

CATALOGUE 76

Recently Acquired Books, Manuscripts and Ephemera

THE
LAWBOOK EXCHANGE
LTD.



THE
CONSTITUTIONS
OF THE SEVERAL
INDEPENDENT STATES
OF AMERICA;

THE
Declaration of Independence;
THE
ARTICLES OF CONFEDERATION
BETWEEN THE SAID STATES;
AND THE
TREATIES BETWEEN HIS MOST CHRISTIAN MAJESTY
AND THE UNITED STATES OF AMERICA.

PUBLISHED BY ORDER OF CONGRESS.
LONDON PRINTED,
FROM THE ORIGINAL PHILADELPHIA EDITION,
WITH AN ADVERTISEMENT BY THE LONDON EDITOR:
AND DUBLIN REPRINTED,
FOR MESSRS. GILBERT, PRICE, WALKER, WHITE,
BEATTY, BYRNE, AND CARR.
MDCCLXXXIII.

No 32

English Liberties,
OR THE
Free-born Subject's INHERITANCE;
CONTAINING
Magna Charta, Charta de Foresta, the Statute De Tallagio non concedendo, the Habeas Corpus Act, and several other Statutes; with Comments on each of them.
LIKEWISE,
Of Ship-Money: Of Tonnage and Poundage: Of Parliaments, and the Qualification and Choice of Members: Of the Three Estates, and of the Settlement of the Crown by Parliament.
TOGETHER WITH
A short History of the Succession, not by any hereditary Right: Also a Declaration of the Liberties of the Subject: And of the Oath of Allegiance and Supremacy. The Partition of Rights; with a short but impartial Relation of the Difference between King Charles I. and the Liberties of the Subject, concerning the Privilege of the King: the Liberties of the Subject, and the Rise of the Civil Wars. Of Trials by Jurors, and of the Qualifications of Jurors: their Punishment for Misbehaviour, and of Challenges to them.

LASTLY,
Of Julices of the Peace, and Coroners: With many Law-Cases throughout the Whole.

Compiled first by HENRY CARE, and continued, with large Additions, by WILLIAM NELSON, of the Middle-Temple, Esq.

THE SIXTH EDITION, corrected and improved.

PROVIDENCE, Rhode Island: Printed and Sold by JOHN CARTER, at Shakspeare's Head, in Blinck-street, near the Church. MDCCLXXIV.

No 27

AN
ESSAY
ON
CRIMES
AND
PUNISHMENTS.

WRITTEN BY THE
MARQUIS BECCARIA,
OF MILAN.

WITH A
COMMENTARY,

Attributed to Monsieur De VOLTAIRE.

In the present age, we seem universally aiming at perfection; let us not therefore forget to perfect the LAWS, on which our LIVES and FORTUNES depend.

Wherever truth and interest shall embrace,
Let passion cool, and prejudice give place.

PHILADELPHIA:
Printed and Sold by R. BELL, next Door to St. Paul's Church, in Third-Street.
M. DCC. LXXXVIII.

No 5

AN
ESSAY
ON THE
RIGHTS AND DUTIES OF NATIONS,
FUGITIVES FROM JUSTICE;
CONSIDERED WITH REFERENCE
TO THE
AFFAIR OF THE CHESAPEAKE.

BY AN AMERICAN.

BOSTON:
PRINTED BY DAVID GILLIS, NO. 5, COURT STREET.
1807.

No 43

FRAGMENT
ON
GOVERNMENT;
BOOK I.

AN EXAMINATION of what is delivered,
On the Subject of GOVERNMENT in General,
In the Introduction to
Sir William Blackstone's COMMENTARIES:
WITH A
PREFACE,
IN WHICH IS GIVEN
A CRITIQUE ON THE WORK AT LARGE.

Paris se recule plus le progrès des connaissances, qu'un nouveau ouvrage n'en ait été l'objet: mais qu'avant d'entreprendre, il faut commencer par débiter.

DUBLIN:
Printed for J. SHEPPARD, W. WHITAKER, J. HOEY,
J. POTTS, J. WILLIAMS, W. COLLES, T. WALKER,
T. ARMITAGE, W. SPOTSWOOD, C. JENKIN, J. HILLARY, J. BEATTY, and C. TADDOY.

No 7



No 15

THE
LAVVES
RESOLUTIONS
OF WOMENS
RIGHTS:
OR,
THE LAVVES PROVISION
for WOMEN.
A Methodicall Collection of such Statutes
and Customs, with the Cases, Opinions,
Arguments and points of Learning in
the LAVV, as doe properly con-
cerne WOMEN.
Together with a compendious Table, whereby the
chief matters in this Booke contained,
may be the more readily found.
LONDON;
Printed by the assignment of JOHN MORE,
Esquire, and are to be sold by JOHN GROVE,
at his Shop neere the Row in Chancery-Lane,
over against the Six-Clerkes Office.
1632. Cum privilegio.

No 41

A learned
commendation of the politique
lawes of England: vvherin by moſte
pitthy reasons & euident demonstrations they are
plainely proued farre to excell alſo the Civile
lawes of the Emperie, as alſo all other lawes of
the vvorld, with a large diſcourſe of the difference
betwene the. ii. gouernments of kingdoms;
vvherof the one is onely regall, and the
other conſiſteth of regall and po-
litique admiſtration
contoynd.
Written in latine aboue an hundred yea-
res paſt, by the learned and right hono-
rable maſter Forſekue knight, vvorne
Chanceller of England in the time
of Kinge Henrie the. vi. And
newly tranſlated into En-
gliſhe by Robert
Bulſtaker.
(..)

No 47

AN
ESSAY
ON
CRIMES
AND
PUNISHMENTS,
Translated from the ITALIAN;
WITH A
COMMENTARY,
Attributed to Monf. DE VOLTAIRE,
Translated from the French.

In rebus quibuscumque difficilioribus non expedan-
dum, ut quis simul, & ferat, & metat, sed prepara-
tione opus est, ut per gradus maturecant.

BACON.
LONDON:
Printed for J. ALMON, opposite Burlington-House,
Piccadilly, MDCCLXVII.

No 4

DU SYSTEME
PÉNITENTIAIRE
AUX ÉTATS-UNIS,
ET
DE SON APPLICATION EN FRANCE:
SUIVI D'UN APPENDICE
SUR LES COLONIES PÉNALES
ET DE NOTES STATISTIQUES.
PAR MM. G. DE BEAUMONT ET A. DE TOCQUEVILLE
AVOCAT À LA COUR ROYALE DE PARIS,
MEMBRE DE LA SOCIÉTÉ HISTORIQUE DE PENNSYLVANIE.
PARIS.
H. FOURNIER JEUNE, LIBRAIRE,
RUE DE SEINE, N° 20.
1833.

No 3

MAGNA
Charta, cum statutis,
tum antiquis, tum re-
centibus, maximopere, animo
tenendis nunc demum ad
vnum, tipis ædita,
per Richardum
Tottell.
(..)
Anno domini 1576.
Cum privilegio ad im-
mendum solum.

No 76

Lautele Bartto Lepolle
Thabist solenes
Anno domini 1576.
Cum privilegio ad im-
mendum solum.

No 30

CATALOGUE 76

*Recently Acquired Books, Manuscripts, Artwork and Ephemera
Including a 1787 Compilation of Mexican Law, The First Work on
Laws Relating to Women, A Heavily-Annotated 1594 Edition of Littleton,
The Final Colonial Printing of Care's English Liberties,
And an Early Printing of Stracca's Tractatus De Mercatura*



THE
LAWBOOK EXCHANGE
LTD.

Clark, New Jersey
2014

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Exterior Front Cover: **Item 73**, Lib (Liberio Pesperi), *The Lobby of the House of Commons*, 1886.
Vanity Fair.

Exterior Rear Cover: **Item 71**, George H. Bishop, *Composer, Pleading and Practice Grand March. 2 Step. Compliments of the Edward Thompson Company, Northport Long Island, N.Y.*

Interior Front Cover: *Title pages from items in Catalogue 76. Please refer to number in lower right-hand corner for more information.*

Interior Rear Cover: **Item 19**, Elizabeth Brownrigg, *The Life of Elizabeth Brownrigg, Who was Executed at Tyburn, For Starving Mary Clifford to Death, One of Her Apprentices. Upon Which is Founded the Popular Peice [sic] of "Mary Clifford," Performed at the City of London Theatre.*

Title Page: *Detail from Item 30*, Bartolomeo Cipolla, Johannes de Gradibus, *Incipiu[n]t Sole[m]nes ac P[er]utiles Tractatus Memoriaq[ue] ac Studio Dignissimi Egregij Viri: Iurisq[ue] Utriusq[ue] Peritissimi D. Bartholomei Cepolle, Videlicet.*

Digital images of all items in this catalogue can be found on our website.

Additional images of any item can be supplied upon request.

Item depictions in this catalogue are not to scale.

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Warranty & Returns: Any item may be returned within fourteen (14) days of receipt for any reason; prior notification is necessary and returned items must be carefully packed and arrive safely.

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On-Line Catalogues: Our latest catalogues, some featuring specific subjects and special offers, can be viewed on our website.

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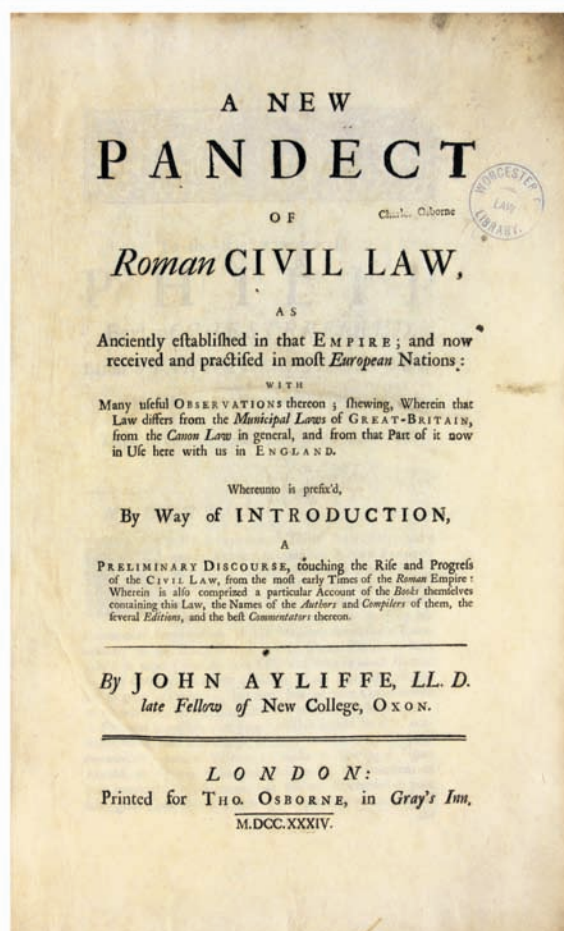
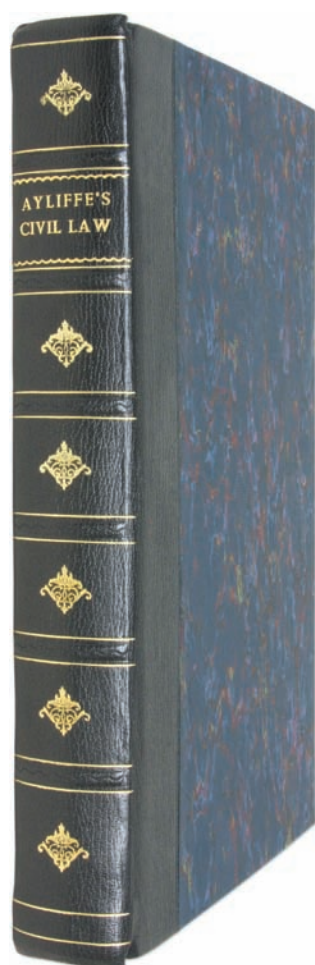
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"THE MOST ELABORATE TREATISE ON MODERN ROMAN LAW WRITTEN IN ENGLISH"

1. Ayliffe, John [1676-1732].

A New Pandect of Roman Civil Law, As Anciently Established in That New Empire; And Now Received and Practised in Most European Nations: With Many Useful Observations Thereon; Shewing, Wherein that Law Differs From the Municipal Laws of Great-Britain, From the Canon Law in General, And From That Part of it Now in Use Here With Us in England: Whereunto is Prefix'd, By Way of Introduction, A Preliminary Discourse, Touching the Rise and Progress of the Civil Law, From the Most Early Times of the Roman Empire: Wherein is Also Comprized a Particular Account of the Books Themselves Containing this Law, The Names of the Authors and Compilers of Them, The Several Editions, And the Best Commentators Thereon. London: Printed for Tho. Osborne, In Gray's Inn, 1734. [vi], xlviii, [10], 608 pp. Complete as issued; a projected second volume was not published. Folio (13-1/2" x 8-1/2").

Recent period-style quarter morocco over marbled boards, raised bands, gilt title and gilt ornaments to spine, endpapers renewed. Light toning to text, slightly darker at outer margins, minor soot stains to title page and upper margins of a few leaves at beginning to text. Small early owner and law library stamps to title page, interior otherwise clean. \$2,500.

Only edition. "In 1734 was published the first volume of *New Pandect of the Roman Civil Law*, which Ayliffe had written some years before. There was at the time an awakening interest in the civil law, and Ayliffe designed his book not only for the lawyer, but also for the politician and the diplomatist... Though never finished, it remains to our day the most elaborate treatise on modern Roman law written in English" (DNB). Marvin held it in high esteem, as did Holdsworth, who says "no other book of equal learning of comprehensiveness was published by an English writer in this century." DNB I:752. Marvin 81. HEL XII:642.

2. [Barbados].**Moore, Samuel, Editor.**

The Public Acts in Force; Passed by the Legislature of Barbados, From May 11th 1762 to April 8th 1800, Inclusive; Carefully Compared and Examined with the Acts in the Secretary's Office of the Said Island: A Digested Abridgment of the Said Acts; And, An Index: With a Table of Said Acts; And, A Table of All the Acts Passed During the Above Period, Which are Private or Not in Force. London: Printed for Samuel Moore, 1801. xxiv, 435; [iv], 79, [9] pp. Two parts, each with title page and individual pagination. Octavo (9-1/2" x 5-3/4").

Later buckram, red and black lettering pieces to spine, endpapers renewed. Some soiling, light shelfwear, some chipping to lettering pieces, front hinge cracked, "Advertisement" signed by Moore affixed to front free endpaper. Some toning to text, internally clean. Ex-library. Residue of location label to spine, stamp to title page, annotations to verso. \$1,000.

The first nineteenth-century compilation. With index, side-notes and subscriber list. Dealing with a wide range of topics, this work is useful for its insights into the daily life of the colony and the mechanisms of colonial administration. Colonized by the British in 1625, Barbados remained a British possession until 1966. It always enjoyed a large measure of autonomy; its House of Assembly held its first meeting in 1639. The signed Advertisement guarantees the authenticity of this edition. OCLC locates 1 copy in North America (at the University of Minnesota law library). Sweet & Maxwell 7:295.

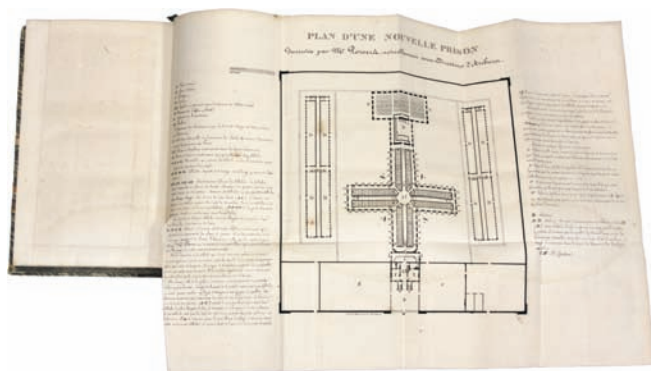
A LANDMARK IN THE HISTORY OF PENOLOGY

3. Beaumont, Gustave de [1802-1866].**Tocqueville, Alexis de [1805-1859].**

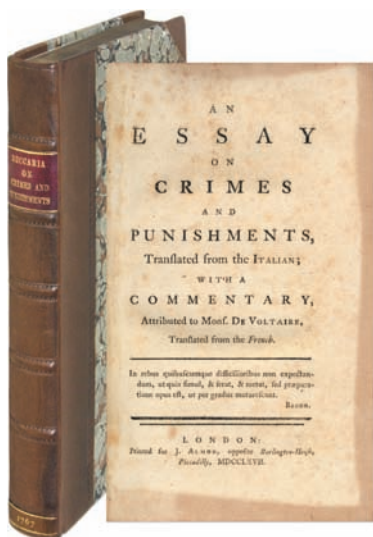
Du Systeme Penitentiaire aux Etats-Unis et de son Application en France; Suivi d'un Appendice sur les Colonies Penales et de Notes Statistiques. Paris: H. Fournier Jeune, 1833. [iv], viii, [2], 439 pp. Five plates, two folding. Octavo (8-1/4" x 5").

Contemporary quarter calf over marbled boards, lettering piece and gilt and blind ornaments to spine, marbled edges and endpapers, ribbon marker. Some rubbing to extremities with light wear to spine ends and corners, front joint just starting at head, front hinge cracked. Light toning to text, moderate toning to plates, occasional light foxing. A few minor tears to plates, interior otherwise fresh. An appealing copy. \$2,500.

First edition. In 1831 Beaumont and Tocqueville were commissioned by the French government to examine America's latest prisons, which were renowned for their innovative approaches to penology. Their nine-month tour included visits to prisons in Connecticut, Maryland, Massachusetts, New York and Pennsylvania. *Du Systeme Penitentiaire aux Etats-Unis*, the result of their tour, was an immediate success that was quickly translated into English and German. It was one of the most influential books on penology ever written. Beaumont and Tocqueville were affected deeply by their experiences in the United States. It led Beaumont to espouse abolition and inspired Tocqueville to write *De la Democratie en Amerique* (1835). Sabin 4190.



No 3



FIRST ENGLISH-LANGUAGE EDITION OF PMM 209,
“ONE OF THE MOST INFLUENTIAL BOOKS IN THE
WHOLE HISTORY OF CRIMINOLOGY”

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

An Essay on Crimes and Punishments, Translated from the Italian; With a Commentary, Attributed to Mons. De Voltaire, Translated from the French. London: Printed for J. Almon, 1767. xii, 179, [1], lxxix, [1] pp. Last page blank. Octavo (8" x 5").

Recent period-style three-quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed, contemporary armorial bookplate (“Parker of Park Hall Esq.”) on front pastedown retained. Light toning to text, faint dampspotting to a few leaves, some offsetting to margins of preliminaries and final few leaves. An attractive copy. \$2,500.

First edition in English. First published in Livorno in 1764 as *Dei Delitti e Delle Pene*, this landmark work is, to quote PMM, “one of the most influential books in the whole history of criminology. It is significant because it was the first systematic study of the subject. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the Middle Ages. It had a profound influence on the development of criminal law. It was especially influential among American thinkers, such as Thomas Jefferson, who saw Beccaria as a source of enlightened ideas to reform English common law. PMM 209. ESTC T138985. Sowerby 2349.

EARLY AMERICAN EDITION OF BECCARIA

5. Beccaria, [Cesare Bonesana, Marchese de].

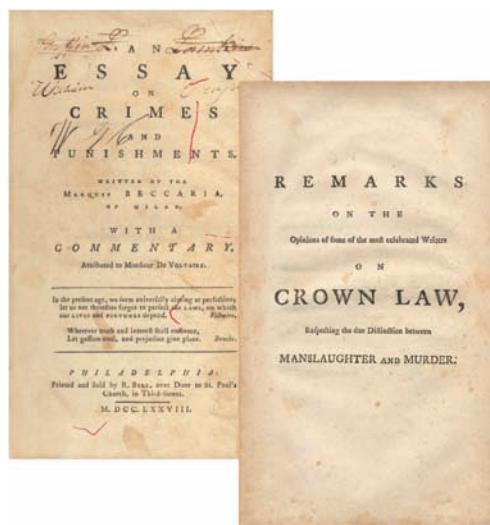
An Essay on Crimes and Punishments. With a Commentary Attributed to Monsieur De Voltaire.

[With]

Sharpe, Granville [1735-1813]. *Remarks on the Opinions of Some of the Most Celebrated Writers on Crown Law, Respecting the Due Distinction Between Manslaughter and Murder.*

[With]

Rousseau, J[ean]-J[acques] [1712-1778]. *J.J. Rousseau, Citizen of Geneva, His Opinion on Duelling.* Philadelphia: Printed by R. Bell, 1778. [iv], 352, [4] pp. Includes one-page publisher list. Three works in one. Continuous pagination, second work has half-title and title.



Octavo (7-1/2" x 4-1/2"). Original sheep, raised bands to spine. Light rubbing to boards and extremities, some chipping to spine ends, joints starting, corners bumped and somewhat worn, hinges cracked. Light browning and faint dampspotting to text. Early owner signatures and annotations to endleaves and title page, interior otherwise clean. A nice copy. \$1,850.

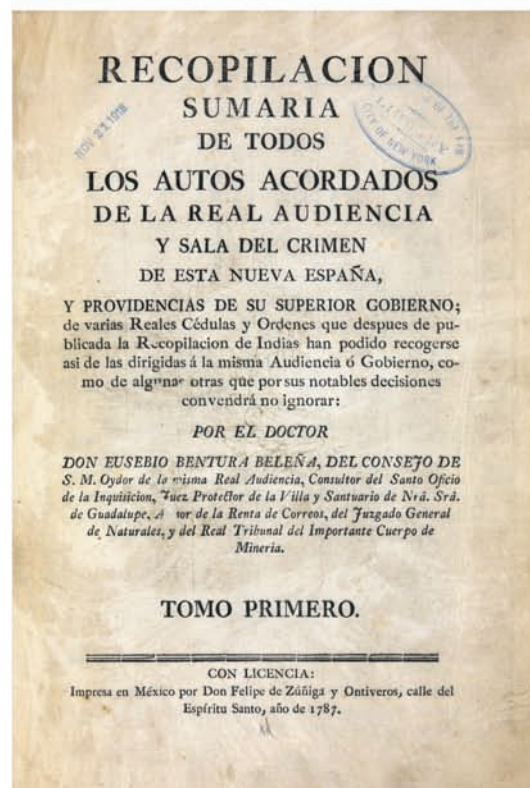
Second American edition. With a table of authorities and cases. *Dei Delitti e Delle Pene* (1764) was the first systematic study of the principles of crime and punishment. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the Middle Ages. It had a profound influence on the development of criminal law. It was especially influential among American thinkers, who saw Beccaria as a source of enlightened ideas to reform English common law. Though a matter of some debate, the first American edition was published in Charleston, SC, in 1777. (Earlier American imprints, including one printed in New York in 1773, are ghosts). Cohen 4233.

**6. Belena, Eusebio Buenaventura [1736-1794].
Montemayor y Cordova de Cuenca, Juan
Francisco de [1620-1685].**

Recopilacion Sumaria de Todos los Autos Acordados de la Real Audiencia y Sala del Crimen de Esta Nueva Espana, y Providencias de su Superior Gobierno. [Mexico City]: Por don Felipe de Zuniga y Ontiveros, 1787. Six volumes in two books, each with title page, Books 3-5 paged continuously, first book preceded by introduction and tables preceded by general title page. Copperplate portraits to verso of title-page and first leaf of introduction. Folio (11" x 7-1/2")

Later (probably nineteenth-century) quarter morocco over marbled boards, gilt titles and ornaments to spine, marbled endpapers. Light wear to boards, moderate rubbing to extremities, corners bumped and somewhat worn, some chipping to head of spine, front joints just starting at head, hinges cracked. Attractive woodcut initials, two depicting the native Mexican landscape. Marginalia in early hand to a few leaves. Light toning, somewhat heavier in places, light foxing to some leaves. Annotations in early hand to a few leaves in Parts 3-6, interior otherwise clean. Ex-library. Fragment of shelf label to foot of second book, stamps to title pages. A solid copy of a very scarce title. \$5,000.

First edition. This is an important compilation of legislation, royal orders and criminal court decisions in colonial Mexico. According to Sabin, this is a book of "highest rarity." Many of these deal with law, slaves, property rights and the local government of the Native Americans. Part I: Recopilacion Sumaria de Algunos Autos Acordados de la Real Audiencia y Chancilleria de la Nueva Espana. Part II: Recopilacion de Algunos Mandamientos y Ordenanzas del Gobierno de esta Nueva Espana. Part III: Recopilacion Sumaria de los Autos Acordados de la Real Audiencia de esta Nueva Espana. Part IV: Recopilacion Sumaria de los Autos Acordados de la Real Sala del Crimen de la Audiencia de Esta Nueva Espana. Part V: Recopilacion Sumaria de las Providencias de este Superior Gobierno Posteriores a las Recopiladas por el Senor Montemayor, y las Reales Cédulas y Ordenes que Despues de Publicada la Recopilacion de Indias... Part VI: Copias a la Letra Ofrecidas en le Primer Tomo de la Recopilacion Sumaria de Todos los Autos Accordados de la Real Audiencia y Sala del Crimen de Esta N.E. OCLC locates 5 copies in North American law schools (UC-Berkeley, Tulane, Harvard, Rutgers and Columbia). Sabin 56261. Palau 26569.



Nº 6

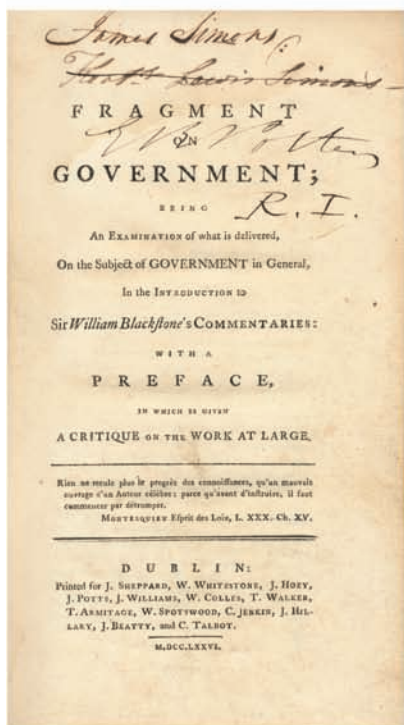


RARE FIRST IRISH EDITION

7. [Bentham, Jeremy (1784-1832)].

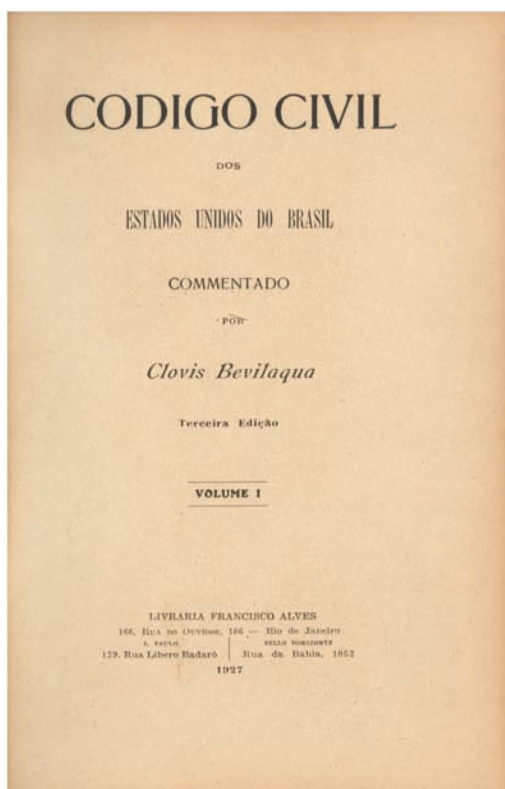
A Fragment on Government: Being an Examination of What is Delivered, On the Subject of Government in General, In the Introduction to Sir William Blackstone's Commentaries: With a Preface, In Which is Given a Critique of the Work at Large. Dublin: Printed for J. Sheppard, W. Whitestone, J. Hoey, J. Potts, J. Williams, J. Colles, T. Walker, T. Armitage, W. Spotswood, C. Jenkin, J. Hillary, J. Beatty, and C. Talbot, 1776. [ii], xli, [1], 132 pp. Octavo (8-1/4" x 4-3/4").

Recent period-style calf, gilt spine with lettering piece, endpapers renewed. Light toning, heavier in places, faint dampstaining to upper margins of text block in places. Early owner signatures to title page (of James Simons, Robert Lewis Simons and E. B. Potter, R.I.), interior otherwise clean. An appealing copy in an attractive binding. \$5,000.



Nº 7

First Irish edition, published in London in the same year. This is Bentham's first work and a masterly criticism of Blackstone's *Commentaries*. "As Bentham is one of the few English writers of mark upon the theory of political institutions, and as his doctrine forms a link in the chain of English political philosophy, we still read the "Fragment in government" in order to see, not how far Blackstone was wrong, but how far Bentham was right (Montague)." The work was the first indication of the genius which later made him the foremost writer in the field. Not seen by Eller, who mentions it in a footnote. OCLC locates 6 copies in North America, 2 in law libraries (Baylor, Ohio State). Additional copies found at Yale Law School and the Library of Congress. ESTC locates eight locations in the British Isles. Montague, "Introduction" in Bentham, *A Fragment of Government* (Oxford, 1891) 59. Eller, note to 248.

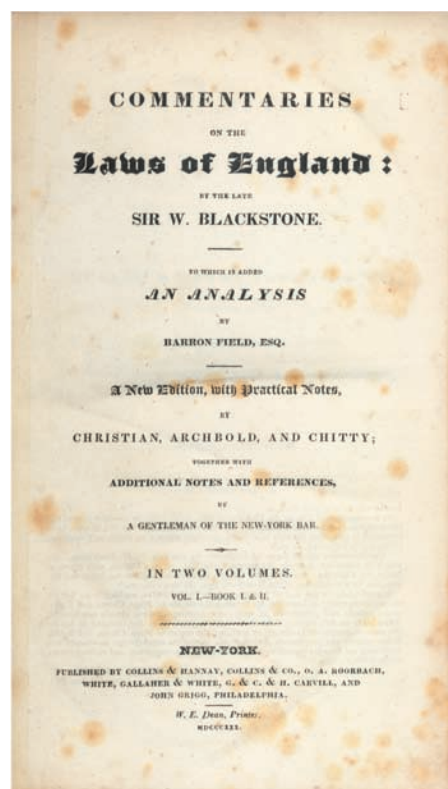


IMPORTANT COMMENTARY ON THE BRAZILIAN
CIVIL CODE BY ITS PRIMARY AUTHOR

8. Bevilacqua, Clovis [1859-1944], Commentator. *Codigo Civil dos Estados Unidos do Brasil*. Rio de Janeiro: Livraria F. Alves, 1919-1927. Six volumes.

Volume 1: Contemporary quartersheep over paper-covered boards, raised bands and gilt title to spine; Volumes 2-6: Quarter cloth over patterned paper boards, gilt fillets and titles to spines. Some shelfwear and soiling, light toning to text, internally clean. Ex-library. Location labels to spine, annotations in pencil to preliminaries, small inkstamps to title pages of most volumes. \$450.

Volume 1, third edition (1927), Volumes 2-4, second edition (1922-24), volumes 5-6, first edition (1926, c. 1917, 1919). This is an important commentary on the civil code of Brazil (enacted in 1916) by its primary author. He was, to cite Borchard, "perhaps the most versatile jurist of Brazil, a profound scholar and a practical jurist of proven achievement." It has a curious publication history. The first edition was published in six volumes from 1916-1919. By 1935 all volumes had their third editions. Another round of revisions continued until 1944, when each volume reached its sixth and final edition. As a consequence sets of mixed editions are common. All editions are uncommon in North America, however. Borchard 241, 248.



ELLER 94

9. Blackstone, Sir William [1723-1780].

Commentaries on the Laws of England: By the Late Sir W. Blackstone. To Which is Added an Analysis by Barron Field, Esq. A New Edition, With Practical Notes, By Christian, Archbold, And Chitty; Together with Additional Notes and References, By a Gentleman of the New-York Bar. New York: Published by Collins & Hannay [et al.], 1830. Two volumes. xx, 393, 532 [i.e. 432]; xv, 379, 335, 107 pp. Blackstone's paging retained in margin. Fold-out Table of Descents. Octavo (8-1/2" x 5-1/2").

Recent paper-covered boards, calf lettering pieces, endpapers renewed. Some toning, light foxing to most of text, early annotations in pencil to a few leaves. A nice copy. \$950.

A corrected reissue of the 1827 New York edition copyrighted by W.E. Dean and published by E. Duyckinck. Blackstone's paging retained in margins. The American editor is unknown, as is the "Gentleman of the New-York Bar." The longer notes, which are from the 1803 and 1811 London editions, are signed, but many notes taken from other editions are not. American authorities are included in the notes. Unlike the 1827 edition, this does not have a portrait frontispiece. OCLC locates 28 copies. Eller 94.

10. Blackstone, Sir William.

Commentaries on the Laws of England: In Four Books; With an Analysis of the Work. In Two Volumes, From the Nineteenth London Edition. With a Life of the Author, And Notes, By Christian, Chitty, Lee, Hovenden, And Ryland; And Also References to American Cases, By a Member of the New York Bar. Philadelphia: J.B. Lippincott & Co., 1870. Two volumes. xxxvi, 404, 468; xx, 369, 402 pp. Blackstone's paging retained in margin. Fold-out Table of Descents. Octavo (8-1/2" x 5-1/2").

Later buckram retaining original lettering pieces, endpapers renewed. Light shelfwear, some soiling to spine, corners bumped. Light toning to text, faint spotting in places. Early owner embossed stamp to title pages, internally clean. \$250.

This is a reissue of the 1841 New York edition, which follows the text and notes of the 1832 New York edition. Eller 120.

AN 1840 UPDATE OF BLACKSTONE'S COMMENTARIES, BOOK II

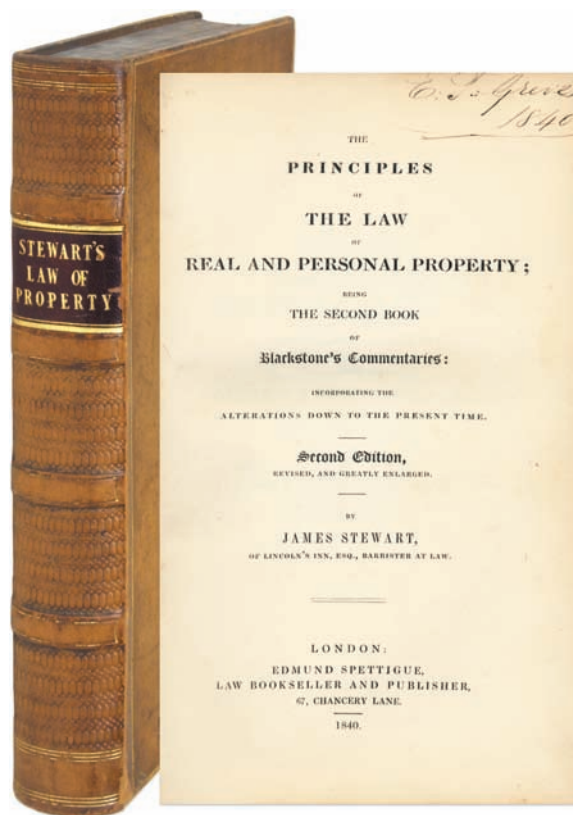
11. [Blackstone, Sir William].

Stewart, James [1805-1860], Editor.

The Principles of the Law of Real and Personal Property; Being the Second Book of Blackstone's Commentaries: Incorporating the Alterations Down to the Present Time. Revised, And Greatly Enlarged. London: Edmund Spettigue, 1840. xxii, 559, xxxiii pp. Copperplate Table of Consanguinity, folding copperplate Table of Descent. Octavo (8-1/2" x 5-1/2").

Contemporary calf, gilt rules to boards, lettering piece, raised bands and blind decoration to spine, marbled edges and endpapers. Light rubbing to extremities, a few minor nicks to boards, hinges starting. Some toning to text, light foxing to tables and a few leaves. Early owner signature to head of title page, neat underlining and annotations in places, interior otherwise clean. A handsome copy. \$650.

Second edition. "This second edition contains the whole of Blackstone's second book, with Stewart's alterations incorporated into the body of the text. (...) Blackstone's paging of book II is retained in margin. Blackstone's appendix to book II is replaced with forms in contemporary use. In 1841 this work was published in London as book II of *Blackstone's Commentaries on the Laws of England. In Four Books. Twentieth Edition. By James Stewart.* (...) Separate publication of the second book with the title *Principles of the Law of Real and Personal Property* was continued; third and fourth editions were published in London, 1844 and 1853." : Eller 72a.



№ 11

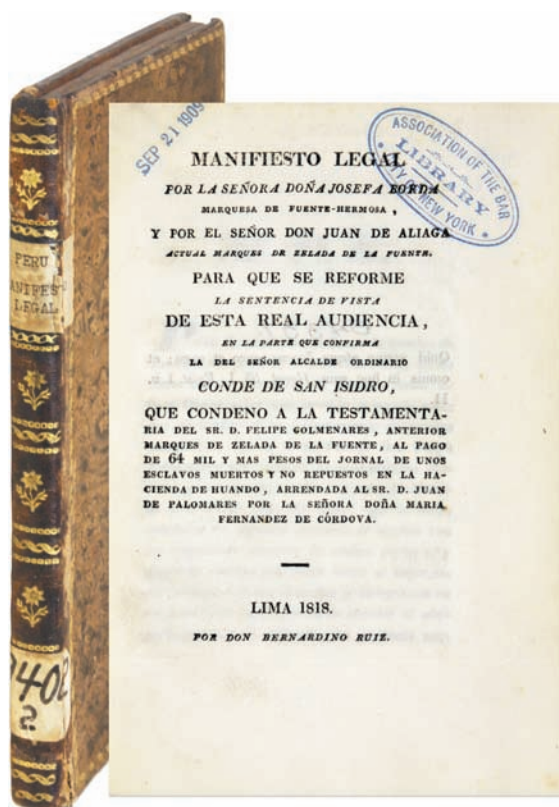
12. Blackstone, Sir William.**Warren, Samuel, Editor [1807-1877].****[Smith, John Warren].**

Select Extracts from Blackstone's Commentaries, Carefully Adapted to the Use of Schools and Young Persons: With a Glossary, Questions and Notes, And a General Introduction. London: A. Maxwell, 1837. [v], xxviii, [2], 428 pp. Octavo (7-1/2" x 4-1/2").

Original textured cloth with decorative blind stamping, rebacked retaining original spine, hinges mended. Some rubbing to boards and extremities, corners bumped and lightly worn, faint toning to text. Later owner signatures (of Louis J. Hewson and Vanessa R. Russell) to front free endpaper, interior otherwise clean. \$250.

Reissue of the first, and only, edition. "The first edition was published in London, 1836; the selections were made by John Warren Smith, whose name did not appear in the book. Smith and Warren prepared the extracts for publication. The 1837 publication is a verbatim reprint, according to Warren's preface to his 1855 abridgment" (Eller). Warren wrote several fictional and non-fictional works about the law, such as the novel *Ten Thousand a Year* (1841) and the classic primer *A Popular and Practical Introduction to Law Studies* (1836). In 1855 he published another Blackstone-based primer, *Blackstone's Commentaries Systematically Abridged*. It had a second edition in 1856. Eller 77.

AN 1818 PLAN TO REFORM THE LAWS OF INHERITANCE AND SUCCESSION IN PERU



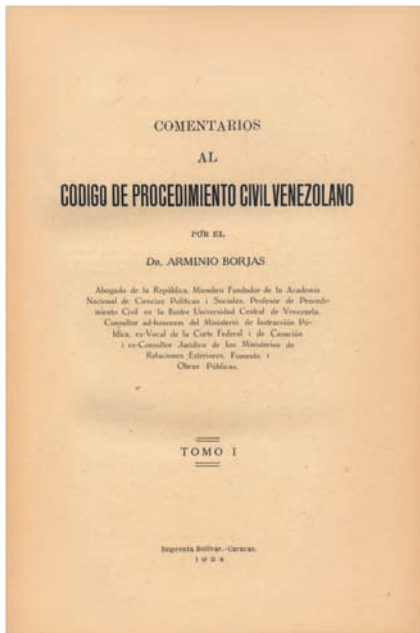
Nº 13

13. Borda, Josefa.**Aliaga, Juan de****Armas, Jose de.**

Manifiesto Legal por la Senora Dona Josefa Borda, Marquesa de Fuente Hermosa, Y por el Senor don Juan de Aliaga, Actual Marques Dr Zalada de la Fuente, Para que se Reforme la Sentencia de Vista de Esta Real Audiencia, en la Parte que Confirma la del Senor Alcalde Ordinario, Conde de San Isidro, que Condeno a la Testamentaria del Sr. D. Felipe Colmenares, Anterior Marques de Zelada de la Fuente, Al Pago de 64 Mil y Mas Pesos del Jornal de Unos Esclavos Muertos y no Repuestos en la Hacienda de Huando, Arrendada al Sr. D. Juan de Palomares por la Senora Dona Maria Fernandez de Cordova. Lima: Por Don Bernardino Ruiz, 1818. viii, 80 pp. Quarto (7-1/2" x 5-1/2").

Contemporary marbled sheep, gilt fillets to boards, gilt fillets and ornaments to spine, marbled endpapers. Rubbing to spine ends and corners, later bookplate to front pastedown. Light toning to text, occasional light foxing, internally clean. Ex-library. Location and title labels to spine, stamps and annotation to title page and verso. A nice copy of a rare title. \$1,500.

Only edition. An essay proposing reforms to the Peruvian laws governing inheritance and succession. Bardo and Aliaga were Spanish noblemen. OCLC locates 4 copies, 2 in North American law libraries (Library of Congress, Yale). Not in Clagett.



SCARCE COMMENTARY ON THE
VENEZUELAN CIVIL PROCEDURE CODE
IN FORCE IN THE 1920S

14. Borjas, Arminio.

Comentarios al Código de Procedimiento Civil Venezolano. Caracas: Imprenta Bolívar, 1924. Six volumes. Complete set.

Original printed wrappers bound into contemporary quarter cloth over patterned paper boards, gilt titles to spines. Some shelfwear and soiling, moderate browning to text, internally clean. Ex-library. Location labels to spine. \$1,500.

Only edition. This is a detailed commentary of the Venezuela's old code of civil procedure, which was replaced in 1986. OCLC locates copies in 7 North American law libraries (Harvard, LA County, Library of Congress, Tulane, UC-Berkeley, University of Michigan, UT-Austin).



THE APPLICATION OF SHORTHAND
TO LEGAL WRITING

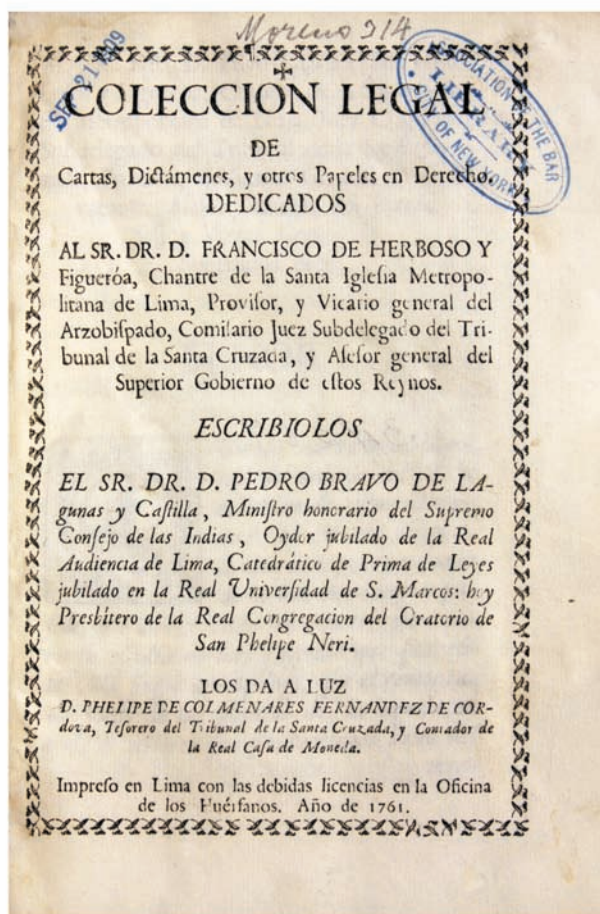
15. Botley, Samuel [1642-1696?].

Rich, Jeremiah [d.c. 1660].

Maximum in Minimo, Or, Mr. Jeremiah Richs Pens Dexterity Completed With the Whole Terms of the Law. London: Printed for John Man, [c.1690]. 31 ff. Content on facing leaves. Two copperplate portrait frontispieces. Octavo (7" x 4-1/2").

Contemporary wrappers bound into later library buckram, gilt title to spine. Some rubbing to extremities with light wear to corners, chipping to spine ends, front joint and hinge partially cracked, library bookplates to front pastedown. Copperplate title page with architectural border, copperplate leaves, all with vignettes. Moderate toning, some foxing to text, light edgewear to preliminaries and final few leaves, embossed library stamp to foot of first frontispiece, later annotation to its verso, other library stamps to verso of title page. A solid copy of a scarce title. \$1,250.

Rich was an English stenographer who published a series of manuals on shorthand writing based on the work of his uncle, William Cartwright. First published in 1659, *The Penns Dexterity Completed* is the definitive exposition of the Cartwright-Rich system. It was a popular work that went through 20 editions by 1792. Illustrated throughout with religious figures and symbols, Botley's attractive edition has a section on "the whole terms of the law." There were five editions of Botley's work, but their publication dates are not clear. ESTC R24215.



SCARCE EIGHTEENTH-CENTURY PERUVIAN COURT DECISIONS

16. Bravo de Lagunas y Castilla, Pedro Jose [1704?-1765], Editor.

Colección Legal de Cartas, Dictámenes y Otros Papeles en Derecho. Lima: En la Oficina de los Huerfanos, 1761. [Ixiv], 300 [i.e. 352], [16], 161, [4] pp. Quarto (7-3/4" x 6").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Negligible rubbing to extremities, faint stain to front board, vellum beginning to crack through pastedowns, text block partially detached, clean tear to front free endpaper. Title page printed with woodcut typographical border, woodcut text ornaments. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown, small inkstamps to title page, annotations to verso. A nice copy of a scarce eighteenth-century Peruvian imprint. \$3,000.

Only edition. The editor of this collection of exemplary judicial decisions given in Peruvian ecclesiastical and secular courts was a minister of the Supreme Council of the Indies, Judge of the Royal Court of Lima and a professor of law at the Royal University of San Marcos (in Mexico). These decisions deal with a variety of topics, such as slavery, Indians and the nullification of marriage. OCLC locates 14 copies in North America, 5 in law libraries (Columbia, Harvard, UC-Berkeley, University of Michigan, Yale). Another copy located at the Library of Congress. Not in Sabin. Medina, *La Imprenta en Lima: Epitome, 1584-1810* 1170.

17. [Breton, John le (d. 1275), Attributed].**Wingate, Edm[und] [1596-1656], Editor.**

Britton. The Second Edition. Faithfully Corrected According to Divers Ancient Manuscripts of the Same Booke. London: Printed by the Assignes of John Moore, 1640. [xv], 287, [21] ff. Octavo (5-3/4" x 3-1/2").

Recent period-style speckled calf, blind rules to boards, raised bands and blind rules to spine, free endpapers renewed, other endleaves lacking, early armorial bookplate (of James Bengough of ye Inner Temple London Gent. 1702) to verso of title page. Some toning to text, light foxing in a few places, light foxing to title page, internally clean. A handsome copy. \$2,500.

Second edition. Text in Law French, preliminaries and corrections in English. Along with *Fleta*, *Britton* is one of two significant law books produced during the reign of Edward I [1272-1307]. According to Francis Morgan Nichols, editor of the 3rd ed. (1865), it is a legal compilation with no known author, wrongly attributed to John Britton, or Le Breton, bishop of Hereford. The oldest English book in Law-French, it was probably a response to a wish of

Edward I to produce a digest of the English law in the spirit of Justinian's *Institutes*. Book One outlines the authority of justices and officers and defines the nature of various personal pleas (including pleas of the crown). Book Two describes disseisins and their remedies. Book Three treats intrusions and their remedies. Book Four describes pleas relating to advowsons and the property of churches (and of attaints). Book Five outlines pleas of dower and entry. Book Six defines different kinds of proprietary actions. In all, this treatise offers an incomparable overview of British law during the medieval era. The first edition was issued was printed in 1540. As Wingate observes, it is "exceeding full of manifest imperfections," including the omission of an entire chapter (Advertisement [iii]). Wingate corrects these errors and supplies the missing chapter. (All of these improvements to the 1540 edition are listed in an appendix.) Copies on this title were found in the libraries of several discerning readers, such as Thomas Jefferson, who had a copy of the 1640 edition. Sweet & Maxwell 1:52 (11). Sowerby 1773.

PREFERRED EDITION OF "AN EXCELLENT REPERTORY OR TABLE FOR THE YEAR BOOKS,"
BEALE R473, R476

18. Brooke, Robert [?-1558].

La Graunde Abridgement, Collecte & Escrie per le Iudge Tresreverend Syr Robert Brooke Chivaler, Nadgairs Chiefe Iustice del Common Banke.

[London]: In Aedibus Richardi Tottelli, 1586. [iv], 351 ff.

[And]

La Secounde Part du Graunde Abridgement....

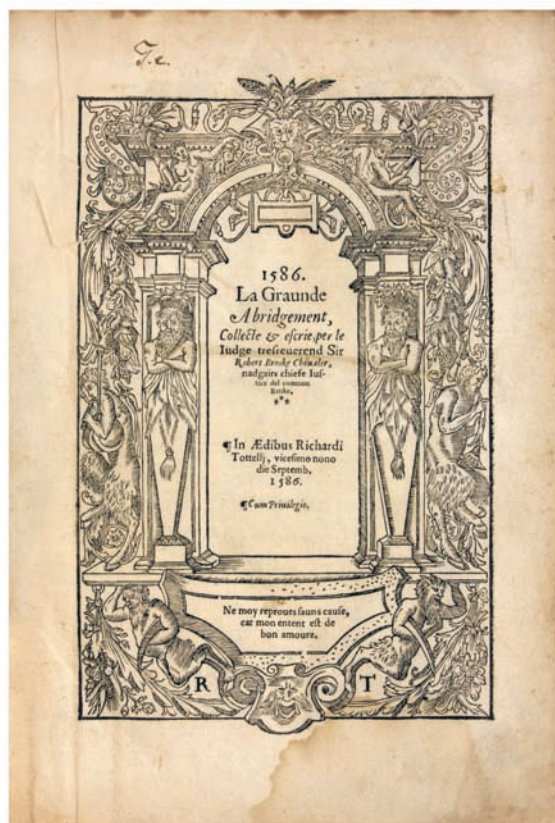
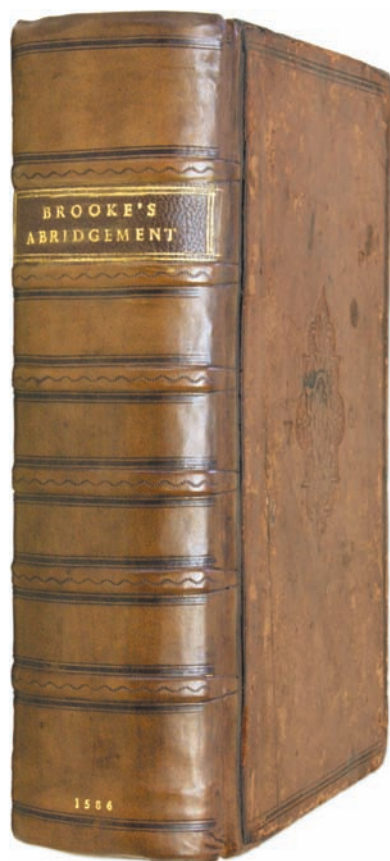
[London]: In Aedibus Richardi Tottelli, 1586. [i], 2-328 ff.

Two volumes in one. Folio (11" x 7-1/2"). Recent period-style calf, raised bands and gilt-stamped title to spine, blind rules and corner fleurons to boards, endpapers renewed. Titles printed within handsome woodcut architectural borders. Light toning to text, faint dampstaining in places, repairs to upper corners of first title page and following leaf. Early underlining and brief annotations to some leaves, early initials to head of first title page, internally clean. \$3,500.

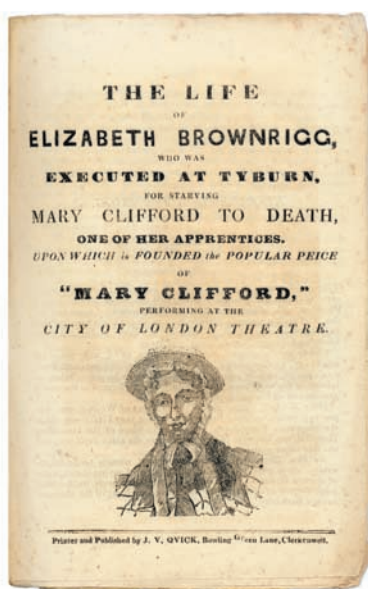
Third edition. Sir Robert Brooke was renowned for his great learning and probity as a judge. His *Abridgement* is based on Fitzherbert's *Abridgement*, but it contains much new material. In all, Brooke abridged nearly 21,000 cases and digested them alphabetically under 404 headings. It abridges fully the *Year Books* of Henry VII and Henry VIII. Brooke proceeded with great care and accuracy, and is believed to have had access to the original records of the *Year Books*. Coke calls the *Abridgement* "a worthy and painful work and an excellent repertory or table for the Year Books of the Law." This edition is superior to earlier printings, in which abbreviations are frequently unintelligible. A fair number of important early American lawyers had copies of this title, and it remained a reference into the nineteenth century. Thomas Jefferson, to cite on example, had a copy of the present edition. OCLC locates 13 more in North American law libraries. Coke cited in Marvin 151-52. Beale R473, R476. Sowerby 1777.



Nº 17



Nº 18



WITH A HAND-COLORED FOLDING PLATE

19. [Brownrigg, Elizabeth (1720-1767)].

The Life of Elizabeth Brownrigg, Who was Executed at Tyburn, For Starving Mary Clifford to Death, One of Her Apprentices. Upon Which is Founded the Popular Peice [sic] of "Mary Clifford," Performed at the City of London Theatre. Clerkenwell: J.V. Quick, [c. 1767]. 8 pp. Folding hand-colored plate. Octavo (7-1/2" x 5").

Stab-stitched pamphlet in plain wrappers. Light soiling, minor spotting and some edgewear. Large woodcut portrait of Brownrigg on title page. Moderate toning and faint dampspotting, internally clean. A well-preserved item. \$850.

Only edition located. This is an anonymous account of the infamous Elizabeth Brownrigg, who was tried and executed for the murder of one of her apprentices. Brownrigg, a midwife, was an "overseer of Women and Children" at the foundling hospital in St. Dunstan's parish, London. She was given several young girls to train as apprentice servants, each of whom she then proceeded to torture and starve in the privacy her home, assisted by her husband and son. By the time the authorities discovered her actions, one girl, Mary Clifford, was incapacitated from starvation and ulcerated lacerations (from several days of whipping). She died a few days later. Brownrigg and her son fled, but were soon apprehended. All three members of the family were tried, but the father and son were acquitted. As indicated in the title, this event was the inspiration for a play. A scene from this play is the subject of the folding plate. The ESTC and OCLC locate other accounts of this case, but no copies of our title.

RIGHTS RESERVED BY THE CROWN

20. [Brydall, John (b.1635?).]

Jura Coronae. His Majesties Royal Rights and Prerogatives Asserted, Against Papal Usurpations, And All Other Anti-Monarchical Attempts and Practices. Collected Out of the Body of the Municipal Laws of England. London: Printed for George Dawes, 1680. [xiv], 147, [5] pp. Copperplate frontispiece (of the royal arms of Great Britain). Includes five-page publisher catalogue. Octavo (6-1/2" x 4-1/2").

Contemporary sheep, blind rules to boards and spine, early hand-lettered title to fore-edge of text block. Light rubbing to extremities, corners bumped and lightly worn, chipping to head of spine, boards lightly scuffed and slightly bowed, pastedowns loose. Light toning to text, somewhat darker in

places. Brief early annotations to front pastedown and title page, interior otherwise clean. \$1,500.

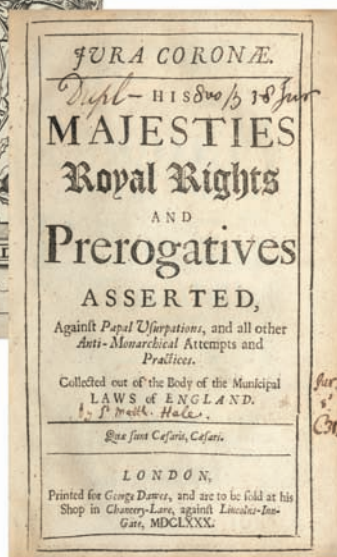
Only edition. Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." Written near the end of the Stuart Monarchy, *Jura Coronae* is a strongly monarchist overview of the laws and legal rights reserved by the Crown. Thomas Jefferson owned a copy of this work. OCLC locates 10 copies in North American law libraries. HEL VI:605. Sweet & Maxwell 1:113 (7). Sowerby 2706.

21. Brydall, John.

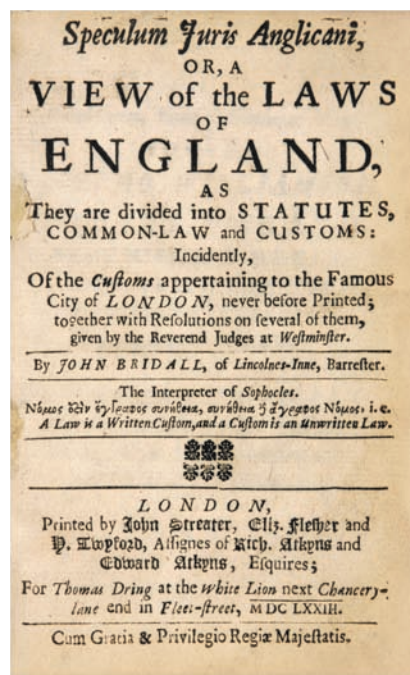
Jus Imaginis Apud Anglos; Or the Law of England Relating to the Nobility & Gentry. Faithfully Collected and Methodically Digested for Common Benefit. London: Printed for John Billinger, 1675. [xvi], 76, [1] pp. Copperplate frontispiece. Folding table. Octavo (6-1/2" x 4-1/4").

Contemporary sheep, blind rules to boards, blind rules and gilt ornaments to spine. Light rubbing to extremities, heavier rubbing to spine removing gilding from title and parts of ornaments, spine ends bumped, some wear to head of spine, paper covering of front pastedown loose. Early shelf label and copperplate armorial bookplate (of John Hirey Esq.) to front pastedown. Moderate toning to text, occasional faint dampspotting, light soiling to title page, some edgewear to front endleaves. Tiny early owner signature (of Jonathan Airey) to head of title page, interior otherwise clean. \$900.

Only edition. OCLC locates 12 copies in North American law libraries. HEL VI:605. Sweet & Maxwell 1:203 (9).



No 20



No 22

A STUART-ERA "NUTSHELL"

22. Brydall, John.

Speculum Juris Anglicani, Or, A View of the Laws of England, As They are Divided into Statues, Common-Law and Customs: Incidentally, Of the Customs Appertaining to the Famous City of London, Never Before Printed; Together with Resolutions on Several of Them, Given by the Reverend Judges at Westminster. London: Printed by John Streater, Eliz. Flesher and H. Twyford, 1673. [viii], 150 pp., final blank included in most collations lacking. Octavo (5-3/4" x 3-3/4").

Contemporary sheep, blind rules to boards, later gilt fillets to spine, publication date to foot, fragment of lettering piece. Some rubbing to extremities, some chipping to head of spine, corners bumped, front board beginning to separate but still quite secure, rear hinge starting, partial crack in text block between pp. 144 and 145. Light toning to text, internally clean. A solid copy. \$1,750.

Only edition, one of two imprints issued the same year. *Speculum Juris Anglicani* is an elementary review of English statutory and customary law. It was, says Holdsworth, "doubtless useful" to the student. OCLC locates 5 copies in North American law libraries (Columbia, Georgetown, Library of Congress, University of Michigan, University of Minnesota). HEL VI:600, 605. Sweet & Maxwell 1:237 (5).

23. Bynkershoek, Cornelius van.

Opuscula Varii Argumenti, His Inscriptionibus: I. Praetermissa as L.2. D. de Orig. Juris. II. De Rebus Mancipiet nec Mancipi. III. De Jure Occidendi, Vendendi, et Exponendi Liberos apud Veteres Romanos. IV. De Cultu Religionis Peregrinae apud Veteres Romanos. V. De Captatoriis Institutionibus. VI. De Legatis Poenae Nomine. Leiden: Apud Joannem van der Linden, 1719. [xvi], 408 pp. Following 30-page index misbound after following title.

[Bound with]

Curae Secundae de Jure Occidendi et Exponendi Liberos apud Veteres Romanos. Ad Virum Clarissimum Gerardum Noodt. Leiden: Apud Joannem van der Linden, 1723. [vi], 99, [30] pp.

Quarto (8" x 6"). Contemporary vellum, early hand-lettered title to spine. Light rubbing and soiling, heavier soiling to spine, vellum just beginning to break through pastedowns, minor worming to margins of preliminaries and endleaves, crack in text block between front endleaf and title page of *Opuscula*, which is printed in red and black. Woodcut title page device, decorated initials and tail-pieces. Light toning to text, finger smudges in a few places, corners of some leaves in *Curae* dog-eared. Later owner signature to head of title page of *Opuscula*, interior otherwise clean. Ex-library. Location and title label to spine, small inkstamp to title page of *Opuscula*, another to rear pastedown. \$250.

First editions. Essays I, II, IV, V and VI of the first work deal with international and maritime law. Essay III and *Curae Secundae* address the legal rights of unwanted and abandoned children, abortion and infanticide. These latter writings reflect Bynkershoek's debate on this topic with his distinguished contemporary Gerard Noodt [1647-1725]. The notoriety of this exchange, which became acrid and lasted several years, did much to promote their circulation. Dekkers 15 (10 and 13).

DU PONCEAU'S TRANSLATION OF DE REBUS BELLICUS

24. Bynkershoek, Cornelius van.

Du Ponceau, Peter Stephen [1760-1844], Editor and Translator.

A Treatise on the Law of War: Being the First Book of His Quaestiones Juris Publici. Translated From the Original Latin with Notes, by Peter Stephen du Ponceau. Philadelphia: Published by Farrand & Nicholas [et al.], 1810. xxxiv, 218 pp. Octavo (8-1/2" x 5-1/2").

Recent period-style quarter calf over marbled boards, lettering piece and gilt-edge fillets to spine, endpapers renewed. Some toning to text, somewhat darker in places, dampspotting and early annotations in pencil to a few leaves. A handsome copy. \$750.

Only edition, one of two issues (the other bound into copies of Volume III of the *American Law Journal*). A translation of *De Rebus Bellicis*, part one of Bynkershoek's *Quaestiones Juris Publici* (1737), *A Treatise on the Law of War* addresses the customs of land and sea warfare. A notably humane work, it condemns actions against civilians and advocates the fair treatment of prisoners of war. Du Ponceau's able translation is prefaced by a biography of the author, a table of cases, an index of citations from the *Corpus Juris Civilis* and an annotated bibliography of civil law treatises cited or referred to by the author. This latter item, which lists editions and translations, is interesting for its insights into the American reception of the civil law in the early 1800s. One of the most important jurists and international lawyers of his time, Bynkershoek was an influential Dutch jurist who founded the positive school of international law, which held that usage and practice were more important than deductions drawn from natural law. Du Ponceau is an important figure in the early history of American law and letters. He founded the Law Academy of Philadelphia in 1821, was the President of the American Philosophical Society and was a much-consulted expert on international relations and linguistics. Cohen 7166.

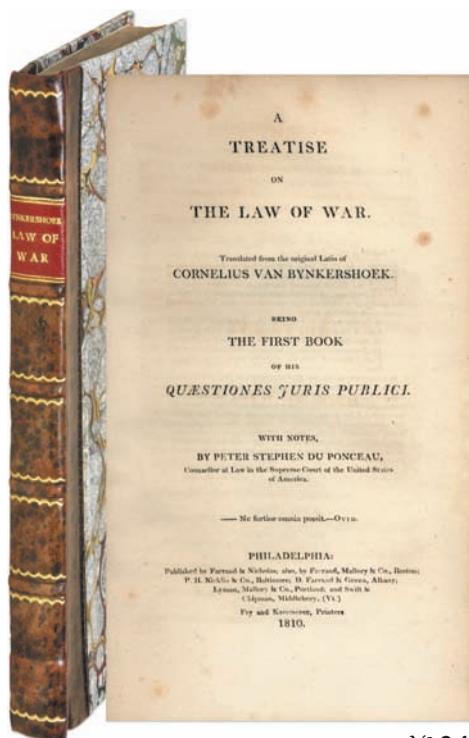


Nº 25

25. Rodriguez Campomanes, Pedro, Conde de [1723-1803].

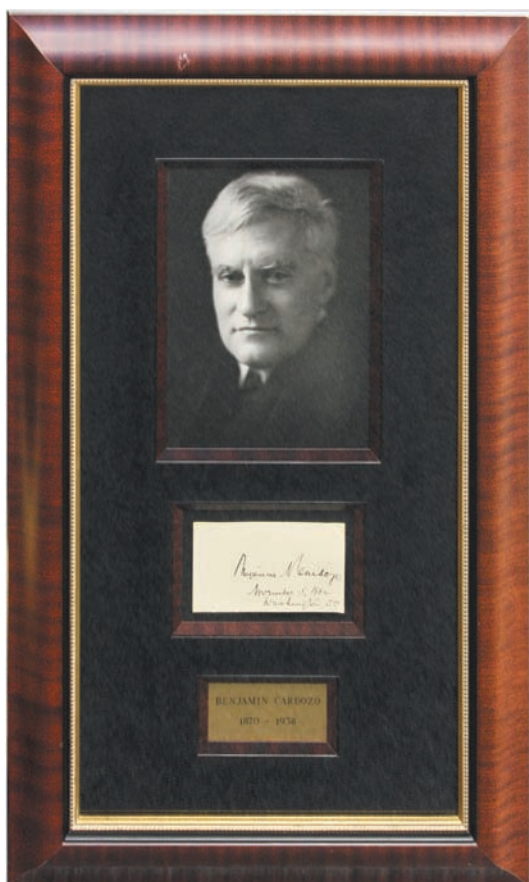
Tratado de la Regalia de Amortizacion, En el Qual se Demuestra por la Serie de las Varias Edades, Desde el Nacimiento de la Iglesia en Todos los Siglos y Países Catolicos, El Uso Constante de la Autoridad Civil, Para Impedir las Ilimitadas Enagenaciones de Bienes Raices en Iglesias, Comunidades, Y Otras Manos-Muertas; Con una Noticia de las Leyes Fundamentales de la Monarquia Espanola Sobre Este Punto, Que Empieza con los Godos, Y se Continúa en los Varios Estados Sucesivos, Con Aplicacion a la Exigencia Actual del Reyno Despues de su Reunion, Y al Beneficio Comun de los Vasallos. Con Real Permiso. Madrid: En la Imprenta Real de la Gaceta, 1765. [viii], x, 296 pp. Folio (13-3/4" x 8-3/4").

Contemporary mottled sheep, gilt spine with raised bands, edges rouged, marbled endpapers. Moderate rubbing to extremities with some wear to spine ends and corners, front board beginning to separate, but quite secure, rear hinge starting. Title page printed in red and black, woodcut text ornaments. Very light toning to text, somewhat heavier in places. Early annotations to verso of half-title, interior otherwise clean. Ex-library. Location label to spine, small inkstamp to title page, annotations and stamps to verso. An attractive copy. \$650.

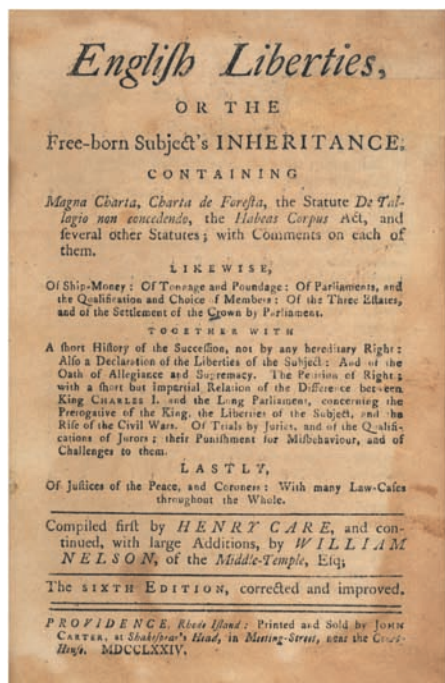


Nº 24

First edition. In the Middle Ages the Church acquired an enormous amount of land and other property. In most cases, it was held in mortmain, a feudal principle, later adopted by the common law, that restricted conveyance to specific parties, in this case those within the Church, unless an exception was made by a monarch. The Church's accumulation of material wealth through this practice was an important aspect of the conflict between church and state in the Medieval and early modern periods. Secular criticism became stronger during the Enlightenment, a movement that viewed the Church with suspicion, as we can see in this treatise by Rodriguez Campomanes, a notable Enlightenment-influenced Spanish statesman. It begins with a history and review of mortmain, and then builds an argument for its curtailment. It was a fairly well-circulated book. An Italian translation was published in 1767 and a second Spanish-language edition followed in 1821. BMC 21:880.



№ 26



№ 27

HANDSOMELY FRAMED IMAGE OF CARDOZO
WITH INSCRIBED CARD

26. Cardozo, Benjamin N. [1870-1938].

[*Photograph of Brandeis in Judicial Attire with Inscribed Studio Card*]. Washington: The Clinedinst Studio, 1920. 8" x 10" portrait black-and-white photograph and 3" x 5" card inscribed and signed in bold hand above an engraved brass plaque. Handsomely matted and glazed. Small scrape to top section of frame, otherwise fine. \$1,250.

The card is dated November 5, 1932. Cardozo, an Associate Justice of the Supreme Court from 1932 to 1938, was one of the most influential American jurists of the twentieth century.

A PROFOUND INFLUENCE IN PRE-
REVOLUTIONARY AMERICA

27. [Care, Henry (1646-1688)].

N[elson], W[illiam] [b.1653], Editor.

English Liberties, Or The Free-Born Subject's Inheritance. Containing Magna Charta, Charta de Foresta, The Statute De Tallagio, Non Concedendo, The Habeas Corpus Act, and Several Other Statutes; With Comments on Each of Them. Likewise, Of Ship-Money: Of Tonnage and Poundage. Of Parliaments, and the Qualification and Choice of Members: Of the Three Estates, and of the Settlement of the Crown by Parliament. Together with a Short History of the Succession, Not by Any Hereditary Right: Also a Declaration of the Liberties of the Subject: And of the Oath of Allegiance and Supremacy. The Petition of Right; With a Short but Impartial Relation of the Difference Between King Charles I and the Long Parliament, Concerning the Prerogative of the King, the Liberties of the Subject, and the Rise of the Civil Wars. Of Trials by Juries, and of the Qualifications of Jurors; Their Punishment for Misbehaviour, And of Challenges to Them. Lastly, Of Justices of the Peace, And Coroners: With Many Law Cases Throughout the Whole. Corrected and Improved. Providence: Printed and Sold by John Carter, 1774. viii, 350, [6] pp. Includes six-page subscriber list. Octavo (7" x 4-1/2").

Contemporary sheep, blind fillets to boards, carefully rebaked retaining original spine. Some shallow scuffing to

boards, gatering to spine, corners bumped, hinges starting, final text leaf partially detached but secure. Light toning to text, heavier toning to margins in a few places, inkspots and foxing to a few leaves, internally clean. An attractive copy. \$3,500.

Second American edition, final colonial-era edition and one of the three colonial printings of Magna Carta. First published in 1680 (or 1682, the first edition was not dated), this classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721 by James Franklin, the half-brother of Benjamin Franklin, this was one of the very first legal books published in the American colonies. It had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Priviledge of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned copies of the first edition and another from 1719, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. The 1774 Providence edition was published a few months after the passage of the Intolerable Acts, and it is almost certain that the publisher was capitalizing on popular resentment toward the crown and parliament. A note at the end of the table of contents says this edition was "principally designed for America" and contained "extracts from several late celebrated writers on the constitution" (vi). See Sowerby 2702, 2703. ESTC T112711. Cohen 3416.

BRAZILIAN GOVERNMENT UNDER THE 1891 CONSTITUTION

28. Cavalcanti, Amaro [1849-1922].

Regimen Federativo e a Republica Brasileira. Rio de Janeiro: Imprensa Nacional, 1900. xiv, 448 pp. Octavo (9-1/4" x 6-1/2").

Contemporary morocco-stamped flexible calf, gilt title to spine, patterned endpapers. Light rubbing to extremities, contemporary typed list of notes to front endleaf, some toning to text, internally clean. Ex-library. Location label to spine, shelf number to front endleaves, small inkstamp to title page. \$100.

Only edition. An excellent overview of Brazil's federal government, state government and politics during the Republican period (under the constitution of 1891). "[A] prominent place must be assigned to the *Regimen Federativo* of Amaro Cavalcanti, Justice of the Supreme Court, and one of the foremost jurists of Brazil." Borchard 319.

SCARCE INDEXED COMPILATION OF CHILEAN LAWS

29. [Chile].

Recopilacion de Leyes por Orden Numerico, Arreglada por la Secretaria del Consejo de Estado. Santiago: Imprenta I Encuadernacion Chile, 1908-[1938]. Title and imprint varies. 23 volumes (of 60).

Later quarter cloth over paper-covered boards, gilt titles to spines. Light shelfwear and soiling, moderate browning to text, edgewear to some leaves, internally clean. Location labels to spines, annotations in pencil to endleaves. \$500.

Only edition (Volumes 1-3, originally issued in 1900, are designated second editions). "In 1900 the Council of State ordered the separate publication of the laws enacted since 1893, when serial numbering of the laws began" (Borchard). It omits all executive decrees and ministerial orders; laws are indexed by number, ministry and subject. The last volume, number 60, was issued in 1973. Complete sets are rare; OCLC locates 3 in North American law schools (Tulane, UC-Berkeley, Yale). Borchard 372.





30. Cipolla, Bartolomeo [d. ca. 1477].

[Gradibus, Johannes de (15th/16th c.), Editor].

Incipiu[n]t Sole[m]nes ac P[er]utiles Tractatus Memoriaq[ue] ac Studio Dignissimi Egregij Viri: Iurisq[ue] Utriusq[ue] Peritissimi D. Bartholomei Cepolle, Videlicet. [Lyons: Antoine Du Ry, Impensis Jacques and Franciscus Giunta, 1525]. [xii], cccxvi [i.e. 312], [2] ff. Main text in parallel columns. Octavo (7" x 5").

Contemporary vellum from manuscript leaf, hand-lettered title to spine, front endleaves recycled from another book. Some soiling, moderate rubbing to extremities, joints starting, some worming to spine, corners worn, pastedowns loose, worming to rear hinge, a few cracks to text block, a few signatures loose. Title page, with woodcut vignette and architectural border, printed in red and black, small woodcut vignette at head of main text, woodcut decorated initials. Moderate toning to text, occasional faint dampstaining to margins, some edgewear and a few minor tears to title page and the following four leaves. Finger smudges, annotations to rear endleaves, underlining and brief annotations in few places, interior otherwise clean. \$1,750.

Third edition. Cipolla was a professor of law at the University of Padua, Venetian diplomat and one of the greatest Italian Jurists of the fifteenth century. His works are notable for their humanistic scholarship and coordination of theoretical and practical concerns. *Tractatus Memoriaque* is a collection of seven essays on servitudes, real property and related topics in Roman and canon law. It is a collection based on titles that circulated in manuscript and the early printed era. The first edition in its final, seven-essay form appeared in 1511. It was issued several times into the sixteenth century. All editions are scarce. OCLC locates no copies of the 1525 imprint in North America. This edition not in Adams.

THE "CELEBRATED" FIRST DIGEST OF THE LAWS OF COLOMBIA

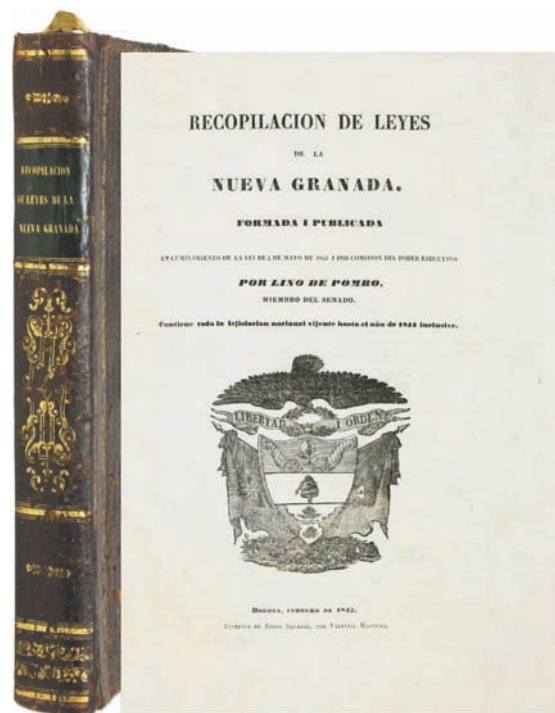
31. [Colombia].

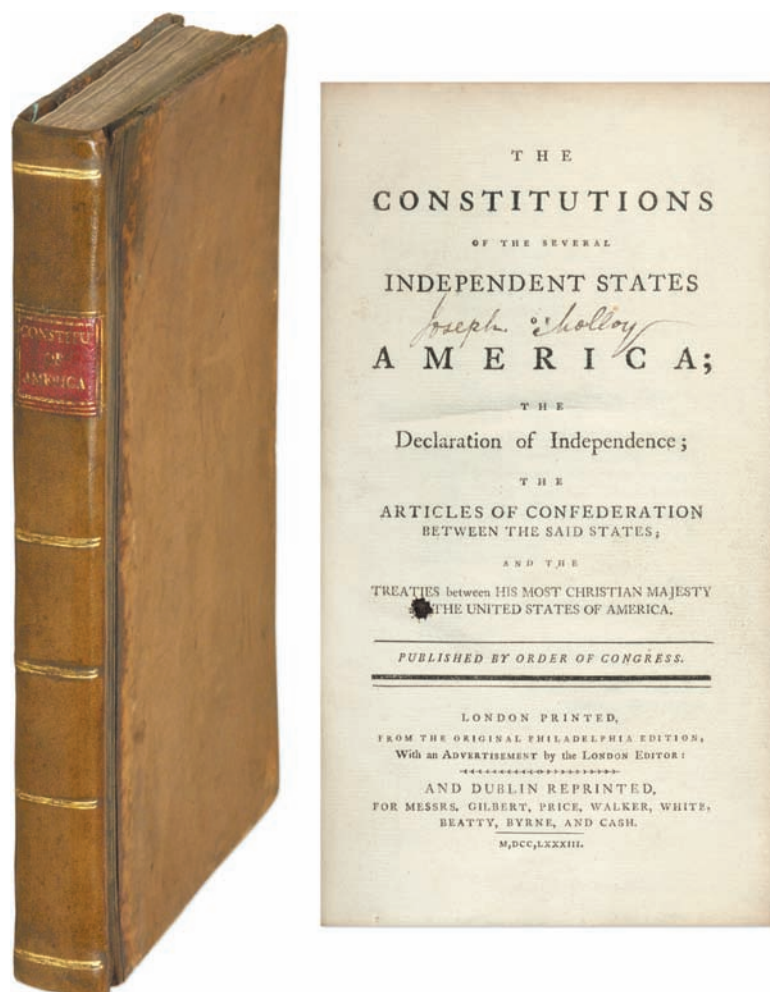
Pombo, Lino de [1797-1862], Editor.

Recopilacion de Leyes de la Nueva Granada, Formada I Publicada en Cumplimiento de la Lei de 4 de Mayo de 1843 I por Comision del Poder Ejecutivo por Lino de Pombo, Miembro del Senado. Contiene Toda la Lejislacion Nacional Vijente Hasta el Ano de 1844 Inclusive. Bogota: Imprenta de Zoilo Salazar, Por Valentin Martinez, Febrero 1845. [iv], xxvi, 541 pp. Text in parallel columns. Folio (12" x 8").

Contemporary calf, gilt fillets to boards, lettering piece and gilt ornaments to spine, ribbon markers, marbled endpapers. Some rubbing with wear to spine ends and corners. Large woodcut arms of Colombia to title page, internally fresh. \$1,250.

This is the first digest of Colombia's laws since the nation became independent in 1821. It also includes the texts of treaties with England, the United States, France, and the Netherlands (with parallel translations). "By virtue of the laws of May 4, 1843 and June 12, 1844 the Congress of New Grenada [Colombia] specified the statutes then in force and ordered their compilation, a task which was entrusted to senator Lino de Pombo. This celebrated collection, popularly known as the *Recopilacion Granadina*, contained the extant legislation from 1821 to 1844 inclusive, arranged under appropriate headings, and was a work of high merit for its time": Backus and Eder 125.





1783 DUBLIN PRINTING OF "THE MAGNA CARTA OF THE UNITED STATES"

**32. [Constitutions].
[United States].**

The Constitutions of the Several Independent States of America; The Declaration of Independence; the Articles of the Confederation Between the Said States, And the Treaties Between His Most Christian Majesty and the United States of America. Published by Order of Congress. Dublin: London Printed, From the Original Philadelphia Edition, With an Advertisement by the London Editor: And Dublin Reprinted, For Messrs. Gilbert, Price, Walker, White, Beatty, Byrne, and Cash, 1783. [viii], 264 pp. Octavo (8" x 4-3/4").

Contemporary calf, rebacked in period style with lettering piece and gilt fillets, hinges mended. Light rubbing to boards, moderate rubbing to extremities with some wear to corners, early armorial bookplate and two faint signatures (of Joseph Molloy) to front pastedown, another signature of his to center of title page, light toning to text, browning to outer edges of margins. A handsome copy of a scarce imprint. \$3,500.

Only Dublin edition, published the same year as the Glasgow edition and preceded by the rare 1781 Philadelphia printing (200 copies) and the London editions of 1782 and 1783. Published originally by order of Congress, this compilation was a valuable reference work and a source of ideas for the framers of the 1787 Federal Constitution. "This work was the first authoritative and original printed texts of these important documents... It is, in short, the book which may be considered as the Magna Carta of the United States. It is scarcely necessary to say that this important work has been repeatedly reprinted" (*Monthly Review* cited in Sabin). OCLC locates 3 copies of the Dublin edition in North American law libraries (Harvard, Northwestern, University of Minnesota). Sabin 16090. Cohen 3022.

COLLECTED WORKS OF THE
"BARTOLUS HISPANUS"

**33. Covarrubias y Leyva, Diego de [1512-1577].
Brederode, Pieter Cornelis van [d. 1593], Editor.
Uffel, Johann, Editor.**

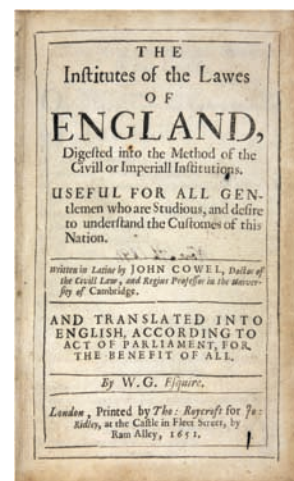
Opera Omnia, Cum Authoris Tractatu in Tit. De Frigidis & Maleficiatis, Septem Quaestionibus Distincto, Quibus an Matrimonium cum hoc Impedimento Constare Possit, Accurate Explicatur. Multis in Locis a Cl. Ic. Cornelio Brederodio Auctus, Illustratus, Ut Passim Hac Nota [] Designatur; Accesserunt hac Postrema Editione Ioannis Uffeli Ic. Patricii Bruxellensis In Variarum Resolutionum Libros Notae Uberiores. Cum Duplici Indice, Capitum & Rerum Locupletissimo, Suis Numeris Restituto. Antwerp: Apud Viduam & Haeredes Petri Belleri, 1614. Two volumes bound as one. [xii], 610; [viii], 548, [69] pp. Main text in parallel columns. Folio (14-1/2" x 9-1/2").

Somewhat later three-quarter vellum over marbled boards, hand-lettered title to spine, edges rouged. Light soiling, moderate rubbing to extremities with some wear to board edges and corners, some loss along junction of vellum and paper on rear board, a few minor wormholes to pastedowns. Title page of Volume I printed in red and black, large copperplate title vignettes, woodcut head-pieces, tail-pieces and decorated initials. Light browning to text, somewhat heavier in places, small tear to head of title page. Faint early owner signatures and annotations to title page, interior otherwise clean. Ex-library. Small inkstamps to title pages, a few annotations to that of Volume I. A handsome copy of a scarce title. \$1,500.

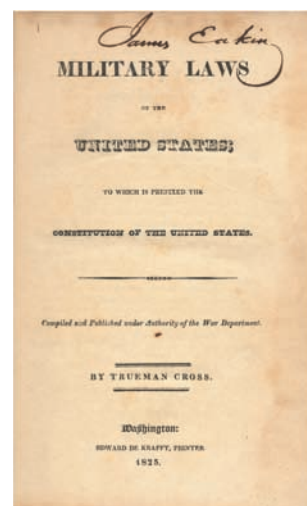
Later edition. Covarrubias y Leyva, Archbishop of Santa Domingo, later Bishop of Ciudad Rodrigo and of Segovia, was a canonist, theologian and leader of the Salamanca School. One of the foremost jurists of his time, he was called the "Bartolus Hispanus." *Opera Omnia*, the definitive collection of his work on Roman and canon law was first published in 1559 and went through numerous editions into the eighteenth century. Roberts says it was an important authority among Roman-Dutch jurists. Our edition is notable for its editorial contributions by Brederode, the notable Dutch jurist and diplomat. All editions are scarce in North America. OCLC locates 2 of the 1614 edition in North American law libraries (Columbia, Harvard). Roberts 97 (citing other editions).



Nº 33



Nº 34



Nº 35

34. Cowel[1], John [1554-1611].

The Institutes of the Lawes of England, Digested Into the Method of the Civill or Imperiall Institutions. Useful for all Gentlemen Who are Studious, And Desire to Understand the Customes of this Nation. Written in Latine by John Cowel, Doctor of the Civill Law, And Regius Professor in the University of Cambridge. And Translated into English, According to Act of Parliament, For the Benefit of All. By W.G. Esquire. London: Printed by Tho. Roycroft for Jo: Ridley, 1651. [x], 283, [1] pp. Octavo (6" x 3-3/4").

Contemporary speckled calf, gilt fillets to boards and spine. Moderate rubbing to extremities, corners bumped, chipping to spine ends, joints partially cracked, light toning to text. Later owner signature (of Henry Bromley, 1693) to front free endpaper, interior otherwise clean. \$1,750.

Only edition. As Walker notes, Cowell was considered to be "the most learned civilian of his time." Regius Professor of Civil Law at Cambridge from 1594 to 1611, he is remembered today as the author of an important (and controversial) dictionary, *The Interpreter* (1607), which went through several subsequent editions. His *Institutes* was originally published in 1605 in Latin as *Institutiones Juris Anglicani ad Methodum Institutionum Justiniani*. As indicated by the title it is an elementary textbook on English law organized in the manner of Justinian's *Institutes*. As Holdsworth notes, "The objects of [this book] were to promote the union of England and Scotland by pointing out the resemblances between the common law and the civil law; to give the student of the common law some knowledge of the general principles of law; and to show the students of the civil law that if they would study the common law, they would improve their knowledge of both laws, and cease to be regarded as mere children in legal knowledge. That these ideas were sound is fairly obvious [today]... but they were in advance of their time." The translation of this book was ordered by Parliament, which indicates its stature during the Commonwealth period, a stature that was not affected by Cowell's Royalist leaning. Walker, *The Oxford Companion to Law* 311. HEL V:21. Sweet & Maxwell 1:21 (7).

A SCARCE 1825 COMPILATION
OF MILITARY LAWS

35. Cross, Trueman, Compiler.

Military Laws of the United States; To Which is Prefixed the Constitution of the United States. Compiled and Published Under the Authority of the War Department. Washington, D.C.: Edward De Krafft, Printer, 1825. xxxi, 279 pp. Octavo (8-1/2" x 5-1/2").

Recent period-style calf, lettering piece and blind fillets to spine, endpapers renewed. Moderate toning to text, light foxing to a few leaves. Early owner signature to title page (of James Eakin), interior otherwise clean. \$750.

First edition. A well-indexed and annotated compilation of military laws in force in 1825, along with related legislation. A revised edition was published in 1838. Both are very scarce. OCLC locates 2 copies of the first edition (both at the British Library). Cohen 8984.

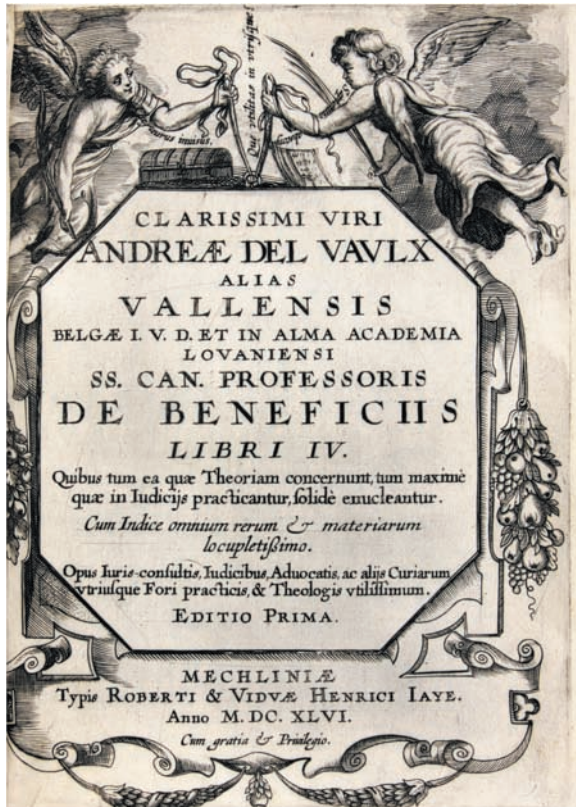
A MONARCH REJECTS THE
NATION'S CONSTITUTION

36. [Coimbra Botado, Duarte Gorjao da Cunha].

Memoria Sobre o Procedimento Havido com Sua Magestade a Rainha. Analysado em Frente da Constituicao. Por D.G.C.C.B. Lisbon: Na Typografia Maigrense, 1823. 28 pp. Octavo (7-3/4" x 5").

Stab-stitched pamphlet in later marbled wrappers. Light rubbing and a few minor creases to extremities. Light toning and a few minor stains to interior, occasional (authorial?) corrections to text, early annotation to title page, later hand-lettered page numbers throughout, which indicates this pamphlet was once bound into a volume. A nice copy of a rare item. \$500.

Only edition. The Liberal Revolution overthrew the regency and initiated a series of parliamentary deliberations that resulted in the Portuguese constitution of 1822. It remained in force until May 1823, when Joao VI renounced it. This pamphlet, critical of the monarch, analyzes the legal consequences of this action. OCLC locates 3 copies worldwide, 1 in a law library (Catholic University).



37. Delvaulx (Del Vaulx), Andre [1569-1636].
De Beneficiis Libri IV. Quibus Tum ea Quæ Theoriam Concernunt, Tum Maxime Quæ in Iudicijs Practicantur, Solide Enucleantur. Cum Indice Omnium Rerum & Materialium Locupletissimo. Opera Iuris-Consultis, Iudicibus, Advocatis, Ac Aliis Curiarum Utriusque Fori Practicis, & Theologis Utilissimum. Mechelen: Typis Roberti et Viduæ Henrici Iaye, 1646. [xxxiv], 612, [84] pp. Copperplate pictorial title page, full-page coat-of-arms and author portrait. Quarto (7-1/2" x 5-3/4").

Contemporary vellum with lapped edges, hand-lettered spine (with later retouching), edges rouged, recent thong ties. Some darkening to spine, light spotting to boards, some wear to board edges and corners, rear pastedown just starting to detach along edges. Light toning to text, internally clean. A handsome copy. \$1,750.

First edition. Andre del Vaulx, also known as Vallensis, taught canon Law at the University of Louvain. *De Beneficiis* is a treatise on ecclesiastical benefices. A second edition was published in 1758. Both editions are rare. Concerning the first edition, OCLC locates 4 copies, 1 in North America (at UC-Berkeley Law School). Not in Ferreira-Ibarra.

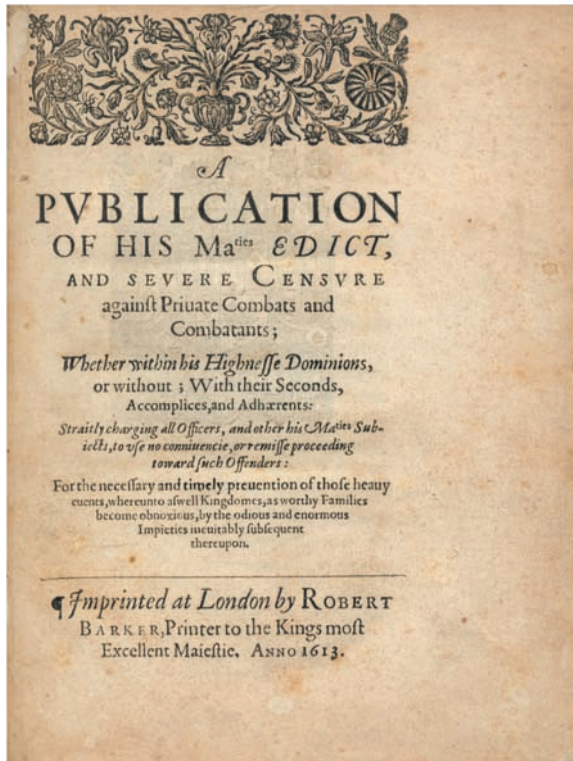
AN IMPORTANT CONTRIBUTION TO THE EARLY-MODERN RECOVERY OF ROMAN LAW

38. Du Rivail, Aymar [1491-1558].
Civilis Historiae Juris, Sive in XII Tab. Leges Commentariorum Libri Quinq, Iam Denuo Diligenter Recogniti. Historiae Item Juris Pont. Liber Singularis. Mainz: [Apud Ioanem Schoeffer], 1533. [xvi], 357 pp. Octavo (6" x 4").

Later quarter calf over patterned paper boards, red and black lettering pieces to spine, endpapers renewed. Moderate rubbing to extremities, a few small scuffs to boards, joints just starting at ends, crack between front free endpaper and following endleaf. Title printed within attractive woodcut architectural border, woodcut decorated initials, large printer device to verso of final text leaf. Toning, light soiling to title page, internally clean. Attractive. \$1,250.

Later edition. Du Rivail, who studied under Alciati, was a humanist jurist, historian and member of the parlement of Grenoble. As Peter Stein has observed, *Civilis Historiae Juris*, a set of commentaries on the Twelve Tables, was an important contribution to the early-modern recovery of

Roman law from the obfuscations of the glossators and Commentators. It was first published in 1515 and went through four subsequent editions, the final in 1539. The laws identified erroneously or questionably as those of the Twelve Tables are included as well. The final section is a historical sketch of canon law entitled *Historia Pontificii Iuris Liber Singularis*. "He concentrated on the main account of the 'origin of law' in the Digest, the long fragment... from Pomponius, and supplemented it by reference to Livy's account of the early republic. Du Rivail sought to reconstruct the contents of the Twelve Tables, and, since that legislation was said to be inspired by the Athenian laws of Solon, he included all known provisions of Solon's law (Stein). 3 copies of this edition located in North America (at the National Library of Canada, UC-Berkeley Law School and the Library of Congress). Another copy located at Harvard Law School. Stein, *Roman Law in European History* 78. Adams RS92.



№ 39

JAMES I PROHIBITS DUELING

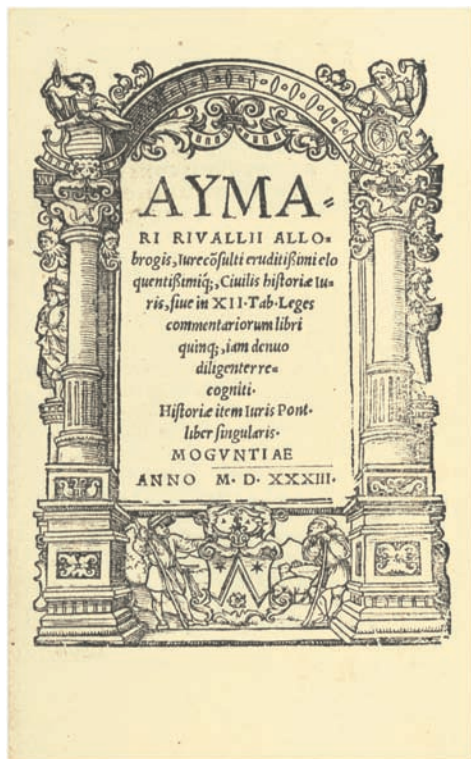
39. [Dueling].

[Great Britain].

James I [1566-1625], King of England.

A Publication of His Ma[jes]ties Edict, And Severe Censure Against Private Combats and Combatants; Whether Within his Highnesse Dominions, Or Without; With their Seconds, Accomplices, And Adhaerents: Straitly Charging All Officers, And Other his Ma[jes]ties Subiects, To Use no Connivencie, Or Remisse Proceeding Toward Such Offenders: For the Necessary and Timely Prevention of Those Heavy Events, Whereunto Aswell Kingdomes, As Worthy Families Become Obnoxious, By the Odious and Enormous Impieties Inevitably Subsequent Thereupon. London: Imprinted by Robert Barker, 1613 [i.e. 1614]. [iv], 119, [1] pp. (Original endleaves, counted in the ESTC collation, renewed.) Quarto (7" x 6-1/2").

Recent cloth, gilt title to spine. Large woodcut arms of Great Britain to verso of title page, large woodcut head-piece. Some toning to text, (very) faint dampstaining to foot of text block, some soiling to title page and verso of final leaf, internally clean. \$2,500.



№ 38

Only edition, one of two issues from the same year. A series of high-profile duels between leading courtiers in 1613 prompted James I to launch a campaign to suppress the practice. He prohibited dueling in a 1613 proclamation, classifying it a serious offense punishable in Star Chamber. He also reorganized the Court of Chivalry to serve as a substitute to the field of honor. (In a sense, these actions laid the foundation of the modern laws of libel and slander.) Several related rules and decrees followed. The proclamations and later edicts are collected in this book. Counting both issues, OCLC locates no copies in North American law libraries. We located a copy, however, at the law library of George Washington University. ESTC S100678.

40. Dugdale, William [1605-1686].

Origines Juridiciales, or Historical Memorials of the English Laws, Courts of Justice, Forms of Tryal, Punishments in Cases Criminal, Law-Writers, Law-Books, Grants and Settlements of Estates, Degree of Serjeant, Innes of Court and Chancery. Also a Chronologie of the Lord Chancelors and Keepers of the Great Seal, Lord Treasurers, Justices Itinerant, Justices of the Kings Bench and Common Pleas, Barons of the Exchequer, Masters of the Rolls, Kings Attorneys and Sollicitors, and Serjeants at Law. [London]: Printed by Tho. Newcomb, for Abel Roper, John Martin, and Henry Herringman, 1671. [viii], 336, [4], 117, [3] pp. Copperplate coats-of-arms and heraldic devices, 6 portrait plates (of Crew, Heath, Clenche, Coke, Hide and Bridgeman). Main text in parallel columns. Folio (13-3/4" x 8-3/4").

Contemporary calf, gilt spine with raised bands and lettering piece, speckled edges. Moderate rubbing with wear to spine ends and corners, which are bumped, front board just beginning to separate but still quite secure, rear joint starting at ends, rear hinge cracked but secure, early armorial bookplates to front pastedown and verso of title page, front free endpaper detached. Title page printed in red and black. Light toning in places, interior otherwise fresh. \$1,150.

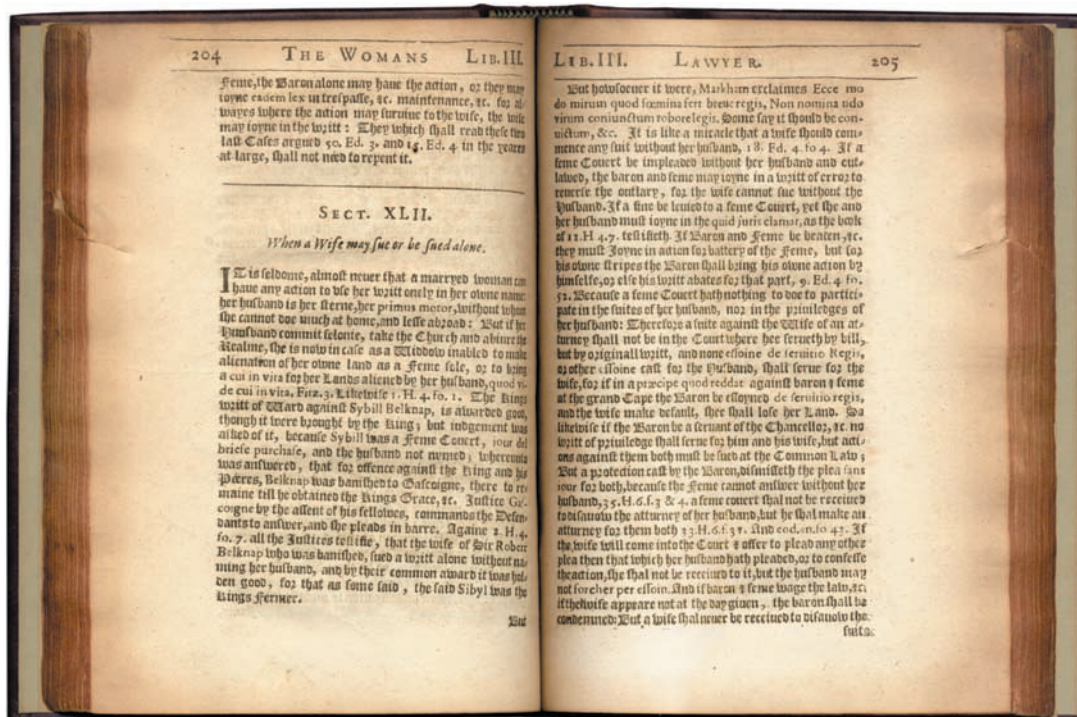
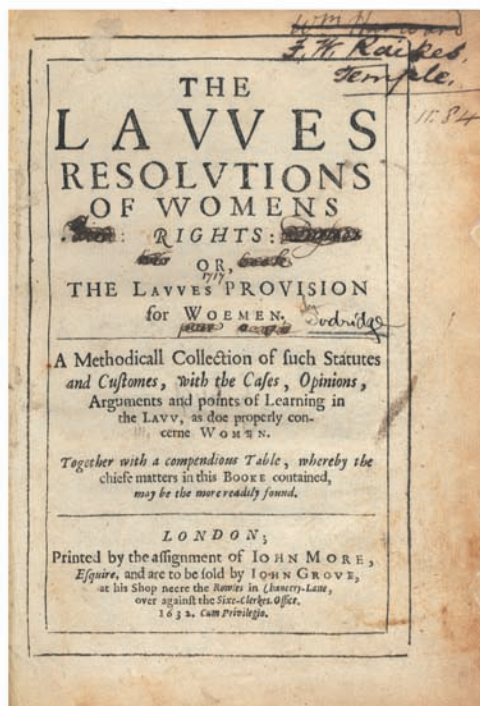
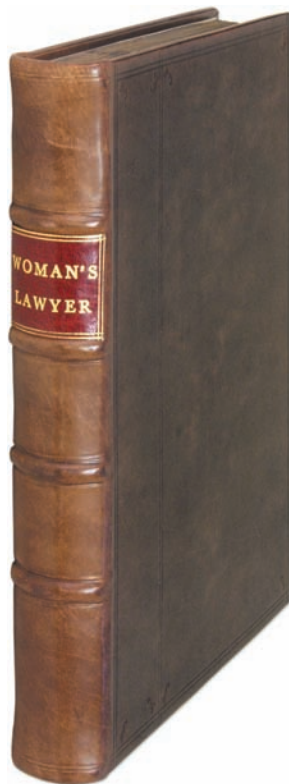
Second edition, with additions. Dugdale's *Origines* provides a wealth of information about the sources of English law and the early history of English legal institutions, including the Inns of Court, on which it is a chief authority. It is a well-documented work: sources of manuscripts are listed, and, in many instances, the sources of the information for the printed book entries are given. (Chapter 24 is a list of Law-Books and Treatises of Uncertain Times.) Sweet & Maxwell 1:22 (13). ESTC R225633.

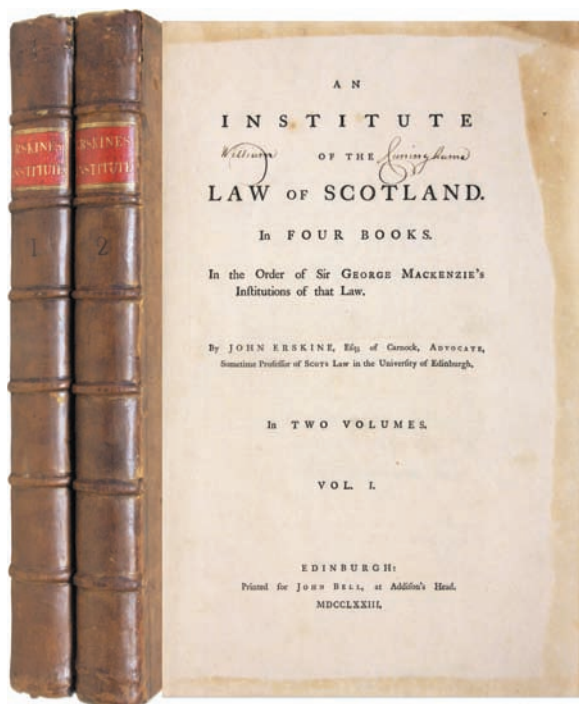
41. E[dgar], T[homas], Attributed.

The Lawes Resolutions of Womens Rights: Or, The Lawes Provision for Woemen. A Methodicall Collection of Such Statutes and Customes, With the Cases, Opinions, Arguments and Points of Learning in the Law, As Doe Properly Concerne Women. Together with a Compendious Table, Whereby the Chiefe Matters in This Booke Contained, May Be the More Readily Found. London: Printed by the Assignes of John More, 1632. [xiv], 404 pp. (First leaf in collation, a blank, lacking.) Quarto (7-1/2" x 5-1/2").

Recent period-style calf, blind rules to boards with corner fleurons, Raised bands and lettering piece to spine, endpapers renewed. Some fading to spine. Woodcut head and tail-pieces. Light to moderate toning, occasional browning to margins, some edgwear to title page, shallow tear, about half an inch deep, near center of fore-edge of text block, text not affected. Early and later annotations and signatures to title page, interior otherwise clean. \$9,500.

Only edition. The earliest work devoted to laws relating exclusively to women, this incomparable digest of laws in force at the time of the Civil War is also known as *The Womens Lawyer*. An anonymous work, its preface is signed T.E. Often attributed to Thomas Edgar [fl. 1615-1649], some believe the author was actually Sir John Doderidge [1555-1628], an important legal figure during the reign of James I. Lord Campbell considers it "a learned work on the subject of marriage" (cited in Sweet & Maxwell). It also treats such diverse topics as age of consent, dower, hermaphrodites, polygamy, wooing, partition, chattels, divorce, descent, seisin, treason, felonies and rape. Sweet & Maxwell 1:500 (24).





FIRST EDITION OF A GREAT AUTHORITY
ON THE LAW OF SCOTLAND

42. Erskine, John [1695-1768].

An Institute of the Law of Scotland. In Four Books. In the order of Sir George Mackenzie's Institutions of that Law. Edinburgh: Printed for John Bell, 1773. Two volumes. ix, [1], 410; [ii], [411]-758, [30] pp. Folio (14-1/4" x 9").

Contemporary calf, blind rules to boards, raised bands, blind-stamped volume numbers and lettering pieces to spines. Moderate rubbing to extremities with some wear to spine ends and corners, light rubbing and some scuffs to boards, joints starting at ends, hinges partially cracked. Early copperplate armorial bookplates (of Cuninghame of Lainshaw) to front pastedowns. Light toning to text, light foxing in a few places, some offsetting to preliminaries and final leaves of text. Early owner signature (of William Cuninghame) to title pages, annotations in his hand to margins of several leaves in Volume I, interior otherwise clean. A nice set. \$1,250.

First edition. Esteemed for its erudition, clarity and accuracy, Erskine's *Institute* was the definitive authorities on Scots law. A durable work, it went through four more authorial editions and three later editions by other authors, the last in 1871. The owner of this copy added several notes to the margins of Title VI, "Of Marriage, And of the Relation Between Parents and Children." He added references to cases and authorities, notes from cases, interpretive glosses and summaries. Sweet & Maxwell 5:40.

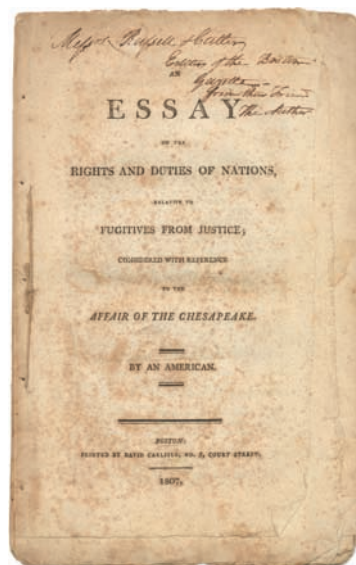
CONTEMPORARY ANALYSIS OF THE CHESAPEAKE AFFAIR BASED ON INTERNATIONAL LAW

43. [Everett, David (1770-1813), Attributed].

An Essay on the Rights and Duties of Nations, Relative to Fugitives from Justice; Considered with Reference to the Affair of the Chesapeake. By An American. Boston: Printed by David Carlisle, No. 5, Court Street, 1807. 62 pp. Octavo (9" x 5-1/2").

Stab-stitched self-wrappers, untrimmed edges. Light browning, faint dampspotting to a few leaves. Author presentation inscription to head of title page, internally clean. \$850.

First edition. The inscription reads: "Messers. Russell & Cutler/ Editors of the Boston Gazette/ From your friend/ The Author." Everett was a Massachusetts lawyer, journalist and poet. His *Essay* is an analysis of the recent *Chesapeake* affair. In 1807 the HMS *Leopard* attacked the USS *Chesapeake* off the coast of Virginia, forced it to surrender, boarded it and took away three crewmen who were deserters from the Royal Navy. Three of the *Chesapeake's* crewmen were killed, eighteen were injured. Responding to American outrage, President Jefferson responded with the 1807 Embargo Act, one of the events that led to the War of 1812. Everett analyzes the incident as a case under international law. He claims the British committed an act of piracy, a claim he advances with evidence drawn from such jurists as Grotius, Pufendorf, Vattel, Coke and Blackstone. OCLC locates 3 copies in North American law libraries (Harvard, NYU, Yale). Sabin 23242. Cohen 7472.



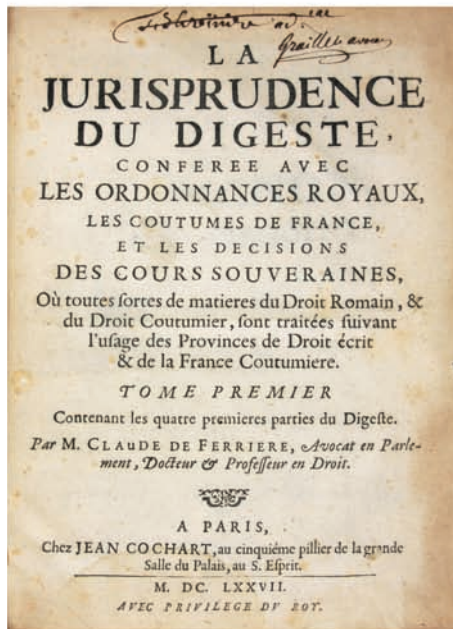


A REMARKABLE WORK OF COMPARATIVE LAW

44. Ferriere, Claude de [1639-1715].

La Jurisprudence du Digeste, Conferee Avec les Ordonnances Royaux, Les Coutumes de France et les Decisions des Cours Souveraines, Ou Toutes Sortes de Matieres du Droit Romain, & du Droit Coutumier, Sont Traitees Suivant l'Usage des Provinces de Droit Ecrit & de l'Usage de la France Coutumiere. Paris: Chez Jean Cochart, 1677. Two volumes. [xvi], 616, [22]; [xiv], 620, [32] pp. Quarto (9-1/2" x 7-1/2").

Contemporary calf, gilt spines with raised bands. Moderate rubbing to extremities with wear to spine ends and corners, front joint of Volume I partially cracked, hinges of both volumes starting, two preliminary leaves in Volume I just beginning to detach at foot. Woodcut head and tail-pieces. Light to moderate toning, light dampspotting in places, faint dampstains to a few leaves. Early owner signatures to title pages, a few later annotations to front pastedowns, interiors otherwise clean. \$2,500.



First edition. This remarkable work of comparative law presents a title-by-title analysis of the Digest from the *Corpus Juris Civilis* with parallel comparisons to Roman law, current civil law, royal decrees and the coutumes in force in different parts of France. Ferriere, a law professor at Paris, *Avocat au Parlement* and prolific author, was the father of Claude Joseph de Ferriere, an equally notable jurist and author. Later editions were published in 1688 and 1733. All are scarce. OCLC locates 1 copy of the first edition in a North American law library (Harvard). We located another copy at GWU Law School. Gouron & Terrin 61.

Nº 44



THE BOOK THAT "MADE" THE COMMON LAW

45. Fitzherbert, Anthony [1470-1538].

La Graunde Abridgement Collecte par le Iudge Tresreverend Monsieur Anthony Fitzherbert, Dernierment Conferre Ouesque la Copy Escript et per Ceo Correct: Aueques le Nombre del Sueil, Per Quel Facilement Poies Trover les Cases cy Abyrdges en les Livers Dans, Novelment Annote: Iammais Devaunt Imprimee.

[And]

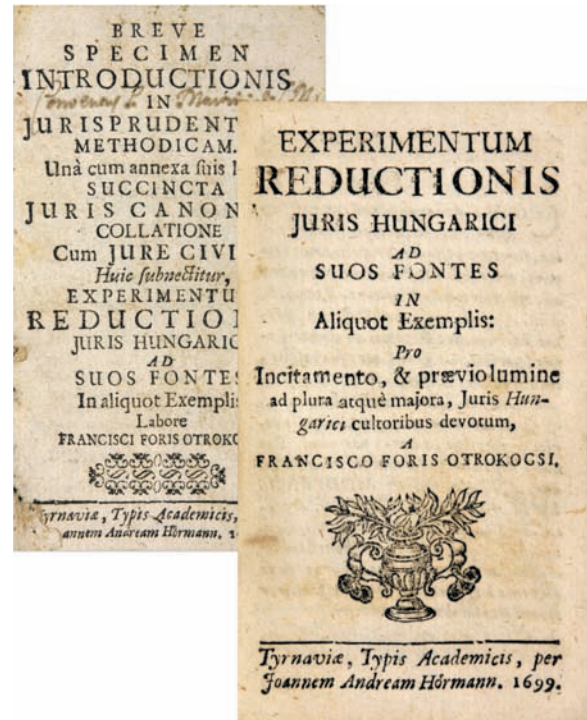
La Secounde Part du Graund Abridgment... London: Richard Tottell, 1565. Three books in two parts [i], 379; [i], 128, 207 ff. First and second parts have title pages. Folio (13-1/2" x 9").

Later reversed calf, blind fillets to boards, raised bands and gilt title to spine, endpapers renewed, early hand-lettered title to fore-edge. Joints partially cracked but secure, corners bumped and somewhat worn, hinges weak. Title printed within woodcut architectural borders, woodcut decorated initials, single-line correction slip (an addition) pasted to G8 verso in second volume. Some toning, faint dampstaining to a few leaves. Later owner signature to front free endpaper (dated 1924), "Liber Henrici St. John" (possibly Viscount Bollingbroke) to head of title page, brief annotations to few leaves, interior otherwise clean. An impressive volume. \$6,500.

First Tottell edition. Arguably one of the most imposing volumes in the history of English law, Fitzherbert abridged 13,485 cases under 263 titles in alphabetical order. First published in 1514 (or 1516), it was the first serious attempt to arrange the common law in a systematic manner and it was a model for such writers as Brooke and Rolle. According to Boersma, Fitzherbert accomplished "nothing less than to abridge all notes of significant cases at common law." A standard work in Great Britain, it was equally important in the American colonies. Thomas Jefferson, for example, owned a copy from 1577. Graham and Heckel refer to this work as the "book that 'made' the common law.": *Law Library Journal* 51 [1957]: 100-101. Beale R463, R464. ESTC S122166. Sowerby 1776.



Nº 45



A RARE HUNGARIAN TEXTBOOK FROM 1699

46. Foris Otrókocsi, Ferencz.

Breve Specimen Introductionis in Jurisprudentiam Methodicam. Una cum Annexa Suis Locis Succincta Juris Canonici Collatione cum Jure Civili. Huic Subnectitur, Experimentum Reductionis Juris Hungarici ad Suos Fontes in Aliquot Exemplis. Trnava: Typis Academicis, Per Joannem Andream Hormann, 1699. [xii], 53; [11], 44 pp. Two parts, each with title page, index, and individual pagination. 12mo. (4-3/4" x 3").

Contemporary quarter vellum over marbled boards. Rubbing with wear to corners, lower half of backstrip and rear free endpaper lacking. Some toning to text, faint dampstaining to a few leaves, minor worming to rear pastedown and some leaves (with no loss to legibility). Annotations to pastedowns and front free endpaper, faint early signatures to endleaves, interior otherwise clean. A solid copy of a rare title. \$1,500.

Only edition located. This is a two-part elementary textbook on Hungarian law that emphasizes its relation to Civil and Canon law. It was printed in present-day Slovakia. The second part is titled *Experimentum Reductionis Juris Hungarici ad Suos Fontes in Aliquot Exemplis*. OCLC locates 3 copies, none in North America. Not in the BMC.

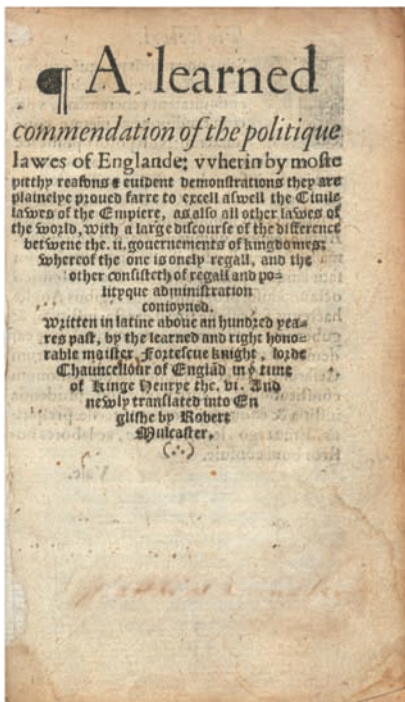


47. Fortescue, Sir John [1394?-1476?].

Mulcaster, Robert [16th. c.], Translator.

A Learned Commendation of the Politique Lawes of England: Wherin by Moste Pitthy Reasons and Evident Demonstrations They are Plainely Proved Farre to Excell Aswell the Civile Lawes of the Emperie, As Also All Other Lawes of the Worlde, With a Large Discourse of the Difference Betwene the ii. Governementes of Kingdomes: Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conjoyned. Written in Latine Above an Hundred Yeares Past, By the Learned and Right Honorable Maister Fortescue Knight, Lorde Chauncellour of England in ye Time of Kinge Henry VI. and Newly Translated into Englishe by Robert Mulcaster. [London: In Fletestrete Within Temple Barre, At the Signe of the Hand and Starre, by Rychard Tottill, 1567]. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/4").

Contemporary calf, blind panels with corner fleurons and large central fleurons to boards, rebacked in period style, raised bands and gilt ornaments to spine, ties lacking. Some rubbing to extremities, corners worn, hinges cracked, small later owner bookplate to verso of front endleaf, crack in text block between ff. 2 and 3, some edgewear to preliminaries. Light toning to text, faint dampstaining in places. Early and somewhat later signatures and annotations to endleaves, interior otherwise clean. An appealing copy. \$7,500.



First edition in English. *De Laudibus Legum Angliae* (c.1470), a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe. It also compares the common and Roman systems and extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first published (in Latin) in 1537. "Fortescue was a favorite among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the Common Law" (Marvin). OCLC locates 4 copies in North American law libraries (Georgetown, Harvard, LA County, UVA). Marvin 321. Beale T357. ESTC S102454.

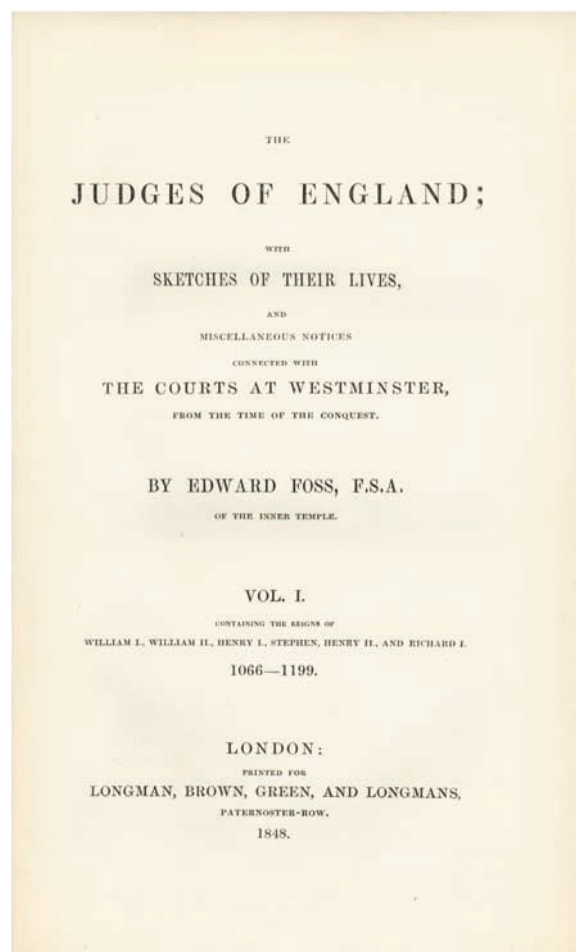
HANDSOME COPY OF FOSS'S IMPORTANT
JUDGES OF ENGLAND

48. Foss, Edward [1787-1870].

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

Contemporary three quarter morocco over marbled boards, raised bands, gilt ornaments to spines, marbled edges and endpapers. Minor rubbing to spine ends and corners, light fading to spines. Small scuff to front board of Volume I, tiny stain to spine of Volume VI, partial split near center of text block of Volume VIII. Interiors clean and bright. A handsome set. \$2,200.

Authoritative biographies of 1,589 chancellors, masters of the rolls, and judges of the courts are provided for each reign, from the time of the Norman Conquest through the reign of Queen Victoria, 1066-1864. Based on original sources, it is an important reference work for legal historians. Considered "the standard authority" in its field by J.C. Robertson in the (cited in the *DNB*), it is frequently cited by Holdsworth in *A History of English Law*. "A" rated in the American Association of Law Schools, *Law Books Recommended for Librarians*. HLC I:715. Sweet & Maxwell 1:127.



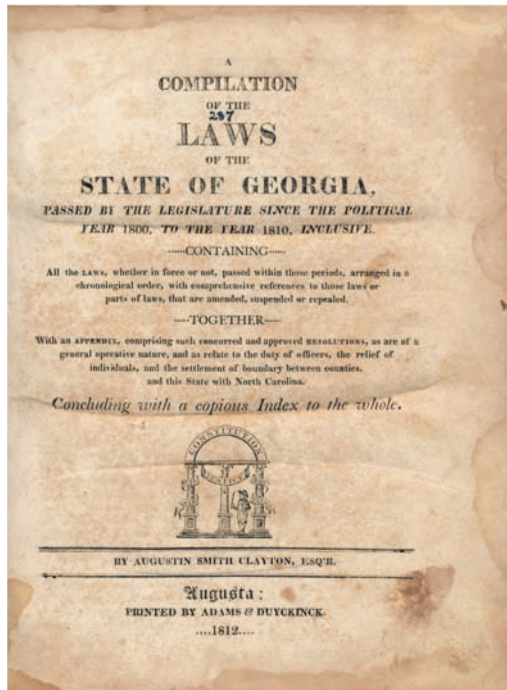
GREEK CIVIL AND CRIMINAL LAW UNDER THE NEW CODES

49. Gaitas, Paulos.

Stoicheia tou Politikou Dikaionomatos. Smyrna: Ek tes Ionikes Typhgraphias Antoniou Patrikiou, 1835. Two volumes. [xx], 338, [9]; [viii], 253, [11] pp. Octavo (7" x 4-1/2").

Later buckram, red and black lettering pieces to spine, endpapers renewed. Some shelfwear and soiling, wear to lettering pieces of Volume I. Some toning, edges of a few leaves trimmed closely (due to binder error) with minor loss to text, internally clean. Ex-library. Location number to spines, bookplate to front pastedown, stamps and annotations to title pages and their versos. \$1,000.

Only edition located. Modern Greece was established by the conclusion of the Greek War of Independence in 1829. In the following years it established a codified legal based influenced by French and German models. *Stoicheia tou Politikou Dikaionomatos* analyzes the civil and criminal law of Greece according to codes adopted in 1833 and 1834. It appears to be the first book to address these codes. All early modern-era Greek law books are rare. Concerning the present volume, OCLC locates 4 copies, 1 in a law library (Indiana University). Not in the *BMC*.

**50. [Georgia].****Clayton, Augustin Smith, Compiler.**

A Compilation of the Laws of the State of Georgia, Passed by the Legislature Since the Political Year 1800, To the Year 1810, Inclusive. Containing All the Laws, Whether in Force or Not, Passed Within Those Periods, Arranged in a Chronological Order, With Comprehensive References to Those Laws or Parts of Laws, That are Amended, Suspended or Repealed: Together with an Appendix, Comprising Such Concurred and Approved Resolutions, As Are of a General Operative Nature, And as Relate to the Duty of Officers, The Relief of Individuals, And the Settlement of Boundary Between Counties, And this State with North Carolina: Concluding with a Copious Index to the Whole. Augusta: Printed by Adams & Duyckinck, 1812. [vi], 708, [20]pp. Includes four pages of testimonials. Quarto (10" x 8").

Later buckram, calf lettering piece to spine, endpapers renewed. Some rubbing to extremities, light fading to spine, later owner bookplates to front pastedown and free endpaper, one of Ellis Merton Coulter. Light browning and foxing to text, occasional dampstaining. Early annotations to front endleaf, interior otherwise clean. A solid copy with a nice provenance. \$1,000.

First edition. This was the third digest of Georgia state laws, preceded by others from 1801 and 1802. It is digested alphabetically by topic. Coulter [1890-1981] was a notable American historian of the South and a founding member of the Southern Historical Association. He was known for his glorification of the Old South, belief in white supremacy and segregation. *Catalogue of the Wymberley Jones De Renne Georgia Library* I:346. Babbitt 86.

PRINCE'S DIGEST

51. [Georgia].**Prince, Oliver [1782-1837], Compiler.**

A Digest of the Laws of the State of Georgia: Containing All Statutes and the Substance of All Resolutions of a General and Public Nature, And Now in Force, Which Have Been Passed in This State, Previous to the Session of the General Assembly of December, 1820. With Occasional Explanatory Notes, And Connecting References, And a List of the Statutes Repealed or Obsolete. To Which is Added, An Appendix; Containing the Constitution of the United States; The Constitution of the State of Georgia as Amended; The Statute of Frauds and Perjuries; The Habeas Corpus Act, &c. &c. Also References to such Local Acts as Relate to Towns, Counties, Internal Navigation, County Academies, &c. With a Copious Index. Compiled by the Appointment, And Under the Authority of the General Assembly. Milledgeville: Grantland & Orme, 1822. xiii, 669 pp. Octavo (9" x 5-1/4").

Somewhat later law sheep, rebacked, printed paper spine label, endpapers renewed. Moderate rubbing to extremities with some wear to spine ends and corners, a few minor scuffs, recent owner bookplate to front pastedown. Moderate toning and foxing throughout, dampstaining to portions of text. Early owner signature to front endleaf, interior otherwise clean. A solid copy. \$500.

First edition. Known as "Prince's Digest," this is an important early digest of public and general laws, with a small digest of local laws. It had a second edition in 1837. It is very useful source with a thorough index. *Catalogue of the Wymberley Jones De Renne Georgia Library* I:382. Babbitt 87.

52. [Georgia].

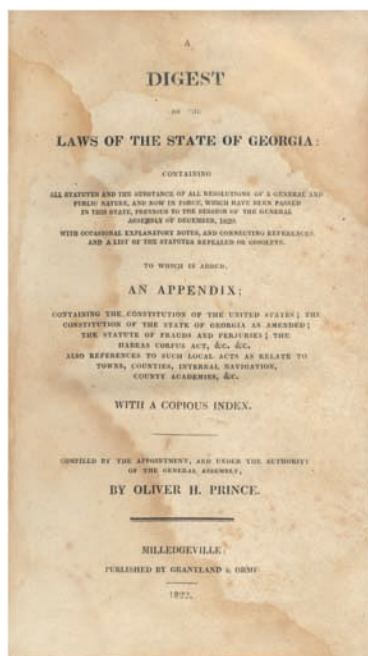
Watkins, Robert [1759 or 66-1805], Compiler.**Watkins, George [fl. 1800-1803], Compiler.**

A Digest of the Laws of the State of Georgia. From Its First Establishment as a British Province Down to the Year 1798, Inclusive, And the Principal Acts of 1799: In Which is Comprehended the Declaration of Independence; The State Constitutions of 1777 and 1789, With Alterations and Amendments in 1794. Also the Constitution of 1798. It Contains as Well All the Laws in Force, As Those Which are Deemed Useful and Necessary, Or Which Are Explanatory of Existing Laws; Together, With the Titles of All the Obsolete and Other Acts. And Concludes With an Appendix Containing the Original Charters and Other Documents, Ascertaining and Defining the Limits and Boundary of the State; All the Treaties With the Southern Tribes of Indians; The Articles of Confederation and Perpetual Union; The Constitution of the United States, And a Few Acts of Congress. Together with a Copious Index to the Whole. Philadelphia: Printed by R. Aitken, 1800. [viii], 837, [28] pp. Includes a five-page subscriber list. Quarto (10" x 8").

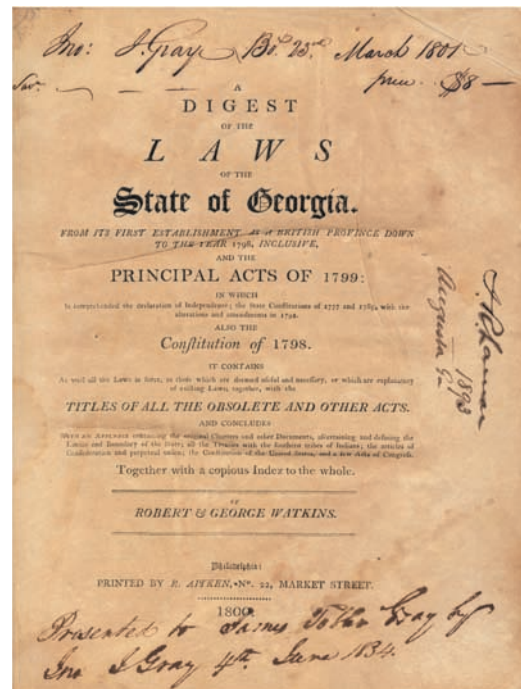
Recent three-quarter morocco-stamped cloth over plain cloth, lettering piece to spine, patterned endpapers. Some

rubbing to boards and extremities with minor wear to spine ends and corners, later owner bookplate to front pastedown. Light browning and foxing to text. Early owner signatures and annotations to title page, occasional early pencil notes and markings to text and index. A solid copy. \$2,400.

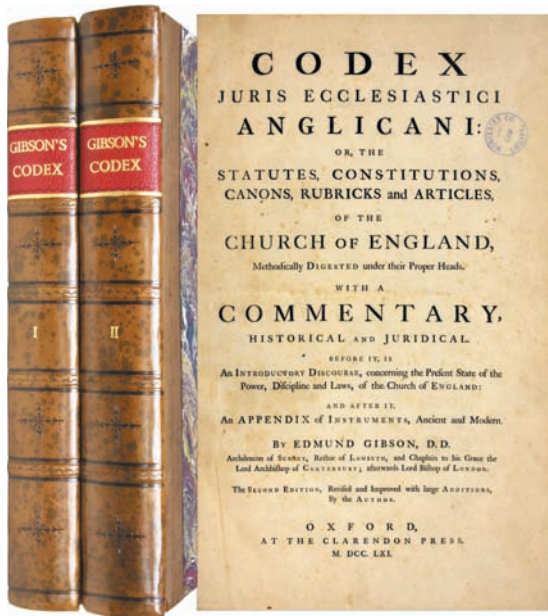
First edition. Georgia was included in the proprietary charter granted to the lords-proprietors of Carolina by Charles II in 1662-63. The charter establishing Georgia under the proprietorship of James Oglethorpe was granted in 1732 and surrendered in 1752. In 1754 Georgia became a Royal colony with crown-appointed governor and a colonial assembly. Georgia joined the Revolution in 1776 and adopted a state constitution in 1777. It ratified the Federal Constitution in 1788. Watkins and Watkins was the first compilation of Georgia's laws. "Robert Watkins defended the Yazoo land speculation even to the point of fighting three duels with James Jackson. The third of the duels was fought over this book, which was commissioned by the Georgia legislature. When Jackson became governor he refused to allocate payment to Watkins for this work which included the whole of the Yazoo Act and authorized Horatio Marbury and William H. Crawford to prepare a new digest which would be free of such taint. (...) Its notoriety has only added to its collectability." Marion and Willingham, *Georgia: A Selection of a Dozen Collectable Georgia Books* 15. Tower 57.



No 51



No 52



BEST EDITION OF A DEFINITIVE STUDY OF
ANGLICAN ECCLESIASTICAL LAW

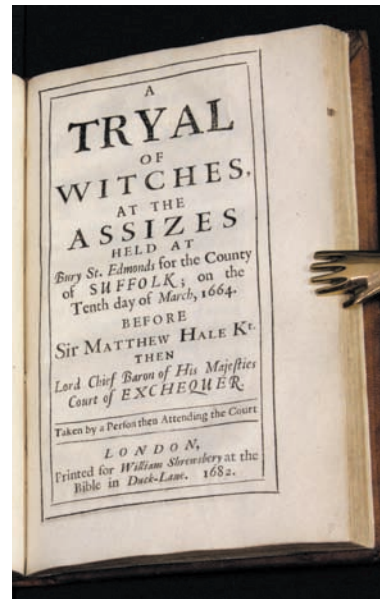
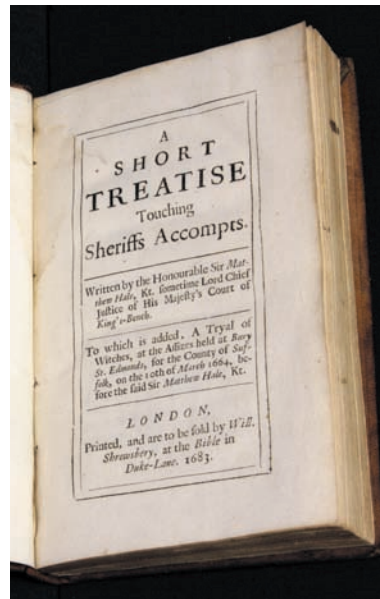
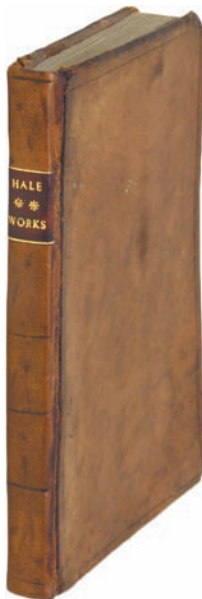
53. Gibson, Edmund [1669-1748].

Codex Juris Ecclesiastici Anglicani: Or, The Statutes, Constitutions, Canons, Rubricks and Articles of the Church of England, Methodically Digested Under Their Proper Heads. With a Commentary, Historical and Juridical. Before it, Is an Introductory Discourse, Concerning the Present State of the Power, Discipline and Laws, Of the Church of England: And After It, An Appendix of Instruments, Ancient and Modern. Revised and Improved with Large Additions by the Author. Oxford: At the Clarendon Press, 1761. Two volumes. [iv], xxx, [26], 746; [ii], 747-1575, [99] pp. Folio (9-1/2" x 14-1/2").

Recent period-style quarter calf over marbled boards, raised bands, black-stamped ornaments and lettering pieces to spines,

endpapers renewed. Light toning to text, negligible foxing in places, internally clean. Ex-library. Small inkstamps to title pages. An attractive copy. \$1,500.

Second, final and best edition. Holdsworth, who discusses this book at length, holds it in the highest regard. The *Encyclopaedia Britannica* says it "discusses more learnedly and comprehensively than any other the legal rights and duties of the English clergy, and the constitution, canons and articles of the English Church." First published in 1713, it went through several printings. An abridged edition by Richard Grey was published in 1730 that went through four other editions in 1732, 1735 and 1743. Gibson, an English divine and jurist, was chaplain and librarian to the archbishop of Canterbury. He went on to become the Bishop of London. In addition to *Codex Juris Anglicani* he produced several important works, including editions of the *Chronicon Saxonicum* (1692) and the collected works of Sir Henry Spelman (1698). HEL 12:607-611. Sweet & Maxwell 1:168.



Nº 54

NOTABLE TREATISE ON TAX COLLECTION
BOUND TO A FAMOUS WITCHCRAFT TRIAL

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

A Short Treatise Touching Sheriffs Accompts. Written by the Honourable Sir. Matthew Hale, Kt. Sometime Lord Chief Justice of His Majesty's Court of King's-Bench. To Which is Added, A Tryal of Witches, At the Assizes Held at Bury St. Edmonds, For the County of Suffolk, on the 10th of March 1664, Before the Said Sir Matthew Hale, Kt. The first title page with the imprint, London: Printed, and are to be sold by Will. Shrowsbery, at the Bible in Duke-Lane, 1683. [viii], 110, [1]; [iv], 59 [1] pp. Two parts, each with title page and individual pagination, the second title with the imprint, London: Printed for William Shrowsbery at the Bible in Duck-Lane, 1682. Octavo (6-3/4" x 4-1/4").

Contemporary calf, blind rules to boards, rebaked in period style with blind fillets and lettering piece. Light rubbing to extremities, corners bumped and lightly worn, front pastedowns loose, early owner bookplate to inside of front board. A handsome copy. \$2,500.

First edition, one of two issues from 1683, the other does not include the witchcraft trial. Hale was one of the greatest legal minds in the history of English law. His historically grounded treatise on the sheriff's role as a tax collector was commissioned by the Lord Treasurer and the Chancellor of the Exchequer. It had a second edition in 1716. "It show's Hale's mastery of the early history of the Exchequer, and of the history and seventeenth century practice of the financial relations of the sheriffs and the crown; and it contains some valuable suggestions for improvements in the existing practice (Holdsworth). A *Tryal of Witches*, an unrelated work, was originally issued in 1682. It is an account of the Lowestoft Witchcraft trial conducted at Bury St. Edmonds. Well-known in its day, this remains the most famous trial of its kind because it was well-documented in Hale's pamphlet and involved many leading jurists and experts of the day, most notably Thomas Browne, a physician who presented one of the earliest examples of psychiatric testimony as an expert witness. Brown's testimony was later quoted by Cotton Mather during the Salem Witchcraft trials. Some say the Salem trial was inspired by Hale's pamphlet. *HEL* VI: 589. *ESTC* R14358.



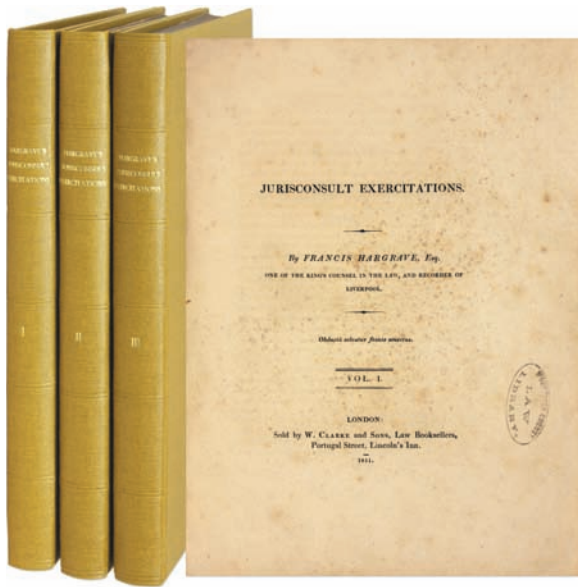
BY A NOTABLE ORIENTALIST

55. Hammer-Purgstall, Joseph, Freiherr von [1774-1856].

Des Osmanischen Reichs Staatsverfassung und Staatsverwaltung, Dargestellt aus den Quellen seiner Grundgesetze. Vienna: In der Camesinaschen Buchhandlung, 1815. Two volumes. xlii, 499, [1]; x, 531 pp. Octavo (8" x 4-3/4").

Contemporary marbled paper, lettering pieces to spines. Some wear to extremities, shallow scuff to front board of Volume 2, corners bumped and somewhat worn. Some toning to text, light foxing in places. Owner signature (of Konrad von Maurer, dated 1841) to title pages, interiors otherwise clean. Ex-library. Location label to spine, bookplates to front pastedowns, stamps and annotations to title pages and versos. \$750.

Only edition. Hammer-Purgstall was an Austrian diplomat who held posts in Constantinople and other Eastern cities. He spent the latter part of his career in Vienna as a privy councilor. An important Orientalist, he wrote extensively on Arabic, Persian and Turkish culture and history. *Des Osmanischen Reichs Staatsverfassung und Staatsverwaltung* is a historical study of the constitutional history, constitutional law and administrative law of the Ottoman Empire. Konrad von Maurer [1823-1902] was a distinguished legal historian who taught at the University of Munich. OCLC locates 3 copies in North American law libraries (Harvard, Library of Congress, UC-Berkeley).



56. Hargrave, Francis [1741?-1821].

Jurisconsult Exercitationes. London: Sold by W. Clarke and Sons, 1811-1813. Three volumes. Quarto (10-1/2" x 8-1/2").

Recent cloth, gilt titles and blind fillets to cloth, endpapers renewed. Moderate rubbing to boards, corners bumped and somewhat worn. Moderate toning to text, light foxing in places, torn corner in Volume I (pp. 237-38) repaired with archival tape, internally clean. Ex-library. Small inkstamps to title pages. An attractive set. \$1,500.

Only edition. A compendium of thirty-five arguments, observations, opinions, and notes on a wide range of cases and topics, such as the illegality of domestic slavery in England, the inalienability of trusts in inheritance, fines of land, taxing out of parliament, the rule in Shelley's Case, the legal time of human birth and the Walpole Case of mutual wills. Sweet & Maxwell 2:156.

EARLY NINETEENTH-CENTURY MARYLAND FORMBOOK

57. Harris, Thomas [1769-1829].

Modern Entries, Adapted to the American Courts of Justice, Being a Complete System of Approved Precedents, Consisting of Conveyancing, Declarations, Entries, Pleas, Replications, &c. and Writs. With an Index to the Principal Work, And of Reference to Most of the Ancient and Modern Entries. Annapolis: Printed by Frederick Green, 1801. Two volumes. viii, 703; [iv], 800, [196] pp. Octavo (8" x 5").

Recent period-style quarter-calf over marbled boards, lettering piece and blind fillets to spine, endpapers renewed. Light toning to text, occasional light foxing, dampstaining to a few leaves of each volume, text blocks shaved close for binding without touching text or catch words, corner of one leaf torn, removing a single letter, upper section lacking from imprimatur leaf with no loss to text. Early signatures and inkstamps to title pages, early annotations to verso of Volume II title page, additional early ink markings in text. A solid copy in an attractive binding. \$1,000.

First edition. Harris served as deputy clerk of the Maryland General Court from 1789 to 1804 and as clerk of the Maryland Court of Appeals for the western shore from 1806 to 1829. He was also reporter of the first thirteen volumes of Maryland decisions. Though intended primarily for use in Maryland, his formbook has material

relating to other states. A second edition, completed by Thomas Harris with a title beginning *Modern Entries, Or Approved Precedents*, was published in 1831-1832. Both are scarce. OCLC locates 10 copies of the first edition in North American law libraries, 13 of the second. Cohen 8029.

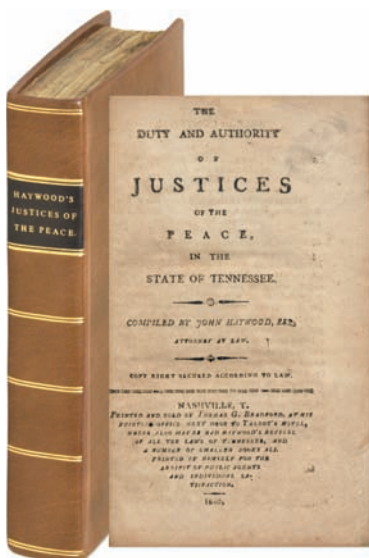


58. Haskell, Paralee, Compiler.

Catalogue of the General and Law Library of the State of Tennessee. Prepared by Order of the Judges of the Supreme Court. Nashville: [Jones, Purvis & Co.], 1871. v, [3], 432 pp. Octavo (8-1/2" x 5-1/2").

Recent quarter calf over marbled boards, lettering piece and gilt fillets to spine. Light toning, faint dampstaining to portions of text, internally clean. \$250.

Mrs. Haskell was Tennessee's state librarian. This catalogue shows that the state owned a remarkably comprehensive collection. OCLC locates 9 copies in North American law libraries. (Harvard, Library of Congress, Yale and the Universities of Arkansas, Kansas, Michigan, Tennessee, Texas, Virginia).



THE FIRST JP MANUAL PRINTED IN TENNESSEE

59. Haywood, John [1762-1826], Compiler.

The Duty and Authority of Justices of the Peace, In the State of Tennessee. Nashville: Printed and Sold by Thomas G. Bradford, 1810. [iv], 372, [7] pp. An additional four leaves, all containing advertisements, not present in this copy. Octavo (7" x 4-1/2").

Recent period-style calf, gilt rules and lettering piece to spine, hinges mended. Some toning and faint dampspotting to text, several printing faults resulting in torn leaves near the gutter, typical with early frontier imprints. Two later owner signatures to front pastedown, interior otherwise clean. \$1,800.

First edition. The first JP manual printed in Tennessee. With its choice of topics and rather amateurish printing, this manual evokes the state of frontier life in the early nineteenth century. Haywood was a jurist and historian from North Carolina who moved to Tennessee in 1807. Soon after his arrival he enhanced his already

solid reputation by publishing a series of legal compilations and the earliest important histories of his adopted state. He served on the Tennessee Supreme Court for the last 12 years of his life. Other editions of his manual were published in 1811 and 1816. Though all editions are somewhat common in institutional collections, there are few copies of any edition in law libraries. Regarding the first edition, OCLC locates 4 copies (at Harvard, the Universities of Michigan and Minnesota and Yale). Also, no copy has appeared at auction in more than 30 years. Allen, *Tennessee Imprints* 162. Allen, *More Tennessee Rarities* 340. Cohen 8470.

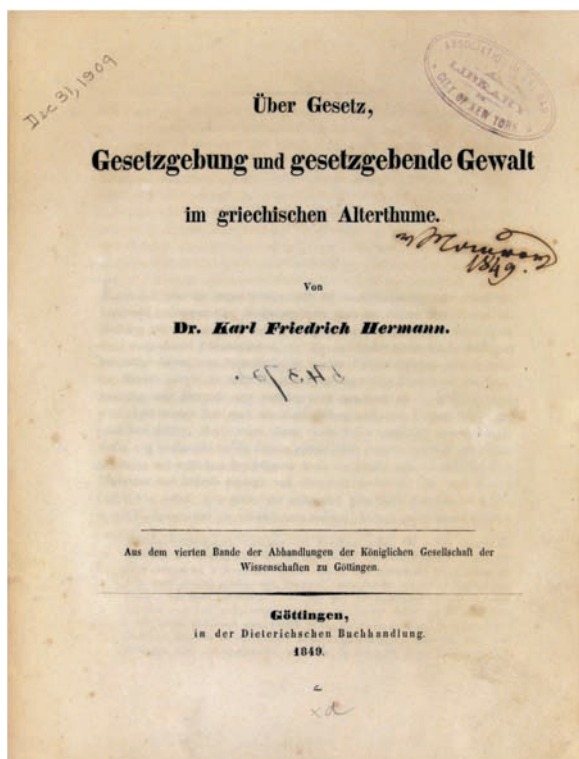
A PIONEERING STUDY OF ITALIAN POLITICAL AND CONSTITUTIONAL HISTORY

60. Hegel, Karl von [1813-1901].

Geschichte der Städteverfassung von Italien seit der Zeit der Römischen Herrschaft bis zum Ausgang des Zwölften Jahrhunderts. Leipzig: Weidmann'sche Buchhandlung, 1847. Two volumes. [xii], 499, [9]; [ii], 465, [5] pp. Octavo (8" x 4-3/4").

Contemporary marbled paper, hand-lettered title labels to spines. Some wear to extremities, corners bumped and somewhat worn. Some toning to text, light foxing in places. Owner signature (of Konrad von Maurer, dated 1847) to title pages, interiors otherwise clean. Ex-library. Location label to spine, bookplates to front pastedowns, stamps and annotations to title pages and their versos. \$450.

Only edition. Karl von Hegel, son of the great philosopher, was a notable historian. His *Geschichte der Städteverfassung* is a pioneering study of the political and constitutional history of Italy during the Medieval era, with a focus on the period spanning 476 to 1268. This copy belonged to Konrad von Maurer [1823-1902], a distinguished legal historian who taught at the University of Munich. BMC 11:1066.



№ 61

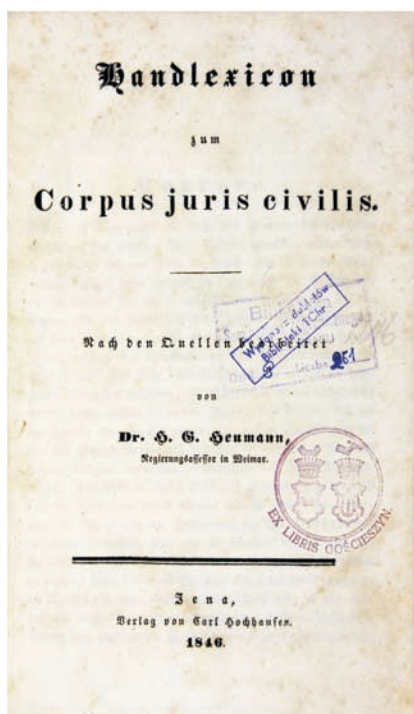
STUDY OF ANCIENT GREEK LAW BY
A DISTINGUISHED CLASSICIST

61. Hermann, Karl Friedrich [1804-1855].

Über Gesetz, Gesetzgebung und gesetzgebende Gewalt im Griechischen Alterthume. Göttingen: In der Dieterichsche Buchhandlung, 1849. 67 pp. Octavo (9-1/2" x 7-3/4").

Contemporary marbled paper, later typewritten title label to spine. Rubbing to extremities with wear to spine ends, joints and corners, front board partially detached but secure. Some toning to text, light foxing in places. Owner signature (of Konrad von Maurer, dated 1849) to title page, interior otherwise clean. Ex-library. Location label to spine, bookplate to front pastedown, stamps and annotation to title pages and verso. \$500.

Only edition, reissued in 1850. Hermann was a distinguished classicist who taught at the University of Marburg and, later, University of Göttingen. He was distinguished for his work on the culture, philosophy and archeology of ancient Greece. *Über Gesetz* is a study of the origins of its legal system. Konrad von Maurer [1823-1902], the owner of this copy, was a legal historian who taught at the University of Munich. OCLC locates 5 copies in North American law schools (Columbia, Harvard, University of Iowa, UVA, Yale), all of the 1849 issue. Not in the BMC.



№ 62

FIRST EDITION OF A SCARCE GERMAN
DICTIONARY OF ROMAN LAW TERMS

62. Heumann, H[ermann] G[ottlieb].

Handlexicon zum Corpus Juris Civilis: Nach den Quellen Bearbeitet. Jena: Verlag von Carl Hochhausen, 1846. iv, 563 pp. Main text in parallel columns. Octavo (8-1/2" x 5-1/4").

Contemporary marbled boards, lettering piece and gilt fillets to spine. Rubbing to extremities with some wear to spine ends and corners. Some toning and occasional foxing to text. Ex-library. Ink stamps to front endleaves and title page, fragment of card pocket to rear pastedown. A solid copy of a scarce title. \$650.

First edition. This useful dictionary of terms in Roman law with references to passages in the *Corpus Juris Civilis* and other sources. The fourth and final edition was published in 1884. All are scarce, especially in North America. OCLC locates no copies of any edition in North America. This edition not in the BMC.

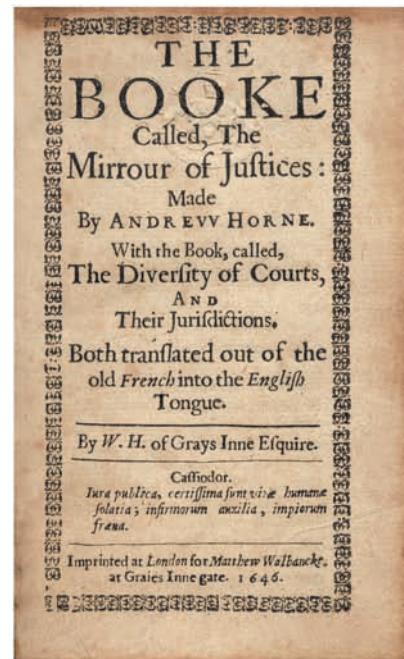
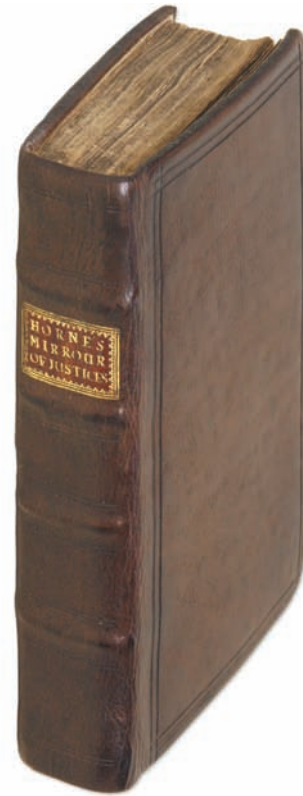
FIRST ENGLISH-LANGUAGE EDITION OF
HORNE'S *MIRROUR OF JUSTICES*

63. Horne, Andrew [d.1328].
H[ughes], W[illiam], Translator.
[Fitzherbert, Anthony (1470-1538)].

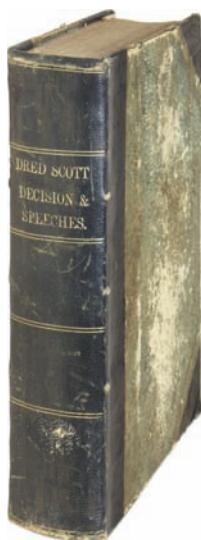
The Booke Called, The Mirroure of Justices: Made by Andrew Horne. With the Book, Called, The Diversity of Courts, And Their Jurisdictions. Both Translated Out of the Old French into the English Tongue. London: Matthew Walbancke, 1646. [xxxii], 288, 287-325, [9] pp.

Recent period-style calf, blind rules to boards, blind fillets to spine, front free endpaper renewed, later armorial bookplate of the Earl of Macclesfield to front pastedown, small embossed Macclesfield stamp to head of title page. Woodcut head and tail-pieces. Some browning to text, faint dampspotting in places. Early owner signature (of Thomas Clarke) and annotation to front free endpaper, occasional annotations to margins. \$2,000.

First edition in English and the second edition overall. Written about 1290, *The Mirroure of Justices* became an authority in the latter part of the sixteenth century when English lawyers began to look to Glanville, Bracton, and Britton as guides to put the common law into a more logical arrangement. It was not a reliable source, however. As Maitland observed, it is "the work of one profoundly dissatisfied with the administration of the law by the king's judges. As against this he appeals to myths and legends about the law of King Alfred's day and the like, some of which myths and legends were perhaps traditional, while others were deliberately concocted. Intelligently read it is very instructive; but the intelligent reader will often infer that the law is exactly the opposite of what the writer represents it to be." *Mirroure* was first published in Law-French in 1642. The *Diversity of Courts* is by Fitzherbert. A note of the front free endpaper says: "Note in going over the *Mirroure Justices* in French I cursorily compar'd the French with the English & wherever there appear'd any material error in either of 'em I corrected it in the margin." Maitland, *Collected Papers* II:46. Lowndes, *Bibliographer's Manual of English Literature* 3:1119. Sweet & Maxwell 1:40-41 (19, 20).



Nº 63



UNUSUAL COLLECTION OF PAMPHLETS RELATING TO SLAVERY AND THE
ADMISSION OF KANSAS AS A SLAVE STATE, 1856-1858

64. Howard, Benjamin C. [1791-1872], Reporter.

A Report of the Decision of the Supreme Court of the United States, And the Opinions of the Judges Thereof, In the Case of Dred Scott Versus John F.A. Sandford. December Term 1856. New York: D. Appleton & Co., 1857. [ii], [393]-633, [3] pp.

[Bound with]

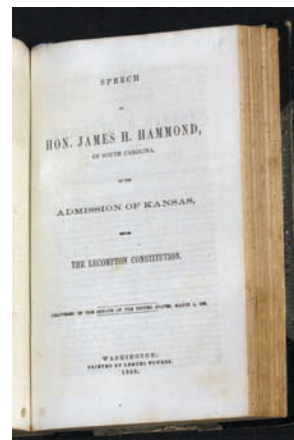
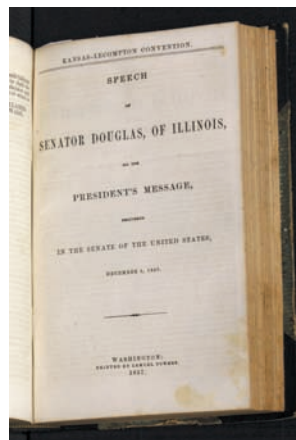
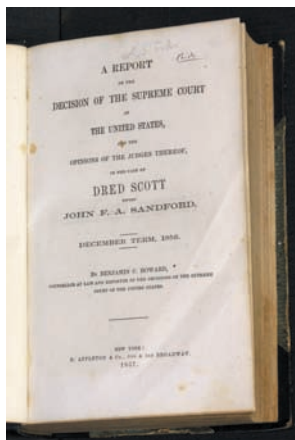
[33 *Speeches and Articles, All But Two About Slavery, Most About the Admission of Kansas to the Union as a Slave State*]. Various paginations and places of publication, 1856-1858.

Octavo (9" x 5-1/2"). Stab-stitched pamphlets bound into contemporary three-quarter calf over marbled boards, gilt fillets and title, reading *Dred Scott Decision & Speeches*, to spine. Moderate rubbing, corners bumped, a few partial cracks to text block. Light toning to text, light foxing in places. Annotations to some leaves, interior otherwise clean. \$2,500.

Some of the 33 items bound after Howard's Report are:

- Maine, Senate. *Opinions of the Justices of the S.J. Court, On Question Propounded by the Senate, March 26, 1857* (Augusta, ME, 1857). [66] pp.
- U.S. House of Representatives, *The Lecompton Constitution* (Washington, March 10, 1858). 16 pp.
- U.S. Senate, *Report [on the Lecompton Constitution]* (Washington, February 18, 1858). 88 pp.
- *Kansas-Lecompton Convention: Speech of Senator Douglas, Of Illinois, On the President's Message, Delivered in the Senate of the United States, December 9, 1857* (Washington, 1857). 15 pp.
- *Kansas and the Supreme Court: Speech of John P. Hale, Of New Hampshire. Delivered in the United States Senate, January 19 and 21, 1858* (Washington, 1858). 16 pp.
- *Speech of Mr. Fessenden, Of Maine, On the Message of the President Transmitting the Lecompton Constitution. Delivered in the United States Senate, February 8, 1858* (Washington, 1858). 24 pp.
- *Human Beings Not Property: Speech of Hon. Owen Lovejoy, Of Illinois. Delivered in the U.S. House of Representatives, February 17, 1858* (Washington, 1858). 8 pp.
- *Freedom in Kansas: Speech of William H. Seward, In the Senate of the United States, March 3, 1858* (Washington, 1858). 15 pp.
- *The Rights of White Men Vindicated: Speech of Hon. Stephen C. Foster, Of Maine. Delivered in the U.S. House of Representatives, March 10, 1858* (Washington, 1858). 8 pp.
- *Speech of Hon. James H. Hammond, Of South Carolina, On the Admission of Kansas, Under the Lecompton Constitution* (Washington, 1858) 8 pp.

A complete list is available on request.



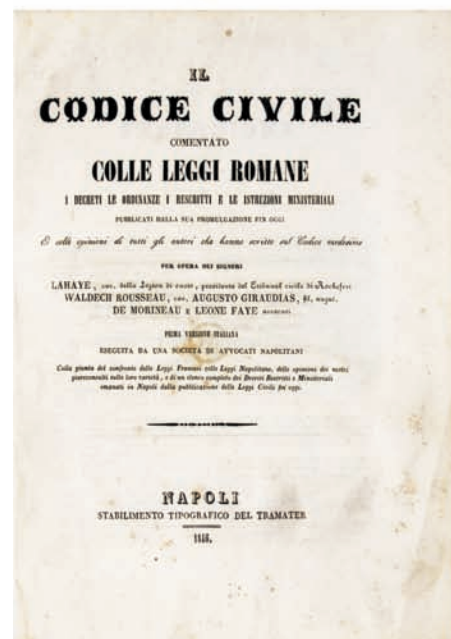
65. [Italy].

[Kingdom of the Two Sicilies].

Il Codice Civile Comentato Colle Leggi Romane: I Decreti le Ordinanze I Rescritti e le Istruzioni Ministeriali. Pubblicati dalla Sua Promulgazione fin Oggi, E Colle Opinioni di Tutti Gli Autori che Hanno Scritto sul Codice Medesimo per Opera dei Signori Lahaye, Cav. della Legion di Onore, Presidente del Tribunal Civile di Rochefore, Waldech Rousseau, Cav. Augusto Giraudias, Fil. Augus. de Morineau e Leone Faye Avvocati. Prima Versione Italiana, Eseguita da una Societa di Avvocati Napolitani. Colla Giunta del Confronto delle Leggi Francesi colle Leggi Napolitane, Delle Opinioni dei Nostri Giureconsulti selle Loro Varieta, E di un Elenco Completo dei Decreti Rescritti e Ministeriali Emanati in Napoli dalla Pubblicazione delle Leggi Civili Fin'Oggi. Naples: Stabilimento Tipografico del Tramater, 1846. [viii], 1348 pp. Main text in parallel columns. Folio (12" x 8-1/2").

Contemporary vellum, lettering piece and gilt fillets and ornaments to spine. Light soiling to spine, a few minor stains to boards, corners bumped, 1" x 7" strip of vellum lacking from foot of rear board, a few worm holes to hinges. Light toning to text, occasional light foxing, internally clean. \$1,950.

Only edition located. An interesting work of comparative law that compares all of the articles in the Code Napoleon with comparable articles in the civil code of the Kingdom of the Two Sicilies and those of the Code of Justinian and other parts of the *Corpus Juris Civilis*. No copies located on OCLC.



Nº 65

WELCOME HOME, MR. JUSTICE

66. Jackson, Robert H. [1892-1954].

[7" x 9" Black-and-White Photograph of Jackson Kissing His Wife]. [New York: Acme News Agency, August 2, 1946].

Light wear to edges, stamps, annotations and caption to verso.

\$125.

The caption reads (in part): "JACKSON BACK FROM WAR CRIMES TRIALS (...) Supreme Court Justice Robert H. Jackson is greeted by his wife shortly after his arrival at Washington National Airport from Nuremberg, Germany, where he has been chief American prosecutor at the Nazi War Crimes Trials."



AN EDITION OF THE *INSTITUTES* WITH NOTES
BY A DISTINGUISHED GERMAN JURIST

67. Justinian I [483-565CE], Emperor of the East.

Stryk, Samuel [1640-1710], Annotator.

Institutionum Libri Quatuor: In Gratiam Cupidæ Legum Iuuentutis, Notis Maxime Necessariis Explanati. [xvi], 663 pp. Added copperplate pictorial title page. Halle: Impensis Io. Friderici Zeitleri, 1708. Octavo (6-1/2" x 4").

Contemporary vellum with lapped edges, edges of text block rouged. Light rubbing and soiling, recent owner stamp to front free endpaper, light toning to text. Title page printed in red and black. Early annotations to rear endleaves, a few early struck-through signatures to title page, interior otherwise clean. \$850.

With index. Commissioned by the Emperor Justinian in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* preserved and restated all existing Roman law. It has four books: the *Code*, *Novels*, *Institutes* and *Digest*. Intended for students, the *Institutes* is a synopsis of the reformed legal system. It supplanted the earlier *Institutes* of Gaius. Stryk was a distinguished German jurist who was instrumental in developing German law from native sources rather than from received Roman law. He was an eminent professor of law at Halle whose pupils included Thomasius, Boehmer, Heineccius and Ludovici. His annotated edition of the *Institutes* was first published in 1698 and went through five editions, the last in 1726. The annotations, all of them footnotes, are extensive. They form a running commentary on the text. VD18 11313838.

FALSE ACCUSATIONS OF ROBBERY

68. Kenniston, Levi, Defendant.

Kenniston, Laban, Defendant.

Report of the Evidence at the Trial of Levi & Laban Kenniston, Before Hon. Samuel Putnam on an Indictment for the Robbery of Major Elijah P. Goodridge, December 19, 1816. Salem: Printed by T.C. Cushing, 1817. 32 pp. Octavo (9-1/2" x 5-1/2").

Stab-stitched pamphlet, untrimmed edges. Light browning, faint dampspotting to portions of text, internally clean. \$150.

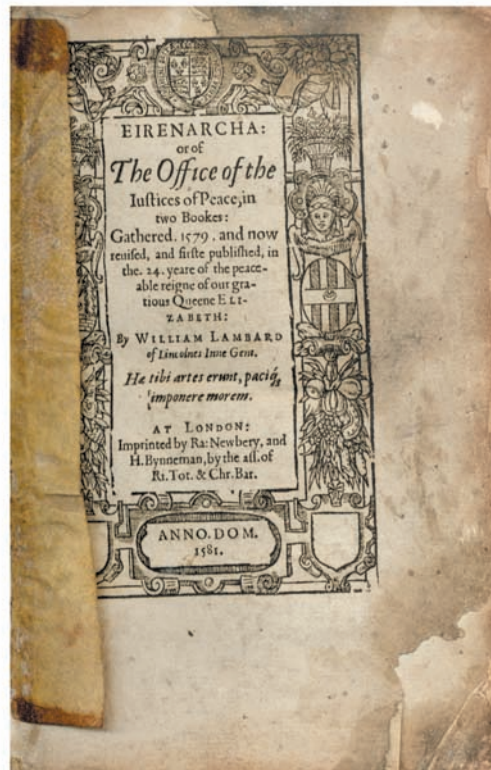
Only edition. "Elijah Goodridge brought charges against a number of individuals whom he accused of robbing him, but apparently no robbery had taken place. Goodridge's accusations had been fabricated and the defendants were acquitted after a trial in the Massachusetts Supreme Judicial Court" (Cohen). This is one of three accounts of this case. Cohen 14018.

69. Lambard(e), William [1536-1601].

Eirenarcha: Or of the Office of the Iustices of Peace, In Two Bookes: Gathered, 1579. And Now Revised, And First Published, In the 24. Yeere of the Peaceable Reigne of Our Gracious Queene Elizabeth. London: Imprinted by Ra. Newbery, And H. Bynneman, 1581. [viii], 511, [17] pp. Final index leaf and following leaf, which has a woodcut printer device on the verso, supplied in facsimile. Octavo (6-1/4" x 4-1/2").

Contemporary paneled calf, gilt and blind fillets, corner gilt fleurons and central gilt arabesques to boards, raised bands and gilt ornaments to spine, head and lower portion carefully rebacked, corners restored, ties lacking. Moderate rubbing to extremities, light scuffs and some worming to boards, pastedowns and free endpapers lacking, lacking final two leaves, supplied in facsimile. Woodcut head-pieces and decorated initials, woodcut coat of arms facing dedication. Toning to text, faint dampstaining in a few places, worm hole, located near center of fore-edge, through rear quarter of text block, chips to fore-edges of a few leaves, light soiling, some staining and edgewear to title page and following leaf, lower corner of title page torn away and fore-edge of following leaf clipped away with no loss to text. Eighteenth-century annotations to a few leaves, interior otherwise clean. An appealing copy. \$4,000.

First edition. Lambard(e), a barrister and legal historian, was the keeper of records at the Rolls Chapel and the Tower of London. First published in 1581, *Eirenarcha* is esteemed for its comprehensive and systematic account of the organization of local government under the justices of the peace at the end of the sixteenth century. It was the standard authority for many years and often reprinted. Like many books of its kind, *Eirenarcha* offers fascinating insights into the society that produced it. This is evident in the detailed indictments for such offenses as murder via witchcraft, raping a child or maid (the age of distinction was ten), hearing a Catholic Mass, practicing usury and operating a bowling alley. OCLC locates 12 copies in North American Law Libraries. Beale T387. ESTC S109320.



70. [Lawyers].**[Great Britain].**

The Impartial Lawyer, Or, Suitor's Guide. Containing Such Special Adjudged Cases, As Immediately Concern Persons Employed in the Laws of England; As Chief Officers, Counsellors, Justices, Sheriffs, Bayliffs, Attorneys, Clerks, And Sollicitors. Wherein is Demonstrated, What Remedy the Lawyers and Lawful Officers May have Against Such as Would Defame or Defraud Them in Their Lawful Practice. As Also, Such Relief as Others May Have Against Them, For Their Unjust or Irregular Proceedings. To Which is now Prefixed, A Preface, In Answer to Several Popular Objections Made Against Our Laws. London: Printed by J. Walthoe, 1731. xx, 255, [1] pp. Includes one-page publisher advertisement. Octavo (7-1/4" x 4-1/2").

Later three-quarter sheep over marbled boards, endpapers renewed, lettering piece lacking. Moderate rubbing to extremities, chipping to spine ends, corners bumped and somewhat worn, joints starting, hinges cracked. Light toning to text, foxing in a few places. Top-edge of text block trimmed closely (with minor loss to head lines and page numbers, upper corner of text block worn with no loss to legibility. Early struck-through owner signature to head of title page, interior otherwise clean. \$500.

Second and final edition. Originally published in 1709 and known colloquially as the "Suitor's Guide," this is, on the surface, a handbook for lawyers and lay-people with an interest in the legal system. Woven through it is a spirited, sometimes cranky, defense of the common law. OCLC locates 1 copy in North America (at Yale Law School, which has the second edition). The second edition is a reissue of the first with a new preface. Sweet & Maxwell 1:271 (83).

CURIOUS PROMOTIONAL ITEM

71. [Legal Publishing].**Bishop, George H., Composer.**

Pleading and Practice Grand March. 2 Step. Compliments of the Edward Thompson Company, Northport Long Island, N.Y. [Northport: Edward Thompson Company, 1896].

4 leaves of sheet music in double staves (for piano) bound in color lithographed pictorial wrappers. White portions lightly toned, colors vibrant. Minor edgewear, including a few small tears, spine reinforced with archival tape, internally clean. A curious item. \$350.

The rear cover reads: "Don't Worry About Your Procedure But Use 'Encyclopaedia of Pleading and Practice.'" Conceived for performance on the parlor piano, this march was distributed to potential purchasers of *The Encyclopedia of Pleading and Practice, Under the Codes of Practice Acts at Common Law, in Equity and In Criminal Cases* by William Mark McKinney [1865-1955], which was published by the Edward Thompson Company in 23 volumes from 1895 to 1902. The front cover depicts a grand parade in honor of the encyclopedia. Flanked by a brass band, human-sized copies of the first two volumes are riding at the head in an elegant carriage with two fine horses and a driver in livery. They are followed by a column of motley books (with arms, legs and heads) titled Criminal Law, Law of Torts, Law of Contracts and Law of Evidence that is marching under the banner "Old Style Text Books."

LEIBNIZ ANALYZES AN IMPORTANT CHAPTER
IN DIPLOMATIC HISTORY**72. [Leibniz, Gottfried Wilhelm (1646-1716)].**

Codex Juris Gentium Diplomaticus, In Quo Tabulae Authenticae Actorum Publicorum, Tractatum, Aliarumque Rerum Majoris Momenti per Europam Gestarum, Pleraeque Ineditae vel Selectae, Ipso Verborum Tenore Expressae ac Temporum Serie Digestae, Continentur; A Fine Seculi Undecimi ad Nostra Usque Tempora Aliquot Tomis Comprehensus: Quem ex Manuscriptis Praesertim Bibliothecae Augustae Guelfebytanae Codicibus, Et Monumentis Regiorum Aliorumque Archivorum, Ac Propriis Denique Collectaneis Edidit G.G.L. Hannover: Literis & Impensis Samuelis Ammonii, 1693-1700. Two volumes, the second, in two parts, bound together, each with title page and individual pagination. [xxxii], 24, 479 (ie. 471), [1]; [xviii], [x], 180, [ii], 380 pp. Volume II half-title lacking, preliminaries to Part II misbound at front of volume. Volume II has title beginning *Godefridi Guilielmi Leibnitii Mantissa Codicis Juris Gentium Diplomatici*. Folio (13-1/4" x 8").

Contemporary vellum with lapped edges, faint early hand-lettered title to spine. Light soiling and rubbing with some wear to spine ends and corners, front joint cracked, vellum

just beginning to crack through pastedowns, front free endpaper lacking, half-title of Volume I detached and lightly edgeworn, title page partially detached but secure. Light to moderate toning to text, minor worming to margins in a few places. A early few minor marks in pen to title page, interior otherwise clean. \$1,000.

First edition. Better known for his important contributions to philosophy and mathematics, Leibniz was also an attorney, diplomat, state official and judge of the Mainz court of appeals. The *Codex Juris Diplomaticus* is a collection of annotated treaties and other source materials relating to the diplomatic history of the Guelphs, the factions in central and northern Italy who supported the Pope against the Holy Roman Emperor and his supporters, the Ghibellines, during the 12th and 13th centuries. The main states controlled by the Guelphs were Bologna, Brescia, Crema, Genoa, Mantua, Orvieto and Perugia. The conflict between the Guelph and Ghibelline states, which was initiated by the Investiture Conflict of 1075, was one of the major international issues of the time. It was not resolved until the 15th century. This work saw a second edition in 1747. Copies of both editions are scarce. OCLC locates 8 complete copies of the first edition in North American law libraries (Georgetown, Harvard, Touro, UC-Berkeley, University of Iowa, University of Minnesota, University of Washington, Yale). BMC 14:1231.



Nº 72

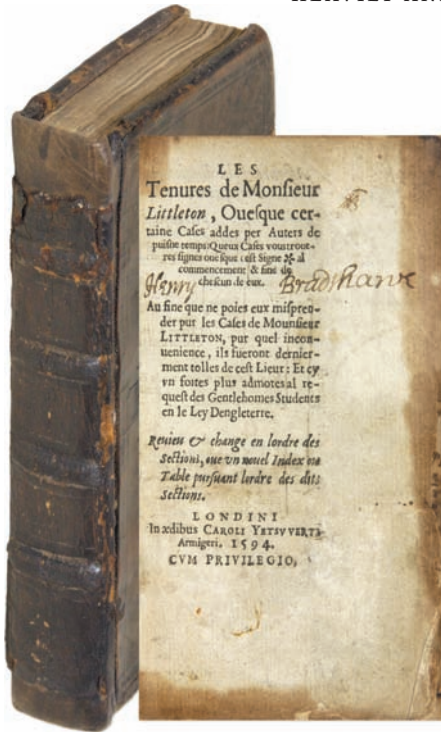


VANITY FAIR PORTRAYS THE
LEADING MEMBERS OF THE
HOUSE OF COMMONS

73. Lib (Pesperi, Liberio [1854-1928]).
The Lobby of the House of Commons, 1886.
Vanity Fair, Winter Number, 30 November, 1886.

Glazed and matted 21" x 15" color lithograph in attractive 31" x 26" wooden frame, photocopy of accompanying text enclosed in card pocket on verso. A few negligible nicks to frames, light toning to margins, colors vivid. \$350.

A superb portrayal of the House of commons when it included such men as William Gladstone (1809–1898), Lord Randolph Churchill (1849-1895) and Charles Stewart Parnell (1846-1891). *Vanity Fair* was published weekly from 1869 to 1914. It is best-known today for its caricatures of notable people and satirical depictions of current events. With few exceptions these were produced by a series of artists under pseudonyms, most notably "Spy" and "Ape." Approximately 2,400 caricatures were published in all, mostly as single pages. *Vanity Fair* also published 21 special numbers with double-page prints. *The Lobby of the House of Commons*, 1886 was originally issued in one of these. The prints were also issued individually. The absence of a central vertical crease indicates that our copy is one of these.



74. Littleton, Sir Thomas [1402-1481].

West, William [fl. 1568-1594], Editor.

Les Tenures de Monsieur Littleton, Ouesque Certaine Cases Addes per Auters de Puisne Temps: Queux Cases vous Troveres Signes Ouesque cest Signe [flower] al Commencement & Fine de Chescun de Eux. Au Fine que ne Poies eux Misprennder pur les Cases de Mounsieur Littleton, Pur Quel Inconvenience, Ils Fueront Dernierment Tolles de Cest Lievr; Et cy un Soites plus Admotes al Request des Gentlehomes Students en le Ley Dengleterre. Revieu & Change en Lordre des Sections, Oue un Novel Index ou Table Pursuant Lordre des Dits Sections. London: In Aedibus Caroli Yetswertii Armigeri, 1594. [i], 170, [27] ff. 12mo. (5-1/4" x 3").

Contemporary calf, blind rules and large central arabesques flanked by initials to center of boards, rebaked retaining spine with raised bands, clasps lacking, endpapers renewed. Some scratches and nicks, edges of boards mended, hinges cracked. Some toning to text, light browning to outer margins, edgewear to preliminaries and final few leaves. Wide margins, annotations to most leaves, early owner signature (Henry Bradshaw) to center of title page. \$6,500.

Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is considered a landmark because it renounced the principles of Roman law (and Latin) in favor of guidelines and doctrines drawn from the Year Books and, when necessary, hypothetical cases. The annotations in this copy are mostly case references, but many are interpretive. HEL II:573. ESTC S108064. Beale T36.



Nº 74



Nº 76

75. Lyndwood[e], Gulielmo [William] [?1375-1446]. *Provinciale, (Seu Constitutiones Angliae,) Continens Constitutiones Provinciales Quatuordecim Archiepiscoporum Cantuariensium, Aiz. A Stephano Langtono ad Henricum Chichleium; cum Summariis Atque Eruditis Annotationibus, Summa Accuratione Denuo Revisum Atque Impressum. Cui Adjiciuntur Constitutiones Legatinae D. Othonois, et D. Othoboni, Cardinalium, & Sedis Apostolicae in Anglia Legatorum, Cum Profundissimis Annotationibus Johannis de Athona, Canonici Lincolnensis.* Oxford: H[enry] Hall, Impensis Ric[hard] Davis, 1679. Three parts in one volume, parts one and two with separate title pages. [lxiv], 356, 155, [20], 77, [2] pp. Folio (13-1/2" x 9").

Contemporary calf, rebounded, gilt-edged raised bands, lettering piece. Light shelfwear, clean tear to front free endpaper at fore-edge, later owner bookplate to pastedown, early owner signature in fine hand to title page, front

endleaves and title page partially detached. Occasional light foxing, light browning to a leaf, text otherwise fresh. A pleasing copy. \$950.

Revised reissue of the 1664 edition with different title page, a second part comprising the constitutions of Otho and Othobon and the commentaries of John Acton. Includes table, side-notes and index. A key work for English canon law, the *Provinciale* is a digest of the synodic constitutions of the province of Canterbury. Regarded by some authorities as the law of the Church of England, it covers the period from Archbishop Stephen Langton [c.1155-1228] to Archbishop Henry Chichele [1414-1443]. Cardinals Otho and Othobon were papal legates to England and canons of the plenary councils of the British Isles held in 1237 and 1268. According to Lowndes, this is the "best edition": *Bibliographer's Manual of English Literature* 1363. Sweet & Maxwell 1:181(41).

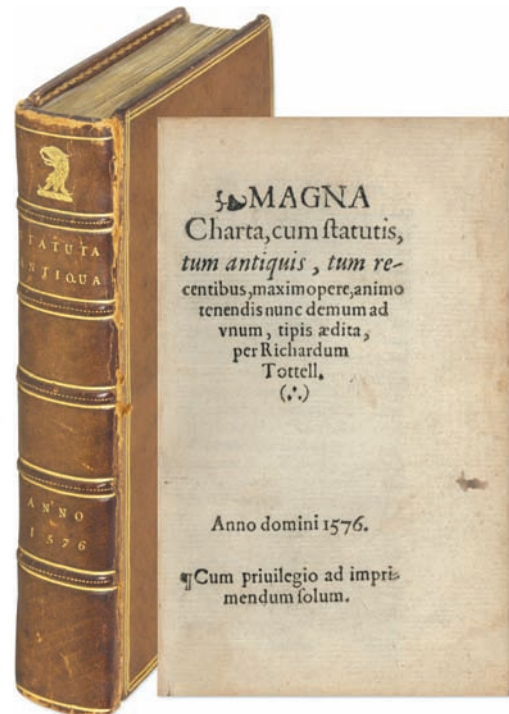
1576 TOTTEL EDITION OF MAGNA CARTA

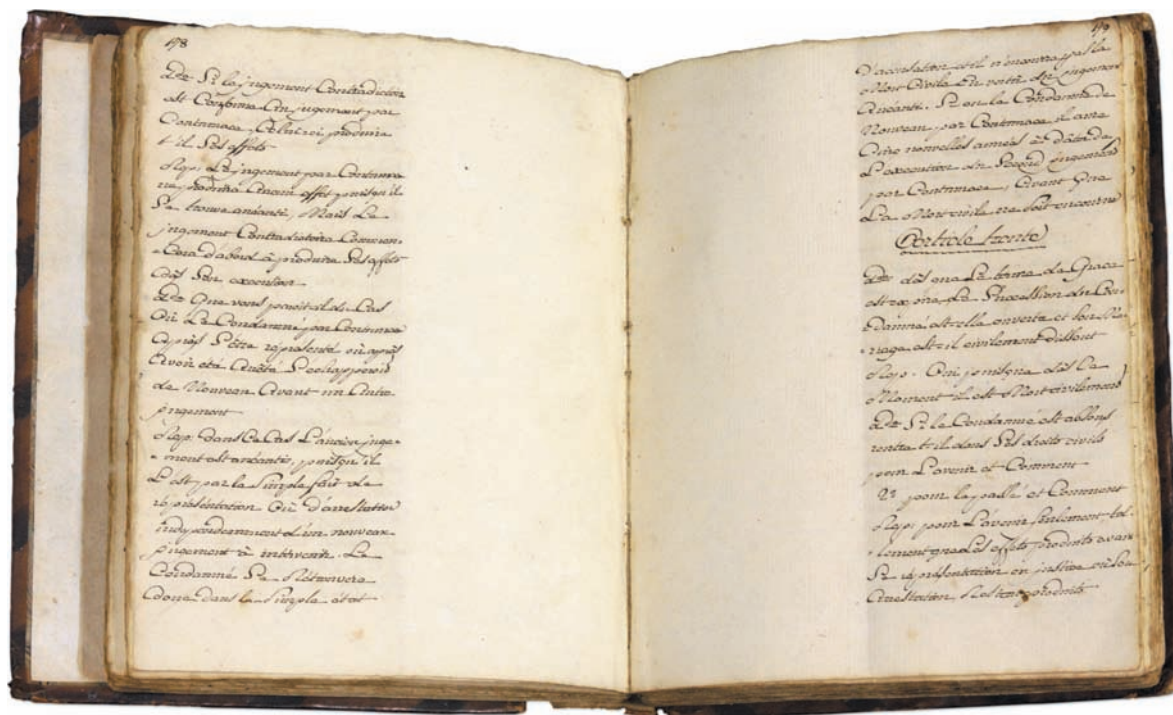
76. [Magna Carta].

Magna Charta, Cum Statutis, Tum Antiquis, Tum Recentibus, Maximopere, Animo Tenendis Nunc Demum ad Unum, Tipis Aedita, Per Richardum Tottell. Anno Domini 1576. [Imprinted at London in Fleetestrete Within Temple Barre at the Signe of the Hand and Starre, By Richard Tottell, The 8. Day of March, 1576]. [viii], 247 ff. Following leaf, a blank, lacking. Octavo (5-1/4" x 3-1/2").

Nineteenth-century calf, gilt rules to boards, raised bands, gilt title, rules and ornaments to spine, gilt board-edge rules, inside dentelles and edges, marbled endpapers. Some rubbing to extremities, corners bumped, rear hinge just starting at ends, armorial bookplate to front pastedown. Some toning to text, occasional faint browning or dampstaining to outer margins, occasional annotations in contemporary court hand, some affected by trimming, contemporary and later signatures to rear endleaf. An attractive copy. \$5,000.

Text in Latin, English and Law-French. With two tables of statutes, one alphabetical. This edition offers one of the earlier printings of the *Magna Charta*. (The first was printed around 1508 by Richard Pynson.) It also includes corrections to earlier editions, the *Charta de Foresta* of Henry III, the Statutes of Merton and Marlebridge and additional information useful to "studentes of the lawe" and "practisers of the same." A valuable window on English society in the sixteenth century, the statutes deal with women, wills, leases, forcible entry, "Fraudulent Deedes" and many other topics. The annotations are mostly glosses and interpretive comments. Beale S19. ESTC S101094.





EARLY LECTURES ON THE CODE NAPOLEON

77. [Manuscript].

Premier Cours du Code Napoleon Explique par Monsieur Professeur Vanhoogten a la Faculte de Droit de l'Universite de Bruxelles. Premiere Partie. Brussels, 1808-1809. 480 pp. Quarto (8" x 6-1/4").

Contemporary tree calf, blind fillets to boards, gilt ornaments and lettering piece, reading Questions de Droit, to spine, marbled endpapers, untrimmed edges. Moderate rubbing to extremities, chipping to foot of backstrip, front board, free endpaper and following leaf, a blank, detached, early bookplate of the Academie de Bruxelles, Faculte de Droit and later owner stamp to half-title, another later owner stamp to p. 473. Content in neat hand, light toning to interior. \$950.

This is a fair copy of what appears to be two-volume set of notes. Addressing the first 143 articles of the Code Napoleon, they were dictated by Prof. Vanhoogten of the law faculty of the University of Brussels, an institution established by the French. Each page is divided into two columns; one has notes, the other was left blank for later annotations, which were never added. In all, these notes show how the code was taught to future lawyers when it was only a few years old. It also offers insights into the way it was interpreted in nations conquered by Napoleon.

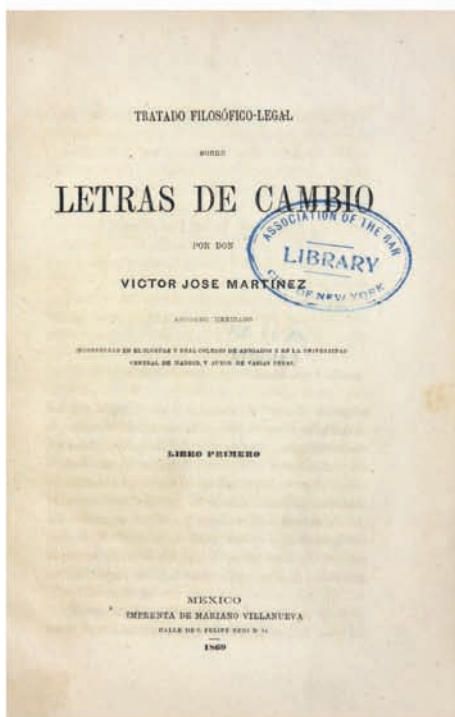
HIGHLY REGARDED MEXICAN TREATISE ON BILLS OF EXCHANGE


78. Martinez, Victor Jose.

Tratado Filosofico-Legal Sobre Letras de Cambio. Mexico City: Imprenta de M. Villanueva, 1869-1872. Five volumes in three books. Octavo (8-3/4" x 6").

Contemporary quarter mottled sheep over marbled boards, raised bands, gilt titles and early owner labels to spines. Some rubbing to extremities with minor chipping to spine ends, a few joints starting at ends, hinges cracked, light toning to text, internally clean. Ex-library. Location labels to spines, stamps to title pages, annotations to versos. A nice set. \$750.

Only edition. According to Clagett and Valderrama, this treatise on the Mexican law governing bills of exchange offers "a very detailed analysis with much historical and comparative material to enhance its value." OCLC locates 4 copies in North America, 3 in law libraries (Arizona State, Tulane, University of Michigan). Clagett and Valderrama 155.



D E
CRIMINIBUS
 A D
 LIB. XLVII. ET XLVIII. DIG.
COMMENTARIUS
ANTONII MATTHÆI, IC.
 In illustri Academia Ultracjectina
 Antecessoris,
Abjuncta est brevis & succincta Juris Atlanticipalis interpretatio,
eam indice triplici: Vindictarum, Forum & Verborum, nec non Legum,
qua struuntur, qua salsas explicatarum.
 EDITIO SECUNDA, Præfati Auctoris & Emendatoris.
Reperitur in Uthgelen.
a. 1661.

 AMSTELODAMI,
 Ex Officinâ JOHANNIS à WAESBERGE,
 Anno c16 c1xi.



TWO WORKS BY AN IMPORTANT PADUAN
JURIST

80. Menochio, Giacomo [1532-1607].

De Adipiscenda, Retinenda et Recuperanda Possessione Doctissima Commentaria. Item, Responsa Causae Finariensis, A Multis Italiae Celeberrimis IC. Collegiis Reddita, Eodem Auctore Edita. Omnia nunc Emendatius & Ornatius Quam Ante hac, Allegationibus a Textu Distinctis, Edita. Cum Indicibus Locupletissimis. Cologne: Ex Officina Antonii Hierati, Sub Signo Gryphi, 1624. [viii], 446, [52] pp. Main text printed in parallel columns.

[Bound with]

Menochio, Giacomo.

De Arbitrariis Iudicium Quaestionibus Et Causis, Libri Duo: Quibus Tota Fere Iuris Pars, Quae A Iudicum Arbitrio et Potestate Pendet, Perquam Docte, Late, Et Eleganter Pertractatur, Magno Iusdicentium, Docentium & Discentium Commendo. Accessit Postremae Huic Editioni Eiusdem Argumenti Centuria Sexta: Antea Quidem Ad. Auctore Conscripta, Sed Nunc Denuo Emendatius Excusa: Auctis Praeterea ex Auctoris Recognitione, Et Locupletatis Capitibus & Casibus Ferme Omnibus, Adeo, Ut Omnino Novi, Vel Saltem a Prioribus Editionibus Longe Diversi Prodire Videantur. Cum Indicibus Quatuor, Quibus Omnia Quae hoc Volumine Pertractantur, Quam Commodissime Annotantur. Cologne: Apud Antonium Hierat sub Signo Gryphi, 1628. [lxviii], 755 pp. Main text printed in parallel columns.

Folio (15-1/2" x 10"). Contemporary paneled vellum, large central arabesques to boards, raised bands and early hand-lettered title to foot of spine. Moderate soiling and a few stains, corners bumped and somewhat worn, joints just starting at head of spine, vellum begin to crack though pastedowns, which are partially detached in places, some edgewear and wrinkling to preliminaries. Title pages printed in red and black, large woodcut printer devices and text ornaments. Light toning to text, somewhat heavier in places, occasional light foxing, internally clean. Ex-library. Small inkstamps to title pages, annotations to versos.

\$1,500.

Later editions. Highly regarded in his time, Menochio was a professor of law at the University of Padua. First published in 1559, *De Adipiscenda* addresses possession and real property. It is divided into two parts. The first, and largest, part discusses the treatment of these topics in Roman law. The second part is a collection of *responsa*. It went through several editions into the late-seventeenth century. All are fairly scarce, however. OCLC locates 3 copies of this imprint in North American law libraries (Library of Congress, University of Michigan, University of Minnesota). *De Arbitrariis* addresses civil procedure, judges and actions and defenses in Roman law. Both titles through several editions into the late-seventeenth century. There was also another edition of *De Arbitrariis* in 1762. Despite its wide circulation, few copies of either title are found in North American law libraries. North American. Roberts 210.

81. [Mexico].

[Baja California].

Codigo de Procedimientos Penales. Mexico City: Imprenta del Comercio, de Dublan y Compania, 1880. 210, iii pp. Octavo (8-1/4" x 5-1/2").

Contemporary quarter sheep over marbled boards, raised bands and gilt title to spine, marbled endpapers. Moderate rubbing with wear to spine ends, corners bumped and somewhat worn, joints starting, hinges cracked. Light toning to text, internally clean. Ex-library. Shelf label to spine, inkstamp to title page. \$250.

First edition, one of three issues from the same year. This was Baja California's first code of criminal procedure. It was certainly needed; this was probably the most unruly state in late nineteenth-century Mexico. Regarding all issues, OCLC locates 9 copies in North American law libraries (Columbia, Library of Congress, LA County, LSU, Tulane, UC Berkeley, University of Michigan, University of Minnesota, Yale).

MEXICO'S FIRST POSTAL CODE

82. [Mexico].

Codigo Postal de los Estados Unidos Mexicanos. Edicion Oficial que Comprende, Ademas del Codigo y su Reglamento, El Tratado de la Union Postal Universal, El Reglamento de Ejecucion de la Misma, Y Una Lista de las Administraciones Locales Existentes el dia 1.o de Enero del Ano 1884, Con Expresion de los Estados en Cuyo Territorio se Encuentran. Mexico City: Tip. de I. Cumplido, 1884. [iv], 354 pp. Octavo (8-1/2" x 6").

Contemporary quarter morocco over marbled boards, raised bands and gilt title to spine. Some rubbing to extremities, minor chipping to head of spine, joints and hinges just starting at head. Light toning to text, internally clean. Ex-library. Shelf label to spine, inkstamp to title page. \$250.

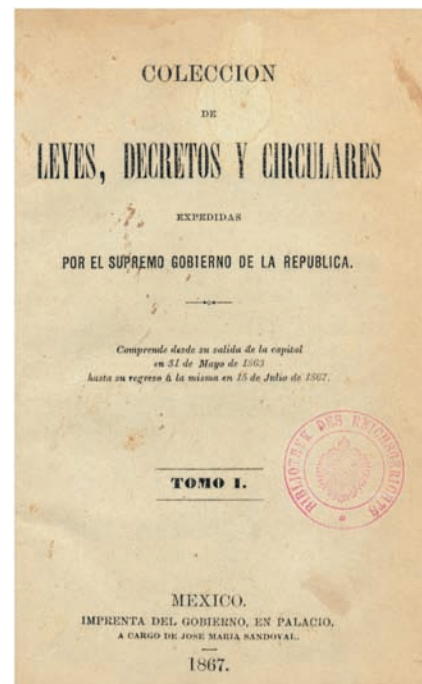
First edition. Mexico's first postal code, which was replaced by another code in 1895. OCLC locates 5 copies in North American law libraries (Harvard, LA County, Library of Congress, UC-Berkeley, Tulane). Some of these have identical pagination but slightly different titles. Clagett and Valderrama 311.

83. [Mexico].

Coleccion de Leyes, Decretos y Circulares Expedidas por el Supremo Gobierno de la Republica. Comprende Desde su Salida de la Capital en 31 de Mayo de 1863 Hasta su Regreso a la Misma en 15 de Julio de 1867. Mexico City: Imprenta del Gobierno, 1867-68. Three volumes. Octavo (6-3/4" x 4-1/2").

Contemporary quarter sheep over marbled boards, gilt title and ornaments to spine. Rubbing to extremities with some wear to spine ends and corners, light toning to interiors, a few cracks to text blocks, internally clean. Ex-library. Shelf labels to spines, annotations to front pastedowns, stamps to preliminaries. A solid set. \$450.

Only edition. This is a collection of executive decrees issued during one of the most fascinating periods of Mexican history: the Second Mexican Empire (1861-1867). This was the period of French-sponsored rule under Emperor Maximilian I. Maximilian, a liberal, worked to improve the lives of Mexicans and the fairness and quality of the legal system. In the end his liberalism led to his downfall and execution. OCLC locates 9 complete sets in North American law libraries (Columbia, Duke, Harvard, LA County, UC-Berkeley, University of Iowa, University of Michigan, University of New Mexico, Yale).



Nº 83

84. Noodt, Gerard [1647-1725].

Barbeyrac, Jean [1674-1744].

Opera Omnia, Recognita, Aucta, Emendata, Multis in Locis, Atque in Duos Tomos Distributa. Accessit V. Cl. Joannis Barbeyracii Historica Vitae Auctoris Narratio. Editio Novissima, Prioribus Multo Castigatior, Praesertim Quo ad Indices, Qui in hac Editione a quam Plurimis Mendis sunt Purgati. Leiden: Apud Eliam Luzac, 1760. [xxii], 529, [27]; [iv], 464, [14] pp. Two parts in one volume, each with title page and individual pagination. Main text in parallel columns. Folio (13" x 8-1/2").

Contemporary quarter goatskin over marbled boards, raised bands and lettering piece to spine, deckle edges. Some rubbing to extremities with light wear, heavier rubbing to boards, corners bumped and somewhat worn, front joint starting at head, front free endpaper lacking. Title pages printed in red and black, woodcut head and tail-pieces. Very light toning to text, somewhat darker in places, light soiling to title page. Ex-library. Location label to spine, inkstamp to title page, another stamp and annotations to verso. A handsome copy. \$300.

Fourth edition. Influenced by Grotius, Noodt was a distinguished professor of law with an international reputation who taught at the universities of Nijmegen, Franeker, Utrecht and Leiden. His works were standard authorities during the eighteenth century. This volume collects his principal works, including his important commentaries on the *Corpus Juris Civilis*. The first edition was published in 1713, the sixth and final edition in 1767. The editions by the equally distinguished French jurist Jean Barbeyrac, 1735, 1760 and 1767, which include a biography of Noodt, are preferred. Dekkers 124 (16).

85. Perez, Antonio [1583-1673 (?1674)].

Praelectiones in Duodecim Libros Codicis Justiniani Imp. Quibus Leges Omnes & Authenticae Perpetua Serie Explicantur, Mores Hodierni Inseruntur, & Quid Sit Iuris Antiqui, Novi, & Novissimi, Enodatur, Ac Breviter Exponitur. Editio Nova, ab Auctore Recognita & Aucta, Summariis Indicibusque Locupletata. Amsterdam: Apud Ludovicum & Danielem Elsevirios, 1661. Two volumes in one, each with title page and individual pagination. [xvi], 694; [ii], 3-665, [59] pp. Main text in parallel columns. Quarto (8-3/4" x 7").

Later cloth, red and black lettering pieces to spine, endpapers renewed. Light shelfwear, some soiling, light scuffing to lettering pieces. Handsome red and black volume one title page, large woodcut Elsevier Minerva device to both. Light toning to text, early owner signatures to title page, interior otherwise clean. Ex-library. Location label to spine, small inkstamp to title page, annotations to verso. A solid copy of a classic text. \$250.

Revised and expanded edition of works first published in 1626 and 1651. Perez, a Spanish jurist and statesman, was Professor of Law at the University of Louvain, state counselor to Phillip II and an influential scholar of Roman law. His commentaries on Justinian, works that went through several editions during the seventeenth and eighteenth centuries, were highly esteemed because they were not just elucidations of Justinian and civil law, but original contributions to legal theory. In addition to its treatment of Justinian, this work examines several aspects of current French, German and Spanish practice. This is one of the largest works published by the Elzeviers. Willems 1273. Dekkers 132 (6).

PREFERRED EDITION OF PERU'S FIRST COMMERCIAL CODE

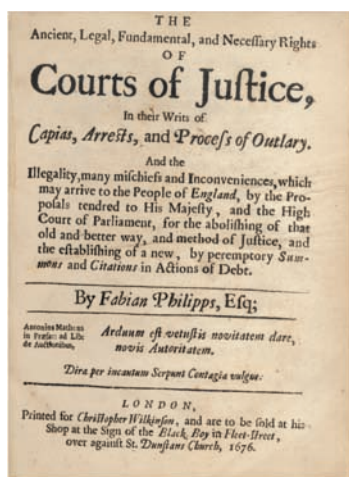
86. [Peru].

[Commercial Law].

Codigo de Comercio de la Republica del Peru. Lima: Imprenta del Estado, 1875. 231 pp. Octavo (7-3/4" x 5").

Contemporary quarter morocco over marbled boards, gilt title to spine. Moderate rubbing to extremities, some toning to text, internally clean. Ex-library. Location label to spine, bookplate to front pastedown, small inkstamp to title page. \$350.

Second and final edition. Peru's first commercial code was adopted in 1852 and put into force, and issued in print, in 1853. Clagett says the first edition is riddled with errors and cites the 1875 printing as the preferred edition. OCLC locates 5 copies in North American law libraries (Harvard, LA County, Library of Congress, UC-Berkeley, University of Michigan). Clagett 41.



Nº 87



Nº 84



Nº 86

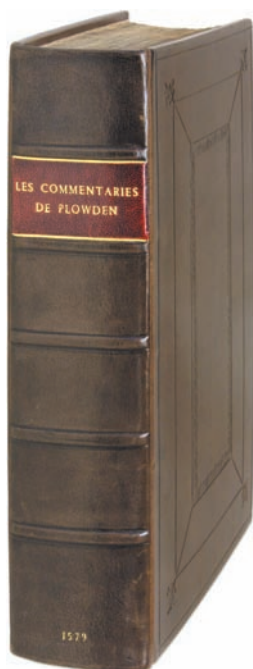
A ROYALIST REFORMER

87. Philipps, Fabian [1601-1690].

The Ancient, Legal, Fundamental, And Necessary Rights of Courts of Justice, In Their Writs of Capias, Arrests, And Process of Outlary. And the Illegality, Many Mischiefs and Inconveniences Which May Arrive to the People of England, By the Proposals Tendred to His Majesty, And the High Court of Parliament, For the Abolishing of That Old and Better Way, And Method of Justice, And the Establishing of a New, By Peremptory Summons and Citations in Actions of Debt. London: Printed for C. Wilkinson, 1676. [viii], 390 pp. Quarto (7" x 5-1/2").

Contemporary three-quarter calf over marbled boards, gilt spine with raised bands and recent period-style lettering piece. Moderate rubbing to extremities, light scuffing to boards, bookplate residue and early owner initials to front pastedown, front endleaf re-hinged, later owner bookplate (of Dom. Joseph Ayloffé) to verso of title page. Moderate toning to text, occasional light foxing, faint dampstaining to a few leaves, light soiling to title page. Early corrections to text in a few places, interior otherwise clean. \$950.

First edition, one of two issues, the other dated 1677. Philipps, a Royalist lawyer and scholar of legal records, wrote several pamphlets and books proposing legal reforms. Most were well-circulated and taken seriously across the political spectrum, as can be seen by the considerable number of replies they generated. The present title proposes several procedural reforms, most notably the abolition of arrest for debt on mesne process. Both imprints are scarce. Including both, OCLC locates 2 copies in North American law libraries (LA County, Yale). HEL VI:610. ESTC R3717.



88. Plowden, Edmund [1518-1585].

Les Commentaries, Ou Reportes de Edmund Plowden un Apprentice de le Comen Ley, De Divers Cases Esteants Matters en Ley, & de les Arguments sur Yceux, En les Temps des Raygnes le Roye Edwarde le Size, Le Roigne Mary, Le Roy & Roigne Phillip & Mary, & Le Roigne Elizabeth. Ouesque un Table Perfect des Choses Notables Contenus en Ycell, Novelment Compose per William Fletwoode Recorder de Loundres, & Iammes cy Devaunt Imprime. Auxy vous Aves in cest Impression Plusors Bone Notes en le Mergent per Tout le Lyeur, En Queux les Cases sont Referre al Abridgement de Brooke, & Les Lyeurs del Termes, & As Auters Lyeurs del Comen Ley, Queux Notes Sont Imprimées en un Greinder Letter, q[ue] les notes Escrites per Master Plowden le Reporter Mesme, A le Fine que Chescun Poet Sacher, Queux Notes le Reporter ad Escrye, & Queux sont Addees per Auter de Puisne Temps. [London]: In Aedibus Richardi Tottelli, Octobris 20, 1578. [vi], 12, 401, [1] ff. Woodcut table (of consanguinity).

[And]

Cy Ensuent Certeyne Cases Reportes per Edmund Plowden un Apprentice de le Commen Ley, Puis le Primer Imprimier de ses Commentaries, & Ore a le Seconde Imprimier de les Dits Commentaries a Ceo Addees. Ouesque un Table en Fine de cest

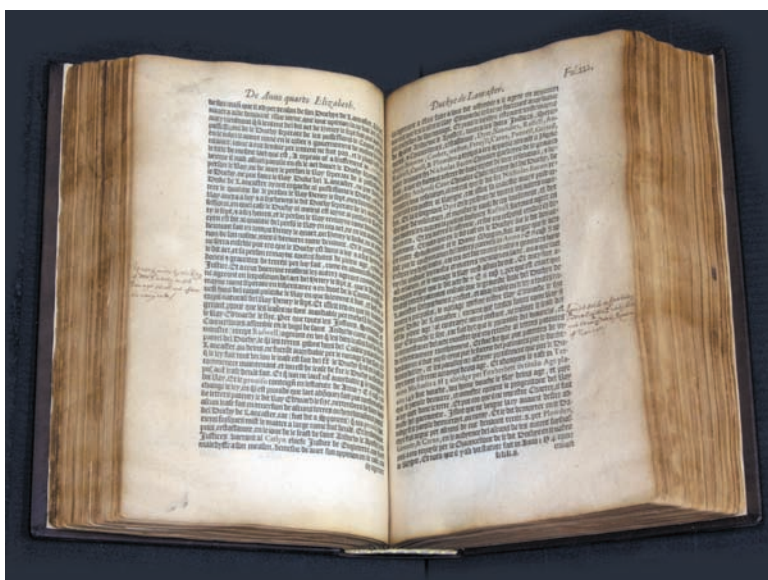
Lieur des Toutez les Principall Cases, Cibien en le Dist Premier Lieur des Commentaries, Come de les Cases Icy de Novel Addees, Iammes Devaunt Imprimie. [London: In Aedibus Richardi Tottelli, 1579]. [i], 403-562, 562-565, [5], [6], [1], 15 ff.

Two parts in one, each with title page. Small folio (10-3/4" x 6-3/4"). Recent period-style paneled calf, raised bands and lettering piece to spine, endpapers renewed. Negligible light rubbing to extremities. Title pages printed within woodcut architectural borders, attractive woodcut decorated initials. Moderate toning to text, faint dampstaining in places, corners of a few leaves chipped with (very) minor loss to text, edges of title page, which were trimmed close, somewhat edgeworn with some loss, edges of a few leaves repaired. Small early struck-through signature to title page, contemporary annotations to a few leaves, a few eighteenth-century annotations to title page, rear endleaf and a few other places, interior otherwise clean. A solid copy.

\$3,000.

Second editions. First published in 1571 and covering the period of 1550-1580, Plowden's *Reports* marks the transition away from the cumulative method of Year Books to one based on exposition and commentary. In most respects it is a forerunner of the modern law report. Plowden, a Catholic, achieved a great professional reputation and was esteemed as one of the most learned lawyers of his time. He became an M.P. during Queen Mary's reign, but was gradually pushed out of public life after Queen Elizabeth's accession due to his religion. His reports retained their standing, however, and were often translated and reprinted. Coke held them in high regard. Wallace says "In every sort of professional excellence

[they] rank among the best Reports of any age." Part II concludes with two sections with individual Beale listings, "Un Report Fait per un Uncerteine Authour" and "The Table for the Second Part of the Commentaries Devised by William Fleetwood" (R486, R488). Most of the annotations are brief glosses, but some are long and analytical. The ESTC calls for a folding table in *Les Commentaries*. This is an error. Wallace 143. Beale R485, R486, R488. ESTC S115947, S115909.





THE "BAZES" OF PORTUGAL'S CONSTITUTION



CLANDESTINE PRINTING OF THE 1822 PORTUGUESE CONSTITUTION

89. [Portugal].

Bazes da Constituicao da Monarquia Portuguesa. Com Licenca da Commissao de Censura. Lisbon: Na Typografia de J.F.M. de Campos, 1821. 23 pp. Octavo (5-1/2" x 3-1/2").

Recent mottled sheep, gilt title to front board, endpapers renewed. Light rubbing to spine and corners, moderate toning to text, faint dampstains to a few leaves, internally clean. \$350.

Only edition. The Liberal Revolution overthrew the regency and initiated a series of parliamentary deliberations that resulted in the Portuguese constitution of 1822. Written to influence the constitution's authors, this contemporary pamphlet by an anonymous (royalist) author offers proposals for the monarchy's role. This is a rare title. No copies located on OCLC.

90. [Portugal].

Carta Constitucional da Monarchia Portuguesa. London: [Impresso por L. Thompson, Na Officina Portuguesa], 1832. 31 pp. 12mo. (3-1/2" x 2-1/4").

Recent mottled sheep, gilt title to front board, endpapers renewed. Light rubbing to spine and corners, light toning to text. Early owner signature to title page, interior otherwise clean. \$350.

Only edition. Civil war ensued when King Miguel I renounced the 1822 constitution. He was overthrown in 1832 by the former emperor of Brazil, Dom Pedro, who was backed by Great Britain and France. Our pocket-sized London imprint, which declares Pedro's allegiance to the 1822 constitution, was issued to political exiles in England to gain their support for Pedro. Its small format was easy to hide; London was full of Miguel's spies.

AN ANONYMOUS POET CELEBRATES THE ADOPTION OF PORTUGAL'S FIRST CONSTITUTION

91. [Portugal].

[Manuscript].

[Constitution of 1822].

Quadras a Nossa Constituicao. c.1822. Conjugate 12-1/2" x 8-1/2" leaves forming 4 pp., text in neat hand to three pages.

Light toning and some edgewear, horizontal and vertical fold lines, clean tear along fold dividing the two leaves mended with archival tape. A unique item. \$350.

This is a poem in 33 stanzas celebrating the adoption of Portugal's 1822 constitution. The nation's first written constitution, it was the political outcome of the Liberal Revolution of 1820.



Nº 92

SCARCE 1786 PORTUGUESE COMPILATION OF ROYAL DECREES

92. [Portugal].

Ordenacoens do Senhor Rey D. Affonso V. Coimbra: Por Resolucao de S. Masgestade de 2 de Setembro de 1786. Five volumes. Quarto (8" x 5-3/4").

Contemporary calf, lettering pieces and gilt-edged raised bands to spine. Moderate rubbing to extremities, some chipping to spine ends, corners bumped, front joints cracked or starting, a few hinges starting as well. Light toning to text, somewhat darker in places, minor worming in a few places, internally clean. Ex-library. Location labels to spines, stamps to title pages, annotations to their versos. A solid set. \$1,500.

First edition. Bibliographically independent, this is a component of the *Collecao da Legislaçao Antiga e Moderna do Reino de Portugal*, a complete collection of the laws in force. *Ordenacoens* was updated and reissued in 1792. Both are scarce. OCLC locates 2 complete sets (at the British Library).

RESTORATION OF THE PORTUGUESE CONSTITUTION OF 1822

93. [Portugal].

Projecto de Constituicao Politica da Monarchia Portugueza. Lisbon: Na Typografia da Viuva Silva, 1836. 62 pp. Octavo (4-1/2" x 3").

Recent mottled sheep, gilt title to front board, endpapers renewed. Light rubbing to spine and corners, moderate toning to text, internally clean. \$350.

Only edition. The Liberal Revolution overthrew the regency and initiated a series of parliamentary deliberations that resulted in the Portuguese constitution of 1822. It remained in force until May 1823, when D. Joao VI renounced it. The reign of Maria II marked the beginning of the "liberal regime," which brought a return to projects for constitutional reform, such as our anonymous example. In the end the 1822 constitution was reinstituted with modifications. This is a rare title. No copies located on OCLC.

PRO-MONARCHIST ESSAY ON THE PORTUGUESE CONSTITUTION

94. [Portugal].

Um Cartista.

Memorandum ao Corpo Legislativo, Ou Reflexoes Sobre o Decreto do 1 de Agosto de 1844. Lisbon: Na Typographia de Jose Baptista Morando, 1844. iv, 34 pp. Octavo (8" x 5-1/4").

Stab-stitched pamphlet, untrimmed edges, front wrapper lacking, spine reinforced with imitation morocco. Light soiling, recent owner bookplate to verso of title page, internally clean. \$500.

Only edition. Portugal's September Revolution of 1836-1838 led to a new constitution. By 1844 there was public pressure, ultimately successful, to return to the more monarchist pre-war Charter. This pro-monarchist essay was a contribution to that debate. OCLC locates 4 copies worldwide, 2 in North America, none in law libraries.



CRIMINAL LAW IN SHAKESPEARE'S ENGLAND: THE FIRST EDITION OF PULTON'S *DE PACE REGIS ET REGNI*

95. Pulton, Ferdinand[o] [1536-1618].

De Pace Regis et Regni. Viz. A Treatise Declaring Which be the Great and Generall Offences of the Realme, And the Chiefe Impediments of the Peace of the King and the Kingdome, As Menaces, Assaults, Batteries, Treasons, Homicides, And Felonies, Ryots, Routs, Unlawfull Assemblies, Forcible Entries, Forgeries, Perjuries, Maintenance, Deceit, Extortion, Oppression: And How Many and What Sorts of Them There Be, And by Whome, And What Means the Sayd Offences, And the Offendors Therein are to bee Restrained, Repressed, Or Punished. Which Being Reformed or Duly Checked, Florebit Pax Regis & Regni. Collected Out of the Reports of the Common Lawes of This Realme, And of the Statutes in Force, And Out of the Painfull Workes of the Reverend Iudges, Sir Anthonie Fitzharbert, Sir Robert Brooke, Sir William Stanford, Sir Iames Dyer, Sir Edward Coke, Knights, And Other Learned Writers of Our Lawes. London: Printed for the Companie of Stationers, 1609. [vi], 258, [22] ff. Folio (11" x 7-1/4").

Contemporary calf, blind rules to boards, re-cornered, rebaked in period style with raised bands and lettering piece, endpapers renewed. Light rubbing to extremities, minor nicks and scuffing to boards, some edgewear to preliminaries, light soiling to title page. Attractive woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, early signatures to foot of title page, some leaves have early check marks and brief annotations (mostly case citations). Ex-library. Small recent embossed stamp to foot of title page. A handsome copy. \$3,500.

First edition. With comprehensive index, glosses and side-note references to the works of Fitzherbert, Brooke and others. Pulton is best known for his respected abridgements *An Abstract of all the Penal Statutes Which are General* (1560) and *A Kalendar or Table of All the Statutes* (1606). *De Pace Regis et Regni* took his earlier works as the starting point for a comprehensive overview of criminal law. Holdsworth, who holds this work in high regard, observes that it was only the second title devoted to the subject. The first, Staunford's *Les Plee del Coron*, was published posthumously in 1560. Holdsworth adds that a comparison between Pulton and (the less comprehensive) Staunford "enables us to appreciate the effect of the additions to and alterations of the criminal law made during this period, both by the legislature, and by the judges of the common law courts and of the court of Star Chamber" (392-393). This is especially evident in his discussion of topics like "Triall by Battaille," "The King's Pardon," "Maihem" and "Corruption of Bloud." In all, Pulton's treatise offers a fascinating perspective on criminal law as it was understood in Shakespeare's England. ESTC S116053. HEL V:39.

96. Rebello, Jose Pinto.

A Carta e as Cortes de 1826: Dissertacam Critico-Politica, Na Qual Esta Assembleia e Julgada em Presenca da Constituicam e se Demonstra a Maneira d'Evitar Para o Futuro que os Representantes da Nacam Faltem a Seus Deveres, Ou Atraicoem Novamente a Patria. Bayonna: Na Typographia de Lamaignere, 1832. 55, [1] pp. Octavo (7-1/2" x 5").

Stab-stitched pamphlet in patterned wrappers. Light soiling, moderate edgewear and a few chips to wrappers, light toning to text, somewhat heavier in places. "1832" to head of front wrapper in early hand, internally clean. \$500.

Only edition. Civil war ensued when King Miguel I renounced the 1822 constitution. He was overthrown in 1832 by the former emperor of Brazil, Dom Pedro, who was backed by Great Britain and France. He restored the 1823 constitution, which was revised in 1826. This essay discusses these 1826 revisions. OCLC locates 6 copies worldwide, 4 in North America, 1 in a law library (Catholic University).

UNCOMMON DUTCH TREATISES ON MARRIAGE
AND DOMESTIC RELATIONS

97. Rodenburg, Christiaan [1618-1668].

Tractatus de Jure Conjugum: In Quo Viri in Uxorem Potestate, Eurumque Obligationibus, Judiciis, Mutuis Gratificationibus, Bonorum Communione, Pactisque Dotalibus, Illustriores Controversiae, ad Usus Fori Patrii, Vicinarumque Regionum Expenduntur, cum Tractatione Praeliminari de Jure, Quod Oritur ex Statutorum, vel Consuetudinum Discrepantium Conflictu. Utrecht: Apud Gisbertum Zylum, & Theodorum ab Ackersdijck, 1653. [xxvi], 358, [24] pp.

[Bound with]

Wesel, Abraham van [1633-1680].

Commentarius ad Novellas Constitutiones Ultrajectinas, Multarum Litium Dirimendarum Causa XIV. Aprilis M.D.C.LIX. Promulgatas. Utrecht: Typis & Ex Officina Gisberti a Zyll, 1666. [viii], 326, 24 pp.

Quarto (7-1/2" x 5-3/4"). Contemporary vellum with lapped edges, hand-lettered title to spine. Moderate soiling, spine ends bumped, a few minor stains, corners lightly worn, vellum beginning to crack though pastedowns, free endpapers lacking. Some toning to text, faint dampstaining in places to foot of text block, internally clean. Ex-library. Small inkstamps to title pages, other stamps to verso on *Tractatus*. A nice copy. \$750.

First edition. *Tractatus* is an interesting essay on marriage in canon, Germanic, feudal, Roman and Roman-Dutch law. Rodenburg was a state official and a canon of Saint Peter's Church in Utrecht. Later editions were published in 1676, and 1699. Wesel's *Commentarius* addresses a recent set of articles (*novellas constitutiones*) in the statutes of Utrecht dealing with domestic relations. The text of each article is followed by Wesel's commentary. Dekkers 146 (1), 188 (1).

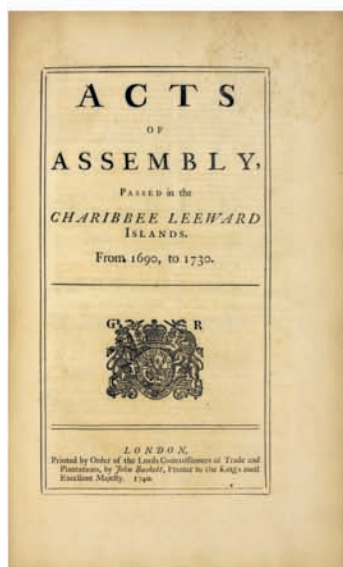
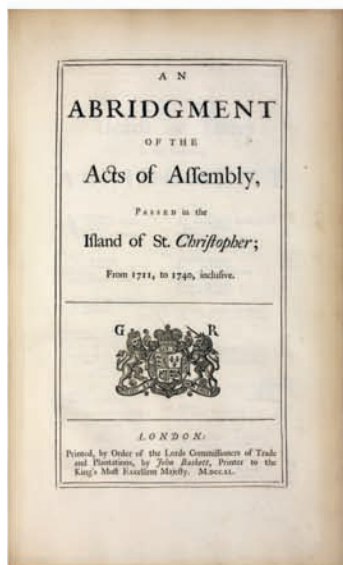
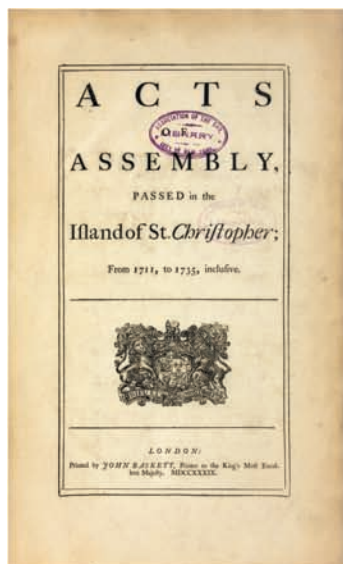
ADDRESSES ON MORAL AND LEGAL SUBJECTS
BY A NOTABLE PENNSYLVANIA JUDGE

98. Rush, Jacob [1746-1820].

Charges, And Extracts of Charges, On Moral and Religious Subjects; Delivered at Sundry Times, By the Honorable Jacob Rush, President of the Third District of the Court of Common Pleas and Quarter Sessions for the State of Pennsylvania. With a Recommendation by the Reverend Clergy of the Presbyterian Church, In the City of Philadelphia. To Which is Annexed, The Act of the Legislature of the State of Pennsylvania, Respecting Vice and Immorality. Philadelphia-Printed: New York; Re-printed, Geo: Forman for Jonathan Weeden, 1804. [iv], [9]-183 pp. 12mo. (7" x 4").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning, light foxing and faint dampstaining in places. Early owner signature (James A. Scott) to title page and a few other places, interior otherwise clean. \$150.

Second edition. Rush addresses such subjects as gaming, drunkenness, swearing, and dueling. Rush was the brother of Benjamin Rush [1745-1813], the important Pennsylvania physician and founding father. The first edition of this book was published in 1803, the fourth and final edition in 1829. According to OCLC, few copies are held by law libraries. Cohen 9678.



THE FIRST PUBLISHED COMPILATIONS OF
THE LAWS OF ST. KITTS AND
THE LEEWARD ISLANDS

99. [Saint Kitts].

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

[Bound with]

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

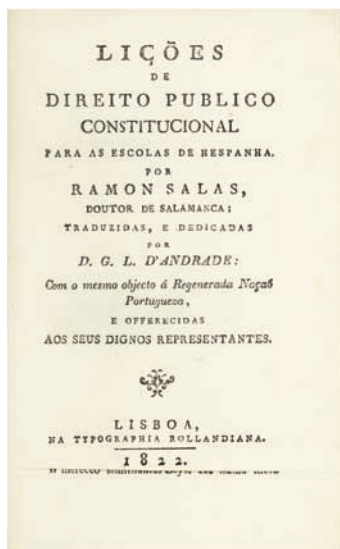
[And]

[Leeward Islands]

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

Folio (14-1/2" x 9-1/2"). Later buckram, red and black lettering pieces to spine, endpapers renewed. Moderate edgewear and soiling, some fraying to spine ends and corners, front board partially detached but secure, rear hinge starting. Each volume has identical attractive copperplate vignette featuring King George II, attractive woodcut initials, head-pieces and tail-pieces. Moderate toning, somewhat darker in places, occasional light foxing, internally clean. Ex-library. Remains of location label to spine, small stamps to first title page, annotations to verso. A solid copy worth rebinding. \$2,000.

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



INTRODUCING IDEAS OF BENTHAM AND MONTESQUIEU TO POST-
NAPOLEONIC SPAIN, PORTUGAL AND LATIN AMERICA

100. Sales, Ramon.

D'Andrade, D.G.L., Translator.

Licoes de Direito Publico Constitucional Para as Escolas de Hespanha. Traduzidas, E Dedicadas por D.G.L. D'Andrade: Com o Mesmo Objecto a Regenerada Nacao Portuguesa, E Offerecidas aos Seus Dignos Representantes. Lisbon: Na Typographia Rollandiana, 1822. xlv, 217, 2 pp. Octavo (7-1/4" x 4-1/2").

Contemporary quarter pebbled cloth over marbled boards, blind fillets and gilt title to spine, patterned endpapers. Moderate rubbing to extremities with wear to corners, some chipping to head of spine, hinges cracked, small recent bookplate to front pastedown. Light toning to text, about two inches clipped from foot of title page with no loss to text. Marks in pencil to a few places, interior otherwise clean. \$1,250.

First Portuguese edition. Sales was a Spanish jurist who popularized Bentham and Montesquieu in Spain, Portugal and the Americas. As outlined in the 45-page preface by the translator, D'Andrade, this edition of Sales's treatise on constitutional law (defined broadly) was prepared to promote the recently-enacted liberal Portuguese constitution of 1822, Portugal's first written constitution. This translation was quite influential in the early constitutional jurisprudence of Portugal and Brazil. OCLC locates no copies in North America. Not in the BMC.

TWO SIXTEENTH-CENTURY WORKS: AN ANTHOLOGY OF LEGAL OPINIONS AND A "TRIAL" OF
HUMANITY, JESUS CHRIST FOR THE DEFENSE

101. I. Schneidewein, Johann [1519-1568].

Thoming, Jakob.

Wesenbeck, Matthaeus [1531-1586].

Matthias, Konrad, Editor.

Schonwetter, Johann Theobald, Editor.

Illustres, Aureae, Solemnnes, Divq. Exoptatae Quaestionum Variarum apud Iuris Utriusque Interpretes Controversarum Decisiones & Discussiones: Ex Iure Caesareo, Pontificio, Et Saxonico ad Praxin Camerae Accommodatae, Et Illustriss. Mem. Heroi, D.D. Augusto, Electori Saxoniae, &c. In Anno 1572. Ad Celsitudinis Eius Mandatum, Per DDn. Schneidewinum, M. Wesenbecium, Thomingium, & Alios in Studio & Scabinatu Wittembergensi et Lipsensi, Tum Temporis Antecessores, IC. Praestantissimos, Exhibitae, Quinque Partibus Comprehensae, Quarum I. De Contractibus vel Quasi, & Caussis Matrimonialibus, II. De Successionibus & Ultimis Voluntatibus, III. De Iudicio & Processu, IV. De Delictis vel Quasi Delictis: Agit: V. Miscellaneas Quaestiones Tractat. Ex Authentico Auctorum Manuscripto, Singularem & Speciale Caesar. Maiest. Privilegio ad Decennium Munito, Nunc Primum Typis Descriptae. Ac Duplici Quaestionum & Rerum Indice nec non Praefatione de Operis Excellenti Praestantia Donatae. Frankfurt: Ex Officina Iohannis Spiessii: Sumtibus Iohannis Theobaldi Schonwetteri, 1599. [xxiv], 54, 203, [21] ff.

[Bound with]

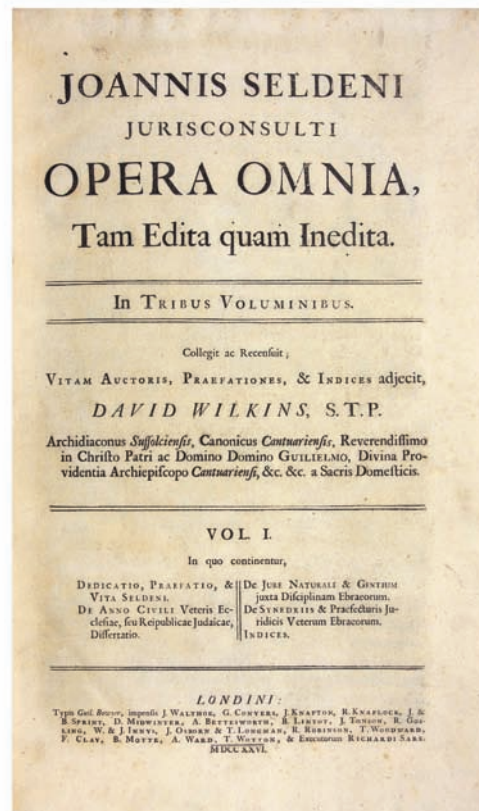
II. Ayrer, Jakob [c.1543-1605].

Historischer Processus Iuris. In Welchem sich Lucifer uber Jesum, Darumb dass er Ihme die Hellen Zerstoert, Eingenomen, Die Gefangene Darauss Erlosst und Hingegen Ihnen Luciferu Gefangen und Gebunden Habe, Auff das Aller Hefftigst Beklaget. Darinnen ein Gantzer Ordentlicher Process von Anfang der Citation bitz auff das Endturtheil Inclusive, In Erster und Anderer Instantz, Darzu die Form wie in Compromissen Gehandelt wird, Einuerleibt, Auch Allerley Schriften, Gerichts Gebrauch, Iuramenta und Pflicht Commissiones, Zeugenverhor,

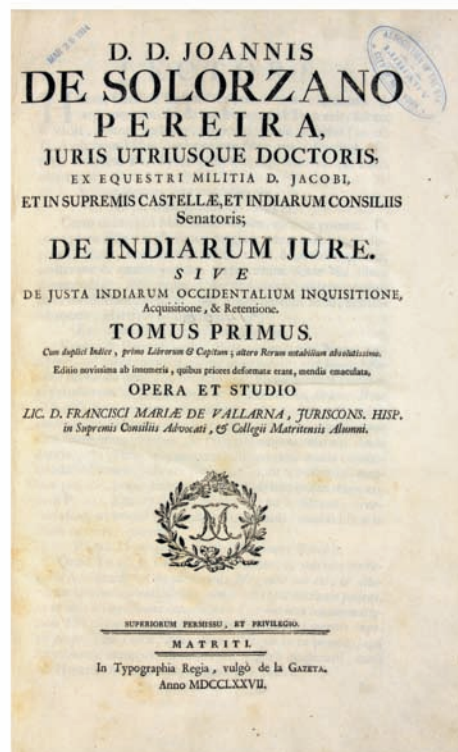
Folio (12-1/4" x 7-1/2"). Two works bound together in contemporary paneled vellum over wooden boards with elaborate tooling, raised bands and somewhat later hand-lettered title to spine, "E G L" and "1600" stamped to front board, clasps lacking. Moderate soiling, some rubbing to extremities, spine ends bumped, a few minor scuffs, minor worming to pastedowns. Title pages printed in red and black, woodcut decorated initials and text ornaments. Moderate toning to text, somewhat darker in places, light foxing to a few leaves in each book. Early owner signature and annotation to foot of *Illustres*, interiors otherwise clean. \$2,950.

II. First edition. This fascinating work casts the nature of human salvation as a trial argued by Christ and Satan. Its author, Ayrrer, was an important German playwright, early translator of Shakespeare and distinguished lawyer and state official. Based on the *Processus Belial* of Jacobus de Theramo [1349-1417], the canon lawyer and bishop, it is a didactic work on the nature of redemption cast in a humorous "legal" style for the amusement of lawyers. A popular work, it went through several editions into the seventeenth century. OCLC locates 1 copy of this edition in a North American law library (UC-Berkeley). VD16 A4523.





Nº 102



Nº 103

102. Selden, John [1584-1654].

Opera Omnia, Tam Edita Quam Inedita. Collegit ac Recensuit; Vitam Auctoris, Praefationes, & Indices Adjecit, David Wilkins. London: Guil Bowyer [Volume One]; S. Palmer [Volume Two]; T. Wood [Volume Three], 1726. Three volumes in six books. Complete set. Various paginations. Text in double columns. Folio (15" x 9-1/2").

Contemporary paneled calf, rebacked retaining original extra-gilt spines, hinges mended. Some rubbing, rubbed, front joint of volume one cracking. Copperplate portrait frontispiece by George Vertue after P. Lely, woodcut and copperplate text illustrations and ornaments, woodcut head and tail-pieces, several leaves printed in red and black. Internally fresh. An attractive set. \$3,500.

First collected edition. Limited to 750 sets, edited, with preface, index and life of the author, by Dr. David Wilkins. With a subscriber list. Texts in English and Latin. Collects all of the major legal treatises, antiquarian studies and oriental studies of a pivotal scholar in English legal history. Among the titles included are *De Anno Civili Veteris Ecclesiae Judaicae Dissertatio*, *De Diis Syris*, *Dissertatio ad Fletam*, *Mare Clausum*, *Epistolae & Poemata*, *Titles of Honour*, *Uxor Ebraica*, *The History of Tythes*, *Of the Judicature in Parliament*, *Speeches and Arguments* and *Table Talk*. This set is notable also for its handsome layout and typography, which features Roman, Italic and Hebrew type created for Bowyer by William Caslon. Updike refers to it as Bowyer's "greatest achievement" and as "a stupendous piece of work". Sweet & Maxwell of *Nations* I:36 (76). Marvin (1847) 635. Updike, *Printing Types* II:102, 136-137.

103. Solorzano Pereira, Juan de [1575-1655].

De Indiarum Jure. Sive de Justa Indiarum Occidentalium Inquisitione, Acquisitione, & Retentione. Cum Duplici Indice, Primo Librorum & Capitum; Altero Rerum Notabilium Absolutissimo. Editio Novissima ab Innumeris, Quibus Priores Deformatae Erant, Mendis Emaculata, opera et Studio. Madrid: In Typographia Regia, Vulgo de la Gazeta, 1777. Two volumes. [xviii], 431, [73]; [xii], 272, 275-896, 128 pp. Main text in parallel columns. Folio (11" x 8").

Contemporary mottled sheep, gilt spine with raised bands and lettering piece, marbled endpapers, edges rouged. Moderate rubbing to extremities with wear to board edges and corners, some shallow scuffs to boards, chipping to spine ends of Volume II, hinges starting. Light toning to text, cello tape repair to upper corner of pp. 255-56 of Volume II. Early owner signature to half-title of Volume I and title page of Volume II, interiors otherwise clean. Ex-library. Location label to spine, small ink stamps to title pages, a few other markings in faint pencil. An attractive copy. \$2,500.

Final edition. First published in 1629, with a second volume in 1639, this important analysis of Spanish colonial law was written by a Spanish jurist who served as a judge of the high court at Lima. Married to the Creole daughter of the governor of Cuzco and resident in Peru for eighteen years, he acquired an unparalleled knowledge of the law and history of the Indies. According to Gongora, his treatise is the "most systematic juridical formulation of the problems of legitimisation of dominion in the seventeenth century [and] enjoyed an unrivalled prestige in the official and legal circles of the Indies for a century and a half." It went through several editions in Latin and Spanish. OCLC locates 9 copies of our 1777 Latin edition in North America, 3 in law libraries (Columbia, Harvard, UT-Austin). Gongora, *Studies in the Colonial History of Spanish America* 62. Medina, *Bibliotheca Hispano-Americana* 4830. Sabin 86529.

104. [Spain].**[Consejo de la Mesta].**

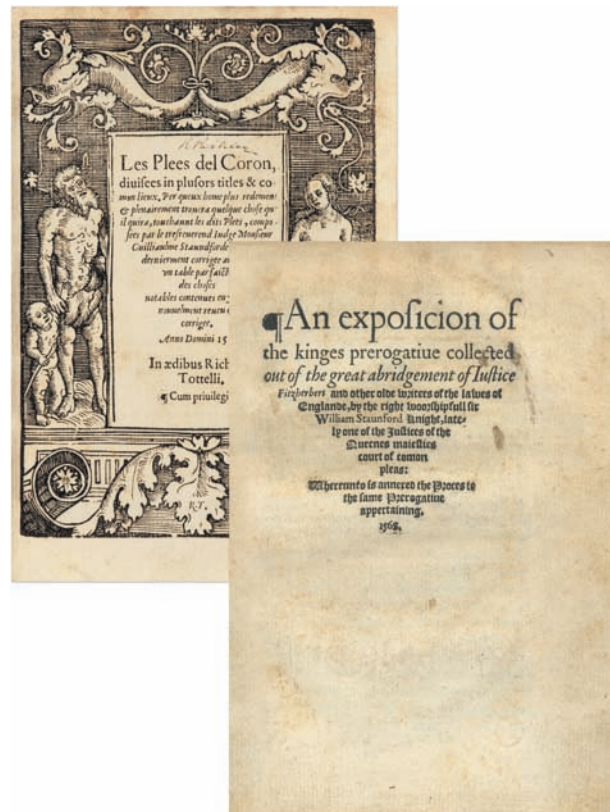
Libro de las Leyes, Privilegios, Y Provisiones Reales del Honrado Concejo General de la Mesta, Y Cabana Real Destos Reynos; Confirmados, Y Mandados Guardar por su Magestad. Madrid: En Casa de Pedro Madrigal, 1595. [vii], CXLII ff. Folio (11-1/2" x 8").

Contemporary limp vellum, inked rules to covers, hand-lettered title to spine, ties lacking. Light rubbing to extremities, some soiling and wrinkling to vellum, which is just beginning to crack through pastedowns, front free endpaper lacking. Large woodcut arms (of guild) to title page, woodcut initials. Some toning to text, a bit heavier in places, faint dampstaining to margins of some leaves along gutter, minor edgewear to first few leaves of text, including the title page, which is lightly soiled. Early annotations to foot of title page and final leaf, apparently an amendment, interior otherwise clean. Ex-library. Residue from shelf label to spine, hand-shelf number to front pastedown, stamp to title page, annotations and stamps to verso. \$2,500.

Later edition. The *Honrado Concejo de la Mesta* (Honored Council of the Mesta) was a powerful association of sheep ranchers in the medieval Kingdom of Castile. It was the first agricultural union in medieval Europe. Enriched by the high demand for its high-quality wool, it was also the most powerful. The kings of Castile conceded many privileges to the Mesta, and traces of these remain in Spanish law today. Early compilations of laws and privileges circulated in manuscript. The first printed edition was published in 1536. It was reissued, with minor changes to the title, several times into the late-eighteenth century. All issues are scarce in North American law libraries. OCLC locates 1 at Harvard, which has a 1681 imprint. Palau 137891.



Nº 104



Nº 107

105. [Spain].
[Treaties].

Coleccion de los Tratados de Paz, Alianza, Comercio &c. Ajustados por la Corona de Espana con las Potencias Extrangeras Desde el Reynado del Senor Don Felipe Quinto Hasta el Presente. Madrid: En la Imprenta Real, 1796-1801. Three volumes. Folio (11-1/2" x 8").

Contemporary mottled sheep, gilt ornaments and lettering pieces to spines, edges rouged, marbled endpapers. Rubbing to extremities, some wear to spine ends, corners bumped and lightly worn, a few hinges starting. Light toning to text, somewhat darker in places, light foxing in a few places, internally clean. Ex-library. Stamps to title pages, annotations to verso. An attractive set. \$1,250.

Only edition. A valuable compilation of treatises from 1701-1801, this is a (bibliographically distinct) continuation the *Coleccion de los Tratados de Paz, Alianza, Neutralidad, 1740-1752* edited by J.A. Abreu y Bertodano. It contains several treaties relating to the American and French Revolutions. OCLC locates 4 copies in North American law libraries (Columbia, Harvard, Library of Congress, University of Michigan). BMC 23:1074.

A SCARCE HISTORY OF ROMAN-DUTCH LAW

106. Spiegel, Laurens Pieter van de [1763-1800].
Verhandeling Over den Oorsprong en de Historie der Vaderlandsche Rechten, Inzonderheid van Holland en Zeeland. Goes: By Jacobus Huysman, 1769. xii, 138, [1] pp. Octavo (8" x 4-1/2").

Later buckram, red and black lettering pieces to spine, endpapers renewed. Some shelfwear and soiling, about half of lower lettering piece worn away, some toning to text. Early owner signature (of Konrad von Maurer, dated 1823) to title page, interior otherwise clean. Ex-library. Location number to spine, bookplate to front pastedown, stamp and annotations to title page and its verso. \$200.

Only edition. Spiegel was a high-level state official in Zeeland. *Verhandeling* is a well-regarded general history of Roman-Dutch law. Von Maurer [1823-1902] was a distinguished legal historian who taught at the University of Munich. OCLC locates 7 copies in North America, 4 in law libraries (Harvard, UC-Berkeley, University of Michigan, Yale). Dekkers 164 (2).

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

Les Pleees del Coron, Divisees in Plusors Titles & Comon Lieux. Per Queux Home Plus Redement & Plenaiement Trovera Quelque Chose quil Quira, Touchant les Dits Pleees. Dernierment Corrigees Avecques un Table Parfaicte des Choses Notables Contenues en Ycelle, Nouvelment Revue et Corrigees. [London]: In Aedibus Richardi Tottelli, 1574. [xiv], 198 ff.

[Bound with]

Staunford, Sir William.

An Exposition of the Kinges Prerogative Collected Out of the Great Abridgement of Iustice Fitzherbert And Other Olde Writers of the Lawes of Englande. Whereunto is Annexed the Proces to the Same Prerogative Appertaining. [London: Imprynted... in Flete Strete Within Temple Barre...By Rychard Tottel, 1568]. [i], 85 ff.

Quarto (7-1/4" x 5-1/4"). Contemporary calf, blind frames to boards, corners mended, rebaked, raised bands and lettering pieces to spine, early hand-lettered title to fore-edge, endpapers renewed. Moderate rubbing to extremities, minor chipping to spine ends, front joint cracked, rear joint starting, cracks in text block before title page and after final index leaf. Title page of *Pleees* printed within large woodcut architectural border, woodcut decorated initials to both works. Minor toning, light soiling to title pages. Later owner signature (of Wm. H. Stillingfleet, 1797) to front endleaf, notes in sixteenth and eighteenth-century hands in a few places, some affected by trimming with negligible loss. A nice copy. \$2,500.

Later editions. First published in 1557, Staunford's *Pleees* is considered a "principal book" by Pollock and Maitland, one that enables us "to trace our modern laws of crimes, from the later middle ages onwards." Based on Bracton and the Year Books, Staunford's treatise is divided into three parts. The first treats offences, the second treats jurisdiction, appeals, indictments, and defenses. The third addresses trials and convictions. *Pleees* was written after Staunford was appointed judge of the common pleas in 1554. *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. Pollock and Maitland, *The History of English Law* II:448. ESTC S117813, S117817. Beale T489, T492.

108. Stewart, James [1765-1830], Reporter.

Reports of Cases, Argued and Determined in the Court of Vice-Admiralty: At Halifax, In Nova-Scotia, From the Commencement of the War, In 1803, To the End of the Year 1813, In the Time of Alexander Croke. London: Printed for J. Butterworth and Son, 1814. xi, 596, [54] pp. Octavo (9-1/2" x 6").

Later buckram, red and black lettering pieces to spines. Light soiling, some shelfwear to spine ends and corners, lettering pieces abraded and somewhat worn, signatures containing pp. 483-96 partially detached and lightly edgeworn. Light toning to text, somewhat heavier in places, internally clean. Ex-library. Location label to spine, small stamps to title pages, brief annotations to verso. A solid copy of a scarce title. \$250.

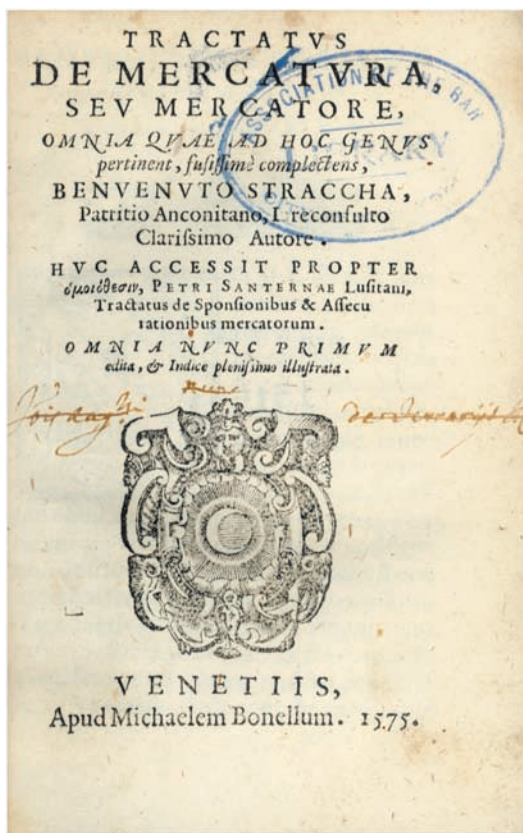
Only edition. Sweet & Maxwell 3:88.

**109. Stracca (Straccha), Benvenuto [1509-1578].
[Santerna, Pedro de].**

Tractatus de Mercatura, Seu Mercatore, Omnia Quae ad Hoc Genus Pertinent, Susissime Complectens. Huc Accessit Propter Tractatus de Sponsionibus & Affecutionibus Mercatorum. Venice: Apud Michaellem Bonellum, 1575 (colophon dated 1576). [lxxx], 375, [2] pp. Octavo (6" x 4").

Later three-quarter vellum over marbled boards, lettering piece to spine, endpapers renewed, speckled edges. Some rubbing to extremities with mild wear to board edges, corners and spine ends bumped, front hinge cracked, rear hinge starting. Light toning to text, negligible dampstaining and foxing in places. Early struck-through signature to title page, interior otherwise clean. Ex-library. Location label to spine, small inkstamps to title page and its verso. A solid copy of a scarce title. \$2,000.

Third edition, "newly revised," and the last authorial edition. An eminent jurist from a prominent business family, Stracca was the first to treat commercial law as a distinct field. Perhaps as a result of his background, his approach blended jurisprudence and the practical necessities of commercial life. First published in Venice in 1553 by Aldus Minutius, *De Mercatura* is his principal work. This pathbreaking treatise went through several editions throughout Europe, the final appearing in 1669. Notable for its blend of synthesis and original thought, it is a systematic exposition on commercial law with an emphasis on maritime and bankruptcy law. It also has sections on usury, the restriction of trade and the value of free navigation. This edition also contains the *Tractatus de Sponsibus et Assecurationibus Mercatorum*, which begins on fol. 322, is an important treatise on insurance first published in 1554. According to the Kress catalogue, this is "the first modern treatise" on the subject. Pedro de Santerna was a Portuguese jurist who represented his nation's commercial interests in Florence, Livorno and Pisa. KVK locates 8 copies of this edition. OCLC locates 7 copies of this edition and 11 copies of all editions in North America. This edition not in Adams or the BMC. EDIT16 CNCE 26382. Kress 156.



Nº 109

110. [Supreme Court, United States].**Cranch, William [1769-1855], Reporter.**

Reports of Cases Argued and Adjudged in the Supreme Court of the United States. Volume 1, Washington, DC: Published for John Conrad & Co., 1804; Volumes 2: New York: Printed by and For I. Riley & Co., 1806; Volumes 3-4, New York: C. Wiley, 1812; Volumes 5-6, New York: Printed and Published by Isaac Riley, 1812; Volumes 7-9, Washington, DC: Printed by Daniel Rapine, 1816-1817. Nine volumes in all. Complete set. Octavo (8" x 5-1/2").

Later buckram, black-stamped volume numbers and red and black lettering pieces to spines. Some shelfwear and soiling, Volume 1 title page lacking. Later court-office inkstamps to front pastedowns and bottom edges of text block. Some toning and light foxing to text, offsetting to outer margins of preliminaries, internally clean. \$750.

First edition, except Volumes 3-4, second edition. Later reissued as Volumes 5-13 of *United States Reports*. With side-notes and indexes. Cranch's career as the Supreme Court's reporter, 1801 to 1815, coincided with the first fourteen years of Marshall's tenure as Chief Justice. His *Reports* contain Marshall's early opinions on several fundamental constitutional issues, which were articulated in such landmark decisions as *Marbury v. Madison* (1803) and *Fletcher v. Peck* (1810). "Because of the formative role of the Marshall Court in American constitutional history, the Supreme Court decisions reported by Cranch have been frequently cited and intensely studied, and that interest will undoubtedly continue" (Cohen and O'Connor). Cranch's volumes are also esteemed for the quality of their reporting. He followed the court's proceedings personally, wrote his own notes in shorthand and examined all relevant original documents. These practices enabled him to report arguments with greater accuracy than his predecessor, Alexander Dallas. Cohen and O'Connor, *A Guide to the Early Reports of the Supreme Court of the United States* 31-32, 127-134.

THE FIRST U.S. SUPREME COURT REPORTS

111. [Supreme Court, United States].**Dallas, A[lexander] J[ames] [1759-1817], Reporter.**

Reports of Cases Ruled and Adjudged in the Courts of Pennsylvania, Before and Since the Revolution. Philadelphia: Printed, For the Reporter, By T. Bradford, 1790. [ix], [1], 494, [24], [25]-26, [495]-502 pp. Title page lacking. [And]

Reports of Cases Ruled and Adjudged in the Several Courts of the United States, And of Pennsylvania, Held at the Seat of the Federal Government. Volume II. Philadelphia: Printed for the Reporter, At the Aurora Office, 1798; Volume III. Philadelphia: Printed for the Reporter, 1799; Volume IV. Philadelphia: Printed for P. Byrne, By Fry and Kammerer, 1807. Four volumes in all. Complete set. Octavo (8" x 5").

Later buckram, black-stamped volume numbers and red and black lettering pieces to spines. Some shelfwear and soiling, later court-office inkstamps to front pastedowns and bottom edges of text block, a few cracks to text block, a few loose or partially detached leaves with minor edgewear. Some toning and light foxing to text, minor tears to some leaves, a few with minor loss to text, signatures and early stamps to title pages. \$750.

First editions. With side-notes and indexes. Later republished as Volumes 1-4 of *United States Reports*. Dallas was the first to report cases heard before the U.S. Supreme Court, which sat in Philadelphia from 1791 to 1801. They are also one of the first three sets of reports produced in the United States. (The others are Ephraim Kirby's *Connecticut Reports* and Francis Hopkinson's *Judgements in the Admiralty of Pennsylvania*.) The quality of Dallas's reporting is a matter of debate, but his significance is beyond dispute. Cohen and O'Connor offer a fair assessment: "Although his reports were less satisfying and less reliable than those of the English reporters of the period, Dallas provided a record which otherwise would not have been available. He thereby began a reporting tradition for the Supreme Court which was to help shape American legal history" (22). Our copy of Volume 1 is a later issue that includes two publisher catalogues and "Additional Index" containing "Proceedings of the Supreme Executive Council of Pennsylvania, In the Case of the Commonwealth v. Doane, Subsequent to the Opinion of the Judges, Inserted in Page 86." Cohen and O'Connor 17-22, 117-124.

112. [Supreme Court, United States].**Peters, Richard [1779-1848], Reporter.**

Reports of Cases Argued and Adjudged in the Supreme Court of the United States. Volume 1: Philadelphia: Thomas, Cowperthwait & Co., 1839; Volume 2-4: Philadelphia: Thomas, Cowperthwait & Co., 1840; Volume 5: Philadelphia: John Grigg, 1831; Volumes 6-8: Philadelphia: Desilver, Jun., and Thomas, 1833-34; Volume 9-11: Philadelphia: Desilver, Thomas & Co., 1835-37; Volume 12-15: Philadelphia: Thomas, Cowperthwait & Co., 1838-1841; Boston: Charles C. Little & James Brown, 1842. Sixteen volumes in all. Complete (official) set. Octavo (8-1/2" x 5-1/2").

Later buckram, black-stamped volume numbers and red and black lettering pieces to spines. Some shelfwear and soiling, later court- office inkstamps to front pastedowns and bottom edges of text block. Some toning and light foxing to text, internally clean. \$500.

Volumes 1-4: fourth edition; Volumes 5-16: first edition. Later republished as Volumes 26-41 of *United States Reports*. Volume 16 contains the landmark decision of *Prigg v. Pennsylvania*. This great case, the precursor to *Dred Scott*, was an important milestone in fugitive slave law. Prigg, a professional slave catcher from Maryland, was indicted for kidnapping Margaret Morgan, a black woman, in York County, Pa., in order to sell her as a slave. In this case, Justice Story, writing for the Court, "held that the power to regulate the rendition of fugitive slaves was exclusively within the prerogative of Congress." The decision in *Prigg* ultimately became an antislavery weapon (Finkelman). Peters produced a 17th volume, but it is not considered part of the official reports. It was superseded by Volume 1 of Howard's *Reports*. Finkelman, *Slavery in the Courtroom* 60-61. Cohen and O'Connor 147-167.

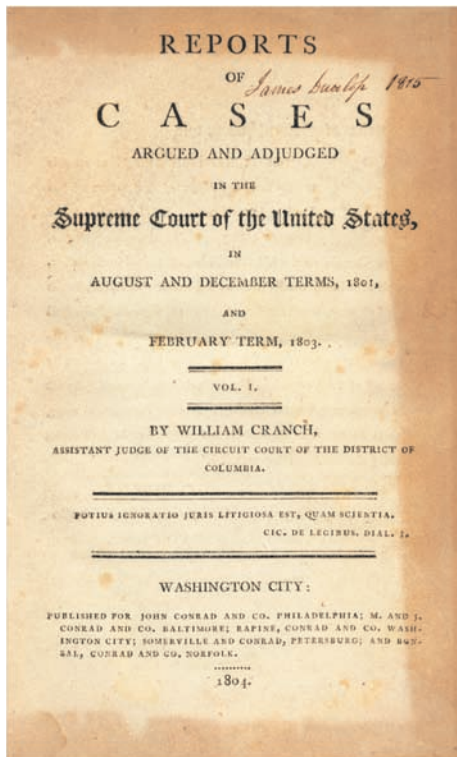
WHEATON'S REPORTS

113. [Supreme Court, United States].**Wheaton, Henry [1785-1848], Reporter.**

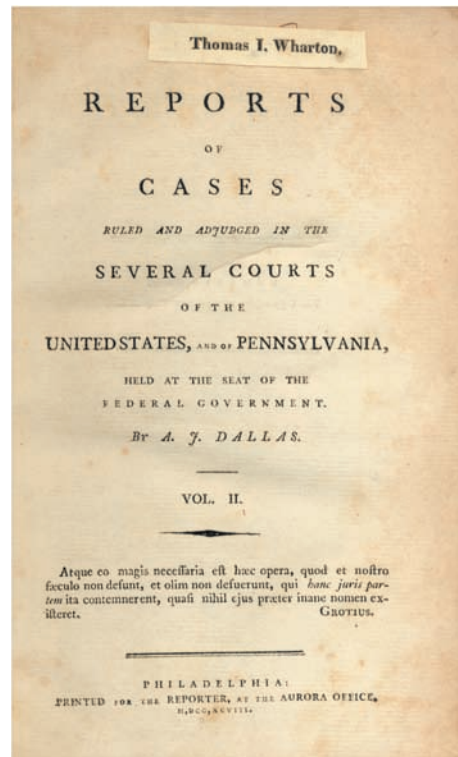
Reports of Cases Argued and Adjudged in the Supreme Court of the United States. Volume 1: Philadelphia: Published by Mathew Carey, 1816; Volumes 2-12: New York: Published by Robert Donaldson, 1817-1827. 12 volumes in all. Complete set. Octavo (8-1/2" x 5-1/2").

Later tan buckram, black-stamped volume numbers with gilt stamped red and black lettering pieces to spines. Some shelfwear and soiling, Volume 1 lacking title page. Later library inkstamps to front pastedowns and bottom edges of text block. Some toning and light foxing to text, offsetting to outer margins of preliminaries, internally clean. \$1,250.

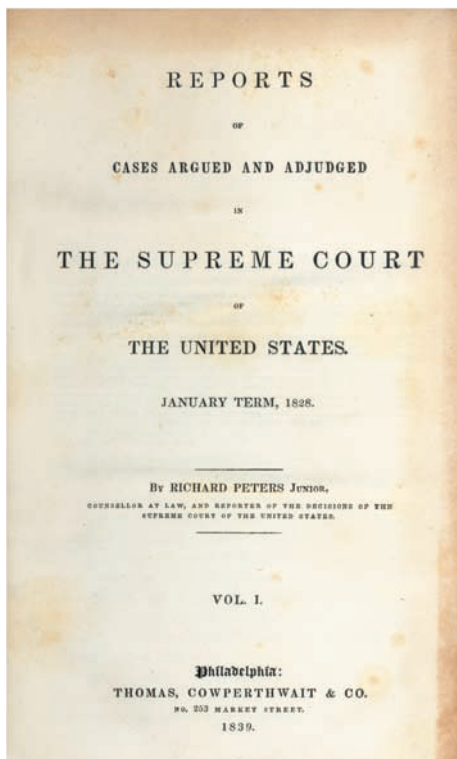
First edition, except for Volume 2, a second edition. Later republished as Volumes 14-25 of *United States Reports*. With side-notes and indexes. Wheaton's tenure as the Supreme Court's reporter lasted from 1816 to 1827, a remarkable period that witnessed such landmark cases as *Martin v. Hunter's Lessee* (1816), *McCulloch v. Maryland* (1819), *Dartmouth College v. Woodward* (1819), *Cohens v. Virginia* (1821) and *Gibbons v. Ogden* (1824). Cohen and O'Connor observe that his *Reports* enjoyed "a somewhat special status [because] '[i]n no other period of our history have more important and far-reaching decisions been rendered by the United States Supreme Court than during that recorded by Wheaton.' During what has been coined the 'Golden Age of the Supreme Court,' the right of the Supreme Court to take jurisdiction in constitutional cases was upheld, the doctrine of implied powers was developed, and a limitation was placed on the powers of the states. Furthermore, there were many maritime and international law issues arising out of the War of 1812. In preparing his *Reports* Wheaton went beyond the basic responsibilities of a law reporter of his time. (...) [He] supplemented his *Reports* with extensive notes on such important matters as prize law, the Rule of the War of 1756, the civil war between Spain and her American Colonies, the slave trade, patent law and charitable bequests. Wheaton's lengthy appendices also included such documents as presidential instructions to armed vessels, a list of standing interrogatories, letters relating to the subject of blockades, extracts to a presidential message to Congress and a speech by John Marshall." Cohen and O'Connor 50-52, 135-146 (Quotations from Hicks, *Men and Books Famous in the Law* 202).



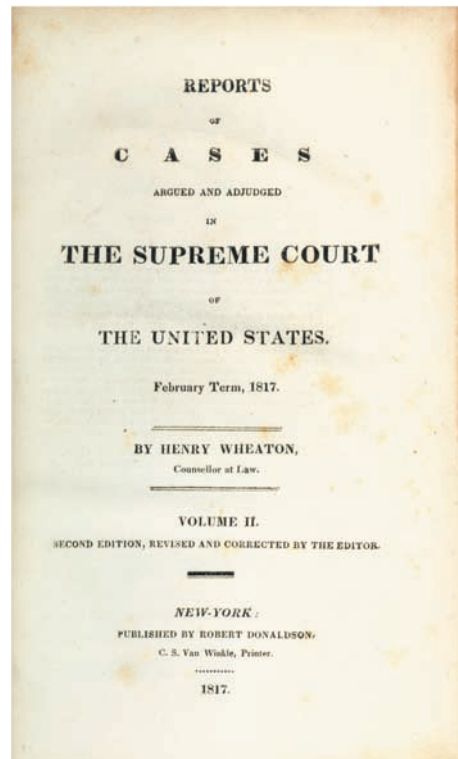
Nº 110



Nº 111



Nº 112



Nº 113



FIRST EDITION OF GODEFROY'S EDITION OF THE THEODOSIAN CODE

114. Theodosius II [408-450 CE], Emperor of the East.

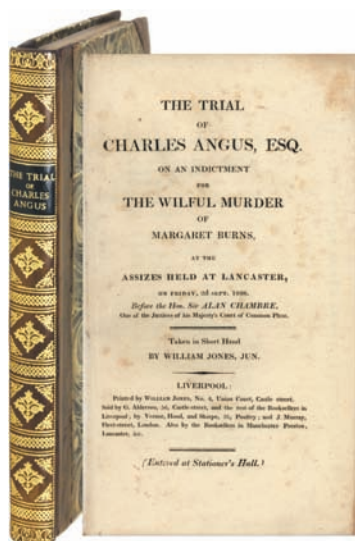
Godefroy, Jacques [1587-1652], Editor.

Antoine Marville [1609-1663], Editor.

Codex Theodosianus: Cum Perpetuis Commentariis Iacobi Gothofredi. Praemittuntur Chronologia Accuratio, Cum Chronico Historico, & Prolegomena: Subijciuntur Notitia Dignitatum, Prosopographia, Topographia, Index Rerum, & Glossarium Nomicum. Opus Posthumum; Div in Foro et Schola Desideratum, Recognitum & Ordinatum ad Usum Codicis Iustinianei, opera et Studio Antonii Marvillii Antecessoris. Lyons: Sumptibus Ioannis-Antonii Hvgvetan, & Marci-Antonii Ravaud, 1665. Six volumes bound in two books. Main text in parallel columns. Folio (14-1/4" x 9").

Contemporary vellum, early hand-lettered titles to spines, edges colored green. Moderate rubbing and soiling, spine ends bumped, corners bumped and somewhat worn, vellum just beginning to crack through pastedowns, some edgewear to endleaves, lower portion of Volume I half-title and lower corner of title page restored (text not affected). Title pages printed red and black, woodcut head-pieces and decorated initials. Light to moderate toning, occasional foxing. A few early annotations and signatures to title pages of Volume I and IV, interiors otherwise clean. A desirable set. \$8,500.

First edition. The Theodosian Code is an official compilation of all laws enacted since the reign of Constantine that was commissioned by Emperor Theodosius II in 429 CE. Completed in 438 CE, and ratified that year by the senate, it was the standard legal text of the empire, one that superseded all earlier codes. It would later exert enormous influence on the barbarians who assumed control of the Western Empire. The Visigoths, Ostrogoths, Franks, Lombards and Burgundians used it as the basis for their legal codes. Godefroy's edition, which includes extensive commentary, was the first modern edition of the *Codex*. It remains a masterpiece of scholarship and erudition. This edition also contains additional notes by Antoine Marville. Graesse, *Tresor de Livres Rares et Precieux* 209. BMC 21:980.



SCARCE TRIAL INVOLVING POISON,
ABORTION AND MURDER

115. [Trial].

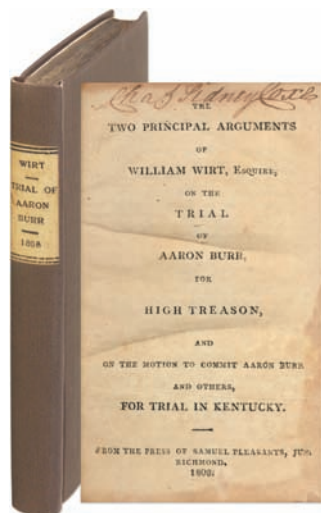
Angus, Charles, Defendant.

Jones, William, Jr., Reporter.

The Trial of Charles Angus, Esq., On an Indictment for the Wilful Murder of Margaret Burns, At the Assizes Held at Lancaster, On Friday, 2d Sept. 1808. Before the Hon. Sir Alan Chambre, One of the Justices of His Majesty's Court of Common Pleas. Taken in Short Hand. Liverpool: Printed by William Jones, [1808]. [iv], 288 pp. Octavo (8" x 5").

Three-quarter calf over marbled boards, rebacked with period-style gilt spine with lettering piece, hinges mended. Light rubbing to boards, corners lightly bumped, residue from bookplate to front pastedown, front free endpaper and final leaf re-hinged (and a small tear near the gutter carefully repaired). Moderate toning to text, light foxing in a few places, some soiling to verso of final leaf, internally clean. A nice copy. \$1,250.

Only edition. Angus was charged with assisting Margaret Burns in the abortion of their child. They used "corrosive sublimate of Mercury," which killed the fetus, and Margaret. Angus was acquitted after a trial rich in lurid detail. The publisher, who also recorded the trial in shorthand, clearly hoped to profit from the scandalous nature of the trial. Whatever commercial success this publication may have had, it is an interesting trial that tells us much about the status of women in northern Britain in the early nineteenth century. OCLC locates 7 copies in North American law libraries (Indiana Supreme Court, Los Angeles County, Social Law, the Universities of Minnesota and Virginia and Yale and York Universities).



WIRT'S FAMOUS SPEECH AT THE TRIAL
OF AARON BURR

116. [Trial].

Burr, Aaron [1756-1836], Defendant.

Wirt, William [1772-1834].

The Two Principal Arguments of William Wirt, Esquire, On the Trial of Aaron Burr, For High Treason, And on the Motion to Commit Aaron Burr and Others, For Trial in Kentucky. Richmond: From the Press of Samuel Pleasants, Jun., 1808. [iii], 221 pp. 12mo. (6" x 3-3/4").

Recent cloth, printed paper title label to spine, endpapers renewed. Moderate toning, somewhat darker in a few places, faint dampstaining near end of text block. Owner signature of Charles Sidney Coxe to head of title page, interior otherwise clean. \$1,800.

Only edition. This book contains Wirt's famous principal speech for the prosecution in the trial of Aaron Burr. Lasting nearly four hours, and characterized by eloquence, wit and logic, it enhanced his national stature. Burr was accused of leading a conspiracy to steal land from Mexico and the Louisiana Purchase in order to establish a nation under his rule. Burr was arrested and tried in 1807 on charges of treason, but was acquitted. Charles Sidney Coxe, the probable owner this copy was a judge of the District Court of Philadelphia and associate of Tocqueville. OCLC locates 3 copies in North American law libraries (Harvard, Library of Congress, UVA). Cohen 14120.

117. [Trial].**Darnes, William P., Defendant.****Nelson, Thomas S., Reporter.**

A Full and Accurate Report of the Trial of William P. Darnes, On an Indictment Found by the Grand Jury of St. Louis County, At the September Term, 1840, Of the Criminal Court of Said County, On a Charge of Manslaughter in the Third Degree, For the Death of Andrew J. Davis, (Late of Northboro', Mass.) In the City of St. Louis, On the First of June, 1840. Boston: Saxton and Peirce, 1841. 269 pp. Octavo (7-3/4" x 5").

Stab-stitched pamphlet in printed wrappers, untrimmed edges. A few chips to extremities, front joints starting, some wear to foot of spine, interior notably bright. "R. Choate" to head of front wrapper and title page, interior otherwise clean. \$650.

Second and final edition. Davis was the well-known owner of a St. Louis newspaper that published several highly critical columns about Darnes, an important local politician. Enraged, Darnes attacked Davis on the street with an iron rod, striking him in the head. Rushed to a hospital, Davis was operated on, but died a few days later. Darnes was indicted. The trial lasted two weeks and engaged some of the best lawyers and medical experts in the area. The case turned on whether Davis died from the blow or his medical treatment. Both sides offered a strong case. In the end Darnes was convicted of fourth-degree manslaughter and fined \$500. This copy belonged to Rufus Choate [1799-1859], the great Massachusetts lawyer and statesman. He was a member of the U.S. House of Representatives from 1831-34, U.S. Senator from 1841-45 and Attorney General of Massachusetts from 1853-54. This case not in McDade. Stevens, *St. Louis, The Fourth City, 1764-1911* I:369-70. HLC II:1057.

"DIABOLICALLY RAVISHED, MURDERED, AND
THROWN INTO A PIT"

118. [Trial].**Thornton, Abraham [c.1793-1860], Defendant.**

Horrible Rape and Murder!! The Affecting Case of Mary Ashford, A Beautiful Young Virgin, Who was Diabolically Ravished, Murdered, And Thrown Into a Pit, As She Was Returning From a Dance; Including the Trial of Abraham Thornton, For the Wilful Murder of the Said Mary Ashford; With the Whole of the Evidence, Charge to the Jury, &c. Tried at Warwick Assizes, Before Mr. Justice Holroyd, On the 8th of August, 1817. Taken in Short Hand. To Which is Added Copious Elucidations of this Extraordinary Case; And a Correct Plan of the Spot Where the Rape and Murder were Committed, &c. &c. London: Published by John Fairburn, 1817. [ii], 60 columns (34 pp), 64, [1] pp. Several contemporary newspaper clippings concerning this case pasted to final leaf, rear wrapper and verso of title page. Woodcut folding map of crime scene. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, untrimmed edges. Some soiling and edgewear, spine and fold-lines of

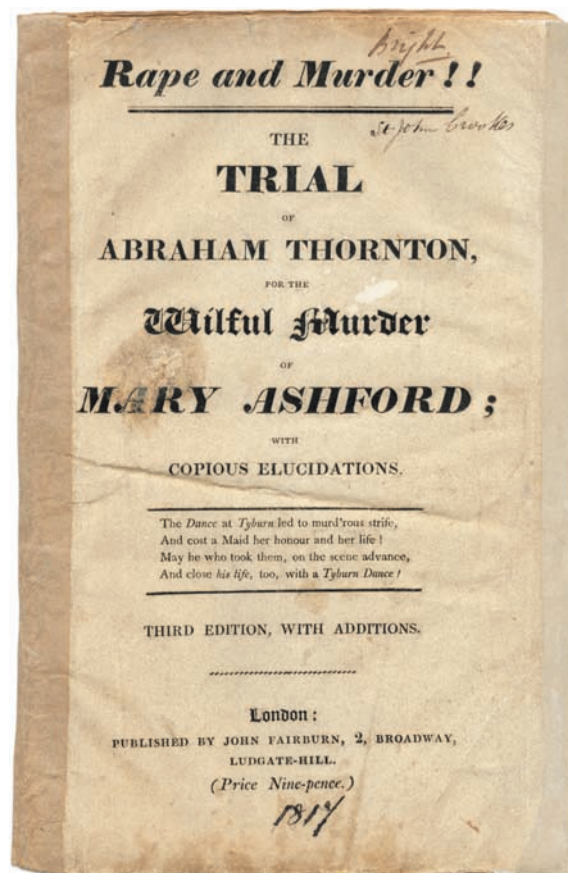
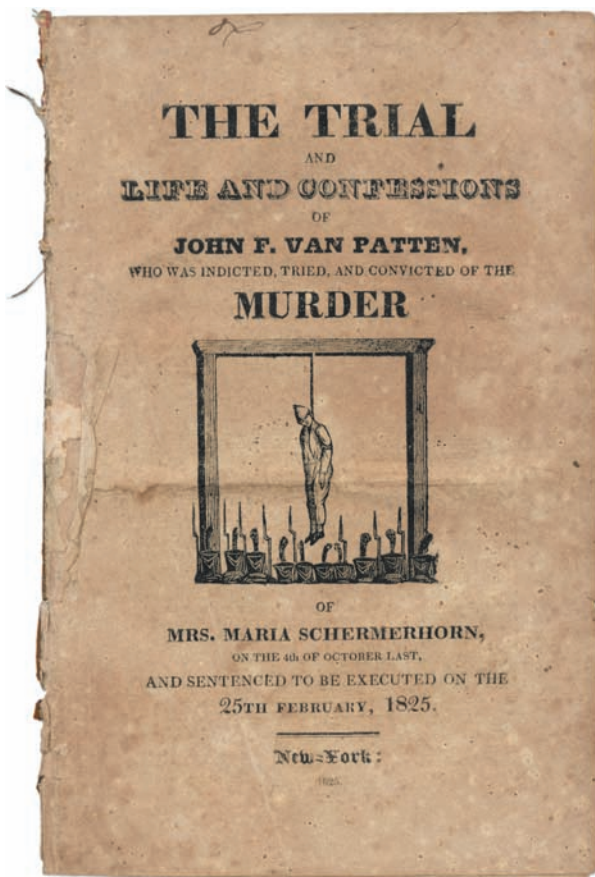


table reinforced, fore-edge mended, some toning to text. Early owner signatures and annotation to front wrapper and map (not the image side), interior otherwise clean. \$950.

"Third Edition." Abraham Thornton, a bricklayer, "was accused of rape and murder after attending a dance where he became intimate with a gardener's daughter named Mary Ashford. They left the dance together and her body was found the next morning in a deep pool of water near a local footpath. Thornton was tried at the Warwick assizes on 8 August 1817. Since the marks on Mary's body were not necessarily inconsistent with Thornton's claim that she had consented to sexual intercourse, and since the times on the morning in question when Thornton was seen walking home to Bromwich suggested he could not have been with her when she met her death, the jury found him not guilty. The case aroused much interest and reminded people of a similar murder of a local woman a year earlier. Many were convinced of Thornton's guilt and he was assailed in local and London newspapers. A group collected around the Birmingham solicitor William Bedford invoked the old legal process of 'appeal of murder,' by which a person acquitted of murder could be tried again for the same offense. This process was generally regarded as obsolete, though there had been several instances in the eighteenth century. More controversy arose when Thornton came before the court of King's Bench in November 1817 and demanded ordeal by battle, which was open to the subject of an appeal of murder but had not been claimed since Charles I's reign. After several hearings between November 1817 and April 1818 the court decided that the appellee did have this right. The appeal of murder was dropped. Appeals of murder were abolished in 1819 partly because of this case" (Turner). Unable to lead a normal life, Thornton moved to the US and settled in Baltimore. OCLC locates 7 copies of this imprint, 2 in North America, 1 in a law library (Yale). Turner, Michael J., "Thornton, Abraham," *Oxford Dictionary of National Biography* (online edition).



HE SHOT HER IN THE BACK

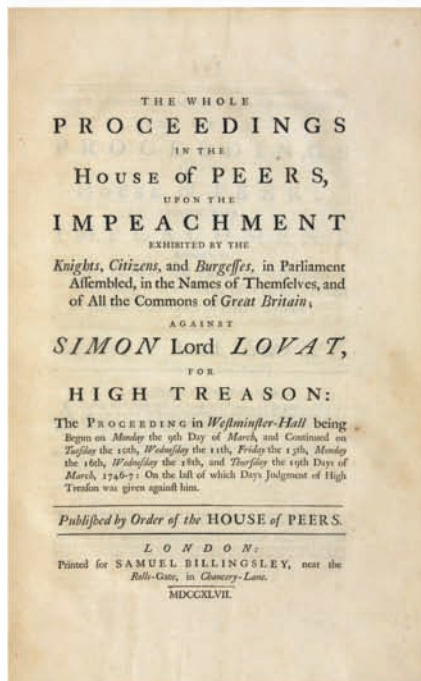
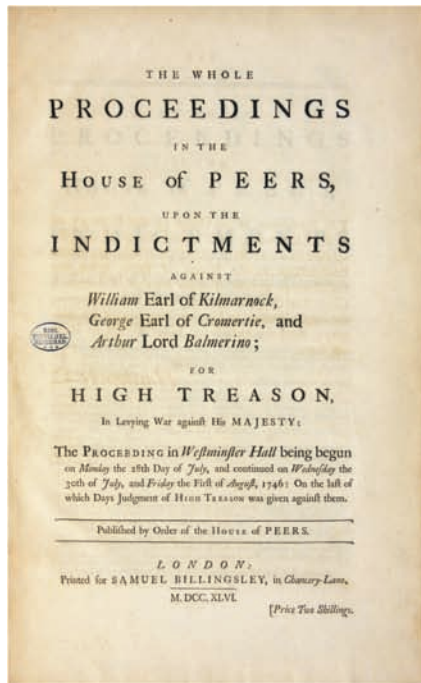
119. [Trial].

Van Patten, John F. [1801-1825], Defendant.

The Trial, Life and Confessions of John F. Van Patten, Who was Indicted, Tried, And Convicted of the Murder of Mrs. Maria Schermerhorn, On the 4th of October Last, And Sentenced to be Executed on the 25th February, 1825. New York: [Christian Brown], 1825. 16 pp. Octavo (8-1/2" x 5-1/4").

Disbound stab-stitched pamphlet, woodcut vignette of execution to front wrapper. Light browning and faint dampspotting, front cover partially detached and somewhat worn along gutter edge. Early owner initials to head of front wrapper, internally clean. \$750.

Only edition. "Van Patten was courting a girl and Mrs. Schermerhorn cautioned her against marrying him; as a result her parents forbade his suit. Borrowing a shotgun from a neighbor, he called on Mrs. Schermerhorn in Rotterdam, New York; while she was going upstairs to get some wadding he requested, he shot her in the back" (McDade). Our copy is one of the three accounts of this case. All are scarce. OCLC locates 3 copies of the Christian imprint in law libraries (Harvard, Library of Congress, Yale). McDade 1020.



№ 120

120. [Trials].

Kilmarnock, William Boyd, Earl of,
[1704-1746], Defendant.

Balmerino, Arthur Elphinstone, Lord
[1688-1746], Defendant.

Cromarty, George Mackenzie, Earl of
[c. 1702-1766], Defendant.

The Whole Proceedings in the House of Peers Upon the Indictments Against William Earl of Kilmarnock, George Earl of Cromartie, and Arthur Lord Balmerino; for High Treason, In Levying War Against His Majesty: The Proceeding in Westminster Hall Being Begun on Monday the 28th Day of July, and Continued on Wednesday the 30th of July, and Friday the First of August, 1746: On the Last of Which Days Judgment of High Treason Was Given Against Them. London: Printed for Samuel Billingsley, 1746. [iv], 39, [1] pp.

[Bound with]

Lovat, Simon, Lord [1675?-1747], Defendant.

The Whole Proceedings in the House of Peers, Upon the Impeachment Exhibited by the Knights, Citizens, and Burgesses, in Parliament Assembled, in the Names of Themselves and of All the Commons of Great Britain; Against Simon Lord Lovat, for High Treason: The Proceedings in Westminster-Hall Being Begun on Monday the 9th day of March, and Continued on Tuesday the 10th, Wednesday the 11th, Friday the 13th, Monday the 16th, Wednesday the 18th, and Thursday the 19th Days of March 1746-7: On the Last of Which Days Judgment of High Treason Was Given Against Him. London: Printed for Samuel Billingsley, 1747. [iv], 188 pp.

Folio (13-3/4" x 9"). Contemporary calf, gilt rules to boards, raised bands, gilt ornaments and lettering piece to spine. Moderate rubbing to extremities with some wear to spine ends and corners, minor scuffing, boards beginning to separate (but well secured by cords). Light toning to text. Ex-library. Location number in early hand to lower corner of front free endpaper, tiny inkstamp to title page. An appealing copy. \$750.

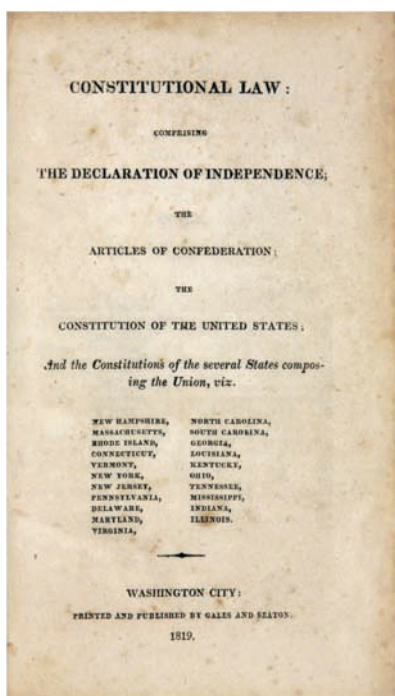
First editions. Kilmarnock, Balmerino, Cromarty and Lovat [1667?-1747] were leaders of the (second) Jacobite Rebellion. Sponsored by France, they attempted to restore the crown to Prince Charles Stuart (Bonnie Prince Charlie), the eldest son of James II, who was deposed by the House of Orange in the Glorious Revolution. These fascinating reports contain transcripts of the trials with narrative commentary and transcripts of the indictments and orders of the courts. They are invaluable sources dealing with the English interpretation of the rebellion when it was still a recent event. All but Cromarty were convicted and executed for high treason. Lovat holds the dubious honor as the last British peer to meet this fate. Lovat's execution is also notable as the likely source of the popular expression "laughing your head off." As he was being lead to the scaffold a viewing stand collapsed, much to his amusement. (Several of these spectators died from their injuries afterward.) HLC II: 1120, 1131.

121. Trotz, Christian Hen[drik] [1703?-1773].

Jus Agrarium Foederati Belgii. Franeker: n.p., 1751-1754. Three volumes. Printed on very wide-margined paper. Quarto (10" x 8").

Contemporary vellum, early hand-lettered titles to spines. Light soiling to boards, somewhat heavier soiling to spines, extremities lightly bumped with minor wear, vellum just beginning to crack through pastedowns of Volumes II and III, recent bookseller (or auction) description pasted to front pastedown of Volume I. Woodcut title page devices, head-pieces, tail-pieces and decorated initials. Later bookplate to front pastedown of Volume I. Some toning, light foxing and browning in places. Stuck-through early owner signatures to front endleaves of Volumes II and III, interiors otherwise clean. \$1,500.

Only edition. Still an important historical work on agricultural law and the law concerning dikes and watercourses, it examines Dutch law in Volumes I and II. The final volume, which is titled *Jus Agrarium Romanum*, examines Roman law. This study is based on a series of public debates (*disputationes*) he sponsored at the University of Franeker, where he was a professor of law. Born in Germany and educated at the universities of Halle, Leipzig, Marburg and Utrecht, Trotz was an important scholar of public and constitutional law. A prolific author, *Jus Agrarium* is his most important work. OCLC locates 3 copies in North American law libraries (Harvard, UC-Berkeley, Yale). We located another copy at the Library of Congress. Dekkers 172 (8).

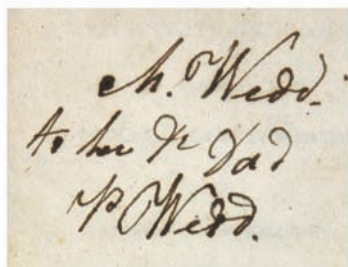


IMPORTANT EARLY COMPILATION OF U.S. CONSTITUTIONS

122. [United States].

Constitutional Law: Comprising the Declaration of Independence; The Articles of Confederation; The Constitution of the United States; And the Constitutions of the Several States Composing the Union, viz. New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Louisiana, Kentucky, Ohio, Tennessee, Mississippi, Indiana, Illinois. Washington City: Printed and Published by Gales and Seaton, 1819. [iv], 360 pp. Pasted-in slip to foot of p. 360 containing a recent amendment to Georgia's constitution. 12mo. (6-3/4" x 4").

Contemporary sheep, blind fillets to spine, lettering piece and blind fillets to boards. Some rubbing to extremities, a few minor scuffs and stains to boards, corners lightly bumped. Light toning to text, somewhat darker in places, faint dampstaining and dampspotting to some leaves. Early (illegible) owner signatures to front endleaf, interior otherwise clean. A nice copy. \$3,750.



№ 122

First edition. With an appendix containing federal constitution and the constitutions and amendments of 21 states, including Indiana and Illinois. Federal and state amendments enacted between 1808 and 1816 are also included. This was the first compilation published in Washington. A quasi-official work, it was the first "government" compilation since the ratification of the Federal constitution. Later editions were published in 1820, 1822 and 1823. OCLC locates 16 copies, 3 in law libraries (William and Mary, Duke and the NY State Appellate Division Law Library). Cohen 3013.

123. Vinnius, Arnoldus (Vinnen, Arnold) [1588-1657].**Heineccius, Johann Gottlieb [1681-1741], Editor.**

In Quatuor Libros Institutionum Imperialium Commentarius Academicus, Et Forensis. Recensuit, & Praefationem Notulasque Adjecit. Editio Novissima, Cui Accedunt Ejusdem Vinii, Quaestiones Juris Selectae: Cum Indicibus Locupletissimis. Leiden: Sumptibus Petri Bruyset & Sociorum, 1747. Three parts in one book, the first two with continuous pagination. [xvi], 998, [40]; [vi], 194 pp. Main text printed in double columns. Quarto (9-3/4" x 7-1/4").

Contemporary vellum, early hand-lettered title to spine. Some rubbing to extremities, light soiling, spine somewhat darkened, vellum just beginning to crack through pastedowns, front hinge cracked. Title page printed in red and black, woodcut initials and text ornaments. Some toning to text, faint dampstaining and edgewear to outer margins of a few leaves. Later signatures to front free endpaper, interior otherwise clean. Ex-library. Location label to spine, bookplate to front pastedown, small inkstamp and embossed stamp to title page. A solid copy. \$250.

Later edition. First published in 1642, this commentary on the *Institutes* of Justinian was a standard text in European law schools during the seventeenth and eighteenth centuries. It was also studied in the American colonies by such important lawyer-statesmen as John Adams. It received a new lease on life when it was edited by Heineccius, the great German jurist, who also added an introduction. The Heineccius edition, which is considered the best, went through five further printings, the final appearing in 1777. It contains an addition text, *Quaestiones Juris Selectae*, a collection of legal essays and opinions first published in 1653. Dekkers 179 (3).

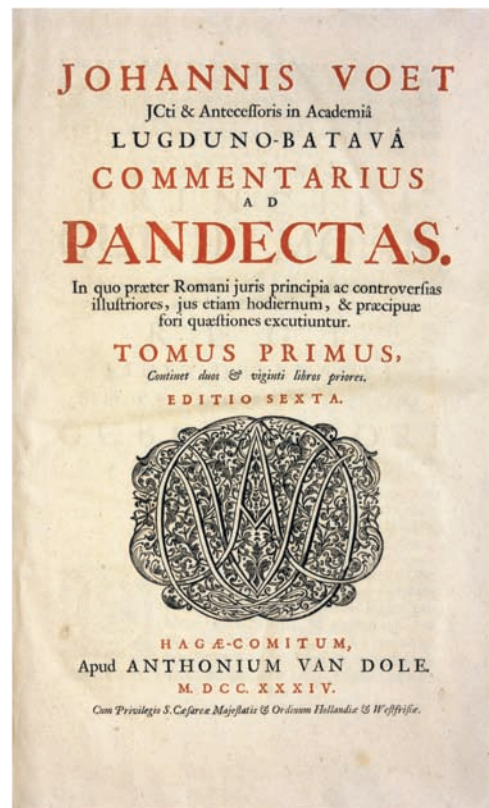
HANDSOME COPY OF A PRINCIPAL TREATISE ON
ROMAN-DUTCH LAW

124. Voet, Johannis [1647-1713].

Commentarius ad Pandectas. In Quo Praeter Romani Juris Principia ac Controversias Illustriores Jus Etiam Hodiernum, Et Praecipuae Fori Quaestiones Excutiuntur. The Hague: Apud Anthonium van Dole, 1734. Two volumes. [xx], 974, [31]; [ii], 1180, [34] pp. Main text in parallel columns. Folio (13-1/2" x 8").

Contemporary paneled vellum over wooden boards with elaborate blind tooling, raised bands and early hand-lettered titles to spines, edges of text block colored green, bronze clasps, one lacking. Light soiling, light rubbing to extremities, a few minor stains to boards, front hinge of Volume II partially cracked. Title page printed in red and black, woodcut decorated initials. Light toning to text, somewhat heavier in places, minor worming in places with negligible loss to text, internally clean. A nice copy in handsome bindings. \$1,250.

Sixth edition. With indexes. First published in 1698-1704, this exhaustive commentary on Justinian's *Digest* is one of the principal works of Roman-Dutch law. A deeply influential work that was translated into Italian, Dutch and English, it was a part of the law libraries of such men as John Adams and Joseph Story. It remains an authority in South Africa. Voet discusses all of the titles, then explains how they were influenced by customary and local law. The second volume pays special attention to subjects relevant to the Netherlands, such as maritime law. Voet was Professor of Law at the Universities of Utrecht and Leiden. Walker 1280. Dekkers 181 (9).



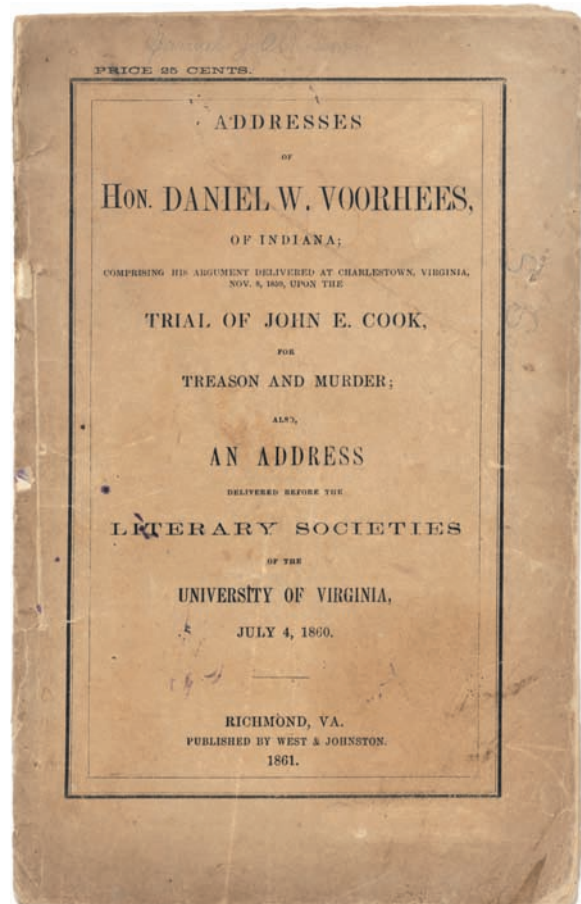
CONTEMPORARY ANALYSIS OF JOHN BROWN'S RAID BY THE ATTORNEY
WHO DEFENDED ONE OF ITS LEADERS

125. Voorhees, Daniel W. [1827-1897].

Addresses of Hon. Daniel W. Voorhees of Indiana, Comprising His Argument Delivered at Charlestown, Va., Nov. 8, 1856 [i.e. 1859], Upon the Trial of John E. Cook for Treason and Murder: Also, An Address Delivered Before the Literary Societies of the University of Virginia, July 4, 1860. Richmond: Published by West & Johnston, 1861. 55 pp. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, rear wrapper lacking. Moderate rubbing to extremities, spine worn, light soiling and creases to exterior, moderate toning and occasional foxing to text (more extensive foxing to final few leaves). Early owner signatures to front wrapper, brief annotations to a few leaves. A solid copy of a scarce title. \$650.

Only edition. Voorhees was the defense lawyer of John E. Cook [1830-1859], one of the leaders of John Brown's raid on Harper's Ferry. We wonder how his second address was received. Secession and fear of Lincoln's election was on the mind of many Virginians when it was delivered. Voorhees was a Federal district attorney in Indiana. He represented that state in the U.S. House of Representatives and was a U.S. Senator for 20 years. OCLC locates 4 copies in law libraries (Harvard, University of Iowa, U.S. Supreme Court, Yale). Not in Sabin.



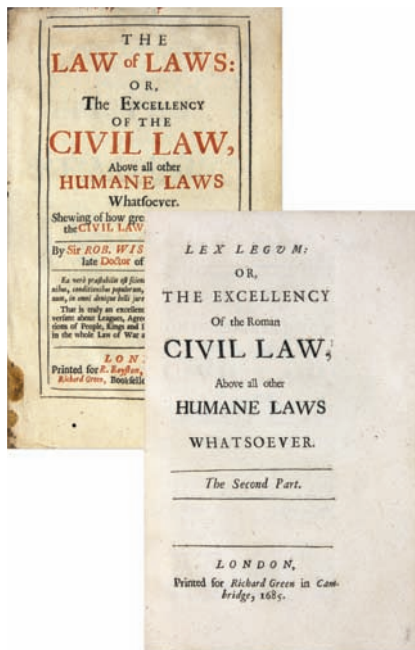
FINAL EDITION OF WHEATON'S HISTORY OF THE LAW OF NATIONS

126. Wheaton, Henry [1785-1848].

Histoire des Progres du Droit des Gens en Europe et en Amerique Depuis la Paix de Westphalie Jusqu'a nos Jours. Avec une Introduction sur les Progres du Droit des Gens en Europe Avant la Paix de Westphalie. Leipzig: F.A. Brockhaus, 1853. Two volumes. xii, 403; vi, 410 pp. Octavo (7-3/4" x 4-3/4").

Contemporary marbled paper, lettering pieces to spines. Some rubbing to extremities with wear to spine ends and corners. Some toning to text, light foxing in places. Owner signature (of Konrad von Maurer, dated 1853) to title pages, interiors otherwise clean. Ex-library. Location numbers to spines, bookplates to front pastedowns, stamps and annotations to title pages and versos. \$250.

Third and final edition. Wheaton published his great treatise when he was the American envoy in Berlin. The first edition was published in French in 1841 by the Leipzig publisher Brockhaus. An expanded English-language edition, published in New York by Banks, Gould, followed in 1845. The final two editions were issued by Brockhaus, both in French. (The text in both is identical.) Konrad von Maurer [1823-1902] was a distinguished legal historian who taught at the University of Munich. Cohen 7210.



127. Wiseman, Sir Robert [1613-1654].

The Law of Laws: Or, The Excellency of the Civil Law, Above All Other Humane Laws Whatsoever. Shewing of How Great Use and Necessity the Civil Law is to this Nation. London: Printed for R. Royston, 1686. [xvi], 319, [17] pp. Preliminary leaves b1 and b2 misbound at rear of text. Two parts with continuous pagination, part two, dated 1685, has separate title page reading: *Lex Legum, Or, The Excellency of the Roman Civil Law Above All Other Humane Laws Whatsoever.* Octavo (6-3/4" x 4-1/2").

Contemporary calf, blind rules to boards, gilt title to spine, speckled. Small chip to head of spine, shallow scuffing to boards, corners bumped, hinges cracked, rear free endpaper and section of rear pastedown lacking. Title page of first part printed in red and black. Negligible light toning to text, internally clean. \$1,650.

Third, final and best edition. In this book Wiseman, the Dean of Arches and a member of Doctors' Commons, lamented the decline of Roman law in England and gave reasons why it should be revived. As Holdsworth notes, his "argument is that Roman law is the most reasonable body of law in the world; that all nations had found it necessary to adopt its rules for the regulation both of municipal and international affairs; and that the common law had no rules sufficient to deal with such matters as the law of war and naval discipline, and diplomatic questions. It is a clearly written argument for the revival of Roman law, from the point of view of jurisprudence and comparative law; but it is the book of an advocate, who can find no defect in his favourite system--he even defends the use of torture in the Roman criminal procedure." The first edition, dated 1657 on the first part's title page, the second edition in 1664. The second part was revised in 1685 and added to the third edition. *HEL* XII:640. *ESTC* R28392.

5 EDWARD IV, THE "LONG QUINTO"

128. [Yearbook].

Edward IV.

En Cest Volume est Conteinus le Longe Report de Anno Quinto Edwardi Quarti. Ore Novelment Imprimee & Corigee, Ouesque References al Abridgement de les Cases in Brooke Addes in le Margent de Chescun Case. London: In Aedibus Richardi Tottelli, [1587]. [v], 108, 108-142, [1] ff. Folio (11-1/2" x 8").

Contemporary calf, blind rules and medium-sized arabesques to boards, raised bands and later lettering piece to spine. Some rubbing to extremities, chipping to spine ends, joints just starting at ends, corners bumped, pastedowns loose and edgeworn, as are other endleaves and title page, later annotations and private-library shelf label (Kimbolton Castle, Cambridgeshire) to verso of front board (behind pastedown, where it is loose). Title printed within handsome woodcut architectural border, woodcut decorated initials. Some soiling to title page, light browning to text. Underlining and brief annotations in fine contemporary chancery hand throughout. An appealing copy. \$1,500.



Covers the fifth regnal year of Edward IV (Easter, Trinity, and Michaelmas terms, 1465-66). This is also known as the "long quinto," the longer of the two Year Books for this regnal year, and one highly regarded for the quality of its reporting. It is difficult to overestimate the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are of crucial primary sources for our knowledge of medieval common law. They also provide a

richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Maitland believed that the earliest volumes were notes taken by law students in court copied for the use of pleaders in later cases. Holdsworth maintains that they were records of cases made by lawyers for personal use. Though it is not known when the first manuscript volumes were compiled, it is clear that cases can be found to date from the 1270's and the series continues to 1535. Marvin suggests that the Year Books are as old as the time of William the Conqueror. As Marvin has pointed out, these are the "venerable books" from which Littleton, Hobart, Hale and Coke drew "so much valuable ore, melting it into ingots and refining and sending it abroad as the correct coin of the Common Law." Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present volume belongs to the so-called "Quarto Edition." Not a set in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. *HEL* V:357-377. *ESTC* S101302. Beale R371.



IMPORTANT CONTRIBUTIONS TO THE
EARLY-MODERN RECEPTION OF ROMAN LAW

129. Zasius, (Johann) Ulrich [1461-1535].

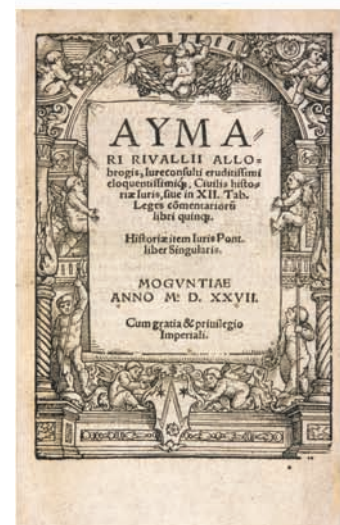
Catalogus Legum Antiquarum una cum Adiuncta Summaria Interpretatione, per Joannem Ulricum Zasium Brigantinum Diligenter Collectus. Strassburg: Apud Vuolisium Cephalaeum, 1551. [viii], 121, [3] ff.

[Bound with]

Du Rivail, Aymar [1491-1558].

Civilis Historiae Juris, Sive in XII Tab. Leges Commentarioru[m] Libri Quinq[ue]. Historiae Item Juris Pont. Liber Singularis. Mainz: [Apud Ioannem Schoeffer], 1527. [xvi], 291 pp.

Octavo (6" x 4"). Contemporary paneled vellum, beveled edges, raised bands and later paper shelf labels to spine, bronze claps. Some rubbing to extremities, spine darkened. Title pages of both volumes printed within woodcut architectural borders, both have woodcut decorated initials, *Catalogus* has a large woodcut printer device on verso of final leaf. Light toning to text, somewhat heavier in places, a few cracks to text block. *Catalogus* has contemporary notes and underlining in places, including a partially erased annotation on the title page indicating ownership by a religious institution, interiors of both volumes otherwise clean. A handsome volume. \$3,500.



Zasius: First edition; Rivail: later edition. This volume joins a pair of important works by two humanist scholars who made important contributions to the early modern reception of Roman law. Both were among the first to apply modern philological methods to the study of Roman law. The *Catalogus Legum Antiquarum* of Zasius describes the sources of Roman law before the Twelve Tables and the nature of Roman legislation. It went through seven editions, the last on in 1597. Rivail's *Civilis Historiae Juris* is a set of commentaries on the Twelve Tables. It was first published in 1515 and went through four subsequent editions, the final in 1539. The laws identified erroneously or questionably as those of the Twelve Tables are included as well. The final section is a historical sketch of canon law entitled *Historia Pontificii Juris Liber Singularis*. Zasius: VD16 Z126; Rivail Adams R592.

130. Z[ouch] R[ichard] [1590-1661].

Elementa Iurisprudentiae, Definitionibus, Regulis, & Sententiis Selectioribus Iuris Civilis, Illustrata; Quibus Accessit Descriptio Iuris & Iudicii Temporalis Secundum Consuetudines Feudales & Normannicas. Nec non Descriptio Iuris & Iudicii Ecclesiastici Secundum Canones & Constitutiones Anglicanas. Oxford: Excudebat Leonardus Lichfield, 1636. [xii], 145; [7], 51; [7], 60, [2] pp. Three parts in one, each with title page and individual pagination. Quarto (7-1/2" x 5-1/2").

Contemporary limp vellum, early hand-lettered title and two early private library shelf labels to spine. Light soiling, front pastedown loose, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed stamp to head of title page. Woodcut head and tail-pieces, text printed within ruled borders. Light toning to text, minor worming to gutter in a few places. A few early doodles to front free endpaper, interior otherwise clean. \$4,500.

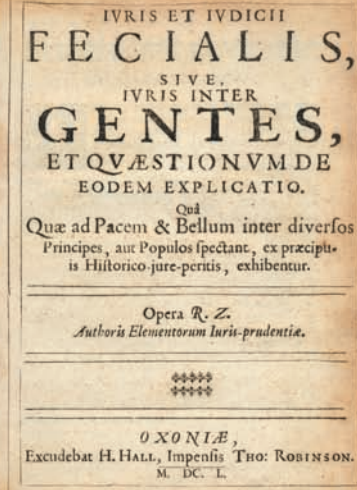
Second edition. One of England's greatest civilians, Zouch was an advocate of Doctors' Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. He published treatises on a broad range of legal topics, and he is best known for his contributions to international law. He is equally important as the first English writer to publish works on jurisprudence. First published in 1629, *Elementa Iurisprudentiae* is an ambitious general study that lays out a general theory of general principles applicable to all branches and systems of legal science. The second and third parts, *Descriptio Iuris & Iudicii Temporalis Secundum Consuetudines Feudales et Normannicas* and *Descriptio Iuris & Iudicii Ecclesiastici Secundum Canones & Constitutiones Anglicanas*, are distinct essays on topics in feudal and ecclesiastical law. Later editions of *Elementa Iurisprudentiae*, with different additional contents, were issued in Holland in 1652 and 1665. ESTC S120616.

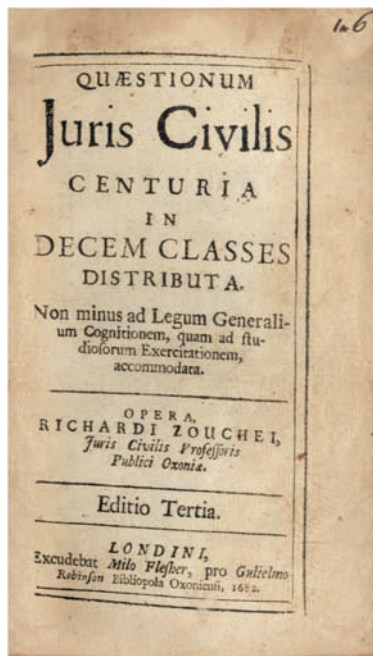
131. Z[ouch], R[ichard].

Iuris et Iudicii Fecialis, Sive Iuris Inter Gentes, Et Quaestionum de Eodem Explicatio. Qua Quae ad Pacem & Bellum Inter Diversos Principes, Aut Populos Spectant, Ex Praecipuis Historico-Jure-Peritis, Exhibentur. Oxford: Excudebat H. Hall, Impensis Tho. Robinson, 1650. [xvi], 196 pp. Quarto (6-3/4" x 5-1/4").

Recent quarter calf over marbled boards, gilt title to spine, endpapers renewed. Woodcut and typographical head-pieces and tail-pieces. Moderate toning to text, faint dampspotting in places, fore-edge of title page trimmed with minor loss to rule enclosing text, internally clean. A handsome copy. \$3,500.

First edition. According to Holdsworth, this book succeeded for three reasons: "In the first place, (...) international law appeared for the first time in a compact and orderly form. In the second place, he so clearly defined it that no one in the future could be under any misapprehension as to its scope. In the third place, he originated the modern division of the subject into Peace and War." He notes, moreover, that "in his book the tradition, inherited from the medieval books, of grouping the whole subject round the rules of war, was finally abandoned." The influence of this study beyond the seventeenth century is evident in its inclusion in the series *Classics of International Law* by the Carnegie Foundation (Washington, 1911). OCLC locates 8 copies in North American law libraries (Boston College, Columbia, Harvard, Library of Congress, University of Michigan, University of Minnesota, UNC, Yale). *Sources* 227. Sweet & Maxwell 1:603.





132. Zouch, Richard.

Quaestionum Juris Civilis Centuria in Decem Classes Distributa. Non Minus ad Legum Generalium Cognitionem, Quam ad Studiosorum Exercitationem, Accommodata. London: Excudebat Milo Flesher, Pro Gulielmo Robinson, 1682. [xvi], 511 pp. One endleaf at rear of text, a blank, lacking. 12mo. (5" x 3").

Contemporary calf, blind rules and corner fleurons to boards, raised bands and fragments of paper title label to spine, careful repairs to spine ends and corners, edges rouged. Some rubbing to extremities, hinges cracked. Some toning to text, minor foxing to a few leaves. "1a6" in tiny early hand to upper corner of title page, interior otherwise clean. An appealing copy. \$1,650.

Third and final edition. *Quaestionum Juris Civilis Centuria* is a volume of sample examination questions for students of the civil law. It was first published in 1659 (with a title page stating 1660). Sweet & Maxwell S:147. ESTC R217442.

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Sowerby, E. Millicent. *Catalogue of the Library of Thomas Jefferson* (Washington, DC, 1952–1959. Reprint. Clark, NJ, 2010).

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PRINCIPAL INTERNET RESOURCES

Censimento Nazionale delle Edizioni Italiane del XVI Secolo (EDIT16)

http://edit16.iccu.sbn.it/web_iccu/ihome.htm

English Short-Title Catalogue (ESTC)

<http://estc.bl.uk>

Hollis (Online Catalogue of Harvard University)

<http://lib.harvard.edu>

Karlsruhe Virtueller Katalog (KVK)

<http://www.ubka.uni-karlsruhe.de/kvk.html>

LawCat (Online Catalogue of UC-Berkeley Law School)

<http://lawcat.berkeley.edu>

Library of Congress Online Catalogue

<http://catalog.loc.gov>

Online Computer Library Center (OCLC)

<http://www.oclc.org>

Short Title Catalogue Netherlands (STCN)

<http://www.kb.nl/stcn>

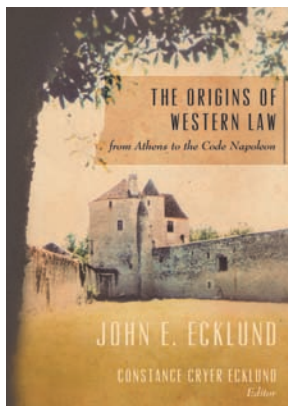
Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts (VD16)

<http://www.vd16.de>

Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts (VD17)

<http://www.vd17.de>

NEW PUBLICATIONS



JOHN E. ECKLUND

Constance Cryer Ecklund, Editor

The Origins of Western Law *from Athens to the Code Napoleon*

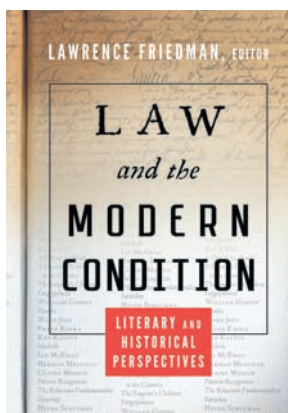
Clark, NJ: Talbot Publishing, 2013
2 vols. xxxiii, 1035 pp.

Hardcover. \$185.
ISBN 9781616193713

This is a magisterial book written by a magisterial man, John Ecklund, and his wife and editor Dr. Constance Cryer Ecklund. The subject, scope, and depth of the book seem to flow naturally from the man I was privileged to know in New Haven and at Yale for decades. On first meeting, most people would be struck by John's physical presence (he was tall), then by his civility, and then by his great intellect and thoughtfulness. He served Yale and New Haven as few others have. This excellent book is a living legacy that, I hope, will educate generations to come about the philosophical and historical antecedents of our system of law which remains one of America's greatest assets.

Senator Joseph I. Lieberman

JOHN E. ECKLUND [1916–2000] a lifelong student of legal history, was a 1938 graduate of Yale College and 1941 graduate of the Yale Law School. At the Law School, Mr. Ecklund was named the case editor of the Yale Law Journal. He graduated cum laude. During World War II, Mr. Ecklund served on the general counsel's staff of the Board of Economic Warfare in Washington, D.C. Mr. Ecklund was a partner in the law firm of Wiggin & Dana, serving as general counsel for Yale for 12 years. He was appointed treasurer of Yale University in 1965.



LAWRENCE FRIEDMAN, Editor

George Dargo, Contributor

Carla Spivack, Contributor

Law and the Modern Condition *Literary and Historical Perspectives*

Clark, NJ: Talbot Publishing, 2013
xv, 266 pp.

Hardcover. \$49.95
ISBN 9781616193911

Using fiction as a lens through which to view particular developments in the law, these essays by Friedman, Dargo and Spivack discuss works of literary fiction - some classical (the tale of Ruth in the Bible, the fiction of Franz Kafka and Herman Melville, the plays of William Shakespeare), some modern (the post-September 11 fiction of William Gibson, Ken Kalfus, Claire Messud, Ian McEwan and Helen Schulman) - concerned, directly or

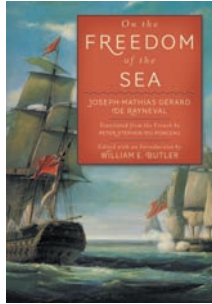
indirectly, with the historical development of the law. This exploration of legal history through fiction pays particular attention to its relevance to our present circumstances and our growing concerns about terrorism and civil liberties.

Each essay considers the legal lessons about the fictional event or events at its core, lessons that tell us something worth remembering as we continue to chart law's evolution. These lessons, like those that may be found in all great literature, necessarily extend beyond the historical confines of the characters and plot and background of each story to embrace the modern condition - which, as these great stories suggest, is and always has been the only condition.

These provocative, scholarly essays range from the Bible to a look at how tomorrow's technology may influence fundamental social organization with many startling stops in between - Lady Macbeth, Kafka, Napster and post 9/11 fiction to name a few. Friedman's choices help the reader view the transit of law and culture through novel, sometimes unforgettable, dimensions.

Michael Meltsner

Matthews Distinguished University Professor,
Northeastern Law School and author
of *The Making of a Civil Rights Lawyer*



**JOSEPH-MATHIAS
GERARD DE RAYNEVAL
On the Freedom
of the Sea**

Translated from the French by
Peter Stephen Du Ponceau
Edited with an extensive introduction by
William E. Butler*

Clark, NJ: Talbot Publishing, 2013
lxx, 181, iv, 146 pp.

Hardcover. \$75.
ISBN 9781616194048

***Available for the First Time in English, Transcribed
from De Ponceau's Hand by WILLIAM E. BUTLER****

A previously overlooked and unpublished contemporary translation by Peter S. Du Ponceau of the classic treatise by Joseph-Mathias Gérard de Rayneval, *De la liberté des mers* (Paris, 1811), edited with an extensive introduction by William E. Butler.

Successor two centuries later to Grotius' classic writings on the freedom of the seas, Gérard de Rayneval's work affirmed the principles of natural and positive law applicable to naval warfare, privateers, the law of prize, the deep seabed and high seas, neutrality, and international straits from a French perspective deeply sympathetic to American views of the time. Gérard de Rayneval cherished the hope that Napoleon might be inspired by the work to draft a code of maritime law. This treatise informed negotiations that led to the 1856 Declaration of Paris and was widely cited by continental jurists during the 19th century.

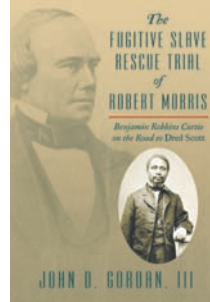
JOSEPH-MATHIAS GÉRARD DE RAYNEVAL (1736–1812) was First Deputy Minister of Foreign Affairs and an international lawyer. He was a significant mediator in Anglo-French relations who composed an important memorandum of French strategy for secret assistance to the Americans entitled "Reflections on the Situation in America" (1776). He was a key negotiator in the commercial Eden Treaty (1786), which was signed by him on behalf of France. In 1804 he was awarded the Cross of the Legion of Honor for his contributions to the literature of international law.

Professor William Butler's careful scholarship and clear presentation bring to life an important translation of Gérard de Rayneval's work on the law of the sea, a topic of continuing interest to scholars and mariners alike in the 21st century. Professor Butler's detailed introduction and editing of Du Ponceau's translation offer essential background for familiar maritime concepts and adds richness to the body of work explaining the legal regimes surrounding the use of the world's seas.

James W. Houck

Vice Admiral, Judge Advocate General's Corps, U.S. Navy (Ret.)
Interim Dean and Distinguished Scholar in Residence
Penn State, The Dickinson School of Law

*Pennsylvania State University Dickinson Law School; University College London;
National Academy of Sciences of Ukraine



**JOHN D. GORDAN, III
The Fugitive Slave Rescue
Trial of Robert Morris
*Benjamin Robbins Curtis on the
Road to Dred Scott***

Clark, NJ: Talbot Publishing, 2013
xix, 120 pp.

Hardcover. \$49.95 Paperback. \$39.95
ISBN 9781616193928 ISBN 9781616194055

Relying on extensive surviving original records, this book analyzes the November 1851 trial in the federal circuit court of Robert Morris, the second black admitted to practice in Massachusetts, for rescuing a fugitive slave from the custody of the U.S. marshal in the federal courtroom in Boston. It demonstrates that Justice Benjamin Robbins Curtis, a supporter of Daniel Webster and the Fugitive Slave Act of 1850 presiding under a recess appointment, made two critical rulings against Morris that were at odds with existing precedents. Finally, the book contextualizes Morris's trial among the other trials for this rescue, the prosecutions for the attempt to rescue Anthony Burns, another fugitive slave, in 1854, and the Supreme Court's decision in *Dred Scott* in 1857.

This "small" book packs a large wallop. Gordan navigates the complexities of trial advocacy and trial procedure with unexcelled mastery. His analysis of the complex legal issues, including the power of the jury to rule on questions of law as well as fact, is persuasive. Gordan also throws a revisionist light on some of the major players - like John P. Hale who emerges from the wings as the real leader of the abolitionist bar; and Benjamin R. Curtis, whose manipulation of the law in the Morris trial illuminates his famous dissent in *Dred Scott v. Sandford*. A gem of a book.

R. Kent Newmyer

University of Connecticut School of Law

JOHN D. GORDAN III, a graduate of Harvard College and Harvard Law School, clerked for the Honorable Inzer B. Wyatt, U.S. District Judge (S.D.N.Y.), from 1969 to 1971 and served as an Assistant U.S. Attorney (S.D.N.Y.) from 1971 to 1976. He was in private practice in New York City from 1976 to 2011.

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De Legibus et Consuetudinibus Angliae

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Originally published: London: Typis Milonis Flesher & Roberti Young, 1640
[4], v-xii (new Introduction), [xxx], 444 [i.e. 442] fol. [916 pp.]

Hardcover 2013 \$89.95

ISBN 9781584779346

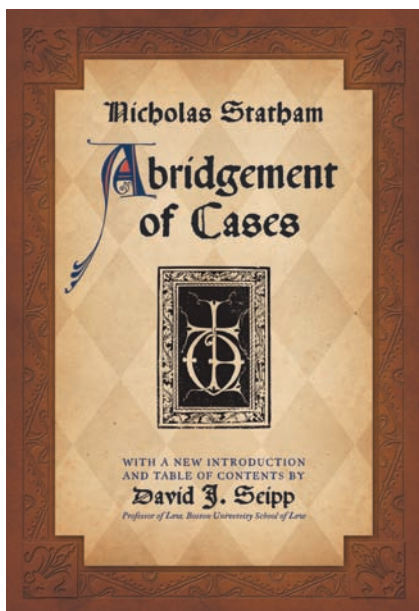
Reprint of the second edition, which was a reissue of the first edition (1569). A systematic work, *De Legibus et Consuetudinibus Angliae* [*The Laws and Customs of England*] emphasizes the separation of procedural and substantive matters and also cites cases as sources of at least intellectual, if not formal, authority. In Maitland's words, Bracton's *Legibus* is "the crown and flower of English medieval jurisprudence" and "by far the greatest of our medieval law books." Sweet & Maxwell adds that it "is distinguished by rich casuistic details, and by the careful reproduction of the judicial decisions on individual cases of law." Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:51(6). The pagination of the 1569 and 1640 issues is identical. Maitland, *Collected Works* II:43.

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WITH A NEW INTRODUCTION BY

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NICHOLAS STATHAM

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Originally published: [Rouen: Guillaume Le Talleur, for Richard Pynson, c. 1490]
[XVIII], V-XVIII (new Introduction), [190] ff.

Hardcover 2013 \$125.

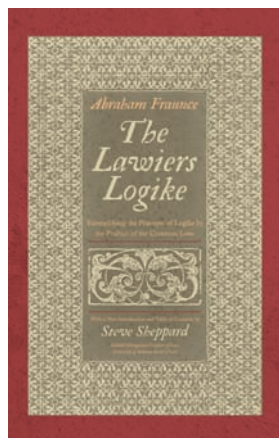
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The first printed abridgement of English cases, this important text is now reprinted for the first time since 1490. This volume contains a facsimile of a rare first edition from the Harvard Law Library, which includes the later two-leaf index included in some copies, a new introduction by David J. Seipp, one of the foremost scholars of early English law, folio numbering provided by the Ames Foundation and an alphabetical table of contents. This carefully prepared entry tool will make it easier for researchers to access this fifteenth-century guide to English law printed in law French. Generally attributed to Nicholas Statham, this abridgement covers cases from the reigns of Edward I to Henry VI. As Holdsworth notes, it contains "some long reports that are not to be found in the Year Books." Holdsworth, *A History of English Law* II: 543-44.

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WITH A NEW INTRODUCTION BY
STEVE SHEPPARD

William Enfield Professor of Law, University of Arkansas School of Law



ABRAHAM FRAUNCE
The Lawiers Logike
*Exemplifying the Praecepts of Logike
by the Practice of the Common Lawe*

Originally published: London: William How, 1588
xxxvii (iii-xxvii new Introduction), [xiv], 151 leaves.

Hardcover 2013 \$49.95
ISBN 9781616192495

Written in 1588, *The Lawiers Logike* is the first legal treatise to apply the tools of logic to legal argument. This was a controversial and new concept at the time because its thesis contrasts with common law and its unmethodical and disorganized approach to law. Its influence is still felt.

It is a unique work in which Fraunce castigates “lazy lawyers” and mixes illustrations from poetry and prose with often quite technical illustrations from law treatises and case reports. In his introduction, Steve Sheppard points out that this “work informs three fields of American law - the study of legal analysis and argument, the intersection of law with other disciplines, and the moral justification of law itself.” (Introduction, iii).

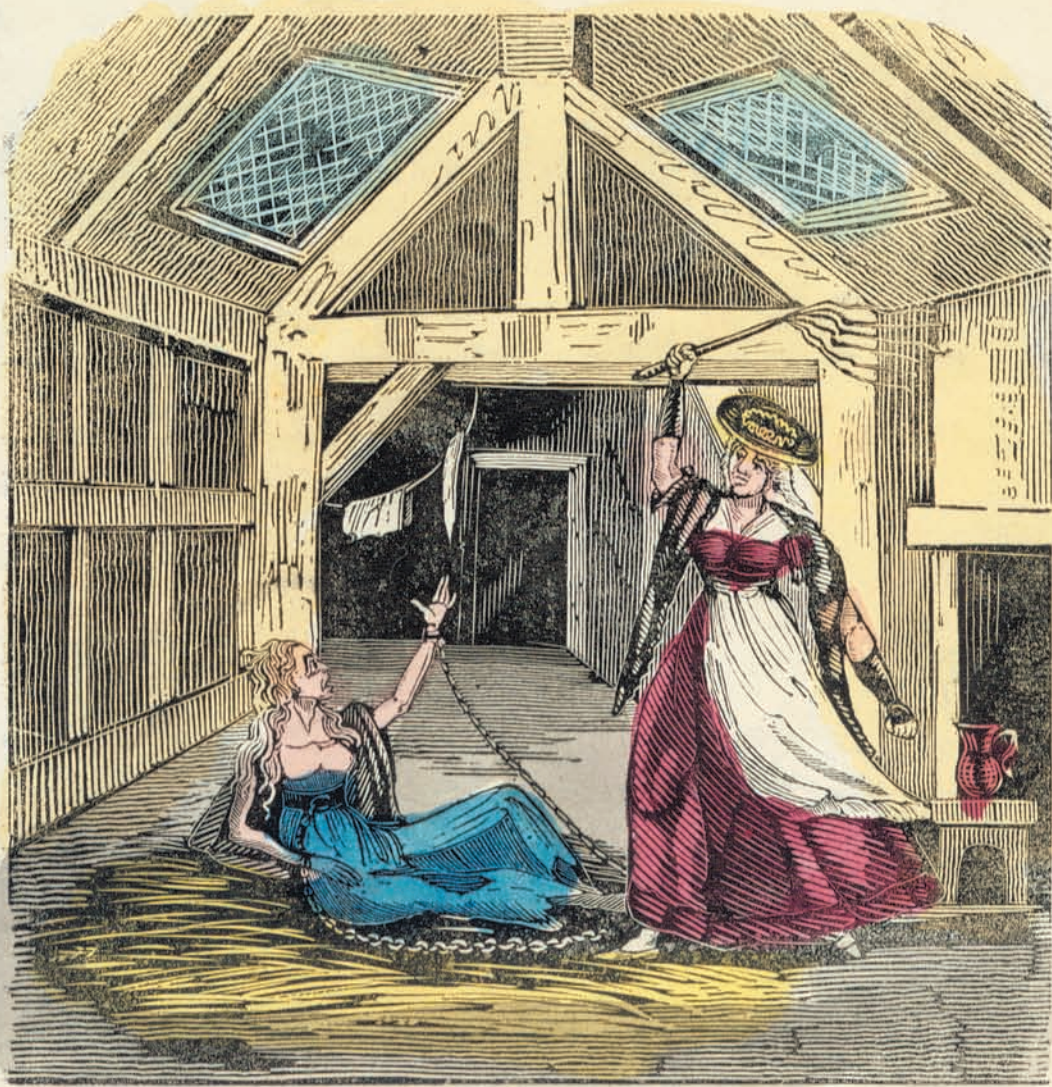
ABRAHAM FRAUNCE [1559-1592?] attended St. John’s College, Cambridge, enrolled in Gray’s Inn in 1583 and was called to the bar in 1588, before Christopher Yelverton and Francis Bacon. In addition to his law practice, he was a noted poet, having been a classmate and protégé of Philip Sidney, Edmund Spenser’s patron.

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