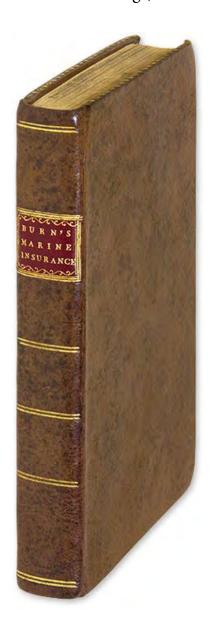
INTERNATIONAL MARITIME LAW, 1564–1907

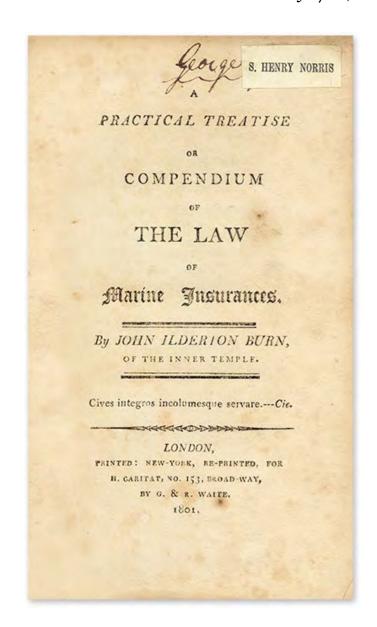
30 TITLES

July 12, 2022



L'AWBOOK EXCHANGE





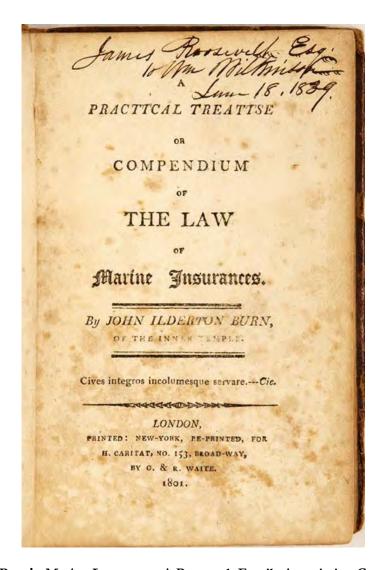
"Calculated For the Use of Merchants"

1. Burn, John Ilderton [1774?-1848].

A Practical Treatise or Compendium of the Law of Marine Insurances. London, Printed: New-York, Re-Printed, for H. Caritat by G. & R. Waite, 1801. xiv, [2], 235 pp. 12mo. (6-1/4" x 4").

Handsome recent period-style calf by Philip Dusel, lettering piece and gilt fillets to spine, endpapers renewed. Light browning to text, negligible foxing in places. Head of title page has early owner signature partially covered by small owner label (S. Henry Norris), interior otherwise clean. A very attractive copy. \$500.

* Only edition, published the same year in London and New York. "[T]he author trusts he will not be thought presumptuous in stating, that a compendious digest, immediately calculated for the use of merchants and their agents, still remains a desideratum in the merchant's world. With a view to supply this deficiency, he commenced the following compilation": (vii). Burn was a barrister of the Inner Temple who published several law books. The appendix contains summaries of two recent English decisions, and the form of an insurance policy for a ship or goods. Cohen, Bibliography of Early American Law 7055. Order This Item



Burn's Marine Insurances, A Roosevelt Family Association Copy

2. Burn, John Ilderton [1774?-1848].

A Practical Treatise or Compendium of the Law of Marine Insurances. London, Printed: New-York, Re-Printed, for H. Caritat by G. & R. Waite, 1801. xiv, [2], 235 pp. 12mo. (6-1/4" x 4").

Contemporary sheep with later rebacking, blind rules to boards, lettering piece and blind fillets to spine. Moderate rubbing to spine, heavier rubbing to board edges with some wear to corners, hinges cracked, front free endpaper lacking. Moderate toning and foxing to text. Presentation inscription from James Roosevelt dated 1839 to head of front free endpaper, interior otherwise clean. \$650.

* Only edition, published the same year in London and New York. The inscription reads: "James Roosevelt Esq./ to Wm Wilkinson/ June 18, 1839." James John Roosevelt [1795-1875], known as James I, was a businessman, lawyer and politician. He was a member of the Roosevelt branch that produced President Theodore Roosevelt. James I was a member of the New York State Assembly and the U.S. House of Representatives. He was also a justice of the New York Supreme Court.

Burn was a barrister of the Inner Temple who published several law treatises. The appendix contains summaries of two recent English decisions, and the form of an insurance policy for a ship or goods. Cohen, *Bibliography of Early American Law* 7055. Order This Item







Two of Bynkershoek's Most Important Works

3. Bynkershoek, Cornelius van [1673-1743]. Conradi, Franz Karl [1701-1748], Editor.

Opuscula Varii Argumenti, Nunc Primum Collecta Atque in Duos Tomos Distributa. Cum Praefatione D. Francisci Caroli Conradi. Halle: Sumtibus Ern. Gottl. Crugii, 1729. Two volumes. [iv], 5-28, [6], [5]-424, [24]; [ii], 3-407, [29] pp.

[Bound with]

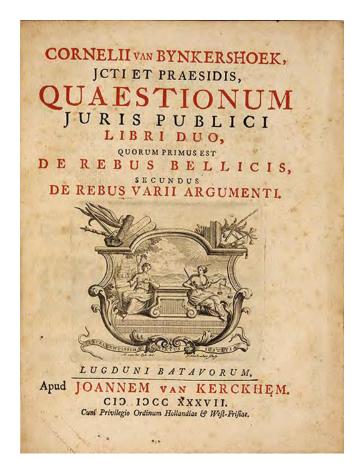
Bynkershoek, Cornelius van.

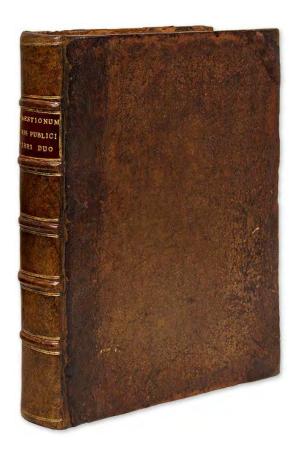
Heineccius, Johann Gottlieb [1681-1741].

Observationum Juris Romani Libri Quatuor. In Quibus Plurima Juris Civilis Aliorunque Auctiorum Loca Explicantur & Emendantur. Frankfurt: Apud Ernest. Gottl. Krugium, 1723. [xlix], 446, [30] pp.

Quarto (8" x 6-1/2"). Contemporary vellum, early hand-lettered title to spine, edges rouged. Light rubbing and soiling, small vertical tear to head of spine, vellum beginning to crack through pastedowns. Title pages of *Opuscula*, Volume I, and *Observationum* printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat darker in places. Early owner annotations in tiny hand to front free endpaper, interior otherwise clean. Exlibrary. Shelf-label residue to spine, small inkstamps to title page and verso. A nice copy. \$500.

* Later editions. Bynkershoek was a renowned Dutch jurist who founded the positive school of international law, which held that usage and practice were more important than doctrines drawn from natural law. His works are still consulted today. First published in 1719, *Opuscula*, an essay collection on Roman law, addresses topics in maritime and international relations, the legal rights of unwanted and abandoned children, abortion and infanticide. The essays on children 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. First published in 1710, *Observationum*, a summation of his studies on Roman civil and criminal law, was a standard reference in Dutch universities until the nineteenth century. Heineccius, the editor of the present edition, was a prominent German jurist and a professor of jurisprudence and philosophy at Halle. A companion volume was issued in 1733. "Bynkershoek was undoubtedly a man of rare intellectual attainments and a great force of character (,) [a] very great authority on the law of Holland and on Roman law.": Roberts, *A South-African Legal Bibliography* 69-70. Dekkers, *Bibliotheca Belgica Juridica* 15 (9, 10).





First Edition of a Classic Study of International Law and the Laws of Armed Conflict

4. Bynkershoek, Cornelius van [1673-1743].

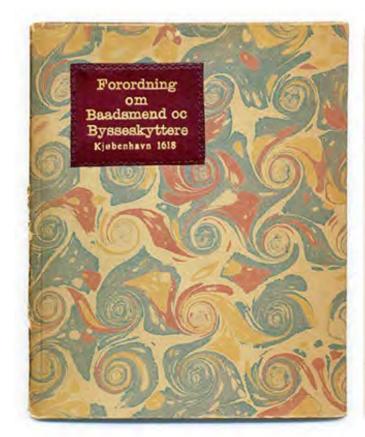
Quaestionum Juris Publici, Libri Duo, Quorum Primus Est de Rebus Bellicis, Secundus de Rebus Varii Argumenti. Leiden: J.V. Kerckhem, 1737. [xxiv], 384, [32] pp. Quarto (7-3/4" x 6").

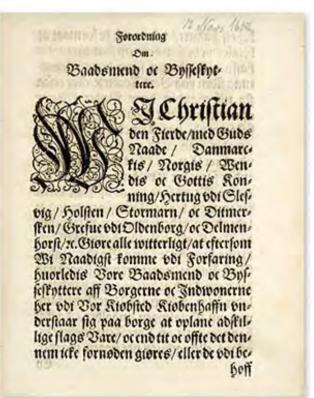
Contemporary calf, rebacked in period style, lettering piece and gilt-edged raised bands to spine, hinges and corners mended, edges rouged. Light rubbing and gatoring to boards, some rubbing to board edges. Title with large copperplate vignette printed in red and black. Light toning to text, somewhat heavier in places, light foxing to some leaves, offsetting to margins of endleaves. A handsome copy. \$950.

* First edition. *Quaestionum Juris Publici* is one of Bynkershoek's most important works on international law. The first and most important part, "De Rebus Bellicus," is one of the first modern assessments of the laws of war.

Bynkershoek accepts that war encompasses violence against civilians and non-military targets. As Neff observes, he "candidly pronounced war to be an 'attempt to subjugate the enemy and all that he has by seizing all the power that the sovereign has over the state, that is to say, by exercising complete dominion over all persons and all things contained in that state. (...) [T]he whole state is placed in the legal attitude of a belligerent toward another state, so that every member of the one nation is authorized to commit hostilities against every member of the other, in every place and under every circumstance." Having acknowledged these facts, Bynkershoek goes on to condemn actions against civilians and advocate the fair treatment of prisoners of war.

Beginning with Lord Mansfield, jurists and scholars have considered this to be Bynkershoek's greatest work. It was reissued in 1930 as a title in the Carnegie Classics of International Law series. Neff, *War and the Law of Nations* 204-205. Dekkers, *Bibliotheca Belgica Juridica* 16. Order This Item





Rare Seventeenth-Century Danish
Decree Regulating Boatmen and Firearms

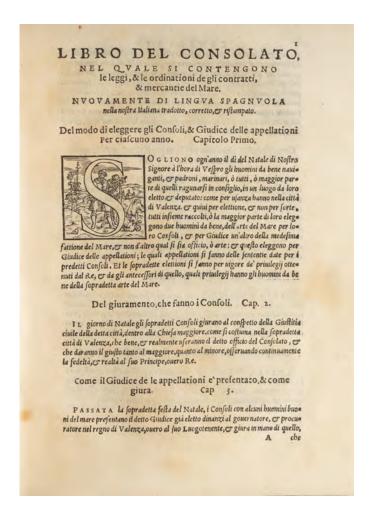
5. Christian IV, King of Denmark.

Forordning om Baadsmend oc Bysseskyttere. Copenhagen: S.n., 12 November 1618. [4] pp. Quarto (7" x 5-3/4").

Disbound (?) folded sheet forming 2 leaves bound into recent marbled boards, gilt-stamped calf title label to front. Light rubbing to extremities with minor wear to spine, light toning to text. \$400.

* This is a royal decree regulating boatmen and users of the arquebus, a musket-like firearm popular in the early modern period. OCLC locates 4 copies, none in North America. *Bibliotheca Danica* 19000000. <u>Order This Item</u>





Scarce 1564 Venetian Imprint of the Consolato del Mare

6. [Consolato del Mare].

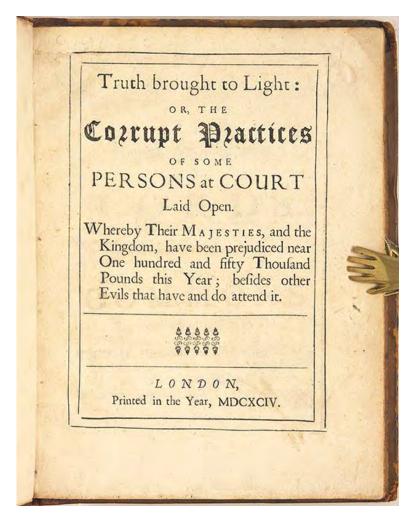
[Pedrezzano, Giovanni Battista, Editor and Translator].

Libro del Consolato de' Marinari nel quale si Comprendono tutti gli Statuti & Ordini Disposti da gli Antichi per Ogni Caso di Mercantia o di Navigare, Così a Beneficio de' Marinari Come de' Mercanti & Patron de' Navilij. Con l'Aggiunta delle Ordinationi sopra l'Armate di Mare, Sicurta, Entrate & Uscite. Venice: Per Francesco Lorenzini, 1564. [vii], 117, [2] ff. Quarto (8" x 6").

Contemporary quarter vellum over thick paper-covered boards, early hand-lettered title to spine. Light soiling, faint vertical crease and two small stains to front board, spine slightly darkened, corners bumped, minor worming to front hinge, paper just beginning to crack through pastedowns. Moderate toning to interior, light browning and foxing in places. Illegible early owner signature and small later owner stamp (of Giovanni Brunetti) to title page, brief early annotations and marks to a few leaves. \$2,500.

* A landmark in the development of maritime law, the *Consolato del Mare* is a digest of the law and practice commonly followed by the commercial judges in the chief ports around the Mediterranean. It became a maritime common law of the Mediterranean and a foundation for subsequent European maritime laws and customs. In addition to legal topics, it contains a great deal of information about commerce, the day-to-day operations of a ship and practical advice on seafaring. It was first published in Barcelona in 1484 (in Catalan). As suggested by the present edition, its circulation was widest in Italy, especially among the Venetians, but it was also influential in Western Europe.

OCLC locates 8 copies of this edition in North America, 2 in law libraries (Harvard, Yale). Censimento Nazionale Delle Edizioni Italiane del XVI Secolo CNCE 13101. Order This Item



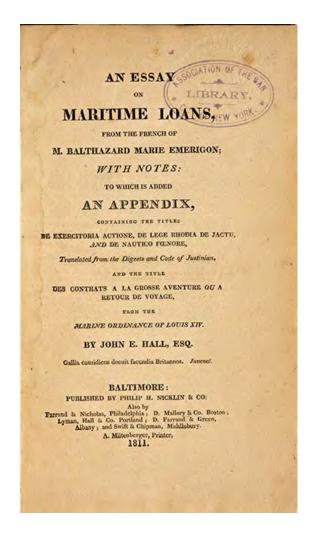
A 1694 Proposal to Reform the Taxation of Maritime Cargoes

7. [Crosfeild, Robert].

Truth Brought to Light: Or, The Corrupt Practices of Some Persons at Court Laid Open. Whereby Their Majesties, And the Kingdom, Have Been Prejudiced Near One Hundred and Fifty Thousand Pounds this Year; Besides Other Evils that Have and do Attend it. London: [S.n.], 1694. viii, 23, [1] pp. Quarto (8-1/4" x 6-1/4").

Stab-stitched pamphlet bound into contemporary mottled calf, rebacked in period style, blind rules to boards, blind fillets, lettering piece and gilt-stamped date to spine. Light rubbing to boards, moderate rubbing to extremities, small chip to head of spine, corners bumped and somewhat worn, hinges cracked. Title printed within double-ruled border. Moderate toning to text, faint dampstaining to upper corners of a few leaves, light soiling to title page. \$1,250.

* Only edition. Crosfeild proposes an act of tonnage, whereby coastal vessels would be charged a fixed rate per ton to the collector of each port, and all outward-bound ships, except colliers, going either to Holland, Flanders, Portugal, Denmark, or Ireland, would pay twelve pence per ton. However, if any of the latter were taken by the enemy before their voyages were complete, this money would be refunded to them. Inward-bound ships, either English or foreign, would pay two shillings per ton, unless they were not fully laden, in which case deductions would be made. Crosfeild thought the abolition of the Receivers-General, who were allowed to take a portion of the taxes they collected, would be beneficial to the finances of the country. He concluded that their interests were being protected by a party of corrupt persons at court because no one there would consider his proposals. OCLC locates 16 copies, 7 in North America, none in a law library. *English Short-Title Catalogue* R29667. Order This Item



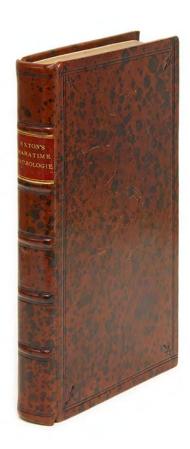
An "Unrivalled" Authority on Commercial Law

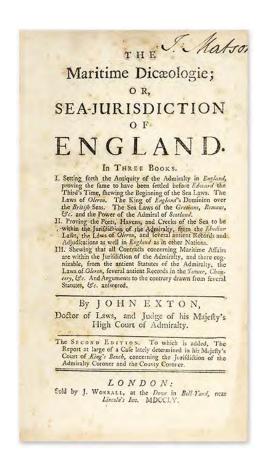
8. Emerigon, Balthazard-Marie [1716-1785]. [Hall, John E., Translator].

An Essay on Maritime Loans, From the French; With Notes: To Which is Added an Appendix, Containing the Titles De Exercitoria Actione, De Lege Rhodia de Jactu, and De Nautico Foenore, Translated from the Digest and Code of Justinian. And the Title Des Contracts a la Grosse Aventure ou a Retour de Voyage, From the Marine Ordinance of Louis XIV. Baltimore: Published by Philip H. Nicklin & Co., 1811. xvi, [17]-313, [1] pp. Octavo (8-1/2" x 5-1/4").

Later three-quarter black morocco over marbled boards, raised bands and gilt title to spine, gilt private-library stamp and paper shelf label to foot of spine, endpapers renewed. Moderate rubbing to extremities with light wear to spine ends and corners, front free endpaper detached. Very light browning to text, light foxing to a few leaves, faint dampstain and two small library stamps, one embossed, to title page, other brief library annotations to verso of title page and rear pastedown. An appealing copy. \$150.

* First American edition. With notes and references to English and American cases. Emerigon was the leading French authority on commercial law. His work was held in the highest regard by English and American jurists. James Kent observed that "no subject in Emerigon is discussed without being exhausted." Lord Ellenborough said he was an "unrivalled" theorist and practical writer. This treatise on bottomry and respondentia is a useful companion to his treatises on maritime law and maritime insurance. Citations from Marvin, Legal Bibliography 293. Cohen, Bibliography of Early American Law 7060. Order This Item





Defense of the Admiralty Courts

9. Exton, John [1600?-1668].

The Maritime Dicaeologie; Or, Sea-Jurisdiction of England. In Three Books. I. Setting Forth the Antiquity of the Admiralty in England, Proving the Same to Have Been Settled Before Edward the Third's Time, Shewing the Beginning of the Sea Laws. The Laws of Oleron. The King of England's Dominion over the British Seas. The Sea Laws of the Grecians, Romans, &c. And the Power of the Admiral of Scotland. II. Proving the Ports, Havens, and Creeks of the Sea to be Within the Jurisdiction of the Admiralty, From the Rhodian Laws, The Laws of Oleron, and Several Antient Records and Adjudications as well in England as in Other Nations. III. Shewing that All Contracts Concerning Maritime Affairs are Within the Jurisdiction of the Admiralty, And There Cognizable, From the Antient Statutes of the Admiralty, The Laws of Oleron, Several Antient Records in the Tower, Chancery, &c. And Arguments to the Contrary Drawn from Several Statutes, &c. Answered. London: Sold by J. Worrall, 1755. xvi, vi, 404 pp. Octavo (8" x 5").

Recent period-style calf, blind rules and corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed, retained armorial bookplate of William Curtis Noyes and bookseller ticket to front pastedown. Light toning to text, early owner signature (of J. Matson) to head of title page. \$1,500.

* "Second edition," actually the fourth and final edition, a reissue of the sheets of the 1746 edition with a cancel title leaf and the addition of six pages following p. xvi. First published in 1664, this book, though ostensibly descriptive, was written chiefly to maintain the jurisdiction of the Admiralty court in the new government. Beyond its political interest, it offers a detailed analysis of seventeenth-century maritime law and admiralty jurisdiction at the time when Great Britain was emerging as a major maritime and colonial power. Exton was educated at Cambridge, earning the LL.D. in Civil Law in 1634. He was appointed President of the High Court of Admiralty by Parliament in 1649, and was reappointed by the Duke of York after the Restoration. Noyes [1805-1864] was a leading New York lawyer and a member of the commission to codify the state's laws, which resulted in the Field Codes. A man of extensive learning, he owned one of the finest law libraries in the United States. *English Short-Title Catalogue* T130727. Order This Item





"The First True Scholar and Writer on Modern International Law"

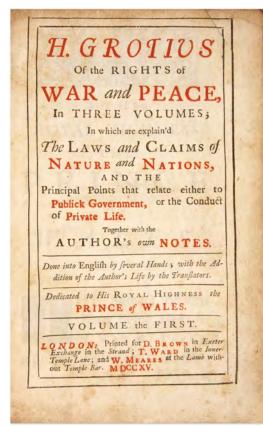
10. Gentili, Alberico [1552-1608].

De Legationibus, Libri Tres. Omnibus Omnium Ordinum Studiosis, Praecipue Vero Iuris Civilis Lectu Utiles, Ac Maxime Necessarii. Hanover: Apud Guilielmum Antonium, 1594. [xvi], 231, [1] pp. Octavo (5-3/4" x 3-1/2").

Contemporary flexible vellum, blind rules to boards surrounding gilt-stamped corner fleurons, front enclosing gilt image of a man kneeling in worship before a crucified Christ below owner initials "G.H." and above date "1595," rear enclosing image of the Christ Child, early hand-lettered title to spine, ties lacking. Light soiling, some rubbing to extremities, corners and spine ends bumped, small chip to upper corner of front cover, which has faint early owner initials, gilding oxidized, early library bookplate to front pastedown, tiny recent bookplate above it, front hinge cracked, minor worming to pastedowns and front endleaves. Moderate toning to text, somewhat heavier in places, a few wormholes with no loss to legibility, light soiling to title page. A very desirable copy in a striking period vellum binding. \$4,500.

* Second edition. Gentili, an Italian jurist, was tutor to Queen Elizabeth I, a member of the Spanish Embassy in London, and the Regius professor of civil law at Oxford. Widely considered Grotius's most important predecessor, Gentili was the "first true scholar and writer on modern international law as the law of the community of states" (Walker). His reputation in this field rests on two books, *De Iure Belli Libri Tres* (1598), a study of armed conflict, and *De Legationibus* (1585), a study of diplomats and diplomacy. Early editions of *De Legationibus* are scarce. OCLC locates 10 copies of the second edition, 4 in North American law libraries (Columbia, Harvard, Library of Congress, Yale). Walker, *Oxford Companion to Law* 518. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* G1260. Order This Item





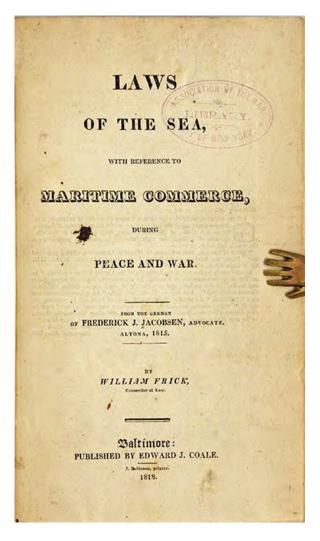
Early English Translation of De Jure Belli ac Pacis

11. Grotius, Hugo [1535-1645]. [Morrice, John, Translator and Editor].

Of the Rights of War and Peace, In Three Volumes; In Which are Explain'd the Laws and Claims of Nature and Nations, And the Principal Points that Relate Either to Publick Government, Or the Conduct of Private Life. Together with the Author's Own Notes. Done into English by Several Hands; With the Addition of the Author's Life by the Translators. Dedicated to His Royal Highness the Prince of Wales. London: Printed for D. Brown, T. Ward and W. Meares, 1715. Three volumes. [xv], civ, 212; [iii], 648 [ii], 356, [48] pp. Title page of each volume preceded by publisher advertisement. Octavo (7-1/2" x 4-3/4").

Contemporary paneled calf, raised bands and gilt volume numbers to spines, speckled edges, gilt tooling to edges of boards. Minor nicks, scuffs and light stains to boards, moderate rubbing to extremities with some wear to spine ends and corners, light gatoring to spines, boards beginning to separate but secure, early copperplate armorial bookplate to front pastedown of Volume I. Title pages printed in red and black. Light toning, somewhat heavier in places, occasional light foxing. \$2,500.

* Third English-language edition. First published in Paris in 1625, *The Rights of War and Peace* established the system of modern public international law. Recognized immediately as an important work, it was translated into the principal languages of Europe. The first English translation, by Clement Barksdale, was published in 1654 and reissued the following year. The second, by William Evats, was published in 1682. According to sources cited in the *ESTC*, the 1715 edition was translated and edited by Morrice with the assistance of Edward Littlehales and John Spavan. The English editions differ considerably and are very interesting to compare. *English Short-Title Catalogue* T117018. Ter Meulen and Diermanse, *Bibliographie de Grotius* 634. Order This Item



"One of the Great Pleasures of the Legal Bibliophile"

12. Jacobsen, Frederick J. [1774-1822]. Frick, William [1790-1855], Translator.

Laws of the Sea, With Reference to Maritime Commerce, During Peace and War. From the German by William Frick. Baltimore: Published by Edward J. Coale, 1818. xxxv, 636 pp. Octavo (8-1/4" x 5-1/4").

Later library cloth, red and black calf lettering pieces and paper shelf label to spine. Some shelfwear and soiling, light chipping to lettering pieces, front joint just starting at head, corners bumped, newspaper clipping concerning an 1845 maritime case pasted to rear endleaf. Moderate toning to text, faint library stamps, one embossed, to title page, library marks to verso, other small library marks to rear pastedown. \$250.

* First English-language edition and the only American edition. Originally published in 1815, Marvin spoke highly of this work in his Legal Bibliography, noting that few have equaled his wide range of research and depth of learning. As late as 1921, G.L. Canfield, writing in the Michigan Law Review, called this work "one of the pleasures of the legal bibliophile" that "remain[s] essential today to a practitioner's library" (19:580-582). Jacobsen, a German jurist, was an internationally recognized authority on maritime law. Laws of the Sea is based on a sixteen-year study of the laws of Italy, France, Great Britain, Holland, Denmark and Germany. It remains the most thorough single-volume study of English and continental maritime law in the early nineteenth century, a turbulent era shaped by the French Revolution and Napoleon. Marvin, Legal Bibliography 418-419. Cohen, Bibliography of Early American Law 1593. Order This Item



Dutch Edition of a Classic English Treatise on Maritime Law

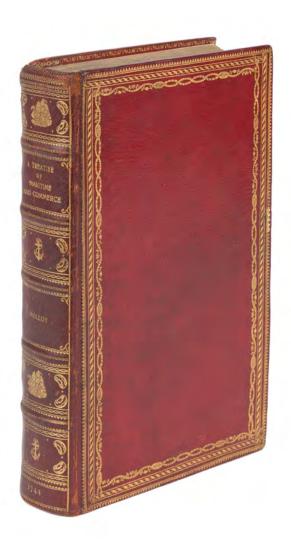
13. [Justice, Alexander].

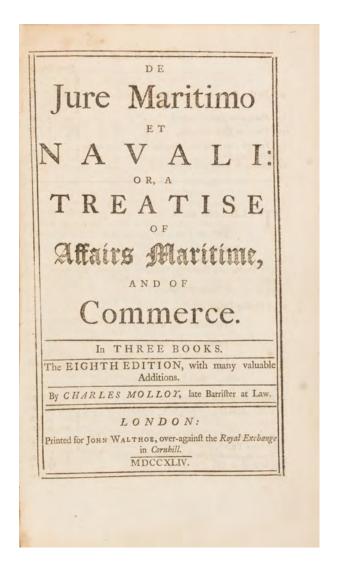
Le Clercq, Pieter [1692-1759], Translator.

Algemeene Verhandeling van de Heerschappy der Zee: En een Compleet Lichaam van de Zee-Rechten: Vervattende al het Weetenswaardigste dat over dit Stuk te Vinden Is, In Oude en Nieuwer Schryvers, En Ebyzondelyk de Oude Rechten der Rhodiërs en Romeinen; Die van Oleron, Wishui, De Hanse Steden, Keizer Karel, En Koning Philips Den Ilden, En Andere, Met Keurige Aantekeningen en Aanmerkingen.... Waar by Komt een Aanhangsel Rakende den Tegenwoordigen Staat en Reglementen van de Admiraliteit en Scheepsmagt van England, Gevolgd van een Vollediger Nieuw Aanhangsel Raakende het Zelfde Onderwerp, Met eene Vergelykinge van het Gedrag der Franschen en Engelschen in Zee-Zaaken; Eene Proeve Rakende de Scheepsmagt der Engelschen, Getrokken uit Authentike Gedenkschristen, Uittreksels van Alle Acten van het Parlement, De Marine Raakende, Inzonderheid die tot Instellinge van Artikels en Orders tot Reglement en Beter Bestier de Vloot, Enz. Amsterdam: By Dirk Onder de Linden, 1757. viii, 947 pp. Folding copperplate table of naval flags. Quarto (9-3/4" x 7-3/4").

Contemporary paneled vellum, large central arabesques to boards, raised bands and early hand-lettered title to spine. Light soiling, boards slightly bowed, small inkspot to front board, moderate rubbing to extremities, front joint starting at ends, spine ends lightly bumped, corners bumped and somewhat worn, illegible recent owner signature to front free endpaper. Title page printed in red and black. Moderate toning, somewhat heavier in places, occasional light browning to margins, light foxing to a few leaves. \$1,500.

* Only Dutch edition, with additions. First published in 1705, this important and long-lived English work includes a well-documented history of maritime law, texts of the most important codes and a collection of treaties. It also contains translations of the Rhodian Sea Laws, those of the Hanse towns, Oleron and Wisbuy, and Estienne Cleirac's *Us et Coutumes de la Mer.* Le Clercq's translation includes original content concerning Holland's maritime trade. OCLC locates 4 copies in North America (Brigham Young, Social Law, University of Minnesota, University of Virginia Law School). Dekkers, *Bibliotheca Belgica Juridica* 37. Order This Item





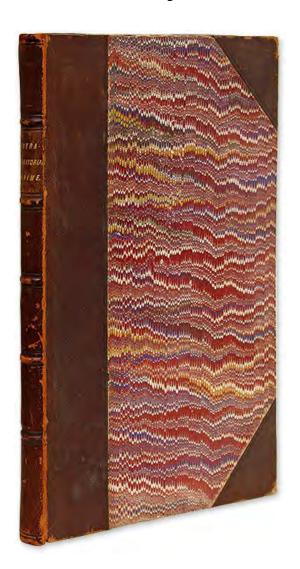
Standard Early English Treatise on Maritime Law

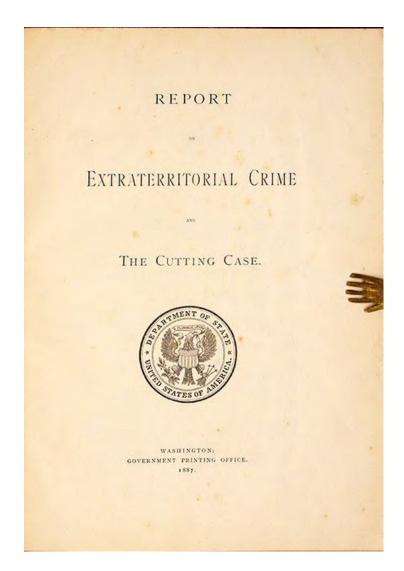
14. Molloy, Charles [1646-1690].

De Jure Maritimo et Navali: Or, A Treatise of Affairs Maritime, And of Commerce. In Three Books. The Eighth Edition, With Many Valuable Additions. London: Printed for John Walthoe, 1744. [ii], xvii [i.e. xv], [3], 505, [51] pp. Copperplate pictorial frontispiece, engraved added title page. Octavo (9" x 5-1/2").

Early twentieth-century morocco, gilt fillets to boards, raised bands, gilt title and gilt ornaments to spine, gilt tooling to board edges, gilt inside dentelles, marbled endpapers. A few minor scuffs and nicks to boards, light rubbing to extremities, tiny chip to head of spine, hinges starting, crack in text block between title page and following leaf. Moderate toning, light foxing to a few leaves. An attractive copy. \$750.

* Eighth edition. For many years this was the standard treatise on international, commercial and maritime law. It went through many editions, the first in 1676, the last in 1778. A Spanish translation was published in 1793. "It was not until 1676 that a man, who had some claims to be called an English lawyer, wrote upon [maritime law]. Charles Molloy who was both a civilian and a member of Lincoln's Inn and Gray's Inn, in the second book of his very successful treatise, *De Jure Maritimo et Navali*, gives us some account of these branches of the law" (Holdsworth). It deals with international as well as maritime and commercial law. Chapters III and IV discuss Privateers and Piracy. Holdsworth, *Sources and Literature of English Law* 210. *English Short-Title Catalogue* T96880. Order This Item





An Interesting Case Concerning Libel and Extraterritoriality

15. [Moore, John Bassett (1860-1947)].

Report on Extraterritorial Crime and the Cutting Case. Washington, DC: Government Printing Office, 1887. 130 pp. Quarto (10-3/4" x 7-3/4").

Contemporary three-quarter morocco over marbled boards, raised bands and gilt title to spine, marbled edges and endpapers, ribbon marker. Moderate rubbing to boards and extremities with some wear to corners, front joint starting at ends, hinges starting, owner stamp of Frank C. Partridge to verso of front free endpaper, light toning to interior, light foxing to preliminaries and rear endleaves. \$125.

* Only edition. The Cutting Case involved an article about Emigdio Medina, a Mexican newspaper publisher, that appeared in an El Paso, Texas, newspaper. Medina brought a charge of libel against that paper's publisher, Cutting, who was later arrested when he entered Mexico. After serving considerable jail time, Cutting was released by the Mexican Court of Appeals when Medina withdrew his complaint. Most of Moore's report is devoted to the question of extraterritoriality jurisdiction. An authority on international law, Moore was a lawyer, State Department official, professor and the first American to serve as a judge of the Permanent Court of International Justice. Partridge [1861-1931] was an attorney, diplomat and business executive from Vermont. He served briefly in the U.S. Senate, appointed to fill the vacancy created by the death of Senator Frank L. Greene. Order This Item



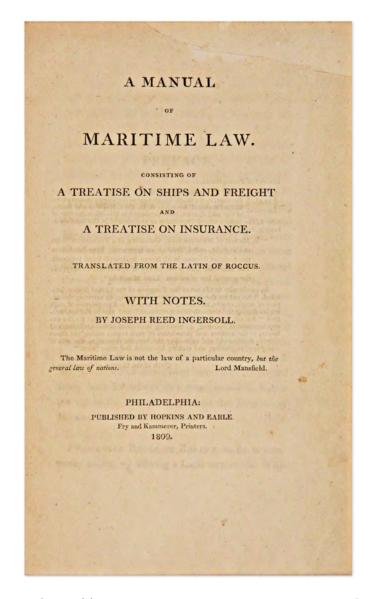
Interesting Napoleonic-Era Treatise on Maritime and Commercial Law

16. Piantanida, Luigi.

Della Giurisprudenza Marittima-Commerciale Antica e Moderna. Milan: Dalla Stamperia e Fonderia di Gio. Giuseppe Destefanis (Volume I); Dalla Stamperia e Fonderia di Giuseppe e Paolo Fratelli Veladini (Volumes II-IV), 1806-1808. Four volumes. Does not have the portrait frontispiece of author issued with some copies of this title. Complete set. Folio (11-1/4" x 8-1/2").

Three-quarter vellum over patterned paper boards, lettering pieces to spines. Light rubbing to extremities, a few minor stains to boards, corners and spine ends lightly bumped. Copperplate vignettes to dedication leaves of each volume. Light toning to text, occasional faint dampstaining to margins of Volume II, internally clean. \$1,950.

* Only edition. Dedicated to Napoleon, this ambitious treatise uses a history of maritime and commercial law as the basis for a set of general principles. It is also useful for its overview of these subjects during the early phase of the Napoleonic era. His dedication indicates a keen desire for a commission to produce a commercial code for the Kingdom of Italy, the north-Italian puppet state established by Napoleon. OCLC locates 14 copies worldwide, 6 in North America, 5 in law libraries (Harvard, Library of Congress, UC-Berkeley, University of Michigan, Yale). British Museum Catalogue (Compact Edition) 20:268. Order This Item



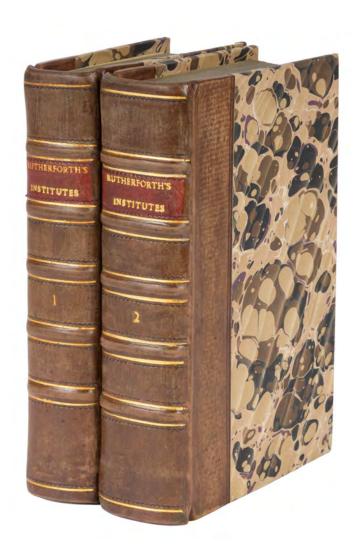
Scarce Classic Treatise on Maritime Law Praised by Joseph Story

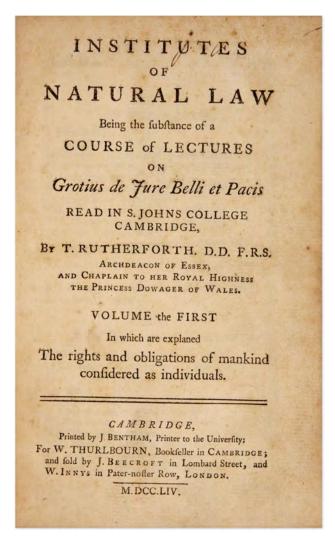
17. Rocco (Roccus), Francesco [fl. 1655]. Ingersoll, Reed [1786-1868], Translator and Editor.

A Manual of Maritime Law, Consisting of a Treatise on Ships and Freight and a Treatise on Insurance. Translated from the Latin of Roccus with Notes by Joseph Reed Ingersoll. Philadelphia: Hopkins and Earle, 1809. [v]-xvi, [17]-156, [8] pp. Octavo (8-1/2" x 5").

Contemporary calf, blind fillets to boards, lettering piece, blind fillets and early owner label to spine. Light rubbing to boards, moderate rubbing to extremities with some wear to spine ends and corners, hinges partially cracked, bookplate residue to front pastedown. Moderate toning, light foxing to a few leaves, upper corner trimmed from title page. \$500.

* Only edition of this work in English. First published in 1655. "This manual is very highly esteemed by commercial lawyers in all countries, for its compressed, methodical, and accurate learning, and is a book of high authority" (Marvin). "[Roccus'] works are of more practical use to an English lawyer, than all the other maritime works [with one exception] ... Lord Mansfield is under no inconsiderable obligation to them.": Joseph Story, "Literature of Maritime Law," in *The Miscellaneous Writings of Joseph Story* 108-109. Marvin, *Legal Bibliography* 616. Cohen, *Bibliography of Early American Law* 1610. Order This Item





First Edition of the Standard English Textbook on Grotius

18. Rutherforth, Thomas [1712-1771].

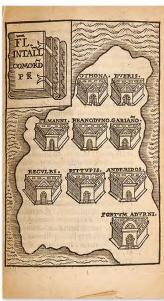
Institutes of Natural Law Being the Substance of a Course of Lectures on Grotius de Jure Belli et Pacis Read in S. Johns College Cambridge. In Which are Explaned the Rights and Obligations of Mankind Considered as Individuals. Cambridge: Printed by J. Bentham, Printer to the University; For W. Thurlbourn [et al.], 1754. Two volumes. [xvi], 495, [1]; [x], 692 pp. Half-title lacking from Volume II. Octavo (7-1/2" x 5-3/4").

Recent period-style quarter calf over marbled boards, gilt-edged raised bands and gilt titles to spines. Moderate toning, somewhat heavier in places, occasional light foxing, mostly in Volume I, faint dampstaining to text block of Volume II, tear to upper inside corner of leaf B3 (pp.21-22) in Volume I, brief annotations to a few leaves in each volume. \$1,250.

* First edition. This exposition of natural law and *De Jure Belli et Pacis* was one of the most important English treatises of the period. It was a standard text in Great Britain and America for several decades. As late as 1847, Marvin observed that Rutherforth was still "considered one of the ablest commentators upon Grotius" because "[h]is work is clearly and logically written, and exhibits great acuteness, sound argument, and learning." This book is from the library of William Dillard, a learned judge from Amherst, Virginia. *Legal Bibliography* 625. *English Short-Title Catalogue* T142202.

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Selden's Reply to Grotius Bound with a Reply to Selden by Pontanus

19. Selden, John [1584-1654].

Mare Clausum Seu De Dominio Maris Libri Duo. I. Mare, Ex Iure Naturae seu Gentium, Omnium Hominum non Esse Commune, Sed Dominii Privati seu Proprietatis Capax, Pariter ac Tellurem, Esse Demonstratur. II. Serenissimum Magnae Britanniae Regem Maris Circumflui, Ut Individuae Atque Perpetuae Imperii Britannici Appendicis, Dominum Esse Asseritur. Accedunt Marci Zuerii Boxhornii Apologia pro Navigationibus Hollandorum Adversus Pontum Heuterum, Et Tractatus Mutui Commercii & Navigationis Inter Henricum VII. Regem Angliae & Philippum Archiducem Austriae. London [i.e. Amsterdam?]: Iuxta exemplar Will. Stanesbeii pro Richardo Meighen, 1636. [xxiv], 504; 61, [3] pp. Woodcut text illustrations, two copperplate maps, two woodcut plates.

[Bound with]

Pontanus, Johannes Isacius [1571-1639].

Barreiros, Gaspar.

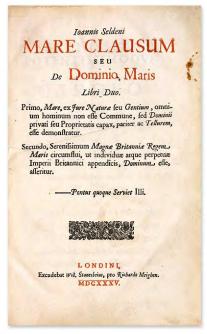
Discussionum Historicarum Libri Duo: Quibus Praecipue Quatenus et Quodnam Mare Liberum vel non Liberum Clausumque Accipiendum Dispicitur Expenditurque. Accedit, Praeter Alia, C. Varrerii, Lusitani, De Ophyra Regione et ad Eam Navigatione Commentarius. Harderwijk: Excudebat Nicolaus à Wieringen, Gymanisij Typographus, 1637. [xvi], 431, [1] pp.

Octavo (6" x 3-3/4"). Later library cloth, red and black lettering pieces and a bit of shelf label residue to spine. Light shelfwear and soiling. Title pages printed in red and black. Moderate toning to text, light edgewear and small library stamp to title page of *Mare Clausum*. \$650.

* Selden: Second edition, one of three issues from 1636; Pontanus: only edition. Selden's *Mare Clausum* (Dominion of the Sea) is the most famous British reply to the argument of Grotius's *Mare Liberum*, which denied the validity of England's claim to the high seas south and east of England. Selden argues that England's jurisdiction extends, in fact, to all waters surrounding the isles. "Like all the works of Selden, the book is of tremendous erudition.... It is not like Grotius's work, based on large philosophical principles, but it exhibits a vast historical knowledge, and is fortified at every point with authority from record, statute, case-book and chronicle" (Fletcher).

Selden's essay invited further responses, Pontanus's among them. Pontanus was an important historian and geographer who taught at the Gelderse Academie, later the University of Harderwijk. His *Discussionum Historicarum* is a historically grounded study in favor of Grotius's argument. It was later reprinted in an edition of *Mare Clausum* published in Bratislava in 1751. Both issues are scarce. OCLC locates 1 copy of the 1637 edition in North America (University of Illinois). Selden: Fletcher, *John Selden 1584-1654* 10-11. *English Short-Title Catalogue* S123287. Pontanus: Not in Dekkers. *British Museum Catalogue* (Compact Edition) 20:658. Order This Item







The First Major English Text on International Law

20. Selden, John [1584-1654].

Mare Clausum Seu de Domino Maris Libri Duo. Primo, Mare, ex Jure Naturae Seu Gentium, Omnium Hominum non Esse Commune, Sed Dominii Privati seu Proprietatis Capax, Pariter ac Tellurem, Esse Demonstratur. Secundon, Serenissimum Magnae Britanniae Regem Maris Circumflui, ut Individuae Atque Perpetuae Imperii Britannici Appendicis, Dominum Esse, Asseritur. London: Excudebat Will. Stanesbeius, pro Richard Meighen, 1635. [xxvi], 304, [12], [1] pp. Copperplate map, woodcut map, six woodcut text illustrations.

[Bound with]

Selden, John.

De Successionibus in Bona Defuncti, Ad Leges Ebraeorum, Liber Singularis. Editio Altera, Correctior & Multum Auctior. Accedunt Ejusdem De Successione in Pontificatum Ebraeorum, Libri Duo. Prior Historicus Est; Pontificum ab Aharone Usque ad Templi Secundi Excidium Successionem Continens. Posterior est Iuridicus; Legitima, Seu Quae in Successione Pontificali Adeoque in Admissione ad Munus Sacerdotale Apud Ebraeos Juris Fuere Complexus. London: Excudebat Richardus Bishop, 1636. [vi], xxiv, [4], 266 pp.

[And]

Vossius, Dionysius [1612-1642].

Panegyricus Dicatus Frederico Henrico Arausionensium Principi. Ejusdem Fredericus Victor. Amsterdam: Apud Guilielmum Blaeu, 1633. 31 pp.

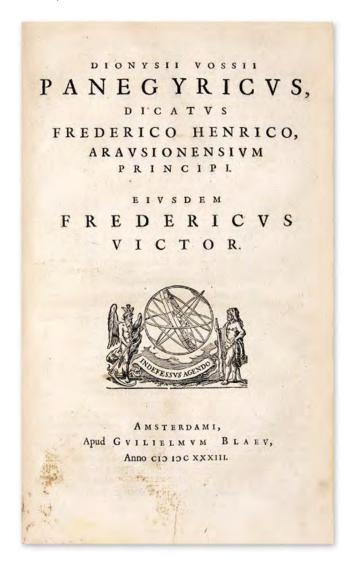
[And]

Heinsius, Daniel [1580-1655].

Panegyricus, Gustavo Magno, Suecorum, Gothorum, Vandalorum, &c. Regi, Consecratus. Leiden: Ex Officina Bonaventvrae & Abrahami Elzivir, 1632. [iii], 66, [1] pp.

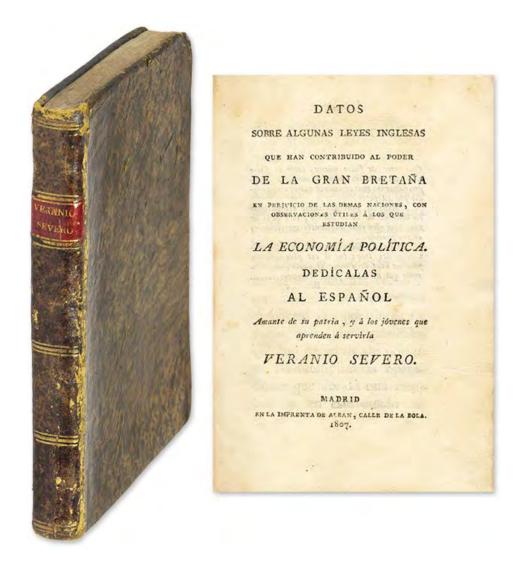
Folio (11" x 7"). Contemporary calf, blind rules to boards, rebacked in period style with raised bands and retained lettering piece, endpapers renewed, hinges mended. Moderate rubbing to extremities, moderate scuffing to boards, corners bumped and somewhat worn, small gouge to front board. Title pages of the Selden and Heinsius titles printed in red and black. Woodcut head-pieces, tail-pieces and decorated initials, title pages of works by Vossius and Heinsius have large woodcut printer devices. Light toning to text, somewhat heavier in places, minor stains to a few leaves. Recent owner signature to front free endpaper, early owner signature to head of *Panegyricus, Gustavo Magno*, interior otherwise clean. \$2,500.

* Mare Clausum, Panegyricus, Gustavo Magno, first edition; Successionibus; second edition; Panegyricus Dicatus, only edition. Selden's Mare Clausum is the most famous British reply to the argument of Hugo Grotius's Mare Liberum, which denied the validity of England's claim to the high seas south and east of England. Selden argued that England's jurisdiction extends, in fact, to all waters surrounding the isles. His use of legal history and common-law principles to rebut Grotius's philosophical argument is quite impressive. De Successionibus is an exposition of rabbinical law and laws of inheritance by a commentator whose "familiarity with rabbinical literature was such as has been acquired by few non-Israelite scholars; and many details of oriental civilization and antiquities were certainly brought to the knowledge of Europeans for the first time in them" (DNB). The other two titles remind us that Mare Clausum dates from one of the most turbulent eras in European history. Vossius's piece is a poem commemorating the deeds of Frederick Henry, Prince of Orange [1584-1647], who led Dutch forces to victory, established the independence of the United Provinces and governed them for a large part of its golden age. Heinsius's essay praises Gustavus Adolphus of Sweden [1594-1632]. One of the greatest military commanders in European history, he established Sweden as a leading European power during the Thirty Years War. Two other editions of Heinsius's essay were published in 1633 and 1637. Dictionary of National Biography XVII:1157. Selden: English Short-Title Catalogue S117048 (Mare Clausum), S117055 (De Successionibus); Vossius, Heinsius: British Museum Catalogue (Compact Edition) 26:402, 11:1107.





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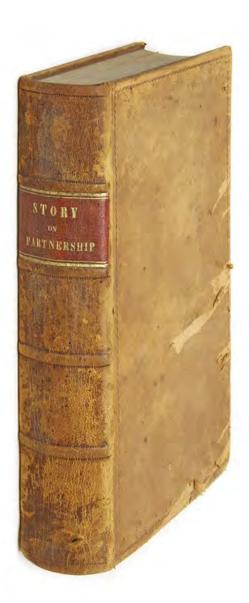
British Manipulation of International Trade Laws

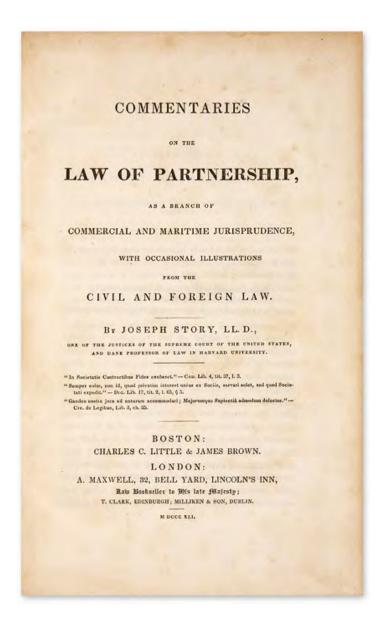
21. Severo, Veranio.

Datos Sobre Algunas Leyes Inglesas que han Contribuido al Poder de la Gran Bretana en Perjuicio de las Demas Naciones, Con Observaciones Utiles a los que Estudian la Economia Politica. Dedicalas al Espanol Amante de su Patria, Y a los Jovenes que Aprenden a Servirla. Madrid: En la Imprenta de Alban, 1807. x, [2], 257 pp. Octavo (5-3/4" x 3-3/4").

Contemporary tree-sheep, lettering piece and gilt fillets to spine, marbled endpapers. Some rubbing to extremities, corners bumped. Some toning to text, light dampstaining to upper corner of rear quarter of text block, interior otherwise clean. \$1,250.

* First edition. This enthusiastically anti-British work details the ways Britain has manipulated international trade laws in its favor, and against the interests of Spain. It sketches the history of British politics as it affected the country's foreign entanglements, and lists some of the tricks used by Britain to win over international opinion. Inspired by Adam Smith, Severo discusses a wide variety of trades and industries, including whaling, herring, fishing, the trade in coal and tobacco, and shipbuilding, describing the shipping routes used by British merchant vessels and British trade with India, the Americas (including South America) and the Baltic. Severo analyses the effect of British trade laws, and the enthusiasm with which the British sing (and mean) "Rule Britannia." OCLC locates 2 copies in North America (at Harvard and Yale). Palau, Manual del Librero Hispano-Americano 311227. Order This Item





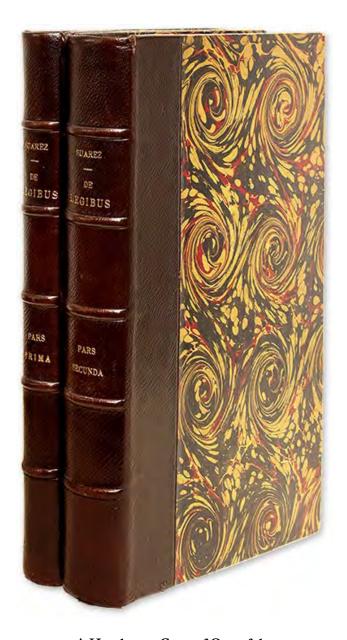
"A Truly Luminous Exposition"

22. Story, Joseph [1779-1845].

Commentaries on the Law of Partnership as a Branch of Commercial and Maritime Jurisprudence. With Occasional Illustrations from the Civil and Foreign Law. Boston: Charles C. Little & James Brown/London: A. Maxwell, 1841. xxi, 690 pp. Octavo (9" x 6").

Contemporary sheep, blind fillets to boards, raised bands and small lettering piece to spine. Light rubbing and some shallow scuffing to boards, moderate rubbing to extremities, somewhat heavier rubbing to spine, corners bumped. Moderate toning to text, light foxing in places, upper corners of some leaves have fold lines, a few have early underlining and other marks in pencil. An appealing copy. \$950.

* First edition of one of Story's great treatises. Like the others, it was a standard work in the United States and, to some extent, Great Britain. In his *Law Studies* Samuel Warren said the *Commentaries on the Law of Partnership* is "a truly luminous exposition of a subject noted for its intricacy, and the subtlety of the rules upon which the system depends" (451). It was a deeply influential work as well. Indeed, Pound mentions it his list of texts that were "a significant force in our legal development.": *The Formative Era of American Law* 140. Cohen, *Bibliography of Early American Law* 9321. Order This Item



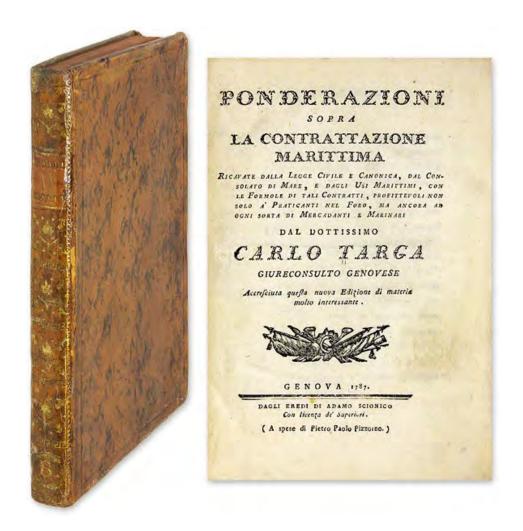
A Handsome Copy of One of the Great Landmarks of International Law

23. Suarez, Francisco [1548-1617].

Tractatus de Legibus, Ac Deo Legislatore, In Decem Libros Distributus. Naples: Ex Typis Fibrenianis, 1872. 2 volumes. [vi], 378; [iv], 680 pp. Main text in parallel columns. Quarto (10-1/2" x 7").

Contemporary quarter morocco over marbled boards, raised bands and gilt titles to spines, marbled endpapers. Light rubbing to extremities with negligible wear to spine ends and corners, owner bookplates (of Gilbert Picot) to front pastedowns, light toning to interiors. A very handsome set. \$750.

* Suarez, a theologian and jurist who wrote treatises on political philosophy and the state and sovereignty, was one of the greatest thinkers produced by the Jesuit order. First published in 1612, his *Tractatus de Legibus, Ac Deo Legislatore* is a landmark work that proposes a natural law basis for the law of nations. It was a significant influence on the work of Grotius and Pufendorf. Order This Item



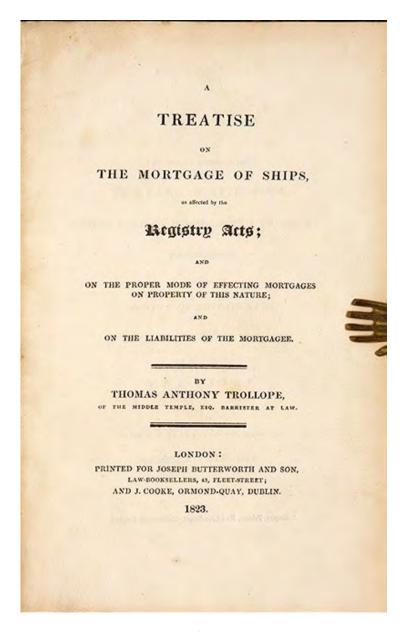
Interesting Treatise on Maritime Law Praised by Joseph Story

24. Targa, Carlo [1614-1700].

Ponderazioni Sopra la Contrattazione Marittima. Genoa: Dagli Eredi di Adamo Scionico, 1787. [viii], 259 pp. Quarto (8" x 5-1/2").

Contemporary tree calf, blind rules to boards, lettering piece and gilt ornaments to spine, edges rouged. Light rubbing to extremities with minor wear to corners, a few minor scuffs to boards, hinges cracked. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown. A handsome copy. \$500.

* An enlarged later edition of an interesting treatise on maritime law, contracts and insurance. The main text is followed by a critical edition of the Rhodian Sea Law (in Greek with a parallel Latin text), which was compiled between 600-800 CE, and the complete text of the Florentine insurance statutes, which were enacted in 1529. Joseph Story held this work in high regard: "We had almost forgotten to speak of Targa, who, in his *Reflections on Maritime Contracts*, has drawn from the civil and canon law, the *Consolato del Mare*, the usages of maritime nations, and preceding writers, the most useful learning on all the subjects of maritime law except insurance; and has adapted his work to practice by collecting the forms of the various contracts, with hints for their proper application. He is generally esteemed as an industrious and correct author; but his fame seems lost in the superior blaze of his illustrious countryman.": "Literature of the Maritime Law" (1818) reprinted in The *Miscellaneous Writings of Joseph Story*, ed. William W. Story 111-112. OCLC locates 4 copies of this edition, 2 in the United States, both in law libraries (University of Michigan, University of Virginia). Not in Kress or Goldsmiths.' This edition not in the *British Museum Catalogue*. Order This Item



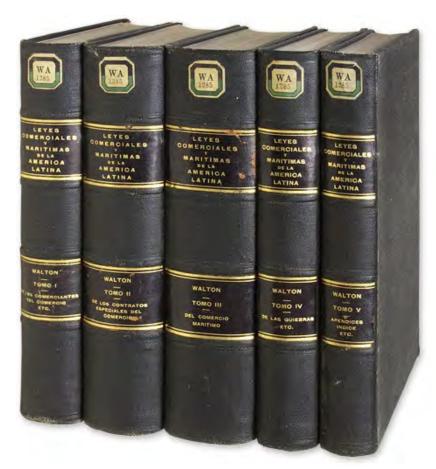
Rare Nineteenth-Century Treatise on Ship Mortgages

25. Trollope, Thomas Anthony [1774-1835].

A Treatise on the Mortgage of Ships, As Affected by the Registry Acts; And on the Proper Mode of Effecting Mortgages on Property of this Nature, And on the Liabilities of the Mortgagee. London: Printed for Joseph Butterworth and Son, 1823. [xii], xxiv, 144 pp. Octavo (8-1/4" x 5-1/4").

Contemporary calf with later rebacking, blind fillets to boards, lettering piece and gilt fillets to spine, blind tooling to board edges. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities, front hinge cracked, rear hinge started. Moderate toning to text, light foxing in a few places, partial crack in text block between pp. 142 and 143. A nice copy of a rare title. \$1,250.

* Only edition. This treatise addresses the intricate law of ship mortgages, which was then in a period of transition. OCLC locates 4 copies (British Library, National Library of Scotland, Oxford, University of Aberdeen). Sweet & Maxwell, A Legal Bibliography of the British Commonwealth 2:361. Order This Item





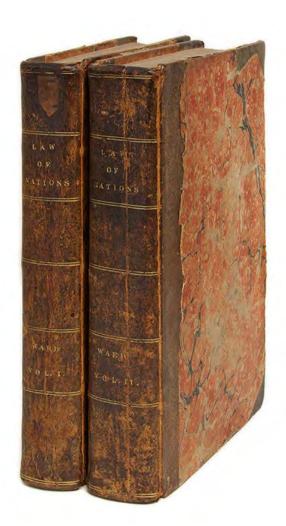
1907 Compilation of Latin American Commercial and Maritime Laws

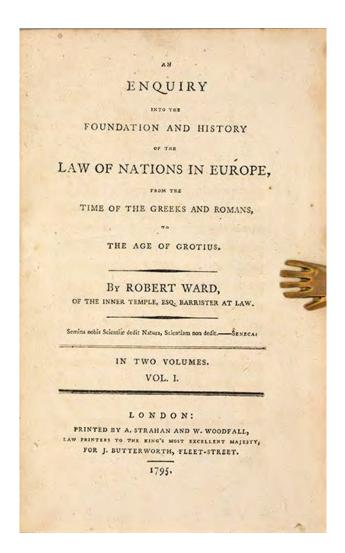
26. Walton, Clifford Stevens.

Leyes Comerciales Y Maritimas de la America Latina: Comparadas Entre si y Con Los Codigos de Espana y Las Leyes de Los Estados Unidos de America. Profusamente Anotadas con la Legislacion de Espana y Con la Jurisprudencia Extranjera. Washington: Imprenta del Gobierno, 1907. Five volumes.

Original cloth, light rubbing to extremities, internally clean. Ex-library. Location labels to spines, bookplates, brief annotations in pencil to front endleaves, small inkstamps to title pages. A very good set. \$250.

* Walton, an American jurist and legal historian, was an expert on the legal systems of Spain and Latin America. Order This Item





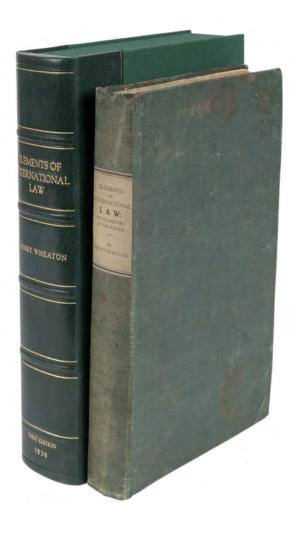
The First History of International Law

27. Ward, Robert [1765-1846].

An Enquiry Into the Foundation and History of the Law of Nations in Europe, From the Time of the Greeks and Romans to the Age of Grotius. London: Printed by A. Strahan and W. Woodfall, for J. Butterworth, 1795. Two volumes. cviii, 395, [1]; [iv], 628 pp. Octavo (8" x 5").

Contemporary three-quarter calf over marbled boards, gilt title and fillets to spines, small paper shelf label to that of Volume I. Moderate rubbing and some scuffing to boards, moderate rubbing to spines and extremities. Light toning to interiors, somewhat heavier in places, light foxing to a few leaves. A handsome set. \$750.

* First edition. The first attempt to write a history of the law of nations, it also marked a new approach to the subject. Since the seventeenth century the law of nations had been dominated by the theory of natural law, which posited the existence of legal principles shared by all ages, places and peoples. This theory shaped the work of such major jurists as Grotius, Pufendorf and Selden. It was enshrined during the eighteenth century by advocates of the Enlightenment. Ward rejected this theory. A Romantic, he had no use for universal systems. Instead, he appreciated the uniqueness of cultures and the differences between the past and the present. One of the first to apply Romantic ideas to the subject, he treated the law of nations as a malleable concept that changed considerably since antiquity. Lasaffer, "International Law and Its History: The Story of an Unrequited Love" in *Time, History and International Law*, Ed. Craven, Fitzmaurice and Vogiatzi 27. English Short-Title Catalogue T117016. Order This Item



First Edition of Wheaton's Landmark Treatise on International Law

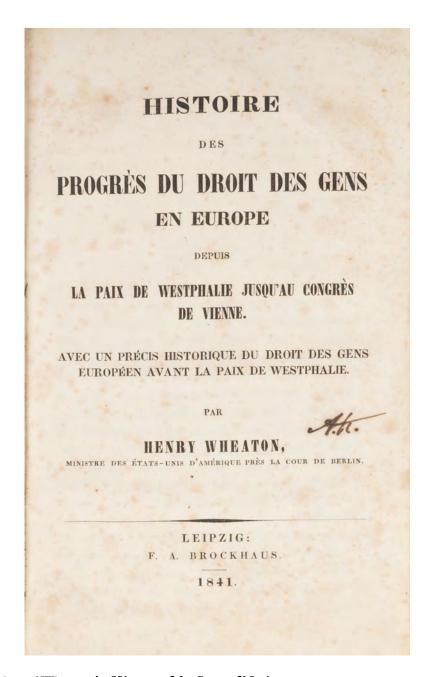
28. Wheaton, Henry [1785-1848].

Elements of International Law: With a Sketch of the History of the Science. Philadelphia: Carey, Lea & Blanchard, 1836. [Verso of title:] Griggs & Co., Printers. xiv, [15]-375; [24] pp. Includes 24-page publisher catalogue. Octavo (9-1/4" x 5-3/4").

Original publisher's cloth, expertly restored, text block recased, period-style paper title label to spine, hinges, head of spine and lower corner of title page mended. Light soiling and a few minor stains to boards, moderate rubbing to extremities with some wear to spine end and corners. Moderate toning and light foxing to text, brief early notes in pencil to a few passages. An appealing copy housed in a custom quarter morocco over cloth clamshell box, raised bands and gilt title to spine. \$2,000.

* First edition. This landmark treatise was one of the first legal works by an American to enjoy an international audience. Acclaimed upon publication, it went through several editions in the United States and elsewhere, including a French edition in 1848 and a Chinese edition in 1864. (This latter edition is notable as the first translation of an international legal treatise into a non-European language.) It was a standard work for decades. As Sellers notes, this book established Wheaton as "the Blackstone of international law," who "shaped the law of nations for his contemporaries, and their successors, for at least half a century after his death" (Sellers). This copy is from the library of William Dillard, a learned judge from Amherst, Virginia. Sellers, Republican Principles in International Law 72. Marvin, Legal Bibliography 728, citing the third edition. Cohen, Bibliography of Early American Law 7200. Order This Item





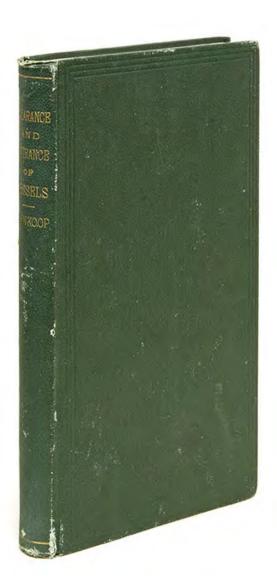
First Edition of Wheaton's History of the Law of Nations

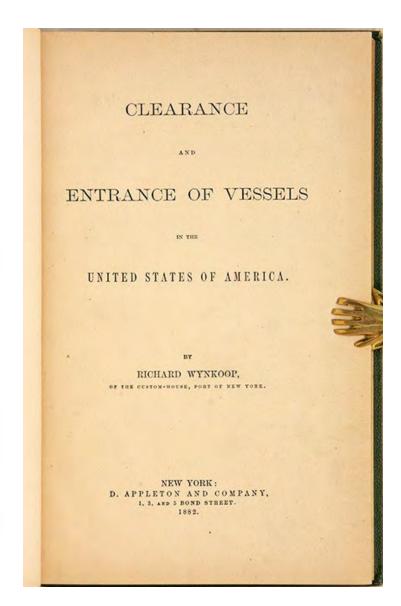
29. Wheaton, Henry [1785-1848].

Histoire des Progrès du Droit des Gens en Europe Depuis la Paix de Westphalie Jusqu'a Congrès de Vienne. Avec un Précis Historique du Droit des Gens Européen Avant la Paix de Westphalie. Leipzig: F.A. Brockhaus, 1841. x, 462 pp. Octavo (8" x 5").

Contemporary quarter morocco over cloth, raised bands, gilt title and blind ornaments to spine. Some rubbing and faint water stains to boards, moderate rubbing to extremities, rear joint just starting at head, corners bumped. Moderate toning to interior, faint dampspotting in a few places, early owner initials to title page. \$450.

* First edition. Wheaton published this landmark treatise when he was the American envoy in Berlin. The first English-language edition, *History of the Law of Nations in Europe and America*, was published in New York in 1845. Cohen, *Bibliography of Early American Law* 7209. Order This Item





Rare Nineteenth-Century American
Treatise on the Clearance and Entrance of Vessels

30. Wynkoop, Richard [1829-1913].

Clearance and Entrance of Vessels in the United States of America. New York: D. Appleton and Company, 1882. 199 pp.

[With]

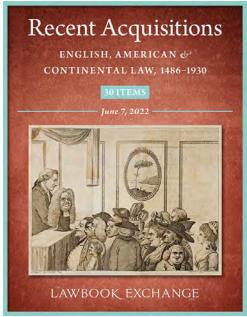
Wynkoop, Richard.

Supplement to Clearance and Entrance of Vessels [Running Title]. [New York: D. Appleton and Company], 1883. 46, [viii] pp. Includes 8-page publisher catalogue.

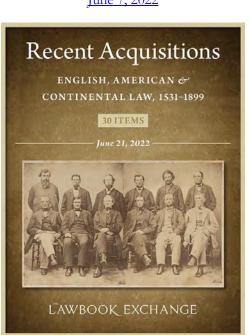
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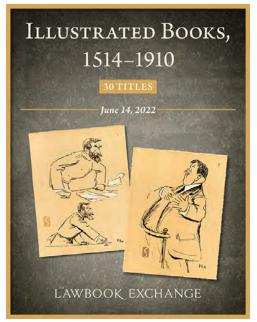
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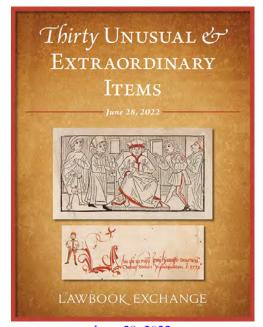
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