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CATALOGUE 79



COMMENTARIES
ON THE
LAWS
OF
ENGLAND.
IN FOUR BOOKS.

BY
SIR WILLIAM BLACKSTONE, KNT.
ONE OF HIS MAJESTY'S JUDGES

RE-PRINTED FROM
THE FOR PAGE WITH THE LAST EDITION

AN INTERESTING
APPENDIX
TO
Sir William Blackstone's COMMENTARIES
ON THE
LAWS OF ENGLAND.
CONTAINING,

- I. PRIESTLEY's Remarks on some Paragraphs in the Fourth Volume of BLACKSTONE's Commentaries, relating to the Dissenters.
- II. BLACKSTONE's Reply to PRIESTLEY's Remarks.
- III. PRIESTLEY's Answer to BLACKSTONE's Reply.
- IV. FURNEAUX's Letters to the Hon. Mr. Justice BLACKSTONE concerning his Exposition of the Act of Toleration, and some Positions relative to Religious Liberty, in his celebrated Commentaries on the Laws of England.
- V. Authentic Copies of the Arguments of the late Hon. Mr. Justice BLACKSTONE in the Court of Judicature, and of the Speeches of the late Hon. Lord Mansfield in the House of Lords, in the Cause between the City of London and the Dissenters.

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CATALOGUE

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Details from N° 135

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CONTENTS:

I. United States.....	5
II. Great Britain.....	22
III. Continental Europe.....	48
IV. Latin America.....	73
References.....	88
Index.....	90
Publications.....	93

Exterior Front Cover: **Item 4.**
Exterior Rear Cover: **Item 60.**

Interior Front Cover: **Item 149.**
Interior Rear Cover: **Item 44.**

Title Page: *Details from* **Item 135.**

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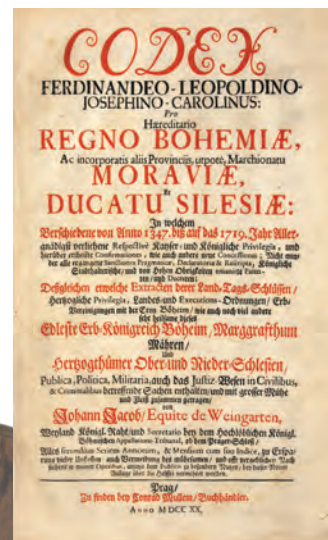
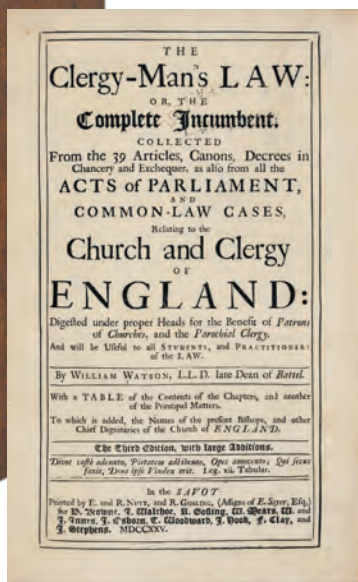
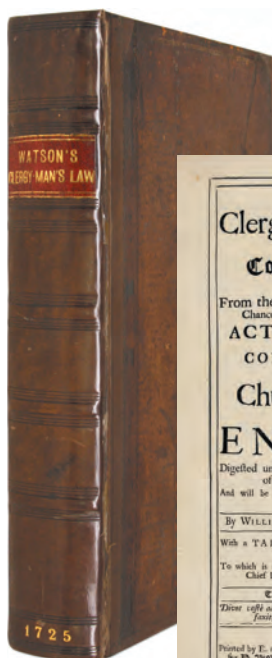
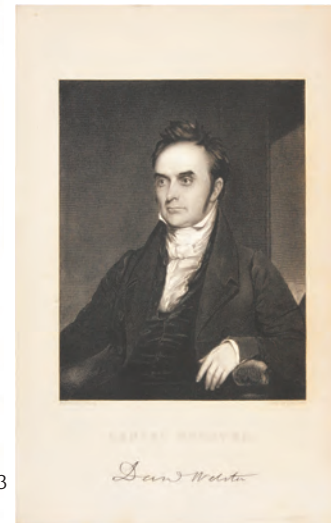
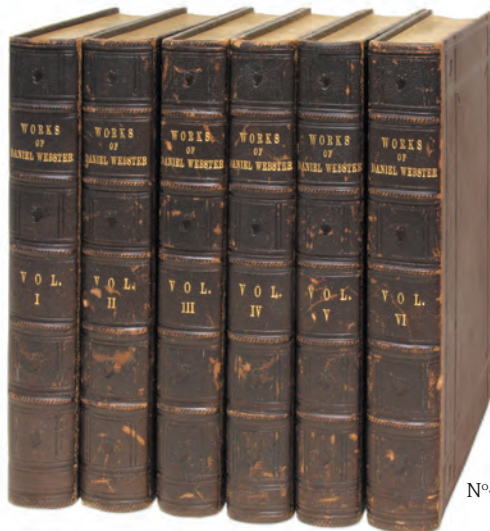
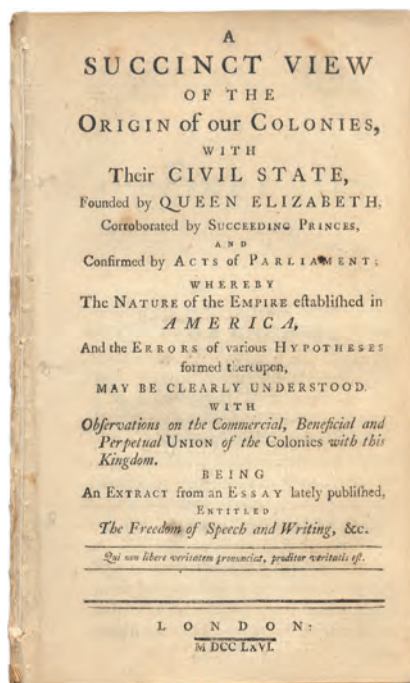
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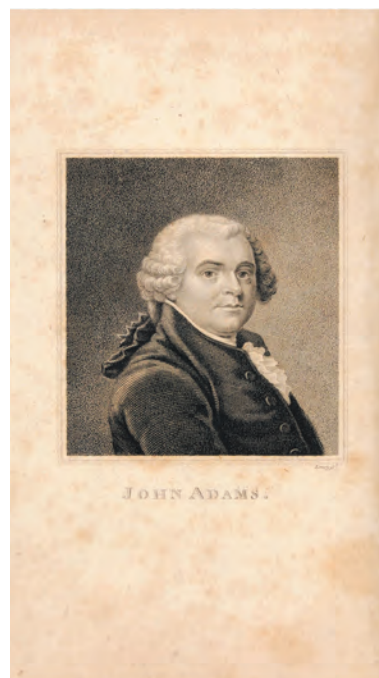
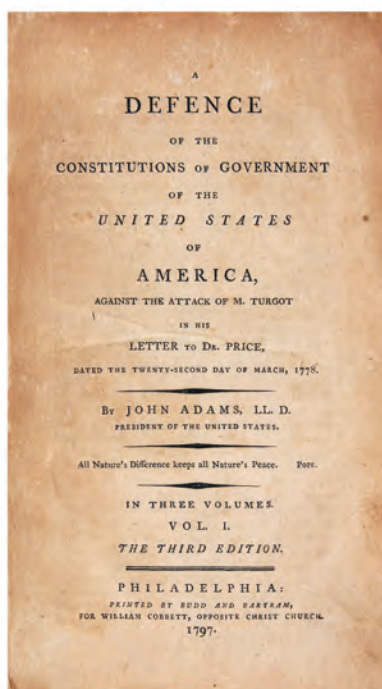
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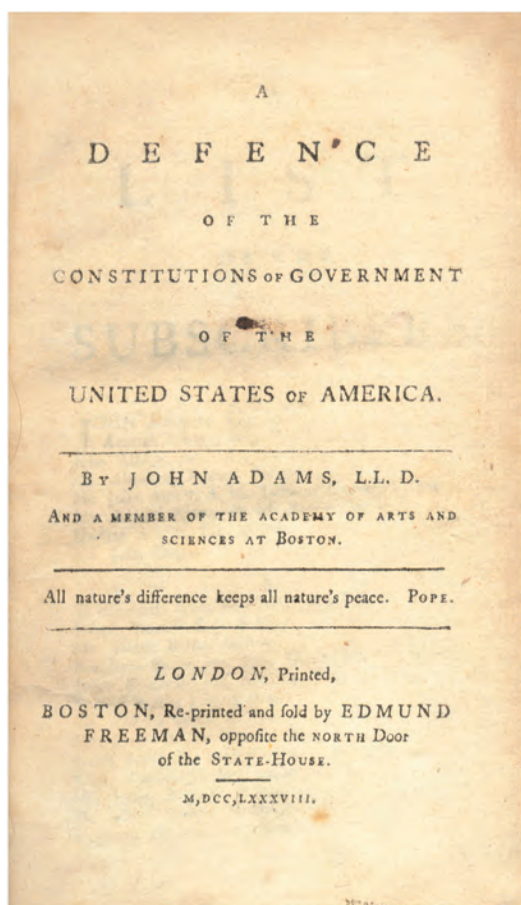
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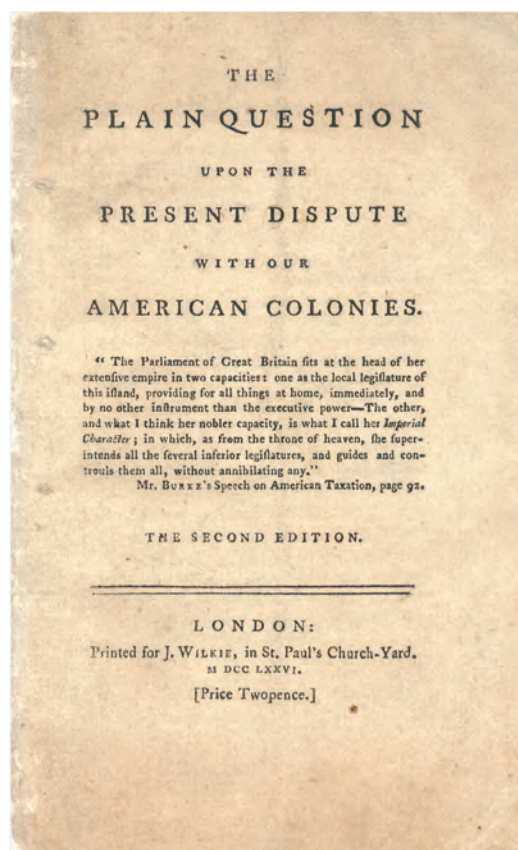




N°1



N°2



N°3

UNITED STATES

FIRST BOSTON EDITION OF ADAMS'S
DEFENCE OF THE CONSTITUTIONS

2 ADAMS, JOHN.

A Defence of the Constitutions of Government of the United States of America.

London, Printed; Boston: Re-Printed and Sold by Edmund Freeman, 1788. xxx, 317 pp. 12mo (6-1/2" x 4").

Recent period-style calf, raised bands and lettering piece to spine. Moderate toning to text, somewhat heavier in places, faint dampstaining and ink smudges to a few leaves, section of fore-edge of leaf T4 (pp. 193-194) lacking with loss to text, facsimile leaves laid-in. Early owner signature (David Shepherd/ Dedham) to front endleaf, interior otherwise clean. A handsome copy. \$3,500.

FIRST BOSTON EDITION. With six-page subscriber list that includes John Hancock, Levi Lincoln, Theophilus Parsons, Theodore Sedgwick and other distinguished New Englanders. OCLC locates 4 copies of the 1788 Boston edition in North American law libraries (Harvard, Library of Congress, Social Law, University of Maine). Cohen 2734. Sabin 233n.

PUBLISHED UNDER ADAMS'S SUPERVISION

1 ADAMS, JOHN [1735-1826].

A Defence of the Constitutions of Government of the United States of America, Against the Attack of M. Turgot in His Letter to Dr. Price, Dated the Twenty-Second Day of March, 1778.

Philadelphia: Printed by Budd and Bartram, for William Corbett, 1797. Three volumes. 6, xxxiii, [2], 4-392; [iv], 451; [ii] 528, [36] pp. Volume I has copperplate portrait frontispiece and Six-page subscriber list. Octavo (8" x 5").

Recent period-style calf, blind fillets and gilt rules to boards, gilt-edged raised bands and lettering pieces to spines. Moderate toning to texts, occasional light foxing, Volume II has light to moderate dampstaining to the upper portion of the first half of the text block, mostly to margins, title page of Volume III browned and edgeworn, following few leaves have light edgewear. Early owner initials to top-edges of text blocks, later owner signature to head of Volume III title page, interior otherwise clean. \$1,650.

THIRD, FINAL AND BEST EDITION, the last one published under Adams's supervision. He wrote this fundamental contribution to American political theory when he was the American ambassador at the Court of St. James. First published in London, the *Defence* was a profound influence on the delegates to the Constitutional Convention of 1787 and the framers of several post-Revolutionary state constitutions. It also did much to familiarize Europeans with the novel political events taking place in America. Adams intended the *Defence* to be a one-volume work. He added two more volumes in 1787 and 1788 to offer more examples and address issues raised by critics. The first volume, reprinted from the London edition, was reprinted in New York and Philadelphia in 1787 and Boston in 1788. An abridged two-volume French translation was published in Paris in 1792. The third edition, a corrected reprint of the second and final London edition, 1794, was the only complete three-volume text published in the United States. Not in Sabin. Howes 60. Cohen 2736.

A POINT-BY-POINT REBUTTAL OF CLAIMS MADE
IN THE DECLARATION OF INDEPENDENCE

3 [AMERICAN REVOLUTION].

The Plain Question Upon the Present Dispute with Our American Colonies.

London: Printed for J. Wilkie, 1776. 24 pp. 12mo. (7" x 4").

Stab-stitched pamphlet in plain wrappers, untrimmed edges. Light soiling to exterior, moderate toning to text, light foxing to a few leaves. A well-preserved copy of a rare title. \$1,500.

SECOND EDITION. An interesting pamphlet that disputes the reasons for revolution advanced by the Continental Congress. A fascinating document, it is practically a point-by-point rebuttal of the claims put forth in the Declaration of Independence, which the anonymous author may have read. Designated the second edition, this is one of seven issues, all with identical content and printed in 1776. Four were published in London, one in Nottingham, one in Dublin and one of Scotland, probably Edinburgh. All of these are rare, with few holdings in North America. OCLC locates 7 copies of all editions in North America, 2 of the second (at Columbia and the University of Michigan). The ESTC adds the Buffalo and Erie County Public Library and the Historical Society of Pennsylvania. Sabin 63225. ESTC T143235.



N° 4

EXCEPTIONAL SET IN ELABORATE COLONIAL BINDINGS OF THE FIRST AMERICAN EDITION OF BLACKSTONE'S COMMENTARIES WITH THE FIFTH APPENDIX VOLUME

4 BLACKSTONE, SIR WILLIAM [1723-1780].

Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition. America

[Philadelphia]: Robert Bell, 1771-772. Four volumes. [viii], ii, [vi], 485; [viii], 520, xix; [viii], 455, [1], xxvii; [xxx], vii, 39 pp. Volume III leaf lii2 (pp. 451-452) lacking, signature Mmm (pp. xvii-xxiv) lacking, replaced with signature Mmm from Volume I due to a binder error. Copperplate Table Of Consanguinity and copperplate folding Table of Descents in Volume II. 22-page subscriber list in Volume IV. Publisher advertisement in Volume I, two leaves before title page, and Volume III, p. 456. There are also tipped-in publisher advertisements to front endleaves of Volumes III and IV.

[And]

[PRIESTLEY, JOSEPH (1733-1804).
SIR WILLIAM BLACKSTONE, PHILIP FURNEAUX (1726-1783),
SIR MICHAEL FOSTER (1689-1763) AND WILLIAM
MURRAY, EARL OF MANSFIELD (1705-1793)].

An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries, Relating to the Dissenters. II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's Reply. IV. The Case of the Late Election of the County of Middlesex Considered on the Principles of the Constitution and the Authorities of Law. V. Furneaux's Letters to the Hon. Mr.



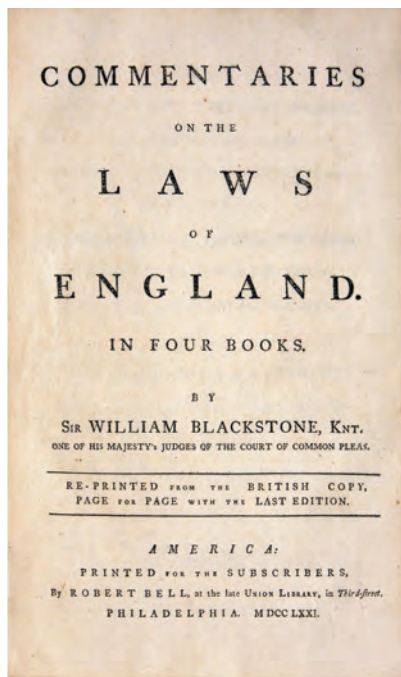
Detail from N° 4

Justice Blackstone Concerning His Exposition of the Act of Toleration, and Some Positions Relative to Religious Liberty, In His Celebrated Commentaries on the Laws of England. VI. Authentic Copies of the Argument of the Late Hon. Mr. Justice Foster in the Court of Judge Delegates, and of the Speech of the Right Hon. Lord Mansfield in the House of Lords, in the Cause Between the City of London and the Dissenters.

Philadelphia: Printed for the Subscribers, by Robert Bell, 1773. [iv], iv, [5]-119, [1], xii, 155, [1] pp. Includes one-page publisher advertisement. Five volumes in all. Complete set.

Octavo (8-3/4" x 5-1/2"). Contemporary calf, with elaborately gilt decorated spines, raised bands and lettering pieces, gilt dentelles to edges of boards. Moderate rubbing to extremities, minor stains and abrasions and scuffs to boards, spines lightly abraded, corners bumped and lightly worn, some worming to rear joint of Volume I near head of spine, near-invisible Volume III at foot of spine, a few hinges cracked or starting, bookplate residue to front pastedown of each volume. Light toning to text, somewhat heavier in places, light foxing in places, offsetting to margins of endleaves, minor worming to a few preliminary leaves of Volume IV (before title page) internally clean. A superb copy in unusually handsome well-preserved period bindings. \$20,000.

FIRST AMERICAN EDITION of the *Commentaries* with the second issue of the *Interesting Appendix*. Blackstone's *Commentaries*, a synoptic review of the English legal system, is the most influential publication in the history of modern Anglo-American law. It was especially popular in America, where it was the standard introductory legal textbook into the late nineteenth century and was the primary, or only, book studied by hundreds of self-taught lawyers, such as Abraham Lincoln. The first multi-volume book printed in America, Bell's edition, a reprint of the fourth London edition, 1770, is a landmark in the history of American publishing. Our set contains the two tipped-in advertisement leaves, for *An Interesting Appendix* (Volume III) and Ferguson's *Essay on the History of Civil Society* (Volume IV), that are often missing in copies of this set. Volume IV also includes a 22-page subscriber list that includes John Adams, John Jay, John Dickinson, several colonial governors and many leading merchants, judges and military officers of colonial America. An original work compiled by Bell, *An Interesting Appendix* is a group of essays on religious liberty inspired by a passage in the *Commentaries*, Book IV, Chapter 4, Section III, "Of Offences Against God and Religion." Intended to be the fifth volume of his Blackstone edition, it was first published in 1772. The English-style binding of our set is uncommonly ornate and accomplished for an eighteenth-century American book. We have never seen a copy of this title with such a handsome contemporary binding. The spine of *An Interesting Appendix* differs slightly from the uniform spines of Volumes I-IV, but was clearly designed to match them as closely as possible. Eller 80, 255. Laeuchli 131, 616.



Nº 4

UNUSUAL 1800 NEWARK, NJ IMPRINT
IN HANDSOME CONTEMPORARY BINDING

5 BERTRAND, JEAN [1708-1777] AND OTHERS.

Essays on the Spirit of Legislation, in the Encouragement of Agriculture, Population, Manufacturers, and Commerce. Translated from the Original French, Which Gained the Premiums Offered by the Economical Society of Berne, in Switzerland, for the Best Compositions on This Subject.

Newark, NJ: William Reid, 1800. 479, vii pp. Octavo (8-1/2" x 5-1/2").

Contemporary sheep (treated to look like tree calf), lettering piece. Rubbed and scuffed, head of spine worn. Early owner signatures to front free endpaper and title page. A very good copy of an usual work. \$250.

FOURTH EDITION. The first essay by Jean Bertrand [1708-1777], the second by Benjamin Samuel Georges Carrard [b. 1740], and the third by Gabriel Seigneux de Correvon [1695-1776], which were taken from the first English translation done in London in 1772. OCLC locates 9 copies, 1 in a law library (Duke). Felcote 82. Cohen 7820.

A DECISION THAT ENDORSED THE CONSTITUTIONALITY
OF JEFFERSON'S EMBARGO LAWS

6 BLAKE, FRANCIS [1774-1817].

An Examination of the Constitutionality of the Embargo Laws comprising a View of the Arguments on that Question Before the Honorable John Davis, Esquire, Judge of the District Court for Massachusetts, in the Case of the United States vs. Brigantine William, Tried and Determined, at Salem (Mass.) September Term, 1808. To Which is Added the Opinion Pronounced By the Court, on the Constitutional Question, Arising in the Trial of the Case.

[Worcester, MA]: Printed at Worcester by Goulding and Stow, 1808. 61 pp. Octavo (8-1/2" x 5-1/4").

Stab-stitched pamphlet bound into recent period-style quarter calf over marbled boards, endpapers renewed. Toning, light foxing to a few leaves, internally clean. \$850.

SOLE EDITION. The American merchant marine thrived during the early years of the Napoleonic wars. Remaining neutral and trading freely with Great Britain and France, who were occupied with warfare rather than commerce, American traders contributed greatly to the expansion of the U.S. economy. Beginning in 1805, however, France and Great Britain began to restrict and punish U.S. trade to their enemies. President Jefferson responded with Non-Intercourse and Embargo Acts (1807, 1809), which aimed for a restoration of free American trade through economic pressure. It had a devastating effect on the U.S. economy and was extremely unpopular in New England and the Mid-Atlantic states, which had benefited the most from the maritime economy. Tried in Salem, MA, *United States v. Brigantine William* was, in effect, a referendum on Jefferson's embargo. The decision, reported at 28 *Federal Cases* 615 (D.C., D. Mass. 1808), upheld the constitutionality of the embargo laws. Cohen 11226.

66 PAMPHLET QUESTIONING THE EXTENT
OF PARLIAMENTARY SUPREMACY

7 [BOLLAN, WILLIAM (c.1710-1776)].

A Succinct View of the Origin of our Colonies, With Their Civil State, Founded by Queen Elizabeth, Corroborated by Succeeding Princes, And Confirmed by Acts of Parliament; Whereby the Nature of the Empire Established in America, And the Errors of Various Hypotheses Formed Thereupon, May be Clearly Understood. With Observations on the Commercial, Beneficial and Perpetual Union of the Colonies with This Kingdom. Being an Extract from an Essay Lately Published, Entitled The Freedom of Speech and Writing, &c.

London: S.n., 1766. [ii], 46 pp. Octavo (7" x 4-1/2").

Stab-stitched pamphlet bound into recent stiff marbled wrappers, printed title panel to front cover. Moderate toning to text, light foxing to a few leaves, small chip to fore-edge of title page, internally clean. \$2,500.

ONLY EDITION (in this form). Bollan was a lawyer and agent for the Colony of Massachusetts. *A Succinct View* is an extract from Bollan's *The Freedom of Speech and Writing upon Public Affairs Considered*, a longer work first published in 1766, that discusses the role of parliamentary supremacy. It is a subtle and somewhat subversive work. Bollan begins by asserting "that the 'care of common rights' should be left to Parliament. In the midst of what was essentially an apologia for parliamentary supremacy, Bollan thus implied, first, that some non-common rights existed, and second, that protecting such rights might be within the purview of an authority other than Parliament" (LaCroix). OCLC locates several copies, but none in law libraries. LaCroix, *The Ideological Origins of American Federalism* 242 (n94). Sabin 93387. ESTC N24544.



N° 8

AN EVENT THAT ADVANCED A SUCCESSFUL MOVEMENT TO REDUCE THE NUMBER OF CAPITAL CRIMES IN MASSACHUSETTS

8 [BROADSIDE].
[EXECUTION].
[SALEM, MASSACHUSETTS].

Execution of Stephen Merrill Clark, Which Took Place on Winter Island, Salem, On Thursday, May 10, 1821.

Salem, MA?: S.n., 1821. 17-3/4" x 11" broadside. Text in four columns enclosed by black rules, small woodcut of a coffin below headline, untrimmed edges.

Light browning, fold lines, a few unobtrusive repairs, a few tiny dampspots. A rare item. \$1,850.

IN 1820 CLARK BURNED DOWN A BARN. There was no loss of life, but he was tried for a capital crime, found guilty and sentenced to death. The jury recommended commutation to no avail. He was sixteen years of age when he committed the crime, seventeen when executed. His case helped to advance a successful movement to reduce the number of capital crimes. By 1852 only murder remained as a capital offense. OCLC locates 4 copies (at Yale Law School, the New-York Historical Society, the Massachusetts Historical Society and the Vermont Historical Society). We located another copy at the American Antiquarian Society. Cohen lists this item but notes that he didn't handle a copy; his entry is based on a dealer's catalogue. Cohen also notes another broadside, again unseen, a 16-page pamphlet at Harvard Law School, and a 63-page report of the trial, at Yale Law School. Curiously, there is nothing for Clark in McDade, which is surprising given the contemporary and long-term importance of the case. These omissions in McDade suggest the rarity of these four accounts. Cohen 1238.

AN UNRECORDED ILLINOIS BROADSIDE?

9 [BROADSIDE].
[ILLINOIS].
TWENTY-SECOND GENERAL ASSEMBLY.

An Act to Incorporate the Town of Dekalb.

[Springfield, IL, 1861]. 25" x 14" broadside, dense text in five columns. Complete as issued.

Light browning, fold lines, a few chips to each edge, isolated spots to wear at centerfold touching five words, all easily inferred. A rare item. \$750.

AS FAR AS WE CAN DETERMINE, this broadside printing of the act founding this northern Illinois town, home of Northern Illinois University, is unrecorded. This appears to be an unofficial printing. The anonymous printer ran out of space at the end of the fifth column of text. Omitting the penultimate Article 44, on filling the vacancy of the office of the constable, the printer assigned that number to the final pro-forma two-line article, "This act shall be deemed a public act... &c.," but then omitted the date, "Approved Feb. 21, 1861." No copies listed on OCLC or in the state-wide catalogue of the Illinois State Library.



N° 9

AN UNRECORDED IMPRINT?

10 BROTHERSON, JOHN, COMPILER.

Executors and Administrators Instructor: Containing All the Law on Those Subjects, Together with New Forms, Adapted to the Peculiar Requisitions of the Statute.

New York: Printed by John C. Totten, 1828. iv, 204 pp. Octavo (7" x 4").

Contemporary tree sheep, lettering piece and gilt fillets to spine. Light rubbing to extremities, corners lightly bumped, hinges starting. Some toning and faint dampspotting to text. Early owner signature (Lemuel C. Baine) to front free endpaper and following endleaf, interior otherwise clean. \$250.

THIS APPEARS TO BE A TRUE FIRST. Cohen lists this as an 1829 (c. 1828) imprint with the following pagination: viii, 212 pp. This copy has a title page dated 1828 and a different pagination. Shaw lists the 1829 imprint but omits the 1828. OCLC locates 4 copies dated 1828 with the pagination of the 1829 imprint, 2 identical to ours. See Cohen 4634. Shaw and Shoemaker 37952.

"CALCULATED FOR THE USE OF MERCHANTS"

THE FINAL PRINTING OF THE CONSTITUTION, LAWS AND
TREATIES OF THE CHICKASAW NATION

11 BURN, JOHN ILDETON [1774?-1848].

A Practical Treatise or Compendium of the Law of Marine Insurances.

London, Printed: New-York, Re-Printed, for H. Caritat by G. & R. Waite, 1801. xiv, [2], 235 pp. 12mo. (6-1/4" x 4").

Recent period-style quarter calf, lettering piece and gilt fillets to spine, endpapers renewed. Light browning to text, negligible foxing in places. Head of title page has early owner signature partially covered by small owner label (S. Henry Norris), interior otherwise clean. A very handsome copy. \$850.

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

DU PONCEAU'S EDITION OF BYNKERSHOEK

12 BYNKERSHOEK, CORNELIUS VAN [1673-1743].
DU PONCEAU, PETER STEPHEN [1760-1844], EDITOR
AND TRANSLATOR.

A Treatise on the Law of War: Being the First Book of His Quaestiones Juris Publici. Translated From the Original Latin with Notes.

Philadelphia: Published by Farrand & Nicholas [et al.], 1810. xxxiv, 218 pp. Octavo (8-1/2" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Some rubbing to extremities, chipping to spine ends, front board just beginning to separate but still quite secure, rear joint starting, rear hinge cracked, rear board secure. Offsetting to margins of endleaves, toning to text, light browning and dampspotting in places. Early annotations in pencil to front pastedown, interior otherwise clean. Ex-library. Location label to spine, bookplate residue to front pastedown, card pocket to rear. A solid copy. \$750.

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

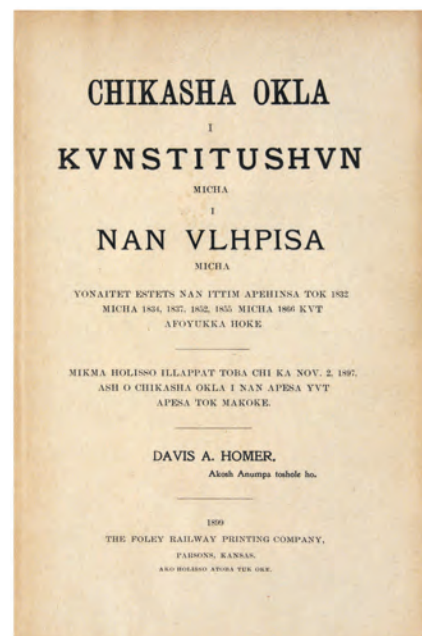
13 [CHICKASAW NATION, OKLAHOMA].
HOMER, DAVIS A. [B. 1864?], TRANSLATOR.

Chikasha Okla I Kvnstitushvn: Micha I Nan Vlhpsa Micha Yonaitet Estets Nan Ittim Apehinsa Tok 1832 Micha 1834, 1837, 1852, 1855 Micha 1866 Kvt Afoyukka Hoke. Mikma Holisso Illappat Toba Chi Ka Nov. 2, 1897, Ash o Chikasha Okla I Nan Apesa Yvt Apesa Tok Makoke.

Parsons, KS: Foley Railway Print. Co., 1899. 531, xi pp. Octavo (8-1/4" x 5-3/4").

Contemporary three-quarter sheep over textured boards. Rubbing to joints and backstrip, chip to head of spine, corners bumped and somewhat worn, hinges starting. Lettering piece in Choctaw and presentation inscription, presumably by Homer, to front pastedown. Light toning to text, later inscriptions and stamps (of W.C. and George M. Bayles) to front pastedown and free endpaper. An appealing copy. \$850.

IN THE CHOCTAW LANGUAGE. With an appendix of treaties. This work provides the Constitution and laws of the (sovereign) Chickasaw Nation, together with the treaties of 1832, 1833, 1834, 1837, 1852, 1855 and 1866. It also includes an act of Congress from January 1898 governing the tribal courts of the Indian Territory and the Curtis Act of June 28, 1898. A landmark in the history of Indian affairs, this act, also known as the General Allotment Act, completed the work of the earlier Dawes Act (1887), which dissolved the sovereignty of the tribes and gave U.S. citizenship to Native Americans. The Curtis Act abolished tribal governments on March 6, 1906 and weakened tribal structures through the conversion of tribal lands to individual plots. The act also provided for the assimilation of the young through the establishment of public schools. It was repealed in 1935. Taking advantage of this opportunity, the Chickasaw reorganized its tribal government in the 1960s and adopted a new constitution in 1983 to manage tribal businesses. Homer, or Homma, was a Choctaw lawyer and preacher. According to Hargrett, 500 copies of this book were printed. OCLC locates 12 copies, 5 in North American law libraries (Duke, Harvard, UC-Berkeley, University of Michigan, University of Washington, Yale). Hargrett 106.



N° 13

IT "GAVE ORDER TO THE DEMOCRATIC PROCESS"

14 CUSHING, LUTHER STEARNS [1803-1856].

Manual of Parliamentary Practice: Rules of Proceeding and Debate in Deliberative Assemblies.

Boston: William J. Reynolds, 1845. 173, [2] pp. Includes two pages of critical notices. 12mo. (5-3/4" x 3-1/2").

Contemporary sheep, blind-stamped fillets to boards, lettering piece and blind fillets to spine. Some rubbing to extremities, chipping to spine ends and edges of lettering piece, a few minor scuffs to boards, some wear to corners, joints just starting at ends. Some toning to text, faint dampstain to title page and following few leaves. Early owner signatures to front free endpaper and head of title page, interior otherwise clean. \$250.

FOURTH EDITION, published the same year as the first three. "As soon as it appeared, Cushing's *Manual*...became a guide for the procedure of all organized assemblies. Its sale was extensive, and thousands of copies were abroad as well as in this country... It was so thorough and complete in its original form that it is in constant use today by legislative bodies. From town-meeting to cabinet meeting, the *Manual* gave order to the democratic process." *One Hundred Influential American Books Printed Before 1900* 53. Cohen (2003 Supplement) 5967.30.

SCARCE ALABAMA ANNUAL

15 CUTHBERT, J[OHN] A[LBERT] [1788-1881].

Compendium of the Law of Executors, Administrators, Guardians, And Dower, In Force in Alabama.

Mobile: Thomas J. Carver & Co., 1850. vii, 166 pp. Octavo (9" x 5-1/2").

Contemporary sheep, blind fillets to spine, red and black lettering pieces to spine. Light rubbing and some minor scuffs and stains to boards, moderate rubbing to extremities, joints just starting at ends. Light toning and occasional foxing to text, faint dampstaining to a few leaves. Early owner signature to front free endpaper (of W.W.D. Turner), interior otherwise clean. \$250.

ONLY EDITION. OCLC locates 6 copies in law libraries (Alabama Supreme Court, Duke, Harvard, Library of Congress, University of Alabama, University of Minnesota). Cohen 4607.

DARROW DISCUSSES PROHIBITION WITH A COLLEAGUE

16 DARROW, CLARENCE [1857-1938].
[BLACK, FORREST R].***[Autograph Letter, Signed, To Black, On the Letterhead of the Hotel Fenway, Denedin, Florida, February 26].***

Single 10-1/2" x 7-1/4" sheet. Some toning, two horizontal fold lines, light soiling to upper right hand corner, otherwise fine. \$1,750.

[With]

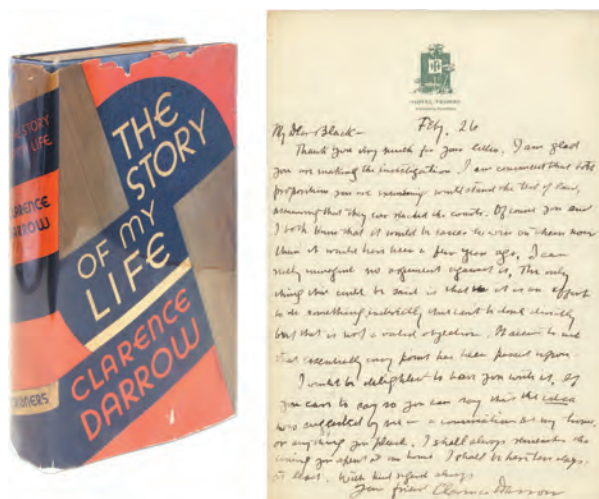
DARROW, CLARENCE [1857-1938].

The Story of My Life.

New York: Charles Scribner's Sons, 1932. xiv, 465 pp. Fourteen plates (with 16 illustrations). First edition, first issue (Scribner "A").

Cloth in moderately worn and lightly soiled multi-color Art Deco dust jacket, light toning to text. Check marks and underlining in pencil to a few pages, interior otherwise clean. \$1,950.

BLACK WAS A LAW PROFESSOR at the University of Kentucky and the author of *Ill-Starred Prohibition Cases: A Study in Judicial Pathology* (1931), which has a foreword by Darrow. Darrow's letter from February 26 was probably written in 1930 or 1931, the period in which the two exchanged a number of letters about the manuscript of Black's book. Darrow appears to be discussing a passage in the manuscript: "I am convinced that both propositions you are examining would stand the test of law, assuming they ever reached the courts. Of course you and I both know that it would be easier to win on them now than it would have been a few years ago. I can really imagine no argument against it. The only thing that could be said is that it is an effort to do something indirectly that can't be done directly, but that is not a valid objection. It seems to me that essentially every point has been pressed upon." The letter is accompanied by a first edition, first issue, of Darrow's autobiography. Hunsberger, *Clarence Darrow: A Bibliography* 272.



Nº 16

A SCARCE 1844 FORMBOOK FOR GERMAN-AMERICANS

17 DIEFENBACH, DANIEL.

Des Deutschen Mannes Geschäftshelfer: Enthaltend die Nusslichsten und Gebrauchlichsten Vorschriften, Um Mehrere Arten von Geschäftsschriften, Ohne Hülfe eines Anwalts oder Notarius Gesetzmässig in Deutscher Sprache, Selbst zu Schreiben.

Baltimore: Gedruckt in der Buch-Handlung der Evang. Luth. Kirche, 1844. 123, [1] pp. 12mo. (5-3/4" x 4-1/2").

Contemporary three quarter sheep over plain paper boards. Moderate rubbing to boards and extremities with some wear to spine ends and corners, rear joint starting. Occasional foxing, faint annotations to a few leaves. Early annotations in pencil to endleaves, interior otherwise clean. \$750.

ONLY EDITION. Diefenbach, a Pennsylvania German, seems to have based this formbook on Thomas Crowell's *The Counsellor, or Every Man His Own Lawyer* (1844). It contains a variety of forms relating to personal and business transactions. OCLC locates 7 copies, 6 in North America, none in a law library. Not in Cohen.



Nº 18

BY AN "UNRIVALLED" AUTHORITY ON COMMERCIAL LAW

18 EMERIGON, BALTHAZARD-MARIE [1716-1785]. [HALL, JOHN E., TRANSLATOR].

An Essay on Maritime Loans, From the French; With Notes: To Which is Added an Appendix, Containing the Titles De Exercitoria Actione, De Lege Rhodia de Jactu, and De Nautico Foenore, Translated From the Digest and Code of Justinian. And the Title Des Contrats a la Grosse Aventure ou a Retour de Voyage, From the Marine Ordinance of Louis XIV.

Baltimore: Published by Philip H. Nicklin & Co., 1811. xvi, [17]-313, [1] pp. Octavo (8-1/2" x 5-1/4").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to extremities with some wear to edges of lettering piece, a few scuffs to boards along edges and joints, faint dampstaining along edges of boards. Light browning to text, occasional dampstaining and foxing, internally clean. \$500.

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

FREEMAN'S PROBATE AUXILIARY

19 FREEMAN, SAMUEL [1743-1831], EDITOR.

The Probate Auxiliary; Or, A Director and Assistant to Probate Courts, Executors, Administrators and Guardians. Being the Laws of the Commonwealth of Massachusetts, Respecting the Estates of Testators, Intestates and Wards. Carefully Collected. Together With a Comprehensive Alphabetical Index to the Same. To Which Are Added, A Variety of Forms, For the Use of Probate Courts, And of Such Persons as May Have Business to Transact Therein.

Portland: Printed by Benjamin Titcomb, 1793. xi, [1], 156 pp. Octavo (6-1/2" x 4").

Recent period-style quarter calf over cloth, gilt fillets and lettering piece to spine, endpapers renewed. Small early owner signature to head of title page, interior otherwise clean. An appealing copy. \$250.

ONLY EDITION. Written when he was Probate Register for Cumberland County, Freeman was a lawyer and judge in Portland, Maine who served in the Provincial Congress (1775) and the Massachusetts House of Representatives (1776, 1778). He wrote several legal manuals including *The Probate Directory* (1803) and *The Massachusetts Justice* (1795). Cohen 4683.

WITH A VALUABLE APPENDIX OF TERRITORIAL
AND STATE LEGISLATION

20 GILMAN, CHARLES [1807-1849].

The Illinois Conveyancer: Being a Collection of Original and Selected Forms for Popular Use, With Occasional References to the Revised Statutes; And an Appendix Containing All the Laws Relating to Conveyances from the Earliest Date to the Present Time.

Quincy [IL]: Published by Woods and Flagg, 1846. iv, 319 pp. Octavo (7-1/4" x 4-1/4").

Contemporary sheep, blind rules and lettering piece to spine. Light rubbing and a few minor nicks to boards, moderate rubbing to extremities with wear to head of spine, corners bumped, hinges starting at ends. Moderate toning and foxing to text, internally clean. A nice copy. \$250.

ONLY EDITION. Including both federal and Illinois laws relating to land and conveyancing, this handbook is especially valuable for the comprehensive appendix (pp. 217-309) containing relevant Illinois territorial and state legislation. The author of this book was a Quincy, Illinois lawyer and a state reporter. OCLC locates 5 copies in North American law libraries (Harvard, Northwestern, St. Louis University, State of Oregon, University of Alabama). Byrd 1060. Cohen 8211.

A POPULAR NEW JERSEY MANUAL

21 GRIFFITH, WILLIAM [1766-1826].

The Scriveners Guide; Containing Concise Precedents of Acquittances, Agreements, Arbitration and Awards, Assignments, Attornies Letters, &c., Bills of Sale, Bonds and Conditions, Composition with Creditors, Deeds of Sale, Partition, &c., Indentures of Apprentice, Leases, Licence of Debtors, Mortgages, Promissory Notes, Bills, &c. Recognizance, Wills and Codicils, With Practical Notes and Explanations. With Practical Notes and Explanations.

Newark [NJ]: Printed by John Woods, 1797. 48 pp. 12mo. (6-1/2" x 4").

Contemporary sheep, lettering piece and gilt fillets to spine. Moderate rubbing to extremities, a few stains and early scribbling to boards, spine worn but sound, horizontal cracks to boards, some front endleaves lacking, moderate toning to text. Early signature to front endpaper, a few struck-through signatures on p. 3, interior otherwise clean. \$100.

FIRST EDITION AS AN INDEPENDENT WORK; originally published as Part III of the author's *Treatise on the Jurisdiction and Proceedings of the Justices of the Peace* (1797), the second, enlarged edition of the first work of its kind for the state of New Jersey, originally published in 1796. Felcone notes that this is printed from the same type as pp. (4), (277)-320 of the Treatise. The original preface here is dated Burlington, 20 May, 1797. This concise manual went through five editions, the last in 1818. Cohen 8023. Felcone 107.

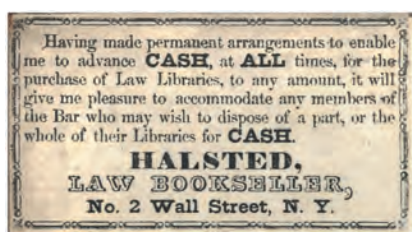
22 HAMMOND, ELISHA [1780-1851].

A Treatise on the Law of Fire Insurance, And Insurance on Inland Waters. In Two Parts. With an Appendix of Forms.

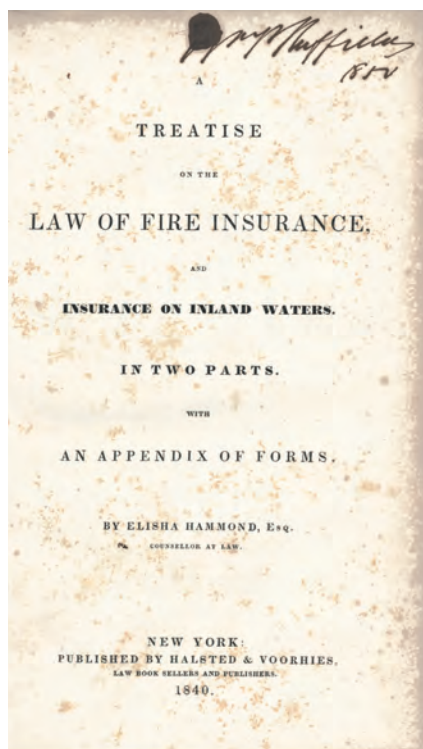
New York: Published by Halstead & Voorhies, 1840. xi, 182 pp. Octavo (8-3/4" x 5-1/2").

Contemporary sheep. Blind fillets to boards, blind fillets and residue from lettering piece to spine. Rubbing with some wear to spine, joints and board edges, front joint just starting near head. Early bookseller ticket and later armorial bookplate of William Paine Sheffield to front pastedown. Light foxing to most of text. Inkspots to a few leaves, interior otherwise clean. Scarce. \$350.

ONLY EDITION. An early American work devoted to fire insurance. With forms and a table of cases. Contents include "Of the Property and Interest of the Insured," "The Nature and Extent of the Risk for Which the Insurer Undertakes," "Of Insurance Agents," "Of the Form and Requisites of a Policy," "Warranty and Conditions," "Misrepresentation and Concealment," "Of Losses," "Of the Proceedings on Policies," "Of Assignment of Policies," "Of Proceedings in Equity," "Of Double and Re-insurance," "Of the Recovery Back of Losses Improperly Paid," "Of Insurance Upon Inland Waters." Cohen 7062.



Detail from N° 22



N° 22

23 HENING, WILLIAM WALLER [1768-1828].

The New Virginia Justice, Comprising the Office and Authority of a Justice of the Peace, In the Commonwealth of Virginia. Together with a Variety of Useful Precedents Adapted to the Laws Now in Force. To Which is Added, an Appendix Containing All the Most Approved Forms of Conveyancing, Commonly Used in This Country, Such as Deeds, of Bargain and Sale, Of Lease and Release, Of Trust, Mortgages, &c.--Also, The Duties of a Justice of the Peace Arising Under the Laws of the United States.

Richmond: Printed by Aug. Davis, 1799. [xii], 468, xxiv, 32, xv pp. Signatures N and O bound in reverse order. Octavo (8" x 5").

Contemporary sheep, lettering piece, blind fillets to boards and spine. Moderate rubbing with some wear to spine-ends and corners, a few scuffs to boards, rear hinge cracked but secure, crack between front endleaf and title page. Clean tears to two leaves, corner lacking from another with no loss to text, two rear endleaves lacking. Early annotations to endleaves. Dampstaining to some leaves at beginning of text, occasional light foxing. A solid unsophisticated copy. \$250.

SECOND EDITION. Hening's was one of the first original American law manuals. Containing entries relating to local matters, such as tobacco and slaves, Hening's handbook "was both serviceable and popular [and] was distributed by the state" (DAB). First published in 1795, it went through several subsequent editions. Under the sponsorship of Thomas Jefferson, Hening went on to edit the *Statutes at Large; Being a Collection of all the Laws of Virginia*. DAB IV:537-538. Cohen 8476.

24 JUNKIN, D[AVID] X[AVIER] [1808-1888].

The Oath a Divine Ordinance, And an Element in the Social Constitution: Its Origin, Nature, Ends, Efficacy, Lawfulness, Obligations, Interpretation, Form and Abuses.

New York: Wiley and Putnam, 161 Broadway, 1845. x, 223, [4] pp. Includes four-page publisher catalogue. Octavo (8-1/2" x 5-1/2")

Recent cloth, printed paper spine label, endpapers renewed, minor tear to fore-edge of title page. Toning, finger smudges and annotations in pencil to a few leaves. A handsomely bound copy of a scarce title. \$350.

ONLY EDITION. The author was the Pastor of the First Presbyterian Church in Greenwich, New Jersey. This book is based on one of his sermons. OCLC locates 3 copies in law libraries (NYU, Social Law, Liberty University). Cohen 5082.

GOULD'S EDITION OF KENT'S COMMENTARIES.
INCLUDES HOLMES'S NOTES

- 25 KENT, JAMES [1763-1847].
GOULD, JOHN M., EDITOR.
OLIVER WENDELL HOLMES [1841-1935], EDITOR.

Commentaries on American Law.

Boston: Little, Brown & Company, 1896. Four volumes. Octavo (9" x 6").

Original tan buckram, blind rules to boards, red and black lettering pieces to spines. Corners lightly bumped, chipping to lettering pieces, light, but even, fading to spines and adjacent parts of boards, small bookseller ticket to front pastedown of Volume I. Light toning to text, underlining in pencil to a few passages. A well-preserved set. \$600.

FOURTEENTH EDITION. Kent's *Commentaries* is probably the single most important interpretation of American law. Marvin ranks it above Blackstone's *Commentaries*, writing that "England has only furnished one Blackstone, and the American rival equals him in classic purity and elegance of style, and surpasses him in extent and copiousness of learning." This edition, by Gould, is an updated version of the venerable O.W. Holmes edition that retains all of the justice's notes. 438. HLC I:1088.

LIVINGSTON'S INFLUENTIAL PENAL CODE

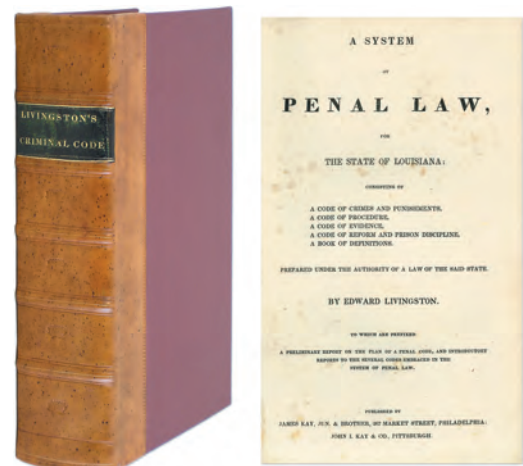
- 26 LIVINGSTON, EDWARD [1764-1836].

A System of Penal Law, For the State of Louisiana: Consisting of A Code of Crimes and Punishments, A Code of Procedure, A Code of Evidence, A Code of Reform and Prison Discipline, A Book of Definitions. Prepared Under the Authority of a Law of the Said State. To Which are Prefixed a Preliminary Report on the Plan of a Penal Code, and Introductory Reports to the Several Codes Embraced in the System of Penal Law.

Philadelphia: James Kay, Jun. & Brother, [1833]. v, 745 pp. Octavo (9" x 5-3/4").

Recent period-style quarter calf over cloth, blind fillets and lettering piece to spine, endpapers renewed. Small chips to margins of two leaves with no loss to text. Negligible light foxing in places, interior otherwise clean. Handsome. \$950.

SECOND EDITION, one of two printings issued in 1833. (The other has the date on the title page.) A comprehensive system of criminal law which, while not adopted in the United States, is still influential today because it is the first complete penal code built on Jeremy Bentham's principles of codification. First published in 1828, Hicks marvels at the scope and clear organization of this code and notes that Bentham, Hugo, Lafayette, Story, Marshall, Madison, Kent and Jefferson considered it "the most comprehensive and enlightened system of criminal law that has ever been presented to the world." A notably humane code, it is important for its advocacy of prevention rather than punishment. Livingston was a senator from Louisiana and later a member of Andrew Jackson's cabinet. Hicks 180. Cohen 10348.



Nº 26

EARLY AMERICAN MILITARY LAW TREATISE

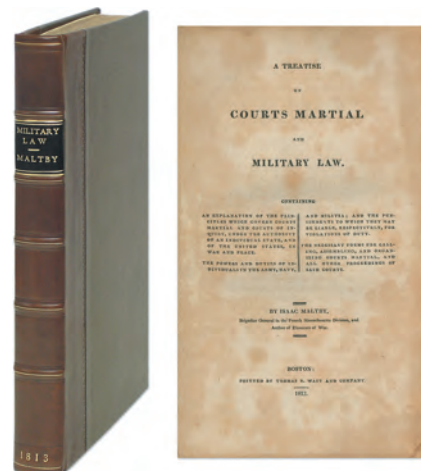
- 27 MALTBY, ISAAC [1767-1819].

A Treatise on Courts Martial and Military Law: Containing an Explanation of the Principles Which Govern Courts Martial and Courts of Inquiry, Under the Authority of an Individual State, and of the United States, in War and Peace. The Powers and Duties of Individuals in the Army, Navy, and Militia; and the Punishments to Which They May be Liable, Respectively, for Violations of Duty. The Necessary Forms for Calling, Assembling, and Organizing Courts Martial, and All Other Proceedings of Said Courts.

Boston: Printed by Thomas B. Wait and Co., 1813. [viii], 272 pp. Octavo (8-1/4" x 5").

Recent period-style quarter calf over cloth, gilt fillets and lettering piece to spine, endpapers renewed. Toning to text, occasional light foxing, internally clean. \$750.

ONLY EDITION OF AN EARLY AMERICAN WORK on military law and courts martial. Based principally on legal and military American sources, it includes a series of twenty-two appendices. The first (and most extensive) contains the American Articles of War adopted in 1806, which outline the procedures for a court martial. Maltby, a member of the Massachusetts legislature and a presidential elector, was a brigadier general of the state militia during the War of 1812. Cohen 9026.



Nº 27



A TURNING POINT IN THE AMERICAN REVOLUTION

28 [MANUSCRIPT].
[AMERICAN REVOLUTION].
[BATTLE OF LONG ISLAND].
[DORLON, JOHN (1751-1824)].

[Orderly Book of Captain John Dorlon's Company of New York Minutemen Documenting Preparations for the British Invasion of New York City].

[New York City, February 19, 1776–April 11, 1776; June 22, 1776–December 25, 1776]. [68] leaves, 125 pp.

Quarter vellum and marbled boards; American laid paper watermarked "Liberty & Prudence." Two manuscripts laid in (see below). Provenance: "Capt. John Dorlon His New York February 19th 1776" on first leaf. Disbound, spine perished, boards worn, three leaves expertly mended; seven leaves with loss at edges affecting about 25 words, but not legibility. Housed in a leather and cloth clamshell box. \$75,000.

FEBRUARY 1776. New York City's strategic position linking New England to the other colonies is in peril. General George Washington's newly-formed Continental Army is fully engaged up north, besieging Boston. Dispatched from the siege by Washington, Major General Charles Lee arrives in New York City on February 4, 1776. The royal governor of New York, William Tryon, has fled the city with public records and sought refuge aboard a British naval vessel in New York harbor. New Yorkers, most of them Loyalists, look anxiously to the future. What will be the city's fate during this power vacuum? March, 1776. The British retreat from Boston in the third week. Rebellious New York colonists await the Empire's punitive wrath. The British will invade; New Yorkers can only wonder when. Secrecy is necessary. Passwords will be used. Also

known as the Battle of Brooklyn Heights, The Battle of Long Island would take place in August 1776. From February through April 1776 the orderly Book of Captain John Dorlon's Duchess County, New York "Minute Men" carefully documents the critical preparations to fortify and defend New York City and Long Island. Its tone grows progressively urgent as it becomes clear that the British are about to leave Boston.

Born in Hempstead, Long Island, Dorlon served as a company commander in Colonel Jacobus Swartwout's Second Regiment of Minute Men raised in Dutchess County, New York. Dorlon's 43-man company was based in Manhattan in a location near Trinity Church and Wall Street. His orderly book contains regimental orders for his company and general orders for all the troops in New York City. It shows the civilian populations of New York, both slave and free, were used to assist the troops build defensive earthworks ordered by General Lee. These were constructed at the lower end of Manhattan, at Horn's Hook near the entrance of Long Island Sound, and Brooklyn Heights, a strategic eminence overlooking New York City. The building of platforms and chevaux de frise and the preparatory work of carpenters, blacksmiths, cutlers, and "Armours" [armorers] is described in detail. The book includes orders relating to the maintenance of orderly books, fatigue and work details, artillery, courts-martial, drilling of troops and musicians, moving of prisoners, and mustering instructions for guard and patrol duties. These latter orders include important instructions to patrol for rioters at sutling and dram houses and repeated instructions to avoid antagonizing the civilian population, whose support they needed. Several entries refer to a "Laboratory," possibly referred to as such because its work involved gunpowder. A roster or "True Roll" of Captain Dorlon's company as of March 6, 1776 is included in the orderly book in a section where Dorlon kept account of military pay and expenses, July 25, 1776 December 25, 1776. In that section Dorlon also records the pay scale for all ranks within the Regiment, orders concerning rations of food and supplies and a note about arms and accouterments, such as "a



Nº 28

Good Gun & Bayonet," "Tomhawk" and "Colours" [flags] necessary for a "March or Campaign." Other preparatory orders concern the distribution of working tools and their repair, where the troops were to assemble during an alarm, mustering and drill orders for the drummers and fifers, and the sweeping of chimneys to prevent fires.

General Lee was in overall command when he began the orderly book, but within a few weeks Lee was ordered to the Carolinas. Defensive efforts carried on, but under a new commander and with an increasing sense of urgency. By April 5, 1776, orders were changed to begin enforcing the use of passwords at night for anyone, including civilians. These orders also showed the need for a higher level of security. Further seen is the recording of the daily order giving the secret "Parole" (word) and "Counter Sign" (password) to be used by officers, guards and pickets. Interestingly, the words chosen by the New York "Head Quarters" are mostly the names of American generals and politicians. For example: "Putnam," "Schuyler," "Wasington" and "Washinton" [Washington], "Mifflin," "Armstrong," "Gates," "Woodhull," "Handcock" [Hancock], "Franklin," "Carroll," "Dickison" [Dickinson], "Wilks" [for John Wilkes?], "Adams" and "Rush." Did the general command choose these names to instill a sense of national political unity and military duty and comradeship in the troops? Augmenting this sentiment, the orderly book uses American-made paper with the cautiously patriotic watermark, "Liberty & Prudence." At this juncture the colonies had not yet declared independence; New York was undecided about this matter. Indeed, many were Loyalists. Here, in John Dorlon's orderly book, in early 1776, we can see the Continental Army and its supporters as they steeled themselves to face the wrath of the British Empire.

Two later entries and a laid-in leaf of note offer a few facts about Dorlon's life after the Revolution. On the second leaf of the manuscript is the following, later inscription: "Benj[ami]n. B. Baker Augt. 29th 181[7?]" This day Perused within [the orderly book] Southquay." An additional inscription on the verso of the first leaf,

signed "Benj[ami]n. B. B[piece missing]", notes that "Capt John Dorlon died at South-quay Nansemond Co[unty] [extinct] State of Virginia, the 22nd a[?] of May, (a little after Sunset), 182[4] he resided at this place fo[r] many years previous to his Death. he was borne in [the] year of 1751, August 13th." Also, there is laid into the orderly book a small, unsigned and undated one-page manuscript entitled "Memorandum for Colonel Copeland." This memorandum is a query concerning the possibility that late Captain Dorlon's descendants may be entitled to a pension for Dorlon's services during the American Revolution in Colonel Swartwout's New York Regiment. The handwriting of the memorandum does not appear to be that of Benjamin B. Baker (though it could be a copy), but its author declares that Captain Dorlon's "orderly book is in my possession." Benjamin Beverly Baker was the step-son of Captain Dorlon. Captain Dorlon settled in Virginia after the American Revolution and there married Judith Baker, the widow of Richard Baker and mother of three children. Benjamin B. Baker died unmarried and an older sister died young. The memorandum references "General Millson," this is likely a reference to Congressman John S. Millson of Virginia, chairman, Committee on Revolutionary Pensions in the Thirty-second Congress, 1851-1853. See Boddie, Southside Virginia Families. Fernow ed., Documents Relating to the Colonial History of the State of New York. Volume XV. State Archives, Vol. I. [New York in the Revolution]. Syrett, The Papers of Alexander Hamilton, Volume I, 1768-1778. Note: The watermark of the American-made paper used in the orderly book, "Liberty & Prudence" (Gravell & Miller 661) is documented among the papers of George Washington from 1777.

A LETTER TO CHARLES SUMNER ABOUT
AMERICAN LEGAL PUBLISHING29 [MANUSCRIPT].
APPLETON, JOHN [1804-1891].

[Autograph Letter, Signed, to Charles Sumner, Esq.
Counsellor at Law, Boston].

Bangor, ME, December 6, 1835. Single leaf folded to form 10" x 8" quarto bifolium. Written in ink, written in ink, addressed, franked and postmarked on verso of fourth page. Fold lines, some toning along margins, a bit of glue residue along margin, otherwise fine. Letter accompanied by a 6-1/2" x 4-1/2" image of Appleton, clipped from a periodical and mounted to a sheet of paper. \$550.

AN INTERESTING LETTER FULL OF DISCUSSION, not of cases or points of law, but of various matters relating to American law publishing. Written to Charles Sumner, whose reputation as a statesman during the period of the Civil War and Reconstruction tends to obscure his early career as a distinguished lawyer, was a graduate of the Harvard Law School and a protégé of Joseph Story. John Appleton graduated from Bowdoin College in 1822, moved to Bangor in 1832, and eventually rose to the top of his profession as a Maine jurist, becoming chief justice of the Supreme Judicial Court of that state in 1862. His two greatest achievements were the *Maine Law Reports*, "perhaps the most valuable single contribution to the legal literature of his state..." and his effort to abolish "the principle of common law that a party might not be a witness in his own behalf in either civil or criminal cases. In [this]... Appleton was a confirmed disciple of Bentham... In 1856 he had the satisfaction of seeing the Maine legislature enact a law that no person should be "excused or excluded as a witness in any civil suit or proceeding at law or in equity, by reason of his interest in the event' ... Eight years later this principle was extended to criminal cases" (DAB). That topic is brought up presciently on the third page of this letter. "I think there will be a move in our legislature this winter to introduce parties as witnesses but with little success as yet. It is a long time before truth can be expected to prevail, but the beginning is so [on] & a change once made in one state will most assuredly make way for change in all."

The letter opens with reference to Sumner's *American Jurist and Law Magazine*. Appleton requests offprints of two articles he has contributed and mentions two more he is working on, "Husband and Wife" and "The Law of Attorney and Client in relation to their testifying." He urges Sumner to make a greater effort to obtain subscribers. Appleton has enlisted 20 in Maine. "It is taken much in the West & in Penn & N York. I should imagine some little personal exertion of some friends would place its prosperity on a solid basis. "He goes on to discuss reports to which he is subscribing, disappointed by the condensed Exchequer Reports by Troubat. "He is not enough of a condenser. There is so much of English practice, which is not of the slightest use to us here." He makes the same criticism of Sergeant's condensed reports. Hall's Reports of the Superior Court of New York City he likes "very much. The decisions of that court I should think [are] entitled to as much weight as those of the State court." He anticipates publication of Story's work on equity, "as I intend looking into equity more, as the increased powers of our court will create much of that business (as will) the host of land trades the past season..." He is about to revise his old articles on evidence for Mr. Purdon "with occasional notes and for that purpose I shall want one or two numbers of the *Jurist* to make out the whole set. I shall have them published as they were in the *Jurist*...intending, if ever I should publish the whole, to revise & rewrite, as may then seem meet." In fact his collected articles did appear in 1860 under the title *The Rules of Evidence*. He closes with a nod to Maine winters, "enough to frighten anyone but a native born down Easter. I have almost been tempted to leave the frigid regions of the North for the warm and sunny climes of the South." DAB I:329.



N° 29

DAY BOOK OF A NOTABLE NINETEENTH-CENTURY LAWYER
AND JUDGE IN LANCASTER COUNTY, PENNSYLVANIA30 [MANUSCRIPT].
[LIVINGSTON, JOHN B. (1821-1906)].

[Docket Book of John B. Livingston, A Pennsylvania Lawyer
and Judge, 1851-1862]. Cover reads "J.B. Livingston's
Docket/ January [28] 18[51]."

[Lancaster County, PA, January 28, 1851-January 13, 1862]. [xxviii], 322 pp. Thumb-tabbed index. Folio (12-1/2" x 8").

Reversed calf, black-stamped panels to boards. Boards detached and moderately edgeworn, most of spine perished, "John B Livingston/ Lancaster City/ Pennsylvania/ January 27th A.D. 1851" to verso of final index leaf, similar inscription to verso of following leaf dated January 28. This leaf also bears the signature of a later owner, John Hampton, dated January 23, 1923, another Hampton signature to rear board. Light toning, text in small neat hand until p. 247, several Civil War-era pro-Union woodcuts and cartoons affixed to front and rear pastedowns. An interesting manuscript.

\$750.

LIVINGSTON WAS AN ATTORNEY AND JUDGE in Lancaster County, Pennsylvania. He read law from 1845 to 1848 with Thaddeus Stevens [1792-1868], who, as a member of the U.S. House of Representatives, went on to become leaders of the anti-slavery Radical Republicans during the Civil War and Reconstruction. In 1862 Livingston became the county's district attorney. In 1871 he was elected president judge of the second judicial district of Pennsylvania, a post he held until 1904. His docket book, which lists memoranda of cases, lists of services rendered and fees charged over an 11-year period, offers a fine perspective on the professional activity of a well-respected attorney with a thriving practice. Eastman III:599.

RALLYING SUPPORT TO SUPPRESS THE AMERICAN REVOLUTION

31 [MAUDUIT, ISRAEL (1708-1787), ATTRIBUTED].

Considerations on the American War. Addressed to the People of England.

London: Printed for T. Becket, 1776. [iv], 60 pp. Lacking half-title. Octavo (7" x 4-1/2").

Stab-stitched pamphlet bound into recent stiff marbled wrappers, printed title panel to front cover. Moderate browning to text, light foxing to a few leaves, some loss of text to three leaves due to printer error, internally clean. \$950.

ONLY EDITION. Mauduit, or Maudit, was a British merchant, writer and colonial agent for Massachusetts. *Considerations* urges the British public to support measures to suppress the American Revolution. He dismisses concerns about the economic consequences of military force and trade disruption, describes the value of retaining the colonies and stresses how the English constitution would be undermined if the colonists were granted independence. Since most colonists are loyal subjects held captive by a band of "tyrants," the Continental Congress, he observes, the Crown is obligated to defend their freedom. Maudit changed his mind after three years of warfare. In 1779 he became an advocate for American independence. OCLC locates 12 copies in North America, none in law libraries. Sabin 15198. ESTC T1114.



N° 31

SCARCE 1834 TENNESSEE JP MANUAL

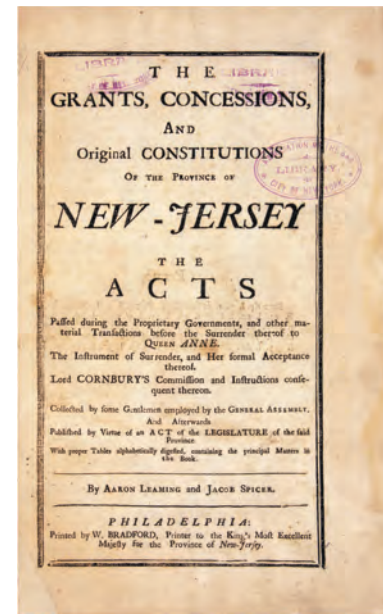
32 MITCHELL, JAMES COFFIELD.

The Tennessee Justice's Manual and Civil Officer's Guide.

Nashville: Published by J.C. Mitchell and C.C. Norvell, 1834. 534 pp. Octavo (8-1/4" x 5").

Contemporary sheep, lettering piece and gilt fillets to boards. Moderate rubbing to extremities, corners bumped, partial crack between front endleaf and title page, rear hinge partially cracked, a few signatures loose. Light browning to text, internally clean. \$200.

ONLY EDITION. Along with Haywood's *Justice*, this was one of the two manuals of its kind published in Tennessee before the Civil War. It is divided into three parts: Civil Division, Criminal Division, and Miscellaneous Division. Mitchell was a judge of the Tennessee Circuit Courts of Law and Equity. Cohen 8471.



N° 33

THE FIRST RETROSPECTIVE COMPILATION OF NEW JERSEY LAW

33 [NEW JERSEY].

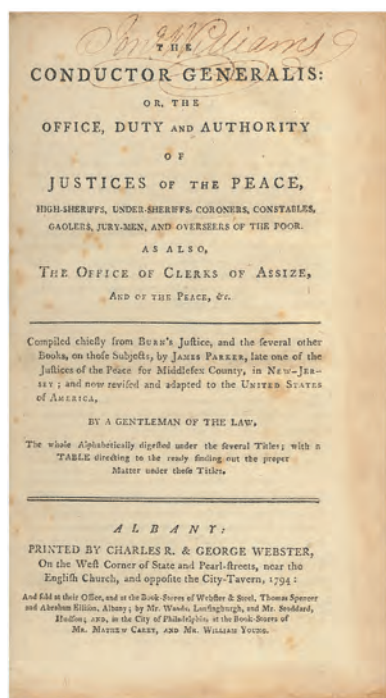
LEAMING, AARON, COMPILER.
SPICER, JACOB COMPILER.

The Grants, Concessions, and Original Constitutions of the Province of New-Jersey: The Acts Passed During the Proprietary Governments, and Other Material Transactions Before the Surrender Thereof to Queen Anne, The Instrument of Surrender, And Her Formal Acceptance Thereof, Lord Cornbury's Commission and Instructions Consequent Thereon. Collected by Some Gentlemen Employed By the General Assembly, And Afterwards Published by Virtue of an Act of the Legislature of the said Province With Proper Tables Alphabetically Digested, Containing the Principal Matters in the Book.

Philadelphia: Printed by W. Bradford, [1758]. [iv], 763 pp. Folio (11-1/4" x 7").

Recent period-style calf, raised bands and lettering piece to spine, title page and following leaf reinforced with clear archival backing re-hinged. Moderate toning, somewhat heavier in places, and light foxing to text, faint dampstaining to margins in a few places, internally clean. Ex-library. Small inkstamp to title page. A handsomely bound copy. \$1,750.

FIRST EDITION. With indexes for East Jersey and West Jersey. The third official compilation of New Jersey law, it is the first to print fundamental laws, constitutions and documents from 1663 to 1702 and session laws from 1668 to 1702. "This handsome volume, generally known as Leaming and Spicer's Laws, was prepared under the authority of an act of Assembly passed in 1752, and is the largest work issued from the press of Wm. Bradford. Subscribers' names were first solicited in February, 1755, the compilers having spent nearly two years in its preparation. Three more years were consumed in printing, and it was not until May, 1758, that it was ready for delivery. Up to that time 170 copies had been subscribed for, and the editors say, in the Pennsylvania Journal, May 11. 1758, 'a number of copies yet remain not subscribed for,' and 'any person may be supplied' until 'the 17th of July next, after which we will not further extend the sale'": Tower 165. Felcove 156.



N° 34

1794 ALBANY EDITION OF THE *CONDUCTOR GENERALIS*
ADAPTED TO THE NEEDS OF NEW YORK, NEW JERSEY AND
PENNSYLVANIA

34 [PARKER, JAMES (1714-1770)].

The Conductor Generalis: Or, the Office, Duty and Authority of Justices of the Peace, High-Sheriffs, Under-Sheriffs, Coroners, Constables, Gaolers, Jury-Men, and Overseers of the Poor. As Also the Office of Clerks of Assize, and of the Peace, &c. Compiled Chiefly from Burn's Justice, and the Several Other Books on Those Subjects, by James Parker, Late One of the Justices of the Peace for Middlesex County, in New-Jersey; And Now Revised and Adapted to the United States of America. By a Gentleman of the Law. The Whole Alphabetically Digested Under the Several Titles; With a Table Directing to the Ready Finding Out the Proper Matter Under Those Titles.

Albany: Printed by Charles R. and George Webster, 1794. xv, [1], 17-467, [1] pp. Octavo (8" x 5").

Recent period-style quarter calf over cloth, raised bands and lettering piece to spine, endpapers renewed. Corners lacking from three leaves with no loss to text. Offsetting to endleaves, toning to text block, occasional light foxing, finger smudges to a few leaves. A nice copy in an attractive binding. \$200.

A POPULAR AMERICAN LEGAL MANUAL issued by different printers and publishers largely based on English sources, primarily Burn. The first edition by Parker appeared in 1764. The present edition is a reissue of the 1792 edition published in Philadelphia by Robert Campbell without the Ten Pound Act and the sections on military and excise law. The preface says this edition is adapted to the needs of New York, New Jersey and Pennsylvania. Part II (pages 377-467) contains: *The Office and Duty of Sheriffs; The Office of a Gaoler, and Concerning Escapes; The Office and Duty of the Clerk of Assize and Clerk of the Peace; A Guide to Juries; An Abstract of Magna Charta; Notes on Magna Charta; Of Maxims and General Rules, from Jacob's Law Grammar; Of Actions and Remedies and Of Fictions, Intendments, and Presumptions.* Evans 21358. Cohen 7962.

1794 CLERK'S MANUAL

35 [SPENCER, THOMAS, EDITOR].

The New Vade Mecum; or Young Clerk's Magazine: Digested and Improved to Correspond with the Laws of the State of New-York in Particular, and the United States in General: Containing a Variety of the Most Useful Precedents, Adapted to Almost Every Transaction in Life; Such as Articles of Agreement, Awards, Bonds, Conditions, Recognizances, Letters and Warrants of Attorney, Covenants, Releases, Indentures, Charter-Parties, Copartnerships, Bargain, and sales, Gifts, Grants, Exchanges, Leases, Mortgages, Assignments, Defeasances, Surrenders, Uses, Trusts, Conveyances by Lease and Release, Feoffments, Jointures, Marriage Settlements, Wills and Codicils, Levying of Fines, &c. &c. &c. To Which is Added a Collection of Forms of Writs, &c. Most Common in Use in the Supreme Court of the State of New-York.

Lansingburgh: Printed by Silvester Tiffany for Tho's Spencer, 1794. 346 pp. (pp. 289-336 incorrectly numbered pp. 299-346). 12mo. (6" x 4").

Contemporary calf. Rubbing to board edges and joints, chipping to corners, minor worming to spine and pastedowns, hinges cracked but secure. Early bookplate to front pastedown. Some dampstaining and foxing, interior otherwise clean. A sound copy. \$75.

FIRST EDITION. The preface states that this manual is based on the British *Young Clerk's Magazine* with modifications for American use. Cohen 8002.

"ONE OF THE NOTABLE EARLY AMERICAN LAW BOOKS"

36 STEARNS, ASAHEL [1774-1839].

A Summary of the Law and Practice of Real Actions with an Appendix of Practical Forms. With Additions.

Hallowell: Glazier, Masters & Co. 1831. 5, [vii]-xxxiv, 495 pp. Octavo (9" x 5-1/2").

Contemporary sheep, blind fillets to boards, polished calf lettering piece and blind fillets to spine. Negligible shelfwear, tiny nick to front board, corners lightly bumped. Early owner signatures to front free endpaper and title page. Offsetting to margins of endleaves, interior otherwise fresh. An unusually well-preserved copy. \$200.

SECOND, FINAL AND BEST EDITION. This treatise is based on lectures given by Stearns at Harvard Law School, where he was one of its earliest professors. Pound says this work "proved to be one of the notable early American law books and was welcomed by a bar in need of accurate available information on technical procedure." Pound 141. Cohen 9502.

FIRST COMPREHENSIVE AMERICAN TREATISE ON PARTNERSHIP

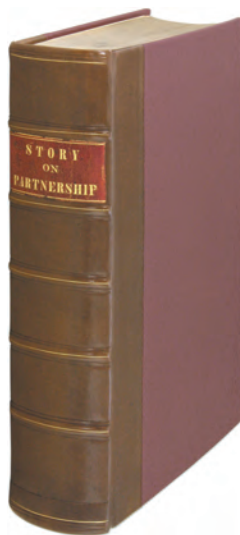
37 STORY, JOSEPH [1779-1845].

Commentaries on the Law of Partnership, as a Branch of Commercial and Maritime Jurisprudence.

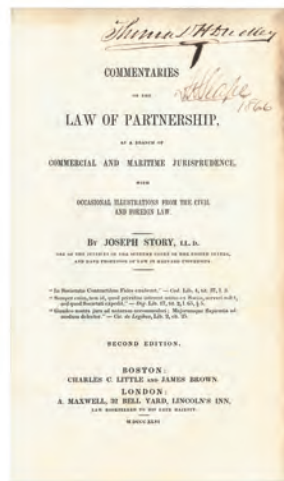
Boston: Charles C. Little and James Brown, 1846. xxiv, 720 pp. Octavo (9-1/2" x 6").

Recent period-style quarter calf over cloth, raised bands and lettering piece to spine, endpapers renewed. Light foxing in a few places. Early owner signatures to title page, interior otherwise clean. \$450.

SECOND EDITION. This was the last of Story's great treatises. Like the others, it was a standard work in the United States and, to some extent, Great Britain. Warren, in *Law Studies*, said it is "a truly luminous exposition of a subject noted for its intricacy, and the subtlety of the rules upon which the system depends" (451). It was a deeply influential work as well. Pound, in *The Formative Era of American Law*, included it in his list of texts that were "a significant force in our legal development" (140). Cohen 9322.



MY SON, THE SCULPTOR



N° 37

38 STORY, JOSEPH

[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. \$1,250.

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



N° 38

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.

"THE MOST USEFUL BOOK EVER PUBLISHED IN OHIO"

39 SWAN, JOSEPH R. [1802-1884].

A Treatise on the Law Relating to the Powers and Duties of Justices of the Peace and Constables in the State of Ohio, with Practical Forms.

Columbus: Published by Isaac N. Whiting, 1837. [ii], [ii], [iii]-xviii, [1], 582 pp. Two-page publisher list misbound between title page and preface. Octavo (9-1/4" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and a few small inkstains to boards, moderate rubbing to extremities, joints starting at ends, cracks in text block near hinges, early bookseller ticket (of Younglove & Wetmore, Cleveland) to front pastedown. Moderate toning to text, occasional light foxing, lower corner lacking from a leaf with no loss to text. Faint early owner annotations in pencil to front free endpaper, small early inkstains to a few leaves, interior otherwise clean. \$750.

FIRST EDITION. Swan was an important Ohio judge and legal writer. His classic JP manual, which reached its 27th edition in 1930, was described as "probably the most useful book ever published in Ohio" in an 1884 obituary of the author. Andrews, "Joseph Rockwell Swan--An American," *Columbus Dispatch*, 19 December 1884 cited in *DAB* IX:235. Cohen 8446.

FIRST EXPANDED EDITION OF THE FIRST COMPILATION
OF U.S. CONSTITUTIONS SINCE 1787

42 [UNITED STATES].
[CONSTITUTIONS].

Constitutional Law: Comprising the Declaration of Independence; The Articles of Confederation; The Constitution of the United States; And the Constitutions of the Several States Composing the Union, Viz. New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Louisiana, Kentucky, Ohio, Tennessee, Mississippi, Indiana, Illinois, Alabama, Maine.

Washington: Printed and Published by Gales and Seaton, 1820. [iv], 409 pp. 12mo. (6-3/4" x 4").

Recent period-style calf, gilt fillets and lettering piece to spine, endpapers renewed, untrimmed edges. Toning, light foxing in a few places. A few tiny ink spots on title page, interior otherwise clean. An appealing copy of a scarce title. \$3,000.

FIRST EXPANDED EDITION with 23 state constitutions, first edition to contain the constitutions of the newly-admitted states of Alabama and Maine and an appendix containing Federal and state amendments enacted between 1808 and 1816. This book is the first compilation of its kind since the ratification of the United States Constitution. It was preceded by the 1819 edition with 21 state constitutions. Later editions were published in 1822 and 1823. OCLC locates 7 copies of the 1820 edition, 2 in law libraries (USC, Yale). Cohen 3014.

HANDSOME EDITION OF WEBSTER'S WRITINGS.
SIGNED BY WEBSTER

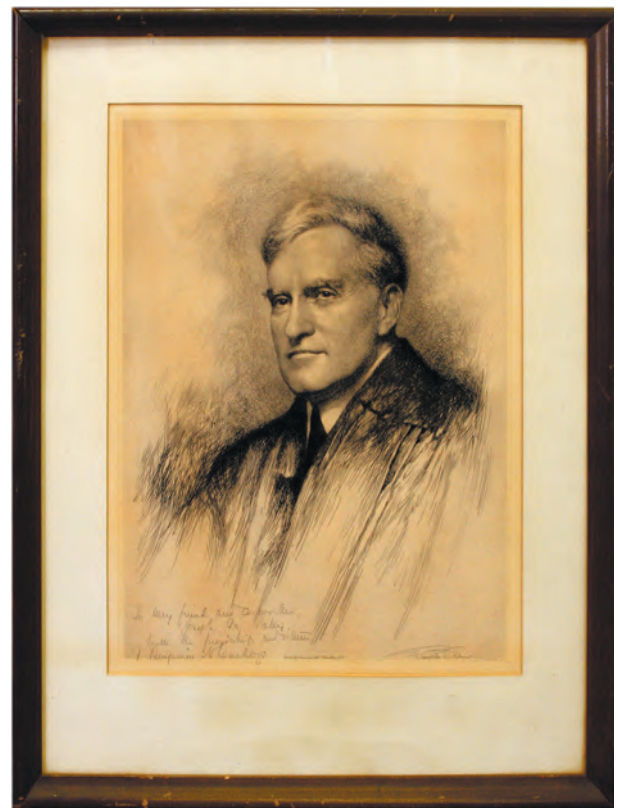
43 WEBSTER, DANIEL [1782-1852].
[EVERETT, EDWARD (1794-1865), BIOGRAPHICAL
MEMOIR].

The Works of Daniel Webster.

Boston: C.C. Little and J. Brown, 1851. Six volumes. Three plates with tissue overlays. Complete set. Octavo (8-1/2" x 5-1/2").

Contemporary morocco, blind rules to boards, raised bands, gilt titles and blind ornaments to spines, gilt edges, marbled endpapers. Moderate rubbing to extremities, some scratches and nicks to spine, front endleaf in Volume I detached. Webster signature and Engraved portrait frontispiece and plate depicting Webster's birthplace in Volume I, portrait frontispiece in Volume II, frontispiece depicting Webster's house in Volume III. Light toning to text, light foxing to plates. Early gift inscription and small ink stain to front endleaf of Volume I, small later owner stamps to heads of title pages, interiors otherwise clean. A handsome set. \$750.

SUBSCRIBER'S EDITION, the first edition of this set. Webster was renowned in his day as one of America's greatest statesmen and lawyers. Marketed as the Subscriber's Edition, this handsome edition was produced under Webster's supervision. He signed the first volume of each set (on a leaf with the heading: "Subscriber's Copy"). It Contents, Volume I: Biographical Memoir [by Edward Everett] and Speeches on various occasions; Volume



Nº 44

II: Speeches on Various Occasions; Volume III: Speeches in the Convention to Amend the Constitution of Massachusetts, And Speeches in Congress; Volume IV: Speeches in Congress; Volume V: Speeches in Congress, And Legal Arguments and Speeches to the Jury; Volume VI: Legal Arguments and Speeches to the Jury, Diplomatic and Official Papers, And miscellaneous letters. Volume VI also contains an index.

HANDSOME ETCHING OF BENJAMIN CARDOZO
INSCRIBED TO HIS SECRETARY

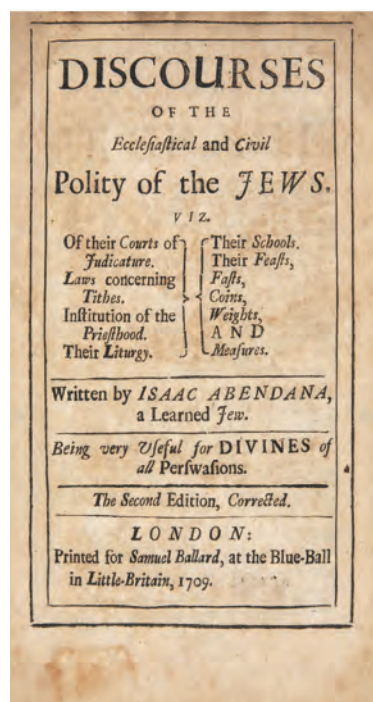
44 WOOD, FRANKLIN T. [1877-1945].

[Etching of Cardozo, Signed and Inscribed to Joseph M. Paley].

N.p., N.d. (c. 1925). 17-1/2" x 12" portrait etching of Cardozo in judicial robes, signed in pencil by artist Franklin T. Wood on lower right, glazed and framed in tasteful brown wooden 15" x 19" frame. Bold inscription and full signature in pencil by Cardozo below image on lower left. Some scuffs and nicks to frame, some toning to mat, image fine. \$1,500.

THE INSCRIPTION READS: "To my friend and co-worker, / Joseph M. Paley, / With the friendship and esteem / of Benjamin N. Cardozo." Paley was Cardozo's secretary from 1918 to 1937. He was hired at the beginning of Cardozo's tenure at the N.Y. Court of Appeals and stayed with him through his years on the U.S. Supreme Court. Wood, an artist and illustrator based in Vermont, was highly regarded for his portraits, etchings and landscape paintings.

GREAT BRITAIN



N° 45

AN IMPORTANT SOURCE OF INFORMATION
ABOUT JEWISH LAW AND CUSTOM
IN SEVENTEENTH-CENTURY ENGLAND

NOTABLE EARLY DIGEST OF COKE'S REPORTS

45 ABENDANA, ISAAC [1650-1720].

Discourses of the Ecclesiastical and Civil Polity of the Jews. Viz. Of Their Courts of Judicature. Laws Concerning Tithes. Institution of the Priesthood. Their Liturgy. Their Schools. Their Feasts, Fasts, Coins, Weights, and Measures. Written by Isaac Abendana, A Learned Jew. Being Very Useful for Divines of all Perswasions.

London: Printed for Samuel Ballard, 1709. [viii], 100 [i.e.200] pp. Octavo (6-1/2" x 3-3/4").

Contemporary three-quarter calf over marbled boards with later rebacking, front free endpaper and rear endleaves renewed, speckled edges. Moderate rubbing to boards and extremities, some chipping to spine ends, corners bumped, rear hinge starting, crack in text block between pp. 196 and 197. Moderate toning to text, faint dampspotting in a few places. Later annotations in pencil to rear endleaf, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy of a scarce title, very few copies of this edition in North America. \$2,000.

SECOND AND FINAL EDITION, a reissue of the first edition with a cancel title page. Born in Spain, Abendana, a member of the Sephardic community, was *hakam* (local rabbi) of the Spanish Portuguese Synagogue in London. He also pursued an academic career. He taught Hebrew at Cambridge University and went on to join the faculty of Magdalen College, Oxford. A prolific writer, he was England's authority on Jewish religion, culture and law. This reputation was due in part to his annual *Oxford Almanack*. In addition to the expected almanac topics, each issue contained information about Jewish customs, laws and other matters. The *Discourses* collect the Jewish-related material from his almanacs. Counting both editions, OCLC locates 4 copies in North American law libraries (at the Library of Congress, New York University and UC-Berkeley, which have the first edition, and Harvard, which has the second). ESTC T32015.

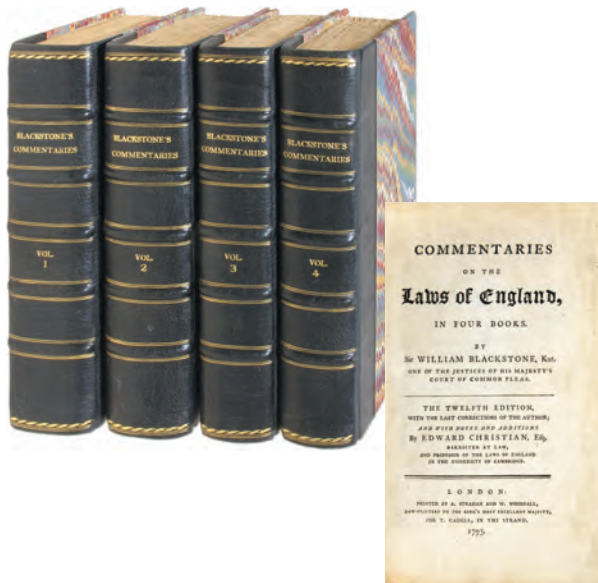
46 ASHE, THOMAS [FL. 1699-1618]. [COKE, SIR EDWARD (1552-1634)].

Un General Table, A Touts les Severall Livres de les Reports de le Darreine Tresreverend Iudge, Sir Edward Coke Chevalier, Iadis Chiefe Iustice de Banke le Roy, Per Quelle, Touts les Cases & Matters in Yceux Conteynus, Puisse Facilement Estre Troves. Ouesquel Deux Catalogues Alphabetical, Lun de les Principal Cases, Lauter de Touts les General Titles Naturalmente Surdant Hors del Matter des Dits Reports.

London: Printed by the Assignes of Iohn More Esquire, 1631. [560] pp. First and final leaves are blank. Includes three-page publisher list. Main text in parallel columns. Octavo (6-3/4" x 4").

Contemporary calf with later rebacking, lettering piece and raised bands to spine, endpapers renewed. Light wear to spine ends and corners, crack in text block between title page and following leaf, final leaf partially detached. Moderate toning to text, light browning to outer margins. Faint owner signature to head of title page, interior otherwise clean. Ex-library. Stamps to edges and endleaves, bookplate to front pastedown. \$500.

THIRD AND FINAL LAW-FRENCH EDITION. First published in 1606, this is an important early digest of the *Reports* of Edward Coke then published (Parts 1-11, first published 1600-1615). A popular work, it went through three editions in Law-French (in 1606, 1618 and 1631) and three editions in English (in 1652, 1653 and 1672). It was also reprinted in 1664 and 1680 editions of Coke's *Reports*. Sweet & Maxwell 1:297 (16, 17). ESTC S3988



N° 47

EDITION OF BLACKSTONE WITH 13 COPPERPLATE PORTRAITS

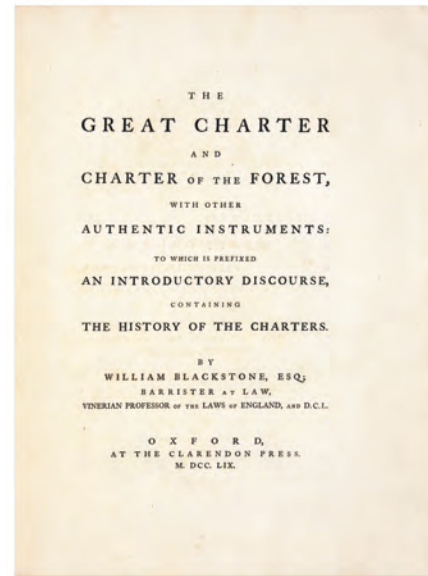
- 47 BLACKSTONE, SIR WILLIAM [1723-1780]. CHRISTIAN, EDWARD [D. 1823]. EDITOR.

Commentaries on the Laws of England, in Four Books. With the Last Corrections of the Author; and With Notes and Additions by Edward Christian.

London: Printed by A. Strahan and W. Woodfall, 1793-1795. Four volumes. Copperplate portrait frontispieces of Blackstone (Volume I), Littleton (Volume II), Mansfield (Volume II) and Hale (Volume IV), nine other portrait copperplates of important English jurists interspersed throughout, copperplate "Table of Consanguinity" and folding "Table of Descents" (Volume I). Complete with 13 engraved portraits in all. Octavo (8-1/4" x 5-1/4").

Recent period-style quarter morocco over marbled boards, raised bands, gilt ornaments and gilt titles to spine, untrimmed edges, early armorial owner bookplates to front pastedowns. Light toning to text, negligible light foxing in places, internally clean. A handsome set. \$1,000.

TWELFTH EDITION, and the first edition with Christian's notes. Blackstone's paging retained in margins. "This edition was originally published in numbers, each number containing the portrait of a judge. (...) The editor is designated on the title pages of this edition as 'Edward Christian, esq., barrister at law, and professor of the Laws of England in the University of Cambridge.' His notes are printed as footnotes, separated from those of Blackstone by a rule. A selection of Christian's notes is included in most American editions of the *Commentaries*" (Eller). The jurists depicted in the plates in the text are Somers, Fortescue, Coke, Holt, Gilbert, Comyns, Hardwick, Foster and Raymond. Eller 21. Laeuchli 26.



N° 48

BLACKSTONE'S HANDSOME EDITION OF MAGNA CARTA

- 48 BLACKSTONE, SIR WILLIAM.

The Great Charter and Charter of the Forest, With Other Authentic Instruments: To Which is Prefixed an Introductory Discourse, Containing the History of the Charters.

Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. As in many copies, the half-title and table of contents (Tabula) are bound between pp. lxxvi and p. 1. Folio (13-1/2" x 10-1/2").

Contemporary calf, gilt rules to boards, raised bands, gilt ornaments and lettering piece to spine, dentelles to board edges, marbled endpapers. Rubbing to extremities with wear to head of spine, front joint cracked, rear joints starting, corners bumped and somewhat worn, a few shallow scuffs and some minor staining to boards. Moderate toning to text, light foxing in places, upper corner of text block bumped, internally clean. \$6,000.

FIRST EDITION. Texts of documents in Latin, Blackstone's essay in English. The engraved dedication to the Earl of Westmoreland is surmounted with his armorial ensigns; initials in the text are ornamented with engravings of various buildings at Oxford University. The tail pieces on pages lxxvi and 73 are historical vignettes; the other ten tail-pieces are facsimiles of the royal seals attached to the original documents. This remarkable work is esteemed for its production and scholarship. Its physical appeal was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition." Blackstone's essay, which is based on a great deal of original research, supported Coke's belief that the charter was the foundation of English liberties. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter. Eller notes that Worrall's *Bibliotheca Legum Angliae* (1788) lists an edition from 1758 with the title *Magna Charta and Charta de Foresta*. She was not able to locate any copies, however. Later research, including that of Ann Laeuchli, indicates this edition is a ghost. Eller 237. Laeuchli 548.

INCLUDES THE FIRST BIOGRAPHY OF BLACKSTONE

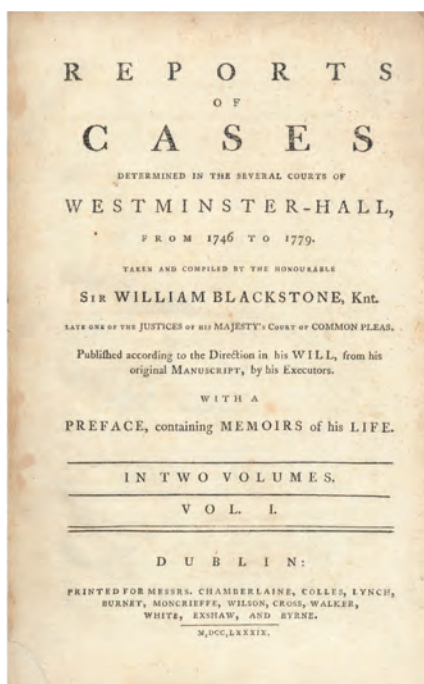
49 BLACKSTONE, SIR WILLIAM.
[CLITHEROW, JAMES, EDITOR].

Reports of Cases Determined in the Several Courts of Westminster Hall from 1746-1779. Taken and Compiled by the Honourable Sir William Blackstone, Knt. Late One of the Justices of the Court of Common Pleas. Published According to the Direction in His Will, From His Original Manuscript, By His Executors. With a Preface, Containing Memoirs of His Life.

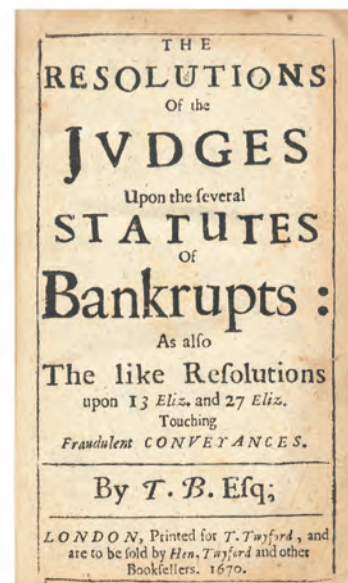
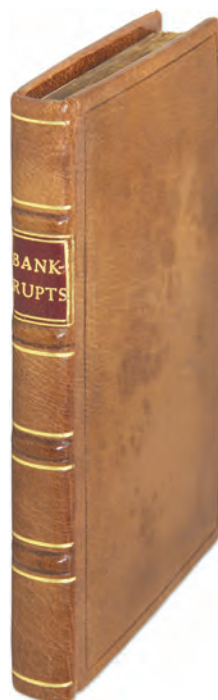
Dublin: Printed for Messrs. Chamberlaine, Colles [et al], 1789. Two volumes. [ii], xxxi, [15], 679, [1], 38; [xx], 681-1333, [1], 46 pp. Octavo (8-1/2" x 5").

Recent period-style calf. Raised bands and lettering pieces to spine. Light to moderate toning to text, some browning to outer edges of margins, light foxing in places in places, internally clean. A handsome set. \$950.

SECOND DUBLIN EDITION. A collection of cases from 1746 to 1779, this work includes contains the first biography of Blackstone. "These reports, with one exception, were compiled entirely by Blackstone from his own notes 'contained in five large note books, all written with his own hand; and prepared for the press, even to an index, and a table of matters...The work reaches down to the end of Michaelmas term, 1779.' (...) The one report not taken by Blackstone himself is the Case of Burgess v. Wheate in Vol. 1, which was reported by Mr. Fazakerly. Blackstone's 'literal errors or omissions' were corrected by the editor, James Clitherow, Blackstone's brother-in-law and executor. The preface in vol. 1... includes an account of the life of Blackstone, which was reprinted verbatim or with slight changes, in many editions of the *Commentaries* after the author's death. Following the biographical sketch is an account of the compilation and editing of Blackstone's *Reports*." : Eller 227 (notes quoted from entry to 225). *ESTC* N48805. Laeuchli 532.



N°49



N°50

FIRST EDITION OF A NOTABLE SEVENTEENTH-CENTURY
TREATISE ON BANKRUPTCY AND FRAUDULENT CONVEYANCES

50 B[LOUNT], T[HOMAS] [1618-1679].

The Resolutions of the Judges Upon the Several Statutes of Bankrupts: As Also the Like Resolutions Upon 13 Eliz. And 27 Eliz. Touching Fraudulent Conveyances.

London: Printed for T. Twyford, 1670. [ii], 206 pp. Final leaf, a blank, lacking. Folding tabular table of contents. Main title page followed by another title page, possibly a cancel, reading (in part) *The Several Statutes Concerning Bankrupts, Methodically Digested*. A second part, beginning on p. 177, has a divisional title page reading (in part) *The Resolutions of the Judges, Upon 13 Eliz. And 27 Eliz. The Statutes Touching Fraudulent Conveyances*. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, early hand-lettered title to fore-edge of text block, margins of final leaf (pp. 205-206) repaired. Moderate toning to text, minor worming to margins in a few places, negligible edgewear to preliminaries. An attractive copy of a very scarce title. \$1,500.

FIRST EDITION. This brief treatise was one of the earliest books on the topic. Blount was a member of the Inner Temple. Prohibited to practice at the Bar because he was a Catholic, but blessed with a large private income, Blount turned to legal scholarship, historical studies and lexicography. A second edition was issued in 1676. Both are very scarce. OCLC locates 4 copies of the first edition in North American law libraries (Jenkins, Library of Congress, University of Minnesota, Yale). *ESTC* R19029.

NOTABLE FOR ITS INSIGHTS INTO
SEVENTEENTH-CENTURY LEGAL PRACTICE

51 [BOOTH, WILLIAM, ATTRIBUTED].

The Compleat Solicitor, Entering-Clerk and Attorney, Fully Instructed in the Practice, Methods and Clerkship of all His Majesties Courts of Equity and Common-Law Superiour and Inferiour, As Well Those at Westminster and in the City of London, As Elsewhere Throughout the Kingdom of England. A Collection More Correct, Uniform, And Universally Advantageous than Any Treatise Heretofore Extant in this Kind.

London: Printed by the Assigns of Richard and Edward Atkyns, 1683. [xvi], 462 pp. Octavo (6-1/2" x 4").

Contemporary calf with later rebacking, blind rules to boards, fillets along joints, raised bands and lettering piece to spine, endpapers renewed. Negligible rubbing to boards, light rubbing to extremities, corners bumped and somewhat worn, rear joint just starting at foot. Light toning to text, faint dampspotting in places. Early owner signatures to head of title page, early markings to a few passages, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy of a scarce title. \$950.

FIFTH AND FINAL EDITION. Holdsworth cites this book for its insight into seventeenth-century legal practice. He considered it one of the best books of its kind. A book of "intensely practical character," it discusses the "process of the different courts, with instructions as to the manner and time of taking the various steps in an action, with the forms of pleading, with the modes of executing, with the fees payable at the different offices of the courts, with the forms of conveyances and other documents which clients would be likely to need." It was first published in 1666 as *The Compleat Sollicitor* (note spelling). Later editions, which retain the spelling "Sollicitor," were published in 1668 (twice) and 1672. All editions are scarce. No copies recorded at auction on ABPC/AE online; OCLC locates 4 copies of the fifth edition in North American law libraries (Columbia, Harvard, Library of Congress, Yale). HEL VI:437 ESTC R40294.

"REMOVING RUBBISH FROM THE REPUBLIC OF LETTERS"

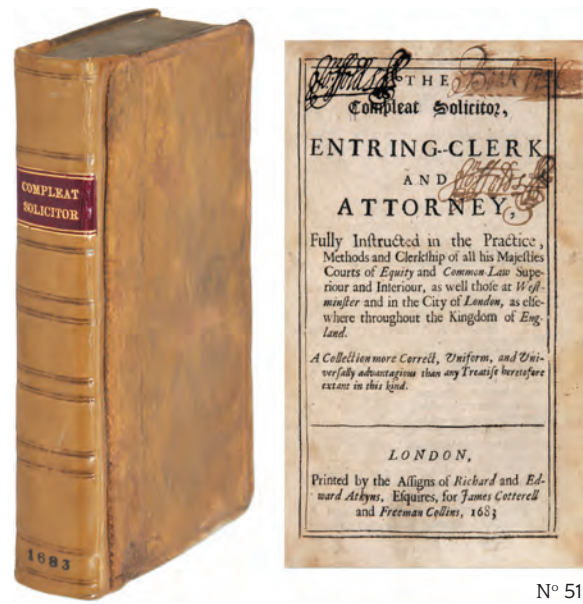
52 BRIDGMAN, RICHARD W.

A Short View of Legal Bibliography: Containing Some Critical Observations on the Authority of the Reporters and Other Law Writers; Collected from the Best Authorities, And Intended as a Companion to the Author's Reflections on the Study of the Law. To Which is Added, A Plan for Classifying a Public or Private Library.

London: Printed for W. Reed, 1807. xviii, 429, [1] pp. Includes one-page publisher advertisement. Octavo (8-1/2" x 5").

Contemporary quarter calf over marbled boards, raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Light rubbing and edgewear to boards, some wear to corners, which have early repairs. Light toning to text, foxing to a few leaves, internally clean. Ex-library. Perforated stamp to title page. \$450.

ONLY EDITION. Arranged alphabetically by author, and containing valuable critical and descriptive bibliographic observations, Bridgman's classic reference remains a valuable work. Bridgman intended this work as a guide with the "double advantage of easing the labors of the rising generation, and of



N° 51

removing rubbish from the republic of letters. It is our duty to do the best we can for our posterity, and not reject the task under the illiberal idea that posterity can do nothing for us" (v). Sweet & Maxwell 2:42.

IRISH ISSUE OF ONLY EDITION OF BURN'S DICTIONARY
WITH INTERESTING PENNSYLVANIA CONNECTIONS

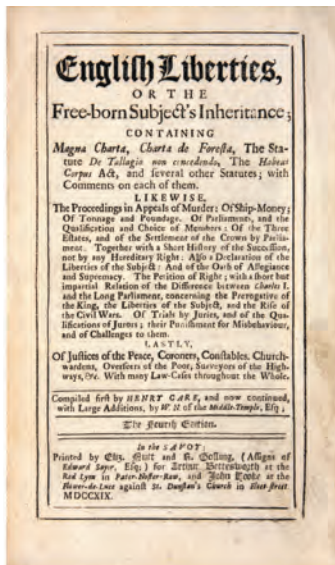
53 BURN, RICHARD [1709-1785]. BURN, JOHN [1744?-1802], EDITOR.

A New Law Dictionary, Intended for General Use, as Well as For Gentlemen of the Profession, and Continued to the Present Time by John Burn.

Dublin: Printed by Brett Smith, 1792. vii, 739 pp. Octavo (8-1/2" x 5-1/2").

Contemporary calf, blind rules to boards, crude early calf rebacking with hand-lettered title. Light rubbing to boards, somewhat heavier rubbing to extremities, corners bumped and somewhat worn, early bookplate to front pastedown, clean tear to front endleaf, a few partial cracks to text block, a signature partially detached, eighteenth-century bookplate of Galbreath Patterson to front pastedown. Light toning to text, occasional foxing, faint dampstaining to upper corners of some leaves at end of text. Later owner signatures H. Woodward, Samuel Laird, and Edward P. Pearson to front endleaf and title page, interior otherwise clean. \$750.

IRISH ISSUE OF ONLY EDITION, published the same year as the (two-volume) London edition. Intended to be a practical tool, Burn eliminated most of the definitions in Law-French found in earlier dictionaries. (They became obsolete when George II ordered the exclusive use of English in 1733.) This elimination cleared space for other material and longer entries. Indeed, Burn's articles on such subjects as judgment, jury, purchase and will are broader, more detailed and better organized than they are in earlier dictionaries of this kind. It is unclear whether Burn intended to publish this book; it was edited, expanded and published posthumously by his son, John Burn. This copy was owned by four prominent attorneys from counties near Harrisburg, Pennsylvania's capital. Patterson, lived in Dauphin County. Woodward and Laird lived in Lebanon and Dauphin Counties; Pearson in Berks and Lebanon Counties. Sweet & Maxwell 1:7 (13).



N° 54

FOUND INFLUENCE IN THE AMERICAN COLONIES.
ONE OF THE TWO EDITIONS OWNED BY JEFFERSON

- 54 [CARE, HENRY (1646-1688)].
N[ELSON], W[ILLIAM] B.1653], EDITOR.

English Liberties, Or the Free-Born Subject's Inheritance; Containing Magna Charta, Charta de Foresta, The Statute De Tallagio non Concedendo, The Habeas Corpus Act, And Several Other Statutes; With Comments on Each of Them. Likewise, The Proceedings in Appeals of Murder: Of Ship-Money; Of Tonnage and Poundage. Of Parliaments, And the Qualification and Choice of Members: Of the Three Estates, And of the Settlement of the Crown by Parliament. Together with a Short History of the Succession, Not by Any Hereditary Right: Also a Declaration of the Liberties of the Subject: And of the Oath of Allegiance and Supremacy. The Petition of Right; With a Short but Impartial Relation of the Difference Between Charles I. And the Long Parliament, Concerning the Prerogative of the King, The Liberties of the Subject, And the Rise of the Civil Wars. Of Trials by Juries, And of the Qualifications of Jurors: Their Punishment for Misbehaviour, And of Challenges to Them. Lastly, Of Justices of the Peace, Coroners, Constables, Church-Wardens, Overseers of the Poor, Surveyors of the Highways, &c. With Many Law Cases Throughout the Whole. Compiled First by Henry Care, And Now Continued, With Large Additions, By W.N. of the Middle Temple, Esq.

[London]: Printed by Eliz. Nutt and H. Gosling, 1719. [xii], 356 pp. Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind rules to boards, blind fillets to joints, gilt fillets to board edges, raised bands and somewhat later lettering pieces to spine (one reading "Lond. 1739"). Light rubbing to boards, moderate rubbing to extremities, corners bumped, chipping to head of spine, front board just beginning to separate (but secure), rear hinge cracked. Light toning to text, internally clean. \$1,500.

FOURTH EDITION. First published in 1680 (or 1682, the first edition was not dated), this classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First

published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Priviledge of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned this edition and the first edition, 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. See Sowerby 2702 (London 1719 edition), 2703 (London 1680 edition). ESTC112711.

CARE SUPPORTS A CONTROVERSIAL DECISION BY KING JAMES II

- 55 [CARE, HENRY].

A Vindication of the Proceedings of His Majesties Ecclesiastical Commissioners, Against the Bishop of London, And the Fellows of Magdalen-College.

London: Printed by Tho. Milbourn, 1688. [iv], 8, 17-78 pp. Text continuous despite pagination. With a preliminary imprimatur leaf. Quarto (8-1/4" x 6-1/2").

Recent stiff marbled wrappers, printed paper title panel to front cover. Title printed within double-ruled border. Light toning to text, foxing to a few leaves, internally clean. A handsome copy. \$350.

ONLY EDITION, ONE OF TWO ISSUES from 1688. In April 1687 King James II interfered in the presidential election of Magdalen College. The ensuing controversy ended with the installation of the pro-Catholic Bishop of Oxford, backed by the Royal Ecclesiastical Commissioners, as president. The fellows acquiesced, but this was not enough for the king, who ordered them to admit their wrongdoing and ask for his pardon. Most of the fellows refused and were ejected and replaced by Catholics. Care supported the King's actions. Though not uncommon, few copies of this title are held in North American law libraries. Counting both issues, OCLC locates 3 (at Harvard, the Library of Congress and York University). ESTC R202803.

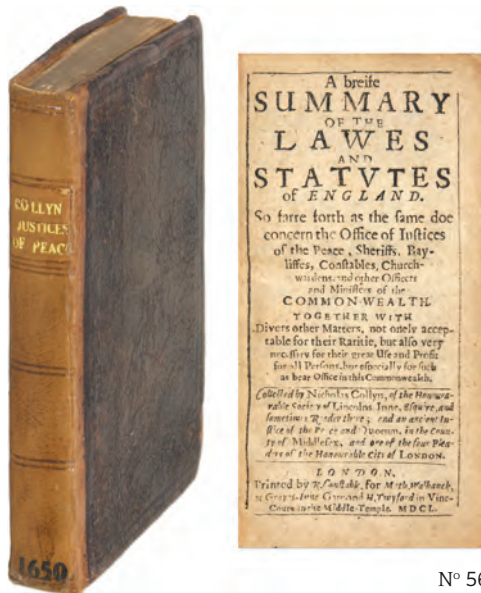
A RARE MANUAL FROM THE COMMONWEALTH PERIOD

- 56 COLLYN, NICHOLAS.

A Briefe Summary of the Lawes and Statutes of England: So Farre Forth as the Same do Concerne the Office of Justices of the Peace, Sheriffs, Bayliffs, Constables, Churchwardens, And Other Officers and Ministers of the Commonwealth. Together with Divers Other Matters not Onely Acceptable for their Rarity, But also Very Necessary for Their Great Use and Profit, For All Persons, But Especially for Such as Bear Office in this Common-Wealth.

London: Printed by T.L. for Mathew Walbancke, 1650. [xxii], 192 pp. 12mo. (5-1/2" x 3").

Contemporary calf with later rebacking, blind rules to boards, lettering piece and blind rules to spine. Moderate rubbing to extremities, rubbing and some gatering to boards, corners worn, hinges cracked, later armorial bookplate (of Thomas Foley) to front pastedown. Title printed within ruled border, typographical headpieces. Moderate toning to text, faint dampstaining to margins in a few places. Early owner signature (Tho. Foley) with note of library shelf location to front free endpaper, internally clean. A nice copy of a rare title. \$1,250.



N° 56

FIRST EDITION. Interesting for its insights into everyday legal practice during the Commonwealth era, this handy pocket-sized reference book has contents arranged alphabetically by topic. Little is known about the author, who is identified on the title page as a member “of the honourable societie of Lincolns-Inne, Esquire; and sometimes reader there; and an ancient iustice of the peace and quorum in the county of Middlesex; and one of the foure pleaders of the honourable city of London.” Later editions of his handbook were published in 1655 and 1663. All are rare. OCLC locates 2 copies of the first edition (at Harvard and Northwestern University Law Schools), 2 of the second (at Columbia and Yale Law Schools) and 2 of the third (at Harvard Law School and the Library of Congress). ESTC R39835.

AN INFLUENTIAL TREATISE ON THE ORGANIZATION OF POLICE FORCES

57 COLQUHOUN, PATRICK [1745-1820].

A Treatise on the Commerce and Police of the River Thames: Containing an Historical View of the Trade of the Port of London; And Suggesting Means for Preventing the Depredations Thereon, By a Legislative System of River Police. With an Account of the Functions of the Various Magistrates and Corporations Exercising Jurisdiction on the River; And a General View of the Penal and Remedial Statutes Connected with the Subject.

London: Printed for Joseph Mawman, In the Poultry, Successor to Mr. Dilly, 1800. [iv], xxxiv, 593, [1], 609-676, [20] pp. Folding copperplate map (of the River Thames), two folding tables. Complete as issued. Octavo (9" x 5-1/2").

Recent quarter cloth over paper-covered boards, calf lettering piece to spine, untrimmed edges. Light shelfwear and soiling, light rubbing and a small hole to spine, ends bumped. Moderate toning to text, light edgewear to map and folding plates, light soiling to title page. Small early owner signature to head of title page, interior otherwise clean. Ex-library. Stamps to edges and endleaves, bookplate to front pastedown, stamps to endleaves. \$250.

ONLY EDITION. ONE OF 6 ISSUES FROM 1800. The first regular police force in England, Thames River Police was established to prevent the theft of maritime cargo in London and on the River Thames. It was founded, with advice from Jeremy

Bentham, by John Harriot, a justice of the peace, mariner and inventor, and Patrick Colquhoun, the magistrate, social reformer and advocate of police forces. The river police proved to be a valuable crime deterrent. Originally financed by a group of merchants, it was transformed a year later into a permanent public agency. This book is a history of the force and a description of its organization and duties. A widely circulated book, it inspired the establishment of similar forces in New York, Dublin, Sydney and many other cities. Paterson, *Origins of the Thames Police*, Thames Police Museum (Retrieved 14 November 2014). Goldsmiths' 18053. ESTC T140607.

THE CITY LAW

58 [CORPORATION OF LONDON]. [COURT OF COMMON COUNCIL.]

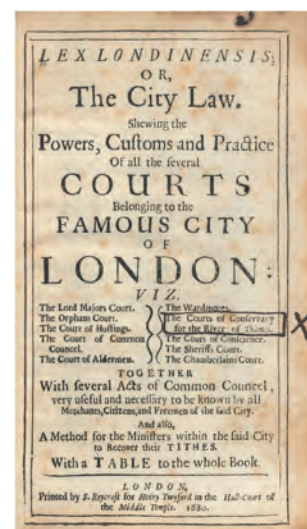
Lex Londinensis; Or, The City Law. Shewing the Powers, Customs and Practice of All the Several Courts Belonging to the Famous City of London: viz. The Lord Majors Court. The Orphans Court. The Court of Hustings. The Court of Common Council. The Court of Aldermen. The Wardmotes. The Courts of Conservacy for the River of Thames. The Court of Conscience. The Sheriffs Court. The Chamberlains Court. Together with Several Acts of Common Council, Very Useful and Necessary to be Known by All Merchants, Citizens, And Freemen of the Said City. And also, A Method for the Ministers Within the Said City to Recover Their Tithes. With a Table to the Whole Book.

London: Printed by S. Roycroft for Henry Twyford, 1680. [viii], 260, [12] pp. Octavo (6-1/2" x 4").

Later three-quarter calf over marbled boards, rebacked retaining spine, which has gilt ornaments and lettering piece, endpapers renewed. Some rubbing to boards and extremities, corners bumped and lightly worn. Light browning and occasional light foxing to text. Early owner underlining to title page, which has some edgewear, interior otherwise clean. An appealing copy.

\$1,350.

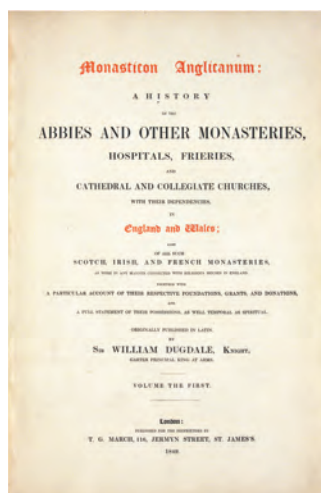
ONLY EDITION. This book was the first digest of the London's laws and guide to its courts after the revisions of the city laws from 1647 and 1658. A useful work that gathered a great deal of disparate information, it is a valuable resource today for students of seventeenth-century London and its legal system. ESTC R2792.



N° 58



N° 60



N° 60



N° 60



N° 60

AN UPDATED EDITION OF DUGDALE'S *ORIGINES JURIDICIALIA*

- 59 COOKE, EDWARD, COMPILER.
[DUGDALE, SIR WILLIAM (1605-1686)].

Chronica Juridicalia: Or, A General Calendar of the Years of Our Lord God, and Those of the Several Kings of England, From the First Year of William the Conqueror, Successively Down to this First Year of the Reign of our Most Dread Sovereign K. James II. Together with a Chronological Table of the Names of all the Lord Chancellors, And Lord Keepers of the Great Seal of England, Justices of the Kings-Bench and Common-Pleas, Barons of the Exchequer, And Serjeants at Law. With a Table of All Their Names, Alphabetically Disposed, For the Greater Ease of the Peruser, And the Years Both of Our Lord and the King Joyned with Them. To Which is Added a Catalogue of All Those Arch-Bishops and Bishops, Who have been Intrusted with the Most Eminent and Honorary Places in the Civil State of this Kingdom.

London: Printed for H. Sawbridge, 1685. [xiv], [16], 209, [89] pp. Frontispiece lacking. Octavo (7-1/4" x 4-1/2").

Contemporary calf with early rebacking, raised bands and lettering piece to spine, blind rules to boards. Light rubbing to extremities, faint inkstains to boards, chip to head of spine, front board and free endpaper detached, corners bumped. Light toning to text, foxing to a few leaves, brief early annotations to a few leaves. Ex-library. Faint inkstamps to boards and endleaves, bookplate to front pastedown, perforated stamps to title page. \$350.

FIRST EDITION, ONE OF TWO ISSUES FROM 1685. This is an updated version of Dugdale's *Origines Juridicales*. First published in 1666, it is a rich mine of information concerning the sources of English law and the history of the early English legal profession, and provides a wealth of interesting information about the procedures, customs, ceremonies and administration of the Inns of Court and Chancery. "[This] book was the chief authority for the history of the Inns; and it is by no means superseded even at the present day." (Holdsworth). Cooke's updated version was reissued in 1739 and c. 1740. Holdsworth, *Historians* 41. ESTC R229396.

OF INTEREST TO "THE CLERGY, THE LAWYER, THE ANTIQUARY, THE HISTORIAN, THE ARCHITECT, AND THE TYPOGRAPHER, AS WELL AS THE POSSESSOR OF REAL PROPERTY"

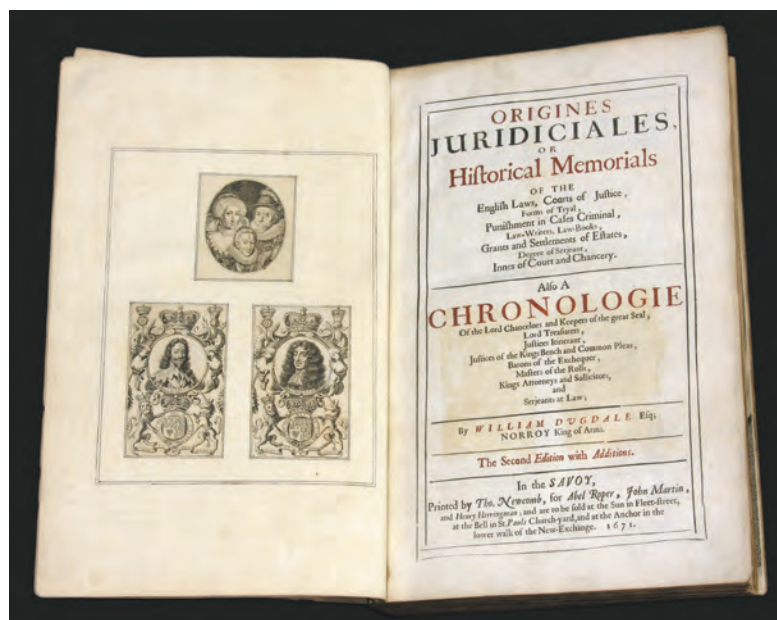
- 60 DUGDALE, SIR WILLIAM [1605-1686].
[DODSWORTH, ROGER, CO-AUTHOR].
[CALEY, JOHN (1763-1834), EDITOR].
[ELLIS, HENRY (1777-1869), EDITOR].
[BANDINEL, BULKELEY (1781-1861), EDITOR].

Monasticon Anglicanum: A History of the Abbies and Other Monasteries, Hospitals, Frieries, And Cathedral and Collegiate Churches, With Their Dependencies, In England and Wales; Also of All such Scotch, Irish, and French Monasteries, As Were in Any Manner Connected with Religious Houses in England; Together with a Particular Account of Their Respective Foundation, Grants, And Donations, And a Full Statement of Their Possessions, As Well Temporal as Spiritual. Originally Published in Latin.

London: T.G. March, 1849. Six volumes in eight books. Complete with 245 plates and text illustrations; plates have tissue guards, some are double-leaved. Main text in parallel columns. Folio (15" x 10").

Contemporary three-quarter morocco over marbled boards, gilt titles and gilt-edged raised bands to spine, top-edges gilt. Moderate rubbing to extremities, occasional scuffs and minor stains to boards, corners bumped and somewhat worn, some joints and hinges starting at ends, a few hinges cracked. Light toning to text, several tissue guards detached and edgeworn, internally clean. Ex-library. Stamps to boards, edges and endleaves, bookplate to front pastedown of each volume. An impressive set. \$2,000.

FINAL, AND BEST EDITION OF THIS WORK. With illustrations redrawn by John Coney, who also added 100 new illustrations. A lawyer by training, Dugdale was one of the great antiquarians of the seventeenth century and the author of such important works as *Origines Juridicales*, *The Antiquities of Warwickshire* and the present work, which is devoted to ecclesiastical institutions. Written with Roger Dodsworth, the first edition, in three-volumes, was published from 1655-1673. Our lavish 1849 edition, a reissue of Bohn's 1846 edition, the first with original and re-drawn images by Coney, features portraits, facsimiles of documents, views of buildings, floor plans, maps, coats of arms and trees of descent. Though not primarily a legal work, it has a great deal of legal information. As noted in the preface, "the work from Leiger Books, Chartularies, Rolls, and other National Documents [renders this work] indispensable to those professional men, who, on questions respecting Real Property, practice in the highest courts of the country, the Privy Council, and the Court of Chancery. Hence it will be seen that, acknowledged and admitted as it is, as evidence in all doubtful points as to the distribution of property, and in tracing landed possessions from their earliest proprietors, the Monasticon is indispensable to every Lawyer employed in the higher walks of his profession (i). Sweet & Maxwell 1:197 (3).



N° 61



1671 EDITION OF DUGDALE'S ORIGINES JURIDICALES
WITH 138 ADDED LEAVES FILLED WITH ILLUSTRATIONS



61 DUGDALE, SIR WILLIAM.

Origines Juridicales, 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. 138 leaves of images added by a previous owner, 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 leaves filled with copperplates, lithographs and woodcuts from a variety of sources. These depict royalty, jurists, ecclesiastical and political leaders, the Inns of Court and other significant structures, documents and notable moments in history. ESTC R225633. Sweet & Maxwell 1:22 (13).

THREE EIGHTEENTH-CENTURY WORKS ON
ENGLISH ELECTION LAW
WITH AN INTERESTING MARYLAND ASSOCIATION

62 [GREAT BRITAIN].
[ELECTION LAW].
[MARYLAND, COLONIAL PERIOD].

Orders and Resolutions of the Honourable House of Commons, On Controverted Elections and Returns: Determining the Qualifications of Candidates and Voters; The Rights of Election for the Several Cities and Boroughs; The Nature of Evidence Proper on the Hearing; And the Duty of Returning Officers. The Statutes in Force Concerning Elections, Are Also Pointed Out Under Proper Heads. With Additions.

London: Printed for J. Stagg, 1736. ix, [i], [3]–48–48*, 49–209, [8] pp.

[Bound With]

The Statutes at Large Concerning Elections of Members to Serve in the House of Commons; Containing A Compleat Collection of All the Acts of Parliament Now in Force, Which Relate Thereto, Continued to the End of the Last Session of Parliament, 1734.

London: Printed by John Baskett, Printer to the King's Most Excellent Majesty, And Sold by Him, Robert Gosling in Fleetssteet [sic], and John Stagg in Westminster-Hall, 1734. [vi], 73, 64–109, [17], 10 pp. The text is continuous despite pagination.

[And]

[COWLEY, JOHN, ATTRIBUTED].

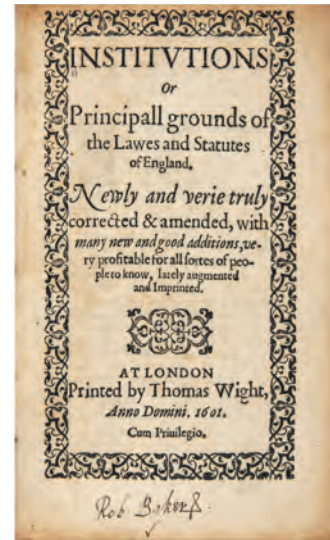
The Candidates Guide: Or, The Electors Rights Decided. Shewing the Determination of the Rights of Elections, By the Hon'ble the Commons of Great Britain in Parliament, In All Contraverted Elections for the Counties and Boroughs in South Britain, From the Year 1624 to 1730. Corrected and Improved. To Which is Added, The Like Determinations in Contraverted Elections for North Britain, Since the Union. With Several Resolutions and Standing Orders Relating to Elections, Qualifications, Returns, Petitions, and Proceedings in General. Together with the Head of the Statutes Now in Force Concerning the Same; And Several Adjusted Cases in Disputed Points of Admitting of Evidence on Hearings at the Bar of the House. The Whole Digested into Alphabetical Order, With Proper References and Genuine Quotations.

London: Printed for J. Brindley in New Bond-Street, And Sold by Mrs. Dodd Without Temple-Bar, And by the Booksellers of London and Westminster: Likewise in Most Great Towns in England, 1735. 64 pp.

12mo. (6" x 4"). Contemporary calf, gilt spine with raised bands and lettering pieces. Moderate rubbing to extremities with some wear to spine ends, joints starting, some chipping to lettering pieces, one mostly defaced, corners bumped and somewhat worn, eighteenth-century copperplate armorial bookplate of Leigh Master of Newhall. Light toning to text, a bit heavier in places. "No 2" and "John Hanson Thomas March 1815" in small early hand to front free endpaper, interior otherwise clean. An appealing volume with an interesting association. \$750.

SECOND EDITIONS. An appealing volume with a choice dual Anglo-American provenance. John Hanson Thomas [1779–1815], eminent Maryland lawyer, acquired this volume two months before this death in 1815, the year in which he was selected by his

party for a seat in the United States Senate. The volume originally belonged to the British aristocrat, Leigh Master of Newhall [1717–1796], who came to Maryland in 1773 (other sources say ca. 1765) and established a plantation and pig-iron blast furnace on his estate in Frederick County. The estate was confiscated in 1775 when he was suspected of being a Loyalist. It was later restored to him. He committed a gruesome double murder after the war. "[He] was said to have sexually harassed a Negro slave girl. He became angry when another slave called Sam attempted to help her. He threw Sam into the furnace alive, then killed the girl and disposed of the body by bricking it up in an oven. During renovations of Avandale house in the 1930s, the oven was opened and a human skeleton was found inside." *Codner & District Local History and Heritage Website, The Master Family* (available online). ESTC T73467, T78250, T73466.



Nº 63

A SUCCESSOR TO LITTLETON

63 [GREAT BRITAIN].

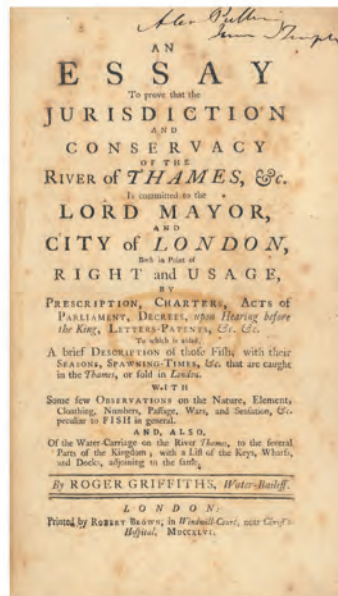
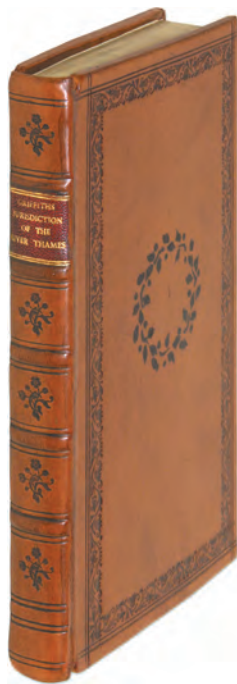
Institutions or Principall Grounds of the Lawes and Statutes of England. Newly and Verie Truly Corrected & Amended, With Many New and Good Additions, Very Profitable for All Sortes of People to Know, Lately Augmented and Imprinted.

London: Printed by Thomas Wight, 1601. 66, [2] ff. Octavo (5-1/4" x 3-1/2").

Contemporary sheep, blind rules to boards, raised bands, blind fillets and early hand-lettered title to spine and fore-edge of text block. Light rubbing to joints, chip to head of spine, a few light scuffs to boards, corners bumped and lightly worn, hinges cracked, later armorial book plate to front pastedown. Title printed within woodcut ornamental border, moderate toning to text, small wormhole to bottom corner of final ten leaves. Early owner signatures and inscriptions to front endleaves, small early owner signature to foot of title page, interior otherwise clean. Ex-library. Bookplate to verso of front free endpaper. An appealing copy.

\$950.

LATER EDITION. Dealing mostly with land law, this treatise, originally published around 1538, can be considered a successor to Littleton's *Tenures* (c. 1481). Like Littleton, it was written for students and practitioners and was a popular book that went through at least 20 editions, with various titles, into the seventeenth century. All editions are scarce. OCLC locates 1 copy of the 1601 imprint (at Columbia Law School). Sweet & Maxwell 1:446 (17). ESTC S406.



N° 66

JUSTICE RESTORED

SHERIFFS AND CORONERS DURING THE COMMONWEALTH
AND THE EARLY YEARS OF THE RESTORATION

65 GREENWOOD, WILLIAM.

BOULEUTERION, Or, A Practical Demonstration of County-Judicature: Wherein is Amply Explained the Judiciall and Ministeriall Authority of Sheriffs and Coroners: Together with the Original, Jurisdiction, And Method of Keeping all Countey-Courts.

London: Printed for John Place, 1664. [xvi], 266 [i.e. 268], 151, [37] pp. Octavo (6-1/2" x 4").

Contemporary calf, recently rebaked in period style, blind rules to boards, lettering piece and blind rules to spine, endpapers renewed. Title printed within typographical order, typographical head and tail-pieces. Light toning to text, smudges and spots to a few leaves, minor loss to upper corner of title page's border due to trimming, internally clean. A handsome copy. \$400.

THIRD (STATED) EDITION, actually the second. First published in 1659, the year before the Restoration, Greenwood's handbook is a useful source of information about the work of sheriffs and coroners during the Commonwealth period. Our "third edition" reflects their work during the early years of the Restoration. This is also true of the later edition, published in 1668, 1675 and 1685. Few copies of any edition are held in North American law libraries; OCLC locates 3 copies of the "third" edition (Harvard, Library of Congress, Northwestern). ESTC R26046.

THE LORD MAYOR'S JURISDICTION OVER THE RIVER THAMES,
AND HIS RESPONSIBILITY TO CONSERVE IT64 [GREAT BRITAIN].
[JUSTICES OF THE PEACE].

Justice Restored: Or a Guid for His Majestie's Justices of the Peace, Both in Sessions, And Out of Sessions; According to the Antient Laws of the Kingdom. Amended, And Enlarged.

London: Printed by Th. Roycroft, for H. Twyford, T. Dring, and J. Place, 1661. [xxiv], 96, 95-158, [8] pp. First leaf blank. Error in paging, page numbers 95 and 96 reversed, text complete and in order. 12mo. (5-1/2" x 3").

Contemporary sheep, blind rules to boards, blind rules and later lettering piece to spine, endpapers renewed, binding varnished. Moderate rubbing to extremities, small scuff to front board, a few nicks to rearboard, corners bumped and lightly worn. Typographical head-pieces, a few woodcut decorated initials. Light toning to text, minor tears to a few leaves, some edgewear to title page, internally clean. Ex-library. Bookplate to front pastedown, stamps to edges and endleaves, small perforated stamp to title page. A nice copy of a scarce title. \$750.

SECOND EDITION. As its title suggests, this formbook from the early years of the Restoration aimed to "reduce the Warrants, and Recognizances, Process, Inquisitions, and other Proceedings, made, and taken by, and before His Majestie's Justices of the Peace, to their Antient stile, and Language: So that such Clerks, as were not acquainted with matters of that nature, in the time of the late King, may be fully instructed" ([vi]). The first edition was published in 1660, the third and final edition in 1671. All are scarce. OCLC locates 4 copies of the first and third editions in North America, 6 copies of the second, 3 of those in law libraries (Harvard Law School, Library of Congress). ESTC R37505.

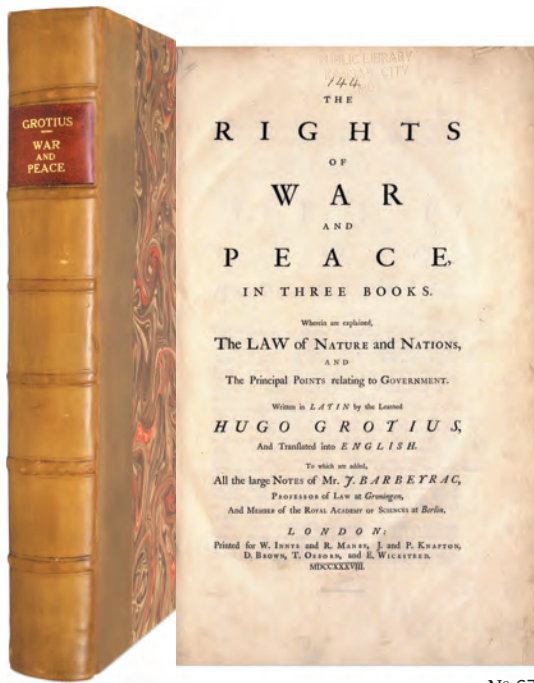
66 GRIFFITHS, ROGER.

An Essay to Prove that the Jurisdiction and Conservancy of the River of Thames, &c. is Committed to the Lord Mayor, And City of London, Both in Point of Right and Usage, By Prescription, Charters, Acts of Parliament, Decrees, Upon Hearing Before the King, Letters-Patents, &c. &c. To Which is Added. A Brief Description of Those Fish, With their Seasons, Spawning-Times, &c. That are Caught in the Thames, Or Sold in London. With Some Few Observations on the Nature, Element, Cloathing, Numbers, Passage, Wars, and Sensation, &c. Peculiar to Fish in General. And, Also, Of the Water Carriage on the River Thames, To the Several Parts of the Kingdom; With a List of the Keys, Wharfs, And Docks, Adjoining to the Same.

London: Printed by Robert Brown, 1746. xvi, [4], 296 pp. Octavo (8" x 5").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, edges rouged. Moderate toning to text, foxing in a few places, light soiling and inkstains to a few leaves. Early owner signature to head of title page, interior otherwise clean. Ex-library. Inkstamps to verso of title page and foot of p. 296. A handsome copy of a very scarce title. \$1,000.

FIRST EDITION. This fascinating treatise by a water bailiff of the Thames reviews the Lord Mayor of London's powers and responsibilities regarding that river. The treatise emphasizes laws regarding the conservation of the river and its aquatic life. It also provides a good deal of information about fishing, navigation, agriculture and commercial activities along the river. A second edition was published in 1758. Both are very scarce. OCLC locates 3 copies of the first edition in North American Law Schools (Harvard, University of Georgia and University of Minnesota), none of the second. ESTC T132070.



N° 67

THE "BEST EDITION" OF GROTIUS, WITH "EXCELLENT" NOTES

- 67 GROTIUS, HUGO [1535-1645].
[MORRICE, JOHN (1685-1740).
TRANSLATOR AND EDITOR].

The Rights of War and Peace, In Three Books. Wherein are Explained, The Law of Nature and Nations, And the Principal Points Relating to Government. Written in Latin by the Learned Hugo Grotius, And Translated into English. To Which are Added, All the Large Notes of Mr. J. Barbeyrac.

London: Printed for W. Innys [et al.], 1738. [iv], xxvii, 817 pp. Notes in parallel columns beneath single-column main text. Folio (19" x 14").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine. Some rubbing to extremities with light wear to joints and corners. Light toning to text, spark burns to a few leaves, edgewear to preliminaries and a few other leaves, internally clean. Ex-library. Small perforated stamp to half-title, another perforated stamp and "144" in small hand to head of title page. A handsome copy. \$1,500.

FIRST ENGLISH EDITION with Barbeyrac's notes. Lowndes describes this as the "best edition;" Marvin says Barbeyrac's notes are excellent. First published in Paris in 1625. *The Rights of War and Peace* established the system of modern public international law, based on the concept of "*droit naturel*," a morality-based law that superseded the personalities of individuals or nations. Grotius describes the situations in which war is a valid tool of law enforcement and outlines the principles of armed combat. Though based on Christian natural law, Grotius advanced the novel argument that his system would still be valid if it lacked a divine basis. In this regard he pointed to the future by moving international law in a secular direction. First published in 1715 (with Barbeyrac's notes), Morrice's edition and translation was produced with the assistance of Edward Littlehales (1690-1724) and John Spavan (1685-1718). Lowndes III:950. Marvin 353. ESTC T110924.



N° 68

POPULAR EARLY GUIDE TO THE
DAILY PRACTICE OF ENGLISH LAW

- 68 G.T., OF STAPLE INNE.

The Practick Part of the Law: Shewing the Office of an Attorney, And a Guide for Solicitors in All the Courts of Westminster, Viz. The Courts of Chancery, Kings-Bench, Common-Pleas and Exchequer, With the Manner of Their Proceedings in Any Action Real, Personal or Mixt, From the Original to the Execution. As Also the Practice of the Courts in the City of London, Courts of Admiralty, Ecclesiastical Courts, And Other Inferiour Courts in the Country. To Which is Added the Exact Table of Fees of All the Said Courts at Westminster as They Were Delivered Into the House of Commons, With the Abstract of the Parchment and Paper Act by Order of the Queen and Council. Carefully Corrected and Enlarged by Several Practisers of the Several Courts. With a New Table of the Principal Matters.

London: Printed for the Assigns of Richard and Edward Atkins, 1695. [viii], 576, [14], [2 (publisher list)]; [viii], 116, [4 (publisher list)], 24; 16 pp. First page of first and second parts blank. Three parts, each with title page and individual pagination, second and third parts dated 1694. Third part bears imprint "Printed for Charles Bill, And the Executrix of Tho. Newcomb, Deceased." Octavo (6-3/4" x 4").

Contemporary calf, blind fillets along joints, rebaked in period style, raised bands and lettering piece to spine, early hand-lettered title to fore-edge of text block, front hinge mended, endpapers renewed. Light rubbing and a few minor scuffs, corners bumped and lightly worn. Moderate toning, browning to third part, faint dampspotting in places. Early struck-through signature to head of first title page, brief early annotations to some sections of text. A handsome copy. \$750.

LATER EDITION of a work first published in 1652, one of two issues from 1695. This early guide outlines the daily practice of the law in England. A useful and popular work, it went through several editions, the final appearing in 1724. Our imprint is preferable to the other from 1695 because it has the two parts mentioned in its title page: *A Exact Table of Fees and An Abstract of the Act... For Granting to Their Majesties Several Duties upon Vellum, Parchment, And Paper*. OCLC locates 6 copies of this edition in North American law libraries (Harvard, Southern Methodist University, US Supreme Court, University of Minnesota, University of Pennsylvania, Yale). ESTC R31131.

69 HAKEWEL[L], W[ILLIAM] [1574-1655].

Modus Tenendi Parliamentum: Or, The Old Manner of Holding Parliaments in England. Extracted Out of Our Ancient Records. With Certain Municipal Rights and Customes of England. Together with Some Priviledges of Parliament: The Manner and Method How Laws are There Enacted by Passing of Bills. Collected Out of the Journal of the House of Commons.

London: Printed for Abel Roper, 1671. [viii], 220 pp. Lacking final leaf, a blank. 12mo. (5-1/4" x 3-1/2").

Contemporary calf with later rebacking, lettering piece and blind fillets to spine, endpapers renewed. Light rubbing to extremities, a few light scuffs to boards, chip to head of spine, corners bumped, crack in text block between front free endpaper and title page. Light toning to text, internally clean. Ex-library. Stamps to edges and endleaves, bookplate to front pastedown, perforated stamp to front endleaf. \$300.

FOURTH AND FINAL EDITION. Hakewill, M.P. for Bossiney in Cornwall, Benchet of Lincoln's Inn and a notable legal antiquarian. A standard authority in seventeenth-century England, *Modus Tenendi Parliamentum* was first published in 1641 as *The Manner of Holding Parliaments in England*; a short, historically grounded treatise on parliamentary law. Other editions were published in 1659 (two issues) and 1660. This edition is identical to the third edition, 1660. ESTC R37893.

CROMWELL REFUSED TO GRANT A PARDON

70 H[ALL], J[OHN] [1627-1656].
[HINDE, JOHN, ATTRIBUTED].

A Gagg to Love's Advocate: Or, An Assertion of the Justice of the Parliament in the Execution of Mr Love.

London: Printed by William Du-Gard, Printer to the Council of State, 1651. [iv], 22 pp. Quarto (7" x 5-1/2").

Stab-stitched pamphlet bound into later three-quarter calf over marbled boards. Light rubbing to extremities with negligible wear to spine ends and corners. Large copperplate arms of the Commonwealth to title page, woodcut head-pieces and decorated initials. Moderate toning to text, dampstaining to head of text block, title page soiled and edgeworn, worming to lower margin of text block, edgewear to a few leaves at beginning and end of text, small chips to heads of final three leaves with minor loss to text. Two miniscule annotations in later hand to head of title page, small recent owner stamp to rear pastedown, interior otherwise clean. A solid copy of a scarce title. \$1,000.

ONLY EDITION. Hall was a poet employed as a pamphleteer by Cromwell. He was, in other words, a propagandist for the Commonwealth. *A Gagg to Love's Advocate* defends the recent execution of Christopher Love [1618-1651], a controversial Welsh Protestant preacher and advocate of Presbyterianism. He was convicted of treason when the Commonwealth learned that he was communicating with the exiled Stuart court with the goal of restoring the Stuart monarchy. He went to his death as a martyr of the Presbyterians, who petitioned in vain to secure his pardon. Cromwell denied these petitions because we wished to suppress dissent among the Presbyterians. OCLC locates 6 copies in North America, none in law libraries. A few sources, most notably Wing's *Short-Title Catalogue*, suggest an attribution to John Hinde. The ESTC does not offer an attribution, though most scholarship indicates that Hall was the author. ESTC R206702.

71 HENDERSON, ROBERT.

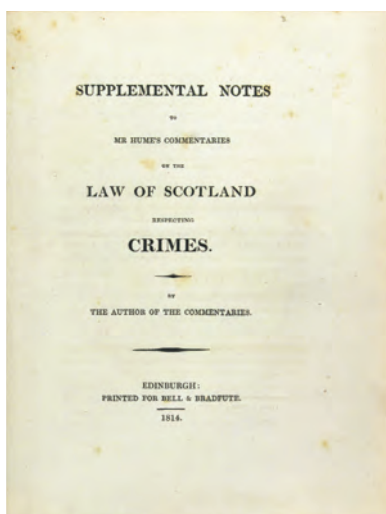
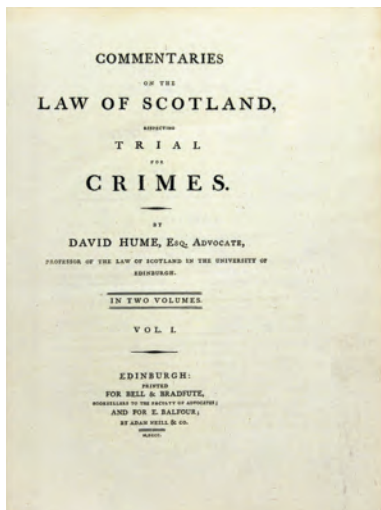
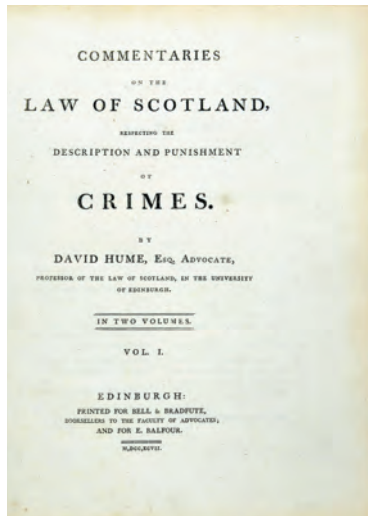
An Inquiry into the Nature and Object of the Several Laws for Restraining and Regulating the Retail Sale of Ale, Beer, Wines, And Spirits; In Which Some of the Causes Productive of Low or Ill-Governed Ale-Houses are Traced; The Objections Against Wine-Vaults or Liquor-Shops Considered; And the Necessity of an Appellate Jurisdiction from the Judicial Decisions of Justices of the Peace on These Subjects, Demonstrated; With Some Suggestions as to a Proposed Amendment of the Law; And an Appendix of Cases, Illustrative of Individual Calamity Suffered Under the Existing Mode of Granting and Witholding Licenses to Inns, Taverns, Ale-Houses, &c. Without the Power of Appeal; In a Letter to the Hon. Henry Grey Bennett, M.P. Chairman of the Committee on the State of the Police of the Metropolis.

London: Printed by G. Davidson. 1817. [ii], 144 pp. Half-title lacking. Octavo (8-1/4" x 5-1/4").

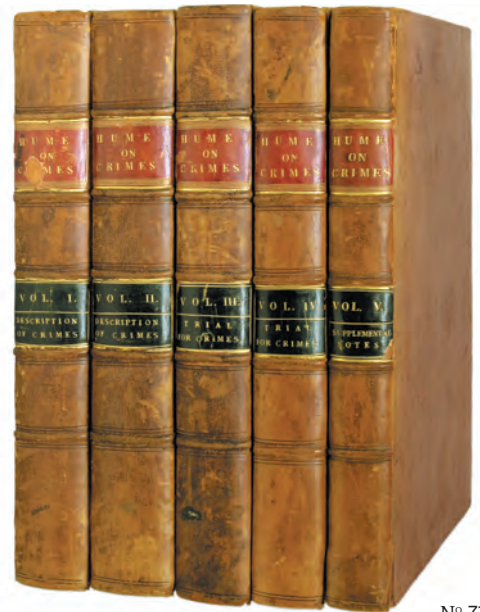
Recent quarter calf over marbled boards, calf title panel to front, marbled endpapers. Light toning to text, internally clean. \$650.

ONLY EDITION. A detailed portrait of the licensed public-house trade in Regency England, especially London, which had around 6000 pubs. Henderson, a London barrister, does not restrict his focus to legal aspects of the trade. He also examines the social problems caused by unregulated drinking establishments and the often questionable qualities of their landlords, who were often as questionable as the drinks they served. OCLC locates 3 copies, none in North America. Not in Sweet & Maxwell. *Goldsmiths'* 21902.





Nº 72



Nº 72

HANDSOME COPY OF "THE STANDARD
WORK ON SCOTTISH CRIMINAL LAW"

72 HUME, DAVID [1757-1838].

Commentaries On The Law Of Scotland, Respecting the Description And Punishment Of Crimes. Two volumes.

Edinburgh: Printed for Bell & Bradfute, 1797. lxxiii, [i], 489; [iv], 618 pp.

[With]
HUME, DAVID.

Commentaries On The Law Of Scotland Respecting Trial For Crimes. Two volumes.

Edinburgh: Bell & Bradfute, 1800. xvi, [ii], 464; [iv], 472 pp.

[And]
HUME, DAVID.

Supplemental Notes to Mr. Hume's Commentaries on the Law of Scotland Respecting Crimes.

Edinburgh: Bell & Bradfute, 1814. [ii], [v]-vii, 335 pp.

Five volumes in all. Quarto (10-1/4" x 8-1/4"). Uniformly bound in contemporary calf, raised bands and lettering pieces to spines. Light rubbing to extremities, corners bumped, most hinges cracked or starting, light toning to text, internally clean. A handsome set.

\$2,500.

FIRST EDITIONS. A complete collection of the writings of David Hume on criminal law, consisting of a commentary published in two separate parts, one on substantive law, the other on procedure, together with a later supplement. According to the Dictionary of National Biography, this is "The standard work on Scottish criminal law." Hume was the beloved nephew of the philosopher David Hume; his education at the University of Glasgow was paid for by his uncle, whose library he subsequently inherited. All three works are scarce, the supplement especially. DNB X:226. Sweet & Maxwell 5:52.



IMPORTANT EARLY RESEARCH INTO ENGLISH LEGAL HISTORY

N° 73

73 HERNE, THOMAS [1678-1735], EDITOR.

A Collection of Curious Discourses Written by Eminent Antiquaries Upon Several Heads in Our English Antiquities. Together with Mr. Thomas Hearne's Preface and Appendix to the Former Edition. To Which are Added a Great Number of Antiquary Discourses Written by the Same Authors. Most of Them Now First Published from the Original Manuscripts. With an Account of the Lives and Writings of the Original Society of Antiquarians.

London: Printed for T. Evans, 1773. Two volumes. viii, [vi], lxxi, 354; [viii], 449, [15] pp. Volume I has folding copperplate frontispiece of Edward the Confessor's Chapel, a plate listing abbreviations in the Domesday Book and a few woodcut text illustrations. Octavo (8-1/4" x 5").

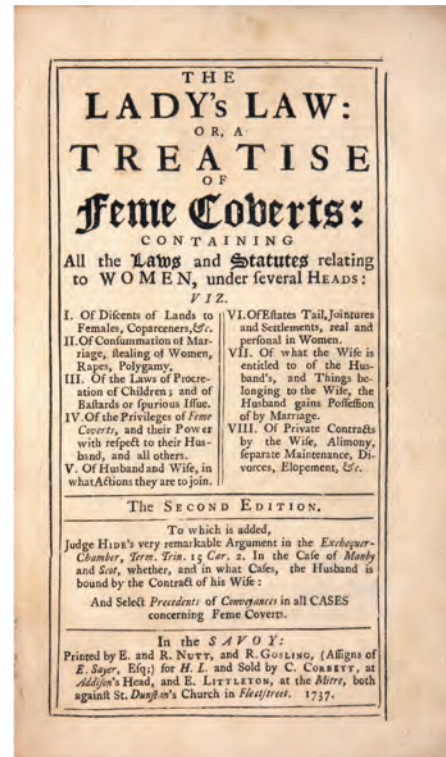
Recent buckram, red and black lettering pieces to spines. Light shelfwear, light toning to text, internally clean. Ex-library. Stamps to boards, edges and endleaves, bookplates to front free endpapers, small perforated stamps to title pages. \$250.

THIRD EDITION. First published in 1720, these two volumes collect research papers, discourses and other writings by members of the first Society of Antiquaries, which was formed in the late sixteenth century. (Blackstone was a member.) Several concern the Inns of Court and Chancery and other legal subjects. In all, it is a fine digest of the first generation of English legal antiquarian scholarship. ESTC N27361.

THE LADY'S LAW

74 [HYDE, ROBERT (1595-1665)].

The Lady's Law: Or, A Treatise of Feme Coverts: Containing All the Laws and Statutes Relating to Women, Under Several Heads: I. Of Discents of Lands to Females, Coparceners, Etc. II. Of Consummation of Marriage, Stealing of Women, Rapes, Polygamy. III. Of the Laws of Procreation of Children; And of Bastards or Spurious Issue. IV. Of the Privileges of Feme Coverts, And Their Power with Respect to Their Husband, And All Others. V.



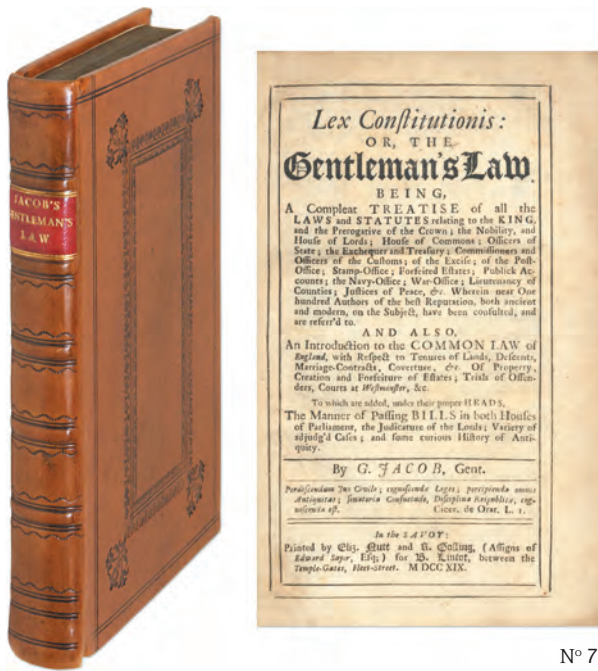
N° 74

Of Husband and Wife, In What Actions They Are to Join. VI. Of Estates Tail, Jointures and Settlements, Real and Personal in Women. VII. Of What the Wife is Entitled to of the Husband's, And Things Belonging to the Wife, The Husband Gains Possession of by Marriage. VIII. Of Private Contracts by the Wife, Alimony, Separate Maintenance, Divorces, Elopements, Etc. To Which are Added, Judge Hyde's Very Remarkable Argument in the Exchequer-Chamber, Term. Trin. 15 Car. 2 In the Case of Manby and Scot, Whether and in What Cases the Husband is Bound by the Contract of His Wife: And Select Precedents of Conveyances in all Cases Concerning Feme Coverts.

[London]: E. and R. Nutt, And R. Gosling, 1737. [viii], 264, [16] pp. Octavo (7-3/4" x 5").

Recent period-style paneled calf, raised bands and lettering piece to spine. Light toning to text, negligible foxing to a few leaves, internally clean. A handsome copy. \$3,500.

SECOND AND FINAL EDITION, a reissue of the first edition with a cancel title page. Originally published in 1732, this is one of the first treatises devoted to laws concerning a "feme covert," that is, a daughter, ward or wife. The work concludes with an account of Robert Hyde's argument in the 1663 Exchequer case of Manby v. Scott, in which he argued that a husband separated from his wife is not liable to a vendor for goods purchased by the estranged wife. Hyde was a Chief Justice of the King's Bench from 1663-1665, having gained appointment through the influence of his cousin, Edward Hyde, first Earl of Clarendon. Both editions are scarce. OCLC locates 9 of the first edition in North American law libraries, 3 of the second (at Harvard, the University of Cincinnati and the University of Pennsylvania). DNB X:400-401. ESTC T107459.



A LEGAL GUIDE FOR "GENTLEMEN OF ALL RANKS"

75 JACOB, G[ILES] [1686-1744].

Lex Constitutionis: Or, The Gentleman's Law. Being, A Compleat Treatise of All the Laws and Statutes Relating to the King, And the Prerogative of the Crown; The Nobility, And House of Lords; House of Commons; Officers of State; The Exchequer and Treasury; Commissioners and Officers of the Customs; Of the Excise; Of the Post-Office; Stamp-Office; Forfeited Estates; Publick Accounts; The Navy-Office; War-Office; Lieutenancy of Counties; Justices of Peace, &c. Wherein Near One Hundred Authors of the Best Reputation, Both Ancient and Modern, On the Subject, Have Been Consulted, And are Referr'd to. And also, An Introduction to the Common Law of England, With Respect to Tenures of Lands, Descents, Marriage-Contracts, Coverture, &c. Of Property, Creation and Forfeiture of Estates; Trials of Offenders, Courts at Westminster, &c. To Which are Added, Under Their Proper Heads, The Manner of Passing Bills in Both Houses of Parliament, the Judicature of the Lords; Variety of Adjudg'd Cases; And some Curious History of Antiquity.

[London]: Printed by Eliz. Nutt and R. Gosling. (Assigns of Edward Sayer, Esq;) for B. Lintot, 1719. [iii], [v]-xiv, 360, [12] pp. Octavo (7-1/2" x 4-3/4").

Recent period-style calf, blind panels to boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, faint dampspotting in places, internally clean. A handsome copy. \$1,500.

FIRST EDITION. In his preface, Jacob indicates that he did not write this treatise on England's Constitution for the landed gentry exclusively, but for "gentlemen of all ranks," that is, the literate general public. This distinction is significant. Jacob, though certainly interested in boosting sales by attracting the widest

audience possible, was an idealist who believed that widespread knowledge of the law would help create a more just society. This is also evident in his other publications, such as *A Treatise of Laws* (1721), *The Common Law Common-Placed* (1726) and *Every Man His Own Lawyer* (1736). Another edition of the *Lex Constitutionis* was published in 1737. Sweet & Maxwell 1:102 (48). ESTC T137002.

AN ANCIENT ENGLISH RIGHT

76 [LAND LAW].
[GREAT BRITAIN].

The Law of Commons and Commoners; Or a Treatise Shewing the Original and Nature of Common, And Several Kinds Thereof, Viz. Common Appendant, Appurtenant, Estover, Turbary, Peschary and Pur Cause of Vicinage, Of Commons in Gross, and Sans Number, With the Pleadings in Reference to Every of Them. As Also the Powers and Privileges of Commoners, in Reference to the Soil, to the Lord, to Strangers, and of the Remedies and Actions They May Have. Of Declarations, Pleadings, In and to Actions Brought by and Against Commoners. Approvement, Apportionment, Suspension and Extinguishment of Common. Of Grant of Common, and By What Words Common Shall Pass. Together With the Learning of Prescriptions in General; the Form and Manner of Pleading Prescription, In Reference to Common, in Several Rules. Of Prescription and Pleading by a Copyholder in Reference to Common. Of Evidence to Prove Prescription for Common, the Several Customs of commoners, and of Enclosures. With Several Forms of Precedents Adapted to Every Sort of Common. With Large Additions.

[London]: Printed by Eliz. Nutt and B. Gosling, 1720. [xxi], 271, [8] pp. Includes one-page publisher list. Octavo (7-1/2" x 4-3/4").

Recent period-style calf, blind rules to boards, gilt-edged raised bands and lettering piece to spine, later armorial bookplate (of Francis Elde) to verso of title page. Light toning to text, occasional faint wrinkling from moisture, faint dampstaining and dampspotting in a few places, lower corner lacking from a leaf with no loss to text, internally clean. An appealing copy of an uncommon title.

\$750.

SECOND AND FINAL EDITION of a work first published in 1698. Commons is open and uncultivated land or water owned by a lord to which certain occupiers of adjacent enclosed land have certain rights. These include the right to pasture animals, to fish (peschary), to cut peat (turbary) and to gather wood (estovers). A body of custom and enacted law with origins in the Anglo-Saxon period, commons was long considered a central English right and a cornerstone of the feudal structure. Indeed, the gradual elimination of commons through the series of enclosure acts enacted from 1760 to 1830 triggered widespread social protest. Though the acts were motivated by the needs of modern agriculture, and had a profound effect on the livelihood of small farmers and the poor, they were not attacked on economic grounds, but as violations of the ancient English rights described in the *Law of Common*. Sweet & Maxwell 1:401 (32). ESTC T116196.



N° 77

HEAVILY ANNOTATED 1594 EDITION OF LITTLETON

- 77 LITTLETON, SIR THOMAS [1402-1481].
WEST, WILLIAM [FL. 1568-1594], EDITOR.

Les Tenures de Monsieur Littleton, Ouesque Certaine Cases Addees per Auters de Puisne Temps: Queux Cases vous Troveres Signes Ouesque cest Signe [flower] al Commencement & Fine de Chescun de Eux. Au Fine que ne Poies eux Misprennder pur les Cases de Mounsieur Littleton, Pur Quel Inconvenience, Ils Fueront Dernierment Tolles de Cest Lievr; Et cy un Soites plus Admotes al Request des Gentlehomes Students en le Ley Dengleterre. Revieu & Change en Lordre des Sections, Oue un Novel Index ou Table Pursuant Lordre des Dits Sections.

London: In Aedibus Caroli Yetswertii Armigeri, 1594. [i], 170, [27] ff. 12mo. (5-1/4" x 3").

Contemporary calf, blind rules and large central arabesques flanked by initials to center of boards, 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. \$4,000.

WRITTEN DURING THE REIGN OF EDWARD IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is considered a landmark because it renounced the principles of Roman law (and Latin) in favor of guidelines and doctrines drawn from the Year Books and, when necessary,

hypothetical cases. The annotations in this copy are mostly case references, but many are interpretive. HEL II:573. ESTC S108064. Beale T36.

LITTLETON'S TENURES IN ENGLISH

- 78 LITTLETON, SIR THOMAS.

Littletons Tenures in English, Lately Perused and Amended.

London: Printed for the Companie of Stationers, 1627. 142, [2] ff. Octavo (5-1/4" x 3-1/2").

Contemporary sheep with later calf rebinding, binding varnished, blind rules to boards, raised bands and gilt title to spine, endpapers renewed, early repair to front board. Some rubbing to joints and spine ends, corners somewhat worn, shallow scuffing to boards, hinges starting. Light toning to text, faint dampstaining and foxing to a few leaves, tiny tear to foot of title page mended with archival tape. Early doodles to front endleaves and title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$500.

OCLC LOCATES TWO COPIES in law libraries (Harvard, Library of Congress). HEL II:573. ESTC S108678.

FIRST EDITION OF A WELL-ESTEEMED TREATISE ON RECOVERIES

- 79 PIGOTT, N[ATHANIEL] [1661-1737].

A Treatise of Common Recoveries, Their Nature and Use. To Which is Added the Case of Page and Hayward More Fully Reported Than in Any Other Book Extant: And also a Case Between the Late Earl of Derby and the Coheirs of His

Elder Brother. With Precedents for Amending Recoveries: And a Complete Table to the Whole.

[London]: Printed by E. and R. Nutt, and R. Gosling, 1739. [iii], 232, [15] pp. Includes one-page publisher advertisement. Quarto (7-3/4" x 6").

Recent period-style three-quarter calf over marbled boards, raised bands and lettering piece to spine. Light rubbing to extremities, crack in text block between front free endpaper and following endleaf, a few partial cracks to text block. Light toning to text, finger smudges to a few leaves. Occasional early annotations to margins in neat hand, interior otherwise clean. An attractive copy. \$350.

FIRST EDITION. According to Marvin, Pigott was "a profound lawyer" and notes that this treatise "long continued to be the best text book on [this] very difficult and complicated subject." Later editions were published in 1753, 1770 and 1792. Marvin 572. Sweet & Maxwell 1:490 (15).

NATIVE RIGHTS

80 [PLOWDEN, FRANCIS (1749-1829)].

An Investigation of the Native Rights of British Subjects.

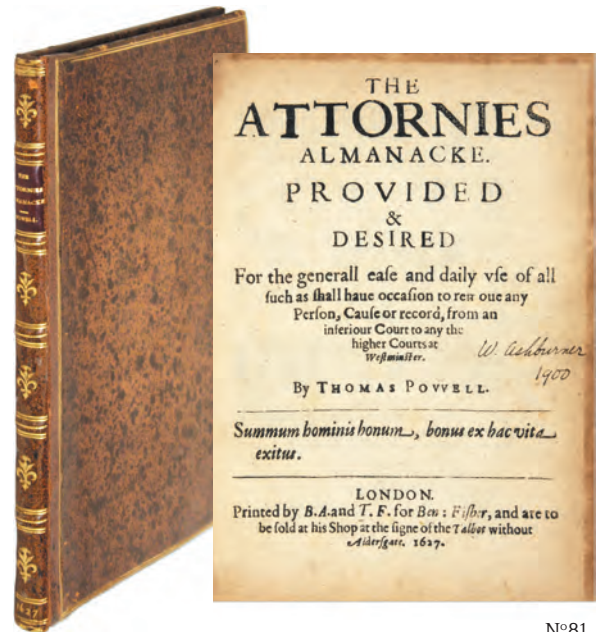
London: Printed for the Author, And Sold by R. Baldwin, 1784. vii, [1], 200 pp. Octavo (9" x 6").

Somewhat later three-quarter vellum over paper-covered board, red and black lettering pieces to spine, untrimmed edges. Light soiling, a few minor stains and some edgewear to boards, corners and spine ends bumped, front hinge starting. Moderate toning to text, clean tear to a leaf mended with archival tape. Small early owner signature to head of title page, interior otherwise clean. Ex-library. Early bookplate to front pastedown, recent plate to front free endpaper. \$1,500.

FIRST EDITION. An interesting work that examines such problems as the rights of people accused of treason, civil rights and the rights of children born abroad to British mothers married to aliens. These questions were important in the 1780s because many British subjects who supported the Jacobite cause were living in exile in France. This work was re-published in 1785. ESTC T37376.



N° 80



N°81

"FOR THE GENEREALL EASE AND DAILY USE OF ALL SUCH AS SHALL HAVE OCCASION TO REMOVE ANY PERSON, CAUSE OR RECORD"

81 POWELL, THOMAS [1572?-1635?].

The Attornies Almanacke. Provided & Desired for the Generall Ease and Daily Use of All Such as Shall Have Occasion to Remove any Person, Cause or Record, From an Inferiour Court to Any the Higher Courts at Westminster.

London: Printed by B[ernard] A[lsop] and T[homas] F[lawcet] for Ben: Fisher, and are to be sold at his shop at the signe of the Talbot without Aldersgate, 1627. [viii], 72 pp. Quarto (7" x 5-1/4").

Later speckled calf, gilt rules to boards, raised bands, gilt ornaments and lettering piece to spine, endpapers renewed. Light rubbing, a bit heavier to extremities, a few nicks to front board, corners lightly bumped and worn. Moderate toning, occasional dampspotting, browning, edgewear and chipping to margins of preliminaries and final ten leaves. Early annotation to rear endleaf, a reading list, owner signature of Walter Ashburner, dated 1900, to title page, annotation in his hand, a list of library holdings for this book, to front free endpaper. Ex-library. Bookplate to front pastedown. A handsome copy. \$1,500.

ONLY EDITION. Powell was a notable poet, a man of letters and an industrious legal antiquarian. In this work, the *Attorney's Academy* and the *Direction for Search of Records* Powell offered guidance to lawyers concerning the location and use of records, mostly to settle title claims. All are mentioned favorably by Holdsworth, who notes that the study of early records was an important aspect of legal education. In a sense, these books helped students to locate material for study. They are also important sources for students of Shakespeare. (All are listed in Lee's *Catalogue of Shakespeareana*). This copy belonged to Walter Ashburner [1864-1936], the notable legal scholar and editor of the *Rhodian Sea-Laws* (1909). OCLC locates 6 copies in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Pennsylvania, University of Washington, Yale). HEL V:381. ESTC S115029.

"FOR THE CLEARING OF ALL SUCH TITLES, AND QUESTIONS"

AN INTERESTING SOURCE FOR THE HISTORY
OF THE LAW OF CORPORATIONS

82 POWELL, THOMAS.

Direction for Search of Records Remaining in the Chancery. Tower. Exchequer, With the Limnes thereof: Viz. The Kings Remembrancer. Lord Treasurers Remembrancer. Clarke of the Extreates. Pipe. Auditors. The First Fruits. Augmentation of the Revenue. Kings Bench. Common Pleas. Records of Courts Christian. For the Clearing of All Such Titles, And Questions, As the Same May Concerne. With the Accustomed Fees of Search: And Diverse Necessarie Observations.

London: Printed by B.A. for Paul Man, 1622. [xvi], 78, [2] pp. Quarto (7-1/4" x 5-1/4").

Recent imitation calf, gilt title to spine. Woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, light soiling and blotted-out signature to title page, early annotation to verso. Ex-library. Bookplate to front pastedown. \$750.

ONLY EDITION. OCLC locates 4 copies in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Pennsylvania). HEL V:381. ESTC S115034.

THE FIRST ENGLISH LAW DICTIONARY

83 [RASTELL, JOHN].
[RASTELL, WILLIAM, EDITOR].

Les Termes de la Ley: Or, Certain Difficult and Obscure Words and Terms of the Common Laws and Statutes of this Realm Now in Use, Expounded and Explained. Now Corrected and Enlarged. With Very Great Additions Throughout the Whole Book, Never Printed in Any Other Impression.

London: Printed by W. Rawlins, S. Roycroft and M. Flesher, 1685. [iv], 671 pp. Octavo (6-1/2" x 4-1/2").

Contemporary calf, blind rules and corner fleurons to boards, rebaked retaining spine with raised bands and lettering piece, endleaves renewed. Light rubbing and a few inkstains to boards, corners bumped and somewhat worn. Moderate toning, faint dampspotting in places, internally clean. A handsome copy. \$950.

LATER EDITION. English and Law French in parallel columns. 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 Anglorum*. Later editions were produced by his son, William. 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" (599). Sweet & Maxwell 1:11 (48). ESTC R201044.

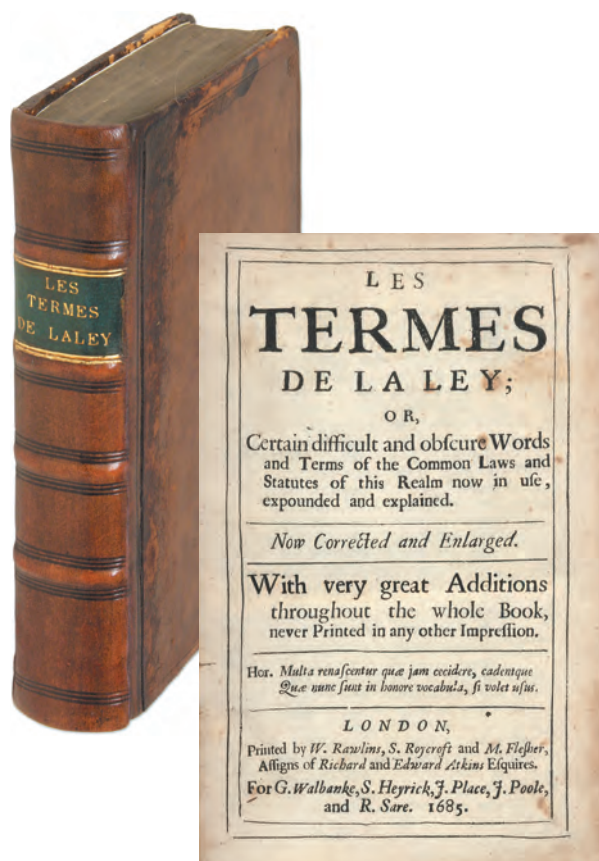
84 [SAWYER, SIR ROBERT (1633-1692)].

The Pleadings and Arguments and Other Proceedings in the Court Of Kings-Bench Upon The Quo Warranto, Touching The Charter Of The City Of London; With the Judgement Entred Thereupon. The Whole Pleadings Faithfully Taken from the Record.

London: Printed by the Assigns of Richard and Edward Atkins, 1690. [ii], 35, [1], 22, 55 (i.e.47), [1], 126 (i.e. 118) pp. Folio (13" x 8").

Contemporary binding with later rebacking and recornering, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Moderate rubbing to extremities, joints cracked, spine abraded, corners bumped and somewhat worn. Light toning to text, small early owner signature to title page, which is lightly soiled. Ex-library. Stamps to boards, bottom edge and endleaves, bookplate to front pastedown, small perforated stamp to title page. \$300.

ONLY EDITION. An interesting source for the history of the law of corporations. As the subtitle of the 1696 second (and final) edition reads: "wherein is comprized all the learning of corporations ... which points do not only concern the City of London but all other corporations in England." This *Quo Warranto* filed by the Attorney General against the City of London, challenging its assumption of certain jurisdictional rights, took place during the years 1681-83. It constitutes one of the most famous examples of this special form of royal writ developed in the sixteenth century and used well into the 1900s. Sweet & Maxwell 1:435 (11).



N° 83

THE "LONGEST LIVED" TREATISE ON COURTS LEET AND BARON

- 85 SHEPPARD, WILLIAM [D.1675?].
BROWNE, WILLIAM, EDITOR.

The Court-Keepers Guide for the Keeping of Courts-Leet and Courts-Baron: Wherein Is Largely and Plainly Opened. The Jurisdiction of These Courts, with the Learning of Manors, Copyholds, Rents, Harriots, and Other Services and Advantages Belonging unto Manors; Shewing the Lord's Due and the Tenant's Duty. Usefull for All Persons Concerned in Copyhold Estates. Whereunto are Added Precedents of Copies of Court-Rolls, With Other Additions.

London: Printed by the Assigns of Rich. Atkins, and Edw. Atkins, 1685. [xii], 284 pp. *Precedents of Copies* preceded by divisional title page. Octavo (5-3/4" x 3-3/4").

Later three-quarter calf over marbled boards, lettering piece and blind fillets to spine, which is varnished, endpapers renewed. Moderate rubbing to extremities, corners bumped and lightly warned. Moderate toning, (very) faint dampspotting to most of text, small stain near head of following leaf, edgewear and small tears to preliminaries and final few leaves, small chip to title page mended on verso with archival tape, internally clean. Ex-library. Bookplate to front pastedown. A nice copy. \$450.

SEVENTH EDITION. Active in the Protectorate, where he was Cromwell's legal advisor, Sheppard aimed to reform the common law. Ahead of his time in many ways, some of his proposals anticipate changes to the common law that were adopted in the nineteenth century. In his discussion of the common law in the sixteenth century Holdsworth observes "[t]here was still a considerable amount of works to be done by [the courts leet and baron]. The common field system of agriculture needed regulation; the rights and duties of copy-holders were matters for the manorial court to determine, subject to the control of the courts of common law; and statutes of this period had assigned new duties to the leet. Thus a want was felt for something more than the single stereotyped tract which various publishers went on issuing from the press during the first half of this century. (...) [T]he longest lived...was the *Court Keeper's Guide* of William Sheppard, first published in 1641 and re-issued as late as 1791." *HEL* IV:120-121. Not in the *ESTC*. Sweet & Maxwell 1:405(62).

A "SURE GUIDE" FOR JUSTICES IN THE EARLY YEARS
OF THE RESTORATION

- 86 SHEPPARD, WILLIAM.

A Sure Guide for His Majesties Justices of Peace: Plainly Shewing Their Duty, And the Duties of the Several Officers of the Counties, Hundreds, And Parishes, (Viz.) Sheriffs, County-Treasurers, Bridewel-Masters, Constables, Overseers of the Poor, Surveyors of the High-Wayes, And Church-Wardens, &c. With the Heads of the Statutes, Concerning the Doctrine and Cannons of the Church of England. Methodically Digested into LVIII. Chapters. Corrected and Enlarged.

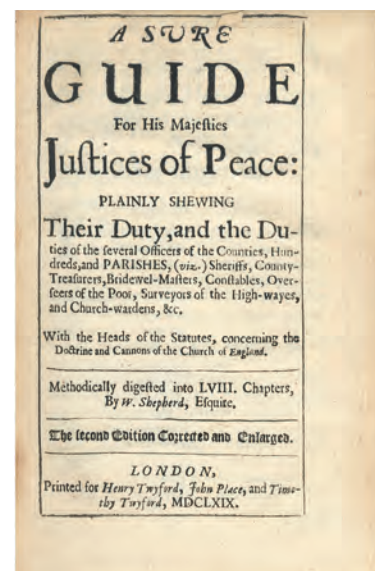
London: Printed by Henry Twyford, John Place, And Timothy Twyford, 1669. [viii], 64, 67-493. [5] pp. Text continuous despite gap in pagination. Title page preceded by copperplate pictorial title page dated 1663 reading *A Sure Guide for His Majesties Iustice of Peace*. Octavo (6-1/2" x 4").



N°86

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, speckled edges, pictorial title page rehinged. Moderate toning, light foxing and inkstains (from printer) to a few leaves, upper corner of leaf N (pp. 179-180) restored, minor loss to head-lines of a few leaves due to trimming, very small hole in title page due to paper flaw, internally clean. \$950.

SECOND AND FINAL EDITION, "corrected and enlarged." *A Sure Guide* was written to address the legal and religious consequences of the Restoration, most notably the re-establishment of the Church of England. This was more than a practical guide, however. As Nancy L. Matthews shows, "Sheppard recognized, however regretfully, that the restoration of the Stuart monarchy was the final act in the disruptive political drama of his generation and his shrewd analysis of how the law was being applied by the triumphal forces of Anglicanism was a forceful denunciation of the political abuses and technical shortcomings in the operation of contemporary law." Both editions of *A Sure Guide* are scarce. In North American law libraries, OCLC locates 3 copies of the first edition and 3 of the second (at Georgetown, the Library of Congress and York University). Matthews 241. *ESTC* R5045.



N°86



N°87

HISTORIC STUDY OF GAVELKIND

87 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 Kentish-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 for F. Gyles, 1726. [xiv], 136, [4], 216, [8] pp. Copperplate frontispiece. Quarto (10-1/2" x 8").

Nineteenth-century morocco, gilt fillets and dentelles to boards, gilt spine with raised bands and lettering piece, gilt edges, marbled endpapers, detached ribbon marker lain in. Moderate rubbing to extremities, small chip to foot of spine, corners bumped and worn. Title page printed in red and black, woodcut head and tail-pieces, text printed with wide margins. Moderate toning to text, faint dampspotting in places, internally clean. A handsome copy. \$2,000.

SECOND AND FINAL EDITION. 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 *Dictionarium Saxonico-Latino-Anglicum* (1659). Sweet & Maxwell 1:477 (31). ESTC T132060.

ISSUES CONCERNING THE ELECTION AND ROLE
OF SCOTTISH MEMBERS OF PARLIAMENT

88 SPOTISWOOD, JOHN [1667-1728].

The Law Concerning Election of Members for Scotland, To Sit and Vote in the Parliament of Great-Britain. Shewing the Order, And what is Necessary to be Observed in Electing the Peers, And Commissioners for Shires and Burghs, The Duty of the Officers Concern'd in Returning the Summons of Parliament, With Other Matters Relating to Members of Parliament, According to the Statutes and Laws in the North and South Parts of this United Kingdom. Together

with the Privilege Belonging to Parliament-Men, Publish'd for the Use of These Concern'd in the Elections for Scotland. Corrected and Augmented with Several Acts and Statutes Relative to Elections.

Edinburgh: Printed by William Brown and Company, 1722. [viii], 132 pp. Octavo (6" x 3-3/4").

Contemporary polished calf, lettering piece, raised bands and gilt ornaments to spine, speckled edges. Corners bumped, hinges starting, internally fresh. A notably well-preserved copy. \$850.

SECOND, FINAL AND BEST EDITION. Spottiswoode, the Edinburgh lawyer and jurist, provides a scholarly and detailed handbook on the election of Scottish MPs and their role in the Parliament of Great Britain. (Scotland began to elect MPs after the Act of Union in 1707.) He touches on the still-controversial West Lothian question, which concerned the right of Scottish, Welsh or Irish MPs in the House of Commons to vote on issues specific to England. There is also an interesting chapter on Members' expenses. The first edition was published in 1710. Both editions are scarce. OCLC locates 2 copies of the first edition and 9 copies of the second edition in North America, 1 in a law library (University of Washington, which has a second edition). ESTC T130151.

DEFENDING THE RIGHTS OF PRESBYTERIANS

89 [STEWART, SIR JAMES (1635-1715)].

Jus Populi Vindicatum, Or The Peoples Right, To Defend Themselves and Their Covenanted Religion, Vindicated. Wherein the Act of Defence and Vindication, Which was Interprised Anno 1666. Is Particularly Justified: The Lawfulness of Private Persons Defending Their Lives, Liberties and Religion, Against Manifest Oppression, Tyranny and Violence, Exerced by Majistrats Supream and Inferiour, Contrare to Solemne Vowes, Covenants, Promises, Declarations, Professions, Subscriptions, And Solemne Engadgments, Is Demonstrated by Many Arguments. Being a Full Reply to the First Part of Survey of Naphtaly &c. By a Friend to True Christian Liberty.

London: S.n., 1669. [xl], 572 [i.e. 472] pp. Leaf *4 (pp. 5-6) supplied in facsimile. Octavo (6-1/2" x 4").

Recent quarter calf over paper-covered boards, endpapers renewed. Light rubbing to extremities with minor wear to joints, light soiling to boards, front hinge starting. Woodcut title-page device, head-pieces and tail pieces. Moderate toning to text, faint dampstaining to margins in a few places, minor tears to a few leaves, some edgewear to preliminaries and final few leaves, light soiling to title page, internally clean. Ex-library. Bookplate to front pastedown. A solid copy of a scarce title. \$950.

ONLY EDITION. This essay on religious freedom by the great Scottish lawyer, reforming Lord Advocate of Scotland and political opponent of the Stuarts had its basis in a pamphlet war. In 1667 Stewart contributed legal remarks to *Naphtali: Or, The Wrestling of the Church of Scotland for the Kingdom of Christ*, a pamphlet by James Stirling, a Covenanter minister, that defended the actions of Presbyterians against the imposition of episcopalianism by the British government, including the bloody Pentland Rising of 1666. It was attacked that year by Andrew Honeyman [1619-1676], Bishop of Orkney, in a *Survey of the Insolent and Infamous Libel Entitled "Naphtali"*. Stewart replied with *Jus Populi Vindicatum*, a restatement of *Naphtali's* argument with more legal and political reinforcement. The Bishop did not publish a response. OCLC locates no copies in North American law libraries. ESTC R37592.



N°90

WATERCOLOR CARICATURE OF SIR EDWARD SUGDEN

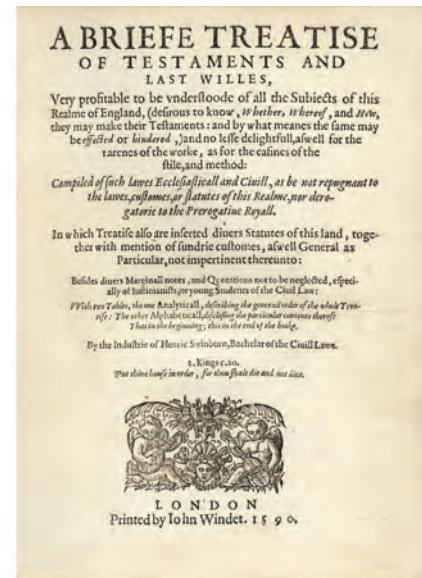
90 [SUGDEN, SIR EDWARD (1781-1875)].

A Chancellor in 1832!

7-1/2" x 11" watercolor on board, attractively matted.

Great Britain, Possibly Ireland, 1835?. Toning, a few minor waterstains, small inkstain near bottom right corner, otherwise fine. \$1,500.

POSSIBLY INTENDED as the basis for a lithograph, this cartoon depicts a drunken Lord Sugden, wig askew and clutching a table for balance. He is addressing the Bench: "My Lord, (hiccup) this Sir Edward Bug--no, damn it, I Mean Sir Edward Sug--hiccup--den--this Bug-- Sug--Bug! My Lord, I beg pardon, I'm rather & &." There is a quote from Shakespeare below the image: "It fitteth not a Noble thus to plead!" Sugden, lawyer, judge and conservative politician, was Solicitor General of Great Britain in 1829-30, Lord Chancellor of Ireland in 1835, then from 1841 to 1846, and Lord Chancellor of Great Britain in 1852. He is wearing barrister's robes in this caricature, which indicates the period in his career between 1831 and 1835, when he practiced as a barrister and sat in the House of Commons. The caricature appears to be a commentary on his role as a leading opponent of the Reform Bill of 1832, which made him a prominent figure in British politics. The artist refers to Sugden as Chancellor, which leads us to date the image to 1835, the year of his Irish Chancellorship and a time when he was famous for his opposition to the Reform Bill.



N°91

FIRST EDITION OF THE FIRST STANDARD TREATISE ON WILLS

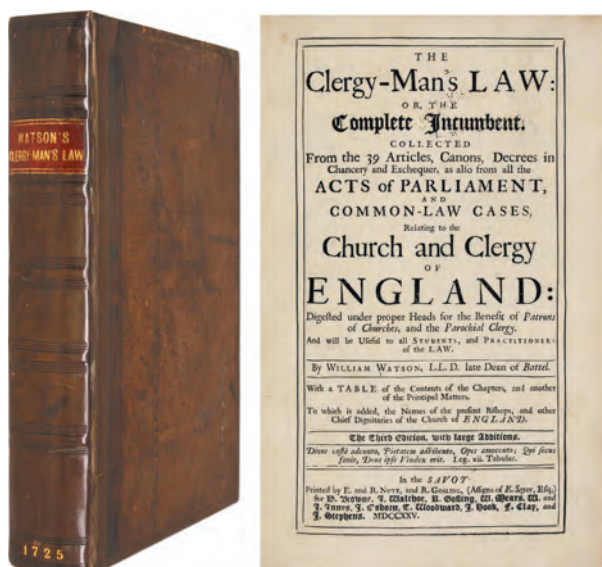
91 SWINBURNE, HENRY [1560?-1623].

A Briefe Treatise of Testaments and Last Willes, Very Profitable to be Understood of All the Subjects of this Realme of England, (Desirous to Know, Whether, Whereof, And How, They May Make Their Testaments: And by What Meanes the Same May be Effectuated or Hindered,) And no Lesse Delightfull, Aswell for the Rareness of the Worke, As for the Easiness of the Stile, And Method: Compiled of such Lawes Ecclesiasticall and Civill, As be Not Repugnant to the Lawes, Customes, Or Statutes of this Realme, Nor Derogatorie to the Prerogative Royall. In which Treatise Also are Inserted Divers Statutes of this Land, Together with Mention of Sundrie Customes, As Well General as Particular, Not Impertinent Thereunto: Besides Divers Marginall Notes, And Quotations Not to be Neglected, Especially of Iustinianists, Or Young Students of the Civil Law: With Two Tables, The One Analytical, Describing the Generall Order of the Whole Treatise: The Other Alphabetically, Disclosing the Particular Contents Thereof: That in the Beginning; This in the End of the Booke.

London: Printed by Iohn Windet, 1590 [colophon date 1591]. [xii], 293, [13] ff. Quarto (9" x 6-1/2").

Contemporary calf, blind rules and later corner fleurons to boards, rebaked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners bumped and somewhat worn, front hinge starting at head. Woodcut head-pieces and decorated initials. Minor toning to text, faint dampstaining in places, minor worm hole to outer margins of final sixteen leaves. Early owner signatures and annotations to front endleaf, interior otherwise clean. An appealing copy. \$4,000.

FIRST EDITION. The testamentary jurisdiction of ecclesiastical law was a separate branch that produced its own literature. From the sixteenth until well into the seventeenth century Swinburne's was the standard treatise on this subject. Holdsworth, who cites it often and considers it "the most practically useful book of [its] period" notes that "it is a very useful summary of the law as to wills and executors as administered in the ecclesiastical courts": *HEL* V:14. ESTC S118058. Beale T498.



N°95

1724 COMPILATION OF EXCISE TAXES IN A HANDSOME BINDING

92 [TAXATION].
[GREAT BRITAIN].

A Collection of All the Statutes Now in Force, Relating to the Duties Upon Candles, Leather, Sope, Paper, Silks, Callicoës, &c. And Upon Starch, And Gilt and Silver Wire, And Wrought Plate. With an Abridgment of the Said Statutes, And a Table of the Rates Upon the Several Commodities, Shewing by What Acts They are Imposed.

Edinburgh: Printed by William Brown and John Mosman, 1724. [iii], 562, 114, [7] pp. Octavo (6-1/2" x 4").

Recent period-style calf (by Dusel), blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Early owner signature to head of title page, toning. Occasional light foxing. A nice copy in an unusually handsome binding. \$450.

THIS COLLECTION OF TAXATION STATUTES, many dealing with luxury goods, offers unique insights into the mechanisms of taxation, the state of local industry and trade and contemporary assumptions about social utility and discretionary spending. OCLC locates 1 copy of this imprint (at the National Library of Scotland). ESTC N027298.

A SCARCE SCOTTISH DEFAMATION CASE

93 [TRIAL].
NAIRNE, JAMES [1782-1847], DEFENDANT.

The Trial Before the Lord President of the Court of Session, Lord Mackenzie, And a Special Jury, (Taken in Shorthand,) Of the Issues in the Action of Damages at the Instance of Lady Ramsay, Widow of the Late Colonel Sir Thomas Ramsay of Balmain, Baronet, Against James Nairne, W.S., For Falsehood and Defamation; Containing the Speeches of Counsel and Charge of the Lord President, With the Whole Evidence, And an Appendix of Letters and Documents.

Edinburgh: Published for the pursuer by W. and R. Chambers; London: Orr and Smith, 1833. [iv], 234, 80 pp. Quarto (11-1/4" x 9").

Original three-quarter cloth over paper-covered boards, rebacked retaining original spine and printed paper title label, hinges mended, untrimmed edges. Some rubbing, a few stains to boards, early owner signature (of John Osbourne Browne, Esq.) to front. Annotations in contemporary hand to foot of table of contents, interior otherwise clean. Ex-library. Shelf number to foot of spine, bookplate to front pastedown, date-due sheet and label to front free endpaper. A nice copy of a scarce title. \$250.

ONLY EDITION. A highly detailed record of a case involving accusations of marital infidelity by a colleague of Lady Ramsay's late husband. Lady Ramsay prevailed; the jury determined that her "character" was "perfectly pure and unsullied" and awarded her damages of 200 pounds sterling. (234). OCLC locates 10 copies in North American law libraries. HLC II:1171.

ANCIENT LAWS AND INSTITUTES OF WALES

94 [WALES].
[HOWEL, WELSH KING].
[RECORD COMMISSION, GREAT BRITAIN].

Ancient Laws and Institutes of Wales; Comprising Laws Supposed to be Enacted by Howel the Good, Modified by Subsequent Regulations Under the Native Princes Prior to the Conquest by Edward the First: And Anomalous Laws, Consisting Principally of Institutions Which by the Statute of Ruddlan Were Admitted to Continue in Force: With an English Translation of the Welsh Text. To Which are Added a Few Latin Transcripts, Containing Digests of the Welsh Laws, Principally of the Dimetian Code. With Indexes and Glossary. Printed By Command of His Late Majesty King William IV Under the Direction of the Commissioners of the Public Records of the Kingdom.

[London: Printed by George E. Eyre and Andrew Spottiswoode, Printers to the Queen's Most Excellent Majesty, 1841]. Two volumes. xxxvi, [viii], 904; [xviii], 1128 pp. Main text in parallel columns.

Quarto (10" x 7"). Contemporary cloth printed paper title labels to spine. Some shelfwear, corners and spine ends bumped, light fading to spine. Text block detached from Volume II, front hinge starting and half-title detached from Volume I, a few leaves in both volumes loose. Interiors clean and fresh. \$200.

WITH INDEXES AND A GLOSSARY of Welsh and other terms. This is a scholarly critical edition of early Welsh laws based on original manuscript sources. The texts in Welsh have parallel English translations. Contents include the Vendotian Code, the Dimetian Code, the Gwentian Code, Anomalous Laws, the Leges Howeleis Boni and the Statuta de Rothelan. It remains a standard source for scholars of this period. This work was also issued as a large folio. HLC I:791.

"MOST ELABORATE" TREATISE ON ENGLISH LAW
AND THE CLERGY

95 WATSON, WILLIAM [1637?-1689].

The Clergy-Man's Law: Or, the Complete Incumbent. Collected from the 39 Articles, Canons, Decrees in Chancery and Exchequer, as Also from All the Acts of Parliament, and Common-Law Cases, Related to the Church and Clergy of England: Digested Under Proper Heads for the Benefit of Patrons of Churches, and the Parochial Clergy. And Will be Useful to All Students, and Practitioners of the Law. With a Table of Contents of the Chapters, and Another of the Principal Matters. To Which is Added, the

Names of the Present Bishops, and Other Chief Dignitaries of the Church of England. With Large Additions.

London: Printed by E. and R. Nutt, and R. Gosling. 1725. iv, [8], 652, 62 pp. Includes one-page publisher list. Folio (12-1/2" x 8").

Recent period-style calf preserving portions of original boards, blind raised bands and lettering piece to spine, blind frames and fillets to boards, endpapers renewed. Light rubbing to extremities, light scuffing to boards, spine varnished, a bit of flaking along joints. Light toning to text, very faint dampstaining to foot of text block in a few places, internally clean. Ex-library. Faint inkstamps to boards, bookplate to front pastedown, perforated stamp at head of title page. An attractive copy. \$250.

THIRD EDITION. "[During the eighteenth century a] number of books aimed at setting out more or less a summary of those branches of law which would be useful to the clergy. The most elaborate of these books is [the present title], which was first published in 1701 and reached a fourth edition by 1747. The author was a clergyman who held the deanery of Battel; but he had been educated with a view to becoming a practitioner in the ecclesiastical courts, and had taken his degree of doctor of laws. Because he had had a legal education he was, he tells us 'soon apply'd to by his neighbours, as a person able to advise them in the many doubts and difficulties that daily occurred to them.' (...) The book deals clearly and systematically in fifty-nine chapters with the law and practice on all topics which are useful to the clergy. It is a learned book; but, as the title page indicates, it is compiled almost entirely from the English cases, statutes and other authorities, to which the full references are given. Though the author is an LL.D. he is obviously more learned in English law than in the civil or canon law": *HEL* 12:622-623. Sweet & Maxwell 1:176 (127).

COMPREHENSIVE (AND SCARCE) EIGHTEENTH-CENTURY
TREATISE ON INSURANCE

96 WESKETT, JOHN.

A Complete Digest of the Theory, Laws, And Practice of Insurance; Compiled from the Best Authorities in Different Languages, Which are Quoted and Referred to Throughout the Work; And Arranged in Alphabetical Order, Under Many Select Heads, With Ample References, And a General Index; Affording Immediate and Full Information, on Every Distinct Matter, Question, Or Point. Containing I. The Principles, Doctrines, and Usages, Touching All Matters of Insurance. II. All the Cases of Insurance that Have Been Adjudged in Our Courts of Law and Equity, Collected from the Numerous Reports, And Other Law Books Extant, Down to the Present Time; With Several Others Which Have Never Before been Printed: And Some Material Cases Adjudged in Foreign Courts. III. Extracts from All the Statutes Relating to Insurance, And Matters Immediately Connected Therewith. IV. The Most Useful Articles of All the Foreign Ordinances and Regulations Upon this Subject. V. Extracts from the Treatises of Commerce, &c. With Regard to Freedom of Navigation, Contraband, Neutral Ships and Property, War, &c. VI. The Respective Rights and Duties of Insurers, Insureds, Brokers, Agents, Owners, Freighters, Masters of Ships, &c. As Relative to Matters of Insurance. VII. The Nature, Object, And Select Forms of Policies of Insurance, Bottomry and Respondentia Bonds; The True Construction and Operation of Their Several Terms and Clauses; With Cautions and Remarks Concerning Written Clauses. VIII. Rules Interspersed Throughout, For Guarding Against, And Detecting Fraud and Imposition.



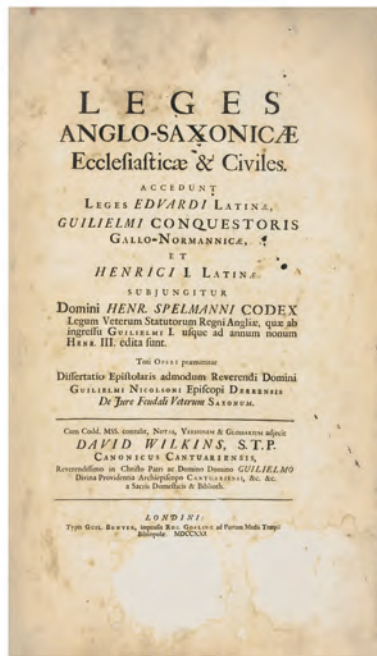
Nº96

IX. The Curious Question Discussed, With Regard to the Advantage, Disadvantage, And Legality, Of Insuring the Ships and Property of Enemies; With New and Interesting Observations Thereon. X. Accounts of the Several Companies & Societies in England, For Insurances; Their Plans, Terms, &c. With Critical and Useful Remarks; Also of the Chambers of Assurance Abroad; Their Regulations, Authority, and Summary Modes of Decision. XI. Concerning the Maritime and Other Courts; The Maritime Laws; The Law of Nations; The Laws of England; the Lex Mercatoria; Also Trials, Verdicts, and Arbitrations; With Regard to Insurance. XII. Various New Matters, Rules, Cases, Methods, and Remarks Not in Any Other Book. With a Preliminary Discourse; Wherein are Delineated the Very Great Disorders which Preval in Affairs on Insurance; Their Principal Causes Explained; And Methods Proposed for Better Regulation and Prevention.

Dublin: Printed for Elizabeth Lynch, 1783. [vi], lxxxiv, 612, [4] pp. Octavo (8-1/2" x 5").

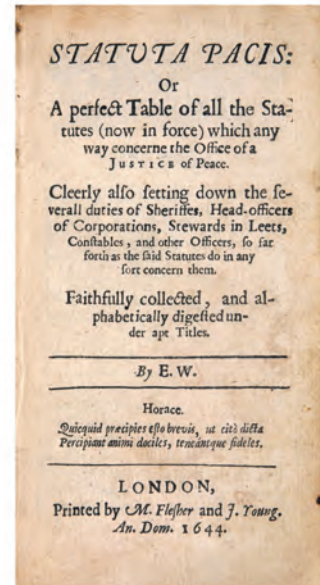
Contemporary calf, blind fillets to boards, blind fillets and recent period-style lettering piece to spine. Moderate rubbing to extremities, a few minor scuffs to boards, hinges cracked. Moderate toning to text, faint dampspotting in places. Early owner signatures to front pastedown and free endpaper, interior otherwise clean. \$750.

DUBLIN ISSUE OF THE SECOND EDITION. The book begins with a critical 80-page essay on insurance law that proposes several reforms. The main body is a remarkably comprehensive legal and historical digest concentrating on marine insurance, but also discussing life and fire insurance. There are frequent references to America, and considerable discussion of international law, the laws of war and the work of such important economists and theorists as Cantillon, Child, Cary, Postlethwayt, De Moivre and Price. A second, and final, London edition was published in 1783. Dublin reprints were issued in 1783 and 1794, a German translation in 1782-1787. The critical 80-page essay was also published separately in 1789. All of these are scarce. Concerning the 1783 Dublin edition, OCLC locates 10 copies in North American law libraries. This edition not in Goldsmiths.' Sweet & Maxwell 1:528 (105).



N°97

IMPRESSIVE COMPILATION OF EARLY ENGLISH LAWS BASED ON SPELMAN'S *CODEX LEGUM VETERUM*



N°98

A USEFUL REFERENCE CIVIL WAR-ERA JUSTICES OF THE PEACE

97 WILKINS, DAVID [1685-1745].
Spelman, Henry [1564?-1641].

Leges Anglo-Saxonicae Ecclesiasticae & Civiles. Accedunt Leges Edvardi Latinae, Guilielmi Conquestoris Gallo-Normannicae, Et Henrici I. Latinae. Subjungitur Domini Henr. Spelmanni Codex Legum Veterum Statutorum Regni Angliae, Quae ab Ingressu Guilielmi I. Usque ad Annum Nonum Henr. III. Edita Sunt. Toti Operi Praemittitur Dissertatio Epistolaris Admodum Reverendi Domini Guilielmi Nicolsoni.

London: Typis Guil. Bowyer, Impensis R. Gosling, 1721. [xvi], xxiv, 434, [18] pp. Main text in parallel columns. Folio (15-1/4" x 9-1/2").

Later three quarter calf over textured cloth, raised bands and gilt title to spine, endpapers renewed. Some rubbing to extremities, small circular water stain to front board. Attractive woodcut head-pieces, tail-pieces and decorated initials. Toning, occasional spotting to margins, internally clean. Ex-library. Small institution crest and location number to spine, small embossed seal to title page, bookplate tipped-in to dedication leaf. An impressive volume. \$950.

ONLY EDITION. With subscriber list. Research into Anglo-Saxon legal sources began in the seventeenth century with the work of William Lambard, William Somner and Henry Spelman. Their work was the foundation for the work of George Hicks, Robert Kelham and David Wilkins in the eighteenth century. A professor of Arabic at Cambridge University and librarian to the Archbishop of Canterbury, Wilkins was the most distinguished member of this trio. *Leges Anglo-Saxonicae*, which incorporates Spelman's *Codex Legum Veterum*, includes the collections of Anglo-Saxon customs that were made after the Conquest: the laws of Edward the Confessor, the laws of William I and the *Leges Henrici Primi*. HEL XII:403. ESTC T138842.

98 [W]INGATE, E[DMUND].

Statuta Pacis: Or a Perfect Table of All the Statutes (Now in Force) Which any Way Concerne the Office of a Justice of Peace. Cleerly also Setting down the Severall Duties of Sheriffes, Head-Officers of Corporations, Stewards in Leets, Constables, And Other Officers, So Far Forth as the Said statutes do in Any Sort Concern Them. Faithfully Collected, And Alphabetically Digested Under Apt Titles.

London: Printed by M. Flesher and J. Young, 1644. [xx], 286 pp. First and final leaves blank. Tables. 12mo. (5-1/2" x 3-1/4").

Contemporary sheep, blind rules to boards, rebacked, blind fillets and lettering piece to spine, pastedowns renewed. Light rubbing to extremities, corners bumped. Light toning to text, a few tiny worn holes (with no loss to text), faint dampstaining to final third of text block. An appealing copy of a rare title. \$950.

ONLY EDITION. Intended as a handy reference, and thus pocket-sized, *Statuta Pacis* is a digest of statutes relevant to the jurisdiction of a justice of the peace. The contents are organized alphabetically by topic. OCLC locates 4 copies in North America, 3 in law libraries (Duke, Harvard, Southern Illinois University). ESTC R25185.

MEASURES AGAINST "PROPHANENESS AND VICE"

99 [WOODWARD, JOSIAH (1660-1712),
ATTRIBUTED].

A Help to a National Reformation. Containing an Abstract of the Penal-Laws Against Prophaneness and Vice. A Form of the Warrants Issued Out Upon Offenders Against the Said Laws. Directions to Inferior Officers in the Execution of Their Office. Prudential Rules for the Giving of Informations to the Magistrates in These Cases. A Specimen of an



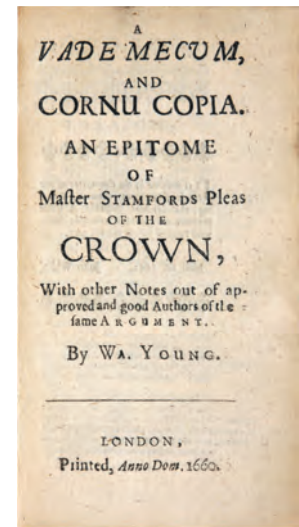
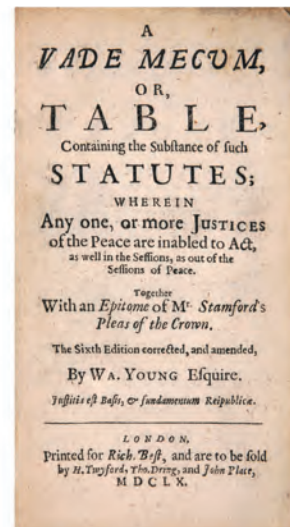
N°99

Agreement for the Forming of a Society for Reformation of Manners in any City, Town, Or Larger Village of the Kingdom. And Her Majesty's Proclamation for Preventing and Punishing Immorality and Prophaneness; And the Late Act of Parliament Against Prophane Swearing and Cursing. To Which is Added, An Account of the Progress of the Reformation of Manners in England and Ireland, And Other Parts of the World. With Reasons and Directions for our Engaging in this Glorious Work. And the Special Obligations of Magistrates To be Diligent in the Execution of the Penal-Laws Against Prophaneness and Debauchery, For the Effecting of a National Reformation. As Also, Some Considerations Offered to such Unhappy Persons as are Guilty of Prophane Swearing and Cursing, Drunkenness, And Uncleaness, And are Not Past Counsel. With Great Additions.

London: Printed and Sold by Joseph Downing, 1706. [xvi], 131, [1] pp. Includes one-page advertisement leaf. Copperplate portrait frontispiece (of Queen Anne). Octavo (6-1/2" x 4-1/2").

Contemporary sheep, blind rules to boards, blind fillets to joints, raised bands to spine, speckled edges, recent repairs to spine ends and corners. Some rubbing to extremities, minor scuffing to boards, chip to foot of spine, crack in text block between frontispiece and title page, front endleaves and part of rear free endpaper lacking, small shelf label to front pastedown. Light toning to text, faint dampstaining to lower corners of some leaves at rear of text, internally clean \$500.

FIFTH EDITION. First published in 1700, this book reflects the eighteenth-century movement to reform manners and morals, one of the more enduring legacies of the Enlightenment. OCLC locates 3 copies of this edition in North American law libraries (Harvard, University of Pennsylvania, UVA). ESTC N8116.



N°100

SCARCE JP MANUAL THAT INCLUDES
A DIGEST OF STAUNFORD'S PLEAS OF THE CROWN

100 YONGE, WALTER [1581?-1649].
[STAUNFORD, SIR WILLIAM (1509-1558)].

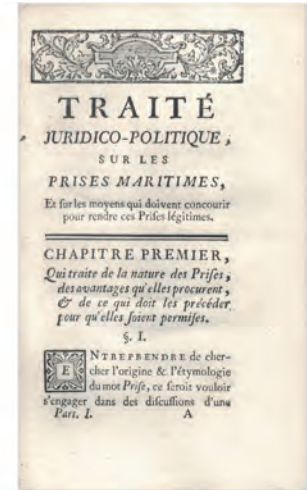
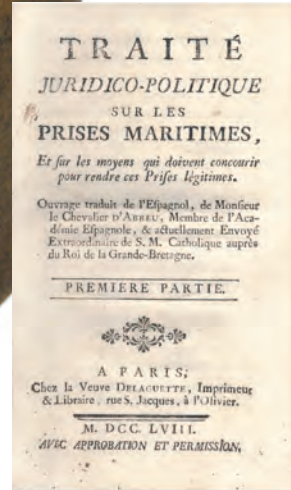
A Vade Mecum, Or, Table, Containing the Substance of Such Statutes; Wherein Any One, Or More Justices of the Peace are Enabled to Act, As Well in the Sessions, As Out of the Sessions of Peace. Together with an Epitome of Mr. Stamford's Pleas of the Crown. Corrected, And Amended.

London: Printed for Rich. Best, 1660 [i.e. 1661]. [xxiv], 186, [2] pp. First leaf blank. Two parts with continuous pagination. Second part preceded by title page reading (in part) *A Vade Mecum, And Cornu Copia. An Epitome of Master Stamford's Pleas of the Crown*. 12mo. (5-1/2" x 3-1/4").

Contemporary calf with recent rebacking, blind rules to boards, raised bands and lettering piece to spine, pastedowns renewed. Light rubbing to extremities, hinges bumped. Light toning to text, two small chips and very light soiling to title page, minor chips to a few other leaves, internally clean. \$750.

SIXTH (STATED) EDITION. As suggested by its title, this is a manual for justices of the peace. The first part is arranged in tabular form. Each entry lists an offense, conditions for an action, the number of justices required to hear the case, the appropriate punishment and references to authorities. The second part is condensed version of Staunford's *Plees del Coron* (1st. ed. 1557), a standard treatise on criminal law in the fifteenth and sixteenth centuries. Published as the sixth edition, it is actually the third. The first, second and fourth were published in 1643, 1650 and 1663. Sweet & Maxwell list a 1620 edition titled *Justices, Their Vade Mecum and Cornucopia*, but it appears to be a ghost. All editions are scarce. OCLC locates 6 copies of the 1661 edition, 3 in law libraries (Harvard, SUNY-Buffalo, Yale). Another copy located at Columbia Law School. ESTC R204144.

CONTINENTAL EUROPE



N°101

SCARCE EIGHTEENTH-CENTURY TREATISE
ON PRIZE LAW AND PRIVATEERING

101 ABREU Y BERTODANO, FELIX JOSEPH DE [c.1700-1775].

Traite Juridico-Politique sur les Prises Maritimes, et Sur les Moyens qui Doivent Concourir pour Rendre ces Prises Legitimes.

Paris: Chez la Veuve Delaguette, 1758. Two volumes in one, each with title page and individual pagination. Octavo (6-1/2" x 4").

Contemporary speckled sheep, raised bands, lettering piece and gilt ornaments to spine, speckled edges, patterned endpapers. Some wear to corners, joints starting, some worming to lettering piece, joints and hinges. Attractive woodcut head-pieces. Toning to sections of text, light foxing to a few leaves, internally clean. An appealing copy of a scarce title. \$1,750.

SECOND FRENCH EDITION. First published in Madrid in 1746, this treatise on prize law and privateering went through three other editions, all in France in a translation by the author, in 1753, 1758 and 1802. Little is known about Abreu, a minor Spanish noble and diplomat. According to the title page, he was a "membre de l'Academie Espagnole, & actuellement Envoye Extraordinaire de S.M. Catholique aupres du Roi de la Grande-Bretagne." 5 copies located in the Americas, 1 of this edition (at Columbia University Law Library). KVK locates 13 copies of all 4 editions, all in Europe. Not in the *BMC*. Camus 2289 (citing a later edition).

THREE SCARCE TITLES BY ALCIATI, INCLUDING
A COLLECTION OF CONSILIA RELATING TO DUELLING

102 ALCIATI, ANDREA [1492-1550].

In Digestorum Seu Pandectarum Librum XII qui De Rebus Creditis Primus est, Rubric. Si Certum Petatur,

Commentarius: Longe Doctissimus Atque Utilissimus: Una cum Vocum ac Rerum Toto hoc in Libro Notabilium Indice Diligentissimo.

Lyons: Apud Iacobum Giunta, 1546. 387, [21] pp.

[Bound with]
ALCIATI, ANDREA

Parerga: Andreae Alciati Iurisconsulti Mediolanensis PARERCON Iuris Libri Tres, Cum Argumentis Capitum in Eisdem, & Indice Vocum, Rerum, Autoritatum, & Locorum Notatu Dignorum.

Lyons: Apud Iacobum Giunctam, 1539. [xxxii], 190 pp.

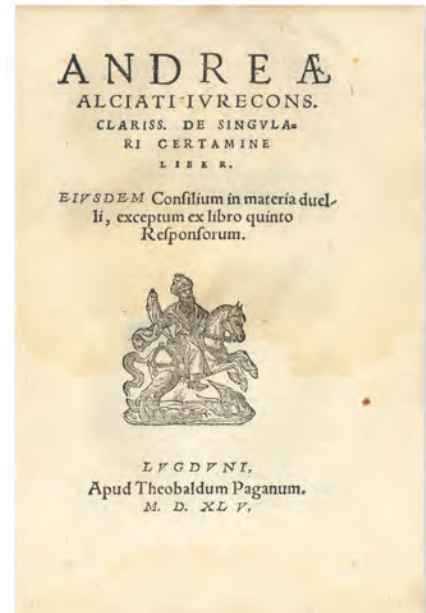
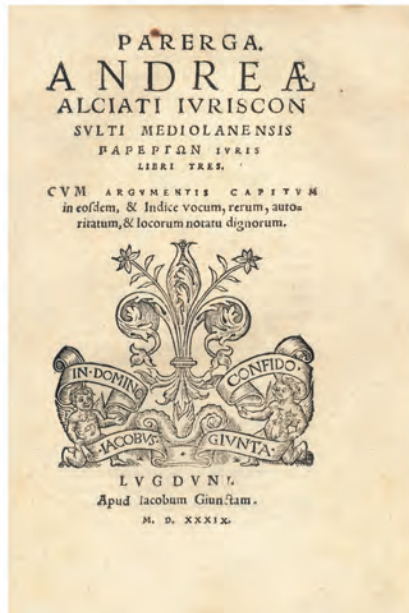
[And]
ALCIATI, ANDREA

De Singulari Certamine Liber: Eiusdem Consilium in Materia Duelli, Exceptum ex Libro Quinto Responsorum.

Lyons: Apud Theobaldum Paganum, 1545. 111, [1] pp.

Octavo (6-1/4" x 4-1/4"). Contemporary limp vellum with lapped edges, early hand-lettered titles to spine, top edge and front cover, ties lacking. Light soiling, rubbing to extremities with minor wear around spine ends and corners, vellum just beginning to crack through pastedowns. Attractive woodcut printer devices, colophons and decorated initials. Toning and light browning in places, early owner initials to title page of first title, interior otherwise clean. \$3,000.

FOURTH, SECOND AND THIRD EDITIONS respectively. The first title is a commentary on the *Digest*, Book XII, Title 1: "Things Credited Giving Rise to Fixed Claims and the Condictio." *Parergon* is a collection of "thought pieces" on miscellaneous topics in Roman law. The final volume is a collection of consilia on matters relating to dueling. It is derived from his *Responsa*, a



N°102

multi-part collection of consilia on different topics. All editions of these titles are scarce. *Digestorum*: OCLC locates 3 copies; *Parerga*: OCLC locates 6 copies. Both of these imprints not listed in Adams, Roberts or the BMC; *Singulari*: OCLC locates 3 copies of this edition. Pazzaglini & Hawks A-9.

LEGAL POINTERS FOR LAWYERS
IN SIXTEENTH-CENTURY NAPLES

103 ARNONO, GIOVANNI D' [FL. 1524-1534].

Singularia Domini Ioannis de Arnono in Utroq; Iure Memoratu Digna & in Regno Satis Accommodata: Foeliciter Incipiunt.

Venice: [In Officina Aurelii Pincii Veneti, Ad Instantiam D. Petri Facholi, Ditto Dal Cauallo], 1536. 68 ff. Octavo (6-1/4" x 4").

Contemporary limp vellum, light soiling, covers somewhat bowed. Large woodcut printer device to verso of final leaf, woodcut decorated initials. Some toning to text, faint dampstaining to final few leaves, internally clean. A well-preserved copy. \$950.

SECOND EDITION. This handy treatise was first published in 1534 and went through three editions, the last in 1540. The first part offers pointers for lawyers practicing in the Kingdom of Naples. The second part, entitled *Tractatus Cautelarum*, addresses Neapolitan civil law and procedure. All editions are rare. OCLC locates 2 copies in North America at UC-Berkeley Law School and the Library of Congress; both have copies of the 1534 edition. EDIT16 CNCE3098.

A COMPREHENSIVE EIGHTEENTH-CENTURY
DIGEST OF BOHEMIAN LAW

104 [BOHEMIA].

WEINGARTEN, JOHANN JAKOB VON [1629-1701]. COMPILER.

Codex Ferdinando-Leopoldino-Josephino-Carolinus: Pro Haereditario Regno Bohemiae, Ac Incorporatis Aliis

Provinciis, Utpote, Marchionatu Moraviae, Et Ducatu Silesiae: In Welchem Verschiedene von Anno 1347. Biss auf das 1719. Jahr Allernadigst Verliehene Respective Kayser- und Konigliche Privilegia, Und Hieruber Ertheilte Confirmationes, Wie auch Andere Neue Concessionen; Nicht Minder alle Ergangene Sanctiones Pragmaticae, Declaratoriae & Rescripta, Konigliche Stadthalterische, Und von Hohen Obrigkeiten Emanirte Patenten, Und Decreten: Dessgleichen Etwelche Extracten derer Land-Tags-Schlussen, Hertzogliche Privilegia, Landes- und Executions-Ordnungen, Erb-Vereinigungen mit der Cron Boheim, Wie auch noch Viel Andere sehr Heilsame dieses Edleste Erb-Konigreich Boheim, Marggraffthum Mahren, Und Hertzogthumer Ober- und Nieder-Schlesien, Publica, Politica, Militaria, Auch das Justiz-Wesen in Civilibus, & Criminalibus Betreffende Sachen Enthalten, Und mit Grosser Muhe und Fleiss Zusammen Getragen.

Prague: Zu Finden bey Conrad Mullem, 1720. [xii], 732, [34], 52 pp. Main text in parallel columns. Copperplate allegorical plate following title page. Folio (13" x 8").

Contemporary sheep, blind rules to boards, raised bands and lettering piece to spine. Moderate rubbing, chipping to spine ends, corner bumped and somewhat worn, a few cracks to pastedowns, front joint cracked, some edgewear to front endleaves, which are partially detached. Title page printed in red and black. Moderate toning, somewhat heavier in places, early underlining to some passages on p. 511, light soiling to title page. Later signature to front free endpaper, interior otherwise clean. Ex-library. Small deaccession stamp to front free endpaper. \$1,250.

SECOND EDITION. With a subject index. Arranged chronologically from 1347 to 1719, this book is a collection of legal documents relating to Bohemia and its place within the Habsburg domains and the Holy Roman Empire. Supplemental volumes (*Continuatio Codicis*) with later documents were published in 1728, 1731 and 1735. All of these volumes are scarce. OCLC locates 3 copies of the *Codex* in North American law libraries, all dated 1720 (Harvard, University of Michigan, Yale). This imprint not listed in the VD18.

105 BONDENI, VINCENZO [1630-1704].

Miscellaneum Juridicum in Plura Documenta Distributum, Novis Additionibus ad Ejus Legales Collocationes, Et Sacrae Rotae Romanae Decisionibus Peculiari Nota Recenter Adactis, Uberrime Ornatum. Nec non Copiosissimo Indice Argumentorum, & Rerum Notabilium, Tam Documentorum, Quam Decisionum, & Additionum Elaborate Completum.

Mantua: Ex Typographia Sancti Benedicti, Sumptibus Alberti Pazzoni, 1715. [xviii], 342, [2]; xii, 314 pp. Two volumes in one, each with title page and individual pagination. The second volume is titled *Decisiones Sacrae Rotae Romanae Peculiaribus Notis Ornatae*. Main text in parallel columns. Folio (14" x 9").

Contemporary vellum, raised bands and early hand-lettered title to spine. Light rubbing, some staining to fore-edge of front board, some small chips and worm holes to joints and spine bands, corners bumped, boards slightly bowed, a few worm holes to joints, heavier worming to corners of preliminaries, bottom margins of a few following leaves, and fore-edges of rear endleaves, first gathering after front free endpaper a bit loose. Title page of Volume I printed in red and black, copperplate vignette at head of dedication, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, some leaves have light foxing, internally clean. Ex-library. Bookplate to front pastedown. \$950.

ONLY EDITION. Bondena was a member of the Mantuan Senate and a member of Mantua's princely court. The first volume of his *Miscellaneum Juridicum* is a collection of 84 brief studies of complicated, and apparently hypothetical, legal points. Each begins with a statement of the issue followed by an interpretation and an annotated list of authorities. The same format is followed in the second volume, a collection of 100 Rota decisions. OCLC locates 1 copy in North America (at UC-Berkeley Law School). Not in the BMC or Camus.

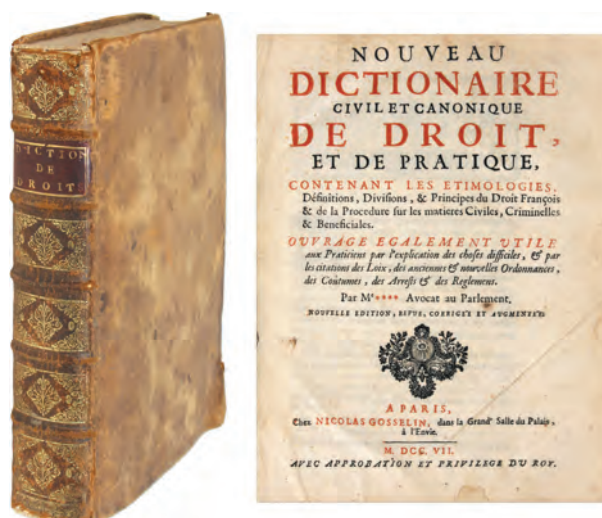
SCARCE EIGHTEENTH-CENTURY FRENCH LAW DICTIONARY

106 [BRILLON, PIERRE JACQUES (1671-1736)].

Nouveau Dictionnaire [sic] Civil et Canonique de Droit et de Pratique, Contenant les Etimologies, Definitions, Divisions, & Principes du Droit Francois & De la Procedure sur les Matieres Civiles, Criminelles & Beneficiales. Ouvrage Egalement Utile aux Praticiens par l'Explication des Choses Difficiles, & Par les Citations des Loix, Des Anciennes & Nouvelles Ordonnances, Des Coutumes, Des



N°105



N°106

*Arrests & des Reglemens. Par Me*** Avocat au Parlement. Nouvelle Edition, Revue, Corrigeé et Augmentee.*

Paris: Chez Nicolas Gosselin, 1707. [iv], 901, [1] pp. Quarto (9-3/4" x 7-1/2").

Contemporary calf, gilt spine with raised bands and lettering piece. Moderate rubbing to boards and extremities with wear to spine ends, front joint starting, corners bumped and somewhat worn, minor worming to hinges and endleaves. Title page printed in red and black, woodcut head-piece. Light toning to text, faint soiling and dampstaining to margins of some leaves. Early owner annotations to a few leaves and rear pastedown, interior otherwise clean. \$1,500.

FOURTH EDITION. First published in 1697, this dictionary went through later editions in 1698, 1699, 1707 and 1717. The entries are mostly brief, though several are quite extensive; many have citations and cross-references (which are indicated by an image of a pointing hand.) Brillion was an Avocat de Parlement. His best-known work is the immense *Dictionnaire des Arrests* (1711). OCLC locates 4 copies of the *Nouveau Dictionnaire* in North America at Indiana University (1699 ed.), the Library of Congress (1707 ed.), George Washington University Law School (1717 ed.) and the University of California, Berkeley Law Library (1697 ed.). Not in the BMC or Camus.

LEGAL POINTERS FOR BUILDERS IN BARCELONA

107 CABANACH Y MALART, PONCIO.

Prontuario Juridico, Y Elementos Practicos para Exercer el Arte de Edificar sin Agravio del Vecino.

Barcelona: Con Licencia, c. 1820. [iv], 76 pp. Octavo (6" x 4").

Contemporary vellum, hand-lettered title to spine. Light edgewear, negligible soiling, light browning to endleaves. Tiny early owner signature to title page, interior otherwise clean. \$650.

SECOND EDITION. Cabanach describes how to prevent legal complaints from neighbors when building a house. Topics include common walls, windows, chimneys, drains and privacy. It was first published in 1782 and other editions appeared in 1848 and 1851. All are rare. No copies of the c. 1820 edition on OCLC, which records 1 copy of the 1782 ed. (at Harvard Law School), 1 of the 1848 (at the Library of Congress) and 1 copy of the 1851 (at Wake Forest University). Palau 38508n.



TOBACCO SMUGGLERS



N°110

108 [CARANDI (CARANDINI), PROSPERO].

Replica a Difesa di Giuseppe Felici, Francesco Salada, E Santino Menconi Nella Causa di Preteso Contrabbando di Tabacco Pendente in Grado di Revisione Avanti Gl'Illustrissimi Signori Consiglieri Co: Pompeo Baldasseroni, Giuseppe Simonini, E Francesco Ansaloni.

Modena: Presso la Societa' Tipografica, 1791. 37 pp. Folio (11-1/4" x 7-1/2").

Recent stiff wrappers, endpapers renewed. Large woodcut title-page device, large woodcut vignette to head of p. 1. Light toning to text, internally clean. \$950.

ONLY EDITION. Defense submission for an appeal involving three men convicted of smuggling tobacco in a suit initiated by the licensed tobacco contractor Massa and Carrara. The arguments are erudite and learned; there are citations to Bartolus and Alberico de Rosate, for example, and, on p. 33, a eight-line quotation from Virgil. No copies located on OCLC.

CLAIMS AND LIENS

109 CAROCCI, VINCENZO [FL. 1584].

De Excussione Bonorum in Civilibus et Criminalibus Causis Tractatus. Nunc Primum in Germania Reiectis Innumeris Mendis, Allegationibusque a Textu Characterum Varietate Distinctis, Correctus Editus.

Frankfurt: Excudebat Ioannes Saurius, Impensis Petri Kopffii, 1597. [viii], 503, [70] pp. Octavo (5-3/4" x 4").

Contemporary vellum with lapped edges, early hand-lettered title to spine. Some soiling and shelfwear, another short work removed from rear of volume. Woodcut printer devices to title and recto of final leaf, woodcut head and tail-pieces. Light toning to text, early owner signature and small later inkstamp to margins of title page, interior otherwise clean. \$1,250.

FIRST GERMAN EDITION. published the same year as the first Venice edition. Carocci discusses the Roman law dealing with priorities of claims and liens. According to the title, this edition corrects numerous inaccuracies of the Venice edition. It was published at the expense of Peter Kopff, a notary in Frankfurt. A second edition was published in Venice in 1603. All are scarce.

OCLC locates 3 copies of the 1597 imprints in North American law libraries. 2 of the Venice (UC-Berkeley, University of Michigan), 1 of the Frankfurt (Harvard). VD16 C1192.

1599 VENETIAN EDITION OF THE CONSOLATO DEL MARE

110 [CONSOLATO DEL MARE].
CA DA MOSTO, ALVISE [1432-1488].

Il Consolato Del Mare. Nel Quale si Comprendono Tutti Gli Statuti, & Ordini, Disposti da Gli Antichi, Per Ogni Caso di Mercantia & Di Navigare: Così a Beneficio di Marinari, Come di Mercanti, & Patroni di Nave, & Navilii: Con l'Aggiunta delle Ordinationi Sopra l'Armata di Mare, Sicurtà Entrate, Uscite; & Con Il Portolano del Mare. Di Nuouo con Quella piu Accurrata Diligentia, Che s'e Potuto Corretto, & Ristampato. Con una Nuova Tavola de i Capitoli.

Venice: Appresso L. Spineda, 1599. [xvii], 232; [4], 37 [i.e. 74] pp. The second part, *Il Portolano del Mare*, has title page and separate foliation. Quarto (7-1/2" x 6").

Contemporary vellum, spine repaired, pastedowns renewed, ties lacking. Minor edgewear, light soiling and a few stains to boards, which are slightly bowed. Attractive woodcut head-pieces, tail-pieces and decorated initials. Light toning, minor worming in a few places with negligible loss to text. Early owner signature to title page, contemporary underlining and check marks to a few leaves, interior otherwise clean. An appealing copy. \$2,500.

LATER EDITION. A landmark in the development of maritime law, the *Consolato del Mare* was first published in Barcelona in 1484. A digest of the law and practice commonly followed by the commercial judges in the chief ports around the Mediterranean, it became a maritime common law of the Mediterranean and a foundation for subsequent European maritime laws and customs. Its circulation was widest in Italy, especially among the Venetians, but it was also influential in Western Europe. In addition to maritime law, it contains a great deal of information about the day-to-day operations of a ship and practical advice on seafaring. *Il Portolano del Mare*, an appendix, is usually attributed to Alvise Ca da Mosto, a Venetian navigator who made two voyages to Guinea in the service of Portugal's Prince Henry the Navigator. Adams C2538.



N°112

CRITICAL EDITION OF IMPORTANT STUDY OF PREEMPTION

- 111 D'AFFLITO (D'AFFLICTO), MATTEO [C.1450-C.1520].
BALDUS DE UBALDIS, PETRUS [1327-1456].
MANTOVA BENAVIDES, MARCO [1489-1582].

Tractatus de iure Prothomiseos. Nuperrime Recognitus a Plurimis Quibus Scatebat Erroribus Vindicatus. Subsequenti Commentariolo Gravissimi Iuris Interpretis Marci Mantuae Bonaviti Patavini, ad L. Dudum C. de Contrab. Empt. Summariisq. Ac Elementario Indico Superadditis Diligentissime Exornatus.

Venice: Apud Dominicum de Farris, 1582. 108, [8] ff. Octavo (5-3/4" x 3-3/4").

Contemporary vellum, early vellum rebacking with hand-lettered title. Some rubbing to extremities, a few small stains to boards, vellum just beginning to break through pastedowns, hinges cracked, a few partial cracks to text block (binding still secure). Later small owner signature to front endleaf, another to title page. Occasional faint dampstaining to margins, interior otherwise fresh. \$600.

LATER EDITION. First published in 1548, this is a critical edition of D'Afflito's *Tractatus De Jure Protomeseos* (1544), an edition of a work on preemption in feudal law by Baldus de Ubaldus with commentary. Afflito was an Italian jurist and state official. A pupil of Bartolus, Baldus de Ubaldus was a prominent commentator and professor at the Universities of Perugia and Padua. KVK and OCLC locate 2 copies of this edition in North America (at UCLA and the Ransom Library, UT Austin). EDIT16 CNCE15846.

A ROMAN PRECURSOR OF THE RESTRAINING ORDER

- 112 ERCOLANI, FRANCESCO [1541-1569].

De Cautione de Non Offendendo.

Venice: Apud Io. Andream Valuassorem Cognomine Guadagnino, 1571. [32], 159 [i.e. 317] pp. Octavo (6-1/2" x 4").



N°113

Contemporary limp vellum, early vellum rebacking and hand-lettered title to spine, early repair with paper to top edge of rear cover. Light soiling, some wear to corners, chipping to spine ends, front hinge cracked, rear hinge starting at ends, front endleaves lacking. Large woodcut printer device to title page, woodcut decorated initials. Interior notably fresh. \$600.

SECOND EDITION. Ercolani's treatise addresses the Roman law of interdict, a category of orders or prohibitions issued by a magistrate and addressed to a particular person to give immediate protection to a threatened interest of a complainer. They were also used to protect public interests, such as waterways. The first edition of this treatise was published in 1569, third and final in 1580. 7 copies located in North America, 2 of this edition (at UC-Berkeley and Harvard Law Schools). EDIT16 CNCE18254.

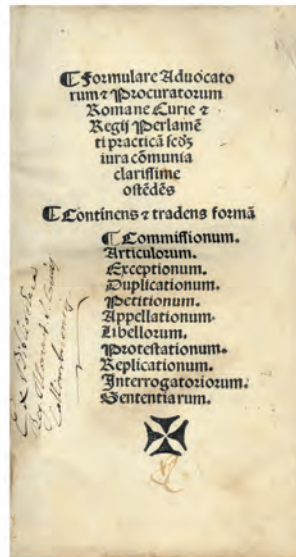
IMPORTANT EARLY COLLECTION OF CIVIL LAW CASES

- 113 FERRARI, GIOVANNI PIETRO [FL. 1389-1416].
CORTE, FRANCESCO [D. 1495], EDITOR.
[LANDRIANO, BERNARDINO DA. (15TH-16TH CENT.).]
[RICCIO, GIOVANNO (16TH. CENT.).]

Per Totum Orbem Celebratissima, Omnibus Tam Ius Dicentibus Quam Advocatis non Modo Utilis, Sed Etiam Necessaria: Illustrata Copiosissimis Additionibus Iur. V. Docto. Do. Francisci de Curte, Do. Bernardini Landriani & Aliorum in Practica Excellentium. Huic Etiam Accesserunt Doctissimae Rerum Summae D. Ioan. Riccio Veneto Iureconsultissimo Autore Emendatius, Quam Antea. Adiecimus Postremo Recens & Emendatum Rerum Verborumq. Indicem Locupletissimum, In quo Nihil ad rem Pertinens Desideres.

Lyons: Apud Mauricium Roy & Lodovicum Pesnot, 1556. [xl], 533 pp. Main text printed in double columns. Quarto (9-1/2" x 7").

Contemporary paneled vellum with elaborate tooling, raised bands to spine, ties lacking. Some soiling and rubbing to extremities, corners bumped, boards slightly bowed, "1556" and "146" in fine early hand to spine, front hinge starting. Attractive woodcut printer device and decorated initials. Early owner signatures to



N°114

front pastedown and free endpaper, early underlining and brief annotations to a few leaves. Some toning, interior otherwise fresh. Ex-private library. Location label to spine, bookplate to front pastedown, stamp to front free endpaper. An appealing copy of a scarce title.

\$1,750.

THIRD EDITION. This collection of court cases with extensive commentary was completed around 1416. It circulated widely in manuscript and was first printed in 1519. It went through at least ten editions by the end of the sixteenth century. In 1559 the Roman Curia attempted to suppress this book because of the author's critical opinion of the canon courts. KVK locates 2 copies of this edition, 13 of all editions. Adams F271.

RARE LYONS IMPRINT OF A NOTABLE CANON-LAW HANDBOOK

114 [FORMULARIUM PROCURATORUM].

Formulare Advocatorum & Procuratorum Romane Curie & Regii Perlamēti Practicā Secundum Jura Communia Clarissime Ostendens: Continens & Tradens Formam Commissionum Articulorum; Exceptionum; Duplicationum; Petitionum; Appellationum; Libellorum; Protestationum; Replicationum; Interrogatoriorum; Sententiarum.

[Lyons: Magistrum Simonem Bivilaqua, 1518]. [vi], CLXXVIII ff. Main text in parallel columns. Octavo (6-1/2" x 4").

Contemporary limp vellum with lapped edges and thong ties, faint early hand-lettered titles to spine and top edge of text block, endpapers renewed. Some rubbing to extremities, moderate soiling, spine darkened, early signatures to front and rear covers. Woodcut initials. Light browning to title page, toning to text, faint dampstaining in a few places. Later owner signature to title page, tiny inkstamp to head of following leaf, interior otherwise clean.

\$2,750.

THE WORK, compiled from unidentified sources by an unidentified compiler, was originally published in Rome in 1479 with colophon title *Procuratorum Formularius*. Usually referred



N°115

to as the *Formularium Procuratorum*, it is a collection of canon-law legal instruments established by the Roman Curia relating to procedure, actions and defenses. It offers an excellent "ground level" view of canon law practice in the early modern era. No copies of the 1514 Lyons imprint located on OCLC, or in Adams or Baudrier. One copy located in North America (at GWU Law School).

FRENCH JUDICIAL ADMINISTRATION UNDER CHARLES IX

115 [FRANCE].

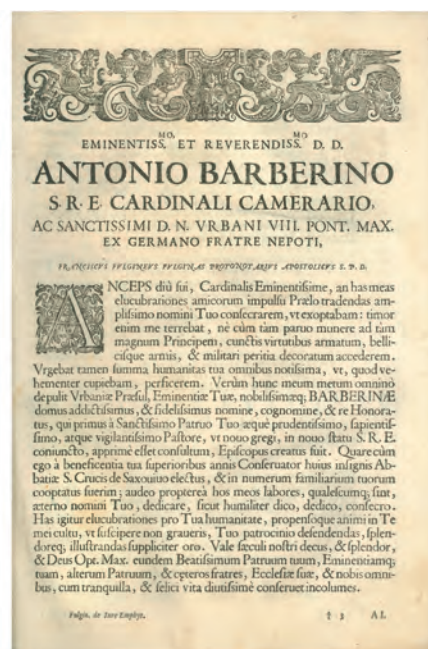
Ordonnances Faites par le Roy a Moulins, Au Mois de Fevrier M.D.LXVI sur les Plainctes, & Remonstrances Faictes a sa Maieste en ces Voyages Derniers, Pour le Reglement de la Justice & Police de son Royaume. Publiees a Tholose le XXVIII. de Mars. Ensuyvant; Avec l'Arrest de Ladictē Cour sur la Publication & Modification d'Icelles; Avec un Indice Col[m]prenant les Matieres de Chacun Article.

Lyons: Par Benoist Rigaud, Sur la Copie de Tholose, 1567. 87. [9] pp. Octavo (6-1/4" x 4").

Plain wrappers bound into recent cloth boards, gilt title to spine. Moderate toning, light foxing to a few leaves. Woodcut royal arms to title page, woodcut head-piece and decorated initials. Later notes in pencil to verso of wrapper, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy of a rare title.

\$950.

ONLY ISSUE. With an index. Intended for lawyers, this is a handy digest of royal *ordonnances* concerning judicial administration. This is a rare title. OCLC locates 1 copy (at Bibliotheque Nationale de France). We located one copy in North America at George Washington University Law School (bound to another title). Not in Adams or the BMC. Baudrier III:250.



N°116

SCARCE SEVENTEENTH-CENTURY ITALIAN TREATISES
ON REAL PROPERTY AND CONTRACTS

116 FULGINEUS, FRANCISCUS [D.1647].

*De Jure Emphyteutico Tractatus, In Quo Quaestiones Omnes Quae ad Materiam Spectant, Titulis Apte Distinctis, Adamussim Discutiuntur & Enucleantur. Hac Ultima Editione non Solum Expurgator, Perpluribus Mendis Observatis, Imo & Lineas Interservis Suo Loco Repositis; Sed Etiam Communiorum, & Receptorum Quarumcumque Opinionum Incidentium Adnotatione, Asterisci Huius * Signo, Dictatus, & Auctus.*

Venice: Apud Turrinum, 1663. [xvi], 447, [53] pp. Main text in parallel columns.

[Bound with]

PASSERI (GENOVO), NICOLO [1585-1615].

De Scriptura Privata, Tractatus Novus, & Locupletissimus. In Libros Quinque Distinctos. In Quibus Universa Scripturarum Privatarum Materia Quamplurimis Quaestionibus, Prout ex Earum Elencho Constat, Elegantissime Enodatur, Atque Explicatur. Omnibus Iuris Professoribus, Ac Praesertim Procuratoribus, & Advocatis, Aliisque in Foro Versantibus, Apprime Utilis, Ac Necessarius. Abeodem Authore, Tertia hac editione, Summa Diligentia Revisus, Quam Pluribusque Additamentis, & Integris Capitibus Recenter Adauctus, & Illustratus. Cum Duodus Indicibus, Altero Quaestionum, Altero Rerum, & Verborum Notabilium Exuberantissimis. Cui Quidam Adjectus est Alter Eiusdem Authoris Alias Evulgatus Tractatus, De Verbis Enunciativis, Nunc Etiam Tertia, & Novissima hac Editione Post Obitum Authoris,

Posthumis Additionibus in Eiusdem Schedes Obiter Repertis Locupletatus, Opus Pariter Iuris Utriusque Professoribus Admodum Utile, Ac Pernecessarium.

Venice: Apud Bertanos, 1668. [viii], 235, [37]; [xii], 84; [viii], 56 pp. Main text in parallel columns. Three parts in one, each with title page, index and individual pagination. First part has general title page.

Folio (12-1/2" x 9"). Contemporary vellum, early vellum rebacking, hand-lettered titles to spine and foot of text block. Some rubbing to extremities, a few minor stains, edges of rebacked spine beginning to work loose, boards slightly bowed, front hinge cracked but secure. Title page of *Emphyteutico* printed in red and black, attractive woodcut head-pieces, tail-pieces, printer devices and decorated initials. Brief early annotations to title page and a few leaves. Toning, worming in a few places with negligible loss to text. Ex-library. Early location number to foot of spine. A nice volume containing two scarce titles. \$2,500.

EMPHYTEUTICO: third edition; *Scriptura*, third edition. Both with indexes. *De Iure Emphyteutico* is a treatise on real property and emphyteusis in Roman and canon law. It is the principal work of Fulgineus, a canon lawyer and Apostolic *Protonotario*. First published in 1644, it went through several editions into the nineteenth century. The work of a notable Paduan jurisconsult first published in 1613, *De Scriptura Privata* is an exhaustive treatise on contracts. Its second part is *De Enunciatiis Verbis Tractatus*, its third is *Tractatus de Scriptura Privata*. It went through several issues and editions into the eighteenth century. *Emphyteutico*: No copies of this edition located in North America. Saponi 2253; *Scriptura*: 1 copy of this edition located in North America (at Princeton University), Saponi 2253, 3552.



N°117

RARE ITALIAN TREATISE ON THE EVALUATION OF REAL ESTATE

117 GIRRI, FRANCESCO MARIA [1707-1771].

L'Agrimensore Instruito. Ristampata, Ed Accresciuta.

Ferrara: Appresso Gio. Antonio Coatti, 1767. [xvi], 180 pp. Quarto (9-1/2" x 7").

Contemporary mottled sheep, gilt fillets to boards, gilt spine with raised bands, patterned endpapers. Light rubbing to extremities, chipping to spine ends, corners bumped and lightly worn, partial crack in text block between front free endpaper and half-title. Title page printed in red and black, woodcut head-pieces and decorated initials. Moderate toning to text, occasional light foxing. Tiny private (?) library stamp to verso of title page, early owner annotations to verso of front free endpaper, underlining and notes in later pencil to a few leaves. A handsome copy. \$1,500.

SECOND AND FINAL EDITION, enlarged. First published in Venice in 1758, this is a treatise on legal aspects of surveying and the evaluation of real property as practiced in the Republic of Venice. The second edition was reissued in 1777. All of these issues are rare. OCLC locates 1 copy of the second edition in North America (at the University of Illinois), 3 of the first (at Trinity College, Hartford, University of Michigan and Yale Law School) and none of the second edition reissue. Not in the *BMC*.



N°118

CONTRABAND TRADE AND SMUGGLING

118 GONZALEZ DE SALCEDO, PEDRO.

Tratado Juridico Politico del Contra-Bando, En Esta Tercera, y Ultima Impression Sale Corregida de Muchos Yerros, Que en la Segunda se Avian Introducido, Y se Han Anadido Muchas Reales Cédulas, Que Despues han Salido Concernientes a la Materia del Contra-Bando, Y Tambien los Sumarios a los Capítulos de Toda la Obra.

Madrid: Por Juan Munoz, 1729. [xii], 400 pp. Main text in parallel columns. Folio (11-1/2" x 8").

Contemporary tree calf, lettering piece and gilt fillets to spine, marbled endpapers, edges rouged. Rubbing to extremities with chipping to head of spine, moderate scuffing to boards, corners bumped and somewhat worn, front hinge partially cracked. Toning to text, minor dampstaining to top edge of text block, light browning and foxing in places, internally clean. \$1,750.

THIRD EDITION, CORRECTED. First published in 1654, this is a substantial study of the economic effects of smuggling and trade in prohibited goods in Spain's American and Asian colonies, especially during times of war. It is a fundamental work for the study of Spanish commercial and colonial policy. All editions are scarce. OCLC locates 3 copies of the third edition in North American law libraries (Columbia, Harvard, Yale). Palau 105831.

SCARCE TREATISES ON CHURCH-STATE RELATIONS
AND MARRIAGE LAW119 HENNIGES (HENNINGES), HEINRICH
[1645-1711].*De Summa Imperatoris Romani Potestate Circa Profana.
Liber Unicus.*Nuremberg: Sumptibus Wolfgangi Mauriti Endteri, & Johannis
Andrea Endteri, 1677. [xxxii], 581, [59] pp.

[Bound with]

FELTMANN, GERHARD [1637-1696].

*De Impari Matrimonio. Liber Unus. In quo Disceptatur,
Num Filii Nati ex Principe vel Comite Imperii & Foemina
Ortu Ignobili, Patri in Omnes Terras Feudaq. Regia
Succedant & Quando Matrimonium ad Morganaticam
Contractum sit Contrahique Possit? Item, Anpater Pacto
cum Fratre Natu Minore Inito Liberis Suis Nocere Queat?
Agitur & De Matrimonio, Quod Conscientiae Vulgo &
Ad Thlac Audit, Nec non de Ludis Equestribus, Summis
Dignitatibus Ecclesiasticis, Comitibus, Coenobiis, Aliisque
Rebus Rarioribus ad Historiam Nostri Temporis Facient
Bus. Cum Elencho Caputum & Rerum Verborumque Indice
Locupletissimo.*Bremen: Apud Hermannum Brauerum Bibliopolam, 1691. [xxiv],
344 pp.Octavo (6-1/2" x 4"). Contemporary vellum with lapped edges, early
hand-lettered title to spine. Light soiling and a few minor stains,
corners and spine ends lightly bumped, recent owner bookplate
to front pastedown. Woodcut head and tail-pieces. Light toning to
text, internally clean. \$2,500.SUMMA: Second and final edition; *Matrimonio*: only edition.
First published in 1676, *De Summa Imperatoris*, the work of a
lawyer and state official, discusses church-state relations and
their respective areas of legal authority. Feltmann was a professor
at the University of Aurich. In his treatise on unequal marriages he
states that a morganatic marriage could later be declared equal
unilaterally by the person of higher station who contracted it. Both
titles are very scarce in North America. *Summa*: OCLC locates 1
copy of each edition of *Summa* in a law library (UC-Berkeley, first
edition; Harvard, second edition), 2 copies of *Matrimonio* (Harvard
Law School, Library of Congress). VD17 155575H (*Summa*),
1:011177U (*Matrimonio*).FRENCH EDITION OF THE FIRST COLLECTION OF HINDU LAW
IN A WESTERN LANGUAGE

120 [HINDU LAW].

[CUSTOMARY LAW, INDIA].

[HALHED, NATHANIEL BRASSEY (1751-1830),
TRANSLATOR].[ROBINET, JEAN BAPTISTE RENE, FRENCH
TRANSLATION].*Code des Loix des Gentoux, Ou Reglemens des Brames,
Traduit de l'Anglais, d'Apres les Versions Faites de
l'Original Ecrit en Langue Samskrete.*Paris: Chez Stoupe, Imprimeur-Libraire, 1778. [iv], lx, 341, [2] pp. 8
copperplate leaves of texts in Sanskrit. Quarto (10" x 7-1/2").

N°119

Contemporary calf with cat's-paw decoration, blind rules to boards,
giltspine with raised bands and lettering pieces, marbled endpapers,
edges rouged. Light rubbing to extremities, a few minor scuffs to
boards, corners lightly bumped. Woodcut head and tail-pieces.
Light toning to text, foxing to a few leaves, internally clean. A well-
preserved copy. \$650.ONLY FRENCH EDITION. First published in English in 1776
as *A Code of Gentoo Laws*, this is the first collection of Hindu law in
a Western language. It is a translation from the *Vivadarnavasetu*,
a digest in 21 sections (*taranga*). The *pandits* (*pundats*) are
Banesvara, Kriparama, Rama Gopala, Krishnajibana, Viresvara,
Krishnacandra, Guarikanta, Kalisankara, Syamasundara,
Krishnakesava and *Sitarama*. Halhed, a leading Orientalist of
his day, worked as a linguist for the East India Company. His
work was compiled under the sponsorship of Warren Hastings,
the governor-general of the East India Company. Produced to
enhance English control of India, it was nevertheless an important
work of scholarship and comparative law. OCLC locates 7 copies
in North America, 3 in law libraries (Harvard, Library of Congress,
University of Minnesota). BMC 11:497.

A SEVENTEENTH-CENTURY DUTCH "CASEBOOK"

121 HOOGH, NICOLAAS VAN DER [c. 1580-1624].

*Singularia Juris, Ex Celeberrimorum Jureconsultorum et
Imprimis Recentium Practicorum Scriptione Deprompta.
Nunc Primum Typis Excusa.*Antwerp: Apud Guilielmum a Tongris, 1620. [xxviii], 263, [40] pp.
Octavo (6-1/2" x 4-1/2").Contemporary limp vellum, early hand-lettered title to spine. Faint
early manuscript annotations to covers, light soiling and some
shelfwear, front pastedown partially detached, rear pastedown
loose, opening rear hinge. Light browning to text, struck-through
early owner signature to title page, early annotations to margins in a
few places, extensive annotations to rear endleaves. An appealing
copy of a scarce title. \$1,500.ONLY EDITION. Hoogh was a *doctor juris* and an advocate of
the High Court of Mechelin, an influential tribunal. Like a modern
casebook, Hoogh's book is a collection of cases arranged to
demonstrate general legal principles. It cites numerous medieval
and Renaissance authors. OCLC locates 4 copies, all in the
Netherlands. Other copy located in the Robbins Collection at UC-
Berkeley and Harvard Law school. Dekkers 83.

TWO IMPORTANT EARLY LEGAL REFERENCE WORKS

122 [JODOCUS OF ERFURT, ATTRIBUTED].

Vocabularius Iuris Utriusque.

[Strasbourg: Georg Husner, 27 May 1500]. Collation: a8 b6 c8 d-x6. 130 ff. Complete. Text in parallel columns.

[Bound with]

Formulare Registrorum Seu Terminorum Observandorum in Curia Romana: Noviter Impressum Apprime Utile Practicam Nancisci Cupientibus.

[Leipzig: Wolfgang Stockel, 19 March, 1506]. Collation: [*]2(-*2) a6 +*2 b6 C-K6. [ii], lix, [1] ff. Complete. Text in parallel columns.

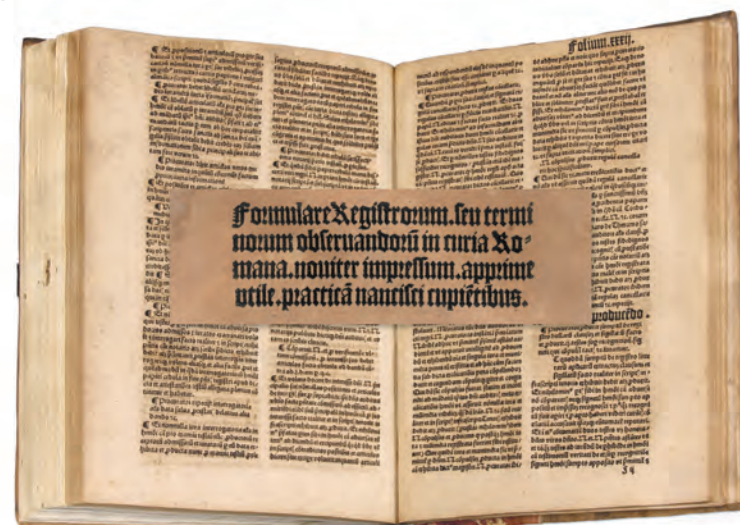
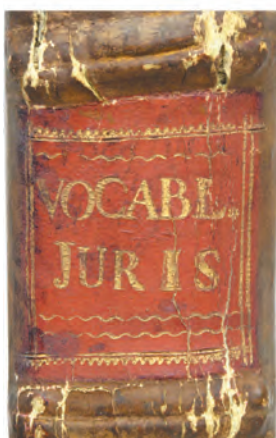
Folio (10-1/2" x 8"). Contemporary half blind-tooled deerskin over wooden boards, remains of brass fore-edge clasp, somewhat later re-staining of spine and addition of lettering piece. Some rubbing to extremities, a few cracks to spine, some chipping and a few minor tears to foot. Text printed in Gothic type, *Vocabularius* with

initial spaces with printed guide letters. Light soiling and stains in places, light toning to *Vocabularius*, *Formulare* evenly browned some trimming to headlines, final leaf (colophon) used as rear pastedown. Owner inscription (of the Jesuit house of Millstatt [Carinthia]) to head of a2, interior otherwise clean. Appealing copies in a handsome contemporary binding. \$20,000.

A WORK OF GREAT AUTHORITY, the *Vocabularius*, as it is popularly known, is usually attributed to Jodocus, a jurist associated with the University of Erfurt. First published around 1474 in Basel, this highly respected reference 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). The second work is a well-known formulary (vocabulary and form book) on procedure in the papal courts produced for the German market. The first edition has not been determined, but two incunabular editions with similar titles were printed in Rome. *Vocabularius*: OCLC locates 1 copy of this imprint in a North American law library (UC-Berkeley). Goff V358; *Formularium*: OCLC locates no copies of this imprint in North America. VD16. *Jahrhunderts* F1893.



N°122



SCARCE SPANISH TEXTBOOK ON THE *INSTITUTES*
WITH AN UNUSUAL FORMAT

123 JUGLA Y FONT, ANTONIO.

Jus Civile Abbreviatum Redactum: Ad Definitiones, Distinctiones & Quaestiones, Clare & Breviter Definitas, & Singulos Institutionum, Seu Elementorum Justiniani Principis Libros, Ac Titulos, Breviter Atque Perspicue Persequentes, & Enucleantes.

Valencia: Typis Francisci Burguete, 1775. [viii], 181 pp. Octavo (6" x 4").

Contemporary vellum, early hand-lettered title to spine. Some edgewear and light staining to boards, hinges just starting at ends, a few partial cracks to text block, minor worming to pastedowns. Early owner bookplate to front pastedown, light toning to text, internally clean. A nice copy of a scarce title. \$1,250.

FIRST EDITION. This is a textbook on Roman law based on the *Institutes* of Justinian. Each section is condensed into a few sentences arranged as a series of questions and answers. In many cases, these are followed by references. OCLC locates 1 copy of this edition in North America (at the Library of Congress) and 2 copies worldwide of a 1796 edition (At UC-Berkeley Law Library and the Biblioteca Nacional, Madrid). Another copy dated 1785 located at Harvard Law School. Palau 125855.

UNCOMMON LARGE-PAPER EDITION OF THE *CODE* AND RELATED WORKS WITH IMPORTANT NOTES BY DENIS GODEFROY

124 JUSTINIAN I [483-565 CE]. EMPEROR OF THE EAST. GODEFROY, DENIS [1549-1622], EDITOR AND ANNOTATOR.

Codicis Dn. Justiniani Sacratissimi Principis PP. Aug. Repetitae Praelectionis Libri XII. Postrema Editio Prioribus Auctor et Emendatior.

Frankfurt: Sumptibus Societis. Imprimebat Hieronymus Polichius, 1663. [xvi] pp., 1024 cols., [4] pp., 456 cols., [13] pp., 78 cols., [2] pp., 282 cols. Folio (14" x 9").

Contemporary mottled calf, gilt spine with raised bands and lettering piece. Moderate rubbing with wear to extremities, chipping to spine ends, front board just beginning to separate but still secure. Large woodcut printer device, head-pieces, tail-pieces and decorated initials. Faint dampstaining to head of text block, light foxing and browning to portions of text, internally clean.

\$950.

LARGE-PAPER EDITION. Includes the *Authenticae; Seu, Novellae Constitutiones, Feudorum Consuetudines, Constitutiones Friderici II. Imp. Extravagantes, Liber de Pace Constantiae, Epitome Feudorum* and related writings and notes by Godefroy. Commissioned by the Emperor Justinian in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* preserved and restated all existing Roman law. Compiled in three years under the direction of Tribonius, it was both a critical restatement of earlier law and jurisprudential writings and a complete collection of recent legislation. It is divided into four books, the *Institutes, Digest, Code* and *Novels*. The *Code* contains the laws in force during Justinian's reign. It is divided into 12 books. Book 1 deals with ecclesiastical law, the sources of law, and the duties of high officials. Books 2-8 deal with private law. Book 9 deals with criminal law. Books 10-12 deal with administrative law. It received a great deal of commentary during the medieval and



Nº125

early modern eras. Denis Godefroy was influential well into the twentieth century. Godefroy was a jurist, humanist, historian, scholar of Roman law and professor at the Universities of Geneva and Heidelberg. He was also the first to apply the collective name *Corpus Juris Civilis* to Justinian's works. KVK locates 5 copies of this imprint, but all seem to be trimmed to a quarto format. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 1:012970P. (See also VD17 3:319950N, the same imprint as a quarto).

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

125 JUSTINIAN I, EMPEROR OF THE EAST STRYK, SAMUEL [1640-1710], ANNOTATOR.

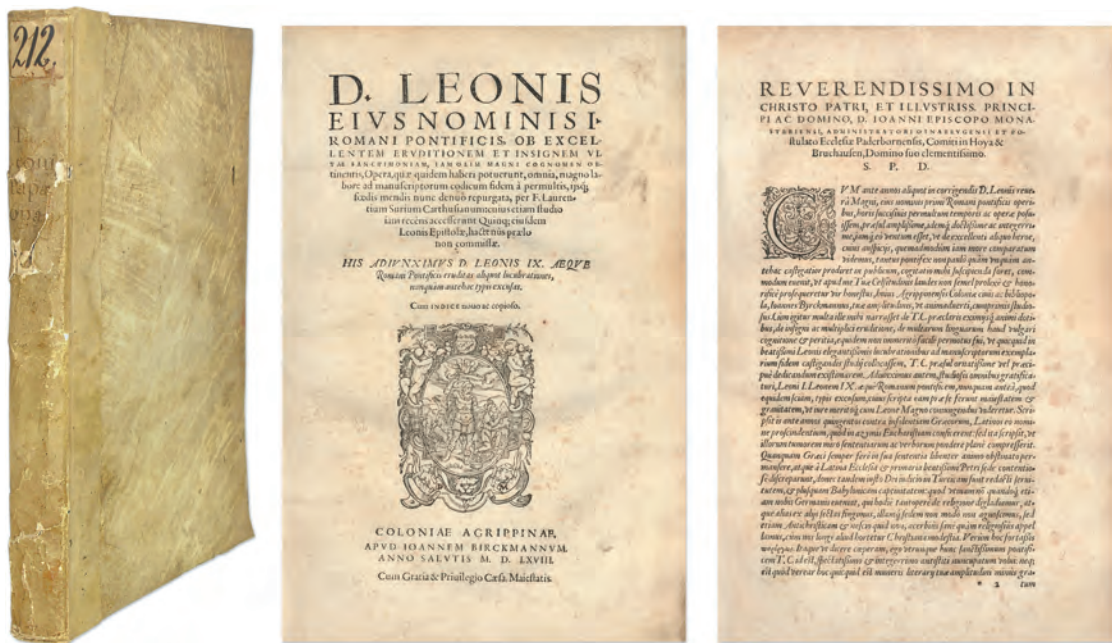
Institutionum Libri Quatuor: In Gratiam Cupidae Legum Iuventutis, Notis Maxime Necessariis Explantati.

Halle: Impensis Io. Friderici Zeitleri, 1708. [xvi], 663 pp. Added copperplate pictorial title page.

Octavo (6-1/2" x 4"). Contemporary vellum with lapped edges, edges of text block rouged. Light rubbing and soiling, recent owner stamp to front free endpaper, light toning to text. Title page printed in red and black. Early annotations to rear endleaves, a few early struck-through signatures to title page, interior otherwise clean.

\$650.

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



THE *INSTITUTES* WITH COMMENTARIES
BY NOTABLE FRENCH SCHOLARS

N°127

UNRECORDED IMPRINT OF THE LEGAL WRITINGS OF POPE LEO I

- 126 JUSTINIAN I, EMPEROR OF THE EAST.
CUJAS, JACQUES [1522-1590], EDITOR.
LACOSTE, JEAN [c.1560-1637].
MARCILE, THEODORE [1548-1617].
MURET, MARC-ANTOINE [1526-1585].
COMMENTATORS.
VAN DE WATER, JOHANNES [D.1689], EDITOR.

D.N. Justiniani Perpetui Augusti Institutionum, Sive Elementorum per Tribunianum, Virum Magnificum, Magistrum & Exquaestorem Sacri Palatii, & Theophilum, & Dorotheum, Viros Illustres, & Antecessores, Libri Quatuor Emendatissimi ex Editione Jacob Cujacii. In Eisdem... & Antecessoris Clariss. Commentarius. Accedunt Huic Editioni Annotationes & Notae Theodori Marcilii & Marci Antonii Mureti Ut & M. Tatii Alpini Dessertatio de Surto per Lancem & Licium Concepto. Adjuncti Quoque Sunt Varii Indices Curante Joanne van de Water.

Leiden: Apud Samuelem Luchtmans, 1744. xxxviii, 667, [1] pp.
Fold-out table of descents. Quarto (9-1/2" x 7-1/2").

Contemporary vellum, raised bands, ornate gilt double frames enclosing heraldic device to boards, gilt ornaments to spine. Soiling, some wear to corners and spine ends, front endleaf (or half-title) lacking. Title page printed in red and black. Handsome woodcut tail-pieces and decorated initials. Partial split between preliminary gathering and title page. Interior notably fresh. \$750.

AN EDITION of the *Institutes* Cujas with extensive commentary and notes by Jean Lacoste, Theodore Marcile and Marc-Antoine Muret. These jurists, who followed Cujas' example, were leaders of the French humanistic school, which aimed to purge Roman sources of later corruptions. Their pioneering methods did much to establish the field of philology. The *Institutes* is an elementary treatise on Roman private law that served as a standard text for 300 years. After its rediscovery during the medieval era it became a staple of European legal education. Not in the *BMC*.

- 127 LEO I, POPE [D. 461].
SURIUS, LAURENTUS [1522-1578], EDITOR.

Opera, Quae Quidem Haberi Potuerunt, Omnia, Magno Labore ad Manuscriptorum Codicum Fidem a Permultis, Ijsq; Foedis Mendis nunc Denuo Repurgata, per F. Laurentium Surium Carthusianum: Cuius Etiam Studio iam Recens Accesserunt Quinq; Eusdem Leonis Epistolae, Hactenus Praelo non Cimmissae. His Adiunximus D. Leonis IX. Aequae. Cum Indice Novo ac Copioso.

Cologne: Apud Ioannem Birkmannum, 1568. [x], 173 [i.e. 169], [1] fols. Folio (12" x 8").

Contemporary limp vellum, rebaked in later vellum with hand-lettered title, ties lacking. Moderate soiling, light wear to extremities, a few small chips to spine, tiny hole to front cover, front hinge cracked but secure. Attractive large printer device to title page and verso of final leaf, handsome arms of Leo I to verso of title page, decorated initials. Light browning and faint dampspotting to most of text, internally clean. Ex-library. Early hand-lettered shelf label to spine, institution name in faint early hand to title page. \$750.

THIS EDITION of the collected legal and theological writings of Pope Leo I was first published in 1561. Known as "the Great," Leo reigned from CE 440-461 and guided the development of the Church during the final decades of the Western Roman Empire. In power during its most turbulent period, he preserved the church through a vigorous reform of church discipline and persecution of heretics. The collation of this copy is identical with others dated 1569. The listing in *VD16* even gives the date of this imprint as "1568/1569," which suggests that it was issued twice with different dates. No copies of the 1568 imprint located, KVK locates 1 copy dated 1568/69. See Adams L447 (listing 1569 imprint). *VD16* ZV17915.



N°130

SCARCE EARLY SWEDISH LAW DICTIONARY

128 LOCCENIUS, JOHAN [1598-1677], COMPILER.

Lexicon Juris Sueo-Gothici; Ex Variorum Iuris Patrii Peritorum Propriisque Observationibus Collectum & Conscriptum. Editio Tertia, Multo Emendatior & Auctior. Accedit Appendix seu Explicatio Verborum Gotho-Teutonicarum Iuris Feudalis.

Stockholm: Typis & Sumptibus, Henrici Keyzers, 1674. 186 pp. Octavo (6-1/2" x 3-1/2").

Contemporary marbled publisher boards, backstrip lacking. Moderate rubbing with some wear to corners, boards beginning to separate from text (but still quite secure), a few cracks to text block, section excised from foot of title page with no loss to text. Early owner signatures to front pastedown and title page, interior otherwise clean. \$250.

THIRD AND FINAL EDITION. Definitions in Latin. Born in Hamburg, Loccenius received his doctorate in law from the University of Leiden. Recruited for the University of Uppsala where he became one of its most distinguished professors, Loccenius was also the queen's librarian and the royal historiographer. He is best known for his writings on international law and the legal history of Sweden. First published in 1651, with the second edition in 1665, this was one of the earliest Swedish law dictionaries. It contains brief entries of current and obsolete terms. It was a standard work for many years, and it is a useful resource today. KVK locates 10 copies of this edition, all in Europe. OCLC locates 6 copies worldwide, three in North American law libraries (Harvard, Iowa and UC-Berkeley). Collijn, *Sveriges Bibliografi 1600-Talet* 530.

SEVENTEENTH-CENTURY TREATISE ON UNIVERSITIES AND THE LAW

129 LOSEO, NICCOLO [D. 1642].

Decisiones Juridicae. De Jure Universitatum. Omnibus Legum Studiosis & in Foro & in Schola Versantibus Apprime Utiles ac Necessariae. Hucusque Plurimum Desideratae.

Cologne: Sumptibus Petri Ketteler, 1693. [ii], 381, [59] pp. Octavo (6-1/4" x 3-1/2").

Contemporary vellum, early hand-lettered title to spine. A few minor stains to boards, a few short tears to head of spine, small chip to foot, another short tear to head of front joint. Attractive woodcut head and tail-pieces. Light browning to text, somewhat heavier in places, occasional faint dampspotting. Early owner signature to front endleaves, tiny inkstains and spark burns to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. \$750.

FOURTH, FINAL AND BEST EDITION. First published in 1601 as *De Jure Universitatum*, this is a fascinating treatise on the privileges and immunities of universities under canon law. It is also notable as an early treatise on the law of corporations. Loseo published his book during a particularly tense period for the universities of Europe. As centers of theology, law and the civil service, they had been coping with the effects of the Reformation and Counter-Reformation for nearly two decades. A longer work than its predecessors, the text of the fourth edition is enriched with decisions and opinions. All editions are scarce. OCLC locates 3 copies of the first edition in North America (at Harvard Law School, the University of Chicago and Yale), none of the fourth edition. VD17 3:023435F.

A WELL-REGARDED COMMENTARY ON THE INSTITUTES

130 MATTHAEUS, ANTONIUS [1564-1637].

MOMMERIUS (MOMMER), AEGIDIUS [C.1510-1570].

Notae & Animadversiones in Libros IV. Institutionum Juris Imper. Justiniani: Praefixa est Epistola Aegidii Mommerii, De Ratione Legendi Discendique Iura, Antehac Nunquam Excusa; Subjuncta Synopsis Institutionum Iuris, Qua Illae ad huc Hodie Sunt in Usus.

Amsterdam: Impensis Ioannis Ianssonii Junioris, 1657. [xiv], 407, [9] pp. Main title page preceded by copperplate pictorial title page, copperplate coat of arms of page facing dedication. 12mo. (5" x 3").

Contemporary sheep, gilt spine with raised bands and lettering piece. Some rubbing, joints just starting at ends, minor chipping to spine ends. Brief annotations to endleaves, which have offsetting to margins, light toning to text, internally clean. \$750.

LATER EDITION. Matthaeus was a jurist, professor of law at the University of Marburg and the father of the distinguished Roman-Dutch jurist, Antonius Matthaeus (II). Originally published in 1600, *Notae et Animadversiones* is a commentary on the *Institutes* of Justinian. A well-regarded work, it went through seven subsequent editions, the last in 1784. OCLC locates 2 copies of this edition in North America, one in a law library (UC-Berkeley). Dekkers 110 (3).



N°131

WITH FOUR WOODCUTS, TWO FULL-PAGE

A VENERABLE TREATISE ON GUARDIAN AND WARD

131 MAURER, GEORG LUDWIG [1790-1872].

Geschichte des Altgermanischen und Namentlich Altbairischen Oeffentlich-Muendlichen Gerichtsverfahrens, Dessen Vortheile, Nachtheile und Untergang in Deutschland Ueberhaupt und in Baiern Indesondere.

Heidelberg: Akademische Buchhandlung von J.C.B. Mohr, 1824. xviii, 362 pp. Three plates with four woodcuts, two cuts full-page. Quarto (10" x 8").

Contemporary speckled boards, lettering piece to spine, edges rouged. Light wear to spine ends and corners, a few partial cracks to text block. Toning, light foxing to a few leaves. Small early owner signature to title page, interior otherwise clean. Ex-library. Location label to foot of spine, shelf number to front pastedown in fine hand, small stamp to verso of title page. An attractive copy.

\$950.

ONLY EDITION. This is an interesting, historically grounded study of German criminal and civil procedure. A valuable work for legal historians, a facsimile edition was issued in 1965 by O. Zeller. Three of the woodcuts depict court scenes, the fourth is an allegorical (?) woodland court with animals. In this image a fox is being led to the gallows for his murder of a hen. (A lion is the judge, the executioner is a cat.) All of the images are discussed in the text. KVK and OCLC locate 4 copies, 1 in North America (at the University of Alberta). Other copies located at the Library of Congress and Harvard and Yale Law Schools. Not in the *BMC* or Roberts.

132 MONTANUS, PAULUS [1530-1587].

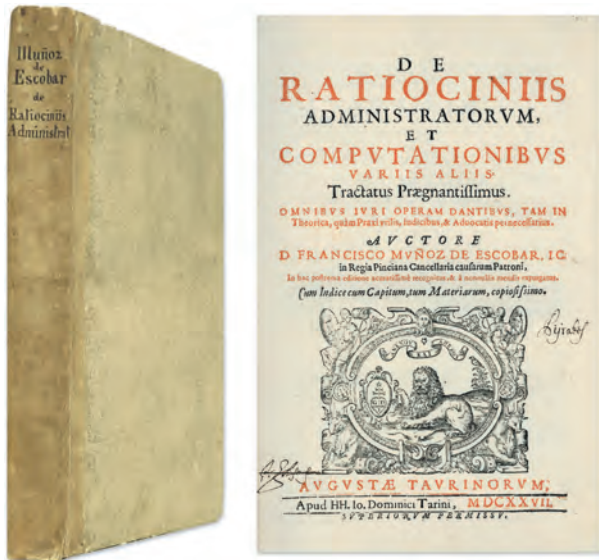
MONTANUS, BALTHASAR, EDITOR.

Tractatus Novus, De Jure Tutelarum, & Curationum, In Quo Universa Tutelaris Materia, Cum Ampliationibus (Ut Dicitur) Limitationibus, Quaestionibusque huic Cognatis, Nove & Plene, Tam Theorice Quam Practice Declaratur, & Enucleatur. Opus Omnibus Doctoribus, Judicibus, Causarum, Patronis Aliisque in Foro ac Scholis Versantibus Perutile, Ac Necessarium. Cum Summariis ac Indice Rerum, Ac Materialium Insignium Locupletissimo. Studio & Opera Balthasaris Montani, Recognitum, & in Lucem Editum. Nunc in Gratium Accommodum Studiosorum Iuris, In Minori Forma Excusum, Allegatis a Textu Characterum Varietate Distictus. Et a Mendis Quibus Scatebat hac Editione Omnium Postrema Diligenter Recognitus.

The Hague: Apud Henricum de Swaef, 1657. [xvi], 585, [80] pp. Quarto (7-1/2" x 6").

Contemporary vellum, speckled edges. A few minor stains to boards, spine ends bumped, minor wear to corners, vellum beginning to crack through pastedowns. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown. \$450.

LATER EDITION. Edited and published by the author's younger brother, this venerable treatise on guardian and ward in Roman and Roman-Dutch law was first published in 1595. It went through seven later editions, the last in 1680. Roberts, writing in 1942, said this is "a work of high authority" (216).



N°133

1627 TREATISE DEALING WITH ADMINISTRATION AND BILLING

133 MUNEZ DE ESCOBAR, FRANCISCO
[FL. 1618].

De Ratiociniis Administratorum et Computationibus Variis Aliis. Tractatus Praegnantissimus. Omnibus Iuri Operam Dantibus, Tam in Theorica, Quam Praxiutiles, Iudicibus, & Advocatis Peinecessarius.

Turin: Apud H.H. Io. Dominici Tarini, 1627. [viii], 352, [51] pp. Quarto (12" x 8").

Contemporary quarter vellum over paper boards, hand-lettered title to spine and bottom edge. Moderate soiling and rubbing with some wear to extremities. Title page printed in red and black, attractive woodcut printer device, head-pieces and decorated initials. Two early signatures to title page in fine hand, a few annotations and small markings to text. Light browning to a few leaves, occasional light foxing, text otherwise fresh. A nice copy of an uncommon title. \$300.

LATER EDITION. With subject and title indexes. An early work on legal aspects of administration and billing. Not in Goldsmiths, Kress or the BMC.



N°134

"DEFECTIVE" JURISPRUDENCE

134 MURATORI, LODOVICO ANTONIO
[1672-1750].

Dei Difetti della Giurisprudenza.

Venice: Presso Giambatista Pasquali, 1742. [viii], 184 pp. Folio (13-1/4" x 9").

Contemporary flexible vellum, faint early hand-lettered title to spine, endpapers renewed, spine ends and corners repaired. Title page printed in red and black. Light toning to text, worming to margins of final few leaves, internally clean. Ex-library. Bookplate to front pastedown. A handsome copy. \$1,250.

FIRST EDITION. This interesting essay defines two "defects" in contemporary jurisprudence. Anticipating the codifiers of the nineteenth century, it argues for the simplification of the judicial system and the restatement of written law to enhance legal certainty. Muratori was a notable Italian legal reformer. Trained as an attorney, he was the duke of Modena's librarian and a prolific scholar. It went through four more editions in the eighteenth century, the last in 1794, and was reissued a few more times in the nineteenth and twentieth centuries. OCLC locates 5 copies of the first edition in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Minnesota, Yale). BMC 18:109.



A HANDSOME COPY OF A CONTROVERSIAL ESSAY

N°135

135 NEVIZZANO, GIOVANNI [1490?-1540].

Sylva Nuptialis: P[er] Exceltum Iurisco[n]sul. D. Jo. de Nevizanis Asten[is]; Co[n]structa, Materia[m] Matrimonij, Dotiu[m], Filiatio[n]is, Adulterij, Originis, Successio[n]is, [et] Monitorialiu[m]; Remedia Etia[m] ad Sedand[u]m Factiones de Guelphis et Giebellinis Co[m]plect[en]s; Cu[m] Modo Iusia Principum Iudica[n]di [et] Exequ[en]di; Item de Autoritatib[us] Doctoru[m], Privilegijs[que] Miserabiliu[m] [Per]sonaru[m], Que sub Questione an Nubendum sit vel No[n] Sumpta Est.

[Lyons: Jacques Giunta], 1540. [xvi], 256 ff. Octavo (6" x 4").

Recent blind-tooled calf in period style, raised bands and gilt title to spine. Title page printed in black and red with a woodcut architectural border, 20 woodcut initials decorated in contemporary gold, red and blue pigments. Moderate toning to text, faint dampstaining in places. Interesting contemporary marginalia and underlining to preliminaries and text, heavier on some pages than others, occasional loss to marginalia due to trimming. A handsome copy of an important work. \$2,500.

FIFTH EDITION, the last in the author's lifetime. Nevizzano was a professor of law at the University of Turin and the author of several legal studies. His *Sylva Nuptialis* (1521) is a wide-ranging miscellany derived from Roman and Canon law that addresses judicial problems connected with virginity, marriage, sexual matters, domestic manners, morals and estates. His view of women in this work is notably satirical and sarcastic, which probably enhanced its popularity. In his opinion, women were enthusiastic and effective torturers of men. They were successful, he reasoned, because their bodies were created by Satan and inhabited by the souls of fallen angels. The author's misogyny, along with his relaxed views about fornication and concubinage, which he did not consider mortal sins, attracted the Church's attention. He was commanded to remove some of the more objectionable passages in subsequent editions, which he did. He did not go far enough, however; the book was added to the Papal Index in 1596. This edition not in Adams; OCLC locates one copy in North America (at Cornell University). Cosenza, *Biographical and Bibliographical Dictionary of the Italian Humanists and of the World of Classical Scholarship in Italy, 1300-1800* III:2434. Graesse IV:661. Baudrier V:190-191.



N°136

SCARCE TREATISE ON TRANSFER, CONTRACTS AND OTHER TOPICS IN ROMAN LAW

136 NOALIS, NICOLAUS [16TH/17TH CENT.].

De Transmissione Tractatus, In Quo Agitur de Transmissione Fideicommissorum, Legatorum, Substitutionum Directarum, Haereditatis, Contractuum, & Aliarum Materialiarum. Nunc ab Autore Summa Diligentia Expurgatus, & Pluribus Additionibus Auctus. Cum Indice Locupletissimo.

Venice: Sumptibus Altobelli Boni, 1630. [xviii], 189 [i.e. 188] ff. Main text printed in double columns. Folio (13" x 9").

Original thick paper printer's boards, early hand-lettered title to spine, untrimmed edges. Some soiling to spine and wear to extremities, text block partially detached, pastedowns loose. Title page with attractive large copperplate printer device printed in red and black, handsome woodcut head-piece and decorated initials. Early owner signatures to front endleaf, tiny inkstain to title page, interior otherwise clean. \$1,500.

THIRD AND FINAL EDITION. First published in Frankfurt in 1624, this treatise discusses transfer, trusts and trustees, legacies, contracts and obligations in Roman law. Little is known about Noalis; he is identified as a "Iurisconsulti Veneti" on the title page of *De Transmissione*. OCLC locates 3 copies of this edition, none in a law library (Princeton, University of Chicago, Library of Congress). KVK locates 7 copies of this edition. Not in the *BMC*. See Pazzaglini and Hawks N18, which notes a copy of this edition bound to another work.



N°137

RARE TREATISE ON HEIRS IN ROMAN LAW

137 ODDI, SFORZA [1540-1611].

Compendiosae Substitutionis Tractatus. Cui Novissime Accedunt Notabilia ex Toto Opere Excerpta in Modum Copiosissimi Indicis.

Ferrara: Apud Benedictum Mammarellum, 1592. [xii], 170 ff. (12" x 8").

Contemporary paper boards, covered with old vellum manuscript leaves, early hand-lettered titles to spine and foot of text block, crude early repairs to spine ends. Rubbing to extremities with moderate wear, boards slightly bowed, hinges starting. Large woodcut printer device to title page, woodcut head-pieces, tail-pieces and decorated initials. Worming to lower corner of text to fol. 2, rear free endpaper and rear pastedown. Toning, light browning in a few places, internally clean. A solid copy of a scarce title. \$1,350.

SECOND EDITION. First published in Perugia in 1571, this treatise on the Roman law of the substitution of heirs, inheritance and succession reached its third and final edition in 1597. Little is known about Oddi. The title page indicates that he was a jurisconsult in Perugia. OCLC locates 1 copy of the 1592 edition in the Americas at UC Berkeley Law Library and 1 copy of the other two editions at the Library of Congress. *EDIT16*. CNCE 50113.



NOTABLE TREATISE ON THE ROMAN LAW CONCERNING
PROPERTY LEFT TO A HUSBAND OR WIFE

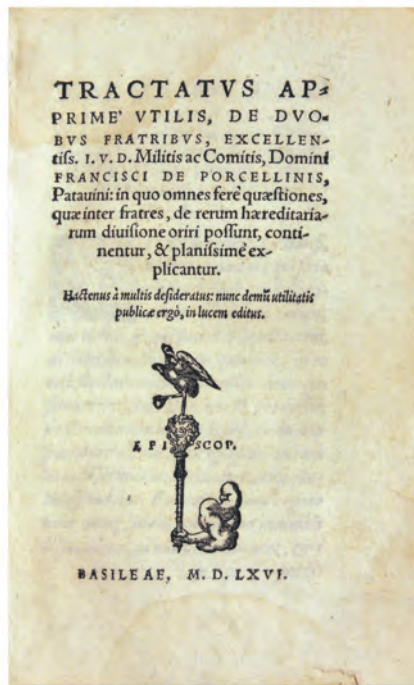
138 PECK, PIETER [1529-1589].

De Testamentis Coniugum Libri Quinque; Adiectae Sunt Summaria Indicesque duo Locupletissimi, Argumentorum Unus, Alter Verborum, Rerum, Sententiarumque Insignium.

Cologne: Apud Ioannem Gymnicum, 1585. [xvi], 514, [88] pp. Octavo (6-1/2" x 4").

Recent polished calf, raised bands and lettering piece to spine, endpapers renewed, early hand-lettered title to fore-edge of text block, title page mounted and re-hinged. Light rubbing to extremities, some toning to text, occasional faint dampstaining to margins, early private-library bookplate to verso of title page, internally clean. Ex-library. Bookplate to front pastedown. A nice copy. \$950.

SECOND (OR THIRD) EDITION, one of two imprints from 1585, the other published in Namur. First published in 1564, *De Testamentis* analyzes the Roman laws that govern property bequeathed to a husband or wife in a will. Educated at the University of Leuven, Peck was a judge of the High Court of Mechelen. Later editions were published in 1599, 1627 and 1665. All are scarce. OCLC locates 2 copies of the 1585 Cologne imprint in North America (at the Morgan Library and the University of Chicago), none of the Namur imprint. This imprint not in Dekkers. VD16 P1098.



N°139

A NOTABLE SIXTEENTH-CENTURY TREATISE
ON INHERITANCE AND SUCCESSION

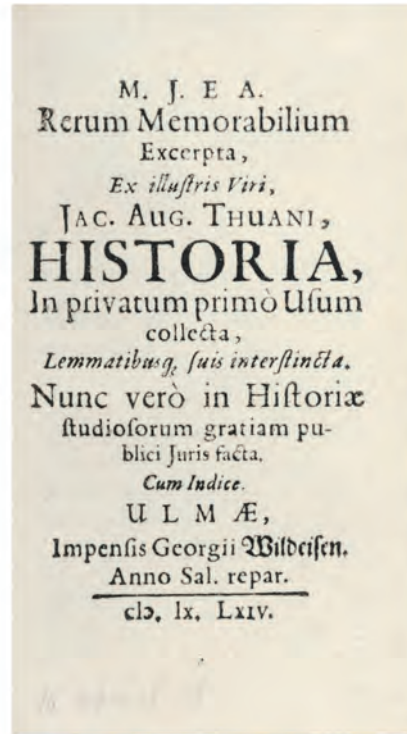
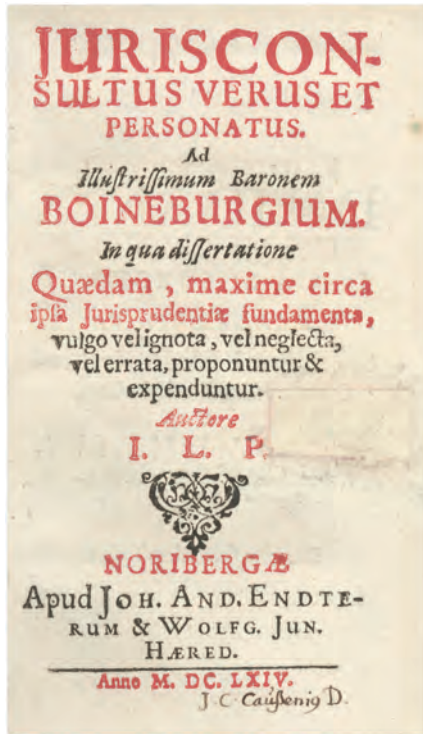
139 PORCELLINI, FRANCESCO [D. 1453].

Tractatus Apprime Utilis de Duobus Fratribus, In Quo Omnes Fere Quaestiones, Quae Inter Fratres, De Rerum Haereditiarum Divisione Oriri Possunt, Continentur, & Planissime Explicantur.

Basel: [Ex Officina Eusebii Episcopii], 1566. [xvi], 268 pp. Octavo (6-1/2" x 4").

Contemporary flexible glazed paper, later hand-lettered title label to spine, other hand-lettered titles to front cover and fore-edge of text block. Light soiling and a few minor stains, some rubbing to extremities, small worm hole to front cover, front pastedown loose. Woodcut printer device to title page, woodcut decorated initials. Toning to text, faint dampstaining to margins, internally clean. A nice copy of a rare title. \$1,950.

SECOND EDITION. This treatise on inheritance and succession in Roman law was first published in 1564. A well-regarded study, it was reprinted in the great 29-volume *Tractatus Universi Iuris* (1584-86). OCLC locates 1 copy of each edition in North America (both at the Library of Congress). Not in Adams. VD16 P4265



N°140

HUMANISTIC TREATISE ON JURISPRUDENCE BOUND WITH
TWO OTHER VOLUMES

140 [PRASCH, JOHANN LUDWIG (1637-1690)].

Jurisconsultus Verus et Personatus: Ad Illustrissimum Baronem Boineburgium. In Qua Dissertatione Quaedam, Maxime Circa Ipsa Jurisprudentiae Fundamenta, Vulgo Velignota, Vel Neglecta, Vel Errata, Proponuntur & Expenduntur.

Nuremberg: Apud Joh. And. Endterum & Wolfg. Jun. Haered, 1664. 188, [4] pp.

[Bound with]

THOU, JACQUES AUGUSTE DE [1553-1617].

Rerum Memorabilium Excerpta. Historia, In Privatum Primo Usum Collecta, Lemmatibusq Suis Interstincta. Nunc Vero in Historiae Studiosorum Gratiam Publici Juris Facta. Cum Indice.

Ulm: Impensis Georgii Wildeisen, 1664. [xxiv], 417, [5] pp.

[And]

LASSENIVS, JOHANN [1636-1692].

Turken-Krieg der Christen-Sieg: Oder Bedencken Über den Itzt vor Augen Schwebenden Turckischen Krieg. Darinn von Nutzlichen Mitteln/Denselben Wol Anzufangen und

Zu Enden/Wie Auch von Andern Hic zu Dienlichen Sachen Geredet Wird. Bestehend in XX Send-Schreiben.

Nuremberg: Bey Michael und Johann Friderich Endter, 1663. [xxiv], 284 pp. Title page preceded by copperplate pictorial title page.

12mo. (5" x 3"). Contemporary vellum with lapped edges, early hand-lettered title to spine. Some soiling, light wear to extremities, faint vertical crease, vellum beginning to crack through front pastedown, repair to small hole in title page of *Jurisconsultus Verus*, which is printed in red and black. Toning to text. Later annotation to front pastedown, interior otherwise clean. \$1,500.

PRASCH: ONLY EDITION; Thou: Only edition (in this form); Lassenius, later edition. Präsch was a notable poet, bookseller and state official. Published under the cipher "I.L.P.," *Jurisconsultus Verus et Personatus* is a humanistic treatise on jurisprudence. The second title is an excerpt from the *Historiarum Sui Temporis* (1664), an important history of the sixteenth century by the eminent French statesman and scholar De Thou, who studied law under Cujas. The final title is by Lassenius, a Lutheran theologian. It is a religious tract predicting the victory of the Holy Roman Empire over the Ottoman Empire in the Turkish-Austrian War (1663-1664). No copies of these titles located in North America. Präsch: KVK locates 2 copies. VD17 1:008058L; Thou: KVK locates 3 copies. VD17 3:003112X; Lassenius: No copies of this imprint located on KVK. 1 copy located (at the National Library of Sweden). VD17 23:666520F.

HAS A SECTION ON LAWS CONCERNING OLIVES AND OLIVE OIL

141 RENDELLA, PROSPERO.

Tractatus de Pascuis, Defensis, Forestis, Et Aquis. Regum, Baronum, Communitatum & Singulorum. De Columbibus, Et Columbariis. De Olea, Et Oleo Commentaria. Cum Indicibus Unicuique Operi Accommodatis.

Trani: Typis Laurentii Valerii, 1730. [iv], 170, [10] pp. Folio (14-1/4" x 9").

Contemporary vellum, early calligraphic title to spine. Light rubbing to boards, some chipping to spine, corners bumped and somewhat worn, front free endpaper affixed to pastedown. Moderate browning and faint dampspotting to text, worming to margins in places, light edgewear to a few leaves, faint spots on title page and final leaf, possibly from a removed stamp. Early check marks to some index entries, interior otherwise clean. A nice copy of a scarce title. \$750.

LATER EDITION, a reissue of a 1718 Neapolitan imprint by Paolo Severini. First published in Naples in 1618, this treatise addresses legal and economic aspects of agriculture and natural resources including fields, forests, watercourses, game birds, such as doves, waters and watercourses. Due perhaps to its Neapolitan origins, it pays particular attention to the cultivation of olives and the production of olive oil. A useful work, it went through several editions into the mid-eighteenth century. All are scarce. OCLC locates few copies of any edition in North America, none of the 1730 Trani edition (at Harvard Law School). Not in Camus or the BMC. Donno 28.

1555 EDITION OF THE SACHSENSPIEGEL AND RELATED CODES

142 [SACHSENSPIEGEL].
[ZOBEL, CHRISTOPH (1499-1560), EDITOR].

Sechsisch Weichbild und Lehenrecht: Auff's New an Vielen Orten in Texten, Glossen, Und Derselben Allegaten Aus den Warhaftigen Glossen, Keiserlicher und Bepstlicher Rechte und also den Hauptquellen mit Vleis Corrigiert und Restituirt. Sampt einem Corrigierten und Vermehrten Repertorio. Darzu Etlichen Urtheiln, Zu Tuglichen Vorfallenden Sachen, Sehr Richtig und Dienstlich.

[Leipzig: Nikolaus Wolrab], 1555. [vi], clxi, cxxi, [128] ff. Three works in one, each with title page and separate foliation. Main text in parallel columns. Folio (12" x 8").

Contemporary half-pigskin with elaborate blind tooling over recent grey paper-covered boards, raised bands and early hand-lettered title to spine, its ends repaired, endpapers renewed, front and rear endleaves next to free endpapers partially detached and edgeworn. Title page printed in red and black, woodcut decorated initials. Some toning to text, light browning in places, some leaves have minor wear, worming and dampstaining to margins. Early annotations and underlining, to endleaves, title pages and some text leaves. A solid copy of a scarce title. \$1,500.

A REPUBLICATION OF A 1537 COMPENDIUM by Christoph Zobel, first published in 1535, containing his copiously edited and annotated translation of the *Saechsische Weichbild*, the *Sechsisch Lehenrecht*, the second half of the *Sachsenspiegel* and Zobel's *Remissorium*, an index for the *Saechsische Weichbild* and the complete *Sachsenspiegel*. Compiled around 1230 by Eike



N°142

von Repgow (or Repkow), a knight and judge, the *Sachsenspiegel* [Mirror of the Saxons] is a deeply influential collection of territorial and feudal law. It was the basis for several subsequent codes, such as the Gortitz Lawbook, the Breslau Territorial Law, the *Schwabenspiegel*, the Dutch *Sachsenspiegel* and the Berlin Townbook of Brandenburg Law. An authority on civil law well into the nineteenth century, it was a source for the German Civil Code (1896). OCLC locates 1 copy of this edition in a North American law library (UC-Berkeley). VD16. *Jahrhunderts* D737.

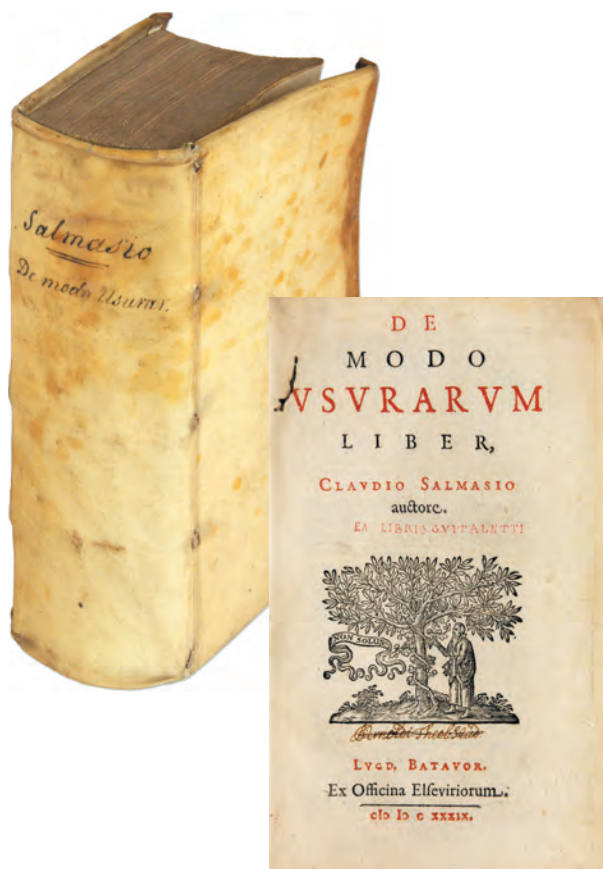
INTRODUCING IDEAS OF BENTHAM AND MONTESQUIEU TO
POST-NAPOLEONIC SPAIN, PORTUGAL AND LATIN AMERICA143 SALES, RAMON.
D'ANDRADE, D.G.L., TRANSLATOR.

Licoes de Direito Publico Constitucional Para as Escolas de Hespanha. Traduzidas, E Dedicadas por D.G.L. D'Andrade: Com o Mesmo Objecto a Regenerada Nacao Portuguesa, E Offerecidas aos Seus Dignos Representantes.

Lisbon: Na Typographia Rollandiana, 1822. xlv, 217, 2 pp. Octavo (7-1/4" x 4-1/2").

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

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



N°144

A SCARCE TREATISE ON THE ROMAN LAW OF USURY

144 SAUMAISE, CLAUDE [1588-1653].***De Modo Usurarum Liber.***

Leiden: Ex Officina Elseviriorum, 1639. [lvi], 891, [93] pp. Octavo (6-1/4" x 4-1/4").

Contemporary vellum with lapped edges, early hand-lettered title to spine. Light staining to binding, spine ends and corners bumped. Title page with Elsevier Solitaire device printed in red and black. Light toning, faint dampstaining to margins in a few places, worm track near upper corner of preliminaries and following 20 leaves with minor loss to text (legibility not affected). Underlining to some passages in an early hand, later annotations to front free endpaper, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$750.

ONLY EDITION. An interesting treatise of usury and other matters relating to interest rates, principally in Roman and canon law. Saumaise was an *avocat* of the *Parlement* of Paris. OCLC locates 5 copies in North American law libraries (Library of Congress, Social Law, UC-Berkeley, University of Michigan, Yale). Another copy located at George Washington University Law School. Willems 488.



N°145

ESSAYS ON ROMAN LAW BY SELCHOW, LUDEWIG
AND VAN LEEUWEN

145 SELCHOW, JOHANN [1732-1795].***Historia Juris Romani.***

[And]
VAN LEEUWEN, SIMON [1628-1682].

Synopsis Historiae Juris.

[And]
LUDEWIG, JAKOB FRIEDRICH [1671-1723].

Historia Pandectarum.

Pisa: Ex Typographio Aug. Pizzorno, 1771. [ii], 175 pp. Second and third works preceded by divisional title page.

Octavo (6-1/2" x 4-1/4"). Contemporary mottled calf, gilt spine with raised bands and lettering piece, speckled edges. Negligible rubbing to extremities and spine bands. Attractive large printer device to title page, interior notably fresh. A handsome copy of a rare title. \$750.

ONLY EDITION. This attractive volume collects three important essays on the history of Roman law. Selchow, of the University of Gottingen, and Ludewig, of the University of Halle, were distinguished German jurists. Van Leeuwen, a Dutch jurist and prolific author, was perhaps the most widely read scholar of Roman law during the eighteenth century. He remains an authority on South African law today. Complete in itself, this volume is part of a six-volume series entitled *Opuscula. Variorum Opuscula ad Cultiorem Jurisprudentiam Adsequendam Pertinentia*, which was published by Pizzorno from 1769 to 1771. KVK locates 1 copy of this volume and 2 complete copies of *Opuscula. Variorum*. BMC 18:1147.



N°146

COMMENTARIES ON THE CODE OF JUSTINIAN
BY AN IMPORTANT HUMANIST SCHOLAR

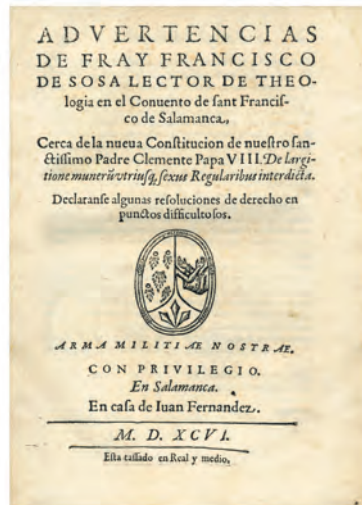
146 SICHARD, JOHANNES [1499–1552].
HERTZOG, SAMSON, EDITOR.

Sichardus Redivivus. Clarissimi Viri Ioannis Sichardi, Celeberrimi Iureconsulti Germani, Et in Alma Tubingensi Academia Quondam Ordinarii Iuris Civilis, Dictata & Praelectiones in Codicem Iustinianum. Ex Collatione Operosa Manuscriptorum Codicum, Restitutis Primo quam Plurimis Haud Parvi Momenti Defectibus. Deinde Negativis Desideratis Additis: & Abundantibus Demtis. Tertio Amplius Quingentis Iurium Allegationibus Redintegratis. Quarto Sublatis Plusquam Mille Aliis Erratis, Hactenus non Animadversis. Nunc Demum Post Modianam Recognitionem et Anni LXXXVI. Editionem Francofurtensem, A Samson Hertzog, Auctores, & Emendatores Editae. Opus Plane Frugiferum, Et Tam Foro, Quam Scholis (Quod Evidentialia Titulorum & Legum, Id Est, Vocabula & Phrases Artis Singularem Diligentia Excutiat,) Accommodatum. Cum Praefatione Amplissimi Collegii Facultatis Iuridicae in Predicta Academia; Necnon Summariis & Indice Locupletissimo.

Frankfurt: Ex Officina Hoffmanniana, Sumtibus Iona Rhodij, 1613–1614. [xx], 617, [1]; 12, [8], 641–1145 (i.e. 1175), [47] pp. Two volumes in one book. Main text in parallel columns. Folio (14" x 8-1/2").

Contemporary paneled pigskin, raised bands to spine, ties lacking. Moderate rubbing to extremities with wear to head of spine, some soiling, a few nicks and scuffs, boards slightly bowed, front joint just starting at foot, corners bumped and lightly worn. Title page of Volume I printed in red and black, woodcut title-page devices, head-pieces, tail-pieces and decorated initials, Volume I has large woodcut printer's device and colophon and, above the dedication, the arms of the Prince of Wurtemberg, dedicatory poem in Volume II followed by woodcut arms of Sichard. Moderate toning to text, light browning in places, occasional faint dampstaining to outer margins of fore-edges, light soiling to title page of Volume I, which has a few early owner signatures. Early underlining, brief annotations and other markings in a few places, interior otherwise clean. \$2,650.

THIRD AND FINAL EDITION. Sichard, or Sichardt, was a notable German humanist and professor of law at the University of Tübingen. A pupil and protégé of Ulrich Zasius, he was an outstanding editor and interpreter of Roman law. *Sichardus Redivivus* is based on his celebrated lectures on the Code of Justinian, one of the four components of the *Corpus Iuris Civilis*. First published in 1565, this lavishly produced edition indicates the importance of Sichard's lectures and his high posthumous reputation. Few copies of any edition are held in North American law libraries; OCLC locates no copies of the third. VD 17 3:615067N.



Nº147

RARE SIXTEENTH-CENTURY SPANISH TREATISE
CONCERNING MONASTERIES

147 SOSA, FRANCISCO DE [FL. 1556].

Advertencias de Fray Francisco de Sosa, Lector de Theologia en el Convento de Sant Francisco de Salamanca: Cerca de la Nueva Constitucion de Nuestro Sanctissimo Padre Clemente Papa VIII. De Largitione Munerum Utriusque Sexus Regularibus Interdicta. Declaranse Algunas Resoluciones de Derecho en Puntos Difficultosos.

Salamanca: En Casa Iuan Fernandez, 1596. [x], 131, [2] pp. Quarto (8" x 6").

Contemporary limp vellum, black rules to covers, calligraphic title to spine, early hand-lettered title to spine, ties mostly lacking. Some soiling and small stains, spine darkened with a few small chips near center, vellum just beginning to crack through pastedowns. Light to moderate toning to text, occasional faint dampspotting, internally, clean. \$1,100.

FIRST EDITION. This book details a series of legal reforms regarding monasteries and holy orders implemented by Pope Clement VI, formerly a canon lawyer (Ippolito Aldobrandini, 1536–1605, the son of notable jurist Sylvestro Aldobrandini). For the most part, these reforms led to an increase of Papal control and supervision. Two other editions were published in 1597 and 1696. OCLC locates no copies of this title in North America. No copies located at the Library of Congress, Harvard Law School or UC–Berkeley Law School. Palau 319804.

RARE PORTUGUESE ESSAYS BY A LEADING PORTUGUESE JURIST

148 [SOUSA DE LOBAO, MANOEL DE ALMEIDA E (1745–1817)].

Colleccao de Dissertacoes Juridicas, E Praticas.

Lisbon: Na Impressao Regia, 1826. 178 pp. Quarto (8–1/2" x 6").

Recent wrappers, printed title label to spine, untrimmed edges. Light toning to text, internally fresh. \$250.

SECOND EDITION. This successful work first appeared in 1808 and went through at least six posthumous expanded editions, the latest in 1903. Included here are essays on children born of incest, succession and legitimacy, guardianship, bail, debtor and creditor. The author, one of the major Portuguese jurists of his time, did much to integrate the civil law tradition with the modern codes. His many works in numerous posthumous editions were accepted as authority through the end of the nineteenth century. The 1808 and 1826 editions were followed by editions in 1836, 1839, 1868, 1884. All are rare in American institutions. OCLC locates 1 copy, at Harvard Law School, which has an 1808 edition.

WITH 12 FOLDING PLATES DEPICTING
MEDIEVAL LEGAL DOCUMENTS

149 SPANGENBERG, ERNST [1784–1833]. [GRUPEN, CHRISTIAN ULRICH [1692–1767].

Beytrage zu den Teutschen Rechten des Mittelalters, Vorzuglich zur Kunde und Kritik der Altgermanischen Rechtsbücher, Und des Sachsen- und Schwaben- Spiegels. Grosstentheils aus Unbenutzten Handschriftlichen Quellen Geschoft.

Halle: In der Gebauerschen Buchhandlung, 1822. xii, 234 pp. 13 plates, 12 folding, 1 with hand-coloring. Quarto (9–1/4" x 7–1/4").

Contemporary textured paper boards with blind rules, rebacked in cloth retaining calfbackstrip with gilt title and ornaments, endpapers renewed. Moderate rubbing to extremities, corners bumped and somewhat worn, backstrip rubbed. Moderate toning to text, light foxing in places, moderate edgewear to title page and folding plates. Two early owner signatures and a small owner stamp to title page, interior otherwise clean. \$350.

ONLY EDITION. The work of a notable jurist and legal historian, this is a collection of legal and philological studies of important medieval German legal sources. This volume includes a study of the *Sachsenspiegel* by Grupen with critical commentary by Spangenberg. OCLC locates 6 copies in North American law libraries (Columbia, Harvard, Library of Congress, UC–Berkeley, University of Minnesota, Yale). BMC 23:1103.

RARE EIGHTEENTH-CENTURY HUNGARIAN TREATISE

150 SZEGEDI, JOANNES.

Rubricae Sive Synopses Titulorum, Capitum, & Articulorum, Universi Juris Ungarici: Nunc Primum Collectae, & In Tres Partes Distributae, Atque in Tyrorum Gratiam Notis, Juridicis, Historicis, Chronologicis, nec non Etymologicis Illustratae.

Tyrnava (Tyrnau): Typis Academicis per Leopoldum Berger, 1734. Three parts in one volume, each with title page and individual pagination. Octavo (6" x 4").

Contemporary paper boards, black-stamped title to spine. Light soiling, some rubbing to extremities, corners bumped and somewhat worn. Woodcut head and tail-pieces. Light to moderate toning, faint dampstaining in places, internally clean. \$500.

ONLY EDITION. A useful synopsis of the Hungarian legal system shortly after the Budapest Diet's approval of the Pragmatic Sanction of 1723, which granted rule to the Habsburg monarch as a king subject to Hungary's constitution and laws rather than as emperor of Austria. (The two kingdoms were merged under Austrian rule in 1867 as the Austro-Hungarian Empire.) OCLC



N°151

locates 8 copies in North America, 4 in law libraries (Columbia, Harvard, University of Michigan, Yale). Not in the BMC.

ESSAYS ON CONTRACTS AND INHERITANCE AND SUCCESSION
BY A GREAT DUTCH JURIST

- 151 VINNIUS, ARNOLDUS [1588-1657].
VINNIUS, SIMON [c.1627-1652], EDITOR.

Tractatus Quinque, De Pactis, Jurisdictione, Collationibus, Transactionibus, Et Quaestionibus Juris Selectis. Quibus Additae sunt Simonis Vinii Arn Fil. Orationes Duae & Alia Quaedam, cum Indicibus Locupletissimis. Editio Quinta Auctior & Prioribus Emendatior.

Utrecht: Ex Officina Thomae Appels, 1697. [viii], 233, [19], 288 pp. Quarto (7-3/4" x 6").

Contemporary paneled calf with later rebacking and recorning, raised bands and gilt title to spine, binding varnished, hinges reinforced. Light rubbing to boards, moderate rubbing to extremities with some wear to joints and corners, front hinge partially cracked, early armorial bookplate of Alexander Hume-Campbell, Second Earl of Marchmont to front pastedown, armorial bookplate of Nathaniel Pigott to verso of title page, which is printed in red and black. Light toning to text, offsetting to margins of preliminaries and endleaves, internally clean. Ex-library. Bookplate to front free endpaper. \$850.

FIFTH EDITION, and the first expanded edition. Vinnius, a famous Dutch jurist with an international reputation, was Professor of Law at the University of Leiden. First published in 1646, this is a group of studies of the Roman law of contracts and inheritance and succession. Originally a four-essay work, *Tractatus IV Academico-Forenses*, it was expanded into a five-essay work in the final posthumous editions by his son, Simon, who added two of his own academic addresses. These were published in 1697, 1748 and 1782. Hume-Campbell, Second Earl of Marchmont [1675-1740] was a Scottish nobleman, politician, diplomat and judge. Nathaniel Pigott [1661-1737], a barrister of the Inner Temple, was a notable legal author. OCLC locates 1 copy of this edition in a North American Law Library (Columbia). Dekkers 179.



N°152

COMMENTARIES ON PASSAGES FROM THE DIGEST CONCERNING
ACCUSATIONS AND ADULTERY

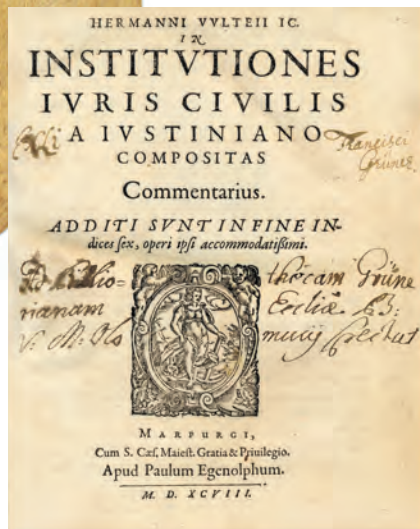
- 152 VOLTZ, VALENTIN [1534-1581].
BURCHARD, GEORG ADELBERT, NOTES.
SCHUTZ, JAKOB, EDITOR.

I. De Inquisitione: Sive ad L. 2. [Paragraph Symbol]. Si Publico Judicio. 5. ff. Ad L. Jul. De Adult. II. In Tit. Digest. Ad Leg. Cornel. De Sicar. &c. Uturque Notis hinc Inde Illustratus: Per Georgium Adelbertum Burchardum. Nunc cum Notis Uberioribus, Summariis, & Indice in Lucem Editus, Cura ac Studio Jacobi Schytzii.

Tubingen: Typis Johan-Alexandri Cellii, 1620. [xxiv], 916, [52] pp. Octavo (6-1/4" x 3-1/4").

Contemporary binding with lapped edges using vellum from choirbook. Light soiling, some rubbing to extremities, a few small chips to front joint and fore-edges, minor worming to joints. Some toning to text. Early inscription to title page in small hand, indicating ownership by a monastery, interior otherwise clean. Ex-library. Shelf labels to spine, bookplate to front pastedown, small inkstamp to title page. \$1,500.

ONLY EDITION. Based on his dissertation *Disputatio de Inquisitione*, University of Tubingen, 1576, this work analyzes passages from two titles in Book 48 of Justinian's *Digest* concerning adultery and accusations. OCLC locates 1 copy in North America (at Princeton University). VD17 1:011535Z.



N°153

FIRST EDITION OF AN IMPORTANT COMMENTARY
ON THE INSTITUTES

153 VULTEJUS, HERMANN [1555-1634].

In Institutiones Iuris Civilis A Iustiniano Compositas Commentarius: Additi Sunt In Fine Indices Sex, Operi Ipsi Accommodatissimi.

Marburg: Apud Paulum Egenolphum, 1598. [viii], 890, [54] pp. Quarto (8" x 6-1/2").

Contemporary paneled pigskin with elaborate blind tooling, raised bands and somewhat later hand-lettered title and tiny hand-lettered shelf label to spine, ties lacking. Some soiling and a few minor stains, spine darkened, minor edgewear, corners lightly bumped, front free endpaper detached. Toning to text, occasional light browning, foxing in a few places. Filled-in 3" x 1" hole in preliminary leaf (part of dedication) with some loss to text. Early owner annotation to front pastedown, neat underlining in a few places, interior otherwise clean. \$2,950.

FIRST EDITION. Vultejus was a notable legal scholar and professor at the University of Marburg, where he also taught Greek. In later years he served as a diplomat and was raised to the nobility by Holy Roman Emperor Ferdinand II. *In Institutiones Iuris Civilis* is an extensive article-by-article commentary on the *Institutes*. It was a work of authority that went through five later editions, the last one in 1630. All are scarce, especially in North American law libraries; OCLC locates 1 copy of this edition (in the Library of Congress). VD16. *Jahrhunderts* V2823.

CLASSIC TREATISE ON THE MARITIME LAW OF AVERAGE

154 WEYTSSEN, QUINTYN (QUINTIJN)

[1518-1565].

VAN LEEUWEN, SIMON [1625/6-1682], NOTES.

WICQ, MATTHAEUS DE, TRANSLATOR AND EDITOR.

Tractatus de Avariis: Id est, Communi Contributione Mercium Rerumque in Navi Repertarum ad Sarcendum Damnum Bonis Mercatorum Sive Nautarum Quorundam Ultro Illatum Eum in Finem ut Vita, Navis, ac Reliqua Bona Salva Evadant. Compositus per Quintinum Weitsen, Quondam Regiae Majestatis in Curia Hollandiae Consiliarium. Denuo Perlustratus, Atque Allegatione Legum, Jureconsultorum, Edictorum, Placitorum, Ordinationum, Statutorum, etc. Una Cum Necessariis Quibusdam Observationibus Confirmatus & Ditatus per D. Simonem a Leeuwen Advocatum, Latina Vero Toga Indutus Atque Amplissima Dote Observationum Adauctus, Studio Atque Opera Matthaei de Vicq. J.U.D.

Amsterdam: Apud Henricum & Theodorum Boom, 1672. [xvi], 127 [1] pp. Octavo (6" x 4").

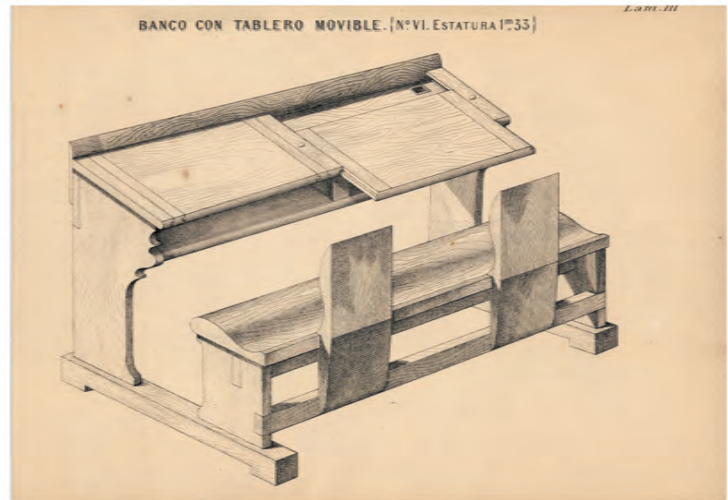
Recent marbled boards. Light rubbing to extremities, minor wear to spine ends. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown, small inkstamp and shelfmark to title page, small inkstamps to a few other leaves. An attractive copy of a scarce title. \$1,250.

ONLY EDITION IN LATIN, with significant additions. The Roman maritime law of average, which requires all parties involved in a shipping enterprise to share the cost of sacrificing some goods in order to save others, is a principle that still applies in most countries. This classic treatise was written in the sixteenth century, but first published in 1617 in Dutch. It went through eleven more Dutch-language editions, the final in 1736. A French-language edition was published in 1703. The Latin edition incorporates the notes and observations of Simon van Leeuwen, which were added to later Dutch editions, and additional commentary by Matthaeus de Vicq. The notes are identified and arranged in double columns. Educated at the University of Louvain, Weytsen was a King's Counselor at the Hague during the mid-sixteenth century. OCLC locates no copies of this edition, and few copies of any other, in North America. Dekkers 190.

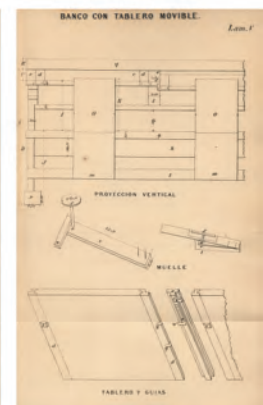
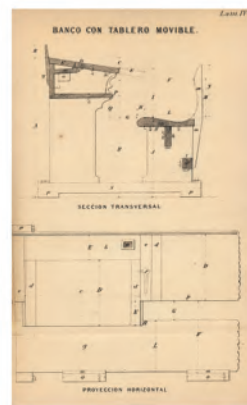
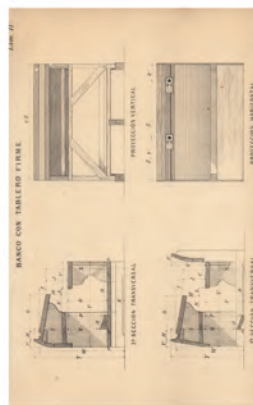
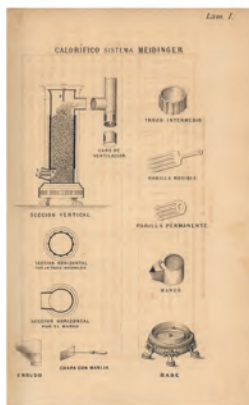


N°154

IV LATIN AMERICA



Nº155



Nº155

THREE RARE ARGENTINEAN ITEMS

155 [ARGENTINA].

Codigo Penal de la Provincia de Corrientes.

Buenos Aires: Imprenta de Pablo E. Coni, 1878. 110 pp.

[Bound with]
LLERENA, JUAN.

La Provincia de Buenos Aires y su Nueva Capital.

Buenos Aires: Establecimiento Tipografico, 1881. 54 pp.

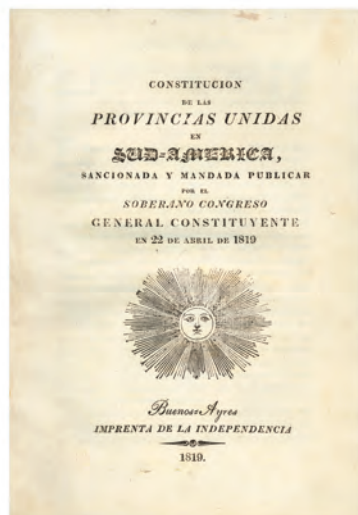
[And]
STEGMANN, CARLOS.

Construccion y Disposicion Interior de las Escuelas Publicas en Relacion con la Higiene.

Buenos Aires: Imprenta de Pablo E. Coni, 1878. 24 pp. Five plates, two folding.

Octavo (9-1/4" x 6-1/4"). Later cloth, gilt titles to spine. Light shelfwear, some toning to text, final three leaves of *Construccion* detached, internally clean. \$950.

ONLY EDITIONS LOCATED. The first item is the penal code for Corrientes, one of the provinces of Argentina. The second title, which is not legal in nature, is an essay defending the establishment of Buenos Aires as the national capital in 1880. Illustrated with plates depicting classrooms and school furniture, the final title is a book of regulations governing the construction of schools and the furnishing of classrooms. All of these titles are rare. OCLC locates 1 copy each of *Corrientes* and *Provincia* (both in Germany), no copies of *Construccion*. See Borchard 115-116.



N°156

ARGENTINA'S FIRST, SHORT-LIVED, CONSTITUTION OF 1819

156 [ARGENTINA].
[FUNES, GREGORIO (1749-1829)].

Constitucion de las Provincias Unidas en Sud-America, Sancionada y Mandada Publicar por el Soberano Congreso General Constituyente en 22 de Abril de 1819.

Buenos Aires: Imprenta de la Independencia, 1819. 71 pp. Quarto (7-1/2" x 5-1/2").

Nineteenth-century limp vellum, early printed bookseller catalogue description pasted to front cover. Light soiling, a few minor inkstains, covers somewhat bowed. Woodcut arms of Argentina to title page. Negligible toning to text, light soiling and faint early owner signature to title page. A well-preserved copy. \$1,250.

FIRST EDITION, one of two issues from 1819. The United Provinces of South America (or United Provinces of the Rio de la Plata), which included parts of present-day Bolivia, Brazil and Uruguay as well as the Falkland Islands, was the predecessor state of Argentina during its war of independence from Spain (1810-1818). Mostly the work of Funes, its first constitution was issued in 1819. It was rejected by most of the rural provinces because it established a strong central government. This led to a civil war that was settled by rescinding this constitution. Some issues have an additional four-page manifesto indicting Spanish cruelty. OCLC locates 2 copies in North American Law Libraries (Library of Congress, Harvard). *Sabin* 16059. *Palau* 59765.

EARLY PRINTING OF ARGENTINA'S CIVIL CODE

157 [ARGENTINA].
SARSFIELD, DALMACIO VELEZ (1800-1875)].

Codigo Civil de la Republica Argentina, Redacto por el Dr. D. Dalmacio Velez Sarsfield y Sancionado coma Ley por el Honorable Congreso de la Republica.

Buenos Aires: Pablo E. Coni, 1874. Octavo (9" x 6").

Recent cloth, printed paper title label to spine, endpapers renewed. Moderate toning to text, internally clean. Ex-library. Small ink stamp to title page. \$450.

Later edition. Sarsfield, a lawyer and politician, wrote the Argentine Civil Code of 1869. Adopted that year, it remains, with amendments, the code in force today. See Borchard 64.

COMPILED LAWS OF BARBADOS, 1648-1875

158 [BARBADOS].

The Laws of Barbados. By Authority.

London: Printed by William Clowes and Sons, 1875. Two volumes. xv, 591; xiv, 616 pp. Octavo (9-1/2" x 6").

Original pebbled cloth, rebacked retaining original spines, endpapers renewed. Some rubbing to extremities, faint residue from removed spine labels. Light toning to text, internally clean. Ex-library. Small ink stamps to title page, embossed stamps to preliminaries. \$450.

WITH INDEXES AND SIDE-NOTES. A compilation of acts and other legislation from 1648 to 1874. Dealing with a wide range of topics, these volumes are useful for their insights into the daily life of the colony and the mechanisms of colonial administration. OCLC locates 9 copies in North American law libraries. Sweet & Maxwell 7:295.

COMPILED ACTS OF THE BARBADOS LEGISLATURE, 1801, WITH A DIGEST

159 [BARBADOS].
MOORE, SAMUEL, EDITOR.

The Public Acts in Force; Passed by the Legislature of Barbados, From May 11th 1762 to April 8th 1800, Inclusive; Carefully Compared and Examined with the Acts in the Secretary's Office of the Said Island: A Digested Abridgment of the Said Acts; And, An Index: With a Table of Said Acts; And, A Table of All the Acts Passed During the Above Period, Which are Private or Not in Force.

London: Printed for Samuel Moore, 1801. xxiv, 435; [iv], 79, [9] pp. Two parts, each with title page and individual pagination. Octavo (9-1/2" x 5-3/4").

Later buckram, red and black lettering pieces to spine, endpapers renewed. Some soiling, light shelfwear, some chipping to lettering pieces, front hinge cracked, "Advertisement" signed by Moore affixed to front free endpaper. Some toning to text, internally clean. Ex-library. Residue of location label to spine, stamp to title page, annotations to verso. \$750.

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

LAWS RELATING TO BOLIVIA'S FIRST CODE
OF CIVIL PROCEDURE

- 160 [BOLIVIA].
COSIO, FELIX RUBEN.
ROCHA, CALIXTO DE LA.

Compilacion de las Leyes del Procedimiento Civil Boliviano, Anotado y Concordado. Contiene: Ley de Organizacion Judicial, Ley de Pensiones, Montepios y Jubilaciones,Codigo de Procedimiento Civil, Ley del Notariado, Arancel de Derechos Procesales, Procedimientos Especiales Sobre Juicios Coactivos, Expropiaciones y Cobro del Impuesto Sobre Sucesiones, Tratados de Derecho Civil y Procesal Internacionales, Repertorio Alfabético de Terminos Legales, Reformas Ultimas, Indice Cronologico de las Leyes, Decretos, Resoluciones y Ordenes Contenidos en Este Codigo y Otras Varias Importantes Disposiciones Relacionadas con la Compilacion.

La Paz: Imp. Artistica, 1923. [viii], ix, 533 pp.

Stiff printed wrappers bound into contemporary quarter cloth over marbled boards, gilt title to spine. Light soiling and shelfwear, light browning to text, internally clean. Ex-library. Location label to spine, annotations to front endleaves, small inkstamp to verso of title page. \$500.

ONLY EDITION LOCATED. An annotated compilation of laws and legislation concerning civil procedure of the original Bolivian Code of Civil Procedure. Adopted in 1830 and based on the French civil code, it was replaced in 1975. No copies on OCLC. Not in the *BMC*.

RARE BOLIVIAN LEGISLATIVE MANUAL

- 161 [BOLIVIA].
JEMIO, ISAACS. COMPILER AND EDITOR.

Leyes Politicas (Manual Legislativo).

La Paz: Litografias e Imprentas Unidas, 1925. [ii], v, 353 pp.

Contemporary quarter cloth over marbled boards, gilt title to spine. Negligible shelfwear and soiling, light browning to text, internally clean. Ex-library. Location label to spine, brief annotations to endleaves, small inkstamp to verso of title page. \$150.

ONLY EDITION. A digested compilation of Bolivian administrative, constitutional and parliamentary law. OCLC locates 3 copies in North American law libraries (Harvard, LA County, Library of Congress).

A RARE BRAZILIAN CODE

- 162 [BRAZIL].
ARAUJO COSTA, SALUSTIANO ORLANDO DE, EDITOR.

Codigo Commercial do Imperio de Brazil, Annotado com Toda a Legislacao do Paiz que lhe e Referente; Com Osarestos e Decisoões Mais Notaveis dos Tribunaes e Juizes; Concordado com a Legislacao do Paizes Estrangeiros Mais Adiantados; Com um Vasto e Copioso Appendice, Tambem Annotado, Contendo Nao so Todos os Regulamentos Commerciaes, Como os Mais Recentes Actos do Governo Imperial, Quer Sobre Bancos o Sociedades Anonymas, Quer Sobre Impostos; Dispensando Consultar-Se a Collecção das Leis do Imperio.



Nº162

Rio de Janeiro: E. & H. Laemmert, 1878. x, 1113 pp. Octavo (8-1/4" x 5-3/4").

Contemporary quarter calf over marbled boards, raised bands, gilt ornaments and lettering piece to spine, marbled endpapers, speckled edges. Light rubbing to boards, moderate rubbing to extremities, hinges cracked but secure, bookseller ticket pasted to foot of title page. Toning, light foxing in a few places, internally clean. \$1,250.

THIRD EDITION. Brazil enjoyed a remarkable period of rapid material progress and international importance during under Emperors Pedro I and, especially, Pedro II, who reigned from 1831 to 1891. The government enacted a law in 1823 calling for the gradual replacement of the Portuguese *Ordenacoes* with codes informed by the Enlightenment ideas of the eighteenth century and the work of Jeremy Bentham. A *Projecto* for commercial law was published in 1836, another in 1838. The code was enacted in 1850 and its first two editions were published in 1858 and 1869. The third edition is the best of these because it contains extensive commentary. All of these early editions are rare. OCLC locates 1 copy of the 1878 edition in North America (at the New York Public Library). Another copy located at the Library of Congress. *BMC* 4:32.

RARE ESSAY ON THE APPLICATION OF PORTUGUESE LAW
TO BRAZIL

- 163 [BRAZIL].
CARDOSO DA COSTA, VICENTE JOSE FERREIRA
[1765-1834].

Memoria Juridica Sobre a Applicacao do Disposto Na Ord. L. 2. Tit. 35. § 19. Aos Bens Vagos, Quando S. Magestade Delles faz Merce, Antes de Serem na Coroa Incorporados Real, Ou Verbalmente na Forma, Que Declara as Ord. L. 2. Tit. 35. § 22. e Tit. 36.

Lisbon: Na Impressao Regia, 1820. vi, 49 pp, 30 blank leaves. Octavo (7-3/4" x 5-1/2").

Stab-stitched pamphlet bound into later quarter calf over marbled boards, raised bands, lettering pieces and gilt ornaments to spine. Light rubbing to extremities. Light browning to text, faint dampstaining to foot of text block, internally clean. \$500.

ONLY EDITION LOCATED. Written before Brazil became independent, this essay deals with an ordinance regarding the application of Portuguese law to Brazil, at that time a sovereign Kingdom united with Portugal. (Brazil declared independence in 1822.) Cardoso da Costa, a Brazilian lawyer, judge, politician and intellectual, wrote several works on issues of law and policy. No copies located on OCLC or in North America. Not in the *BMC*.

DEBATES LEADING TO BRAZIL'S FIRST CONSTITUTION

164 [BRAZIL].
[CONGRESSO NACIONAL].

Fallas do Throno Desde o Anno de 1823 Ate o Anno de 1872, Acompanhados dos Respectivos Votos de Gracias da Camara Temporaria e de Differentes Informacoes e Esclarecimentos Colligidas na Secretaria da Camara dos Srs. Deputados.

Rio de Janeiro: Typographia Nacional, 1872. 647, 98, 8, vi pp. Octavo (8-1/2" x 5-1/2").

Contemporary quarter morocco over marbled boards, raised bands and gilt title to spine, later (?) patterned endpapers. Some rubbing to extremities with wear to corners, partial crack to text block between pp. 16 and 17. Some toning to text, light foxing in places, internally clean. \$500.

FIRST EDITION. This scarce volume is the only one that contains a complete record of the debates and votes that led to the establishment of Brazil's first constitution of 1824 (the Imperial Constitution, in force until 1889). OCLC locates 3 copies in North American law libraries (Catholic University, Harvard, Library of Congress).

A STUDY THAT CALLED FOR THE ABOLITION OF
SLAVERY IN BRAZIL165 [BRAZIL].
FONSECA, LUIZ ANSELMO DA [1848?-1929].

A Escravidao, O Clero e o Abolicionismo.

Bahia: Imprensa Economica, 1887. [vi], [v]-vii, 686 (i.e. 742) pp. Octavo (9" x 6").

Recent period-style quarter cloth over marbled boards, gilt title to spine endpapers renewed, tears to final index leaf repaired. Moderate toning and foxing, light soiling to title page and verso of final index leaf. Early owner stamps to title page and a few text leaves, underlining in a few places, interior otherwise clean. \$950.

ONLY EDITION. This study that called for the abolition of slavery was a controversial book when it was published. Its argument is grounded in legal and, to some extent, theological sources. Slavery was abolished when the Second Empire fell in 1888. This is an important date in the history of human rights because Brazil was the last nation in the Western Hemisphere to abolish slavery. OCLC locates 5 copies worldwide, 1 in North America (at UT-Austin). Another copy located at UC-Berkeley Law School. Not in Borchard.

RARE NINETEENTH-CENTURY BRAZILIAN LAW DICTIONARY

166 [BRAZIL].
FREITAS, AUGUSTO TEIXEIRA DE, COMPILER.

Vocabulario Juridico: Com Appendices. I-Logar, E Tempo. II-Pessoas. III-Cousas. IV-Factos.

Rio de Janeiro: B.L. Garnier, 1883. viii, 771 pp. Octavo (9" x 5-1/2").

Contemporary three-quarter morocco over marbled boards, rebaked retaining original spine with raised bands and gilt title, hinges mended. Some rubbing to extremities, corners bumped.



Nº166

Toning, faint dampstaining and some worming to first few and final signatures, several leaves repaired, legibility not affected, internally clean. A solid copy of a rare title. \$1,500.

ONLY EDITION. This dictionary appeared near the end of the Empire Era (1825-1889) and is thus a useful tool for the study of the legal system of that time. Freitas was a prominent Brazilian jurist and state official. An industrious scholar, he composed the first systematic compilation of Brazilian civil law and produced a draft *Esboco deCodigo Civil* (1860-64). He never finished it, but it was nonetheless a pioneering work that served as the basis for codifications in Brazil, Argentina and other South American nations. OCLC locates three copies of the *Vocabulario* in North American law libraries (Library of Congress, SMU and the University of Pennsylvania). We located another copy at UC-Berkeley Law School. Not in the BMC.

A COLLECTION OF BRAZILIAN AMENDMENTS

167 [BRAZIL].

Procuracoes Particulares, Decreto N. 79 de 26 de Agosto de 1892 Que Dispoe Sobre Procuracoes por Instrumento Particular de Proprio Punho, Seguido de Formularios por um Advogado.

Pelotas: Echenique & Irmao, 1892. 27, [3] pp.

[Bound with]

Lei No. 11 de 4 de Janeiro de 1896: Organizacao Political, Estado do Rio Grande do Sul.

Porto Alegre: Officinas Typographicas de Echenique Irmaos & Cia., 1904. 15 pp.

[And]

Facturas ou Contas Assignadas: Reguladas Pelo Dec. N. 11527 de 17 de Marco de 1915 e Legislacao Referente. Com Annotacoes e Formulario.

Pelotas: Echenique & C., 1915. 18, [1] pp., folding table.

[And]

Nova Regimento de Custas Judiciarias Contendo a Lei N. 11 de 28 de Novembro de 1896.



Nº167

Pelotas: Echenique & Irmao, 1896. 48, [1] pp.

[And]

Lei No 10 de 16 de Dezembro de 1895: Organisação Judiciária, Estado do Rio Grande do Sul.

Porto Alegre: Oficinas Typographicas de Echenique Irmaos & Comp., 1903. 108, 20 pp.

[And]

TEIXEIRA, LUIZ CANDIDO, ANNOTATOR.

Decretos Nos. 63 e 64 do Governo do Estado do Rio Grande do Sul Dando Regulamento as Custas e Taxa Judiciária Aprovado Pelo Congresso do Estado Pelos Decretos Nos. 11 e 12. Explicado por um Promptuario em Forma de Abcdario.

Porto Alegre: Typographia de Cesar Reinhardt, 1897. 167 pp.

Octavo (9" x 6"). Later three-quarter calf over marbled boards, gilt title (*Procuracoes Particulares*, 1892) to spine. Light rubbing to boards and extremities. Some browning to text, minor tears and chips to edges of some leaves. Later owner stamps in a few places, interior otherwise clean. \$500.

THIS IS A COLLECTION of amendments. The first three address the Brazilian Civil Code, the final three address that of the State of Rio Grande do Sul. All are well-annotated and the final two are, in essence, brief treatises. No copies of any title located on OCLC.

RARE 1869 BRAZILIAN LAYMAN'S GUIDE

168 [BRAZIL].

RAMALHO, JOAQUIM IGNACIO [1809-1902].

Praxe Brasileira.

Sao Paulo: Typographia do Ypiranga, 1869. 708 pp. Octavo (9-1/2" x 6-1/2").

Contemporary quarter calf over marbled boards, raised bands and gilt ornaments and title to spine, marbled endpapers. Moderate rubbing to extremities, heavier rubbing to boards with

some wear to corners, hinges cracked. Some browning to text, light foxing in a few places, chipping to edges of a few leaves. Early owner signatures and small lawyer's ownership stamp, interior otherwise clean. \$650.

FIRST EDITION. This is a treatise on Brazilian civil procedure for layman. It is unusually comprehensive for a book of this kind and seems to have been written for elite members of society. A second edition was published in 1904. The Italian Library Union Catalogue lists an undated edition with identical pagination as the 1869 edition; it is dated 1867. OCLC locates 1 copy (at the Library of Congress, which also has a 1904 edition not listed on OCLC).

HISTORICAL AND CRITICAL ESSAY ON CHILEAN PUBLIC LAW

169 [CHILE].

BRISEÑO, RAMON [B. 1814].

Memoria Historico-Critica del Derecho Publico Chileno, Desde 1810 Hasta Nuestros Días. Presentada a la Universidad de Chile en la Sesión Solemne del 14 de Octubre de 1849.

Santiago: Imprenta de Julio Belin I Compania, 1849. [iv], 516 pp. Octavo (8-1/2" x 5-1/2").

Later cloth, red and black lettering pieces to spine, endpapers renewed. Light soiling, some wear to edges of lettering pieces, light toning to text. Ex-library. Location label to spine, stamps and annotations to title page. A solid copy of a scarce title. \$300.

ONLY EDITION. A historical and critical essay on Chilean public law since 1810, "which is useful principally because it contains the texts and constitutions and drafts which were prepared in Chile [from 1810] up to 1849" (Borchard). OCLC locates 7 copies in North American law libraries (George Washington, Harvard, Iowa, Library of Congress, UC Berkeley, University of Michigan, Yale). Borchard 387, 416.

"ONE OF THE MOST IMPORTANT" CHILEAN CODES

170 [CHILE].

Lei de Organizacion i Atribuciones de los Tribunales.

Santiago de Chile, Imprenta de la Republica, 1875. 150 pp. Octavo (10" x 7").

Contemporary quarter calf over textured paper-covered boards. Moderate rubbing to extremities, some wear to spine ends and corners, a few small scuffs to boards. Image of lady Justice on title page. Some toning to text, light foxing in a few places. Early owner signature to half title, interior otherwise clean. A solid copy of a scarce title. \$150.

FIRST EDITION. This code governing the organization of Chile's courts was preceded by a *Proyecto* of 1864 that was revised and published in 1872 and 1874. "One of the most important codes.... Its contents are far greater than its title would indicate, and it is in effect a code defining not merely the jurisdiction of the courts but the functions of all officers connected, even remotely, with judicial proceedings, including notaries, attorneys, Sheriffs, clerks, public defenders, and other officers" (Borchard). OCLC locates 9 copies in North America, 3 in law libraries (Columbia, Harvard, Library of Congress). Borchard 403.



Nº172

EARLY LAWS AND DECREES OF COLOMBIA

171 [COLOMBIA].

Leyes I Decretos Expedidos por el Congreso Constitucional de La Nueva Granada en El Año de 1850.

Bogota: Imprenta Del Neo-Granadino, Por Ramon Gonzalez, 1850. 134, xviii pp. Octavo (8" x 5-1/2").

Contemporary quarter sheep over marbled boards, lettering piece to spine. Moderate rubbing to extremities with some wear to spine ends and corners, joints and hinges starting at ends. Some toning to text, internally clean. Ex-library. Hand-lettered shelf number to front pastedown, small inkstamp to title page. \$250.

A THOROUGHLY INDEXED chronological collection of laws and decrees of New Granada, 1850. Published from 1847 to 1850, these early volumes are rare. OCLC locates 1 copy of the 1850 volume in North America (University of Wisconsin). Backus and Eder 125.

THE "CELEBRATED" FIRST DIGEST OF THE LAWS OF COLOMBIA

172 [COLOMBIA].

POMBO, LINO DE [1797-1862], EDITOR.

Recopilacion de Leyes de la Nueva Granada, Formada I Publicada en Cumplimiento de la Lei de 4 de Mayo de 1843 I por Comision del Poder Ejecutivo por Lino de Pombo, Miembro del Senado. Contiene Toda la Lejislacion Nacional Vijente Hasta el Ano de 1844 Inclusive.

Bogota: Imprenta de Zoilo Salazar, Por Valentin Martinez, Febrero 1845. [iv], xxvi, 541 pp. Text in parallel columns. Folio (12" x 8").

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

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

PRECURSOR TO COSTA RICA'S FIRST COMMERCIAL CODE

173 [COSTA RICA].

Codigo de Comercio Espanol, Reformado por Comision del Supremo Gobierno de Costa-Rica, Para Servir al Comercio de la Republica.

Paris: Libreria De Garnier Hermanos, 1850. 236 pp. Octavo (7-1/2" x 4-1/2").

Contemporary quarter morocco over marbled boards, gilt title and blind stamping to spine. Moderate rubbing to extremities with some wear to corners, some chipping to spine ends, partial crack between front free endpaper and title page, moderate toning and light foxing to text. Ex-library. Location label to spine, bookplate and penciled annotations to front pastedown, inkstamp to title page. \$350.

ONLY EDITION. A modified version of Spain's commercial code of 1829, this draft code was the basis of Costa Rica's first commercial code, which was drafted in 1851 and enacted in 1853. OCLC locates 3 copies in North American law libraries (Harvard, LA County, University of Michigan).

COSTA RICA'S FIRST COMMERCIAL CODE

174 [COSTA RICA].

Ley de Enjuiciamiento para Negocios y Causas de Comercio.

[San Jose (Costa Rica)]: Imprenta de la Paz, 1853. [ii], 97 pp. Quarto (7-1/4" x 5-1/2").

Recent cloth, endpapers renewed. Light toning to text, discoloration to margins of a few leaves, internally clean. Ex-library. Small inkstamp to foot of title page. \$950.

FIRST EDITION. This is Costa Rica's first commercial code. By the early 1850s, Costa Rica's economy had matured and was exporting its principal product, coffee, to Europe and the United States. This drew Costa Rica into international trade, which created the need for a commercial code. OCLC locates 6 copies in North America, 2 in law libraries (Library of Congress, UC-Berkeley). Mirow 160.

A SCARCE CUBAN TEXTBOOK ON THE PHILOSOPHY OF LAW

175 [CUBA].

BACHILLER Y MORALES, ANTONIO [1812-1889].

Elementos De La Filosofia Del Derecho O Curso De Derecho Natural.

Havana: Imprenta del Tiempo, 1857. xiii, 164, [2] pp. Octavo (9" x 6").

Contemporary tree sheep, raised bands, gilt ornaments and red and black lettering pieces to spine, marbled endpapers. Light rubbing to extremities, minor wear to spine ends and corners, a few minor scuffs to boards, faint tape residue near foot of spine, front hinge cracked. Moderate browning and light foxing to text, internally clean. A nice copy. \$950.

ONLY EDITION. This is a thirty-lesson course on the philosophy of law by an essential figure in Cuban culture and Cuban bibliography (Cuba's Librarian Day is celebrated on his birthday). He studied at the Seminary of San Carlos and earned

degrees in civil and canon law at the University of Havana, where he became dean of the Faculty of Philosophy. Jose Marti wrote that talking to Bachiller y Morales was like having access to the library in Alexandria. OCLC locates 13 copies, 8 in North America, 2 of them in law libraries (Harvard and Notre Dame). Not in the *BMC*.

ANNOTATED EDITION OF CUBA'S CIVIL CODE OF 1889

176 [CUBA].

BETANCOURT, ANGEL C. [1862-1925]. NOTES.

Codigo Civil: Esta Obra Contiene el Texto del Codigo Espanol, Hecho Extensivo a Cuba por R. de 31 de Julio de 1889, Con las Modificaciones Introducidas en el Mismo por Disposiciones Posteriores y con las Enmiendas que la Nueva Situacion Politica del Pais ha Hecho Practicamente Necesarias y las Indirectamente Producidas por Leyes de Otro Orden, con Notas Aclaratorias y Concordancias con los Otros Cuerpos Legales Vigentes, Redactadas.

Havana: Rambla, Bouza y Ca., 1924. 527 pp.

Contemporary quarter calf over cloth, raised bands, lettering piece and gilt ornament to spine, patterned endpapers. Negligible light rubbing to extremities, light soiling to boards. Some toning to text, internally clean. Ex-library. Annotation to verso of endleaf, small inkstamp to verso of title page. \$450.

THIRD AND FINAL EDITION. Betancourt's first edition was published in 1910, the second in 1916. OCLC locates 12 copies in North American libraries.

1837 COMPILATION OF CUBAN MINING LAWS

177 [CUBA]. MINING.

Real Decreto y Superiores Disposiciones Sobre Minería.

Puerto Principe: Imprenta de Gobierno y Real Hacienda, 1837. [ii], 22 pp. Folio (11" x 8").

Later quarter cloth over thin marbled boards, hinges reinforced with cloth tape. Some rubbing to extremities, upper corner lacking from rear board, other corners worn. Large woodcut arms of Cuba to title page. Toning to text, internally clean. Ex-library. Stamp to bottom edge, bookplate and stamp to front pastedown, fragment of date due sheet to rear free endpaper. A rare item. \$300.

ONLY EDITION LOCATED. A collection of laws and decrees regulating mining and the processing and sale of minerals. OCLC locates 1 copy (at the University of Miami).

RARE POCKET EDITION OF GUATEMALA'S 1887 CONSTITUTION

178 [GUATEMALA].

Ley Constitutiva de la Republica de Guatemala Decretada por la Asamblea Nacional Constituyente en 11 de Diciembre de 1879 y Reformada por el Mismo alto Cuerpo en 5 de Noviembre de 1887. Se Imprime por Disposicion del Poder Ejecutivo.

Guatemala: Tipografia Nacional, 1896. 48 pp. 16mo. (3-3/4" x 2-1/2").

Stiff printed wrappers, cloth spine. Some soiling and minor tears to covers along spine, mended with archival tape, light toning to text, internally clean. Ex-library. Stamp to front cover. A rare item. \$250.

LATER PRINTING of Guatemala's 1879 constitution was replaced by a modified version in 1887, which was revised in 1897. Our pocket edition was published at the time this revision was under way. No copies listed on OCLC, which lists a larger 36 pp. version at Columbia University, the New York Public Library and the National Library of Chile.

NINETEENTH-CENTURY MEXICAN LAWS CONCERNING ALIENS

179 [MEXICO]. AZPIROZ, MANUEL.

Codigo de Extranjeria de los Estados Unidos Mexicanos: Ensayo de Codificacion Publicado Bajo los Auspicios del Ministerio de Relaciones Exteriores y Por el de Instruccion Publica, Adoptado para la Ensenanza en la Escuela Nacional de Jurisprudencia.

Mexico [City]: Imp. de Jens y Zapiain, 1876. xv, 321 pp. Quarto (8-1/2" x 6").

Contemporary quarter sheep over pebbled cloth, gilt fillets and title to spine. Moderate rubbing to extremities, light toning to text, internally clean. Ex-library. Location label to spine, shelf number to front pastedown, small inkstamp (and booksellerstamp) to title page. A nice copy of a scarce title. \$500.

ONLY EDITION. A codification of all laws about aliens, including diplomatic and consular representatives. It has two parts. The first reviews Mexican law, the second compares it to the laws of the United States, Germany and Italy. Clagett and Valderrama 246.



Nº175

VERY SCARCE 1787 MEXICAN COMPILATION
OF COLONIAL SPANISH LAWS

180 [MEXICO].

BELENA, EUSEBIO BUENAVENTURA [1736-1794].
MONTEMAYOR Y CORDOVA DE CUENCA,
JUAN FRANCISCO DE [1620-1685].

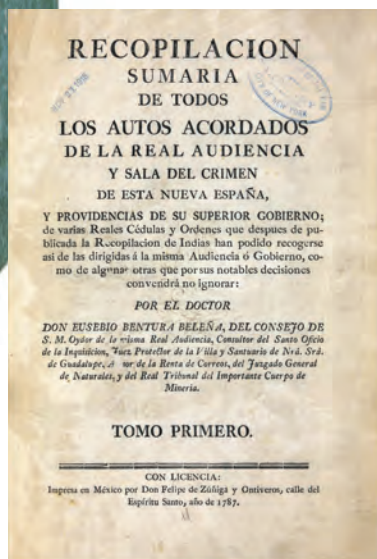
Recopilacion Sumaria de Todos los Autos Acordados de la Real Audiencia y Sala del Crimen de Esta Nueva Espana, y Providencias de su Superior Gobierno; De Varias Reales Cédulas y Ordenes que Despues de Publicada la Recopilacion de Indias Han Podido Recogerse asi de las Dirigidas a la Misma Audiencia o Gobierno, Como de Algunas Otras que por sus Notables Decisiones Convendra no Ignorar.

[Mexico City]: Por don Felipe de Zuniga y Ontiveros, 1787. Six volumes in two books, each with title page, Books 3-5 paged continuously, first book preceded by introduction and tables preceded by general title page. Copperplate portraits to verso of title-page and first leaf of introduction. Folio (11" x 7-1/2")

LATER (probably nineteenth-century) quarter morocco over marbled boards, gilt titles and ornaments to spine, marbled endpapers. Light wear to boards, moderate rubbing to extremities, corners bumped and somewhat worn, some chipping to head of spine, front joints just starting at head, hinges cracked. Attractive

woodcut initials, two depicting the native Mexican landscape. Marginalia in early hand to a few leaves. Light toning, somewhat heavier in places, light foxing to some leaves. Annotations in early hand to a few leaves in Parts 3-6, interior otherwise clean. Ex-library. Small shelf label to foot of second book, stamps to title pages. A solid copy of a very scarce title. \$5,000.

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



Nº180





Nº 181

SCARCE COAHUILA IMPRINT

181 [MEXICO]. [COAHUILA, STATE OF].

Constitucion Politica Reformada del Estado de Coahuila.

Saltillo: Imprenta del Gobierno, 1852. 50 pp. Octavo (6" x 4").

Contemporary morocco, gilt spine, ornate gilt frames enclosing elaborate blind-stamped panels, gilt inside dentelles, moire satin-covered pastedowns and front free endpapers, gilt edges. Light rubbing to extremities, cracks between front free endpapers and text block, light toning to text, foxing in a few places, internally clean. A handsome copy of a rare imprint. \$1,500.

COAHUILA IS MEXICO'S third largest state. It has had a colorful political history. "Coahuila and Texas" was one of the constituent states of the newly independent United Mexican States under its 1824 Constitution. (Texas seceded in 1835 to form the Republic of Texas.) In turn, Coahuila became a member of the short lived Republic of the Rio Grande in 1840. On February 19, 1856, Santiago Vidaurri annexed Coahuila to his state, Nuevo Leon, but it regained its separate status in 1868. *Constitucion Politica Reformada* was a proposed reform Constitution from 1852 that was never enacted. OCLC locates 1 copy in North America (at UT Austin); no copies located in North American law libraries.

182 [MEXICO].

Coleccion de Leyes, Decretos y Circulares Expedidas por el Supremo Gobierno de la Republica. Comprende Desde su Salida de la Capital en 31 de Mayo de 1863 Hasta su Regreso a la Misma en 15 de Julio de 1867.

Mexico City: Imprenta del Gobierno, 1867-1868. Three volumes. Octavo (6-3/4" x 4-1/2").

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

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

THE MEXICAN CONSTITUTION IN 1884

183 [MEXICO]. [CONSTITUTION].

Coleccion que Comprende la Constitucion General de la Republica con sus Adiciones, Reformas y Leyes Organicas Expedidas Hasta el 30 de Junio de 1884 y las Constituciones Especiales de Cada uno de los Estados de la Federacion.

Mexico City: Imprenta del Gobierno en Palacio, 1884. [ii], 451, [2]; [ii], 440, [1] pp. Octavo (8-1/2" x 5-3/4").

Later cloth, red and black lettering pieces to spine, endpapers renewed. Some soiling, light fading to spine, light wear to edges of lettering pieces. Moderate toning to text, light foxing in a few places. Ex-library. Location label to spine, stamps to title page, annotations to verso. A solid copy of a scarce title. \$450.

ONLY EDITION. Mexico's 1857 constitution remained in force until 1917. It received numerous amendments and additions until its repeal, which is why annotated editions from different periods are helpful. *Coleccion* also includes state constitutions. OCLC locates 7 copies in North American law libraries (Columbia, Harvard, Library of Congress, LA County, St. Louis University, University of Michigan, University of Minnesota). See Claggett and Valderrama 10.

A CRUCIAL ERA IN MEXICAN HISTORY

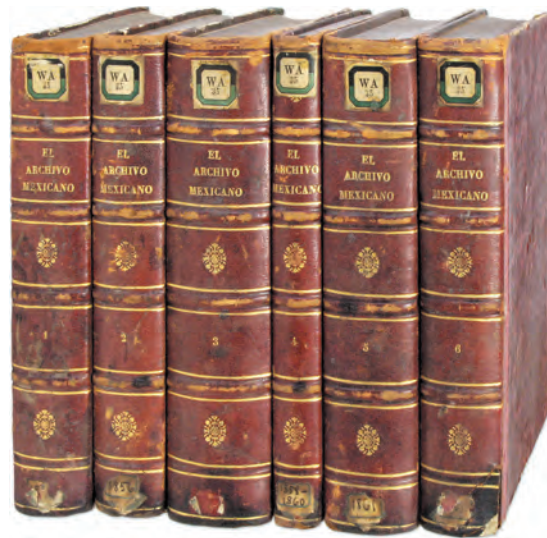
184 [MEXICO].

El Archivo Mexicano: Coleccion de Leyes, Decretos, Circulares y Otros Documentos.

Mexico [City]: Imprenta de Vicente G. Torres, 1856-1862. Six volumes. Complete set. Octavo (8-1/2" x 5-1/2").

Contemporary quarter sheep over marbled boards, raised bands and gilt titles and ornaments to spines. Moderate rubbing to extremities with some wear to edges, corners bumped. Moderate toning to text, lighter in places, internally clean. Ex-library. Location labels to spines, location numbers to front pastedowns, small inkstamps to title pages. A nice copy of a rare title. \$1,750.

THESE VOLUMES collect legislation and related documents from 1854 to 1861. This was a crucial era in Mexican history. It began with the overthrow of Santa Ana, the drafting of the moderately liberal Second Federal Republic of Mexico in 1857 and the War of Reform, a civil war, that followed. The war ended in 1861 with the French invasion of Mexico, which established a monarchy under Archduke Ferdinand Maximilian of Austria, who was crowned Emperor Maximilian I of Mexico. OCLC locates 1 copy (at the British Library). Clagett and Valderrama 396.



Nº184

AN IMPORTANT NINETEENTH-CENTURY MEXICAN STATESMAN

186 [MEXICO]

MONTIEL Y DUARTE, ISIDRO ANTONIO [1821-1891].

Derecho Publico Mexicano: Compilacion que Contiene: Importantes Documentos Relativos a la Independencia, La Constitucion de Apatzingan, El Plan de Iguala, Tratados de Cordoba, La Acta de Independencia, Cuestiones de Derecho Publico Resueltas por la Soberana Junta Gubernativa, Cuestiones Constitucionales Tratadas por el Primer Congreso Constituyente, La Acta Constitutiva de los Estados-Unidos Mexicanos, La Constitucion de 1824, Las Leyes Constitucionales de 1836, Las Bases Organicas, La Acta de Reformas, La Constitucion de 1857 y la Discusion de Todas Esta Constituciones.

Mexico [City]: Imprenta del Gobierno, 1871-1882. Four volumes.

[And]

MONTIEL Y DUARTE, ISIDRO ANTONIO.

Derecho Publico Mexicano: Apendice al Tomo IV: Que Contiene las Reformas de la Constitucion de 1857 y las Leyes Organicas Expedidas Hasta la Fecha.

Mexico [City]: Imprenta del Gobierno, 1882. 92 pp.

Together five volumes in two books. Complete set. Small folio (11-1/2" x 7-1/2"). Contemporary publisher wrappers bound into recent cloth, printed paper title labels to spines. Light soiling and edgewear to wrappers, faint dampstaining to a few leaves, some toning to text, internally clean. Ex-library. Small inkstamps to title pages. A nice set. \$1,250.

ONLY EDITION. Montiel y Duarte was an important statesman and legal author. "[*Derecho Publico Mexicano*] was a vehicle for his opinions on a number of newsworthy cases between the Federal and State powers that had already attracted much attention in Mexico. These cases generally touched on fiscal matters." Clagett and Valderrama 20.

JUDICIAL ADMINISTRATION IN MEXICO CITY

185 [MEXICO].

[JANTA DE ARANCELES].

Coleccion de Aranceles Para los Tribunales, Juzgados, y Oficinas de Justicia, Gobierno y Real Hacienda, Que Comprende la Ciudad de Megico. Arreglados Por la Real Junta Establecida en Real Cedula de 29 de Junio de 1738 y en Ella Espresamente Nombrados los Senores Dr. D. Pedro Malo de Villavicencio, D. Juan Rodriguez de Albuerne [and Others] Y para Gobernadores, Corregidores, Alcaldes Mayores, Aguaciles Mayores...Aumentada con Varias Providencias Legislativas de los Congresos Megicanos y Espanoles.

Mexico [City]: Imprenta de Sebring y West, 1833. [iv], 220 pp. Quarto (9-1/2" x 6-1/2").

Contemporary three-quarter sheep over marbled boards, gilt fillets and title to spine. Some rubbing to boards and extremities, minor chipping to head of spine, corners bumped and lightly worn. Toning to text, light foxing in a few places, internally clean. \$1,250.

ONLY EDITION. Interesting for its insights into judicial administration in Mexico City in the 1830s, this book is a compilation of tariffs and other fees for tribunals and governmental bodies established in 1738. It also includes lists of officials and their salaries and is thus a good resource for students of the judicial and political organization of the city at that time. OCLC locates 6 copies, 1 in a North American law library (Harvard).

A NOTABLE CIVIL-WAR GENERAL ATTEMPTS
TO BUILD A RAILROAD IN MEXICO

187 [MEXICO].
[RAILROADS].

Decreto Original y Alteraciones al Mismo de la Concesion del Ferrocarril y Telegrafo de Tuxpan.

Mexico: Tip. de la v. e Hijos de Margaia, 1872. 33, [1] pp. Octavo (10-1/2" x 7").

Stab-stitched pamphlet in original printed wrappers. Covers darkened, light soiling and minor edgewear, small ink spot on front wrapper. Light browning, some chipping and foxing, creasing to corners of most leaves. Contemporary annotations to several leaves and two sheets of laid-in notes in Spanish and English. Rare.

\$500.

TEXT OF THE ORIGINAL CONCESSION, issued to Antonio D. Richards, Santiago Smith, and Jose Brennan, facing the altered concession issued to General W. S. Rosecrans. "In 1868 President Johnson appointed Rosecrans to be Minister to Mexico. Five months later, President Grant terminated the appointment. His brief diplomatic career convinced him that a prosperous Mexico would need peace, immigration, and railways, and he applied for a concession to build a narrow-gauge railway and telegraph line from Tampico to the Coast. The record of toil and travel, scheming, waiting on rich men and politicians, and of the final collapse of his Mexican dreams, forms a wearying chapter of the frustrating years from 1869 through 1873. Yet he was almost the first, and perhaps the most important, in a long line of Yankee railroad promoters in Mexico." Lamers, *The Edge of Glory: A Biography of General William S. Rosecrans, U.S.A.* No copies located on OCLC or KVK. One copy located at the Biblioteca Nacional de Mexico.

RARE COMPILATION OF MEXICAN MILITARY LAW

188 [MEXICO].
R[AMIREZ] Y S[ESMA]. J[OAQUIN], EDITOR.

Coleccion de Decretos, Ordenes y Circulares Espedidas por Los Gobiernos Nacionales de la Federacion Mexicana, Desde el Ano de 1821, Hasta el de 1826: Para el Arreglo del Ejercito de los Estados-Unidos Mexicanos, y Ordenadas por el Teniente Coronel de Caballeria.

Mexico City: Marin Rivera, 1827. 355 pp. Forms. 15 folding tables. Quarto (8" x 5-1/2").

Contemporary tree sheep, lettering piece and gilt fillets to spine. Some rubbing to extremities, corners bumped, small chip to head of spine, chipping to edges of lettering piece. Moderate toning to text, faint stains to margins of a few leaves, internally clean. A nice copy.

\$1,500.

ONLY EDITION. A compilation from the period of the First Mexican Republic, it is a useful source of information concerning the legal framework that governed the Mexican military from 1824 to 1846. The collection is notable for its omission of the harsher laws of the Mexican Empire of Agustin de Iturbide, which preceded the establishment of the republic. OCLC locates 4 copies in North American law libraries (Duke, Harvard, University of Michigan, University of Minnesota).

SCARCE COMPILATION OF COLONIAL-ERA LAWS

189 [MEXICO].

Recopilacion de las Leyes del Gobierno Espanol, Que Rigen en la Republica, Respectivas a los Anos de 1788 y Siguietes. Cuarta Parte del Semanario Judicial.

Mexico City: Imprenta de J.M. Lara, 1851. 342, [14] pp. Quarto (8-1/2" x 6").

Quarter calf over textured boards, gilt fillets, ornaments and title to spine. Moderate rubbing to extremities with some wear to spine ends and corners, a few minor scuffs, light rubbing to boards, front free endpaper lacking. Moderate toning to text, light foxing in a few places, internally clean. Ex-Library. Shelf label to spine, shelf number and annotations to front pastedown, small inkstamp to title page. A nice copy.

\$750.

ONLY EDITION. This is a compilation of colonial-era laws that were still in force in 1851. OCLC locates 12 copies in North America, 6 in law libraries (Library of Congress, Harvard, Tulane, University of Michigan, University of Minnesota, Yale).



Nº190

DISPUTED POINTS IN MEXICAN CONSTITUTIONAL LAW

190 [MEXICO].

VALLARTA, IGNACIO L. [1830-1893].

Cuestiones Constitucionales: Votos del C. Ignacio L. Vallarta, Presidente de la Suprema Corte de Justicia en los Negocios mas Notables Resueltos por Este Tribunal.

Mexico [City]: Imprenta de Francisco Diaz de Leon, 1879-1883. Four volumes. Octavo (9" x 6").

Recent cloth, printed paper spine labels. Light toning to text, internally clean. Ex-library. Small inkstamps to title pages.

\$1,500.

FIRST EDITION. "The leading authority of the time on the interpretation and application of the constitutional provisions in actual cases was Ignacio L. Vallarta, who had served as chief justice of the Supreme Court. [Votos] touches on those cases [in constitutional law] in his court which involved disputed points of interest" (Clagett and Valderrama). An important work, it went through three more editions, the last in 1894-97. All are scarce. OCLC locates 3 copies of the first edition in North American law libraries (Harvard, Louisiana State University, University of Michigan). Clagett and Valderrama 22.



Nº192

SCARCE 1879 TEXTBOOK ON MEXICAN PUBLIC LAW

- 191 [MEXICO].
VAZQUEZ, JUAN M.

Curso de Derecho Publico.

Mexico City: Tip. Literaria De F. Mata, 1879. 596 pp. Octavo (8-1/2" x 5-1/2").

Contemporary quarter calf over marbled boards, raised bands and gilt title to spine. Moderate rubbing to boards and extremities with some wear to spine ends and corners, hinges cracked. Light toning to text, internally clean. Ex-library. Shelf labels to spine, small inkstamp to title page. \$250.

ONLY EDITION. An excellent summary of the law as it stood in 1879, this is textbook on public, administrative and constitutional law. Mata was a judge of the Mexican Supreme Court. OCLC locates 7 copies in North American law libraries (Harvard, Library of Congress, Los Angeles County, Louisiana State, Stanford, Tulane, University of Minnesota).

RARE COLONIAL-ERA COLLECTION OF MEXICAN FIRE LAWS

- 192 [MEXICO].
VIANA, FRANCISCO LEANDRO DE [1730-1804].

Reglamento Para Precaver y Extinguir en Mexico los Incendios de sus Casas, y Edificios Publicos.

Madrid: Por Don Joachin Ibarra, 1782. [iv], xviii, 90, xiv pp. Copperplate portrait frontispiece (of Princess Maria Luisa de Borbon). Quarto (9-1/2" x 6").

Contemporary speckled sheep, gilt fillets to boards, gilt spine, marbled endpapers. Negligible light rubbing to extremities, small scuff near center of rear board, light toning to text, internally clean. A very well-preserved copy. \$3,500.

ONLY EDITION. Issued for Spanish Mexico, this is a code of laws relating to fire prevention, fire fighting and property damaged by fire. OCLC locates a handful of copies in North America, but only 1 in a law library (Harvard). Sabin 99408.

NICARAGUA'S 1871 CODE OF CIVIL PROCEDURE

- 193 [NICARAGUA].
AYON, TOMAS [1821-1887], EDITOR.

Codigo de Procedimientos Civiles de la Republica de Nicaragua, Redactado con Arreglo a las Disposiciones del Codigo Civil.

Managua: Imprenta de "El Centro-Americano," 1871. [ii], 121 pp. Main text in parallel columns. Folio (11-1/2" x 8").

Later textured cloth, lettering piece to spine, endpapers renewed, title page, which has some edgewear along gutter from when it was detached, carefully re-hinged. Light wear to extremities, small chip near head of spine. Light toning to text, internally clean. Ex-library. Small inkstamp to title page. \$750.

WITH INDEX. Enacted in 1871, this code was replaced in 1906. OCLC locates 5 copies in North American law libraries (Harvard, LA County, Library of Congress, UC-Berkeley, University of Michigan). Not in the BMC.



Nº194

RARE NICARAGUA IMPRINT

194 [NICARAGUA].
PINEDA, JOSE LAUREANO.

Decretos y Acuerdos Gubernativos Emitidos en el Periodo del Director Licenciado don Jose Laureano Pineda, Desde el 6 de Agosto de 1851 Hasta 31 de Marzo de 1853.

Granada (Nicaragua): Impreso en la Imprenta del Orden, 1853. [xxxviii], 327 pp. Quarto (7-1/2" x 5-1/2").

Later quarter calf over textured cloth, gilt fillets and title to spine, patterned endpapers. Some rubbing to extremities, toning to portions of text. Early signature to title page, interior otherwise clean. \$2,850.

ONLY EDITION. With index. This is a collection of decrees and laws issued during the presidency of Jose Laureano Pineda (1851-1853), a man who played a leading role in the development of the country. OCLC locates 1 copy (at the Library of Congress, which lacks the 16-page index). Not in the *BMC*.

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

195 [PERU].
BORDA, JOSEFA.
ALIAGA, JUAN DE
ARMAS, JOSE DE.

Manifiesto Legal por la Senora Dona Josefa Borda, Marquesa de Fuente Hermosa, Y por el Senor don Juan de Aliaga, Actual Marques Dr Zalada de la Fuente, Para que se Reforme la Sentencia de Vista de Esta Real Audiencia, en la Parte que Confirma la del Senor Alcalde Ordinario, Conde de San Isidro, que Condeno a la Testamentaria del Sr. D. Felipe Colmenares, Anterior Marques de Zelada de la Fuente, Al Pago de 64 Mil y Mas Pesos del Jornal de Unos Esclavos Muertos y no Repuestos en la Hacienda

de Huando, Arrendada al Sr. D. Juan de Palomares por la Senora Dona Maria Fernandez de Cordova.

Lima: Por Don Bernardino Ruiz, 1818. viii, 80 pp. Quarto (7-1/2" x 5-1/2").

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

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

SCARCE 1792 TREATISE ON TAXATION AND INHERITANCE LAWS
IN THE VICEROYALTY OF PERU

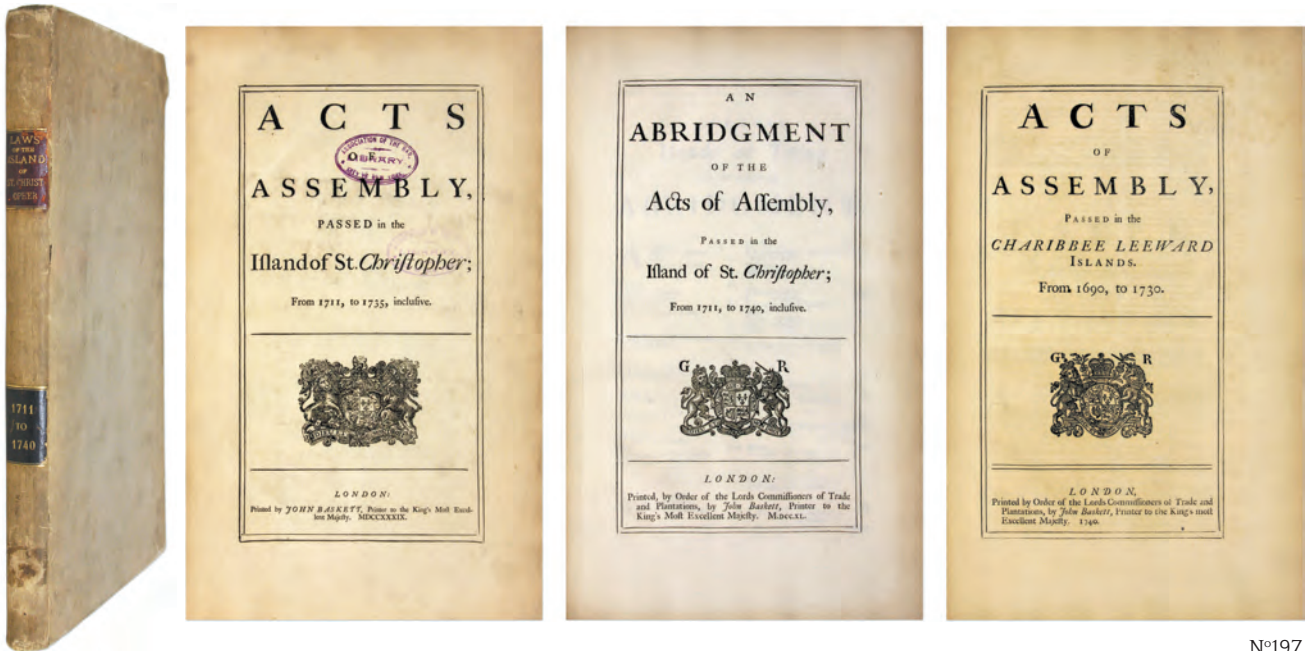
196 [PERU].
REZABAL (REZABEL) Y UGARTE, JOSE DE [D. 1800].

Tratado del Real Derecho de las Medias-Anatas Seculares: y del Servicio de Lanzas a que Estan Obligados los Titulos de Castilla. Origen Historico de Este Juzgado en el Reyno del Peru. Reglas con Que se Administran Estos Ramos en Ambas Americas, Conformes en la Mayor Parte a las que Estan Prescritas en Espana Para su Adeudo y Recaudacion. Con Tres Apendices: El Primero Contiene un Catalogo Alfabetico de los Titulos Existentes en Aquel Vireynato, Sus Creaciones Respectives y Actuales Poseedores. El Segundo las Reglas Generales de Media-Anata Insertas en la Real Cedula de 3 Julio de 1664. Y el Tercero las Reales Ordenes y Cedulas que se Han Expedido Para el Mejor Regimen y Gobierno de Ambos Derechos.

Madrid: En la Oficina de B. Cano, 1792. [xvi], 252 pp. Fold-out table. Folio (11-1/2" x 8").

Contemporary sheep treated to look like tree calf, lettering piece and gilt fillets to spine, rouged edges, ribbon marker, marbled endpapers. Some rubbing to extremities with minor chipping to head of spine, corners bumped and somewhat worn, hinges cracked. Early owner bookplate and signature to verso of title page with some bleed-through and offsetting, interior otherwise fresh. \$850.

ONLY EDITION. This is a treatise on inheritance law and taxation in the Viceroyalty of Peru. The author was the senior judge in Cusco. It includes a detailed catalogue of all Spanish titles of nobility in Peru and contains a good deal of information relating to native South Americans and people of mixed Spanish-native blood. Indeed, it is an important source for its information on the legal status of these people and is included in the CD-ROM collection *Textos Clasicos de Literatura Juridica Indiana* (Madrid, 1999). OCLC locates 14 copies, 11 in North America, 1 in a law library (Library of Congress). Palau 265986.



Nº197

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

197 [SAINT KITTS].

*Acts of Assembly, Passed in the Island of St. Christopher;
From 1711, to 1735, Inclusive.*

London: Printed by John Baskett, 1739. x, 182 pp.

[Bound with]

*An Abridgment of the Acts of Assembly, Passed in the
Island of St. Christopher; From 1711, To 1740, Inclusive.*

London: Printed by John Baskett, 1740. [ii], clvii-clviii, 169-198.

[And]

[LEEWARD ISLANDS]

*Acts of Assembly, Passed in the Charibbee Leeward
Islands, From 1690, To 1730.*

London: Printed by John Baskett, 1740. [v], [i], 24, [iv] pp.

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

ONLY EDITIONS. St. Christopher (St. Kitts) was discovered by Columbus in 1493. It was colonized by the British in 1623 and was the first British colony in the Leeward Islands. It was held jointly by the French and English from 1628 to 1713 and returned

to exclusive British rule under the terms of the Treaty of Utrecht in 1713. Often bound together, these two volumes are the first published compilations of the laws of St. Kitts. Pp. 165-182 of the 1739 Acts of Assembly contain acts from 1739-1740. The third title is the first printed edition of acts of the government of the Leeward Islands (Antigua, Barbuda, St. Kitts, Nevis and Anguilla). Saint Kitts: OCLC locates 3 copies of the St. Kitts acts in North American law schools (Columbia, University of Michigan, Yale), one of the Leeward Islands (Harvard). Sweet & Maxwell 7:318-19, 310.

AN IMPORTANT ANALYSIS OF SPANISH COLONIAL LAW

198 [SPANISH COLONIES].

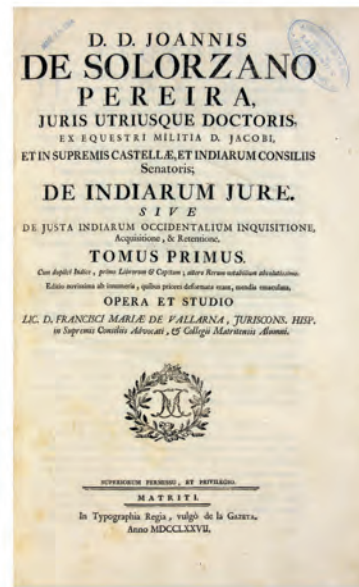
SOLORZANO PEREIRA, JUAN DE [1575-1655].

*De Indiarum Jure. Sive de Justa Indiarum Occidentalium
Inquisitione, Acquisitione, & Retentione. Cum Duplici
Indice, Primo Librorum & Caputum; Altero Rerum
Notabilium Absolutissimo. Editio Novissima ab Innumeris,
Quibus Priores Deformatae Erant, Mendis Emaculata,
opera et Studio.*

Madrid: In Typographia Regia, Vulgo de la Gazeta, 1777. Two volumes. [xviii], 431, [73]; [xii], 272, 275-896, 128 pp. Main text in parallel columns. Folio (11" x 8").

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

\$2,500.



N°198

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

THE FIRST COMPILATION OF THE LAWS OF
THE TURKS AND CAICOS ISLANDS

- 199 [TURKS AND CAICOS ISLANDS].
DUNCOMBE, ALFRED JOHN, COMPILER.

Laws of the Turks and Caicos Islands; Comprising the Imperial Statutes, Acts of the General Assembly of the Bahama Islands, Extended to This Presidency, And Ordinances Enacted by the Legislative Council of the Same, in Force at the Date of the Publication of This Work. Collected and Arranged in Ten Parts, According to the Order of Subjects, With an Appendix. Under the Authority of William Robert Inglis.

London: Saunders, Otley, and Co., 1862. xv, 616 pp. Octavo (9" x 6").

Recent period-style quarter calf over cloth. Light toning to text, internally clean. \$500.

ONLY EDITION. The Turks and Caicos Islands were annexed by Great Britain in 1790 as part of the Bahamas. They were separated from the Bahamas in 1848 and annexed to Jamaica in 1873. This was the first compilation produced for the Islands. A revised edition by G.P. St. Aubyn was published in 1908. Sweet & Maxwell 7:307.

URUGUAY'S FIRST CONSTITUTION

- 200 [URUGUAY].
GOYENA, PABLO V., NOTES.

Constitucion de la Republica Oriental del Uruguay Completada con los Documentos de la Asamblea Constituyente y las Leyes Posteriores, con Un Repertorio de la Misma Constitucion.

Montevideo: Tip. a Vapor de La Nacion, 1887. [vi], 149 pp. 12mo. (5-3/4" x 4").

Original printed wrappers, spine professionally mended. Some edgewear, light soiling. Some toning to text, internally clean.

\$250.

ONLY EDITION. With a glossary of terms and index. Uruguay's first constitution was adopted in 1830 and replaced in 1918. Goyena's edition provides useful notes and a glossary of terms. OCLC locates 9 copies, 1 in a North American law library (University of Minnesota).

SCARCE 1873 TREATISE ON VENEZUELAN CIVIL LAW

- 201 [VENEZUELA].
SANOJO, LUIS [1819-1878].

Instituciones de Derecho Civil Venezolano.

Caracas: Imprinta Nacional, 1873. Four volumes in two books. 383; 484 pp. Octavo (9" x 6").

Original publisher wrappers bound into recent cloth, printed paper title labels to spines, endpapers renewed. Moderate toning to text, internally clean. Ex-library. Small inkstamps to title pages. \$650.

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INDEX

DESCRIPTION	ITEM N°	DESCRIPTION	ITEM N°	DESCRIPTION	ITEM N°
Books Printed in		Bankruptcy	50	Constitutions (Latin America)	143, 156, 164, 167, 178, 181, 183, 190, 200
Argentina	155, 156, 157	Barbados	158, 159	Constitutions (United States)	1, 2, 6, 25, 42, 43
Austria	150	Bavaria	131	Contracts	116, 136
Belgium	121	Belena, Eusebio Buenaventura	180	Cooke, Edward	59
Bolivia	160, 161	Bertrand, Jean	5	Corporations	84, 129
Brazil	162, 163, 164, 165, 166, 167, 168	Betancourt, Angel C.	176	<i>Corpus Juris Civilis</i> (Editions)	124, 125, 126
Chile	169, 170	Bibliographies	52	<i>Corpus Juris Civilis</i> (Commentaries)	102, 123, 130, 146, 152, 153
Colombia	171, 172	Blackstone, Sir William	4, 47, 48, 49	Cosio, Felix Ruben	160
Cuba	175, 176, 177	Blake, Francis	6	Costa Rica	173, 174
Czech Republic	104	Blount Thomas	50	Cowley, John	62
France	101, 102, 106, 113, 114, 115, 120, 122, 135, 173	Bohemia	104	Criminal Law	26, 27, 57, 72, 131, 155
Germany	109, 119, 122, 124, 125, 127, 129, 131, 138, 140, 142, 146, 149, 152, 153	Bolivia	160, 161	Cuba	175, 176, 177
Guatemala	178	Bollan, William	7	Cujas, Jacques	126
Ireland	49, 53, 96	Bondini, Vincenzo	105	Cushing, Luther Stearns	14
Italy	103, 105, 108, 110, 111, 112, 116, 117, 133, 134, 136, 137, 141, 145	Books with Extensive Annotations	77, 135	Cuthbert, John Albert	15
Mexico	179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192	Books Listed in Beale	77, 91	Czech Republic	104
Netherlands	126, 130, 132, 144, 151, 154	Books Signed by Author	43, 159	D'Afflito, Matteo	111
Nicaragua	193, 194	Books with Illustrations	47, 60, 61, 73, 131, 149, 155	Darrow, Clarence	16
Peru	195, 196	Booth, William	51	Davis, Homer	13
Portugal	143, 148, 163	Borda, Josefa	195	Dictionaries	53, 83, 106, 122, 128, 166
Scotland	72, 88, 92, 93	Brazil	162, 163, 164, 165, 166, 167, 168	Diefenbach, Daniel	17
Spain	107, 118, 123, 147, 196, 198	Brillon, Pierre Jacques	106	Dorlon, John	28
Sweden	128	Bridgman, Richard W.	52	Dueling	102
Switzerland	139	Briseno, Ramon	169	Dugdale, Sir William	59, 60, 61
Uruguay	200	Broadsides	8, 9	DuPonceau, Peter	12
Venezuela	201	Brotherson, John	10	Duncombe, Alfred John	199
Authors and Selected Topics		Buildings	107, 192	Ecclesiastical Law, Religious Issues (Great Britain)	4, 45, 55, 60, 89, 95
Abendana, Isaac	45	Burn, John Ilderton	11	Election Law	62
Abolition of Slavery	165	Burn, Richard	53	Emerigon, Balthazard-Marie	18
Abreu Y Bertodano, Felix Joseph de	101	Bynkershoek, Cornelis van	12	Ercolani, Francesco	112
Adams, John	1, 2	Cabanach Y Malart, Poncio	107	Feltmann, Gerhard	119
Adultery	153	Canon Law	105, 113, 114, 116, 119, 122, 127, 129, 135, 147	Ferrari, Giovanni Pietro	113
Alabama	15	Carandi, Prospero	108	Fire	22, 192
Alciati, Andrea	102	Cardoso da Costa, Vincente Jose Ferreira	163	First Editions	2, 4, 10, 21, 33, 35, 39, 48, 50, 59, 66, 67, 72, 75, 79, 80, 91, 109, 123, 134, 147, 153, 156, 168, 170, 174, 190
Alcohol	41, 71, 99	Cardozo, Benjamin	44	Fonseca, Luiz Anselmo da	165
Aliaga, Juan de	195	Carre, Henry	54, 55	France	115
American Books Printed Before 1800	1, 2, 4, 19, 21, 23, 33, 34, 35	Carocci, Vincenzo	109	Freeman, Samuel	19
American Revolution	1, 2, 3, 7, 28, 31	Children	132, 148	Freitas, Augusto Teixeira de	166
Appleton, John	29	Chile	169, 170	Fulgineus, Franciscus	116
Araujo Costa, Salustiano Orlando de	162	Codes,	26, 104, 124, 125, 126, 142, 155, 157, 162, 170, 173, 174, 176, 184, 185, 192, 193	Funes, Gregorio	156
Argentina	155, 156, 157	Coke, Sir Edward	46	Germany	119, 131, 142, 149
Armas, Jose de	195	Collyn, Nicholas	56	Gilman, Charles	20
Arnono, Giovanni D'	103	Colquhoun, Patrick	57	Girri, Francesco Maria	117
Artwork	44, 90	Colombia	171, 172	Codefroy, Denis	124
Aspiroz, Manuel	179	Colonies	3, 7, 31, 158, 159, 180, 189, 192, 197, 198	Gonzalez de Salcedo, Pedro	118
Ashe, Thomas	46	Commentaries	1, 2, 4, 25, 45, 47, 48, 72, 124, 125, 126, 130, 146, 152, 153, 190, 198	Goyena, Pablo V	200
Autograph Letters, Manuscripts	16, 28, 29, 30, 38	Compilations of Laws	13, 33, 48, 58, 62, 92, 97, 115, 158, 159, 167, 171, 172, 177, 179, 180, 182, 188, 189, 192, 194, 197, 199	Greenwood, William	65
Ayon, Tomas	193	Constitution (Great Britain)	3, 4, 47, 48, 54, 75, 97		
Bachiller Y Morales, Antonio	175				

DESCRIPTION	ITEM N°	DESCRIPTION	ITEM N°	DESCRIPTION	ITEM N°
Griffith, William	21	Loccenius, Johan	128	Porcellini, Francesco	139
Grotius, Hugo	67	London	57, 58, 66, 71, 84	Portugal	143, 163
Grupen, Christian Ulrich	149	Loseo, Niccolo	129	Powell, Thomas	81, 82
G.T. of Staple Inne	68			Prasch, Johann Ludwig	140
Guatamala	178	<i>Magna Carta</i>	48, 54	Profanity	99
		Maltby, Isaac	27	Prohibition	16
Hakewell[I], William	69	Marcile, Theodore	126		
Hall, John	70	Maritime and Commercial Law	11, 18, 37,	Railroads	187
Hammond, Elisha	22		110, 133, 144,	Ramallo, Joachim Ignacio	168
Henderson, Robert	71		148, 154, 173,	Ramirez Y Sesma, Joachin	188
Hening, William Waller	23		174, 177	Rastell, John	83
Henniges, Heinrich	119	Matthaeus, Antonius	130	Rastell, William	83
Herne, Thomas	73	Massachusetts	3, 8	Rendella, Prospero	141
Hertzog, Samson	146	Marriage	74, 119, 135, 138	Reports, Collections of Cases	46, 49,
Hinde, John	70	Maryland	62		113, 121
Hindu law	120	Mauduit, Israel	31	Rezabel Y Ugarte, Jose de	196
Holy Roman Empire	104, 140, 142, 150	Maurer, Georg Ludwig	131	Rocha, Calixto de la	160
Hoogh, Nicolaas van der	121	Mexico	179, 180, 181, 182,	Roman Law	109, 102, 112, 116,
Hume, David	72		183, 184, 185, 186,		122, 123, 124, 125,
Hungary	150		187, 188, 189, 190,		126, 130, 132, 135,
Hyde, Robert	74		191, 192		136, 137, 138, 139,
		Military Law	12, 27, 67, 101, 188		144, 145, 146, 151,
Incest	148	Mining	177		152, 153, 154
Illinois	9, 20	Mitchell, James Coffield	32	Saint Kitts and Leeward Islands	197
Immoral Behavior	99	Mommerius, Aegidius	130	Sales, Ramon	143
Incunabula	122	Monasteries	147	Sanojo, Luis	201
India	120	Montanus, Balthasar	132	Sarsfeld, Dalmacio Velez	157
Inheritance and Succession, Wills	10, 15, 19,	Montanus, Paulus	132	Satire	90
	87, 91, 137,	Montemayor Y Cordova de		Saumaise, Claude	144
	138, 139,	Cuenca, Juan Francisco de	180	Sawyer, Sir Robert	84
	151, 195,	Montiel Y Duarte, Isidro Antonio	186	Scotland	72, 89, 93
	196	Moore, Samuel	159	Selchow, Johann	145
Insurance	22, 96	Munez de Escobar, Francisco	133	Sheppard, William	85, 86
International Law	6, 12, 67, 101, 108,	Muratori, Lodovico Antonio	134	Sichard, Johannes	146
	110, 118, 173, 174	Murder	41, 131	Smuggling	108, 118
Italy	103, 108, 110, 117, 141	Muret, Marc-Antoine	126	Solorzano Pereira, Juan de	198
Jacob, Giles	75			Somner, William	87
Jemio, Isaacs	161	Native Americans (Indians)	13, 41	Sosa, Francisco de	147
Jews	45	New Jersey	5, 21, 33	Sousa de Lobao, Manoel de Almeida E	148
Jodocus of Erfurt	122	Netherlands	121, 132	Spain	101, 107, 118,
Jugla y Font, Antonio	123	Nevizzano, Giovanni	135		143, 147
Junkin, David Xavier	24	Nicaragua	193, 194	Spangenberg, Ernst	149
Juries	54	Noalis, Nicolaus	136	Spanish Colonies	180, 189, 192, 198
Jurisprudence	140, 143, 175			Spelman, Henry	97
Justices of the Peace	23, 32, 34, 39, 56, 64,	Oaths	24	Spotiswood, John	88
	65, 85, 86, 98, 100	Oddi, Sforza	137	Staunford, Sir William	100
Justinian I, Emperor of the East	124, 125, 126	Olives	141	Stearns, Asahel	36
				Stegmann, Carlos	155
Kent, James	25	Parker, James	34	Stewart, Sir James	89
		Parliamentary Law	14, 69, 161	Story, Joseph	37, 38
Lacoste, Jean	126	Passeri, Nicolo	116	Stryk, Samuel	125
Land Law, Real Property	20, 36, 50, 60,	Peck, Pieter	138	Swan, Joseph	39
	63, 76, 77, 78,	Peru	195, 196	Sweden	128
	79, 81, 82, 107,	Pigott, Nathaniel	79	Swinburne, Henry	91
	116, 117	Pineda, Jose Laureano	194	Szigedi, Joannes	150
Lassenius, Johann	140	Pleading, Practice			
Latin-American Books		and Procedure	10, 14, 15, 19, 20, 21,	Taxation	3, 7, 31, 92, 196
Printed Before 1800	180, 196, 197, 198		23, 27, 32, 39, 51, 56,	Teixeira, Luiz Candido	167
Layman's Manuals	17, 75, 168		63, 68, 69, 81, 82, 85,	Tennessee	32
Legal History	59, 60, 61, 69, 73,		86, 100, 103, 114,	Textbooks, Legal Education	4, 25, 47, 51,
	94, 97, 131, 149, 184		131, 160, 193		63, 68, 81,
Legal Publishing	29	Plowden, Francis	80		82, 125, 126,
Leo I, Pope	127	Police	57		130, 153, 175, 191
Littleton, Sir Thomas	77, 78	Political Science	1, 2, 5, 7, 25, 48,	Thou, Jacques August de	140
Livingston, Edward	26		54, 55, 143, 198		
Llerena, Juan	155	Pombo, Lino D.	172		

DESCRIPTION	ITEM N°	DESCRIPTION	ITEM N°	DESCRIPTION	ITEM N°
Treatises (America and Great Britain)	4, 10, 11, 12, 18, 19, 22, 27, 36, 37, 47, 57, 63, 67, 69, 72, 74, 76, 77, 78, 79, 85, 87, 88, 91, 95, 96	Turks and Caicos Islands	199	Voltz, Valentin	152
		United States Supreme Court	37, 38, 44	Wales	94
		Universities	55, 129	Watson, William	95
		Uruguay	200	Webster, Daniel	43
		Vallarta, Ignacio L.	190	Weskett, John	96
		Van de Water, Johannes	126	Weytsen, Quintyn	154
		Van Leeuwen, Simon	145	Wilkins, David	97
Treatises (Continental Europe and Latin America)	101, 109, 111, 112, 116, 117, 119, 129, 132, 133, 136, 137, 138, 139, 140, 144, 147, 150, 154, 196, 198, 201	Vazquez, Juan M.	191	Women	40, 74, 135, 138
		Venezuela	201	Yonge, Walter	100
		Viana, Francisco Leondro de	192	Zobel, Christoph	142
		Vinnius, Simon	151		
		Vinnius, Arnoldus	151		
		Virginia	23		
Trials	40, 41, 93	Voltejus, Hermann	153		

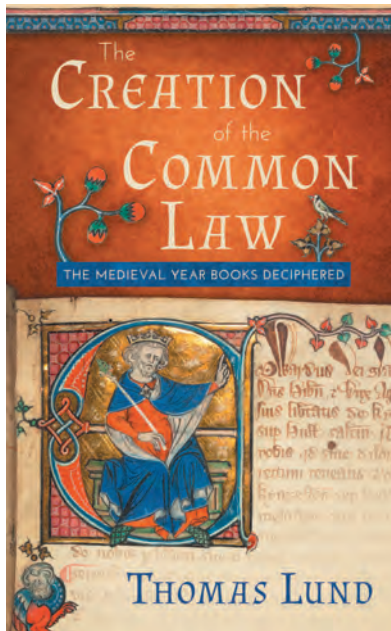
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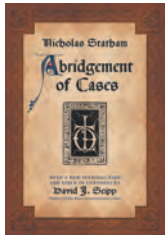
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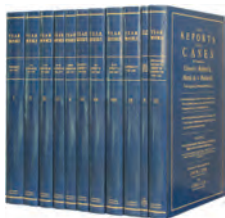
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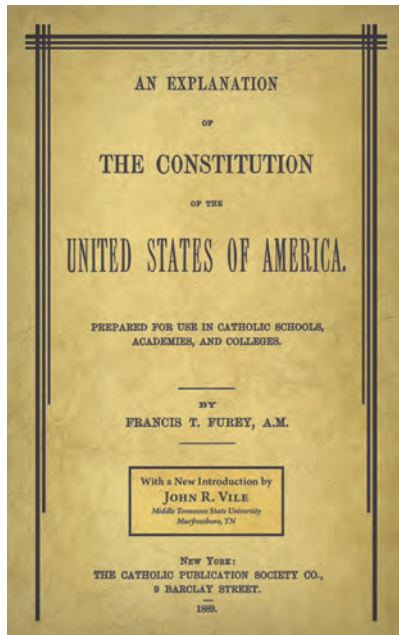
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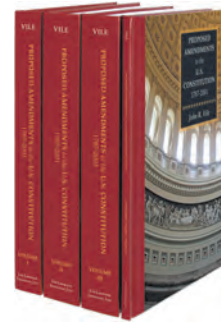
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FRANCIS T. FUREY [1852-?] was a Philadelphia high school teacher, author and translator.

CONTENTS

- | | |
|--------------------------------------------------------------------|-----------------------------------------------------------------|
| I. On Government in General and its Various Forms | XXIV. Powers denied to the States |
| II. The Articles of Confederation of the United States | XXV. The Executive Power |
| III. Historical Retrospect | XXVI. Election of the President |
| IV. The Confederation and the Constitution | XXVII. The Vice-President |
| V. Preamble and Plan of the Constitution | XXVIII. Eligibility to the Presidency |
| VI. The Legislative Branch of Government | XXIX. Compensation and Privileges of the President |
| VII. The House of Representatives | XXX. The Judiciary |
| VIII. Apportionment of the Representatives in Congress | XXXI. Jurisdiction of the United States Courts |
| IX. The United States Senate | XXXII. Jurisdiction and Organization of the Supreme Court |
| X. Impeachment Trials | XXXIII. The Circuit and District Courts |
| XI. Election to and Meeting of Congress | XXXIV. Treason against the United States |
| XII. Salaries, Privileges, and Disabilities of Members of Congress | XXXV. Concurrent Powers of the States |
| XIII. The Enactment of Laws | XXXVI. Formation of New States and Government of Territories |
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| XV. Commerce | XXXVIII. Character, Scope, and Ratification of the Constitution |
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| XVIII. Piracy, Warfare, and Military Regulations | XLI. Privileges of Accused Persons |
| XIX. Territory belonging to the United States | XLII. The Abolition of Slavery |
| XX. Powers granted and denied to Congress—Slavery | XLIII. State Government |
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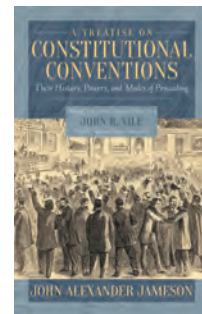
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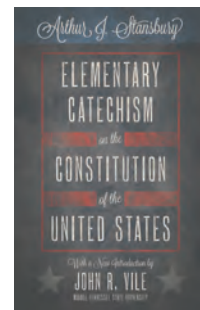
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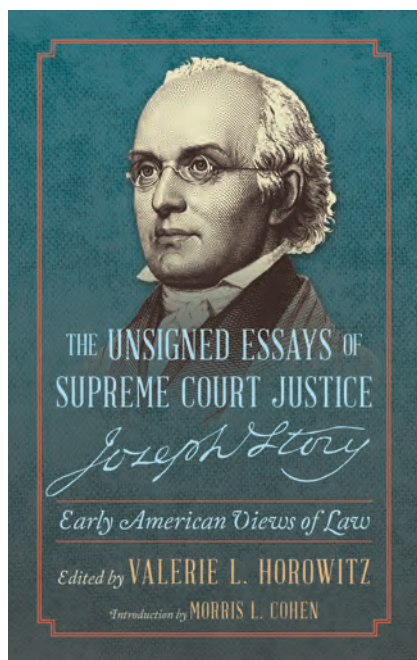
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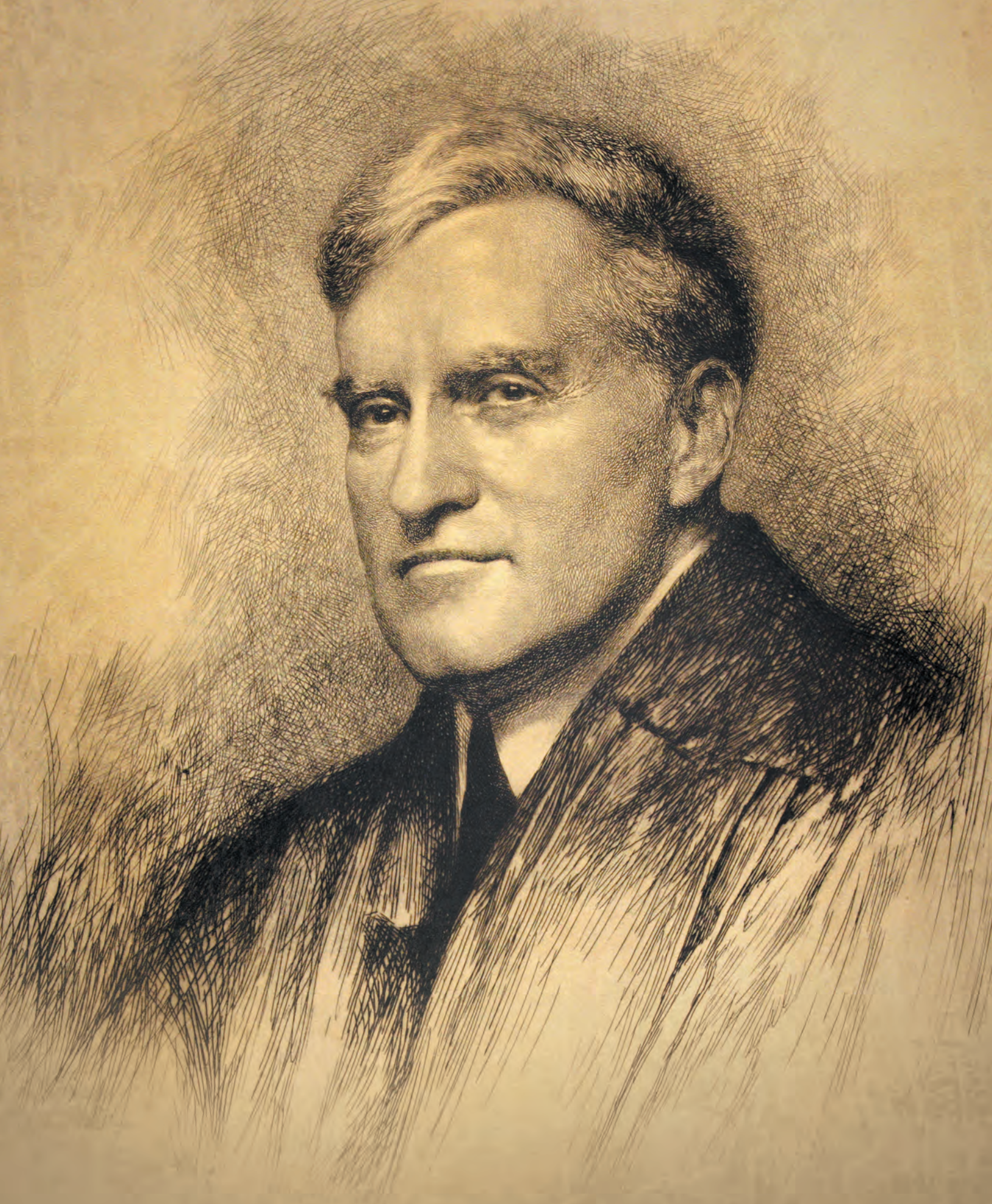
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