

MAY 9, 2023

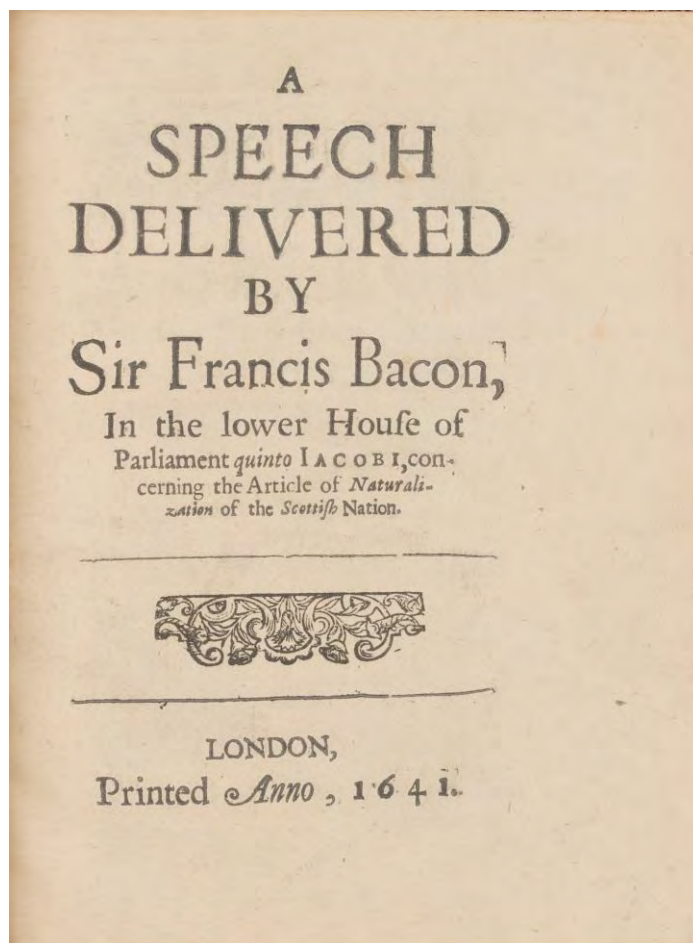
RECENT ACQUISITIONS

English & American Law, c.1536–c.1969

30 ITEMS



THE
LAWBOOK EXCHANGE
LTD.



The Union of England and Scotland

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

A Speech Delivered by Sir Francis Bacon, In the Lower House of Parliament Quinto Iacobi, Concerning the Article of Naturalization of the Scottish Nation. London: [S.n.], Printed Anno 1641. [iv], 34, [2] pp. First and final leaves are blank. Quarto (7" x 5-1/2").

Stab-stitched pamphlet bound into recent calf, gilt frames to boards, gilt fillets, title and date to spine, gilt tooling to board edges, gilt inside dentelles, edges of text block gilt, marbled endpapers. A few very light scratches to boards, a few tiny nicks to spine, light rubbing to spine ends and corners, faint offsetting to endleaves, later bookplate (of Nicholas Wall), which has a brief pencil annotation, to front pastedown, pencil annotations to front free endpaper. Moderate toning to interior, negligible light foxing to a few leaves, internally clean. A handsome copy. \$950.

* Only edition. An important expression of Bacon's conception of natural law, this speech led to his appointment as King James I's solicitor general. It supported James's keen desire to unite the kingdoms of England and Scotland, a goal finally realized in 1706 and 1707 with the Acts of Union. It was probably issued to promote the position of King Charles I during the Bishops' Wars, a rebellion in Scotland over religious authority. OCLC locates 3 copies in North American law libraries (Boston College, Harvard, Library of Congress).

English Short-Title Catalogue R20938.

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Second Editions of Coke's *Third* and *Fourth Institutes*

2. Coke, Sir Edward [1552-1643].

The Third Part of the Institutes of the Laws of England: Concerning High Treason, And Other Pleas of the Crown, And Criminal Causes. London: Printed...By M. Flesher, For W. Lee, and D. Pakeman, 1648. [xii], 243, [19] pp. Copperplate portrait frontispiece.

[Bound with]

Coke, Edward.

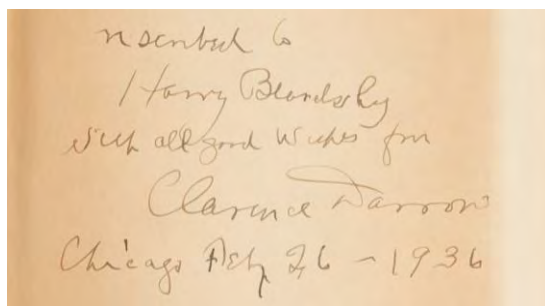
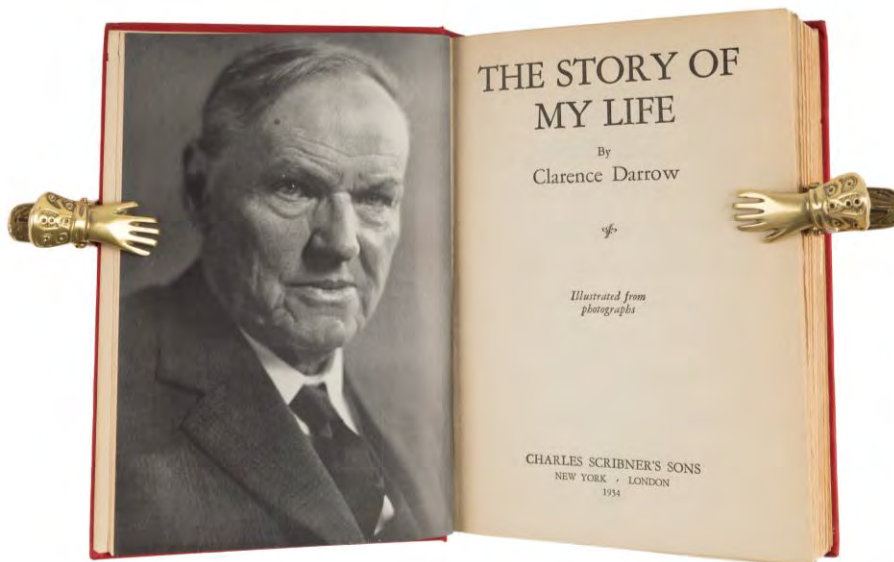
The Fourth Part of the Institutes of the Laws of England: Concerning the Jurisdiction of Courts. London: Printed...By M. Flesher, For W. Lee, And D. Pakeman, 1648. [xvi], 364, [2] pp. Copperplate portrait frontispiece.

Folio (11" x 7"). Contemporary calf, blind rules to boards, raised bands, and later lettering piece and gilt volume numbers (III.IV.) to spine, blind tooling to board edges, foot of spine and upper corners mended. Light rubbing and some minor stains to boards, moderate rubbing to extremities, chipping to lettering piece, small scuff to center of spine, front hinge cracked, front free endpaper and rear endleaves lacking, rear pastedown partially detached and heavily worn along fore-edge, light edgewear to preliminaries of *Third Institutes*. Light toning to interiors, somewhat heavier in places, small later owner stamp (Strangeways) and early owner inscription (of Henry Bull) to head of title page of *Third Institutes*, with offsetting to head of frontispiece, another inscription (of Bull's) to its verso. A handsome volume. \$1,250.

* Second editions. Coke's *Institutes*, four volumes in all, are thought to be the first modern textbooks on the common law. The *Third Institutes* is devoted to criminal law, with important sections that address how far the Crown can act alone and where it requires the assistance and joint power of Parliament. The *Fourth Institutes* outlines the authority and jurisdictions of several courts, among them the Court of Star-Chamber, Kings Court, Chancery, the Court of Common Pleas and Arches Court.

English Short-Title Catalogue R221404, R504744.

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Inscribed by Darrow to a Chicago Newspaper Editor

3. Darrow, Clarence [1857-1938].

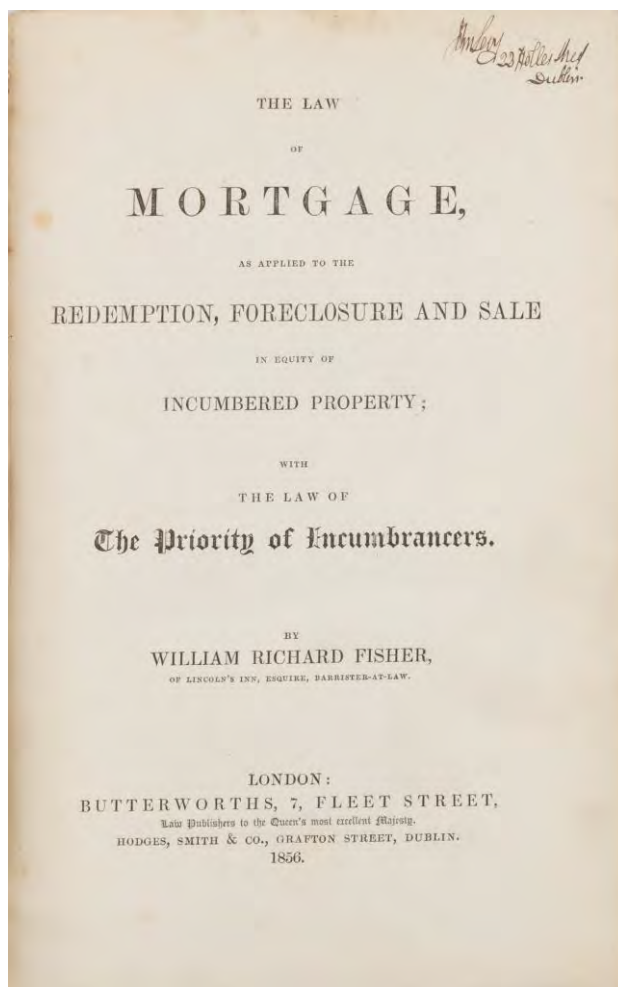
The Story of My Life. New York: Charles Scribner's Sons, 1934. xiv, 495 pp. Fourteen plates.

Original cloth, spine ends and corners lightly bumped, moderate toning to interior, faint offsetting to endleaves and pp. 444-445 from laid-in newspaper clippings, folded corners and marginal pencil notations to a few leaves, letter from Harry Beardsley's son regarding his relationship with Darrow laid-in, presentation inscription by Darrow to front free endpaper: "Inscribed to/ Harry Beardsley / With all good wishes from/ Clarence Darrow/ Chicago Feb 26 - 1936." \$1,000.

* Later printing of first edition that includes account of the Massie trial. When Clarence Darrow died in 1938 at the age of 81, few disputed that he was one of the great attorneys of his generation. There were other lawyers in his lifetime who contributed more to the development of legal science, who rose to positions of greater influence, or who won larger financial rewards, but perhaps none who could match his record as a crusader for the common man. Beardsley was a columnist and editor at the Chicago Daily News from 1920 to 1955. A great admirer of Darrow, he spoke with him on numerous occasions, including long, lively discussions about Darrow's work.

Hunsberger, *Clarence Darrow: A Bibliography* 272.

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Uncommon First Edition of an Important Nineteenth-Century Treatise on Mortgages

4. Fisher, William Richard [1824-1888].

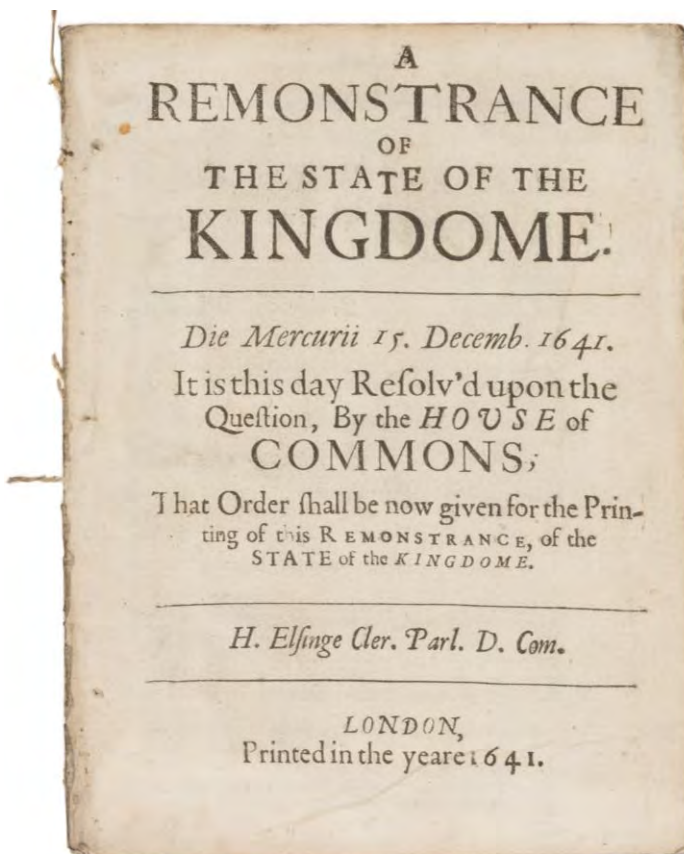
The Law of Mortgage, As Applied to the Redemption, Foreclosure and Sale in Equity of Incumbered Property; With the Law of the Priority of Incumbrancers. London: Butterworths, 1856. xxvi, 770; 22, [2] pp. Main text followed by 24 pp. publisher catalogue, additional publisher lists to endleaves. Octavo (8-3/4" x 5-1/2").

Contemporary pebbled cloth, blind frames to boards, blind fillets and paper title label to spine, untrimmed edges, several signatures unopened. Light rubbing, light soiling and faint staining to boards and spine, front hinge partially cracked, spine ends and corners bumped, a few cracks to text block, Signature II (pp.481-496) partially detached but secure. Moderate toning to text, light soiling to margins in a few places, (illegible) early owner signature to head of title page. \$650.

* First edition. Written by a barrister of Lincoln's Inn, this was one of the pre-eminent 19th century treatises on the law of mortgage. Holdsworth held it in high regard and discusses it at length. Still in print as *Fisher and Lightwood's Law of Mortgage*, it reached a 15th edition in 2019. The first edition is uncommon. OCLC locates 7 copies in North American law libraries (Harvard, Library of Congress, Notre Dame, UC-Berkeley, University of Iowa, University of Wisconsin, Yale)

Holdsworth, *A History of English Law* XV:293-294. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:123.

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The Grand Remonstrance

5. [Great Britain]. [Grand Remonstrance].

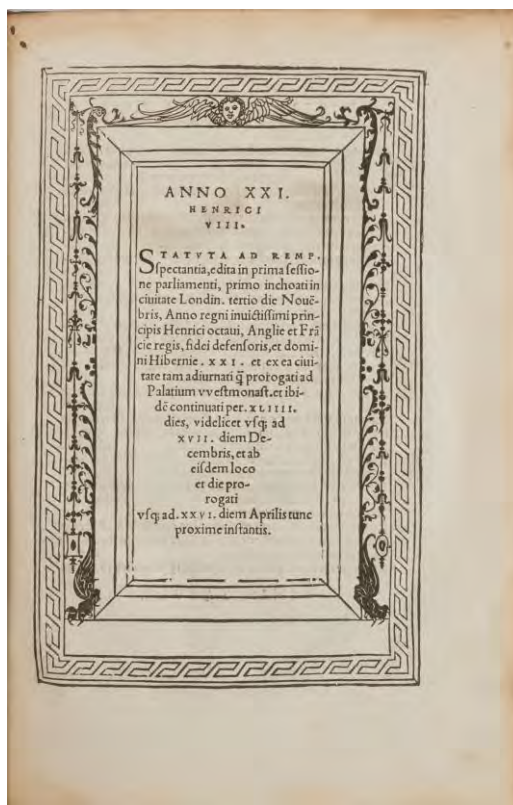
A Remonstrance of the State of the Kingdome. Die Mercurii 15. Decemb. 1641. It is This Day Resolv'd Upon the Question, By the House of Commons; That Order Shall be Now Given for the Printing of This Remonstrance of the State of the Kingdome. H. Elsinge Cler. Parl. D. Com. London: [S.n.], Printed in the Yeare 1641. [ii], 14, 17-28 pp. Pagination irregular. Text complete. Quarto (7-1/4" x 5-1/2").

Disbound stab-stitched pamphlet, edges speckled red. Light toning, light soiling to exterior and a few other pages, upper corners of last several leaves folded. \$750.

* One of several 1641 editions and issues. This list of grievances between Parliament and King Charles I is also known as the Grand Remonstrance. It summarized Parliament's opposition to Charles's policies in foreign, domestic and religious affairs and called for, among other reforms, the expulsion of the bishops, a parliamentary veto on Crown appointments, and the restructuring of the Church of England to strip it of vestiges of Roman Catholicism. It also detailed perceived abuses of power by Charles. The document was first presented to the king on December 1, 1641, but Charles initially did not respond and Parliament had the document published and circulated to force his hand. When Charles did respond, he refused to make more than moderate concessions, inflaming tensions further and pushing the nation closer to civil war.

English Short-Title Catalogue R175248.

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King Henry VIII Makes Some of His First Moves Against the Catholic Church

6. [Great Britain].

[Statutes].

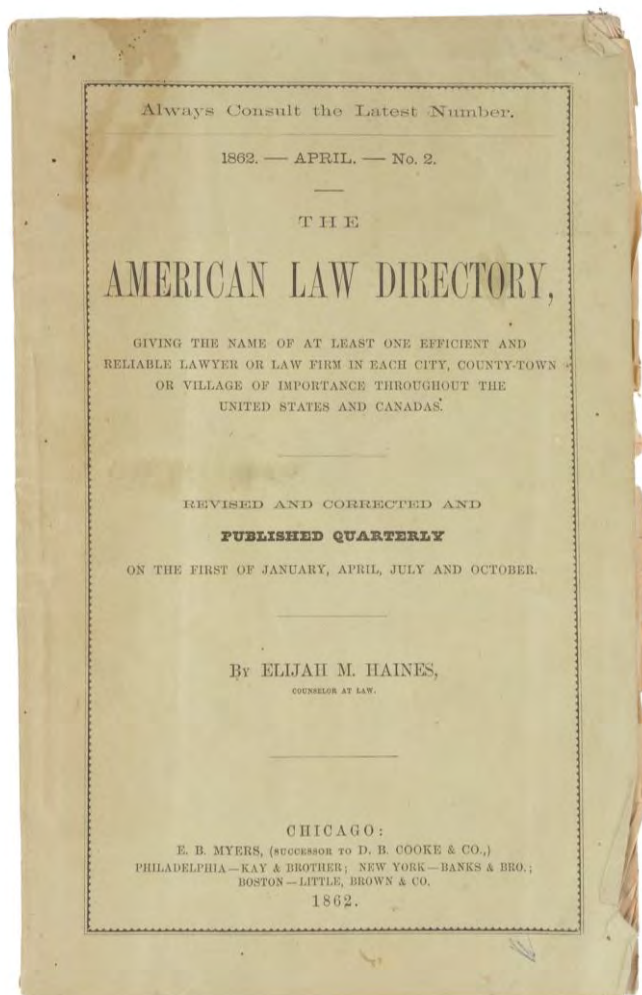
[Henry VIII (1491-1547), King of England].

Anno XXI. Henrici VIII. Statvta ad Remp. Spectantia, Edita in Prima Sessione Parliamenti, Primo Inchoati in Ciuitate Londin. Tertio die Nouembris, Anno Regni Inuictissimi Principis Henrici Octau, Anglie et Fracie Regis, Fidei Defensoris, Et Domini Hibernie. XXI. et ex ea Ciuitate tam Adiurnati Q[uam] Prorogati ad Palatium Westmonast. et Ibide[m] Continuati per. XLIII. Dies, Videlicet Vsq[ue]; Ad XVII. Diem Decembris, Et ab Eisdem Loco et Die Prorogati Vsq[ue]; Ad. XXVI. Diem Aprilis tunc Proxime Instantis. [London: In Aedibus Thomae Bertheleti Regii Impressoris, 1536?]. XXVII ff. Final leaf, a blank, lacking. Folio (11-1/4" x 7-1/2").

Recent three-quarter calf over marbled boards, blind fillets to calf edges, gilt fillets and title to spine. Negligible light rubbing to extremities. Title printed within woodcut border, woodcut decorated initials. Moderate toning to interior, minor worming to upper gutter of text block not affecting text, occasional very faint marginal dampstaining, light soiling in a few places, underlining and brief early annotation to verso of leaf VI. A handsome copy. \$2,750.

* This volume records 21 acts for the 21st regnal year of Henry VIII (April 22, 1529-April 21, 1531). This was the second regnal year of the Reformation Parliament, so called because it was the first Parliament to enact legislation against the Catholic Church. The 21st year included acts secularizing inheritance matters (Chapters 4 and 5) and eliminating the rights of clergy to hold multiple benefices (Chapter 13). Our copy is similar to Beale S130 and *Short-Title Catalogue* 9366.5, but has a different distribution of periods in the title and may have other small differences as well. OCLC locates 3 copies of this imprint in North America (Huntington Library, Columbia Law School, Harvard Law School), all different from our copy.

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Civil War-Era Chicago Imprint

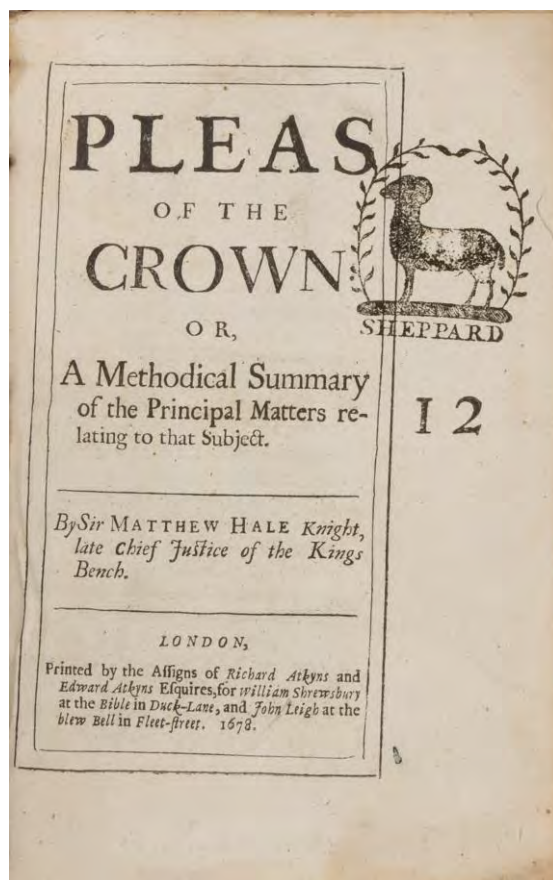
7. Haines, Elijah M. [1822-1889], Editor.

The American Law Directory, Giving the Name of at Least One Lawyer or Law Firm in Each City, County-Town or Village of Importance Throughout the United States and Canadas. Revised, Corrected, And Published Quarterly on the First of January, April, July and October. 1862, April, No. 2. Chicago: E.B. Myers, 1862. 56, 6 pp. Main text followed by 6 pp. of advertisements. Notice from editor tipped-in to title page. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, advertisements to rear wrapper. Light soiling and a few minor stains to exterior, moderate wear to fore-edges of front wrapper and tipped-in notice. Moderate toning to interior, light foxing in places. \$250.

* The second and final issue of a short-lived directory. Its first issue, which had the same pagination and nearly identical content, was published in January 1862. OCLC locates 2 libraries with both issues (Harvard Law School, Pennsylvania Office of Commonwealth Library) and 4 libraries with single issues (Boston Athenaeum, Boston Public Library, Chicago History Museum, Massachusetts Historical Society). Not in the *Harvard Law Catalogue*.

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**First Edition of the First
Analytical Study of English Criminal Law**

8. Hale, Sir Matthew [1609-1676].

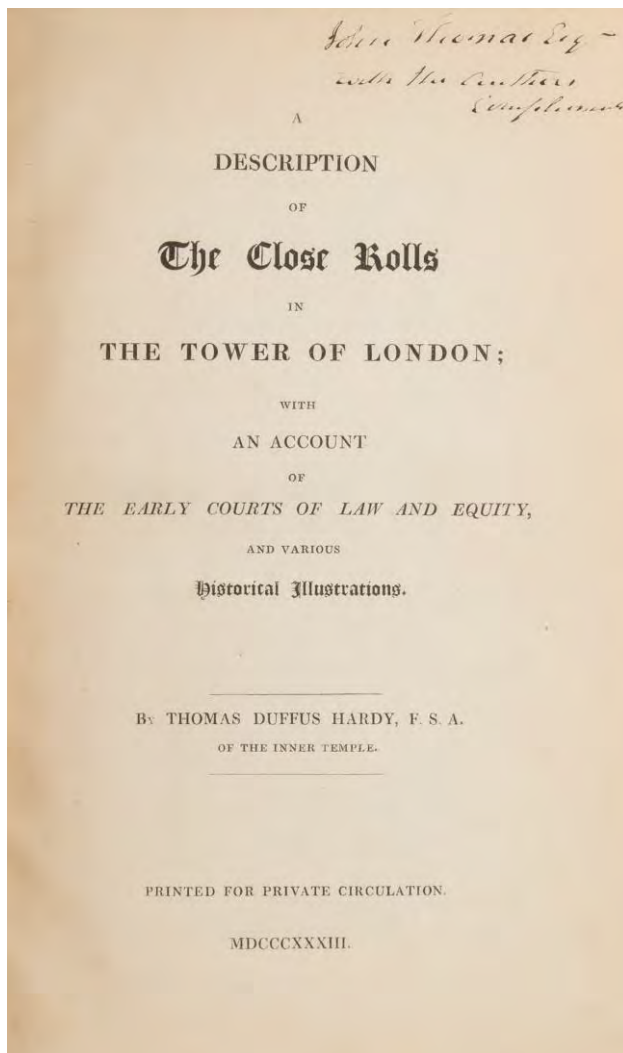
Pleas of the Crown. Or a Brief, But Full Account of Whatsoever can be Found Relating to that Subject. London: Printed by the Assigns of Richard Atkyns and Edward Atkyns Esquires, For William Shrewsbury at the Bible in Duck-Lane, And John Leigh at the Blew Bell in Fleet-Street, 1678. [xvii], 272, [8] pp. Octavo (6-3/4" x 4-1/2").

Contemporary sheep, blind rules to boards, blind fillets and fragment of later hand-lettered spine label, early hand-lettered title to fore-edge of text block. Light rubbing and faint staining to boards, which are slightly bowed, large scuff near upper outside corner of front boards, light fading to spine, chipping to spine ends, rear joint just starting at head, corners bumped and somewhat worn, hinges cracked, front free endpaper lacking. Light toning to interior, faint dampstaining to lower outside corner of text block, later owner stamp ("Sheppard") to title page. \$1,250.

* First edition, second issue. This landmark study went through seven editions and was revised and reissued, as a much-expanded work, in 1736. "Hale was able to suggest a methodical arrangement of English law, which was at once scientific and practical. (...) Historically [*Pleas of the Crown*] is interesting as the first attempt to introduce some order into this branch of the law" (Holdsworth). The second issue of this title, also from 1678, has a different pagination and identifies Hale as the author.

Holdsworth, *A History of English Law* VI:590-91. *English Short-Title Catalogue* R12164.

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An Early Account of the English Close Rolls

9. Hardy, Sir Thomas Duffus [1804-1878].

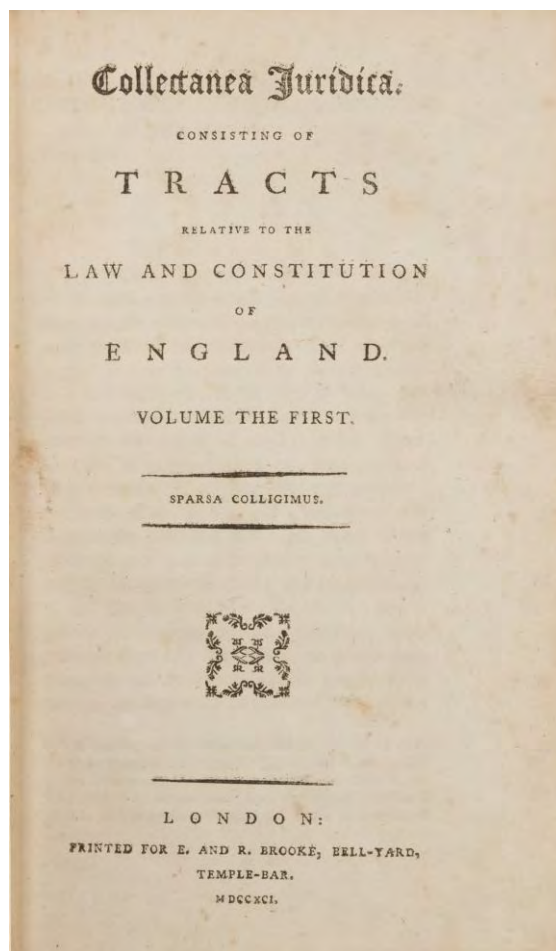
A Description of the Close Rolls in the Tower of London; With an Account of the Early Courts of Law and Equity. [London]: Printed for Private Circulation, 1833. xii, 191 pp. Octavo (8-1/2" x 5-1/4").

Later cloth, gilt title and institution name (Duchy of Lancaster) to spine, endpapers renewed. Light rubbing to boards, slightly heavier rubbing to extremities, corners and spine ends bumped. Moderate toning to interior, underlining in pencil to a few leaves, "John Thomas Esq-/ with the Author's/ Compliments" in small hand to head of title page. \$350.

* Only edition. The close rolls record rights granted to individuals and groups by the English Crown during the early 13th century. Hardy trained as an archivist when he was a clerk at the Record Office at the Tower of London and ended his career as the deputy keeper of the Public Record Office. A prolific scholar and a talented paleographer, he edited several volumes for the Record Commission.

British Museum Catalogue (Compact Edition) 11:716.

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Highly Regarded by Holdsworth

10. [Hargrave, Francis (1741?-1821), Editor].

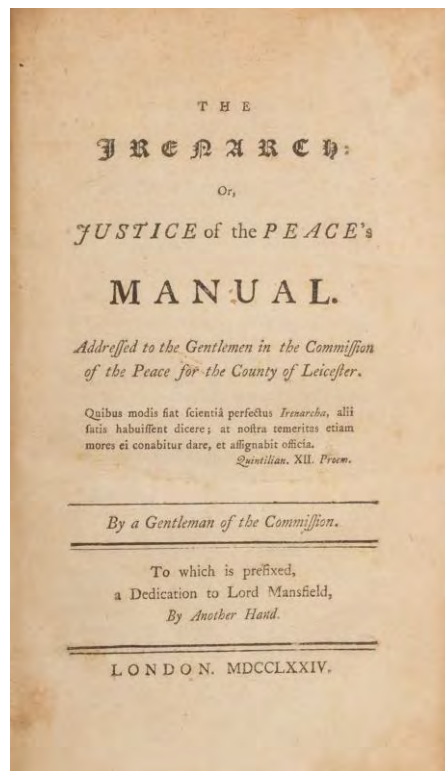
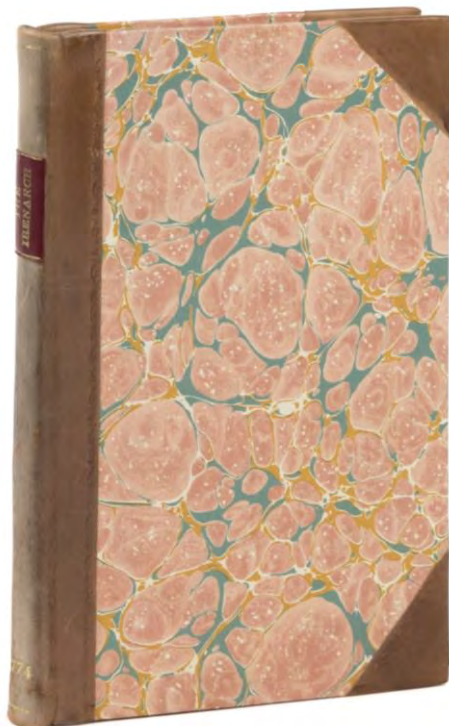
Collectanea Juridica. Consisting of Tracts Relative to the Law and Constitution of England. London: Printed for E. and R. Brooke, 1791. Two volumes. [viii], 485, 32; [iv], 470, [26] pp. Both volumes conclude with "A Register of Law Publications." Octavo (8" x 4-3/4").

Contemporary calf, blind fillets to boards, blind fillets and volume numbers to spines, blind tooling to board edges. Moderate rubbing and scuffing to boards, somewhat heavier rubbing to extremities, joints cracked or starting, head of Vol. I spine chipped, corners bumped and worn, front hinge of Vol. I cracked after front free endpaper, its rear hinge starting, armorial bookplates (of James Bennett Freeland) to front pastedowns. Light toning to interior, light foxing in several places, light soiling to a few leaves, fold lines to corners of a few leaves in Vol. II. \$750.

* Only edition. Preceded in 1787 by a single volume containing 11 other tracts, *Collectanea Juridica* is a selection of 40 unpublished 17th and 18th-century tracts from Hargrave's vast library, which was later acquired by the British Library. Authors include Bacon, Hale, Herbert, Jefferies, Marriot and Reeve. Holdsworth held both works in high regard and cited them extensively. See Holdsworth, *History of English Law* VI:561, 587, 592-594.

English Short-Title Catalogue T132283.

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With a 75-Page Dedication to Lord Mansfield

11. [Heathcote, Ralph (1721-1795)].

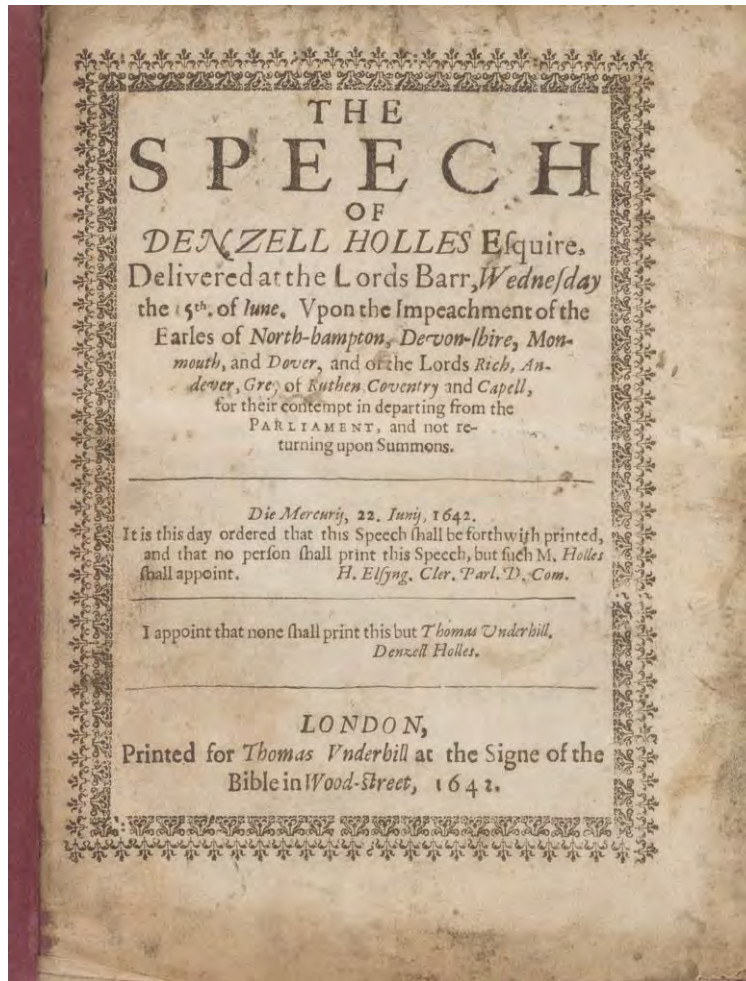
The Irenarch: Or, Justice Of The Peace's Manual. Addressed to the Gentlemen in the Commission of the Peace for the County of Leicester. By a Gentleman of the Commission. To Which is Prefixed, A Dedication to Lord Mansfield, By Another Hand. London: S.n., 1774. [ii], lxxv, [i], 82 pp. Octavo (8" x 5").

Stab-stitched pamphlet in recent three-quarter calf over marbled boards, blind fillets to calf edges, gilt fillets and lettering piece to spine, edges rouged, 9-pp. contemporary review laid in. Light fading to spine, negligible light rubbing to extremities, light foxing and soiling in a few places, faint offsetting to endleaves. Moderate toning to interior, upper corners of leaves D5-6 (pp. xxix-xlii) lacking without loss to text. \$450.

* Second and best edition, with an added preface dated November 1773. The first edition, a 46-page pamphlet, was published in Leicester in 1771. The lengthy--and highly political--preface to the second edition, addressed to Lord Mansfield, is a defense, ambiguous at best, of the Chief Justice of King's Bench against attacks made by "Junius," who was recently tried before Mansfield for seditious libel. Mansfield's verdict led to Junius's Letter No. 41, "charging Mansfield with a design to subvert the constitution by form of law." The author begins by giving Mansfield the benefit of the doubt with regard to his acquiescence in the Middlesex election involving John Wilkes. Ralph Heathcote was a clergyman and miscellaneous writer who took part in the Hume-Rousseau controversy and the controversy against Bolingbroke. He also served as a justice of the peace for Leicestershire. All editions of this title are scarce. OCLC locates 6 copies of the second edition in North American law libraries (Columbia, Duke, Library of Congress, University of Minnesota, Yale, San Francisco Law Library). This edition not in Sweet & Maxwell.

English Short-Title Catalogue T104398.

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The Beginning of the English Civil Wars

12. Holles, Denzil [1599-1680].

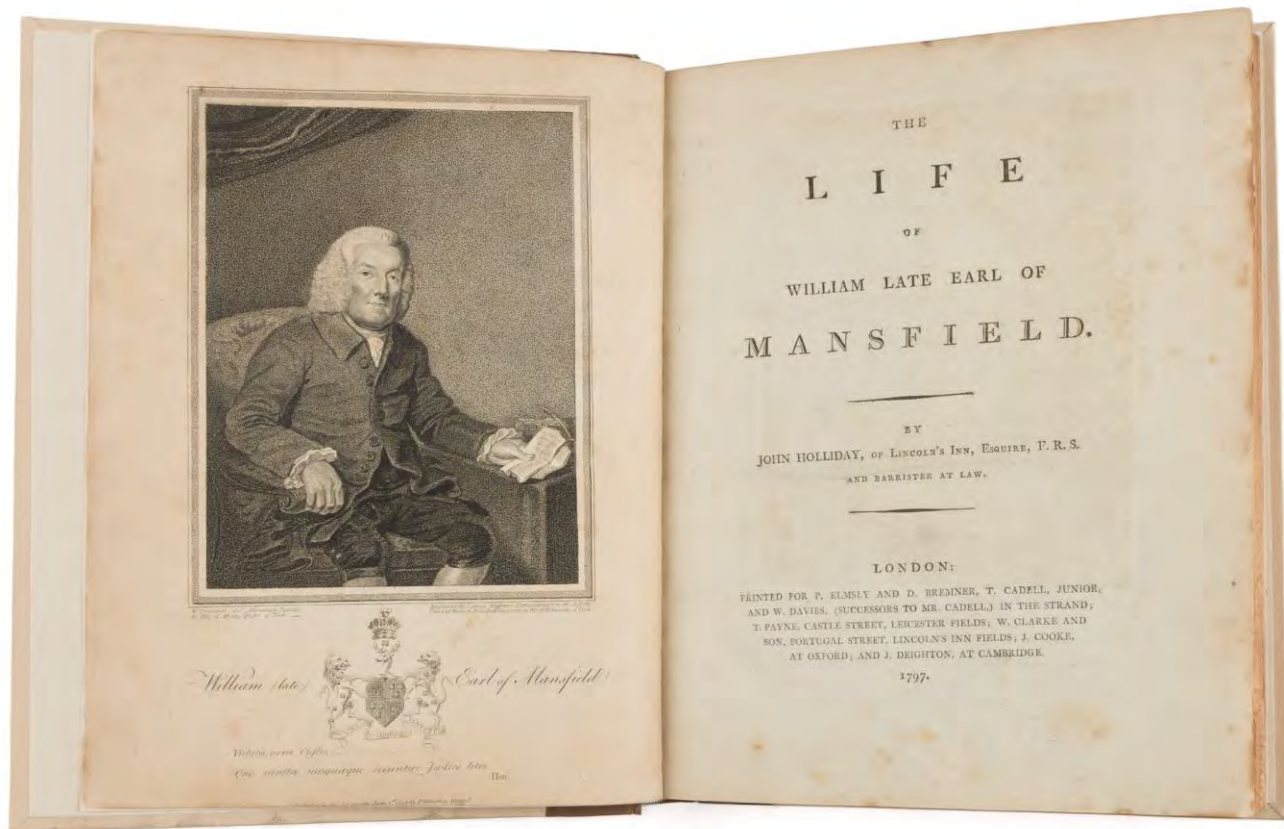
The Speech of Denzil Holles Esquire. Delivered at the Lords Barr, Wednesday the 15th of Iune. Upon the Impeachment of the Earles of North-Hampton, Devon-Shire, Monmouth, And Dover, And of the Lords Rich, Andover, Grey of Ruthen, Coventry and Capell, For Their Contempt in Departing from the Parliament, And Not Returning Upon Summons. London: Printed for Thomas Underhill, 1642. [ii], 11, [3] pp. Final leaf blank. Quarto (8" x 5-3/4").

Stab-stitched pamphlet in recent plain wrappers, blank label to front wrapper. Light toning to interior, light soiling in a few places, somewhat heavier to title page, faint dampstain to first three leaves, light foxing to a few pages. \$250.

* First edition, one of several 1642 issues. Holles, an English statesman and writer, had a long and varied career that spanned the Civil War, Commonwealth and Restoration periods. A Parliamentary moderate, he was one of the "Five Members" whose January 1642 arrest inflamed tensions between Charles I and Parliament and led to the first English Civil War. In this heated speech, he presents the case for impeachment of nine lords who allied with Royalist forces at the outbreak of the war and refused to rejoin Parliament.

English Short-Title Catalogue R188246.

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The First Biography of Lord Mansfield

13. Holliday, John [1730?-1801].

The Life of William Late Earl of Mansfield. London: Printed for P. Elmsly and D. Bremner, T. Cadell, Junior, and W. Davies, [et al.], 1797. [ii], xi, [3], 515, [1] pp. Two copperplate portraits, one mis-bound as frontispiece, the other mis-bound facing p.1 of main text. Quarto (10-1/2" x 8-1/2").

recent quarter cloth over paper-covered boards, printed paper title label to spine, endpapers renewed. Some soiling to boards, light fading to spine. Moderate toning to interior, light browning and foxing in places, faint dampstaining and small chips to top-edges of a few leaves, offsetting from plates. \$750.

* Only edition. This was the first biography of Lord Mansfield and the only one by a contemporary. Holliday, a barrister of Lincoln's Inn was an associate and admirer of Mansfield. Hagiographic in places, this is nevertheless a well-researched biography enlivened by insights drawn from Holliday's personal relationship.

English Short-Title Catalogue T139810.

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Features the Chancery Decisions of James Kent

14. Johnson, William.

[Kent, James (1763-1847)].

Reports of Cases Adjudged in the Court of Chancery of New-York. Containing the Cases from March, 1814 to July, 1823. New York: Banks & Brothers, 1858-1873. Seven volumes. Octavo (9" x 5-1/2").

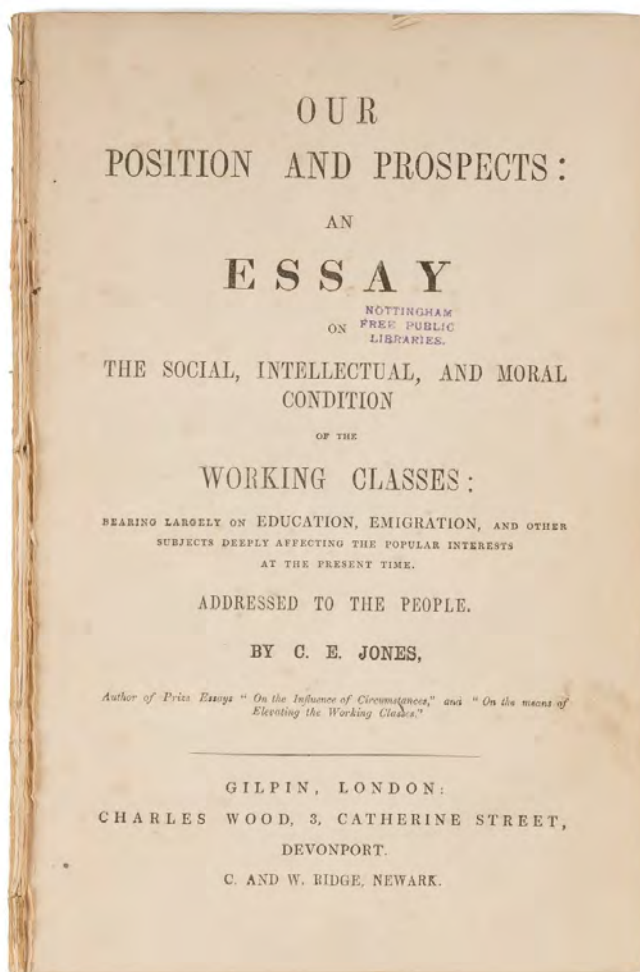
Contemporary sheep, blind rules to boards, small later owner stamp (Arthur Crownover) to front boards, pastedowns and free endpapers, raised bands, lettering pieces and blind-stamped volume numbers and owner name (J.L. Sloan) to spine. Light rubbing to boards, moderate rubbing to extremities, somewhat heavier rubbing to spines, front joints of Volumes 4 and 5 starting at ends, hinges cracked. Light toning to interior, offsetting to margins of endleaves. \$500.

* Second edition, revised & corrected. In 1806 Johnson was appointed reporter for the Court of Errors and for the Supreme Court of New York. In 1823 he also became by legislative act the reporter of the court of chancery. These reports are in effect the judicial writings of James Kent. He relates in his *Memoirs* (pp. 117-118) how this came about: "I gradually acquired preponderating influence with my brethren, and the volumes in Johnson, after I became Chief-Justice in 1804, show it. The first practice was for each judge to give his portion of opinions, when we all agreed, but that gradually fell off, and, for the last two or three years before I left the Bench, I gave the most of them."

Kent, *Memoirs and Letters of James Kent* 117-118. Wallace, *The Reporters* 580.

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A Rare Essay on the "Position and Prospects" of the Working Class

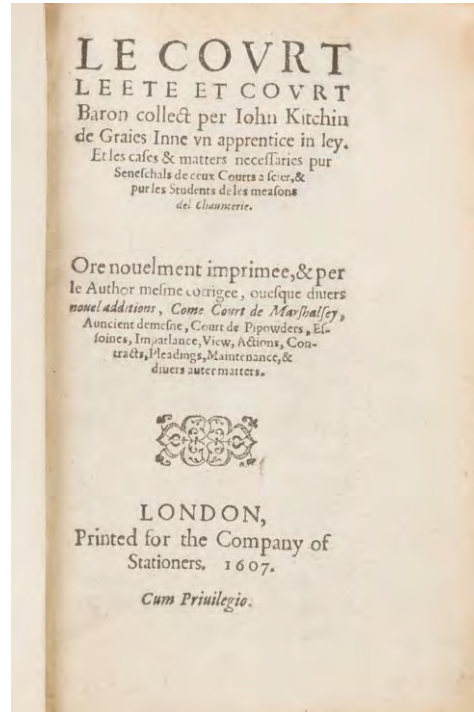
15. Jones, C.E.

Our Position and Prospects: An Essay on the Social, Intellectual, And Moral Condition of the Working Classes: Bearing Largely on Education, Emigration, And Other Subjects Deeply Affecting the Popular Interests at the Present Time. Addressed to the People. [Devonport: Charles Wood, Printer, 1850?]. v, [1], 87 pp. Octavo (8-1/4" x 5-1/4").

Disbound. Moderate toning, very light foxing and soiling to a few leaves, first few leaves nearly detached, ink library stamps to title page and a few other leaves, text not affected. Rare. \$650.

* This essay discusses the social and economic conditions of the British working class and proposes a series of moral and political reforms, including tax reform, vocational training and the promotion of temperance and education. It also discusses emigration as "the readiest means of relief" to an "overstocked" Britain (28). A contemporary review describes this and another similar essay as "deserving attention for their own sake, but especially as indicating, thro writers who themselves are of the People, what are the thoughts and feelings—the social Yeast-fermenting amongst the Working Classes of England" (*The Truth-Seeker*, April 1850, p. 450). We could find no other record of this title. No copies located on OCLC or Library Hub.

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An Important Contribution to the Development of Modern Legal Theory

16. Kitchin, John [c.1520-c.1590].

Le Court Leete et Court Baron Collect per Iohn Kitchin de Graies Inne un Apprentice in Ley. Et les Cases & Matters Necessaries pur Seneschals de Ceux Courts a Scier, & Pur les Students de les Measons del Chauncerie. Ore Novelment Imprimee, & Per le Author Mesme Corrige, Ouesque Divers Novel Additions, Come Court de Marshalsey, Auncient Demesne, Court de Pipowders, Essoines, Imparlance, View, Actions, Contracts, Pleadings, Maintenance, & Divers Auter Matters. London: Printed for the Company of Stationers, 1607. [xii], 289, [3] ff. Octavo (6-1/4" x 4-1/4").

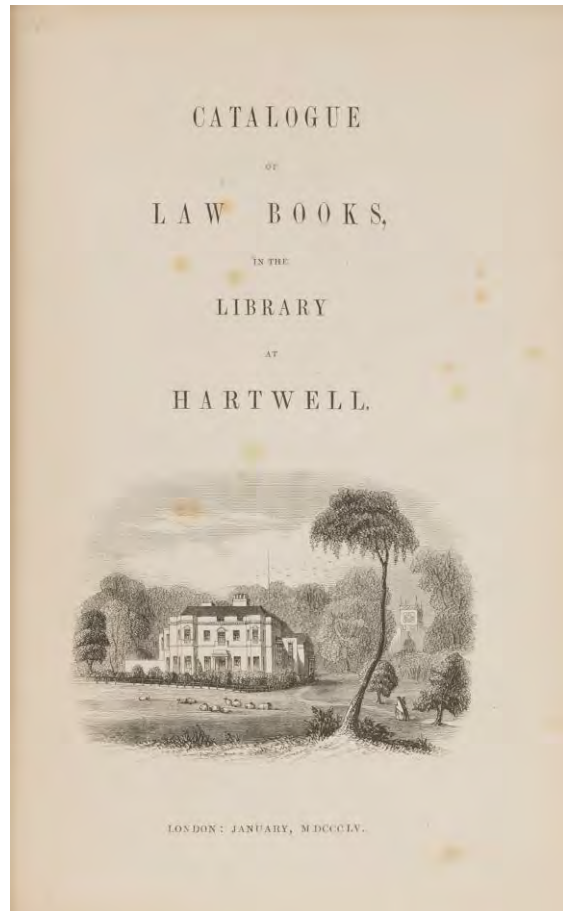
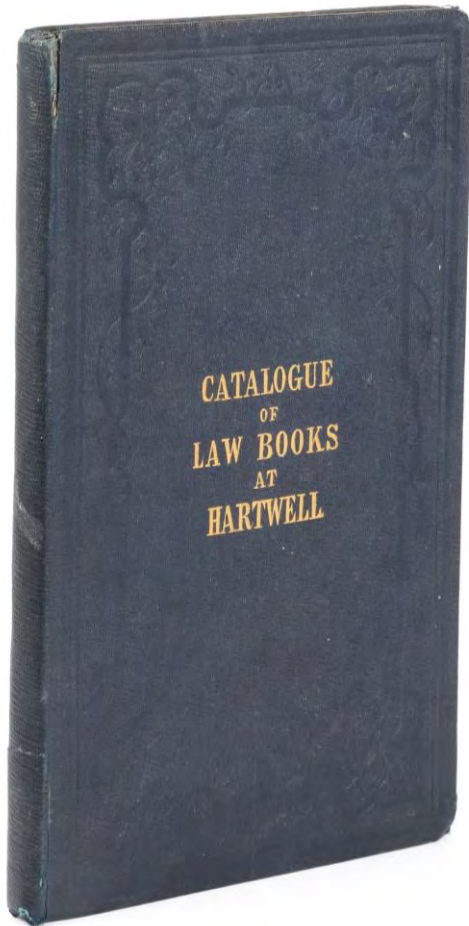
Contemporary calf, rebakcd in period style, blind rules to boards, small gilt initials (I S) to centers of boards, raised bands to spine. Light rubbing and a few minor stains to boards, illegible faint markings to front board in small early hand, moderate rubbing to extremities, corners bumped and moderately worn, pastedowns loose and lightly edgewear, clean tear to rear pastedown, recent armorial bookplate (Gerald Chippindale Rivington) to verso of front board. Light toning to interior, light soiling to title page. \$600.

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

Holdsworth, *A History of English Law* IV:130. *English Short-Title Catalogue* S108073.

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An Impressive Private Library

17. [Library Catalogue].

[Lee, Sir William (1688-1754)].

[Lee, Sir George (c.1700-1758)].

Catalogue of Law Books in the Library at Hartwell. London: [Printed by W. Watts], 1855. [iv], 122 pp. Octavo (8-1/4" x 5-1/4").

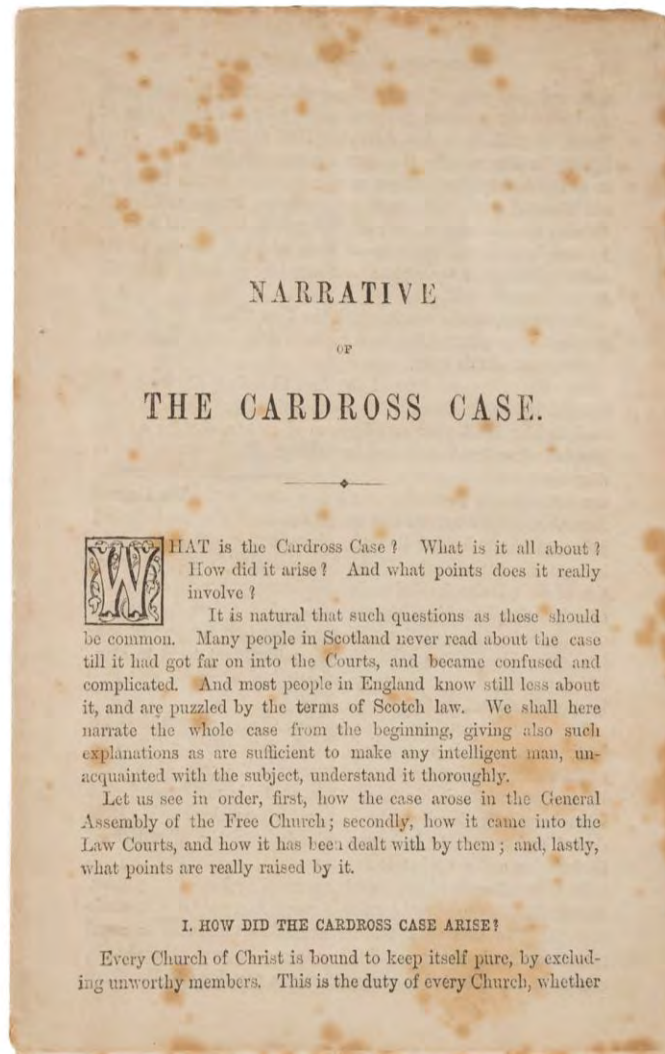
Contemporary textured cloth, decorative frames to boards gilt title to front board, all edges gilt. Moderate rubbing to extremities, joints just starting at ends, corners bumped and moderately worn, owner signature of Walter Ashburner, dated 1894, to front free endpaper. Moderate toning to interior, light foxing to preliminaries and a few other leaves. \$300.

* Only edition. Most of this impressive library was created by Sir William Lee, a jurist and politician who was Lord Chief Justice of King's Bench from 1737 to 1754, and his brother Sir George Lee, also a jurist and politician, who was dean and a judge of the Arches Court of Canterbury from 1751 to 1758. Hartwell was the ancestral home of the Lee family. Ashburner [1864-1936] was a British legal scholar and an important collector of early printed books and manuscripts. OCLC locates 6 copies, 2 in law libraries (Harvard, Yale).

British Museum Catalogue (Compact Edition) 11:841.

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Thorny Issues Concerning Governance and the Role of Civil Law in Ecclesiastical Affairs

18. [Macmillan, John].

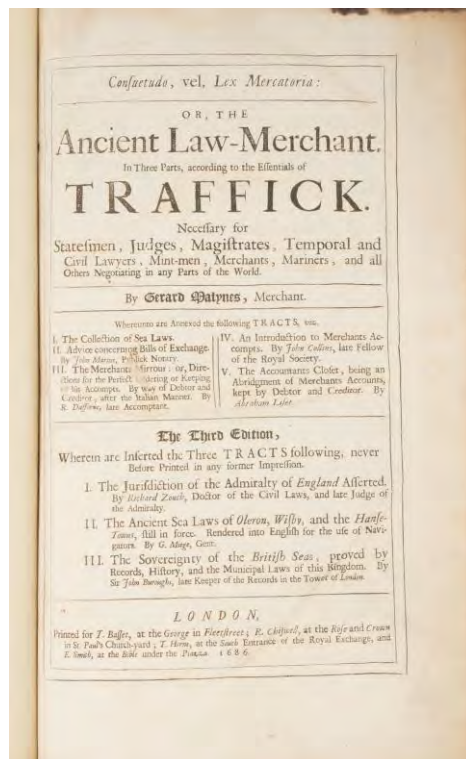
Narrative of the Cardross Case [Caption Title]. [London, Edinburgh, & New York: T. Nelson & Sons, 1861]. 16 pp. Octavo (7" x 4-1/2").

Unstitched pamphlet in self-wrappers, light edgewear, moderate toning and foxing throughout. \$350.

* Only edition. Macmillan, a minister of the Free Church of Scotland, was dismissed from his congregation after he was charged with drunkenness and "violently laying hold of a woman." He brought suit against the church in civil court. Given the prickly attitudes of Scottish dissenters toward any suggestion of government interference with their church polity, this case opened up a number of thorny issues concerning governance and the role of civil law in ecclesiastical affairs. OCLC locates 3 copies, all in Scotland. No other copies located by Library Hub. Not in the *Harvard Law Catalogue* or *British Museum Catalogue*.

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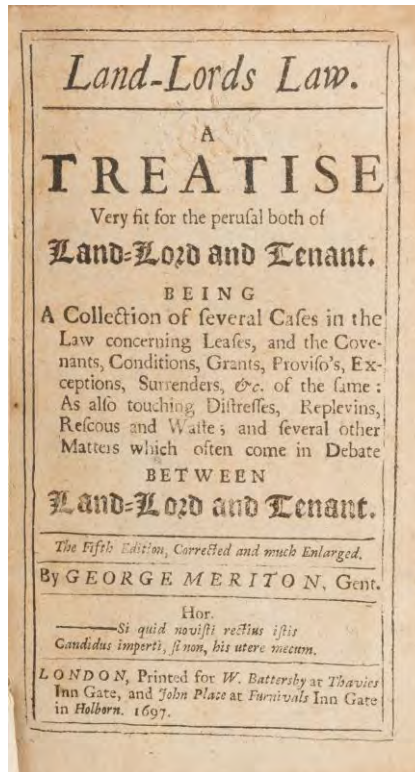
The Final and Vastly Expanded Edition

19. Malynes, Gerard [fl. 1586-1641], Principal Author.

Consuetudo, Vel, Lex Mercatoria: Or, The Ancient Law-Merchant. In Three Parts, According to the Essentials of Traffick. Necessary for Statesmen, Judges, Magistrates, Temporal and Civil Lawyers, Mint-Men, Merchants, Mariners, And All Others Negotiating in Any Parts of the World... London: Printed for T. Basset, At the George in Fleetstreet; R. Chiswell, At the Rose and Crown in St. Paul's Church-Yard; T. Home, At the South Entrance of the Royal Exchange, And E. Smith, At the Bible Under the Piazza, 1686. Nine works in one with separate paginations and title pages (with various dates and imprints), first work preceded by general title page. [xiv], 340, 43-78, [8], 87-130, 28, 22, [8], 42, [20], 54, [468], 14-36, [5] pp. Final leaf blank. Lacking initial blank leaf, otherwise complete. Folio (13-1/2" x 8-1/4").

Recent period-style quarter calf over marbled boards, raised bands, gilt fillets and lettering piece retained from early binding to spine, endpapers renewed, minor damage to front pastedown and front free endpaper (caused by separating a small area stuck together with glue). Moderate toning to interior, faint dampspotting in places, negligible faint dampstaining to head of first quarter of text block, gradually diminishing inkstain to heads of preliminaries and text through leaf M1 (pp.81-82) of first section, lower corner detached from leaf Y4 (pp. [6]) of third section. An impressive volume. \$3,500.

* Third and final edition, one of (at least) two issues from 1686. Also known as the law merchant, consuetudinary law or, somewhat anachronistically, commercial law, *lex mercatoria* is a system of customary law that developed in Europe during the middle ages to regulate the dealings of mariners and merchants. The earliest significant compilations are the eleventh-century Rules of Oleron, the Laws of Wisby and the Hanseatic Laws of the Sea. Although *lex mercatoria* fell out of use during the seventeenth century, many of its principles were incorporated into the common law. They would later provide the foundation of the (U.S.) Uniform Commercial Code. Malynes' *Consuetudo* was the final significant contribution to this field. (Beawes's *Lex Mercatoria Rediviva* (1752) was an attempt to revive it.)



**Final Edition of the First English
Treatise on the Law of Landlord and Tenant**

20. Meriton, George [1634-1711].

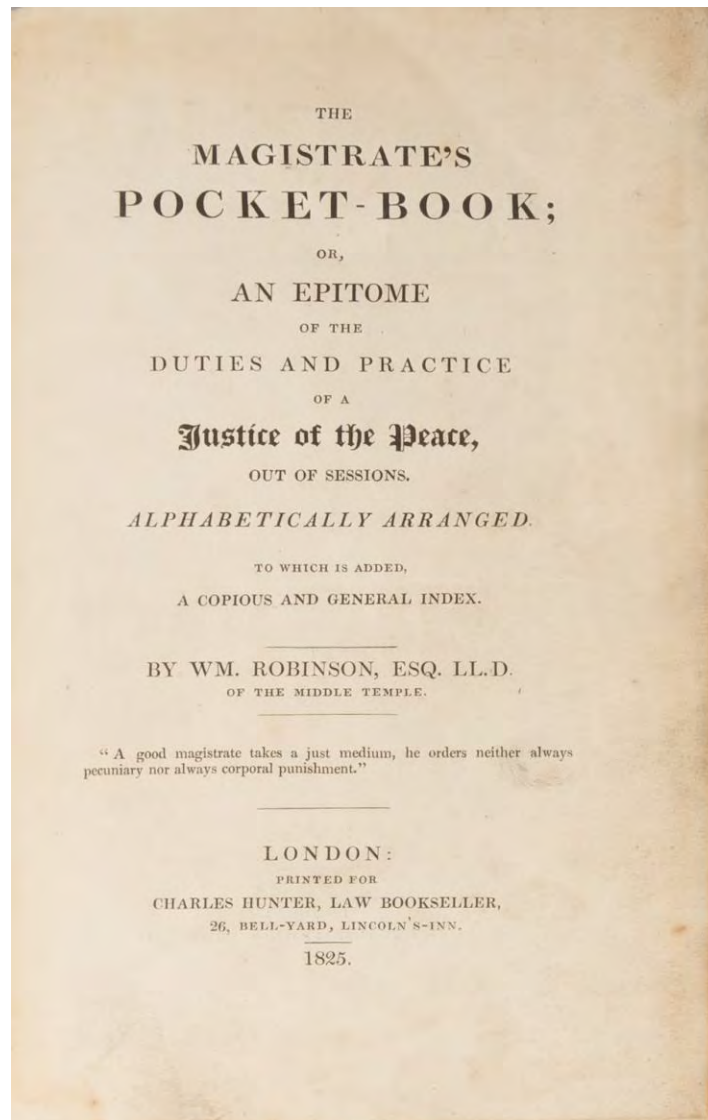
Land-Lords Law. A Treatise Very Fit for the Perusal Both of Land-Lord and Tenant. Being a Collection of Several Cases in the Law Concerning Leases, And the Covenants, Conditions, Grants, Proviso's Exceptions, Surrenders, &c. Of the Same: as also Touching Distresses, Replevins, Rescous and Waste; And Several Other Matters Which Often Come in Debate Between Land-Lord and Tenant. Corrected and Much Enlarged. . London: Printed for W. Battersby at Thavies Inn Gate, and John Place at Furnivals Inn Gate in Holborn, 1697. [viii], 255, [23] pp. 12mo. (5-3/4" x 3-1/4").

Contemporary sheep, blind rules to boards, blind fillets and two small early paper shelf labels to spine. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities with wear to spine ends, front board just beginning to separate, rear joints starting, corners bumped and worn, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to preliminaries. Moderate toning to interior, light browning to final 11 leaves, two brief early annotations in tiny hand to rear pastedown. \$650.

* Fifth and final edition. Meriton was a lawyer and a prodigious writer on a wide range of legal and non-legal topics. Born in the North Riding of Yorkshire, he is also remembered for his dialect poem *The Praise of Yorkshire Ale* (1683). First published in 1665, the *Land-Lords Law* was the first English treatise on the law of landlord and tenant. Our copy belonged to the Earls of Macclesfield. Housed in Shirburn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. All editions of this title are scarce. OCLC locates 5 copies of the fifth edition in North American law libraries (Harvard, Library of Congress, University of Georgia, University of Pennsylvania, University of Virginia).

English Short-Title Catalogue R19512.

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Guidance for Magistrates

21. Robinson, William [1777-1848].

The Magistrate's Pocket-Book, Or, An Epitome of the Duties and Practice of a Justice of the Peace, Out of Sessions, Alphabetically Arranged: To Which is Added, A Copious and General Index. London: Charles Hunter, 1825. xvi, 446 pp. Octavo (8-3/4" x 5-1/4").

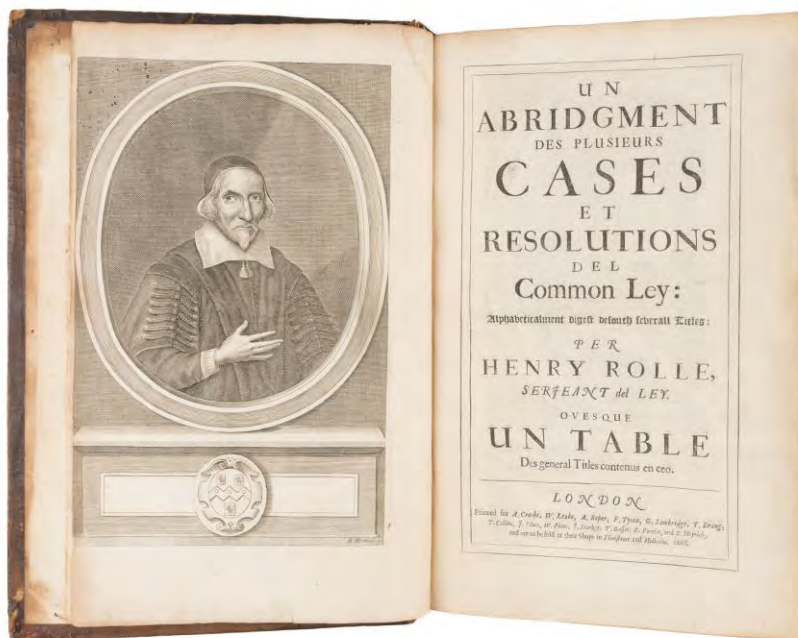
Later cloth, gilt title to spine, endpapers removed, untrimmed edges. Small stain to front board, light fading to spine. Moderate toning to text, light foxing and soiling in places, early underling and brief annotations to a few leaves. \$350.

* First edition. Arranged alphabetically, this popular handbook went through three later editions in 1837, 1839 and 1842 by John Frederic Archbold titled *Dr. Robinson's Magistrate's Pocket-Book*. All are scarce. OCLC locates 5 copies of the first edition in North American law libraries (Notre Dame, University of Florida, University of Alabama, Yale, York).

Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:303.

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"Long a Model to Future Makers of Abridgments"

22. Rolle, Sir Henry [1589-1656].

[Hale, Sir Matthew (1609-1676), Editor].

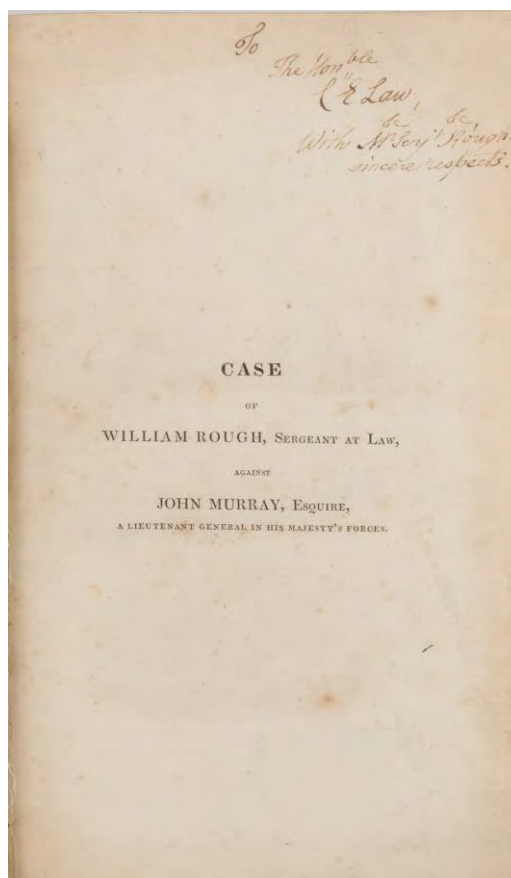
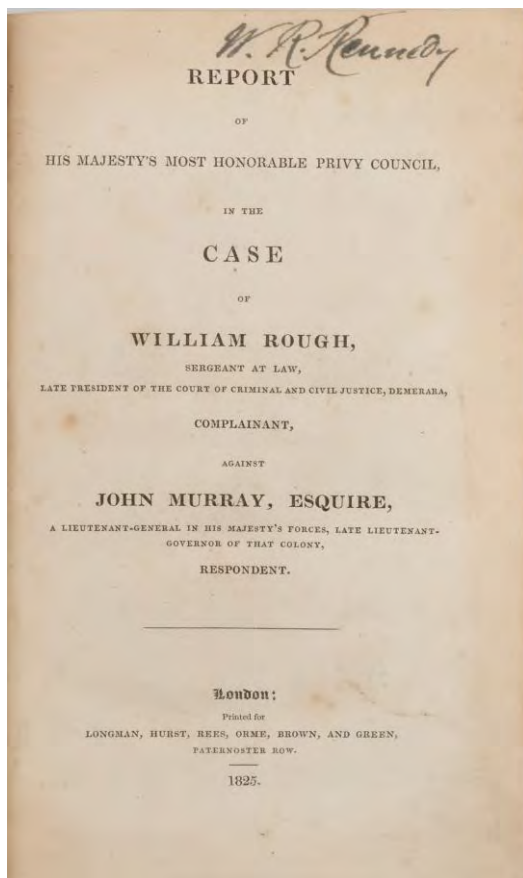
Un Abridgment des Plusieurs Cases et Resolutions del Common Ley: Alphabeticalment Digest Desouth Severall Titles. Ouesque un Table des General Titles Contenus en Ceo. London: Printed for A. Crooke, W. Leake, [et al.], 1668. Two parts in one volume. [xvi], 688, 725-940; 180, 171-232, 223-224, 245-524, 545-836, [8] pp. Copperplate portrait frontispiece. Pagination irregular, text continuous. Folio (13-3/4" x 9").

Eighteenth-century speckled calf, rebaked retaining portions of existing gilt spine with raised bands and lettering piece, blind rules to boards, blind fillets running parallel to spine, hinges mended. Light rubbing and a few nicks and scuffs to boards, two worm holes to rear board, heavier rubbing and some wear to board edges and retained sections of spine. Moderate toning to interior, slightly heavier to head of text block, two worm holes to foot of first quarter of text block. An impressive volume. \$1,750.

* Only edition. The third, and last, abridgment to contain Year Book cases, this work was consulted and cited as frequently as the abridgments of Fitzherbert and Brooke. As Holdsworth notes, "[Rolle] marks a new departure in the literature of abridgments. The older abridgments had simply digested Year Book cases under alphabetical headings. Their great defect was the heterogeneous character of the entries collected under each alphabetical head. (...) Rolle's *Abridgment* to some extent remedied this defect--each topic was divided...into separate headings. But what distinguishes it more markedly from the abridgments of the older type is the fact that it is more than a digest of case law. It contains summaries both of Parliamentary records and of statutes; And therefore it comes nearer than the old abridgments came to being a digest of the whole law. For both these reasons it was long a model to future makers of abridgments. (...) [Hale's Preface] is a valuable historical summary of the development of the common law up to the time of the Restoration."

Holdsworth, *A History of English Law* V:376-77. *English Short-Title Catalogue* R35328.

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An Unfair Dismissal in Demerara

23. Rough, William [d.1838]. Murray, John, Respondent.

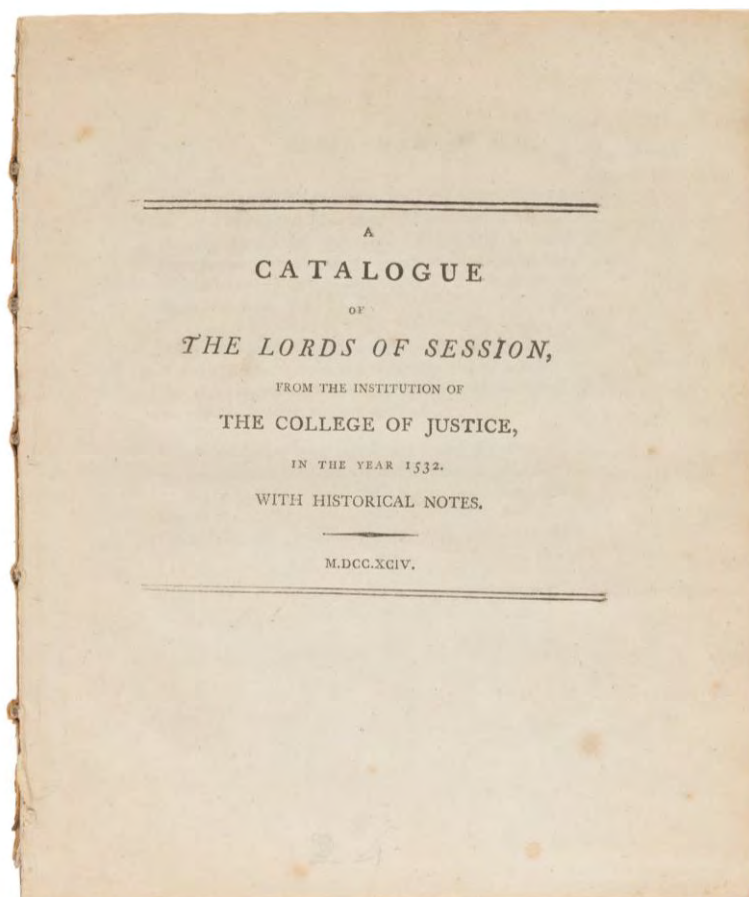
Report of his Majesty's Most Honorable Privy Council, in the Case of William Rough, Sergeant at Law, Late President of the Court of Criminal and Civil Justice, Demerara, Complainant, Against John Murray, Esquire, A Lieutenant-General in his Majesty's Forces, Late Lieutenant-Governor of that Colony, Respondent. London: Longman, Hurst, Rees, Orme, Brown, And Green, 1825. viii, 328 pp. Octavo (8-1/2" x 5-1/2").

Later pebbled cloth, lettering piece to spine. Light rubbing, corners and spine ends bumped, later owner bookplate (Geoffrey G. Briggs) to front pastedown, (illegible) owner signature to front free endpaper, another (of W.R. Kennedy) to title page. Moderate toning and light foxing to interior, Presentation inscription to half-title from Rough to "To The Honble C.E. Law, &c &c." \$250.

* Only edition. Rough, a member of the Inner Temple and serjeant-at-law, was serving as president of the court of justice for the colony of Demerara and Essequibo when the colony's governor, Lieutenant-General John Murray, suspended him as the result of an extended disagreement between the two men. Rough appealed the suspension on the grounds that Murray had overstepped his authority. The appeal was successful, and Rough went on to a distinguished career as a colonial judge for Ceylon.

Catalogue of the Library of the Harvard Law School (1909) II:1177.

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Dalrymple's Biographies of the Lords of Session

24. [Scotland].

[Court of Session].

[Dalrymple, Sir David (1726-1792), Compiler].

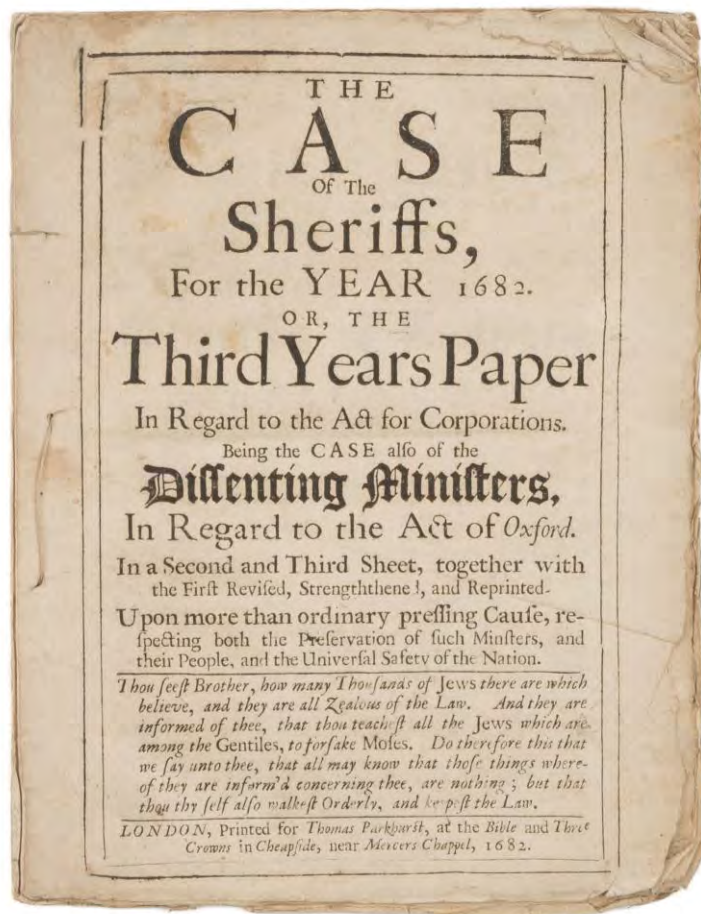
A Catalogue of the Lords of Session, From the Institution of the College of Justice, In the Year 1532. With Historical Notes. [Edinburgh?: s.n.], 1794. [iv], 18, 42 pp. Quarto (10" x 8-1/4").

Disbound stab-stitched pamphlet. Light toning, light foxing to a few leaves, small penciled "24" to foot of title page, internally clean. \$450.

* Second, expanded edition. An important figure in Scottish law and letters, Dalrymple, Lord Hailes, 3rd Baronet of Hailes, was an advocate, judge and historian. The present work is one of the earliest comprehensive biographies of the members of the Court of Session, covering the period from 1532-1793. First published in 1767, it was revised and expanded again in 1798. All editions are scarce. OCLC locates 2 copies of the second edition in North America, 1 in a law library (Yale).

English Short-Title Catalogue T62289.

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Criticism of the Test Acts

25. [Sheriffs].
[Great Britain].

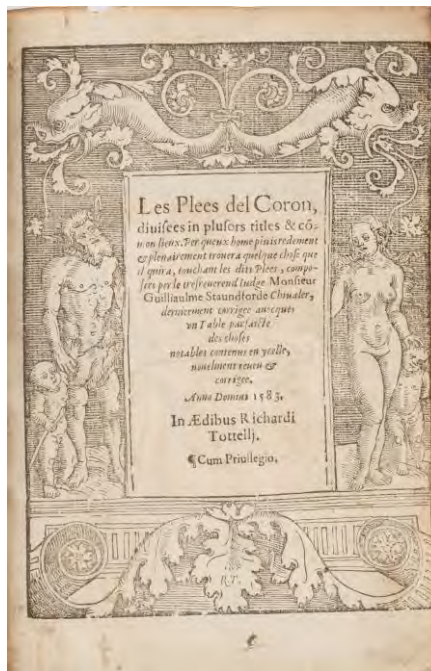
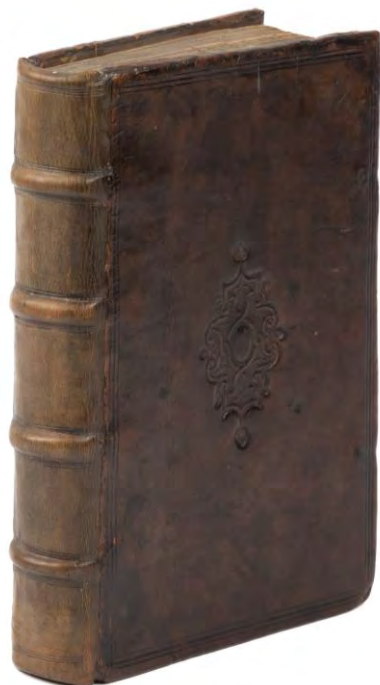
The Case of the Sheriffs, For the Year 1682. Or, The Third Years Paper in Regard to the Act for Corporations. Being the Case Also of the Dissenting Ministers, In Regard to the Act of Oxford. In a Second and Third Sheet, Together with the First Revised, Strengthened, And Reprinted. Upon More than Ordinary Pressing Cause, Respecting Both the Preservation of Such Ministers, And Their People, And the Universal Safety of the Nation. London: Printed for Thomas Parkhurst, 1682. [iv], 32 pp. Quarto (8" x 6-1/4").

Stab-stitched pamphlet, edges untrimmed, most signatures unopened. Light toning, light soiling to exterior, light foxing to a few leaves, small tear to upper corner of title page not affecting text. \$450.

* Only edition. An expanded version of *An Account of the New Sheriffs* (1680), this pamphlet discusses the qualifications for the office of sheriff in light of the Corporation Act of 1661 and the Test Act of 1673. Designed to exclude Catholics, the acts forced public officeholders to receive communion in the Church of England, swear oaths of supremacy and allegiance and subscribe to a declaration against transubstantiation. Our pamphlet is critical of the acts, describing them as "unlawful," and notes that the oaths will exclude many citizens "of known Piety, Loyalty, and Ability."

English Short-Title Catalogue R18154.

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Sixteenth-Century Editions of Staunford's *Plees* and *Kinges Prerogative*

26. Staunford, Sir William [1509-1558].

Les Plees del Coron, Divisees in Plusors Titles & Comon Lieux. Per Queux Home Plus Redement & Plenairement Trovera Quelque Chose que il Quira, Touchant les Dits Plees. Dernierment Corrigee Avecques un Table Parfaicte des Choses Notables Contenues en Ycelle, Nouvelment Reven & Corrigee. [London]: In Aedibus Richardi Tottelli, [1583]. [xii], 196 [i.e. 198] ff.

[Bound with]

Staunford, Sir William.

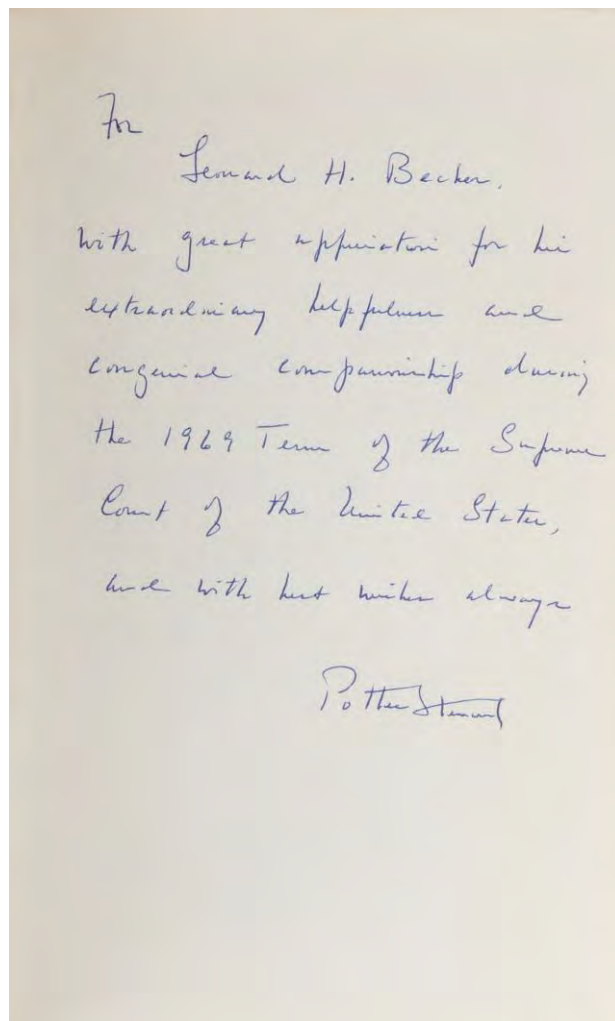
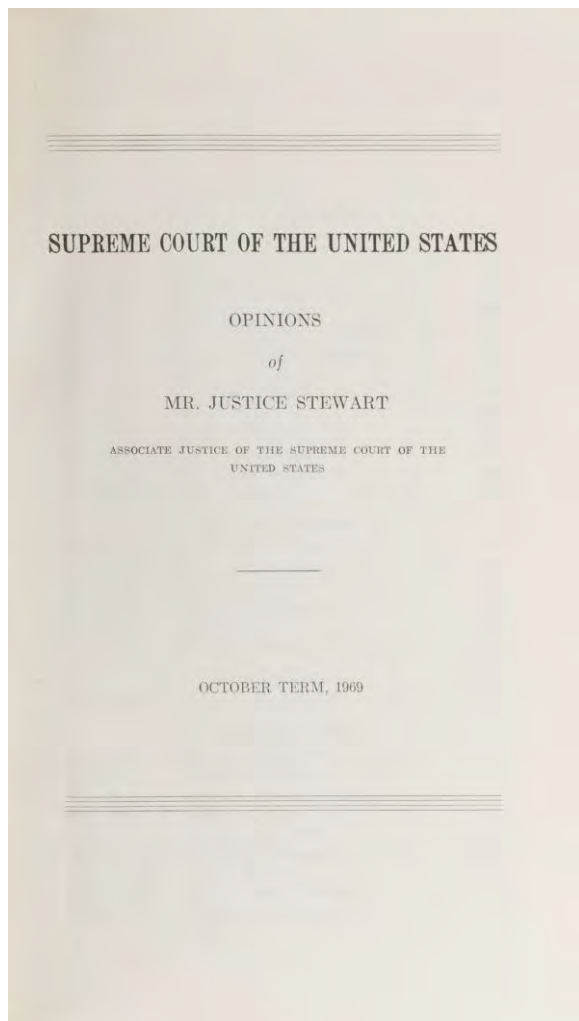
An Exposition of the Kinges Praerogative Collected Out of the Great Abridgement of Iustice Fitzherbert, And Other Olde Writers of the Lawes of England..... London: Imprinted...by Richard Totthil, 1590. [ii], 6-84 [i.e. 85] ff. Pagination irregular; text complete.

Quarto (7-3/4" x 5"). Contemporary calf, blind rules and central blind arabesques to boards, rebacked and recorned in period style with raised bands and blind fillets, remnants of silk ties to inner board edges. Light rubbing and a few small scratches to boards, moderate rubbing to board edges, corners bumped, pastedowns loose, endleaves rehinged, front endleaves, which have later annotations (shelfmarks?), lightly soiled and laid down, later armorial bookplate (of Charles Lord Halifax, 1702) to verso of title page. Title page of *Plees* printed within woodcut architectural border. Light toning to interior, more moderate in places, light soiling and faint marginal dampstaining in a few places, a few folded corners. \$1,250.

* Later editions. First published in 1557, Staunford's *Plees* is divided into three parts. The first treats offences, the second treats jurisdiction, appeals, indictments, and defenses. The third addresses trials and convictions. *Exposition of the Kinges Prerogative* was first published in 1567. It addresses discretionary rights enjoyed by the monarchy in foreign policy, domestic affairs, legal and governmental administration, religion and economic matters. The annotations are mostly brief glosses on the text; some are references to cases or other authorities.

Beale, *A Bibliography of Early English Law Books* T490, T496. *English Short-Title Catalogue* S117812, S117820.

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Inscribed by Potter Stewart to a Clerk

27. Stewart, Potter [1915-1985].

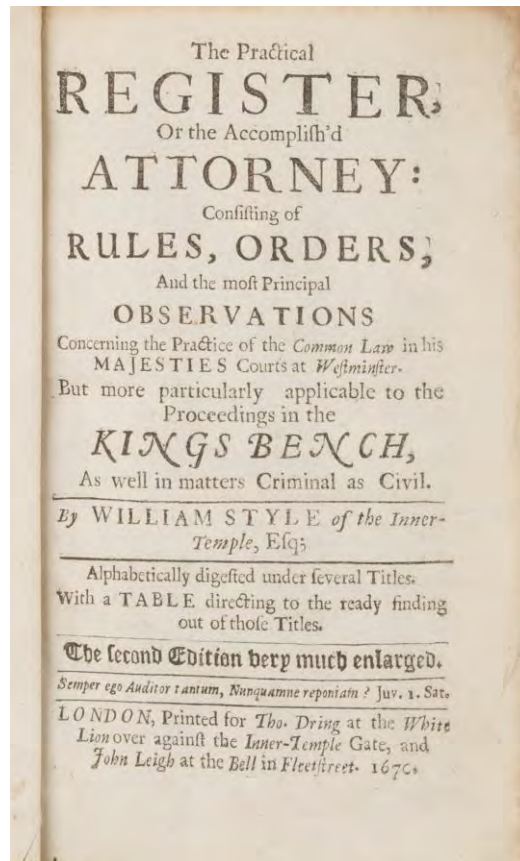
Opinions of Mr. Justice Stewart Associate Justice of the Supreme Court of the United States. October Term, 1969. [Washington, DC: US Government Printing Office, c.1969]. XVII ff., 761 pp.

Red buckram, gilt fillets, title and date to spine, edges speckled red. Negligible light soiling to exterior, light foxing to top-edge of text block, light toning to text, internally clean. Presentation inscription to front free endpaper. \$500.

* Appointed in 1954 by President Eisenhower, Stewart served as an associate justice of the U.S. Supreme Court for nearly 24 years, where he made significant contributions to criminal justice reform and civil rights. He is best known for his statement concerning obscenity, "I know it when I see it," which appeared in his opinion in the free speech case *Jacobellis v. Ohio*. Likely privately published as a gift for clerks, this volume of his opinions is inscribed to Leonard H. Becker, a graduate of Yale Law School's class of 1968 who clerked for Stewart from 1969-1970. The inscription reads: "For Leonard H. Becker, With great appreciation for his extraordinary helpfulness and congenial companionship during the 1969 Term of the Supreme Court of the United States, and with best wishes always, Potter Stewart." No copies of this or any similar volume of Stewart's opinions located on OCLC.

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Style's *Practical Register*

28. Style, William [1603-1679].

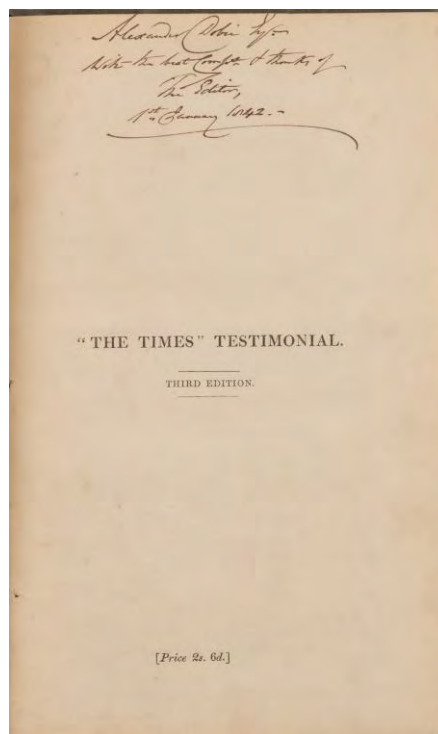
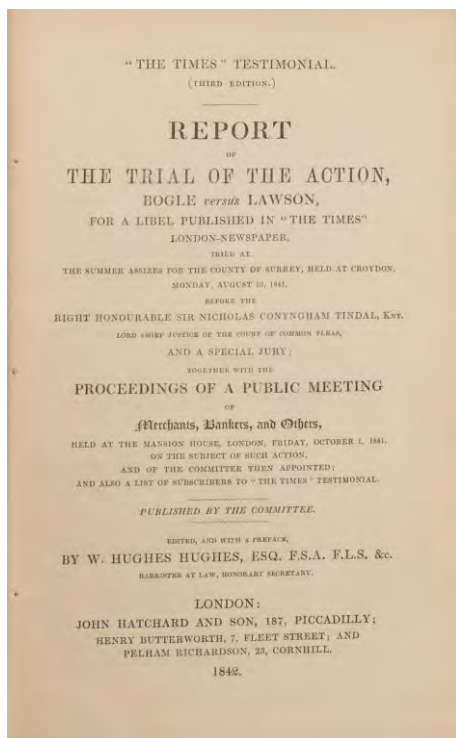
The Practical Register, Or the Accomplish'd Attorney: Consisting of Rules, Orders, And the Most Principal Observations Concerning the Practice of the Common Law in his Majesties Courts at Westminster. But More Particularly Applicable to the Proceedings in the Kings Bench as Well in Matters Criminal as Civil. Alphabetically Digested Under Several Titles. With a Table Directing to the Ready Finding Out of Those Titles. Very Much Enlarged. London: Printed for Tho. Dring, 1670. [xxxii], 574 [i.e. 490], [2] pp. Includes 4-page publisher catalogue. Numerous errors in pagination. Octavo (6-3/4" x 4-1/4").

Recent paneled calf, blind fillets and corner fleurons to boards, gilt-edged raised bands, blind fillets and lettering piece to spine, endpapers renewed. A few negligible scratches to rear board, light wear to right edge of lettering piece, negligible light rubbing to extremities. Light toning to interior, occasional light soiling, faint dampstaining to top-edge in a few places, light foxing to a few leaves. A nice copy. \$350.

* Second edition. This popular guide was first published in 1657 with the title *Regestrum Practicale*. (Its early editions are called *Regula Placitandi* in Comyns's *Digest of the Laws of England*). Arranged alphabetically, it contains the rules for practice, together with some basic information regarding the substantive law. John Lilly published a continuation of this book in 1710.

English Short-Title Catalogue R31009.

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One of the Most Detailed Accounts of a Major Nineteenth-Century Financial Swindle

29. [Trial].

Hughes, W. Hughes, Editor.

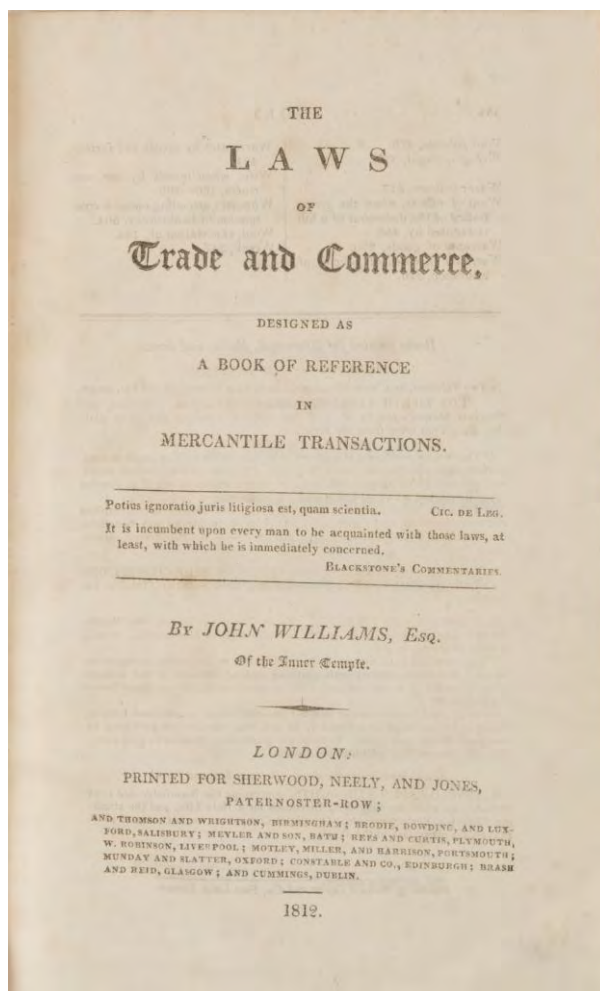
"The Times" Testimonial: Report of the Trial of the Action, Bogle Versus Lawson, For a Libel Published in "The Times" London-Newspaper, Tried at the Summer Assizes for the Country of Surrey, Held at Croydon, Monday, August 16, 1841, Before the Right Honourable Sir Nicholas Conyngham Tindal, Knt. Lord Chief Justice of the Court of Common Pleas, And a Special Jury; Together with the Proceedings of a Public Meeting of Merchants, Bankers and Others, Held at the Mansion House, London, Friday, October 1, 1841, On the Subject of Such Action, And of the Committee then Appointed; And Also a List of Subscribers to "The Times" Testimonial. Published by the Committee. London: John Hatchard and Son, Henry Butterworth and Pelham Richardson, 1842. 186 pp. Octavo (8-1/2" x 5").

Contemporary cloth, gilt titles to front board and spine. Faint dampstaining and light rubbing to boards, spine ends and corners bumped, later owner bookplate (Geoffrey G. Briggs) to front pastedown, (illegible) owner signature to front free endpaper, front hinge cracked, partial crack in text block between pp. 70-71. Moderate toning to interior, presentation from Hughes to (Alexander Dobie Esq.) \$150.

* Third and final edition. A sensational case of a million-pound plot to defraud continental bankers with forged letters of credit. The plot was exposed by a *Times of London* correspondent. This sensational case exposed the largely unregulated banking practices associated with letters of credit. The present report is without much doubt one of the most detailed accounts of a major financial swindle of this period, particularly one involving letters of credit. A second edition was published the same year as the first, and the third and final edition in 1842. All three are rare. OCLC locates 5 copies worldwide of the third edition, 2 in law libraries (Harvard, Social Law).

British Museum Catalogue (Compact Edition) 3:778.

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With an Interesting Chapter on Commercial Politics

30. Williams, John.

Laws of Trade and Commerce, Designed as a Book of Reference in Mercantile Transactions. London: Printed for Sherwood, Neely, and Jones, 1812. viii, 584 pp. Octavo (8" x 5").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities, light creasing and a few minor nicks to spine, which has residue from removed label at its foot, chipping to spine ends, rear joint starting at head, corners bumped, hinges starting, struck-through ownership signature to front free endpaper. Light toning to interior, very light foxing to a few leaves, occasional pencil underlining and marks to margins. \$750.

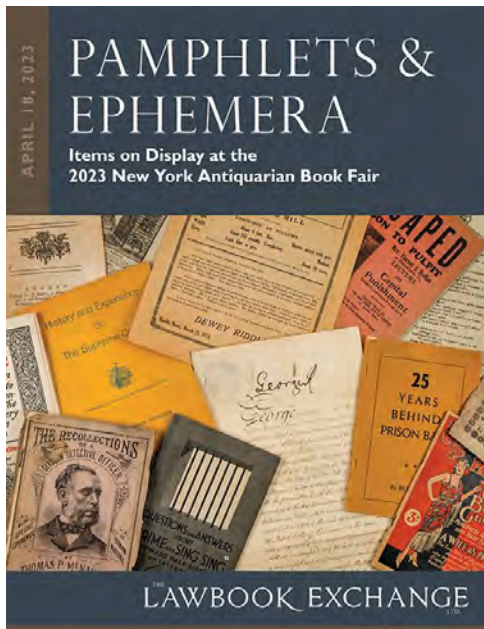
* First edition. An extensive treatise on commercial law for laymen, covering topics such as international law, insurance, principal and agent, bills of exchange and bankruptcy. It also includes a chapter on commercial politics based on the work of Adam Smith and Lord Kames. A second edition appeared in 1814. OCLC locates 3 copies of the first edition in North American law libraries (Harvard, Ohio State University, York University).

Goldsmiths'-Kress Library of Economic Literature 20442. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:382.

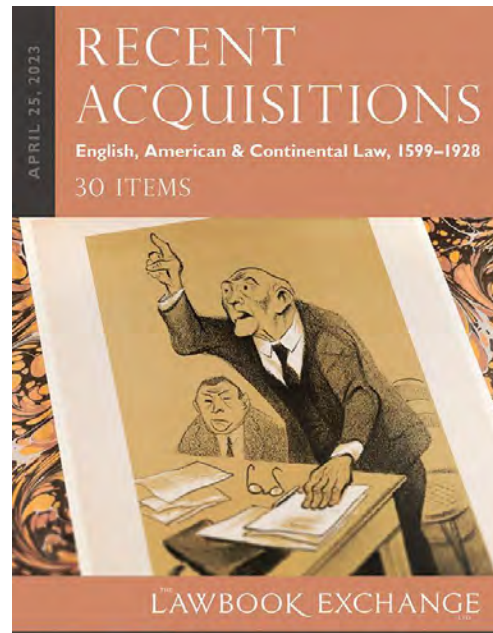
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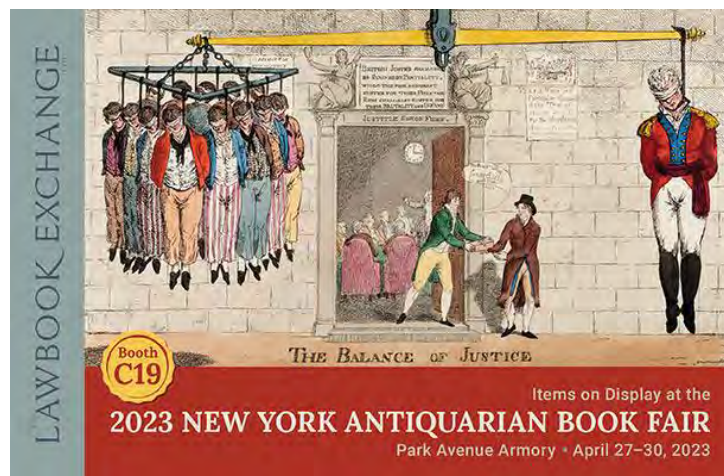
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