

Recent Acquisitions

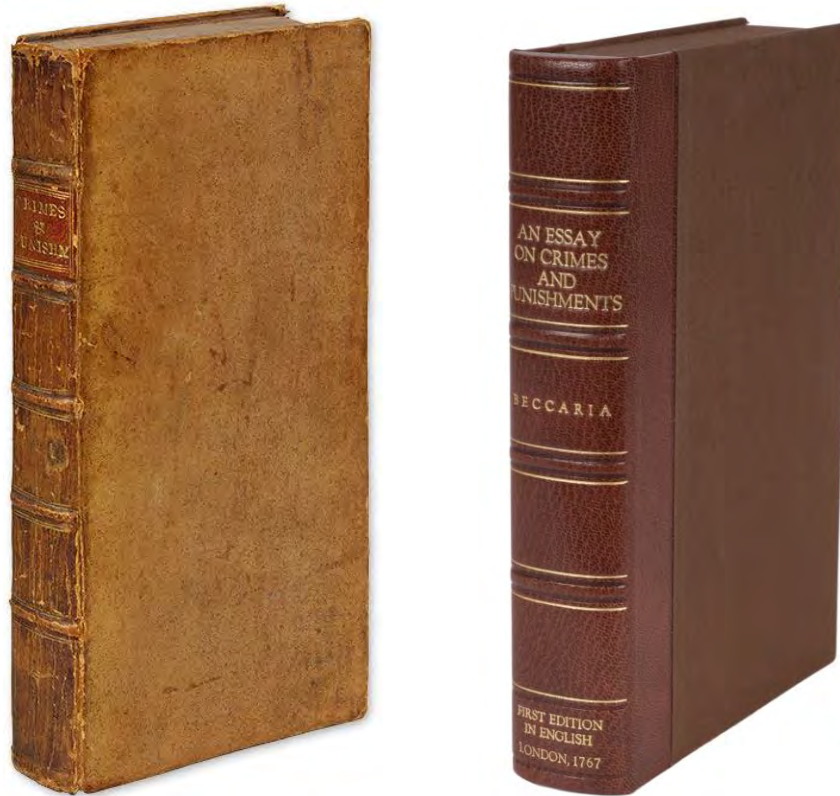
ENGLISH, AMERICAN &
CONTINENTAL LAW, 1550–1922

22 ITEMS

July 20, 2021



THE
LAWBOOK EXCHANGE
LTD.



First English-Language Edition of "One of the Most Influential Books in the Whole History of Criminology"

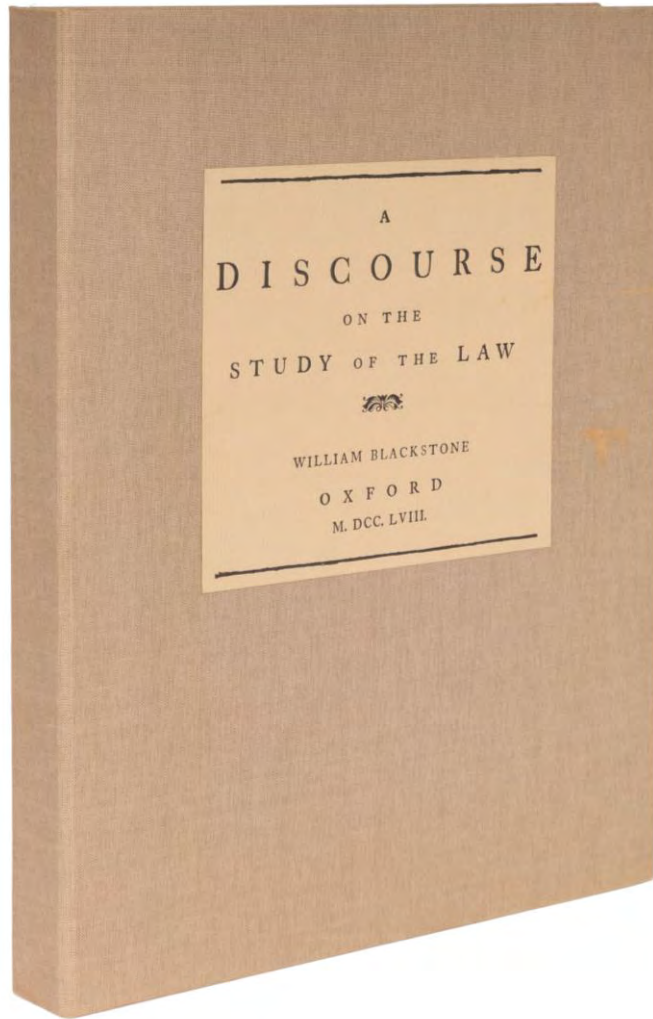
1. Beccaria, [Cesare Bonesana, Marchese de] [1738-1794].

Voltaire (Arouet, Francois-Marie) [1694-1778].

An Essay on Crimes and Punishments, Translated from the Italian; With a Commentary, Attributed to Mons. De Voltaire, Translated from the French. London: Printed for J. Almon, 1767. xii, 179, [1], lxxix, [1] pp. Last page blank. Octavo (8" x 5").

Contemporary sprinkled calf, raised bands and lettering piece to spine. A few minor nicks and scuffs to boards, moderate rubbing to extremities with some wear to spine ends and corners, joints starting at ends, armorial bookplate of Hans Sloane to front pastedown, his signature to head of title page. Light toning to text, somewhat heavier in places, light foxing to a few leaves. Book housed in custom quarter morocco over cloth clamshell box, gilt-edged raised bands and gilt title to spine. \$5,000.

* First edition in English. First published anonymously in Livorno in 1764 as *Dei Delitti e Delle Pene*, this landmark work is, to quote *Printing and the Mind of Man*, "one of the most influential books in the whole history of criminology... and a work whose impact "can hardly be exaggerated." It is significant because it was the first systematic study of the subject. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the Middle Ages. It had a profound influence on the development of criminal law. It was especially influential among American thinkers, such as Thomas Jefferson, who wished to use Beccaria to reform the system of criminal law Americans inherited from England. Sloane was the son of Sir Hans Sloane [1660-1753], the important physician, naturalist and collector. (Donated to the nation, his collection of nearly 71,000 items became the foundation of the British Museum, British Library and Natural History Museum, London.) Carter and Muir, *Printing and the Mind of Man* 209 (citing first edition). Sowerby, *Catalogue of the Library of Thomas Jefferson* 2349. *English Short-Title Catalogue* T138985. [Order This Item](#)



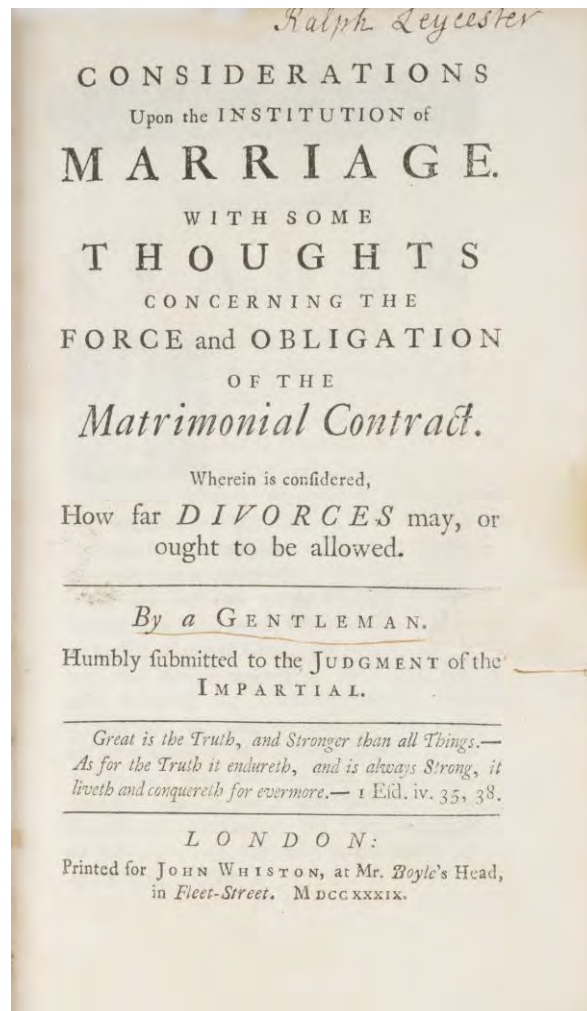
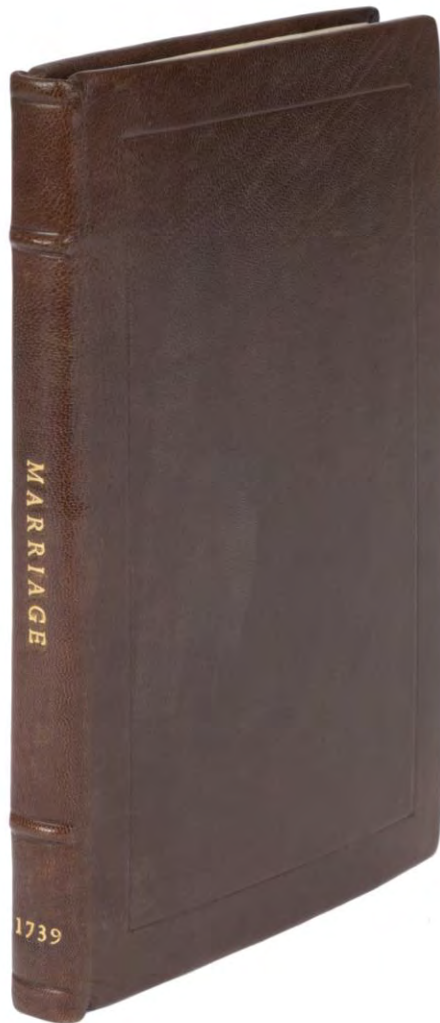
The Genesis of Blackstone's *Commentaries*

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

A Discourse on the Study of the Law; Being an Introductory Lecture, Read in the Public Schools, October XXV, M.DCC.LVIII. Published by Direction of the Vice-Chancellor, Heads of Houses, And Proctors. Oxford: Printed at the Clarendon Press, 1758. 40 pp. Quarto (10" x 8").

Later period-style, stab-stitched marbled covers, bookplate of Christopher Clark Geest to front pastedown. Moderate toning, creases and minor chips to corners of a few leaves, including title page, which has light soiling and a few minor stains, light soiling to verso of final leaf. Item housed in cloth clamshell box, printed title panel to front cover. \$4,500.

* First edition. This is the published version of Blackstone's inaugural lecture as Vinerian professor of English law. Presented to a large audience, it was "[h]astened into print less than a fortnight later as *A Discourse on the Study of the Law*, by late December a London correspondent claimed to hear Blackstone's lecture 'commended wherever I go.' What one reviewer terms 'this sensible, spirited, and manly exhortation to the study of the law' was reprinted in a further thousand copies next year; it also prefaced subsequent editions of the *Analysis of the Laws*, and eventually the first volume of the *Commentaries*" (Prest). Geest was a notable Virginia historian and bibliophile. Prest, *William Blackstone* 151. Eller, *The William Blackstone Collection in the Yale Law Library* 233. Laeuchli, *A Bibliographical Catalog of William Blackstone* 542. [Order This Item](#)



"The Force and Obligations of the Matrimonial Contract"

3. [Booth, George, Earl of Warrington (1675-1758)].

Considerations Upon the Institution of Marriage. With Some Thoughts Concerning the Force and Obligation of the Matrimonial Contract. Wherein is Considered, How Far Divorces May, Or Ought to be Allowed. By a Gentleman. Humbly Submitted to the Judgment of the Impartial. London: Printed for John Whiston, 1739. vi, 154 pp. Octavo (7-3/4" x 4-3/4").

Recent calf, blind frames to boards, raised bands and gilt title to spine, endpapers renewed. Moderate toning to text, early owner signature to head of title page (Ralph Leicester), later repair to its fore-edge, bit of label residue to lower-right corner of rear pastedown. A handsome copy of a scarce title. \$1,850.

* Only edition. A treatise on the moral and theological justifications for, and legal consequences of, divorce or separation. Like Milton, the Earl of Warrington believed that divorces should be granted for spousal incompatibility. He was not a disinterested scholar. A contemporary, "Philip Bliss, in a manuscript note in a copy of Walpole's Royal and Noble Authors," says Warrington and his wife "lived in the same house as absolute strangers to each other at bed and board." OCLC locates 7 copies in North America, none in law libraries. Bliss quoted in *Dictionary of National Biography* II:841. *English Short-Title Catalogue* T2989. [Order This Item](#)



"For the Murder of His Mother"

4. [Broadside].

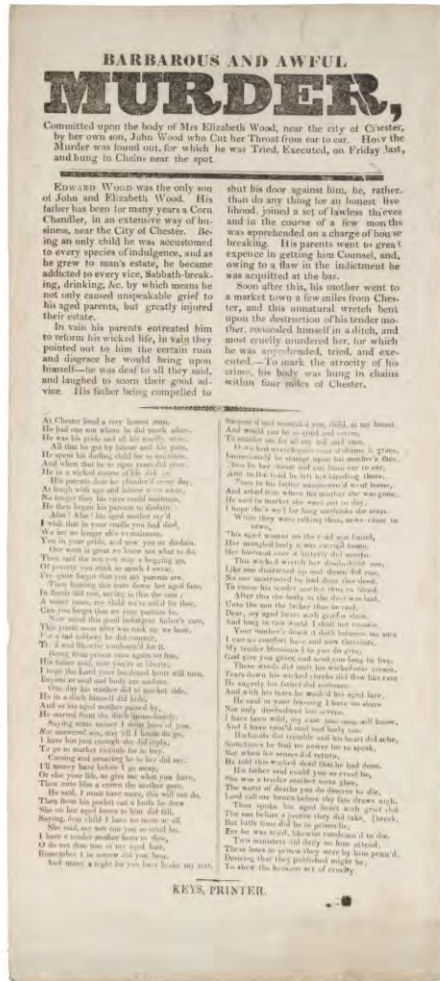
[Execution].

Ward, John [d.1849].

An Account of the Life, Trial, Condemnation, Confession, and Execution of John Ward, Aged 26, Who was Executed on the New Drop, at Lincoln, on the 27th of July, 1849, for the Murder of his Mother, at Thorpe, near Wainfleet. Lincoln, England: R.E. Leary, Printer, 19 Strait, [1849].

18" x 14-1/4" broadside on thin paper, text in three columns below headline, each column features a woodcut: a silhouette of Ward, a man hanging from a gallows, Ward in shackles, foot of third column has eight stanzas of verse in two columns. Light browning and soiling, moderate edgewear, vertical and horizontal fold lines, a few spots and small holes (with no loss to legibility). \$2,500.

* Ward was attracted to a family servant. He killed his mother when she expressed her disapproval. (Unusual for the time, the murder weapon was a rifle.) Realizing the gravity of his act, he tried to commit suicide by cutting his throat, but was prevented by his brother-in-law, who apprehended him and brought him to justice. When he was sentenced, the judge thanked God for preventing his death in order to give Ward a period of time for repentance. The broadside notes that Ward was hanged by a "celebrity": "Calcraft, the London Executioner." Calcraft [1800-1879], one of the most prolific British executioners, was responsible for near 450 hangings. The official Executioner of London and Middlesex, his services were requested throughout England. He was popular and notorious for his use of the "short-drop" method, which tended to slowly strangle the condemned. In part to entertain spectators, he would pull legs or climb on shoulders to snap necks. This appears to be an unrecorded imprint. No copies located on OCLC or Library Hub. [Order This Item](#)



One of Several Different Accounts of a "Barbarous and Awful Murder"

5. [Broadside].

[Execution].

Wood, John Henry [d.1833].

Barbarous and Awful Murder, Committed Upon the Body of Mrs. Elizabeth Wood, Near the City of Chester, By Her Own Son, John Wood Who Cut Her Throat from Ear to Ear; How the Murder was Found Out, For Which he Was Tried, Executed, on Friday Last, And Hung in Chains Near the Spot. [Carlisle?]: Keys, Printer, [1833].

14" x 6-1/2" broadside mounted on 15-1/4" x 7-1/2" sheet, summary of case and 26-verse text in two columns below headline, columns and headline separated by rules. Light browning and soiling, light edgewear to broadside, a minor tear and a small inkspot near its lower-right corner. \$950.

* There are several contemporary broadside accounts of this case with several inconsistencies. One held by Harvard Law School has an almost identical text under the same printer's name, Keys, who, in Harvard's version, is designated "Keys, Printer, Carlisle." In that version, the murder occurred "near the city of Carlisle," the execution was "on Saturday last" and the body "was given to the surgeons for dissection." Also, about half of the verses are rendered as prose. No copies listed on OCLC or Library Hub. Order This Item

**PARTICULARS OF THE TRIAL AND EXECUTION OF
James Hills and William Harley,
Who were Executed at Horsemonger-lane Prison this Morning.**



JAMES HILLS, WILLIAM HARLEY, and WILLIAM FISHER, alias CURLY BILL, was indicted at the Surrey Assizes, held at Kingston, on Wednesday, March 27, 1836, for burglariously breaking into the dwelling-house of Mrs. Mary Ann Long, at Chipstead, and stealing various articles, her property.

Mrs. Mary Ann Long stated—"I am 66 years of age, a widow, and reside with my sister, Mrs. Scholfield, at Mint-house, Chipstead, which is a lone house situated between Gatton and Reigate; on the night of the 21 of Sept last, I, Mrs. Scholfield, her son (Mr. Rankin), and a female servant, were the only inmates; we retired to bed after having seen that all the premises were properly fastened; I slept with my sister, & about ten minutes past one in the morning I was awoke by hearing the dog, which was kept in the yard, barking violently; I got up and opened the bed-room window and thinking that some persons were about the premises, I hallooed out that they had better keep out of the way, or I would put a bullet into their stomach, which was not a pleasant thing; I did so to intimidate them and then retired to bed; shortly after I heard a noise and again got up; on going to the window I saw a man trying to get in; he had smashed the pane and was armed with a stake; I seized hold of the stake, and tried to wrest it from him, but he was too strong for me, and struck me a violent blow on the head, inflicting a wound of an inch and a half in length; he also struck me on the shoulder and hand, of which I lost the use for some time; I then called to my nephew, Mr. Rankin and he came armed with a cutlass; he made a cut at the man, but the night being very dark, and there being railings at the window, he missed him, and the man went away; I then lit three or four candles, and went down stairs for my nephew's gun; I brought it up, but recollecting that I had left the powder and ammunition, I again went down for it, and locked the pantry door after me; I returned up stairs, and my nephew loaded the gun. About half or three quarters of an hour afterwards, we heard a great noise outside the house, and the panel of the south door looking out upon a meadow was smashed in. We heard of six or seven men, who entered the house; they remained down stairs three quarters of an hour. I slept in a room at the end of a passage, and my nephew's bed-room was opposite. There is a door at the top of the passage leading down stairs. We placed ourselves in the passage; we then heard one of the men say, 'Now

we will go up stairs.' I heard what I supposed to be a man crawling on his hands and knees; I judged so from the scraping his toes made along the floor-cloth. Mrs. Scholfield was very much alarmed, and cried out for mercy; the men said, 'give us £50 or £30 or £20.' I told them that all my money was in the bank, and my plate at my banker's. One of the men said, 'I will murder you all.' They then forced in the panel of the door, and a man at the bottom of the stairs said, 'go it, my boys.' Mr. Rankin then dropped on his knee, and presented the gun through the panel. I could only see the rim of the hat of a man who appeared to be stooping down. Mr. Rankin fired, and the men fell back, and the candle went out. They all went away. We then waited for some time, and the dog having ceased barking, I and my nephew proceeded down stairs, he armed with a gun and I carried the cutlass. We fastened up the door as well as we could, and then went into the parlour, and found that he had drunk two bottles of wine; we also found the cores of fourteen apples. They had taken away a watch, some cruet frames and other articles.

Captain Rankin gave similar testimony as to the forcible entrance, &c.

The Jury consulted for two minutes, and then returned a verdict of Guilty against Hills and Harley, and acquitted Fisher.

Since condemnation, the unhappy men were every day attended by the Rev. Mr. Mann, the Chaplain of the prison, and their conduct during that time was extremely decorous and proper, and becoming their awful situation.

On Saturday morning Hills wrote the following letter to his brother, a labourer in the country:

"Dear John—The awful time is fast approaching which will end the long career of guilt I have for some years been guilty of. Sooner or later justice will overtake the guilty, and as my hours are now numbered, I have devoted a part of the time to warn you to flee from all evil ways, and by following the paths of honesty and industry, you may be respected. The disgrace I have brought upon my friends by a ignominious end, will I trust soon be forgotten, and the remembrance of my awful fate will I hope not be reflected upon you and your family. I acknowledge the justice of my sentence, and am glad I was not killed at the gallows, as I have since had time to repent of my sins, and trust that by prayer and penitence I have obtained forgiveness from an offended God, and when that I have ceased to live, my soul may be received into his heavenly kingdom.—That the Almighty may watch over and protect you, shall be the last prayer of

Your unhappy Brother,
"JAMES HILLS."

In consequence of an order from the Secretary of State, the execution was ordered to take place at seven o'clock, at which time the unhappy men were led to the fatal spot, & soon after launched into eternity.

Printer, 39, Great St. Andrew Street, Seven Dials.

A Horribly Botched Robbery of an Elderly Widow

6. [Broadside].

[Executions].

Hills, James [d.1836].

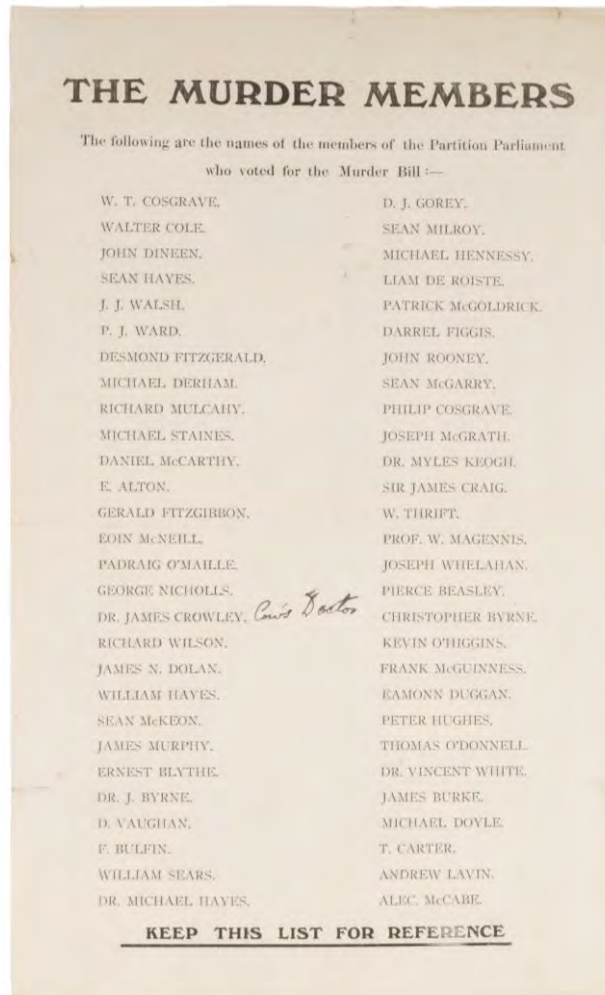
Harley, William [d.1836].

Particulars of the Trial and Execution of James Hills and William Harley, Who Were Executed at Horsemonger-Lane Prison this Morning.

[London]: Birt, Printer, 39, Great St. Andrew Street, Seven Dials, [1836].

14" x 8-1/2" broadside, text in two columns below headline and woodcut hanging scene, left margin reinforced on verso. Moderate toning, "April 11, 1836" in tiny contemporary hand below words "This Morning" in headline. \$1,500.

* Hills and Harley, accompanied by "William Fisher, alias Curly Bill," attempted to rob the house of a wealthy widow, Mary Ann Long, aged 66. Alerted by her barking dog, Long, along with her servants and a nephew armed with a sword and gun, attempted to repel the invaders. They succeeded, but the robbers injured Long, damaged her home and managed to steal a few of her items. After two minutes of deliberation, the jury acquitted Fisher and convicted Hills and Harley. No copies listed on OCLC or Library Hub. [Order This Item](#)



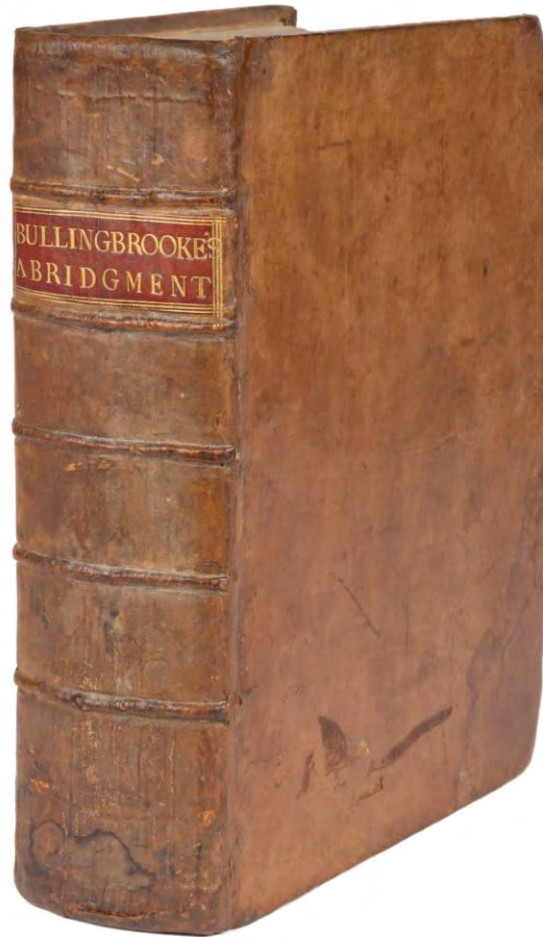
"Keep This List for Reference"

**7. [Broadside].
[Irish Civil War].**

The Murder Members: The Following are the Names of the Members of the Partition Parliament Who Voted for the Murder Bill:---Keep This List for Reference. [N.p.: S.n., 1922].

13" x 8" broadside, main text in two columns. Light toning and edgewear, horizontal and vertical fold lines, a few with tears, two repaired on verso with cello tape, "Con's Doctor" in contemporary hand near center. \$1,250.

* Known to its opponents as the "Murder Bill," the Public Safety Act of 1922 was enacted by the recently-established Irish Free to suppress the Irish Republican Army (IRA), which rejected the legitimacy of the Free State because it did include the counties of Northern Ireland. It was one of the key events of the Irish Civil War. The act imposed death sentences on any IRA member or supporter captured with a firearm or ammunition. Our pro-IRA broadside lists the members of the "Irish Partition Parliament" who voted for this bill. It clearly intended to mark them for assassination. And soon after its publication gunmen shot and wounded two of the members listed. A third, assumed to be another listed member, was killed in a case of mistaken identity. In reprisal, the government ordered the summary execution of four IRA prisoners. "Con's Doctor" is written next to the name of Dr. James Crowley. "Con" is probably Constance Markievicz [1868-1927] the Irish revolutionary and politician, then an active member of the IRA. [Order This Item](#)



Ireland in the Mid-Eighteenth Century

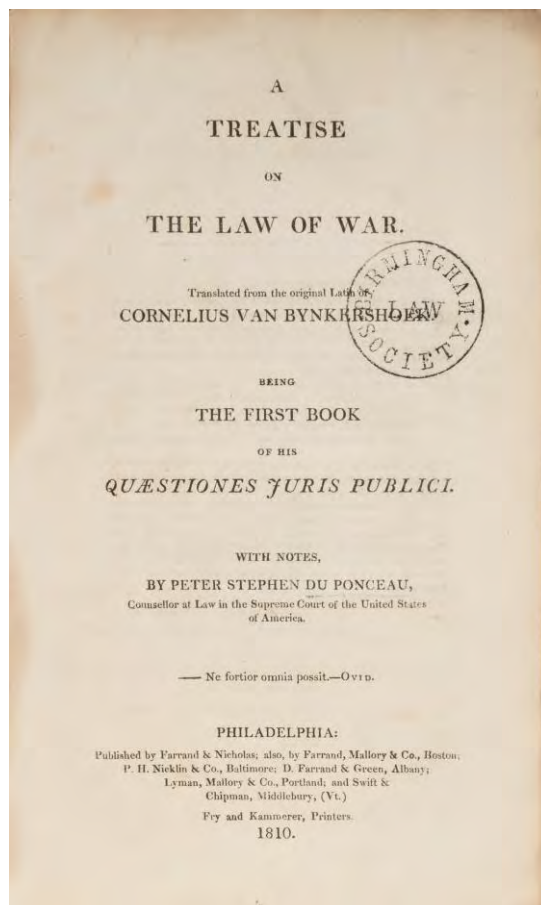
9. [Ireland].

Bullingbrooke, Edward, Compiler.

An Abridgment of the Publick Statutes of Ireland, Now in Force and of General Use: And Also of Such English and British Statutes as Relate to and Bind Ireland, From Magna Charta to the Sixth Year of the Reign of His Present Majesty King George III. Inclusive. With Tables. Dublin: Printed by Boulter Grierson, 1768. Two volumes bound in one book. Unpaginated. Quarto (10" x 8").

Contemporary calf, raised bands and lettering piece to spine, blind tooling to board edges, early repair to rear joint. Light rubbing and a few minor nicks, scuffs and faint stains to boards and spine, moderate rubbing to extremities, corners bumped, early armorial bookplate (Marquess of Headfort) to front pastedown, which is partially detached, brief early owner mark, possibly a shelf locaton number, to front free endpaper. Light toning to text, somewhat heavier in a few places, faint dampstaining to lower corners of final 22 leaves, small chip to head of leaf 8E2 with minor loss to headline. \$1,500.

* First edition. Based on a 1754 work by Bullingbrooke and Jonathan Belcher, this abridgement is valuable for its insights into the political and legal history of Ireland in the mid-eighteenth century. This was the era when Georgian Ireland was beginning to enjoy a period of prosperity and a degree of political autonomy. Later editions were published in 1783, 1786 and 1794. All are scarce. OCLC locates 4 in North America, 1 in a law library (University of Minnesota). *English Short-Title Catalogue* T119059. [Order This Item](#)



Du Ponceau's Translation of *De Rebus Bellicus*

10. Bynkershoek, Cornelius van [1673-1743].

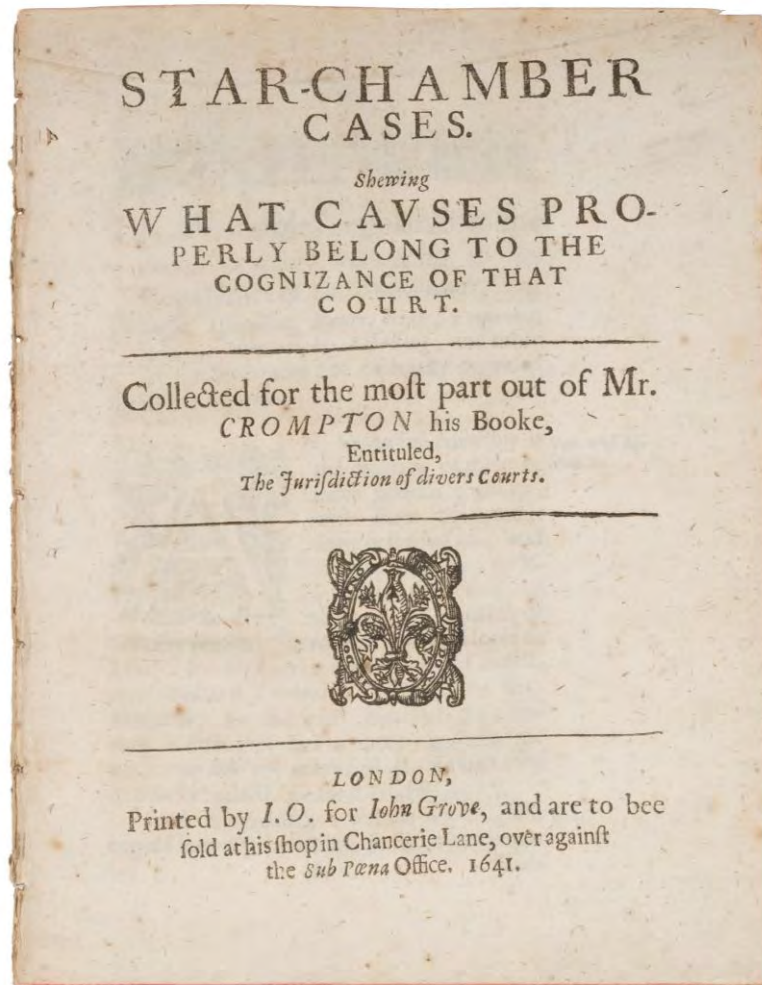
Du Ponceau, Peter Stephen [1760-1844], Editor and Translator.

A Treatise on the Law of War: Being the First Book of His Quæstiones Juris Publici. Translated From the Original Latin with Notes, by Peter Stephen du Ponceau. Philadelphia: Published by Farrand & Nicholas [et al.], 1810. xxxiv, 218 pp. Octavo (8-1/2" x 5-1/2").

Later library cloth, gilt title, date and library name to spine. Negligible light shelfwear, library bookplate and shelf to front pastedown, library stamp to title page and a few other leaves at beginning and end of text. Moderate toning to text, slightly heavier in places, browning and a few minor to upper margins of final ten leaves. \$450.

* Only edition, one of two issues (the other bound into copies of Volume III of the *American Law Journal*). A translation of *De Rebus Bellicus*, part one of Bynkershoek's *Quæstiones Juris Publici* (1737), *A Treatise on the Law of War* addresses the customs of land and sea warfare. A notably humane work, it condemns actions against civilians and advocates the fair treatment of prisoners of war. Du Ponceau's able translation is prefaced by a biography of the author, a table of cases, an index of citations from the *Corpus Juris Civilis* and an annotated bibliography of civil law treatises cited or referred to by the author. This latter item, which lists editions and translations, is interesting for its insights into the American reception of the civil law in the early 1800s. Du Ponceau is an important figure in the early history of American law and letters. He founded the Law Academy of Philadelphia in 1821, was the President of the American Philosophical Society and was a much-consulted expert on international relations and linguistics. Cohen, *Bibliography of Early American Law* 7166.

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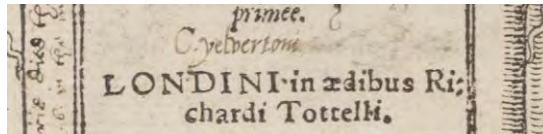
An Important Study of the Court of Star Chamber

11. Crompton, [Richard] [fl. 1573-1599].

Star-Chamber Cases. Shewing What Causes Properly Belong to the Cognizance of That Court. Collected for the Most Part Out of Mr. Crompton, His Booke, Entitled The Jurisdiction of Divers Courts. London: Printed by I.O for Iohn Grove, 1641. [ii], 55, [1] pp. Quarto (7-1/4" x 5-3/4").

Disbound, light soiling to title page, heavier soiling to verso of final leaf, which is blank. Moderate toning to text, faint dampspotting in a few places, leaves C2 and C3 (pp. 19-22) detached, faint crease to head of title page. \$950.

* Second and final edition. The Court of Star Chamber was established by the Crown in 1487 to try offences dealing with the safety of the state before a council. Its scope expanded over time to include a wider array of criminal matters and a limited number of civil matters, such as suits between corporations and prize cases. In its final years the court was infamous for its cruel, arbitrary nature and illegal extensions of power. First published in 1630, *Star-Chamber cases* is derived from Crompton's *L'Authoritie et Iurisdiction des Courts de la Maiestie de la Roygne* (1594), perhaps the best source we have about the court system of his day. The 1641 edition coincided with the abolition of this court by an act of the Long Parliament, which was indignant at the court's treatment of such critics of the government as Bastwick, Burton, Lilburn and Prynne. *English Short-Title Catalogue* R31335. [Order This Item](#)



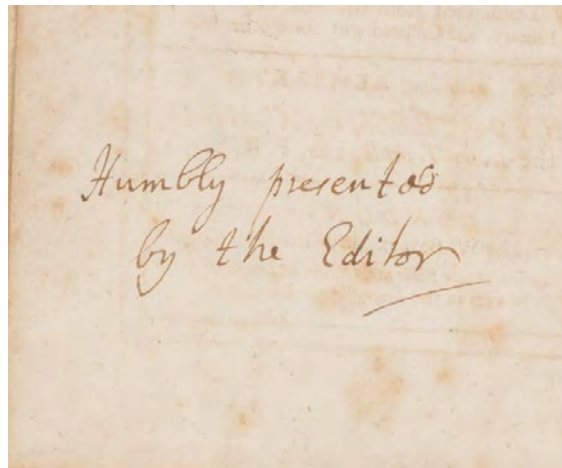
Sir Christopher Yelverton's Heavily Annotated Copy

12. Fitzherbert, Sir Anthony [1470-1538].
Rastell, William [1508-1565], Editor.

La Nouvelle Natura Brevium du Iuge Tresreverend Monsieur Anthoine Fitzherbert Dernierement Reneve [sic] et Corrigeé per Lauteur avecques Une Table Parfaicte des Choses Notables Contenuës en Ycelle Nouvelleme[n]t Composee par Guillaulme Rastell et Jammais par cy Devant Imprimee. London: In Aedibus Richardi Tottelli, 1553. [33], 271, [1] ff. Octavo (6-1/4" x 4-1/2").

Contemporary paneled calf with blind-tooled central panels, holes from removed thong ties to fore-edges, raised bands and later gilt fillets and title to spine, "na:br" in early hand to head of text block. Minor creases, nicks, scratches and cracks to boards, moderate rubbing to extremities, corners bumped, head of spine lacking, pastedowns, both with early repairs, loose and worn along fore-edges, moderate toning to interior, faint dampstaining in places, a few cracks to text block. Title printed within woodcut architectural border, contemporary owner signature "C. Yelvertoni" (followed by an erasure) below title, extensive annotations in identical hand throughout text and endleaves. \$7,500.

* Third edition. First published in 1534, the *Nouvelle Natura Brevium* is a procedure manual written when Fitzherbert was a judge of common pleas. Winfield notes that "Coke put it among the books which he considered most necessary and of greatest authority and excellency"; Blackstone considered it an authority as well. Compiled from the earlier *Natura Brevia* and the *Registrum Brevium*, it includes several original observations on the form and function of writs. Rastell's revisions include the addition of a table. A standard work for decades, it went through numerous editions in Law French and English until the end of the eighteenth century. It remains significant to this day for its descriptions of writs that were becoming obsolete in the early sixteenth century. "C. Yelvertoni" is almost certainly Sir Charles Yelverton [1536-1612], the well-regarded judge who was the speaker of the House of Commons during the reign of Elizabeth I. The annotations range from a few words to several sentences. The most substantial are summaries of legal points or commentary. Most of the others are case citations. Winfield, *Chief Sources of English Legal History* 303. Beale, *A Bibliography of Early English Law Books* T344. *English Short-Title Catalogue* S113138. [Order This Item](#)



**Presentation Copy of an Edition of Fortescue's
Notes on Monarchy and the English Constitution**

13. Fortescue, Sir John [1394?-1496?].

Fortescue-Aland, Sir John [1670-1746], Editor.

The Difference Between an Absolute and Limited Monarchy; As It More Particularly Regards the English Constitution. Being a Treatise Written by Sir John Fortescue, Kt. Lord Chief Justice, And Lord High Chancellor of England, Under King Henry VI. Faithfully Transcribed from the MS. Copy in the Bodleian Library, And Collated with Three Other MSS. Publish'd with Some Remarks by John Fortescue-Aland, Of the Inner-Temple, Esq; F.R.S. London: Printed by W. Bowyer in White-Friars, For E. Parker, 1714. [16], lxxxii, [4], 148, [4] pp. Octavo (8-1/2" x 5-1/2").

Contemporary paneled calf with nineteenth-century rebacking, gilt spine with raised bands and lettering piece, later repairs to spine ends and corners, gilt tooling to board edges, endpapers renewed. A few minor nicks and scratches to boards, moderate rubbing to extremities, corners bumped, hinges starting, partial crack to text block between front endleaf and title page, which is printed in red and black. Moderate toning, light soiling to upper margins in a few places, light foxing to a few leaves, later owner signature (R.P. Morrell) to front free endpaper, "Humbly presented by the Editor" to front endleaf. \$950

* First edition. First published in 1714, with a second edition in 1719, this work elaborates his belief, first articulated in *De Laudibus Legum Angliae* (c.1470), in the superiority of a constitutionally limited monarch. Later editions were published in 1719 and 1724. *English Short-Title Catalogue* T140210. [Order This Item](#)



Handsome Lyon Imprint of the *Digestum Vetus* with Attractive Woodcuts

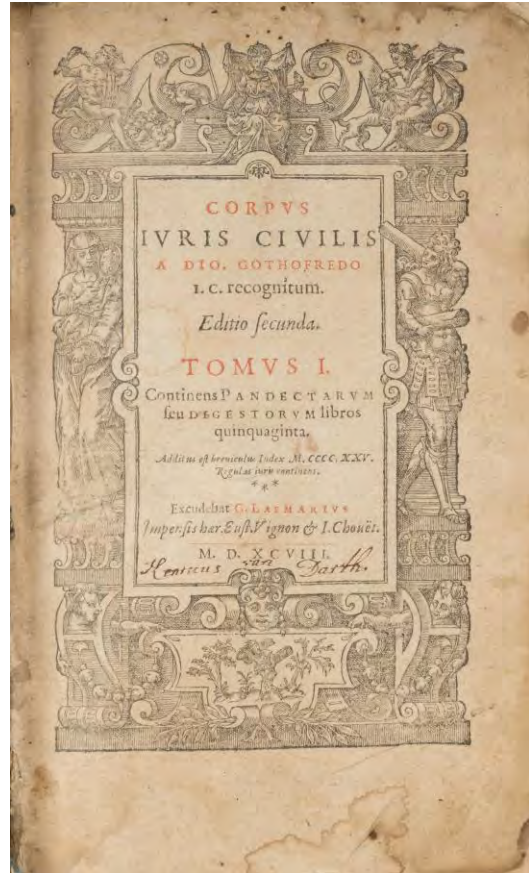
14. Justinian I [483-565 CE], Emperor of the East.

Accorso, Francisco (Accursius) [c. 1185-1263], Glossator.

Digestum Vetus. D. Iustiniani Imp. Aug. Digestorum, Seu Pandectarum, Enucliatum Ius Omne Vetus Co[m]praehendentium, Tomus Primus ad Florentinam [m] (Quae Prius Pisanae) Prototypum, & Ad Auenion. Archion Emendatus: Accursii Glossa Quam Eme[n]datissima, (Non Mutato Tame[n] Ipsius Characterem, & Sensu) Circu[m]scriptus, Annotationumque Omnium (Quae ad Rem Facia[n]t) Symbolis. Lyon: Ad Salamandrae, Apud Sennetonios Fratres, 1550. [lxxvi] pp., 772 cols., [2] pp. 733-1838 cols. Text with linear gloss in parallel columns. Folio (16" x 10-1/2").

Contemporary vellum, raised bands, traces of gilt title, early hand-lettered shelf number (?) to spine, recent repairs to joints, endpapers renewed, title page re-hinged. Light rubbing and a few minor stains to boards, moderate rubbing to extremities, a few repaired cracks to spine, corners bumped and somewhat worn. Printed throughout in red and black, title page, with large woodcut Salamander device, printed within woodcut architectural border, woodcut text illustrations, pictorial initials and tables. Moderate toning, faint dampspotting in places, dampstaining and light edgewear to preliminaries, two early owner signatures to title page, which is lightly soiled and edgeworn. Overall, a handsome volume. \$2,000.

* The *Digest* is a critical edition of writings by Gaius, Ulpian, Papinian and 36 other eminent jurists organized by topic in 50 books. The medieval Glossators divided it into three sections, or *Volumina*. (These divisions are based on the order in which the sections of the *Digest* were recovered.) The *Digestum Vetus* corresponds to Book 1 to Book 24, Title 2. Along with the *Institutes*, *Code* and *Novels*, the *Digest* is one of the writings known collectively as the *Corpus Juris Civilis*. Its subsequent influence on European jurisprudence is difficult to overestimate. The most important editor of the medieval and early-modern era, Accursius arranged the vast body of notes and comments on the *Institutes*, *Code* and *Digest* in a more orderly fashion than his predecessors. Known as the *Glossa Ordinaria* or *Magistralis*, it superseded earlier glosses and summaries. Our Lyon imprint is notable for its handsome typography. It has occasional illustrations that illuminate points in the text, such as an image of a banker's office at the beginning of "De Rebus Creditus," as well as two schematic tables: an "Arbor Iurisdictionum" concerning the divisions or legal authority and a "Divisio Servitutum" that breaks down the complicated field of servitudes. A bibliographically distinct title, it was published as part of a six-part edition of the books comprising the *Corpus Juris Civilis*. Baudrier, *Bibliographie Lyonnaise* VII:411. [Order This Item](#)



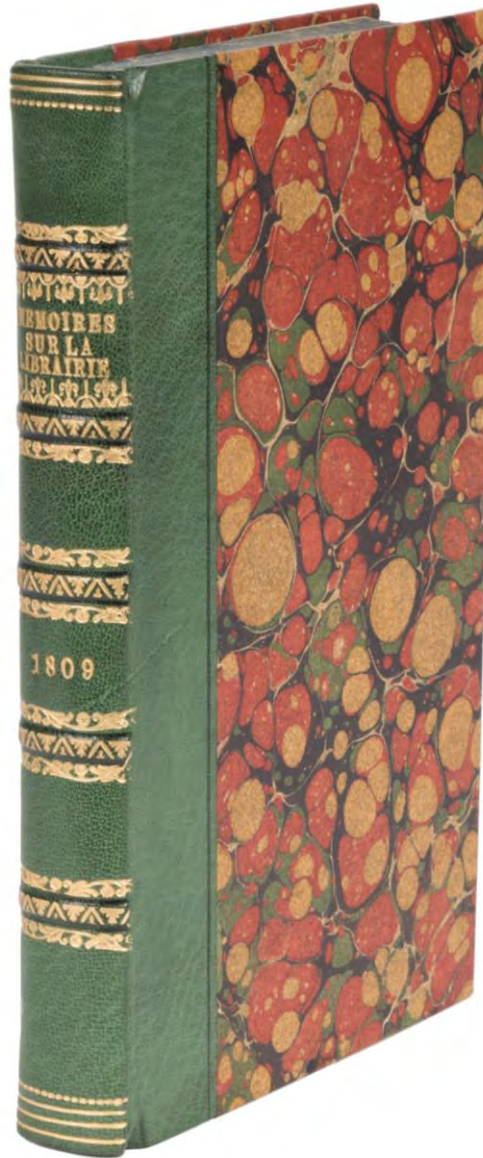
Early Godefroy Edition of the *Corpus Juris Civilis*

**15. Justinian I [483-565 CE], Emperor of the East.
Godefroy, Denis [1549-1622], Editor.**

Corpus Iuris Civilis A Dio. Gothofredo I.C. Recognitum. [Geneva]: Excudebat G. Laemarius, Impensis Haer. Eust. Vignon & I. Chouët, 1598. Two volumes bound in one book. [xxxvi] pp., 1882 cols.; [xxx] pp., 872, 614 cols., [25] pp. Main text in parallel columns. Thumb-tabbed. Octavo (7-3/4" x 5").

Contemporary paneled pigskin with black-stamped ornaments, raised bands to spine, thong ties (one lacking). Some soiling, moderate rubbing to extremities, corners bumped and somewhat worn, chip and small tear to head of spine, hinges cracked, rear free endpaper lacking, final text leaf re-hinged, repair to its lower inside corner with minor loss to text, final signature partially detached but secure. Title pages printed in red and black within woodcut architectural borders. Moderate toning, light foxing and faint dampstaining in a few places, headlines of a few leaves affected by trimming, light edgewear preliminaries, light soiling and dampstaining to title part of Part I, later owner signature to verso of front free endpaper. \$950.

* A handsomely printed later issue of this landmark annotated critical edition, first published in 1583. Godefroy was a jurist, humanist, historian, scholar of Roman law and professor at the Universities of Geneva and Heidelberg. He was also the first to apply the collective name *Corpus Juris Civilis* to Justinian's works on Roman law, which consists of the four books of the *Institutes*, the fifty books of the *Digest*, the twelve books of the *Code* and the *Novels*. This edition not in Adams or the *British Museum Catalogue*. Jefferson owned a copy of this edition. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2197. [Order This Item](#)



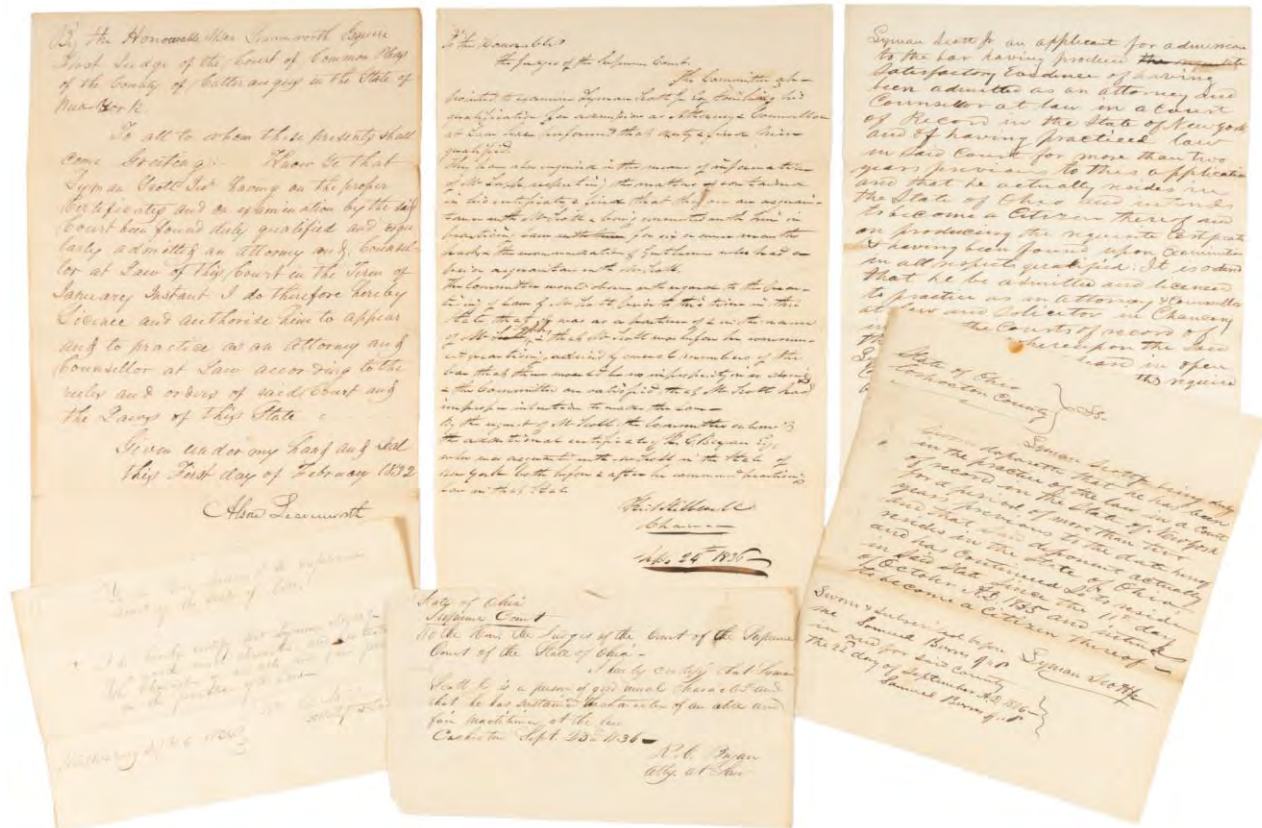
An Enlightened Advocate of a Free Press

16. Malesherbes, Guillaume-Chrétien de Lamoignon de [1721-1794].

Memoirs sur la Librarie et sur la Liberte de la Press. Paris: Chez H. Agasse, 1809. xiv, 435 pp. Folding leaf (with a facsimile of Malesherbes's handwriting). Octavo (8" x 5").

Recent period-style quarter-morocco over marbled boards, raised bands, gilt title and gilt ornaments to spine, marbled edges, endpapers renewed. Light toning to text, light foxing in a few places. A handsome copy. \$750.

* First edition. Malesherbes, a statesman and minister of the *Ancien Régime*, and later the defense counsel of Louis XVI, was a notable figure in the French Enlightenment. His writings, which were studied by Louis XVI, contributed to the development of political liberalism. When he served as the director of censor's office (*la Librairie*) he relaxed censorship, cultivated relationships with literary leaders such as Diderot and Rousseau and played a leading role in the publication of the *Encyclopédie*. Not in Brunet or the *British Museum Catalogue*. [Order This Item](#)



**A New York Lawyer
Re-Establishes His Practice in Ohio**

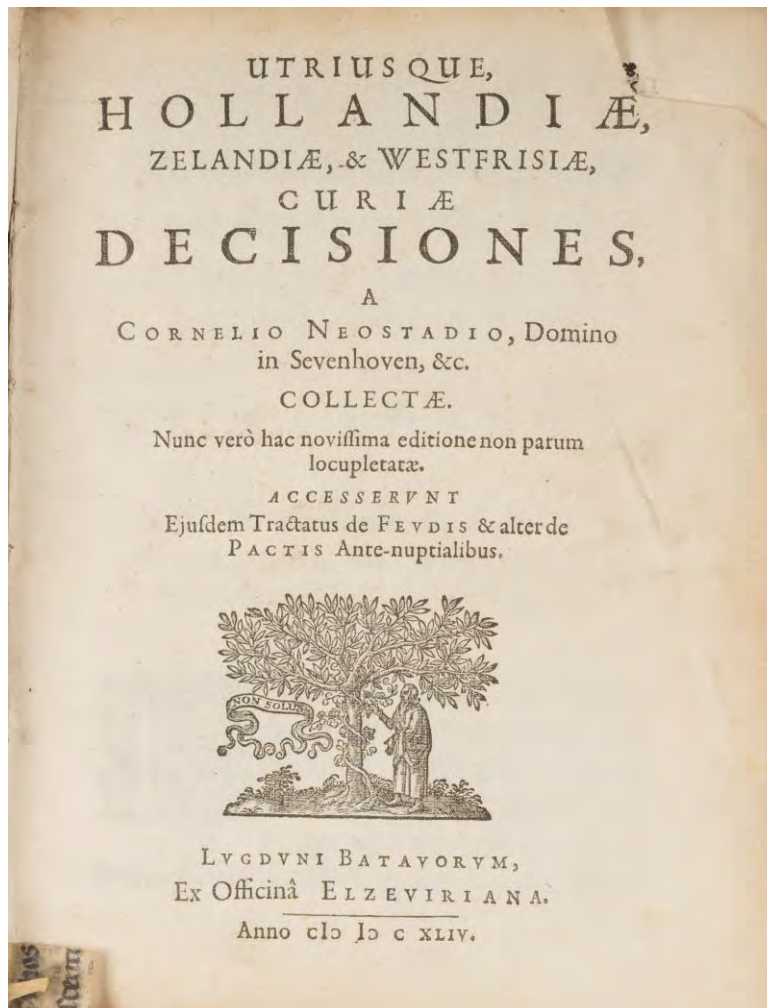
17. [Manuscript Archive].

[Scott, Lyman, Jr.].

[Documents Concerning Scott's Application to Practice Law in Ohio]. Coshocton County, OH and Cattaraugus County, NY, 1832-1836.

Six documents, one franked on verso, sizes ranging from 4-1/2" x 8" to 12-1/2" x 7-1/2." Moderate toning, fold lines, light edgewear and soiling, all documents written in legible hands. \$500.

* Scott began his practice in Cattaraugus County, New York, in 1832. He moved to Coshocton County, Ohio, in 1836. Our archive records the steps he took to become a lawyer in Ohio. The earliest item, from February 1, 1832, is the certificate admitting him to practice in New York. The other items are addressed to the Ohio Supreme Court. Two letters, from September 6 and 23, 1836 are professional and character references from Ohio lawyers. A letter from Scott certifies that he has lived in Ohio since October 1835 and intends to become an Ohio citizen. A document from September (?) 24, 1836, states that Scott passed his examination by a committee of Ohio lawyers. The final document, which is undated and unsigned, states that Scott has been admitted to practice. [Order This Item](#)



"A Collection of the Very Highest Importance and Authority"

18. Nieustad, Cornelis van der [1549-1606].

Utriusque, Hollandiae, Zelandiae, & Westfrisiae, Curiae Decisiones a Cornelio Neostadio, Domino in Sevenhoven, &c. Collectae. Nunc Verò hac Novissima Editione non Parum Locupletatae. Accesserunt Ejusdem Tractatus de Feudis & Alter de Pactis Ante-Nuptialibu. Leiden: Ex officinâ Elzeviriana, 1644. Three parts, each with title page and individual pagination. [xvi], 271, [1]; [vi], 56, [2]; 64 pp. Quarto (7-3/4" x 6").

Contemporary vellum, early hand-lettered title to spine. Light soiling, spine ends and corners bumped, pastedowns mostly lacking. Light toning to text, light foxing to a few leaves, some creasing and light soiling to endleaves and title page, which is lacking its upper right-hand corner, with no loss to text. \$950.

* Third edition. Nieustad was a professor of law at the University of Leiden and later a judge of the Court of Holland. First published in 1617, his collection of decisions was one of the first published in Holland. According to Wessels, it is "a collection of the very highest importance and authority." This book also includes two brief treatises: *De Feudi Juris Scripti Hollandici, Westfrisisique Successione*, which addresses inheritance and succession under customary law, and *De Pactis Antenuptialibus Rerum Judicatarum Observationes*, which addresses prenuptial agreements and marital property. A fourth edition of this book was published in 1667. Its three parts were also issued separately. Roberts, *A South African Legal Bibliography* 224-225. Dekkers, *Bibliotheca Belgica Juridica* 122-123. [Order This Item](#)



The Notably Handsome Macclesfield Library Set

19. Pickering, Danby, Compiler.

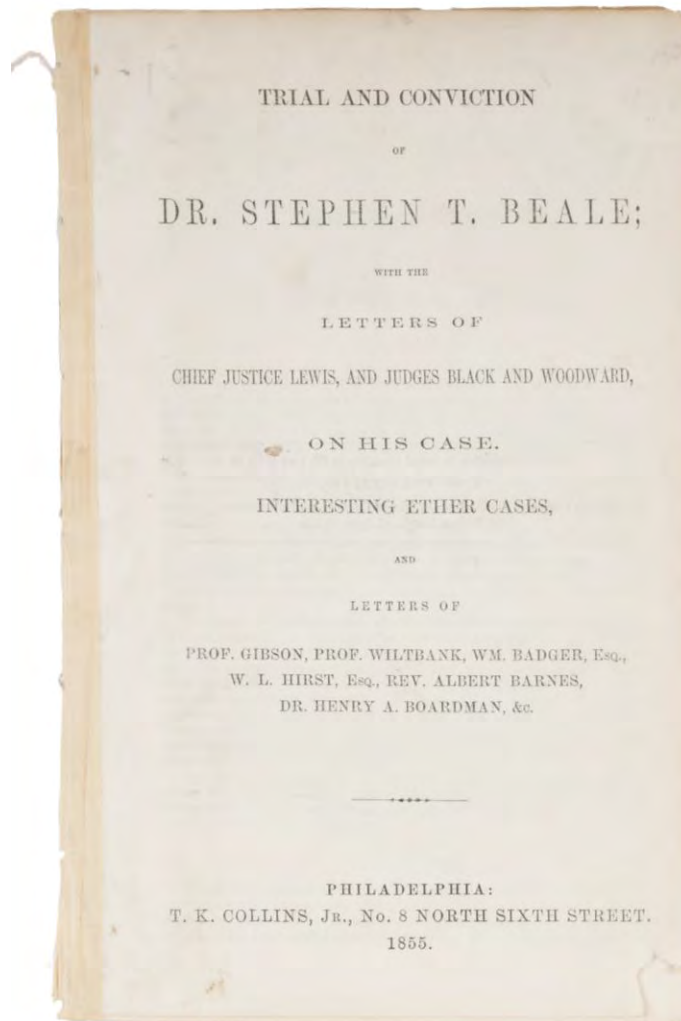
The Statutes at Large, From Magna Charta To the End of the Eleventh Parliament of Great Britain, Anno 1761. Carefully Collated and Revised, With References, A Preface, And a New and Accurate Index to the Whole. Cambridge: Printed by Joseph Bentham; for Charles Bathurst, London, 1762-1769. 24 volumes, numbered 1-24, final volume an index. Complete set.

[With]

[*Continuation Volumes Through 1792*]. Cambridge, Printed by Joseph Bentham, Printer to the University; for Charles Bathurst, London [imprint varies], 1762-1792. 15 volumes, numbered 25-37, of a 24-volume set, its final volume (46) issued in 1807.

Contemporary calf, blind rules to spines, blind fillets along joints, raised bands and lettering pieces to spines, gilt or blind tooling to board edges. Light rubbing to extremities, minor nicks, scuffs and minor stains to some volume, minor worming to Volume 13, mostly at rear of text, with no loss to legibility. Armorial Macclesfield bookplate to front pastedowns, small embossed Macclesfield stamps to title page or half-title, shelf number in pencil to front or rear endleaves, interiors notably fresh. \$7,500.

* Only editions. This is a notably handsome copy one of the pre-eminent 18th century printings of the Statutes at Large with a notable provenance: the library of the Earls of Macclesfield at Shirbim Castle, one of the finest private libraries in Great Britain. Indeed, it is difficult to imagine a more desirable set. The library was established in the early eighteenth century by Thomas Parker, the first Earl of Macclesfield. A hugely successful lawyer and Whig MP, Parker became Lord Chief Justice of England in 1710 and, in 1718, Lord Chancellor. Unfortunately, his meteoric rise was countered by an equally rapid fall in 1725 when he was impeached and found guilty of financial irregularities as Lord Chancellor. It is not surprising that this library included a set of Pickering's edition of the Statutes at Large. Pickering dedicated his work to Charles Yorke, then the recently appointed Attorney General and the second son of Philip Yorke, the great Lord Chancellor whose career flourished due to his friendship with Macclesfield. The friendship appears to have begun with their introduction through Lord Macclesfield's nephew, Thomas Parker, who is listed as a subscriber to this edition. Baker, "Parker, Sir Thomas (c.1695-1784), Judge," *Oxford Dictionary of National Biography* (accessed online). *English Short-Title Catalogue* T214028, T214030. [Order This Item](#)



Raped Under Anesthesia by Her Dentist

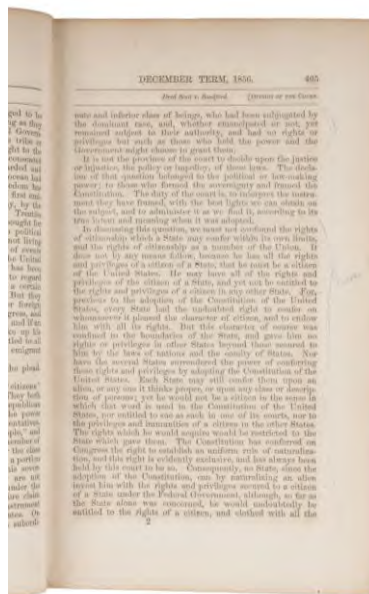
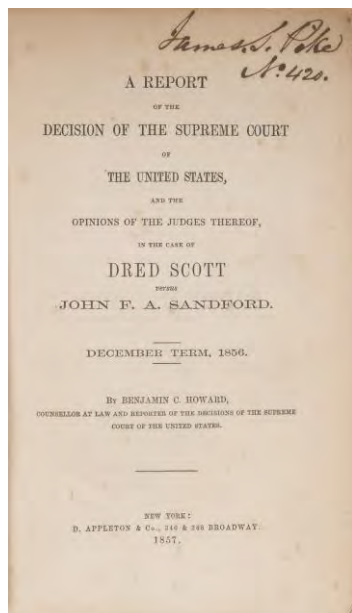
20. [Trial].

Beale, Stephen T., Defendant.

Trial and Conviction of Dr. Stephen T. Beale; With the Letters of Chief Justice Lewis, And Judges Black and Woodward, On His Case. Interesting Ether Cases, And the Letters of Prof. Gibson, Prof. Wiltbank, Wm. Badger, Esq., W.L. Hirst, Esq. Rev. Albert Barnes, Dr. Henry Boardman, &c. Philadelphia: T.K. Collins, Jr., 1855. 30 pp. Octavo (9" x 5-3/4").

Disbound stab-stitched pamphlet removed from a volume, rear wrapper lacking, spine reinforced with archival tape. Light soiling to exterior, light toning to text, chip to fore-edge of title page at foot with no loss to text. \$500.

* Only edition. This trial account reflects contemporary anxiety about ether, which was used for the first time in 1846. Narcissa Mudge claimed she was raped by her dentist, Dr. Beale while unconscious from ether during a procedure. Beale was convicted. This account of the trial is written by someone who characterizes the dentist as an innocent victim. He argues that Mudge's accusation was based on false memory, a side-effect induced by ether. His case is supported by the testimony concerning the effects of ether by a group of dentists and other authorities. *Bibliography of Early American Law* 13774. [Order This Item](#)



First-Edition Copy of a Report of *Dred Scott v. Sandford* with a Notable Association

21. [Trial]. [Dred Scott].

Howard, Benjamin C. [1791-1872], Reporter.

A Report of the Decision of the Supreme Court of the United States, And the Opinions of the Judges Thereof, In the Case of Dred Scott Versus John F.A. Sandford. December Term 1856. New York: D. Appleton & Co., 1857. [ii], [393]-633, [3] pp. Final leaf, verso of front wrapper and rear wrapper contain publisher advertisements. Octavo (9-1/4" x 5-3/4").

Stab-stitched pamphlet in printed wrappers, fragment of plain of shelf label (?) to foot of spine. Moderate rubbing and soiling, a few creases and fold lines, some wear to wrappers and text block around spine ends and corners, "James S. Pike No. 423" to head of front wrapper, "James S. Pike No. 420." to head of title page. Moderate toning, somewhat heavier in places, and occasional light foxing, check marks, underlining and brackets, most likely by Pike, in pencil to passages on 13 pages. \$3,000.

* Only edition as an independent work. This deeply controversial decision ruled that slaves were not, and were never intended to be, citizens of the United States. Aware of the public's interest in this case, Howard, the Supreme Court's reporter, issued his report, published officially the same year in Volume 19 of Howard's *Reports of Cases Argued and Adjudged in the Supreme Court*, as a pamphlet. (Both have the same pagination.) Most of the marked passages in are copy are from the Opinion of the Court, written by Chief Justice Taney, the others are in the concurring opinion of Associate Justice Nelson.

Pike [1811-1882], the owner of our copy, was the Washington correspondent and (at times) associate editor of Horace Greeley's *New York Tribune*. One of the preeminent journalists of his day, he exerted a profound influence upon American public opinion. Also active in politics, he ran for a seat in the U.S. Congress and was Lincoln's minister to The Hague. Pike was an uncompromising anti-slavery Whig who became an ardent Radical Republican who supported suffrage for the former slaves and Reconstruction. However, he also doubted the capabilities of African-Americans and grew disenchanted with President Grant's policies concerning the South. His 1873 book *The Prostrate State: South Carolina Under Negro Government* played a notable role in the ending of Reconstruction. Durden, "Pike, James Shepherd," *American National Biography* 17:512-513. Grolier Club, *One Hundred Influential American Books Printed Before 1900* 68. Cohen, *Bibliography of Early American Law* 11892. [Order This Item](#)



Popular Handbook for Seventeenth-Century Dutch Lawyers with a Handsome Pictorial Title Page

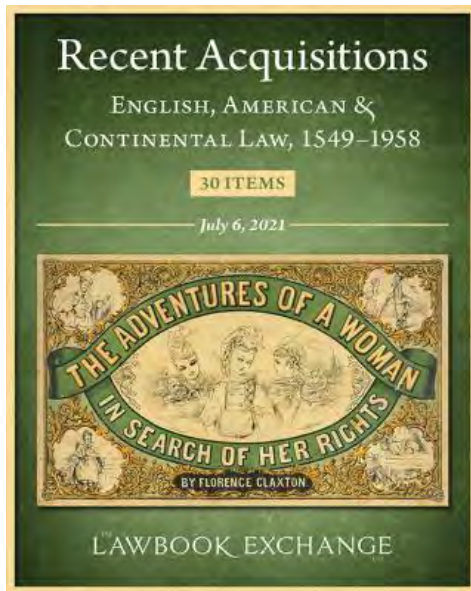
22. Zutphen, Bernhard van [d.1685].

Practycke der Nederlansche Rechten vande Daghelijcksche soo Civile als Criminele Questien. Leeuwarden: Bij Gysbert Sijbes, 1655. [viii], 640 pp. Copperplate pictorial title page (depicting a courtroom scene). Quarto (7-3/4" x 6").

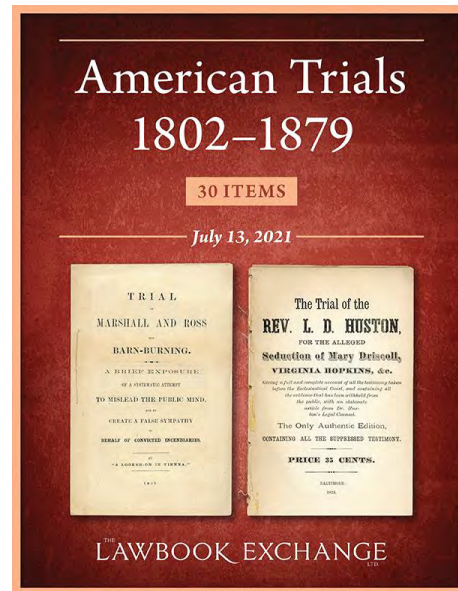
Contemporary vellum with lapped edges, early hand-lettered title to spine, edges rouged. Light soiling, spine ends bumped, vellum just beginning to crack through pastedowns. Light toning to interior, light foxing to a few leaves, later owner signature (A.W. Philippe) to front endleaf. \$950.

* Later edition. Zutphen was an advocate of the Provincial Court at Utrecht. Roberts notes that several of his opinions were published in the *Hollandsche Consultatien* between 1630 to 1685. First published in 1636, *Practycke der Nederlansche Rechten* is a practical guide to civil and criminal procedure in the Dutch courts. A useful and popular work, later editions were published in 1661, 1645, 1655, 1664, 1680. Roberts, *A South African Legal Bibliography* 345-346. Dekkers, *Bibliotheca Belgica Juridica* 198. [Order This Item](#)

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