

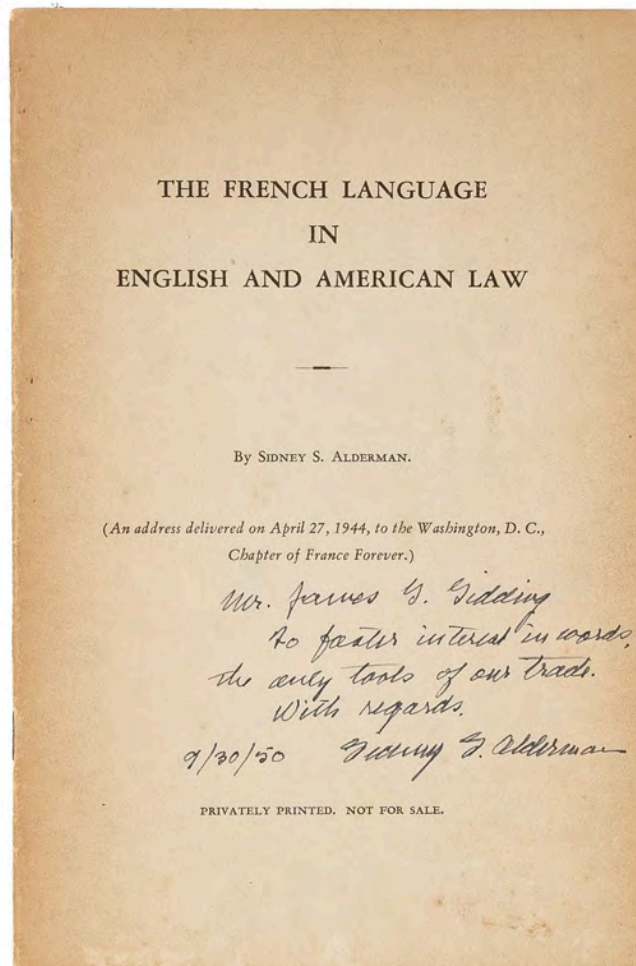
JANUARY 23, 2024

RECENT ACQUISITIONS

English, American & Continental Law, 1609–1944

30 ITEMS





Inscribed from a Nuremberg Prosecutor to a World War II Veteran

1. Alderman, Sidney S. [1892-1973].

The French Language in English and American Law (An Address Delivered on April 27, 1944, To the Washington, D.C., Chapter of France Forever.) [S.l.]: Privately Printed, [1944]. 22 pp.

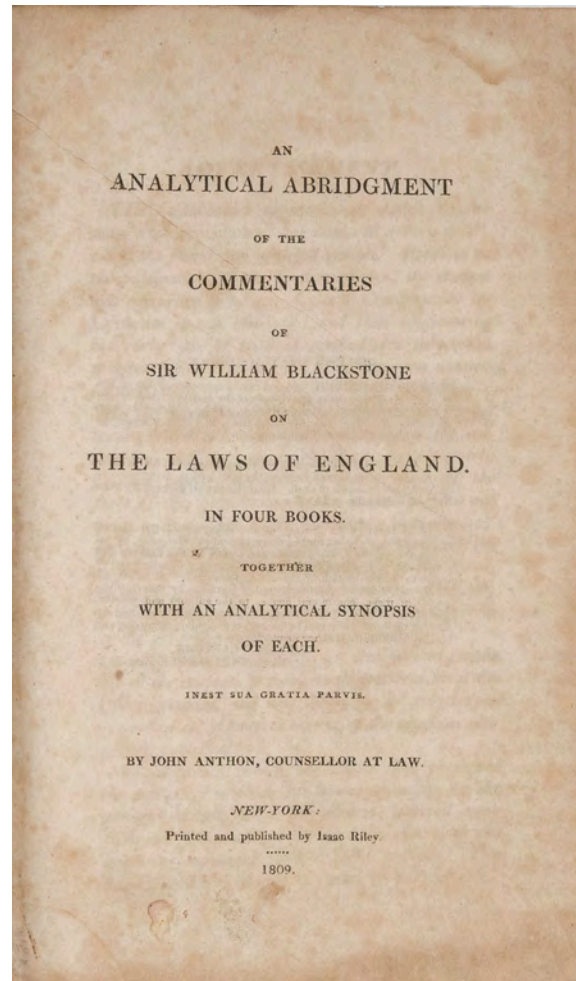
Stapled pamphlet in stiff printed wrappers. Light toning, light soiling to exterior, pencil annotations to pp. 7 and 22, presentation inscription "Mr. James G. Gidding/ To foster interest in words,/ the only tools of our trade./ With regards,/ Sidney S. Alderman" dated 9/30/50 to front wrapper. \$250.

* Alderman, a North Carolina lawyer and veteran of World War I, served as Associate Trial Counsel for the United States during the Nuremberg Trials. This copy of his address discussing the legacy of the French language in Anglo-American law is inscribed to James G. Gidding, a World War II veteran who worked for Southern Railway System at the same time as Alderman.

OCLC locates 7 copies, 4 in law libraries (University of Iowa, Indiana University, Harvard, Duke).

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An Early American Abridgment of Blackstone

2. Anthon, John [1784-1863].

[Blackstone, Sir William (1723-1780)].

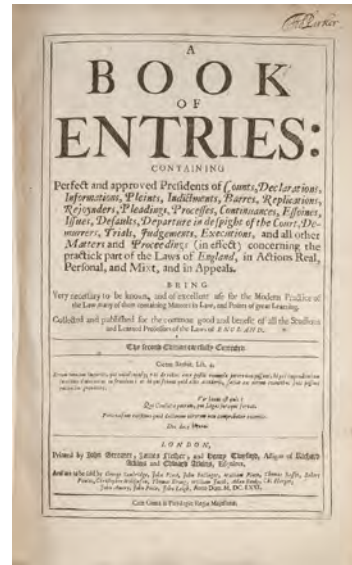
An Analytical Abridgment of the Commentaries of Sir William Blackstone on the Laws of England. In Four Books. Together with an Analytical Synopsis of Each. New York: Printed and Published by Isaac Riley, 1809. xx, 279 pp. Four folding tables. Complete. Octavo (8" x 5").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine, early paper shelf label and owner label to foot of spine. Moderate rubbing and a few shallow scuffs and faint stains to boards, front joint starting at ends, rear board partially detached but secure, spine ends abraded, corners bumped and somewhat worn, front hinge cracked, early bookseller ticket to front pastedown. Moderate toning and light foxing to interior, faint dampstaining in places, some creasing and edgewear to tables. \$350.

* First edition. A notable feature of this abridgment, which had a second edition in 1832, are its four tables outlining the four books of the *Commentaries*. Anthon, a prominent New York City attorney, was one of the founders of the New York Law Institute and its president from 1852 until his death.

Eller, *The William Blackstone Collection in the Yale Law Library* 137. Laeuchli, *A Bibliographical Catalog of William Blackstone* 237.

[Order This Item](#)



Final, Corrected, Edition of Coke's *Book of Entries*

3. [Coke, Sir Edward (1552-1634)].

A Book of Entries: Containing Perfect and Approved Presidents of Counts, Declarations, Informations, Pleints, Indictments, Barres, Replications, Rejoynders, Pleadings, Processes, Continuances, Essoines, Issues, Defaults, Departure in Despight of the Court, Demurrers, Trials, Judgements, Executions, And all Other Matters and Proceedings (In Effect) Concerning the Practicke Part of the Lawes of England, In Actions Real, Personal, And Mixt, And in Appeals. Being very Necessary to be Known, And of Excellent Use for the Modern Practice of the Law, Many of Them Containing Matters in Law, And Points of Great Learning. Collected and Published for the Common Good and Benefit of All the Studios and Learned Professors of the Lawes of England. London: Printed by John Streater, James Flesher, And Henry Twyford, 1671. [ix], 568, 568-580, 582-713, [10] ff. Main text in double columns. Prefaces in Latin and English, text in Latin, index in French. English-language preface signed "Edw Coke." Folio (13-1/2" x 8-3/4").

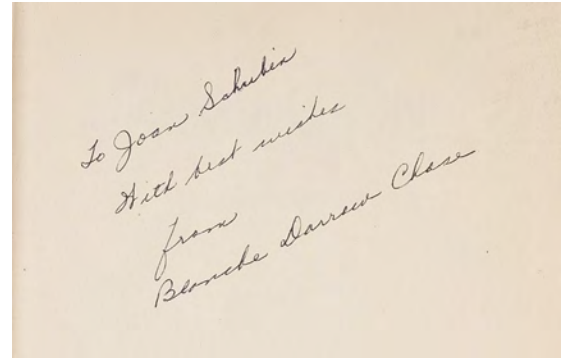
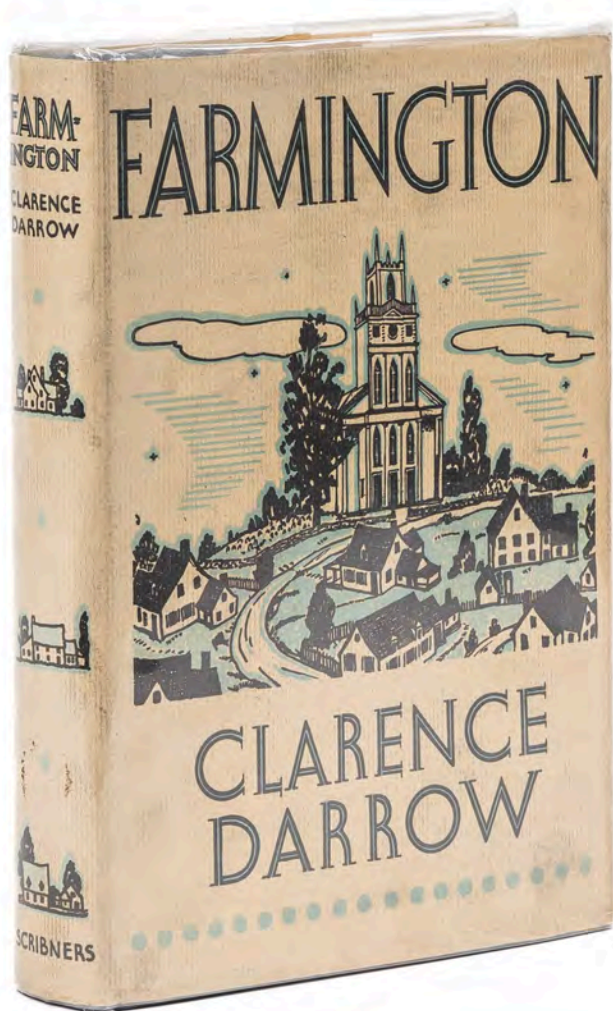
Contemporary reverse calf, blind rules and panels to boards, raised bands, lettering piece and two small early paper shelf labels to spine, "Coke" in early hand to head of spine and fore-edge of text block. Moderate rubbing, chipping to spine ends, front board partially detached, rear joint starting, corners bumped and somewhat worn, lower outside corner of rear board cracked, armorial bookplate of the Earls of Macclesfield to front pastedown. Light browning to interior, light foxing to sections of text, mostly to margins, creases and moderate edgewear to endleaves, signature of Thomas Parker, 1st Earl of Macclesfield to head of title page, his armorial bookplate to its verso, brief annotations in Parker's hand to a few leaves. \$1,750.

* Second and final edition, "Carefully Corrected." First published in 1614, this was the first comprehensive book of entries since Rastell's *Collection of Entries* (final edition, 1670). Holdsworth notes that it embodied Coke's experiences at the bar and on the bench. Marvin adds: "This volume was published...before the completion of his reports. It is in some measure a supplement to them because it exhibits the entire record of many of the cases therein reported."

Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, theirs was one of the finest private libraries in Great Britain. Parker [1666-1732], the 1st Earl of Macclesfield, was a hugely successful lawyer and Whig MP. He became Lord Chief Justice of England in 1710 and, in 1718, Lord Chancellor. Unfortunately, his meteoric rise was countered by an equally rapid fall in 1725 when he was impeached and found guilty of financial irregularities as Lord Chancellor.

Marvin, *Legal Bibliography* 212. Holdsworth, *A History of English Law* V: 461. *English Short-Title Catalogue* R25311.

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Inscribed by Darrow's Granddaughter

4. Darrow, Clarence [1857-1938].

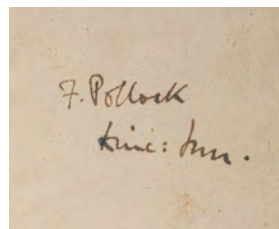
Farmington. New York: Charles Scribner's Sons, 1932. vii, [1], 9-255 pp.

Cloth, very good with light shelfwear in lightly soiled, unclipped dust jacket with a small chip between front panel and front flap. Internally clean, gift inscription "To Joan Scheiber/ With best wishes/ from/ Blanche Darrow Chase" to front free endpaper. \$250.

* Later edition with a new preface. First published in 1904), *Farmington* is a fictionalized account of the author's youth in Ohio. Though it went through seven editions, it was never a critical or commercial success. This pained Darrow because he thought it was his finest book. This copy is inscribed by his youngest granddaughter, Blanche Darrow Chase [1913-2006].

Hunsberger, *Clarence Darrow: A Bibliography* 270.

[Order This Item](#)



Frederick Pollock's Copy of an Important Treatise on the English Constitution

5. De Lolme, J[ean] L[ouis] [1740-1806]. [Stuart, Gilbert, Translator].

The Constitution of England; Or, An Account of the English Government; In Which it is Compared, Both with the Republican Form of Government, And the Other Monarchies in Europe. London: Printed for G.G. and J. Robinson, Paternoster-Row; J. Stockdale, Piccadilly; And Murray and Highley, Fleet-Street, 1796. [xii], xvi, 522, [18] pp. Copperplate portrait frontispiece. Octavo (8-1/4" x 5-1/4").

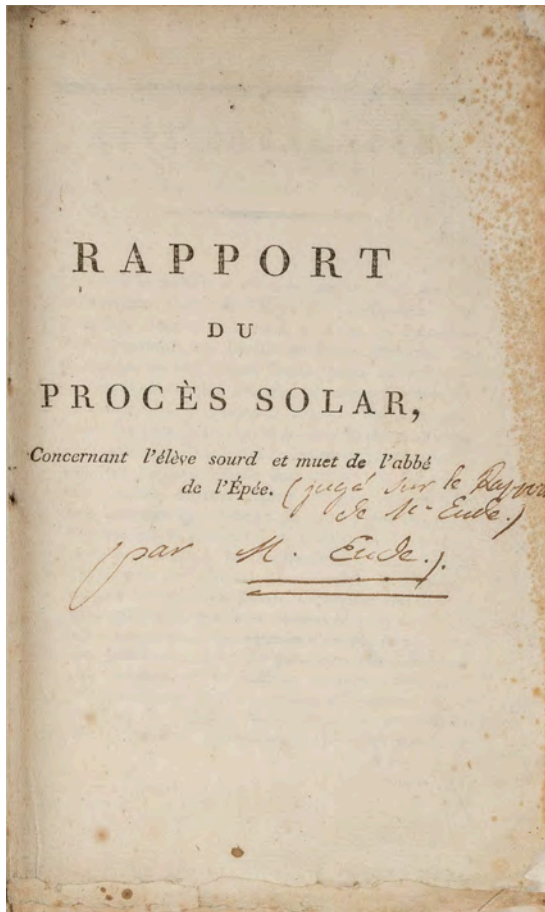
Nineteenth-century cloth, gilt fillets and calf lettering piece to spine, text block re-cased. Light rubbing to extremities, two tiny cracks to front joint, corners bumped, two tiny cracks to rear hinge, signature of Sir Frederick Pollock ("F. Pollock/ Linc: Inn) to front pastedown, earlier owner signature (W. Mellers, dated 1836) to verso of frontispiece. Moderate toning to interior, light foxing to a few leaves, light rubbing to fore-edges of preliminaries. \$950.

* Later edition. First published in 1771, De Lolme's highly regarded exposition of the English constitution went through several editions well into the nineteenth century. It was the first book-length analysis of the "separation of powers" proposed in Book XI of Montesquieu's *Spirit of Laws*, which sketched an institutional distinction between the legislative, executive, and judicial branches of government. As one would expect, it was held in high regard by many of the American founding fathers.

Pollock [1845-1937], the former owner of our copy, was one of the greatest British judges and legal scholars of his day. His treatises on contracts, jurisprudence, the common law and other subjects did much to clarify and systematize English law. Several of these were standard texts that went through several editions. He is also remembered for his collaboration with F.W. Maitland on *The History of English Law Before the Time of Edward I* and his correspondence with Oliver Wendell Holmes, which was published posthumously as *The Holmes-Pollock Letters*.

English Short-Title Catalogue T109936.

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The image shows a handwritten docket table with several columns. The columns are labeled: "N°", "Date", "Matière ou Sujet", "Cité", "Cité", "Cité", "Cité", "Cité", "Cité". The table contains several rows of handwritten entries, including dates like "8^e fév 1792" and "22 fév 1792", and names like "Solar" and "Épée".

Rare Report of the Famous "Solar Affair"

6. Eude, Jean-François [1759-1841].

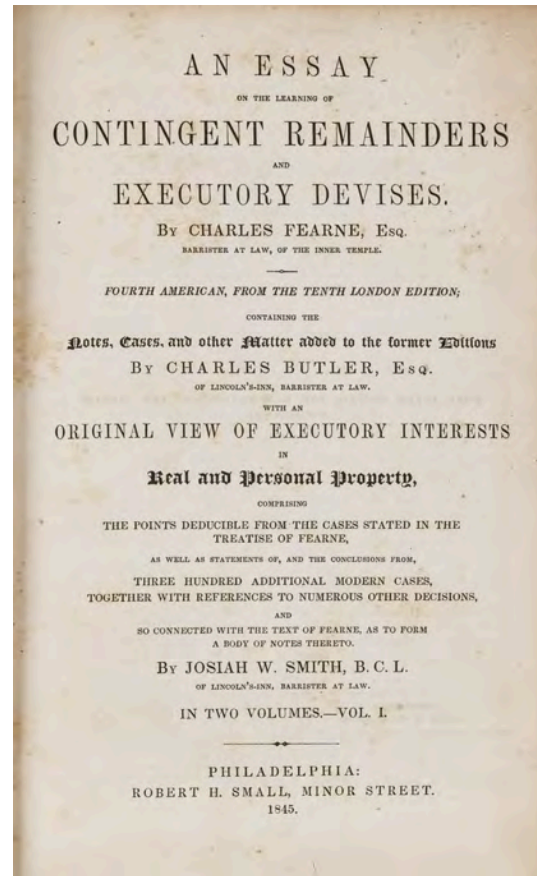
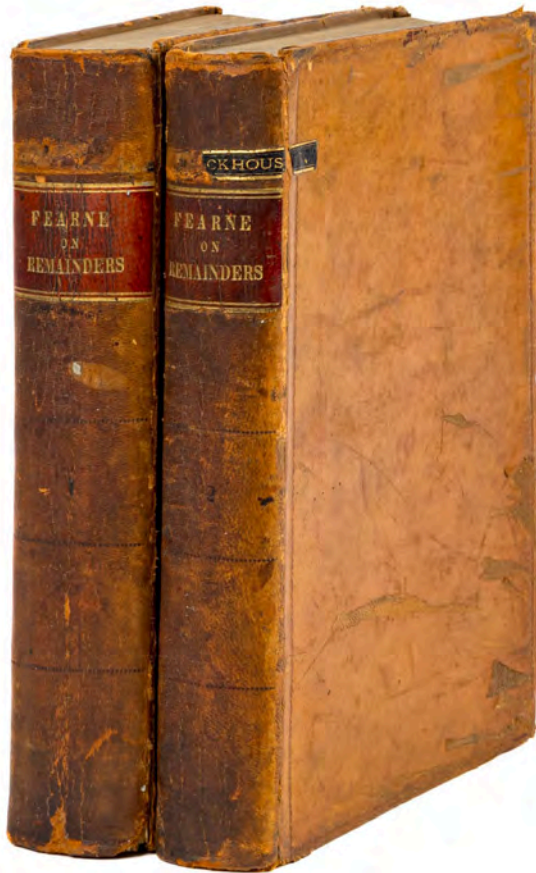
Rapport du Procès Solar, Concernant l'Élève Sourd et Muet de l'Abbé de l'Épée. [Paris: Baudouin, Imprimeur du Tribunat et du Corps législatif, 1792]. 54 pp. Octavo (8-1/2" x 5-1/4").

Stab-stitched pamphlet in original patterned wrappers, bottom edge untrimmed. Light toning, occasional light foxing, ink annotations to title page and p. 29, minor corrections to a few other pages. 10-1/4" x 15-1/2" (unfolded, 5-1/4" x 4" folded) manuscript leaf, a list in docket format of services rendered by Eude, laid-in. \$1,500.

* Only edition. In 1776, a philanthropist and prominent advocate for the deaf, Charles-Michel de l'Épée, took in a deaf and mute child who had been abandoned since 1773. L'Épée came to believe that this child was in fact Joseph de Lafontaine, Count of Solar, who had supposedly died in 1774. He accused Solar's mother of conspiring with a man named Cazeaux to abandon the child. In 1781, the case was heard in the Châtelet; Cazeaux was cleared of wrongdoing but the child was declared to be the Count of Solar and restored to his title. Solar's sister appealed in 1792. The appeal, heard before Jean-François Eude, resulted in the child being stripped of his titles. Eude's report lists the facts of the earlier case and discusses evidence in great detail. According to the preface, it was published to dispel controversy over the verdict. The case is interesting not only for its legal aspects, but the insight it provides into the perception and treatment of the deaf in French society.

OCLC locates 4 copies of this rare title, 2 in North America (Yale Medical School, Gallaudet University).

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Kent Admired Its "Ability and Perspicuity"

7. Fearne, Charles [1742-1794].

Smith, Josiah W., Editor.

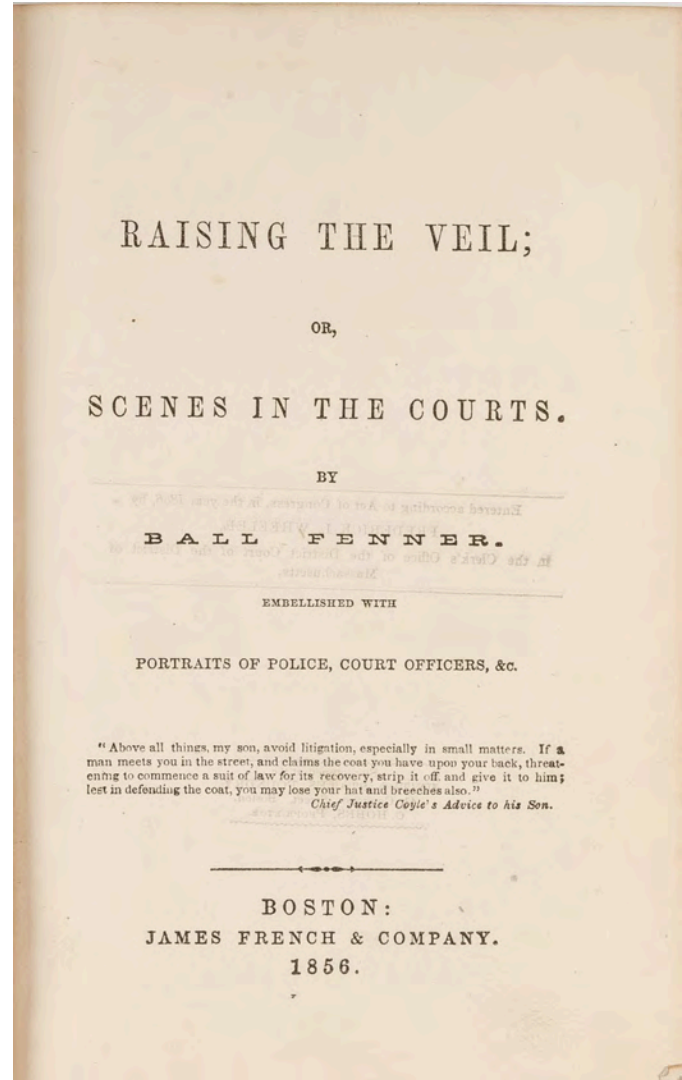
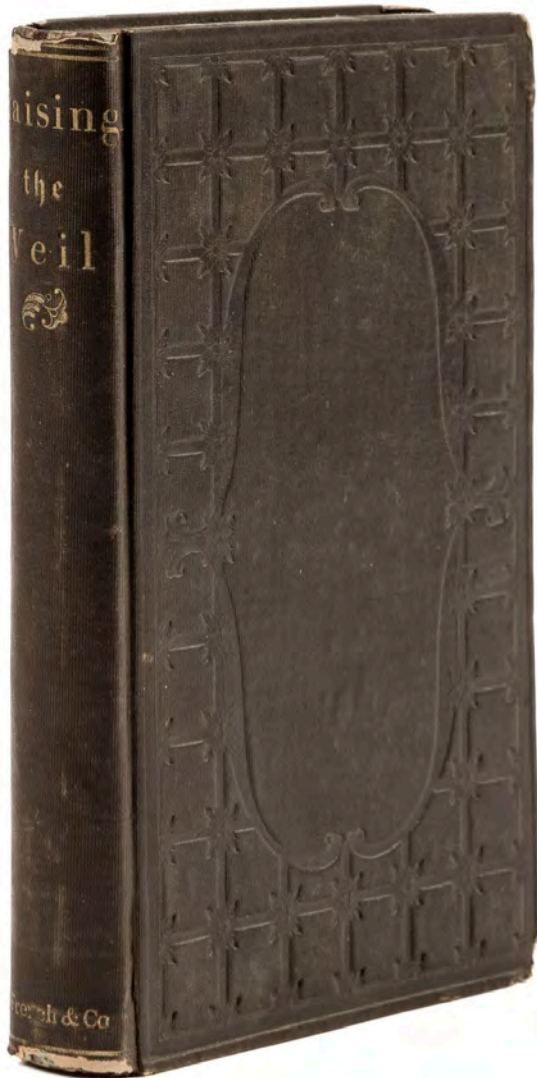
An Essay on the Learning of Contingent Remainders & Executory Devises. Containing Notes, Cases, And Other Matter Added to the Former Editions, With an Original View of Executory Interests in Real and Personal Property, Comprising the Points Deducible from the Cases Stated in the Treatise of Fearne, As Well As Statements of, And the Conclusions From, Three Hundred Additional Modern Cases, Together with References to Numerous Other Decisions, And So Connected with the Text of Fearne, As to Form a Body of Notes Thereto. Philadelphia: Robert H. Small, 1845. Two volumes. xxxv, [1], 729; lxxviii, 492 pp. Octavo (9" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering pieces, blind fillets and volume numbers and fragments of name labels (W.F. Stackhouse) to spines, blind tooling to board edges. Light rubbing and some shallow scuffs to boards, moderate rubbing to extremities, joints of Vol. I starting at ends, rear joint of Vol. II starting at head, corners bumped and worn, light foxing to endleaves, bookplates (of W.F. Stackhouse) to front pastedowns. Light toning and light foxing to interior, fold lines to corners of a few leaves, underlining and marginal marks in pencil to pp. 491-495 of Vol. I. \$650.

* Fourth American edition, from the tenth London edition. According to Kent, "Fearne's *Essay on Contingent Reminders*...is a performance of a very superior character. It is eminently distinguished for the ability and perspicuity with which it unfolds and explains the principles of the most intricate parts of the law." First published in 1772, this was a standard work for decades.

Kent, *Commentaries on American Law* I:514. Cohen, *Bibliography of Early American Law* 9519.

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A Jaundiced Look at the American Legal System from 1856

8. Fenner, Ball.

Raising the Veil; Or, Scenes in the Courts. Embellished with Portraits of Police, Court Officers, &c. Boston: James French & Company, 1856. xii, [13]-288 pp. Woodcut frontispiece with tissue guard. Plates. Octavo (7-1/2" x 5").

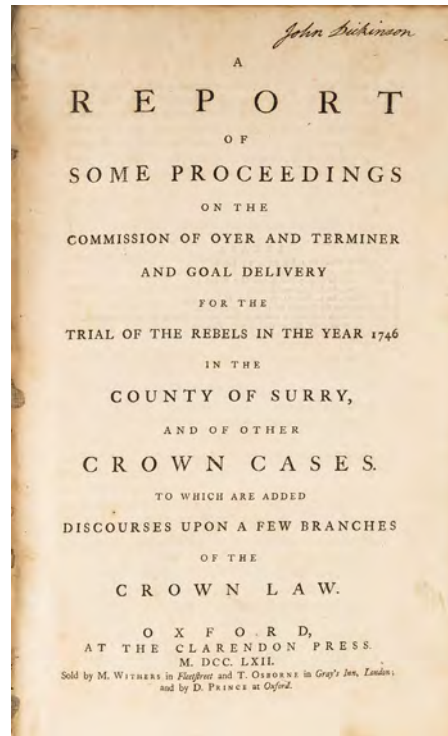
Original cloth, decorative blind stamping to boards, gilt title to spine. Light rubbing to boards, moderate rubbing to extremities, some chipping to spine ends, joints just starting at ends, two nicks to fore-edge of rear board, corners bumped and somewhat worn, free endpapers removed. Moderate toning to interior, faint spotting and light soiling to a few leaves. \$150.

* Only edition. An anecdotal account of the courts, police and the administration of justice in Boston, Philadelphia and California by a veteran attorney. Having surveyed the field, Fenner concludes: "Happy is the man who avoids litigation, and knows not by personal experience the ramifications of criminal or civil jurisprudence" (vi).

Cohen, *Bibliography of Early American Law* 1006.

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The Aftermath of the 1745 Jacobite Uprising

9. [Foster, Sir Michael (1689-1763)].

A Report of Some Proceedings on the Commission of Oyer and Terminer and Goal [sic] Delivery for the Trial of the Rebels in the Year 1746 in the County of Surry, And of Other Crown Cases. To Which are Added Discourses upon a Few Branches of the Crown Law. Oxford: At the Clarendon Press. Sold by M. Withers in Fleetstreet and T. Osborne in Gray's Inn, London; and by D. Prince at Oxford, 1762. [ii], viii, 412, [20] pp. Errata slip lacking. Preface signed "M. Foster." Folio (12" x 7-1/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, tabs added to fore-edge of text block. Light rubbing and some scuffing and faint dampstaining to boards, moderate rubbing to extremities, boards separated but secured by cords (front board by single cord only), spine ends partially abraded, ends of joints and board edges lightly varnished in places, corners bumped, owner signatures (of William Brown, October 26, 1844 and Craig Moffat) to front endleaves, biographies of John Dickinson [1732-1808] and Foster tipped onto front free endpaper, which is adhered to following endleaf, 8" x 5" sheet of ruled paper with manuscript biography of Dickinson tipped onto verso of front endleaf opposite title page with cello tape. Moderate toning to interior, light foxing in a few places, brief annotation to p. 311, owner signature of a John Dickinson to head of title page. \$300.

* First edition, one of two issues from 1762. According to Holdsworth this is the "most remarkable and most scholarly of all the reports" of the eighteenth century. It remains an authoritative work. The rebels mentioned in Foster's title were prominent participants in the Jacobite Rebellion of 1745. The discourses are "High Treason," "Of Homicide," "Of Accomplices In High Treason and Other Capital Offenses" and "Observations on Some Passages in The Writings of Lord Chief Justice Hale" (i.e. his *History of the Pleas of the Crown*).

We do not believe that the owner signature on the title page is that of the American founding father John Dickinson [1732-1808].

Holdsworth, *History of English Law* 12:135. *English Short Title Catalogue* T145811.

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An Estate Dispute Over Enslaved People

10. [France].

[Slavery].

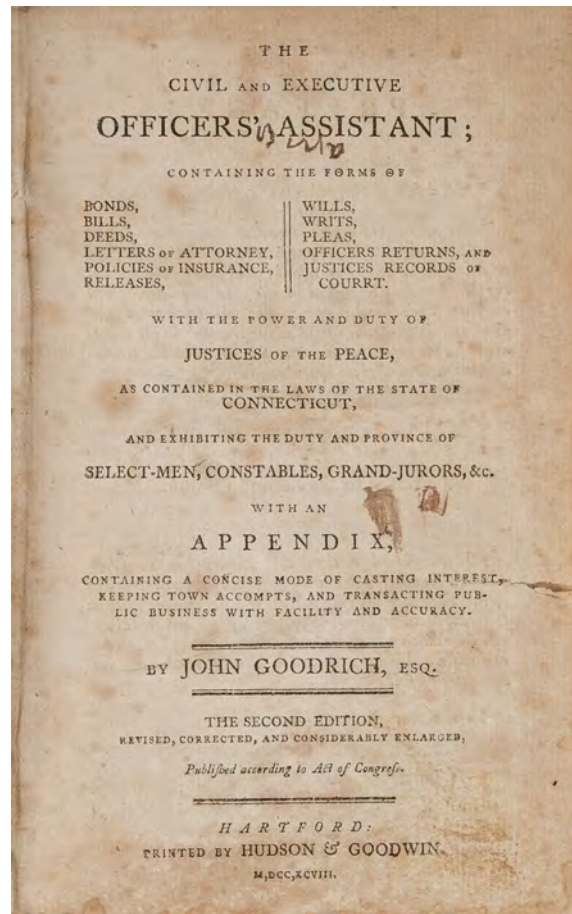
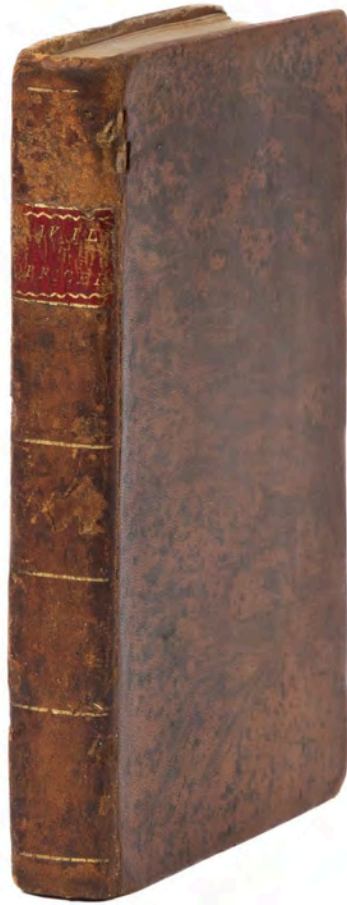
Mémoire Pour le Sieur Tabary-Garnier, Défendeur; Contre le Sieur Bobet, Demandeur [Caption Title]. [(Paris): De l'imprimerie de Valleyre jeune, 1780]. 28 pp. Quarto (8-3/4" x 7").

Disbound pamphlet in modern wrappers. Light soiling and a few faint fold lines to wrappers, light toning and foxing to interior, faint pencil marks to margins of a few leaves, trimming to head of last three leaves with minor loss to page numbers but not main text. Rare. \$1,800.

* This pamphlet records a legal dispute over the estate of M. Garnier, dean of the Cape High Council in the French colony of Saint-Domingue (part of present-day Haiti). Notably, the dispute centered not only on money and land, but the possession of enslaved people. The report is notable for its frank and dehumanizing language, discussing enslaved children in terms of livestock or crops: "Do we not know that the children of slave women are not among the fruits, and do not belong either to the usufruct or the farmer, but the owner?" Bobet was ultimately ordered to pay Tabary compensation "for the death & loss of his Negroes & his cattle."

This rare item appears to be unrecorded. No copies located on OCLC. Not at the *Bibliothèque Nationale de France* under this title.

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Eighteenth-Century Justice of the Peace Manual

11. Goodrich, John [1753-1800].

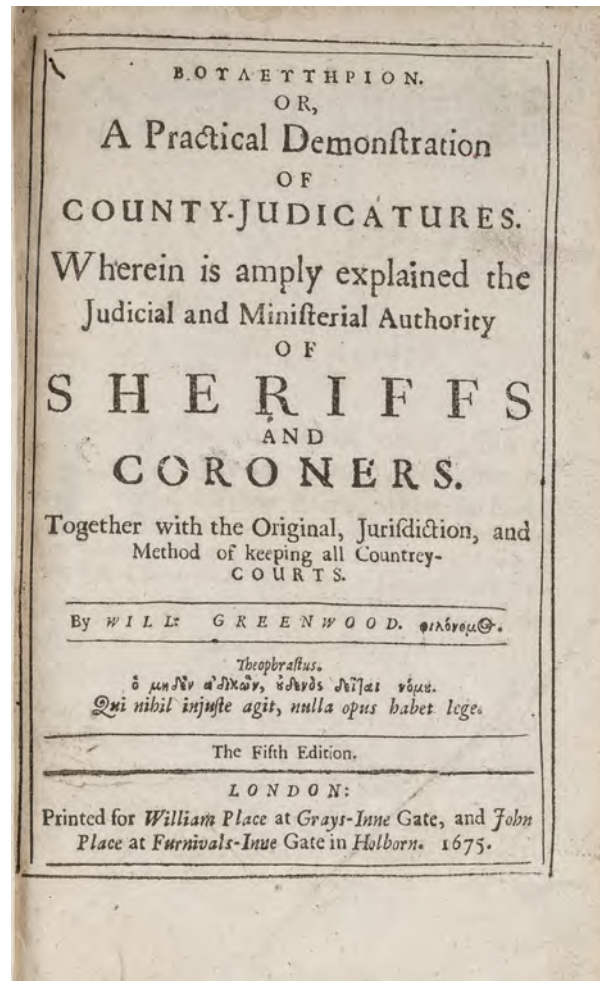
The Civil and Executive Officer's Assistant; Containing the Forms of Bonds, Bills, Deeds, Letters of Attorney, Policies of Insurance, Releases, Wills, Writs, Pleas, Officers Returns and Justices Records of Court. With the Power and Duty of Justices of the Peace as contained in the laws of the State of Connecticut, And Exhibiting the Duty and Province of Select-Men, Constables, Grand-Jurors, &c: With an Appendix Containing a Concise Mode of Casting Interest, Keeping Town Accounts, And Transacting Public Business with Facility and Accuracy. Revised, Corrected, And Considerably Enlarged. Hartford: Printed by Hudson & Goodwin, 1798. xii, 239 pp. Octavo (6-3/4" x 4-1/4").

Contemporary tree sheep, lettering piece and blind fillets to spine, faint early owner name (D. Clarke) to top-edge of text block. Moderate rubbing to extremities, worming to head of spine and adjacent section of front joint, corners bumped, hinges cracked. Light browning and foxing to interior, offsetting to margins and a few clean tears to fore-edges of front endleaves and title page, which has two small inkspots and a tiny doodle, offsetting to p.239 and rear endleaves. An attractive copy. \$150.

* Second and final edition. Educated at Dartmouth and Yale, Goodrich, notes Cohen, "had several different occupations, in 1784 he became a member of the County Medical Society; in 1786 and for a few years thereafter, he ran a drug store; later he kept an inn and served as a constable; and by 1793 he had become a lawyer."

Cohen, *Bibliography of Early American Law* 8009.

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A Classic Guide to Coroners and Sheriffs

12. Greenwood, William.

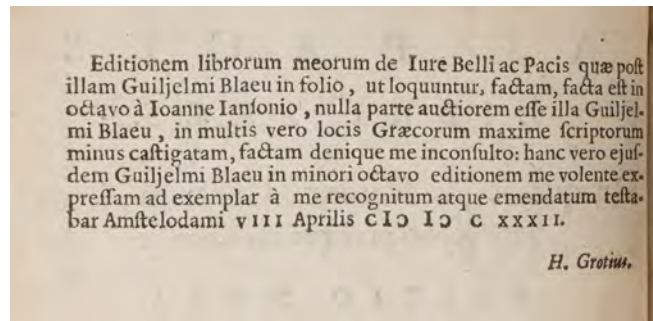
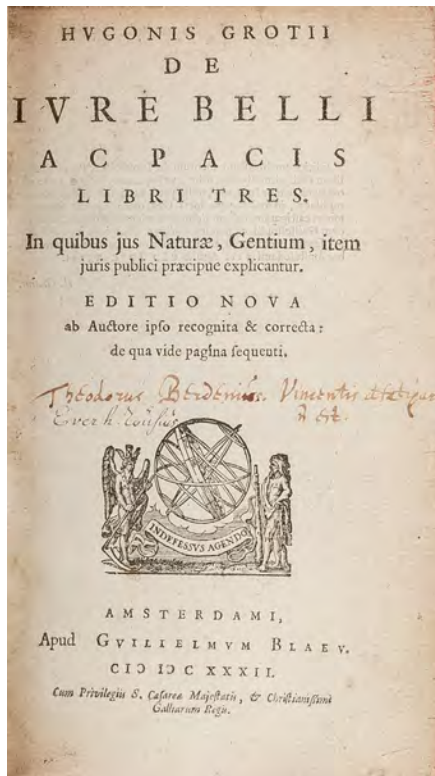
BOULEUTERION. Or, A Practical Demonstration of County-Judicatures. Wherein is Amply Explained the Judicial and Ministerial Authority of Sheriffs and Coroners. Together with the Original, Jurisdiction, And Method of Keeping All Country-Courts. London: Printed for William Place and John Place, 1675. [xvi], 266; 151, 1; [36] pp. Octavo (7" x 4-1/4").

Near-contemporary calf, blind rules to boards, central blind armorial stamp to front board, raised bands, blind fillets and lettering piece to spine, gilt tooling to board edges, early hand-lettered title to fore-edge of text block. Light rubbing and a few small scuffs and stains to boards, moderate rubbing to extremities, chipping to spine ends, joints starting at head, corners bumped and worn, pastedowns detached. Light toning, very light foxing and soiling to a few pages, a few leaves uncut. \$300.

* Fifth edition. 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 1675 edition reflects their work during the later years of the Restoration. Other editions appeared in 1664, 1668, 1680 and 1685. A revised edition appeared in 1703.

English Short-Title Catalogue R215618.

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1632 Blæu Edition Endorsed by Grotius

13. Grotius, Hugo [1583-1645].

De Iure Belli ac Pacis Libri Tres. In Quibus Jus Naturæ & Gentium, Item Juris Publici Præcipua Explicantur. Editio Nova ab Auctore ipso Recognita & Correcta: De qua Vide Pagina Frequenti. Amsterdam: Apud Guiljelmum Blæu, 1632. [xx], 421, [27] pp. Octavo (6-1/4" x 3-3/4").

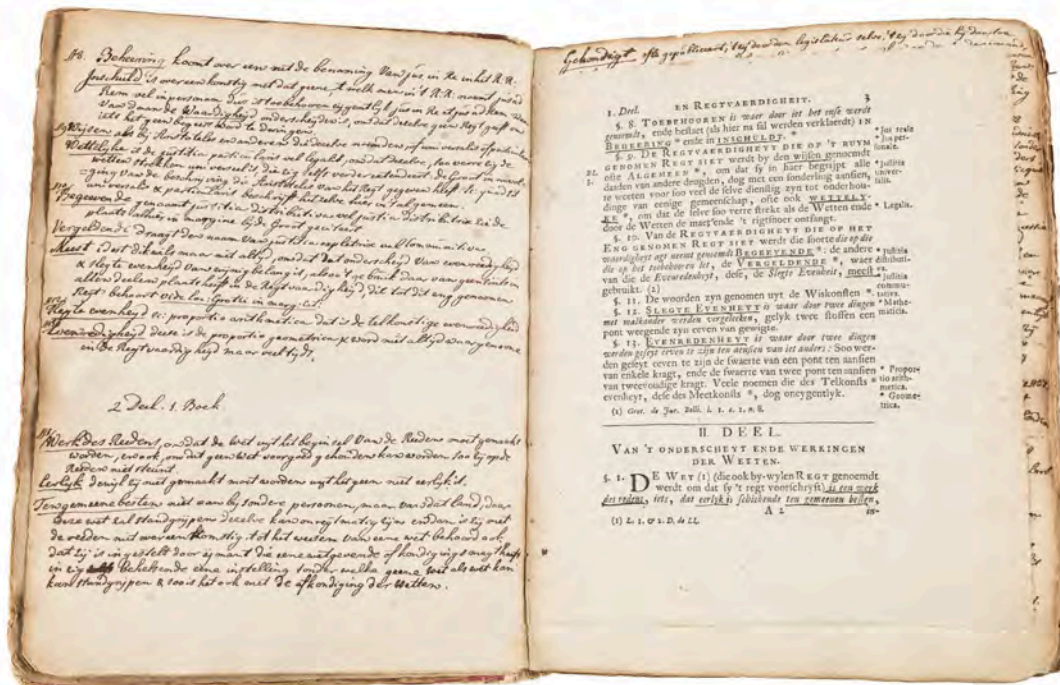
Contemporary vellum, yapp-style fore-edges, later calf lettering piece to spine, edges rouged. Light rubbing and a few minor stains to boards, joints cracked, minor crack to fore-edge of front board, spine ends bumped, minor wear to corners, pastedowns loose and somewhat edgeworn, a few cracks to text block, binding slightly loose but secure. Light browning to interior, moderate edgewear, creases and a few minor tears to front endleaves, brief contemporary and later annotations and owner names to front free endpaper and title page, early underlining and annotations to a few leaves at beginning of text. \$2,500.

* Third edition, a reissue of the second edition, 1631, which includes corrections by Grotius. First published in Paris in 1625, this landmark work presented a system of international relations based on morality-based legal principles that superseded the laws of individuals or nations. As Carter and Muir point out in *Printing and the Mind of Man*, this basis, "which God can no more alter than a mathematical axiom, was the first expression of the droit naturel, the natural law which the great political theorists of the eighteenth century, and is the foundation of modern international law."

Another edition, designated the third, was issued in 1632 by rival publisher Johannes Jansson. A low-priced reissue of the second edition, it was not authorized by Grotius, who denounced it as inaccurate in a notice on the verso of the title page of the Blæu edition. The notice also states that Blæu's is the correct version of his work.

Carter and Muir, *Printing and the Mind of Man* 125 (citing first edition). Ter Muelen and Diermanse, *Bibliographie des Ecrits Imprimés de Hugo Grotius* 569.

[Order This Item](#)



**Extensively Annotated Interleaved Copy of
Grotius's Important Treatise on Roman-Dutch Law**

**14. Grotius, Hugo [1583-1645].
Hoogerbeets, Rembout (Rembaut) [1561-1625].
Groenewegen van der Made, Simon van [1613-1652], Editor.**

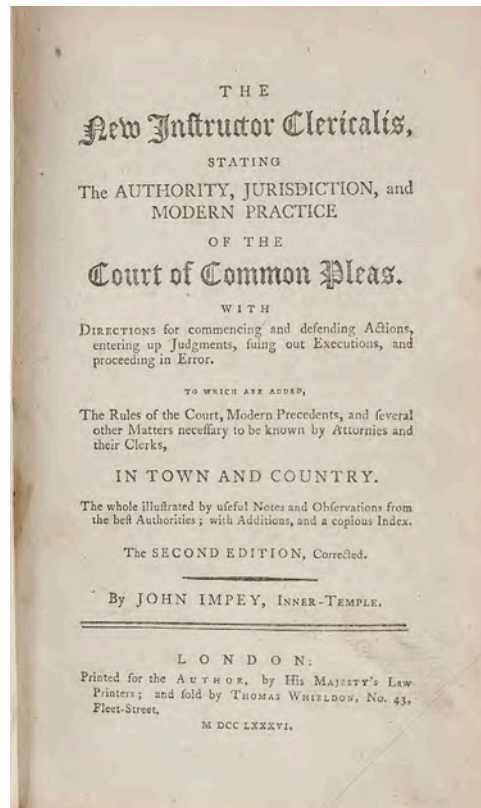
Inleydinge tot de Hollandsche Rechts-Geleertheit, Beschreven by Hugo de Groot. Bevestiget met Placaten, Hand-Vesten, Oude Herkomen, Rechten, &c., &c. Midsgaders Eenige Byvoegsels en Aenmerkingen op de Zelve, Door Mr. Simon van Groenewegen van der Made. Als Mededeelinge van Hoogerbeets, Van het Aenleggen en Volvoeren der Processen, Voor de Respective Hoven van Holland. En het Versterf-Recht van Hollandt. Beyde met Groenewegens Aenmerkingen. Met een Groot Register Voorzien. Deze druk is Merckelyk Verbeetert, Volgens het Bericht aan den Leezer. Amsterdam: By Jan Boom, 1727. [xvii], 391 [i.e. 491], [28] pp. Interleaved. Quarto (interleaves 9-1/2" x 7-1/2"; text 8-1/2" x 7").

Contemporary quarter goatskin over marbled boards, edges of interleaves untrimmed, tiny early labels to front board and spine. Considerable rubbing to boards and extremities with wear to spine ends and corners, which are bumped, marbled paper mostly perished from rear board, hinges just starting at ends, few cracks to text block, all leaves secure. Moderate toning to interior, extensive underlining to text, brief annotations to a few passages, most interleaves filled with annotations on rectos and versos in neat hand. \$3,500.

* Originally published in 1631, this is an important systematic treatise on the law of the province of Holland in the seventeenth century, the mixture of local and Roman procedure known as Roman-Dutch law. The first edition by van der Made was published in 1644. Probably the work of a law student, the extensive annotations in our copy, which include references to other Roman-Dutch treatises, date to the late 18th to early 19th century. They indicate a careful and sustained engagement with Grotius's text.

Ter Meulen and Diermanse, *Bibliographie des Ecrits sur Hugo Grotius* 775. Dekkers, *Bibliotheca Belgica Juridica* 70, 83.

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Early Edition of the First Systematic Account of the Court of Common Pleas

15. Impey, John [d.1829].

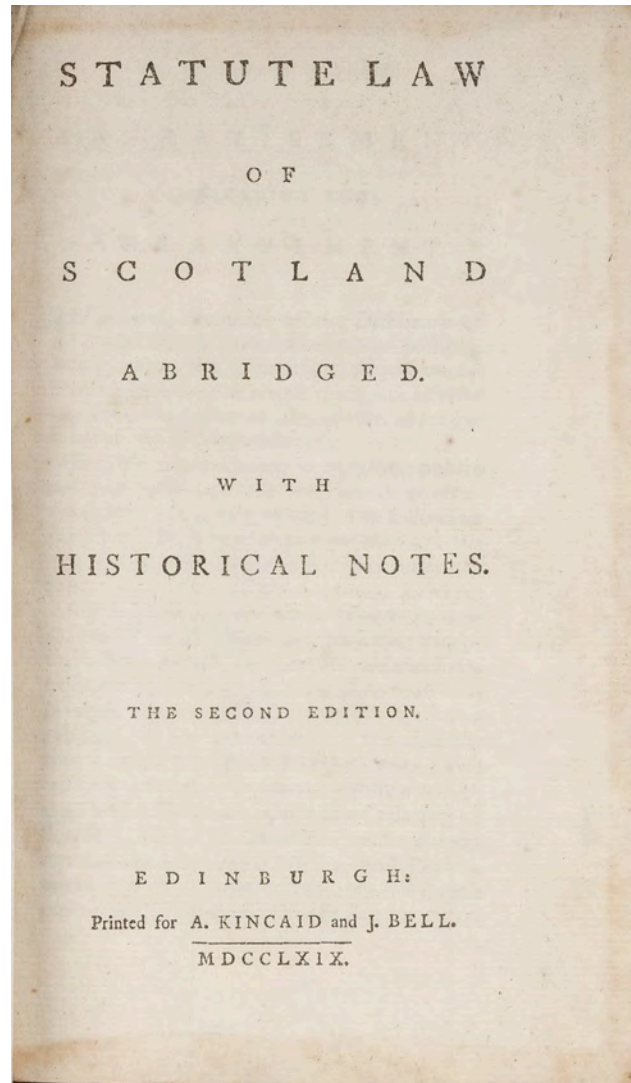
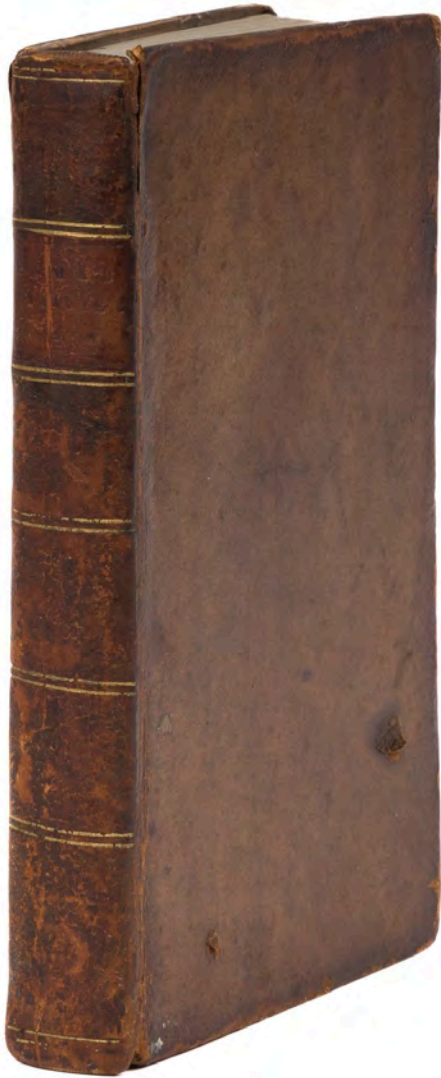
The New Instructor Clericalis, Stating the Authority, Jurisdiction, And Modern Practice of the Court of Common Pleas. With Directions for Commencing and Defending Actions, Entering up Judgments, Suing Out Executions, And Proceeding in Error. To Which are Added, The Rules of the Court, Modern Precedents, And Several Other Matters Necessary to be Known by Attornies and Their Clerks, in Town and Country. The Whole illustrated by Useful Notes and Observations from the Best Authorities; With Additions, And a Copious Index. London: Printed for the Author, By His Majesty's Law Printers, 1786. [vi], 617, [59] pp. Octavo (8-1/4" x 5").

Contemporary calf, blind fillets to boards, raised bands and lettering piece to spine. Light rubbing and a few small scuffs, nicks and scratches to boards, moderate rubbing to extremities, front board begin to separate but secure, rear joint starting at head, tears to right side of lettering piece, corners bumped and worn, hinges cracked, endleaves loosening but secure. Light toning to interior, light foxing and faint dampstaining in a few places, partial crack in text block between pp. 274-275, all leaves secure, lower corner of leaf K4 (pp. 503-504) lacking without loss to text, brief early annotations or corrections to a few leaves. \$500.

* Second edition, corrected, one of two issues from 1786. First published in 1784, this book offered the first systematic account of the practice of this court. Its tenth and final edition was published in 1826. "Before Mr. Impey's meritorious labours, the attorney must have had to rely upon information delivered on tradition only; and such information, sometimes diversely given, even by officers of the Courts; the books of that gentleman first embodied much of the general practice" (Marvin). Impey also published a similar guide to the court of King's Bench in 1782, which was equally successful. Despite their popularity, early editions of both works are scarce.

Marvin, *Legal Bibliography* 408. *English Short-Title Catalogue* T107638.

[Order This Item](#)



Kames's Digest of Scottish Statute Law

16. [Kames, Henry Home, Lord (1696-1782)].

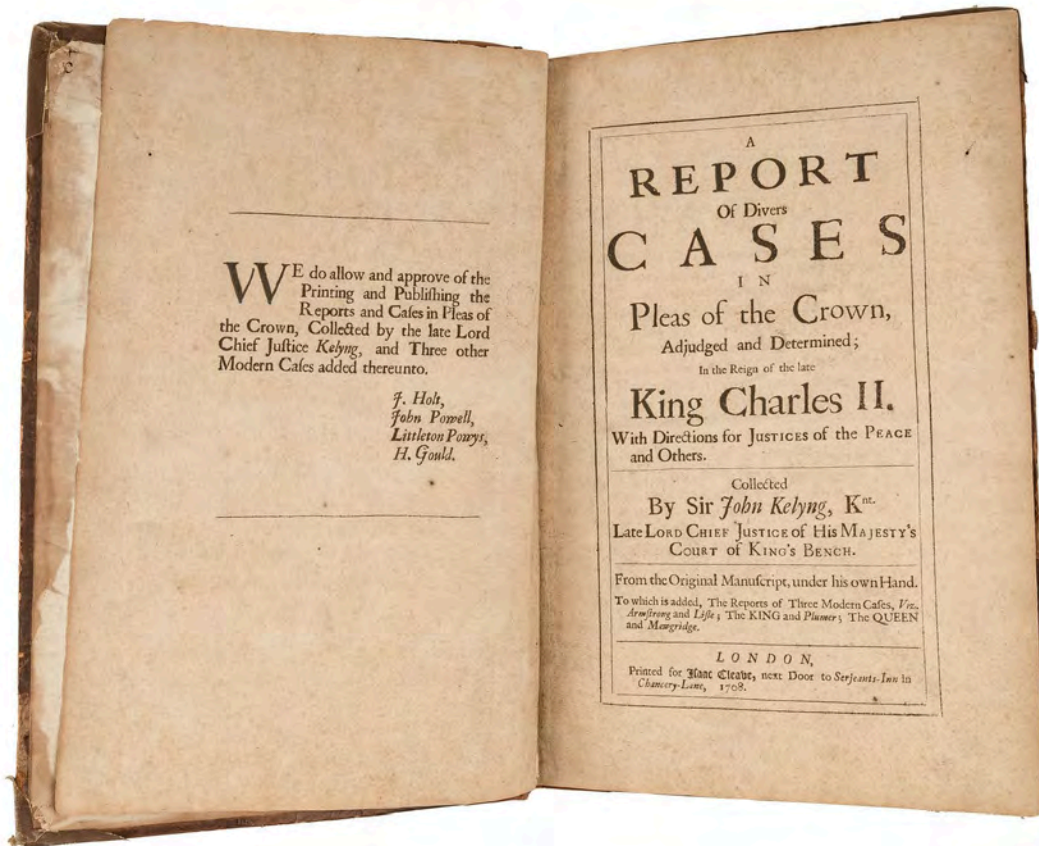
Statute Law of Scotland Abridged. With Historical Notes. Edinburgh: Printed for A. Kincaid and J. Bell, 1769. vi, [2], 465, [1] pp. Octavo (8-1/4" x 5").

Early nineteenth-century sprinkled calf, gilt fillets to spine, lettering piece lacking. Light rubbing and a few small scuffs to boards, moderate rubbing to extremities, some wear to head of spine and corners, joints starting at head, hinges cracked. Light toning to interior, finger smudges and light foxing to a few leaves, offsetting to margins of preliminaries and rear endleaves. \$125.

* Second and final edition. The leading Scottish jurist of his day and an important figure of the Scottish Enlightenment, Kames was an influence on David Hume, James Boswell and Adam Smith. The contents of his abridgment of statutes are arranged alphabetically by topic. Its first edition was published in 1757.

English Short-Title Catalogue N23259.

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The First Set of Reports Devoted to Criminal Law

17. Kelyng, Sir John [d. 1671].

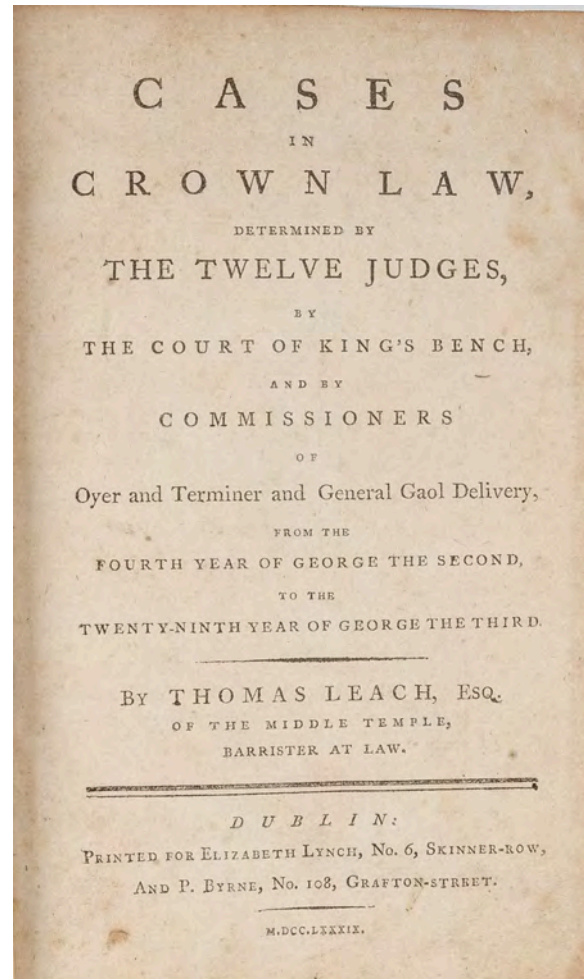
A Report of Divers Cases in Pleas of the Crown, Adjudged and Determined; In the Reign of the Late King Charles II. With Directions for Justices of the Peace and Others. Collected by Sir John Kelyng, Knt. Late Lord Chief Justice of His Majesty's Court of King's Bench. From the Original Manuscript, Under His Own Hand. To Which is Added the Reports of Three Modern Cases, Viz. Armstrong and Lisle; The King and Plumer; The Queen and Manwrigde. London: Printed for Isaac Cleave, 1708. [iv], 138, [14] pp. Folio (11-1/2" x 7-1/2").

Contemporary calf with later calf rebacking and re-cornering, blind rules to boards, raised bands and lettering piece to spine, hinges reinforced. Faint stains, some scuffs and a few nicks and small gouges to boards, moderate rubbing to extremities, corners bumped and somewhat worn, hinges cracked, two later owner bookplates (Robert Smith, S.S. Nicholas) to front pastedown, front free endpaper lacking, early owner initials (P.L.) to front endleaf, which is partially detached, repair to minor tear on rear free endpaper. Light browning to interior, light foxing to sections of text. \$125.

* Only edition. The first set of reports devoted entirely to criminal law, these reports were collected after Kelyng's death and published by Justice Holt in 1708. Kelyng, a lawyer who specialized in criminal cases, became a judge of the King's Bench in 1663 was made Chief Justice of that court in 1665. The cases cover the years 1662 to 1669. Wallace says he was considered "a learned, faithful and resolute judge." This work was reissued in 1739. A second reissue was published in Dublin in 1789.

Wallace, *The Reporters* 328. *English Short-Title Catalogue* T121547.

[Order This Item](#)



A Useful Supplement to Hawkins's *Pleas of the Crown*

18. Leach, Thomas, Compiler.

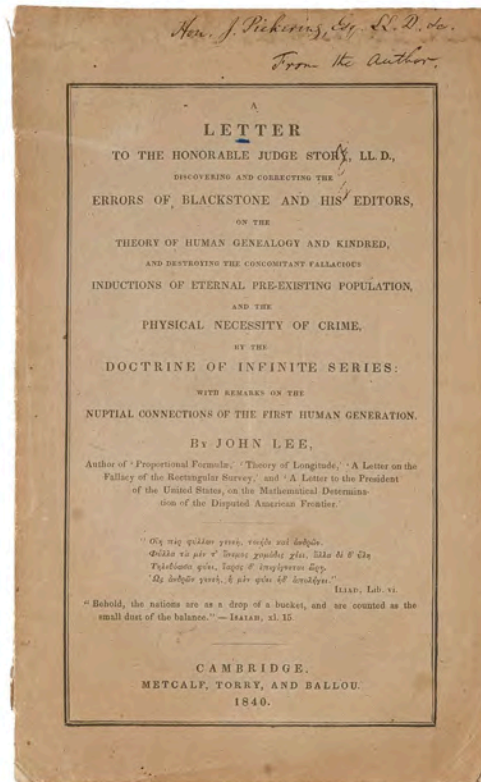
Cases in Crown Law, Determined by the Twelve Judges, By the Court of King's Bench, And by Commissioners of Oyer and Terminer and General Gaol Delivery, From the Fourth Year of George the Second to the Twenty-Ninth Year of George the Third. Dublin: Printed, by P. Byrne, 1789. viii, 448, [24] pp. Includes one-page publisher list. Octavo (8" x 5").

Contemporary calf, blind fillets and lettering piece to spine, blind tooling to board edges. Light rubbing and a few small nicks and scratches to boards, moderate rubbing to extremities, front joint cracked, rear joint starting, later printed labels to spine, chipping to spine ends, corners bumped and lightly worn, owner signature (of Henry W. Thomas) to front pastedown. Moderate toning to interior, occasional light foxing, a few folded corners, brief corrections to a few pages. \$350.

* Reissue of the first edition, London, 1789. According to Holdsworth, this book "was an outcome of the author's work on the sixth edition of Hawkins's *Pleas of the Crown*. Many of the cases there referred to were to be found only in MS. notes; and the editor was criticized for relying on authorities to which the profession had no ready access. The reports were published...to remedy this cause of complaint."

Holdsworth, *A History of English Law* XII:109. *English Short-Title Catalogue* N26935.

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A Mathematical Correction of Blackstone

19. Lee, John.

[Blackstone, Sir William (1723-1780)].

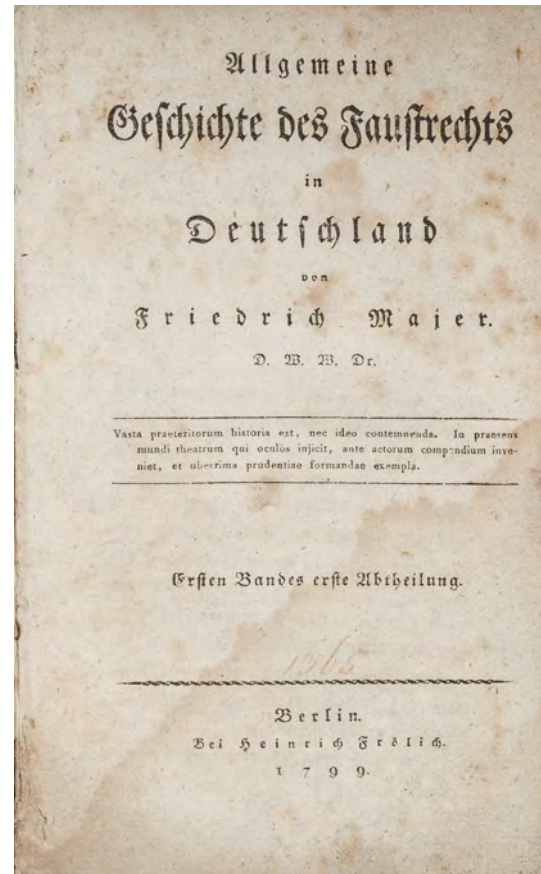
A Letter to the Honorable Judge Story, LL.D., Discovering and Correcting the Errors of Blackstone and His Editors, On the Theory of Human Genealogy and Kindred, And Destroying the Concomitant Fallacious Inductions of Eternal Pre-Existing Population, And the Physical Necessity of Crime, By the Doctrine of Infinite Series: With Remarks On the Nuptial Connections of the First Human Generation. Cambridge; Metcalf, Torry, And Ballou, 1840. 32 pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Faint vertical crease through center, a few spots and stains to wrappers, which have a few creases and chips to corners and are partially detached. Light toning to interior, folds to corners of a few leaves, light foxing and faint early library stamp to title page, presentation inscription from the author to John Pickering at head of front wrapper. \$650.

* Only edition. Lee's *Letter* is a curious and somewhat witty mathematical critique of Blackstone's theory of descents, which appears in Volume I, Book 2 of the *Commentaries on the Laws of England*. Arguing that the existence of incest in pre-Biblical society was a necessary evil to expand the population, it refutes Blackstone's "atheistical" doubts about the Biblical origins of the human race and places incest and its judgement in a situational context. Pickering [1777-1846] was a distinguished Massachusetts lawyer, politician and linguist. He is best known for his publications on American English, Classical Greek and the languages of Native Americans.

OCLC locates 11 copies, 5 in law libraries (Columbia, Library of Congress, Notre Dame, University of Minnesota, Yale). Not in Eller. Cohen, *Bibliography of Early American Law* 4617. Laeuchli, *A Bibliographical Catalog of William Blackstone* 617.

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The "Law of the Fist" in Medieval Germany

20. Majer, Friedrich [1772-1818].

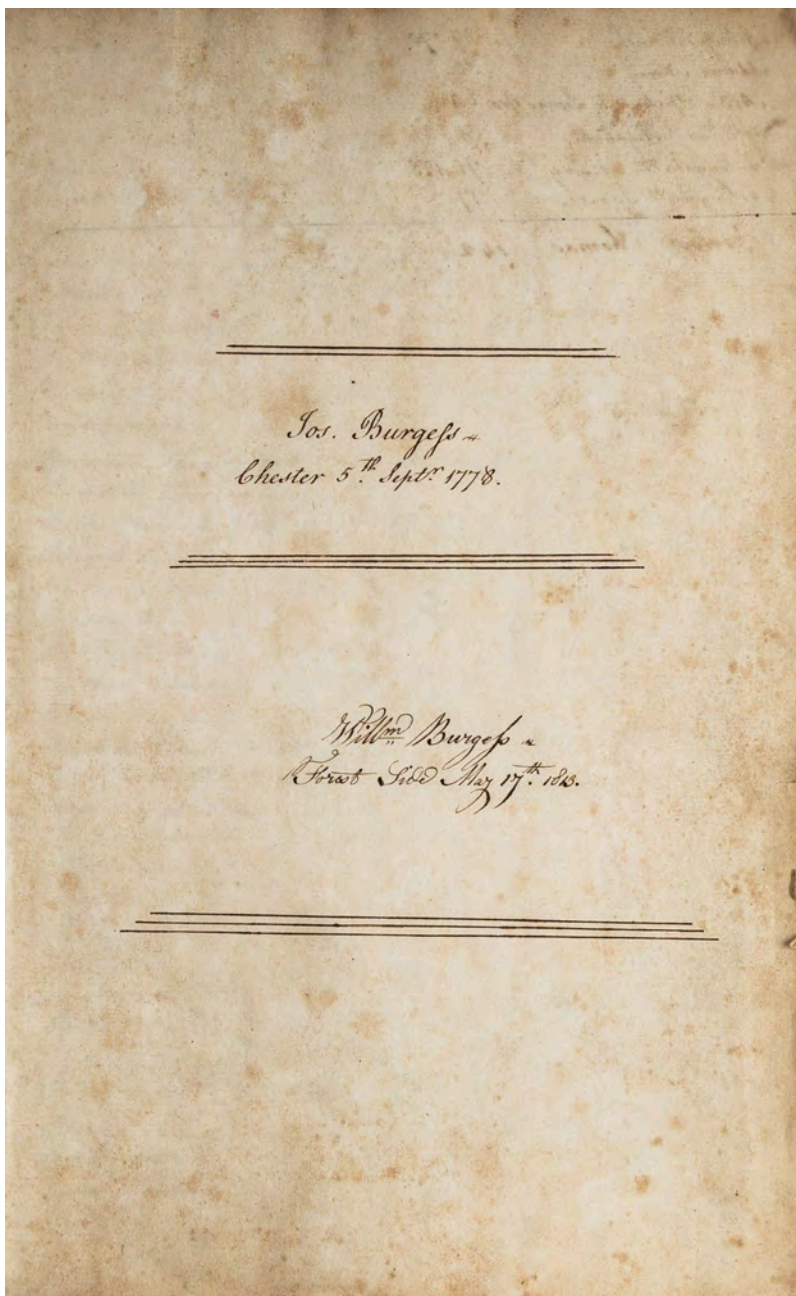
Allgemeine Geschichte des Faustrechts in Deutschland. Berlin: Bei Heinrich Frölich, 1799. 2 parts in 1 volume. xii, 368; [ii], xii, iii-viii, [367]-656 pp. With a folding genealogical table. Octavo (8" x 4-1/2").

Contemporary stiff blue wrappers, hand-lettered label to head of spine. Light rubbing and soiling, light wear to extremities, front wrapper starting at foot but secure, small crack to head of spine, residue (from removed bookplate?) to inner front wrapper. Moderate toning and occasional light foxing to interior, occasional faint dampstaining, vertical crease to top half of folding table, small pencil annotation to title page. \$1,250.

* Only edition. In addition to his work as a lawyer in Göttingen, Majer was a pupil of the important German philosopher Johann Gottfried von Herder. Influenced by Herder's work on patriotism and national identity, he wrote two books on the role of judicial and private violence in the development of German cultural practice and national identity. The first, *Geschichte der Ordalien* (1795), discusses the history of judicial ordeals, also known as "trial by combat." The present work deals with the history of what Majer calls *Faustrecht*, literally "law of the fist," the ubiquity of violence in medieval Germany; he posits that this violent culture declined as a result of a shift in German national identity, rather than legislative action.

OCLC locates 4 copies of this title in North America (Columbia Law School, Harvard Law School, University of Maryland, University of Michigan Law School). We located copies at the Library of Congress and UC-Berkeley Law School. Dorn, "Collection Highlights: Supernatural Ordeals and the Law of the Jungle in the Works of Friedrich Majer" (accessed online). *Verzeichnis Deutscher Drucke des 18. Jahrhunderts* 11057270.

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Account Book and Client Ledger of a Chester Lawyer

21. [Manuscript].

[Burgess, Joseph].

[Burgess, William].

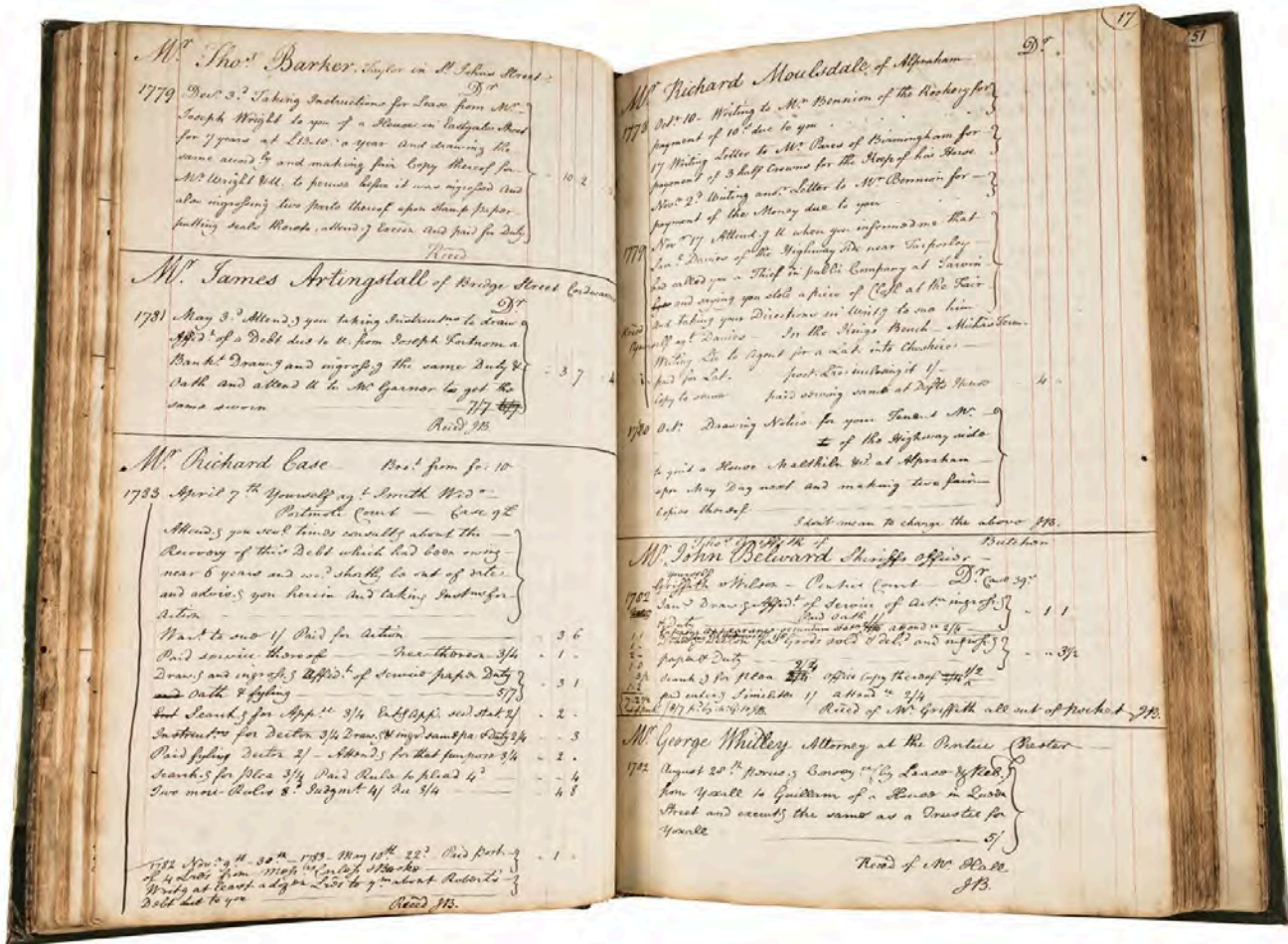
[*Account Book of Joseph and William Burgess*]. Chester, UK, 1778-1846. [xiii], 151, [1] ff. Final leaf numbered 251, 100 ff. neatly removed after fol. 151. With an index. Folio (12-3/4" x 8").

Contemporary green laced vellum, blind rules to boards, marbled endpapers. Light rubbing and soiling and a few small scuffs to boards, which are slightly bowed, lace missing from head of front joint. Moderate toning to interior, occasional very light foxing, lower portion of f. 132 lacking, a few leaves neatly removed. Eighteenth-century content in a single neat hand, nineteenth-century content in multiple hands. \$4,500.

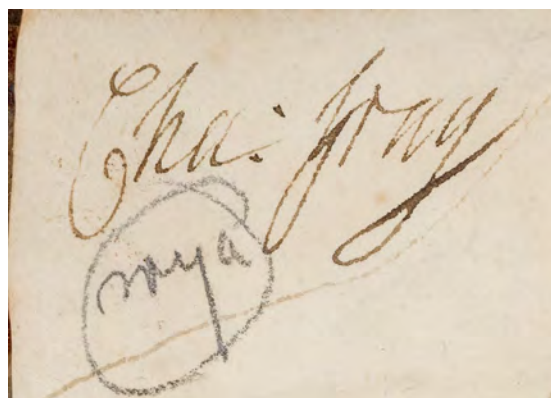
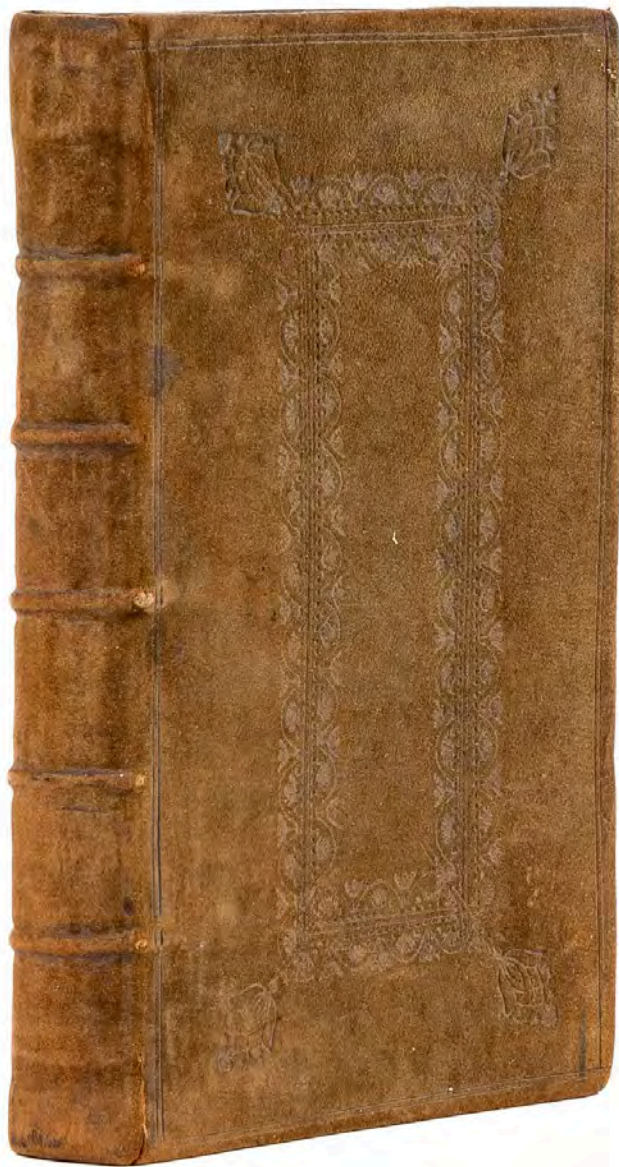
* This manuscript began its life as a ledger of clients served by Joseph Burgess from approximately 1778-1784. Each entry is highly detailed and lists the client's name, occupation and details of their case along with the steps taken by Burgess and the expenses incurred. Many of his clients were tradespeople or servants and his charges appear to have been accordingly modest. In several cases, Burgess did not charge his clients at all, particularly (though not exclusively) when he noted they were in difficult circumstances. Despite this generosity, at least one client, an innkeeper seeking to claim a tenant's goods in lieu of unpaid rent, absconded.

The entries provide a fascinating look into legal practice and daily life in the area. In addition to more prosaic matters such as wills and contracts, Burgess also dealt with libel, assault and verbal abuse. One client, a grocer, was accused of calling another woman "a Whore and an Old Bawd" by a witness who demanded payment and "an undertaking never to molest [the woman] again." Another client asked Burgess to assist his sons with obtaining prize money from the ships *Mannon* and *Thetis*.

The ledger was then passed to William Burgess, likely Joseph Burgess's son, who noted on the first page that he was practicing in Forest Side in 1813. It is unclear from which entries are William's, though some entries from the early nineteenth century appear on blank portions of leaves with Joseph Burgess's records. His entries may also have appeared on the excised leaves. The ledger concludes with entries in several hands spanning approximately 1818-1846 and dealing with the household expenses and estate of John Burgess. Taken as a whole, the volume is both a thorough record of everyday legal practice in the eighteenth century and an interesting window onto the use and reuse of manuscripts by later owners.



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Private Records of Eighteenth-Century Parliamentary Proceedings

22. [Manuscript].

Gray, Charles [1696-1782].

[*Commonplace Book and Parliamentary Notebook*]. Great Britain [London?], c.1762-1775. [i], a-d, 81, [147 blank], A-Y, a-p, [13] pp. With a 12-pp. index. Octavo (8" x 4-3/4").

Contemporary paneled reverse calf with blind fillets and corner fleurons, raised bands to spine, blind tooling to board edges, marbled endpapers, edges rouged. Light rubbing to extremities, a few small chips to joints, front joint just starting at foot, corners bumped, front hinge starting, several small scraps of paper with manuscript notes laid in. Text in single neat hand, primarily in English with brief excerpts in Latin, Greek and French. Light toning, light foxing to a few leaves. An interesting and attractive manuscript. \$3,500.

* This commonplace book and parliamentary notebook was compiled by Charles Gray, who served as a Conservative MP for Colchester from 1761 to 1780. (He was first elected in 1754 but unseated by petition.) Parliamentary notebooks such as these grant unique insight into a closely guarded world. Reporters and journalists would not be explicitly admitted into the chamber until 1778 or allowed to take notes until 1783, and the details of proceedings were generally kept secret.

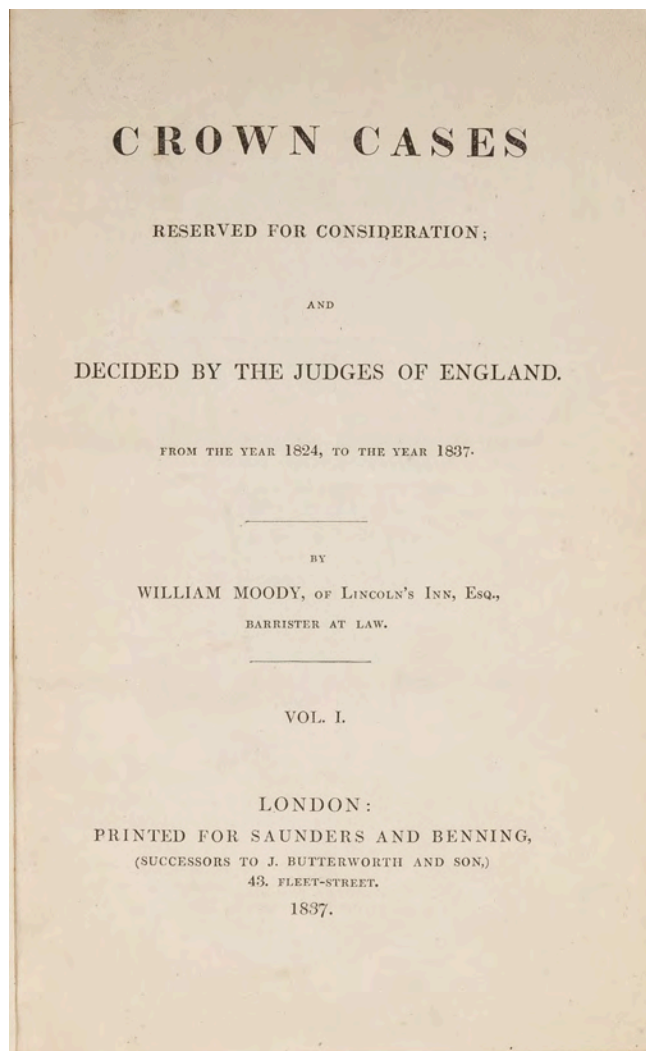
The numbered pages include notes on parliamentary procedure and Gray's own records of parliamentary proceedings. They deal with active controversies such as the Wilkes Cause and the increasing discontent in the American colonies. A March 1766 entry records a debate over what would become the Declaratory Act, described by Gray as "the bill for declaring the right of the british Legislature over the colonies." The bill received royal assent 10 days after Gray's entry. Others from 1767 discuss recent "Acts of N. American Assemblies" prior to the passage of the Townshend Acts and "a libel printed in N. America" afterwards. A particularly detailed entry dated 6 December 1770 records the establishment of a commission to investigate crime in London and Middlesex, with vote totals for and against the motion and Gray's own thoughts on the attitude of the populace ("irritated to the highest degree...and persuaded that all their liberties are agoing in a moment").

The lettered pages at the beginning and end of the manuscript are commonplace entries in Latin, Greek and French. They appear to primarily deal with legal history, with particular attention to the role of the monarch and his relationship to legislative bodies and the citizen population. Together, Gray's records provide not only personal insight, but a rare look at the inner workings of Parliament during a time of controversy and change for Great Britain.

Royal Commission on Historical Manuscripts, *Fourteenth Report, Part IX (Round 309-317)*.



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Crown Cases Reserved for Consideration, 1824-1844

23. Moody, William [1794-1867].

[Ryan, Sir Edward (1793-1875)].

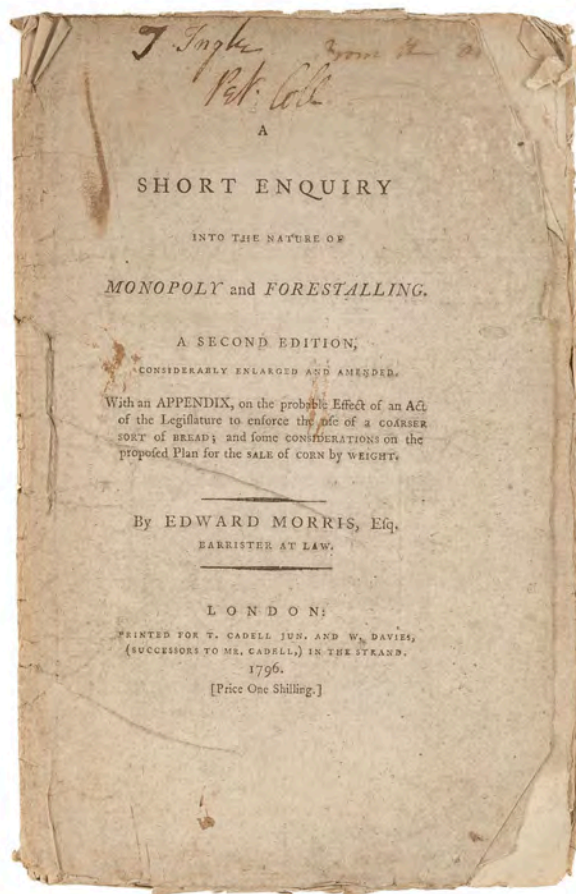
Crown Cases Reserved for Consideration; And Decided by the Judges of England. From the Year 1824, To the Year [1844]. London: Printed for Saunders and Benning, 1837; London: Printed for William Benning & Co., 1844. Two volumes. xii, 540; xi, [1],330 pp. Complete set. Octavo (9" x 6").

Later library cloth, blind fillets and calf lettering pieces and volume number labels to spines, endpapers renewed. Light rubbing to spines and extremities, moderate toning to interiors, light soiling to title page and heads of a few leaves in Volume II. \$150.

* Only edition. The preface to Volume I states: "The cases up to and including Moseley's case, p. 97., were edited jointly with Sir Edward Ryan." An American edition, with notes by George Sharswood, was published in Philadelphia by T. & J.W. Johnson in 1839-1853.

Wallace, *The Reporters* 537. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:247.

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Government Intervention to Lower Grain Prices

24. Morris, Edward [d.1815].

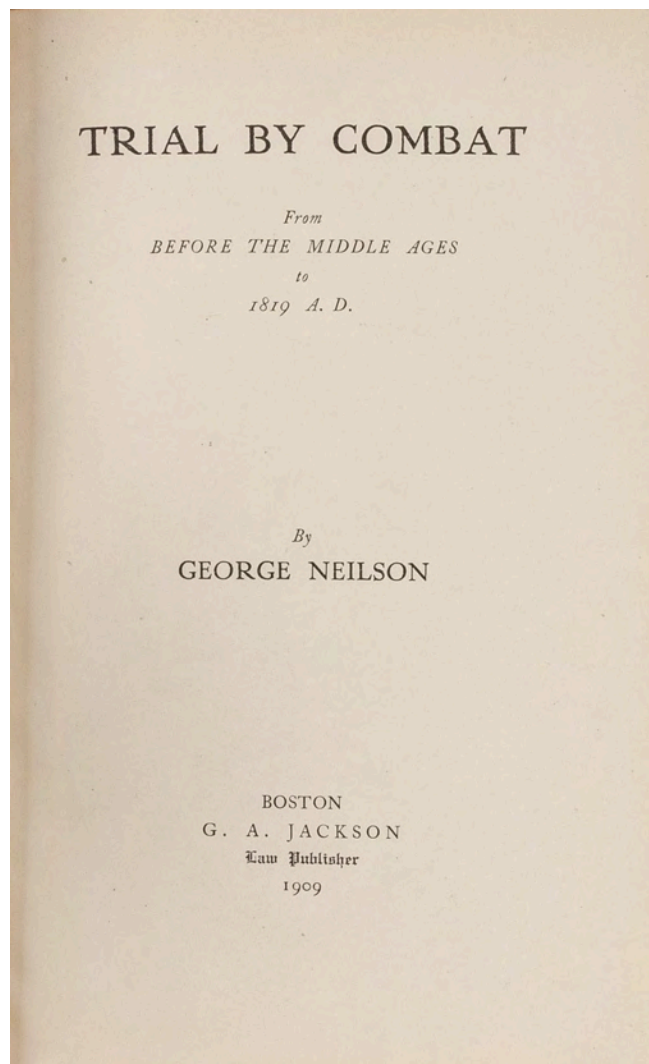
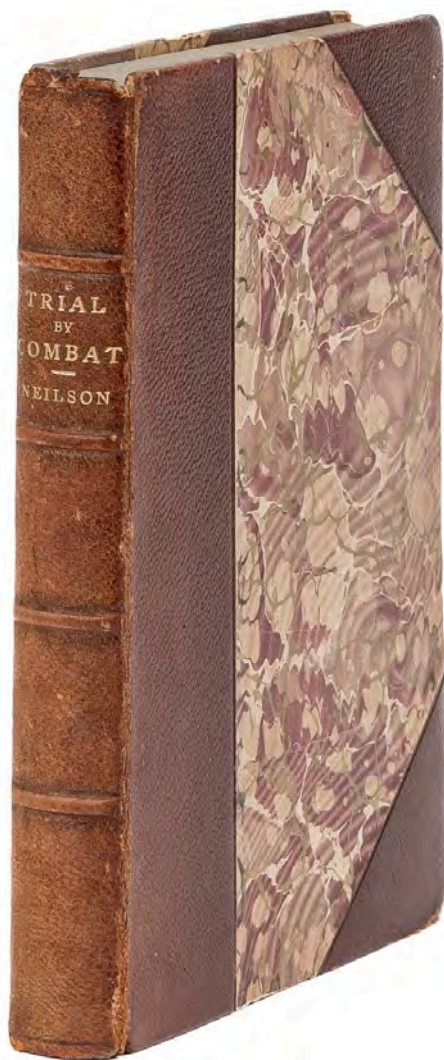
A Short Enquiry into the Nature of Monopoly and Forestalling. Considerably Enlarged and Amended. With an Appendix, On the Probable Effect of an Act of the Legislature to Enforce the Use of a Coarser Sort of Bread; And Some Considerations on the Proposed Plan for the Sale of Corn by Weight. London: Printed for T. Cadell Jun. and W. Davies, 1796. [ii], 42 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet, edges untrimmed. Light toning, light soiling to exterior, occasional faint dampstaining, light edgewear and small hole to margin of final leaf, owner signature (of J. Ingle, Pel[ham] Coll.) and possible presentation inscription to head of title page, upper right corner lacking with loss to inscription, underlining and brief early annotations to a few leaves. \$350.

* Second edition. After the Revolutionary War and a series of lean harvests, bread and grain prices rose significantly in Great Britain, causing a struggle between government regulators and local merchants seeking to drive up the price of goods. This pamphlet argues for government intervention to stop profiteering and discusses several relevant legislative proposals with reference to the work of Adam Smith. The first edition appeared earlier in 1796 and the third and final edition in 1800.

OCLC locates 6 copies of the second edition in North America (Boston Athenaeum, Harvard, Texas State University-San Marcos, University of Toronto, Huntington Library, Indiana University). *English Short-Title Catalogue* T48153. *Goldsmiths'-Kress Library of Economic Literature* 16665.

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Conflict Resolution—The Old-Fashioned Way

25. Neilson, George [1858-1923].

Trial by Combat. Boston: G. A. Jackson, Law Publisher, 1909. xvi, 348 pp.

Contemporary three-quarter morocco over marbled boards, raised bands and gilt title to spine. Light rubbing to extremities, chipping to head of spine, corners bumped and worn, faint offsetting to endleaves. Light toning, internally clean. \$250.

* Second and final American edition of this important work, which was first published in Glasgow in 1890. Although it is not known exactly when trial by combat, battle, or duel began as a method of conflict resolution, its origin certainly goes back to before the feudal era. Neilson focuses on Britain and Scotland and traces this tradition from before the medieval era to the Appeal of Murder Act (1819). "All the authorities on the subject, I believe, are collected in this excellent book." Pollock.

Pollock, *The Genius of the Common Law* cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 323.

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**Criminal Law in Shakespeare's England:
The First Edition of Pulton's *De Pace Regis et Regni***

26. Pulton, Ferdinand[o] [1536-1618].

De Pace Regis et Regni. Viz. A Treatise Declaring Which be the Great and Generall Offences of the Realme, And the Chiefe Impediments of the Peace of the King and the Kingdome, As Menaces, Assaults, Batteries, Treasons, Homicides, And Felonies, Ryots, Routs, Unlawfull Assemblies, Forcible Entries, Forgeries, Perjuries, Maintenance, Deceit, Extortion, Oppression: And How Many and What Sorts of Them There Be, And by Whome, And What Means the Sayd Offences, And the Offendors Therein are to bee Restrained, Repressed, Or Punished. Which Being Reformed or Duly Checked, Florebit Pax Regis & Regni. Collected Out of the Reports of the Common Lawes of This Realme, And of the Statutes in Force, And Out of the Painfull Workes of the Reverend Iudges, Sir Antonie Fitzherbert, Sir Robert Brooke, Sir William Stanford, Sir James Dyer, Sir Edward Coke, Knights, And Other Learned Writers of Our Lawes. London: Printed for the Companie of Stationers, 1609. [vi], 258, [22] ff. Folio (11" x 7-1/4").

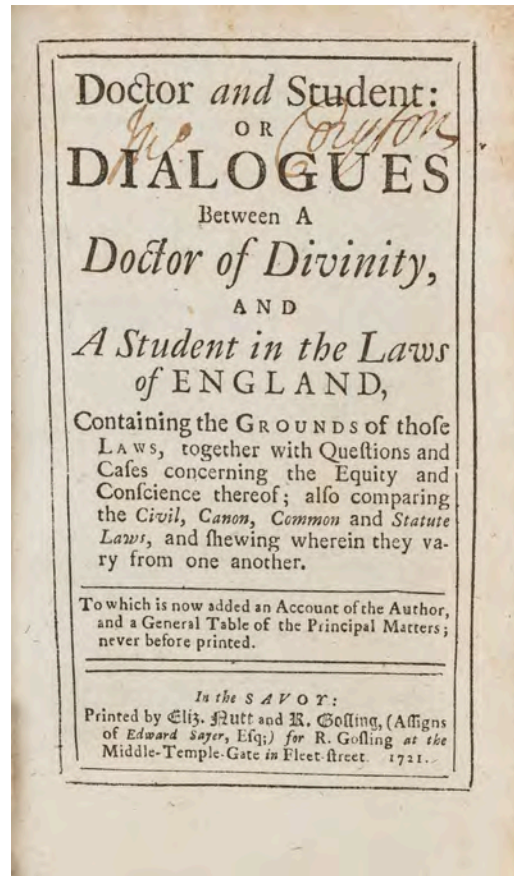
Recent period-style quarter calf over marbled boards, lettering piece, blind-tooled raised bands and blind filets to spine, marbled edges endpapers renewed, retained bookplate of Hugh Cecil Lowther, 5th Earl of Lonsdale to front pastedown. Moderate toning to interior, slightly heavier in places, light foxing to a few leaves, faint staining to margins of endleaves and verso of final leaf. An attractive copy. \$2,750.

* First edition. With comprehensive index, glosses and side-note references to the works of Fitzherbert, Brooke and others. Pulton is best known for his respected abridgements *An Abstract of all the Penal Statutes Which are General* (1560) and *A Kalendar or Table of All the Statutes* (1606). *De Pace Regis et Regni* took his earlier works as the starting point for a comprehensive overview of criminal law. Holdsworth, who holds this work in high regard, observes that it was only the second title devoted to the subject. The first, Staunford's *Les Plees del Coron*, was published posthumously in 1560. Holdsworth adds that a comparison between Pulton and (the less comprehensive) Staunford "enables us to appreciate the effect of the additions to and alterations of the criminal law made during this period, both by the legislature, and by the judges of the common law courts and of the court of Star Chamber" (392-393). This is especially evident in his discussion of topics like "Triall by Battaile," "The King's Pardon," "Maihem" and "Corruption of Bloud." In all, Pulton's treatise offers a fascinating perspective on criminal law as it was understood in Shakespeare's England.

Lowther, the former owner of this copy, [1857-1944] was an English soldier, sportsman and founder of the Dumb Friends League, now the Blue Cross, an important English animal welfare society.

Holdsworth, *A History of English Law* V:392-393. *English Short-Title Catalogue* S116053.

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Influenced Blackstone and Others

27. [St. German, Christopher (1460?-1540)].

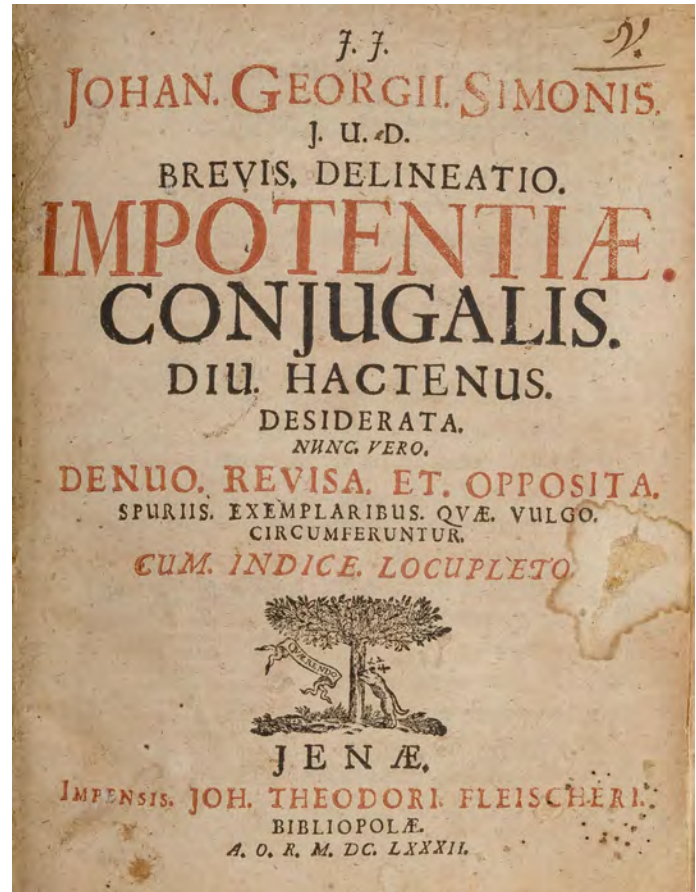
Doctor and Student: Or, Dialogues Between a Doctor of Divinity and a Student in the Laws of England: Containing the Grounds of Those Laws, Together with Questions and Cases Concerning the Equity Thereof; Also Comparing the Civil, Canon, Common and Statute Laws, And Shewing Wherein They Vary from One Another. To Which is Now Added on Account of the Author, And a General Table of the Principal Matters; Never Before Printed. [London]: Printed by Eliz. Nutt and R. Gosling, 1721. [iv], 1, [7], 366, [40] pp. Pagination irregular, text complete. Includes one-page publisher advertisement. Octavo (6-1/4" x 3-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, gilt tooling to board edges. Light rubbing to boards, a few scuffs to front board, small inkstain to rear board, moderate rubbing to extremities, front joint cracked, rear joint starting, chipping to spine ends, corners bumped, hinges starting, early annotation (noting author's death date as 1539) to front free endpaper. Light toning to interior, light foxing in a few places, fold lines to corners of a few leaves, early owner signature ([illegible] Coryton) to title page. \$250.

* Written originally in Latin in 1523, this work contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and other issues regarding the jurisdiction of Parliament. A very important work in the development of equity, *Doctor and Student* appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone.

English Short-Title Catalogue T108916.

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Marital Impotence (And Other Topics) in Roman and Canon Law

28. Simon, Johann Georg [1636-1696].

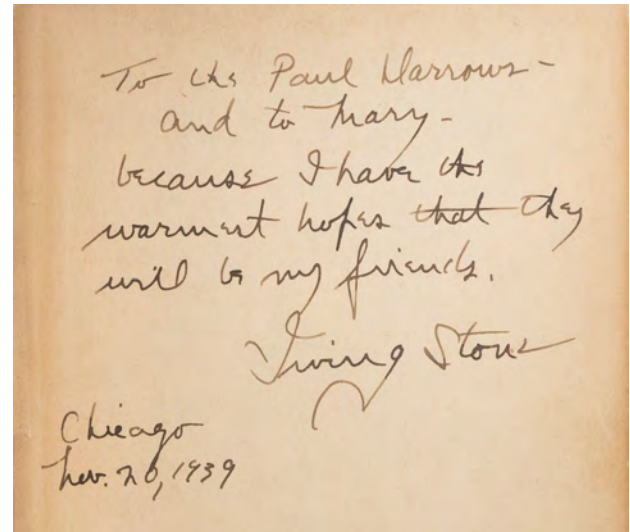
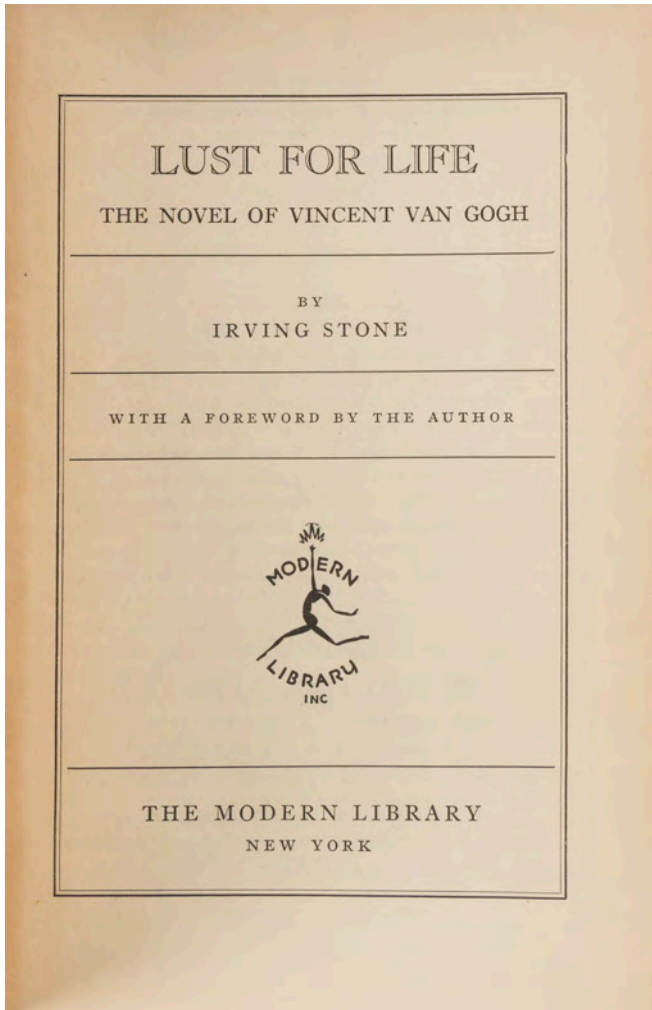
Brevis Delineatio Impotentiae Conjugalis. Diu Hactenus Desiderate Nunc Vero Denuo Revisa et Opposita Spuriis Exemplaribus Quae Vulgo Circumferuntur. Cum Indice Locupleto. Jena: Impensis Joh. Theodori Fleischeri, 1682. 209 [i.e. 208], [40] pp. Without the portrait frontispiece or additional title page present in some copies. Quarto (7-3/4" x 5-3/4").

Later (nineteenth-century?) vellum from a manuscript leaf, hand-lettered title to spine, endpapers renewed. Light soiling to exterior, boards bowed, spine ends bumped, chip to foot of spine, rear joint just starting at head. Title page printed in red and black. Moderate toning to interior, light foxing, faint dampstaining and light soiling in a few places, small ink letter to upper right corner of title page. \$300.

* Later edition. First published in dissertation form in 1665 and expanded in 1672, this interesting treatise discusses marital impotence and related sexual topics, including sodomy, adultery, incest and abortion, in Roman and canon law. Simon was a jurist from Halle who acquired his doctorate from the University of Jena and later taught there. The final edition appeared in 1718. Some copies of the 1682 edition have a portrait frontispiece of the author (and a smaller number have an additional title page dated 1680). All of the copies we have seen lack this frontispiece, suggesting that it may not have been issued with all copies.

OCLC locates 7 copies of the 1682 edition in North America, 1 in a law library (Harvard). *Verzeichnis der im deutschen Sprachraum erschienenen Drucke des 17. Jahrhunderts* 3:010301K.

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Inscribed to Paul Darrow and His Family

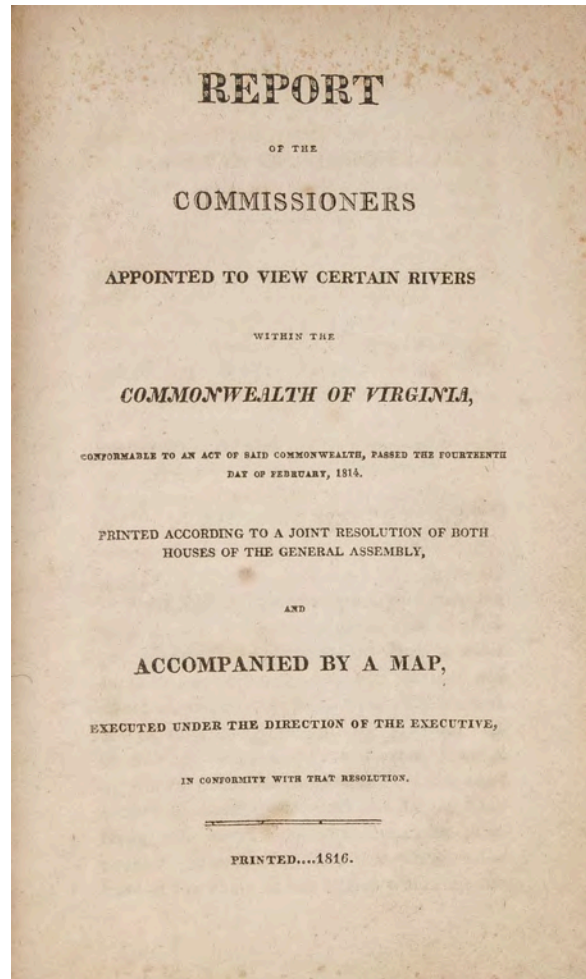
29. Stone, Irving [1903-1989].

Lust for Life: The Novel of Vincent van Gogh. New York: The Modern Library, 1939. x, [2], 489 pp.

Publisher's cloth, blind frames and gilt symbol to front board, gilt title to spine. Light fading to exterior, somewhat heavier to spine, spine gilt mostly oxidized, front joint starting, wear to spine ends, front hinge nearly split, internally clean. Presentation inscription to front free endpaper: "To the Paul Darrows- / and to Mary- / because I have the- / warmest hopes that they- / will be my friends. / Irving Stone / Chicago / Nov. 20, 1939." \$450.

* Later edition. First published in 1934, this biographical novel based on the life of Vincent van Gogh was one of Stone's most famous works. He would go on to write *Clarence Darrow for the Defense* (1941), a well-received biography of the great American attorney. This copy is inscribed to Paul Darrow and his wife and daughter, perhaps as Stone was beginning to plan his Darrow biography. Paul Darrow [1883-1956] was Darrow's only child and a businessman in Chicago for most of his adult life.

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Inland Transportation in Virginia

30. [Virginia].

[Marshall, John (1755-1835)].

Report of the Commissioners Appointed to View Certain Rivers Within the Commonwealth of Virginia, Conformable to an Act of Said Commonwealth, Passed the Fourteenth Day of February, 1814. Printed According to a Joint Resolution of Both Houses of the General Assembly, And Accompanied by a Map, Executed Under the Direction of the Executive, In Conformity with That Resolution. [S.l. (Richmond?)]: Printed 1816. 39, [1] pp. Octavo (8-1/4" x 5-1/4").

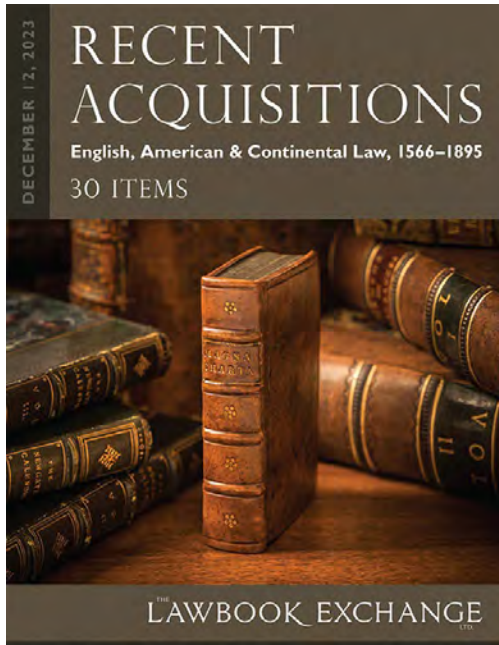
Original stiff plain wrappers. Light foxing and soiling to wrappers, spine partially abraded, moderate toning to interior, light foxing to margins. \$400.

* Only edition. Commissioned as part of an attempt to improve the navigability of Virginia's inland waterways and increase commercial activity, this report details the physical attributes of the James and Kanhawa rivers and discusses the current and potential costs of commercial transportation. John Marshall served on the committee along with James Breckinridge (spelled "Breckenridge" in the pamphlet) and four other men. Though the title references a map, the legislature did not approve the map until later in 1816 and it was likely not issued with this pamphlet.

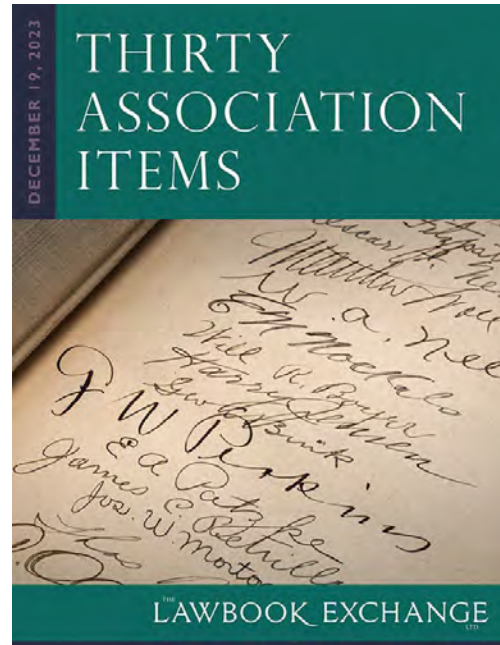
Not in Howes or Sabin. Shaw and Shoemaker, *American Bibliography* 39685.

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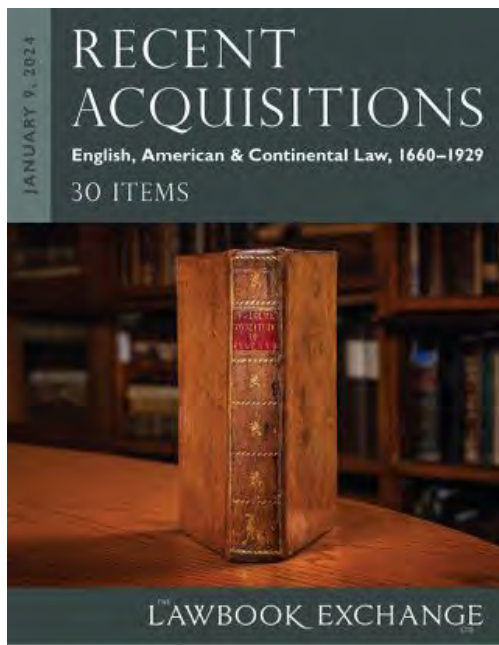
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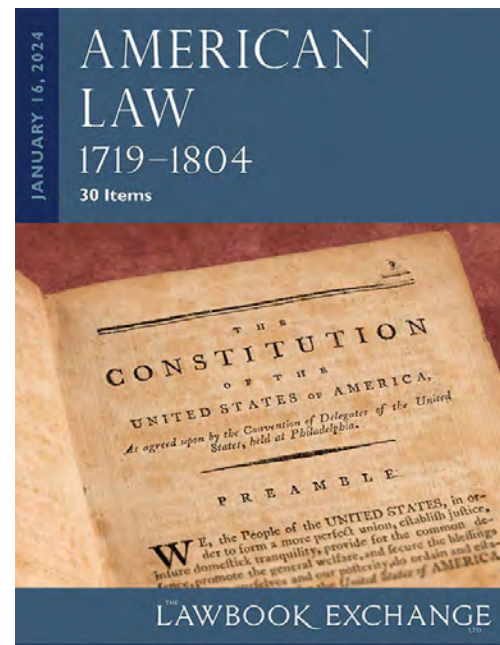
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