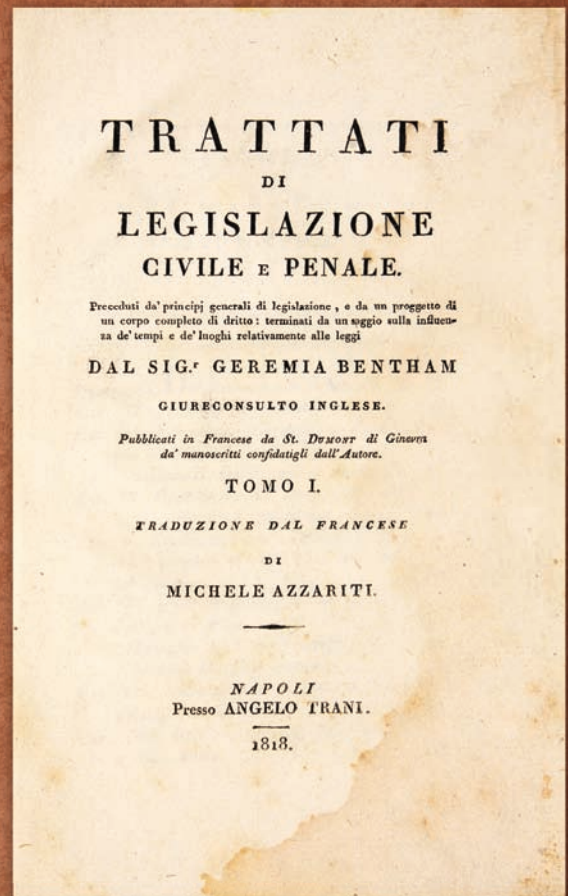
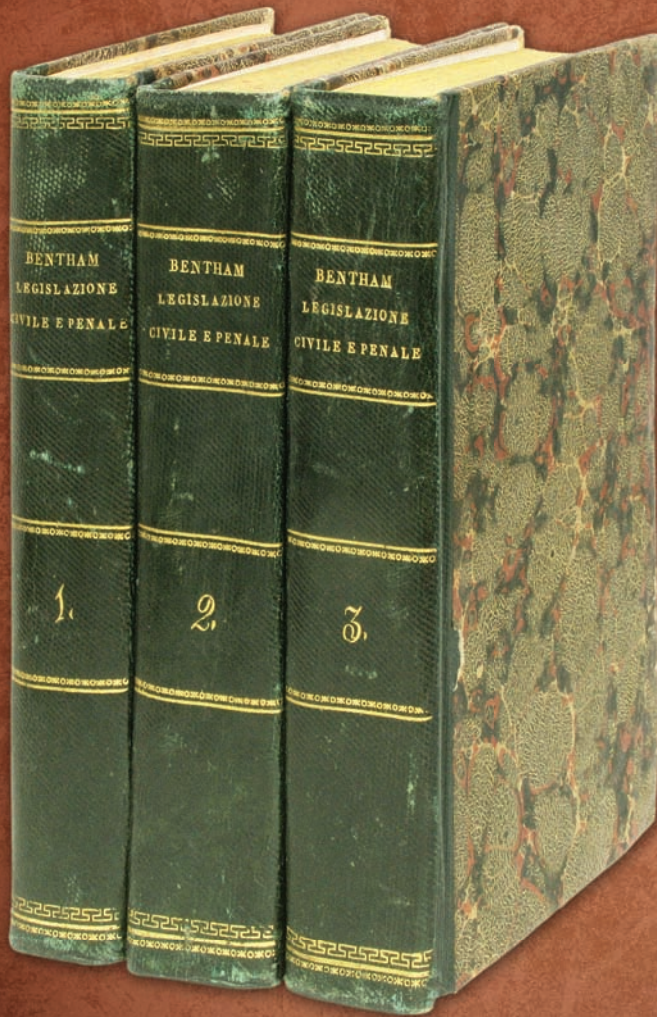


30

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30 Antiquarian Titles from Our Inventory



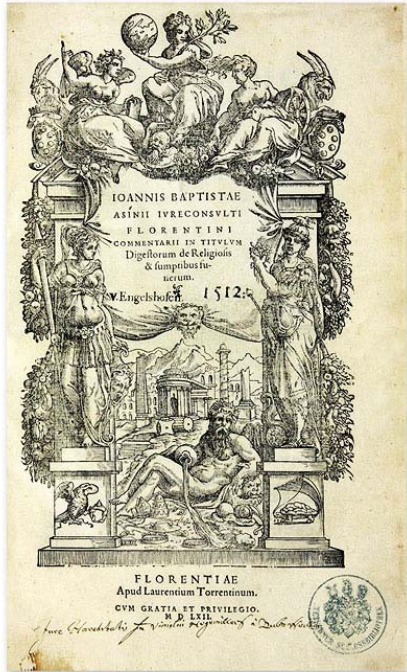
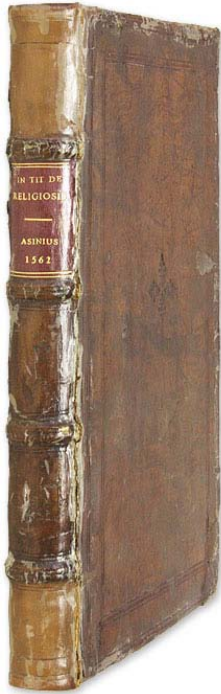
Laws Concerning Time

1. Antonelli, Giovanni Carlo.

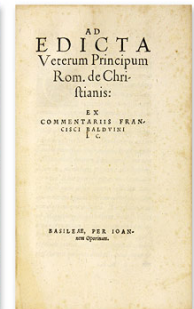
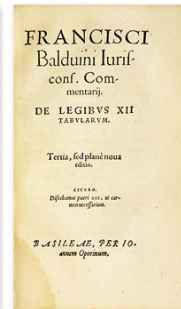
Tractatus De Tempore Legali: In Quatuor Libros Distributus, Ubi Principaliores, Difficiliores, Ac Practicabiliores Canonici, Ac Civilis Iuris Quaestiones Singulariter Explanantur, Ac Resoluuntur. Opus Praelatis, Ac Iudicibus Ecclesiasticis, & Secularibus, Advocatis, Aliisque in Utroque foro Versantibus, & in Scholis Prositentibus Apprime Utile, Ac Necessarium. Velletri: Apud Carolum Bilancionum, 1659. [xiv], 524, [40] pp. Main text in parallel columns. Folio (12" x 8").

Contemporary vellum with early rebacking and later varnishing, raised bands and early hand-lettered title to spine. Moderate rubbing to extremities, some worming, mostly to spine, front board slightly bowed, front joint starting at foot, hinges partially cracked, preliminaries and rear free endpaper partially detached and somewhat edgeworn. Large woodcut printer device to title page. Light browning to text, faint dampspotting in places, internally clean. Ex-library. Bookplate to front pastedown. A solid copy. \$1,250.

* Second edition. A canon lawyer by training, Antonelli was the Bishop of Ferentino. His treatise examines legal aspects of time, mostly under canon law. It is arranged in four books. The first treats "de tempore in generale"; the other books address years, months and hours. Published in 1642, it went through seven more editions, the last in 1753. Few copies of any edition are held in North American law libraries. Not in the *British Museum Catalogue* or *The Canon Law Collection of the Library of Congress*.



Item 2



Item 3

Funeral Rites and Burials

2. Asinio, Giovanni Baptista [fl. 1562].

Commentarii in Titulum Digestorum De Religiosis & Sumptibus Funerum. Florence: Apud Laurentium Torrentinum, 1562. [viii], 338, [52] pp. Folio (12-3/4" x 8-1/4").

Contemporary calf with later varnishing, blind rules and small central arabesques to boards, raised bands and later lettering piece to spine, spine ends and corners mended. Some scuffing to boards, corners bumped, front joint partially cracked, front hinge just starting, rear hinge mended, later armorial bookplate to front pastedown. Light toning to text, a bit of soiling to title page. Early owner annotations to front pastedown, signatures and stamps to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy of a rare title. \$1,250.

* Only edition. Asinio was a notable Florentine jurist who was patronized by Cosimo I de Medici. He is best-known for his treatises on practice and procedure in Roman and Florentine law. *De Executionibus* is a comprehensive treatise on the section of the *Digest*, Book XI, Title 7, which addresses funeral rites and burial. It is a scarce title. OCLC locates 5 copies, 3 in North America (at the Library of Congress, Newberry Library and University of Chicago). *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE3262.

An Important Humanist Scholar

3. Baudouin, Francois [1520-1573].

Commentarius de Iurisprudencia Muciana. Accessit Rerum & Verborum Praecipue Memorabilium Index. Basel: Per Ioannem Oporinum, [1558]. [xvi] 306 [6] pp.

[Bound with]

Baudouin, Francois.

De Legibus XII Tabularum. Tertia sed Plane nova Editio. Basel: Per Ioannem Oporinum, [1557]. [viii] 252 [18] pp.

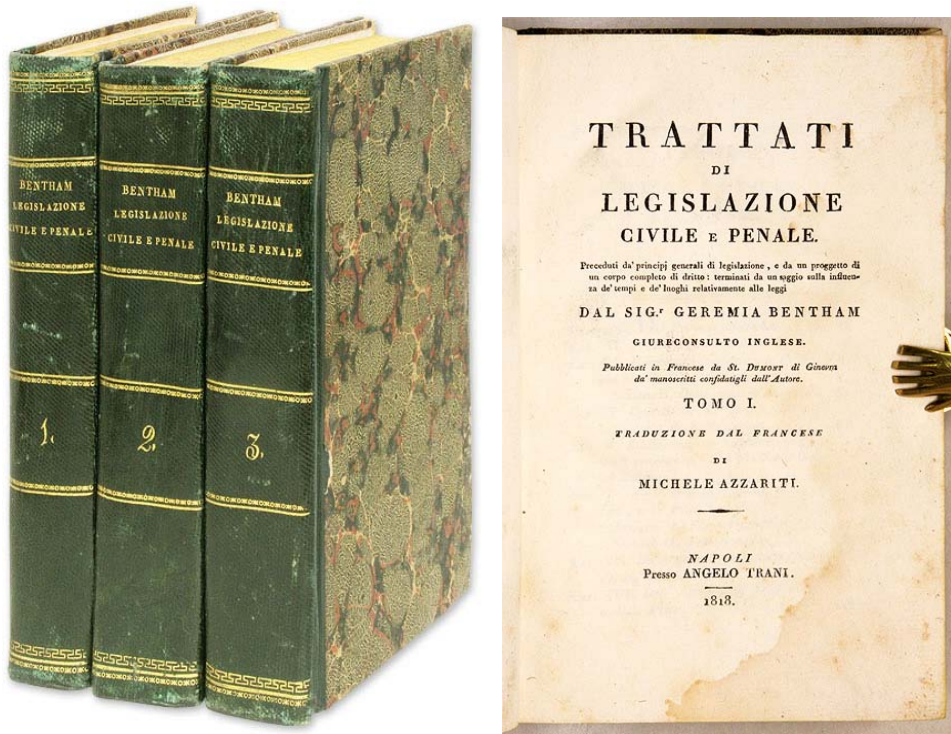
[And]

Baudouin, Francois, Commentary.

Ad Edicta Veterum Principum Rom. de Christianis. Basel: Per Ioannem Oporinum, [c. 1557]. 122, [10] pp. Lacking leaves HH5 and HH6, the final text leaf (pp. 121-2) and the first index leaf.

Octavo (7" x 4-1/2"). Contemporary calf, blind frames and central medallions to boards, raised bands, blind ornaments and later hand-lettered paper title label to spine. Some rubbing to boards, heavier rubbing to extremities with wear to spine ends and corners, joints starting at ends, hinges cracked but secure, later armorial bookplate and tipped-in leaf of notes to front pastedown. Light toning to text, light foxing and dampstaining in places. Occasional notes and glosses in a contemporary hand, interior otherwise clean. \$2,500.

* Later editions. Baudouin was an eminent French humanist jurist and theologian. Interested in the early history of Roman law, he emphasized the importance of history in the development of the law. This volume collects two of his principal works, *De Legibus XII Tabularum*, a study of the history and significance of the Twelve Tables, and *Commentarius de Iurisprudencia Muciana*, a study of Roman law during the Republic. The final title addresses the legal status of the early Christian Church. Adams, *Catalogue of Books Printed on the Continent of Europe, 1501-1600* B87, B93, B84.



First Italian Edition of Bentham's Theory of Legislation

4. Bentham, Jeremy [1748-1832].

Dumont, Pierre Étienne Louis [1759-1829], Editor and Translator.

Azzariti-Stella, Michele, Translator (into Italian).

Trattati di Legislazione Civile e Penale: Preceduti da' Principi Generali di Legislazione, E da un Progetto di un Corpo Completo di Dritto: Terminati da un Saggio Sulla Influenza de' Tempi e de' Luoghi Relativamente alle Leggi. Naples: Presso Angelo Trani, 1818. Three volumes. viii, 432, [2]; xii, 484; xi, 504 pp. Each volume has half-title. Complete set. Octavo (7-3/4" x 5").

Contemporary quarter morocco over marbled boards, gilt titles, fillets and volume numbers to spine. Light rubbing to boards, somewhat heavier rubbing to extremities, corners bumped, hinges of Volumes I and II cracked, text blocks of both somewhat loose. Light toning to text, faint dampstaining and light foxing to some leaves. Later owner stamp to front free endpaper of each volume, interiors otherwise clean. A handsome copy of a rare edition. \$3,000.

* First Italian edition. This seminal work on penal reform and legislation established Bentham's reputation. The first of his works edited by Dumont, it consists partly of papers by Bentham, some originally written in French, and partly of a digest by Dumont of Bentham's ideas, including an essay on the Panopticon. Dumont, a Swiss writer and journalist, met Bentham at the house of Lord Shelburne in 1788. This meeting resulted in an enduring relationship.

Devoted to Bentham's ideas, Dumont translated and edited many of his works and served as his informal literary agent. The first edition of *The Theory of Legislation* was published in Paris in 1802 as *Traité de Législation Civile et Pénale*. Our Italian edition came next, followed by an edition in Spanish in 1821 1822 and one in German, with an abridged text, in 1830. The first edition in English was published in Boston in 1840. The first British edition followed in 1864. Harrison, Bentham xvii. OCLC locates 2 copies of the first Italian edition in North America (at George Washington Law School and Yale University). Muirhead, *A Jeremy Bentham Collection* 17.



Blackstone's Commentaries, Eller 26/Laeuchli 33

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

Christian, Sir 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. London: Printed by A. Strahan for T. Cadell and W. Davies, 1803. Four volumes. Copperplate frontispiece portrait, table of consanguinity, folding table of descents. Octavo (8-1/2" x 5-1/2").

Contemporary polished calf, blind fillets to boards, raised bands and lettering pieces to spines. Moderate rubbing to spines and extremities, corners bumped, joints starting (or just starting), some hinges cracked, rear board of Volume 2 beginning to separate but still quite secure, contemporary copperplate armorial bookplate (of John Monins) to front pastedown. Light toning to text, negligible foxing in a few places in each volume, interiors otherwise clean. A nice set. \$1,000.

*Fourteenth edition. Paging irregular, following Blackstone's paging in margin. "Since the publication of the thirteenth edition, 1800, Christian had become Chief Justice of the Isle of Ely, and the Downing professor of the laws of England in the University of Cambridge. These titles appear on title pages of this fourteenth edition, in which his notes are printed as footnotes": Eller, *The William Blackstone Collection in the Yale Law Library* 26. Laeuchli, *A Bibliographical Catalog of William Blackstone* 33.



Item 6

Item 7

Scarce Treatise on an Important Concept in Roman Law

6. Bonfini, Francesco Antoni [d. 1739].

De Jure Fideicommissorum Magis Controverso Disputationes Praecipuae in Quatuor Titulos Distributae. Venice: Apud Nicolaum Pezzana, 1741. Two volumes in one book, each with title page and individual pagination. [xxxvi], 432; 328, [106] pp. Main text in parallel columns. Complete. Folio (14-1/2" x 9-1/2").

Three-quarter contemporary vellum over patterned boards, faint early hand-lettered title to spine. Some rubbing and light edgewear, spine ends and corners bumped. Title page of Volume I printed in red and black, woodcut printer devices, head-pieces, tail-pieces and decorated initials. Light toning to text, light foxing in a few places, light inkstains and minor worming to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. A nice copy. \$750.

* First edition. One of the most durable concepts in Roman law, *fideicommissum* involves situations in which something is committed to somebody's trust. It is central to the law concerning testators and was the subject of several treatises. Notable for its clarity and organization, Bonfini's treatise was one of the best. Later editions were published in 1755, 1760, 1781-1789. (The last edition has an additional volume of related Rota decisions.) All are scarce. OCLC locates 6 copies of the first edition in North America, 4 in law libraries (Catholic University of America, Columbia, Harvard, Southern Methodist University). Not in Roberts. This edition not in the *British Museum Catalogue*.

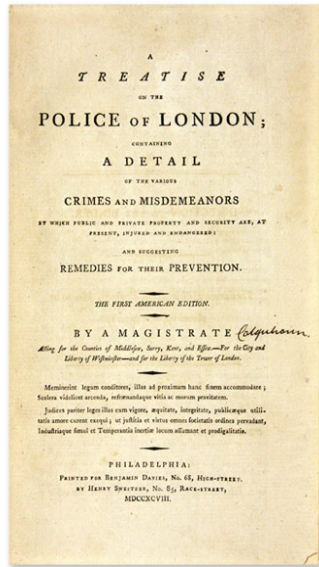
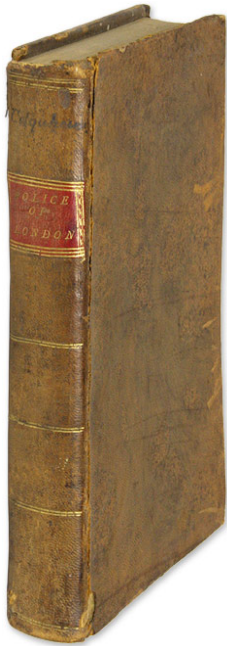
"Calculated For the Use of Merchants"

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

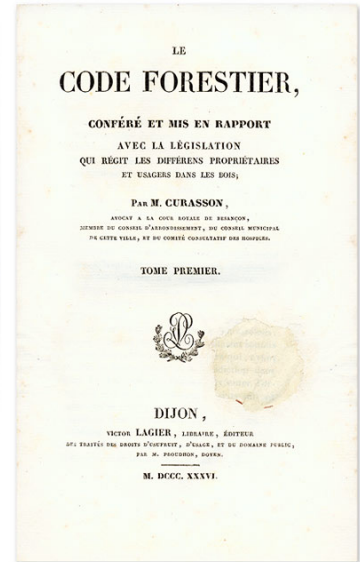
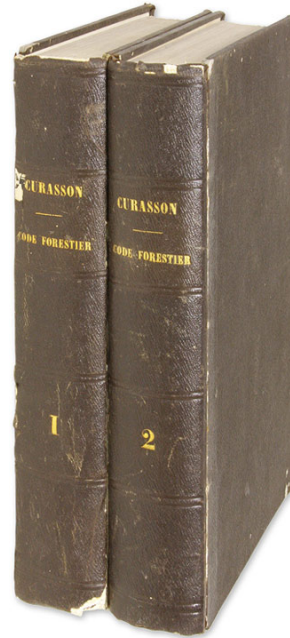
A Practical Treatise or Compendium of the Law of Marine Insurances. London, Printed: New-York, Re-Printed, for H. Caritat by G. & R. Waite, 1801. xiv, [2], 235 pp. 12mo. (6-1/4" x 4").

Handsome recent period-style calf by Philip Dusel, lettering piece and gilt fillets to spine, endpapers renewed. Light browning to text, negligible foxing in places. Head of title page has early owner signature partially covered by small owner label (S. Henry Norris), interior otherwise clean. A very attractive copy. \$650.

* Only edition, published the same year in London and New York. "[T]he author trusts he will not be thought presumptuous in stating, that a compendious digest, immediately calculated for the use of merchants and their agents, still remains a desideratum in the merchant's world. With a view to supply this deficiency, he commenced the following compilation": (vii). Burn was a barrister of the Inner Temple who published several law books. The appendix contains summaries of two recent English decisions, and the form of an insurance policy for a ship or goods. Cohen, *Bibliography of Early American Law* 7055.



Item 8



Item 9

Only American Edition of an Important Work on Crime

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

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

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

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

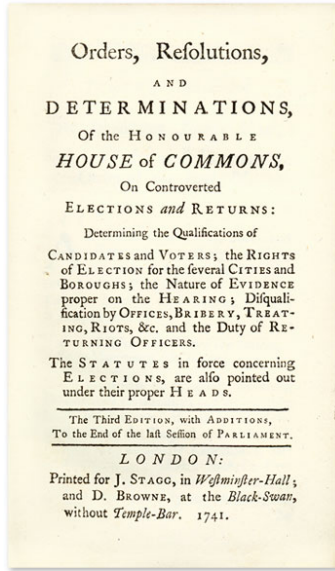
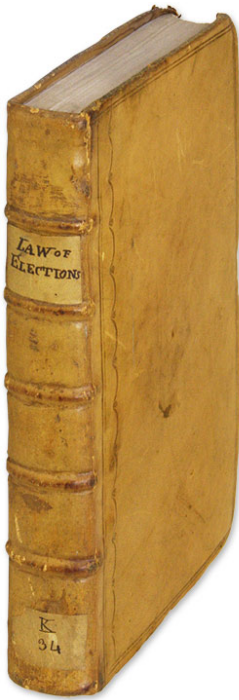
Forest Law After the Bourbon Restoration

9. Curasson, [Jacques] [1770-1841].

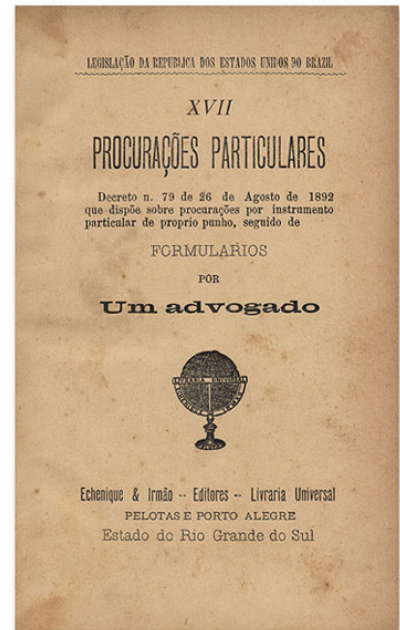
Le Code Forestier, Conféré et Mis en Rapport avec la Législation Qui Regit les Differens Propriétaires et Usagers Dans les Bois. Dijon: Victor Lagier, 1836. Two volumes. Leaves in final signature of Volume I bound out of order. Octavo (8" x 5").

Contemporary textured paper-covered board, blind fillets and gilt titles to spines. Moderate rubbing to extremities, some chipping to spine ends, joints cracked, a few scuffs to boards. Light foxing to text, internally clean. \$250.

* Third edition. A comprehensive treatise on forest law according to the French Civil Code. First published in 1828, it is a useful summary of the law as it stood at the time of the Bourbon restoration. Its final edition was published in 1853. All are scarce. OCLC locates no copies of the third edition in North America. *British Museum Catalogue* (Compact Edition) 6:730.



Item 10



Item 11

Acts and Cases Concerning Elections to Parliament

10. [Elections].

[Great Britain].

Orders, Resolutions, and Determinations 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; Disqualification by Offices, Bribery, Treating, Riots, &c. And the Duty of Returning Officers. The Statutes in Force Concerning Elections, Are Also Pointed Out Under Their Proper Heads. London: Printed for J. Stagg, 1741. viii, 287, [9] pp. 12mo. (6-1/2" x 4").

Contemporary calf, blind rules and fillets to boards, raised bands and early hand-lettered title label and (private?) library shelf label to spine. Light rubbing to extremities, corners bumped and somewhat worn, interior notably fresh. \$125.

*Third edition. This book digests over 300 cases from 1628 to 1740. It was first published in 1734. Its last edition, designated the third but actually a revised edition of the third, was published in 1747. Our 1741 issue not listed in Sweet & Maxwell. *English Short-Title Catalogue* N42135.

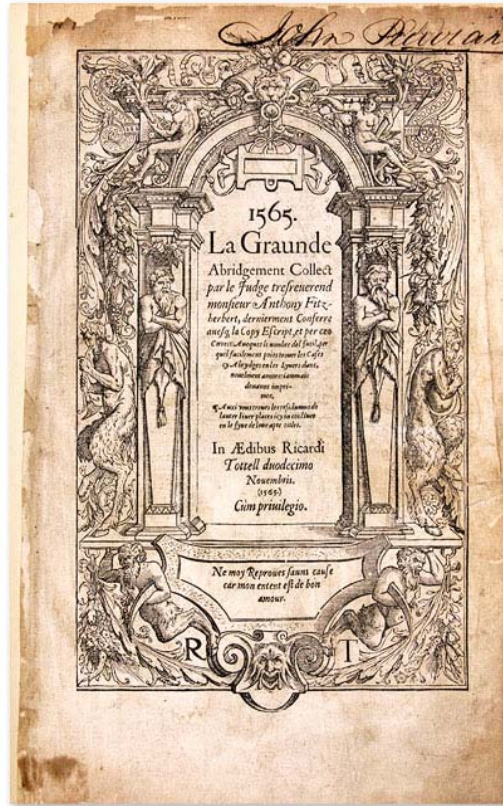
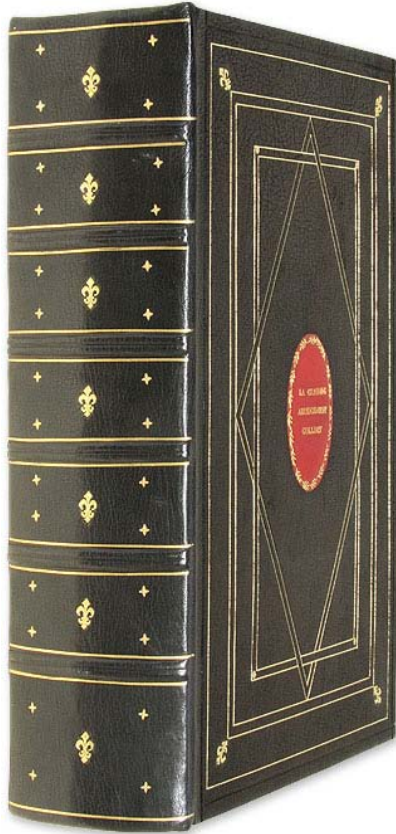
A Brazilian Study That Called for the Abolition of Slavery

11. Fonseca, Luiz Anselmo da [1848?-1929].

A Escravidão, O Clero e o Abolicionismo. Bahia: Imprensa Economica, 1887. [vi], [v]-vii, 686 (i.e. 742) pp. Octavo (9" x 6").

Recent period-style quarter cloth over marbled boards, gilt title to spine endpapers renewed, tears to final index leaf repaired. Moderate toning and foxing, light soiling to title page and verso of final index leaf. Early owner stamps to title page and a few text leaves, underlining in a few places, interior otherwise clean. \$950.

* Only edition. This study that called for the abolition of slavery was a controversial book when it was published. Its argument is grounded in legal and, to some extent, theological sources. Slavery was abolished when the Second Empire fell in 1888. This is an important date in the history of human rights because Brazil was the last nation in the Western Hemisphere to abolish slavery. OCLC locates 5 copies worldwide, 1 in North America (at UT-Austin). Another copy located at UC-Berkeley Law School. Not in Borchard.



The Book that "Made" the Common Law"

12. Fitzherbert, Sir Anthony [1470-1538].

La Grande Abridgement Collecte par le Juge Tresreverend Monsieur Anthony Fitzherbert, Dernierment Conferre Ouesque la Copy Escript et per Ceo Correct: Aueques le Nombre del Sueil, Per Quel Facilement Poies Trover les Cases cy Abridges en les Livers Dans, Novelment Annote: Jammais Devaunt Imprimee.

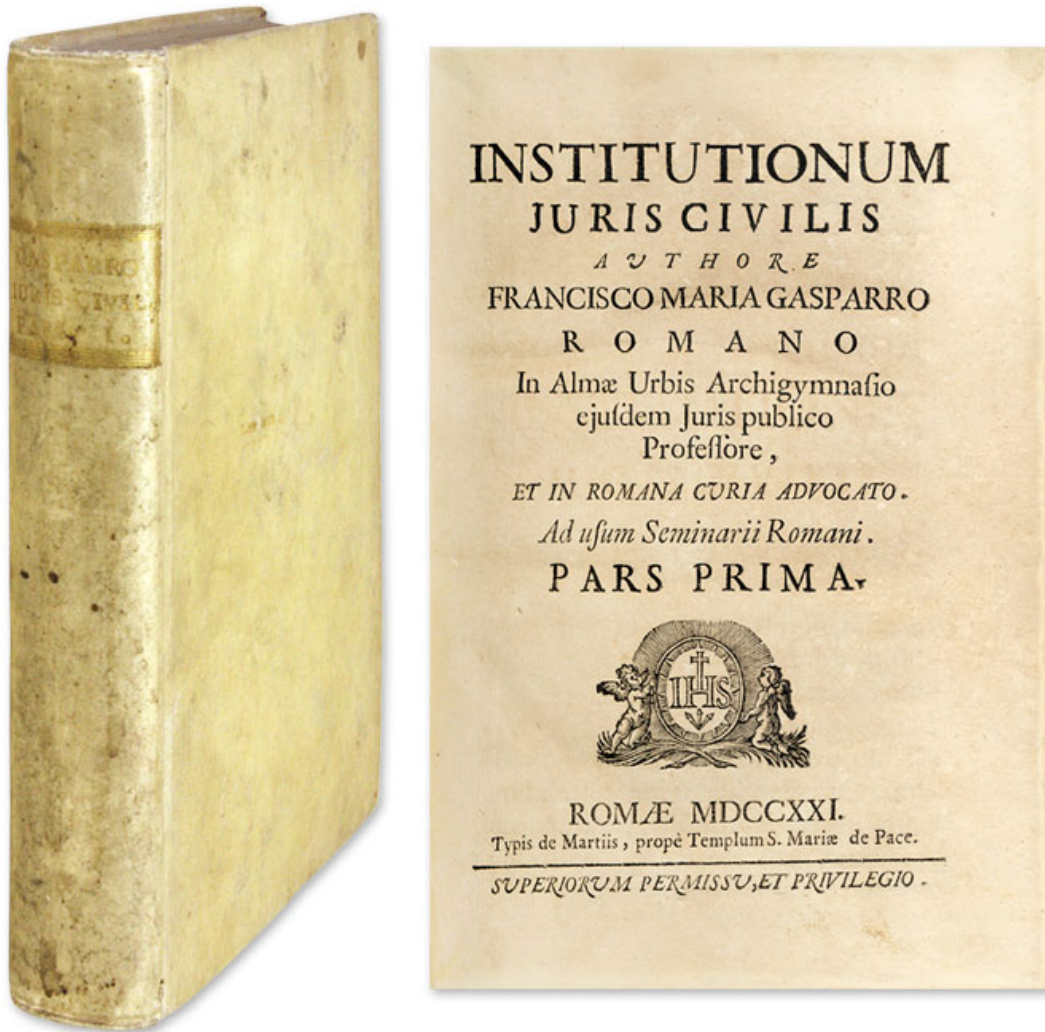
[And]

La Secoude Part du Graund Abridgment...

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

Recent paneled morocco, gilt rules, corner fleurons and central contrasting panels to boards, title to front panel, raised bands and gilt ornaments to spine, endpapers renewed, armorial bookplate (of Charles Gresley Armingher of Lichfield, 1854) mounted to front pastedown. Titles printed within woodcut architectural borders, woodcut decorated initials. Moderate toning, a few leaves have light edgewear, tears or dampstaining, early repair to upper margin of Fol. 1, title page of first part, which is lightly soiled and edgeworn, mounted. Early annotations and underlining in some places, later owner signature (of John Purivand) to head of title page, interior otherwise clean. A nice copy in a notably handsome binding. \$5,000.

* 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 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's record for the second part differs from our copy, which matches that in the ESTC. The most notable difference is that the Beale copy does not include the first 128 leaves of the second part. Beale, *A Bibliography of Early English Law Books* R463, R464. *English Short-Title Catalogue* S122166. Sowerby, *Catalogue of the Library of Thomas Jefferson* 1776.



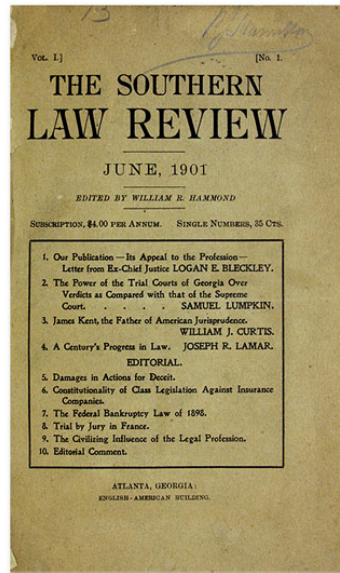
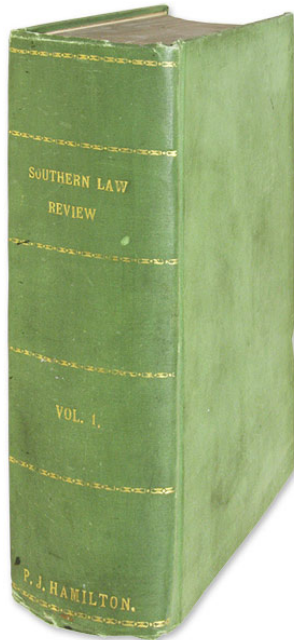
A Jesuitical Restatement of the *Institutes*

13. Gasparro, Francesco Maria [1679-1735].

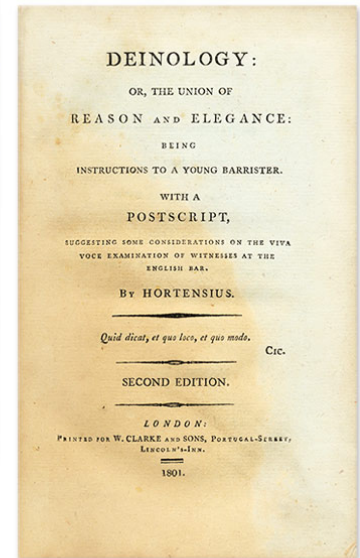
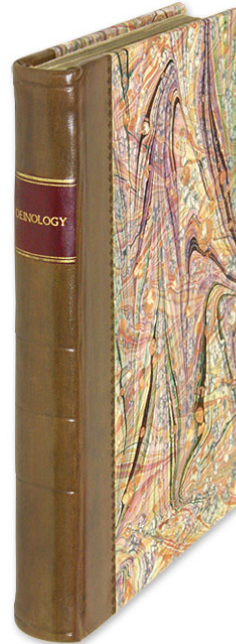
Institutionum Juris Civilis. Ad Usum Seminarium Romani. Rome: Typis de Martiis, 1721-22. Four parts in two volumes bound as one. Quarto (9" x 6-1/4").

Contemporary vellum, gilt title to spine. Light soling to spine, spine ends bumped, negligible spotting to boards. Woodcut head and tail-pieces. Some toning to text, light foxing and browning in places, internally clean. \$1,500.

* Second and final edition. Gasparro, a Jesuit canon lawyer and member of the Papal Curia, taught criminal and civil law and the University of Rome. Published with Jesuit sponsorship, and notable for its Jesuitical perspective, Gasparro's restatement of Justinian's *Institutes* was a standard text throughout the eighteenth century. First published in 1707, editions appeared as late as 1787. Despite its popularity, all editions of this title are scarce today, especially in North America. Of all editions, OCLC locates 1 copy of the second (at UC-Berkeley Law School) and 2 copies of the first (at Harvard and Stanford Law Schools). Not in the *British Museum Catalogue*.



Item 14



Item 15

Complete Run of Nineteenth-Century Southern Law Journal

14. Hammond, William R, Editor.

The Southern Law Review. [Atlanta: Franklin Printing and Publishing Company, 1901-1902]. Volume I, Numbers 1-12 (June 1901-May 1902). All published. Issues, all in original wrappers, bound into contemporary cloth, gilt title and owner name (P.J. Hamilton) to spine, hinges reinforced. Some shelfwear and soiling, a few partial cracks to text block, owner signature to front wrapper of Volume I, Number 1, internally clean. \$150.

* This short-lived but well-regarded journal offers excellent insights into the Southern bench and bar at the beginning of the twentieth century. The owner of this bound set, Hamilton was a notable Alabama author and historian.

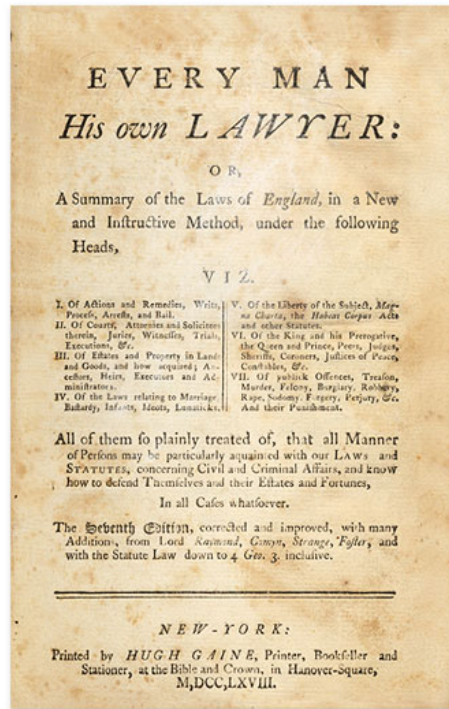
The Union of Reason and Eloquence

15. Hortensius [Hay, George (1765-1830)].

Deinology: Or, The Union of Reason and Elegance: Being Instructions to a Young Barrister. With a Postscript, Suggesting Some Considerations of the Viva Voce Examination of Witnesses at the English Bar. London: Printed for W. Clarke and Sons, 1801. [iv], vii, 234 pp. Octavo (7-1/2" x 5").

Recent period-style quarter calf over marbled boards, lettering piece and blind fillets to spine, endpapers renewed. Light toning to text, (gradually diminishing) staining from title page to middle of text block along gutter, internally clean. \$750.

* Second and final edition of a work first published in 1789. "The oratory of the English bar, [being] wild and vicious," Hortensius seeks to introduce young English lawyers to the superior reasoning and eloquence through annotated examples by classical authors, such as Cicero and Demosthenes, and later authors, such as Milton. Both editions are scarce. OCLC locates 11 copies of the first edition in North American law libraries, 3 of the second (Columbia, Harvard, Osgoode Hall). *British Museum Catalogue* (Compact Edition) 12:678.



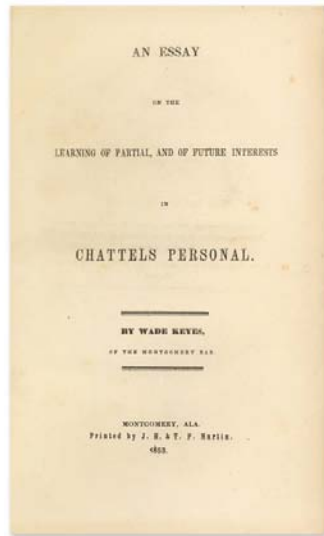
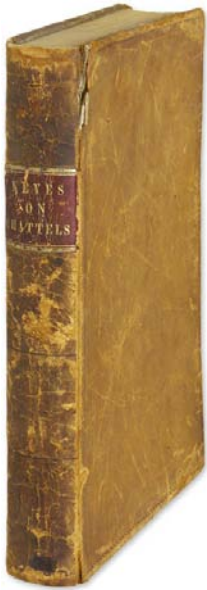
The First Layman's Guide Published in America

16. Jacob, Giles [1686-1744].

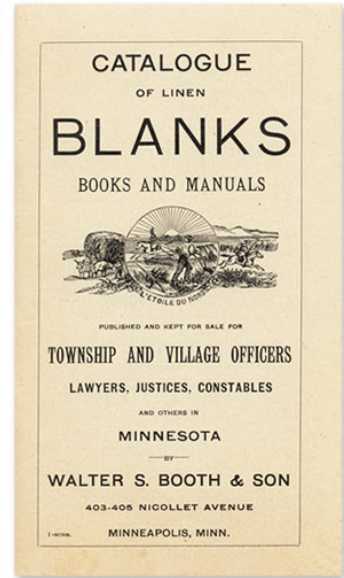
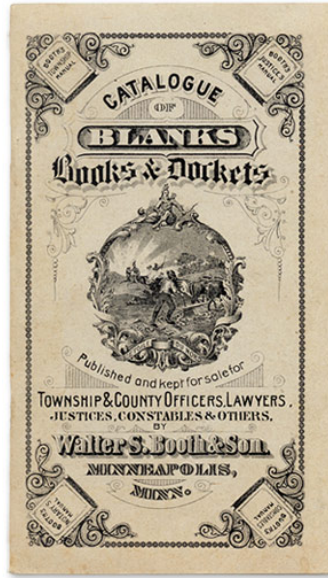
Every Man His Own Lawyer: Or, A Summary of the Laws of England, In a New and Instructive Method, Under the Following Heads, Viz. I. Of Actions and Remedies, Writs, Process, Arrests, and Bail. II. Of Courts, Attornies and Solicitors Therein, Juries, Witnesses, Trials, Executions, &c. III. Of Estates and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

Contemporary sheep, blind fillets to boards, rebaced retaining original spine with raised bands and lettering piece, original endpapers retained. Moderate rubbing to extremities with some wear to corners, some scuffing to boards and evidence of wear to joints and edges of lettering piece, hinges cracked but secure, upper portion lacking from front free endpaper. Some toning to text, darker in places, negligible light foxing to most of text, internally clean. A desirable copy. \$2,200.

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



Item 167



Item 18

Early Alabama Legal Imprint that Addresses Slavery

17. Keyes, Wade [1821-1879].

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

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

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

Attractive Minnesota Publisher Catalogue from 1910

18. [Legal Publishing].

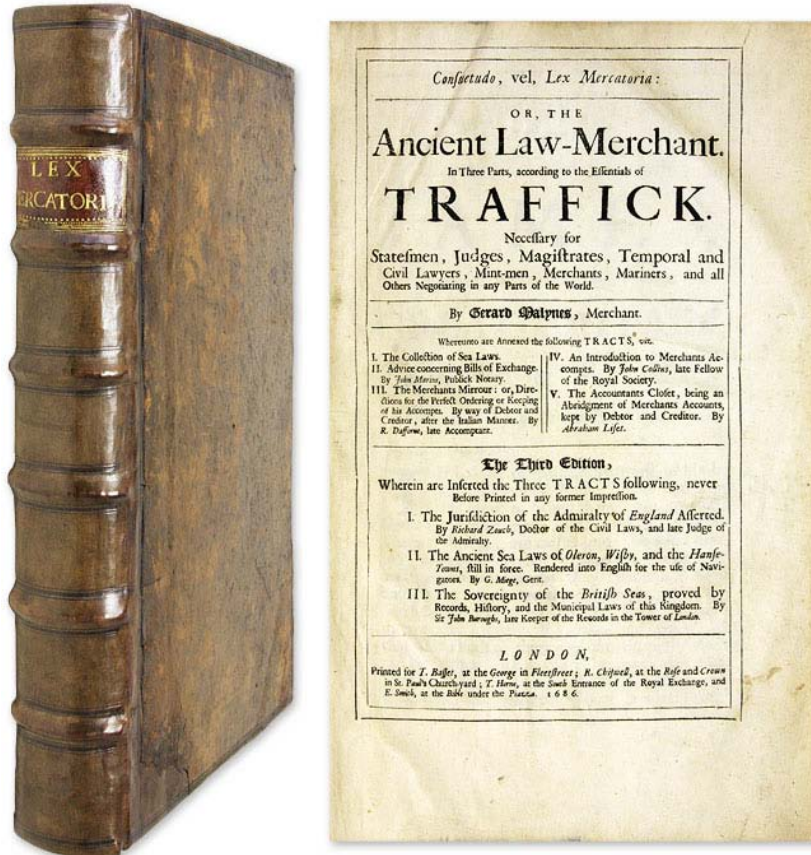
Walter S. Booth & Son.

Catalogue of Linen Blanks, Books & Manuals Published and Kept for Sale for Township & Village Officers, Lawyers, Justices, Constables and Others in Minnesota. Minneapolis: Walter S. Booth & Son, [1910].

48 pp. 6-1/2" x 3-1/2" brochure.

Stiff colored pictorial wrappers. Light edgewear and soiling, internally clean. A well-preserved item. \$125.

* Booth's publications and forms are described in detail. The sections in the manual advising town officials about the proper forms and books for their work and how to use them are especially interesting.



Fascinating 1686 Final and Vastly Expanded Edition

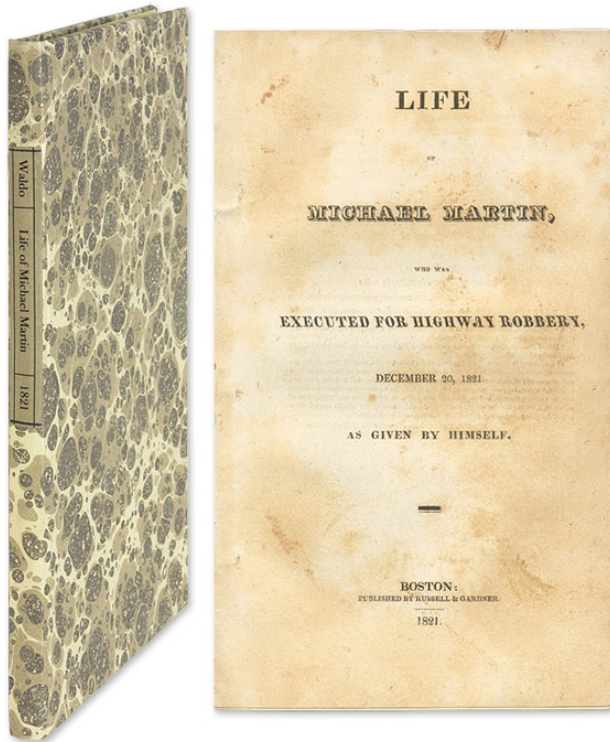
19. Malynes, Gerard [fl. 1586-1641], Principal Author.

Consuetudo, Vel, Lex Mercatoria: Or, The Ancient Law-Merchant. In Three Parts, According to the Essentials of Traffick. Necessary for Statesmen, Judges, Magistrates, Temporal and Civil Lawyers, Mint-Men, Merchants, Mariners, And All Others Negotiating in Any Parts of the World. Whereunto are Annexed the Following Tracts, Viz. I. The Collection of Sea Laws. II. Advice Concerning Bills of Exchange. By John Marius. III. The Merchants Mirrour: Or, Directions for the Perfect Ordering or Keeping of His Accompts. By Way of Debtor and Creditor, After the Italian Manner. By R. Dassorne. IV. An Introduction to Merchants Accompts. By John Collins. V. The Accountants Closet, Being an Abridgement of Merchants Accounts, Kept by Debtor and Creditor. By Abraham Liset. Wherein are Inserted the Three Tracts Following, Never Before Printed in Any Former Impression. I. The Jurisdiction of the Admiralty of England Asserted. By Robert Zouch. II. The Ancient Sea Laws of Oleron, Wisby, And the Hanse-Towns, Still in Force. Rendered Into English for the Use of Navigators. By G. Miege. III. The Sovereignty of the British Seas, Proved by Records, History, and the Municipal Laws of This Kingdom. By Sir John Burroughs. London: Printed for T. Basset, At the George in Fleetstreet; R. Chiswell, At the Rose and Crown in St. Paul's Church-Yard; T. Horne, At the South Entrance of the Royal Exchange, And E. Smith, At the Bible Under the Piazza, 1686. Nine works in one with separate paginations and title pages (with various dates and imprints), first work preceded by general title page. [xvi], 340, 2; 43-78; [vi], 42; [xx], 54, [298]; [124]; [112]; [viii], 87-130; 28; 22 pp. First and final leaves blank. Complete as issued. Folio (13-1/4" x 8-1/4").

Contemporary calf, blind rules to boards, rebacked, raised bands to spine, earlier lettering piece retained, marbled edges, hinges mended, eighteenth-century armorial bookplate of Brice Fisher to front pastedown. Moderate toning to text, occasional faint dampspotting to margins, spark burns to a few leaves, corner of one leaf repaired restoring minor loss to text, internally clean. A handsome copy. \$2,500.

* Third and final edition, one of (at least) two issues from 1686. Also known as the law merchant, consuetudinary law or, somewhat anachronistically, commercial law, *lex mercatoria* is a system of customary law that developed in Europe during the middle ages to regulate the dealings of mariners and merchants. The earliest significant compilations are the eleventh-century Rules of Oleron, the Laws of Wisby and the Hanseatic Laws of the Sea. Although *lex mercatoria* fell out of use during the seventeenth century, many of its principles were incorporated into the common law. They would later provide the

foundation of the (U.S.) Uniform Commercial Code. Malynes' *Consuetudo* was the final significant contribution to this field. (Beawes's *Lex Mercatoria Rediviva* (1752) was an attempt to revive it.) Malynes was a commissioner of trade in the Low Countries and was frequently consulted by the Privy Council during the reigns of Elizabeth and James, a dynamic period of commercial expansion and colonization. He was one of the first writers on business practice, economic affairs and foreign exchange. These interests are explored at length in this collection, both in Malynes's treatise and the texts by Marius, Dassorne, Collins and Liset. This volume also includes a collection of sea laws and two works on international law by Richard Zouch and John Burroughs. These assert the thesis expounded by John Selden in *Mare Clausum* (1635). Taken together, this volume provides a broad holistic view of *lex mercatoria* during its final maturity. The first edition was published in 1622, later editions and issues in 1629, 1636, 1656 and 1685. Our 1686 copy, designated the third edition, is one of four variants of the 1686 edition we have examined. The ESTC lists two from 1686, which have somewhat different collations. Fisher was a Member of Parliament and merchant who owned land in South Carolina and Georgia. See *English Short-Title Catalogue* R229419, R24438. Canney and Knott, *Catalogue of the Goldsmiths' Library* 2639. Institute of Chartered Accountants in England and Wales, *Historical Accounting Literature* 73.



A Cautionary Tale

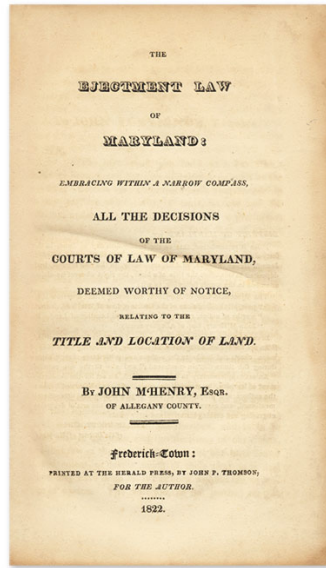
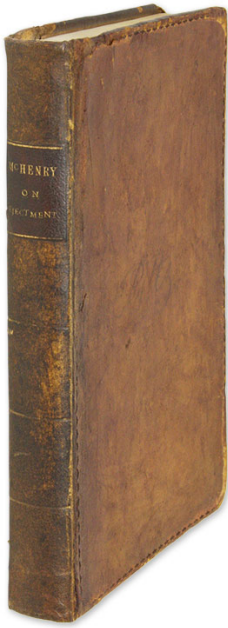
20. Martin, Michael [1795-1821].

Waldo, Francis Wainwright [1791-1836], Editor.

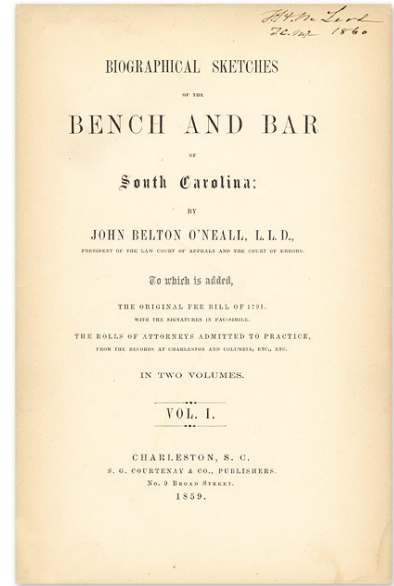
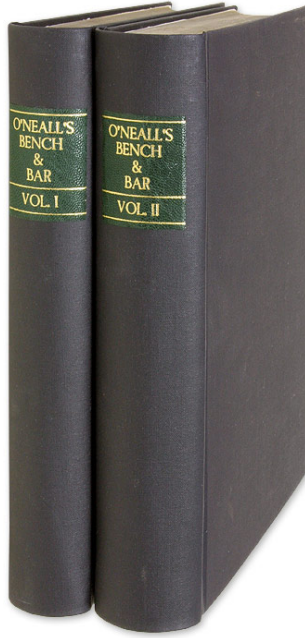
Life of Michael Martin, Who was Executed for Highway Robbery, December 20, 1821. As Given By Himself. Boston: Published by Russell & Gardner, 1821. 102 pp. Octavo (8-1/2" x 5-1/4").

Recent marbled boards, printed title label to spine. Some toning, light foxing to title page and a few leaves, internally clean. \$450.

* Only edition. "I was induced to undertake the compilation of these pages by the particular request of Martin. (...) The story, however extravagant some parts of it may appear, is given to the world as the last words of a dying man; and as I verily believe, of one who was determined to tell the truth, and the whole truth. The object which he had in view, in desiring that his autobiography might be published, (...) was, that it might be an example and a warning to others" (3). Pp. 101-102 contain the text of Martin's last will and testament. Sabin, *A Dictionary of Books Relating to America* 44903.



Item 21



Item 22

**Uncommon 1822
Maryland Treatise on Ejectment**

21. McHenry, John [d. 1860].

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

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

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

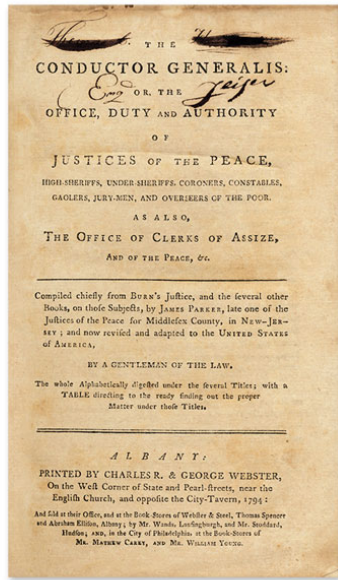
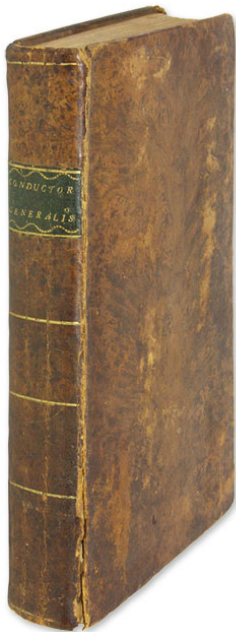
**Biographical Sketches
of the Antebellum Bar of South Carolina**

22. O'Neill, John Belton.

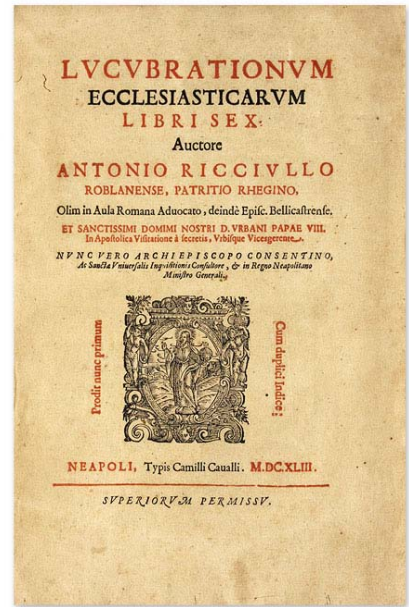
Biographical Sketches of the Bench and Bar of South Carolina. To Which is Added, The Original Fee Bill of 1791, With the Signatures in Fac-Simile, The Rolls of Attorneys Admitted to Practice, From the Records at Charleston and Columbia. Etc., Etc. Charleston: S.G. Courtenay & Co., 1859. Two volumes. Folding table. Plates of facsimile signatures. Octavo (9" x 6").

Recent cloth, lettering pieces to spine. Light toning to text, faint dampstaining to head of text block in parts of Volume II, careful repair to tear in folding table, Early owner signature to title page of each volume, interior otherwise clean. \$450.

* Only edition. With a list of various judicial officers dating back to 1698. Early bar histories are valuable sources of first-hand information that are not available in other sources. In addition to archival material, Judge O'Neill, a senior member of South Carolina's bench and bar, drew heavily on interviews, personal memory and interviews with relative and descendants. Cohen, *Bibliography of Early American Law* 2198.



Item 23



Item 24

**1794 Albany Edition of the *Conductor Generalis*
Adapted to the Needs of New York, New Jersey and Pennsylvania**

23. Parker, James [1714-1770].

The Conductor Generalis: Or, the Office, Duty and Authority of Justices of the Peace, High-Sheriffs, Under-Sheriffs, Coroners, Constables, Gaolers, Jury-Men, And Overseers of the Poor. As Also the Office of Clerks of Assize, And of the Peace, &c. Compiled Chiefly from Burn's Justice, and the Several Other Books on Those Subjects, By James Parker, Late One of the Justices of the Peace for Middlesex County, in New-Jersey; And Now Revised and Adapted to the United States of America. By a Gentleman of the Law. Albany: Printed by Charles R. and George Webster, 1794. xv, [1], 17-467, [1] pp. Octavo (8" x 5").

Contemporary sheep treated to resemble tree calf, gilt fillets and lettering piece to spine. Light rubbing to boards, moderate rubbing to extremities, front joint and hinge starting at foot. Light browning and occasional faint spotting to text. Later inscription to front endleaf (dated 1907), two early signatures to head of title page, interior otherwise clean. \$200.

* A popular American legal manual issued by different printers and publishers largely based on English sources, primarily Burn. The first edition by Parker appeared in 1764. The present edition is a reissue of the 1792 edition published in Philadelphia by Robert Campbell without the Ten Pound Act and the sections on military and excise law. The preface says this edition is adapted to the needs of New York, New Jersey and Pennsylvania. Part II (pages 377-467) contains: *The Office and Duty of Sheriffs; The Office of a Gaoler, and Concerning Escapes; The Office and Duty of the Clerk of Assize and Clerk of the Peace; A Guide to Juries; An Abstract of Magna Charta; Notes on Magna Charta; Of Maxims and General Rules, from Jacob's Law Grammar; Of Actions and Remedies and Of Fictions, Intendments, and Presumptions.* Cohen, *Bibliography of Early American Law* 7962.

Rare Treatise on Laws Concerning Holy Relics

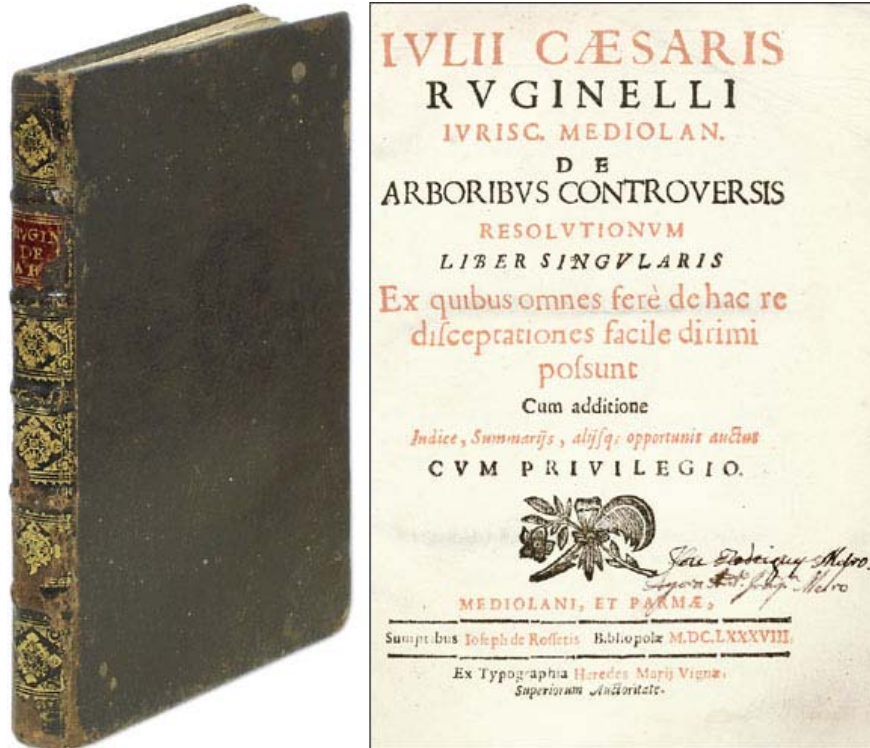
24. Ricciullo, Antonio [c.1570-1642].

Lucubrationum Ecclesiarum Libri Sex. Vidilicet de Cultu, Et Veneratione Sanctar[um] Reliquiarum, Episcopo Titulari, Eraemitis Confraternitatibus, Laicor[um], Praedicatorum, Feriis, Faestisq[ue] diebus. Naples: Typis Camilli Cavalli, 1643. [xxii], 312, 48 pp. Main title page preceded by copperplate pictorial title page. Main text in parallel columns. Folio (12" x 8")

Contemporary limp vellum with lapped edges, ties lacking, early hand-lettered title and somewhat later hand-lettered title panel to spine. Spine darkened, minor wear to spine ends and corners, vellum beginning to crack through pastedowns. Pictorial title page printed within

architectural border, main title page printed in red and black, woodcut decorated initials. Moderate toning to text, somewhat heavier in places, faint dampspotting to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. \$1,250.

* Only edition. Grounded in the body of canon law of persons, this curious treatise addresses issues regarding the possession of holy relics. Its author was, successively, Bishop of Belcastro, Umriatico, Caserto and Cosenza. Appointed inquisitor-general for Naples by Pope Urban VIII, he brought the Inquisition to Naples and pursued its mission with great zeal. OCLC locates 2 copies in North America (at UC-Berkeley Law School and the University of Chicago). Not in the *British Museum Catalogue* or *The Canon Law Collection of the Library of Congress*.



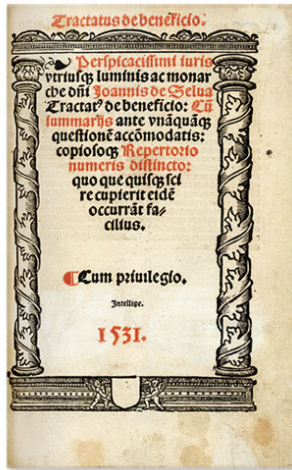
Authoritative Treatise on Forestry Law

25. Ruginelli, Giulio Cesare [d.1628].

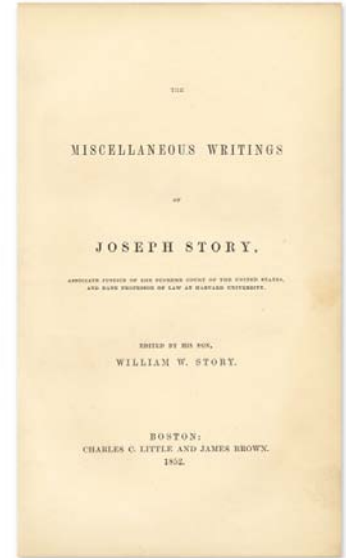
De Arboribus Controversis Resolutionum Liber Singularis. Ex Quibus Omnes Sere de Hac re Disceptationes Facile Dirimi Possunt. Cum Additione Indice, Summarijs, Alijsq Opportnis Auctus. Milan: Sumptibus Iosephi de Rossetis, 1688. [viii], 230, [1] pp. Quarto (7-1/2" x 5-1/2").

Contemporary calf, gilt spine with raised bands, early hand-lettered title to foot of text block. Rubbing with some wear to extremities and spine, minor spotting and a few small scuffs, boards slightly bowed, partial crack between front free endpaper and title page. Title page with small woodcut device printed in red and black, attractive woodcut head-pieces, tail-pieces and decorated initials. Occasional faint dampstaining to foot of text block, worming to top edge of about a dozen leaves with no loss to text. Two small early owner signatures to title page, minor smudges and spark burns to a few leaves, interior otherwise fresh. An attractive copy. \$650.

* Later edition, enlarged. With index. This is a treatise on forestry law and legislation in Roman law that discusses trees, roots, branches, flowers and fruit. An authoritative work, it went through several editions, the final appearing in 1824. Few copies of any several editions, the final appearing in 1824. Few copies of any edition are held in North American libraries. OCLC locates 2 copies of the 1688 edition (Harvard Law School, New York Botanical Garden Library). This edition not in the *British Museum Catalogue*.



Item 26



Item 27

**A Durable
Treatise on Benefices**

26. Selve, Jean de [d. 1529].

Tractatus de Beneficio: Perspicacissimi Iuris Utrius[que] Luminis ac Monarche D[omi]ni Joannis de Selva Tractat[us] de Beneficio: Lusummariis Ante Una[m]qua[m]q[ue] Questione[m] Acco[m]modatis: Copiosq[ue] Repertorio Numeris Distincto: Quo que Quisq[ue] Scire Cupierit eide Occurrat Facilius. [Lyons: Jean David], 1531. 290, 18 ff. Octavo (7" x 4-1/2").

Recent calf, raised bands and lettering piece to spine, endpapers renewed, early hand-lettered title to foot of spine. Light rubbing to extremities. Title page with woodcut architectural border printed in red and black, woodcut decorated initials. Light toning to text, negligible foxing in places, recent repairs to a few leaves. Underlining to a few pages, interior otherwise clean. \$1,500.

* Later edition. This notable canon-law treatise on ecclesiastical benefices and pensions was originally published in 1504. It went through at least editions into the seventeenth century. Baudrier, *Bibliographie Lyonnaise* V152, 290.

Miscellaneous Writings of Joseph Story

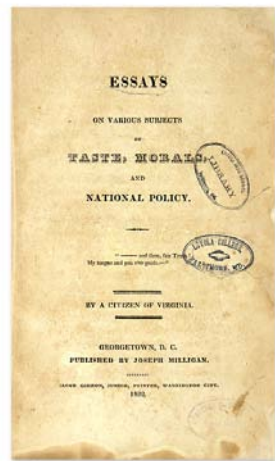
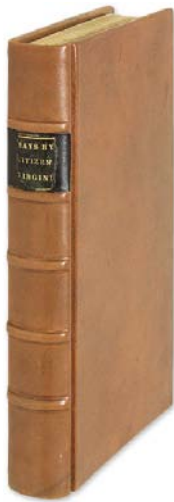
27. Story, Joseph [1779-1845].

[**Story, William W. (1819-1895), Editor**].

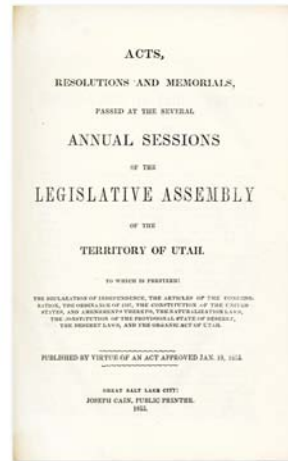
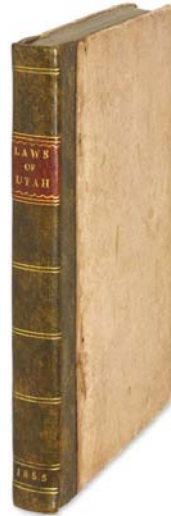
The Miscellaneous Writings of Joseph Story, Associate Justice of the Supreme Court of the United States and Dane Professor of Law at Harvard University, Edited by his Son. Boston: C.C. Little and J. Brown, 1852. 4, x, 828 pp. Includes four-page publisher catalogue. Octavo (9" x 6").

Contemporary textured cloth with decorative blind-stamping. Light wear to spine ends and corners, gathering containing pp. 701-704 bound upside down. Toning to text, internally clean. A nice copy. \$275.

* Second edition, substantially expanded and reorganized. Story's enormous influence on American law is demonstrated in this collection, which was originally published by Joseph Story in 1835. It includes an autobiography, which is in the form of a fascinating long letter to his son, and many other articles, essays, lectures and biographical sketches of judges and lawyers (including Chief Justice John Marshall and Associate Supreme Court Justice Bushrod Washington). Other pieces are a proposed course of legal study and essays on maritime law, piracy, the slave trade, commercial law and codification of the common law. Cohen, *Bibliography of Early American Law* 2289.



Item 28



Item 29

An Important Virginian and Early American Man of Letters

28. [Tucker, George (1775-1861)].

Essays on Various Subjects of Taste, Morals, And National Policy. Georgetown, D.C.: Published by Joseph Milligan, 1822. [ii], [v]-xi, [iii], 350 pp. Octavo (8-1/4" x 5-1/2").

Recent period-style calf, raised bands and original lettering piece to spine. Chipping to edges of lettering piece, light browning and foxing to text, faint dampstaining to a few leaves, some edgewear to title page. Later owner signature to verso of title page, a few early manuscript corrections to text, interior otherwise clean. Ex-library. Three small inkstamps to title page. \$400.

* Only edition. George Tucker, a cousin of St. George Tucker, was an important Virginian and a notable early American man of letters. He was an attorney, author, educator and politician who served in the Virginia House of Delegates and the U.S. House of Representatives. He wrote the first fictional work set in colonial Virginia and was one of the first Americans to write science fiction. Tucker also published the first comprehensive biography of Thomas Jefferson and a history of the United States. *Essays on Various Subjects* is based on a series of essays, titled *Thoughts of a Hermit*, that were published in the *Port Folio*, a periodical published in Philadelphia. Contents: "On the Future Destiny of the United States," "On Simplicity in Ornament," "On American Literature," "On Density of Population," "On Classical Education," "On Architecture," "On National Debts," "On Style," "On Beauty," "On Banks of Circulation," "On Rhyme," "On Duelling," "On Instructions to Representatives," "On Scientific Pursuits" and "On the Theory of Malthus." Sabin, *A Dictionary of Books Relating to America* 97300.

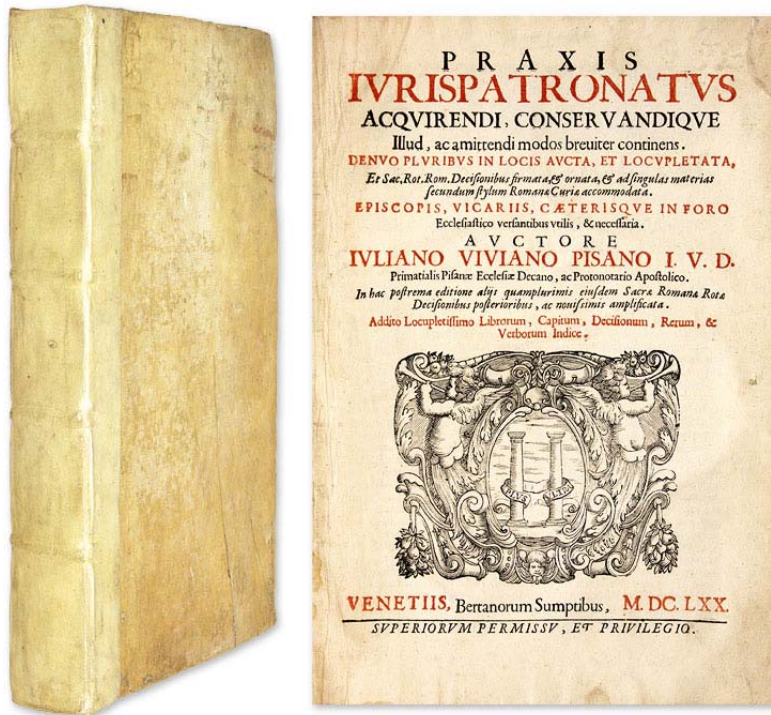
First Collected Laws of Utah Territory

29. [Utah Territory].

Acts, Resolutions and Memorials, Passed at the Several Annual Sessions of the Legislative Assembly of the Territory of Utah. To Which is Prefixed: The Declaration of Independence, The Articles of the Confederation, The Ordinance of 1787, The Constitution of the United States, And Amendments Thereto, The Naturalization Laws, The Constitution of the Provisional State of Deseret, The Deseret Laws, And the Organic Act of Utah. Great Salt Lake City: Joseph Cain, Public Printer, 1855. 460 pp. Octavo (7-1/2" x 5").

Recent quarter calf over contemporary paper-covered boards, lettering piece and gilt fillets to spine. Light soiling, edgewear and a few minor stains to boards, corners bumped, corners bumped. Light toning to text, internally clean. \$450.

* With side notes and indices. This volume collects to first laws of Utah Territory, established by Mormon settlers as the State of Deseret in 1849 and organized as Utah Territory by the Federal government in 1850. The laws of the fourth annual session were not printed separately; they only appeared in this compilation. It also contains the first published versions of the constitution of the State of Deseret and the 1851 Ordinances of General Assembly. A few laws concern grants and concessions to Brigham Young, Ezra T. Benson and other early Mormon leaders. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 563, 565, 566.



Patronage and Benefices in Canon Law

30. Viviani, Giuliano [1581-1641].

Praxis Iurispatronatus Acquirendi, Conservandique Illud, Ac Amittendi Modos Breuiter Continens. Denuo Pluribus in Locis Aucta, Et Locupletata, Et Sac. Rot. Rom. Decisionibus Firmata, & Ornata, & ad Singulas Materias Secundum Stylum Romanae Curiae Accommodata. In hac Postrema Editione Aliis Quamplurimis Eiusdem Sacrae Romanae Rotae Decisionibus Posterioribus ac Novissimis Amplificata. Addito Locupletissimo Librorum, Capitum, Decisionum, Rerum, & Verborum Indice. Venice: Bertanorum Sumptibus, 1670. [xvi], 365 [i.e. 377], [67], 190, [2] pp. Main text in parallel columns. Folio (12" x 8").

Contemporary vellum with early rebacking, raised bands to spine, endpapers renewed. Light rubbing and a few minor stains and scratches to boards, corners bumped and lightly worn, repairs to upper corners of half-title and title page. Title page, with large woodcut printer device, printed in red and black, woodcut head-pieces and decorated initials. Light toning to text, light soiling to half-title, internally clean. Ex-library. Bookplate to front pastedown. \$500.

* Fifth edition. Enhanced with a selection of Rota decisions, this treatise offer a thorough review of the laws governing patronage and benefices in canon law, a large topic concerning salaries, pensions and other forms of payment. The author, a priest and canon lawyer, was a church official in Pisa who held a position in the Papal Curia. The first edition was published in 1620 with later editions in 1628, 1648, 1652, 1670 and 1673. All are scarce, with few copies held in North American libraries. OCLC locates 1 copy of the sixth edition (at the University of Chicago). Not in the *British Museum Catalogue* or *The Canon Law Collection of the Library of Congress*.

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