

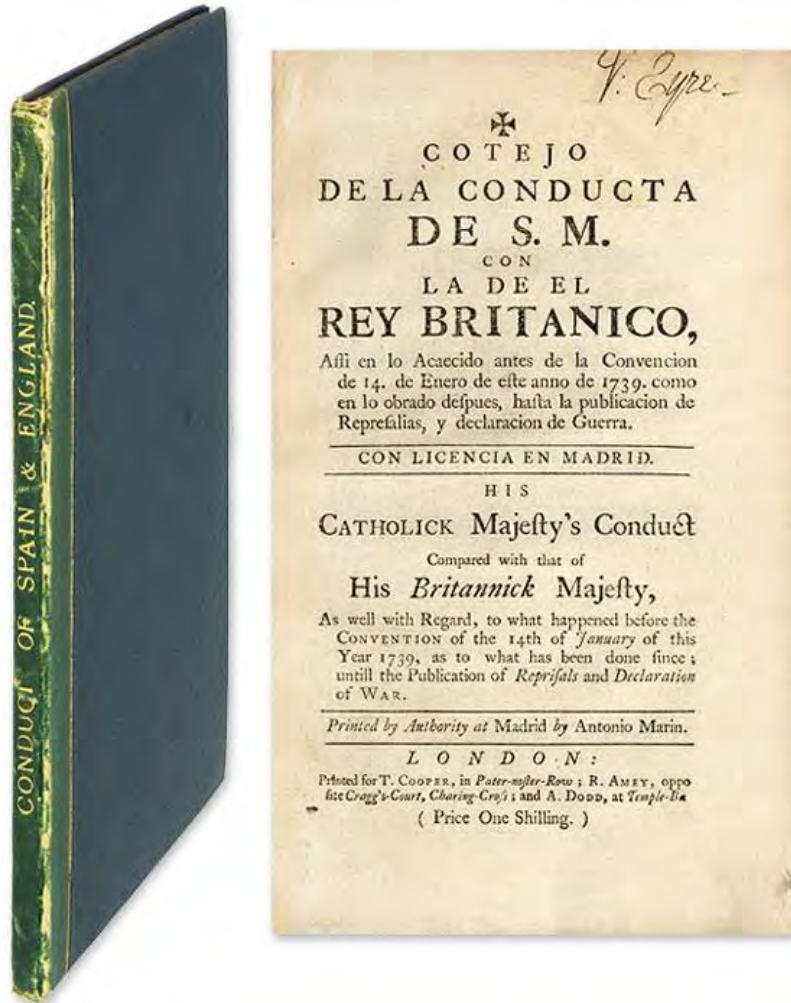
30 ITEMS *from* OUR INVENTORY

CANON, CIVIL, COMMON & ROMAN LAW

July 31, 2018



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Relates to Events in the Americas

1. [Anglo-Spanish War].

Cotejo de la Conducta de S M Con la de el Rey Britanico, Asi en la Acaecido Antes de la Convencion de 14. de Enero de Este Anno de 1739 Como en lo Obrado Despues, Hasta la Publicacion de Represalias, y Declaracion de Guerra: Con Licencia en Madrid. His Catholick Majesty's Conduct Compared With That of His Britannick Majesty, As Well With Regard, To What Happened Before the Convention of the 14th of January of This Year 1739, As to What Has Been Done Since, Untill the Publication of Reprisals and Declaration of War: Printed by Authority at Madrid by Antonio Marin. London: Printed for T. Cooper, [1739]. 63 pp. Octavo (8" x 5").

Later quarter morocco over textured paper boards, gilt title to spine. Some rubbing to joints, corners lightly bumped, hinges just starting at ends. Discoloration to free endpapers, light toning to text, somewhat heavier in a few places. Early owner signature (V: Eyre) to head of title page, interior otherwise clean. \$1,250.

* Only edition. A legalistic analysis of Spanish claims advanced during the Anglo-Spanish War (1739-1748). Also known as the War of Jenkins' Ear (after the conflict's flashpoint), it related to Great Britain's exclusive right, granted by the Treaty of Utrecht at the end of the War of the Spanish Succession (1713), to ply the slave trade and sell other goods in Spain's American colonies. This war was eventually subsumed into the War of the Austrian Succession (1742-1748). The signature in this copy may be that of Sir James Eyre [1734-1799], the notable judge, later chief justice of the Common Pleas. Sabin, *A Dictionary of Books Relating to America* 17026. [Order This Item](#)



**Cardozo and Roosevelt
Honor Washington's Birthday**

2. Cardozo, Benjamin N. [1870-1938].

Roosevelt, Franklin Delano [1882-1945].

[7" x 9" *Black-and-White Photograph of Cardozo Seated Next to Roosevelt*]. [New York: The Associated Press, January 12, 1938 printing of a 1932 image].

Light wear to edges, some discreet retouching to image, stamps, annotations and tipped-in caption to verso. \$150.

*The caption reads: "PRESIDENT AND JUSTICE IN EARLIER ROLES. Franklin D. Roosevelt and Benjamin Cardozo are shown seated side by side in 1932 when the former was governor of New York and the latter was chief judge of the New York State Court of Appeals. This photo, taken in Albany, N.Y., at commemorative exercises on George Washington's birthday in 1932, shows, left to right, former governor Nathan L. Miller, Judge Cardozo [sic], Governor Roosevelt, and Gurrusey Cross, secretary to the governor." [Order This Item](#)



Rare Treatise Dealing With Legal Aspects of Farming and Agriculture

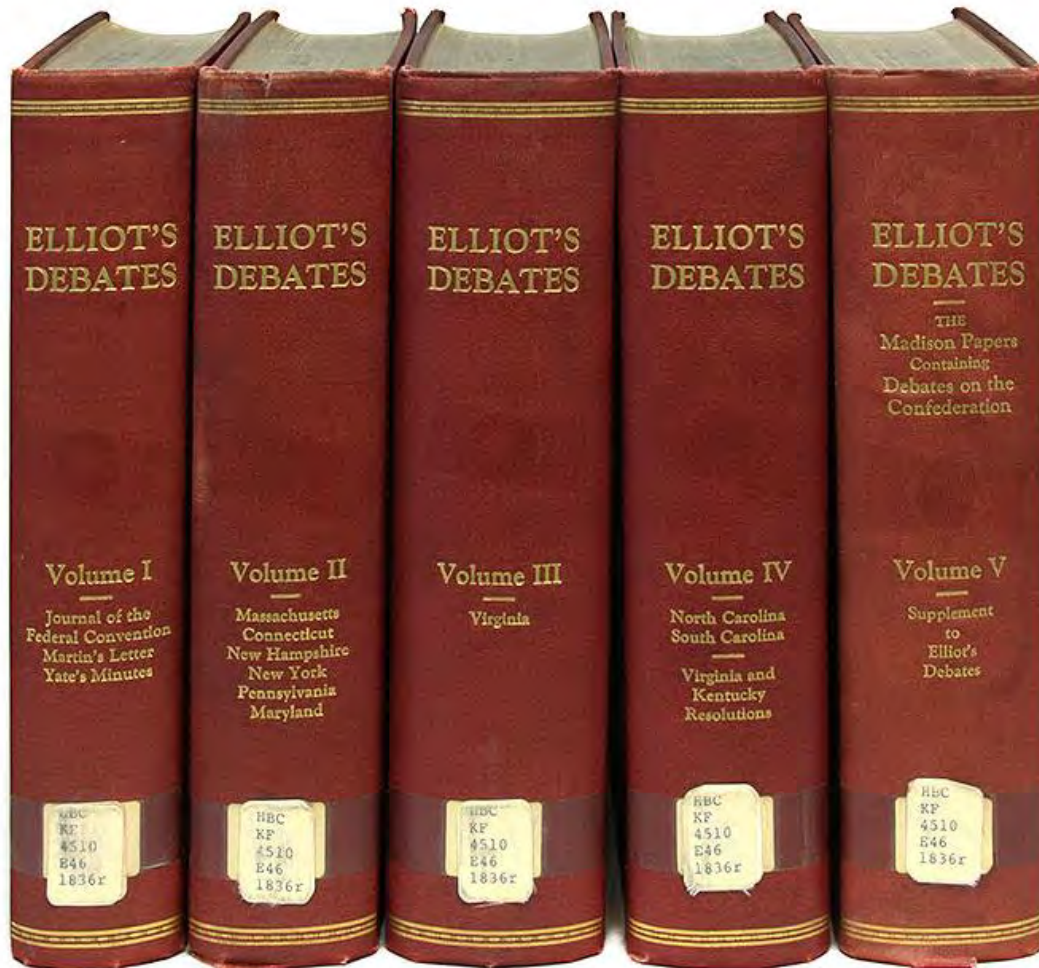
3. Choppin, Rene [1537-1606].

De Priuilegiis Rusticorum: Lib. III. O Fortunatos Nimium, Sua Si Bona Norint, Agricolas, Gnauosque Senes, Extrema per Illos Iustitia Excedens Terris Vestigia Fecit. Paris: Apud Nicolaum Chesneau, 1575 [colophon: 29 November 1574]. [xvii] 248, [24] pp. Quarto (9" x 6-1/2").

Contemporary limp vellum, early calligraphic title to spine, ties lacking. Negligible light shelfwear, text block partially detached from binding. Woodcut printer device to title page, woodcut decorated initials. Some toning, light dampspotting and early annotations to a few leaves. \$2,000.

* First edition. Choppin (or Chopin) was a French jurist and an *avocat* of the Parlement of Paris. Like Jean Bacquet and Jean Bodin, Choppin drew on Roman law and feudal principles to advocate a centralized state under royal rule. *De Priuilegiis Rusticorum* addresses legal privileges enjoyed by rural people in Roman and civil law. A well-written and remarkably comprehensive work, it went through seven subsequent editions in Latin. Its final edition, translated into French, was published in 1634. This was a rarely explored topic, and Choppin's treatise is the only early example we have encountered. According to the *Biographie Universelle*, "it deserves notice for the singularity of its subject, for its profound research, and the decisions it contains" (8:499). All editions are scarce today and rare in North American law libraries. OCLC locates three copies of the 1575 edition (at Columbia, George Washington University and Harvard). Camus, *Profession d'Avocat* 1477.

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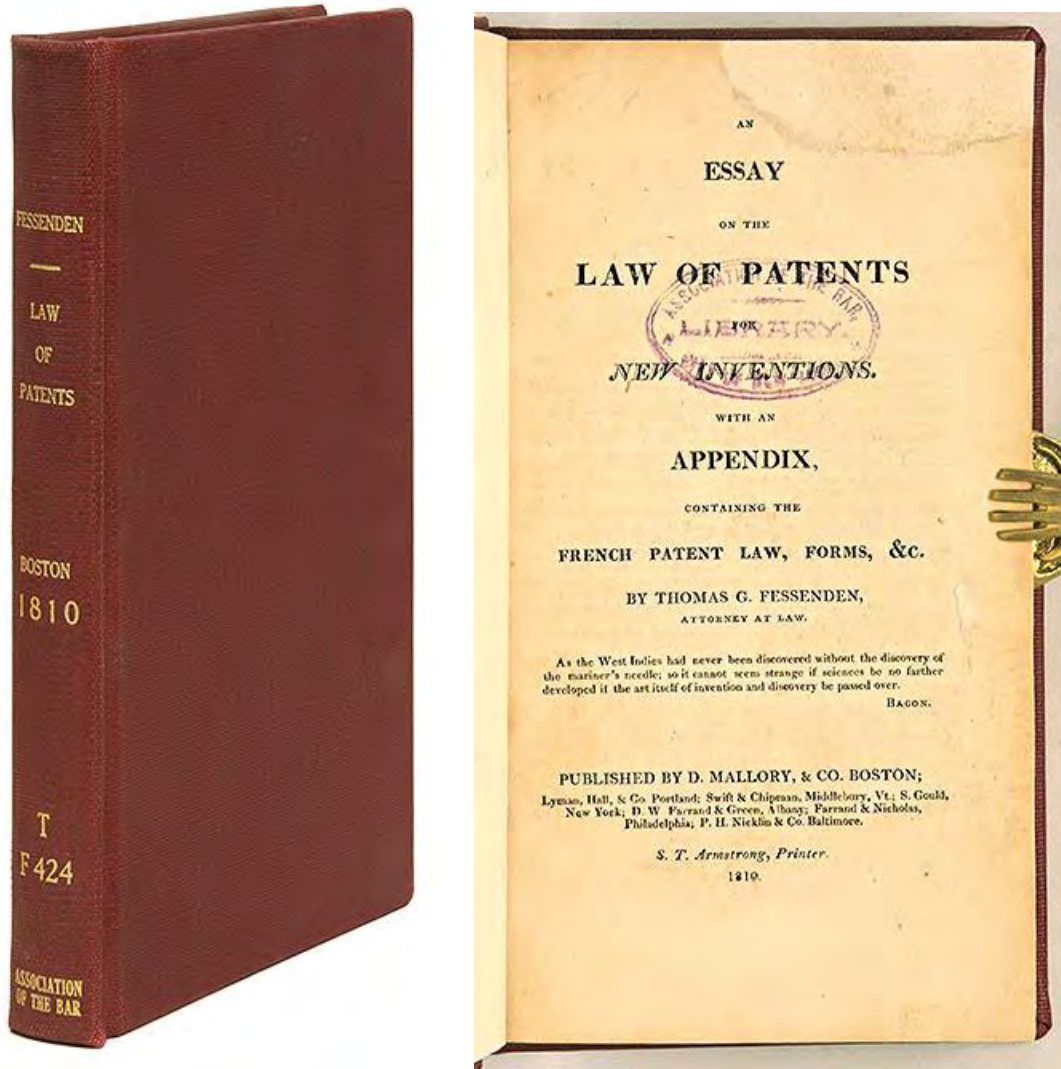
**"The Great Store House of
American Constitutional History"**

4. Elliot, Jonathan, Editor.

The Debates in the Several State Conventions on the Adoption of the Federal Constitution as Recommended by the General Convention at Philadelphia in 1787: Together with the Journal of the Federal Convention, Luther Martin's Letter, Yates's Minutes, Congressional Opinions, Virginia and Kentucky Resolutions of '98-'99, And Other Illustrations of the Constitution. Collected and Revised from Contemporary Publications by Jonathan Elliot. Second Edition. With Considerable Additions. Philadelphia: J.B. Lippincott Company, 1836-1845. Reprint. Charlottesville, VA: The Michie Company, 1937. Five volumes.

Original cloth, blind frames to boards, gilt titles and library location labels to spines, small security tags to front boards, stamps to top and bottom edges of text block. Some rubbing and light wear to extremities, a few cracks to text blocks. Light toning to text, library marks to preliminaries. \$250.

* Limited edition (250 sets) reprint of the second and final edition. Brown's *Manual of Government Publications* says this is "the most important single source of information on the ratification of the Constitution by the States." In Paul Leicester Ford's estimation, it is "the great store house of American Constitutional history. It is almost impossible to exaggerate its importance." This edition has notes by James Madison. Brown and Ford cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 373. [Order This Item](#)



First Edition of the First American Treatise on Patents

5. Fessenden, Thomas G. [1771-1837].

An Essay on the Law of Patents for New Inventions. With an Appendix Containing the French Patent Law, Forms, &c. Boston: Published by D. Mallory & Co., 1810. [2], [ix]-xxxix, [41]-229, [1] pp. Complete. Octavo (8-1/4" x 5-1/4").

Later buckram, gilt title to spine. Light browning to text, faint dampspotting and foxing to a few leaves, faint later library stamp to title page, repair to its upper corner. \$750.

* First edition of the first American book on the subject. A true "Renaissance man," Fessenden was a lawyer, poet, journalist, inventor and venture capitalist who promoted various inventions. He was the holder of two patents for heating devices. He promoted "scientific" techniques in *The New England Farmer*, a journal he founded. Also a prominent satirist, he wrote numerous pieces under the pseudonym Christopher Caustic for one of his other journals, *The Terrible Tractoration*. His treatise contains summaries of the relevant statutes, digests of leading cases (such as *Whitney v. Carter* over the invention of the cotton gin) and comparisons between the patent laws of the United States, Great Britain and France. The appendix contains the United States Patent Law of 1800, a bilingual collection of French laws and a set of French recommendations for improvements in the laws of the United States. Cohen, *Bibliography of Early American Law* 7129. [Order This Item](#)



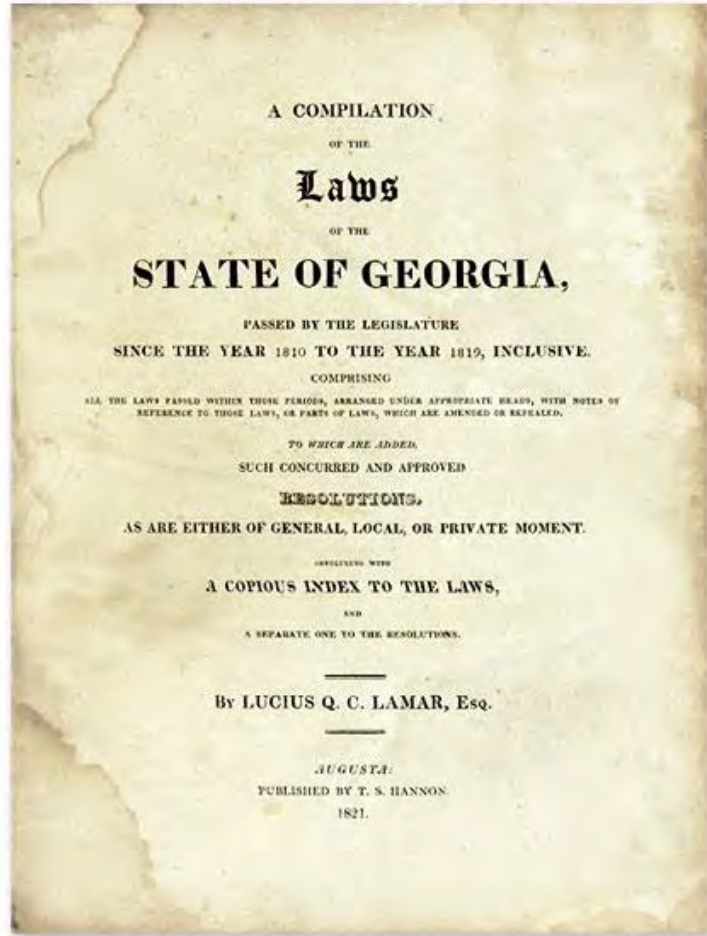
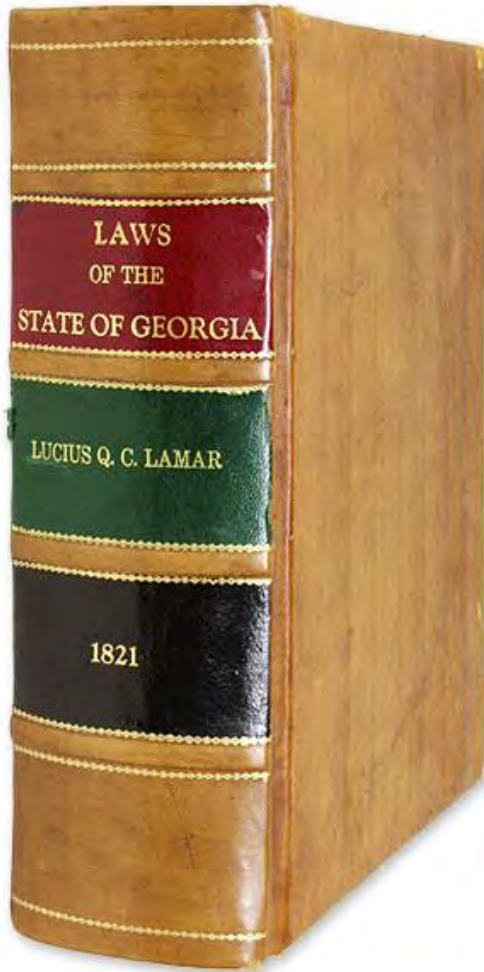
"A Pioneer Book of the Institutes of English Law"

6. Finch, Sir Henry [1558-1625].

NOMOTEXNIA, Cestascavoir, Un Description del Common Leys Dangleterre Solonque les Rules del Art. Paralleles Oue les prerogatives le Roy. Ouesque Auxy le Substance & Effect de les Estatutes (Disposes en Leur Proper Lieux) Per le Quels le Common Ley est Abridge, Enlarge, Ou Ascunment Alter, Del Commencement de Magna Charta Fait 9.H.3 Tanque a Cest Jour. London: Printed for the Societe of Stationers, 1613. [viii], 149 ff. Folio (11-1/4" x 7-1/2").

Contemporary limp vellum with lapped edges, gilt panels with central arabesques to covers, gilt fillets, ornaments and faint early hand-lettered title to spine, silk ties. Light rubbing to extremities, spine ends bumped, hinges cracked, text block loose, later armorial morocco bookplate of James P.R. Lyell and more-recent bookplate of John Sparrow to front pastedown. Light toning to text, slightly heavier in places. An attractive copy with an appealing provenance. \$4,500.

* First edition. Like Bacon, Finch recognized the need for a book of Institutes in the manner of Justinian. Well-arranged and clearly written, the *NOMOTEXNIA* was both a landmark in the history of English legal publishing and the standard elementary textbook before Blackstone's *Commentaries*. As Holdsworth observes, it also influenced "the form and arrangement of Blackstone's *Commentaries*; and, through Blackstone's *Commentaries*, the form and arrangement of the chief institutional book of English law at the present day." Our copy had two notable owners. John Sparrow [1905-1992], was a distinguished bibliophile, barrister, essayist and Warden of All Souls College. Oxford. As Nicolas Barker wrote in *The Warden's Meeting: A Tribute to John Sparrow*, he was "first and last, a great, even a very great, collector of books." By profession a solicitor, James Patrick Ronaldson Lyell [1871-1948] was a significant bibliographer and collector of printed books and manuscripts. Holdsworth, *A History of English Law* V:400. *English Short-Title Catalogue* S121340. [Order This Item](#)



1821 Compilation of Georgia Law

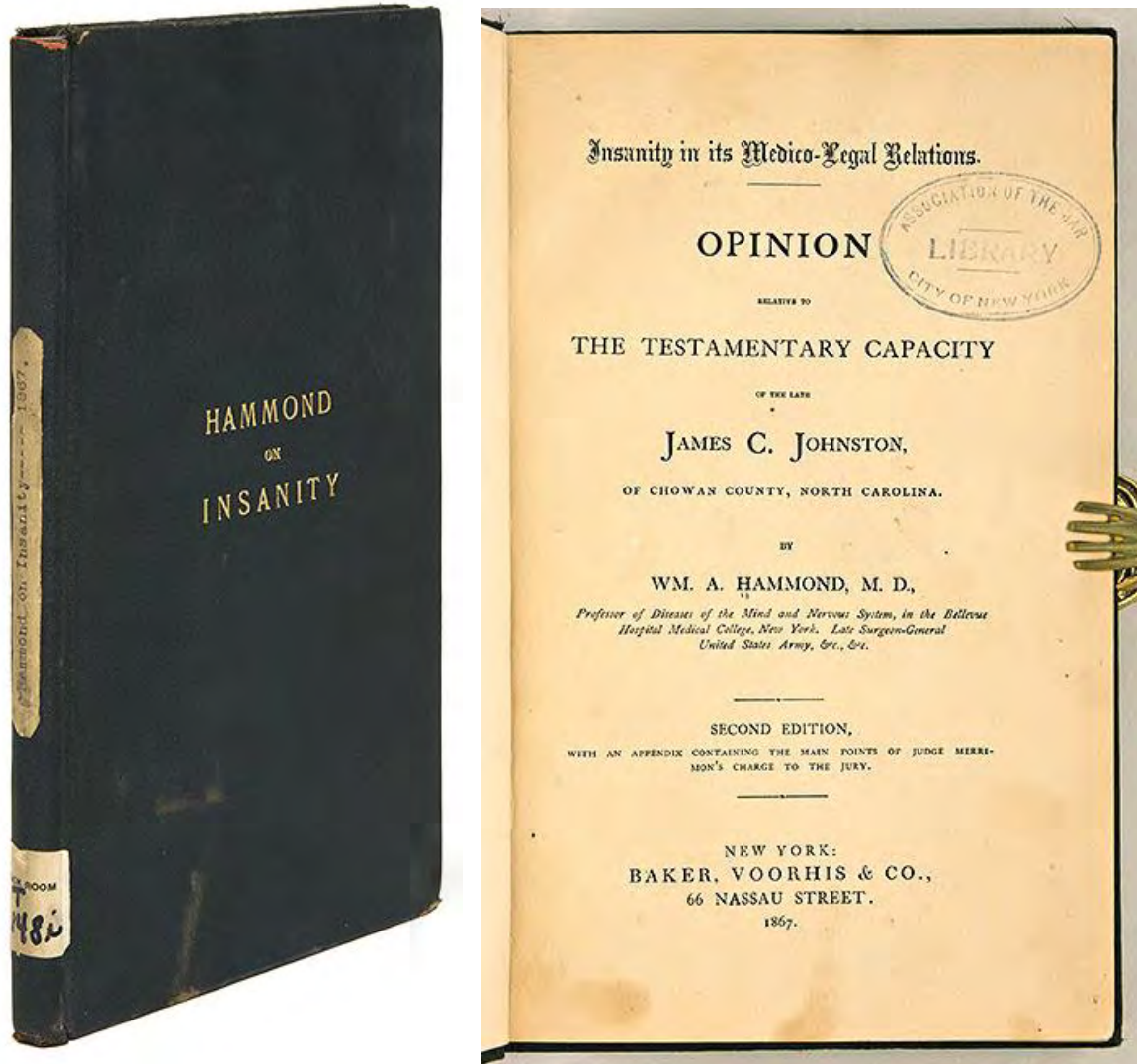
7. [Georgia].

Lamar, Lucius Q.C.A., Compiler.

A Compilation of the Laws of the State of Georgia, Passed by the Legislature Since the Year 1810 to the Year 1819, Inclusive: Comprising All the Laws Passed Within Those Periods, Arranged Under Appropriate Heads, With Notes of Reference to Those Laws, Or Parts of Laws, Which Are Amended or Repealed: To Which Are Added, Such Concurred and Approved Resolutions, As Are Either of General, Local, or Private Moment: Concluding with a Copious Index to the Laws, And a Separate One to the Resolutions. Augusta: Published by T.S. Hannon, 1821. iv, 1300 pp. Quarto (10-1/2" x 8-1/2").

Recent period-style imitation sheep, raised bands and lettering pieces and gilt fillets to spine, marbled endpapers. Light rubbing to extremities, owner bookplate to front pastedown. Light to moderate browning, foxing and occasional marginal damp staining, internally clean. \$1,000.

* First edition. This was the fourth digest of Georgia state laws, preceded by others from 1801, 1802 and 1812. It is digested alphabetically by topic. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 86. [Order This Item](#)



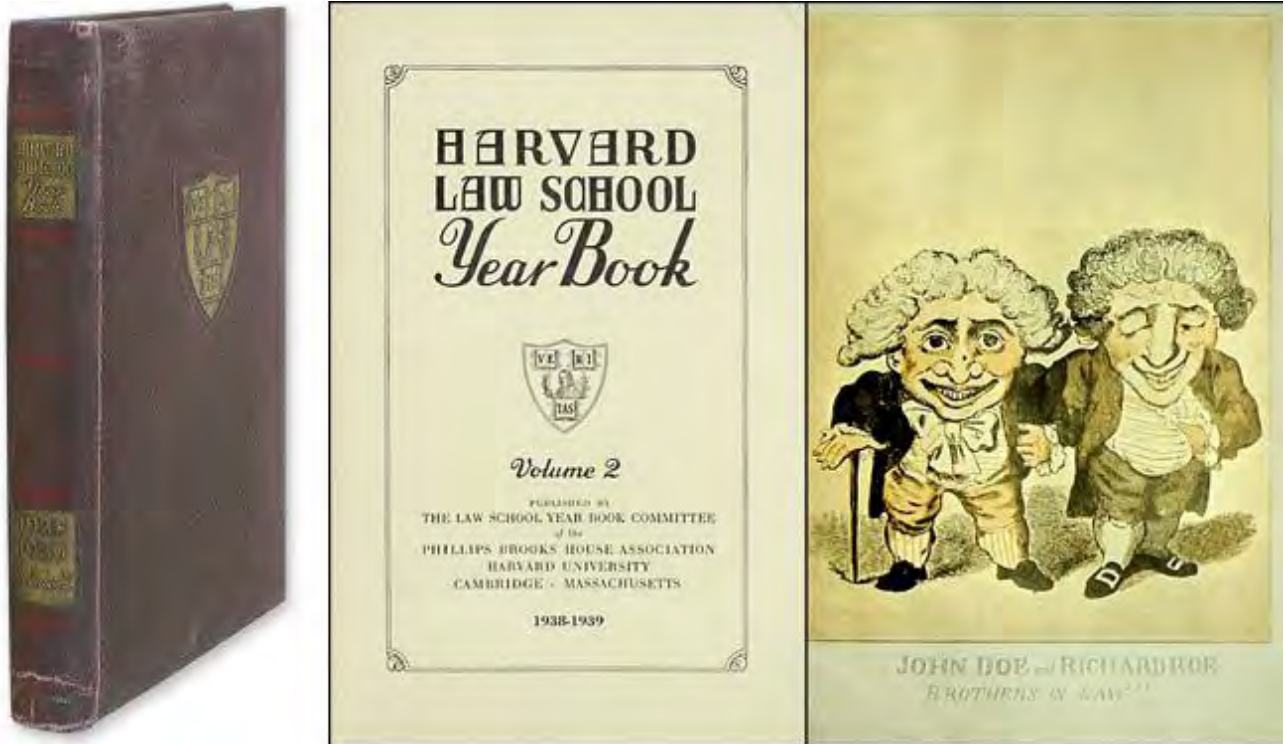
An Important Insanity Case

9. Hammond, W[illia]m A. [1828-1900].

Insanity in its Medio-Legal Relations: Opinion Relative to the Testamentary Capacity of the Late James C. Johnston of Chowan County, North Carolina. New York: Baker, Voorhis & Co., 1867. 81 pp. Octavo (9" x 5-1/2").

Original cloth, gilt title to front board, later typed paper spine label and library shelf label to spine. Some wear to spine ends and corners, hinges starting. Light toning to text, library stamp to title page, annotations to verso. \$100.

* Second and final edition. This was one of the most important cases of the nineteenth century. Johnson, a wealthy, childless, bachelor North Carolina plantation owner, left a will that disinherited his relatives, choosing instead to leave his estate "to persons not connected with him by blood or marriage, and for whom he never evinced any particular esteem or regard" (5). Claiming Johnson was insane when he wrote his will, his relatives contested it. The court decided in their favor. Not in the *Harvard Law Catalogue*. [Order This Item](#)



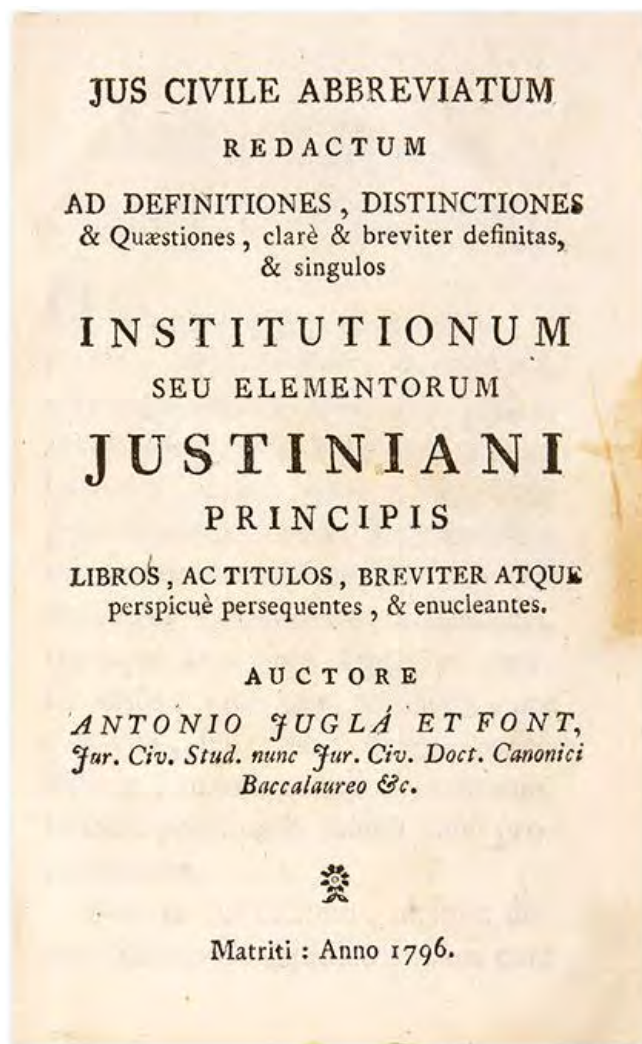
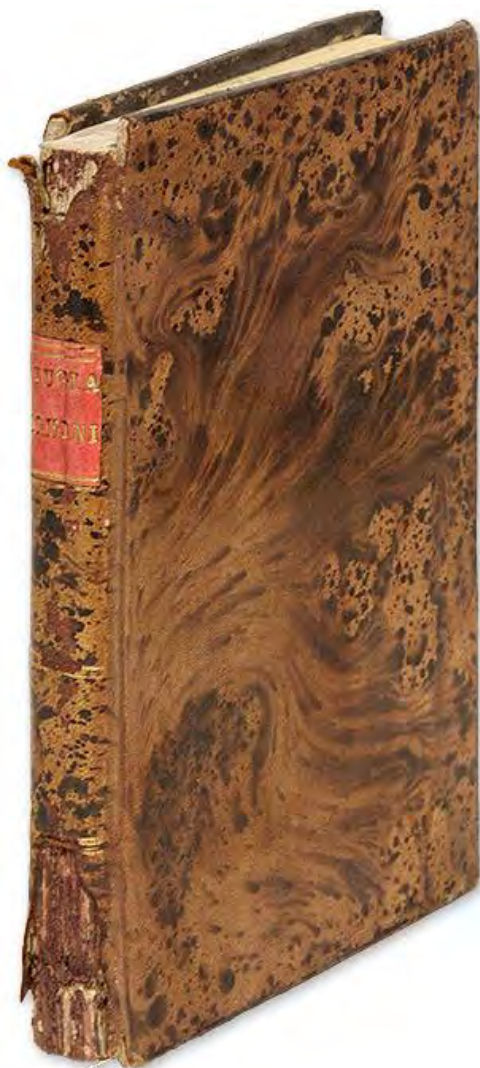
1938 Harvard Law School Yearbook

10. [Harvard Law School].

Harvard Law School Year Book 1938-1939. Volume 2. Cambridge: The Law School Year Book Committee of Phillips Brooks House Association of Harvard University, [1938]. 307, [1] pp. Frontispiece with tissue paper overlay. Plates. Illustrations.

Original gilt-stamped red textured cloth. Light rubbing to extremities. Occasional light discoloration to margins, minor foxing to final few leaves, interior otherwise clean. \$75.

* With an attractive series of sepia-toned rotogravure plates depicting buildings on the law school campus and color reproductions of caricatures by Rowlandson, "Spy" and others. The second volume of the Harvard Law School yearbook, which began publication in 1937. This volume, which includes several statistical tables outlining student representation by nation, state, region, hometown and undergraduate institution, offers a fascinating glimpse of the law school and its institutional character during the 1930s, a period when its faculty included Joseph Henry Beale, Felix Frankfurter, Roscoe Pound and Samuel L. Williston. [Order This Item](#)



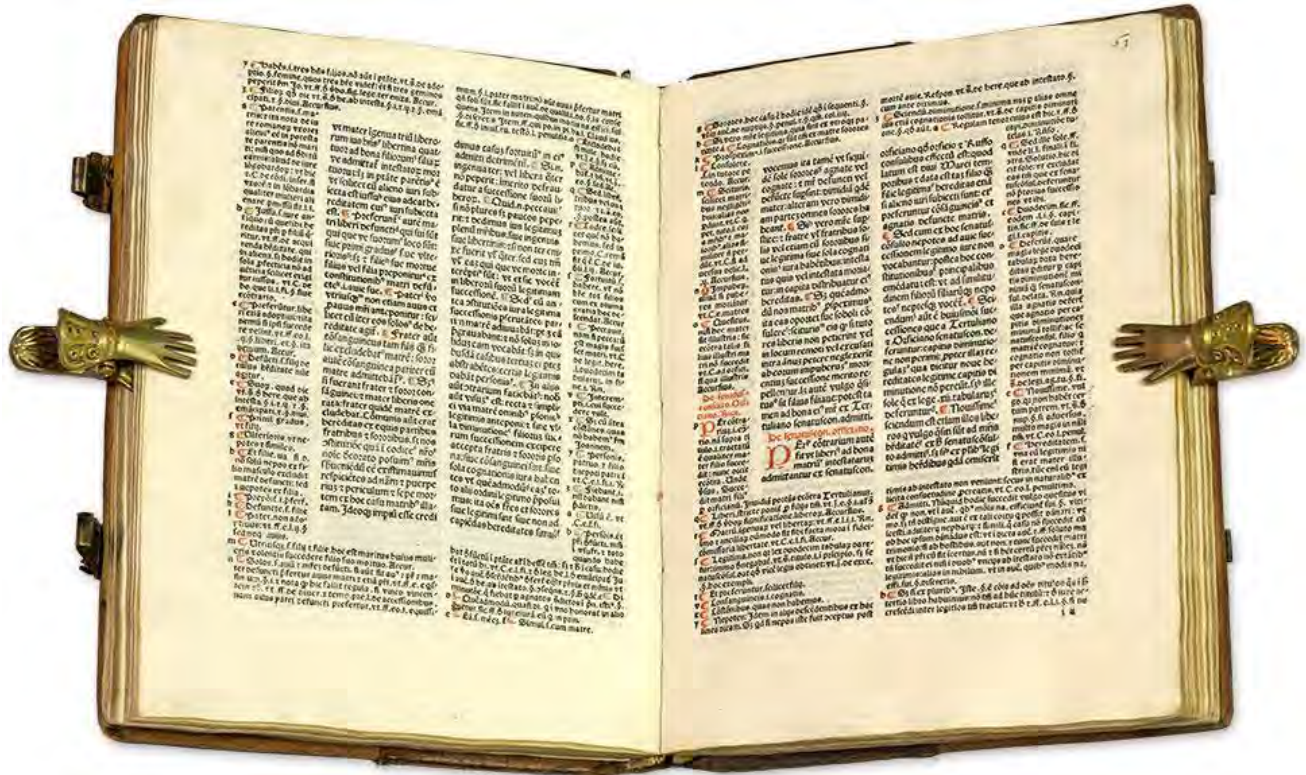
**Scarce Spanish Textbook on the
Institutes with an Unusual Format**

11. Jugla y Font, Antonio.

Jus Civile Abbreviatum Redactum: Ad Definitiones, Distinctiones & Quaestiones, Clarè & Breviter Definitas, & Singulos Institutionum, Seu Elementorum Justiniani Principis Libros, Ac Titulos, Breviter Atque Perspicuè Persequentes, & Enucleantes. Madrid: [S.n.], 1796. [viii], [vi], 178 pp. Octavo (5-3/4" x 3-3/4").

Contemporary tree calf, gilt fillets and lettering piece to spine, Light wear to corners, chipping to spine ends, front hinge starting, early owner bookplate, signatures and doodles to front free endpaper (with a bit of offsetting to pastedown). Light foxing, light toning to text, discoloration to text in a few places, faint dampstaining to a few leaves. An attractive copy. \$750.

* Third and final edition. First published in 1775, this is a textbook on Roman law based on the *Institutes* of Justinian. Each section is condensed into a few sentences arranged as a series of questions and answers. In many cases, these are followed by references. OCLC locates 1 copy of the first edition in North America (at the Library of Congress), 4 copies of the 1796 edition (UC-Berkeley Law School, University of Colorado Law School, Vanderbilt University, Yale Law School). Another copy dated 1785 located at Harvard Law School. Palau, *Manual del Libro Hispanoamericano* 125857. [Order This Item](#)



1483 Venetian Imprint of the *Institutes*

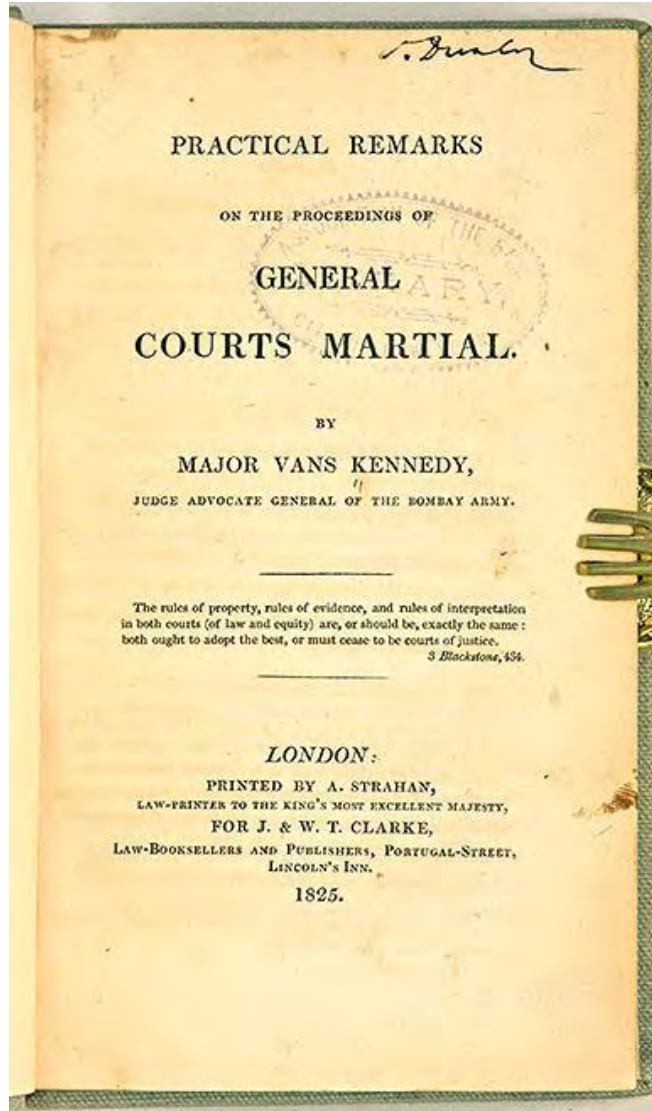
12. [Justinian I, Emperor of the East (483-565 CE)].
[Accorso, Francisco (Accursius) (c.1182-c.1260), Glossator].

[*Institutiones*]. [Venice: Ottaviano Scoto, 18 January 1483]. Collation: a-p8. [119] ff. Lacking initial blank. Text in parallel columns. Main text surrounded by linear gloss. Folio (16-1/2" x 11").

Contemporary half vellum over wooden boards, brass clasps and catches, "Instituta" in early hand to front board, raised bands to spine. Light rubbing to boards, heavier rubbing to extremities with some wear to spine ends and corners, partial vertical crack through center of front board, hinges cracked, a few partial cracks to text block, a few signatures loose. Printed throughout in red and black in 62-line Gothic type, large red and black printer device to verso of final leaf. Light toning, occasional faint stains, light foxing and later annotations to a few leaves, upper corner of each leaf numbered in another later hand, small wear hole (paper flaw?) to lower corner of leaf 11 (Fol. 78) with negligible loss to text. An appealing copy. \$18,500.

* An uncommon quarto edition. With the *Glossa Ordinaria* of Accursius. Along with the *Digest*, *Code* and *Novels*, the *Institutes* is one of the writings known collectively as the *Corpus Juris Civilis*. Intended for students, the *Institutes* is an elementary treatise on Roman private law. Like its companion volumes, its subsequent influence on European jurisprudence is difficult to underestimate. It received a great deal of commentary during the medieval and early modern eras. The first significant commentator was Accorso (Accursius), a professor of law at the University of Bologna and a leading figure in the revival of classical jurisprudence. He examined every extant note and commentary when he prepared his epochal edition of the *Institutes*, *Digest* and *Code*. This massive effort eliminated much of the obscurity and contradiction introduced by earlier writers. His gloss on this edition, which superseded all previous attempts, was often cited as the *Glossa Ordinaria* or *Magistralis*. It remained definitive until its 1583 revision by Denis Godefroy. OCLC locates 4 copies of this imprint, 1 in North America (Library of Congress). Goff, *Incunabula in American Libraries* J-524. *Gesamtkatalog der Wiegendrucke* 7608.

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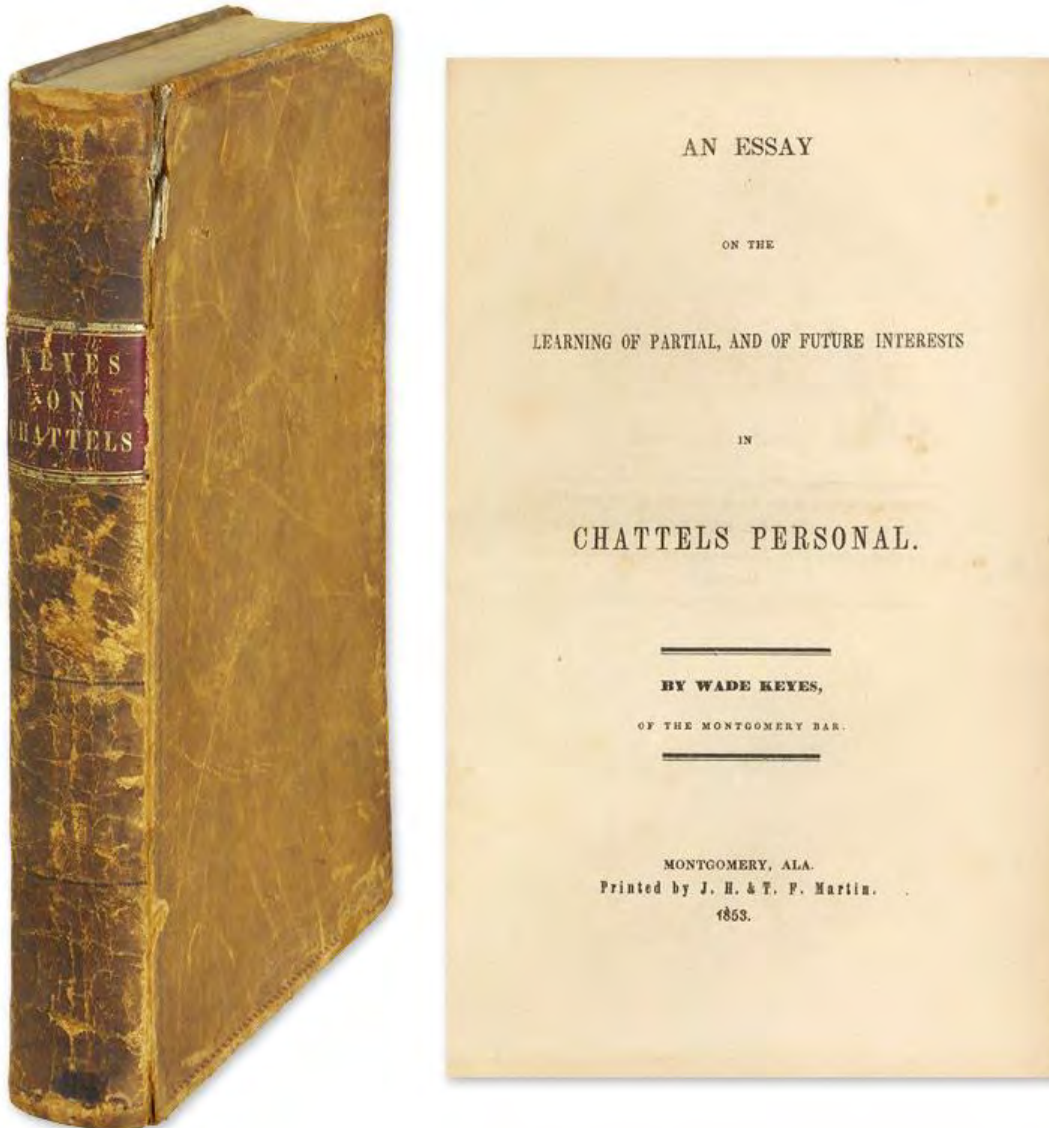
A Scarce Nineteenth-Century English Treatise on Courts Martial

13. Kennedy, Vans [1784-1846].

Practical Remarks on the Proceedings of General Courts Martial. London: Printed by A. Strahan [for] J. & W.T. Clarke, 1825. xxii, 355, [5] pp. Includes 5-page publisher catalogue (for Clarke). Octavo (7" x 4-1/4").

Later library cloth, red and black lettering pieces to spine. Light shelfwear and soiling, corners lightly bumped, some fading to spine. Moderate toning to text, faint spotting to a few leaves, tiny owner signature and faint library stamp to title page, hand-lettered shelf number to verso in tiny hand. \$1,000.

* Only edition. Kennedy was the judge advocate general of the Bombay Army an East India Company official and a scholar of Sanskrit and Persian. Intended to be a concise and modern treatise, it draws on the "useful" parts of the military-law treatises of Ayle, Tytler and McArthur as well as Blackstone's *Commentaries* and Hawkins's *Pleas of the Crown*. OCLC locates 20 copies worldwide, 6 in North American law libraries (Harvard, LA County, NY State Appellate Division, U.S. Army Judge Advocate General's School, University of Pennsylvania, Yale). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:197. [Order This Item](#)



Early Alabama Legal Imprint that Addresses Slavery

14. Keyes, Wade [1821-1879].

An Essay on the Learning of Partial, And of Future Interests in Chattels Personal. Montgomery, Ala.: J.H. & T.F. Martin, 1853. 160 pp. Octavo (8-3/4" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Some rubbing to boards and extremities, spine moderately abraded, joints starting at head, offsetting to margins of endleaves, very light browning to text. Early owner signature (of Stephen F. Miller) to front pastedown, interior otherwise clean. \$450.

* Only edition. As a lawyer, judge, author and the state's first law professor, Keyes was the most important figure in the early legal history of Alabama. A prominent secessionist, he was assistant attorney general for the Confederacy during the Civil War. He wrote two treatises, a treatise on real property and the present title, a review of case law as it relates to chattels personal, including "slaves, cattle, furniture, books, victuals, money and the like" (1). Cohen, *Bibliography of Early American Law* 9033. [Order This Item](#)

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As we make a specialty of obtaining increases, we never fail of success when once assured that our client's claims are just. Our fee will be \$10 for our services. Apply at once for increase.
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NEW LAW
ABOUT
Horse Claims.

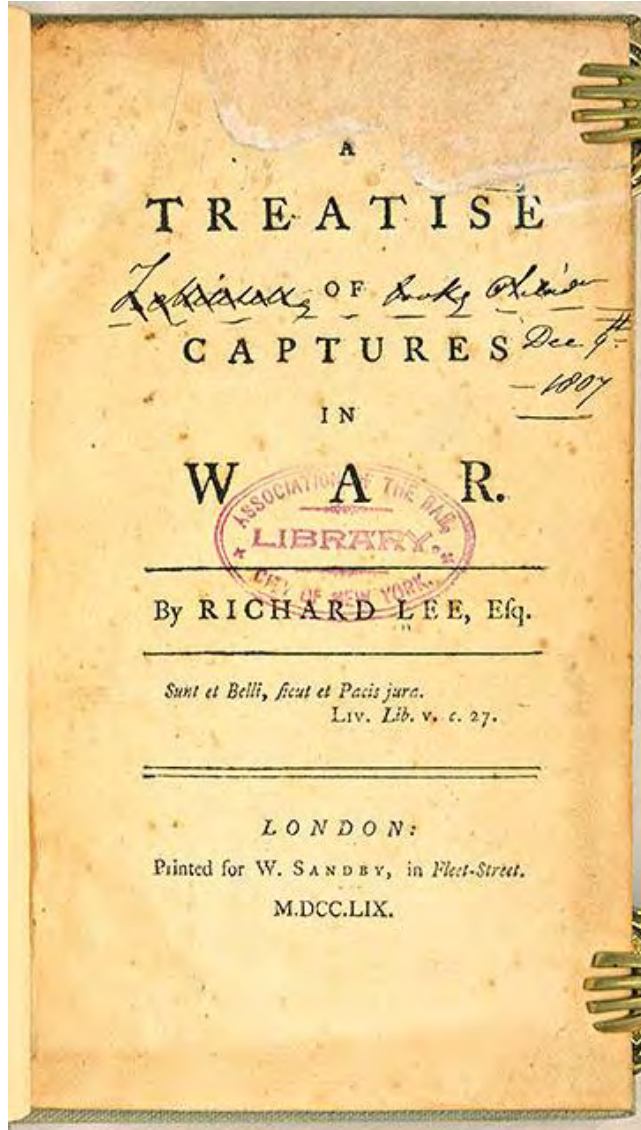
All those soldiers who lost Horses, Equipments, &c., in the U. S. Service, and who were debarred from filing their claims on account of the time first allowed for filing such claims having expired, can now send on their claims, as the Senate Bill No. 335 to extend the time for filing such claims has now become a law.
All claims of this description not filed within one year from Jan'y 6th, 1885, are forever barred, so lose no time in sending us your claims.

Nineteenth-Century Lawyer Advertisement

15. [Lawyer Advertisement].
W.H. Wills & Co.

New Law About Horse Claims. [Washington, DC, c.1883]. Leaflet (3" x 5-1/2)." 4 pp. Light green paper with woodcut illustrations, very good. \$100.

* A leaflet from W.H. Wills & Co., "U.S. Pension Attorneys and Solicitors of Claims and Patents," urging veterans to use its services to exploit a recently enacted law that offers compensation for horses and equipment lost during the Civil War. It also outlines how the firm can help veterans to improve their pensions or receive better land grants. [Order This Item](#)



An Adaptation of Bynkershoek

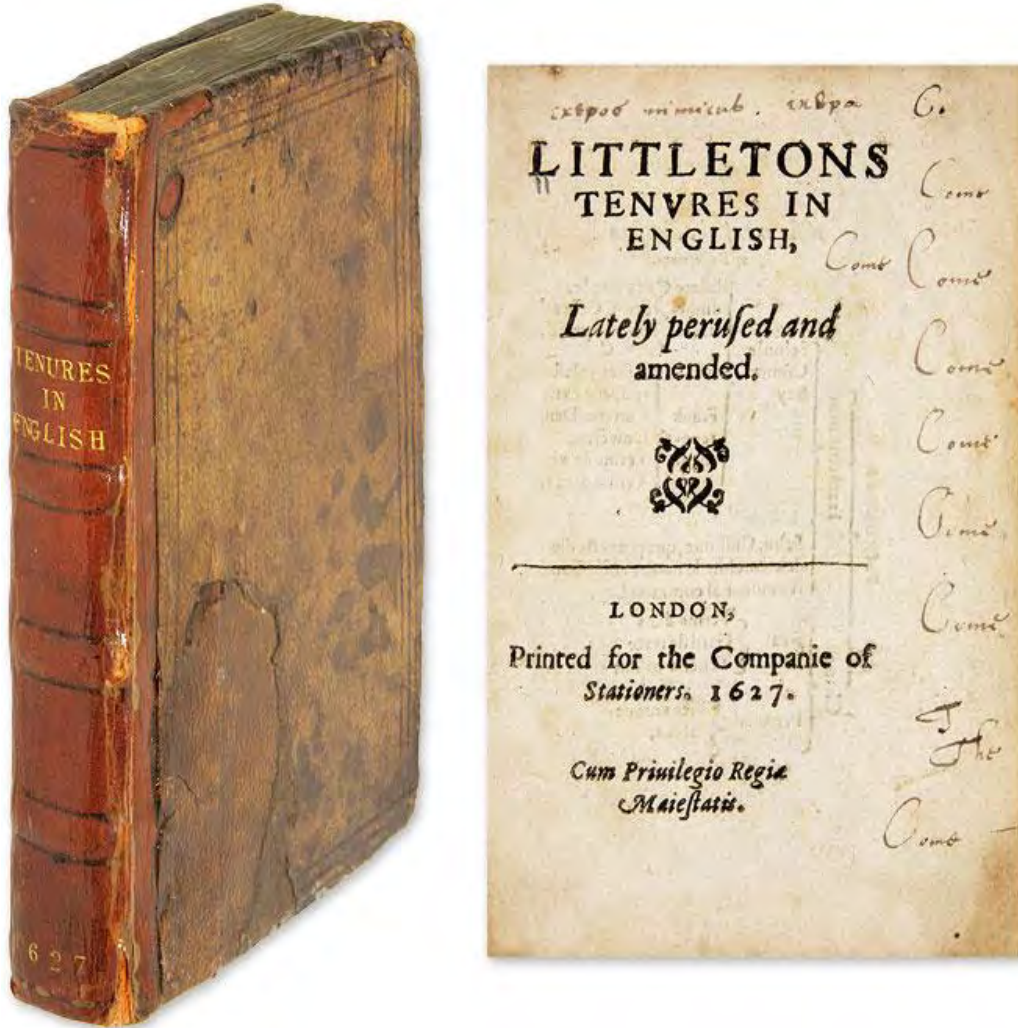
16. Lee, Richard.

[Bynkershoek, Cornelis van (1673-1743)].

A Treatise of Captures in War. London: Printed for W. Sandby, 1759. viii, 264 pp. Octavo (8-1/2" x 5-1/2").

Later library cloth, red and black lettering pieces to spine. Light soiling, some chipping to lettering pieces, "T. Mitchell, 1807" to bottom edges of text block. Moderate toning to text, faint dampspotting in places, faint library stamp and early struck-through signature to center of title page, repair to its top-edge, early owner annotation ("Thos. Mitchell's Book, 1807") to head of following page. \$1,000.

* First edition. This is an annotated translation of the first book of Bynkershoek's *Quaestionum Juris Publici* (1737). Bynkershoek considers questions dealing with international law and the customs of war. "De Rebus Bellicus," its most important chapter, addresses the customs of war on land and sea. Notably humane, it condemns actions against civilians and advocates the fair treatment of prisoners of war. Beginning with Lord Mansfield, scholars have considered this to be his greatest work. A second edition was published in 1803. *English Short-Title Catalogue* T112924. [Order This Item](#)



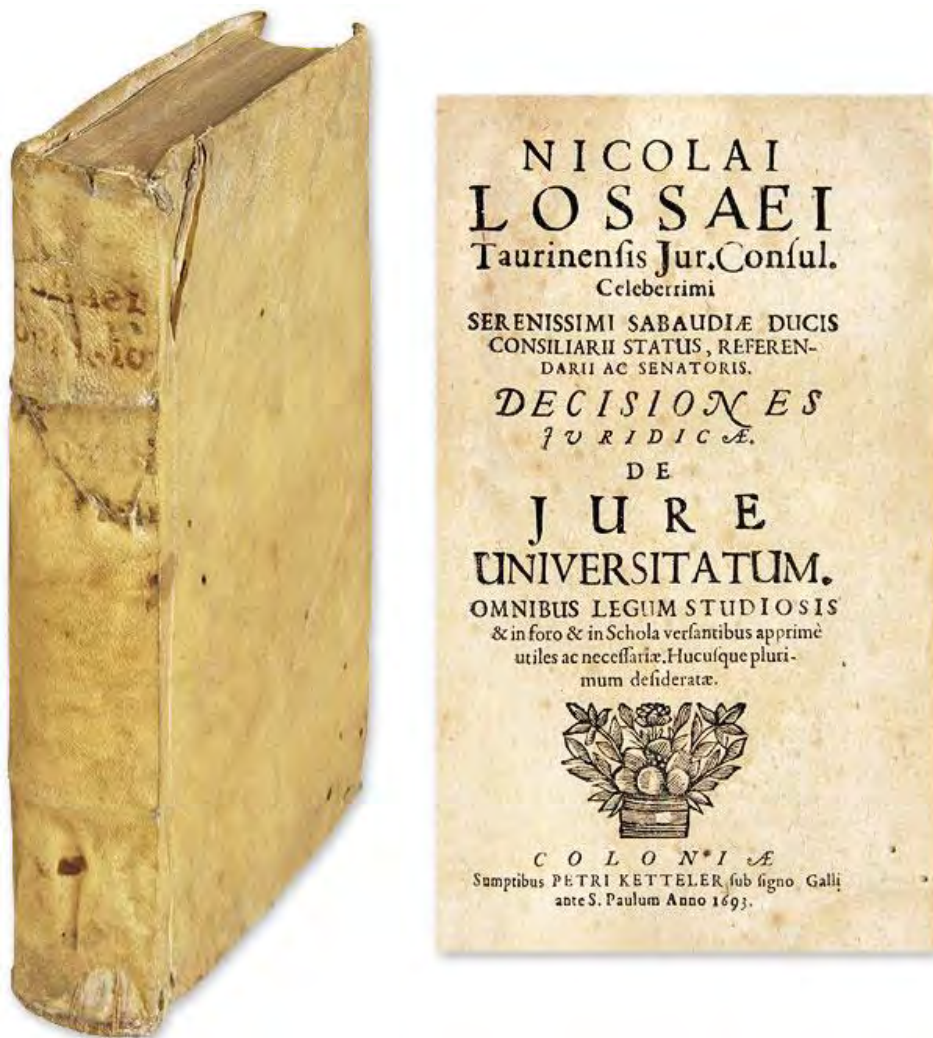
Littleton's *Tenures* in English

17. Littleton, Sir Thomas [1402-1481].

Littletons Tenures in English, Lately Perused and Amended. London: Printed for the Companie of Stationers, 1627. 142, [2] ff. Octavo (5-1/4" x 3-1/2").

Contemporary sheep with later calf rebacking, binding varnished, blind rules to boards, raised bands and gilt title to spine, endpapers renewed, early repair to front board. Some rubbing to joints and spine ends, corners somewhat worn, shallow scuffing to boards, hinges starting. Light toning to text, faint dampstaining and foxing to a few leaves, tiny tear to foot of title page mended with archival tape. Early doodles to front endleaves and title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$350.

* Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is considered a landmark because it renounced the principles of Roman law (and Latin) in favor of guidelines and doctrines drawn from the Year Books and, when necessary, hypothetical cases. OCLC locates two copies in law libraries (Harvard, Library of Congress). Holdsworth, *A History of English Law* II:573. *English Short-Title Catalogue* S108678. [Order This Item](#)



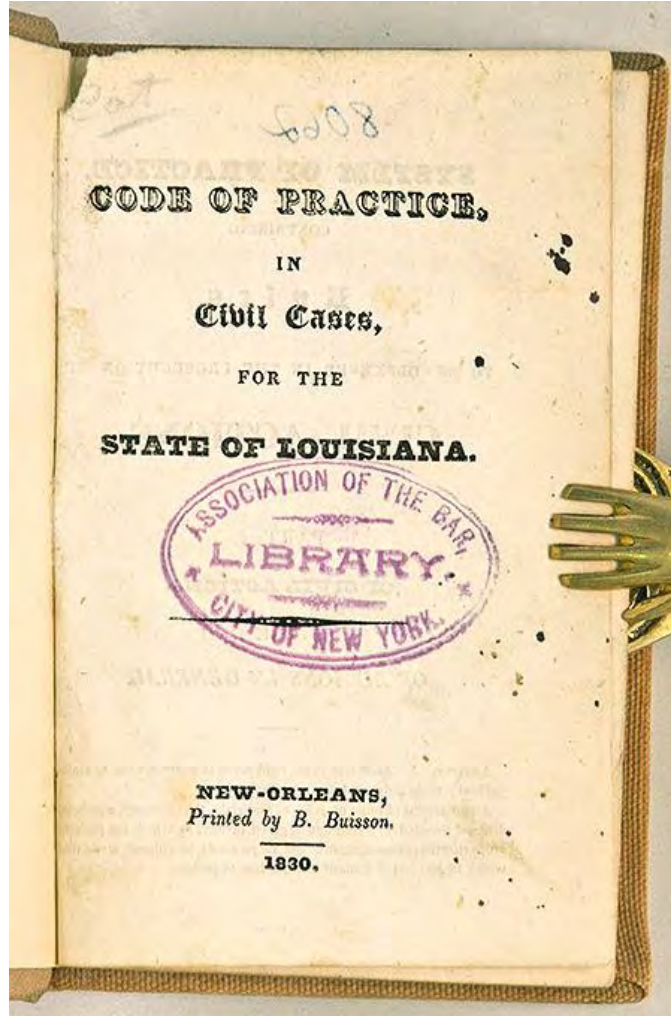
Seventeenth-Century Treatise on Universities and the Law

18. Loseo, Niccolo [d. 1642].

Decisiones Juridicae. De Jure Universitatum. Omnibus Legum Studiosis & in Foro & in Schola Versantibus Apprimè Utiles ac Necessariae. Hucusque Plurimum Desideratae. Cologne: Sumptibus Petri Ketteler, 1693. [ii], 381, [59] pp. Octavo (6-1/4" x 3-1/2").

Contemporary vellum, early hand-lettered title to spine. A few minor stains to boards, a few short tears to head of spine, small chip to foot, another short tear to head of front joint. Attractive woodcut head and tail-pieces. Light browning to text, somewhat heavier in places, occasional faint dampspotting. Early owner signature to front endleaves, tiny inkstains and spark burns to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. \$750.

* Fourth, final and best edition. First published in 1601 as *De Jure Universitatum*, this is a fascinating treatise on the privileges and immunities of universities under canon law. It is also notable as an early treatise on the law of corporations. Loseo published his book during a particularly tense period for the universities of Europe. As centers of theology, law and the civil service, they had been coping with the effects of the Reformation and Counter-Reformation for nearly two decades. A longer work than its predecessors, the text of the fourth edition is enriched with decisions and opinions. All editions are scarce. OCLC locates 3 copies of the first edition in North America (at Harvard Law School, the University of Chicago and Yale), none of the fourth edition. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 3:023435F. [Order This Item](#)



Livingston's Influential Louisiana Civil Practice Code

19. [Louisiana].

[Livingston, Edward (1764-1836)].

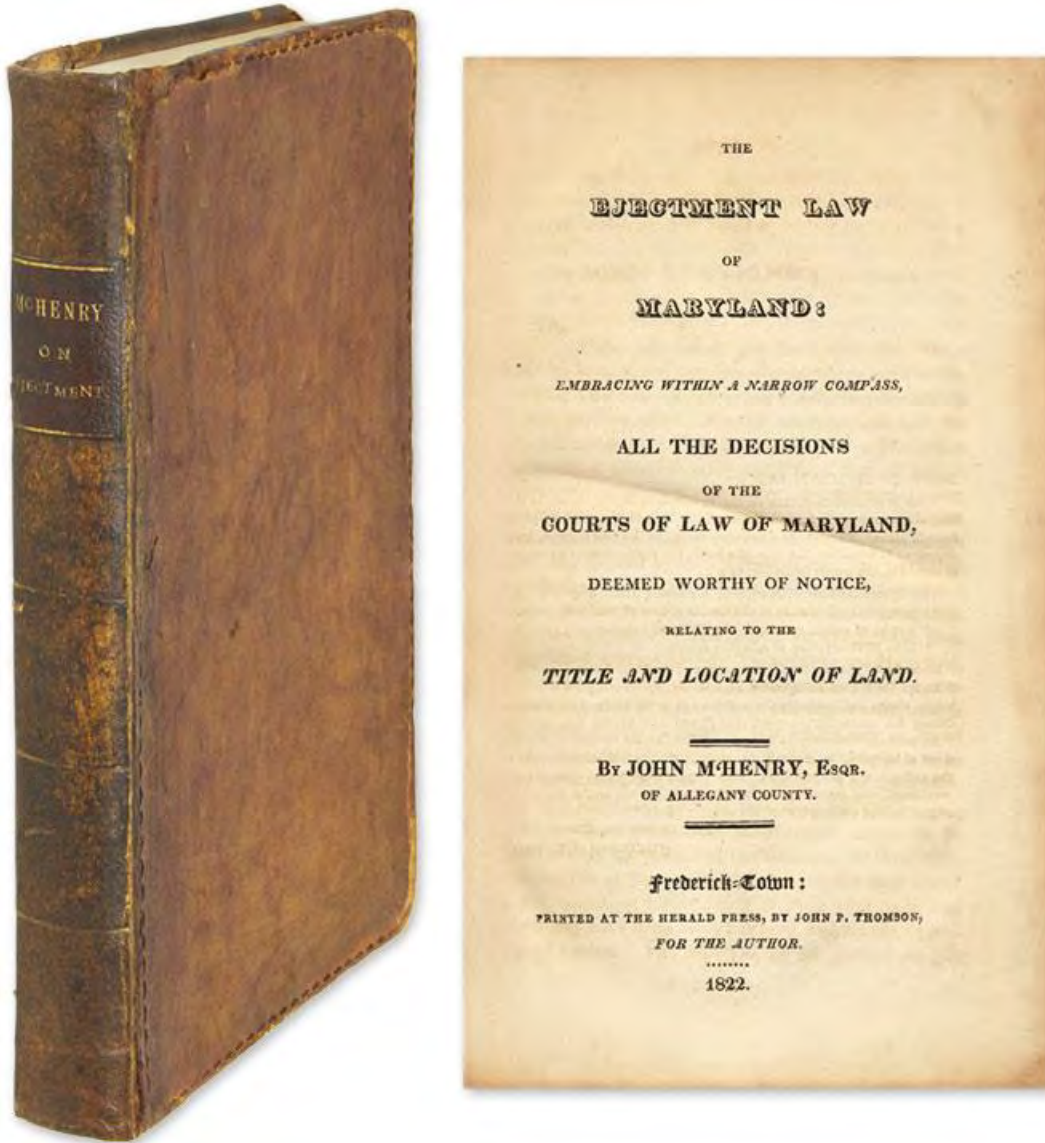
[Lislet-Moreau, Louis (1766-1832)].

[Derbigny, Pierre (1769-1829)].

Code of Practice in Civil Cases, for the State of Louisiana. New Orleans: Printed by B. Buisson, 1830. 407, [8], 96 pp. English text with French translation on facing pages. 12mo. (5-1/4" x 3-1/2").

Later library cloth, calf lettering piece to spine. Light shelfwear and soiling, minor scuff to spine, front joint starting at head, crack in text block between title page and following leaf. Some toning to text, light foxing in a few places, library stamp and a few tiny inkspots, "8062" in small hand to verso. \$1,000.

* Second edition. This important code was one of a series of codes produced for the Louisiana legislature. Principally the work of Livingston, work on the civil practice code began in 1823. Submitted to the legislature and first published in 1824, it went into effect the following year. Like the other codes it was a decisive influence in the codification movement. It was, for example, the main inspiration and source for the 1848 Field Code of Procedure, which incorporated many of its provisions. Not in Cohen. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 148. Jumonville, *Bibliography of New Orleans Imprints* 713. [Order This Item](#)



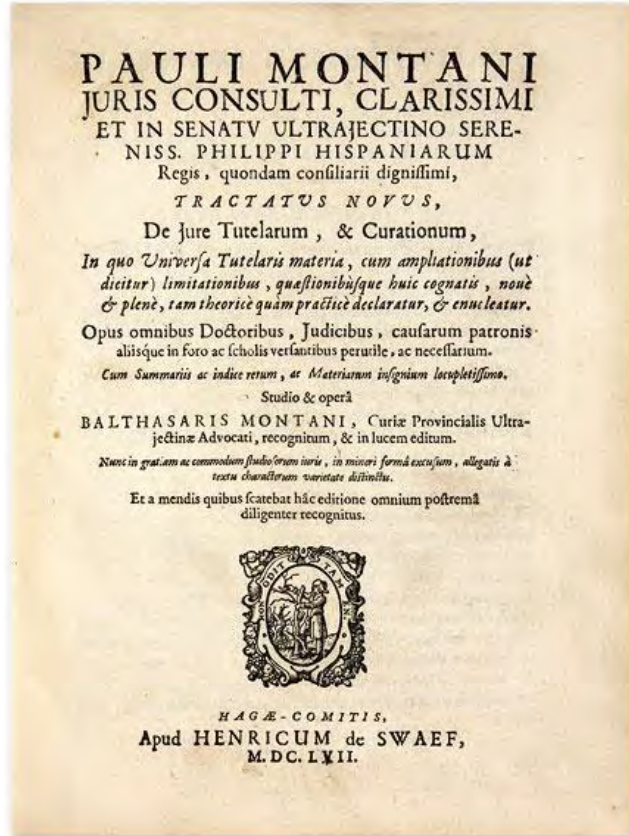
Uncommon 1822 Maryland Treatise on Ejectment

20. McHenry, John [d. 1860].

The Ejectment Law of Maryland: Embracing Within a Narrow Compass, All the Decisions of the Courts of Law of Maryland, Deemed Worthy of Notice, Relating to the Title and Location of Land. Frederick-Town: Printed, At the Herald Press, by John P. Thomson, For the Author, 1822. 264 pp. Octavo (8" x 5").

Contemporary calf, blind fillets to boards, carefully rebacked, lettering piece and gilt fillets to spine, hinges mended. Some rubbing to extremities with wear to corners, faint owner initials to front board, offsetting to margins of endleaves, moderate toning to text. Early owner signature (of Frank Gosnell) to front pastedown, interior otherwise clean. \$450.

* Only edition. "In this work are comprehended in one view and compressed within a narrow compass, all the decisions of our superior courts of law, which have any relation to land titles, and which were thought of importance enough to be published, the author carefully avoiding to crowd into the work decisions which may be found in the common law reports, but taking notice only of those which have a bearing upon local circumstances, and relate to our acts of assembly altering the common law with respect to land titles" (5). Cohen, *Bibliography of Early American Law* 9491. [Order This Item](#)



A Venerable Treatise on Guardian and Ward

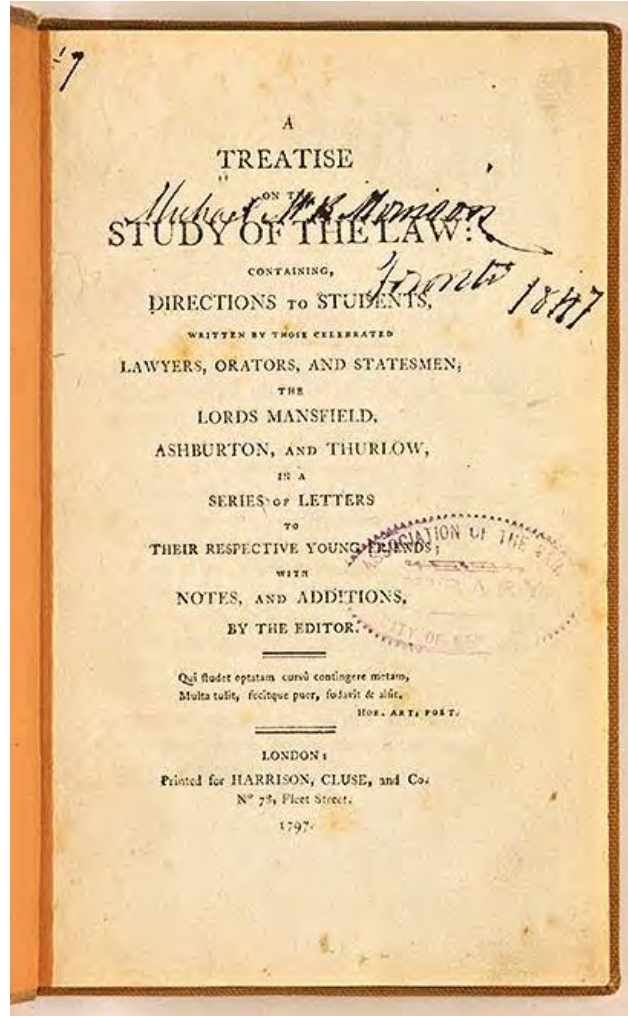
21. Montanus, Paulus [1530-1587].

Montanus, Balthasar, Editor.

Tractatus Novus, De Jure Tutelarum, & Curationum, In Quo Univerſa Tutelaris Materia, Cum Ampliacionibus (Ut Dicitur) Limitationibus, Quaestionibusque huic Cognatis, Nove & Plene, Tam Theoricè Quàm Practicè Declaratur, & Enucleatur. Opus Omnibus Doctoribus, Judicibus, Causarum, Patronis Aliisque in Foro ac Scholis Versantibus Perutile, Ac Neceſſarium. Cum Summariis ac Indice Rerum, Ac Materiarum Insignium Locupletissimo. Studio & Opera Balthasaris Montani, Recognitum, & in Lucem Editum. Nunc in Gratium Accommodum Studiosorum Iuris, In Minori Forma Excusum, Allegatis a Textu Characterum Varietate Distinctus. Et a Mendis Quibus Scætebat hæc Editio Omnium Postrema Diligenter Recognitus. The Hague: Apud Henricum de Swaef, 1657. [xvi], 585, [80] pp. Quarto (7-1/2" x 6").

Contemporary vellum, speckled edges. A few minor stains to boards, spine ends bumped, minor wear to corners, vellum beginning to crack through pastedowns. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown. \$450.

* Later edition. Edited and published by the author's younger brother, this venerable treatise on guardian and ward in Roman and Roman-Dutch law was first published in 1595. It went through seven later editions, the last in 1680. Roberts, writing in 1942, said this is "a work of high authority": *A South African Legal Bibliography* 216. [Order This Item](#)



**Advice on Legal Study from
Mansfield, Ashburton and Thurlow**

22. [Murray, William, 1st Earl of Mansfield (1705-1793)].

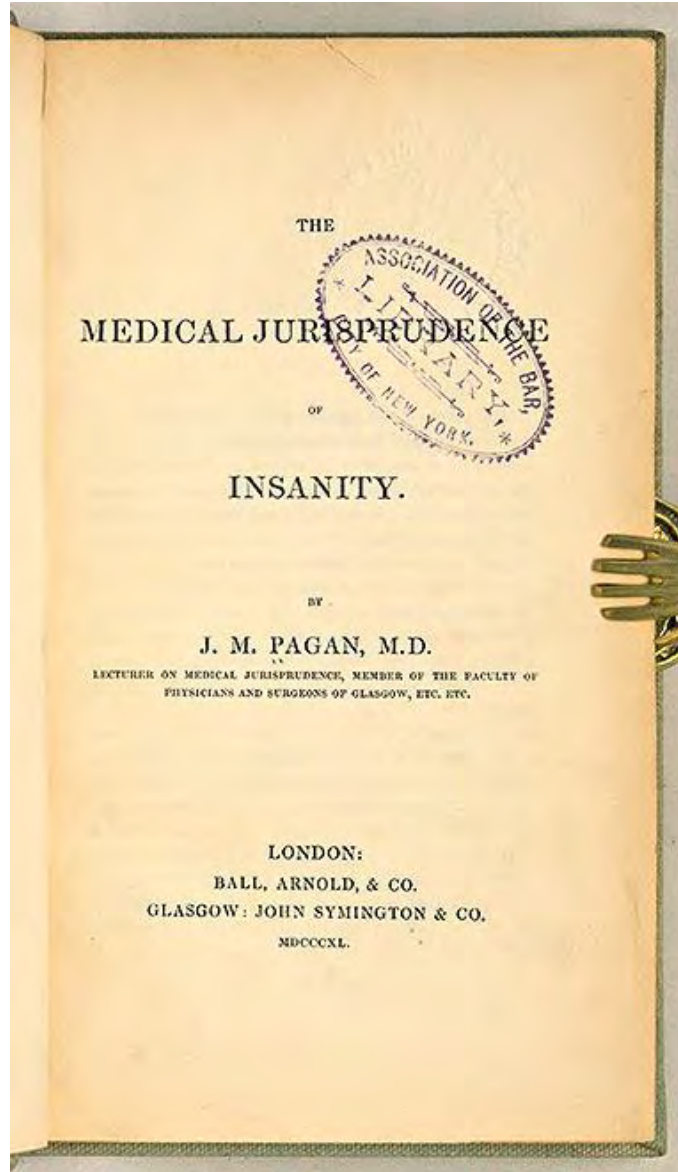
[Dunning, John, 1st Baron Ashburton, (1731-1783)].

[Thurlow, Edward, 1st Baron Thurlow (1731-1806)].

A Treatise on the Study of Law: Containing, Directions to Students, Written by Those Celebrated Lawyers, Orators, And Statesmen, The Lords Mansfield, Ashburton, And Thurlow, In a Series of Letters to Their Respective Young Friends; With Notes, And Additions, By the Editor. London: Harrison, Cluse, and Co., 1797. viii, iii, [1] 147, [1] pp. Octavo (7-3/4" x 4-3/4").

Later library cloth, calf lettering piece to spine. Moderate soiling, light wear to spine ends and corners, upper section lacking from lettering piece, front free endpaper lacking. Light toning to text, negligible faint spotting to a few leaves, faint library stamp and (illegible) early owner signature to title page. \$1,000.

* Only edition. Sir William Murray, or Lord Mansfield, was born in Perth, but came to England in 1718. He became Chief Justice of the King's Bench in 1756 and exerted a great influence on the common law. He suggested to Blackstone the notion of a series of lectures on English law at Oxford and would on occasion explicate principles in court for the benefit of students present. John Dunning, or Lord Ashburton, defended Wilkes against charges of seditious libel. Edward Thurlow, or 1st Lord Thurlow, made his reputation with his speech in the Douglas Cause and became Chancellor in 1778. *English Short-Title Catalogue* T102875. [Order This Item](#)



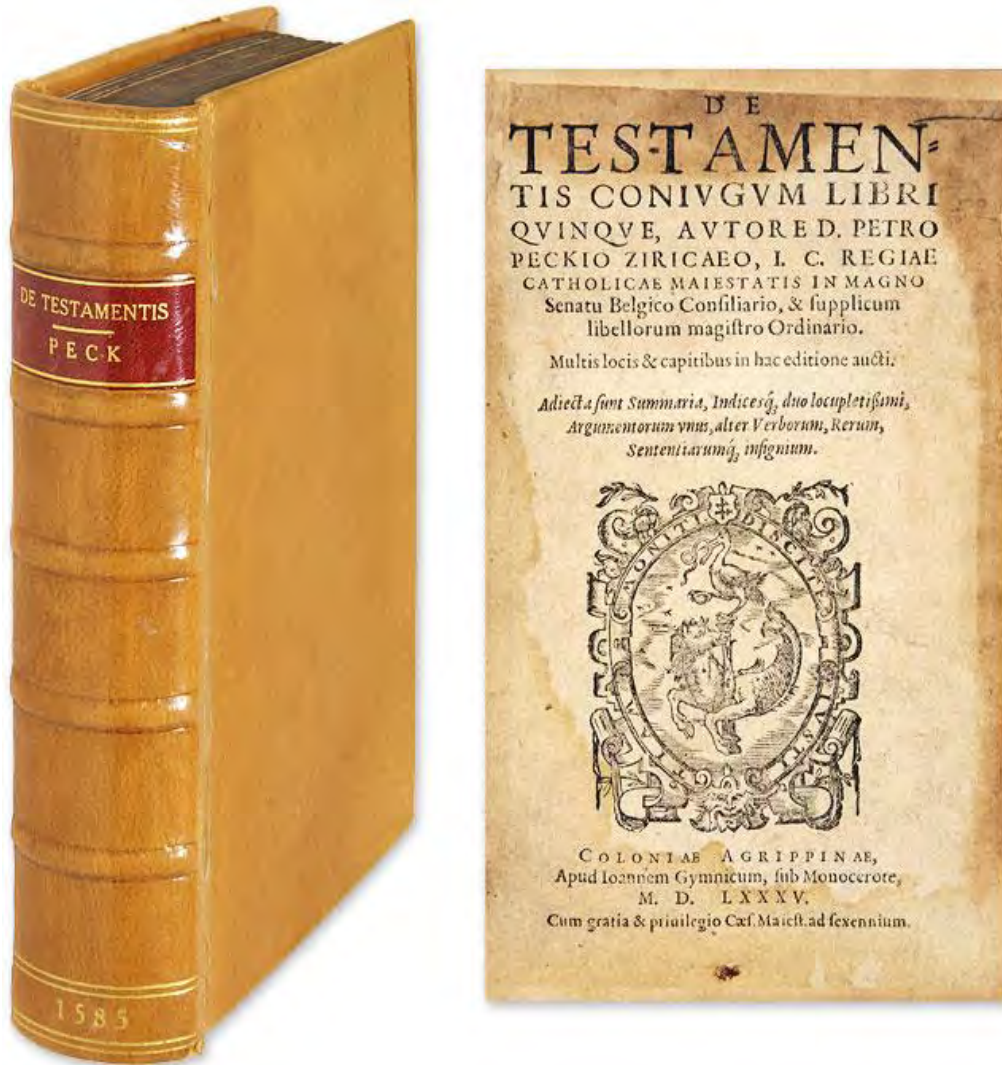
**Scarce Nineteenth-Century
Treatise on Medical Jurisprudence**

23. Pagan, J[ohn] M[acMichan] [1802-1868].

The Medical Jurisprudence of Insanity. London: Ball, Arnold & Co., Glasgow: John Symington, 1840. iv, 327 pp. Octavo (7-3/4" x 4-3/4").

Later library cloth, red and black lettering pieces and paper shelf label to spine. Light shelfwear and soiling, minor wear to edges of lettering pieces. Moderate toning to text, faint library stamp to title page, brief annotations to verso. \$850.

* First edition. Pagan, a physician, was a member of the faculty of the Royal College of Physicians and Surgeons of Glasgow. His treatise is based on "lectures on the Medical Jurisprudence of Insanity, delivered to his students for a number of years past, in his general course of Forensic Medicine" (iii). A second edition was published in 1843. Not in the *Harvard Law Catalogue*, Marvin or Sweet & Maxwell. [Order This Item](#)



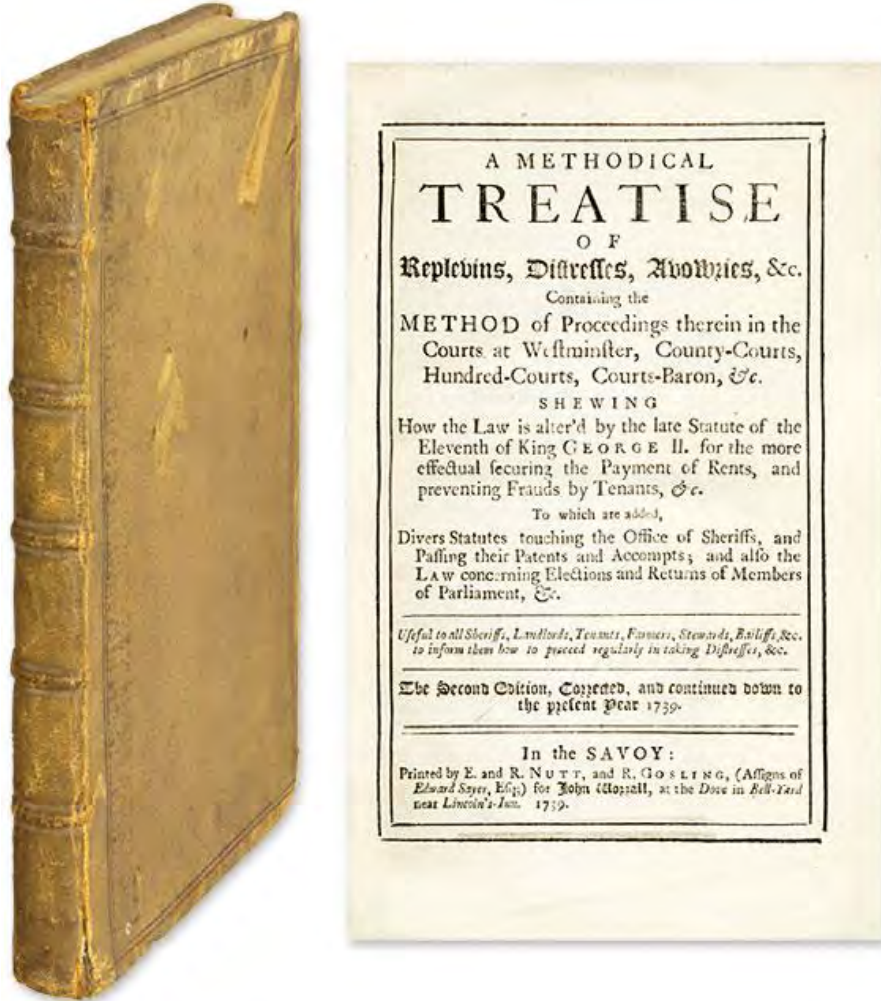
**Notable Treatise on the
Roman Law Concerning Property Left to a Spouse**

24. Peck, Pieter [1529-1589].

De Testamentis Coniugum Libri Quinque; Adiectae Sunt Summaria Indicesque duo Locupletissimi, Argumentorum Unus, Alter Verborum, Rerum, Sententiarumque Insignium. Cologne: Apud Ioannem Gymnicum, 1585. [xvi], 514, [88] pp. Octavo (6-1/2" x 4").

Recent polished calf, raised bands and lettering piece to spine, endpapers renewed, early hand-lettered title to fore-edge of text block, title page mounted and re-hinged. Light rubbing to extremities, some toning to text, occasional faint dampstaining to margins, early private-library bookplate to verso of title page, internally clean. Ex-library. Bookplate to front pastedown. A nice copy. \$950.

* Second (or third) edition, one of two imprints from 1585, the other published in Namur. First published in 1564, *De Testamentis* analyzes the Roman laws that govern property bequeathed to a husband or wife in a will. Educated at the University of Leuven, Peck was a judge of the High Court of Mechelen. Later editions were published in 1599, 1627 and 1665. All are scarce. OCLC locates 2 copies of the 1585 Cologne imprint in North America (at the Morgan Library and the University of Chicago), none of the Namur imprint. This imprint not in Dekkers. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* P1098. [Order This Item](#)



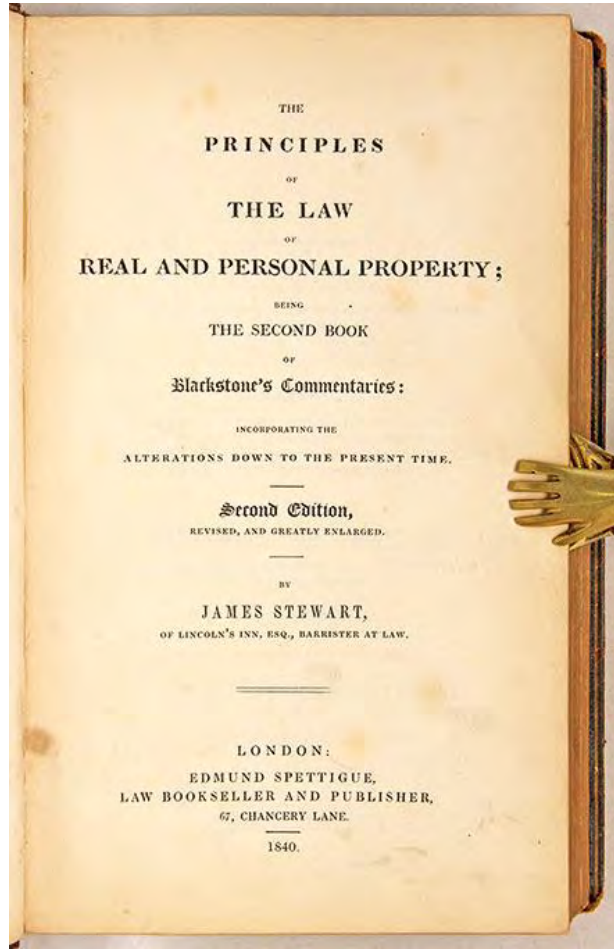
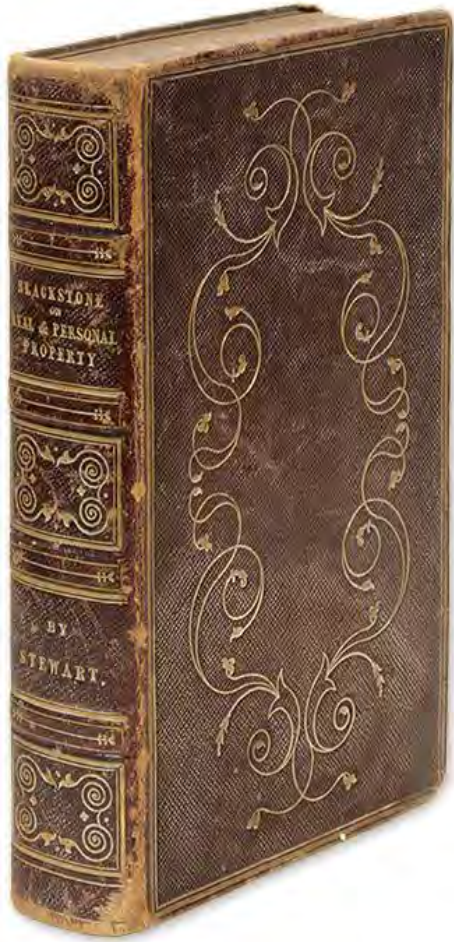
The Law of Replevin in the Early Eighteenth Century

25. [Replevin].

A Methodical Treatise of Replevins, Distresses, Avoutries, &c., Containing the Method of Proceedings Therein in the Courts at Westminster, County-Courts, Hundred-Courts, Courts-Baron, &c., Shewing How the Law is Alter'd by the Late Statute of the Eleventh of King George II. For the More Effectual Securing the Payment of Rents, And Preventing Frauds by Tenants, &c. To Which are Added, Divers Statutes Touching the Office of Sheriffs, And Passing Their Patents and Accompts; And Also the Law Concerning Elections and Returns of Members of Parliament, &c. Useful to All Sheriffs, Landlords, Tenants, Farmers, Stewards, Bailiffs, &c. To Inform Them How to Proceed Regularly in Taking Distresses, &c. Corrected, And Continued Down to the Present Year. [London] Printed by E. and R. Nutt, And R. Gosling, (Assigns of E. Sayer, Esq.) for J. Worrall, 1739. viii, 164 [7] pp. Octavo (8" x 5").

Contemporary sheep, blind rules to boards, blind filets to joints, raised bands and lettering piece to spine. Some rubbing to extremities, a few shallow scuffs to boards, joints just starting at ends, corners bumped and somewhat worn, hinges cracked but secure, front endleaves and upper portion of rear free endpaper lacking, rear pastedown loose, text notably fresh. \$500.

* Second and final edition. The author claims to have treated "Replevins in a more particular and methodical Manner than hitherto has been done" (1). A well-arranged treatise, it offers an excellent overview of this legal area as it existed in the first half of the eighteenth century. OCLC locates 9 copies in North American Law Libraries. This edition not in Sweet & Maxwell. *English Short-Title Catalogue* T123428. [Order This Item](#)



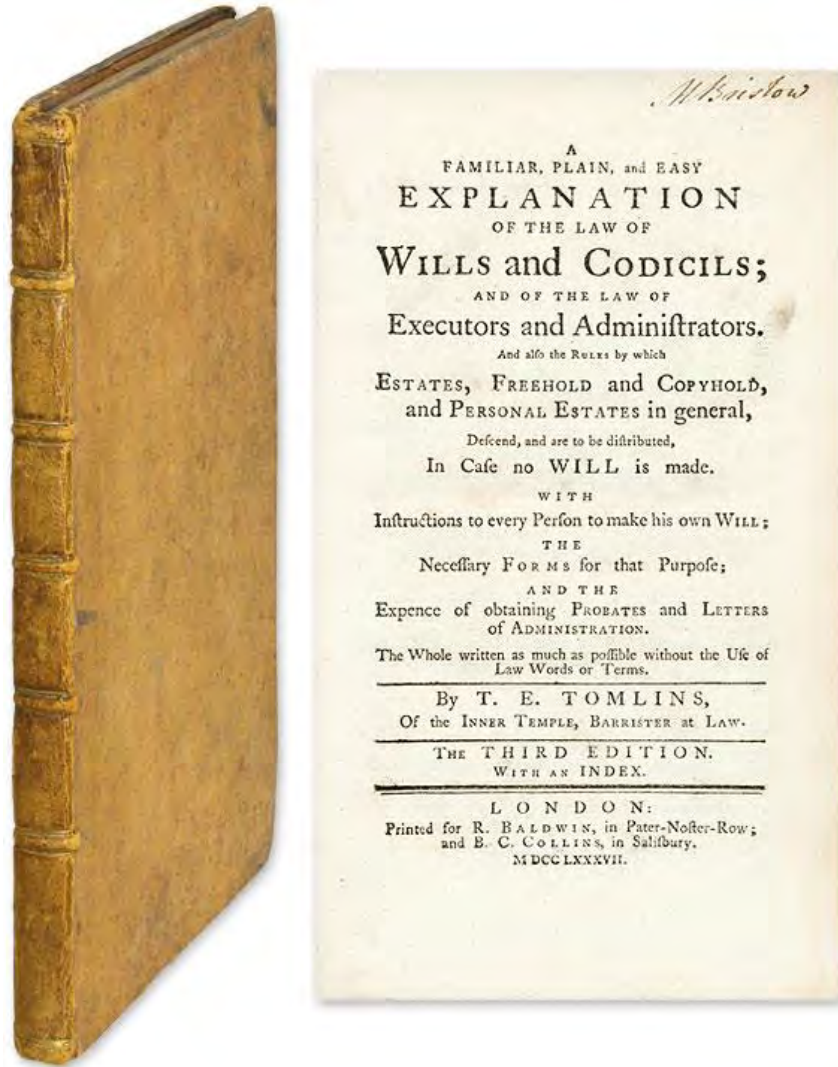
**An Update of the Parts of Blackstone's
Commentaries Concerning Real and Personal Property**

**26. Stewart, James [1805-1860], Editor.
[Blackstone, Sir William (1723-1780)].**

The Principles of the Law of Real and Personal Property; Being the Second Book of Blackstone's Commentaries: Incorporating the Alterations Down to the Present Time. Revised, And Greatly Enlarged. London: Edmund Spettigue, 1840. xxii, 559, xxxiii pp. Copperplate Table of Consanguinity, folding copperplate Table of Descent. Octavo (8-1/2" x 5-1/4").

Contemporary Diced calf, gilt frames and ornaments to boards, raised bands, gilt ornaments and gilt title to spine, all edges gilt. Light rubbing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, front hinge cracked, rear hinge starting, early owner bookplates to front pastedown and free endpaper. Light toning to text, underlining, marks and brief notes in pencil to a few leaves, light foxing to preliminaries and folding table, owner signature to front pastedown. \$250.

* Second edition. "This second edition contains the whole of Blackstone's second book, with Stewart's alterations incorporated into the body of the text. (...) Blackstone's paging of book II is retained in margin. Blackstone's appendix to book II is replaced with forms in contemporary use. In 1841 this work was published in London as book II of *Blackstone's Commentaries on the Laws of England. In Four Books. Twentieth Edition. By James Stewart.* (...) Separate publication of the second book with the title *Principles of the Law of Real and Personal Property* was continued; third and fourth editions were published in London, 1844 and 1853." Ellers, *The William Blackstone Collection in the Yale Law Library* 72a. Laeuchli, *A Bibliographical Catalog of William Blackstone* 113. [Order This Item](#)



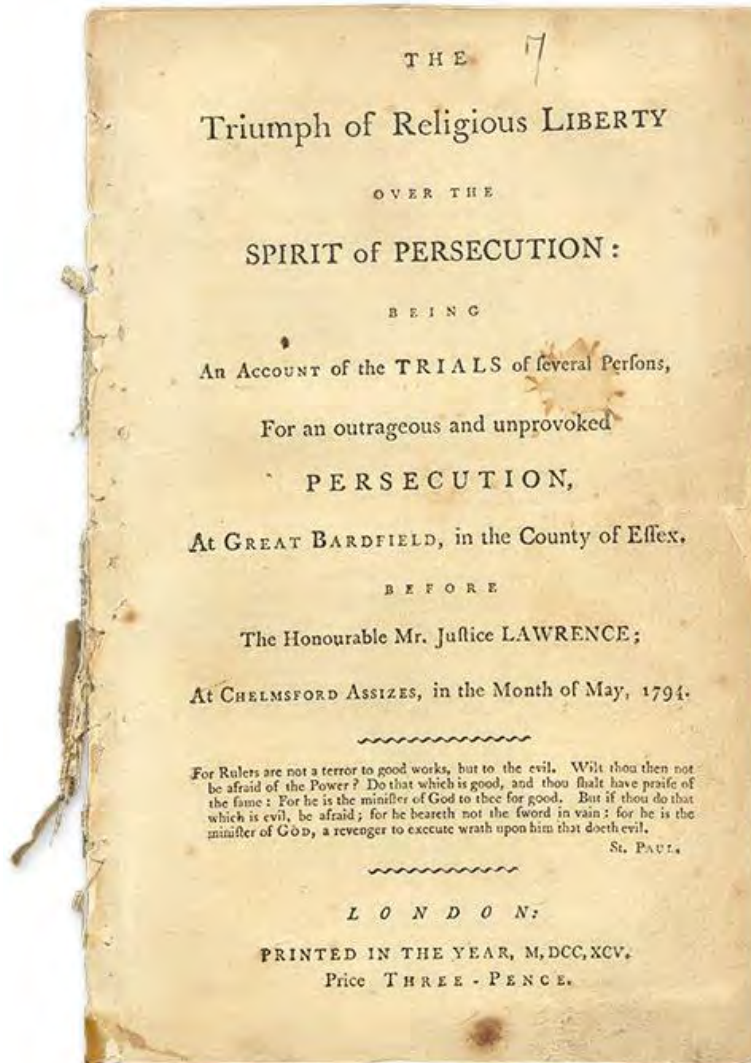
Tomlins on Wills

27. Tomlins, Thomas Edlyne [1761-1841].

A Familiar, Plain, And Easy Explanation of the Law of Wills and Codicils, And of the Law of Executors and Administrators. And Also the Rules by Which Estates, Freehold and Copyhold, and Personal Estates in General, Descend, And Are to be Distributed, In Case No Will is Made. With Instructions to Every Person to Make his Own Will; The Necessary Forms for That Purpose; And The Expence of Obtaining Probates and Letters of Administration. The Whole Written as Much as Possible Without the Use of Law Words or Terms. London: Printed for R. Baldwin, 1787. xii, 137, [3] pp. Octavo (9" x 5-1/2").

Contemporary calf, raised bands to spine. Light rubbing to extremities. Minor toning, light foxing to endleaves, internally clean. A notably well-preserved copy. \$350.

* Third edition. First published in 1785, this useful and popular book went through seven subsequent editions, the last in 1819. It was written for laymen. According to the preface, it was inspired by the author's "daily experience...of the mischiefs attending the neglect of that duty which every man owes his family, friends, or dependents, in the disposal and settlement of his property by will." Tomlins was a leading legal writer of his day. He published an important dictionary, edited important editions of Littleton's *Tenures* and Jacob's *A New Law-Dictionary* and contributed entries to the *Statutes of the Realm*. *English Short-Title Catalogue* T115462. [Order This Item](#)



"An Outrageous and Unprovoked Persecution"

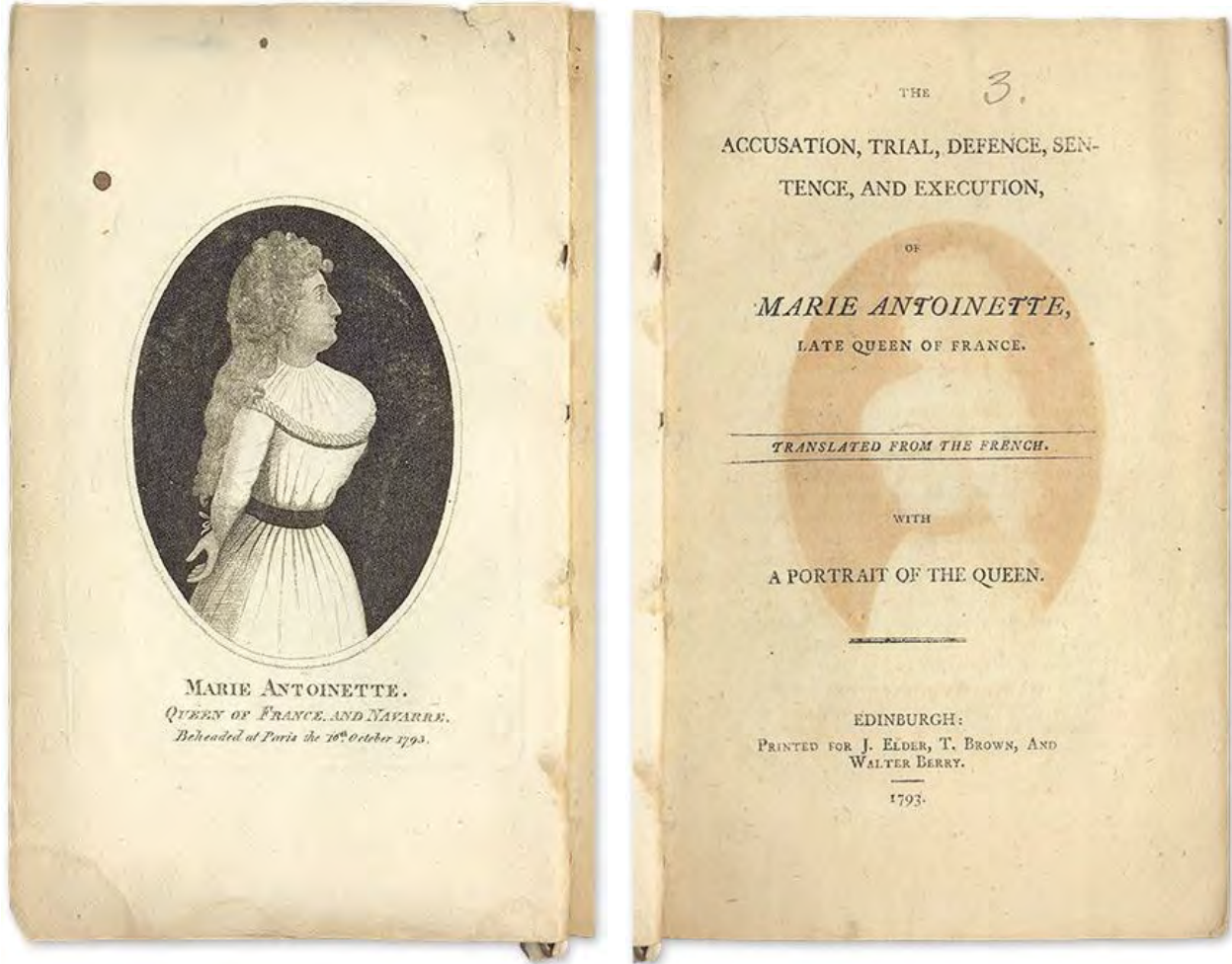
28. [Trial].

Cole, Thomas [et al], Defendants.

The Triumph of Religious Liberty Over the Spirit of Persecution: Being an Account of the Trials of Several Persons, For an Outrageous and Unprovoked Persecution, At Great Bardfield, In the County of Essex. Before The Honourable Mr. Justice Lawrence; At Chelmsford Assizes, In the Month of May, 1794. London: [S.n.], 1795. 32 pp. Octavo (8" x 5").

Disbound stab-stitched pamphlet. Light soiling, some edgewear and a few minor stains to exterior, a few leaves loose. Moderate toning to text, light foxing in a few places, "7" in early hand to head of title page. \$450.

* Only edition. Cole was one of the leaders of a mob who attacked a gathering of Methodists during an outdoor meeting in Great Bardfield, Essex. This was one of a series of sectarian assaults by lower-class Anglicans on middle-class Methodists and other Dissenters, who were resented for their increasing prosperity and social power, as well as their support of the French Revolution. The court convicted the rioters. Issued by an anonymous Methodist, this pamphlet was issued to raise funds to defray legal expenses incurred by the trial. OCLC locates 12 copies in North America, 3 in law libraries (Harvard, Social Law, University of Pennsylvania). *English Short-Title Catalogue* T120844. [Order This Item](#)



An Early Account of the Trial and Execution of Marie Antoinette

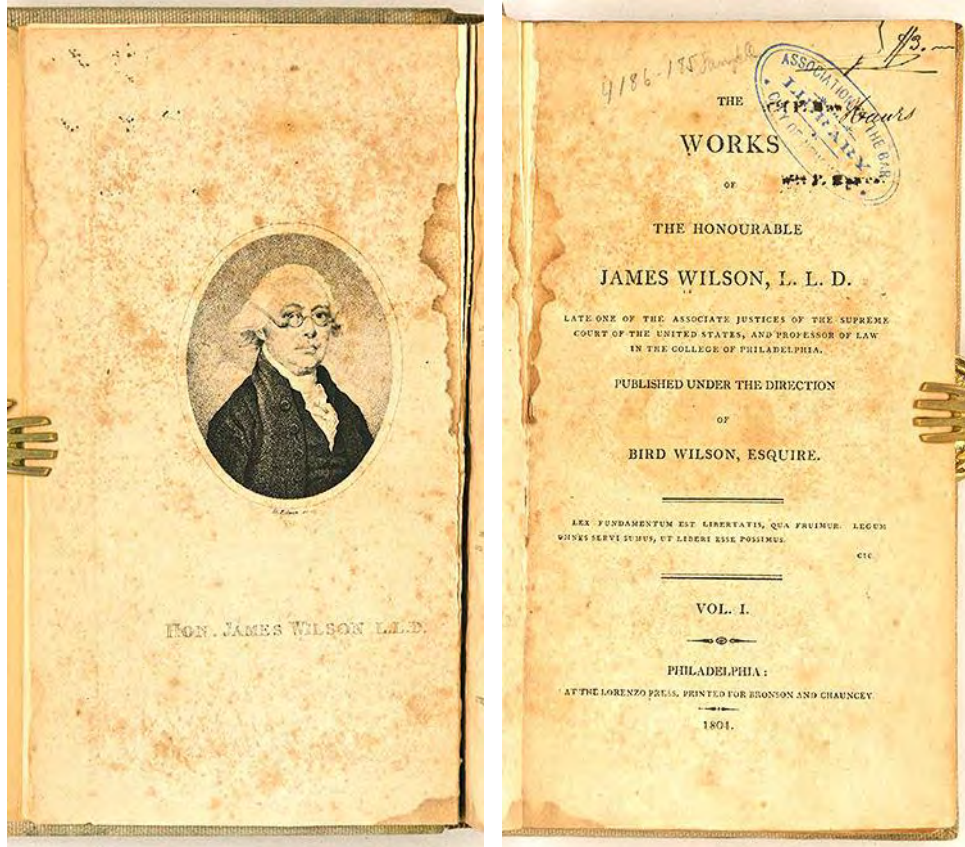
29. [Trial].

Marie Antoinette, Queen Consort of Louis XVI, King of France [1755-1793], Defendant.

The Accusation, Trial, Defence, Sentence, and Execution, of Marie Antoinette, Late Queen of France. Translated from the French. With a Portrait of the Queen. Edinburgh: Printed for J. Elder, T. Brown, and Walter Berry, 1793. 77 pp. Lithograph portrait frontispiece. Octavo (7-7/8" x 5-1/8").

Disbound stab-stitched pamphlet. Light soiling to exterior, a bit of edgewear to corners, moderate toning to text, "3" in early hand to head of title page. \$450.

* Only edition. A victim of the Reign of Terror, Marie-Antoinette was tried on October 14, 1793 and execution via the guillotine on October 16, 1793. Her prosecutor, Fouquier, who was later executed, built a case based on the rumors that formed her unpopular public reputation since her arrival in France as the prospective bride of Louis XVI. This pamphlet appears to be a translation of *Procès de Marie-Antoinette, de Lorraine-D'Autriche, Veuve Capet, Du 23 du Premier Mois, l'an 2 de la République, Octobre 14, 1793. Imprimé, Mot Pour Mot, Selon Toute la Teneur de la Gazette Nationale, Ou Moniteur Universel, Du 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27 d'Octobre 1793* (London, 1793), an account intended for the large number of French refugees living in London. OCLC locates 12 copies, 8 in North America, 3 in law libraries (Indiana Supreme Court, Social Law, University of Minnesota). *English Short-Title Catalogue* T121319. [Order This Item](#)



Contains Important Early Commentaries on the U.S. Constitution

30. Wilson, James [1742-1798].

Wilson, Bird [177-1859], Editor.

The Works of the Honourable James Wilson, L.L.D. Published under the Direction of Bird Wilson, Esquire. Philadelphia: Lorenzo Press, 1804. Three volumes. xvi, 467; vi, 497; iv, 439 pp. Volume I has stipple-engraved portrait frontispiece. Octavo (Volume I: 8" x 5"; Volumes II-III: 8-1/4" x 5-1/4").

Later library cloth, red and black lettering piece and paper location labels to spines. Light soiling, some chipping to edges of lettering pieces, front endleaves and frontispiece in Volume I partially detached, front free endpaper lacking from Volume III. Light browning, light foxing in places, faint dampstaining to a few leaves. Faint library stamp to title page of Volume I, signature partially clipped from its upper corner, signature of Louis McLane to heads of title pages of Volumes II and III. \$1,000.

* First edition. Wilson was one of the most influential delegates to the Federal Constitutional Convention and one of the six founding fathers who signed both the Declaration of Independence and the U.S. Constitution. He was also the principal author of the Pennsylvania Constitution, a professor of law and an Associate Justice of the U.S. Supreme Court. The *Works* are comprised mostly of lectures delivered in 1790-1791 at the College of Philadelphia. They cover several aspects of public and private law, such as the common law, general principles of the law of nations and the law of nature, the U.S. Constitution, crime, obligations and property. The texts of several important speeches given at the Federal Convention and his rousing oration celebrating Pennsylvania's adoption of the Constitution on July 4, 1788 are also included. Many of these pieces are important early commentaries on the Constitution. Louis McLane [1786-1857] was a Delaware lawyer and politician. He was Polk's minister to Great Britain (1845-1846), Jackson's secretary of state (1833-1834), Jackson's secretary of the treasury (1831-1833), a U.S. senator (1827-1829) and a member of the U.S. House of Representatives (1817-1827). Cohen, *Bibliography of Early American Law* 2309. [Order This Item](#)