ESTC)* T145234.

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**With Interesting Commentary on Irish and English Morals**

**27. [Trial].**

**Cavendish Bradshaw, Augustus [1768-1832], Defendant.**

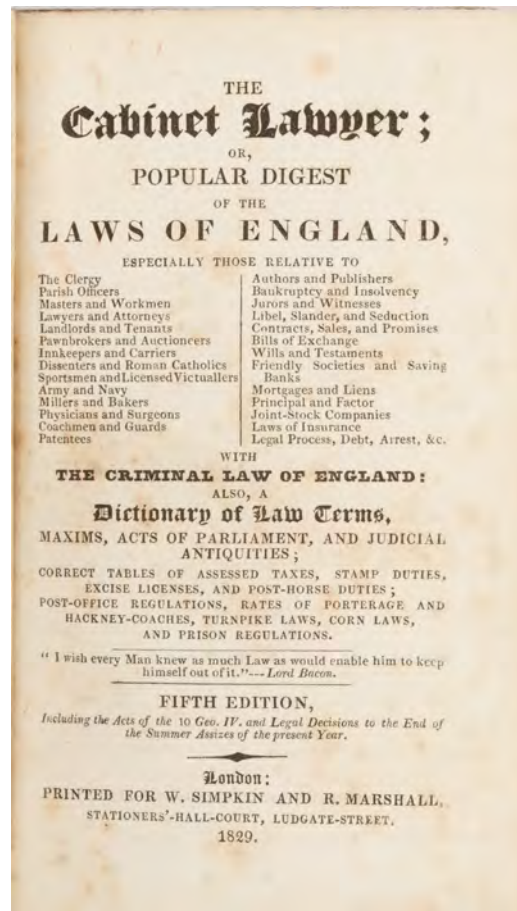
*The Trial at Large on an Action for Damages, Brought in His Majesty's Court of Exchequer, Before the Right Hon. Lord Chief Baron Yelverton and a Jury of Citizens, On Saturday the 20th of February, 1796; By the Right Hon. George Fred. Earl of Westmeath, Against the Honourable Augustus Cavendish Bradshaw, For Adultery with the Right Hon. Mary Anne, Countess of Westmeath; Containing the Whole of the Evidence, With the Speeches of the Learned Counsel, And the Charge of the Venerable Judge. On Which a Verdict was Found for £10,000. To Which is Prefixed, An Epistle Dedicatory to the Fashionable World.* London: Re-Printed for Allen and West, 1796. xii, 36 pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet, disbound and re sewn. Light toning, light soiling to exterior and a few other pages, small inkspots to fore-edge, light foxing in a few places. \$750.

\* Only London edition, reprinted from the first Dublin edition. Westmeath, an Irish peer, sought £20,000 in damages after he caught his wife Maryanne carrying on an affair with Bradshaw during a period of separation. The jury awarded him £10,000, though Bradshaw's relative poverty made the damages difficult to recover. The Westmeaths later divorced and Bradshaw and Maryanne married in 1796. An interesting feature of this account is the extensive editor's preface, addressed "to the Right Honourable, Right Fashionable, Truly Liberal, and Uncontrollable Amateurs of the *Haut Ton*." It discusses, among other topics, Irish assimilation into English culture and high society and the subsequent loosening of Irish morals.

*English Short-Title Catalogue* T2981.

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**Includes a "Dictionary of Law-Terms,  
Maxims, Acts of Parliament, And Judicial Antiquities"**

**28. Wade, John [1788-1875].**

*The Cabinet Lawyer; Or, A Popular Digest of the Laws of England... With the Criminal Law of England: Also a Dictionary of Law Terms, Maxims, Acts of Parliament, And Judicial Antiquities; Correct Tables of Assessed Taxes, Stamp Duties, Excise Licenses, And Post-Horse Duties; Post-Office Regulations, Rates of Porterage and Hackney-Coaches, Turnpike Laws, Corn Laws, And Prison Regulations. Fifth Edition, Including the Acts of the 10 Geo. IV. And Legal Decisions to the End of the Summer Assizes of the Present Year.* London: Printed for W. Simpkin and R. Marshall, 1829. xxviii, 676, [2] pp. Publisher advertisements to last 2 pp. 12mo. (6" x 3-1/2").

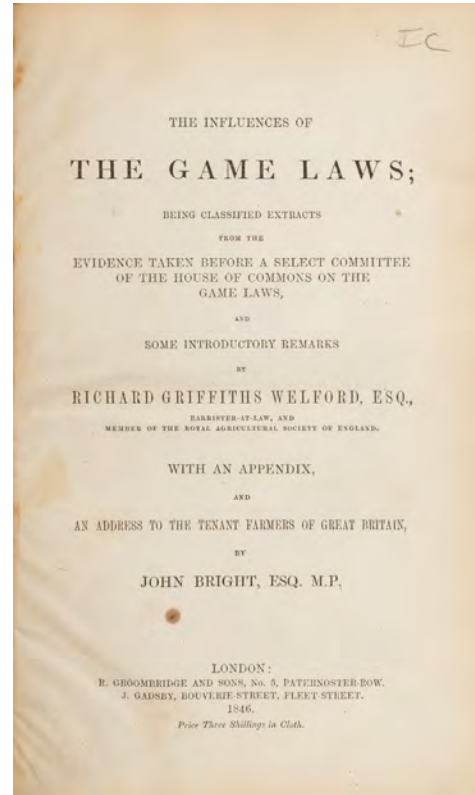
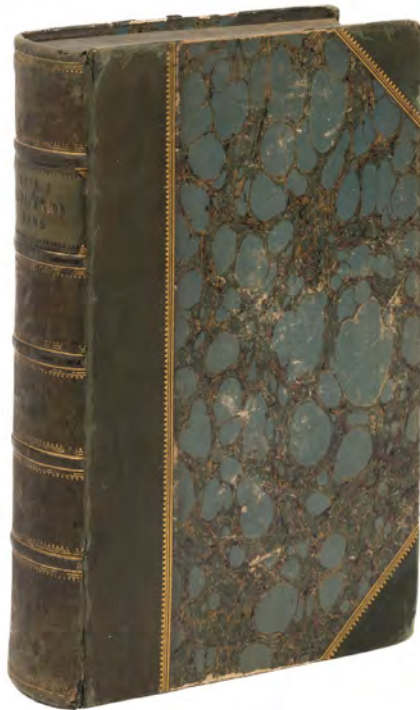
Original paper-covered publisher's boards, paper label to spine, edges untrimmed. Light rubbing to boards, moderate rubbing to extremities, front joint starting at head, rear joint starting at ends, light creasing to spine, which has a small chip near its foot, spine ends and corners bumped, corners lightly worn, front hinge starting at head, light foxing to preliminaries, small bookseller ticket to front pastedown, small ink annotation to rear pastedown. Light toning to interior, light foxing in a few places. \$150.

\* This comprehensive layman's guide includes a "Dictionary of Law-Terms, Maxims, Acts of Parliament, And Judicial Antiquities" and an appendix listing general rules of the courts of common law, chancery and bankruptcy.

Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:368.

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### The Abolition of Game and Navigation Laws

**29. Welford, Richard Griffiths.**

**Bright, John.**

*The Influences of the Game Laws; Being Classified Extracts from the Evidence Taken Before a Select Committee of the House of Commons on the Game Laws, And Some Introductory Remarks. With an Appendix, And an Address to the Tenant Farmers of Great Britain.* London: R. Groombridge and Sons, 1846. 429, [3], lxxi, [1] pp.

**[Bound with]**

**Ricardo, John Lewis.**

*The Anatomy of the Navigation Laws.* London: Charles Gilpin, 1847. [vi], 336 pp.

Octavo (8-1/2" x 5-1/4"). Contemporary three-quarter calf over marbled boards, blind fillets to calf edges, raised bands, gilt fillets and tiny fragments of lettering piece to spine, marbled edges and endpapers. Light rubbing to boards, moderate rubbing to extremities, front joint starting at ends, rear joint just starting at head, corners bumped and worn, hinges cracked (front hinge after title page), bookplate (with owner name abraded) to front pastedown. Moderate toning and occasional light foxing to first work, light toning and light foxing in a few places to second work. \$200.

\* Only editions. The first work advocates for the abolition of game laws and reform of the system of game preserving, which, in the authors' view, "is proved to be the origin of the greatest part of the crime committed in rural districts, to cause an extensive destruction of agricultural produce, and to seriously affect the independence and comfort of the tenantry of the kingdom" (Introduction). The second work gives an overview of the "impolicy and mischievous tendency" of the Navigation Acts with an eye to their repeal, which would take place in 1849.

Ricardo: Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:299.

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### 1599 Printing of the Year Book Covering Regnal Years 1-22 of Edward IV

#### 30. [Year Book].

##### Edward IV.

*Les Ans ou Reports del Raigne du Roye Edward le Quart, Novelment Revieu et Corrigee en Divers Lieux. Ouesque un Table Perfect des Choses Notables Contenus en Ycel. Auxy vous Aves in Cest Impression las Cases icy Referres al Abridgement de Brooke, & As Auters Lieurs del Common Ley.* London: In Aedibus Thomae Wight & Bonhami Norton, 1599. [i], 10, 29, 28, 44, 8, 12, 32, 25, 53, 19, 11, 21, 10, 8, 33, 12, 8, 30, 10, 19, 84, 51, [40] ff. Folio (11-1/2" x 8").

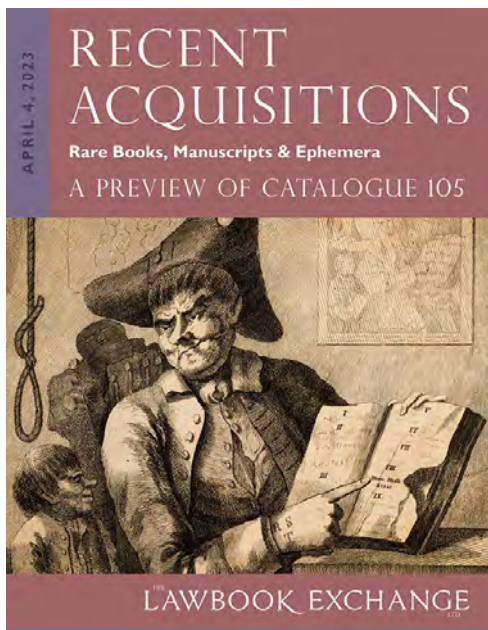
Contemporary calf, rebaked retaining existing spine with raised bands and blind fillets, blind rules and large central arabesques to boards. "E4" in early hand to fore-edge of text block. Minor nicks, scratches and a few spots to boards, moderate rubbing to extremities, corners bumped and worn, pastedowns loose. Moderate toning to interior, light soiling, minor stains and early underlining and brief annotations to some leaves, including endleaves, minor worming to margins from preliminaries through Fol. 5, moderate edgewear and offsetting to preliminaries and rear endleaves, early owner signature (P. Bowes) to head of title page. A handsome copy. \$1,750.

\* Covers regnal years 1 to 22 of Edward IV. It is difficult to overestimate the importance of the Year Books, the primary body of early English court reports. A cornerstone of the common law, they are also a primary source for our knowledge of law in medieval England and useful documents of contemporary English life, customs and manners. The origin of the Year Books is unknown. Some scholars believe they originated as collections of notes taken by law students in court for study. Holdsworth maintains they were made by lawyers for personal use. Though it is not known when the first manuscript volumes were compiled, the cases in all known examples are from the 1270's to 1535. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. Our volume is from the so-called "quarto edition," a series of volumes issued by various printers from 1522 to 1619.

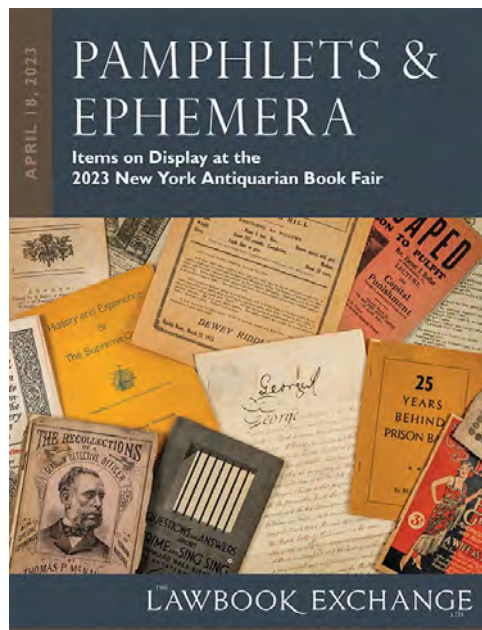
Holdsworth, *A History of English Law* V: 357-377. *English Short-Title Catalogue* S121407. Beale, *A Bibliography of Early English Law Books* R372.

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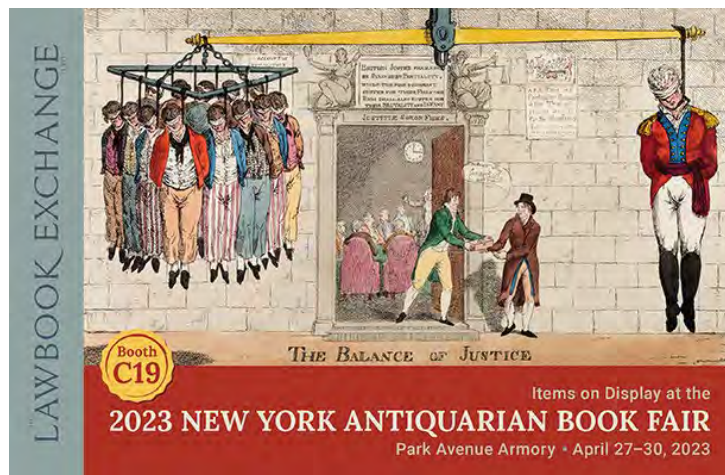
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