

A SELECTION OF 30

Antiquarian Items

*Athenian, Canon, Civil, Common
Jewish & Roman Law*

May 7, 2019



THE
LAWBOOK EXCHANGE
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"A Little Too Human to be Strictly Scientific"

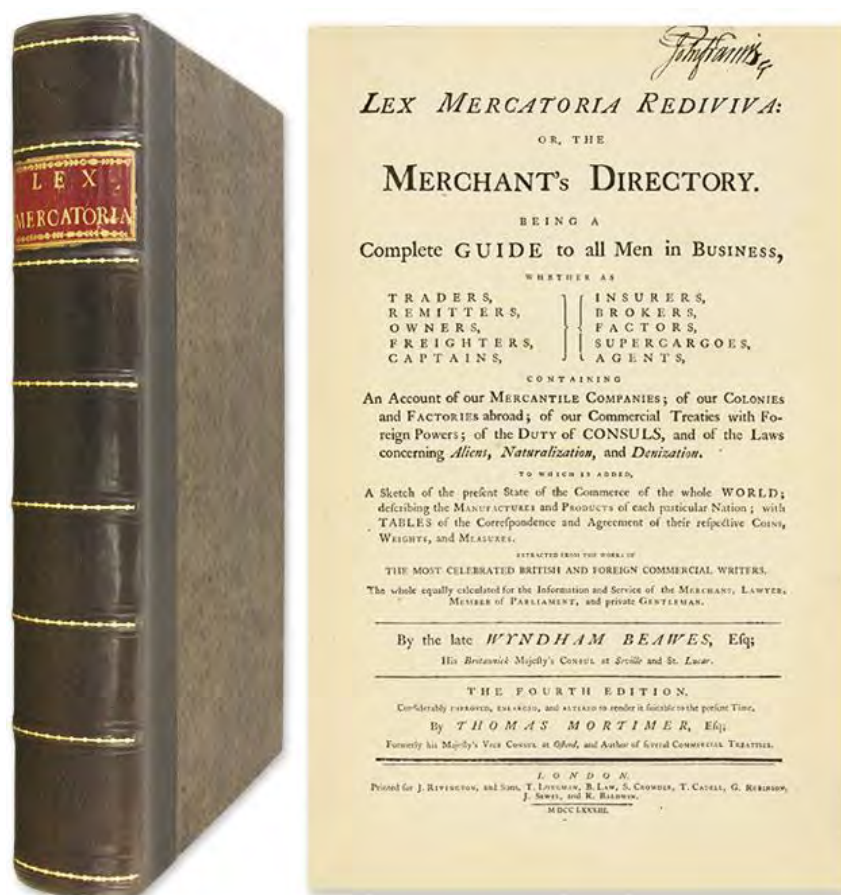
1. Acton, John [d. 1350].

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

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

Recent calf, boards have gilt rules enclosing handsomely tooled blind panels, gilt spine with raised bands and lettering piece, endpapers renewed. Printed throughout in red and black, woodcut pictorial title page, divisional title page (f. 1) and vignette at head of main text (f. 2), woodcut initials, some pictorial. Light toning to text, faint dampstaining in places, mostly confined to margins, occasional worming, mostly to rear of text, with negligible loss to text, brief early annotations to a few leaves. A handsome copy. \$4,000.

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



"An Authority in Mercantile Customs": Kent

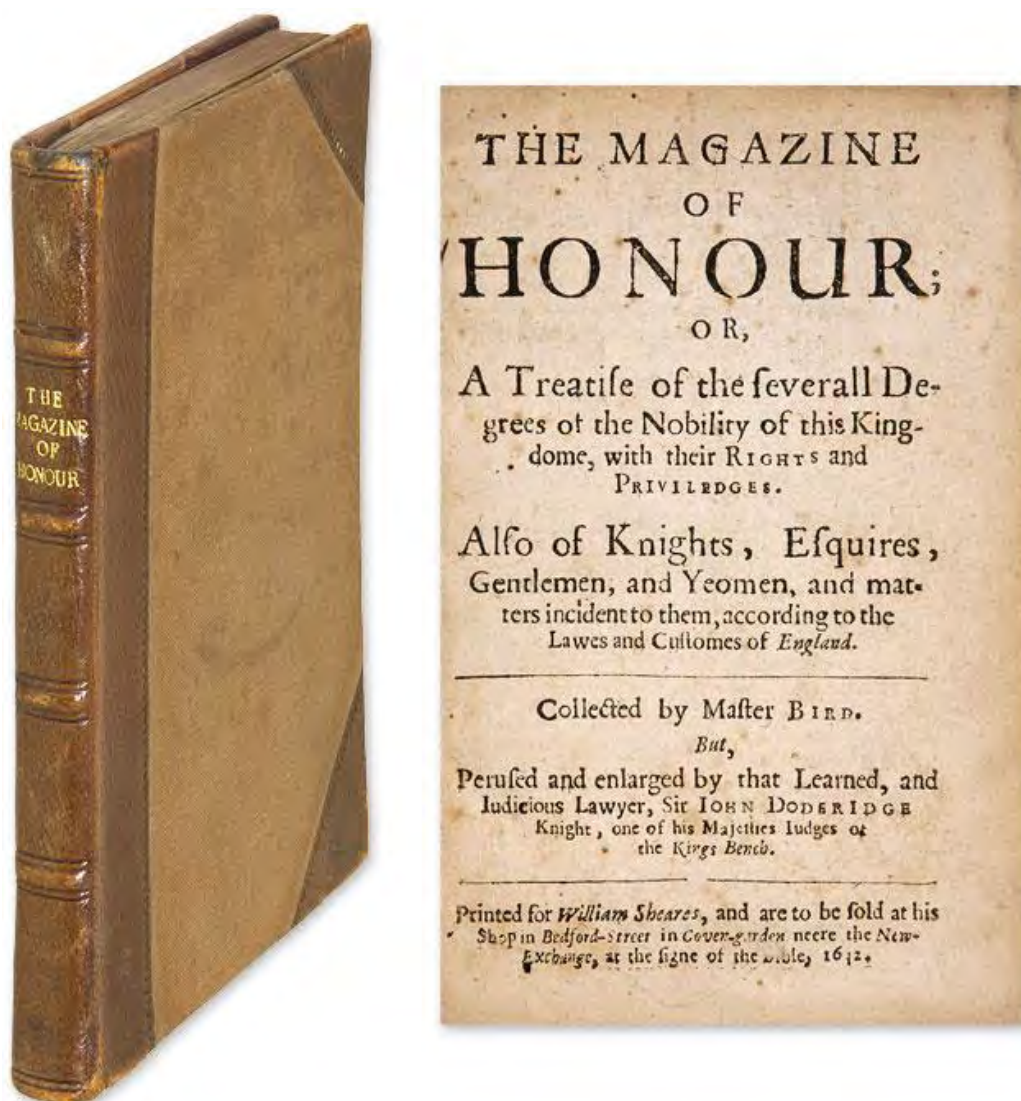
2. Beawes, Wyndham [fl. 1775].

Mortimer, Thomas, Editor.

Lex Mercatoria Rediviva: Or, The Merchant's Directory. Being a Complete Guide to All Men in Business; Whether as Traders, Remitters, Owners, Freighters, Captains, Insurers, Brokers, Factors, Supercargoes, Agents. Containing an Account of Our Mercantile Companies; Of Our Colonies and Factories Abroad; Of Our Commercial Treaties with Foreign Powers; Of the Duty of Consuls, And of the Laws Concerning Aliens, Naturalization, and Denization. To Which Is Added, a Sketch of the Present State of the Commerce of the Whole World; Describing the Manufactures and Products of Each Particular Nation; With Tables of the Correspondence and Agreement of Their Respective Coins, Weights, and Measures. Extracted from the Works of the Most Celebrated British and Foreign Commercial Writers. The Whole Equally Calculated for the Information and Service of the Merchant, Lawyer, Member of Parliament and Private Gentleman. Considerably Enlarged and Improved. London: Printed for J. Rivington, and Sons, [et. al.], 1783. vi, [6], 944 [16] pp. Fold-out table. Folio (15-1/2" x 9-1/2").

Recent period-style quarter calf over cloth, raised bands and contemporary lettering piece to spine, endpapers renewed. Clean tear to license leaf, toning, occasional light foxing. Early owner signature to head of title page, brief annotations to a few leaves, interior otherwise clean. A handsome copy. \$500.

* Reissue of the fourth edition. Beawes was a merchant and his book was intended to be "a guide to all men in business." Nonetheless the *Lex Mercatoria* was often cited in court, and its authority formed the basis of several decisions. It was especially influential in the United States, where, according to Kent, it was "an authority in mercantile customs." Kent, *Commentaries on American Law* III:126. *English Short-Title Catalogue* T136426. [Order This Item](#)



"Nobility of the Realme"

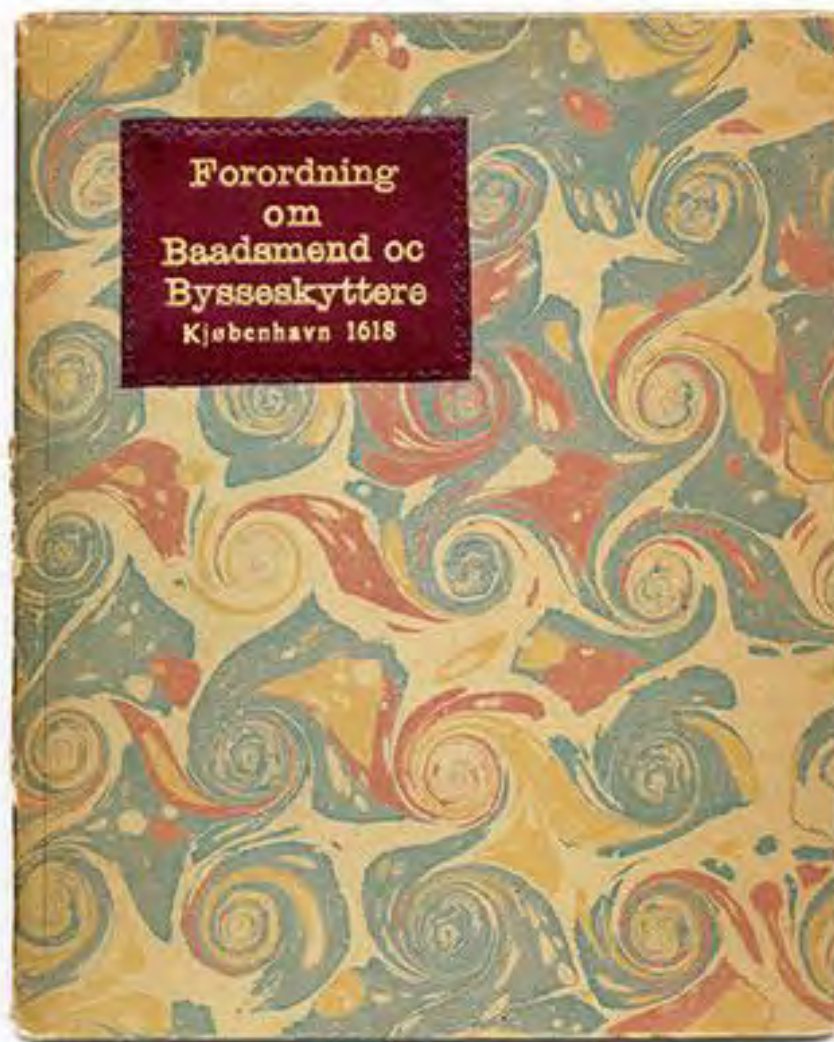
3. Bird, [William].

Doddridge, Sir John [1555-1628].

The Magazine of Honour; Or, A Treatise of the Severall Degrees of the Nobility of this Kingdome, With Their Rights and Priviledges. Also of Knights, Esquires, Gentlemen, And Yeomen, And Matters Incident to Them, According to the Lawes and Customes of England. Collected by Master Bird. But, Perused and Enlarged by That Learned, And Iudicious Lanyer, Sir Iohn Doderidge Knight, One of His Majesties Iudges of the Kings Bench. London: Printed for Laurence Chapman, And William Sheares, 1642. [iv], 56, 65-114, 139-170, 105-158 pp. Text continuous despite pagination. Octavo (6-1/4" x 4").

Later three-quarter morocco over cloth, gilt title and raised bands to spine. Some rubbing to extremities, light soiling and some minor stains to boards, front hinge starting. Moderate toning, occasional light foxing, internally clean. \$450.

* Only edition. This book, a general handbook on peerage law with original material by Doddridge, was derived from a polemical 1642 essay regarding the legitimacy of Edward Nevill's claim to the title of Lord Bergavenny titled *A Treatise of the Nobilitie of the Realme*. *English Short-Title Catalogue* R6100. [Order This Item](#)



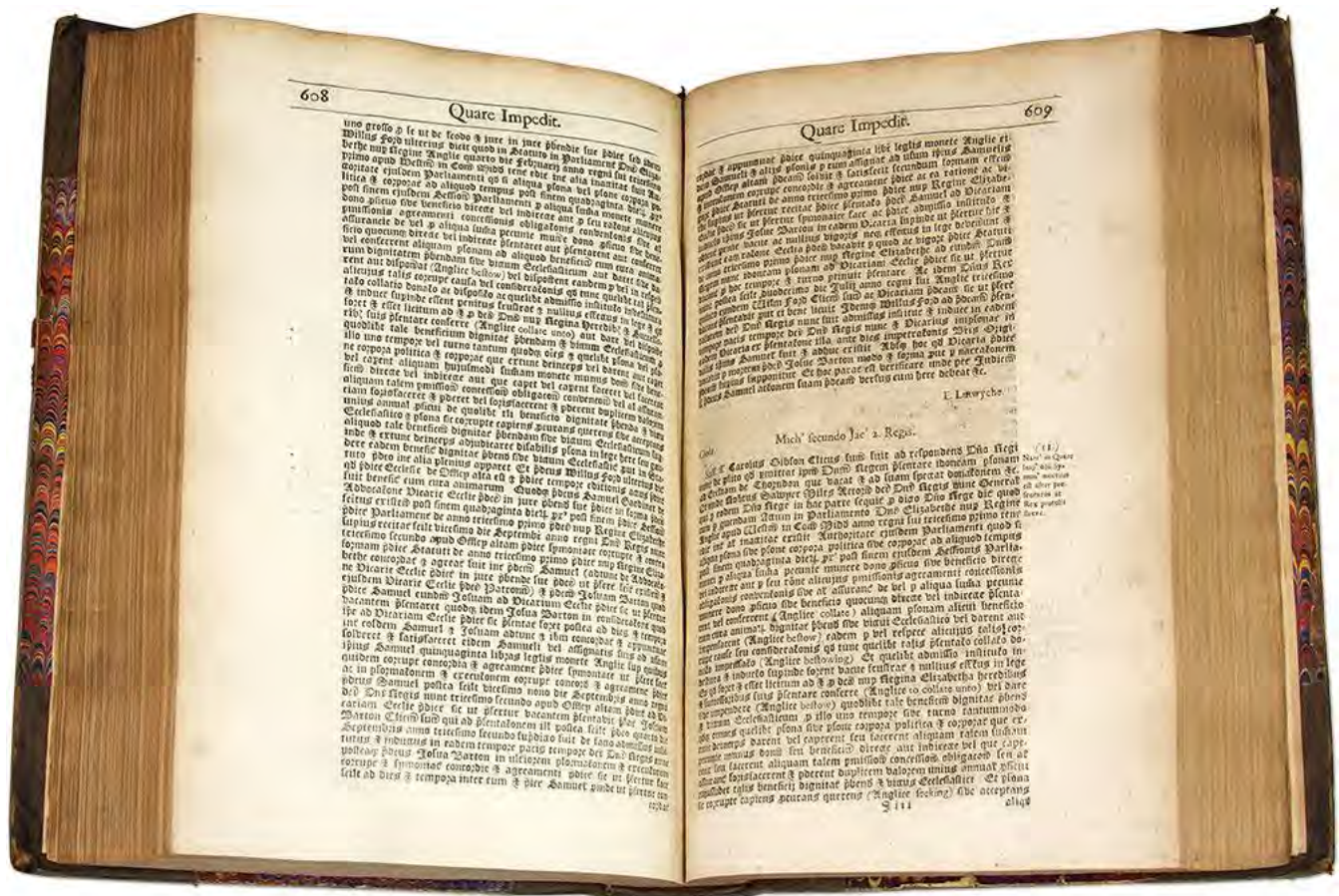
**Rare Seventeenth-Century Danish
Decree Regulating Boatmen and Firearms**

4. Christian IV, King of Denmark.

Forordning om Baadsmænd oc Bysseskyttere. Copenhagen: S.n., 12 November 1618. [4] pp. Quarto (7" x 5-3/4").

Disbound (?) folded sheet forming 2 leaves bound into recent marbled boards, gilt-stamped calf title label to front. Light rubbing to extremities with minor wear to spine, light toning to text. \$400.

* This is a royal decree regulating boatmen and users of the arquebus, a musket-like firearm popular in the early modern period. OCLC locates 4 copies, none in North America. *Bibliotheca Danica* 19000000. [Order This Item](#)



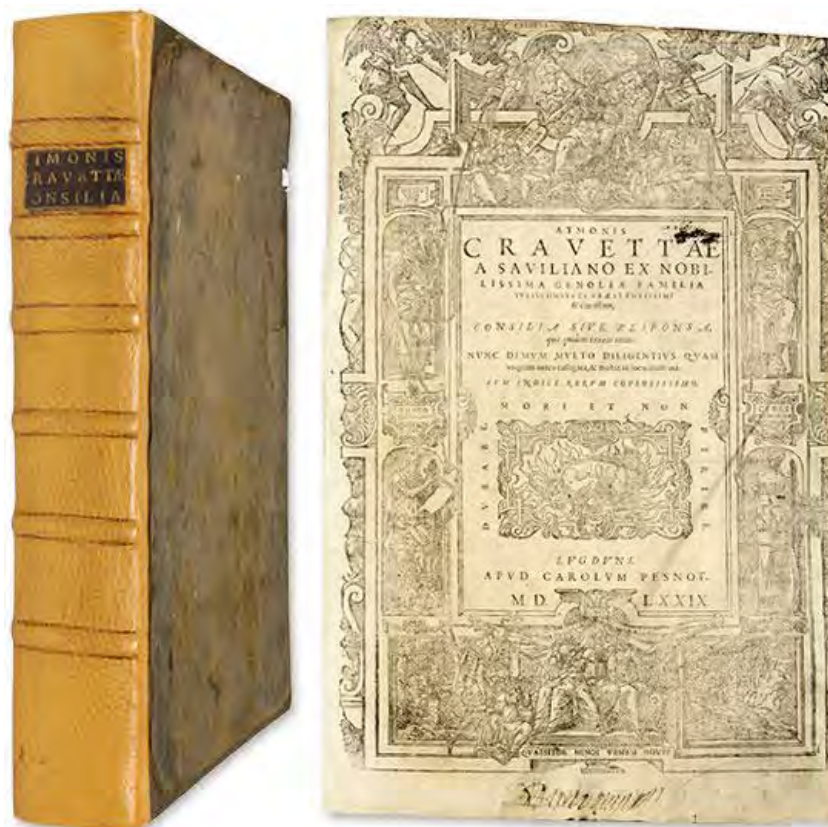
"For The Common Benefit of the Professors of the Law"

5. Clift, Henry.
Ingleby, Charles.

A New Book of Declarations, Pleadings, Verdicts, Judgments, And Judicial Writs; With the Entries Thereupon. Many of the Same Being Upon New Cases and Statutes in the Late Reign. With Various Other Useful and Necessary Entries. Compiled by Mr. Henry Clift, Late of Furnivall's Inn. And Now Digested and Published for the Common Benefit of the Professors of the Law, By Sir Charles Ingleby, Knight, Serjeant at Law. With a Perfect Table to the Whole. London: Printed by the Assigns of Richard and Edward Atkins, Esqs.; for Jane Wotton [et al.], 1719. [iv], 939, [17] pp. Folio (12" x 8").

Later three-quarter calf over marbled boards, raised bands, lettering piece, black-stamped publication date and black-stamped library initials (?) to spine, endpapers renewed. Light rubbing to boards, moderate rubbing to extremities, some chipping to head of spine, corners bumped and somewhat worn, front hinge starting, crack in text block near rear hinge. Moderate toning, faint dampspotting in a few places, faint dampstaining to fore-edges of a few leaves, light soiling to preliminaries, a few brief early annotations and a struck-through signature to title page. \$250.

* Second and final edition, a reissue of the first edition with a new title page. The first edition was published in 1703. Ingleby produced this book from manuscripts acquired after Clift's death. The forms are arranged alphabetically by topic with an appendix of miscellaneous precedents. This book is discussed by Holdsworth in the chapter on eighteenth-century legal literature in the *History of English Law* (XII:356). *English Short-Title Catalogue* T126604. [Order This Item](#)



"If Cravetta Says So, That's Enough"

6. Cravetta, Aimone (Aymon) [1504-1569].

Consilia Sive Responsa, Quae Quidem Extant Omnia: Nunc Demum Multo Diligentius Quam unquam Antea Castigata, & Multis in Locis Illustrata. Cum Indice Rerum Copiosissimo. Lyon: Apud Carolum Pesnot, 1579. [iv], 789, [71] pp. Main text in parallel columns. Folio (15" x 10-1/2").

Recent quarter pigskin over cloth retaining portions of original calf boards, recent cloth ties, raised bands and lettering piece to spine, cloth-covered pastedowns, marbled free endpapers. Rubbing to calf portions of boards, preliminaries re-hinged but starting at foot. Title printed within ornate woodcut architectural border, woodcut head-pieces and decorated initials. Light toning to text, some soiling to title page, light dampstaining to margins in places, inkspots to edges of text block and a few leaves. Upper margin closely trimmed with some loss to headlines in first quarter of text, top and fore-edge of title page trimmed with some loss. Early struck-through signature to foot of title page, interior otherwise clean. \$950.

* Cravetta was a renowned Piedmontese jurist who practiced in Milan. "If Cravetta says so, that's enough," ran a popular assessment of his authority. The first collection of his *consilia* was published in 1566. Another followed in 1572. The contents of both were combined in a single volume, with some additions and subtractions, in 1575. Our 1579 edition contains the 326 *consilia* found in the 1566 and 1572 editions and 3 *responsa* on behalf of Cravetta's son-in-law, Hector a Rubeis. Cravetta believed in the limitation of the absolute power of princes. This is the subject of *Consilium* 241, which became a standard text on the subject. Complete in itself, this collection was later continued by other publishers to comprise six parts in all (1000 *consilia*). OCLC locates 5 copies of our 1579 imprint, 1 in North America (at the Library of Congress). Black, *Absolutism in Renaissance Milan: Plenitude of Power Under the Visconti and the Sforza 1329-1535* 172-73. Pazzagliani and Hawkes, *Consilia* C-83. [Order This Item](#)



Darrow Attends a Banquet in Honor Of Lincoln Steffens

7. [Darrow, Clarence (1857-1938)].

[Steffens, Lincoln (1866-1936)].

[12" x 20" Photograph of a Banquet Honoring Steffens, Party Includes Clarence and Ruby Darrow] New York: Standard Flashlight Company, 27 April 1931.

[With]

[11" x 6" Printed List of People Who Attended the Banquet].

[And]

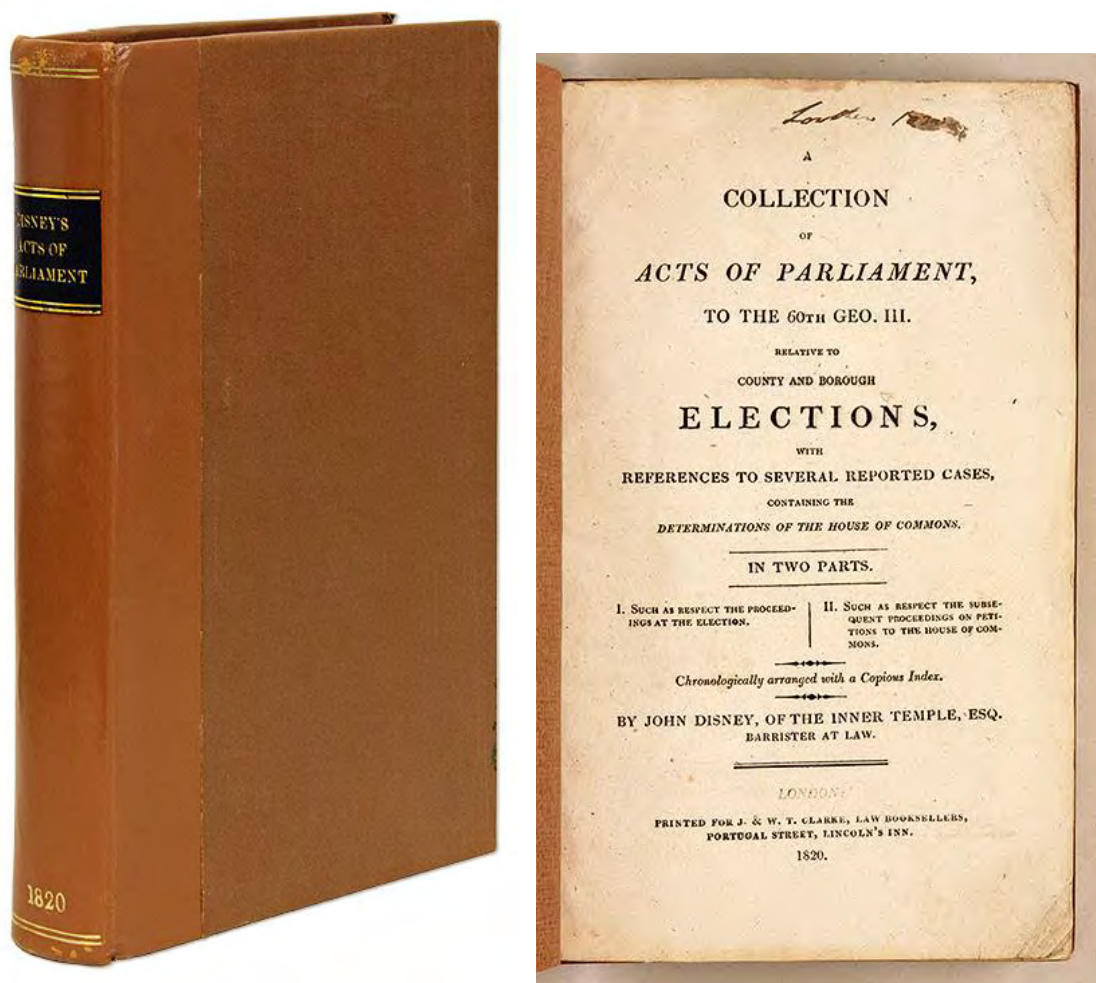
Darrow, Clarence.

[Filene, Edward A. (1860-1937)].

[Autograph Letter, Signed, To Filene, On the Letterhead of the Murray Hill Hotel, New York, New York, April 17, 1931]. Single 9-1/2" x 6" sheet.

Some edgewear to photo, upper left corner of image repaired, light toning and fold lines to list, early annotations to photograph, a few chips and nicks to edges of both. Items mounted on 16" x 32" foam-core board. Letter, which is not mounted, has some toning, two horizontal fold lines, a few light pencil lines (offsetting from another document) and glue residue to verso, probably from mounting in an album, otherwise fine. Three items in all. \$1,750.

* There are two captions at the foot of the image. One identifies the photography company, the other reads "Dinner to Lincoln Steffens and Characters in His Book Given by Edward A. Filene. Ritz Carlton Hotel April 27, 1931." The list, which includes several media people, social reformers and reform-minded politicians, such as Ida Tarbell and Bernard Baruch, is captioned: "Cast of Characters from "The Autobiography of Lincoln Steffens" and from his next book, present at the dinner given to the author and his characters by Edward A. Filene, Ritz-Carlton Hotel, April 27, 1931." Some of the attendees are identified in a contemporary hand. Darrow is seated at the center of the main table next to Steffens; Ruby Darrow is sitting at the right end. Darrow, in his letter, thanks Filene for the invitation to the event, "which I am very glad to accept" and adds: "Mrs. Darrow is here with me. May I bring her along?" This late request may be the reason why Ruby Darrow is seated several places away from Clarence. [Order This Item](#)



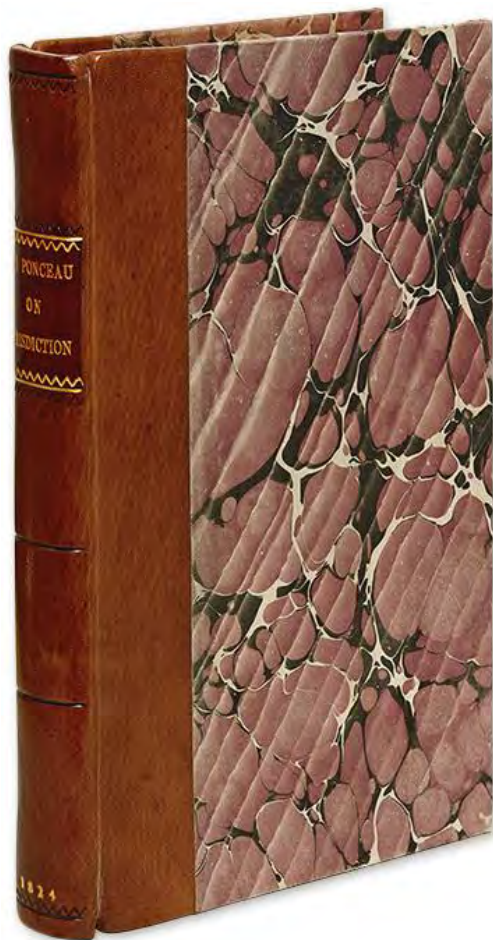
**A Rare Collection of Acts
Relating to Parliamentary Elections**

8. Disney, John [1779-1857].

A Collection of Acts of Parliament, To the 60th Geo. III. Relative to County and Borough Elections, With References to Several Reported Cases, Containing the Determinations of the House of Commons. In Two [i.e. Four] Parts. I. Such as Respect the Proceedings at the Election. II. Such as Respect the Subsequent Proceedings on Petitions to the House of Commons. Chronologically Arranged with a Copious Index. London: Printed for J. & W.T. Clarke, 1820. v, [iii], 358, [2]; 223, [1] pp. Includes one-page publisher catalogue. Octavo (8-1/4" x 5-1/4").

Recent quarter calf over cloth, endpapers renewed. Light rubbing to boards and extremities, a few minor nicks to spine. Light toning to text, light foxing in a few places, brief contemporary annotations and underlining to a few leaves. \$750.

* First edition in four parts. This title was first issued as a two-part work in 1811. A supplemental volume of Irish and Scottish acts was published in 1812. These two volumes were reissued together in 1820 and 1826. All editions of this title are rare. OCLC locates 1 copy of the 1820 (Cambridge University) and one of the 1826 (University of Georgia Law School). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:101. [Order This Item](#)



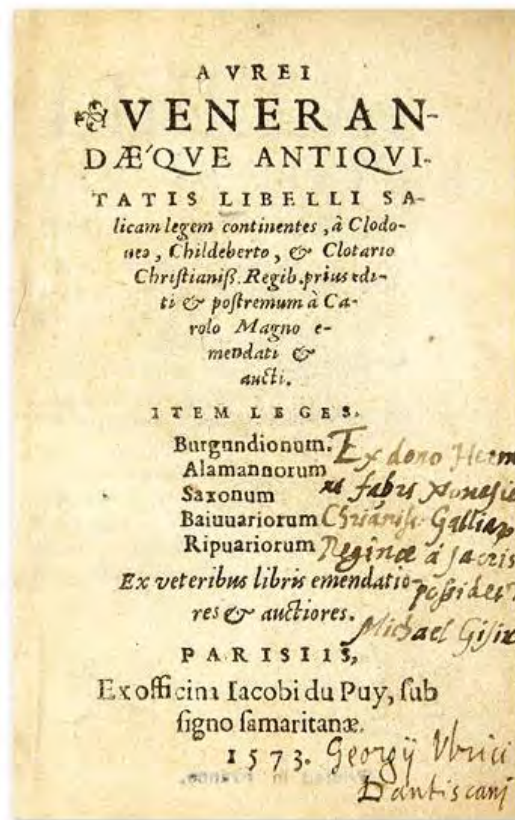
**Du Ponceau's Thoughts on the
Jurisdiction of the Courts and Legal Education**

**9. Du Ponceau, Peter S. [1760-1844].
Sergeant, Thomas [1782-1860].**

A Dissertation on the Nature and Extent of the Jurisdiction of the Courts of the United States, Being a Valedictory Address Delivered to the Students of the Law Academy of Philadelphia, At the Close of the Academical Year, On the 22d April, 1824. To Which Are Added, A Brief Sketch of the National Judiciary Powers Exercised in the United States Prior to the Adoption of the Present Federal Constitution, By Thomas Sergeant, And the Author's Discourse on Legal Education, Delivered at the Opening of the Law Academy, In February, 1821. With an Appendix and Notes. Philadelphia: Published by Abraham Small, 1824. xxxiii, [5], 254. [1] pp. Octavo (8-1/4" x 5").

Recent period-style quarter calf over marbled boards, blind rules and lettering piece to spine, endpapers renewed. Moderate toning, light foxing in places, minor tears to a few leaves, early owner signature (H.N. Eastman) and small inkstamp (S.D. Hewlett) to head of title page and a few other leaves. \$1,250.

* Only edition. With an appendix containing the text of the U.S. Constitution. Du Ponceau's *Dissertation* is based on an analysis of Worrall's Case, Burr's Case, Hudson and Goodwin's Case and Coolidge's Case. Complete reports of the cases and related opinions are given in the appendix. Born in France, Du Ponceau is an important figure in the early history of American law and letters. He founded the Law Academy of Philadelphia in 1821, was the President of the American Philosophical Society and was a much-consulted expert on international relations and linguistics. Cohen, *Bibliography of Early American Law* 1079. [Order This Item](#)



A Landmark in the Recovery of Early Medieval Law

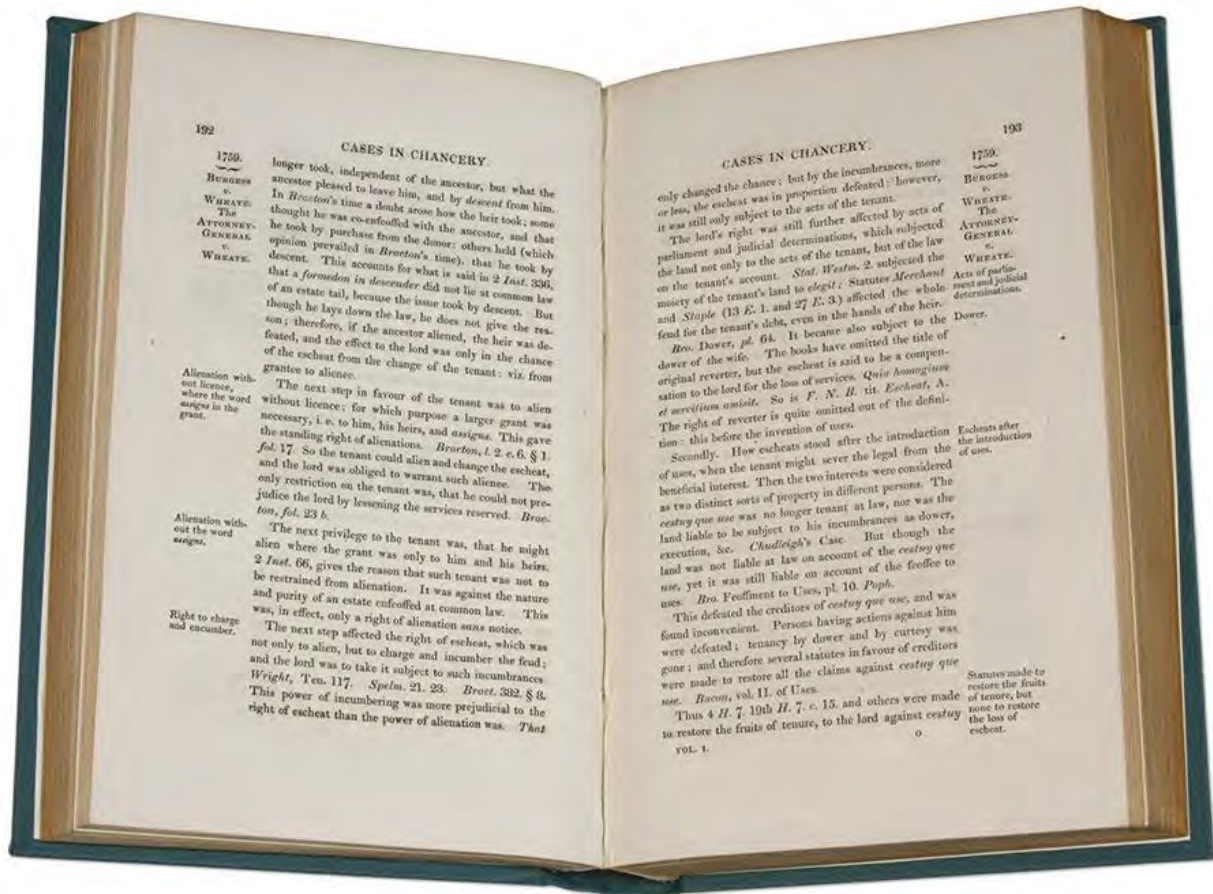
10. Du Tillet, Jean [d. 1570], Editor.

Aurei Venerandaeque Antiquitatis Libelli Salicam Legem Continentes, A Clodoveo, Childebarto, & Clotario Christianiss. Regib. Prius Editi & Postremum a Carolo Magno Emendati & Aucti; Item Leges Burgundionum, Alamannorum, Saxonum, Baiuvariorum, Ripuariorum, Ex Veteribus Libris Emendatiores & Auctiores. Paris: Ex Officina Iacobi du Puy, 1573.

[iii], 127, [1]; 95, [1]; 70, [2]; 15, [1]; 119, [1]; 56 pp. Six parts, each with divisional title page. Work preceded by general title page. 16mo. (4-1/4" x 2-3/4")

Later varnished three-quarter calf over speckled boards, raised bands and lettering piece to spine, endpapers renewed. Moderate rubbing, corners bumped and somewhat worn, chipping to spine ends, joints cracked. Light toning, faint dampstaining in a few places. Early owner annotations to title page and a few other leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. A rare title. \$1,850.

* Second edition, a reissue of the first edition. An important landmark in the recovery of early medieval law, this volume contains critical editions of the principal texts of Frankish, Burgundian, Germanic, Saxon, Salic and Ripuarian Frankish law (*Lex Alemannorum*, *Antiquae Burgundionum Leges*, *Ripuariorum Leges a Theodorico Rege Francorum latae*, *Antiqua Baiuvariorum Lex* and *Vetus Lex Saxonum*.) The list of topics treated in these codes includes commerce, land ownership, inheritance, criminal procedure and civil procedure. A French humanist jurist and associate of Cujas, Du Tillet was also the Bishop of Briec, later Meaux. He edited Ulpian's *Regulae* and assisted Cujas with his edition of the *Codex Theodosianus*. The first edition of this work was issued by Charlotte Guillard in 1550 with a title beginning *Libelli seu Decreta*. Excepting the title page and imprint, both editions are identical. And rare. OCLC locates 5 copies of the first edition in North America (University of Kansas, Library of Congress, UC-Berkeley Law School, University of Pennsylvania, Yale), 2 of the second (Harvard Law School, UC-Berkeley). This edition not in Adams. [Order This Item](#)



The Best Edition of Eden's Chancery Reports

11. Eden, Robert Henley, Baron [1789-1841].

Reports of Cases in the High Court of Chancery, From 1757 to 1766. From the Original From the Original Manuscripts of Lord Chancellor Northington. Collected and Arranged, By the Honourable Robert Henley Eden, One of the Masters in Chancery. London: Joseph Butterworth and Son, 1827. Two volumes. xxxiv, 537; [vi], [ii], 425 pp. Octavo (9-1/4" x 6").

Recent cloth, gilt titles to spines, endpapers renewed. Light foxing to a few leaves, light toning and small library stamps to title pages, interiors otherwise fresh. \$250.

* Second, final and best edition. A collection of decisions from 30 George II to 7 George III (1757-1767). "Lord Kenyon...speaks highly, in every way, of Lord Northington." Wallace, *The Reporters* 516-517. [Order This Item](#)



**A Scarce Sixteenth-Century
Treatise on the Benefit of Inventory**

12. Fanucci, Fanuccio de.

Tractatus de Inventario Haeredis ac Eius Beneficio. Cui Accedit, Eiusdem Authoris, Non Inelegans Responsum, Super Statuto Lucensi. Nunc Primum In Lucem Editus, & Ceteris Omnibus, Qui Hactenus Super Huiuscemodi Materia Conscripti Sunt, Longe Auctior, & Locupletior. Cum Indicibus, Ac Summariis Copiosissimis. Venice: Apud Haeredes Vincentii Valgrisiij, 1574 (colophon dated 1573). [xxxii], 314 (i.e. 310), [4], [8] pp. Octavo (6" x 4").

Contemporary limp vellum, somewhat later hand-lettered paper title label, early hand-lettered title to foot of text block, ties lacking. Light soiling, some rubbing to extremities, a few small wormholes through covers, pastedowns, endleaves and final leaf of text with negligible damage to legibility (parts of two words), occasional minor worming to margins. Attractive woodcut decorated initials. Light toning to text, early owner signatures to foot of front free endpaper and title page, interior otherwise clean. \$1,250.

* Only edition. This treatise analyzes benefit of inventory, a concept in Roman (and civil) law concerning an heir's right to commission a legally binding inventory of his ancestor's estate for representatives of the estate's creditors. It also concerns the right to limit debts and legacies to the amount of three fourths of an estate, thus preserving one fourth for the heir. OCLC locates 3 copies in North American law libraries (Columbia, Harvard, Library of Congress). *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE18578. [Order This Item](#)



Frankfurter Quotes Holmes

13. Frankfurter, Felix [1882-1965].

[*Typed Letter, Signed, On Harvard Law School Letterhead, November 5, 1932*]. Single 8" x 5-1/2" sheet and 6" x 3-1/2" envelope. Some toning, two horizontal fold lines to letter, which has a full signature. Items housed in handsome recent cloth solander case with calf lettering piece. \$650.

* Friendly letter to Alice Strong, who was compiling an anthology of quotations. It appears she asked Frankfurter for a suggestion. He writes, "I should like to offer...Mr. Justice Holmes' words: 'The mode by which the inevitable comes to pass is effort!'" It appears that Strong never completed (or published) her anthology. This letter was part of the collection of James S. Copley, the newspaper chief and bibliophile. [Order This Item](#)



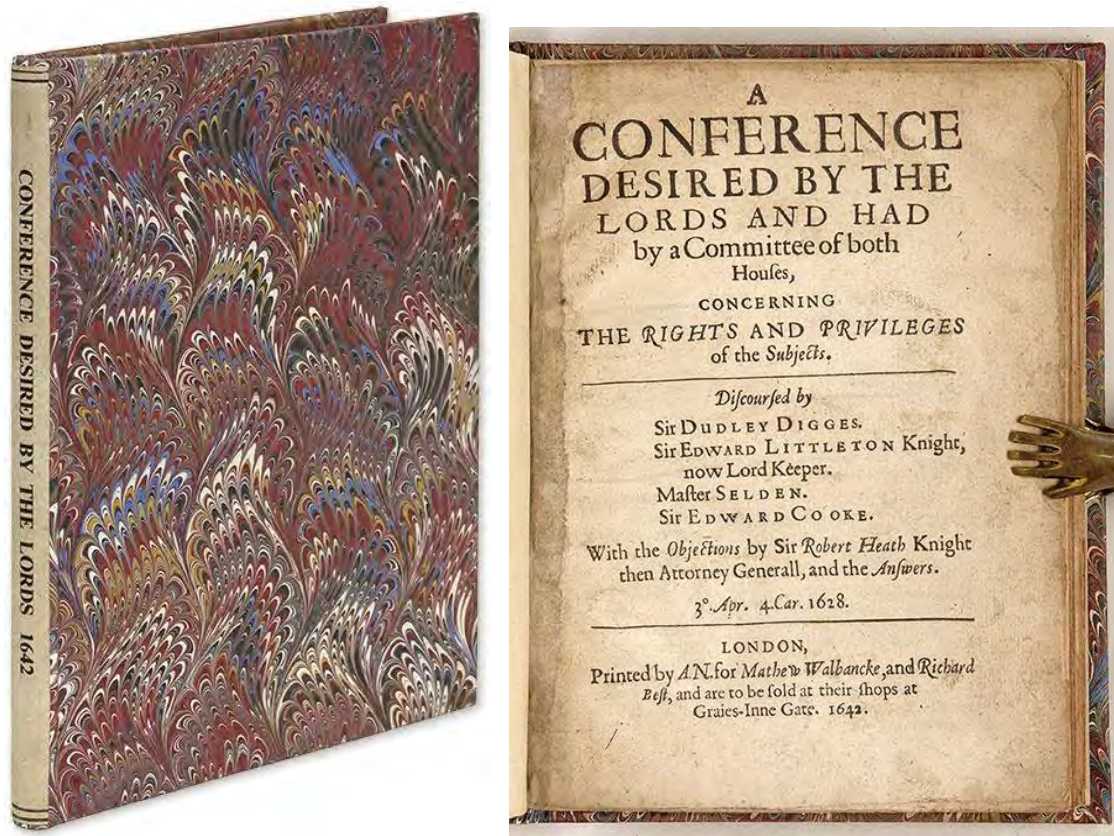
A Fine Caricature of Erskine as a Revolutionary *Avocat* by Gillray

14. Gillray, James [1756/57-1815].

[Erskine, Thomas, First Baron Erskine (1750-1823)].

L'Avocat De La Republique. London: Hannah Humphrey, 21 May 1798. Reissue. London: Thomas McLean, 1840. Attractively glazed and matted 10" x 7-1/2" colored lithograph in handsome 18" x 15-1/2" wooden frame, small brass plaque to center of bottom. Light toning to margins, image vivid. An attractive piece. \$500.

* Second issue. Plate 7 from the series *French Habits*. Gillray, a British caricaturist and printmaker, was famous for his political and social satires. Most of his work was published from 1792 to 1810. *French Habits* is a 12-plate folio depicting leading members of the Whig Party as leaders of France's revolutionary government. [Order This Item](#)



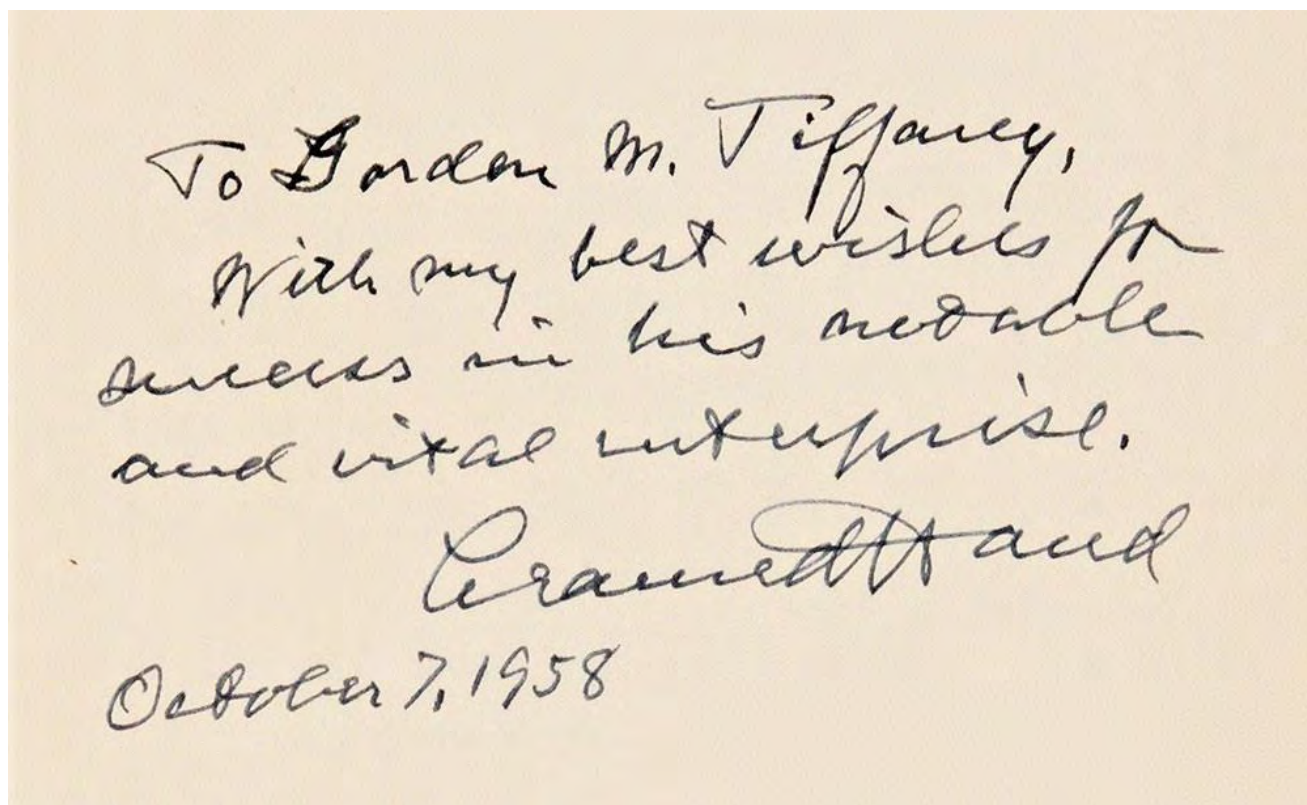
Parliament Debates the "Rights and Privileges of the Subjects" at the Outbreak of the Civil War

**15. [Great Britain].
[Parliament].**

A Conference Desired by the Lords and Had by a Committee of Both Houses, Concerning the Rights and Privileges of the Subjects. Discoursed by Sir Dudley Digges. Sir Edward Littleton Knight, Now Lord Keeper. Master Selden. Sir Edward Cooke. With the Objections by Sir Robert Heath Knight Then Attorney Generall, And the Answers. 30. Apr. 4. Car. 1628. London: Printed by A.N. for Mathew Walbancke, And Richard Best, 30 April 1642. [ii], 91, [1] pp. Final page blank. Quarto (6-1/2" x 5-1/2").

Recent marbled boards, printed title label to spine, speckled edges. Very light browning to text, light soiling to title page. \$850.

* Only edition. With side-notes. A record of the preliminary debates that led to the Petition of Right, this pamphlet was published during the preliminary phase the English Civil War, which began formally when King Charles I raised his standard in Nottingham on August 22. It records (with some editorial polish) a spirited hearing on the rights of the King, Parliament and Subjects with the expert opinions of Sir Dudley Digges [c.1583-1639], Sir Edward Littleton [c.1599-c.1657], John Selden [1584-1654], Sir Edward Coke [1552-1634] and Sir Robert Heath [1575-1625]. It is an exciting document offers a fascinating constitutional and legal perspective on the Civil War. Equally influential in the North American colonies, the Petition of Right established four principles that inspired the American Revolution and were incorporated into the U.S. Constitution and Bill of Rights: no taxation without representation, no imprisonment without cause, no quartering of soldiers by subjects and no martial law in peacetime. OCLC locates 5 copies in North American law libraries (Harvard Law School, Library of Congress, University of Minnesota, University of Wisconsin, Yale). *English Short-Title Catalogue* R8061. [Order This Item](#)



Inscribed by Learned Hand to the First
Director of the U.S. Commission on Civil Rights

16. Hand, Learned [1872-1961].

The Bill of Rights. Cambridge: Harvard University Press, 1958. v, 82 pp.

Cloth very good in moderately worn dust jacket, a few tears and scuffs to lower edge of front panel, lightly soiled rear panel. Author inscription to front free endpaper in bold hand, internally fresh. \$1,500.

* First edition. The inscription reads: "To Gordon M. Tiffany,/ With my best wishes for/ success on his valuable/ and vital enterprise/Learned Hand/ October 7, 1958." The Bill of Rights is the published version of the Oliver Wendell Holmes Lectures delivered at Harvard University in 1958, this influential book discusses the propriety of judicial efforts to expand the scope of the first ten amendments. It has three chapters, "When a Court Should Intervene," "The Fifth and Fourteenth Amendments" and "The Guardians." One of the most significant American jurists of the twentieth century, Hand was a judge of the U.S. Southern District of New York from 1904-1924 and a judge of the Court of Appeals, Second Circuit, from 1924 to 1956. His judgments were renowned for their lucidity and elegance. Gordon M. Tiffany was the first director of the U.S. Commission on Civil Rights, which was established in 1957. This is the "valuable and vital enterprise" that Hand is referring to in his inscription. [Order This Item](#)



**"His Office Shelves With Parish
Laws are Grac'd, But Spelling Books and Guides Between Them Plac'd"**

17. Hogarth, William [1697-1764], After.

Cook, Thomas [c.1744-1818], Engraver.

A Woman Swearing Her Child to a Grave Citizen. Copperplate engraving by Thomas Cook after a painting by William Hogarth. London c. 1795-1822. 19-1/4" x 21" image size 11-3/4" x 14," copperplate engraving. Attractively mounted and matted. Negligible light toning and dampspotting to margins, image notably fresh. \$250.

* A fine example of Hogarth's satirical work, this engraving is captioned with twelve lines of verse describing the scene. It depicts a pregnant woman pleading with a seated justice of the peace to order the "rich old lecher" at the centre of the print to acknowledge his paternity and provide for the unborn child. (The books on the shelves are: *The Complete Justice* and *The Art of Spelling*; a just-consulted *Law of Bastardy* sits on the justice's table.) Hogarth never produced a print of this work during his lifetime. Cook's was the first. A skilled engraver, Cook played an important role in the preservation of Hogarth's legacy through his *Hogarth Restored: The Whole Works of the Celebrated William Hogarth* (1795 and later editions through 1822), which is the source of this plate. [Order This Item](#)



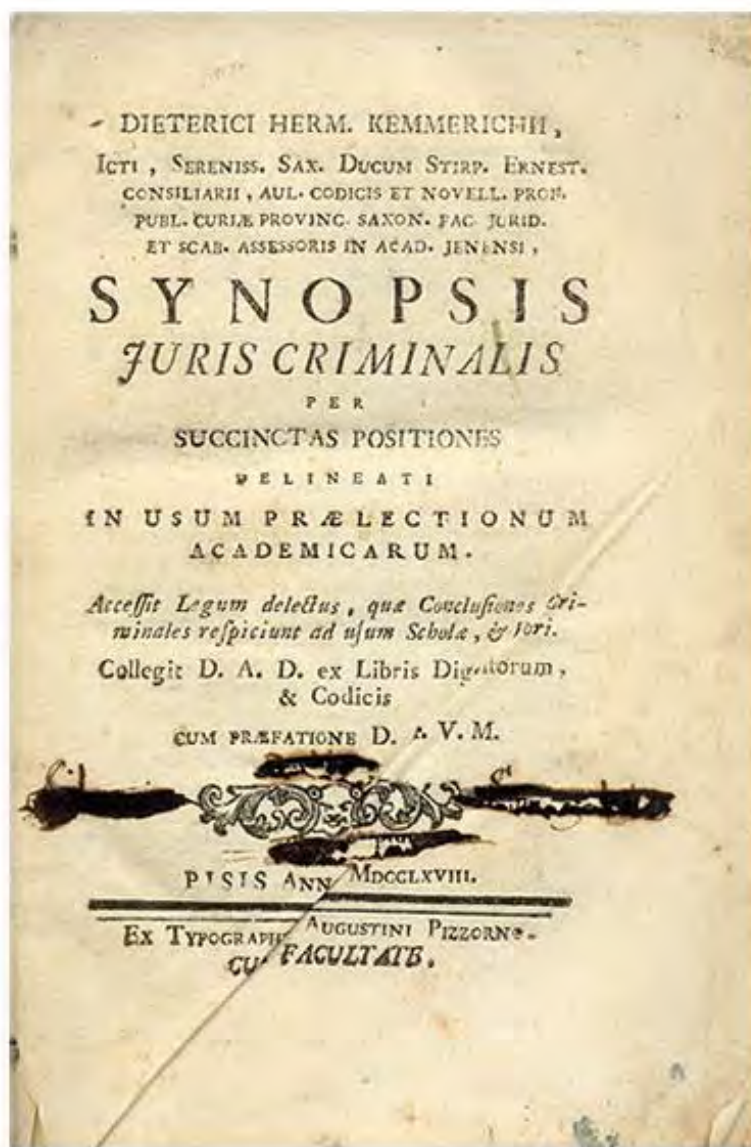
Britannia Rule the Waves!

18. [Justice, Alexander].

A General Treatise of the Dominion of the Sea: And a Compleat Body of the Sea-Laws: Containing What is Most Valuable on that Subject in Antient and Modern Authors; And Particularly the Antient Laws of the Rhodians and Romans; Those of Oleron, Wisbuy, And Other Countries; with Curious Notes and Observations. As also That Excellent Body of Sea Laws lately Publish'd in France: With a Collection of Marine Treaties Concluded During the Last Century. Together with Several Discourses About the Jurisdiction and Manner of Proceeding in the Admiralty of England, Both in Criminal and Civil Matters, And Adjudg'd Cases in Several Courts Concerning Trade and Navigation. In all Which are Explain'd at Large, The Laws and Customs of Merchants, And of the Courts in Cases of Bottomry, Insurances, Charter-Parties, Bills of Lading, Piracy, And of Letters of Marque and Reprizal. To Which is Subjoin'd, An Appendix Concerning the Present State and Regulations of the Admiralty and Navy. With Large Additions, And Improvements. And a New Appendix, Containing Several Eminent Lawyers Opinions in Important Marine Cases; A Comparison of the English and French Conduct in Their Sea Affairs; An Essay Concerning the Navy of England, Taken from Mr. Pepis's, Mr. Burchet's, And other Authentick Memoirs; An Abstract of all the Acts of Parliament Relating to the Marine; Particularly, That for Establishing Articles and Orders for the Regulating and Better Government of the Fleet, &c. London: Printed for the Executors of J. Nicholson, [1710?]. [xxvi], 378, 421-684, 107, [1] pp. Pagination irregular, text complete. Folding allegorical copperplate frontispiece. Folding copperplate table of naval flags. Woodcut text illustration of English commercial flag to foot of p. 107. Quarto (8-1/2" x 6-1/2").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed, speckled edges. Moderate toning, somewhat heavier in places, light foxing, occasional faint dampstaining, folding table facing title page mounted, two small early signatures, one partially erased, the other struck-through, to title page, which has a repaired fore-edge and a small library stamp to its verso, p.107 of appendix, which has a blank verso, mounted. A nice copy in a handsome binding. \$750.

* Third and final edition. This important work includes a well-documented historical section, texts of the most important codes, a collection of treaties, and suggestions for the future of British shipping. It also contains translations of the Rhodian sea laws, those of the Hanse towns, Oleron and Wisbuy and Estienne Cleirac's *Us et Coutumes de la Mer* (This is the "excellent body of sea-laws lately published in France" mentioned in the book's title. "Lately" is misleading; It appears that Justice used the third French edition, which was published in 1670 and reissued in 1671.) "[Justice's treatise] is a valuable work, and was much used by Lord Tenterden in writing his book on shipping" (Sweet & Maxwell. The first edition of this work was published in 1705. An undated second edition followed around 1709. The third edition was reissued in 1724 with identical text, format and pagination. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:509. *English Short-Title Catalogue* T113515. [Order This Item](#)



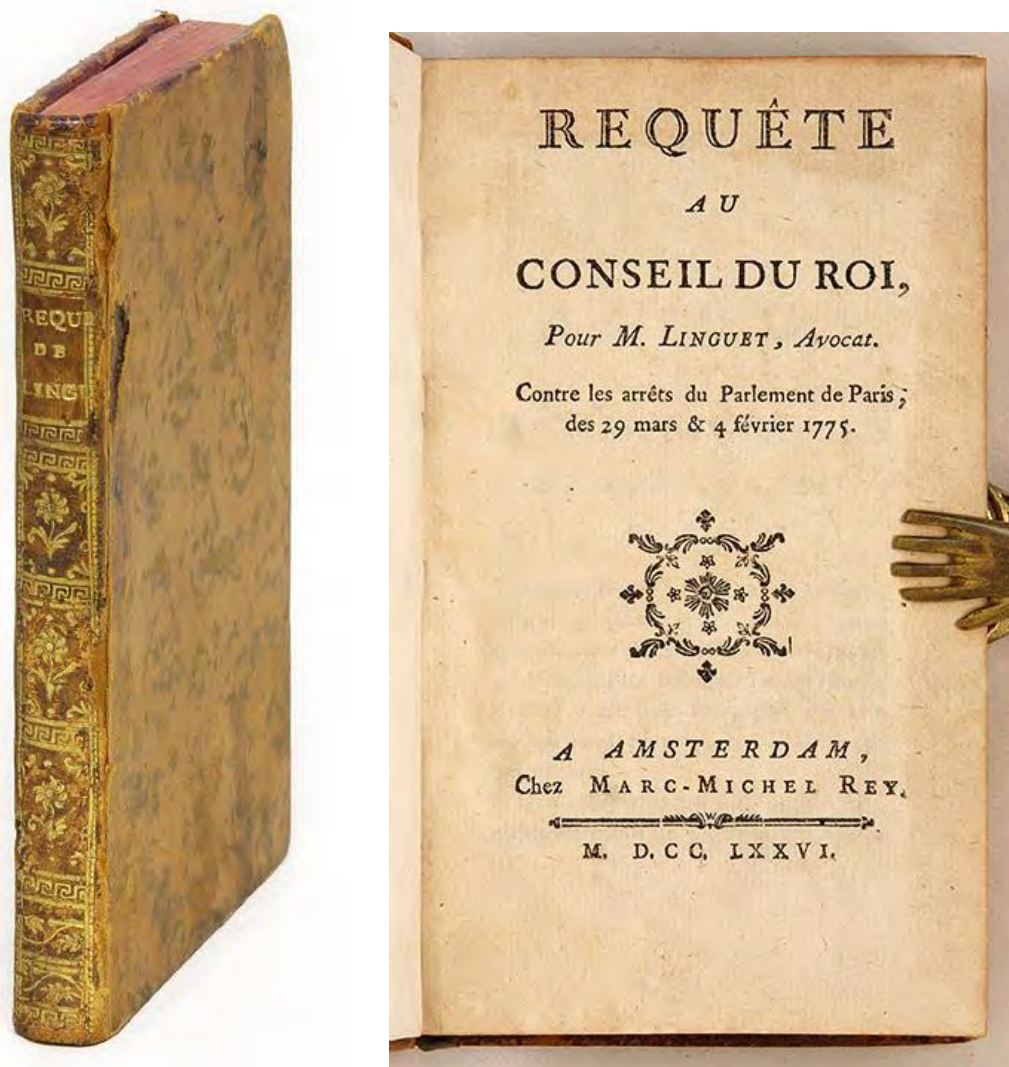
Criminal Law in Eighteenth-Century Saxony

19. Kemmerich, Dietrich Hermann [1677-1745].

Synopsis Juris Criminalis per Succinctas Positiones Delineati in Usum Prælectionum Academicarum. Accessit Legum Delectus, Quæ Conclusiones Criminales Respiciunt ad Usum Scholæ, & Fori. Collegit D.A.D. Ex Libris Digestorum, & Codicis. Pisa: Ex Typographia Augustini Pizzorno, 1768. xxii, 187 pp. Octavo (7" x 4-1/2").

Early plain paper wrappers, untrimmed edges. Light soiling, some wear to spine ends and corners. Moderate toning, light foxing in places. Early struck-through signature to title page, interior otherwise clean. \$300.

* Later edition of a work first published in 1731. This was a university handbook on criminal law in Saxony with comparisons to Roman law. OCLC locates 1 copy in North America, at Harvard Law School, which has the 1768 edition. [Order This Item](#)



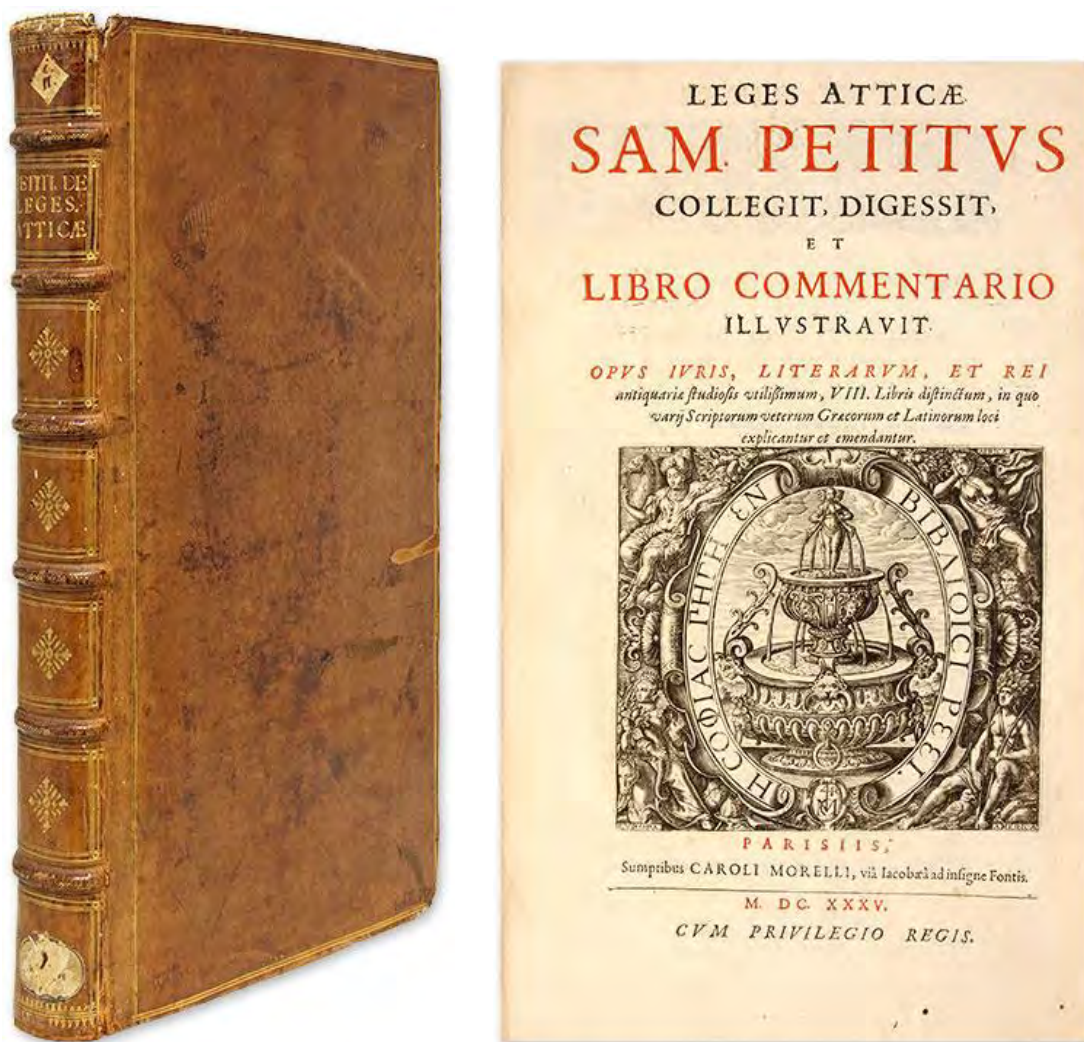
Disbarred by the *Parlement* of Paris

20. Linguet, [Simon Nicolas Henri] [1736-1794].

Requete au Conseil de Roi, Pour M. Linguet, Avocat. Contre les Arrêts du Parlement de Paris, Des 29 Mars & 4 Fevrier 1775. Amsterdam: Chez Marc-Michel Rey, 1776. 12mo. [ii], 260 pp. 12mo (6-1/2" x 4").

Contemporary mottled sheep, gilt spine, marbled endpapers. Light rubbing to boards, moderate rubbing to extremities. Some toning to text, internally clean. A nice copy. \$200.

* First edition. (Also issued the same year in Geneva.) This book concerns the sanctioning of Linguet's disbarment by the Order of Barristers by the Parlement. The complicated circumstances had to do with competition within the Order of Barristers and tensions between the Order and the Parlement. Linguet, admitted to the bar in 1764, was a formidable advocate. The immediate cause of his disbarment was "a tirade in which the author seems to have lost his temper and denounced the Order. This convoluted affair is described in Michael P. Fitzsimmons, *The Parisian Order of Barristers and the French Revolution*, 24ff. OCLC locates 4 copies in North America, 1 in a law library (UC-Berkeley). Another copy located at George Washington University Law School. Not in the *British Museum Catalogue*. [Order This Item](#)



Important Early Study of Ancient Athenian Law

21. Petit, Samuel [1594-1643].

Leges Atticae. Sam. Petitus Collegit, Digessit, et Libro Commentario Illustravit. Opus Iuris, Literarum, Et Rei Antiquariae Studiosis Utilissimum, VIII. Libris Distinctum, In Quo Varii Scriptorum Veterum Graecorum et Latinorum Loci Explicantur et Emendantur. Paris: Sumptibus Coroli Morelli, 1635. [xii], 557, [1] pp. Folio (13-1/2" x 8-3/4").

Contemporary calf, gilt rules to boards, raised bands, gilt title and gilt ornaments to spine. A few scuffs to boards, some wear to spine ends and corners. Title page with large copperplate vignette printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Armorial bookplate of Nicolas-Joseph Foucault to front free endpaper, armorial bookplate of the Earls of Macclesfield to front free endpaper. Toning, minor worming in a few places with no loss to text, internally clean. Ex-Macclesfield library. Small shelf labels to spine ends, small embossed stamps to title page and a few leaves. A very handsome copy. \$1,850.

* First edition. This is an important early study of ancient Athenian law. A distinguished French Orientalist, Protestant minister and principal of the College of Arts in Nimes, Petit was a correspondent with the leading European men of letters and a friend of Selden, Gessendi and Vossius. This book was reissued by K.A. Duker in 1740. *British Museum Catalogue* (Compact Edition) 20:81. [Order This Item](#)



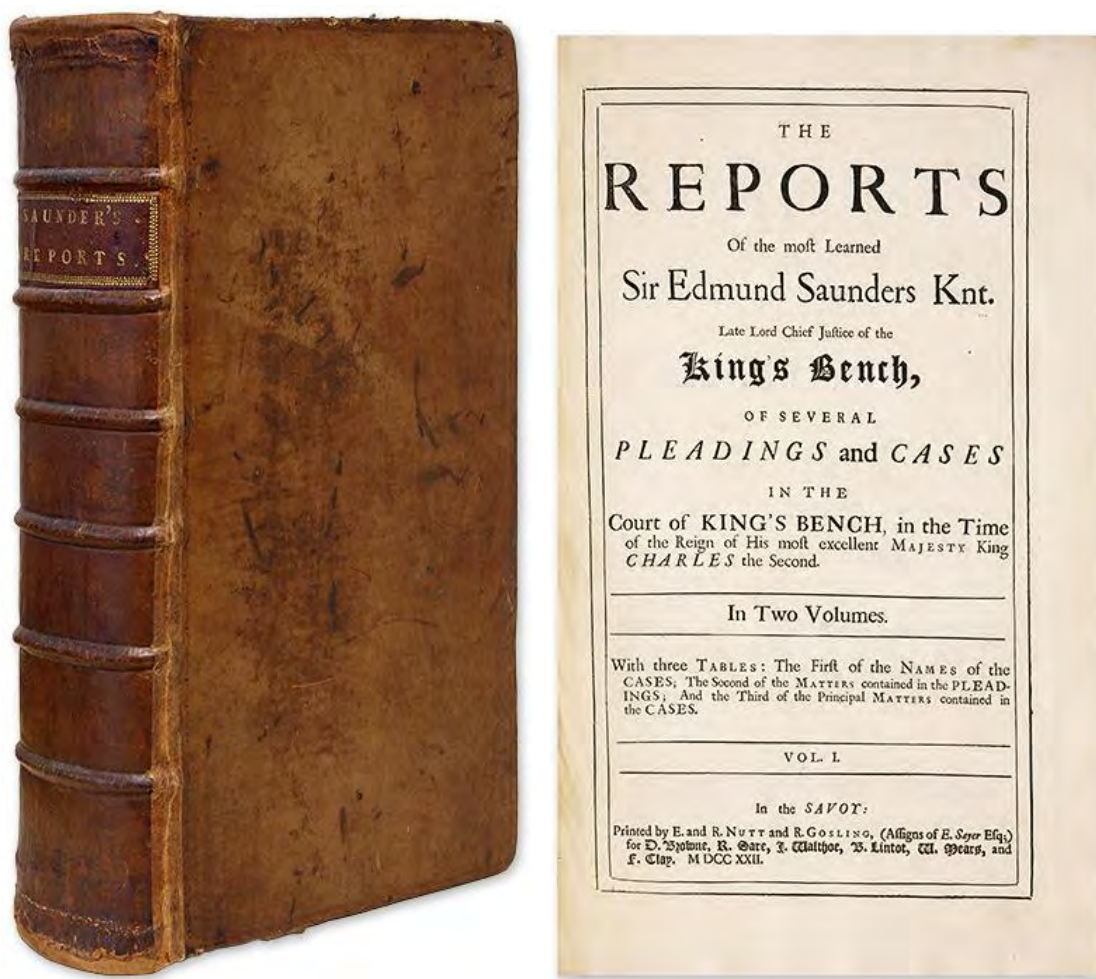
Canon Law for German Students

22. Reiss, Ulrich.

Analysis Collectionum, & Fontium Juris Ecclesiastici Publici, Et Privati Germanici, Quam in Commodiorem Usus Tyronum Juris Sacri ex Probatissimis Auctoribus Collegit, Et una Cum Selectis Corollariis Juridicis Publicae Disputationi Expositis in Lucem Publicam. Augsburg: Sumptibus Riegerianis, 1777. xxxii, 224; 54 pp. Final section preceded by title page. Octavo (6-3/4" x 4").

Contemporary speckled-paper boards, fragments of title labels to spine, speckled edges. Moderate rubbing to extremities, front joint starting at head. Light toning to text, occasional light foxing, internally clean. Ex-library. Small inkstamps to preliminaries and final leaf. A nice copy of a scarce title. \$1,250.

* Only edition. This is a handbook on canon law for students. Reiss was a professor of canon law at the University of Augsburg. At the end of the book is a related dissertation from 1777, at which Reiss presided, entitled *Corollaria ex Universo Jure Ecclesiastico Publico, et Privato Hodiernis Academicarum Germaniae Moribus Accomodato*. OCLC locates no copies in North America. Not in VD18, the *British Museum Catalogue* or Ferreira-Ibarra. [Order This Item](#)



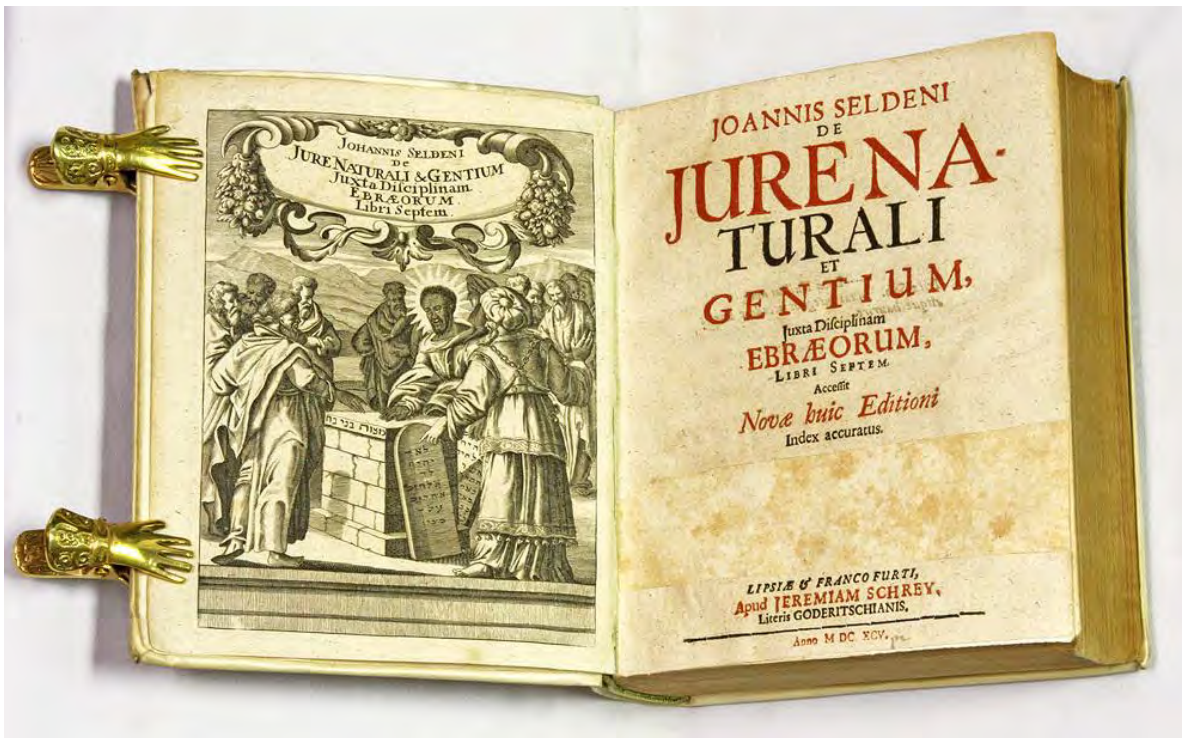
**"The Most Valuable and
Accurate Reports of Their Age": Kent**

23. Saunders, Sir Edmund [d. 1683].

Les Reports du Tres Erudite Edmund Saunders Chivalier, Nadgairs Seigniour Chief Justice del Bank le Roy, Des Divers Pleadings et Cases en le Court del Bank le Roy en le Temps del Reign sa Tres Excellent Majesty Le Roy Charles le II. Corrected: With the Addition of the Said Reports, Translated into English; As also Several Thousands of References to All the Reports of the Law, Now Extant. [London]: Printed by E. and R. Nutt and R. Gosling, 1722. Two volumes. [lvi], 363, [25]; [viii], 423, [37], 186, [84] pp. Complete. Folio (12-1/2" x 8").

Contemporary calf, blind rules to boards, raised bands and lettering piece to spine, spine ends and joints reinforced. Light rubbing and scuffing to boards, moderate rubbing to extremities, corners bumped and lightly worn, hinges cracked. Light toning to text, some crinkling to top-edge of text block with occasional light soiling (that can be brushed away). A nice copy. \$500.

* Second edition, and the first with an English translation. Saunder's *Reports* was held in high esteem by Eldon and many other prominent jurists, such as James Kent, who said it contained "the most valuable and accurate reports of their age." First published in Law-French and Latin in 1686, this reporter, which covers the years 1666-1673 (18 Car. II-25 Car. II), went through several editions into the late-nineteenth century. Kent cited in Wallace, *The Reporters* 338. *English Short-Title Catalogue* T97356. [Order This Item](#)



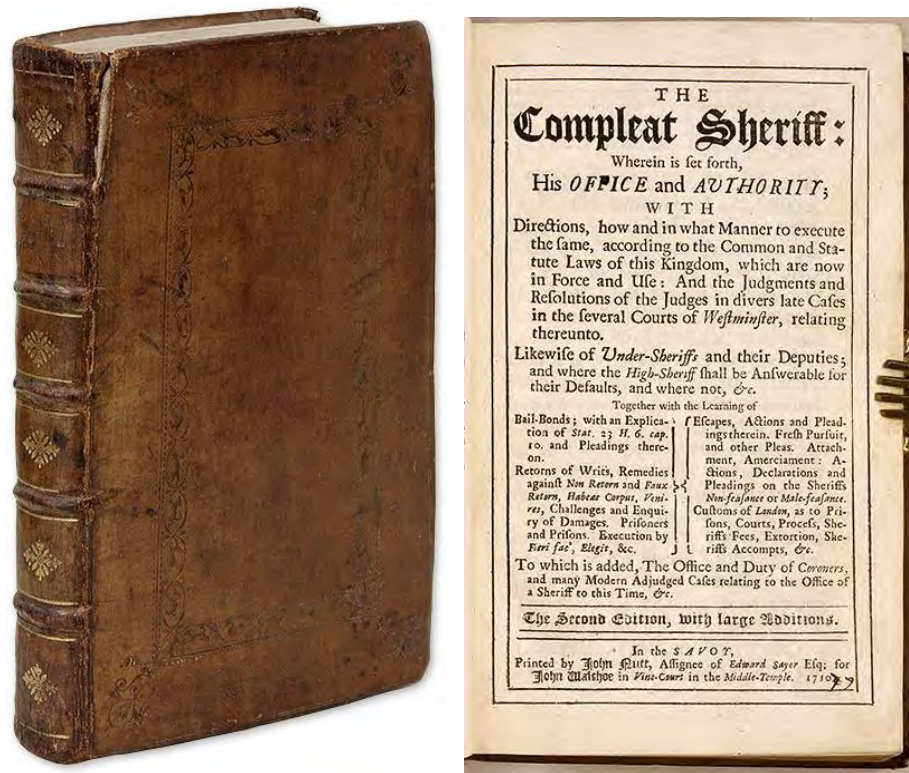
A Profound Example of
Seventeenth-Century Scholarship

24. Selden, John [1584-1654].

De Jure Naturali et Gentium, Juxta Disciplinam Ebraeorum, Libri Septem. Accessit Novae Huius Editioni Index Accuratus. Leipzig and Frankfurt: Apud Jeremiam Schrey, 1695. [xlviij], 892, [27] pp. Copperplate frontispiece, 7 plates, 3 folding, woodcut text illustrations. Text in Latin, with numerous texts quoted first in Hebrew or Arabic. Quarto (8" x 6-1/2").

Contemporary vellum with lapped edges, early hand-lettered title to spine, front endleaves renewed. Light soiling, spine ends and corners bumped, boards slightly bowed, armorial bookplate to front pastedown, rear free endpaper neatly removed. Copperplate pictorial title page, main title page printed in red and black, woodcut decorative initials and text illustration. The plates depict the presentation of the Ten Commandments, elevations of the Temple of Jerusalem and praying angels in the Temple. Light toning to text, somewhat heavier on places, spark burns to a few leaves, woodcut ornament clipped from title page and replaced with blank paper at an early date, internally clean. A nice copy. \$950.

* Fourth edition, one of two Schrey issues from 1695. First published in 1640, this is a landmark work in international law and natural law theory. It is also a fundamental work for a collection of Judaica. In Johnson's *Memoirs of John Selden* (1835), he describes this as "one of his most erudite works... Its design is supposed to have been suggested to him by Grotius's celebrated treatise 'De Jure Belli et Pacis,' yet its method is totally different, and its motto from Lucretius, claims for its subject the merit of absolute novelty." This is also the work that caused John Milton to refer to Selden in *Areopagitica* as "the chief of learned me reputed in this land," and refers to "De Jure Naturali" as "that noble volume written by our learned Selden, of the Law of Nature and of Nations." Further, "De Jure Naturali" is named by Milton in *Areopagitica* as the source of his theistic conception of natural law and Samson names "the law of nature, law of nations" in his speech to Dalila at lines 890-91 in book two of *Samson Agonistes*. Finally, Milton makes extensive use of this work in all of his divorce tracts; this stands to reason, since the political argument of the fifth book of "De Jure Naturali" is to reform English marriage law. Johnson, *Memoirs of John Selden* 264-65. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 14:019946V. [Order This Item](#)



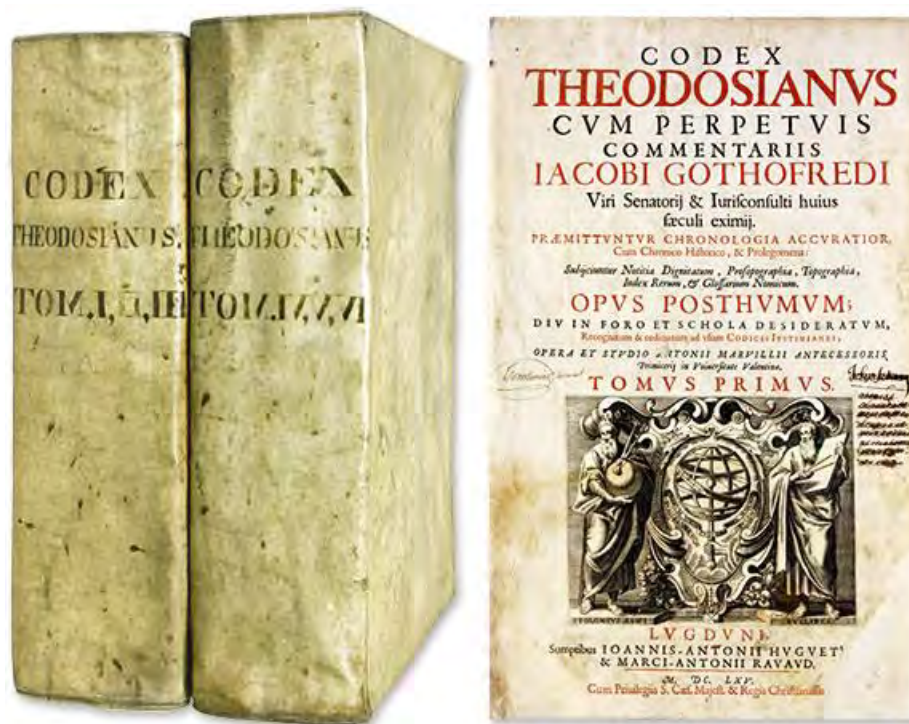
One of the Best Manuals of Its Kind

**25. [Sheriffs].
[Great Britain].**

The Compleat Sheriff: Wherein is Set Forth, His Office and Authority; with Directions, How and in What Manner to Execute the Same, According to the Common and Statute Laws of this Kingdom, Which are Now in Force and Use: And the Judgments and Resolutions of the Judges in Divers Late Cases in the Several Courts of Westminster, Relating Thereunto. Likewise of Under-Sheriffs and Their Deputies; And Where the High-Sheriff Shall be Answerable for Their Defaults, And Where Not, &c. Together with the Learning of Bail-Bonds; With an Explication of Stat. 23 H. 6. Cap. 10. And Pleadings Thereon. Retorns of Writs, Remedies Against Non Return and Faux Return, Habeas Corpus, Venires, Challenges and Enquiry of Damages. Prisoners and Prisons. Execution by Fieri Fac', Elegit, &c. Escapes, Actions and Pleadings Therein. Fresh Pursuit, and Other Pleas. Attachment, Amerciament: Actions, Declarations and Pleadings on the Sheriffs Non-Feasance or Male-Feasance. Customs of London, As to Prisons, Courts, Process, Sheriffs Fees, Extortion, Sheriffs Accompts, &c. To Which is Added, The Office and Duty of Coroners, And Many Modern Adjudged Cases Relating to the Office of a Sheriff to This Time, &c. London: Printed by John Nutt, Assignee of Edward Sayer Esq., 1710. [xxiv], 496 [i.e.498], [22] pp. Advertising leaf facing title page. Octavo (7-1/2" x 4-1/2").

Contemporary paneled calf, gilt-edged raised bands and gilt ornaments to spine, lettering piece lacking. Some minor nicks and scuffs, some rubbing to extremities, corners bumped, front hinge starting at head, pastedowns loose, early armorial bookplate (of the Marquis of Haedfort) to front pastedown leaf. Light, generally very light, toning to text, lower corner lacking from advertisement leaf with loss to text, tiny early mark in ink to foot of title page. \$300.

* Second edition. One of the most thorough books of its kind, the aptly-titled *Compleat Sheriff* is notably descriptive. It also includes citations of legal cases, bibliographical references, chapters on juries and habeas corpus and a detailed discussion of the law of escapes. A useful and long-lived work, it was first published in 1696. This edition was reissued in 1710 with a cancel title page; it was followed by four later editions, the last in 1778. All are scarce. OCLC locates 12 copies of the second edition. *English Short-Title Catalogue* T90638. [Order This Item](#)



The Godefroy Edition of the Theodosian Code

26. Theodosius II [408-450 CE], Emperor of the East.

Godefroy, Jacques [1587-1652], Editor.

Antoine Marville [1609-1663], Editor.

Codex Theodosianus: Cum Perpetuis Commentariis Iacobi Gothofredi. Praemittuntur Chronologia Accuratio, Cum Chronico Historico, & Prolegomena: Subijciuntur Notitia Dignitatum, Prosopographia, Topographia, Index Rerum, & Glossarium Nomicum. Opus Posthumum; Div in Foro et Schola Desideratum, Recognitum & Ordinatum ad Usus Codicis Iustiniani, opera et Studio Antonii Marvillii Antecessoris. Lyon: Sumptibus Ioannis-Antonii Huguetan, & Marci-Antonii Rauaud, 1665. Six volumes bound in two books. Main text in parallel columns. Folio (14-1/4" x 9").

Contemporary vellum, early hand-lettered titles to spines, edges colored green. Moderate rubbing and soiling, spine ends bumped, corners bumped and somewhat worn, vellum just beginning to crack through pastedowns, some edgewear to endleaves, lower portion of Volume I half-title and lower corner of title page restored (text not affected). Title pages printed red and black, woodcut head-pieces and decorated initials. Light to moderate toning, occasional foxing, faint dampstaining in places. A few early annotations and signatures to title pages of Volume I and IV, interiors otherwise clean. A desirable set. \$3,000.

* First edition. The Theodosian Code is an official compilation of all laws enacted since the reign of Constantine that was commissioned by Emperor Theodosius II in 429 CE. Completed in 438 CE, and ratified that year by the senate, it was the standard legal text of the empire, one that superseded all earlier codes. It would later exert enormous influence on the barbarians who assumed control of the Western Empire. The Visigoths, Ostrogoths, Franks, Lombards and Burgundians used it as the basis for their legal codes. Godefroy's edition, which includes extensive commentary, was the first modern edition of the *Codex*. It remains a masterpiece of scholarship and erudition. This edition also contains additional notes by Antoine Marville. Graesse, *Tresor de Livres Rares et Precieux* 209. *British Museum Catalogue* (Compact Edition) 21:980. [Order This Item](#)



"In All, He Might Have
Had 15 or 20 Connections with Me"

27. [Trial].

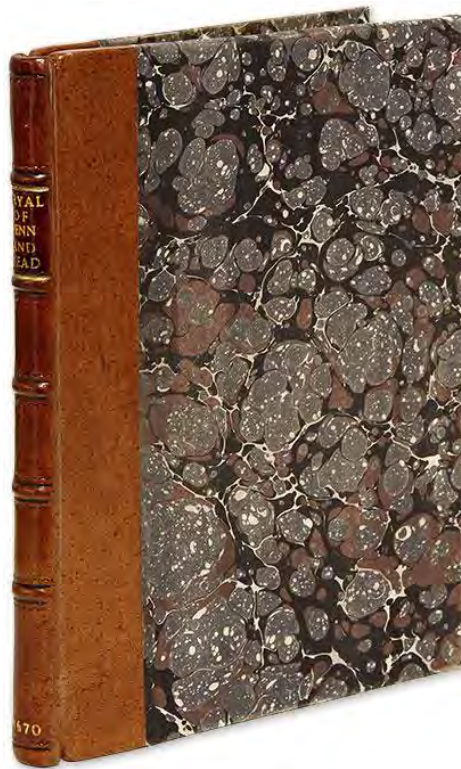
Fairchild, Joy Hamlet [1790-1859], Defendant.

Weeks, James E.P., Reporter.

Trial of Rev. Joy Hamlet Fairchild, On a Charge of Adultery with Miss. Rhoda Davidson. [Boston]: Boston Daily Times, 1845. 32 pp. Main text in parallel columns. Octavo (9" x 6").

Stab-stitched pamphlet, untrimmed edges. Light soiling to exterior, moderate toning to text, light foxing in a few places. \$450.

* At head of text: "Times" Report, the first of three editions published by the *Boston Daily Times*. One of several publications about this celebrated, notorious case, consuming much contemporary print. Fairchild allegedly seduced a young woman, Rhoda Davidson, of Edgecomb, Maine, while she was a domestic in his family. She had a child, and nominated Fairchild as the father. Fairchild claimed that rival ministers had defamed him by calling him a habitual libertine and adulterer. This pamphlet includes witnesses' testimony, including that of Miss Davidson. "In all, he might have had 15 or 20 connections with me." The pamphlet closes with the verdict of Not Guilty; "the audience burst out in involuntary applause, which was immediately checked." Another, earlier issue does not include the jury verdict, the pamphlet noting that deliberations were ongoing. Accounts of this case are scarce. OCLC locates 3 copies of our account (American Antiquarian Society, Harvard Law School, New Hampshire Historical Society). Cohen, *Bibliography of Early American Law* 13693. [Order This Item](#)



A Landmark in the History of Juries

28. [Trial].

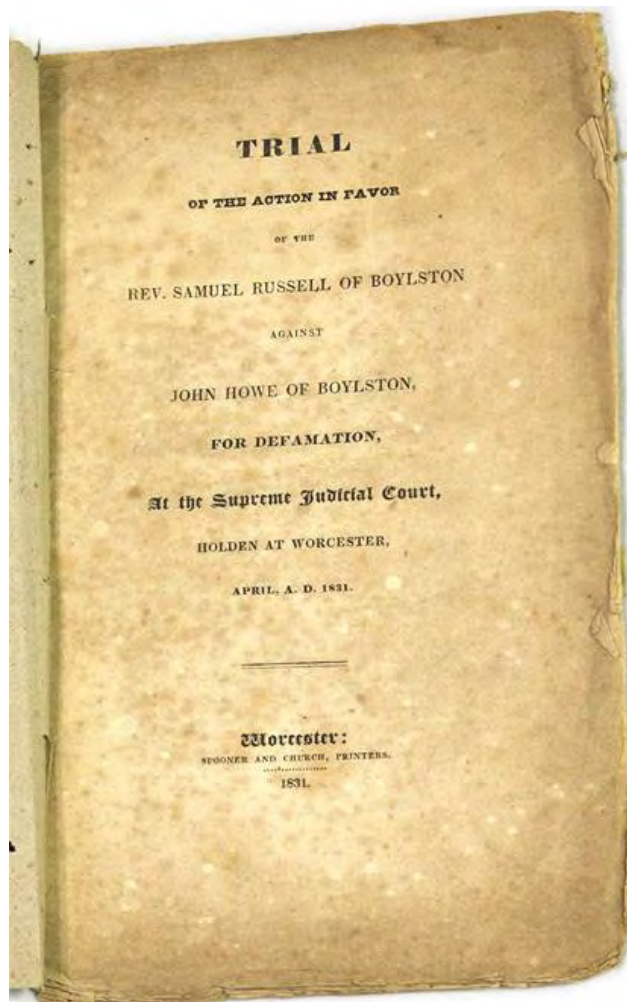
Penn, William [1644-1718], Defendant.

Mead, William [1628-1713], Defendant.

The Peoples Ancient and Just Liberties Asserted in the Tryal of William Penn, And William Mead, At the Sessions Held at the Old-Baily in London, The First, Third, Fourth and Fifth of Sept. 70. Against the Most Arbitrary Procedure of that Court. Old-Baily, 1st. 3d. 4th, 5th of Sept. 1670. [London], Printed in the Year, 1670. 62 pp. Lacking final blank leaf. Quarto (7-1/4" x 5-1/4").

Stab-stitched pamphlet bound into quarter calf over marbled boards, gilt title to spine, top-edge gilt, endleaves added, title page and final leaf mounted, a few leaves re-hinged. Moderate toning, occasional light soiling, faint dampstaining and light foxing to a few leaves, faint inkstamp to foot of p. 62, faint embossed library stamp to title page, small chip to its upper corner. A nice copy in a handsome binding. \$1,500.

* First edition, one of five issues from 1670. Popularly known as "Bushel's Case," this case was a landmark in the establishment of jury nullification and, more broadly, the idea that juries are independent bodies. Mead, a London merchant, and Penn, later the founder of Pennsylvania, were prominent Quakers. They were arrested for preaching to a large public gathering, an act Penn deliberately provoked to test the validity of the Conventicle Act, which denied the right of assembly to gatherings larger than five people for any religious purpose not affiliated with the Church of England. The jury found the two guilty of speaking in public but refused to say they were addressing an unlawful assembly. The infuriated judge demanded a verdict that declared them violators of the Act. When, following the lead of the foreman, Edward Bushel, the jury refused, the judge imprisoned the jurors for two days without food, water or heat. Upon release, the jury returned a verdict of not guilty. The judge then fined the jurors for contempt of court and returned them to prison until they paid their fines. On behalf of his fellow jurors, Bushel petitioned the Court of Common Pleas for a writ of habeas corpus. Sir John Vaughan, that court's chief justice, ruled ultimately that a jury could not be punished for the verdict it returned. *English Short-Title Catalogue* R40049. [Order This Item](#)



Libel in Worcester, Massachusetts

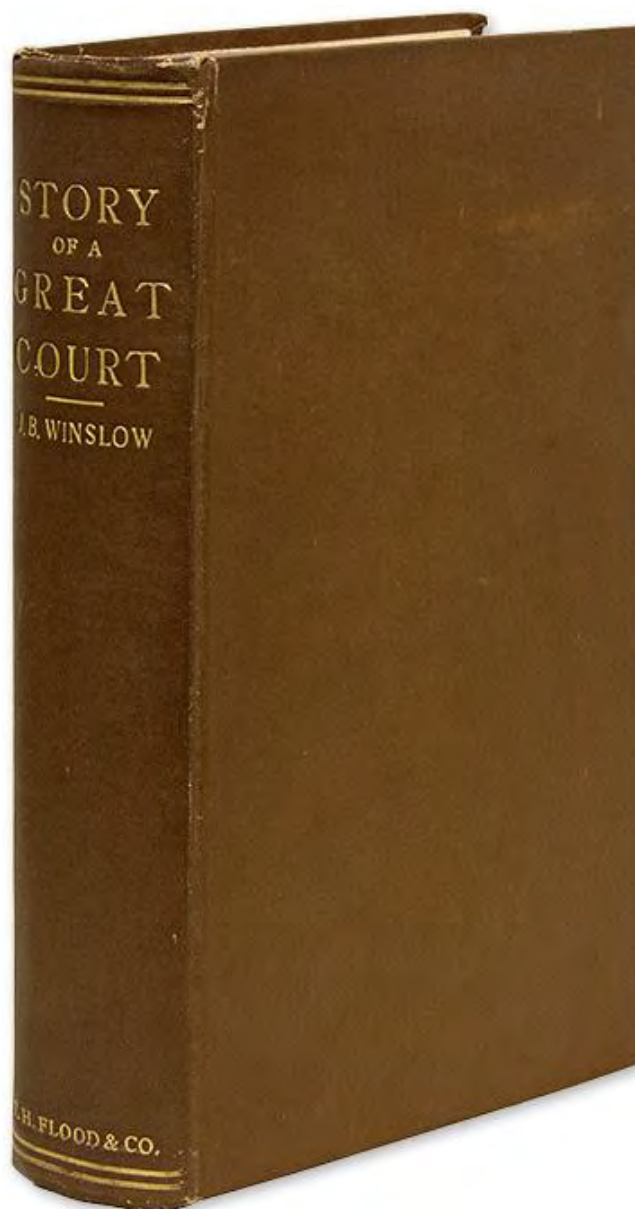
29. [Trial].

Russell, Samuel [1798-1835], Plaintiff.

Trial of the Action in Favor of the Rev. Samuel Russell of Boylston Against John Howe of Boylston, For Defamation: At the Supreme Judicial Court, Holden at Worcester, April, A.D. 1831. Worcester [MA]: Spooner and Church, Printers, 1831. 27 pp. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in plain wrappers, untrimmed edges. Light soiling and moderate edgewear to wrappers, front wrapper partially detached. Moderate toning and light foxing to text, minor tears to edges of some leaves, internally clean. \$450.

* Only edition. "In protesting Russell's election to the school committee, Howe allegedly accused him of lying to a colleague about an exchange of church ministers. Russell sued for libel, but the jury found for the defendant. Russell's motion for a new trial was denied" [Cohen]. This pamphlet is a detailed summary of Russell's charges and the testimony of witnesses. Russell's motion for a new trial was based on an allegation that one of the jurors had improperly concealed a bias favoring Howe. This account contains the complete text of the court's opinion denying the motion. OCLC locates 10 copies, 4 in law libraries (Harvard, Library of Congress, Social Law, Yale). Cohen, *Bibliography of Early American Law* 12028. [Order This Item](#)



**The First Book-Length
History of the Wisconsin Supreme Court**

30. Winslow, John Bradley.

The Story of a Great Court: Being a Sketch History of the Supreme Court of Wisconsin, Its Judges and Their Times from the Admission of the State to the Death of Chief Justice Ryan. Chicago: T.H. Flood & Company, 1912. xiv, 421 pp. Frontispiece, 23 plates.

Cloth, gilt title to spine, top-edge gilt. Light rubbing to extremities, corners lightly bumped, front free endpaper lacking, light toning to text, light finger smudges to a few leaves. A handsome copy. \$250.

* Only edition. The first book-length study of the subject, Winslow traces the history of the Wisconsin Supreme Court from its establishment in 1841 to 1880. [Order This Item](#)

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