

# 30 RECENT ACQUISITIONS & SPECIAL OFFERS

---

August 19, 2014



THE  
LAWBOOK EXCHANGE  
LTD.

# The Lawbook Exchange, Ltd.

## 30 Recent Acquisitions & Special Offers

19 August 2014

### A Scarce Collection of Consilia

#### 1. Altogradi, Lelio [16th/17th C.].

*Consiliorum Sive Responsorum, Et Rerum Super Iis Iudicatarum. Nunc Primum in Lucem Editus. In quo Plures Arduae Iuris Quaestiones tam Circa Indicia, Quam Contractus, & Ultimas Voluntates. Aliq[ue] in Usu Forensi Frequentiora et Utiliora. Iuxta Veras, Et Receptas Doctorum Sententias. Solidis Argumentis, Ac Perspicua Elocutione Resoluntur. Opus Omnibus Iuris Professoribus, Praesertim in Foro Versantibus Apprime Necessarium. Additionibus, Argumentis & Copioso Verborum & Sententiarum Indice Exornatum.* Lucca: Ex typographia Balthassaris de Iudicibus, 1643-1654. Two volumes. [xii], 752, [68]; [xii], 671, [61] pp. Main text in parallel columns. Folio (13-1/2" x 9").

Contemporary vellum, gilt fillets and recent thong ties to boards, gilt fillets and early hand-lettered titles to spines, hinges reinforced, speckled edges. Light rubbing to extremities, spine ends and corners lightly bumped. Title pages, with large copperplate vignettes, printed in red and black, woodcut head-pieces. Some toning to text, occasional light browning, faint dampspotting in a few places, vellum just beginning to crack through pastedowns, internally clean. Ex-library. Bookplates to front pastedowns. A well-preserved set. \$2,500.

\* First edition. Altogradi, a nobleman, was a prominent jurist and state official in Lucca. His *consilia*, a vast collection in two volumes, relates to cases heard in various Tuscan civil and canon courts. A second edition was published in 1700. Both are very scarce. OCLC locates 5 copies of the first edition in North America, 2 in law libraries (Columbia. Library of Congress). Pazzaglini and Hawks, *Consilia* A-21, A-22.

### Commentaries on the *Institutes* by an Important French Humanist

#### 2. Baudouin, Fran[cois] [1520-1573].

*Commentarii in Libros Quatuor Institutionum Iuris Civilis: Et Eiusdem Libri Duo ad Leges Romuli, & Leges XII. Tab. Ab Ipso Autore Denuo Recogniti, & Multo Locupletiores Facti. Additus est Index cum Copiosissimus tum Utilissimus.* Paris: Apud Iacobum Dupuys, 1554. [ii], 3-121, [19]; [xx], 780, 76 pp. Two parts, each with title page and individual pagination. Second part misbound before first. Two woodcut tables, one folding. Folio (13-1/2" x 9").

Contemporary glazed paper boards, somewhat hand-lettered title label and shelf label (?) to spine, early hand-lettered title to head of text block. Some rubbing to extremities with some wear to spine ends, corners bumped and somewhat worn, rear hinge cracked, another crack between title page of first part and following leaf. Large woodcut printer devices to title pages, woodcut decorated initials. Moderate toning, faint dampspotting and spark burns in some places, minor edgewear to preliminaries. Early owner signatures to title pages, underlining to a few leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown, stamp to title page of second part. A well-preserved copy. \$1,500.

\* First edition. Baudouin was prominent French humanist, jurist, statesman. He was a controversial figure due to his efforts to reconcile Catholicism and Calvinism. (On a personal level he angered several contemporaries by converting to Calvinism, then later back to Catholicism.) Outside of his work in ecclesiastical politics he is best remembered as an outstanding legal scholar and law professor. A pioneer in the reconstruction of Roman law sources, he was the first to reconstruct the complete text of Justinian's *Novels*. He also published several substantial commentaries, such as the present volume, a commentary on the *Institutes*. The second part of this work, *Libri Duo in Leges Romuli, & Leges XII. Tabularum* was later published separately in 1550. Later editions of *Commentarii* appeared in 1582 and 1583. All three are scarce. OCLC locates 3 copies of the first edition in North America (Boston College, Harvard Law School, University of Toronto), no copies of the other editions. Adams, *Catalogue of Books Printed on the Continent of Europe, 1501-1600* B-92.

### Rare Seventeenth-Century Treatise on Inheritance and Succession

#### 3. Bottiglierio, Carlo Antonio.

*De Successionibus ab Intestato, Tractatus Elaboratissimus in Quo Sororum Exclusiones a Parentum Successione per Fratrum Existentiam Novissime Explicantur.* Rome: Typis Bartholomaei Lupardi, 1680. [xxxiv], 594, [44] pp. Main text in parallel columns. Folio (12-3/4" x 8-1/2").

Somewhat later quarter vellum over marbled boards, lettering piece to spine, endpapers renewed. Light rubbing to extremities, corners and spine ends bumped. Moderate toning to text, occasional light foxing, title page partially detached but secure, internally clean. Ex-library. Bookplate to front pastedown. An attractive copy. \$1,500.

\* Second edition. This treatise on inheritance and succession in Roman law and the civil law of the Papal States was first published in 1653. Its third and final edition in 1688. This is a rare title. OCLC locates no copies of the first or third edition in North America, 3 copies of the second (George Washington University Law School, Princeton University and UC-Berkeley Law School). Not in Camus. This edition not in the *British Museum Catalogue*.

#### **Signed by Brandeis**

#### **4. Brandeis, Louis D. [1856-1941].**

*The Curse of Bigness: Miscellaneous Papers of Louis D. Brandeis*. Edited by Osmond K. Fraenkel. New York: The Viking Press, 1935. ix, 339 pp.

Cloth in dust jacket. Light edgewear to dust jacket, some soiling to spine, minor chipping to ends. "Louis D. Brandeis" in bold hand to center of title page, internally clean. \$950.

\* First edition. "Preceding the text of the reprinted matter each section of this work contains a brief note and following it a bibliography of the articles and addresses on the subject covered by that section. The reprinted articles are given in full even when parts of them appear more than once." Foreword.

#### **Title Page Signed "Louis D. Brandeis"**

#### **5. Brandeis, Louis D.**

##### **Lief, Alfred [1901-1971], Editor.**

*The Social and Economic Views of Mr. Justice Brandeis*. With a Foreword by Charles A. Beard. New York: The Vanguard Press, [1930]. xxi, 419 pp.

Cloth in dust jacket. Moderate edgewear to dust jacket, some soiling to spine, chipping to ends. "Louis D. Brandeis" in bold hand to head of title page, internally clean. \$850.

\* First edition. "The papers are primarily the work of a great lawyer. His work is considered to have a tremendous effect upon not only the body of law already assimilated and codified but also upon the law which is being called into being in response to the modern development of society, particularly as regards the industrial situation": *Boston Transcript*, November 22, 1930, cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 1061.

#### **Important Brandeis Biography, Signed by Brandeis**

#### **6. [Brandeis, Louis D.].**

##### **De Haas, Jacob [1872-1937].**

*Louis D. Brandeis: A Biographical Sketch with Special Reference to his Contributions to Jewish and Zionist History. With Full Text of his Addresses Delivered from 1912 to 1924*. New York: Bloch Publishing Company, 1929. viii, 296 pp. Frontispiece. Illustrations.

Cloth in dust jacket. Moderate edgewear and a few small chips to dust jacket, some soiling to spine, chipping to ends. "Louis D. Brandeis" in bold hand to head of title page, internally clean. \$650.

\* Second edition. Jacob de Haas, an English Hasidic Jew, was a leader of the Zionist movement in the United States. He befriended Brandeis and introduced him the Zionist cause, which Brandeis espoused around 1908. As a prominent public official, author and president of the Federation of American Zionists (from 1914-1918), Brandeis went on to become the leader of American Zionism.

#### **First Edition, Signed by Brandeis**

#### **7. [Brandeis, Louis D.].**

##### **Frankfurter, Felix [1882-1965], Editor.**

*Mr. Justice Brandeis*. With an Introduction by Oliver Wendell Holmes. New Haven: Yale University Press, 1932. vi, [4], 232 pp. Portrait frontispiece.

Cloth in dust jacket. Some edgewear to dust jacket, some darkening to spine with some chipping to ends. "Louis D. Brandeis" in bold hand to head of title page, internally clean. \$750.

\* First edition. A collection of essays by Charles E. Hughes, Max Lerner, Felix Frankfurter, Donald R. Richberg, Henry Wolf Bikle and Walton H. Hamilton.

**"Much the Best Appraisal of  
Brandeis's Work as Justice," Signed by Brandeis**

**8. [Brandeis, Louis D.].  
Mason, Alpheus Thomas.**

*Brandeis: Lawyer and Judge in the Modern State.* Princeton: Princeton University press, 1933. vi, 203 pp.

Cloth in dust jacket. Moderate edgewear to dust jacket, some soiling to spine, chipping to ends. "Louis D. Brandeis" in bold hand to head of title page, internally clean. \$650.

\* First edition. "Much the best appraisal of Brandeis's work as justice": Corwin, *Constitutional Revolution, Ltd.*, cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 1061.

**First Edition of a Classic Guide to English  
Law and Government that Inspired the American Founding Fathers**

**9. [Care, Henry (1646-1688)].**

*English Liberties: Or, The Free-Born Subject's Inheritance, Containing I. Magna Charta, The Petition of Right, The Habeas Corpus Act; And Divers Other Most Useful Statutes: With Large Comments Upon Each of Them. II. The Proceedings in Appeals of Murther; The Work and Power of Parliaments; The Qualifications Necessary for Such as Should be Chosen to that Great Trust. Plain Directions for All Persons Concerned in Ecclesiastical Courts; And How to Prevent or Take Off the Writ De Excommunicato Capiendo. As Also the Oath and Duty of Grand and Petty Juries. III. All the Laws Against Conventicles and Protestant Dissenters with Notes, And Directions both to Constables and Others Concern'd, Thereupon; And an Abstract of All the Laws Against Papists.* London: Printed by G. Larkin, For John How at the Seven-Stars at the South-West Corner of the Royal Exchange in Cornhil, [1680 or 1682]. [x], 228 pp. Initial bland and final four leaves, which contain a publisher list, lacking. Three leaves in Signature D (pp. 49-72 bound out of order. 12mo. (5-1/2" x 3-1/4").

Somewhat later sheep, blind rules to boards and spine. Some rubbing to spine and extremities, minor chipping to head of spine, minor worming to foot, pastedown and other endleaves lacking, a few cracks to text block. Moderate toning to text, light browning to a few leaves, faint dampstaining in a few places, Signature F (pp. 97-120) loose, minor text loss to a few leaves due to trimming. A solid copy. \$2,850.

\* First edition, one of two imprints from that year (1682 publication date conjectured by Wing). This classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Privilege of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned this edition and another copy, printed in London in 1719, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. OCLC locates 2 copies of this imprint (at Harvard Law School and the Library of Congress, Law Division). The two undated imprints were followed by a series of dated imprints, the first from 1682. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2702, 2703. Wing, *Short-Title Catalogue of Books Printed in England, Scotland, Ireland, Wales and British America* C515. *English Short-Title Catalogue* R32534.

**Selden's Edition of an  
Important History of Early Norman England**

**10. Eadmer [c.1060-c.1126].  
Selden, John [1584-1654], Editor.**

*Eadmeri Monachi Cantuariensis Historiae Novorum Sive Saeculi Libri VI. Res gestas (Quibus Ipse non Modo Spectator Diligens Sed Comes Etiam & Actor Plerunq[ue] Interfuit) sub Guilielmis I & II & Henrico I Angliae Regibus, Ab Anno Nempe Salutis MLXVI ad MCXXII Potissimum Complexi. In Lucem ex Bibliotheca Cottoniana Emisit Ioannes Seldenus, & Notas Porro Adjecit & Spicilegium.* London: Typis & Impensis Guilielmi Stanesbeii, Ex Officinis Richardi Meighen & Thomae Dew, 1623. [viii], XVI, 218, pp. Woodcut text illustration (facsimile of two seals). Final leaf, a blank, lacking. Folio (13" x 8").

Contemporary speckled calf, blind rules to boards, rebacked, raised bands and lettering piece to spine, endpapers renewed, ribbon marker. Moderate rubbing to extremities, joints just starting at ends, corners bumped and lightly worn, a few partial cracks to text block. Title page printed in red and black, woodcut head-pieces and decorated initials. Light toning, spark burns, smudges and minor tears to a few leaves, internally clean. Ex-library. Bookplate to front pastedown, stamps to endleaves and edges of text block. \$950.

\* Only edition, one of two issues from 1623. Eadmer (or Edmer) was an English historian, theologian, and ecclesiastic. He wrote two important works, *Vita Anselmi*, a biography of his archbishop and companion, Saint Anselm, and *Historia Novorum in Anglia*, a history of England between 1066 and 1122, the time when Norman rule was established and consolidated. Although it emphasizes ecclesiastical matters, it offers interesting insights into political and judicial administration. Selden's was the first modern edition of this important work and the basis of subsequent editions by Martin Rule (1884) and Geoffrey Bosanquet (1964). *English Short-Title Catalogue* S121439.

### **An Important Restoration-Era Critique of Great Britain's Ecclesiastical Courts**

#### **11. Hickeringill, Edm[und] [1631-1708].**

*The Test or, Tryal of the Goodness & Value of Spiritual-Courts*

*in Two Queries I. Whether the Statute of I Edw. 6.2. be in Force (Against Them) at This Day, Obliging Them to Summon and Cite the Kings Subjects (Not in Their Own Names and Styles, As Now They do, But) In the Name and Stile of the Kings Majesty (As in the Kings Courts Temporal) and Under the Seal of the Kings Arms? II. Whether Any of the Cannon-Law, Or How Much of the Cannon-Law is (At this Day) the Law of England, In Courts Christian, Highly Necessary to be Perused by All Those That Have Been, Or May be Cited to Appear at Doctors Commons.* London: Printed by George Larkin, 1683. [iv], 22, 18 pp. Lacking final leaf, a blank. Folio (11-3/4" x 5-1/2").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine, endpapers renewed. Negligible light rubbing to extremities. Light toning to text, some edgewear and light soiling to first and final leaves, faint dampstaining in a few places, chip to fore-edge of leaf with some loss to side-notes. Early manuscript page numbers added to upper corners of leaves, showing this item was once part of a bound volume, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$950.

\* First edition. Britain's ecclesiastical courts received a great deal of scrutiny in early years of the Restoration. Dissenters, Parliamentarians and others who feared the power of the Church of England under the control of a Catholic or crypto-Catholic king, believed it was necessary to limit the scope of its courts. The work of an idiosyncratic Anglican Churchman who supported the Commonwealth, Hickeringill's pamphlet was one of the most important and legally detailed contributions to this argument. Recognized as an important work, a second edition was issued in 1683, a third in 1706. All are scarce. OCLC locates 2 copies of the first edition in North American law libraries (University of Michigan, University of Pennsylvania). *English Short-Title Catalogue* R2631.

### **The Law of Parent and Child**

#### **12. Pascale, Filippo [d. 1625].**

*Tractatus Amplissimus de Viribus Patriae Potestatis Quatuor in Libros Distinctus. In Quibus Omnia, Quae Parentes Erga Liberos Possint, Vel Debeant, & E Contra, Quosue Sanguinis Coniunctio Operetur Effectus, Facili, Fertilique Methodo Pertractantur. Cum Indice Materialium Locupletissimo, Singulorumque Capitulum Argumentis, Tertia hac Editione ad Eodem Authore Multis Erroribus Emendatus, Nonnullisq; Additionibus, Quae Sub Hoc Signo \* Demonstrantur, Locupletatus.* Naples: Ex Typographia Lazari Scorigii, 1621. [xvi], 535, [57] pp. Main text in parallel columns. Folio (11-1/2" x 8").

Contemporary limp vellum, early hand-lettered title to spine, top edge and fore-edge of rear board mended, endpapers renewed, ties lacking. Light rubbing to extremities, a few minor stains to boards, spine ends bumped, minor chip to foot. Title page, with large woodcut vignette, printed in red and black, woodcut decorated initials. Heavy toning to text, light browning in places, occasional faint dampspotting, minor worming to margins in a few places, some edgewear and early repairs to edges of preliminaries. Early owner signature and annotation to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$1,500.

\* Second edition. First published in 1619, this is a treatise on the law of parent and child in the Roman and Spanish systems. (Naples was part of the Spanish empire during the seventeenth century.) It appears to have been a well-received work; its third edition appeared in 1672. All editions are scarce. In North America OCLC locates no copies of the first edition, 2 copies of the second (at Yale Law School and the Newberry Library) and 1 copy of the third (at the University of Alberta). Not in Camus or the *British Museum Catalogue*.

### **Remarkably Durable English Treatise on Elections**

#### **13. Rogers, Francis Newman.**

*The Law and Practice of Elections: With the Acts of Parliament for England, Scotland and Ireland Brought Down to the Present Time.* With Additions. London: J. and W.T. Clarke, 1830. xv, 615 pp. Octavo (7" x 4-1/4").

Contemporary three quarter calf over marbled boards, lettering piece and gilt-edged raised bands to spine, speckled edges. Light rubbing to boards and extremities, chip to head of spine, joints starting at ends, interior notably fresh. Handsome. \$200.

\* Second edition. Legislation covered up to 1829 including the 1827 Leominster case. A very useful guide to electoral law prior to the 1832 Great Reform Act. First published in 1820, this was a remarkably durable treatise. Its final edition, the 21st, was published in 1935. OCLC locates 2 copies of the 1830 edition. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:305.

### **An Important English Penal Reformer**

#### **14. Roscoe, William [1753-1831].**

*Observations on Penal Jurisprudence, And the Reformation of Criminals. With an Appendix; Containing the Latest Reports of the State-Prisons or Penitentiaries of Philadelphia, New-York, and Massachusetts; And Other Documents.* London: Printed for T. Cadell and W. Davies, 1819. iv, 179, [1], 144 pp. Two folding tables. Octavo (9" x 5-3/4").

Contemporary gray paper boards, contrasting printed paper spine label, untrimmed edges. A few inkstains, moderate rubbing with wear to spine ends and corners, front joint cracked but secure, rear joint starting. Early armorial bookplate and shelf label to front pastedown, most signatures uncut, internally fresh. \$1,250.

\* Only edition. The early nineteenth century was a watershed period in the history of penology. Many important contributions were made at this time by such luminaries as Bentham, Lieber, Livingston and Tocqueville. Roscoe's work was equally important. Believing that retribution should play no part in criminal jurisprudence, he advocated milder punishments, believing they would reform the criminal. He later published two companion volumes, *Additional Observations on Penal Jurisprudence, And the Reformation of Criminals* (1823) and *Observations on Penal Jurisprudence, And the Reformation of Criminals, Part III* (1825). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:307.

### **Interesting Essays on Scots Law and Other Matters**

#### **15. Riddell, John.**

*Tracts, Legal and Historical, with Other Antiquarian Matter Chiefly Relative to Scotland.* Edinburgh: Thomas Clark, 1835. x, 224 pp. Octavo (8" x 5").

Cloth, printed title label to spine. Moderate shelfwear, signatures mostly unopened, some toning and foxing to text, internally clean. \$50.

\* Riddell addresses the law of legitimation, the legitimacy of the Stewarts, the constitution, marriage and other topics. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 5:97.

### **Critical Edition Published by the Records Commission**

#### **16. [Scotland].**

**[Thomson, Thomas, Editor].**

*Acts of the Lords of Council in Civil Causes* [1478-1495]. [Edinburgh]: Printed by Command of His Majesty King George the Third, 1839. 430, 60, 33 pp. Main text in parallel columns. Folio (17-1/2" x 11").

Contemporary three-quarter calf over paper-covered boards. Moderate rubbing to extremities with wear to spine ends and corners, boards, preliminaries and final few leaves detached. Moderate toning, light foxing in places, internally clean. Ex-library. Small inkstamps to front free endpaper and title page. \$150.

\* Published by the Record Commission. Contains judicial proceedings in civil matters held before various committees. *Catalogue of the Library of the Harvard Law School* (1909) I:791.

### **Long-Lived English Treatise on Vendors and Purchasers**

#### **17. Seaborne, Henry.**

*A Concise Manual of the Law Relating to Vendors & Purchasers of Real Property. With Appendix Containing the Vendor & Purchaser Act, 1874, And Notes Thereon.* London: Butterworths, 1874. xvi, 287, 58, [2] pp. Includes 60-page publisher catalogue. Octavo (7-3/4" x 4-3/4").

Original textured cloth, blind frames to boards, paper title label. Some rubbing to extremities, fading to spine and board edges, front hinge partially cracked. Early owner signature (of B. Reeves) to head of title page. Foxing to a few leaves, interior otherwise fresh. \$150.

\* Updated reissue of the first edition, 1871, with a section on the 1874 Vendor and Purchaser Act. This durable treatise reached its final edition in 1926, and a final supplement in 1929. The 1874 issue not in Sweet & Maxwell or the *Catalogue of the Library of the Harvard Law School* (1909).

### A Forceful Opponent of the English Libel Laws

#### 18. Search, John, Pseudonym of Richard Whately [1787-1863].

*Considerations on the Law of Libel: As Relating to Publications on the Subject of Religion.* London: James Ridgway, 1833. iv, 88 pp. Octavo (8-1/4" x 5").

Stab-stitched pamphlet bound into recent stiff marbled wrappers, contrasting printed paper title label to front cover. Toning, light foxing and a few tiny smudges to title page and verso of final leaf, interior otherwise fresh. \$450.

\* Only edition. This pamphlet attacks the English libel laws through an argument grounded in legal, logical and philosophical principles. Whately, the Archbishop of Dublin, was a distinguished cleric and man of letters, professor of political economy at Oxford. A prolific author, he is best known as a champion of the oppressed and supporter of liberal causes. *Dictionary of National Biography* XX:1334-1340. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:320.

### Ancient Scottish Legal Terms

#### 19. Skene, John [1543?-1617].

*De Verborum Significatione: The Exposition of the Termes and Difficill Wordes, Contained in the Foure Buikes of Regiam Majestatem, and Uthers, In the Acts of Parliament, Infestments; And Used in Practique of this Realme; With Divers Rules, and Common Places, Or Principallles of the Lawes.* 1681. [Edinburgh: Alexander Smellie, Printer, c.1815]. [iii], 4-146 pp. Octavo (8-1/2" x 5").

Recent quarter calf over cloth, blind fillets and lettering piece to spine, endpapers renewed. Some toning, offsetting to margins of preliminaries, negligible foxing in a few places, chips to heads of a few leaves with no loss to text. Later owner annotation to front endleaf, later stamp (of Sandeman Library Perth) to title page, interior otherwise clean. \$400.

\* With side-notes. A useful reprint of this scarce 17th Century dictionary of legal terms in the Scottish dialect. Also published as an appendix to Bell's *Dictionary of the Law of Scotland*, this edition of Skene's dictionary reprints the text of the 1681 edition issued in Edinburgh by David Lindsay. Skene, a Scottish jurist and legal historian, is best known for his magisterial compilation *The Lawes and Actes of Parliament Made be King James the First and His Successors, Kings of Scotland* (1597). The present volume, which was first published as an appendix to the *Lawes and Actes*, is a dictionary of ancient Scottish legal terms. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth of Nations* 5:105.

### A "Learned" Study of the Origins of Modern Anglo-European Law

#### 20. Spence, George [1787-1850].

*An Inquiry into the Origin of the Laws and Political Institutions of Modern Europe, Particularly Those of England.* London: John Murray, 1826. xxxvi, 600 pp. Octavo (9" x 5-1/2").

Recent period-style quarter calf over cloth, gilt fillets and lettering piece to spine, endpapers renewed, untrimmed edges. Clean tear to fore-edge of a leaf mended with archival tape. Light foxing to a few leaves, interior otherwise fresh. Ex-institutional library. Small inkstamp to title page, another to a text leaf. A handsome copy of an uncommon title. \$950.

\* Only edition. This book is mentioned by Holdsworth, who deems it a "learned book." According to Spence's preface, his work on the translation of the Code Napoleon led him to "look attentively into the civil law of the Romans, where he found that a great proportion of the doctrines of the common law of England, even many of those which are purely artificial, were to be found in the [*Corpus Juris Civilis*]. This induced him to study the civil and criminal code of the Romans with some minuteness, and to compare the political and judicial institutions of modern Europe, and of our own country in particular, with those of ancient Rome, in order to discover to what extent the former might be traced from the latter, their venerable and classical origins." (v). Spence was an English jurist and barrister of the Inner Temple. He was the author of several books, including a translation of the Code Napoleon and an important treatise on chancery law. Not in Sweet & Maxwell. Holdsworth, *A History of English Law* XIII:496. *Catalogue of the Library of the Harvard Law School* (1909) II:637.

### An Early Study Guide of Stephen's New Commentaries

#### 21. Stephen, James [1820-1894].

#### Stephen, Henry John [1787-1864].

*Questions for Law Students on the Fourth Edition of Mr. Serjeant Stephen's New Commentaries on the Laws of England.* London: Butterworth's, 1858. x, 286 pp, c. 200 blank leaves. Octavo (8-1/2" x 5-1/4").



Later cloth, marbled edges, endpapers renewed. Rubbing with some wear to extremities, light toning to text. Notes in pencil to a few leaves, interior otherwise clean. A very nice copy of an uncommon title. \$250.

\* Later edition. *New Commentaries* by Henry John Stephens is an exposition of English law partially based on Blackstone that preserves Blackstone's topical arrangement and the sections from his text that were still relevant in Stephen's day. A successful work, it went through twenty editions by 1938. Its status as a standard student textbook led his son James to issue student guides. The first edition of *Questions* was produced in 1849 for the second edition of *New Commentaries* (1849). Others were produced for subsequent editions. The blank leaves following the text in this copy were intended for notes. Not in Sweet & Maxwell or Eller. *Catalogue of the Library of the Harvard Law School* (1909) II:654 (citing other editions).

### Relates to Measures Leading to the War of 1812

#### 22. Stephen, James [1758-1832].

*The Speech of James Stephen, Esq. in the Debate in the House of Commons, March 6, 1809, on Mr. Whitebread's Motion Relative to the Late Overtures of the American Government: with Supplementary Remarks on the Recent Order in Council.* London: J. Butterworth and J. Hatchard, 1809. iv, 126 pp. 8vo (8-1/2" x 5-1/2").

Side-stitched pamphlet bound into recent quarter-morocco over paper boards, endpapers renewed. Toning, faint dampstaining in a few places, internally clean. \$300.

\* Best known for his pamphlet, "War in Disguise (1805)," Stephen here stands in opposition to Whitebread's proposed measures concerning America, concluding: "[W]e ought to sacrifice much.--No punctilious pride, no pertinacity of opinion, no unnecessary regard even to our own commercial rights, ought to stand in the way of reconciliation...." Sabin 91245.

### Notable Sixteenth-Century Dictionary of Roman and Canon Law

#### 23. [Stoer, Jacob, Attributed].

*Lexicon Iuridicum: Hoc Est, Iuris Civilis et Canonici in Schola Atque Soro Vsitatarum Vocum Pennis. Ex Antiquis & Recentioribus Iurisconsultis ac Lexicographis, Praecipue ex Brissonii, Hotmani, & Prateii Lexicis, Item ex Cuiacii Observationibus & Commentariis ita Constructum, ut ei Nebil Demi, Nihil Addi, Quod sit Necessarium, Posse Videatur. Accessit Legum Populi Copiosus Index.* [Geneva]: Excudebat Iacobus Stoer, 1599. [xvi], 1121 pp. Main text in parallel columns. Octavo (7-1/2" x 4-1/2").

Contemporary vellum with lapped edges, blind rules to boards, later lettering piece to spine, ties lacking. Light rubbing to extremities, some staining to boards, corners bumped and likely worn, front joint starting at head, front hinge starting, a few partial cracks to text block. Title page printed in red and black. Attractive woodcut printer device, head-piece and initials. Some toning to text, faint dampstaining at rear of text (about 30 leaves). Early owner signature to foot of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy of a scarce and important title. \$1,500.

\* Second edition. This useful dictionary was issued in 1594 and reprinted in 1599, 1607 and 1615. Attributed sometimes to Barnabe Brisson, it was probably compiled by the publisher, Jacob Stoer. It is a carefully edited text with a critical introduction and notes. The compiler also lists the primary and secondary sources he consulted while compiling this work. It includes such authors as Alciati, Aristotle, Bartolus, Brisson, Gaius, Gratian, Hotman, Plato and Ulpian and such texts as the Twelve Tables, the Code, Digest and Novels of Justinian and the Decretals of Gregory IX. KVK locates 7 copies of this edition. Not in Brunet or Graesse. This edition not in Adams or the *British Museum Catalogue*.

### First English Edition of *Tractatus de Legibus*

#### 24. Suarez, Francisco [1548-1617].

*Tractatus de Legibus, Ac Deo Legislatore, In Decem Libros Distributus, Utriusque Fori Hominibus Non Minus Utilis, Quam Necessarius.* London: Sumpibus J. Dunmore, T. Dring, B. Tooke & T. Sawbridge, 1679. [vi], 5-725, [27] pp. Main text in parallel columns. Folio (14-3/4" x 9").

Eighteenth-century calf with later varnishing, panels with corner fleurons to boards, raised bands and lettering piece to spine, later (?) patterned endpapers. Light rubbing to boards, moderate rubbing to extremities, some chipping to spine ends, corners bumped and lightly worn, boards just beginning to separate, early armorial bookplate to front pastedown, front and rear endleaves excised. Title page, with woodcut printer device, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, occasional faint dampstaining, internally clean. Ex-institution library. Bookplate to front pastedown. \$1,500.



\* First English edition (in Latin). With indexes. Suarez, a theologian and jurist who wrote treatises on political philosophy, the state and sovereignty, was one of the greatest thinkers produced by the Jesuit order. First published in 1612, his *Tractatus de Legibus, Ac Deo Legislatore* is a landmark work that proposes a natural law basis for the law of nations. It was a significant influence on the work of Grotius and Pufendorf. *English Short-Title Catalogue* R24634.

### Criticism of the Corn Laws in the Form of a Catechism

#### 25. [Thompson, Thomas Perronet (1783-1869)].

*Catechism on the Corn Laws; With a List of Fallacies and the Answers. By a Member of the University of Cambridge.* London: Published for the Proprietors of the Weekly Free Press, 1829. 64 pp. Quarto (8-1/2" x 6").

Stab-stitched pamphlet bound into later three-quarter speckled calf over marbled boards, gilt title to spine. Rubbing to extremities with some wear to spine ends and corners, boards slightly bowed, bottom edge trimmed with minor loss to text. Woodcut vignette to title page. Faint vertical crease through center of text block, light browning and foxing to a few leaves. Early owner signature (of G.R. Porter) to head of title page, interior otherwise clean. \$100.

\* Fifth edition. The Corn Laws were enacted in the 1830s to maintain the price of British cereals by restricting access to less expensive imports. This put a great deal of strain on the poor, a situation that was exacerbated by a series of contemporary famines. What is more, many saw them as a device to aid and enrich the rural landholding rural aristocrat at the expense of the common man. Popular agitation against the laws helped to bring about the parliamentary Reform Bill of 1832, which introduced a measure of democracy by granting the vote to a larger share of the population. *Catechism* was first published in 1827. Additions to the fifth edition are distinguished by brackets. This edition not in the *British Museum Catalogue*.

### Important Critical Edition of Early English Laws

#### 26. [Thorpe, Benjamin (1782-1870), Editor].

*Ancient Laws and Institutes of England; Comprising Laws Enacted Under the Anglo-Saxon Kings from Aethelbirht to Cnut, With an English Translation of the Saxon; The Laws Called Edward the Confessor's; The Laws of William the Conqueror, and Those Ascribed to Henry the First: Also, Monumenta Ecclesiastica Anglicana, From the Seventh to the Tenth Century; and the Ancient Latin Version of the Anglo-Saxon Laws. With a Compendious Glossary, &c.* Printed by Command of His Late Majesty King William IV. Under the Direction of the Commissioners on the Public Records of the Kingdom. [London: Printed by George E. Eyre and Andrew Spottiswoode, 1840]. x, [iv], 548, [79] pp. Folio (15-1/2" x 10").

Original cloth, paper spine label. Moderate rubbing with some wear to backstrip, spine ends, joints and corners, hinges starting. Negligible foxing to a few leaves, interior otherwise clean. Ex-library. Location number to foot of spine, bookplate to front pastedown, bookplate and stamps to front free endpaper. \$300.

\* A critical edition of laws issued before 1066 based on original manuscript sources, most in their original languages. With thorough notes, extensive commentary, a concordance of sources, an index to the Anglo-Saxon laws and an index to the *Monumenta Ecclesiastica*. Benjamin Thorpe was a well-known Anglo-Saxon scholar and translator who published a number of principal works in this field, including the important *Analecta Anglo-Saxonica*. This edition remains a standard source for scholars of this period. *Dictionary of National Biography* XIX: 795-796. *British Museum Catalogue* (Compact Edition) 25:103.

### Aftermath of the "White Mutiny"

#### 27. [Trial].

**Bell, John, Defendant.**

**Marsh, Charles, Attorney.**

*The Defence of Lieutenant-Colonel John Bell, Of the First Battalion of Madras Artillery, On His Trial at Bangalore, Before a General Court-Martial, As it Was Read in Court by His Counsel, Charles Marsh, Esq.* London: Printed and Sold by Black, Parry & Kingsbury, 1810. [iv], 85, [3] pp. Includes three-page publisher advertisement (of books relating to India). Octavo (8-1/4" x 5").

Stab-stitched pamphlet in later plain wrappers, hand-written title to front. Light toning to text, some offsetting to margins of title page, internally clean. \$500.

\* Only edition. In 1809 several officers of the East India Company's Madras Army caused a number of violent disturbances and refused to obey orders due to a dispute over allowances and pay, an event later known as the "White Rebellion." Bell was charged with joining and leading this "most dangerous and alarming mutiny and sedition" [iii]. He was found guilty and discharged from his post. OCLC locates 8 copies, 5 in North America, 2 in law libraries (Library of Congress, University of Minnesota). See Malcolm, *Observations on the Disturbances in the Madras Army in 1809*.

## "The Blackest and Basest of All Crimes"

### 28. [Trial]. Charles I [1600-1659], Defendant. Nalson, J[ohn] [1638-1686].

*A True Copy of the Journal of The High Court of Justice, For the Tryal of King Charles I. As it was Read in the House of Commons, And Attested Under the Hand of Phelps, Clerk of That Infamous Court. With a Large Introduction.* London: Printed by H.C. For Thomas Dring, 1684. [xii], LXX, [2], 128, [8] pp. Two copperplate frontispieces, one a portrait frontispiece of Charles I., the other an allegory of his trial. Copperplate trial scene. Folio (12" x 7-1/2").

Contemporary calf, gilt fillets and small central owner crests to boards, raised bands, gilt ornaments and lettering piece to spine. Moderate rubbing with some wear to extremities, small chip to foot of spine. Pages 86 and 110, which list the members of the High Court, printed in red and black. Light toning to text, dampspotting, dampstaining, finger smudges and minor tears in a few places, clean tear to plate depicting trial mended with archival tape, edgewear to folding leaf with minor loss to text, internally clean. \$1,250.

\* First edition. The seventy-page "Large Introduction" is a polemical attack on the high court, "Monsters of Ingratitude and Cruelty, Treachery and Hypocrisy" who committed "the blackest and basest of all crimes" in their conviction and execution of King Charles I. Many journal entries have commentary by Nalson; several are quite sarcastic. The allegorical frontispiece is faced with an explanation in verse. The trial scene is keyed to a facing (polemical) leaf of captions. Later editions were published in 1731 and 1740. *English Short-Title Catalogue* R5636.

## "An Ancient and Honourable Branch of the Legal Profession in Scotland"

### 29. [Tytler, Fraser]. [Dickson, W. Traquair]. [Cook, Charles]. [Law, T.G.]. [Grant, F.J.].

*A History of the Society of Writers to Her Majesty's Signet. With a List of the Members of the Society from 1594 to 1890 and an Abstract of the Minutes.* Edinburgh: Printed for the Society at the University Press by T.& A. Constable, 1890. Four full-page engravings. cxxvi, 494 pp. Quarto (12" x 9").

Original starched buckram, rebacked retaining original backstrip. Top edge gilt, others untrimmed. Internally fresh. Ex-library. Stamps to endleaves. An appealing copy. \$100.

\* First edition. "The Society of Writers to Her Majesty's Signet is an ancient and honourable branch of the legal profession in Scotland. Long prior to the establishment of the court of session in 1532, the 'wrytaris or clerkis to the signet' existed as a society, and they have formed part of the college of justice since its foundation." A thorough history of this august body, it includes a section on the library, which was described by Thomas Frognall Dibdin with typical hyperbole: "[I]t is scarcely more than a hundred paces to the neighboring Paradise of Bokes called the Signet Library. It is like 'the purple light' of Virgil's Elysian fields.... Spacious, ornamental, commodious, and replenished thickly with goodly and gorgeous tomes, the whole has an absolutely palatial air. Grandees with fur cloaks should be the inmates...."

## An Unrecorded 1839 Imprint of the U.S. Constitution?

### 30. [United States]. [Constitution].

*The Constitution of the United States, The Declaration of Independence, And the Constitutions of Vermont and New-Hampshire, Together with a Biographical Chart and Sketches of the Several States.* Wells River, VT: Ira White, 1839. 163 pp. 12mo. (4-1/2" x 3-1/4").

Plain wrappers. Considerable edgewear, spine worn away. Some toning to text, occasional faint dampstaining, internally clean. A solid copy of a rare imprint. \$1,500.

\* This imprint appears to be unrecorded. The "Sketches of the Several States" list political facts, such as the constitution of the legislature, length of political offices and suffrage requirements. The "Biographical Chart" lists the inaugural years and home states of the Presidents, Vice Presidents and Secretaries of State, War, Treasury and Navy. Not listed in *American Imprints*, Sabin and other references. No copies located on OCLC, the American Antiquarian Society, Harvard or the Library of Congress.

**The Lawbook Exchange, Ltd.**  
**Antiquarian Bookseller and Publisher**

**New and Used Titles for Practitioners and Scholars**  
**Subscription Agent • Collection Development • Appraisals**  
**33 Terminal Avenue, Clark, New Jersey 07066**  
**(800) 422-6686 or (732) 382-1800. Fax: (732) 382-1887**  
**[law@lawbookexchange.com](mailto:law@lawbookexchange.com)**  
**[www.lawbookexchange.com](http://www.lawbookexchange.com)**

