

The Lawbook Exchange, Ltd.

30 American and Continental Items

December 2013

Scarce Eighteenth-Century Treatise on Prize Law and Privateering

1. Abreu y Bertodano, Felix Joseph de [c.1700-1775].

Traite Juridico-Politique sur les Prises Maritimes, et Sur les Moyens qui Doivent Concourir pour Rendre ces Prises Legitimes. Paris: Chez la Veuve Delaguette, 1758. Two volumes in one, each with title page and individual pagination. Octavo (6-1/2" x 4").

Contemporary speckled sheep, raised bands, lettering piece and gilt ornaments to spine, speckled edges, patterned endpapers. Some wear to corners, joints starting, some worming to lettering piece, joints and hinges. Attractive woodcut head-pieces. Toning to sections of text, light foxing to a few leaves, internally clean. An appealing copy of a scarce title. \$1,750.

* Second French edition. First published in Madrid in 1746, this treatise on prize law and privateering went through three other editions, all in France in a translation by the author, in 1753, 1758 and 1802. Little is known about Abreu, a minor Spanish noble and diplomat. According to the title page, he was a "membre de l'Academie Espagnole, & actuellement Envoye Extraordinaire de S.M. Catholique aupres du Roi de la Grande-Bretagne." 5 copies located in the Americas, 1 of this edition (at Columbia University Law Library). KVK locates 13 copies of all 4 editions, all in Europe. Not in the *British Museum Catalogue*. Camus, *Bibliothèque Choisie des Livres de Droit* 2289 (citing a later edition).

Collected Works of Important Sixteenth-Century French Jurist

2. Bacquet, Jean [d.1597]. [Belut, Nicolas, Editor].

Les Oeuvres de Maistre Jean Bacquet, Advocat du Roy, En Chambre du Roy, En la Chambre du Tresor: Contenant Diverse Traitez Sommairelement Enoncez en la Page Huitieme; Enrichis de Plusieurs Arrests, & Decisions Notables. Revue et Corrigeé. Paris: Chez Iean Du Puis, 1664 (title page of first work erroneously dated 1665). Five volumes in one, each with title page and individual pagination. Main texts printed in double columns. Folio (14-1/2" x 9").

Contemporary speckled calf, gilt frames to boards, raised bands, gilt ornaments and lettering piece to spine. Light rubbing and a few scuffs, joints just starting at ends, chipping to head of spine, corners bumped and lightly worn, crack between front endleaf and title page of first volume, another after final text leaf and rear endleaf. Large printer devices to title page, attractive woodcut head and tail-pieces. Early owner signatures to preliminaries. Offsetting to margins of endleaves, occasional faint dampstaining to margins and light foxing, interior otherwise fresh. A handsome volume. \$650.

* Later edition. Bacquet, an important French jurist, was King's Advocate of the Treasury Chamber. As indicated by *Les Oeuvres*, he was a prolific author on a wide variety of topics. First published in 1597, the five volumes contain treatises on escheat, aliens, land tenure and judicial administration. There is also a compilation of law reports compiled by Belut. Well-respected works, they went through several editions. The final edition, by Claude-Joseph de Ferriere, was published in 1744. OCLC locates 2 imprints from 1664 in the United States (Tulane Law Library, University of Kansas). Another copy located at George Washington University Law School. *British Museum Catalogue* (Compact edition) 2:99.

Dictionary of Civil Procedure and Commercial Law

3. Bioche, [Charles-Jules-Armand].

Goujet, [Charles].

Dizionario Generale Ragionato Della Procedura Civile E Commerciale Contenente 1. L'Insieme Delle Regole Sulla Procedura 2. Il Reassunto Delle Opinioni di Tutti Gli Autori. 3. La Giurisprudenza Piu' Recente Intorno a Tutte le Quistioni. 4. I Modelli De Atti Sopra Ciascun Articolo Delle Codice con la Indicazione del Coste di Essi. Con Aggiunta di una Raccolta di Tutte le Leggi Speciali Che Completano O Emendano Il Codice di Procedura e di una Tavola di Paragone con Gli Articoli del Codice. Edizione Accresciuta dalla Legislazione e Dalla Giurisprudenza del Belgio. Recato Italiano da una Societa' di Avvocati del Foro Napolitano con Annotazione e Confronto Degli Leggi Nostre con Quelle di Francia. Naples: Tipografia All'Insegna del Salvator Rosa, 1840. Two volumes. Main text in parallel columns. Quarto (10" x 7").

Contemporary quarter calf over marbled boards, raised bands and gilt titles to spines. Light rubbing to extremities, corners bumped and somewhat worn, interiors notably fresh. A handsome set. \$950.

* First Italian edition. This comprehensive dictionary devoted to civil procedure and commercial law was originally published in Paris in 1834-35. It went through several editions during the nineteenth century. Versions were produced for France, Belgium and the Kingdom of the Two Sicilies, which had a legal system founded on the Code Napoleon. 2 copies located in North America, 1 of this edition (at SMU Law School). This edition not in the *British Museum Catalogue*.

An Important Study of Inheritance and Succession in Roman Law

4. Bluntschli, Johann Caspar (Kaspar) [1808-1881].

Entwicklung der Erbfolge Gegen den Letzten Willen nach Romischen Recht mit bes. Rücksicht auf die Novelle 115. Bonn: Bei Adolph Marcus, 1829. x, 310 pp. Octavo (8" x 5").

Original marbled publisher boards, paper title label to spine. Moderate rubbing to extremities, heavy rubbing to spine, front joint starting, lower half of rear joint cracked through hinge, early bookseller stamp to front pastedown. Light toning to text, early annotations to rear pastedown. A nice copy. \$950.

* First edition. A notable work of Historical School jurisprudence, this treatise addresses the Roman law of inheritance and succession and wills with comparisons to these laws in Prussia and, to a lesser extent, other German states. Bluntschli was one of the great Continental Jurists of the nineteenth century. He published a code for the Canton of Zurich and works on German private law, the law of war and international law. His most important historical work is the *Geschichte des Allgemeinen Staatsrechts und der Politik* (1864). *British Museum Catalogue* (Compact Edition) 3:687.

Lutheran Treatise on Church Property, Tithes and Clergy

5. Bohmer, Justus Henning [1674-1749].

Ius Parochiale ad Fundamenta Genuina Revocatum a Spuriis Principiis Purgatum Atque Ita Adornatum ut Ius Ecclesiasticum Protestantium Illustrare et Usus Modernum Libri Tertii Decretalium Quoad Praecipuas Materias Ostendere Queat Adiecto Indice Triplici et Supplemento Novo. Halle: Litteris & Impensis Orphanotrophei, 1738. [xxiv], 552, [56]. Frontispiece and free endpapers lacking. Quarto (8" x 6-1/2").

Contemporary vellum, attractive hand-lettered title to spine, gilt device to center of front and rear boards, green edges. Light soiling and a few minor stains. Title page with attractive large copperplate printer device printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light browning, foxing, and dampstaining to a few leaves, interior otherwise fresh. Ex-library. Remains of shelf label to foot of spine, small owner stamps to front pastedown and title page. An appealing copy of an important work. \$250.

* Fifth edition, corrected, with additions. With indexes. Bohmer was perhaps the leading German authority of his age on ecclesiastical law and its history. He played a leading role in the adaptation of canon law for use in the Lutheran church and established sound theoretical foundations for Lutheran church law. First published in 1701, *Ius Parochiale* addresses issues relating to church property, tithes and clergy. Kleinheyer and Schroder, *Deutsche Juristen aus Fünf Jahrhunderten* 45. *British Museum Catalogue* (Compact Edition) 3:749.

A Respected Treatise on Roman-Dutch Law

6. Bronkhorst (Bronchorst), Everard van [1554-1627].

Enantiophanon Centuriae Sex, Et Conciliationes Eorundem: Ab Ipso Authore Recognitae, & Amplius Quam Tertia Parte Auctae [et] Locupletatae: Accessit Brevis Tractatus, De Privilegiis Studiosorum, Tam Professorum & Doctorum Eodem Authore. Leiden: Ex Officina Iacobi Marci, 1621. [xl], 511, 300 pp. Two parts, each with title page. Quarto (8" x 6").

Contemporary vellum with lapped edges, early hand-lettered title to spine, edges rouged. Light soiling and some edgewear, front joint cracked but secure, text block partially detached but secure, vellum beginning to crack through pastedowns, front endleaf detached, upper portion of rear free endpaper lacking. Main title page printed in red and black, woodcut decorated initials and tail-pieces. Light toning, residue from small bookseller ticket to head of title page, a few brief annotations to endleaves. A solid copy. \$750.

* Later edition of a work first published in 1594. Bronkhorst was a professor of law at the University of Leiden from 1587 until his death. According to Roberts, his work was cited often by the leading Roman-Dutch authorities, especially van Leeuwen. *Enantiophanon* is an extensive treatise on controversial topics in Roman-Dutch law. A sophisticated work, it went through 9 editions, the last one in 1695. Roberts, *A South-African Legal Bibliography* 63. Dekkers, *Bibliotheca Belgica Juridica* 28 (2).

Laws of California, 1897

7. [California].

Deering, James H.

General Laws of California. As Amended up to the End of the Session of 1897. Containing the Laws that are in Common Use in Full, with References to other General Laws in Force and also to Special Laws in Force or Showing where such Special Laws may be Found. San Francisco: Bancroft-Whitney, 1897. 1,354 pp. 12mo. (6" x 4").

Law calf, maroon and black leather spine labels, gilt. Early owner signature to front endleaf. Top of spine chipped and cracked with some loss. Front hinge cracked but holding. \$75.

* General Laws at the turn of the nineteenth century organized alphabetically include county laws.

Important Seventeenth-Century Law Dictionary

8. Calvinus, Johannes (Kahl, Johannis). [c.1550-c.1610].

Lexicon Juridicum: Juris Caesarei Simul, et Canonici: Feudalis Item, Civilis, Criminalis, Theoretici, ac Practici: & in Schola, & in Foro Usitatarum, ac Tum ex Ipso Juris Utriusque Corpore, Tum ex Doctoribus & Glossis, Tam Veteribus, Quam Recentioribus Collectarum Vocum Penus: Simul & Locorum Communium, & Dictionarii Vicem Sustinens: Feudale Lexicon; Leges ac Magistratus Romanos, & Caetera Huic Operi Adjecta Vide in Complemento, Post Sinum Operis Ipsius. Collectum Vero est Hoc Opus ex Collatis Inter Sese Juridicus, Quotquot Hactenus Fere Proderunt, & Antiquioribus & Recentioribus Lexicis. Auctum Deind, Expolitum et Emendatum, Ex: Hactenus Editis Accuratissimis Locubrationibus Dn. Cujacii, Brissonii, Donelli, Duareni, Gothofredi, Pacii, Vultei, Goeddaeii Item Corrasii, Fabri, Wesembec Aliorumque Praestantissimorum Virorum: Quorum Catalogum Mox Post Praefationes Inuenies. Cum Praefationibus Clar. & Emin. Juris-Consultorum Dion. Gothofredi & Herm. Vultei. Editio Postrema, Auctior, & ab Innumeris Mendis Expurgata. Geneva: Sumptibus Iohannis Antonii Chouet, 1653. [xii], 1047 pp. Text printed in parallel columns. Folio (13-1/2" x 8-1/2").

Contemporary vellum, blind rules to boards, early hand-lettered title to spine, edges rouged. Spine painted green, chipping to head of spine, boards slightly bowed, a few minor spots and stains to boards, vellum partially cracked through pastedowns. Recent owner stamp to front pastedown. Red and black title page with large printer device, woodcut head-pieces, tail-pieces and decorated initials. Minor worming and edgewear to preliminaries and following 15 leaves, creases to final few leaves. Toning to text, internally clean. Ex-library. Location labels to spine and front pastedown, two small inkstamps to title page. \$550.

* Later edition. With prefaces by Denis Godefroy [1549-1622] and Hermann Vultei [1565-1634]. Calvinus was a German jurist and professor of law at the University of Heidelberg who wrote several books on politics, Jewish law and Roman law. The *Lexicon Juridicum* proved to be his most honored and durable publication. First published in 1600, it went through numerous editions during the seventeenth and eighteenth centuries. It draws on several authors, including Albericus, Brisson, Cicero, Hotoman and Tacitus. A scholarly work, it contains an extensive list of sources. The definitions are admirably clear and concise; each one includes a list of citations. Roberts says this dictionary is "more useful" than those of Vicat and Brisson. KVK locates 4 copies of this edition. This edition not listed in the *British Museum Catalogue*. Roberts, *South African Legal Bibliography* 72 (citing other editions).

Cooley Discusses the Interstate Commerce Act and Its Effect on Railroads

9. Cooley, Thomas M.[1824-1898].

The Interstate Commerce Act: Pooling and Combinations Which Affect Its Operation. Address at the Dinner of the Boston Merchants' Association, January 8th, 1889. [Boston?: S.n., 1889]. 17 pp. Folding table. Octavo (9" x 6").

Pamphlet in printed wrappers bound into later cardboard folder with cloth spine. Some shelfwear to folder and bottom edge of pamphlet, otherwise fine. A well-preserved copy of a scarce item. \$75.

* Only edition. One of the leading American jurists of the second half of the nineteenth century, Cooley was a Justice of the Supreme Court and professor at the University of Michigan whose writings were "long deemed authoritative" (Walker). He was also the dominant commissioner when he was with the Interstate Commerce Commission. This pamphlet discusses the effects of the Interstate Commerce Act on railroads. OCLC locates 16 copies, 3 in law libraries (Duke, Iowa and the Library of Congress). Not in the *Harvard Law Catalogue*.

Detroit in 1883

10. Corliss, John B., Compiler.

The Charter of the City of Detroit, Together with Acts of the Legislature, Relating to the Several Boards, Commissions and Courts of the City. Compiled by Order of the Common Council. Detroit: Post and Tribune Job Company, July 1883. [vi], 349, lxii pp. Octavo (8-3/4" x 6").

Contemporary three-quarter sheep over paper boards, gilt title and fillets to spine. Some soiling to boards and rubbing to extremities, rear hinge cracked but secure. Some toning, interior otherwise fresh. \$75.

* Remarkably broad in scope, this compilation offers a great deal of information about Detroit before it became "Motor City."

Rare Title on the Roman Law of Rescission

11. Costa, Giovanni Battista (Juan Battista) [16th/17th century].

Tractatus de Retrotractionibus seu de Fictione Translativa: Breviter Complectens Multorum Casuum tam Civilium quam Criminalium Decisiones, et Statutorum Atque Constitutionum Interpretationes: Causidicis Omnibus ac Patronis Causarum Summopere Proficuum. Venice: Apud Iac. Antonium Somaschum, 1606. [lii], 280 [i.e. 270], [2] pp. Main text in parallel columns. Quarto (8" x 6").

Contemporary vellum, early hand-lettered title to spine, ties lacking. Minor wear to spine ends and corners. Title page with large woodcut printer device printed in red and black, woodcut head-piece and decorated initials. Light foxing in a few places, interior otherwise fresh. A handsome copy of a scarce title. \$2,500.

* Only edition. This treatise deals with the Roman law of rescission, that is, the cancellation or annulment of a transaction or contract by mutual consent. Little is known about Costa. The title page identifies him as a canon lawyer attached to the Vatican. He is not to be confused with the French jurist Jean Lacoste (de la Coste) [1560-1637]. KVK locates 6 copies; OCLC 5 copies. 1 copy located in the United States at the Library of Congress. Not in the *British Museum Catalogue*.

Popular Introduction to Kent

12. Devereux, John C.

The Most Material Parts of Kent's Commentaries, Reduced to Questions and Answers. New Edition. New York: Baker, Voorhis & Co., 1873. viii, 418 pp. Octavo (9" x 6").

Contemporary buckram, calf lettering piece. Some shelfwear, corners bumped and somewhat worn. Toning to text, spotting and offsetting from bookmarks to a few leaves, a few partial cracks to binding. Owner signature to front pastedown, interior otherwise clean. A sound copy of a scarce edition. \$25.

* Later edition of a popular introductory digest of Kent that went through numerous editions during the nineteenth century. The first edition, by Asa Kinne, was published in 1839. Well-organized and clearly written, it remains a useful supplement. Marke, *A Catalogue of the Law Collection at New York University* (1953) 249.

Why Standard Oil Moved to New Jersey

13. Dill, James B.

The Statutory and Case Law Applicable to Private Companies Under the General Corporation Act of New Jersey. Being "An Act Concerning Corporations" (Revision of 1896), Including the Amendments and Supplements to the End of the Legislative Session of 1898. The Law and Practice with Suggestions and Forms. [Trenton]: Compliments of the Secretary of the State of New Jersey, 1898. xxiv, 208 pp. Octavo (9-1/2" x 6").

Original printed wrappers, worn, somewhat soiled and detached, a few cracks to text block. Toning to fore-edge of title page, interior otherwise fresh. Uncommon. \$25.

* First edition. During the late nineteenth century New Jersey attracted such giants as Standard Oil through its pro-business corporation laws. "Since 1875 it has been the announced and settled policy of the State of New Jersey by the enactment of laws first wise then liberal to attract incorporated capital to the state, and by like legislation to protect capital thus invested against attacks from within and from without. (...) The state has kept pace with modern legislation...but always with a view of doing no violence to the established scheme of incorporation, and always preserving vested rights and acquired franchises" (xvii).

Drake on Attachment

14. Drake, Charles D.

A Treatise on the Law of Suits by Attachment in the United States. Boston: Little, Brown and Company, 1878. lxi, 770pp. Octavo (9" x 6").

Contemporary calf, leather spine label, gilt. Some scuffing, soiling to exterior. Signature of owner on base of spine. Bookplate on first flyleaf. Hinges starting. Light dampstain to margin of title page, else internally very good. \$25.

* Fifth edition. *Catalogue of the Library of the Harvard Law School* (1909) I:572.

Blackstone for Beginners--Plus Advice and a Glossary. Not in Eller

15. Dunlap, M.E.

A Manual of the General Principles of Law as Stated in Blackstone and the Leading Writers on the Law of Pleading; Together With a Chapter of Suggestions to Students, And a Law Glossary. Collected and Arranged so as to be More Easily Acquired by Students, and Readily Reviewed by Young Practitioners. St. Louis: F.H. Thomas and Company, 1879. [ii], 5, [6], 12-246 pp. 12mo. (5-1/2" x 4").

Original textured cloth, gilt titles to spine. Light rubbing and some bubbling to boards, moderate rubbing to extremities with some wear to spine ends and corners. Check marks and underlining to a few leaves in pencil, interior otherwise clean. A nice copy of a scarce title. \$75.

* Only edition. This work appears to be based on Dunlap's *Commentaries on the Laws of England, By Blackstone, Abridged* (1876). The Blackstone abridgment (pp. 10-130) comprises about half of this volume. The other sections are a pleading manual (pp. 131-190), a charming list of "Suggestions to Students" (pp. 191-215) and a law glossary (pp. 217-246). Not in Eller.

An Authority on the Laws of Ohio

16. Giauque, Florian [1843-1921].

The Settlement of Estates of Deceased Persons, Including the Subjects of Wills, Executors, Administrators, Testamentary Trustees, Dower and Partition, and Other Matters Connected with Such Estates in Ohio with Numerous Notes, Forms and Practical Suggestions. Cincinnati: The Robert Clarke Company, 1898. xvi, 866 pp. Octavo (9" x 6")

Contemporary law calf, blind fillets to boards, red and black lettering pieces to spine. Moderate rubbing to extremities, light rubbing to boards, joints just starting at ends, chipping to head of spine, hinges partially cracked. Owner stamp to front pastedown, light toning to text, internally clean. \$50.

* Fourth edition. The first edition was published in 1893. A durable work, it reached its seventh and final edition in 1907. Giauque was an authority on the laws of Ohio and editor of *The Revised Statutes of the State of Ohio* (1889 and later editions).

The First Important Work on Evidence in America

17. Greenleaf, Simon. [1783-1853].

[May, John Wilder, Editor].

A Treatise on the Law of Evidence. Thirteenth Edition, Carefully Revised with Large Additions by John Wilder May. Boston: Little, Brown and Company, 1876. Three volumes. Octavo (9" x 6").

Recent green gilt stamped buckram. Endpapers renewed, interior clean and bright. Ex-library. Stamps of the Middle Temple to title page and preliminary leaves. An appealing set. \$150.

* Thirteenth edition. Intended originally as a textbook, Greenleaf's treatise was published a volume at a time from 1842-53. The first important American work on evidence, it freed the bar from its dependence on English sources. Greenleaf succeeded Joseph Story as Dane Professor of Law at Harvard, and was instrumental in the development of Harvard Law School. *Catalogue of the Library of the Harvard Law School* (1909) I:827.

"Modern and Practical" 1895 Treatise on Pleading in West Virginia

18. Hogg, Charles E.

Pleading and Forms A Practical Treatise on the System of Common Law Pleading, Supplemented with Numerous Precedents of Declarations, Pleas, Replications, and Court Orders, Now in Use in the State of West Virginia. Cincinnati: R. Clarke, 1895. xliii, 546 pp. Octavo (9" x 6").

Later tan sheep with red and black lettering pieces, owner label (of S.B. Hall) to spine. Rubbing to extremities with some wear to head of spine and corners, a few small scuffs near foot of spine. Gift inscription (dated 1949 from Bruce Hall to Kent Hall) to front endleaf, interior otherwise clean. \$75.

* Only edition. With forms dealing with damages for the negligence of railroads and municipal corporations. "We are favorably impressed with [this book's] judicious arrangement, clearness of statement, and its modern and practical character. The author is evidently a sound lawyer and careful student; and his treatise is the result of honest, conscientious work. It must prove indispensable to the West Virginia bar, and will be valuable and suggestive to lawyers in Virginia.": *Virginia Law Register* 1 (1895-96) 239. OCLC locates 10 copies. *Catalogue of the Library of the Harvard Law School* (1909) I:941.

A "Boon to Prosecuting Attorneys and to Criminal Lawyers"

19. Kerr, James M. [1851-1929].

A Treatise on the Law of Homicide: Including a Complete History of the Proceedings in Finding and Trying an Indictment Therefor; Together with a Chapter on Defences to Homicide. New York: Banks & Brothers, 1891. lxii, 650 pp. Octavo (9" x 6").

Recent period-style quarter calf over cloth, raised bands and lettering pieces to spine, endpapers renewed. Faint finger smudges to a few leaves, interior otherwise clean. Signature on front free endpaper, "Howard Hathaway / 1891, Apr. 7th." Uncommon. \$350.

* Only edition. "A work on this subject was very much needed... Mr. Kerr seems to have raked together all the applicatory cases with the laborious skill which he acquired in his practice as one of the principal workers upon the American and English Encyclopedia of Law. (...) While he is a consummate carpenter of ideas, it is evident that he has in this work branched out into legal doctrines, legal theories and legal reasonings. He has treated many principles in a truly lawyer-like way. But we apprehend that the greatest merit of this work remains in the fact that it affords an accurate key to a very great mass of adjudications; and this is the greatest merit of any legal text-book. It will be a boon to prosecuting attorneys and to criminal lawyers.": *American Law Review* 25 (1891) 340.

Claims Against Governments

20. Lawrence, William [1819-1899].

The Law of Claims Against Governments, Including the Mode of Adjusting Them and the Procedure Adopted in Their Investigation. United States 43d Congress, 2d Session, House. Report, No. 134. Washington: Government Printing Office, 1875. xxiv, vi, [2], 432 pp. Octavo (9" x 6").

Contemporary sheep, blind fillets to boards, raised bands and red and black lettering pieces to spine. Rubbing to spine and extremities, corners lightly bumped, "658" in ink to head of spine, hinges cracked but secure. Offsetting to margins of endleaves, interior otherwise fresh. \$150.

* This is the report of the Committee on war-claims of the U.S. House of Representative on a bill to provide for the adjudication of the claims of aliens. Includes such sections as "Reasons Why a Law Should be Enacted for Disposing of Alien War Claims," "The Law of Claims on Foreign Governments," "A Law Providing that Contributions, requisitions, and material damages of all kinds, caused by the Invasion, Shall be Paid by the French Nation at Large," "Clause in the Constitution of Venezuela Giving Jurisdiction of Claims to the High Federal Court" and "Property Which May be Useful to the Enemy Seized and Destroyed or Damaged to Prevent it from Falling into Their Hands."

Notebook of Massachusetts's First Professional Attorney

21. Lechford, Thomas [fl. 1629-1642].

Note-Book Kept By Thomas Lechford, Esq., Lawyer, In Boston, Massachusetts Bay, From June 27, 1638, to July 29, 1641. Massachusetts Bay, From June 27, 1638, to July 29, 1641. Cambridge: John Wilson and Son, 1885. xxviii, 460 pp. Octavo (9" x 6").

Original brown cloth with paper spine label. Clean tear to title page expertly mended with archival tape, uncut signatures. \$25.

* First edition. A title in the series Transactions and Collections of the American Antiquarian Society. Includes a biographical sketch by J. Hammond Trumbull. Lechford was the first professional attorney in the Massachusetts Bay Colony. He was also a controversial figure because he advocated the use of English common law instead of the Puritan system, which was based on Mosaic law, especially in criminal matters. Warren, *A History of the American Bar* 68-69.

Precursor to Lieber's Code

22. Lieber, Francis [1800-1872].

Guerrilla Parties Considered with Reference to the Laws and Usages of War. Written at the Request of Major-General Henry W. Halleck, General-in-Chief of the Army of the United States. Ordered by the Department of War to be Printed for Distribution in the Army. New York: D. Van Nostrand, 1862. 22 pp., tipped-in errata sheet. Octavo (4-3/4" x 5-1/4").

Side-stitched pamphlet in original printed wrappers. Light wear to edges, spine worn, wrappers and a few leaves detached or partially detached, internally clean. \$150.

* This pamphlet was published a year before Lieber's code, and it contains several ideas that were incorporated into that work. Halleck's commission resonates with our current debates concerning the definition of "enemy combatants" and prisoners of war. In the letter to Lieber that is reproduced as a preface Halleck states: "The rebel authorities claim the right to send men, in the garb of peaceful citizens, to waylay and attack our troops, to burn bridges and houses, and to destroy property and persons within our lines. They demand such persons be treated as ordinary belligerents, and that when captured they have extended to them the same rights as other prisoners of war; they also threaten that if such persons be punished as marauders and spies, they will retaliate by executing our prisoners of war in their possession. I particularly request your view on these questions" (3). Sabin, *A Dictionary of Books Relating to America* 40985.

Seventeenth-Century Treatise Concerning People with Disabilities

23. Michalorius, Blasius.

Tractatus de Cocco, Surdo et Muto. In quo Ipsorum Miseria, Quid Scire, Atque Addiscere Possint, Quos Contractus Celebrare, Num Magistratus Gerere, An in Ultimis Voluntatibus Disponere, Et Plura Alia Huiuscemodi Secundum Germanam Variarum Legum, Ac Imperatorum Constitutionum, Quae Adinucem Pugnare Videntur, Intelligentiam, Subtiliter Discutiuntur. Venice: Apud Guerilios, 1646. [viii], 152, [20] pp. Main text in parallel columns. Quarto (8" x 6").

Contemporary limp vellum, early hand-lettered title to spine. Light wear to spine ends and corners, minor worming to hinges, front hinge staring at bottom. Worming to front and rear endpapers. Attractive large woodcut vignette to title page, woodcut head-piece. Toning in some places, interior otherwise fresh. \$850.

* First edition. One of the earliest works of its kind from the early modern era, this is a curious canon-law treatise concerning blind, mute and deaf people. It appears to have been a well-received work; other editions were published in 1667, 1681, 1709, 1710 and 1847. Michalorius was a canon lawyer and member of the Rota Romana. OCLC locates 9 copies in the United States, 2 in law schools (Yale and UC-Berkeley). *British Museum Catalogue* (Compact Edition) 17:450.

Scarce Treatise on Transfer, Contracts and Other Topics in Roman Law

24. Noalis, Nicolaus [16th/17th Cent.].

De Transmissione Tractatus, In Quo Agitur de Transmissione Fideicommissorum, Legatorum, Substitutionum Directarum, Haereditatis, Contractuum, & Aliarum Materiarum. Nunc ab Autore Summa Diligentia Expurgatus, & Pluribus Additionibus Auctus. Cum Indice Locupletissimo. Venice: Sumpribus Altobelli Boni, 1630. [xviii], 189 [i.e. 188] ff. Main text printed in double columns. Folio (13" x 9").

Original thick paper printer's boards, early hand-lettered title to spine, untrimmed edges. Some soiling to spine and wear to extremities, text block partially detached, pastedowns loose. Title page with attractive large copperplate printer device printed in red and black, handsome woodcut head-piece and decorated initials. Early owner signatures to front endleaf, tiny inkstain to title page, interior otherwise clean. \$1,500.

* Third and final edition. First published in Frankfurt in 1624, this treatise discusses transfer, trusts and trustees, legacies, contracts and obligations in Roman law. Little is known about Noalis; he is identified as a "Iurisconsulti Veneti" on the title page of *De Transmissione*. OCLC locates 3 copies, none in a law library (Princeton, University of Chicago, Library of Congress). KVK locates 7 copies of this edition. Not in the *British Museum Catalogue*. See Pazzaglini and Hawks, *Consilia* N18, which notes a copy of this edition bound to another work.

Rhode Island Statutes, 1857

25. [Rhode Island].

The Revised Statutes of the State of Rhode Island and Providence Plantations: To Which are Prefixed, The Constitution of the United States and of the State. Providence: Sayles, Miller and Simons, 1857. xv, 804 pp. Octavo (9" x 6").

Contemporary sheep, blind rules to boards, blind fillets and lettering piece to spine. Light rubbing to boards, rubbing and gatoring to spine. Early signature to front pastedown. Offsetting to margins of endleaves, light foxing in a few places, interior otherwise fresh. \$30.

* This is the successor to the 1844 compilation, which was the first collection produced after the passage of the 1843 state constitution. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 459.

Authoritative Treatise on Forestry Law

26. Ruginelli, Giulio Cesare [d.1628].

De Arboribus Controversis Resolutionum Liber Singularis. Ex Quibus Omnes Sere de Hac re Disceptationes Facile Dirimi Possunt. Cum Additione Indice, Summariis, Aliisq Opportunis Auctus. Milan: Sumptibus Ioseph de Rossetis, 1688. [viii], 230, [1] pp. Quarto (7-1/2" x 5-1/2").

Contemporary calf, gilt spine with raised bands, early hand-lettered title to foot of text block. Rubbing with some wear to extremities and spine, minor spotting and a few small scuffs, boards slightly bowed, partial crack between front free endpaper and title page. Title page with small woodcut device printed in red and black, attractive woodcut head-pieces, tail-pieces and decorated initials. Occasional faint dampstaining to foot of text block, worming to top edge of about a dozen leaves with no loss to text. Two small early owner signatures to title page, minor smudges and spark burns to a few leaves, interior otherwise fresh. An attractive copy. \$950.

* Later edition, enlarged. With index. This is a treatise on forestry law and legislation in Roman law that discusses trees, roots, branches, flowers and fruit. An authoritative work, it went through several editions, the final appearing in 1824. KVK locates 2 copies. This edition not in the *British Museum Catalogue*.

1848 German Treatise on the Conduct of Public Officials

27. Schwenken, Carl Philipp Theodor.

Die Amtsvergehen, Ihre Untersuchung und Bestrafung in Disziplinärischen und Gerichtlichen Wege noch Gemeinen und Besonders Kurbessischem Rechte. Nach des Verfassers Tode Herausgegeben. Kassel: Druck und Verlag von Theodor Fischer, 1848. xiv, 102 pp. Octavo (8" x 5").

Contemporary marbled boards, blank paper title label to spine. Moderate rubbing to boards and extremities. Small early owner stamp to front pastedown, two more to title page. Light foxing in a few places, interior otherwise fresh. \$1,250.

* First edition. This guidebook for minor public officials was published at the time of the Revolutions of 1848. This book was later expanded into a second volume. The table of contents lists the subjects intended for this continuation. Notably reactionary, Schwenken is best-known for his 1820 criminal-law treatise *Über die Berühmtesten Judischen, Gauner und Spitzbuben* [About Notorious Jews, Swindlers and Rascals]. KVK locates 6 copies of the first edition. *Bibliothek Kammergericht Berlin* 1087.

Rare Early Treatise on Contracts

28. [Stryk, Samuel (1640-1710)].

Von Vorsichtiger Schliessung der Contracten, Oder/ von Denen Cautelen, Welche ein Iedweder in Handel und Wandel Nothwendig in Acht zu Nehmen Hat, Wann Er einen Contract Sicher Schliessen, und so Wohl Gegenwertigen Schaden Verhueten, als Auch Vor Kunfftigen Streit und Weitlaufftigen Processen Versichert Leben Will. Allen und Jeden Kauffleuten, wie Auch Vornehmen Herrn und Edelleuten, so der Rechte nicht erfahren, zum nöthigen Unterricht und Mercklichen Besten in Teutscher Sprache Heraus Gegeben von L. v. J. K. J. Hamburg, Hermann Redlichen, 1692. [viii], 706, [96] pp. Quarto (8" x 6").

Contemporary calf, ornamental blind stamping to spine, lettering piece. Front joint just starting at head, hinges cracked but secure, interior remarkably clean. Red and black title page, attractive woodcut decorated initials, head-pieces and tail-pieces. An appealing copy in an unrestored binding. \$2,500.

* First German edition. Stryk was a distinguished German jurist who helped to develop German law from native sources rather than from received Roman law. Originally published in Latin in 1684, *De Cautelis Contractuum* is one of the first treatises on contract law and its unique problems and dangers. It has four parts. The first part describes contracts that should be entered into with care, such as those concerning church or civil property, or those that involve children, drunks, or the deaf, dumb, or blind. The second part discusses loans, deposits, pledges and securities, bail, buying and selling, renting and leasing, inheritance, business partnerships and proxies. The third part addresses guardianship, inheritance, insurance, exchange and marriage. The fourth part is concerned with issues involved in the discharge and termination of contracts, including debts and receipts. Uncommon in the trade. Not found in Goldsmiths's, Humpert, Kress, NUC, Matsuda, or OCLC. Walker, *The Oxford Companion to Law* 1194.

Useful Digest of the Law of the Spanish Netherlands

29. van den Zype, Francois (Franciscus) [c.1578-1650].

Notitia Iuris Belgici. Editio Secunda Priori Emendatior. Antwerp: Apud Hieronymum Verdussium, 1640. [xx], 284, [xxiv] pp. Quarto (8" x 6-1/2").

Contemporary vellum with lapped edges, sprinkled calf-backed spine with morocco lettering piece, ties lacking. Some rubbing to extremities, boards lightly soiled and somewhat bowed, hinges cracked but secure. Toning to text, internally clean. Ex-library. Early shelf labels to spine and front board, hand-written owner inscription and two small later stamps to title page. An appealing copy of an uncommon title. \$1,500.

* Second edition. Zype was a canon lawyer and church official attached to the Bishop of Antwerp. First published in 1635, this useful and important book on the civil and canon law of the Spanish Netherlands went through at least four more editions and issues into the eighteenth century. Topics include procedure and the law concerning commerce, marriage, the military and other topics. OCLC locates 5 copies of this title in North America, three in law libraries (Harvard, Boston College, Library of Congress), none of this edition. Dekkers, *Bibliotheca Belgica Juridica* 198 (4).

Handsome Copy of Notable Eighteenth-Century Dictionary

30. Vicat, B[eat]-Phil[ippe] [1715-1770], Compiler.

[Ferrigno, Pasquale (fl. 1760), Editor].

Vocabularium Iuris Utriusque ex Variis Ante Editis, Praesertim ex Alexand. Scoti, Jo. Kahl, Barn. Brissonii, et Jo. Gottl. Heineccii Accessionibus. Auctior Atque Emendatior. Naples: Sumptibus Joannis Gravier, 1760. Four volumes. Volume I has copperplate pictorial frontispiece. Octavo (7-1/2" x 4-3/4").

Contemporary vellum, gilt-edged title panels to spines, ribbon markers. Some rubbing to extremities, corners bumped, some minor spotting and light smudges. Occasional toning, light foxing in a few places. Early signatures to title pages of Volumes I and II, stamps to title pages of all volumes, interiors otherwise clean. A nice set. \$450.

* Second edition. As Vicat explains in his preface, he compiled this dictionary from those of Francois Hotoman, Barnabe Brisson, Johannes Calvinus (Kahl) and, especially, Alexander Scotus to bring their "excellent" work to a wider audience. More important, by combining these works and filling the gaps with original entries he was able to create a dictionary that covered the whole language of the law. Vicat's definitions are brief, but they contain comprehensive references to authorities and texts as well as conjugations, common phrases using the words, metaphors, alternate definitions and antonyms. The first edition was published in 1759. Vicat was a jurist and the director of the University of Lausanne from 1749 to 1762. A pioneer in library science, he was the first to issue a printed library catalogue. *British Museum Catalogue* (Compact Edition) 26:118.

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