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"A Little too Human to be Strictly Scientific"

1. Acton, John [d. 1350].
[Badius, Josse (1462-1535), Editor].
Constitutiones Legitime seu Legatine Regionis Anglicane: Cu[*m*] *Subtilissima Interpretatione D*[*omi*]*ni Johannis de Athon: Tripliciq*[*ue*] *Tabella. Necnon et* [*Con*]*stitutiones Provinciales ab Archiepiscopis Cantuariensibus Edite: Et Sum*[*m*]*a Accuratione Recognite: Annotate et Parisiis Coimpresse.* [Paris: Wulfgangi Hopilii et P[ro]vissimi Bibliopole Joa[n]nis Co[n]flue[n]tini, 1504]. Collation: A-B8, a-e8, f10, g-o8, p6, q-s8 (-r1-8), t-v6 (-v6, a blank). [xvi], clv ff. Complete. Main text in parallel columns surrounded by two-column linear gloss. Quarto (10-1/2" x 7-1/2").

Recent calf, boards have gilt rules enclosing handsomely tooled blind panels, gilt spine with raised bands and lettering piece, endpapers renewed. Printed throughout in red and black, woodcut pictorial title page, divisional title page (f. 1) and vignette at head of main text (f. 2), woodcut initials, some pictorial. Light toning to text, faint dampstaining in places, mostly confined to margins, occasional worming, mostly to rear of text, with negligible loss to text, brief early annotations to a few leaves. A handsome copy. $7,500.

* First edition by Badius. Acton's *Constitutiones* was the first major treatise on English canon law. It is a commentary on the constitutions (edicts) of Otto and Ottobone, the papal legates in England during the mid-thirteenth century. For decades, these constitutions formed the majority of English canon law. Acton's commentary was authoritative. Several copies circulated in manuscript. It was first printed in 1496 by Wynkyn de Worde in an edition of William Lyndwood's *Provinciale*. (This led several people to attribute *Constitutiones* to Lyndwood.) An excellent summation of English canon law at the time, it is also notable for its insights into the Church's place in English society. As Maitland notes in *Roman Canon Law in the Church of England*, Acton was "a little too human to be strictly scientific. His gloss often becomes a growl against the bad world in which he lives, the greedy prelates, the hypocritical friars, the rapacious officials" (7-8). OCLC locates 9 copies of this edition in North American law libraries (Columbia, George Washington, Harvard, Library of Congress, Ohio State, UC-Berkeley, University of Minnesota, Washington University, Yale). *English Short-Title Catalogue* S104759. Beale, *Bibliography of Early English Law Books* T404.

Azo's Great *Summa*

2. Azo, Portius [fl. c. 1150-1230].
Gigante, Girolamo [d. 1560], Editor.
Summa Azonis, Id Est, Locuples Iuris Civilis Thesaurus. Hactenus Depravatissima, Olim Iugi Sedulitate et Exquisito Studio Hieronymi Gigantis, Nunc Autem Doctissimorum Quorundam in V.I. Virorum, Emendatissima, & Supra Omnes Omnium Editiones Recens Pristino Illi Suo Nitori Reddita. Quibus Quarundam Veterum Apostillarum & Additionum Castigationes, & Quaedam Annotatiunculae Marginales, Ab Eisdem in Gratiam Iuris Studiosrum Adiectae. Accessit Quoque Rerum & Verborum Toto Opere Memorabilium, Geminus Index. Lyons: Sumptibus Philippi Tinghi, 1576. [iv], 278, [28] pp. Main text in parallel columns. Folio (16-1/4" x 11").

Later three-quarter vellum over paper-covered boards, lettering piece to spine, endpapers renewed. Light soiling, moderate rubbing to extremities, dampspotting to boards, corners bumped and lightly worn, hinges starting, partial crack in text block between title page and following leaf. Large woodcut printer device to title page. Moderate toning to text, somewhat heavier in places, occasional dampspotting, faint dampstaining to a few leaves. Ex-library. Bookplates to front pastedown, tiny inkstamp to verso of title page. A nice copy. $3,500.

* Portius Azo, also known as Azo of Bologna, Azo Porius, Azo Porcius and Azo Soldanus, was a lawyer and professor of law at the University of Bologna whose pupils included Accursius and Johannes Teutonicus. His fame rests on his carefully organized commentaries on the *Code*, *Digest* and *Institutes* of the *Corpus Juris Civilis*. Known collectively as the *Summa Azonis*, these three commentaries form a methodical exposition of Roman law. The *Summa* circulated widely in manuscript; 35 printed editions were issued from 1481 to 1610. A work of immense authority for generations of continental lawyers, it was synthesized by Accursius in his *Glossa Ordinaria*; his *Summa Codicis* was used (and, in many places, copied verbatim) by Bracton in his *Legibus et Consuetudinibus Angliae*. OCLC locates 3 copies of this edition, none in North American law libraries. This edition not in Adams or the *Universal Short-Title Catalogue*.

Commentaries on
Criminal Law by a Great Medieval Jurist

3. Baldus de Ubaldis, Petrus [1327-1400].
Corneto, Tancredus de, Commentary.
Cremonte, Antonius de, Commentary.
Descousu, Celsus-Hugo, Commentary.
Ferrandat, Henricus, Commentary.
Practica Baldi. Perutilis Ac Vere Aurea Practica Iuris. Utriusq[ue] Monarche ac Luminis Domini Baldi de Ubaldis de Perusio...Cu[m] Additionibus Domini Antonii de Cremo[n]te: Que Preter Primam Omnes Textui Inseru[n]tur: [*Et*] *cum Pristinis Apostillis...Celsi Hugo[n]is Dissuti. Novissime cu[m] Adjectionibus Nonnullorum Tituloru[m] in Quibusdam Antiquissimis Exe[m]plaribus Inventorum Hactenus non Impressorum:* [*Et*] *cum Repertorio Alphabetico. AdVertas Lector: Q[uod] Angelus...Dicit Practica[m] Istam: Seu Mavis Co[m]pendiosam: Fuisse Ta[n]credi de Corneto. Ego Vero Balsi Esse Affirmo: Ut Patet in Pluribus Eius Locis: Maxime in Prefatione Ante Rubricam de Iurisdicti[on]e.* [Lyons: Antoine Blanchard, 6 February 1528. [xii], XCVI ff. Main text in parallel columns. Quarto (6-3/4" x 5").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Title page printed in red and black within woodcut architectural border, woodcut decorated initials. Moderate toning, finger smudges and light stains to a few leaves, some soiling to title page, minor edgewear to final leaf. $2,500.

* Later edition. Baldus de Ubaldis, a pupil of Bartolus, was one of the great jurists of Medieval Europe. He taught at the Universities of Bologna, Perugia, Pisa, Florence, Padua, Pavia and Piacenza. He also served occasionally as a judge and diplomat. His fame rests on his commentaries on Roman and canon law, which were standard texts into the seventeenth century. First published in 1513, *Practica Baldi* is a collection of his commentaries on criminal law and procedure drawn from his larger works with additional commentary and notes by Corneto, Cremonte, Descousu and Ferrandat. All editions are scarce. OCLC locates 3 copies of this edition in North American law libraries (Columbia, Harvard, UC-Berkeley). *Universal Short-Title Catalogue* 146006.

A Crucial Issue During Jefferson's Presidency

4. Barton, William [1754-1817].
A Dissertation on the Freedom of Navigation and Maritime Commerce, and Such Rights of States, Relative Thereto, As Are Founded On the Law of Nations: Adapted More Particularly to the United States; and Interspersed with Moral and Political Reflections, and Historical Facts. With An Appendix, Containing Sundry State Papers. Philadelphia: John Conrad and Company, 1802. 339, xlv, [3] pp. Octavo (8" x 5").

Contemporary calf, gilt device (of the Society of Writers to the Signet) to center of each board, rebacked retaining original spine with raised bands and lettering piece, hinges mended. Bookplate to front pastedown, early annotation to front free endpaper. Some offsetting to margins of endleaves and preliminaries, occasional light foxing, interior otherwise fresh. $850.

* Only edition. Barton admired Thomas Jefferson and dedicated this book to him. Jefferson was pleased by this honor: "Accept my best wishes for the success of your work and assurances of my high esteem and respect" (Sowerby). One of the earliest works of its kind, Barton presents an American interpretation of maritime law affecting freedom of navigation and the rights of neutral merchant vessels during times of war. Barton uses a broad overview of international law and treaties of the Washington and Adams administrations to criticize English interference with American shipping and the impressment of sailors. This volume offers a contemporary interpretation of the actions that would lead to the Non-Intercourse and Embargo Acts (1807, 1809) and, in the following administration, the War of 1812. Cohen, *Bibliography of Early American Law* 7447.

A Landmark in the History of Penology

5. 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. With plates depicting prisons and their floor plans. 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, *A Dictionary of Books Relating to America* 4190.

Notarial Guide for Eighteenth-Century German Businessmen

6. Beck, Johann Jodocus [1684-1744].
Vollstandiges und nach dem Heutigen Curial-Stilo Eingerichtetes Formular Darinnen Verschiedene Instrumenta und Wechsel-Protest, Wie sie von denen Notariis Ausgefertiget Werden, Allerhand Obligationes und Schuld-Burgschafft und Gesellschafts-Verschreibungen.... Nuremberg: By Johann Adam Lochner, 1765. [viii], 1266, [36] pp. Bound in three parts. Copperplate frontispiece. Quarto (8-1/4" x 6-3/4").

Original thick publisher wrappers, later hand-lettered titles to spines. Some edgewear, soiling and minor stains, moderate toning to text, somewhat darker in places, minor stains to frontispiece and some following leaves. Title page printed in red and black, attractive woodcut head and tail-pieces. Later owner bookplates to preliminaries, internally clean. $1,850.

* Seventh and final edition. First published in 1716, this is a combination handbook and formbook for businessmen who wish to transact legal business without the services of notaries. The text alternates between subject matter and forms. The frontispiece depicts activity in the office of a busy notary. This was a popular book that was generally used until it fell to pieces; copies are scarce today. OCLC locates few copies of any edition. It locates 7 copies worldwide of our edition, none in North America. *Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 18. Jahrhunderts* 1027569X.

The Outline for Blackstone's *Commentaries*

7. [Blackstone, Sir William (1723-1780)].
An Analysis of the Laws of England. Oxford: Printed at the Clarendon Press, 1756. x, [iv], 180 pp. 2 copperplate tables, 1 folding. Octavo (7-3/4" x 5").

Contemporary calf, blind rules and fillets to boards, rebacked retaining existing unlettered spine with raised bands. Light rubbing and some scratches to boards, moderate rubbing to extremities, corners bumped and somewhat worn, early armorial bookplate, of Sir John Hussey Delaval, to front pastedown, lower corners of rear endleaves restored. Light toning to text, somewhat heavier in places, occasional faint dampspotting. Delaval's signature and a later owner stamp (of Arthur W. Baldwin) to front free endpaper, interior otherwise clean. Book housed in period-style quarter-calf over cloth clamshell box, raised bands and lettering piece to spine. An appealing copy of a scarce title. $5,000.

* First edition. Published anonymously, the *Analysis* is a synopsis of Blackstone's Vinerian lectures at Oxford. Issued as a companion to his course, it was, in effect, the outline for Blackstone's *Commentaries on the Laws of England* (1765-1769). The main text is preceded by a detailed diagrammatic table of contents. The plates depict lines of descent and consanguinity. OCLC locates 14 copies in North American law libraries. *English Short-Title Catalogue* T56692. Eller, *The William Blackstone Collection in the Yale Law Library* 217.

A Warning to Young Women

8. [Broadside].
Heytrey, Ann [d. 1820].
The Last Dying Speech and Confession of Ann Heytrey, Who Was Executed at Warwick, on Wednesday, April 12, 1820, For the Wilful Murder of Mrs. Dormer, wife of Mr. Joseph Dormer, of the Dial House, Ashow, Warwickshire. [Leicester]: Martin, Printer, 1820. Single-sided 10" x 9" leaf, large woodcut depicted execution at head. Light browning, a few fold lines and minor tears. $750.

* Primarily a summary of trial testimony and Heytrey's conduct after her conviction. With one column of verse, a warning to young women. The murder of Mrs. Dormer was committed on July 29, 1819. Date of imprint from date of execution. Ann Heytrey, an attractive twenty-one year old servant was sent to the Warwick gallows in April 1820 for the murder of her employer, Mrs. Sarah Dormer, at Dial House Farm, Ashow. She was hanged on July 29, 1819. OCLC locates 1 copy (at Harvard Law School).

"You Oft Beneath a Righteous Robe, May Find a Wolf Concealed"

9. [Broadside].
[Murder].
[Avery Trial].
The Death of Sarah M. Cornell. N.p: S.n., c.1832.

11-1/4" x 8" broadside mounted to 11-/12" x 8-3/4" backing, text enclosed by woodcut typographical border. Printed in two columns within border of type ornaments. Poem in twelve stanzas about the murder of Sarah Cornell by her seducer, Ephraim Avery. Some toning, some chipping, edgewear and tears to margins and small hole near center remedied by mounting, no loss to text. $450.

* Only edition. This was one of the most famous American murder trials of the nineteenth century. Although questions about this case remain, it appears that Avery murdered Cornell when he learned she was pregnant with his child. After strangling her he put a noose around her neck and hung her from a barn rafter to make it appear that she had committed suicide. This broadside, which reviews the events of the murder, laments Cornell and curses Avery. Not in McDade. OCLC locates 12 copies, 1 in a law library (Harvard).

"The Burglar Carried Away Mr. Griffith's Pantaloons"

10. [Broadside].
[New York].
$500 Reward! A Reward of $500 Will Be Paid for the Arrest and Conviction of the Person Who Entered the House of John M. Griffith... Portage, NY: October 11, 1897.

14" x 10" broadside. Light toning and edgewear, minor foxing, three horizontal and one vertical fold lines, some with minor tears, a few mended on verso with archival tape. $400.

* The criminal "committed an assault upon [Griffith] by striking him in the face with a revolver, breaking his nose and cheek bone and severly [sic] injuring him." The burglar then "carried away Mr. Griffith's pantaloons containing about $6 or $7 in cash and his keyes [sic]." Portage is a town in Livingston County, New York. No copies located on OCLC.

Catherine II Reorganizes Her Empire

11. Catherine II [1729-1796], Empress of Russia.
[Fueslin, M., Translator].
Reglements de sa Majeste Imperiale Catherine II. Imperatrice & Autocratrice de Toutes les Russies &c. Pour l'Administration des Gouvernements de l'Empire des Russies. Traduit d'Apres l'Original Russe. St. Petersburg: Chez J.J. Weitbrecht, 1778. x, [2], 196 pp. Quarto (8-1/2" x 6-1/2").

Contemporary diced calf, gilt rules and central gilt arms (of Baron Stuart de Rothesay) to boards, blind tooling, gilt bands and gilt title to spine, gilt inside dentelles, marbled endpapers. Light rubbing to extremties, heavier rubbing to joints and spine ends, joints just starting at head, corners bumped and lightly worn. Woodcut head-pieces. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown. A handsome copy. $3,500.

* Second and final French-language edition. Guided by her *Nakaz* (*Instruction*), the All-Russia Legislative Commission worked to devise a modern legal code based on progressive Enlightenment principles to replace the Muscovite Code of 1649. The Commission's work was slow and fitful; it had accomplished little by 1774. Indeed, it never produced a new code. Impatient, Catherine II began to issue a series of specific orders based on the *Nakaz*. Issued in 1775, the *Statute for the Administration of the Provinces of the Russian Empire* reorganized the Russia empire into provinces and districts and increased the size and scope of local government. Other statutes defined the status of nobles (1785), reorganized the social structure (1785), regulated commerce (1781), reformed criminal law (1782) and expanded educational opportunities (1786). These activities attracted attention throughout Europe, which led to a few translations. The first French translation of the present code was published in Liege in 1777. Our copy of the 1778 edition was owned by Charles Stuart, Baron Stuart de Rothesay [1779-1845], secretary of the French embassy at St. Petersburg (1804-1808), later ambassador (1841-1843). According to Barbier, this edition was translated by a M. Fueslin. OCLC locates 7 copies worldwide, 5 in North America, none in law libraries. Barbier, *Dictionnaire des Ouvrages Anonymes* Vol. 4, Col. 192. This edition not in the *British Museum Catalogue*.

First Edition of the *Nakaz* in English

12. Catherine II, Empress of Russia
Tatichtchev, Mikhail, Translator.
The Grand Instructions to the Commissioners Appointed to Frame a New Code of Laws for the Russian Empire: Composed by Her Imperial Majesty Catherine II, Empress of All the Russias. To which is Prefixed a Description of the Manner of Opening the Commission, With the Order and Rules for Electing the Commissioners. Translated from the Original, In the Russian Language. London: Printed for T. Jefferys, 1768. xxiii, [1], 3-258 pp. Quarto (10-1/4" x 8-1/4").

Recent period-style calf, blind rules with corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed. Light toning to text, negligible light foxing to a few leaves, internally clean. A handsome copy. $3,000.

* First edition in English. The *Nakaz*, or *Instruction*, is a statement of legal principles written by Catherine II between 1764 and 1766. It was among her most ambitious and significant undertakings. Infused with the ideas of the French Enlightenment, and copied mostly from the work of Voltaire, Montesquieu and Beccaria, it was compiled as a guide for the All-Russia Legislative Commission convened by the Empress in 1767 to create a new code to replace the 1649 Muscovite Code. Revised in consultation with Frederick the Great and Voltaire, the *Instruction* proclaimed the equality of all men before the law and denounced torture and the death penalty. Unfortunately, her proposed code was never completed. Catherine's manuscript was written in French, and she later produced a Russian translation. It was published in Moscow in 1767. An edition with a parallel German translation was published in the same year, also in Moscow. According to the *ESTC*, this was the source of Tatichtchev's translation. The first German edition was published in Frankfurt and Leipzig in 1769. The book was initially banned in France because it was too liberal; the first edition in Francophone Europe was produced in Switzerland (with a false imprint) in 1769. OCLC locates 12 copies of Tatichtchev's translation in North American law libraries. See Camus, *Bibliotheque Choisie des Livres de Droit* 3301. *English Short-Title Catalogue* N6651.

"The Most Learned Civilian of His Time"

13. Cowell, John [1554-1611].
Institutiones Juris Anglicani Ad Methodum Et Serium Institutionum Imperialium Compositae & Digestae. Opus non Solum Iuris Anglicani Romaniq[*ue*] *in hoc Regno Studiosis, Sed Omnibus qui Politeian & Consuetudines Inclyti Nostri Imperii Penitius Scire Cupiunt, Utile & Accommodatum. Cum Duplici Indice, Quorum Alter Titulos Ordine Alphabetico, Alter Obscuras Iuris Ang. Dictiones Earumq*[*ue*] *Explicationem Continet*. Cambridge: Ex Officina Iohannis Legat, 1605. [xii], 268, [20] pp. Octavo (6-1/2" x 4-1/2").

Contemporary limp vellum, early hand-lettered title to spine. Moderate soiling, corners and spine ends bumped, small hole to center of spine, pastedowns loose. Large seal of Cambridge University to verso of title. Some toning, moderate edgewear to endleaves. Early owner signature (of Charles Milborne) to front and rear endleaves, interior otherwise clean. $1,500.

* First edition. As Walker notes, Cowell was "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. As indicated by its title, the *Institutiones* 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." A translation of this book was ordered by Parliament in 1651, which indicates its stature during the Commonwealth period (despite Cowell's support of the crown). There were five editions in all; the final edition, in Latin, was published in 1676. Walker, *The Oxford Companion to Law* 311. Holdsworth, *A History of English Law* V:21. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:21 (7).

Classic Illustrated Sixteenth-Century Treatise on Criminal Law with Contemporary Annotations and a Notable Association

14. Damhouder, Josse de [1507-1581].
[Kantorowicz, Hermann (1877-1940)].
Praxis Rerum Criminalium: Praetoribus, Propraetoribus, Consulibus, Proconsulibus, Magistratibus, Reliquisque id Genus Iustitiariis ac Officiaiis, Apprime Utilis & Necessaria. Antwerp: Ioannem Bellerum, 1570. 508 pp. Text in parallel columns. 72 woodcuts. 68 depict criminal acts, 2 depict types of torture, 2 are coats of arms (of Damhouder and the book's dedicatee, King Philip II). Twelve leaves, including one with a woodcut, supplied as bound-in facsimiles. Quarto (8-3/4" x 6-1/2").

Twentieth-century quarter vellum over cloth, lettering piece to spine, endpapers renewed. Negligible light soiling, a bit of discoloration to boards. Moderate toning to text, somewhat heavier in places, occasional light foxing, early repair to lower corner of title page. Contemporary annotations throughout in black and red ink, illegible owner signature dated 9 July 1572 and owner signature of Hermann Kantorowicz dated 1903 to title page. Ex-library. Bookplate to front pastedown. A unique copy of an important title. $2,500.

* First published in 1551, this was the first comprehensive study of criminal procedure published in northern Europe. A synthetic work drawn mostly from Roman-Dutch sources, it was based on Philip Wielant's *Practycke Crimineele* (1439-1519) and other earlier treatises. Published in Latin, Dutch and French, it was standard authority throughout the continent for many years. This Dutch edition from 1570 is illustrated throughout with woodcuts depicting adultery, murder, theft and many other crimes. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. Kantorowicz was a distinguished German jurist and law professor. Removed from his professorship at the University of Kiel by the Nazis in 1933, he moved to the United States, then Great Britain, where he taught at the New School for Social Research, City College of New York, the London School of Economics, All Souls College, Oxford, and Cambridge University. Dekkers, *Bibliotheca Belgica Juridica* 44.

Darrow Discusses an Issue
Concerning the Publication of His Autobiography

15. Darrow, Clarence [1857-1938].
[Spingarn, Arthur (1878-1971)].
[*Typed Letter, Signed, To Spingarn, On His Personal Letterhead, October 24, 1931, With Five-Line Holograph Postscript, Signed "D"*]. Single 10-1/2" x 7-1/4" sheet. Some toning, two horizontal fold lines, otherwise fine $2,500.

* Darrow discusses a sensitive issue concerning the placement of *The Story of My Life*, then in manuscript. He is looking for a publisher and is troubled by the interest shown by his former publisher, Horace Liveright. Darrow wants advice on the best way to push him away. Spingarn was contacted because he assisted Darrow with a related issue. In the previous month he negotiated Darrow's release from a contract with Liveright. (Darrow sought this release because he wasn't happy with the promotional efforts for, or sales of, its edition of *Farmington*.) The holograph postscript refers to the article "Why the 18th Amendment Cannot Be Repealed," which appeared in the November 1931 issue of *Vanity Fair*: "I have a story...on what one can and can not do to get rid of prohibition. We can not repeal the 18th Amendment." Spingarn, an attorney, was a civil rights pioneer and president of the NAACP from 1940 to 1965. He helped coordinate the defense team for Dr. Ossian Sweet, which was led by Darrow. See the letter of September 25, 1931 to Spingarn in Darrow, *In the Clutches of the Law: Clarence Darrow's Letters*, Ed. Randall Tietjen 425.

1671 Edition of Dugdale's
***Origines Juridiciales* Extra-Illustrated on 138 Leaves**

16. 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. With Additions. [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, five (of six) portrait plates (of Heath, Clenche, Hide, Bridgeman and Crew), the sixth plate (of Coke), lacking. Extra-illustrated on 138 leaves of plates, 108 full-page, 3 folding. Main text in parallel columns. Folio (13-3/4" x 8-3/4").

Recent period-style paneled calf, gilt rules to boards enclosing central frames with lozenge pattern, raised bands and lettering piece to spine, endpapers renewed, all edges gilt, partially detached ribbon marker. Title page printed in red and black. Moderate toning in places, early annotations and owner signatures (S.G. Fenton) to front free endpaper, occasional annotations to added plates, interior otherwise clean. $3,500.

* Second edition. 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. This copy is missing one of its original plates. However this loss is compensated by the addition of more than 100 extra-illustrated leaves depicting royalty, jurists, ecclesiastical and political leaders, the Inns of Court and other significant structures, documents and notable moments in history. *English Short-Title Catalogue* R225633. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:22 (13).

An Untrimmed Interleaved Copy of Dyer's
Abridged *Reports* Annotated Throughout in Contemporary Hand

17. Dyer, Sir James [1510-1582].
Un Abridgement de Touts les Cases, Reportes per Mounsieur Iasques Dyer. Ore Novelment Imprimee. London: Printed for the Companie of Stationers, 1609. 99, [1] ff., interleaves, 23 blank leaves at rear of text. Octavo (5-1/2" x 4").

Contemporary vellum with fold-over flap and later (?) cloth tie, old repair to head of spine. Light shelfwear and soiling, some edgewear to bottom edge of rear board, hinges cracked. Very light toning to text, annotations throughout text and interleaves in neat contemporary hand, owner signature, "Tho. Peachell/ 1685," to front pastedown, "George Curo, his book, Ended March 25th 1643/ Sit gloria Deo" to foot of fol. 99. An appealing copy with wide untrimmed margins. $6,500.

* Second dated edition, preceded by the 1602 edition and two undated editions (London; c. 1590? and c. 1595?). Dyer's *Reports*, which contains cases heard in the Courts of Common Pleas, King's Bench, Exchequer and Chancery from 1513 to 1582, was originally issued in 1585. One of the first publications of its kind, it was also the first to be referred to regularly as "Reports." A work of great authority (second only to that of the Year Books), it went through several editions and abridgments in Law-French and English. Our copy is particularly interesting for its extensive notes by a contemporary owner (probably by Curo) who had the sheets bound with interleaves. These are filled with case and text citations, glosses and analytical comments. *English Short-Title Catalogue* S100016. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:300 (50).

The First Work
Devoted to Laws Relating to Women

18. 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, *A Legal Bibliography of the British Commonwealth* 1:500 (24) Sowerby, *Catalogue of the Library of Thomas Jefferson* 1999.

An Early Authority on the Laws of War

19. Ferretti, Giulio [1480-1547].
De Iure, Et Re Navali. Et de Ipsius Rei Navalis et, Et Belli Aquatici Praeceptis Legitimis, Liber. Venice: Apud Franciscum de Franciscus Senensem, 1579. [iv], 163 [i.e. 167], [1] ff. Quarto (8-1/2" x 6").

Contemporary three-quarter vellum over marbled boards, early hand-lettered title to spine. Some scuffing and a few chips to boards, chipping to foot of spine, a scattering of small wormholes and a small inkstain to backstrip, hinges cracked, a bit of worming to pastedowns and endleaves, partial crack to text block between ff. 159 and 160. Attractive woodcut head-pieces and decorated initials. Light toning to text, somewhat heavier in places, occasional faint dampstaining, internally clean. $2,950.

* First edition. Ferretti was a jurist who spent most of his career as a member of the Papal Curia. Highly regarded, he was knighted by Pope Clement VII. He was one of the first early modern jurists to study the laws of war. He devoted three books to this topic: *Liber de Iusto & Iniusto Bello* (1547), *De Re et Disciplina Militari* (1575), which deal with land warfare and military discipline, and *De Iure, Et Re Navali*, which deals with naval warfare. A second edition of *Navali* was published in 1584. Both are scarce. OCLC locates 3 copies of the first edition in North America, 2 in law libraries (Harvard, University of Michigan), none of the second edition. *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE18860.

Scarce Collection of Reformation-Era
Consilia by an Important German Jurist

20. Fichard, Johann [1512-1581].
Strauch, Johann, Preface.
Consilia, Duobus Tomis Olim Distincta, Nunc Tertii, Hactenus in Schedis Delitescentis, Sed ab Interitu Vindicati, Accessione Locupletata. Opus Quotidianorum non Minus, Quam Difficilimorum, Qua Publici, Qua Privati Iuris, Casuum Solida Resolutione Refertissimum, Cum Praefatione Johannis Strauchii, Rerum Item & Verborum Indicibus Accuratissimis. Frankfurt and Darmstadt: Sumptibus Alberti Ottonis Fabri, 1677. [xviii], 314 [i.e. 312], [46], 602 [i.e. 592], [46], 120, [20] pp. Main text in parallel columns. Half-title lacking, replaced with a blank leaf. Three parts, second and third with divisional title page; main title page preceded by copperplate pictorial title page with architectural border with depicting the arms of the Holy Roman Empire, Lady Justice ("Justicia"), a twin sister labeled "Jurisprudentia," and the city of Frankfurt. Folio (13" x 8").

Contemporary vellum, early hand lettered title to head of spine. Some soiling, light rubbing to extremities, corners bumped and lightly worn. Main title page, which has a large copperplate vignette, printed in red and black. Light toning to text, slightly heavier in places, lower corner excised from main title page (with no loss to text). Early owner signature to head of front free endpaper, interior otherwise clean. Ex-library. Fragment of shelf label to spine, bookplate to front pastedown, tiny inkstamps to main title page and several other leaves. A handsome copy of a scarce volume. $2,750.

* Third, final and best edition. Fichard was one of the great German jurists of the sixteenth century. Active in Frankfurt, he represented the city after it embraced Protestantism, which initiated a series of lawsuits over property with the Holy Roman Empire and Catholic Church. This collection of his

consilia, including several relating to Frankfurt's Reformation-related lawsuits, was first published in 1590 as a one-part work. The second edition, in two parts, followed in 1605. The third edition is the largest of the three. All editions are scarce. OCLC locates no copies of the third edition in North America. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 7:697913H.

"All Manner of Offendors Against the Publick Peace"

21. Forster, Thomas.
The Lay-Mans Lawyer, Reviewed & Enlarged. Being a Second Part of the Practice of the Law, Relating to the Punishment of Offences Committed Against the Publique Peace. Containing the Forms of Process, Indictments, And Proceeding to Judgement, As Well in All Manner of Crimes Deserving Death, As Others, Of Corporall and Pecuniary Punishments: Also the Severall Causes and Cases Wherein such Respective Proceedings Ought to be Had; Collected into Heads Out of the Books of Law at Large. Also a Discourse of Pardons and Remissions of Punishments: The Office and Duty of a Goaler, Constable, And Other Assistants for Preservation of the Peace. With an Exact Table, Relating to All the Matters Therein Contained. London: Printed for H. Twyford, and J. Place, 1656. [xiv], 338, [24] pp. Octavo (6-3/4" x 3-1/2").

Recent period-style calf, blind rules to boards, gilt-edged raised bands and lettering piece to spine, endpapers renewed. Some toning to text, occasional minor staining to margins. Early annotations to endleaves and a few text leaves, early owner initials to fore edge. A nice copy of a scarce title. $2,500.

* Only edition. This guide was first published in 1654 as the second part of Forster's *Complete Attorney* (i.e. "Practice of the Law"). It was "reviewed and enlarged" as an independent work. It is a remarkably comprehensive layman's guide. To quote the introduction, it "contains the formes of all manner of Warrants and Precepts sent out from Authority, to attach and apprehend all manner of Offendors against the publick peace; the formes of all Mittimusses made thereupon, of all indictments, for all sorts of Offences, from the highest to the lowest, very exact: Supersediasses, Certioraries, the proceedings in Tryalls against all Offendors for Treason, Felony &c: together with the whole Learning of Clergy, who shall have it allowed, And in what Offences, and who shall not have it: As also the Office and Duty of a Gaoler, never before in any of teh Books of the Law, so exactly set forth; the duty of Church-wardens, so far onely as they are impowered by divers Statutes, to be assistant to the Constables, the Ordinary conservators of teh Peace in this Commonwealth" ([xii-xiv]). OCLC locates 4 copies in North American law libraries (Library of Congress, University of Michigan, University of Pennsylvania, Yale). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:362 (32).

First Edition of the First English Legal Treatise

22. Glanville, Ranulf de [d. 1190], Attributed.
Tractatus de Legibus et Consuetudinibus Regni Anglie. Tempore Regis Henrici Secundi Compositus, Iusticie Gubernacula Tenente Illustri Viro Ranulpho de Glanuilla Iuris Regni & Antiquarum Consuetudinum eo Tempore Peritissimo. Et Illas Solu[*m*] *Leges Continet et Consuetudines Secundum Quas Placitatur in Curia Regis ad Scaccarium et Coram Iusticiis Ubicunque Fuerint. Huie Adiectae Sunt a Quodam Legem Studioso Adnotationes Aliquot Marginales Inutiles.* [London: In Aedibus Richardi Totteli, c.1554]. [iii], 5, 5-44, 43-113, [17] ff. (Fol. P8 a blank). Octavo (5-1/2" x 3-1/2").

Recent period-style calf, old calf covers with small central arabesques laid down, raised bands and gilt title to spine, endpapers renewed, title page mounted. Light toning to text, some staining to title page and another leaf, gutter of last leaf adhered slightly to facing endpaper just touching text, two small wormholes to upper margins with no loss to text, early annotations to head of title page and a few leaves. Ex-library. Small inkstamp to fol. 59. An attractive copy. $12,500.

* First edition. As Winfield notes, the anonymous Latin text long attributed to Glanville (or Glanvill) is the "first classical textbook of English law." Completed around 1189, it describes the procedure of the King's Bench. There is much information pertaining to litigation and includes the texts of approximately eighty writs. Glanville was a major contribution to the development of the common law tradition. It continued to be a primary reference for several generations. Coke, for example, praised it wholeheartedly and used it liberally in his *Reports*. Though overshadowed by Bracton's larger treatise, Glanville is still cited today. It also remains useful for its unparalleled insights into the nature of land law and procedure in medieval England. *English Short-Title Catalogue* S102455. Beale, *A Bibliography of Early English Law Books* T365. Sowerby, *Catalogue of the Library of Thomas Jefferson* 1769.

Unique Volume of Thirteen Scarce
Seventeenth-Century Titles Concerning the Glorious Revolution

23. [Great Britain].
[Glorious Revolution].
Warrington, Henry Booth, Earl of [1652-1694], Defendant.
The Tryal of Henry Baron Delamere for High-Treason, In Westminster- Hall, The 14th Day of January, 1685. Before the Right Honourable George Lord Jeffreys, Baron of Wemm, Lord High Chancellour of England, Constituted Lord High Steward on that Occasion. On Which Day, After Full Hearing, The Lord Delamere was Acquitted from All Matters Laid to His Charge. London: Printed for Dorman Newman, 1686. [iv], 87, [1] pp. Only edition. *English Short-Title Catalogue* (*ESTC*) R23568.

[Bound With].

Pritchard, Sir William [1632?-1705], Plaintiff.

An Exact Account of the Trial Between Sr. William Pritchard, Kt. And Alderman of the City of London, Plaintiff, And Thomas Papillon, Esq; Defendant; In an Action Upon the Case at the Sessions of Nisi Prius Holden for the Court of King's Bench at the Guild-Hall in the City of London, on Thursday the 6th of November, 1684. In Michaelmas Term, In the 36th year of the Reign of King Charles the Second. Before Sir George Jefferies, Kt. And baronet, Then Lord Chief Justice of the Said Court of King's Bench. To Which is Added, The Matter of Fact Relating to Election of Sheriffs, As it Was Printed in the Year 1682. London: Printed and Sold by Richard Janeway, 1689. [iv], 36 pp. Only edition. *ESTC* R12402.

[And]

[Trial of the Seven Bishops].

The Proceedings and Tryal in the Case of the Most Reverend Father in God William Lord Archbishop of Canterbury, And the Right Reverend Fathers in God, William Lord Bishop of St. Asaph, Francis Lord Bishop of Ely, John Lord Bishop of Chichester, Thomas Lord Bishop of Bath and Wells, Thomas Lord Bishop of Peterborough, And Jonathan Lord Bishop of Bristol. In the Court of Kings-Bench at Westminster, In Trinity-Term in the Fourth Year of the Reign of King James the Second, Annoque Dom. 1688. London: Printed for Thomas Basset, 1689. [8], 140 pp. Copperplate frontispiece. First edition. *ESTC* R7827.

[And]

[Francis, Alban].

The Cambridge Case, Being an Exact Narrative of All the Proceedings Against the Vice-Chancellour and Delegates of that University, For Refusing to Admit Alban Francis, A Benedictine Monk, To the Degree of Master of Arts, Without Taking the Oaths. London: Printed by Randal Taylor, 1689. [iv], 16 pp. Only edition. *ESTC* R17462

[And]

[Hales, Sir Edward [d. 1695], Defendant.

The Case of Sir Edward Hales, Baronet. Being an Exact Account of the Tryal Upon an Action of 500 Pound [sic] Brought Upon Him, With his Plea Thereto, Upon the King's Dispensing with the Stat. 25. Car. II and the Opinion of the Judges Thereupon. London: Printed for J. Watts, 1689. 11, [1] pp. Only edition. *ESTC* R8988.

[And]

Atkyns, Sir Robert [1621-1709].

An Enquiry Into the Power of Dispensing with Penal Statutes. Together With Some Animadversions Upon a Book Writ by Sir Edw. Herbert, Lord Chief Justice of the Court of Common Pleas, Entituled, A Short Account of the Authorities in Law, Upon Which Judgment was Given in Sir Edward Hales's Case. London: Printed for Timothy Goodwin, 1689. [iv], 58, [2] pp. Final leaf blank. *ESTC* R22814.

[And]

Atkyns, Sir Robert.

The Power, Jurisdiction and Priviledge of Parliament; And the Antiquity of the House of Commons Asserted. Occasion'd by an Information in the Kings Bench, By the Attorney General, Against the Speaker of the House of Commons. As Also a Discourse Concerning the Ecclesiastical Jurisdiction in the Realm of England, Occasion'd by the Late Commission in Ecclesiastical Causes. London: Printed for Timothy Goodwin, 1689. [iv], [iv], 74, [2] pp. Last leaf blank. In two parts with continuous pagination, second part has title: *Discourse Concerning the Ecclesiastical Jurisdiction in the realm of England*. Only edition, one of two issues from 1689. *ESTC* R479166.

[And]

[Jenkins, David (1582-1663)].

The Kings Prerogative, And the Subjects Privileges Asserted According to Law and Reason. By a Person of Honour. London: S.n., 1680. *ESTC* R5681.

[And]

Ormonde, James Butler, Duke of [1610-1688], Defendant.

A True Account of the Whole Proceedings Betwixt His Grace James Duke of Ormond, And the Right Honor. Arthur Earl of Anglesey Late Lord Privy-Seal, Before the King and Council, And the Said Earls Letter of the Second of August to His Majesty on that Occasion. With a Letter of the Now Lord Bishop of Winchester's to the Said Earl, Of the Means to Keep out Popery, And the Only Effectual Expedient to Hinder the Growth Thereof, And to Secure Both the Church of England and the Presbiterian [sic] *Party*. London: Printed for Thomas Fox, 1682. [viii], 28 pp. First leaf blank. Only edition. ESTC *R24643*.

[And]

[Settle, Elkanah (1648-1724), Attributed].

The Character of a Popish Successour, And What England May Expect from Such a One. Humbly Offered to the Consideration of Both Houses of Parliament, Appointed to Meet at Oxford, On the One and Twentieth of March, 1680/1. London: Printed for T. Davies, 1681. [iv], 36 pp. First edition, one of two issues from 1681. *ESTC* R222377.

[And]

Settle, E[lkanah].

The Present State of England in Relation to Popery Manifesting the Absolute Impossibility of Introducing Popery and Arbitrary Power into this Kingdom. Being a Full Confutation of All Fears and Apprehensions of the Imagined Dangers from Thence; And Particularly of a Certain Pamphlet, Entituled, The Character of a Popish Successor. London: Printed by J. Gain for William Cademan, 1684. [viii], 28 pp. First edition, one of two issues from 1684. *ESTC* R182037.

[And]
[Somers, John Somers, Baron (1651-1716)].
A Brief History of the Succession, Collected Out of the Records, And the Most Authentick Historians. Written for the Satisfaction of the Earl of H. [Caption title]. [London: S.n., 1680]. 19, [1] pp. First edition, one of two issues from 1680. *ESTC* R11938.
[And]
[Brady, Robert (1627?-1700)].
The Great Point of Succession Discussed. With a Full and Particular Answer to a Late Pamphlet, Intituled, A Brief History of Succession, &c. London: Printed for H. Rodes, 1681. [ii], 38 pp. Only edition. *ESTC* R19501.

Contemporary calf with recent rebacking, blind rules to boards, gilt-decorated raised bands, blind ornaments and lettering piece to spine, hinges reinforced. Moderate rubbing to boards, corners bumped and somewhat worn, later armorial bookplate and early manuscript table of contents to front pastedown. Moderate toning, occasional faint dampstaining and edgewear. Early annotations and inkspots to some leaves, interior otherwise clean. $3,500.

* This remarkable volume collects thirteen trials and tracts from 1680 to 1689 relating to the interrelated religious legal and political issues surrounding the Glorious Revolution of 1688. The binding indicates that it was compiled in the late-seventeenth century. The volume reflects great editorial care, including the creation of a table of contents. Although each item is notable, the entire group is especially interesting because it records what a contemporary witness thought were the key issues relating to the deposition of James II and the accession of co-monarchs William III and Mary II. (Edition statements and *English Short-Title Catalogue* item numbers at the end of each entry above.)

Fifteenth-Century Venetian Imprint of an Important
Law Dictionary in a Handsome Contemporary Binding

24. [Jodocus of Erfurt, Attributed].
Vocabularium Iuris. [Venice: Bernardini Stagninus de Tridino, 1498]. Collation: A-B6, C7, D-M6. 73 ff. Complete. Text in parallel columns. Folio (12" x 8").

Contemporary half-calf with elaborate blind tooling over wooden boards, raised bands to spine, clasps lacking, buckles present, earlier liturgical musical manuscript on vellum used as endpapers, leaves from an earlier manuscript used as pastedowns, early hand-lettered title to head of text block. A few cracks to spine, small chip to head. Text printed in 71-line Gothic type on wide-margined paper, large woodcut capital at beginning of text. Light toning to text, faint dampspotting to a few leaves. Later annotations to front pastedown, partially erased early owner signature to title page, interior otherwise clean. $18,500.

* A work of great authority, the *Vocabularius*, as it is popularly known, is attributed occasionally to Jacobus of Erfurt. First published around 1474 in Basel, it went through more than seventy editions over the following 150 years. (It had a second life as the first section of the 1559 edition of Elio Antonio de Nebrija's *Lexicon Juris Civilis*, a work that was reissued into the seventeenth century.) A useful and highly respected reference work, the *Vocabularius* is a collection of terms dealing with the *Ius Commune* taken from such late-scholastic texts as the *Vocabularius Stuttgardiensis* (1432), the *Collectio Terminorum Legalium* (c. 1400) and the *Introductorium pro Studio Sacrorum Canonum* of Hermann von Schildesch (c. 1330). OCLC locates 1 copy of this imprint in North America (at the University of Michigan Law Library). We located other copies at George Washington University and UNC-Chapel Hill. The collation listed in the *GW* indicates 6 leaves in Gathering C and a page count of 74 ff. Our copy is complete, however, matching the collations of the copies held at GWU, Michigan and UNC. Goff, *Incunabula in American Libraries* V356. *Gesamtkatalog der Wiegendrucke* M12676.

Rule Britannia,
Britannia Rule the Waves!

25. Justice, Alexander.
A General Treatise of the Dominion and Laws of the Sea. Containing What is Most Valuable Upon that Subject, in Ancient and Modern Authors. And Particularly that Excellent Body of Sea-Laws Lately Published in France; Besides the Ancient Laws of the Rhodians and Romans, and of Oleron, and Other Countries; With a Collection of the Marine Treaties Concluded During the Last Century. Together with Several Discourses About the Jurisdiction and Manner of Proceeding in the Admiralty of England, Both in Criminal and Civil Matters, And Adjudg'd Cases in Several Courts Concerning Trade and Navigation. In All Which are Explain'd at Large the Laws and Customs of Merchants, And of the Courts in Cases of Bottomry, Insurances, Charter-Parties, Bills of Lading, And of Piracy, and Letters of Marque and Reprisal. To Which is Subjorn'd; An Appendix Concerning the Present State and Regulations of the Admiralty and Navy, And Means for Improving It, And a Proposal for the More Easy and Expeditious Manning of the Fleet Without Pressing. Dedicated to His Royal Majesty the Prince. London: Printed for S. and J. Sprint and J. Nicholson, 1705. [xii], vi, 660, 40, [8] pp. Folding allegorical copperplate frontispiece. Folding copperplate table of naval flags. Quarto (9" x 6-1/2").

Contemporary calf, blind rules and fillets to boards, rebacked in period style with raised bands and blind ornaments, contemporary lettering piece retained, endpapers renewed. Rubbing to board edges with some wear to corners, a few shallow scuffs to boards, light staining near top and fore-edges. Moderate toning to text, somewhat darker in places, occasional faint dampstaining to margins, foxing

to a few leaves, minor edgewear to plates and preliminaries and final few leaves, one with a clean tear mended with archival tape. Faint early owner signature to head of title page, interior otherwise clean. An appealing copy. $2,500.

* First edition, one of two issues from 1705, both by the same publisher. This important work includes a well-documented historical section, texts of the most important codes, a collection of treaties, and suggestions for the future of British shipping. It also contains a translation of Estienne Cleirac's *Us et Coutumes de la Mer* (This is the "excellent body of sea-laws lately published in France" mentioned in the book's title. "Lately" is misleading; It appears that Justice used the third French edition, which was published in 1670 and reissued in 1671.) "[Justice's treatise] is a valuable work, and was much used by Lord Tenterden in writing his book on shipping.": Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:509. *English Short-Title Catalogue* N28756.

Handsomely Decorated 1484 Venetian Imprint of the Institutes with Accorso's Gloss

26. [Justinian I, Emperor of the East (483-565 CE)].
[Accorso, Francisco (Accursius) (c.1182-c.1260), Glossator].
[Institutiones]. [Venice: Andreas de Soziis, 1484]. Collation: a-c8, d-l6. [72] ff. Complete. Text in parallel columns. Main text surrounded by linear gloss. Folio (16-1/2" x 11").

Contemporary blind-tooled calf over plain wooden boards, bronze clasps, calfskin latches lacking. Some wear to spine ends, a scattering of tiny (and negligible) worm holes, "INSTIVTIONVN IVSTIN: IMP" in somewhat later hand to head of front board, front pastedown lacking, rear pastedown loose, leaf a8 partially detached and lightly edgeworn. Printed throughout in red and black in 73-line rounded Gothic type, initial spaces rubricated throughout in red and blue, numerous initials with trailing marginal extensions, first text leaf elaborately decorated in blue, red, pink and brown ink with birds of prey, insects, and the faces of dogs and men, about a dozen other initials incorporate features of birds, men and dogs. Light toning, dampstaining to foot of text block (touching up to five lines of text), a few minor worm holes to bottom margin. Recent annotations, early annotations and some bookplate residue to front free endpaper, other early annotations to upper margins of some leaves. A nice copy with remarkable penwork. $23,000.

* With the *Glossa Ordinaria* of Accursius. Along with the *Digest*, *Code* and *Novels*, the *Institutes* is one of the writings known collectively as the *Corpus Juris Civilis*. Intended for students, the *Institutes* is an elementary treatise on Roman private law. Like its companion volumes, its subsequent influence on European jurisprudence is difficult to underestimate. It received a great deal of commentary during the medieval and early modern eras. The first significant commentator was Accorso (Accursius), a professor of law at the University of Bologna and a leading figure in the revival of classical jurisprudence. He examined every extant note and commentary when he prepared his epochal edition of the *Institutes*, *Digest* and *Code*. This massive effort eliminated much of the obscurity and contradiction introduced by earlier writers. His gloss on this edition, which superseded all previous attempts, was often cited as the *Glossa Ordinaria* or *Magistralis*. It remained definitive until its 1583 revision by Denis Godefroy. OCLC locates 1 copy of this imprint in North America (Columbia University). Goff, *Incunabula in American Libraries* J-526. *Gesamtkatalog der Wiegendrucke* 7610.

First Edition of Lambard's *Eirenarcha*

27. 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 Gratious 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, *Bibliography of English Law Books* T387. *English Short-Title Catalogue* S109320.

Interleaved and Heavily Annotated

28. [Legal Education].
[Brewster, Samuel, Attributed].
A Brief Method of the Law. Being an Exact Alphabetical Disposition of All the Heads Necessary for a Perfect Common-Place. Useful to All Students and Professors of the Law; Much Wanted, And Earnestly Desired. Printed in This Volume for the Conveniency of Binding with Common-Place-Books. London: Printed for the Assignees of Richard and Edward Atkins, 1680. [iv], [4], 51, [1] pp. and 58 interleaves. Folio (14" x 9").

Recent three-quarter calf over cloth, raised bands and lettering piece to spine. Negligible rubbing to spine ends and corners. Light toning to text, some browning to margins, occasional finger smudges, minor chips and tears to a few leaves. Most interleaves filled in neat contemporary hand, occasional annotation, some quite extensive, throughout text. Ex-library. Bookplate to front pastedown. A fascinating, unique item. $3,500.

* Only edition. Holdsworth discusses this book in the *History of English Law*. He notes that the student of the late seventeenth-century was, for the most part "thrown upon his own resources; and that consequently the method of getting and assimilating a knowledge of law, which was universally recommended and generally followed, was the making of a commonplace book under alphabetical heads." He mentions this book as a tool to assist the student with this project. Attributed to Samuel Brewster, erroneously according to the *ESTC*, it is an elaborate outline of legal topics under 1,662 heads. As indicated in the preface, it was intended to be interleaved and common-placed according to the book's plan. The owner put our copy to good use. Most of the interleaves are filled with precedents and notes in English, Latin and Law-French. He also added occasional notes to the printed text. OCLC locates 2 copies in North American law libraries (Harvard, York). Holdsworth, *A History of English Law* VI:601. *English Short-Title Catalogue* R4261. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:17 (2).

Pioneering Edition of the Barbarian Law Codes

29. Lindenbrog, Friedrich [1573-1648], Editor.
Codex Legum Antiquarum, In quo Continentur: Leges Wisigothorum. Edictum Theodorici Regis. Lex Burgundionum. Lex Salica. Lex Alamannorum. Lex Baiuvariorum. Decretum Tassilonis Ducis. Lex Ripuariorum. Lex Saxonum. Angliorum et Werinorum. Frisionum. Longobardorum. Constitutiones Siculae Sive Neapolitanae. Capitulare Karoli M. et Hludovici Impp. &c. Quibus Accedunt Formulae Solennes Priscae Publicorum Privatorumque Negotiorum, Nunc Primum Editae: Et Glossarium Sive Interpretatio Rerum Vocumque Difficilium & Obscuriorum. Frankfurt: Apud Iohannem & Andream Marnios & Consortes, 1613. [xxiv], 1570, [2] pp. Folio (13" x 8-1/2").

Contemporary calf, gilt spine with raised bands and lettering pieces. Rubbing to extremities, corners worn, boards somewhat bowed and beginning to separate, chipping to head of spine, lower portion of backstrip lacking, bookplate removed front pastedown. Light toning to text, somewhat heavier in places, occasional light browning or dampspotting to outer margins, finger smudges to a few leaves, internally clean. Ex-library. Small inkstamp to foot of title page. $1,500.

* First edition. This is the best of the earliest critical editions of the Visigothic, Lombard and other Barbarian codes. A fine example of early modern philology, coupled with a deep understanding of Roman sources, it was not superseded until the nineteenth century. It remains a useful reference. Later editions were published in 1614 and 1693. All are scarce. OCLC locates 7 copies of the first edition in North American law libraries (Harvard, U.S. Department of Justice, UC-Berkeley, University of Michigan, University of Pennsylvania, University of Texas, Yale). Stintzing/Landsberg, *Geschichte der Deutschen Rechtswissenschaft* I:738.

Heavily Annotated 1594 Edition of Littleton

30. 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 Misprender 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 Yetswerti 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, rebacked 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 Bradsharve) 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. Holdsworth, *A History of English Law* II:573. *English Short-Title Catalogue* S108064. Beale, *Bibliography of Early English Law Books* T36.

Interleaved and Heavily Annotated 1583 Edition of Littleton

31. Littleton, Sir Thomas [1402-1481].
West, William [fl. 1568-1594], Editor.
Les Tenures du Monsieur Littleton, Ouesque Certein Cases Addes per Auters de Puisne Temps, Queux Cases vous Troveres Signes Ouesque Cest Sign[*e*] [*fleuron*] *al Co*[*m*]*mencement* [*et*] *Al Fine de Chescun Deux, Au Fine que ne Poies eux Misprender pur les Cases de Monsieur Littleton: pur quel Inconvenience, ils Fueront Derniermente Tolles de cest Liver. Et cy un Foits Pluis Admotes al Request des Gentill Homes Students en le ley Dengleterre. Cum privilegio. 1583*. [London: In Fleestrete Within Temple Barre, At the Signe of the Hand and Starre, By Rychard Tottill, 1583]. [ii], 103, 105-171, [24] ff. Title page of index, compiled by West, misbound after main title page. Interleaves. Octavo (5-3/4" x 3-3/4").

Contemporary limp vellum with lapped edges, thong ties. Light soiling and edgewear, a few minor stains, a few cracks to text block. Light toning to text, wide margins, extensive underlining and annotations to text and interleaves and endleaves in contemporary hand. An appealing copy. $12,500.

* 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 interpretive; some are glosses, cross-references and case references. Holdsworth, *A History of English Law* II:573. *English Short-Title Catalogue* S108638. Beale, *A Bibliography of Early English Law Books* T31.

Early Lectures on the Code Napoleon

32. [Manuscript].
[Code Napoleon].
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.

A Prominent New York Attorney

33. [Manuscript].
[Crist, Abraham (d. 1852)].
[*Archive of Letters of New York Lawyer Abraham Crist and His Family.*] c. 150 items, c.1820-1854: Various sizes ranging from 4-1/2" x 7-1/2" to 8" x 10."

Light toning and fold lines, some letters dampstained or edgeworn with negligible loss to text. All items housed in hinged sleeves in a three-ring binder. $1,500.

* Active in New York City and Brooklyn, Crist was a prominent member of the bar who perished in the wreck of the Hudson River steamer Henry Clay, one of the greatest maritime disasters in American history. (His death was mentioned in papers as far away as California.) This archive includes a great deal of Crist's professional correspondence dating back to the 1820s. Many letters concern his dealings with John C. Newkirk, a leading attorney of Hudson, N.Y. Another correspondent was Greene C. Bronson, a prominent Utica, N.Y. attorney and politician. There is also an interesting 1829 letter from Albany (author's name illegible) commenting on Crist's application to the State Legislature on behalf of a bank. The rest of the letters deal

with Crist's estate and the fate of his family. One poignant letter from this period, dated 1855, concerning Crist's son, Abraham, discussing his difficulties coping with life and his desire to be like his father. There is also a letter from an attorney concerning litigation against the Dry Dock Company, owners of the Henry Clay, along with related letters with comments on the litigation.

Account Book of a Notable
Nineteenth-Century Judge from Lancaster, Pennsylvania

34. [Manuscript].
[Long, Henry G. (1804-1888)].
Account of Monies Expended from May 1st 1865 to 1880. [170] pp. Quarto (7-1/2" x 6").

Quarter sheep over marbled boards, gilt fillets to spine. Moderate rubbing and a few stains to boards, backstrip abraded, worn away at ends and split through center, hinges cracked, binding still intact. Light toning to interior, content in fine neat hand to rectos and versos of all but three leaves. $850.

* This ledger records the professional and personal expenditures of Judge Henry G. Long. Among other expenses, it records tax payments, payments to professional organizations, clients, businesses and subscriptions to publications. Henry G. Long was born in Lancaster in 1804 and educated in the local schools. At the age of 17 he was appointed clerk in the prothonotary's office and eventually assumed most of his duties with distinction. He began legal studies with George B. Porter, a distinguished local lawyer, in 1824, was admitted to the bar in 1827 and established a successful practice in Lancaster. In 1828 he was county solicitor, a position he held for twenty years. In 1851 he was elected president judge of the Lancaster County Court of Common Pleas. Well-respected and popular, he was re-elected to a second term. Also active in politics, he served in the state legislature and was a member of the Pennsylvania Constitutional Reform Convention. This ledger is not signed or labeled with Judge Long's name. However, its content points strongly to him. Some of these entries include regular payments to members of the Long family, some identified as relatives. Others record payments related to estates he administered. Contents List, George B. Strong Collection, Lancaster Historical Society (http://lancasterhistory.org/). Harris, *Biographical History of Lancaster County* 372-374.

Land Indenture
Signed by Richard Varick

35. [Manuscript].
[New York City].
[*Indenture for New York City Property Signed by Mayor Richard Varick*]. New York City, 8 May 1800. 16" x 21." Toning, fold lines, light wear to edges, a few minor tears along folds. $300.

* This indenture (with seals) records the conveyance of a plot of land on Barclay Street, New York City, from "Cornelius Pawles of the City of New York Carpenter and his wife" to "Martin Pawles of Harrington in the county of Bergen and State of New Jersey." The verso has a one-page endorsement by Mayor Richard Varick signed with a bold signature.

Manuscript Record of a Northern English Law Society from 1889 to 1909

36. [Manuscript].
Sheffield & District Law Students' Society.
Committee Minute Book. [Sheffield, 1889-1909]. 77 ff. Numerous tipped-in items including several pamphlets and other multi-page items. Folio (12-3/4" x 8").

Contemporary limp calf, marbled endpapers, reinforced hinges. Heavily rubbed, corners worn, spine perished, text secure, large bookseller ticket (of a Sheffield stationer) to front pastedown. Content in neat hand to rectos and versos of most leaves, all tipped-in items annotated. $3,000.

* This textually rich volume is a fine record of the activities of an northern English law society around the turn of the twentieth century. It includes minutes of meetings, notices and notes of debates between the Sheffield society and others in Yorkshire and other places, newspaper reports of about these debates, which range from political topics, such as the abolition of trade unions, to fine points of law. There are also syllabi of meetings, printed committee reports, notes about membership, a note asking members to subscribe for a course of law classes at the Yorkshire College in Leeds, notes of special meetings, reports of the Congress of Law Students' Societies of Yorkshire, applications form and other correspondence, some relating to broader topics in legal education.

The members of the Sheffield Law Students' Society, like those of other societies that emerged across England in the nineteenth century, were not attached to a college of inn of court. They were articled clerks and autodidacts. The aims of the societies like Sheffield's were the encouragement of a more systematic legal education though correspondence between members on moot points and the organization of debates. These societies were inspired by the founding of the *Law Students' Magazine* in 1844. Most major English cities had a society by the end of the nineteenth century.

Memorandum on a Long Island
Land Case Prepared by a Prominent New York Lawyer

37. [Manuscript].
Strong, George Washington [1783-1855].
[Huntington, Long Island, New York].
Memorandum Relating to a View of the Islands in Controversy Between Nicoll and the Town of Huntington [caption title]. [New York, 21 June 1811]. 12 leaves comprising 21 manuscript pages. Quarto (8" x 6").

Ribbon-stitched notebook in heavy glazed card stock covers, contemporary manuscript title to front cover. Some soiling, edgewear and minor stains to exterior, vertical fold line through center of item. Text in small neat hand, date and Strong's signature at end of text. Some toning, light foxing in places. $500.

* Prepared by George W. Strong, this memorandum documents an interesting phase of a New York Supreme Court case, issued out of the Court of Chancery of New York, in which a jury of six was impaneled to determine the facts pertaining to a land title dispute in an area of Huntington, Long Island (then part of Queens' County). This chancery case, Nicoll *v.* Trustees of Huntington, required the precise location of rivers, inlets, and islands cited in a 1688 patent for land on the south shore of Long Island. Strong's memorandum records the case in the Supreme Court, John Doe v. Richard Roe, a feigned issue or trial to determine the rights of the plaintiff to the disputed land. The plaintiff in the case was "William Nicoll, an Infant." In the present record of the first part of the Supreme Court trial, both the plaintiff and the Defendant, the Town of Huntington, were to appoint "shewers" [showers] who would go out and "view" the lands in dispute on June 17, 1811. It seems that over the decades since the original 1688 land patent and after some great storms, the terrain had changed and geographic references had to be "shewn" and "viewed" in order to determine Nicoll's standing to sue the Town of Huntington. The disputed lands were islands near the mouth of the "Connetquent" [Connetquot] river and near Fire Island, Captree Island, and Oak Island. The second part of the present record describes the actual viewing of the land that took place on June 17 and 19, 1811. In the present case, the judge ruled against Nicoll's claim. Despite this setback and after an appeal, the case continued in the Chancery Court who finally ruled, in 1814, that the plaintiff was justified in suing, but that the defendants had no better claim. The judge ruled that it was a case of mutual error and dismissed the case without costs. The author of this memorandum and the attorney for the plaintiff in the Supreme Court, George Washington Strong, was one of New York's most prominent attorneys during the first half of the nineteenth century (and the father of George Templeton Strong, the noted attorney and diarist). The firm he founded, Strong, Taft and Cadwalader, was the predecessor of Cadwalader, Wickersham and Taft.

"Let Brotherly Love Continue"

38. Page, John.
Jus Fratrum, The Law of Brethren. Touching the Power of Parents, To Dispose of the Estates to Their Children, Or to Others. The Prerogative of the Eldest, And the Rights and Priviledges of the Younger Brothers. Shewing the Variety of Customes in Several Counties, And the Preservation of Families, Collected Out of the Common, Cannon, Civil, And Statute Laws of England. London: Printed by I.M. for Henry Fletcher, 1658 [i.e. 1657]. [x], 114 pp. Two parts with continuous pagination, the second part has a separate title page dated 1548 [i.e. 1658]. Octavo (5-1/2" x 3-1/2").

Later sheep, blind fillets to boards, lettering piece and blind fillets to spine. Some rubbing to extremities with chipping to spine ends, rear free endpaper lacking, a few partial cracks to text block. Light toning to text, some soiling and edgewear to title page, internally clean. Ex-library. Bookplate to front pastedown. $1,250.

* First edition. Page, a doctor of civil law, hoped this book would help to reduce the "many violent Law-suits daily prosecuted by brother against brother." By reading it, he hopes, "brethren may learn to know their Right, and that being known and obtained, I could wish them to be therewith content, and observe the Apostles divine command, Let Brotherly love continue" ([iii]-[iv]). A second edition was published in 1665 with the title *A Treatise Discovering the Rights and Priviledges of the Elder and Younger Brethren.* Both editions are scarce. OCLC locates 2 copies of the first edition in North America (Huntington Library, UC-Berkeley Law School). *English Short-Title Catalogue* R203096. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:476 (23).

Rare German-Language Edition of Penn's Charter
Printed by Sauer in Germantown, Pennsylvania, One Known Copy

39. [Pennsylvania]
Penn, William [1644-1744].
[Sauer, Christoph (1695-1758), Translator and Publisher].
Der Neue Charter, Oder Schrifftliche Versicherung der Freyheiten, Welche William Penn. Esqr den Einwohnern von Pennsylvanien und Dessen Territorien Gegeben. Auf dem Englischen Original Ubersetzt. Germantown [PA]: Gedruckt bey Christoph Saur [sic], 1743-1744. 55 [i.e. 56] pp. Error in paging: page number 7 repeated. Quarto (7-3/4" x 6").

Stab-stitched pamphlet bound into nineteenth-century three-quarter morocco over marbled boards, rebacked retaining spine with gilt title and ornaments, top edge gilt, marbled endpapers. Light rubbing to extremities, some wear to spine ends, small tear to front free endpaper near gutter mended with archival tape, some toning to text. Early owner signature to head of title page, interior otherwise clean. $7,500.

* Only edition. A notable artifact in the history of the Pennsylvania Dutch, Sauer's compilation was produced for the Pennsylvania German community around Germantown. In addition to the new charter of privileges granted by Penn in October 28, 1701, it contains the texts of the Royal grant of the province to Penn by Charles II, the first frame of government, adopted in 1682, English laws concerning the colony, conditions and concessions settled on July 11, 1681, the Act of Settlement, 1682, extracts from the charter of Philadelphia, an abstract of the poor laws and extracts from various laws. It was probably based on *The Charters of the Province of Pennsylvania and City of Philadelphia* (Philadelphia: Benjamin Franklin, 1741). "Sauer was the first German-language printer and publisher in North America. Evans notes this publication was "Given to the subscribers of Sauer's newspaper, *Der Hoch-Deutsch Pennsylvanische Geschicht-Schreiber*, as a premium in parts of eight pages each. Begun in 1743 but not finished printing till about July 1744." This is a rare title. We located one copy, the Library Company of Philadelphia. No copies located on OCLC or at the American Antiquarian Society, American Philosophical Society, the Harry Ransom Center, Harvard University, the John Carter Brown Library, the Library of Congress, the New York Public Library, the Pennsylvania State Library, the Rosenbach Library or the University of Pennsylvania. Not in Sabin. Hildeburn, *List of the Publications Issued in Pennsylvania* 809, 860. Botte and Tannhof, *The First Century of German Language Printing in the United States of America* 56. Evans, *American Bibliography* 5271.

Raleigh Asserts the Supremacy of Parliament

40. Raleigh, Sir Walter [1552?-1618].
The Perogative [sic] *of Parliaments in England. Proved in a Dialogue Betweene a Counsellour of State, And a Iustice of Peace. Written by the Worthy Knight, Sir Walter Raleigh. Dedicated to the Kings Majesty, and to the House of Parliament Now Assembled. Preserved to be Now Happily (In These Distracted Times) Published. And Printed 1640.* [London: Printed by Thomas Cotes, 1640]. [viii], 65, [3] pp. Final leaf blank. Quarto (7-1/4" x 5-1/2").

Stab-stitched pamphlet bound into later three-quarter morocco over marbled boards, gilt title to spine, patterned endpapers. Some rubbing to etremties, spine ends and corners bumped. Woodcut head-pieces and tail-pieces. Light toning to text, somewhat heavier in places, light soiling to title page, which has a carefully mended tear near its bottom corner, internally clean. $750.

* Second edition. Written in 1610 and first published in 1628, Raleigh's essay was reissued several times in the seventeenth century, and a few times in the following two centuries at times when publishers believed the Crown was encroaching on powers reserved to Parliament and the English people. In 1628 King Charles I re-issued the Thirty Nine Articles into the Church of England. This was seen as a move towards Catholicism and proof of the King's Catholic leanings. That year also saw the Petition of Right Parliament, which was designed to protect subjects from any further taxation unauthorized by Parliament. (Charles signed this document reluctantly.) OCLC locates 1 copy of the second edition in a North American law library (Harvard). *English Short-Title Catalogue* S115584.

The First Edition Titled *Les Termes de la Ley*

41. [Rastell, John (d.1536)].
[Rastell, William (c.1508-1565)].
Les Termes De La Ley: Or, Certaine Difficult and Obscure Words and Termes of the Common Lawes of This Realme Expounded. Now Newly Imprinted, And Much Inlarged and Augmented. London: Printed for the Company of Stationers, 1624. [viii], 311, [1] ff. Text printed in parallel columns. Octavo (6-1/4" x 4").

Contemporary calf, blind rules and early owner initials (I.M.) to boards, raised bands and later lettering piece to spine, edges rouged. Some rubbing to extremities, a few minor scuffs to boards, corners and spine ends bumped, tiny worm hole to bottom edge of lettering piece, front hinge cracked, front free endpaper partially detached, minor worming to front pastedown, rear hinge starting. Light toning to text, occasional (very) faint dampstaining to margins. Early owner signatures and annotations to front endleaves and title page (of Jacob Marshall, one signature dated 10 August 1632), interior otherwise clean. $2,500.

* Later edition, the first entitled *Les Termes de la Ley*. First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title *Expositiones Terminorum Legum Anglorumae*. Later editions were produced by his son, William, who is believed to be the editor or translator. (Some sources claim, erroneously, that he is the author.) Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity." OCLC locates 6 copies of this imprint worldwide, 5 in North America, 3 in law libraries (Library of Congress, University of Minnesota, University of Pennsylvania). Marvin, *Legal Bibliography* 599. *English Short-Title Catalogue* S119775. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:11 (48).

Canon Law for German Students

42. Reiss, Ulrich.
Analysis Collectionum, & Fontium Juris Ecclesiastici Publici, Et Privati Germanici, Quam in Commodiorem Usum Tyronum Juris Sacri ex Probatissimis Auctoribus Collegit, Et una Cum Selectis Corollariis Juridicis Publicae Disputationi Expositis in Lucem Publicam. Augsburg: Sumptibus Riegerianis, 1777. xxxii, 224; 54 pp. Final section preceded by title page. Octavo (6-3/4" x 4").

Contemporary speckled-paper boards, fragments of title labels to spine, speckled edges. Moderate rubbing to extremities, front joint starting at head. Light toning to text, occasional light foxing, internally clean. Ex-library. Small inkstamps to preliminaries and final leaf. A nice copy of a scarce title. $1,250.

* Only edition. This is a handbook to German canon law for students. Reiss was a professor of canon law at the University of Augsburg. At the end of the book is a related dissertation from 1777, at which Reiss presided, entitled *Corollaria ex Universo Jure Ecclesiastico Publico, et Privato Hodiernis Academiarum Germaniae Moribus Accomodato*. OCLC locates no copies in North America. Not in *VD18*, the *British Museum Catalogue* or Ferreira-Ibarra.

The Law is King

43. [Rutherford, Samuel (1600?-1661)].
Lex, Rex: The Law and the Prince. A Dispute for the Just Prerogative of King and People. Containing the Reasons and Causes of the Most Necessary Defensive Wars of the Kingdom of Scotland, And of Their Expedition for the Ayd and Help of Their Dear Brethren of England. In Which Their Innocency is Asserted, And a Full Answer is Given to a Seditious Pamphlet, Intituled, Sacro-Sancta Regum Majestas, Or The Sacred and Royall Prerogative of Christian Kings; Under the Name of J.A. But Penned by Jo: Maxwell the Excommunicate P. Prelat. With a Scripturall Confutation of the Ruinous Grounds of W. Barclay, H. Grotius, H. Arnisaeus, Ant. de Domi. P. Bishop of Spalato, And of Other Late Anti-Magistratical Royalists; As, The Author of Ossorianum, D. Fern, E. Symmons, The Doctors of Aberdeen, &c. In XLIV. Questions. Published by Authority. London: Printed for John Field, Octob. 7. 1644. [xl], 280, 313-467 pp. Text continuous despite pagination. The first leaf bears a dialogue between Seneca and Nero in Latin on verso. Quarto (7" x 5-1/2").

Contemporary calf, rebacked, raised bands and lettering piece to spine, endpapers renewed. Light rubbing to boards and extremities, corners bumped and lightly worn. Some toning to text, faint dampstaining in places, edges trimmed with occasional minor loss to side-notes and, in a few places, main text, some edgewear to preliminaries and final few leaves. A few early signatures and annotations to title page, later annotation to rear endleaf, interior otherwise clean. $4,500.

* First edition. Important for its contribution to the social contract idea, the foundation for the political theory of John Locke, *Lex, Rex* is a comprehensive defense of the Scottish Presbyterian ideal in politics. Utilizing arguments from Scripture, Natural Law and Scottish law, it attacked royal absolutism and endorsed the rule of law (divine, natural and positive), limited government, the supremacy of the constitution, the separation of church and state and the idea that government is founded on the consent of the governed. Rutherford was a Scottish Presbyterian minister and the principal of the University of St. Andrews. *Lex, Rex* was a response to Bishop John Maxwell's *Sacro-Sancta Regus Majestas* (1660), a defense of royal absolutism. Rutherford became a political target after the Restoration. He was indicted on a charge of high treason, but he died before he was brought to trial. The first edition of this work is uncommon in the trade and only two complete copies have appeared at auction in the last 35 years. Some early bibliographical records list an edition printed in Edinburgh in 1644, but it appears to be a ghost. OCLC locates 5 copies of the 1644 London edition in North American law libraries (Harvard, University of Minnesota, University of Michigan, University of Pennsylvania, Yale). *English Short-Title Catalogue* R12731.

Influenced Blackstone and Others

44. Saint German [Germain], Christopher [1460?-1540].
The Dialoges in English, Betwene a Doctour of Divinitye, And a Student in the Lawes of England, Newelye Corrected and Imprinted Wyth New Addicions. [(London): In Aedibus Richardi Tottelli, 1569]. 48, 50-177, [4] ff. Text continuous despite pagination. Octavo (5-1/4" x 3-1/2").

Recent period-style calf, blind rules and corner fleurons to boards, raised bands, lettering piece and blind ornaments to spine, endpapers renewed. Title printed within attractive woodcut architectural border. Early struck-through signature to title page, annotation to fore edge of a leaf (an alphabet in chancery hand), owner signature to margin of another, interior otherwise fresh. An appealing copy in a handsome binding. $3,500.

* Written originally in Latin in 1523, this work contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. A very important work in the development of equity, *Doctor and Student* appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. OCLC locates 9 copies, 7 in North America, 1 in a law library (Harvard). *English Short-Title Catalogue* S116365. Beale, *Bibliography of Early English Law Books* T475.

Fine Press Edition of 1937 Report Opposing FDR's Court-Packing Plan With Fascinating Inscriptions and the Signatures of the Committee Members

45. [Senate, United States]
[Committee on the Judiciary].
Adverse Report of The Committee on the Judiciary on a Bill to Reorganize the Judicial Branch of the Government. Stamford: The Overbrook Press, 1937. 46, [1] pp. Octavo (9-3/4" x 7").

Original linen, scarlet frames to boards, scarlet title to spine, deckle fore and bottom-edges. Negligible shelfwear and soiling. Inscriptions by Senators M.M. Logan and Lewis B. Schwellenbach to front free endpaper, signatures of all ten committee members at end of report, signatures of fifteen other senators to rear endleaves. Text printed on wide-margined leaves and enclosed in scarlet double rules. A handsome book. $950.

* Privately reprinted from the U.S. Senate Calendar; Number 734. Report Number 711: June 7th 1937. Report of the committee that opposed President Roosevelt's unsuccessful bill to expand the membership of the Supreme Court to include justices who would support his New Deal proposals. "Roosevelt lost the legislative battle, but won the war. His reforms were thereafter upheld by the Supreme Court. The ramifications on the court-packing controversy were significant. It shook the New Deal coalition that FDR had created costing him the support of some Democrats, many in the middle class and some Republicans as well. It augured an end to the social and economic reforms Roosevelt had begun. It reinforced the American people's understanding that law and politics should be separated, and that although the Supreme Court was not wholly above politics, it must not be converted into a political institution" (Hall). The inscriptions to the front free endpaper are by Marvel Mills Logan [1874-1939], a senator from Kentucky, and Lewis B. Schwellenbach [1894-1948], a senator from Washington. Both were Democrats who supported Roosevelt's plan. Logan writes: "My friend Joseph C. O'Mahoney [a Wyoming senator who opposed the Plan] thinks brochure is good and should be preserved. I think it is not worth 'hell-room' so I gladly give it to him with condemnation and compliments." Schwellenbach replies: "This work has attracted my complete admiration as to its form. My deep affection for the senator from Wyoming causes me to withold [sic] my opinion as to its substance." See *The Oxford Companion to the Supreme Court of the United States* 204.

A Notable Gathering of Abolitionists

46. [Slavery].
[Great Britain].
Proceedings of the General Anti-Slavery Convention, Called by the Committee of the British and Foreign Anit-Slavery Society, And Held in London, From Friday, June 12th, To Tuesday, June 23rd, 1840. London: British and Foreign Anti-Slavery Society, 1841. xi, [1], 597, [2] pp. Includes two-page publisher advertisement and a five-page list of subscribers. Octavo (8-3/4" x 5-1/2").

Original textured cloth, blind-stamped frames to boards, blind fillets and gilt title to spine. Light rubbing to extremities, spine ends, corners and a few spots along fore-edges bumped, some fading to spine, hinges just starting. Light toning to text, lower corner of title page lacking (with no loss to text), internally clean. Ex-library. Two stamps to foot of title page, another to the lower corner of p. 41. A nice copy of a scarce title. $750.

* First Edition. The British and Foreign Anti-Slavery Society organized the above convention in response to a call for united action from several anti-slavery societies, most from Great Britain and the United States. It drew about 500 delegates and more than 1,000 people attended the meetings each day. *Goldsmiths' Catalogue of Economic Literature* 32407.

Laws and Privileges of Europe's First Agricultural Union

47. [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, *Manual del Librero Hispano-Americano* 137891.

First Edition of the First Printed Abridgement

48. [Statham, Nicholas (d.1472)].
[*Abridgment of Cases*]. [Rouen: Guillaume Le Talleur, for Richard Pynson, c. 1490]. Collation: Pi2, A-Y8, Z6, [et]6. [ii], [190] ff. [380] pp. Complete. 11-line initial space, 50-line text and headline, side notes. Large Talleur device to verso of final text leaf. One-leaf manuscript index. Chancery folio (11" x 9").

Period-style blind-tooled calf with gilt ornaments, raised bands and gilt title to spine, endpapers renewed. Light toning to interior, occasional dampstaining and minor worming to margins, finger smudges and light soiling to some leaves. Contemporary marginalia throughout, affected by trimming in places, two-page index in fine contemporary hand, interesting later bookseller annotations to front and rear endleaves. An appealing copy. $25,000.

* First edition. The first printed abridgement of cases, it is generally assigned to Nicholas Statham, who was Lent reader at Lincoln's Inn. Its time period covers the reigns of Edward I and Henry VI. As Holdsworth notes, it contains "some long reports that are not to be found in the Year Books." Later editions were published in 1585 and 1679, and it was the standard abridgement until it was supplanted by Fitzherbert. Printed by the first printer in Rouen, this imprint is highly esteemed for the quality of its book design and typography, which mimics a contemporary court hand. Duff speculates that the 2-leaf index may have been printed later and added only to some copies. A study of OCLC and other library records supports his claim. We located 15 copies of this edition in North American law libraries (Columbia, Jenkins, Georgetown, GWU, Harvard, Law and Legislation Reference Library, Maine, Library of Congress, U.S. Supreme Court Library, Social Law, UC-Berkeley, University of Michigan, University of Pennsylvania, Washington University, St. Louis, Yale). Holdsworth, *A History of English Law* II:543-44. Duff, *Fifteenth-Century English Books* 374. *Gesamtkatalog der Wiegendrucke* M43245. Beale, *Bibliography of Early English Law Books* R455.

My Son, The Sculptor

49. Story, Joseph [1779-1845].
[*Autograph Letter, Signed, To Mssrs. Wiley & Putnam, Booksellers, New York*]. Washington, February 2, 1840. Single leaf folded to form 10" x 8" quarto bifolium, written in ink, addressed, franked and postmarked on verso of fourth page, which has a wax seal and Daniel Webster's free-frank. Fold lines, some toning along margins, otherwise fine. $1,500.

* A brief but intriguing letter, in which Story orders two books on art, apparently for his son, William Wetmore Story [1819-1895], who would graduate from the Harvard Law School later this year. (The books are: Flaxman's *Lectures on Sculpture*, "with first impressions of the plates" and Bloomfield's *Recensio Synoptica*.) Was this meant to be a graduation present? Whether it was or not, Joseph Story knew William had an interest in art and, like any good father, nurtured his son's passions. (He couldn't imagine his son would later abandon a distinguished legal career to become a sculptor.) Upon graduation, William entered the law firm of Hilliard and Sumner and published two law treatises by 1847. Sculpture remained an avid hobby at this time; by 1846 Harvard had a bust of his father that he made. Ironically, it was his father's death in 1845 that led him to abandon law and become a professional sculptor. The trustees of Mt. Auburn cemetery elected him to sculpt a likeness of his father for the cemetery's memorial chapel. "To prepare himself to carry out this commission he went to Italy in 1847 and from that time forth became more and more eager to give up the law entirely in favor of sculpture." (Gardner). Perhaps his best-known work is the iconic statue of Joseph Story that graces the entrance to Langdell Hall at Harvard Law School. The fact that this was sent under Daniel Webster's free frank is odd. Presumably Story had his own franking privilege. Perhaps he left Washington in a hurry, giving Webster his letters to mail. Gardner, "William Story and Cleopatra," *Metropolitan Museum of Art Bulletin*, New Series II:4 (December 1943). 147-152.

A Path-Breaking Treatise on Contracts and Usury

50. Summenhart, Konrad [1465-1511].
Septipertitu[*m*] *Opus de Contractibus Pro Foro C*[*on*]*scientie Atq*[*ue*] *Theologico P*[*er*] *Conradu*[*m*] *Su*[*m*]*menhart de Calwartiu*[*m*] *ac Sacre Theologie P*[*ro*]*fessorem in Alma Universitate Tubingensi Ordinarie Legentem Co*[*m*]*pilatu*[*m*] *et per Centum Questiones Digestum ac per Eundem Quo ad Pregnantium Questionum Al*[*que*] *Difficultatem Habentium Uberiores Articulos Ibidem Disputatum*. Haguenau: Heinrich Gran for Johannes Rynman, 13 October 1500. Collation: AA-BB8, CC6, DD-EE8, a-b8, c-d6, e8, f6, g8, h-i6, k-l8, m6, n-r8, s10, t6, v8, x-z6, aa-bb6, cc4, dd-ff6, gg8, hh-ll6, A-C6, D-H8, I10, K8, L12, M8, N-P6, Q8, R6, S-V8, X-Y6. 434 ff. Complete. Text in parallel columns. Thumb-tabbed. Folio (11" x 8").

Contemporary quarter blind-tooled pigskin over wooden boards, raised bands and faint later hand-lettered title label to spine, early hand lettered titles to top and fore-edge of text block, clasps (and buckles) lacking. Some wear to extremities, spine ends bumped, joints cracked. Text printed in 51-line Gothic type on wide-margined paper. Moderate toning to text, faint dampspotting in places, one

thumb-tab torn away with small loss to margin, lower corners of Signature D trimmed with no loss to text, faint dampstaining to outer margins in a few places. Early annotations to title page and a few other leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy of a scarce title. $23,000.

* Second edition. First published in 1497, this comprehensive treatise examines the nature of contracts under Roman law, canon law and Catholic doctrine using the methods of casuistic moral theology. It is a landmark work because it was the first work to offer a comprehensive and systematic attack on the prohibition of Usury. "Summenhart's contribution was twofold: first, in enormously widening all the possible exceptions to the usury prohibition, i.e. the *census* and *lucrum cessans*; and second, in launching a blistering direct assault on all the time-honoured arguments against whatever usury contracts remained. On the first, Summenhart developed the argument for insured or guaranteed partnerships far more subtly and extensively than before. He also widened the *lucrum cessans* exception far more than anyone else had ever done. Money *is* fruitful, Summenhart declared boldly, it is the merchant's tool, which he can make fruitful by the use of his labor. Consequently, the merchant should be compensated for loss of the use of his money just as a farmer should be recompensed for the loss of his fields" (Rothbard). OCLC locates 8 copies of this imprint in North America (Columbia, Columbia Law School, Harvard, Huntington Library, Mt. Angel Abbey, NY Public Library, UC-Berkeley Law School, University of Pennsylvania). Rothbard, *An Austrian Perspective on the History of Economic Thought* 91. Goff, *Incunabula in American Libraries* S863. *Gesamtkatalog der Wiegendrucke* M44538.

Important Essay on Magna Carta bound with
Scarce Pamphlets on Property and Judicial Administration

51. Thorpe, Francis [1595-1665].
Sergeant Thorpe, Judge of Assize for the Northern Circuit, His Charge, As it Was Delivered to the Grand-Jury at Yorke Assizes the Twentieth of March, 1648. Clearly Epitomizing the Statutes Belonging to this Nation, Which Concerns (And as a Golden Rule, Ought to Regulate) the Severall Estates and Conditions of Men. And (Being Duly Observed) Do Really Promote the Peace and Plenty of this Common-wealth. London: Printed by T: W: for Mathew Walbancke, and Richard Best, 1649. [ii], 30 pp. Only edition, one of two issues from 1649.
[Bound with]
Collet, Henry.
A Treatise on the Laws of England; Concerning Estates in Lands, Advowsons, Or Hereditaments, Of What Kind Soever; Advising Persons Interested Therein, Either as Purchasers, Mortgagees, Or Otherwise, -- As Well as Conveyancers, What Methods are Proper to be Used in Relation to the Security of Titles to Such Estates: With Some Observations on the Laws of Bankruptcy. [London]: Printed by Henry Lintot, 1754. [iv], 74, [2] pp. Only edition.
[And]
The Oath of a Constable, So Far as It Relates to Apprehending Night-Walkers, And Idle Persons, And His Presenting Offences Contrary to the Statutes Made Against Unlawful Gaming, Tipling, and Drunkenness, And for the Suppressing of Them [running title]. [London: Printed by J. Downing, 1701]. 3, [1] pp. First edition.
[And]
The Obligations of a Justice of the Peace, To be Diligent in the Execution of the Penal-Laws Against Prophaneness and Debauchery, For the Effecting of a National Reformation. In a Letter to a Friend [running title]. [London: Printed and Sold by J. Downing, 1705]. 3, [1] pp. Second edition, one of two issues from 1705

Quarto (7-3/4" x 5-1/2"). Pamphlets bound into contemporary speckled calf, gilt spine with raised bands and lettering piece, spine ends repaired. Rubbing to extremities, corners bumped and lightly worn, a few minor scuffs to fore-edges, hinges cracked. Light toning to text, *Oath of a Constable* somewhat darker and faintly dampstained, light soiling and edgewear to title page of Sergeant Thorpe, last two leaves have pieces torn from fore-edge, just touching the text without loss, slight shaving to side-notes of *Oath* and *Obligations*. Owner signature dated 1922 to front free endpaper, early annotations to a few laves, interior otherwise clean. $1,850.

* Thorpe's is a notable document of Magna Carta's reception during the Commonwealth. After noting the different, but negative, perceptions of Royalists and the politically indifferent in 1215, he praises a third group who, using their innate reason, perceived it then as the source of "their own future happiness" (1-2) This dream was fulfilled, of course, by Parliament and Cromwell. Intended for gentlemen, Collet's essay discusses issues relating to land titles, real property and bankruptcy. The others deal with aspects of judicial administration. *English Short-Title Catalogue* R203780, T51651, T61192, T176956.

A Cautionary Tale for "Young Gentlemen"

52. [Trial].
Cork, Edmund Boyle, Earl of [1767-1856], Defendant.
The Trial of Lord Dungarvan, At the Old Bailey, On Monday the 17th of January 1790, Before Mr. Baron Thompson. Taken Accurately in Short Hand by a Gentleman of the Middle Temple. Counsel for the Prosecution, Mr. Knowles and Mr. Const. For his Lordship, Mr. Shepherd, Mr. Garrow, and Mr. Cullen. London: Printed for Mr. Lewis, 1791. [6], ii, [3]-38, [2] pp. Includes two-page publisher catalogue. Copperplate portrait frontispiece. Quarto (10" x 8").

Recent three-quarter morocco over cloth, gilt rules to boards, gilt title to spine, untrimmed edges. Moderate rubbing to extremities, some toning to text, light soiling to half-title, which has an owner signature (of William Owen, Trinity College) dated 1794, repairs to corners and fore-edge of frontispiece. Ex-library. Stamps to boards and free endpapers, bookplate to front pastedown. A solid copy of a rare title. $1,750.

* Only edition. The frontispiece depicts Elizabeth Weldon, the prostitute who initiated the suit. In an attempt to extort money, she threatened Boyle, also known as Viscount Dungarvan due to his Irish properties, with a bogus lawsuit. She said she would claim he took money from her clothing after he purchased her services. However, Cork called her bluff and eventually prevailed in court. Clearly a salacious case, it is presented here as a cautionary tale for "young gentlemen, whose levity may bring them into a familiar situation..." The reporter warns that it "may not always be in the power, even of a man of *fashion*, to refute the plausible tale of an artful woman, (although a prostitute.) It may not always happen that an innocent defendant shall have the same circumstances to protect his honour, as my Lord Dungarvan" (ii). OCLC locates 2 copies, both in law libraries (Columbia, Harvard). *English Short-Title Catalogue* N013878.

First Report of the Landmark Dartmouth College Case

53. [Trial].
[Dartmouth College Case].
Farrar, Timothy [1788-1874], Reporter.
Report of the Case of the Trustees of Dartmouth College Against William H. Woodward. Argued and Determined in the Superior Court of Judicature of the State of New-Hampshire, November 1817. And on Error in the Supreme Court of the United States, February 1819. Portsmouth: Published by John W. Forster, And West, Richardson, And Lord, Boston, [1819]. [iv], 406 pp. Octavo (9" x 5").

Original publisher boards, untrimmed edges, printed paper title label to spine. Moderate rubbing, considerable wear to spine ends, corners bumped and somewhat worn, bottom edges bumped, front board partially detached, front endleaves loose. Some toning to text, light foxing, chips and minor tears to some leaves. Early owner annotations to boards and spine. Signature (Daniel Wells) to front free endpaper, interior otherwise clean. Item housed in recent cloth-covered clamshell box, calf spine with raised bands and lettering piece. $1,500.

* First published report. This is probably the most important American case concerning the contract right of corporations. The New Hampshire legislature passed a bill in 1816 that revoked Dartmouth College's original charter and converted the college from a private to a state institution. The college challenged the constitutionality of this act in the state supreme court without success, but the U.S. Supreme Court reversed the state's decision in a landmark opinion based on the contract clause of the Constitution. "By construing the contract clause as a means of protecting corporate charters from state interventions, Marshall derived a significant limitation on state authority. As a result, various forms of private economic and social activity would enjoy security from state regulatory policy. Marshall thus encouraged, through constitutional sanction, the emergence of the relatively unregulated private, autonomous economic actor as the major participant in a liberal political economy that served the commonwealth by promoting enlightened self interest" (Konefsky). Farrar's comprehensive report contains all material related to the case, including the arguments of Webster and Wirt and the opinions of Chief Justice Marshall and Justices Story and Washington and texts of related documents. Alfred F. Konefsky, "Dartmouth College v. Woodward" in *The Oxford Companion to the Supreme Court* 218-219. Sabin, *A Dictionary of Books Relating to America* 23887. Cohen, *Bibliography of Early American Law* 11614.

Satirical Playing Cards
Depicting a Notable Eighteenth-Century Trial

54. [Trial].
[Sacheverell, Henry (1674?-1724), Defendant].
[*Copperplate Sheet of Playing Cards Depicting a Satirical Account of the Trial of Dr. Henry Sacheverell*]. [London, c. 1710]. Single-sided uncut sheet, 14-1/4" x 17-1/4," with 26 images, each 3- 1/2" x 2-1/2."

Light edgewear, some toning, neat repair to bottom left corner with minor loss to two captions, two card-sized blank sections removed. A remarkable item. $5,000.

* Dr. Henry Sacheverell was impeached by the Whig-dominated Parliament in 1710 for preaching two sermons that advocated the Tory doctrines of non-resistance and passive obedience. As a punishment, his two sermons were ordered to be burned by the common hangman and he was forbidden to preach for three years. Many saw him as a martyr and provoked "Sacheverell Riots" in 1710 in London and other parts of the country, which led to the downfall of the Whig ministry later that year and the passing of the Riot Act in 1714. This set of playing cards presents a satirical account of the trial in mock-heroic verse. Each card contains a reproduction of a conventional playing card at top right and a couplet at the bottom; the rest the card shows the event described. We have one of the two sheets, each containing 26 cards. Ours has the suits of diamonds and hearts. The other contains the suits of clubs and spades. Both are rare. Stephen and George, *Catalogue of Political and Personal Satires Preserved in the Department of Prints and Drawings in the British Museum* (*BM Satires*) 1546. Willshire, *A Descriptive Catalogue of Playing and Other Cards in the British Museum* 194.

A Victory for Free Speech

55. [Trial].
Tocker, Mary Ann, Defendant.
Cobbett, William [1763-1835], Reporter.
The Trial of Miss Mary Ann Tocker, For an Alleged Libel, On R. Gurney, Jun. Vice-Warden of the Stannery Court, In the County of Devon; Which Trial Took Place Before Mr. Justice Borrough, One of the Judges of the Court of King's Bench, On Wednesday, The 5th of August, 1818, At the Town of Bodmin, In the County of Cornwall. To Which is Prefixed a Letter to Miss Tocker, And to Which is Added an Address to Jury-Men on Their Duties as Jurors, And Especially on Trials for Criminal Libel. New York: Printed for William Cobbett, By Clayton & Kingsland, 1818. 48 pp. Octavo (7" x 4-1/2").

Disbound stab-stitched pamphlet. Moderate toning and light foxing to text, title page partially detached but secure. Early signature to head of title page, text otherwise clean. $850.

* First American edition, the best account of this notable case. Tocker was prosecuted for libel upon on a local official. She represented herself and was exonerated by the jury, who declared that her accusations were true. "Miss Tocker achieved great fame in radical circles by the spirited manner in which she conducted her own defense. (...) Cobbett, too, was delighted with 'Miss Tocker's triumph,' in part by her appeal to the jury over the head of the judge, the unpopular Sir James Burrough (...) whom Cobbett himself had faced in 1809" (Pearl). Although there are several London editions, the American edition is the only one with additions by Cobbett, which are considerable, including the text of a letter to Tocker dated North Hempstead, Long Island, November 2, 1818 and notes to ten pages of the trial transcript. This edition was reprinted in Boston by Coverly "from the 3rd New York Edition." However, OCLC and Pearl list no edition other than ours. Pearl, *William Cobbett: A Bibliographical Account of His Life and Times* 99. Evans, *American Imprints* 43652.

Copy of the First American Treatise on Wills that Belonged to an Important Early Illinois Statesman

56. Vallette, Elie.
[Sparrow, Thomas (1746?-1780?), Engraver].
The Deputy Commissary's Guide Within the Province of Maryland, Together with Plain and Sufficient Directions for Testators to Form, and Executors to Form Their Wills and Testaments, For Administrators to Compleat Their Administrations, And for Every Person Any Way Concerned in Deceased Person's Estates, To Proceed Therein with Safety to Themselves and Others. Annapolis: Printed by Ann Catherine Green and Son, 1774. [ii], iv, 248, [12] pp. Copperplate title page and table of descents. Octavo (7-3/4" x 5").

Contemporary sheep, re-backed in calf, retaining original lettering piece, endpapers renewed. Light rubbing to boards, corners bumped and lightly worn. Moderate toning to text, somewhat darker in places, occasional dampstaining, mostly to margins. Early owner signature of Ninian Edwards to front endleaf and margin of p.50, interior otherwise clean. $2,000.

* Only edition. The first original American legal guide, it is also the first American book on the law of wills. Dedicated to Maryland Governor Robert Eden, it was printed by Ann Catherine Green, wife of Jonas Green, whom she succeeded as public printer of Maryland from 1767 to 1775. The engraved title page, the only one issued from a colonial Maryland press, and the plate were the work of Thomas Sparrow, the only engraver south of the Mason-Dixon Line prior to 1775. Vallette was registrar of the Prerogative Office of Maryland Province. Originally from Maryland, Edwards [1775-1833] was an important early Illinois statesman and political leader. He was the only governor of the Illinois Territory from 1809 to 1818, one of the first two United States Senators from Illinois from 1818 to 1824 and the third Governor of that state from 1826 to 1830. Wroth, *Maryland Imprints* 338. Wroth, *The Colonial Printer in America* 290. Cohen, *Bibliography of Early American Law* 4632.

Confessions of a Penitent Murderer

57. Yearwood, Randolph [d.1689].
The Penitent Murderer. Being an Exact Narrative of the Life and Death of Nathaniel Butler; Who (Through Grace) Became a Convert, After he Had Most Cruelly Murdered John Knight. With the Several Conferences Held with the Said Butler in Newgate, By the Right Honorable the Lord Mayor, And Divers Eminent Ministers, And Others. As Also His Confession, Speech, Prayer, And the Sermon Preached After His Execution. The Fifth Edition; With the Addition of an Advice to the Countrey. London: Printed by T. Newcomb, for J. Rothwel, 1659. [xiv], 90 pp. Added copperplate pictorial title page. Octavo (5-1/2" x 3-1/2").

Later morocco, gilt rules to boards, gilt spine, gilt title to front board and spine, gilt dentelles, marbled endpapers. Light rubbing to extremities, corners bumped. Light browning and occasional dampspotting to text, fore-edges of pictorial title page and facing leaf and side note on p. 86 trimmed closely with minor loss, internally clean. Ex-library. Bookplate to front pastedown. $1,500.

* "Fifth" edition. Butler, an apprentice convicted of murder underwent a spiritual crisis and conversion while awaiting his execution. Yearwood presents his experience, his gradual awareness of "the design of God in the scriptures," as an inspirational tale. "In short, Butler's growth in grace was held up as an almost perfect example of the 'orderly gradual' spiritual progress, from the threats of the law to the promises of the gospel, to which all Christians should aspire" (Lake). This edition includes letters of Nathaniel Butler, and discourses by several ministers on Butler's death. Yearwood was the chaplain of the Lord Mayor of London. This is the second and final edition according to the *ESTC*; the first was published in 1657. We did not locate any other editions. OCLC locates editions from 1657 and 1659, none of either edition in a North American law library. Lake, "Popular Form, Puritan Content? Two Puritan Appropriations of the Murder Pamphlet from Mid-Seventeenth-Century London" in *Religion, Culture and Society in Early Modern Britain: Essays in Honour of Patrick Collinson*, Ed. Fletcher and Roberts 319-320. *English Short-Title Catalogue* R220058

Liar!

58. Zahn, Balthasar Conrad [1616-1665].
Tractatus De Mendaciis Ex Sacris, Juridicis, Ethicis, Politicis, Historicisque Varie Congestus & In Tres Libros Dispositus; Primo, De Variis Mendaciorum Generibus, Secundo, De Illorum Poenis, Tertio, De Mendacio Urato Seu Iuramento Firmato, Quod est Perjurium. Cum Indice Duplici, Uno Capitum, Altero Rerum Memorabilium. Editio Secunda Priore Multis Mendis Castigatior & Correctior. Cologne: Apud Wilhelmum & Franciscum Metternich, 1686. [viii], 504, [40] pp. Main text in parallel columns. Quarto (8" x 6-1/2").

Contemporary vellum, raised bands and early hand-lettered title to spine. Some rubbing to extremities, a few minor stains to boards, spine darkened, spine ends bumped, vellum just beginning to crack through pastedowns. Title page printed in red and black, woodcut head-pieces and tail-pieces. Moderate toning to text, browning in places, occasional light foxing. A few annotations to endleaves, internally clean. Ex-library. Small inkstamps to title page. An appealing copy of an interesting and scarce title. $1,750.

* Second and final edition. First published in 1662, this is an extensive canon-law treatise on various types of lies and the moral and legal consequences of lying. In addition to general issues of truth and falsehood it considers libel, slander and blasphemy. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 12:109106Z.

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