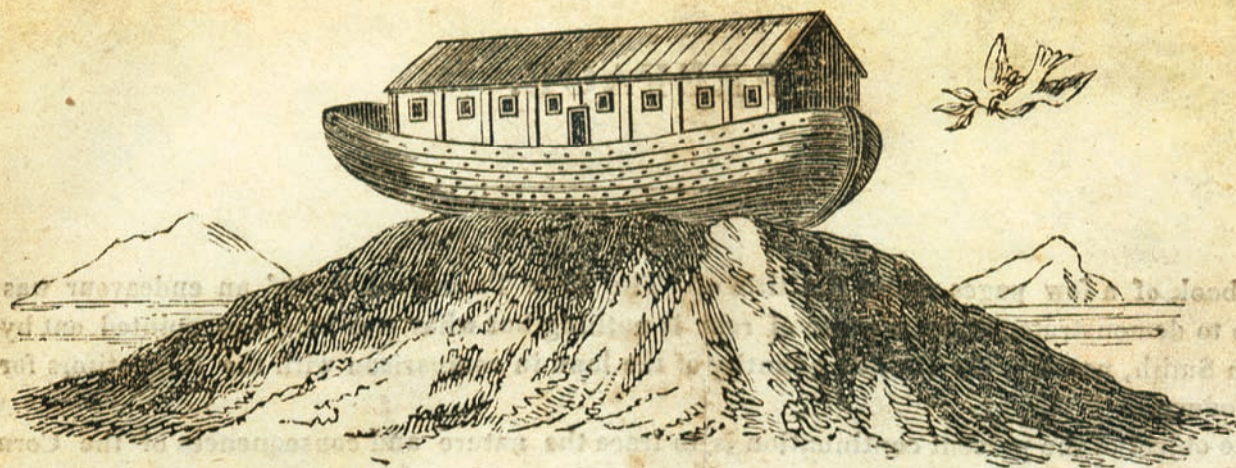

A SELECTION OF 30
ANTIQUARIAN
TITLES

August 23, 2016



If Noah had shut himself up in his ark, and let his family eat nothing but what could be grown upon his decks, he would soon have had an outcry against population, and an Emigration Committee; and Shem, Ham, and Japhet would have been 'distressed manufacturers.'

It can make no difference except in the size of the experiment, whether men are confined to the corn [of an ark or of an island.—p. 26.

THE
LAWBOOK EXCHANGE
LTD.

The Lawbook Exchange, Ltd.

(800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887
law@lawbookexchange.com | www.lawbookexchange.com

A Selection of 30 Antiquarian Titles



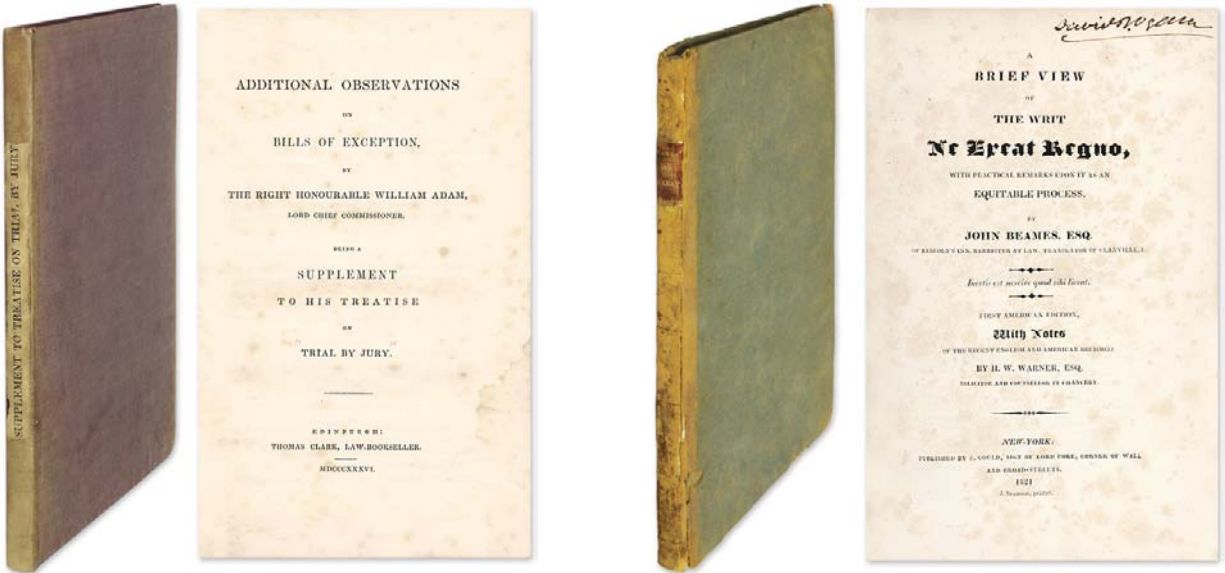
Scarce Eighteenth-Century Treatise on Prize Law and Privateering

1. Abreu y Bertodano, Felix Joseph de [c.1700-1775].

Traité Juridico-Politique sur les Prises Maritimes, et Sur les Moyens qui Doivent Concourir pour Rendre ces Prises Légitimes. Paris: Chez la Veuve Delaguette, 1758. Two volumes in one, each with title page and individual pagination. Octavo (6-1/2" x 4").

Contemporary speckled sheep, raised bands, lettering piece and gilt ornaments to spine, speckled edges, patterned endpapers. Some wear to corners, joints starting, some worming to lettering piece, joints and hinges. Attractive woodcut head-pieces. Toning to sections of text, light foxing to a few leaves, internally clean. An appealing copy of a scarce title. \$1,500.

* Second French edition. First published in Madrid in 1746, this treatise on prize law and privateering went through three other editions, all in France in a translation by the author, in 1753, 1758 and 1802. Little is known about Abreu, a minor Spanish noble and diplomat. According to the title page, he was a "membre de l'Académie Espagnole, & actuellement Envoyé Extraordinaire de S.M. Catholique aupres du Roi de la Grande-Bretagne." OCLC locates 5 copies of all editions in the Americas, 1 of this edition (at Columbia University Law Library). Not in the *British Museum Catalogue*. Camus, *Bibliothèque Choisie des Livres de Droit* 2289 (citing a later edition).



Item 2

Item 3

**Rare Essay on Bills of
Exception from the Library of Woburn Abbey**

2. Adam, William [1751-1839].

Additional Observations on Bills of Exception, Being a Supplement to His Treatise on Trial by Jury. Edinburgh: Thomas Clark, Law-Bookseller, 1836. 41 pp. Octavo (8-1/2" x 5-1/2").

Contemporary cloth, printed paper title label to spine. Some rubbing to extremities, corners bumped, front joint just starting at head, light fading to spine and parts of boards. Armorial bookplate of Woburn Abbey (dated 1873) to front pastedown, "Bedford" in bold hand to front free endpaper, one leaf partially detached but secure. Faint dampstaining to foot of text block, light foxing, internally clean. \$250.

* Only edition. This is a supplement to Adam's *Practical Treatise and Observations on Trial by Jury in Civil Causes* (1836). Adam produced this "supplement" to answer the objections of the dean of faculty of the University of Edinburgh to his doctrine on bills of exception and elaborate his argument. The signature "Bedford" is probably that of William Russell [1809-1872], Eighth Duke of Bedford and the owner of Woburn Abbey, or his son, Francis Charles Hastings Russell [1819-1891], Ninth Duke. OCLC locates 2 copies (at the New York Public and Los Angeles City Law Libraries). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 5:4.

"Valuable Guide" to the Writ *Ne Exeat Regno*

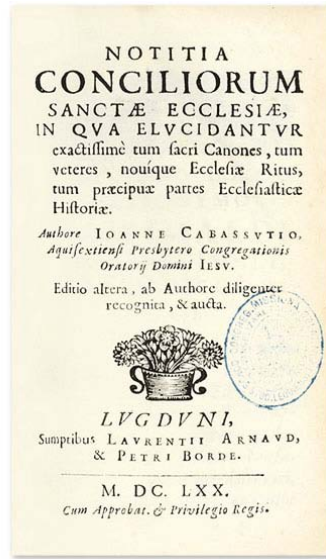
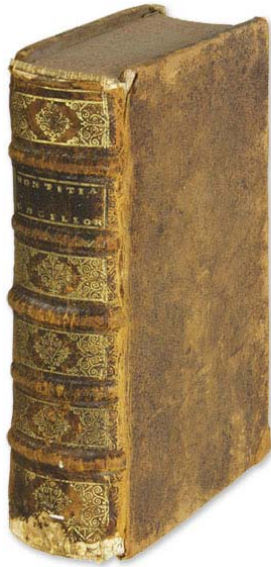
3. Beames, John [1781?-1853].

Warner, H.W., Notes.

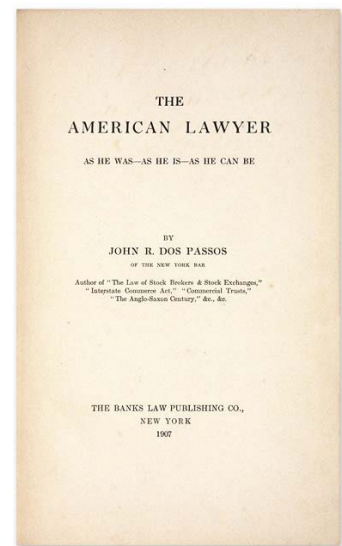
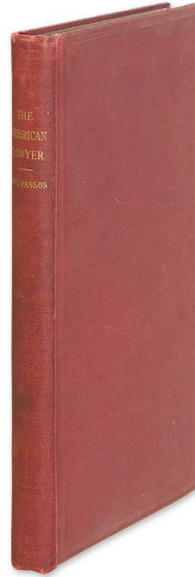
A Brief View of the Writ Ne Exeat Regno, With Practical Remarks Upon It as an Equitable Process With Notes of the Recent English and American Decisions. New York: Published by S. Gould, 1821. 7, xi, 77 (i.e. 67) pp. Paged irregularly, following the paging of the original (London) edition, which is given in footnotes. (The beginnings of the pages are indicated in the text by asterisks.) Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter sheep over paper boards, lettering piece and blind fillets to spine. Some rubbing with wear to spine ends, corners bumped, front joint cracked but secure. Toning, light foxing. Early (illegible) owner signature to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A solid copy of a scarce title. \$350.

* First American edition, from the first London edition (1812). The equity writ *Ne Exeat Regno* is a tool to restrain a person from leaving a country or the jurisdiction of a court. It also refers to the process equity courts used to obtain bail or security to abide a decree. "This work will be found a valuable guide to the profession in those states having Courts of Equity.": Marvin, *Legal Bibliography* (1847) 103. Cohen, *Bibliography of Early American Law* 4929.



Item 4



Item 5

A Distinguished Writer on Ecclesiastical History, Canon Law and Theology

4. Cabassut, Jean [1604-1685].

Notitia Conciliorum Sanctae Ecclesiae, In Qua Elucidantur Exactissime Tum Sacri Canones, Tum Veteres, Novique Ecclesiae Ritus, Tum Praecipuae Partes Ecclesiasticae Historiae. Editio Altera, Ab Authore Diligenter Recognita, & Aucta. Lyons: Sumptibus Laurentii Arnaud & Petri Borde, 1670. [xxiv], 720, [60] pp. Octavo (7" x 4").

Contemporary sheep, gilt spine with raised bands and lettering piece, speckled edges. Moderate rubbing, chipping to spine ends, corners bumped and somewhat worn, hinges cracked but secure. Attractive woodcut title-page device and head-piece. Contemporary (illegible) owner signature to front free endpaper. Toning, occasional light foxing, internally clean. \$150.

* Later edition. First published in 1668, this treatise discusses disputed points (concilia) in canon law. Cabassut, a French theologian, priest and authority on canon law, was a distinguished writer on ecclesiastical history, canon law, and theology. His writings reflect his adherence to Probabilism, a moral system applicable to cases of conscience that involve the obligation of doubtful laws. Like other Probabilists, Cabassut believed that a doubtful law is invalid. It is therefore permissible to follow an opinion contrary to that law if it is clearly probable. KVK locates 19 copies of this edition. Not in Adams. This edition not in the *British Museum Catalogue*. Ferreira-Ibarra, *The Canon Law Collection in the Library of Congress* 317.

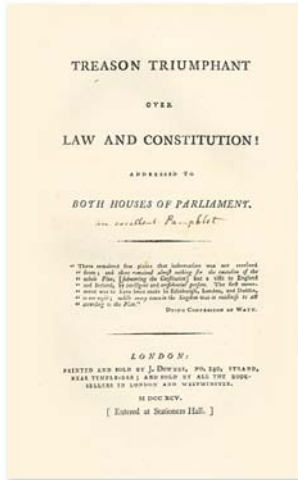
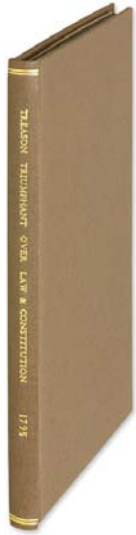
"A Forceful Statement of Original Ideas"

5. Dos Passos, John R.

The American Lawyer: As He Was-As He Is-As He Can Be. New York: The Banks Law Publishing Co., 1907. iv, 185 pp.

Textured cloth, blind frames to boards, gilt title to spine. Light shelfwear, spine ends bumped. Author presentation inscription to front free endpaper, light toning to text. \$350.

* First edition. "When a man of the recognized standing and ability of John R. Dos Passos gives his views on the American lawyer (...), one is assured of a forceful statement of original ideas. Already the author of a number of valuable works on the law, his latest contribution is very timely and ought to be welcomed and read by all whether lawyer, student of the law or those members of the general public who appreciate first-hand information on a subject as to which there is much misconception. In the opening chapters some rather startling comparisons are made between the lawyer of to-day and his predecessors of ante-bellum days. The average modern lawyer's unfamiliarity with basic constitutional principles and his consequent inefficiency as a legislator are dwelt on at length and to this the author ascribes the major part of the unconstitutional legislation which encumbers our statute books.": F.P.M., *Yale Law Journal* 16 (1907) 375.



Item 6



Item 7

**An Urgent 1795 Pamphlet
Calling For Stricter Homeland Security**

6. [Downes, J., Attributed].

Treason Triumphant Over Law and Constitution! Addressed to Both Houses of Parliament. London: Printed and Sold by J. Downes, 1795. [4], xxiv, 64 pp. Octavo (8" x 5").

Stab-stitched pamphlet bound into recent cloth, endpapers renewed. Toning, contemporary annotation to title page ("an excellent pamphlet"), occasional contemporary underlining and check marks. A handsomely bound copy of an interesting and scarce title. \$450.

* Only edition. In 1794 two Scots, Robert Watt and David Downie, were executed for high treason after a failed attempt to organize a militia in England, Scotland and Ireland to overthrow Parliament. Three men supposed to have been lieutenants were acquitted. Downes's pamphlet denounces their release, asserts their guilt and urges the removal of legal protections, such as the suspension of *habeas corpus*, to prevent future "Republican Treasons." OCLC locates 13 copies. *British Museum Catalogue* (Compact Edition) 25:407.

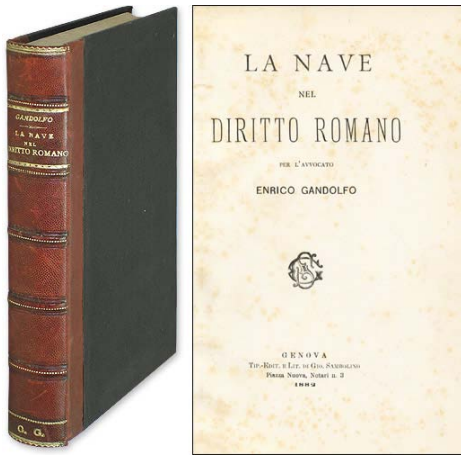
Disputed Points in the Construction and Interpretation of Roman Law

7. Fachinei, Andrea [d. 1607].

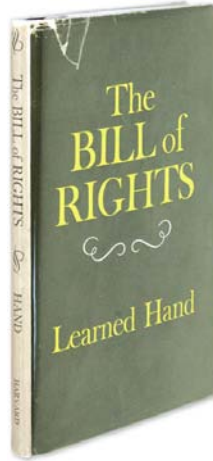
Controversiarum Opus, In Quatuor Tomos Sectum, Quorum Primus Complectitur Libros I. II. III. Secundus IV. V. VI. Tertius VII. VIII. IX. Quartus X. XI. XII. XIII. Cui Primo Accreuit Tomus Quartus, Deinde Cuique Tomo Argumenta Praefixa, Terio Superadditus ext Triplex Elenchus. Unus Capitum, Alter Verb. Sentent. & Rerum: Tertius V.I. Locorum, Universo hoc Opere Cribratorum. Geneva: Apud Peterum & Iacobum Chouet, 1621. [xxiv] pp., 2495 cols. [84] pp. Main text printed in double columns. Small folio (9-1/2" x 6-1/2").

Contemporary vellum with lapped edges, faint early hand-lettered title to spine, rouged edges. A few minor stains to boards, some rubbing to extremities, front joint cracked but secure, vellum breaking through pastedowns, crack in text block between front endleaf and title page. Title page with large woodcut Aldine anchor-and-dolphin device printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Toning, occasional faint dampstaining and foxing to head of text block. Early owner signature to front free endpaper, later bookseller descriptions pasted to front pastedown. A nice copy of a scarce title. \$650.

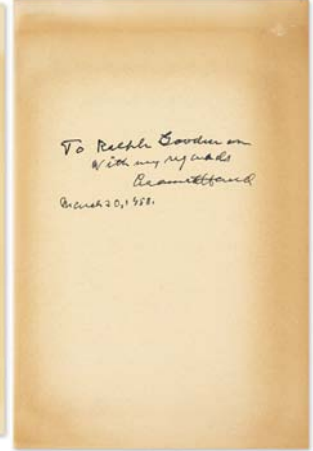
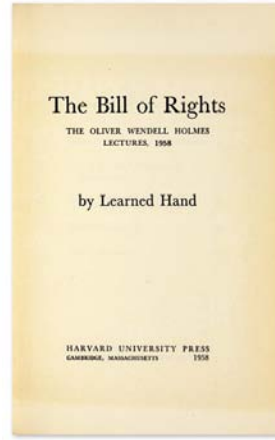
* Later edition. This treatise on disputed points in the construction and interpretation of Roman law was originally published in three parts in 1595-97. An influential study, it went through several editions and issues. It was cited often by Roman-Dutch jurists of the eighteenth century. An Italian by birth, Fachinei was a professor of law at the University of Ingolstadt from 1587 to 1597 and at the University of Pisa from 1601 to the end of his life. This edition bears the famous Aldus device because Aldus's interests had passed into the hands of Peter and James Chouet. This edition not in Camus or the *British Museum Catalogue*. Roberts, *A South African Legal Bibliography* 118 (citing other editions).



Item 8



Item 9



Uncommon Italian Study of Roman Maritime Law

8. Gandolfo, Enrico.

La Nave del Diritto Romano. Genoa: G. Sambolino. 1882. [iii], [3]-347 pp. Octavo (9" x 6").

Contemporary quarter morocco over pebbled cloth, raised bands and gilt title to spine, speckled edges. Light rubbing to extremities. Occasional light foxing, interior otherwise fresh. \$400.

* Only edition. Gandolfo offers a thorough overview of Roman maritime law and its historical development. It was reprinted in 1980. Both issues are rare. OCLC locates 3 copies, all in Europe, none of the reprint. *British Museum Catalogue* (Compact Edition) 10:75.

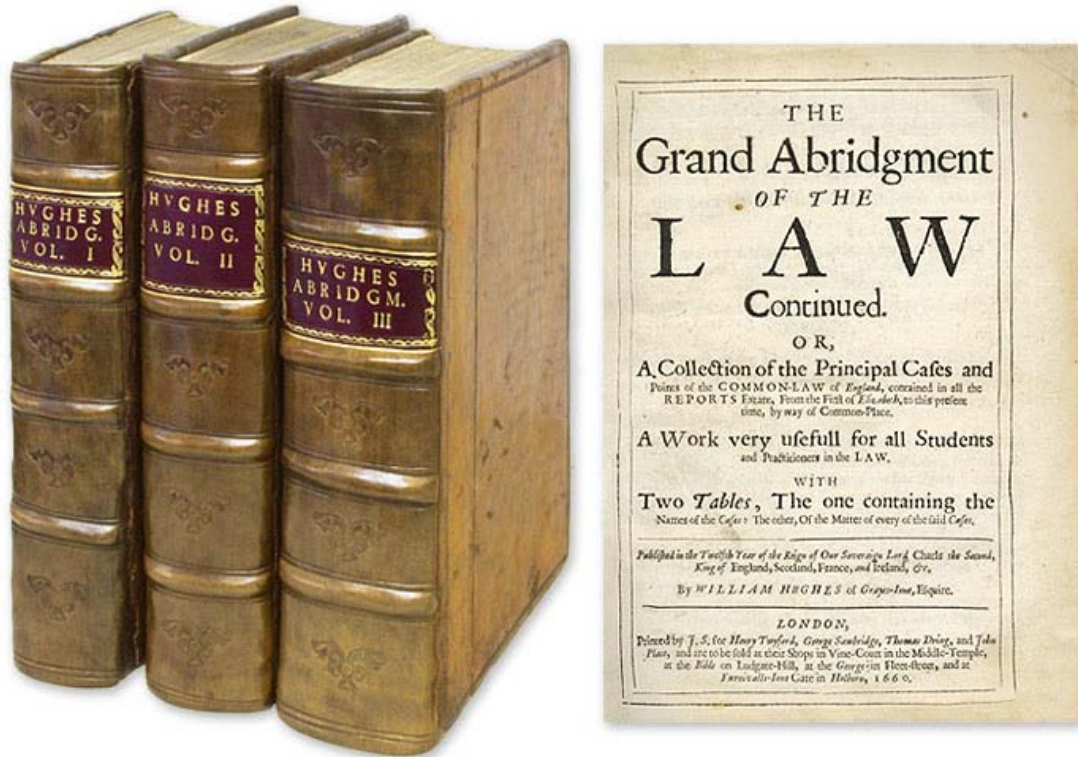
Inscribed by Learned Hand

9. Hand, Learned [1872-1961].

The Bill of Rights. Cambridge: Harvard University Press, 1958. v, 82 pp.

Cloth very good in moderately worn dust jacket with lightly soiled rear panel. Author inscription to front free endpaper in bold hand, internally fresh. \$1,500.

* First edition. The inscription reads To Ralph Goodman/ With my regards/ Learned Hand/ March 20, 1958. The published version of the Oliver Wendell Holmes Lectures delivered at Harvard University in 1958, this influential book discusses the propriety of judicial efforts to expand the scope of the first ten amendments. It has three chapters, "When a Court Should Intervene," "The Fifth and Fourteenth Amendments" and "The Guardians." One of the most significant American jurists of the twentieth century, Hand was a judge of the U.S. Southern District of New York from 1904-1924 and a judge of the Court of Appeals, Second Circuit, from 1924 to 1956. His judgments were renowned for their lucidity and elegance.



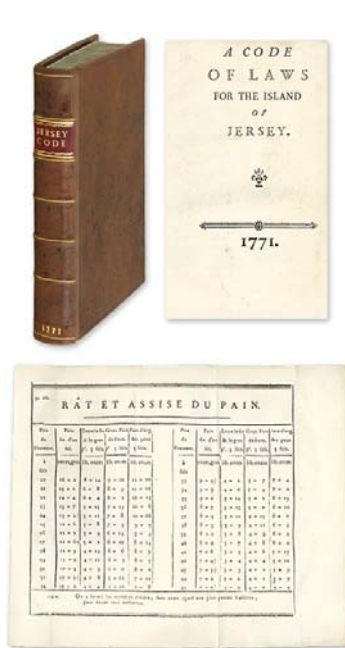
**"A Good Authority" on the
Abridgements and a Valuable Companion to Wingate**

10. Hughes, William.

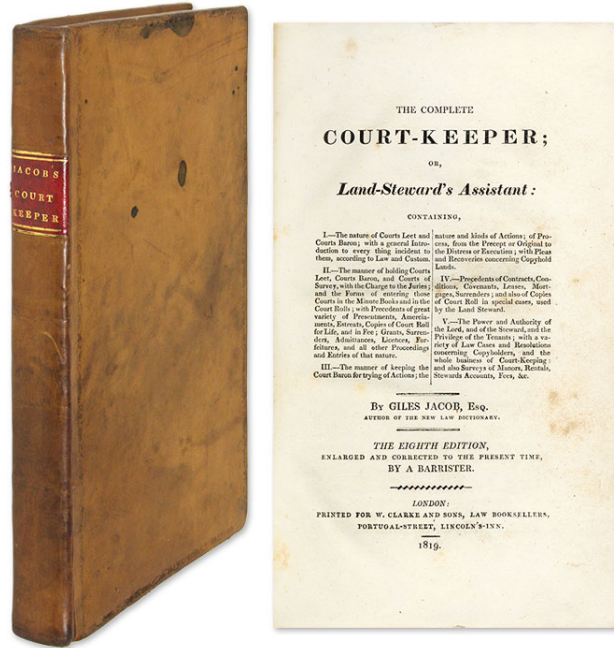
The Grand Abridgment of the Law Continued. Or, A Collection of the Principal Cases and Points of the Common-Law of England, Contained in All the Reports Extant, From the First of Elizabeth, to this present Time, By Way of Common-Place. A Work Very Usefull for All Students and Practitioners in the Law. 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. [1], 344, 353-758; [cxii], 759-1268, 1277-1418, 1423-1576; [cxxxviii], 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, rebacked 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, *Legal Bibliography* 402. *English Short-Title Catalogue* R12818.



Item 11



Item 12

The First British Code of Laws for the Island of Jersey

**11. [Jersey].
[Channel Islands].**

A Code of Laws for the Island of Jersey. [St. Helier, s.n.]: 1771. [ii], vi, 336, [53] pp. Folding table. Octavo (7" x 4-1/2").

Recent period-style calf, raised bands and lettering piece to spine, endpapers renewed, marbled edges. Early owner inscription to front free endpaper (R.G. Mourant/ May, 1943). Toning, light foxing in a few places, interior otherwise fresh. \$750.

* Only edition. With index and text of the decree (in English) ordering this compilation signed by W. Blair. Main text in French. The first printed code of laws established for the island of Jersey. The contents are digested by topic. Located between the northern coast of France and the southern coast of England, Jersey was originally part of Brittany. The island was eventually annexed to the Duchy of Normandy. When William the Conqueror conquered England in 1066, the Duchy and the kingdom of England were united. It was originally governed by customary law recorded in manuscript compilations. Under the direction of the Committee of Council for the Affairs of Jersey and Guernsey these laws were codified in 1771. OCLC locates 15 copies worldwide. A second edition of this code was issued in 1860. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:586 (5).

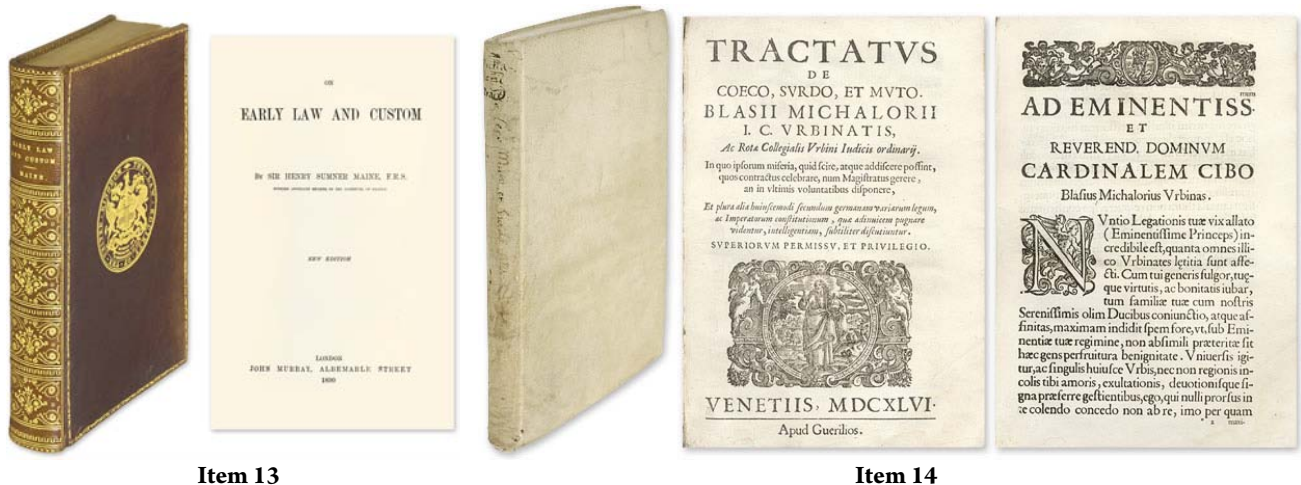
Final Edition of Jacob's Treatise on Real Property

12. Jacob, Giles [1686-1744].

The Complete Court-Keeper: Or, Land-Steward's Assistant: Containing, I.-The Nature of Courts Leet and Courts Baron; With a General Introduction to Every Thing Incident to Them, According to Law and Custom. II.-The Manner of Holding Courts Leet, Courts Baron, and Courts of Survey, With the Charge to the Juries; And the Forms of Entering Those Courts in the Minute Books and in the Court Rolls; With Precedents.... III.-The Manner of Keeping the Court Baron for Trying of Actions; The Nature and Kinds of Actions.... IV.-Precedents of Contracts, Conditions, Covenants, Leases, Mortgages.... V.-The Power and Authority of the Lord, And of the Steward, And the Privilege of the Tenants, With a Variety of Law-Cases and Resolutions Concerning Copyholders.... Enlarged and Corrected to the Present Time by a Barrister. London: Printed for W. Clarke and Sons, 1819. iv, 338, [15], [3] pp. Includes three-page publisher catalogue. Octavo (8-1/2" x 5").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. A few small inkstains to boards, corners lightly bumped, front hinge just starting. Early annotation to front pastedown. Light foxing in a few places, creases to some leaves, minor worming to lower margins of final few leaves with no loss to text. A nice copy in a well-preserved binding. \$350.

* Eighth and final edition. First published in 1713, this comprehensive treatise on landlord and tenant was a standard work for many years. A practical book designed mainly for the use of stewards, it reflects the author's experience with court keeping. Holdsworth includes this title among his list of notable works on land law and speaks well of it. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:400.



Item 13

Item 14

Early Law and Custom in a Handsome Prize Binding

13. Maine, Sir Henry Sumner [1822-1888].

On Early Law and Custom. London: John Murray, 1890. 402 pp. Octavo (8-1/2" x 5-1/2").

Contemporary signed morocco binding (by J. Low), all edges gilt, gilt spine with raised bands, gilt heraldic device of the Law Society of the United Kingdom to front board, presentation bookplate to front free endpaper. Light rubbing to extremities, negligible light fading to spine, boards slightly bowed, crack to text block between front free endpaper and following leaf. Interior notably fresh. \$350.

* "New Edition." First published in 1883 as, *Dissertations on Early Law and Custom*. Like the equally distinguished *Village Communities in the East and the West* (1871) and the *Early History of Institutions* (1875), this treatise considers aspects of traditional societies to establish and illustrate the normal process of development in legal and political ideas, most notably freedom of contract. "Maine indicates the place in the development of a legal system of such agencies as legal fictions and equity. He explains the history of the concept of a law of nature; and in his account of the contrast between primitive and modern society--between the place which the law of persons occupies in primitive and modern law--he comes to the famous conclusion that the government of progressive societies has been from status to contract.": Holdsworth, *History of English Law* XV: 363-4. *British Museum Catalogue* (Compact Edition) 16:600.

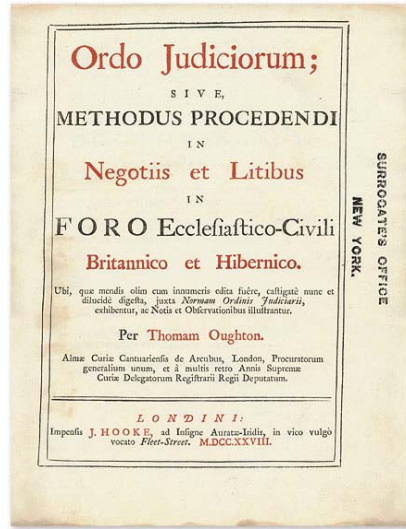
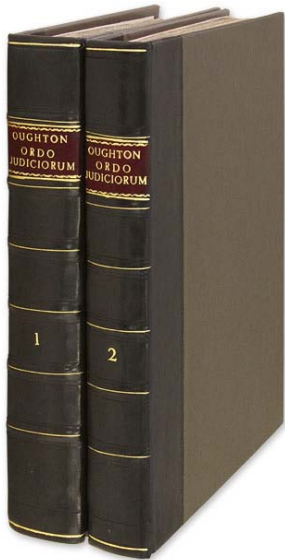
Seventeenth-Century Treatise Concerning People with Disabilities

14. Michalorius, Blasius.

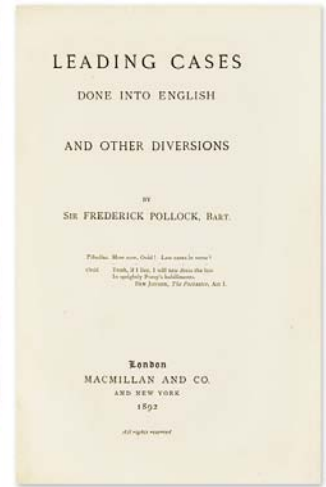
Tractatus de Coeco, Surdo et Muto. In quo Ipsorum Miseria, Quid Scire, Atque Addiscere Possint, Quos Contractus Celebrare, Num Magistratus Gerere, An in Ultimis Voluntatibus Disponere, Et Plura Alia Huiusmodi Secundum Germanam Variarum Legum, Ac Imperatorum Constitutionum, Quae Adinucem Pugnare Videntur, Intelligentiam, Subtiliter Discussuntur. Venice: Apud Guerilios, 1646. [viii], 152, [20] pp. Main text in parallel columns. Quarto (8" x 6").

Contemporary limp vellum, early hand-lettered title to spine. Light wear to spine ends and corners, minor worming to hinges, front hinge staring at bottom. Worming to front and rear endpapers. Attractive large woodcut vignette to title page, woodcut head-piece. Toning in some places, interior otherwise fresh. \$750.

* First edition. One of the earliest works of its kind from the early modern era, this is a curious canon-law treatise concerning blind, mute and deaf people. It appears to have been a well-received work; other editions were published in 1667, 1681, 1709, 1710 and 1847. Michalorius was a canon lawyer and member of the Rota Romana. OCLC locates 9 copies in the United States, 2 in law schools (Yale and UC-Berkeley). *British Museum Catalogue* (Compact Edition) 17:450.



Item 15



Item 16

**"The Accepted Authority
on the Practice of the Ecclesiastical Courts"**

15. Oughton, Thomas.

Ordo Judiciorum; Sive, Methodus Procedendi in Negotiis et Litibus in Foro Ecclesiastico-Civili Britannico et Hibernico. Ubi, Quae Mendis Olim cum Innumeris Edita Fuere, Castigate nunc et Dilucide Digesta, Juxta Normam Ordinis Judiciarii, Exhibentur, Ac Notis et Observationibus Illustrantur. London: Impensis J Hooke [Volume I]; Impensis Authoris [Volume II], 1728-1738. Two volumes. [xii], 487; [vii], 465 pp. Quarto (10" x 8").

Recent period-style quarter calf over cloth, endpapers renewed. Title pages printed in red and black, woodcut head and tail-pieces. Some edgewear to preliminaries and endleaves. Later institution stamps to a few leaves of both volumes, interiors otherwise clean. A handsome set. \$750.

* Second and final edition. Volume II is entitled: *Ordo Judiciorum; Seu Formularium in Negotiis et Litibus in Foro Ecclesiastico-Civili.* Oughton "was a learned man, who spared no pains to produce a book which was scientific, accurate, and historically correct. He consulted public and private muniment rooms, the records of the courts, the Cottonian MSS., and the MSS. in the Harleian library. The result of these labors was a book in two volumes, the first of which describes the practice of the ecclesiastical courts, and the second contains a collection of formularies. After the book had been finished and sent to the printers, the printing office and the MS. was destroyed by fire. But Oughton, being, as he said, 'ardens et tenax,' rewrote it. His diligence and perseverance were rewarded; for it became the accepted authority on the practice of the ecclesiastical courts." Holdsworth, *A History of English Law* XII:616. *English Short-Title Catalogue* T108877.

Pollock's Whimsical Side

16. Pollock, Sir Frederick [1845-1937].

Leading Cases Done into English and Other Diversions. London: Macmillan and Co., 1892. x, 98, [2] pp. Octavo (7-1/2" x 5").

Later signed binding by Sangorski & Sutcliffe. Three-quarter calf, over marbled boards, gilt spine with raised bands, owner initials (PT) in gilt to front board. Moderate rubbing to extremities, front board detached, rear hinge cracked but secure, internally clean and bright. \$125.

* Described by the author as a "collection of trifles including several parodies of our recent and living masters in English poetry," this volume, which is dedicated to Algernon Charles Swinburne, falls into two parts. The first offers parodic summaries of court cases in the manner of Walter Scott, Byron, Tennyson and others. The second addresses such enthusiasms as Shakespeare, Beethoven, Grimm and a fondly-remembered pet cat and demonstrates his enviable facility with Greek, Latin, French and German.



Critical Philological Essays

17. Robert, Jean [fl. 1569-1590].

Animadversionum Iuris Civilis Libri Tres. Paris: Apud Aegidium Beys, 1580. [viii], 124 [i.e. 120] fols. Quarto (9" x 6-3/4").

Contemporary limp vellum, early hand-lettered titles to spine and foot of text block, ties lacking. Some rubbing to extremities, chipping to spine, corners bumped and creased, hinges starting, some wear to edges of endleaves. Woodcut printer device, head-piece and decorated initials. Negligible small worm holes to front free endpaper and title page, faint dampstaining to margins, light foxing. Early annotations to front cover and front free endpaper. A solid copy of an important title. \$3,500.

* First edition. This important collection of critical philological essays played an important role in contemporary French debates about the chronology of Roman law. Robert was a professor of law at the University of Orleans. OCLC locates 7 copies worldwide, 4 in North America (Emory Theological Library, George Washington University Law School, the Library of Congress and UC Berkeley Law Library). Not in Adams or Camus. National Library of Scotland, *Short-Title Catalogue of Foreign Books Printed up to 1600* 308.



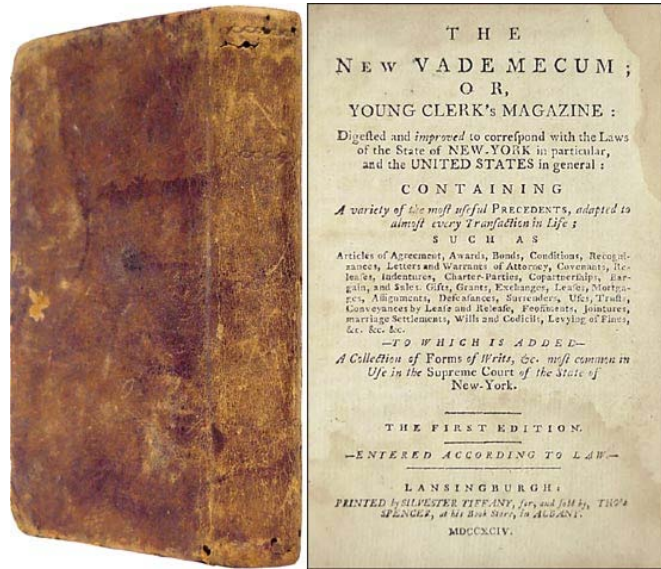
**First Edition of Selden's
Edition of *Fleta* and His *Ad Fletam Dissertatio***

18. Selden, John [1584-1645], Editor.

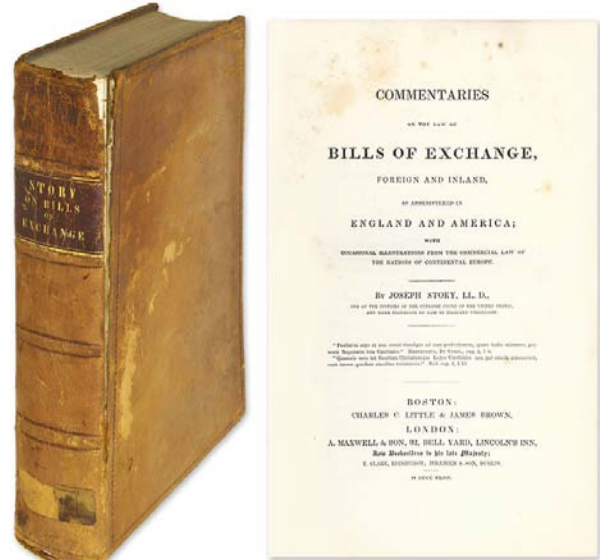
Fleta, Seu Commentarius Juris Anglicani Sic Nuncupatus, Sub Edwardo Rege Primo Seu Circa Annos ab Hinc CCCXL. Ab Anonymo Conscriptus, Atque e Codice Veteri, Autore Ipso Aliquantulum Recentiori, Nunc Primum Typis Editus. London: Typis M.F. Prostant apud Guil. Lee, & Dan. Pakeman, 1647. [8], 64, 63-452, [2], 453-553, [3] pp. Pagination irregular, text complete. Quarto (8-1/2" x 6-1/2").

Contemporary calf, blind triple rules to boards, rebacked retaining original unlettered spine with blind fillets, early hand-lettered title to fore edge. A few minor scuffs to boards, some rubbing to extremities, corners bumped. Title page printed in red and black, woodcut head-pieces and decorated initials. Toning, faint dampstaining to head of text block, offsetting to preliminaries and endleaves. Brief annotations to a few leaves, interior otherwise clean. An appealing copy. \$750.

* First edition, one of two issues from 1647. The work by an anonymous author describes the practice of the courts, the forms of writs and an explanation of law terms as they existed during the reign of Edward I. It was John Selden who first called the attention of the public to this ancient treatise, and was instrumental in procuring its publication. While Bracton earns the highest praise as the father of legal learning, *Fleta* earns a share of it for the illustrations he offered to some of the obscurities found in Bracton. Selden's appended dissertation (pp.453-553) contains many interesting observations about Bracton, Britton, *Fleta*, and Thornton "and shows what use was made of the Imperial law in England whilst the Romans governed here, at what time it was introduced into this nation, what use was formerly made of it, how long it continued, and when the use of it totally ceased in the King's Courts at Westminster.": Bridgman, *A Short View of Legal Bibliography* 87. Sowerby, *Catalogue of the Library of Thomas Jefferson*, 1647. *English Short-Title Catalogue* R15006.



Item 19



Item 20

1794 Clerk's Manual

19. [Spencer, Thomas, Editor].

The New Vade Mecum; or Young Clerk's Magazine: Digested and Improved to Correspond with the Laws of the State of New-York in Particular, and the United States in General... Lansingburgh: Printed by Silvester Tiffany for Tho's Spencer, 1794. 346 pp. (pp. 289-336 incorrectly numbered pp. 299-346). 12mo. (6" x 4").

Contemporary calf. Rubbing to board edges and joints, chipping to corners, minor worming to spine and pastedowns, hinges cracked but secure. Early bookplate to front pastedown. Some dampstaining and foxing, interior otherwise clean. A sound copy. \$75.

* First edition. The preface states that this manual is based on the British *Young Clerk's Magazine* with modifications for American use. Cohen, *Bibliography of Early American Law* 8002.

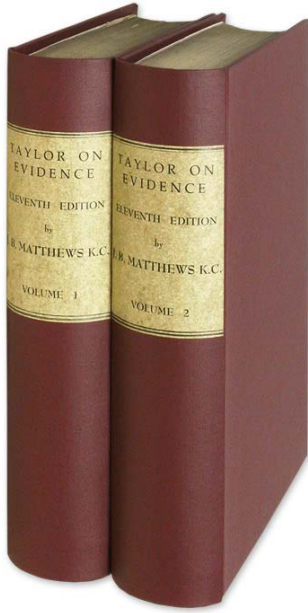
One of the Standard American Texts of the Nineteenth Century

20. Story, Joseph [1779-1845].

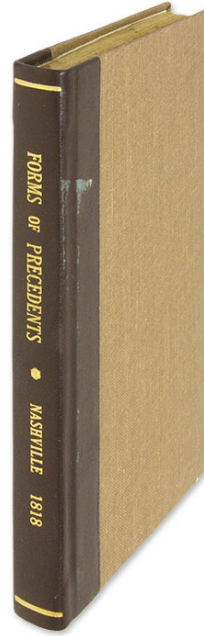
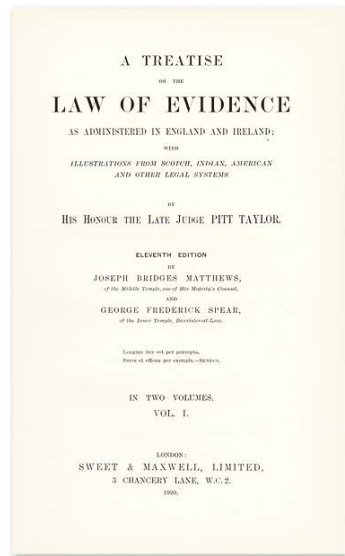
Commentaries on the Law of Bills of Exchange, Foreign and Inland, as Administered in England and America; with Occasional Illustrations from the Commercial Law of the Nations of Continental Europe. Boston: Charles C. Little and James Brown, 1843. xxiv, 608 pp. Octavo (9" x 6").

Contemporary sheep, blind fillets to boards, raised bands, lettering piece and fragment of owner label (Eno) to spine. Moderate rubbing to extremities and a few minor scuffs, front board partially detached. "Stephen Eno's Book/ May 16-1843/ Price \$5-" to front free endpaper, "L. Eno" to following endleaf, endleaves filled with annotations, occasional check marks, brief annotations and underlining. Toning, light foxing in a few places. A solid copy with an interesting association. \$250.

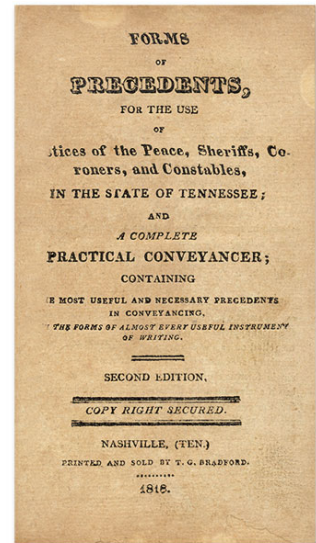
* First edition. In *The Formative Era of American Law*, Pound refers to the *Commentaries on the Laws of Bills of Exchange* as one of the standard texts of the nineteenth century. As Marvin pointed out in 1847, it was certainly the most complete and wide-ranging text of its day. In addition to American and English sources Story draws on the work of Heineccius and other civil-law jurists. Apart from James Kent, no man has had greater influence on American law than Joseph Story. He was Dane Professor of Law at Harvard and an Associate Justice of the U.S. Supreme Court. His many books have been cited extensively in America and in Britain, and he remains an authority today. Stephen Eno [1762-1852] was a prominent lawyer and civic leader in Dutchess County, New York who practiced in Pine Plains, Amenia, and Poughkeepsie. A very wealthy man, he was known for his extreme frugality, which may be why he noted the purchase price in his owner inscription. Several of his descendants were lawyers, including his son (?), "L. Eno." The annotations are statements of legal principles with page references and bibliographical notes. Pound, *The Formative Era of American Law* 140-141. Marvin, *Legal Bibliography* 673. Cohen, *Bibliography of Early American Law* 2555.



Item 21



Item 22



A Distinguished English Treatise on Evidence

21. Taylor, John Pitt [1811-1888].

Mathews, Joseph Bridges, and George Frederick Spear, Editors.

A Treatise on the Law of Evidence as Administered in England and Ireland: With Illustrations from Scotch, Indian, American and Other Legal Systems. London: Sweet & Maxwell, Limited, 1920. Two volumes. cii, 665; [ii], 668-1467 pp.

Recent cloth, paper title labels to spines, endpapers renewed, internally clean. \$350.

* Eleventh edition. "The first edition of this work was published in 1848, and seven editions were subsequently brought out by the Author. The last of these was published in 1885, and in preparing the present edition the Editors have, as far as possible, reverted to the very words used by the Author in his final edition." : Preface (iii). The twelfth and final edition of this venerable treatise was published in 1931. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:353.

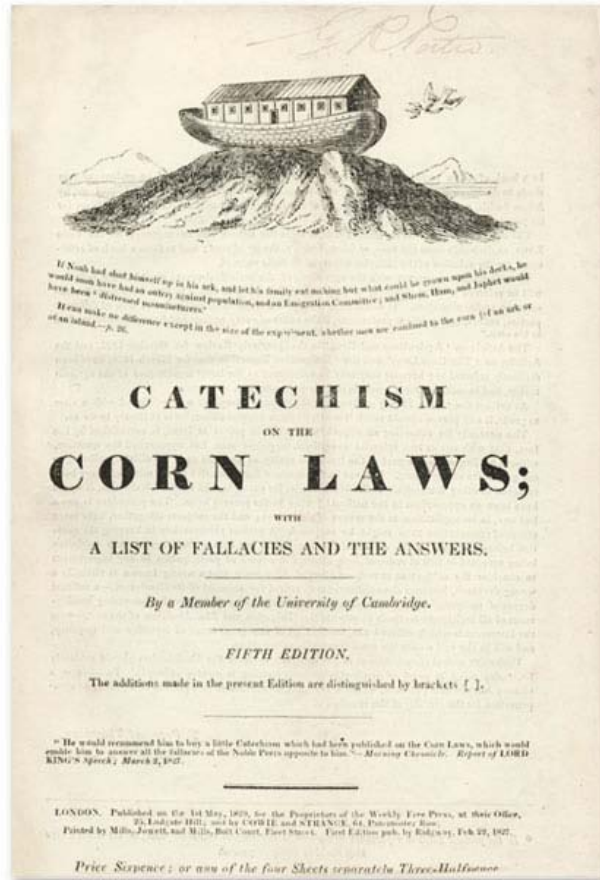
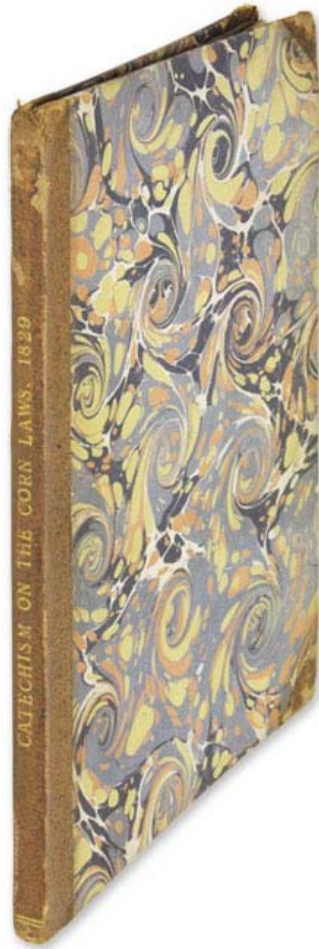
Scarce Early Tennessee Formbook

22. [Tennessee].

Forms of Precedents, For the Use of Justices of the Peace, Sheriffs, Coroners, And Constables, In the State of Tennessee; And a Complete Practical Conveyancer; Containing the Most Useful and Necessary Precedents in Conveyancing, With the Forms of Almost Every Useful Instrument of Writing. Nashville: Printed and Sold by T.G. Bradford, 1818. 153, [8] pp. Octavo (6-1/2" x 4").

Recent quarter imitation calf over cloth, gilt title to spine, endpapers renewed. Light rubbing to extremities, moderate browning to text. Early signatures and annotations to endleaves, interior otherwise clean. \$650.

* Second and final edition of this early Tennessee formbook that was first published in 1816. With index. OCLC locates 1 copy of the first edition in a law library (Library of Congress), 1 of the second (Harvard Law School). Cohen, *Bibliography of Early American Law* 8146.



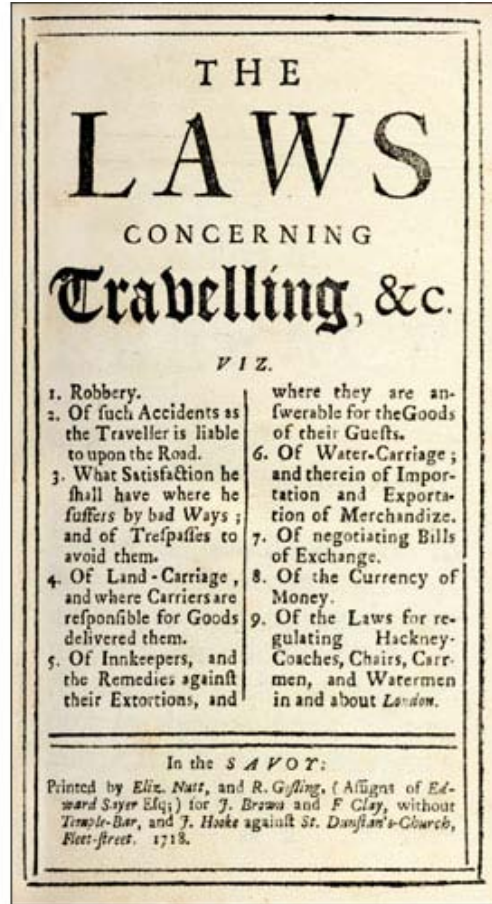
Criticism of the Corn Laws in the Form of a Catechism

23. [Thompson, Thomas Perronet (1783-1869)].

Catechism on the Corn Laws; With a List of Fallacies and the Answers. By a Member of the University of Cambridge. London: Published for the Proprietors of the Weekly Free Press, 1829. 64 pp. Quarto (8-1/2" x 6").

Stab-stitched pamphlet bound into later three-quarter speckled calf over marbled boards, gilt title to spine. Rubbing to extremities with some wear to spine ends and corners, boards slightly bowed, bottom edge trimmed with minor loss to text. Woodcut vignette to title page. Faint vertical crease through center of text block, light browning and foxing to a few leaves. Early owner signature (of G.R. Porter) to head of title page, interior otherwise clean. \$100.

* Fifth edition. The Corn Laws were enacted in the 1830s to maintain the price of British cereals by restricting access to less expensive imports. This put a great deal of strain on the poor, a situation that was exacerbated by a series of contemporary famines. What is more, many saw them as a device to aid and enrich the rural landholding rural aristocrat at the expense of the common man. Popular agitation against the laws helped to bring about the parliamentary Reform Bill of 1832, which introduced a measure of democracy by granting the vote to a larger share of the population. *Catechism* was first published in 1827. Additions to the fifth edition are distinguished by brackets. This edition not in the *British Museum Catalogue*.



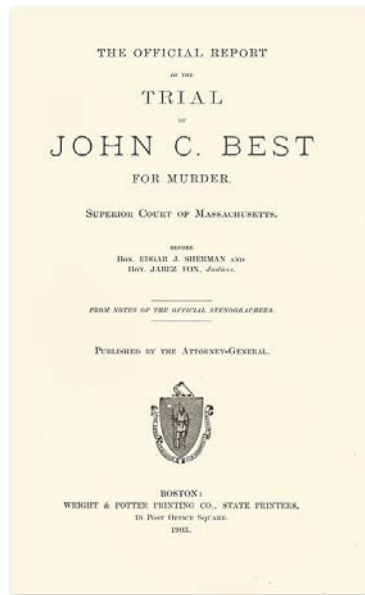
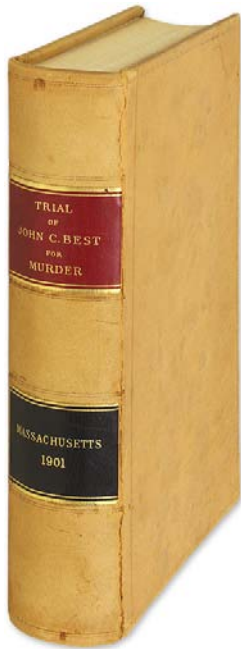
Don't Leave Home Without It

24. [Travelers].

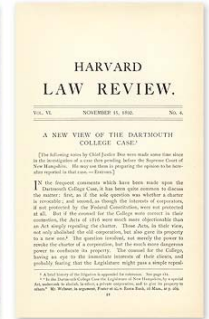
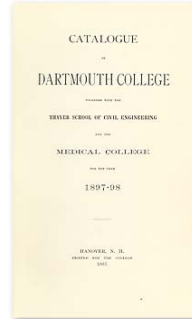
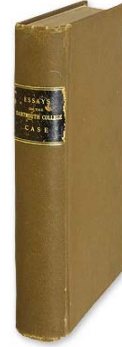
The Laws Concerning Travelling, &c. Viz. 1. Robbery. 2. Such Accidents as the Traveller is Liable to Upon the Road. 3. What Satisfaction He Shall Have Where He Suffers by Bad Ways; And of Trespasses to Avoid Them. 4. Of Land-Carriage, And Where Carriers Are Responsible for Goods Delivered Them. 5. Of 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, Carrmen, 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, whose Traffick is unlimited, and extends to every Thing that either Earth or Seas produce" (v). Equally valuable to social historians, it documents the difficulties and dangers of eighteenth-century travel. This book was reissued around 1720 by J. Ferryman, a printer in Bristol. 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. *Catalogue of the Goldsmiths' Library of Economic Literature* (Supplement) S424.2. *English Short-Title Catalogue* T126882.



Item 25



Item 26

A Trial Discussed by Wigmore

25. [Trial].

Best, John C. [1865-1902], Defendant.

The Official Report of the Trial of John C. Best for Murder. Superior Court of Massachusetts. Before Hon. Edgar J. Sherman and Hon. Jabez Fox, Justices. From Notes of the Official Stenographers. Boston: Wright & Potter Printing Co., State Printers, 1903. 863 pp. Octavo (8" x 5").

Original law calf, red and black lettering pieces to spine. Light rubbing to extremities, front hinge cracked but secure, front board starting, internally pristine. \$95.

* First edition. John C. Best was indicted for the murder of George E. Bailey in 1901. He was convicted of first degree murder and sentenced to death in the electric chair. According to Wigmore, this is "a good example of a trial for assassination motivated by hostility." Wigmore, *The Principles of Judicial Proof* 1171.

Three Scarce Pamphlets Concerning the Dartmouth College Case

26. [Trial].

[Dartmouth College Case].

Catalogue of Dartmouth College Together With the Thayer School of Civil Engineering and the Medical College for the Year 1897-98. Hanover, N.H.: Printed for the College, 1897. 170 pp. Fold-out campus map.

[Bound with]

Russell, Alfred. "Status and Tendencies of the Dartmouth College Case." *The American Law Review* 30 (May-June, 1896) 22-480 pp. Portrait frontispiece of Russell.

[And]

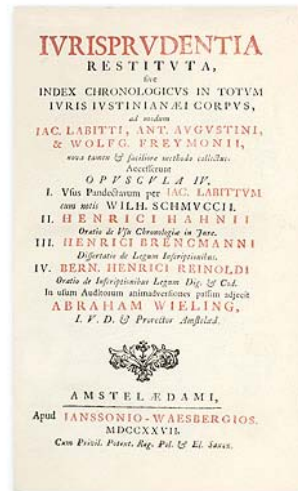
Doe, Charles. "A New View of the Dartmouth College Case." *Harvard Law Review* VI (November 1892) 21-183 pp. [and remainder of volume pp. 184-268 pp.].

Octavo (9" x 6"). Items bound in contemporary textured cloth with calf lettering piece. Some rubbing to lettering piece and extremities, internally clean. \$125.

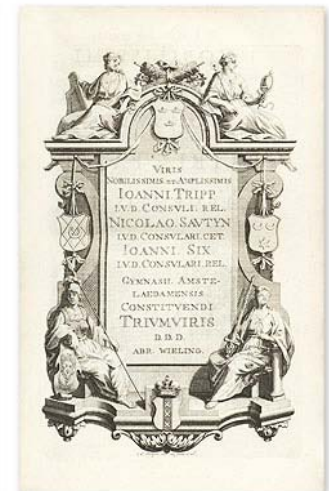
* "Trustees of Dartmouth College v. Woodward, 17 U.S. (4 Wheat.) 518 (1819), was a landmark United States Supreme Court case dealing with the application of the Contract Clause of the United States Constitution to private corporations. The case arose when the president of Dartmouth College was deposed by its trustees, leading to the New Hampshire legislature attempting to force the College to become a public institution and thereby place the ability to appoint trustees in the hands of the governor. The Supreme Court upheld the sanctity of the original charter of the College, which pre-dated the creation of the State. The decision settled the nature of public versus private charters and resulted in the rise of the American business corporation" (Wikipedia).



Item 27



Item 28



Manuscript Document Relating to a Bigamy Case in Maryland

27. [Manuscript].
[Maryland].

King, William R., And John Schley, Justices of the Peace.

Frederick County to Wit. On the 20th Day of November 1820 Appeared Evem [Evan or Eben] Reed, Before Me the Subscriber One of the Justices of the Peace in and for Said County and Made Oath That About the Year 1802 or Three a Certain William Brannon was Married to Mary Reed. [Frederick County, Maryland.] December 8, 1820. Two 16-1/2" x 8" leaves sealed together with wax, embossed paper seal. Toning and some light stains, five horizontal fold lines, partial tear near center. \$250.

* A curious pair of conjoined documents relating to a bigamy case. One is signed by William R. King, justice of the peace, who attests that an Evem [Evan or Eben] Reed made an oath before him. Reed claimed that in 1802 a man named William Brannon was married to a Mary Reed "and in a short time from some circumstance has been absent for several years. And in his absence said Mary has been married to Robert Peakins and has at this time several Children by said Peakins." The second item is signed and sealed by John Schley, clerk of Frederick County Court, Maryland. It verifies William R. King is a justice of the peace.

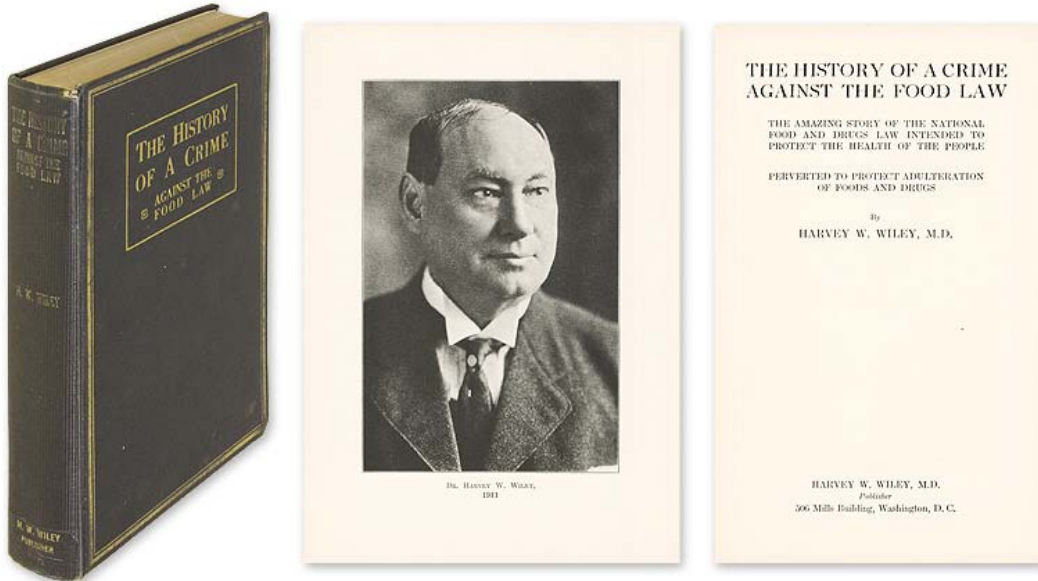
A Key to the Corpus Juris Civilis

28. **Wieling, Abraham [1693-1746] [and Others].**

Jurisprudentia Restituta, Seu Index Chronologicus in Totum Juris Justinianaei Corpus. Amsterdam: Apud Janssonio-Waesbergios, 1727. [xvi], xciv, [2], 400; 199, [1], 278 pp. Two parts in one volume. Octavo (4-1/2" x 7-1/2").

Contemporary quarter vellum over marbled boards, early hand-lettered title to spine, speckled edges. Moderate rubbing with some wear to corners, light soiling to spine, partial crack between front endleaf and title page. Later bookplate (of J.W. Enschede) to front pastedown. Title page printed in red and black, copperplate dedication leaf. Light browning in a few places, interior otherwise fresh. \$200.

* First edition. Wieling was a professor of law at the University of Freneker, later the University of Utrecht. *Jurisprudentia Restituta*, an analytical index to the *Corpus Juris Civilis* with annotations by a group of notable scholars, is a heavily revised edition of the *Index Legum Omnium Quae in Pandectis Continentur* of Jacques Labitte (Paris 1557), which was written under the direction of his teacher Cujas. KVK locates 6 copies of the first edition, 4 copies of the second and final edition (1739). Roberts, *A South African Legal Bibliography* 337. Dekkers, *Bibliotheca Belgica Juridica* 192.



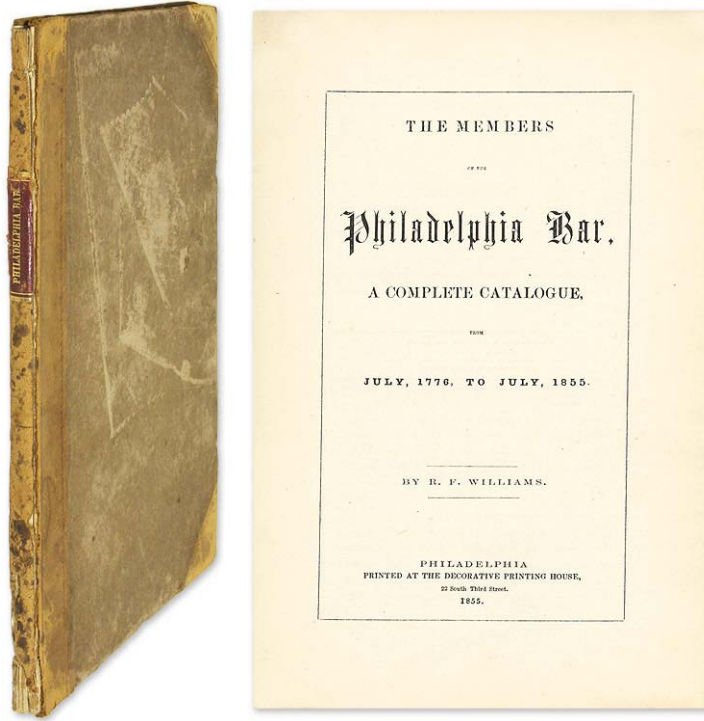
The Turbulent Early History the Food and Drugs Act

29. Wiley, Harvey W., M.D. [1844-1930].

The History of a Crime Against the Food Law: The Amazing Story of the National Food and Drugs Law Intended to Protect the Health of the People Perverted to Protect Adulteration of Foods and Drugs. Washington, D.C.: Harvey W. Wiley, M.D., [1929]. xii, 413 pp. Frontispiece. Plates. Illustrations.

Original cloth, gilt frame and title to front board, gilt title to spine. Some shelfwear with fraying to spine ends, corners bumped and lightly worn, fading to spine. Owner's signature on rear free endpaper, else internally clean. \$150.

* First edition. Wiley led the campaign that resulted in the Pure Foods and Drugs Act in 1906. Appointed head of the Bureau of Chemistry, which was established to help enforce the act, Wiley aroused the ire of affected agricultural and industrial interests, who sought to undermine the legitimacy of his findings and agitated for his removal. Tired of the strife and political infighting that marked his tenure, Wiley resigned the post and continued his efforts as a private citizen. In *The History of a Crime Against the Food Law* he reviews the turbulent history of the Pure Food and Drugs Act and argues that the law was never properly enforced, a judgment he maintained to the end of his career.



**"It is Not Without
Interest and Profit That We Peruse Them"**

30. Williams, R.F.

The Members of the Philadelphia Bar; A Complete Catalogue from July, 1776, To July, 1855. Philadelphia: Printed at the Decorative Printing House, 1855. iv, 50 pp. 3 ruled leaves bound-in at end of text block. Quarto (10" x 7").

Contemporary three-quarter sheep over paper boards, lettering piece to spine. Moderate rubbing to boards and extremities, spine worn at ends, boards just beginning to separate but still secure. Chip to fore-edge of a leaf with no loss to text. Toning, internally clean. \$95.

*"[It] is in this catalogue we read one thousand and three hundred professional histories; and it is not without interest and profit that we peruse them. Many of them have traveled the famed road together.... Some have chosen the stormy highway of political life.... Others, of no less brilliant talents, have chosen the smooth and quiet path of professional life,--yet even here they are distinguished, for fame comes unbidden to reward intellectual genius" (Preface). OCLC locates 13 copies. *Catalogue of the Library of the Harvard Law School* (1909) II:930.



The Lawbook Exchange, Ltd.
Antiquarian Bookseller and Publisher
New and Used Titles for Practitioners and Scholars
Subscription Agent • Collection Development • Appraisals
(800) 422-6686 or (732) 382-1800. Fax: (732) 382-1887
law@lawbookexchange.com
www.lawbookexchange.com

