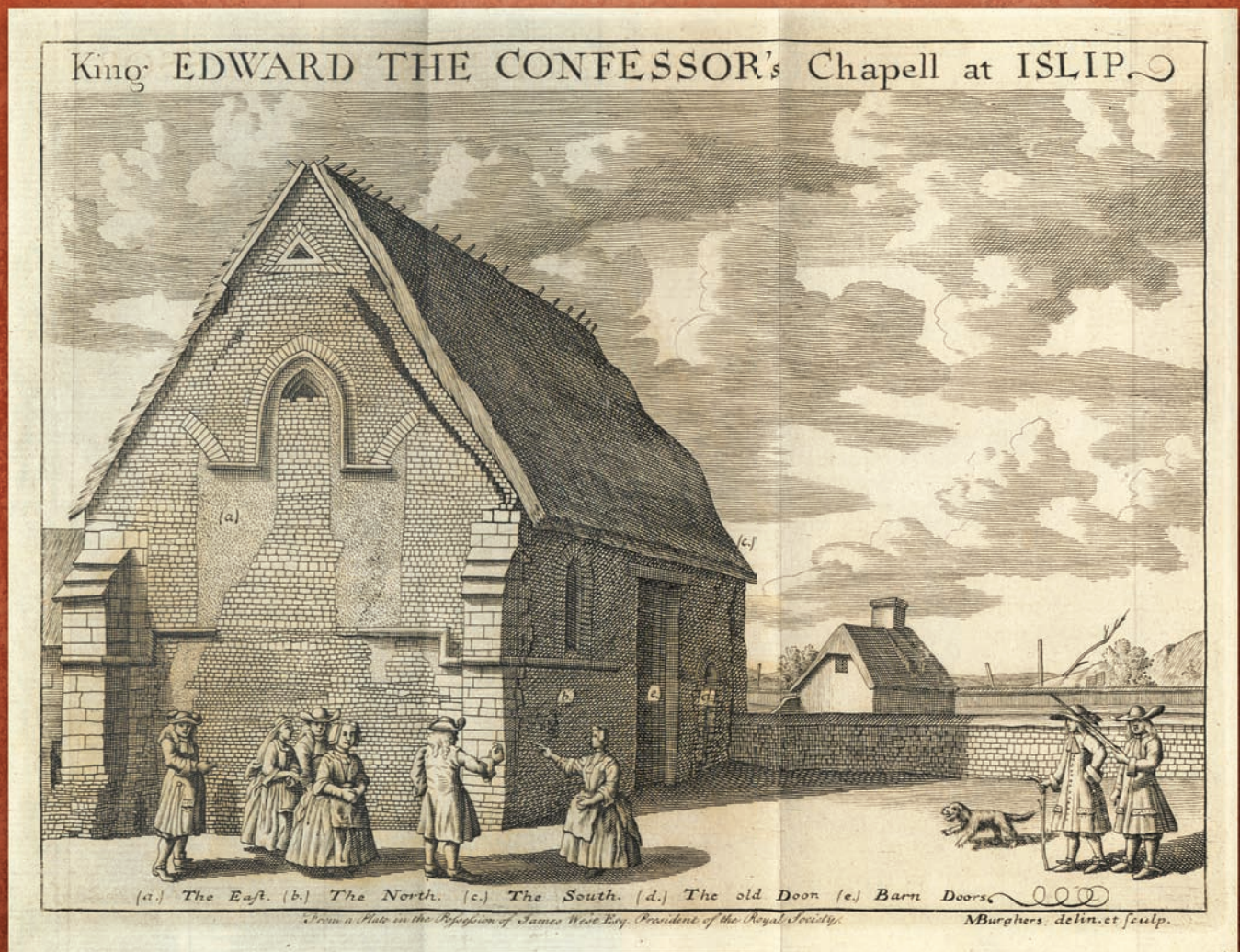


# ENGLISH LAW *Before 1776*

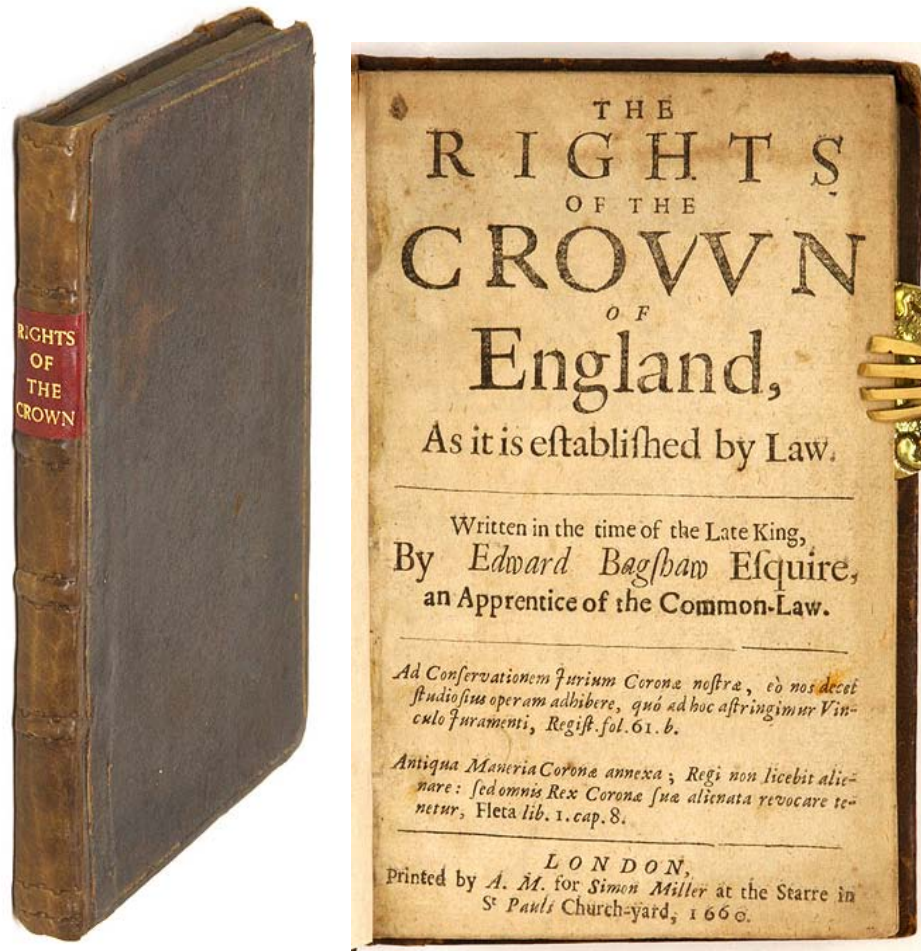
30 Titles

May 2, 2017



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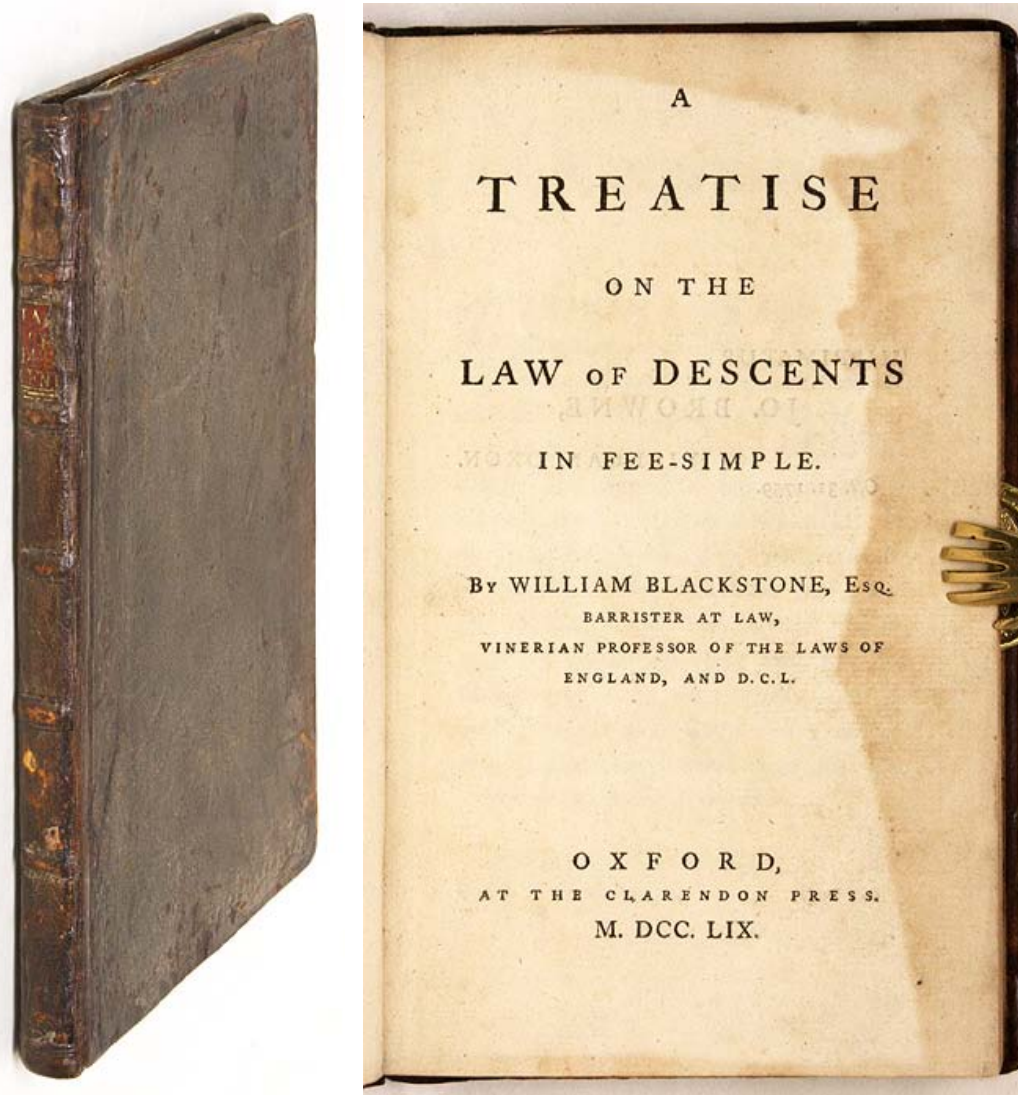
### A Spirited Defense of Royal Rights at the Time of the Civil War

#### 1. Bagshaw, Edward [d. 1662].

*The Rights of the Crown of England, As It is Established by Law. Written in the Time of the Late King.* London: Printed by A.M. for Simon Miller, 1660. [xiv], 126 pp. Lacking frontispiece (arms of Great Britain) and publisher advertisements at rear of text. Verso of final leaf has "The Rights of the Crowne" printed vertically through center. Octavo (6" x 4").

Contemporary calf with recent rebacking, gilt rules to boards, raised bands and lettering piece to spine. Some rubbing around board edges, corners bumped and somewhat worn, hinges cracked, small recent owner bookplate to front pastedown. Moderate toning to text, occasional faint dampstaining to margins, worming to margins of a few leaves, light soiling to title page. \$350.

\* Only edition. Bagshaw was a member of the House of Commons during the Long Parliament. He wrote *Rights of the Crown* while imprisoned by the parliamentarians during the Civil War. "In the Civil War he went over to the king's side, and while taking a stance close to Coke's on the royal prerogative, rejected ideas of contractual monarchy and legitimate resistance as popish. Filmer's influence has been detected in his work, but Bagshaw's ideas bear a still closer resemblance to those of his 'deare friend' Robert Bolton who had been his tutor at Oxford.... Both men combined a conventionally Calvinist approach to questions of theology with a sturdy rejection of theories of contractual monarchy" (Sommerville). "OCLC locates 9 copies in North America, 2 in law libraries (Harvard, LA-County). Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603-1640* 50. *English Short-Title Catalogue* R7546. Order this item: <http://www.lawbookexchange.com/details.php?record=64881>



First Edition of Blackstone's Essay on Descents

**2. Blackstone, Sir William [1723-1780].**

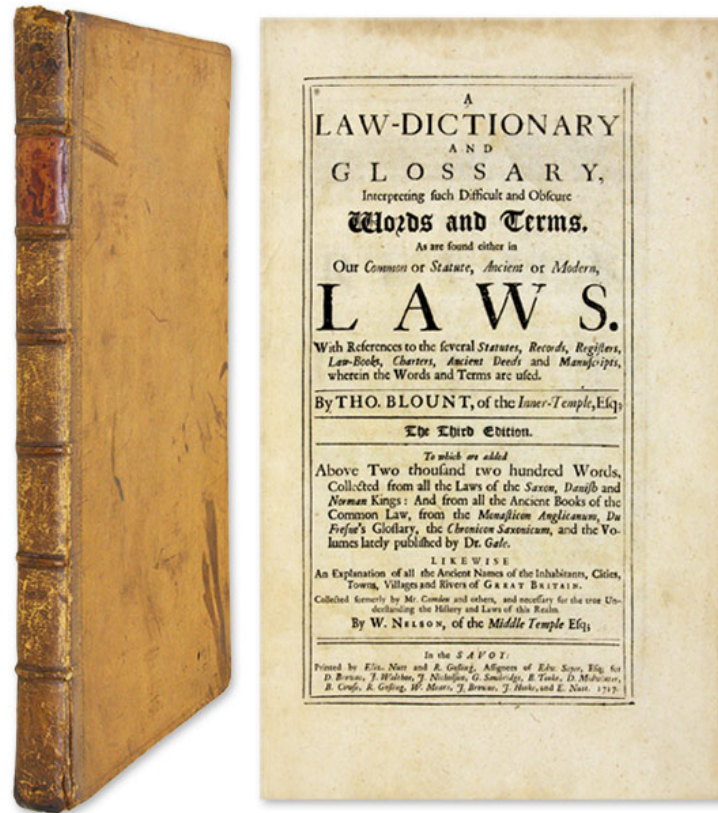
*A Treatise on the Law of Descents in Fee-Simple.* Oxford: at the Clarendon Press, 1759. 87, [1] pp. Two folding copperplate tables: "Table of Consanguinity" and "Table of Descents." Octavo (8-3/4" x 4-3/4").

Contemporary calf, carefully rebacked retaining spine, blind rules and fillets to boards, corners repaired, raised bands and lettering piece to spine, existing endpapers retained. Some rubbing, a few minor nicks to boards, chipping to edge of lettering piece, hinges cracked. Moderate toning to text, some staining to margins of preliminaries and tables, which are lightly soiled. A handsome copy. \$1,950.

\* First edition. Originally published as a learning aid for his students, this brief treatise on "the rules by which landed property was transferred, whether by direct inheritance or by one remove by purchase" (6), formed the basis, almost word for word, of Chapters 14 and 15 of the *Commentaries of the Laws of England*, Book II (1766). An excerpt in James Parker's *Conductor Generalis* (1764) was the first work by Blackstone published in America. Eller, *The William Blackstone Collection in the Yale Law Library* 244. Laeuchli, *A Bibliographical Catalog of William Blackstone* 566.

Order this item: <http://www.lawbookexchange.com/details.php?record=65433>





Final Edition of Blount's Dictionary

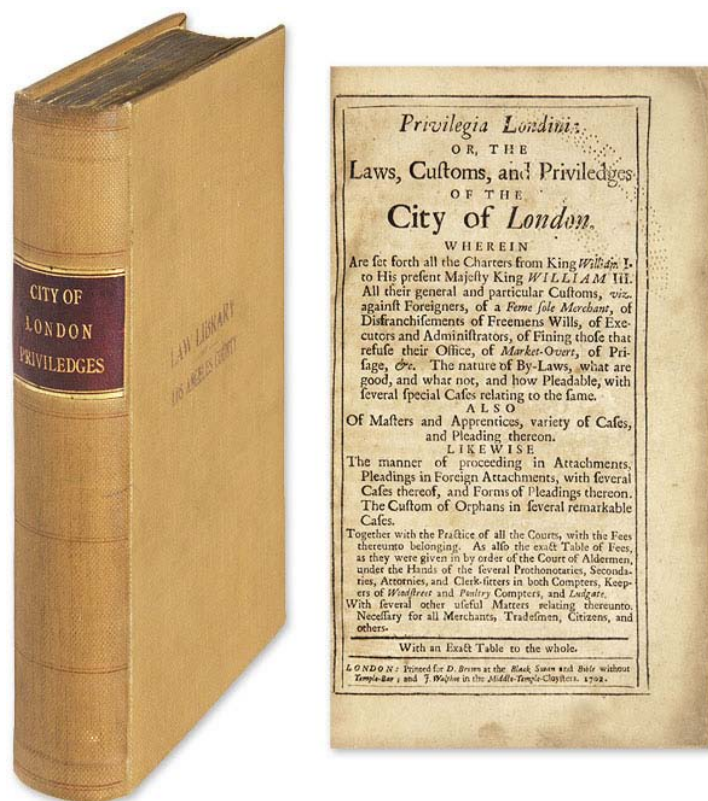
### 3. Blount, Thomas [1618-1679].

Nelson, William, Editor.

*A Law-Dictionary and Glossary, Interpreting Such Difficult and Obscure Words and Terms, As are Found Either in Our Common or Statute, Ancient or Modern, Laws. With References to the Several Statutes, Records, Registers, Charters, Ancient Deeds and Manuscripts, Wherein the Words and Terms are Used. To Which are Added Above Two Thousand Two Hundred Words, Collected from All the Laws of the Saxon, Danish and Norman Kings: And From All the Ancient Books of the Common Law, From the Monasticon Anglicanum, Du Fresne's Glossary, The Chronicon Saxonicum, And the Volumes Lately Published by Dr. Gale. Likewise an Explanation of All the Ancient Names of the Inhabitants, Cities, Towns, Villages and Rivers of Great Britain. Collected Formerly by Mr. Camden and Others, And Necessary for the True Understanding the History and Laws of this Realm. By W. Nelson, of the Middle Temple, Esq. [London]: Printed by Eliz. Nutt and R. Gosling, 1717. [330] pp. Main text in parallel columns. Folio (13" x 8").*

Contemporary calf, blind rules to boards, blind fillets to joints, raised bands to spine, lettering piece lacking. Light rubbing to extremities, somewhat heavier rubbing to spine, a few scuffs to boards, a small length of calf lacking from fore-edge of rear board, corners bumped, some chipping to head of spine, minor worming to rear pastedown, front joint starting at ends, front hinge cracked, early bookplate (of G. Helyar) to front pastedown. Some toning to text, internally clean. \$450.

\*Third and final edition, one of 2 issues from 1717. Blount was a barrister and a member of the Inner Temple. Prohibited to practice at the Bar because he was a Catholic, Blount turned to legal scholarship and lexicography. Blount aimed to correct the defects he found in Cowell's *Interpreter* (1607) and Rastell's *Termes de la Ley* (1523). Nelson, the editor of the final edition, claimed to have added nearly three thousand words, which he collected from all the laws of the Saxon, Danish and Norman kings. Blount's *Dictionary* was first published in 1656, and along with Rastell's, Cowell's and Spelman's, is one of the earliest English law dictionaries. Cowley, *A Bibliography of Abridgments, Digest, Dictionaries and Indexes to the Year 1800* 202. *English Short-Title Catalogue* T143722. Order this item: <http://www.lawbookexchange.com/details.php?record=61290>



#### "London is Indeed a Very Happy City"

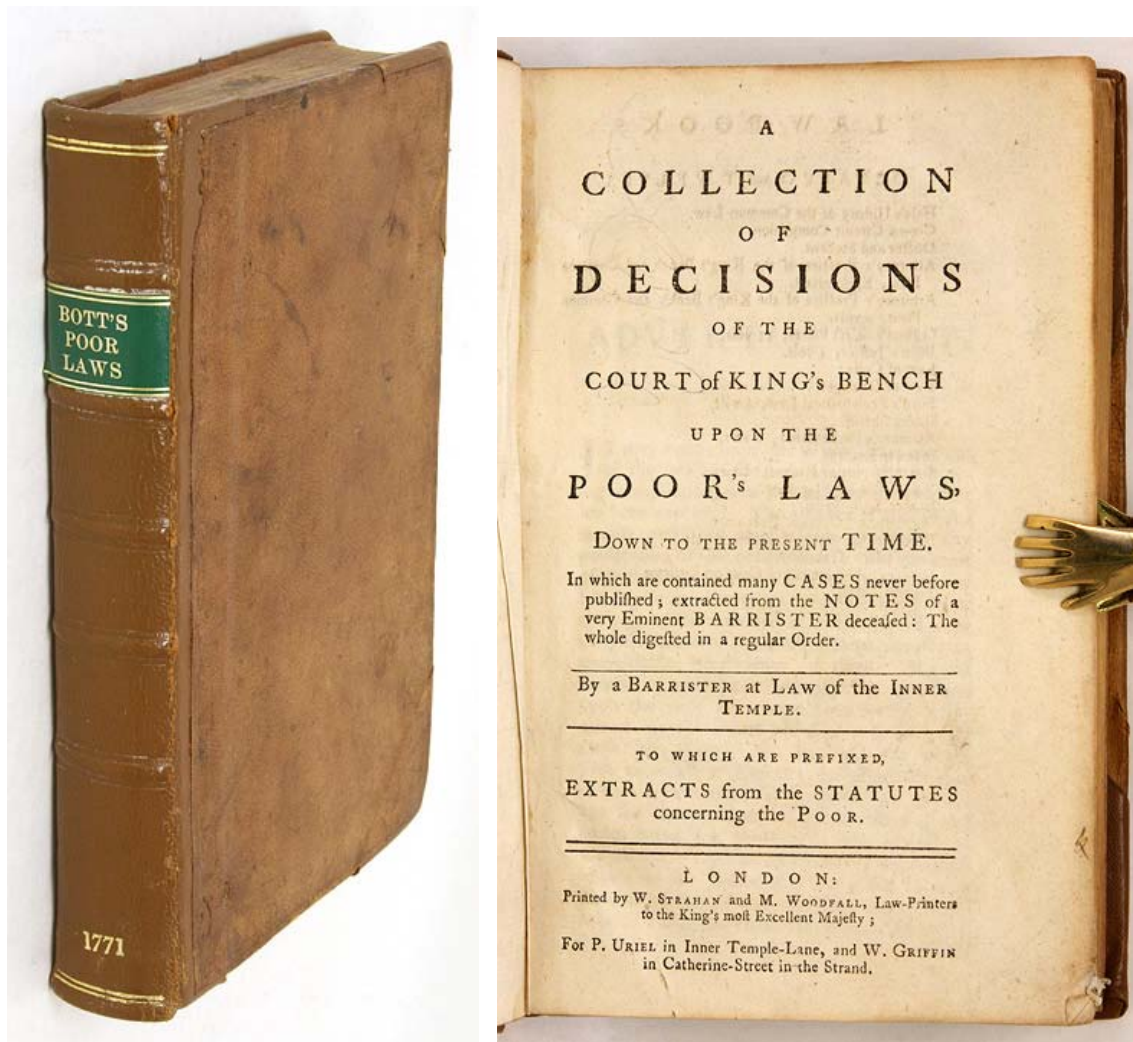
#### 4. [Bohun, William].

*Privilegia Londini: Or, The Laws, Customs, And Privileges of the City of London. Wherein are Set Forth All the Charters From King William I. to Present Majesty William III, All Their General and Particular Customs, Viz: Against Foreigners, Of a Feme Sole Merchant, Of Disfranchisements of Freemens Wills, Of Executors and Administrators, Of Fining Those that Refuse Their Office, Of Market Overt, Of Prisage, &c. The Nature of By-Laws, What are Good, What are Not, And How Pleadable, With Several Special Cases Relating to the Same. Also of Masters and Apprentices, Variety of Cases, And Pleading Thereon....* London: Printed for D. Brown, and J. Walthoe, 1702. [iv], 472, [16] pp. Two-page bookseller list bound at beginning of text. Octavo (7-1/2" x 4-3/4").

Later buckram, lettering piece to spine, endpapers added, hinges reinforced. Light soiling and shelfwear, light browning and foxing to text, moderate edgewear to publisher list, light edgewear to title page and index leaves. Brief early annotations to a few leaves, interior otherwise clean. Ex-library. Stamps to boards and endleaves, bookplate to front pastedown, small perforated stamp of title page. \$500.

\* First edition. "London is generally look'd upon to be not only the most Magnificent, but withal the most happy City in Europe. (...) London is indeed a very happy City; happy in the enjoyment of many Royal Priviledges and immunities, and happy in many excellent Laws peculiar to her self; her only Unhappiness is, that her Laws &c. are either confin'd within Old Charters, in Words not very intelligible, which I have taken care to explain; or scatter'd about in such little parcels and fragments, that many of them are quite worn out, others almost forgot, and the rest of little use to the generality of the Inhabitants. My design therefore in the following Sheets, is to provide a Remedy against this, by reducing all her Ancient Laws, &c. into such a plain and compendious Method, that they may not only be of use to Practitioners in the respective Courts, but likewise to every other person that has any concern in the Corporation (Preface). Though little is known about him personally, Bohun was an attorney and prolific author who published well-received treatises on legal education, pleading, ecclesiastical law and other subjects. Two more editions of *Privilegia Londini* were published in 1716 and 1723. *English Short-Title Catalogue* T56056. Order this item: <http://www.lawbookexchange.com/details.php?record=63218>





### An Authority on the Poor Laws of England

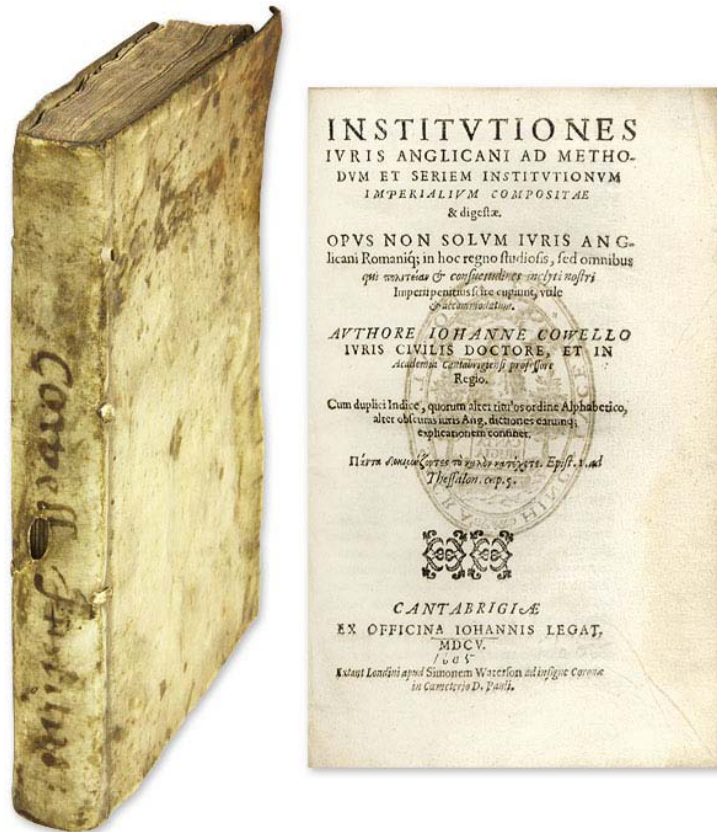
#### 5. [Bott, Edmund].

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

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

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

Order this item: <http://www.lawbookexchange.com/details.php?record=64960>



"The Most Learned Civilian of His Time"

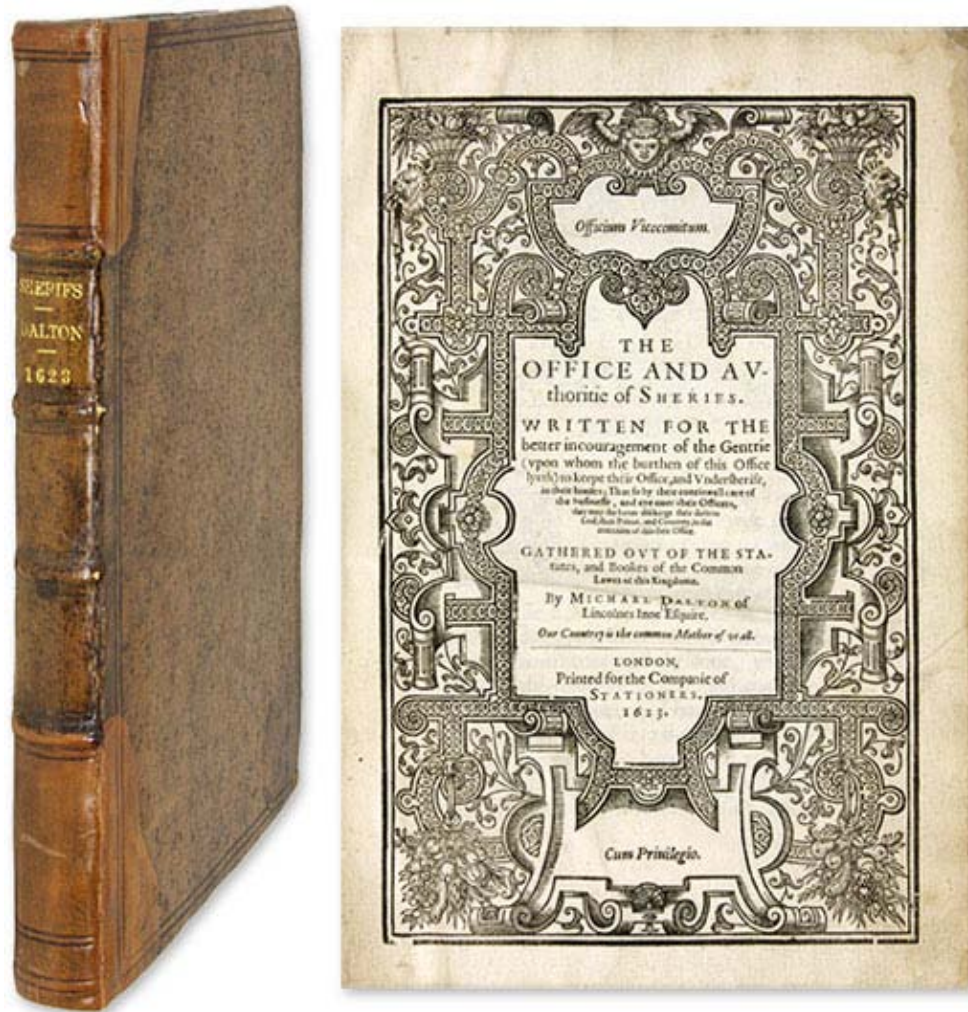
**6. Cowell, John [1554-1611].**

*Institutiones Juris Anglicani Ad Methodum Et Serium Institutionum Imperialium Compositae & Digestae. Opus non Solum Iuris Anglicani Romanique in hoc Regno Studiosis, Sed Omnibus qui Politeian & Consuetudines Inchyti Nostri Imperii Penitus Scire Cupiunt, Utile & Accommodatum. Cum Duplici Indice, Quorum Alter Titulos Ordine Alphabetico, Alter Obscuras Iuris Ang. Dictiones Earumque Explicationem Continet.* Cambridge: Ex Officina Iohannis Legat, 1605. [xii], 268, [20] pp. Octavo (6-1/2" x 4-1/2").

Contemporary limp vellum, early hand-lettered title to spine. Moderate soiling, corners and spine ends bumped, small hole to center of spine, pastedowns loose. Large seal of Cambridge University to verso of title. Some toning, moderate edgewear to endleaves. Early owner signature (of Charles Milborne) to front and rear endleaves, interior otherwise clean. \$950.

\* First edition. As Walker notes, Cowell was "the most learned civilian of his time." Regius Professor of Civil Law at Cambridge from 1594 to 1611, he is remembered today as the author of an important (and controversial) dictionary, *The Interpreter* (1607), which went through several subsequent editions. As indicated by its title, the *Institutiones* is an elementary textbook on English law organized in the manner of Justinian's *Institutes*. As Holdsworth notes, "The objects of [this book] were to promote the union of England and Scotland by pointing out the resemblances between the common law and the civil law; to give the student of the common law some knowledge of the general principles of law; and to show the students of the civil law that if they would study the common law, they would improve their knowledge of both laws, and cease to be regarded as mere children in legal knowledge. That these ideas were sound is fairly obvious [today]... but they were in advance of their time." A translation of this book was ordered by Parliament in 1651, which indicates its stature during the Commonwealth period (despite Cowell's support of the crown). There were five editions in all; the final edition, in Latin, was published in 1676. Walker, *The Oxford Companion to Law* 311. Holdsworth, *A History of English Law* V:21. *English Short-Title Catalogue* S108957. Order this item: <http://www.lawbookexchange.com/details.php?record=62537>





First Edition of the First English Treatise on Sheriffs

**7. Dalton, Michael [d.ca. 1648].**

*Officium Vicecomitum: The Office and Authoritie of Sheriffs, Written for the Better Incouragement of the Gentrie (Upon Whom the Burthen of This Office Lyeth) to Keepe Their Office, And Undersherife, In Their Houses; That so by Their Continuall Care of the Businesse, And Eyeover Their Officeres, They May the Better Discharge Their Dutie to God, Their Prince, And Countrey, In the Execution of This Their Office. Gathered Out of the Statutes, And Bookes of the Common Lawes of this Kingdome.* London: Printed for the Companie of Stationers, 1623. [iv], 194, [6] ff. The first leaf and last leaves are blank. Folio (11-1/4" x 7-1/2").

Contemporary calf, blind rules to boards, raised bands and later gilt-stamped title to spine, endpapers renewed. Light rubbing, recent repairs to spine ends and adjacent corners of boards, front joint partially cracked, corners bumped and lightly worn. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Light toning, faint dampstaining to upper corners of margins, bookplate residue to front pastedown. Early owner signature, interior otherwise clean. An appealing copy. \$1,500.

\* First edition. This is the first English treatise on sheriffs. As its title suggests, it is a remarkably comprehensive work. Holdsworth, who cites it several times, says "in spite of a growing number of rivals, it continued to be a standard authority until the beginning of the eighteenth century.": *History of English Law* IV:119. *English Short-Title Catalogue* S107284. Order this item: <http://www.lawbookexchange.com/details.php?record=62379>





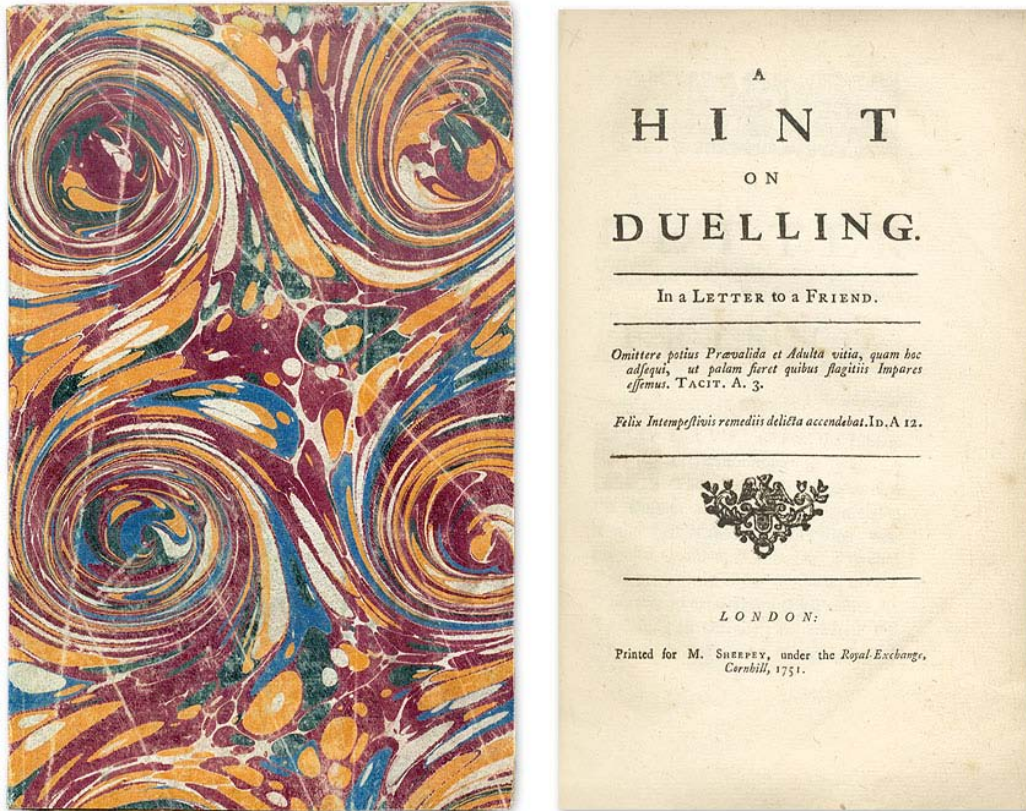
Copy of Doddridge's *English Lawyer*  
with Two Interesting Associations: Theron Metcalf and John Poulett

**8. Doddridge, Sir John [1555-1628].**

*The English Lawyer. Describing a Method for the Managing of the Lawes of this Land. And Expressing the Best Qualities Requisite in the Student, Practizer, Judges and Fathers of the Same.* London: Printed by the Assignes of I. More Esq, 1631. [viii], 271, [1] pp. Quarto (7-1/4" x 5-1/4").

Handsome period-style quarter calf over marbled boards, endleaves retained. Minor wear to head of spine, corners lightly bumped, hinges partially cracked, original spine lettering piece and gilt-stamped device of John Poulett, originally part of front board, affixed to front pastedown, signature of Theron Metcalf dated 1834 to front free endpaper. Light browning to text, light soiling to title page. Occasional check marks, brackets and underlining in pencil, "0-1-0" in ink to head to title page in tiny hand, interior otherwise clean. A nice copy with two interesting associations. \$1,750.

\* Only edition. Doddridge wrote this book to advise aspiring lawyers. Among other points, such as suggested readings and advice concerning personal demeanor, he urges the student to acquire a solid liberal-arts education that emphasizes subjects with practical application, such as logic and etymology. Regarding the specifics of legal education, he discusses the best methods of study and information on the sources and principles of English law. Holdsworth said it was the "most notable" book of its kind. As distinguished a jurist as Coke and Bacon, Doddridge was a counselor of the King's Bench, a Serjeant for Prince Henry, Solicitor-General, a Member of Parliament and the author of five important works, all published posthumously. Poulett [1663-1743], 1st Earl Poulett, a Knight of the Garter, was First Lord of the Treasury. Metcalf [1784-1875], a distinguished New England jurist and legal writer, was an associate justice of the Massachusetts Supreme Judicial Court. Holdsworth, *A History of English Law* V:397-398. *English Short-Title Catalogue* S109764. Order this item: <http://www.lawbookexchange.com/details.php?record=65078>



**Rare English Anti-Dueling Pamphlet**

**9. [Dueling].  
[Great Britain].**

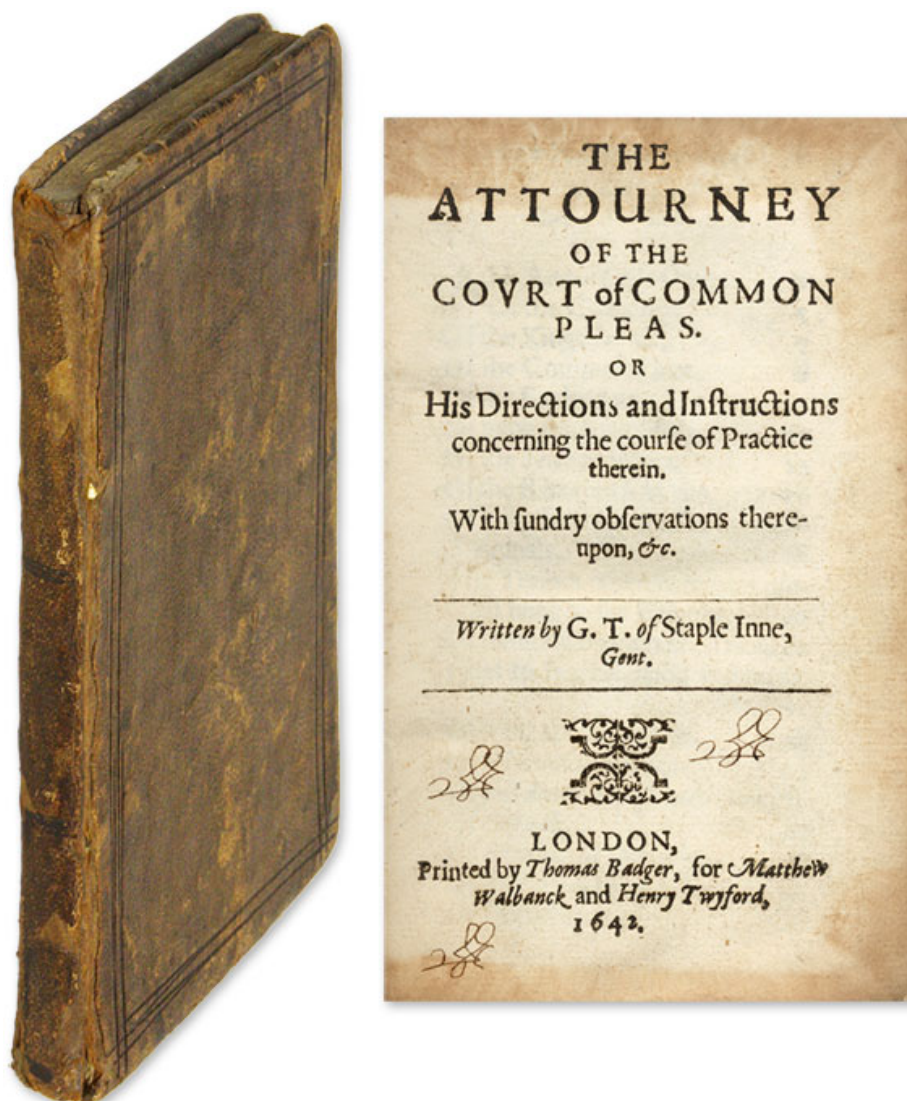
*A Hint on Duelling: In a Letter to a Friend.* London: Printed for M. Sheehey, 1751. [iv], 22 pp. With a half-title. Octavo (8" x 5").

Stab-stitched pamphlet in contemporary marbled wrappers. Light rubbing, a few creases to wrappers. Moderate toning to text, light soiling to preliminary leaves and verso of final leaf. Early owner inscription to head of half-title, interior otherwise clean. A nice copy of a rare title. \$1,950.

\* First edition. The author does not want to suppress dueling in all cases, but suggests that the practice could be diminished substantially by the "The erecting of a proper Court, A Tribunal of Honour," where aristocratic court officers and jurymen "shall sit to prevent the Calamities of which Duelling may be productive, or to exact proper penalties of the proper offenders. No longer let Men of Honour be hauled before incompetent judges, whose Stations incapacitate them from sympathizing with the Accused, or entering into the merits of the Case; but let them have the Common Right of Englishmen and be tried by their Peers. No longer let the unfortunate Challenger, but he who made the challenge unavoidable, be punish'd. No longer let a shameful Death be the Retribution of an Action which the Voice proclaims it Infamous to Decline. The Decision of Men of adequate Character and Authority would in most Cases after Insults received prevent Duels; and where they fail'd, a due-proportioned Punishment judiciously and impartially inflicted would soon lessen the frequency of the practice" (12-13). A second edition was published in 1752. It provoked a response by Abraham Clarke entitled, *A Home-Thrust at Duelling, Intended as an Answer to a Late Pamphlet Intitled, A Hint on Duelling*. Both editions of *A Hint* are rare. OCLC and the ESTC locate 1 copy (Lambeth Palace Library) and 2 copies of the second edition (British Library, National Library of Scotland). *English Short-Title Catalogue* T202128.

Order this item: <http://www.lawbookexchange.com/details.php?record=64153>





### Handbook Published on the Cusp of the Civil War

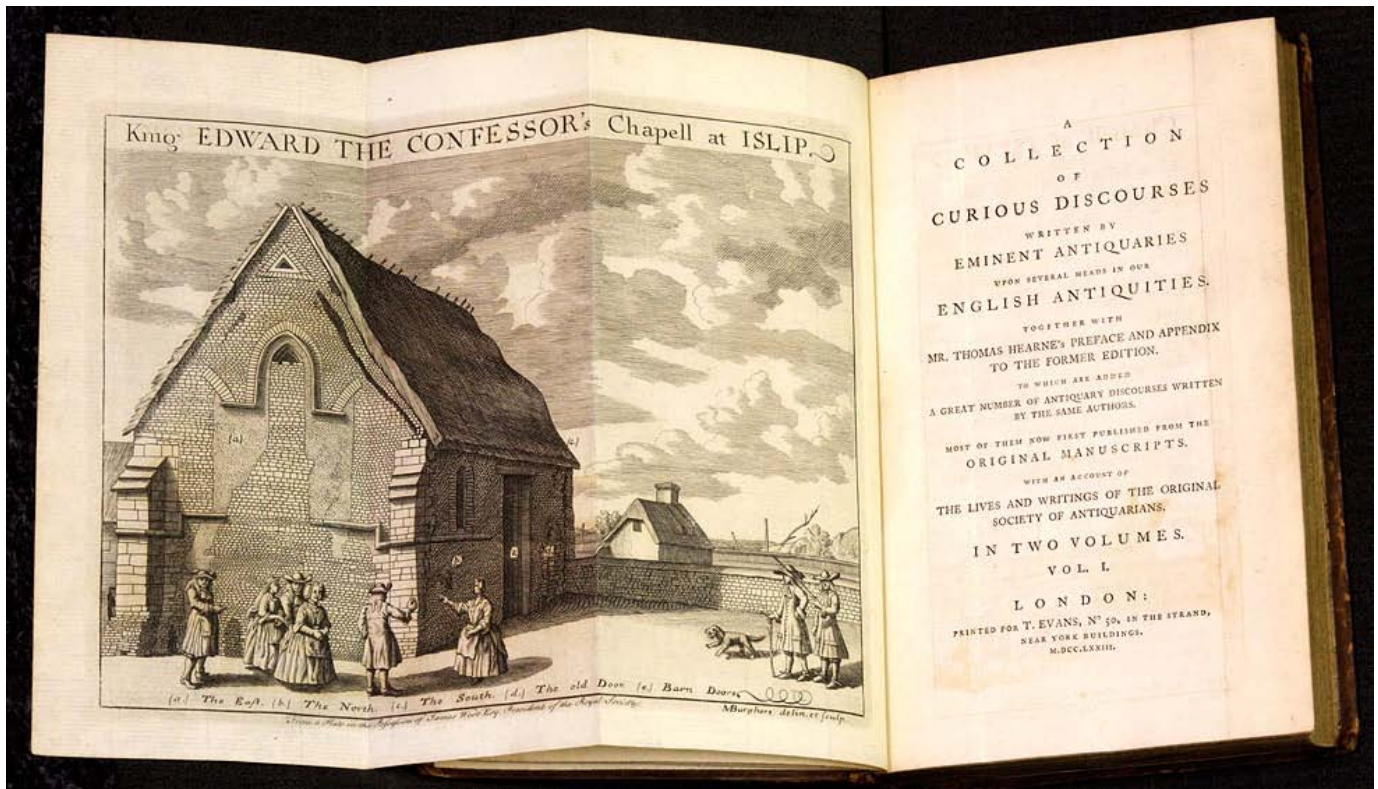
#### 10. G.T., of Staple Inne.

*The Attourney of the Court of Common Pleas, Or His Directions and Instructions Concerning the Course of Practice Therein. With Sundry Observations Thereupon, &c.* London: Printed by Thomas Badger, For Matthew Walbanck and Henry Twyford, 1642. [vi], 104 pp. Octavo (5-1/4" x 3-1/4").

Contemporary sheep, blind rules to boards, blind fillets to spine. Light rubbing to boards, moderate rubbing to extremities with some chipping to spine ends, corners bumped and lightly worn, joints just starting at ends, pastedowns loose. Some toning to text, early annotations and doodles to pastedowns, interior otherwise clean. \$1,250.

\* First edition. Published in the first year of the English Civil War, this handbook outlines procedure, pleading, drafting of briefs, judgment, execution and other topics. It offers a nice overview of the systems and procedures that would soon be affected by the war and the political changes that ensued. A second edition was published in 1648. Both are scarce. OCLC locates 5 copies of the first edition in North America (at the Huntington Library, Library of Congress, University of Minnesota Law School, Yale and Yale Law School). *English Short-Title Catalogue* R26270.

Order this item: <http://www.lawbookexchange.com/details.php?record=60429>



### Important Early Research into English Legal History

#### 11. Herne, Thomas [1678-1735], Editor.

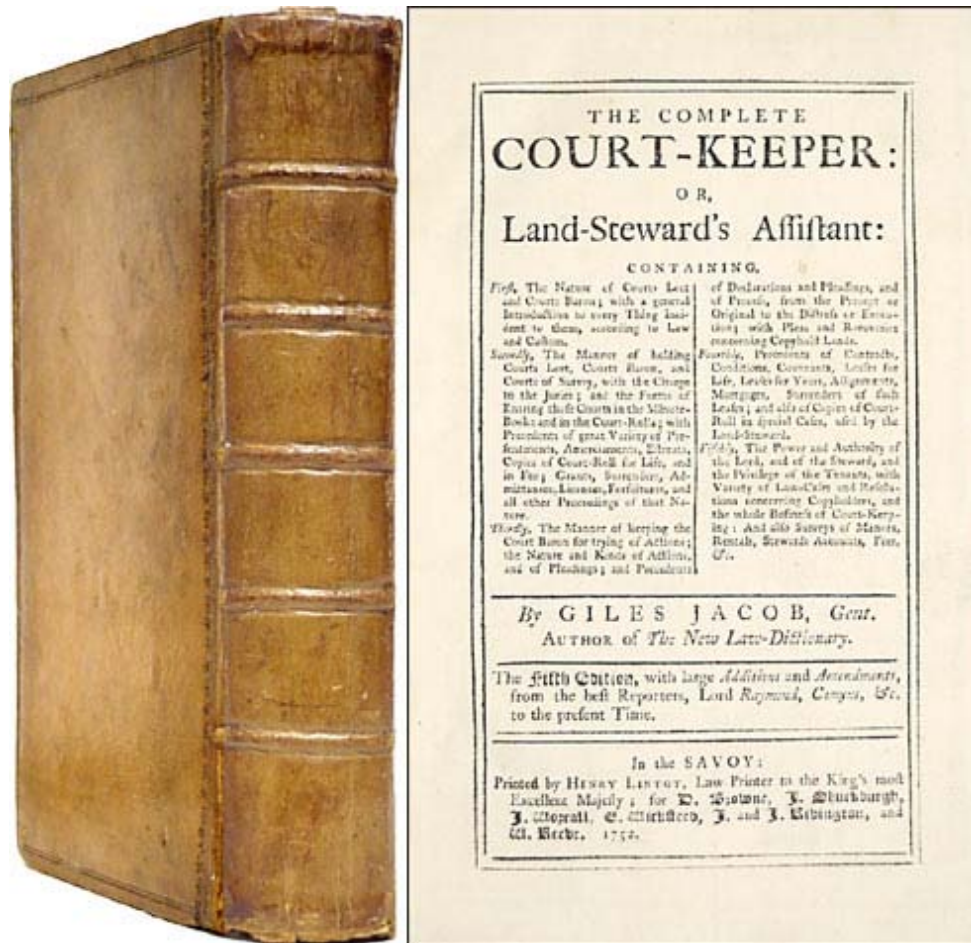
*A Collection of Curious Discourses Written by Eminent Antiquaries Upon Several Heads in Our English Antiquities. Together with Mr. Thomas Hearne's Preface and Appendix to the Former Edition. To Which are Added a Great Number of Antiquary Discourses Written by the Same Authors. Most of Them Now First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

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

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

Order this item: <http://www.lawbookexchange.com/details.php?record=65233>





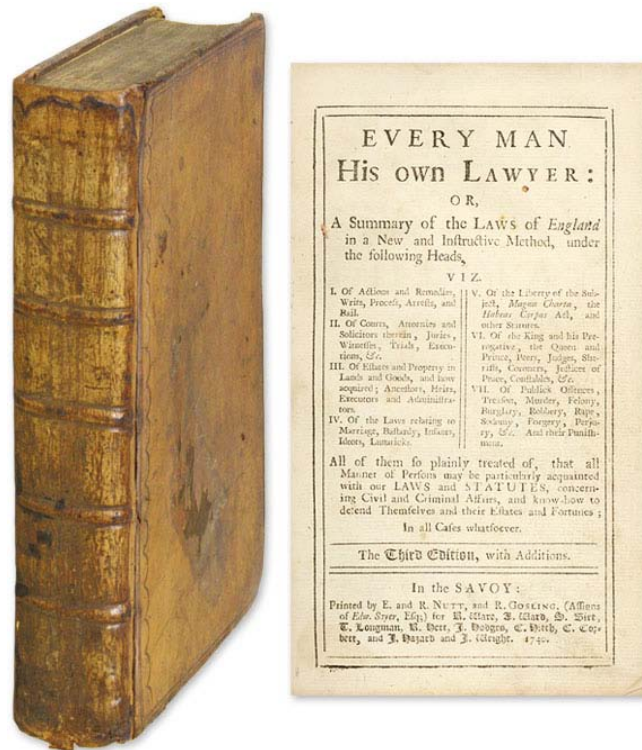
Well-Preserved Copy of Jacob's Treatise on Real Property

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

*The Complete Court-Keeper: Or, Land-Steward's Assistant: Containing, First, The Nature of Courts Leet and Courts Baron; With a General Introduction to Every Thing Incident to Them, According to Law and Custom. Secondly, The Manner of Holding Courts Leet, Courts Baron, and Courts of Survey, With the Charge to the Juries; And the Forms of Entering Those Courts in the Minute Books and in the Court Rolls; With Precedents... Thirdly, The Manner of Keeping the Court Baron for Trying of Actions; The Nature and Kinds of Actions; And of Pleadings; and Precedents of Declarations and Pleadings... Fourthly, Precedents of Contracts, Conditions, Covenants, Leases for Life, Leases for Years, Assignments, Mortgages, Surrenders of Such Leases... Fifthly, The Power and Authority of the Lord, and of the Steward, and the Privilege of the Tenants, With Variety of Law-Cases and Resolutions Concerning Copyholders... With Large Additions and Amendments from the Best Reporters, Lord Raymond, Comyns, &c. to the Present Time. London: Printed by Henry Lintot, 1752. viii, 518, [25] pp. Octavo (8-1/4" x 4-3/4").*

Contemporary calf, raised bands, blind frames to boards. Light rubbing and a few tiny scuffs, some wear to joints and spine ends, corners bumped with some wear at tips. Rear hinge just starting, some offsetting to margins of pastedowns and free endpapers, interior notably fresh. A well-preserved unrestored copy. \$350.

\* Fifth edition. This comprehensive treatise on landlord and tenant was one of Jacob's most successful works. First published in 1713, it remained a standard work for many years. (Its final edition, the eighth, was issued in 1819.) A practical book designed mainly for the use of stewards, it reflects the author's experience with court keeping. Holdsworth includes this title among his list of notable works on land law and speaks well of it. See his *History of English Law* XII: 380-381. *English Short-Title Catalogue* N5074. Order this item: <http://www.lawbookexchange.com/details.php?record=40671>



**Jacob's Popular Guide, The Last Edition Published During the Author's Lifetime**

**13. [Jacob, Giles].**

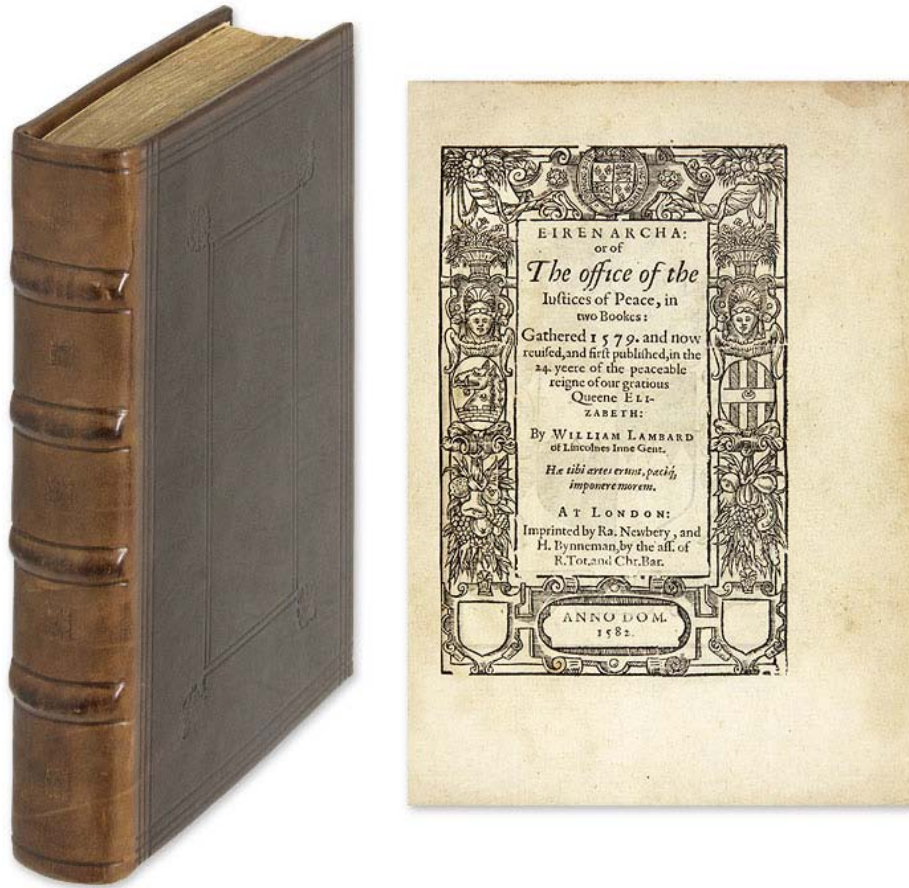
*Every Man His Own Lawyer: Or, A Summary of the Laws of England in a New and Instructive Method, Under the Following Heads, Viz. I. Of Actions and Remedies, Writs, Process, Arrests, and Bail. II. Of Courts, Attornies and Solicitors Therein, Juries, Witnesses, Trials, Executions, &c. III. Of Estates and 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 the 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; In All Cases Whatsoever. With Additions.* [London]: Printed by E. and R. Nutt, And R. Gosling, 1740. vi, 456, [14] pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, rebacked retaining original spine with raised bands, hinges mended. Minor scuffing to boards, negligible chipping to foot of spine, corners bumped and lightly worn. Some toning to text, light foxing in a few places. Early owner annotations and signatures to endleaves, interior otherwise clean. \$950.

\* Third edition, the last one published in the author's lifetime. The eleventh and final edition of this popular layman's guide was published in 1791 and reissued at least two more times in the 1800s. 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). The ESTC notes eight leaves of advertisements at the end of this title, these not present in our copy. OCLC locates 2 copies in North American law libraries (Harvard and the University of Georgia). *English Short-Title Catalogue* N9500.

Order this item: <http://www.lawbookexchange.com/details.php?record=57532>





### An Interesting Perspective on Elizabethan England

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

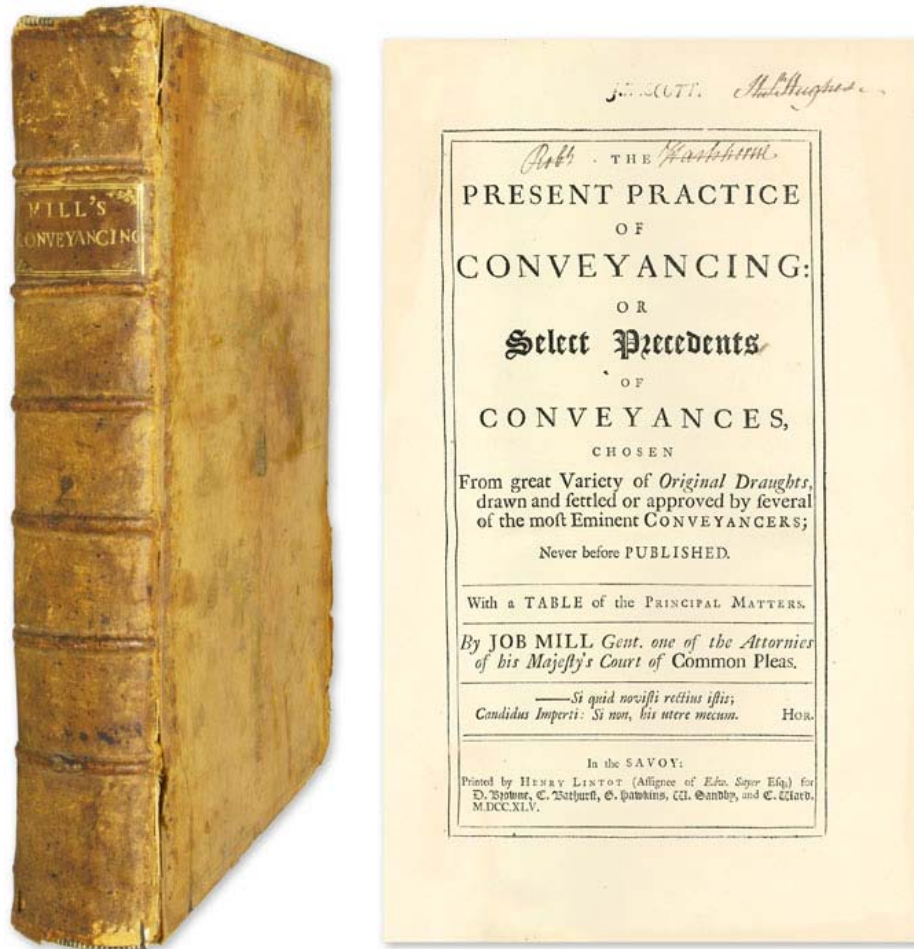
*Eirenarcha: Or of the Office of the Iustices of Peace, In Two Bookes: Gathered 1579. And Now Revised, And First Published, In the 24. Yeere of the Peaceable Reigne of Our Gracious Queene Elizabeth.* London: Imprinted by Ra. Newbery, And H. Bynnean, 1582. [vii], 511, [15] pp.

Octavo (6-1/4" x 4-1/2").

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

\$2,500.

\* Second edition, one of two issues from 1582. Lambard, or Lambarde, a barrister and legal historian, was the keeper of records at the Rolls Chapel and the Tower of London. First published in 1581, *Eirenarcha* is esteemed for its comprehensive and systematic account of the organization of local government under the justices of the peace at the end of the sixteenth century. It was the standard authority for many years and often reprinted. Like many books of its kind, *Eirenarcha* offers fascinating insights into the society that produced it. This is evident in the detailed indictments for such offenses as murder via witchcraft, raping a child or maid (the age of distinction was ten), hearing a Catholic Mass, practicing usury and operating a bowling alley. Beale, *Bibliography of Early English Law Books* T388. *English Short-Title Catalogue* S108154. Order this item: <http://www.lawbookexchange.com/details.php?record=63911>



**Very Scarce Eighteenth-Century Collection of Conveyancing Precedents**

**15. Mill, Job.**

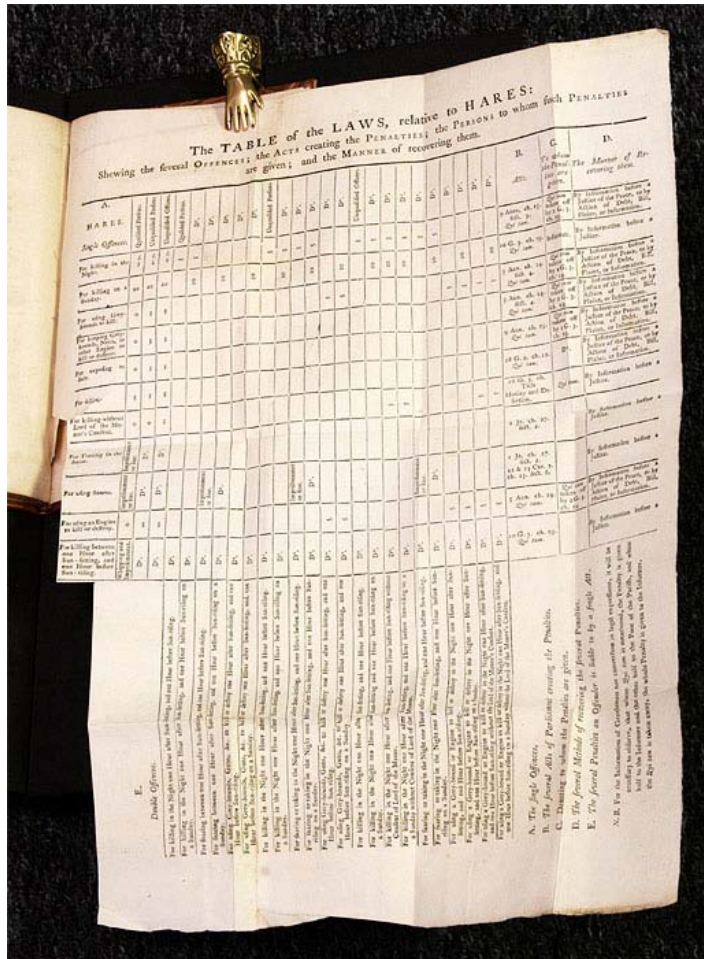
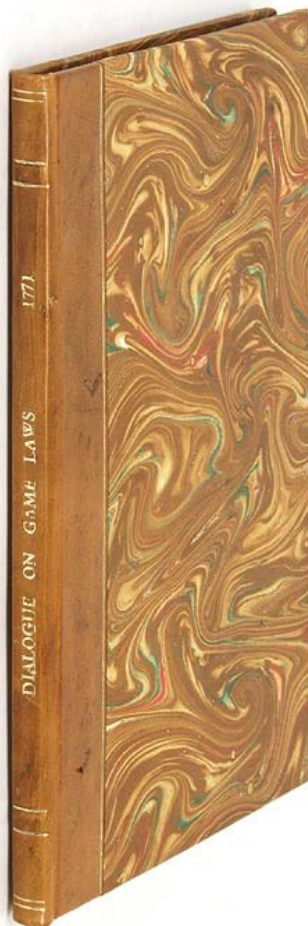
*The Present Practice of Conveyancing: Or Select Precedents of Conveyances, Chosen From Great Variety of Original Draughts, Drawn and Settled or Approved by Several of the Most Eminent Conveyancers; Never Before Published. With a Table of the Principal Matters.* [London]: Printed by H. Lintot (Assignee of E. Sayer) for D. Browne, [et al.], 1745. [iv], 686, [14] pp. Folio (13-1/2" x 8-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine. Moderate rubbing to extremities, a handful of minor scuffs to boards, some wear to fore-edge of front, small gauge to center, some chipping to spine ends, front hinge partially cracked, corners bumped and somewhat worn, rear hinge starting. Toning to text, light foxing to index leaves, offsetting to margins of endleaves. Early owner signature to front free endpaper, two other signatures and a small owner stamp to head of title page, another signature to head of p. 1, interior otherwise clean. Ex-library. Bookplate to front pastedown. A solid copy of a very scarce title. \$750.

\* Only edition. With side-notes. The precedents are arranged alphabetically. Topics include agreements, covenants, leases, mortgages, settlements and wills. OCLC locates 1 copy in North America, at Harvard Law School; ESTC locates an additional North American copy at Johns Hopkins, 2 copies in the British Isles, at the British Library and the House of Lords, and a 1746 reissue with identical pagination, which is held by the University of Nottingham and Osgoode Hall Law Library. *English Short-Title Catalogue* T112898.

Order this item: <http://www.lawbookexchange.com/details.php?record=54156>





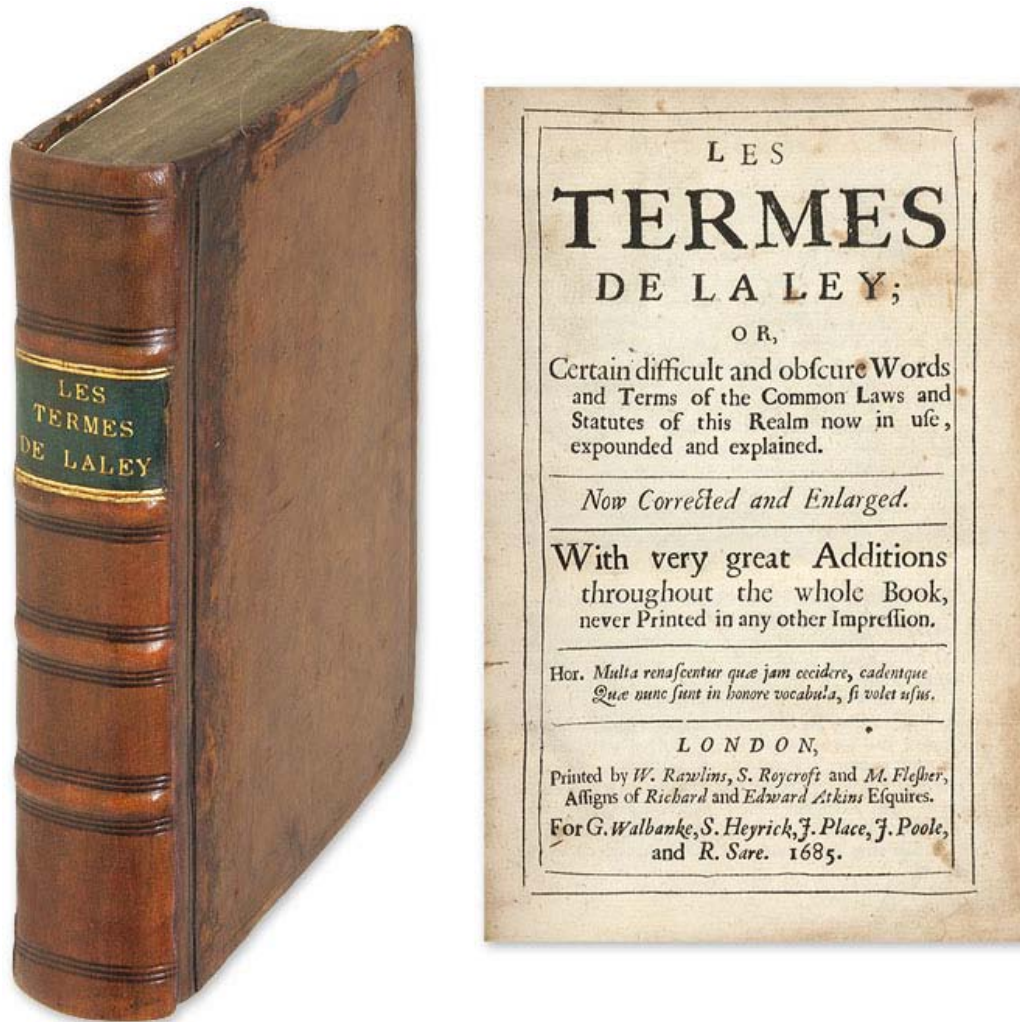
### Review of English Game Laws in the Form of a Dialogue

#### 16. [Purlewent, Samuel].

*A Dialogue Between a Lawyer and a Country Gentleman, Upon the Subject of the Game Laws, Relative to Hares, Partridges, And Pheasants. Wherein is Shewn, The Several Qualifications to Kill Game; The Penalties such Persons are Liable to Who Kill them Without such Qualifications; The Manner of Recovering such Penalties; The Difference Between being Subject to the Penalties, And being Punished as Trespassers; The Distinction Between Voluntary and Involuntary Trespassers; The Necessary Steps to be Taken to Make Wilful Trespassers, And the Consequences of Being Such; Together with Some Observations upon These Laws. To Which are Added Three Tables, Shewing at One View, The Offences,-- The Statutes Creating Them,-- The Persons to Whom the Penalties are Given,-- The Manner of Recovery,-- And Lastly the Several Penalties a Person May be Liable to by One Act. With a Letter to John Glynn, Esq; Serjeant at Law, And Representative of the County of Middlesex, Upon the Penal Laws of this Country by a Gentleman of Lincoln's-Inn, A Freeholder of Middlesex.* London: Printed for J. Wilkie, 1771. xv, [1], 39 pp. Half-title. Three folding tables. Octavo (9" x 5-1/2").

Recent quarter calf over marbled boards, gilt rules to boards, raised bands, gilt rules and gilt title to spine. Light toning to text, tiny inkstains to a few leaves, negligible light foxing in a few places, a few short clean tears to folding tables. A handsome copy of a scarce title. \$950.

\* First edition, one of three issues from 1771. This review of the game laws in dialogue form was reprinted in 1775 and incorporated into a later work, *Two Tracts on Game Laws* (1787). The three tables summarize the laws relating to hares, partridges and pheasants. OCLC locates 9 copies in North American Law libraries. Not in Sweet & Maxwell. *English Short-Title Catalogue* T66787. Order this item: <http://www.lawbookexchange.com/details.php?record=65335>



The First English Law Dictionary

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

[Rastell, William, Editor].

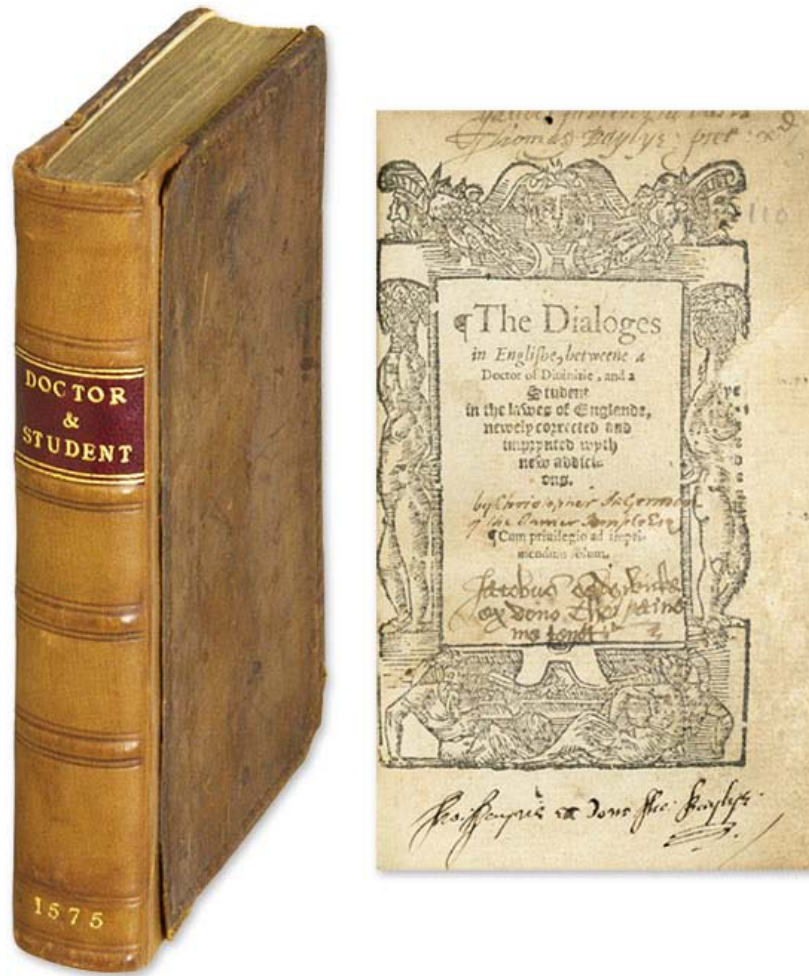
*Les Termes de la Ley: Or, Certain Difficult and Obscure Words and Terms of the Common Laws and Statutes of this Realm Now in Use, Expounded and Explained. Now Corrected and Enlarged. With Very Great Additions Throughout the Whole Book, Never Printed in Any Other Impression.* London: Printed by W. Rawlins, S. Roycroft and M. Flesher, 1685. [iv], 671 pp. Octavo (6-1/2" x 4-1/2").

Contemporary calf, blind rules and corner fleurons to boards, rebaked retaining spine with raised bands and lettering piece, endleaves renewed. Light rubbing and a few inkstains to boards, corners bumped and somewhat worn. Moderate toning, faint dampspotting in places, internally clean. A handsome copy. \$650.

\* Later edition. English and Law French in parallel columns. First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title *Expositiones Terminorum Legum Anglorumae*. Later editions were produced by his son, William. Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity." *Legal Bibliography* 599. *English Short-Title Catalogue* R201044.

Order this item: <http://www.lawbookexchange.com/details.php?record=63112>





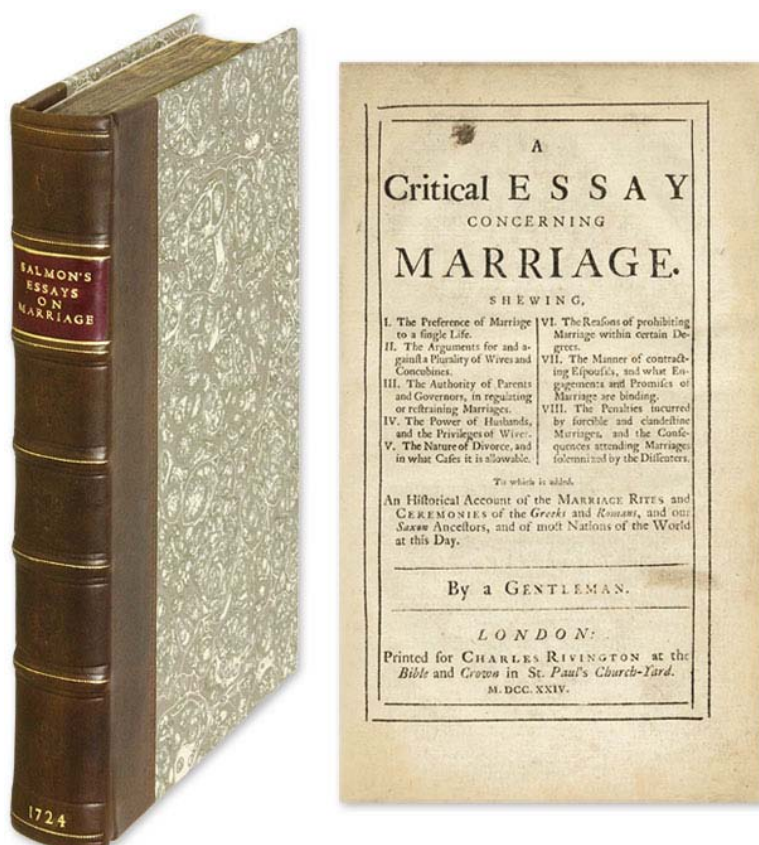
1575 Imprint of *Doctor and Student*

**18. Saint German (Germain), Christopher [?1460-1540].**

*The Dialoges in Englishe, Betweene a Doctor of Divinitie, And a Student in the Lawes of Englande. Newly Corrected and Imprinted Wyth New Addicions.* [London: In Aedibus Richardi Tottelli, 1575]. 177 [i.e. 176], [4] ff. Collates complete. Octavo (5-1/4" x 3-3/4").

Eighteenth-century calf, rebaked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners bumped and worn. Title printed within woodcut architectural border. Toning to text, faint dampstaining in places, a few worm holes to fore-edge leaves just touching text in a few places, light soiling to title page, which has a chip (1-3/4" x 1/2") to fore-edge with some loss to printed border. Contemporary and later (probably eighteenth-century) annotations to title page and some text leaves, interior otherwise clean. \$1,850.

\* Originally written in Latin in 1523, this work contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and other issues regarding the jurisdiction of Parliament. A very important work in the development of equity, *Doctor and Student* appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. OCLC locates 4 copies in North American law libraries (Florida State University, Harvard, Social Law, Washington University). Beale, *A Bibliography of Early English Law Books* T476. *English Short-Title Catalogue* S116366. Order this item: <http://www.lawbookexchange.com/details.php?record=57803>



From the Library of Lord Byron?

**19. [Salmon, Thomas (1679-1767)].**

*A Critical Essay Concerning Marriage. Shewing, I. The Preference of Marriage to a Single Life. II. The Arguments For and Against a Plurality of Wives and Concubines. III. The Authority of Parents and Governors, in Regulating or Restraining Marriages. IV. The Power of Husbands, and the Privileges of Wives. V. The Nature of Divorce, and in What Cases It is Allowable. VI. The Reasons of Prohibiting Marriage Within Certain Degrees. VII The Manner of Contracting Espousals, and What Engagements and Promises of Marriage are Binding. VIII. The Penalties Incurred by Forcible and Clandestine Marriages, and the Consequences Attending Marriages Solemnized by Dissenters. To Which is Added, an Historical Account of the Marriage Rites and Ceremonies of the Greeks and Romans, and Our Saxon Ancestors, and of Most Nations of the World at this Day.* London: Printed for Charles Rivington, 1724. [xx], 310 [i.e. 343], [5] pp. Octavo (4-3/4" x 7-3/4").

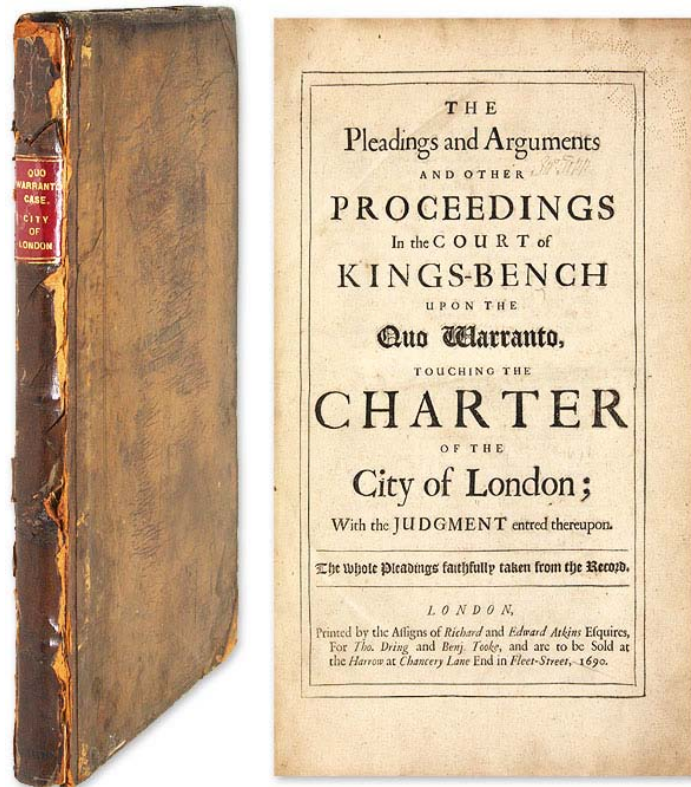
Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed preserving early armorial bookplate (of William Frederick Webb) and annotated auction record of this copy on front free endpaper. Armorial bookplate (of George Wildman) to verso of title page. Early check marks in pencil to first chapter. Attractive woodcut head and tail-pieces. Light soiling to title page, toning to text, negligible foxing to a few leaves. A nice copy that may have an interesting provenance. \$950.

\* First edition. Salmon was a prolific Scottish writer on legal, historical and geographical subjects. He spent many years abroad and later accompanied George Anson on his 1739-1740 voyage around the world. His wide experiences as a traveler may have furnished the information used in the book's section on marriage rites, which discusses the practices of Denmark, Livonia, Lapland, Germany, Greece, Armenia, Turkey, Persia, India, Ceylon, Siam, China, Japan, Morocco, Guinea, Ethiopia, Chili, Peru, Brazil, Paraguay, America, Mexico, Canada, Russia and Sweden. Whether he actually visited these places or not, Salmon's book remains a fascinating document of English social values, anthropological views and



legal philosophy in the immediate decades after the Civil War and Restoration. This book was published anonymously in 1724. The second edition, which states the author's name, was published later that year. The auction record, which appears to be from the late nineteenth century, says this copy belonged to Lord Byron and adds "a few pencil marks by Lord Byron show that the first portion 'Marriage Preferable to a Single Life' was carefully perused, and it is to be hoped was not responsible for his life of misery." An annotation to this entry reads "From Lord Byron's Newstead Abby Library." *Dictionary of National Biography* XVII: 697-698. *English Short-Title Catalogue* T95175.

Order this item: <http://www.lawbookexchange.com/details.php?record=51742>



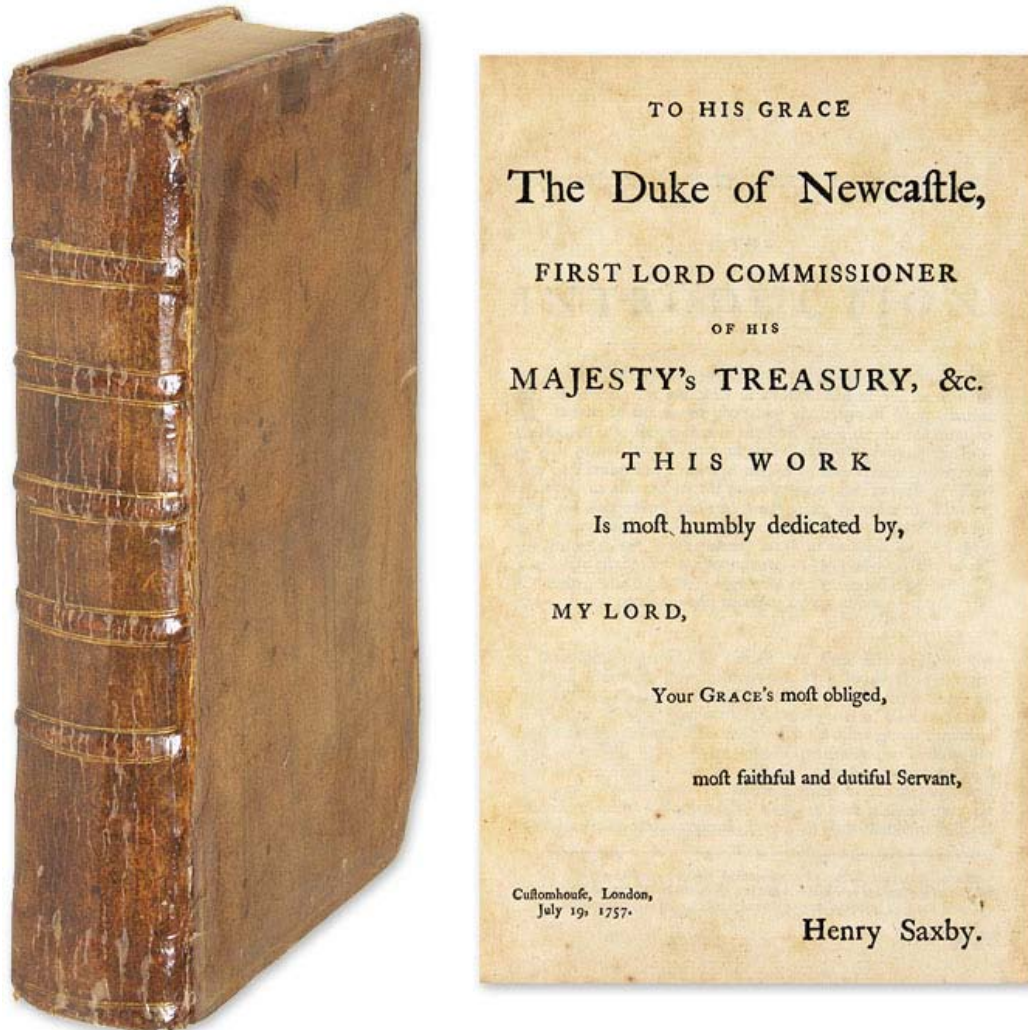
### An Interesting Source for the History of the Law of Corporations

#### 20. [Sawyer, Sir Robert (1633-1692)].

*The Pleadings and Arguments and Other Proceedings in the Court Of Kings-Bench Upon The Quo Warranto, Touching The Charter Of The City Of London; With the Judgement Entred Thereupon. The Whole Pleadings Faithfully Taken from the Record.* London: Printed by the Assigns of Richard and Edward Atkins, 1690. [ii], 35, [1], 22, 55 (i.e.47), [1], 126 (i.e. 118) pp. Folio (13" x 8").

Contemporary with later rebacking and recorning, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Moderate rubbing to extremities, joints cracked, spine abraded, corners bumped and somewhat worn. Light toning to text, small early owner signature to title page, which is lightly soiled. Ex-library. Stamps to boards, bottom edge and endleaves, bookplate to front pastedown, small perforated stamp to title page. \$300.

\* Only edition. An interesting source for the history of the law of corporations. As the subtitle of the 1696 second (and final) edition reads: "wherein is comprized all the learning of corporations ... which points do not only concern the City of London but all other corporations in England." This *Quo Warranto* filed by the Attorney General against the City of London, challenging its assumption of certain jurisdictional rights, took place during the years 1681-83. It constitutes one of the most famous examples of this special form of royal writ developed in the sixteenth century and used well into the 1900s. *English Short-Title Catalogue* R12860. Order this item: <http://www.lawbookexchange.com/details.php?record=63219>



**Adam Smith Owned a Copy**

**21. Saxby, Henry.**

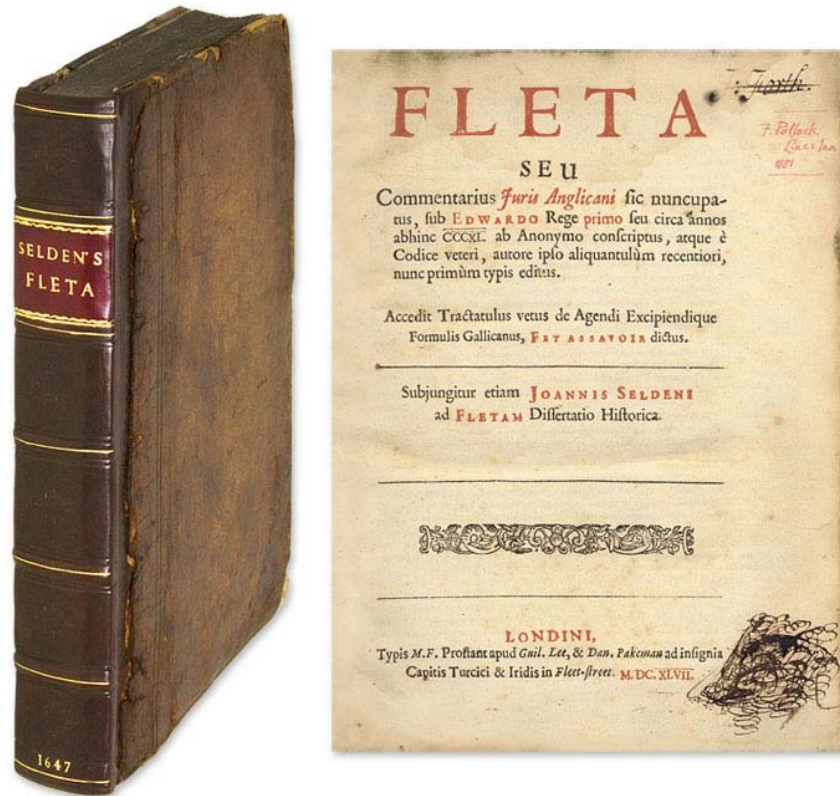
*The British Customs: Containing an Historical and Practical Account of Each Branch of That Revenue; The Rates of Merchandize, As Settled by the 12th of Car. II. cap. 4. and 11 Geo. I. cap. 7, &c. With the Net Duties Payable in All Circumstances of Goods Imported, Exported, Or Brought Coastwise, And the Net Drawbacks to be Repaid on Due Exportation: As Also, The Bounties Payable Out of Customs. With an Index to the Whole; In Which All the Laws Now in Force Relating to the Customs, To the 29th of Geo. II. Inclusive, Are Abridged and Digested Under Proper Heads, Alphabetically. Continued by Appendix to the End of the Session of the 30th of Geo. II.* London: Printed by Thomas Baskett, 1757. xviii, 654 pp. Octavo (8" x 5").

Contemporary calf, gilt rules to boards, raised bands to spine, which is varnished. Moderate rubbing and a few scuffs to extremities, corners bumped, joints just starting at ends, hinges cracked. Light toning to text, somewhat heavier in places, offsetting to margins of endleaves, internally clean. Ex-library. Bookplate to front pastedown. \$600.

\* Only edition. Written by a customs officer, this handbook is a valuable source of information regarding customs and excise duties in Great Britain and her colonies, the organization of Great Britain's colonial system and its economic policy with other nations. Adam Smith owned a well-thumbed copy and cited it in *An Inquiry into the Nature and Causes of the Wealth of Nations*. Goldsmiths' Library of Economic Literature 9269 (Adam Smith's Copy). *English Short-Title Catalogue* T149820.

Order this item: <http://www.lawbookexchange.com/details.php?record=63214>





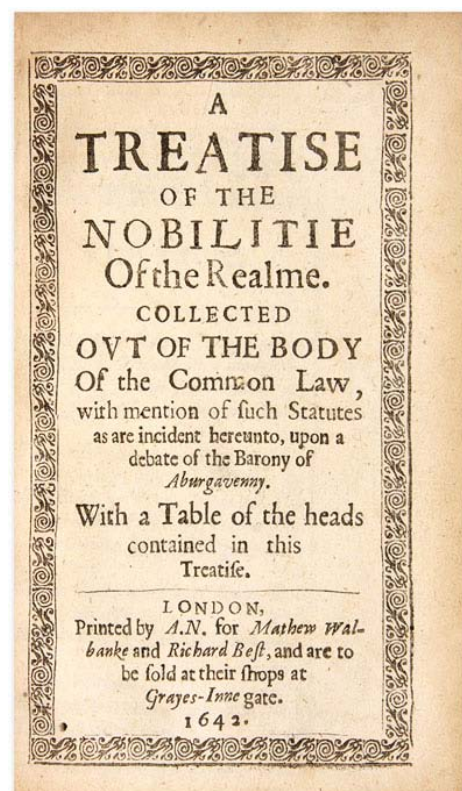
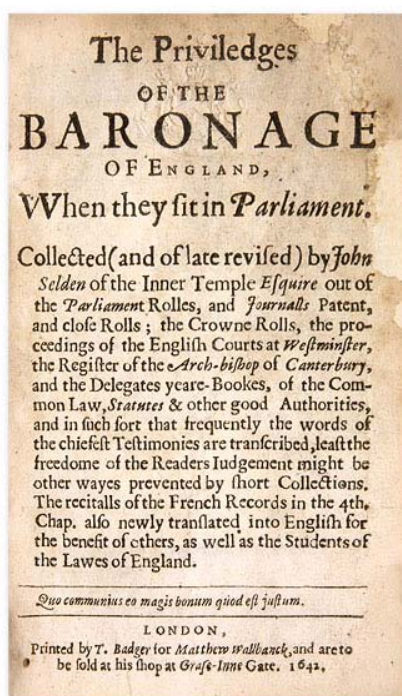
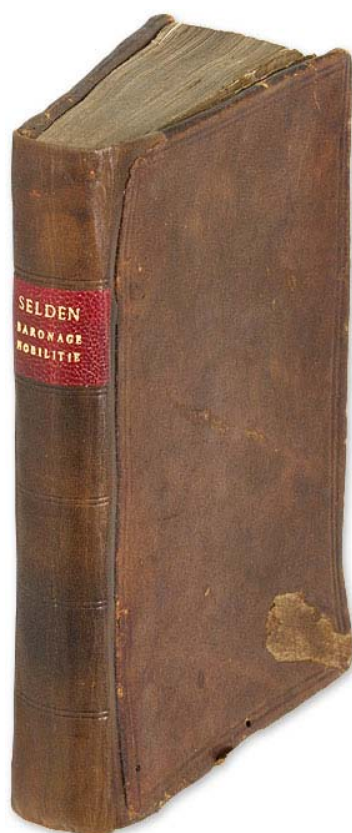
First Edition of Selden's Edition of *Fleta* and His  
*Ad Fletam Dissertatio* From the Library of Sir Frederick Pollock

**22. Selden, John [1584-1645], Editor.**

*Fleta, Seu Commentarius Juris Anglicani Sic Nuncupatus...* London: Typis M.F. Prostant Apud Guil. Lee, & Dan. Pakeman, 1647. [8], 64, 63-452, [2], 453-553, [3] pp. Pagination irregular. Complete. Quarto (8-1/2" x 6-1/2").

Contemporary calf, blind rules to boards, "Fleta" in contemporary hand to fore-edge of text block, endpapers renewed, recently rebaced in period style, hinges mended. "F. Pollock/ Linc: Inn" to front pastedown, "F. Pollock/ Linc: Inn/ 1881" to head of title page, which is printed in red and black. Toning to text, faint dampstaining to upper margins of title page and a few following leaves. Two early struck-through signatures to title page, notes in Pollock's hand to rear endleaf, additional sheet of his notes laid-in. An appealing association copy. \$850.

\* First edition. The work by an anonymous author describes the practice of the courts, the forms of writs and an explanation of law terms as they existed during the reign of Edward I. Selden brought this ancient treatise to the public's attention and was instrumental in its publication. While Bracton earns the highest praise as the father of legal learning, Fleta earns a share of it for the illustrations he offered to some of the obscurities found in Bracton. Selden's appended dissertation (pp.453-553) contains many interesting observations about Bracton, Britton, Fleta, and Thornton "and shows what use was made of the Imperial law in England whilst the Romans governed here, at what time it was introduced into this nation, what use was formerly made of it, how long it continued, and when the use of it totally ceased in the King's Courts at Westminster" (Bridgman). Sir Frederick Pollock [1845-1937] was one of the greatest British judges and legal scholars of his day. His treatises on contracts, jurisprudence the common law and other subjects did much to clarify and systematize English law. Several of these were standard texts that went through several editions. He is also remembered for his collaboration with F.W. Maitland on *The History of English Law Before the Time of Edward I* and his correspondence with Oliver Wendell Holmes, which was published as *The Holmes-Pollock Letters*. Bridgman, *A Short View of Legal Bibliography* 87. *English Short-Title Catalogue* R2001. Order this item: <http://www.lawbookexchange.com/details.php?record=55546>



### Aspects of English Nobility

#### 23. Selden, John [1584-1654].

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

[Bound with]

[Bird, William].

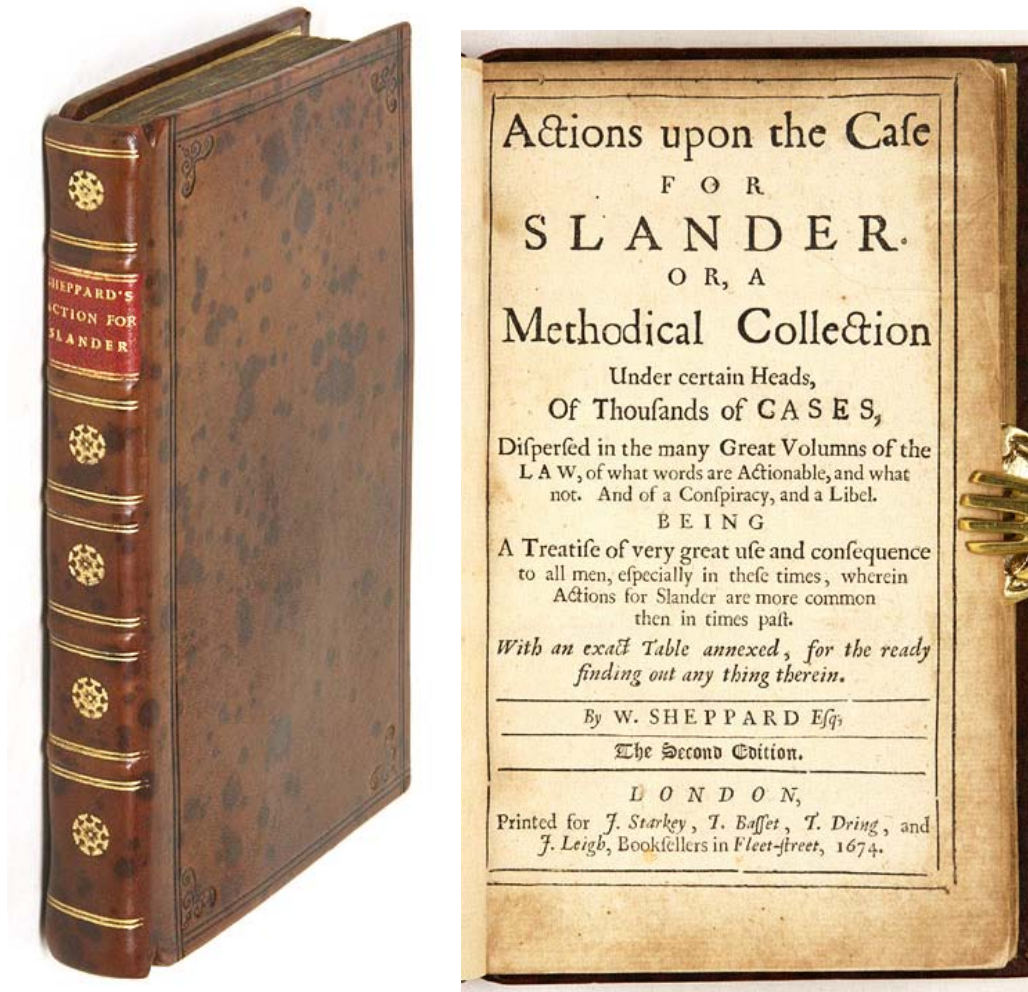
*A Treatise of the Nobilitie of the Realme. Collected Out of the Body of the Common Law, With Mention of Such Statutes as are Incident Hereunto, Upon a Debate of the Barony of Aburgavenny. With a Table of the Heads Contained in this Treatise.* London: Printed by A.N. for Mathew Walbanke and Richard Best,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

Octavo (5-1/2" x 3-1/2"). Contemporary sheep, blind rules to boards, later calf rebacking, lettering piece and blind fillets to spine, early hand-lettered title to fore-edge of text block. Some rubbing to extremities with wear to corners, boards slightly bowed, scuff to front board, rear pastedown loose, later armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamp to head of title page and following leaf, armorial bookplate of Thomas Parker, First Earl of Macclesfield to verso of title page. Title page of *Nobilitie* printed within woodcut border. Some toning to text, brief annotations to endleaves, interior otherwise clean. \$650.

\* *Priviledges*: first edition; *Nobilitie*: only edition. This volume collects two books on the nobility that were responses to specific incidents. Selden's *Priviledges* was commissioned by the House of Lords to define its rights during a period of mounting tension between the king and Parliament. A work that angered the king, it asserted the House of Lords's power



of judicature and provided historical grounds for such "special rights" as freedom from lawsuits during the sitting of Parliament. Bird's *Nobilitie* was a response to a contemporary controversy regarding the legitimacy of Edward Nevill's claim to the title of Lord Bergavenny. His claim is the starting point for a general review of peerage law. A later edition, with additions by Sir John Doddridge, was published later in 1642 as *The Magazine of Honour; Or, A Treatise of the Severall Degrees of the Nobility of this Kingdome*. Thomas Parker, distinguished jurist, was Lord Chancellor from 1718 to 1725. Housed in Shirbirn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. *English Short-Title Catalogue* R10915, R18509. Order this item: <http://www.lawbookexchange.com/details.php?record=63937>



"Iniquity of the Tongue"

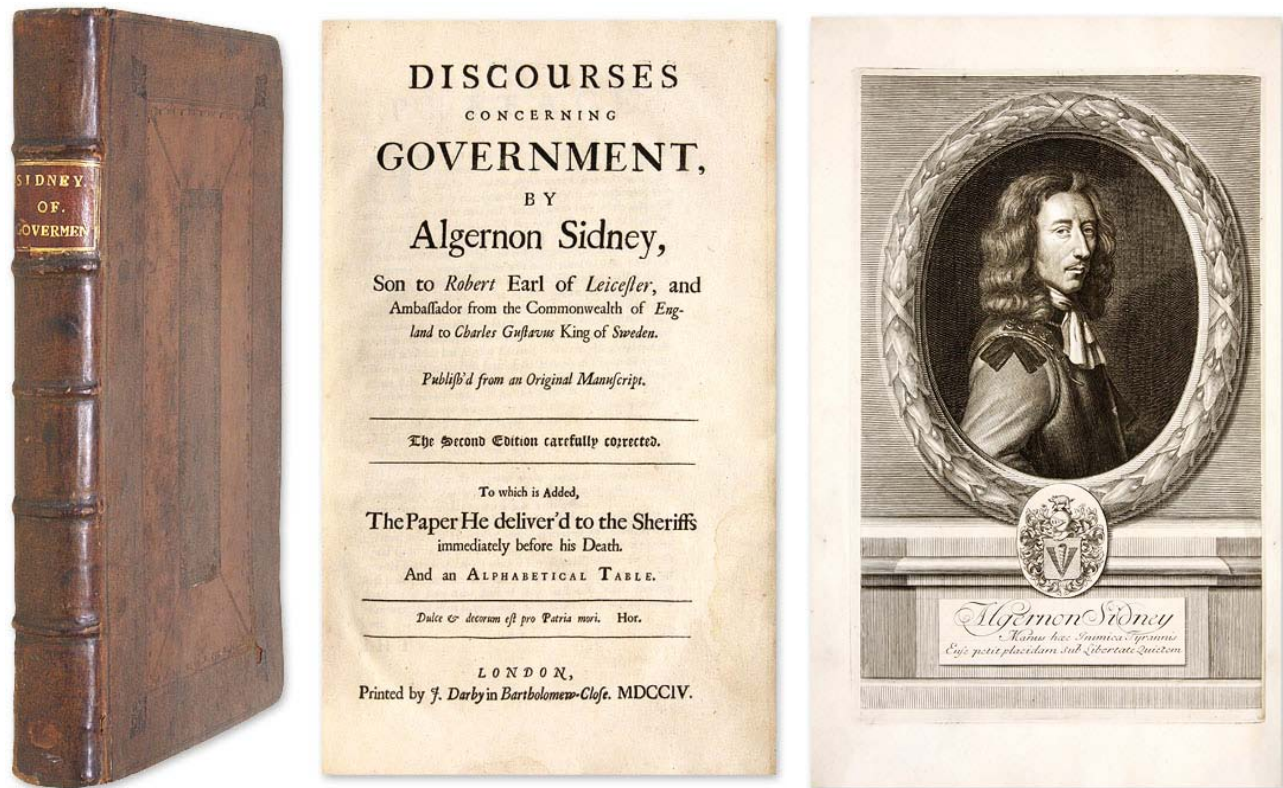
**24. Sheppard, William [d. 1675?].**

*Actions Upon the Case for Slander. Or, A Methodical Collection Under Certain Heads, Of Thousands of Cases, Disperfed in the Many Great Volumns of the Law, Of What Words are Actionable, And What are Not. And of a Conspiracy, And a Libel. Being a Treatise of Very Great Use and Consequence to All Men, Especially in These Times, Wherein Actions for Slander are More Common Then in Times Past. With an Exact Table Annexed, For the Ready Finding Out Any Thing Therein.* London: Printed for J. Starkey, T. Basset, T. Dring, and J. Leigh, 1674. [viii], 287, [17] pp. Octavo (6-3/4" x 4-1/4").

Recent period-style calf. Blind rules with corner fleurons to boards, raised bands, gilt ornaments and lettering piece to spine. Woodcut head-pieces and decorated initials. Moderate toning to text, somewhat heavier in places, faint spotting to a few leaves, some discoloration and minor edgewear to title page. A nice copy in a handsome binding. \$1,500.

\* Second and final edition. Sheppard's treatise, originally published in 1662 as *Action Upon the Case for Slander*, was one of the first two books to address the topic. (The other was William March's *Actions for Slaunder*, 1647.) As indicated by its preface, Sheppard's is especially interesting. "[A]mong the abiding Iniquity of this Age, the iniquity of the Tongue, that little Member, set on fire by Hell, is not the least; And among the evils of the Tongue, is there any more pernicious and deadly, and yet more common and epidemical then Backbiting and Slander? (...) It is true, that in former times, wee finde Actions of the Case for Slanderous words very rarely brought; which speaks this much, that such words were then very rarely spoken. But in these daies they are become almost as natural to men, as their language and discourse; and therefore the disease, so deeply rooted, and over-spreading, calls for the application of the Remedy, which our Law doth abundantly furnish us withall. And hence it is, I have been encouraged to ingage in this work; which is nothing else but a naked and Methodical Collection of the remedies prescribed by the Law against this Malady." OCLC locates 5 copies in North American law libraries (Library of Congress, State of Oregon Law Library, University of Pennsylvania, University of Washington, Yale). *English Short-Title Catalogue* R31192.

Order this item: <http://www.lawbookexchange.com/details.php?record=65248>



**A Landmark in the Philosophy of Republican Government, A Book Admired by Jefferson**

**25. Sidney, Algernon [1622-1683].**

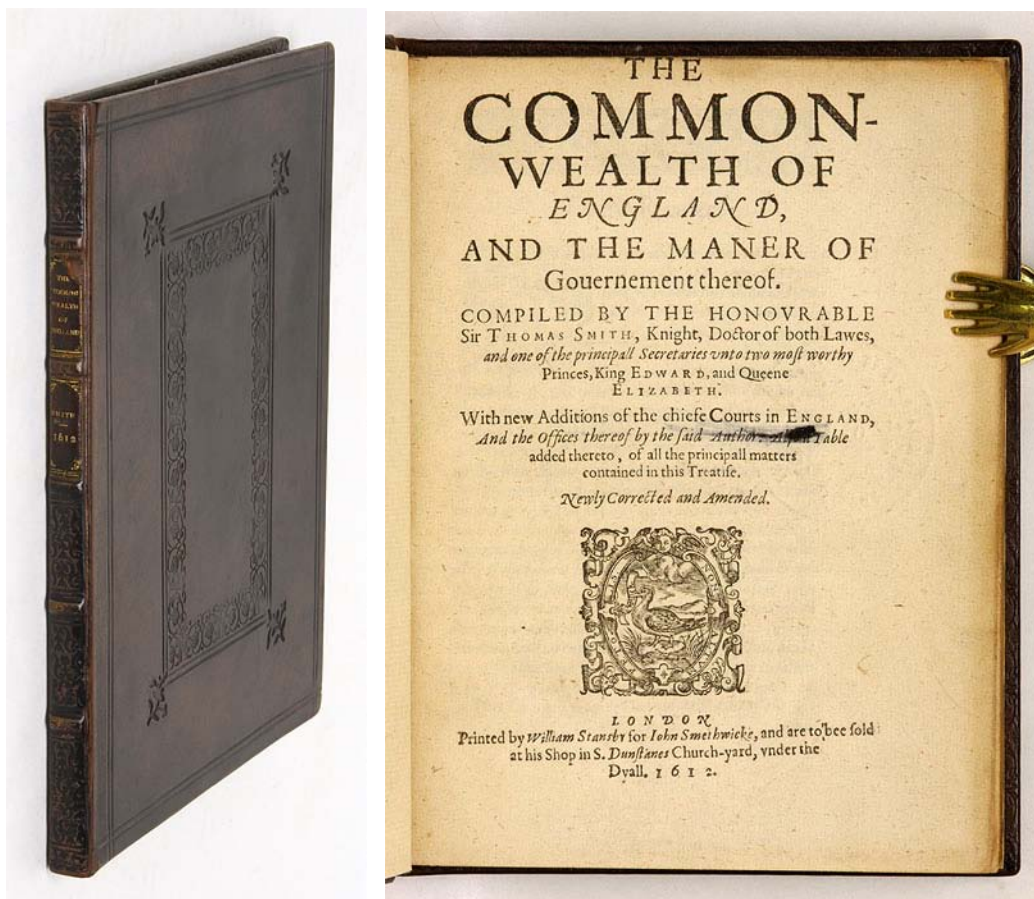
*Discourses Concerning Government*, By Algernon Sidney, Son to Robert Earl of Leicester, And Ambassador from the Commonwealth of England to Charles Gustavus King of Sweden. Publish'd from an Original Manuscript. Carefully Corrected. To Which is Added, the paper he Deliver'd to the Sheriffs Immediately Before His Death. And an Alphabetical Table. London: Printed by J. Darby, 1704. [viii], 424 [i.e.420], [48] pp. Copperplate portrait frontispiece. Folio (12" x 7-1/2").

Contemporary paneled calf, raised bands and lettering piece to spine. Light rubbing to boards and extremities, some minor nicks and scratches, a bit of edgewear to lettering piece, corners bumped and lightly worn, front hinge cracked, rear pastedown loose, early armorial bookplate to front pastedown (St. Columbs). Light toning, negligible faint dampstaining to a few leaves, internally clean. A handsome copy. \$600.



\* Second edition. The first edition of this important work was published in 1698, fifteen years after Sidney's execution for treason in 1683. A reply to Filmer's *Patriarcha*, the *Discourses* is one of the earliest modern statements of republican ideals. He proposes a doctrine of natural justice and governmental order from which all institutions vary at their peril. More important, Sidney asserts that a king's authority is granted by parliament, which has the additional power to depose him—controversial ideas indeed during the Restoration period. Thomas Jefferson, one of several individuals influenced by this text, described it as "... probably the best elementary book of the principles of government, as founded in natural right which has ever been published in any language; and it is much to be desired in such a government as ours that it should be put into the hands of our youth as soon as their minds are sufficiently matured for that branch of study." (Sowerby). Sidney was beheaded by Charles II in part for his involvement in the Rye House plot. One of the other charges against him was that he had committed treasonable libel in his *Discourses*, which was still in manuscript at that time. Sowerby, *Catalogue of the Library of Thomas Jefferson*, III:12. *English Short-Title Catalogue* T113295.

Order this item: <http://www.lawbookexchange.com/details.php?record=63730>



**"The Most Important Description of the Constitution  
and Government Of England Written During the Tudor Age"**

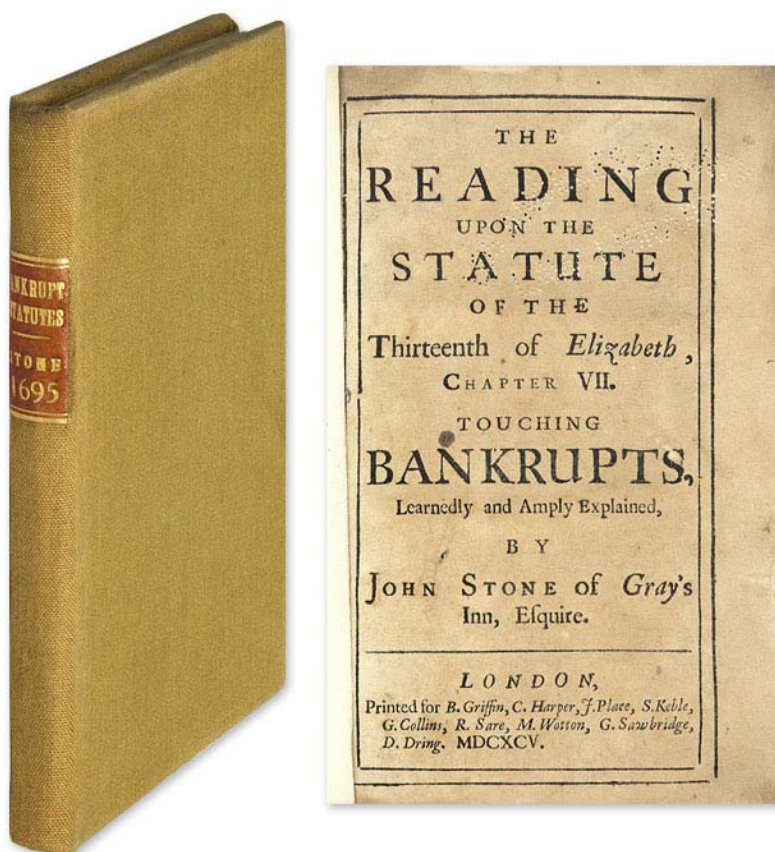
**26. Smith, Sir Thomas [1513-1577].**

*The Common-Wealth of England, And the Maner of Governement Thereof. Compiled by the Honourable Sir Thomas Smith, Knight, Doctor of Both Lawes, And One of the Principall Secretaries Unto Two Most Worthy Princes, King Edward, And Queene Elizabeth. With New Additions of the Chiefe Courts in England, And the Offices Thereof by the Said Author. Also a Table Added Thereto, Of All the Principall Matters Contained in this Treatise.* London: Printed by William Stansby, 1612. [viii], 134 pp. Lacking first leaf, a blank. Quarto (7-1/2" x 5-1/2").

Recent period-style paneled calf, gilt titles, raised bands and blind ornaments to spine, blind inside dentelles, all edges gilt. Light rubbing to extremities, a few minor nicks to boards. Woodcut device to title page, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, minor edgewear and offsetting to preliminaries and final leaves of text. Ex-library. Faint embossed stamp to title page and following leaf, cancelled stamp to verso of title page with some bleed-through. A handsome copy. \$750.

\* Later edition. *De Republica Anglorum; the Manner of Government or Policie of the Realme of England* was written between 1562 and 1565 and first published in 1583. "It is the most important description of the constitution and government of England written in the Tudor age" (DNB). It went through eleven editions in English between 1584 to 1691. Four Latin editions appeared between 1610 and 1641. Abridged editions in Dutch and German were published in 1673 and 1688. Smith, an English scholar and diplomat, was Regius Professor of Civil Law at Cambridge University. *Dictionary of National Biography* XVIII:535. *English Short-Title Catalogue* S117648.

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### A Reading on Bankruptcy

#### 27. Stone, John.

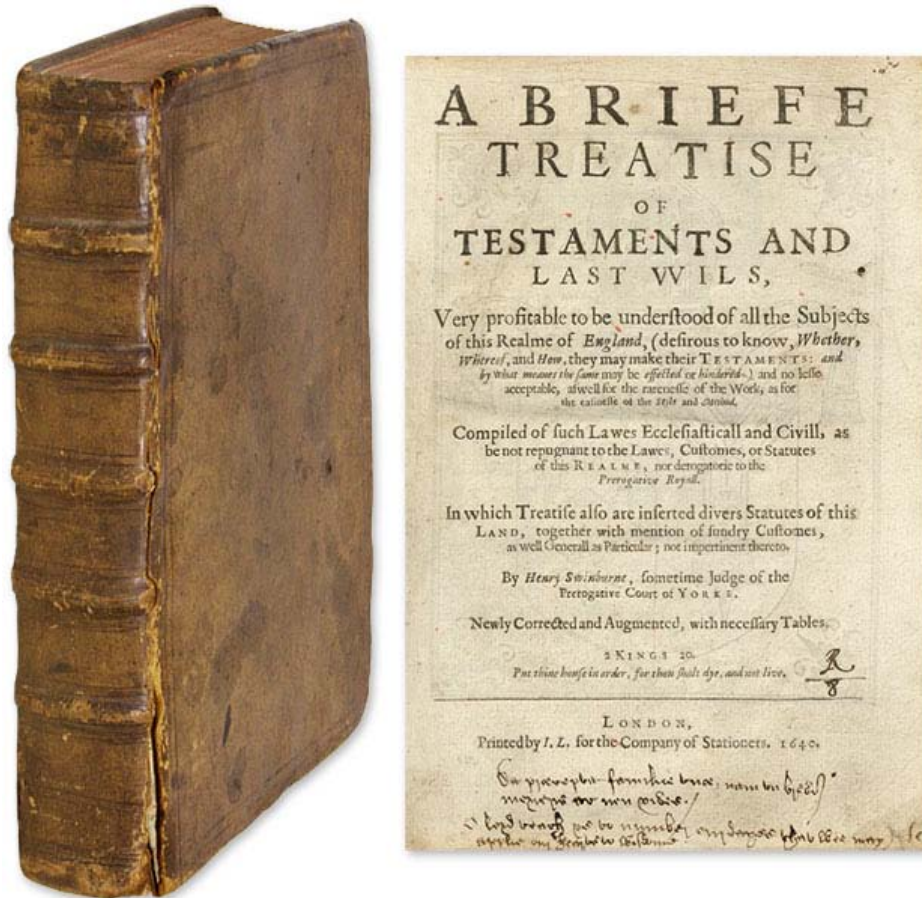
*The Reading Upon the Statute of the Thirteenth of Elizabeth, Chapter 7. Touching Bankrupts, Learnedly and Amply Explained.* London: Printed for B. Griffin, C. Harper [et al.], 1695. [ii], 124 [i.e. 134] pp. Octavo (6-3/4" x 4").

Later library cloth, lettering piece to spine, hinges reinforced. Light rubbing to extremities, a bit of fading to spine. Some soiling and edgewear to title page and following leaf, moderate toning and occasional faint dampspotting to rest of interior, internally clean. Ex-library. Stamps to edges and free endpapers, bookplate to front pastedown, perforated stamp to title page. A solid copy of a scarce title. \$950.



\* Second and final edition, one of two issues from 1695. First published in 1656, this is the published version of a lecture presented at Gray's Inn. As Holdsworth notes, these presentations were an important part of a law student's education. They usually addressed recent statutes, narrow topics or complicated legal points. Stone's *Reading* is one of the examples cited (with approval) by Holdsworth. OCLC locates 6 copies of the first edition in North America, but only one copy of the second (at UCLA). Holdsworth, *A History of English Law* V:393, 395. *English Short-Title Catalogue* R43936.

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### The First Standard English Treatise on Wills

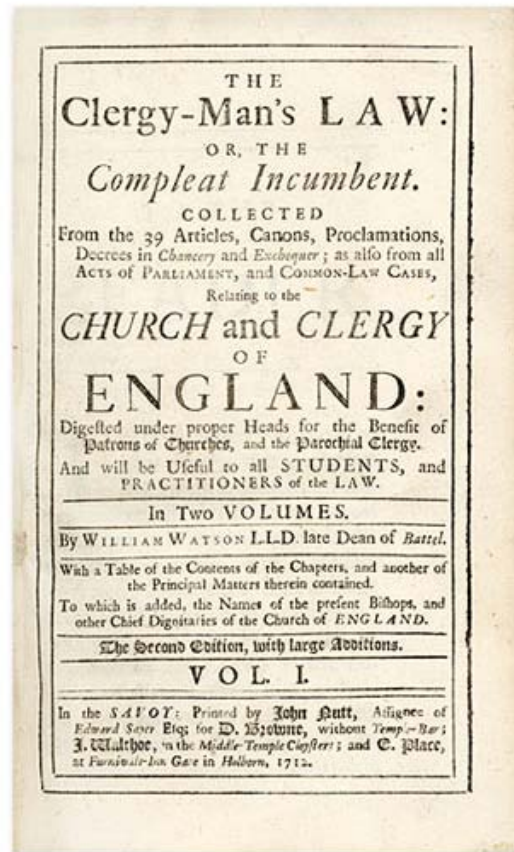
#### 28. Swinburne, Henry [1560?-1623].

*A Briefe Treatise of Testaments and Last Wills* [sic], *Very Profitable to be Understood of All the Subjects of This Realme of England, (Desirous to Know, Whether, Whereof, And How, They May Make Their Testaments: And by What Meanes the Same May be Effected or Hindered) And no Lesse Acceptable, Aswell for the Rareness of the Work, As for the Easinesse of the Style, And Method. Compiled of such Lawes Ecclesiasticall and Civill, As be not Repugnant to the Lawes, Customes, Or Statutes of this Realme, Nor Derogatorie to the Prerogative Royall. In Which Treatise Also are Inserted Divers Statutes of this Land, Together with Mention of Sundry Customes, As Well Generall as Particular; Not Impertinent Thereto: Newly Corrected and Augmented, With Necessary Tables.* London: Printed by I.L. for the Company of Stationers, 1640. [xxiv], 344, 215, [32] pp. Quarto (9" x 6-1/2").

Contemporary calf, blind rules to boards, raised bands to spine, early hand-lettered title to fore-edge of text block. A few faint stains to boards, some rubbing to extremities, joints starting, corners bumped, pastedowns loose. Attractive woodcut head-pieces, tail-pieces and decorated initials, large woodcut arms facing dedication. Some soiling to title page, light toning to text, early repair (or paste-over) at center of fore edge of pp. 203-04. Extensive annotations in contemporary chancery hand to front endleaves and foot of title page, interior otherwise clean. An appealing unsophisticated copy. \$850.

\* Fifth edition. The testamentary jurisdiction of ecclesiastical law was a separate branch that produced its own literature. Swinburne's treatise was the standard work on this subject from its first publication in 1590-91 until the early nineteenth century. (Its last edition, the tenth, appeared in 1803.) Holdsworth, who cites it often and considers it "the most practically useful book of [its] period" notes that "it is a very useful summary of the law as to wills and executors as administered in the ecclesiastical courts.": *A History of English Law* V:14. *English Short-Title Catalogue* S118071.

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### Well-Regarded by Holdsworth

#### 29. Watson, William [1637?-1689].

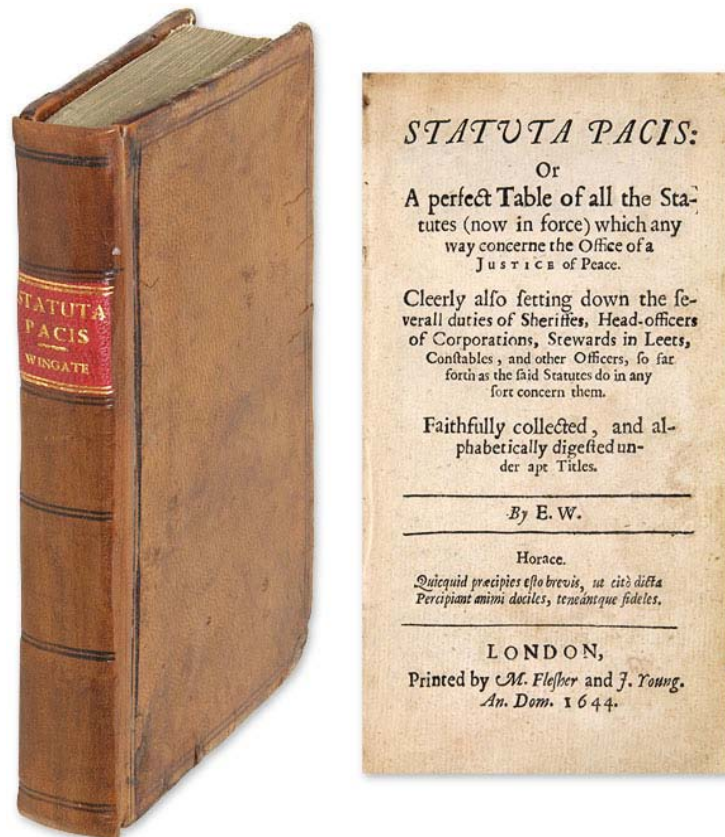
*The Clergy-Man's Law: Or, The Compleat Incumbent. Collected from the 39 Articles, Canons, Proclamations, Decrees in Chancery and Exchequer As Also from All the Acts of Parliament, And Common-Law Cases, Relating to the Church and Clergy of England: Digested Under Proper Heads for the Benefit of Patrons of Churches, And the Parochial Clergy.* [London]: Printed by John Nutt, 1712. Two volumes. Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spines, early hand-lettered titles to fore-edges. Some rubbing to extremities, a few minor scuffs and stains to boards, chipping to spine ends, joints and hinges starting, corners bumped and somewhat worn. Light toning to text, corners of a few leaves dog-eared, a few others dampstained. Early owner signatures to front free endpapers, interiors otherwise clean. \$350.

\* Second edition. "[During the eighteenth century a] number of books aimed at setting out more or less a summary of those branches of law which would be useful to the clergy. The most elaborate of these books is [the present title], which was first published in 1701.... The author was a clergyman who held the deanery of Battel; but he had been educated with a



view to becoming a practitioner in the ecclesiastical courts, and had taken his degree of doctor of laws. Because he had had a legal education he was, he tells us 'soon apply'd to by his neighbours, as a person able to advise them in the many doubts and difficulties that daily occurred to them.' (...) The book deals clearly and systematically in fifty-nine chapters with the law and practice on all topics which are useful to the clergy. It is a learned book; but, as the title page indicates, it is compiled almost entirely from the English cases, statutes and other authorities, to which the full references are given. Though the author is an LL.D. he is obviously more learned in English law than in the civil or canon law." Holdsworth, *History of English Law* 12:622-623. The first edition was published in 1701; the fourth and final in 1747. *English Short-Title Catalogue* N3137. Order this item: <http://www.lawbookexchange.com/details.php?record=57943>



### A Useful Reference for Civil War-Era Justices of the Peace

#### 30. [W]ingate, E[dmund] [1596-1656].

*Statuta Pacis: Or a Perfect Table of All the Statutes (Now in Force) Which any Way Concerne the Office of a Justice of Peace. Cleerly also Setting down the Severall Duties of Sheriffes, Head-Officers of Corporations, Stewards in Leets, Constables, And Other Officers.* London: Printed by M. Flesher and J. Young, 1644. [xx], 286 pp. First and final leaves blank. Tables. 12mo. (5-1/2" x 3-1/4").

Contemporary sheep, blind rules to boards, rebaked, blind fillets and lettering piece to spine, pastedowns renewed. Light rubbing to extremities, corners bumped. Light toning to text, a few tiny worn holes (with no loss to text), faint dampstaining to final third of text block. An appealing copy of a rare title. \$750.

\* Only edition. Also a notable mathematician, Wingate wrote several important legal books, including *Maximes of Reason* (1658) and *An Exact Abridgment of the Statutes in Force* (1642). Intended as a handy reference, and thus pocket-sized, *Statuta Pacis* is a digest of statutes relevant to the jurisdiction of a justice of the peace. The contents are organized alphabetically by topic. OCLC locates 4 copies in North America, 3 in law libraries (Duke, Harvard, Southern Illinois University). *English Short-Title Catalogue* R25185. Order this item: <http://www.lawbookexchange.com/details.php?record=63134>