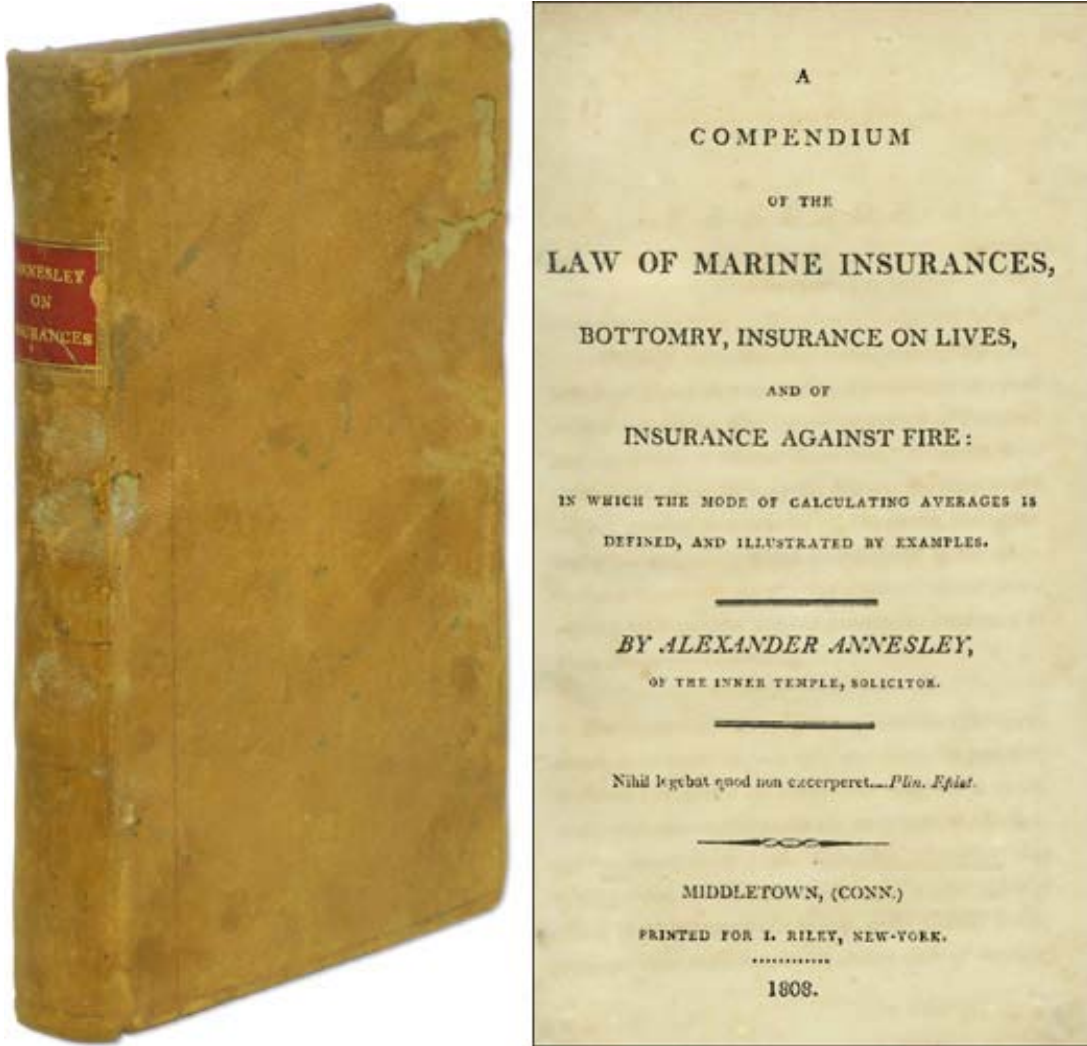


AMERICAN LEGAL IMPRINTS 1768–1849

May 16, 2017



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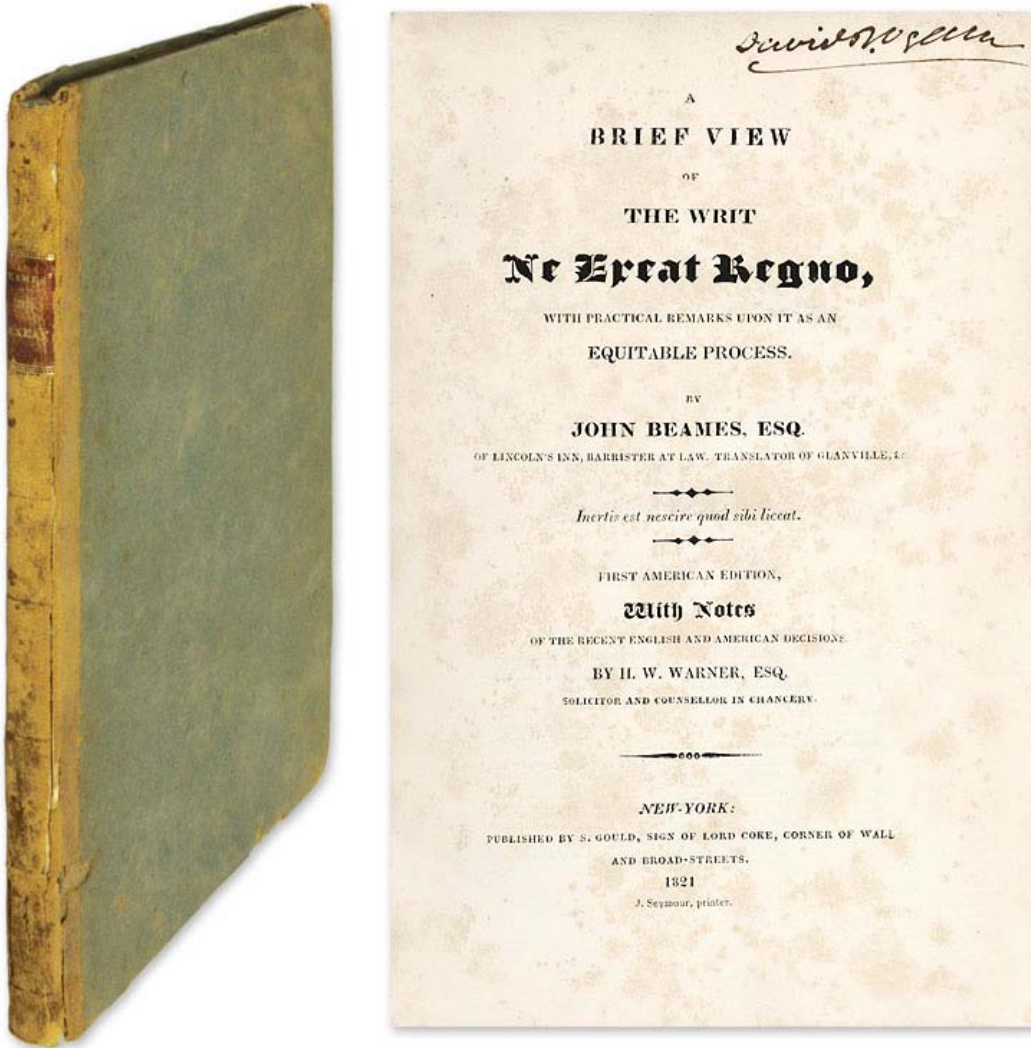
1. Annesley, Alexander [d. 1813].

A Compendium of the Law of Marine Insurances, Bottomry, Insurance on Lives, and of Insurance Against Fire: In Which the Mode of Calculating Averages is Defined, and Illustrated by Examples. Middletown [CT]: Printed for I. Riley, 1808. xv, [1], [17]-258 pp. 12mo. (7-1/2" x 4-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing with light wear to corners, boards have some scuffing and a few spots of worming. Light foxing to endleaves, light toning to text. A nice copy. \$300.

* Only American edition, published the same year as the first (and only) London edition. "The present excellent system of maritime jurisprudence, so enlarged in principle, and liberal in practice, is detailed in works too voluminous to afford a ready and practicable reference to the merchant, the broker, or the underwriter; the Compiler, therefore, has abridged the law and the dicta on adjudged cases of insurance, arranging the whole under distinct heads to serve as a vade mecum to every class of readers, who may comprehend with facility, and decide with confidence.": Preface v-vi. Annesley was a barrister of the Middle Temple and a London solicitor. Cohen, *Bibliography of Early American Law* 7050.

Order this item: <http://www.lawbookexchange.com/details.php?record=45154>



"Valuable Guide" to the Writ *Ne Exeat Regno*

2. Beames, John [1781?-1853].

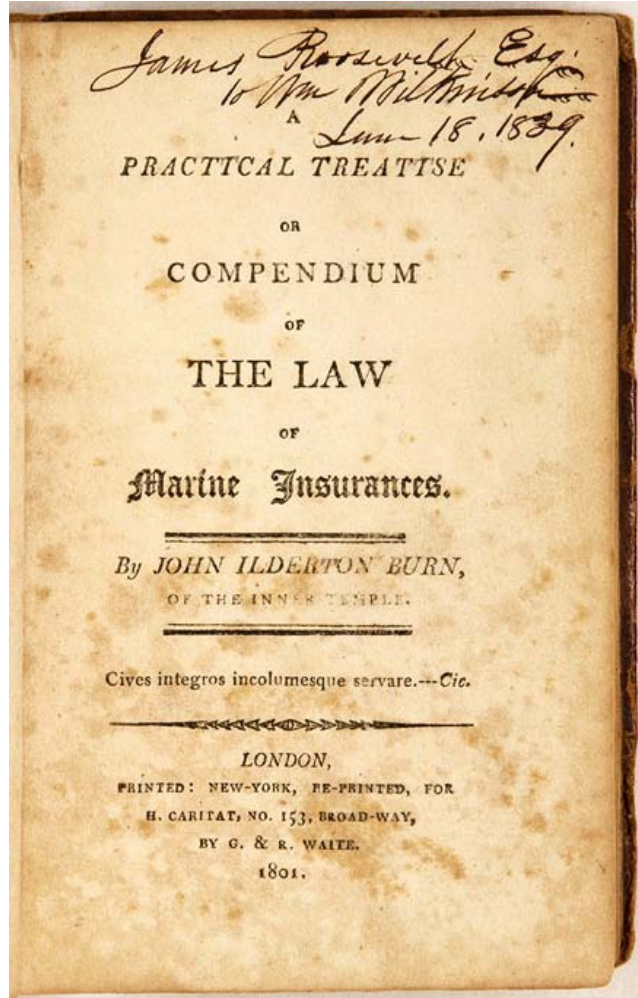
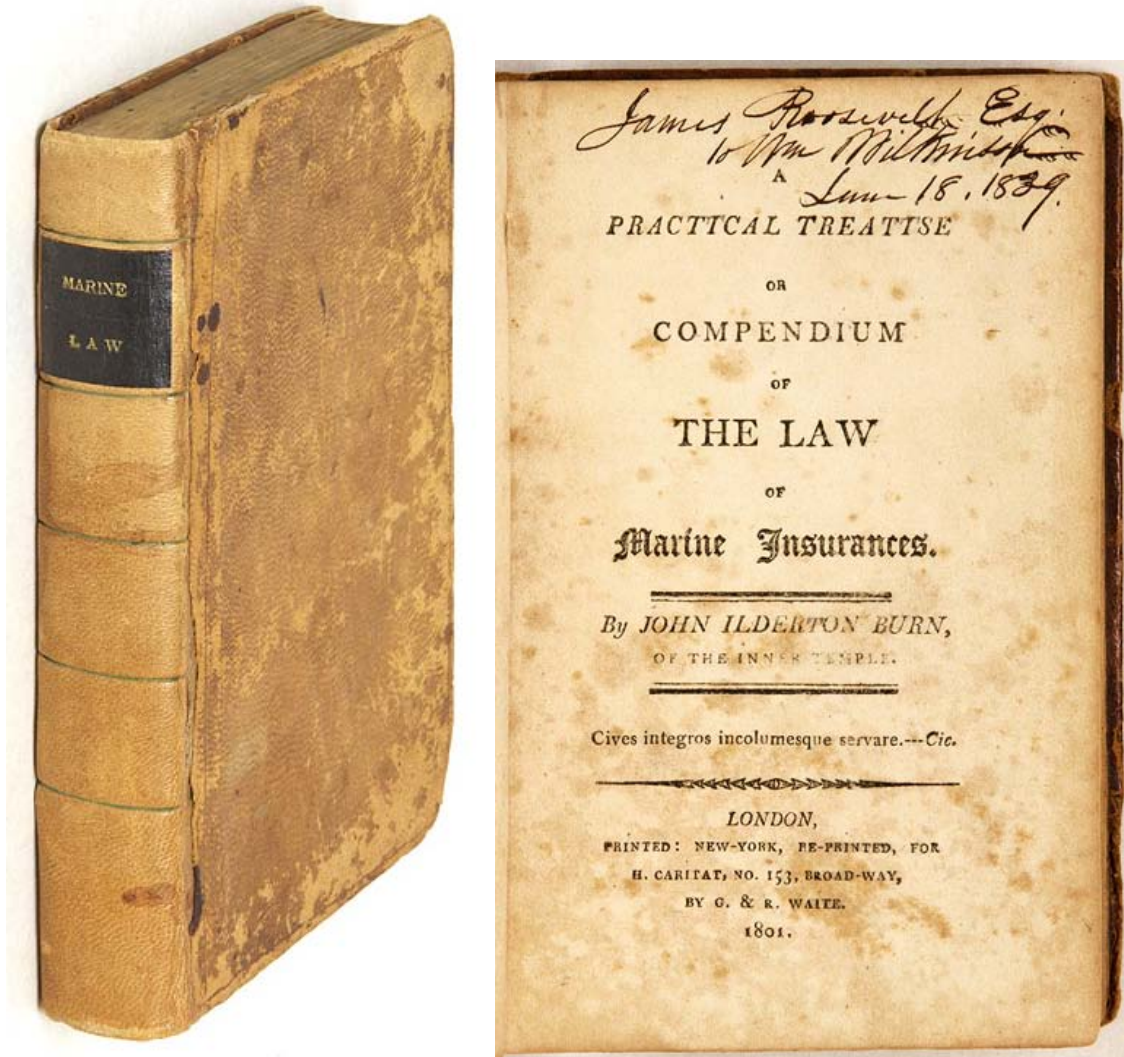
Warner, H.W., Notes.

A Brief View of the Writ Ne Exeat Regno, With Practical Remarks Upon It as an Equitable Process With Notes of the Recent English and American Decisions. New York: Published by S. Gould, 1821. 7, xi, 77 (i.e. 67) pp. Paged irregularly, following the paging of the original (London) edition, which is given in footnotes. (The beginnings of the pages are indicated in the text by asterisks.) Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter sheep over paper boards, lettering piece and blind fillets to spine. Some rubbing with wear to spine ends, corners bumped, front joint cracked but secure. Toning, light foxing. Early (illegible) owner signature to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A solid copy of a scarce title. \$350.

* First American edition, from the first London edition (1812). The equity writ *Ne Exeat Regno* is a tool to restrain a person from leaving a country or the jurisdiction of a court. It also refers to the process equity courts used to obtain bail or security to abide a decree. "This work will be found a valuable guide to the profession in those states having Courts of Equity." Marvin, *Legal Bibliography* 103. Cohen, *Bibliography of Early American Law* 4929.

Order this item: <http://www.lawbookexchange.com/details.php?record=54182>



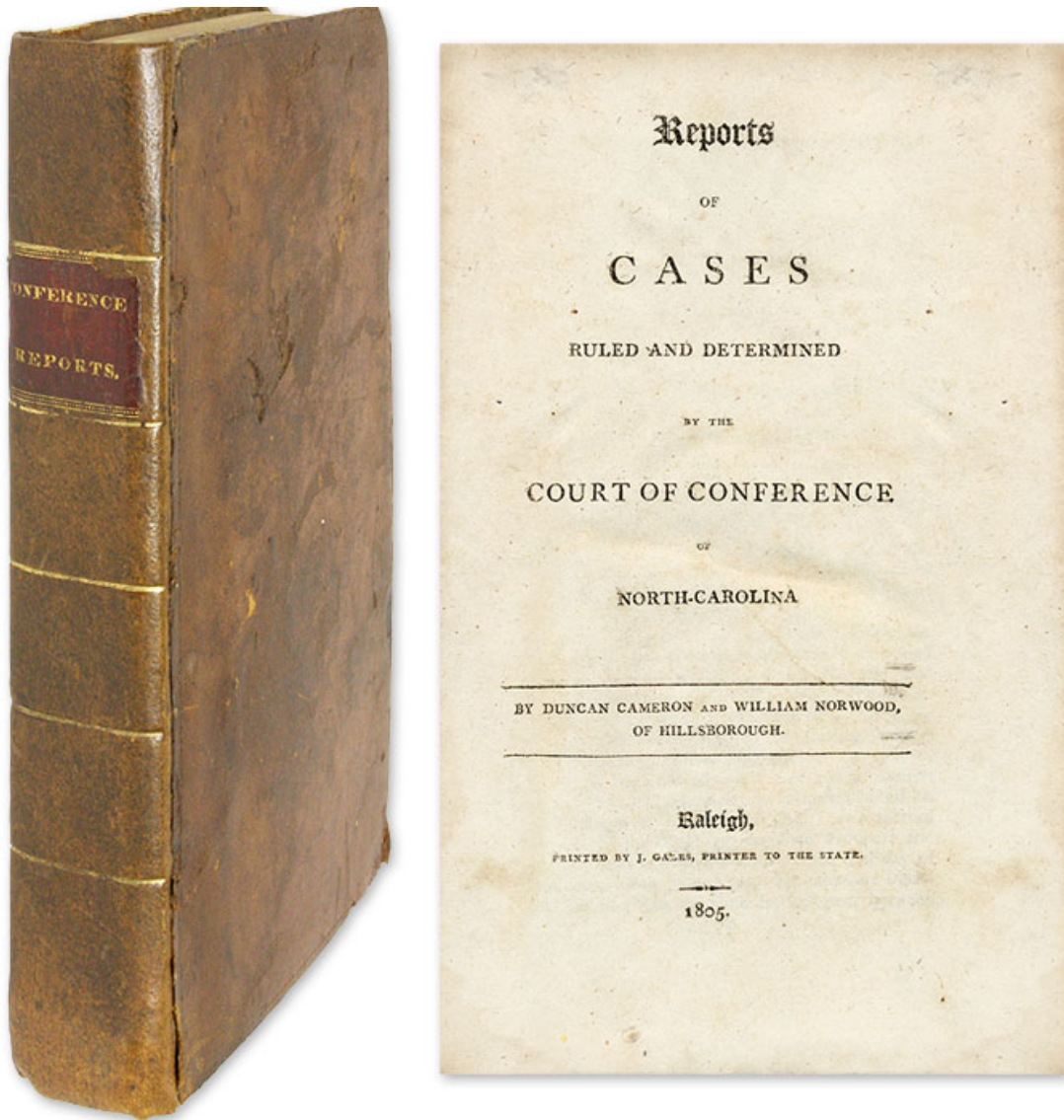
Burn's *Marine Insurances*, A Roosevelt Family Association Copy

3. Burn, John Ilderton [1774?-1848].

A Practical Treatise or Compendium of the Law of Marine Insurances. London, Printed: New-York, Re-Printed, for H. Caritat by G. & R. Waite, 1801. xiv, [2], 235 pp. 12mo. (6-1/4" x 4").

Contemporary sheep with later rebacking, blind rules to boards, lettering piece and blind fillets to spine. Moderate rubbing to spine, heavier rubbing to board edges with some wear to corners, hinges cracked, front free endpaper lacking. Moderate toning and foxing to text. Presentation inscription from James Roosevelt dated 1839 to head of front free endpaper, interior otherwise clean. \$650.

* Only edition, published the same year in London and New York. The inscription reads: "James Roosevelt Esq./ to Wm Wilkinson/ June 18, 1839." James John Roosevelt [1794-1875], known as James I, was a businessman, lawyer and politician. He was a member of the Roosevelt branch that produced President Theodore Roosevelt. James I was a member of the New York State Assembly and the U.S. House of Representatives. He was also a justice of the New York Supreme Court. Burn was a barrister of the Inner Temple who published several law treatises. The appendix contains summaries of two recent English decisions, and the form of an insurance policy for a ship or goods. Cohen, *Bibliography of Early American Law* 7055. Order this item: <http://www.lawbookexchange.com/details.php?record=65692>



The First North Carolina Supreme Court Reports

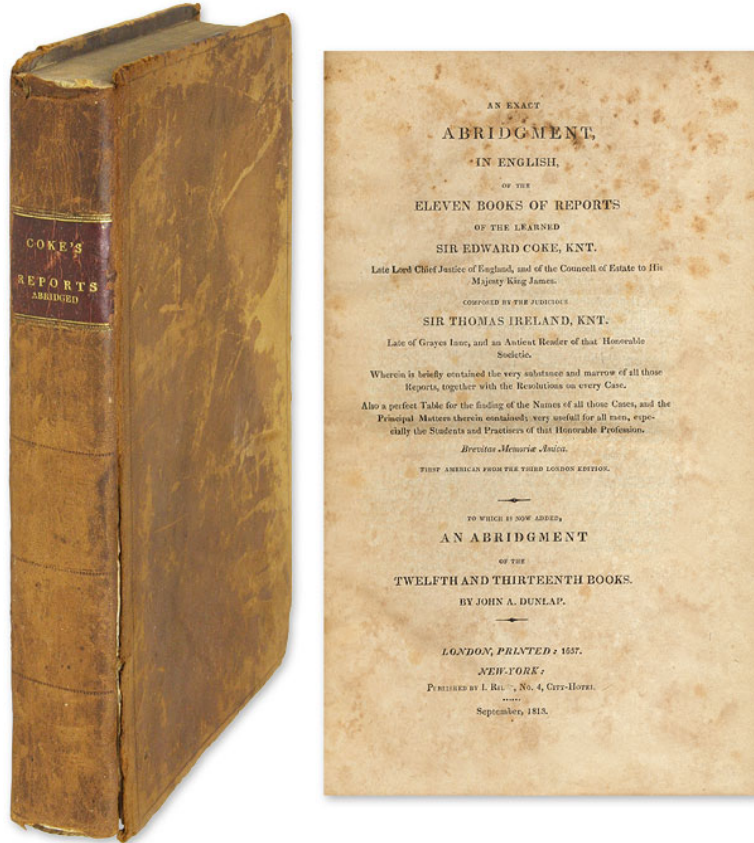
4. Cameron, Duncan, Reporter.

Norwood, William, Reporter.

Reports of Cases Ruled and Determined by the Court of Conference of North-Carolina. Raleigh: Printed by J. Gales, Printer to the State, 1805. 556, xvii pp. Octavo (8" x 5").

Contemporary sheep, rebaked in period style with gilt fillets and original lettering piece. Some scuffing to boards, moderate rubbing to extremities, corners bumped, front hinge mended, rear hinge cracked. Light browning, somewhat darker in places, faint dampstaining at beginning and end of text. \$350.

* Only edition. The first North Carolina appellate court, created in 1799, was called the Court of Conference. It consisted of several Superior Court judges who met twice each year to review appeals from their own courts. It was renamed the Supreme Court in 1805 and was reorganized as a distinct body in 1818. Also known as the *Conference Reports*, this volume contains cases from 1800 to 1804. It is the first compilation of North Carolina Supreme Court reports. Wallace, *The Reporters* 584. Order this item: <http://www.lawbookexchange.com/details.php?record=60120>



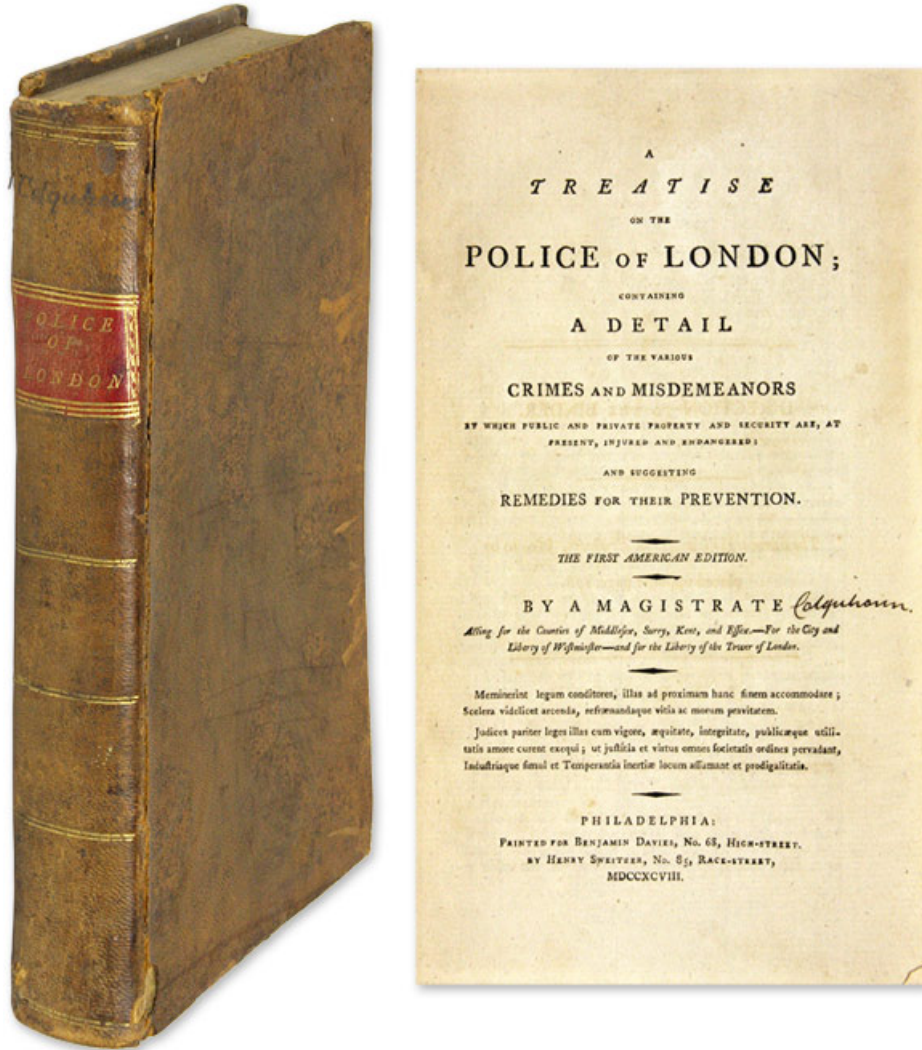
Abridgment of Coke's Reports

**5. Coke, Sir Edward (1552-1634), Reporter.
Ireland, Sir Thomas, Editor.
Dunlap, John A., Editor.**

An Exact Abridgment, in English, of the Eleven Books of the Reports of the Learned Sir Edward Coke, Knt. of the Learned Sir Edward Coke, Knt. Composed by the Judicious Sir Thomas Ireland, Knt. Wherein is Briefly Contained the Very Substance and Marrow of All Those Reports, Together with the Resolutions on Every Case. Also a Perfect Table for the Finding of the Names of All Those Cases, and the Principal Matters Therein Contained; Very Usefull for All Men, Especially the Students and Practisers of that Honourable Profession. To Which is Now Added, an Abridgment of the Twelfth and Thirteenth Books by John A. Dunlap. New York: Published by I. Riley, 1813. xvi, 432 pp. Octavo (8-1/2" x 5").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Moderate rubbing with some wear to spine ends and corners, boards beginning to separate (but secured by cords). Light browning to text, negligible foxing in a few places. Bookplate residue and illegible early owner signature to front pastedown, interior otherwise clean. \$150.

* First American from the third London edition, 1657. Written between 1572 and 1616, Coke's *Reports* are not reports in the conventional sense but highly detailed anthologies of precedents organized by topic. In each instance Coke assembled a large body of cases, outlined their arguments, and explained the reasons for the judgment, using it as a basis for a statement of general principles. They are, in effect, a series of treatises on the points of law adjudged. A work of immense authority, it was often cited as *The Reports*, there being no need to mention the author's name. His accounts, especially of pleadings, were esteemed for their clarity and usefulness as stylistic models for students. And his selection of cases, cited frequently in subsequent years, has served as the starting point for numerous decisions. Cohen, *Bibliography of Early American Law* 5499. Order this item: <http://www.lawbookexchange.com/details.php?record=58258>



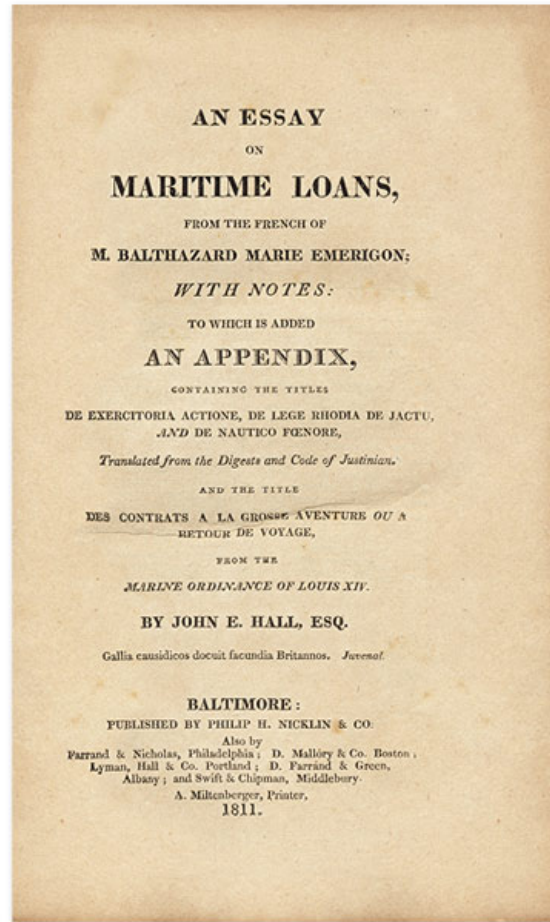
Only American Edition of an Important Work on Crime

6. [Colquhoun, Patrick (1745-1820)].

A Treatise on the Police of London; Containing a Detail of the Various Crimes and Misdemeanors By Which Public and Private Property and Security Are, At Present, Injured and Endangered: And Suggesting Remedies for Their Prevention. Philadelphia: Printed for Benjamin Davies, 1798. xii, [7], 342, xxiv pp. Folding table. Octavo (8-1/4" x 5").

Contemporary sheep treated to resemble tree calf, lettering piece, gilt fillets and faint early hand-lettered author name to spine. Some rubbing to extremities with wear to corners and head of spine, joints starting at head, a few minor scuffs to boards, hinges partially cracked, bookplate (of Thomas Robbins, 1827) to front pastedown. Moderate toning to text, "Colquhoun" added to title page in contemporary hand. A nice copy. \$750.

* Only American edition. Colquhoun was an tireless reformer and public-minded citizen. First published in London in 1796, his treatise on criminology offered innovative proposals, such as the appointment of public prosecutors and paid magistrates, productive labor by convicts and a system of preventative police. This Philadelphia imprint was a response to the keen interest in this subject among elite circles of reformers and legislators in America. Their efforts were reflected in Philadelphia's Eastern State Penitentiary, New York's Auburn Prison and Livingston's penal code. Cohen, *Bibliography of Early American Law* 1010. Order this item: <http://www.lawbookexchange.com/details.php?record=59439>



An "Unrivalled" Authority on Commercial Law

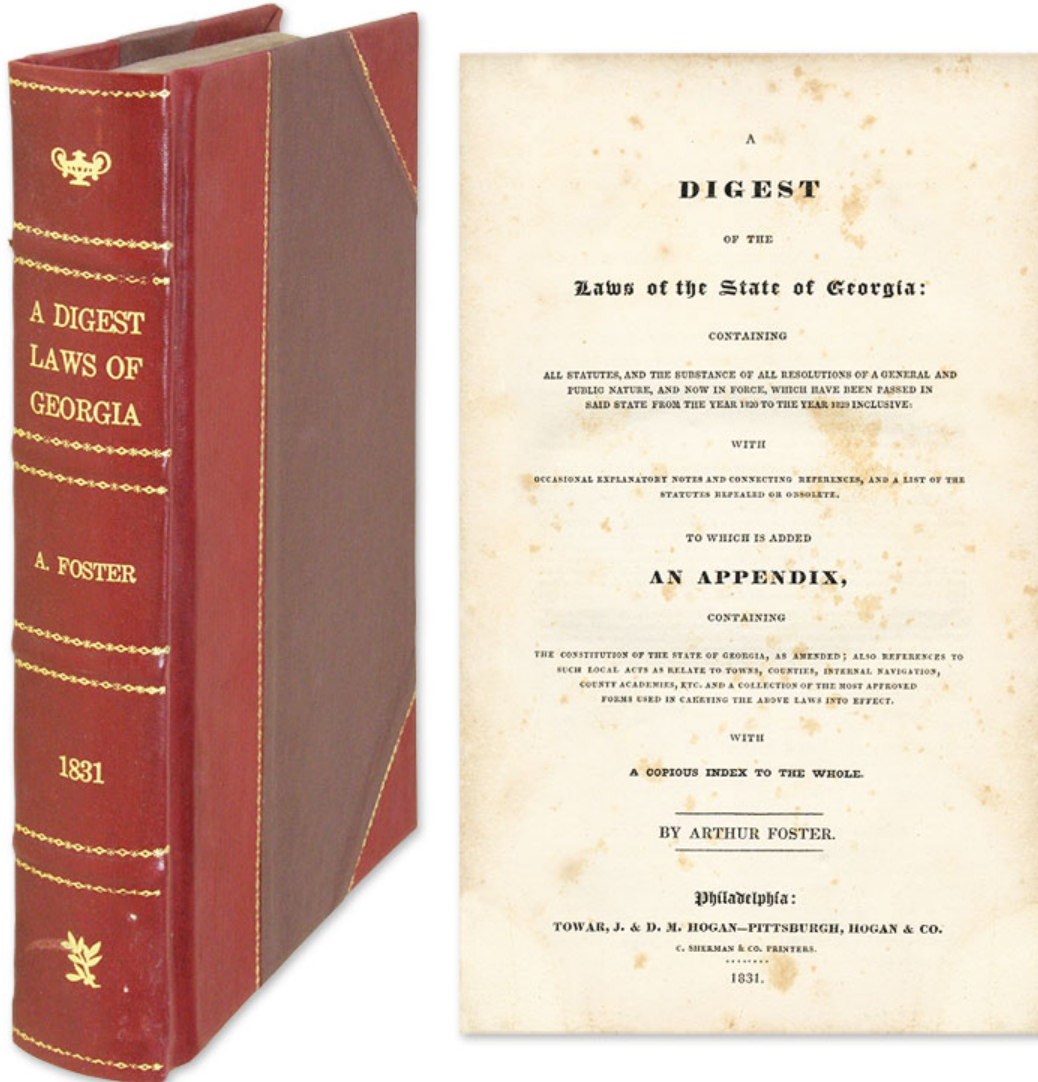
7. Emerigon, Balthazard-Marie [1716-1785].

[Hall, John E., Translator].

An Essay on Maritime Loans, From the French; With Notes: To Which is Added an Appendix, Containing the Titles De Exercitoria Actione, De Lege Rhodia de Jactu, and De Nautico Foenore, Translated From the Digest and Code of Justinian. And the Title Des Contracts a la Grosse Aventure ou a Retour de Voyage, From the Marine Ordinance of Louis XIV. Baltimore: Published by Philip H. Nicklin & Co., 1811. xvi, [17]-313, [1] pp. Octavo (8-1/2" x 5-1/4").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Some rubbing to extremities, front joint just starting at head, a few light scuffs to boards. Light browning to foxing in a few places, dampstaining to a few leaves. Early owner signature (Abner Beck, 1815) to title page, interior otherwise clean. \$500.

* Only American edition. With notes and references to English and American cases. Emerigon was the leading French authority on commercial law. His work was held in the highest regard by English and American jurists. James Kent observed that "no subject in Emerigon is discussed without being exhausted." Lord Ellenborough said he was an "unrivalled" theorist and practical writer. This treatise on bottomry and respondentia is a useful companion to his treatises on maritime law and maritime insurance. Citations from Marvin, *Legal Bibliography* 293. Cohen, *Bibliography of Early American Law* 7060. Order this item: <http://www.lawbookexchange.com/details.php?record=60669>



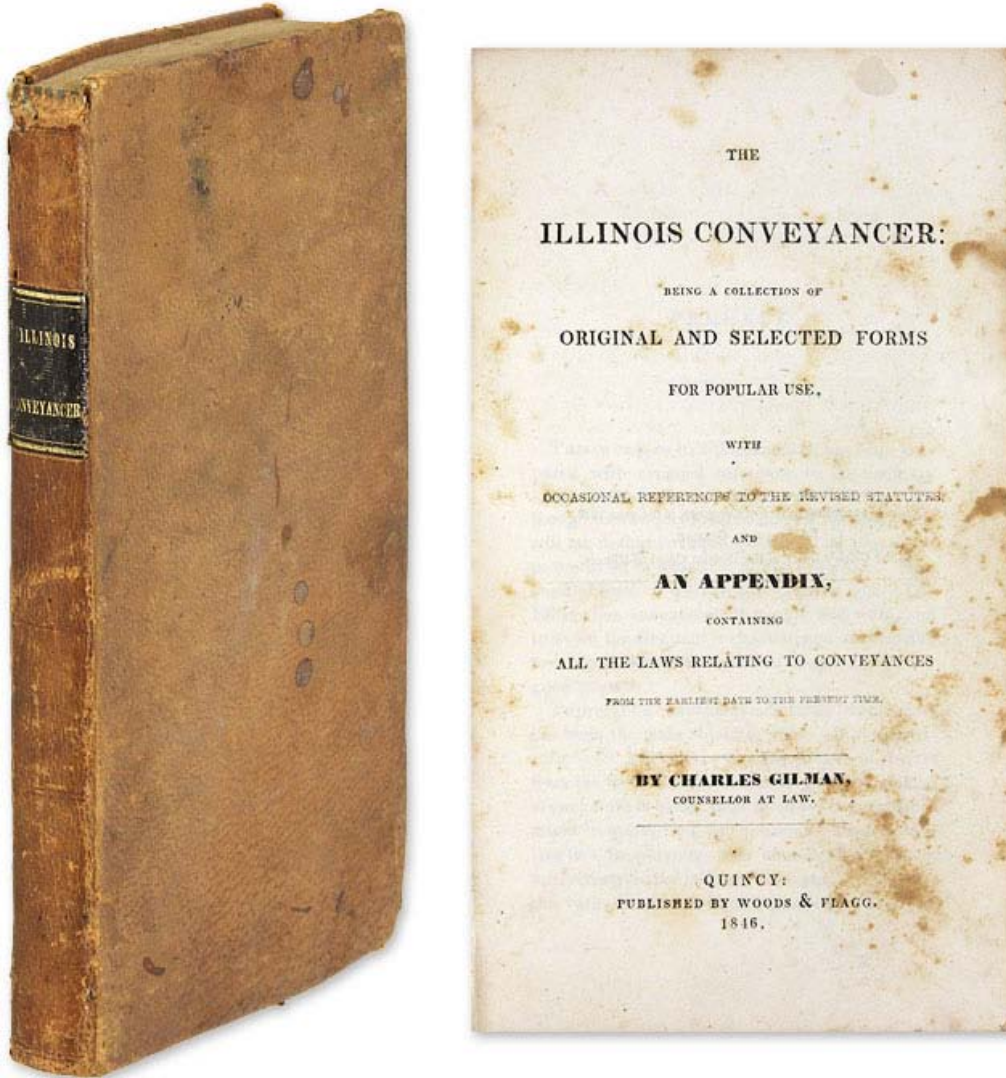
Successor to Prince's Digest

8. Foster, Arthur, Compiler.

A Digest of the Laws of the State of Georgia: Containing all Statutes, And the Substance of all Resolutions of a General and Public Nature, And Now in Force, Which have Been Passed in Said State from the Year 1820 to the Year 1829 Inclusive: With Occasional Explanatory Notes And Connecting References, And a List of the Statutes Repealed or Obsolete. To Which is Added an Appendix, Containing the Constitution of the State of Georgia, As Amended; Also References to Such Local Acts as Relate to Towns, Counties, Internal Navigation, County Academies, Etc. And a Collection of the Most Approved Forms Used in Carrying the Above Laws Into Effect. With a Copious Index. Philadelphia: Towar, J. & D.M. Hogan, 1831. x, 516 pp. Octavo (9" x 5-1/2").

Recent period-style three-quarter imitation calf over cloth, raised bands, gilt title and gilt ornaments to spine, marbled endpapers, recent bookplate to front pastedown, a few minor tears to front endleaf mended with tape. Toning and foxing to text, minor dampstains to a few leaves, internally clean. \$450.

* Only edition. A useful source with a thorough index, this is the successor volume to O.H. Prince's *Digest of the Laws of the State of Georgia* (1822, 1837), an important early Georgian digest. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 87. Order this item: <http://www.lawbookexchange.com/details.php?record=59237>



With a Valuable Appendix of Territorial and State Legislation

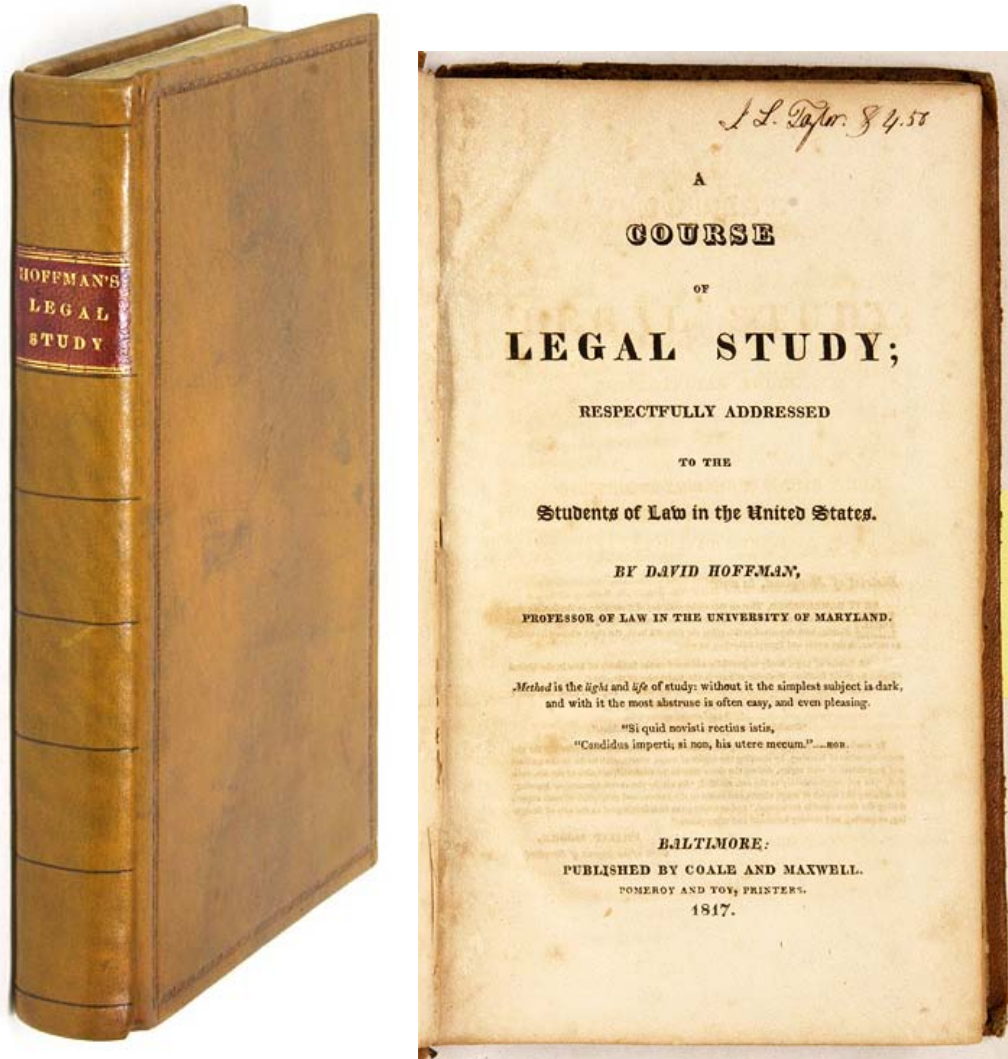
9. Gilman, Charles [1807-1849].

The Illinois Conveyancer: Being a Collection of Original and Selected Forms for Popular Use, With Occasional References to the Revised Statutes; And an Appendix Containing All the Laws Relating to Conveyances from the Earliest Date to the Present Time. Quincy [IL]: Published by Woods and Flagg, 1846. iv, 319 pp. Octavo (7-1/4" x 4-1/4").

Contemporary sheep, blind rules and lettering piece to spine. Light rubbing and a few minor nicks to boards, moderate rubbing to extremities with wear to head of spine, corners bumped, hinges starting at ends. Moderate toning and foxing to text, internally clean. A nice copy. \$250.

* Only edition. Including both federal and Illinois laws relating to land and conveyancing, this handbook is especially valuable for the comprehensive appendix (pp. 217-309) containing relevant Illinois territorial and state legislation. The author of this book was a Quincy, Illinois lawyer and a state reporter. OCLC locates 5 copies in North American law libraries (Harvard, Northwestern, St. Louis University, State of Oregon, University of Alabama). Byrd, *A Bibliography of Illinois Imprints, 1814-1858* 1060. Cohen, *Bibliography of Early American Law* 8211.

Order this item: <http://www.lawbookexchange.com/details.php?record=63340>



First Edition of Hoffman's *Course of Legal Study*

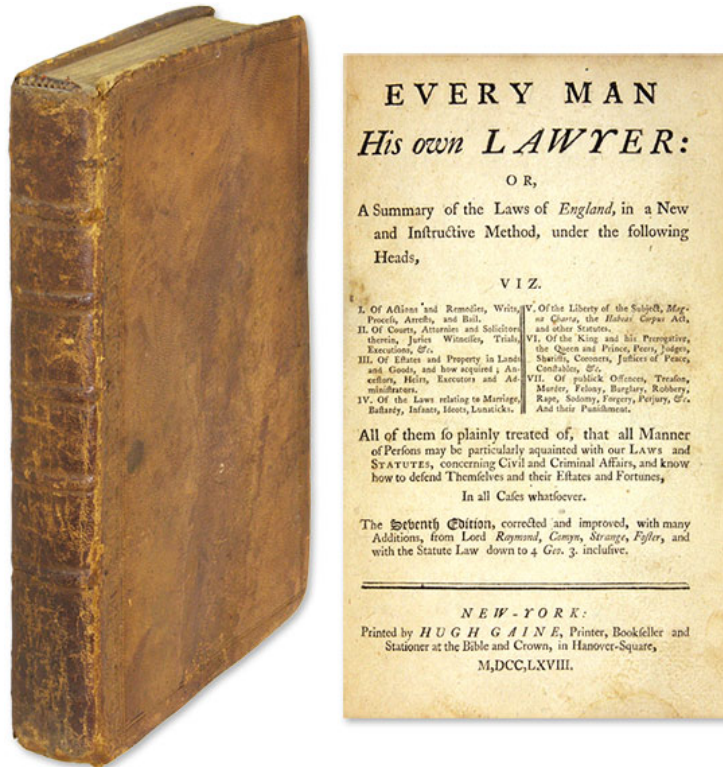
10. Hoffman, David [1784-1854].

A Course of Legal Study; Respectfully Addressed to the Students of Law in the United States. Baltimore: Published by Coale and Maxwell, 1817. [ii], xxx, [31]-383 pp. Octavo (8-3/4" x 5").

Recent period-style calf, blind fillets to boards, blind fillets to spine, existing lettering piece retained, endpapers renewed, table of contents re-hinged. Moderate toning, light foxing in places, light edgewear to a few leaves. Early owner signature to head of title page, check marks and underlining in a few places in an early hand. \$1,250.

* First edition. Hoffman was a prominent pioneer in the establishment of university-based legal education. He helped to found the University of Maryland Law School in 1816 and was its first professor. His *Course of Legal Study* played a critical role in the development of law school curricula and provided guidance to hundreds of antebellum law students and attorneys. Story endorsed this book, saying it embodied a set of qualities "calculated to elevate the moral as well as intellectual character of the profession" More than a handbook, it provided a systematic course that encompassed jurisprudence, philosophy, economics, literature and personal behavior. A second edition was published in 1836. Story cited in Marvin, *Legal Bibliography* 391. Cohen, *Bibliography of Early American Law* 8627.

Order this item: <http://www.lawbookexchange.com/details.php?record=65426>



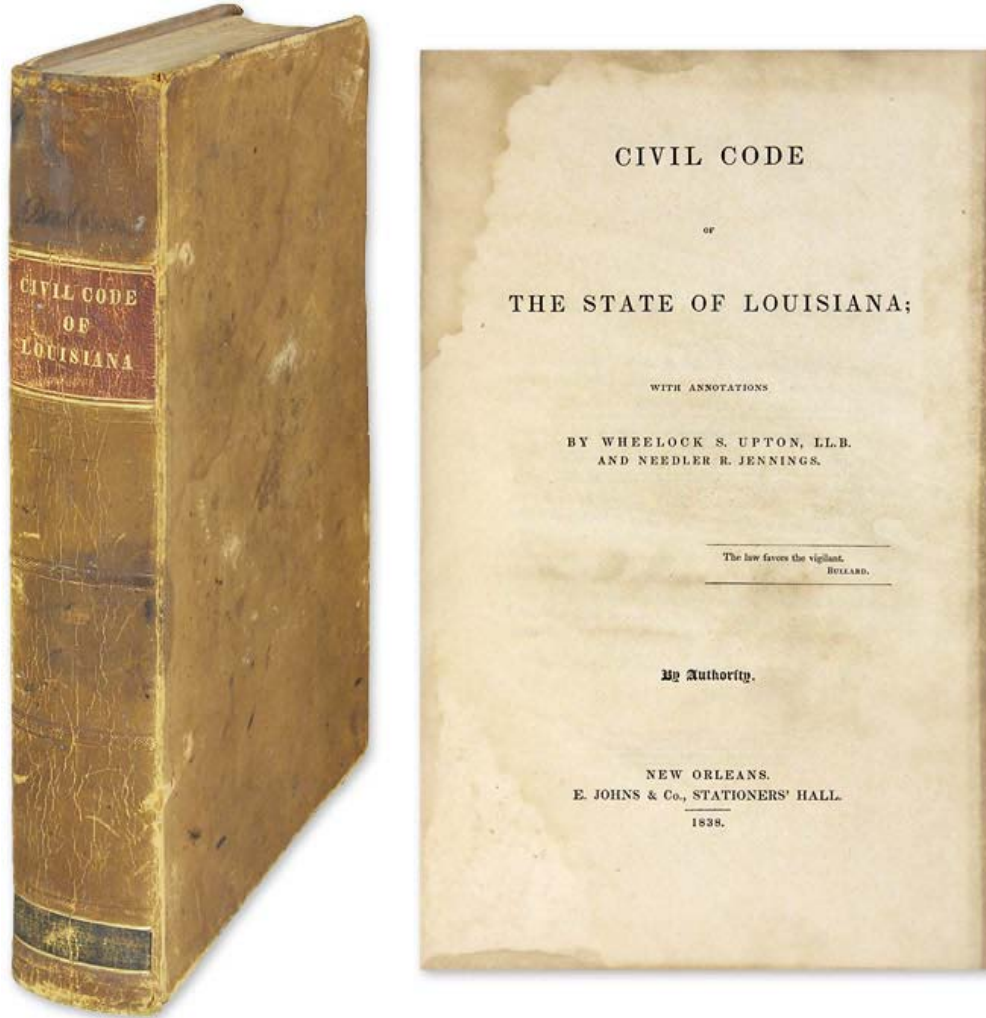
The First Layman's Guide Published in America

11. Jacob, Giles [1686-1744].

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

Contemporary sheep, blind fillets and decorative blind tooling to boards. Moderate rubbing to extremities, some chipping to spine ends, corners bumped and lightly worn, a few minor scuffs to boards, hinges cracked, light browning to text. Early owner signature to rear pastedown, interior otherwise clean. \$1,950.

* First American edition, designated the seventh on the title page in reference to the prior six editions published in London. This popular layman's guide by one of the most prolific legal writers of eighteenth-century England went through ten English editions between 1736 and 1788. The mention of "All Manner of Persons" in the subtitle is significant. Jacob, though certainly interested in boosting sales by attracting the widest audience possible, was an idealist who believed that widespread knowledge of the law would help create a more just society. This is also evident in his other publications, such as *The Common Law Common-Placed* (1726) and *Treatise of Laws* (1721). According to Cohen, this was the first laymen's guide published in America. The next two, which were intended also for aspiring lawyers, were *The Young Clerk's Magazine* (Philadelphia, 1774) and *The Young Clerk's Vade Mecum* (New York, 1776). Cohen, *Bibliography of Early American Law* 8202. Order this item: <http://www.lawbookexchange.com/details.php?record=59841>



The First Annotated Edition of the Louisiana Civil Code

12. [Louisiana].

Upton, Wheelock S.

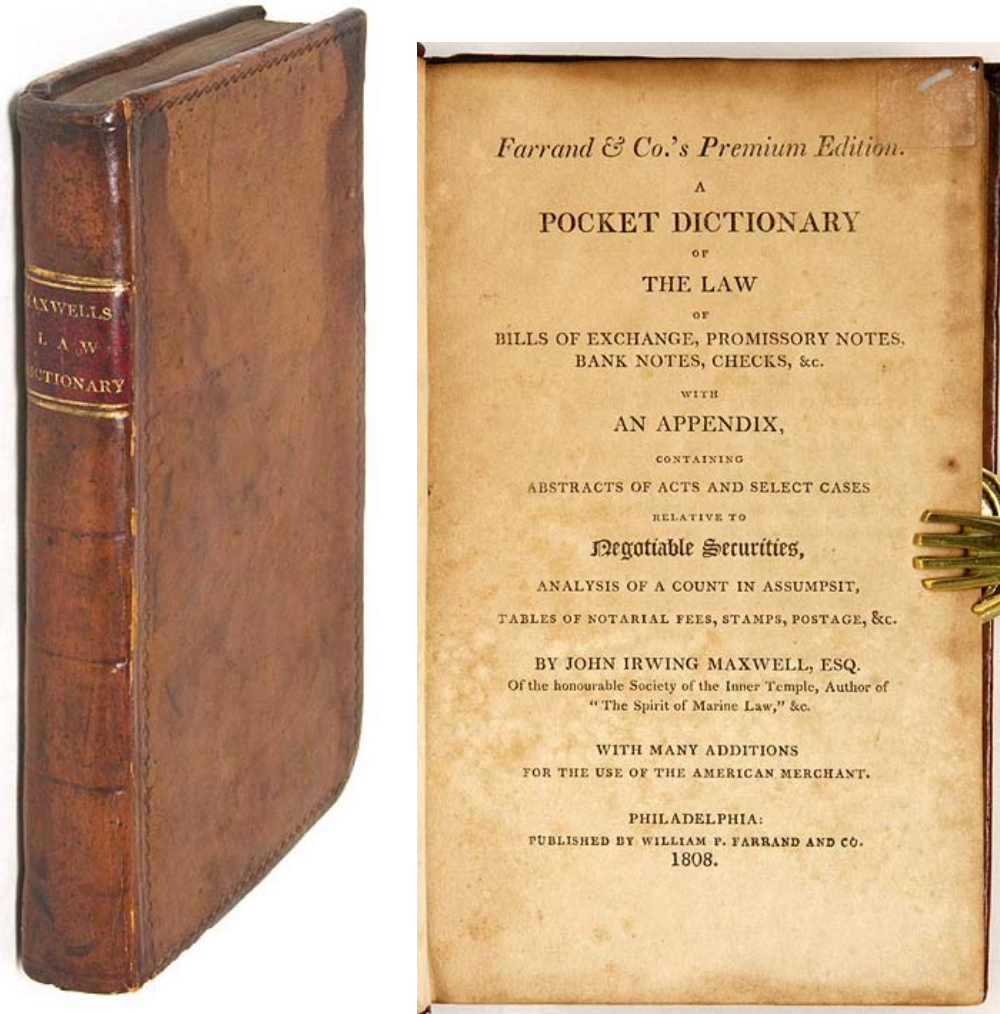
Jennings, Needler R.

Civil Code of the State of Louisiana; With Annotations. By Authority. New Orleans: E. Johns & Co., 1838. [vi], [v]-xl, 536, [2], 51 pp. Octavo (9-1/2" x 6").

Contemporary calf, blind fillets to boards, lettering piece, raised bands and blind fillets to boards. Some rubbing to extremities, corners bumped, a few minor stains and light rubbing to boards, front hinge cracked, rear hinge starting, front free endpaper detached, a few leaves partially detached, a few signatures loose. Light toning to text, occasional light foxing. Early owner signatures and stamps (of Samuel Dalton and Thom. B. Percy) to preliminaries, contemporary annotations in a few places, interior otherwise clean. \$750.

* First edition. In 1822 Derbigny, Livingston and Lislet were commissioned to revise the 1808 compilation of territorial laws. The result of their effort was the Civil Code of 1825. Also issued in a bilingual French-English format, Upton and Jennings's edition of that code is significant because it was the first to include annotations. Marvin, *Legal Bibliography* 476. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 138.

Order this item: <http://www.lawbookexchange.com/details.php?record=62735>



Only American Edition of Maxwell's Commercial Law Dictionary

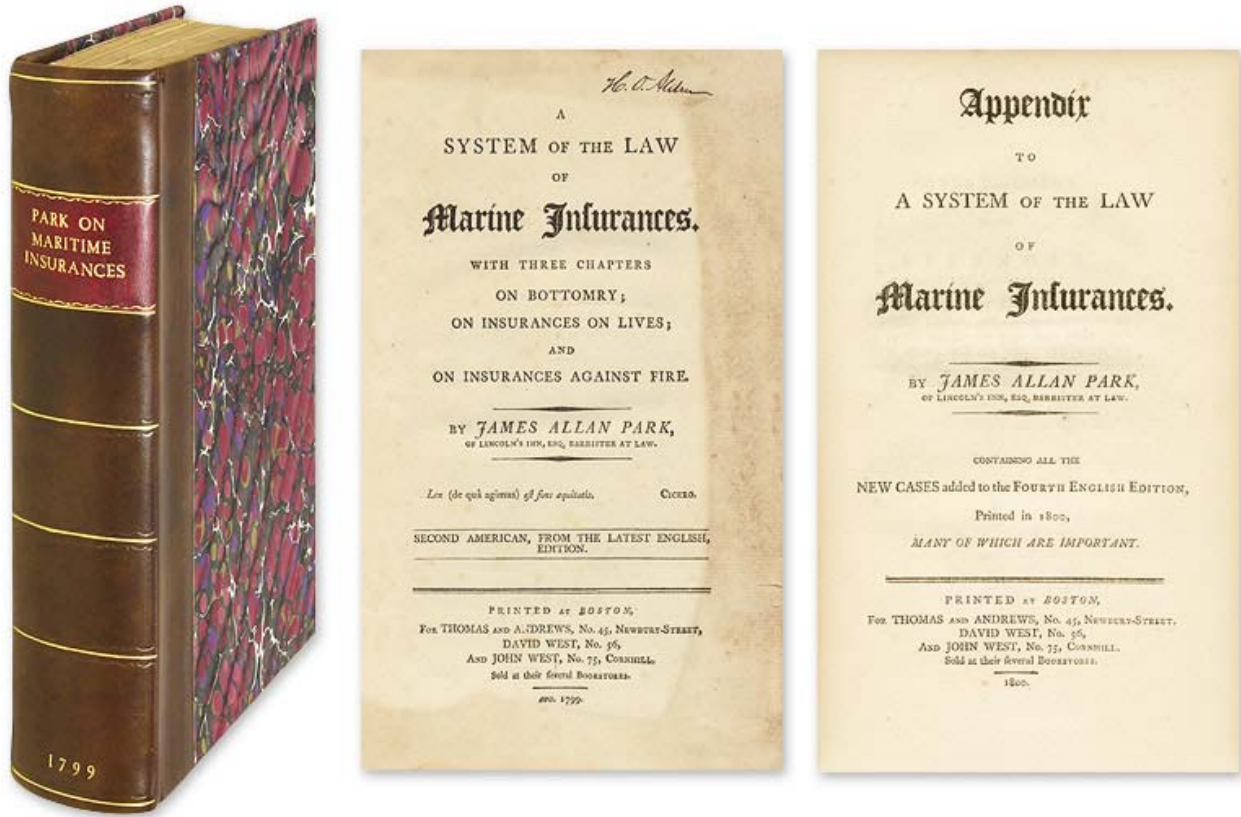
13. Maxwell, John Irving.

A Pocket Dictionary of the Law of Bills of Exchange, Promissory Notes, Bank Notes, Checks, &c. With an Appendix, Containing Abstracts of Acts and Select Cases Relative to Negotiable Securities, Analysis of a Count in Assumpsit, Tables of Notarial Fees, Stamps, Postage, &c. With Many Additions for the Use of the American Merchant. Philadelphia: Published by William P. Farrand and Co., 1808. [xv], [1], 251 pp. Octavo (7" x 4-1/4").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to extremities, corners bumped, recent owner bookplate to front pastedown, negligible faint dampstaining to front board. Moderate toning to text, somewhat heavier in places, minor wormholes near upper corner of preliminaries and a few other leaves, chip to fore-edge of Leaf X4 (pp. 233-234) with minor loss to text, legibility not affected, very faint dampstaining to a few leaves. Early owner signature and annotations to front free endpaper, interior otherwise clean. A nice copy. \$750.

* Only American edition. First published in London in 1802, this is an unusual alphabetical compendium dealing strictly with matters of commerce, such as bills of exchange and promissory notes. Maxwell was also the author of *The Spirit of Maritime Laws* and the delightfully titled *Hints for Protecting the Public Against the Extortion and Insolence of Hackney-Coachmen*. Cohen, *Bibliography of Early American Law* 2551.

Order this item: <http://www.lawbookexchange.com/details.php?record=65077>



The First English Treatise on Marine Insurance

14. Park, James Allan [1763-1838].

A System of the Law of Marine Insurances. With Three Chapters On Bottomry; On Insurances on Lives; And On Insurances Against Fire. Boston: Thomas and Andrews, 1799. xxvii, liv, 516, [32] pp.

[Bound with]

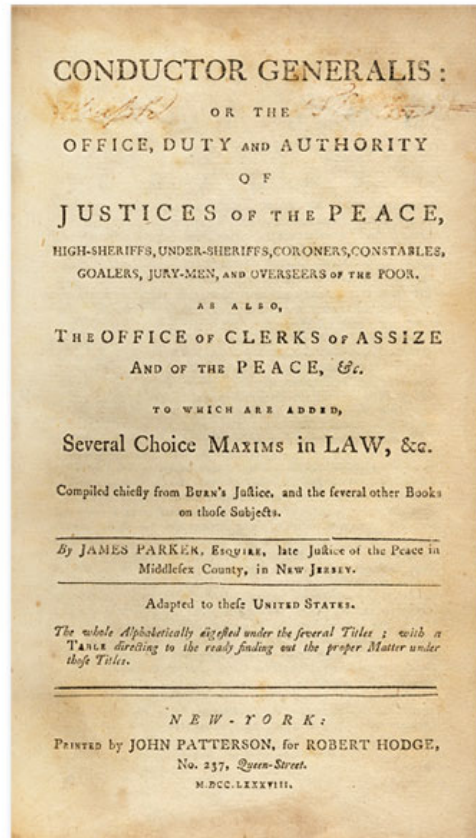
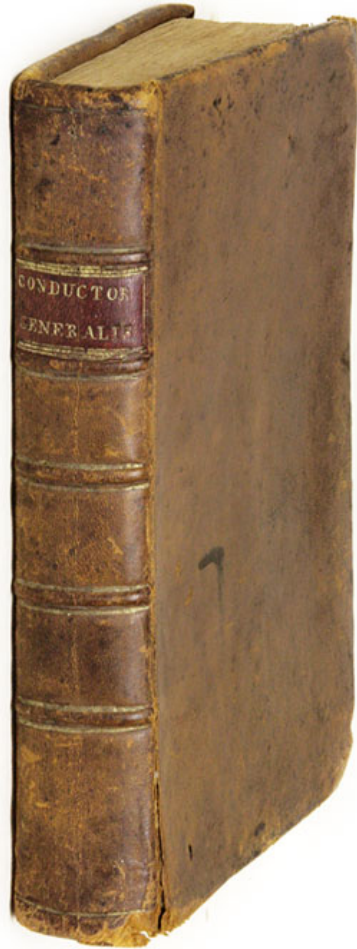
Park, James Allan

Appendix to A System of the Law of Marine Insurances: Containing All the New Cases Added to the Fourth English Edition Printed in 1800 Many of Which are Important. Boston: Printed for Thomas and Andrews, 1800. v, 62-499 [38] pp. Paging irregular, following that of the 4th English ed., with paging of earlier edition inset in the margin of the text.

Octavo (8" x 5"). Recent period-style quarter calf over marbled boards, gilt fillets and lettering piece to spine, endpapers renewed. Moderate toning to text, offsetting to and light edgewear to margins of preliminaries and index leaves. Early owner signature to head of title page, interior otherwise clean. \$300.

* First American edition, based on the third London edition, 1797, to which it is starred. First published in 1787, Park's *Marine Insurances* was the first English treatise on the subject and, according to Holdsworth, "the best." It went through numerous editions, both in England and America and remained the standard text until the mid-nineteenth century. It begins with a history of insurance in the maritime states of Europe. The following chapters explain average, salvage, abandonment and how insurance policies are constructed. The final sections address liability and topics dealing with procedure and evidence. Cases and authorities are discussed at length, underlying principles are given as well. Later issues of the second edition have a different title page (dated 1800) and a 32 pp. appendix. Our copy appears to be a hybrid; it has the title page of the first issue and the appendix of the second. Holdsworth, *A History of English Law* VIII:263. Cohen, *Bibliography of Early American Law* 7072, 7073.

Order this item: <http://www.lawbookexchange.com/details.php?record=54429>



1788 Printing of Parker's *Conductor Generalis*

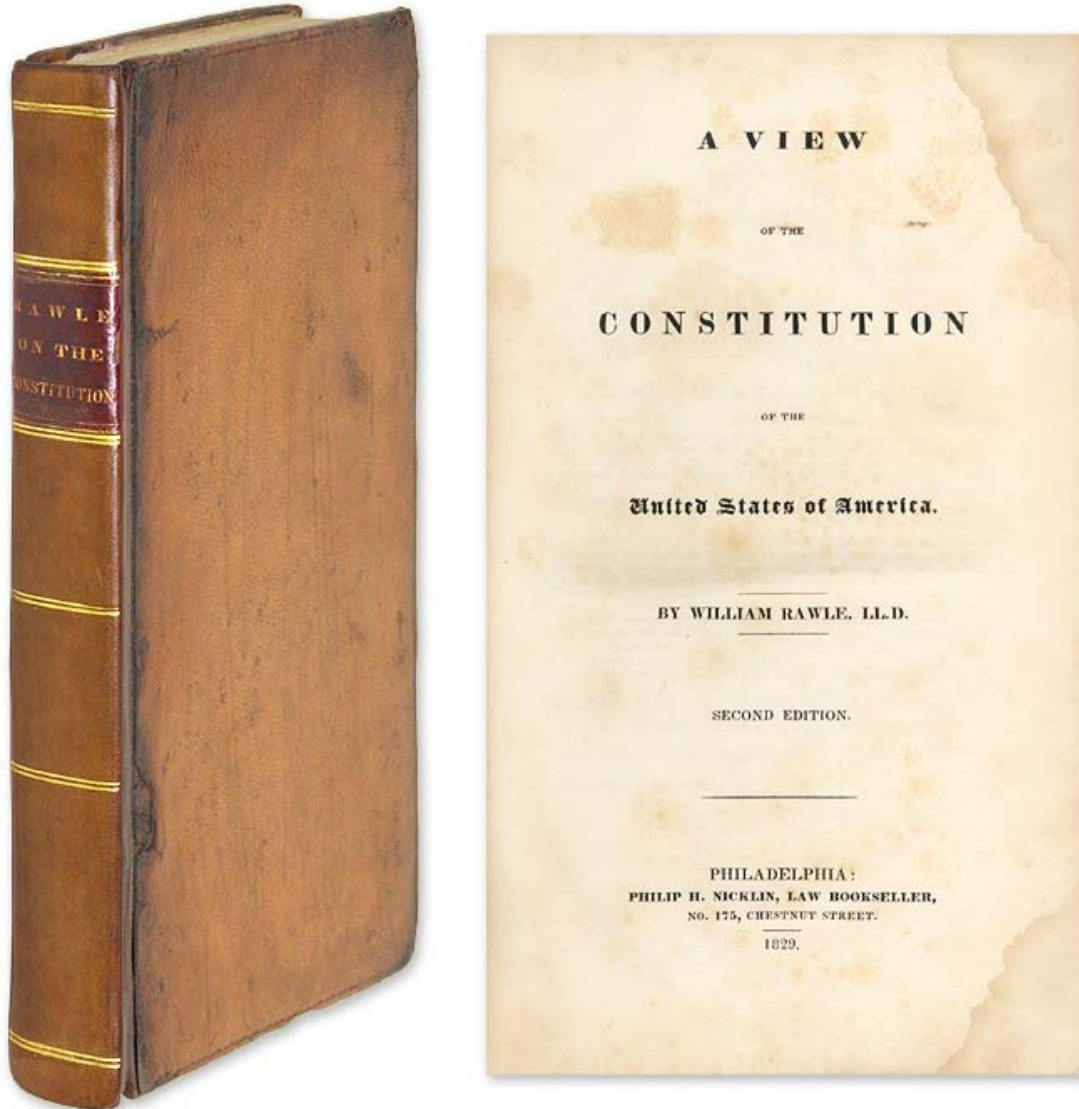
15. Parker, James [1714-1770], Compiler.

Conductor Generalis: Or, the Office, Duty and Authority of Justices of the Peace, High-Sheriffs, Under-Sheriffs, Coroners, Constables, Gaolers, Jury-Men, And Overseers of the Poor. As Also the Office of Clerks of Assize, and of the Peace, &c. To Which Are Added, Several Choice Maxims in Law, &c. Compiled Chiefly from Burn's Justice, and the Several Other Books on Those Subjects. The Whole Alphabetically Digested Under the Several Titles; With a Table Directing to the Ready Finding Out the Proper Matter Under Those Titles. New York: Printed by John Patterson, for Robert Hodge, 1788. xvi, 539 pp. Octavo (7-1/2" x 4-1/2").

Contemporary sheep, lettering piece and raised bands to spine. Rubbing to extremities, light wear to spine ends, corners bumped and moderately worn, front joint starting at foot, front hinge starting, front free endpaper lacking, about an inch lacking from head of following endleaf, light toning to text. Early owner signature (of Luther Adams) to front endleaf, partially-erased signature to head of title page, interior otherwise clean. \$500.

* A popular American legal manual issued by different printers and publishers based largely on Burn and other English sources. Part II contains (with caption titles only): The Office and Duty of Sheriffs; The Office of a Gaoler, and Concerning Escapes; The Office and Duty of the Clerk of Assize and Clerk of the Peace; A Guide to Juries; Of Maxims and General Rules, from Jacob's *Law Grammar*; Of Actions and Remedies; Of Fictions, Intendments, and Presumptions. Cohen, *Bibliography of Early American Law* 7959.

Order this item: <http://www.lawbookexchange.com/details.php?record=60870>



Used to Justify Secession

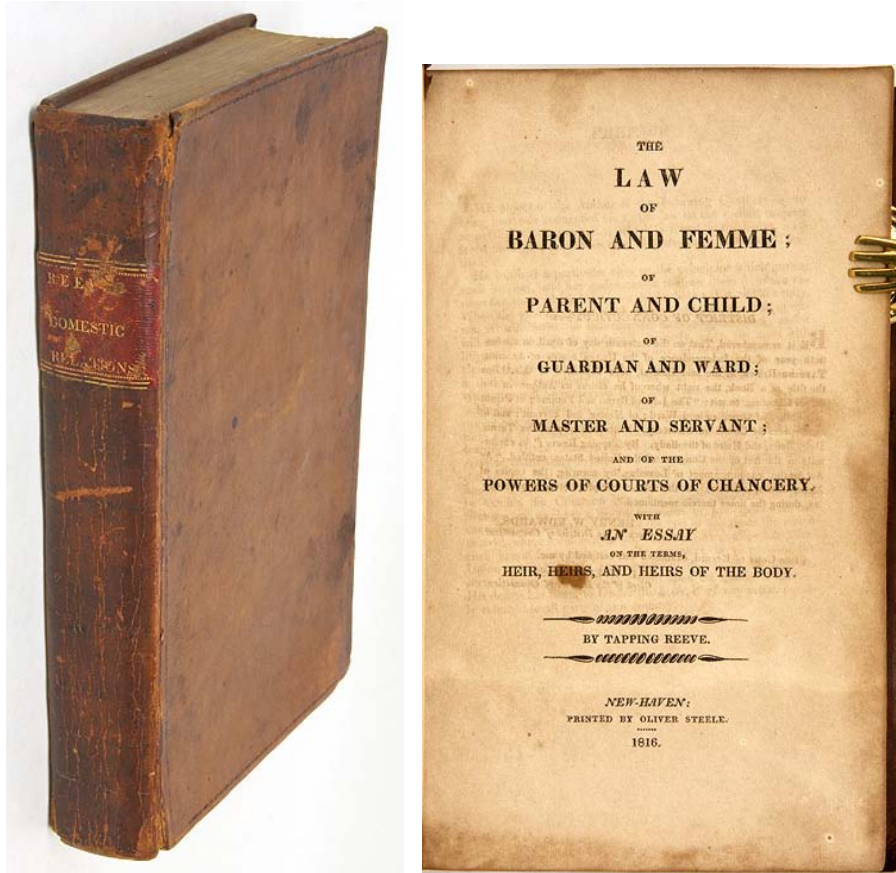
16. Rawle, William [1759-1836].

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

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

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

Order this item: <http://www.lawbookexchange.com/details.php?record=64204>



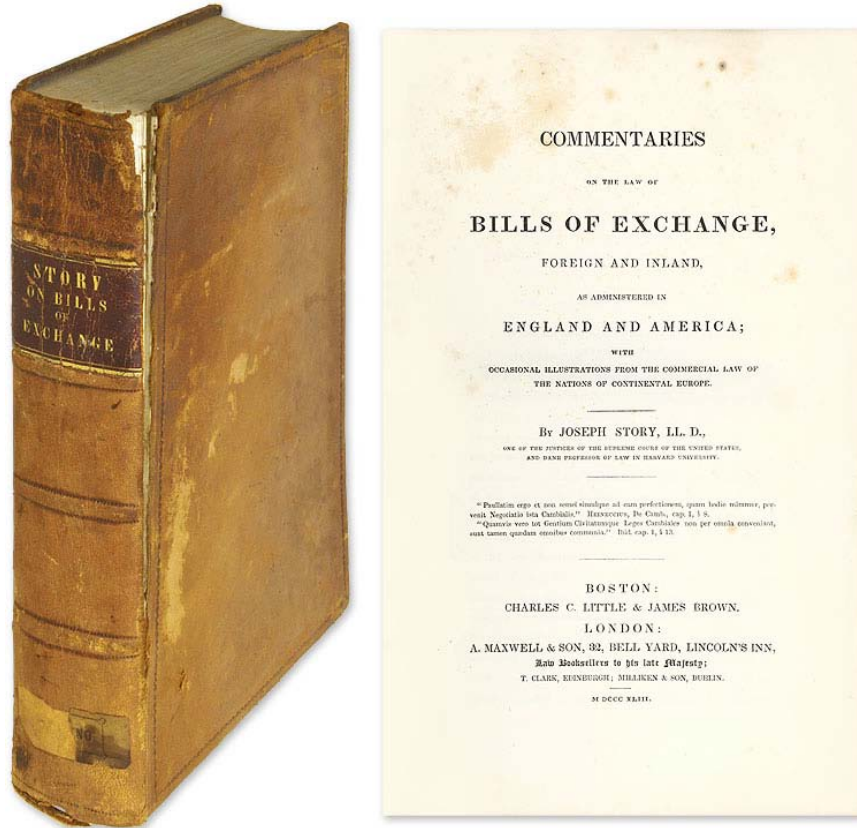
First Edition of Reeve's *Baron and Femme*,
The First American Treatise on Family Law

17. Reeve, Tapping [1744-1823].

The Law of Baron and Femme; Of Parent and Child; Of Guardian and Ward; Of Master and Servant; And of the Powers of Courts of Chancery. With an Essay on the Terms, Heir, Heirs, and Heirs of the Body. New Haven: Printed by Oliver Steele, 1816. [iv], 494, [11] pp. Octavo (9-1/4" x 5-1/2").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to boards, moderate rubbing to extremities, a few scuffs and nicks, faint creases to spine, corners bumped and somewhat worn, front hinge cracked, rear joint and hinge starting, nineteenth-century owner bookplates (of J.T. Terry and Mark H. Sibley) to front pastedown. Light browning to text, light foxing to a few leaves, lower corner lacking from p. 225-226 with no loss to text, small chip to front free endpaper. A nice copy of an important work. \$500.

* First edition. In 1782 Reeve founded the first American law school in Litchfield, Connecticut. The first American treatise on family law, Reeve's *Law of Baron and Femme* is a restatement of Blackstone's Commentaries, Book I, Chapters XIV-XVII. It rejects some of the fundamental doctrines of the common law, most notably coverture. As Blackstone puts it, "the husband and wife are one person in law; that is, the very being or legal existence of the woman is suspended during marriage." Reeve says the opposite. Also a prescriptive work, *Baron and Femme* aimed to liberalize the American law of domestic relations, arguing, for example, that married women were permitted to make wills, a point contradicted by the contemporary statute and case law of Connecticut and several other states. Terry and Sibley were lawyers who practiced in Ontario County, New York. The most prominent was Sibley [1796-1852], a Canandaigua lawyer and judge who served in the state assembly, state senate and U.S. House of Representatives. Cohen, *Bibliography of Early American Law* 4745. Order this item: <http://www.lawbookexchange.com/details.php?record=64977>



One of the Standard American Texts of the Nineteenth Century

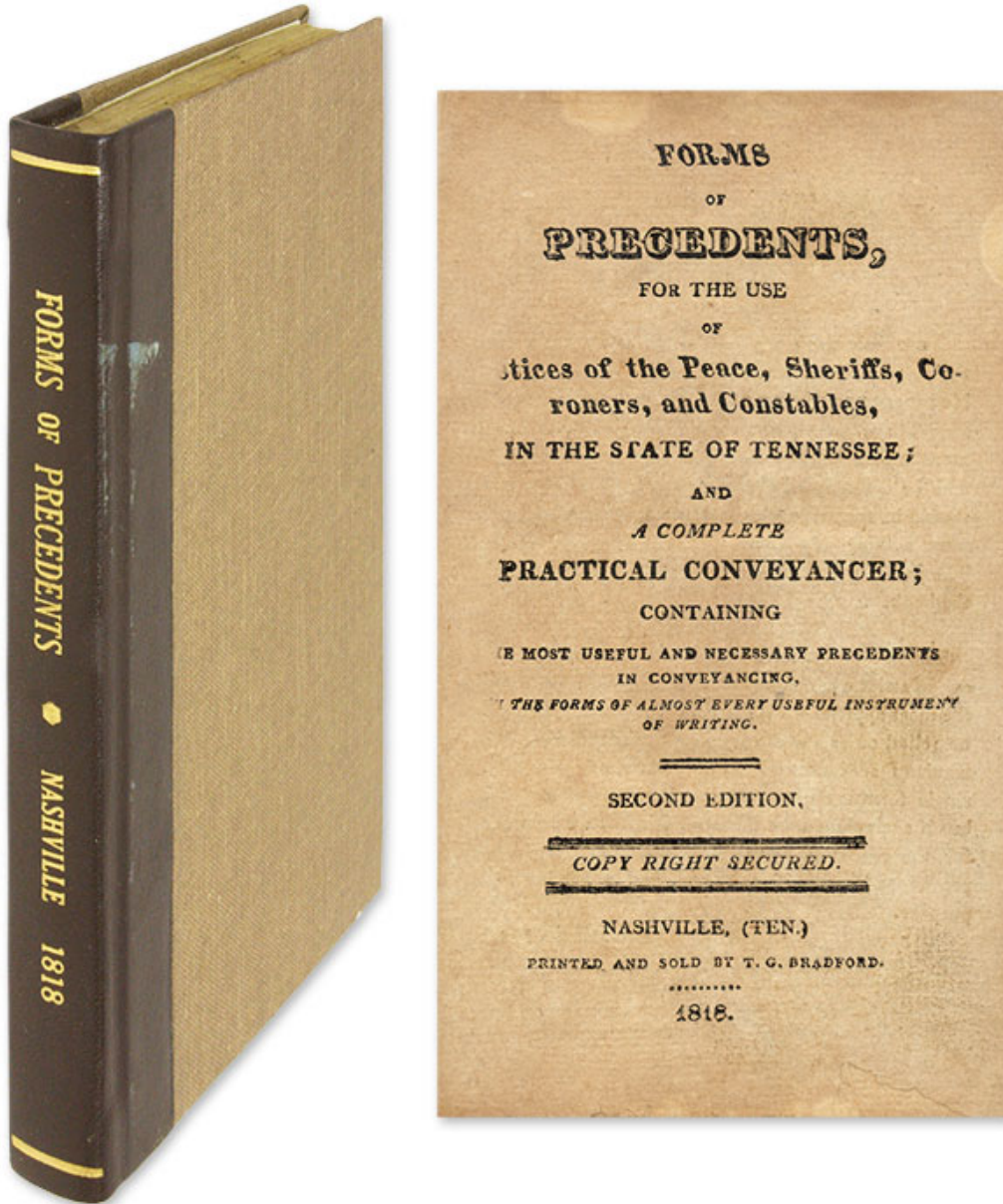
18. Story, Joseph [1779-1845].

Commentaries on the Law of Bills of Exchange, Foreign and Inland, as Administered in England and America; with Occasional Illustrations from the Commercial Law of the Nations of Continental Europe. Boston: Charles C. Little and James Brown, 1843. xxiv, 608 pp. Octavo (9" x 6").

Contemporary sheep, blind fillets to boards, raised bands, lettering piece and fragment of owner label (Eno) to spine. Moderate rubbing to extremities and a few minor scuffs, front board partially detached. "Stephen Eno's Book/ May 16-1843/ Price \$5-" to front free endpaper, "L. Eno" to following endleaf, endleaves filled with annotations, occasional check marks, brief annotations and underlining. Toning, light foxing in a few places. A solid copy with an interesting association. \$250.

* First edition. In *The Formative Era of American Law*, Pound refers to the *Commentaries on the Laws of Bills of Exchange* as one of the standard texts of the nineteenth century. As Marvin pointed out in 1847, it was certainly the most complete and wide-ranging text of its day. In addition to American and English sources Story draws on the work of Heineccius and other civil-law jurists. Apart from James Kent, no man has had greater influence on American law than Joseph Story. He was Dane Professor of Law at Harvard and an Associate Justice of the U.S. Supreme Court. His many books have been cited extensively in America and in Britain, and he remains an authority today. Stephen Eno [1762-1852] was a prominent lawyer and civic leader in Dutchess County, New York who practiced in Pine Plains, Amenia, and Poughkeepsie. A very wealthy man, he was known for his extreme frugality, which may be why he noted the purchase price in his owner inscription. Several of his descendants were lawyers, including his son (?), "L. Eno." The annotations are statements of legal principles with page references and bibliographical notes. Pound, *The Formative Era of American Law* 140-141. Marvin, *Legal Bibliography* 673. Cohen, *Bibliography of Early American Law* 2555.

Order this item: <http://www.lawbookexchange.com/details.php?record=54358>



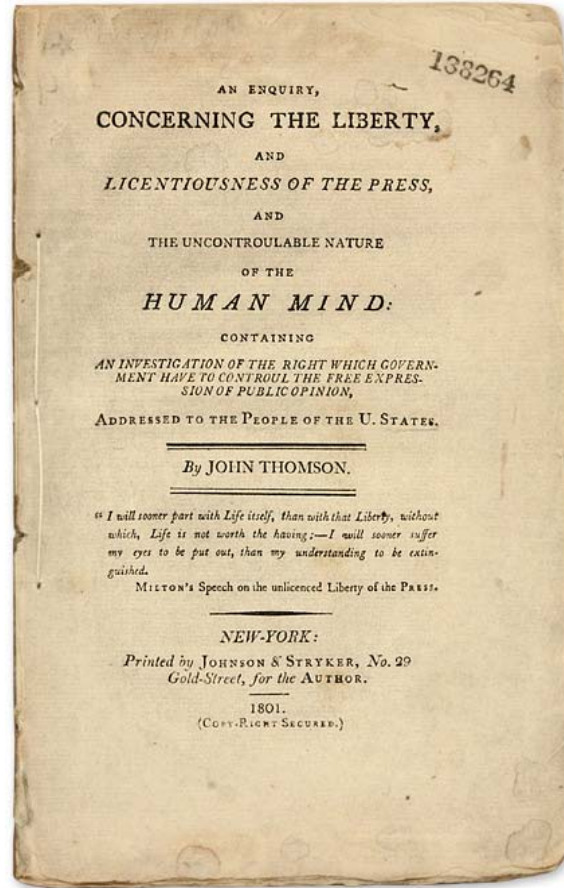
Scarce Early Tennessee Formbook

19. [Tennessee].

Forms of Precedents, For the Use of Justices of the Peace, Sheriffs, Coroners, And Constables, In the State of Tennessee; And a Complete Practical Conveyancer; Containing the Most Useful and Necessary Precedents in Conveyancing, With the Forms of Almost Every Useful Instrument of Writing. Nashville: Printed and Sold by T.G. Bradford, 1818. 153, [8] pp. Octavo (6-1/2" x 4").

Recent quarter imitation calf over cloth, gilt title to spine, endpapers renewed. Light rubbing to extremities, moderate browning to text. Early signatures and annotations to endleaves, interior otherwise clean. \$650.

* Second and final edition of this early Tennessee formbook that was first published in 1816. With index. OCLC locates 1 copy of the first edition in a law library (Library of Congress), 1 of the second (Harvard Law School). Cohen, *Bibliography of Early American Law* 8146. Order this item: <http://www.lawbookexchange.com/details.php?record=60121>



An Important Attack on the Sedition Act

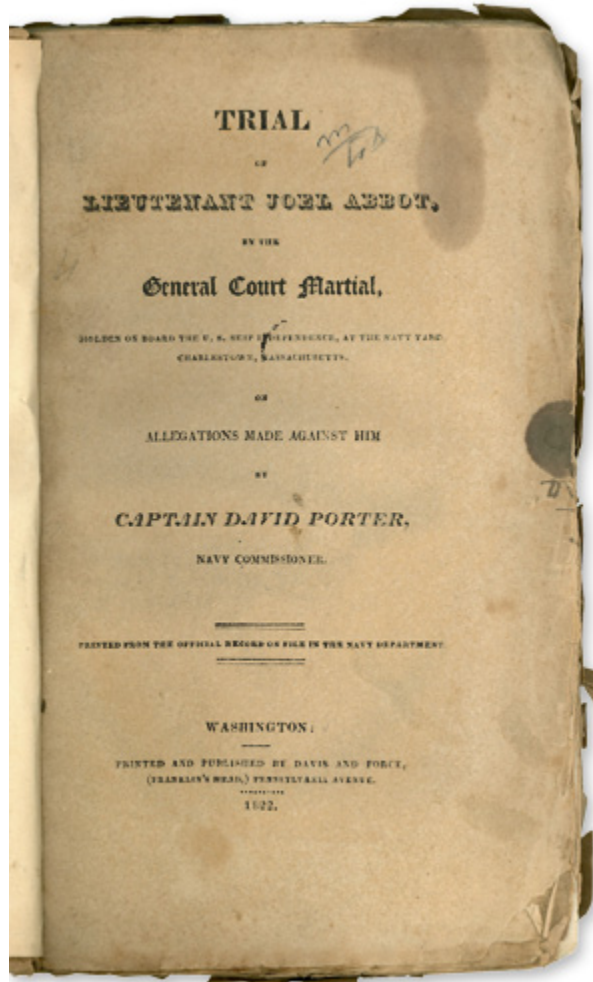
20. Thomson, John.

An Enquiry Concerning the Liberty, And Licentiousness of the Press, And the Uncontrollable Nature of the Human Mind: Containing an Investigation of the Right which Government have to Controul the Free Expression of Public Opinion, Addressed to the People of the U. States. New York: Printed by Johnson & Stryker, No. 29 Gold-Street, for the Author, 1801. 84 pp. Octavo (9" x 5-1/2").

Disbound stab-stitched pamphlet, recently re-sewn, untrimmed edges. moderate toning, light foxing and staining in a few places, light soiling, edgewear and a few small chips to title page and final leaf. Small later stamp to head of title page (possibly a serial number), internally clean. \$2,500.

* Only edition. Thomson attacks the Sedition Act as a tool to stifle freedom of the press. He casts his argument for unlimited freedom of expression in the terms of eighteenth-century Enlightenment radicalism and the U.S. Bill of Rights. Much of his case will sound familiar; it is now accepted as irrefutable by most Americans today. The Sedition Act was passed with the Alien Act by the Federalist-controlled Congress in 1799 to curb the influence of Jefferson's Republican Party and French radicals. The Sedition Act made it unlawful to publish anything false, malicious or scandalous about the president or Congress, or to assist the designs of a foreign power against the United States. The unpopularity of these acts contributed to Jefferson's election and the rapid decline of the Federalist Party. In a wise move, Thomson dated his *Enquiry* March 4, 1801, the date of Jefferson's inauguration and, more important, the expiration of the Sedition Act. Thomson would have been pleased to know that Jefferson owned a copy of this work. OCLC locates 3 copies in law libraries (Harvard, University of Michigan, Yale). Sowerby, *Catalogue of the Library of Thomas Jefferson* 3533. Sabin, *A Dictionary of Books Relating to America* 95584. Cohen, *Bibliography of Early American Law* 3582.

Order this item: <http://www.lawbookexchange.com/details.php?record=65939>



Early U.S. Navy Court Martial

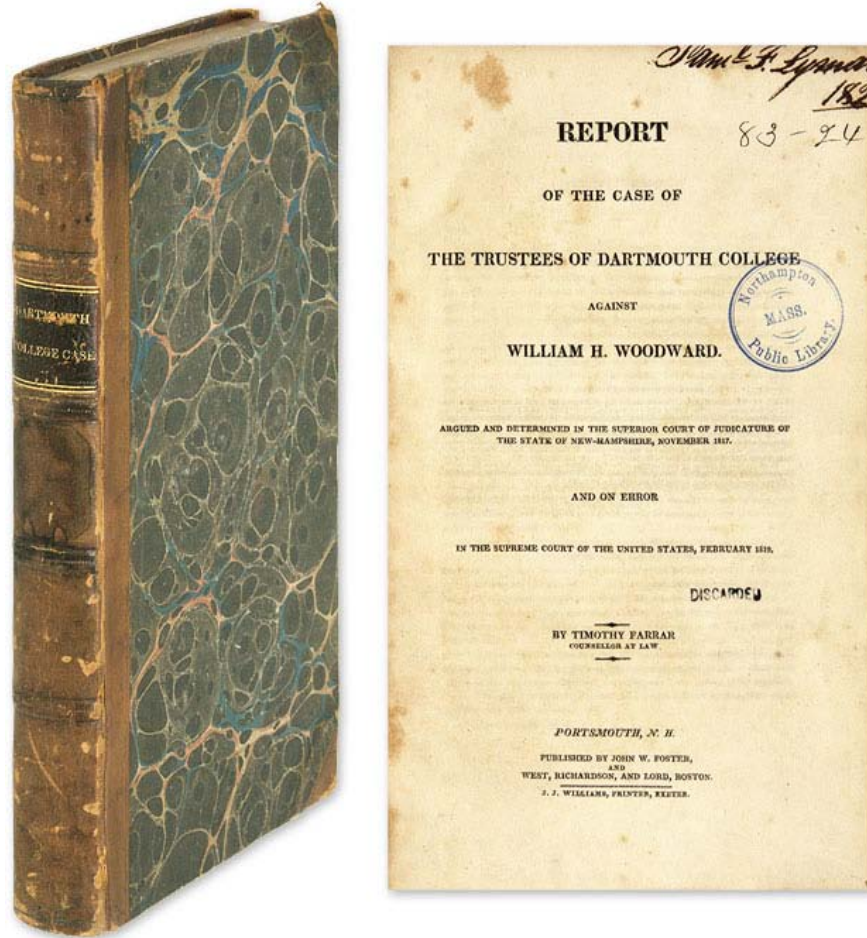
21. [Trial].

Abbot, Joel [1793-1855], Defendant.

Trial of Lieutenant Joel Abbot by the General Naval Court Martial, Holden on Board the U.S. Ship Independence, at the Navy Yard, Charlestown, Massachusetts, on Allegations Made Against Him, by Capt. David Porter, Navy Commissioner. Printed From the Official Record on File in the Navy Department. Washington: Printed and Published by Davis and Force, 1822. 152 pp. Octavo (9" x 6").

Stab-stitched pamphlet in plain wrappers, contemporary hand-lettered label to front board, uncut edges. Moderate rubbing with wear to corners and spine ends, front cover just beginning to detach at head. Several uncut signatures, light browning and occasional light foxing to text. Small inkstain to title page, interior otherwise clean. \$125.

* First edition, issued the same year as the Boston imprint published by Russell and Gardiner. With an appendix containing texts of documents relating to irregularities at the Boston naval station and the misconduct of the naval agent, Amos Binney. Abbott was a decorated naval officer who fought under Commodore Rogers on the frigate *President* during the War of 1812. "In March 1822...he discovered a series of frauds upon the government... [and] made very serious charges against his commandant, Captain Isaac Hull. Failing to prove these accusations when brought before a court-martial, Abbot was suspended from the naval service for the period of two years.": *Dictionary of American Biography* 1:14. Cohen, *Bibliography of Early American Law* 13395. Order this item: <http://www.lawbookexchange.com/details.php?record=41878>



First Report of the Landmark Dartmouth College Case

22. [Trial].

[Dartmouth College Case].

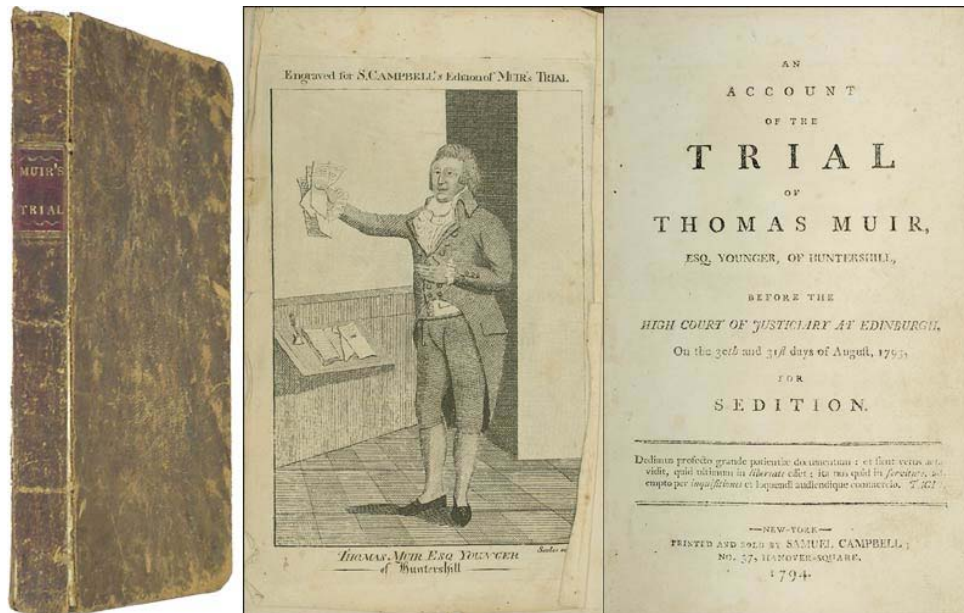
Farrar, Timothy [1788-1874], Reporter.

Report of the Case of the Trustees of Dartmouth College Against William H. Woodward. Argued and Determined in the Superior Court of Judicature of the State of New-Hampshire, November 1817. And on Error in the Supreme Court of the United States, February 1819. Portsmouth, NH: Published by John W. Forster, And West, Richardson, And Lord, Boston, [1819]. [iv], 406 pp. Octavo (9" x 5").

Later nineteenth-century three-quarter calf over marbled boards. Moderate rubbing to extremities with wear to corners, hinges cracked. Moderate toning and light foxing to text. Early owner signature and annotation to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown, two small inkstamps to title page, residue from card pocket to rear pastedown. A solid copy. \$750.

* First published report. This is probably the most important American case concerning the contract right of corporations. The New Hampshire legislature passed a bill in 1816 that revoked Dartmouth College's original charter and converted the college from a private to a state institution. The college challenged the constitutionality of this act in the state Supreme Court without success, but the U.S. Supreme Court reversed the state's decision in a landmark opinion based on the contract clause of the Constitution. This decision represented "an assurance for all investors in American corporate enterprises that the terms upon which they had committed their capital could not be unilaterally altered by a state. At a

time when corporations were first being widely used, it thus encouraged the expansion of American business enterprise. The decision vested the Corporation with indestructible contract rights. even against its creator" (Schwartz, 86, 111). "By construing the contract clause as a means of protecting corporate charters from state interventions, Marshall derived a significant limitation on state authority. As a result, various forms of private economic and social activity would enjoy security from state regulatory policy. Marshall thus encouraged, through constitutional sanction, the emergence of the relatively unregulated private, autonomous economic actor as the major participant in a liberal political economy that served the commonwealth by promoting enlightened self interest" (Konefsky). Farrar's comprehensive report contains all material related to the case, including the arguments of Webster and Wirt and the opinions of Chief Justice Marshall and Justices Story and Washington and texts of related documents. Alfred F. Konefsky, "Dartmouth College v. Woodward" in *The Oxford Companion to the Supreme Court* 218-219. Sabin, *A Dictionary of Books Relating to America* 23887. Cohen, *Bibliography of Early American Law* 11614. Order this item: <http://www.lawbookexchange.com/details.php?record=64736>



One of the Principal Scottish Martyrs Transported to Australia

23. [Trial].

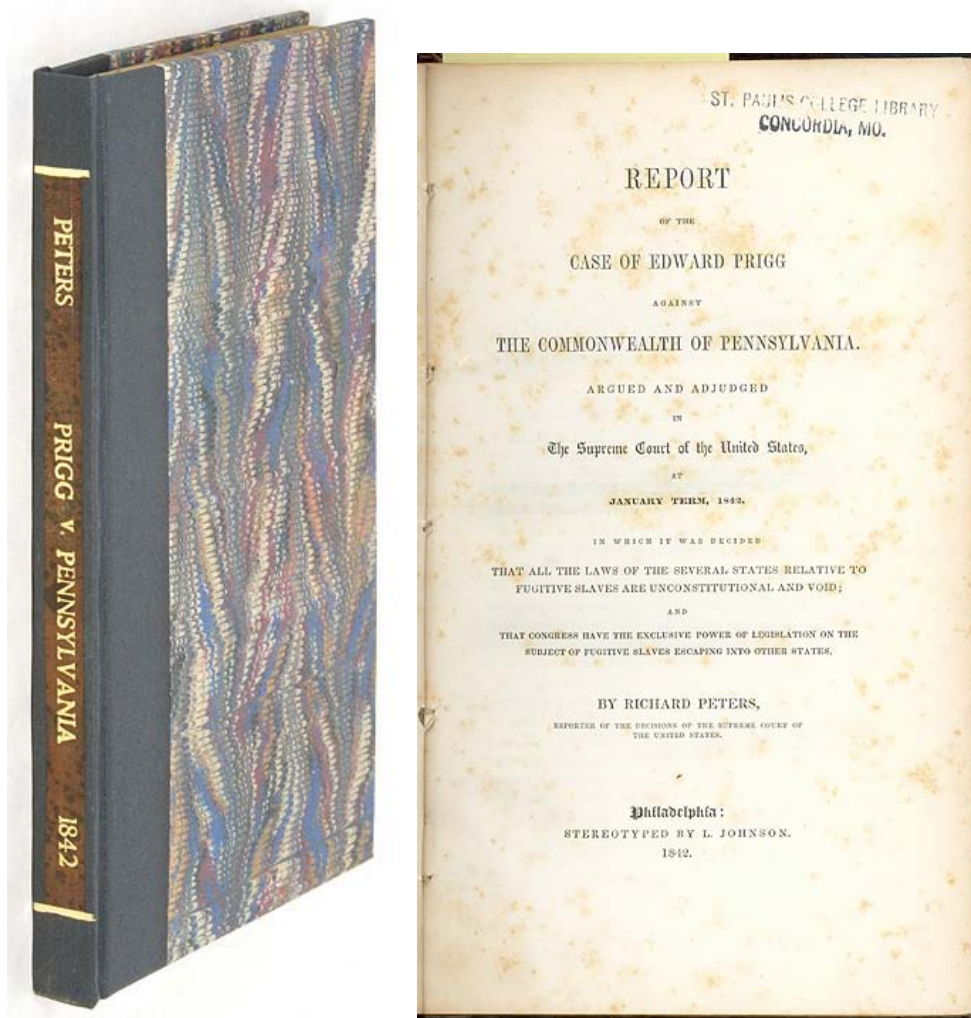
Muir, Thomas [1765-1799], Defendant.

An Account of the Trial of Thomas Muir, Esq. Younger of Huntershill, Before the High Court of Justiciary at Edinburgh, On the 30th and 31st Days of August 1793, For Sedition. New York: Printed and Sold by Samuel Campbell, 1794. 148 pp. Copperplate frontispiece. Octavo (8" x 5").

Contemporary sheep, lettering piece to spine. Moderate rubbing to extremities, corners worn, front board detached, rear board partially detached, frontispiece detached and edgeworn, wear to lower corner of p. 5 few leaves with minor loss to text (not affecting legibility). Some toning to text, light dampspotting in places. Early owner signature to rear endleaf, interior otherwise clean. \$200.

* First American edition. Muir, a Scottish advocate, was sentenced to transportation to Australia for sedition, in support of the French Revolution and Irish independence, and agitation for parliamentary reform. He is among the five men honored by the Scottish Political Martyrs Monument in Edinburgh. Another monument in Muir's honor stands in Huntershill Village, the site of his estate. The first account of his controversial trial was published in Edinburgh in 1793. *Catalogue of the Library of the Harvard Law School* (1909) II:1149.

Order this item: <http://www.lawbookexchange.com/details.php?record=13950>



The Crucial Decision that Undercut the Fugitive Slave Act

24. [Trial].

Prigg, Edward, Plaintiff in Error.

Peters, Richard [1780-1848], Reporter.

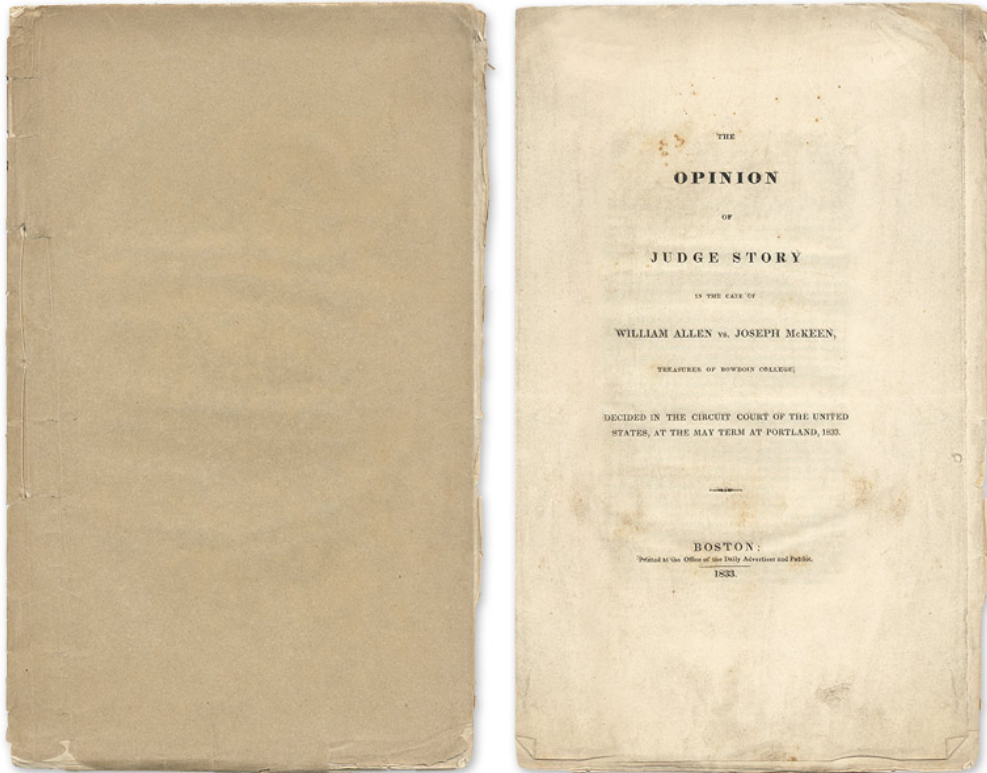
Report of the Case of Edward Prigg Against the Commonwealth of Pennsylvania. Argued and Adjudged in the Supreme Court of the United States, At January Term, 1842. In Which it was Decided That All the Laws of the Several States Relative to Fugitive Slaves are Unconstitutional and Void: And that Congress Have the Exclusive Power of Legislation on the Subject of Fugitive Slaves Escaping into Other States. Philadelphia: Stereotyped by L. Johnson, 1842. 140 pp. Octavo (9-3/4" x 6").

Recent quarter cloth over marbled boards, gilt title to spine. Light toning and foxing to text. Ex-library. Small inkstamps to edges and head of title page. A nice copy in a handsome binding. \$1,250.

* Only edition. A landmark in the history of American slavery, *Prigg v. Pennsylvania* was the first Supreme Court case to address the state and Federal laws concerning fugitive slaves, most notably the Federal Fugitive Slave Act of 1793. Prigg, a Maryland slave-catcher, apprehended Margaret Moran, an alleged fugitive slave, in Pennsylvania and brought her back to Maryland. Pennsylvania convicted him for kidnapping because he failed to obtain a state-mandated Certificate of Removal, a court document permitting the capture of a fugitive slave. The U.S. Supreme Court reversed the decision. In an opinion written by Justice Story, the Court held that Congress had the exclusive power to regulate the treatment of fugitive slaves. Thus Pennsylvania's requirement of a Certificate of Removal was illegal under the Constitution. The Court held that slave-

catchers could seize alleged fugitives without judicial approval. However, and more important, the Court also said the Federal government lacked the authority to compel state officials to enforce the Fugitive Slave Act. In sum, *Prigg v. Pennsylvania* undercut the power of that act. Anger in the slave states over this decision led to the Compromise of 1850, which compelled the governments and residents of free states to enforce the capture and return of fugitive slaves. Finkelman, *Slavery in the Courtroom* 60-64. Cohen, *Bibliography of Early American Law* 13856.

Order this item: <http://www.lawbookexchange.com/details.php?record=64946>



Legacy of the Dartmouth College Case

25. [Trial].

Story, Joseph [1779-1845].

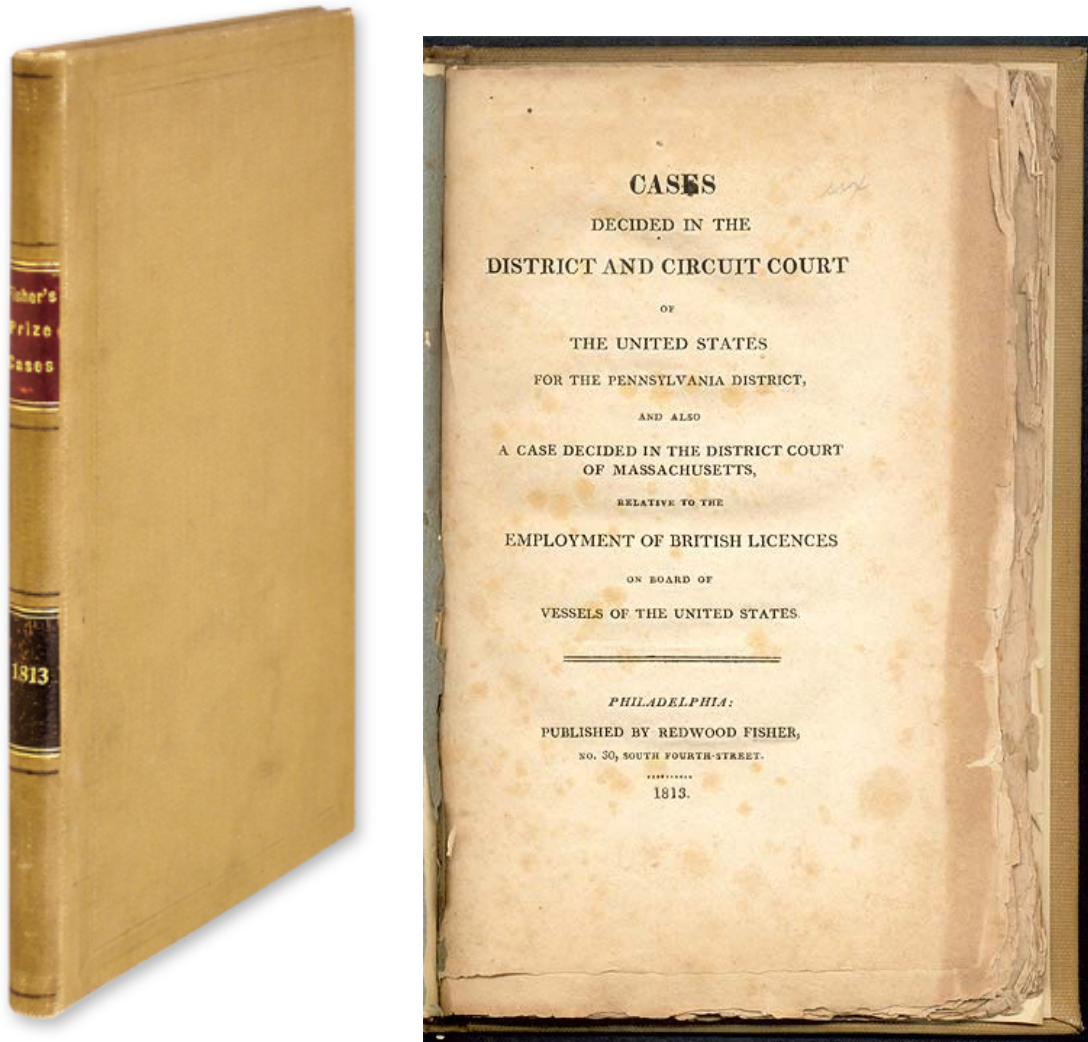
McKeen Joseph, Defendant.

The Opinion of Judge Story in the Case of William Allen vs. Joseph McKeen, Treasurer of Bowdoin College, Decided in the Circuit Court of the United States, At the May Term at Portland, 1833. Boston: Printed at the Office of the Daily Advertiser and Patriot, 1833. 21, [1] pp. Octavo (9-3/4" x 6").

Stab-Stitched pamphlet in plain wrappers, untrimmed edges. Minor chipping and chairs to edges, light soiling to title page, internally clean. \$750.

* Only edition. William Allen's service as President of Bowdoin College was terminated by an act of the Maine legislature in 1831, but he continued to serve because no agreement could be reached on his successor. Allen then sued the college treasurer for payment of his salary. The trial court found for the defendant. Judge Story, drawing on the precedent established by the Dartmouth College Case, reversed the verdict in the U.S. Circuit Court, declaring the Maine law to be an unconstitutional violation of the contract between Allen and the College. OCLC locates 5 copies, none in law libraries. Cohen, *Bibliography of Early American Law* 11572.

Order this item: <http://www.lawbookexchange.com/details.php?record=60131>



American Prize Cases from the War of 1812

26. [Trials].

[Fisher's Prize Cases].

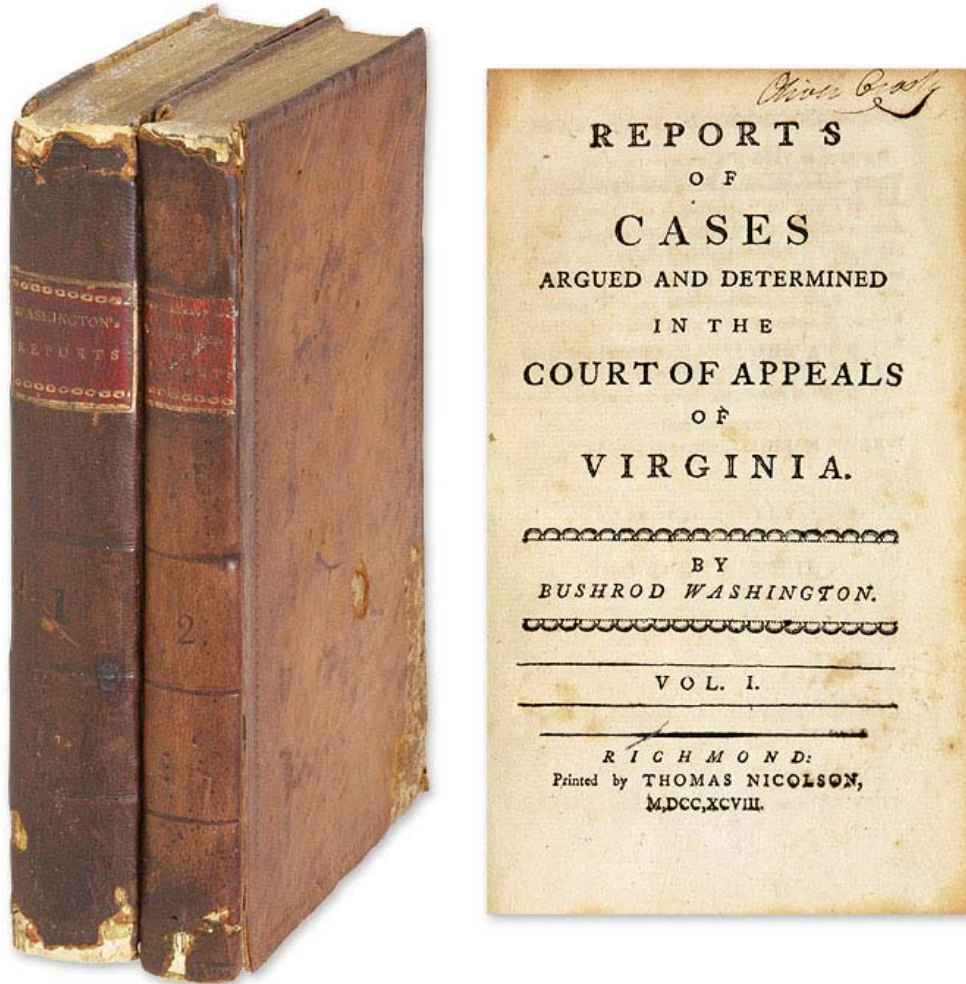
United States, Circuit Court (Third District).

Cases Decided in the District and Circuit Court of the United States for the Pennsylvania District, And Also a Case Decided in the District Court of Massachusetts, Relative to the Employment of British Licences on Board of Vessels of the United States. Philadelphia: Published by Redwood Fisher, 1813. [iv], [3]-91 pp. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in original plain wrappers and untrimmed edges bound into later buckram with red and black lettering pieces. Light soiling and some shelfwear. Light browning, occasional spotting and minor tears. Early owner annotation to front wrapper, interior otherwise clean. \$150.

* Only edition. The cases are: *United States, &c. v. the Brig Tulip and Cargo*, *United States, &c. v. the Ship Ariadne and Cargo*, *United States, &c. v. the Brig South Carolina*, *Asa Hooper Et. Al. v. the Brig Hiram*, *The Case of the Aurora* (Note). Cohen, *Bibliography of Early American Law* 1612.

Order this item: <http://www.lawbookexchange.com/details.php?record=48667>



First Edition of Washington's *Reports*, Richmond 1790-1799

27. [Trials].

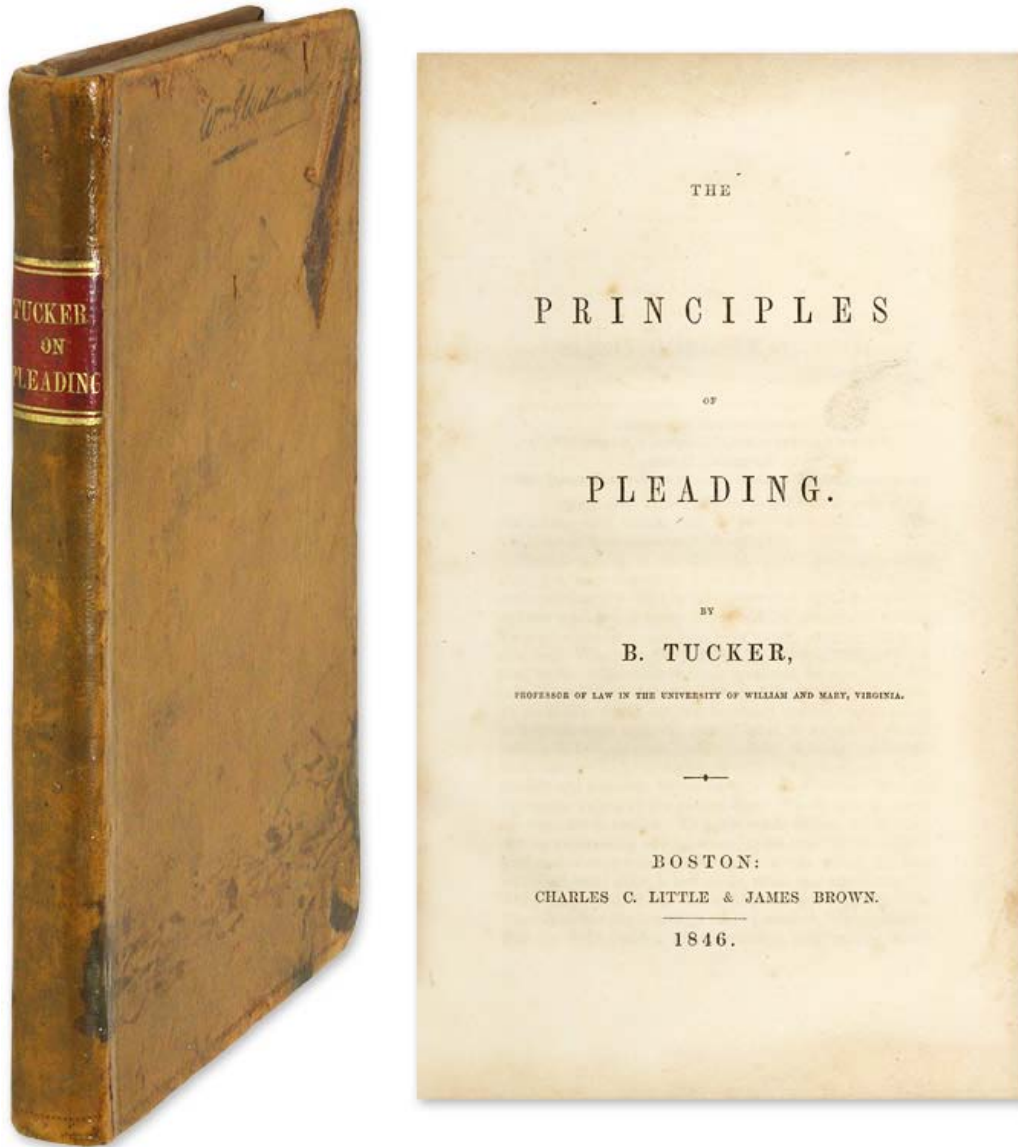
Washington, Bushrod [1762-1829], Reporter.

Reports of Cases Argued and Determined in the Court of Appeals of Virginia. Richmond: Thomas Nicolson, 1798-1799. Two volumes. [x], 392, [30]; vii, [1], 302, 19 pp. Errata sheet in Volume I bound between Table of Contents and main text. Octavo (8" x 5").

Contemporary sheep, blind fillets to boards, lettering pieces and blind fillets to spines. Moderate rubbing to extremities, chipping to spine ends, corners worn, front board of Volume I just beginning to separate, insect damage to portions of boards. Moderate toning, occasional light foxing, small paper flaw to pp. 299-300 of Volume II with negligible loss to text. Small early owner signatures to head of each title page, interior otherwise clean. An appealing unsophisticated nice set. \$450.

* First edition. Covers the years 1790-1796, includes Tables of Cases and an Index. Gathered when Washington was in practice in Richmond, these reports demonstrate his methodical attention to legal detail. Washington, nephew of President Washington, was a member of the Virginia House of delegates in 1787 (voting for ratification of the U.S. Constitution) and later an associate justice of the U.S. Supreme Court from 1798-1829. This was one of the first, and one of the best, American reporters of the eighteenth century. Marvin, *Legal Bibliography* 719.

Order this item: <http://www.lawbookexchange.com/details.php?record=64208>



Treatise on Pleading by a Notable Virginian

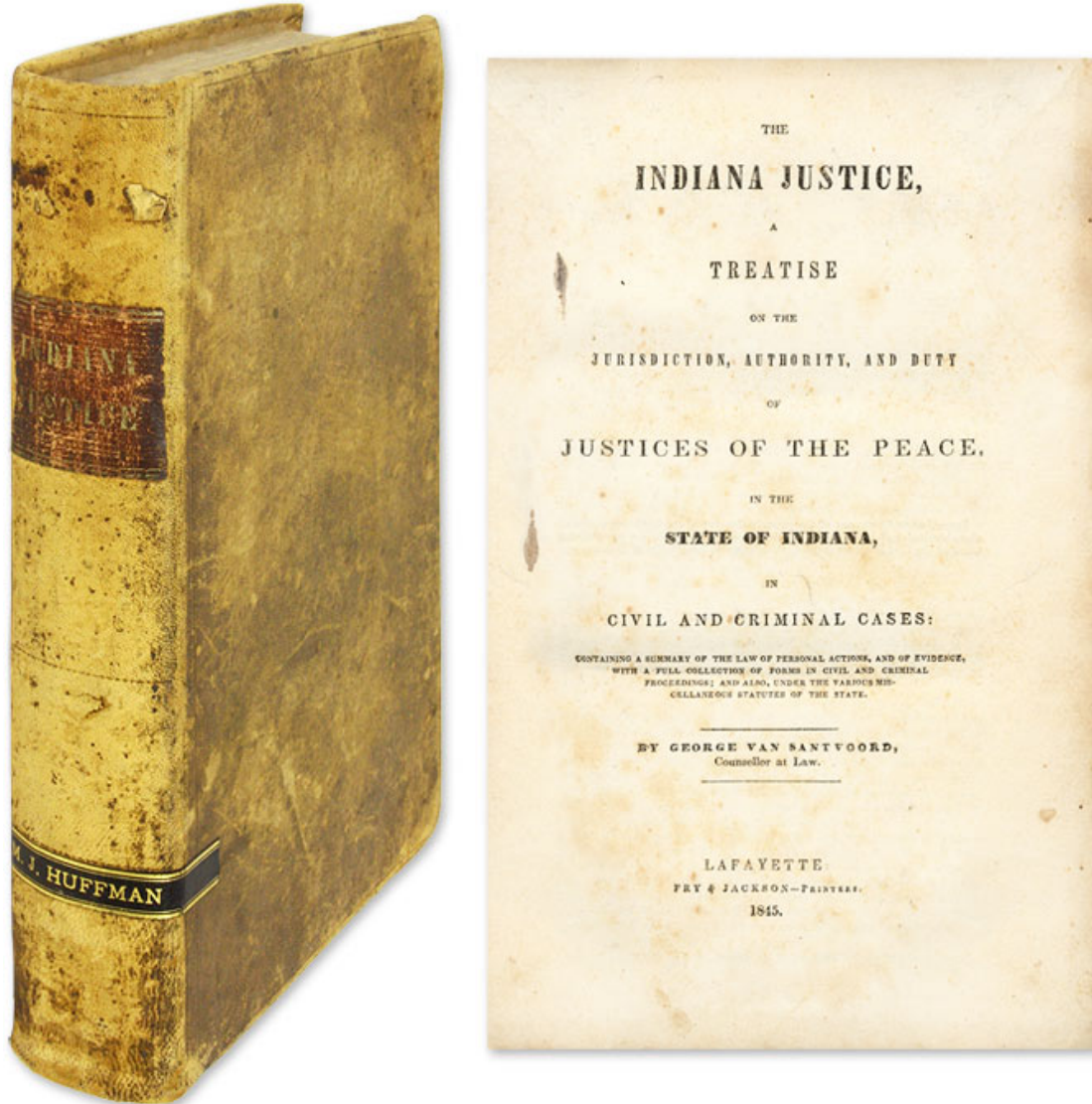
28. Tucker, [Nathaniel] B[everley] [1784-1851].

The Principles of Pleading. Boston: Charles C. Little & James Brown, 1846. v, 220 pp. Octavo (7-3/4" x 4-3/4").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to extremities, a few shallow scuffs and minor inkstains to boards, early owner signature (Wm. G. Williams) to head of front board and front pastedown. Some toning to text, light browning in places. Early reading list of law books, possibly by Williams, to rear free endpaper, interior otherwise clean. \$300.

* Only edition. The son of St. George Tucker and half-brother of John Randolph of Roanoke, Nathaniel Beverley Tucker studied and practiced law in Virginia from 1801 to 1815. He was a judge in the Circuit Court of Missouri from 1815 to 1830 and was professor of law at the College of William and Mary, his alma mater, from 1834 to 1851. He was also a notable essayist and novelist. Cohen, *Bibliography of Early American Law* 9276.

Order this item: <http://www.lawbookexchange.com/details.php?record=58441>



1845 Indiana JP Manual

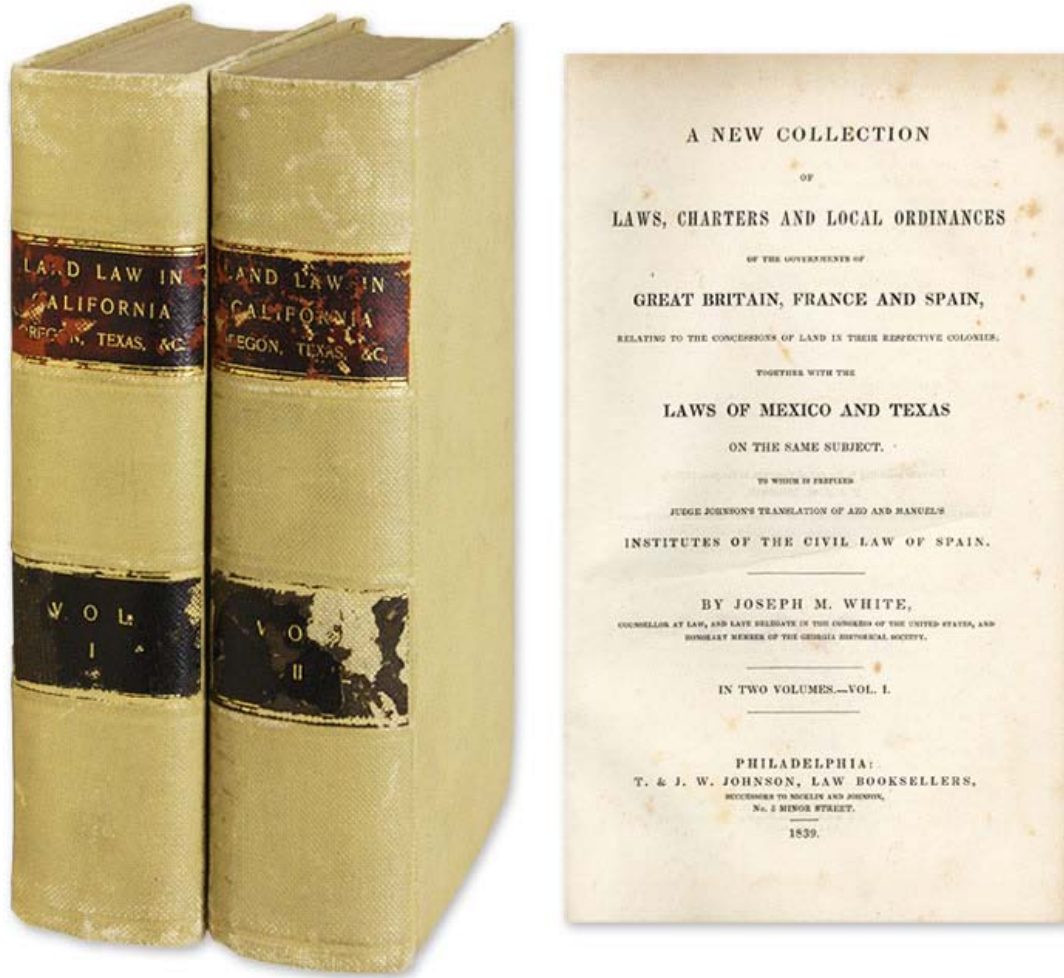
29. Van Santvoord, George [1819-1863].

The Indiana Justice, A Treatise on the Jurisdiction, Authority, And Duty of Justices of the Peace, In the State of Indiana, In Civil and Criminal Cases: Containing a Summary of the Law of Personal Actions, And of Evidence, With a Full Collection of Forms in Civil and Criminal Proceedings; And Also, Under the Various Miscellaneous Actions of the State. Lafayette: Fry & Jackson, 1845. viii, [2], [9]-548 pp. Octavo (9" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece, early owner label and blind fillets to spine. Rubbing to boards, spine and extremities, corners bumped, hinges cracked, front free endpaper lacking. Some toning to text, occasional light foxing. Early owner signatures to front pastedown, interior otherwise clean. \$200.

* Only edition. Van Santvoord a lawyer from Kinderhook, N.Y., published this manual when he lived in Indiana. He returned to New York, served in the New York State Assembly and was later district attorney for Rensselaer County. He wrote several treatises on New York practice. Cohen, *Bibliography of Early American Law* 8351.

Order this item: <http://www.lawbookexchange.com/details.php?record=60119>



Pre-Statehood Laws of Texas and Florida

30. White, Joseph M. [1781-1839].
[Jordan de Asso y del Rio, Ignacio (1742-1804)].
[Manuel y Rodriquez, Miguel de (fl. 1780)].

A New Collection of Laws, Charters and Local Ordinances of the Governments of Great Britain, France and Spain: Relating to the Concessions of Land in their Respective Colonies, Together with the Laws of Mexico and Texas on the Same Subject, to Which is Prefixed Judge Johnson's Translation of Azo and Manuel's Institutes of the Civil Law of Spain. Philadelphia: T. & J.W. Johnson, 1839. Two volumes. xv, 731; 753, [3] pp. Octavo (9" x 6").

Later buckram, blind frames to boards, red and black lettering pieces to spine, endpapers renewed. Some rubbing to extremities, light soiling and some minor smudges to boards, chipping to edges of lettering pieces. Light toning, light foxing and dampspotting in places. Owner inscriptions to pastedowns, interiors otherwise clean. A solid set. \$950.

* First edition. Volume I contains *Institutes of the Civil Law of Spain*, a translation by Judge Johnson of Trinidad of the *Instituciones del Derecho Civil de Castilla* by Ignacio Jordan de Asso y del Rio, the mode of acquiring dominion from the *Instituciones de Derecho Real de Espana* by Jose Maria Alvarez and material reprinted from *Laws of the State of Coahuila and Texas* and *Laws, Orders and Contracts, on Colonization, from January, 1821, up to 1829* edited by Stephen Austin. White was a Delegate from the Florida Territory to the U.S. House of Representatives from 1824 to 1837. Cohen, *Bibliography of Early American Law* 5300 (see also 5290 and 5281). Order this item: <http://www.lawbookexchange.com/details.php?record=59015>