

A SELECTION OF 30

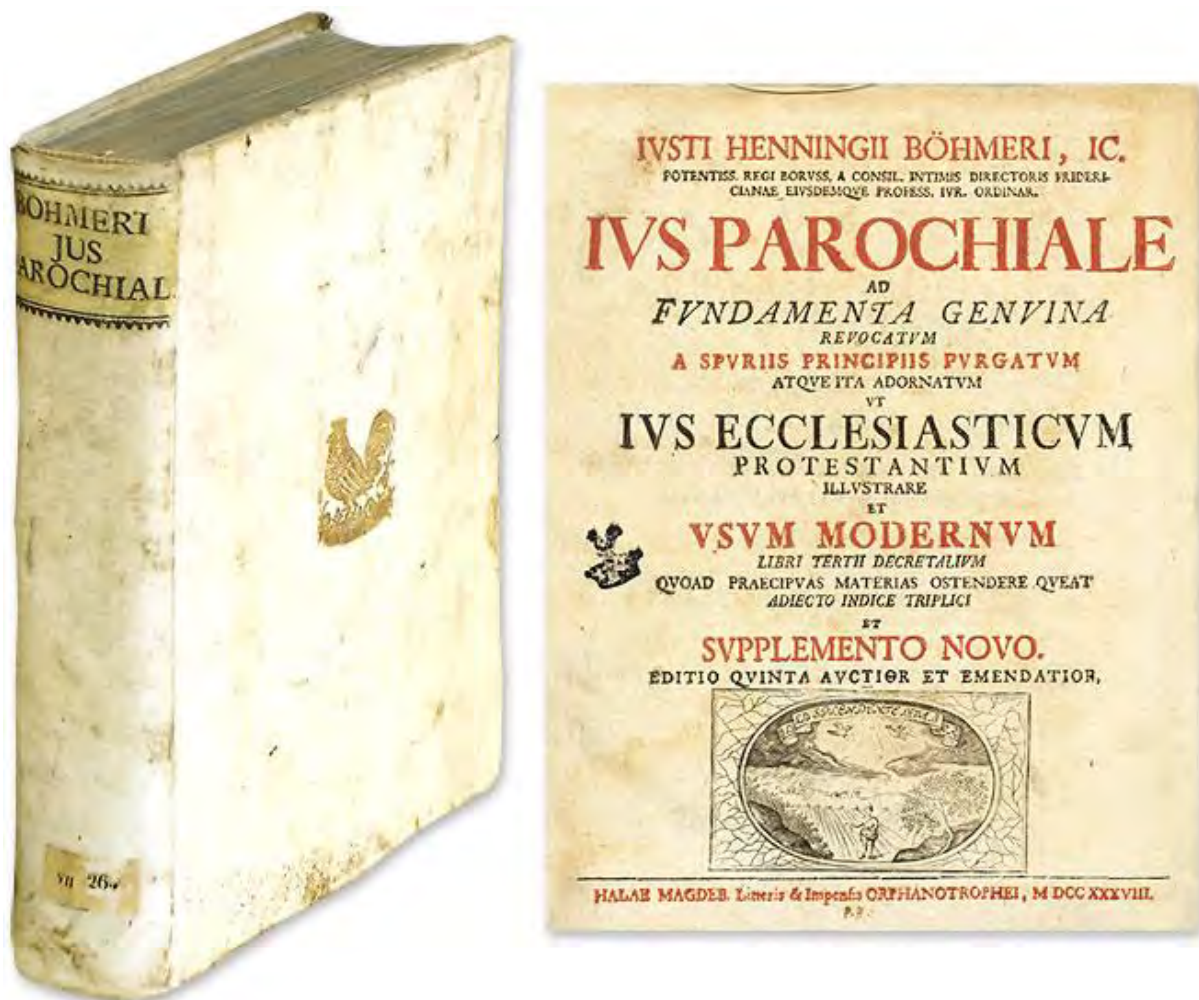
Antiquarian Items

Canon, Civil, Common & Ecclesiastical Law

March 26, 2019



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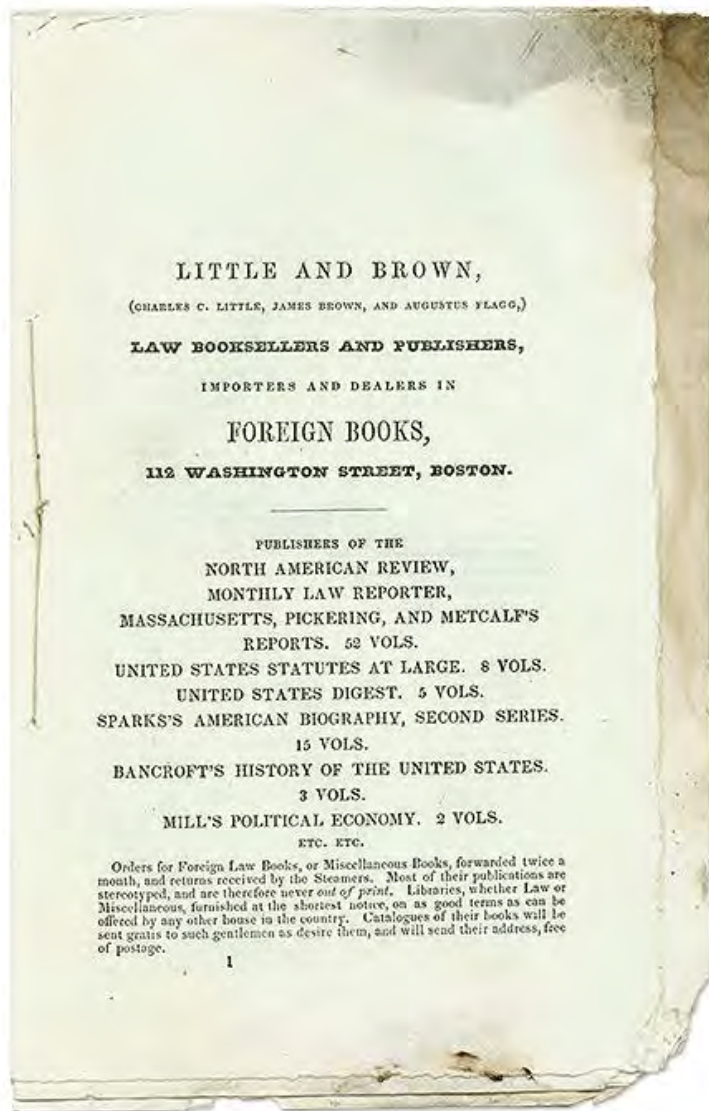
Lutheran Treatise on Church Property, Tithes and Clergy

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

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

Contemporary vellum, attractive hand-lettered title to spine, gilt device to center of front and rear boards, green edges. Light soiling and a few minor stains. Title page with attractive large copperplate printer device printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light browning, foxing, and dampstaining to a few leaves, interior otherwise fresh. Ex-library. Remains of shelf label to foot of spine, small owner stamps to front pastedown and title page. An appealing copy of an important work. \$450.

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



Enriched with Testimonials

2. [Bookseller Catalogue].

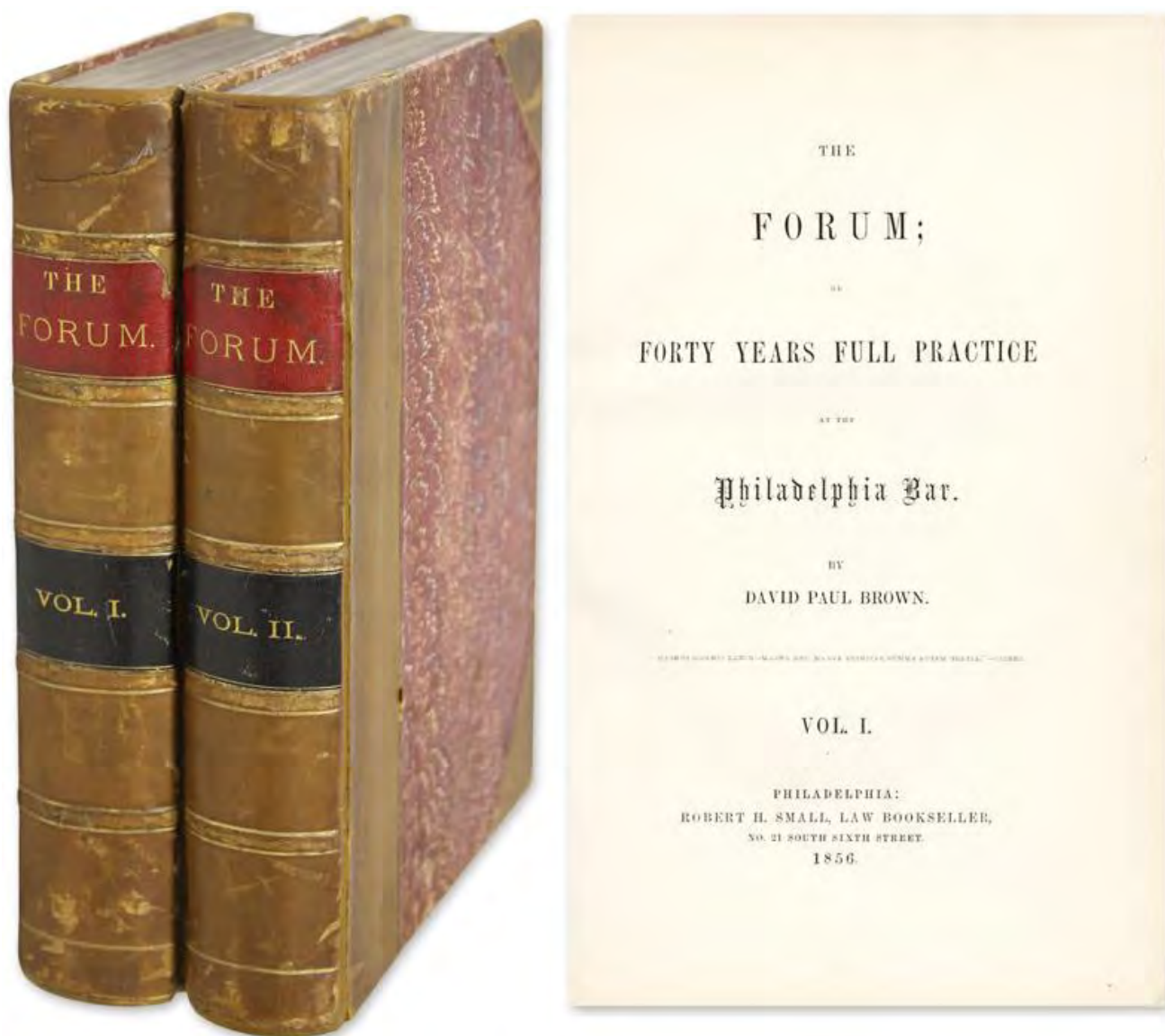
[Little and Brown].

Little and Brown, (Charles C. Little, James Brown, And Augustus Flagg,) Law Booksellers and Publishers, Importers and Dealers in Foreign Books, 112 Washington Street, Boston. [Boston: Little and Brown, c. 1850]. 24 pp. Octavo (6" x 4").

Stab-stitched pamphlet in self-wrappers, untrimmed edges, a few signatures unopened. Light toning, dampstaining to margins. \$150.

* Many of the titles in this catalogue are followed by testimonials solicited by the publisher by such luminaries as Joseph Story, Simon Greenleaf and Daniel Webster. Several others are followed by quotes from contemporary reviews. When this catalogue was issued Little and Brown was one of the leading law publishers and booksellers in North America.

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A True Philadelphia Lawyer

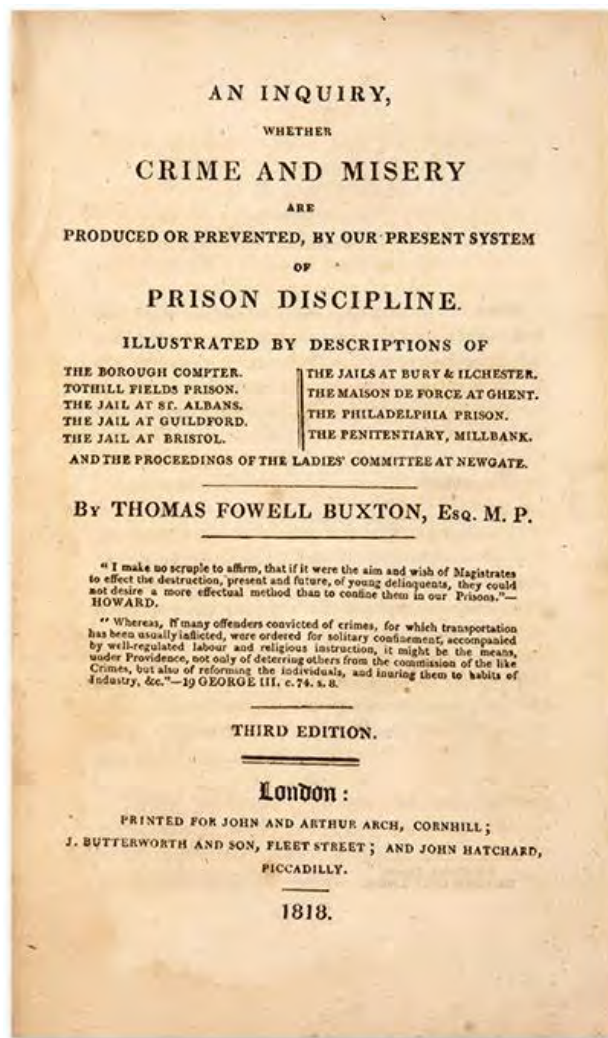
3. Brown, David Paul [1795-1872].

The Forum; or Forty Year Full Practice at the Philadelphia Bar. Philadelphia: Robert H. Small, 1856. Two volumes. Illustrated. Octavo (9" x 6").

Contemporary three-quarter calf over marbled boards, raised bands, red and black lettering pieces, marbled endpapers. Rebacked retaining original spines. Light rubbing to boards, some wear to board edges and corners. Small bookseller ticket to front pastedown of Volume I. Minor foxing to a few leaves, interiors otherwise fresh. A handsome set. \$450.

* First edition. A lively memoir of a notable lawyer and orator who was retained in almost every important criminal case in the Philadelphia courts due to his formidable cross-examination skill. This collection of biographical sketches and meditations on the law and legal profession contain several fascinating insights into the Philadelphia bar during the first half of the nineteenth century. *Dictionary of American Biography* 3:111-112. Cohen, *Bibliography of Early American Law* 8522.

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An Influential English Critique of Prisons

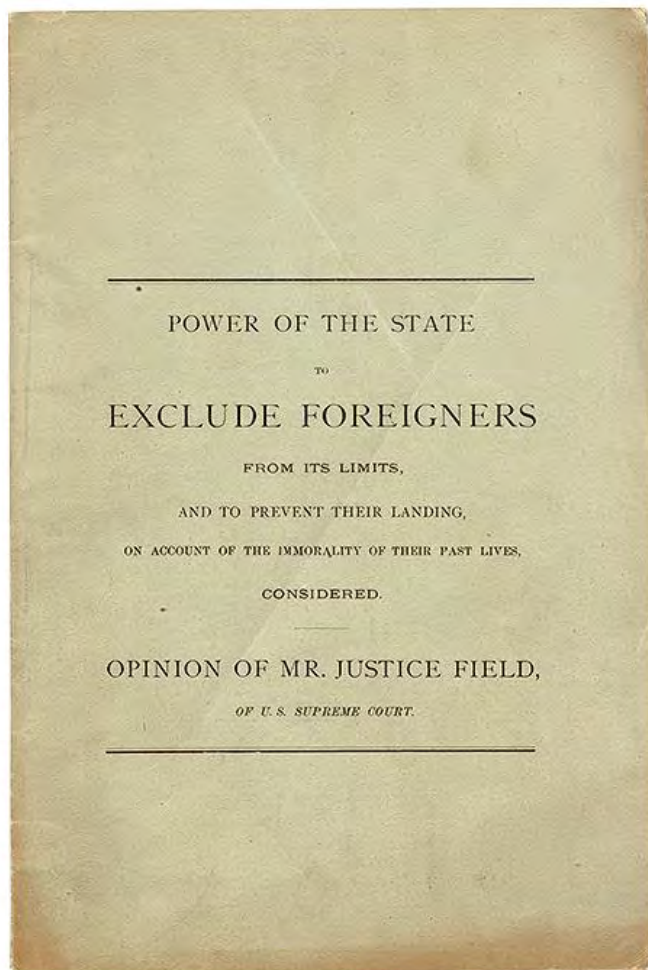
4. Buxton, Sir Thomas Fowell [1786-1845].

An Inquiry, Whether Crime and Misery are Produced or Prevented, By Our Present System of Prison Discipline. Illustrated by Descriptions of The Borough Compter, Tothill Fields Prison, The Jail at St. Albans, The Jail at Guildford, The Jail at Bristol, The Jails at Bury & Ilchester, The Maison de Force at Ghent, The Philadelphia Prison, The Penitentiary, Millbank, And the Proceedings of the Ladies' Committee at Newgate. London: Printed for John and Arthur Arch, 1818. viii, 146, [2] pp. Includes two-page publisher list. 12mo. (7-1/2" x 4-1/2").

Contemporary paper-covered boards with contrasting spine with title label, untrimmed edges. Scuffs to front board, moderate wear to extremities, front board just beginning to separate from spine but secure. Negligible faint dampstaining to some leaves, interior otherwise fresh. A solid copy. \$75.

* Third edition. Buxton was an important English philanthropist and Member of Parliament who lead efforts to alleviate poverty, abolish slavery and reform the prison system. Published in 1818 to immediate acclaim, his *Inquiry* went through five more editions that year and inspired the formation of the Prison Discipline Society. It was translated into French and Italian and disseminated widely throughout continental Europe. This edition not in the *British Museum Catalogue*.

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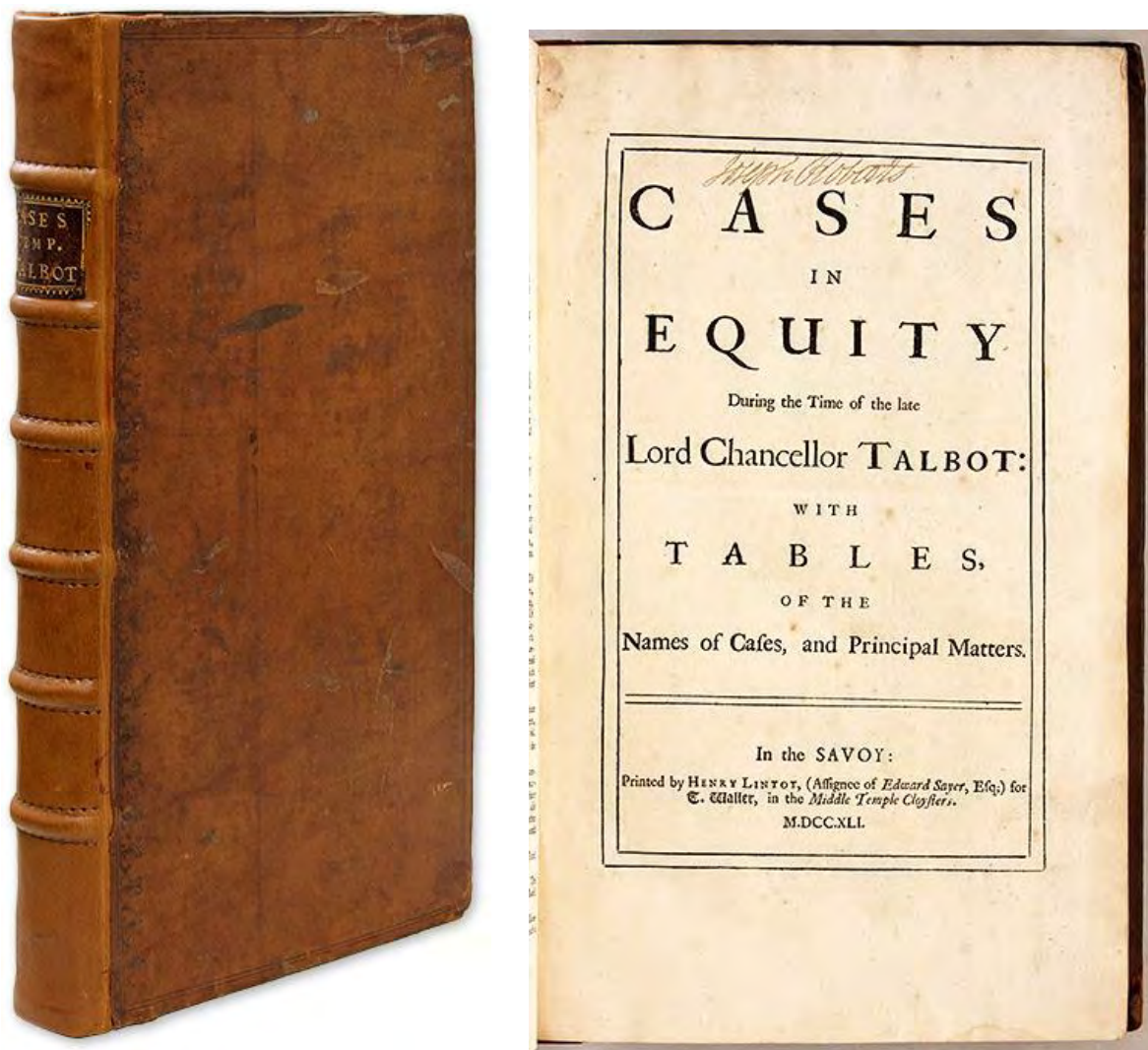
**Stephen Field's Opinion in an Early Case
Concerning the Restriction of Chinese Immigration**

5. Field, Stephen J. [1816-1899].

Power of the State to Exclude Foreigners from its Limits, And to Prevent Their Landing, On Account of the Immorality of Their Past Lives, Considered: Opinion of Mr. Justice Field, Of U.S. Supreme Court, Delivered Sept. 21st, 1874, In the Case of Ah Fong, A Chinese Woman, Brought Before the Circuit Court of the United States for the District of California on a Writ of Habeas Corpus. San Francisco: Edward Bosqui & Co., Printers, 1874. 22 pp. Octavo (8-3/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers. Negligible light soiling and staining, faint creases to wrappers, minor wear to spine ends and corners, light toning to interior. A well-preserved copy. \$1,250.

* Only edition. The case of Ah Fong, a female Chinese immigrant, was tried in 1874 in the U.S. District Court of California. The opinion was written by Field, an associate justice of the U.S. Supreme Court. Field's opinion ruled against the California commissioner of immigration in favor of Ah Fong and other female Chinese immigrants. As a group, these women had been unfairly characterized by the immigration authorities as prostitutes. Field agreed that preventing the immigration of prostitutes was a legitimate goal, but he held that targeting a single foreign group, rather than prostitutes from all nations, was discriminatory. It also infringed on a federal treaty power. The following year, however, Field's point became moot. Congress passed the Page Act of 1875, which effectively excluded female Chinese immigrants, the first United States law restricting immigration. Not in the *Harvard Law Catalogue*. [Order This Item](#)



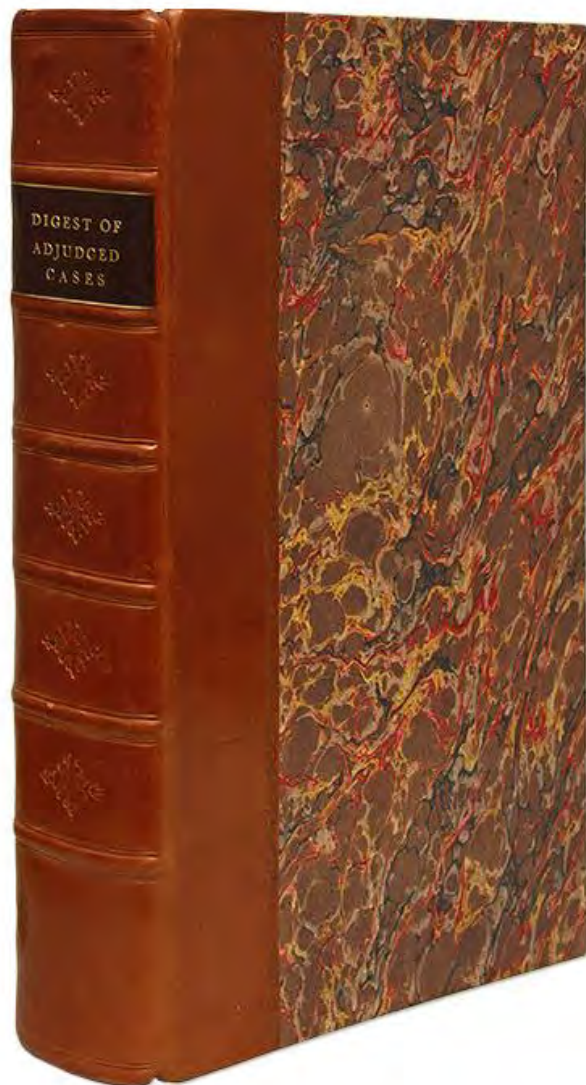
"Cases Tempore Talbot"

6. [Forrester, Alexander, Reporter].

Cases in Equity During the Time of the Late Lord Chancellor Talbot: With Tables of the Names of Cases, And Principal Matters. [London]: Printed by H. Lintot for T Waller, 1741. [ii], vi, 286, [18] pp. Includes one-page publisher advertisement. Folio (12-1/2" x 7-3/4").

Contemporary calf, rebacked in period style retaining contemporary lettering piece, blind rules to boards, blind fillets along joints, raised bands, blind ornaments and lettering piece to spine. Light rubbing and a few shallow scuffs to boards, small chip to lettering piece, corners bumped and somewhat worn, early armorial bookplate (of John Aspinall) to front pastedown, hinges cracked. Light toning to text, somewhat heavier in places, occasional crinkling with some light soiling, light foxing and finger smudges to a few leaves, minor worming to head of gutter at beginning and end of text block, early owner signature (of Joseph Roberts) to head of title page, notes in his hand in a few places. A nice copy. \$250.

* First edition. Usually cited as "Cases Tempore Talbot," this is a respected collection of cases heard by one of England's greatest judges. "Undoubtedly, everywhere in the Cases Temp. Talbot you see the purest and most steady intelligence, united with affection unfailing for the justice of the case.": Wallace, *The Reporters* 507, 509. *English Short-Title Catalogue* T95697. [Order This Item](#)



Intended for the "Younger Part of the Profession"

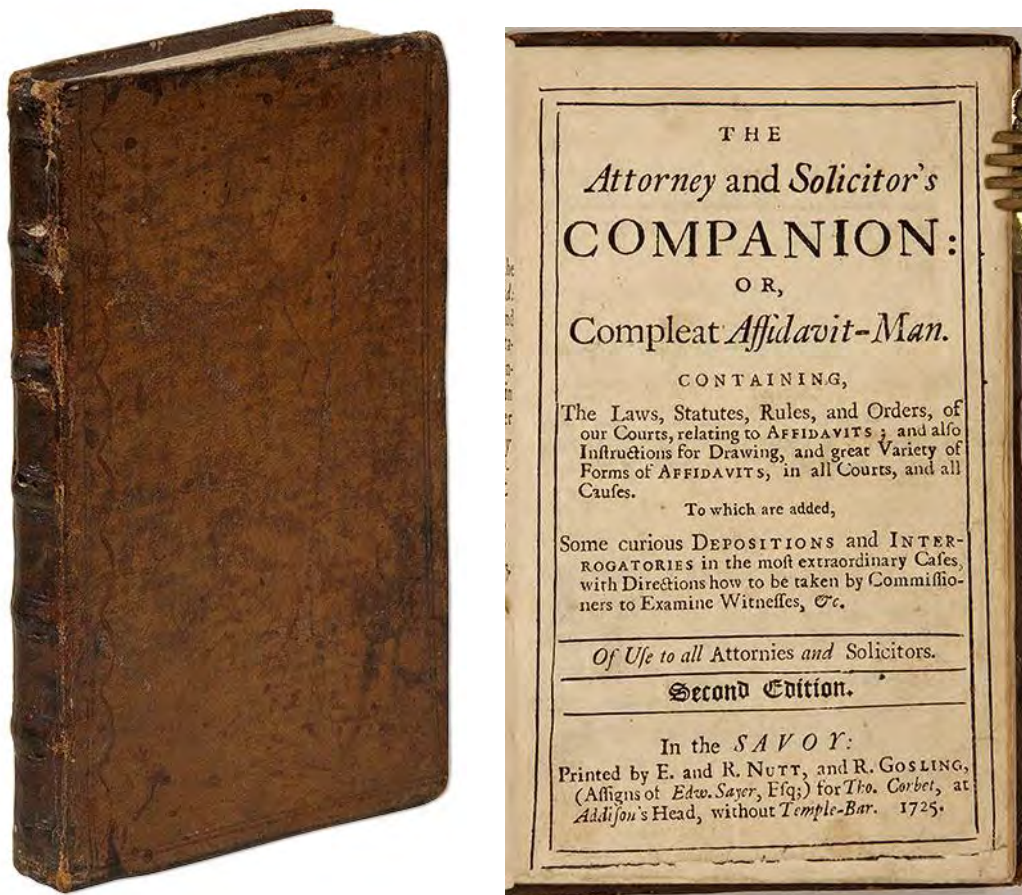
7. Gentleman of Lincoln's Inn.

A Digest of Adjudged Cases in the Court of King's Bench, From the Revolution to the Present Period, Alphabetically Arranged Under the Different Heads of Practice. Comprehending all the Approved Determinations During the Time that Lord Chief Justices Holt, Parker, Pratt, Raymond, Hardwicke, Lee, And Ryder, Presided on that Bench; And also Those of the Present Lord Chief Justice. London: Printed by W. Strahan, And M. Woodfall, 1775. [iv], 839, [1], xxxiv, [2] pp. Main text in parallel columns. Folio (14-1/4" x 9").

Recent period-style quarter calf over marbled boards, raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Light toning to text, slightly heavier in places, negligible light foxing and minor edgewear to preliminaries, faint circle in ink around "D" of *Digest* on title page. A nice copy. \$500.

* Only reissue of the only edition. Covering cases from the end of the Glorious Revolution to 1773, this digest was intended for the "younger part of the profession" that lacked the resources to build a library of reporters or the time to compile a digest of cases. It was first issued with same format and pagination in 1773. *English Short-Title Catalogue* T97355.

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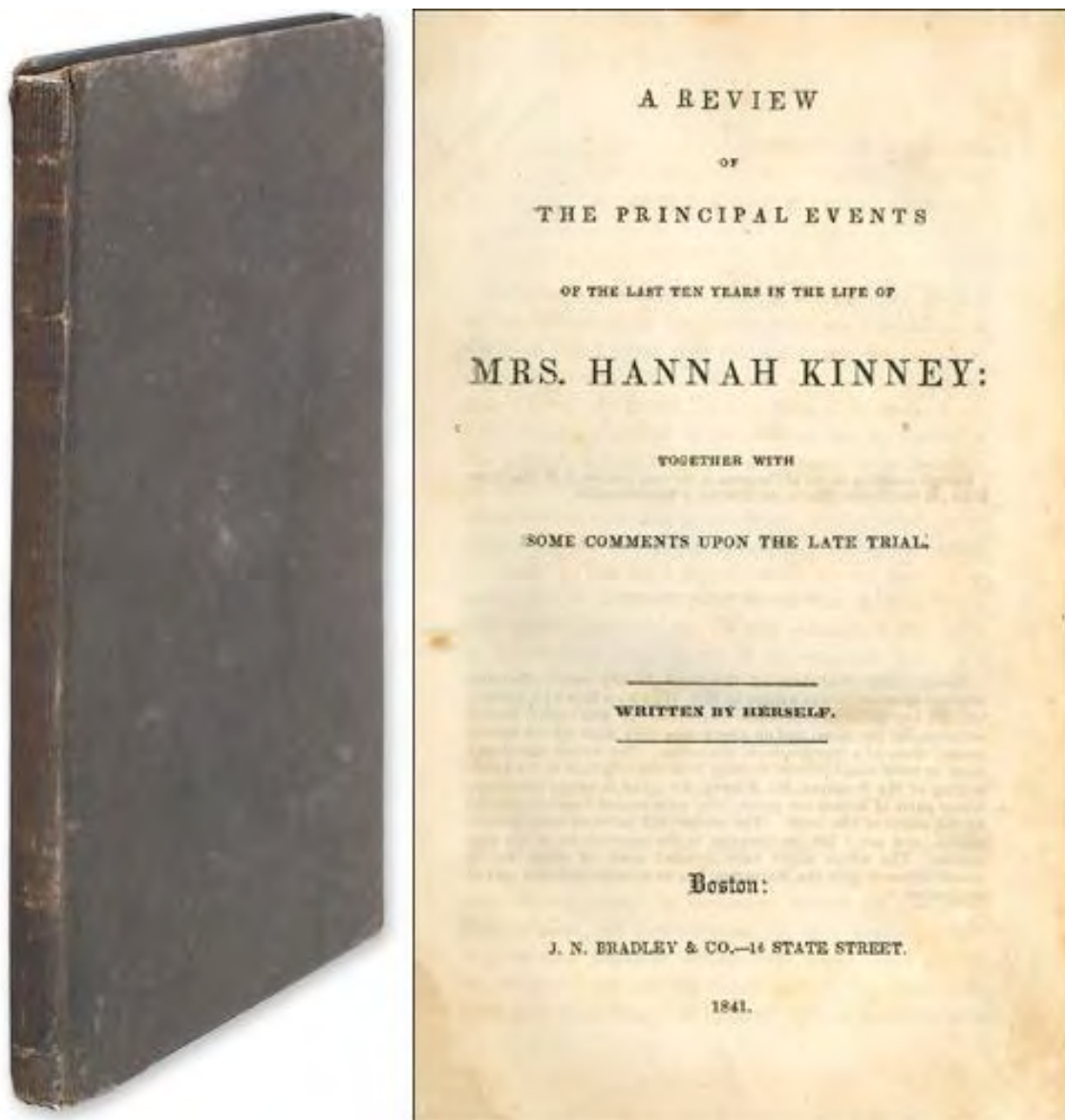
The "Compleat Affidavit-Man"

8. [Jacob, Giles (1686-1744), Attributed].

The Attorney and Solicitor's Companion: Or, Compleat Affidavit-Man. Containing, The Laws, Statutes, Rules, And Orders of Our Courts, Relating to Affidavits; And also Instructions for Drawing, And Great Variety of Forms of Affidavits, In all Courts, And all Causes. To Which are Added, Some Curious Depositions and Interrogatories in the Most Extraordinary Cases, With Directions How to be Taken by Commissioners to Examine Witnesses, &c. Of Use to All Attornies and Solicitors. [London]: Printed by E. and R. Nutt, And R. Gosling, 1725. [iv], iv, 113, [7] pp. Main text preceded by an initial advertisement leaf for Jacob's *The Student's Companion*. 12mo. (6-1/4" x 3-3/4").

Contemporary sheep, blind rules to boards, blind fillets along joints, raised bands to spine, blind tooling along board edges. Light rubbing and a few shallow scuffs and scratches to boards, moderate rubbing to extremities, corners bumped and somewhat worn, a few tiny holes to spine, front pastedown beginning to detach, front joint partially cracked. Light toning to text, section removed from foot of title page, just touching lower rule of the frame enclosing the title, early owner signature twice to front endleaf. \$1,500.

* Second edition, published the same year as the first. This practical pocket-sized guide to the drafting and use of affidavits, statements written under oath and used as evidence in courts, is usually attributed to Giles Jacob, one of the most prolific and wide-ranging English legal writers of the early eighteenth century. Third and fourth editions were published in 1739 and 1740. All editions are rare. OCLC locates no copies of the second edition in North America. The present copy is the first we have offered (of any edition) in the 36-year history of our company. *English Short-Title Catalogue* N15950. [Order This Item](#)



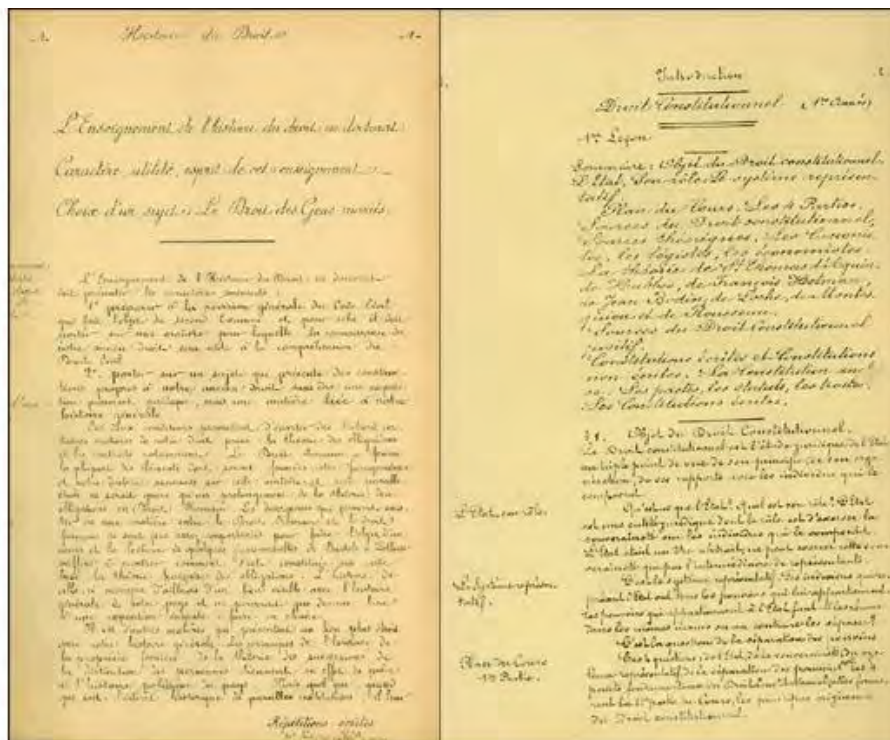
Mrs. Kinney Defends Herself

9. Kinney, Hannah, Defendant.

A Review of the Principal Events of the Last Ten Years in the Life of Hannah Kinney: Together with Some Comments Upon the Late Trial. Written by Herself. Boston: J.N. Bradley & Co., 1841. 87 pp. Octavo (7" x 4-1/2").

Contemporary cloth, rubbing with some wear to extremities, front hinge starting, front free endpaper lacking. Faint dampstaining to foot of text block near gutter, occasional light foxing, internally clean. \$200.

* Only edition. When Mr. Kinney died of arsenic poisoning, Mrs. Kinney's suspicious behavior brought her to trial. She was acquitted. According to McDade, there is a related work entitled *A Brief Notice of the Life of Mrs. Hannah Kinney for Twenty Years* by Ward Witham, her first husband, who reports that she never tried to poison him. McDade, *The Annals of Murder* 561. [Order This Item](#)



**c.1875 French Lecture Notes
on Family and Constitutional Law**

10. [Legal Education].

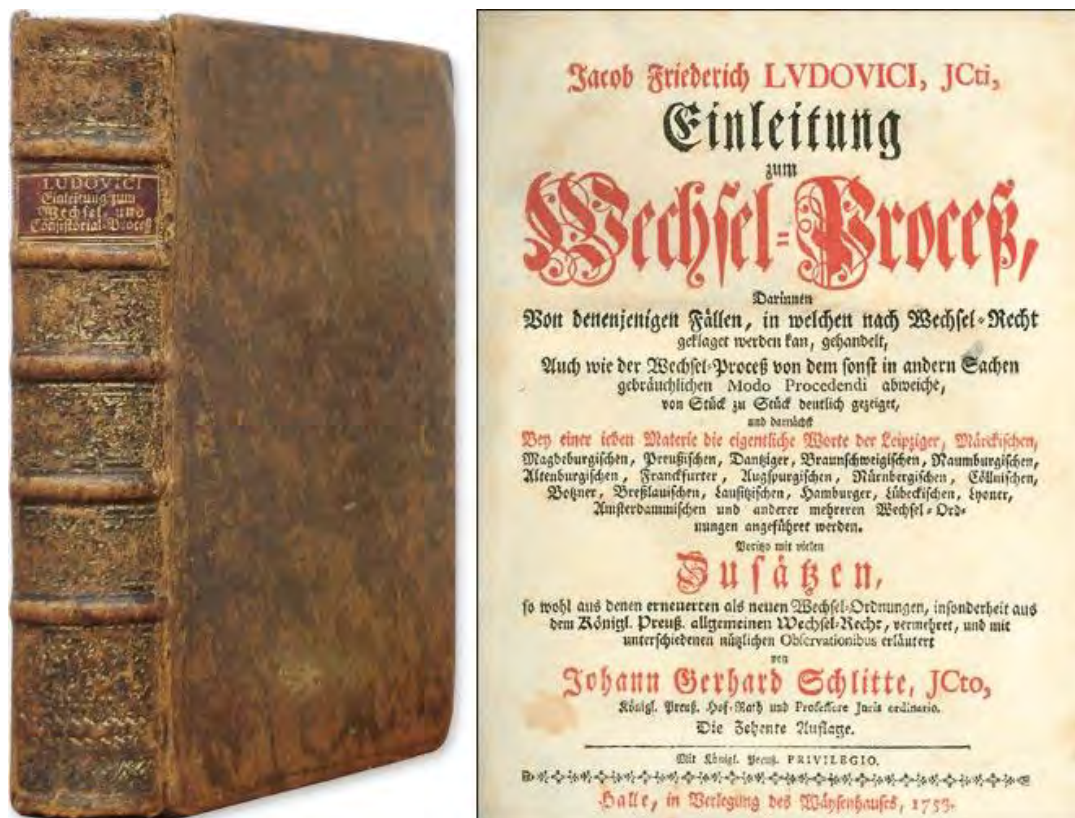
L'Enseignement de L'Histoire du Droit en Doctorat: Caractere, Utilite, Esprit de cet Enseignement. Choix d'un Sujet: Le Droit des Gens Maries. various paginations. n.p.: s.n., c.1875.

[And]

Droit Constitutionnel (1re Annee). 247 pp.
n.p.: s.n., c.1875.

Photo-reproduced autograph lecture notes bound in contemporary quarter cloth over marbled boards. Moderate shelfwear, front hinge of first volume cracked but secure, fading to spines, light browning to texts. Occasional underlining and a few annotations, interior otherwise clean. \$250.

* These are two volumes from the series *Repetitions Ecrites*, which offered general lecture notes on various academic topics to university and professional school students. The second volume's subtitle states: "Summary: Object of constitutional law. The state. Its role in the representative system. Course plan. Four parts: Sources of constitutional law, theoretical sources, the canonists, the legists, the economists. The theories of St. Thomas Aquinas, Hobbes, Francois Hotman, Jean Bodin, Locke, Montesquieu and Rousseau. Sources of positive constitutional law. Written and unwritten constitutions. The British constitution: compacts, statutes, treaties. Written constitutions" (2) Valuable guides to the general state of these areas in France at the time, these volumes will reward further research. [Order This Item](#)



Notable German Treatises on
Bills of Exchange and Ecclesiastical Law

11. Ludovici, Jacob Friederich [1671-1723].

Schlitte [1683-1748], Johann Gerhard, Editor.

Einleitung zum Wechsel-Process, Darinnen von Denienienigen Fallen, in Welchen Nach Wechsel-Recht Geklagt Werden Kan, Gehandelt. Auch wie der Wechsel-Process von dem Sonst in Anderen Sachen Gebrauchlichen Modo Procedendi Abweiche, von Stuck zu Stuck Deutlich Gezeiget... Halle: In Verlegung des Waisenhauses, 1753. [xxiv], 420, [28] pp.

[Bound with]

Einleitung zum Consistorial-Process, Darinnen, die Solcher Consistorial-Process von dem Sonst in Anderen Sachen Gebrauchlichen Modo Procedendi Abweiche, von Stuck zu Stuck Deutlich Gezeiget... Halle: In Verlegung des Waisenhauses, 1762. [xx], 182, 14 pp. Quarto (8" x 6-1/2").

Contemporary mottled sheep, blind frames to boards, raised bands, lettering piece and gilt ornaments to spine, rouged edges, marbled endpapers. Rubbing with wear to extremities, joints starting at ends, scuff to front board. Title page of first work printed in red and black, attractive woodcut head-pieces, tail-pieces and decorated initials. Light foxing to most of text, occasional light browning. Later owner signature to verso of front free endpaper, interior otherwise clean. \$500.

* Tenth editions. With indexes. Professor of Law at the University of Halle and an authority on civil law, Ludovici was the first jurist to write a legal treatise in German. A prolific author, he published works on a wide variety of legal topics. His work is notable for its clarity, well-crafted syntheses and elegant prose style. The first title is a comprehensive treatise on the laws and legal procedure relating to bills of exchange. The second title deals with ecclesiastical law and church discipline. Both have notes by Schlitte, a Privy Counselor to the Emperor of Prussia. Stintzing/Landsberg, *Geschichte der Deutschen Rechtswissenschaft* III/1:136. [Order This Item](#)



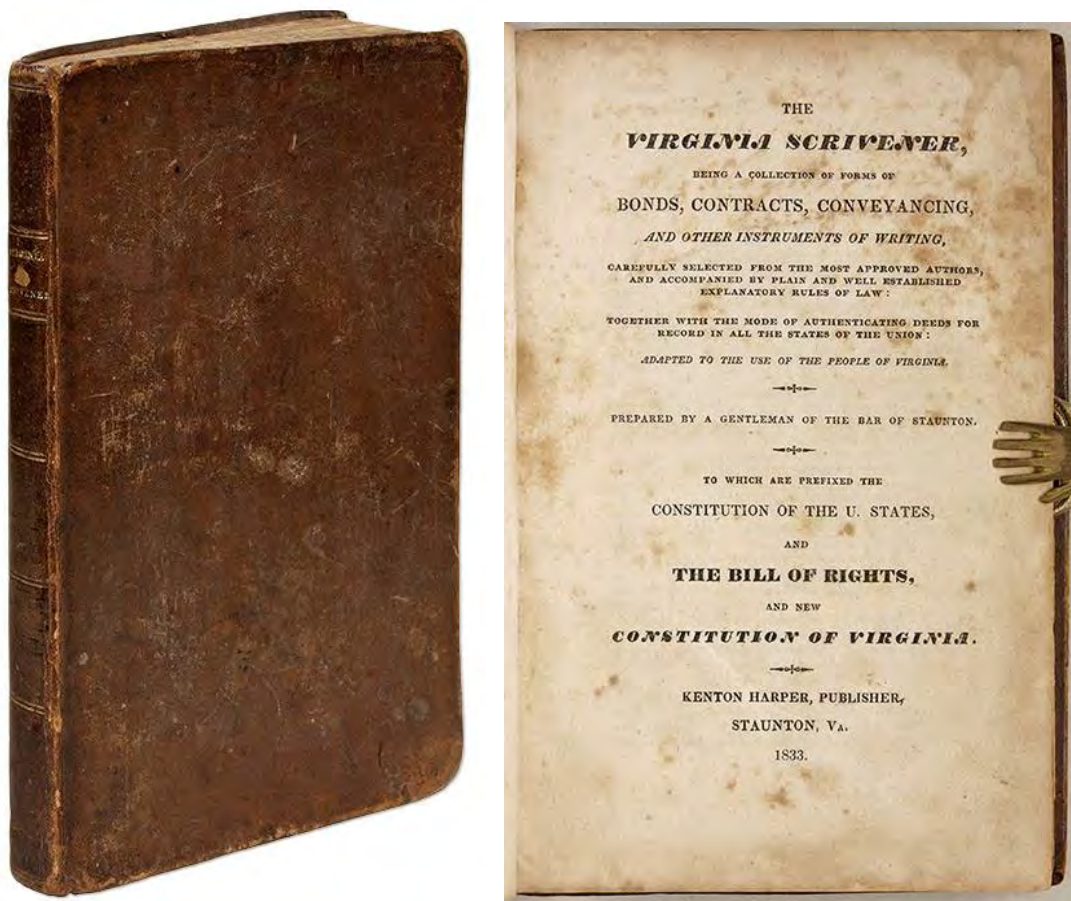
Canon Law and the Regulation of Clerical Life

12. Molanus, Johannes [1533-1585].

De Canonicis Libri Tres, I. De Canonicorum Vita, II. De Eorum Officijs, III. De Dominio Canonicorum et Servis Ecclesiarum. Item, Orationes Tres, De Agnis Dei, De Decimis Dandis, De Decimis Defendendis. Cum Trib. Indicibus. Cologne: In officina Birckman. Sumptib. Arnoldi Mylij, 1587. 6, [10], 437, [5] pp. Octavo (5-3/4" x 3-3/4").

Contemporary limp vellum, early hand-lettered titles to spine and foot of text block, ties lacking. Light soiling, spine ends and corners bumped, front endleaves lacking, rear pastedown renewed. Light toning to text, light foxing to title page, which is lightly soiled, and a few other leaves. Two small early owner stamps and signature to title page interior otherwise clean. \$1,250.

* Second edition. A legal handbook on the organization and administration of clerical institutions and the rights, responsibilities and liabilities of clerics. It has a chapter on library management and librarians. The appended essays discuss tithes and the proper form of the Agnus Dei in a mass. First published in 1582, this work went through four later editions, the last one in 1675. Adams, *Catalogue of Books Printed on the Continent of Europe* M1552. [Order This Item](#)



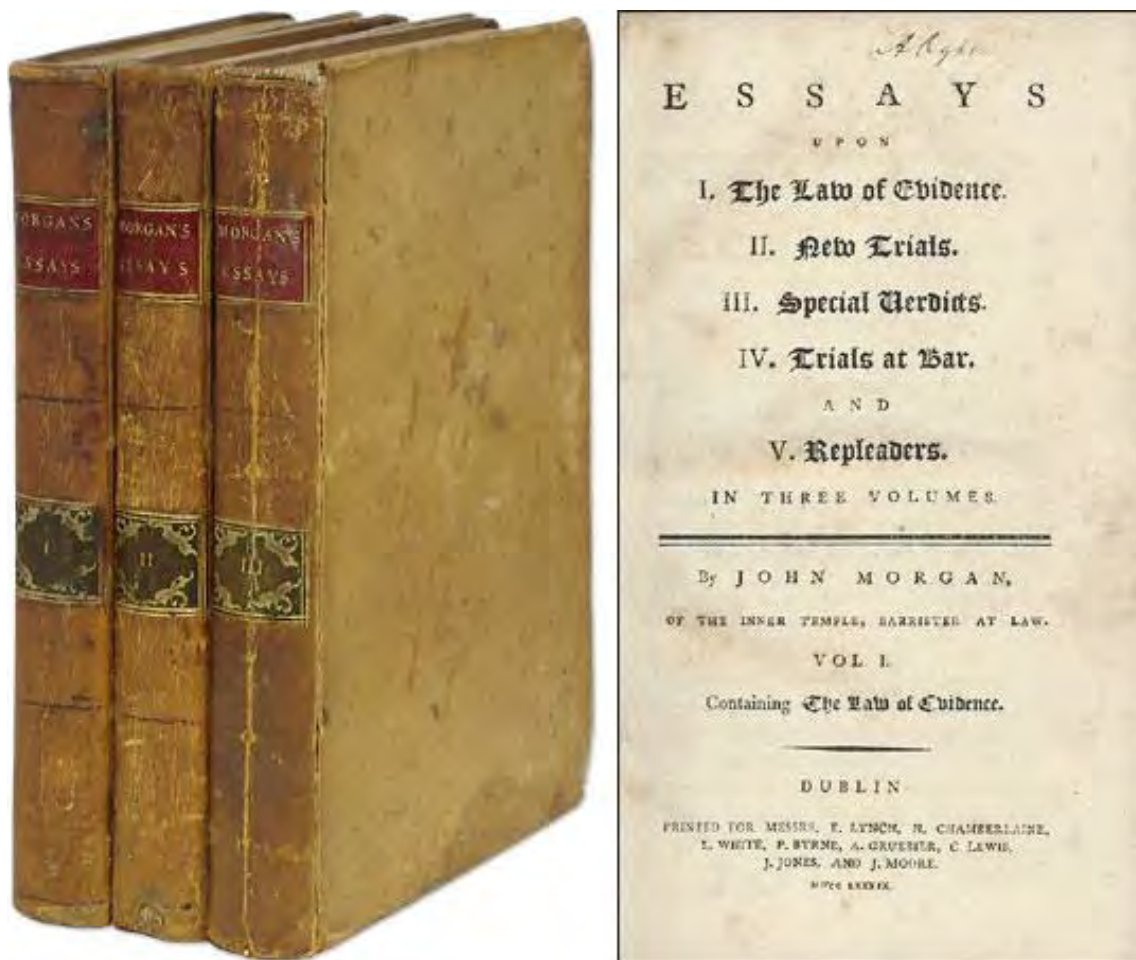
**"A Cheap Instructor" for Virginians,
Includes a Sample Inventory that Includes Slaves**

13. [Michie, Thomas Johnson (1795-1873), Attributed].

The Virginia Scrivener, Being a Collection of Forms of Bonds, Contracts, Conveyancing, and Other Instruments of Writing, Carefully Selected from the Most Approved Authors, and Accompanied by Plain and Well Established Explanatory Rules of Law: Together with the Mode of Authenticating Deeds for Record in All the States of the Union: Adapted to the Use of the people of Virginia. Prepared By a Gentleman of the Bar of Staunton. To Which are Prefixed the Constitution of the U. States, and the Bill of Rights, and New Constitution of the State of Virginia. Prepared by a Gentleman of the Bar of Staunton. Staunton: Kenton Harper, Publisher, 1833. iv [5]-181 pp. Octavo (8" x 5").

Contemporary sheep, lettering piece and gilt fillets to spine. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, boards slightly bowed, corners bumped and somewhat worn, tiny chip to lettering piece, upper corner lacking from rear free endpaper. Moderate toning and light foxing to text. Contemporary (and near-contemporary) annotations and early owner inscriptions (of Hezekiah Taylor) to endleaves, marks to a few passages in text. \$300.

* Only edition. "The purpose of this production, is to place in the hands of every man a cheap instructor, by the aid of which, without too much abstraction from his ordinary business, he can acquire or transfer property and preserve his rights, without the danger of involving himself in litigation, or of having his transactions pronounced invalid by the laws of the land" [iii]. Among the sample forms is an estate inventory on p.175 that includes a list of slaves. Cohen, *Bibliography of Early American Law* 8153. [Order This Item](#)



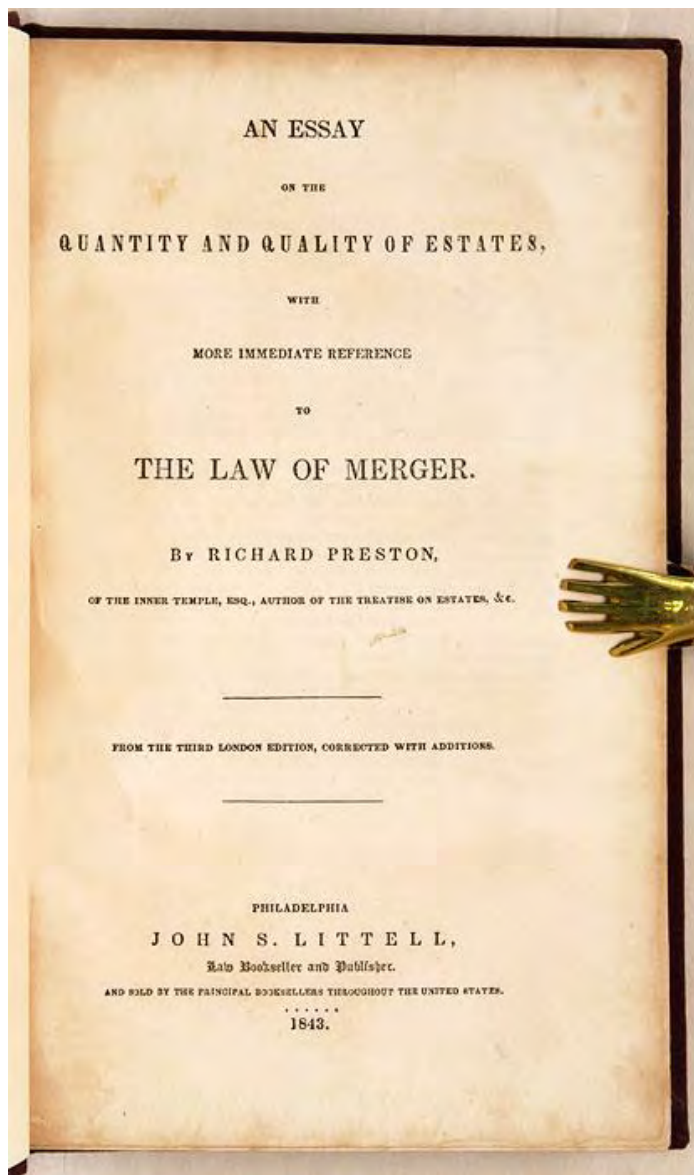
Morgan's Essays, Complete in Three Volumes

14. Morgan, John.

Essays Upon I. The Law of Evidence. II. New Trials. III. Special Verdicts. IV. Trials at Bar. And V. Repleaders. Dublin: Printed for Messrs. E. Lynch, H. Chamberlaine, [et al.], 1789. Three volumes. Complete set. xlv, 475; lxii, 351; [ii], 493 pp. Octavo (8" x 5").

Contemporary calf, lettering pieces and blind fillets to spine. Light rubbing and a few tiny scuffs to boards, Some wear to spine ends and corners, front joint of Volume III cracked but secure, another crack near center of text block with a crease through the spine, all hinges cracked or starting. Early and later bookplates to each front pastedown, early owner signature to head of Volume I title page. Light foxing to sections of text, interior otherwise clean. A nice copy of a complete set, uncommon in the trade. \$750.

* This title was issued in Dublin and London in 1789. No later editions were published. "The following essays, especially the two first, may be considered as nearly related to each other. (...) It is presumed that these Essays will be of great use, not only to the *learned advocate* (much engaged in business), and to the *student of the law*; but that the two first, at least, will be very useful to every *acting magistrate*, who wishes to discharge his duty conscientiously; and which he cannot do, even when acting *ministerially*, much less when acting *judicially*, unless he hath some knowledge of the *Law of Evidence*." : Preface iii-iv. The author was a barrister of the Inner Temple. His books include *The Modern Pleader*, *The Attorney's Vade Mecum* and *A Digest of the Common Law*. *English Short-Title Catalogue* N8428. [Order This Item](#)



A "Profound" Scholar of Estates and Real-Property

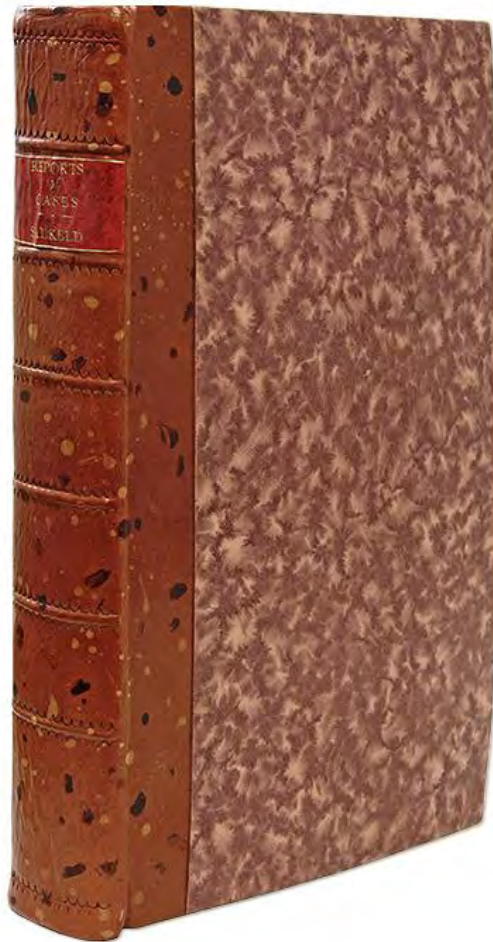
15. Preston, Richard [1768-1850].

An Essay on the Quantity and Quality of Estates, With More Immediate Reference to the Law of Merger. Corrected with Additions. Philadelphia: John S. Littell, 1843. xiv, 244 pp. Octavo (9" x 5-1/4").

Recent cloth, lettering piece to spine, endpapers renewed. Occasional faint dampstaining, interior otherwise fresh. \$150.

* First American edition, from the third volume of the third London edition of Preston's *A Treatise on Conveyancing* (1829), to which it is star-paged. A conveyancer and a member of the Inner Temple, Preston wrote several treatises on estates and real property. His "knowledge of the technique of real-property law was profound, and his works on conveyancing are masterpieces of patient research and lucid exposition." *Dictionary of National Biography* XVI:312. This book was Volume 42 of *The Law Library* (Oct./Dec. 1843). Cohen, *Bibliography of Early American Law* 9493. [Order This Item](#)

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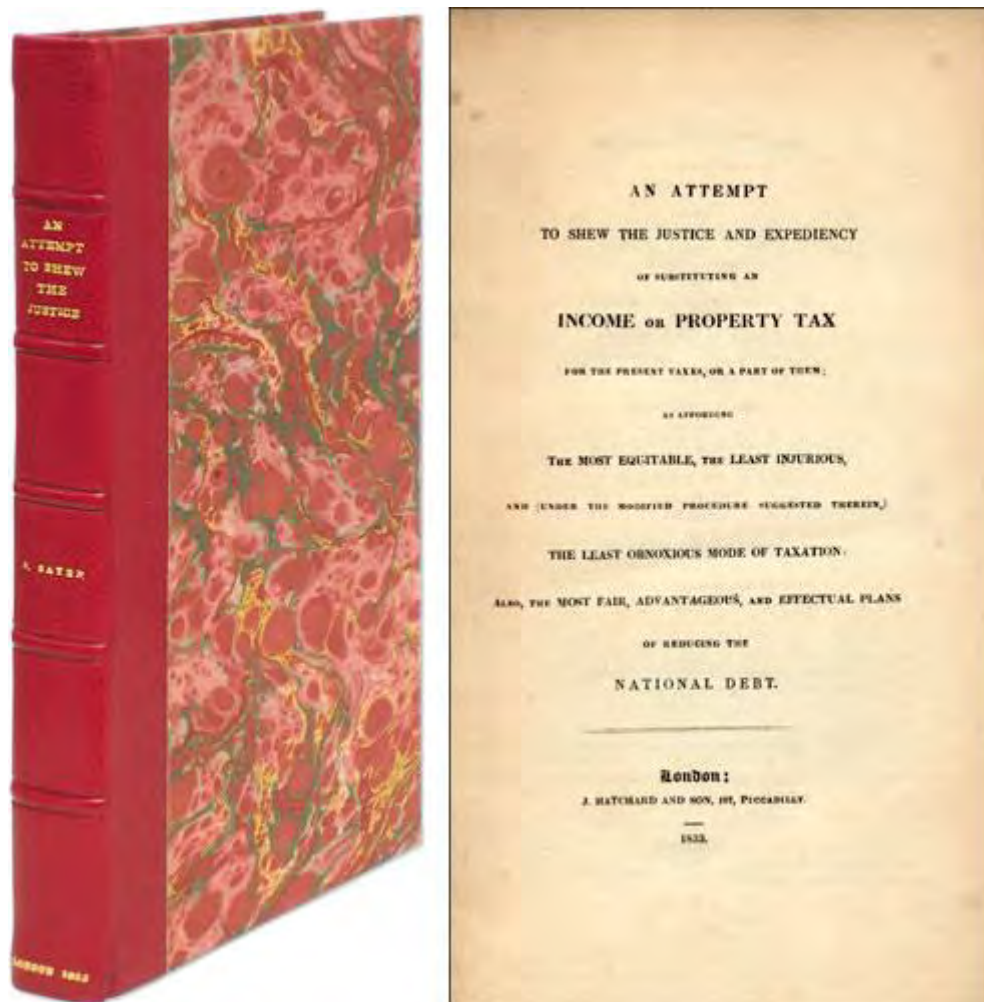
**"Their General Accuracy,
I Believe, Has not Been Questioned"**

16. Salkeld, William [1671-1715].

Reports of Cases Adjudged in the Court of King's Bench: With Some Special Cases in the Courts of Chancery, Common Pleas, and Exchequer, Alphabetically Digested Under Proper Heads; From the First Year of K. William and Q. Mary, To the Tenth Year of Queen Anne. With Two Tables; One of the Names of the Cases, The Other of the Principal Matters Therein Contained. Allowed and Approved of by the Lord High Chancellor of Great Britain, And All of the Judges. Being the Most Useful Collection of Cases for Justices of the Peace, And Also for Barristers, Students, And All Practisers of the Law. With Several Hundred References to Lord Raymond and Other Reporters Since His Time, Added (to Those by Knightly D'Anvers, Esquire, In the Former Edition) by George Wilson, Serjeant at Law. London: Printed by W. Strahan and M. Woodfall, 1773. Three volumes in one, second and third volumes preceded by divisional title pages. (Main title page states, "In One Volume Complete"). Unpaginated. Folio (14" x 9").

Recent period-style speckled calf over marbled boards, lettering piece, raised bands and blind ornaments to spine, endpapers renewed. Light toning to text, light edgewear to preliminaries, light soiling to title page, which has a neat early repair near lower inside corner, brief early annotations and underlining in a few places. \$250.

* Fifth edition. Covers the period from 1689-1712. A standard set of reports in Great Britain and the American colonies. "The first two volumes of Salkfeld were published under the supervision of Lord Hardwicke, and their general accuracy, I believe, has not been questioned" (Wallace). The annotations in our copy are references to other reporters and statutes. Wallace, *The Reporters* 399-340. *English Short-Title Catalogue* T108112. [Order This Item](#)



"A Valuable Work" of "Ability and Judgement"

17. [Sayer, Benjamin].

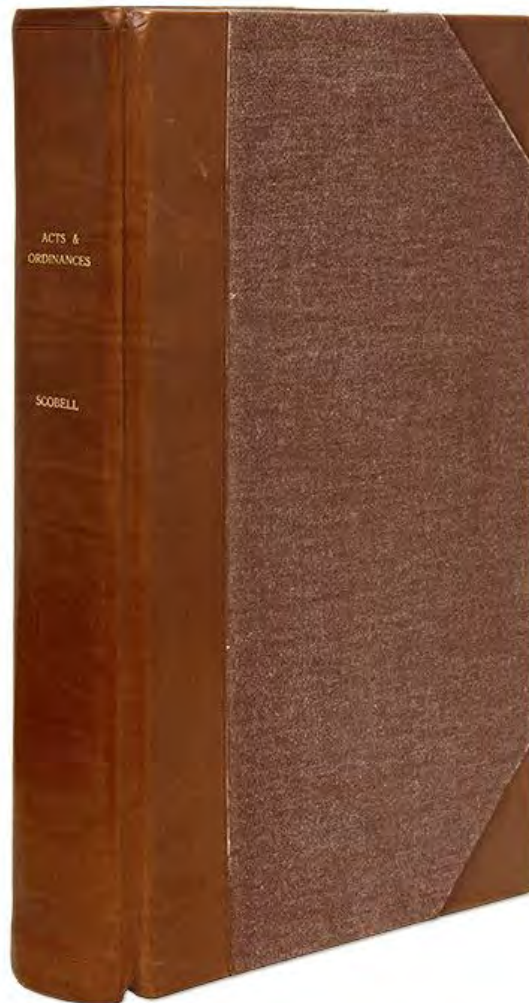
An Attempt to Shew the Justice and Expediency of Substituting an Income or Property Tax for the Present Taxes, Or a Part of Them; As Affording the Most Equitable, The Least Injurious, And (Under the Modified Procedure Suggested Therein), The Least Obnoxious Mode of Taxation: Also, The Most Fair, Advantageous, And Effective Plans on Reducing the National Debt. London: J. Hatchard and Son, 1833. xi, [5], 356, 72 pp. Octavo (9-1/2" x 5-3/4").

Recent period-style quarter morocco over marbled boards (by J. Macdonald, Co., Norwalk, CT.), endpapers renewed. Negligible light foxing to a few leaves, interior otherwise fresh. \$850.

* Only edition. According to McCulloch's landmark treatise *A Treatise on the Principles and Practical Influence of Taxation and the Funding System* (1845), the first systematic study of public finance in English, "[t]his is a valuable work. Its author having long been engaged in the supervision of the collection of the income or property tax repealed in 1815, it embodies much practical as well as theoretical information. We dissent from the views taken by Mr. Sayer of Taxes on Income: but we are not on that account the less ready to admit the ability and judgement he has displayed in recommending their adoption" (359). OCLC locates 35 copies. This study is based on an earlier work entitled *On the Advantages of Substituting an Income Tax or Property Tax for the Present Taxes* (1831). *Catalogue of the Goldsmiths' Library of Economic Literature* 28059.

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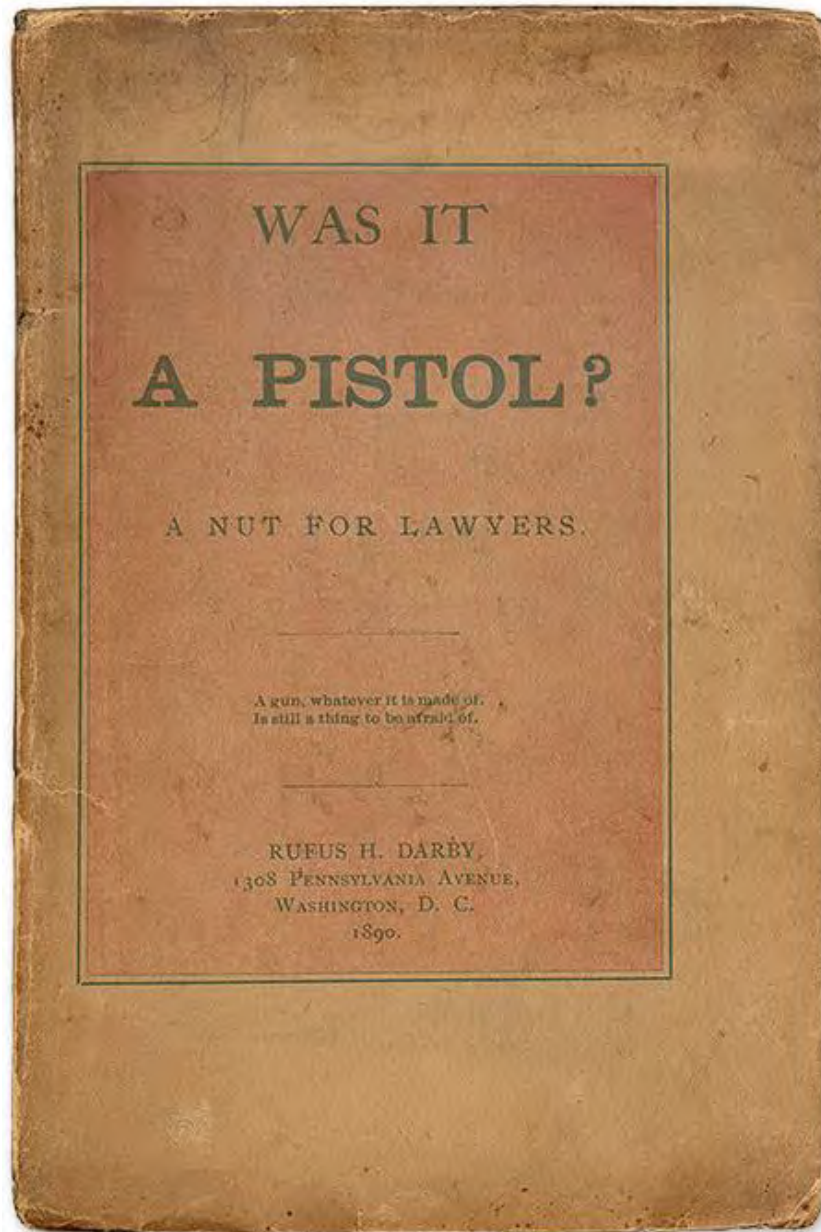
Printed in the Year of Cromwell's Death

18. Scobell, Henry [d.1660].

A Collection of Acts and Ordinances Of General Use, Made in the Parliament Begun and Held at Westminster the Third Day of November, Anno 1640 and Since, Unto the Adjournment of the Parliament Begun and Holden the 17th of September, Anno 1656, And Formerly Published in Print, Which are Here Printed at Large with Marginal Notes, Or Abbreviated: Being a Continuation of the Work from the End of Mr. Pulton's Collection. In Two Parts. Together With Several Tables of the Titles of, And Principal Matters Contained in the Said Acts and Ordinances; And Likewise of Such as Being of More Private and Particular Concernment, Or Less Use, are Omitted. Examined By the Original Records; And Now Printed by Special Order of Parliament. London: Printed by Henry Hill and John Fields, Printers to His Highness the Lord Protector, 1658, 1657. Two parts in one volume, each with title page (the second dated 1657). [xlii], 186, [4], 160, 163-515, [43] pp. Pagination irregular, text complete. Folio (13-1/4" x 8-1/2").

Recent three-quarter calf over cloth, gilt title to spine, endpapers renewed. Moderate toning, light browning and foxing in a few places, moderate edgewear to preliminaries, tiny scuff near center of rear hinge, light soiling and faint dampstaining to title page. \$750.

* Third and final edition. Arranged chronologically, this is one of the principal sources of legislative enactments under Cromwell. The acts relating to finance, religion, foreign trade and American colonies are especially fascinating. *English Short-Title Catalogue* R7731. [Order This Item](#)



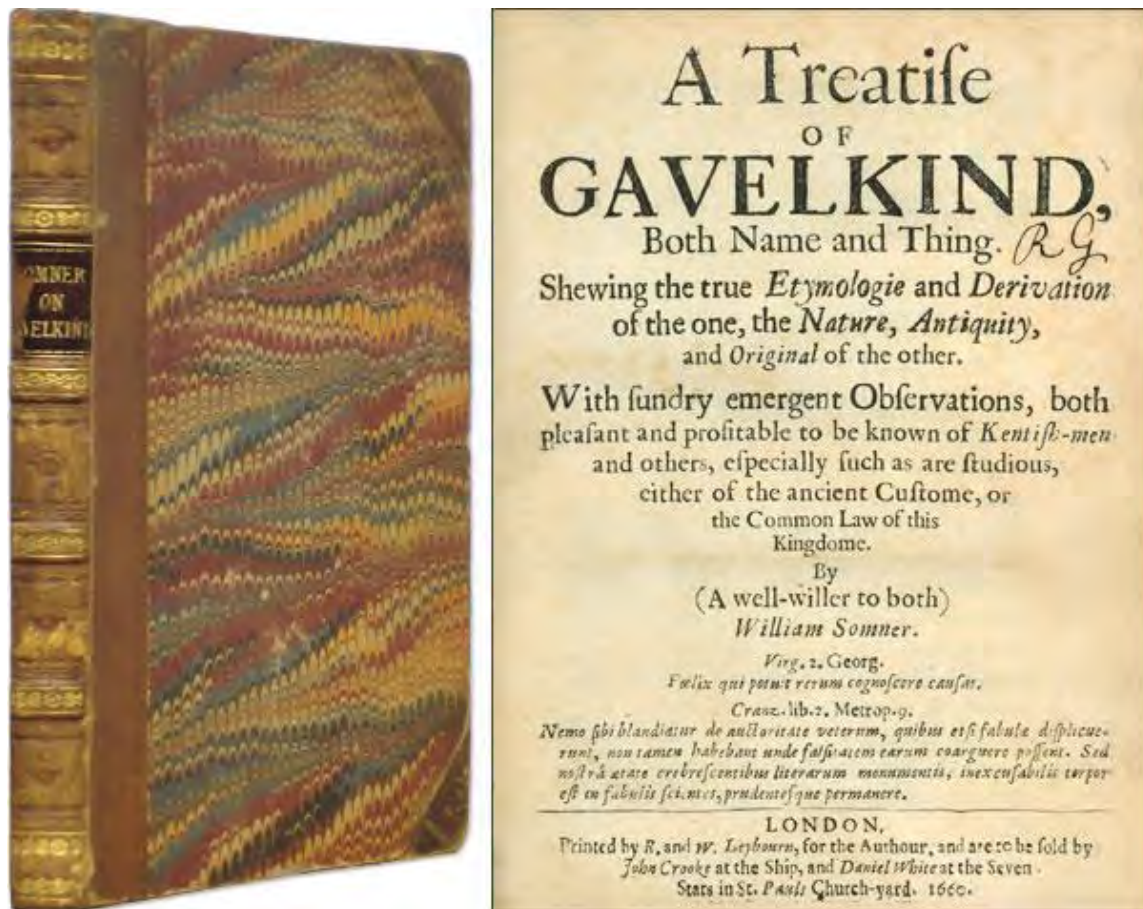
"A Nut for Lawyers"

19. Smith, William Russell [1815-1896].

Was it a Pistol? A Nut For Lawyers. Washington, D.C.: R.H. Darby, 1890. 110 pp. Octavo (7-1/2" x 5").

Stab-stitched pamphlet in stiff printed wrappers, deckle edges, tipped-in publisher advertisement to front wrapper. Moderate soiling and a few minor stains to wrappers, some wear to spine ends and corners, moderate toning to interior, light foxing to a few leaves. \$350.

* Only edition. A trial in the form of eight humorous poems: "The Testimony and Defense," "The Judge's Charge to the Jury," "The Recess," "The Court Reassembles," "The Charivari," "Was It Contempt" "The Hung Jury" and "The Judge's Homily." OCLC locates 8 copies, 2 in law libraries (Library of Congress, Yale). [Order This Item](#)



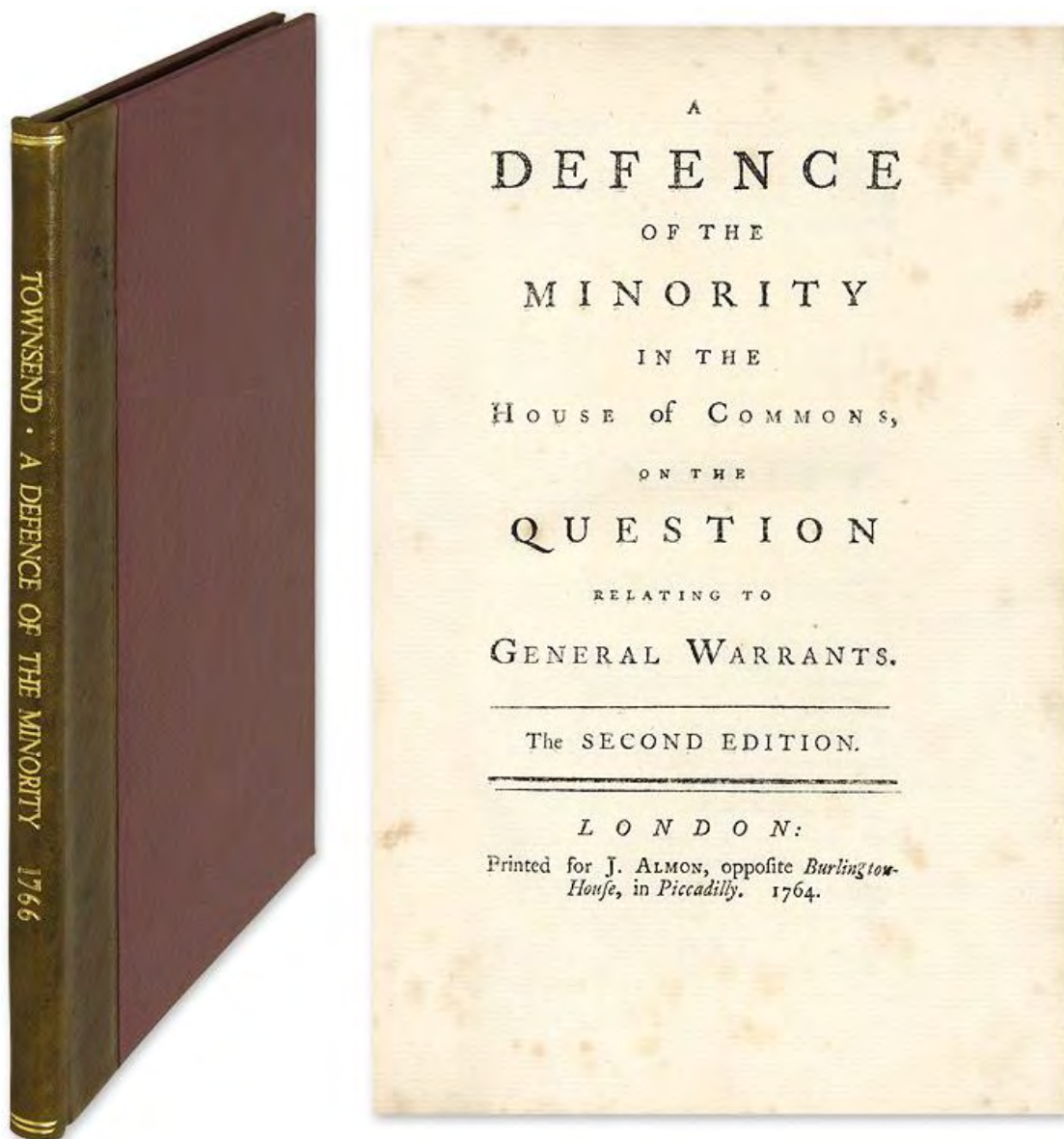
Historic Study of Gavelkind

20. Somner, William [1598-1669].

A Treatise of Gavelkind, Both Name and Thing. Shewing the True Etymologie and Derivation of the One, the Nature, Antiquity, and Original of the Other. With Sundry Emergent Observations, Both Pleasant and Profitable to be Known of Kenting-Men and Others, Especially Such as Are Studious, Either of the Ancient Custome, Or the Common Law of This Kingdome. By (A Well-Wisher to Both). London: Printed by R. and W. Leybourn, 1660. [xxiv], 216 [8] pp. Quarto (7" x 5-1/2").

Nineteenth-century three-quarter calf over marbled boards, raised bands, gilt fillets and lettering piece to spine, endpapers renewed. Light rubbing to boards, some wear to extremities, joints just starting at ends, front hinge cracked but secure, rear hinge starting, title page partially detached but secure. Armorial bookplate to front pastedown, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, occasional light foxing. An attractive copy overall. \$1,250.

* First edition, second issue. Gavelkind is a form of land tenure unique to Kent (and its environs) in which land descends equally to the decedent's sons. It was common during the Saxon era, but was gradually supplanted by primogeniture after 1066. Produced during the first wave of modern English legal scholarship, Somner's pioneering work was the first study of gavelkind, and one of the first important studies of early English law. Philological in orientation, it is a history of gavelkind and an analysis of its forms. Texts of significant documents are included. He also goes beyond his subject in one section to discuss the law of succession to chattels. Somner, a pupil of Causubon, was an ecclesiastical lawyer and historian of Anglo-Saxon law and literature who is best known for his pioneering Saxon-Latin-English dictionary (1659). *English Short-Title Catalogue* R20010. [Order This Item](#)



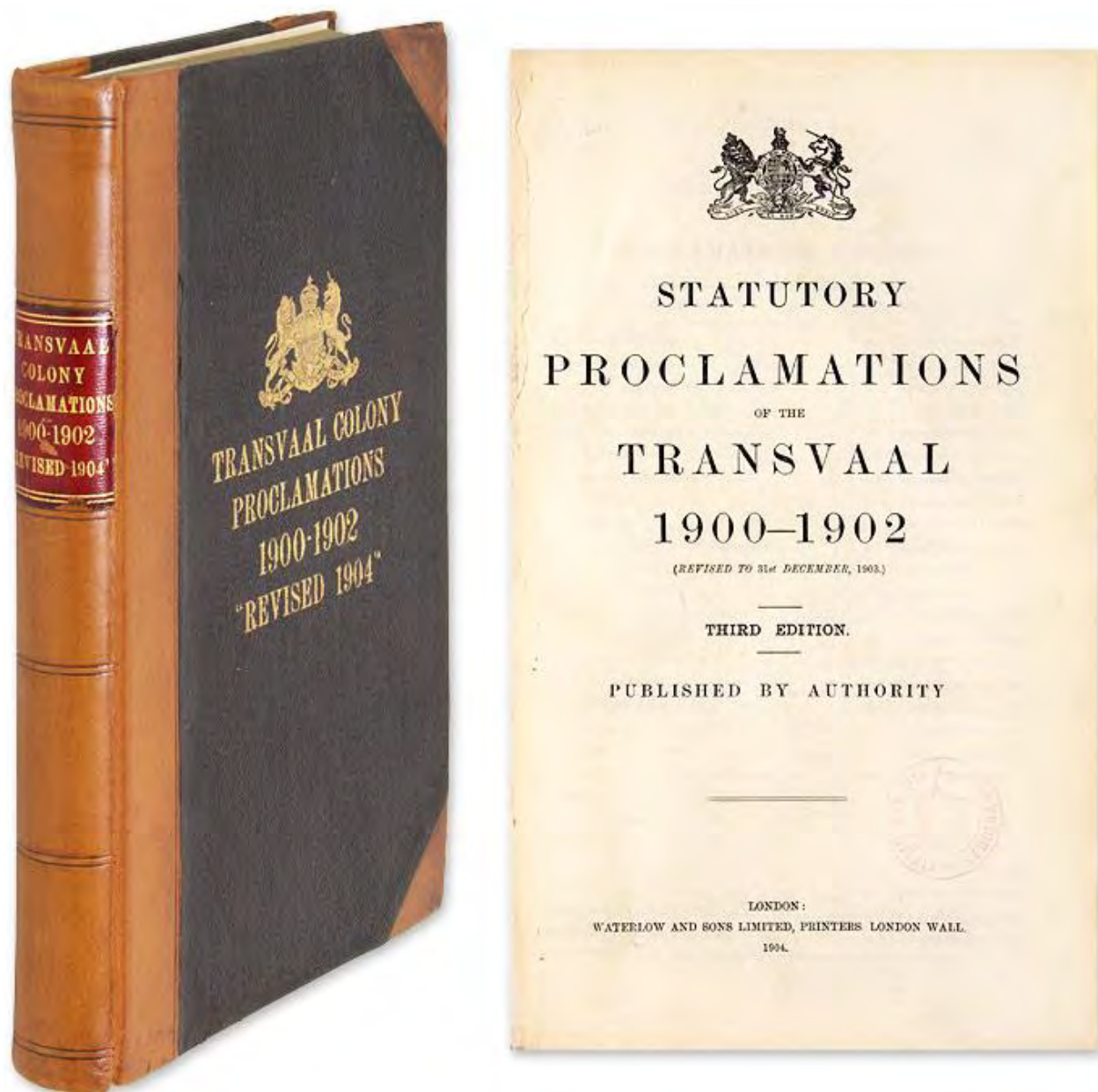
Inspired by the Wilkes Libel Case

21. [Townsend, Charles (1725-1767), Attributed].

A Defence of the Minority in the House of Commons, On the Question Relating to General Warrants. London: Printed for J. Almon, 1764. [iv] 38, [2] pp. With half-title and publisher advertisement. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent period-style quarter calf over cloth, raised bands and lettering piece, endpapers renewed. Light foxing in a few places, interior otherwise fresh. \$350.

* Second edition. "A leading opponent of the government, especially of the King's favourite, Lord Bute, Wilkes was arrested after the publication on 23 April 1763 of an article in No. 45 of his paper, the *North Briton*, and charged with seditious libel. He successfully challenged the use of general warrants which had been issued, but could not avoid condemnation by Parliament.... Wilkes fled to the continent in 1764." Cannon, *The Oxford Companion to British History* 985. *English Short-Title Catalogue* T32269. [Order This Item](#)



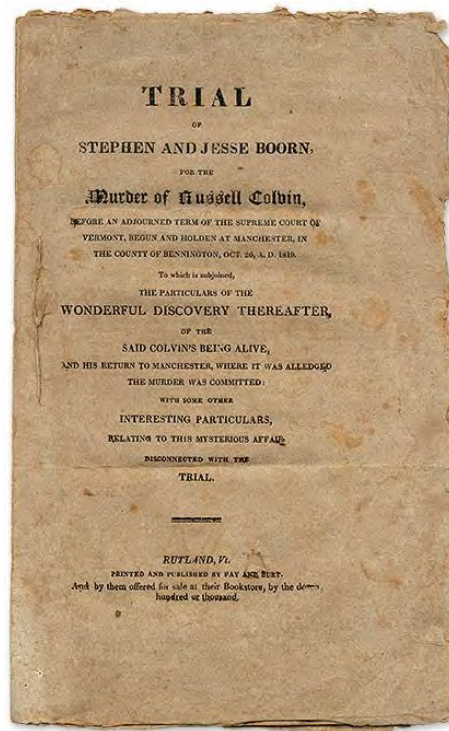
Transvaal Proclamations, 1900-1902

22. [Transvaal].

Statutory Proclamations of the Transvaal 1900-1902 (Revised to 30th November, 1902). Published by Authority. London: Waterlow and Sons, 1904. xiv, 531 pp.

Three-quarter calf over pebbled cloth, rebaked, gilt title to front board, blind rules and existing lettering piece to spine, endpapers renewed. Light rubbing to extremities with some wear to corners. Light toning, internally clean. Ex-library. Small stamp to title page. \$350.

* Third edition. With index, alphabetical list of reprinted proclamations and a chronological table. Not in Sweet & Maxwell. *Catalogue of the Library of the Harvard Law School* (1909) II:762. [Order This Item](#)



**"A Constant Reminder that
Innocent Persons Can Be Convicted"**

23. [Trial].

Boorn, Stephen, Defendant.

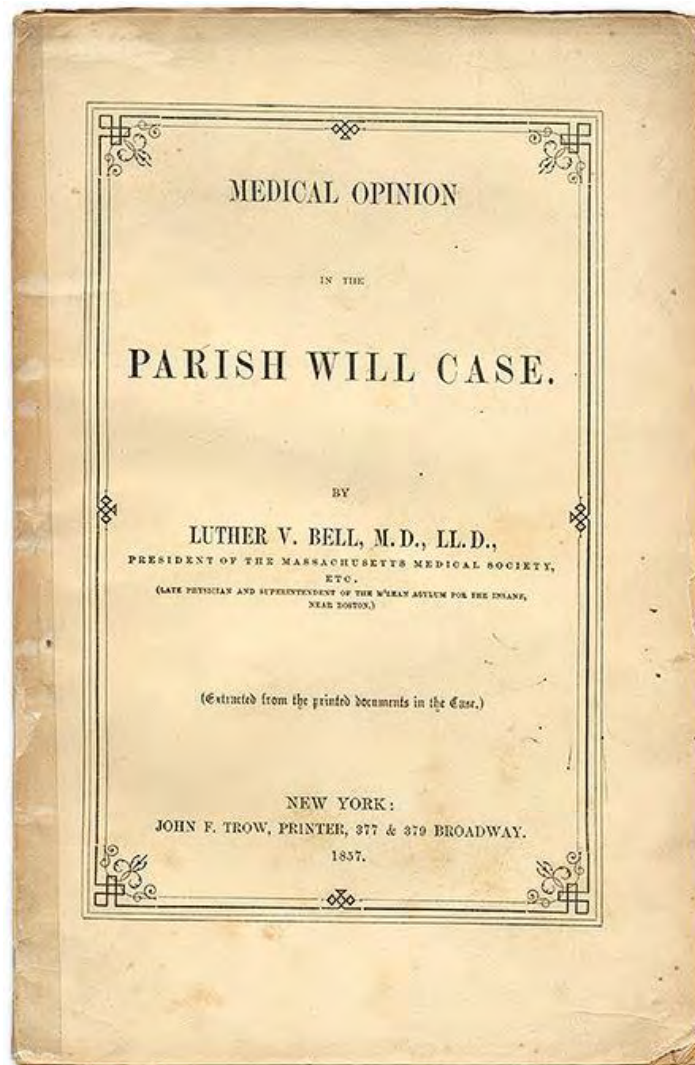
Boorn, Jesse, Defendant.

Trial of Stephen and Jesse Boorn, For the Murder of Russell Colvin,

Before an Adjourned Term of the Supreme Court of Vermont, Begun and Holden in Manchester, In the County of Bennington, Oct. 26, A.D. 1819 To which is Subjoined, The Particulars of the Wonderful Discovery Thereafter, Of said Colvin's Being Alive, And His Return to Manchester, Where it was Alleged the murder was Committed: With Some Interesting Particulars, Relating to This Mysterious Affair, Disconnected with the Trial. Rutland, VT: Printed and Published by Fay and Burt, [1819]. 32 pp. Octavo (9-1/2" x 5-3/4").

Stab-stitched pamphlet in printed wrappers, untrimmed edges. Light browning and foxing, tiny hole to front wrapper with no loss to text. \$1,500.

* First edition, As McDade notes in *The Annals of Murder*, this famous case is a "constant reminder that innocent persons can be convicted. Russell Colvin, the alleged victim, had married a sister of the Boorns and had several children by her. He was mentally deficient and disappeared in 1812. Local gossip credited the Boorns with having disposed of him, presumably because he was a burden on the family. In the spring of 1819 the Boorns were arrested and, either from fear or mental weakness, they told stories involving each other in the death of Colvin--Stephen's amounting to a confession of murder. They were tried and sentenced to be hanged; the state legislature, however, commuted Jesse's sentence to life imprisonment. As a last resort a notice was placed in the papers requesting information about Colvin. A farmer in Monmouth County, New Jersey, believed he recognized a hired man in the vicinity from the description. This man, who was mentally deranged, was enticed to Manchester, arriving...six weeks before the day set for Stephen's execution. It was definitively established that he was the missing Colvin; he had apparently wandered off on his own volition. (...) Though published fifty-four years after the event, the pamphlet was prepared by one of the defense counselors and contains important information on the discovery and return of Colvin" (34). McDade, *The Annals of Murder* 114. [Order This Item](#)



A Notable Nineteenth-Century Will Case Involving Codicils and Questions of Sanity

24. [Trial].

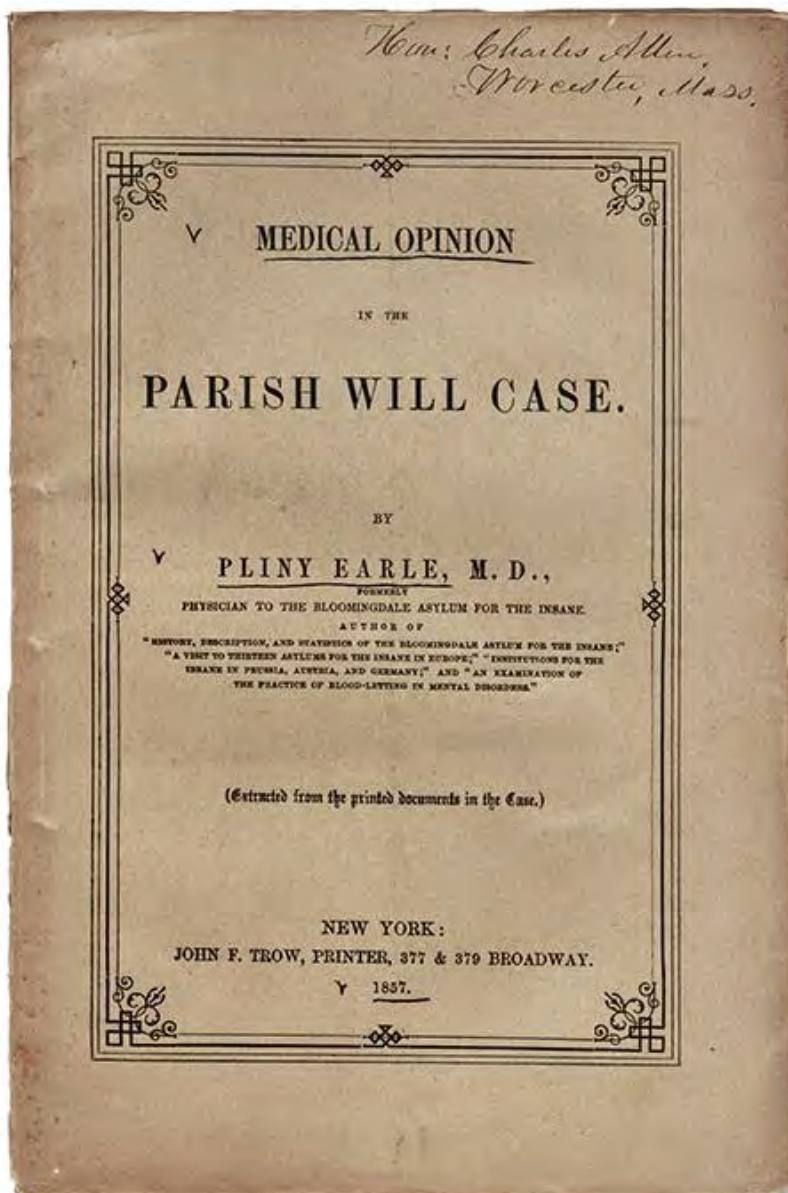
[Parish Will Case].

Bell, Luther V. [1806-1862].

Medical Opinion in the Parish Will Case. New York: John F. Trow, 1857. 69 pp. Octavo (9-1/4" x 6").

Stab-stitched pamphlet in printed wrappers, spine reinforced with archival tape. Light soiling and a few minor marks to exterior, wear to spine ends and corners, a few small chips to wrappers and edges of a few leaves, moderate toning to interior. \$450.

* Only edition. Henry Parish, a New York merchant, died in 1856, at age 69. He left a will made in 1842 that had been amended with three codicils signed by him some time after suffering a paralyzing stroke in 1849. These codicils were contested on the grounds of mental impairment. This trial attracted a good deal of attention and it involved testimony by several leading medical and legal experts. At time of this pamphlet's publication Bell was president of the Massachusetts Medical Society and a former superintendent of the McLean Asylum for the Insane near Boston. Not in Cohen, which lists a composite volume by Trow that includes this title. **See Item 26.** [Order This Item](#)



Another Opinion in the Parish Will Case

25. [Trial].

[Parish Will Case].

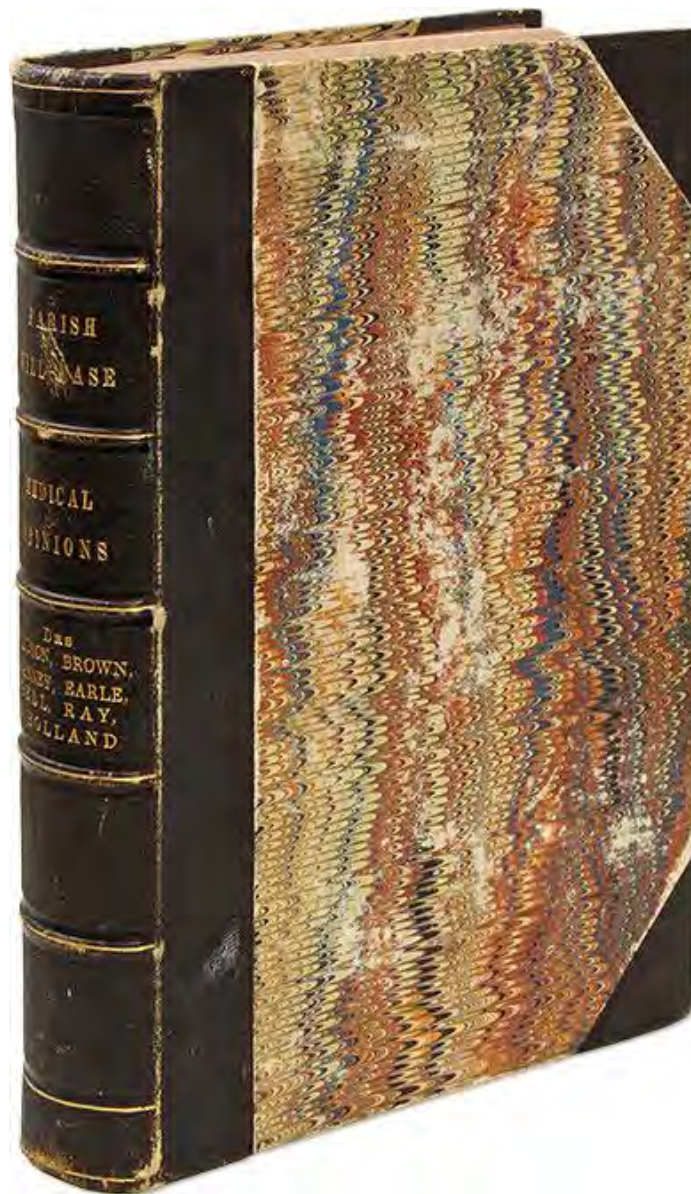
Earle, Pliny. [1809-1892].

Medical Opinion in the Parish Will Case. New York: John F. Trow, 1857. 69 pp. Octavo (9-1/4" x 6").

Stab-stitched pamphlet in printed wrappers. Light soiling to exterior, spine abraded, wrappers partially detached at ends, light wear to corners, moderate toning to interior, lower corners lacking from final leaf and rear wrapper with no loss to text, "Hon: Charles Allen, Worcester, Mass." in contemporary hand to head of title page, small check-mark next to author name, which is underlined. \$450.

* Only edition. OCLC locates 1 copy (at SUNY-Albany). Not in Cohen, which lists a composite volume by Trow that includes this title. See Item 26. [Order This Item](#)

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Testimony of the Seven Medical Experts in the Parish Will Case

26. [Trial].

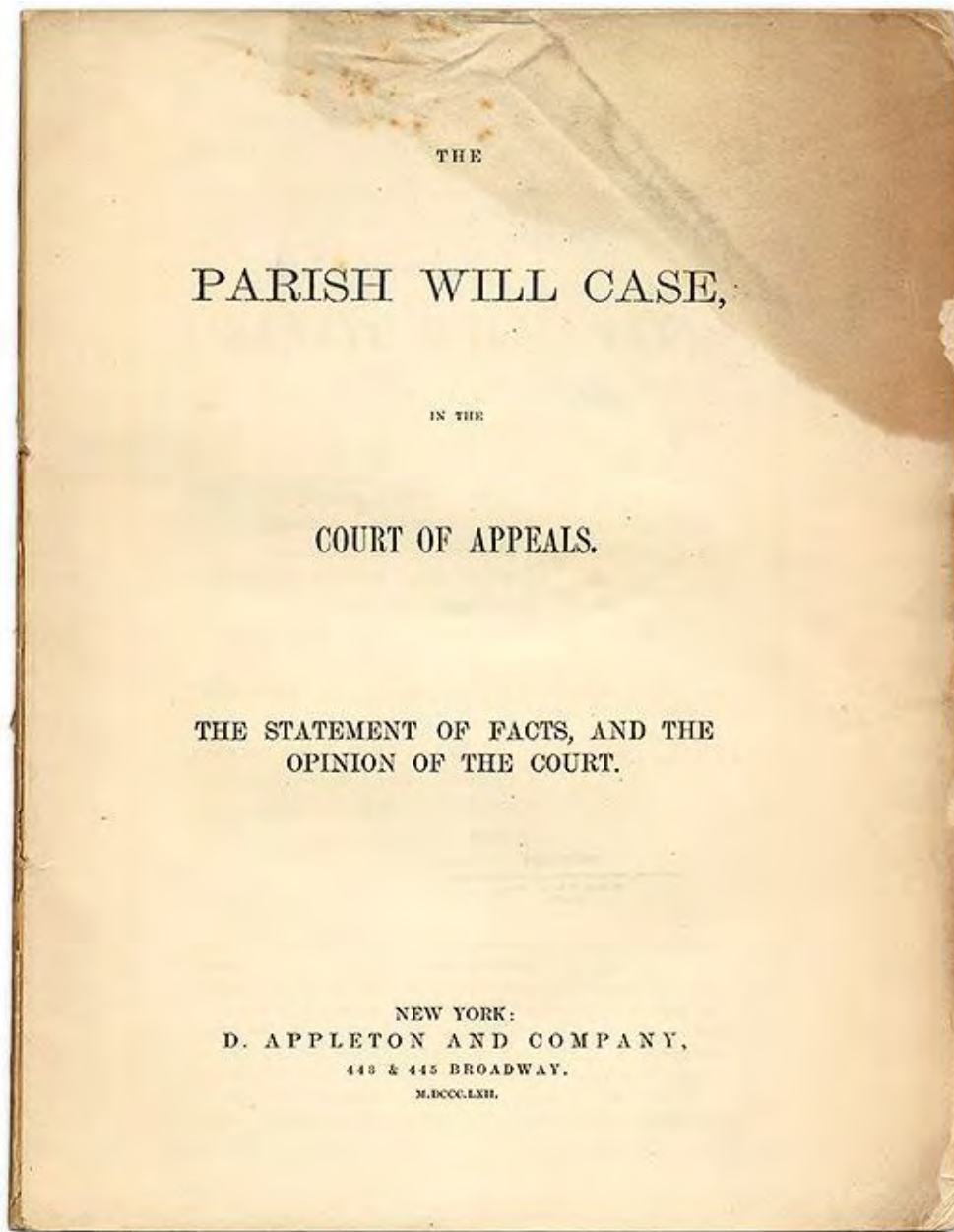
[Parish Will Case].

The Parish Will Case Before the Surrogate of the City of New York. Medical Opinions upon the Medical Competency of Mr. Parish, by John Watson, M.D., D.T. Brown, M.D., M.H. Ranney, M.D., Pliny Earle, M.D., Luther V. Bell, M.D., LL.D., M.H. Ranney, M.D., I. Ray, M.D., Sir Henry Holland, Bart., M.D., F.R.S. New York: John F. Trow, 1857. [iii], 573 pp. Each section preceded by divisional title page. Octavo (9-1/2" x 6-1/4").

Contemporary three-quarter morocco over marbled boards, gilt-ruled raised bands and gilt title to spine, speckled edges. Some rubbing to boards and extremities, moderate toning to text, light foxing to a few leaves. A well-preserved copy. \$750.

* First edition. Cohen, *Bibliography of Early American Law* 11386. [Order This Item](#)

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The Parish Will Case in the Court of Appeals

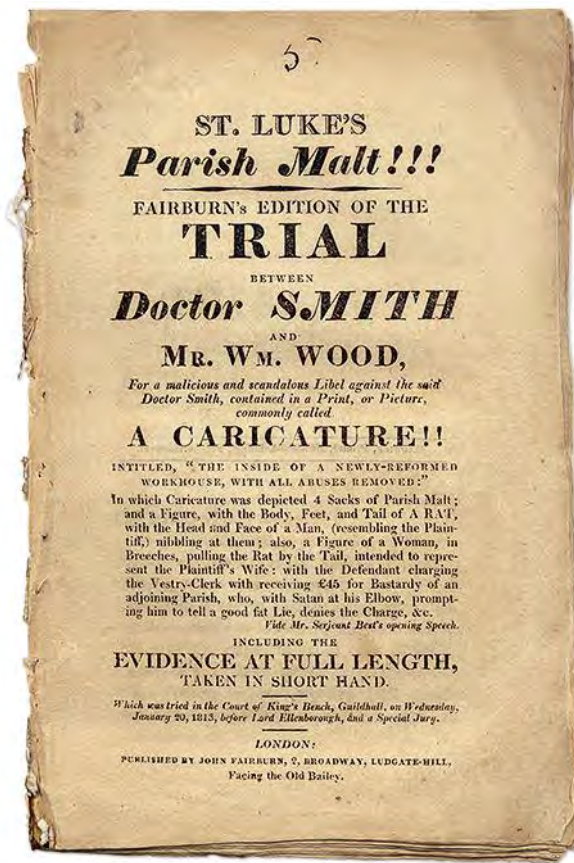
27. [Trial].

[Parish Will Case].

The Parish Will Case, In the Court of Appeals. The Statement of Facts, And the Opinion of the Court. New York: D. Appleton and Company, 1862. 123, 43 pp. Two parts, each with title page. Title page of Part II reads: *The Parish Will Case, In the Court of Appeals. The Opinion of the Court, And of the Several Judges.* Quarto (9" x 7").

Sew pamphlet in printed wrappers. Spine abraded, wrappers detached, lightly soiled and heavily worn along edges, light edgewear to corners of text block. Moderate toning to text, light soiling to upper corner of title page. \$300.

* Only edition. *Catalogue of the Library of the Harvard Law School* II:1159. [Order This Item](#)



**"A Figure with the Body, Feet, And Tail of a Rat,
With the Head and Face of a Man, (Resembling the Plaintiff)"**

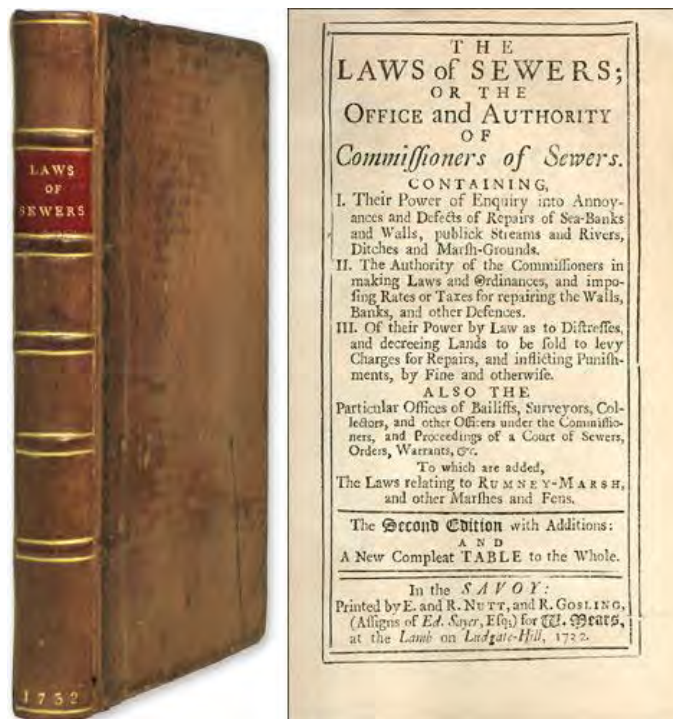
28. [Trial].

Wood, William, Defendant.

St. Luke's Parish Malt!!! Fairburn's Edition of the Trial between Doctor Smith and Mr. Wm. Wood: For a Malicious and Scandalous Libel Against the Said Doctor Smith, Contained in a Print, Or Picture, Commonly Called a Caricature!! Intituled, "The Inside of a Newly-Reformed Workhouse with All Abuses Removed": In Which Caricature was Depicted 4 Sacks of Parish Malt and a Figure with the Body, Feet, And Tail of a Rat, With the Head and Face of a Man, (Resembling the Plaintiff), Nibbling at Them: Also a Figure of a Women in Breeches, Pulling the Rat by the Tail Intended to Represent the Plaintiff's Wife: With the Defendant Charging the Vestry-Clerk with Receiving £45 for Bastardy of an Adjoining Parish who with Satan at his Elbow, Prompting Him to Tell a Good Fat Lie, Denies the Charge, &c.: Including the Evidence at Full Length, Taken in Short Hand. Which was Tried in the Court of King's Bench, Guildhall, On Wednesday, January 20, 1813, Before Lord Ellenborough, And a Special Jury. London: Published by John Fairburn, [1813]. 24 pp. Octavo (8" x 5-1/4").

Disbound stab-stitched pamphlet. Light browning and foxing, moderate edgewear, final few leaves partially detached, negligible light soiling to exterior, "5" in early hand to head of front wrapper. A rare title. \$750.

* Only edition. "This was an action brought by John Smith, a surgeon and apothecary, (...) against William Wood, a boot and shoe maker, (...), in the same parish; to recover a compensation in damages for publishing a gross, scandalous, and malicious, libel, in the form of a caricature picture, or print, (...) tending to injure and defame the character of the plaintiff.-The damages were laid at one thousand pounds" (pp. 3-4). The court found for the defendant. OCLC locates 1 copy (Cornell University). *Catalogue of the Library of the Harvard Law School* (1909) II:1191. [Order This Item](#)



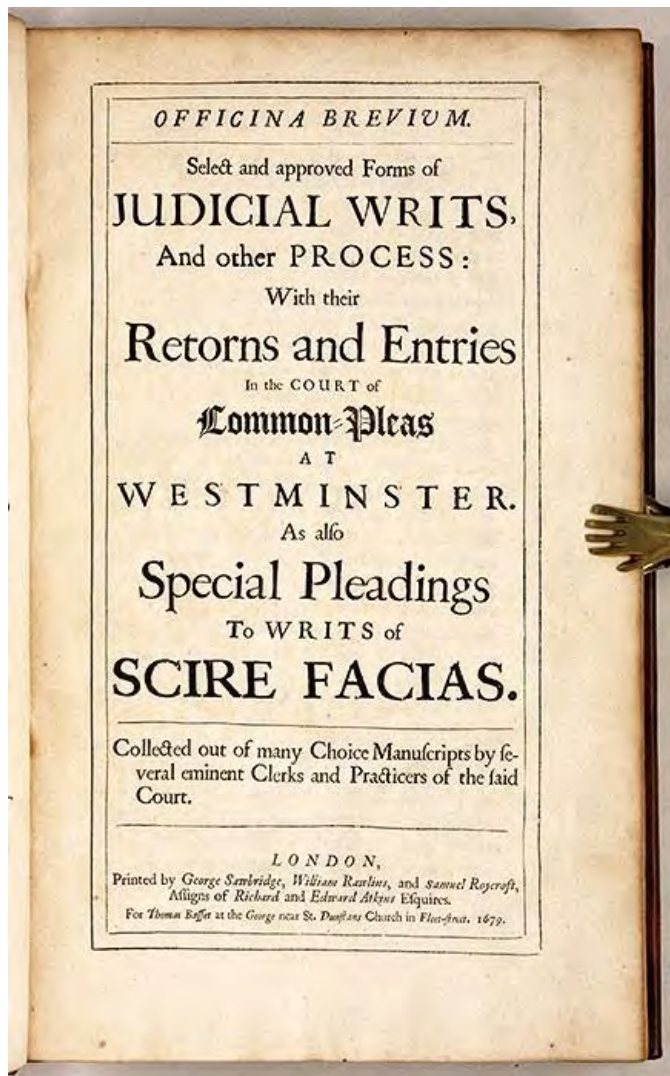
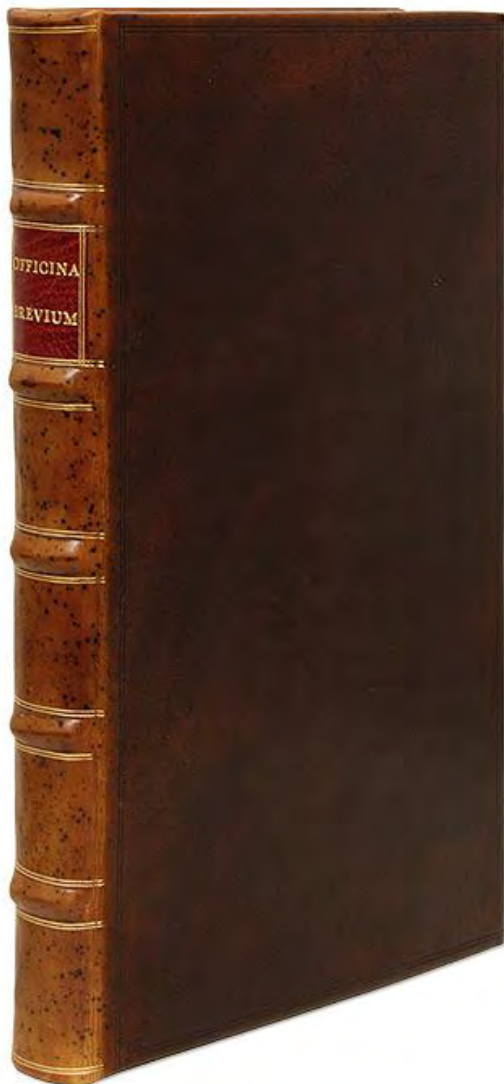
Uncommon 1732 English Treatise on Watercourses

29. [Water Law].

The Laws of Sewers; Or the Office and Authority of Commissioners of Sewers. Containing, I. Their Power of Enquiry into Annoyances and Defects of Repairs of Sea-Banks and Walls, Publick Streams and Rivers, Ditches and Marsh-Grounds. II. The Authority of the Commissioners in Making Laws and Ordinances, and Imposing Rates or Taxes for Repairing the Walls, Banks, and Other Defences. III. Of Their Power by Law as to Distresses, and Decreeing to be Sold to Levy Charges for Repairs, and Inflicting Punishments, by Fine and Otherwise. Also the Particular Offices of Bailiffs, Surveyors, Collectors, and Other Officers Under the Commissioners, and Proceedings of a Court of Sewers, Orders, Warrants, &c. To Which are Added, the Laws Relating to Rumney-Marsh, and Other Marshes and Fens. With Additions: and a New Compleat Table to the Whole. London: Printed by E. and R. Nutt, and R. Gosling, 1732. [viii], 202, 10 pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind fillets to boards, rebacked in period style with raised bands and lettering piece, endpapers renewed. Some wear to joints and corners, negligible rubbing and a few small inkstains to boards, front hinge starting. Occasional minor worming to text and rear pastedown. Later owner signatures to front pastedown and head of preface, occasional (very) light foxing and toning, interior otherwise fresh. An appealing copy of an uncommon work. \$400.

* Second and final edition of a work first published in 1726. Appointed by the Crown, commissioners of sewers were empowered to levy taxes to support their work and enact and enforce laws relating to watercourses, land reclamation and structures, such as dams. "As there have been in all Reigns, from the earliest Time, many commissions of Sewers issued into the several counties of England, to Gentlemen of Estates and Worth therein, and the Number of the Commissioners and their Clerks, officers and Ministers under them, being great and considerable; it is very much to be admired, and a Thing very uncommon, that no Person hath hitherto attempted a particular Treatise on these laws, with the necessary Business and Practice of the commissioners of Sewers in putting them in execution. (...) And notwithstanding [Callis' *Reading Upon the Statute of 23 H. 8, Cap. 5, of Sewers* (1622)] is an excellent composition, and I am obliged to that Performance for many of my Informations; yet it must be confessed, that [it] is more especially adapted to the Use of lawyers in general, than the Commissioners of Sewers, and it has not the least Precedent throughout, of their various transactions.": Preface [iv-v]. *English Short-Title Catalogue* T130362. [Order This Item](#)



"Select and Approved Forms of Judicial Writs, And Other Process"

30. [Writs].

[Great Britain].

Officina Brevium. Select and Approved Forms of Judicial Writs, And Other Process: With Their Retorns and Entries in the Court of Common Pleas at Westminster. As also Special Pleadings to Writs of Scire Facias. Collected out of Many Choice Manuscripts by Several Eminent Clerks and Practicers of the Said Court. London: Printed by George Sawbridge, William Rawlins, And Samuel Roycroft, 1679. [vi], 414, [30] pp. Folio (12-1/2" x 7-3/4").

Recent period-style calf, lettering piece and gilt-edged raised bands to spine, endpapers renewed. Some fading to spine, a few minor nicks to boards. Light toning, somewhat heavier in places, light foxing to a few leaves. \$750.

* Only edition, one of two issues from 1679. "Writs (like Veins and Arteries, which, by conveying the blood and spirits into every part of the body, do thereby give it life and motion, which otherwise would be but an imperfect Lump of flesh, altogether unactive) are of that force and efficacy, that no Proceedings at Law (nay, even Records of the highest nature) can be available without them" (Preface). *English Short-Title Catalogue* R22362. [Order This Item](#)

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