

OCTOBER 11, 2022

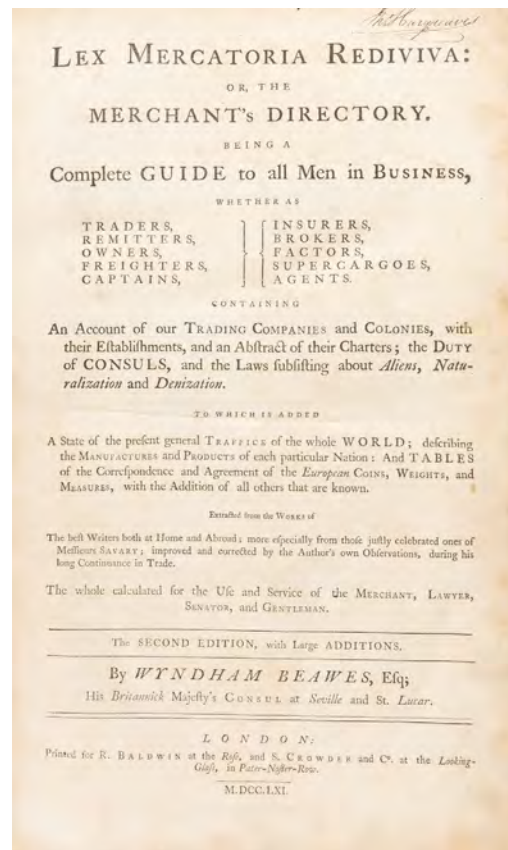
# RECENT ACQUISITIONS

English, Scottish, American & Continental Law,  
1573–c.1968

30 ITEMS



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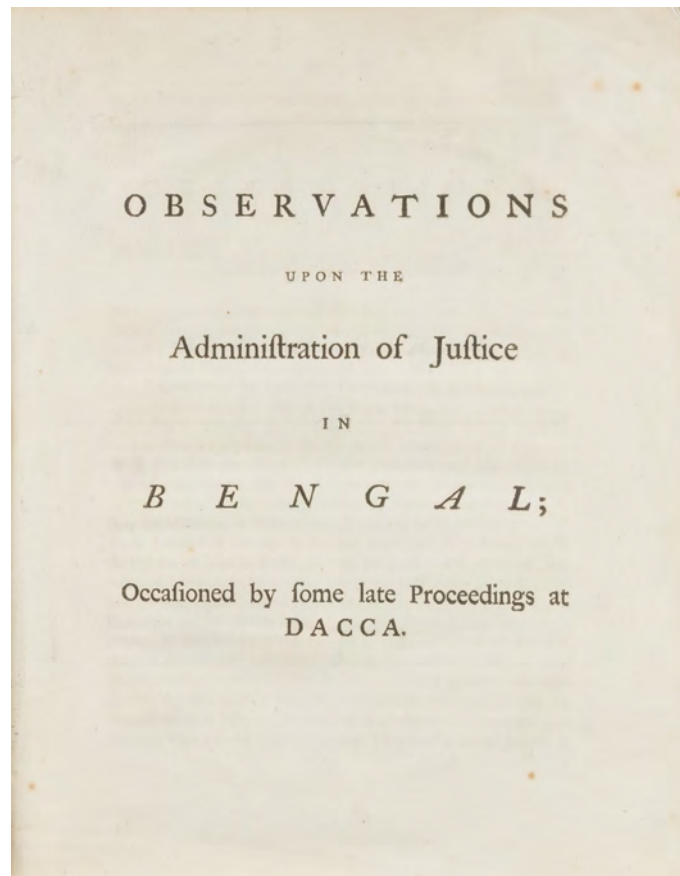
### "An Authority in Mercantile Customs": Kent

#### 1. Beawes, Wyndham [fl. 1775].

*Lex Mercatoria Rediviva: Or, The Merchant's Directory. Being a Complete Guide to All Men in Business, Whether as Traders, Remitters, Owners, Freighters, Captains, Insurers, Brokers, Factors, Supercargoes, Agents. Containing an Account of Our Trading Companies and Colonies, With Their Establishments, And an Abstract of Their Charters; The Duty of Consuls, And the Laws Subsisting About Aliens, Naturalization and Denization. To Which Is Added a State of the Present General Traffick of the Whole World; Describing the Manufactures and Products of Each Particular Nation: And Tables of the Correspondence and Agreement of the European Coins, Weights, And Measures, With the Addition of All Others that are Known. Extracted from the Works of the Best Writers Both at Home and Abroad; More Especially from Those Justly Celebrated ones of Messieurs Savary; Improved and Corrected by the Author's Own Observations, During His Long Continuance in Trade. The Whole Calculated for the Use and Service of the Merchant, Lawyer, Senator, And Gentleman. With Large Additions.* London: Printed for R. Baldwin, 1761. [ii], vii, [3], 898, [20] pp. Folio (14-3/4" x 9-1/2").

Recent period-style quarter calf over marbled boards, raised bands, blind and gilt ornaments, lettering piece and gilt publication date to spine, endpapers renewed. Moderate toning to interior, light foxing in a few places, mostly to margins, negligible faint dampstaining to lower margins of final ten leaves, light soiling, light foxing and early owner signature (Thomas Hargreaves) to title page. A handsome copy. \$550.

\* Second edition. Beawes was a merchant and his book was intended to be "a guide to all men in business." Nonetheless the *Lex Mercatoria* was often cited in court, and its authority formed the basis of several decisions. First published in 1751, it was especially influential in the United States, where, according to Kent, it was "an authority in mercantile customs." Kent, *Commentaries on American Law* III:126. *English Short-Title Catalogue* T136427. [Order This Item](#)



### British Rule, Not British Rights

#### 2. [British Empire].

*Observations Upon the Administration of Justice in Bengal; Occasioned by Some Late Proceedings at Dacca.* [London, 1778]. 52; 68 pp. Quarto (9-3/4" x 7-3/4").

Recent marbled boards, endpapers renewed. Light toning to interior, light creasing or faint fold lines in a few places, light foxing and soiling to several leaves. A nice copy of a scarce and interesting title. \$850.

\* Only edition. Published five years after the radical reorganization of the East India Company that elevated Warren Hastings to the position of Governor-General. This work reviews the new legal system in light of its stated goals: "To preserve the Commerce and Revenues of the Company from Depredation, [...] to relieve the Subject from Oppression, by facilitating the Means of Redress; and [...] to establish a fixed, lasting, and regular Course of Justice" (4). It studies examples of English justice in India, political philosophy and primary documents. These include correspondence to and from Hastings and petitions to the King from native inhabitants in translation.

The author concludes that English laws and customs suffer from a fundamental "Incongruity... with the religious Institutions and local Habits of the People of Bengal" and cannot be applied there without significant modification. At play in this conclusion are both nominal concern for the wishes of the locals and the desire to maintain a rigid social hierarchy. Any call to suspend the English justice system would also suspend the rights afforded to those it governs, making the native inhabitants easier to control. The author notes as a defect that the English system "introduces a Levelling Principle among People accustomed to the most rigid Subordination of Rank and Character." OCLC locates 6 copies of this title in North America, 2 in law libraries (Harvard, University of Minnesota). *English Short-Title Catalogue* T99076. [Order This Item](#)

**LEEK DIVISION OF THE COUNTY OF STAFFORD.**

LIST OF CASES to be heard at the COURT HOUSE *Leek* on the *6<sup>th</sup>* day of *Nov<sup>r</sup>* 187*2*

Justices Present.

No.	Complainant	Defendant	Offence	Fine			Costs			Constables' proportion			If previously convicted	Remarks	
				£	s	d	£	s	d	£	s	d			
✓	Reynolds	Wm Phillips	Misful damage												
	Mary Ann Nolan	Geo Pittford	Bastardy												
✓	Charles Phillips	Ann Boulton	Drunk & riotous	10											
	Jane Mackin	Thos Robinson	Bastardy												
✓	Henry Manscote	Geo & Robt	Riding on railway	10											
✓	"	Wm Bradburn	without ticket	2	6										
✓	John Ruxton	Josh Fisher	Assault												
✓	Robert Tarrow	John Threlk	causing obstruction	5											
✓	"	Jane Hudson	"	6											
✓	"	John Naden	"	1											
✓	"	John Clark	"												
	Charles Keelham	Abraham James	Assault												
✓	George Napwell	Thos Boulton	"												
✓	George Boulton	John Mackin	"												
✓	"	"	Drunk & riotous												
✓	Joseph Mackin	Rich Harrison	Assault												
✓	"	George Boulton	"												
✓	Char Phillips	Rich Boulton	Drunk & riotous												
✓	"	Thos Leacock	Refusing to leave Inn	1											
✓	"	James Woodson	Drunk & riotous												
✓	"	J.P. Wardley	"	1											
✓	Henry Pinlock	Colman Miller	Assault												
✓	William Turner	Joseph Pittford	Prophan-fane	2											
✓	"	John Lowe	"	1											

The Fates of 24 Criminals in Staffordshire

3. [Broadside].  
[Criminals].  
[Great Britain].

Leek Division of the County of Stafford. List of Cases To Be Heard At The Court House [Leek] on the [6th] Day of [Nov.] 187[2]. Leek, Staffordshire, 1872.

16-1/2" x 13" part-printed broadside completed in manuscript. Light toning, horizontal and vertical fold lines, negligible light foxing, two small holes along main horizontal fold with no loss to text. \$350.

\* List of twenty-four criminal cases held at the Leek Petty Sessions Court, Staffordshire. Each entry lists the complainant of the case, the defendant, the offence and the fine, with spaces for costs, constables' proportion, prior convictions and other remarks. Listed offenses range from bastardy to causing obstruction to riding on a railway without a ticket, with many citations for "drunk & riotous" conduct (four from the same complainant). An interesting look at day-to-day justice of the period. [Order This Item](#)



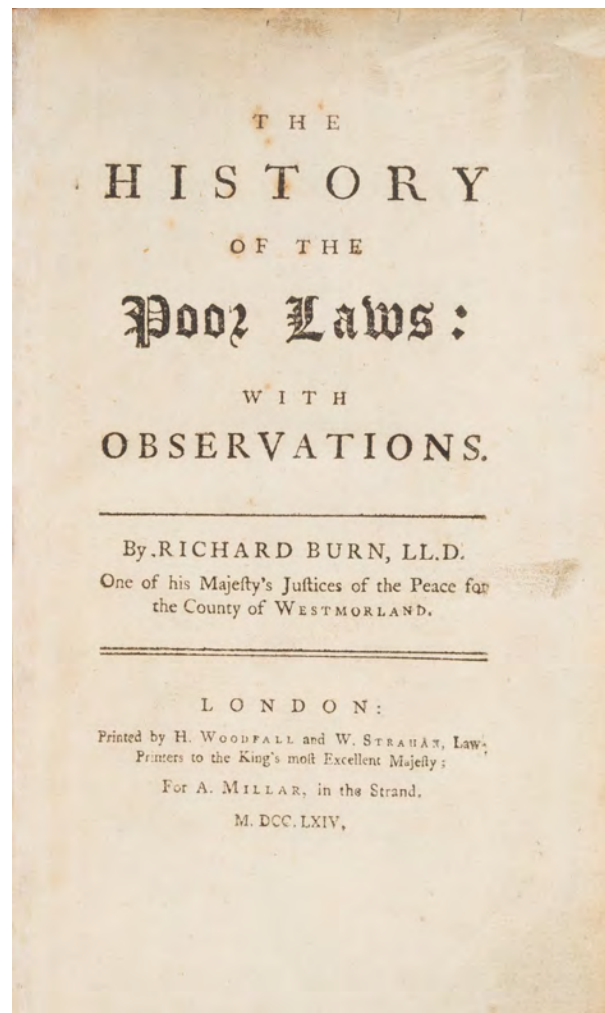
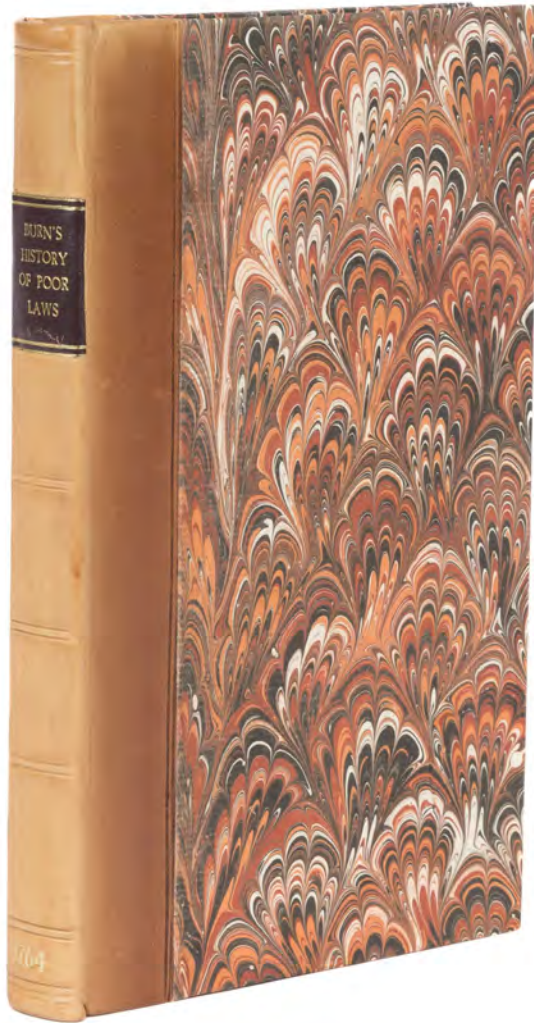
**The Execution of a Teenage Murderer**

4. [Broadside].  
[Execution].  
Bell, John Any Bird [d.1831].

*The Trial and Execution of John Any Bell Aged 14 For the Murder of Richard Taylor at Bridge-Wood, Kent, On the 4th of March, 1831.*  
[London]: Printed and Sold by J. Quick, [1831].

14-3/4" x 10" broadside hinged (with two small circular stickers at top-edge) onto 24" x 17" board. Text in two columns separated by woodcut border under headline and two woodcut vignettes, verses attributed to Bell at foot of second column. Moderate toning, light soiling and creasing, no loss to legibility, small tears to edges and hole to left margin not affecting text. \$3,000.

\* The fourteen-year-old Bell confessed to killing Richard Faulker Taylor, thirteen, presumably for the small sum of money Taylor was carrying home. Any Bird Bell's name is sometimes given as James, probably a result of confusion with his younger brother, James Bell. The younger brother, apparently a witness to the crime, testified against him at trial, where he was convicted of murder. Bell was the youngest person executed in England in the nineteenth century. OCLC and Library Hub locate 1 copy of this rare broadside (Harvard Law School). [Order This Item](#)



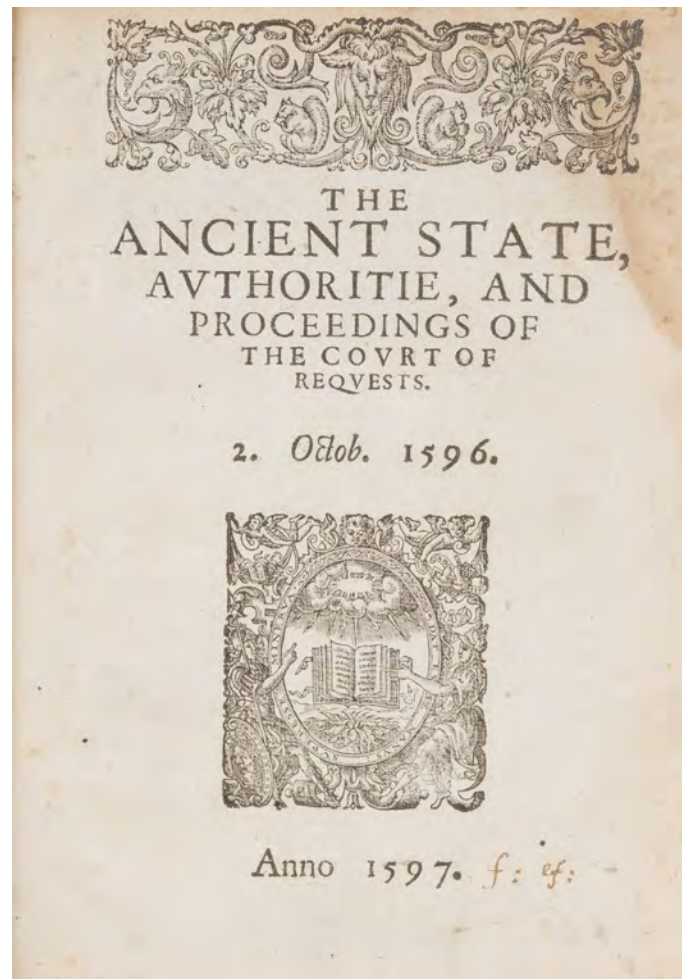
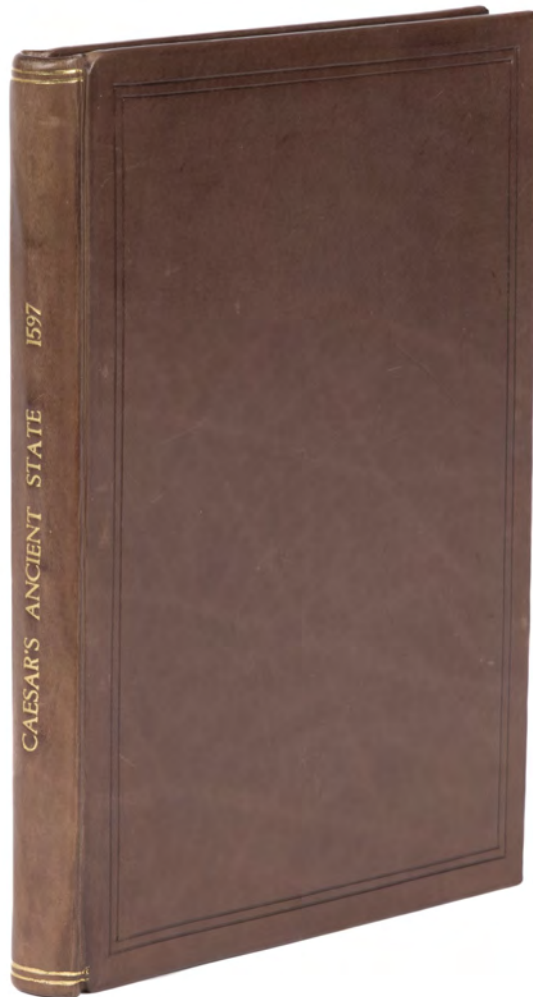
**By the Author of an Important JP Manual**

**5. Burn, Richard [1709-1785].**

*The History of the Poor Laws: With Observations.* London: Printed by H. Woodfall and W. Strahan for A. Millar, 1764. [iv], 295, [1] pp. Octavo (8-1/2" x 5-1/4").

Recent period-style quarter calf over marbled boards, blind fillets, lettering piece and gilt publication date to spine, endpapers renewed. Light fading to spine, moderate toning to interior, faint spotting to a few leaves, light soiling and moderate edgewear to title page and following two leaves, which are partially detached but secure. \$350.

\* Only edition. The author of the standard English justice of the peace manual of the eighteenth century, Burn was also the author of a law dictionary and important treatises on ecclesiastical and poor law. *The History of Poor Laws* is "an account of the various proposals made at different periods for the reform of the poor law, and the author's own proposals for the reform both of the poor law and of some other branches of the jurisdiction of the justices of the peace. Like Burn's other works, it is a clear and well-arranged account of the subjects with which it deals; but it is more valuable as a criticism, by an exceptionally competent critic, of the defects of the law in his own day, than as a history." Holdsworth, *A History of English Law* XII:338-39. *English Short-Title Catalogue* T70490. [Order This Item](#)



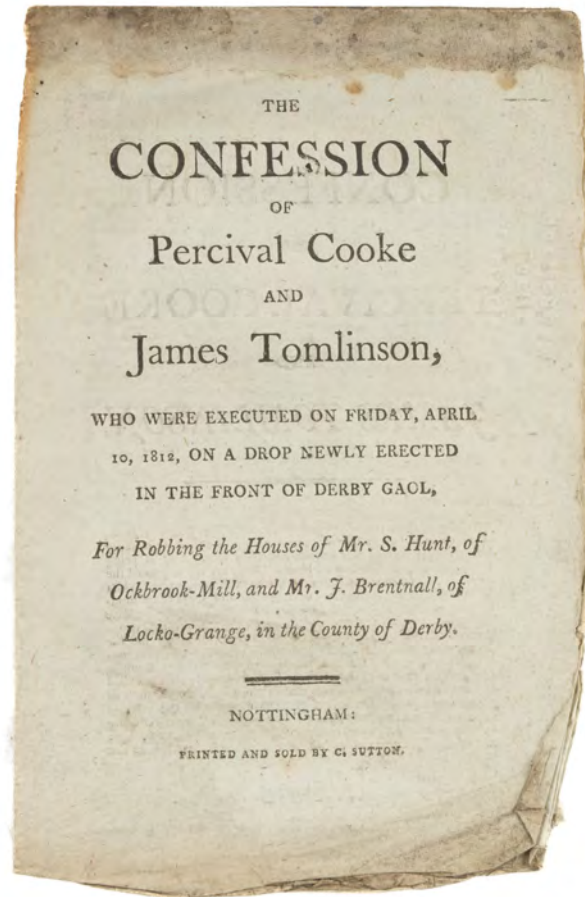
### A Predecessor of the Small Claims Court

#### 6. [Caesar, Julius, Sir (1558-1663)].

[*The Ancient State, Authoritie, And Proceedings of the Court of Requests. 2 Octob. 1596*]. [London: Printed by the Deputies of C. Barker, 1597]. [xii], 162, [2] pp. Main text followed by errata leaf. Final leaf, a blank, lacking. Quarto (7" x 5-1/4").

Recent polished calf, blind frames to boards, gilt fillets and title to spine, endpapers renewed with period-style paper. Moderate toning, faint dampstaining to upper outside corner of text block, underlining and marks to text and notes to margins in early hand, edges trimmed with occasional loss to register letters, catchwords and notes. \$2,250.

\* Only edition, one of two issues. The court of requests was a minor equity court that flourished during the Tudor and Stuart periods. It was established in the reign of Henry VII as a low-fee appeal court intended to accompany the sovereign on progress around the country. Abolished during the Commonwealth, it is important as an ancestor of the small claims court. Also, its records offer a good deal of information about the function of law in non-elite circles. Caesar, later Sir Julius and master of the rolls, was extraordinary master (1591) and ordinary master (1596) of this court. Based on a notebook compiled around 1500, Caesar's study is the fundamental contemporary account of its work. Both issues of this work are scarce. OCLC locates 6 copies of the present issue, 3 in North America (Harvard Law School, Huntington, Yale). The *ESTC* adds 2 more (John Carter Brown, Folger). *English Short-Title Catalogue (ESTC)* S104859. Beale, *Bibliography of Early English Law Books* T248. [Order This Item](#)



### Victims of the "Bloody Code"

#### 7. [Criminals].

**Cooke, Percival [1785?-1812].**

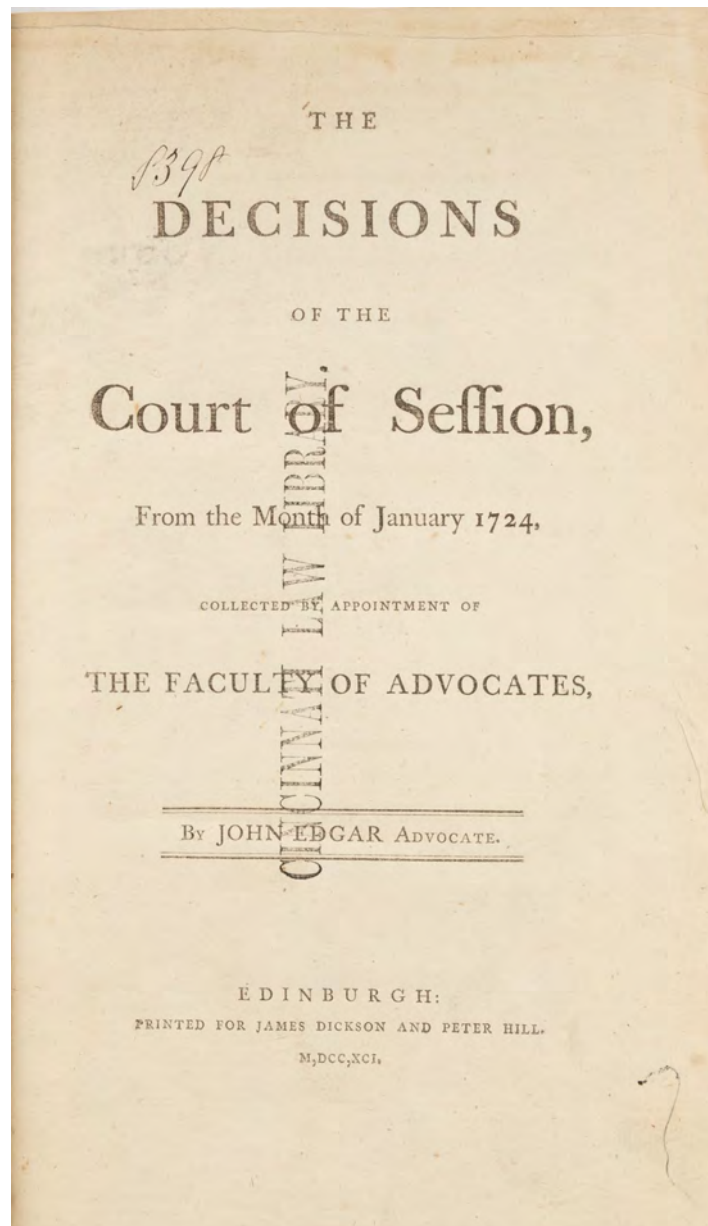
**Tomlinson, James [1784?-1812].**

*The Confession of Percival Cooke and James Tomlinson, Who Were Executed on Friday, April 10, 1812, On a Drop Newly Erected in the Front of Derby Gaol, For Robbing the Houses of Mr. S. Hunt, Of Ockbrook-Mill, And Mr. J. Brentnall, Of Locko-Grance, In the County of Derby.* Nottingham: Printed and Sold by C. Sutton, [1812?]. 8 pp. Octavo (7-1/2" x 5).

Unsewn, untrimmed folded sheet, woodcut tail-piece (of a coffin). Moderate toning, light soiling, dampstain along top-edge not affecting text, lower right corners folded, clean tear to head of main vertical fold, all leaves secure, blind-embossed library stamp to right margin of first leaf. \$300.

\* Only edition. Cooke and Tomlinson, aged 26 and 27 respectively at the time of their crimes, were executed in Derby for burglary at the Hunt house in December 1811. They were also charged with breaking and entering at the Brentnall house the night before, though the inhabitants prevented them from stealing anything. Both men were well-respected in the community prior to their crimes. Somewhat unusually for items of this genre, our chapbook laments the English code of justice, "so deeply stained with human blood," and urges the country to heed the suggested reforms of Sir Samuel Romilly "so that our eyes need not be so frequently shocked...at the sight of public executions." Romilly was a passionate advocate for reform of the so-called "Bloody Code," the name given to the highly punitive penal code in England, Wales and Ireland that resulted in a sharp rise in executions. OCLC locates 8 copies of this scarce item, 3 in North America (UCLA, Brown, Western Washington University). We located a copy at Harvard Law School. [Order This Item](#)





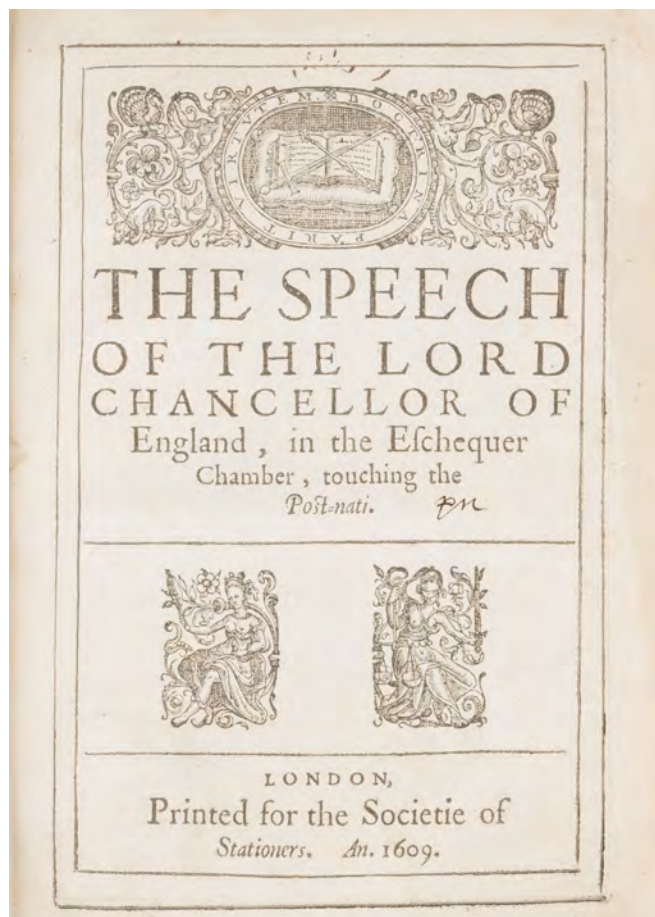
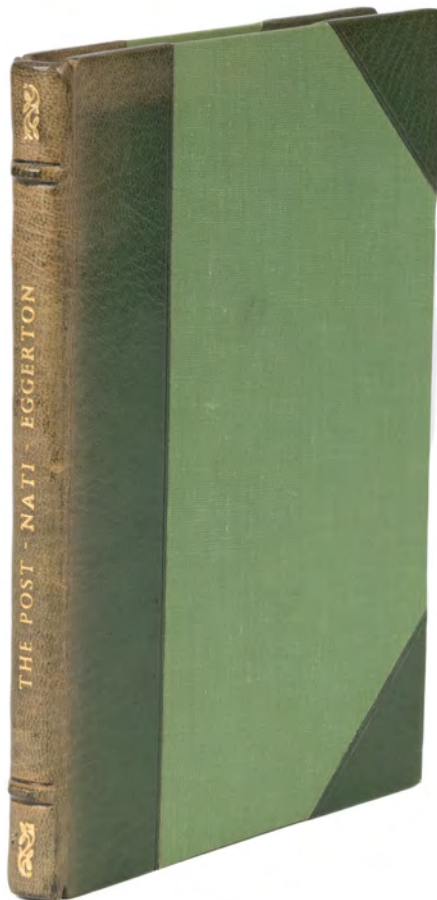
### Decisions of the Court of Session, 1724-1725

#### 8. Edgar, John.

*The Decisions of the Court of Session, From the Month of January, 1724, Collected by Appointment of the Faculty of Advocates.* Edinburgh: Printed for James Dickson and Peter Hill, 1791. 464 pp. viii, 210 pp. Folio (12" x 7-1/2").

Recent library buckram, gilt institution name to boards, red and black lettering pieces and gilt institution name to spine, endpapers renewed. Light rubbing to extremities. Library stamps to edges, preliminaries and rear endleaves. Light toning to interior, light soiling, small pen marking and "R398" in an early hand to title page. \$250.

\* Second and final edition of a work first published in 1742. The Court of Session is Scotland's supreme civil court. The Faculty of Advocates is a body of advocates (lawyers) admitted to practice in the courts of Scotland. *English Short-Title Catalogue* N6864. [Order This Item](#)



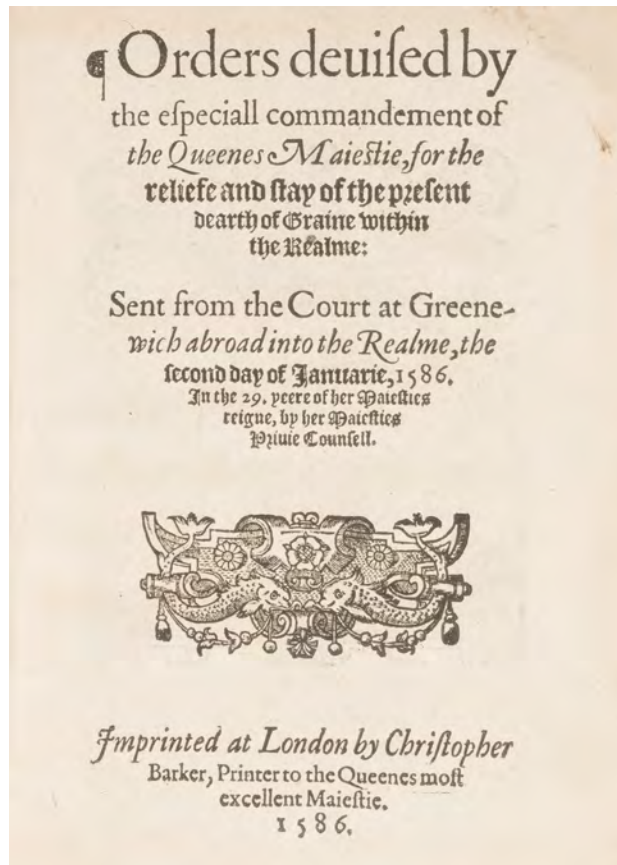
### An Important Precursor to Birthright Citizenship

#### 9. [Egerton, Sir Thomas (1540?-1617)].

*The Speech of the Lord Chancellor of England, In the Eschequer Chamber, Touching the Post-Nati.* London: Printed [by Adam Islip] for the Societie of Stationers, An. 1609. [xii], 118, [2] pp. First and final leaves blank with marginal rules. Quarto (7" x 5").

Signed binding by Brian Frost & Company, Bath, Eng., three-quarter green morocco over cloth, raised bands, gilt title and gilt ornaments to spine, top-edge gilt, marbled endpapers, endleaves renewed. Light rubbing to extremities, some fading to spine, faint offsetting to free endpapers, recent pencil notations to front endleaf. Light toning to interior, negligible light foxing and soiling in a few places, brief early notations to verso of initial blank and title page. A nice copy. \$450.

\* Only edition, one of two issues from 1609. Egerton's speech as Lord Chancellor concerning the property and citizenship rights of Scots in England and Scotland born after James VI, King of Scotland, became James I, King of England and Ireland, in 1603. The Case of the Post-Nati, more commonly known as Calvin's Case, ultimately established that a child born in Scotland after the union was entitled to the benefits of English citizenship under the common law. The case was an important predecessor to what would become jus soli, an important component of birthright citizenship in the United States. OCLC locates 12 copies in North American law libraries. English Short-Title Catalogue S100273. [Order This Item](#)



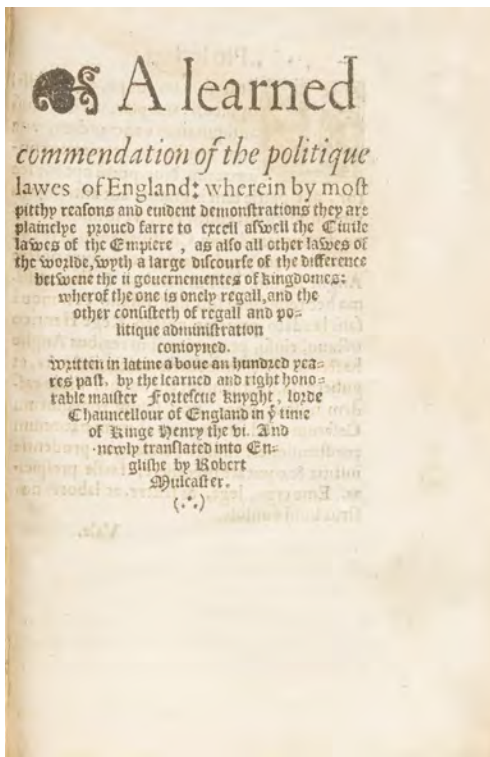
**A Scarce Set of Orders Regulating  
Grain Allotment by Justices of the Peace**

**10. Elizabeth I [1533-1603], Queen of England and Ireland.**

*Orders Deuifed by the Especiall Commandement of the Queenes Maiestie, For the Reliefe and Stay of the Present Dearth of Graine Within the Realme: Sent from the Court at Greenwich Abroad into the Realme, The Second Day of Ianuarie, 1586. In the 29. Yeere of Her Maiesties Reigne, By Her Maiesties Priuie Counsell.* [ii], 20, [2] pp. London: Imprinted by Christopher Barker, 1586 [i.e. 1587]. Quarto (6-3/4" x 4-3/4").

Later polished calf signed binding by Riviere & Son, gilt frames and small corner decorations to boards, gilt spine with raised bands and lettering pieces, gilt tooling to board edges, edges of text block gilt, gilt inside dentelles. Light bowing to boards, moderate rubbing to extremities, chip to head of spine, front joint cracked, front hinge and rear joint just starting at head, faint offsetting and recent pencil notations to endpapers. Moderate toning to interior, trimming to leaf B1 (pp. 7-8) just touching side notes without loss to legibility. A handsome copy. \$2,000.

\* Only edition. Following a 1586 famine, Elizabeth's privy council issued orders to justices of the peace dictating how they were to respond to food scarcity in their communities. The sweeping, highly detailed orders listed the quantities of grain permitted each family and controlled prices for any excess put on the market. Though many other monarchs had regulated grain markets after crop failures, the practice expanded significantly under Elizabeth. Along with other social reforms, this provided the foundation for her overhaul of the poor laws in 1601. OCLC locates 6 copies of this scarce title, 5 in North America (Yale, Williams College, University of Minnesota Law School, Harvard Law School, Huntington Library); the ESTC adds 1 North American copy (Folger Shakespeare). *English Short-Title Catalogue (ESTC)* S100696. [Order This Item](#)



Early Edition of Fortescue's *De Laudibus*

**11. Fortescue, Sir John [1394?-1476?].**

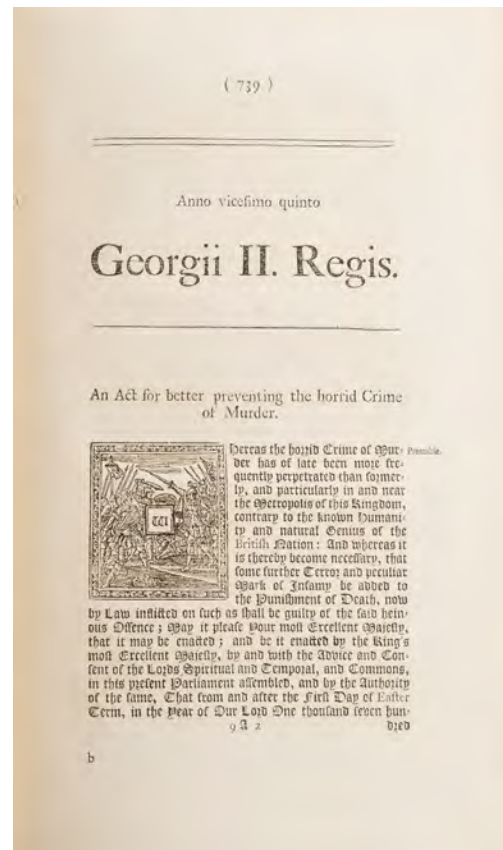
**Mulcaster, Robert [16th. c.], Translator.**

*A Learned Commendation of the Politique Lawes of England: Wherein by Most Pittie Reasons and Euident Demonstrations They are Plainelye Proved Farre to Excell as Well the Civile Lawes of the Emperie, As Also All Other Lawes of the Worlde, Wyth a Large Discourse of the Difference Betwene the ii Governementes of Kingdomes, Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conioyned. Written in Latine Above an Hundred Yeares Past, By the Learned and Right Honorable Maister Fortescue, Knight, Lorde Chauncellour of England in ye Time of Kinge Henry VI. and Newly Translated into Englishe by Robert Mulcaster.* [London: Imprinted...In Fleetestrete, Within Temple Barre, At the Signe of the Hande and Starre, by Richarde Tottell, 1573]. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-3/4").

Contemporary paneled unlettered calf, rebacked retaining existing spine, fragments of thong ties to fore-edges of boards, faint early hand-lettered title to fore-edge of text block. A few minor scuffs to boards, some rubbing to spine and extremities, corners bumped, some loss to edges of pastedowns, hinges partially cracked. Moderate toning, non-obtrusive faint dampstaining to a few sections of text. An attractive well preserved copy. \$3,500.

\* Second edition in English. *De Laudibus Legum Angliae* (c.1470), a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in dialogue form, it compares the common and Roman systems and argues that the common law is the oldest and most reasonable legal system in Europe. The first work to examine trial by jury and the Inns of Court at length, it also extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first printed in 1567. "Fortescue was a favorite among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the Common Law.": Marvin, *Legal Bibliography* 321. *English Short-Title Catalogue* S102542. Beale, *A Bibliography of Early English Law Books* T358.

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**Includes the First Printing of the Act that Introduced Anatomization**

**12. [Great Britain].**

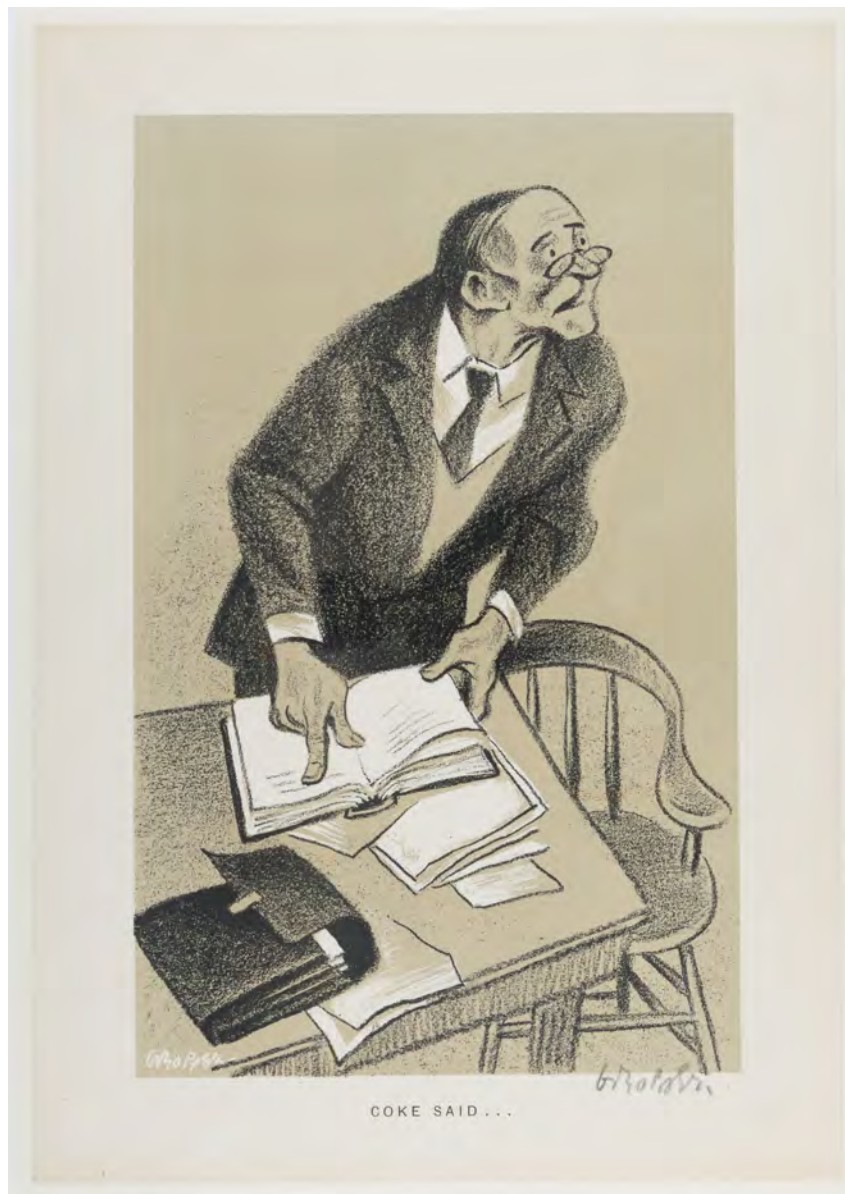
**George II [1683-1760], King of Great Britain.**

*Anno Regni Georgii II. Regis Magnae Britanniae, Franciae, & Hiberniae, Vicesimo Quinto. At the Parliament Begun and Holden at Westminster, The Tenth Day of November, Anno Dom. 1747, In the Twenty First Year of the Reign of our Sovereign Lord George the Second, By the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. And from thence Continued by Several Prorogations to the Fourteenth Day of November, 1751, Being the Fifth Session of this Present Parliament.* London: Printed by Thomas Baskett; and by the assigns of Robert Baskett, 1751 [i.e. 1752]. Acts I-XXXIX (only). 1-295, 295-766 pp. Leaf 4E2 repeated. Same general title page preceding each act, Acts V-XXXIX dated 1741. Folio (12" x 7-1/2").

Contemporary paneled calf, spine ends and corners mended, raised bands, blind fillets and ornaments and lettering piece to spine, blind tooling to board edges. Rubbing to boards and extremities, scuffing and a few small gouges to boards, nick to upper right corner of lettering piece, rear joint starting, nicks to board edges, hinges cracked, early ownership signature (of Thomas Vivian) to upper corner of front free endpaper. Light toning to interior, light foxing in a few places, brief early annotations to first pages of first few acts, slight crack to text block between pp. 268-269. \$1,250.

\* A collection of 39 public acts passed in the fifth session of the tenth Parliament of Great Britain. (A total of 60 public and 41 private acts were passed during the session.) Some of the more interesting acts include an act mandating quarantine for diseased cattle, an attempt to address the aftermath of the Calendar Act of 1751 and "An Act for Better Preventing the Horrid Crime of Murder," also known as the Murder Act of 1751. The Murder Act mandated anatomization or hanging in chains for the bodies of executed murderers. Though post-execution dissection had a long history as an ad-hoc practice, the Act formalized the practice and ushered in a new wave of anatomizations. *English Short-Title Catalogue* N52562.

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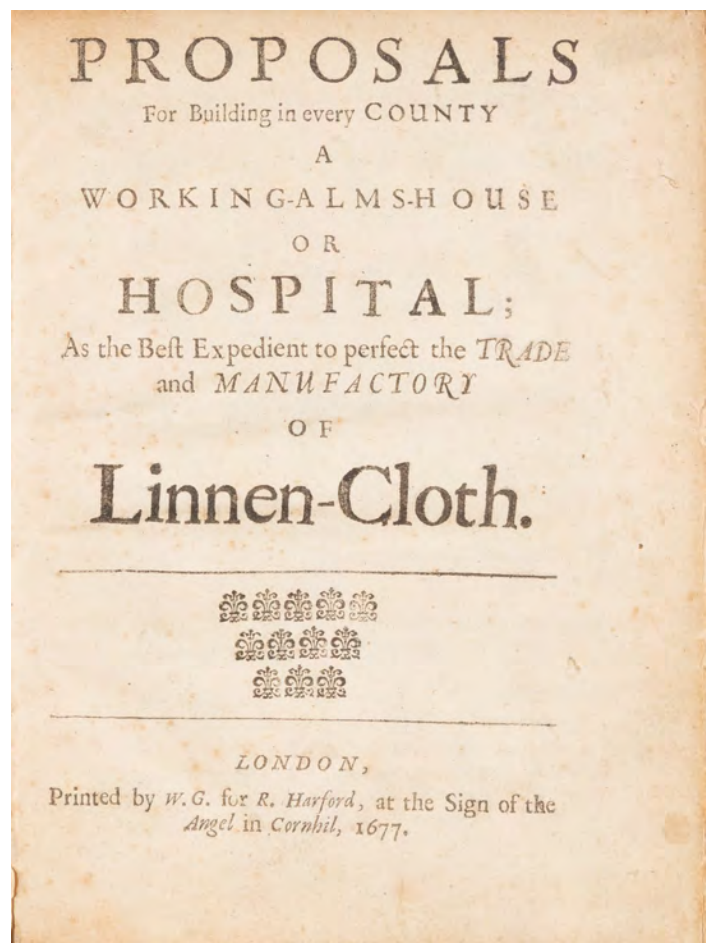
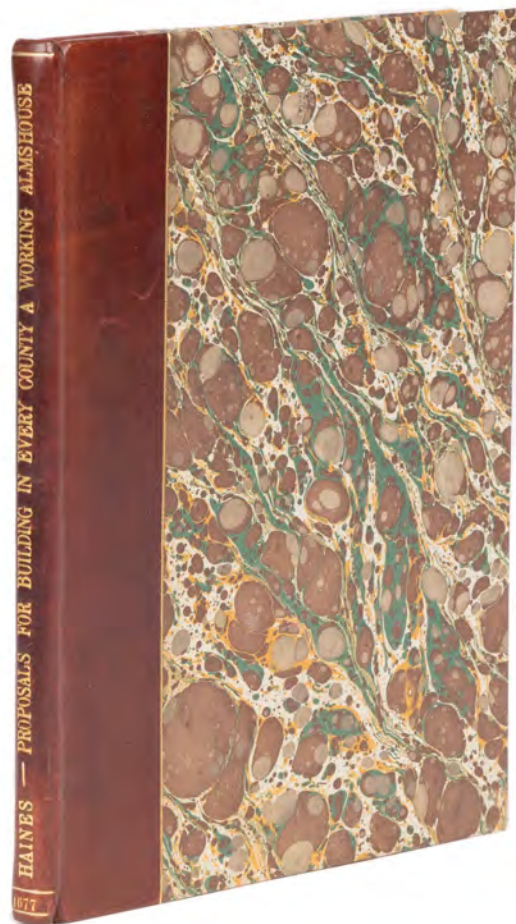
**A Lawyer Leans on Coke**

**13. Gropper, William [1897-1977].**

*Coke Said...* c.1950s-1960s (1968?).

14-1/4" x 8-3/4" lithographic print (image size 12" x 7-1/2") with typed caption and penciled signature of William Gropper, professionally shrink-wrapped onto 15" x 10-1/2" foamcore board with hang tag. Light toning to margins, image vivid. \$250.

\* This image of an elderly lawyer referencing Coke in a courtroom is one of several depictions of courtroom scenes by the American artist William Gropper. A lifelong radical and the son of Jewish immigrants from Romania and Ukraine, he is best known for his cartoons for left-wing magazines and his work as a WPA artist, though he dealt with a variety of subjects. [Order This Item](#)



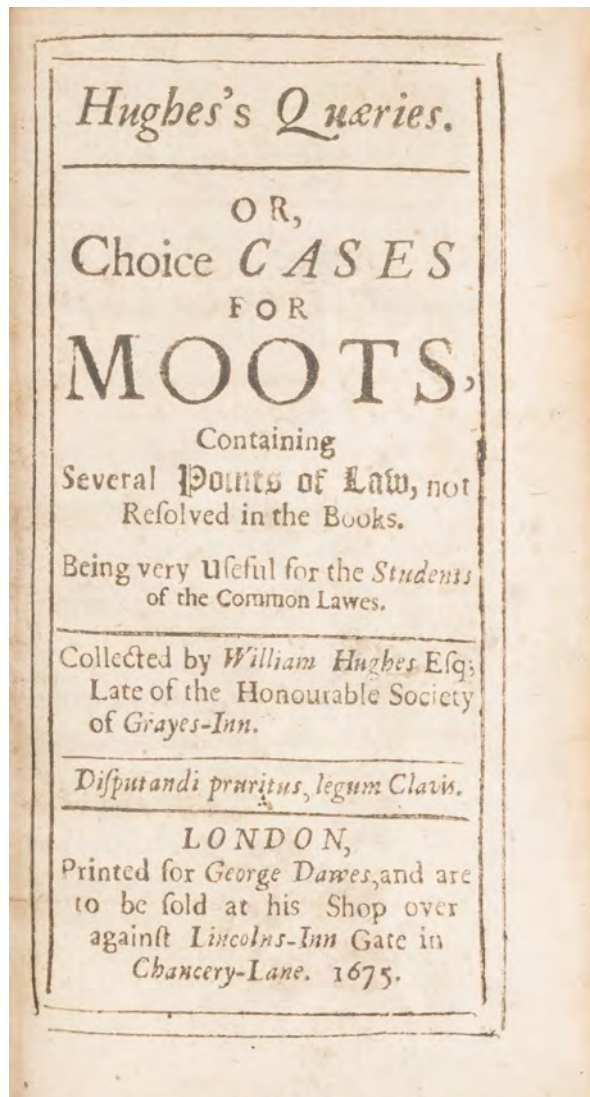
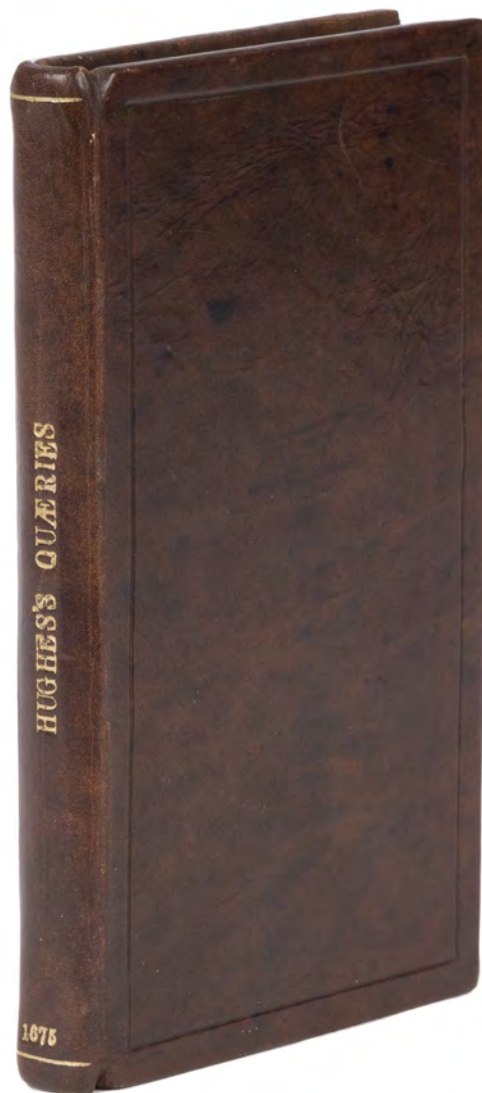
### Anticipated the Workhouse Movement

#### 14. [Haines, Richard (1633-1685)].

*Proposals for Building in Every County a Working-Alms-House or Hospital; As the Best Expedient to Perfect the Trade and Manufactory of Linnen-Cloth.* London: Printed by W.G. for R. Harford, 1677. [ii], 12; 16 pp. 2 parts in 1 with separate pagination and register. Quarto (7-1/4" x 5-1/2").

Stab-stitched pamphlet bound in recent quarter calf over marbled boards, gilt rules to calf edges, gilt fillets, title and date to spine. Negligible light rubbing to extremities, brief recent pencil annotations to front free endpaper. Moderate toning to interior, light foxing in a few places, very light edgewear to a few leaves, small early inkstain to leaf B1 (pp. 9-10) of the "Postscript" without loss to legibility. \$1,750.

\* Only edition. Haines was a farmer and pamphleteer with a keen interest in industrial and economic reform. His proposal here to build workhouses to facilitate manufacturing of goods by the poor, providing relief through employment and strengthening England's economy, was followed by several others on the same theme. Though his ideas were not seriously considered by Parliament at the time, they in many ways anticipated the workhouse movement which would dominate poor law reforms of the eighteenth and nineteenth centuries. *English Short-Title Catalogue* R8843. [Order This Item](#)



### The Only Early English Collection of Mooted Cases

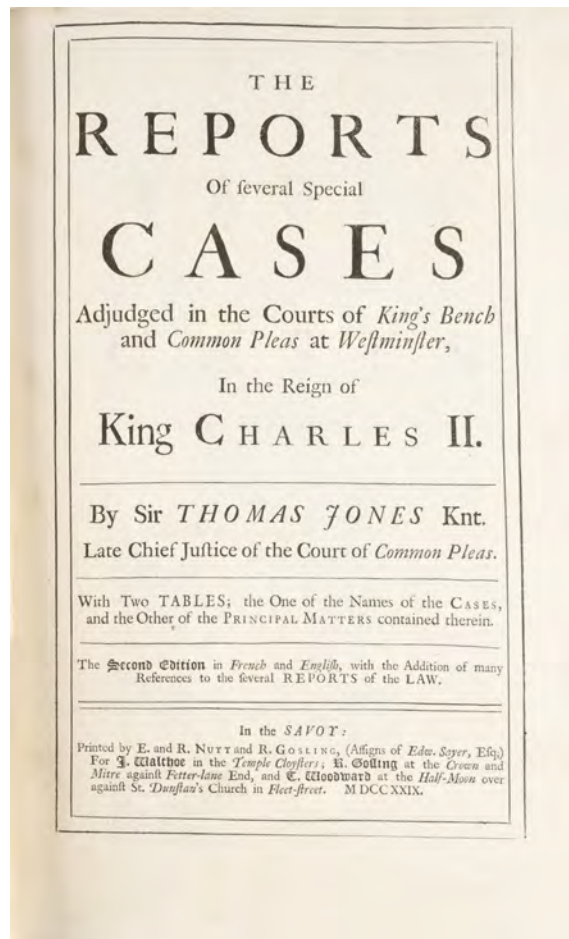
#### 15. Hughes, William, of Gray's Inn.

*Hughes's Quæries. Or, Choice Cases for Moots, Containing Several Points of Law, Not Resolved in the Books. Being Very Useful for the Students of the Common Lawes.* London: Printed for George Dawes, 1675. [xxxvi], 136, [8] pp. With initial imprimatur leaf and publisher catalogue to last [8] pp. 12mo. (5-1/2" x 3-1/4").

Recent calf, blind frames to boards, gilt title, fillets and publication date to spine, endpapers renewed. Moderate toning, faint dampstaining, spotting and browning to margins in a few places, small burns to fore-edges of leaves D9-12 (pp. 65-72) with no loss to text. \$675.

\* Only edition. Organized alphabetically by topic, this is the earliest collection of mooted cases. Each example describes the facts, outlines the issues and offers conclusions. As Holdsworth points out, this book aimed to revive a tradition in English pedagogy that predates the Inns of Court. Holdsworth, *A History of English Law* VI:600. *English Short-Title Catalogue* R32040. [Order This Item](#)





**"A Work of Very Reputable Authority"**

**16. Jones, Sir Thomas [1614-1692].**

*The Reports of Several Special Cases Adjudged in the Courts of King's Bench and Common Pleas at Westminster, In the Reign of King Charles II. With Two Tables; The One of the Names of the Cases, And the Other of the Principal Matters Contained Therein.* [London]: Printed for E. and R. Nutt and R. Gosling, 1729. [xvi], 254, [17] pp. Main text in Law-French with parallel English translation. Folio (13-1/2" x 8-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and gilt title to spine, gilt tooling to board edges. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities with some wear to spine ends, joint starting at ends, corners bumped and somewhat worn, hinges partially cracked, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamps to preliminaries, early marking to rear pastedown. Negligible light toning to interior, light foxing to endleaves, offsetting to their margins. \$200.

\* Second, final and best edition. First published in 1695 in Law-French, Wallace calls this reporter, which covers the years 1667 to 1685, "a work of very reputable authority." It is held in equal regard by Holdsworth. Jones was a judge of King's Bench and chief justice of Common Pleas. Hargrave made a new English translation some years later, but it was never published. Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirburn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Wallace, *The Reporters* 343. Holdsworth, *History of English Law* VI:552, 561. *English Short-Title Catalogue* T95701. [Order This Item](#)



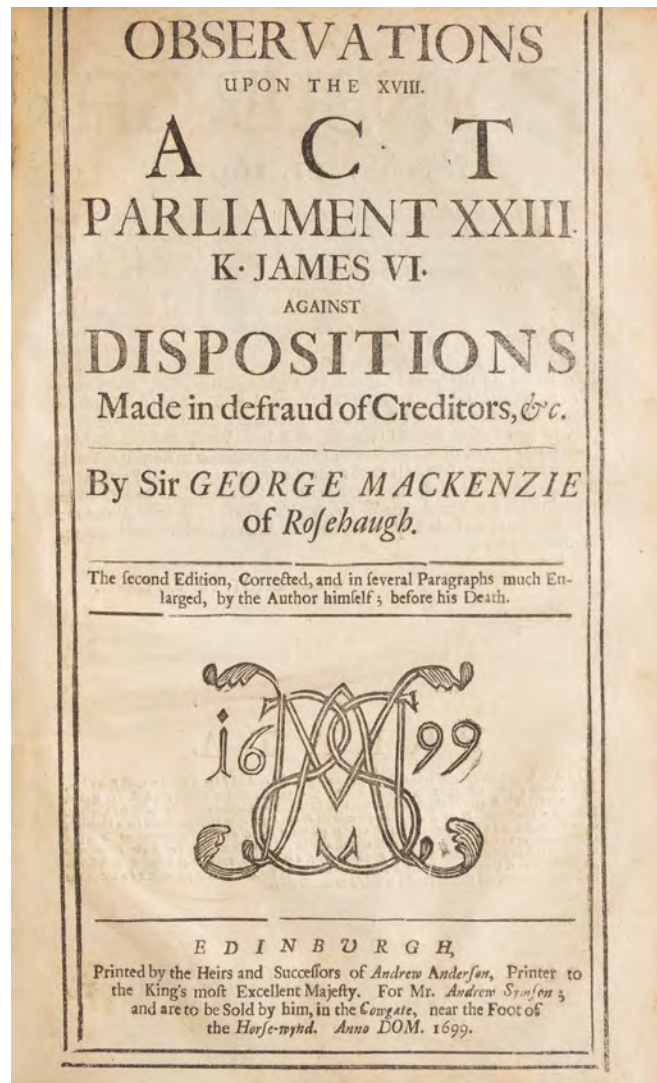
**Handsome First Edition One of Kelsen's Most Important Books**

**17. Kelsen, Hans [1881-1973].**

*Allgemeine Staatslehre*. Berlin: Verlag von Julius Springer, 1925. xiv, 433 pp.

Contemporary three-quarter calf over marbled boards, lettering piece to spine. Minor wear to spine ends and corners, underlining, marks and annotations in pencil to most of text. Book houses in plain thick-paper slipcase with moderate edgewear, faint dampstaining and light soiling. \$150.

\* First edition. "This book is more than a thorough and authoritative presentation by Dr. Kelsen of his pure theory of law. The pure theory of law covers 388 pages, and this, of course, includes the theory of the state as well as the theory of the law. (...) No one can approach this magnificent philosophical structure without respect and lasting admiration for an intellectual system equal in completeness to the work of Aristotle and the medieval system-builders. And yet, the grander it is and the more complete it is, the more restive may be its effect on those who study it.": Paul Sayre, *Harvard Law Review* 59:1184-1188 cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 914. [Order This Item](#)



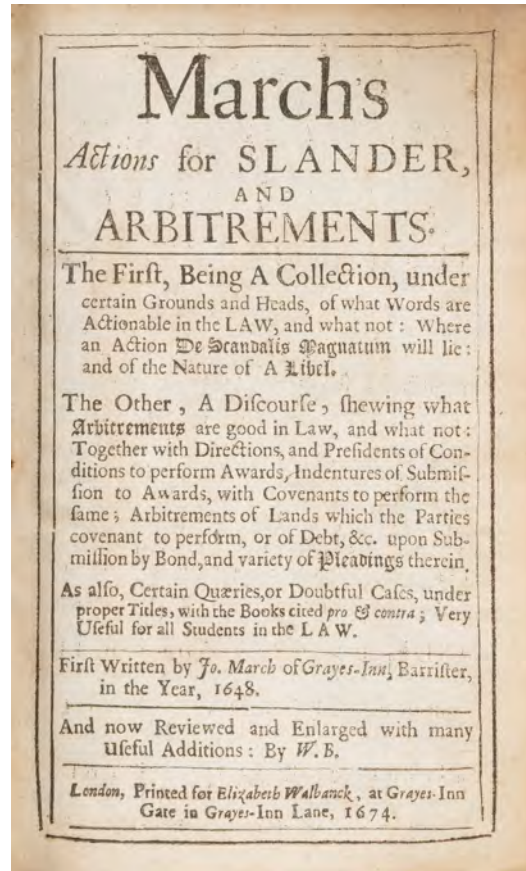
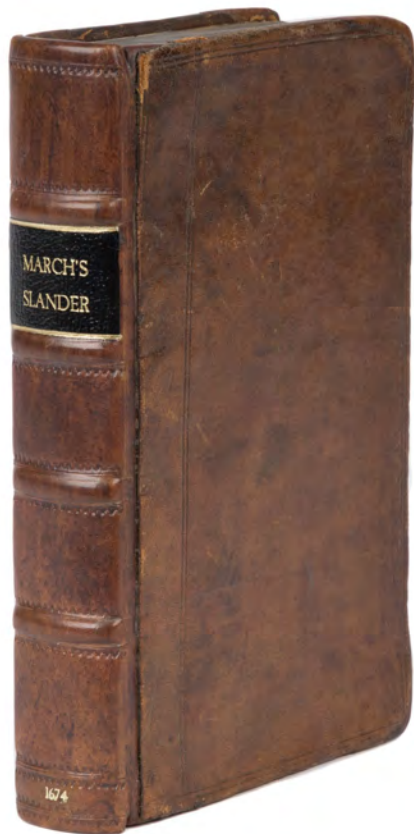
### Mackenzie's Review of Bankruptcy Reform

#### 18. Mackenzie, Sir George [1636-1691].

*Observations upon the XVIII. Act of Parliament XXXIII. K. James VI. Against Dispositions Made in Defraud of Creditors &c.* Edinburgh: Printed by the heirs and successors of Andrew Anderson for Mr. Andrew Symson, 1699. [iv], 62 pp. Folio (11-1/4" x 7").

Recent textured boards, black-stamped title to spine, endpapers renewed. Light soiling to boards, spine ends bumped. Moderate toning to interior, light soiling and foxing in a few places, occasional faint dampstaining to last several leaves, trimming to head of first two leaves just touching top rules without loss to text, crack in text block before final leaf, several corrections in an early hand, some affected slightly by trimming. \$500.

\* Second, corrected edition. This title discusses a 1621 act intended to curtail bankruptcy fraud on behalf of creditors and its consequences and implementation. Mackenzie, Lord Advocate during the reigns of Charles II and James II, was an important jurist, scholar and author. The first edition appeared in 1698. OCLC locates 3 copies of this title in North American law libraries (Harvard, Yale, Library of Congress). The *ESTC* adds a copy at Columbia Law School. *English Short-Title Catalogue (ESTC)* R41033. [Order This Item](#)



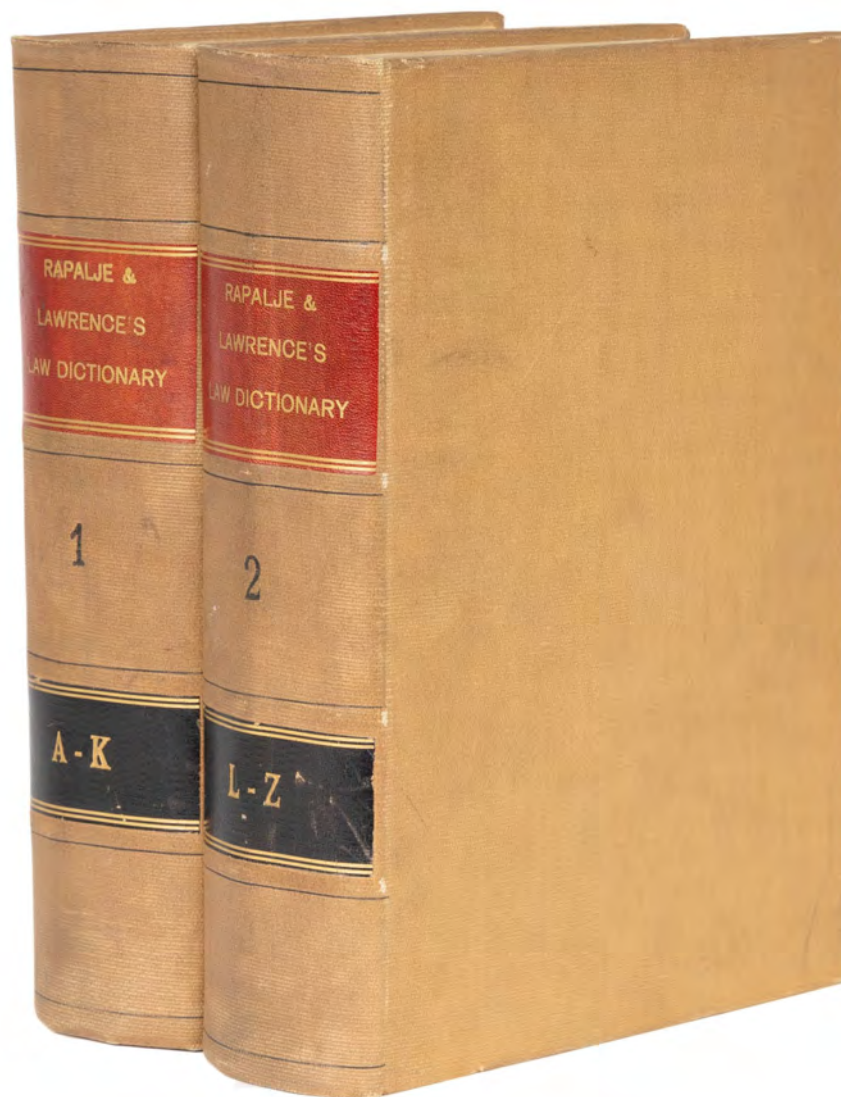
"What Words Are Actionable in the Law"

**19. March, John [1612-1657].**

*March's Actions for Slander, And Arbitrements. The First, Being a Collection, Under Certain Grounds and Heads, Of What Words are Actionable in the Law, And What Not: Where an Action de Scandalis Magnatum Will Lie: And of the Nature of a Libel. The Other, a Discourse, Shewing what Arbitrements are Good in Law, And what Not: Together with Directions and Presidents of Conditions to Perform Awards, Indentures of Submission to Awards, With Covenants to Perform the Same; Arbitrements of Lands Which the Parties Covenant to Perform, or of Debt, &c. Upon Submission by Bond, And Variety of Pleadings Therein. As also, Certain Quaeries, Or Doubtful Cases, Under Proper Titles, With the Books Cited Pro & Contra; Very Useful for all Students in the Law. First Written by Jo. Marsh of Grayes-Inn, Barrister, In the Year 1648 [sic]. And Now Reviewed and Enlarged with Many Useful Additions: By W.B. London: Printed for Elizabeth Walbanck, 1674. [8], 219, p. 218, 223-320, 401-476, [18] pp. Text continuous despite pagination. Octavo (6-1/2" x 4").*

Contemporary calf, rebacked in period style, blind rules to boards, lettering piece, raised bands, blind fillets and gilt publication year to spine, corners and hinges mended. Light rubbing to boards, moderate rubbing to board edges, later armorial bookplate (Earl of Roden) to front pastedown. Moderate toning to interior, a few early markings (shelf numbers?) to front endleaves. \$1,250.

\* Fourth and final complete edition. The expanded edition of a pioneering work, rightly claiming to be the first treatise on two separate subject matters--slander (and libel) and arbitration. "There is one book written during this period which is exclusively devoted to the law of tort. That is John March's little book on actions for slander, published in 1647. Actions for slander had long figured prominently in the reports; and this book is an able attempt to extract some general principles from the cases." Holdsworth, *A History of English Law* V:393. *English Short-Title Catalogue* R217353. [Order This Item](#)



### First Edition of a Well-Regarded Law Dictionary

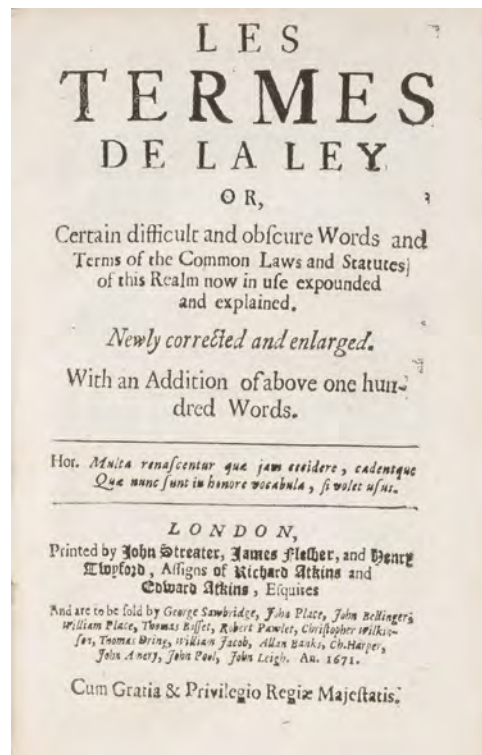
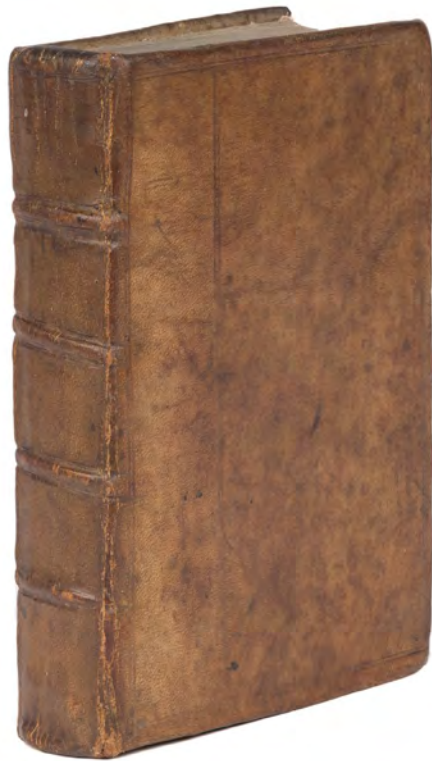
#### 20. Rapalje, Stewart and Lawrence, Robert L.

*A Dictionary of American and English Law with Definitions of the Technical Terms of the Canon and Civil Laws. Also, Containing a Full Collection of Latin Maxims, and Citations of Upwards of Forty Thousand Reported Cases, in which Words and Phrases Have Been Judicially Defined or Construed.* Jersey City: Frederick C. Linn & Co., 1883. Two volumes. Main text in parallel columns. Octavo (9-3/4" x 6-1/2").

Contemporary buckram, raised bands, black-stamped volume numbers and red and black lettering pieces to spine, endpapers renewed. Light shelfwear and soiling, faint owner stamps to edges. Moderate toning to interiors, front hinge of Volume I starting, small chip and faint dampstain to lower inside corner of Volume II's title page. \$250.

\* First edition (reissued in 1888). Overshadowed by Black's dictionary, Rapalje and Lawrence's is highly regarded for its accuracy and usefulness. It was reissued in 1888. *Catalogue of the Library of the Harvard Law School* (1909) I:422.

[Order This Item](#)



With the Addition of "Above One-Hundred" Words by Thomas Blount

21. [Rastell, John (d.1536)].

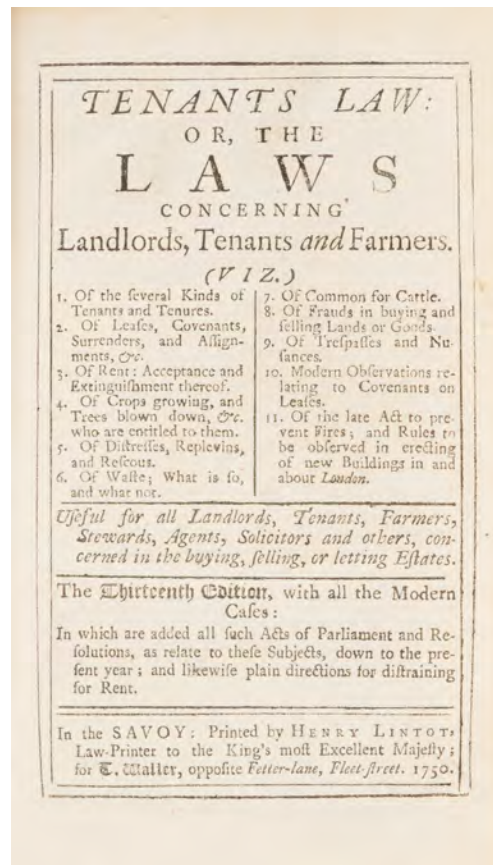
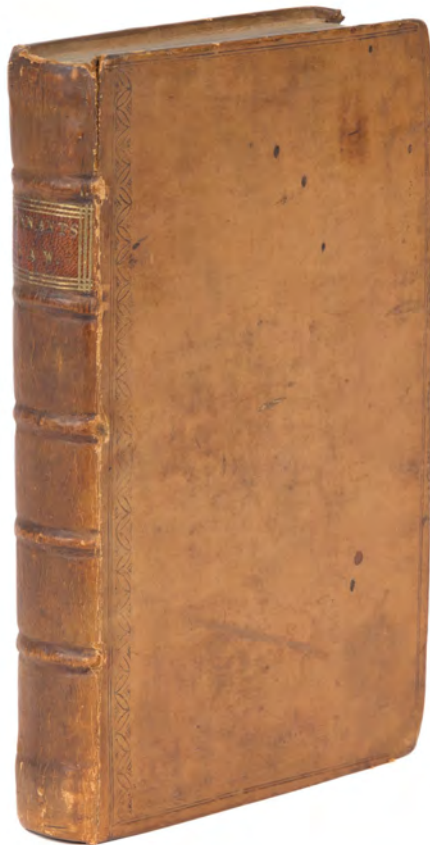
Rastell, William (1508?-1565).

[Blount, Thomas (1618-1679), 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. Newly Corrected and Enlarged. With an Addition of Above One Hundred Words.* London: Printed by John Streater, James Flesher, and Henry Twyford, Assigns of Richard Atkins and Edward Atkins, 1671. [xvi], 613, [1] pp. Woodcut frontispiece (royal arms of England). Main text, in Law French with English translation, in parallel columns. Octavo (6-3/4" x 4-1/4").

Contemporary unlettered calf, blind rules to boards, raised bands to spine, gilt tooling to board edges, early hand-lettered owner name (?) to fore-edge of text block. A few minor nicks and scuffs to boards, moderate rubing to extremities, corners bumped, lower corners somewhat worn, pastedowns loose, early owner initials (?) to front pastedown, early annotation to front endleaf. Light toning to interior, somewhat heavier in places, some soiling and edgewear to pastedowns. An attractive copy. \$750.

\* A later edition, with additions by the important legal lexicographer Thomas Blount, author of the *Nomo-Lexikon* (1670). First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title *Expositiones Terminorum Legum Anglorumae*. Later editions were produced by his son, William, who is believed to be the editor or translator. (Some sources claim, erroneously, that William is the author.) Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity." *Legal Bibliography* 599. *English Short-Title Catalogue* R203324. [Order This Item](#)



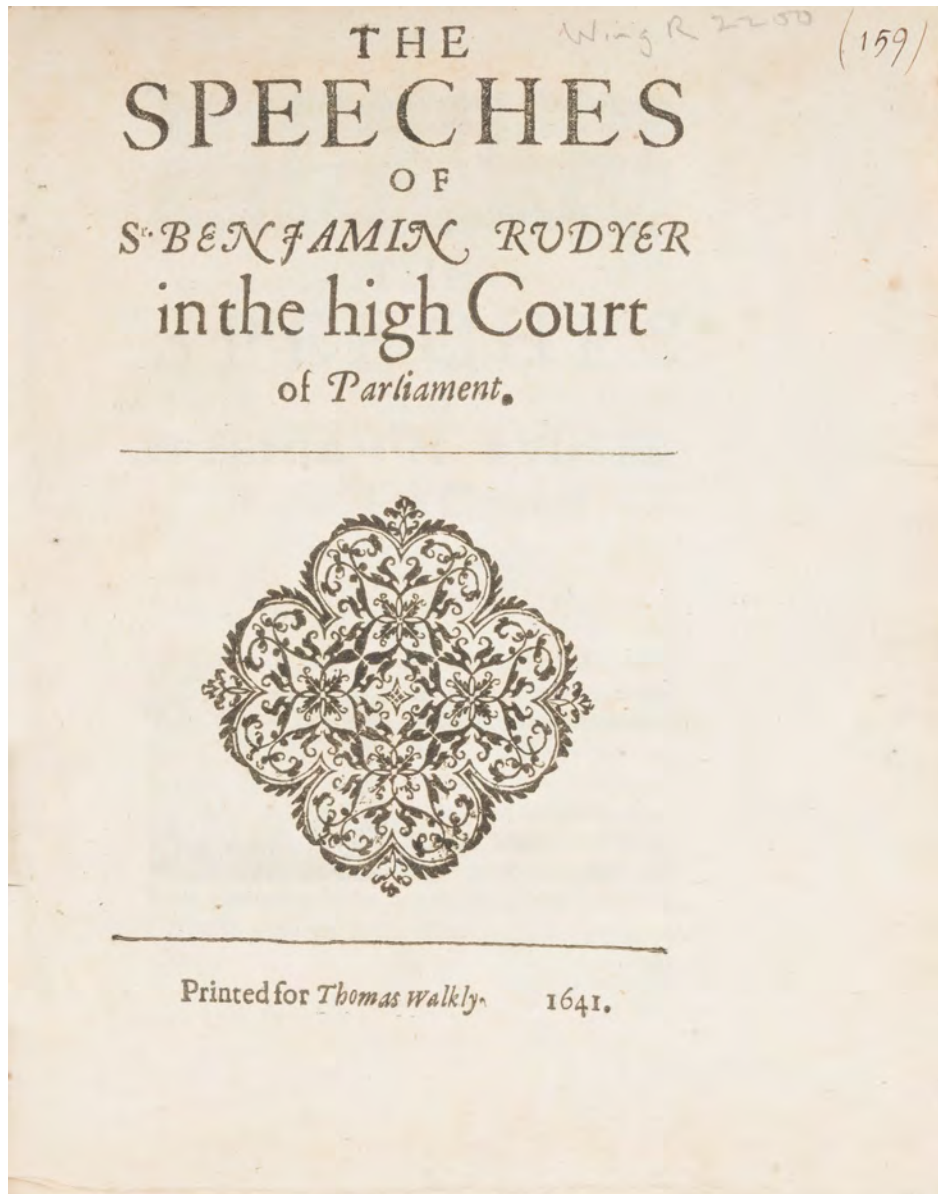
### A Classic English Treatise on the Law of Landlord and Tenant

#### 22. [R.T., Gent.].

*Tenants Law: Or, The Laws Concerning Landlords, Tenants and Farmers. (Viz.) 1. Of the Several Kinds of Tenants and Tenures. 2. Of Leases, Covenants, Surrenders, And Assignments, &c. 3. Of Rent: Acceptance and Extinguishment Thereof. 4. Of Crops Growing, And Trees Blown Down, &c. Who are Entitled to Them. 5. Of Distresses, Replevins, And Rescous. 6. Of Waste; What is So, And What Not. 7. Of Common for Cattle. 8. Of Frauds in Buying and Selling Lands or Goods. 9. Of Trespasses and Nusances. 10. Modern Observations Relating to Covenants on Leases. 11. Of the Late Act to Prevent Fires; And Rules to be Observed in Erecting of New Buildings in and About London. Useful for All Landlords, Tenants, Farmers, Stewards, Agents, Solicitors and Others, Concerned in the Buying, Selling, Or Letting Estates. With all the Modern Cases: In Which are Added All such Acts of Parliament and Resolutions, As Relate to These Subjects, Down to the Present Year; And Likewise Plain Directions for Distraining for Rent.* [London]: Printed by Henry Lintot, 1750. 314, [34] pp. 12mo. (6-1/2" x 4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, blind tooling to board edges. Light rubbing and a few minor scuffs and stains to boards, front joint starting, chipping to head of spine, corners bumped and lightly worn, hinges cracked, early owner signature (John Huxley, 1750) to front pastedown, (very) slight worming to fore-edges of front free endpaper and title page. \$275.

\* Later, much-expanded edition. First published in 1666, shortly after the Great Fire of London, this layman's guide was the most important early work on the subject. As indicated by the topics in its title, this book reflects the importance of leased cultivated land in the British economy. The identity of "R.T., Gent.," whose name appears on several early editions, is unknown. English Short-Title Catalogue. *English Short-Title Catalogue* N13450. [Order This Item](#)



### Attempts to Keep the Peace Between the King and Parliament

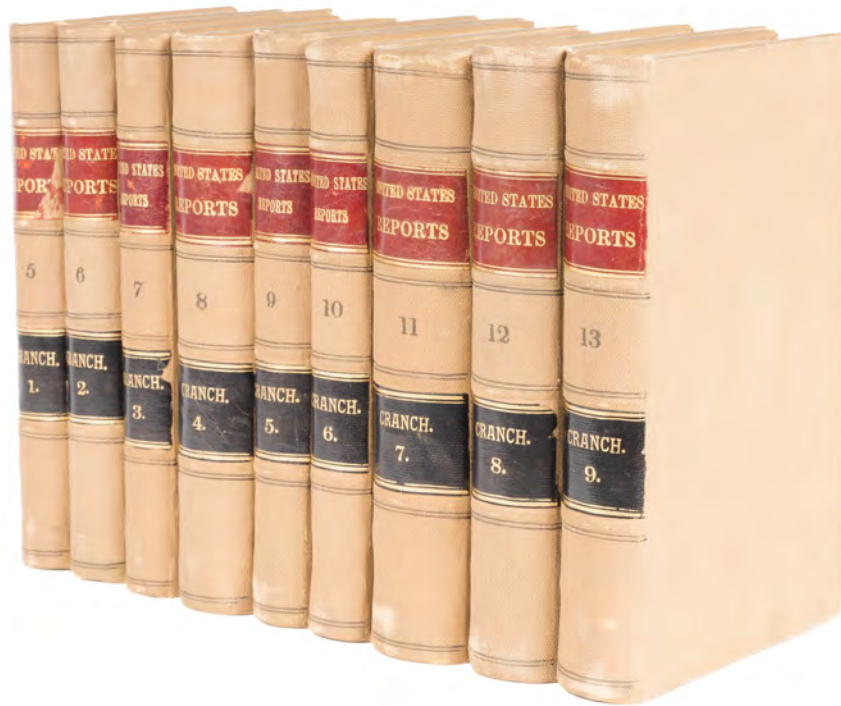
#### 23. Rudyerd, Sir Benjamin [1572-1658].

*The Speeches of Sr. Benjamin Rudyerd in the High Court of Parliament.* [London]: Printed for Thomas Walkly, 1641. [iv], 12 [i.e. 19], [1] pp. First leaf (added) blank. Various pagination errors, text complete. Quarto (7-1/4" x 5-3/4").

Disbound stab-stitched pamphlet, edges rouged. Light toning, occasional very light foxing, early handwritten page numbers to rectos, leaves separating at head, leaves C2-3 (pp. 15-19) detached. \$200.

\* Only edition. During his long career in the House of Commons, Rudyerd frequently (though rarely successfully) acted as mediator between the king and Parliament. In these three speeches, he defends both parties in turn and heavily criticizes the bishops and their "specious, pompous, sumptuous, Religion" and "haughty Insolence." *English Short-Title Catalogue* R7364. [Order This Item](#)





Complete Set of Cranch's Reports

24. [Supreme Court, United States].

Cranch, William [1769-1855], Reporter.

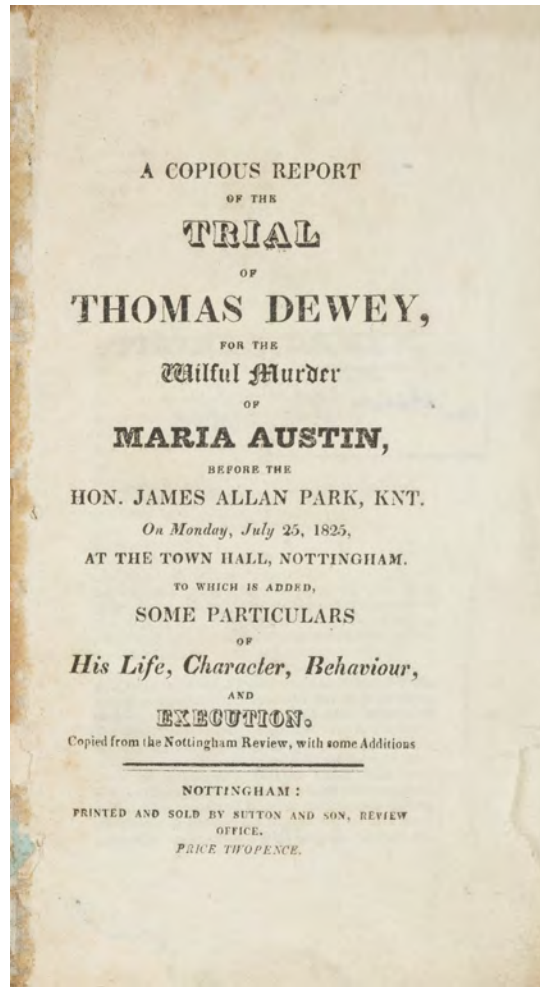
Brightly, Frederick C. [1812-1888], Editor.

*Reports of Cases Argued and Adjudged in the Supreme Court of the United States*. New York: The Banks Law Publishing Co. Volume VIII: 1902, Volumes I-III, V: 1903; Volumes IV, VI-VII, IX: 1904. Nine volumes in all. Complete set. Octavo (8-3/4" x 5-1/2").

Recent tan buckram, raised bands, blind fillets and volume numbers and red and black lettering pieces to spines. Light rubbing and soiling to boards, moderate rubbing to extremities, light edgewear and small chips to several lettering pieces, somewhat larger chip to lettering piece of Volume I, hinges cracked and reinforced with cloth, ink property stamps to front pastedowns. Light to moderate toning, a few partial cracks to text blocks of several volumes, all leaves secure, internally clean. \$1,000.

\* Third edition, issued as Volumes 5-13 of *United States Reports*. With notes and indexes. Cranch's career as the Supreme Court's reporter, 1801 to 1815, coincided with the first fourteen years of John Marshall's tenure as Chief Justice. His *Reports* contain Marshall's early opinions on several fundamental constitutional issues, which were articulated in such landmark decisions as *Marbury v. Madison* (1803) and *Fletcher v. Peck* (1810). "Because of the formative role of the Marshall Court in American constitutional history, the Supreme Court decisions reported by Cranch have been frequently cited and intensely studied, and that interest will undoubtedly continue" (Cohen and O'Connor). Cranch's volumes are also esteemed for the quality of their reporting. He followed the court's proceedings personally, wrote his own notes in shorthand and examined all relevant original documents. These practices enabled him to report arguments with greater accuracy than his predecessor, Alexander Dallas.

Issued four times (five in the case of Volume V) between 1882 and 1912 as the stated third edition, the Banks imprints were edited by jurist and reporter Frederick C. Brightly and feature his notes throughout. Cohen and O'Connor, *A Guide to the Early Reports of the Supreme Court of the United States* 31-32, 127-134. [Order This Item](#)



### A "Fatal Catastrophe" in Nottingham

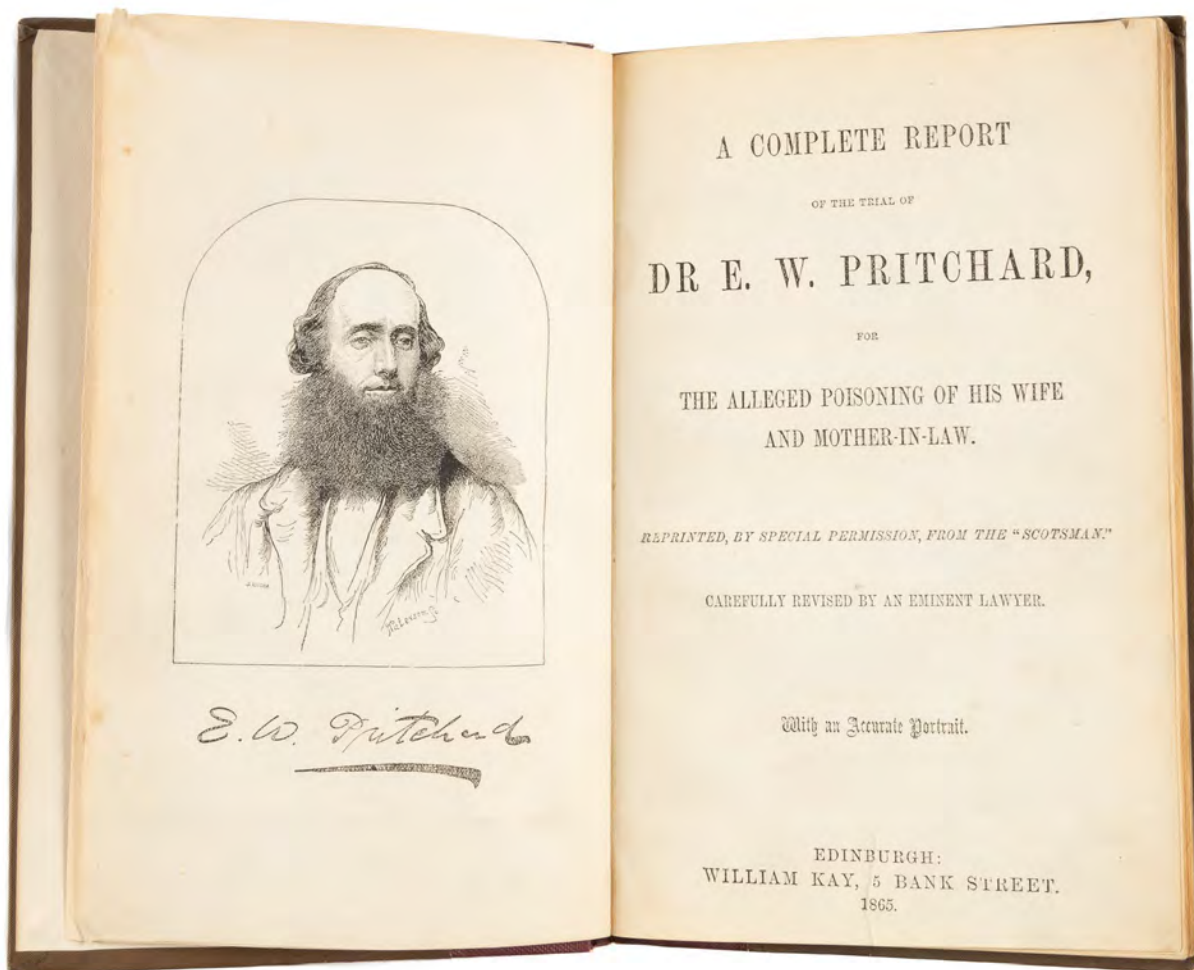
#### 25. [Trial].

#### Dewey, Thomas [d.1825], Defendant.

*A Copious Report of the Trial of Thomas Dewey, For the Wilful Murder of Maria Austin, Before the Hon. James Allan Park, Knt. On Monday, July 25, 1825, At the Town Hall, Nottingham. To Which is Added, Some Particulars of His Life, Character, Behaviour, And Execution. Copied from the Nottingham Review, With Some Additions.* Nottingham: Printed and sold by Sutton and Son, Review Office, [1825]. 12mo. (6-3/4" x 3-3/4).

Stab-stitched pamphlet, resewn into recent plain wrappers, recent white label with shelf mark to front wrapper. Moderate toning to interior, library stamp to verso of title page, several leaves trimmed close on right margin with no loss to text, very light foxing to last few leaves, small tear to fore-edge of title page not affecting text. \$500.

\* Only edition. Thomas Dewey stabbed Maria Austin, a neighbor and acquaintance, after a quarrel in which she told him not to order her children about. Dewey claimed insanity (and several witnesses testified to this effect) but the judge and jury disagreed. He was convicted of capital murder and sentenced to death. Though it was unclear at trial whether a romantic connection between the two existed at the time of the murder, the account appended to the trial in our work suggests that Dewey was a womanizer jealous of Austin's husband, from whom she was estranged. It concludes with a poem titled "The Morning of Execution." OCLC locates 6 copies of this scarce title, 1 in North America (Library of Congress). [Order This Item](#)



### The Last Public Hanging in Scotland

#### 26. [Trial].

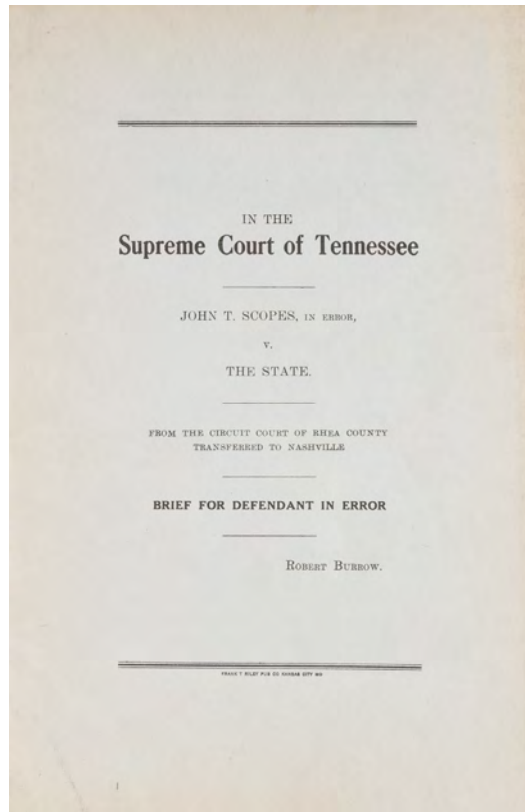
#### Pritchard, Edward William [1825-1865], Defendant.

*A Complete Report of the Trial of Dr. E.W. Pritchard for the Alleged Poisoning of His Wife and Mother-In-Law. Reprinted, By Special Permission, From the "Scotsman." Carefully Revised by an Eminent Lawyer. With an Accurate Portrait.* Edinburgh: William Kay, 1865. vii, 135 pp. Portrait frontispiece. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet bound into later cloth, gilt title to spine. Moderate rubbing to extremities with some wear to spine ends and corners, hinges starting, moderate toning to interior. \$100.

\* Second and final edition. Pritchard was accused of poisoning his wife and several other females over a period of years. He was convicted of murdering his wife and mother-in-law and sentenced to be hanged. While awaiting execution he confessed to the murders. His execution was the last public hanging in Scotland, and was witnessed by 100,000 people.

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**Advocates Protecting Schools from the  
"Subtle and Crafty Encroachments" of Atheists**

**27. [Trial].**

**Scopes, John Thomas [1900-1970], Plaintiff.**

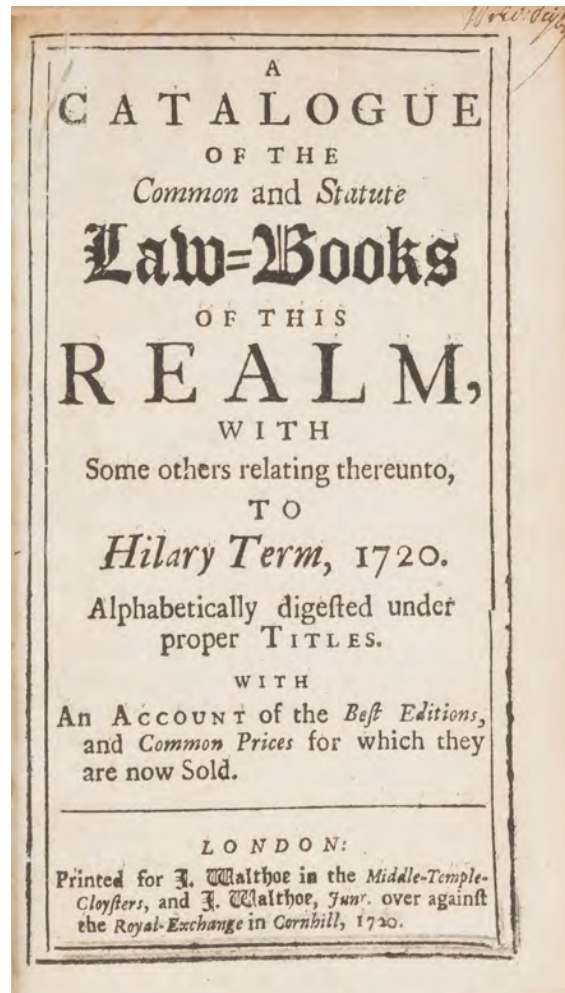
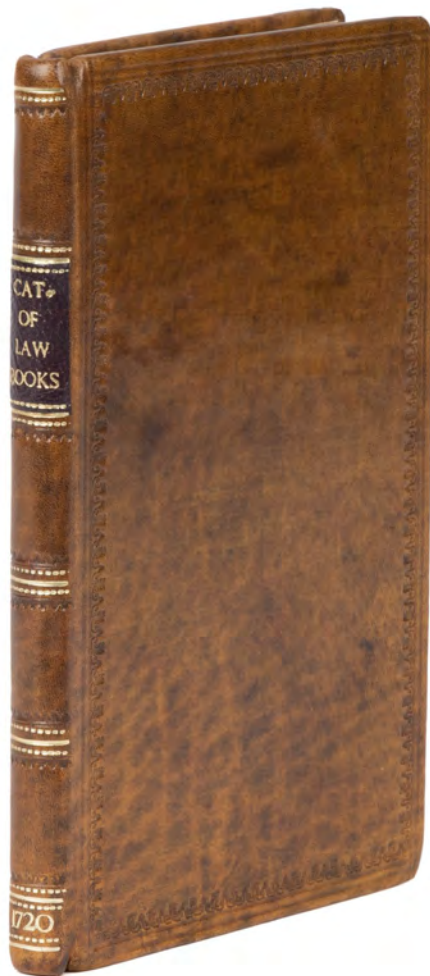
**Burrow, Robert.**

*In the Supreme Court of Tennessee: John T. Scopes, In Error, v. The State. From the Circuit Court of Rhea County Transferred to Nashville. Brief for Defendant in Error.* Kansas City, MO: Frank T. Riley Pub Co, [1926?]. 24 pp.

Stapled pamphlet in stiff printed wrappers. Moderate toning, light creasing to lower left corner of item, light soiling to outer edges of wrappers. \$850.

\* An amicus brief filed in *John T. Scopes v. State of Tennessee*, the appeal following the controversial verdict in the celebrated "monkey trial" that found Scopes, a 24-year-old high school teacher, had violated a state law banning the teaching of Charles Darwin's theory of evolution. A star-studded cast of trial attorneys included three-time Democratic presidential candidate William Jennings Bryan for the prosecution and brilliant trial lawyer Clarence Darrow for the defense. Scopes lost both the case and the appeal, though his fine was set aside on a technicality.

As a milestone in the American struggle between modernity and Protestant fundamentalism, and a vivid manifestation of the clash between academic freedom and democratic control of the public schools, the Scopes case has tremendous historical significance. The contemporary resonance of the case is clear in our brief, which quotes Sir Matthew Hale, the Bible and a number of important Supreme Court cases. It concludes: "If it be true that the State is powerless to protect its children in the public schools from the teachings of atheists and infidels, if we have to submit to their subtle and crafty encroachments on the very life of the government, then we ought to be of all men most miserable." The brief's author was likely Robert Burrow [b.1857], a superintendent of the Tennessee penitentiary and prominent Bristol lawyer. OCLC locates 2 copies of this rare separate printing (Duke University, Tennessee State Library). [Order This Item](#)



### Catalogue of a Notable Eighteenth-Century English Law Bookseller

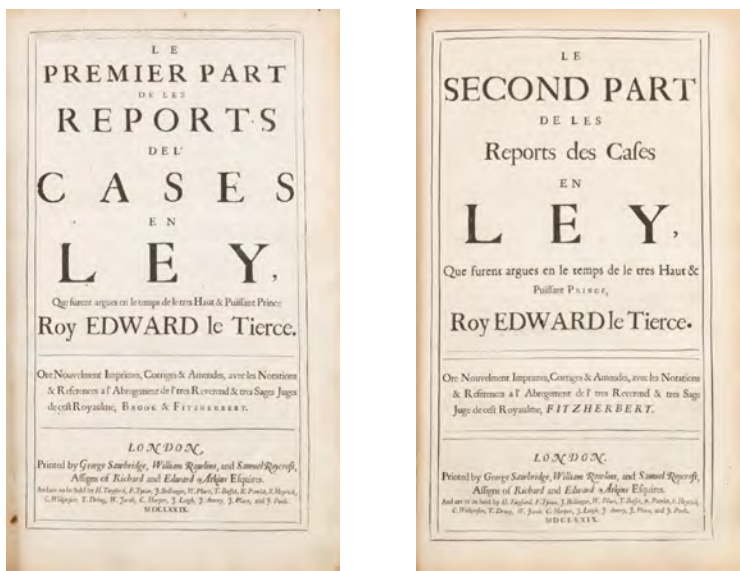
#### 28. Walthoe, John [1657?-1744], Bookseller.

*A Catalogue of the Common and Statute Law-Books of this Realm; And Some Others Relating Thereunto, To Hilary Term, 1720. Alphabetically Digested Under Proper Titles. With an Account of the Best Editions, And Common Prices for which They are Now Sold.* London: Printed for J. Walthoe and J. Walthoe, Junr., 1720. [iv], 99, [1] pp. Octavo (6-1/4" x 3-3/4").

Recent period-style polished calf, blind rules and fillets to boards, gilt and blind fillets and lettering piece to spine, endpapers renewed. A few negligible scratches to boards, recent penciled annotation to front free endpaper. Light toning to interior, more moderate in places, light foxing in a few places, early (illegible) ownership signature to head of title page. A nice copy of a rare title. \$1,500.

\* Walthoe was a leading law bookseller in late seventeenth and early eighteenth-century London. Arranged alphabetically by topic and based largely on the pioneering seventeenth-century catalogues of fellow bookseller Thomas Bassett, this catalogue lists books printed for Walthoe and titles he carries in stock or can acquire for clients. The final page is a brief list of non-legal titles, including *The Compleat Horseman Abridg'd* and *The Gentleman's Dictionary*. Including the present title, Walthoe published six catalogues between 1714 and 1731. All are quite scarce. OCLC locates 3 copies of the 1720 edition at 2 libraries (University of Pennsylvania Law School, National Library of Scotland). *English Short-Title Catalogue* N471202.

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### Cases From the Reign of Edward III

#### 29. [Year Books].

#### [Vulgate Edition].

#### Edward III [1327-1377], King of England.

*Le Premier Part de les Reports del' Cases en Ley, Que Furent Argues en le Temps de le Tres Haut & Puissant Prince Roy Edward le Tierce. Ore Nouvelment Imprimees, Corrigees & Amendees, Avec les Notations & References a L'Abregement de l'Tres Reverend & Tres Sages Juges de cest Royaulme, Brooke & Fitzherbert.*

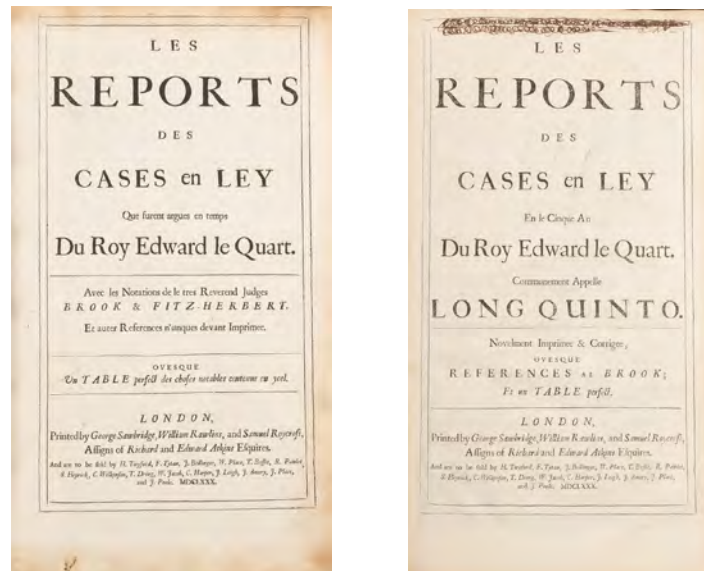
#### [Bound with]

*Le Second Part de les Reports des Cases en Ley, Que Furent Argues en le Temps de le tres Haut & Puissant Prince, Roy Edward le Tierce. Ore Nouvelment Imprimees, Corrigees & Amendees, Avec les Notations & References a l'Abregement de l'Tres Reverend & Tres Sage Juge de cest Royaulme, Fitzherbert.*

London: Printed by George Sawbridge, William Rawlins, and Samuel Roycroft for H. Twyford, F. Tytan, J. Bellinger [et al.], 1679. Two volumes in one, various paginations. Folio (15" x 9").

Later (eighteenth or nineteenth-century) calf, blind rules and fillets to boards, raised bands, blind fillets and fragment of lettering piece to spine, gilt rules to board edges. Rubbing and scuffing to boards with some wear to extremities, large gouge near lower right corner of front board, which is detached along with front free endpaper, rear board separated but secured by cords, chipping to spine ends, corners bumped and worn. Moderate toning to interior, light foxing and soiling in a few places, small clean tears to edges of a few leaves not affecting text, small burn hole to text block of leaf Z6 (pp. 73-74) of second title with minor loss to text but not legibility, slight crack in text block between titles, all leaves secure. \$500.

\* Maynard's (Vulgate) edition, parts II and III. Part II: 1-10 Edward III. Part III: 17-39 Edward III (omitting 19-20, 31-37). The old abridgements are valuable because they contain some of the cases of the wanting years of Edward III. Sir Frederick Pollock, "while pointing out that the text of the black letter Year-Book for the first half of the fourteenth century is so corrupt that a modern editor must simply disregard it and work on the unpublished MSS, indicates that the text of the later printed Year-Books may possibly turn out to be capable of use by future editors... No explanation has yet been offered of the gaps in years which occur in the 1679 edition." : Winfield, *Chief Sources of English Legal History* 176-178. *English Short-Title Catalogue* R200638, R200649. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:312-313 (16). [Order This Item](#)



### Cases from the Reign of Edward IV

#### 30. [Year Books].

#### [Vulgate Edition].

#### Edward IV [1442-1483], King of England.

*Les Reports des Cases en Ley Que Fuerunt Argues en Temps du Roy Edward le Quart. Avec les Notations de le Tres Reverend Judges Brook & Fitz-Herbert. Et Auter References n'Unques Devant Imprimee. Ovesque un Table Perfect des Choses Notables Contenus en Ycel.* London: Printed by George Sawbridge [et al.] And are to be sold by H. Twyford [et al.], 1680. [ii], 10, 29, 28, 44, 8, 12, 32, 25, 53, 19, 11, 21, 10, 8, 33, 12, 8, 30, 10, 19, 84, 51, [75] pp. Complete.

#### [Bound with]

*Les Reports des Cases en Ley en le Cinque An du Roy Edward le Quart. Communement Appelle Long Quinto. Novelment Imprimee & Corrigee, Ovesque References al Brook; Et un Table Perfect.* London: Printed by George Sawbridge [et al.] And are to be sold by H. Twyford [et al.], 1680. [iii], 108, 108-142, [9] pp. Complete.

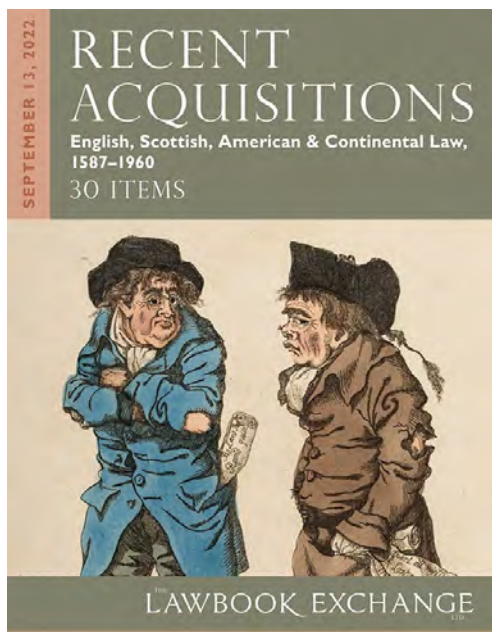
Folio (15" x 9"). Later (eighteenth or nineteenth-century) calf, blind rules and fillets to boards, raised bands, blind fillets and lettering piece to spine, gilt rules to board edges. Rubbing and scuffing to boards, heavier rubbing and light wear to extremities, front board separated but secured by cords, rear joint starting at ends, corners bumped and worn, rear hinge cracked, faint offsetting to endleaves, minor worming to foot of front pastedown. Moderate toning to interior, light foxing and soiling in a few places, minor worming to bottom margin of first 100 or so leaves, occasional faint dampstaining to edges of last several leaves, text not affected. \$700.

\* It is difficult to overestimate the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are of crucial primary sources for our knowledge of medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Some scholars believe the earliest volumes were notes transcribed by law students for study and for the use of lawyers in later cases while others maintain they were made by lawyers.

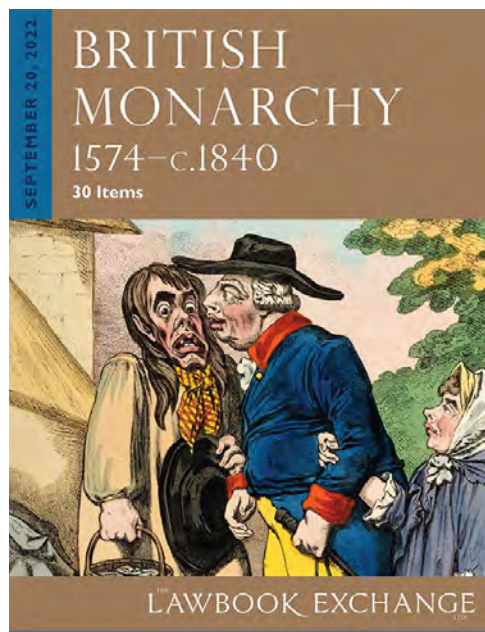
Though it is not known when the first manuscript volumes were compiled, the date from the 1270s to 1535. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. Issued between 1678-1680 and also known as Maynard's edition, the Vulgate remains the standard edition to this day. OCLC locates 4 copies of the second title in North American law libraries (Harvard, University of Minnesota, University of Virginia, Social Law). *English Short-Title Catalogue* R37132, 200621. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:313 (16).

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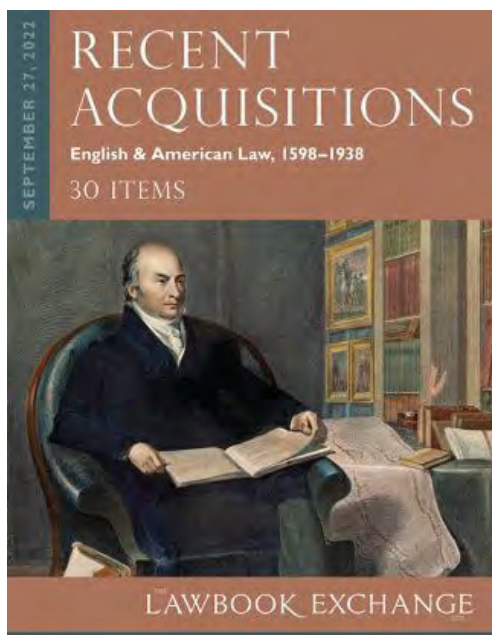
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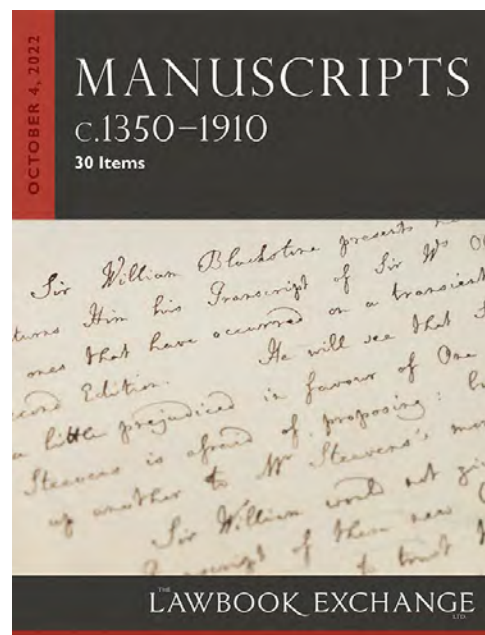
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