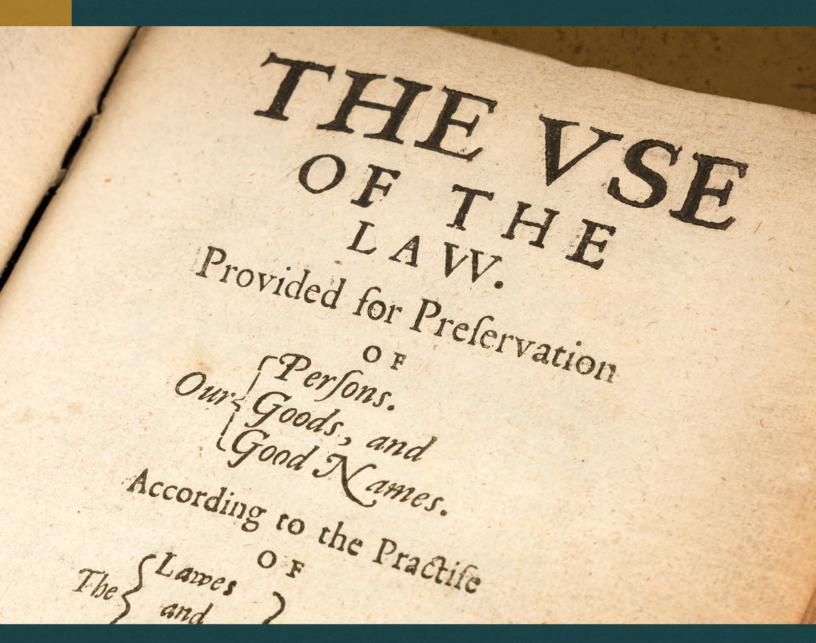
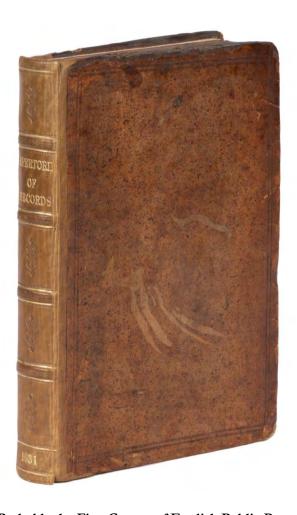
# RECENT ACQUISITIONS

English, American & Continental Law, 1628–1930 30 ITEMS



L'AWBOOK EXCHANGE



Probably the First Census of English Public Records

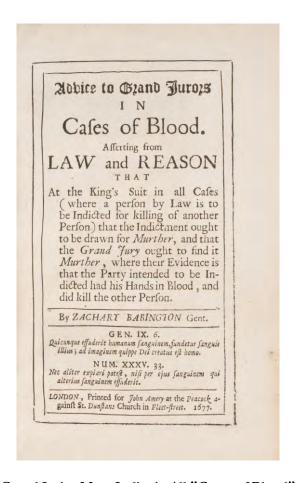
## 1. Agard, Arthur (1540-1615), Compiler]. [Powell, Thomas (1572?-1643?), Editor].

The Repertorie of Records: Remaining in the 4 Treasuries on the Receipt Side at Westminster: The Two Remembrancers of the Exchequer: With a Briefe Introductive Index of the Records of the Chancery and Tower: Whereby to Give the Better Direction to the Records Abovesaid: As Also, A Most Exact Calendar of All Those Records of the Tower, In Which are Contayned and Comprised Whatsoever May Give Satisfaction to the Searcher, For Tenure or Tytle of Any Thing. London: Printed by B. Alsop and T. Fawcet, For B. Fisher, 1631. [viii], 141, 144-217, [1] pp. Pagination irregular. Text complete. Quarto (7" x 5-1/2").

Contemporary speckled sheep with recent period-style calf rebacking, blind rules to boards, lettering piece, blind ornaments, gilt-edged raised bands and gilt publication date to spine, endpapers renewed. A few shallow scuffs to boards, a larger scuff to rear board, moderate rubbing to board edges. Light browning to interior, offsetting and light edgewear to preliminaries and rear endleaves, "Char: Gray 1719" to verso of front free endpaper, (illegible) owner signature to title page. \$450.

\* Only edition, one of two issues from 1631. This is probably the first attempt to produce a census of the English public records. The project was begun by Agard; and completed after Agard's death by Powell.

English Short-Title Catalogue S122217.



Grand Juries Must Indict in All "Cases of Blood"

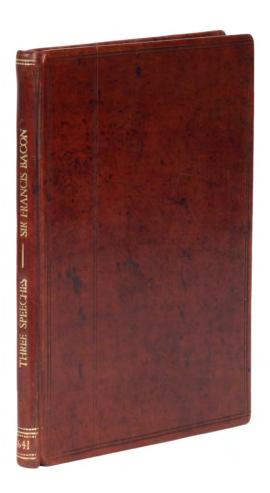
#### 2. Babington, Zachary.

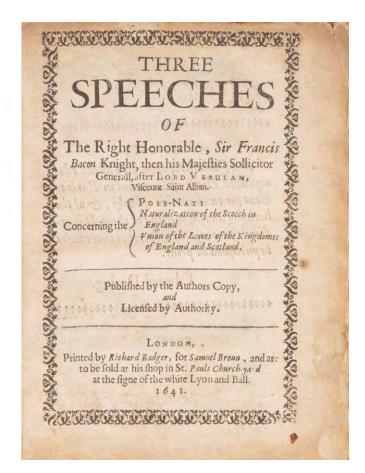
Advice to Grand Jurors in Cases of Blood. Asserting from Law and Reason that at the King's Suit in All Cases (Where a Person by Law is to be Indicted for Killing of Another Person) That the Indictment Ought to be Drawn for Murther, And That the Grand Jury Ought to Find it Murther, Where Their Evidence is That the Party Intended to be Indicted had his Hands in Blood, And Did Kill the Other Person. London: Printed for John Amery, 1677. [xxxii], 216 pp. With initial imprimatur leaf. Octavo (6-3/4" x 4-1/2").

Contemporary sheep, blind rules to boards, blind fillets to spine, blind tooling to board edges. Light rubbing and a few spots, nicks, scuffs and scratches to boards, which are bowing slightly, moderate rubbing to extremities, front joint starting at head, a few small worm holes to rear joint, hinges cracked, armorial bookplate (of Richard Hopton) to front pastedown, brief recent annotations to front free endpaper, which is detaching slightly at ends but secure, rear pastedown loose. Light toning to interior, very light foxing in a few places, internally clean. \$850.

\* First edition. Babington encourages grand juries to indict in all murder cases for which there is evidence and to leave mitigating circumstances for the consideration of the petit jury at trial. Later editions appeared in 1680 and 1692. All are scarce. OCLC locates 7 copies of the first in North American law libraries (Harvard, LA County Law Library, San Francisco Law Library, Social Law Library, University of Alabama, University of Pennsylvania, Yale), the ESTC adds 2 (Columbia, Library of Congress).

English Short-Title Catalogue (ESTC) R17389.





The Union of England and Scotland

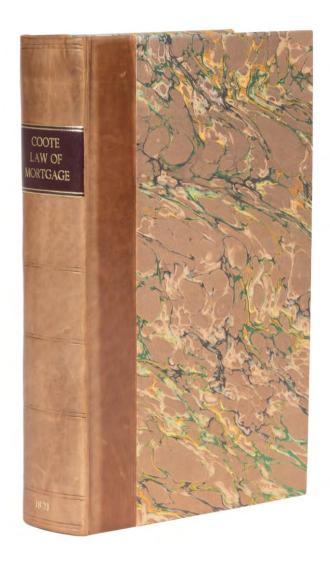
#### 3. Bacon, Sir Francis [1561-1626].

Three Speeches of the Right Honorable, Sir Francis Bacon Knight, Then His Majesties Sollicitor Generall, After Lord Verulam, Viscount Saint Alban. Concerning the Post-Nati Naturalization of the Scotch in England Union of the Lawes of the Kingdomes of England and Scotland. Published by the Authors Copy, And Licensed by Authority. London: Printed by Richard Badger, For Samuel Broun, 1641. [ii], 58, 57-88 pp. Quarto (7" x 5-1/2").

Stab-stitched pamphlet bound into recent period-style speckled calf, blind rules to boards, gilt title to spine. Moderate toning to interior, light browning to margins at beginning and end of text block, light soiling to title page and verso of final leaf. \$1,500.

\* Only edition. Notable early works and important expressions of Bacon's conception of natural law, these speeches were presented when Bacon was King James I's solicitor general. They supported the King's keen desire to unite the kingdoms of England and Scotland, a goal finally realized in 1706 and 1707 with the Acts of Union. Published during the Bishops' Wars, a rebellion in Scotland over religious authority, this work was probably issued to promote the rights of King Charles I. OCLC locates 7 copies in North America, 2 in law libraries (Harvard, Library of Congress).

English Short-Title Catalogue R17387.



First Edition of an Important Treatise on Mortgage

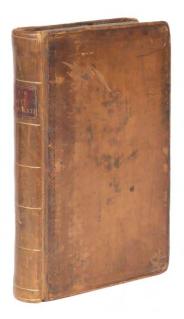
#### 4. Coote, Richard Holmes.

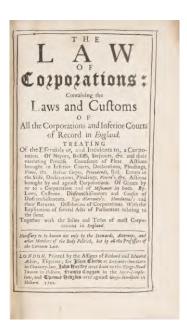
A Treatise on the Law of Mortgage [with] Part the Second. London: Printed for Joseph Butterworth & Son and J. Cooke, 1821 and 1823. 2 parts in 1 volume. viii, 372; viii, 373-712 pp. Octavo (9-1/4" x 5-3/4").

Recent quarter calf over marbled boards, blind fillets, lettering piece and gilt date to spine, endpapers renewed. Light fading to spine. Light toning to interior, negligible light soiling to a few leaves, light foxing to last fifteen or so leaves, early ownership signature ("George Dudgeon") to head of title page, early underlining and marks to margins on a few leaves. A nice copy. \$650.

\* First edition. One of the most important nineteenth-century treatises on the law of mortgage, it was considered the "standard work" by Holdsworth. It went through nine editions, the last in 1927.

Holdsworth, A History of English Law XIII:477. Sweet & Maxwell, A Legal Bibliography of the British Commonwealth 2:78.





The First Extensive Study of the Subject

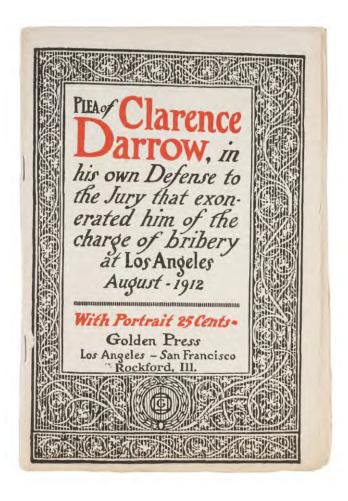
## 5. [Corporations]. [Great Britain].

The Law of Corporations: Containing the Laws and Customs of All the Corporations and Inferior Courts of Record in England. Treating of the Essentials of, And Incidents to, A Corporation. Of Mayors, Bailiffs, Serjeants, &c. And Their Executing Process. Conusance of Pleas. Actions Brought in Inferior Courts, Declarations Pleadings, Venue, &c. Habeas Corpus, Procedendo, Bail, Errors in the Stile, Declarations, Pleadings, Venire's &c. Actions Brought by and Against Corporations. Of Grants by Or to a Corporation and of Misnomer in Both. By-Laws Customs, Disfranchisements and Causes of Disfranchisements. Quo Warranto's, Mandamus's and Their Returns. Dissolution of Corporations. With the Explication of Several Acts of Parliament Relating to the Same. Together With the Stiles and Titles of Most Corporations in England. Necessary to be Known Not Only by the Stewards, Attorneys, And Other Members of the Body Politick, But by All the Professors of the Common Law. London: Printed by the Assigns of Richard and Edward Atkins, 1702. [xxxii], 365, [3] pp. With a half-title and a three-page publisher catalogue. Octavo (7-1/4" x 4-3/4").

Contemporary calf, rebacked, blind rules to boards, blind fillets along joints, gilt fillets and retained contemporary lettering piece to spine, hinges mended. Light rubbing and a few minor nicks and scuffs to boards, moderate rubbing to board edges, corners bumped and lightly worn, early armorial bookplate (of James Stovin) to front pastedown. Moderate toning to interior, light foxing to a few leaves. An attractive copy. \$1,250.

\* Only edition. Preceded only by William Sheppard's Of Corporations, Fraternities and Guilds (1659), a brief duodecimo volume, this 1702 work was the only treatise in English published before Stewart Kyd's Treatise on Law of Corporations (1793-1794), which is often cited as the first work on the subject. (Kyd does not seem to have been aware of these earlier books.) The anonymous author mentions Sheppard's book but dismisses it, claiming that it "extends not to the fortieth part of the matters relating to Corporations (v). He is correct; his book is much more extensive than Sheppard's and is more an analytical treatise than a handbook. This was clearly the author's ambition: "I have not only shewed the nature of Corporations, and by what words erected, but the several sorts thereof. And the power of executing Process within the Jurisdiction, and the Duties of Officers, is matter of Great Consideration, which I have not omitted" (v).

English Short-Title Catalogue T116022.



**Darrow Defends Darrow** 

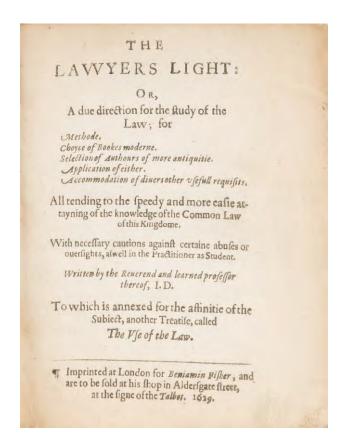
#### 6. [Darrow, Clarence (1857-1938)].

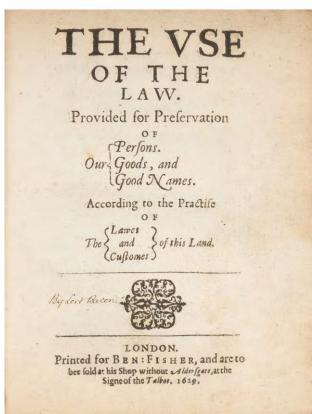
Plea of Clarence Darrow, In His Own Defense to the Jury That Exonerated Him of the Charge of Bribery at Los Angeles August - 1912. Los Angeles: Golden Press, 1912. [ii], 59 pp. Lacking the laid-in portrait of Darrow.

Stapled pamphlet in red and black printed wrappers, signatures uncut. Very light toning, slightly more moderate to wrappers, staples just starting to rust, clean tear to fore-edge of front wrapper. With publisher's transmittal envelope, toned, a few minor tears to left edge. A nice copy. \$150.

\* First edition. One of the great courtroom speeches from a master of the form. Darrow was charged with two counts of attempting to bribe jurors in the McNamara bombing case. Delivered to the jury during the first trial, this speech moved listeners to tears and resulted in Darrow's acquittal. The second trial ended in a hung jury. The prosecutor ultimately declined to refile charges, though by some accounts this was conditional on Darrow's promise to never practice in California again. The bribery cases effectively ended Darrow's career as a labor lawyer, though he went on to extraordinary successes in civil and criminal practice.

Hunsberger, Clarence Darrow: A Bibliography 85.





#### An Important Manual for Students of the Law

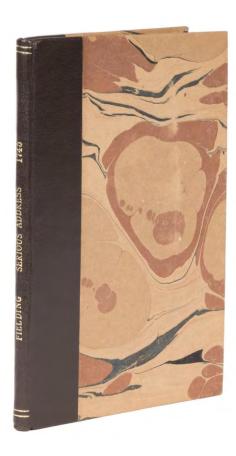
#### 7. Doderidge (Doddridge), Sir John [1555-1628].

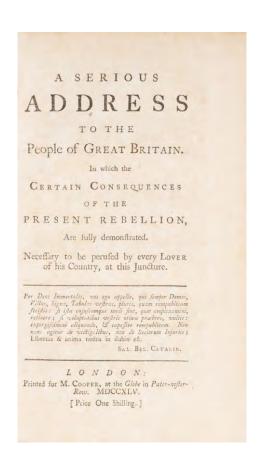
The Lanyers Light: Or, A Due Direction For the Study of the Lany; For Methode. Choyce of Books Moderne. Selection of Authours of More Antiquitie. Application of Either. Accommodation of Divers Other Useful Requisits. All Tending to the Speedy and More Easie Attayning of the Knowledge of the Common Law of this Kingdome. With Necessary Cautions Against Certaine Abuses or Oversights, Aswell in the Practitioner as Student. Written by the Reverend and Learned Professor Thereof, I.D. To Which is Annexed for the Affinitie of the Subject, Another Treatise, Called the Use of the Law. London: for Benjamin Fisher, 1629. [xvi], 119, [1]; [viii], 93, [3] pp. Two parts, each with title page. Quarto (7" x 5-1/4").

Contemporary limp vellum, early hand-lettered title to spine. Light rubbing, very light soiling and a few small scratches to exterior, vellum lacing skillfully extended and reinforced, light edgewear to endleaves, which are discreetly reinforced along edges. Moderate toning, partial crack in text block between items, all leaves secure, small later note ("by Lord Bacon") to second title page, internally clean. An appealing copy. \$3,000.

\* Only edition. Sir John Dodderidge, or Doddridge, a judge during the reign of Charles I, was a formidably learned jurist who was both a common lawyer and a civilian who held a D.C.L. from Cambridge. Held in high esteem by Holdsworth, he is best known for *English Lawyer: Describing a Method for the Managing of the Laws of this Land* (1631). He may also be the actual author of William Sheppard's *The Touch-Stone of Common Assurances* (1648), though this is still a matter of debate. *The Use of the Law*, an anonymous title, is attributed by some to Sir Francis Bacon.

English Short-Title Catalogue S109766.





"Necessary to be Perused by Every Lover of His Country"

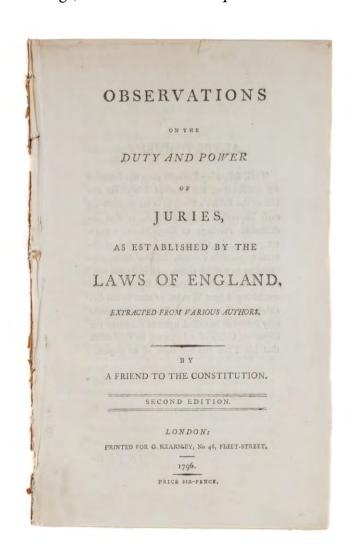
#### 8. [Fielding, Henry (1704-1754)].

A Serious Address to the People of Great Britain. In Which the Consequences of the Present Rebellion, Are Fully Demonstrated. Necessary to be Perused by Every Lover of His Country, At This Juncture. London: Printed for M. Cooper, 1745. [ii], 45, [1] pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet bound in recent quarter morocco over marbled boards, gilt fillets and title to spine, edges rouged. Hinges starting (rear hinge before final leaf). Moderate toning to interior, light foxing, small clean tears to fore-edge of leaf B2 (pp. 3-4) not affecting text, early manuscript note to foot of final (blank) page. \$450.

\* First edition. The last major Jacobite rising began in 1745 when the Scottish armies of Charles Edward Stuart captured Edinburgh and vowed to invade England and restore the Stuarts. Like those that preceded it, this rebellion ended in disaster for the Jacobites, who were essentially wiped out at Culloden in 1746. Published anonymously, our address was written at the outset of the rebellion by important jurist, magistrate and novelist Henry Fielding. It excoriates the Jacobites as Popish tyrants and bigots and emphasizes the barbarity of the Scottish highlanders, who he claims will "introduce Spanish and French tyranny, together with a Spanish Inquisition." Fielding's strident anti-Jacobitism would help launch his political career as a London magistrate. He would eventually found the Bow Street Runners. Second and third editions of the address appeared later the same year.

English Short-Title Catalogue T8930.



A Rare Tract Discussing Vulnerabilities in the Jury System

#### 9. A Friend to the Constitution.

Observations on the Duty and Power of Juries, As Established by the Laws of England, Extracted from Various Authors. By a Friend to the Constitution. London: Printed for G. Kearsley, 1796. vi [i.e. iv], 18, [2] pp. Octavo (8-1/4" x 5").

Disbound stab-stitched pamphlet. Light toning, light foxing to a few pages, faint yellow stain to top of outer edge of text block just touching inner edge in a few places, recent pencil notes to verso of final leaf. Rare. \$650.

\* Second edition, one of three published the same year. Sometimes attributed to Benjamin Flower, a radical journalist and political writer, this tract stresses not only the importance of trial by jury, but the enormous responsibility of jurors at a time of immense pressure to convict quickly and punish severely. Beginning with a quotation from Coke and concluding with an excerpt from Blackstone, the work also discusses the duties of counsel and judges. In total, this title had five editions, three in 1796 and later editions in 1798 and 1800. All are rare. OCLC locates 1 copy of the second edition (Columbia University). The *ESTC* adds 1 more (at Harvard Law School).

English Short-Title Catalogue (ESTC) N10135.



The "First Really Able" Book on the Subject

#### 10. Godolphin, John [1617-1678].

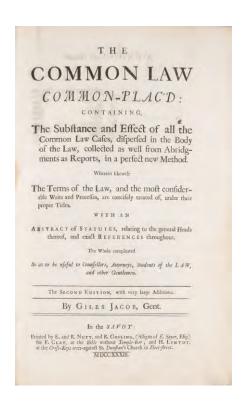
The Orphans Legacy: Or, A Testamentary Abridgment. In Three Parts: I. Of Last-Wills and Testaments, II. Of Executors and Administrators, III. Of Legacies and Devises: Wherein the Most Material Points of Law Relating to That Subject, Are Succinctly Treated: As Well According to the Common and Temporal, As Ecclesiastical and Civil Laws of This Realm. Illustrated with a Great Variety of Select Cases in the Law of Both Professions, As Well Delightful in the Theory, As Useful for the Practice of All Such as Study the One, Or Are Either Active or Passive in the Other. Much Augmented and Enlarged. London: Printed for Chr. Wilkinson, 1677. [viii], 478 [i.e. 476], [20] pp. Quarto (8-1/2" x 6-1/2").

Contemporary calf, blind rules to boards, raised bands and blind fillets to spine, gilt tooling to board edges. Moderate rubbing and a few later ink annotations and stains to boards, some rubbing and light wear to extremities, small chips to spine ends, front joint starting at foot, corners bumped, hinges cracked, illegible early annotation (an ownership signature?) to front endleaf, which is lacking its upper corner, early annotations to rear pastedowns and clipped rear free endpaper. Moderate toning to interior, slightly heavier in places, occasional light foxing, early underlining and annotations in several places, early ownership signatures to head of title page. An appealing copy. \$650.

\* Second edition. "The first really able books upon ecclesiastical law as a whole were written by Godolphin in the latter half of the seventeenth century. (...) [One of them is his] Orphan's Legacy [which deals with the subject] from the point of view not only of the ecclesiastical law, but also of the common law, and of the rising jurisdiction of the Chancellor" (Holdsworth). First published in 1674, its fourth and final edition appeared in 1701. The annotations to our copy are mostly brief, though some are longer, and are in two hands. The annotations to the rear pastedown concern relevant cases.

Holdsworth, A History of English Law V:12. Sweet & Maxwell, A Legal Bibliography of the British Commonwealth 1:492.





A Popular Eighteenth-Century English Legal Guide

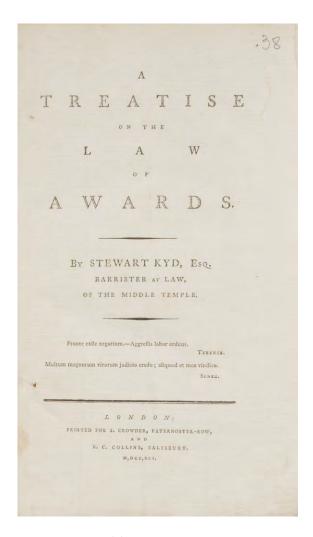
#### 11. Jacob, Giles [1686-1744].

The Common Law Common-Placed: Containing, The Substance and Effect of all the Common Law Cases Dispersed in the Body of the Law, Collected as Well from Abridgments as Reports, in a Perfect New Method. Wherein Likewise The Terms of the Law, and the Most Considerable Writs and Processes, are Concisely Treated of, Under Their Proper Titles. With an Abstract of Statutes, Relating to the General Heads Thereof, and Exact References Throughout. The Whole Compleated So As to Be Useful to Counsellors, Attorneys, Students of the Law, and Other Gentlemen. With Large Additions. [London]: Printed by E.R. Nutt, And R. Gosling, 1733. vi, 388 [i.e. 398], [8] pp. Folio (12-1/4" x 8").

Contemporary calf, rebacked in period style, blind rules to boards, blind fillets along joints, gilt tooling to board edges, raised bands, blind ornaments, lettering piece and gilt publication date to spine, endpapers renewed. Light rubbing and a few shallow scuffs to boards, moderate rubbing to board edges, corners bumped and worn, owner bookplate (P.W. Pegge), small pasted-down gift inscription (probably from an original endleaf) and small bookseller ticket to front pastedown. Light toning to interior, faint, negligible dampstaining to center of fore-edge of text block, finger smudges to a few leaves. An attractive copy. \$850.

\* Second edition. This layman's guide by one of the most prolific legal writers of eighteenth-century England was first published in 1726. The contents are arranged alphabetically by subject. Its final edition, the third, is a straight reprint of the second. The mention of "other gentlemen" 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 *Every Man His Own Lanyer* (1736) and *Treatise of Laws* (1721).

English Short-Title Catalogue T102302.



The Best Eighteenth-Century Treatise on Awards According to Holdsworth

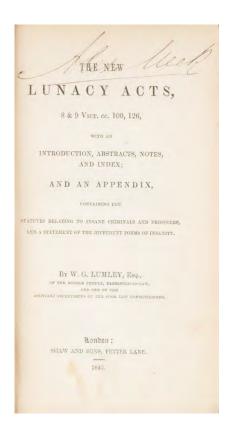
#### 12. Kyd, Stewart [d. 1811].

A Treatise on the Law of Awards. London: Printed for S. Crowder, Paternoster-Row, And B. C. Collins, Salisbury, 1791. vii, [1], 251, [9] pp. Octavo (9" x 5").

Original publisher boards with recent contrasting paper spine and printed paper title label, untrimmed edges, hinges mended. Light soiling and a few inkspots to boards, moderate rubbing to board edges, contemporary armorial bookplate (of John Clarke Stoughton, Wymondham) to front pastedown, light toning to interior. A handsome copy.\$950.

\* First edition. Holdsworth thought this was one of the best English treatises of the eighteenth century and the best book on awards. "It is a learned book, which describes historically the growth of the rules on this topic from the Year Books downwards, and discusses intelligently the modern cases both legal and equitable. The author knows a good deal of Roman law, and makes an effective use of some of its rules, which, he thinks, may have influenced the growth of the parallel English Rules." A Dublin reissue appeared later in 1791. Kyd published a second edition in 1799, which was the final edition of this work. It was reissued, with the addition of American cases, in Philadelphia in 1808.

Holdsworth, A History of English Law XII:399. English Short-Title Catalogue T69321.



A Scarce Guide to the 1845 Lunacy Reforms

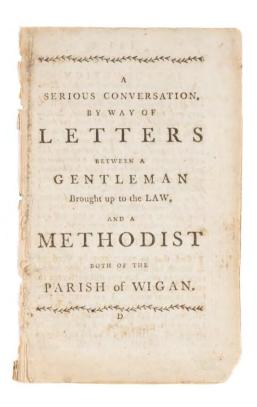
#### 13. Lumley, W[illiam] G[olden] [1802-1878].

The New Lunacy Acts, 8 & 9 Vict. cc. 100, 126, With an Introduction, Abstracts, Notes, and Index; And an Appendix, Containing the Statutes Relating to Insane Criminals and Prisoners, And a Statement of the Different Forms of Insanity. London: Shaw and Sons, 1845. xxiv, 250, [26] pp. With 26 pp. publisher catalogue. Octavo (7-1/2" x 4-1/4").

Later library cloth, red and black calf lettering pieces and paper shelf label to spine, cloth hinges, endpapers renewed. Some soiling and light shelfwear, a few nicks to lettering pieces, front hinge just starting in middle, small ink date stamped to rear pastedown. Moderate toning to interior, somewhat heavier in places, light foxing and soiling in a few places, tear to top and fore-edges of leaf G10 (pp. 139-140) affecting text at top-edge without loss to legibility, brief early annotations and underlining in a few places in text, more extensive annotations (an index) to first two leaves, early ownership signature (Alex. Meek?) to head of title page. \$500.

\* Only edition. The Lunacy Act of 1845 and the accompanying County Asylums Act worked in tandem to establish an eleven-person Lunacy Commission that would inspect and register asylums and make suggestions and regulations for patient care. Six of the positions were full-time, three for legal practitioners and three for members of the medical community. The asylums were created under the provisions of the County Asylums act, which strengthened the network of public care institutions, allowing for the removal of the insane from workhouses and prisons to more compassionate institutions. Our guide lays out the new system with attention to its relevance to local members of the legal profession. OCLC locates 4 copies in North America (Columbia Law School, University of Georgia Law School, Brigham Young University, New York State Appellate Library).

Sweet & Maxwell, A Legal Bibliography of the British Commonwealth 2:221.



"You Still Persevere in Encouraging a Set of Imposters..."

14. [Methodists].[Marten, John].[Haselden, James].

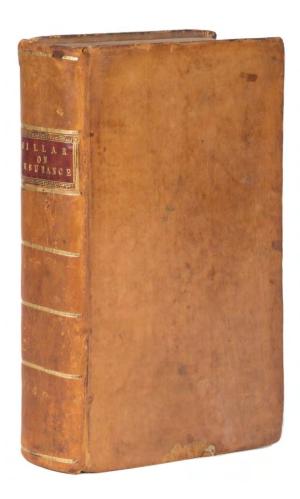
A Serious Conversation, By Way of Letters Between a Gentleman Brought up to the Law, And a Methodist Both of the Parish of Wigan. 8 pp. [1789?] Octavo (6-1/4" x 3-3/4").

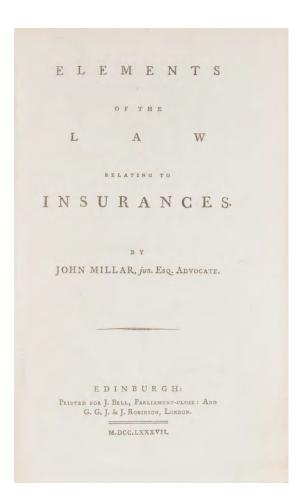
Disbound, leaves nearly separated. Moderate toning, lower right corners folded. Rare. \$350.

\* Only edition. Four letters relating to a dispute in Upholland, Lancashire in February of 1788. (The British Library assigns the work a provisional date of 1789.) John Marten, the titular gentleman, strenuously objected to local woman Mary Tomison's use of her home for Methodist meetings, and informed her that he would burn her house down if the meetings did not desist. In his letters, Marten characterizes the meetings as "altogether unlawful, a scandal to religion and unacceptable to the All-wise Being of the universe" and Methodists in general as "wolves in sheeps cloathing" and "a pest of hypocrites to impose on the ignorant and credulous." The measured and spiritual replies are from James Haselden, Tomison's brother who had apparently recently returned from a stint as a soldier. The work concludes with a traditional Methodist hymn.

Though complete as presented here, A Serious Conversation may once have been part of a larger work that does not survive; all copies we could locate are catalogued as individual titles. OCLC and Library Hub locate 2 copies of this rare item (British Library, Oxford Brookes University). Not in the English Short-Title Catalogue or the British Museum Catalogue.

Field, "Anti-Methodist Publications of the Eighteenth Century: A Supplemental Bibliography," Wesley and Methodist Studies 6 (2014) 178.





Scarce Treatise on Insurance Praised
For Its "Uncommon Judgment and Freedom of Inquiry"

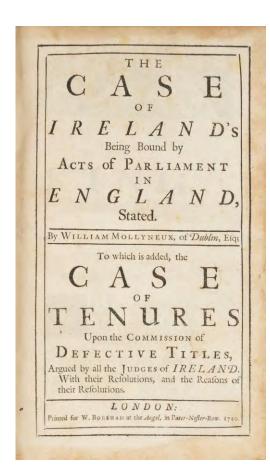
#### 15. Millar, John [1760-1796].

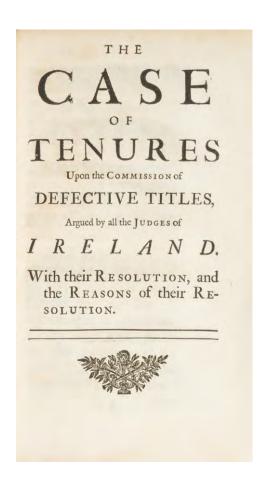
Elements of the Law Relating to Insurances. Edinburgh: Printed for J. Bell, 1787. xi, 560, [6] pp. With errata leaf and cancel errata slip. Octavo (8" x 5").

Contemporary calf, gilt fillets and lettering piece to spine, blind tooling to board edges, edges rouged. Light rubbing and a few scuffs and nicks to boards, moderate rubbing to extremities, corners bumped, hinges starting, armorial bookplate (of James Brodie) to front pastedown. Light toning to interior, minor light foxing to a few leaves. A handsome copy of a scarce title. \$1,500.

\* Only edition. "This work furnished, when it first appeared, a good exposition of the then existing Law of Insurance. The author collected what was to be found in Scotch Decisions, relevant to his subject, and examined and commented upon the English authorities with considerable acuteness. 'He appears to have been equally familiar with the Continental Civilians, and to have discussed the principles of Insurance with uncommon judgment and freedom of inquiry.' The volume, however, never obtained a great share of public favor, and is now rarely consulted" (Marvin). Millar was the son of the jurist John Millar [1735-1801]. OCLC locates 8 copies in law libraries.

Marvin, Legal Bibliography 513 (citing 20 North American Review 71). English Short-Title Catalogue T112830.





Early Treatise Arguing the Legislative Independence of Ireland

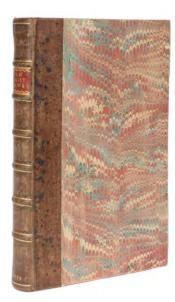
#### 16. Molyneux, William [1656-1698].

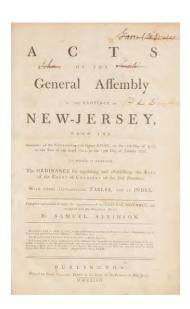
The Case of Ireland's Being Bound by Acts of Parliament in England, Stated. To Which is Added, The Case of Tenures Upon the Commission of Defective Titles, Argued by All the Judges of Ireland. With Their Resolutions, And the Reasons of Their Resolutions. London: Printed for W. Boreham, 1720. xv, [1], 236 pp. Two parts, each with title page. Octavo (7-3/4" x 4-1/2").

Contemporary speckled calf, gilt-edged raised bands and fragment of lettering piece to spine, blind tooling to board edges, edges speckled red. Light rubbing to boards, a few small scuffs and gouges and faint dampstain to front board, moderate rubbing to extremities, joints starting at ends, corners bumped and somewhat worn, front hinge cracked, rear hinge starting, faint offsetting to endleaves, which have a few very brief pencil notations, small ink (library?) stamp to front pastedown and free endpaper. Moderate toning to interior, occasional faint dampstaining to lower margin, light foxing in a few places. \$675.

\* First London edition, the first to include *The Case of Tenures upon Commission*. Originally published in Dublin in 1698, then in 1706 and 1719. Molyneux accepts the superior status of the English Parliament but argues for either a legislative union or a greater freedom for Ireland. The second title has considerable material on legislation regarding the wool and textile trade in Ireland. The *Dictionary of National Biography* notes: "Molyneux's effort has special value of its own as an attempt to prove the legislative independence of the Irish parliament."

Dictionary of National Biography XII:587. English Short-Title Catalogue T20037.





New Jersey's Last Colonial-Era Compilation, A Copy With Two Interesting Associations

## 17. [New Jersey].

#### Allinson, Samuel [1739-1791], Compiler.

Acts of the General Assembly of the Province of New-Jersey, from the Surrender of the Government to Queen Anne, on the 17th Day of April, in the Year of Our Lord 1702, to the 14th Day of January 1776.... Burlington: Printed by Isaac Collins, 1776. viii, 493, [1], 6, 6, 4, 4, 3, [1], 15, [1] pp. Folio (13" x 9").

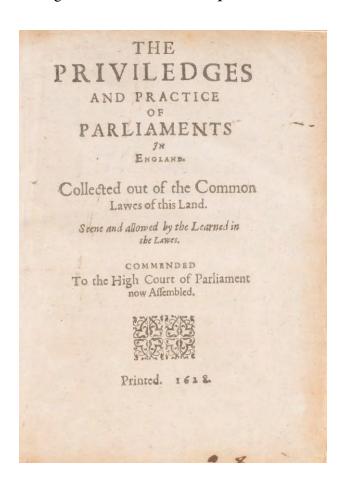
Recent period style quarter calf over marbled boards, blind ornaments, lettering piece, gilt-edged raised bands and gilt publication date to spine, endpapers added. Moderate toning and light foxing to interior, light browning in places, contemporary manuscript corrections to several leaves (as in all copies), three later owner inscriptions and signatures, John Smith, Garret Dorset Wall and William Lewis Dayton, to front pastedown, to front endleaf, originally free endpaper, and head of title page (signatures of Smith and Wall struck-through). \$1,250.

\* Only edition. The last compilation of New Jersey's colonial-era laws, commonly referred to as Allinson's Laws, provides a portrait of life in New Jersey from 1702 to the landmark year, 1776. It addresses several topics that relate to the American Revolution, such as the regulation of ammunition, arms and militias. Isaac Collins was known for the excellence of his work. After the death of the appointed printer "to the King's Most Excellent Majesty" James Parker in 1770, Collins acquired Parker's business. He achieved additional renown in 1777 as the printer of The New Jersey Gazette, the first regularly published weekly newspaper in the state. As Felcone points out, all copies have manuscript corrections that were probably executed in Collins's shop. Due to shortages, the quality of the paper varied considerably from copy to copy, and all copies "exhibit differing degrees of foxing and browning from gathering to gathering" (Felcone).

William Lewis Dayton [1807-1864], a New Jersey lawyer, politician and diplomat from a distinguished New Jersey family, was a U.S. senator (1842-1851), state Attorney General (1857-1861), minister to France (1861-1864) and Ambassador to the Netherlands (1882-1885).

Garret Dorset Wall [1783-1850] a New Jersey lawyer and military officer, was a member of the state General Assembly (1827), U.S. attorney for the district of New Jersey (1829-1835) and a U.S. senator (1835-1841). Wall Township, New Jersey, was named in his honor.

Felcone, New Jersey Books 158. The Charlemagne Tower Collection of Colonial Laws 166.



A Stuart-Era Defense of Parliament

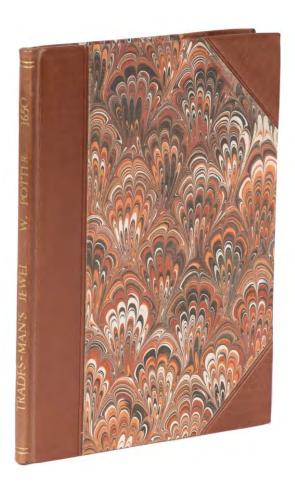
## 18. [Parliament]. [Great Britain].

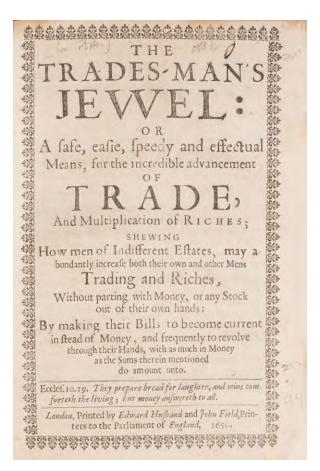
The Priviledges and Practice of Parliaments in England. Collected Out of the Common Lawes of this Land. Seene and Allowed by the Learned in the Lawes. Commended to the High Court of Parliament Now Assembled. [London]: Printed [by B. Alsop and T. Fawcett], 1628. [vi], 46 pp. Quarto (7" x 5-1/2").

Stab-stitched pamphlet bound into recent quarter calf over cloth. Light rubbing to extremities, light fading to spine. Moderate toning to interior, minor wormtrack to fore-edge of text block, which gradually diminishes to a single wormhole on leaf C4 (pp. 26-27), "4" in early hand and small inkspot to foot of title page. \$650.

\* First issue. This anonymous pamphlet, which has interesting comments about the governments of France and the German states, was reissued in 1640, 1641, 1643, 1680. These publication dates are significant because they coincide with points of tension between parliament and Charles I, Cromwell, Charles II and James II. Two imprints were issued at the time of the Civil Wars [1642-1651]. All are scarce. OCLC locates 7 copies of the 1628 issue in North American law libraries (Harvard, Library of Congress, San Francisco Law Library, UC-Davis, University of Georgia, University of Michigan, Yale).

English Short-Title Catalogue S100615.





An Early Argument for Central Banking

#### 19. Potter, William.

The Trades-man's Jewel: Or a Safe, Easie, Speedy and Effectual Means, For the Incredible Advancement of Trade, And Multiplication of Riches; Shewing How Men of Indifferent Estates, May Abundantly Increase Both Their Own and Other Mens Trading and Riches, Without Parting With Money, Or Any Stock Out of Their Own Hands; By Making Their Bills to Become Current Instead of Money, And Frequently to Revolve Through Their Hands, With as Much in Money as the Sums Therein Mentioned Do Amount Unto. London: Printed by Edward Husband and John Field, 1650. 16 pp. Woodcut printer's device to last page. Quarto (6-3/4" x 5").

Stab-stitched pamphlet bound in recent three-quarter calf over marbled boards, blind rules to calf edges, gilt fillets and title to spine. Light toning to interior, light foxing to a few places, trimming to fore-edge affecting side notes on pp. 5-6 with loss to text but not legibility, brief recent pencil notes to title page. \$2,500.

\* Only edition. One of two works by Potter on the same topic, this pamphlet advocates for the creation of banks to disburse bills of credit backed by a more central banking system "as firm as that of the Chamber of London, Bank of Amsterdam, or any Bills of Exchange" in order to advance trade. The Bank of England would be established in 1694. OCLC locates 3 copies of this title in North America (Harvard, Columbia, University of Illinois). The ESTC adds 1 North American copy (Folger Shakespeare).

English Short-Title Catalogue (ESTC) R206533.



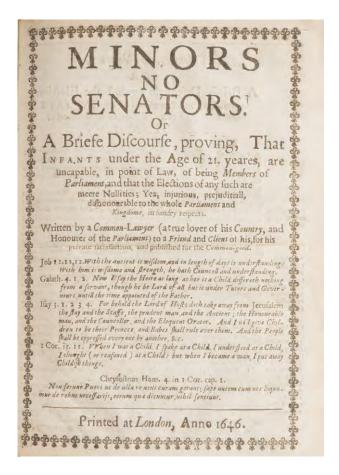
An Elaborate Prison Variety Show

#### 20. [Prisons].

Show of 1930: Vanities of the Passing Show. Washington's Birthday, February Twenty-Second, 1930. United States Penitentiary, Atlanta, Georgia. Atlanta, Georgia, 1930. [4] pp. Octavo (8" x 5-1/2").

Bifolium pamphlet, text printed in black on pink paper within green and red borders. Light toning and soiling, horizontal and vertical fold lines, several small pinholes to upper left corner, text not affected. \$150.

\* This interesting item details a variety show put on in celebration of Washington's birthday at the United States Penitentiary, Atlanta, a medium-security federal prison for male inmates. Acts include "Johnny Wiggins and his Red Hot Steppers," "The Musical Boys from the Warehouse," several sketches, including an apparent depiction of a burglary, and a blues performance of "Wuzza Matter Baby." Most of the inmates are identified by last name only. Several play soubrettes, flirtatious female stock characters in opera and theatre. In addition to the performers, the program lists outside companies and staff contracted to produce the show. No copies located on OCLC.



Prynne Weighs In on "Infant" MPs

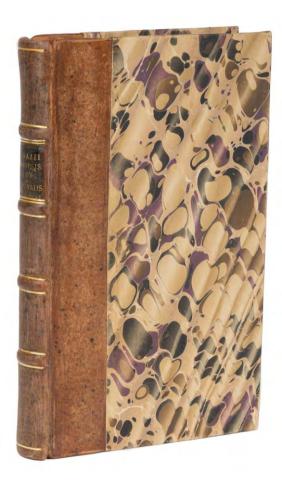
#### 21. [Prynne, William (1600-1669)].

Minors No Senators. Or A Briefe Discourse, Proving, That Infants Under the Age of 21. Yeares, Are Uncapable, In Point of Law, Of Being Members of Parliament, And that the Elections of Any Such are Meere Nullities; Yea, Injurious, Prejuditiall, Dishonourable to the Whole Parliament and Kingdome, In Sundry Respects. Written by a Common-Lawyer (A True Lover of His Country, And Honourer of the Parliament) To a Friend and Client of His, For His Private Satisfaction, And Published for the Common-Good. London: [s.n.], 1646. 16 pp. Quarto (8-1/2" x 6-1/4").

Stab-stitched pamphlet bound in recent quarter calf over marbled boards, blind fillets to calf edges, gilt-edged lettering piece to spine, edges rouged. Light toning, faint horizontal crease, trimming to bottom margin with loss to catchword and "Finis" on pp. 15-16 only. \$750.

\* First edition. Prynne was a contentious and erudite Puritan attorney and legal antiquarian who wrote several books and pamphlets about legal history, religion and politics. Here, he advocates for the restriction of the age of candidacy to 21 for Members of Parliament on both legal and philosophical grounds. Though Prynne often tended to antagonize others, his ideas about the age of candidacy were borne out by history: the Parliamentary Elections Act of 1695 established 21 as the minimum age for both voters and candidates, a restriction maintained for over three hundred years until the age for candidates was lowered to 18 in 2006. An enlarged second edition and a subsequent excerpted edition appeared in 1661.

English Short-Title Catalogue R205590.



A Work Influenced by Beccaria

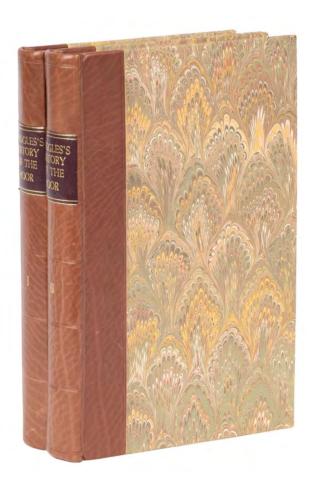
#### 22. Renazzi, Filippo Maria [1742-1808].

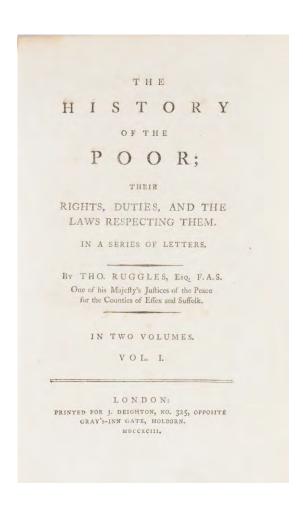
Synopsis Elementorum Juris Criminalis in Usum Auditorum. Jam Pridem Adornata. Siena: Aloysii et Benedicti Bindi, 1804. xvi, 247 pp. Octavo (7-3/4" x 5-1/4").

Recent period-style quarter calf over cloth, lettering piece and gilt-edged raised bands to spine, pastedowns and free endpapers renewed. Large copperplate vignette of Lady Justice to title page. Moderate toning to interior, light foxing in a few places, early annotations and struck-through signatures to front endleaf, library stamps to title page and two other pages, neat early repair to lower inside corner of leaf \*5 (pp. ix-x). \$1,500.

\* First edition. Renazzi was probably the leading thinker on criminal jurisprudence in late eighteenth-century Italy. Intended for students, the *Synopsis* is a digest of his multi-volume *Elementa Juris Criminalis*, a work deeply influenced by Beccaria. First published in 1773, it went through several editions in Latin and Italian and was, according to Gross, "perhaps the first [work] in that age to reduce the material of crimes and punishment to a scientific system." A well-received work, the *Synopsis* went through seven more editions, the lat one in 1859. Despite its publication history, all editions are rare or scarce. OCLC locates two copies of the first edition, both in Europe. Not in the *British Museum Catalogue*.

Gross, Rome in the Age of Enlightenment 219.





#### Anticipated the Workhouse Movement

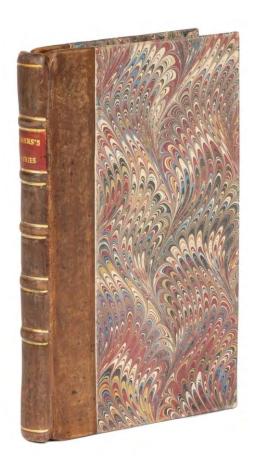
#### 23. Ruggles, Thomas [1745-1813].

The History of the Poor; Their Rights, Duties, And the Laws Respecting Them. In a Series of Letters. London: Printed for J. Deighton, 1793-1794. Two volumes. [ii], xxvi, 297, [1]; [ii], 341, [1] pp. Octavo (8" x 5").

Recent quarter calf over marbled boards, blind rules to calf edges, blind fillets, lettering pieces and gilt volume numbers to spines, endleaves renewed, edges speckled blue. Hinges of Volume I starting (after first and before final two leaves). Light to moderate toning to interiors, occasional light foxing, slightly heavier to first and final few leaves of Volume II, brief corrections in pencil to p. v of Volume I. A nice set. \$950.

\* First edition. Ruggles was a barrister, antiquarian and magistrate in Essex and Suffolk. Written while he was serving as a justice of the peace, this historical survey of the poor laws and the treatment of the poor concludes that poverty is largely due to a lack of thrift and moral fiber on the part of the working class. Instead of mere relief, the poor laws should provide an industrial and moral education, and private societies should encourage workers to save rather than spend frivolously on goods or alcohol. In many ways, Ruggles's suggested reforms anticipated the workhouse movement ushered in by the Poor Law of 1834. A second edition of this title appeared in 1797.

English Short-Title Catalogue T93331.





A Landmark Work on a Fundamental English Right

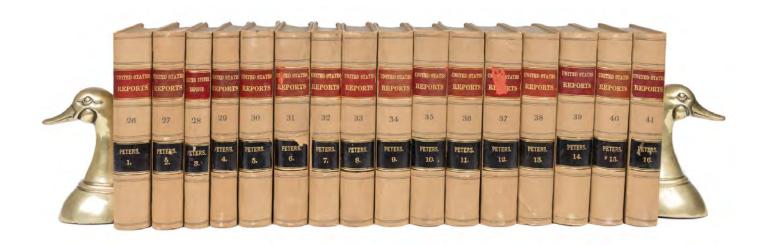
#### 24. [Somers, John Somers, Baron (1651-1716), Attributed].

The Security of English-Mens Lives, Or the Trust, Power, And Duty of the Grand Jurys of England. Explained According to the Fundamentals of the English Government, And the Declarations of the Same Made in Parliament by Many Statutes. Published for the Prevention of Popish Designs Against the Lives of Many Protestant Lords and Commoners, Who Stand Firm to the Religion and Ancient Government of England. London: Printed for Benj. Alsop, 1682. 168 pp. Octavo (6" x 3-3/4").

Recent period-style quarter calf over marbled boards, lettering piece and gilt-edged raised bands to spine, endpapers renewed. Light toning to interior, light soiling and a few creases to title page, which has a ruled border. Head of text block trimmed with some loss to page numbers and rule at head of title page. A handsome copy. \$1,500.

\* Second edition. First published in 1681, this influential essay defined a hearing before grand jury of peers as a fundamental English right. An assertion of the priority of the law over the English Crown, it was written to support the right of a grand jury to reject the bill of indictment against Anthony Ashley-Cooper, First Earl of Shaftesbury, issued by Charles II (a pro-Catholic monarch). Published anonymously, this work is attributed in most sources to Somers. A barrister of the Middle Temple and an important Whig statesman, he was Lord Chancellor of England during the reigns of William and Mary and Queen Anne and presided over the framing of the Bill of Rights (1689). As one would suspect, this book was studied by the American founding fathers.

English Short-Title Catalogue R10363.



Peters's U.S. Supreme Court Reports

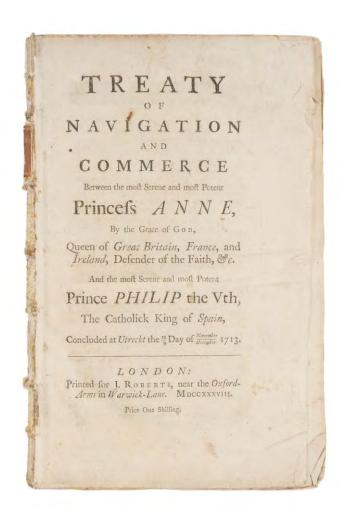
25. [Supreme Court, United States]. Peters, Richard [1779-1848], Reporter, Brightly, Frederick C. [1812-1888], Editor.

Reports of Cases Argued and Adjudged in the Supreme Court of the United States. New York: The Banks Law Publishing Company, 1903. Sixteen volumes. Complete (official) set. Octavo (8-1/2" x 5-1/2").

Uniformly bound in contemporary tan buckram, red and black lettering pieces to spines. Moderate shelfwear, light soiling, chipping to lettering pieces of a few volumes, light toning to interiors, owner stamps to front pastedowns. A well-preserved set. \$750.

\* Later printing of these volumes, which were first issued from 1829 to 1842. Volume 16 contains the landmark decision of Prigg v. Pennsylvania. This great case, the precursor to Dred Scott, was an important milestone in fugitive slave law. Prigg, a professional slave catcher from Maryland, was indicted for kidnapping Margaret Morgan, a black woman, in York County, Pa., in order to sell her as a slave. In this case, Justice Story, writing for the Court, "held that the power to regulate the rendition of fugitive slaves was exclusively within the prerogative of Congress." The decision in Prigg ultimately became an antislavery weapon (Finkelman). Peters produced a 17th volume, but it is not considered part of the official reports. It was superseded by Volume 1 of Howard's Reports. The sixteen official volumes by Peters became Volumes 26-41 of United States Reports.

Finkelman, Slavery in the Courtroom 60-61. Cohen and O'Conner, A Guide to the Early Reports of the Supreme Court of the United States 147, 167.



## A Treaty Ended the War of the Spanish Succession

#### 26. [Treaties].

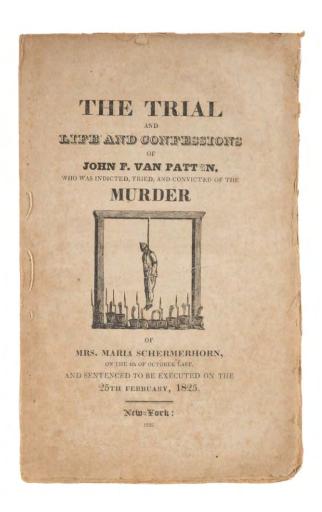
#### [War of the Spanish Succession].

Treaty of Navigation and Commerce Between the Most Serene and Most Potent Princess Anne, By the Grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, &c. And the Most Serene and Most Potent Prince Philip the Vth, The Catholick King of Spain, Concluded at Utrecht the 28/9 Day of November/December 1713. London: Printed for J. Roberts, 1738. 64,\*61-\*64,65-86 pp. Complete. Octavo (8-1/2" x 5-1/2").

Disbound stab-stitched pamphlet, untrimmed edges. Moderate toning, light soiling to exterior, text block slightly cocked, light foxing to a few leaves. \$750.

\* This was one of a series of peace treaties signed by the belligerents in the War of the Spanish Succession in Utrecht between April 1713 and February 1715. These treaties checked French power and established a period of peace and stability that lasted until the outbreak of the Seven Years' War.

English Short-Title Catalogue T96539.



He Shot Her in the Back: McDade 1020

#### 27. [Trial].

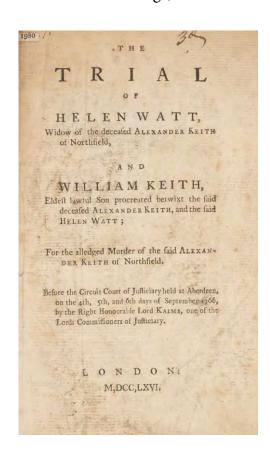
#### Van Patten, John F. [1801-1825], Defendant.

The Trial and Life and Confessions of John F. Van Patten, Who was Indicted, Tried, And Convicted of the Murder of Mrs. Maria Schermerhorn, On the 4th of October Last, And Sentenced to be Executed on the 25th February, 1825. New York: S.n., 1825. 16 pp. Octavo (8-1/2" x 5-1/4").

Stab-stitched pamphlet in self wrappers, woodcut execution vignette to front wrapper, untrimmed edges. Moderate toning and dampspotting, faint dampstaining to margins of a few leaves, lower outside corner lacking from leaf containing pp. 5-6, text not affected, ink smudge to p. 11, legibility not affected. \$1,250.

\* Only edition. "Van Patten was courting a girl and Mrs. Schermerhorn cautioned her against marrying him; as a result her parents forbade his suit. Borrowing a shotgun from a neighbor, he called on Mrs. Schermerhorn in Rotterdam, New York; while she was going upstairs to get some wadding he requested, he shot her in the back" (McDade). Our copy is one of the three accounts of this case. All are scarce. OCLC locates 3 copies of our imprint in law libraries (Harvard, Library of Congress, Yale).

McDade, The Annals of Murder 1020.



spik 1767. Of the Advertisement prefixed to Mrs Keith's Trial.

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#### A Mother and Son Accuse Each Other of Murder

#### 28. [Trials].

### Keith, Helen Watt, Defendant.

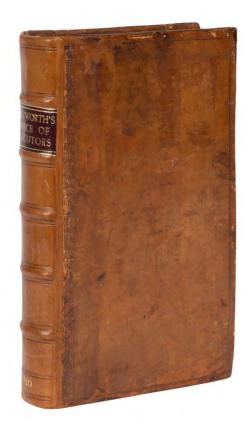
#### Keith, William, Defendant.

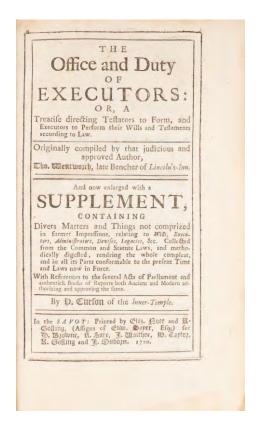
The Trial of Helen Watt, Widow of the Deceased Alexander Keith of Northfield, And William Keith, Eldest Lawful Son Procreated Betwixt the Said Deceased Alexander Keith, And the Said Helen Watt; For the Alledged Murder of the Said Alexander Keith of Northfield. London: S.n., 1766. xxi, [i.e. xx], [2], 9-54, [2] pp. Octavo (7-1/2" x 4-1/2").

Disbound pamphlet bound into later three-quarter calf over marbled boards, gilt title to spine, marbled endpapers. Moderate rubbing to extremities with wear to corners. Moderate toning to interior, light foxing in places, upper-outside corner of Leaf F4 (pp. 47-48) lacking with no loss to text, soiling to title page and verso of final leaf, illegible early annotations and tiny label to head of title page. Two contemporary newspaper clippings and 7 pp. article about the trial affixed to added leaves at rear of text. \$950.

\* Only edition. Ten years after his death, the widow and second son of Alexander Keith had a falling out and accused each other of murdering him. The trial, in Aberdeen, Lord Kames presiding, determined that both parties participated in the murder and were sentenced to hang. Evidence was sketchy however, which led to a review and a royal pardon. This title, the only account of this case, is scarce. OCLC locates 4 copies in North America, 2 in law libraries (Harvard, University of Minnesota).

English Short-Title Catalogue T121535.





"The Foundation of All Similar Productions of the Kind"

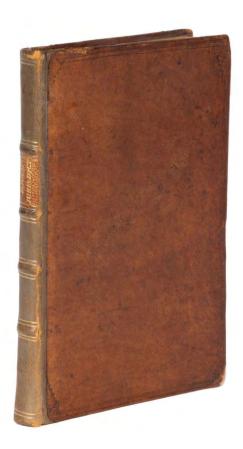
# 29. Wentworth, Thomas [c.1568-1628]. Cusron, H[enry], Editor.

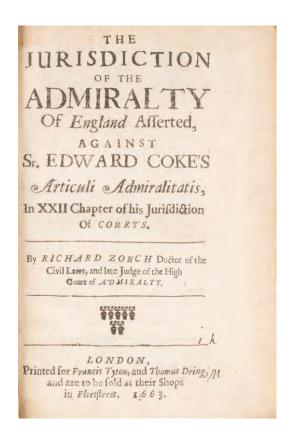
The Office and Duty of Executors: Or, A Treatise Directing Testators to Form, And Executors to Perform Their Wills and Testaments According to Law. Originally Compiled by That Judicious and Approved Author, Tho. Wentworth, Late Bencher of Lincoln's-Inn. And Now Enlarged with a Supplement, Containing Divers Matters and Things not Comprized in Former Impressions, Relating to Wills, Executors, Administrators, Devises, Legacies, &c. Collected from the Common and Statute Laws, And Methodically Digested, Rendring the Whole Compleat, And in All its Parts Conformable to the Present Time and Laws now in Force. With References to the Several Acts of Parliament and Authentick Books of Reports both Ancient and Modern Authorizing and Approving the Same. By H. Curson of the Inner-Temple. [London]: Printed by Eliz. Nutt and R. Gosling, 1720. [iv], vi, [10], 468, [72] pp. Octavo (7-3/4" x 4-3/4").

Contemporary calf, rebacked in period style, blind rules to boards, blind fillets along joints, blind tooling to board edges, raised bands, lettering piece, blind fillets and gilt publication date to spine, hinges mended. Minor nicks, scuffs and tiny stains to boards, moderate rubbing to board edges, corners bumped, early owner signature (Wm. Orde) to front and rear pastedowns. Moderate toning to interior, faint dampspotting to a few leaves. \$400.

\* Later edition. First published in 1641, the "authorship of this treatise is ascribed to Mr. Justice Dodderidge, though the work is commonly Known as Wentworth's Executors. It constitutes the foundation of all similar productions of the kind, and has always been regarded as a high authority in these matters" (Marvin). This was a popular and well-received work that went through several editions and issues into the nineteenth century.

Marvin, Legal Bibliography 724-725. English Short-Title Catalogue R220926.





Zouch on Admiralty Jurisdiction

#### 30. Zouch, Richard [1590-1661].

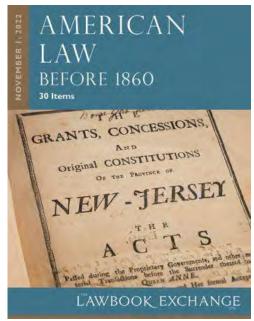
The Jurisdiction of the Admiralty of England Asserted, Against Sr. Edward Coke's Articuli Admiralitatis, in XXII Chapter of His Jurisdiction of Courts. London: Printed for F. Tyton and T. Dring, 1663. [xvi], 152 pp. Octavo (6-1/2" x 4").

Later sheep, rebacked in period style, blind rules with corner fleurons to boards, lettering piece and gilt-edged raised bands to spine, original endleaves retained. A few minor scuffs to boards, moderate rubbing to extremities, corners bumped and somewhat worn. pastedowns loose and lightly edgeworn, brief early owner markings to verso of front cover and rear endleaf, early owner signature (Jo. Conant) to front free endpaper. Moderate toning to interior, light soiling to title page. \$1,750.

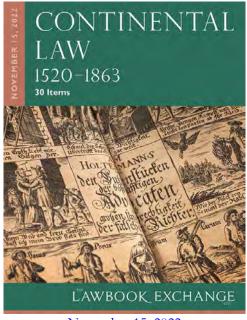
\* First edition. The expansion and improvement in English naval power under Cromwell and Great Britain's growth as a maritime power created a demand for works on admiralty law. These factors created a rivalry between the admiralty and common law courts for jurisdiction that culminated during the chief justiceship of Lord Coke, which led to several publications in which the law merchant and the civil law play prominent parts. Along with Godolphin's *A View of the Admiral Jurisdiction* (1653), Zouch's treatise was among the first to address this need, and, due to the author's status, the most important. The leading civilian of his day, he was an advocate of Doctors' Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. Later editions were published in 1683 and 1685. It was also reissued in the 1686 edition of Malynes's *Lex Mercatoria*.

English Short-Title Catalogue R21844.

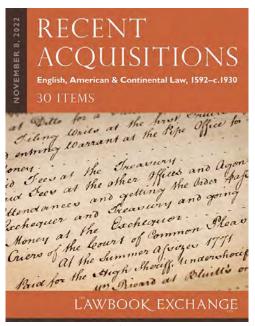
#### Recent Weekly E-Lists



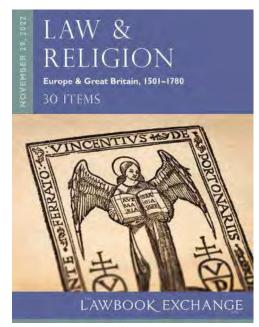
November 1, 2022



November 15, 2022



November 8, 2022



November 29, 2022

We are happy to hold items for institutional customers who wish to reserve items today and have them invoiced or shipped at a later date