English Law Before 1776

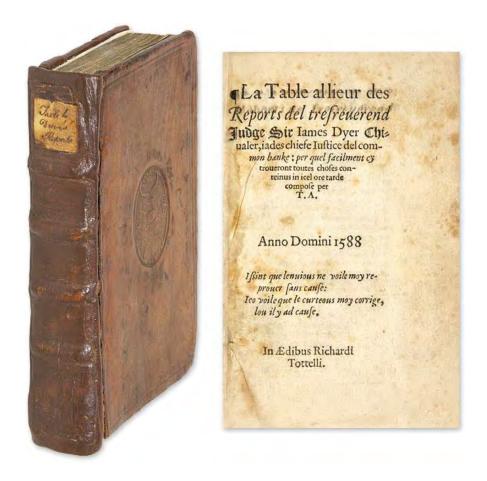
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Part I

April 9, 2019



L'AWBOOK EXCHANGE



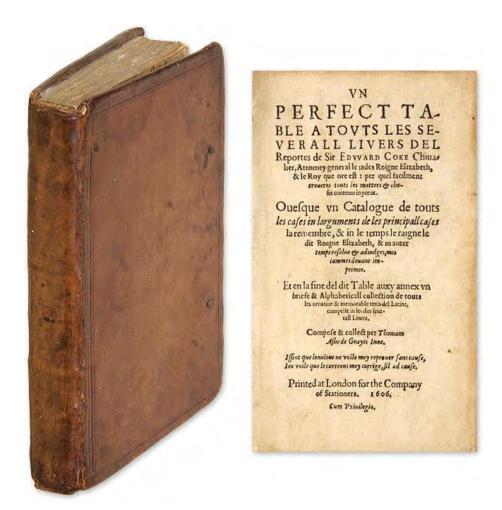
An Early Guide to Dyer's Reports

1. A[she], T[homas] [c.1556-1618]. [Dyer, Sir James (1510-1582)].

La Table al Lieur des Reports del Tresreverend Judge Sir Iames Dyer Chivaler, Iades Chiefe Iustice del Common Banke. Per Quel Facilment cy Troveront Toutes Choses Conteinus in Icel Ore Tarde Compose per T.A. London: In Aedibus Richardi Tottelli, 1588. [viii], 167, [1] ff. Octavo (5" x 3-1/2").

Contemporary calf, rebacked retaining spine, blind rules central blind arabesques and initials "E R" to boards, raised bands and later hand-lettered title label to spine, endpapers renewed, bookplates retained. Moderate rubbing to extremities, corners bumped, later armorial bookplate of William Hopkinson to front pastedown, presentation bookplate from Hopkinson to the County Magistrates, Lincoln, and another plate listing previous owners of the book to rear pastedown. Moderate toning to text, light foxing in a few places, internally clean. \$950.

* First edition. Ashe was highly regarded for his treatises and indexes of reporters. Issued two years after the first edition of Dyer's *Reports*, this 1588 table was Ashe's first publication. Later editions were published in 1602 and 1609. A bookplate on the rear pastedown traces part of this book's ownership history to 1636, when it belonged to George Viscount Chaworth of Armagh, Chief Justice of Common Pleas in Ireland. OCLC locates 8 copies of the first edition in North America, 5 in law libraries (Columbia, Georgetown, Harvard, Library of Congress, Yale) and 1 copy in Great Britain (British Library) and 1 copy in Ireland (Trinity College). The *ESTC* adds 2 more copies in North America (Folger Library, University of Minnesota) and 6 more copies in the British Isles (Cambridge, Cashel Cathedral, National Library of Wales, Bodleian Library, Oxford, Peterborough Cathedral). *English Short-Title Catalogue* S100017. Beale, *Bibliography of Early English Law Books* R482a. Order This Item



First Edition of a Notable Early Digest of Coke's Reports

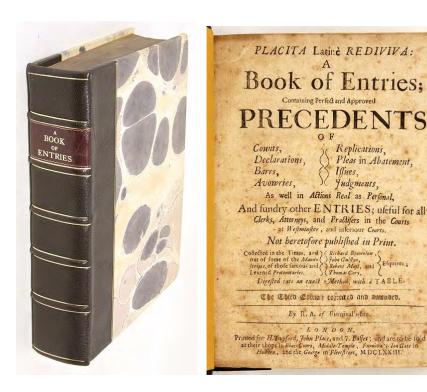
2. Ashe, Thomas [c.1556-1618]. [Coke, Sir Edward (1552-1634)].

Un Perfect Table a Touts les Severall Livers del Reportes de Sir Edward Coke Chivalier, Attorney General le Iades Roigne Elizabeth, & le Roy que Ore Est: Per quel Facilment Troveres Touts les Matters & Choses Contenus in Yceux. Ouesque un Catalogue de Touts les cases in Larguments de les Principall Cases la Remembre, & In le Temps le Raigne le Dit Roigne Elizabeth, & In Auter Temps Resolue & Adiudges, mes Iammes Devant Imprimee. Et en la Fine del Dit Table Auxy Annex un Brief & Alphabeticall Collection de Touts les Ornative & Memorable Texts del Latine, Comprise in les Dits Severall Livers. London: Printed for the Company of Stationers, 1606. [xvi], 148 ff. Octavo (5-1/2" x 3-3/4").

Contemporary calf, blind rules to boards, blind fillets to spine, ties lacking. Light rubbing and a few minor nicks to boards, moderate rubbing to extremities, chip to head of spine, corners bumped and somewhat worn, hinges starting. Woodcut head-pieces and decorated initials. Moderate toning to text. Early owner signature to front free endpaper, interior otherwise clean. \$850.

* First edition. This is an important early digest of the *Reports* of Edward Coke then published (Parts 1-11, first published 1600-1615). A popular and durable work, it went through two more editions in Law-French (in 1618 and 1631) and three editions in English (in 1652, 1653 and 1672). It was also reprinted in 1664 and 1680 editions of Coke's *Reports*. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:297 (16, 17). *English Short-Title Catalogue* S108463.

Order This Item



Pleading During the Commonwealth and Restoration

3. A[ston], R[obert].

Placita Latinè Rediviva: A Book of Entries; Containing Perfect and Approved Precedents of Counts, Declarations, Barrs, Avowries, Replications, Pleas in Abatement, Issues, Judgments, As Well in Actions Real as Personal, And Sundry Other Entries; Useful for All Clerks, Attorneys, And Practisers in the Courts at Westminster, And Inferiour Courts. Not Heretofore Published in Print. Collected in the Times, And Out of Some of the Manuscripts, Of Those Famous and Learned Protonotaries. Richard Brownlow, John Gulston, Robert Moyl, and Thomas Cory, Esquires; Digested Into an Exact Method, With a Table. Corrected and Amended. London: Printed for H. Twyford, John Place, And T. Basset, 1673. [viii], 144, 177-332, 369-520, [16] pp. Text continuous despite pagination.

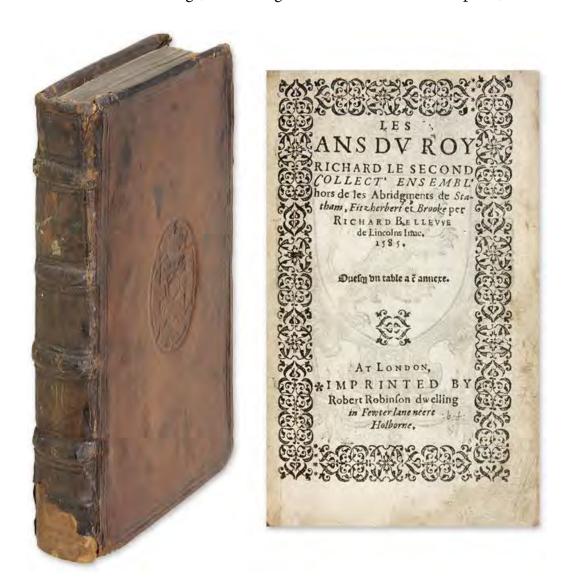
[Bound with]

S[mall], W[illiam].

An Exact Collection of Choice Declarations, With Pleas, Replications, Rejoynders, Demurrers, Assignement of Errours: And the Entries of Judgments Thereupon Affirmed. Collected by W.S. One of the Clerks of the Upper Bench Office: In the Reignes of Queene Elizabeth, King James, And the Late King Charles. Diligently Perused, And Translated into English, For the Benefit and Helpe of Young Clerkes. With an Exact Table, Wherein May be Found the Principall Matters Contained in the Whole Book. London: Printed by T.W. and T.R. for John Place, 1653. [iv], 52, 56, 65-112, 107, [13] pp. Text continuous despite pagination.

Quarto (8-1/4 x 6-1/4"). Recent period-style quarter morocco over marbled boards, gilt-edged raised bands and lettering piece to spine. Negligible light rubbing to extremities, corners lightly bumped. Moderate toning to text, occasional faint dampspotting. Woodcut head-pieces, tail-pieces and decorated initials. Two nice copies in a handsome binding. \$1,000.

* Aston: second and final edition; Small: only edition. The collections by Aston and Small are fine examples of seventeenth-century pleading manuals. Sometimes attributed incorrectly to William Sheppard, Small's manual reflects changes introduced during the Commonwealth. As suggested by its title, Aston's, first issued at the beginning of the Restoration in 1661, aimed to revive aspects of pleading that were discarded during the Civil War and Commonwealth. Small's manual is scarce. OCLC locates 6 copies in North American law libraries (Harvard, LA County, Library of Congress, University of Minnesota, Northwestern, University of Pennsylvania). *English Short-Title Catalogue* R27666 (Aston), R10408 (Small). Order This Item



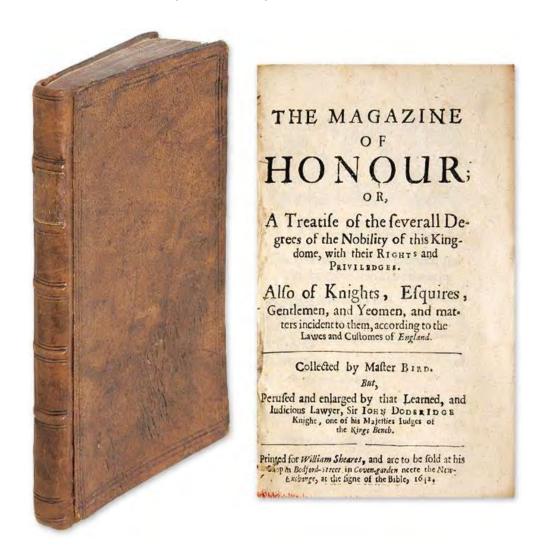
"Supplies a Chasm in the Printed Year Books"

4. Bellew(e), Richard, Compiler.

Les Ans du Roy Richard le Second Collect' Ensemble' Hors de les Abridgments de Statham, Fitzherbert et Brooke. London: Imprinted by Robert Robertson, Dwelling in Fewter Lane Neere Holborne, 1585. [viii], 326 [i.e. 342], [6] pp. Collates complete. Octavo (6" x 4-1/2").

Contemporary calf, blind rules and large central arabesques to boards, raised bands to spine, later repair to foot of spine, endpapers renewed. Moderate rubbing to extremities, with some wear to head of spine, corners bumped and somewhat worn, joints just starting near head. Title printed within woodcut typographical border, large woodcut arms to verso of title page, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, very light foxing in places, faint dampstaining to a few leaves, internally clean. \$2,000.

* First edition (one of 3 imprints issued in 1585). As Wallace notes, this alphabetical abridgement of a Year Book of Richard II covering the Courts of King's Bench and Common Pleas from 1378 to 1400 "supplies a chasm in the Year Books." He says it is "very rare," and it is indeed rather scarce. OCLC locates 12 copies of this edition (all imprints). Wallace, The Reporters 111-112. Beale, A Bibliography of Early English Law Books R478. Order This Item



"Nobility of the Realme"

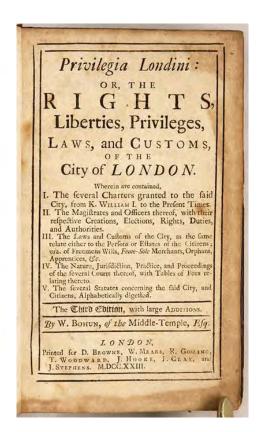
5. Bird, [William]. Doddridge, Sir John [1555-1628].

The Magazine of Honour; Or, A Treatise of the Severall Degrees of the Nobility of this Kingdome, With Their Rights and Priviledges. Also of Knights, Esquires, Gentlemen, And Yeomen, And Matters Incident to Them, According to the Lawes and Customes of England. Collected by Master Bird. But, Perused and Enlarged by That Learned, And Iudicious Lanyer, Sir Iohn Doderidge Knight, One of His Majesties Iudges of the Kings Bench. London: Printed for Laurence Chapman, And William Sheares, 1642. [iv], 56, 65-114, 139-170, 105-158 pp. Collates complete. Octavo (6-1/4" x 4").

Contemporary sheep, blind rules to boards, rebacked, raised bands and early lettering piece to spine, hinges mended, edges rouged. A few minor nicks to boards, some rubbing to extremities with a bit of wear to corners, boards slightly bowed, rear hinge cracked, rear free endpaper lacking, small recent bookplate to front pastedown. Light toning to text, minor worming in a few places with no loss to legibility, internally clean. An appealing copy. \$450.

* Only edition. This book, a general handbook on peerage law with original material by Doddridge, was derived from a polemical 1642 essay regarding the legitimacy of Edward Nevill's claim to the title of Lord Bergavenny titled A Treatise of the Nobilitie of the Realme. Sweet & Maxwell, A Legal Bibliography of the British Commonwealth 1:203m (6). English Short-Title Catalogue R6100. Order This Item





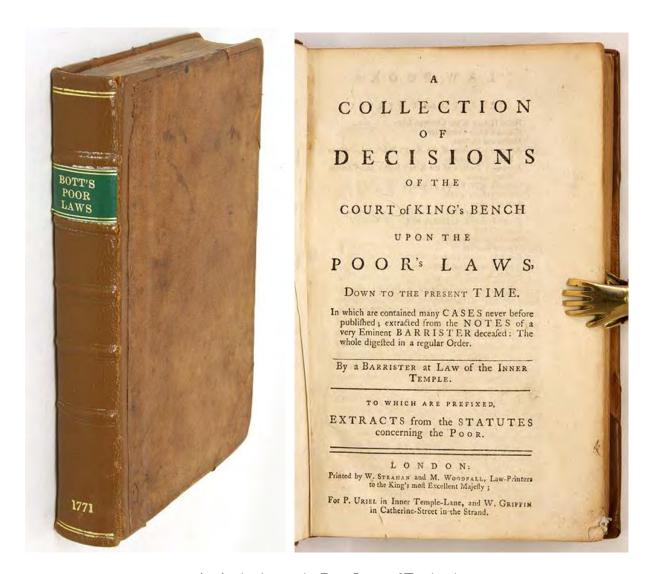
The Laws, Rights and Liberties of London

6. Bohun, William.

Privilegia Londini: Or, The Rights, Liberties, Privileges, Laws, And Custom of the City of London. Wherein are Contained, I. The Several Charters Granted to the Said City, From King William I. to the Present Times. II. The Magistrates and Officers Thereof, With Their Respective Creations, Elections, Rights, Duties, And Authorities. III. The Laws and Customs of the City, As the Same Relate Either to the Persons or Estates of the Citizens; Viz. of Freemens Wills, Feme-Sole Merchants, Orphans, Apprentices, &c. IV. The Nature, Jurisdiction, Practice, And Proceedings of the Several Courts Thereof, With Tables of Fees Relating Thereto. V. The Several Statutes Concerning the Said City, And Citizens, Alphabetically Digested. With Large Additions. London: Printed for D. John Walthoe Junr., 1723. xvi, 272, 273-296, 273-498, [22] pp. Signatures *T-*U4 (pp.273-296) have been inserted; text is continuous (and complete). Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind frames to boards, blind fillets along joints, rebacked retaining backstrip with raised bands and later lettering piece, head of spine repaired. Some rubbing to extremities with wear to corners and foot of spine, a few light nicks and scuffs to boards, hinges cracked. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, occasional light foxing, internally clean. A nice copy. \$250.

* Third and final edition. "Having observed in the Course of our English History many Attempts made (by the Ministers of some artful and designing Princes) to weaken and undermine the ancient, legal, and fundamental Rights, Liberties, and Privileges of the City and Citizens of London: I thought myself obliged to Endeavor to collect and ascertain such Laws, Customs, and Usages of the said City, Wherein the Original Constitution and Foundation of its Government seem to have been laid; and whereby its Happiness, Opulency, and Glory do (under God and his present Majesty) evidently subsist" (Preface). Though little is known about him personally, Bohun was an attorney and prolific author who published well-received treatises on legal education, pleading, ecclesiastical law and other subjects. The first and second editions of *Privilegia Londini* were published in 1702 and 1716. *English Short-Title Catalogue* T130094. Order This Item



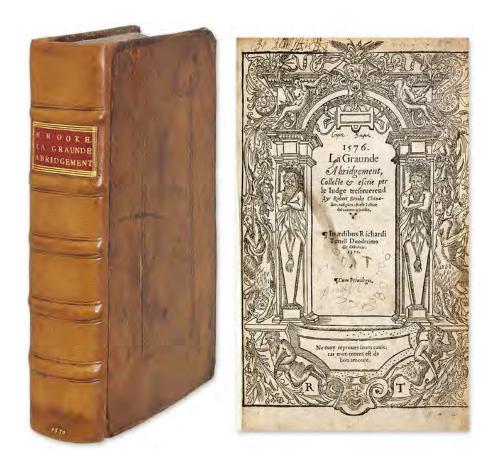
An Authority on the Poor Laws of England

7. [Bott, Edmund].

A Collection of Decisions of the Court of King's Bench Upon the Poor's Laws, Down to the Present Time. In Which are Contained Many Cases Never Before Published; Extracted from the Notes of a Very Eminent Barrister Deceased: The Whole Digested in a Regular Order. By a Barrister at Law of the Inner Temple. To Which are Prefixed, Extracts from the Statutes Concerning the Poor. London: Printed by W. Strahan and M. Woodfall, [c.1770]. [xxxviii], LXXIII, 291 [i.e.292], [3] pp. Octavo (8-1/4" x 5-1/4").

Contemporary sheep, rebacked and re-cornered, blind rules to boards, blind fillets along joints, raised bands, gilt fillets and lettering piece to spine, endpapers renewed. A few nicks and light scuffs to boards, moderate rubbing to extremities. Moderate toning to text, some edgewear to front endleaf facing title page. Early owner annotations and signatures to front endleaf and head of preface, interior otherwise clean. \$450.

* First edition. This well-indexed and annotated collection of cases and statutes was a well-regarded authority that went through five later editions, the last in 1827. The *ESTC* conjectures 1770 as the publication date, others suggest 1771. Despite its popularity, all editions of this book are scarce. OCLC locates 9 copies of the first edition in North American law libraries (Columbia, Harvard, LA County, Library of Congress, State of Oregon, UC-Berkeley, University of Georgia, University of Michigan, University of Pennsylvania). *English Short-Title Catalogue* T184869. Order This Item



"A Worthy and Painful Work"

8. Brooke, Sir Robert [?-1558].

La Graunde Abridgement, Collecte & Escrie per le Iudge Tresreverend Syr Robert Brooke Chivalier, Nadgairs Chiefe Iustice del Common Banke.

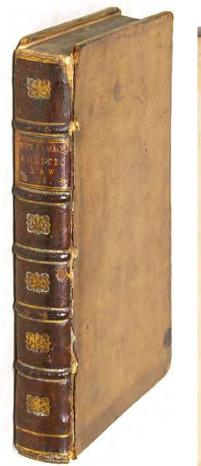
[And]

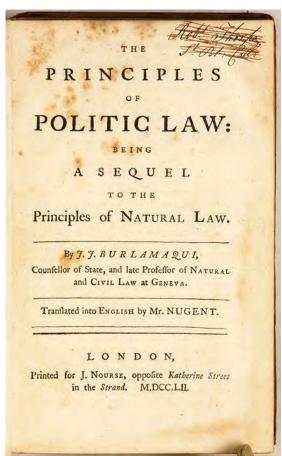
La Secounde Part du Graunde Abridgment....

London: In Aedibus Richardi Tottell, 1576. Two parts in one. [ii], 351; [i], 328 ff. Collates complete. Small folio (9-1/4" x 6").

Contemporary calf with recent rebacking, blind panels with large corner fleurons to boards, raised bands and lettering piece to spine. Moderate rubbing to board edges, a few minor scratches and scuffs, corners bumped and somewhat worn, hinges starting. Titles printed within woodcut architectural borders, woodcut decorated initials. Moderate toning to text, faint dampstaining to foot of text block, minor loss to fore-edges of title pages due to trimming. Tiny early owner signatures to title page of first part, interiors otherwise clean. An attractive copy. \$1,000.

* Second edition. Sir Robert Brooke was renowned for his great learning as a scholar and his probity as a judge. Holdsworth notes that Brooke's *Abridgement* "is based on Fitzherbert's *Abridgement*, but it contains much new material. In particular it abridges fully the Year Books of Henry VII's and Henry VIII's reigns." Brooke abridged nearly 21,000 cases under 404 alphabetical headings. He proceeded with great care and accuracy, and is understood to have had access to the original records of the Year Books. Coke calls the *Abridgement* "a worthy and painful work and an excellent repertory or table for the Year Books of the Law." It was first issued in 1573. Coke cited in Marvin, *Legal Bibliography* 151. Holdsworth, *History of English Law* II:545. *English Short-Title Catalogue* S106717. Beale, *A Bibliography of Early English Law Books* R471, R472. Order This Item





First English Edition of Burlamaqui's Politic Law

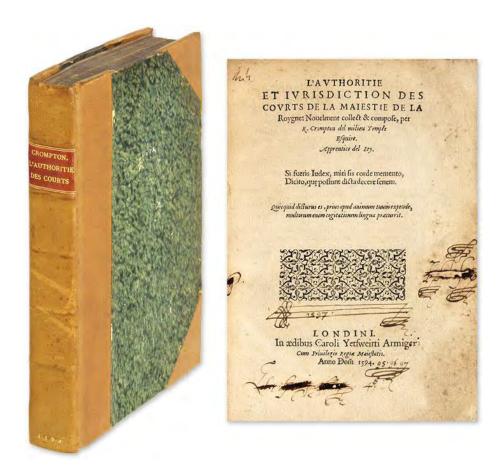
9. Burlamaqui, J[ean] J[acques] [1694-1748].

The Principles of Politic Law: Being a Sequel to the Principles of Natural Law. Translated into English by Mr. Nugent. London: Printed for J. Nourse, 1752. [viii], 372 pp. Octavo (8" x 5").

Contemporary speckled calf, raised bands, letting piece and gilt ornaments to spine. Some rubbing to extremities with wear to spine ends, boards partially detached but secure, corners bumped, a few minor early inkstains to boards, early armorial book plate to front pastedown. Moderate toning to text, light foxing in places, offsetting to margins of endleaves. Early struck-through signature to head of title page, interior otherwise clean. \$1,500.

* First edition in English. The sequel to *The Principles of Natural Law*, his other major work, *The Principles of Politic Law* develops his thesis that international law is based on natural law and examines the principles of sovereignty with respect to considerations such as foreign rights, the necessity of war, the concept of absolute power, public treaties and economic factors. Burlamaqui, a Swiss jurist and professor of civil and natural law at Geneva, outlined a constitutional system based on principles similar to those of the American founding fathers. "Burlamaqui formulated the principles of popular sovereignty, of delegated power, of a constitution as a fundamental law, of a personal and functional separation of powers into three independent departments...and finally, he provided for an institutional guardian of the fundamental law" (Harvey). Burlamaqui's other great achievement was to put Pufendorf's theories into systematic form. Harvey, *Jean Jacques Burlamaqui: A Liberal Tradition in American Constitutionalism* 178-179. *English Short-Title Catalogue* T112807.

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First Edition of Crompton's Survey of the Courts

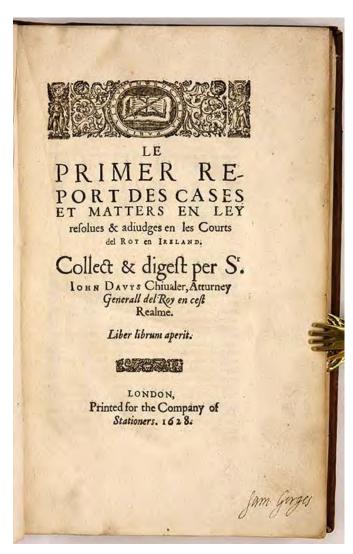
10. [Crompton, Richard (d. 1599)].

L'Authoritie et Iurisdiction des Courts de la Maiestie de la Roygne: Nouelment Collect & Compose, Per R. Crompton del Milieu Temple Esquire, Apprentice del Ley. Si Seuris Index, Mitisis Corde Memento, Dicito, quae Possunt Dicta Decere Senem. London: In Aedibus Caroli Yetsweirti, 1594. [iv], 232 ff. Quarto (7-1/4" x 5-1/4").

Later three-quarter calf over marbled boards, raised bands and lettering piece to spine. Light rubbing to extremities, a few minor nicks to boards, hinges cracked. Woodcut head-pieces and decorated initials. Moderate toning to text, somewhat heavier in places, some leaves have faint dampspotting or edgewear. Small early owner initials and struck-through signatures to title page, one with burn-though, early annotations and underlining to a few leaves, interior otherwise clean. An appealing copy. \$1,000.

* First edition. Crompton was a bencher of the Middle Temple during the reign of Henry VIII and the author of several notable juristic works. L'Authoritie et Iurisdiction is considered to be his principal work. It is essentially a digest of the Year Books and other cases applicable to the subject. Turning to William Fulbecke's A Direction or Preparative to the Study of the Lawe (1600), we see that its value was recognized almost immediately: "Master Crompton has taken great paynes in this study, and his books are in every man's hands, which prooveth their generall allowance, his cases are very profitable, and apt for the title to which they are applyed, and so compendiously collected, that a man may by them in a few howers gaine great knowledge" (cited in Holdsworth). On a broader scale, Crompton offers legal justification for the creation of a rigidly hierarchical "natural" society governed by a powerful monarch. This attitude, articulated by Bodin among others, was shared by several conservatives in England and Europe during the Late Renaissance. Holdsworth, History of English Law IV: 212. English Short-Title Catalogue S109077. Beale, A Bibliography of Early English Law Books T328. Order This Item





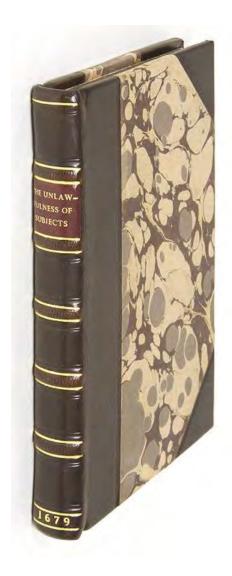
Davies's Reports

11. Davies, Sir John [1569-1626].

Le Primer Report des Cases et Matters en Ley Resolues & Adiudges en les Courts del Roy en Ireland. Collect & Digest per Sr. Iohn Dauys Chivaler, Atturney Generall del Roy en Cest Realme. London: Printed [by Adam Islip] for the Company of Stationers, 1628. [16], 84, 84-99 ff. Complete as issued. Folio (11" x 6-3/4").

Contemporary sheep, blind rules to boards, rebacked in period-style calf, raised bands, lettering piece and blind ornaments to spine, early hand-lettered title to fore-edge of text block, hinges mended. A few shallow scuffs to boards, moderate rubbing to extremities, corners bumped. Large woodcut devices to title page, woodcut head-pieces and decorated initials. Moderate toning to text, small chip to fore-edge of fol. 68, small early owner signature to foot of title page. A handsome copy. \$1,000.

* Second edition (and the first published in England). Davies, or Davys, was a highly respected lawyer, judge, statesman and man of letters. First issued in Dublin in 1615, Davies's *Reports* covers cases from 1604 to 1612. No other volumes were issued. Selected "principally for the use and benefit of our practisers here in Ireland," it soon became an oft-cited authority in England; It was praised by Willes, Lee and Lords Kenyon and Tindal. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:299 (42). *English Short-Title Catalogue* S123364. Order This Item



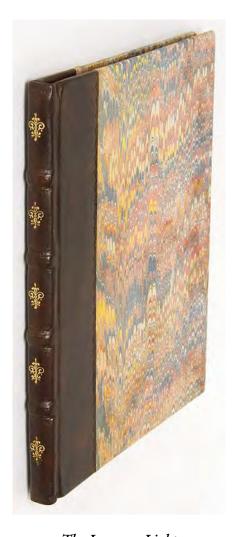
An Artful Defense of King Charles I

12. Diggs, Dudley [1613-1643].

The Unlawfulness of Subjects Taking up Arms Against Their Soveraigne, In What Case Soever. Together with Answers to All Objections. A Work Very Seasonable for These Times, And May Serve as a Curb to the Treasonable Practices of Jesuits and Other State-Incendiaries. London: Printed for Peter Parker, 1679. [viii], 144, 155-170, 137-168 pp. Pagination irregular. Text complete. Octavo (6-1/2" x 4-1/4").

Recent period-style three-quarter calf over marbled boards, gilt-edged raised bands and lettering piece to spine. Moderate toning to text, faint dampstaining to a few leaves. Ex-library. Small inkstamp to title page and one other leaf. A handsome copy. \$950.

* Fifth and final edition. Derived in part from Bracton, Diggs's eloquent defense of the passive obedience of subjects contends that the king is under law as a moral proposition only, which precludes justified rebellion. It was originally published in 1644 as a defense of Charles II. This 1679 reissue was probably a response to the decision of Charles II to dissolve Parliament to prevent its impeachment of Lord Danby, who supervised the investigation into the "Popish Plot." Danby dismissed the plot as a fabrication, which angered Parliament. *English Short-Title Catalogue* R14579. Order This Item



The Lawyers Light

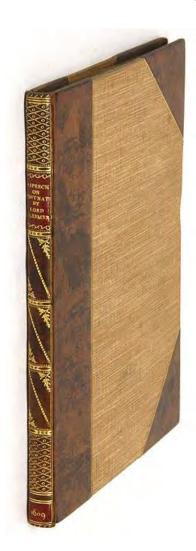
13. Doddridge (Doddridge), Sir John [1555-1628].

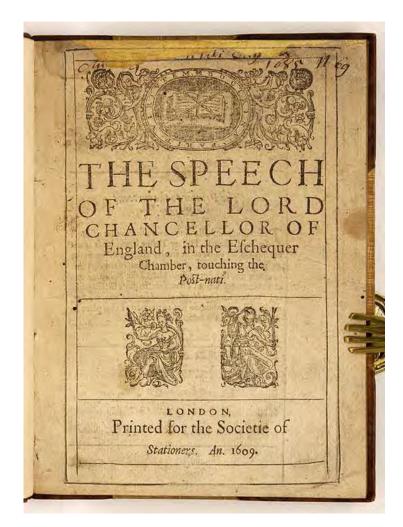
The Lawyers Light: Or a Due Direction For the Study of the Law; For Methode, Choyce of Books Moderne, Selection of Authours of More Antiquitie, Application of Either, Accommodation of Divers Other Useful Requisits. All Tending to the Speedy and More Easie Attayning of the Knowledge of the Common Law of this Kingdome. With Necessary Cautions Against Certaine Abuses or Oversights, Aswell in the Practitioner as Student. Written by the Reverent and Learned Professor Thereof, I.D. To Which is Annexed for the Affinitie of the Subject, Another Treatise, Called the Use of the Law. London: Benjamin Fisher, and are to be sold at his shop in Aldersgate street, at the signe of the Talbot, 1629. [xvi], 119 pp. Complete first part of a two-part work. Quarto (7" x 5-1/2").

Handsome period-style quarter calf over marbled boards, gilt ornaments to spine. Woodcut head-pieces and decorated initials. Toning, light soiling and edgewear to title page, internally clean. \$450.

* Only edition. Sir John Doddridge, or Dodderidge, a judge during the reign of Charles I, was a formidably learned jurist who was both a common lawyer and a civilian who held a D.C.L. from Cambridge. Held in high esteem by Holdsworth, he is best known for English Lamyer: Describing a Method for the Managing of the Lams of this Land (1631). He may also be the actual author of William Sheppard's The Touch-Stone of Common Assurances (1648), though this is still a matter of debate. Complete in itself, The Lamyers Light is the first part of a two-part work. The second, not present in this copy, is titled The Use of the Lam, an anonymous work attributed sometimes to Sir Francis Bacon. English Short-Title Catalogue S109766.

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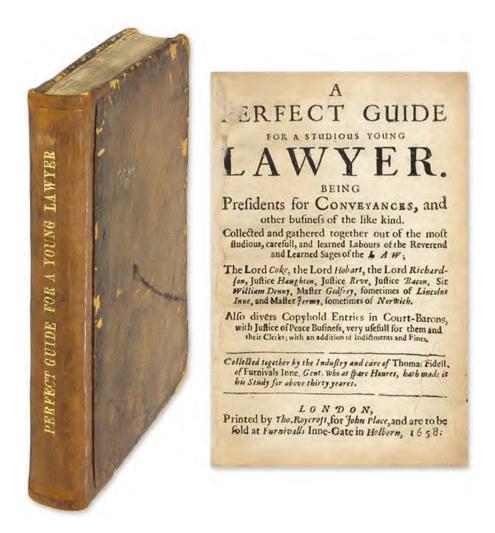
Citizenship and Property
Rights of Scots in England Under James I

14. [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 (renewed) blanks. Quarto (7" x 5-1/4").

Recent three-quarter calf over textured cloth (by Morrell), gilt rules to boards along cloth panels, lettering piece and gilt ornaments to spine, all edges gilt, marbled endpapers. Light rubbing to extremities, owner bookplate (of C.J.S. Goodger) to front pastedown, repair to head of spine. Title and text printed within ruled borders, woodcut headpieces. Light toning to text, somewhat heavier in places, some soiling to title page and verso of final leaf, borders of a few leaves affected by trimming with no loss to text. Early owner signature to head of title page, brief early annotations to a few leaves. A handsome copy. \$350.

* Only edition, one of two issues from 1609. James VI, King of Scotland, became James I, King of England and Ireland, in 1603. Although Scotland and England remained sovereign states, they were ruled by James in personal union, which created a quasi-united kingdom. Egerton's speech concerning the property and citizenship rights of Scots in England and Scotland born after the accession of James I to the English throne. OCLC locates 12 copies in North American law libraries. English Short-Title Catalogue S100270. Order This Item



1658 Formbook Collected With "Industry and Care"

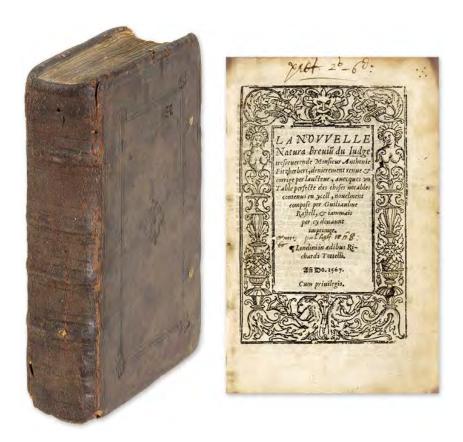
15. Fidell, Thomas, Compiler.

A Perfect Guide for a Studious Young Lawyer. Being Presidents for Conveyances, And Other Business of the Like Kind. Collected and Gathered Together Out of the Most Studious, Carefull, and Learned Labours of the Reverend and Learned Sages of the Law; The Lord Coke, The Lord Hobart, The Lord Richardson, Justice Haughton, Justice Reve, Justice Bacon, Sir William Denny, Master Godfrey, Sometimes of Lincolns Inne, and Master Jermy, Sometimes of Norwich. Also Divers Copyhold Entries in Court-Barons, With Justice of Peace Business, Very Usefull for Them and Their Clerks; With an Addition of Indictments and Fines. Collected Together by the Industry and Care of Thomas Fidell, of Furnivals Inne, Gent., Who at Spare Houres, Hath Made it His Study for Above Thirty Years. London: Printed by Tho. Roycroft, for John Place, 1658. [iv], 277, [32] pp. Portrait frontispiece, included in some copies, not present. Octavo (6-1/4" x 4-1/4").

Contemporary sheep with recent rebacking, blind rules to boards, gilt title to spine, endpapers renewed. Minor scuffing to boards, moderate edgewear, corners worn. Some toning to text, title page re-hinged, some glue residue along gutter affecting a few letters of title, internally clean. \$950.

* Second and final edition. With side-notes. First published in 1654, this is an extensive formbook drawn from the works of Bacon, Coke and other distinguished British jurists. Both editions are scarce. OCLC locates 2 copies of the second edition in North American Law libraries (Harvard, Library of Congress). *English Short-Title Catalogue* R209603.

Order This Item



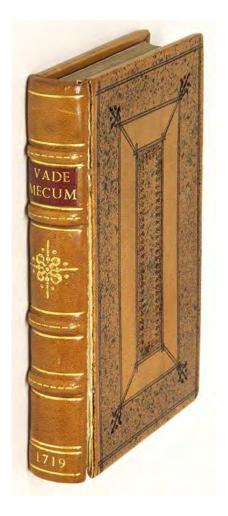
Highly Esteemed by Coke and Blackstone

16. [Fitzherbert, Sir Anthony (1470-1538)]. [Rastell, William (?1508-1565)].

La Nouvelle Natura Breviu[m] du Iudge Tresreverende Monsieur Anthony Fitzberbert, Denierement Renue & Corrige per Laucteur, Avecques un Table Perfecte des Choses Notables Contenus en Ycell, Novelment Compose per Guiliaulme Rastell, & Iammais per Cydeuaunt Imprimee. London: In Aedibus Richardi Tottelli, 1567 [i.e. 1576, date on colophon]. [xxxii], 271 ff. Octavo (6-1/2" x 4-1/2").

Contemporary paneled calf, blind fleurons and central arabesques to boards, raised bands and blind rules to spine, ties lacking. Some rubbing to extremities, minor nicks to boards, a few small worm holes, corners bumped and somewhat worn, spine ends bumped and lightly chipped, front joint just starting at head, front pastedown loose, a few cracks to text block. Title printed within woodcut architectural border. Moderate toning to text, occasional discoloration to outer margins in a few places, soiling to some leaves. Early owner signature to front free endpaper, brief annotations in early hand to head of title page and some text leaves, along with some underlining, rear endleaf filled with notes. A nice copy. \$2,000.

* First published in 1534, the *Nouvelle Natura Brevium* is a manual of procedure written by a Judge of the Common Pleas during the reign of Henry VIII. Winfield notes that "Coke put it among the books which he considered most necessary and of greatest authority and excellency"; Blackstone considered it an authority as well. Compiled from the earlier *Natura Brevia* and the *Registrum Brevium*, it includes several original observations on the form and function of writs. Rastell's revisions include the addition of a table. A popular work, it went through numerous editions in Law French and English, the final appearing in 1794. It remains significant to this day for its descriptions of writs that were becoming obsolete in the early sixteenth century. Winfield, *Chief Sources of English Legal History* 303. Beale, *Bibliography of Early English Law Books* T348. *English Short-Title Catalogue* S4100. Order This Item



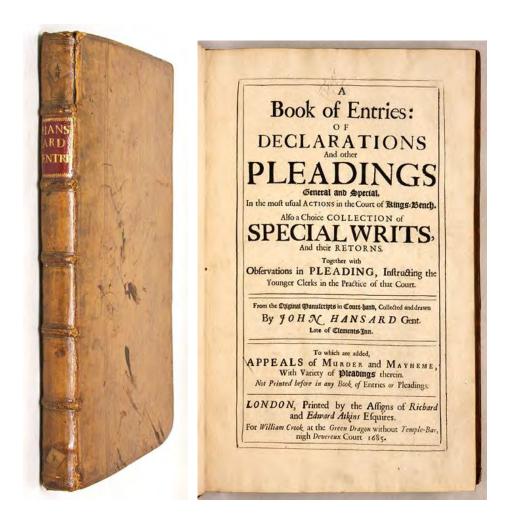
A Rare English JP Manual Based on Young and Blackerby

17. [Great Britain]. [Justices of the Peaces].

The Justice of Peace's Vade Mecum: Being a Compleat Summary of All the Acts of Parliament Relating to Justices of Peace; Shewing the Various Offenses by Statute, And the Particular Power of One, Two, Three, Or More Justices, In Their Proceedings and Determinations, As Well In as Out of the Sessions, Under Several Distinct Heads. To Which are Added, Some Adjudged Cases Concerning Justices of Peace, And the Several Branches of Their Business; Instructions for Drawing All Manner of Warrants, Commitments, &c. In All Common Matters. The Whole Done in an Alphabetical Method, With an Exact Table. [London]: Printed by Eliz. Nutt and R. Gosling, 1719. [xiv], 250 pp. 12mo. (5-1/4" x 3-1/4").

Handsome period-style paneled calf (by J. May, London), outer sections speckled, raised bands, lettering piece and gilt ornaments to spine, black rules along pastedowns. Light rubbing to extremities, front joint cracked, front hinge just starting at head. Title printed within ruled border. Light toning to text, somewhat heavier in a few places, rule at lower corner of title page touched by trimming due to printer error. Early owner annotation to front endleaf, early owner signature to head of title page. \$750.

* Only edition. According to the preface, this anonymous work is drawn from the most useful parts of Blackerby's *Justice* of Peace (1711) and Young's *Justices, Their Vade Mecum and Cornucopia* (1620) with additional material by the author. OCLC and the *ESTC* locates 5 copies worldwide, 3 in North America, 2 in law libraries (Harvard, University of Minnesota). *English Short-Title Catalogue* N6821. Order This Item



Includes "Appeals of Murder and Mayheme"

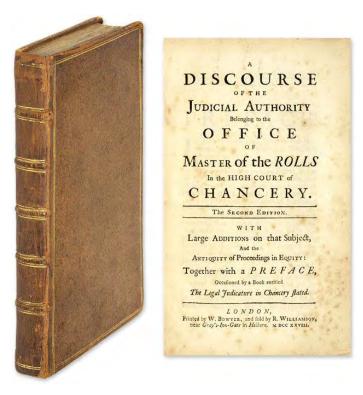
18. Hansard, John, Compiler.

A Book Of Entries: Of Declarations and Other Pleadings General and Special, In the Most Usual Actions in the Court of Kings-Bench. Also a Choice Collection of Special Writs, And their Retorns. Together with Observations in Pleading, Instructing the Younger Clerks in the Practice of that Court. From the Original Manuscripts in Court-Hand, Collected and Drawn by John Hansard Gent. Late of Clements-Inn. To Which are Added, Appeals of Murder and Mayheme, With Variety of Pleadings Therein. Not Printed Before in Any Book of Entries or Pleadings. London: Printed by the Assigns of Richard and Edward Atkins, 1685. [xx], 283, [21] pp. First leaf blank. Folio (12" x 7-1/2").

Contemporary calf, blind rules and fillets to boards, raised bands, lettering piece, and two small private-library shelf labels to spine. Moderate rubbing to extremities, some shallow scuffing to boards, joints just starting at ends, corners bumped, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield seal to title page and following few leaves, armorial bookplate of Thomas Parker, 1st Earl of Macclesfield, to verso of title page. Light toning to text, somewhat heavier in places, brief annotations to margins of several leaves in early hand, possibly Parker's. A handsome copy. \$400.

* Only edition. A notably comprehensive procedure manual. Little seems to be known about Hansard and he did not appear to publish any other works. Parker [1666-1732], 1st Earl of Macclesfield, Lord Chancellor from 1718 to 1725. Housed in Shirbirn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. English Short-Title Catalogue R20439. Order This Item

The Lawbook Exchange, Ltd. English Law Before 1776 April 9, 2019





Copy with Annotations and Several Laid-In Manuscript Notes Owned by a Master of the Rolls, Some in His Hand

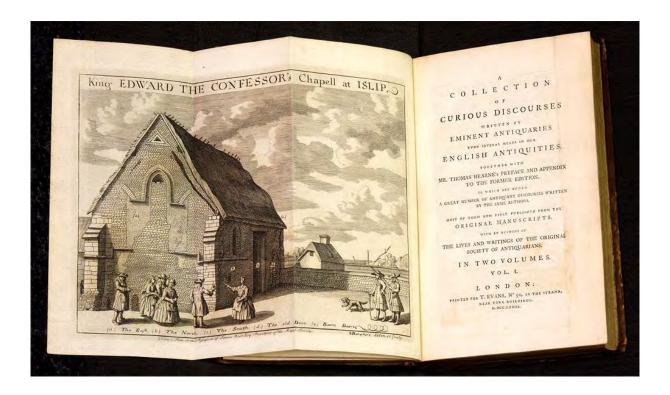
19. [Hardwicke, Philip Yorke, Earl of (1690-1764)].

A Discourse of the Judicial Authority Belonging to the Office of Master of the Rolls in the High Court of Chancery. With Large Additions on that Subject, And the Antiquity of Proceedings in Equity: Together with a Preface, Occasioned by a book Entitled The Legal judicature in Chancery Stated. London: Printed by W. Bowyer, And Sold by R. Williamson, 1728. [ii], cxxvii, [1], 200, [2] pp. Octavo (8" x 5-1/2").

Contemporary speckled calf, gilt rules to boards, gilt-edged raised bands to spine. Some rubbing to extremities, corners bumped, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamp to title page. Moderate toning and occasional light foxing to text. Two-page case summary in an unknown hand to recto and verso of front free endpaper, signature of Thomas Clarke and a 12-line case note to recto of front endleaf, note to verso attributing authorship to "Sr Joseph Jekyll, Master of the Rolls," six pages of manuscript notes in Clarke's hand and an eight-page index in another hand laid-in, a few brief annotations to text. A handsome copy of a scarce work with an interesting provenance. \$750.

* Second and final edition. The third most senior judge in England and Wales after the President of the Supreme Court of the United Kingdom and the Lord Chief Justice, the Master of the Rolls is the presiding officer of the Civil Division of the Court of Appeal and head of Civil Justice. The present copy belonged to Sir Thomas Clarke [1703-1764], who held this position from 1754 to 1764. Clarke was a protege of Thomas Parker [1695?-1784], 1st Earl of Macclesfield. In his will, Clarke left his books to Parker. This book was first published in 1727. Both editions are scarce. According to the ESTC, only 550 copies of the second edition were issued; OCLC locates 15 copies of that edition in North America. English Short-Title Catalogue T97350. Order This Item

The Lawbook Exchange, Ltd. English Law Before 1776 April 9, 2019



Important Early Research into English Legal History

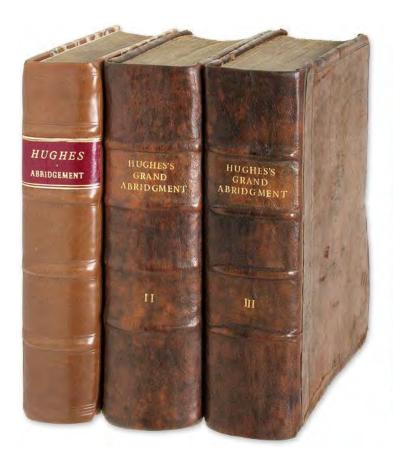
20. Herne, Thomas [1678-1735], Editor.

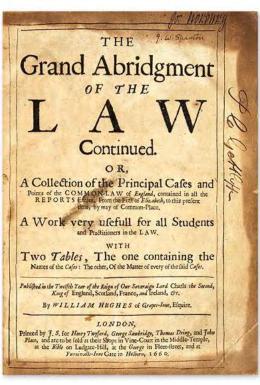
A Collection of Curious Discourses Written by Eminent Antiquaries Upon Several Heads in Our English Antiquities. Together with Mr. Thomas Hearne's Preface and Appendix to the Former Edition. To Which are Added a Great Number of Antiquary Discourses Written by the Same Authors. Most of Them Now First Published from the Original Manuscripts. With an Account of the Lives and Writings of the Original Society of Antiquarians. London: Printed for T. Evans, 1773. Two volumes. lxxi, viii, [vi], 354; [viii], 449, [15] pp. Preface in Volume I misbound before main text. Volume I has folding copperplate frontispiece of Edward the Confessor's Chapel, a plate listing abbreviations in the Domesday Book and a few woodcut text illustrations. Octavo (8-1/4" x 5").

Later tree calf, gilt fillets to boards, gilt spine with lettering pieces, joints discreetly reinforced, speckled edges, marbled endpapers. Some rubbing to extremities with some wear to spine ends, joints and corners, bookplate of John Sparrow to front pastedown of each volume. Moderate toning to text, light foxing in a few places in each volume. A handsome set with an interesting association. \$450.

* Third edition. First published in 1720, these two volumes collect research papers, discourses and other writings by members of the first Society of Antiquaries, which was formed in the late sixteenth century. (Blackstone was a member.) Several concern the Inns of Court and Chancery and other legal subjects. In all, it is a fine digest of the first generation of English legal antiquarian scholarship. Sparrow [1905-1992], a barrister, essayist and Warden of All Souls College, Oxford, was one of the greatest English bibliophiles of the twentieth century. *English Short-Title Catalogue* N27361.

Order This Item





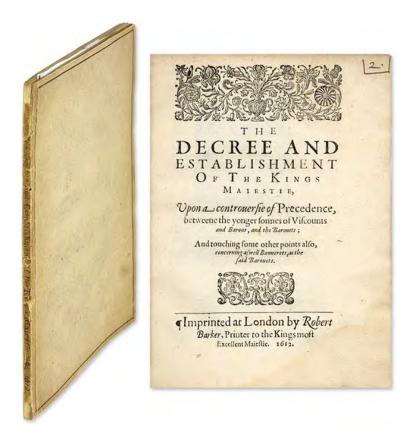
"A Good Authority" on the *Abridgements* and a Valuable Companion to Wingate

21. Hughes, William.

The Grand Abridgment of the Law Continued. Or, A Collection of the Principal Cases and Points of the Common-Law of England, Contained in All the Reports Extant, From the First of Elizabeth, to this present Time, By Way of Common-Place. A Work Very Usefull for All Students and Practitioners in the Law. With Two Tables, The One Containing the Names of the Cases, The Other, Of the Matter of Every of the Said Cases. Published in the Twelfth Year of the Reign of Our Soveraign Lord Charles the Second, King of England, Scotland, France, and Ireland, &c. London: Printed by J.S. for Henry Twyford, George Sawbridge, Thomas Dring, and John Place, 1660-1662. Three Volumes and Appendix in three books. [1], 344, 353-758; [cxii], 759-1268, 1277-1418, 1423-1576; [cxxviii], 1577-2132, [102], 2133-2418, [64] pp. Text continuous despite pagination. Main text in parallel columns. Quarto (8-1/2" x 6-1/2").

Volume I: Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine. Volumes II-III: Contemporary calf, blind rules to boards, rebacked in period style, raised bands and gilt titles to spines. Light rubbing and minor nicks to boards, faint dampstain to front board of Volume II, moderate rubbing to extremities, corners bumped and somewhat worn, pastedowns loose. Moderate toning to text, somewhat heavier in places, offsetting to margins of preliminaries and rear endleaves. Later owner signatures to title pages of Volumes I and II, "2" and "3" in later hand to fore-edges of Volume II and III, otherwise clean. An appealing set. \$1,000.

* Only edition. Hughes, a barrister of Gray's Inn, conceived this abridgement as a continuation of a continuation of Robert Brooke's *Graunde Abridgement* of English case reports (first edition 1573). "These volumes embrace but a short period, and the work is a mere supplement to the earlier Abridgements, but it is a good authority.": Marvin, *Legal Bibliography* 402. *English Short-Title Catalogue* R12818. Order This Item



Two Issues Confronting Stuart-Era Nobles

22. James I [1566-1625], King of England.

The Decree and Establishment of the Kings Majestie, Upon a Controversie of Precedence, Betweene the Yonger Sonnes of Viscounts and Barons, And the Baronets; And Touching Some Points also, Concerning Aswell Bannerets, As the Said Baronets. London: Imprinted by Robert Barker, 1612. [iv], 14, [2] pp.

[Bound with]

Espagne, Jean d' [1591-1659].

Anti-Duello. The Anatomie of Duells, With the Symptomes Thereof. A Treatise Wherein is Learnedly Handled, Whether a Christian Magistrate May Lawfully Grant a Duell, For to End a Difference Which Consisteth in Fact. Also, The Maner and Forme of Combats Granted, With the Severall Orders Observed in the Proceeding Thereof, With the List of Such Duels, As Have Beene Performed Before the Kings of England. Truly and Compendiously Collected and Set Forth by Mr. Iohn Despagne, For the Good of Soveraigne and Subject. Published by His Majesties Command. London: Printed by Thomas Harper for B. Fisher, 1632. [vi], 63, [1] pp. Title page and following two leaves supplied in facsimile.

Stab-stitched pamphlets in recent wrappers, rules to covers, hand-lettered title to spine. Some wear to spine ends, a few minor stains to wrappers. Attractive woodcut head-pieces, tail-pieces and decorated initials. Some toning to text, occasional faint dampstaining to lower corner of text block. "2" to upper corner of Duello, "3" to first leaf of Anti-Duello, interior otherwise clean. \$450.

* Only editions. *Decree* addresses the confusion raised by the creation of the rank of baronet by James I. The King's decree explained the nature of this title and fixed its place among the other titled ranks. *Anti-Duello* is a contribution to a early seventeenth-century debate initiated by a 1613 decree of James I that outlawed dueling. (This was a reaction to series of high-profile duels between some of his leading courtiers that year.) OCLC locates few copies of either title in North America, none in law libraries. *English Short-Title Catalogue* S105542, S114510. Order This Item



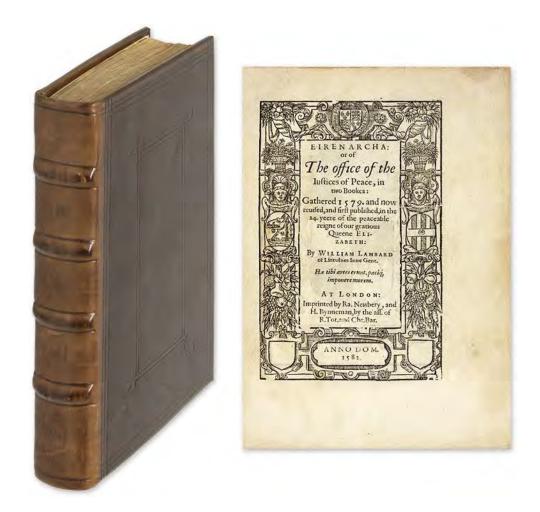
Copy of Kitchin's Court Leete, Et Court Baron from Library of Thomas Parker, First Earl of Macclesfield

23. Kitchin, John [c.1520-c.1590].

Le Court Leete et Court Baron Collect per Iohn Kitchin de Greies Inne un Apprentice in Ley. Et les Cases & Matters Necessaries pur Seneschals de Ceux Courts a Scier, & Pur les Students de les Measons del Chauncerie. Ore Novelment Imprimee, & Per le Author Mesme Corrigee, Ouesque Divers Novel Additions, Come Court de Marshalsey; Auncient Demesne, Court de Pipowders, Essoines, Imparlance, View, Actions, Contracts, Pleadings, Maintenance, & Divers Auter Matters. [London]: In Aedibius Thomae Wight, & Bonhami Norton, 1598. [xii], 289, [3] pp. Octavo (6" x 4").

Contemporary calf, blind rules and small blind-stamped initials "GW" to boards, raised bands and later lettering piece and small hand-lettered shelf labels to spine. Light rubbing to extremities, a few minor scuffs to boards, corners bumped small tears to head of spine, pastedowns loose, later armorial bookplate of the Earl of Macclesfield to verso of front board, small embossed Macclesfield stamp to head of title page. Moderate toning to text, faint dampstaining and soiling to preliminaries, light foxing in a few places. Early owner signature of Thomas Parker to head of title page, markings and brief annotations in his hand to the margins of several leaves. A nice copy with an interesting association. \$1,000.

* Later edition. First published in 1579 Kitchin's work is an important source of information on local courts and government. By outlining the differences between the previously undivided court, Kitchin, along with Coke, helped lay the foundations of modern legal theory. "In fact Kitchin was doing on a small scale what Coke was doing on a grand scale. Both were representatives of that school of literate Elizabethan lawyers...whose great and enduring work was the adaptation of medieval law and institutions to modern needs. Imagination necessarily played some part in this process of adaptation; and thus they are responsible not only for the enunciation of the rules of modern law, but also for legal and historical theories, the soundness of which was considered by many generations of lawyers and historians to be as incontestable as their statements of law." This copy belonged to Thomas Parker [1666-1732], 1st Earl of Macclesfield, chief baron of the Court of Exchequer and Lord Chancellor from 1718 to 1725. His markings are mostly pointing hands (manicules). Housed in Shirbirn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. OCLC locates 5 copies of this imprint in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Texas, Washington University). Holdsworth, A History of English Law IV:130. English Short-Title Catalogue S3959. Beale, A Bibliography of Early English Law Books T374. Order This Item



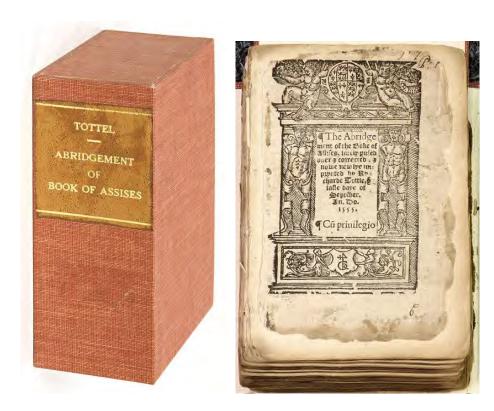
An Interesting Perspective on Elizabethan England

24. Lambard(e), William [1536-1601].

Eirenarcha: Or of the Office of the Iustices of Peace, In Two Bookes: Gathered 1579. And Now Revised, And First Published, In the 24. Yeere of the Peaceable Reigne of Our Gratious Queene Elizabeth. London: Imprinted by Ra. Newbery, And H. Bynnean, 1582. [vii], 511, [15] pp. Octavo (6-1/4" x 4-1/2").

Recent period-style paneled calf, blind fleurons to inside panels, raised bands and blind ornaments to spine, early hand-lettered title to fore-edge of text block. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials, woodcut arms of dedicatee, Sir Robert Bromley, facing dedication leaf, large woodcut device to verso of final leaf. Light toning to text, some edgewear to endleaves and title page. Brief early annotation to front endleaf, interior otherwise clean. An appealing copy. \$2,000.

* Second edition, one of two issues from 1582. Lambard, or Lambarde, a barrister and legal historian, was the keeper of records at the Rolls Chapel and the Tower of London. First published in 1581, Eirenarcha is esteemed for its comprehensive and systematic account of the organization of local government under the justices of the peace at the end of the sixteenth century. It was the standard authority for many years and often reprinted. Like many books of its kind, Eirenarcha offers fascinating insights into the society that produced it. This is evident in the detailed indictments for such offenses as murder via witchcraft, raping a child or maid (the age of distinction was ten), hearing a Catholic Mass, practicing usury and operating a bowling alley. Beale, Bibliography of Early English Law Books T388. English Short-Title Catalogue S108154. Order This Item



Interleaved Copy of the Booke of Assises Abridged, Beale R53

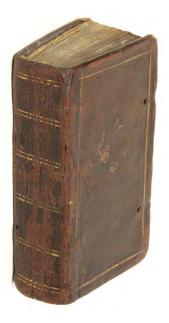
25. [Liber Assisarum].

[Callow, William, Sir (fl. 1555), Attributed].

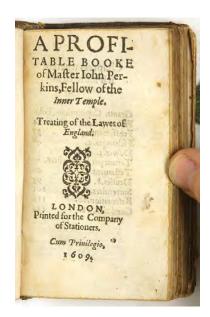
The Abridgement of the Boke of Assises, Lately P[er]used Over & Corrected, & Nowe Newlye Imprynted by Rycharde Tottle, Ye Laste Daye of Septe[m]ber. An. Do. 1555. [London: Imprinted...in Fletestrete Within Temple Barre, At the Signe of the Hand & Starre, By Richard Tottel, (1555)]. [i], 8-165, [2] ff. Interleaved. Lacking ff. 2-7. Title page present. Octavo (5-1/4" x 3-1/2").

Disbound, contemporary front and rear boards present but worn, front board split in half. Title printed within woodcut architectural border. Moderate toning to text, considerable chipping to margins of title page and final few leaves with no loss to text. About 10% the interleaves have brief contemporary annotations in a miniscule court hand. Ex-library, with stamp to head of text block, a few annotations in pencil to verso of title page. Housed in recent cloth clamshell box with calf spine label. \$750.

* Second edition. Text in Law-French. With a table. The Liber Assisarum is a selection of reports from the Year Books covering regnal years 1-50 of Edward III (1327-77). The contents are arranged alphabetically by topic. "The Book of Assizes (...) is of great authority in law; and so called because it principally contains proceedings upon Writs of Assize of Novel Disseisin, which in those days was festinum et freems renaedium." Tis often quoted and referred to by most of our ancient writers. (...) The questions are here discussed with more precision and clearness, and they contain more of those points of law that have survived to the present times. In regard to precision and clearness, all the reports of this reign excel those of the preceding; but the merit of these [reports] is of a peculiar kind, and has a very different appearance from what has in later times been considered as excellent in this way" (Rastell). Most of the annotations appear to be citations to cases in the Year Books. OCLC locates 5 copies, the English Short-Title Catalogue locates 6 in the British Isles, 6 in North America and 1 in Australia. Rastell, John, Preface to London, 1679, Livre des Assises et Pleas del' Corone cited in Marvin, Legal Bibliography 754. English Short-Title Catalogue S101227. Beale, A Bibliography of Early English Law Books R53. Order This Item







Two Classic Works on the English Law of Real Property

26. [Littleton, Sir Thomas (1402-1481)].

Les Tenures de Monsieur Littleton: Ouesque Certeine Cases Addes per Auters de Puisne Temps, Queux Cases vous Troveres Signes Ouesque Cest Signe * Al Commencement, & Al Fine de Chescun de Eux: Au Fine Que ne Poies eux Misprender pur les Cases de Mounsieur Littleton; Pur Quel Inconvenience, Ils Fueront Dernierment Tolles de Cest Lieur; Et Cy vn Foits Pluis Admotes al Request des Gentlehomes, Students en le Ley Dengleterre. London: Imprinted [by A. Islip?] for the Company of Stationers, 1608. [1], 170, [25] ff.

[Bound with]

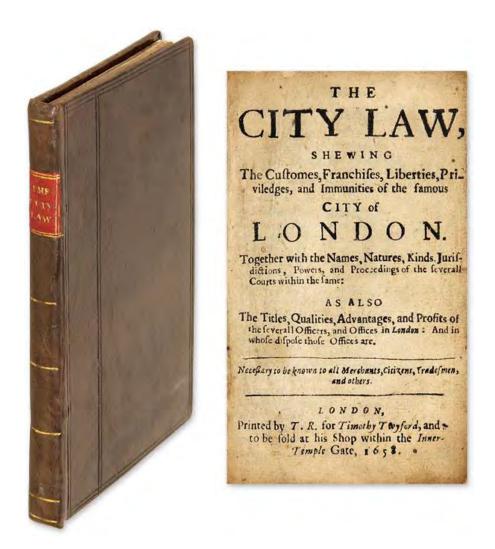
Perkins, John [d. 1545].

A Profitable Booke of Master Iohn Perkins, Fellow of the Inner Temple. Treating of the Laws of England. London: Printed [by Adam Islip?] for the Company of Stationers, 1609. [xxiv], 168 ff.

Octavo (4-1/2" x 2-1/2"). Contemporary calf, gilt rules to boards, gilt fillets to spines, fragments of thong ties. Moderate rubbing to spine and extremities with some wear to corners, light scuffing to boards, a few tiny wormholes to spine, pastedowns loose, a few partial cracks to text block, wormhole from preliminaries through first third of text with no loss to legibility, final two signatures of *A Profitable Booke* a bit loose and slightly edgeworn, edges trimmed closely occasionally touching side-notes (with no loss to legibility). Light toning to text, somewhat heavier in places, internally clean. \$1,250.

* Later editions. This volume collects two classic English treatises on the law of real property. Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is a considered a landmark because it renounced the principles of Roman law (and Latin) in favor of a set of guidelines and doctrines drawn from the Year Books, and when necessary, hypothetical cases.

A popular work during the sixteenth and early seventeenth centuries that was held in high regard by Coke, Perkins' *Profitable Booke* was first published in 1528 and went through numerous editions in both English and Law-French. Devoted mostly to the land law as developed in the Year Books, it is divided into the following topics: grants, deeds, feoffments, exchanges, dower, curtesy, wills, devises, surrenders, reservations, and conditions. Holdsworth, *A History of English Law II*:573, V:388. *English Short-Title Catalogue* S93514, S114287. Order This Item



The Customary Law of Protectorate-Era London

27. [London].

The City Law, Shewing the Customes, Franchises, Liberties, Priviledges, And Immunities of the Famous City of London. Together With the Names, Natures, Kinds, Jurisdictions, Powers, And Proceedings of the Severall Courts Within the Same: As Also the Titles, Qualities, Advantages, And Profits of the Severall Officers, And Offices in London: And in Whose Dispose Those Offices Are. Necessary to be Known to All Merchants, Citizens, Tradesmen, And Others. London: Printed by T.R. for Timothy Twyford, 1658. [viii], 127, [1] pp. Octavo (5-1/4" x 3-1/4").

Recent period-style calf, blind rules to boards, gilt fillets and lettering piece to spine, edges rouged. Light rubbing and a few minor nicks to boards. Moderate toning to text, minor loss to side-notes of a few leaves due to trimming, spark burns and minor edgewear to a few other leaves, light soiling to title page, internally clean. A handsome copy. \$750.

* Only edition. Rich in legal and historical interest, this handbook of London's customary law during the Protectorate (1653-1659) incorporates material from a brief book published at the end of the Civil War, *The City-Law: Or, The Course and Practice in All Manner of Juridicall Proceedings in the Hustings in Guildhall, London* (1647). It offers an interesting perspective on the relationship between London's old customary laws with the reforms introduced by Cromwell's government. Both editions are scarce. OCLC locates 5 copies of the 1658 edition in North American law libraries (Columbia, Harvard, Sothern Methodist University, University of Pennsylvania, Yale). *English Short-Title Catalogue* R24831. Order This Item



A Scarce Natura Brevium, Beale T94

28. [Natura Brevium].

Natura Brevium in French. [London]: In Aedibus Richardi Tottell, 1566 [i.e. 21 January 1567]. 180, [4] ff. Octavo (5" x 3-1/4").

Contemporary paneled calf, blind central ornaments and gilt corner fleurons to inside panels, carefully rebacked, raised bands and later gilt title to spine, ties lacking. Light rubbing to boards, somewhat heavier rubbing to extremities, corners bumped, later armorial bookplate (of Hopetoun) to front pastedown, a few cracks to text block. Moderate toning to text, faint dampstaining in places, occasional underlining and brief annotations to title page and elsewhere, more extensive annotations to front endleaves, all annotations in early hand. An appealing copy. \$1,250.

* With table. Text in Law-French and Latin. A cornerstone of the common law, the *Natura Brevium* is a selection of writs, with commentary, based on the *Registrum Brevium* dating from the reign of Edward III. The first printed edition of the *Natura Brevium* was published in 1494 by Richard Pynson. After Sir Anthony Fitzherbert published his *New Natura Brevium* in 1534 it was referred to as the *Old Natura Brevium*. The actual date for this imprint is stated in the colophon: "Imprinted...1567 Ianuarii vicesimo primo." Most of the annotations are citations to the Year Books. The notes on the front endleaves form a brief index of selected topics. OCLC locates 4 copies. The *ESTC* locates five copies in the British Isles and five copies in North America. *English Short-Title Catalogue* S113105. Beale, *A Bibliography of Early English Law Books* T94. Order This Item



"The Accepted Authority on the Practice of the Ecclesiastical Courts"

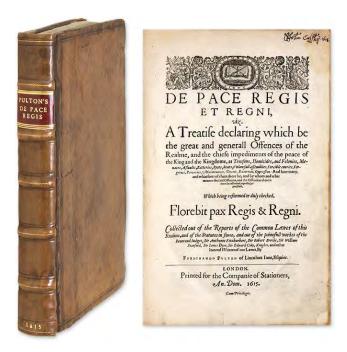
29. Oughton, Thomas.

Ordo Judiciorum; Sive, Methodus Procedendi in Negotiis et Litibus in Foro Ecclesiastico-Civili Britannico et Hibernico. Ubi, Quae Mendis Olim cum Innumeris Edita Fuere, Castigate nunc et Dilucide Digesta, Juxta Normam Ordinis Judiciarii, Exhibentur, Ac Notis et Observationibus Illustrantur. London: Impensis J Hooke, 1728. [xii], 20, xvi, 487, [1] pp. Quarto (10" x 8").

Contemporary marbled boards with recent period-style calf rebacking with raised bands, endpapers retained, untrimmed edges. Moderate rubbing to boards, corners bumped, front hinge cracked, rear hinge starting, early armorial book plate to front pastedown. Title page printed in red and black, woodcut head and tail-pieces. Light toning to text, minor worming to margins in a few places. Early owner signature to head of title page, interior otherwise clean. \$250.

* First edition. According to Holdsworth, Oughton's study of the practice of the ecclesiastical courts "was scientific, accurate, and historically correct. (...) [It] became the accepted authority on the practice of the ecclesiastical courts" (Holdsworth). In 1738 Oughton published a companion volume, Ordo Judiciorum; Seu Formularium in Negotiis et Litibus in Foro Ecclesiastico-Civili, a collection of formularies. Holdsworth, A History of English Law XII:616. English Short-Title Catalogue T108877. Order This Item

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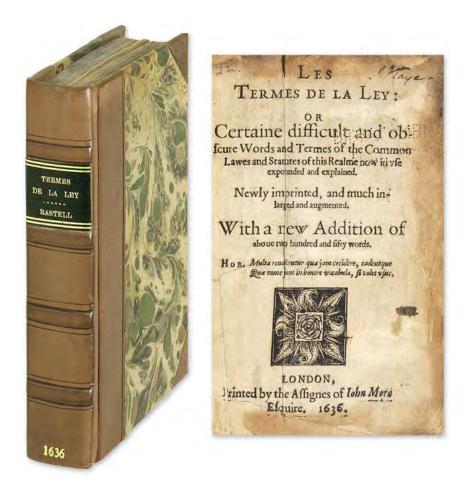
Criminal Law in Shakespeare's England: Pulton's De Pace Regis et Regni

30. 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 Treasons, Homicides, And Felonies, Menaces, Assaults, Batteries, Ryots, Routs, Unlawfull Assemblies, Forcible Entries, Forgeries, Perjuries, Maintenance, Deceit, Extortion, Oppression: And How Many and What Sorts of Them There Be, And by Whom and What Meanes the Said 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 Painefull Workes of the Reverend Iudges, Sir Anthonie Fitzharbert, Sir Robert Brooke, Sir William Stanford, Sir Iames Dyer, Sir Edward Coke, Knights, And Other Learned Writers of Our Lawes. London: Printed for the Companie of Stationers, 1615. [vi], 324 [i.e. 243], [17] ff. Folio (11" x 7-1/4").

Contemporary calf with recent rebacking, blind rules and holes for thong ties to boards, raised bands and lettering piece to spine, pastedowns renewed, hinges mended. Moderate rubbing to extremities corners bumped, minor scuffs and cracks to boards. Woodcut head-pieces and decorated initials. Light toning to text, early owner signature (of John Cashhe, dated 1618) to head of title page, extensive annotations to endleaves. A handsome copy. \$750.

* Third 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 is 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. The annotations include a paragraph-long note on the king's oath, a pair of sample precedents, several maxims and a set of sample signatures (of a Robert Chapman). Holdsworth, A History of English Law V:392-393. English Short-Title Catalogue S116056. Order This Item



1636 Printing of the First English Law Dictionary

31. [Rastell, John (d.1536)]. [Rastell, William, Editor].

Les Termes de la Ley: Or Certaine Difficult and Obscure Words and Termes of the Common Lawes and Statutes of This Realme Now in Use Expounded and Explained. London: Printed by the Assignes of Iohn More Esquire, 1636. [viii], 28, [3], 19-17 [i.e. 27], 41-96, 96-302, [1] ff. Pagination irregular, collates complete. Main text in parallel columns. Octavo (6-1/2" x 4-1/2").

Contemporary calf, blind rules and corner fleurons to boards, rebacked retaining spine with raised bands and lettering piece, endleaves renewed. Light rubbing and a few inkstains to boards, corners bumped and somewhat worn.

Recent period-style three-quarter calf over marbled boards, early hand-lettered title to fore-edge of text block, title page re-hinged. Moderate toning, faint inkspots to a few leaves, some offsetting and edgewear to preliminaries and final few leaves. Early owner signatures to title page and verso, a few page numbers corrected in an early hand, interior otherwise clean. Ex-library. Perforated stamp to title page. A nice copy in a handsome binding. \$750.

* Later edition. English and Law French in parallel columns. First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title Expositiones Terminorum Legum Anglorumae. Later editions were produced by his son, William. Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity.": Legal Bibliography 599. English Short-Title Catalogue S122305. Order This Item



First Printing of Selden's Edition of *Fleta* and His *Ad Fletam Dissertatio*

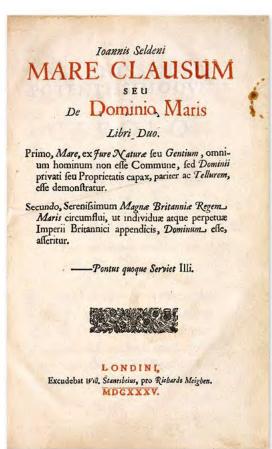
32. Selden, John [1584-1645], Editor.

Fleta, Seu Commentarius Juris Anglicani Sic Nuncupatus, Sub Edwardo Rege Primo Seu Circa Annos ab Hinc CCCXL. Ab Anonymo Conscriptus, Atque e Codice Veteri, Autore Ipso Aliquantulum Recentiori, Nunc Primum Typis Editus. Accedit Tractatulus Vetus de Agendi Excipiendique; Formulis Gallicanus, Fet-Assavoir Dictus. Subjungitur Etiam Joan. Seldeni ad Fletam Dissertatio Historica. London: Typis M.F. Prostant Apud Guil. Lee, & Dan. Pakeman, 1647. [8], 64, 63-452, [2], 453-553, [3] pp. Pagination irregular. Complete. Quarto (8-1/2" x 6-1/2").

Handsome period-style quarter calf over cloth, lettering piece, blind ornaments and gilt-ruled raised bands to spine. Negligible light rubbing to boards, some fading to spine. Title page printed in red and black. Moderate toning to text, occasional faint dampspotting, faint dampstaining to margins in a few places, internally clean. A very nice copy. \$750.

* First edition. The work by an anonymous author describes the practice of the courts, the forms of writs and an explanation of law terms as they existed during the reign of Edward I. Selden brought this ancient treatise to the public's attention and was instrumental in its publication. While Bracton earns the highest praise as the father of legal learning, Fleta earns a share of it for the illustrations he offered to some of the obscurities found in Bracton. Selden's appended dissertation (pp.453-553) contains many interesting observations about Bracton, Britton, Fleta, and Thornton "and shows what use was made of the Imperial law in England whilst the Romans governed here, at what time it was introduced into this nation, what use was formerly made of it, how long it continued, and when the use of it totally ceased in the King's Courts at Westminster": Bridgman, A Short View of Legal Bibliography 87. Sowerby, Catalogue of the Library of Thomas Jefferson 1647. English Short-Title Catalogue R15006. Order This Item





The First Major English Text on International Law

33. Selden, John [1584-1654].

Mare Clausum Seu de Domino Maris Libri Duo. Primo, Mare, ex Jure Naturae Seu Gentium, Omnium Hominum non Esse Commune, Sed Dominii Privati seu Proprietatis Capax, Pariter ac Tellurem, Esse Demonstratur. Secundon, Serenissimum Magnae Britanniae Regem Maris Circumflui, ut Individuae Atque Perpetuae Imperii Britannici Appendicis, Dominum Esse, Asseritur. London: Excudebat Will. Stanesbeius, pro Richard Meighen, 1635. [xxvi], 304, [12], [1] pp. Copperplate map, woodcut map, six woodcut text illustrations.

[Bound with]

Selden, John.

De Successionibus in Bona Defuncti, Ad Leges Ebraeorum, Liber Singularis. Editio Altera, Correctior & Multum Auctior. Accedunt Ejusdem De Successione in Pontificatum Ebraeorum, Libri Duo. Prior Historicus Est; Pontificum ab Aharone Usque ad Templi Secundi Excidium Successionem Continens. Posterior est Iuridicus; Legitima, Seu Quae in Successione Pontificali Adeoque in Admissione ad Munus Sacerdotale Apud Ebraeos Juris Fuere Complexus. London: Excudebat Richardus Bishop, 1636. [vi], xxiv, [4], 266 pp.

[And]

Vossius, Dionysius [1612-1642].

Panegyricus Dicatus Frederico Henrico Arausionensium Principi. Ejusdem Fredericus Victor. Amsterdam: Apud Guilielmum Blaeu, 1633. 31 pp.

[And]

Heinsius, Daniel [1580-1655].

Panegyricus, Gustavo Magno, Suecorum, Gothorum, Vandalorum, &c. Regi, Consecratus. Leiden: Ex Officina Bonaventvrae & Abrahami Elzivir, 1632. [iii], 66, [1] pp.

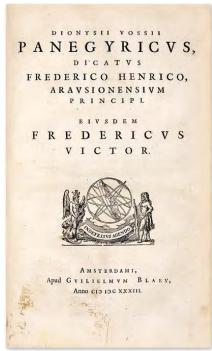
Tel: (800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887 | law@lawbookexchange.com | www.lawbookexchange.com

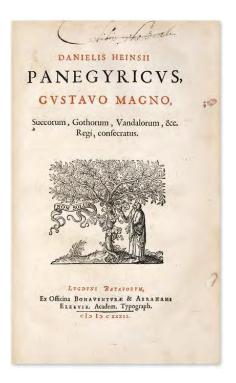
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Folio (11" x 7"). Contemporary calf, blind rules to boards, rebacked in period style with raised bands and retained lettering piece, endpapers renewed, hinges mended. Moderate rubbing to extremities, moderate scuffing to boards, corners bumped and some what worn, small gouge to front board. Title pages of the Selden and Heinsius titles printed in red and black. Woodcut head-pieces, tail-pieces, tail, pieces and decorated initials, title pages of works by Vossius and Heinsius have large woodcut printer devices. Light toning to text, somewhat heavier in places, minor stains to a few leaves. Recent owner signature to front free endpaper, early owner signature to head of *Panegyricus, Gustavo Magno*, interior otherwise clean. \$2,500.

* Mare Clausum, Panegyricus, Gustavo Magno, first edition; Successionibus; second edition; Panegyricus Dicatus, only edition. Selden's Mare Clausum is the most famous British reply to the argument of Hugo Grotius's Mare Liberum, which denied the validity of England's claim to the high seas south and east of England. Selden, argued that England's jurisdiction extends, in fact, to all waters surrounding the isles. His use of legal history and common-law principles to rebut Grotius's philosophical argument is quite impressive. De Successionibus is an exposition of rabbinical law and laws of inheritance by a commentator whose "familiarity with rabbinical literature was such as has been acquired by few non-Israelite scholars; and many details of oriental civilization and antiquities were certainly brought to the knowledge of Europeans for the first time in them" (DNB). The other two titles remind us that Mare Clausum dates from one of the most turbulent eras in European history. Vossius's piece is a poem commemorating the deeds of Frederick Henry, Prince of Orange [1584-1647], who led Dutch forces to victory, established the independence of the United Provinces and governed them for a large part of its golden age. Heinsius's essay praises Gustavus Adolphus of Sweden [1594-1632]. One of the greatest military commanders in European history, he established Sweden as a leading European power during the Thirty Years War. Two other editions of Heinsius's essay were published in 1633 and 1637. Dictionary of National Biography XVII:1157. Selden: English Short-Title Catalogue S117048 (Mare Clausum), S117055 (De Successionibus); Vossius, Heinsius: British Museum Catalogue (Compact Edition) 26:402, 11:1107. Order This Item http://www.lawbookexchange.com/details.php?record=64494







See Above

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Aspects of English Nobility

34. Selden, John [1584-1654].

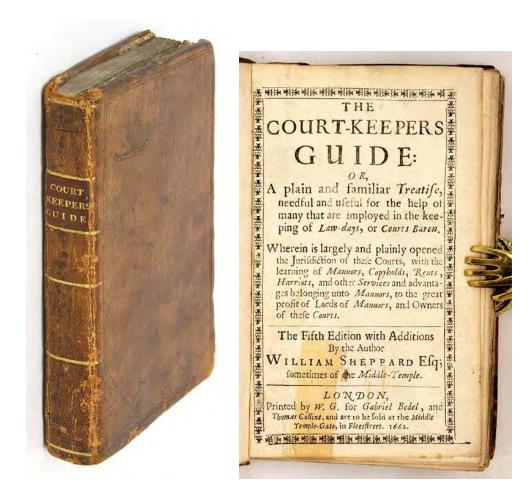
The Priviledges of the Baronage of England, When They Sit in Parliament. Collected (And of Late Revised) by John Selden of the Inner Temple Esquire Out of the Parliament Rolles, And Journalls Patent, And Close Rolls; The Crowne Rolls, The Proceedings of the English Courts at Westminster, The Register of the Arch-Bishop of Canterbury, And the Delegates Yeare-Bookes, Of the Common Law, Statutes & Other Good Authorities, And in Such Sort that Frequently the Words of the Chiefest Testimonies are Transcribed, Least the Freedome of the Readers Iudgement Might be Other Wayes Prevented by Short Collections. The Recitalls of the French Records in the 4th. Chap. Also Newly Translated into English for the Benefit of Others, As Well as the Students of the Lawes of England. London: Printed by T. Badger for Matthew Wallbanck, 1642. [viii], 167. [1] pp. First leaf blank.

[Bound with] [Bird, William].

A Treatise of the Nobilitie of the Realme. Collected Out of the Body of the Common Law, With Mention of Such Statutes as are Incident Hereunto, Upon a Debate of the Barony of Aburgavenny. With a Table of the Heads Contained in this Treatise. London: Printed by A.N. for Mathew Walbanke and Richard Best, 1642. [iv], 157, [1] pp. Woodcut illustrations (genealogical tables).

Octavo (5-1/2" x 3-1/2"). Contemporary sheep, blind rules to boards, later calf rebacking, lettering piece and blind fillets to spine, early hand-lettered title to fore-edge of text block. Some rubbing to extremities with wear to corners, boards slightly bowed, scuff to front board, rear pastedown loose, later armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamp to head of title page and following leaf, armorial bookplate of Thomas Parker, First Earl of Macclesfield to verso of title page. Title page of *Nobilitie* printed within woodcut border. Some toning to text, brief annotations to endleaves, interior otherwise clean. \$500.

* Priviledges: first edition; Nobilitie: only edition. This volume collects two books on the nobility that were responses to specific incidents. Selden's Priviledges was commissioned by the House of Lords to define its rights during a period of mounting tension between the king and Parliament. A work that angered the king, it asserted the House of Lords's power of judicature and provided historical grounds for such "special rights" as freedom from lawsuits during the sitting of Parliament. Bird's Nobilitie was a response to a contemporary controversy regarding the legitimacy of Edward Nevill's claim to the title of Lord Bergavenny. His claim is the starting point for a general review of peerage law. A later edition, with additions by Sir John Doddridge, was published later in 1642 as The Magazine of Honour; Or, A Treatise of the Severall Degrees of the Nobility of this Kingdome. Thomas Parker, distinguished jurist, was Lord Chancellor from 1718 to 1725. Housed in Shirbirn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. English Short-Title Catalogue R10915, R18509. Order This Item



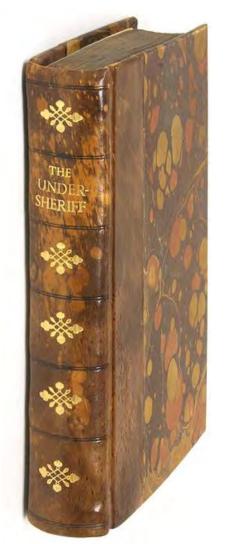
The "Longest Lived" Treatise on Courts Leet and Baron

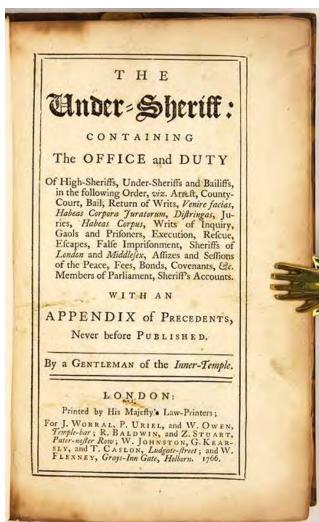
35. Sheppard, William [d.1675?].

The Court-Keepers Guide: Or, A Plain and Familiar Treatise, Needful and Useful for the Help of Many That are Imployed in the Keeping of Law-Days, Or Courts Baron. Wherein is Largely and Plainly Opened the Jurisdiction of These Courts, With the Learning of Mannors, Copyholds, Rents, Harriots, And Other Services and Advantages Belonging Unto Mannors, To the Great Profit of Lords of Mannors, And Owners of These Courts. With Additions by the Author. London: Printed by W[illiam] G[odbid] for Gabriel Bedel, and Thomas Collins, 1661. [iv], 254, [4], [14] pp. Includes 14-page publisher catalogue. Octavo (5-3/4" x 3-1/2").

Contemporary sheep, blind rules to boards, later lettering piece and gilt fillets to spine, endpapers renewed. Moderate rubbing to extremities with wear to head of spine, corners bumped and somewhat worn, a few shallow scuffs to boards, early repair to lower corner of rear board, later owner bookplate to front pastedown, a few cracks to text block. Light toning to text, a few leaves loose and lightly edgeworn, small stain and tiny hole to title page. A nice copy. \$450.

* Fifth edition. In his discussion of the common law in the sixteenth century Holdsworth observes "[t]here was still a considerable amount of work to be done by [the courts leet and baron]. The common field system of agriculture needed regulation; the rights and duties of copy-holders were matters for the manorial court to determine, subject to the control of the courts of common law; and statutes of this period had assigned new duties to the leet. Thus a want was felt for something more than the single stereotyped tract which various publishers went on issuing from the press during the first half of this century. (...) [T]he longest lived...was the Court Keeper's Guide of William Sheppard, first published in 1641 and re-issued as late as 1791.": Holdsworth, A History of English Law IV:120-121. English Short-Title Catalogue R33880. Order This Item





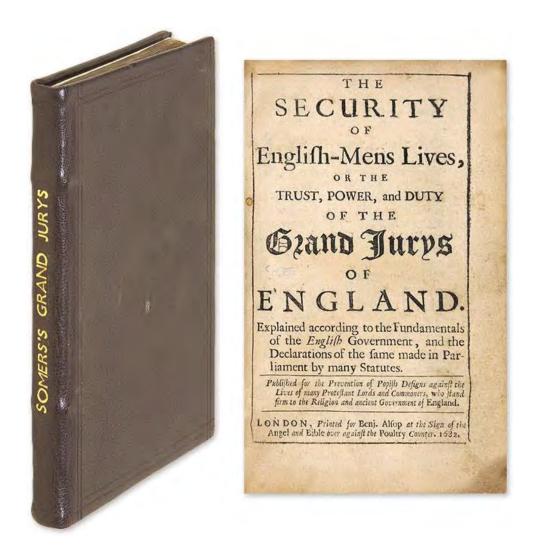
Thorough 1766 Handbook on the Duties of Sheriffs

36. [Sheriffs]. [Great Britain].

The Under-Sheriff: Containing the Office and Duty of High-Sheriffs, Under-Sheriffs and Baliffs, In the Following Order, Viz. Arrest, County-Court, Bail, Return of Writs, Venire Facias, Habeas Corpora Juratorum, Distringas, Juries, Habeas Corpus, Writs of Inquiry, Goals and Prisoners, Execution, Rescue, Escapes, False Imprisonment, Sheriffs of London and Middlesex, Assisizes and Sessions of the Peace, Fees, Bonds, Covenants, &c., Members of Parliament, Sheriff's Accounts. With an Appendix of Precedents, Never Before Published. By a Gentleman of the Inner-Temple. London: Printed for His Majesty's Law-Printers, 1766. 6, 601, [1] pp. Last page blank. Octavo (8" x 5").

Recent quarter calf over marbled boards, blind fillets, gilt title and gilt ornaments to spine, endpapers renewed. Moderate toning to text, light foxing in a few places, a few cracks to text block. A handsome copy of a scarce title. \$250.

* Only edition, one of two issues, both from 1766. This is an unusually thorough guidebook that considers the relation of sheriffs to other parts of the legal system. OCLC locates 13 copies in North American law libraries. *English Short-Title Catalogue* N35407. Order This Item



A Landmark Work on Grand Juries

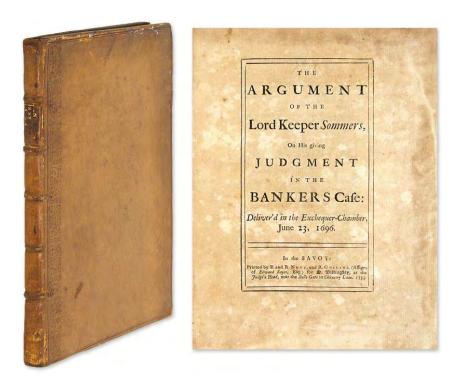
37. [Somers, John Somers, Baron (1651-1716), Attributed].

The Security of English-Mens Lives, Or the Trust, Power, And Duty of the Grand Jurys of England. Explained According to the Fundamentals of the English Government, And the Declarations of the Same Made in Parliament by Many Statutes. Published for the Prevention of Popish Designs Against the Lives of Many Protestant Lords and Commoners, Who Stand Firm to the Religion and Ancient Government of England. London: Printed for Benj. Alsop, 1682. 168 pp. Octavo (6" x 3-3/4").

Recent calf, blind rules to boards, raised bands and gilt title to spine. Moderate toning to text, negligible faint dampstaining to rear quarter of text, faint dampspotting to a few leaves, internally clean. \$400.

* Second edition. This influential pamphlet defined a hearing before grand jury of peers as a fundamental English right. An assertion of the priority of the law over the English crown, it was written to support the right of a grand jury to reject the bill of indictment against Anthony Ashley-Cooper, First Earl of Shaftesbury, issued by Charles II (a pro-Catholic monarch). Published anonymously, this work is attributed in most sources to Somers. A barrister of the Middle Temple and an important Whig statesman, he was Lord Chancellor of England during the reigns of William and Mary and Queen Anne and presided over the framing of the Bill of Rights (1689). As one would suspect, this book was studied by the American founding fathers. Sweet & Maxwell, A Legal Bibliography of the British Commonwealth 1:378 (34). English Short-Title Catalogue R10363. Order This Item

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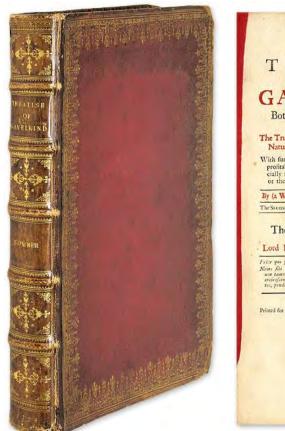
A Low Point in Somers's Career

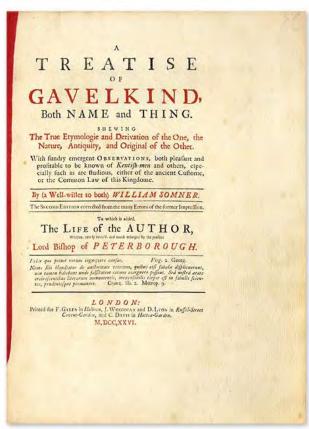
38. Somers, John Somers, Baron [1651-1716].

The Argument of the Lord Keeper Sommers, On His Giving Judgment in the Bankers Case: Deliver'd in the Exchequer-Chamber, June 23, 1696. [London]: Printed by E. and R. Nutt, and R. Gosling, 1733. [ii], 128 pp. Quarto (8-1/2" x 7").

Contemporary calf, blind rules to boards, blind fillets to joints, gilt tooling to board edges, raised bands and lettering piece to spine. Some rubbing to extremities with wear to spine ends and corners, part of lettering piece lacking, partial crack in text block between front free endpaper and title page, minor worming to front endleaves, later armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamp to head of title page. Moderate toning to text, somewhat heavier in a few places, occasional faint dampspotting, light browning and dampstaining (?) to title page. Early owner signature (Thomas Parker) to front free endpaper, interior otherwise clean. \$500.

* Only edition and the only complete account. This case was an unfortunate moment in Somers's otherwise brilliant career. (He was an important Whig jurist, Lord Chancellor during the reigns of William & and Mary and Queen Anne and framer of the English Bill of Rights). "In the most important case which came before him in the exchequer chamber, that of the bankers who had recovered judgment in the court of exchequer for arrears of interest due to them as assignees of certain perpetual annuities charged by Charles II upon the hereditary excise as security for advances, he expended some hundreds of pounds and an immense amount of thought and research, with no better result than to defeat an intrinsically just claim, on the technical ground that it was not cognisable in the court of exchequer, but only by petition of right. No judgment so elaborate had ever been delivered in Westminster Hall as that by which, in November 1696, he reversed the decision of the court of exchequer." (DNB). This decision was reversed by the House of Lords three years later. Despite Somers's importance, few accounts of his legal work exist today; it is known mostly through summaries. This copy belonged to Thomas Parker [1666-1732], 1st Earl of Macclesfield and Lord Chancellor from 1718 to 1725. Housed in Shirbirn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. OCLC locates 7 copies in North American law libraries. Dictionary of National Biography XVIII:632. Sowerby, Catalogue of the Library of Thomas Jefferson, 2015. English Short-Title Catalogue T79392. Order This Item





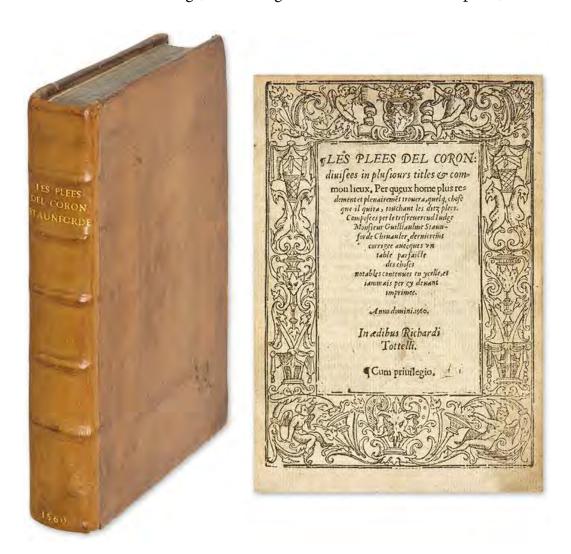
Historic Study of Gavelkind

39. Somner, William [1598-1669].

A Treatise of Gavelkind, Both Name and Thing. Shewing the True Etymologie and Derivation of the One, The Nature, Antiquity, And Original of the Other. With Sundry Emergent Observations, Both Pleasant and Profitable to be Known of Kentish-Men and Others, Especially Such as Are Studious, Either of the Ancient Custome, Or the Common Law of This Kingdome. By (A Well-Wisher to Both). London: Printed for F. Gyles, 1726. [xiv], 136, [4], 216, [8] pp. Copperplate frontispiece. Quarto (10-1/2" x 8").

Nineteenth-century morocco, gilt fillets and dentelles to boards, gilt spine with raised bands and lettering piece, gilt edges, marbled endpapers, detached ribbon marker laid in. Moderate rubbing to extremities, small chip to foot of spine, corners bumped and worn, early armorial bookplate (of Thomas Hall) to verso of title page, which is printed in red and black. Woodcut head and tail-pieces, text printed with wide margins. Moderate toning to text, faint dampspotting in places, internally clean. A handsome copy \$750.

* Second and final edition. Gavelkind is a form of land tenure unique to Kent (and its environs) in which land descends equally to the decedent's sons. It was common during the Saxon era, but was gradually supplanted by primogeniture after 1066. Produced during the first wave of modern English legal scholarship, Somner's pioneering work was the first study of gavelkind, and one of the first important studies of early English law. Philological in orientation, it is a history of gavelkind and an analysis of its forms. Texts of significant documents are included. He also goes beyond his subject in one section to discuss the law of succession to chattels. Somner, a pupil of Causubon, was an ecclesiastical lawyer and historian of Anglo-Saxon law and literature who is best known for his pioneering *Dictionarium Saxonico-Latino-Anglicum* (1659). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:477 (31). *English Short-Title Catalogue* T132060. Order This Item



Appealing Early Edition of Staunford's Plees

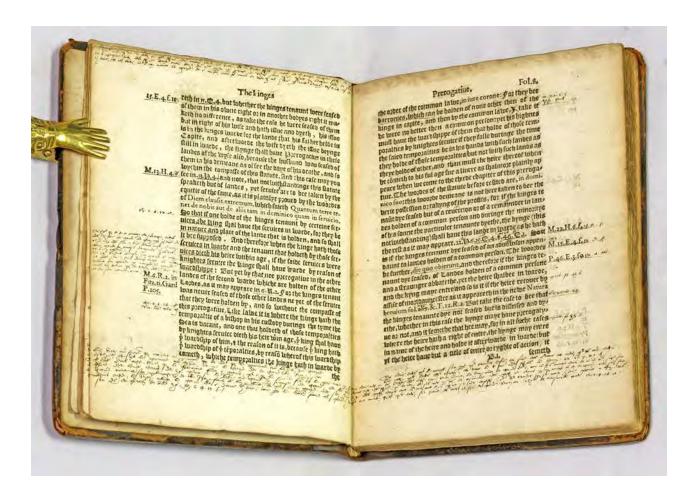
40. Staunford, Sir William [1509-1558].

Les Plees del Coron: Divisees in Plusiours Titles & Common Lieux. Per Queux Home Plus Redement & Plenaireme[n]t Trovera, Quelq[ue]; Chose que il Quira, Touchant les Ditz Plees. [London]: In Aedibus Richardi Tottelli, 1560. [xiv], 198 ff. Quarto (7-1/4" x 5-1/4").

Eighteenth century calf with later rebacking, panels with corner fleurons to boards, raised bands and gilt title to spine, corners repaired. Light rubbing to extremities, a few minor scratches to boards, corners bumped and lightly worn, hinges starting at ends, later armorial bookplate (a letter C beneath a coronet) to front pastedown. Title printed within woodcut architectural border, woodcut decorated initials. Some toning to text. Underlining and brief annotations to some leaves in a fine early hand, interior otherwise clean. An appealing copy. \$1,750.

* Second edition. First published in 1557, Staunford's *Plees* is considered a "principal book" by Pollock and Maitland, one that enables us "to trace our modern laws of crimes, from the later middle ages onwards." Based on Bracton and the Year Books, Staunford's treatise is divided into three parts. The first treats offences, the second treats jurisdiction, appeals, indictments, and defenses. The third addresses trials and convictions. *Plees* was written after Staunford was appointed judge of the common pleas in 1554. Pollock and Maitland, *The History of English Law II*:448. *English Short-Title Catalogue* S117819. Beale, *A Bibliography of Early English Law Books* T48. Order This Item

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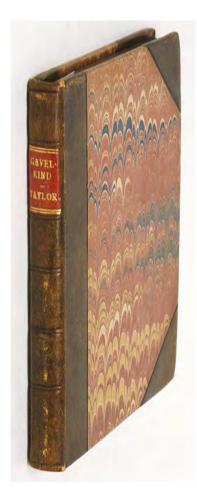
A Copy of *Kinges Prerogative* Filled with Contemporary Annotations

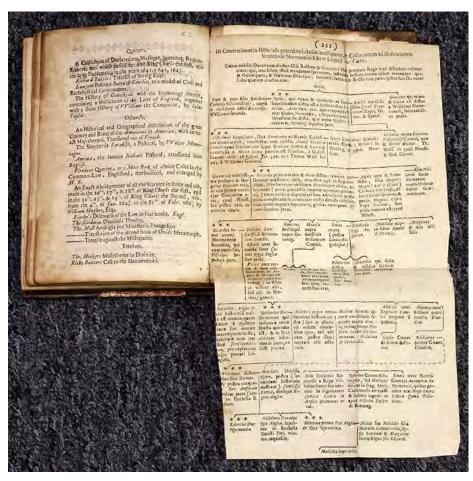
41. Staunford, Sir William [1509-1558].

An Exposicion of the Kinges Prerogative Collected Out of the Great Abridgement of Iustice Fitzherhert and Other Olde Writers of the Lawes of England. Whereunto is Annexed the Proces to the Same Prerogative Appertaining. [London: Imprinted...in Fleete-Strete Within Temple Barre...By Rychard Tottel, 1567]. [i], 85 leaves. Quarto (7-1/2" x 5-1/2").

Contemporary calf, small central blind-stamped arms to boards, recently rebacked, raised bands and gilt title to spine. Rubbing to boards with notable wear to corners, rear hinge partially cracked, later armorial bookplate (of J.M. Kemble) to front pastedown. Moderate toning to text, occasional faint dampstaining, mostly to margins. Annotated throughout in a contemporary hand, several annotations are quite extensive. An appealing copy. \$2,750.

* First edition. Staunford's Exposicion addresses discretionary rights enjoyed by the monarchy in foreign policy, domestic affairs, legal and governmental administration, religion and economic matters. A well-received book that went through six editions by 1590, it was often bound with copies of Staunford's Plees del Coron. The annotations in our copy range from references to the Year Books to long analytical notes. English Short-Title Catalogue S117783. Beale, A Bibliography of Early English Law Books T491. Order This Item





An Interesting Form of Land Tenure

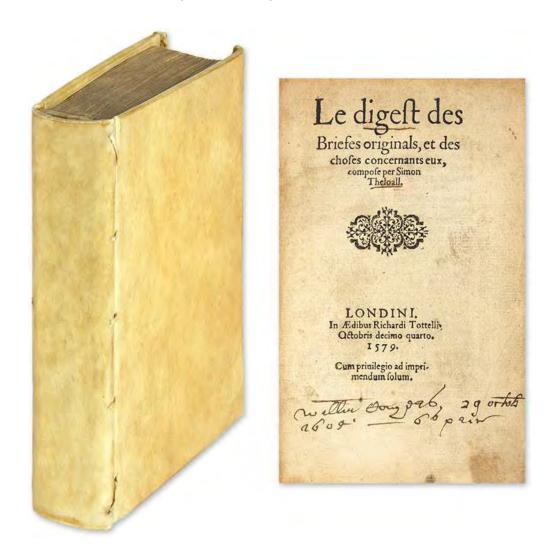
42. Taylor, Silas [1624-1678].

The History of Gavel-Kind, with the Etymology Thereof; Containing Also an Assertion That Our English Laws Are for the Most Part Those That Were Used by the Antient Brytains, Notwithstanding the Several Conquests of the Romans, Saxons, Danes, and Normans; with Some Observations and Remarks upon Many Especial Occurrences of British and English History. To Which Is Added a Short History of William the Conquerour, Written in Latin by an Anonymous Author, in the Time of Henry the First. London: John Starkey, 1663. [xxvi], 210, [2], 211 (folding table) pp. Table misbound at end of text. Section titled Brevis Relatio de Willelmo, Nobilissimo Comite Normanorum has separate dated title page, with imprint "Typis Guil. Wilson pro Johanne Starkey," on leaf following p. 180. Quarto (7" x 5-1/2").

Later three-quarter calf over marbled boards, marbled edges, lettering piece and blind fillets to spine, front hinge mended. Some rubbing to extremities, rear joint starting at foot, crack in text block between pp. 176 and 177. Moderate toning and occasional faint dampspotting to text, edges trimmed closely just touching text in places, early repairs to fore-edges of a few leaves, edgewear to a few other leaves with minor loss to text (but not legibility). Brief early annotations in a few places, interior otherwise clean. \$300.

* Only edition. Gavelkind is a type of land tenure used mostly in Kent, but also in other parts of England, Ireland and Wales. It is a form of partible inheritance in which land descends equally to the decedent's sons. It was common during the Saxon era, but was gradually supplanted by primogeniture after 1066. Taylor's is one of the earliest books on this subject. (The first was Somner's 1660 Treatise of Gavelkind). English Short-Title Catalogue R30161. Order This Item

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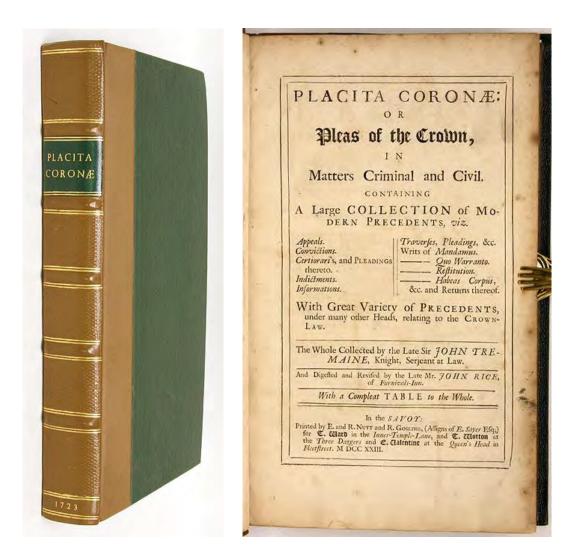
An Important Early Work on Writs

43. Theloall, Simon.

Le Digest des Briefes Originals, Et des Choses Concernants Eux. London: In Aedibus Richardi Tottelli, 1579. [viii], 424 ff. Includes dedication and table. Octavo (6" x 4").

Recent period-style vellum with lapped edges. Spine ends bumped, crack in text block between title page and following leaf. Some toning to text, light soiling, faint dampstaining to a few leaves, early owner signature and annotations to title page, other annotations in similar hand to a few other leaves, including a manuscript to the rear endleaves. A handsome copy. \$1,750.

* First edition. An important early work on writs, Theloall's *Digest* owes its origin to the suggestion of Staunford that it would be a good idea if lawyers would write treatises on the other titles of the abridgments similar to his study of the Title "Prerogative." Staunford illustrated his meaning by showing how the Title "Brief" might be treated. Theloall chose this title, and wrote a treatise on it for his own use. The manuscript, having been lent, eventually found its way to a printer. "It deserved to be printed, as it is the most orderly treatise on procedure, founded on the Year Books, that had yet appeared... Historically, it comes between the older commentaries upon writs and the modern books on procedure" (Holdsworth). A second edition was published in 1678. Holdsworth, A History of English Law V:381. English Short-Title Catalogue S118369. Beale, A Bibliography of Early English Law Books T499. Order This Item



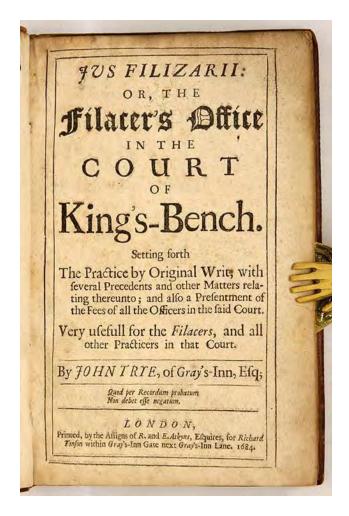
"A Considerable Collection"

44. Tremaine, Sir John [d. 1694]. Rice, John, Editor.

Placita Coronae: Or Pleas of the Crown, In Matters Criminal and Civil. Containing a Large Collection of Modern Precedents, Viz. Appeals. Convictions. Certiorari's, And Pleadings Thereto. Indictments. Informations. Traverses, Pleadings, &c. Writs of Mandamus. - Quo Warranto. - Restitution. - Habeas Corpus, &c. And Returns Thereof. With Great Variety of Precedents, Under Many Other Heads, Relating to the Crown-Law. With a Compleat Table to the Whole. [London]: printed by E. and R. Nutt and R. Gosling, (Assigns of E. Sayer Esq.) for T. Ward, 1723. [iv], 688, [36] pp. Title page preceded by one-page publisher advertisement. Folio (12-1/2" x 7-3/4").

Recent period-style quarter calf over pebbled cloth, raised bands, blind tooling and lettering piece to spine. Moderate toning and occasional light foxing to text, faint dampstaining to lower margins of final fifteen leaves. A handsome copy \$950.

* First edition. This book is included in Holdsworth's survey of the literature of eighteenth-century common law, where he calls it "a considerable collection." The precedents were digested and revised by Rice, who added a table giving the date of the case relating to each precedent and, if reported, a reference to a reporter. A second edition was published in 1793. Holdsworth, A History of English Law XII:363. English Short-Title Catalogue T174201. Order This Item



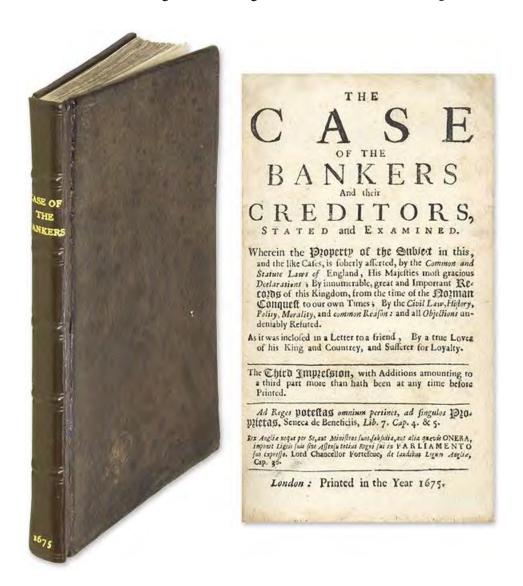
The Role of Filacers

45. Trye, John.

Jus Filizarii: Or, The Filacer's Office in the Court of King's-Bench. Setting Forth the Practice by Original Writ, With Several Precedents and Other Matters Relating Thereunto; And also a Presentment of the Fees of All the Officers in the Said Court. Very Useful for the Filacers, And all Other Practicers in that Court. London: Printed by the Assigns of R. and E. Atkyns, 1684. [xxii], 22, 34-274, [12] pp. Text continuous despite pagination. Octavo (7" x 4-1/2").

Contemporary sheep, blind rules to boards, blind fillets to spine. A few light scuffs to boards, moderate rubbing to extremities, chip to head of spine, corners bumped and somewhat worn, pastedowns loose, armorial bookplate of the Earls of Macclesfield to verso of front board, small embossed Macclesfield stamp to title page. Light toning to text, faint dampspotting in a few places, fold-lines to corners of a few leaves, minor worming to front endleaves. Early owner signature (Th Clarke) to front endleaf, annotations in his hand to rear endleaf. An appealing copy of a scarce title. \$950.

* Only edition. A filacer was an officer in the Court of Common pleas and other courts of common law. His role was to file original writs, issue process on writs and collect related court fees. The office was abolished in 1837. This manual, written by a member of Gray's Inn, provides an excellent guide to the functions they performed. Our copy once belonged to the library of Shirbirn Castle, the library of the Earls of Macclesfield, one of the finest private libraries in Great Britain. OCLC locates copies in 9 North American law libraries (Columbia, Harvard, Northwestern, Social Law, UC-Berkeley, University of Pennsylvania, University of Victoria, Yale, York University). Walker, *The Oxford Companion to Law* 470. English Short-Title Catalogue R21039. Order This Item



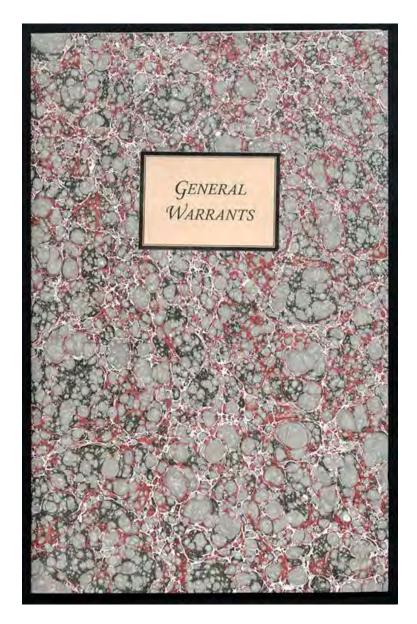
The King and His Creditors

46. [Turner, Thomas (d. 1679)].

The Case of the Bankers and Their Creditors, Stated and Examined. Wherein the Property of the Subject in This, And the Like Cases, Is Soberly Asserted, By the Common and Statute Laws of England, His Majesties Most Gracious Declarations; By Innumerable, Great and Important Records of This Kingdom, From the Time of the Norman Conquest to Our Own Times; By the Civil Law, History, Polity, Morality, And Common Reason: And All Objections Undeniably Refuted. As it Was Inclosed in a Letter To a Friend, By a True Lover of His King and Country, And Sufferer for Loyalty. London: S.n., 1675. [x], 147, [1] pp. Octavo (7" x 4-1/2").

Contemporary speckled calf rebacked in period style. Blind rules to boards, gilt title and raised bands to spine, endpapers renewed. A few minor nicks to boards, corners bumped. Light toning to text, heavier toning to title page and a few leaves. Contemporary annotations to rear endleaves, interior otherwise clean. \$950.

* Second and final issue, a much-enlarged version of the previous printing, a 44-page pamphlet printed in 1674. The Bankers' Case concerned the liability of the King to repay loans. The decision gave creditors of the crown the right to petition to the Barons of the Exchequer for breach of contract. This definition of a legal obligation marked a significant turning point in the relationship between king and subject. *English Short-Title Catalogue* R217081. Order This Item



Essence of the Fourth Amendment

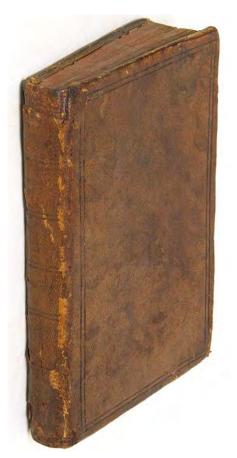
47. [Warrants].

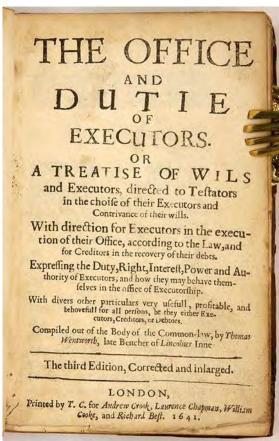
Considerations on the Legality of General Warrants, and the Propriety of a Parliamentary Regulation of the Same. To Which is Added, a Postscript on a Late Pamphlet Concerning Juries, Libels, &c. With Additions. London: Printed for W. Nicoll, At the Paper-Mill, In St. Paul's Church-Yard, 1765. [ii], 50 pp. Octavo (8" x 4-3/4").

Disbound pamphlet laid into recent marbled wrappers, printed title panel to front cover. Moderate toning, light foxing to some leaves, light soiling to title page. \$500.

* Second edition, published the same year as the first edition. This pamphlet is part of the literature that attacked the use of general warrants, which granted unlimited powers of search and seizure to the courts. Its argument that warrants should be issued only when probable cause exists was incorporated in the Fourth Amendment of the Bill of Rights. A reissue, designated the third edition, was published in Dublin in 1765. *English Short-Title Catalogue* T82802.

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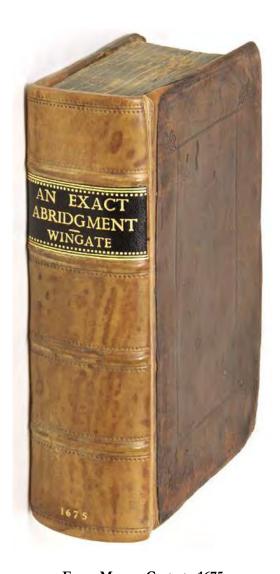
"The Foundation of All Similar Productions of the Kind"

48. Wentworth, Thomas [c.1568-1628].

The Office and Dutie of Executors. Or A Treatise of Wils and Executors, Directed to Testators in the Choise of Their Executors and Contrivance of Their Wills. With Direction for Executors in the Execution of Their Office, According to the Law, And for Creditors in the Recovery of Their Debts. Expressing the Duty, Right, Interest, Power and Authority of Executors, And How They May Behave Themselves in the Office of Executorship. With Divers Other Particulars Very Usefull, Profitable, And Behovefull for All Persons, Be They Either Executors, Creditors or Debtors. Compiled Out of the Body of the Common-Law, by Thomas Wentworth, Late Bencher of Lincolnes Inne. London: Printed by T. C. for Andrew Crooke, Laurence Chapman, William Cooke, and Richard Best, 1641. [xxviii], 127, [1], 145-271, [1] pp. First leaf and final page blank. Octavo (5-1/2" x 3-1/2").

Contemporary sheep, discreet recent repairs to spine ends and corners, blind rules to boards, blind fillets to spine. Negligible light staining and a few shallow scuffs to boards, moderate rubbing to extremities with some wear to spine and corners, hinges starting. Light toning to text, somewhat heavier in places, faint dampstaining to a few leaves. Early owner annotation to front free endpaper, interior otherwise clean. A nice copy. \$450.

* Third edition "corrected and inlarged," one of three editions from 1641. The "authorship of this treatise is ascribed to Mr. Justice Dodderidge, though the work is commonly Known as Wentworth's Executors. It constitutes the foundation of all similar productions of the kind, and has always been regarded as a high authority in these matters" (Marvin). This was a popular and well-received work. Two more editions were published in 1641. Eleven editions (and issues) followed, the last one in 1774. All are scarce. OCLC locates 8 copies of our edition in North American law libraries (Columbia, Georgetown, LA County, Library of Congress, UC-Berkeley, University of Georgia, University of Virginia, William & Mary). Marvin, Legal Bibliography 724-725. English Short-Title Catalogue R218906. Order This Item



From Magna Carta to 1675

49. Wingate, Edm[und (or Edmond)] [1596-1656].

An Exact Abridgment of All Statutes in Force and Use. From the Beginning of Magna Carta Untill 1641. By Edm. Wingate of Grayes-Inne, Esq; With a Continuation, Under Their Proper Titles, Of All Acts in Force and Use, Untill the Year 1675. And Alphabetically Digested Under Apt Titles. Whereto is Annexed Four Tables Directing to the Several Matters and Clauses Throughout the Said Statutes. [London]: Printed by John Streater, Eliz. Flesher, and Henry Twyford, 1675. [viii], 512, 517-756, [136] pp. Woodcut of arms of England on leaf facing title page. Octavo (6-3/4" x 4-1/4").

Contemporary calf, blind panels with corner fleurons to boards, rebacked in period style with raised bands and lettering piece, original endleaves retained. Some minor scuffs and scratches to boards, rubbing to board edges with wear to corners, hinges cracked. Moderate toning to text, occasional faint dampspotting, some edgewear to preliminaries, early annotations and pen doodles to endleaves, a few brief figures in tiny hand below arms of England. A nice copy. \$400.

* Fifth edition, revised. First published in 1642, Wingate's *Exact Abridgment* offered a shorter alternative to the lengthy compilations of Rastell and Pulton. A standard work, it was updated and reissued several times. Its final edition appeared in 1708. *English Short-Title Catalogue* R171954. Order This Item

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Heavily Annotated Copies of Four Year Books from the Reign of Henry VI

50. [Year Books].

[Henry VI, King (1421-1471)].

De Termino Michaelis Anno XXXVII. Henrici Sexti. [London: Imprinted...by Rychard Tottel the I. Daye of June in the Yere of Our Lord. 1575]. 38 ff.

[Bound with]

De Termino Michaelis Anno XXXVIII. Regni Regis Henrici Sexti. [London: Imprinted...by Rychard Tottel the V. Daye of Maye in the Yere of Our Lord. 1575]. 40 ff.

[And]

De Termino Michaelis Anno XXXIX. Henrici Sexti. [London: Imprinted...by Rychard Tottel the 21. Daye of June in the Yere of Our Lord. 1575]. [63] ff. Lacking ff. 9-28, 47, 48, 55, 61 (and final blank leaf), but bound with 9 ff from Tottel's Year Books from the 35th and 38th Regnal years. Signatures F and G, ff. 21-28, and leaves M1 and Q1, ff. 55 and 61, bound out of order.

[And]

Anno XXXVI.H.VI. [London: Imprinted...by Rychard Tottel, 1575]. 34 ff.

Folio (11" x 7-1/2"). Later vellum, blind rules to boards, hand-lettered title label to spine. Some soiling and a few minor stains, moderate rubbing to extremities, chipping to head of spine, another chip near foot, Boards slightly bowed, a few shallow cut marks to rear board, hinges starting, armorial bookplate and later presentation and private library bookplates to front pastedown. Moderate toning to text, somewhat heavier in places, occasional faint dampstaining, edgewear to margins in some places, a few tears and chips, lower corner lacking from a leaf in *Anno XXXIX* with minor loss to text (but not legibility). Margins annotated throughout in fine early hand. \$2,000.

* The margins of this volume are filled with annotations. All but a few are in a neat early hand; the others are in a somewhat later style. Most of these appear to be cross-reference to other cases in the Year Books. A few are interpretive comments. According to the presentation bookplates, this copy belonged to George Chaworth, First Viscount Chaworth of Armagh [c. 1568-1639], a lawyer, Irish Chief Justice and Member of the House of Commons between 1621 and 1624, and, in 1636, William Cartwright "an eminent lawyer." It is possible that they were the annotators. The rear endleaf in this volume was taken from a 1577 Tottel edition of Fitzherbert's *Abridgement. English Short-Title Catalogue* S101469, S101470, S101474, S101466. Beale, *A Bibliography of Early English Law Books* R213, R217, R222, R207. Order This Item