

RECENT ARRIVALS

(and a FEW OTHERS)

August 4, 2015

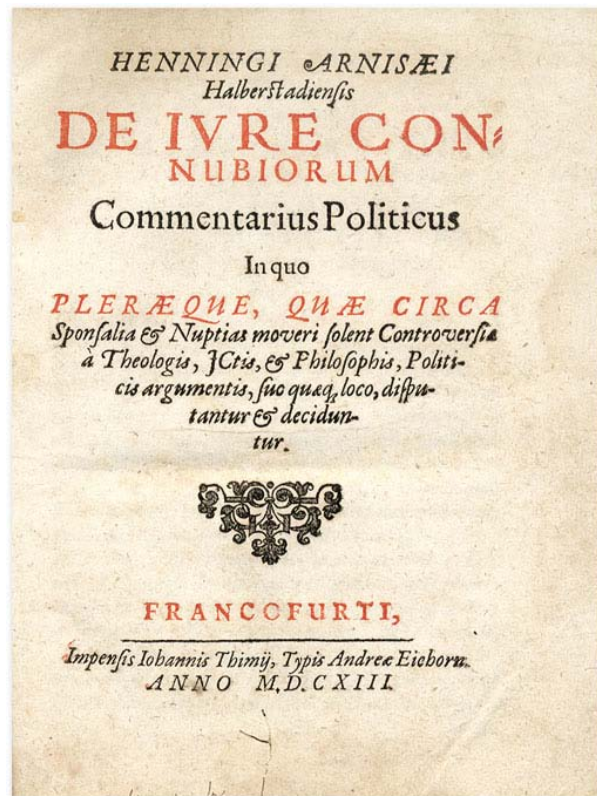


THE
LAWBOOK EXCHANGE
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The Lawbook Exchange, Ltd.

Recent Arrivals (and a Few Others)

4 August 2015



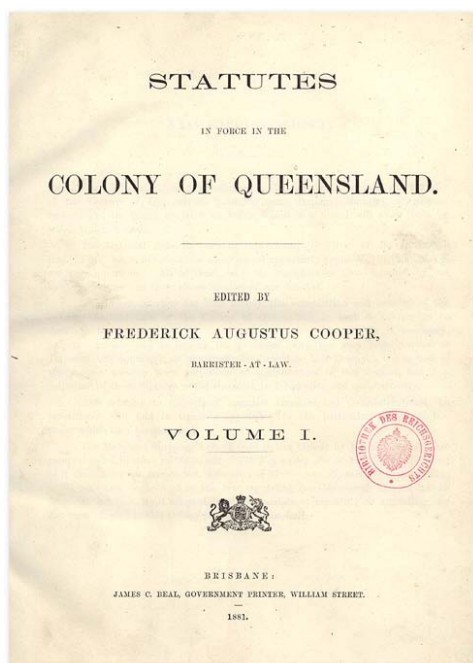
One of the First Comprehensive Treatises on Laws Concerning Marriage

1. Arnisaeus, Henning [1575-1636].

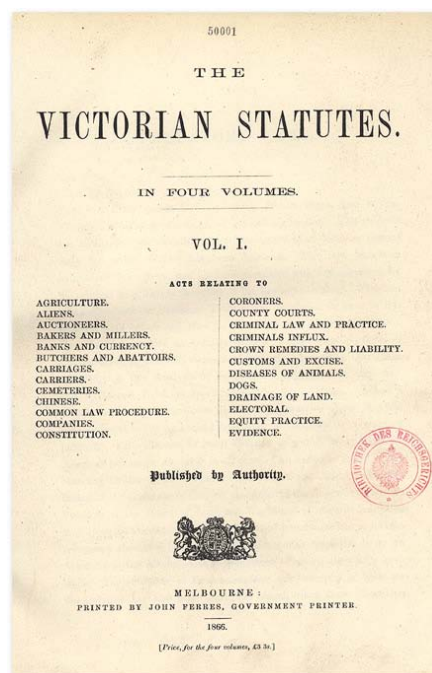
De Iure Connubiorum Commentarius Politicus, In Quo Pleraeque, Quae Circa Sponsalia & Nuptias Moveri Solent Controversiae a Theologis, Jctis, & Philosophis, Politicis Argumentis, Suo Quæq; Loco, Disputantur & Deciduntur. Frankfurt: Impensis Iohannis Thimij, Typis Andreae Eichorn, 1613. [vii], 388 [i.e. 478], [4] pp. Quarto (7-1/2" x 6").

Contemporary calf, blind fillets to boards, rebacked in period style with raised bands and lettering piece. Title page printed in red and black. Moderate toning to text, minor worming in a few places, negligible insect damage to edges of some leaves, faint dampstaining to a few leaves, internally clean. \$950.

* First edition. Arnisaeus, a German physician and moral philosopher, wrote important works on political philosophy. Grounded in a solid knowledge of civil and canon law, this was one of the first comprehensive treatises on the laws concerning marriage. It was a useful and durable work; later editions were published in 1635, 1636 and 1686. All are scarce. OCLC locates 3 copies of the first edition in North America (Harvard Law School, UC-Berkeley, University of Illinois). *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 1:001798U.



Item 2



Item 3

The First Compilation of Queensland Statutes

2. [Australia].

Cooper, Frederick Augustus, Editor.

Statutes in Force in the Colony of Queensland. Brisbane: James C. Beal, Government Printer, 1881. Four volumes. Quarto (10-1/2" x 11"). Recent cloth, gilt titles to spine, endpapers renewed, internally clean. Ex-library. Small stamps to title pages. \$1,250.

* Only edition. With a chronological table of acts. Volume IV is an index. "The object in view has been simply the compilation and revision of the existing Statute Law of the Colony of Queensland in such a manner as to facilitate the search of all whose avocations render reference to it necessary, and not in any way to furnish the profession with the very large number of Imperial Acts applicable or apparently applicable to this colony.": Preface. OCLC locates 6 copies. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 6:77.

Victorian Acts in Force in 1866

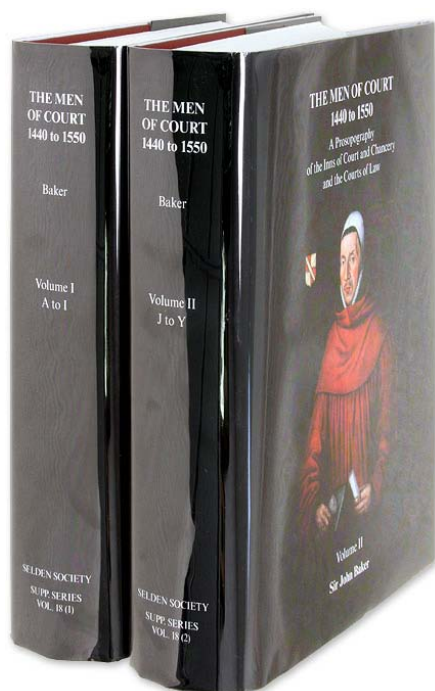
3. [Australia].

[Victoria].

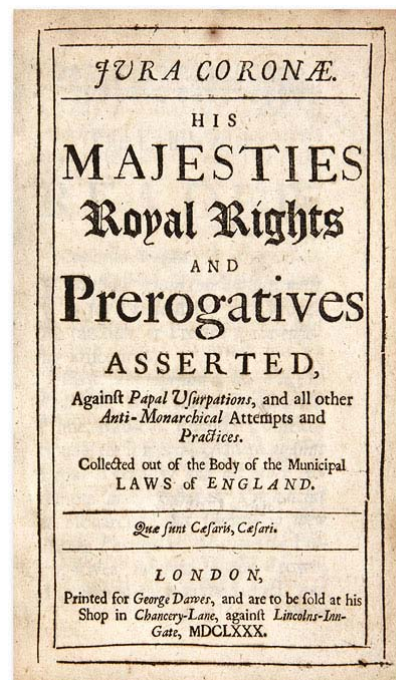
The Victorian Statutes. Published by Authority. Melbourne: Printed by John Ferres, 1866. Four volumes, Quarto (10-1/2" x 8-1/2").

Recent cloth, gilt titles to spines, endpapers renewed, internally clean. Ex-library. Small stamps to title pages. \$1,500.

* Only edition. (A companion volume of imperial statutes in force in Victoria was published in 1868.) The first three volumes contain general acts. Volume IV contains acts that relate to particular persons or localities or have a "special or limited operation." Both volumes are indexed, have chronological tables and are digested alphabetically. OCLC locates 6 copies. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 6:88.



Item 4



Item 5

A "Who's Who" of English Law from 1440 to 1550

4. Baker, Sir John, Compiler.

The Men of the Court 1440 to 1550: A Prosopography of the Inns of and Chancery and the Courts of Law. Volumes I and II (complete). London: Selden Society 2012. 1809 pages. Hardcover. ISBN 0854231374; ISBN 9780854231379. Original cloth, dust jackets, 48 plates, half in color. Selden Society Supplementary Series Volume 18. As new, excellent condition. \$200.

* This monumental work in two very large volumes is a biographical dictionary of every named person connected with the law: all known members of the inns of court and chancery (which included many non-lawyers), and all the attorneys and officers of the central courts. A veritable Who's Who in the Law during this important transitional period, with well over 10,000 entries identifying as far as possible each individual, and with information relating to his social position, family, local roots, armorial bearings, and portraits; and going back before 1440 or after 1550 where a life extended beyond the qualifying period.

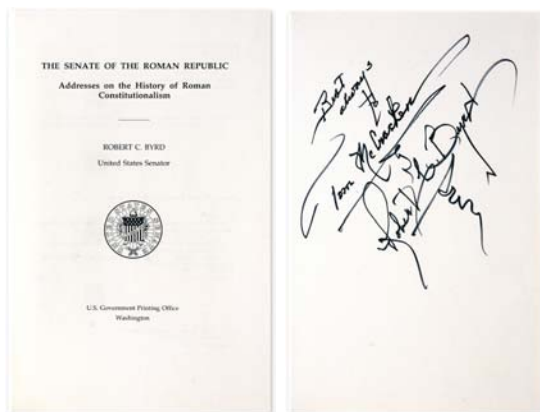
Rights Reserved by the Crown: Jefferson Owned a Copy of This Book

5. [Brydall, John (b.1635?)].

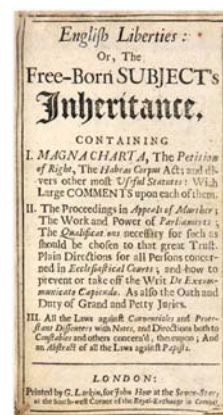
Jura Coronae. His Majesties Royal Rights and Prerogatives Asserted, Against Papal Usurpations, And All Other Anti-Monarchical Attempts and Practices. Collected Out of the Body of the Municipal Laws of England. London: Printed for George Dawes, 1680. [xvi], 147, [5] pp. Copperplate frontispiece (of the royal arms of Great Britain). Includes five-page publisher catalogue. Octavo (6-1/2" x 4-1/2").

Recent period-style calf, gilt frames to boards, lettering piece and gilt-edged raised bands to spine. Light toning to text, somewhat heavier in places, light foxing to a few leaves, internally clean. Ex-library. Very faint inkstamp to top-edge of text block. A handsome copy. \$950.

* Only edition. Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." Written near the end of the Stuart Monarchy, *Jura Coronae* is a strongly monarchist overview of the laws and legal rights reserved by the Crown. Thomas Jefferson owned a copy of this work. OCLC locates 10 copies in North American law libraries. Holdsworth, *A History of English Law* VI:605. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2706. *English Short-Title Catalogue* R36323.



Item 6



Item 7

Inscribed by Senator Byrd

6. Byrd, Robert C. [1917-2010].

The Senate of the Roman Republic: Addresses on the History of Roman Republic: Addresses on the History of Roman Constitutionalism. Washington, DC: U.S. Government Printing Office, 1995. [xvii], [i], 189 pp. Portrait frontispiece. Illustrations. Hardcover, gilt title to spine, gilt title and image of large gilt eagle (copied from a Roman coin) to front board. Negligible light shelfwear, author inscription to front free endpaper. \$95.

* First edition. The inscription reads: "Best/always/to/Tom McCracken/Robert C. Byrd." This book collects fourteen addresses delivered by Byrd in 1993 before the U.S. Senate. They discuss the constitutional history of separated and shared powers as shaped in the republic and empire of ancient Rome. Also topical, they often address his opposition to the line-item veto, an issue under consideration at that time. The introduction states that Senator Byrd delivered these speeches from memory.

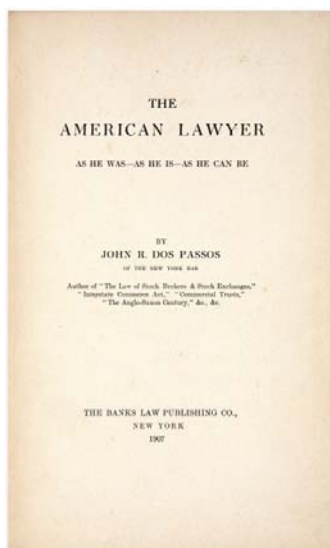
First Edition of a Classic Guide to English Law and Government that Inspired the American Founding Fathers

7. [Care, Henry (1646-1688)].

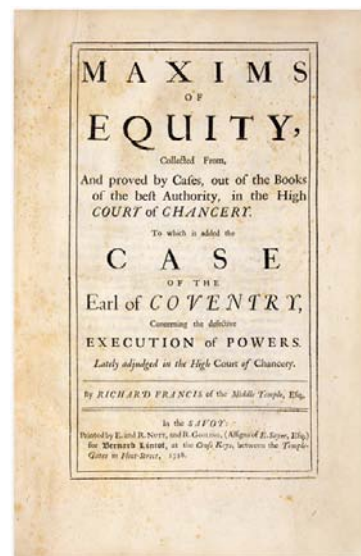
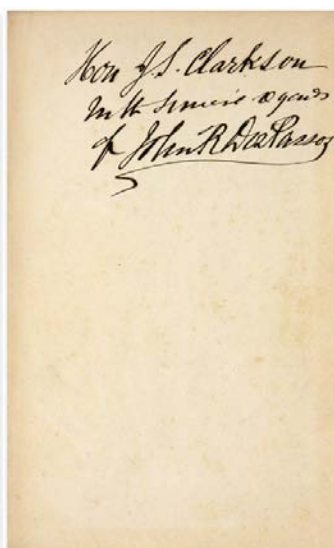
English Liberties: Or, The Free-Born Subject's Inheritance, Containing I. Magna Charta, The Petition of Right, The Habeas Corpus Act; And Divers Other Most Useful Statutes: With Large Comments Upon Each of Them. II. The Proceedings in Appeals of Murther; The Work and Power of Parliaments; The Qualifications Necessary for Such as Should be Chosen to that Great Trust. Plain Directions for All Persons Concerned in Ecclesiastical Courts; And How to Prevent or Take Off the Writ De Excommunicato Capiendo. As Also the Oath and Duty of Grand and Petty Juries. III. All the Laws Against Conventicles and Protestant Dissenters with Notes, And Directions both to Constables and Others Concern'd, Thereupon; And an Abstract of All the Laws Against Papists. London: Printed by G. Larkin, For John How at the Seven-Stars at the South-West Corner of the Royal Exchange in Cornhil, [1680 or 1682]. [xii], 228 pp. Lacking initial blank leaf and two-leaf publisher list. 12mo. (5-1/2" x 3-1/4").

Contemporary calf, gilt rules to boards, gilt spine with raised bands and lettering piece, foot of spine repaired, endpapers renewed. Light rubbing to extremities, corners bumped, a few worm holes and minor bumps and scuffs to boards, hinges partially cracked. Moderate toning to text, somewhat heavier in places, internally clean. A very handsome copy. \$2,850.

* First edition, one of two imprints from that year (1682 publication date conjectured by Wing). This classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Priviledge of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned this edition and another copy, printed in London in 1719, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. The two undated imprints were followed by a series of dated imprints, the first from 1682. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2702, 2703. *English Short-Title Catalogue* R32534.



Item 8



Item 9

"A Forceful Statement of Original Ideas"

8. Dos Passos, John R.

The American Lawyer: As He Was-As He Is-As He Can Be. New York: The Banks Law Publishing Co., 1907. iv, 185 pp.

Textured cloth, blind frames to boards, gilt title to spine. Light shelfwear, spine ends bumped. Author presentation inscription to front free endpaper, light toning to text. \$350.

* First edition. "When a man of the recognized standing and ability of John R. Dos Passos gives his views on the American lawyer (...), one is assured of a forceful statement of original ideas. Already the author of a number of valuable works on the law, his latest contribution is very timely and ought to be welcomed and read by all whether lawyer, student of the law or those members of the general public who appreciate first-hand information on a subject as to which there is much misconception. In the opening chapters some rather startling comparisons are made between the lawyer of to-day and his predecessors of ante-bellum days. The average modern lawyer's unfamiliarity with basic constitutional principles and his consequent inefficiency as a legislator are dwelt on at length and to this the author ascribes the major part of the unconstitutional legislation which encumbers our statute books.": F.P.M., *Yale Law Journal* 16 (1907) 375.

The Book that Established the Field of Equity Jurisprudence

9. Francis, Richard [fl. 1719-1728].

Maxims of Equity, Collected From, And Proved by Cases, Out of the Books of the Best Authority, In the High Court of Chancery. To which is Added the Case of the Earl of Coventry, Concerning the Defective Execution of Powers Lately Adjudged in the High Court of Chancery. [London]: Printed by E. and R. Nutt, and R. Gosling, 1728. [x], 72, [12], [2], 20 pp. Folio (12" x 8").

Recent period-style calf, blind panels to boards, raised bands and lettering piece to spine. Moderate toning and occasional light foxing to text, internally clean. \$950.

* Second edition, a reissue of the first edition (1727) with an altered title page and a preliminary advertisement leaf. This was the first textbook on equity published since St. Germain's *Doctor and Student* (1523). It is generally considered to be the book that founded the field of equity jurisprudence. Francis outlines fourteen maxims, such as "Equality is Equity" and "Equity suffers not a right to be without a remedy." Each maxim is followed by a brief summary of cases that illustrate its application. As Roscoe Pound observed, Francis created a precursor to the casebook: "his maxims for the most part are independent attempts to state principles derived from the study of cases.": Pound, "On Certain Maxims of Equity" in *Cambridge Legal Essays* 261-262. *English Short-Title Catalogue* T118767.



"When Fools Fall Out for Ev'ry Flaw, They Run Horn Mad to Go to Law"

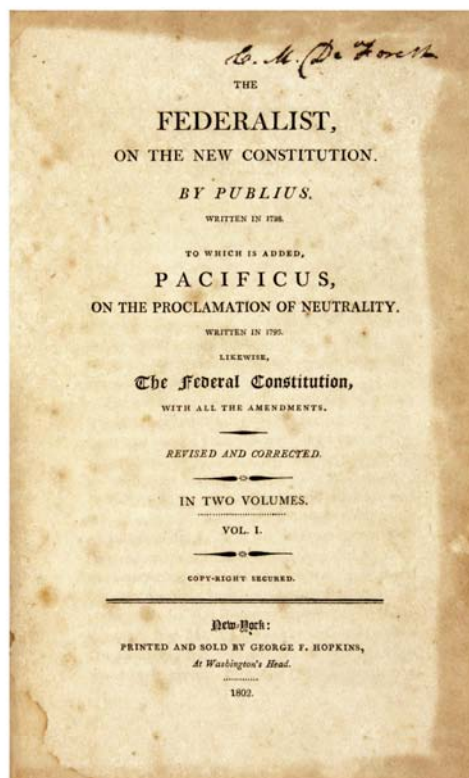
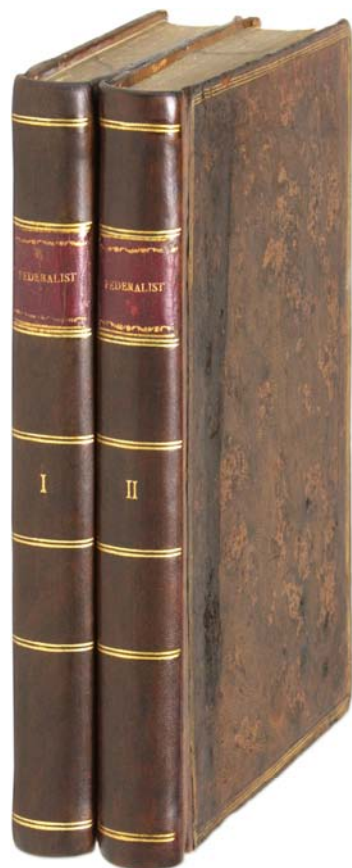
10. Gravelot, Hubert-Francois [1699-1773], After.

Mosley, Charles, Engraver.

Westminster Hall. The First Day of Term. A Satirical Poem. London: Republished by Laurie & Whittle, 6th November, 1797.

Copperplate engraving, 12 1/2 x 13 3/4 inches copperplate engraving on a 14 1/2 x 19 3/4 inch sheet of wove paper, watermarked "W. King" in the right margin of the sheet, mounted and matted. Light soiling to margins, toning to outer edge of margins, mostly covered by mat, very good overall. \$950.

* A wonderful depiction of the English law court at Westminster Hall in the age of Blackstone accompanied by a satirical poem by an anonymous author. The print shows the active scene within Westminster Hall on the first day of term, showing the hammerbeam roof and looking towards arched windows at the far end. Members of the public and the law court go about their business in the hall, conversing and buying law books from stalls that flank either side of the hall. A few women are seen milling about and one woman appears to be selling a book to another. Four columns of verse beneath the image satirize the litigiousness of English society and the eagerness of attorneys to take even the most trifling case: "Jargons and noise alone prevail - while sense and reason's sure to fail; at Babel thus law terms began, - and now at Westminster go on." In image and in text, this print provides us with important contemporary evidence of the legal work that went on at Westminster, and the low esteem in which that work could be held. This image was originally published in 1758, according to the record of the Government Art Collection at Queen's Yard, London. Gravelot was active as an artist in London in the 1730s and 1740s, after which he returned to France, though he continued to produce work for publication in England. OCLC locates copies at the Harvard Law School and at the Morgan Library. We are also aware of copies at the Yale Center for British Art, the British Museum, the Government Art Collection at Queen's Yard, London, and the collections of the British Parliament. According to the British Museum, it is not listed in Stephens and George, *Catalogue of Political and Personal Satires in the Department of Prints and Drawings in the British Museum*.



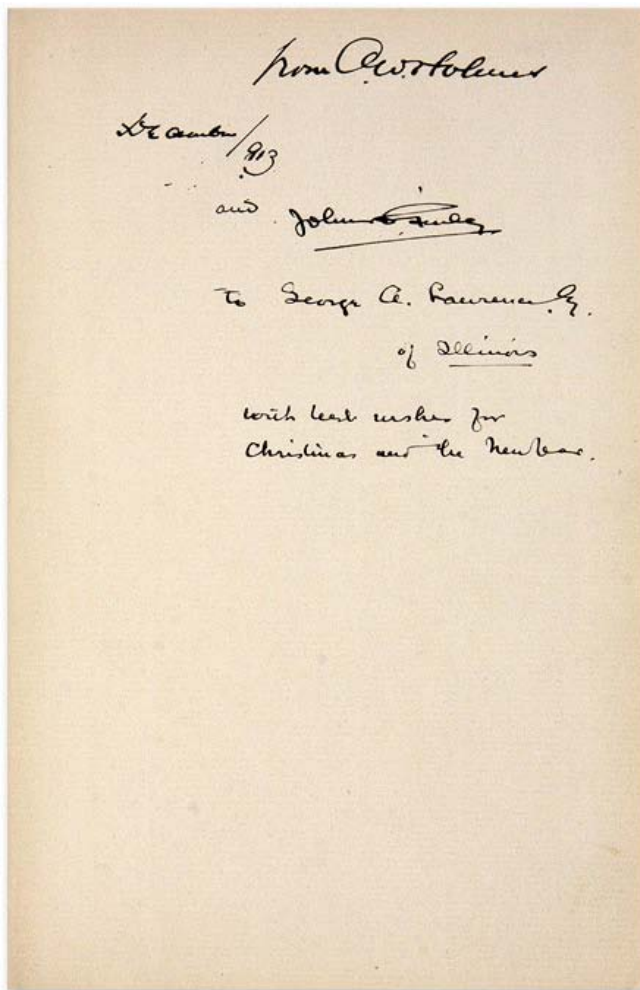
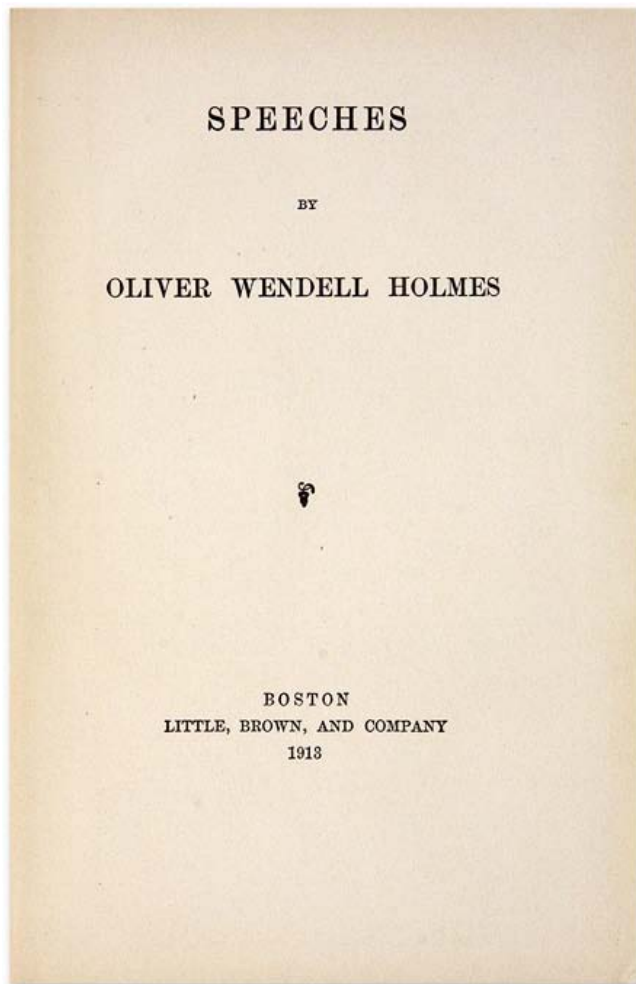
The Last Edition Published in Hamilton's Lifetime, And the First Edition to Identify the Authors

**11. [Hamilton, Alexander (1755 or 57-1804)],
[Madison, James (1751-1836)].
[Jay, John Jay (1745-1829)].**

The Federalist, On the New Constitution. By Publius. Written in 1788. To Which is Added, Pacificus, On the Proclamation of Neutrality. Written in 1793. Likewise, The Federal Constitution, With All the Amendments. Revised and Corrected. New-York: George F. Hopkins, 1802. Two volumes. viii, 317, [1]; v, [3], 351 pp. Octavo (8-1/2" x 5").

Contemporary sheep treated to look like tree calf, gilt rules to boards, carefully rebacked retaining original spine with gilt fillets, ornaments and lettering pieces, hinges, corners and a few deep scuffs carefully mended. Light rubbing and a few minor nicks to boards. Moderate toning to text, light foxing and faint dampstaining to margins in a few places. Early owner signatures to front free endpapers and title pages, interiors otherwise clean. A handsome copy of scarce edition of a fundamental work. \$12,500.

* Second edition, "Revised and Corrected." For more than two centuries, this landmark work has influenced our understanding of the U.S. Constitution and the government and nature of the United States. Written to encourage ratification of the proposed constitution by New York State, it was seen almost immediately as the most compelling commentary on the most radical form of government the world had seen. Most of the essays that comprise this work appeared originally under the collective pseudonym "Publius" in New York newspapers and journals from October 27, 1787 to early June 1788. (Most scholars agree that 51 of the essays were written by Hamilton, 29 Madison and 5 by Jay.) The first edition was published by the M'Lean brothers as a two-volume work in March and May 1788. The second edition is significant because its preface establishes Hamilton, Madison and Jay as the authors and discusses the extent of their contributions. Published fourteen years after the U.S. Constitution's ratification and two years before Hamilton's death, it also includes the text of the U.S. Constitution with the first eleven amendments and Hamilton's "Pacificus" essays, which defended Washington's 1793 proclamation of neutrality during the Anglo-French War. Cohen, *Bibliography of Early American Law* 2818. Sabin, *A Dictionary of Books Relating to America* 23981.



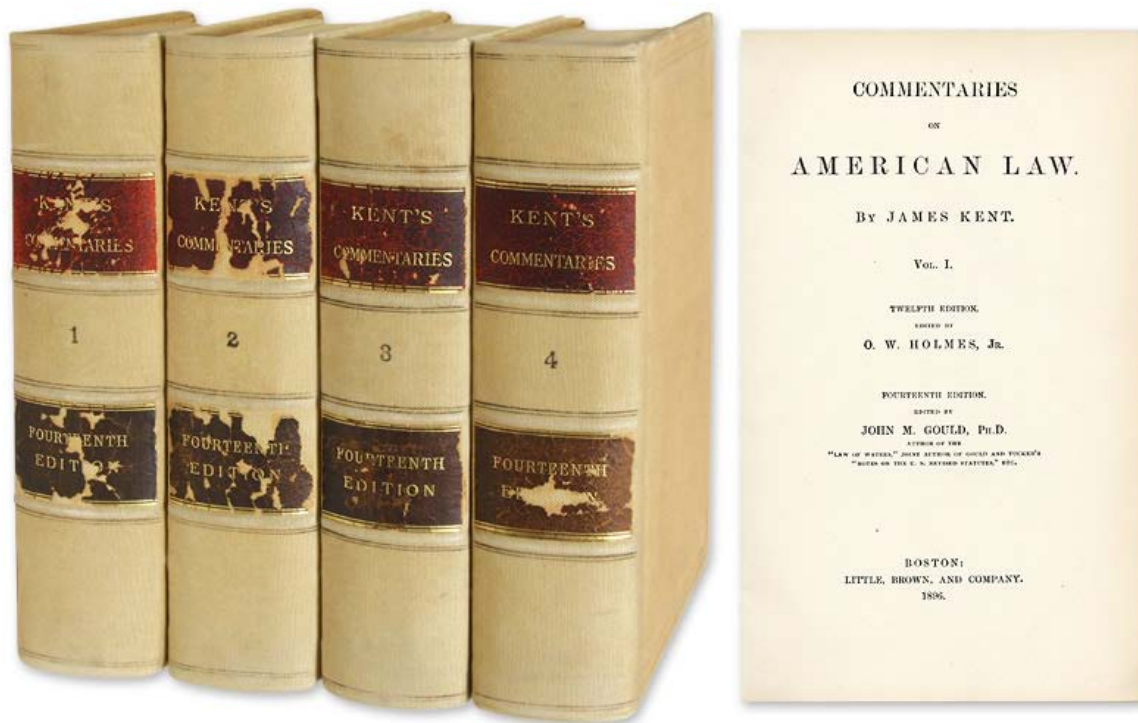
Inscribed by Holmes

12. Holmes, Oliver Wendell [1841-1935].

Speeches. Boston: Little, Brown, and Company, 1913. vi, 103 pp.

Original printed paper boards. Light soiling, somewhat heavier on spine, corners and spine ends bumped. Author inscription to front free endpaper, light toning to text. \$1,250.

* Reissue of the first edition, 1891. Inscribed by Holmes, this book appears to have been sent as a gift to a third party. The inscription reads: "From O.W. Holmes/ Decatur/ [1]913/ [continued in another hand] and John Pauley [?]/ to George A. Lawrence, Jr./ of Illinois/ with best wishes for/ Christmas and the New Year. This work includes the following speeches: Memorial Day, Harvard College in the War., The Law, The Puritan, The Profession of the Law, On Receiving the Degree of Doctor of Laws, The Use of Law Schools, Sidney Bartlett, Daniel S. Richardson, The Use of Colleges, William Allen, The Soldier's Faith, Learning and Science, George Otis Shattuck, Walbridge Abner Field, At a Dinner Given by the Bar Association of Boston, John Marshall, The Class of '61, Law and the Court.



Gould's Edition of Kent's Commentaries, Includes Holmes's Notes

Kent, James [1763-1847].

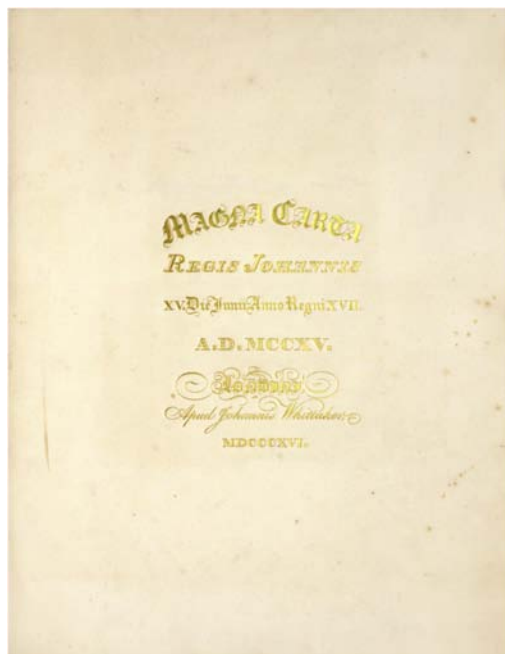
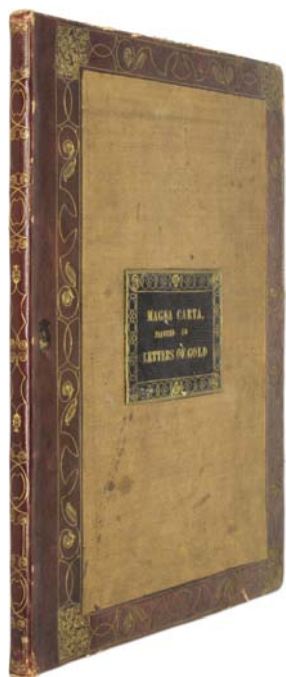
Gould, John M., Editor.

Holmes, Oliver Wendell [], Editor.

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

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

* Fourteenth edition. Kent's Commentaries is probably the single most important interpretation of American law. Marvin ranks it above Blackstone's *Commentaries*, writing that "England has only furnished one Blackstone, and the American rival equals him in classic purity and elegance of style, and surpasses him in extent and copiousness of learning." This edition, by Gould, is an updated version of the venerable O.W. Holmes edition that retains all of the justice's notes. Marvin, *Legal Bibliography* 438. Catalogue of the Library of the Harvard Law School (1909) I:1088.



"The Most Magnificent of All Editions"

14. [Magna Carta].

[Whittaker, John, Publisher].

Magna Carta: Regis Johannis XV. Die Junii Anno Regni XVII. A.D. MCCXV. London: Apud Johannis Whittaker, 1816. 12 ff. Folio (17" x 14").

Contemporary gilt-tooled morocco, textured-cloth central panels to boards, the front has a central gilt-tooled title panel (reading Magna Carta, Printed in Letters of Gold), patterned lilac-colored endpapers, ribbon marker. Moderate rubbing to extremities, corners and spine ends bumped, soiling, a few stains and a few scuffs to boards, cracks in text block between front free endpaper and title page and final leaf and free endpaper. Printed in gold on card, initial at beginning of text decorated by hand in watercolor with royal regalia and floral border, probably designed by Thomas Willement. Light toning, occasional finger smudges, small inkspot to first text leaf (with offsetting to verso of title page). \$10,000.

* As Lowndes has pointed out, Whittaker published "the most magnificent of all editions of the Magna Carta." Although all are printed in gold, rarely are two copies alike. Some were printed on colored vellum and even jeweled, all have different levels of ornamentation. Some have a list of Barons. The present copy contains the text of Magna Carta only, printed on glazed card, and is richly bound. Lowndes, *Bibliographer's Manual of English Literature* (Revised edition, 1864) II:1450.



**Docket Book of a Notable Nineteenth-Century
Lawyer and Judge in Lancaster County, Pennsylvania**

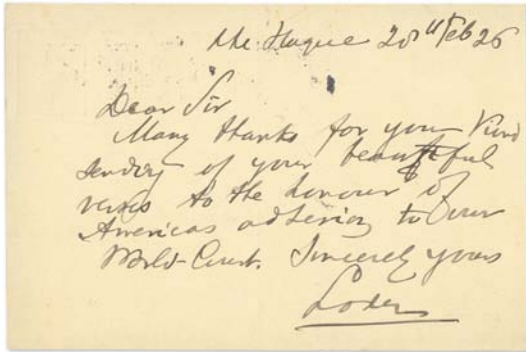
15. [Manuscript].

[Livingston, John B. (1821-1906)].

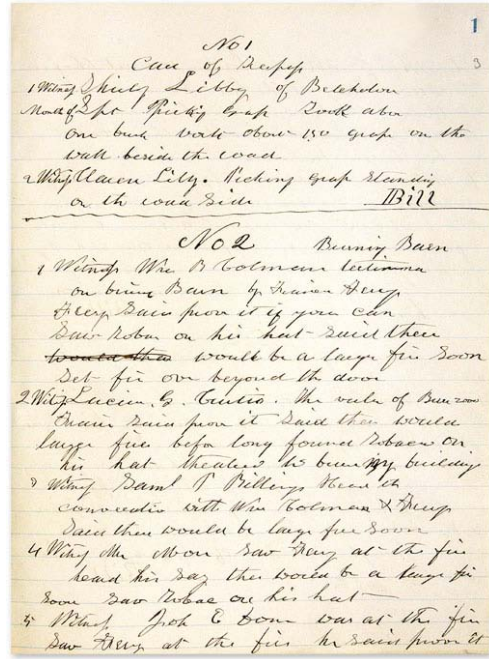
[*Docket Book of John B. Livingston, A Pennsylvania Lawyer and Judge, 1851-1862*]. Cover reads "J.B. Livingston's Docket/ January [28] 18[51]." [Lancaster County, PA, January 28, 1851-January 13, 1862]. [xxviii], 322 pp. Thumb-tabbed index. Folio (12-1/2" x 8").

Reversed calf, black-stamped panels to boards. Boards detached and moderately edgeworn, most of spine perished, "John B Livingston/ Lancaster City/ Pennsylvania/ January 27th A.D. 1851" to verso of final index leaf, similar inscription to verso of following leaf dated January 28. This leaf also bears the signature of a later owner, John Hampton, dated January 23, 1923, another Hampton signature to rear board. Light toning, text in small neat hand until p. 247, several Civil War-era pro-Union woodcuts and cartoons affixed to front and rear pastedowns. Item housed in lightly worn cloth slipcase. An interesting manuscript. \$750.

* Livingston was an attorney and judge in Lancaster County, Pennsylvania. He read law from 1845 to 1848 with Thaddeus Stevens [1792-1868], who, as a member of the U.S. House of Representatives, went on to become leader of the anti-slavery Radical Republicans during the Civil War and Reconstruction. In 1862 Livingston became the county's district attorney. In 1871 he was elected president judge of the second judicial district of Pennsylvania, a post he held until 1904. His docket book, which lists memoranda of cases, services rendered and fees charged over an 11-year period, offers a fine perspective on the professional activity of a well-respected attorney with a thriving practice. Eastman, *Courts and Lawyers of Pennsylvania: A History, 1623-1923* III:599.



Item 16



Item 17

**Autograph Note by a Distinguished
Judge of the Permanent Court of International Justice**

16. [Manuscript].

Loder, Bernard C.J. [1849-1935].

[Furman, Alfred A. (b. 1856)].

[Autograph Note, Signed, On Netherlands Postal Service Post Card, The Hague, February 28, 1935]. 3-3/4" x 5-1/2" postcard, addressed and stamped on verso. Light edgewear and moderate toning, otherwise fine. \$75.

* In slightly fractured English, Loder thanks Furman for sending some "beautiful verses to the honour of American's adhesion to our World Court." Loder, a distinguished Dutch jurist, was a member of the committee which drew up the statute for Permanent Court of International Justice at The Hague, was one of its original deputies (1921-22), and sat on its bench from 1921-1930, initially as its first President (1922-24). Furman was notable American poet.

**Nineteenth-Century Docket
Book of the Hampshire, Massachusetts, County Court**

17. [Manuscript].

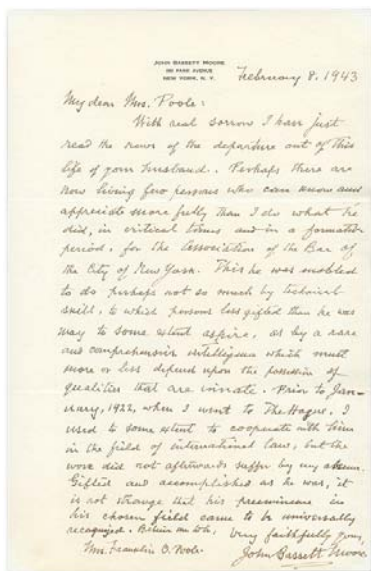
[Massachusetts].

[Hampshire County].

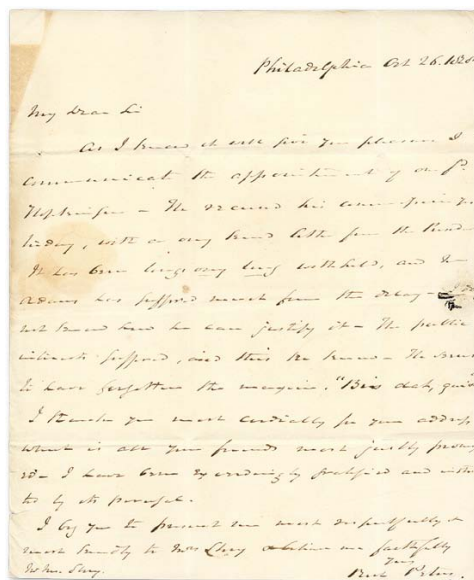
[Docket Book of the Hampshire County Court]. [Northampton, MA, 1864-1880]. 216 pp. Quarto (10-1/4" x 7-3/4").

Quarter calf over marbled boards, raised bands and gilt fillets to spine, marbled edges. Moderate rubbing to boards, somewhat heavier rubbing to extremities with some wear to spine ends and corners. Light toning, content in neat hand on 216 pages. \$750.

* A valuable source for local history and genealogical research, this docket records over 200 cases and their outcomes. It records a remarkably wide range of crimes, including abuse of a female child, arson, assault with intent to kill, auctioneering without a license, barn burning, bigamy, breaking and entering, concealment of childbirth, defacing town property, fraud, incest, indecent exposure, "liquor nuisance," keeping a disorderly house, selling unwholesome meat, sodomy, trespass and swindling.



Item 18



Item 19

A Famous International Lawyer Expresses Condolences

18. [Manuscript].

Moore, John Bassett. [1860-1947].

[Poole, Mrs. Franklin O.].

[Autograph Letter, Signed, On Moore's Letterhead, New York, NY, February 8, 1943]. Single 1-1/4" x 6-1/2" sheet. Some toning, two horizontal fold lines. Fine. \$150.

*"With real sorrow" Moore notes that he has just read of the death of Mrs. Poole's husband, who had been librarian of the Association of the Bar of the City of New York since 1905 and also, at one time, president of the American Association of Law Libraries. Moore, a distinguished international lawyer and long-time professor of law and diplomacy at Columbia, was the first American jurist to sit on the Permanent Court of International Justice.

The Supreme Court Reporter Writes to Justice Story

19. [Manuscript].

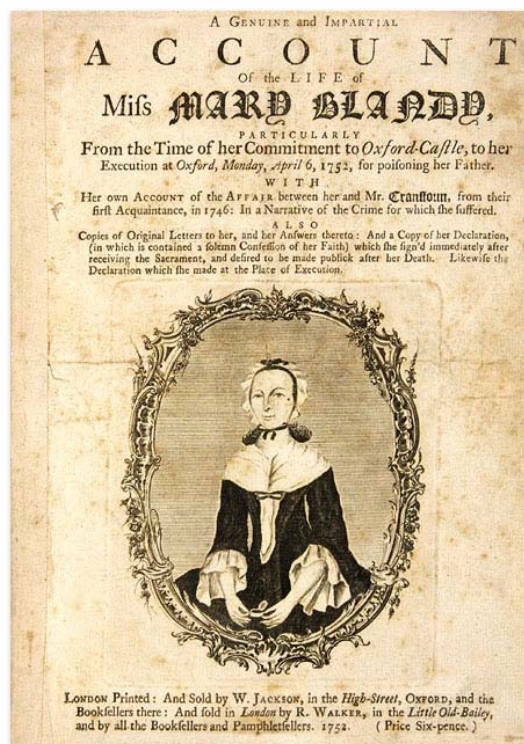
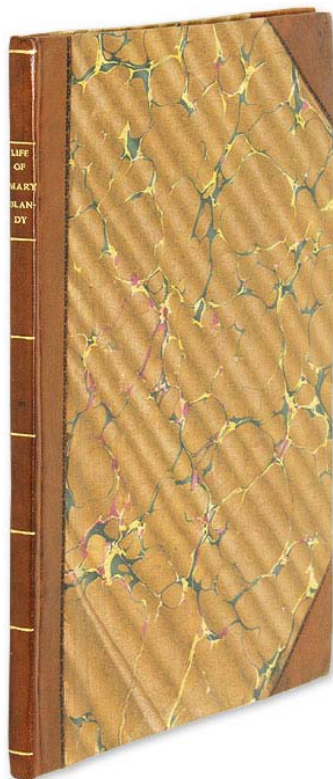
Peters, Richard [1740-1848].

[Story, Joseph (1779-1845)].

[Autograph Letter, Signed, to Story, Philadelphia, October, 26 1828]. 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. \$500.

* Peters, a Philadelphia lawyer and county official, was the reporter of the U.S. Supreme Court from 1828 to 1843. (His volumes are reported today as 26-41 U.S.). This letter refers to the delayed commissioning of Joseph Hopkinson [1770-1842], son of founding father Francis Hopkinson, as a judge on the United States District Court for the Eastern District of Pennsylvania, a post held previously by Peter's father. President Adams issued Hopkinson's recess appointment to the District Court on 23 October 1828. He was confirmed by the Senate and formally commissioned in February 1829. According to Peters: "It has been long, very long, withheld, and Mr Adams has suffered much from the delay -- I do not know how he can justify it -- The public interests suffered, and this he knew -- He seems to have forgotten the maxim 'Bis dat qui' &c [Bis dat qui cito dat- he gives twice who gives promptly]. It was a wise appointment. Joseph Hopkinson's distinguished legal career included his successful defense of Supreme Court Associate Justice Samuel Chase during his impeachment trial (1804-05). (Hopkinson also wrote the lyrics to the patriotic anthem "Hail, Columbia.") Peters also thanks Story for sending him a copy of an address, most likely *A Discourse at the Request of the Essex Historical Society, September 18th, 1828, in Commemoration of the First Settlement of Salem, Massachusetts*, and says he was "exceedingly gratified and instructed by its perusal."



The "Love Philtre" was Arsenic

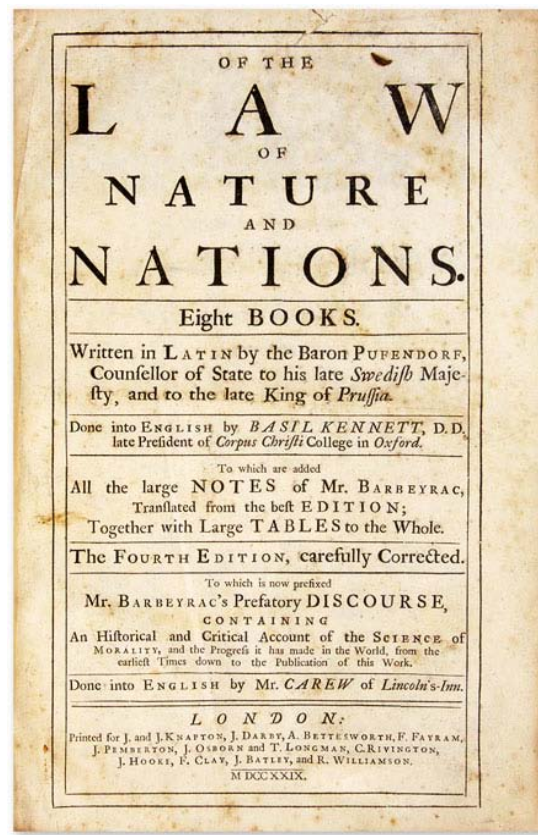
20. [Murder].

[Blandy, Mary (1720-1752)].

A Genuine and Impartial Account of the Life of Miss Mary Blandy, Particularly from the Time of Her Commitment to Oxford-Castle, To Her Execution at Oxford, Monday, April 6, 1752, For Poisoning Her Father. With Her Own Account of the Affair Between Her and Mr. Cranstoun, From Their First Acquaintance, In 1746: In a Narrative of the crime for Which She Suffered. Also Copies of Original Letters to Her, And Her Answers Thereto: And a Copy of Her Declaration, (in Which is Contained a Solemn Confession of Her Faith) Which She Sign'd Immediately After Receiving the Sacrament, And Desired to be Made Publick After Her Death. Likewise the Declaration Which She Made at the Place of Execution. London: Printed and Sold by W. Jackson, 1752. 17 [1] pp. Includes one-page publisher advertisement. Title page has large copperplate portrait of Blandy, who is holding the fatal "love philtre.". Main text in parallel columns. Quarto (9" x 6-1/2").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, gilt title and fillets to spine, title page re-hinged. Moderate toning and light foxing, minor tears to margins of a few leaves, light soiling to title page. A handsomely bound copy of a scarce title. \$1,250.

* Only edition. The well-educated daughter of a prosperous lawyer, Blandy was not a typical female criminal of the era. Her unfortunate story begins with a dowry. Her father, Francis, advertised an unusually large dowry for Mary, £10,000. This attracted many suitors including one who captivated Mary, the Honourable Captain William Henry Cranstoun, the son of a Scottish nobleman. Francis became angry when he learned that Cranstoun was already married and realized that he was after the dowry. Sensing danger, Cranstoun persuaded Mary to give her father an ancient "love philtre" he acquired. Cranstoun said it would make the father like him. It was actually arsenic. Mary was fooled by this ruse and administered the powders. When her father was stricken and she learned what she had done, Mary foolishly burned Cranstoun's letters and disposed of the remaining powders. Cranstoun fled to France when it was clear that Mary was going to be arrested. The trial was interesting because it was the first of its kind to employ detailed medical evidence. Mary defended herself ably, but her case was hopeless. She was sentenced to death by hanging. This was a sensational trial, and it generated a large pamphlet literature. She also wrote a great deal in prison including "Miss Mary Blandy's Own Account of the Affair between her and Mr. Cranstoun." As indicated by her last request to the execution officials, she remained a proper middle-class lady to the end. "For the sake of decency, gentlemen," she pleaded, "don't hang me high" (16). OCLC locates 9 copies worldwide, 1 in a law library (Harvard). *English Short-Title Catalogue* N1714



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

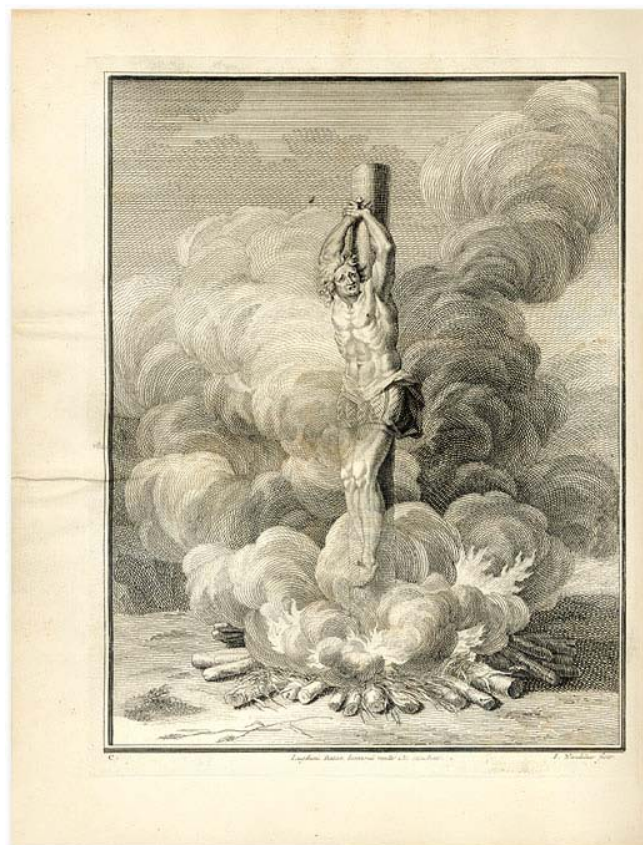
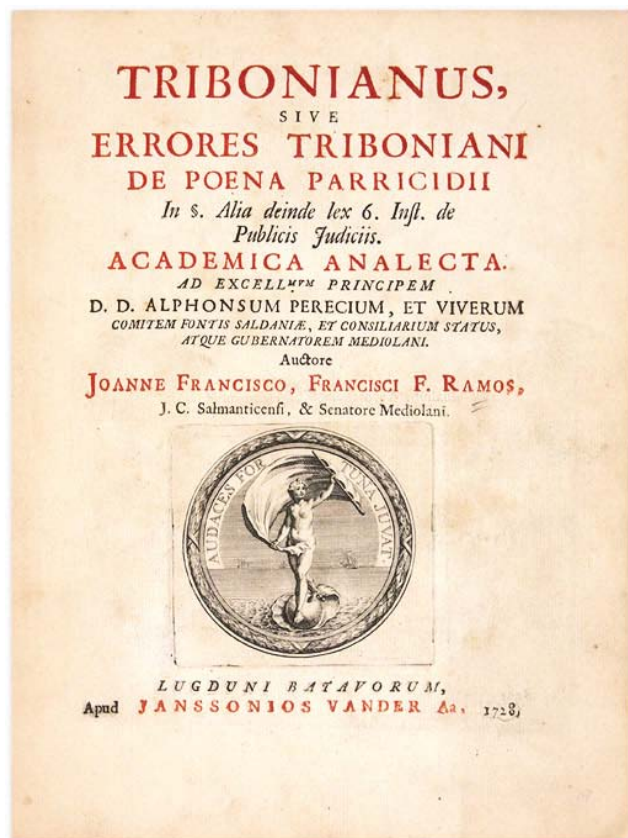
21. Pufendorf, Samuel von [1632-1694].

Barbeyrac, Jean [1674-1744], Prefatory Discourse.

Of the Law of Nature and Nations. Eight Books. Written in Latin by the Baron Puffendorf. Done Into English by Basil Kennet. Carefully Corrected, with Two Tables. To Which Are Added All the Large Notes of Mr. Barbeyrac, Translated From the Best Edition; Together with Large Tables to the Whole. Carefully Corrected. To Which is Now Prefixed Mr. Barbeyrac's Prefatory Discourse, Containing an Historical and Critical Account of the Science of Morality, and the Progress It has Made in the World, From the Earliest Times Down to the Publication of This Work. Done Into English by Mr. Carew. London: Printed for J. Walthoe, R. Wilkin, [et. al.], 1729. [xxiv], 316, 321-480, 477-878; [iv], 39, 44-88, [4], [22] pp. Pagination irregular. Complete, but Barbeyrac's prefatory discourse is misbound at rear of text. Main text in parallel columns. Folio (13" x 8-1/2").

Nineteenth-century three-quarter calf over cloth, gilt fillets to boards, raised bands, lettering piece and gilt ornaments to spine, endpapers renewed, hinges reinforced with cloth tape. Moderate rubbing to extremities with some wear to spine ends and corners, joints cracked, later owner bookplate to front pastedown. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing in places. Early owner corrections in a miniscule hand, to passages in a few leaves, interior otherwise fresh. \$1,250.

* Fourth English edition. 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, *De Jure Naturae et Gentium* 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. *English Short-Title Catalogue* N61031.



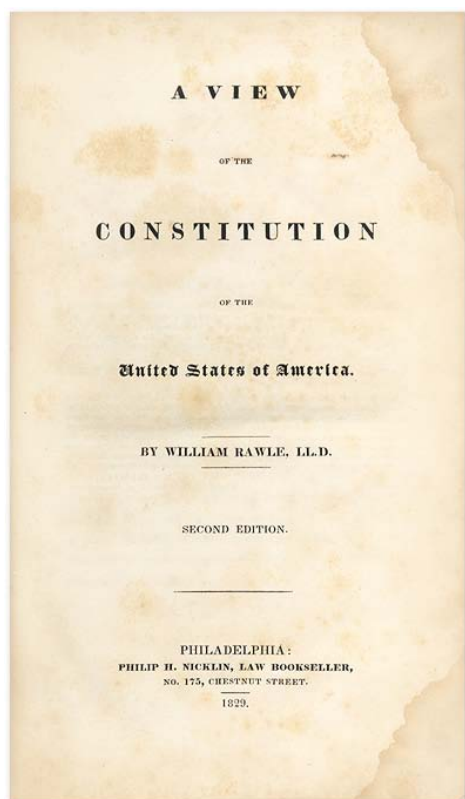
With Plates Depicting Execution Scenes

22. Ramos del Manzano, Juan Francisco [d. 1668].

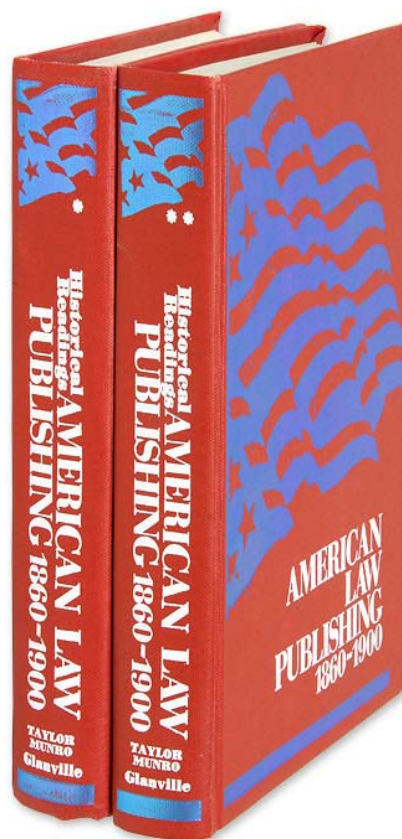
Tribonianus, Sive Errores Triboniani de Poena Parricidii in [Paragraph Symbol] *Alia Deinde Lex 6. Inst. De Publicis Judiciis. Academica Analecta.* Leiden: Apud Janssonios Vander Aa., 1728. [xxxii], 384, [20] pp. Three copperplates, two folding. Copperplate text illustrations. Quarto (9-1/2" x 7-1/2").

Recent period-style paneled calf, raised bands and lettering piece to spine. Title page, with large copperplate vignette, printed in red and black, copperplate title page with architectural border. Moderate toning to text, light foxing in places, small faint stains to one of the plates, internally clean. A handsome copy. \$1,500.

* Third edition. A notable commentary on the sections of the *Institutes* dealing with parricide. Tribonium was the principal author of this section. As the title indicates, Ramos argues that some of his points are erroneous. The three plates depict execution scenes. First published in 1628, this book went through four editions, the last in 1752. All editions are scarce. OCLC locates 7 copies of the third edition in North America, 4 in law libraries (Columbia, Harvard, UC-Berkeley, Yale). Roberts, *A South African Legal Bibliography* 252.



Item 23



Item 24

Used to Justify Secession

23. Rawle, William [1759-1836].

A View of the Constitution of the United States of America. Philadelphia: Philip H. Nicklin, Law Bookseller, 1829. viii, [9]-349 pp. Octavo (8-3/4" x 5-1/2").

Contemporary sheep, rebaked in period style retaining lettering piece. Moderate rubbing and a few light scuffs to boards, corners bumped and worn. Moderate toning, occasional foxing and faint dampstaining. Early owner signature to front free endpaper, interior otherwise clean. A handsome copy of an important work. \$1,750.

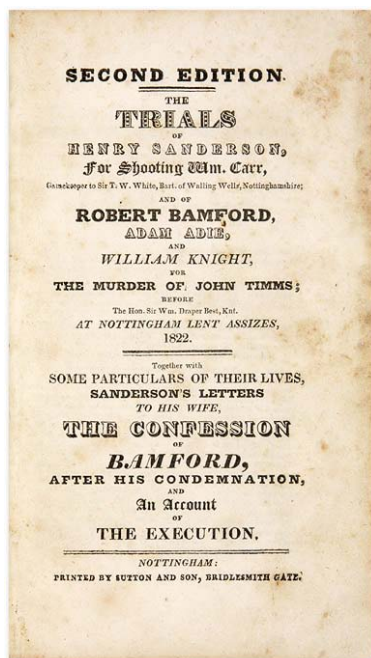
* Second edition. Rawle's treatise is one of the earliest works on the United States Constitution, and one of the most important. This text is significant also because it suggests that states have a right to secede from the Union. As Cohen observes, the popularity of this text, which was used at West Point and other schools throughout the country, "is generally considered to have influenced the leaders and supporters of the Confederacy, although in fact Rawle opposed secession." Cohen, *Bibliography of Early American Law* 2894.

Valuable Information on American Law Publishing in the Late-Nineteenth Century

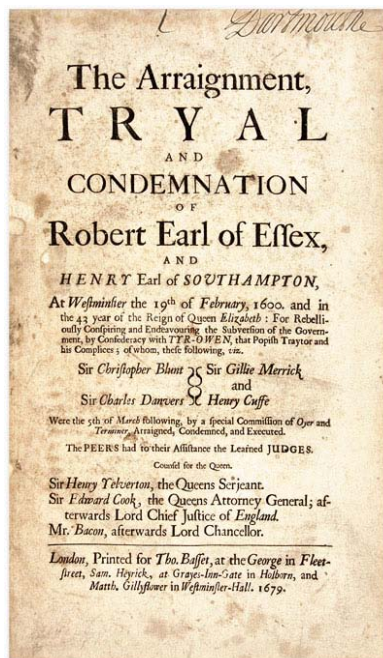
24. Taylor, Betty W. Munro, Robert J.

American Law Publishing 1860-1900: Historical Readings. Dobbs Ferry, NY: Glanville Publishing Co., 1984. Two volumes. Hardcover. Fine. \$195.

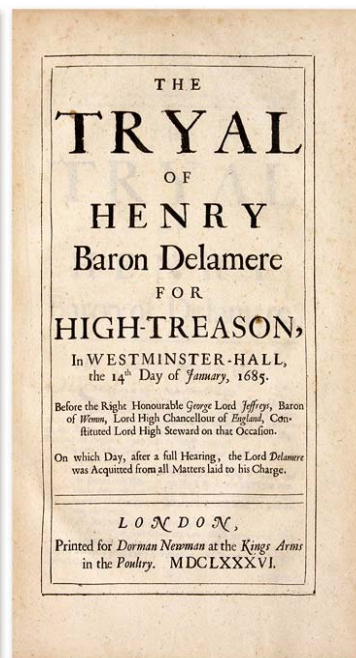
* Volume 1. Historical Readings: Introduction; History of Education 1860-1900; Libraries 1860-1900; Volume 2. The Legal Profession; Printers, Booksellers, and Publishers; American Law Books 1860-1900; Legal Periodicals Published 1860-1900; Bibliography.



Item 25



Item 26



"Tell Them Their Father is Gone to Heaven"

25. [Trials].

[Great Britain].

The Trials of Henry Sanderson, For Shooting William Carr, Gamekeeper to Sir T.W. White, Bart. Of Walling Wells, Nottinghamshire; And of Robert Bamford, Adam Adie, And William Knoght, Of the Murder of John Timms; Before the Hon. Sir. Wm. Draper Best, Knt. At Nottingham Lent Assizes, 1822. Together with Some Particulars of Their Lives, Sanderson's Letters to His Wife, The Confession of Bamford, After His Condemnation, And an Account of His Execution. Nottingham: Printed by Sutton and Son, [1822]. 37 pp. Octavo (7-1/2" x 6-1/2").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine, untrimmed edges. Moderate toning and light foxing to text, internally clean. \$650.

* Sanderson, a 31-year old poacher caught in the act by a gamekeeper, was married and the father of young children. His harrowing pre-execution letters to his wife are reprinted in full. Sample excerpt: "Good bye, my love, I shall carry your last look at me to the fatal tree. Kiss my dear children for me, and tell them their father is gone to heaven." The other three defendants were tried and convicted of the murder of John Timms by throwing him from a bridge into the River Trent. This pamphlet is designated the second edition, but we did not locate a first or any other edition. (The British Library has a single folio sheet recounting these trials, but its title is very different.) No copies located on OCLC. *English Short-Title Catalogue* T64772.

Conspiracies Against the English Crown

26. [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 Accomlices; 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 to 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 Chancellour 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, rebacked in period style with raised bands and lettering piece. A few light scuffs to boards, moderate rubbing to extremities, corners bumped and lightly 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 others 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.

Prostitution, Sodomy and Other Crimes at the Surrey Assizes

27. [Trials].

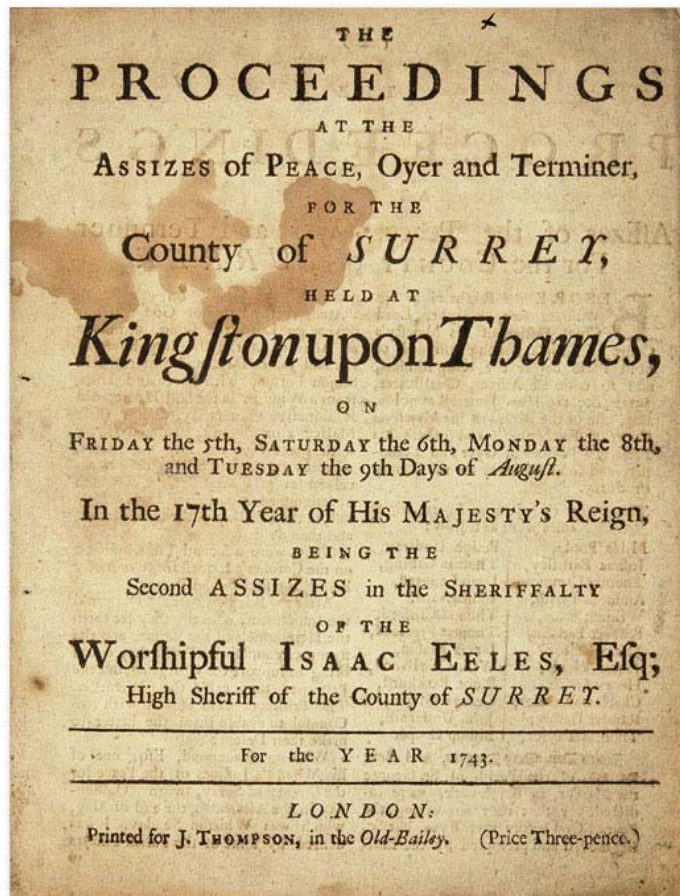
[Great Britain].

[Surrey, England].

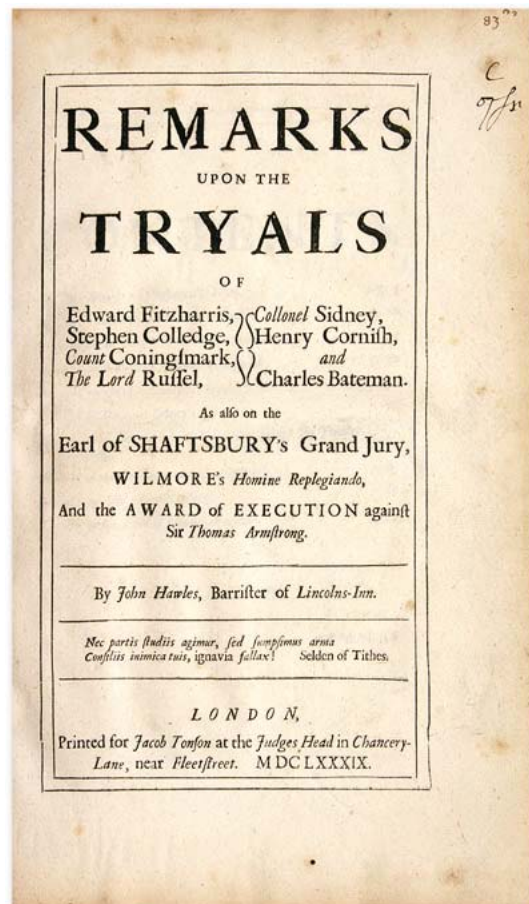
The Proceedings at the Assizes of Peace, Oyer and Terminer, For the County of Surrey, Held at Kingston upon Thames, On Friday the 15th, Saturday the 6th, Monday the 8th, And Tuesday the 9th Days of August. In the 17th Year of His Majesty's Reign, Being the Second Assizes in the Sheriffalty of the Worshipful Isaac Eeles, Esq; High Sheriff of the County of Surrey. For the Year 1743. London: Printed for J. Thompson, [1743]. 20 pp. Text in parallel columns. Quarto (8-1/2" x 6-1/2").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine, untrimmed edges. Light browning to text, faint stains to a few leaves, internally clean. \$1,250.

* Only edition. This pamphlet records four days of trials, many of them quite colorful. These include the trial of two prostitutes and a pimp for the murder of a client, an escaped tansportee and a man who stole a watch. All were sentenced to death. Altogether, the court handed down 12 death sentences, a fourteen-year sentence and a seven-year sentence of transportation. Seven convicts, two of them female, were to be "burnt in the hand," one women was sentenced to a whipping. Perhaps the most interesting case, which ended with death sentences for both parties involved, was one of sodomy. It appears the men were caught shortly after the act. Ordered to remove their breeches, the watchman observed "all the signs of an emission that could well be." The case is described in detail. However, "delicate" words, the "bare mention of which would shock human nature," were redacted by the printer. ESTC locates 1 copy (British Library), COPAC adds 1 more (National Library of Scotland). No copies located on OCLC. *English Short-Title Catalogue* T64772.



Item 27 (See Above)



Item 28

An Illegal Treason Trial?

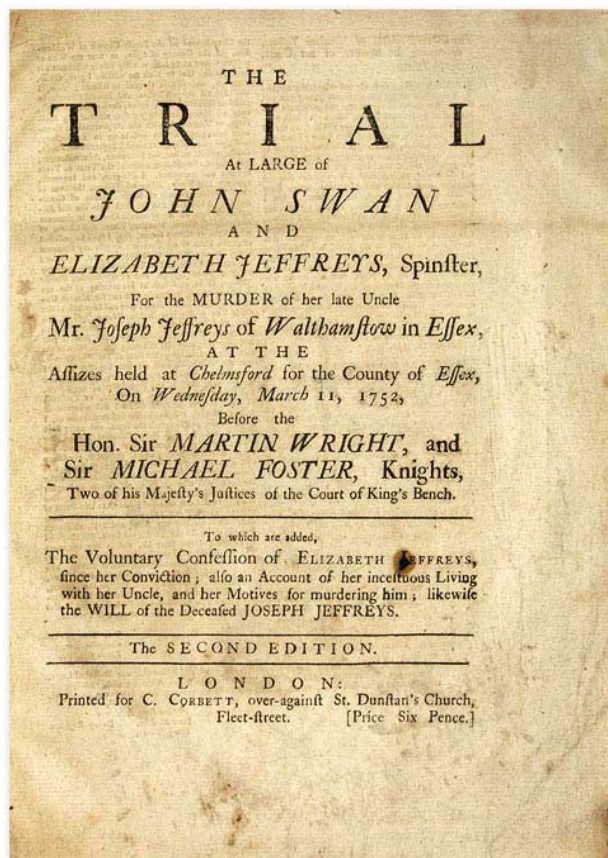
28. [Trials].

Hawles, Sir John [1645-1716].

Remarks Upon the Tryals of Edward Fitzharris, Stephen Colledge, Count Coningsmark, The Lord Russel, Collonel Sidney, Henry Cornish, And Charles Bateman. As also on the Earl of Shaftsbury's Grand Jury, Wilmore's Homine Replegiando, And the Award of Execution Against Sir Thomas Armstrong. London: Printed for Jacob Tonson, 1689. [iv], 104 pp. Folio (11-3/4" x 7-3/4").

Recent stiff marbled wrappers, printed title panel to front. Moderate toning to text, occasional light foxing and dampstaining, spark burns to a few leaves. Brief early owner annotation to head of title page, interior otherwise clean. \$400.

* Only edition. Edward Fitzharris [1648?-1681] and his accomplices were conspirators against King Charles II and James, Duke of York. The trials of Fitzharris and his accomplices are notable because they raised a set of jurisdictional issues involving the courts and the two Houses of Parliament. These issues, which involve constitutional issues as well, are discussed in Hawles's *Remarks*. He concludes that the parties, while guilty, were tried illegally. *English Short-Title Catalogue* R10368.



Sex + Greed + Murder=Capital Punishment

29. [Trials].

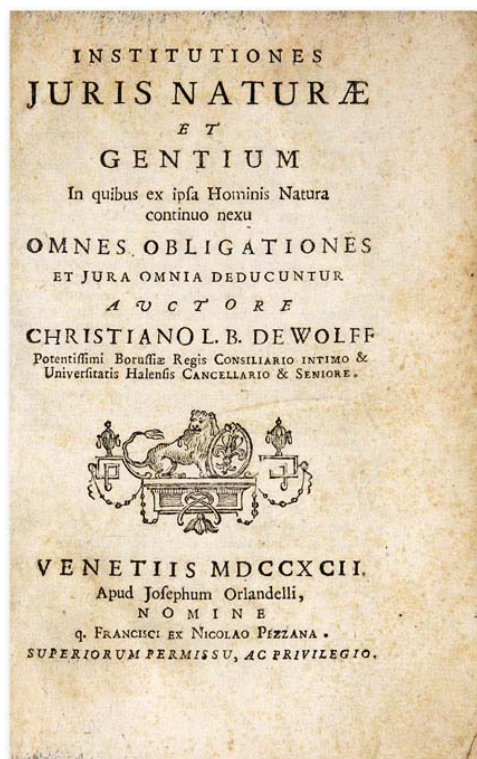
Swan, John, Defendant.

Jeffreys, Elizabeth, Defendant.

The Trial at Large of John Swan and Elizabeth Jeffreys, Spinster, For the Murder of Her Late Uncle Mr. Joseph Jeffreys of Walthamstow in Essex, At the Assizes Held at Chelmsford for the County of Essex, On Wednesday, March 11, 1752, Before the Hon Sir Martin Wright, And Sir Michael Foster, Knights, Two of His Majesty's Justice of the Court of King's Bench. To Which are Added, the Voluntary Confession of Elizabeth Jeffreys, Since Her Conviction; Also an Account of Her Incestuous Living with Her Uncle, And Her Motives for Murdering Him; Likewise the Will of the Deceased Joseph Jeffreys. London: Printed for C. Corbett, [1752]. [ii], 17, 20-24 pp. Text in parallel columns. Added copperplate image of Swan and Jeffreys tipped-in front endleaf facing title page. A nineteenth-century account removed from another book laid-in. Quarto (9-1/2" x 7").

Stab-stitched pamphlet bound into later three-quarter calf over marbled boards, gilt title to spine, untrimmed edges. Moderate rubbing with some wear to spine ends and corners, front joint partially cracked. Moderate toning and light foxing to text, light browning and soiling to title page. An appealing copy. \$950.

* Second and final edition. As related here, this was a titillating and wicked story of sex, greed, murder and capital punishment. Jeffreys had been sent at the age of five to live with her uncle, Joseph Jeffreys, where she was raised as a daughter and heir to his considerable estate. At the age of 22 she began an affair with Swan, one of her uncle's servants, which eventually led to murder. After her conviction as an accessory to murder, Jeffreys claimed to have been "debauched" on several occasions by her uncle when she was 15, by whom she had twice become pregnant, miscarrying once, and aborting the second pregnancy with drugs provided by the uncle. She and Swan were eventually executed before "an innumerable multitude of spectators." Our pamphlet is a reissue of *The genuine trial of John Swan and Elizabeth Jeffreys*, London, [1752], with additional material printed on the verso of the title page. OCLC locates 3 copies, none in North America. *English Short-Title Catalogue* T129115.



Wolff Summarizes His Classic Work on International Law

30. Wolff, Christian, Frieher von [1679-1754].

Institutiones Juris Naturae et Gentium in Quibus ex Ipsa Hominis Natura Continuo Nexu Omnes Obligaciones et Jura Omnia Deducuntur. Venice: Apud Josephum Orlandelli, 1792. [xii], 460 pp. Signatures K and L (pp. 145-176) bound in reverse order. Octavo (7-1/4" x 4-1/2").

Contemporary three-quarter calf over marbled boards, lettering piece and gilt fillets to spine, speckled edges. Light rubbing to boards, moderate rubbing to extremities, corners bumped, small chip to head of spine. Moderate toning, occasional faint dampspotting, light foxing to a few leaves, internally clean. An attractive copy. \$850.

* Later edition. To quote Quincy Wright, "Christian Wolff was perhaps the most influential writer on international law of the eighteenth century. His influence flowed not only from his reputation in other fields - mathematics, philosophy and theology - from the voluminousness of his writings, from the notoriety of his philosophical controversies, but also from the logic, completeness and definiteness of his treatise on international law, first published in 1749, as the ninth volume of his *Jus Naturae et Gentium* [1740-1749]. A major work on its jurisprudence and basis in the law of nature, it is an important document of Enlightenment-era legal theory and an undisputed classic in its field. As Wolff recognized, it is also a rather daunting work, which prompted him to produce the *Institutiones*, an introductory guide and summary of his larger work. A well-received work that was soon translated into French and German, it went through several editions. All are rather scarce, however. OCLC locates 1 copy of the 1792 Venice edition in North America (at Yale Law School). Wright, *American Journal of International Law* 29/3 (July 1935) 552-554. This edition not in the *British Museum Catalogue*.

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