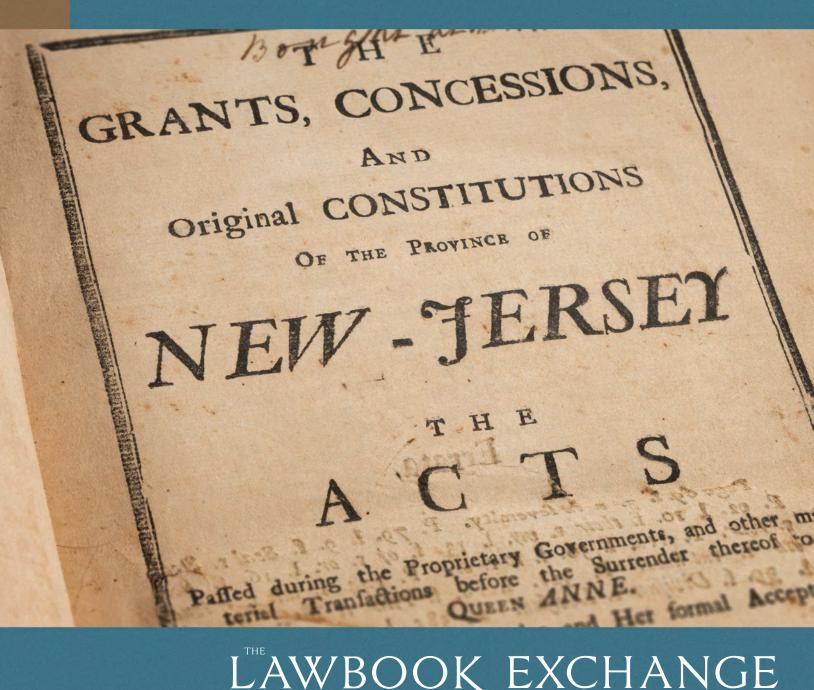
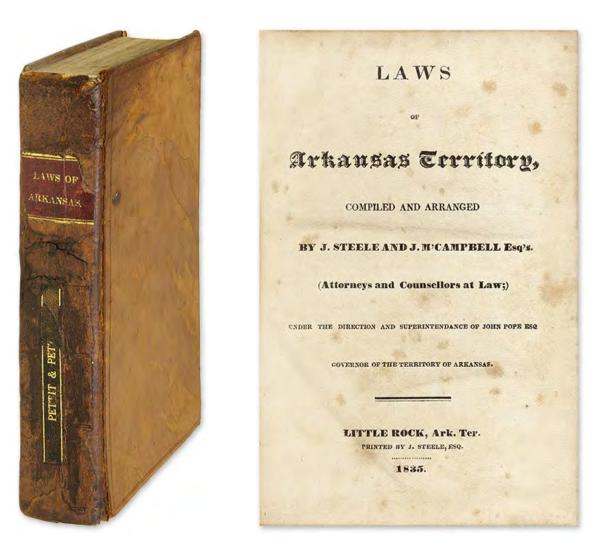
# AMERICAN LAW BEFORE 1860 30 Items





The Final Territorial Compilation of the Laws of Arkansas

[Arkansas].
Steele, J.
M'Campbell, J[ames].
Laws of Arkansas Territory. Little Rock, Ark. Ter.: Printed by J. Steele, 1835. [iv], 562, [12] pp. Octavo (7-1/2" x 5").

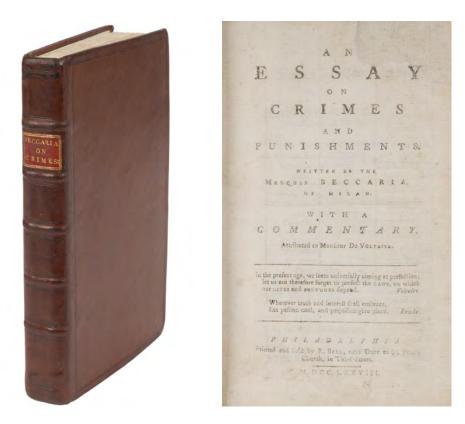
Contemporary calf, blind fillets to boards, lettering piece and early owner label (Pettit & Pettit) to spine. Light rubbing to extremities, light scuffing to boards, spine abraded with wear along joints and spine ends, hinges cracked. Toning and foxing text, light browning in places, internally clean. \$2,000.

\* Originally part of the Territory of Louisiana, then the Territory of Missouri, Arkansas Territory was established in 1819. It became a state in 1836. The first territorial compilation, a brief 149-page volume that included statutes of Missouri, was published in 1821. Steele and Campbell's alphabetically digested compilation was the second and last published during the territorial period. As indicated by such sections as Indians, Slaves and Vice and Immorality, it offers an interesting perspective on Arkansas when it was beginning its transition from a territory to a state.

Babbitt, Hand-List of Legislative Sessions and Session Laws 16.

#### Order This Item

American Law Before 1860



Early American Edition of Beccaria in an Exceptional Period-Style Binding

#### 2. Beccaria, [Cesare Bonesana, Marchese di] [1738-1794]. Sharpe, Granville [1735-1813].

#### Rousseau, Jean-Jacques [1712-1778].

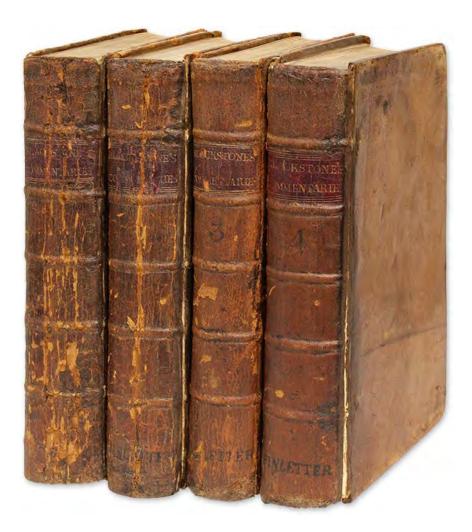
An Essay on Crimes and Punishments. Written by the Marquis Beccaria of Milan. With a Commentary Attributed to Monsieur De Voltaire. Philadelphia: Printed by R. Bell, 1778. [iv], 352, [4] pp. Includes one-page publisher list. Three works in one with continuous pagination. The second work, preceded by a half-title and title page is Sharpe's Remarks on the Opinions of Some of the Most Celebrated Writers on Crown Law, Respecting the Due Distinction Between Manslaughter and Murder, the third, with a drophead title, is J.J. Rousseau, Citizen of Geneva, His Opinion on Duelling. Octavo (7-1/2" x 4-1/2").

Recent period-style calf by Philip Dusel, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed, upper corner and chip to foot of title page restored, leaves washed. Light toning, slightly heavier in places, faint spotting to a few leaves. An exceptional copy. \$4,500.

\* With a table of authorities and cases. *Dei Delitti e Delle Pene* (1764) was the first systematic study of the principles of crime and punishment. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the medieval era. It had a profound influence on the development of criminal law. It was especially influential among American thinkers, who saw Beccaria as a source of enlightened ideas to reform English common law. Though a matter of some debate, the first American edition was published in Charleston, SC, in 1777. (Earlier American imprints, including one printed in New York in 1773, are ghosts).

Cohen, Bibliography of Early American Law 4233.

#### Order This Item



A Subscriber's Copy of the First American Edition of Blackstone's *Commentaries* in an Original Binding

#### 3. Blackstone, Sir William [1723-1780].

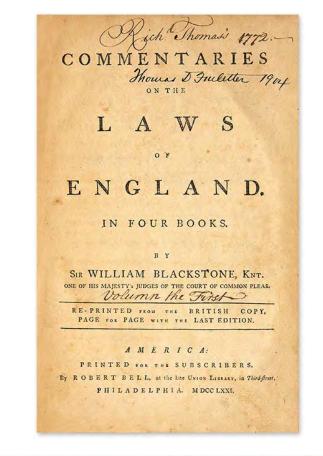
*Commentaries on the Laws of England. In Four Books. Re-Printed From the British Copy, Page for Page with the Last Edition.* America [Philadelphia]: Printed for the Subscribers, By Robert Bell, 1771-1772. Four volumes. Copperplate Table of Consanguinity and folding Table of Descents in Volume II. 22-page subscriber list in Volume IV, which lists the owner of this set, "Mr. Richard Thomas, "Farmer, Chester County, Pennsylvania," who signed the heads of the title pages. Publisher advertisements in Volume I, 2 leaves before title page and in Volume III at p. 456. Volume III includes the publisher's rare octavo broadside prospectus "To the Encouragers of Literature" tipped-in to leaf preceding title page announcing publication of *An Interesting Appendix to the Commentaries*, Volume IV lacks the advertisement leaf mounted on fly leaf preceding title page, which is often not present. Octavo (9" x 5-3/4").

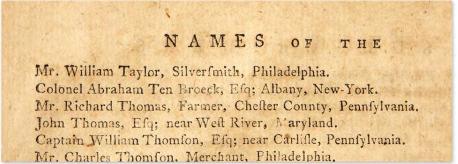
Contemporary sheep, raised bands, lettering pieces, blind-stamped volume numbers and (at foot) hand-lettered later owner name to spines. Moderate rubbing and scuffing to boards, heavier rubbing to extremities, some cracking and flaking to spines, one board detached, other boards beginning to separate. Moderate toning, light foxing in a few places in each volume, sections torn from two leaves in Volume I (pp. 181-184) replaced with carefully joined facsimiles, minor careful paper repair to folding table (Volume II) near stub, which has some edgewear. Thomas's signature and later owner signature, Thomas Finletter, 1904, to head of each title page, other signatures of Thomas, Finletter and Richard Thomas, junior to preliminaries. Set housed in two lightly rubbed quarter-morocco clamshell cases, raised bands and gilt titles to spines. A desirable subscriber's copy in its original binding. \$7,500.

\* First American edition, first issue. 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 tipped-in advertisement leaf for *An Interesting Appendix* often missing in copies of this set.

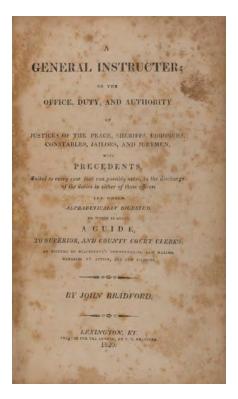
Volume IV also includes a 22-page subscriber list of 839 men, who ordered 1,557 sets. This impressive group included John Adams, John Jay, John Dickinson, several colonial governors and many other leaders of colonial America. Sixteen of these were signers of the Declaration of Independence who went on to serve as members of the Continental Congress.

Eller, The William Blackstone Collection in the Yale Law Library 80. Laeuchli, A Bibliographical Catalogue of William Blackstone 131. Woxland & Ogden, Landmarks in American Legal Publishing, 18.





Order This Item



An Interesting Blackstone-Related Title, The Unrecorded Ohio Version

#### 4. Bradford, John [1747-1830]. [Blackstone, Sir William (1723-1780)].

A General Instructer [sic]; Or the Office, Duty and Authority of Justices of the Peace, Sheriffs, Coroners, Constables, Jailors, And Jurymen, With Precedents, Suited to Every Case that Can Possibly Arise, In the Discharge of the Duties in Either of Those Offices. The Whole Alphabetically Digested. To Which is Added a Guide, to Superior, And County Court Clerks; An Epitome of Blackstone's Commentaries; Law Maxims; Remedies by Action, And Law Fictions. Lexington, KY: Printed for the Author, By T.T. Bradford, 1820. viii, 450 pp. Octavo (8" x 5").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Moderate rubbing to boards and extremities, corners bumped, chip to head of spine, front joint just starting at foot, front hinge cracked, front free endpaper lacking early owner signatures and annotations to pastedowns and rear free endpaper, owner signature of Philip Ardery to front endleaf. Moderate toning and light foxing to text, light browning in places, lower corner lacking from leaf A1 (pp. 1-2) with minor loss to text. \$2,500.

\* Second and final edition, the only one with Blackstone content. This manual includes four features that aim to provide a smattering of legal education and erudition, enough at least to impress a frontier judge and jury. There are the lists of legal maxims and legal fictions, examples of remedies and an "Epitome of the Commentaries of Sir William Blackstone, On the Laws of England" (pp. 405-425), which consists of the first sentences from, or summaries of, sections of selected chapters. The first edition of this work, published in 1800, does not have a Blackstone section. When Bradford published the second edition, he also produced versions for Indiana and Ohio. Bradford was an early printer and newspaper publisher in Kentucky. He was also an engineer, surveyor and sheriff. Philip Ardery [1914-2013] was a distinguished bomber pilot during World War II. He was one of the founders of the Kentucky Air National Guard and its first wing commander. The Ohio version appears to be unrecorded. No copies listed on OCLC. Not in Eller, Laeuchli or Cohen

#### Order This Item



1854 California Session Laws in Spanish

#### 5. [California].

#### Mauriz, H. Gomez, Translator.

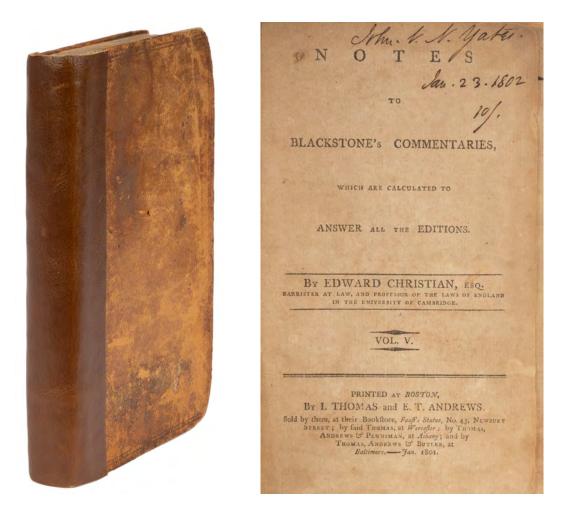
Leyes de California Aprobadas en la Quinta Sesion de la Lejislatura que Comenzó en Benicia el Cuatro de Enero de 1854, Y Concluyó en Sacramento el Quince de Mayo del Mismo Año. Traducidas del Ingles por H. Gomez Mauriz, Traductor del Estado. Sacramento: B. Redding, 1854. iv, 223 pp. Octavo (8-3/4" x 5-1/2").

Early 20th-century cloth, red and black lettering pieces and small library shelf label to foot of spine, endpapers renewed. A few finger smudges, some soiling to rear board. Moderate toning to text, light foxing in places, small library stamps to title page, a few library marks to its verso. \$500.

\* Spanish-language edition of laws passed at the fifth legislative session. Early California statutes were issued in English and Spanish, as required by a provision in the state constitution. In 1849, when it was drafted, Spanish was the native language of around 13,000 of California's nearly 100,000 residents, many of them recent arrivals due to the gold rush. OCLC locates 10 copies, 2 in law libraries (University of Michigan, Yale).

Babbitt, Hand-List of Legislative Sessions and Session Laws 22.

#### Order This Item



First American Edition of Christian's Notes on Blackstone

#### 6. Christian, Edward [d. 1823].

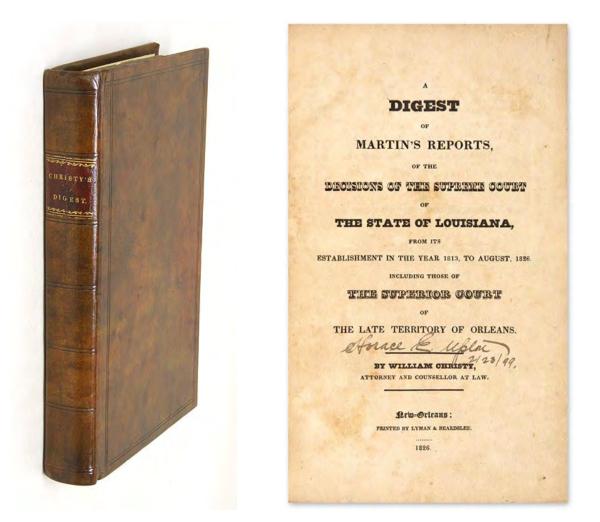
Notes to Blackstone's Commentaries, Which Are Calculated to Answer All the Editions. Volume V. Boston: Printed by I. Thomas and E.T. Andrews, 1801. [v], 6-123, [1]-79, [1]-32, [1]-38 pp. 12mo. (6-3/4" x 4").

Contemporary sheep front board with blind rules, contemporary calf rear board with gilt rules, crudely (but neatly) rebacked in recent plain calf. Moderate rubbing and a few nicks and scratches to boards and extremities, corners worn, some chipping to edges of endleaves, which bear several early and later annotations. Moderate toning to interior, light foxing in a few places, early owner signatures of members of a Yates family to preliminaries, one dated 1802, another 1833. \$1,500.

\* First American edition, published as volume 5 of the 1799 Boston edition of the *Commentaries* "so as to answer the quarto, the octavo, and duodecimo editions of Blackstone's *Commentaries*" (Preface). "These *Notes* were first published as a separate volume in Dublin, 1797. In this form they were pirated from the twelfth edition of the *Commentaries*, published in London, 1793-1795. The *Notes* were also printed in a pirated edition of the *Commentaries*, Dublin, 1796...This Boston edition of the *Notes* is reprinted from either the separate Dublin volume of *Notes*, 1797, or the Dublin edition of the *Commentaries*, 1796.": Laeuchli.

Laeuchli, A Bibliographical Catalog of William Blackstone 136.

#### Order This Item



A Useful Digest of the First Louisiana Reporter

#### 7. Christy, William [1791-1865]. [Martin, François-Xavier (1762-1846)].

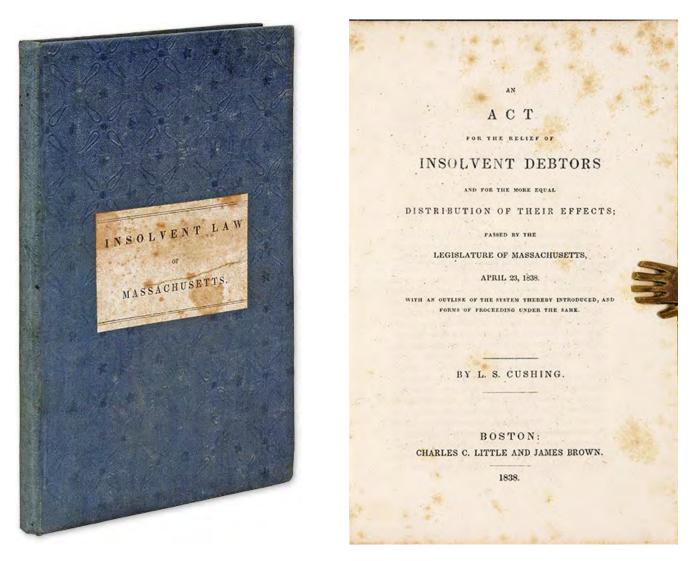
A Digest of Martin's Reports, Of the Decisions of the Supreme Court of the State of Louisiana, From Its Establishment in the Year 1813, To August, 1826. Including Those of the Superior Court of the Late Territory of Orleans. New Orleans: Printed by Lyman & Beardslee, 1826. vii, 399 pp. Octavo (8-1/2" x 5-1/2").

Recent period-style calf, blind fillets to boards, blind fillets and original lettering piece to spine, endpapers renewed. Moderate toning, occasional browning and light foxing to text, owner signature dated 1899 to foot of title page. \$500.

\* Only edition. Martin sat on the Louisiana Supreme Court from 1815-1846, the last ten years as its presiding judge. Prior to his tenure on the Supreme Court, he served on the Superior Court of the Territory of Orleans. His reports, which commenced in 1809, were the first produced in Louisiana. Christy's *Digest* was intended to "facilitate the researches of professional gentlemen, and to present to the public in the most simple and condensed form, the points of law which have been decided by the highest tribunals of the state of Louisiana and the late territory of Orleans" (v). OCLC locates 11 copies in North American law libraries.

Jumonville, Bibliography of New Orleans Imprints 478. Cohen, Bibliography of Early American Law 5538.

#### Order This Item



Massachusetts Addresses the Effects of the Panic of 1837

#### 8. Cushing, L[uther] S[tearns] [1803-1856].

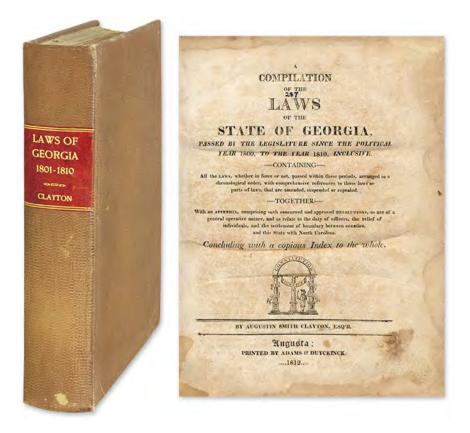
An Act for the Relief of Insolvent Debtors and for the More Equal Distribution of Their Effects; Passed by the Legislature of Massachusetts, April 23, 1838. With an Outline of the System Thereby Introduced, And Forms of Proceeding Under the Same. Boston: Charles C. Little and James Brown, 1838. vii, [1], 93 pp. 12mo. (7-1/2" x 4-3/4").

Original paper-covered boards with elaborate blind stamping, printed paper title label to front board. Light rubbing to extremities, some soiling and staining to title panel, corners lightly bumped and worn, moderate toning and light foxing to text. \$250.

\* Only edition. This annotated edition of the newly-passed laws on debt and insolvency appeared at a time when federal and state law was attempting to devise legislation to remedy the effects of the Panic of 1837. Cushing was an important Massachusetts jurist and expert on parliamentary procedure. He was clerk of the Massachusetts House of Representatives when he published this book.

Cohen, Bibliography of Early American Law 2499.

#### Order This Item



1812 Compilation of Georgia Law Owned by a Historian of the Old South

#### 9. [Georgia].

#### Clayton, Augustin Smith, Compiler.

A Compilation of the Laws of the State of Georgia, Passed by the Legislature Since the Political Year 1800, To the Year 1810, Inclusive. Containing All the Laws, Whether in Force or Not, Passed Within Those Periods, Arranged in a Chronological Order, With Comprehensive References to Those Laws or Parts of Laws, That are Amended, Suspended or Repealed: Together with an Appendix, Comprising Such Concurred and Approved Resolutions, As Are of a General Operative Nature, And as Relate to the Duty of Officers, The Relief of Individuals, And the Settlement of Boundary Between Counties, And this State with North Carolina: Concluding with a Copious Index to the Whole. Augusta: Printed by Adams & Duyckinck, 1812. [vi], 708, [20] pp. Includes four pages of testimonials. Quarto (10" x 8").

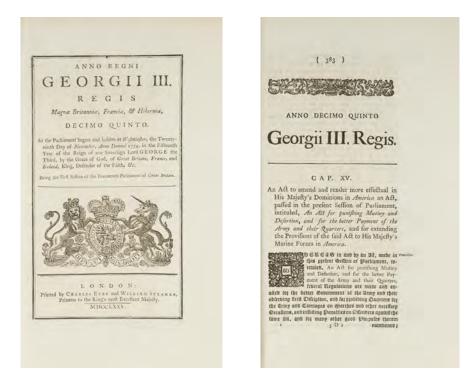
Later buckram, calf lettering piece to spine, endpapers renewed. Some rubbing to extremities, light fading to spine, later owner bookplates to front pastedown and free endpaper, one of Ellis Merton Coulter. Light browning and foxing to text, occasional dampstaining. Early annotations to front endleaf, interior otherwise clean. A solid copy with a nice provenance. \$750.

\* First edition. This was the third digest of Georgia state laws, preceded by others from 1801 and 1802. It is digested alphabetically by topic. Ellis Merton Coulter [1890-1981] was a notable American historian of the South and a founding member of the Southern Historical Association. He was known for his glorification of the Old South, belief in white supremacy and segregation.

Catalogue of the Wymberley Jones De Renne Georgia Library I:346. Babbitt, Hand-List of Legislative Sessions and Session Laws 86.

#### Order This Item

#### American Law Before 1860



An Expansion of the Quartering Act of 1774

## [Great Britain]. [American Revolution]. [Mutiny in America Act 1775].

An Act to Amend and Render More Effectual in His Majesty's Dominions in America an Act, Passed in the Present Session of Parliament, Intituled, An Act for Punishing Mutiny and Desertion, And for the Better Payment of the Army and Their Quarters, And for Extending the Provisions of the Said Act to His Majesty's Marine Forces in America [Drop-Head Title]. At head of title: Anno Decimo Quinto Georgii III. Regis. London: Printed by Charles Eyre and William Strahan, 1775. [ii], 383-406 pp. Folio (12-1/4" x 7-1/4").

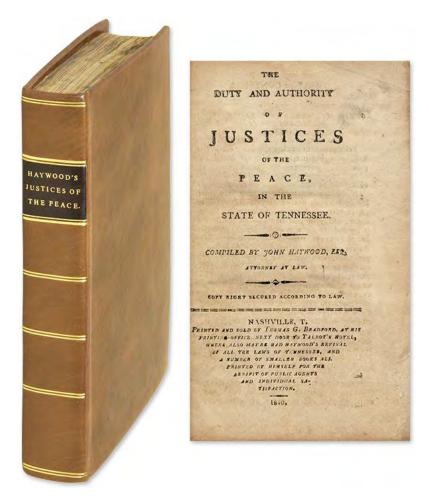
Stab-stitched pamphlet in recent plain wrappers, printed labels to front wrapper. Negligible light rubbing and soiling to wrappers, light toning to interior, more moderate to pp. 397-404, negligible light foxing to a few leaves. \$1,500.

\* The first printing of the Mutiny in America Act of 1775, which clarified and expanded the provisions of what became known as the Quartering Act of 1774, one of the Intolerable Acts. The Quartering Act of 1774 authorized colonial governors, rather than legislatures, to house British soldiers in any unoccupied building if deemed necessary. The subsequent Mutiny in America Act extended the practice of quartering to British marine forces and clarified in detail when and how the governor could commandeer property and what the consequences could be for recalcitrant colonists. Like other acts, it also imposed additional costs of British military upkeep on the colonies. The act was put into effect from March 24, 1775; the first battles of the Revolutionary War would be fought less than a month later on April 19.

Acts "for punishing mutiny and desertion" were passed annually from 1689 to 1879, and were often supplemented by additional mutiny acts governing specific areas of the British Empire in response to local disturbances. Mutiny acts were passed for the American colonies between 1765 and 1776, beginning with the first Quartering Act. In general, acts were compiled over the course of a Parliamentary session and bound afterwards. They were issued with general title pages, which were often discarded; the title page is present in the issue offered here.

English Short-Title Catalogue N57538.

Order This Item



The First JP Manual Printed in Tennessee

#### 11. Haywood, John [1762-1826], Compiler.

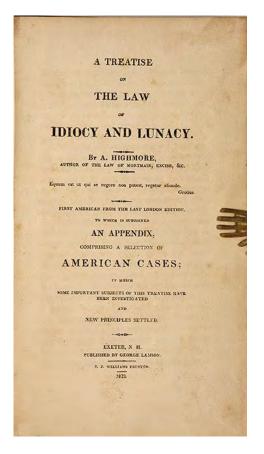
The Duty and Authority of Justices of the Peace, In the State of Tennessee. Nashville: Printed and Sold by Thomas G. Bradford, 1810. [iv], 372, [7] pp. An additional four leaves, all containing advertisements, not present in this copy. Octavo (7" x 4-1/2").

Recent period-style calf, gilt rules and lettering piece to spine, hinges mended. Some toning and faint dampspotting to text, several printing faults resulting in torn leaves near the gutter, typical with early frontier imprints. Two later owner signatures to front pastedown, interior otherwise clean. \$1,800.

\* First edition. The first JP manual printed in Tennessee. With its choice of topics and rather amateurish printing, this manual evokes the state of frontier life in the early nineteenth century. Haywood was a jurist and historian from North Carolina who moved to Tennessee in 1807. Soon after his arrival he enhanced his already solid reputation by publishing a series of legal compilations and the earliest important histories of his adopted state. He served on the Tennessee Supreme Court for the last 12 years of his life. Other editions of his manual were published in 1811 and 1816. Though all editions are somewhat common in institutional collections, there are few copies of any edition in law libraries. Regarding the first edition, OCLC locates 4 copies (at Harvard, the Universities of Michigan and Minnesota, and Yale).

Allen, Tennessee Imprints 162. Cohen, Bibliography of Early American Law 8470.

#### Order This Item



Only American Edition of One of the First Books on the Law of "Idiocy and Lunacy"

#### 12. Highmore, A[nthony] [1758-1829].

A Treatise on the Law of Idiocy and Lunacy. To Which is Subjoined an Appendix, Comprising a Selection of American Cases; In Which Some Important Subjects of This Treatise Have Been Investigated and New Principles Settled. Exeter, NH: Published by George Lamson, 1822. x, [2], 194 pp. Octavo (8-1/2" x 5").

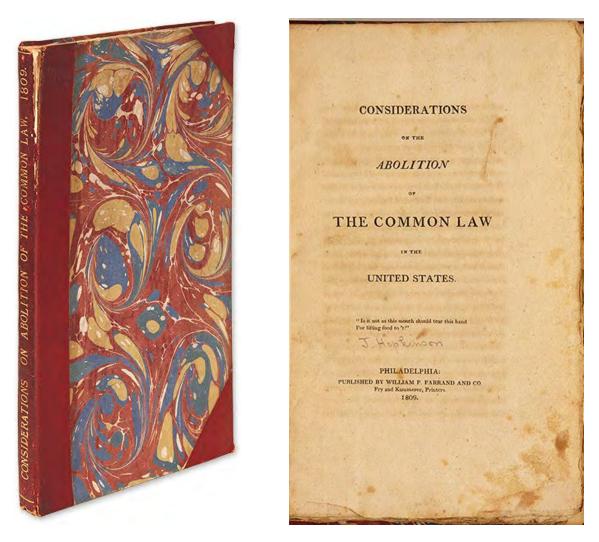
Contemporary three-quarter sheep over paper boards, green lettering piece and blind fillets to spine. Light rubbing and a few ink spots to boards, moderate rubbing to extremities, minor scuffing to spine, corners bumped and somewhat worn, front joint and hinge just starting at head, faint early owner signature in pencil (of H. Stephens) and later owner signature (of Dr. Edward Gillespie, dated 1929) to front pastedown. Moderate toning, light foxing to some leaves, a few leaves have early marks to margins. A handsome copy. \$1,500.

\* Only American edition, based on the first London edition, 1807. One of the very first books on the topic, Highmore's treatise examines precedents concerning the insane and their treatment under the law. It discusses the meaning of "ideot," *non compos mentis* and lunacy, as well as the custody of lunatics, commission of the insane to hospitals or asylums, *habeas corpus*, disability and recovery of the insane, and regulations of asylums and criminal cases involving the insane. Highmore, a British legal writer and solicitor, was secretary to the London Lying-In Hospital.

This American edition has a 27-page Appendix with valuable information on the insanity plea and the American criminal justice system at the time. It replaces that of the 1807 English edition which relates only to English courts.

Cohen, Bibliography of Early American Law 8818.

Order This Item



"The Clamour Raised Against the Common Law"

#### 13. Hopkinson, Joseph [1770-1842].

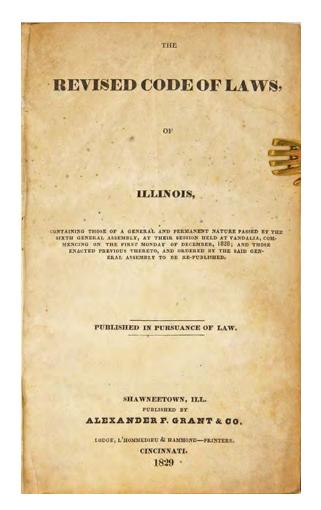
Considerations on the Abolition of the Common Law in the United States. Philadelphia: Published by William P. Farrand and Co., 1809. v, [6]-71 pp. Octavo (9-1/4" x 5-3/4").

Stab-stitched pamphlet with untrimmed edges bound into contemporary three-quarter calf over marbled boards, gilt title and fillets to spine. Some wear to spine ends and corners, upper joint with two-inch split at top, rear hinge cracked. Moderate toning to text, light foxing, crinkling and minor tears to a few leaves. \$1,250.

\* Only edition. This pamphlet defends the common law system used in the United States. Hopkinson, the son of Francis Hopkinson [1737-1791], was admitted to the bar in 1791 and quickly developed a notable reputation as a trial lawyer. He served as counsel for Justice Samuel Chase in defense of an impeachment charge. Elected to Congress in 1814, he was appointed by President John Quincy Adams as judge for the U.S. District Court for the Eastern District of Pennsylvania in 1828. He composed *Hail Columbia*, the first American national anthem. OCLC locates 4 copies, 1 in a law library (University of Pennsylvania).

Cohen, Bibliography of Early American Law 7821.

#### Order This Item



1829 Collection of Illinois Laws, Has an Interesting Section on "Negroes"

#### 14. [Illinois].

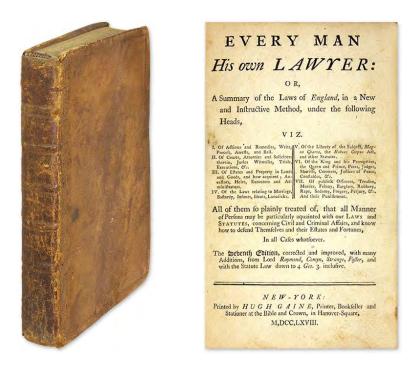
The Revised Code of Laws of Illinois: Containing Those of a General and Permanent Nature Passed by the Sixth General Assembly, At Their Session Held at Vandalia, Commencing on the First Monday of December, 1828; And Those Enacted Previous Thereto, And Ordered by the Said General Assembly to be Re-Published. Shawneetown, Ill.: Published by Alexander F. Grant & Co., Cincinnati: Lodge, L'Hommedieu, And Hammond-Printers, 1829. 278 pp. Octavo (7-3/4" x 4-3/4").

Contemporary three-quarter sheep of paper-covered boards, lettering piece, blind fillets and fragment of owner label to spine. Light soiling, rubbing with wear to boards, spine ends and corners. Moderate toning, somewhat heavier in places, and light foxing, occasional faint dampstaining. \$400.

\* The second post-statehood collection, the first published in 1827. Included are laws relating to boundary lines, elections, horses, idiots, militias, the poor, roads, schools and smugglers. The section of the code concerning "Negroes" restricts their entry into the State, requires resident African Americans to be registered with the state (as indicated by the possession of a registration certificate) and any non-registered African American as a runaway slave. Also, courts are ordered to dismiss any suit brought by a slave petitioning a court for his or her freedom.

Babbitt, Hand-List of Legislative Sessions and Session Laws 105.

#### Order This Item



The First Layman's Guide Published in America

#### 15. Jacob, Giles [1686-1744].

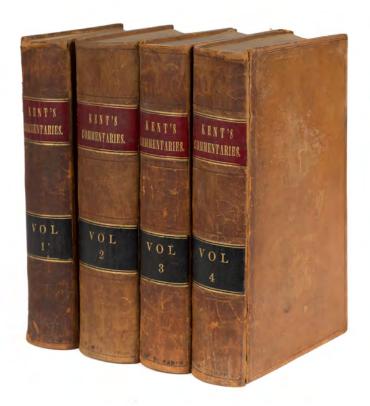
Every Man His Own Lanyer: Or, A Summary of the Laws of England, In a New and Instructive Method, Under the Following Heads, Viz. I. Of Actions and Remedies, Writs, Process, Arrests, and Bail. II. Of Courts, Attornies and Solicitors Therein, Juries, Witnesses, Trials, Executions, &c. III. Of Estates and Property in Lands and Goods, And How Acquired, Ancestors, Heirs, Executors and Administrators. IV. Of the Laws Relating to Marriage, Bastardy, Infants, Ideots, Lunaticks. V. Of the Liberty of the Subject, Magna Charta, the Habeas Corpus Act, And other Statutes. VI. Of the King and his Prerogative, the Queen and Prince, Peers, Judges, Sheriffs, Coroners, Justices of Peace, Constables, &c. VII. Of Publick Offences, Treason, Murder, Felony, Burglary, Robbery, Rape, Sodomy, Forgery, Perjury, &c. and Their Punishment. All of Them so Plainly Treated of That All Manner of Persons May be Particularly Acquainted With Our Laws and Statutes, Concerning Civil and Criminal Affairs, And Know How to Defend Themselves and Their Estates and Fortunes, An All Cases Whatsoever. Corrected and Improved, With Many Additions, from Lord Raymond, Comyn, Strange, Foster, And with the Statute Law Down to 4 Geo. 3. Inclusive. New-York: Printed by Hugh Gaine, 1768. iv, 289, [13] pp. Octavo (7-1/4'' x 4-1/2'').

Contemporary sheep, blind fillets and decorative blind tooling to boards. Moderate rubbing to extremities, some chipping to spine ends, corners bumped and lightly worn, a few minor scuffs to boards, hinges cracked, light browning to text. Early owner signature to rear pastedown, interior otherwise clean. \$2,200.

\* First American edition, designated the seventh on the title page in reference to the prior six editions published in London. This popular layman's guide by one of the most prolific legal writers of eighteenth-century England went through ten English editions between 1736 and 1788. The mention of "All Manner of Persons" in the subtitle is significant. Jacob, though certainly interested in boosting sales by attracting the widest audience possible, was an idealist who believed that widespread knowledge of the law would help create a more just society. This is also evident in his other publications, such as *The Common Law Common-Placed* (1726) and *Treatise of Laws* (1721). According to Cohen, this was the first laymen's guide published in America. The next two, which were intended also for aspiring lawyers, were *The Young Clerk's Magazine* (Philadelphia, 1774) and *The Young Clerk's Vade Mecum* (New York, 1776).

Cohen, Bibliography of Early American Law 8202.

#### Order This Item



#### Probably the Single Most Important Interpretation of American Law

## 16. Kent, James [1763-1847].[Kent, William (1802-1861), Editor].[Eaton, Dorman Bridgeman (1823-1899), Editor].

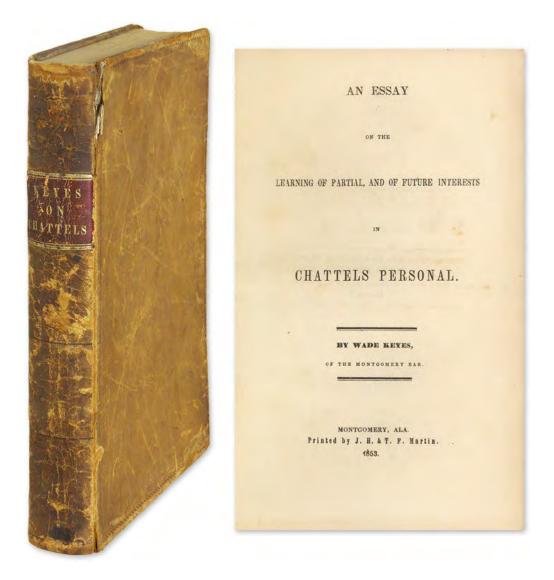
Commentaries on American Law. New York: Published by William Kent, 1851. Four volumes. Star-paged to the second edition (1832). Octavo (9-1/2" x 6").

Contemporary sheep, blind rules to boards, red and black lettering pieces to spines, blind tooling to board edges. Light rubbing to boards, moderate rubbing to extremities, light gatoring to spines, some chipping to spine heads, hinges cracked, a few boards beginning to separate but secure, owner signature of Dr. George F. Heidemann to front pastedown of each volume. Moderate toning to interiors, light foxing and soiling to a few places, offsetting to margins of preliminaries and final leaves. \$1,250.

\* Seventh edition. Kent's *Commentaries* is probably the single most important interpretation of American law. Writing in 1847, Marvin ranked it above Blackstone and observed that it contains "not only a clear statement of the English law, with all the alterations that have taken place since the time of Blackstone, but a full account of the main principles of Equity, also, a review of the modifications engrafted on the English law by the different states of the Union." Marvin's latter observation points to the significance of this landmark work. Published at a time when there was significant opposition to English law, Kent's *Commentaries* established it in a manner that appealed to the majority of influential American jurists and legislators. Born in Germany, Heidemann [1839-1908] was the first doctor to establish a practice in Elmhurst, Illinois, now a suburb of Chicago.

Marvin, Legal Bibliography 438. Cohen, Bibliography of Early American Law 5404.

#### Order This Item



Early Alabama Legal Imprint that Addresses Slavery

#### 17. Keyes, Wade [1821-1879].

An Essay on the Learning of Partial, And of Future Interests in Chattels Personal. Montgomery, Ala.: J.H. & T.F. Martin, 1853. 160 pp. Octavo (8-3/4" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Some rubbing to boards and extremities, spine moderately abraded, joints starting at head, offsetting to margins of endleaves, very light browning to text. Early owner signature (of Stephen F. Miller) to front pastedown, interior otherwise clean. \$450.

\* Only edition. As a lawyer, judge, author and the state's first law professor, Keyes was the most important figure in the early legal history of Alabama. A prominent secessionist, he was assistant attorney general for the Confederacy during the Civil War. He wrote two treatises, a treatise on real property and the present title, a review of case law as it relates to chattels personal, including "slaves, cattle, furniture, books, victuals, money and the like" (1).

Cohen, Bibliography of Early American Law 9033.

Order This Item

#### American Law Before 1860

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#### Grand Jury Documents from Nineteenth-Century Pennsylvania

### 18. [Manuscript Archive]. [Pennsylvania].

[Six Manuscript Grand Jury Indictments]. [Lycoming County, Pennsylvania, 1832-1839].

Six documents, ranging in size from 5-1/4" x 3-1/4" to 6-1/2" x 3-1/4" (folded, averaging 12" x 7-3/4" unfolded), each with text to recto and docket to verso. Moderate toning, light soiling in places, horizontal and vertical fold lines, small holes or clean tears along some fold lines, touching text in places without loss to legibility. An interesting collection. \$750.

\* These grand jury indictments were issued for the court of session of Lycoming County, Pennsylvania from 1832 to 1839. (Lycoming County was incorporated in 1795.) Each document gives the details of the charge along with a brief, formal summary of the crime. Two of the indictments are for theft and four for assault and battery. Likely clerical copies retained by the court, they bear the names of the respective attorneys general and witnesses in each case but not their autograph signatures. True bills were returned in three cases, two 1833 assault and battery cases and one 1837 larceny case. An interesting window onto the grand jury process, which played an essential role in early American public life.

#### Order This Item

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Late Eighteenth-Century Account Book of a Notable New York Attorney

#### 19. [Manuscript]. Remsen, John H. [c.1770-1798].

[Account Book]. New York, 1795-1798. [xxiii], 326 pp. Quarto (9-1/2" x 7-1/2").

Contemporary reverse calf, blind fillets and panels to boards, rebacked retaining parts of existing spine, raised bands, blind ornaments and lettering piece (reading "Register") to spine, marbled endpapers. Moderate rubbing with wear to extremities, a few stains and slash marks to boards, hinges cracked, front free endpaper and preliminary leaves loose, one leaf and parts of two others removed. Moderate toning to interior, text in neat hand to rectos and versos of most leaves, a few early manuscript jottings to front endleaf, small library stamp and marks to its verso. \$7,500.

\* With a thumb-tabbed index of cases. John H. Remsen was a New York lawyer and notary public who served as private secretary to New York governor John Jay. This volume records work done and fees charged by Remsen on hundreds of cases in the Mayor's Court, the Federal District Court, and the New York Supreme Court. Most of these cases were initiated from September 1795 to September 1796. Among the more noteworthy cases, Remsen represented the Bank of the United States in a protracted suit against Loyalist publisher James Rivington (pp. 169 and 170). He also represented a group led by John Jay and George Clinton.

Order This Item



Antebellum Virginia Docket Book

#### 20. [Manuscript].

#### [Virginia].

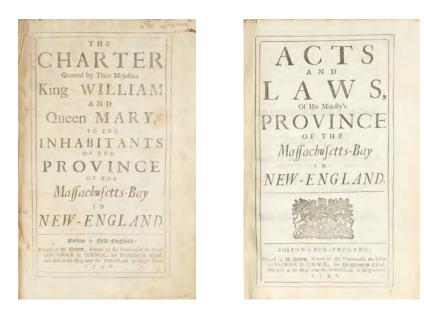
[Justice's Docket Book, Amherst County, Virginia, 1850-1859]. 2 books. [200]; [212] pp. Folio (13-1/2" x 8-1/4" and 12-3/4" x 8").

Quarter and three-quarter sheep over marbled boards, one book has lettering piece reading "Justice's Docket." Bindings lightly cocked, moderate rubbing to boards and board edges with light wear to corners, spine of one book abraded, its boards partially detached. Light toning, light foxing in places, staining to leaves at beginning and end of each book. Text in legible hands to approximately 80 pp., a few leaves removed, torn or partially lacking with some loss to content, one book has additional annotations to pastedowns and adjacent endleaves. \$1,850.

\* This ledger records appearances at a Virginia Justice's Court, most likely in Amherst, the county seat of Amherst County, Virginia. (This location is indicated by the names of several parties from Amherst and nearby locations, among them Dr. William S. Dillard, a member of a prominent Amherst family. We acquired this item from one of Dillard's descendants.) The entries are organized in columns under the following headings: "Parties Names," "Date of Judgment," "Amount of Judgment," "Interest from Costs," "Exon. When Delivered," "To Whom Delivered," "When Returnable" and "Return." Most of the cases date from 1850 to 1859. There are also some notes recording sales transactions dated 1880 to 1889 at the rear of one book, along with a set of recipes for foxgrape wine dated 1881.

#### Order This Item

#### American Law Before 1860



Scarce 1726 Printing of Massachusetts Acts and Laws

#### 21. [Massachusetts].

The Charter Granted by Their Majesties King William and Queen Mary, to the Inhabitants of the Province of the Massachusetts-Bay in New-England. Boston: Printed by B. Green, 1726. [ii], 14 pp.

#### [Bound with]

Acts and Laws of His Majesty's Province of the Massachusetts-Bay in New England. Boston: Printed by B. Green, 1726. 17; [ii], 347, [1]; 349-525 pp. Final 17-page table misbound before title page.

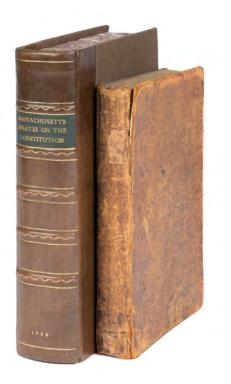
Small folio (11-3/4" x 7-1/2"). Contemporary sheep, blind fillets along joints, spine ends and corners neatly mended, raised bands and renewed lettering pieces to spine, blind tooling to board edges. Moderate rubbing and some scuffs, nicks, gouges and faint stains to boards, rubbing to board edges and joints, front joint cracked (mended at ends), a few small holes to rear joint, hinges cracked, faint offsetting to endleaves, minor worming and a few brief annotations (signatures and sums) to rear pastedown. Moderate toning to interior, somewhat lighter or heavier in places, occasional light foxing and creasing and faint dampstaining, tears to text blocks of leaves A1-B2 (pp. 1-8) of table affecting text without loss to legibility, small tear and diagonal crease to final leaf. Ownership signature ("Jos. Lemmon Book") to head of title page, early annotations (additional references to session laws after May 1726) to table. \$3,500.

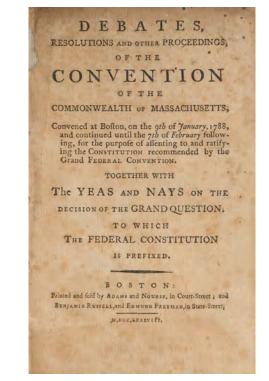
\* Issued when the province included Maine and parts of Nova Scotia, this compilation contains a complete record of the acts and laws from 1692 to 1725. It provides unparalleled insights into the colony's attitude towards Indians, "Free Negroes," piracy, buggery, bestiality, incest, "Jesuits and Popish priests," the killing of bastard children by their mothers, "misspending money in taverns," "keeping the Lord's day," adultery, polygamy and many other social and political topics.

Especially important is the newly adopted modification to the Charter granted by William and Mary, King George's "Explanatory Charter" (pp. 13-14), which appeared for the first time in this book. It reduced the independence of the colony by shifting power to the crown-appointed provincial governor, who was given sole power to adjourn the House of Representatives and given the right to veto the House's choice of speaker. Though technically two books, the charter and laws are almost always bound together. Many copies contain subsequent compilations of acts (that continue the pagination past p. 347). Ours includes acts passed between May 25, 1726, and July 6, 1734.

Evans, American Bibliography 2762. Benedict, Acts and Laws of the Thirteen Original Colonies and States 122. The Charlemagne Tower Collection of Colonial Laws 215. English Short-Title Catalogue W7100.

#### Order This Item





187 to 168 in Favor of Ratification

#### 22. [Massachusetts]. [Federal Constitution].

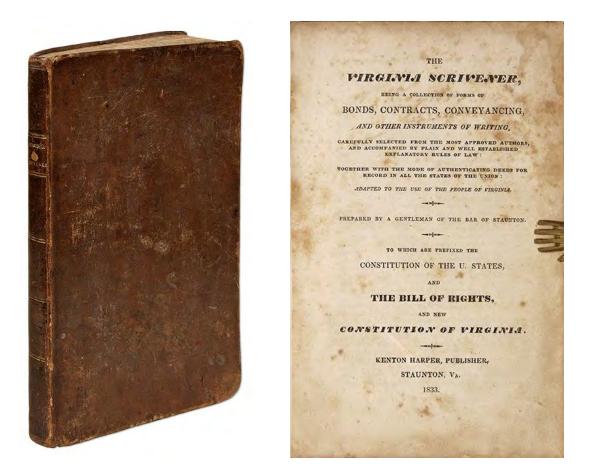
Debates, Resolutions and Other Proceedings, Of the Convention of the Commonwealth of Massachusetts, Convened at Boston, On the 9th of January, 1788, And Continued Until the 7th of February Following, For the Purpose of Assenting to and Ratifying the Constitution Recommended by the Grand Federal Convention. Together with The Yeas and Nays on the Decision of the Grand Question. To Which The Federal Constitution is Prefixed. Boston: Printed and Sold by Adams and Nourse, and Benjamin Russell, And Edmund Freeman, 1788. 219 pp. Octavo (7" x 4-1/2").

Contemporary speckled sheep, blind fillets and fragment of later hand-lettered paper title label to spine. Moderate rubbing to extremities with wear to head of spine, front joint starting, hinges cracked, later owner bookplate to front pastedown, front free endpaper lacking. Moderate toning to interior, occasional light foxing, internally clean. Item housed in a period-style clamshell box, lettering piece and blind fillets to spine. A desirable copy. \$3,000.

\* First edition. "The ratification process in Massachusetts was viewed with anxiety by supporters of the Constitution throughout the nation. Massachusetts was a key state, and it was thought that actions there might determine the ultimate fate of the Constitution. The struggle was hard, bitter, and characterized by wild rumor and allegations of corrupt behavior. The Federalist strategy was to ratify the Constitution first and then consider amendments to it. On February 6 the Constitution was endorsed by the narrow vote of 187 to 168. Massachusetts became the sixth state to ratify. Massachusetts was the first state to propose amendments along with ratification, setting a pattern for the states that followed. All except Maryland and Rhode Island were to ratify and simultaneously propose amendments" (Peckham). A second edition was published in 1808; another, edited by Bradford K. Peirce and Charles Hale, in 1856.

Peckham, Liberty's Legacy: Our Celebration of the Northwest Ordinance and the United States Constitution USC-25. Cohen, Bibliography of Early American Law 2859. Sabin, A Dictionary of Books Relating to America 45702.

#### Order This Item



"A Cheap Instructor" for Virginians, Includes a Sample Inventory that Includes Slaves

#### 23. [Michie, Thomas Johnson (1795-1873), Attributed].

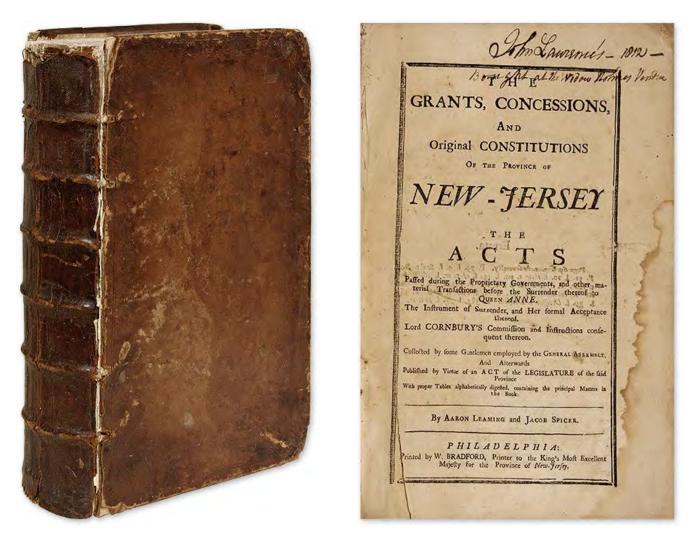
The Virginia Scrivener, Being a Collection of Forms of Bonds, Contracts, Conveyancing, and Other Instruments of Writing, Carefully Selected from the Most Approved Authors, and Accompanied by Plain and Well Established Explanatory Rules of Law: Together with the Mode of Authenticating Deeds for Record in All the States of the Union: Adapted to the Use of the People of Virginia. Prepared By a Gentleman of the Bar of Staunton. To Which are Prefixed the Constitution of the U. States, and the Bill of Rights, and New Constitution of the State of Virginia. Staunton, [Va.]: Kenton Harper, Publisher, 1833. iv [5]-181 pp. Octavo (8" x 5").

Contemporary sheep, lettering piece and gilt fillets to spine. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, boards slightly bowed, corners bumped and somewhat worn, tiny chip to lettering piece, upper corner lacking from rear free endpaper. Moderate toning and light foxing to text. Contemporary (and near-contemporary) annotations and early owner inscriptions (of Hezekiah Taylor) to endleaves, marks to a few passages in text. \$250.

\* Only edition. "The purpose of this production, is to place in the hands of every man a cheap instructor, by the aid of which, without too much abstraction from his ordinary business, he can acquire or transfer property and preserve his rights, without the danger of involving himself in litigation, or of having his transactions pronounced invalid by the laws of the land" [iii]. Among the sample forms is an estate inventory on p. 175 that includes a list of slaves.

Cohen, Bibliography of Early American Law 8153.

Order This Item



The First Retrospective Compilation of New Jersey Law, An Interesting Association Copy

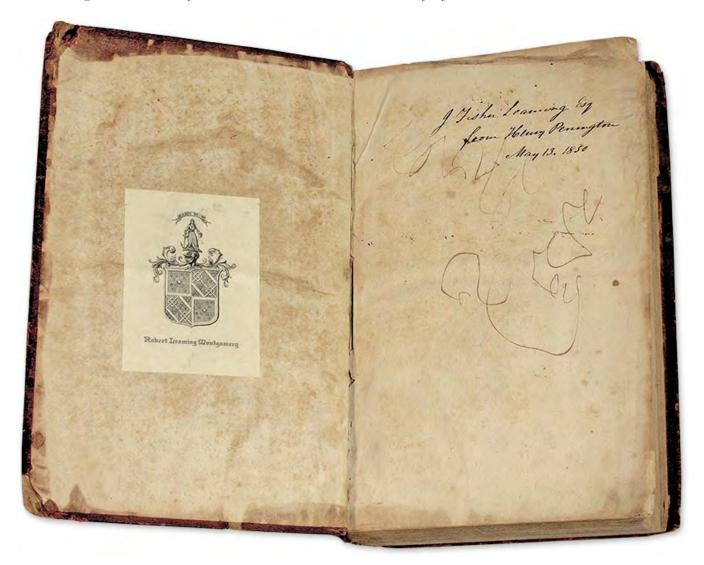
#### 24. [New Jersey]. Leaming, Aaron, Compiler. Spicer, Jacob Compiler.

The Grants, Concessions, And Original Constitutions of the Province of New-Jersey: The Acts Passed During the Proprietary Governments, And Other Material Transactions Before the Surrender Thereof to Queen Anne, The Instrument of Surrender, And Her Formal Acceptance Thereof, Lord Cornbury's Commission and Instructions Consequent Thereon. Collected by Some Gentlemen Employed By the General Assembly, And Afterwards Published by Virtue of an Act of the Legislature of the said Province With Proper Tables Alphabetically Digested, Containing the Principal Matters in the Book. Philadelphia: Printed by W. Bradford, [1758]. [iv], 763 pp. Folio (11-1/4" x 7").

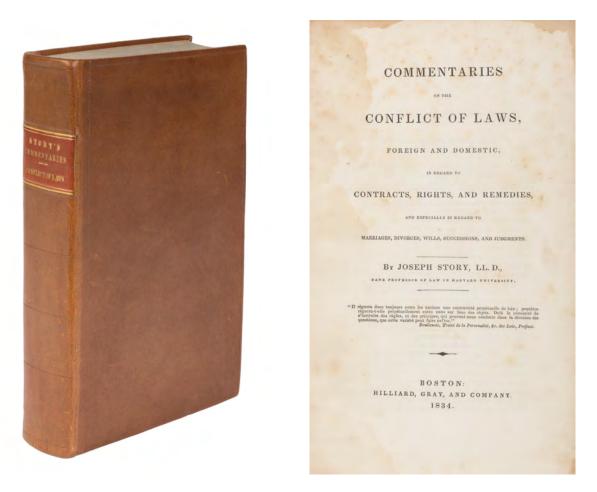
Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine. Moderate rubbing, boards partially detached, crack through center of backstrip, wear to spine ends, corners bumped and worn, later owner bookplate of Robert Learning Montgomery to front pastedown, front free endpaper detached and somewhat edgeworn. Moderate toning to text, faint dampspotting in places, dampstaining to margins of title page and a few other leaves, "J. Fisher Learning Esq/ from Henry Pennington/ May 13, 1850" to front free endpaper, tipped-in annotation in early hand (concerning the Monmouth Patent) to following endleaf, later owner inscription (of John Lawrence, dated 1812) to head of title page. Book housed in lightly rubbed recent cloth slipcase, morocco lettering piece to spine. An interesting association copy. \$2,000.

\* First edition. With indexes for East Jersey and West Jersey. The third official compilation of New Jersey law, and the scarcest according to Felcone, it is the first to print fundamental laws, constitutions and documents from 1663 to 1702 and session laws from 1668 to 1702. "This handsome volume, generally known as Learning and Spicer's Laws, was prepared under the authority of an act of Assembly passed in 1752, and is the largest work issued from the press of Wm. Bradford. Subscribers' names were first solicited in February, 1755, the compilers having spent nearly two years in its preparation. Three more years were consumed in printing, and it was not until May, 1758, that it was ready for delivery. Up to that time 170 copies had been subscribed for, and the editors say, in the Pennsylvania Journal, May 11. 1758, 'a number of copies yet remain not subscribed for,' and 'any person may be supplied' until 'the 17th of July next, after which we will not further extend the sale''' (Tower). Robert Learning Montgomery and J. Fisher Learning, both attorneys, were descendents of Aaron Learning.

The Charlemagne Tower Collection of American Colonial Laws 165. Felcone, New Jersey Books 156.



Order This Item



Handsomely Bound First Edition of One of Story's Most Important Treatises

#### 25. Story, Joseph [1779-1845].

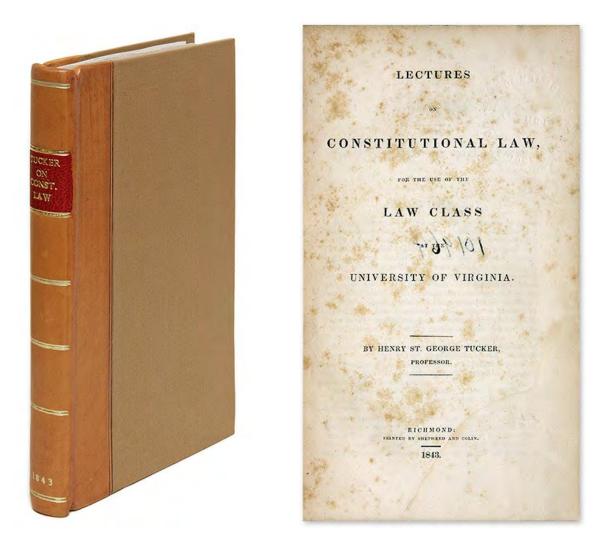
Commentaries on the Conflict of Laws, Foreign and Domestic, In Regard to Contracts, Rights, and Remedies, And Especially in Regard to Marriages, Divorces, Wills, Successions, And Judgments. Boston: Hilliard, Gray and Company, 1834. xxv, [1], 557 pp. Octavo (8-1/2" x 5-1/2").

Superbly bound in period-style full calf, blind rules to boards, lettering piece and blind fillets to spine, original endpapers retained. Moderate toning to text, somewhat darker or browned in places, light foxing, faint, gradually diminishing dampstaining to margins of several leaves at beginning and end of text. A handsome copy. \$1,500.

\* First edition. Story's *Conflict of Laws*, the first systematic treatise on the subject, is one of his greatest and most influential works. Warren says: "It is not too much to say that its publication constituted an epoch in the law; for it became at once the standard and almost the sole authority...[it] received the honor of being practically the first American law book to be cited as authority in English courts." Expanding on this latter point Marvin quotes "a late English writer" who says that "no work on international jurisprudence merited, nor received, greater praise from the jurists of Europe. It impressed English lawyers with the highest respect for [Story's] extensive learning."

Marvin, Legal Bibliography 471. Warren, A History of the American Bar 545. Cohen, Bibliography of Early American Law 2723. Woxland & Ogden, Landmarks in American Legal Publishing 25.

#### Order This Item



Tucker's Important Lectures on the Constitution

#### 26. Tucker, Henry St. George [1780-1848].

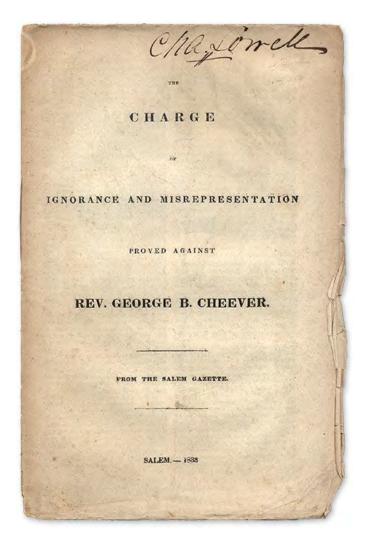
Lectures on the Constitutional Law, For the Use of the Law Class at the University of Virginia. Richmond: Printed for Shepherd and Colin, 1843. 242 pp. 12mo. (7-1/2" x 4-1/2").

Recent period-style quarter calf over cloth, lettering piece and gilt fillets to spine, endpapers renewed. Some toning, light foxing in places, faint, mostly very faint, dampstaining to upper corner of text block, faint embossed library stamp to title page and following leaf, brief annotations (shelf number?) to verso of title page. A nice copy in a handsome binding. \$750.

\* Only edition. Tucker proposes a vigorous defense of states-rights principles in the manner of John Taylor of Caroline. A notably sophisticated argument, it balances detailed analysis of the U.S. Constitution with criticism of Joseph Story, Daniel Webster and other proponents of a powerful Federal government. Tucker was a judge of the superior courts of chancery for the Winchester and Clarksburg districts, President of Virginia's Supreme Court of Appeals, the director of a private law school in Winchester and, later in life, Professor of Law at the University of Virginia. Other works that grew out of his classroom include *Commentaries on the Laws of Virginia* (1836-1837).

Cohen, Bibliography of Early American Law 2928.

#### Order This Item



Pamphlet Concerning a Notable Nineteenth-Century Libel Case in Salem, Massachusetts

#### 27. [Upham, Charles W. (1802-1875)].

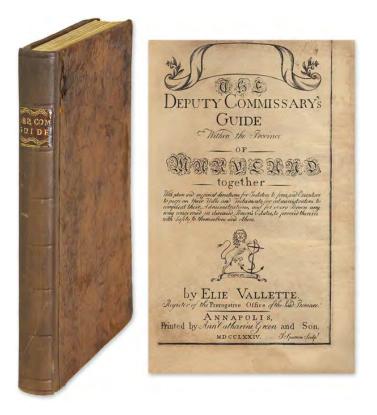
The Charge of Ignorance and Misrepresentation Proved Against the Rev. George B. Cheever. From the Salem Gazette. Salem: S.n., 1833. [16] pp. Text in parallel columns. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in self-wrappers, untrimmed edges. Light soiling to exterior, minor wear to spine ends, owner signature (Charles Lowell) to head of front wrapper, light toning to text, faint spotting to a few leaves. \$500.

\* Only edition. Cheever, a Unitarian minister, social reformer and Temperance advocate, published a thinly disguised portrayal of John Stone, a well-liked Unitarian deacon in Salem who owned a distillery. It was first published in 1835 as a newspaper article in Salem and as an illustrated broadside. Cheever's neighbors, one of them Upham, were outraged by this slanderous text and he was soon convicted of libel, imprisoned and publicly whipped. A case that attracted a good deal of attention, it brought Cheever national fame, which led to several job offers and several more editions of his tract. After an extended tour of Europe and the Near East, he became the minister of the Allen Street Presbyterian Church in New York City. OCLC locates 11 copies, none in law libraries. Not in McCoy.

Sabin, A Dictionary of Books Relating to America 98032.

Order This Item



Copy of the First American Treatise on Wills that Belonged to an Important Early Illinois Statesman

#### 28. Vallette, Elie.

#### [Sparrow, Thomas (1746?-1780?), Engraver].

The Deputy Commissary's Guide Within the Province of Maryland, Together with Plain and Sufficient Directions for Testators to Form, And Executors to Form Their Wills and Testaments, For Administrators to Compleat Their Administrations, And for Every Person Any Way Concerned in Deceased Person's Estates, To Proceed Therein with Safety to Themselves and Others. Annapolis: Printed by Ann Catherine Green and Son, 1774. [ii], iv, 248, [12] pp. Copperplate title page and table of descents. Octavo (7-3/4" x 5").

Contemporary sheep, rebacked in calf retaining original lettering piece, endpapers renewed. Light rubbing to boards, corners bumped and lightly worn. Moderate toning to text, somewhat darker in places, occasional dampstaining, mostly to margins. Early owner signature of Ninian Edwards to front endleaf and margin of p. 50, interior otherwise clean. \$1,400.

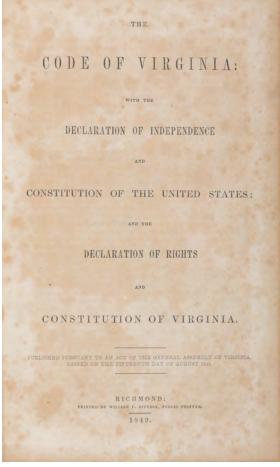
\* The first original American legal guide, it is also the first American book on the law of wills. Dedicated to Maryland Governor Robert Eden, it was printed by Dutch immigrant Ann Catherine Hoof Green, wife of Jonas Green, whom she succeeded as public printer of Maryland from 1767 to 1775 (inheriting his bankruptcy debt along with his shop). The engraved title page, the only one issued from a colonial Maryland press, and the copperplate table are considered the finest work of Thomas Sparrow, the only engraver south of the Mason-Dixon Line prior to 1775. Vallette was registrar of the Prerogative Office of Maryland Province.

Originally from Maryland, Edwards [1775-1833] was an important early Illinois statesman and political leader. He was the only governor of the Illinois Territory from 1809 to 1818, one of the first two United States Senators from Illinois from 1818 to 1824 and the third Governor of that state from 1826 to 1830.

Wroth, Maryland Imprints 338. Wroth, The Colonial Printer in America 290. Cohen, Bibliography of Early American Law 4632.

#### Order This Item

#### American Law Before 1860



#### Copy of the Final Antebellum Edition of Virginia Statutes With a Document Concerning the Custody of a Slave

#### 29. [Virginia].

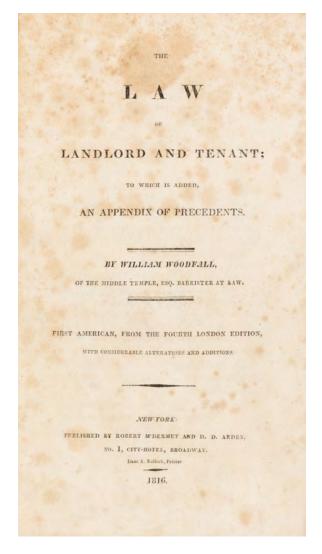
The Code of Virginia: With the Declaration of Independence and Constitution of the United States; And the Declaration of Rights and Constitution of Virginia. Published Pursuant to an Act of the General Assembly of Virginia, Passed on the Fifteenth Day of August 1849. Richmond: Printed by William F. Ritchie, Public Printer, 1849. xxxi, 898 pp. Octavo (9-1/2" x 5-3/4").

Contemporary calf, blind fillets to boards, blind fillets and red and black lettering pieces to spine, faint early owner signature at head. Light rubbing and a few minor stains and nicks, somewhat heavier rubbing to extremities, corners bumped, manuscript court document dated February 27, 1844 tipped-in to front pastedown, moderate toning and light foxing to text, light edgewear and a few minor tears to document. \$750.

\* This was the last edition of Virginia's statutes published before the Civil War. The document affixed to the front pastedown of our copy is a warrant by John H. Tabb of Gloucester County charging a County Justice of the Peace to "confine in jail for safekeeping a negro slave John." It is signed in pencil by JB Wm K. Smith; an address on its verso reads "Jailer of Gloucester County." This document may have been added to our copy to serve as a model form for this procedure.

Babbitt, Hand-List of Legislative Sessions and Session Laws 593.

#### Order This Item



Only American Edition of An Important Treatise on Landlord and Tenant

#### 30. Woodfall, William [d. 1806].

The Law of Landlord and Tenant; To Which is Added, An Appendix of Precedents. From the Fourth London Edition, With Considerable Alterations and Additions. New York: Published by Robert M'Dermut and D.D. Arden, 1816. xiii, [3], 620 pp. Octavo (9-1/2" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Rubbing and shallow scuffing to boards, rubbing to extremities with wear to spine ends and corners, some creasing to spine, joints starting, faint early signature to front board, early owner signature (O.C. Bentley) to front free endpaper. Moderate toning, occasional light foxing and dampspotting to text, bookseller name ("Wm. Gould & Co.") in early hand to inner margin of p. 51. \$850.

\* Only American edition, a reissue of the 1814 London edition. Highly regarded by American jurists, it was one of the treatises on Harvard Law School's reading list.

Cohen, A Legal Bibliography of Early American Law 9563.

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