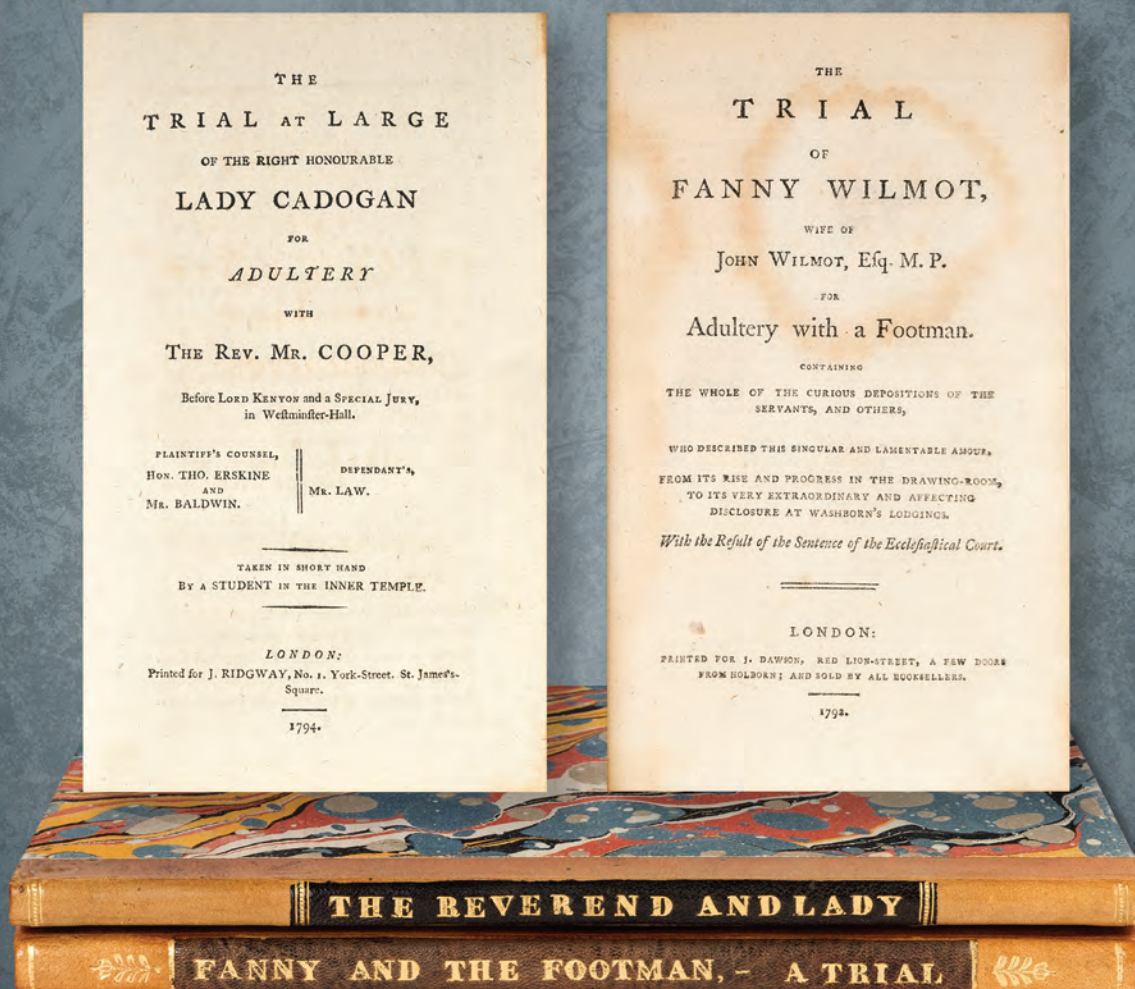


# Recent Acquisitions

ENGLISH, AMERICAN &  
CONTINENTAL LAW, 1566–1930

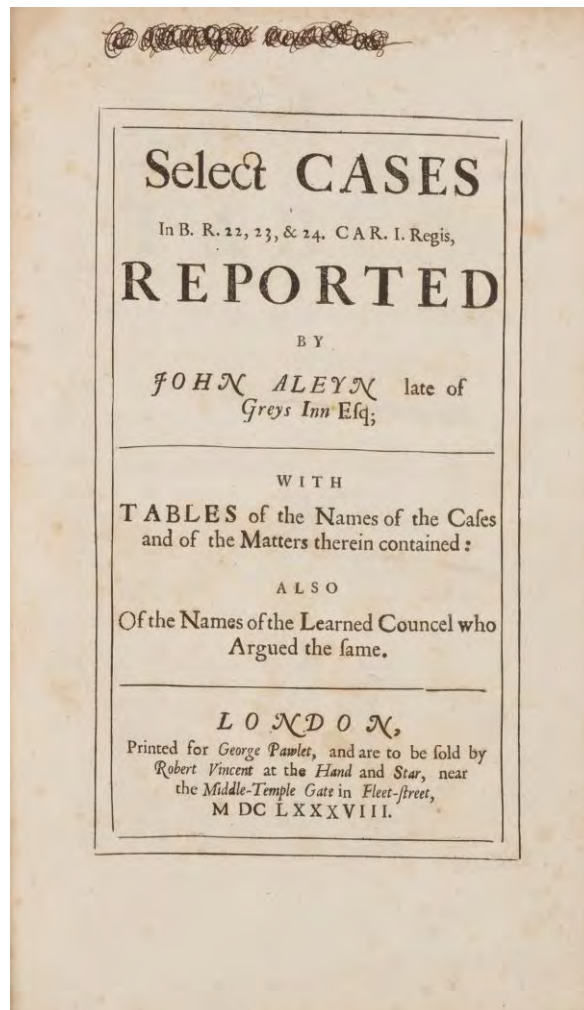
30 ITEMS

May 11, 2021



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**Includes a Landmark Contract Case**

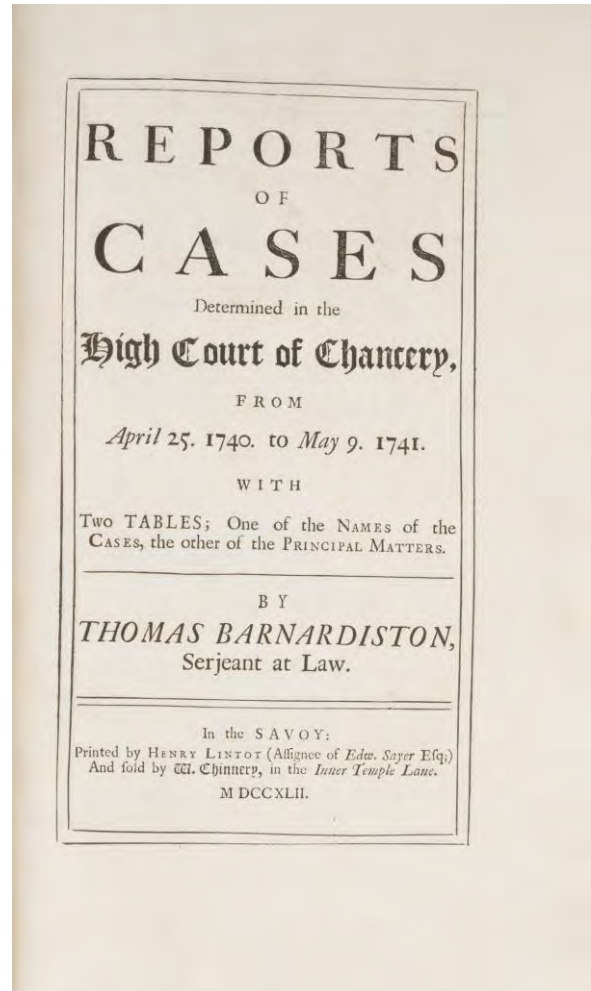
**1. Aleyn, John, Reporter.**

*Select Cases In B.R. 22, 23, & 24. Car. I Regis, Reported by John Aleyn Late of Greys Inn Esq; With Tables of the Names of the Cases and of the Matters Therein Contained: Also of the Names of the Learned Council Who Argued the Same.* London: Printed for George Pawlet, 1688. [viii], 95, [11] pp. Title page preceded by license leaf. Folio (12" x 7-1/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine. Light rubbing and a few nicks and scuffs to boards, staining to rear board, moderate rubbing to extremities with some wear to foot of spine, corners bumped, joints starting at foot, rear hinge starting, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to preliminaries. Moderate toning, faint dampstaining to front endleaves, a few leaves at rear of text and rear pastedown, light soiling and early struck-through signature to title page. \$250.

\* Second edition. Covers the Upper Bench 1646-1649. Wallace says this is a good set of reports and notes that it includes the landmark contract case of *Paradine v. Jane*, which established the principle of holding a contractor to a non-conditional obligation. Chancery from 1669-1685; there are a few earlier cases as well. Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:292. Wallace, *The Reporters* 292f.

[Order This Item](#)



**"His Reports Have a Peculiar Value"**

**2. Barnardiston, Thomas [d. 1752].**

*Reports of Cases Determined in the High Court of Chancery, From April 25, 1740. To May 9. 1741. With Two Tables; One of the Names of the Cases, The Other of the Principal Matters.* [London]: Printed by Henry Linton, 1742. [8], 502, [46] pp. Folio (11-3/4" x 7-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, gilt tooling to board edges, sprinkled edges of text block, ribbon marker. Light rubbing and a few minor nicks and scuffs to boards, moderate rubbing to extremities and spine, small nick to head of spine, corners lightly bumped, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to preliminaries, tiny early owner signature to front free endpaper. Moderate toning to preliminaries, offsetting to endleaves, main text notably bright. \$450.

\* Only edition. "His reports have a peculiar value, from the fact of containing the decisions of the great Lord Hardwicke, and if the author has occasionally fallen into slight errors, they are neither so glaring or numerous as to detract much from their merits" (Marvin). 94. Barnardiston was a legal reporter and serjeant-at-law. He also published reports on King's Bench cases. Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Marvin, *Legal Bibliography* 94. Wallace, *The Reporters* 514. *English Short-Title Catalogue* T95793. [Order This Item](#)



"Escaped from the Custody of the Undersigned"

3. [Broadside].

[Escaped Prisoner].

[New Hampshire].

*\$200.00 Reward! Two Hundred Dollars Will Be Paid for the Arrest and Delivery to the Subscriber of Joseph Frederick Emerson. Concord, NH: June 21, 1855.*

9-3/4" x 13-1/2" broadside. Light browning, vertical and horizontal fold lines. A well-preserved copy. \$750.

\* Signed in type by Perkins Gale, Sheriff. Arrested for two counts of larceny, Emerson, "about 30 years of age," "escaped from the custody of the undersigned in Concord, on Tuesday evening, June 19." This appears to be an unrecorded broadside. [Order This Item](#)





### A Contemporary Verse Account of the Mannings and Their Crime

#### 4. [Broadside].

#### [Murder].

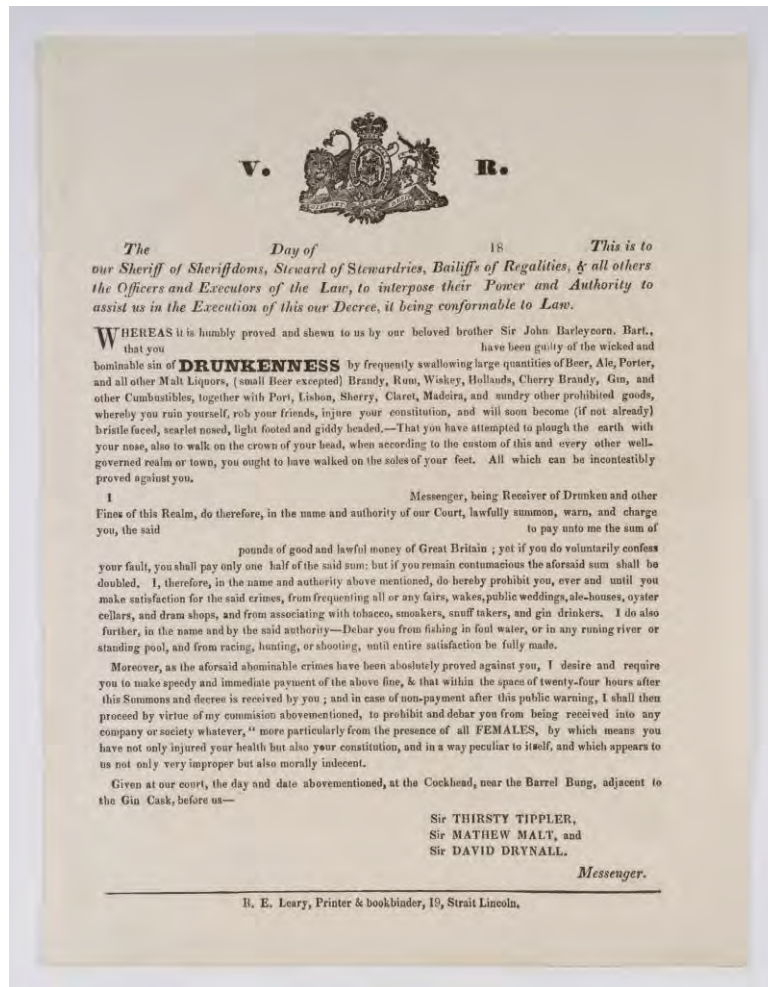
Manning, Frederick George [1820-1849].

Manning Marie DeRoux [d. 1849].

*Execution of the Mannings.* [London: S.n., 1849].

10" x 7-1/4" broadside. eight-stanza verse text in two columns separated by typographical rule below headline and woodcut execution scene surrounded by single-column text. Light browning, minor edgewear, small stain near upper right corner, "13 Nov. 1849" in early penciled hand near lower right corner. \$750.

\* This broadside relates to a notable nineteenth-century murder case in London. O'Connor, a domestic servant, was the former lover of Marie DeRoux Manning. He was murdered by Marie and her husband, Frederick George Manning. The motivation was greed; O'Connor was a successful moneylender and investor. The case attracted a good deal of public attention and became known as the "Bermondsey Horror." Eventually apprehended, the husband and wife were hanged on November 13, 1849. This execution was the first time a husband and wife had been executed together in England since 1700. Dickens witnessed the execution and wrote an account of it that was published in *The Times*. He based a character on Marie Manning, Mademoiselle Hortense, Lady Dedlock's maid in *Bleak House*. The upper part of this broadside describe the execution and reprint the texts of the final letters exchanged by the Mannings. The verses recount the events of the crime and execution. No copies located on OCLC or Library Hub. [Order This Item](#)



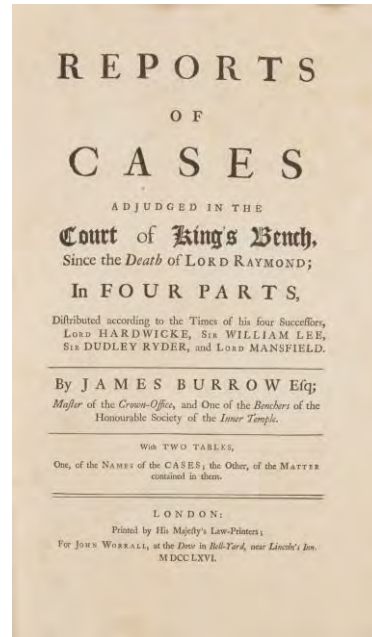
### Rare "Temperance" Broadside in the Style of a Court Document

#### 5. [Broadside]. [Temperance]. [Great Britain].

*The --- Day of 18 ---. This is to Our Sheriff of Sheriffdoms, Steward of Stewardries, Bailiffs of Regalities, & All Others, The Officers and Exceutors of the Law, To Interpose Their Power and Authority to Assist Us in the Execution of This Our Decree, It Being Conformable to Law.* Lincoln, England: R.E. Leary, Printer and Bookbinder, [c.1840].

10" x 7-1/2" broadside, woodcut royal arms flanked with the initials of Queen Victoria at head of text. Light toning, faint horizontal fold, a few minor creases. A well-preserved item. \$500.

\* A parody of a temperance poster in the form of sentencing document issued "at our court, the day and date above mentioned, at the Cockhead, near the Barrel Bung, adjacent to the Gin Cask, Before us-Sir Thirsty Tippler, Sir Mathew Malt, and Sir David Drynall." The text reads (in part): "Whereas it is humbly proved and shown to us by our beloved brother Sir John Barleycorn, Bart., that you ---- have been guilty of the wicked and abominable sin of DRUNKENNESS by frequently swallowing large quantities of Beer, Ale, Porter, and all other Malt Liquors (small Beer excepted), Brandy, Rum, Wiskey, Hollands, Cherry Brandy, Gin, and other combustibles, together with Port, Lisbon, Sherry, Claret, Madeira, and sundry other prohibited goods...." This appears to be unrecorded broadside. No copies located on OCLC or Library Hub. [Order This Item](#)



### "An Epoch in the History of Reporting"

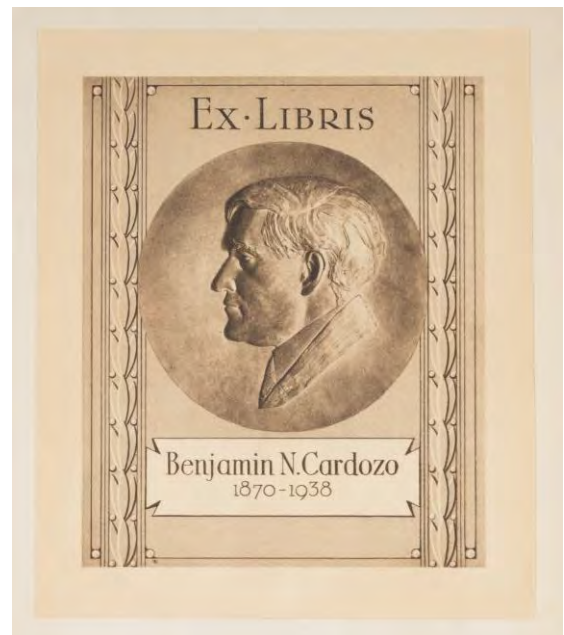
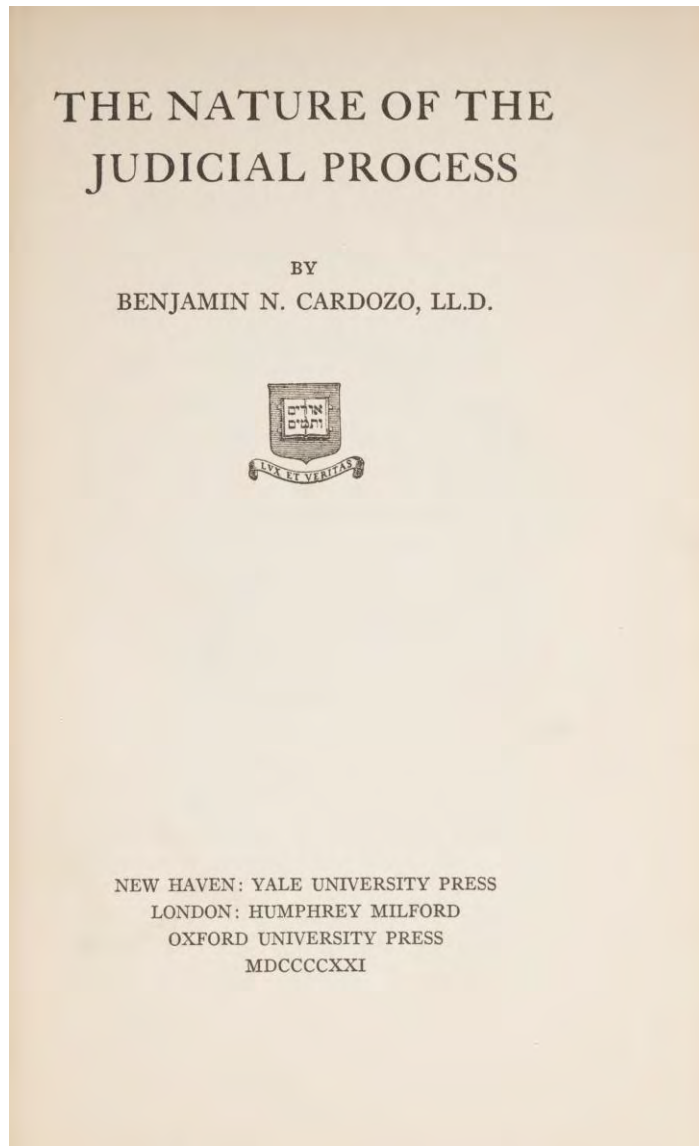
#### 6. Burrow, Sir James [1701-1782], Reporter.

*Reports of Cases Adjudged in the Court of King's Bench, Since the Death of Lord Raymond; In Four Parts, Distributed According to the Times of his Four Successors, Lord Hardwicke, Sir William Lee, Sir Dudley Ryder, and Lord Mansfield. With Two Tables, One, of the Names of the Cases; The Other, Of the Matter Contained in Them.* London: Printed by His Majesty's Law-Printers; For John Worrall [and others], 1766-1776. 4 of 5 volumes. Folio (12-1/4" x 7-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering pieces to spines, blind tooling to board edges. Light rubbing and scuffing to boards, moderate rubbing to extremities, corners bumped and lightly worn, light fading, faint dampstaining and a few nicks to spines, a few hinges starting, armorial bookplate of the Earls of Macclesfield to front pastedowns, contemporary penciled annotations below, small embossed Macclesfield crest to preliminaries. Light toning to texts, slightly heavier in places, light foxing to a few leaves in each volume. A well-preserved set. \$400.

\* First editions. These reports are renowned for their careful organization, lucid prose and accuracy. As Wallace notes, the "*Reports* of Sir James Burrow make an epoch in the history of reporting. He made his *Reports* for the purpose of publishing them... He, more than any man, seems to have perceived as a canon of the subject... that every report, in the form in which it comes out at last for the bar, should be preceded by a statement of the case, and that that statement should be made by the reporter himself...in other words, that the reporter holds a high and responsible office... Burrow's *Reports* may... fairly be called *works of art*." Each volume is a complete entity. Volume I: Beginning with Michaelmas term 30 G.2. 1756; Volume II: Beginning with Michaelmas term 32 G.2. 1758, and ending with Trinity term 1 G.3. 1761 (inclusive); Volume III: Beginning with Michaelmas term 2 G.3. 1761. and ending with Trinity term 6 G.3. 1766 (inclusive); Volume IV: Beginning with Michaelmas term 7 G.3. 1766, and ending with Hilary term 10 G.3. 1770 (inclusive). (The missing Volume V covers the Easter term 10 Geo. 3. 1770 through Easter term 12 Geo. 3. 1772). Volume I has an additional title page with the statement: "Part the Fourth. Volume the first," Burrow never published those reports. Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Wallace, *The Reporters* 446-452. *English Short-Title Catalogue* T97747. [Order This Item](#)





### Cardozo's Copy of His Most Influential Work

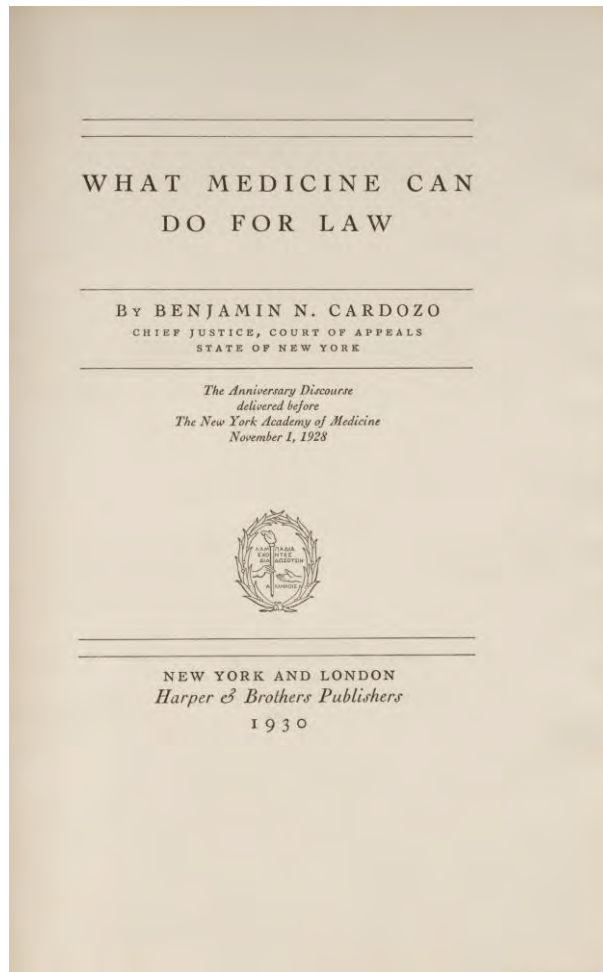
#### 7. Cardozo, Benjamin N. [1870-1938].

*The Nature of the Judicial Process*. New Haven: Yale University Press, [1921]. 180 pp.

Original publisher's cloth, gilt title to spine, untrimmed edges. Moderate rubbing to extremities, spine ends bumped, faint scratch to rear board, Cardozo memorial bookplate to front pastedown, two faint finger smudges to title page. \$5,000.

\* First edition. One of the most important legal works of the twentieth century, *The Nature of the Judicial Process* argued that judges create law. Along with Holmes' *The Common Law*, this book is one of the seminal works that helped the American bar to move beyond the formalism (and conservatism) of nineteenth-century jurisprudence. The bookplate was commissioned by Judge Irving Lehman, Cardozo's executor and close friend, to mark books that were in Cardozo's library. See Lehman, *Benjamin Nathan Cardozo: A Memorial* 18. [Order This Item](#)





Signed By Cardozo

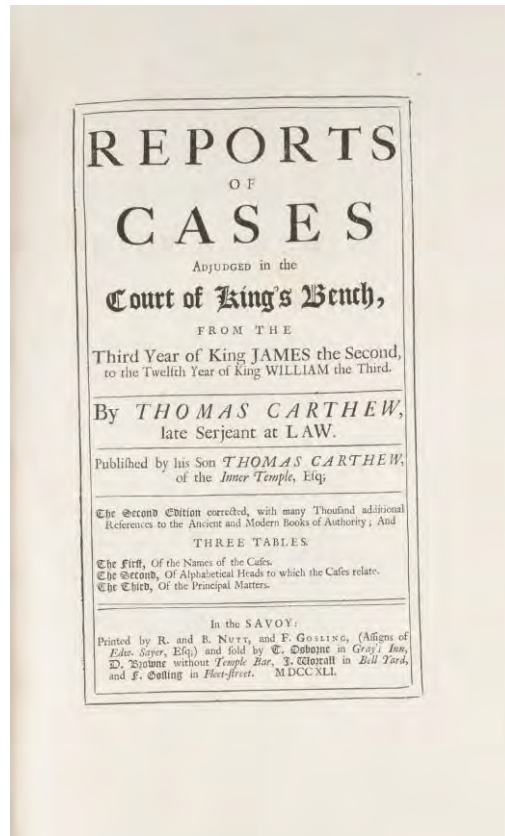
**8. Cardozo, Benjamin N. [1870-1938].**

*What Medicine Can Do For Law*. New York: Harper & Brothers, 1930. [vi], 52 pp.

Original three-quarter cloth over paper boards, deckle edges, unopened signatures. Light rubbing to boards, light fading to spine, some wear to spine ends. Bold Cardozo signature to front free endpaper, light toning to text. \$1,00.

\* First edition. "This noteworthy address, with its appreciation of the scientific problems involved, its courage and social vision, will go down in history as one of the most valuable contributions in our time to medico-legal jurisprudence.": Shientag, *Moulders of Legal Thought* 39 cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 717.

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**"A Reporter of Acknowledged Accuracy."**

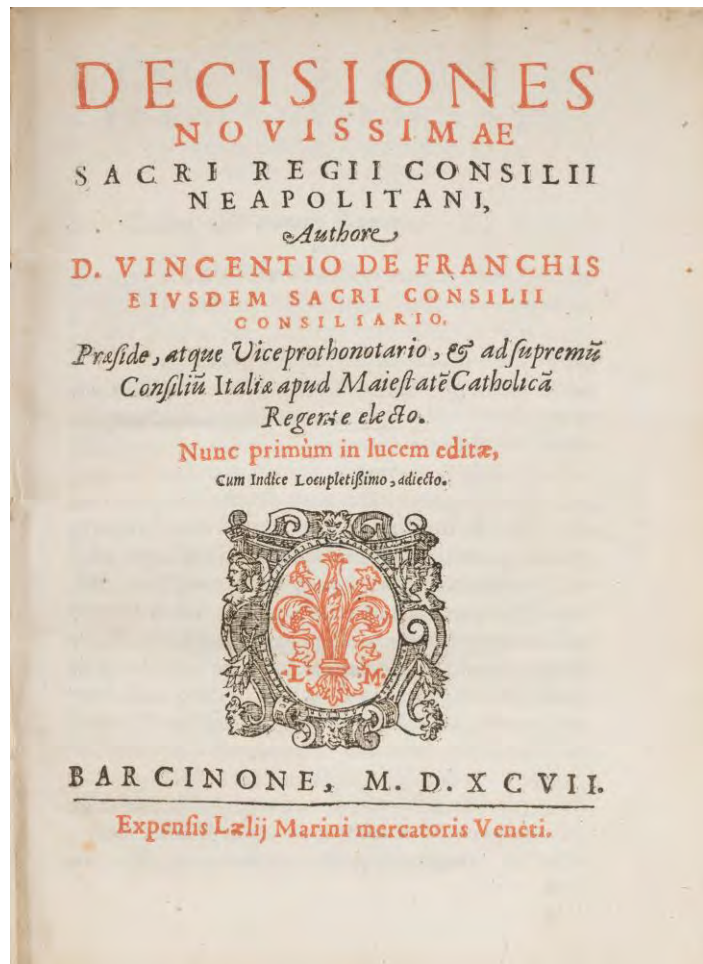
**9. Carthew, Thomas.**

*Reports of Cases Adjudged in the Court of King's Bench, From the Third Year of King James the Second, To the Twelfth Year of King William the Third. Published by His Son Thomas Carthew, Of the Inner Temple, Esq. Corrected, With Many Thousand Additional References to the Ancient and Modern Books of Authority; And Three Tables. The First, Of the Names of the Cases. The Second, Of Alphabetical Heads to Which the Cases Relate. The Third, Of the Principal Matters.* [London]: Printed by R. and B. Nutt, and F. Gosling, 1741. [xxii], 520, [24] pp. Folio (13-3/4" x 8-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, gilt tooling to board edges. Light rubbing and some shallow scuffing to boards, moderate rubbing to extremities, chipping to foot of spine, corners bumped and lightly worn, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to preliminaries, "-18-" in small early hand to upper corner of front free endpaper. Offsetting and some toning and foxing to endleaves, smudges and soiling to margins of a few leaves, rest of interior notably fresh. \$450.

\* Second and final edition. That the *Reports* "passed to a second edition at a period when every new book was most closely scrutinized, would seem to show that the volume was in considerable favor with the profession generally" (Marvin). The first edition was published in 1728. The second edition was reissued in 1743. Wallace notes that Carthew was a "reporter of 'acknowledged accuracy.'" Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Marvin, *Legal Bibliography* 176-177. Wallace, *The Reporters* 397-398. *English Short-Title Catalogue* T97361. [Order This Item](#)





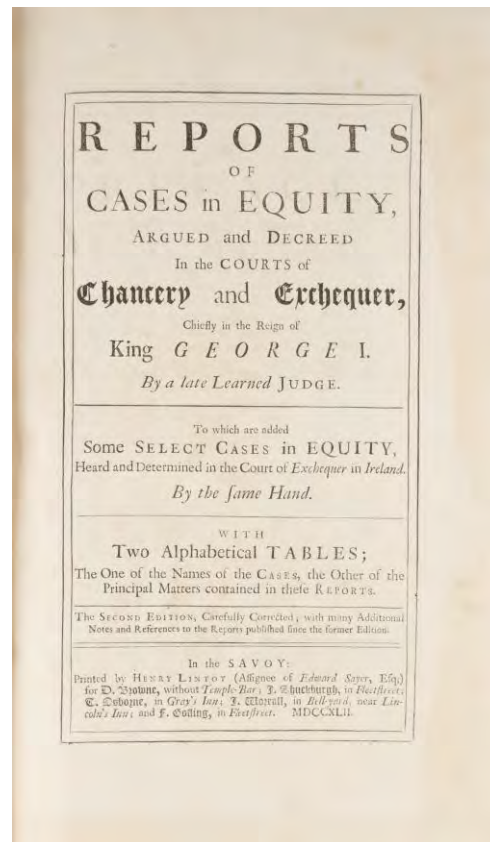
### A Rare Collection of Sixteenth-Century Neapolitan Decisions

#### 10. Franchis, Vincentiu de [1530-1601].

*Decisiones Novissimae Sacri Regii Consilii Neapolitani. Nunc Primum in Lucem Editae, Cum Indice Locupletissimo Adiecto.* Barcelona: Expensis Laelii Marini Mercatoris Veneti [Apud Gabrielem Graells & Gerardum Dotil], 1597. [xxxii], 142, [2] pp. Main text in parallel columns. Quarto (8-1/4" x 6").

Contemporary limp vellum with lapped edges, fragments of thong ties, early calligraphic title to spine. A few minor stains, faint early annotation to head of front cover, front hinge starting. Title page printed in red and black. Light toning, faint dampstaining to head of text block above headlines in a few places. \$1,500.

\* Only edition. Wealthy, cosmopolitan and culturally sophisticated, sixteenth-century Naples was a valuable part of the then-mighty Spanish Empire. Given this background, Neapolitan court decisions are quite interesting. Preceded by two other volumes, this "new" collection of the decisions of Neapolitan judges was preceded by two other volumes first published in 1580 and 1588. OCLC locates 1 copy (University of Barcelona). Palau, *Manual del Libro Hispano-Americano* 91584. [Order This Item](#)



### Gilbert's Cases in Equity

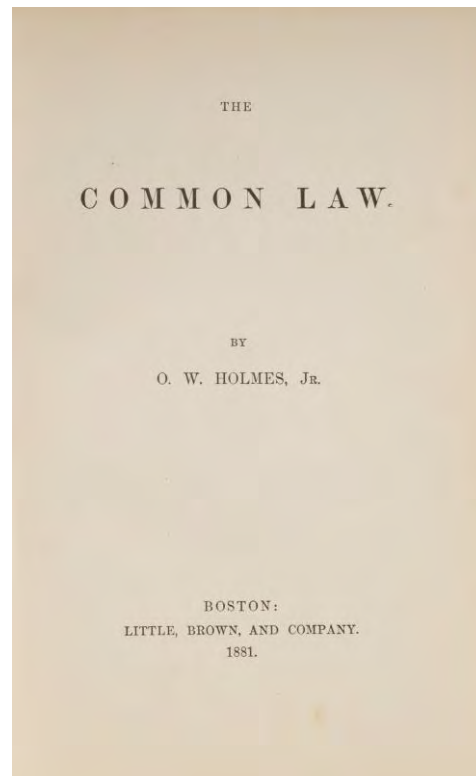
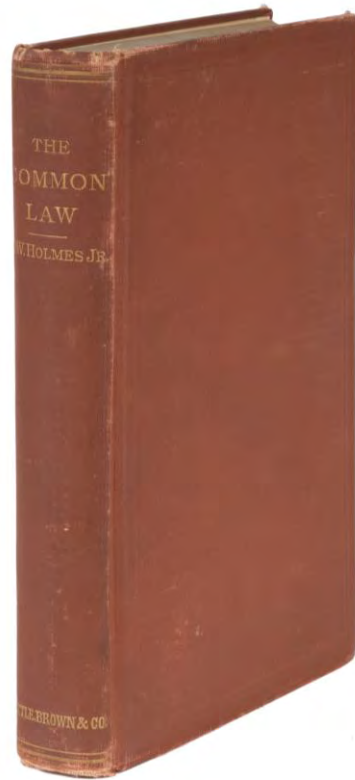
#### 11. [Gilbert, Sir Geoffrey (1674-1726)].

*Reports of Cases in Equity, Argued and Decreed in the Courts of Chancery and Exchequer, Chiefly in the Reign of King George I. By a Late Learned Judge. To Which are Added Some Select Cases in Equity, Heard and Determined in the Court of Exchequer in Ireland. By the Same Hand. With Two Alphabetical Tables; The One of the Names of the Cases, The Other of the Principal Matters Contained in These Reports. Carefully Corrected; With Many Additional Notes and References to the Reports Published Since the Former Edition.* [London]: Printed by Henry Lintot, 1742. [viii], 275, [21] pp. Folio (13-3/4" x 8-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, blind tooling to board edges, sprinkled edges of text block. Light rubbing and a few nicks and minor scuffs to boards. Moderate rubbing to extremities, corners bumped and somewhat worn, hinges starting, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to preliminaries, shelf number (?) in early hand to head of front free endpaper. Moderate toning to text, light foxing in a few places, offsetting to margins of endleaves, lighter offsetting to margins of title page. \$250.

\* Second edition. Gilbert's works were held in high regard by his contemporaries and such distinguished figures as Blackstone and Mansfield. As the *Dictionary of National Biography* notes, they "are marked by precision and lucidity of style, and very considerable mastery of [the] subject, and evince a real desire to exhibit it in a logical shape" (VII:1205). Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirburn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. The first edition of this work was published in 1734. *English Short Title Catalogue* T95287. [Order This Item](#)





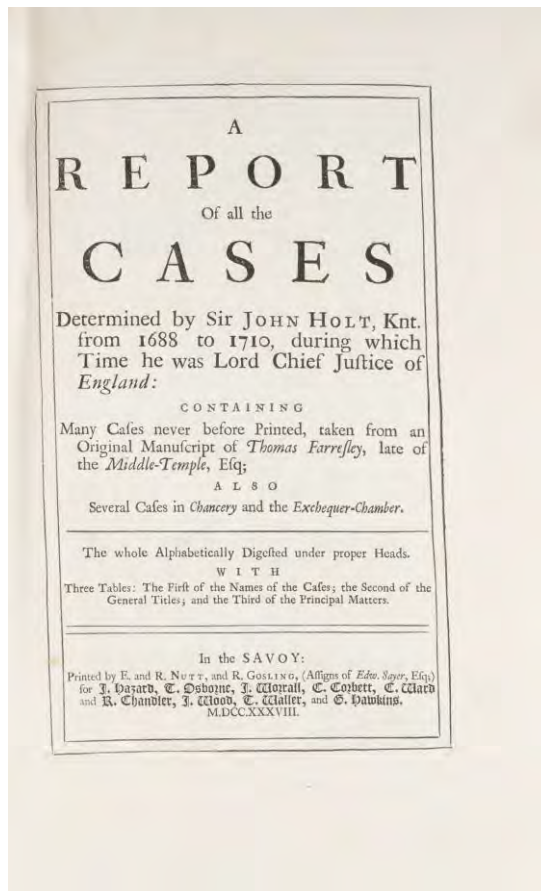
**First Edition of *The Common Law***

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

*The Common Law*. Boston: Little, Brown, And Company, 1881. [i]-xvi, 422 pp. Octavo (8-1/4" x 5-1/4").

Original russet cloth, blind double frames to boards, gilt title to spine, triple gilt rules at spine ends. A few spots to boards, moderate rubbing to extremities with some wear to spine ends and corners, which are lightly bumped, a few cracks to text block, two gift inscriptions (from 1906 and 1938) to front free endpaper. Moderate toning to text, faint dampspotting to endleaves, underlining and brief annotations to a few leaves of text and rear pastedown. \$750.

\* First edition, second issue (one-line printer statement at foot of the title page, verso, and foot of p. 422 reading "The University Press, Cambridge, Mass., U.S.A."). As Friedman points out, "*The Common Law* was easily the most distinguished book on law by an American published between 1850 and 1900." In contrast to earlier Anglo-American jurists, and the reigning positivist ethos of the nineteenth century, Holmes proposed that the law was not a science founded on abstract principles but a body of practices that responded to particular situations. This functionalist interpretation led to his radical conclusion that law was not discovered, but invented. This radical theme is announced at the beginning of Lecture I: "The life of the law has not been logic: it has been experience" (1). Winfield observes that Holmes's "brilliant exposition, as effective on English scholarship and legal thinking as on American, of the true nature of law both as a development from the past and an organism of the present, blew fresh air into lawyer's minds encrusted with Blackstone and Kent." It went on to become a decisive influence on sociological jurisprudence, legal realism and the general development of Anglo-American law in the twentieth century. Luttrell, "Oliver Wendell Holmes and *The Common Law*," Meyer Boswell Books, Inc., *Rare and Unusual Law Books, Catalogue Fourteen* 2. Friedman, *A History of American Law* 544. Winfield, *Chief Sources of English Legal History* 38. Grolier Club Exhibition, *One Hundred Influential American Books* 84. [Order This Item](#)



Possibly Edited by Giles Jacob

**13. Holt, Sir John [1642-1710].**

**Farresley, Thomas, Reporter.**

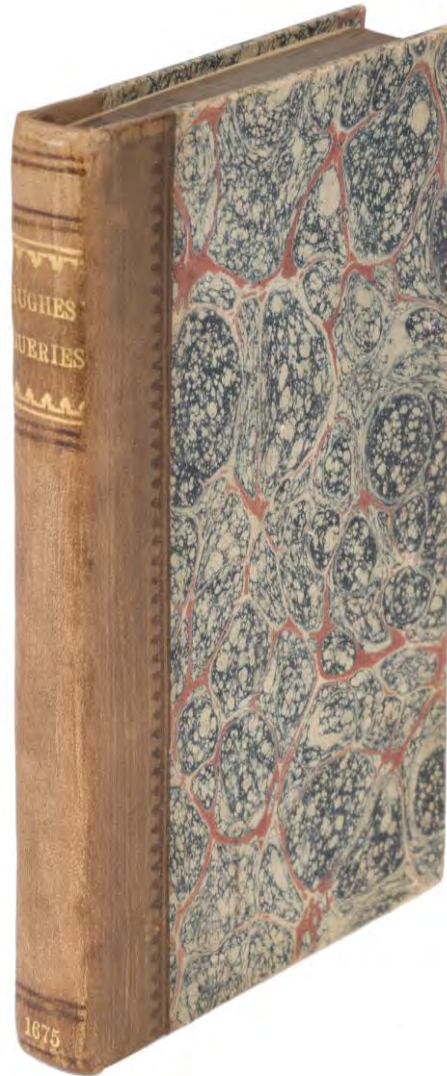
**[Jacob, Giles (1686-1744), Editor (Attributed)].**

*A Report of All the Cases Determined by Sir John Holt, Knt. From 1688 to 1710, During which Time He was Lord Chief Justice of England: Containing Many Cases Never Before Printed, Taken from an Original Manuscript of Thomas Farresley, Late of the Middle-Temple, Esq; Also Several Cases in Chancery and the Exchequer-Chamber. The Whole Alphabetically Digested Under Proper Heads. With Three Tables: The First of the Names of the Cases; The Second of the General Titles; And the Third of the Principal Matters.* [London]: Printed by E. and R. Nutt, and R. Gosling, 1738. [ii], iii, [17], 762, [90] pp. Folio (11-3/4" x 7-3/4").

Contemporary calf, blind rules and fillets to boards, gilt spine with raised bands, lettering piece and two tiny early shelf labels, gilt tooling to board edges. Light rubbing and few minor nicks and scuffs to boards, moderate rubbing to extremities and spine, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to preliminaries. Light toning, offsetting and foxing to endleaves, text notably bright. \$650.

\* Only edition. According to Sweet & Maxwell, this book is said to have been edited by Giles Jacob. It covers cases from 1688-1710. Holt played a leading role in the Glorious Revolution and in 1689 became Chief Justice of the King's Bench. He was a learned common lawyer. Not in Wallace. Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirburn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:301. *English Short-Title Catalogue* T97370. [Order This Item](#)





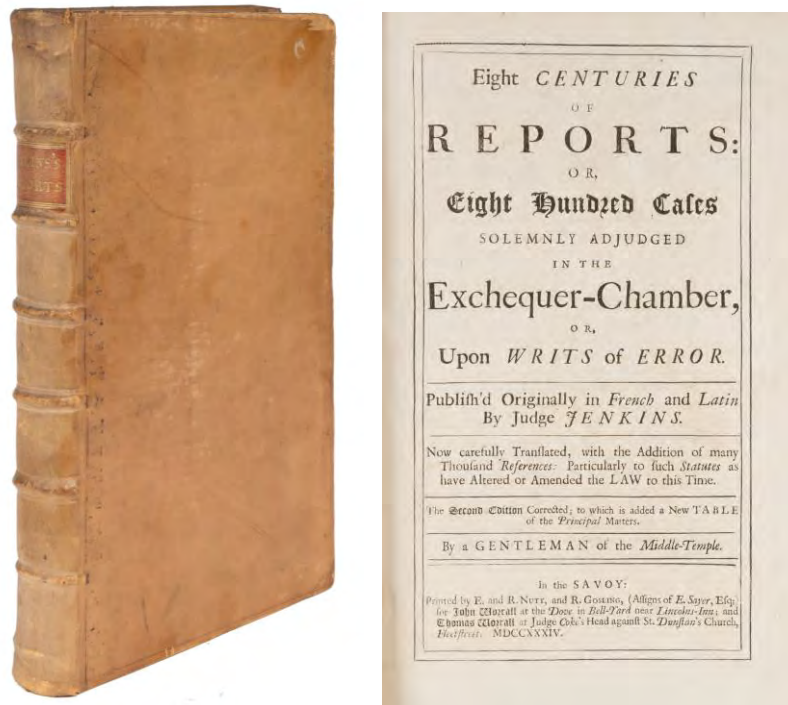
**The Only Early English Collection of Mooted Cases**

**14. Hughes, William, of Gray's Inn.**

*Hughes's Queries. Or, Choice Cases for Moots, Containing Several Points of Law, Not Resolved in the Books. Being Very Useful for the Students of the Common Lawes.* London: Printed for George Dawes, 1675. [xxxiv], 136, [8] pp. Lacking imprimatur leaf. 12mo. (5-1/8" x 3").

Contemporary marbled boards, rebacked in period-style quarter calf, lettering piece and blind fillets to spine, endpapers renewed with old paper. Light rubbing with negligible minor wear to spine ends and corners. Moderate toning to text, headlines, plate marks and catchwords affected in some places by trimming, early owner signatures and doodles to title page, light foxing to endleaves. A handsome copy. \$750.

\* Only edition. Organized alphabetically by topic, this is the earliest collection of mooted cases. Each example describes the facts, outlines the issues and offers conclusions. As Holdsworth points out, this book aimed to revive a tradition in English pedagogy that predates the inns of court. Holdsworth, *A History of English Law* VI:600. *English Short-Title Catalogue* R32040. [Order This Item](#)



### A "Father" of Leading Cases

#### 15. Jenkins, [David] [1582-1663].

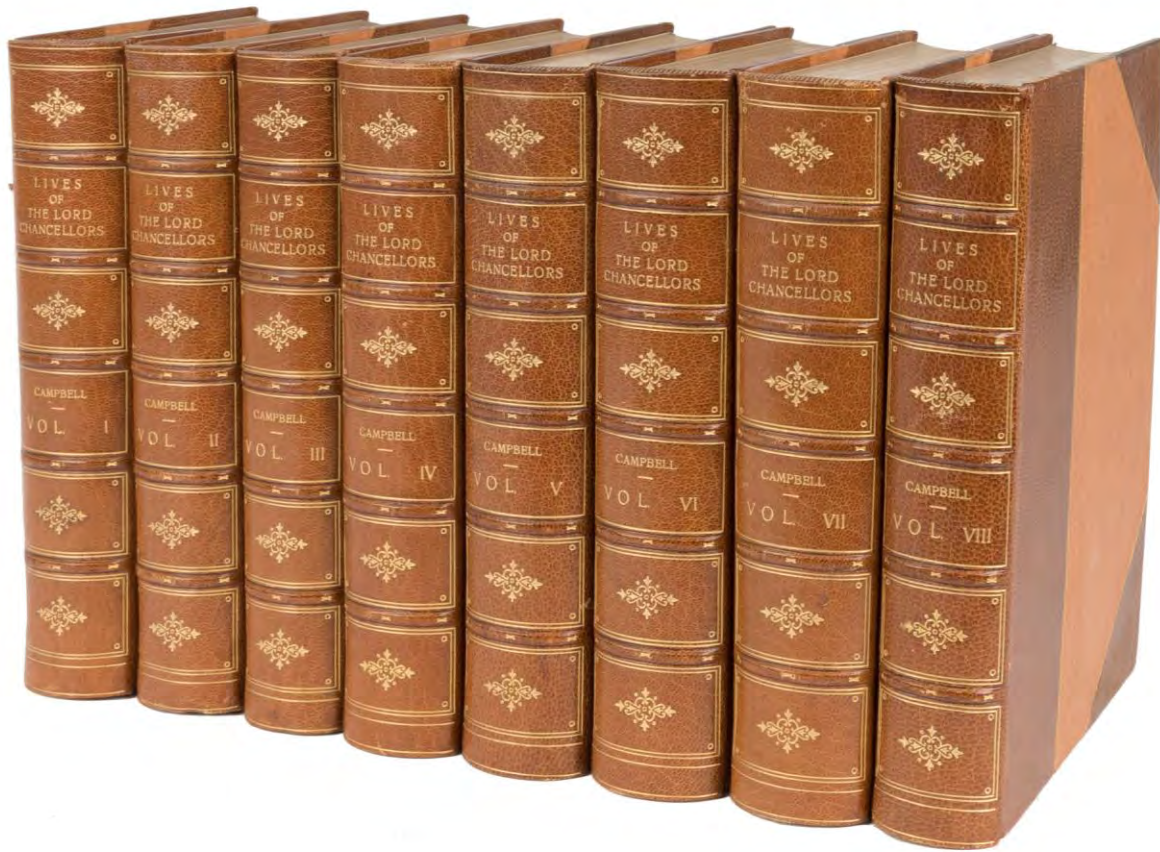
*Eight Centuries of Reports: Or, Eight Hundred Cases Solemnly Adjudged in the Exchequer-Chamber, Or, Upon Writs of Error. Publish'd Originally in French and Latin by Judge Jenkins. Now Carefully Translated, With the Addition of Many Thousand References: Particularly to Such Statutes as Have Altered or Amended the Law to this Time. Corrected; To Which is Added a New Table of the Principal Matters.* London: Printed by E. and R. Nutt, And R. Gosling, 1734. [ii], x, [10], 144, 159-341, [29] pp. With an initial advertisement leaf. Pagination irregular, text complete. Folio (12" x 7-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, blind tooling to board edges. Light rubbing to boards, somewhat heavier rubbing to extremities, corners bumped and somewhat worn, front hinge partially cracked, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to preliminaries, shelf number (?) in early hand to front free endpaper. Light toning to text, faint dampspotting to a few leaves, offsetting to margins of endleaves. \$750.

\* First edition in English and the second edition overall. First published in 1661, this collection includes cases from the 13th through 17th centuries. By far, it covers a greater time period than any other reporter. The oldest case is from 1220, far earlier than any cases reported in the Year Books. "[T]his book...is not in any true sense a book of reports, though it does...contain certain abstracts of manuscript cases not elsewhere found. The book consists in the main of abstracts of Fitzherbert's *Abridgment*, and perhaps from Statham's and Brooke's; from the *Year Books*, and from the reports of Keilway, Benloe, Dalison, Dyer, Plowden, Coke, and some other persons, - the source from which he gets the abstracts being generally stated in the margin. When the case which he presents is important, he occasionally appends a note of his own; being, in this respect, the father of all the various persons, who, in our own day, have published *Leading Cases*" (Wallace). Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirburn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Wallace, *The Reporters* 69. *English Short-Title Catalogue* T32459.

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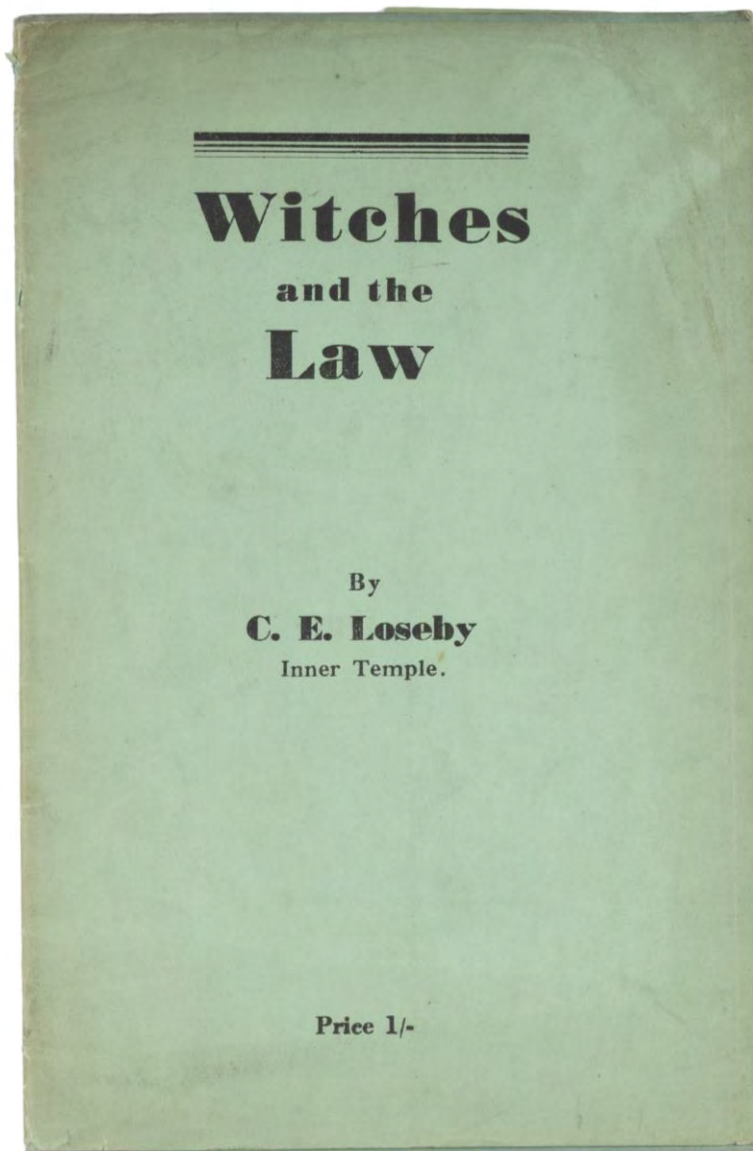
**A Handsomely Bound Copy of Campbell's *Lives of the Lord Chancellors***

**16. Campbell, John, 1st Baron Campbell [1779-1861].**

*The Lives of the Lord Chancellors and Keepers of the Great Seal of England, from the Earliest Times Till the Reign of King George IV.* London: John Murray, 1848-1869. Seven volumes and continuation volume. Complete set. Octavo (8-1/2" x 5-1/2").

Later three-quarter morocco over cloth signed by Bayntun, gilt rules to boards, raised bands and gilt titles to spines, top-edges gilt, marbled endpapers. Light rubbing to extremities, minor nicks and finger smudges to a few volumes, moderate toning to interiors. A handsome set. \$950.

\* Volumes 1-5: third edition; Volumes 6-8, first edition. This classic study, which went through several editions, is an incomparable storehouse of legal history and anecdote. Volume VIII is a continuation volume with an index to the entire set. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:54. [Order This Item](#)



**A 1946 Essay on Laws Suppressing English Spiritualists**

**17. Loseby, C[harles] E[dgar].**

*Witches, Mediums, Vagrants and the Law*. Manchester: Spiritualists' National Union, 1946. [31] pp.

Stapled wrappers in printed dust jacket. A few faint creases near head of spine, light soiling to exterior, some wear to spine ends and corners, light toning to interior. \$250.

\* Written by a lawyer and Member of Parliament, this historically grounded essay argues for the legalization of spiritualist mediums. It may have been influential. A few years after its publication, the Fraudulent Mediums Act of 1951 allowed them to practice their craft and invalidated earlier laws declaring them witches and vagrants. OCLC locates 12 copies, 7 in North American law schools (Columbia, Harvard, Library of Congress, NYU, University of Kansas, University of Michigan, Washington University). [Order This Item](#)



"Valuable and Accurate"

**18. Lutwyche, Sir Edward [d. 1709].**

*Un Livre des Entries: Contenant Auxi un Report des Resolutions del Court sur Diverse Exceptions Prises as Pleadings, Et Sur Auters Matters en Ley; Surdant (Pur la Plupart) en le Court de Common-Bank, Enter le 34 An del Roy Charles le Second, & le 2 An del Raigne de sa Present Majesty, La Roigne Anne. Et Ascuns Observations sur Diverse de les Presidents, Cybien ceux Queux ne Fueront Unques Debate en Court, Come sur Plusieurs de les Auters. Oversque Deux Tables, l'Un de les Nosmes des Cases, & l'Auter des Matters Contenus en Yceux. En Deux Volumes.* London: Printed by the Assigns of Richard and Edward Atkins, 1704. Two volumes. [xvi], 912; [ii], 913-1668, [104] pp. Volume I has copperplate portrait frontispiece. Folio (12-1/2" x 8").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands, lettering pieces and small early paper shelf labels to spines. Light rubbing and scuffing to boards, some fading to spines, moderate rubbing to extremities, light chipping to spine ends, corners bumped and somewhat worn, a few joints cracked, hinges starting, front board of Volume I beginning to separate but secure, armorial bookplate of the Earls of Macclesfield to front pastedown, early Macclesfield library annotations to endleaves, small embossed Macclesfield crest to preliminaries. Interiors notably bright, brief notes and underlining to a few places in each volume. \$500.

\* First Edition. Covering the period from 1683-1704, and with an excellent index, this work is a both a reporter and a book of entries. The reports include pleadings and the courts' resolutions of the issues. Wallace says this work is "valuable and accurate." Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Wallace, *The Reporters* 395. *English Short-Title Catalogue* T8049. [Order This Item](#)





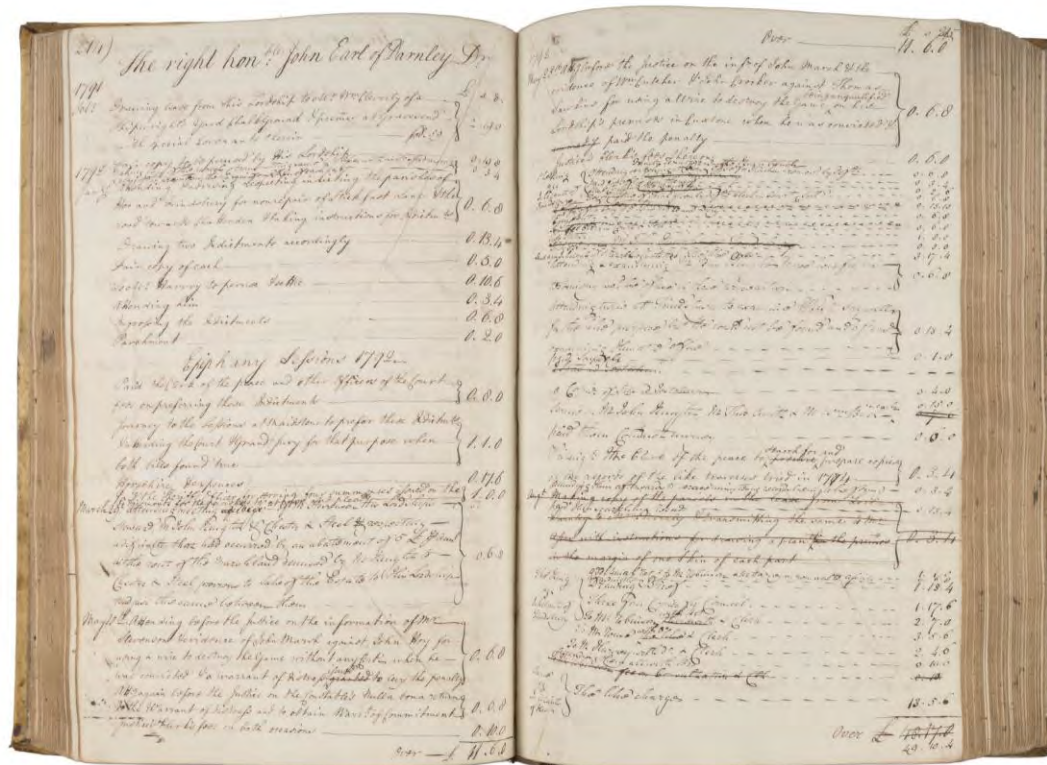
### Notes and Draft Manuscript of a Notable Scottish Treatise on Slander and Libel

#### 19. [Manuscript]. [Borthwick, John].

*Borthwick on Libel M.S.S.* (Spine Title). Edinburgh?, c.1811-c.1825. Two books designated (on spines) "No.1" and "No.2. Appendix." Approximately 800 pp. Several additional leaves and a few printed documents laid in. Folio (13" x 8-1/2").

Contents on various papers of different sizes bound into contemporary starched buckram, calf lettering pieces to spines. Moderate soiling, corners and spine ends bumped. Light toning to interiors, light soiling in a few places, contents in legible hand to rectos, occasional content to versos, a few additional notes (of various sizes) affixed with pins, "Borthwick" in bold hand to front pastedown of second volume. \$4,500.

\* The first book is a intermediate draft version of Borthwick's well-regarded *A Treatise on the Law of Libel and Slander, As Applied in Scotland, In Criminal Prosecutions, And in Actions of Damages* (1826). It has a title page reading (in part): "A Treatise on the Law of Verbal Injuries as Applied, In Scotland, In the Prosecution of Those Public Crimes, & Private Offences, Which Arise from Libel, And Slander." Roughly similar to the published text, it has several re-written passages, additions and cross-outs, some of them quite extensive. In a few cases, such as the introduction, first drafts are bound before later drafts. The second book has a title page reading "Notes on Scotch Law of Libel & Slander." It is a compilation of notes dating back to the early 1800s. (The earliest dated note is from 1811.) This book also has printed and manuscript copies of court records, such as opinions, notes on cases, passages copied from treatises and letters from lawyers and judges responding to questions about knotty legal points. [Order This Item](#)



### Eighteenth-Century Account Books of a Law Firm in Rochester, Kent, England

20. [Manuscript].

[Solicitors].

[Great Britain].

[Two Account Books]. Rochester, England, 1752-1791, 1797-1800. [xiii], 145; [xxvi], 744 pp. Main texts of both volumes preceded by thumb-tabbed indexes. Folio (14-1/4" x 9-1/2" and 14-1/2" x 9-1/2")

**Book 1:** Contemporary green vellum, blind rules and large blind arabesques to boards, spine perished, boards detached, slightly bowed and lightly rubbed, moderate rubbing to board edges with wear to corners. Moderate toning to text, preliminary leaves, including first part of index (to letter P) lacking, five other leaves neatly removed, first quarter of text block and a few blank leaves at end of text block detached and moderately edgeworn. **Book 2:** Contemporary plain vellum, blind rules and calf bosses to boards, small calf title labels reading "Bill Book C" to front board and spine, marbled endpapers. Light soiling, moderate rubbing to boards and extremities, joints just starting at ends, corners bumped and somewhat worn, three index leaves detached and edgeworn with loss to thumb-tabs. **Both:** Moderate toning, light foxing in places, content in neat hands to rectos and versos of all paginated leaves. \$2,850.

\* These two books provide a half-century record of an (alas unidentified) elite firm of solicitors in Rochester, Kent, an important town about 30 miles from London. The entries record clients, legal services provided, fees charged and dates of payment. Among the clients are several gentlemen, nobles, military and naval officers, city officials and high-ranking clergymen, as well as businesses, civic organizations, the Town of Rochester and the dean and chapter of Rochester Cathedral. There are also occasional entries for people in the middle and lower-middle classes. Along with people in the town, the firm served clients in such neighboring villages as Gillingham and Chatham. Also valuable for their insights into social history, these books provide a vivid legal record of an important English town during the second half of the eighteenth-century. [Order This Item](#)





### Rare Imprint of an Important Early Law Dictionary

21. Nebrija, Antonio de [c.1444-1522], Compiler.

Caccialupi, Giovanni Battista [c. 1420-1496].

[Jodocus of Erfurt, Presumed Compiler of *Vocabularius*].

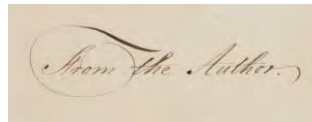
[Accorso, Francisco (Accursius) (c.1182-c.1260)].

*Vocabularium Utriusque Iuris. Nuperimè Summa Cura Summòque Recognitum ac Emendatum: Atque ex Confusa Vocum Serie in Rectum Ordinem Redactum, Multisque Multarum Vocum Significationibus, Quae Hactenus à Iuris Studiosis Maiorem in Modum Desiderabantur, Locupletatum: Cum Tractatu Admodum Utili de Ratione Studii. Accessit Praeterea Lexicon Iuris Civilis: In quo Varii & Insignes Errores Accursii Notantur.* Lyon: Apud Haeredes Iacobi Iunctae, 1566. 720 pp. Main text in parallel columns. Octavo (6-1/2" x 4-1/4").

Contemporary limp vellum with lapped edges, early hand-lettered titles to spine and foot of text block, fragments of thong ties. Light soiling and a few spots to boards, corners and spine ends bumped, small chip to front joint, front pastedown chipped in places and beginning to detach, front free endpaper lacking. Moderate toning to text, headlines affected in a few places by trimming, owner inscription to front pastedown dated 1900, early struck-through owner signature and date to title page. \$2,500.

\* Later edition. A work of great authority, this popular dictionary was first published in 1506 as part of a collection of Nebrija's legal writings. It went through more than twenty-five editions, with several variations in content, during the sixteenth and seventeenth centuries. All editions have two principal parts: the fifteenth-century *Vocabularius* attributed to Jodocus of Erfurt and Nebrija's *Lexicon Iuris Civilis*. It is a curious hybrid of late-medieval and renaissance scholarship; the former work is a typical scholastic compilation, the latter is a humanistic work grounded in philology and historical commentary. Nebrija was an important Spanish scholar and educator. Educated at the universities of Salamanca and Bologna, he read widely in law, medicine and theology. His philological work, which included the first Spanish grammar and dictionary, led to the standardization of the language. In 1502 he was a member of a group of scholars gathered by Cardinal Ximenes de Cisneros at Alcalá to produce the Complutensian Polyglot Bible. This edition also includes Caccialupi's *Tractatus de Modo Studendi in Utroque Iure*, an introductory textbook for law students, and an excerpt from Nebrija's *Observationibus in Libros Iuris Civilis*, a commentary on Accursius's glosses on Justinian. OCLC locates 4 copies, none in North America. This edition not in Adams. [Order This Item](#)





**Handsome Presentation Copy of an Uncommon Volume of Exchequer Reports**

**22. Parker, Thomas [1695?-1784], Reporter.**

*Reports of Cases Concerning the Revenue, Argued and Determined in the Court of Exchequer, From Easter Term 1743, To Hilary Term 1767. With an Appendix, Containing Cases Upon the Same Subject in Former Reigns. With Two Tables; The One of the Names of the Cases, The Other of the Principal Matters.* London: Printed by W. Strahan and M. Woodfall, 1776. v, [iii], 283, [13] pp. Folio (12-1/2" x 7-3/4").

Contemporary calf, gilt rules to boards, gilt spine with raised bands and lettering piece, gilt tooling to board edges, marbled endpapers. A few minor nicks, scuffs and stains, negligible light rubbing to boards and extremities, corners bumped, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to title page and following leaf, "From the Author" to verso of front free endpaper. Very light toning to text, light foxing and finger smudges to a few leaves. A handsome, notably well-preserved copy. \$500.

\* First edition. An important and uncommon set of Exchequer reports. Thomas Parker (not to be confused with Sir Thomas Parker, 1666?-1732, first Earl of Macclesfield and Lord Chancellor) served as chief baron of the Court of Exchequer for some 30 years; these are his own reports of his decisions. "He published these reports he tells us, because there were few cases in print in which the law relating to revenue was explained. To these cases (1743-1767) he added some others decided (...) between 1678 and 1718" (Holdsworth). There were also octavo editions in 1791 and 1800. Wallace says this work is "valuable and accurate." Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirburn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Holdsworth, *History of English Law* XII:133. Wallace, *The Reporters* 534. *English Short-Title Catalogue* T95680. [Order This Item](#)



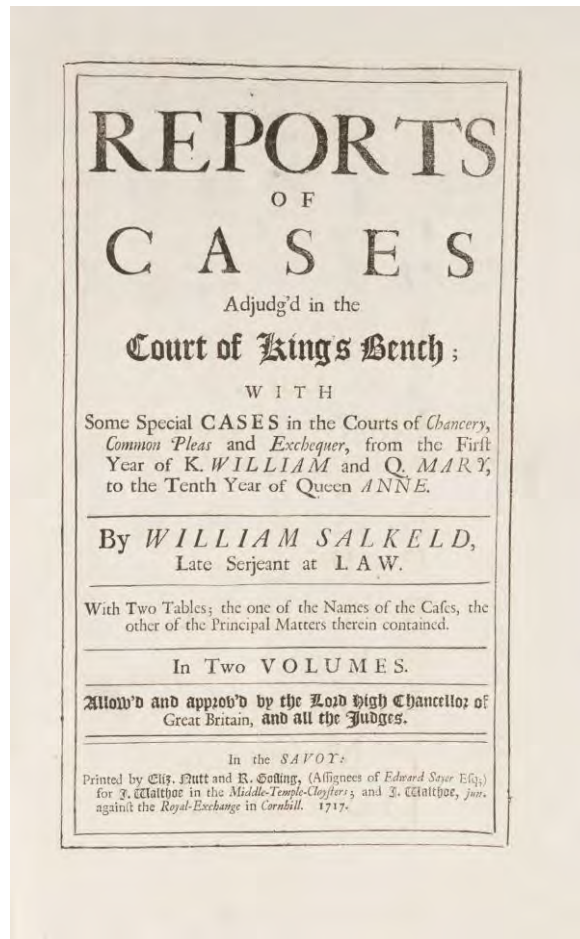
### A Valuable Set of Reports

#### 23. Pollexfen, Henry [1631-1691], Reporter.

*The Arguments and Reports of Sr. Hen. Pollexfen, Kt. Late Lord Chief Justice of the Court of Common Pleas, In Some Special Cases, By Him Argued During the Time of his Practice at the Barr. Together with Divers Decrees in the High Court of Chancery. Upon Limitations of Trusts of Terms for Years. The Whole Printed from the Author's Original Manuscript. Revised and Corrected With His Own Hand. And Published with the Allowance and Approbation of the Lord Keeper, And All the Judges.* London: Printed for R. Smith and John Deewe, 1702. [xii], 180, 185-250, 369-664, [8] pp. Pagination irregular, but complete. Folio (12-1/2" x 8").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands, lettering piece and small early paper shelf labels to spine, gilt tooling to board edges. Light rubbing and a few shallow scuffs to boards, moderate rubbing to extremities and backstrip, corners bumped and moderately worn, minor worming and armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield crest to title page and following two leaves. Interior notably fresh, brief early annotations in a few places, light soiling to a few leaves, foxing to endleaves, light soiling to title page. \$250.

\* Only edition, of two issues, both from 1702. Based on the author's manuscript notes of cases in which he was a participant, these valuable reports were published posthumously in English with revisions and corrections added by the author. Pollexfen "was a lawyer of extensive practice and seems to have been engaged in most of the important cases (of the period)" (Wallace). The reports include cases heard in the courts of King's Bench, Common Pleas, Exchequer, and Chancery from 1669-1685; there are a few earlier cases as well. Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Wallace, *The Reporters* 346. *English Short-Title Catalogue* N30019. [Order This Item](#)



**"Their General Accuracy,  
I Believe, Has not Been Questioned"**

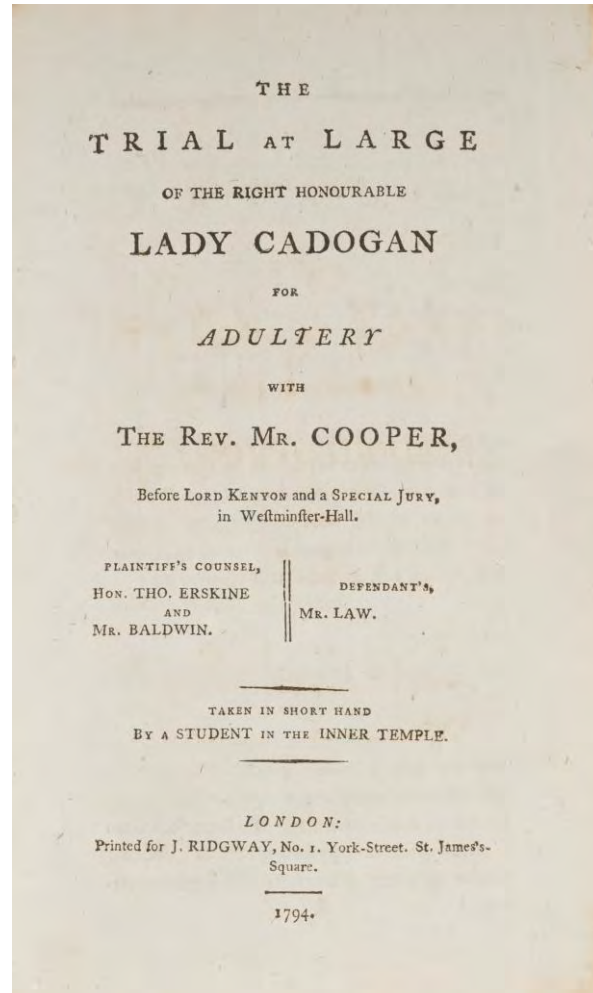
**24. Salkeld, William [1671-1715]. Reporter.**

*Reports of Cases Adjudg'd in the Court of King's Bench; With Some Special Cases in the Courts of Chancery, Common Pleas and Exchequer, from the First Year of K. William and Q. Mary, To the Tenth Year of Queen Anne. With Two Tables; The One of the Names of the Cases, The Other of the Principal Matters Therein Contained. Allow'd and Approv'd by the Lord High Chancellor of Great Britain, And All the Judges.* [London]: Printed by Eliz. Nutt and R. Gosling, 1717. 2 volumes. [16], 410, [2]; [14], 411-793, [111] pp. Complete. Includes two-page publisher advertisement. Folio (12-3/4" x 8").

Contemporary calf, gilt rules to boards, raised bands, gilt ornaments, lettering piece, and small early paper shelf labels to spine, blind tooling to board edges. Light rubbing and few shallow scuffs to boards, moderate rubbing to extremities, corners bumped and somewhat worn, front hinge of Volume I cracked, armorial bookplates of the Earls of Macclesfield to front pastedowns, small embossed Macclesfield crest to preliminaries. Light to moderate toning, browning and light foxing in a few places. \$450.

\* First edition. Covers the period from 1689-1712. "The first two volumes of Salkeld were published under the supervision of Lord Hardwicke, and their general accuracy, I believe, has not been questioned" (Wallace). Bibliographically distinct, a third volume was added to this set in 1724. Our copy of this title belonged to the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. Wallace, *The Reporters* 399-340. *English Short-Title Catalogue* T97358. [Order This Item](#)





### Lady Cadogan and the Reverend

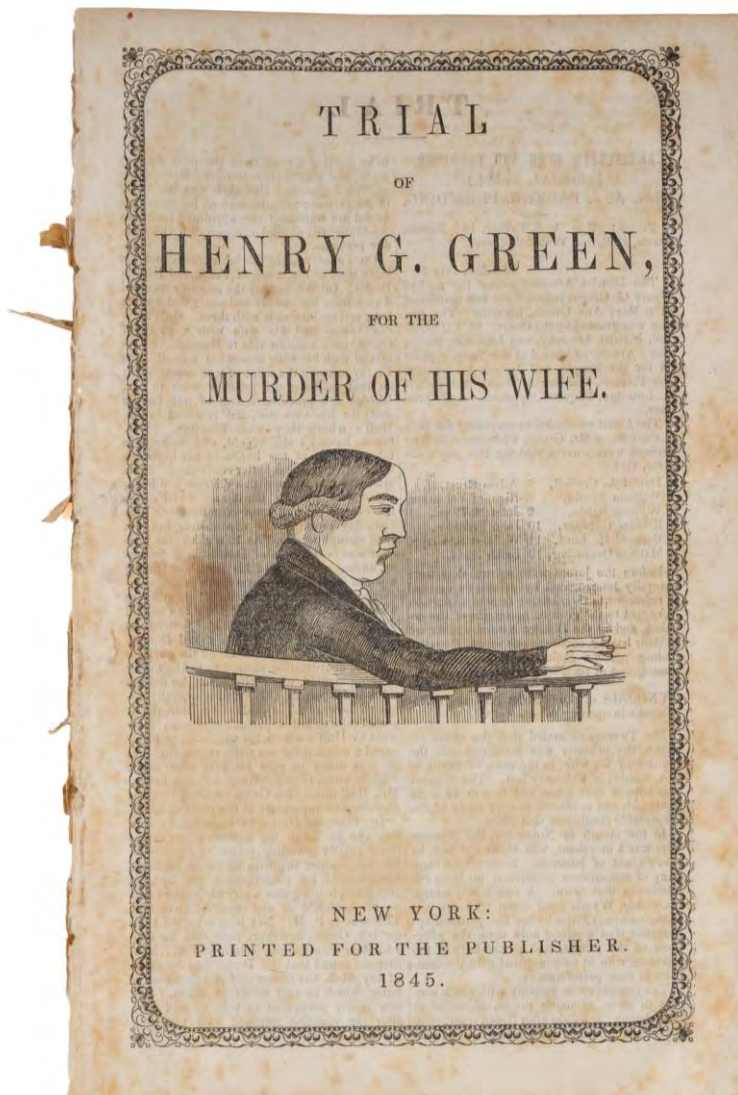
#### 25. [Trial].

#### Cadogan, Mary Churchill, Defendant.

*The Trial at Large of the Right Honourable Lady Cadogan for Adultery with the Rev. Mr. Cooper, Before Lord Kenyon and a Special Jury, In Westminster-Hall. Plaintiff's Counsel, Hon Tho. Erskine and Mr. Baldwin. Defendant's, Mr. Law. Taken in Short Hand by a Student in the Inner Temple.* London: Printed for J. Ridgway, 1794. [iv], 52 pp. Octavo (8-1/4" x 5").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, gilt ornaments and lettering piece, reading "The Reverend and Lady," to spine. Light toning to interior, somewhat heavier in a few places, light foxing to a few leaves. \$1,500.

\* Only edition. Along with its appeal to prurient interest, this trial attracted attention because of the parties involved. Charles Sloane, 1st Earl Cadogan [1728-1807], who brought the action, was a distinguished peer and Whig politician. Mary Churchill, his much-younger wife, was the niece of Robert Walpole [1676-1745], the great Whig politician and, in all but title, first prime minister of Great Britain. Cadogan was represented by Thomas Erskine, 1st Baron Erskine [1750-1823] the great lawyer and politician, Lord High Chancellor of Great Britain between 1806 and 1807. OCLC locates 11 copies, 6 in North American law libraries (Harvard, Library of Congress, Social Law Library, Trial Court Law Library, Worcester, Yale). *English Short-Title Catalogue* T2972. [Order This Item](#)



**He Poisoned His Wife with Arsenic**

**26. [Trial].**

**Green, Henry G., Defendant.**

*Trial of Henry G. Green, For the Murder of His Wife.* New York: Printed for the Publisher, 1845. 32 pp. Text to p. 22 in parallel columns. Octavo (9" x 5-1/2").

Disbound stab-stitched pamphlet, woodcut portrait frontispiece of Green to title page. Moderate toning and light foxing, corners of a few leaves dog-eared, lower right corner lacking from final leaf of text with minor loss. \$950.

\* Only edition. "Green, twenty-two years old, met his wife, Mary Ann Wyatt, eighteen years old, during some Temperance lectures. They had been married less than a week when he poisoned her with arsenic at Berlin, New York. The crime seems to have been induced by his mother's disapproval of his wife" (McDade, annotation to 384). Our New York imprint appears to be based on a 48-page account published in Troy, NY. OCLC locates 6 copies, 2 in law libraries (Harvard, University of Pennsylvania). McDade, *The Annals of Murder* 389. [Order This Item](#)



A Colorful Duchess

27. [Trial].

Kingston, Elizabeth Chudleigh

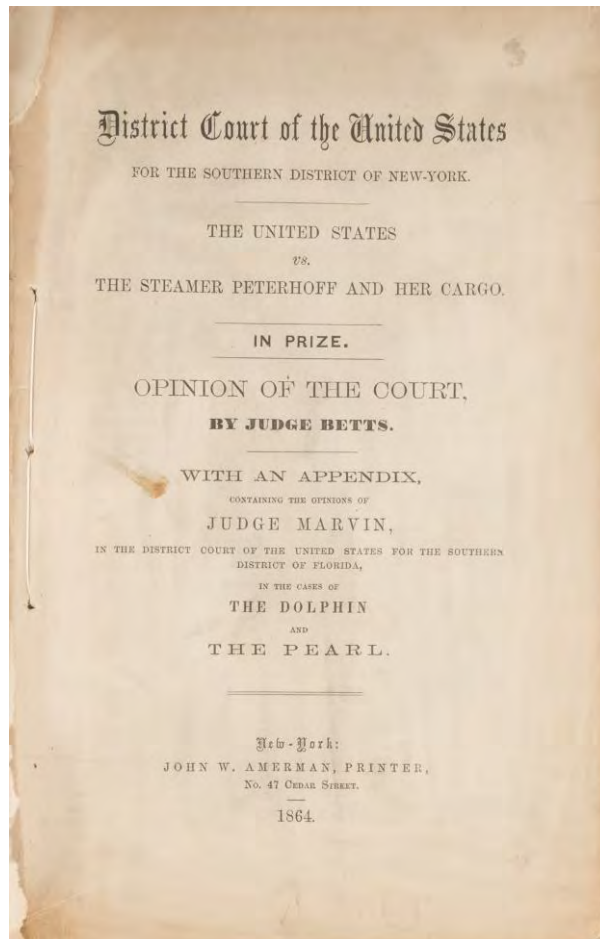
Hervey, Duchess of [1720-1788], Defendant.

*The Trial of Elizabeth Duchess Dowager of Kingston for Bigamy, Before the Right Honourable the House of Peers, In Westminster-Hall, In Full-Parliament, On Monday the 15th, Tuesday the 16th, Friday the 19th, Saturday the 20th, and Monday the 22d of April, 1776; On the Last of Which Days the Said Elizabeth Duchess Dowager of Kingston was Found Guilty. Published by Order of the House of Peers.* London: Printed for Charles Bathurst, 1776. [iv], 176 pp. Title page preceded by imprimatur leaf. Folio (15" x 9").

Recent period-style, three-quarter calf over marbled boards (by Phil Dusel), gilt spine with lettering piece, endpapers renewed. Moderate toning, light soiling and dampspotting to margins of a few leaves, faint dampstaining to heads of preliminaries. \$1,500.

\* Only edition. The colorful duchess is said to have been the basis for William Thackeray's character of Beatrice in *Esmond* and of the Baroness Bernstein in *The Virginians* and was also ridiculed in a play that she tried to legally suppress, *The Capuchin*. Prone to romantic entanglements and scandals, she had many lovers, and it is said that George II was one of many to be swayed by her charms. When she determined to marry the Duke of Kingston, Elizabeth feared the scandal of divorce from her first husband, Augustus Hervey, later Earl of Bristol, who wanted a divorce, so she instituted a suit of jactitation against him. His negative response ignored, she took an oath that she was unmarried, and the court so declared her. She married the Duke of Kingston in 1769, and he died in 1770 and left her a substantial estate on the condition that she remain a widow. The duke's nephew, Mr. Evelyn Meadow, brought suit against her for bigamy shortly after the duke's death, while she was traveling in Italy. She returned to England to stand trial. Found guilty, she would have been "burned on the hand" but she claimed the privilege of her peerage which served to exempt her from corporal punishment. She continued a life of travel and adventure until her sudden death in Paris in 1788. *Dictionary of National Biography* IX:730. Sowerby, *Catalogue of the Library of Thomas Jefferson* 1957. *English Short-Title Catalogue* T92941. [Order This Item](#)





**Interesting Civil War Prize Case  
Concerning an English Blockade Runner**

28. [Trial].

[Steamer Peterhoff].

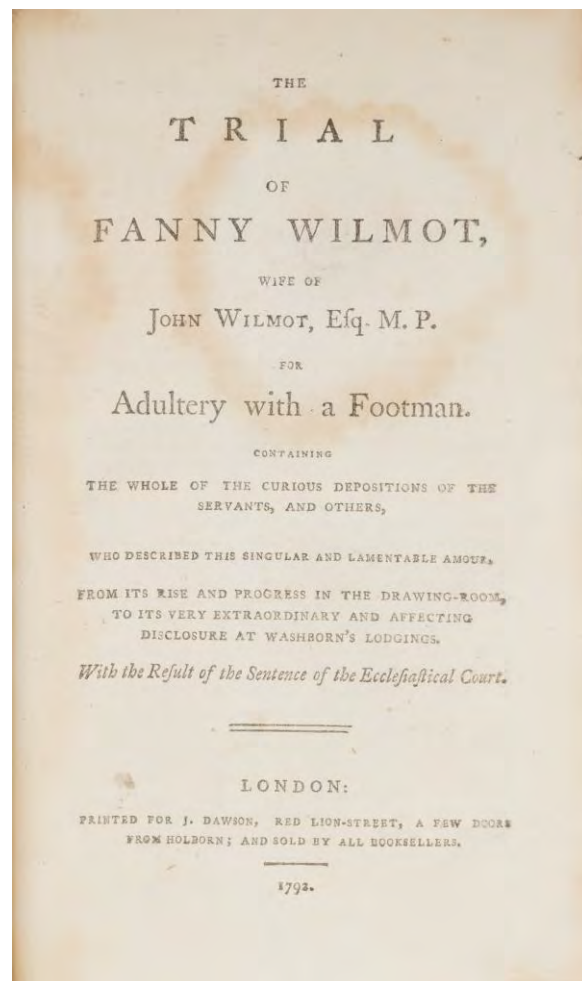
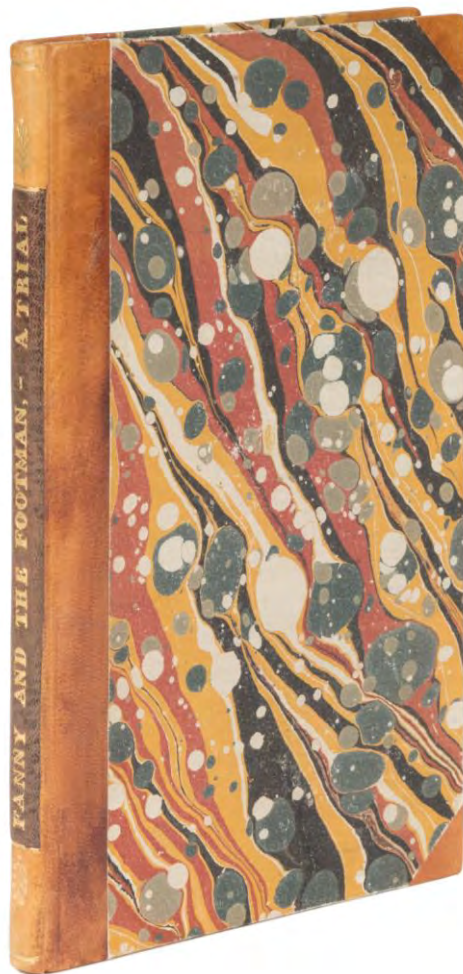
Betts, Samuel R. [1786-1868].

Marvin, William [1808-1902].

*The United States vs. The Steamer Peterhoff and Her Cargo. In Prize. Opinion of the Court, By Judge Betts. With an Appendix, Containing the Opinions of Judge Marvin, In the District Court of the United States for the Southern District of Florida, In the Cases of the Dolphin and the Pearl.* New York, John W. Amerman, Printer, 1864. 116 pp. Octavo (9" x 6").

Stab-stitched pamphlet, wrappers lacking, bound into recent calf-stamped cloth, printed paper title label to spine. Light wear to corners of text block, moderate toning to text, light soiling and some edgewear to title page. \$750.

\* Only edition. At head of title page: District Court of the United States for the Southern District of New York. The *Peterhoff* was a English blockade runner that was boarded and seized by the U.S. Navy in the harbor of St. Thomas, then a Danish possession. Brought to Key West, she was later condemned by the New York prize court and sold to the U.S. Navy, which refitted it as a patrol ship. The international dispute over the legality of the seizure delayed her service for almost a year. After the Civil War, the Supreme Court overturned the prize court's decision and the U.S. Government was compelled to compensate the Peterhoff's owners for their loss. OCLC locates 14 copies, 11 in North America, 3 in law libraries (Columbia, Harvard, Library of Congress). Sabin, *A Dictionary of Books Relating to America* 61179. [Order This Item](#)



**"This Singular and Lamentable Amour"**

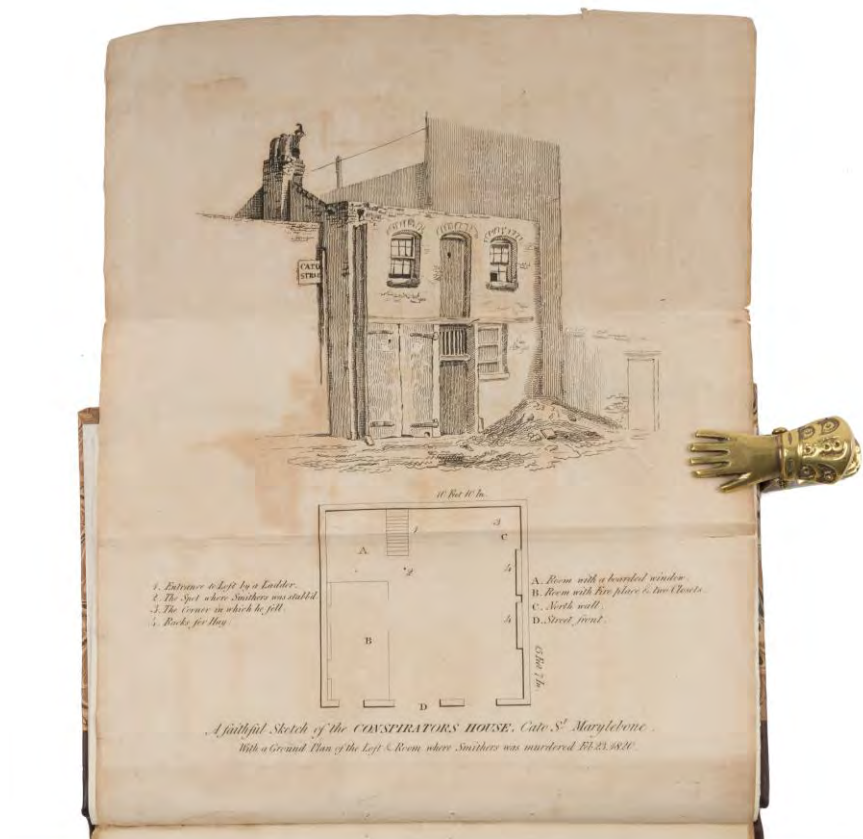
**29. [Trial].**

**Wilmot, Fanny, Defendant.**

*The Trial of Fanny Wilmot, Wife of John Wilmot, Esq. M.P. for Adultery with a Footman. Containing the Whole of the Curious Depositions of the Servants, And Others, Who Described this Singular and Lamentable Amour from its Rise and Progress in the Drawing-Room, To its Very Extraordinary and Affecting disclosure at Washborn's Lodgings. With the Result of the Sentence of the Ecclesiastical Court.* London: Printed for J. Dawson, 1792. [3]-65 [i.e.69] pp. Lacking half-title and final leaf, a printer advertisement. Octavo (8-1/4" x 5").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, lettering piece, and gilt ornaments to spine, which has light fading. Light toning to interior, faint dampspotting to a few leaves, faint stain to title page. \$1,500.

\* Only edition. Intended to titillate, this is a set of depositions, many from servants, detailing the Fanny Wilmot's affair with her footman, Edward Washborn. This affair attracted notice because the cuckolded husband was John Eardley Wilmot [1748-1815] was a well-known lawyer, author and politician from a distinguished family who sat in the House of Commons from 1776 to 1796. A divorce was granted. OCLC locates 5 copies, 3 in North America, 1 in a law library (Harvard). *English Short-Title Catalogue* T2972. [Order This Item](#)



Rare Account of the Cato Street Conspiracy Trial with a Folding Plate

### 30. [Trials].

#### [Cato Street Conspiracy].

#### Thistlewood, Arthur [1774-1820], Primary Defendant.

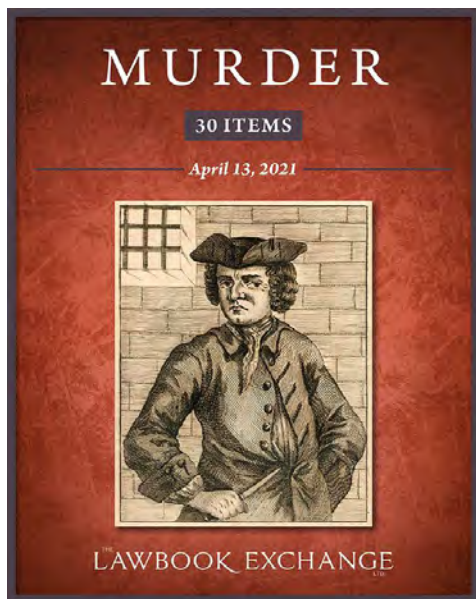
*The Trials of Arthur Thistlewood, James Ings, John Thomas Brunt, and Others, for High Treason, before Chief Justice Abbott, Sir Robert Dallas, and Special Juries, At the Old Bailey, London; Which Commenced on Saturday, April 15th, 1820, And Closed on Thursday, April 27th, 1820. From the Notes of a London Reporter.* Leeds: Printed by John Barr, Commercial-Street. 1820. 106 pp. Woodcut portrait frontispiece of Thistlewood facing title page, portrait preceded by large woodcut folding plate depicting elevation and plan titled: "Conspirators' House, Cato St. Marylebone." Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet with untrimmed edges bound into recent quarter-calf over marbled boards, lettering piece and blind fillets to spine. Moderate toning to text, light foxing to a few leaves and folding plate, which has light edgewear and a few short tears along folds. \$950.

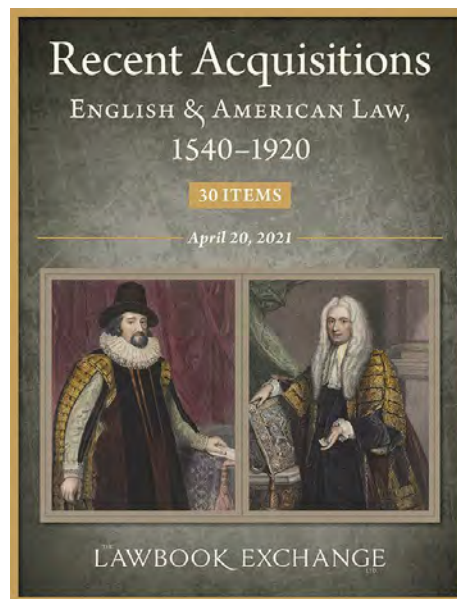
\* Second edition. Led by Arthur Thistlewood, the event known as the Cato Street Conspiracy was an attempt to murder all of the ministers and prime minister of King George IV in 1820. Motivated in part by the economic depression of the period, the conspirators wished to avenge earlier protests suppressed by the state, such as the Paterloo Massacre. The conspirator's goal was to overthrow the government and initiate a revolution similar to the French Revolution. Betrayed by one of the co-conspirators, Thistlewood and four others were captured, tried and executed. There are many accounts of this trial, nearly all published in London. This account by a Barr is rare. Library Hub locates 1 copy at the British Library. OCLC adds 5: Harvard Law School, New York Public Library, Library of Congress, University of Georgia Law School, University of Melbourne. Only two of these have records mention the folding table, which suggests some copies were issued without one. [Order This Item](#)



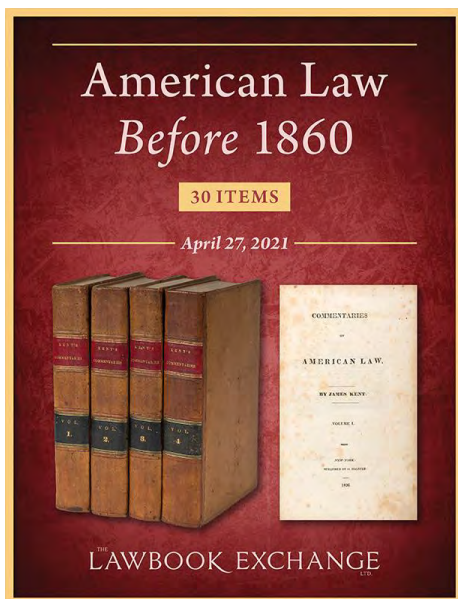
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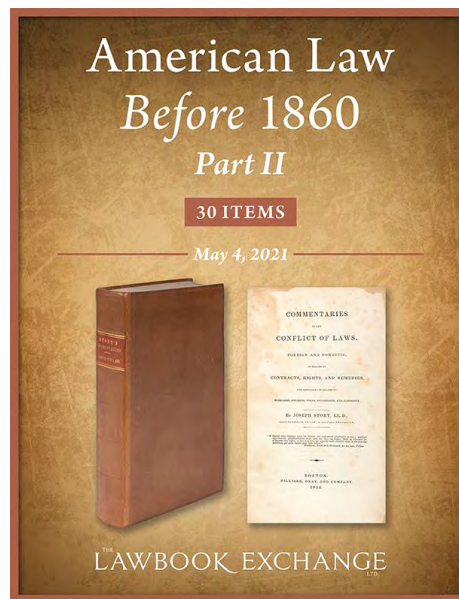
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