



# ENGLISH LAW

## 1501–1877

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CATALOGUE 81

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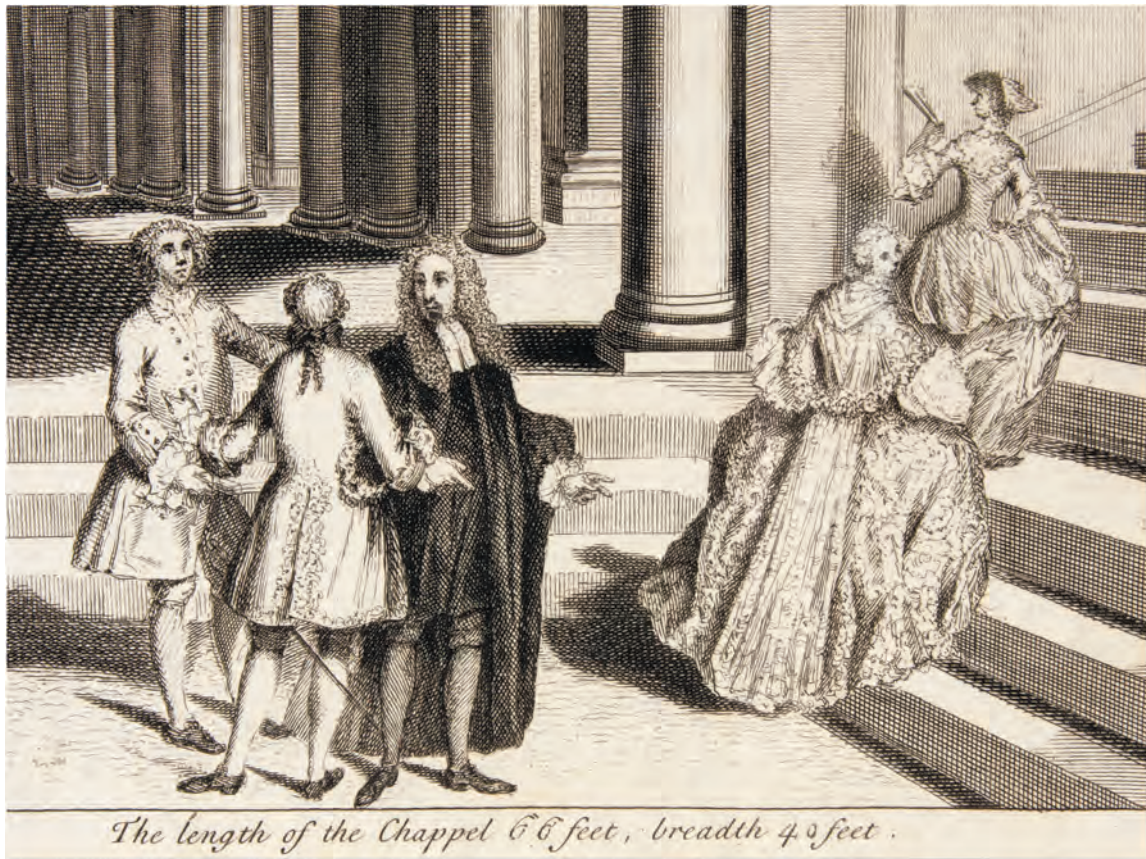


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— 1501–1877 —

BOOKS, MANUSCRIPTS, PAMPHLETS,  
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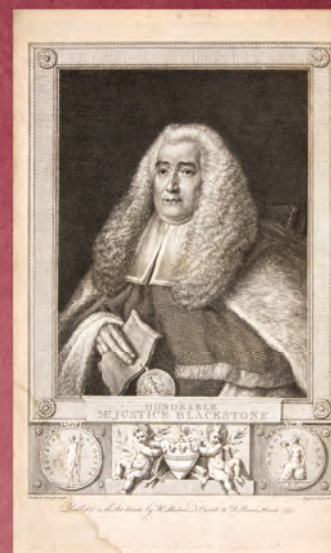
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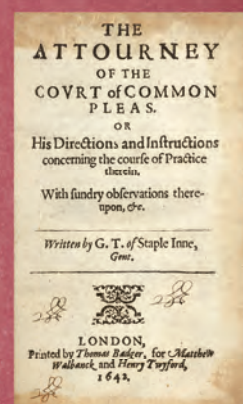
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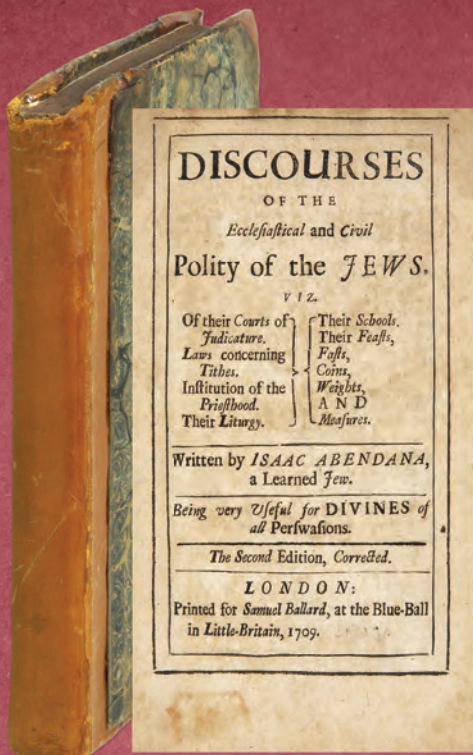


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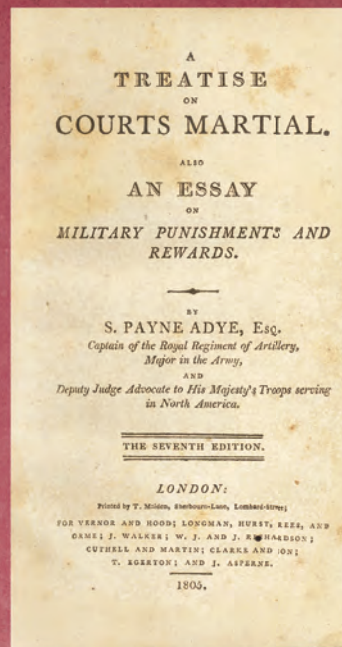


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N° 1



N° 3



N° 2



AN IMPORTANT SOURCE OF INFORMATION ABOUT JEWISH LAW  
AND CUSTOM IN SEVENTEENTH-CENTURY ENGLAND

## 1 ABENDANA, ISAAC [1650-1720].

***Discourses of the Ecclesiastical and Civil Polity of the Jews. Viz. Of Their Courts of Judicature. Laws Concerning Tithes. Institution of the Priesthood. Their Liturgy. Their Schools. Their Feasts, Fasts, Coins, Weights, and Measures. Written by Isaac Abendana, A Learned Jew. Being Very Useful for Divines of all Perswasions.***

London: Printed for Samuel Ballard, 1709. [viii], 100 [i.e.200] pp. Octavo (6-1/2" x 3-3/4").

Contemporary three-quarter calf over marbled boards with later rebacking, front free endpaper and rear endleaves renewed, speckled edges. Moderate rubbing to boards and extremities, some chipping to spine ends, corners bumped, rear hinge starting, crack in text block between pp. 196 and 197. Moderate toning to text, faint dampspotting in a few places. Later annotations in pencil to rear endleaf, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy of a scarce title, very few copies of this edition in North America. \$2,000.

SECOND AND FINAL EDITION, a reissue of the first edition with a cancel title page. Born in Spain, Abendana, a member of the Sephardic community, was *hakam* (local rabbi) of the Spanish Portuguese Synagogue in London. He also pursued an academic career. He taught Hebrew at Cambridge University and went on to join the faculty of Magdalen College, Oxford. A prolific writer, he was England's authority on Jewish religion, culture and law. This reputation was due in part to his annual *Oxford Almanack*. In addition to the expected almanac topics, each issue contained information about Jewish customs, laws and other matters. The *Discourses* collect the Jewish-related material from his almanacs. Counting both editions, OCLC locates 4 copies in North American law libraries (at the Library of Congress, New York University and UC-Berkeley, which have the first edition, and Harvard, which has the second). ESTC T32015.

"A LITTLE TOO HUMAN TO BE STRICTLY SCIENTIFIC"

## 2 ACTON, JOHN [D. 1350]. [BADIUS, JOSSE (1462-1535), EDITOR].

***Constitutiones Legitime seu Legatine Regionis Anglicane: Cul[m] Subtilissima Interpretatione D[omi]ni Johannis de Athon: Triplici[que] Tabella. Necnon et [Con]stitutiones Provinciales ab Archiepiscopis Cantuariensibus Edite: Et Sum[m]a Accuratione Recognite: Annotate et Parisiis Coimprese.***

[Paris: Wulfgangi Hopilii et P[ro]vissimi Bibliopole Joa[n]nis Co[n]flue[n]tini, (13) September 1504]. Collation: A-B8, a-e8, f10, g-o8, p6, q-s8 (-r1-8), t-v6 (-v6, a blank). [xvii], clv ff. Complete. Main text in parallel columns surrounded by two-column linear gloss. Quarto (10-1/2" x 7-1/2").

Recent calf, boards have gilt rules enclosing handsomely tooled blind panels, gilt spine with raised bands and lettering piece, endpapers renewed. Printed throughout in red and black, woodcut pictorial title page, divisional title page (f. 1) and vignette at head of main text (f. 2), woodcut initials, some pictorial. Light toning to text, faint dampstaining in places, mostly confined to margins, occasional worming, mostly to rear of text, with negligible loss to text, brief early annotations to a few leaves. A handsome copy. \$4,500.

FIRST EDITION BY BADIUS. Acton's *Constitutiones* was the first major treatise on English canon law. It is a commentary

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

THE FIRST ANGLO-AMERICAN TREATISE ON COURTS-MARTIAL

## 3 ADYE, S[TEPHEN] PAYNE [D.1794].

***A Treatise on Courts Martial. Also An Essay on Military Punishments and Rewards.***

London: Printed by T. Maiden for Vernor and Hood, [et al.], 1805. viii, 292 pp. 12mo. (6-1/2" x 4").

Contemporary three-quarter calf over marbled boards, gilt spine with raised bands and lettering piece, all edges gilt. Moderate rubbing, mostly to extremities, hinges cracked, early armorial bookplate to front pastedown. Toning to text, occasional light foxing, internally clean. \$1,850.

SEVENTH EDITION. First published in New York in 1769, this title is the first Anglo-American treatise on courts-martial (and the 1769 edition was one of the first law books printed in America). It was the standard guide used by the British and American forces during the Revolutionary War. The first part is a history of martial and military law and an overview of courts martial, courts of inquiry, appeals, the duties of the judge advocate, and the mode of trial. The second part discusses procedure, which is based, as much as possible, on procedure in common law. A standard treatise for many years, and an authority today, it went through eight editions, the final in 1810. Adye was Deputy Judge Advocate for the British Army in North America from 1769 to 1783. OCLC locates 12 copies of the seventh edition worldwide, 8 in the U.S., 2 in Canada. Wiener 182-188. Sweet & Maxwell 2:4.



Detail from N° 2



## NOTABLE EARLY DIGEST OF COKE'S REPORTS

- 4 ASHE, THOMAS [FL. 1699-1618].  
[COKE, SIR EDWARD (1552-1634)].

*Un General Table, A Touts les Severall Livres de les Reports de le Darreine Tresreverend Iudge, Sir Edward Coke Chevalier, Iadis Chiefe Iustice de Banke le Roy, Per Quelle, Touts les Cases & Matters in Yceux Conteynus, Puissent Facilement Estre Troves. Oues[que] Deux Catalogues Alphabetical, Lun de les Principal Cases, Lauter de Touts les General Titles Naturellement Surdant Hors del Matter des Dits Reports.*

London: Printed by the Assignes of Iohn More Esquire, 1631. [560] pp. First and final leaves are blank. Includes three-page publisher list. Main text in parallel columns. Octavo (6-3/4" x 4").

Contemporary calf with later rebacking, lettering piece and raised bands to spine, endpapers renewed. Light wear to spine ends and corners, crack in text block between title page and following leaf, final leaf partially detached. Moderate toning to text, light browning to outer margins. Faint owner signature to head of title page, interior otherwise clean. Ex-library. Stamps to edges and endleaves, bookplate to front pastedown. \$500.

THIRD AND FINAL LAW-FRENCH EDITION. First published in 1606, this is an important early digest of the *Reports* of Edward Coke then published (Parts 1-11, first published 1600-1615). A popular work, it went through three editions in Law-French (in 1606, 1618 and 1631) and three editions in English (in 1652, 1653 and 1672). It was also reprinted in 1664 and 1680 editions of Coke's *Reports*. Sweet & Maxwell 1:297 (16, 17). ESTC S3988

"SO AS MUCH TO ENABLE THE YOUNG CLERK"

- 5 ATTORNEY OF THE COURT.

*The Attorney's Compleat Guide in the Court of Common Pleas: Containing the Whole Modern Practice of the Court, Laid Down in a New, Familiar, and Concise Manner, With Practical Remarks on Each Head, Illustrated by Cases Selected from the Best and Latest Authorities: And also an Account of the Monies Paid Out of Pocket on Each Particular Article of Business at the Publick Offices and Judges Chambers; So as to Enable the Young Clerk to Prosecute or Defend a Suit from its Commencement to Judgment and Execution, Through All the Different Minutiae of Practice, Without Further Assistance.*

London: Printed by W. Strahan and M. Woodfall, 1773. vii, [1], 371, [1] pp. 12mo (6-1/2" x 4").

Contemporary sheep, blind fillets to boards, raised bands and early hand-lettered initials "G P" to spine. Moderate rubbing to extremities, a few minor nicks, scuffs and stains to boards, small scuff near foot of spine, corners bumped, pastedowns loose. Light toning to text, faint inkspots to a few leaves. Early owner stamp (J. Ridout) to front free endpaper, interior otherwise clean. A handsome copy. \$950.

ONLY EDITION. "The following sheets were at first composed merely for private Use: The great Advantage the Author has reaped from them in an extensive Practice is his chief Inducement for offering them to the Public, as a sure Guide whereby the Young Clerk may readily acquire every necessary Information with respect to this Court" (iii). This is a scarce title. OCLC locates 6 copies in North American law libraries (Harvard, LA County, Library of Congress, University of Minnesota, York, Yale). ESTC N15039.

## SIX SCARCE TITLES ON BANKRUPTCY, HERETICS, LEGAL REFORM AND THE PROFESSIONAL CONDUCT OF LAWYERS

- 6 [BARLOW, THOMAS (1607-1691)].

*A Discourse Concerning the Laws, Ecclesiastical and Civil, Made Against Hereticks, By Popes, Emperors and Kings, Provincial and General Councils, Approved by the Church of Rome: Shewing I. What Protestant Subjects May Expect to Suffer Under a Popish Prince Acting According to Those Laws. II. That No Oath or Promise of Such a Prince Can Give Them Any Just Security That He Will not Execute these Laws Upon Them. With a Preface Against Persecuting and Destroying Hereticks. By a Cordial Friend to the Protestant Religion Now by Law Established in These Realms. Now Re-Published, With an Introduction.*

London: Printed for John Wyat, 1723. xviii, [6], 128 pp. Octavo (7-1/4" x 4-1/2"). Third edition. ESTC T31931.

[BOUND WITH]  
AN ATTORNEY.

*Proposals Humbly Offered to the Parliament for Remedying the Great Charge and Delay of Suits at Law and in Equity. The Sixth Edition.*

London: Printed for James Roberts, 1730. [ii], iv, 42 pp. Octavo (7-1/4" x 5"). Seventh and final edition. ESTC N12389.

[AND]

*The Statutes at Large Concerning Bankrupts, Containing a Compleat Collection of All Such Acts of Parliament as in Any Way Relate to Bankrupts. To Which is Added, A Table by Way of Abstract, Of All the Aforesaid Acts, Digested Under Proper Heads.*

London: Printed by J. Baskett, 1735. [iv], 143, [27], 4, [2] pp. Octavo (7-1/2" x 5"). Third edition. ESTC T225267.

[AND]

[FOBTON, JOHN].

*Friendly Hints to Young Gentlemen, Who Are or Intend to be Bound by Articles to Attorneys or Solicitors.*

[London?: S.n.], 1754. 15 pp. Octavo (7-1/2" x 5"). Second edition? Not in the ESTC, which lists editions from 1751 and 1758.

[AND]

*Observations on the Duty of an Attorney and Solicitor. Submitted to the Publick Consideration, But Addressed More Especially to Young Practisers of the Law.*

London: Printed for J. Shuckburgh, 1759. Octavo (7-1/2" x 4-3/4"). Only edition. ESTC T63402.

[AND]

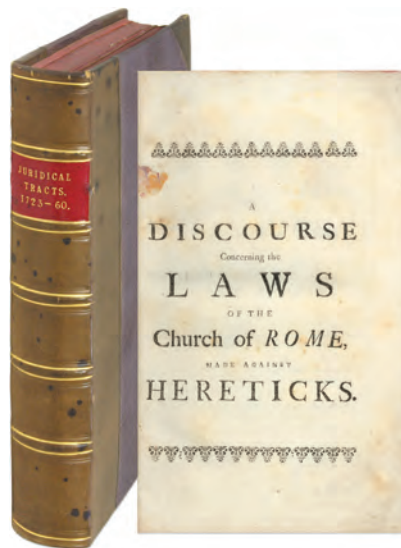
AN ATTORNEY.

*A Serious Address to All Gentlemen of the Law, Who Are Zealous for Promoting the Honour of Their Profession.*

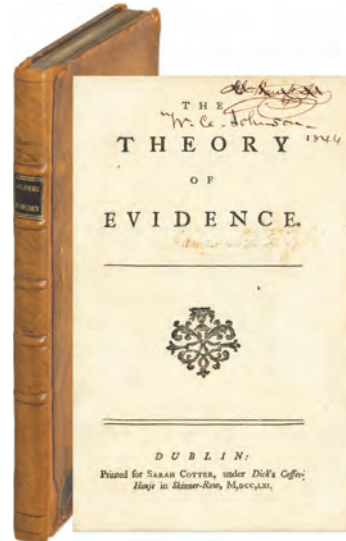
London: Printed for the Author, 1760. v, 35, [1] pp. Octavo (7-1/2" x 4-3/4"). Only edition. ESTC N38086.

Six titles in all. Nineteenth-century three-quarter calf over pebbled cloth, gilt-edged raised bands and lettering piece to spine (reading: Juridical Tracts 1723-60). Some dampspotting (which looks like intentional mottling), light rubbing to extremities with negligible wear to spine ends, joints and corners, armorial bookplate of the Earl of Macclesfield to front pastedown. Light to moderate toning, browning and light foxing in a few places. Occasional annotations to margins of *Proposals*, markings to a few other leaves elsewhere, interiors otherwise clean. An interesting group. \$4,000.

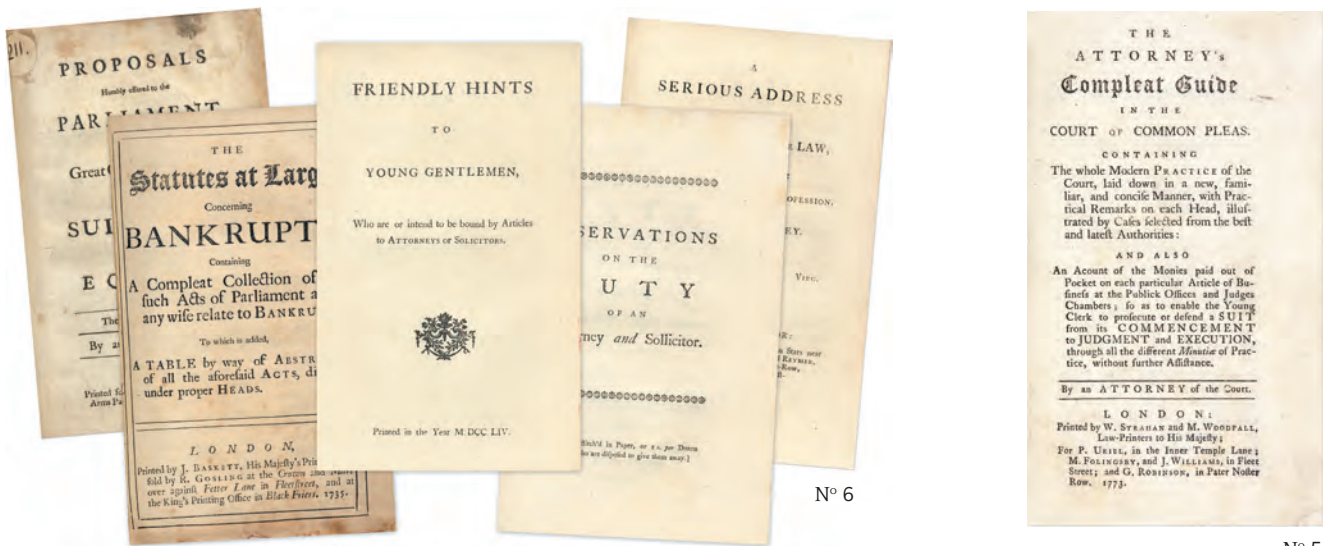




N° 6



N° 7



N° 6

N° 5

THE FIRST EDITION of the *Statutes at Large Concerning Bankrupts* appeared in 1728. It offers an interesting perspective on the legal ramifications of the South Sea Bubble and other financial failures associated with Great Britain's transformation into a market society based on overseas trade and colonization. Later editions appeared in 1733, 1735, 1756 and 1765. *Proposals* was originally published in 1707. It offers reforms to expedite law suits, which could go on for decades in eighteenth-century England. Barlow's *Discourse*, first published in 1686, the eve of the Glorious Revolution, is an anti-Jacobite tract. It was republished in 1723 and 1744, the years of two Jacobite threats: The Atterbury Plot and the ill-fated French invasion of 1744. The final three items deal with the legal profession. *Friendly Hints* and *Duty* deal with professional conduct. A *Serious Address* outlines a proposal to establish a fund for widows and children of indigent lawyers. All editions of *Bankrupts* are scarce, as are copies of *Friendly Hints*, *Observations* and a *Serious Address*.

THE ENGLISH LAW OF EVIDENCE IN  
THE MID-EIGHTEENTH CENTURY

## 7 [BATHURST, HENRY].

### *The Theory of Evidence.*

Dublin: Printed for Sarah Cotter, 1761. [iv], 123, [9] pp. Includes one-page printer advertisement. Octavo (7-1/2" x 5").

Contemporary calf, rebaked in period style, raised bands and lettering piece (reading incorrectly "Gilbert Theory") to spine, corners and hinges mended. A few shallow scuffs and some minor stains to boards. Moderate toning to text, light foxing in places. Later owner signature (of C.H. Buffett) to front pastedown, three other signatures (one erased, one illegible and one of W.C. Johnson) to head of title page, interior otherwise clean. A nice copy of a scarce title. \$950.

SOLE DUBLIN EDITION, published the same year in London. Published anonymously, this concise treatise is a good summary of the field as it stood in the mid-eighteenth century. It was later incorporated into Buller's treatise on *nisi prius*. An interesting feature is the Analysis and Index, which arranges the book's contents in a tree diagram with page references. OCLC locates 12 copies in North American Law libraries, 5 of the Dublin issue. Sweet & Maxwell 1:378 (1).



"SUPPLIES A CHASM IN THE PRINTED YEAR BOOKS"

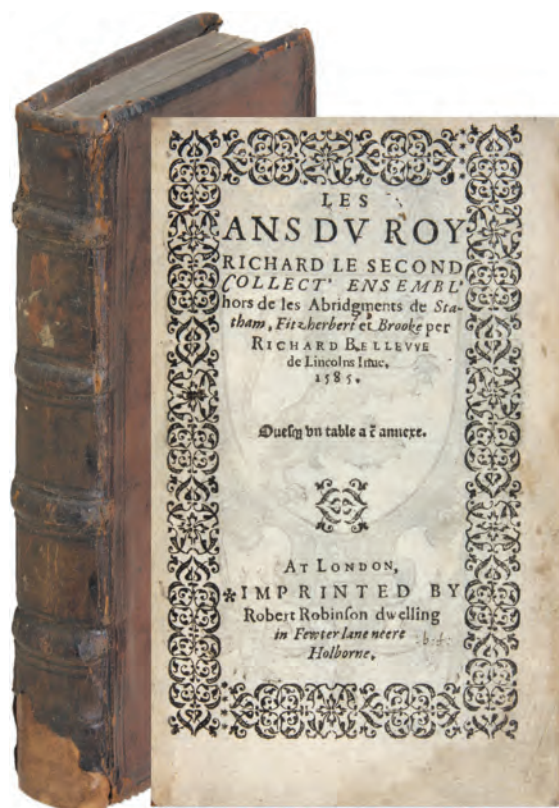
## 8 BELLEW(E), RICHARD, COMPILER.

*Les Ans du Roy Richard le Second Collect' Ensemble' Hors de les Abridgments de Statham, Fitzherbert et Brooke.*

London: Imprinted by Robert Robertson, Dwelling in Fewter Lane Neere Holborne, 1585. [viii], 326 [i.e. 342], [6] pp. Collates complete. Octavo (6" x 4-1/2").

Contemporary calf, blind rules and large central arabesques to boards, raised bands to spine, later repair to foot of spine, endpapers renewed. Moderate rubbing to extremities, with some wear to head of spine, corners bumped and somewhat worn, joints just starting near head. Title printed within woodcut typographical border, large woodcut arms to verso of title page, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, very light foxing in places, faint dampstaining to a few leaves, internally clean. \$2,500.

FIRST EDITION (one of 3 imprints issued in 1585). As Wallace notes, this alphabetical abridgement of a Year Book of Richard II covering the Courts of King's Bench and Common Pleas from 1378 to 1400 "supplies a chasm in the Year Books." He says it is "very rare," and it is indeed rather scarce. OCLC locates 12 copies of this edition (all imprints). Wallace 111-112. Beale R478.



N° 8

RARE FIRST IRISH EDITION OF BENTHAM'S  
FRAGMENT ON GOVERNMENT

## 9 [BENTHAM, JEREMY (1784-1832)].

*A Fragment on Government: Being an Examination of What is Delivered, On the Subject of Government in General, In the Introduction to Sir William Blackstone's Commentaries: With a Preface, In Which is Given a Critique of the Work at Large.*

Dublin: Printed for J. Sheppard, W. Whitestone, J. Hoey, J. Potts, J. Williams, J. Colles, T. Walker, T. Armitage, W. Spotswood, C. Jenkin, J. Hillary, J. Beatty, and C. Talbot, 1776. [ii], xli, [1], 132 pp. Octavo (8-1/4" x 4-3/4").

Recent period-style calf, gilt spine with lettering piece, endpapers renewed. Light toning, heavier in places, faint dampstaining to upper margins of text block in places. Early owner signatures to title page (of James Simons, Robert Lewis Simons and E. B. Potter, R.I.), interior otherwise clean. An appealing copy in an attractive binding. \$4,000.

RARE FIRST IRISH EDITION of Bentham's first work and a masterly criticism of Blackstone's *Commentaries*. The work was the first indication of the genius which later made him the foremost writer in the field. "As Bentham is one of the few English writers of mark upon the theory of political institutions, and as his doctrine forms a link in the chain of English political philosophy, we still read the 'Fragment in Government' in order to see, not how far Blackstone was wrong, but how far Bentham was right" (Montague). As Laeuchli notes, "Catherine Eller had not seen a copy at the time of her landmark comprehensive bibliography of Blackstone, she mentions it in a footnote." OCLC locates 6 copies in North America, 2 in law libraries (Baylor, Ohio State). Additional copies found at Yale Law School and the Library of Congress. The ESTC locates eight locations in the British Isles. Montague, "Introduction" in Bentham, *A Fragment of Government* (Oxford, 1891) 59. Not in Eller. Laeuchli 577.



N° 9



A NOTABLE EIGHTEENTH-CENTURY  
ENGLISH HISTORY OF ROMAN LAW

THE LAST EDITION  
ISSUED BY BLACKSTONE

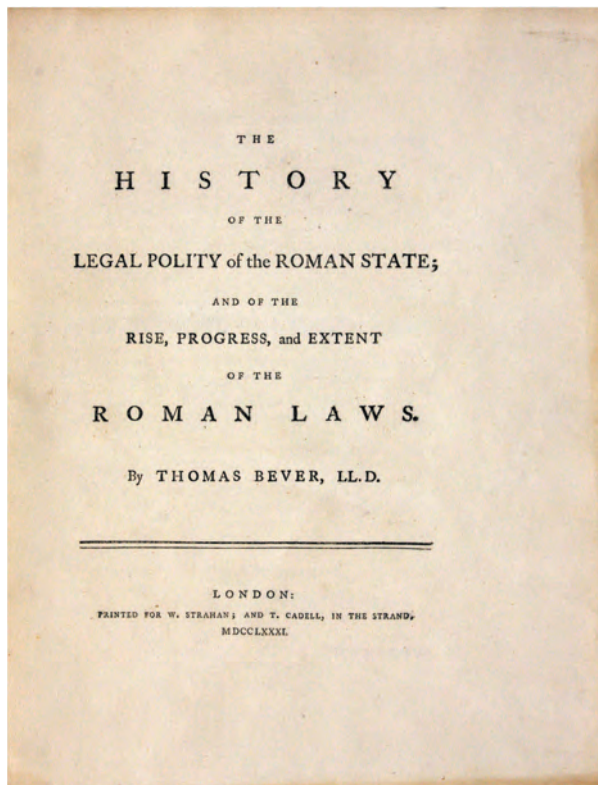
10 BEVER, THOMAS [1725-1791].

***The History of the Legal Polity of the Roman State; and of the Rise, Progress, and Extent of the Roman Laws.***

London: Printed for W. Strahan; and T. Cadell, in the Strand, 1781. [xii], xii, 515 pp. Quarto (11" x 9").

Contemporary calf, rebaked in period style with gilt fillets and lettering piece, hinges mended. Light rubbing to extremities, a few minor scuffs to boards, corners bumped and somewhat worn. Light toning to text, foxing to endleaves. Later annotation to front free endpaper, interior otherwise clean. \$1,500.

ONLY EDITION. Bever's legal history in the manner of Gibbon is praised for its "learning and acuteness" in the *DNB*. Also a cautionary work, it was intended to provide cautionary guidance to the leaders of the rising British Empire. A fellow of All Souls and an Advocate of Doctors' Commons, Bever was a judge of the Cinque Ports and chancellor of the dioceses of Lincoln and Bangor. Also a student of the common law, he attended Blackstone's Vinerian lectures. Bever intended to write another volume to carry his history to a later period, but he never finished it. *DNB* II:446-47. Sweet & Maxwell 5:139.



Nº 10

11 BLACKSTONE, SIR WILLIAM [1723-1780].

***An Analysis of the Laws of England.***

Oxford: Printed at the Clarendon Press, 1756. x, [iv], 180 pp. 2 folding copperplate tables. Octavo (8" x 5").

Contemporary speckled calf, blind rules and fillets to boards, rebaked in period style, gilt fillets to board edges, raised bands and lettering pieces to spine, marbled endpapers, front endleaf endpaper re-hinged. Light rubbing and some shallow scuffing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, early armorial bookplate (of Thomas Leman) to front pastedown. Light toning to text. Early owner signature and annotation to front endleaf, interior otherwise clean. An appealing copy. \$750.

SIXTH EDITION. Revised by Blackstone, this is the best edition of this work. First published anonymously in 1756, the *Analysis* is a synopsis of Blackstone's Vinerian lectures at Oxford. Issued as a companion to his course, it was, in effect, the outline for Blackstone's *Commentaries on the Laws of England* (1765-1769). The main text is preceded by a detailed diagrammatic table of contents. The plates depict lines of descent and consanguinity. Many editions of the *Commentaries* published after Blackstone's death contain the text of this edition of the *Analysis*, divided into four books and printed in the corresponding volumes of the *Commentaries*. Eller 223. Laeuchli 526.

EDITION OF BLACKSTONE'S COMMENTARIES  
WITH 13 COPPERPLATE PORTRAITS

12 BLACKSTONE, SIR WILLIAM.  
CHRISTIAN, EDWARD [D. 1823], EDITOR.

***Commentaries on the Laws of England, in Four Books. With the Last Corrections of the Author; and With Notes and Additions by Edward Christian.***

London: Printed by A. Strahan and W. Woodfall, 1793-1795. Four volumes. Copperplate portrait frontispieces of Blackstone (Volume I), Littleton (Volume II), Mansfield (Volume II) and Hale (Volume IV), nine other portrait copperplates of important English jurists interspersed throughout, copperplate "Table of Consanguinity" and folding "Table of Descents" (Volume I). Complete with 13 engraved portraits in all. Octavo (8-1/4" x 5-1/4").

Recent period-style quarter morocco over marbled boards, raised bands, gilt ornaments and gilt titles to spine, untrimmed edges, early armorial owner bookplates to front pastedowns. Light toning to text, negligible light foxing in places, internally clean. A handsome set. \$950.

TWELFTH EDITION, and the first edition with Christian's notes. Blackstone's paging retained in margins. "This edition was originally published in numbers, each number containing the portrait of a judge. (...) The editor is designated on the title pages of this edition as 'Edward Christian, esq., barrister at law, and professor of the Laws of England in the University of Cambridge.' His notes are printed as footnotes, separated from those of Blackstone by a rule. A selection of Christian's notes is included in most American editions of the *Commentaries*" (Eller). The jurists depicted in the plates in the text are Somers, Fortescue, Coke, Holt, Gilbert, Comyns, Hardwick, Foster and Raymond. Eller 21. Laeuchli 26.



INCLUDES THE FIRST BIOGRAPHY OF BLACKSTONE

13 BLACKSTONE, SIR WILLIAM.  
[CLITHEROW, JAMES, EDITOR].

*Reports of Cases Determined in the Several Courts of Westminster Hall from 1746-1779. Taken and Compiled by the Honourable Sir William Blackstone, Knt. Late One of the Justices of the Court of Common Pleas. Published According to the Direction in His Will, From His Original Manuscript, By His Executors. With a Preface, Containing Memoirs of His Life.*

Dublin: Printed for Messrs. Chamberlaine, Colles [et al], 1789. Two volumes. [ii], xxxi, [15], 679, [1], 38; [xx], 681-1333, [1], 46 pp. Octavo (8-1/2" x 5").

Recent period-style calf. Blind rules to boards, raised bands and lettering pieces to spine. Light to moderate toning to text, some browning to outer edges of margins, light foxing in places, internally clean. A handsome set. \$750.

SECOND DUBLIN EDITION. A collection of cases from 1746 to 1779, this work includes the first biography of Blackstone. "These reports, with one exception, were compiled entirely by Blackstone from his own notes 'contained in five large note books, all written with his own hand; and prepared for the press, even to an index, and a table of matters...The work reaches down to the end of Michaelmas term, 1779.' (...) The one report not taken by Blackstone himself is the Case of Burgess v. Wheate in Vol. 1, which was reported by Mr. Fazakerly. Blackstone's 'literal errors or omissions' were corrected by the editor, James Clitherow, Blackstone's brother-in-law and executor. The preface in vol. 1...includes an account of the life of Blackstone, which was reprinted verbatim or with slight changes, in many editions of the *Commentaries* after the author's death. Following the biographical sketch is an account of the compilation and editing of Blackstone's *Reports*": Eller 227 (notes quoted from entry to 225). ESTC N48805. Laeuchli 532.

FIRST EDITION OF A NOTABLE SEVENTEENTH-CENTURY  
TREATISE ON BANKRUPTCY AND FRAUDULENT CONVEYANCES

## 14 B[LOUNT], T[HOMAS] [1618-1679].

*The Resolutions of the Judges Upon the Several Statutes of Bankrupts: As Also the Like Resolutions Upon 13 Eliz. And 27 Eliz. Touching Fraudulent Conveyances. By T.B., Esq.*

London: Printed for T. Twyford, 1670. [ii], 206 pp. Final leaf, a blank, lacking. Folding tabular table of contents. Main title page followed by another title page, possibly a cancel, reading (in part) *The Several Statutes Concerning Bankrupts, Methodically Digested*. A second part, beginning on p. 177, has a divisional title page reading (in part) *The Resolutions of the Judges, Upon 13 Eliz. And 27 Eliz. The Statutes Touching Fraudulent Conveyances*. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, early hand-lettered title to fore-edge of text block, margins of final leaf (pp. 205-206) repaired. Moderate toning to text, minor worming to margins in a few places, negligible edgewear to preliminaries. An attractive copy of a very scarce title. \$1,500.

FIRST EDITION. This brief treatise was one of the earliest books on the topic. Blount was a member of the Inner Temple. Prohibited to practice at the Bar because he was a Catholic, but blessed with a large private income, Blount turned to legal scholarship, historical studies and lexicography. A second edition was issued in 1676. Both are very scarce. OCLC locates 4 copies of the first edition in North American law libraries (Jenkins, Library of Congress, University of Minnesota, Yale). ESTC R19029.

HEAVILY-ANNOTATED SEVENTEENTH-CENTURY TREATISE ON  
BANKRUPTCY AND FRAUDULENT CONVEYANCES

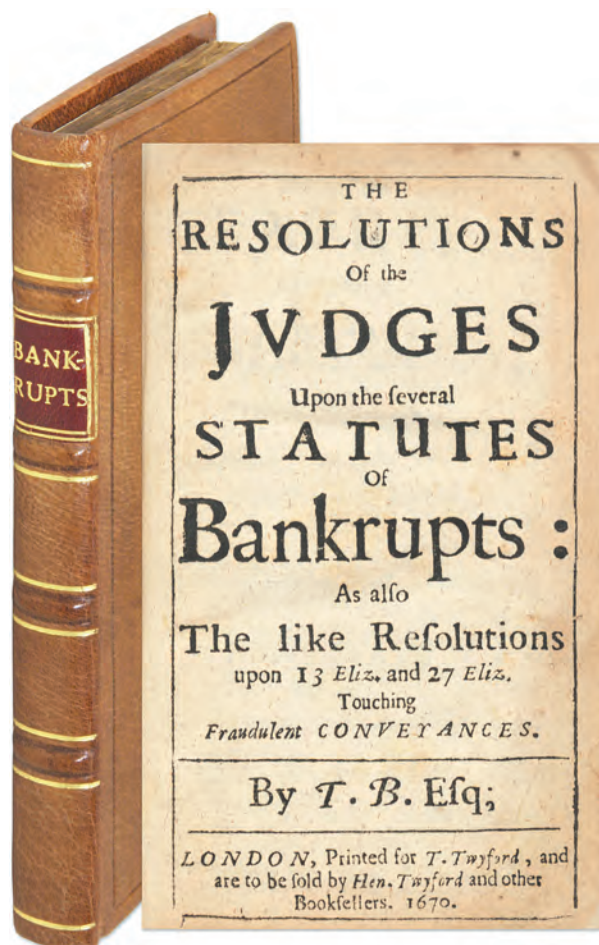
15 [BLOUNT, THOMAS].  
BILLINGHURST, GEORGE, ATTRIBUTED.

*The Judges Resolutions Upon the Several Statutes Concerning Bankrupts, With the Like Resolutions on the Statutes of 13 Eliz. And 27 Eliz. Touching Fraudulent Conveyances.*

London: Printed for Henry Twyford, 1676. 206, [2] pp. A second part, beginning on p. 176, has a divisional title page reading *The Resolutions of the Judges, Upon 13 Eliz. and 27 Eliz. the Statutes Touching Fraudulent Conveyances*. Octavo (5-1/2" x 3-1/2").

Later library cloth, lettering piece to spine, hinges reinforced. Light rubbing to extremities, light soiling to spine. Moderate toning, faint dampstaining to margins in a few places. Two early owner signatures to title page, one dated 1735, underlining and annotations throughout text, some notes affected slightly by trimming. Ex-library. Stamps to edges, boards and free endpapers, bookplate to front pastedown, perforated stamp to title page. A solid copy of a scarce title. \$1,000.

SECOND AND FINAL EDITION. OCLC locates 12 copies in North America, 10 in law libraries. ESTC R4175.



N° 14



16 BLOUNT, THOMAS.  
NELSON, WILLIAM, EDITOR.

*A Law-Dictionary and Glossary, Interpreting Such Difficult and Obscure Words and Terms, As are Found Either in Our Common or Statute, Ancient or Modern, Laws. With References to the Several Statutes, Records, Registers, Charters, Ancient Deeds and Manuscripts, Wherein the Words and Terms are Used. To Which are Added Above Two Thousand Two Hundred Words, Collected from All the Laws of the Saxon, Danish and Norman Kings: And From All the Ancient Books of the Common Law, From the Monasticon Anglicanum, Du Fresne's Glossary, The Chronicon Saxonum, And the Volumes Lately Published by Dr. Gale. Likewise an Explanation of All the Ancient Names of the Inhabitants, Cities, Towns, Villages and Rivers of Great Britain. Collected Formerly by Mr. Camden and Others, And Necessary for the True Understanding the History and Laws of this Realm. By W. Nelson, of the Middle Temple, Esq.*

[London]: Printed by Eliz. Nutt and R. Gosling, 1717. [330] pp. Main text in parallel columns. Folio (13" x 8").

Contemporary calf, blind rules to boards, blind fillets to joints, raised bands to spine, lettering piece lacking. Light rubbing to extremities, somewhat heavier rubbing to spine, a few scuffs to boards, a small length of calf lacking from fore-edge of rear board, corners bumped, some chipping to head of spine, minor worming to rear pastedown, front joint starting at ends, front hinge cracked, early bookplate (of G. Helyar) to front pastedown. Some toning to text, internally clean. \$450.

THIRD AND FINAL EDITION. Blount aimed to correct the defects he found in Cowell's *Interpreter* (1607) and Rastell's *Termes de la Ley* (1523). Nelson, the editor of the final edition, claimed to have added nearly three thousand words, which he collected from all the laws of the Saxon, Danish and Norman kings. Blount's *Dictionary* was first published in 1656, and along with Rastell's, Cowell's and Spelman's, is one of the earliest English law dictionaries. Sweet & Maxwell 1:6. Cowley 202.

THE LAWS, RIGHTS AND LIBERTIES OF LONDON

17 BOHUN, WILLIAM.

*Privilegia Londini: Or, The Rights, Liberties, Privileges, Laws, And Custom of the City of London. Wherein are Contained, I. The Several Charters Granted to the Said City, From King William I. to the Present Times. II. The Magistrates and Officers Thereof, With Their Respective Creations, Elections, Rights, Duties, And Authorities. III. The Laws and Customs of the City, As the Same Relate Either to the Persons or Estates of the Citizens; Viz. of Freemens Wills, Feme-Sole Merchants, Orphans, Apprentices, &c. IV. The Nature, Jurisdiction, Practice, And Proceedings of the Several Courts Thereof, With Tables of Fees Relating Thereto. V. The Several Statutes Concerning the Said City, And Citizens, Alphabetically Digested. With Large Additions.*

London: Printed for John Walthoe Junr., 1723. xvi, 498, [22] pp. Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind frames to boards, later calf rebinding with blind fillets and red and black lettering pieces, endpapers renewed. Rubbing to extremities with light wear, a few minor scuffs to boards. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, occasional light dampspotting. Early owner name to head of title page, annotations to margins of a few leaves. Ex-library. Inkstamps to boards, bookplate to front pastedown, perforated stamps to title page and a few other leaves. A solid copy. \$750.

THIRD AND FINAL EDITION. "Having observed in the Course of our English History many Attempts made (by the Ministers of some artful and designing Princes) to weaken and undermine the ancient, legal, and fundamental Rights, Liberties, and Privileges of the City and Citizens of London: I thought myself obliged to Endeavor to collect and ascertain such Laws, Customs, and Usages of the said City, Wherein the Original Constitution and Foundation of its Government seem to have been laid; and whereby its Happiness, Opulency, and Glory do (under God and his present Majesty) evidently subsist" (Preface). Though little is known about him personally, Bohun was an attorney and prolific author who published well-received treatises on legal education, pleading, ecclesiastical law and other subjects. The first and second editions of *Privilegia Londini* were published in 1702 and 1716. ESTC T130094.

THE FIRST IRISH LEGAL TREATISE

18 BOLTON, SIR RICHARD [c.1570–1648].  
TRAVERS, MICHAEL.

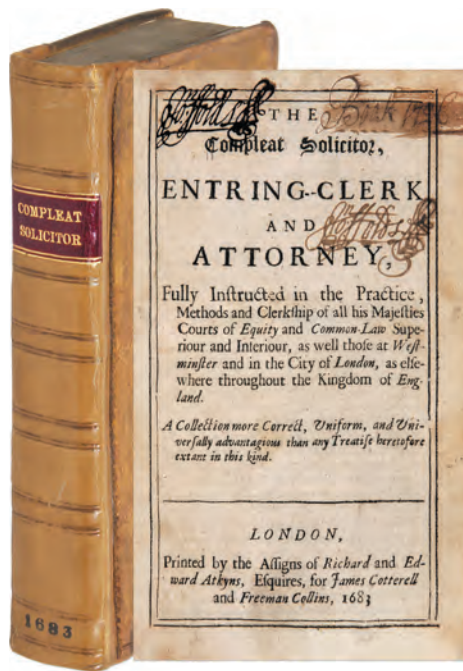
*A Justice of Peace for Ireland: Consisting of Two Books; The First, Declaring the Exercise of That Office by One or More Justices of Peace Out of Sessions; The Second, Setting Forth the Form of Proceeding in Sessions, And the Matter to be Enquired of and Handled Therein. To Which are Now Added, In an Alphabetical Order, All the Statutes Now in Force in England and Ireland, (Since Sir Richard Bolton Published His Said Treatise) Which Concern the Office of a Justice of Peace for Ireland, Both in and Out of Sessions. Here are Likewise Added, Three Tables: The First Shews the Several Titles in Sir Richard Bolton's Treatise to Which Additions Have Been Made. The Second Shews the Several New Titles Added; And the Third is Designed for the More Easy Finding Several Particular Matters Contained Under the General Titles. With a Compleat Index to the Whole. Also, Some Precedents of Committals, Convictions, Summonses and Warrants, Are Added, As a Help to Justices of the Peace in the Execution of Their Office. With a Table of the Precedents.*

Dublin: Printed for J. Leathley, And T. Moore, 1750. xiv, 586, 292 pp. Two parts, each with title page and individual pagination. Quarto (10" x 8").

Contemporary calf, raised bands and recent period-style lettering piece to spine. Light rubbing to extremities, a few minor scuffs and stains to boards, minor worming to lower edges of pastedowns and some adjacent leaves. Light toning, a bit darker in places, faint dampstaining to portions of text, internally clean. A nice copy. \$700.

THIRD AND FINAL EDITION. First published in 1638, this was the first Irish legal treatise. Considerably enlarged by Travers, the third is the preferred edition of this work. Bolton was chief baron of the Irish Court of Exchequer. OCLC locates 9 copies of this edition in North American law libraries. Sweet & Maxwell 4:8–9.





NOTABLE FOR ITS INSIGHTS  
INTO SEVENTEENTH-CENTURY LEGAL PRACTICE



THE BEST EDITION OF BRITTON

19 [BOOTH, WILLIAM, ATTRIBUTED].

*The Compleat Solicitor, Entering-Clerk and Attorney, Fully Instructed in the Practice, Methods and Clerkship of all His Majesties Courts of Equity and Common-Law Superiour and Inferiour, As Well Those at Westminster and in the City of London, As Elsewhere Throughout the Kingdom of England. A Collection More Correct, Uniform, And Universally Advantagious than Any Treatise Heretofore Extant in this Kind.*

London: Printed by the Assigns of Richard and Edward Atkyns, 1683. [xvi], 462 pp. Octavo (6-1/2" x 4").

Contemporary calf with later rebacking, blind rules to boards, fillets along joints, raised bands and lettering piece to spine, endpapers renewed. Negligible rubbing to boards, light rubbing to extremities, corners bumped and somewhat worn, rear joint just starting at foot. Light toning to text, faint dampspotting in places. Early owner signatures to head of title page, early markings to a few passages, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy of a scarce title. \$950.

FIFTH AND FINAL EDITION. Holdsworth cites this book for its insight into seventeenth-century legal practice. He considered it one of the best books of its kind. A book of "intensely practical character," it discusses the "process of the different courts, with instructions as to the manner and time of taking the various steps in an action, with the forms of pleading, with the modes of executing, with the fees payable at the different offices of the courts, with the forms of conveyances and other documents which clients would be likely to need" It was first published in 1666 as *The Compleat Sollicitor* (note spelling). Later editions, which retain the spelling "Sollicitor," were published in 1668 (twice) and 1672. All editions are scarce. No copies recorded at auction on ABPC or RareBookHub; OCLC locates 4 copies of the fifth edition in North American law libraries (Columbia, Harvard, Library of Congress, Yale). Holdsworth VI:437 ESTC R40294.

20 [BRETON, JOHN LE (D. 1275), ATTRIBUTED].  
WINGATE, EDM[UND] [1596-1656], EDITOR.

*Britton. The Second Edition. Faithfully Corrected According to Divers Ancient Manuscripts of the Same Booke.*

London: Printed by the Assigns of John Moore, 1640. [xv], 287, [21] ff. Octavo (5-3/4" x 3-1/2").

Recent period-style speckled calf, blind rules to boards, raised bands and blind rules to spine, endpapers renewed, other endleaves lacking, early armorial bookplate (of James Bengough of ye Inner Temple London Gent. 1702) to verso of title page. Some toning to text, light foxing in a few places, light foxing to title page, internally clean. A handsome copy. \$1,250.

SECOND EDITION. Text in Law French, preliminaries and corrections in English. Along with *Fleta*, *Britton* is one of two significant law books produced during the reign of Edward I [1272-1307]. According to Francis Morgan Nichols, editor of the 3rd ed. (1865), it is a legal compilation with no known author, wrongly attributed to John Britton, or Le Breton, bishop of Hereford. The oldest English book in Law-French, it was probably a response to a wish of Edward I to produce a digest of the English law in the spirit of Justinian's *Institutes*. Book One outlines the authority of justices and officers and defines the nature of various personal pleas (including pleas of the crown). Book Two describes disseisins and their remedies. Book Three treats intrusions and their remedies. Book Four describes pleas relating to advowsons and the property of churches (and of attainments). Book Five outlines pleas of dower and entry. Book Six defines different kinds of proprietary actions. In all, this treatise offers an incomparable overview of British law during the medieval era. The first edition was issued was printed in 1540. As Wingate observes, it is "exceeding full of manifest imperfections," including the omission of an entire chapter (Advertisement [iii]). Wingate corrects these errors and supplies the missing chapter. (All of these improvements to the 1540 edition are listed in an appendix.) Copies on this title were found in the libraries of several discerning readers, such as Thomas Jefferson, who had a copy of the 1640 edition. Sweet & Maxwell 1:52 (11). Sowerby 1773.





A SELECTION FROM BROOKE'S ABRIDGEMENT

## 21 [BROOKE, SIR ROBERT (D.1558)].

*Ascuns Novell Cases de les Ans et Temps le Roy, H.8. Ed.6. Et la Roygne Mary, Escrite ex la Graund Abridgement, Compose per Sir Robert Brooke Chivalier &c. La Disperse en les Titles. Mes Icy Collect Sub Ans.*

[London]: In Aedibus Richardi Tottelli, 1578. [1], 116, [3] ff. Collates complete. Octavo (5-1/2" x 4-1/4").

Contemporary calf, blind rules to boards, recently rebacked, raised bands and lettering piece to spine, hinges mended, early hand-lettered title to fore-edge of text block. Light rubbing to extremities, corners bumped, a few minor nicks to boards. Title printed within woodcut architectural border. Moderate toning to text, somewhat heavier in places, occasional faint dampstaining to margins, light soiling to title page. Early owner annotations to title page and a few leaves, interior otherwise clean. An attractive copy. \$1,000.

FIRST EDITION. Also known as *Brooke's New Cases*, *Petit Brook* or *Bellewe Temp. Henry VIII*, this book is a selection of cases from 1514-1558 taken from Brooke's great *Abridgement* (1568), a digest of more than 20,000 cases and notes from the Year Books, Fitzherbert's *Natura Brevium*, and other sources. Later editions were published in 1587, 1597, 1604, 1624, 1625, 1628 and 1651. All of these are scarce. Concerning the first edition, OCLC locates 7 copies in North America, all in law libraries (Boston College, Columbia, Georgetown, Social Law, University of Maine, University of Washington, Yale). ESTC S116228. Beale R480.



"A WORTHY AND PAINFUL WORK"

## 22 BROOKE, SIR ROBERT.

*La Graunde Abridgement, Collecte & Escrite per le Iudge Tresreverend Syr Robert Brooke Chivalier, Nadgairs Chiefe Iustice del Common Banke.*

[And]

*La Secounde Part du Graunde Abridgment...*

London: In Aedibus Richardi Tottell, 1576. Two parts in one. [ii], 351; [i], 328 ff. Collates complete. Two parts in one. Small folio (9-1/4" x 6").

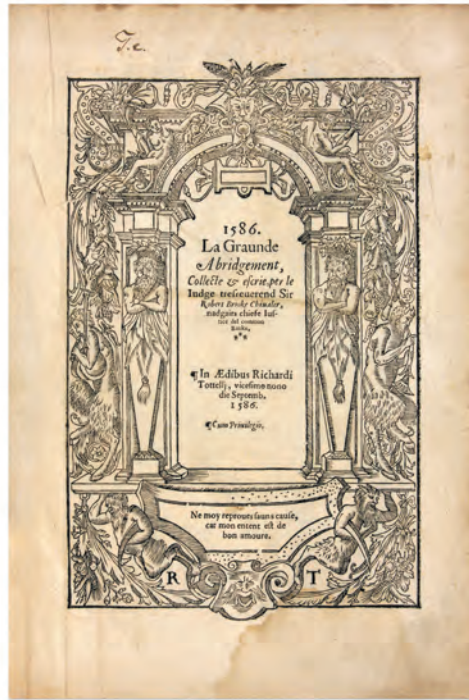
Contemporary calf with recent rebacking, blind panels with large corner fleurons to boards, raised bands and lettering piece to spine. Moderate rubbing to board edges, a few minor scratches and scuffs, corners bumped and somewhat worn, hinges starting. Titles printed within woodcut architectural borders, woodcut decorated initials. Moderate toning to text, faint dampstaining to foot of text block, minor loss to fore-edges of title pages due to trimming. Tiny early owner signatures to title page of first part, interiors otherwise clean. An attractive copy. \$1,250.

SECOND EDITION. Sir Robert Brooke was renowned for his great learning as a scholar and his probity as a judge. Holdsworth notes that Brooke's *Abridgement* "is based on Fitzherbert's *Abridgement*, but it contains much new material. In particular it abridges fully the Year Books of Henry VII's and Henry VIII's reigns." Brooke abridged nearly 21,000 cases under 404 alphabetical headings. He proceeded with great care and accuracy, and is understood to have had access to the original records of the Year Books. Coke calls the *Abridgement* "a worthy and painful work and an excellent repertory or table for the Year Books of the Law." It was first issued in 1573. Coke cited in Marvin 151. HEL II:545. ESTC S106717. Beale R471, R472.





PREFERRED EDITION OF "AN EXCELLENT REPERTORY  
OR TABLE FOR THE YEAR BOOKS"



N° 23

"A SURE LAW-GUIDE" FOR CONVEYANCERS

## 23 BROOKE, SIR ROBERT.

*La Graunde Abridgement, Collecte & Escrite per le Iudge Tresreverend Syr Robert Brooke Chivaler, Nadgairs Chiefe Iustice del Common Banke.*

[London]: In Aedibus Richardi Tottelli, 1586.

[And]

*La Secoude Part du Graunde Abridgement....*

[London]: In Aedibus Richardi Tottelli, 1586. [iv], 351; [i], 2-328 ff. Collates complete. Two parts in one. Small folio (11" x 7-1/2").

Recent period-style calf, raised bands and gilt-stamped title to spine, blind rules and corner fleurons to boards, endpapers renewed. Titles printed within handsome woodcut architectural borders. Light toning to text, faint dampstaining in places, repairs to upper corners of first title page and following leaf. Early underlining and brief annotations to some leaves, early initials to head of first title page, internally clean. \$2,000.

THIRD EDITION. This edition is superior to earlier printings, in which abbreviations are frequently unintelligible. A fair number of important early American lawyers had copies of this title, and it remained a reference into the nineteenth century. Thomas Jefferson, to cite on example, had a copy of the present edition. OCLC locates 13 more in North American law libraries. OCLC locates 13 copies of this edition in North American law libraries. Coke cited in Marvin 151-52. Beale R473, R476. Sowerby 1777.

## 24 BRYDALL, JOHN [B. 1635?].

*Ars Transferendi Dominium: Or, A Sure Law-Guide to the Conveyancer. Consisting of Many Observations and Various Questions, With Their Resolutions; Relating to Feoffments, Grants, Fines, Common Recoveries, Exchanges, Releases, Confirmations, Attornments, Surrenders, Bargains and Sales, And Devises. Collected Out of the Year-Books, Books of Law and Reports.*

London: Printed by the Assigns of R. and E. Atkyns, 1697. [iv], 224, [28] pp. Includes two-page publisher advertisement. Octavo (6-3/4" x 4-3/4").

Recent period-style three-quarter calf, raised bands, lettering piece and blind ornaments to spine, endpapers renewed. Light toning to text, somewhat heavier in places, internally clean. A handsome copy. \$650.

FIRST EDITION, one of two imprints issued the same year. A companion volume was published in 1702. Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." OCLC locates 3 copies of the 1697 imprints in North American law libraries (Harvard, Northwestern, University of Pennsylvania). HEL VI:600, 605. ESTC R30255.

LAWS RELATING TO THE STUART-ERA NOBILITY

## 25 BRYDALL, JOHN.

*Jus Imaginis Apud Anglos; Or the Law of England Relating to the Nobility & Gentry. Faithfully Collected and Methodically Digested for Common Benefit.*

London: Printed for John Billinger, 1675. [xvi], 76, [1] pp. Copperplate frontispiece. Folding table. Complete. Octavo (6-1/2" x 4-1/4").



Contemporary sheep, blind rules to boards, blind rules and gilt ornaments to spine. Light rubbing to extremities, heavier rubbing to spine removing gilding from title and parts of ornaments, spine ends bumped, some wear to head of spine, paper covering of front pastedown loose. Early shelf label and copperplate armorial bookplate (of John Hirey Esq.) to front pastedown. Moderate toning to text, occasional faint dampspotting, light soiling to title page, some edgewear to front endleaves. Tiny early owner signature (of Jonathan Airey) to head of title page, interior otherwise clean. \$750.

ONLY EDITION. OCLC locates 12 copies in North American law libraries. ESTC R251.

1703 TREATISE ON THE LAW RELATING TO BASTARDY

## 26 BRYDALL, JOHN.

*Lex Spuriorum: Or, The Law Relating to Bastardy. Collected from the Common, Civil and Ecclesiastical Laws.*

London: Printed by the assigns of Richard and Edward Atkins, Esquires; For Thomas Osborne, 1703. [viii], 127, [9] pp. Octavo (6-3/4" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, rebaked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners worn, a few minor scuffs to boards, crack in text block between title page and following leaf. Light browning and foxing to text. Small early owner signature to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$850.

ONLY EDITION. *Lex Spuriorum*, a handbook of English laws concerning illegitimacy, is cited in Holdsworth's review of legal writings of the seventeenth and eighteenth centuries. OCLC locates 6 copies in North American law libraries (Harvard, NY State Appellate Division, Ohio State, Southern Methodist University, University of Michigan, US Supreme Court). HEL VI:605, 607. ESTC T116601.

A STUART-ERA "NUTSHELL"

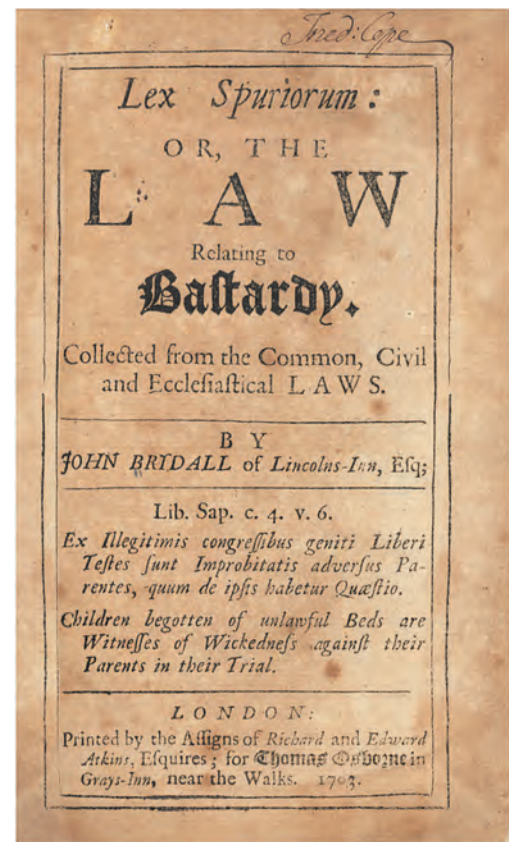
## 27 BRYDALL, JOHN.

*Speculum Juris Anglicani, Or, A View of the Laws of England, As They are Divided into Statutes, Common-Law and Customs: Incidentally, Of the Customs Appertaining to the Famous City of London, Never Before Printed; Together with Resolutions on Several of Them, Given by the Reverend Judges at Westminster.*

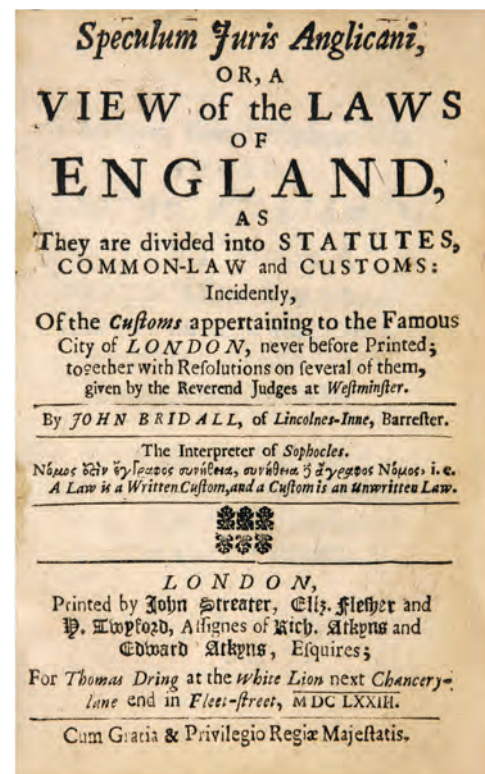
London: Printed by John Streater, Eliz. Fleisher and H. Twyford, 1673. [viii], 150 pp., final blank included in most collations lacking. Octavo (5-3/4" x 3-3/4").

Contemporary sheep, blind rules to boards, later gilt fillets to spine, publication date to foot, fragment of lettering piece. Some rubbing to extremities, some chipping to head of spine, corners bumped, front board detached, rear hinge starting, partial crack in text block between pp. 144 and 145. Light toning to text, internally clean. A solid copy. \$1,500.

ONLY EDITION, one of two imprints issued the same year. *Speculum Juris Anglicani* is an elementary review of English statutory and customary law. It was, says Holdsworth, "doubtless useful" to the student. OCLC locates 5 copies in North American law libraries (Columbia, Georgetown, Library of Congress, University of Michigan, University of Minnesota). HEL VI:600, 605. ESTC R175630.



Nº 26



Nº 27



IRISH ISSUE OF ONLY EDITION OF BURN'S DICTIONARY  
WITH INTERESTING PENNSYLVANIA CONNECTIONS

- 28 BURN, RICHARD [1709-1785].  
BURN, JOHN [1744?-1802], EDITOR.

*A New Law Dictionary, Intended for General Use, as Well as For Gentlemen of the Profession, and Continued to the Present Time by John Burn.*

Dublin: Printed by Brett Smith, 1792. vii, 739 pp. Octavo (8-1/2" x 5-1/2").

Contemporary calf, blind rules to boards, early vernacular calf rebind with hand-lettered title. Light rubbing to boards, somewhat heavier rubbing to extremities, corners bumped and somewhat worn, early bookplate to front pastedown, clean tear to front endleaf, a few partial cracks to text block, a signature partially detached, eighteenth-century bookplate of Galbreath Patterson to front pastedown. Light toning to text, occasional foxing, faint dampstaining to upper corners of some leaves at end of text. Later owner signatures H. Woodward, Samuel Laird, and Edward P. Pearson, four prominent attorneys from counties near Harrisburg, Pennsylvania's capital, to front endleaf and title page, interior otherwise clean. \$600.

IRISH ISSUE OF ONLY EDITION, published the same year as the (two-volume) London edition. Intended to be a practical tool, Burn eliminated most of the definitions in Law-French found in earlier dictionaries. (They became obsolete when George II ordered the exclusive use of English in 1733.) This elimination cleared space for other material and longer entries. Indeed, Burn's articles on such subjects as judgment, jury, purchase and will are broader, more detailed and better organized than they are in earlier dictionaries of this kind. It is unclear whether Burn intended to publish this book; it was edited, expanded and published posthumously by his son, John Burn. Patterson lived in Dauphin County, Woodward and Laird in Lebanon and Dauphin Counties, Pearson in Berks and Lebanon Counties. ESTC N20286.

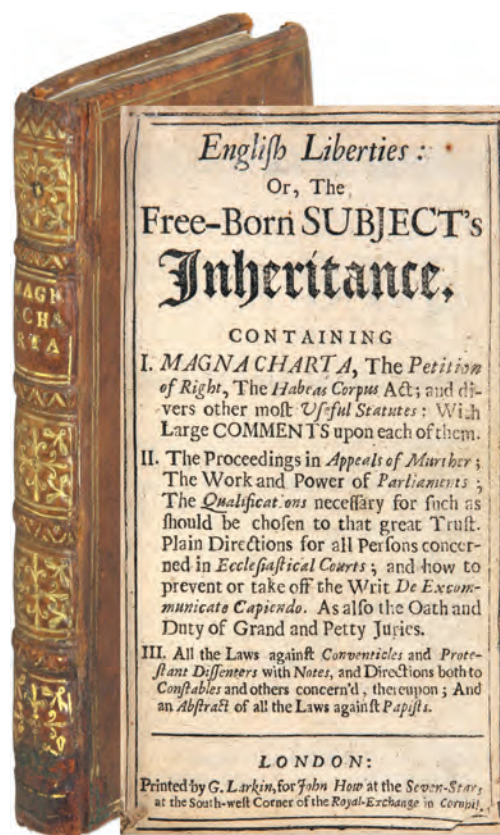
FIRST EDITION OF A CLASSIC GUIDE TO ENGLISH LAW  
AND GOVERNMENT THAT INSPIRED THE  
AMERICAN FOUNDING FATHERS

- 29 [CARE, HENRY (1646-1688)].

*English Liberties: Or, The Free-Born Subject's Inheritance, Containing I. Magna Charta, The Petition of Right, The Habeas Corpus Act; And Divers Other Most Useful Statutes: With Large Comments Upon Each of Them. II. The Proceedings in Appeals of Murther; The Work and Power of Parliaments; The Qualifications Necessary for Such as Should be Chosen to that Great Trust. Plain Directions for All Persons Concerned in Ecclesiastical Courts; And How to Prevent or Take Off the Writ De Excommunicato Capiendo. As Also the Oath and Duty of Grand and Petty Juries. III. All the Laws Against Conventicles and Protestant Dissenters with Notes, And Directions both to Constables and Others Concern'd, Thereupon; And an Abstract of All the Laws Against Papists.*

London: Printed by G. Larkin, For John How at the Seven-Stars at the South-West Corner of the Royal Exchange in Cornhill, [1680 or 1682]. [xii], 228 pp. Lacking initial blank leaf and two-leaf publisher list. 12mo. (5-1/2" x 3-1/4").

Contemporary calf, gilt rules to boards, gilt spine with raised bands and lettering piece, foot of spine repaired, endpapers renewed.



Nº 29

Light rubbing to extremities, corners bumped, a few worm holes and minor bumps and scuffs to boards, hinges partially cracked. Moderate toning to text, somewhat heavier in places, internally clean. A very handsome copy. \$2,850.

FIRST EDITION, one of two imprints from that year (1682 publication date conjectured by Wing). This classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Privilege of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned this edition and another copy, printed in London in 1719, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. The two undated imprints were followed by a series of dated imprints, the first from 1682. Sowerby 2702, 2703. ESTC R32534.

A PREDECESSOR OF THE SMALL CLAIMS COURT

- 30 [CAESAR, JULIUS, SIR (1558-1663)].

*[The Ancient State, Authoritie, And Proceedings of the Court of Requests. 2 Oct. 1596]. Drop-head title: In Nomine Domini Nostri Iesu Christi. 13. Februarij. 1592. Actes, Orders, And Decrees Made by the King and His Counsell, 9. H.7. [-Anno 27. Eliz.] Remaining Amongst the Records of the Court, Now Commonly Called the Court of Requests.*

[London: Printed by the Deputies of C. Barker, 1597]. 162. [2] ff. Complete as issued. Quarto (7-1/2" x 5-1/2").



Contemporary limp vellum with later ribbon ties, early hand-lettered title to spine. Negligible light rubbing and soiling, later armorial bookplate of the Earls of Macclesfield to front pastedown, embossed Macclesfield stamp to a few leaves. Light toning to text, somewhat heavier in places, a few leaves darkened, light foxing and dampspotting in a few places, internally clean. A handsome copy. \$2,000.

FIRST EDITION, ONE OF TWO ISSUES. The court of requests was a minor equity court that flourished during the Tudor and Stuart periods. It was established in the reign of Henry VII as a low-fee appeal court intended to accompany the sovereign on progress around the country. Abolished during the Commonwealth, it is important as an ancestor of the small claims court. Also, its records offer a good deal of information about the function of law in non-elite circles. Caesar, later Sir Julius and master of the rolls, was extraordinary master (1591) and ordinary master (1596) of this court. Based on a notebook compiled around 1600, Caesar's study is the fundamental contemporary account of its work.

The first edition was issued twice. Our copy matches the collation in Pollard and Redgrave and Sweet & Maxwell (which conjectures 1592 as the imprint date). We located copies identical to ours at Exeter College, Oxford, the Middle Temple Library and the Folger Library. The second issue has a title page with the title stated above in square brackets, five leaves of preliminaries and an errata leaf. Both issues are rare. OCLC does not list our issue and only 4 copies of the other issue (Bavarian State Library, Cambridge University, Huntington, Yale). Our issue is not in Beale or the English Short-Title Catalogue. Our copy once belonged to the library of Shirbirn Castle, the library of the Earls of Macclesfield, one of the finest private libraries in Great Britain. Pollard and Redgrave 4341. Sweet & Maxwell 1:356 (1).



Nº 30

EIGHT SCARCE TITLES CONCERNING THE STATUS OF CATHOLICS IN EARLY NINETEENTH-CENTURY BRITAIN

### 31 [CATHOLICS].

ATCHISON, THOMAS, DEFENDANT.

*Trial of Captain Thomas Atchison, Of the Royal Artillery, By a General Court Martial, At Malta; In Consequence of Having to be Exonerated from Firing Patteraro Salutes, And Tolling a Roman Catholic Bell, For the Church and Image Rites of Roman Catholic Priests. With an Appendix, Describing Those Rites of the Romish and Greek Churches which British Protestant Troops, Infantry as Well as Artillery, Were Required by the Priests to Attend and Assist; Also, The Nature of the Attendance and Assistance Consequently Ordered to be Given.*

London: Printed for Hatchard and Son, 1825. viii, 91 pp.

[BOUND WITH]

[ATCHISON, THOMAS].

*Some Particulars Relative to the Co-Operation Required of the British Troops in Malta, In the Superstitious Ceremonies of the Romish Church, With a Statement of the Chief Reasons which Occasioned the Remonstrance of Captain Atchison, Addressed to his Friends.*

[London: J. And T. Clarke, Printers (1826)]. 15 pp.

[AND]

WIX, SAMUEL.

*Reflections Concerning the Expediency of a Council of the Church of England and the Church of Rome Being Holden, With a View to Accommodate Religious Differences, And to Promote the Unity of Religion in the Bond of Peace: Humbly, But Earnestly, Recommended to the Serious Attention of His Royal Highness the Prince Regent: The Most Reverend the Archbishops; The Right Reverend the Bishops; The Reverend the Clergy, And All Lay Persons, Who are Able and Willing Dispassionately to Consider the Important Subject. Second Edition, With Additions.*

London: Printed for F.C. And J. Rivington, 1819. [xxix], 108 pp.

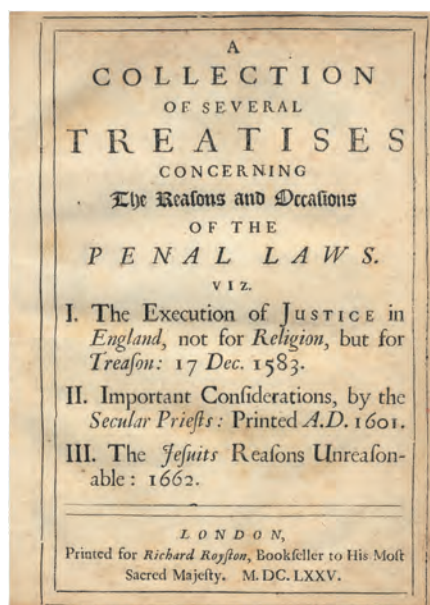
[AND]

*[Five Pamphlets Relating to Catholicism in Great Britain].*

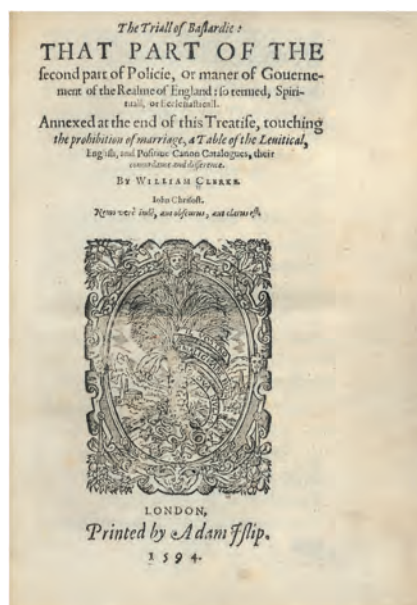
Octavo (8" x 5"). Recent period-style quarter calf over marbled boards, raised bands, gilt ornaments and lettering piece to spine. Moderate toning, light foxing to a few leaves. Early manuscript table of contents to front free endpaper, item numbers in same hand at head of each title. \$1,250.

THIS VOLUME COLLECTS EIGHT SCARCE ITEMS concerning British and Irish Catholics during the second phase of Catholic Emancipation. The other titles are numbers 4-8 of the periodical *Antibiblion, Or the Papal Tocsin* (1817, 1818), *A Correspondence Which Arose out of the Discussion at Carlow Between a Protestant and a Roman Catholic Clergyman, To Which are Annexed, Notes and Observations by the Rev. Robert Daly by Robert Daly and Richard Clowry* (1825), *Faith, Hope, And Charity: The Substance of a Sermon Preached at the Dedication of the Catholic Chapel at Bradford, in the County of York, On Wednesday, July 27, 1825 by Peter Augustine Baines* (1825), Number II of a periodical, *Supplement to the Roman Catholic Expositor, And Friend of Ireland* (1824) and *Popery the Religion of Heathenism: Being the Letters of Ignotus Published in "The Times" Newspaper in the Conclusion of the Year 1817. With Additions, Proving the Conformity Which Subsists Between the Romish Religion and the Religion of the Ancient Heathens* by John Pynder (1818).





FEAR AND DISTRUST OF CHARLES II



"THE ISSUE OF THE DEFILED BED"

- 32 [CECIL, WILLIAM, LORD BURGHLEY (1520-1598)].  
[BLUET, THOMAS].  
[SERGEANT, JOHN (1622-1707)].

*A Collection of Several Treatises Concerning the Reasons and Occasions of the Penal Laws. Viz. I. The Execution of Justice in England, Not for Religion, But for Treason: 17 Dec. 1583. II. Important Considerations, By the Secular Priests: Printed A.D. 1601. III. The Jesuits Reasons Unreasonable: 1662.*

London: Printed for Richard Royston, 1675. [8], 104, 109-13 [i.e. 131] pp. *The Jesuits Reasons* has separate title page dated 1662. Quarto (7" x 5-1/4").

Later three-quarter morocco over marbled boards, gilt title to spine. Moderate rubbing to extremities, lighter rubbing to boards, final three leaves of text loose (but secure), bottom edge of *The Jesuits Reasons* trimmed with some loss to text. Moderate toning to text, occasional faint dampspotting, smudges and minor inkstains to a few leaves. A solid copy. \$1,500.

ONLY EDITION. This volume was assembled at a time when Charles II was arousing fear and distrust due to his increasingly overt support of Catholicism. Its title alludes to the Royal Declaration of Indulgence (1673), an unsuccessful attempt by the king to abolish the Penal Laws, thus extending religious liberty and civil rights to Protestant nonconformists and Roman Catholics. The first treatise, by William Cecil, Lord Burghley, was originally published in 1583 as *The Execution of Justice in England*. The second treatise, by Thomas Bluet, was first published in 1601 as *Important Considerations Which Ought to Move All True and Sound Catholikes*. The third treatise, by John Sergeant, was originally published in 1662 as *The Jesuite's Reasons Unreasonable*. OCLC locates 9 copies in North American law libraries (Columbia, Harvard, Library of Congress, Northwestern, UC-Berkeley, University of Michigan, University of Minnesota, University of Pennsylvania, University of Virginia). ESTC R11022.

- 33 CLERKE, WILLIAM [FL. 1595].

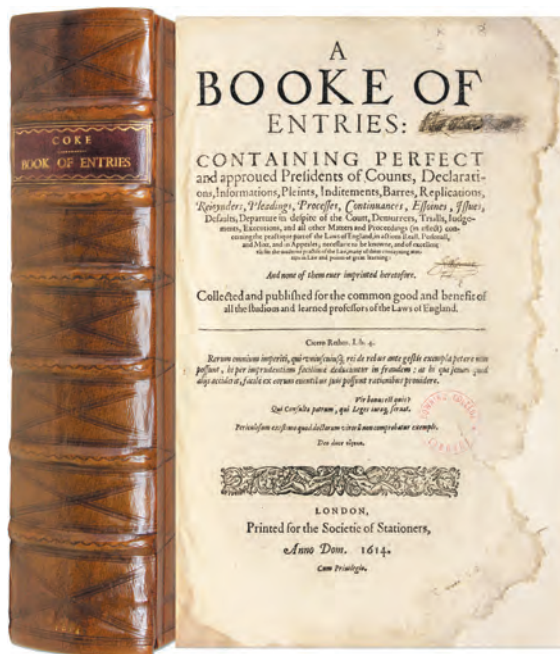
*The Triall of Bastardie: That Part of the Second Part of Policie, Or Maner of Gouvernment of the Realme of England: So Termed, Spirituall, or Ecclesiasticall. Annexed at the End of this Treatise, Touching the Prohibition of Marriage, A Table of the Levitical, English, And Positive Canon Catalogues, Their Concordance and Difference.*

London: Printed by Adam Islip, 1594. [xvii], 82; [22] pp. Final section has individual pagination and title page. Three folding tables. Collates complete. Quarto (7-1/4" x 5-1/2").

Later crimson morocco, gilt frames with corner fleurons to boards, raised bands and gilt title to spine, marbled endpapers, inside gilt dentelles, all edges gilt. Light rubbing to extremities with minor wear around spine ends, hinges cracked, early owner bookplate to front pastedown. Woodcut printer devices head-pieces, tail-pieces and decorated initials. Early woodcut of a man denying a child pasted to verso of the second part's title page. Light toning text. Early owner inscription to head of p. 1, interior otherwise clean. Ex-library. Bookplate to front free endpaper, stamps to front endleaf and foot of text block. A handsome copy. \$2,000.

ONLY EDITION. Clerke's fascinating treatise explores the manifold issues relating to "the issue of the defiled bed" under the common, ecclesiastical and, to some extent, Jewish law. It is an important resource for students of Elizabethan society and culture. It has been used, for example, in discussions of Edmund, the bastard son of Gloucester in Shakespeare's *King Lear*. The tables depict lines of descent and consanguinity. OCLC locates 6 copies in North American law libraries (Harvard, Library of Congress, Ohio State, St. Louis University, UC-Berkeley, Yale). Beale T327.





FIRST EDITION OF COKE'S BOOKE OF ENTRIES

## 34 COKE, SIR EDWARD [1552-1634].

*A Booke of Entries: Containing Perfect and Approved Precedents of Counts, Declarations, Informations, Pleints, Inditements, Barres, Replications, Rejoynders, Pleadings, Processes, Continuances, Essoines, Issues, Defaults, Departure in Despite of the Court, Demurrers, Trialls, Iudgements, Executions, And all Other Matters and Proceedings (In Effect) Concerning the Practique Part of the Laws of England, In Actions Reall, Personall, And Mixt, And in Appeals; Necessarye to be Knowne, And of Excellent Use for the Moderne Practise of the Law, Many of Them Contayning Matters in Law and Points of Great Learning: And None of Them Ever Imprinted Heretofore. Collected and Published for the Common Good and Benefit of All the Studious and Learned Professors of the Laws of England.*

London: Printed for the Societie of Stationers, 1614. [x], 713, [11] ff. The first and last leaves are blank. Paging irregular. Main text in parallel columns. Prefaces in Latin and English, text in Latin, index in French. Folio (13" x 9").

Recent period-style full calf, blind rules and fillets to boards, raised bands, blind tooling and lettering piece to spine, endpapers renewed, early hand-lettered title to fore-edge. Toning to text, repairs to fore-edges of preliminaries, dampstaining to fore-edges at beginning of text, diminishing gradually through fol. 80, worming to margins near rear of text, from about fol. 643 onwards, spark burns to a few leaves. Woodcut head-pieces, tail-pieces and printer ornaments. Two early struck-through signatures to title page, annotations in contemporary hand to rear endleaf, interior otherwise clean. Ex-library. Small inkstamp and hand-written location number to title page. A lovely binding. \$1,250.

FIRST EDITION. This was the first comprehensive book of entries since Rastell's *Collection of Entries* (final edition, 1670). A second edition was published in 1671. Holdsworth notes that it embodied Coke's experiences at the bar and on the bench. Marvin adds: "This volume was published...before the completion of his reports. It is in some measure a supplement to them because it exhibits the entire record of many of the cases therein reported." Marvin 212. HEL V:461. ESTC S121747.



"THE REPORTS"

35 COKE, SIR EDWARD.  
GEORGE WILSON, EDITOR AND TRANSLATOR.

*The Reports of Sir Edward Coke, Knt. in English, In Thirteen Parts Complete; With References to All the Ancient and Modern Books of the Law; Exactly Translated and Compared with the First and Last Edition in French, and Printed Page for Page With the Same. To Which Are Now Added the Respective Pleadings, In English. The Whole Newly Revised and Carefully Corrected and Translated with Many Additional Notes and References.*

Dublin: Printed for J. Moore, 1793. Seven volumes. Each volume has general title-page, and each part has special title-page. Prefaces in Latin and English in parallel columns. Octavo (8" x 5").

Recent period-style calf, blind rules to boards, to boards, raised bands and red and black lettering pieces from previous binding. Moderate rubbing to board edges, corners bumped and somewhat worn. Light toning to text, somewhat darker in places, internally clean. \$3,500.

REPRINT OF THE LONDON EDITION, 1776-1777. First published at the beginning of the seventeenth century, Coke's *Reports* are not reports in the conventional sense but highly detailed anthologies of precedents organized according to the cases they consider. In each instance Coke assembled a large body of cases, outlined their arguments, and explained the reasons for the judgment, using it as a basis for a statement of general principles. Taken together, the *Reports* form the most extensive and detailed treatment of common law pleading that had yet appeared. A work of immense authority, it was often cited as *The Reports*, there being no need to mention the author's name. The first edition in English, which did not include pleadings, was published in 1658. Sweet & Maxwell 1:296.



A RARE MANUAL FROM THE COMMONWEALTH PERIOD

## 36 COLLYN, NICHOLAS.

*A Briefe Summary of the Lawes and Statutes of England: So Farre Forth as the Same do Concerne the Office of Iustices of the Peace, Sheriffs, Bayliffs, Constables, Churchwardens, And Other Officers and Ministers of the Commonwealth. Together with Divers Other Matters not Onely Acceptable for their Rarity, But also Very Necessary for Their Great Use and Profit, For All Persons, But Especially for Such as Bear Office in this Common-Wealth.*

London: Printed by T.L. for Mathew Walbancke, 1650. [xxii], 192 pp. 12mo. (5-1/2" x 3").

Contemporary calf with later rebacking, blind rules to boards, lettering piece and blind rules to spine. Moderate rubbing to extremities, rubbing and some gatering to boards, corners worn, hinges cracked, later armorial bookplate (of Thomas Foley) to front pastedown. Title printed within ruled border, typographical headpieces. Moderate toning to text, faint dampstaining to margins in a few places. Early owner signature (Tho. Foley) with note of library shelf location to front free endpaper, internally clean. A nice copy of a rare title. \$1,250.

FIRST EDITION. Interesting for its insights into everyday legal practice during the Commonwealth era, this handy pocket-sized reference book has contents arranged alphabetically by topic. Little is known about the author, who is identified on the title page as a member "of the honourable societie of Lincolns-Inne, Esquire; and sometimes reader there; and an ancient iustice of the peace and quorum in the county of Middlesex; and one of the foure pleaders of the honourable city of London." Later editions of his handbook were published in 1655 and 1663. All are rare. OCLC locates 2 copies of the first edition (at Harvard and Northwestern University Law Schools), 2 of the second (at Columbia and Yale Law Schools) and 2 of the third (at Harvard Law School and the Library of Congress). ESTC R39835.

THE CITY LAW

37 [CORPORATION OF LONDON].  
[COURT OF COMMON COUNCIL].

*Lex Londinensis; Or, The City Law. Shewing the Powers, Customs and Practice of All the Several Courts Belonging to the Famous City of London: viz. The Lord Majors Court. The Orphans Court. The Court of Hustings. The Court of Common Council. The Court of Aldermen. The Wardmotes. The Courts of Conservacy for the River of Thames. The Court of Conscience. The Sheriffs Court. The Chamberlains Court. Together with Several Acts of Common Council, Very Useful and Necessary to be Known by All Merchants, Citizens, And Freemen of the Said City. And also, A Method for the Ministers Within the Said City to Recover Their Tithes. With a Table to the Whole Book.*

London: Printed by S. Roycroft for Henry Twyford, 1680. [viii], 260, [12] pp. Octavo (6-1/2" x 4").

Later three-quarter calf over marbled boards, rebacked retaining spine, which has gilt ornaments and later lettering piece, endpapers renewed. Some rubbing to boards and extremities, corners bumped and lightly worn. Light browning and occasional light foxing to text. Early owner underlining to title page, which has some edgewear, interior otherwise clean. An appealing copy. \$1,350.

ONLY EDITION. This book was the first digest of the London's laws and guide to its courts after the revisions of the city laws from 1647 and 1658. A useful work that gathered a great deal of disparate information, it is a valuable resource today for students of seventeenth-century London and its legal system. ESTC R2792.

"THE MOST LEARNED CIVILIAN OF HIS TIME"

## 38 COWELL, JOHN [1554-1611].

*Institutiones Juris Anglicani Ad Methodum Et Serium Institutionum Imperialium Compositae & Digestae. Opus non Solum Iuris Anglicani Romaniqlue] in hoc Regno Studiosis, Sed Omnibus qui Politeian & Consuetudines Inclyti Nostri Imperii Penitus Scire Cupiunt, Utile & Accommodatum. Cum Duplici Indice, Quorum Alter Titulos Ordine Alphabetico, Alter Obscuras Iuris Ang. Dictiones Earumqlue] Explicationem Continet.*

Cambridge: Ex Officina Iohannis Legat, 1605. [xii], 268, [20] pp. Octavo (6-1/2" x 4-1/2").

Contemporary limp vellum, early hand-lettered title to spine. Moderate soiling, corners and spine ends bumped, small hole to center of spine, pastedowns loose. Large seal of Cambridge University to verso of title. Some toning, moderate edgewear to endleaves. Early owner signature (of Charles Milborne) to front and rear endleaves, interior otherwise clean. \$950.

FIRST EDITION. As Walkernotes, Cowell was "the most learned civilian of his time." Regius Professor of Civil Law at Cambridge from 1594 to 1611, he is remembered today as the author of an important (and controversial) dictionary, *The Interpreter* (1607), which went through several subsequent editions. As indicated by its title, the *Institutiones* is an elementary textbook on English law organized in the manner of Justinian's *Institutes*. As Holdsworth notes, "The objects of [this book] were to promote the union of England and Scotland by pointing out the resemblances between the common law and the civil law; to give the student of the common law some knowledge of the general principles of law; and to show the students of the civil law that if they would study the common law, they would improve their knowledge of both laws, and cease to be regarded as mere children in legal knowledge. That these ideas were sound is fairly obvious [today]... but they were in advance of their time." A translation of this book was ordered by Parliament in 1651, which indicates its stature during the Commonwealth period (despite Cowell's support of the crown). There were five editions in all; the final edition, in Latin, was published in 1676. Walker 311. HEL V:21. Sweet & Maxwell 1:21 (7).

FIRST EDITION OF THE FIRST SYSTEMATIC WORK  
ON SCOTS LAW

## 39 CRAIG, SIR THOMAS [1538-1608].

*Jus Feudale Tribus Libris Comprehensum: Quibus Non Solum Consuetudines Feudales & Praediorum Jura, Quae in Scotia, Anglia, & Plerisque Galliae Locis Obtinent, Continentur; Sed Universum Jus Scoticum, et Omnes Fere Materiae Juris Clare & Dilucide Exponuntur, Et ad Fontes Juris Feudalis & Civilis Singula Reducuntur.*

Edinburgh: [s.n.] Impressum Anno. Dom. 1655. [xii], 383, [1 blank] pp. Folio (12" x 8").

Contemporary sheep, blind rules to boards, recent lettering piece to spine. Rubbed with some loss to spine ends, some worming to rear board and head of spine, joints starting at ends, front hinge



partially cracked, about half of front free endpaper lacking, recent armorial bookplate (of the Baron de Spon) to front free pastedown, early wax seals to verso of front free endpaper. Light toning to text, internally clean. A solid copy of an important work. \$500.

FIRST EDITION. Unlike previous compilations, *Jus Feudale* is an original work. "Indeed Craig was the first systematic writer on law in Scotland. The *Jus Feudale* is not a mere textbook of the law of land rights, but is a learned disquisition upon a great social system. The opening chapters are devoted to an examination of the sources of law in general, and trace the history and development of the Civil, Canon and Feudal laws. If Craig had accomplished no more than that he would have been entitled to a foremost place amongst our jurists, for unquestionably the form of his book not only exemplified the philosophical outlook of the learned Scots lawyer, but provided a model of construction and treatment for his successors" Black, 62-63. Sweet & Maxwell 5:26.

FIRST EDITION OF AN INFLUENTIAL CODE  
PREPARED FOR THE CHURCH OF ENGLAND

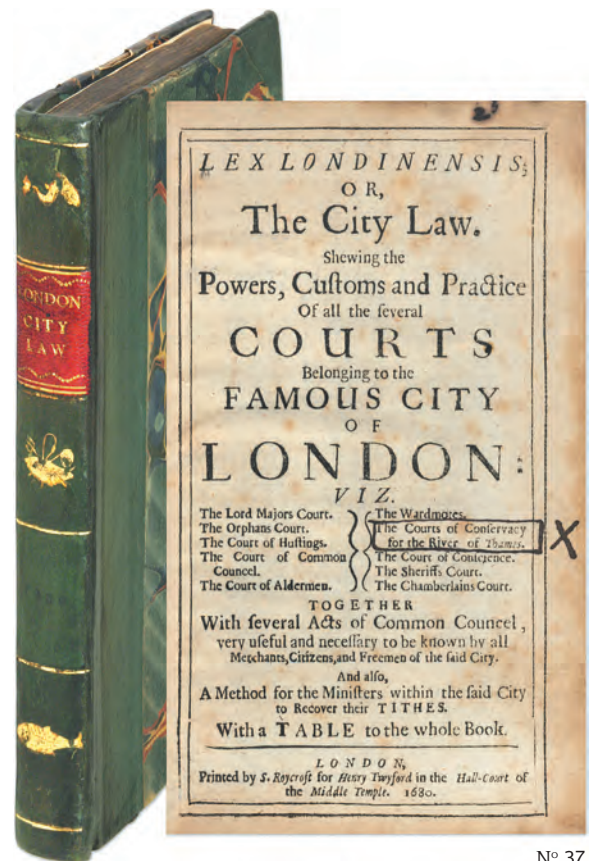
- 40 [CRANMER, THOMAS (1489-1556)].  
[FOX, JOHN (1516-1587), EDITOR].  
[CHEKE, SIR JOHN (1514-1557), TRANSLATOR].  
[HADDON, WALTER (1516-1572), TRANSLATOR].  
[COMMISSIONERS ON REVISION OF THE ECCLESIASTICAL LAWS, 1550-1552].

*Reformatio Legum Ecclesiasticarum, Ex Autoritate Primum Regis Henrici. 8. Inchoata: Deinde per Regem Edouardum 6. Profecta, Adaucta[ue] in Hunc Modum, At[ue] Nunc ad Pleniorum Ipsarum Reformationem in Lucem Aedita.*

London: Ex Officina Iohannis Daij Anno Salutis Humanae, Mense Aprili, 1571. [x], 149, [3] ff. Quarto (7-1/2" x 5-1/2").

Contemporary calf with later rebacking, endpapers renewed. Blind rules and fillets to spine, raised bands and gilt title to spine. Light rubbing to boards, moderate rubbing to extremities, corners lightly bumped, hinges cracked, front joint just starting. Title printed within woodcut typographical border, woodcut tail-pieces and pictorial initials. Light toning to text, early annotation in miniscule hand to head of title page. Ex-library. Bookplate to front pastedown. A handsome copy. \$3,500.

FIRST EDITION. Also known as the Henrican Canons, the *Reformatio Legum Ecclesiasticarum* is a revision of Roman canon law intended for the newly established Church of England. It was written between 1550 and 1552 by the Commissioners on Revision of the Ecclesiastical Laws, which was headed by Thomas Cranmer, the Archbishop of Canterbury. One of the first acts of the English Reformation, it is an important source of information about the state of English canon law and church discipline in the mid-Tudor period and the challenges faced by the reformed church's leaders. It was edited by John Foxe after Cranmer's death and translated into Latin by Cheke and Haddon. Although it was never ratified by Parliament, it was highly esteemed by later lawyers and for many years an unofficial authority in ecclesiastical courts. According to the *ESTC*, this book may have been published in 1572, "since Walter Haddon, who died on 21 Jan. 1572, is referred to in the preface as 'clarissimae memoriae.'" OCLC locates 6 copies of this edition in North American law libraries (Columbia, Harvard, Library of Congress, UC-Berkeley, University of Michigan, Yale). *ESTC* S109036. Beale T308.

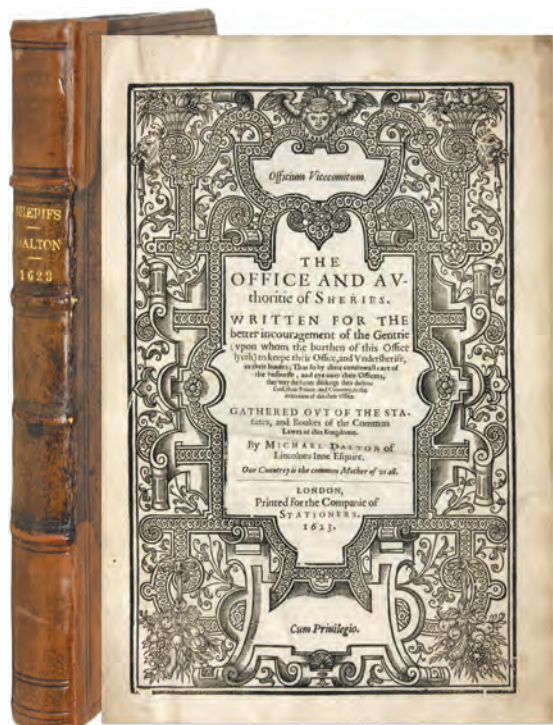


Nº 37

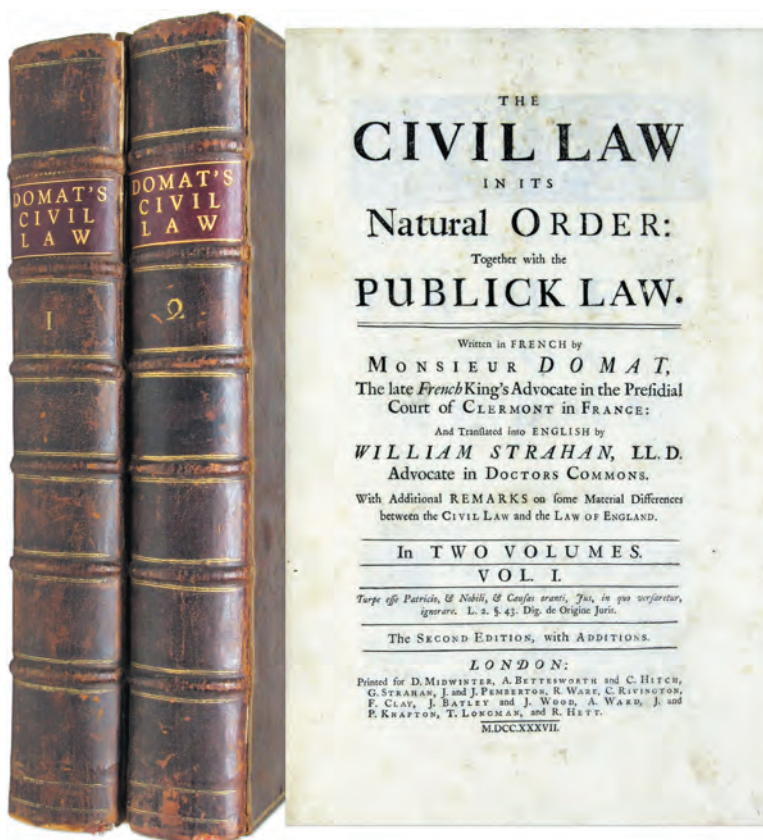


Nº 40





N° 41



N° 43



N° 44



## 41 DALTON, MICHAEL [D.CA. 1648].

*Officium Vicecomitum: The Office and Authoritie of Sherifs, Written for the Better Incouragement of the Gentry (Upon Whom the Burthen of This Office Lyeth) to Keepe Their Office, And Undersherife, In Their Houses; That so by Their Continuall Care of the Businesse, And Eyeover Their Officeres, They May the Better Discharge Their Dutie to God, Their Prince, And Countrey, In the Execution of This Their Office. Gathered Out of the Statutes, And Bookes of the Common Lawes of this Kingdome.*

London: Printed for the Companie of Stationers, 1623. [iv], 194, [6] ff. The first leaf and last leaves are blank. Folio (11-1/4" x 7-1/2").

Contemporary calf, blind rules to boards, raised bands and later gilt-stamped title to spine, endpapers renewed. Light rubbing, recent repairs to spine ends and adjacent corners of boards, front joint partially cracked, corners bumped and lightly worn. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Light toning, faint dampstaining to upper corners of margins, bookplate residue to front pastedown. Early owner signature, interior otherwise clean. An appealing copy. \$2,000.

FIRST EDITION. This is the first English treatise on sheriffs. As its title suggests, it is a remarkably comprehensive work. Holdsworth, who cites it several times, says "in spite of a growing number of rivals, it continued to be a standard authority until the beginning of the eighteenth century." *HEL* IV:119. *ESTC* S107284.

## ASSERTING THE ACT OF SUPREMACY

42 [DAVIES, SIR JOHN (1569-1626)].  
PETTUS, SIR JOHN [1613-1690], PREFACE.

*England's Independency Upon the Papal Power Historically and Judicially Stated, By Sr. John Davis, Attorney Generall in Ireland, And by Sr. Edward Coke, Lord Chief Justice in England, In Two Reports, Selected from Their Greater Volumes; For the Convincing of our English Romanists, And Confirming of Those Who are Yet Unperverted to the Court or Church of Rome.*

London: Printed by E. Flesher, J. Streater, and H. Twyford, 1674. [xvi], 88 [i.e. 84] pp. (Pp. 82-84 mis-numbered 84, 85, 88, respectively.) Quarto (7-1/2" x 5-1/2").

Stab-stitched pamphlet bound into later morocco, gilt title to spine, endpapers renewed. Light rubbing to extremities, front joint starting at foot. Attractive large woodcut head-pieces and decorated initials. Light toning to text, somewhat heavier in places, light soiling and some edgewear to title page, internally clean. \$950.

ONLY EDITION. Davies is an important figure in English and Irish constitutional history. Also a notable poet, he was attorney general for Ireland. During that time he framed several legal principles that were used to support the growth of the British Empire. *England's Independency* reflects his fear of the pro-Catholic King Charles II. It warns the king to restrict his support through a clever reading of the Act of Supremacy. Issued by King Henry VIII in 1534, it declared the king to be the "supreme head on earth of the Church in England" in place of the pope. Therefore, he argues, any sympathy towards Catholicism is treasonous because it cedes power to the pope, who, like the king, claims political power over his followers. OCLC locates 12 copies in North America, 2 in law libraries (Library of Congress, Yale). *ESTC* R21289.

43 DOMAT, JEAN [1625-1696].  
STRAHAN, WILLIAM, TRANSLATOR.

*The Civil Law in Its Natural Order: Together with the Publick Law. Written in French by Monsieur Domat: And Translated into English by William Strahan, LL.D. With Additional Remarks on Some Material Differences Between the Civil Law and the Law of England.*

London: Printed for D. Midwinter [et al.], 1737. Two volumes. xcix, [i], 670; [ii], 676, [28] pp. Main text in parallel columns. Folio (13-1/2" x 8-1/2").

Contemporary calf, gilt rules to boards, raised bands and recent period-style lettering pieces to spines. Moderate rubbing with some wear to spine ends and corners, boards beginning to separate (but secure), front free endpaper of Volume I partially detached, following endleaf completely detached, armorial bookplate (Viscount Dorone) to pastedowns of both volumes. Some toning to text, heavier toning and light foxing in places, internally clean. A handsome copy. \$1,250.

SECOND ENGLISH EDITION, "with additions." Domat's *Civil Law* is a great work that combines the materials of Roman and French law into a single system and places it on a foundation of ethical principles. "*The Civil Law in its Natural Order*, considering the age and the circumstances in which it was written, is a truly wonderful performance. His method is excellent, and his matter clear, exact, and comprehensive. Pothier, and other continental jurists, have drawn largely upon him to assist their own labors" (Marvin). Holdsworth says this edition is better than Wood's incomplete 1705 translation. "Strahan's translation...is a very much more considerable book, both as a book on Roman law, and, by reason of the translator's notes, as a book on comparative law." *HEL* XII:428. Marvin 271. *ESTC* T96069.

## A RECONCILIATION?

## 44 DOYLE, JOHN [1797-1868].

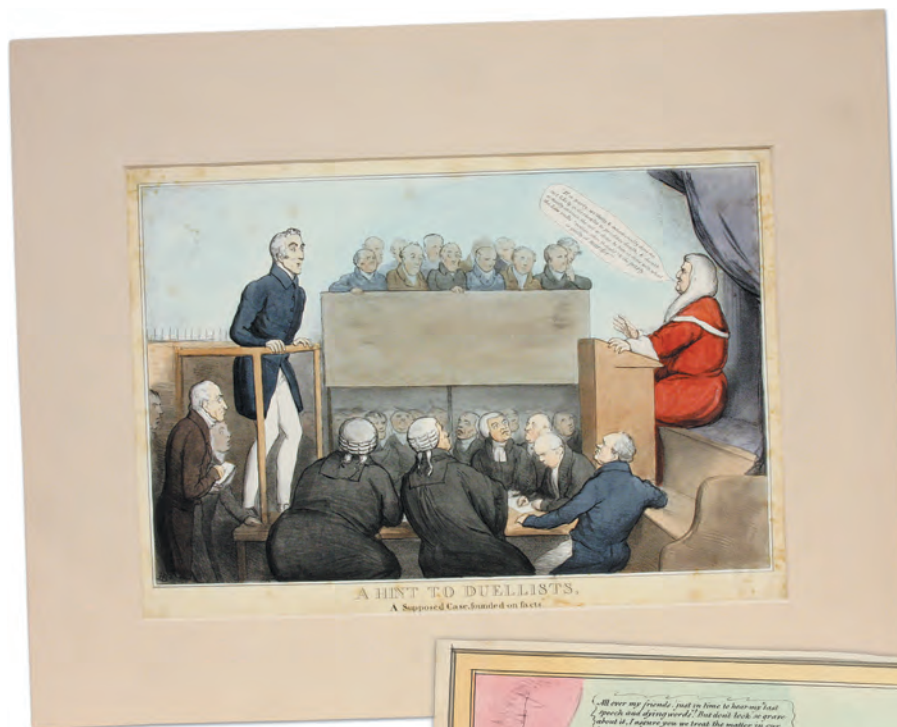
*A Broad Hint.*

[London]: Published by S. Gans, [1829].

14" x 11" hand-colored lithograph in 16-1/2" x 19" hinged matte. Light soiling to matte, some toning to margins, a few miniscule spots to image, colors vivid. \$450.

DOYLE MOVED ENGLISH CARICATURE from the ridiculous, grotesque and sometimes bawdy style of Thomas Rowlandson and James Gillray to the more witty and genteel manner developed further by later cartoonists, such as those associated with *Vanity Fair*. Doyle's pictures appeared anonymously in the *London Times* and a series of books, *Political Sketches*, between 1830 and 1851 under the signature H.B. They were commentaries on recent events and were sometimes accompanied by explanatory essays. *A Broad Hint* depicts the Duke of Wellington, then Prime Minister, Lord Chancellor Lyndhurst and Lord Brougham, then a leading member of the House of Commons who advocated legal reform and education of the poor, causes Wellington opposed. Doyle satirizes the opposition between these two men in the guise of a reconciliation managed by Lyndhurst. This is a re-strike of a plate issued by T. McLean, July 18, 1829. *BM Satires* 15837.A.





N° 45



N° 46

YOU'RE NOT SUPPOSED TO KILL YOUR OPPONENT

THE ROTTEN BOROUGHS

## 45 DOYLE, JOHN.

*A Hint to Duellists, A Supposed Case, Founded on Facts.*

[London]: Published by Thomas McLean, 1830.

15-1/2" x 11" hand-colored lithograph in 20-1/2" x 16" hinged matte. Light soiling to matte, some toning and light foxing to margins, a bit of light foxing to image, colors vivid. \$450.

THIS PRINT is a commentary on a recent trial of R.W. Lambrecht, who was tried for manslaughter as the result of a duel. The title, personified by the substitution of The Duke of Wellington [1769-1852] for Lambrecht in the dock, alludes to an event the previous year in which Wellington and his opponent went through the motions of a duel with no intention of drawing blood. Lambrecht was ultimately acquitted due to a hung jury. *BM Satires* XI:1954.

## 46 DOYLE, JOHN.

*The Last of the Boroughbridges.*

[London]: Published by Thomas McLean, March 7, 1831.

11" x 13" Hand-colored Lithograph. Very good.

\$450.

DOYLE PROVIDES A SHARP COMMENTARY on Parliamentary efforts to eradicate the last of the "rotten boroughs." Also called "pocket boroughs," these were small towns with tiny (and easy to bribe) electorates that were used by a patron to gain undue influence within the House of Commons. *BM Satires* 16602

## JAMES I PROHIBITS DUELING

- 47 [DUELING].  
[GREAT BRITAIN].  
JAMES I [1566-1625]. KING OF ENGLAND.

*A Publication of His Majesties Edict, And Severe Censure Against Private Combats and Combatants; Whether Within his Highnesse Dominions, Or Without; With their Seconds, Accomplices, And Adhaerents: Straitly Charging All Officers, And Other his Majesties Subiects, To Use no Connivencie, Or Remisse Proceeding Toward Such Offenders: For the Necessary and Timely Prevention of Those Heavy Events, Whereunto Aswell Kingdomes, As Worthy Families Become Obnoxious, By the Odious and Enormous Impieties Inevitably Subsequent Thereupon.*

London: Imprinted by Robert Barker, 1613 [i.e. 1614]. [iv], 119, [1] pp. (Original endleaves, counted in the ESTC collation, renewed.) Quarto (7" x 6-1/2").

Recent cloth, gilt title to spine. Large woodcut arms of Great Britain to verso of title page, large woodcut head-piece. Some toning to text, (very) faint dampstaining to foot of text block, some soiling to title page and verso of final leaf, internally clean. \$1,500.

ONLY EDITION, one of two issues from the same year. A series of high-profile duels between leading courtiers in 1613 prompted James I to launch a campaign to suppress the practice. He prohibited dueling in a 1613 proclamation, classifying it a serious offense punishable in Star Chamber. He also reorganized the Court of Chivalry to serve as a substitute to the field of honor. (In a sense, these actions laid the foundation of the modern laws of libel and slander.) Several related rules and decrees followed. The proclamations and later edicts are collected in this book. Counting both issues, OCLC locates no copies in North American law libraries. We located a copy, however, at the law library of George Washington University. ESTC S100678.

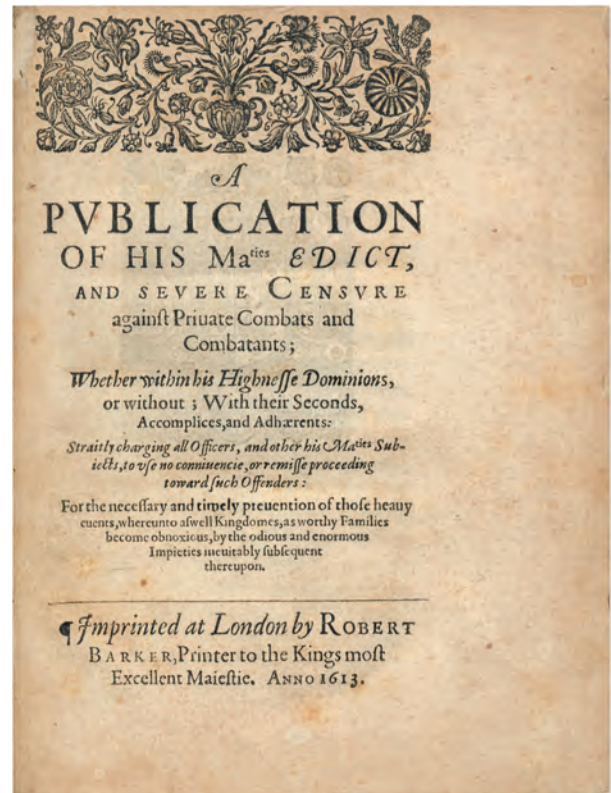
OF INTEREST TO "THE CLERGY, THE LAWYER, THE ANTIQUARY, THE HISTORIAN, THE ARCHITECT, AND THE TYPOGRAPHER, AS WELL AS THE POSSESSOR OF REAL PROPERTY"

- 48 DUGDALE, SIR WILLIAM [1605-1686].  
[DODSWORTH, ROGER, CO-AUTHOR].  
[CALEY, JOHN (1763-1834), EDITOR].  
[ELLIS, HENRY (1777-1869), EDITOR].  
[BANDINEL, BULKELEY (1781-1861), EDITOR].

*Monasticon Anglicanum: A History of the Abbies and Other Monasteries, Hospitals, Frieries, And Cathedral and Collegiate Churches, With Their Dependencies, In England and Wales; Also of All such Scotch, Irish, and French Monasteries, As Were in Any Manner Connected with Religious Houses in England; Together with a Particular Account of Their Respective Foundation, Grants, And Donations, And a Full Statement of Their Possessions, As Well Temporal as Spiritual. Originally Published in Latin.*

London: T.G. March, 1849. Six volumes in eight books. Complete with 245 plates and text illustrations; plates have tissue guards, some are double-leaved. Complete. Main text in parallel columns. Folio (15" x 10").

Contemporary three-quarter morocco over marbled boards, gilt titles and gilt-edged raised bands to spine, top-edges gilt. Moderate rubbing to extremities, occasional scuffs and minor stains to boards, corners bumped and somewhat worn, some joints and

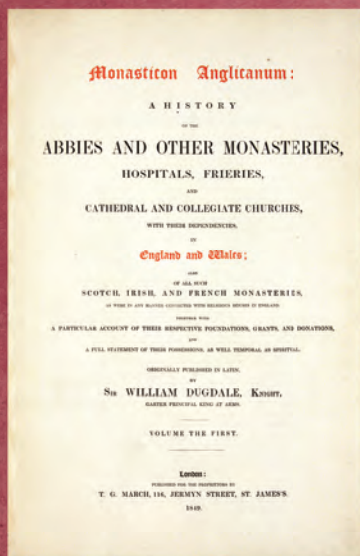
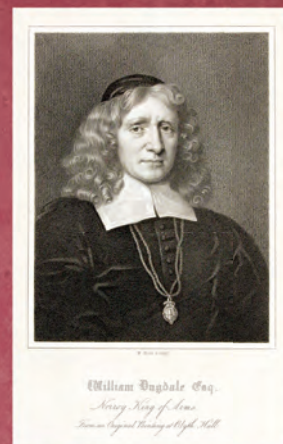


Nº 47

hinges starting at ends, a few hinges cracked. Light toning to text, several tissue guards detached and edgeworn, internally clean. Ex-library. Stamps to boards, edges and endleaves, bookplate to front pastedown of each volume. An impressive set. \$2,000.

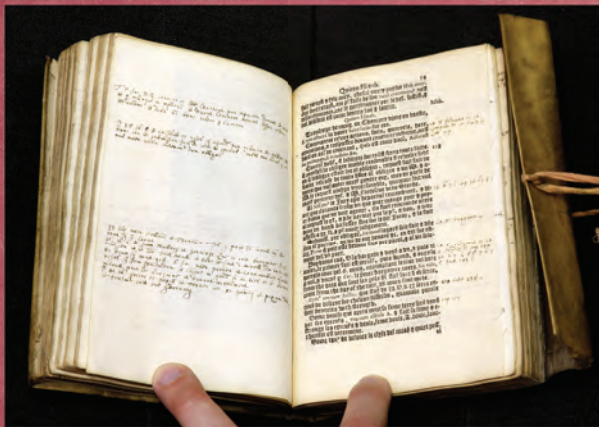
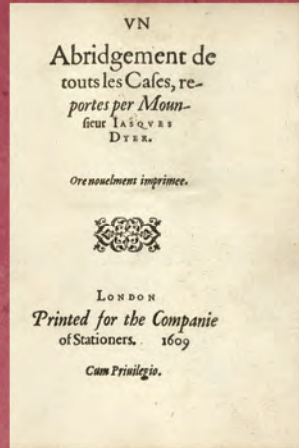
FINAL, AND BEST EDITION OF THIS WORK. With illustrations redrawn by John Coney, who also added 100 new illustrations. A lawyer by training, Dugdale was one of the great antiquarians of the seventeenth century and the author of such important works as *Origines Juridicales*, *The Antiquities of Warwickshire* and the present work, which is devoted to ecclesiastical institutions. Written with Roger Dodsworth, the first edition, in three-volumes, was published from 1655-1673. Our lavish 1849 edition, a reissue of Bohn's 1846 edition, the first with original and re-drawn images by Coney, features portraits, facsimiles of documents, views of buildings, floor plans, maps, coats of arms and trees of descent. Though not primarily a legal work, it has a great deal of legal information. As noted in the preface, "the work from Leiger Books, Chartularies, Rolls, and other National Documents [renders this work] indispensable to those professional men, who, on questions respecting Real Property, practice in the highest courts of the country, the Privy Council, and the Court of Chancery. Hence it will be seen that, acknowledged and admitted as it is, as evidence in all doubtful points as to the distribution of property, and in tracing landed possessions from their earliest proprietors, the Monasticon is indispensable to every Lawyer employed in the higher walks of his profession (i). Sweet & Maxwell 1:197 (3).



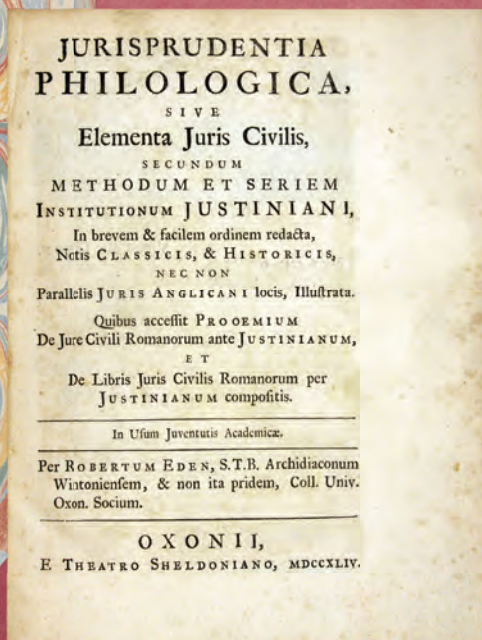


Details from N° 48





Details from N° 49



Details from N° 51



AN UNTRIMMED INTERLEAVED COPY OF DYER'S ABRIDGED  
REPORTS ANNOTATED THROUGHOUT IN CONTEMPORARY HAND

49 DYER, SIR JAMES [1510-1582].

*Un Abridgement de Tous les Cases, Reportes per Mounsieur lasques Dyer. Ore Novelment Imprimee.*

London: Printed for the Companie of Stationers, 1609. 99, [1] ff., interleaves, 23 blank leaves at rear of text. Octavo (5-1/2" x 4").

Contemporary vellum with fold-over flap and later (?) cloth tie, old repair to head of spine. Light shelfwear and soiling, some edgewear to bottom edge of rear board, hinges cracked. Very light toning to text, annotations throughout text and interleaves in neat contemporary hand, owner signature, "Tho. Peachell/ 1685," to front pastedown, "George Curo, his book, Ended March 25th 1643/ Sit gloria Deo" to foot of fol. 99. An appealing copy with wide untrimmed margins. \$5,000.

SECOND DATED EDITION, preceded by the 1602 edition and two undated editions (London; c. 1590? and c. 1595?). Dyer's *Reports*, which contains cases heard in the Courts of Common Pleas, King's Bench, Exchequer and Chancery from 1513 to 1582, was originally issued in 1585. One of the first publications of its kind, it was also the first to be referred to regularly as "Reports." A work of great authority (second only to that of the Year Books), it went through several editions and abridgments in Law-French and English. Our copy is particularly interesting for its extensive notes by a contemporary owner (probably by Curo) who had the sheets bound with interleaves. These are filled with case and text citations, glosses and analytical comments. ESTC S100016. Sweet & Maxwell 1:300 (50).

SELDEN'S EDITION OF AN IMPORTANT HISTORY  
OF EARLY NORMAN ENGLAND

50 EADMER [C.1060-C.1126].

SELDEN, JOHN [1584-1654], EDITOR.

*Eadmeri Monachi Cantuariensis Historiae Novorum Sive Saeculi Libri VI. Res gestas (Quibus Ipse non Modo Spectator Diligens Sed Comes Etiam & Actor Plerunq[ue] Interfuit) sub Guilielmis I & II & Henrico I Angliae Regibus, Ab Anno Nempe Salutis MLXVI ad MCXXII Potissimum Complexi.*

London: Typis & Impensis Guilielmi Stanesbeii, Ex Officinis Richardi Meighen & Thomae Dew, 1623. [viii], XVI, 218, pp. Woodcut text illustration (facsimile of two seals). Final leaf, a blank, lacking. Folio (13" x 8").

Contemporary speckled calf, blind rules to boards, rebaked, raised bands and lettering piece to spine, endpapers renewed, ribbon marker. Moderate rubbing to extremities, joints just starting at ends, corners bumped and lightly worn, a few partial cracks to text block. Title page printed in red and black, woodcut headpieces and decorated initials. Light toning, spark burns, smudges and minor tears to a few leaves, internally clean. Ex-library. Bookplate to front pastedown, stamps to endleaves and edges of text block. \$950.

ONLY EDITION, one of two issues from 1623. Eadmer (or Edmer) was an English historian, theologian, and ecclesiastic. He wrote two important works, *Vita Anselmi*, a biography of his archbishop and companion, Saint Anselm, and *Historia Novorum in Anglia*, a history of England between 1066 and 1122, the time when Norman rule was established and consolidated. Although it emphasizes ecclesiastical matters, it offers interesting insights into political and judicial administration. Selden's was the first modern edition of this important work and the basis of subsequent editions by Martin Rule (1884) and Geoffrey Bosanquet (1964). ESTC S121439.

AN INTERESTING, AND NOTABLE, EIGHTEENTH-CENTURY  
EXAMPLE OF COMPARATIVE LAW

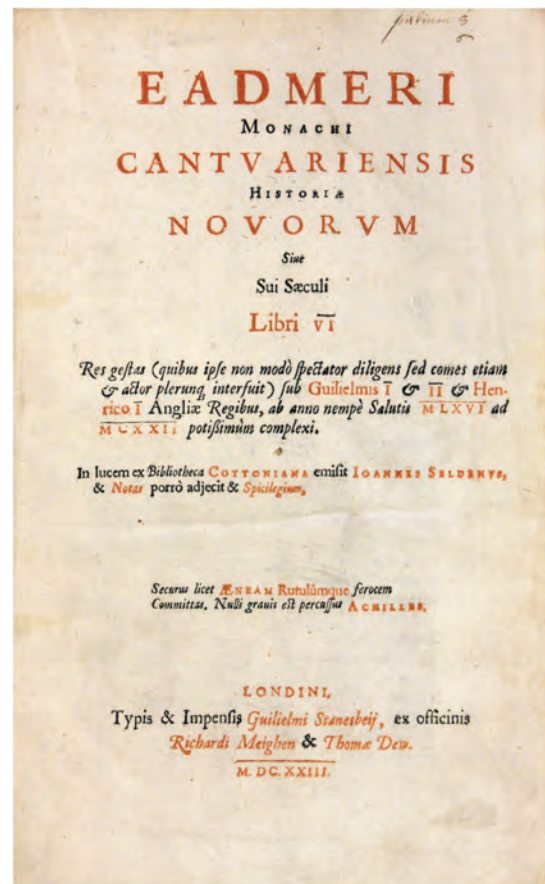
51 EDEN, ROBERT [1701-1759].

*Jurisprudentia Philologica, Sive Elementa Juris Civilis, Secundum Methodum et Seriem Institutionum Justiniani, In Brevem & Facilem Ordinem Redacta, Notis Classicis, & Historicis, Necnon Parallelis Juris Anglicani Locis, Illustrata. Quibus Accessit Prooemium de Jure Civili Romanorum ante Justinianum, Et de Libris Juris Civilis Romanorum per Justinianum Compositis. In Usus Juventutis Academicæ.*

Oxford: E Theatro Sheldoniano, 1744. xx, 307 pp. Copperplate portrait frontispiece. Quarto (9-1/2" x 7-1/2").

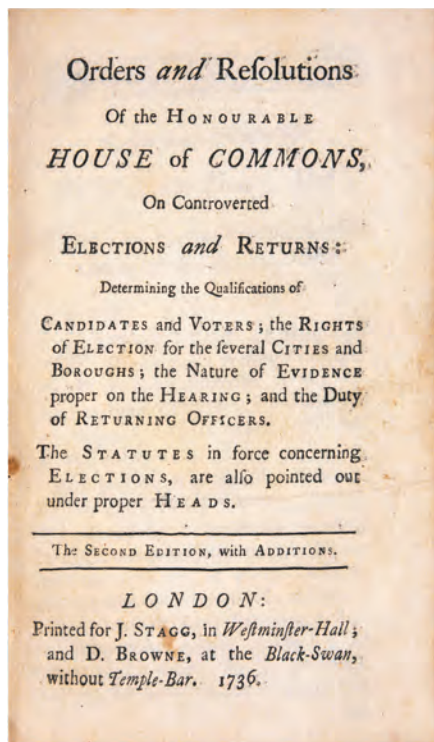
Recent period-style quarter calf over marbled boards, raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Light toning, somewhat darker in places, occasional faint dampspotting, blank rear endleaf detached and somewhat edgeworn. Attractive copperplate vignette at head of dedication. Later owner signatures (Geo B Young/ Oct 21 1862) to verso of frontispiece, another signature (of Young) to rear endleaf, interior otherwise clean. \$1,250.

ONLY EDITION. Text in Latin. An interesting work of comparative law, Eden's textbook presents an annotated summary of Roman law arranged in the order of Justinian's *Institutes* with references to parallel rules in English law. Eden was archdeacon of Winchester. Holdsworth includes this book in short list of notable eighteenth-century titles on Roman law. HEL XII:641. Sweet & Maxwell 5:133. ESTC T106360.



Nº 50





N° 52

THREE EIGHTEENTH-CENTURY WORKS ON ENGLISH ELECTION LAW WITH AN INTERESTING MARYLAND ASSOCIATION

52 [ELECTION LAW].  
[MARYLAND, COLONIAL PERIOD].

*Orders and Resolutions of the Honourable House of Commons, On Controverted Elections and Returns: Determining the Qualifications of Candidates and Voters; The Rights of Election for the Several Cities and Boroughs; The Nature of Evidence Proper on the Hearing; And the Duty of Returning Officers. The Statutes in Force Concerning Elections, Are Also Pointed Out Under Proper Heads. With Additions.*

London: Printed for J. Stagg, 1736. ix, [i], [3]-48-48\*, 49-209, [8] pp.

[BOUND WITH]

*The Statutes at Large Concerning Elections of Members to Serve in the House of Commons; Containing A Compleat Collection of All the Acts of Parliament Now in Force, Which Relate Thereto, Continued to the End of the Last Session of Parliament, 1734.*

London: Printed by John Baskett, Printer to the King's Most Excellent Majesty, And Sold by Him, Robert Gosling in Fleetstreet [sic], and John Stagg in Westminster-Hall, 1734. [vi], 73, 64-109, [17], 10 pp. The text is continuous despite pagination.

[AND]

[COWLEY, JOHN, ATTRIBUTED].

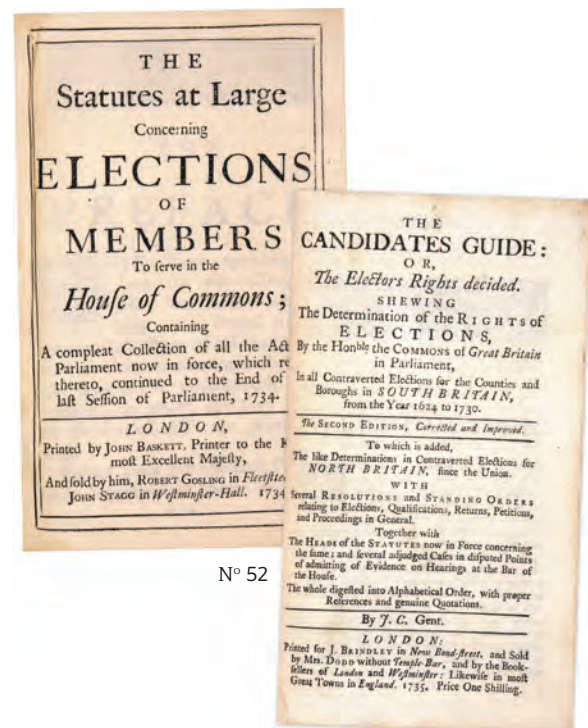
*The Candidates Guide: Or, The Electors Rights Decided. Shewing the Determination of the Rights of Elections, By the Hon'ble the Commons of Great Britain in Parliament, In All Contraverted Elections for the Counties and Boroughs in South Britain, From the Year 1624 to 1730. Corrected and Improved. To Which is Added, The Like Determinations in Contraverted Elections for North Britain, Since the Union. With Several Resolutions and Standing Orders*

*Relating to Elections, Qualifications, Returns, Petitions, and Proceedings in General. Together with the Head of the Statutes Now in Force Concerning the Same; And Several Adjusted Cases in Disputed Points of Admitting of Evidence on Hearings at the Bar of the House. The Whole Digested into Alphabetical Order, With Proper References and Genuine Quotations.*

London: Printed for J. Brindley in New Bond-Street, And Sold by Mrs. Dodd Without Temple-Bar, And by the Booksellers of London and Westminster: Likewise in Most Great Towns in England, 1735. 64 pp.

12mo. (6" x 4"). Contemporary calf, gilt spine with raised bands and lettering pieces. Moderate rubbing to extremities with some wear to spine ends, joints starting, some chipping to lettering pieces, one mostly defaced, corners bumped and somewhat worn, eighteenth-century copperplate armorial bookplate of Legh Master of Newhall. Light toning to text, a bit heavier in places. "No 2" and "John Hanson Thomas March 1815" in small early hand to front free endpaper, interior otherwise clean. An appealing volume with an interesting association. \$750.

SECOND EDITIONS. An appealing volume with a choice dual Anglo-American provenance. John Hanson Thomas [1779-1815], eminent Maryland lawyer, acquired this volume two months before his death in 1815, the year in which he was appointed to the U.S. Senate "selected by his party for a seat in the United States Senate. The volume originally belonged to the British aristocrat, Legh Master of Newhall [1717-1796], who came to Maryland in 1773 (other sources say ca. 1765) and established a plantation and pig-iron blast furnace on his estate in Frederick County. The estate was confiscated in 1775 when he was suspected of being a Loyalist. It was later restored to him. He committed a gruesome double murder after the war. "[He] was said to have sexually harassed a Negro slave girl. He became angry when another slave called Sam attempted to help her. He threw Sam into the furnace alive, then killed the girl and disposed of the body by bricking it up in an oven. During renovations of Avandale house in the 1930s, the oven was opened and a human skeleton was found inside." Codner & District Local History and Heritage Website, *The Master Family* (available online). ESTC T73467, T78250, T73466.



N° 52





DEFENSE OF THE ADMIRALTY COURTS

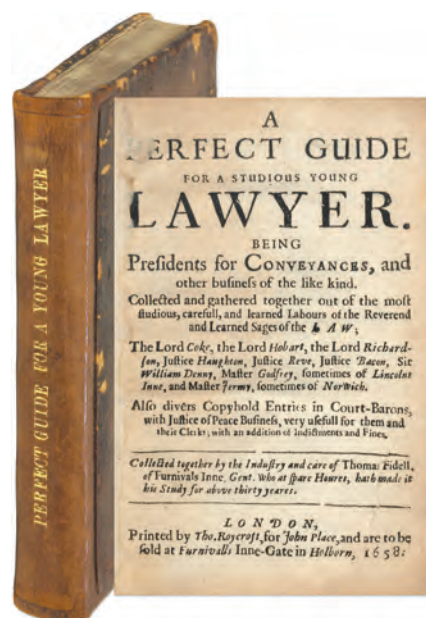
## 53 EXTON, JOHN [1600?-1668].

*The Maritime Dicaeologie; Or, Sea-Jurisdiction of England. In Three Books. I. Setting Forth the Antiquity of the Admiralty in England, Proving the Same to Have Been Settled Before Edward the Third's Time, Shewing the Beginning of the Sea Laws. The Laws of Oleron. The King of England's Dominion over the British Seas. The Sea Laws of the Grecians, Romans, &c. And the Power of the Admiral of Scotland. II. Proving the Ports, Havens, and Creeks of the Sea to be Within the Jurisdiction of the Admiralty, From the Rhodian Laws, The Laws of Oleron, and Several Antient Records and Adjudications as well in England as in Other Nations. III. Shewing that All Contracts Concerning Maritime Affairs are Within the Jurisdiction of the Admiralty, And There Cognizable, From the Antient Statutes of the Admiralty, The Laws of Oleron, Several Antient Records in the Tower, Chancery, &c. And Arguments to the Contrary Drawn from Several Statutes, &c. Answered.*

London: Sold by J. Worrall, 1755. xvi, vi, 404 pp. Octavo (8" x 5").

Nineteenth-century calf, blind rules to boards, raised bands and lettering piece to spine. Light rubbing to extremities, minor chipping to head of spine, some negligible scuffs along joints, front hinge cracked. Light toning, foxing in a few places. Early owner signature (of J. Matson) to head of title page, interior otherwise clean. Ex-library. Location label to foot of spine, card pocket to rear pastedown. \$950.

"SECOND EDITION," actually the fourth and final edition, a reissue of the sheets of the 1746 edition with a cancel title leaf and the addition of six pages following p. xvi. First published in 1664, this book, though ostensibly descriptive, was written chiefly to maintain the jurisdiction of the Admiralty court in the new government. Beyond its political interest, it offers a detailed analysis of seventeenth-century maritime law and admiralty jurisdiction at the time when Great Britain was emerging as a major maritime and colonial power. Exton was educated at Cambridge, earning the LL.D. in Civil Law in 1634. He was appointed President of the High Court of Admiralty by Parliament in 1649, and was reappointed by the Duke of York after the Restoration. Sweet & Maxwell 1:351 (15).



1658 FORMBOOK COLLECTED WITH "INDUSTRY AND CARE"

## 54 FIDELL, THOMAS, COMPILER.

*A Perfect Guide for a Studious Young Lawyer. Being Presidents for Conveyances, And Other Business of the Like Kind. Collected and Gathered Together Out of the Most Studious, Carefull, and Learned Labours of the Reverend and Learned Sages of the Law; The Lord Coke, The Lord Hobart, The Lord Richardson, Justice Haughton, Justice Reve, Justice Bacon, Sir William Denny, Master Godfrey, Sometimes of Lincolns Inne, and Master Jermy, Sometimes of Norwich. Also Divers Copyhold Entries in Court-Barons, With Justice of Peace Business, Very Usefull for Them and Their Clerks; With an Addition of Indictments and Fines. Collected Together by the Industry and Care of Thomas Fidell, of Furnivalls Inne, Gent., Who at Spare Houres, Hath Made it His Study for Above Thirty Years.*

London: Printed by Tho. Roycroft, for John Place, 1658. [iv], 277, [32] pp. Portrait frontispiece, included in some copies, not present. Octavo (6-1/4" x 4-1/4").

Contemporary sheep with recent rebacking, blind rules to boards, gilt title to spine, endpapers renewed. Minor scuffing to boards, moderate edgewear, corners worn. Some toning to text, title page re-hinged, some glue residue along gutter affecting a few letters of title, internally clean. \$1,500.

SECOND EDITION. With side-notes. First published in 1654, this is an extensive formbook drawn from the works of Bacon, Coke and other distinguished British jurists. Both editions are scarce. OCLC locates 2 copies of the second edition in North American Law libraries (Harvard, Library of Congress). Sweet & Maxwell 1:481 (24).



THE BOOK THAT "MADE" THE COMMON LAW"

## 55 FITZHERBERT, SIR ANTHONY [1470-1538].

*La Graunde Abridgement Collecte par le Iudge Tresreverend Monsieur Anthony Fitzherbert, Dernierment Conferre Ouesque la Copy Escrip et per Ceo Correct: Aueques le Nombre del Sueil, Per Quel Facilement Poies Trouver les Cases cy Abyrdges en les Livers Dans, Novelment Annote: Iamais Devaut Imprimee.*

[AND]

*La Secounde Part du Graund Abridgment...*

London: Richard Tottell, 1565. Three books in two parts [i], 379; [ii], 128, 207 ff. First and second parts have title pages. Collates complete. Small folio (13-1/2" x 9").

Later reversed calf, blind fillets to boards, raised bands and gilt title to spine, endpapers renewed, early hand-lettered title to fore-edge. Joints partially cracked but secure, corners bumped and somewhat worn, hinges weak. Title printed within woodcut architectural borders, woodcut decorated initials, single-line correction slip (an addition) pasted to C8 verso in second volume. Some toning, faint dampstaining to a few leaves. Later owner signature to front free endpaper (dated 1924), "Liber Henrici St. John" (possibly Viscount Bollingbroke) to head of title page, brief annotations to a few leaves, interior otherwise clean. An impressive volume. \$3,500.

FIRST TOTTELL EDITION. Arguably one of the most imposing volumes in the history of English law, Fitzherbert abridged 13,485 cases under 263 titles in alphabetical order. First published in 1514 (or 1516), it was the first serious attempt to arrange the common law in a systematic manner and it was a model for such writers as Brooke and Rolle. According to Boersma, Fitzherbert accomplished "nothing less than to abridge all notes of significant cases at common law." A standard work in Great Britain, it was equally important in the American colonies. Thomas Jefferson, for example, owned a copy from 1577. Graham and Heckel refer to this work as the "book that 'made' the common law.": *Law Library Journal* 51 [1957]: 100-101. Beale R463, R464. Sowerby 1776. ESTC S122166.

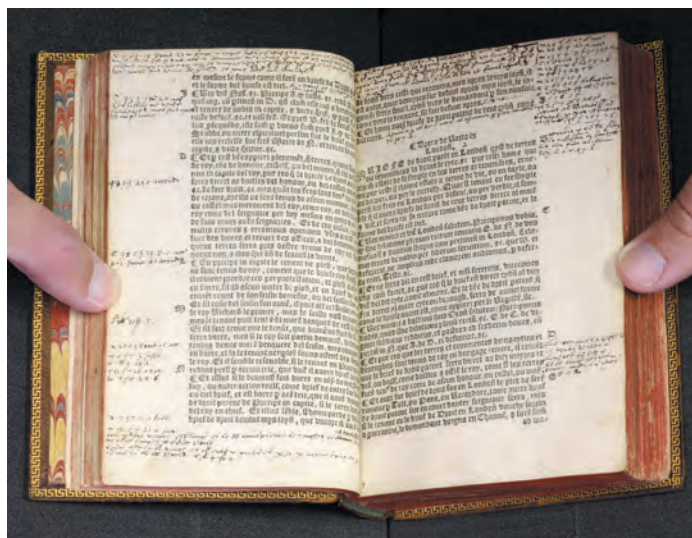






N° 57

EARLY TOTTELL EDITION OF FITZHERBERT'S ABRIDGMENT. JEFFERSON HAD A COPY



Detail from N° 57

HEAVILY ANNOTATED COPY OF A WORK HIGHLY ESTEEMED BY COKE AND BLACKSTONE

## 56 FITZHERBERT, SIR ANTHONY.

*La Graunde Abridgement Collecte par le Iudge Tresreuerend Monsieur Anthoine Fitzherbert, Dernierement Conferre Ouesque la Copey Escrip et per ceo Correcte, Ouesque le Nombre del Sueil, Per Quel Facilement Poies Trouver les Cases cy Abridges en les Livers Dans, Novelment Annote: Iamais Devaunt Imprimees.*

[AND]

*La Secoude Part du Graund Abridgment...*

[AND]

*Tabula. Cy Ensuit la Table pur Trouver les Titles.*

London: Richard Tottell, 1577. [ii], 342 [i.e. 341]; [ii], 265; [ii], 66 ff. First and second parts of abridgment have title pages. Collates complete. Small folio (9-1/4" x 6-1/2").

Contemporary calf, rebaked with raised bands and gilt title, endpapers renewed, early leaf of notes tipped-in to verso of front endleaf. Boards worn, joints cracked but secure, hinges starting, first signature detached, a few partial cracks to text block. Titles printed within woodcut architectural borders, woodcut decorated initials. Toning, light browning in a few places, some soiling to title page. Occasional early underlining and annotations, interior otherwise clean. \$1,750.

SECOND TOTTELL EDITION. Beale R466, R467, R468. ESTC S102204. Sowerby 1776. Cowley 71.

## 57 FITZHERBERT, SIR ANTHONY. RASTELL, WILLIAM [1508?-1565].

*La Nouvelle Natura Breuium du Iudge Tresreuerend Monsieur Anthoine Fitzherbert, Dernierement Renue & Corrigee par Lauteur, Avecques un Table Perfaicte des Choses Notables Conteneues en Ycelle, Nouvelment Colmpossee per Guillaume Rastell, & Iamais per Cydeauant Imprimee.*

London: In Aedibus Richardi Tottelli, 1553 [i.e. 1560 colophon]. [xxxii] of [xxxiii], 271, [1] ff. The missing leaf is a blank, collation otherwise complete. Octavo (6-1/4" x 4-1/4").

Nineteenth-century paneled calf, dentelles to board edges and interior, rebaked retaining earlier spine, raised bands and lettering piece to spine, edges rouged, marbled pastedowns, free endpapers lacking (or never present). Moderate rubbing to extremities with some wear to spine ends, hinges cracked, armorial bookplate to rear pastedown. Title printed within woodcut architectural border. Some toning to interior, very faint dampstaining to portions of text, dampspotting to a few leaves, light soiling and some edgewear to title page. Extensive annotations in early court hand to endleaves, title page and most of text. An appealing wide-margined copy. \$4,000.

FIRST PUBLISHED IN 1534, the *Nouvelle Natura Brevium* is a manual of procedure written by a Judge of the Common Pleas during the reign of Henry VIII. 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 popular work, it went through numerous editions in Law French and English, the final appearing in 1794. It remains significant to this day for its descriptions of writs that were becoming obsolete in the early sixteenth century. Some of the annotations in our copy offer commentary or cite passages in other treatises, such as Lambard's *Eirenarcha*. A few combine references to cases, commentary and a treatise citation. Winfield 301. ESTC S113138. Beale T344.



1560 PRINTING OF FITZHERBERT'S IMPORTANT JP MANUAL

## 58 FITZHERBERT, SIR ANTHONY.

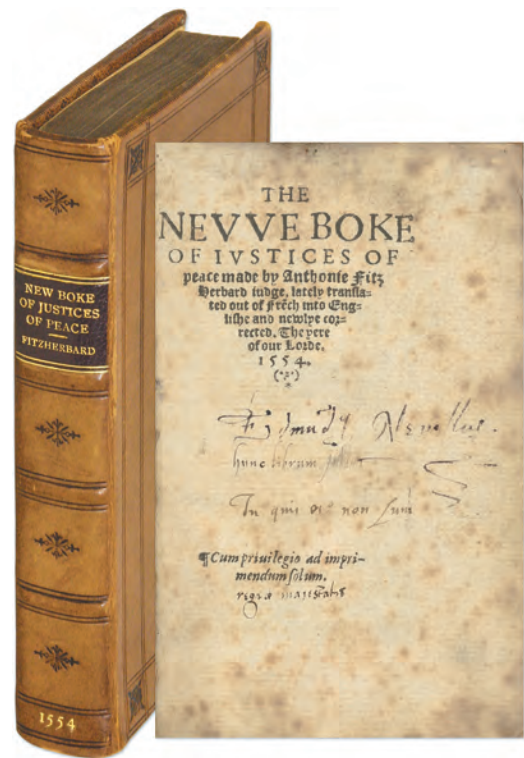
*The Newe Boke of Iustices of Peace Made by Anthonie Fitzherbard Iudge, Lately Translated Out of Fre[n]ch into Englishe and Newlye Corrected. The Yere of Our Lorde 1554.*

[London: Imprinted at London in Fletestrete Within Temple Barre... By Richarde Tottyll, 1560]. 173, [3] ff. Collates complete. Octavo (5-1/4" x 3-1/2").

Attractive twentieth-century paneled calf, lettering piece and raised bands to spine, blind inside dentelles. Light rubbing to extremities, crack to text block between final text leaf and following endleaf, chip to fore-edges of fol. 19 with no loss to text. Light toning, occasional light foxing, browning to a few leaves. Early owner signature (of Edmund Novellus) to title page in miniscule chancery hand, occasional brief annotations in same hand to text. An attractive copy. \$3,500.

FIRST PRINTED IN 1538, Fitzherbert's manual was issued eight more times; its final edition was printed in 1617. Editions beginning in 1583 were edited by Richard Crompton. Despite his efforts, this work was eventually superseded by William Lambard's *Eirenarcha* (1581). ESTC S4295. Beale T342.

"ALL MANNER OF OFFENDORS AGAINST THE PUBLICK PEACE"



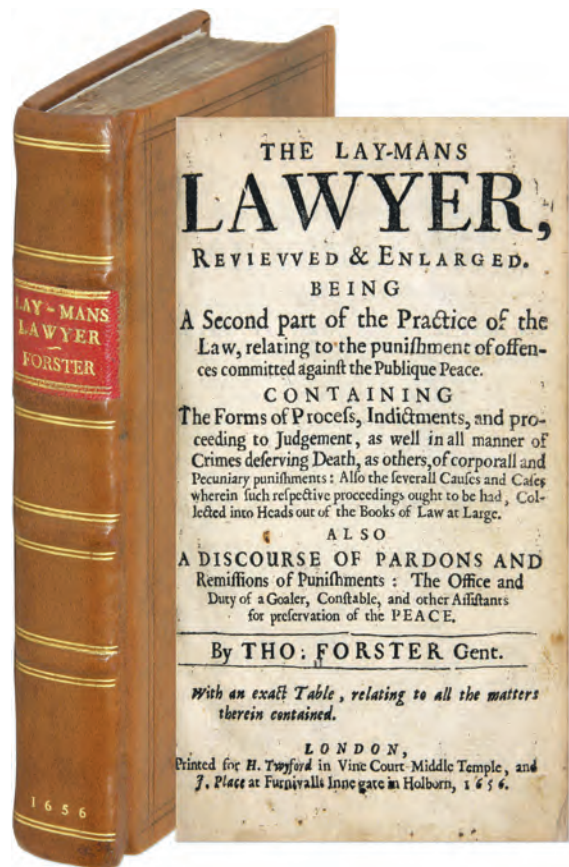
## 59 FORSTER, THOMAS.

*The Lay-Mans Lawyer, Reviewed & Enlarged. Being a Second Part of the Practice of the Law, Relating to the Punishment of Offences Committed Against the Publique Peace. Containing the Forms of Process, Indictments, And Proceeding to Judgement, As Well in All Manner of Crimes Deserving Death, As Others, Of Corporall and Pecuniary Punishments: Also the Severall Causes and Cases Wherein such Respective Proceedings Ought to be Had; Collected into Heads Out of the Books of Law at Large. Also a Discourse of Pardons and Remissions of Punishments: The Office and Duty of a Goaler, Constable, And Other Assistants for Preservation of the Peace.*

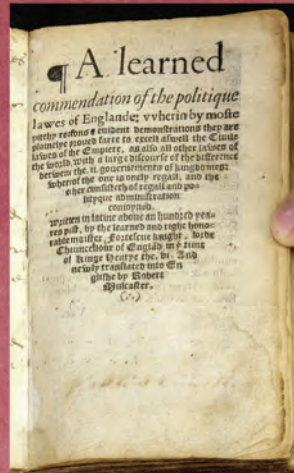
London: Printed for H. Twyford, and J. Place, 1656. [xiv], 338, [24] pp. Octavo (6-3/4" x 3-1/2").

Recent period-style calf, blind rules to boards, gilt-edged raised bands and lettering piece to spine, endpapers renewed. Some toning to text, occasional minor staining to margins. Early annotations to endleaves and a few text leaves, early owner initials to fore edge. A nice copy of a scarce title. \$2,500.

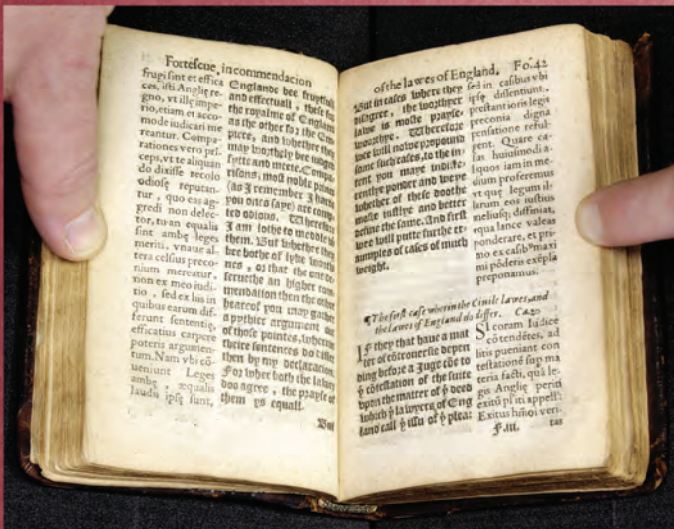
ONLY EDITION. This guide was first published in 1654 as the second part of Forster's *Complete Attorney* (i.e. "Practice of the Law"). It was "reviewed and enlarged" as an independent work. It is a remarkably comprehensive layman's guide. To quote the introduction, it "contains the formes of all manner of Warrants and Precepts sent out from Authority, to attach and apprehend all manner of Offendors against the publick peace...together with the whole Learning of Clergy, who shall have it allowed, And in what Offences, and who shall not have it: As also the Office and Duty of a Gaoler, never before in any of the Books of the Law, so exactly set forth; the duty of Church-wardens, so far onely as they are empowered by divers Statutes, to be assistant to the Constables, the Ordinary conservators of the Peace in this Commonwealth" ([xii-xiv]). OCLC locates 4 copies in North American law libraries (Library of Congress, University of Michigan, University of Pennsylvania, Yale). Sweet & Maxwell 1:362 (32).







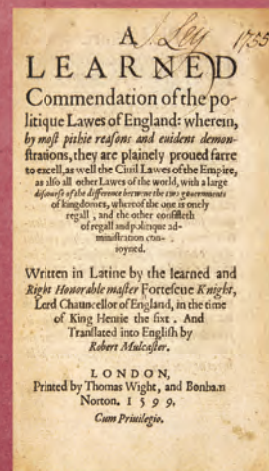
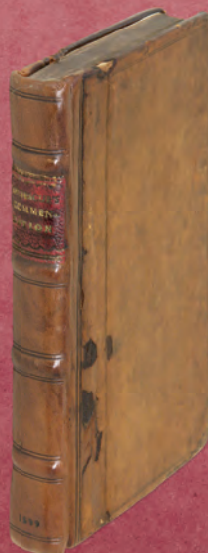
N° 60



Detail from N° 60



Detail from N° 61



N° 61



FIRST ENGLISH-LANGUAGE EDITION  
OF FORTESCUE'S *DE LAUDIBUS*

WELL-ANNOTATED 1599 EDITION  
OF FORTESCUE'S *DE LAUDIBUS*

- 60 FORTESCUE, SIR JOHN [1394?-1476?].  
MULCASTER, ROBERT [16TH. C.], TRANSLATOR.

*A Learned Commendation of the Politique Lawes of England: Wherin by Moste Pitthy Reasons and Evident Demonstrations They are Plainely Proved Farre to Excell Aswell the Civile Lawes of the Emperie, As Also All Other Lawes of the Worlde, With a Large Discourse of the Difference Betwene the ii. Governementes of Kingdomes: Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conjoyned. Written in Latine Above an Hundred Yeares Past, By the Learned and Right Honorable Maister Fortescue Knight, Lorde Chauncellour of England in ye Time of Kinge Henry VI. and Newly Translated into Englishe by Robert Mulcaster.*

[London: In Fletestrete Within Temple Barre, At the Signe of the Hand and Starre, by Rycharde Tottill, 1567]. [i], 132, [3] ff. Collates complete. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/4").

Contemporary calf, blind panels with corner fleurons and large central fleurons to boards, rebaked in period style, raised bands and gilt ornaments to spine, ties lacking. Some rubbing to extremities, corners worn, hinges cracked, small later owner bookplate to verso of front endleaf, crack in text block between ff. 2 and 3, some edgewear to preliminaries. Light toning to text, faint dampstaining in places. Early and somewhat later signatures and annotations to endleaves, interior otherwise clean. An appealing copy. \$6,000.

FIRST EDITION IN ENGLISH. *De Laudibus Legum Angliae*, was written for the instruction of Edward, the young Prince of Wales. Cast in dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe. It also compares the common and Roman systems and extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first published (in Latin) in 1537. "Fortescue was a favorite among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the Common Law" (Marvin). This was the first work to examine extensively trial by jury and the Inns of Court. OCLC locates 4 copies in North American law libraries (Georgetown, Harvard, LA County, UVA). Marvin 321. Beale T357. ESTC S102454.

- 61 FORTESCUE, SIR JOHN.  
MULCASTER, ROBERT, TRANSLATOR.

*A Learned Commendation of the Politique Lawes of England: Wherein, By Moste Pitthy Reasons and Evident Demonstrations, They are Plainely Proved Farre to Excell, As well the Civil Lawes of the Empire, As Also All Other Lawes of the World, With a Large Discourse of the Difference Betwene the Two Governements of Kingdomes, Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conjoyned. Written in Latine by the Learned and Right Honorable Master Fortescue Knight, Lord Chauncellor of England, In the Time of King Henie the Sixt. And Translated into English by Robert Mulcaster.*

London: Printed by Thomas Wight, and Bonham Norton, 1599. [i], 132, [3] ff. Collates complete. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/2").

Contemporary calf, blind rules to boards, rebaked in period style with raised bands and lettering piece, endpapers renewed. Light rubbing to boards, corners bumped and somewhat worn. Moderate toning to text, light soiling to title page, inkstains to margins of a few leaves. Early owner signature, of J or I Ley, dated 1755, to head of title page, underlining and brief annotations throughout text, some affected slightly by trimming. An appealing copy. \$3,500.

THIRD EDITION with an English text. Beale T359. ESTC S102543.

THE BOOK THAT ESTABLISHED THE FIELD  
OF EQUITY JURISPRUDENCE

- 62 FRANCIS, RICHARD [FL. 1719-1728].

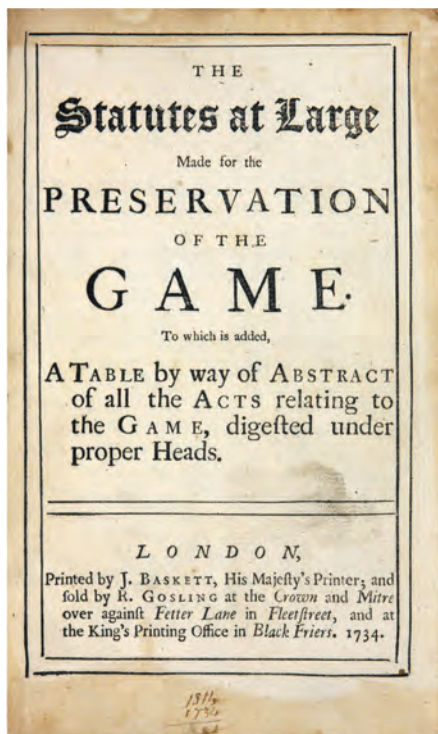
*Maxims of Equity, Collected From, And Proved by Cases, Out of the Books of the Best Authority, In the High Court of Chancery. To which is Added the Case of the Earl of Coventry, Concerning the Defective Execution of Powers Latlky Adjudged in the High Court of Chancery.*

[London]: Printed by E. and R. Nutt, and R. Gosling, 1728. [x], 72, [12], [2], 20 pp. Folio (12" x 8").

Recent period-style calf, blind panels to boards, raised bands and lettering piece to spine. Moderate toning and occasional light foxing to text, internally clean. \$950.

SECOND EDITION, a reissue of the first edition (1727) with an altered title page and a preliminary advertisement leaf. This was the first textbook on equity published since St. Germain's *Doctor and Student* (1523). It is generally considered to be the book that founded the field of equity jurisprudence. Francis outlines fourteen maxims, such as "Equality is Equity" and "Equity suffers not a right to be without a remedy." Each maxim is followed by a brief summary of cases that illustrate its application. As Roscoe Pound observed, Francis created a precursor to the casebook: "his maxims for the most part are independent attempts to state principles derived from the study of cases." Pound, "On Certain Maxims of Equity" 261-262. ESTC T118767.





N° 63

"PRESERVATION OF THE GAME"

## 63 [GAME LAWS].

*The Statutes at Large Made for the Preservation of the Game: To Which is Added, a Table by Way of Abstract of All the Acts Relating to the Game, Digested Under Proper Heads.*

London: Printed by J. Baskett, 1734. 108 [i.e. 128], [24] pp. Octavo (8" x 5").

Contemporary calf, blind rules and fillets to boards, raised bands to spine. Moderate rubbing to boards, heavier rubbing to extremities, gilt spine title rubbed away, front board beginning to separate, corners bumped and somewhat worn, rear hinge cracked. Light toning to text, somewhat heavier in places, offsetting to margins of preliminaries and rear endleaves. Neat early underlining to a few passages, interior otherwise clean. A solid copy. \$650.

SECOND EDITION. "Of all the Branches of the Statute-Laws of this Kingdom, there is scarce any that requires to be more universally known than the Acts that have been made for the Preservation of the Game: Persons of all degrees may be concerned therein. Now because many of the said Acts are not to be had Single, and the Statutes at Large being grown bulky in Price as well as Size, the Publishers were for these reasons induced to oblige the Publick with the following Collection, in which the Lords of Manors, and Owners of Royalities, and also of Forests, Chases, Parks, &c. may at one View in a Manner see their Franchises and Privileges; the Civil Magistrate, as Justices of the Peace, and other Peace-Officers, his Duty and Authority, and the unlawful Destroyer of the Game, his Punishment" [iii]. First published in 1726, this treatise went through two more editions in 1734 and 1756. All are scarce. OCLC locates 6 copies of the 1734 edition in North America, 2 in law libraries (Harvard, University of Georgia). Sweet & Maxwell 1:466 (54).

BEST EDITION OF A DEFINITIVE STUDY  
OF ANGLICAN ECCLESIASTICAL LAW

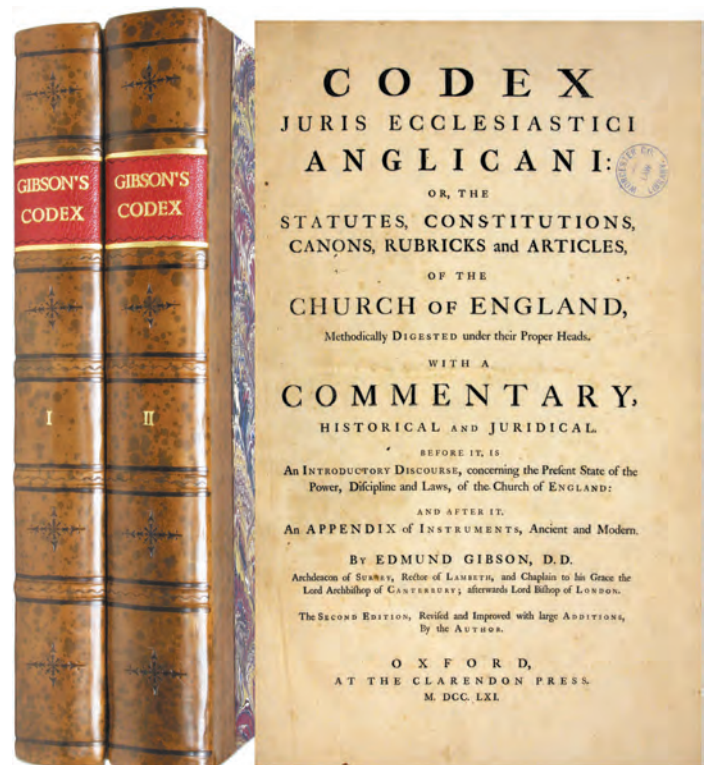
## 64 GIBSON, EDMUND [1669-1748].

*Codex Juris Ecclesiastici Anglicani: Or, The Statutes, Constitutions, Canons, Rubricks and Articles of the Church of England, Methodically Digested Under Their Proper Heads. With a Commentary, Historical and Juridical. Before it, Is an Introductory Discourse, Concerning the Present State of the Power, Discipline and Laws, Of the Church of England: And After It, An Appendix of Instruments, Ancient and Modern. Revised and Improved with Large Additions by the Author.*

Oxford: At the Clarendon Press, 1761. Two volumes. [iv], xxx, [26], 746; [ii], 747-1575, [99] pp. Folio (14-1/2" x 9-1/2").

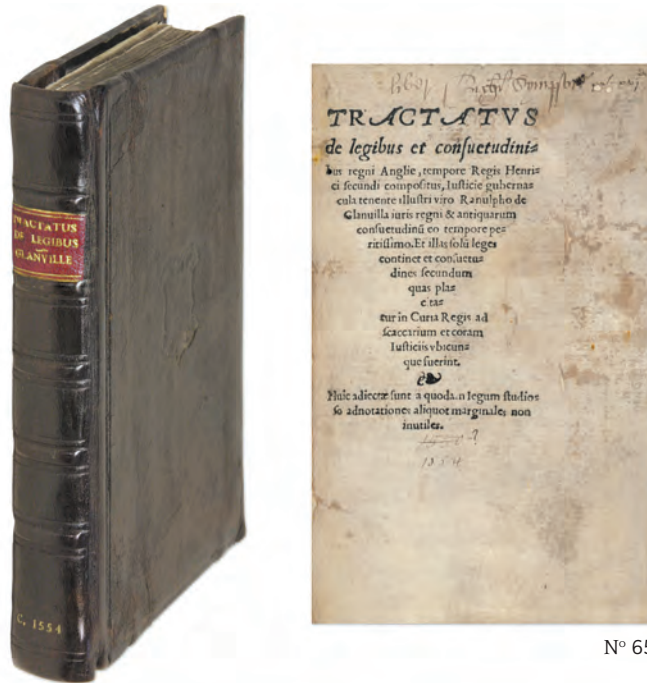
Recent period-style quarter calf over marbled boards, raised bands, black-stamped ornaments and lettering pieces to spines, endpapers renewed. Light toning to text, negligible foxing in places, internally clean. Ex-library. Small inkstamps to title pages. An attractive copy. \$950.

SECOND, FINAL AND BEST EDITION. Holdsworth, who discusses this book at length, holds it in the highest regard. The *Encyclopaedia Britannica* says it "discusses more learnedly and comprehensively than any other the legal rights and duties of the English clergy, and the constitution, canons and articles of the English Church." First published in 1713, it went through several printings. An abridged edition by Richard Grey was published in 1730 that went through four other editions in 1732, 1735 and 1743. Gibson, an English divine and jurist, was chaplain and librarian to the archbishop of Canterbury. He went on to become the Bishop of London. In addition to *Codex Juris Anglicani* he produced several important works, including editions of the *Chronicon Saxonicum* (1692) and the collected works of Sir Henry Spelman (1698). HEL 12:607-611. ESTC T148435.

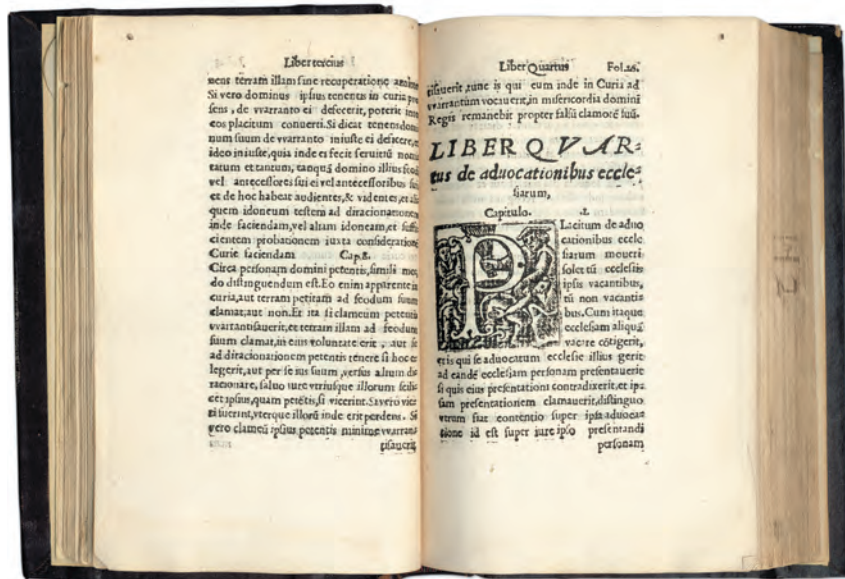


N° 64





N° 65



Detail from N° 65

FIRST EDITION OF THE FIRST ENGLISH LEGAL TREATISE

## 65 GLANVILLE, RANULF DE [D. 1190]. ATTRIBUTED.

*Tractatus de Legibus et Consuetudinibus Regni Anglie. Tempore Regis Henrici Secundi Compositus, Iusticie Gubernacula Tenente Illustri Viro Ranulpho de Glanvilla Iuris Regni & Antiquarum Consuetudinum eo Tempore Peritissimo. Et Illas Solu[m] Leges Continet et Consuetudines Secundum Quas Placitatur in Curia Regis ad Scaccarium et Coram Iusticiis Ubicunque Fuerint. Huic Adiectae Sunt a Quodam Legem Studioso Adnotationes Aliquot Marginales Inutiles.*

[London: In Aedibus Richardi Totteli, c.1554]. [iii], 5, 5-44, 43-113, [17] ff. (Fol. P8 a blank). Collates complete. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, old calf covers with small central arabesques laid down on boards, raised bands and gilt title to

spine, endpapers renewed, title page mounted. Light toning to text, some staining to title page and another leaf, gutter of last leaf adhered slightly to facing endpaper just touching text, two small wormholes to upper margins with no loss to text, early annotations to head of title page and a few leaves. Ex-library. Small inkstamp to fol. 59. An attractive copy. \$12,500.

FIRST EDITION. As Winfield notes, the anonymous Latin text long attributed to Glanville (or Glanvill) is the "first classical textbook of English law." Completed around 1189, it describes the procedure of the King's Bench. There is much information pertaining to litigation and includes the texts of approximately eighty writs. Glanville was a major contribution to the development of the common law tradition. It continued to be a primary reference for several generations. Coke, for example, praised it wholeheartedly and used it liberally in his *Reports*. Though overshadowed by Bracton's larger treatise, Glanville is still cited today. It also remains useful for its unparalleled insights into the nature of land law and procedure in medieval England. ESTC S102455. Beale T365.



A LANDMARK IN THE DEVELOPMENT OF UTILITARIAN,  
SOCIALIST AND ANARCHIST DOCTRINE, LISTED  
IN *PRINTING AND THE MIND OF MAN*

66 GODWIN, WILLIAM [1756-1836].

***An Enquiry Concerning Political Justice, And its Influence on General Virtue and Happiness.***

Dublin: Printed for Luke White, 1793. Two volumes. [xiii], [22], 411; [xxii], 424 pp. Octavo (8" x 5-1/2").

Contemporary speckled calf, gilt fillets and red and black lettering pieces to spines. Light rubbing to extremities, corners bumped and lightly worn, hinges starting. Light toning, occasional light foxing. Early annotations to a few leaves, a leaf of notes laid in. Ex-library. Small embossed stamps to title pages. A handsome set. \$1,850.

FIRST DUBLIN EDITION, apparently pirated, published the same year as the first edition, which was published in London. Along with those of Burke and Paine, Godwin's *Enquiry* was one of the most influential English political books of the late eighteenth century inspired by the French Revolution. It was also "one of the earliest, clearest, and most absolute theoretical expositions of socialist and anarchist doctrine. Godwin believed that the motives of all human doctrine were subject to reason, that reason taught benevolence, and that therefore all rational creatures could live in harmony without laws and institutions. (...) The time would come, he maintained, when every man by doing what seemed right in his own eyes, would also be doing what was best for all men, because all, through discussion, would be guided by purely rational principles. Natural relationships had no meaning—marriage and parental duty were alike irrational, and property the worst form of tyranny" (*Printing and the Mind of Man*). It was an equally important landmark in the development of Utilitarian thought, and on political thinking generally. 4,000 copies were sold within a few years of its first publication. It was acquired by several corresponding societies, which increased its circulation considerably among others who could not afford to purchase the book. (Members of these societies also read it to illiterate members.) Godwin was the husband of Mary Wollstonecraft, author of *A Vindication of the Rights of Women* (1792), and father of Mary Shelley, the author of *Frankenstein* and wife of poet Percy Bysshe Shelley, a devoted follower of Godwin's political theories. PMM 243 (citing the London edition). ESTC N6481.

FIRST EDITION OF THE FIRST ENGLISH TREATISE  
ON BANKRUPTCY

67 G[OODINGE], T[HOMAS].

***The Law Against Bankrupts: Or, A Treatise Wherein the Statutes Against Bankrupts are Explained, By Several Cases, Resolutions, Judgments and Decrees, Both at Common Law and Chancery. Together with the Learning of Declarations and Pleadings Relating Thereunto. To Which are Likewise Added Forms and Directions for Commissioners, And Presidents, Fit for the Perusal of Lawyers, Or Merchants and Tradesmen.***

[London]: Printed for Richard Southby, 1694. [xxxii], 275, [29] pp. Octavo (7" x 4-1/2").

Recent period-style calf, blind fillets and rules to boards, raised bands, blind fillets and lettering piece to spine, early hand-lettered title to fore-edge of text block. Light toning to text, somewhat heavier in places, faint dampspotting and dampstaining in a few places. Brief early annotations to a few leaves, interior otherwise clean. Ex-library. Faint stamp to top edge of text block, perforated stamps to title page and one other leaf. \$2,950.

FIRST EDITION. Title page and preface signed T.G. Goodinge's was the first English treatise on bankruptcy, and also the first statement on the subject by a common (rather than civil) lawyer. It was reissued in 1695. The second edition was published in 1701, with a 1704 reissue. The third edition followed in 1713, with a 1719 reissue; a fourth in 1726. All are scarce. OCLC locates 6 copies of the first edition in North America, 5 in law libraries (Duke, Library of Congress, Ohio State, University of Pennsylvania, Yale). ESTC R177531.

"WHEN FOOLS FALL OUT FOR EV'RY FLAW,  
THEY RUN HORN MAD TO GO TO LAW"

68 GRAVELOT, HUBERT-FRANCOIS [1699-1773], AFTER MOSLEY, CHARLES, ENGRAVER.

***Westminster Hall. The First Day of Term. A Satirical Poem.***

London: Republished by Laurie & Whittle, 6th November, 1797.

Copperplate engraving, 12-1/2" x 13-3/4" image on a 14-1/2" x 19-3/4" sheet of wove paper, watermarked "W. King" in the right margin of the sheet, mounted and matted. Light soiling to margins, toning to outer edges of margins, mostly covered by mat, very good overall. \$950.

A WONDERFUL DEPICTION of the English law court at Westminster Hall in the age of Blackstone accompanied by a satirical poem by an anonymous author. The print shows the active scene within Westminster Hall on the first day of term, showing the hammerbeam roof and looking towards arched windows at the far end. Members of the public and the law court go about their business in the hall, conversing and buying law books from stalls that flank either side of the hall. A few women are seen milling about and one woman appears to be selling a book to another. Four columns of verse beneath the image satirize the litigiousness of English society and the eagerness of attorneys to take even the most trifling case: "Jargons and noise alone prevail – while sense and reason's sure to fail; at Babel thus law terms began, – and now at Westminster go on."

In image and in text, this print provides us with important contemporary evidence of the legal work that went on at Westminster, and the low esteem in which that work could be held. This image was originally published in 1758, according to the record of the Government Art Collection at Queen's Yard, London. Gravelot was active as an artist in London in the 1730s and 1740s, after which he returned to France, though he continued to produce work for publication in England. OCLC locates copies at the Harvard Law School and at the Morgan Library. We are also aware of copies at the Yale Center for British Art, the British Museum, the Government Art Collection at Queen's Yard, London, and the collections of the British Parliament. According to the British Museum, it is not listed in *BM Satires*.

IMPORTANT EIGHTEENTH-CENTURY TREATISE  
ON ENGLISH BANKRUPTCY LAW

69 GREEN, EDWARD.

***The Spirit of the Bankrupt Laws. Wherein are Principally Considered, The Power and Authority of the Commissioners, In, 1. Declaring the Party Bankrupt. 2. Seizing His Estate, And Summoning Him to Surrender. 3. Receiving Proof of the Debts of His Creditors. 4. Appointing, Chusing, and Removing Assignees. 5. Conveying and Selling his Estate and Effects. 6. Examining and Committing Him, His Wife, and Others. 7. Certifying His Conformity. 8. Dividing the***



**Estate. 9. Ordering Him His Allowance, and Overplus. These are Fully Discussed and Explained, Particularly the Power of the Commissioners to Commit, From the Determination of Lords Hardwicke, Mansfield, And of the Present Judges. With Precedents and Instructions. To Which is Prefix'd a Discourse Concerning the Commissioners of Bankrupt. With Many Additions; Particularly a Supplement.**

London: Printed for J. Williams, 1769. xiii, xiii, [x], iv, 488, [12]. [8] pp. Includes eight-page publisher catalogue. Octavo (7" x 4").

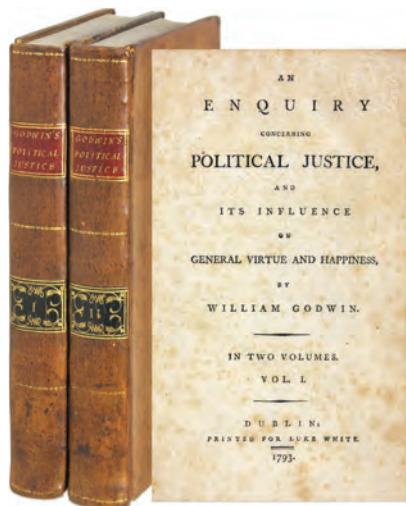
Contemporary calf, blind frames to boards, raised bands and lettering piece to spine. Some rubbing to extremities, a few shallow

scuffs to boards, chipping to head of spine, corners bumped, boards beginning to separate (but still quite secure). Light toning to text, darker in places, internally clean. A solid copy. \$650.

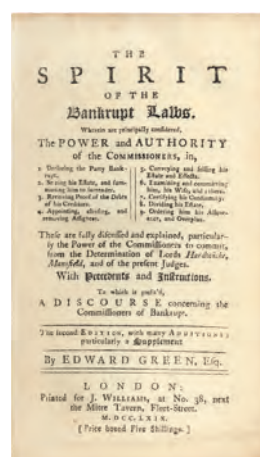
SECOND EDITION. "The book is clearly written and well arranged. It states the effect of the modern cases and statutes; but it is not a mere digest. It explains underlying principles, and gives a good account of the way in which the commissioners in practice conducted their business" (HEL). The first edition was published in 1767, the final edition (the fourth) in 1780. All are scarce. OCLC locates 4 copies of the second edition, 1 in a law library (UC-Berkeley). HEL XII:388. ESTC T193883.



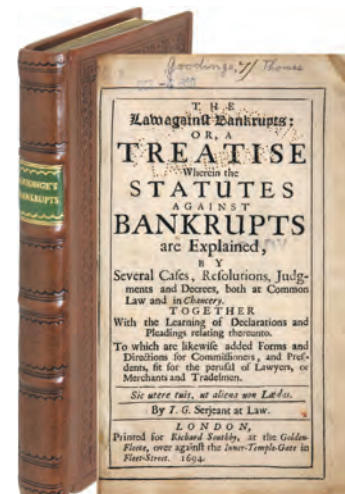
N° 68



N° 66



N° 69



N° 67

THE LORD MAYOR'S COMMERCIAL AND ENVIRONMENTAL  
JURISDICTION OF THE RIVER THAMES

## 70 GRIFFITHS, ROGER.

*An Essay to Prove that the Jurisdiction and Conservancy of the River of Thames, &c. is Committed to the Lord Mayor, And City of London, Both in Point of Right and Usage, By Prescription, Charters, Acts of Parliament, Decrees, Upon Hearing Before the King, Letters-Patents, &c. &c. To Which is Added. A Brief Description of Those Fish, With their Seasons, Spawning-Times, &c. That are Caught in the Thames, Or Sold in London. With Some Few Observations on the Nature, Element, Cloathing, Numbers, Passage, Wars, and Sensation, &c. Peculiar to Fish in General. And, Also, Of the Water Carriage on the River Thames, To the Several Parts of the Kingdom; With a List of the Keys, Wharfs, And Docks, Adjoining to the Same.*

London: Printed by Robert Brown, 1746. xvi, [4], 296 pp. Octavo (8" x 5").

Recent period-style calf, blind rules, fillets and ornaments to boards, raised bands, blind ornaments and lettering piece to spine. Moderate toning to text, foxing in a few places, light soiling and inkstains to a few leaves. Early owner signature to head of title page, interior otherwise clean. Ex-library. Inkstamps to verso of title page and foot of p. 296. A handsome copy of a very scarce title. \$1,000.

FIRST EDITION. This fascinating treatise by a water bailiff of the Thames reviews the Lord Mayor of London's powers and responsibilities regarding that river. The treatise emphasizes laws regarding the conservation of the river and its aquatic life. It also provides a good deal of information about fishing, navigation, agriculture and commercial activities along the river. A second edition was published in 1758. Both are very scarce. OCLC locates 3 copies of the first edition in North American Law Schools (Harvard, University of Georgia and University of Minnesota), none of the second. ESTC T132070.

## THE FIRST ENGLISH TRANSLATION OF GROTIUS

## 71 GROTIUS, HUGO [1583-1645].

[BARKSDALE, CLEMENT (1609-1687), EDITOR AND TRANSLATOR].

*The Illustrious Hugo Grotius: Of the Law of Warre and Peace, With Annotations. III. Parts. And Memorials of the Author's Life and Death.*

London: Printed by T. Warren, For William Lee, 1655. [lxxx], [ii], 660, [82 of 92] pp. Lacking index. Two-page list of biblical references misbound at beginning of text after [p. lxxx]. Copperplate portrait frontispiece. Eight-page publisher catalogue. Octavo (6-1/2" x 4").

Contemporary calf, blind rules to boards, early rebacking with raised bands and gilt title, repairs to corners, hinges mended. Some rubbing to extremities, corners bumped, a few minor scuffs to boards, hinges partially cracked. Moderate toning to text, some edgewear and minor tears to preliminaries, repair to fore-edge of frontispiece (with no loss to text). Underlining and annotations in a few places, interior otherwise clean. Ex-library. Bookplate to front free endpaper. A scarce title. \$3,500.

REISSUE OF THE FIRST ENGLISH TRANSLATION, 1654, one of two from 1655, the other with a cancel title page identifying the editor as "C.B." First published in 1625 *De Jure Belli et Pacis*, this momentous work describes situations in which war is a valid tool of law enforcement and outlines principles for the use of force. Though based on Christian natural law, Grotius advances the novel argument that his system would still be valid if it lacked a divine basis. In this regard he points to the future by moving international law in a secular direction. Barksdale's annotated translation, the first in English, appeared in 1654. It includes an original biographical sketch of the author. Barksdale edited this work considerably and added numerous annotations to add a stronger Christian component. These editorial changes reflect contemporary debates about the nature of foreign policy and the roles of civil and ecclesiastical authority. The early English editions, including those below, differ considerably and are very interesting to compare. ESTC R16252. Ter Meulen and Diermanse 628.

## FIRST EDITION OF THE FIRST COMPLETE ENGLISH TRANSLATION

## 72 GROTIUS, HUGO.

EVATS, WILLIAM [C.1606-1677], TRANSLATOR.

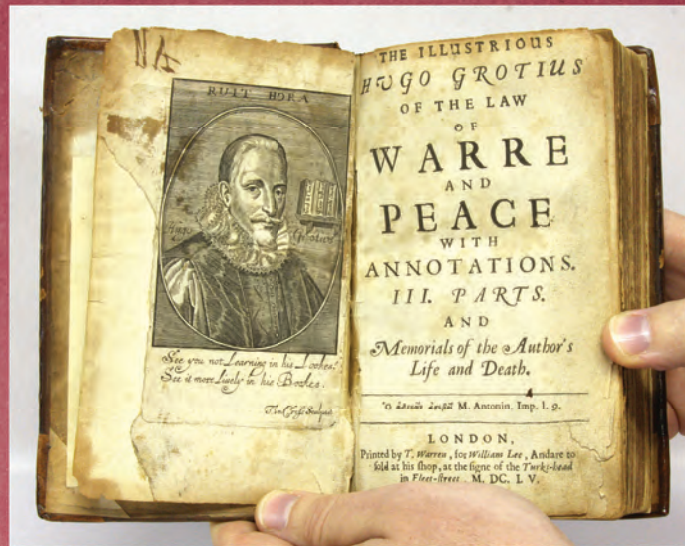
*The Most Excellent Hugo Grotius His Three Books Treating of the Rights of War & Peace. In the First is Handled, Whether any War be Just. In the Second is Shewed, The Causes of War, Both just and Unjust [sic]. In the Third is Declared, What in War is Lawful; That is, Unpunishable. With the Annotations Digested Into the Body of Every Chapter.*

Translated into English by William Evats, B.D. London: Printed by M[argaret] W[hite] for Thomas Basset, 1682. [iii], xxi, [7], 220, 361-572, [32] pp. Extra copperplate pictorial title page. Text continuous despite pagination. Folio (12-1/2" x 8").

Recent period-style paneled calf, raised bands, blind ornaments and lettering piece to spine, pictorial title page re-hinged. Main title page printed in red and black, woodcut head-pieces. Moderate toning, minor edgewear and light soiling to preliminaries, spark burns and offsetting from laid-in items to a few leaves. Owner inscription from 1945 to front endleaf (discussed below), interior otherwise clean. A solid copy of an important edition in a handsome binding. \$4,500.

FIRST EDITION of the first complete translation in English. This copy belonged to a Walton Ferris, an official in the U.S. State Department. His note on a front endleaf reads: "Ordered from London/ on V-E Day, May 8, 1945,/ received on the day of/ Japan's surrender/ August 14, 1945/ W.F." Now housed in a folder, this book has Ferris's invoice, along with several newspaper clippings, offprints and other items relating to the end of World War II, international law, Grotius and the Nuremberg Trials. Among these items is a six-page press release from the State Department, dated November 20, 1944, describing the United Nations, "a general international organization proposed tentatively by the United States, Great Britain, the Soviet Union and China on October 9, 1944, following the conversations of their representatives held at Dumbarton Oaks, Washington, D.C." ESTC R8527. Ter Meulen and Diermanse 630.

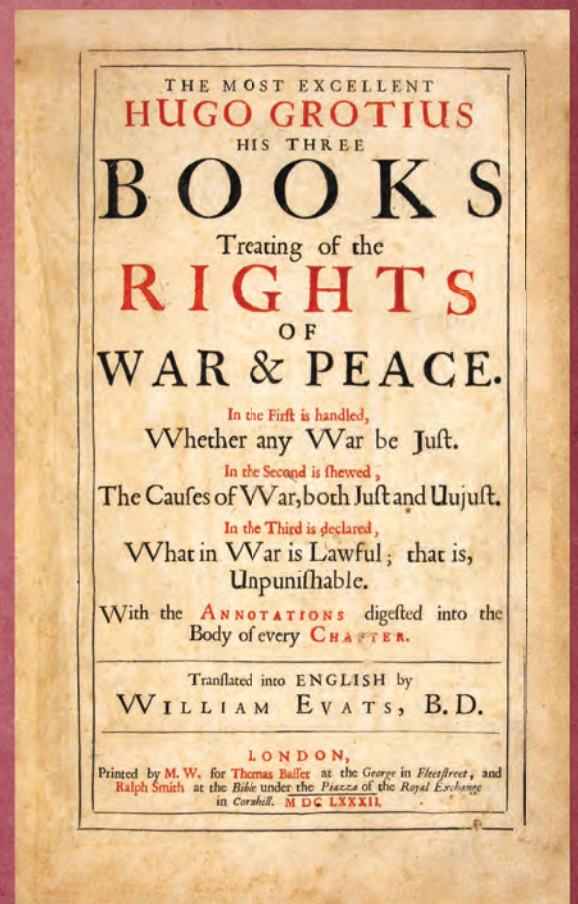




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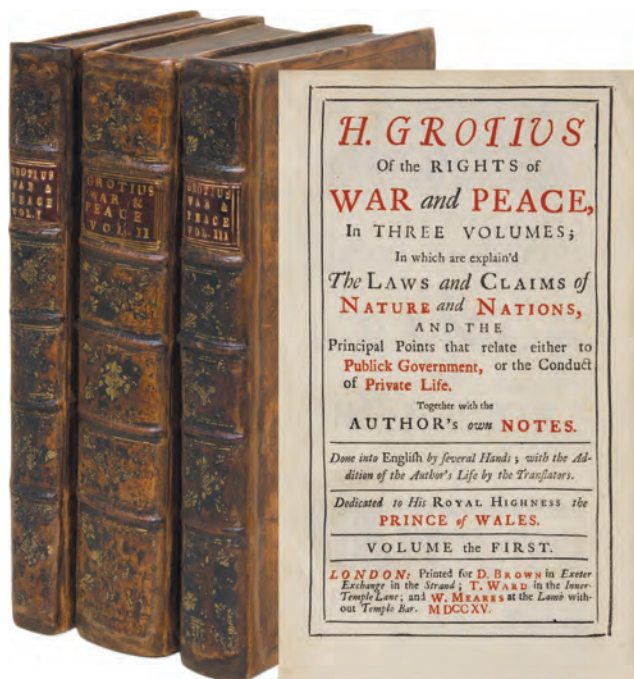


N° 72



N° 72





N° 73

HANDSOME EARLY ENGLISH TRANSLATION  
OF DE JURE BELLI AC PACIS**73** GROTIUS, HUGO.  
[MORRICE, JOHN, TRANSLATOR AND EDITOR].

*Of the Rights of War and Peace, In Three Volumes; In Which are Explain'd the Laws and Claims of Nature and Nations, And the Principal Points that Relate Either to Publick Government, Or the Conduct of Private Life. Together with the Author's Own Notes. Done into English by Several Hands; With the Addition of the Author's Life by the Translators. Dedicated to His Royal Highness the Prince of Wales.*

London: Printed for D. Brown, T. Ward and W. Meares, 1715. Three volumes. Volume I has a one-page publisher list. [xv], civ, 212; [ii], 648 [ii], 356, [48] pp. Octavo (7-1/2" x 5").

Contemporary paneled calf, rebacked retaining spines with raised bands, gilt ornaments and lettering pieces. Light rubbing and a few minor scuffs to boards, corners bumped and lightly worn, a few hinges starting. Title pages printed in red and black, woodcut headpieces. Moderate toning, light foxing in places, finger smudges to a few leaves, internally clean. A handsome set. \$2,500.

THIRD ENGLISH-LANGUAGE EDITION. ESTC T117018.  
Ter Meulen and Diermanse 634.

HANDBOOK PUBLISHED ON THE CUSP OF THE CIVIL WAR

**74** G.T., OF STAPLE INNE.

*The Attourney of the Court of Common Pleas, Or His Directions and Instructions Concerning the Course of Practice Therein. With Sundry Observations Thereupon, &c.*

London: Printed by Thomas Badger, For Matthew Walbanck and Henry Twyford, 1642. [vi], 104 pp. Octavo (5-1/4" x 3-1/4").

Contemporary sheep, blind rules to boards, blind fillets to spine. Light rubbing to boards, moderate rubbing to extremities with some chipping to spine ends, corners bumped and lightly worn, joints just starting at ends, pastedowns loose. Some toning to text, early annotations and doodles to pastedowns, interior otherwise clean. \$1,500.

FIRST EDITION. Published in the first year of the English Civil War, this handbook outlines procedure, pleading, drafting of briefs, judgment, execution and other topics. It offers a nice overview of the systems and procedures that would soon be affected by the war and the political changes that ensued. A second edition was published in 1648. Both are scarce. OCLC locates 5 copies of the first edition in North America (at the Huntington Library, Library of Congress, University of Minnesota Law School, Yale and Yale Law School). ESTC R26270.

POPULAR EARLY GUIDE TO THE DAILY PRACTICE  
OF ENGLISH LAW**75** G.T., OF STAPLE INNE.

*The Practick Part of the Law: Shewing the Office of an Attorney, And a Guide for Solicitors in All the Courts of Westminster, Viz. The Courts of Chancery, Kings-Bench, Common-Pleas and Exchequer, With the Manner of Their Proceedings in Any Action Real, Personal or Mixt, From the Original to the Execution. As Also the Practice of the Courts in the City of London, Courts of Admiralty, Ecclesiastical Courts, And Other Inferiour Courts in the Country. To Which is Added the Exact Table of Fees of All the Said Courts at Westminster as They Were Delivered Into the House of Commons, With the Abstract of the Parchment and Paper Act by Order of the Queen and Council. Carefully Corrected and Enlarged by Several Practisers of the Several Courts. With a New Table of the Principal Matters.*

London: Printed for the Assigns of Richard and Edward Atkins, 1695. [viii], 576, [14], [2]; [viii], 116, [4], 24; 16 pp. Three parts, each with title page and individual pagination, second and third parts dated 1694. Third part bears imprint "Printed for Charles Bill, And the Executrix of Tho. Newcomb, Deceased." Includes 2-page and 4-page publisher lists. First page of first and second parts blank. Octavo (6-3/4" x 4").

Contemporary calf, blind fillets along joints, rebacked in period style, raised bands and lettering piece to spine, early hand-lettered title to fore-edge of text block, front hinge mended, endpapers renewed. Light rubbing and a few minor scuffs, corners bumped and lightly worn. Moderate toning, browning to third part, faint dampspotting in places. Early struck-through signature to head of first title page, brief early annotations to some sections of text. A handsome copy. \$750.

LATER EDITION of a work first published in 1652, one of two issues from 1695. This early guide outlines the daily practice of the law in England. A useful and popular work, it went through several editions, the final appearing in 1724. Our imprint is preferable to the other from 1695 because it has the two parts mentioned in its title page: *A Exact Table of Fees and An Abstract of the Act... For Granting to Their Majesties Several Duties upon Vellum, Parchment, And Paper*. OCLC locates 6 copies of this edition in North American law libraries (Harvard, Southern Methodist University, US Supreme Court, University of Minnesota, University of Pennsylvania, Yale). ESTC R31131.



## 76 HALE, SIR MATTHEW [1609-1676].

***Pleas of the Crown, Or, A Methodical Summary of the Principal Matters relating to that Subject.***

London: Printed by the Assigns of Richard Atkyns, 1682. [xvii], 272, [8] pp. Copperplate portrait frontispiece. Octavo (7" x 4").

Contemporary calf with nineteenth-century rebacking and recornering, raised bands, lettering piece and blind ornaments to spine, endpapers renewed. Light rubbing to extremities, hinges just starting at ends. Some toning to text, light foxing to a few leaves, light soiling to title page and final index leaf. Early owner signature to title page, interior otherwise clean. \$800.

SECOND EDITION. First published in 1678, this landmark study went through seven editions. "Hale was essentially a scientific lawyer. He could view English law as a whole and appreciate the relationship of its various parts. (...) Hale was able to suggest a methodical arrangement of English law, which was at once scientific and practical. (...) Historically [*Pleas of the Crown*] is interesting as the first attempt to introduce some order into this branch of the law." *HEL* VI:590-91. Sweet & Maxwell 1:362 (35).

NOTABLE TREATISE ON TAX COLLECTION AND  
FAMOUS WITCHCRAFT TRIAL

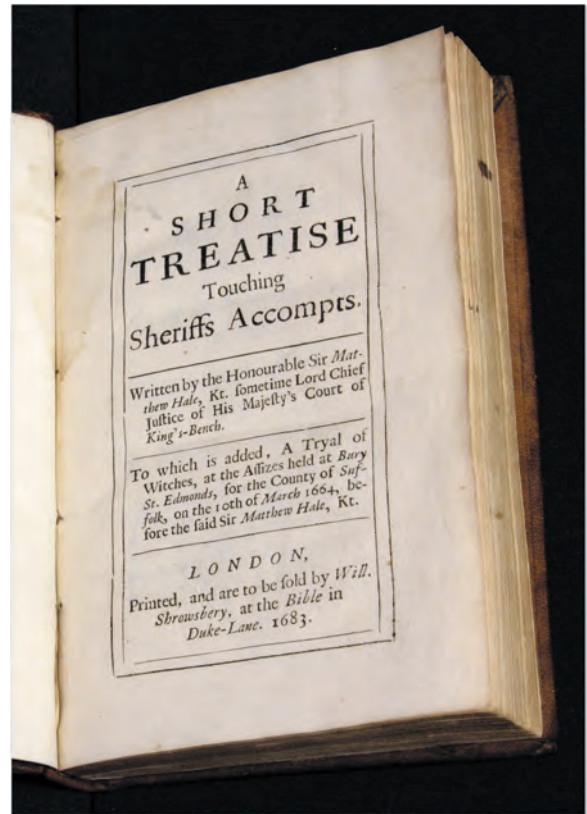
## 77 HALE, SIR MATTHEW.

***A Short Treatise Touching Sheriffs Accompts. Written by the Honourable Sir. Matthew Hale, Kt. Sometime Lord Chief Justice of His Majesty's Court of King's-Bench. To Which is Added, A Tryal of Witches, At the Assizes Held at Bury St. Edmonds, For the County of Suffolk, on the 10th of March 1664, Before the Said Sir Matthew Hale, Kt.***

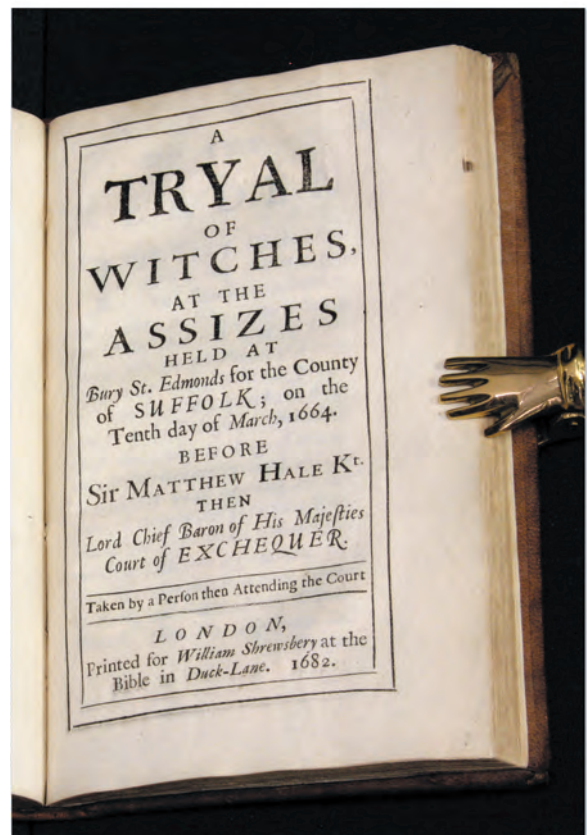
London: Printed, And are to be Sold by Will. Shrowsbery, 1683. [viii], 110, [1]; [iv], 59 [1] pp. Two parts, each with title page and individual pagination, the second title with the imprint, London: Printed for William Shrowsbery, 1682. Octavo (6-3/4" x 4-1/4").

Contemporary calf, blind rules to boards, rebacked in period style with blind fillets and lettering piece. Light rubbing to extremities, corners bumped and lightly worn, front pastedowns loose, early owner bookplate to inside of front board. A handsome copy. \$1,750.

FIRST EDITION, one of two issues from 1683, the other does not include the witchcraft trial. Hale was one of the greatest legal minds in the history of English law. His historically grounded treatise on the sheriff's role as a tax collector was commissioned by the Lord Treasurer and the Chancellor of the Exchequer. It had a second edition in 1716. "It show's Hale's mastery of the early history of the Exchequer, and of the history and seventeenth century practice of the financial relations of the sheriffs and the crown; and it contains some valuable suggestions for improvements in the existing practice (Holdsworth). *A Tryal of Witches*, an unrelated work, was originally issued in 1682. It is an account of the Lowestoft Witchcraft trial conducted at Bury St. Edmonds. Well-known in its day, this remains the most famous trial of its kind because it was well-documented in Hale's pamphlet and involved many leading jurists and experts of the day, most notably Thomas Browne, a physician who presented one of the earliest examples of psychiatric testimony as an expert witness. Brown's testimony was later quoted by Cotton Mather during the Salem Witchcraft trials. Some say the Salem trial was inspired by Hale's pamphlet. *HEL* VI:589. *ESTC* R14358.



N° 77



N° 77





Nº 78

CROMWELL REFUSED TO GRANT A PARDON

78 H[ALL], J[OHN] [1627-1656].  
[HINDE, JOHN, ATTRIBUTED].

*A Gagg to Love's Advocate: Or, An Assertion of the Justice of the Parliament in the Execution of Mr Love.*

London: Printed by William Du-Gard, Printer to the Council of State, 1651. [iv], 22 pp. Quarto (7" x 5-1/2").

Stab-stitched pamphlet bound into later three-quarter calf over marbled boards. Light rubbing to extremities with negligible wear to spine ends and corners. Large copperplate arms of the Commonwealth to title page, woodcut head-pieces and decorated initials. Moderate toning to text, dampstaining to head of text block, title page soiled and edgeworn, worming to lower margin of text block, edgewear to a few leaves at beginning and end of text, small chips to heads of final three leaves with minor loss to text. Two miniscule annotations in later hand to head of title page, small recent owner stamp to rear pastedown, interior otherwise clean. A solid copy of a scarce title. \$950.

ONLY EDITION. Hall was a poet employed as a pamphleteer by Cromwell. He was, in other words, a propagandist for the Commonwealth. *A Gagg to Love's Advocate* defends the recent execution of Christopher Love [1618-1651], a controversial Welsh Protestant preacher and advocate of Presbyterianism. He was convicted of treason when the Commonwealth learned that he was communicating with the exiled Stuart court with the goal of restoring the Stuart monarchy. He went to his death as a martyr of the Presbyterians, who petitioned in vain to secure his pardon. Cromwell denied these petitions because we wished to suppress dissent among the Presbyterians. OCLC locates 6 copies in North America, none in law libraries. A few sources, most notably Wing's *Short-Title Catalogue*, suggest an attribution to John Hinde. The *ESTC* does not offer an attribution, though most scholarship indicates that Hall was the author. *ESTC* R206702.

INCLUDES "APPEALS OF MURDER AND MAYHEME"

79 HANSARD, JOHN, COMPILER.

*A Book Of Entries: Of Declarations and Other Pleadings General and Special, In the Most Usual Actions in the Court of Kings-Bench. Also a Choice Collection of Special Writs, And their Returns. Together with Observations in Pleading, Instructing the Younger Clerks in the Practice of that Court. From the Original Manuscripts in Court-Hand, Collected and Drawn by John Hansard Gent. Late of Clements-Inn. To Which are Added, Appeals of Murder and Mayheme, With Variety of Pleadings Therein. Not Printed Before in Any Book of Entries or Pleadings.*

London: Printed by the Assigns of Richard and Edward Atkins, 1685. [xviii], 283, [1], [20] pp. Folio (12" x 7-1/2").

Recent period-style quarter calf over marbled boards, gilt-edged raised bands and lettering piece to spine, endpapers renewed. Light browning to text. Two eighteenth-century signatures of (of Robert Hume and one other) and another nineteenth-century signature (of William Shaw) to title page, interior otherwise clean. \$400.

ONLY EDITION. Little seems to be known about Hansard and he did not appear to publish any other works. The *ESTC* lists the final collation as [21], but the collation of the multiple listings in OCLC are identical to our copy. *ESTC* R20439.

"EXERCITATIONS" FOR THOUGHTFUL LAWYERS

80 HARGRAVE, FRANCIS [1741?-1821].

*Jurisconsult Exercitations.*

London: Sold by W. Clarke and Sons, 1811-1813. Three volumes. Quarto (10-1/2" x 8-1/2").

Recent cloth, gilt titles and blind fillets to cloth, endpapers renewed. Moderate rubbing to boards, corners bumped and somewhat worn. Moderate toning to text, light foxing in places, torn corner in Volume I (pp. 237-38) repaired with archival tape, internally clean. Ex-library. Small inkstamps to title pages. An attractive set. \$500.

ONLY EDITION. A compendium of thirty-five arguments, observations, opinions, and notes on a wide range of cases and topics, such as the illegality of domestic slavery in England, the inescapability of trusts in inheritance, fines of land, taxing out of parliament, the rule in Shelley's Case, the legal time of human birth and the Walpole Case of mutual wills. Sweet & Maxwell 2:156.

RARE EARLY ACCOUNT OF THE ODDINGLEY MURDERS

81 [HEMMING, RICHARD (C.1772-1806)].  
[PARKET, GEORGE (D. 1806)].

*A Full and Accurate Account of the Inquest Held Upon the Remains of Richard Hemming, Lately Discovered in a Barn, At Oddingley, Worcestershire, Including Particulars of the Murder Committed on the Body of the Rev. George Parker, Rector of Oddingley, On the 24th of June, 1806.*

Worcester: Printed and published by T. Eaton, 1830. [i], 53 pp. Woodcut frontispiece (of Hemming's skeleton and a plan of where it was discovered). Octavo (7-1/2" x 4-1/2").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine. Moderate toning to text, occasional light

foxing, light soiling to title page, internally clean. A handsome copy of a rare item. \$850.

ONLY EDITION. The Oddingley murders took place in June 1806. Rev. George Parker, Rector of Oddingley, was found in a meadow in the village, dying from a gunshot wound to the stomach. Witnesses saw the assailant. From their description he was identified as Richard Hemming. He wasn't located alive, but his skeleton was found 24 years later buried in a barn. At the time of the 1806 murders, that barn was leased by a farmer named Thomas Clewes. After his arrest, Clewes admitted his knowledge of the murders. He said a trio of farmers hired Hemming to murder their late rector because of a long-running dispute over tithes. Then, without a stated motive, one of them killed Hemming. The discovery of the murderer's skeleton 24 years later, followed by a lurid confession, transformed a local story to a national event. People expected the trial of Clewes, John Barnett and George Banks, the two surviving conspirators named by Clewes, to result in a triple hanging. The men were not convicted, however, due to legal technicalities, witnesses who contradicted themselves and, most important, a lack of solid evidence beyond Clewes's confession. OCLC locates 3 copies, none in North America.

PUBLIC DRINKING IN REGENCY-ERA ENGLAND

## 82 HENDERSON, ROBERT.

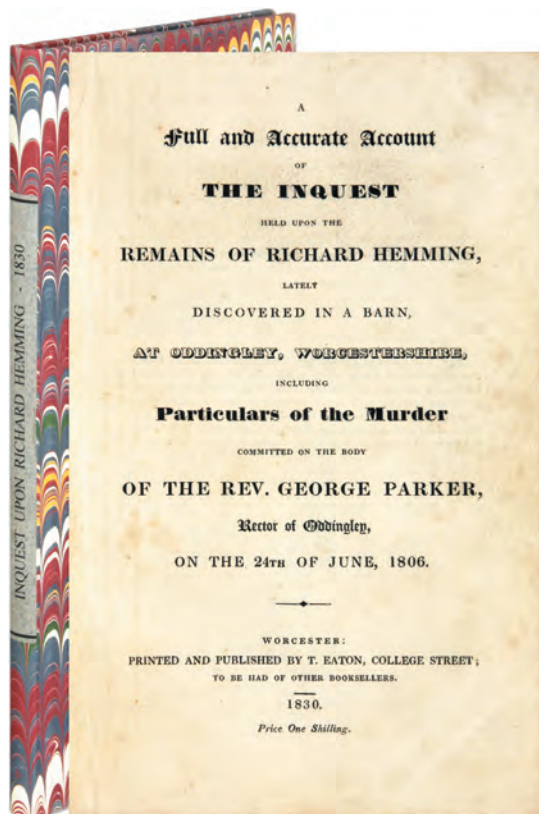
*An Inquiry into the Nature and Object of the Several Laws for Restraining and Regulating the Retail Sale of Ale,*

*Beer, Wines, And Spirits; In Which Some of the Causes Productive of Low or Ill-Governed Ale-Houses are Traced; The Objections Against Wine-Vaults or Liquor-Shops Considered; And the Necessity of an Appellate Jurisdiction from the Judicial Decisions of Justices of the Peace on These Subjects, Demonstrated; With Some Suggestions as to a Proposed Amendment of the Law; And an Appendix of Cases, Illustrative of Individual Calamity Suffered Under the Existing Mode of Granting and Withholding Licenses to Inns, Taverns, Ale-Houses, &c. Without the Power of Appeal; In a Letter to the Hon. Henry Grey Bennett, M.P. Chairman of the Committee on the State of the Police of the Metropolis.*

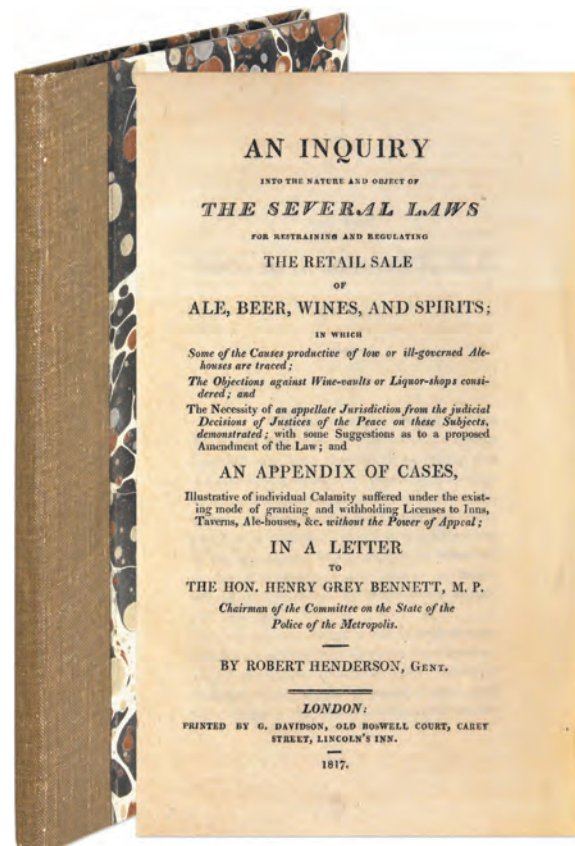
London: Printed by G. Davidson. 1817. [iii], 144 pp. Half-title lacking. Octavo (8-1/4" x 5-1/4").

Recent quarter calf over marbled boards, calf title panel to front, marbled endpapers. Light toning to text, internally clean. \$650.

ONLY EDITION. A detailed portrait of the licensed public-house trade in Regency England, especially London, which had around 6000 pubs. Henderson, a London barrister, does not restrict his focus to legal aspects of the trade. He also examines the social problems caused by unregulated drinking establishments and the often questionable qualities of their landlords, who were often as questionable as the drinks they served. OCLC locates 3 copies, none in North America. Not in Sweet & Maxwell. *Goldsmiths'* 21902.



N° 81



N° 82



AN IMPORTANT RESTORATION-ERA CRITIQUE OF  
GREAT BRITAIN'S ECCLESIASTICAL COURTS

FIRST ENGLISH-LANGUAGE EDITION OF HORNE'S  
MIRROUR OF JUSTICES

83 HICKERINGILL, EDM[UND] [1631-1708].

*The Test or, Tryal of the Goodness & Value of Spiritual-Courts in Two Queries I. Whether the Statute of I Edw. 6.2. be in Force (Against Them) at This Day, Obliging Them to Summon and Cite the Kings Subjects (Not in Their Own Names and Styles, As Now They do, But) In the Name and Stile of the Kings Majesty (As in the Kings Courts Temporal) and Under the Seal of the Kings Arms? II. Whether Any of the Cannon-Law, Or How Much of the Cannon-Law is (At this Day) the Law of England, In Courts Christian, Highly Necessary to be Perused by All Those That Have Been, Or May be Cited to Appear at Doctors Commons.*

London: Printed by George Larkin, 1683. [iv], 22, 18 pp. Lacking final leaf, a blank. Folio (11-3/4" x 5-1/2").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine, endpapers renewed. Negligible light rubbing to extremities. Light toning to text, some edgewear and light soiling to first and final leaves, faint dampstaining in a few places, chip to fore-edge of leaf with some loss to side-notes. Early manuscript page numbers added to upper corners of leaves, showing this item was once part of a bound volume, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$950.

FIRST EDITION. Britain's ecclesiastical courts received a great deal of scrutiny in early years of the Restoration. Dissenters, Parliamentarians and others who feared the power of the Church of England under the control of a Catholic or crypto-Catholic king, believed it was necessary to limit the scope of its courts. The work of an idiosyncratic Anglican Churchman who supported the Commonwealth, Hickerlingill's pamphlet was one of the most important and legally detailed contributions to this argument. Recognized as an important work, a second edition was issued in 1683, a third in 1706. All are scarce. OCLC locates 2 copies of the first edition in North American law libraries (University of Michigan, University of Pennsylvania). ESTC R2631.

"HIS OFFICE SHELVES WITH PARISH LAWS ARE GRAC'D, BUT  
SPELLING BOOKS AND GUIDES BETWEEN THEM PLAC'D"

84 HOGARTH, WILLIAM [1697-1764], AFTER.  
COOK, THOMAS [C.1744-1818], ENGRAVER.

*A Woman Swearing Her Child to a Grave Citizen.*

Copperplate engraving by Thomas Cook after a painting by William Hogarth. London c. 1795-1822.

19-1/4" x 21" image size 11-3/4" x 14," copperplate engraving. Attractively mounted and matted. Negligible light toning and dampspotting to margins, image notably fresh. \$250.

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

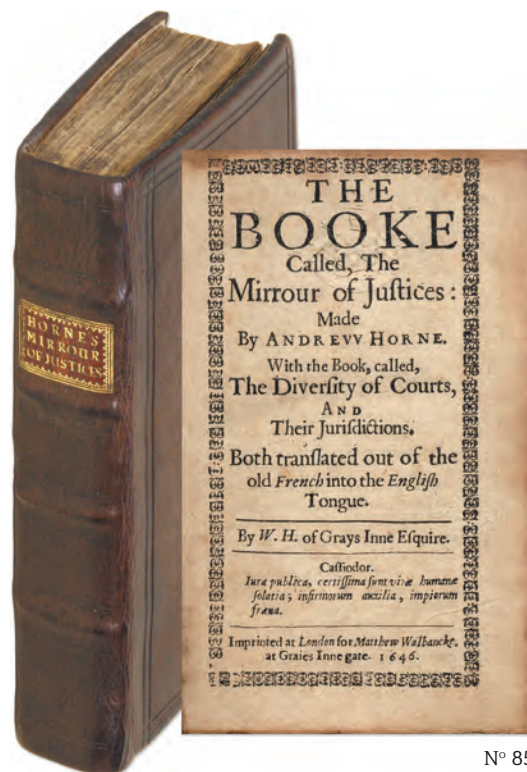
85 HORNE, ANDREW [D.1328].  
H[UGHES], W[ILLIAM], TRANSLATOR.  
[FITZHERBERT, ANTHONY (1470-1538)].

*The Booke Called, The Mirrour of Justices: Made by Andrew Horne. With the Book, Called, The Diversity of Courts, And Their Jurisdictions. Both Translated Out of the Old French into the English Tongue.*

London: Matthew Walbancke, 1646. [xxxii], 288, 287-325, [9] pp.

Recent period-style calf, blind rules to boards, blind fillets to spine, front free endpaper renewed, later armorial bookplate of the Earl of Macclesfield to front pastedown, small embossed Macclesfield stamp to head of title page. Woodcut head and tail-pieces. Some browning to text, faint dampspotting in places. Early owner signature (of Thomas Clarke) and annotation to front free endpaper, occasional annotations to margins. \$1,500.

FIRST EDITION IN ENGLISH and the second edition overall. Written about 1290, *The Mirrour of Justices* became an authority in the latter part of the sixteenth century when English lawyers began to look to Glanville, Bracton, and Britton as guides to put the common law into a more logical arrangement. It was not a reliable source, however. As Maitland observed, it is "the work of one profoundly dissatisfied with the administration of the law by the king's judges. As against this he appeals to myths and legends about the law of King Alfred's day and the like, some of which myths and legends were perhaps traditional, while others were deliberately concocted. Intelligently read it is very instructive; but the intelligent reader will often infer that the law is exactly the opposite of what the writer represents it to be." *Mirrour* was first published in Law-French in 1642. The *Diversity of Courts* is by Fitzherbert. A note of the front free endpaper says: "Note in going over the *Mirror Justices* in French I cursorily compar'd the French with the English & wherever there appear'd any material error in either of 'em I corrected it in the margin." Maitland, *Collected Papers* II:46. ESTC R23979.



Nº 85



"A GOOD AUTHORITY" ON THE ABRIDGEMENTS AND  
A VALUABLE COMPANION TO WINGATE

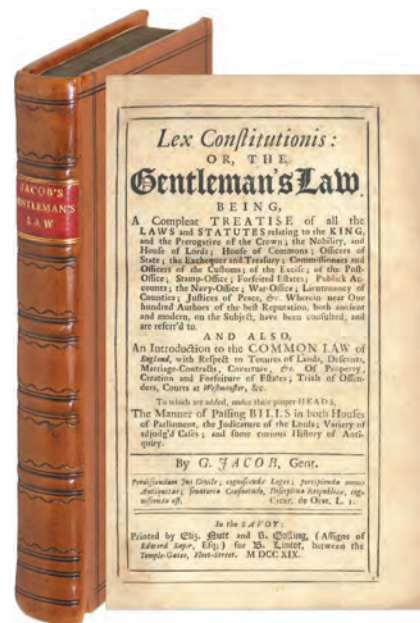
## 86 HUGHES, WILLIAM.

*The Grand Abridgment of the Law Continued. Or, A Collection of the Principal Cases and Points of the Common-Law of England, Contained in All the Reports Extant, From the First of Elizabeth, to this present Time, By Way of Common-Place. A Work Very Usefull for All Students and Practitioners in the Law. With Two Tables, The One Containing the Names of the Cases, The Other, Of the Matter of Every of the Said Cases. Published in the Twelfth Year of the Reign of Our Sovereign Lord Charles the Second, King of England, Scotland, France, and Ireland, &c.*

London: Printed by J.S. for Henry Twyford, George Sawbridge, Thomas Dring, and John Place, 1660-1662. Three Volumes and Appendix in three books. [I], 344, 353-758; [cxii], 759-1268, 1277-1418, 1423-1576; [cxxviii], 1577-2132, [102], 2133-2418, [64] pp. Text continuous despite pagination. Main text in parallel columns. Quarto (8-1/2" x 6-1/2").

Contemporary calf, blind rules to boards, rebaked in period style with raised bands, lettering pieces and gilt ornaments. Some rubbing to extremities, corners bumped and lightly worn. Light toning, offsetting to margins of preliminaries and endleaves. Annotations to endleaves, interior otherwise clean. An appealing set. \$1,500.

SOLE EDITION. Hughes, a barrister of Gray's Inn, conceived this abridgement as a continuation of Robert Brooke's *Graunde Abridgement* of English case reports (first edition 1573). "These volumes embrace but a short period, and the work is a mere supplement to the earlier Abridgments, but it is a good authority." Marvin 402. ESTC R12818.



A LEGAL GUIDE FOR "GENTLEMEN OF ALL RANKS"

## 87 JACOB, G[ILES] [1686-1744].

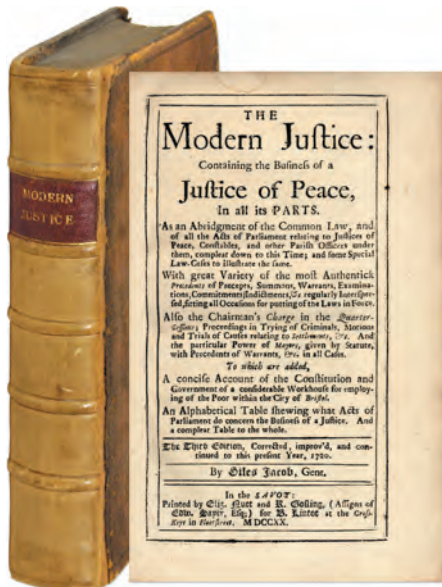
*Lex Constitutionis: Or, The Gentleman's Law. Being, A Compleat Treatise of All the Laws and Statutes Relating to the King, And the Prerogative of the Crown; The Nobility, And House of Lords; House of Commons; Officers of State; The Exchequer and Treasury; Commissioners and Officers of the Customs; Of the Excise; Of the Post-Office; Stamp-Office; Forfeited Estates; Publick Accounts; The Navy-Office; War-Office; Lieutenancy of Counties; Justices of Peace, &c. Wherein Near One Hundred Authors of the Best Reputation, Both Ancient and Modern, On the Subject, Have Been Consulted, And are Referr'd to. And also, An Introduction to the Common Law of England, With Respect to Tenures of Lands, Descents, Marriage-Contracts, Coverture, &c. Of Property, Creation and Forfeiture of Estates; Trials of Offenders, Courts at Westminster, &c. To Which are Added, Under Their Proper Heads, The Manner of Passing Bills in Both Houses of Parliament, the Judicature of the Lords; Variety of Adjudg'd Cases; And some Curious History of Antiquity.*

[London]: Printed by Eliz. Nutt and R. Gosling, (Assigns of Edward Sayer, Esq;) for B. Lintot, 1719. [ii], [v]-xiv, 360, [12] pp. Octavo (7-1/2" x 4-3/4").

Recent period-style calf, blind panels to boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, faint dampspotting in places, internally clean. A handsome copy. \$1,500.

FIRST EDITION. In his preface, Jacob indicates that he did not write this treatise on England's Constitution for the landed gentry exclusively, but for "gentlemen of all ranks," that is, the literate general public. This distinction is significant. Jacob, though certainly interested in boosting sales by attracting the widest audience possible, was an idealist who believed that widespread knowledge of the law would help create a more just society. This is also evident in his other publications, such as *A Treatise of Laws* (1721), *The Common Law Common-Placed* (1726) and *Every Man His Own Lawyer* (1736). Another edition of the *Lex Constitutionis* was published in 1737. ESTC T137002.





N° 88

BEST EDITION OF JACOB'S JP MANUAL

TWO ISSUES CONFRONTING STUART-ERA NOBLES

## 89 JAMES I [1566-1625], KING OF ENGLAND.

*The Decree and Establishment of the Kings Majestie, Upon a Controversie of Precedence, Betweene the Yonger Sonnes of Viscounts and Barons, And the Baronets; And Touching Some Points also, Concerning Aswell Bannerets, As the Said Baronets.*

London: Imprinted by Robert Barker, 1612. [iv], 14, [2] pp.

[BOUND WITH]

ESPAGNE, JEAN D' [1591-1659].

*Anti-Duello. The Anatomie of Duells, With the Symptomes Thereof. A Treatise Wherein is Learnedly Handled, Whether a Christian Magistrate May Lawfully Grant a Duell, For to End a Difference Which Consisteth in Fact. Also, The Maner and Forme of Combats Granted, With the Severall Orders Observed in the Proceeding Thereof, With the List of Such Duels, As have Beene Performed Before the Kings of England. Truly and Compendiously Collected and Set Forth by Mr. Iohn Despaigne, For the Good of Sovereigne and Subject. Published by His Majesties Command.*

London: Printed by Thomas Harper for B. Fisher, 1632. [vi], 63, [1] pp. Title page and following two leaves supplied in facsimile.

Stab-stitched pamphlets in recent wrappers, rules to covers, hand-lettered title to spine. Some wear to spine ends, a few minor stains to wrappers. Attractive woodcut head-pieces, tail-pieces and decorated initials. Some toning to text, occasional faint dampstaining to lower corner of text block. "2" to upper corner of Duello, "3" to first leaf of Anti-Duello, interior otherwise clean. \$1,000.

ONLY EDITIONS. *Decree* addresses the confusion raised by the creation of the rank of baronet by James I. The King's decree explained the nature of this title and fixed its place among the other titled ranks. *Anti-Duello* is a contribution to a early seventeenth-century debate initiated by a 1613 decree of James I that outlawed dueling. (This was a reaction to series of high-profile duels between some of his leading courtiers that year.) OCLC locates few copies of either title in North America, none in law libraries. ESTC S105542, S114510.

JUSTICE RESTORED

## 90 [JUSTICES OF THE PEACE].

*Justice Restored: Or a Guid for His Majestie's Justices of the Peace, Both in Sessions, And Out of Sessions; According to the Antient Laws of the Kingdom. Aamended, And Enlarged.*

London: Printed by Th. Roycroft, for H. Twyford, T. Dring, and J. Place, 1661. [xxiv], 96, 95-158, [8] pp. First leaf blank. Error in paging, page numbers 95 and 96 reversed, text complete and in order. 12mo. (5-1/2" x 3").

Contemporary sheep, blind rules to boards, blind rules and later lettering piece to spine, endpapers renewed, binding varnished. Moderate rubbing to extremities, small scuff to front board, a few nicks to rear board, corners bumped and lightly worn. Typographical head-pieces, a few woodcut decorated initials. Light toning to text, minor tears to a few leaves, some edgewear to title page, internally clean. Ex-library. Bookplate to front pastedown, stamps to edges and endleaves, small perforated stamp to title page. A nice copy of a scarce title. \$750.

## 88 JACOB, GILES.

*The Modern Justice: Containing the Business of a Justice of Peace, In All its Parts. As an Abridgment of the Common Law, And of All the Acts of Parliament Relating to Justices of Peace, Constables, and Other Parish Officers Under Them, Compleat Down to this Time; And Some Special Law-Cases to Illustrate the Same. With Great Variety of the Most Authentick Precedents of Precepts, Summons, Warrants, Examinations, Commitments, Indictments, &c. Regularly Interspersed, Fitting all Occasions for Putting of the Laws in Force. Also the Chairman's Charge in the Quarter-Sessions; Proceedings in Trying of Criminals, Motions and Trials of Causes Relating to Settlements, &c. And the Particular Power of Mayors, Given by Statute, with Precedents of Warrants, &c. in all Cases. To Which are Added, A Concise Account of the Constitution and Government of a Considerable Workhouse for Employing of the Poor Within the City of Bristol. An Alphabetical Table Shewing what Acts of Parliament do Concern the Business of a Justice. And a Compleat Table to the Whole. Corrected, Improv'd, and Continued to this Present Year, 1720.*

[London]: Printed by Eliz. Nutt and R. Gosling, 1720. [viii], 502, [42] pp. Octavo (7-1/2" x 4-1/2").

Contemporary paneled calf, rebaked in period style, raised bands and lettering piece to spine, hinges mended. Some rubbing to extremities with some wear to corners, light toning to text. Later owner signature to front free endpaper, brief annotation to rear pastedown, internally clean. \$750.

THIRD EDITION. This is the final and most complete edition. The first edition appeared in 1717. It was reissued in 1718 with new preliminaries. In the third edition Jacob has "continued the statutes to the present year; added many new entire heads and precedents never before printed; a very great number of references, and variety of cases and resolutions in the superior courts" (preface). He also added about 100 pages of new material. One of the most interesting features is the detailed six-page description of the workhouse at Bristol. It forms part of a full chapter devoted to the Poor Law (pp.324-348). OCLC locates 11 copies of this edition in North American law libraries. ESTC T136996.



Detail from N° 91

SECOND EDITION. As its title suggests, this formbook from the early years of the Restoration aimed to "reduce the Warrants, and Recognizances, Process, Inquisitions, and other Proceedings, made, and taken by, and before His Majestie's Justices of the Peace, to their Antient stile, and Language: So that such Clerks, as were not acquainted with matters of that nature, in the time of the late King, may be fully instructed" (lvi). The first edition was published in 1660, the third and final edition in 1671. All are scarce. OCLC locates 4 copies of the first and third editions in North America, 6 copies of the second, 3 of those in law libraries (Harvard Law School, Library of Congress). ESTC R37505.

"HAD A DIRECT BEARING UPON CONSTITUTIONAL  
AND LEGAL ANTIQUITIES"

- 91 LAMBARD(E), WILLIAM [1536-1601], COMPILER.  
[WHEELOCKE, ABRAHAM (1593-1653), EDITOR].

*ARCHAIONOMIA, Sive de Priscis, Anglorum Legibus Libri, Sermone Anglico, Vetustate Antiquissimo, Aliquot ab Hinc Seculis Conscripti, Nunc Demum, Magno Jurisperitorum, & Amantium Antiquitatis Omnium Commodo, Etenebris in Lucem Vocati.*

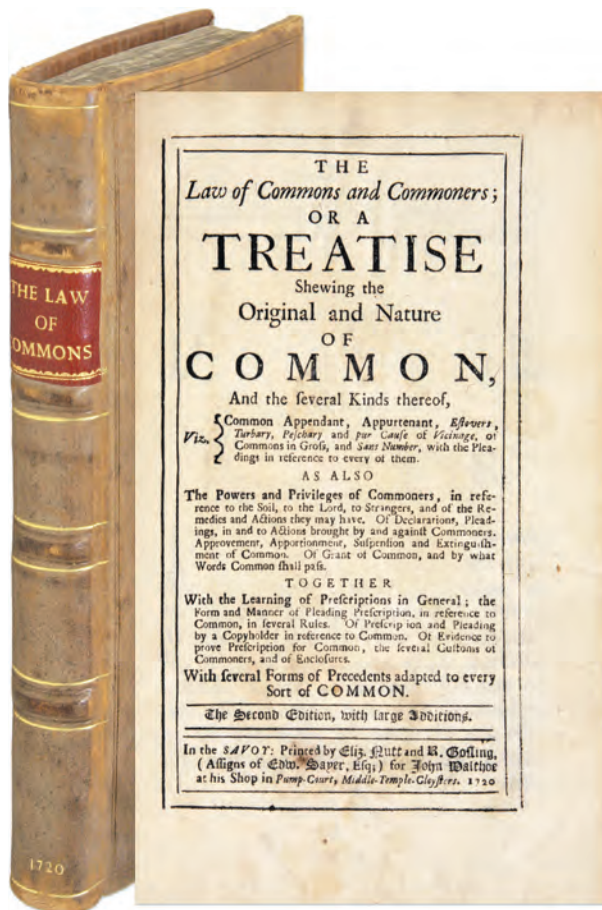
Cambridge: Rogeri Daniel, 1644. [xvii], 226, 9 pp. with a two-page map. Portions of text in parallel columns. Folio (14" x 9").

Contemporary calf, blind rules to boards, rebaced in period style with raised bands and lettering piece, endpapers renewed. A few scuffs to boards, moderate rubbing to edges, front hinge cracked. Title page printed in red and black, woodcut printer device, head-pieces, tail-pieces and decorated initials. Moderate toning to text, some browning to outer edges of margins, inkspots and dampspotting to a few leaves.

\$1,200.

SECOND EDITION, corrected, edited and expanded by Wheelocke. With side-notes, index and a preface by Sir Roger Twysden. Lambard(e), a barrister and legal historian, was the keeper of records at the Rolls Chapel and the Tower of London. First published in 1568, this collection of Anglo-Saxon laws presents the original Anglo-Saxon texts and Latin translations in parallel columns. This edition also includes the laws of William I in Norman and Latin, the law of Henry I in Latin and a glossary from a manuscript in the Monastery of St. Augustine. As Holdsworth observed, it is a significant work because it "restored the forgotten Anglo-Saxon laws to the students of the common law. Because they had a direct bearing upon constitutional and legal antiquities, they could be pressed into the service of those who fought the battle of the constitution in the following century...[A]nd they enabled pedigrees of our institutions and our laws to be traced back to an antiquity sufficiently remote and obscure to justify many ingenious deductions as to their rightful relations and proper sphere in the modern state." *HEL* IV:117. Sweet & Maxwell 1:47(24).





N° 92



N° 93

AN ANCIENT ENGLISH RIGHT

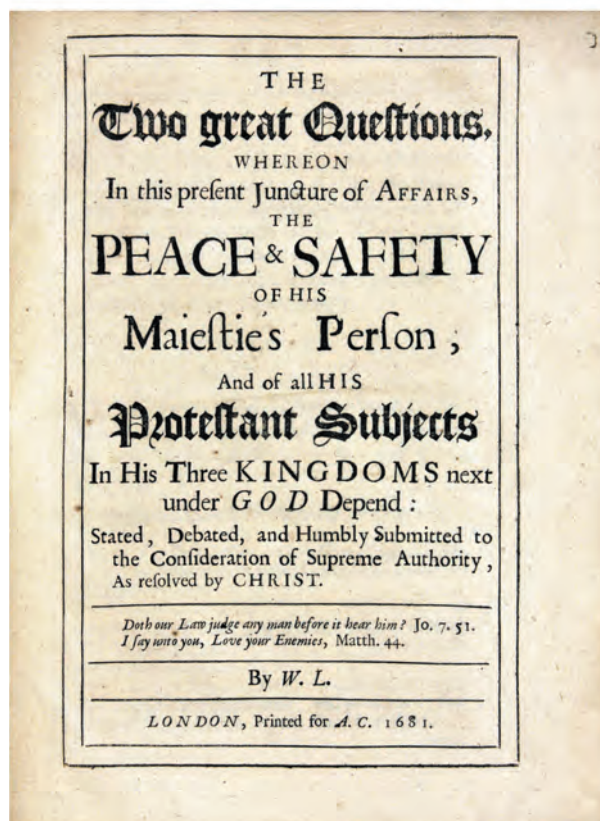
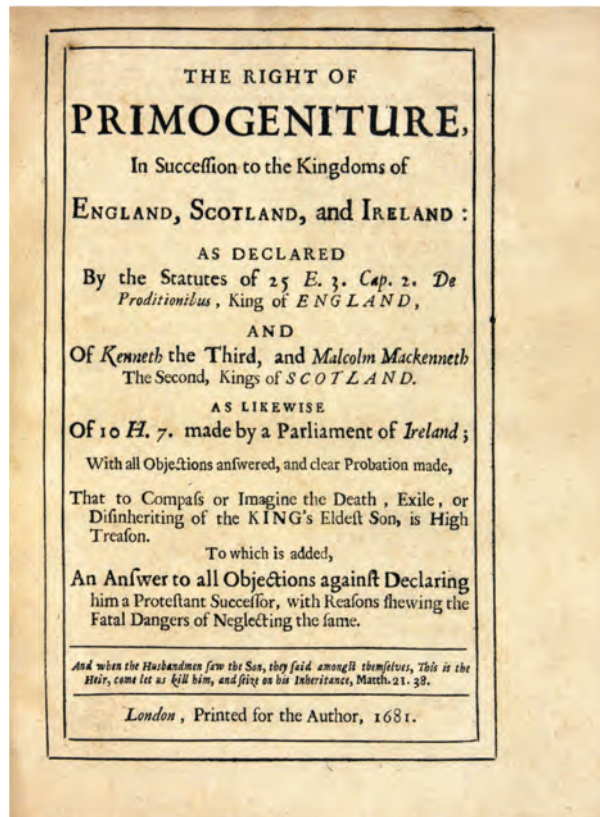
## 92 [LAND LAW].

*The Law of Commons and Commoners; Or a Treatise Shewing the Original and Nature of Common, And Several Kinds Thereof, Viz. Common Appendant, Appurtenant, Estover, Turbary, Peschary and Pur Cause of Vicinage, or Commons in Gross, and Sans Number, With the Pleadings in Reference to Every of Them. As Also the Powers and Privileges of Commoners, in Reference to the Soil, to the Lord, to Strangers, and of the Remedies and Actions They May Have. Of Declarations, Pleadings, In and to Actions Brought by and Against Commoners. Approvement, Apportionment, Suspension and Extinguishment of Common. Of Grant of Common, and By What Words Common Shall Pass. Together With the Learning of Prescriptions in General; the Form and Manner of Pleading Prescription, in Reference to Common, in Several Rules. Of Prescription and Pleading by a Copyholder in Reference to Common. Of Evidence to Prove Prescription for Common, the several Customs of commoners, and of Enclosures. With several Forms of Precedents Adapted to Every Sort of Common. With Large Additions.*

[London]: Printed by Eliz. Nutt and B. Gosling, 1720. [xxi], 271. [8] pp. Includes one-page publisher list. Octavo (7-1/2" x 4-3/4").

Recent period-style calf, blind rules to boards, gilt-edged raised bands and lettering piece to spine, later armorial bookplate (of Francis Elde) to verso of title page. Light toning to text, occasional faint wrinkling from moisture, faint dampstaining and dampspotting in a few places, lower corner lacking from a leaf with no loss to text, internally clean. An appealing copy of an uncommon title. \$750.

SECOND AND FINAL EDITION of a work first published in 1698. Commons is open and uncultivated land or water owned by a lord to which certain occupiers of adjacent enclosed land have certain rights. These include the right to pasture animals, to fish (peschary), to cut peat (turbary) and to gather wood (estovers). A body of custom and enacted law with origins in the Anglo-Saxon period, commons was long considered a central English right and a cornerstone of the feudal structure. Indeed, the gradual elimination of commons through the series of enclosure acts enacted from 1760 to 1830 triggered widespread social protest. Though the acts were motivated by the needs of modern agriculture, and had a profound effect on the livelihood of small farmers and the poor, they were not attacked on economic grounds, but as violations of the ancient English rights described in the *Law of Common*. Sweet & Maxwell 1:401 (32). ESTC T116196.



N° 93

93 [LAWRENCE, WILLIAM (1613 OR 14-1681 OR 2)].

*Marriage by the Morall Law of God Vindicated Against all Ceremonial Laws of Popes and Bishops Destructive to Filiation Aliment and Succession and the Government of Families and Kingdoms.*

[London: s.n.], 1680. [xii], 136, [8], 137-422, [2] pp. Copperplate pictorial title page.

[BOUND WITH]

[LAWRENCE, WILLIAM].

*The Right of Primogeniture, In Succession to the Kingdoms of England, Scotland, and Ireland: As Declared by the Statutes of 25 E.3. Cap. 2. De Proditionibus, King of England, And of Kenneth the Third, And Malcolm Mackenneth the Second, Kings of Scotland. As Likewise of 1 H.7. Made by a Parliament of Ireland; With all Objections Answered, and Clear Probation Made, That to Compass or Imagine the Death, Exile, or Disinheriting of the King's Eldest Son, Is High Treason. To Which is Added, An Answer to All Objections Against Declaring Him a Protestant Successor, With Reasons Shewing the Fatal Dangers of Neglecting the Same.*

London: Printed for the A.C., 1681. [xxiv], 199, [39] pp. Leaves in Signature C (pp. 9-16) bound out of order.

[AND]

[LAWRENCE, WILLIAM].

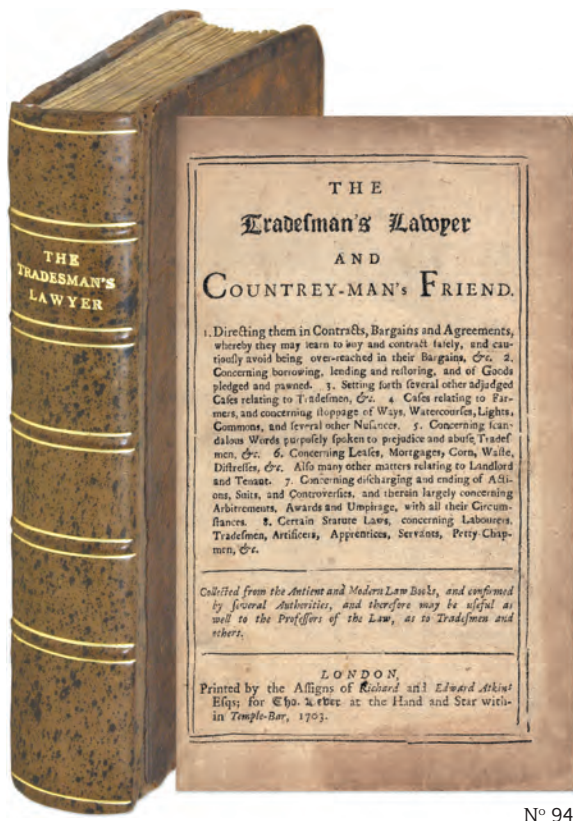
*The Two Great Questions, Whereon in this Present Juncture of Affairs, the Peace & Safety of His Majestie's Person; And of All His Protestant Subjects in His Three Kingdoms Next Under God Depend: Stated, Debated, and Humbly Submitted to the Consideration of Supreme Authority, As Resolved by Christ.*

London: Printed for the Author, 1681. [ii], 14 pp.

Quarto (8" x 6"). Contemporary calf, raised bands, lettering piece and blind tooling to spine, speckled edges. Moderate rubbing, a few scuffs to boards, which are beginning to separate but still secured by cords, some chipping to spine ends, corners bumped, front free endpaper lacking, some edgewear to title page of *Marriage*, facing leaf starting to detach, a few cracks to text block. Moderate toning, somewhat heavier in places, occasional light foxing. Inkspots to a few leaves and title page of *Marriage*, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$1,250.

ONLY EDITIONS (*Questions* one of two issues from 1681). This volume collects the principal writings of a notable Protestant attorney and Member of Parliament. They reflect the anxieties of Protestants living in England under the reign of the Catholic monarch James II. *Marriage*, which was published as an unfinished work due to "disturbances at the press," is an anti-Catholic theological and legal essay that may have been inspired by an unpleasant episode in Lawrence's marriage. The other titles are an argument in support of the Protestant Duke of Monmouth's succession to the English throne. (Monmouth's claim resulted in the Monmouth Rebellion, a failed attempt in 1685 to remove James II from power; James II was ousted in 1688 and replaced by the joint monarchs William and Mary.) Copies in North American law libraries listed on OCLC: *Marriage*, Library of Congress, UC-Berkeley, Yale; *Right*, Harvard, Library of Congress, UC-Berkeley, University of Michigan, Yale; *Questions*, UC-Berkeley, Yale. DNB XI:726. ESTC R7113 (*Marriage*), R1575 (*Right*), R43358 (*Questions*).





N° 94

LEGAL ADVICE FOR TRADESMEN

## 94 [LAYMAN'S GUIDE].

***The Tradesman's Lawyer and Country-Man's Friend: 1. Directing Them in Contracts, Bargains and Agreements, Whereby They May Learn to Buy and Contract Safely, And Cautiously Avoid Being Over-Reached in Their Bargains, &c. 2. Concerning Borrowing, Lending and Restoring, And of Goods Pledged and Pawned. 3. Setting Forth Several Other Adjudged Cases Relating to Tradesmen, &c. 4. Cases Relating to Farmers, And Concerning Stoppage of Ways, Watercourses, Lights, Commons, and Several Other Nusances. 5. Concerning Scandalous Words Purposely Spoken to Prejudice and Abuse Tradesmen, &c. 6. Concerning Leases, Mortgages, Corn, Waste, Distresses, &c. Also Many Other Matters Relating to Landlord and Tenant. 7. Concerning Discharging and Ending of Actions, Suits, and Controversies, And Therein Largely Concerning Arbitrements, Awards and Umpirage, With All Their Circumstances. 8. Certain Statute Laws, Concerning Labourers, Tradesmen, Artificers, Apprentices, Servants, Petty Chapmen, &c. Collected from the Antient and Modern Law Books, And Confirmed by Several Authorities, And Therefore May be Useful as Well to the Professors of the Law, As to Tradesmen and Others.***

London: Printed by the Assigns of Richard and Edward Atkins Esqs., 1703. [viii], 424 pp. Octavo (6-1/2" x 4").

Contemporary sheep, blind rules to boards, rebaked in period style with gilt-edged raised bands and gilt title, hinges mended. Light scuffing to boards, corners worn, some browning to margins of title page, light toning to text. Early owner inscriptions to front pastedown (of Robert Bottle, 1754, and Edward Gosling, 1737) interior otherwise clean. \$2,500.

FIRST EDITION. An early form of "consumer protection," this book was written to protect members of the middle ranks of English society from the "cunning" of "persons of a higher Rank," who always enjoyed the "Learning and Leisure to read the Law." Two later editions were published in 1709 and 1720 with the title *Gentleman's Assistant, Tradesman's Lawyer and Country-man's friend*. The ESTC and OCLC locate 5 copies, none in law libraries. Sweet & Maxwell 1:528 (97).

A COMPANION TO THE REPORTS OF SIR CRESWELL LEVINZ

## 95 LEVINZ, SIR CRESWELL.

***A Collection of Select and Modern Entries of Declarations, Pleadings, Issues, Verdicts, Judgments, &c. Referring to the Cases in Sir Creswell Levinz's Reports; The Judgment of the Court Being Added to Each President. With Notes and References to the Reports and Entries of the Law.***

London: Printed by the Assigns of R. and E. Atkins, for D. Browne [etc.], 1702. [iv], 1-223 [i.e. 215], [21] pp. Copperplate portrait frontispiece. Folio (12" x 8").

Contemporary paneled calf, rebaked in period style with raised bands, blind ornaments and original lettering piece, hinges mended. Some rubbing to extremities, a few scuffs to boards, later bookseller ticket to front free pastedown. Light toning to text, faint dampspotting in a few places, light soiling to endleaves and title page, Contemporary annotations to a few leaves, interior otherwise clean. A handsome copy. \$450.

ONLY EDITION. The reports of Sir Creswell Levinz cover the years 1660 to 1697 (12 Car. II-9 Wm. III). Contemporary opinions of their quality vary, but they were widely cited and considered authorities by the early 1700s, both in Great Britain and the American colonies. A *Collection* is an abridged and digested version with citations to the three-volume *Les Reports de Sr. Creswell Levinz* (London, 1702). ESTC T96774.

THE BOOKE OF ASSISES ABRIDGED, BEALE R52

## 96 [LIBER ASSISARUM].

[CALLOW, WILLIAM, SIR (FL. 1555), ATTRIBUTED].

***The Abridgement of the Booke of Assises, Lately Perused Over, And Corrected, & Nowe Newly Imprinted by Richard Tottle, Ye Last Day of September, Anno Do. 1555.***

[London: Imprinted...in Fletestrete Within Temple Barre, At the Signe of the Hand & Starre, By Richard Tottel, (1555)]. [i], 165, [2] ff. Collates complete. Octavo (5-1/4" x 3-1/2").

Recent period-style calf, raised bands, blind ornaments, and lettering piece to spine, endpapers renewed. Title printed within woodcut architectural border. Toning to text, some soiling and edgewear to title page and following leaf, early check-marks in pen to a few leaves, interior otherwise clean. Ex-library. Small stamp to foot and verso of title page. A handsome copy. \$4,500.

TEXT IN LAW-FRENCH. With a table. The *Liber Assisarum* is a selection of reports from the Year Books covering regnal years 1-50 of Edward III (1327-77). The contents are arranged alphabetically by topic. "The Book of Assizes (...) is of great authority in law; and so called because it principally contains proceedings upon Writs of Assize of Novel Disseisin, which in those days was *festinum et freems renaedium*. 'Tis often quoted and referred to by most of our ancient writers. (...) The questions are here discussed with more precision and clearness, and they contain more of those points of law that have survived to the present times. In regard to precision and clearness, all the reports of this reign excel those of

the preceding; but the merit of these [reports] is of a peculiar kind, and has a very different appearance from what has in later times been considered as excellent in this way" (Rastell). OCLC locates 5 copies, the *ESTC* locates 6 in the British Isles, 6 in North America and 1 in Australia. Rastell, John, Preface to London, 1679, *Livre des Assises et Pleas del' Corone* cited in Marvin 754. *ESTC* S114295. Beale R52.

"THE FIRST GREAT BOOK UPON ENGLISH LAW"

## 97 LITTLETON, SIR THOMAS [1402-1481].

### *Lyttilton Tenures Truelye Translated into Englishe.*

[Imprinted at Londo[n] in Fletestrete Near to S. Dunstones Church. By Thomas Marshe, Anno 1556]. 180, [2] ff. Collates complete. Octavo (5-1/4" x 3-1/2").

Eighteenth-century calf, gilt fillets and lettering piece to spine. Some rubbing to extremities, corners bumped and lightly worn, a few minor nicks and scratches, a few vertical creases to spine, armorial bookplate (of Guy Phillips) to front pastedown. Title printed within woodcut architectural border. Light toning to text, edges trimmed closely with minor loss to fore-edge of title page and a few headlines and side-notes, minor damage to text due to three large chips to fore-edges of ff. 10 and 27 repaired with facsimiles. Early annotations to title page and a few leaves, interior otherwise clean. \$2,500.

WRITTEN DURING THE REIGN OF EDWARD IV [1442-1483] and first published around 1481, Littleton's *Tenures* is the first English treatise on a specific topic and 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. "Five books stand out pre-eminently in the history of English law – Glanvil, Bracton, Littleton, Coke, and Blackstone, and of these Littleton's book is the first great book upon English law.... It showed that [the common law] possessed principles and doctrines of its own which were scientifically exact and yet eminently practical, because they were founded upon the actual problems of daily life" (Holdsworth). OCLC locates two copies (at Harvard Law School and Cambridge University). The *ESTC* locates another copy at the William Salt Library, England. *HEL* II:573. *ESTC* S3242. Beale T47.

EARLY ENGLISH-LANGUAGE EDITION OF LITTLETON

## 98 LITTLETON, SIR THOMAS.

### *Littleton Tenures in Englishe. Cum Priuilegio.*

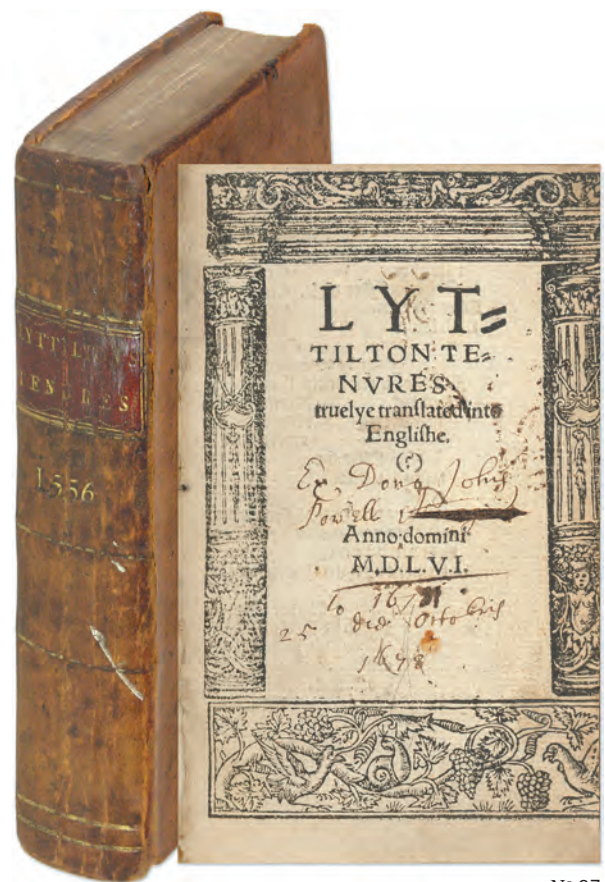
[London: In Fletestrete within Temple Barre at the Signe of the Hand and Starre by Rycharde Tottyl, 1574]. 142 ff. Lacking the two final unfoliated leaves, one containing the colophon, the other a blank. Octavo (5" x 3-1/2").

Contemporary calf, blind rules to boards, recently rebacked and recorned, blind rules and gilt title to spine, ties lacking, endpapers renewed. Toning to text, occasional faint dampstaining to outer margins. Early annotations and later signatures to title page and its verso, interior otherwise clean. \$1,500.

OCLC LOCATES NO COPIES in North American law libraries. Holdsworth II:573. *ESTC* S108583. Beale T53.

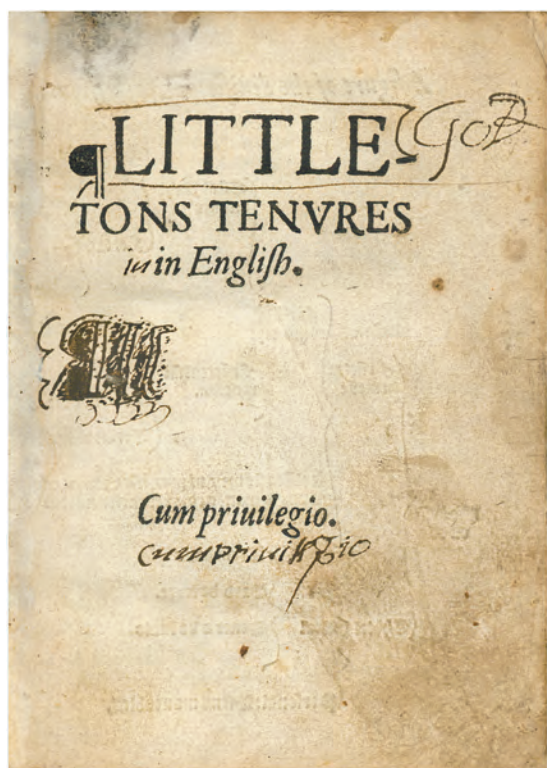


Nº 96



Nº 97





N° 99

THE "ORNAMENT OF THE COMMON LAW"

## 99 LITTLETON, SIR THOMAS.

*Littletons Tenures in English.*

[London: Imprinted...in Fletestrete Within Temple Barre...by Rycharde Tottill, 1586]. 142, [2] ff. Collates complete. Octavo (5" x 3-1/2").

Contemporary calf, large central arabesques to boards, raised bands and later lettering piece to spine, ties lacking. Rubbing with considerable wear to spine ends and edges, front pastedown and free endpaper lacking, rear endleaves renewed, a few cracks to text block, several signatures loose, wear to corners of some leaves. Light soiling to title page, faint dampstains in places. Brief early annotations to title page and a few leaves, interior otherwise clean. \$2,000.

OCLC LOCATES TWO COPIES in law libraries (Harvard, Library of Congress). HEL II:573. ESTC S108671. Beale T56.

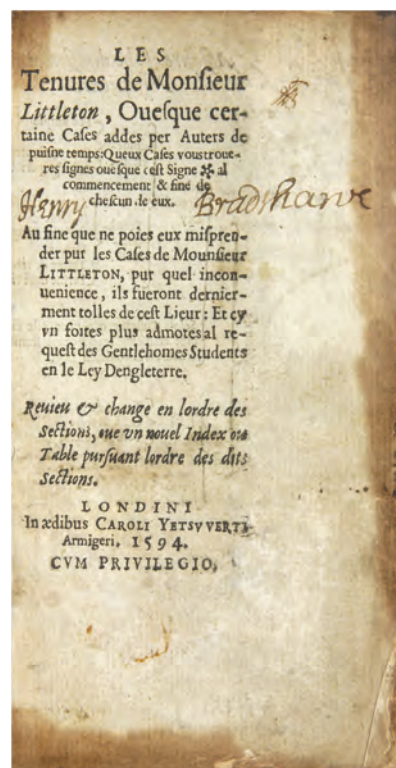
"LATELY PERUSED AND AMENDED"

## 100 LITTLETON, SIR THOMAS.

*Littletons Tenures in English, Lately Perused and Amended.*

London: Printed for the Companie of Stationers, 1627. 142, [2] ff. Collates complete. 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



N° 101

otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$500.

OCLC LOCATES TWO COPIES in law libraries (Harvard, Library of Congress). HEL II:573. ESTC S108678.

HEAVILY ANNOTATED 1594 EDITION OF LITTLETON

101 LITTLETON, SIR THOMAS.  
WEST, WILLIAM, EDITOR.

*Les Tenures de Monsieur Littleton, Ouesque Certaine Cases Addes per Auters de Puisne Temps: Queux Cases vous Troveres Signes Ouesque cest Signe [flower] al Commencement & Fine de Chescun de Eux. Au Fine que ne Poies eux Mispren- der pur les Cases de Mounseur Littleton, pur quel incon- uenience, ils fueront dernier- ment tolles de cest Lieur: Et cy un Soites plus Admotes al Request des Gentlehomes Students en le Ley Dengleterre. Revieu & Change en Lordre des Sections, oue un Novel Index ou Table Pursuant Lordre des Dits Sections.*

London: In Aedibus Caroli Yetswerti Armigeri, 1594. [i], 170, [27] ff. Collates complete. 12mo. (5-1/4" x 3").

Contemporary calf, blind rules and large central arabesques flanked by initials to center of boards, rebacked retaining spine with raised bands, clasps lacking, endpapers renewed. Some scratches and nicks, edges of boards mended, hinges cracked. Some toning to text, light browning to outer margins, edgewear to preliminaries and final few leaves. Wide margins, annotations to most leaves, early owner signature (Henry Bradsharve) to center of title page. \$4,000.

THE ANNOTATIONS in this copy are mostly case references, but many are interpretive. Holdsworth II:573. ESTC S108064. Beale T36.



N° 101

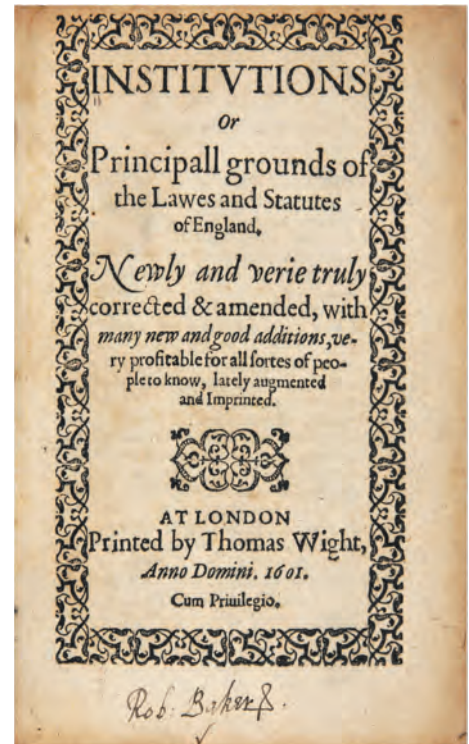
A SUCCESSOR TO LITTLETON

102 [LITTLETON, SIR THOMAS].

*Institutions or Principall Grounds of the Lawes and Statutes of England. Newly and Verie Truly Corrected & Amended, With Many New and Good Additions, Very Profitable for All Sortes of People to Know, Lately Augmented and Imprinted.*

London: Printed by Thomas Wight, 1601. 66, [2] ff. Collates complete. Octavo (5-1/4" x 3-1/2").

Contemporary sheep, blind rules to boards, raised bands, blind fillets and early hand-lettered title to spine and fore-edge of text block. Light rubbing to joints, chip to head of spine, a few light scuffs to boards, corners bumped and lightly worn, hinges cracked, later

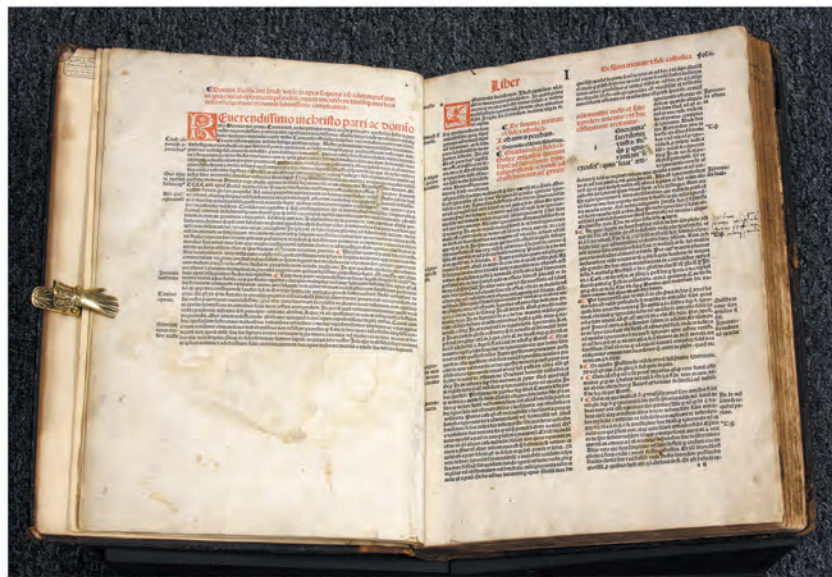


N° 102

armorial book plate to front pastedown. Title printed within woodcut ornamental border, moderate toning to text, small wormhole to bottom corner of final ten leaves. Early owner signatures and inscriptions to front endleaves, small early owner signature to foot of title page, interior otherwise clean. Ex-library. Bookplate to verso of front free endpaper. An appealing copy. \$950.

LATER EDITION. Dealing mostly with land law, this anonymous treatise, originally published around 1538, can be considered a successor to Littleton's *Tenures* (c. 1481). Like Littleton, it was written for students and practitioners and was a popular book that went through at least 20 editions, with various titles, into the seventeenth century. All editions are scarce. OCLC locates 1 copy of the 1601 imprint (at Columbia Law School). Sweet & Maxwell 1:446 (17). ESTC S406.





Details from N° 103

A PRINCIPAL ENGLISH TREATISE ON CANON LAW

**103** [LYNDWOOD, WILLIAM (c.1375-1446)].  
[BADIUS, JOSSE (1462-1535), EDITOR].

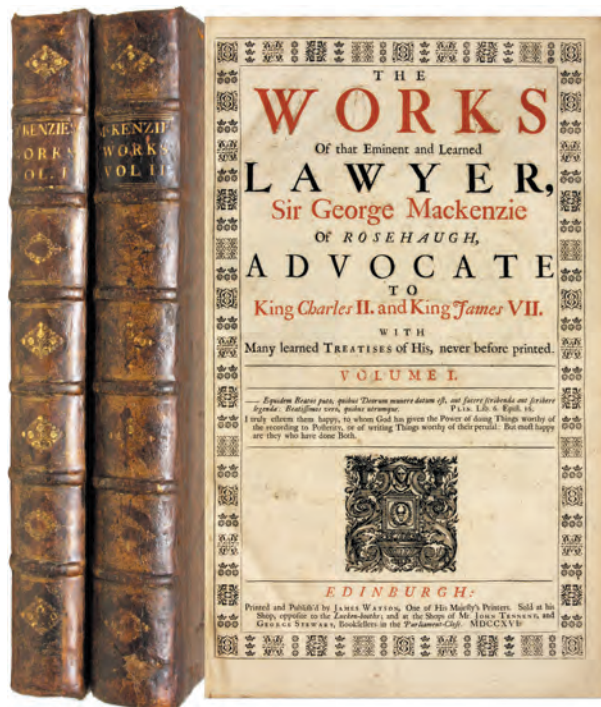
*Provinciale seu Constitutiones Anglie cum Summariis Atq[ue] Iustis Annotationibus: Honestis Characteribus: Summaq[ue] Accuratone Rursus Impresse.*

[Paris: Printed by Andreas Bocard at the University of Paris, May 28, 1501]. Collation: a8 b6, c-g8 h6 i-q8 r6 s-z8 [et]8 [con]6 A-B6 C8(-C8). cxcii, [19] ff. Collates complete. Main text surrounded by two-column linear gloss. Folio (13-1/2" x 9-1/2").

Contemporary paneled calf, corner fleurons and large arabesques to boards, recently rebacked, raised bands and lettering piece to spine, endpapers added, early hand-lettered title to fore-edge. A few shallow scuffs to boards, moderate rubbing to their extremities, corners bumped and somewhat worn, hinges cracked, later bookseller ticket, owner bookplate (of Walter Wigglesworth,

dated 1934) and two 1930s-era auction or bookseller descriptions affixed to front pastedown. Text printed in red and black gothic type, woodcut decorated initials. Light toning to text, faint dampstaining in places, minor edgewear to leaves at beginning and end of text, some with repairs, inkstains and spark burns to a few leaves. Contemporary annotations to endleaves and portions of text, some with minor loss due to trimming. A nice post-incunable copy of an important title. \$6,500.

FIRST POST-1500 EDITION. Main text followed by nineteen-page, two-part index (*Tabula*). Compiled around 1433 and first published around 1483-1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This copy was printed in Paris for the English market. Beale T403. ESTC S103845.



N° 104

COLLECTED WORKS OF SIR GEORGE MACKENZIE,  
WITH 30 ENGRAVINGS

## 104 MACKENZIE, SIR GEORGE [1636(?)–1691].

*The Works of that Eminent and Learned Lawyer, Sir George Mackenzie of Rosehaugh, Advocate to King Charles II. And King James VII. With Many Learned Treatises of His, Never Before Printed.*

Edinburgh: Printed and Published by James Watson, 1716, 1722. Two volumes. [iv], [4], 192, [4], 446; [iv], 670, [4] pp. Copperplate portrait frontispiece in each volume, divisional title pages and 30 plates. Folio (15" x 9-1/2").

Contemporary paneled calf, rebacked retaining spines, hinges mended. Light rubbing to extremities, corners bumped and lightly worn, a few nicks to boards. Woodcut head-pieces and tail-pieces, decorated initials and 30 copperplate engravings. Offsetting to margins of endleaves, light toning to text, somewhat darker in places, light foxing to a few leaves in each volume. A notably handsome set. \$1,500.

ONLY EDITION. Mackenzie was Lord Advocate during the reigns of Charles II and James II. He is best known for his leading role in the persecution of Scottish Presbyterians, which earned him the nickname "Bloody MacKenzie." (In many cases, he bent the law to secure a conviction.) He was an important jurist, scholar and author, and the founder of the Advocates Library, which is now the national law library for Scotland. This set collects all of his legal, historical and literary works except *Aretina* and *The Discovery of the Fanatical Plot*. The *Science of Heraldry* is preceded by a copperplate pictorial title page and is embellished with 30 copperplates illustrating heraldic devices. Unlike most sets, Volume II of our copy has a portrait frontispiece. ESTC T58793.

THE FIRST MAGNA CARTA PRINTED WITH A TITLE PAGE, A NOTABLY HANDSOME BOOK

## 105 [MAGNA CARTA].

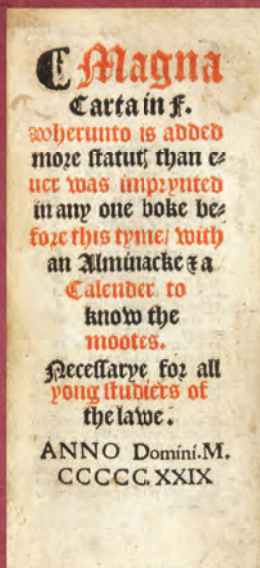
*Magna Carta in F. Wherunto is Added More Statut[es] than Ever Was Imprynted in Any One Boke Before this Tyme, With an Alminacke & a Calender to Know the Mootes. Necessarye for All Yong Studiars of the Lawe. Anno Domini. M.CCCC.XXIX [1529, i.e. 1539].*

[Imprynted at Lond(on): In Fletestrete, By Me Robert Redman Dwellynge at the Sygne of the George, Nexte to Saynt Dunstones Church, Anno D[omi]ni. M.CCCC.XXXIX (1539)]. [viii], 108, 108–148, [5], 2–74, [5] ff. Final two leaves are blanks. Collates complete. 12mo. (6" x 2–3/4").

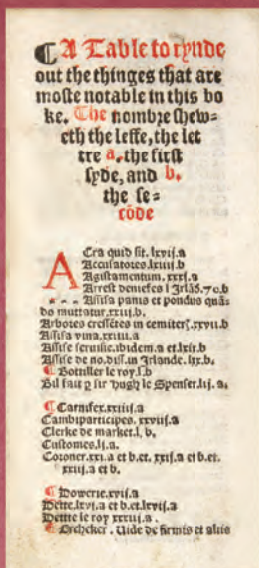
Contemporary paneled calf with elaborate blind tooling, including a roll border of vine leaves, early hand-lettered titles to top and fore-edges. Negligible rubbing to extremities, corners bumped and lightly worn, small chip to head of spine, pastedowns loose, revealing strips of vellum with early manuscript, later owner stamp of Albert Ehrman to versos of rear endleaf, his bookplate (Bibliotheca Broxbourniana) to verso of rear endleaf, later bookseller catalogue description tipped-in to front endleaf. Title page, other leaves in first gathering and leaves in final gathering, which contain the calendar and tables, printed in red and black, woodcut decorated initials. Light toning to text, a few cracks to text block, light soiling and a small faint stain to title page, a few small worm holes through final gathering, annotations in fine early hand in a few places, later annotations, identifying ownership of Richard Heber and S. Christie-Miller to endleaves. An exceptional copy with an interesting chain of associations. \$17,500.

THE FIRST EDITION issued with a title page and the first typographically handsome printing. Text of Magna Carta and Charta de Foresta in Latin (despite the claim in Redman's title page), statutes in Latin and Law French. First printed by Pynson in 1508, this augmented edition includes the Charta de Foresta of Henry III, statutes and additional information. Among the most notorious statute are those of Edward I concerning Jews, which condemned them for irreverence and prevented them from practicing usury or acquiring land from Christians through pledges. Other "Antique Statutes" relate to women, wills, forcible entry, "Fraudulent Deedes" and other topics. I also includes a table of court calendars, "Necessarye for All Yong Studiars of the Lawe." This copy belonged to three notable book collectors: Richard Heber [1773–1833], Samuel Christie-Miller [1810–1889] and Albert Ehrmann [1890–1969]. Ehrman, a connoisseur and collector of early typography, was probably drawn to this copy for its appearance. OCLC locates 11 copies in North America, 6 in law libraries (Boston College, Harvard, Library of Congress, University of Michigan University of Wisconsin, Washington University). ESTC S122126. Beale S8.





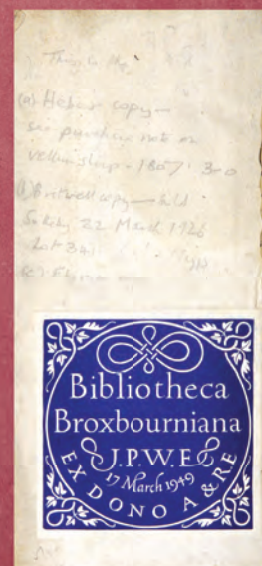
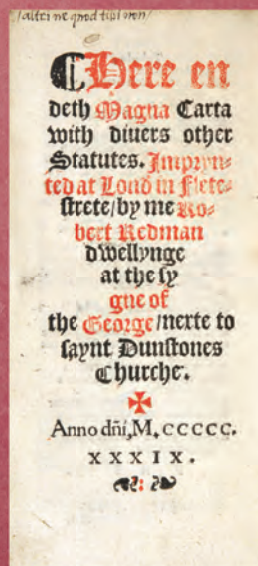
N° 105



*Dimensions: 6" x 2-3/4"*  
*Images not to scale*

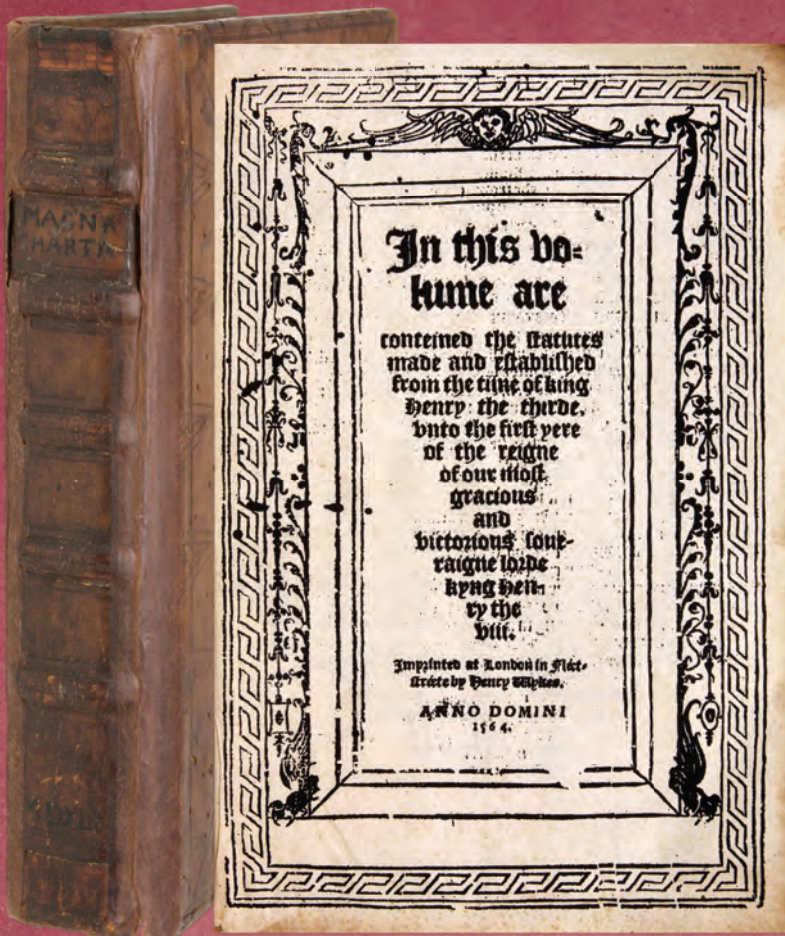


### Details from N° 105



N° 105





Detail from N° 106



Detail from N° 106

N° 106

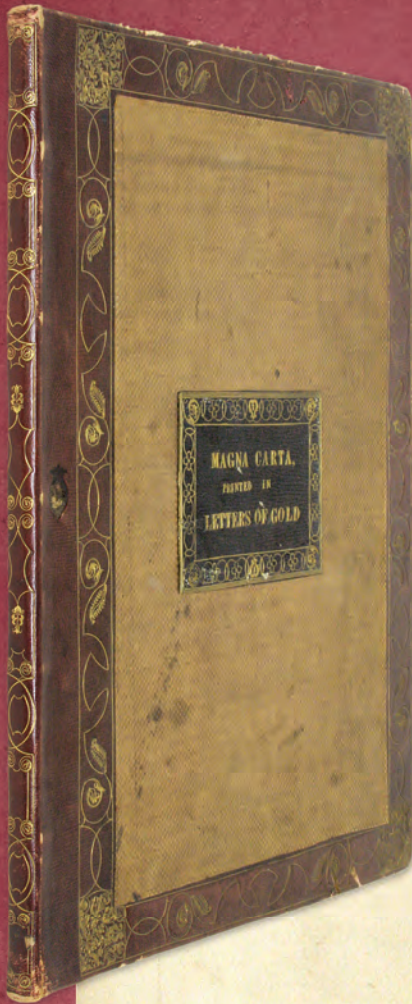


N° 105a



Detail from N° 105a





*MAGNA CARTA  
REGIS JOHANNIS*

*XV. Die Junii Anno Regni XVII.*

*A.D. MCCXV.*

*Londini.*  
*Apud Johannem Whittaker.*  
*MDCCCXVI.*



*Details from N° 107*



ATTRACTIVE 1556 MARSHE EDITION OF MAGNA CARTA

## 105a [MAGNA CARTA].

*Magna Carta et Cetera Antiqua Statuta Nunc Noviter per Diversa Exemplaria Examinata et Summa Diligentia Castigata et Correcta cui Adiecta est Nova Tabula Valde Necessaria.*

London: In Aedibus Thome Marsche, 1556. [12], 2-160 ff. Collates complete.

[And]

*Secunda Pars Veterum Statutorum: Anno M.D.LVI.*

[Imprinted at London in Fletestrete Nere to S. Dunstones Church, by Thomes Marshe. Anno. M.D.LVI. [1556]. [iv], 80 ff. Collates complete.

Octavo (5-1/4" x 3-1/4"). Later calf, blind rules to boards, rebaked retaining spine with raised bands, gilt ornaments and lettering pieces. Some rubbing to extremities, minor nicks and scuffs to boards and spine. Light toning to text, faint dampstains to a few leaves, clean tear to a leaf, light soiling to title page. A handsome copy. \$7,500.

ONE OF TWO EDITIONS FROM 1556, the last pre-Elizabethan printings, Marshe's is the last pre-Tottel edition. One of the earlier printings of *Magna Carta*, a work first printed around 1508, Marshe's edition is based on the version printed by Thomas Berthelet in 1531. ESTC S101067. Beale S15, S23.

AN IMPORTANT CONTRIBUTION TO THE  
"ENGLISHING" OF THE COMMON LAW106 [MAGNA CARTA].  
[STATUTES FROM 1225].

*In this Volume are Contained the Statutes Made and Established from the Time of King Henry the Thirde, Unto the First Yere of the Reigne of Our Most Gracious and Victorious Sovereigne Lorde Kyng Henry the VIII.*

London: Imprinted in Fleetstrete by Henry Wykes [and Thomas Berthelet], 1564. [896] pp. Collates complete. Title page and following leaf are bound-in facsimiles. Folio (11-1/4" x 7-3/4").

Contemporary paneled calf over heavy wooden boards, raised bands, blind fillets and later hand-lettered title (reading "Magna Charta") to spine, joints and hinges mended, clasps lacking. "SI:" lettered in early hand to fore-edge of text block. Light rubbing to extremities with some wear to spine ends and corners, a scattering of tiny worm holes to boards, which are slightly bowed, faint stain to rear board, nineteenth-century bookseller description affixed

to front pastedown. Attractive woodcut decorated initials and tail-piece (Royal arms of Henry VIII), verso of final leaf features large woodcut Berthelet device. Moderate toning to text, occasional worm holes, mostly to margins, interior otherwise clean. \$2,500.

LATER PRINTING of a title first issued in 1543. Often cited as the *Statutes from 1225* this was the first complete edition of the statutes at large in English translation (from the original texts in Latin or Law French). More so than early translations, which were limited to *Magna Carta* and selected statutes, the *Statutes from 1225* played a leading role in the diffusion and establishment of the common law during the Tudor period. In certain respects, this edition had an impact similar to the translation of the Bible into vernacular languages. Our 1564 printing is the third according to Beale; Pollard and Redgrave, citing an imprint omitted by Beale, says it is the fourth. All of these are nearly identical in content and format. All are rare, too. OCLC locates 4 copies of the 1564 printing (Harvard Law School, Huntington Library, Washington University Law School, UT-Austin-Ransom Library). Pollard and Redgrave 9301.3. ESTC S121436. Beale S29.

"THE MOST MAGNIFICENT OF ALL EDITIONS"

107 [MAGNA CARTA].  
[WHITTAKER, JOHN, PUBLISHER].

*Magna Carta: Regis Johannis XV. Die Junii Anno Regni XVII. A.D. MCCXV.*

London: Apud Johannis Whittaker, 1816. 12 ff. Folio (17" x 14").

Contemporary gilt-tooled morocco, textured-cloth central panels to boards, the front has a central gilt-tooled title panel (reading *Magna Carta*, Printed in Letters of Gold), patterned lilac-colored endpapers, ribbon marker. Moderate rubbing to extremities, corners and spine ends bumped. Soiling, a few stains and a few scuffs to boards, cracks in text block between front free endpaper and title page and final leaf and free endpaper. Printed in gold on card, initial at beginning of text decorated by hand in watercolor with royal regalia and floral border, probably designed by Thomas Willement. Light toning, occasional finger smudges, small inkspot to first text leaf (with offsetting to verso of title page). \$10,000.

AS LOWNDES HAS POINTED OUT, Whittaker published "the most magnificent of all editions of the *Magna Carta*." Although all are printed in gold, rarely are two copies alike. Some were printed on colored vellum and even jeweled, all have different levels of ornamentation. Some have a list of Barons. The present copy contains the text of *Magna Carta* only, printed on glazed card, and is richly bound. Lowndes II:1450.





N° 108

A HANDSOME IMAGE OF MIDDLE TEMPLE HALL

**108 MALCOLM, JAMES PELLER.****[Middle Temple Hall].**

London: Published by J.P. Malcolm, October 7, 1800.

Attractively glazed and matted 19" x 16-1/2" color-tinted copperplate in handsome 30" x 25-1/2" wooden frame, small brass plaque to bottom. Light toning to margins, image vivid. \$450.

THE LOWER MARGIN has the following caption: "Ded'd With Respect to the Hon'e Soc'y of the Mid'e Temple" Middle Temple Hall is the main dining and reception hall of the Middle Temple, one of the principle Inns of Court.

INTERESTING FOR ITS DISCUSSION OF EARLY  
COMMON-LAW AUTHORITIES ON MARRIAGE**109 MAINWARING, SIR THOMAS [1623-1689].**

***The Legitimacy Of Amicia, Daughter Of Hugh Cyveliok Earl Of Chester, Clearly Proved. With Full Answers to All Objections that Have at Any Time been Made Against the Same.***

London: Printed for Sam. Lowndes, 1679. [x], 171, [1] pp. Octavo (6-1/2" x 4").

Contemporary speckled calf, blind rules to boards, raised bands to spine, marbled edges. Moderate rubbing to extremities, boards beginning to separate, but secured by cords. Title page printed in red and black. Moderate toning to text, small piece excised from rear endleaf, internally clean. \$500.

ONLY EDITION. A sequel to the author's *A Defence of Amicia*. The 8-page preface gives a useful account of the endless pamphlet-war that following the publication of *Defence* in 1673,

including an account of the controversy itself and the publications of Mainwaring's opponent, Peter Leicester. Amicia, the author's grandmother, was the wife of Ralph Mainwaring. Leicester, another descendant of Amicia, claimed that she was a bastard. This tract, like the others, is of legal interest for its discussion of the early common law authorities on marriage. Both authors had been students at Gray's Inn. The issue was eventually decided in Mainwaring's favor. OCLC locates 13 copies in North America, 1 in a law library (Ohio State). ESTC R21678.

THE FIRST WORK ON THE LAW OF THE KING'S FOREST

**110 MANWOOD, JOHN [D.1610].**

***A Treatise of the Lawes of the Forest: Wherein is Declared Not Onely Those Lawes, As They Are Now In Force, But Also the Originall and Beginning of Forests: And What a Forest is In His Owne Proper Nature, And Wherein the Same Doth Differ From a Chase, A Parke, A Warren, With All Such Things As Are Incident or Belonging Thereunto, With Their Severall Proper Termes of Art. Also a Treatise of the Pourallee, Declaring What Pourallee Is, How the Same First Began, What a Pourallee Man May Do, How He May Hunt and Use His Owne Pourallee, How Farre He May Pursue and Follow After His Chase, Together With the Limits and Bounds, As Well of the Forest, As the Pourallee. Collected, As Well Out of the Common Lawes and Statutes of This Land, As Also out of Sundrie Learned Ancient Authors, And Out of the Assises of Pickering and Lancaster. Whereunto Are Added that Statutes of the Forest, A Treatise of the Severall Offices of Verderors, Regardors, and Forests, & the Courts of Attachments, Swanimote, & Justice Seat of the Forest, And Certaine Principal Cases, Iudgements, and Entries of the Assises of Pickering and Lancaster: Never Heretofore Printed for the Publique.***





N° 110

London: Printed for the Societie of Stationers, 1615. [xv], 258 [i.e. 259], [1] ff. Quarto (7-1/4" x 5-3/4").

Contemporary calf, gilt rules to boards, rebacked in period style, raised bands and lettering piece to spine. Light rubbing to extremities, a few scuffs, nicks and minor stains to boards, corners repaired, hinges cracked, later armorial bookplate to front pastedown. Woodcut decorated initials and head-pieces. Some toning to text, negligible light foxing in places, light soiling and minor edgewear to title page. Owner signature dated 1810 to head of title page, interior otherwise clean. A handsome copy. \$1,200.

FIRST EXPANDED EDITION. First published in 1598, it remained a standard text well into the twentieth century. This enlarged edition, which is the third chronologically, includes a great deal of information that does not appear in the first and second editions. Forests were central to England's economy from the time of the conquest to the mid-seventeenth century. A member of Lincoln's Inn, a barrister, gamekeeper of Waltham Forest and a justice of the New Forest, Manwood was eminently qualified to write it. Both a history and guide, it contains lengthy extracts from the *Carta de Foresta* and other ancient statutes and charters. (Some of it was taken from a privately-printed collection on the same subject Manwood issued around 1592). ESTC S111855.

THE FIRST SIGNIFICANT ENGLISH TREATISE ON HIGHWAY LAW

## 111 MERITON, G[EOURGE] [1634-1711].

*A Guide to Surveyors of the High-Ways Shewing the Office and Duty of Such Surveyors, with Several Cases and Resolutions in Law Relating to the Same: Collected and Gathered Out of Publick Acts of Parliament Now in Force, And Out of the Year-Books, and Other Books of the Municipal Laws of this Kingdom: With an Abridgment of the Statute of 22 h. 8 Chap. 5 for the Repairing of Bridges, With Cases Relating Thereunto: and Likewise a Summary of the Statutes Made for Paving, Cleansing, &c., Streets, Lanes, &c., in London and Other Towns and Places, and an Abstract of Statutes Made for the Repairs of High-Ways and Bridges in Particular Places, Methodiz'd into Short Chapters for the Ready Finding out any Matter Contain'd in the Book.*

London: Printed by W. Rawlins and S. Roycroft for A. and J. Churchill, 1694. [xxiv], 167 pp. Octavo (6-1/2" x 4").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, occasional light foxing and dampstaining, internally clean. \$1,250.

ONLY EDITION. According to Sweet & Maxwell, this is the earliest full-scale English work devoted to the topic. Meriton was a lawyer and a prodigious writer on a wide range of legal topics. Born in the North Riding of Yorkshire, he is also remembered for his dialect poem *The Praise of Yorkshire Ale* (1683). OCLC locates 2 copies in North America (at the Huntington Library and the University of Michigan). ESTC R23533.

"THE YOUNG CLERK'S VOCABULARY"

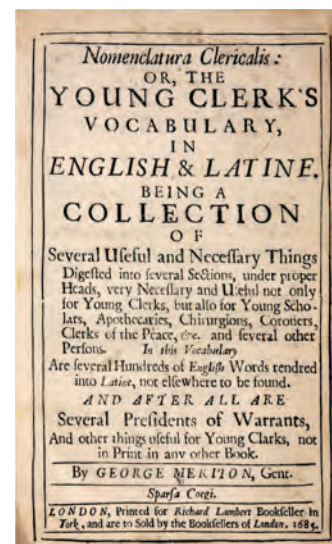
## 112 MERITON, GEORGE.

*Nomenclatura Clericalis: Or, The Young Clerk's Vocabulary, In English & Latine, Being a Collection of Several Useful and Necessary Things Digested into Several Sections, Under Proper Heads, Very Necessary and Useful not Only for Young Clerks, But Also for Young Scholars, Apothecaries, Chirurgions, Coroners, Clerks of the Peace, &c. And Several Other Persons. In this Vocabulary are Several Hundreds of English Words Rendred into Latine, Not Elsewhere to be Found. And After all are Several Presidents of Warrants, And Other Things Useful for Young Clerks, Not in Print in Any Other Book.*

London: Printed for Richard Lambert, 1685. [iii], v, [1], v, [1], 128, 127-238, 299-474 pp. Text in English with parallel Latin translation. Octavo (5-3/4" x 3-3/4").

Contemporary calf, rebacked in period style, blind rules to boards, lettering piece and blind fillets to spine, endpapers renewed. Light toning to text, somewhat heavier in places, faint dampstaining to foot of text block, light foxing to a few leaves. \$2,000.

ONLY EDITION. *Nomenclatura Clericalis* is a wide-ranging glossary of legal terms in English with their Latin equivalents. Not restricted to legal terms, it has sections devoted to such fields as botany, medicine, food and commerce. The final section is a collection of precedents. OCLC locates 2 copies in North American law libraries (Harvard, University of Pennsylvania). ESTC R23284.



N° 112



## 113 [MILITARY LAW].

*An Abridgment of the English Military Discipline. Printed by Especial Command, For the Use of His Majesties Forces.*

London: Printed by Charles Bill, Henry Hills, and Thomas Newcomb, 1686. 271, [1] pp.

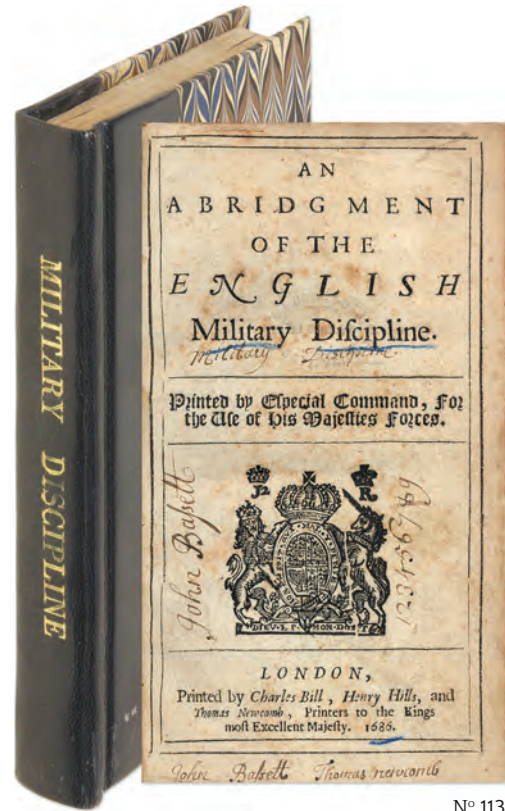
[Bound with]

*Rules and Articles for the Better Government of His Majesties Land-Forces In Pay.*

London: Printed by Charles Bill, Henry Hills, and Thomas Newcomb, 1688. 35, [1] pp.

Octavo (6-1/4" x 3-3/4"). Recent quarter calf over marbled boards, gilt title to spine (reading Military Discipline), endpapers renewed. Negligible light rubbing to exterior, moderate toning, light foxing in places. Early annotations, signatures and embossed stamp to title page of *Abridgment*, interior otherwise clean. \$650.

LATER EDITIONS. These two books encompass the regulations and laws that governed the army of late-restoration England and Wales. The *Abridgment*, which includes a section on courts martial, is a manual of military training and procedure that addresses such topics as formation of a company on a battlefield, marching and firings. The second book is a digest of military laws and regulations. It contains extensive discussion of penalties and a good overview of the procedures governing courts martial. Neither title in Sweet & Maxwell. ESTC R9769, R23604.



N° 113

## 114 [MODERN REPORTS].

[COLQUITT, ANTHONY, COMPILER].

1. *Modern Reports...*

London: Printed for J. Basset, 1682. [xii], 314, [22] pp.

[WITH]

2. *The Second Part of Modern Reports...*

London: Printed by the Assigns of Rich. and Edw. Atkins, 1698. [x], 322, [22] pp. Tables.

[AND]

3. *The Third Part of Modern Reports...*

London: Printed by the Assigns of Rich. And Edw. Atkins, 1700. [xx], 338, [38] pp.

[AND]

4. *The Fourth and Last Part of Modern Reports...*

London: Printed by the Assigns of Rich. and Edw. Atkins, 1703. [viii], 424, [24] pp.

[AND]

[NELSON, WILLIAM (B. 1653), COMPILER].

5. *The Fifth and Last Part of Modern Reports...*

[London]: Printed by John Nutt, 1711. [xii], 464, [20] pp.

[AND]

[SALKELD, WILLIAM (1671-1715), COMPILER].

6. *Modern Cases...*

[London]: Printed by John Nutt, 1713. [viii], 314, [22] pp.

[AND]

[FARRESLEY, THOMAS, COMPILER].

7. *Modern Cases...*

[London]: Printed by E. and R. Nutt, 1725. Second Edition. [iv], 32, 37-160, [12] pp.

[AND]

8. *Modern Cases in Law and Equity...In Two Parts*

[London]: Printed by E. and R. Nutt, 1730. [viii], 384, [44]; [iv], 210, [12] pp.

[AND]

[LUCUS, ROBERT (D. 1776), REPORTER].

9. *Cases in Law and Equity...*

[London]: Printed by E. and R. Nutt, And R. Gosling, 1736. [ii], ii, [8], 538, [94] pp.

[And]

10. *A Report of Cases...*

[London]: Printed by E. and R. Nutt, And R. Gosling, 1737. v, [4], 276, [20] pp.

[And]

11. *Cases Adjudged in the Court of King's Bench...*

[London]: Printed by E. and R. Nutt, And R. Gosling, 1738. iv, [x], 690, [78] pp.

Twelve volumes in eleven books. Complete set. Folio (12-1/2" x 8").

1, 2: Contemporary calf, raised bands and recent lettering pieces to spines, later repairs to spine ends. Moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, minor scuffing to boards, hinges cracked, early armorial bookplates to 1. Some toning to text, light foxing and dampstaining in places, occasional early annotations.

3, 4, 5, 10: Contemporary calf, raised bands and lettering pieces to spines. Moderate rubbing to extremities with some wear to spine ends and corners, light scuffing to boards, front joint of Volume



3 starting at head, hinges cracked or starting. Light to moderate toning, early owner signatures to preliminaries, occasional early annotations.

6: Contemporary calf, raised bands and lettering piece to spine, joints and portion of front board repaired. Moderate rubbing to extremities with some wear to spine ends and corners, a few shallow scuffs to boards. Moderate toning to text, staining to margins in a few places. Early owner annotations to preliminaries, interior otherwise clean.

7: Contemporary calf, rebaked in period style retaining lettering piece, raised bands, hinges mended. Some scuffing to boards, corners somewhat worn, early armorial bookplate to front pastedown. Light toning to text, somewhat heavier in places. Early owner signature to head of title page, annotations to a few leaves.

8: Contemporary calf, rebaked retaining most of original spine, recent lettering piece, hinges mended. Light scuffing to boards, corners bumped and somewhat worn, minor worming to front pastedown, dampstain to rear pastedown, interior otherwise fresh.

9: Recent period-style quarter morocco over marbled boards, raised bands and lettering piece to spine. Some print-through to

preliminaries, early owner signature and annotation to title page, interior notably fresh.

11: Recent period-style quarter calf over cloth, raised bands and lettering piece to spine. Boards very slightly bowed, light toning to text, occasional soiling to margins, somewhat heavier toning and foxing to preliminaries.

Detailed descriptions of individual volumes available on request.  
\$3,000.

FIRST EDITIONS, except 7, which is a second edition. One of the most ambitious and admired works of its time, the *Modern Reports* began as a four-volume set issued from 1682 to 1703. A fifth volume was added in 1711. Six more, one of them in two parts, were issued by later reporters. Taken together, these books report cases from 21 Charles II to 4 George II (1669-1732). Thomas Leach edited the books and republished them in 1793-1796 as a twelve-volume set. Complete sets of early editions, such as ours, are rare in the trade. Very few have ever appeared at auction; we have not seen any sets in the past 30 years. (The Sweet & Maxwell annotation, otherwise excellent, gives incorrect publication dates for 3.) Wallace 347-390. Sweet & Maxwell 1:304-305 (88).





N° 115

IMPORTANT EARLY TREATISE ON MARITIME LAW

## 115 MOLLOY, CHARLES [1646-1690].

*De Jure Maritimo et Navali: Or, a Treatise of Affairs Maritime and of Commerce. In Three Books.*

London: Printed for John Bellinger, 1682. [xxiv], 433, [15] pp. Two-page copperplate pictorial frontispiece, three-page publisher advertisement. Octavo (7-3/4" x 5-1/4").

Contemporary calf, blind rules to boards, rebacked in period style, raised bands and lettering piece to spine, endpapers renewed. Some mottling to boards, light rubbing to edges, corners bumped, upper margins of frontispiece mended (no loss to image). Some toning to text, light foxing to preliminaries and a few other places. "6/6" in early hand to margin of frontispiece, interior otherwise clean. \$850.

THIRD EDITION, one of two issues from 1682. For many years this was the standard treatise on international, commercial and maritime law, and went through many editions, the first published in 1676, the last in 1778. "It was not until 1676 that a man, who had some claims to be called an English lawyer, wrote upon [bills of exchange]. Charles Molloy who was both a civilian and a member of Lincoln's Inn and Gray's Inn, in the second book of his very successful treatise, *De Jure Maritimo et Navali*, gives us some account of these branches of the law" (Holdsworth). Chapters III and IV deal with privateers and piracy. *Sources* 210. *ESTC* R32101.

"INTENDED AS A COMPANION TO  
BLACKSTONE'S COMMENTARIES"

116 MORTIMER, THOMAS [1730-1810].  
[BLACKSTONE, SIR WILLIAM (1723-1780)].

*Lectures on the Elements of Commerce, Politics, and Finances; Intended as a Companion to Blackstone's Commentaries on the Laws of England; And Peculiarly Calculated to Qualify Young Noblemen and Gentlemen for Situations in Any of the Public Offices Under Government, And for Parliamentary Business.*

London: Published by A. Strahan, 1801. xxviii, 442 pp. Includes six-page subscriber list. Octavo (8-1/4" x 5").

Contemporary tree sheep, rebacked retaining original spine with lettering piece and gilt fillets, front hinge mended. Some rubbing, corners bumped and lightly worn, upper corner of title page repaired. Light toning, negligible foxing to some leaves, internally clean. A handsome copy. \$850.

ONLY EDITION. Best known as the author of *Every Man His Own Broker* (First edition, 1761), Mortimer was an attorney, diplomat and writer with an interest in commercial law. He believed Blackstone provided an essential component of the nobleman and gentleman's education. His *Lectures* were intended to cover the remaining areas: commerce, politics and finances. Not in *Eller*. *Laeuchli* 481.

A DISTINGUISHED BRITISH GENERAL CONSIDERS THE ROLE  
OF FLOGGING IN MILITARY LAW

## 117 NAPIER, SIR CHARLES JAMES [1782-1853].

*Remarks on Military Law and the Punishment of Flogging.*

London: T. & W. Boone, 1837. [iv], xii, 276 pp. Octavo (8-1/4" x 5-1/4").

Contemporary three-quarter calf over marbled boards, expertly rebacked, gilt fillets and lettering piece to spine. Light rubbing to extremities, corners bumped and lightly worn, bookplate of Henry D. Byng to front pastedown, light toning to interior. "To the Honb. Mr. Byng from h[is] old and sincere friend the author" to head of title page, interior otherwise clean. \$650.

ONLY EDITION. Sir Charles James Napier played a legendary role as military commander in the pacification of India. The present work was written upon his return from service in Cephalonia, then under British control, where Napier formed a strong relationship with Byron, and became a strong advocate of reform. It is a somewhat conservative but balanced treatment that insists on the necessary differences between social and military law and the absolute importance of keeping them separate, both in Parliament and on the streets. Napier accepts harsh procedure in war, but abhors it in civilian circumstances. At the same time he criticizes many aspects of military law, showing particular concern for better treatment of the private soldier. His humanitarian, indeed democratic, instincts are even more in evidence in his compassion for the lives of ordinary soldiers and their families. The recipient is probably Sir John Byng [1772-1860], Earl of Stratford, MP for Poole in Dorset 1831-1835. On the front pastedown is the signature of Maria Jane Byng (daughter? Sir John's second wife was Marianne James Byng), also a later 19th century book label of Henry D. Byng. *BMC* 18:256.

A SCARCE NATURA BREVIUM, BEALE T105A

## 118 [NATURA BREVIUM].

*Natura Brevium in Englishe Newelye Corrected: With Divers Addicions of Statutes, Booke Cases, Plees in Abatementes of the Saide Writtes: And Their Declaracio[n]s: And Barres to the Same Added and Put in Their Places Moste Convenie[n]t.*

[London: In Flete Stret within Temple Barre, At the Sygne of the Hand and Starre, By Rychard Tottill, Ye xxvii Daie of Februarye, Anno Domini, 1557]. 180, [3] ff. Collates complete. Octavo (5-1/2" x 3-1/2").



Nineteenth-century calf, blind rules and corner fleurons to boards, raised bands lettering piece and blind ornaments to spine, early hand-lettered title to fore-edge, marbled endpapers. Light rubbing to extremities, title page, which is missing most of its fore-edge and lower corner with minor loss to text, re-hinged and mounted. Toning, (very) faint dampstaining to lower half of text block, internally clean. \$1,750.

WITH TABLE. Text mostly in English, translated from Law French; some text in Latin. A cornerstone of the common law, the *Natura Brevium* is a selection of writs, with commentary, based on the *Registrum Brevium* dating from the reign of Edward III. The first printed edition of the *Natura Brevium* was published in 1494 by Richard Pynson. After Sir Anthony Fitzherbert published his *New Natura Brevium* in 1534 it was referred to as the *Old Natura Brevium*. The *ESTC* lists three variants of this title, with five copies found worldwide of our variant here. OCLC locates 12 of all three, 5 in North American law libraries (Columbia, Harvard, Library of Congress, Minnesota State Law Library, Yale). *ESTC* S105959. Beale T105a.

1584 TOTTEL EDITION OF THE OLD NATURA BREVIUM

# 119 [NATURA BREVIUM].

*La Vieux Natura Brevium, Dernierment Corrigeé et Amend', &c. Nouelment Imprimee.*

London: In Aedibus Richardi Tottelli, 1584. 180, [4] ff. Collates complete. 12mo. (5-3/4" x 4").

Contemporary calf, blind-stamped insignia and monogram "WC," and later blind stamp "SC" to upper corner, raised bands. Moderate rubbing to extremities with wear to spine ends and corners, front hinge starting. Occasional light dampstaining. Despite these minor impediments, a well-preserved, highly desirable copy in its original state. \$2,000.

WITH TABLE. *ESTC* S113106. Beale T97.



N° 119

RARE IMPRINT OF A PROFITABLE BOOKE THAT IS NOT LISTED IN BEALE

# 120 PERKINS, JOHN [D. 1545].

*A Profitable Booke of Maister Iohn Perkins, Fellowe of the Inner Temple Treating of the Lawes of Englande.*

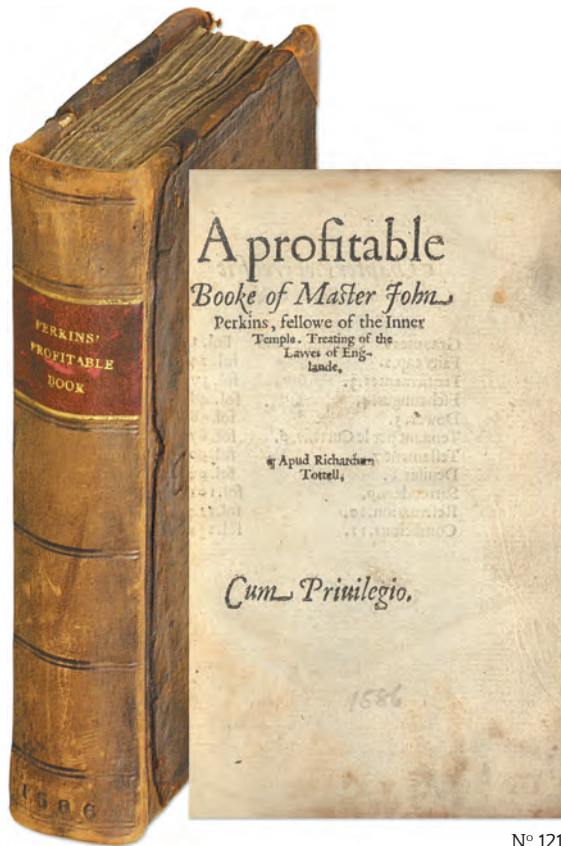
[London]: Apud Richardum Totell, [c.1560-1565]. 19, 168 ff., [1] pp. Complete except for last blank (C4). Octavo (5-1/4" x 3-3/4").

Attractive late-nineteenth century maroon polished calf, blind frames to boards, raised bands and gilt titles to spine, endpapers renewed. Negligible light rubbing to spine ends and joints. Top edge gilt. The first leaf of the proem has a splendid decorated initial illuminated in gold against a blue background, main text has a woodcut decorated initial. Early underlining and brief annotations to a few leaves. Offsetting to margins of endleaves, negligible light wear and browning to a few leaves, interior otherwise fresh. A desirable copy of a rare imprint. \$3,500.

EARLY EDITION of a work first published in 1528. Main text in Law-French, preface in Latin. A popular work during the sixteenth and early seventeenth centuries that was held in high regard by Coke, Perkins' *Profitable Booke* went through numerous editions in both English and Law-French. Devoted mostly to the land law as developed in the Year Books, it is divided into the following topics: grants, deeds, feoffments, exchanges, dower, curtesy, wills, devises, surrenders, reservations, and conditions. According to Marvin's *Legal Bibliography*, "the English translations are, more or less, inaccurate, and have accumulated errors...the French editions, therefore, are generally to be preferred" (563). This copy does not have a publication date, but its colophon, pagination (stated above) and printing errors suggest either 1560 or 1565. The colophon reads: "Imprinted at Lon-/ don in fletestrete with-/ in temple barre, at the signe of/ the hande and starre, by/ Richarde Tottle"; leaf 154 is numbered 167. All of the imprints listed in Beale have printed dates. However, Pollard and Redgrave list two undated imprints with the provisional dates of 1560 and 1565. The *ESTC* suggests 1565. Records on OCLC with an identical colophon, pagination and printing errors of our copy state 1560, except for Harvard, which gives a provisional date of 1559. OCLC locates 7 copies. Pollard & Redgrave 19634/19634.5. *ESTC* S4042.



N° 120



N° 121



N° 122

"A PROFITABLE BOOKE"

## 121 PERKINS, JOHN.

*A Profitable Booke of Master John Perkins, Fellowe of the Inner Temple. Treating of the Lawes of Englande.*

[London: In Fleetstreete...Within Temple Barre...By Richard Tottell, 1586]. [xx], 168 ff. Collates complete. Octavo (5-1/2" x 4").

Contemporary calf, blind rules and large central arabesques flanked by owner initials (EB) to boards, rebaked, lettering piece and blind rules to spine, corners repaired, endpapers renewed. Some rubbing to extremities, corners bumped and somewhat worn, crack in text block between title page and following leaf. Some toning, minor edgewear to preliminaries, chip to fore-edge of fol. [xvii] faint dampstaining to fore-edge and lower margins of most of text. Brief early annotations to a few leaves, a few minor inkstains, interior otherwise clean. \$1,250.

MAIN TEXT IN LAW-FRENCH, preface in Latin. ESTC S108588. Beale T424.

ENLARGED EDITION OF AN IMPORTANT WORK  
THAT ADVANCED WHIG IDEOLOGY

122 [PETYT, WILLIAM (1636-1707), ATTRIBUTED].  
[PHILLIPS, GEORGE (1599?-1696), ATTRIBUTED].

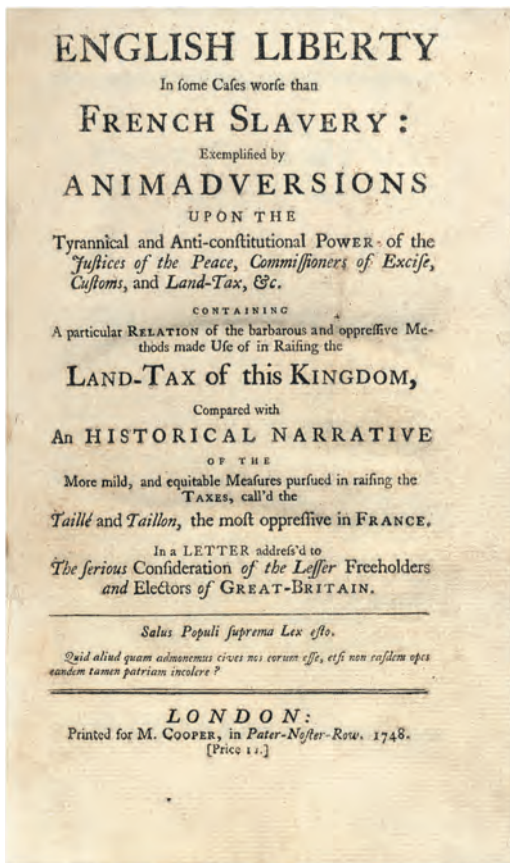
*Lex Parliamentaria, Or, A Treatise of the Law and Custom of Parliaments. Shewing Their Antiquity, Names, Kinds, And Qualities. Of the Three Estates; And of the Dignity and Excellency of Parliaments, Their Power and Authority. Of the Election of Members of the House of Commons in General, Their Privilege, Qualifications, And Duties. Of the Electors; And Their Rights, Duties; And Manner of Elections. Of the Returns to Parliament; The Sheriff's and Other Officers Duty Therein. Of the Manner of Election of the Speaker; And of His Business and Duty. Of the Manner of Passing Bills, And the Orders to be Observed in the House of Commons. Of Sessions of Parliament; As Also of Prorogations and Adjournments: Together with the Proper Laws and Customs of Parliaments. With an Appendix of a Case in Parliament Between Sir Francis Goodwyn and Sir John Fortescue, For the Knights Place for the County of Bucks, 1 Jac. I. With Large Additions.*

London: Printed for J. Stagg, [c.1701]. [x], 434, [1] pp. Includes two one- page publisher advertisements. Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind rules and fillets to spine, raised bands, later lettering piece to spine, unobtrusive later repairs to upper portions of joints. Light rubbing, minor chipping to head of spine, corners bumped and lightly worn, hinges just starting at ends. Light foxing and finger smudges to title page and a few other leaves, interior otherwise fresh. \$1,250.

SECOND EDITION, with "Large Additions." Petyt was active in the Whig cause. First published in 1690, *Lex Parliamentaria* is one of his five major works on Parliament that advanced Whig ideology. The others are *Ancient Rights of the Commons Asserted* (1680), *Miscellanea Parliamentaria* (1680), *Rights of the Commons Answered* (1681) and *Jus Parliamentaria* (1739). Petyt's works were read by the American Founding Fathers. Jefferson, for example, owned a copy of the first edition. This book is also attributed to George Phillips. The ESTC records an edition from 1698. Our edition, designated the second, is not dated. Wing and the ESTC, based on a reading of the contents, which includes acts to 1700, assign the date c. 1701. The ESTC locates 3 copies in North America, none in a law library. Wing P1944. Sowerby 2893 (1690 1st Ed.). ESTC R8206.





N° 123

ENGLISH TAXATION: WORSE THAN FRENCH SLAVERY?

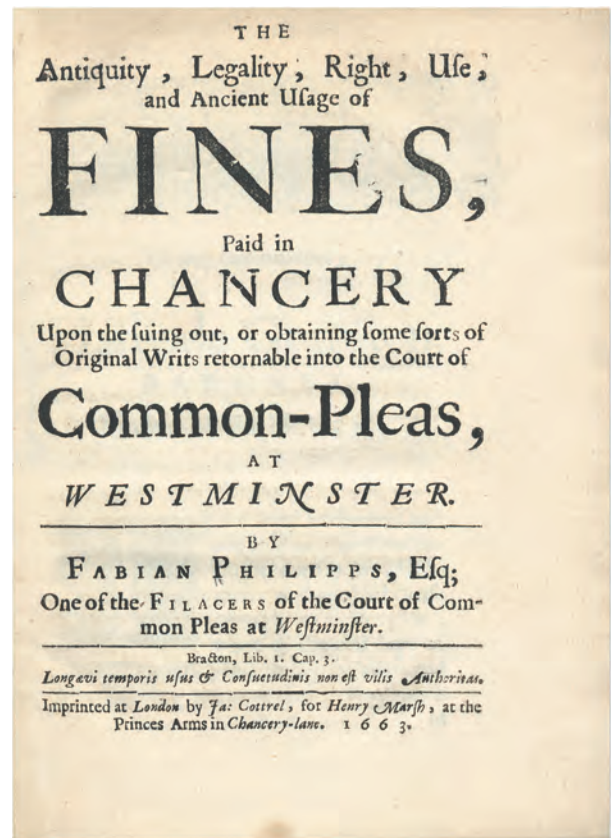
## 123 [PHILALETHERS].

*English Liberty in Some Cases Worse than French Slavery: Exemplified by Animadversions Upon the Tyrannical and Anti-Constitutional Power of the Justices of the Peace, Commissioners of Excise, Customs, And Land-Tax, &c. Containing a Particular Relation of the Barbarous and Oppressive Methods Made Use of in Raising the Land-Tax of This Kingdom, Compared with an Historical Narrative of the More Mild, And Equitable Measures Pursued in Raising the Taxes, Call'd the Taille and Taillon, The Most Oppressive in France. In a Letter Address'd to the Serious Consideration of the Lesser Freeholders and Electors of Great-Britain.*

London: Printed for M. Cooper, 1748. [iv], 96 pp. Octavo (8" x 4-3/4").

Stab-stitched pamphlet bound into contemporary three-quarter sheep over marbled boards. Moderate rubbing to extremities with some wear to spine ends and corners, light rubbing to boards, front hinge starting. Light toning to text, light soiling to title page, internally clean. A nice copy. \$850.

ONLY EDITION. The essay is signed "Philaethes," and is catalogued under that name in Kress and Goldsmiths. Dedicated, significantly, to Great Britain's "lesser Freeholders and Electors," it compares the tax burden imposed "arbitrarily" on English citizens with that of other, supposedly less democratic, European countries. OCLC locates 1 copy in a North American law library (Harvard). Goldsmiths' 8351. Kress 4922. ESTC T103148.



N° 124

FINES IN CHANCERY

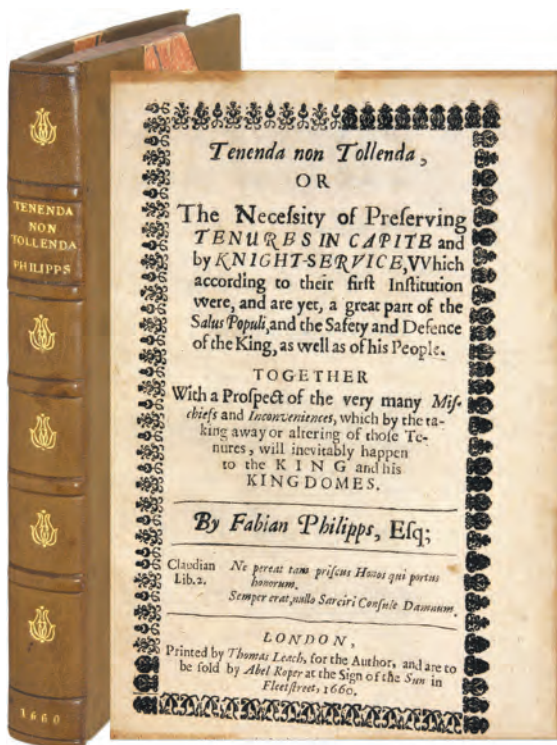
## 124 PHILIPPS, FABIAN [1601-1690].

*The Antiquity, Legality, Right, Use, And Ancient Usage of Fines, Paid in Chancery Upon the Suing Out, Or Obtaining Some Sorts of Original Writs Returnable Into the Court of Common-Pleas, At Westminster.*

London: Ja. Cottrel, For Henry Marsh, 1663. [xx], 32 pp. Quarto (7-1/2" x 6").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light shelfwear, spine ends lightly bumped. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown. \$650.

ONLY EDITION. Philipps, a member of an old gentry family educated at inns of chancery, Oxford and Middle Temple, was a notable, and prolific, legal antiquarian. A committed Royalist, most of his scholarship aimed to promote the rights of the Crown though the use of old records. *The Antiquity* argues for the restoration of chancery fines, a practice ignored during the Civil War and Commonwealth. OCLC locates 6 copies in North America, 4 in law libraries (Columbia, Northwestern, University of Minnesota, University of Pennsylvania). ESTC R31118.



FEAR OF A STANDING ARMY

## 125 PHILIPPS, FABIAN.

*Tenenda non Tollenda, Or the Necessity of Preserving Tenures in Capite and by Knight-Service, Which According to Their First Institution Were, and are Yet, a Great Part of the Salus Populi, and the Safety and Defense of the King, as Well as of His People. Together with a Prospect of the Very Many Mischiefes and Inconveniences, Which by the Taking Away or Altering of Those Tenures, Will Inevitably Happen to the King and His Kingdomes.*

London: Printed by Thomas Leach, 1660. [xiv], 276 pp. Quarto (7-1/4" x 5-1/4").

Later three quarter calf over marbled boards, raised bands, gilt title and gilt ornaments to spine, speckled edges, endpapers renewed. Negligible light rubbing to extremities, a bit of worming to front board and rear pastedown, front hinge cracked, rear hinge starting. Title printed within woodcut typographical border. Light toning to text, somewhat heavier in places, offsetting to margins of title page and final text leaf. A few cross-outs and corrections in a small early hand, interior otherwise clean. \$1,250.

AN IMPORTANT BOOK according to Holdsworth, *Tenenda non Tollenda* was written to protest the recent abolition of military tenures, a system through which the crown granted lands in exchange for military services, either personal or through the provision of troops. He feared this would eventually lead to the creation of a standing army, a potential tool of royal oppression. On a broader level the abolition of military tenure eliminated a legal bond that balanced the interests of the monarchy and large landholders. A thoroughly argued thesis, it is supported by 72 points. HEL VI:610. ESTC R16070.

"DIRECTIONS FOR THE STUDY OF LAW,"  
SIR FREDERICK POLLOCK'S COPY

## 126 PHILLIPS, WILLIAM.

*Studiū Legis Ratio, Or, Directions for the Study of Law Under These Heads; the Qualifications or [sic], Nature, Means, Method, Time and Place of the Study. Corrected and Enlarged.*

London: Printed for F. Kirkman and T. Dring, 1675. [xii], 204 pp. Includes four-page catalogue of books printed for Kirkman. 12mo. (5-1/2" x 3-1/2").

Later three-quarter calf over marbled boards, recently rebacked retaining lettering piece, hinges mended. Some rubbing to boards and extremities, small chip to top edge of rear board, corners somewhat worn. "F. Pollock/ Lincoln's Inn/ 1886" to front pastedown. Toning, occasional browning, minor worming to title page, dampstains to a few leaves. Occasional annotations in contemporary hand (edges trimmed with minor loss to these notes). A scarce title with an appealing association. \$1,500.

THIRD AND FINAL EDITION of a well-respected *vade mecum* first published in 1662. "[This] is a book on the same lines as those written in the preceding period by Fullbecke and Dodderidge. It tells the student something of the kinds of knowledge essential to him...It gives him a little elementary information as to the various kinds and species of laws...and then it goes on to discourse the main features of the common law and its position in the state. It concludes by giving a list of the chief books on English law which he must study" (Holdsworth). Sir Frederick Pollock [1845-1937] was one of the greatest British judges and legal scholars of his day. His treatises on contracts, jurisprudence, the common law and other subjects did much to clarify and systematize English law. Several of these were standard texts that went through several editions. He is also remembered for his collaboration with F.W. Maitland on *The History of English Law Before the Time of Edward I* and his correspondence with Oliver Wendell Holmes, which was published posthumously as *The Holmes-Pollock Letters*. HEL VI:601. ESTC R40100.



EARLY EDITION OF PLOWDEN'S REPORTS - THIS EDITION  
IN JEFFERSON'S LIBRARY

## 127 PLOWDEN, EDMUND [1518-1585].

*Les Commentaries, Ou Reportes de Edmund Plowden un Apprentice de le Comen Ley, De Divers Cases Esteants Matters en Ley, & de les Arguments sur Yceux, En les Temps des Raygnes le Roye Edwarde le Size, Le Roigne Mary, Le Roy & Roigne Phillip & Mary, & Le Roigne Elizabeth. Ouesque un Table Perfect des Choses Notables Contenus en Ycell, Novelment Compose per William Fletewoode Recorder de Loundres, & lammes cy Devaunt Imprime. Auxy vous Aves in cest Impression Plusors Bone Notes en le Mergent per Tout le Lyeur, En Queux les Cases sont Referre al Abridgement de Brooke, & Les Lyeurs del Termes, & As Auters Lyeurs del Comen Ley, Queux Notes Sont Imprimees en un Greinder Letter, qluel les notes Escrites per Master Plowden le Reporter Mesme, A le Fine que Chescun Poet Sacher, Queux Notes le Reporter ad Escrye, & Queux sont Addees per Auter de Puisne Temps.*

[London]: In Aedibus Richardi Tottelli, Octobris 20, 1578. [vi], 12, 401, [1] ff. Woodcut table (of consanguinity). Collates complete.

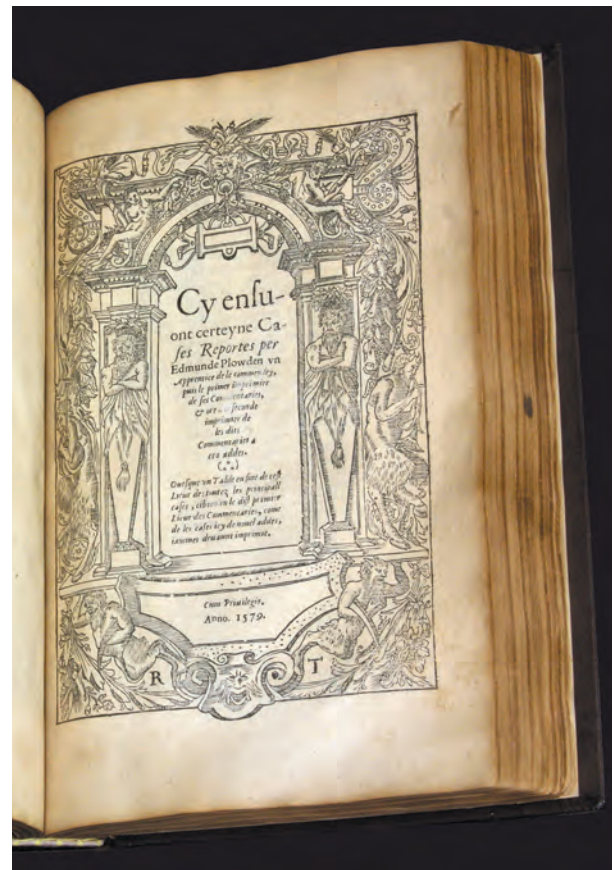
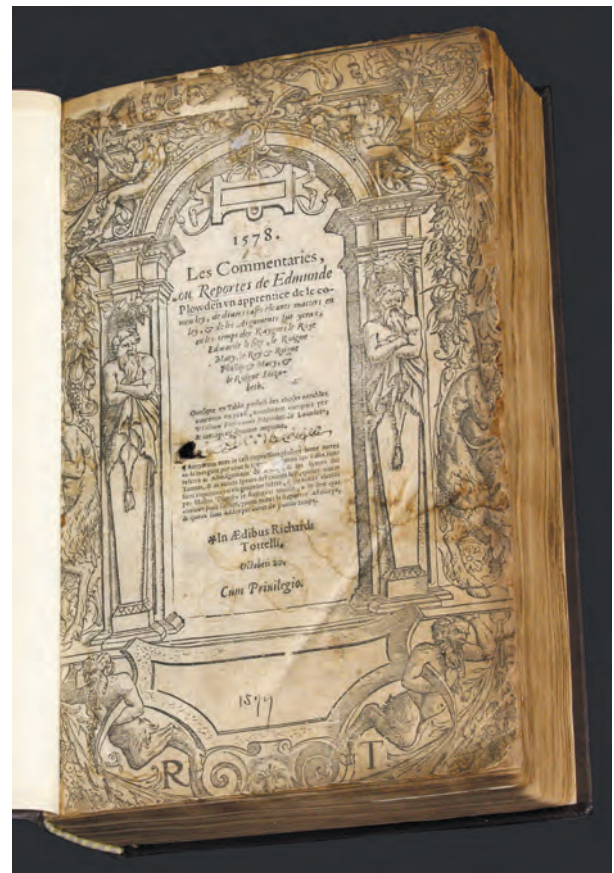
[AND]

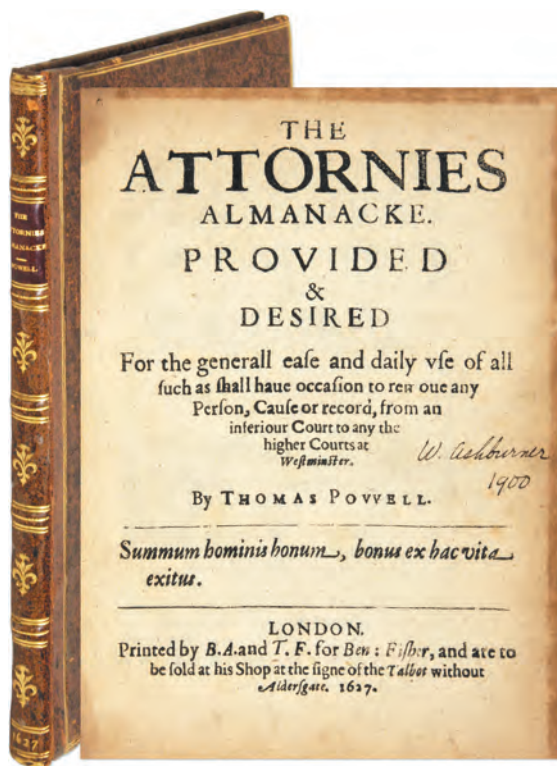
*Cy Ensuont Certeyne Cases Reportes per Edmund Plowden un Apprentice de le Commen Ley, Puis le Primer Imprimier de ses Commentaries, & Ore a le Seconde Imprimier de les Dits Commentaries a Ceo Addees. Ouesque un Table en Fine de cest Lieur des Toutez les Principall Cases, Cibien en le Dist Premier Lieur des Commentaries, Come de les Cases Icy de Novel Addees, lammes Devaunt Imprime.*

[London]: In Aedibus Richardi Tottelli, 1579. [i], 403-562, 562-565, [5], [6], [1], 15 ff. Collates complete.

Two parts in one, each with title page. Small folio (10-3/4" x 6-3/4"). Recent period-style paneled calf, raised bands and lettering piece to spine, endpapers renewed. Negligible light rubbing to extremities. Title pages printed within woodcut architectural borders, attractive woodcut decorated initials. Moderate toning to text, faint dampstaining in places, corners of a few leaves chipped with (very) minor loss to text, edges of title page, which were trimmed close, somewhat edgeworn with some loss, edges of a few leaves repaired. Small early struck-through signature to title page, contemporary annotations to a few leaves, a few eighteenth-century annotations to title page, rear endleaf and a few other places, interior otherwise clean. A solid copy. \$2,000.

**SECOND EDITIONS.** First published in 1571 and covering the period of 1550-1580, Plowden's *Reports* marks the transition away from the cumulative method of Year Books to one based on exposition and commentary. They were the first set of law reports to be published in a reporter's lifetime and under his own name. In most respects they were a forerunner of the modern law report. Plowden, a Catholic, achieved a great professional reputation and was esteemed as one of the most learned lawyers of his time. He became an M.P. during Queen Mary's reign, but was gradually pushed out of public life after Queen Elizabeth's accession due to his religion. His reports retained their standing, however, and were often translated and reprinted. Coke held them in high regard. Wallace says "In every sort of professional excellence [they] rank among the best Reports of any age." Part II concludes with two sections with individual Beale listings, "Un Report Fait per un Uncerteine Authour" and "The Table for the Second Part of the Commentaries Devised by William Fleetwood" (R486, R488). Most of the annotations are brief glosses, but some are long and analytical. The *ESTC* calls for a folding table in *Les Commentaries*. This is an error. Wallace 143. Sowerby 2026. Beale R485, R486, R488. *ESTC* S115947, S115909.





N° 128

"FOR THE GENEREALL EASE AND DAILY USE OF ALL SUCH AS SHALL HAVE OCCASION TO REMOVE ANY PERSON, CAUSE OR RECORD"

## 128 POWELL, THOMAS [1572?-1635?].

*The Attornies Almanacke. Provided & Desired for the Generall Ease and Daily Use of All Such as Shall Have Occasion to Remove any Person, Cause or Record, From an Inferiour Court to Any the Higher Courts at Westminster.*

London: Printed by B[ernard] A[lsop] and T[homas] F[awcett] for Ben: Fisher, and are to be sold at his shop at the signe of the Talbot without Aldersgate, 1627. [viii], 72 pp. Quarto (7" x 5-1/4").

Later speckled calf, gilt rules to boards, raised bands, gilt ornaments and lettering piece to spine, endpapers renewed. Light rubbing, a bit heavier to extremities, a few nicks to front board, corners lightly bumped and worn. Moderate toning, occasional dampspotting, browning, edgewear and chipping to margins of preliminaries and final ten leaves. Early annotation to rear endleaf, a reading list, owner signature of Walter Ashburner, dated 1900, to title page, annotation in his hand, a list of library holdings for this book, to front free endpaper. Ex-library. Bookplate to front pastedown. A handsome copy. \$1,500.

ONLY EDITION. Powell was a notable poet, a man of letters and an industrious legal antiquarian. In this work, the *Attourney's Academy* and the *Direction for Search of Records* Powell offered guidance to lawyers concerning the location and use of records, mostly to settle title claims. All are mentioned favorably by Holdsworth, who notes that the study of early records was an important aspect of legal education. In a sense, these books helped students to locate material for study. They are also important sources for students of Shakespeare. (All are listed in Lee's *Catalogue of Shakespeareana*). This copy belonged to Walter Ashburner [1864-1936], the notable legal scholar and editor of *The Rhodian Sea-Law* (1909). OCLC locates 6 copies in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Pennsylvania, University of Washington, Yale). HEL V:381. ESTC S115029.

"FOR THE CLEARING OF ALL SUCH TITLES, AND QUESTIONS"

## 129 POWELL, THOMAS.

*Direction for Search of Records Remaining in the Chancery. Tower. Exchequer, With the Limnes thereof: Viz. The Kings Remembrancer. Lord Treasurers Remembrancer. Clarke of the Extreates. Pipe. Auditors. The First Fruits. Augmentation of the Revenue. Kings Bench. Common Pleas. Records of Courts Christian. For the Clearing of All Such Titles, And Questions, As the Same May Concerne. With the Accustomed Fees of Search: And Diverse Necessarie Observations.*

London: Printed by B.A. for Paul Man, 1622. [xvi], 78, [2] pp. Quarto (7-1/4" x 5-1/4").

Recent imitation calf, gilt title to spine. Woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, light soiling and blotted-out signature to title page, early annotation to verso. Ex-library. Bookplate to front pastedown. \$750.

ONLY EDITION. OCLC locates 4 copies in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Pennsylvania). HEL V:381. ESTC S115034.

A WELL-REGARDED DICTIONARY OF LEGAL PRECEDENTS

## 130 [PRECEDENTS].

BY AN ATTORNEY AT LAW, AUTHOR OF THE PRACTICE EPITOMIZED.

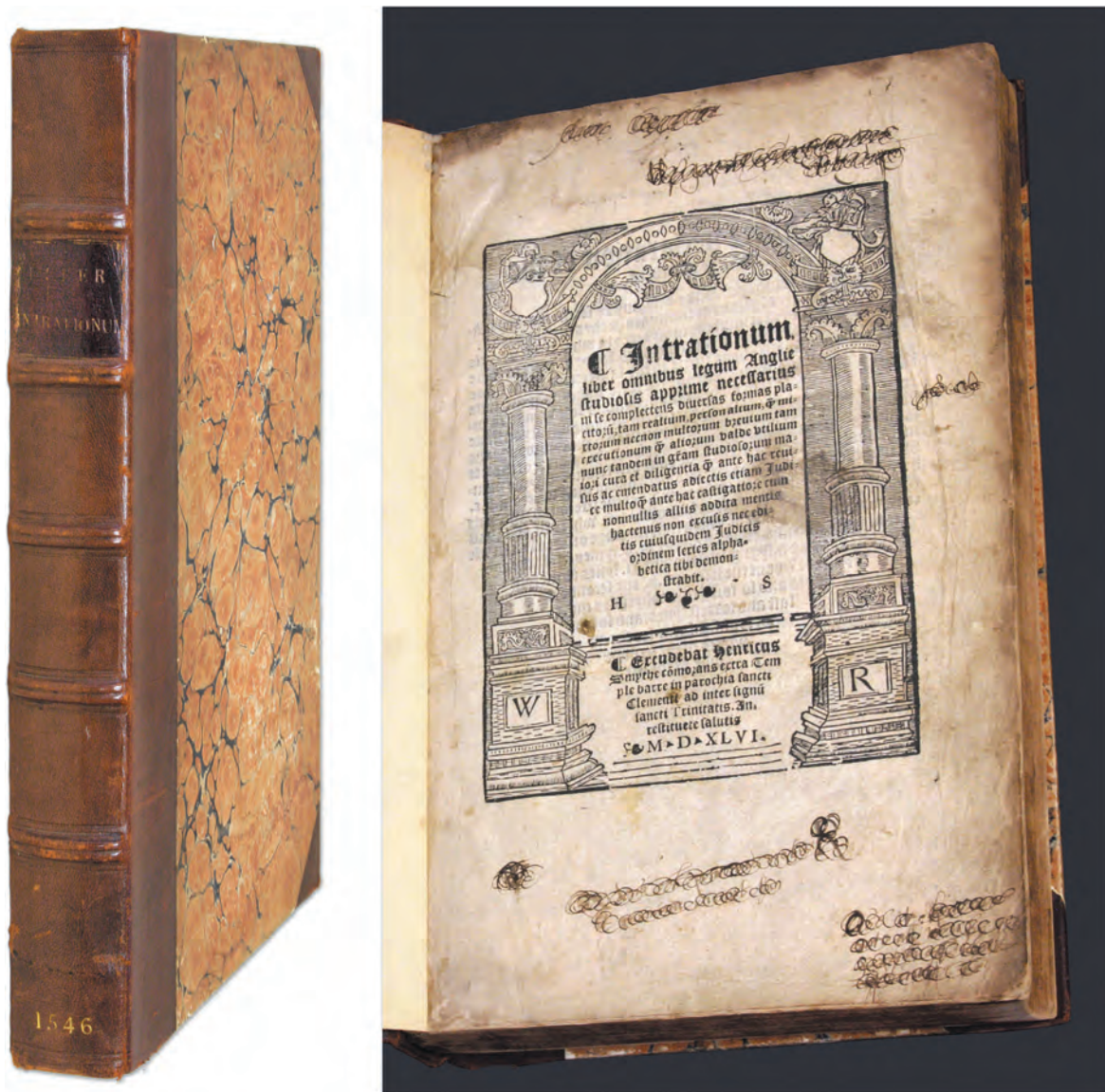
*The Attorney's Compleat Pocket-Book. Containing Above Four Hundred of Such Choice and Approved Precedents, In Law, Equity, And Conveyancing, As an Attorney May Have Occasion For, When Absent from His Office; Digested Under the Following Heads; Acknowledgements, Acquittances, Affidavits, Agreements, Appointments, Assignments, Awards, Bail-Pieces, Bargains and Sales, Bills, Bonds, Covenants, Defeasances, Distress for Rent, Exchanges, Fines, Gifts, Grants, Leases, Lease and Release, Letters of Attorney, Letters of Licence and Composition, Livery of Seisin and Attornments, Memorials, Mortgages, Notices, Partition, Petitions, Promissory Notes, Protections, Recoveries, Releases, Revocations, Separation, Settlements, Tickets, Uses, Warrants, Wills. Calculated for the Use of Practisers in General, But More Particularly for the Assistance of Country Attornies and Their Clerks: Also Necessary for Gentlemen, Landlords, Stewards, Tenants, &c.*

[London]: Printed by His Majesty's Law Printers, 1767. Two volumes. [iv], 342, [30]; [iv], 297, [11] pp. Octavo (6-1/2" x 4").

Contemporary calf, blind rules and fillets to boards, raised bands and lettering piece to spine, Volume I carefully rebacked retaining spine. Light rubbing to extremities, a few minor scuffs to boards, corners bumped, hinges partially cracked. Light toning to text, annotation to front free endpaper of Volume I, early owner signature to its title page. A handsome copy. \$750.

SIXTH AND FINAL EDITION. First published in 1741, this useful work went through five more editions. Its utility extended from urban law offices to the libraries of "gentlemen" and "country attorneys and their clerks." All editions of this work are scarce. OCLC locates 7 copies on this edition in North American law libraries (Brigham Young, Columbia, Harvard, LA County, Library of Congress, University of Iowa, York). ESTC T89786.





WITH SEVENTEEN ADDITIONAL PAGES OF PRECEDENTS  
IN A CONTEMPORARY CHANCERY HAND

### 131 [PRECEDENTS].

*Intrationum Liber Omnibus Legum Anglie Studiosis Apprime Necessarius: In se Complectens Diversas Formus Placitoru[m], Tam Realium, Personalium q[uam] Mixtorum Necnon Multorum Brevium tam Executionum q[uam] Aliorum Valde Utilium nunc Tandem in Gr[at]iam Studiosorum Maiori Cura et Diligentia q[uam] Ante hac Reuisus ac Emendatus Adiectis Etiam Iudice Multo q[uam] Ante hac Castigatore cum Nonnullis Allis Addita Mentis Hactenus non Excusis nec Editis Cuiusquidem Iudicis Ordinem Series Alphabetica Tibi Demonstrabit.*

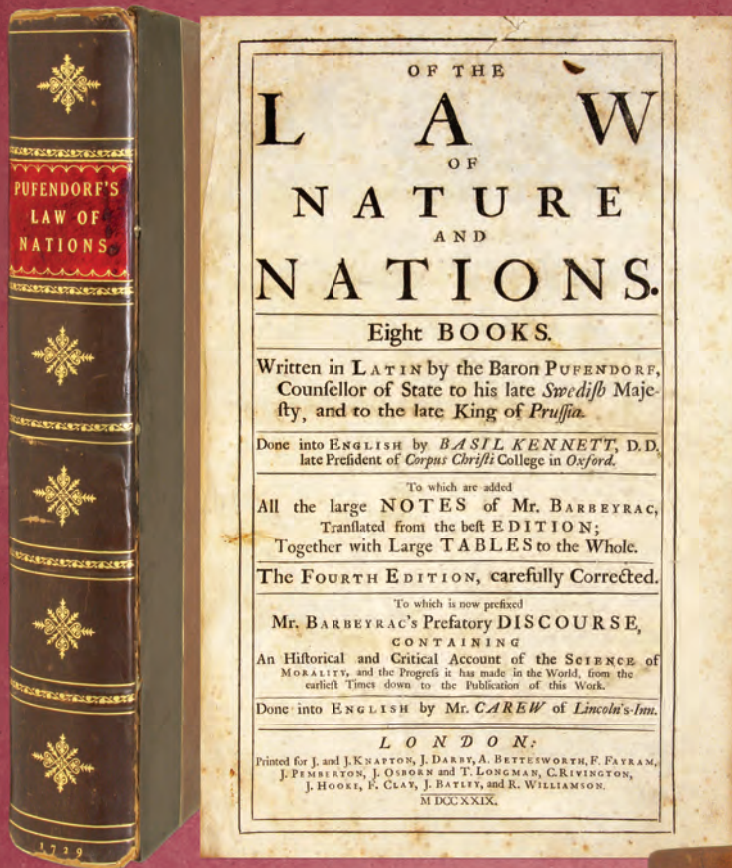
[London]: Excudebat [N. Hill for] Henricus Smythe, 1546. [xlv], 244 (i.e. 246), [1] ff. Folio (13" x 8-1/2").

Later three-quarter calf over marbled boards, raised bands and lettering piece (from an earlier binding) to spine, endpapers renewed. Light rubbing to extremities with minor wear to spine ends and corners, hinges cracked. Title printed within woodcut

architectural border. Moderate toning to text, occasional faint dampstaining to upper portion of text block, light edgewear to preliminary and final leaves of text, light soiling to title page, repair to lower corner of final text leaf, which has two small holes with minor loss to legibility. Early struck-through annotations to title page and some other leaves, interior otherwise clean. A solid copy in an attractive binding. \$5,000.

THE FIRST AND ONLY EDITION of the second printed book of entries, the first published in 1510. Also known as the Book of Legal Writs, this is the earliest English book of precedents for pleadings. It contains pleadings in real, personal and mixed actions, information on writs and executions and miscellaneous information on other topics. The anonymous author derived his material from the plea rolls, a fundamental source for early English legal history. Sir John Baker notes the "old books of entries are the least used of all early law books; but they are replete with learning which, though difficult to extract, the legal historian ignores at his cost." This copy contains seventeen additional pages of precedents in a fine contemporary chancery hand. OCLC locates 12 copies of this imprint. Baker 160-161. ESTC S112077. Beale T284.

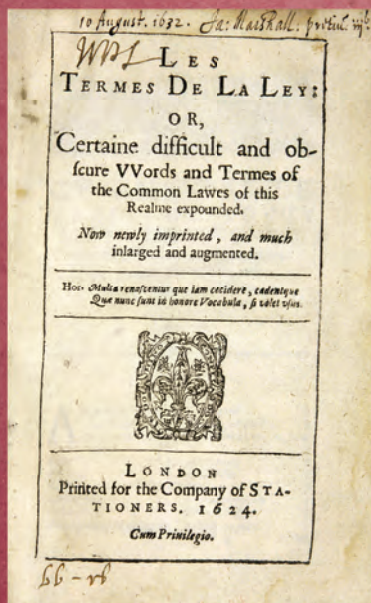




N° 132



N° 134



N° 134



N° 133



- 132 PUFENDORF, SAMUEL VON [1632–1694].  
BARBEYRAC, JEAN [1674–1744]. PREFATORY DISCOURSE.

*Of the Law of Nature and Nations. Eight Books. Written in Latin by the Baron Puffendorf. Done Into English by Basil Kennet. Carefully Corrected, with Two Tables. To Which Are Added All the Large Notes of Mr. Barbeyrac, Translated From the Best Edition; Together with Large Tables to the Whole. Carefully Corrected. To Which is Now Prefixed Mr. Barbeyrac's Prefatory Discourse, Containing an Historical and Critical Account of the Science of Morality, and the Progress It has Made in the World, From the Earliest Times Down to the Publication of This Work. Done Into English by Mr. Carew.*

London: Printed for J. Walthoe, R. Wilkin, [et. al.], 1729. [xxiv], 316, 321–480, 477–878; [iv], 39, 44–88, [4], [22] pp. Pagination irregular. Complete, but Barbeyrac's prefatory discourse is misbound at rear of text. Main text in parallel columns. Folio (13" x 8-1/2").

Nineteenth-century three-quarter calf over cloth, gilt fillets to boards, raised bands, lettering piece and gilt ornaments to spine, endpapers renewed, hinges reinforced with cloth tape. Moderate rubbing to extremities with some wear to spine ends and corners, joints cracked, later owner bookplate to front pastedown. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing in places. Early owner corrections in a miniscule hand, to passages in a few leaves, interior otherwise fresh. \$1,250.

FOURTH ENGLISH EDITION. In 1662 Pufendorf was appointed to the first modern professorship in natural law (at the University of Heidelberg). In 1670 he became professor of natural law at the University of Lund in Sweden. First published in 1672, *De Jure Naturae et Gentium* is his principal work and a landmark in the history of natural and international law. It proposed a thorough system of private, public, and international law based on natural law. Beginning with a consideration of fundamental legal ideas and their various divisions, Pufendorf proceeded to a discussion of the validity of customs, the doctrines of necessity and innate human reason. The work is significant in part because it developed principles introduced by Grotius and Hobbes. Unlike Hobbes, Pufendorf argued that peace, not war, was the state of nature, and he proposed that international law was not restricted to Christendom. ESTC N61031.

- 133 PULTON, FERDINAND[O] [1536–1618].

*De Pace Regis et Regni. Viz. A Treatise Declaring Which be the Great and Generall Offences of the Realme, And the Chiefe Impediments of the Peace of the King and the Kingdome, As Menaces, Assaults, Batteries, Treasons, Homicides, And Felonies, Ryots, Routs, Unlawfull Assemblies, Forcible Entries, Forgeries, Perjuries, Maintenance, Deceit, Extortion, Oppression: And How Many and What Sorts of Them There Be, And by Whome, And What Means the Sayd Offences, And the Offenders Therein are to bee Restrained, Repressed, Or Punished. Which Being Reformed or Duly Checked, Florebit Pax Regis & Regni. Collected Out of the Reports of the Common Lawes of This Realme, And of the Statutes in Force, And Out of the Painfull Workes of the Reverend Iudges, Sir Anthonie Fitzharbert, Sir Robert Brooke, Sir William*

*Stanford, Sir Iames Dyer, Sir Edward Coke, Knights, And Other Learned Writers of Our Lawes.*

London: Printed for the Companie of Stationers, 1609. [vi], 258, [22] ff. Folio (11" x 7-1/4").

Recent period-style calf, blind panels with corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed, speckled edges. Woodcut head-pieces and decorated initials. Some toning to text, internally clean. A notably handsome copy. \$3,500.

FIRST EDITION. With comprehensive index, glosses and side-note references to the works of Fitzherbert, Brooke and others. Pulton is best known for his respected abridgements *An Abstract of all the Penal Statutes Which are General* (1560) and *A Kalendar or Table of All the Statutes* (1606). *De Pace Regis et Regni* took his earlier works as the starting point for a comprehensive overview of criminal law. Holdsworth, who holds this work in high regard, observes that it was only the second title devoted to the subject. The first, Staunford's *Les Plees del Coron*, was published posthumously in 1560. Holdsworth adds that a comparison between Pulton and (the less comprehensive) Staunford "enables us to appreciate the effect of the additions to and alterations of the criminal law made during this period, both by the legislature, and by the judges of the common law courts and of the court of Star Chamber" (392–393). This is especially evident in his discussion of topics like "Triall by Battaile," "The King's Pardon," "Maihem" and "Corruption of Bloud." In all, Pulton's treatise offers a fascinating perspective on criminal law as it was understood in Shakespeare's England. HEL V:392–393. ESTC S116053.

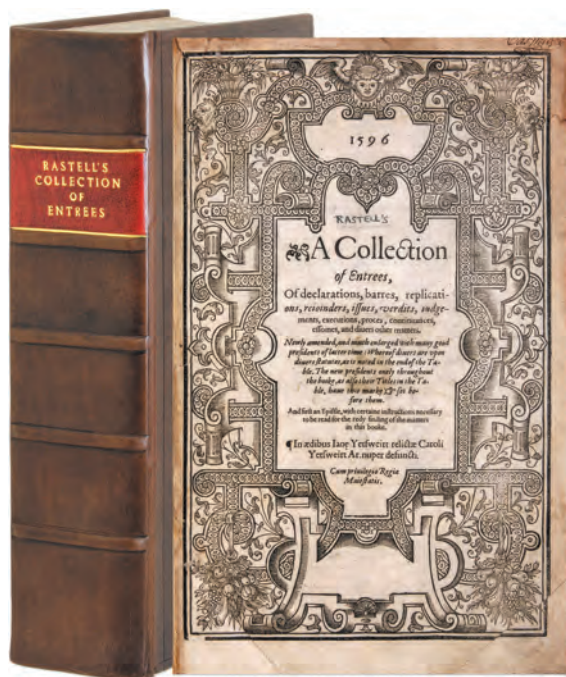
- 134 [RASTELL, JOHN (D.1536)].  
[RASTELL, WILLIAM (C.1508–1565)].

*Les Termes De La Ley: Or, Certaine Difficult and Obscure Words and Termes of the Common Lawes of This Realme Expounded. Now Newly Imprinted, And Much Inlarged and Augmented.*

London: Printed for the Company of Stationers, 1624. [viii], 311, [1] ff. Text printed in parallel columns in English and Law-French. Octavo (6-1/4" x 4").

Contemporary calf, blind rules and early owner initials (I.M.) to boards, raised bands and later lettering piece to spine, edges rouged. Some rubbing to extremities, a few minor scuffs to boards, corners and spine ends bumped, tiny worm hole to bottom edge of lettering piece, front hinge cracked, front free endpaper partially detached, minor worming to front pastedown, rear hinge starting. Light toning to text, occasional (very) faint dampstaining to margins. Early owner signatures and annotations to front endleaves and title page (of Jacob Marshall, one signature dated 10 August 1632), interior otherwise clean. \$1,500.

THE FIRST EDITION entitled *Les Termes de la Ley*. First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title *Expositiones Terminorum Legum Anglorumae*. Later editions were produced by his son, William, who is believed to be the editor or translator. (Some sources claim, erroneously, that he is the author.) Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity." OCLC locates 6 copies of this imprint worldwide, 5 in North America, 3 in law libraries (Library of Congress, University of Minnesota, University of Pennsylvania). Marvin 599. ESTC S119775.



N° 135

"A BOOK OF PRECEDENTS IN PLEADING OF  
A WHOLLY NEW TYPE"

### 135 RASTELL, WILLIAM [1508?-1565].

**1596.** *A Collection of Entrees, Of Declarations, Barres, Replications, Reioinders, Issues, Verdicts, Iudgements, Executions, Proces, Continuances, Essoines, And Divers Other Matters. Newly Amended, And Much Enlarged With Many Good Presidents of Latter Time: Whereof Divers Are Upon Divers Statutes, As is Noted in the End of the Table. The New Presidents Onely Throughout the Booke, As Also Their Titles in the Table, Have this Marke [pointing hand] Set Before Them. And First an Epistle, With Certain Instructions Necessary to be Read for the Redy Finding of the Matters in this Booke.*

[London]: In Aedibus Ian[a]e Yetsweirt Relictae Caroli Yetsweirt Ar. Nuper Defuncti, [1596]. [iv], 704 ff. Collates complete. Main text in parallel columns. Folio (11" x 7").

Recent period-style paneled calf, raised bands and lettering piece to spine. Title printed within architectural woodcut border, woodcut decorated initials. Moderate toning to text, somewhat heavier in places, stains to a few leaves, headlines in a few sections affected by trimming, minor chips to edges of a few leaves. "Rastell" in small later hand to head of title page, spark burns and tiny ink smudges to a few leaves, interior otherwise clean. A handsome copy. \$1,750.

**THIRD EDITION.** A landmark in the history of pleading first published in 1566, Rastell's *Entrees* superseded its predecessors. The volume had notes and references and the material was not gathered exclusively from printed sources, but from "the most authentic source – the offices of the prothonotaries.... Prothonotaries were officials whose duty it was to enter pleadings in an action; and they therefore had unrivalled opportunities for accumulating a store of such precedents. Rastell seems to have been the earliest writer to make use of this store of precedents. He therefore produced a book of precedents in pleading of a wholly new type; and this example was copied by the numerous other books which appeared during the seventeenth century." *HEL* V:384-385. *ESTC* S121759.



N° 136

A FINE VIEW OF THE ROYAL EXCISE OFFICE FROM 1810

### 136 ROWLANDSON, THOMAS [1756-1827]. PUGIN, AUGUSTIN CHARLES [1762-1832].

**Excise Office, Broad Street.**

London: R. Ackermann's Repository of Arts, February 1, 1810.

Attractively glazed and matted 11" x 9" aquatint in handsome 15-1/2" x 13-1/2" wooden frame, small plaque to center of bottom. Light toning to margins, image vivid. An attractive piece. \$500.

PLATE 103 from *The Microcosm of London*. Published over a 26-month period, this series depicted over 100 scenes of city life in London during the Regency. The settings were rendered by Pugin; the human activity by Rowlandson. Although Rowlandson is famous as a satirical artist, people in the *Microcosm* are drawn more realistically.

SCARCE EIGHTEENTH-CENTURY PAMPHLET ON IMPRESSMENT

### 137 [ROYAL NAVY]. [IMPRESSMENT]. [GREAT BRITAIN].

**An Enquiry Into the Nature and Legality of Press Warrants.**

[L]ondon: Printed for J. Almon, 1770. [ii], 5-58 pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet with untrimmed edges and several unopened signatures laid into recent marbled wrappers, printed title label to front. Light soiling to exterior of pamphlet, some toning to interior, internally clean. Ex-library. Tiny label to head of title page, small stamp to verso. A nice copy of a scarce title. \$850.

**ONLY EDITION.** This anonymous pamphlet examines the legality of impressment, the practice of seizing men by force and compelling them to serve in the Royal Navy. It concludes that impressment is legal but morally reprehensible. More important, this practice is an affront to the rights of Englishmen. OCLC locates 1 copy in a North American law library (Harvard). *ESTC* T32755.





N° 139

FIRST EDITION OF A CLASSIC SATIRE

## 138 [RUGGLE, GEORGE (1675-1622)].

*Ignoramus: Comoedia Coram Regia Maiestate Iacobi Regis Angliae. &c.*

London: Impensis I.S., 1630. [iv], 161 pp. Copperplate frontispiece. 12mo. (4-3/4" x 2-1/2").

Contemporary sheep, blind rules with corner fleurons to boards, raised bands to spine, front free endpaper lacking, small recent owner bookplate (of S. Ives) to front pastedown. Rubbing to extremities with some wear to spine ends and corners, narrow, two-inch cut mark to front board. A few partial cracks to text block, edges trimmed closely with minor loss to text in a few places. Woodcut head and tail-pieces. Some toning to text, faint dampstaining to some leaves. Early owner signature to head of title page, annotations to rear endleaf, interior otherwise clean. An appealing copy. \$500.

FIRST EDITION. Ruggles's classic acerbic satire of the English bench and bar was written in Latin and first performed in 1615. Designed to ridicule the language of the common law and the dullness of lawyers, the play is based on events relating to a legal dispute between the vice-chancellor of Cambridge University and the mayor of Cambridge, Francis Brakin. As one would expect, it incensed the legal community. ESTC S116292.

"EVERYTHING TO MY WIFE"

## 139 SADLER, WALTER DENDY, AFTER. JAMES DOBIE, ENGRAVER.

*The New Will: "Everything to My Wife Absolutely."*

London, Paris & New York: Rafael Tuck & Sons Ltd, [c. 1894].

Attractively glazed and double-matted 19" x 16" hand-colored etching in handsome 29" x 26" wooden frame, small brass plaque to center of bottom. Light rubbing to frame, some toning to margins and mat, image vivid. \$1,500.

THIS PIECE DEPICTS a presumably newlywed couple reviewing the terms of the husband's will with a barrister in his



N° 140

EARLY PRINTING OF A LANDMARK WORK  
IN LEGAL ETHICS AND EQUITY

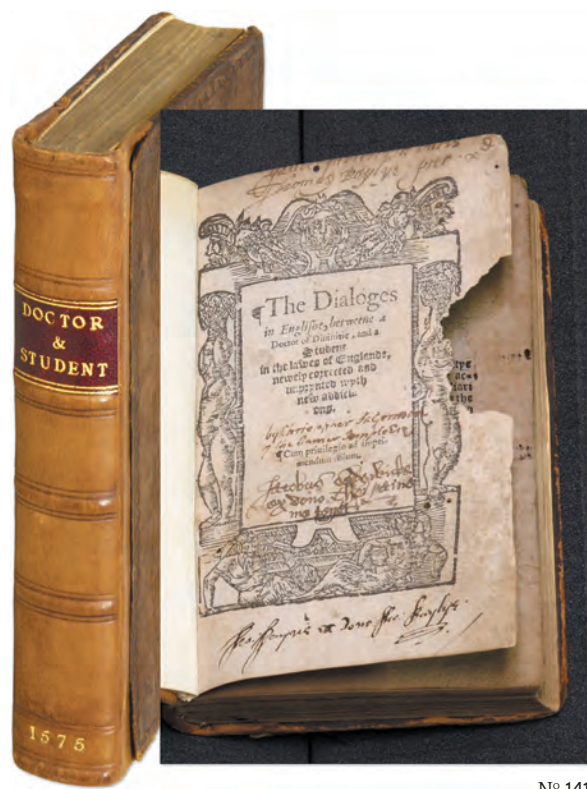
## 140 SAINT GERMAN (GERMAIN), CHRISTOPHER [1460?-1540].

*The Dyaloges in Englishe, Betwene a Doctour of Divinitie, And a Student in the Lawes of Englande, Newly Corrected and Imprinted Wyth New Addicions.*

[London: In Aedibus Richardi Tottelli, 1554 (i.e. 1565?).] 48, 50-177, [4] ff. Final four leaves, which comprise the index, supplied in facsimile. Octavo (5-1/2" x 3-1/2").

Later calf, blind rules to boards, raised bands and gilt title to spine. Some rubbing to extremities with minor wear to spine ends and corners, a few minor nicks to boards. Title printed within woodcut architectural border. Moderate toning to text, somewhat heavier in places, faint dampstaining to a few leaves, title page, following leaf and final leaf partially detached. Early annotations to title page and a few leaves, later owner signature to front free endpaper, interior otherwise clean. An attractive copy. \$1,500.

WRITTEN ORIGINALLY IN LATIN IN 1523, *Doctor and Student*, contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. It was also a key work in the development of equity law. *Doctor and Student* went through numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. A few sources believe the 1554 Tottell imprint was actually printed in 1565. Whatever the date, it is a scarce imprint. OCLC locates 13 copies in North America, 7 in law libraries (Boston College, Columbia, Harvard, Jenkins, LA County, University of Michigan, University of Pennsylvania). ESTC S116343. Beale T473



1575 IMPRINT OF DOCTOR AND STUDENT

N° 141

**141 SAINT GERMAN (GERMAIN), CHRISTOPHER** [1460?-1540].

*The Dialogues in English, Betwene a Doctor of Divinitie, And a Student in the Lawes of Englande. Newly Corrected and Imprinted Wyth New Addicions.*

[London: In Aedibus Richardi Tottelli, 1575]. 177 [i.e. 176], [4] ff. Collates complete. Octavo (5-1/4" x 3-3/4").

Eighteenth-century calf, rebacked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners bumped and worn. Title printed within woodcut architectural border. Toning to text, faint dampstaining in places, a few worm holes to fore-edge leaves just touching text in a few places, light soiling to title page, which has a chip (1-3/4" x 1/2") to fore-edge with some loss to printed border. Contemporary and later (probably eighteenth-century) annotations to title page and some text leaves, interior otherwise clean. \$2,000.

OCLC locates 7 copies in North America. ESTC S116366. Beale T476.

WELL-PRESERVED FIRST EDITION OF SELDEN'S *TITHES*

**142 SELDEN, JOHN** [1584-1654].

*The Historie of Tithes, That is, The Practice of Payment of Them. The Positive Laws Made for Them. The Opinions Touching the Right of Them. A Review of It is Also Annext, Which Both Confirms It and Directs in the Use of It.*

[London: s.n.], 1618. [vi], xxii, [12], 491, [5] pp. Quarto (7-1/2" x 5-1/2").

Recent period-style calf, blind frames to boards, raised bands and gilt title to spine, endpapers renewed. Light fading to portions of boards, corners lightly bumped. Title page printed in red and black. Toning, some discoloration and light wear to edges of title

page and following few leaves, internally clean. A nice copy in a handsome binding. \$650.

FIRST EDITION. VARIANT A. (One of the eight variants, with all points indicated by Sweet & Maxwell). *The History of Tithes*, which was one of Selden's earliest writings, angered James I and the clergy because it questioned the divine right to impose tithes. Although it was suppressed by the Court of High Commission, the resulting controversy transformed Selden into a figure of national importance. His treatment by the church and state also encouraged his opposition to political absolutism, an idea that informs his later writings. Based on remarks in the dedication and on p. 449, Sweet & Maxwell believe this is not a true first edition. (The presumed earlier edition appears to be a ghost, however.) Sweet & Maxwell 1:194-95. ESTC S123423.

CLASSIC ESSAY ON THE RIGHTS OF ENGLISHMEN

**143 [SOMERS, JOHN SOMERS, BARON** (1651-1716)], ATTRIBUTED.

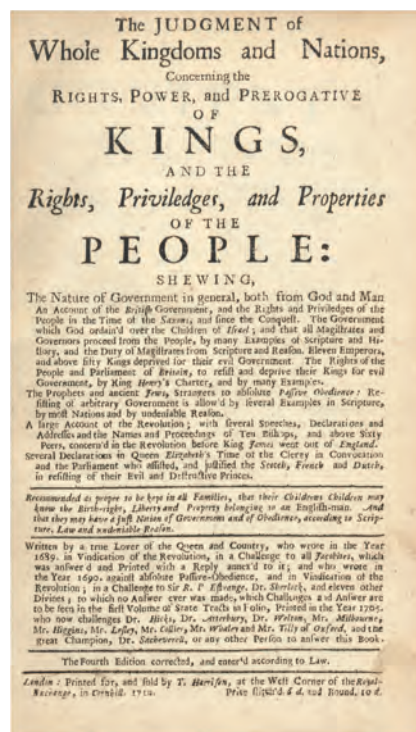
[DEFOE, DANIEL (1661?-1731)], ATTRIBUTED.

[DUNTON, JOHN (1659-1733)], ATTRIBUTED.

TRUE LOVER OF THE QUEEN AND COUNTRY.

*The Judgment of Whole Kingdoms and Nations, Concerning the Rights, Power, And Prerogative of Kings, And the Rights, Priviledges, And Properties of the People: Shewing, The Nature of Government in General, Both from God and Man. An Account of the British Government, And the Rights and Priviledges of the People in the Time of the Saxons, And Since the Conquest. (...) Recommended as Proper to be Kept in All Families, That Their Childrens Children May Know the Birth-Right, Liberty and Property Belonging to an English-Man. And that They May Have a Just Notion of Government and of Obedience, According to Scripture, Law and Undeniable Reason.*

London: Printed For, And Sold By T. Harrison, 1710. [viii], 71, [1] pp. Octavo (7-1/2" x 4-1/2").



N° 143



Stab-stitched pamphlet in later plain wrappers, recent typewritten title label and fragment of another label to front wrapper. Some wear to spine ends and corners, a minor tear to bottom edge of front wrapper. Some toning to text, a few page numbers affected by trimming, internally clean. \$750.

FOURTH EDITION, CORRECTED. This highly popular tract was first published in 1709 with the title *Vox Populi, Vox Dei, Being True Maxims of Government*. Somers, the most likely author, was a barrister of the Middle Temple, Lord Chancellor of England and the author of *The Security of Englishmen's Lives* (1681), a tract on juries and one's right to a jury trial. The present work outlines the development of English freedoms, and calls for religious freedom, resistance to tyranny and a limited monarchy. It found a ready audience in the colonies on the eve of the American Revolution and was issued by presses in Philadelphia, Boston and Newport. It was read by several Founding Fathers, including Thomas Jefferson, who owned the 1773 Philadelphia imprint. This work is attributed sometimes to John Dunton or Daniel Defoe. See Sowerby 2712. This imprint not in the *ESTC*.

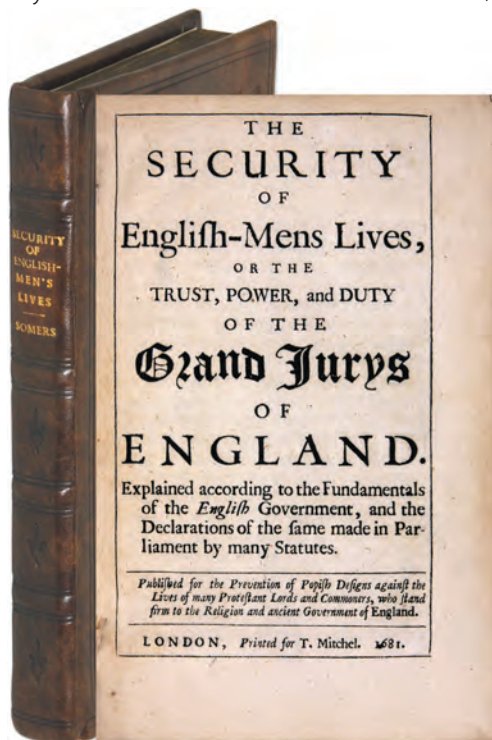
FIRST EDITION OF A LANDMARK WORK ON GRAND JURIES

144 [SOMERS, JOHN SOMERS, BARON, ATTRIBUTED].

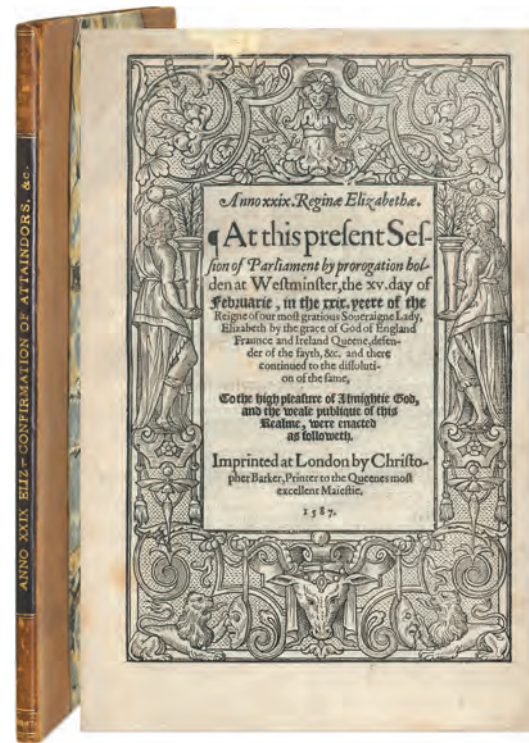
*The Security of English-Men's Lives, Or the Trust, Power and Duty of the Grand Jurys of England. Explained According to the Fundamentals of the English Government, And the Declarations of the Same Made in Parliament by Many Statutes. Published for the Prevention of Popish Designs Against the Lives of Many Protestant Lords and Commoners, Who Stand Firm to the Religion and Ancient Government of England.*

London: Printed for T. Mitchel, 1681. 168 pp. Octavo (7-1/2" x 5").

Recent period-style calf, blind tooling to boards, raised bands and lettering piece to spine, endpapers renewed. Light toning to text, faint dampspotting to margins of a few leaves, internally clean. \$1,500.



Nº 144



Nº 145

FIRST EDITION. This influential pamphlet defined a hearing before a grand jury of peers as a fundamental English right. An assertion of the priority of the law over the English crown, it was written to support the right of a grand jury to reject the bill of indictment against Anthony Ashley-Cooper, First Earl of Shaftesbury, issued by Charles II (a Catholic). Published anonymously, this work is attributed in most sources to Somers. As one would suspect, this book was studied by the American founding fathers. OCLC locates 9 copies of this edition in law libraries. Sweet & Maxwell 1:378 (34). *ESTC* R33648.

THE LAST REGNAL YEAR BEFORE THE SPANISH ARMADA

145 [STATUTES].  
[ELIZABETH I., QUEEN (1558-1603)].

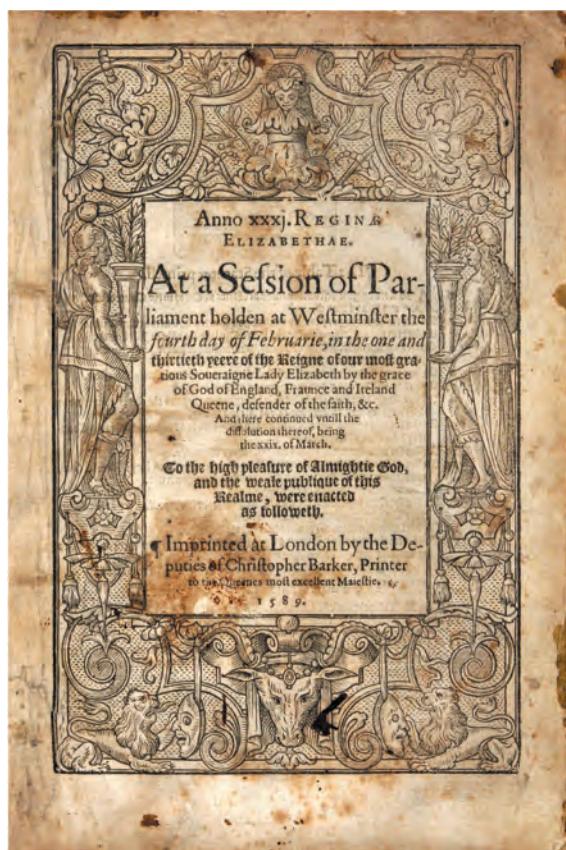
*Anno XXIX. Reginae Elizabethae. At This Present Session of Parliament by Prorogation Holden at Westminster, The XV. Day of Februarie, In the XXIX. Yeere of the Reigne of Our Most Gracious Sovereigne Lady, Elizabeth by the Grace of God of England Fraunce and Ireland Queene, Defender of the Fayth, &c. And There Continued to the Dissolution of the Same, To the High Pleasure of Almighty God, And the Weale Publique of this Realme, Were Enacted as Followeth.*

[London: Christopher Barker, Printer to the Queenes Most Excellent Maiestie, 1587]. [84] pp. Collates complete. Folio (10-1/2" x 7").

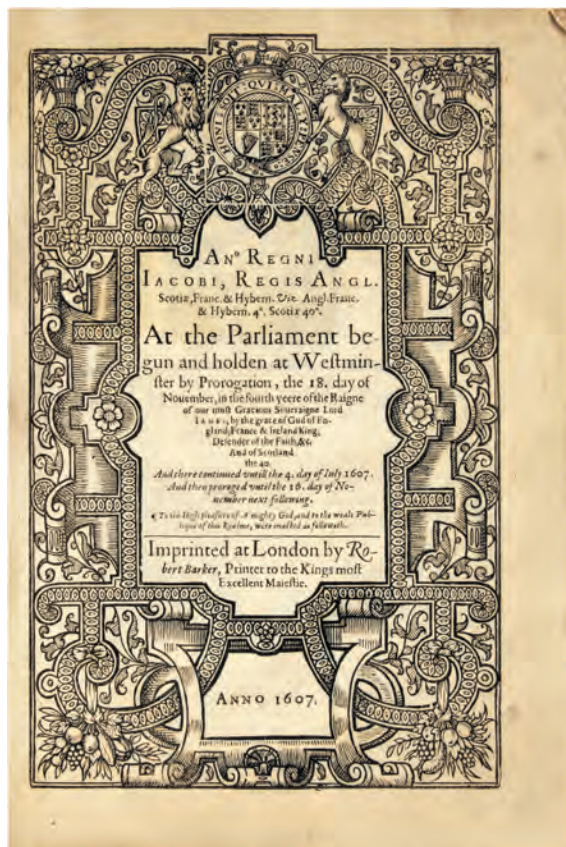
Nineteenth-century three-quarter calf over marbled boards, gilt title to spine. Light wear to extremities, front hinge cracked. Title printed within woodcut architectural border (Beale Border No. 50), large woodcut decorated initials. Faint dampstaining to heads of a few leaves, internally clean. \$1,750.

THIS VOLUME records 10 acts for the 29th year of Elizabeth's reign. These include "An Acte for the Continuance and Perfecting of Divers Statutes" and "An Acte to Avoyde Fraudulent Assurances Made in Certaine Cases by Traitors." The *ESTC* records a variant printing of this title (S121564). *ESTC* S4259. Beale S301.





N° 146



N° 147

146 [STATUTES].  
[ELIZABETH I., QUEEN].

*Anno XXXI. Reginae Elizabethae. At a Session of Parliament Holden at Westminster the Fourth Day of Februarie, In the One and Thirtieth Yeere of the Reigne of our Most Gracious Sovereigne Ladie Elizabeth by the Grace of God of England, Fraunce and Ireland Queene, Defender of the Faith, &c. And There Continued Untill the Dissolution Thereof, Being the XXIX. of March: To the High Pleasure of Almighty God, And the Weale Publique of This Realme, Were Enacted as Followeth.*

London: Imprinted by the deputies of Christopher Barker, Printer to the Queenes Most Excellent Maiestie, 1589. 36 (of 104) pp. Contains 13 complete acts. Folio (10-1/2" x 7-1/2").

Recent marbled paper-covered boards in quarter-calf over cloth slipcase, title page and following leaf re-hinged. Title printed within woodcut architectural border (Beale Border No. 50), large woodcut decorated initials, woodcut arms of Great Britain to verso of title page, woodcut tail-piece. Moderate toning to text, light soiling and some edgewear to title page and following leaf, internally clean. \$750.

THIS VOLUME records 13 (of 24) acts for the Parliament for the 31st year of Elizabeth's reign. It would have sat in 1588 (Regnal Year 30), but Elizabeth delayed its opening to February 4, 1589 due to the crisis of the Spanish Armada. At least two acts address that experience. These include "An Act Against Imbeazelling of Armor, Habilliments of Warre, And Victuall" and "An Act Concerning Informers." The ESTC records a variant printing of this title (S121535). ESTC S121534. Beale S302.

WITH TWO WELL-ANNOTATED ACTS  
CONCERNING ALCOHOLIC BEVERAGES

147 [STATUTES].  
[JAMES I., KING (1566-1625)].

*An[no] Regni Iacobi, Regis Angl. Scotiae, Franc. & Hybern. Viz. Angl. Franc. & Hybern. 40. Scotiae 40. At the Parliament Begun and Holden at Westminster by Prorogation, The 18. Day of November, In the Fourth Yeere of the Raigne of Our Most Gracious Sovereigne Lord Iames, By the Grace of God of England, France & Ireland King; Defender of the Faith, &c. And of Scotland the 40. And There Continued Untill the 4. day of Iuly 1607. And Then Proroged Until the 16. Day of November Next Following. To the High Pleasure of Almighty God, And to the Weale Publique of this Realme, Were Enacted as Followeth.*

[London: Robert Barker, Printer to the Kings Most Excellent Maiestie, 1607]. 92 pp. Folio (10-1/2" x 7-1/2").

Contemporary limp vellum with fragments of ribbon ties, early hand-lettered title to spine. Light soiling, spine ends bumped, chips to head and foot of front board, free endpapers lacking. Title printed with woodcut architectural border, decorated initials, head-pieces and tail-pieces. Light toning to text, faint dampstaining in places. Extensive annotations in contemporary hand to eight pages, some slightly affected by trimming, interior otherwise clean. \$1,500.

THIS VOLUME records 8 acts for the 4th year of James's Reign. Two acts are heavily annotated: "An Act to Restraine the Utterance of Beere and Ale to Alehouse-Keepers and Tiplers not Licenced" and "An Acte for Repressing the Odious and Loathsome Sinne of Drunkenness." ESTC S121600.





AN ELIZABETHAN LAW STUDENT WORKS HIS WAY THROUGH STAUNFORD'S PLEES AND KINGES PREROGATIVE

# 148 STAUNFORD, SIR WILLIAM [1509-1558].

*Les Pleez del Coron, Divisees in Plusors Titles & Comen Lieux. Per Queux Home Plus Redement & Plenairement Trovera Quelque Chose queil Quira, Touchant les Dits Pleez. Dernierment Corrigeé Avecques un Table Parfaicte des Choses Notables Contenues en Ycelle, Nouvelment Revue et Corrigeé.*

[London]: In Aedibus Richardi Tottelli, 1574. [xiv], 198 ff. Collates complete.

[Bound with]

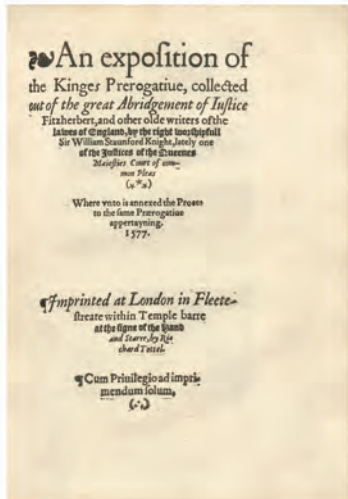
*An Exposition of the Kinges Prerogative Collected Out of the Great Abridgement of Iustice Fitzherbert, And Other Olde Writers of the Lawes of England. Whereunto is Annexed the Proces to the Same Prerogative Appertaynyng.*

[London]: Richarde Tottle, 1573. [i], 85 ff. Collates complete.

Quarto (7-3/4" x 5-1/2"). Contemporary calf, blind frames and large arabesques to boards, rebaked in period style with blind fillets and raised bands, early hand-lettered title to fore-edge, ties lacking, corners repaired, hinges mended. Title page of *Plees*

printed within large woodcut architectural border, woodcut decorated initials to both works. Light toning, underlining and annotations throughout in contemporary hand. \$4,000.

THIS HEAVILY ANNOTATED VOLUME, which contains two standard works of the Elizabethan era, provides excellent insights into the study habits of a contemporary law student, Henry Tilston, whose name appears on the title page of *Plees*. (He also notes that he purchased the book on 15 November 1604 for 12 shillings.) First published in 1557, Staunford's *Plees* is divided into three parts. The first treats offences, the second treats jurisdiction, appeals, indictments, and defenses. The third addresses trials and convictions. *Exposition of the Kinges Prerogative* was first published in 1567. It addresses discretionary rights enjoyed by the monarchy in foreign policy, domestic affairs, legal and governmental administration, religion and economic matters. The annotations, some in English, some in law-French, include extensive underlining, case citations, cross-references, references to other legal texts, glosses and analytical comments. He also added a list of twelve principles to a rear endleaf. He even records the dates when he completed the two books: "1 February" at the end of *Plees* and "24 february 1604 (i.e. 1604/5)" at the end of *Exposition*. The owner was probably Henry Tilston of Cheshire [b.1589]. He matriculated at Brasenose College, Oxford, in 1600 and became a barrister of the Inner Temple in 1610. Beale T489 (*Plees*), T493 (*Kinges Prerogative*).



N° 149

FIRST PRINTED WORK DEVOTED SOLELY TO CRIMINAL LAW -  
JEFFERSON OWNED A COPY OF THIS EDITION

## 149 STAUNFORD, SIR WILLIAM.

*Les Pleez del Coron, Divisees in plusors Titles & Comon Lieux. Per Queux Home Pluis Redement & Plenairement Trover a Quelque Chose que Il Quira, Touchant les Dits Pleez, Composees per le Tres Reverend Iudge Monsieur Guillaulme Staundforde Chivaler, Dernierment Corrigees Avecques un Table Parfaicte des Choses Notables Contenus en Ycelle, Nouelment Reveu & Corrigees.*

[London]: In Aedibus Richardi Tottelli, 1583. [xii], 196 ff. Collates complete.

[BOUND WITH]  
STAUNFORD, SIR WILLIAM.

*An Exposition of the Kinges Prerogative, Collected Out of the Great Abridgement of Iustice Fitzherbert, And Other Olde Writers of the Lawes of Englande. Whereunto is Annexed the Proces to the Same Prerogative Appertaining.*

London: Imprinted...in Fleete-Streate Within Temple Barre...By Richard Tottel, 1577. [i], 85 ff. Collates complete.

Quarto (7-1/2" x 5-1/2"). Contemporary calf, blind rules and large central arabesques to boards, rebacked, raised bands and lettering piece to spine, corners repaired, endpapers renewed with marbled paper, early hand-lettered title to top-edge. Light rubbing to extremities. Title of *Pleez* printed within handsome woodcut architectural border, woodcut initials. Light toning to text, brief early annotations in a few places. A handsome volume. \$2,750.

PLEES: FINAL EDITION; PREROGATIVE: FOURTH EDITION. Sowerby 1945. ESTC S117812, S117814. Beale T490, T495.



N° 150

ATTRACTIVE VICTORIAN COURTROOM SCENE

## 150 STEPHANOFF, JAMES, AFTER. REYNOLDS, S.W., ENGRAVER.

*The Court of Claims, In the Painted Room of the Palace of Westminster.*

London: Published by Sir George Naylor, [c. 1824]. Attractively glazed and matted 16" x 13-1/2" aquatint in handsome 27-1/2" x 15" wooden frame. Light toning to margins, image vivid. An attractive piece. \$1,250.

ESTABLISHED IN 1377, the Court of Claims is convened after the accession of a new sovereign to judge the applications of petitioners to perform honorary services at the coronation of the new monarch. Walker 304-305.



- 151 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 5-1/2").

Contemporary calf, gilt rules to boards, lettering piece, raised bands and blind decoration to spine, marbled edges and endpapers. Light rubbing to extremities, a few minor nicks to boards, hinges starting. Some toning to text, light foxing to tables and a few leaves. Early owner signature to head of title page, neat underlining and annotations in places, interior otherwise clean. A handsome copy. \$650.

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." Eller 72a. Laeuchli 113.

## DEFENDING THE RIGHTS OF PRESBYTERIANS

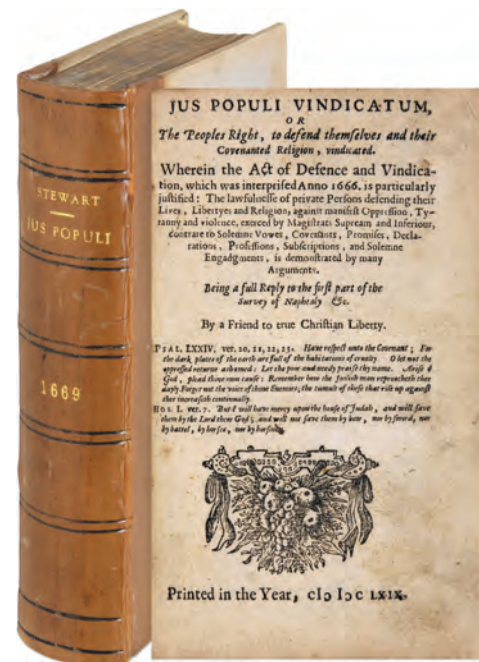
- 152 [STEWART, SIR JAMES (1635-1715)].

*Jus Populi Vindictum, Or The Peoples Right, To Defend Themselves and Their Covenanted Religion, Vindicated. Wherein the Act of Defence and Vindication, Which was Interprised Anno 1666. Is Particularly Justified: The Lawfulness of Private Persons Defending Their Lives, Libertyes and Religion, Against Manifest Oppression, Tyranny and Violence, Exerced by Majistrats Supream and Inferiour, Contrare to Solemne Vowes, Covenants, Promises, Declarations, Professions, Subscriptions, And Solemne Engadgments, Is Demonstrated by Many Arguments. Being a Full Reply to the First Part of Survey of Naphtaly &c. By a Friend to True Christian Liberty.*

London: S.n., 1669. [xl], 572 [i.e. 472] pp. Leaf \*4 (pp. 5-6) supplied in facsimile. Octavo (6-1/2" x 4").

Recent quarter calf over paper-covered boards, endpapers renewed. Light rubbing to extremities with minor wear to joints, light soiling to boards, front hinge starting. Woodcut title-page device, head-pieces and tail pieces. Moderate toning to text, faint dampstaining to margins in a few places, minor tears to a few leaves, some edgewear to preliminaries and final few leaves, light soiling to title page, internally clean. Ex-library. Bookplate to front pastedown. A solid copy of a scarce title. \$950.

ONLY EDITION. This essay on religious freedom by the great Scottish lawyer, reforming Lord Advocate of Scotland and political opponent of the Stuarts had its basis in a pamphlet war. In 1667 Stewart contributed legal remarks to *Naphtali: Or, The Wrestling of the Church of Scotland for the Kingdom of Christ*, a pamphlet



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by James Stirling, a Covenanter minister, that defended the actions of Presbyterians against the imposition of episcopalianism by the British government, including the bloody Pentland Rising of 1666. It was attacked that year by Andrew Honeyman [1619-1676], Bishop of Orkney, in a *Survey of the Insolent and Infamous Libel Entitled "Naphtali."* Stewart replied with *Jus Populi Vindictum*, a restatement of *Naphtali's* argument with more legal and political reinforcement. The Bishop did not publish a response. OCLC locates no copies in North American law libraries. ESTC R37592.

## A DEFENSE OF THE LORDS SPIRITUAL

- 153 [STILLINGFLEET, EDWARD (1635-1699), ATTRIBUTED].

*The Grand Question, Concerning the Bishops Right To Vote in Parlament [sic] in Cases Capital, Stated and Argued, From The Parlament [sic] Rolls, and the History of Former Times. With An Enquiry into the Peerage, And the Three Estates in Parlament [sic].*

London: Printed for M.P., 1680. [iv], 188 pp. Octavo (6-1/2" x 4").

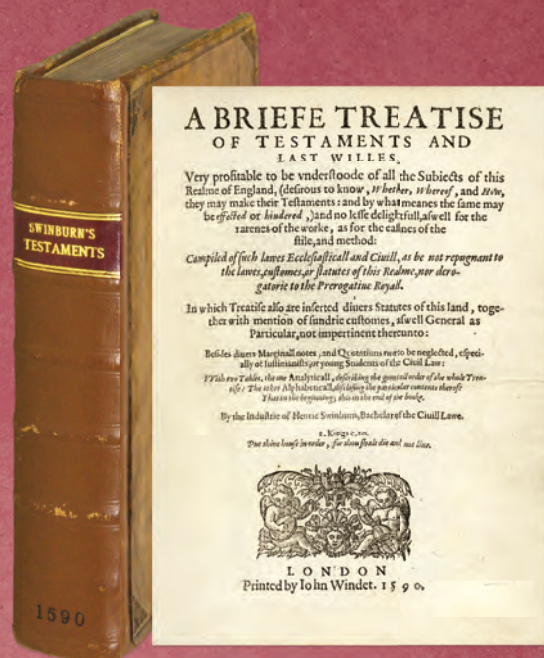
Contemporary mottled calf, blind rules to boards, rebacked, raised bands, gilt ornaments and lettering piece to spine, hinges mended. Moderate rubbing to boards with wear to corners. Light toning to text. Later signatures and annotations to endleaves, interior otherwise clean. \$850.

FIRST EDITION, one of two issues from 1680. On the face of it, this is a discussion of a right enjoyed by the Lords Spiritual, the bishops of the Church of England who sit in the house of Lords. More broadly, it is an argument defending their membership in Parliament that refuted contrary claims advanced in several recent pamphlets by Whig authors. At this time, the tense years leading to the Glorious Revolution, the Whigs feared the imminent ascendance of French-style royal absolutism and "popery," which would initiate a corresponding suppression of Protestantism and the rights of Englishmen. Stillingfleet, a prominent theologian and scholar, was an able and enthusiastic defender of Anglican orthodoxy. A second edition of *The Grand Question* was published in 1682. ESTC R19869.





N° 155



N° 157



N° 156



## 154 STONE, JOHN.

*The Reading Upon the Statute of the Thirteenth of Elizabeth, Chapter 7. Touching Bankrupts, Learnedly and Amply Expained.*

London: Printed for B. Griffin, C. Harper [et al.], 1695. [iii], 124 [i.e. 134] pp. Octavo (6-3/4" x 4").

Later library cloth, lettering piece to spine, hinges reinforced. Light rubbing to extremities, a bit of fading to spine. Some soiling and edgewear to title page and following leaf, moderate toning and occasional faint dampspotting to rest of interior, internally clean. Ex-library. Stamps to edges and free endpapers, bookplate to front pastedown, perforated stamp to title page. A solid copy of a scarce title. \$950.

SECOND AND FINAL EDITION, one of two issues from 1695. First published in 1656, this is the published version of a lecture presented at Gray's Inn. As Holdsworth notes, these presentations were an important part of a law student's education. They usually addressed recent statutes, narrow topics or complicated legal points. Stone's *Reading* is one of the examples cited (with approval) by Holdsworth. OCLC locates 6 copies of the first edition in North America, but only one copy of the second (at UCLA). HEL V:393, 395. ESTC R43936.

WATERCOLOR CARICATURE OF SIR EDWARD SUGDEN

## 155 [SUGDEN, SIR EDWARD (1781-1875)].

*A Chancellor in 1832!*

7-1/2" x 11" watercolor on board, attractively matted. Great Britain, Possibly Ireland, 1835?. Toning, a few minor waterstains, small inkstain near bottom right corner, otherwise fine. \$1,250.

POSSIBLY INTENDED as the basis for a lithograph, this cartoon depicts a drunken Lord Sugden, wig askew and clutching a table for balance. He is addressing the Bench: "My Lord, (hiccup) this Sir Edward Bug--no, damn it, I Mean Sir Edward Sug--hiccup) den--this Bug--Sug--Bug! My Lord, I beg pardon, I'm rather & &." There is a quote from Shakespeare below the image: "It fitteth not a Noble thus to plead!" Sugden, lawyer, judge and conservative politician, was Solicitor General of Great Britain in 1829-30, Lord Chancellor of Ireland in 1835, then from 1841 to 1846, and Lord Chancellor of Great Britain in 1852. He is wearing barrister's robes in this caricature, which indicates the period in his career between 1831 and 1835, when he practiced as a barrister and sat in the House of Commons. The caricature appears to be a commentary on his role as a leading opponent of the Reform Bill of 1832, which made him a prominent figure in British politics. The artist refers to Sugden as Chancellor, which leads us to date the image to 1835, the year of his Irish Chancellorship and a time when he was famous for his opposition to the Reform Bill.

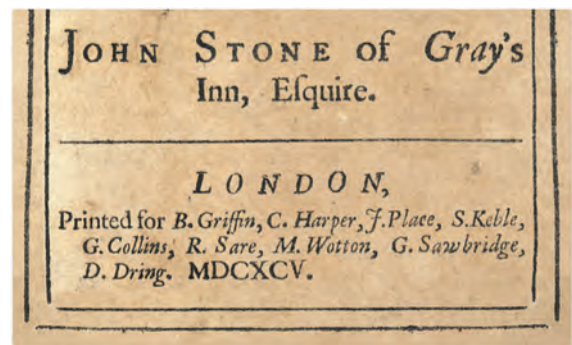
IMAGE OF FURNIVAL'S INN BY NOTED ENGRAVER

## 156 SUTTON, NICHOLAS.

*[Furnival's Inn, c. 1725].*

13" x 18" copperplate engraving, handsomely matted and glazed. Image notably fresh. \$400.

THIS ENGRAVING, which has a caption near the top margin, offers a bird's eye view of the courtyard of Furnival's Inn, its buildings and the surrounding neighborhood. The appearance of the Inn and the clothing and vehicles of the figures places the date



Detail from N° 154

of this image in the early decades of the eighteenth century. Sutton was highly regarded for his topographical engravings. Many were created for later editions of John Stow's *Survey of the Cities of London and Westminster*, which is probably the source of this plate. Furnival's Inn was an Inn of Chancery attached to Lincoln's Inn that was founded in 1383. Sir Thomas More was a reader at this Inn; Dickens rented rooms there in 1834 to 1837, the time when he was writing the *Pickwick Papers*.

FIRST EDITION OF THE FIRST STANDARD TREATISE ON WILLS

## 157 SWINBURNE, HENRY [1560?-1623].

*A Briefe Treatise of Testaments and Last Willes, Very Profitable to be Understood of All the Subjects of This Realme of England, (Desirous to Know, Whether, Whereof, And How, They May Make Their Testaments: And by What Meanes the Same May be Effected or Hindered,) And no Lesse Delightfull, Aswell for the Rareness of the Worke, As for the Easiness of the Stile, And Method: Compiled of such Lawes Ecclesiasticall and Civill, As be Not Repugnant to the Lawes, Customes, Or Statutes of this Realme, Nor Derogatorie to the Prerogative Royall. In which Treatise Also are Inserted Divers Statutes of this Land, Together with Mention of Sundrie Customes, As Well General as Particular, Not Impertinent Thereunto: Besides Divers Marginall Notes, And Quotations Not to be Neglected, Especially of Iustinianists, Or Young Students of the Civil Law: With Two Tables, The One Analytical, Describing the Generall Order of the Whole Treatise: The Other Alphabetically, Disclosing the Particular Contents Thereof: That in the Beginning; This in the End of the Booke.*

London: Printed by Iohn Windet, 1590 [colophon date 1591]. [xii], 293, [13] ff. Collates complete. Quarto (9" x 6-1/2").

Contemporary calf, blind rules and later corner fleurons to boards, rebaked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners bumped and somewhat worn, front hinge starting at head. Woodcut head-pieces and decorated initials. Minor toning to text, faint dampstaining in places, minor worm hole to outer margins of final sixteen leaves. Early owner signatures and annotations to front endleaf, interior otherwise clean. An appealing copy. \$3,000.

FIRST EDITION. The testamentary jurisdiction of ecclesiastical law was a separate branch that produced its own literature. From the sixteenth until well into the seventeenth century Swinburne's was the standard treatise on this subject. Holdsworth, who cites it often and considers it "the most practically useful book of [its] period" notes that "it is a very useful summary of the law as to wills and executors as administered in the ecclesiastical courts." HEL V:14. ESTC S118058. Beale T498.



N° 159

CONTROLLING THE RIVER

## 158 TAYLOR, THOMAS JOHN.

*An Inquiry into the Operation of Running Streams and Tidal Waters: With a View to Determine Their Principles of Action, And an Application of Those Principles to the Improvement of the River Tyne.*

London: Longman, Brown, Green, & Longmans, 1851. 119 pp. 10 color plates, 3 folding. Octavo (10" x 6").

Contemporary cloth, printed title label to spine. Light rubbing to boards, moderate rubbing to joints, which are partially cracked, light chipping to spine ends, fading to portions of binding, hinges cracked, light toning to text, some edgewear to folding plates. Author presentation inscription to front free endpaper, interior otherwise clean. \$750.

ONLY EDITION. "It is for the purpose of inquiring whether such principles [concerning the control of rivers] do really exist, and if so, in what manner they admit of a practical application, that the following essay has been written. OCLC locates 11 copies worldwide. Not in Sweet & Maxwell.

AN IMPORTANT EARLY WORK ON WRITS

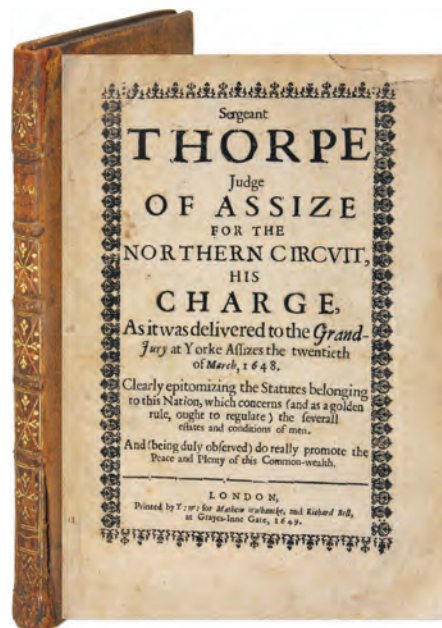
## 159 THELOALL, SIMON.

*Le Digest des Briefes Originals, Et des Choses Concernants Eux.*

London: In Aedibus Richardi Tottelli, 1579. [viii], 424 ff. With dedication and table. Collates complete. Octavo (6" x 4").

Seventeenth-century calf, blind rules to boards, raised bands and later lettering piece to spine, early hand-lettered title to fore-edge of text block. A few shallow scuffs to boards, some rubbing to extremities, front board beginning to separate, rear joint starting, some chipping to spine ends, corners bumped, pastedowns lacking, partial crack to text block between ff. 192 and 193. Light soiling to title page, toning to text. Annotations in neat early chancery hand to several leaves, later owner signature of William Jones to title page. An appealing copy. \$1,500.

FIRST EDITION. An important early work on writs, Theloall's *Digest* owes its origin to the suggestion of Staunford that it



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would be a good idea if lawyers would write treatises on the other titles of the abridgments similar to his study of the Title "Prerogative." Staunford illustrated his meaning by showing how the Title "Brief" might be treated. Theloall chose this title, and wrote a treatise on it for his own use. The manuscript, having been lent, eventually found its way to a printer. "It deserved to be printed, as it is the most orderly treatise on procedure, founded on the Year Books, that had yet appeared... Historically, it comes between the older commentaries upon writs and the modern books on procedure." Holdsworth V:381. A second edition was published in 1678. The owner of this book may have been Sir William Jones [1746-1794], the important jurist, legal writer and Orientalist. Beale T499. ESTC S118369.

IMPORTANT ESSAY ON MAGNA CARTA BOUND WITH SCARCE PAMPHLETS ON PROPERTY AND JUDICIAL ADMINISTRATION

## 160 THORPE, FRANCIS [1595-1665].

*Sergeant Thorpe, Judge of Assize for the Northern Circuit, His Charge, As it Was Delivered to the Grand-Jury at Yorke Assizes the Twentieth of March, 1648. Clearly Epitomizing the Statutes Belonging to this Nation, Which Concerns (And as a Golden Rule, Ought to Regulate) the Severall Estates and Conditions of Men. And (Being Duly Observed) Do Really Promote the Peace and Plenty of this Common-Wealth.*

London: Printed by T. W. for Mathew Walbancke, and Richard Best, 1649. [ii], 30 pp. Only edition, one of two issues from 1649.

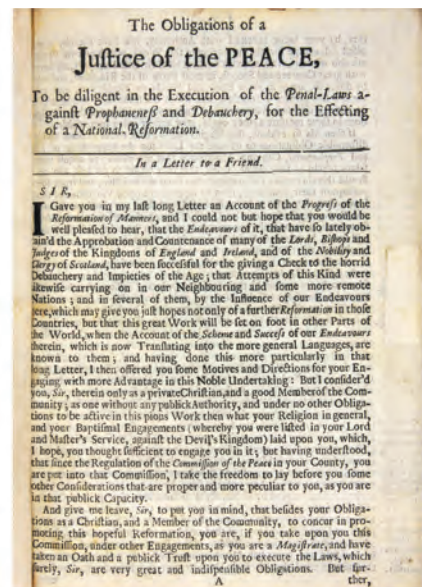
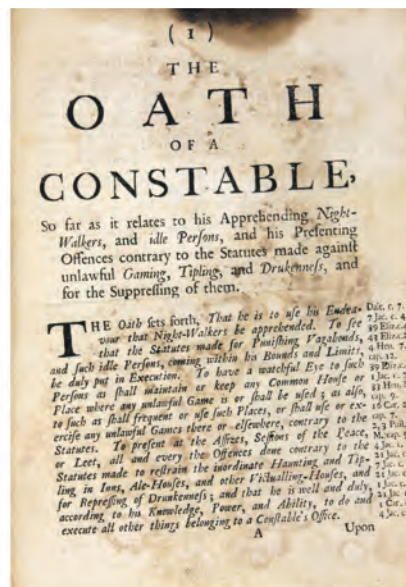
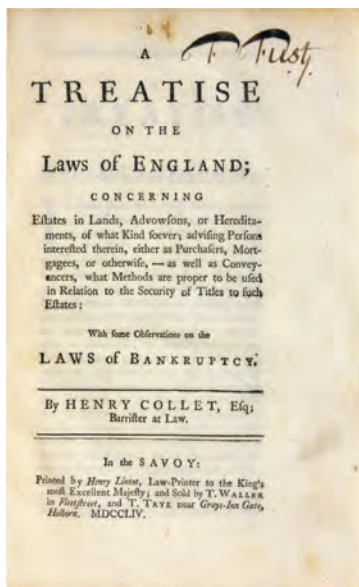
[BOUND WITH]  
COLLET, HENRY.

*A Treatise on the Laws of England; Concerning Estates in Lands, Advowsons, Or Hereditaments, Of What Kind Soever; Advising Persons Interested Therein, Either as Purchasers, Mortgagees, Or Otherwise, --As Well as Conveyancers, What Methods are Proper to be Used in Relation to the Security of Titles to Such Estates: With Some Observations on the Laws of Bankruptcy.*

[London]: Printed by Henry Lintot, 1754. [iv], 74, [2] pp. Only edition.

[AND]





Details from N° 160

*The Oath of a Constable, So Far as It Relates to Apprehending Night-Walkers, And Idle Persons, And His Presenting Offences Contrary to the Statutes Made Against Unlawful Gaming, Tipling, and Drunkenness, And for the Suppressing of Them* [running title].

[London: Printed by J. Downing, 1701]. 3, [1] pp. First edition.

[AND]

*The Obligations of a Justice of the Peace, To be Diligent in the Execution of the Penal-Laws Against Prophaneness and Debauchery, For the Effecting of a National Reformation. In a Letter to a Friend* [running title].

[London: Printed and Sold by J. Downing, 1705]. 3, [1] pp. Second edition, one of two issues from 1705.

Quarto (7-3/4" x 5-1/2"). Pamphlets bound into contemporary speckled calf, gilt spine with raised bands and lettering piece, spine ends repaired. Rubbing to extremities, corners bumped and lightly worn, a few minor scuffs to fore-edges, hinges cracked. Light toning to text, *Oath of a Constable* somewhat darker and faintly dampstained, light soiling and edgewear to title page of *Sergeant Thorpe*, last two leaves have pieces torn from fore-edge, just touching the text without loss, slight shaving to side-notes of *Oath* and *Obligations*. Owner signature dated 1922 to front free endpaper, early annotations to a few leaves, interior otherwise clean. \$1,850.

THORPE'S IS A NOTABLE DOCUMENT of Magna Carta's reception during the Commonwealth. After noting the different, but negative, perceptions of Royalists and the politically indifferent in 1215, he praises a third group who, using their innate reason, perceived it then as the source of "their own future happiness" (1-2). This dream was fulfilled, of course, by Parliament and Cromwell. Intended for gentlemen, Collet's essay discusses issues relating to land titles, real property and bankruptcy. The others deal with aspects of judicial administration. ESTC R203780, T51651, T61192, T176956.

SCARCE ENGLISH HANDBOOK ON LEGISLATIVE DRAFTING

161 THRING, SIR HENRY [1818-1907].

*Practical Legislation; Or, The Composition and Language of Acts of Parliament.*

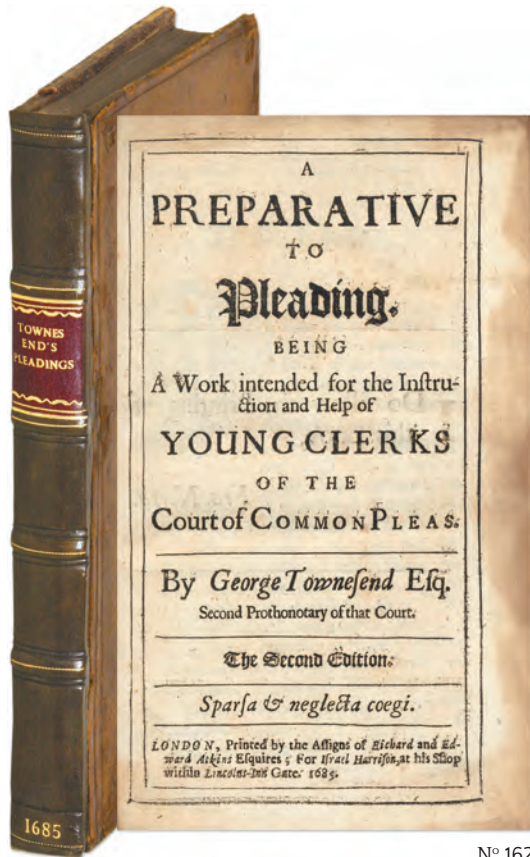
London: Printed for Her Majesty's Stationary Office, [1877]. viii, 66 pp. Octavo (9" x 6").

Recent stiff wrappers, printed title label to front cover. Some toning to text, browning and minor chipping to margins of title page and final leaf, internally clean. Ex-library. Small inkstamp to title page. A solid copy in an attractive binding. \$450.

FIRST EDITION. As First Parliamentary Counsel, a position he held from 1869 to 1901, Thring was an authority on legislative drafting and an innovator in that field. His *Practical Legislation*, a handbook on bill drafting and legislation, went through later editions in 1878 and 1902. All are scarce in North America. OCLC locates 3 copies of the first edition, 1 in a law library (Harvard). This edition not in Sweet & Maxwell.



N° 161



N° 162

## 162 TOWNSEND, GEORGE.

*A Preparative to Pleading: Being a Work Intended for the Instruction of Young Clerks of the Court of Common Pleas.*

London: Printed by the Assigns of Richard and Edward Atkins, 1685. [viii], 236 pp. Octavo (7" x 4").

Contemporary calf, blind frames and corner fleurons to boards, rebacked in period style with raised bands, hinges mended. Some rubbing to extremities, a few faint stains to boards, small clean tear to front free endpaper. Browning to margins of endleaves and title page, toning to text. Later owner signatures to front free endpaper, small owner stamp to verso of title page, interior otherwise clean. \$750.

SECOND EDITION. Townesend was a clerk of the Court of Common Pleas. First published in 1675, he wrote his manual to improve the quality of pleadings, which had "much decayed" during the Civil War and Protectorate. A Latin-English dictionary for the most part, it aimed to "direct Attornies and Young Clerks, in the formalities of their Words and Writings" so "their Businesses may be more Clerklke drawn, and fairly entred on record" (Preface). The work was well-received. Its fourth and final edition was published in 1721. All are scarce today. OCLC locates 3 copies of this (1685) edition in North American law libraries (Columbia, Library of Congress, Yale). ESTC R7084.

DON'T LEAVE HOME WITHOUT IT

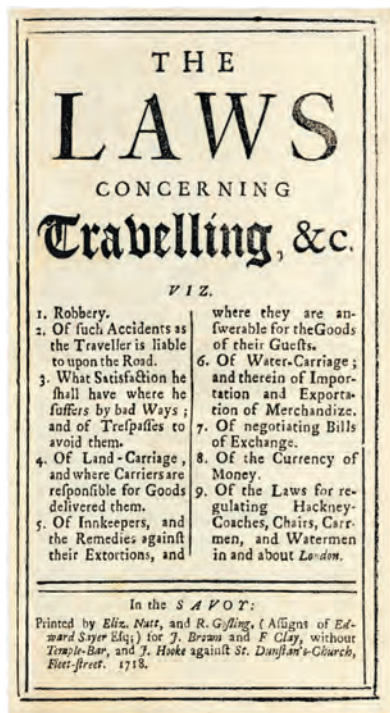
## 163 [TRAVELERS].

*The Laws Concerning Travelling, &c. Viz. 1. Robbery. 2. Such Accidents as the Traveller is Liable to Upon the Road. 3. What Satisfaction He Shall Have Where He Suffers by Bad Ways; And of Trespasses to Avoid Them. 4. Of Land-Carriage, And Where Carriers Are Responsible for Goods Delivered Them. 5. Of Innkeepers, And the Remedies Against Their Extortions, And Where They Are Answerable For the Goods of Their Guests. 6. Of Water-Carriage; And Therein of Importation and Exportation of Merchandize. 7. Of Negotiating Bills of Exchange. 8. Of the Currency of Money. 9. Of the Laws for Regulating Hackney-Coaches, Chairs, Carmen, and Watermen In and About London.*

[London]: Printed by Eliz. Nutt, and R. Gosling, 1718. [xii], 237, [3] pp. Includes three-page publisher list. 12mo. (6-1/2" x 4").

Contemporary unlettered sheep, blind rules to boards, blind fillets along joints, faint early shelf label to head of spine. Light rubbing and a few minor scuffs to boards, some wear to edges and spine ends, front joint starting, rear joint and hinge cracked but still quite secure. Faint offsetting to margins of endleaves, text notably fresh. A nice copy. \$1,500.

ONLY EDITION. This digest of statutes with explanatory glosses was the first book of its kind. Conceived for the layman, it was intended to be a pocket companion for the traveler and a useful addition to his reference shelf. The anonymous editor felt a need for this book because the British were a mobile people "whose Dominions and Factories lie dispersed in every Quarter of the habitable World" (v). Equally valuable to social historians, it is documents the difficulties and dangers of eighteenth-century travel. This book was reissued around 1720. OCLC locates 5 copies of the London edition in North American law libraries (Georgetown, Jenkins, UC-Berkeley, University of Michigan, Yale), none of the Bristol reissue. *Goldsmiths'* (Supplement) 5424.2. ESTC T126882.



N° 163



SCARCE TRIAL INVOLVING POISON, ABORTION AND MURDER

## 164 [TRIAL].

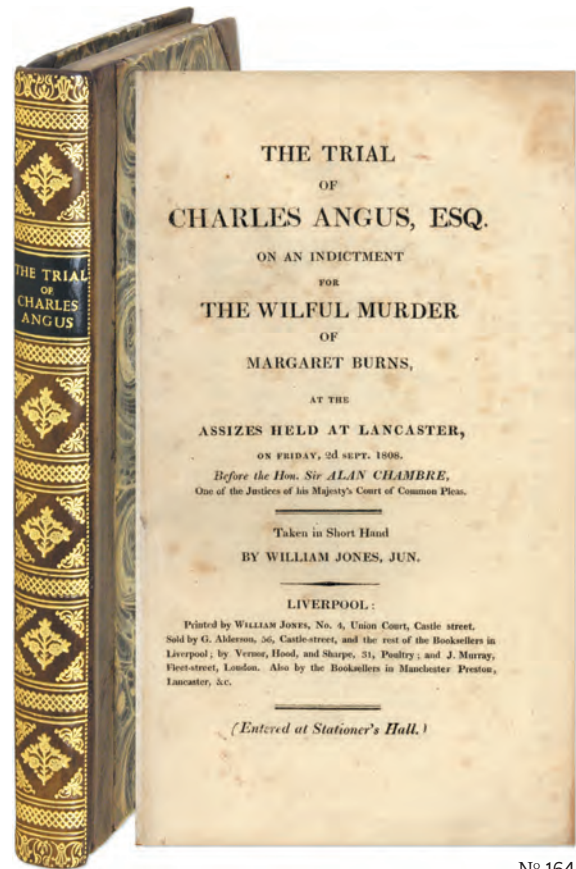
ANGUS, CHARLES, DEFENDANT.  
JONES, WILLIAM, JR., REPORTER.

*The Trial of Charles Angus, Esq., On an Indictment for the Wilful Murder of Margaret Burns, At the Assizes Held at Lancaster, On Friday, 2d Sept. 1808. Before the Hon. Sir Alan Chambre, One of the Justices of His Majesty's Court of Common Pleas. Taken in Short Hand.*

Liverpool: Printed by William Jones, [1808]. [iv], 288 pp. Octavo (8" x 5").

Three-quarter calf over marbled boards, rebaked with period-style gilt spine with lettering piece, hinges mended. Light rubbing to boards, corners lightly bumped, residue from bookplate to front pastedown, front free endpaper and final leaf re-hinged (and a small tear near the gutter carefully repaired). Moderate toning to text, light foxing in a few places, some soiling to verso of final leaf, internally clean. A nice copy. \$950.

ONLY EDITION. Angus was charged with assisting Margaret Burns in the abortion of their child. They used "corrosive sublimate of Mercury," which killed the fetus, and Margaret. Angus was acquitted after a trial rich in lurid detail. The publisher, who also recorded the trial in shorthand, clearly hoped to profit from the scandalous nature of the trial. Whatever commercial success this publication may have had, it is an interesting trial that tells us much about the status of women in northern Britain in the early nineteenth century. OCLC locates 7 copies in North American law libraries (Indiana Supreme Court, Los Angeles County, Social Law, the Universities of Minnesota and Virginia and Yale and York Universities).



N° 164

AFTERMATH OF THE "WHITE MUTINY"

## 165 [TRIAL].

BELL, JOHN, DEFENDANT.  
MARSH, CHARLES, ATTORNEY.

*The Defence of Lieutenant-Colonel John Bell, Of the First Battalion of Madras Artillery, On His Trial at Bangalore, Before a General Court-Martial, As it Was Read in Court by His Counsel, Charles Marsh, Esq.*

London: Printed and Sold by Black, Parry & Kingsbury, 1810. [iv], 85, [3] pp. Includes three-page publisher advertisement (of books relating to India). Octavo (8-1/4" x 5").

Stab-stitched pamphlet in later plain wrappers, handwritten title to front. Light toning to text, some offsetting to margins of title page, internally clean. \$500.

ONLY EDITION. In 1809 several officers of the East India Company's Madras Army caused a number of violent disturbances and refused to obey orders due to a dispute over allowances and pay, an event later known as the "White Rebellion." Bell was charged with joining and leading this "most dangerous and alarming mutiny and sedition" [iii]. He was found guilty and discharged from his post. OCLC locates 8 copies, 5 in North America, 2 in law libraries (Library of Congress, University of Minnesota).

A CAUTIONARY TALE FOR "YOUNG GENTLEMEN"

## 166 [TRIAL].

CORK, EDMUND BOYLE, EARL OF [1767-1856],  
DEFENDANT.

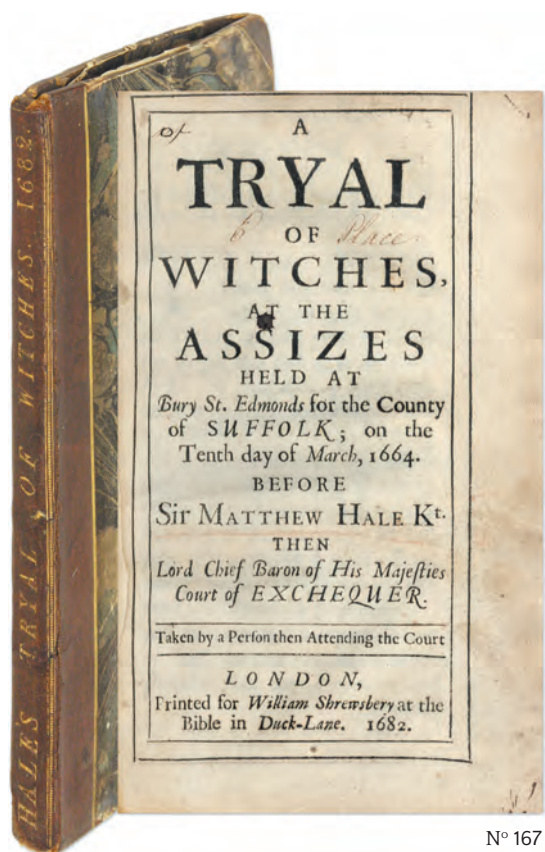
*The Trial of Lord Dungarvan, At the Old Bailey, On Monday the 17th of January 1790, Before Mr. Baron Thompson.*

*Taken Accurately in Short Hand by a Gentleman of the Middle Temple. Counsel for the Prosecution, Mr. Knowles and Mr. Const. For his Lordship, Mr. Shepherd, Mr. Garrow, and Mr. Cullen.*

London: Printed for Mr. Lewis, 1791. [6], ii, [3]-38, [2] pp. Includes two-page publisher catalogue. Copperplate portrait frontispiece. Quarto (10" x 8").

Recent three-quarter morocco over cloth, gilt rules to boards, gilt title to spine, untrimmed edges. Moderate rubbing to extremities, some toning to text, light soiling to half-title, which has an owner signature (of William Owen, Trinity College) dated 1794, repairs to corners and fore-edge of frontispiece. Ex-library. Stamps to boards and free endpapers, bookplate to front pastedown. A solid copy of a rare title. \$1,500.

ONLY EDITION. The frontispiece depicts Elizabeth Weldon, the prostitute who initiated the suit. In an attempt to extort money, she threatened Boyle, also known as Viscount Dungarvan due to his Irish properties, with a bogus lawsuit. She said she would claim he took money from her clothing after he purchased her services. However, Cork called her bluff and eventually prevailed in court. Clearly a salacious case, it is presented here as a cautionary tale for "young gentlemen, whose levity may bring them into a familiar situation..." The reporter warns that it "may not always be in the power, even of a man of *fashion*, to refute the plausible tale of an artful woman, (although a prostitute.) It may not always happen that an innocent defendant shall have the same circumstances to protect his honour, as my Lord Dungarvan" (ii). OCLC locates 2 copies, both in law libraries (Columbia, Harvard). ESTC N013878.



N° 167

A FAMOUS WITCHCRAFT TRIAL

## 167 [TRIAL].

CULLENDER, ROSE [D. 1665], DEFENDANT.  
 DUNY, AMY [D. 1665], DEFENDANT.  
 HALE, SIR MATTHEW [1609-1676], JUDGE.

*A Tryal of Witches, At the Assizes Held at Bury St. Edmonds for the County of Suffolk; On the Tenth Day of March, 1664. Before Sir Matthew Hale, Kt. Then Lord Chief Baron of His Majesties Court of Exchequer.*

London: Printed for William Shrewsbury, 1682. [iv], 59 pp. Octavo (6-1/2" x 4").

Later three-quarter calf over marbled boards, gilt rules to boards, gilt title to spine, marbled endpapers. Moderate rubbing to extremities, light rubbing to boards, which are slightly warped, armorial bookplates to front pastedown and free endpaper, top-edge of text block trimmed closely, text not affected. Moderate toning to text, light foxing in places. Early owner signature to title page, interior otherwise clean. \$1,750.

FIRST EDITION. *A Tryal of Witches* is an account of the Lowestoft Witchcraft trial conducted at Bury St. Edmonds. Well-known in its day, this remains the most famous English witchcraft trial because it was, thanks to this account, well-documented. Also, it involved many leading jurists and experts of the day, most notably Thomas Browne, a physician who presented one of the earliest examples of psychiatric testimony as an expert witness. Some experts believe this account inspired the Salem Witchcraft trials. Indeed, Browne's testimony was quoted at that trial by Cotton Mather. *A Tryal of Witches* was later appended to Hale's *Short Treatise Touching Sheriffs Accompts* (1683). Excluding copies issued with the 1683 treatise, OCLC locates 3 copies in North American law libraries (at Columbia, George Washington University and York University). ESTC R37899.

## A MISGUIDED LOVE AFFAIR

## 168 [TRIAL].

GORDON, LOCKHART, DEFENDANT.  
 GORDON, LOUDOUN, DEFENDANT.

*Fairburn's Edition of the Trial of Lockhart and Loudon, For Forcibly and Feloniously Taking Rachel Fanny Antonia Lee, From her House, Against Her Will, And Defiling Her, At Tetsworth; Which was Tried at Oxford, Before Mr. Judge Lawrence, And Mr. Justice Le Blanc, March 6, 1804. To Which is Added, the Whole of the Examinations at Bow-Street, Her Dream, &c. &c.*

London: Published by John Fairburn, [1804]. 28 pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into later cloth, gilt title to spine. Light soiling, minor rubbing to spine and corners, later owner bookplate to front pastedown. Light browning and occasional light foxing to text, internally clean. \$500.

ONLY EDITION. This colorful trial for abduction and assault was the result of a misguided love affair. The plaintiff, Mrs. Lee, claimed that she had been abducted by Lonsdale Gordon and his brother, the author of this pamphlet. Both were ultimately acquitted. OCLC locates 1 copy (at Cornell University). BMC 10:951.

SENSATIONAL 1770 ADULTERY TRIAL INVOLVING THE BROTHER OF KING GEORGE III

## 169 [TRIAL].

[GROSVENOR CAUSE].  
 [HENRY FREDERICK, DUKE OF CUMBERLAND (1745-1790), DEFENDANT].

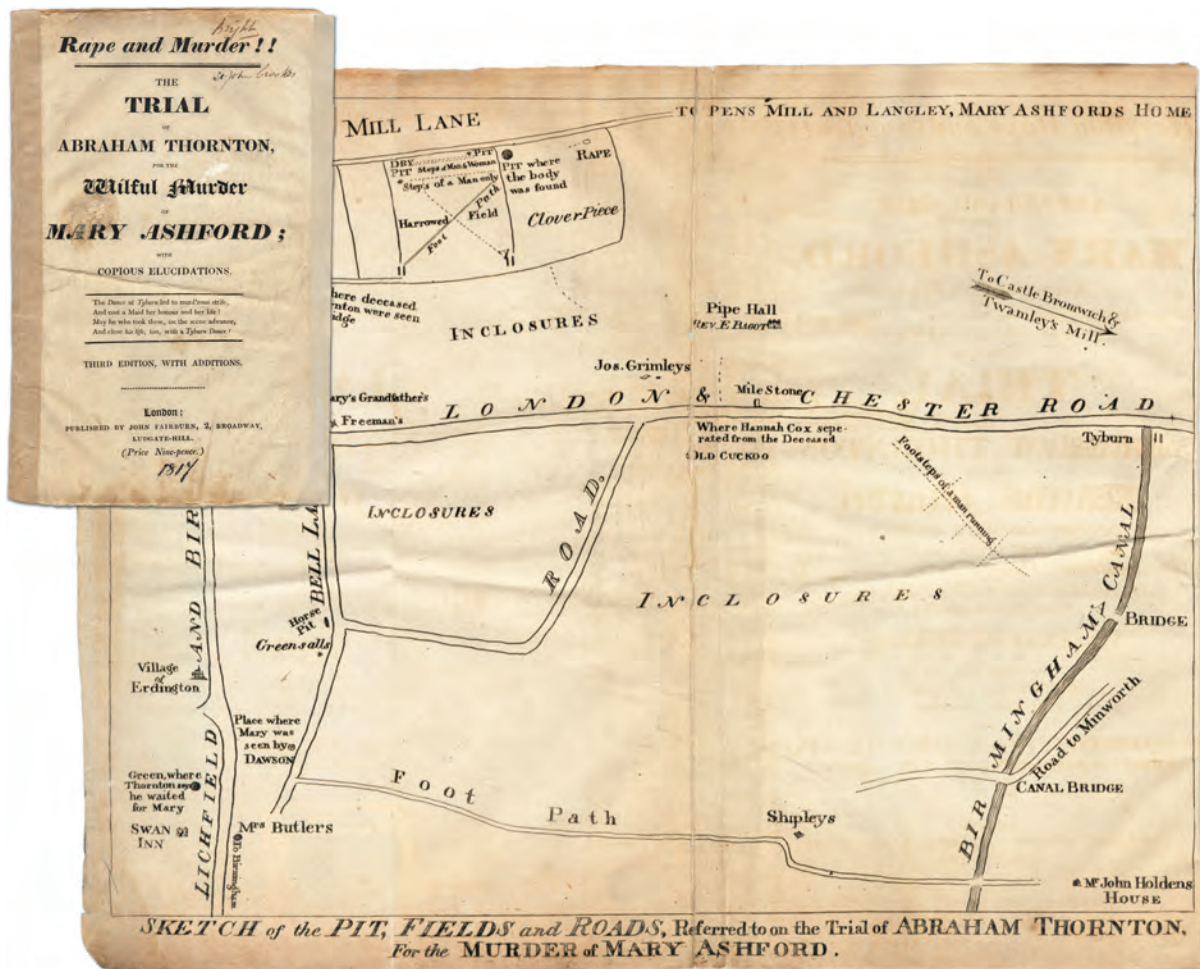
*The Trial of His R[oyal] H[ighness] the D[uke] of C[umberland] for Criminal Conversation with Lady Harriet G[rosvenor]. Including the Letters Which Have Passed Between His R.H. and Her Ladyship, and Were Read in Court.*

[London]: Bailey, Printer, 1770. 48 pp. Octavo (6-3/4" x 4-1/4").

Stab-stitched pamphlet in plain wrappers bound into recent period-style quarter calf over cloth. Charming woodcut title page device, head-piece and tail-piece. Light foxing to final leaf, interior otherwise fresh. \$450.

HENRY FREDERICK, the brother of King George III, was notorious for his--to use the language of the day--"excesses" and "irregular" life. In 1770 Richard Grosvenor, first earl Grosvenor, sued him for committing adultery (criminal conversation) with the Countess Grosvenor. Argued before the great jurist Lord Mansfield, it was one of the most colorful trials of the day. The court found in Grosvenor's favor and ordered the Duke to pay him 10,000 guineas in damages. Short of cash, his brothers had to assist him with the payment. This pamphlet offers a vivid narrative account enlivened with a few excerpts from the transcripts, along with complete texts of the letters. The cornerstone of this case, they are occasionally quite bawdy. HLC II:1090.





N° 170

"DIABOLICALLY RAVISHED, MURDERED,  
AND THROWN INTO A PIT"

170 [TRIAL].  
THORNTON, ABRAHAM [C.1793-1860], DEFENDANT.

*Horrible Rape and Murder!! The Affecting Case of Mary Ashford, A Beautiful Young Virgin, Who was Diabolically Ravished, Murdered, And Thrown Into a Pit, As She Was Returning From a Dance; Including the Trial of Abraham Thornton, For the Wilful Murder of the Said Mary Ashford; With the Whole of the Evidence, Charge to the Jury, &c. Tried at Warwick Assizes, Before Mr. Justice Holroyd, On the 8th of August, 1817. Taken in Short Hand. To Which is Added Copious Elucidations of this Extraordinary Case; And a Correct Plan of the Spot Where the Rape and Murder were Committed, &c. &c.*

London: Published by John Fairburn, 1817. [ii], 60 columns (34 pp), 64, [1] pp. Several contemporary newspaper clippings concerning this case pasted to final leaf, rear wrapper and verso of title page. Woodcut folding map of crime scene. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, untrimmed edges. Some soiling and edgewear, spine and fold-lines of table reinforced, fore-edge mended, some toning to text. Early owner signatures and annotation to front wrapper and map (not the image side), interior otherwise clean. \$950.

"THIRD EDITION." Abraham Thornton, a bricklayer, "was accused of rape and murder after attending a dance where he

became intimate with a gardener's daughter named Mary Ashford. They left the dance together and her body was found the next morning in a deep pool of water near a local footpath. Thornton was tried at the Warwick assizes on 8 August 1817. Since the marks on Mary's body were not necessarily inconsistent with Thornton's claim that she had consented to sexual intercourse, and since the times on the morning in question when Thornton was seen walking home to Bromwich suggested he could not have been with her when she met her death, the jury found him not guilty. The case aroused much interest and reminded people of a similar murder of a local woman a year earlier. Many were convinced of Thornton's guilt and he was assailed in local and London newspapers. A group collected around the Birmingham solicitor William Bedford invoked the old legal process of 'appeal of murder,' by which a person acquitted of murder could be tried again for the same offense. This process was generally regarded as obsolete, though there had been several instances in the eighteenth century. More controversy arose when Thornton came before the court of King's Bench in November 1817 and demanded ordeal by battle, which was open to the subject of an appeal of murder but had not been claimed since Charles I's reign. After several hearings between November 1817 and April 1818 the court decided that the appellee did have this right. The appeal of murder was dropped. Appeals of murder were abolished in 1819 partly because of this case" (Turner). Unable to lead a normal life, Thornton moved to the US and settled in Baltimore. OCLC locates 7 copies of this imprint, 2 in North America, 1 in a law library (Yale). Turner, Michael J., "Thornton, Abraham," *Oxford DNB* (online edition).

## TRIAL OF A WOULD-BE SCOTTISH DUELIST

## 171 [TRIAL].

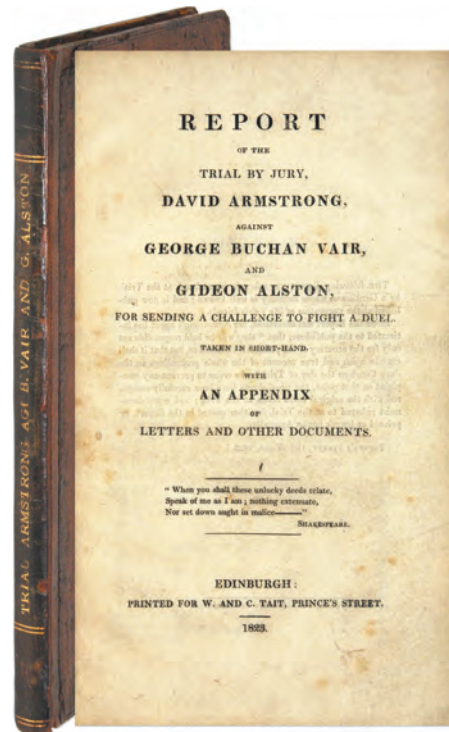
VAIR, GEORGE BUCHAN, DEFENDANT.  
ALSTON, GIDEON, DEFENDANT.

*Report of the Trial by Jury, David Armstrong, Against George Buchan Vair, and Gideon Alston, For Sending a Challenge to Fight a Duel. Taken in Short-Hand. With an Appendix of Letters and Other Documents.*

Edinburgh: Printed for W. and C. Tait, 1823. iv, 134, [2] pp. Octavo (8-1/2" x 5").

Contemporary calf with later rebacking, blind fillets to boards, gilt title to spine, hinges mended. Moderate rubbing to extremities, corners bumped and somewhat worn, some gatoring along joints. Moderate toning to text, light foxing to a few leaves, internally clean. \$1,250.

ONLY EDITION. Vair, a spirit-dealer in Leith, was apparently engaged to Miss Dinah Grive, "a lady in Dumfries." He objected to inappropriate attentions paid her by David Armstrong, a writer. Vair alleged that Armstrong had caused the lady to break off her engagement and was therefore entitled to challenge him to a duel. Armstrong refused the challenge, won the court case and was awarded 20 pounds in damages. OCLC locates 4 copies in North American law libraries (LA County, Library of Congress, Social Law, University of Pennsylvania).



N° 171

## THE ODDINGLEY MURDER TRIALS

## 172 [TRIAL].

WILLS, WILLIAM  
[CLEWES, THOMAS, DEFENDANT].

*A Report of the Trial of Thomas Clewes, For the Murder of Richard Hemming, And of the Proceedings Upon Several Indictments Against the Said Thomas Clewes, And Against John Barnett and George Banks, Touching the Murders of the Said Richard Hemming, And the Rev. George Parker.*

London: Longman & Co.; And J.C. Barlow, Birmingham, [1830]. 51, [1] pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine. Moderate toning to text, light foxing to a few leaves, internally clean. A rare title. \$850.

ONLY EDITION. The Oddingley murders took place in June 1806. Rev. George Parker, Rector of Oddingley, was found in a meadow in the village, dying from a gunshot wound to the stomach. Witnesses saw the assailant. From their description he was identified as Richard Hemming. He wasn't located alive, but his skeleton was found 24 years later buried in a barn. At the time of the 1806 murders, that barn was leased by a farmer named Thomas Clewes. After his arrest, Clewes admitted his knowledge of the murders. He said a trio of farmers hired Hemming to murder their late rector because of a long-running dispute over tithes. Then, without a stated motive, one of them killed Hemming. The discovery of the murderer's skeleton 24 years later, followed by a lurid confession, transformed a local story to a national event. People expected the trial of Clewes, John Barnett and George Banks, the two surviving conspirators named by Clewes, to result in a triple hanging. The men were not convicted, however, due to legal technicalities, witnesses who contradicted themselves and, most important, a lack of solid evidence beyond Clewes's confession. OCLC locates 3 copies worldwide (Library of Congress, Harvard Law School and Birmingham University).

TWO NOTABLE BRITISH TRIALS FOR BLASPHEMY,  
AND THEIR CONTEXT173 [TRIALS].  
[FREEDOM OF THE PRESS].

*The Oracle of Reason: Or, Philosophy Vindicated.*

Volume 1. London: Thomas Paterson, 1842. Numbers 1-52 (with Supplements to Numbers 6 and 52). Complete. Text in parallel columns.

[BOUND WITH]

HOLYOAKE, GEORGE JACOB [1817-1906], DEFENDANT.

*The Trial of George Jacob Holyoake, On an Indictment for Blasphemy, Before Mr. Justice Erskine, And a Common Jury, At Gloucester, August the 15th, 1842. From Notes Specially Taken by Mr. Hunt; The Authorities Cited in the Defence Being Quoted at Full Length.*

London: Printed for "The Anti-Persecution Union," by Thomas Paterson, [1]842. 68 pp.

[AND]

SOUTHWELL, CHARLES, DEFENDANT.

CARPENTER, WILLIAM, REPORTER.

*The Trial of Charles Southwell, (Editor of "The Oracle of Reason"), For Blasphemy. Before Sir Charles Wetherall, Recorder of the City of Bristol, January the 14th, 1842. Specially Reported.*

London: Hetherington, 1842. iv, 104 pp.

Octavo (8-1/2" x 5-1/2"). Stab-stitched pamphlets bound into contemporary cloth, gilt title to spine. Some rubbing to extremities with wear to corners and spine ends, faint inkstains and dampstaining to boards. Moderate toning to text, occasional foxing, internally clean. Unique. \$1,950.

AFTER BREAKING AWAY from Robert Owen's socialist movement, Southwell opened a free-thought bookshop in Bristol with William Chilton and John Field in 1841. Holyoake joined him the following year. Southwell and Holyoake went on to establish



the *Oracle of Reason*, a periodical devoted to atheism. After a year the authorities had enough of their publication, and the two editors were tried for blasphemy. Both were acquitted and their trials stand as landmarks in the history of free speech. In 1851 Holyoake would be the defendant in the last blasphemy trial in Great Britain. Our volume is notable because it combines a complete run of the first year of the *Oracle* with the two trials it provoked. (Publication of the *Oracle* ceased at the end of 1843). Both trial accounts are scarce, individual issues and a complete runs of Volume 1, are rare.

"TELL THEM THEIR FATHER IS GONE TO HEAVEN"

## 174 [TRIALS].

SANDERSON, HENRY [D. 1822], DEFENDANT.  
BAMFORD, ADAM ADIE [D. 1822], DEFENDANT.  
KNOGHT, WILLIAM [D. 1822], DEFENDANT.

*The Trials of Henry Sanderson, For Shooting William Carr, Gamekeeper to Sir T.W. White, Bart. Of Walling Wells, Nottinghamshire; And of Robert Bamford, Adam Adie, And William Knoght, Of the Murder of John Timms; Before the Hon. Sir. Wm. Draper Best, Knt. At Nottingham Lent Assizes, 1822. Together with Some Particulars of Their Lives, Sanderson's Letters to His Wife, The Confession of Bamford, After His Condemnation, And an Account of His Execution.*

Nottingham: Printed by Sutton and Son, [1822]. 37 pp. Octavo (7-1/2" x 6-1/2").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine, untrimmed edges. Moderate toning and light foxing to text, internally clean. \$650.

SANDERSON, a 31-year old poacher caught in the act by a gamekeeper, was married and the father of young children. His harrowing pre-execution letters to his wife are reprinted in full. Sample excerpt: "Good bye, my love, I shall carry your last look at me to the fatal tree. Kiss my dear children for me, and tell them their father is gone to heaven." The other three defendants were tried and convicted of the murder of John Timms by throwing him from a bridge into the River Trent. This pamphlet is designated the second edition, but we did not locate a first or any other edition. (The British Library has a single folio sheet recounting these trials, but its title is very different.) No copies located on OCLC.

WITH FORTY PLATES DEPICTING CRIMINALS AND PUNISHMENTS

## 175 [TRIALS].

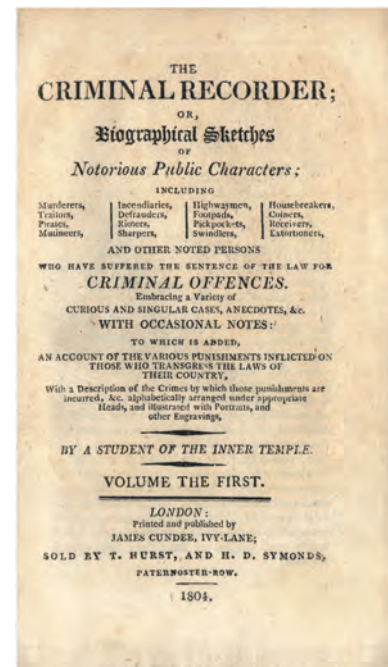
STUDENT OF THE INNER TEMPLE.

*The Criminal Recorder, Or, Biographical Sketches of Notorious Characters: Including Murderers, Traitors, Pirates, Mutineers, Incendiaries, Defrauders, Rioters, Sharpers, Highwaymen, Footpads, Pickpockets, Swindlers, Housebreakers, Coiners, Receivers, Extortioners and Other Noted Persons Who Have Suffered the Sentence of the Law for Criminal Offences. Embracing a Variety of Curious and Singular Cases, Anecdotes, &c. With Occasional Notes: To Which is Added an Account of the Various Punishments Inflicted on Those Who Transgress the Laws of Their Country; With a Description of the Crimes by Which Those Punishments are Incurred, &c. Alphabetically Arranged Under Appropriate Heads, And Illustrated with Portraits, And Other Engravings.*

London: Printed and Published by James Cundee, 1804-1809. Four volumes. 40 plates. Collated and complete. 12mo. (6" x 4").

Contemporary paper-covered boards with contrasting spines, printed paper title labels, untrimmed edges. Rubbing to extremities with chipping to spine ends, labels rubbed, corners bumped and somewhat worn, faint dampstaining to boards, a few joints just starting at ends. Some toning to text, light browning, dampspotting and dampstaining in places. Early owner signatures to front free endpapers, interiors otherwise clean. A nice set. \$750.

ONLY EDITION. Dressing this sensationalistic entertainment in high-minded garb, the author presents his book as "a warning to youth" and a "useful book of reference" that will "not be unworthy of the libraries of all classes" (Preface). The first two volumes contain biographies of criminals, alphabetically arranged, many illustrated with plates. The third volume describes crimes and punishments, with an emphasis on those of exotic (i.e. non-Christian) cultures like Turkey and China. The fourth volume is an additional collection of criminal biographies arranged like Volumes I and II. Sweet & Maxwell 2:85.



Nº 175

## 176 [TRIALS].

[TREASON].

DOUGLAS, NIEL [1750-1823], DEFENDANT.

*An Address to the Judges and Jury, In a Case of Alleged Sedition, On 26th May, 1817, Which was Intended to be Delivered Before Passing Sentence.*

Glasgow: Printed by D. Mackenzie, 1817. 40 pp.

[BOUND WITH]

DOW, JOHN, REPORTER.

*The Trial of the Rev. Niel Douglas, Before the High Court of Justiciary, At Edinburgh, On the 26th May 1817, For Sedition.*

Edinburgh: Printed for John Robertson, 1817. [ii], 50 pp. Portrait frontispiece.

[AND]

[BELLINGHAM, JOHN].

*An Authentic Account of the Trial and Execution of John Bellingham, For the Assassination of the Right Hon. Spencer Perceval. With a Vindication of the Character of Sir Francis Burdett from the Aspersions of Some of the London Prints.*

Edinburgh: Printed and Published by D. Schaw and Son, 1812. [ii], [5]-65 pp.

[AND]

M'LAREN, ALEXANDER, DEFENDANT.

BAIRD, THOMAS, DEFENDANT.

DOW, JOHN, REPORTER.

*The Trial of Alexander M'Laren, And Thomas Baird, Before the High Court of Justiciary, At Edinburgh, On the 5th and 7th March 1817, For Sedition.*

Edinburgh: Printed for John Robertson, 1817. vi, 153 pp.

[AND]

*Account of the Proceedings of the Public Meeting of the Burgesses and Inhabitants of the Town of Kilmarnock, Held on the 7th of December, 1816, For the Purpose of Deliberating on the Most Proper Method of Remedying the Present Distresses of the Country. With a Full Report of the Speeches on that Occasion.*

Kilmarnock: Printed by H. Crawford, 1816. 45 pp.

Octavo (8-1/2" x 5"); *Account*: Octavo (6-1/2" x 4"). Stab-stitched pamphlets bound into contemporary three-quarter sheep over marbled boards, lettering piece and gilt fillets to spine. Moderate rubbing, a few scuffs to boards, some chipping to spine ends, corners bumped, front hinge cracked. Light to moderate toning, soiling to title page of *Bellingham*, internally clean. \$1,850.

AN EXEMPLARY GATHERING of five tracts, four of them concerning the trials of Douglas and M'Laren, the first trials for sedition held in Scotland during the aftermath of the Napoleonic Wars, a time of acute economic distress and social protest. These took place concurrently with the London trials of William Hone. Douglas, an eccentric non-conformist minister, poet, abolitionist and visionary social reformer was charged with sedition for comments in a sermon that compared the king to Nebuchadnezzar, the prince regent to Belshazzar and the House of Commons to a den of thieves. His counsel brought forth witnesses familiar enough with the preacher's eccentricities to prove his innocence. He was acquitted. M'Laren, a weaver, was charged with sedition for delivering a fiery speech at Kilmarnock in favor of Parliamentary

reform. Thomas Baird, a grocer, was charged with printing it. They were fined and sentenced to six months in prison. Bellingham was the only person to assassinate a British Prime Minister. A merchant who had been imprisoned in Russia, he demanded compensation from the British government. Twice refused, he shot the prime minister in the lobby of the House of Commons. *An Address to the Judges*, prepared in advance of the trial, is scarce, more so than accounts of the trial. OCLC locates 6 copies in North America, 1 in a law library (Harvard). *Account of the Proceedings* is the rarest item in this volume. OCLC locates 1 copy (at the National Library of Scotland). Concerning Douglas and M'Laren, see May II:192.

## 177 [TURNER, THOMAS (D. 1679)].

*The Case of the Bankers and Their Creditors, Stated and Examined. Wherein the Property of the Subject in This, And the Like Cases, Is Soberly Asserted, By the Common and Statute Laws of England, His Majesties Most Gracious Declarations; By Innumerable, Great and Important Records of This Kingdom, From the Time of the Norman Conquest to Our Own Times; By the Civil Law, History, Polity, Morality, And Common Reason: And All Objections Undeniably Refuted. As it Was Inclosed in a Letter To a Friend, By a True Lover of His King and Country, And Sufferer for Loyalty.*

London: S.n., 1675. [x], 147, [1] pp. Octavo (7" x 4-1/2").

Contemporary speckled calf rebaked in period style. Blind rules to boards, gilt title and raised bands to spine, endpapers renewed. A few minor nicks to boards, corners bumped. Light toning to text, heavier toning to title page and a few leaves. Contemporary annotations to rear endleaves, interior otherwise clean. \$950.

SECOND AND FINAL ISSUE, a much-enlarged version of the previous printing, a 44-page pamphlet printed in 1674. The Bankers' Case concerned the liability of the King to repay loans. The decision gave creditors of the crown the right to petition to the Barons of the Exchequer for breach of contract. This definition of a legal obligation marked a significant turning point in the relationship between king and subject. ESTC R217081.

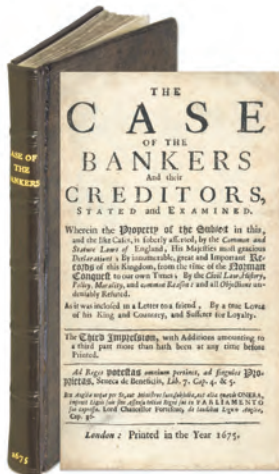
## 178 VERTUE, GEORGE [1684-1756].

*Lincoln's-Inn Chappel, Being Erected at the Expence of the Hon.ble Gentlemen of this Inn by a Plan of Mr. Inigo Jones, 1751.*

9-1/2" x 15-1/2" copperplate engraving, handsomely matted and glazed, margins trimmed closely, image mounted on board. Light toning to margins, negligible horizontal fold line, tiny fold line to lower right-hand corner, image fresh. \$250.

THIS ENGRAVING depicts the ambulatory and stairs of the chapel. The left side has a large cartouche describing the chapel and its history. Vertue was an English engraver and antiquarian. His notebooks are a valuable source for students of English art of the first half of the eighteenth century. They were the basis of Horace Walpole's *Anecdotes of Painting in England* (1761-1771). *Sir John Soane's Museum Concise Catalogue of Drawings* (online version), Drawer 59, Set 1.

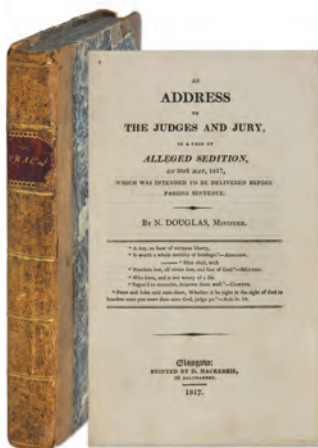




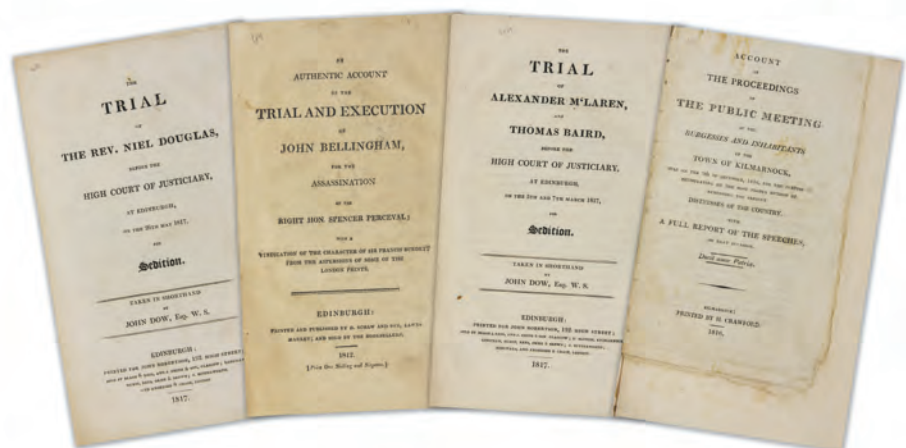
N° 177



N° 178



N° 176



Details from N° 176

## PRESENTING THE SHERIFFS OF LONDON

179 WHICHELS, G.J.M., AFTER.  
STOW. [JAMES] [C.1770-C.1823], ENGRAVER.

*Representation Of The Ceremony Of Presenting The Sheriffs Of London Samuel Birch, & William Heygate, Esqrs. in the Court of Exchequer, On the Morrow After Michaelmas Day 1811.*

London: Robert Wilkinson, 1 January 1813.

Attractively glazed and matted 16-1/4" x 12-1/2" colored copperplate in handsome 25-1/2" x 22" wooden frame. Light rubbing to frame, light toning to margins, faint vertical crease through center of image, small tear to upper right corner just touching image, colors vivid. \$750.

A DEPICTION of the annual ceremonial presentation of sheriffs to the barons of the Exchequer, who would formally bestow the approval of the Crown.



N° 179





N° 180

## 180 [W]INGATE, E[DMUND] [1596-1656].

*Statuta Pacis: Or a Perfect Table of All the Statutes (Now in Force) Which any Way Concerne the Office of a Justice of Peace. Cleerly also Setting down the Severall Duties of Sheriffes, Head-Officers of Corporations, Stewards in Leets, Constables, And Other Officers, So Far Forth as the Said statutes do in Any Sort Concern Them. Faithfully Collected, And Alphabetically Digested Under Apt Titles.*

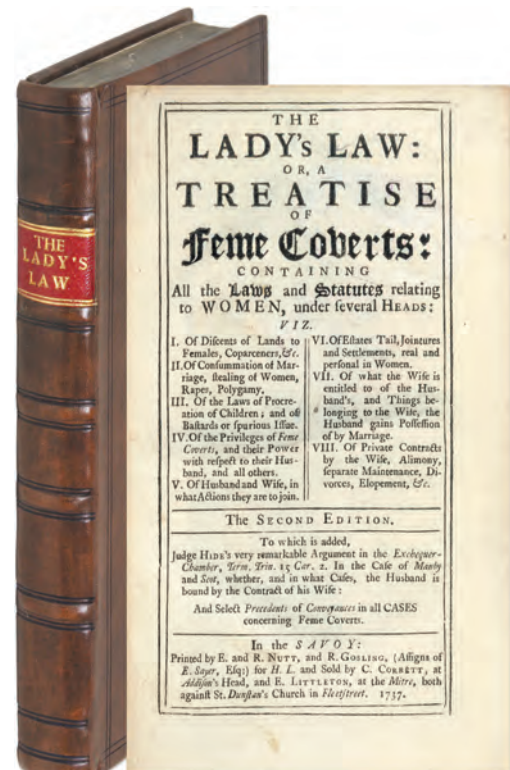
London: Printed by M. Flesher and J. Young, 1644. [xx], 286 pp. First and final leaves blank. Tables. 12mo. (5-1/2" x 3-1/4").

Contemporary sheep, blind rules to boards, rebacked, blind fillets and lettering piece to spine, pastedowns renewed. Light rubbing to extremities, corners bumped. Light toning to text, a few tiny worn holes (with no loss to text), faint dampstaining to final third of text block. An appealing copy of a rare title. \$950.

ONLY EDITION. Also a notable mathematician, Wingate wrote several important legal books, including *Maximes of Reason* (1658) and *An Exact Abridgment of the Statutes in Force* (1642). Intended as a handy reference, and thus pocket-sized, *Statuta Pacis* is a digest of statutes relevant to the jurisdiction of a justice of the peace. The contents are organized alphabetically by topic. OCLC locates 4 copies in North America, 3 in law libraries (Duke, Harvard, Southern Illinois University). ESTC R25185.



N° 183



N° 181



181 [WOMEN].  
[HYDE, EDWARD].

*The Lady's Law: Or, A Treatise of Feme Coverts: Containing All the Laws and Statutes Relating to Women, Under Several Heads: I. Of Discents of Lands to Females, Coparceners, Etc. II. Of Consummation of Marriage, Stealing of Women, Rapes, Polygamy. III. Of the Laws of Procreation of Children; And of Bastards or Spurious Issue. IV. Of the Privileges of Feme Coverts, And Their Power with Respect to Their Husband, And All Others. V. Of Husband and Wife, In What Actions They Are to Join. VI. Of Estates Tail, Jointures and Settlements, Real and Personal in Women. VII. Of What the Wife is Entitled to of the Husband's, And Things Belonging to the Wife, The Husband Gains Possession of by Marriage. VIII. Of Private Contracts by the Wife, Alimony, Separate Maintenance, Divorces, Elopements, Etc. To Which are Added, Judge Hide's Very Remarkable Argument in the Exchequer-Chamber, Term. Trin. 15 Car. 2 In the Case of Manby and Scot, Whether and in What Cases the Husband is Bound by the Contract of His Wife: And Select Precedents of Conveyances in all Cases Concerning Feme Coverts.*

[London]: Printed by E. and R. Nutt, And R. Gosling, 1737. [viii], 264, [16] pp. Publisher advertisement, usually bound before title page, not present in this copy. Octavo (7-3/4" x 5").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine. Light toning to text. Early annotation to rear endleaf, interior otherwise clean. A handsome copy. \$3,500.

SECOND AND FINAL EDITION, a reissue of the first edition with a cancel title page. Originally published in 1732 as *A Treatise of Feme Coverts*, this is one of the first books devoted to laws concerning a "feme covert," that is, a daughter, ward or wife. The work concludes with an account of Robert Hyde's argument in the notable 1663 Exchequer case of *Manby v. Scott*, in which he argued that a husband separated from his wife is not liable to a vendor for goods purchased by the estranged wife. Hyde [1595-1665] was a Chief Justice of the King's Bench from 1663-1665, having gained appointment through the influence of his cousin, Edward Hyde, first Earl of Clarendon. Both editions are scarce. OCLC locates 9 of the first in North American law libraries, 3 of the second (at Harvard, the University of Cincinnati and the University of Pennsylvania). DNB X:400-401. ESTC T107459.

MEASURES AGAINST "PROPHANENESS AND VICE"

182 [WOODWARD, JOSIAH (1660-1712), ATTRIBUTED].

*A Help to a National Reformation. Containing an Abstract of the Penal-Laws Against Prophaneness and Vice. A Form of the Warrants Issued Out Upon Offenders Against the Said Laws. Directions to Inferior Officers in the Execution of Their Office. Prudential Rules for the Giving of Informations to the Magistrates in These Cases. A Specimen of an Agreement for the Forming of a Society for Reformation of Manners in any City, Town, Or Larger Village of the Kingdom. And Her Majesty's Proclamation for Preventing and Punishing Immorality and Prophaneness; And the Late Act of Parliament Against Profane Swearing and Cursing. To Which is*

*Added, An Account of the Progress of the Reformation of Manners in England and Ireland, And Other Parts of the World. With Reasons and Directions for our Engaging in this Glorious Work. And the Special Obligations of Magistrates To be Diligent in the Execution of the Penal-Laws Against Prophaneness and Debauchery, For the Effecting of a National Reformation. As Also, Some Considerations Offered to such Unhappy Persons as are Guilty of Profane Swearing and Cursing, Drunkenness, And Uncleaness, And are Not Past Counsel. With Great Additions.*

London: Printed and Sold by Joseph Downing, 1706. [xvii], 131, [1] pp. Includes one-page advertisement leaf. Copperplate portrait frontispiece (of Queen Anne). Octavo (6-1/2" x 4-1/2").

Contemporary sheep, blind rules to boards, blind fillets to joints, raised bands to spine, speckled edges, recent repairs to spine ends and corners. Some rubbing to extremities, minor scuffing to boards, chip to foot of spine, crack in text block between frontispiece and title page, front endleaves and part of rear free endpaper lacking, small shelf label to front pastedown. Light toning to text, faint dampstaining to lower corners of some leaves at rear of text, internally clean. \$500.

FIFTH EDITION. First published in 1700, this book reflects the eighteenth-century movement to reform manners and morals, one of the more enduring legacies of the Enlightenment. OCLC locates 3 copies of this edition in North American law libraries (Harvard, University of Pennsylvania, UVA). ESTC N8116.

"RICH IN APPARENT CURIOSITIES"

183 [YEAR BOOK].  
EDWARD III, KING [1239-1307].  
[RASTELL, JOHN, EDITOR].

*Le Liver des Assises & Plees del Corone, Moves & Dependantz Devaunt les Iusticez Sybien en Lour Circuitz Come Aylours, En Tempz le Roy Edward le [T]ierce, Iadis Roy Dengleterre, Ouesque un Table dez Principall Matters del Pleez del Corone.*

London: in Aedibus Richardi Totteli, 1561. [iv], cccxxvi ff. Collates complete. Folio (11-1/4" x 7-3/4").

Recent period-style quarter calf over cloth, raised bands and lettering piece to spine, endpapers renewed. Title page printed within handsome woodcut architectural border, woodcut decorated initials. Some toning, light browning to a few leaves, tiny wormholes in a few places. Light soiling to title page and verso of final leaf, minor edgewear to preliminaries and final few leaves. Ex-library. "3277" in early hand to head of title page, stamp to verso and verso of final leaf. An attractive copy. \$1,500.

LATER EDITION, one of two issued by Tottell in 1561. A selection of reports for 1-50 Edward III (1327-1377), the *Book of Assizes*, is one of the most important of the Year Books and of unique value to the study of English legal history. As Stanley Milsom has observed, it is the "only collection of reports from the country," that is the only collection of reports from the justices on assize (circuit) rather than in the central courts at Westminster. It is therefore "rich in apparent curiosities" because "it reports processes we do not otherwise see, on circuit, before juries." The first edition was printed in 1514 by John Rastell. OCLC locates 5 copies of the 1561 edition (both issues) in North American law libraries (Columbia, Harvard, NY Law Institute, University of Pennsylvania, York University). Milsom 299, 55. ESTC S126326. Beale R50.

- 184 [YEAR BOOK].  
EDWARD III, KING.  
[RASTELL, JOHN, EDITOR].

*Le Livre des Assises & Plees del Corone, Moves & Dependauntz Devaunt les Iustices Sibien en Lour Circuitz Come Aylours, En Temps le Roy Edward le Tierce, Ouesque un Table des Principal Matters del Plees del Corone.*

London: In Aedibus Richardi Tottelli, 1580. [xxxvi], cccxxvi, [10] ff. Collates complete. Folio (11" x 7-1/2").

Contemporary paneled calf with corner fleurons enclosing large blind-stamped central arabesques flanked with the initials L B, rebaked, raised bands and lettering piece to spine, faint early hand-lettered title to edges of text block, endpapers renewed. A few scuffs to boards, some rubbing to extremities with some wear to edges, corners bumped and rather worn, hinges partially cracked. Title page printed within attractive woodcut architectural border, woodcut decorated initials. Light toning to text, faint dampstaining and worming to margins of some leaves, some soiling to title page. Owner signature (of John Hawley dated 1644) to foot of title page, brief annotations to a few leaves. An appealing copy. \$1,500.

LATER EDITION, one of two issued by Tottell in 1580. OCLC locates 5 copies of the 1580 edition in North American law libraries (Boston College, Harvard, UC Berkeley, University of Michigan, University of Pennsylvania). *ESTC* S121396. Beale R51.

#### 5 EDWARD IV, THE "LONG QUINTO"

- 185 [YEAR BOOK].  
EDWARD IV, KING [1442-1483].

*En Cest Volume est Conteinus le Longe Report de Anno Quinto Edwardi Quarti. Ore Novelment Imprimee & Corigee, Ouesque References al Abridgement de les Cases in Brooke Addes in le Margent de Chescun Case.*

London: In Aedibus Richardi Tottelli, [1587]. [v], 108, 108-142, [1] ff. Collates complete. Folio (11-1/2" x 8").

Contemporary calf, blind rules and medium-sized arabesques to boards, raised bands and later lettering piece to spine. Some rubbing to extremities, chipping to spine ends, joints just starting at ends, corners bumped, pastedowns loose and edgeworn, as are other endleaves and title page, later annotations and private-library shelf label (Kimbolton Castle, Cambridgeshire) to verso of front board (behind pastedown, where it is loose). Title printed within handsome woodcut architectural border, woodcut decorated initials. Some soiling to title page, light browning to text. Underlining and brief annotations in fine contemporary chancery hand throughout. An appealing copy. \$1,350.

COVERS THE FIFTH REGNAL YEAR of Edward IV (Easter, Trinity, and Michaelmas terms, 1465-1566). This is also known as the "long quinto," the longer of the two Year Books for this regnal year, and one highly regarded for the quality of its reporting. It is difficult to overestimate the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are of crucial primary sources for our knowledge of

medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Maitland believed that the earliest volumes were notes taken by law students in court copied for the use of pleaders in later cases. Holdsworth maintains that they were records of cases made by lawyers for personal use. Though it is not known when the first manuscript volumes were compiled, it is clear that cases can be found to date from the 1270's and the series continues to 1535. Marvin suggests that the Year Books are as old as the time of William the Conqueror. As Marvin has pointed out, these are the "venerable books" from which Littleton, Hobart, Hale and Coke drew "so much valuable ore, melting it into ingots and refining and sending it abroad as the correct coin of the Common Law." Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present volume is one of the so-called "quarto editions." These volumes were issued separately with various dates and impressions between 1522 and 1619. *HEL* V:357-377. *ESTC* S101302. Beale R371.

#### NOT IN BEALE

- 186 [YEAR BOOK].  
EDWARD V, KING [1470-C.1483].  
RICHARD III, KING [1452-1485].  
HENRY VII, KING [1457-1509].  
HENRY VIII, KING [1491-1547].

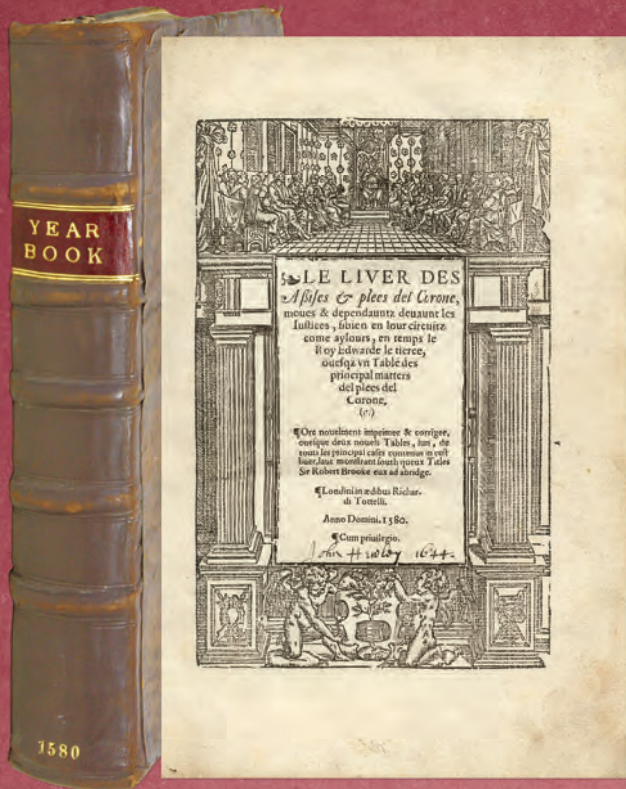
*Anni, Regum, Edwardi Quinti, Richardi Tertii, Henrici Septimi, Et Henrici Octavi, Omnes, Qui Antea Impressi Fuerunt, Iam Recens Post Priores Editiones Emendati & Repurgati, Numeris Interlinearibus, Notatis Tum in Margine, Tum in Capite, Priorum Editionu[m] Foliis, Respondentibus, Quorum Principijs Signa Ista \*\* In Textu Praeponuntur. Accessit nunc Primum, Annalium Regis Henrici Octavi, In Honorandi Illius Iudicis Domini Roberti Brooki Equitis, Epitomes Titulis Digestorum, in Margine Annotatio.*

London: In Aedibus Ianae Yetsweirt, 1597. [390] ff. in various pagings. Collates complete. Folio (11-3/4" x 8").

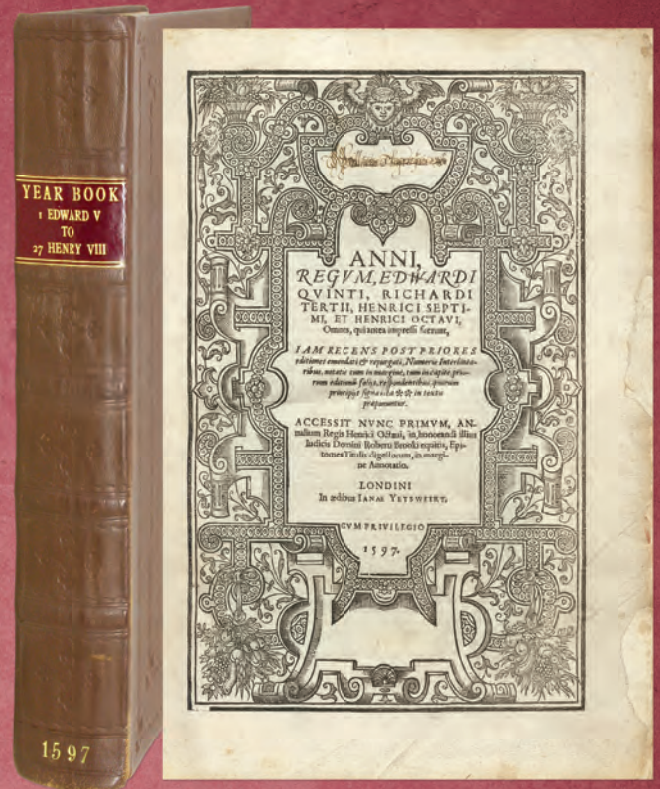
Recent period-style calf, blind double fillets forming two panels with corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed with marbled paper, early hand-lettered title to fore-edge of text block. Light rubbing to extremities, cracks in text block between text block and free endpapers. Title printed within handsome woodcut architectural border, woodcut decorated initials. Some toning to text, light browning in a few places, struck through signature to head of title page, annotations in tiny early chancery hand to a few leaves. Ex-library. Perforated stamp to title page. A handsome copy. \$1,500.

COVERS REGNAL YEARS 1 Edward V (1483), 1-2 Richard III (1483-85), 1-16, 20-21 Henry VII (1485-1509), and 12-14, 18-19, 26-27 Henry VIII (1509-1547). With an index of cases, side-notes and cross-references to Brooke, Fitzherbert and other authorities. OCLC locates four copies of the present imprint in North American law libraries (Columbia, Harvard and the Universities of Minnesota and Pennsylvania). Not in Beale or its supplement (published 1943), but it is given the designation "382a" in an annotated copy and an unpublished "Supplement 2" held by the Harvard Law School Library (as noted in its online catalogue). *ESTC* S121406.





N° 184



N° 186



N° 185

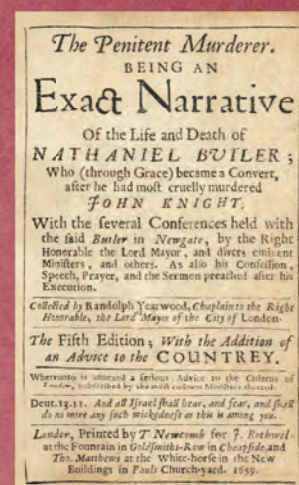


Detail from N° 185

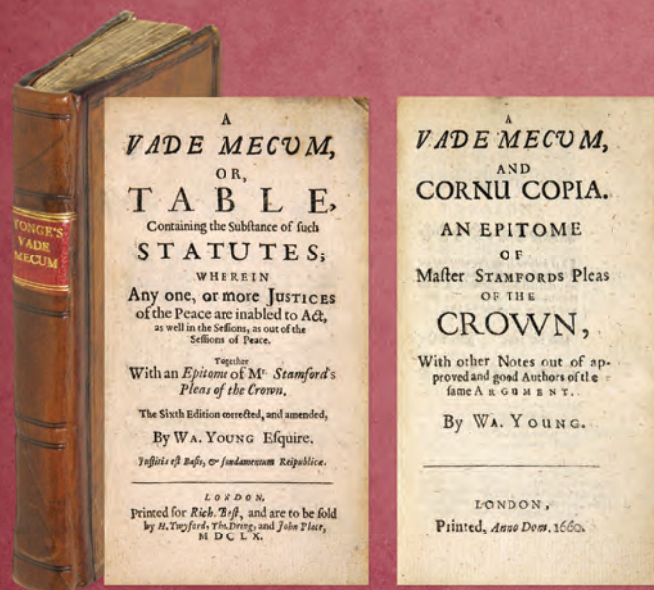




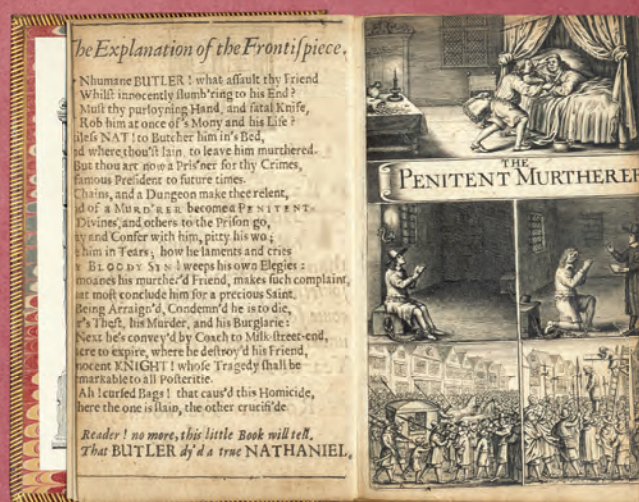
N° 187



N° 188



N° 189



Detail from N° 188



1-16, 20, 21 HENRY VII

187 [YEAR BOOK].  
HENRY VII, KING.

*In Hoc Volumine Continentur Omnes Anni Regis Henrici Septimi, Ab Anno Primo, Usque ad Annum Vicesimum Secundum Eiusdem Regis, Qui Antea Impressi Fuerunt. Ore Novelment Imprimee & Corrige, Ouesque Plusours Bones Notes, Letters, & Figures en le Margent, Et en le Pag. Mesme. Queux Notes Referre les Cases al Abridgement del Brooke, [et] Auters Lieurs del Ans. Et les Letters & Figures Monstront Toutes les Pointes del Arguments & Cases.*

London: In Aedibus Richardi Tottelli, 1585. Colophon dated 1583. xxxi, xix, xv, xviii, xli, ii-xvi, ii-xvi, xlii, ii-xxvi, ii-xxx, ii-xxix, ii-xxix, ii-xxviii, xxxii, xvii, xvii, xlii ff. Collates complete. Folio (10-1/2" x 7-1/2").

Recent period-style calf, blind fillets and large central ornaments to boards, raised bands and lettering piece to spine, endpapers renewed with marbled paper. Negligible light rubbing to extremities. Title printed within handsome woodcut architectural border, woodcut decorated initials. Some toning to text, light foxing in a few places, minor worm holes to margins in a few places, light soiling to title page. Occasional annotations in tiny early chancery hand, some affected by trimming, interior otherwise clean. An attractive copy. \$2,000.

COVERS REGNAL YEARS 1-16, 20 and 21 Henry VII. With an index of cases, side-notes and cross-references to Brooke, Fitzherbert and other authorities. OCLC locates two copies in North American law libraries (Harvard, University of Pennsylvania). ESTC S121423. Beale R414.

CONFESSIONS OF A PENITENT MURDERER

188 YEARWOOD, RANDOLPH [D.1689].

*The Penitent Murderer. Being an Exact Narrative of the Life and Death of Nathaniel Butler; Who (Through Grace) Became a Convert, After he Had Most Cruelly Murdered John Knight. With the Several Conferences Held with the Said Butler in Newgate, By the Right Honorable the Lord Mayor, And Divers Eminent Ministers, And Others. As Also His Confession, Speech, Prayer, And the Sermon Preached After His Execution. The Fifth Edition; With the Addition of an Advice to the Country.*

London: Printed by T. Newcomb, for J. Rothwel, 1659. [xiv], 90 pp. Added copperplate pictorial title page. Octavo (5-1/2" x 3-1/2").

Later morocco, gilt rules to boards, gilt spine, gilt title to front board and spine, gilt dentelles, marbled endpapers. Light rubbing to extremities, corners bumped. Light browning and occasional dampspotting to text, fore-edges of pictorial title page and facing leaf and side note on p. 86 trimmed closely with minor loss, internally clean. Ex-library. Bookplate to front pastedown. \$1,500.

"FIFTH" EDITION. Butler, an apprentice convicted of murder underwent a spiritual crisis and conversion while awaiting his execution. Yearwood presents his experience, his gradual awareness of "the design of God in the scriptures," as an inspirational tale. "In short, Butler's growth in grace was held up as an almost perfect example of the 'orderly gradual' spiritual progress, from the threats of the law to the promises of the gospel, to which all Christians should aspire" (Lake). This edition includes letters of Nathaniel Butler, and discourses by several ministers on Butler's death. Yearwood was the chaplain of the Lord Mayor of London. This is the second and final edition according to the ESTC; the first was published in 1657. We did not locate any other editions. OCLC locates editions from 1657 and 1659, none of either edition in a North American law library. Lake, "Popular Form, Puritan Content? Two Puritan Appropriations of the Murder Pamphlet from Mid-Seventeenth-Century London" in *Religion, Culture and Society in Early Modern Britain: Essays in Honour of Patrick Collinson*, Ed. Fletcher and Roberts 319-320. ESTC R220058.

SCARCE JP MANUAL THAT INCLUDES A DIGEST OF  
STAUNFORD'S PLEAS OF THE CROWN

189 YONGE, WALTER [1581?-1649].  
[STAUNFORD, SIR WILLIAM (1509-1558)].

*A Vade Mecum, Or, Table, Containing the Substance of Such Statutes; Wherein Any One, Or More Justices of the Peace are Inabled to Act, As Well in the Sessions, As Out of the Sessions of Peace. Together with an Epitome of Mr. Stamford's Pleas of the Crown. Corrected, And Amended.*

London: Printed for Rich. Best, 1660 [i.e. 1661]. [xxiv], 186, [2] pp. First leaf blank. Two parts with continuous pagination. Second part preceded by title page reading (in part) *A Vade Mecum, And Cornu Copia. An Epitome of Master Stamfords Pleas of the Crown*. 12mo. (5-1/2" x 3-1/4").

Contemporary calf with recent rebacking, blind rules to boards, raised bands and lettering piece to spine, pastedowns renewed. Light rubbing to extremities, hinges bumped. Light toning to text, two small chips and very light soiling to title page, minor chips to a few other leaves, internally clean. \$700.

SIXTH (STATED) EDITION. As suggested by its title, this is a manual for justices of the peace. The first part is arranged in tabular form. Each entry lists an offense, conditions for an action, the number of justices required to hear the case, the appropriate punishment and references to authorities. The second part is a condensed version of Staunford's *Plees del Coron* (1st. ed. 1557), a standard treatise on criminal law in the fifteenth and sixteenth centuries. Published as the sixth edition, it is actually the third. The first, second and fourth were published in 1643, 1650 and 1663. Sweet & Maxwell list a 1620 edition titled *Justices, Their Vade Mecum and Cornucopia*, but it appears to be a ghost. All editions are scarce. OCLC locates 6 copies of the 1661 edition, 3 in law libraries (Harvard, SUNY-Buffalo, Yale). Another copy located at Columbia Law School. ESTC R204144.

## 190 Z[OUCH] R[ICHARD] [1590-1661].

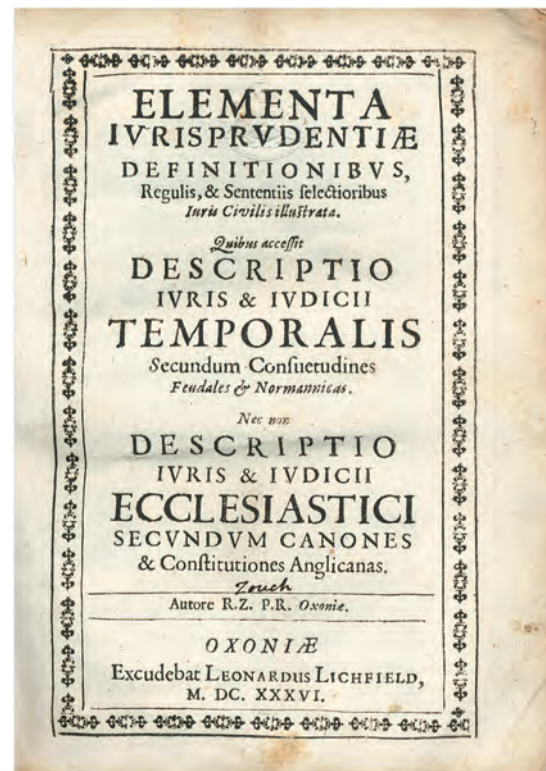
*Elementa Iurisprudentiae, Definitionibus, Regulis, & Sententiis Selectioribus Iuris Civilis, Illustrata; Quibus Accessit Descriptio Iuris & Iudicii Temporalis Secundum Consuetudines Feudales & Normannicas. Nec non Descriptio Iuris & Iudicii Ecclesiastici Secundum Canones & Constitutiones Anglicanas.*

Oxford: Excudebat Leonardus Lichfield, 1636. [xii], 145; [7], 51; [7], 60, [2] pp. Three parts in one, each with title page and individual pagination. Quarto (7-1/2" x 5-1/2").

Contemporary limp vellum, early hand-lettered title and two early private library shelf labels to spine. Light soiling, front pastedown loose, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed stamp to head of title page. Woodcut head and tail-pieces, text printed within ruled borders. Light toning to text, minor worming to gutter in a few places. A few early doodles to front free endpaper, interior otherwise clean. \$3,500.

SECOND EDITION. One of England's greatest civilians, Zouch was an advocate of Doctors' Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. He published treatises on a broad range of legal topics, and he is best known for his contributions to international law. He is equally important as the first English writer to publish works on jurisprudence. First published in 1629, *Elementa Jurisprudentiae* is an ambitious general study that lays out a general theory of general principles applicable to all branches and systems of legal science. The second and third parts, *Descriptio Iuris & Iudicii Temporalis Secundum Consuetudines Feudales et Normannicas* and *Descriptio Iuris & Iudicii Ecclesiastici Secundum Canones & Constitutiones Anglicanas*, are distinct essays on topics in feudal and ecclesiastical law. Later editions of *Elementa Jurisprudentiae*, with different additional contents, were issued in Holland in 1652 and 1665. ESTC S120616.

ZOUCH POSES QUESTIONS ON THE CIVIL LAW FOR STUDENTS



N° 190

## 191 ZOUCHE, RICHARD [1590-1661].

*Quaestionum Iuris Civilis Centuria in Decem Classes Distributa. Non Minus ad Legum Generalium Cognitionem, Quam ad Studiosorum Exercitationem, Accommodata.*

London: Excudebat Milo Flesher, Pro Gulielmo Robinson, 1682. [xvi], 511 pp. One endleaf at rear of text, a blank, lacking. 12mo. (5" x 3").

Contemporary calf, blind rules and corner fleurons to boards, raised bands and fragments of paper title label to spine, careful repairs to spine ends and corners, edges rouged. Some rubbing to extremities, hinges cracked. Some toning to text, minor foxing to a few leaves. "1a6" in tiny early hand to upper corner of title page, interior otherwise clean. An appealing copy. \$1,500.

THIRD AND FINAL EDITION. One of England's greatest civilians, Zouch was an advocate of Doctors' Commons, Judge of the High Court of Admiralty and Regius Professor of Civil Law at Oxford. He published treatises on a broad range of legal topics and is renowned for his contributions to international law. *Quaestionum Iuris Civilis Centuria* is a volume of sample examination questions for students of the civil law. It was first published in 1659 (with a title page stating 1660). ESTC R217442.



Detail from N° 190



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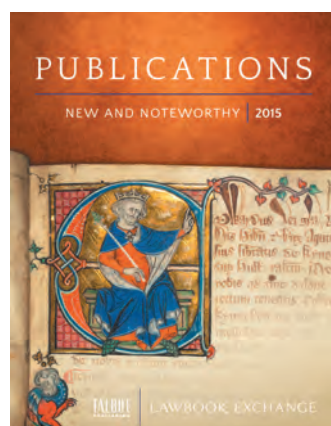
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ANNOTATED BY J. BARBEYRAC

WITH A NEW INTRODUCTION  
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*Pennsylvania State University Dickinson School of Law,  
University College London, National Academy of Sciences of Ukraine*

# THE RIGHTS OF WAR AND PEACE IN THREE BOOKS

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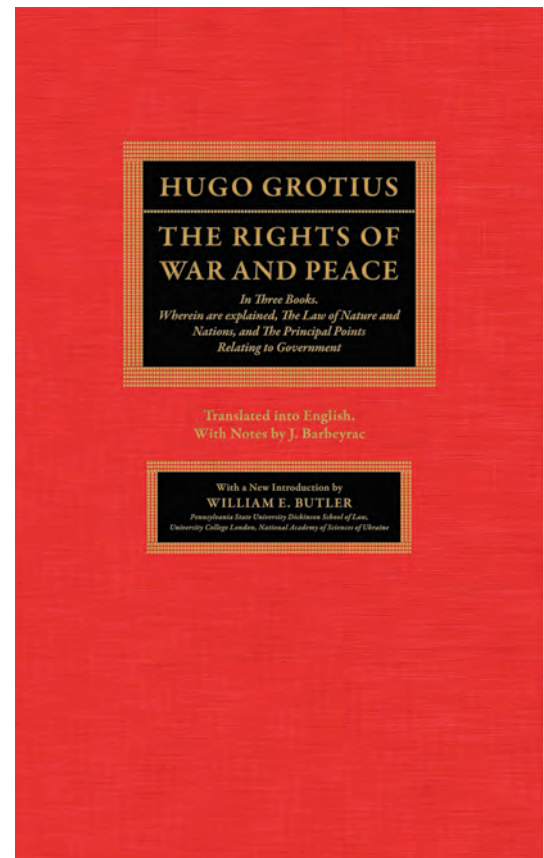
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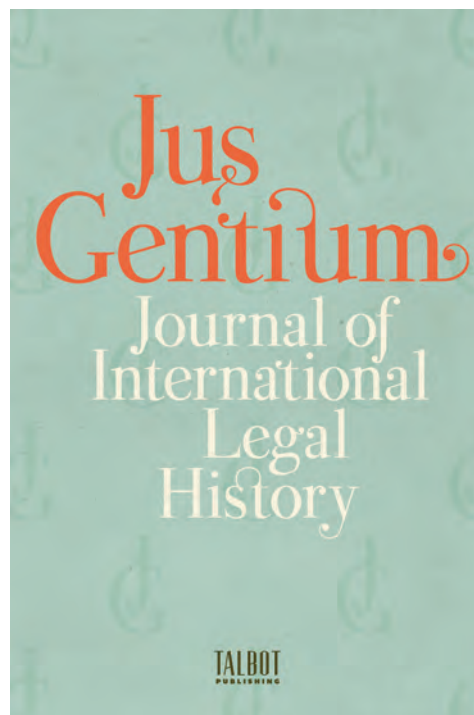
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