

ITEMS ON DISPLAY AT THE

2015 AALL ANNUAL CONFERENCE

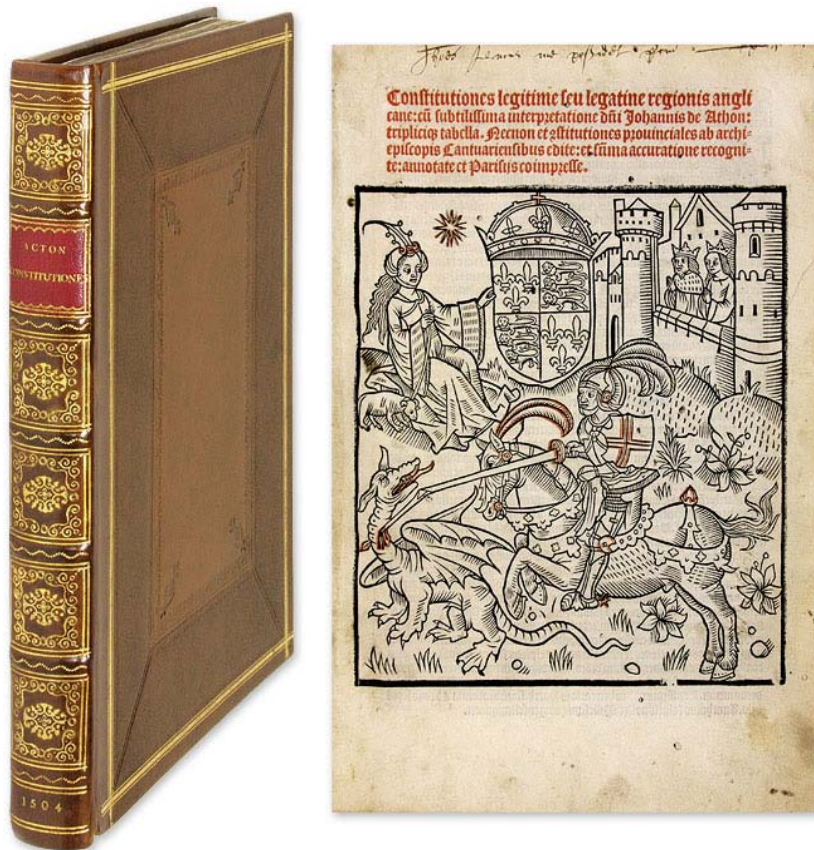
July 14, 2015



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Items on Display at the 2015 AALL Annual Conference
Philadelphia, PA, July 18-21, 2015



"A Little Too Human to be Strictly Scientific"

1. Acton, John [d. 1350].

[Badius, Josse (1462-1535), Editor].

Constitutiones Legitime seu Legatine Regionis Anglicane: Cu[m] Subtilissima Interpretatione D[omi]ni Johannis de Athon: Triplici[ue] Tabella. Necnon et [Con]stitutiones Provinciales ab Archiepiscopis Cantuariensibus Edite: Et Sum[m]a Accuratione Recognite: Annotate et Parisiis Coimprese. [Paris: Wulfgangi Hopilii et P[ro]vissimi Bibliopole Joa[n]nis Co[n]flue[n]tini, (13) September 1504]. Collation: A-B8, a-e8, f10, g-o8, p6, q-s8 (-r1-8), t-v6 (-v6, a blank). [xvi], clv ff. Complete. Main text in parallel columns surrounded by two-column linear gloss. Quarto (10-1/2" x 7-1/2").

Recent calf, boards have gilt rules enclosing handsomely tooled blind panels, gilt spine with raised bands and lettering piece, endpapers renewed. Printed throughout in red and black, woodcut pictorial title page, divisional title page (f. 1) and vignette at head of main text (f. 2), woodcut initials, some pictorial. Light toning to text, faint dampstaining in places, mostly confined to margins, occasional worming, mostly to rear of text, with negligible loss to text, brief early annotations to a few leaves. A handsome copy. \$4,500.

* First edition by Badius. Acton's *Constitutiones* was the first major treatise on English canon law. It is a commentary on the constitutions (edicts) of Otto and Ottobone, the papal legates in England during the mid-thirteenth century. For decades, these constitutions formed the majority of English canon law. Acton's commentary was authoritative. Several copies circulated in manuscript. It was first printed in 1496 by Wynkyn de Worde in an edition of William Lyndwood's *Provinciale*. (This led several people to attribute *Constitutiones* to Lyndwood.) An excellent summation of English canon law at the time, it is also notable for its insights into the Church's place in English society. As Maitland notes in *Roman Canon Law in the Church of England*, Acton was "a little too human to be strictly scientific. His gloss often becomes a growl against the bad world in which he lives, the greedy prelates, the hypocritical friars, the rapacious officials" (7-8). OCLC locates 9 copies of this edition in North American law libraries (Columbia, George Washington, Harvard, Library of Congress, Ohio State, UC-Berkeley, University of Minnesota, Washington University, Yale). *English Short-Title Catalogue* S104759. Beale, *Bibliography of Early English Law Books* T404.



Dictionary of Roman Law and Legislation

2. Agustín, Antonio [1517-1586].

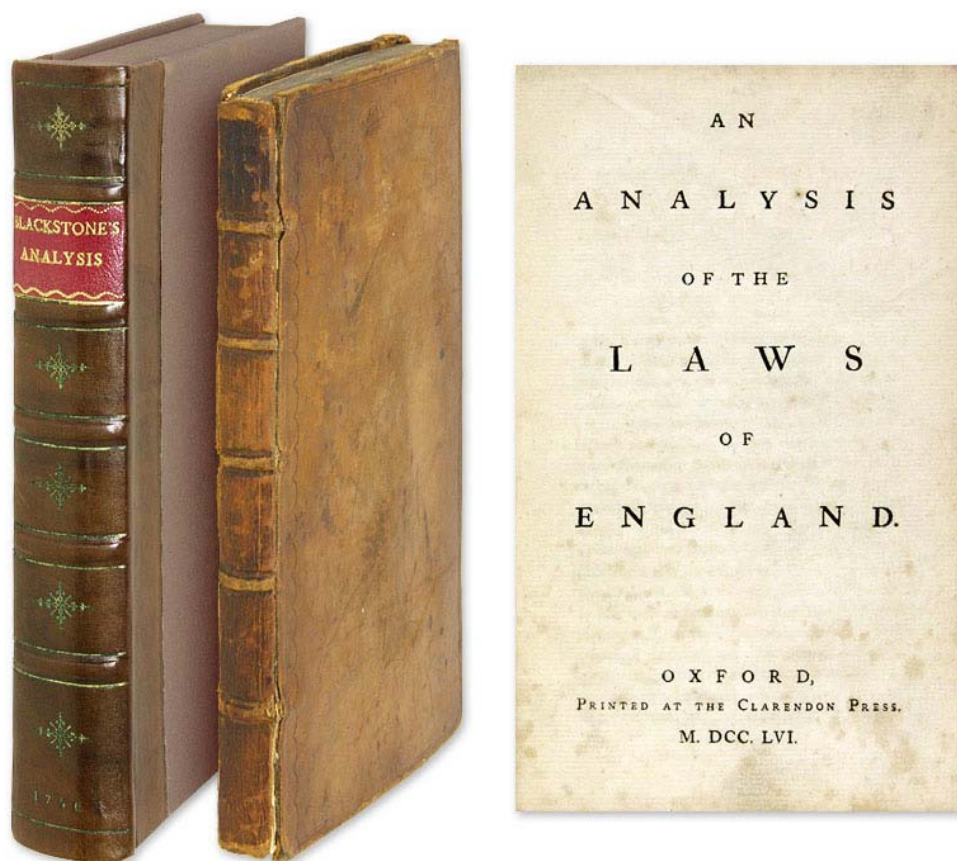
Orsino, Fulvio [1529-1600], Editor.

Lipsius, Justus [1547-1606].

De Legibus et Senatusconsultis Liber: Adiunctis Legum Antiquarum & Senatusconsultorum Fragmentis, Cum Notis Fulvii Ursini, Multo Quam Antea Emendatius, Additis Etiam Locorum Quorundam Notis: Cum Duobus Indicibus Locupletissimis: Adiectus est Iusti Lipsii Libellus de Legibus Regiis & X. Viralibus. Paris: Apud Ioannem Richerium, via Diui Ioannis Lateranensis, sub signo Arboris Virescentis, 1584. [xvi], 221, [1], 46 pp., [24] leaves of tipped-in bifolium plates (numbered [cross]1-[cross]35). Folio (14" x 9").

Contemporary limp vellum (colored green) with lapped edges, later gilt ornaments to spine, ties lacking. Rubbing to boards and extremities, some wrinkling to corners, minor worming to front board, small chip to front joint, spine ends bumped, corners worn, hinges cracked, front pastedown renewed, other endleaves lacking. Large woodcut printer device to title page, woodcut decorated initials, head-pieces and tail-pieces. Moderate toning to text, a bit heavier in places, occasional faint dampstaining, early annotations to a few leaves. An appealing copy. \$2,850.

* Second edition. Agustín, a Spanish cleric and jurist, was Archbishop of Tarragona. He was a leading member of the group of antiquarians in mid-sixteenth century Rome who were involved in the study of ancient Roman institutions. First published in 1583, *De Legibus* is a dictionary of Roman law with an emphasis on legislation. The final section, a set of plates preceded by a half-title reading *Leges et Senatusconsulta Quae in Veteribus cum ex Lapide tum ex Aere Monumentis Reperiuntur*, is a collection of transcribed documents. *De Legibus* went through four editions, the last in 1694. All editions are scarce. OCLC locates 4 copies of the second edition in North America (Emory Theological Seminary, Library of Congress, St. Louis University, University of King's College, Nova Scotia). Adams, *A Catalogue of Books Printed on the Continent of Europe* A2231.



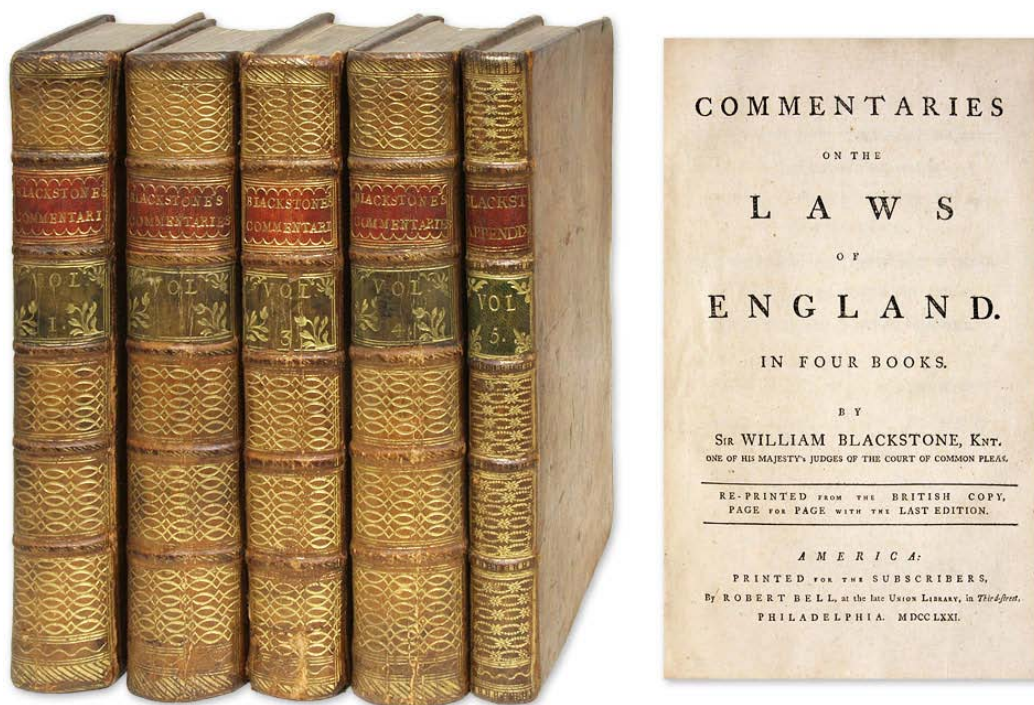
The Outline for Blackstone's *Commentaries*

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

An Analysis of the Laws of England. Oxford: Printed at the Clarendon Press, 1756. x, [iv], 180 pp. 2 copperplate tables, 1 folding. Octavo (7-3/4" x 5").

Contemporary calf, blind rules and fillets to boards, rebacked retaining existing unlettered spine with raised bands. Light rubbing and some scratches to boards, moderate rubbing to extremities, corners bumped and somewhat worn, early armorial bookplate (of Sir John Hussey Delaval) to front pastedown, lower corners of rear endleaves restored. Light toning to text, somewhat heavier in places, occasional faint dampspotting. Delaval's signature and a later owner stamp (of Arthur W. Baldwin) to front free endpaper, interior otherwise clean. Book housed in period-style quarter-calf over cloth clamshell box, raised bands and lettering piece to spine. An appealing copy of a scarce title. \$5,000.

* First edition. Published anonymously, the *Analysis* is a synopsis of Blackstone's Vinerian lectures at Oxford. Issued as a companion to his course, it was, in effect, the outline for Blackstone's *Commentaries on the Laws of England* (1765-1769). The main text is preceded by a detailed diagrammatic table of contents. The plates depict lines of descent and consanguinity. OCLC locates 14 copies in North American law libraries. *English Short-Title Catalogue* T56692. Eller, *The William Blackstone Collection in the Yale Law Library* 217. Laeuchli, *A Bibliographical Catalog of William Blackstone* 520.



Exceptional Set in Elaborate Colonial Bindings of the First American Edition of Blackstone's *Commentaries* with the Fifth Appendix Volume

4. Blackstone, Sir William.

Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition. America [Philadelphia]: Robert Bell, 1771-1772. Four volumes. [viii], ii, [vi], 485; [viii], 520, xix; [viii], 455, [1], xxvii; [xxx], vii, 39 pp. Volume III leaf Iii2 (pp. 451-452) lacking, signature Mmm (pp. xvii-xxiv) lacking, replaced with signature Mmm from Volume I due to a binder error. Copperplate Table Of Consanguinity and copperplate folding Table of Descents in Volume II. 22-page subscriber list in Volume IV. Publisher advertisement in Volume I, two leaves before title page, and Volume III, p. 456. There are also tipped-in publisher advertisements to front endleaves of Volumes III and IV.

[And]

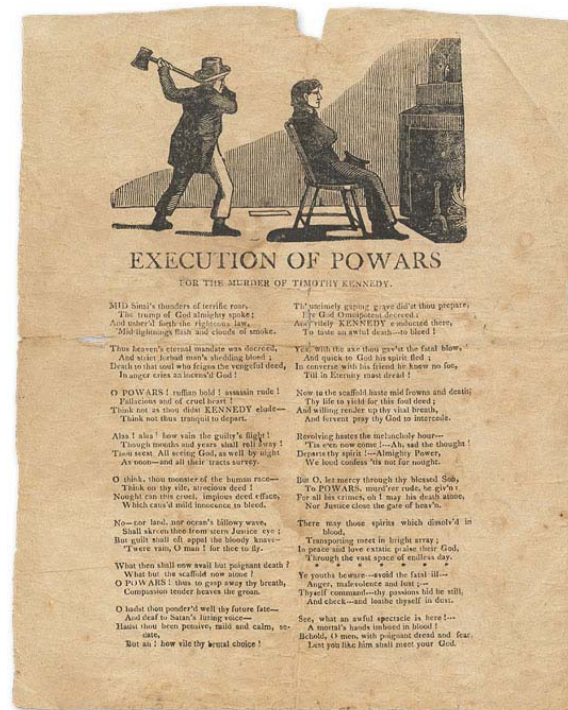
[Priestley, Joseph (1733-1804),

Sir William Blackstone, Philip Furneaux (1726-1783), Sir Michael Foster (1689-1763) and William Murray, Earl of Mansfield (1705-1793)].

An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries, Relating to the Dissenters. II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's Reply. IV. The Case of the Late Election of the County of Middlesex Considered on the Principles of the Constitution and the Authorities of Law. V. Furneaux's Letters to the Hon. Mr. Justice Blackstone Concerning His Exposition of the Act of Toleration, and Some Positions Relative to Religious Liberty, In His Celebrated Commentaries on the Laws of England. VI. Authentic Copies of the Argument of the Late Hon. Mr. Justice Foster in the Court of Judge Delegates, and of the Speech of the Right Hon. Lord Mansfield in the House of Lords, in the Cause Between the City of London and the Dissenters. Philadelphia: Printed for the Subscribers, by Robert Bell, 1773. [iv], iv, [5]-119, [1], xii, 155, [1] pp. Includes one-page publisher advertisement. Five volumes in all. Complete set.

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

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



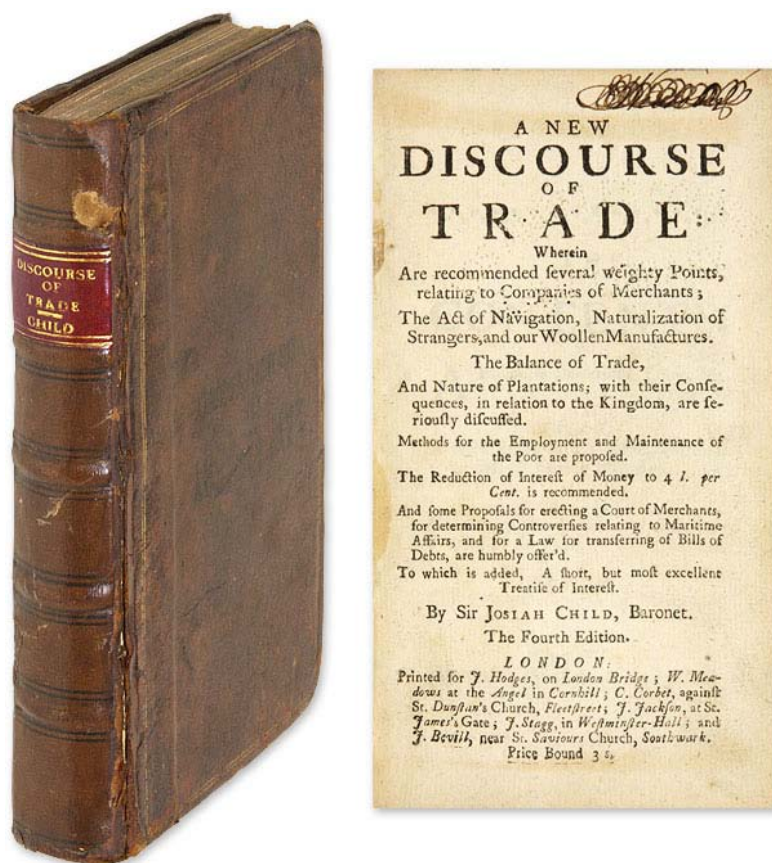
"See, What an Awful Spectacle is Here!"

5. [Broadside].
[Execution].
[Boston, Massachusetts].

Execution of Powars for the Murder of Timothy Kennedy. [Boston, 1820]. 10-1/2" x 8" Broadside. Text in two columns. Large woodcut vignette depicting Kennedy's murder above text.

Moderate browning and faint dampspotting, vertical and horizontal fold lines. Small chip to top edge, minor tears along fold lines. \$1,500.

* This account in verse describes a murder case involving two Irish-Americans living in Boston. Michael Powers (or Powars), a "ruffian bold," killed Kennedy with a broadaxe and buried him in the cellar of his home. He was provoked because Kennedy would not pay the passage money loaned by Powers to bring him to the United States. Powers was defended by Daniel Webster, but he could not save his life. OCLC locates 2 copies (American Antiquarian Society, University of Michigan). Wegelin, *Early American Poetry: A Compilation of the Titles of Volumes of Verse and Broadside* 1281.



A Classic Statement of English Mercantilist Thought

6. Child, Sir Josiah [1630-1699].

A New Discourse of Trade: Wherein are Recommended Several Weighty Points, Relating to Companies of Merchants; The Act of Navigation, Naturalization of Strangers, And our Woollen Manufactures. The Balance of Trade, And Nature of Plantations; With their Consequences, In Relation to the Kingdom, Are Seriously Discussed. Methods for the Employment and Maintenance of the Poor are Proposed. The Reduction of Interest of Money to 4 l. Per Cent. Is Recommended. And some Proposals for Erecting a Court of Merchants, For Determining Controversies Relating to Maritime Affairs, And for a Law for Transferring of Bills of Debts, Are Humbly Offer'd. To Which is Added, A Short, But Most Excellent Treatise of Interest. London: Printed for J. Hodges [et al.], [c.1745]. [iv], xlvi, 260, [2] pp. Includes two-page publisher advertisement. 12mo. (6-1/4" x 3-3/4").

Contemporary calf with later rebacking, gilt rules to boards, raised bands and lettering piece to spine, endpapers renewed. Moderate rubbing to extremities with wear to joints and foot of spine, corners bumped and lightly worn. Light toning to text, early struck-through owner signature to head of title page. Ex-library. Inkstamps to boards, edges and endleaves, bookplate to front pastedown, small perforated stamp to title page. A solid copy. \$250.

* Fourth (stated) edition, one of three issues dated to 1745. One of the classic statements of English mercantilist thought, this book was first published in 1690 as *A Discourse About Trade*. It went through at least ten editions and issues into the 1770s. It discusses the trade policies of the Netherlands, then a leading commercial power, the commercial potential of Britain's colonies and a policy to limit interest rates to encourage the competitive ability of English merchants. *The Kress Library of Business and Economics* 2070. *English Short-Title Catalogue* T90664.



**1671 Edition of Dugdale's *Origines Juridiciales*
with 138 Added Leaves Filled with Illustrations**

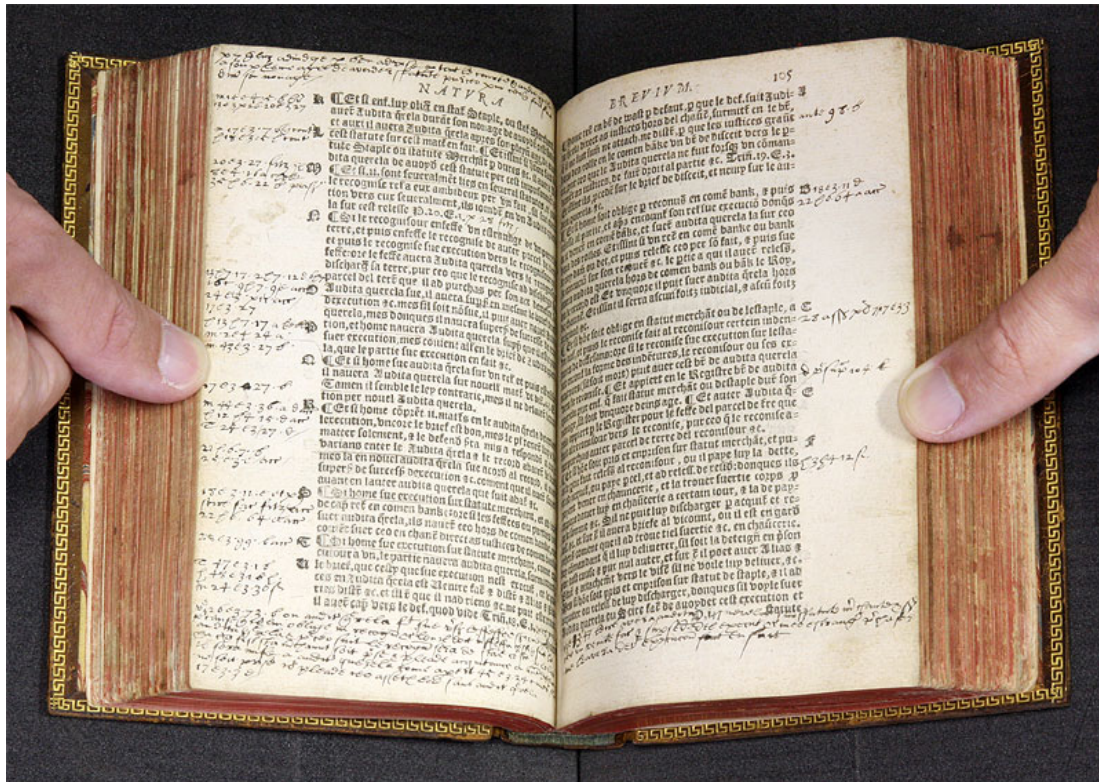
7. Dugdale, Sir William [1605-1686].

Origines Juridiciales, Or Historical Memorials of the English Laws, Courts of Justice, Forms of Tryal, Punishments in Cases Criminal, Law-Writers, Law-Books, Grants and Settlements of Estates, Degree of Serjeant, Innes of Court and Chancery. Also a Chronologie of the Lord Chancelors and Keepers of the Great Seal, Lord Treasurers, Justices Itinerant, Justices of the Kings Bench and Common Pleas, Barons of the Exchequer, Masters of the Rolls, Kings Attorneys and Solicitors, and Serjeants at Law. With Additions. [London]: Printed by Tho. Newcomb, for Abel Roper, John Martin, and Henry Herringman, 1671. [viii], 336, [4], 117, [3] pp. Copperplate coats-of-arms and heraldic devices, five (of six) portrait plates (of Heath, Clenche, Hide, Bridgeman and Crew), the sixth plate (of Coke), and leaves Bb1, Bb3 and Ee3 (pp. 185-186, 189-190, and 213-214) lacking; these and the plate of Coke supplied in facsimile. 138 leaves of images added by a previous owner, 108 full-page, 3 folding. Main text in parallel columns. Folio (13-3/4" x 8-3/4").

Recent period-style paneled calf, gilt rules to boards enclosing central frames with lozenge pattern, raised bands and lettering piece to spine, endpapers renewed, all edges gilt, partially detached ribbon marker. Title page printed in red and black. Moderate toning in places, early annotations and owner signatures (S.G. Fenton) to front free endpaper, occasional annotations to added plates, interior otherwise clean. \$2,950.

* Second edition. Dugdale's *Origines* provides a wealth of information about the sources of English law and the early history of English legal institutions, including the Inns of Court, on which it is a chief authority. It is a well-documented work: sources of manuscripts are listed, and, in many instances, the sources of the information for the printed book entries are given. This copy is missing one of its original plates. However this loss is compensated by the addition of more than 100 leaves filled with copperplates, lithographs and woodcuts from a variety of sources. These depict royalty, jurists, ecclesiastical and political leaders, the Inns of Court and other significant structures, documents and notable moments in history. *English Short-Title Catalogue* R225633. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:22 (13).





Heavily Annotated Copy of a Work
Highly Esteemed by Coke and Blackstone

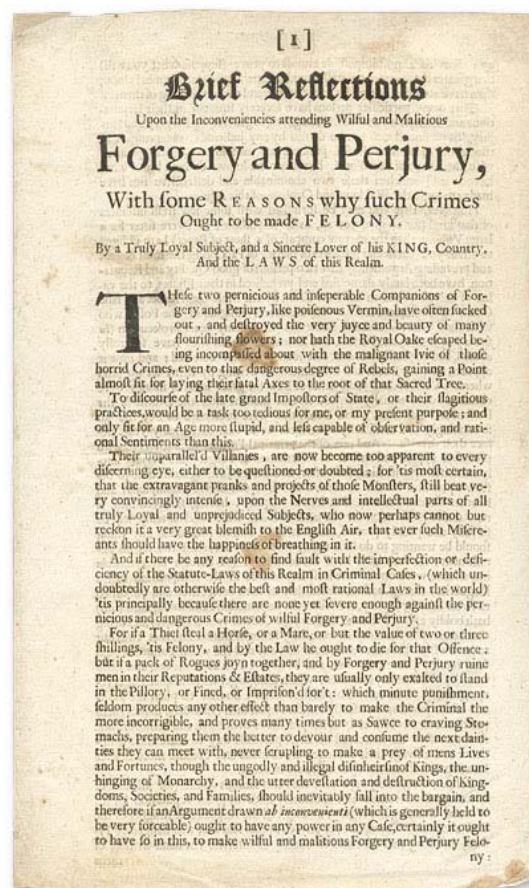
8. Fitzherbert, Anthony [1470-1538].

Rastell, William [1508?-1565].

La Nouvelle Natura Breuium [m] du Iudge Tresreverende Monsieur Anthonie Fitzherbert, Dernierement Renue & Corrige per Lauteur, Avecques un Table Perfaicte des Choses Notables Conteneues en Ycelle, Novelment Co[m]posee per Guillaume Rastell, & Iamais per Cydeuaunt Imprimee. London: In Aedibus Richardi Tottelli, 1553 [i.e. 1560 colophon]. [xxxii] of [xxxiii], 271, [1] ff. The missing leaf is a blank. Octavo (6-1/4" x 4-1/4").

Nineteenth-century paneled calf, dentelles to board edges and interior, rebaked retaining earlier spine, raised bands and lettering piece to spine, edges rouged, marbled pastedowns, free endpapers lacking (or never present). Moderate rubbing to extremities with some wear to spine ends, hinges cracked, armorial bookplate to rear pastedown. Title printed within woodcut architectural border. Some toning to interior, very faint dampstaining to portions of text, dampspotting to a few leaves, light soiling and some edgewear to title page. Extensive annotations in early court hand to endleaves, title page and most of text. An appealing wide-margined copy. \$5,000.

* 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. Some of the annotations in our copy offer commentary or cite passages in other treatises, such as Lambard's *Eirenarcha*. A few combine references to cases, commentary and a treatise citation. *English Short-Title Catalogue* S113138. Beale, *A Bibliography of Early English Law Books* T344.



**"Forgery and Perjury, Like Poisenous Vermin, Have Often Sucked Out,
and Destroyed the Very Juyce and Beauty of Many Flourishing Flowers"**

9. [Forgery].

[Perjury].

[Great Britain].

Brief Reflections Upon the Inconveniencies Attending Wilful and Malitious Forgery and Perjury, With some Reasons Why Such Crimes Ought to be Made Felony. By a Truly Loyal Subject, And a Sincere Lover of His King, Country, And the Laws of this Realm [Running title]. [London: Printed for Mark Pardoe, 1685]. 4 pp. Folio (11" x 6-1/2").

Single folded leaf, light soiling and a few minor stains, moderate edgewear and a few tiny tears. A well-preserved copy of a rare item. \$1,250.

* Only edition. The anonymous author calls for the redefinition of the "pernicious and inseparable" common-law crimes of forgery and perjury as statutes, and thus felonious. This distinction would allow for the dispensing of capital sentences instead of the "minute punishment" of the pillory, fines or imprisonment, which "seldom produces any other effect than barely to make the Criminal the more incorrigible, and proves many times but as Sawce to craving Stomachs, preparing them the better to devour and consume the next dainties they can meet with" (2). OCLC locates 4 copies, none in North America (British Library, Cambridge University, National Library of Scotland, University of Wales, Lampeter), the ESTC adds 2 more (Bodleian Library, Dublin Honourable Society of King's Inns). *English Short-Title Catalogue* R41280.



First English-Language Edition of Fortescue's *De Laudibus*

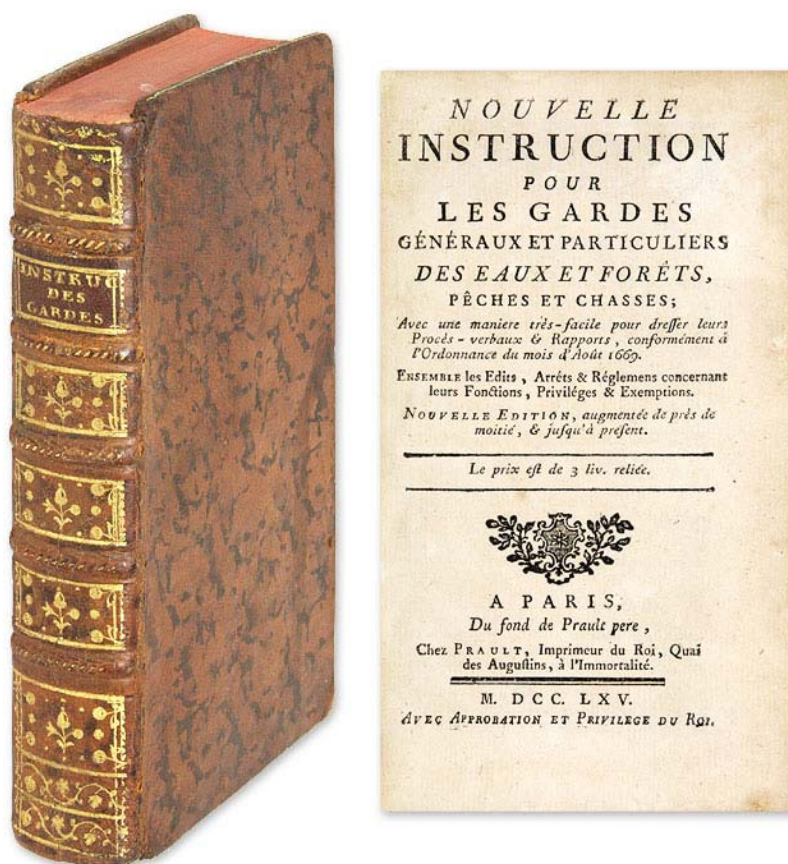
10. Fortescue, Sir John [1394?-1476?].

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

A Learned Commendation of the Politique Lawes of England: Wherin by Moste Pitthy Reasons and Evident Demonstrations They are Plainely Proved Farre to Excell Aswell the Civile Lawes of the Emperie, As Also All Other Lawes of the Worlde, With a Large Discourse of the Difference Betwene the ii. Governementes of Kingdomes: Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conjoynded. Written in Latine Above an Hundred Yeares Past, By the Learned and Right Honorable Maister Fortescue Knight, Lorde Chauncellour of England in ye Time of Kinge Henry VI. and Newly Translated into Englishe by Robert Mulcaster. [London: In Fletestrete Within Temple Barre, At the Signe of the Hand and Starre, by Rychard Tottill, 1567]. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/4").

Contemporary calf, blind panels with corner fleurons and large central fleurons to boards, rebaced in period style, raised bands and gilt ornaments to spine, ties lacking. Some rubbing to extremities, corners worn, hinges cracked, small later owner bookplate to verso of front endleaf, crack in text block between ff. 2 and 3, some edgewear to preliminaries. Light toning to text, faint dampstaining in places. Early and somewhat later signatures and annotations to endleaves, interior otherwise clean. An appealing copy. \$7,500.

* First edition in English. *De Laudibus Legum Angliae*, a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe. It also compares the common and Roman systems and extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first published (in Latin) in 1537. "Fortescue was a favorite among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the Common Law" (Marvin). This was the first work to examine extensively trial by jury and the Inns of Court. OCLC locates 4 copies in North American law libraries (Georgetown, Harvard, LA County, UVA). Marvin, *Legal Bibliography* 321. Beale, *A Bibliography of Early English Law Books* T357. *English Short-Title Catalogue* S102454.



An Early Example of Environmental Law

11. [France].

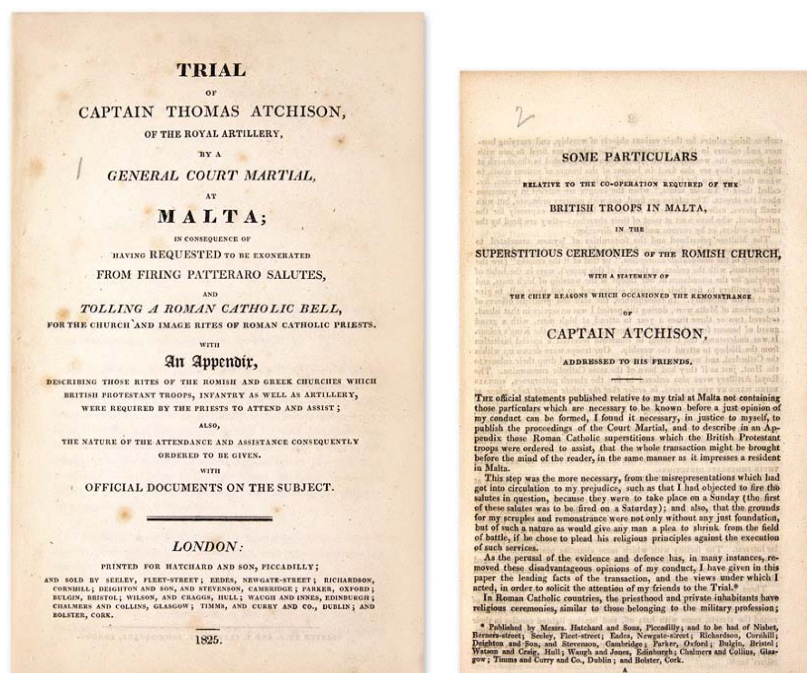
[Forestry Law].

[Fish and Game Law].

Nouvelle Instruction Pour les Gardes Generaux et Particuliers des Eaux et Forets, Peches et Chasses. Avec Maniere Tres-Facile pour Dresser leur Proces-Verbaux & Rapports, Conformement a l'Ordonnance du Mois d'Aout 1669. Ensemble les Edits, Arrêts & Reglamens Concernant Leurs Fonctions, Privileges & Exemptions. Nouvelle Edition, Augmentee de pres de Moitie & Jusqu'a Present. Paris: Chez Prault Pere, 1765. xvi, 503 pp. 12mo. (6-1/2" x 3-3/4").

Contemporary mottled sheep, gilt spine with raised bands and lettering piece, marbled endpapers, gilt rules to board edges, edges rouged. Light rubbing, corners bumped, head of spine worn away, minor worming to pastedown and front endleaves, rear hinge starting at foot. Moderate toning, light foxing in a few places, internally clean. A handsome copy. \$300.

* Second edition. First published in 1741, this is a comprehensive treatise on forest and game law during the *Ancien Régime*. Much of this book is devoted to the decree of August 1669. A notable early example of environmental legislation, it regulated the use of forests to insure a steady supply of wood for the construction of warships. It also ordered the planting of new trees and the careful management of forest resources. It remained in effect until it was supplanted by the *Code Forestier* of 1827. The other laws discussed in this treatise also aimed to conserve fish and game by restricting the number of people who can legally fish and hunt. These were not environmental measure, but laws to protect licensed hunters and fishermen and the hunting grounds of the nobility. A third edition was published in 1692. OCLC locates no copies of any edition in a North American law library. We located 1 copy of the second, however, at George Washington University Law School and a third edition at Harvard Law School. Not in Camus.



Eight Scarce Titles Concerning the Status of Catholics in Early Nineteenth-Century Britain

12. [Great Britain].

[Catholics].

Atchison, Thomas, Defendant.

Trial of Captain Thomas Atchison, Of the Royal Artillery, By a General Court Martial, At Malta; In Consequence of Having to be Exonerated from Firing Patteraro Salutes, And Tolling a Roman Catholic Bell, For the Church and Image Rites of Roman Catholic Priests. With an Appendix, Describing Those Rites of the Romish and Greek Churches which British Protestant Troops, Infantry as Well as Artillery, Were Required by the Priests to Attend and Assist; Also, The Nature of the Attendance and Assistance Consequently Ordered to be Given. With Official Documents on the Subject. London: Printed for Hatchard and Son, 1825. viii, 91 pp.

[Bound with]

[Atchison, Thomas].

Some Particulars Relative to the Co-Operation Required of the British Troops in Malta, In the Superstitious Ceremonies of the Romish Church, With a Statement of the Chief Reasons which Occasioned the Remonstrance of Captain Atchison, Addressed to his Friends. [London: J. And T. Clarke, Printers (1826)]. 15 pp.

[And]

Wix, Samuel.

Reflections Concerning the Expediency of a Council of the Church of England and the Church of Rome Being Holden, With a View to Accommodate Religious Differences, And to Promote the Unity of Religion in the Bond of Peace: Humbly, But Earnestly, Recommended to the Serious Attention of His Royal Highness the Prince Regent: The Most Reverend the Archbishops; The Right Reverend the Bishops; The Reverend the Clergy, And All Lay Persons, Who are Able and Willing Dispassionately to Consider the Important Subject. Second Edition, With Additions. London: Printed for F.C. And J. Rivington, 1819. [xxix], 108 pp.

[And]

[Five Pamphlets Relating to Catholicism in Great Britain].

Octavo (8" x 5"). Recent period-style quarter calf over marbled boards, gilt fillets and lettering piece to spine, hinges mended. Moderate toning, light foxing to a few leaves. Early manuscript table of contents to front free endpaper, item numbers in same hand at head of each title. \$1,250.

* This volume collects eight scarce items concerning British and Irish Catholics during the second phase of Catholic Emancipation. The other titles are numbers 4-8 of the periodical *Antibiblion, Or the Papal Tocsin* (1817, 1818), *A Correspondence Which Arose out of the Discussion at Carlow Between a Protestant and a Roman Catholic Clergyman, To Which are Annexed, Notes and Observations by the Rev. Robert Daly* by Robert Daly and Richard Clowry (1825), *Faith, Hope, And Charity: The Substance of a Sermon Preached at the Dedication of the Catholic Chapel at Bradford, in the County of York, On Wednesday, July 27, 1825* by Peter Augustine Baines (1825), Number II of a periodical, *Supplement to the Roman Catholic Expositor, And Friend of Ireland* (1824) and *Popery the Religion of Heathenism: Being the Letters of Ignotus Published in "The Times" Newspaper in the Conclusion of the Year 1817. With Additions, Proving the Conformity Which Subsists Between the Romish Religion and the Religion of the Ancient Heathens* by John Pynder (1818).



The First English Translation of Grotius

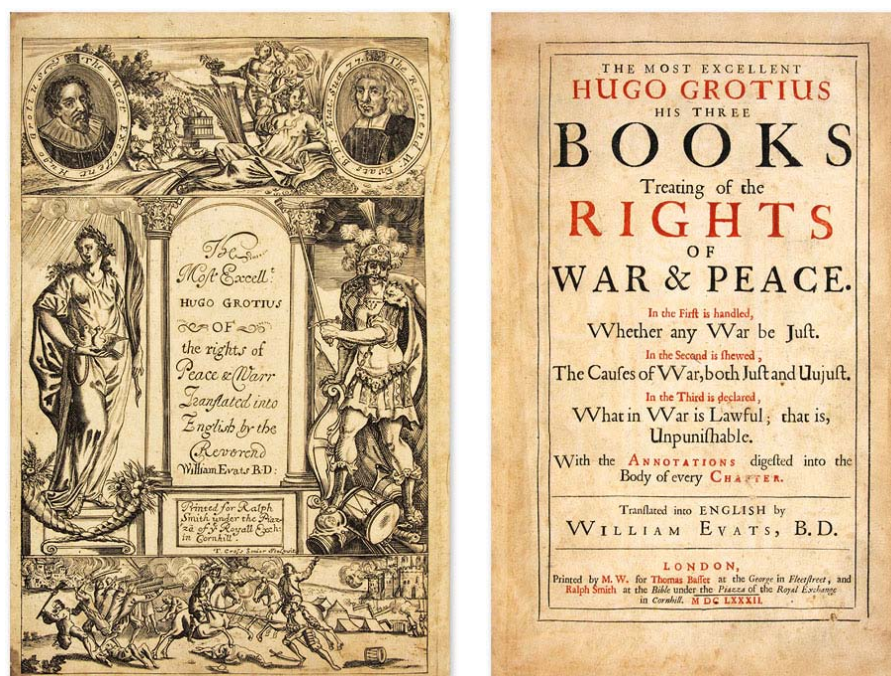
13. Grotius, Hugo [1583-1645].

[Barksdale, Clement (1609-1687), Editor and Translator].

The Illustrrious Hugo Grotius: Of the Law of Warre and Peace, With Annotations. III. Parts. And Memorials of the Author's Life and Death. London: Printed by T. Warren, For William Lee, 1655. [lxxx], [ii], 660, [82 of 92] pp. Lacking index. Two-page list of biblical references misbound at beginning of text after [p. lxxx]. Copperplate portrait frontispiece. Eight-page publisher catalogue. Octavo (6-1/2" x 4").

Contemporary calf, blind rules to boards, early rebacking with raised bands and gilt title, repairs to corners, hinges mended. Some rubbing to extremities, corners bumped, a few minor scuffs to boards, hinges partially cracked. Moderate toning to text, some edgewear and minor tears to preliminaries, repair to fore-edge of frontispiece (with no loss to text). Underlining and annotations in a few places, interior otherwise clean. Ex-library. Bookplate to front free endpaper. A scarce title. \$3,500.

* Reissue of the first English translation, 1654, one of two from 1655, the other with a cancel title page identifying the editor as "C.B." First published in 1625 *De Jure Belli et Pacis*, this momentous work describes situations in which war is a valid tool of law enforcement and outlines principles for the use of force. Though based on Christian natural law, Grotius advances the novel argument that his system would still be valid if it lacked a divine basis. In this regard he points to the future by moving international law in a secular direction. Barksdale's annotated translation, the first in English, appeared in 1654. It includes an original biographical sketch of the author. Barksdale edited this work considerably and added numerous annotations to add a stronger Christian component. These editorial changes reflect contemporary debates about the nature of foreign policy and the roles of civil and ecclesiastical authority. *English Short-Title Catalogue* R16252. Ter Meulen and Diermanse, *Bibliographie de Grotius* 628.



First Edition of the First Complete English Translation

14. Grotius, Hugo.

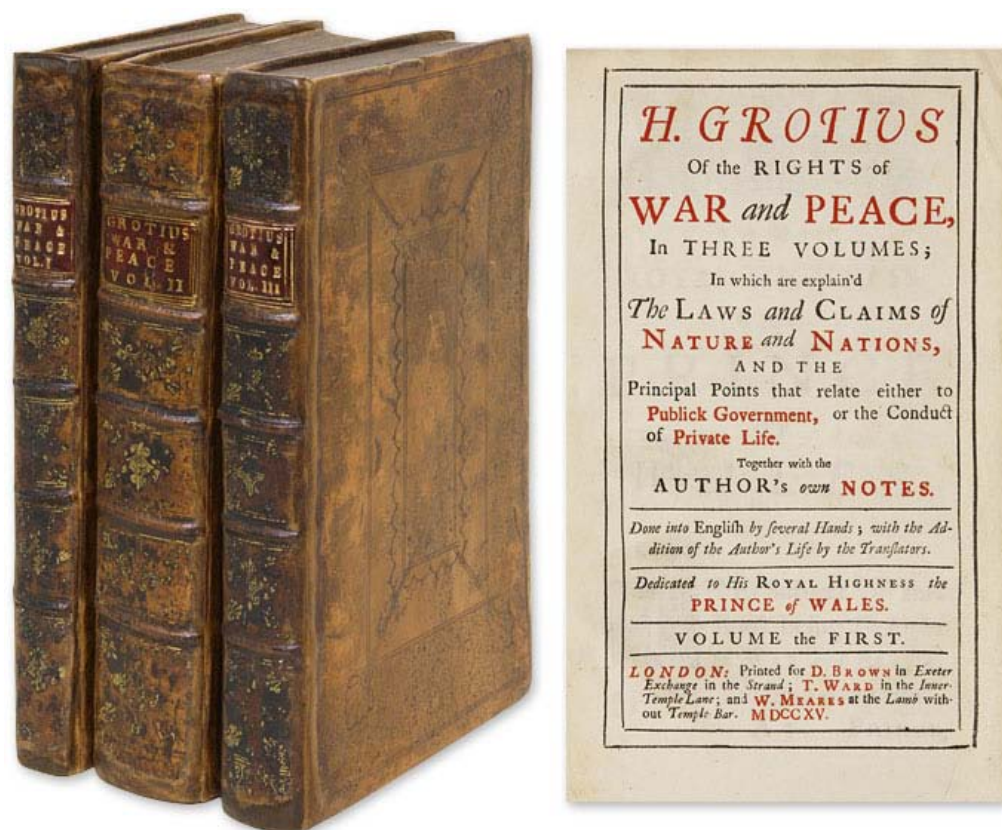
Evats, William [c.1606-1677], Translator.

The Most Excellent Hugo Grotius His Three Books Treating of the Rights of War & Peace. In the First is Handled, Whether any War be Just. In the Second is Shewed, The Causes of War, Both just and Unjust [sic]. In the Third is Declared, What in War is Lawful; That is, Unpunishable. With the Annotations Digested Into the Body of Every Chapter. Translated into English by William Evats, B.D. London: Printed by M[argaret] W[hite] for Thomas Basset, 1682. [ii], xxi, [7], 220, 361-572, [32] pp. Extra copperplate pictorial title page. Text continuous despite pagination. Folio (12-1/2" x 8").

Recent period-style paneled calf, raised bands and lettering piece to spine, pictorial title page re-hinged. Main title page printed in red and black, woodcut head-pieces. Moderate toning, minor edgewear and light soiling to preliminaries, spark burns and offsetting from laid-in items to a few leaves. Owner inscription from 1945 to front endleaf (discussed below), interior otherwise clean. A solid copy of an important edition in a handsome binding. \$4,500.

* First edition of the first complete translation in English. First published in Paris in 1625, *The Rights of War and Peace* established the system of modern public international law, based on the concept of "*droit naturel*," a morality-based law that superseded the personalities of individuals or nations. Grotius describes the situations in which war is a valid tool of law enforcement and outlines the principles of armed combat. Though based on Christian natural law, Grotius advanced the novel argument that his system would still be valid if it lacked a divine basis. In this regard he pointed to the future by moving international law in a secular direction. The first English edition, an abridged translation by Clement Barksdale, was published in London in 1654. It was reissued twice in 1655. The translation by Evats, which includes original notes, followed in 1682. These early English translations, both by Oxford-based theologians, mark an important phase in the reception history of this book. These projects were undertaken due to the author's reputation as a leading Protestant scholar and a faith-motivated desire to reduce international conflict.

This copy belonged to a Walton Ferris, an official in the U.S. State Department. His note on a front endleaf reads: "Ordered from London/ on V-E Day, May 8, 1945,/ received on the day of/ Japan's surrender/ August 14, 1945/ W.F." Now housed in a folder, this book has Ferris's invoice, along with several newspaper clippings, offprints and other items relating to the end of World War II, international law, Grotius and the Nuremberg Trials. Among these items is a six-page press release from the State Department, dated November 20, 1944, describing the United Nations, "a general international organization proposed tentatively by the United States, Great Britain, the Soviet Union and China on October 9, 1944, following the conversations of their representatives held at Dumbarton Oaks, Washington, D.C." *English Short-Title Catalogue* R8527. Ter Meulen and Diermanse, *Bibliographie de Grotius* 630.



**Handsome Early English
Translation of *De Jure Belli ac Pacis***

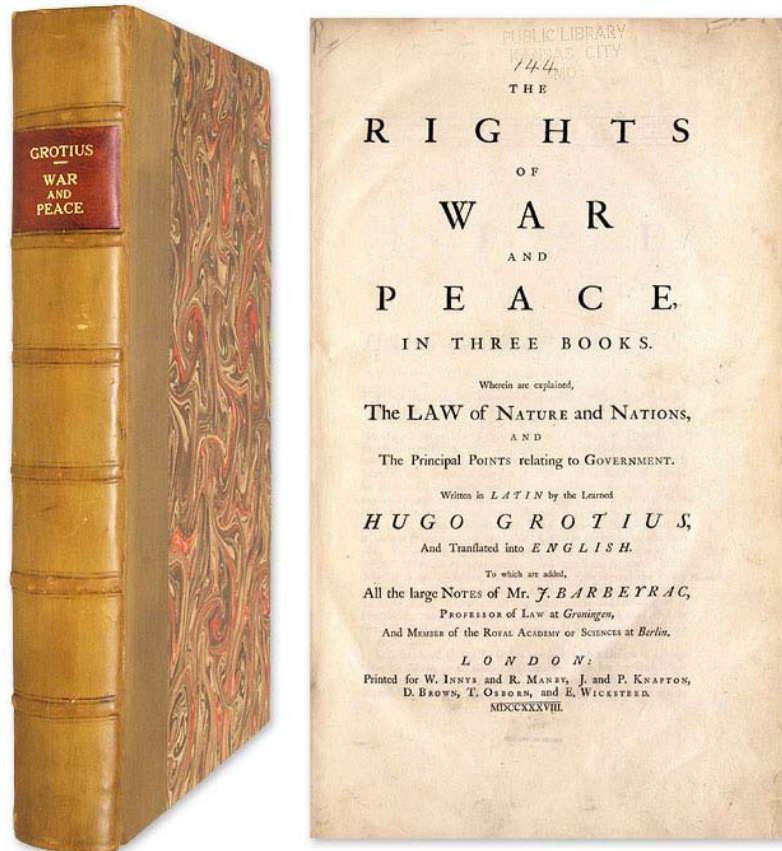
15. Grotius, Hugo [1535-1645].

[Morrice, John, Translator and Editor].

Of the Rights of War and Peace, In Three Volumes; In Which are Explain'd the Laws and Claims of Nature and Nations, And the Principal Points that Relate Either to Publick Government, Or the Conduct of Private Life. Together with the Author's Own Notes. Done into English by Several Hands; With the Addition of the Author's Life by the Translators. Dedicated to His Royal Highness the Prince of Wales. London: Printed for D. Brown, T. Ward and W. Meares, 1715. Three volumes. Volume I has a one-page publisher list. [xv], civ, 212; [ii], 648 [ii], 356, [48] pp. Octavo (7-1/2" x 5").

Contemporary paneled calf, rebacked retaining spines with raised bands, gilt ornaments and lettering pieces. Light rubbing and a few minor scuffs to boards, corners bumped and lightly worn, a few hinges starting. Title pages printed in red and black, woodcut head-pieces. Moderate toning, light foxing in places, finger smudges to a few leaves, internally clean. A handsome set. \$2,500.

* Third English-language edition. First published in Paris in 1625, *The Rights of War and Peace* established the system of modern public international law. Recognized immediately as an important work, it was translated into the principal languages of Europe. The first English translation, by Clement Barksdale, was published in 1654 and reissued the following year. The second, by William Evats, was published in 1682. According to sources cited in the *ESTC*, the 1715 edition was translated and edited by Morrice with the assistance of Edward Littlehales and John Spavan. The English editions differ considerably and are very interesting to compare. *English Short-Title Catalogue* T117018.



The "Best Edition" of Grotius, With "Excellent" Notes

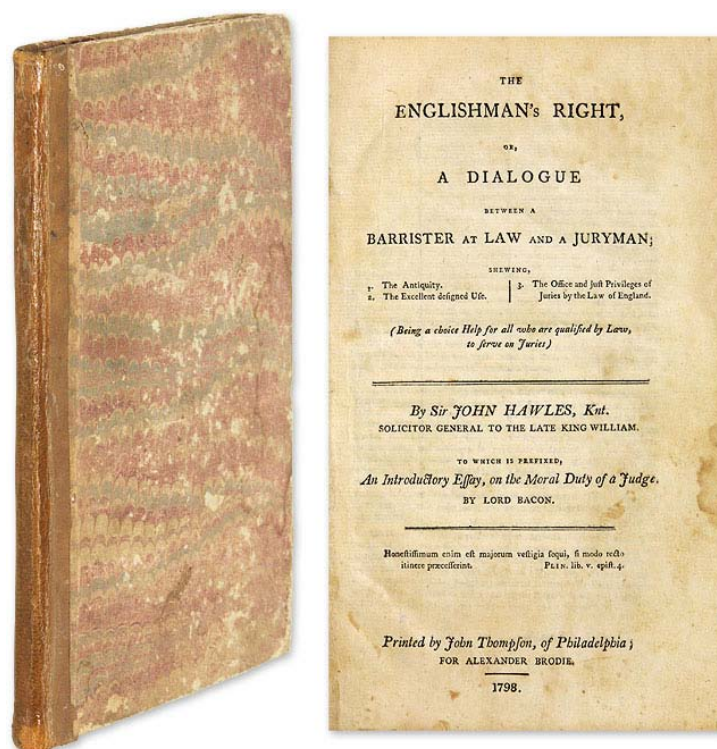
16. Grotius, Hugo.

[Morrice, John (1685-1740), Translator and Editor].

The Rights of War and Peace, In Three Books. Wherein are Explained, The Law of Nature and Nations, And the Principal Points Relating to Government. Written in Latin by the Learned Hugo Grotius, And Translated into English. To Which are Added, All the Large Notes of Mr. J. Barbeyrac. London: Printed for W. Innys [et al.], 1738. [iv], xxxvi, 817 pp. Notes in parallel columns beneath single-column main text. Folio (19" x 14").

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

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



**First Post-Revolution Edition
of an Important Work on the Right to Trial by Jury**

17. Hawles, Sir John (1645-1716).

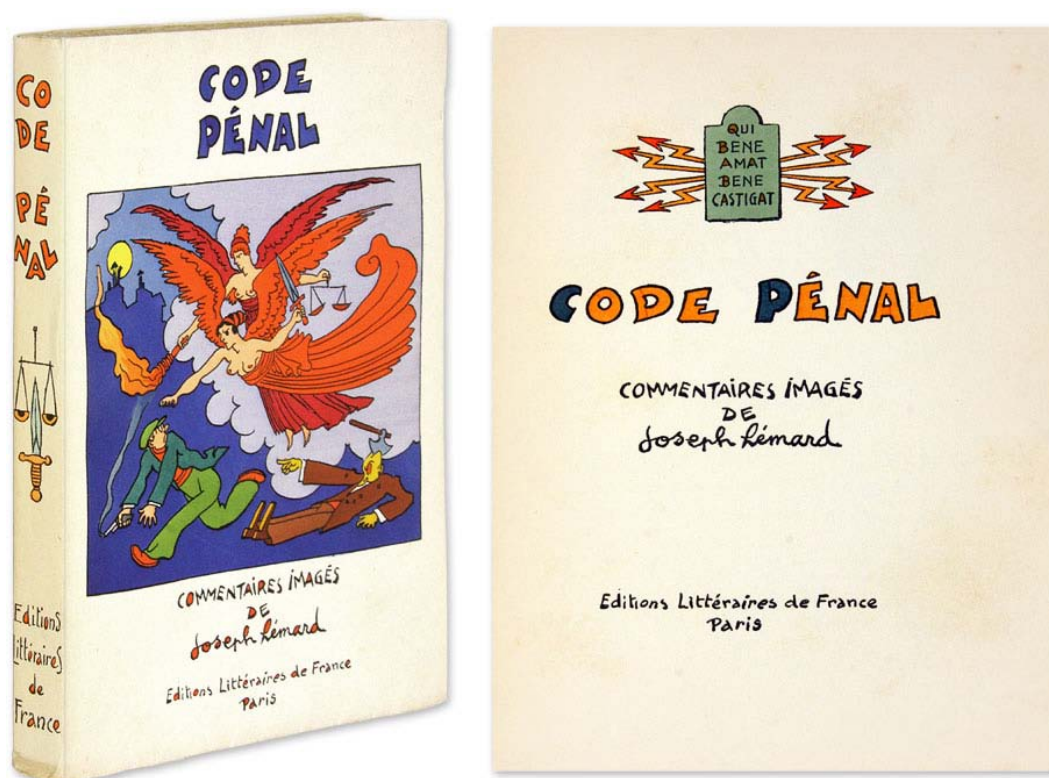
[Bacon, Francis (1561-1626)].

Brodie, Alexander, Bookseller.

The Englishman's Right; A Dialogue Between a Barrister at Law and a Juryman; Shewing, I. The Antiquity, II. The Excellent Designed Use, III. The Office and Just Privileges of Juries by the Law of England (Being a Choice Help for All Who Are Qualified by Law to Serve on Juries). To Which is Prefixed, An Introductory Essay, On the Moral Duty of a Judge. By Lord Bacon. Philadelphia: Printed by John Thompson, of Philadelphia; For Alexander Brodie, 1798. 6, [vii]-viii, [1], [17]-70 pp. Octavo (7-1/2" x 4-1/2").

Contemporary marbled sheep over marbled boards. Light rubbing to extremities, heavier rubbing and a few minor stains to boards, hinges starting. Moderate toning to text, dampstaining in a few places, internally clean. An appealing copy. \$1,500.

* Third American edition. First published in London in 1680, and in Boston in 1693 and 1772, this 1798 Philadelphia edition was the first printed after the Revolution. Possibly a response to the recent passage of the Alien and Sedition Acts, it has an interesting preface by the bookseller, Alexander Brodie: "But lest (sic) the title 'The Englishman's Right' should give offence to any, it is proper to observe that the Charter of the Liberties of England is a grant from their kings obtained by force. This charter is the fountain of all their Rights; and among others of the Englishman's Right to be tried by a Jury of his Equals. As Americans we possess the same Right, and Juries by our Laws have the same powers and privileges, as by the Law of England. Neither we or our Ancestors ever were Slaves. We hold our Liberties from God alone, and to him alone are we accountable for the use or abuse of them. It is no mark of Vassalage to borrow instructions from English Jurisprudence. To understand our rights well, we must study them, and endeavour to profit by the experience of other Nations. The better to enable Jurymen to discern between Judge and Prisoner, if a lawless stretch of power should be attempted, of which at present there appears no danger, from the high character of our American Judges, I have prefixed by way of Introduction, Lord Bacon's Essay on the Moral duty of a Judge. And let it be remembered, that Judges are appointed to interpret the Laws faithful but Juries were instituted to watch and restrain Judges; so may the blessing 'Him That Was Ready To Perish Upon Them!' A staunch Whig, Hawles wrote *The Englishman's Right* to outline the rights, duties and proper behavior of a juryman and to promote the jury system as a bulwark against tyranny. Immediately successful among Whigs and others who saw themselves as defenders of English liberties, it was received with great enthusiasm in America, where it was reprinted several times well into the nineteenth century. According to Cohen, it was probably the first English law book reprinted in the American colonies. Cohen, *Bibliography of Early American Law* 1481.



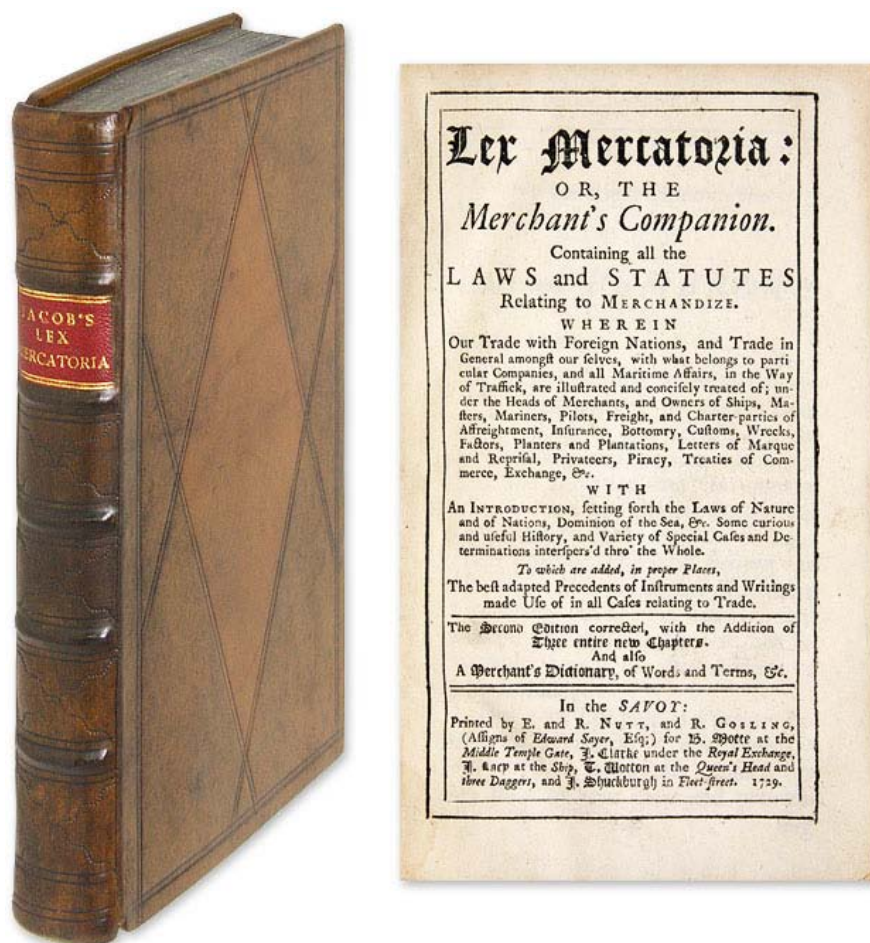
Illustrated with Witty Images

18. Hemard, Joseph [1880-1961].

Code Pénal: Commentaires Imagés de Joseph Hemard. Paris; Editions Littéraires de France, [c. 1940]. 169 pp. Pochoir color text illustrations. Quarto (8-3/4" x 7").

Original publisher stiff wrappers, untrimmed edges. Light soiling and shelfwear, light toning to text, negligible foxing to a few leaves, internally clean. A pleasing copy with vivid illustrations. \$400.

* From an edition limited to 900 copies, this number 831. Hemard presents the official text of the French *Code Pénal* with witty, and often mildly erotic, color pochoir illustrations. It is a sequel to his *Code Civil: Livre Premier, Des Personnes*. In 1944 Hemard issued another legal work: *Code General des Impôts Directs et Taxes Assimilées*. Hemard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books.



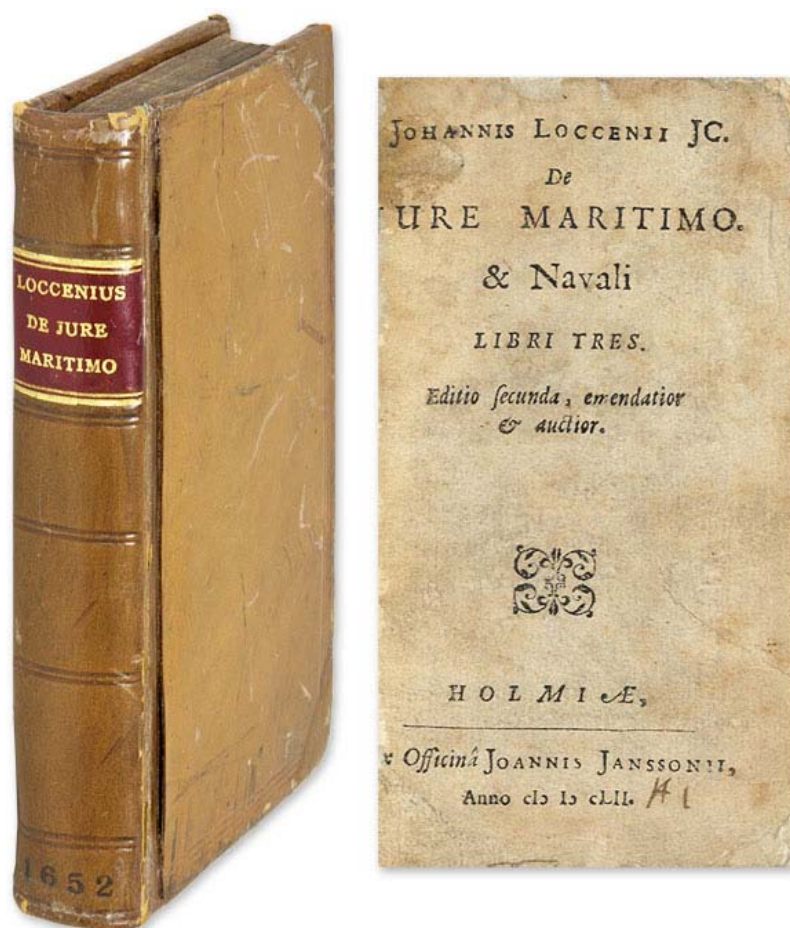
With A "Merchants's Dictionary of Words and Terms"

19. [Jacob, Giles (1686-1744)].

Lex Mercatoria: Or, The Merchant's Companion. Containing all the Laws and Statutes Relating to Merchandize. Wherein Our Trade with Foreign Nations, and Trade in General Amongst Our Selves, With What Belongs to Particular Companies, And all Maritime Affairs, In the way of Traffick, Are Illustrated and Concisely Treated of; Under the Heads of Merchants, And Owners of Ships, Masters, Mariners, Pilots, Freight, and Charter-Parties of Affreightment, Insurance, Bottomry, Customs, Wrecks, Factors, Planters and Plantations, Letters of Marque and Reprisal, Privateers, Piracy, Treaties of Commerce, Exchange, &c. With an Introduction, Setting Forth the Laws of Nature and of Nations, Dominion of the Sea, &c. Some Curious and Useful History, And Variety of Special Cases and Determinations Interspers'd Thro' the Whole. To Which are Added, in Proper Places, The Best Adapted Precedents of Instruments and Writings Made Use of in All Cases Relating to Trade. [London]: Printed by E. and R. Nutt [et al.] for B. Motte [et al.], 1729. [xii], 404, [12] pp. Octavo (7-1/2" x 5").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed, colored edges. Light toning to text, internally clean. A notably handsome copy. \$1,750.

* Second and final edition, "Corrected, with the Addition of Three Entire New Chapters, And Also A Merchant's Dictionary, of Words and Terms, &c." Jacob, best-known for his *New Law-Dictionary*, was the most prolific English legal writer of the eighteenth century. Although he was interested in boosting sales by attracting the widest audience possible, Jacob was also an idealist who believed that widespread knowledge of the law would help create a more just society. This is the goal of *Lex Mercatoria* (1718) and several other publications, such as *Every Man His Own Lawyer* (1736) and *Treatise of Laws* (1721). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:522 (46). *English Short-Title Catalogue* T137820.



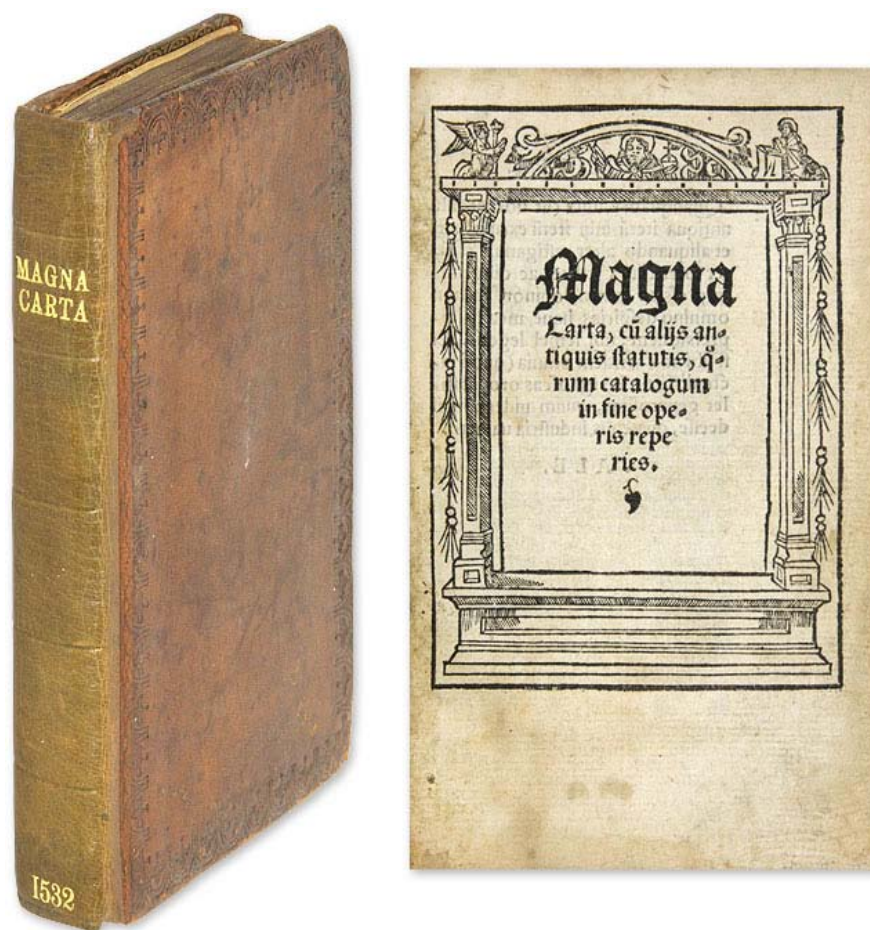
A Swedish Perspective on Maritime Law

20. Loccenius, Johannes (Locken, Johan) [1598-1677].

De Jure Maritimo, & Navali. Libri Tres. Stockholm: Ex Officina Joannis Janssonii, 1652. [iv], 334, [2] pp. 12mo. (5-3/4" x 2-3/4").

Later calf, rebacked, blind rules to boards, blind fillets and lettering piece to spine, corners mended, endpapers renewed. Some rubbing to extremities, corners bumped and lightly worn. Light toning to text, tears and chips to a few leaves with minor loss to text, some soiling and edgewear to title page, internally clean. Ex-library. Bookplate to front pastedown. \$850.

* Second edition. Born in Hamburg, Loccenius received his doctorate in law from the University of Leiden. Recruited for the University of Uppsala by King Gustavus Adolphus, where he became one of its most distinguished professors, Loccenius was also the queen's librarian and the royal historiographer. He is best known for his writings on the legal history of Sweden and international law. *De Jure Maritimo, & Navali* is his most important work. First published in 1642, it went through three editions and several issues. It was also republished with works by other authors, most notably Johann Gottlieb Heineccius and Richard Zouch. It is a scarce title, however. OCLC locates 6 copies of the second edition in North America, 4 in law libraries (Harvard, Library of Congress, University of Michigan, University of Virginia). *British Museum Catalogue* (Compact Edition) 15:706.



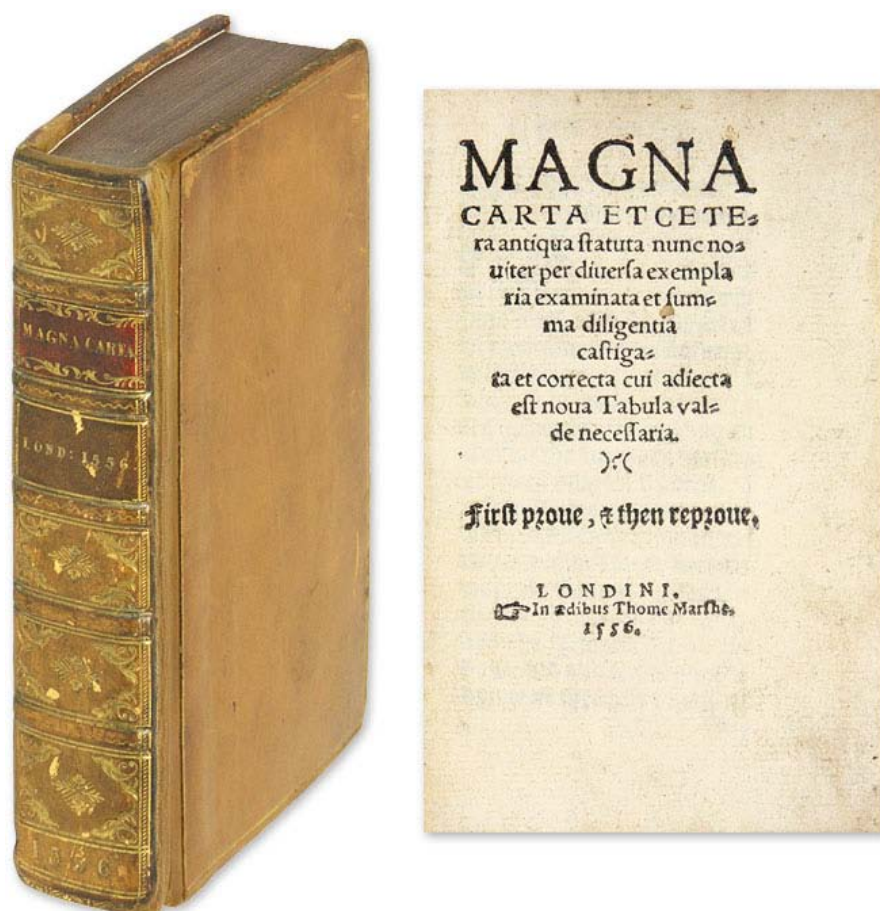
Scarce Early Printing of Magna Carta

21. [Magna Carta]

Magna Carta Cu[m] Aliis Antiquis Statutis, Q[ua]rum Catalogum in Fine Operis Reperies. [London: Thomas Berthelet, November 1531]. 150 [i.e. 149], [3] ff. Folio 3 lacking (supplied as a tipped-in fascimile). First part of a two-part work. Octavo (5" x 3-1/4")

Early nineteenth-century calf with later rebacking, blind fillets to boards, blind rules and gilt title and date to spine, endpapers renewed, armorial bookplate of Duke Augustus Frederick to front pastedown. Some rubbing to extremities, corners worn, a few light scuffs to boards. Title printed within woodcut architectural border, historiated woodcut initials. Light toning to text, negligible foxing to a few leaves, internally clean. A handsome copy of a scarce imprint. \$2,950.

* Text in Latin and Law French. This imprint is a close reprinting of the 1527 edition by Richard Pynson with additional material. (Pynson printed the first edition around 1508.) It also includes the *Charta de Foresta* and statutes passed before the reign of Edward III. Complete in itself and bibliographically distinct, this is the first part of a two-part work. The second part, issued in 1532, is titled *Secunda Pars Veterum Statutorum* (Beale S21). It also includes the *Charta de Foresta* of Henry III, the Statutes of Merton and Marlebridge, the Statutes of Edward I and additional information. Among the most notorious statutes are those of Edward concerning Jews, which condemned them for irreverence and prevented them from practicing usury or acquiring land from Christians through pledges. Other "Antique Statutes" relate to women, wills, forcible entry, "Fraudulent Deedes" and other topics. This copy belonged to the distinguished book collector Augustus Frederick [1773-1843], the Duke of Sussex and the ninth child of King George III of England. OCLC locates 13 copies of this imprint in North America. *English Short-Title Catalogue* S101049. Beale, *A Bibliography of Early English Law Books* S9.



Attractive 1556 Marshe Edition of *Magna Carta*

22. [Magna Carta].

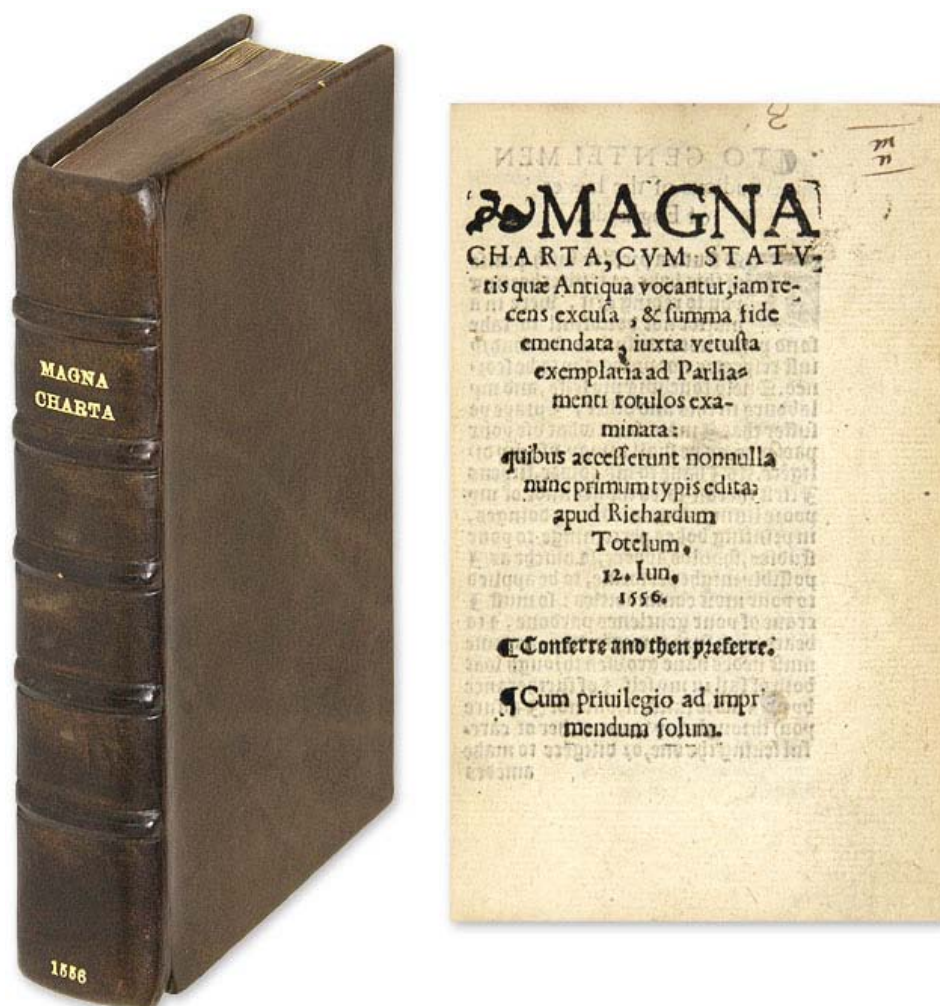
Magna Carta et Cetera Antiqua Statuta Nunc Noviter per Diversa Exemplaria Examinata et Summa Diligentia Castigata et Correcta cui Adiecta est Nova Tabula Valde Necessaria. London: In Aedibus Thome Marsche, 1556. [12], 2-160 ff. Complete.

[And]

Secunda Pars Veterum Statutorum: Anno M.D.L.VI. [Imprinted at London in Fletestrete Nere to S. Dunstones Churche, by Thomes Marshe. Anno. M.D.L.VI. [1556]. [iv], 80 ff. Complete.

Octavo (5-1/4" x 3-1/4"). Later calf, blind rules to boards, rebaked retaining spine with raised bands, gilt ornaments and lettering pieces. Some rubbing to extremities, minor nicks and scuffs to boards and spine. Light toning to text, faint dampstains to a few leaves, clean tear to a leaf, light soiling to title page. A handsome copy. \$7,500.

* A revised edition of the version printed by Thomas Berthelet in 1531 and the last pre-Tottel printing. One of two editions printed in 1556, the last pre-Elizabethan printings. *English Short-Title Catalogue* S101067. Beale, *A Bibliography of Early English Law Books* S15, S23.



The First Tottell Edition of *Magna Carta*

23. [Magna Carta].

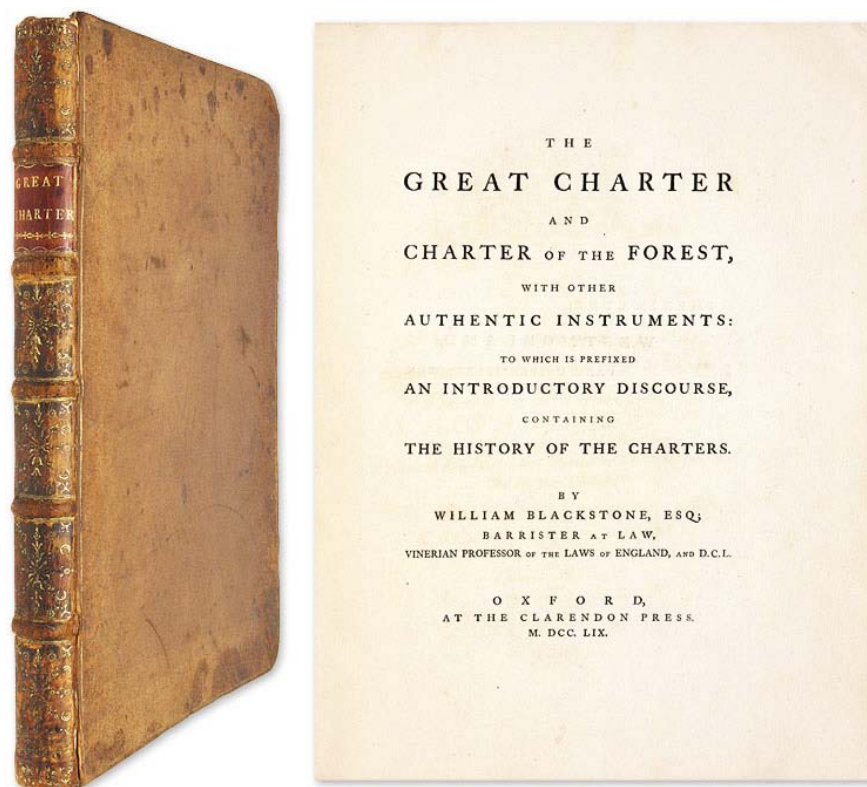
Magna Charta, Cum Statutis Quae Antiqua Vocantur, Iam Recens Excusa, & Summa Fide Emendata, Iuxta Vetusta Exemplaria ad Parliamenti Rotulos Examinata: Quibus Accesserunt Nonnulla Nunc Primum Typis Edita. [London]: Apud Richardum Totelum, 12 Iun. 1556. t.p; [7], 170, [1] ff.

[Bound with]

Secunda Pars Veterum Statutorum. [Londini: In Aedibus Richardi Tottelli], Anno. do. 1556. [i], 2-72 ff. Octavo (4-1/2" x 3-1/4").

Recent calf, raised bands and gilt title to spine. Light toning to text, faint soiling and a few early marks to title page in tiny hand, interior otherwise fresh. An appealing copy. \$7,500.

* First Tottell edition and one of the two editions printed in 1556. *English Short-Title Catalogue* S101069. Beale, *A Bibliography of Early English Law Books* S16, S24.



Blackstone's Handsome Edition of *Magna Carta*

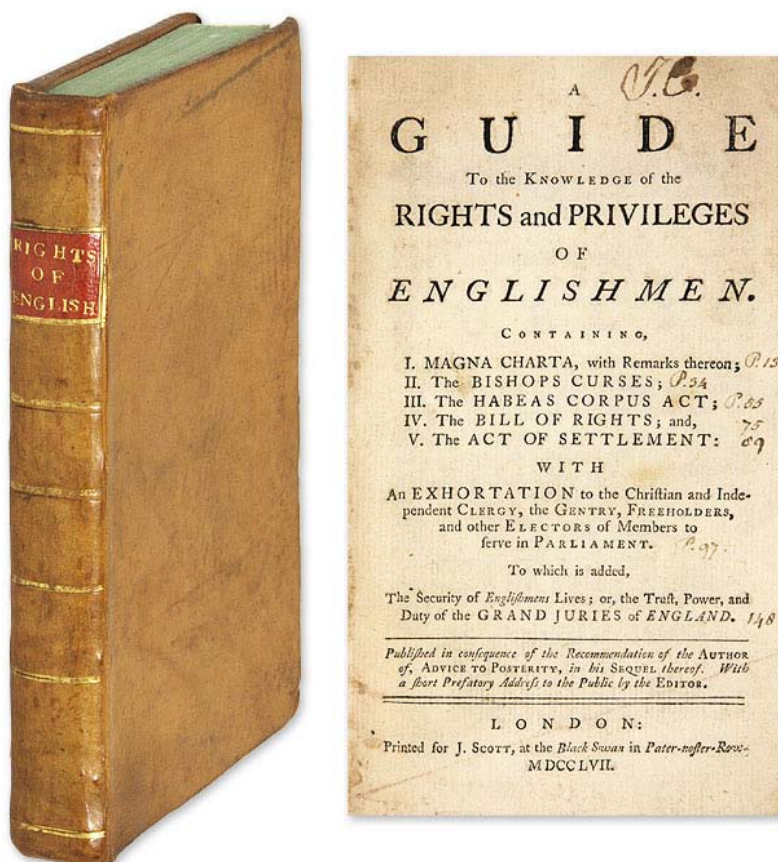
24. [Magna Carta].

Blackstone, Sir William.

The Great Charter and Charter of the Forest, With Other Authentic Instruments: To Which is Prefixed an Introductory Discourse, Containing the History of the Charters. Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. As in many copies, the half-title and table of contents (Tabula) are bound between pp lxxvi and p. 1. Folio (13-1/2" x 10-1/2").

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

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



Classic Statement of English Liberties and Whig Ideology

25. [Magna Carta].

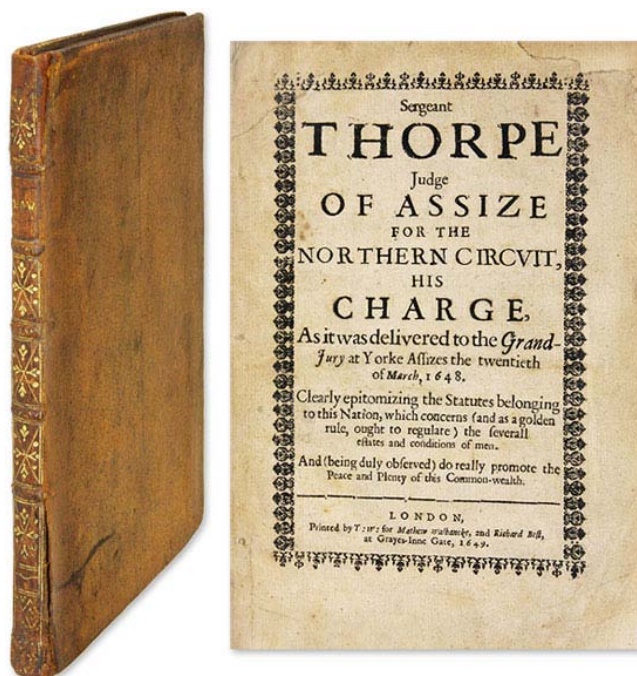
[Somers, John Somers, Baron (1651-1716)].

[Lewis, John, Editor, Author of *The Sequel of Advice to Posterity*].

A Guide to the Knowledge of the Rights and Privileges of Englishmen. Containing, I. Magna Charta, with Remarks Thereon; II. The Bishops Curses; III. The Habeas Corpus Act; IV. The Bill of Rights; and, V. The Act Settlement: With an Exhortation to the Christian and Independent Clergy, the Gentry, Freeholders, and Other Electors of Members to Serve in Parliament. To Which is Added, The Security of Englishmens Lives: Or, The Trust, Power, and Duty of the Grand Juries of England. Published in Consequence of the Recommendation of the Author of, Advice to Posterity, In his Sequel Thereof. With a Short Prefatory Address to the Public by the Editor. London: Printed for J. Scott, 1757. ix, [1], 254 pp. Includes one-page publisher list. 12mo. (6-1/2" x 4").

Contemporary calf, lettering piece and gilt fillets to spine. Negligible light rubbing to extremities, corners lightly bumped, early armorial bookplate (of John Cromie) to front pastedown. Light toning to text, foxing to a few leaves, early annotations to title page. A notably well-preserved copy. \$1,250.

* First edition (of this anonymously edited imprint). Somers, a barrister of the Middle Temple, was Lord Chancellor of England. First published in 1681 as *The Security of Englishmen's Lives*, this is an important tract on juries and one's right to a jury trial. Attributed sometimes to John Dunton and Daniel Defoe, it went through numerous editions and was usually printed with the text of Magna Carta and other foundational documents of English liberty. (This is one of several variants.) Classic statements of Whig ideology, many copies were eagerly consumed in the American colonies on the eve of the Revolution. OCLC locates 9 copies in North American Law Libraries. *English Short-Title Catalogue* T61073.



**Important Essay on Magna Carta
Bound with Scarce Pamphlets on Property and Judicial Administration**

26. [Magna Carta].

Thorpe, Francis [1595-1665].

Sergeant Thorpe, Judge of Assize for the Northern Circuit, His Charge, As it Was Delivered to the Grand-Jury at Yorke Assizes the Twentieth of March, 1648. Clearly Epitomizing the Statutes Belonging to this Nation, Which Concerns (And as a Golden Rule, Ought to Regulate) the Severall Estates and Conditions of Men. And (Being Duly Observed) Do Really Promote the Peace and Plenty of this Common-Wealth. London: Printed by T: W: for Mathew Walbancke, and Richard Best, 1649. [ii], 30 pp. Only edition, one of two issues from 1649.

[Bound with]

Collet, Henry.

A Treatise on the Laws of England; Concerning Estates in Lands, Advowsons, Or Hereditaments, Of What Kind Soever; Advising Persons Interested Therein, Either as Purchasers, Mortgagees, Or Otherwise, --As Well as Conveyancers, What Methods are Proper to be Used in Relation to the Security of Titles to Such Estates: With Some Observations on the Laws of Bankruptcy. [London]: Printed by Henry Lintot, 1754. [iv], 74, [2] pp. Only edition.

[And]

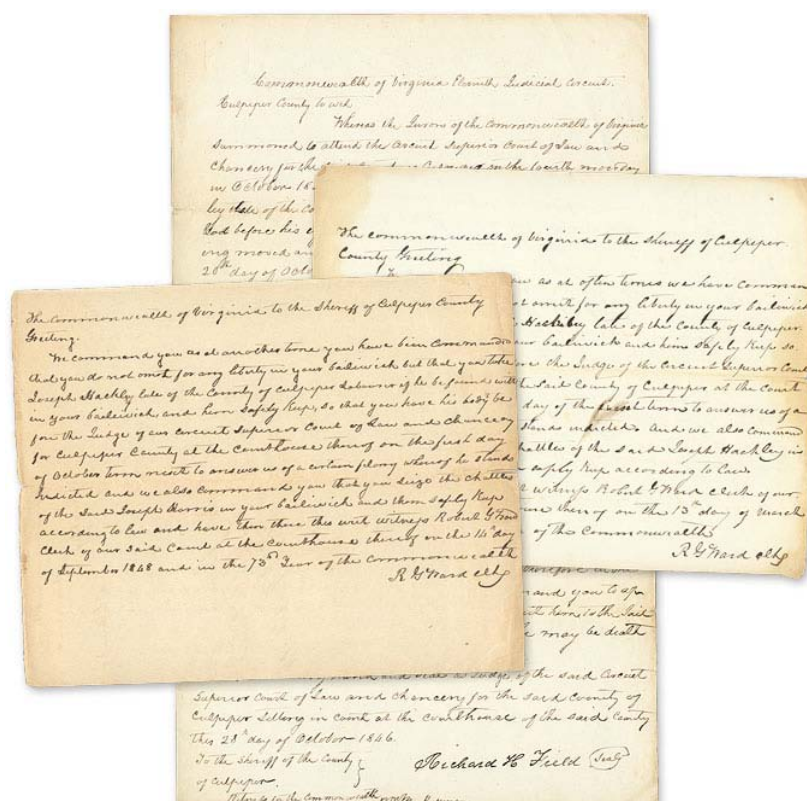
The Oath of a Constable, So Far as It Relates to Apprehending Night-Walkers, And Idle Persons, And His Presenting Offences Contrary to the Statutes Made Against Unlawful Gaming, Tipling, and Drunkenness, And for the Suppressing of Them [running title]. [London: Printed by J. Downing, 1701]. 3, [1] pp. First edition.

[And]

The Obligations of a Justice of the Peace, To be Diligent in the Execution of the Penal-Laws Against Prophaneness and Debauchery, For the Effecting of a National Reformation. In a Letter to a Friend [running title]. [London: Printed and Sold by J. Downing, 1705]. 3, [1] pp. Second edition, one of two issues from 1705.

Quarto (7-3/4" x 5-1/2"). Pamphlets bound into contemporary speckled calf, gilt spine with raised bands and lettering piece, spine ends repaired. Rubbing to extremities, corners bumped and lightly worn, a few minor scuffs to fore-edges, hinges cracked. Light toning to text, *Oath of a Constable* somewhat darker and faintly dampstained, light soiling and edgewear to title page of *Sergeant Thorpe*, last two leaves have pieces torn from fore-edge, just touching the text without loss, slight shaving to side-notes of *Oath* and *Obligations*. Owner signature dated 1922 to front free endpaper, early annotations to a few laves, interior otherwise clean. \$1,850.

*Thorpe's is a notable document of Magna Carta's reception during the Commonwealth. After noting the different, but negative, perceptions of Royalists and the politically indifferent in 1215, he praises a third group who, using their innate reason, perceived it then as the source of "their own future happiness" (1-2). This dream was fulfilled, of course, by Parliament and Cromwell. Intended for gentlemen, Collet's essay discusses issues relating to land titles, real property and bankruptcy. The others deal with aspects of judicial administration. *English Short-Title Catalogue* R203780, T51651, T61192, T176956.



"Diabolical and Against the Order of Nature"

27. [Manuscript].

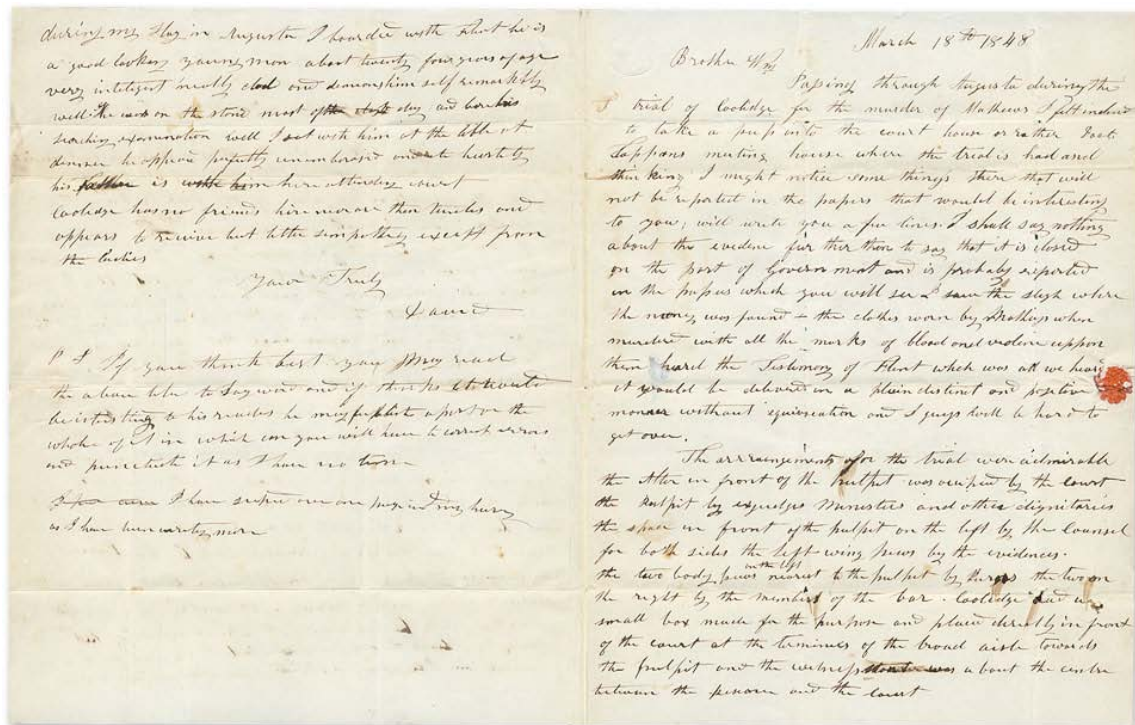
[Buggery].

[Virginia].

[Documents Relating to a Act of Buggery Between a Man and a Horse]. [Culpepper County, VA, 1846, 1848, 1849]. Bifolium bench warrant, 12-1/2" x 7-1/2", dated October, 28, 1846, docketed on verso of second leaf, two writs of capias, 8" x 6" dated September 14, 1848 and March 13, 1849, both docketed on versos. Three items in all.

Light browning, minor dampstaining and some edgewear, horizontal fold lines, a few with minor tears. Content in neat hand. \$1,500.

* These documents relate to the indictment and attempted arrest of Joseph Hackley for the "feloniously, wickedly diabolical and against the order of nature, detestable and abominable crime of Buggery" with a "black mare." The bench warrant is signed by Judge Richard H. Field and countersigned "Wm M. Huffman." The verso is docketed 4 times by 3 different people. The docket notations show a committed judge and a clever felon. The first orders his arrest. The second notation reads: "I cannot execute this Warrant the party Joseph having left this County." The third and fourth notations show the warrant was reissued on June 5th and October 23rd, 1848. Annotations to the writs of capias, issued to the sheriff of Culpepper County on September 14, 1848 and March 13, 1849, show that Hackley was never located.



**Unpublished Eyewitness
Account of a Famous Maine Murder Trial**

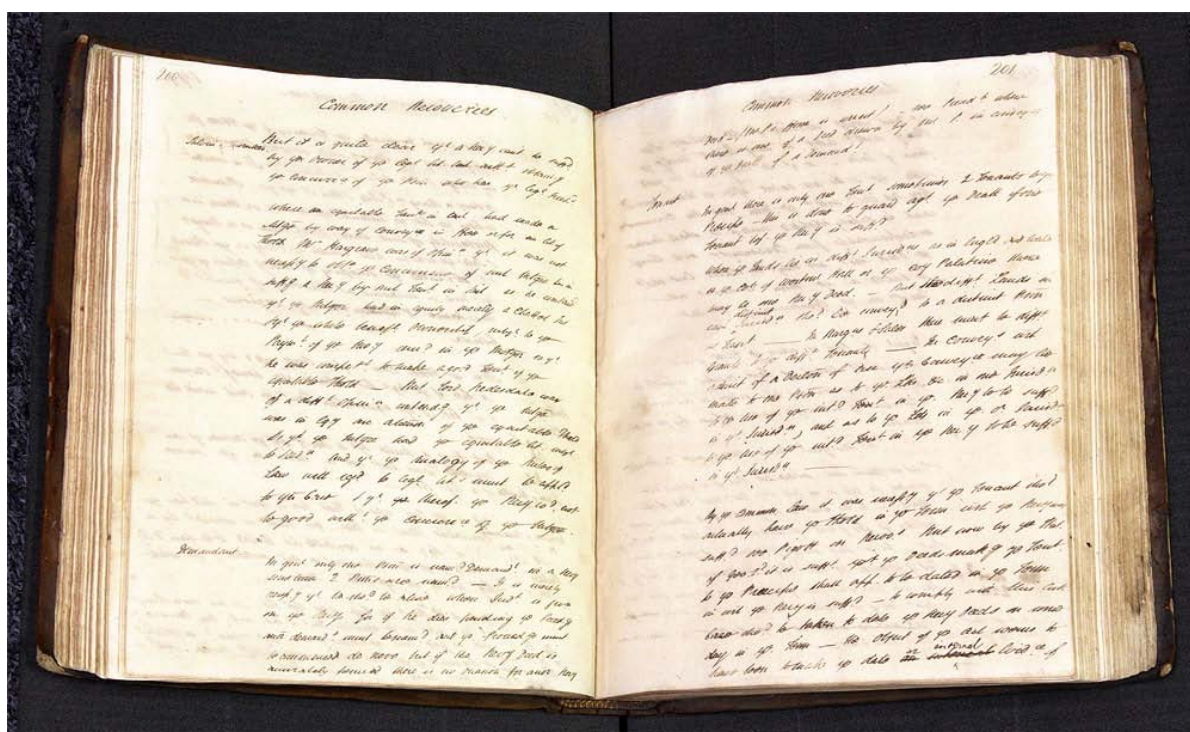
28. [Manuscript].

[Coolidge, Dr. Valorus P.].

Brown, David.

[Autograph Letter Describing the Trial of Dr. Coolidge]. Augusta, ME, March 18, 1848. Single leaf folded to form 10" x 8" quarto bifolium, written in ink, addressed, franked and postmarked on verso of fourth page, which has a wax seal. Fold lines, some toning along margins, otherwise fine. \$750.

* Brown, of Gardner, Maine, wrote this letter to his brother, an attorney in Bangor. The letter, which fills three sides of the bifolium in a small hand, begins: "Passing through Augusta during the trial of Coolidge for the murder of Mathews I felt inclined to take a peep into the court house or rather Doct. Tappans meeting house where the trial is had and thinking I might notice some things there that will not be reported in the papers that would be interesting to you; will write you a few lines." The rest of the letter records his observations. Brown was aware that he was a witness to one of the most sensational trials of the day, which involved two leading citizens of Waterville, ME. Mathews, a wealthy cattle dealer, was poisoned with a shot of poison-laced brandy because he refused to loan Coolidge money. Though his motives seem unclear, it seems Coolidge planned to steal money and valuables from his corpse. When the body was found Coolidge was summoned by the coroner's jury to perform an autopsy on his own victim. After an inept series of attempts to hide his crime, Coolidge was convicted and sentenced to hang. He cheated the gallows, however, by committing suicide. The case is described in McDade, *The Annals of Murder* 211 and Howard, *American State Trials* 3:732-802.

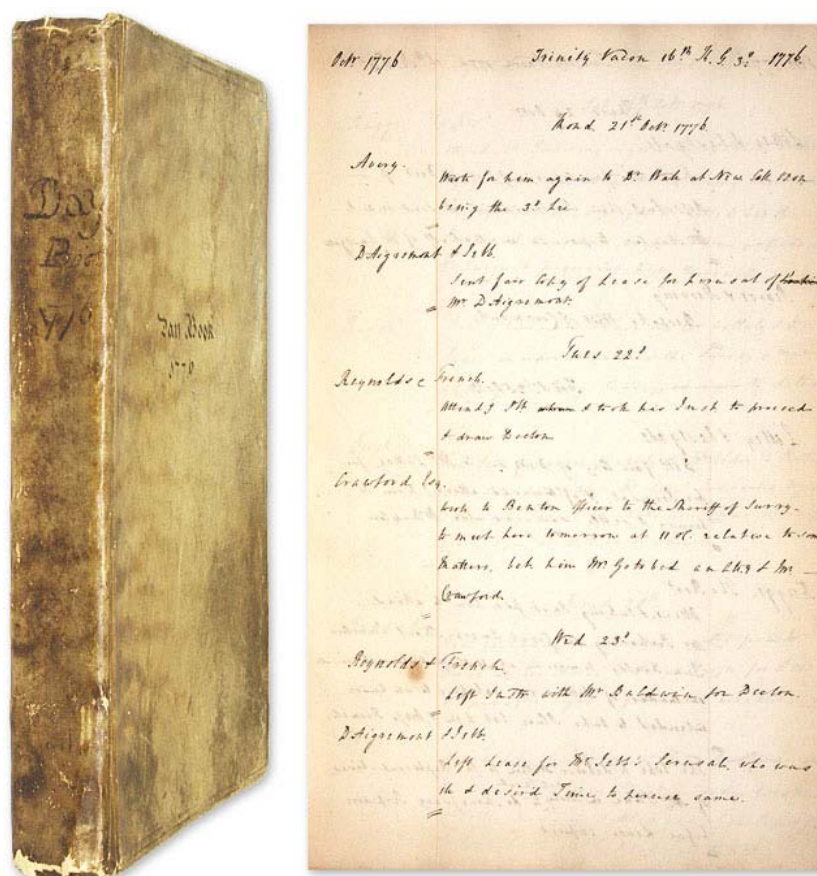


English Manuscript Law Dictionary

29. [Manuscript].
[Great Britain].
[Law Dictionary]. [Great Britain, c. 1800]. 518 pp. Quarto (9-1/2" x 8").

Contemporary reversed calf, blind fillets to boards, lettering piece (reading M.S.S. Notes Vol. 2) to spine, marbled endpapers. Rubbing to extremities with some wear, chipping to spine ends, a few scuffs and stains to boards, corners bumped. Text to 136 pages. Light toning to interior, dampstaining and minor to a few leaves. Early owner signature in different hand (of Edw. Jones, June 1803) to front pastedown. \$1,500.

* With index. Probably compiled around 1800, this is the second volume of a manuscript law dictionary with entries from M to W. The eleven-page index lists the content of both volumes. The definitions reflect the practice of the late-eighteenth century. The inclusion of such entries as "Gavelkind," "Vicar" and "Waste" shows it is an English manuscript. The content appears to have been commonplacéd from lecture notes. The handwriting, though perfectly legible, is not especially neat; it contains occasional cross-outs and changes. Some entries appear to be incomplete; other headings have no content at all. This manuscript and its companion volume may have been a set of working notes for a fair copy.



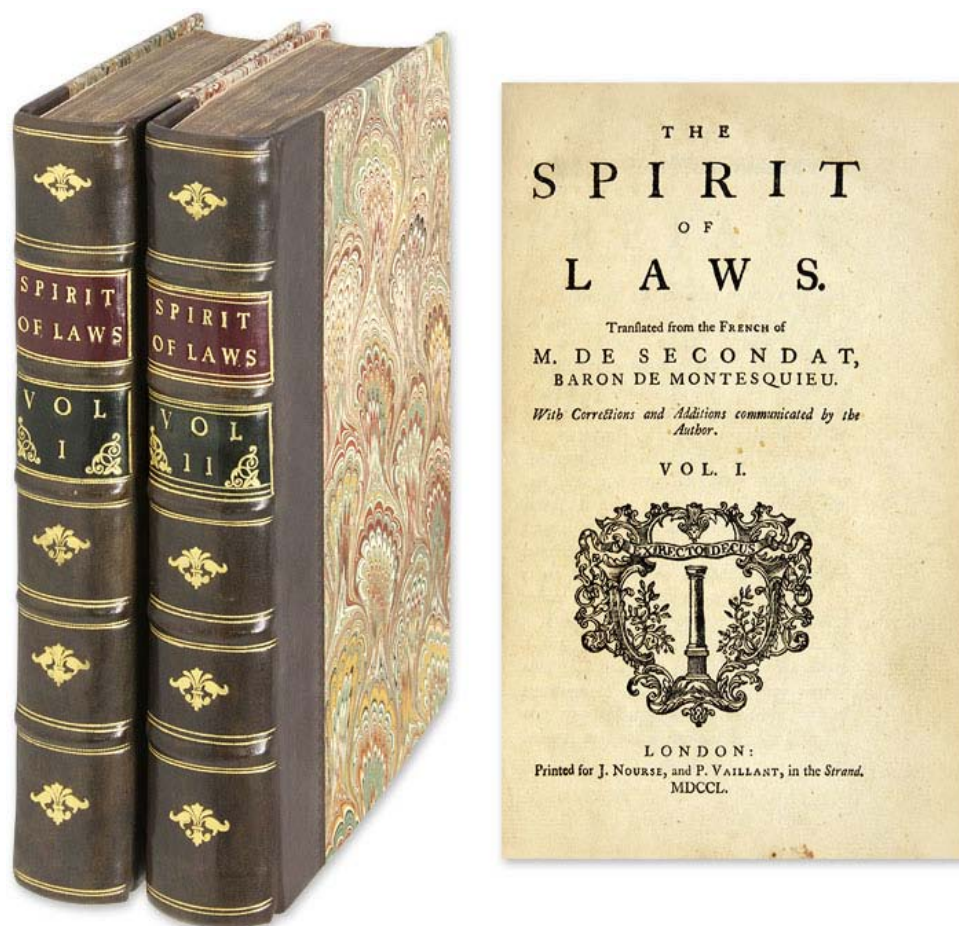
**1776-1777 Day Book of London Attorney
With Entries Concerning a Land Deal in Florida**

**30. [Manuscript].
[London Attorney].**

Day Book. [S.n. (but no doubt London)], October 1776-November 1777. c. 200 ff., 22 ff. filled with content on rectos and versos. Folio (12-1/2" x 8").

Contemporary vellum, hand-lettered title and date to spine and front board. Moderate soiling, some rubbing to extremities with wear to head and tail, front hinge cracked, bookseller ticket of London dealer Richard Blamire to front pastedown. Light toning to text, content written in neat hand on red-ruled leaves. An interesting item. \$1,500.

* Though unsigned, this day book was clearly the work of a London attorney. Folio 11 has an interesting entry concerning a conveyance in Florida: "Took Instructions to draw conveyance of Lands in *FLORIDA* (sic) under Grant of Mr. Tompson." Florida was ceded to Britain 1763 but taken by the Spanish in 1781 and guaranteed to them 1783. (It was ceded to the U.S. in 1820.) Many of the entries concern property transactions. Others illustrate the pressures of the lawyer's life. For example, an entry of Folio 5: "Mrs Cheasley being very bad Mr Ward came & desired I would go down immediately & get Power of Attorney executed. Mr. Thompson & self went in a chaise & 4 at 10 (o'clock) at night & returned next Day at 2 (o'clock) & got Power executed"; Fol. 21: "the whole of this day with them & at my House till 11 o'clock at night." This lawyer worked with a variety of individuals. He notes, in Fol. 10, that he met with a Mr. Atkinson concerning "the Payment of Prize Money in his hands to distribute." In Fol. 15b we see he "Attended Mr Child (the banker) re an account, their refusal to pay a client's bill &c." A note in Fol. 20b may relate to the noted legal historian Francis Hargrave [1741-1821]: "Attd. Mr. Hargrave & took his Draft for the money." An entry on Fol. 13: "Ent'd. in Waste Book Fo 67" above an entry crossed through in this volume suggests this book was one of a series of records kept by the lawyers concerned.



**First English-Language
Edition of a Landmark in Eighteenth-Century Political Science**

31. Montesquieu, Charles Louis de Secondat, Baron de [1689-1755].

[Nugent, Thomas (c.1700-1772), Translator].

The Spirit of Laws. Translated from the French of M. de Secondat, Baron de Montesquieu. With Corrections and Additions Communicated by the Author. London: Printed for J. Nourse, And P. Vaillant, 1750. Two volumes. viii, [xx], 452; [ii], xvi, 483, [49], Volume II has two-page publisher advertisement. Octavo (8" x 5").

Recent period-style three-quarter calf over marbled boards, raised bands, gilt ornaments and lettering pieces to spines, cracks in text blocks between front endleaf and title page and final text leaf and rear endleaf of each volume. Light toning to text, negligible foxing and faint dampstaining in a few places, internally clean. A desirable set. \$6,500.

* First English edition. *De L'Esprit des Lois* was one of the landmark works of eighteenth-century political science and an immeasurable influence on jurisprudence and political thought, especially in the Americas. A profound influence on the founding fathers, such as Thomas Jefferson, including the framers of the U.S. Constitution, it contained provocative and wide-ranging ideas on the sociology of law, the separation of political powers and the need for checks on a powerful executive office. First published in Geneva in 1748, it remains one of the most significant studies of political and legal theory ever written. Based on Montesquieu's study of the English Constitution, this work is important as the first work to propose the separation of powers, an idea incorporated into the U.S. Constitution. "In many ways one of the most remarkable works of the eighteenth century": Carter and Muir, *Printing and the Mind of Man* 197. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2325. *English Short-Title Catalogue* T90872.



Venice Claims the Adriatic Sea

32. Pace, Giulio [1550-1635].

De Dominio Maris Hadriatici Disceptatio. Lyons: Sumptibus Bartholomaei Vincenti, 1619. [viii], 44, [4] pp. Quarto (7-1/2" x 6").

Contemporary pasteboard, early hand-lettered title to spine. Negligible soiling, corners and spine ends bumped, bookplate residue to front pastedown. Large woodcut title-page device, copperplate coat of arms facing dedication, woodcut head-pieces and decorated initials. Light toning to text, somewhat heavier in places, faint dampspotting to a few leaves, careful repair to fore-edge of title page (with no loss to text), internally clean. \$850.

* First edition as an independent work. This essay was originally published in 1597 as a chapter in a collection of legal writings by Pace entitled *De Juris Methodo*. It defends the claims of the Venetian Republic to dominion over the Adriatic Sea, against similar claims by the Holy Roman Empire and the Kingdom of Naples. Our quarto issue is one of three from 1619 and one of two by Vincent, the other a small 88-page octavo. A second edition followed in 1663. It was published again in 1669 in *De Dominio Seu Imperio Maris Jul. Pacii, Hug. Grotii, Jac. Gothofr., Mart. Schoockii, & Aliorum Dissertationes*, an anthology of writings on maritime law. OCLC locates no copies of the 1619 Quarto edition. Not in the *British Museum Catalogue*, which lists the 1619 octavo edition.



Criminal Procedure in the Seventeenth-Century Papal States

33. Parisio, Flaminio [d. 1603].

Practica Omnium Terminorum Rota, Et Aliorum Tribunalium Romanae Curiae Omnibus Curialibus Necessaria & Utilissima. Una cum Feltis Palatii. Examinata, & Approbata; Atque Anno 1585, In Lucem Edita. Rome: Apud Gulielmum Facciotum, 1612. [ii], [3]-56 pp.

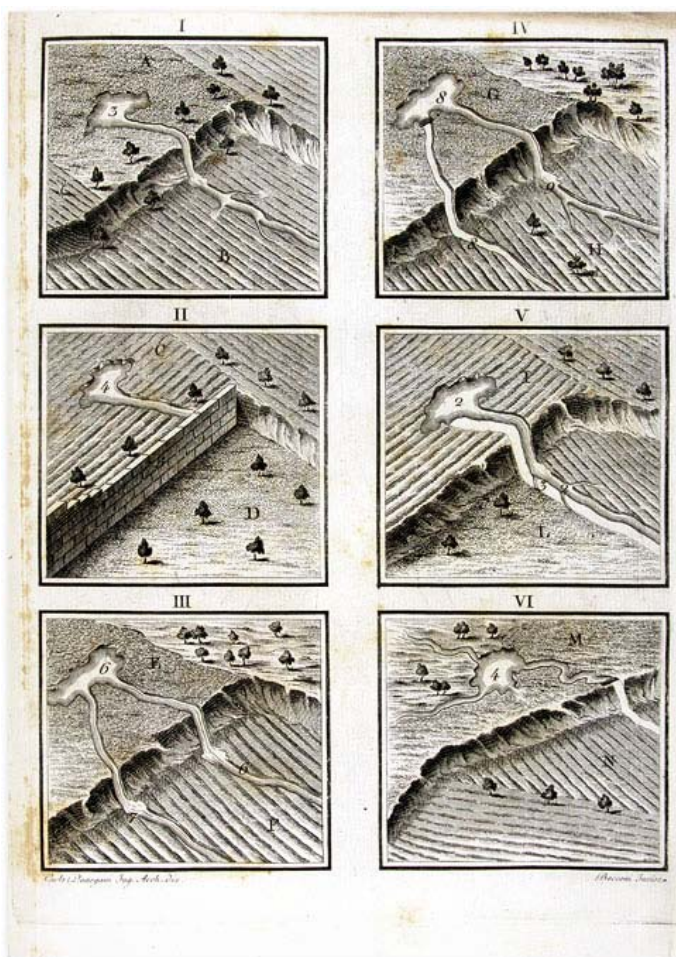
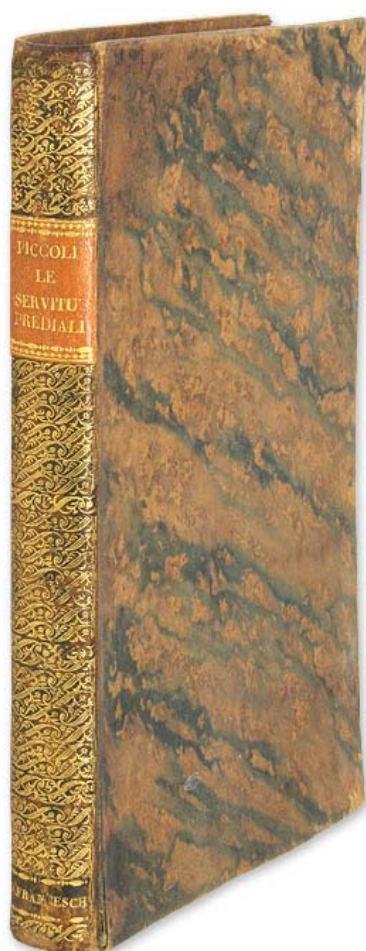
[Bound with]

Amico, Pietro [1566-1645].

Brevis Modus Examinandi in Causis Criminalibus, Per Quosuis Iudices Observandus, Summa Curiositate in Publicam Utilitatem Noviter Redactus. Rome: Apud Gulielmum Facciotum, 1612 24 pp.

Octavo (5-1/2" x 3-3/4"). Recent flexible sheep, gilt title and blind rules to boards, patterned endpapers. Spine ends and corners lightly bumped, moderate toning and occasional light foxing to text, annotations and inkspots to a few leaves. A handsome volume containing two rare titles. \$1,750.

* *Terminorum*, fourth edition; *Examinandi*, second edition. Often bound together, the two handbooks in this volume describe the practice of the mixed secular (civil and criminal) and ecclesiastical courts in the Papal States. First published in 1585, it went through six editions, the last one in 1647. Parisio's *Terminorum* describes the nature and jurisdictions of the different courts, including the Rota Romana. Amico's *Examinandi* discusses criminal procedure, with sections on evidence, trial procedure and the use of torture. It was first published in 1604 and went through four editions, the last one in 1647. All editions of both titles are very scarce, rare if you omit holdings in European libraries. *Terminorum*: OCLC locates 3 copies in North America, none of this edition; *Examinandi*: OCLC locates 2 copies in North America, 1 of this edition (at the Library of Congress). Neither title in the *British Museum Catalogue*.



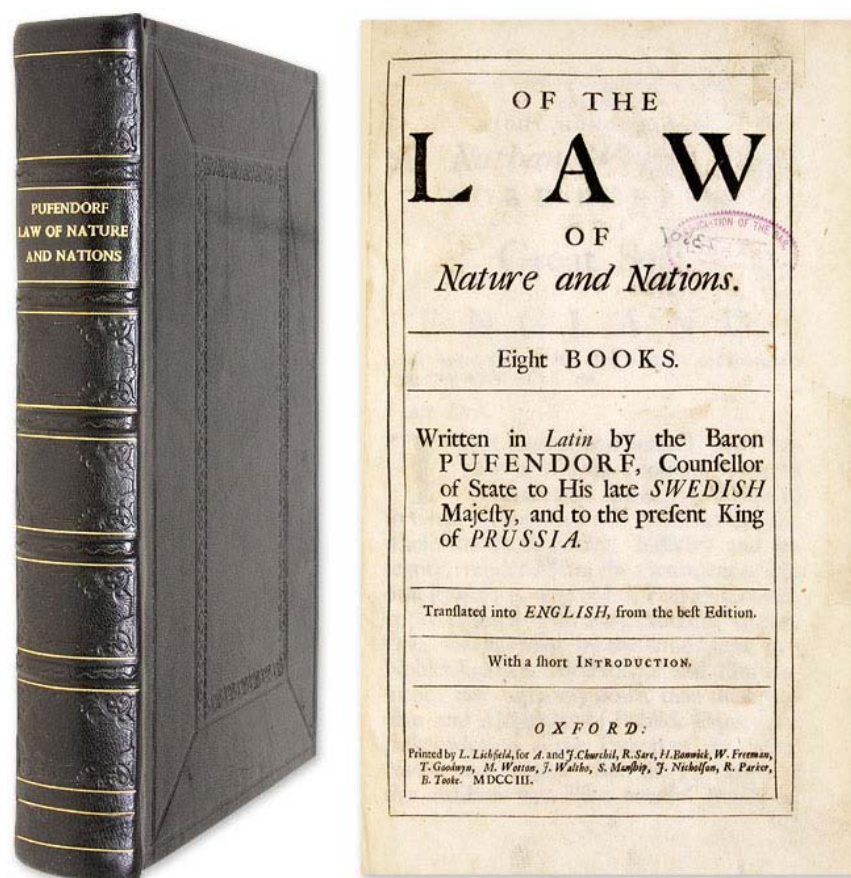
**Treatise on Servitudes Under the
Code Napoleon with 144 Copperplate Illustrations**

34. Piccoli, Luigi.

Le Servitu Prediali Sanzionate dal Codice Napoleon, Ridotte in Casi Pratici Incisi in Rame. Brescia: Per Niccolo Bettoni, 1808. [VII], VIII-LV, [6], 5-127, [1] pp., 24 folding leaves with 144 copperplates. Added French title page, French translation on facing leaves. Complete. Quarto (11-1/4" x 8-1/2").

Contemporary tree calf, gilt spine with lettering piece, patterned pastedowns, two ribbon markers, edges rouged. Some rubbing to extremities. Light toning to some sections, light foxing to a few leaves, internally clean. A well-preserved copy. \$750.

* Only edition. With a text followed by 144 topographical and architectural copperplate illustrations, this treatise addresses the law of servitudes according to the Code Napoleon, which was introduced to the states of northern Italy conquered by Napoleon's army. Piccoli was an expert on servitudes. He published volumes on several aspects of servitudes, all with illustrations, in Roman law, the laws of the Italian and Austrian states and the Code Napoleon. All are scarce. OCLC locates 7 copies of *Le Servitu Prediali* in North America, 2 in law libraries (Harvard, Library of Congress). Not in the *British Museum Catalogue*.



First English Edition of Pufendorf's *Law of Nature and Nations*

35. Pufendorf, Samuel von [1632-1694].

[Kennett, Basil, Translator].

Of the Law of Nature and Nations. Eight Books. Written in Latin by the Baron Pufendorf, Counsellor of State to His Late Swedish Majesty, And to the Present King of Prussia. Translated Into English, From the Best Edition. With a Short Introduction. Oxford: Printed by L. Lichfield, For A. and J. Churchil, R. Sare [et al.], 1703. [xxvi], 27, [3], 239, [1], 273-400, 104, 107-231, [1], 143-262 pp. With a final errata leaf. Text continuous despite pagination and register. Main text in parallel columns. Folio (12-1/2" x 8").

Recent period-style paneled calf, raised bands, blind ornaments and gilt title to spine. Title printed within double-ruled border. Moderate toning to text, minor dampstaining to margins in a few places, finger smudges, minor tears and chips to margins of a few leaves. Ex-library. Small inkstamp to title page. A handsome copy. \$5,000.

* First edition in English of *De Jure Naturae et Gentium*, one of two issues by the same publishers from 1703. In 1662 Pufendorf was appointed to the first modern professorship in natural law (at the University of Heidelberg). In 1670 he became professor of natural law at the University of Lund in Sweden. First published in 1672, this is his principal work and a landmark in the history of natural and international law. It proposed a thorough system of private, public, and international law based on natural law. Beginning with a consideration of fundamental legal ideas and their various divisions, Pufendorf proceeded to a discussion of the validity of customs, the doctrines of necessity and innate human reason. The work is significant in part because it developed principles introduced by Grotius and Hobbes. Unlike Hobbes, Pufendorf argued that peace, not war, was the state of nature, and he proposed that international law was not restricted to Christendom. As noted by the ESTC, the preface, introduction and errata page are arranged differently in some copies, which gives them the following collation: [viii], 27, [19] or [21], 239, [1], 273-400, 104, 107-231, [1], 143-262, [2] pp. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:597 (72). *English Short-Title Catalogue* N10427.



With a Section on Medical Jurisprudence
Illustrated with Three Full-Page Woodcuts Depicting Torture

36. Sarno, Agnello, de.

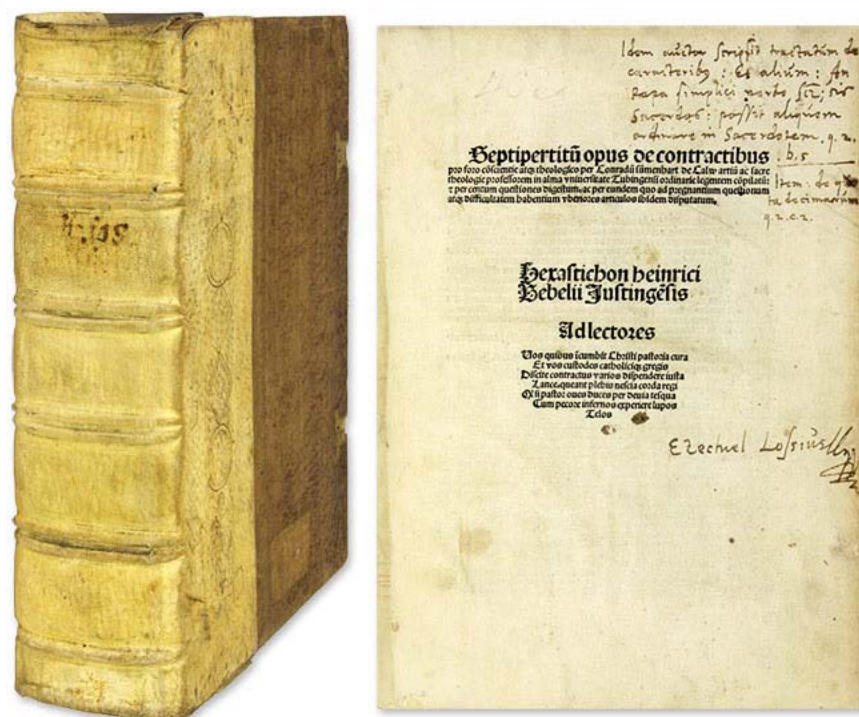
Greco, Orazio.

Scoppa, Niccolo Vincenzo, Editor.

Novissima Praxis Criminalis, Et Civilis: Cum Observationibus ad Nonnullas ex Regiis Pragmaticis, Ac Singularem Tractatu Inscripto il Medico Fiscale pro Optima Cognitione Delictorum in Genere, V3. Cadaveris Venenati, Virginis Defloratae, Pueri Constuprati, & Aliorum Consimilium. Doctoris Horatii Graeci Medici Physici regiae Curiae. Et Etiam Formulario Actorum Omnium Ordinatio, Ac Regula Vulgarizata Proformanda Inquisitione, Tam in Genere, Qaum in Specie, Secundum Veram Praxim M.C.V. Et Formulis Omnibus ad Construendum Quodlibet Civile Iudicium, Cum Responsionibus Procuratorum ad Congruere Respondendum Unicuique Actui Notificando; Opponendum, & Petendum Iuris Remedia, Exceptiones, Ac Beneficia Attentis Regiis Pragmaticis, Ritibusque M.C.V. Ac Etiam cum Interrogatoriis in Examine Procuratorum. Olim Indice Civitatis Tarenti, Ac Brundusinae, Et Auditore Provinciae Tranensis. In Qua Accesserunt Locupletissimae Annotationes Nicolai Vincentii Scoppa. Naples: Ex Typographia Michaelis Monaci, 1686. [xiv], 724 pp. Three full-page woodcut plates. Main text in parallel columns. Folio (12-1/2" x 8-1/4").

Contemporary limp vellum, large early calligraphic title to spine, lower tie lacking. Moderate rubbing and a few small chips to extremities, spine darkened, a few minor stains to boards, text block partially detached. Title page, with large copperplate vignette, printed in red and black, Woodcut head-pieces and tail-pieces. Light browning and light foxing to text, light soiling and inkspatters to a few leaves. A nice copy. \$1,850.

* Fourth edition. This is a remarkably comprehensive treatise on the civil and criminal law and procedure of the Kingdom of Naples. Especially interesting is the section on medical jurisprudence by Greco, which discusses methods of torture, forensic evidence and tests to determine virginity and rape, including the rape of a child. Designated the fourth edition, this appears to be the second. We located other editions from 1671-1672, 1702 and 1717. All are scarce. OCLC locates 2 copies in North America (at GWU and Yale Law Schools). Not in the *British Museum Catalogue*.



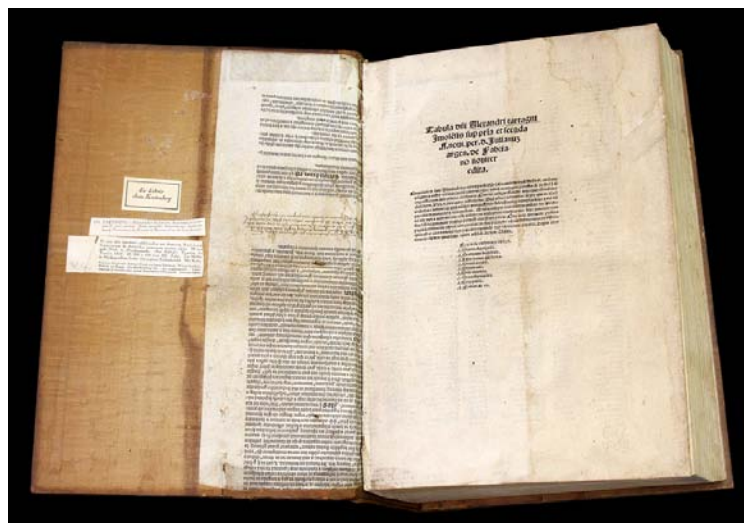
A Path-Breaking Treatise on Contracts and Usury

37. Summenhart, Konrad [1465-1511].

Septipertitu[m] Opus de Contractibus Pro Foro C[on]scientie Atq[ue] Theologico P[er] Conradu[m] Su[m]menhart de Calwartiu[m] ac Sacre Theologie P[ro]fessorem in Alma Universitate Tubingensi Ordinarie Legentem Co[m]pilatu[m] et per Centum Questiones Digestum ac per Eundem Quo ad Pregnantium Questionum At[que] Difficultatem Habentium Uberiores Articulos Ibidem Disputatum. Haguenau: Heinrich Gran for Johannes Rynman, 13 October 1500. Collation: AA-BB8, CC6, DD-EE8, a-b8, c-d6, e8, f6, g8, h-i6, k-l8, m6, n-r8, s10, t6, v8, x-z6, aa-bb6, cc4, dd-ff6, gg8, hh-ll6, A-C6, D-H8, I10, K8, L12, M8, N-P6, Q8, R6, S-V8, X-Y6. 434 ff. Complete. Text in parallel columns. Thumb-tabbed. Folio (11" x 8").

Contemporary quarter blind-tooled pigskin over wooden boards, raised bands and faint later hand-lettered title label to spine, early hand lettered titles to top and fore-edge of text block, clasps (and buckles) lacking. Some wear to extremities, spine ends bumped, joints cracked. Text printed in 51-line Gothic type on wide-margined paper. Moderate toning to text, faint dampspotting in places, one thumb-tab torn away with small loss to margin, lower corners of Signature D trimmed with no loss to text, faint dampstaining to outer margins in a few places. Early annotations to title page and a few other leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy of a scarce title. \$23,000.

* Second edition. First published in 1497, this comprehensive treatise examines the nature of contracts under Roman law, canon law and Catholic doctrine using the methods of casuistic moral theology. It is a landmark work because it was the first work to offer a comprehensive and systematic attack on the prohibition of Usury. "Summenhart's contribution was twofold: first, in enormously widening all the possible exceptions to the usury prohibition, i.e. the *census* and *lucrum cessans*; and second, in launching a blistering direct assault on all the time-honoured arguments against whatever usury contracts remained. On the first, Summenhart developed the argument for insured or guaranteed partnerships far more subtly and extensively than before. He also widened the *lucrum cessans* exception far more than anyone else had ever done. Money is fruitful, Summenhart declared boldly, it is the merchant's tool, which he can make fruitful by the use of his labor. Consequently, the merchant should be compensated for loss of the use of his money just as a farmer should be recompensed for the loss of his fields" (Rothbard). OCLC locates 8 copies of this imprint in North America (Columbia, Columbia Law School, Harvard, Huntington Library, Mt. Angel Abbey, NY Public Library, UC-Berkeley Law School, University of Pennsylvania). Rothbard, *An Austrian Perspective on the History of Economic Thought* 91. Goff, *Incunabula in American Libraries* S863. *Gesamtkatalog der Wiegendrucke* M44538.



**With Endleaves Derived from a Papal Bull
Relating to the English Crown Printed by Pynson in 1498**

38. Tartagni, Alessandro [1424-1477].

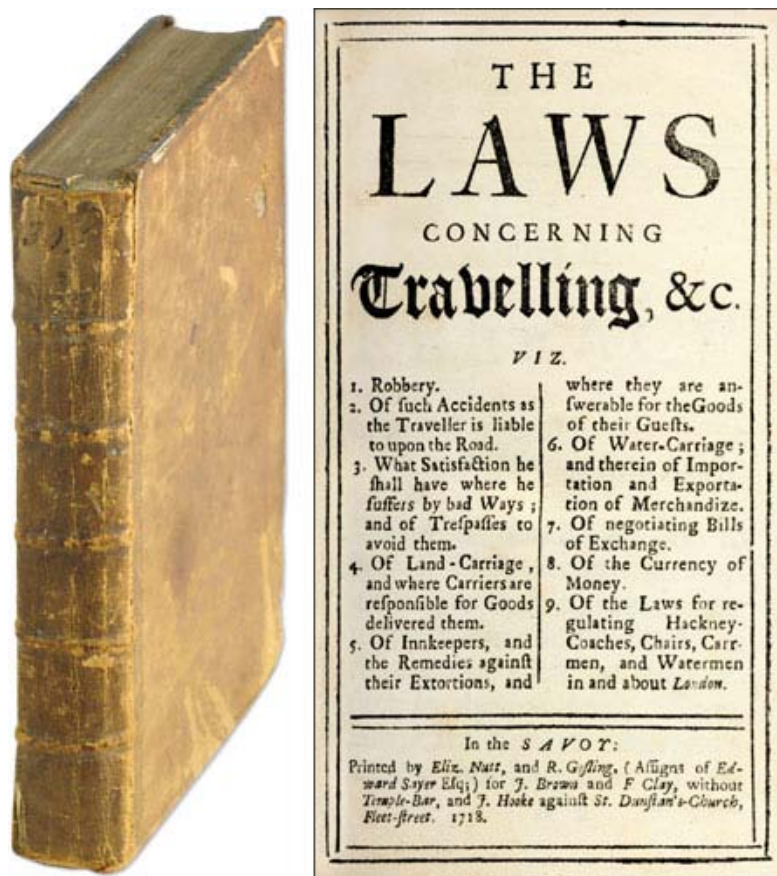
Corte, Francesco [d. 1495], Annotations.

Landriano, Bernardino de. [15th/16th. c.], Annotations.

[*Alexander de Imola in Prima(m) (et) Secunda(m). ff. Novi Parte(m). Cum Apostillis Doctissimo(rum) Doctorum Domini Fra(n)cisci de Curte (et) Bernardini de Landriano. Et cum Aliis Innumeris Additionibus per Dominum Antonium Franciscum de Doctoribus Patavinum Noviter Editis*]. [Venice: Per Baptistam de Tortis, 1514]. 49, [1], 200; 106 ff. Two parts in one volume. Main text in parallel columns with side-notes. Folio (16-1/2" x 11").

Contemporary chained binding, blind-paneled half-calf over beveled wooden boards, spine, with raised bands, carefully restored at ends, clasp buckles present, pastedowns derived from 1498 papal bull printed by Richard Pynson, described below, recent bookseller description and owner bookplate (Hans Furstenberg) to front pastedown. Main title page printed in red, text in handsome rounded Gothic type, woodcut decorated initials throughout text, large woodcut printer device at ends of text. Light toning, faint dampstaining to margins in a few places, light foxing to a few leaves, early repairs to fore-edges of the first two leaves. Some leaves have annotations, interior otherwise clean. A handsome post-incunabulum volume with an interesting addition. \$35,000.

* Later edition. Tartagni, also known as Alexander de Tartagnis de Imola, was a professor of law at the University of Bologna and a leading member of the generation of jurists that followed Bartolus. Like his illustrious predecessor, he was the author of several important commentaries on the *Code* and books of the *Digest*. In *Primam et Secundam. ff. Novi Partem* addresses the first and second parts of the *Digestum Novum* (Books 39-45, Title 1). These books deal mostly with property and contracts. This copy is bound with most of a single-leaf, single-sided papal bull printed on vellum on 8 March 1498 by Richard Pynson. Issued by John Morton, Archbishop of Canterbury, it confirms the succession of Henry VII and his heirs and endorses his marriage to Elizabeth of York. The document is signed by the episcopal notary, John Baret. The binder cut it into two parts. About ten inches are missing from the left side of the document, along with its top four lines. There are also two small holes with minor loss to the text. The 1514 Tartagni imprint and 1498 papal bull are rare. Neither is listed on OCLC. The book is not recorded in Adams, the *British Museum Catalogue* or *EDIT16*. The GW locates three copies of the papal bull: one in the Cologne State Library and two other fragmentary copies in the Library of Canterbury Cathedral and the Trier State library. Not in Goff. *Gesamtkatalog der Wiegendrucke* M13152/M1315220.



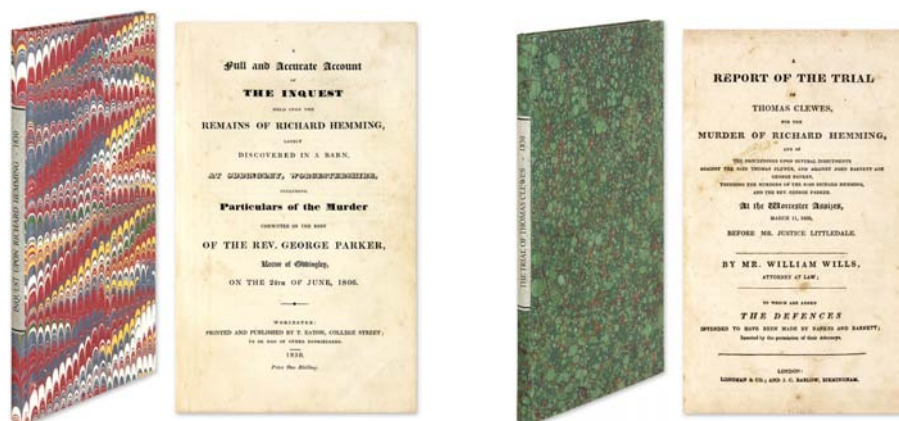
Don't Leave Home Without It

39. [Travelers].

The Laws Concerning Travelling, &c. Viz. 1. Robbery. 2. Such Accidents as the Traveller is Liable to Upon the Road. 3. What Satisfaction He Shall Have Where He Suffers by Bad Ways; And of Trespasses to Avoid Them. 4. Of Land-Carriage, And Where Carriers Are Responsible for Goods Delivered Them. 5. Of Innkeepers, And the Remedies Against Their Extortions, And Where They Are Answerable For the Goods of Their Guests. 6. Of Water-Carriage; And Therein of Importation and Exportation of Merchandize. 7. Of Negotiating Bills of Exchange. 8. Of the Currency of Money. 9. Of the Laws for Regulating Hackney-Coaches, Chairs, Carrmen, and Watermen In and About London. [London]: Printed by Eliz. Nutt, and R. Gosling, 1718. [xii], 237, [3] pp. Includes three-page publisher list. 12mo. (6-1/2" x 4").

Contemporary unlettered sheep, blind rules to boards, blind fillets along joints, faint early shelf label to head of spine. Light rubbing and a few minor scuffs to boards, some wear to edges and spine ends, front joint starting, rear joint and hinge cracked but still quite secure. Faint offsetting to margins of endleaves, text notably fresh. A nice copy. \$1,750.

* Only edition. This digest of statutes with explanatory glosses was the first book of its kind. Conceived for the layman, it was intended to be a pocket companion for the traveler and a useful addition to his reference shelf. The anonymous editor felt a need for this book because the British were a mobile people "whose Dominions and Factories lie dispersed in every Quarter of the habitable World, whose Traffick is unlimited, and extends to every Thing that either Earth or Seas produce" (v). Equally valuable to social historians, it documents the difficulties and dangers of eighteenth-century travel. This book was reissued around 1720 by J. Ferryman, a printer in Bristol. OCLC locates 5 copies of the London edition in North American law libraries (Georgetown, Jenkins, UC-Berkeley, University of Michigan, Yale), none of the Bristol reissue. *Catalogue of the Goldsmiths' Library of Economic Literature* (Supplement) 5424.2. *English Short-Title Catalogue* T126882.



Item 40

Item 41

The Oddingley Murders

40. [Trial].

[Oddingley Murders].

[Hemming, Richard (c.1772-1806)]. [Parket, George (d. 1806)].

A Full and Accurate Account of the Inquest Held Upon the Remains of Richard Hemming, Lately Discovered in a Barn, At Oddingley, Worcestershire, Including Particulars of the Murder Committed on the Body of the Rev. George Parker, Rector of Oddingley, On the 24th of June, 1806. Worcester: Printed and published by T. Eaton, 1830. [i], 53 pp. Woodcut frontispiece (of Hemming's skeleton and a plan of where it was discovered). Octavo (7-1/2" x 4-1/2").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine. Moderate toning to text, occasional light foxing, light soiling to title page, internally clean. A handsome copy of a rare item. \$850.

* Only edition. The Oddingley murders took place in June 1806. Rev. George Parker, Rector of Oddingley, was found in a meadow in the village, dying from a gunshot wound to the stomach. Witnesses saw the assailant. From their description he was identified as Richard Hemming. He wasn't located alive, but his skeleton was found 24 years later buried in a barn. At the time of the 1806 murders, that barn was leased by a farmer named Thomas Clewes. After his arrest, Clewes admitted his knowledge of the murders. He said a trio of farmers hired Hemming to murder their late rector because of a long-running dispute over tithes. Then, without a stated motive, one of them killed Hemming. The discovery of the murderer's skeleton 24 years later, followed by a lurid confession, transformed a local story into a national event. People expected the trial of Clewes, John Barnett and George Banks, the two surviving conspirators named by Clewes, to result in a triple hanging. The men were not convicted, however, due to legal technicalities, witnesses who contradicted themselves and, most important, a lack of solid evidence beyond Clewes's confession. OCLC locates 3 copies, none in North America.

The Oddingley Murder Trials

41. [Trial].

[Oddingley Murders].

Wills, William. [Clewes, Thomas, Defendant].

A Report of the Trial of Thomas Clewes, For the Murder of Richard Hemming, And of the Proceedings Upon Several Indictments Against the Said Thomas Clewes, And Against John Barnett and George Bankes, Touching the Murders of the Said Richard Hemming, And the Rev. George Parker. At the Worcester Assizes, March 11, 1830, Before Mr. Justice Littledale. By Mr. William Wills, Attorney at Law; to Which Are Added the Defences Intended to Have Been Made by Bankes and Barnett; Inserted by the Permission of Their Attorneys. London: Longman & Co.; And J.C. Barlow, Birmingham, [1830]. 51, [1] pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine. Moderate toning to text, light foxing to a few leaves, internally clean. A rare title. \$850.

* Only edition. OCLC locates 3 copies worldwide (Library of Congress, Harvard Law School and Birmingham University).



Maimed with Oil of Vitriol

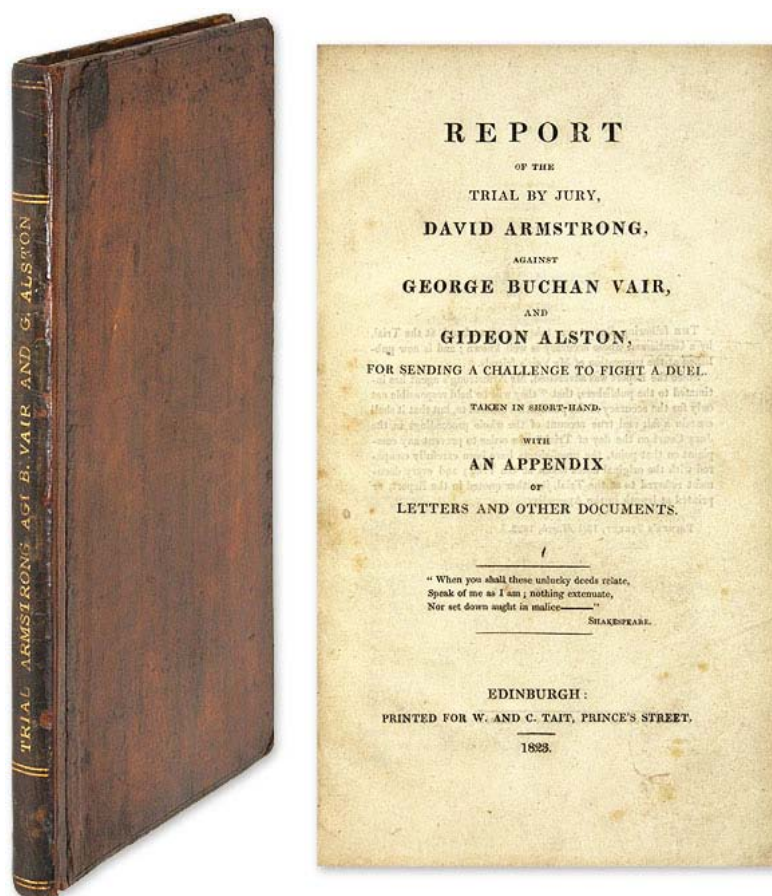
42. [Trial].

Townsend, Washington L., Defendant.

"Trial of Washington L. Townsend on an Indictment for Mayhem, Lying in Wait For and Maiming Joh[n] Reese, By Throwing Oil of Vitriol in His Face," *The Extra Sun* (New York, 1839).

20" x 15" newspaper broadsheet, six-column text on recto and verso. Light browning and a few tiny stains, horizontal fold line across center, some edgwear and minor chips and tears to margins. \$750.

* This extra issued by the *New York Sun* offers a complete account of a grisly assault with sulfuric acid (oil of vitriol). Townsend, a carpenter, and Reese, a bookbinder, were acquaintances who knew each other for about five years. Shortly before his maiming, Reese heard a rumor that Townsend was a bigamist. He shared this information with Townsend's wife. It seems he was conducting an affair with her and was hoping this news would persuade her to leave her husband. Townsend was indicted for mayhem and assault and battery with intent to kill. Townsend, though apparently guilty, was acquitted. According to *The Law Reporter*, this was a case that "caused much excitement in New York." However, our broadside appears to be its only popular account. Also, it appears to be unrecorded. *The Law Reporter* 1 (1838-1839) 344.



Trial of A Would-Be Scottish Duelist

43. [Trial].

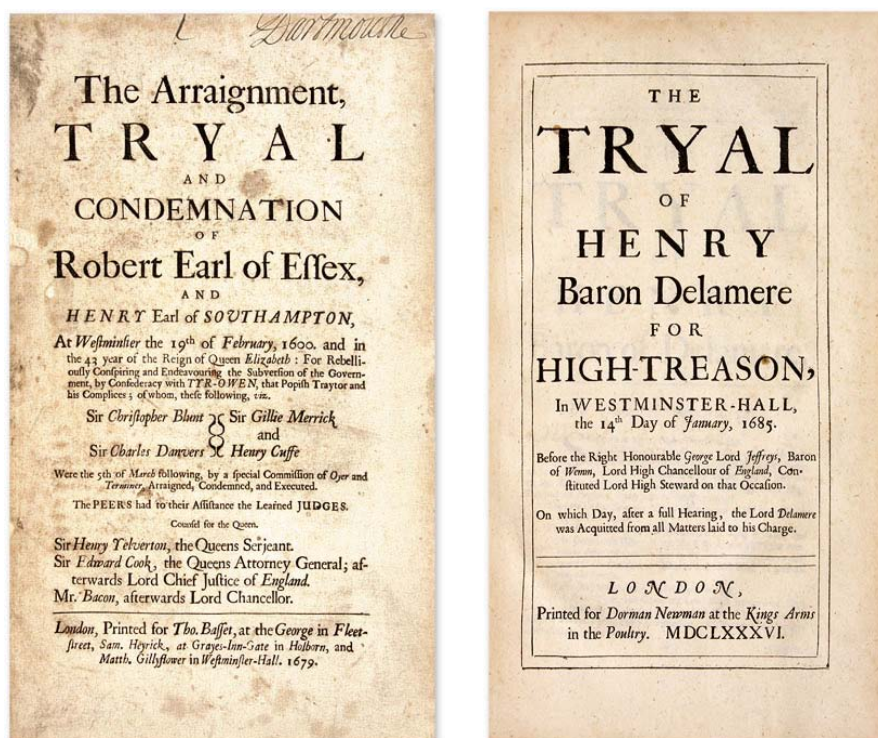
Vair, George Buchan, Defendant.

Alston, Gideon, Defendant.

Report of the Trial by Jury, David Armstrong, Against George Buchan Vair, and Gideon Alston, For Sending a Challenge to Fight a Duel. Taken in Short-Hand. With an Appendix of Letters and Other Documents. Edinburgh: Printed for W. and C. Tait, 1823. iv, 134, [2] pp. Octavo (8-1/2" x 5").

Contemporary calf with later rebacking, blind fillets to boards, gilt title to spine, hinges mended. Moderate rubbing to extremities, corners bumped and somewhat worn, some gatoring along joints. Moderate toning to text, light foxing to a few leaves, internally clean. \$1,250.

* Only edition. Vair, a spirit-dealer in Leith, was apparently engaged to Miss Dinah Grive, "a lady in Dumfries." He objected to inappropriate attentions paid her by David Armstrong, a writer. Vair alleged that Armstrong had caused the lady to break off her engagement and was therefore entitled to challenge him to a duel. Armstrong refused the challenge, won the court case and was awarded 20 pounds in damages. OCLC locates 4 copies in North American law libraries (LA County, Library of Congress, Social Law, University of Pennsylvania).



Conspiracies Against the English Crown

44. [Trials].

[Great Britain].

[Conspiracies Against the Crown].

The Arraignment, Tryal and Condemnation of Robert Earl of Essex, And Henry Earl of Southampton, At Westminster the 19th of February, 1600. And in the 34th Reign of Queen Elizabeth: For Rebelliously Conspiring and Endeavouring the Subversion of the Government, By Confederacy with Tyr-Owen, That Popish Traytor and His Accomplices; Of Whom, These Following, Viz: Sir Christopher Blunt, Sir Charles Danvers, Sir Gillie Merrick and Henry Cusse Were the 5th of March Following, By a Special Commission of Oyer and Terminer, Arraigned, Condemned, And Executed. The Peers Had for Their Assistance the Learned Judges. Counsel for the Queen. Sir Henry Yelverton, The Queen's Serjeant. Sir Edward Cook, The Queens Attorney-General; Afterwards Lord Chief Justice of England. Mr. Bacon, Afterwards Lord Chancellor. London: Printed for Tho. Bassett, 1679. [ii], 30 pp. English Short-Title Catalogue R18141.

[Bound with]

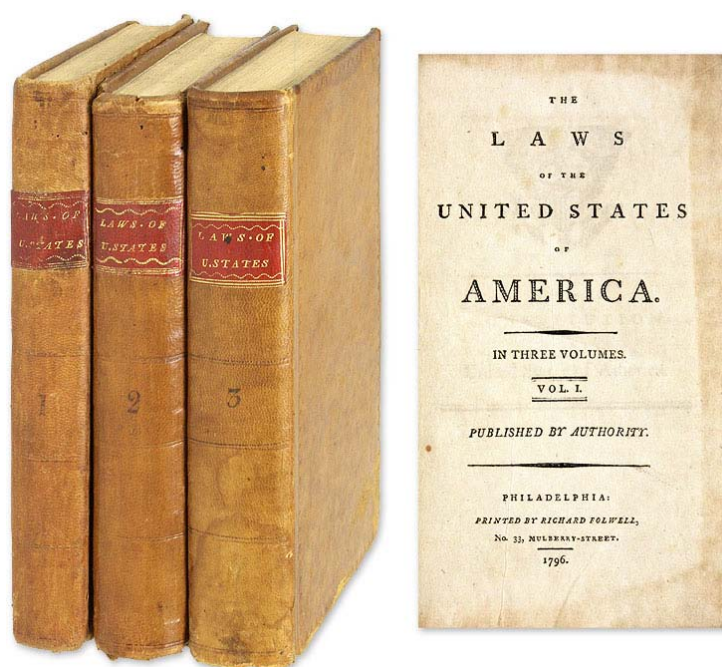
The Tryal of Henry Baron Delamere for High Treason, In Westminster-Hall, The 14th Day of January, 1685. Before the Right Honourable George Lord Jeffreys, Baron of Wemm, Lord High Chancellor of England, Constituted Lord High Steward on that Occasion. On Which Day, After a Full Hearing, The Lord Delamere was Acquitted from All Matters Laid to His Charge. London: Printed for Dorman Newman, 1686. [ii], 87 pp. ESTC R23568.

[And]

[Sixteen Trials and Essays Relating to Conspiracies Against the Crown].

Folio (12" x 7-1/2"). Eighteen pamphlets bound into contemporary paneled calf, rebaked in period style with raised bands and lettering piece. A few light scuffs to boards, moderate rubbing to extremities, corners bumped and somewhat worn, hinges mended. Moderate toning to text, somewhat heavier in places, light soiling to a few leaves. Large early owner signatures of the Earl of Dartmouth to front pastedown and title pages (or preceding blank) of each pamphlet, which are also numbered in his hand, some signatures and numbers affected by trimming, manuscript table of contents in his hand to front free endpaper, doodles to a few other leaves, later bookseller note laid in. A unique collection with an interesting provenance. \$5,000.

* This volume collects seventeen pamphlets relating to seventeenth-century plots against the English Crown, such as the Popish Plot, Rye House Plot and Tyrone's Rebellion. Seven are trial accounts, four discuss trials, the remainder address background issues. Two titles are identified above; the others are (in short-titles): *The Arraignment, Trials, Conviction of Sir Rich. Grahme, And John Ashton* (1691, two parts, [iv], 76; 77-138 pp., ESTC R22452), *The Arraignment, Tryal and Condemnation of Sir William Parkins* (1696, [ii], 48 pp., ESTC R11595), *The Arraignment, Tryal & Condemnation of Algernon Sidney* (1684, [iv], 67 pp., ESTC R23343), *The Late Lord Russel's Case, With Observations Upon It* (1686, [ii], 104 pp., ESTC R27291), *The Tryals of Henry Cornish... And John Fernley, William Ring, And Elizabeth Gaunt* (1685, [ii], 42 pp., ESTC R25662), *The Character of an Ill-Court-Favourite: Representing the Mischiefs that Flow from Ministers of State* (1681, 19, [1] pp., ESTC R35809), *Grimalkin, Or, The Rebel-Cat: A Novell* (1681, [ii], 13, [1] pp., ESTC R30323), *A Speech Without Doors. Made by A Plebeian to His Noble Friends* (1681, 4 pp., ESTC R37582), *The French Intrigues Discovered* (1681, [ii], 31, [1] pp., ESTC R9404), *Remarques Upon a New Project of Association* (1682, 8 pp., ESTC R3820), *The Oath and Covenant Signed by Several Members of the House of Commons* (1681, 8 pp., Not in the ESTC or Wing, may be lacking a title page), *The Proceedings Held at the Sessions of the Peace Held at Hicks-Hall* (1682, [ii], 8 pp., ESTC R6287), *The Great and Weighty Considerations, Relating to the Duke of York, Or Successor of the Crown... Considered* (1680, [ii], 37, [1] pp., ESTC R20436), *The Act of Parliament of the 27th. Of Queen Elizabeth, To Preserve the Queen's Person, And Protestant Religion, And Government* (1679, [ii], 6 pp., ESTC R34890) and *A Letter from a Gentleman of Quality in the Country to His Friend* (1679, [ii], 18 pp., ESTC R19698). The binding style and manuscript hand date to the eighteenth century. However, the identity of "Dartmouth" is unclear. According to the laid-in note, the bookseller, H.W. Edwards, says he purchased this volume came from "the Earl of Dartmouth's library." He may be referring to William Legge, 1st Earl of Dartmouth [1672-1750] or William Legge, 2nd Earl of Dartmouth. [1731-1810]. The 2nd Earl is remembered as a colonial administrator in the decades leading to the American Revolution. He was First Lord of Trade from 1765 to 1766 and Secretary of State for the Colonies and First Lord of Trade from 1772 to 1775.



Complete First Folwell Edition with Swift's Index

45. [United States Congress].

[Folwell, Richard, Printer].

[Swift, Zephaniah, Compiler of Index].

The Laws of the United States of America. Published by Authority. Philadelphia: Printed by Richard Folwell, 1796-1797. Three volumes. [v], 6-494, [v], 6-576; [v], 6-477, [131] pp. Octavo (8" x 5").

Contemporary sheep, blind fillets to boards, blind fillets and lettering pieces to spines. Light scuffing to boards, moderate rubbing to extremities with some wear to spine ends, corners bumped and somewhat worn. Moderate toning, light foxing in places, spark burns and faint dampstains to a few leaves, side notes mostly lacking from leaf F4 (pp. 47-48) of Volume 2 due to contemporary paper flaw, small chip to leaf Z4 (pp. 183-184) in Volume 3 with minor loss of legibility to a side-note, internally clean. An appealing set in original unrestored bindings. \$2,750.

* Complete first editions (Volume III, though dated 1796, was not printed before 1797). Includes texts of the Constitution, the Bill of Rights and the Treaty of Paris. A compilation of all acts passed by the first, second, third and fourth Congresses. Among these are the acts that established the War, Postal and Treasury departments, the judicial circuits, the Bank of the United States and the military academy at West Point and the city of Washington, D.C., authorized the census, passed the Copyright law, created the states of Kentucky, Vermont and Tennessee. Other interesting legislation includes an act to build six frigates to combat the Algerian corsairs and acts concerning the Whiskey Rebellion. Indian affairs are treated at length. Legislation includes several Indian treaties, an act establishing the President's right to create "trading houses" with Indian tribes, acts appointing Indian Agents, an act providing for a boundary line between settlers and Indians running west of the new Ohio territories (which settlers were not allowed to cross). Evans observes that this edition enjoys "many peculiar advantages," such as the cumulative 130-page index in Volume III compiled by Zephaniah Swift. This "copious, luminous index [comprises] in itself a complete digest of all the Laws of the United States." Evans notes also that Folwell's Volume I is frequently and erroneously replaced by the 1795 edition by Childs and Swaine. Evans, *American Bibliography* 31356, 32973 (Volumes I-III). Sabin, *A Dictionary of Books Relating to America* 39424.



Reference Letter for a Law Clerk by Notable Albany Lawyer and Judge

46. Yates, Peter W. [1747-1826].

[Reference Letter for a Law Clerk]. Tri-folded 8" x 7-1/2" leaf, docketed on verso, written in ink, addressed to the New York Supreme Court. Albany, April 15, 1783. Item carefully dry-mounted in window leaf. A well-preserved item. \$200.

* Letters such as this one were part of the application process for nineteenth-century bar exams. Yates, a lawyer and judge from Albany, New York, was a delegate to the Continental Congress in 1786 and an active Anti-Federalist. This is a testimonial letter stating that Anthony A. Hoffman "studied the Law as a clerk in my office for the term of one year" and is a man of "good moral character." Hoffman moved to Poughkeepsie and went on to become a Judge in Dutchess County "and a man of considerable influence." Eugene A. Hoffman, *Genealogy of the Hoffman Family* 85.



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