

A SELECTION OF 30

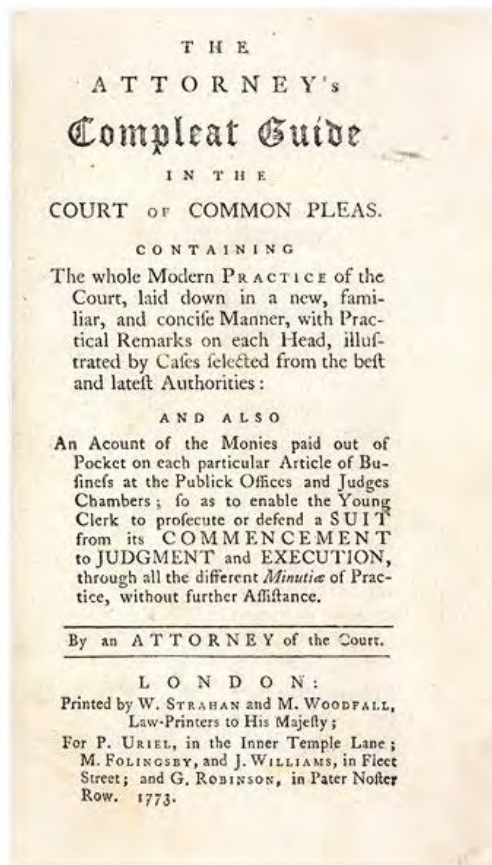
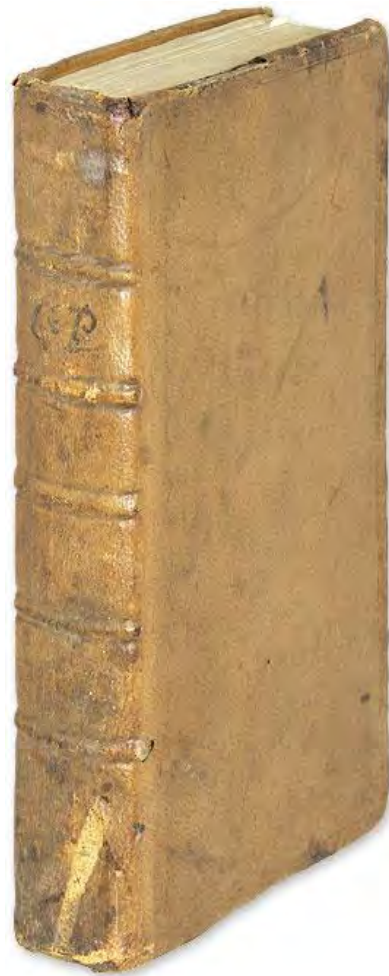
Antiquarian Items

Civil, Common, Roman & Scots Law

August 20, 2019



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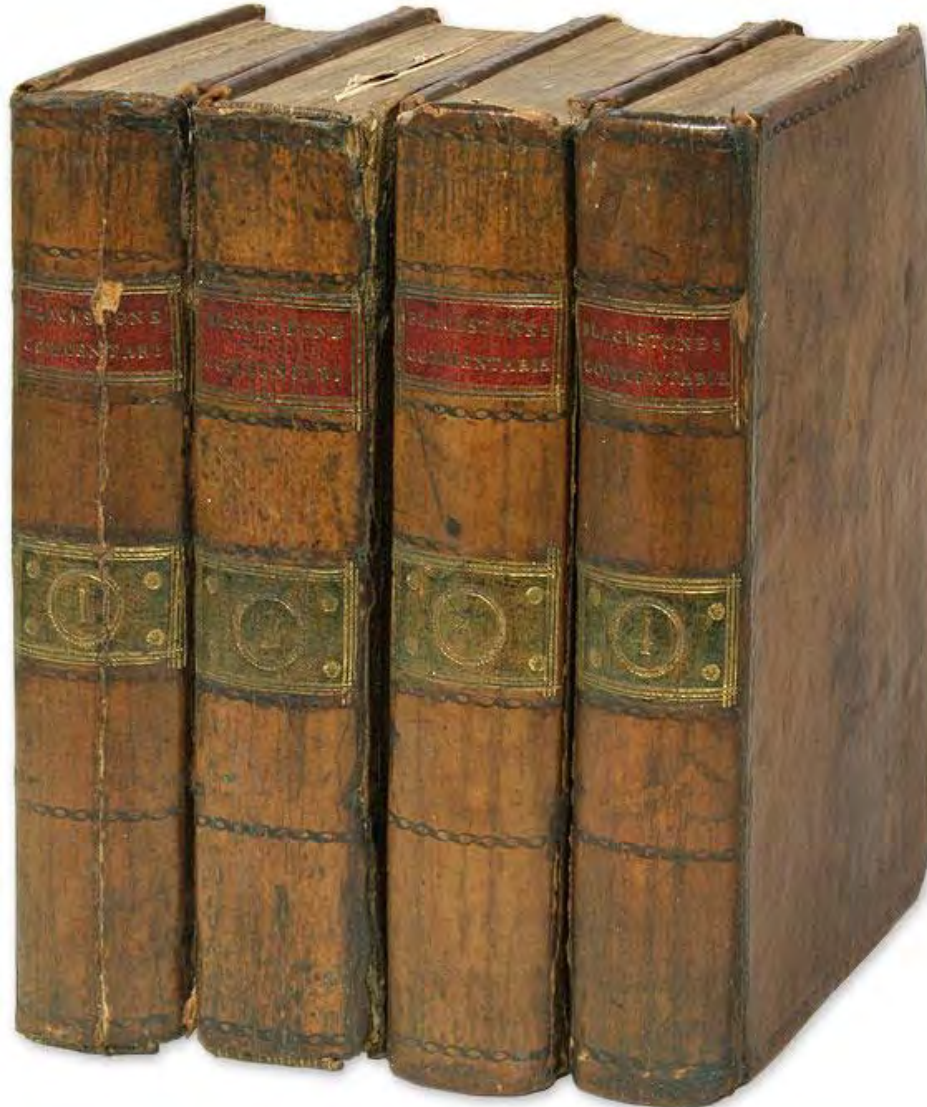
"So as Much to Enable the Young Clerk"

1. Attorney of the Court.

The Attorney's Compleat Guide in the Court of Common Pleas: Containing the Whole Modern Practice of the Court, Laid Down in a New, Familiar, and Concise Manner, With Practical Remarks on Each Head, Illustrated by Cases Selected from the Best and Latest Authorities: And also an Account of the Monies Paid Out of Pocket on Each Particular Article of Business at the Publick Offices and Judges Chambers; So as to Enable the Young Clerk to Prosecute or Defend a Suit from its Commencement to Judgment and Execution, Through All the Different Minutiae of Practice, Without Further Assistance. London: Printed by W. Strahan and M. Woodfall, 1773. vii, [1], 371, [1] pp. 12mo (6-1/2" x 4").

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

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



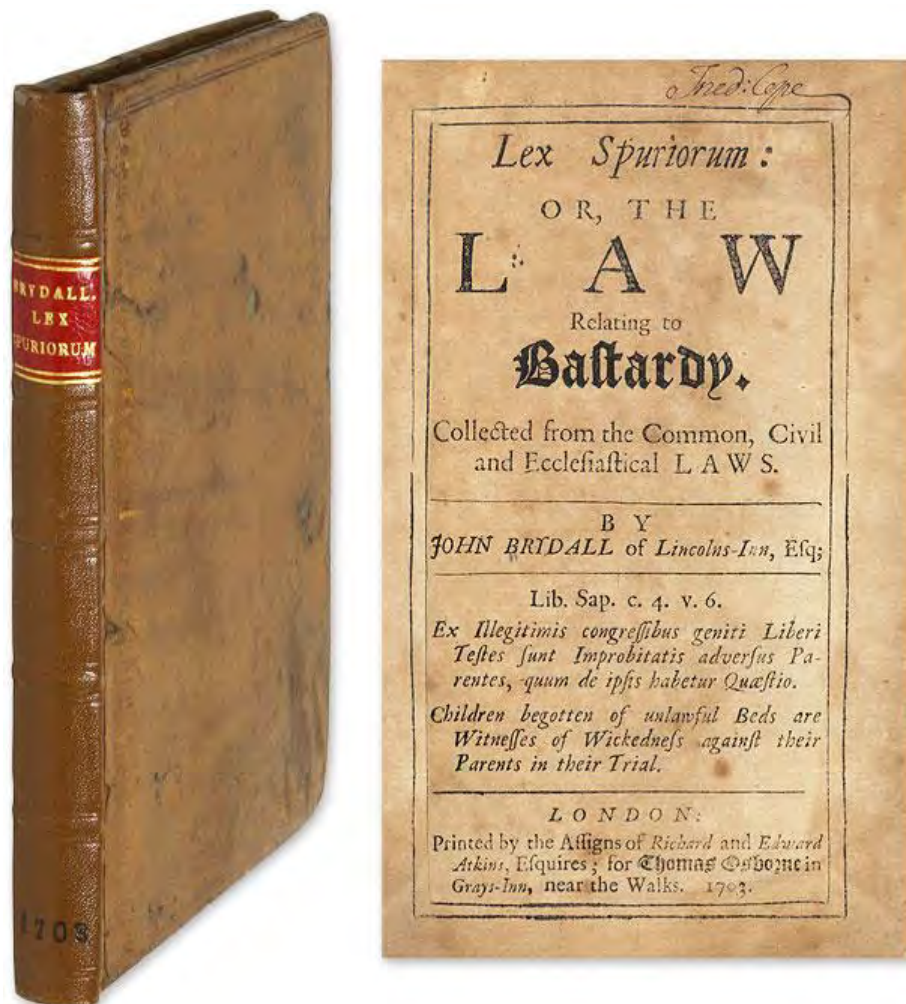
First Pocket Edition of Blackstone's *Commentaries*

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

Commentaries on the Laws of England, In Four Books. Dublin: Printed for the Company of Booksellers, 1775. Four volumes. Copperplate frontispiece portrait, table of consanguinity, folding Table of Descents. 12mo. (6-1/2" x 3-3/4").

Contemporary calf, blind fillets to boards, lettering pieces and blind fillets to spines, blind tooling to board edges. Some minor nicks and spots to boards, moderate rubbing to extremities, minor chipping to spine ends, joints starting, Volume I has split through center of backstrip, corners bumped and somewhat worn. Light toning, minor worming in a few places, minor tears to edges of a few leaves, some edgewear to table of descents. Small early signature to head of Volume I title page, interiors otherwise clean. A handsome set. \$1,000.

* "Sixth Edition." This pirated Dublin edition follows the text of the fourth Oxford edition, 1770. It is similar to another pirated Dublin edition published by John Colles, also in 1775. Not in Eller. Laeuchli, *A Bibliographical Catalog of William Blackstone* 14. [Order This Item](#)



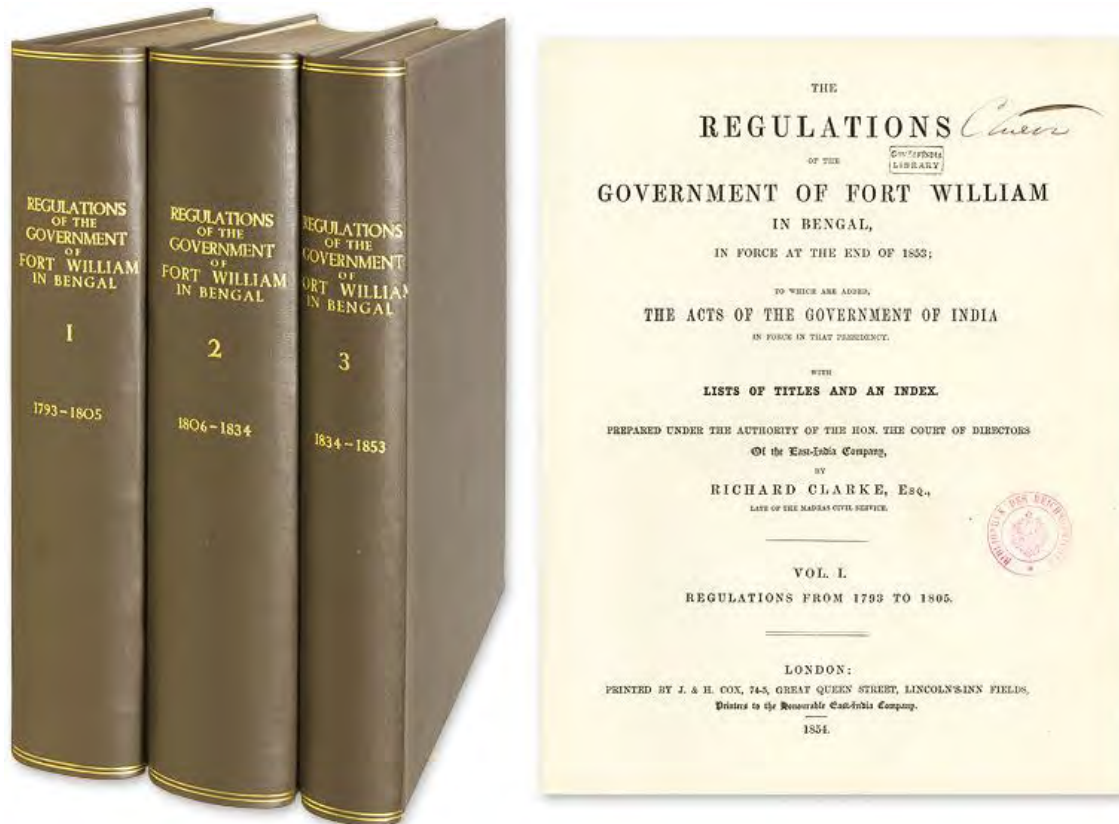
1703 Treatise on the Law Relating to Bastardy

3. Brydall, John [b. 1635?].

Lex Spuriorum: Or, The Law Relating to Bastardy. Collected from the Common, Civil and Ecclesiastical Laws. London: Printed by the assigns of Richard and Edward Atkins, Esquires; For Thomas Osborne, 1703. [viii], 127, [9] pp. Octavo (6-3/4" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, rebacked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners worn, a few minor scuffs to boards, crack in text block between title page and following leaf. Light browning and foxing to text. Small early owner signature to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$750.

* Only edition. Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." *Lex Spuriorum*, a handbook of English laws concerning illegitimacy, is cited in Holdsworth's review of legal writings of the seventeenth and eighteenth centuries. OCLC locates 6 copies in North American law libraries (Harvard, NY State Appellate Division, Ohio State, Southern Methodist University, University of Michigan, US Supreme Court). Holdsworth, *A History of English Law* VI:605, 607. *English Short-Title Catalogue* T116601. [Order This Item](#)



Compiled Regulations of the British East India Company

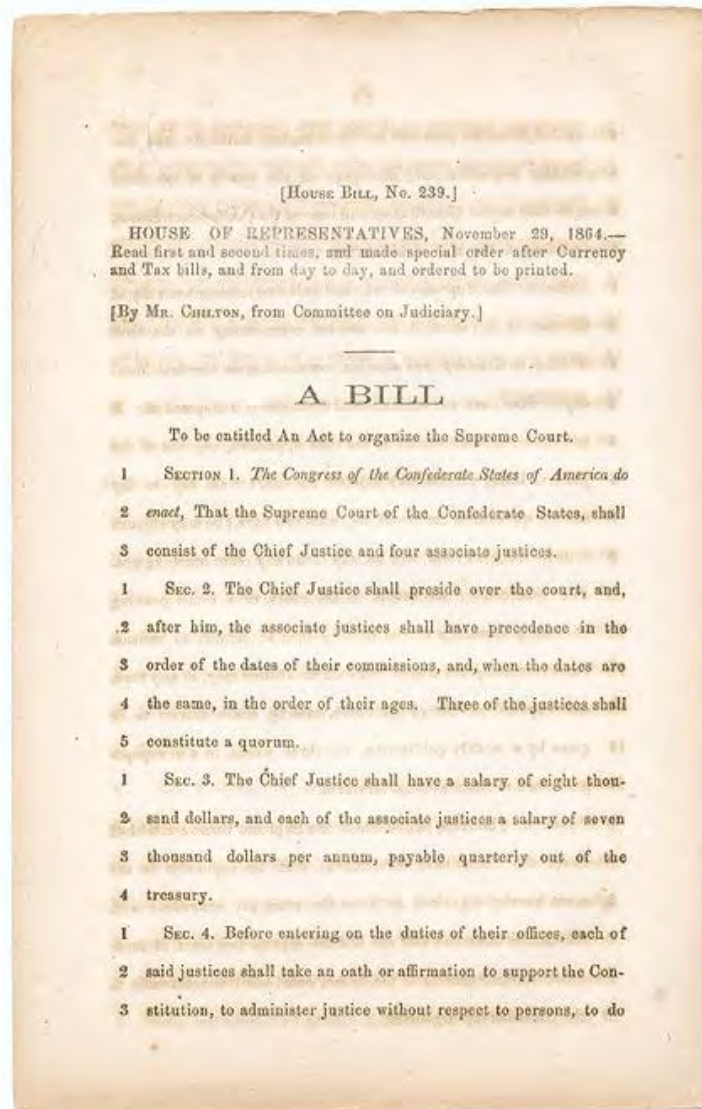
4. Clarke, Richard, Compiler.

The Regulations of the Government of Fort William in Bengal, In Force at the End of 1853; To Which are Added, the Acts of the Government of India in Force in that Presidency. With Lists of Titles and an Index. Prepared Under the Authority of the Hon. The Court of Directors of the East-India Company. London: Printed by J.H. Cox, 1854. Three volumes. Quarto (8-1/2" x 10-1/2").

Recent cloth, gilt titles to spines, endpapers renewed. Brief annotations in a few places, interior otherwise clean. Ex-library. Small inkstamps to title pages. \$2,500.

* Only edition. With a detailed analytical digest. Established by a Royal Charter in 1600, the British East India Company was granted a 21-year monopoly on all trade in the East Indies. Based in a series of fortified manufacturing and trading centers, most notably Fort William in Bengal, Fort St. George in Madras and the Bombay Castle, the company evolved from a commercial venture to one that virtually ruled India as it acquired governmental, legal and military functions. It was dissolved in 1858. Produced as an official record, these volumes are a compilation of all regulations from 1793 to 1853 in force at Fort William. OCLC locates 6 copies. *Catalogue of the Library of the Harvard Law School* I:395.

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An 1864 Bill to Organize the Confederate Supreme Court

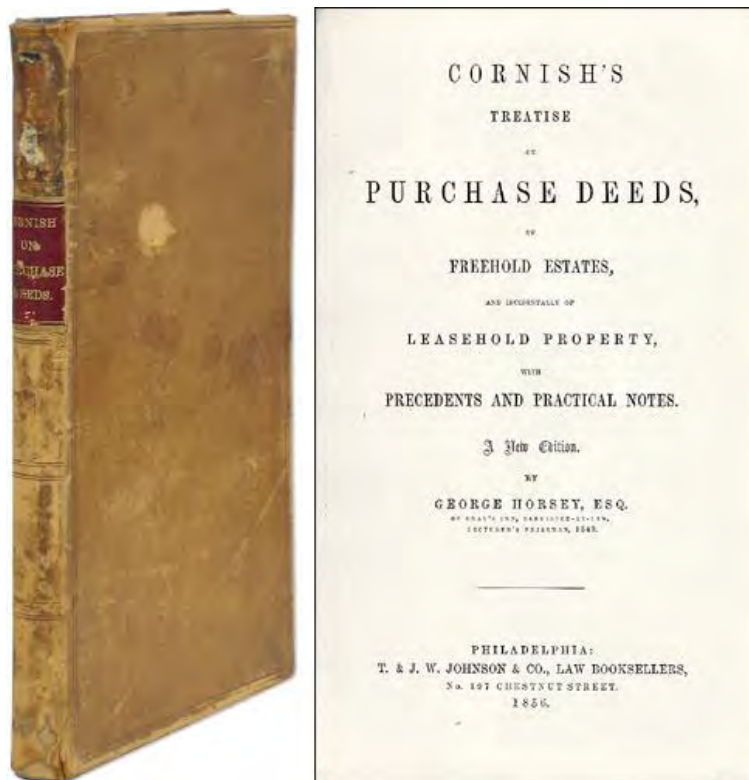
5. [Confederate States of America]. House of Representatives.

A Bill to be Entitled an Act to Organize the Supreme Court. [Richmond, 1864]. 4 pp. Octavo (9" x 5-3/4").

Single folded sheet, moderate toning, minor edgewear, faint traces of inkstamp to head of P. 1. \$300.

* The bill specifies a five-judge court that will "do equal right to the poor and to the rich." It also notes that the court will respect all applicable pre-secession United States Supreme Court decisions. Crandall, *Confederate Imprints* 462.

[Order This Item](#)



Uncommon Innovative Treatise Dealing With Deeds

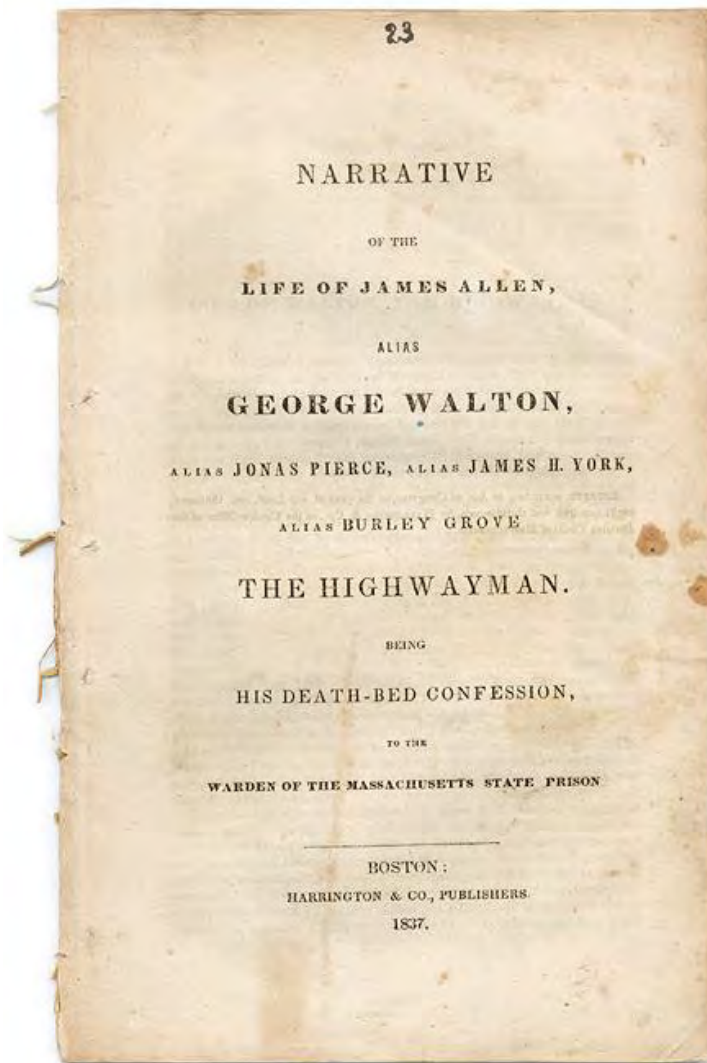
6. Cornish, William Floyer [c.1801-1830].

Horsey, George [1819-1899], Editor.

Cornish's Treatise on Purchase Deeds, of Freehold Estates, And Incidentally of Leasehold Property, With Precedents and Practical Notes. Philadelphia: T. & J.W. Johnson & Co., 1856. xxiii, [25]-172, 4 pp. Star-paged. Includes four-page publisher catalogue. Octavo (9" x 5-3/4").

Contemporary sheep, blind frames to boards, blind fillets and lettering piece to spine. A few scuffs and stains to boards, some wear to spine ends, joints and corners, hinges just starting at ends. Offsetting to margins of endleaves, light foxing to a few leaves. Owner annotation to front pastedown, his signature to facing free endpaper and head of preface, interior otherwise clean. \$350.

* First and only American edition, based on the second London edition of 1855, to which it is star-paged. "In many respects this is a remarkable work. Originally published in 1828, it was the precursor of the modern forms of conveyancing, in respect to brevity and conciseness. Certainly it is most highly creditable to the sagacity of the author, and demonstrates the soundness of his acquaintance with principles, to find that so little advance has been made ahead of the principles which being then in a miserable minority, he so many years ago advocated, and so little improvement effected in the framework in which he embodied his views. But the book is not only remarkable it is in the highest degree adapted for use. (...) This work having been given to the world at a time when the public was not prepared for innovation, and had not acquired the now reigning tastes for brevity despatch, and economy of time, labour, and expense, attracted but little attention, and has never been as well known as it deserved to be. Mr. Horsey, however, the editor of the new edition, by careful additions and improvements, has brought up the work to the standard of the present day....": *Law Magazine: Or Quarterly Review of Jurisprudence* 23 (1855) 198. This treatise was also reprinted in *The Law Library* 90 (May/June 1856). Cohen, *Bibliography of Early American Law* 9515. [Order This Item](#)



The Adventures of a New England Highwayman

7. [Criminals].

[Massachusetts].

[Allan, James (1809-1837)].

Narrative of the Life of James Allen, Alias George Walton, Alias James H. York, Alias Burley Grove, The Highwayman. Being his Death-Bed Confession, To the Warden of the Massachusetts State Prison. Boston: Harrington & Co., Publishers, 1837. 32 pp. Octavo (9-1/4" x 5-3/4").

Disbound stab-stitched pamphlet. Light soiling, a few tiny stains and edgewear to exterior, "23" in small early hand to head of title page, a few signatures starting to detach, moderate toning to text, light foxing to a few leaves. Ex-library. Small bookplate to verso of title page. \$500.

* Only edition. This pamphlet details the colorful criminal adventures of a highwayman in Massachusetts and other New England States. It is apparently based on a deathbed confession to the warden of the Massachusetts State Prison, where he spent the last two years of his life. OCLC locates 18 copies, 3 in law libraries (Harvard, Library of Congress, Northeastern, University of Missouri). [Order This Item](#)

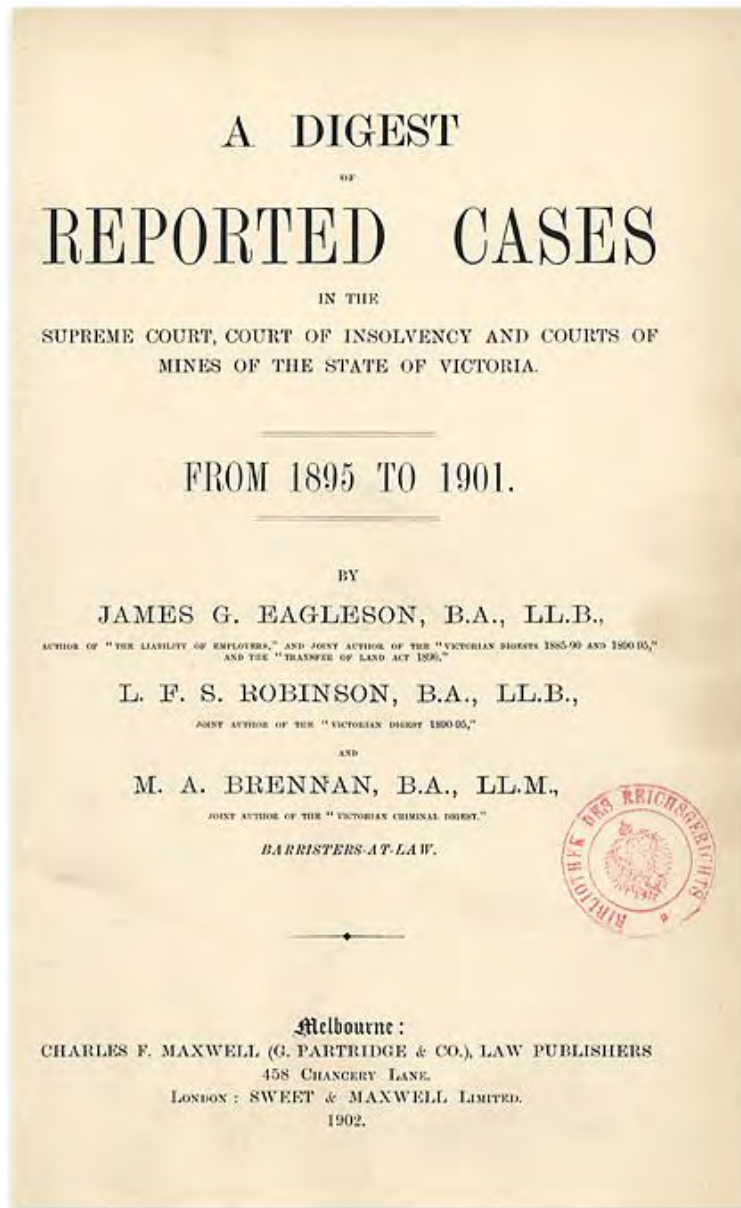


Interesting Collection of Trial-Related Darrow Photographs

8. [Darrow, Clarence (1857-1938)].

[Fifteen Black-and-White Press Photographs of Darrow, 1924-1936]. Sizes ranging from 5-1/2" x 8" to 8" x 10." Light to moderate edgewear, annotations and tipped-in captions to versos, some photos have crop marks and creases, a few have captions printed below image. An interesting collection. \$1,500.

* These photographs, some later reprintings, record incidents from four of Darrow's greatest trials. Four relate to the Loeb-Leopold Trial (1924). Three were taken during trials, the fourth is an image of Nathan Leopold from 1957. There are three courtroom scenes from the Scopes Trial (1925) and a single image of Darrow and his client Russell McWilliams, a young man sentenced to death in 1933. The remaining six images depict incidents surrounding the Massie Trial (1931-1932). This group also includes a 1936 picture of Darrow and his wife, Ruby. [Order This Item](#)

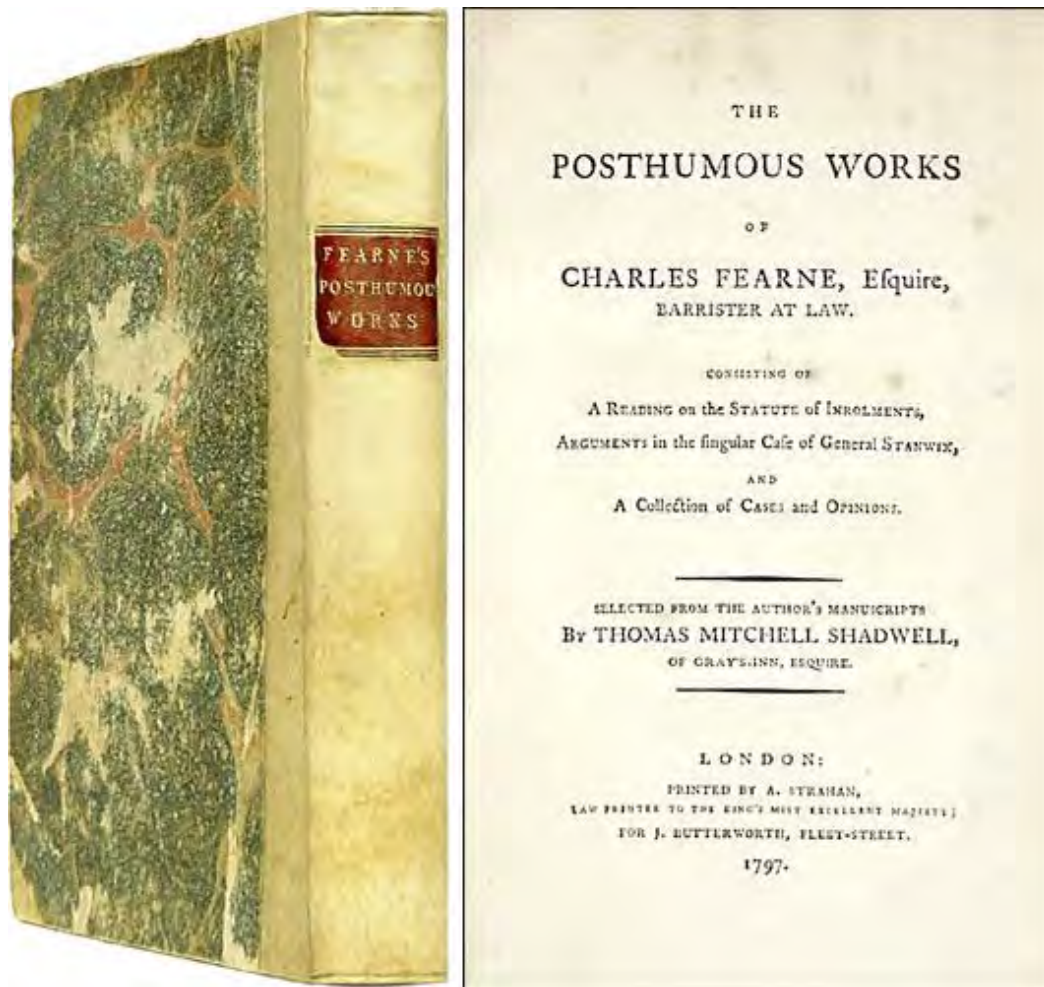


Digest of Victoria Cases, 1895-1932

9. Eagleson, James G., L.F.S. Robinson, M.A. Brennan, E.F. Healy, J.W.S. Vroland and C. McC. Stafford. *A Digest of Reported Cases in the Supreme Court, Court of Insolvency and Courts of Mines of the State of Victoria. From 1895 to [1932]*. Melbourne: Charles F. Maxwell (G. Partridge & Co.)/London: Sweet & Maxwell, 1902-1933. 7 Vols. Complete set. Original cloth, gilt titles to spines, some shelfwear, soiling and minor spotting, internally clean. Ex-library. Location labels to spines, notes in pencil to front pastedowns, small stamps to title pages. A solid set. \$1,500.

* Only editions. These volumes were issued serially and are often catalogued as independent titles. No complete sets on OCLC. Sweet & Maxwell, omits the 1895-1901 volume, but it is listed in the *Harvard Law Catalogue*. See Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 6:17. *Catalogue of the Library of the Harvard Law School* (1909) 1:590.

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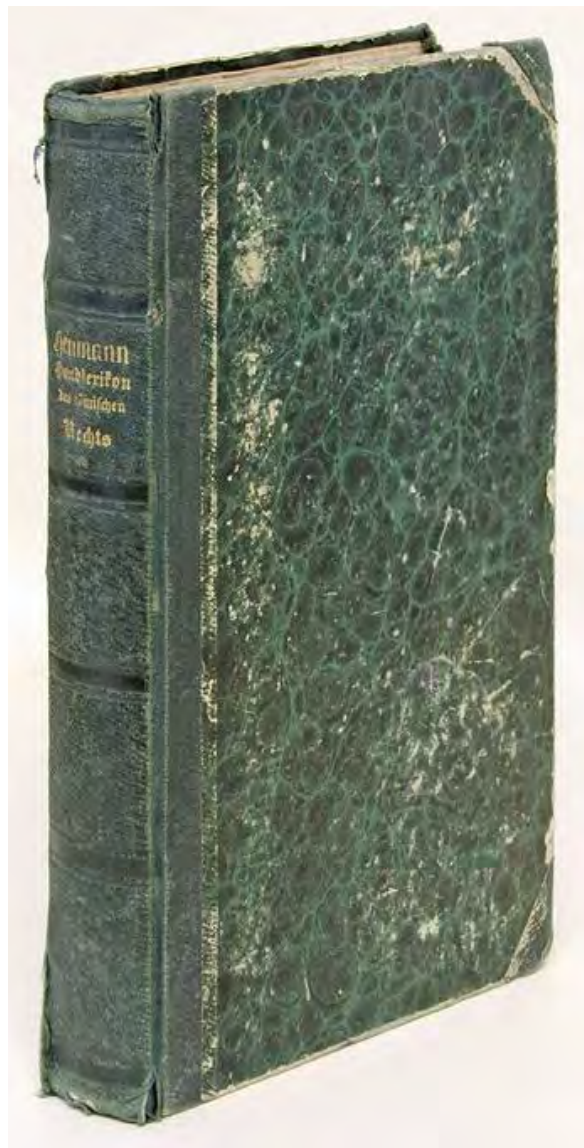
With Commentary on an Interesting Inheritance Case

**10. Fearne, Charles [1742-1794].
[Shadwell, Thomas Mitchell, Editor].**

The Posthumous Works, Consisting of a Reading On the Statute of Inrollments, Arguments in the Singular Case of General Stanwix, and a Collection of Cases and Opinions. London: Printed by A. Strahan, 1797. ix, [15], 468, [12] pp. Includes a twelve-page Subscriber list. Octavo (8-1/2" x 5").

Contemporary three-quarter vellum over marbled boards, lettering piece to spine. Some rubbing with minor wear to board edges, light soiling to spine, small chip to lettering piece, corners bumped. Annotations to one page, clean tear to a leaf with no loss to text. Occasional light foxing, interior otherwise fresh. \$200.

* Fearne wrote an influential treatise on contingent remainders that was praised by Kent and Marvin. The present work was collected from his manuscripts by one of his pupils. Along with cases and opinions, it contains the reading of the Statute of Inrollments delivered in 1778 in Lyons Inn and the interesting case of General Stanwix. "Stanwix and his daughter had perished in the same shipwreck, and the question, as between their representatives, was whether either could be presumed to be the survivor; the case was compromised; but Fearne for his own amusement composed these two arguments for the two claimants.": Butler, preface to the seventh edition of *Contingent Remainders* cited in Holdsworth, *History of English Law* XII:374. *English Short-Title Catalogue* T140188. [Order This Item](#)



Scarce German Dictionary of Roman Law Terms

11. Heumann, [H]ermann [G]ottlieb.

Handlexicon zu den Quellen des Römischen Rechts. Jena: Druck und Verlag von Friedrich Mauke, 1857. [iv], 646, [1] pp. Main text in parallel columns. Octavo (8-1/2" x 5-3/4").

Cotemporary three-quarter pebbled cloth over marbled boards. Some rubbing to boards, heavier rubbing to extremities with some fraying to spine ends, corners bumped and somewhat worn. Some toning to text, light foxing in a few places, early owner signatures to front free endpaper. \$200.

* Third edition, revised and expanded. This useful dictionary of terms in Roman law with references to passages in the *Corpus Juris Civilis* and other sources was first published in 1846 as *Handlexicon zum Corpus Juris Civilis: Nach den Quellen Bearbeitet*. The fourth and final edition was published in 1884. All are scarce, especially in North America. OCLC locates 3 copies of the revised and expanded third edition in North American libraries (Columbia, George Washington University, University of North Carolina). This edition not in the *British Museum Catalogue*. [Order This Item](#)



**Portrait Photograph of Lyndon Johnson Inscribed To
Supreme Court Justice and UN Ambassador Arthur Goldberg**

12. Johnson, Lyndon Baines [1908-1973].

[Goldberg, Arthur (1908-1990)].

[*Photograph of Johnson Inscribed to Goldberg*]. N.p., N.d. (1965?). 8" x 10" color portrait photograph, printed credit in the image at bottom left, glazed and framed in tasteful black-and-gold wooden 16" x 19" frame. Bold inscription and full signature below image. A few tiny nicks to frame, image fine. \$5,000.

* The (undated) inscription reads "To Arthur Goldberg- / With the high regard and affection / of his friend- / Lyndon B. Johnson." Appointed by President Kennedy, Goldberg was an Associate Justice of the U.S. Supreme Court from 1962 to 1965 and one of the most significant justices of the twentieth century. In his three terms on the bench he pushed the Court toward a broader construction of personal rights, a course it followed over the following two decades. He is best known for his influential 1963 internal Supreme Court memorandum that condemned capital punishment as an example of "cruel and unusual punishment," as defined by the Eighth Amendment, and his opinion in *Griswold v. Connecticut* (1965), which argued against a Connecticut law banning the use of contraceptives because it violated an un-enumerated right to privacy guaranteed by the Ninth Amendment. The memo initiated a wave of litigation and legislation that led to the abolition of the death penalty in several states; the *Griswold* opinion laid the foundation for *Roe v. Wade* (1973), which established a women's right to have an abortion. When Adlai Stevenson, Ambassador to the United Nations, died in 1965 President Johnson decided to appoint Goldberg to fill his seat. Johnson's larger plan was to put Abe Fortas on the bench because he knew Fortas would defend his Great Society programs (and spy on the Court for him). Probably a recipient of the legendary Johnson "treatment," Goldberg was persuaded to resign while flying to Stevenson's funeral on Air Force One. Goldberg went on to say that he accepted the UN Ambassadorship in order to resolve the Vietnam Conflict. This photograph may be a memento of that 1965 flight, or one of the tools Johnson used to persuade Goldberg. [Order This Item](#)



The *Booke of Assises* Abridged, Beale R53

13. [Liber Assisarum].

[Callow, William, Sir (fl. 1555), Attributed].

The Abridgement of the Booke of Assises, Lately P[er]used Over & Corrected, & Nowe Newlye Imprinted by Rycharde Tottle, Ye Laste Daye of Septe[m]ber. An. Do. 1555. [London: Imprinted...in Fletestrete Within Temple Barre, At the Signe of the Hand & Starre, By Richard Tottel, (1555)]. [i], 165, [2] ff. Collates complete. Octavo (5-1/4" x 3-1/2").

Recent period-style calf, raised bands, blind ornaments, and lettering piece to spine, endpapers renewed. Title printed within woodcut architectural border. Toning to text, some soiling and edgewear to title page and following leaf, early check-marks in pen to a few leaves, interior otherwise clean. Ex-library. Small stamp to foot and verso of title page. A handsome copy. Rare. \$3,500.

* Second edition. Text in Law-French. With a table. The *Liber Assisarum* is a selection of reports from the Year Books covering regnal years 1-50 of Edward III (1327-77). The contents are arranged alphabetically by topic. "The Book of Assizes (...) is of great authority in law; and so called because it principally contains proceedings upon Writs of Assize of Novel Disseisin, which in those days was *festinum et freems renaedium*. 'Tis often quoted and referred to by most of our ancient writers. (...) The questions are here discussed with more precision and clearness, and they contain more of those points of law that have survived to the present times. In regard to precision and clearness, all the reports of this reign excel those of the preceding; but the merit of these [reports] is of a peculiar kind, and has a very different appearance from what has in later times been considered as excellent in this way" (Rastell). OCLC locates 5 copies, the *English Short-Title Catalogue* locates 6 in the British Isles, 6 in North America and 1 in Australia. Rastell, John, Preface to London, 1679, *Livre des Assises et Pleas del' Corone* cited in Marvin, *Legal Bibliography* 754. *English Short-Title Catalogue* S101227. Beale, *A Bibliography of Early English Law Books* R53. [Order This Item](#)

Dublin

Sheweth the 500. a. 16^{ps}. under the following
title.

11. June 1801. Deed adm^d of Samuel Wallis (by order of
Capham Court) to Samuel McClane for
1000. a. 16^{ps}.

27. June 1803. Deed Samuel McClane & wife to Abraham
Dubois for 500. a. 16^{ps}. part of the 1000. a. 16^{ps}.

1. May 1805. Deed A. Dubois & wife to Samuel Deunman

27. April 1811. Assignment J. Deunman to H. Cadwalader
in trust for his Creditors.

The above papers were submitted to your
Examination in June 1811 - & are at any time open
to your Inspection. The conveyance Wallis to
McClane is recited in the Marshal's deed to you.

I am, dear Sir, very respectfully & faithfully,
Yours
H. Cadwalader
Arch^d 15. March 1816.

Pierce Butler Esq. v. v.

Addressed to a Founding Father from South Carolina

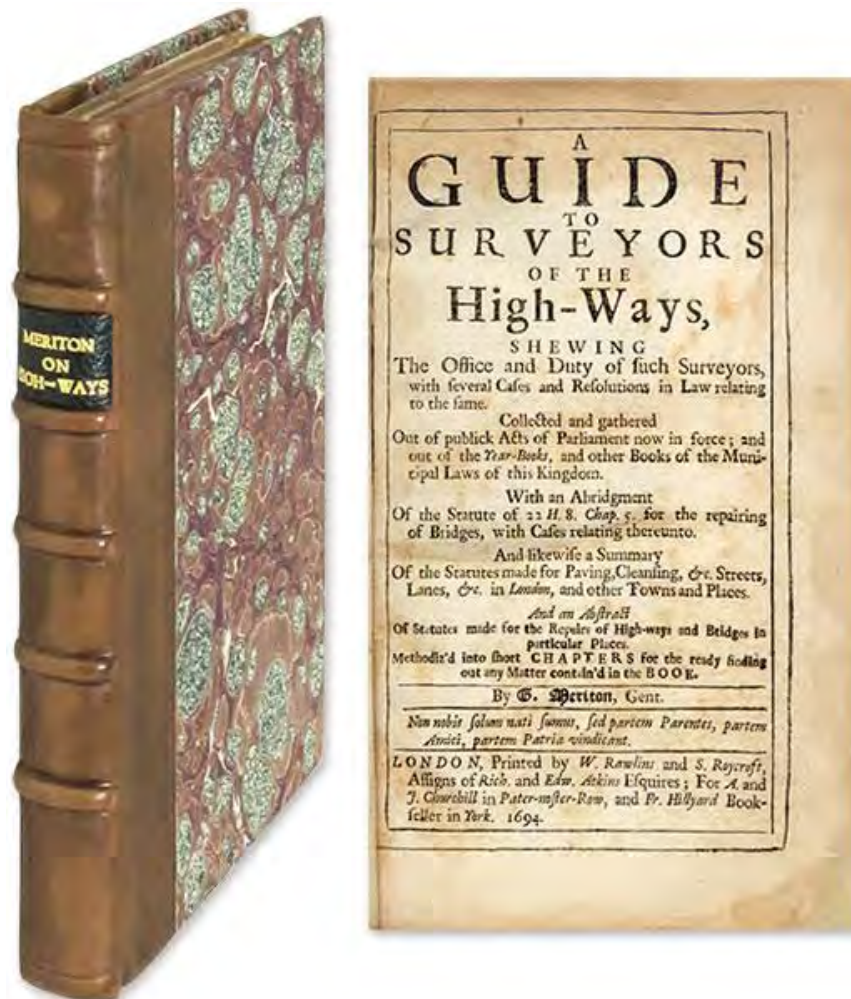
14. [Manuscript].

Cadwalader, Thomas [1779-1841].

[Autograph Letter, Signed, Philadelphia, March 15, 1816].

Single leaf folded to form 9-3/4" x 8" bifolium, franked and docketed on verso of second page. Vertical and horizontal fold lines, light toning to text. Content in neat hand to recto of first leaf. \$150.

* Cadwalader was a distinguished Philadelphia lawyer and the father of another notable jurist, John Cadwalader [1805-1879]. This 1816 letter is addressed to Pierce Butler of South Carolina [1744-1822], a former U.S. senator, member of the Continental Congress and signer of the U.S. Constitution. It concerns a dispute over a legal title and gently reminds Butler that "papers were submitted to your examination in June 1811 & are at any time open to your inspection. The conveyance Wallis to McClane is recited in the Marshal's deed to you." [Order This Item](#)



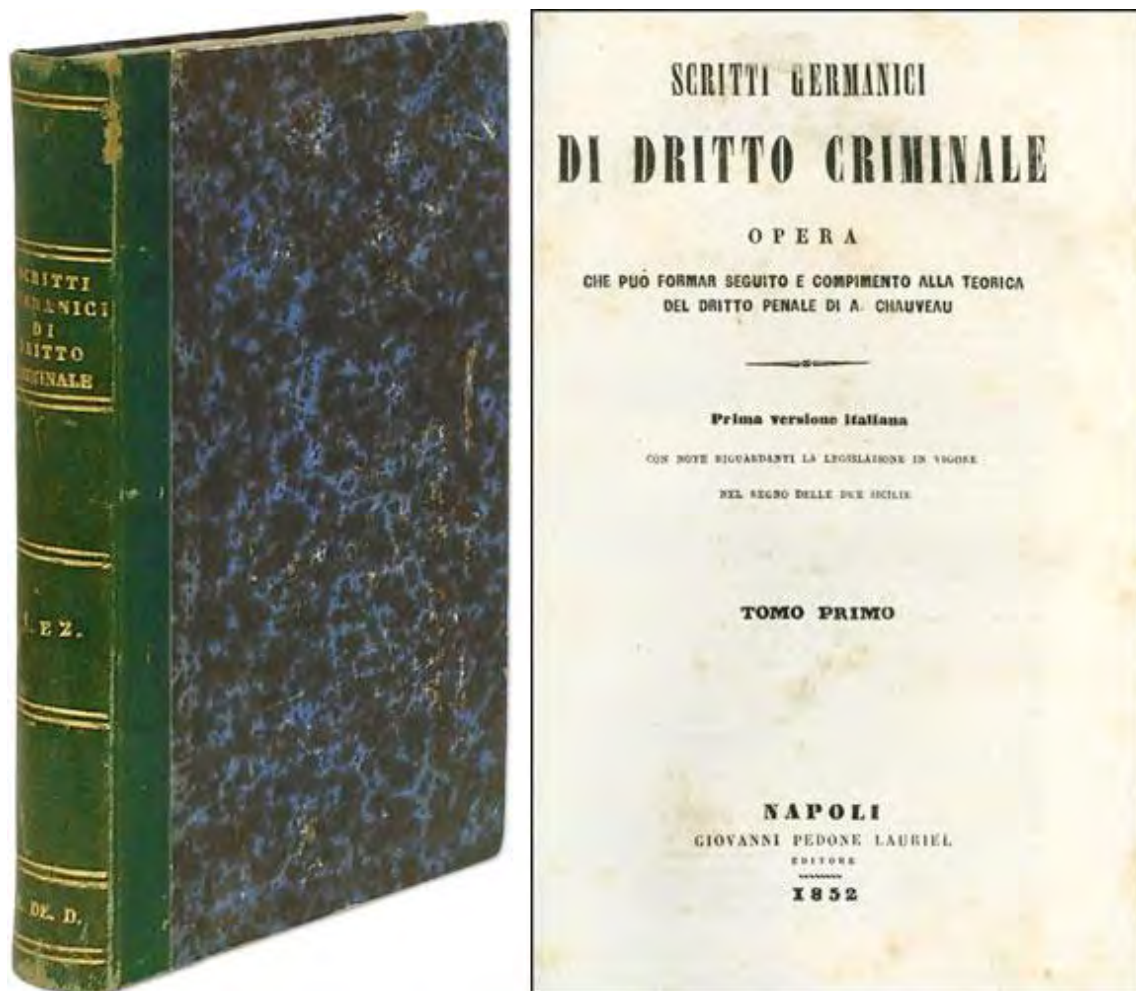
**The First Significant
English Treatise on Highway Law**

15. Meriton, G[eorge] [1634-1711].

A Guide to Surveyors of the High-Ways Shewing the Office and Duty of Such Surveyors, with Several Cases and Resolutions in Law Relating to the Same: Collected and Gathered Out of Publick Acts of Parliament Now in Force, And Out of the Year-Books, and Other Books of the Municipal Laws of this Kingdom: With an Abridgment of the Statute of 22 h. 8 Chap. 5 for the Repairing of Bridges, With Cases Relating Thereunto : and Likewise a Summary of the Statutes Made for Paving, Cleansing, &c., Streets, Lanes, &c., In London and Other Towns and Places, and an Abstract of Statutes Made for the Repairs of High-Ways and Bridges in Particular Places, Methodiz'd into Short Chapters for the Ready Finding out any Matter Contain'd in the Book. London: Printed by W. Rawlins and S. Roycroft for A. and J. Churchill, 1694. [xxiv], 167 pp. Octavo (6-1/2" x 4").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, occasional light foxing and dampstaining, internally clean. \$750.

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



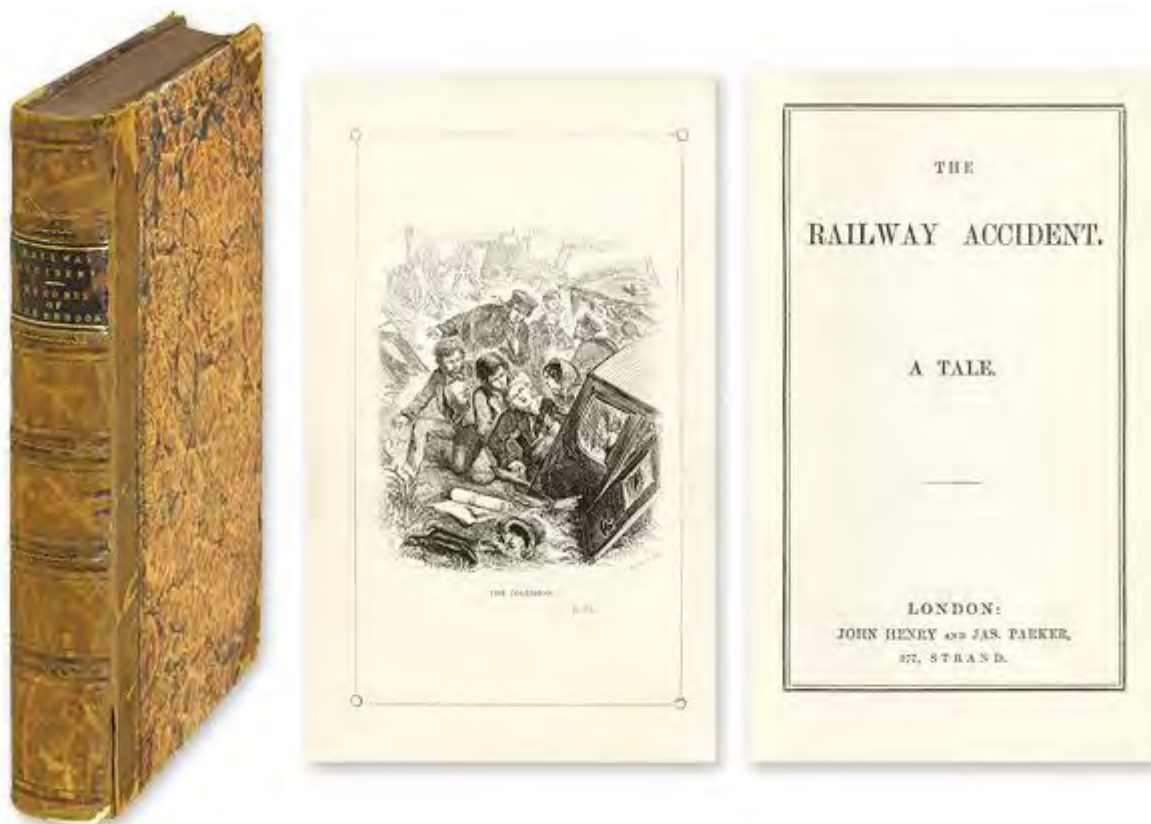
**1852 Italian Anthology of Translated
Writings by German Criminologists**

16. [Mori, Francesco A., Editor and Translator].

Scritti Germanici di Diritto Criminale. Opera Che Puo Formar Seguito e Complimento Alla Teorica del Diritto Penale di A. Chauveau. Prima Versione Italiana con Note Riguardanti la Legislazione in Vigore nel Regno Delle Due Sicilie. Naples: Giovanni Pedone Lauriel, 1852. Two volumes bound as one, each with title page and index. 240; 252 pp. Main text in parallel columns. Octavo (9" x 6").

Contemporary quarter calf with gilt fillets and titles over marbled boards, speckled edges. Rubbing with some wear to extremities. Light foxing to most of text, which is otherwise clean and bright. A very nice copy of a rare title. \$250.

* Reissue of a book first published in Livorno in four volumes from 1847 to 1847. This book is an anthology of writings by contemporary German criminologists, who were considered the leading practitioners in Europe. They are: Mittermeier, Rosshirt, Hofacker, Walter, Bauer, Waechter, Scheurlen, Zachariae, Kleinscrod, Friedrich, Hepp, Sander, Jagemann, Schenck, Geib and Hesse. Mori was a pioneering Italian criminologist. He was influenced by the important French criminologist Adolphe Chauveau [1802-1869]. OCLC locates 5 copies, 1 in North America (Columbia Law School). Not in the *British Museum Catalogue*. [Order This Item](#)



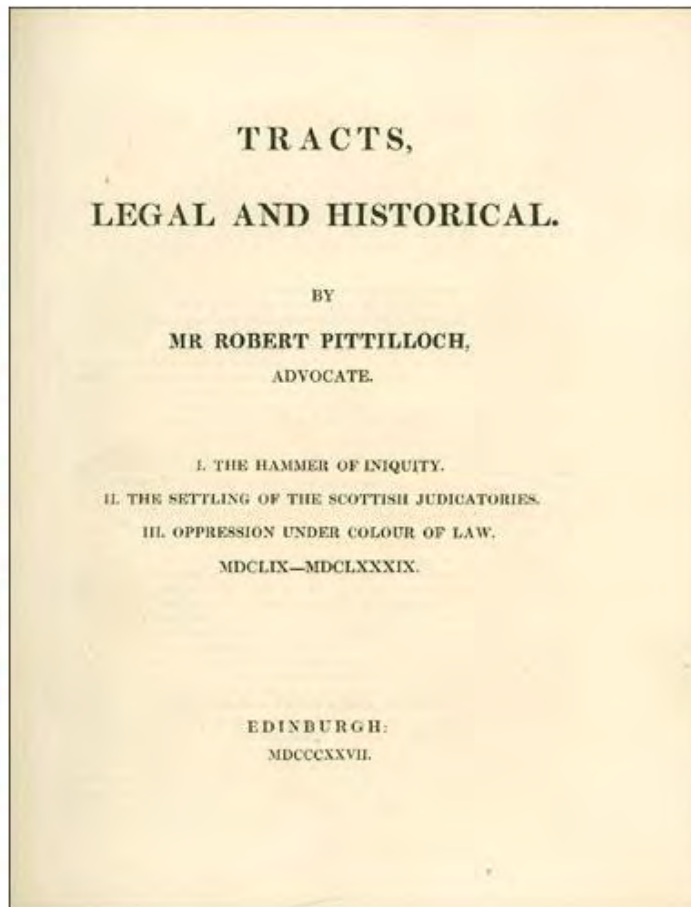
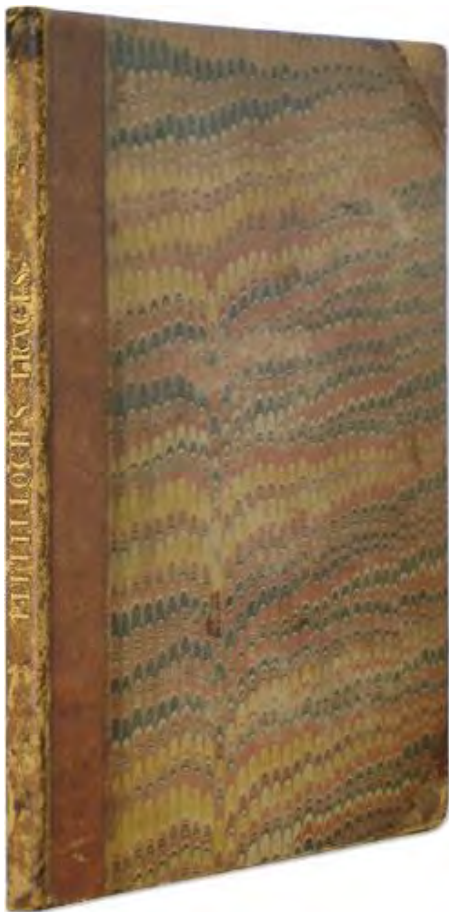
**Rare British Novella about a Railway
Accident Featuring a Trial for Negligence**

17. [Neale, John Mason].

The Railway Accident: A Tale. London: John Henry & Jas. Parker, [c. 1855]. 103 pp. Woodcut frontispiece. [Bound with three other titles.] Octavo (6-1/2" x 4").

Contemporary three-quarter calf over marbled boards, raised bands and lettering piece to spine. Some rubbing to extremities, corners bumped and somewhat worn and corners rubbed. Light toning, light browning to final title. \$650.

* The plot of *The Railway Accident* concerns a railroad worker who is falsely accused of having caused the accident; the final quarter of the novella is a "verbatim" account of the courtroom proceedings in which he is acquitted by "the almost special interference of Providence." This is a rare item. We located 3 copies in the UK and 1 copy in North America (at the University of Missouri). The other works in this volume are Emily Judson's *Records of Alderbrook, Or Fanny Forester's Village Sketches* (London, 1854) and two pamphlets issued by the Society for Promoting Christian Knowledge: *Stephen Bell; Or, Follow After Charity* (London, 1855) and *The Cripple of the Railroad* (London, 1853). [Order This Item](#)



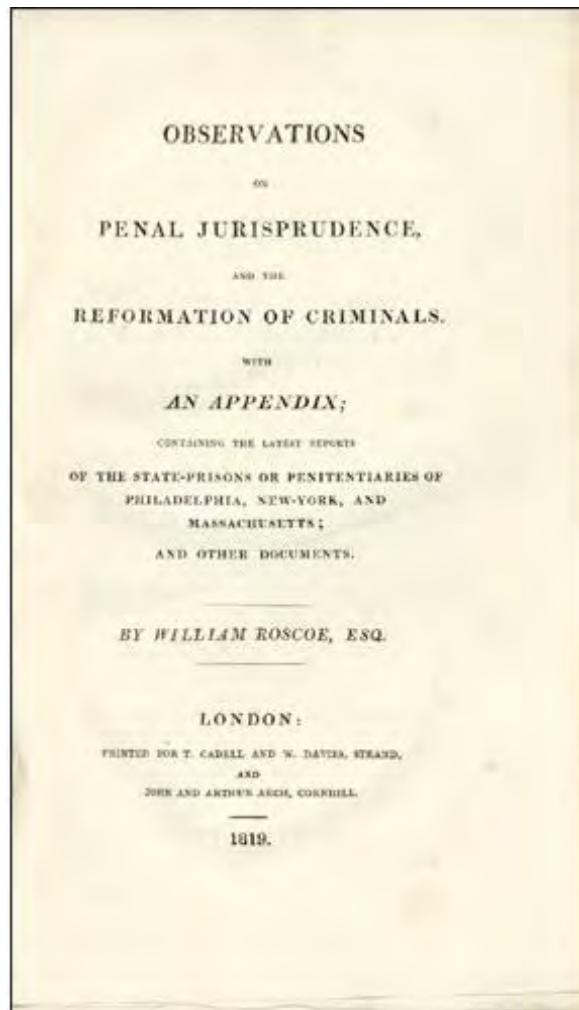
Only Forty Copies Printed

**18. Pittilloch (Pittilloh), Robert [1621?-1698].
[Maidment, James, Editor].**

Tracts, Legal and Historical. I. The Hammer of Iniquity. II. The Settling of the Scottish Judicatories. III. Oppression Under Colour of Law. Edinburgh: [Printed by Ballantyne and Co.], 1827. iv, [2], 14, 10, [2], iv, [3]-32 pp. Each section has title page and pagination, first section preceded by general title page. Quarto (8" x 6-3/4").

Contemporary three-quarter calf over marbled boards and endpapers, top edge gilt. Moderate rubbing with some wear to spine ends, joints and corners. Early armorial bookplate to front pastedown, bookplate of Robert Maxtone Graham to front free endpaper, his signature to verso. Light foxing to endleaves. Early annotation to verso of title page, interior otherwise fresh. A nice copy of a rare title. \$350.

* This book reprints three rare pamphlets on political and legal subjects. The first two were originally published in 1659, the third in 1684. Little is known about the author, though he may have been a barrister. According to the editor, "[t]he principal value of the ensuing fugitive pieces consists in the curious and valuable information, both legal and historical, which they contain; and which, although mixed up with much extraneous and tedious matter, will not, on that account, be unacceptable to the *few* individuals who take an interest in our national history.": Preface [iii]. Robert Maxtone Graham was a notable Scottish book collector. OCLC locates 10 in North America, 5 in law libraries (Harvard, Library of congress, LA County, University of Pennsylvania, University of Virginia). According to Sweet & Maxwell, only 40 copies of this book were printed. See *A Legal Bibliography of the British Commonwealth* 5:93. [Order This Item](#)



An Important English Penal Reformer

19. Roscoe, William [1753-1831].

Observations on Penal Jurisprudence, And the Reformation of Criminals. With an Appendix; Containing the Latest Reports of the State-Prisons or Penitentiaries of Philadelphia, New-York, and Massachusetts; And Other Documents. London: Printed for T. Cadell and W. Davies, 1819. iv, 179, [1], 144 pp. Two folding tables. Octavo (9" x 5-3/4").

Contemporary gray paper boards, contrasting printed paper spine label, untrimmed edges. A few inkstains, moderate rubbing with wear to spine ends and corners, front joint cracked but secure, rear joint starting. Early armorial bookplate and shelf label to front pastedown, most signatures uncut, internally fresh. \$650.

* Only edition. The early nineteenth century was a watershed period in the history of penology. Many important contributions were made at this time by such luminaries as Bentham, Lieber, Livingston and Tocqueville. Roscoe's work was equally important. Believing that retribution should play no part in criminal jurisprudence, he advocated milder punishments, believing they would reform the criminal. He later published two companion volumes, *Additional Observations on Penal Jurisprudence, And the Reformation of Criminals* (1823) and *Observations on Penal Jurisprudence, And the Reformation of Criminals, Part III* (1825). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:307.

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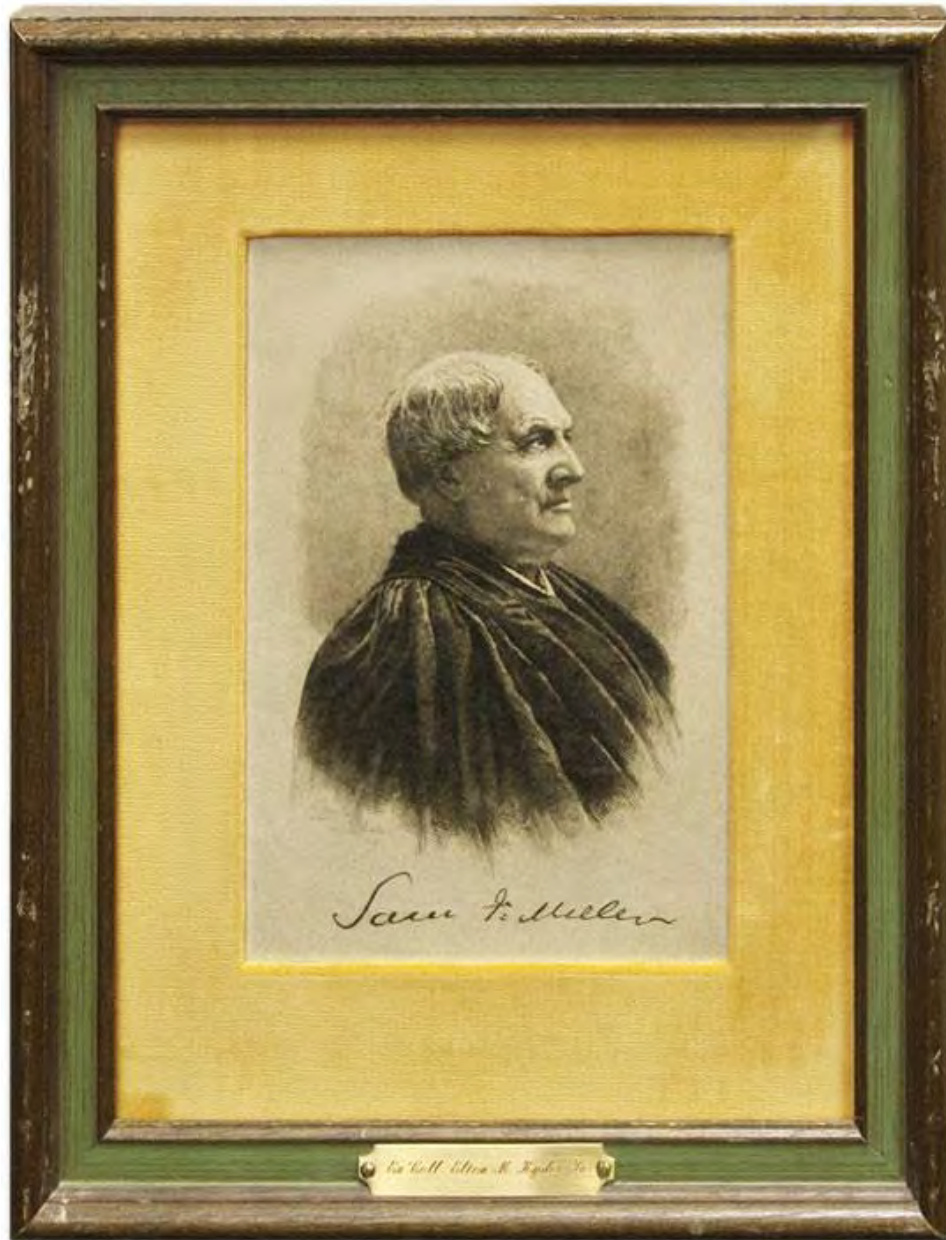


Handsome Portrait of Chief Justice Ellsworth

20. Rosenthal, Max [1833-1939].

[*Etched Portrait of Oliver Ellsworth*]. [N.p.: S.n., 1888]. Attractively glazed and matted 5" x 6-3/4" print in attractive 9-1/2" x 11-1/2" wooden frame, small brass plaque to center of bottom. Some rubbing and a few nicks to frame, otherwise fine. \$300.

* Most famous for his work on the drafting of the U.S. Constitution, Ellsworth [1745-1807] was an important figure in Revolutionary and Federal periods, was the third chief justice of the U.S. Supreme Court. Born in Poland and trained in Paris and Philadelphia, Rosenthal was a respected artist who specialized in portraits of notable individuals and historical figures. [Order This Item](#)

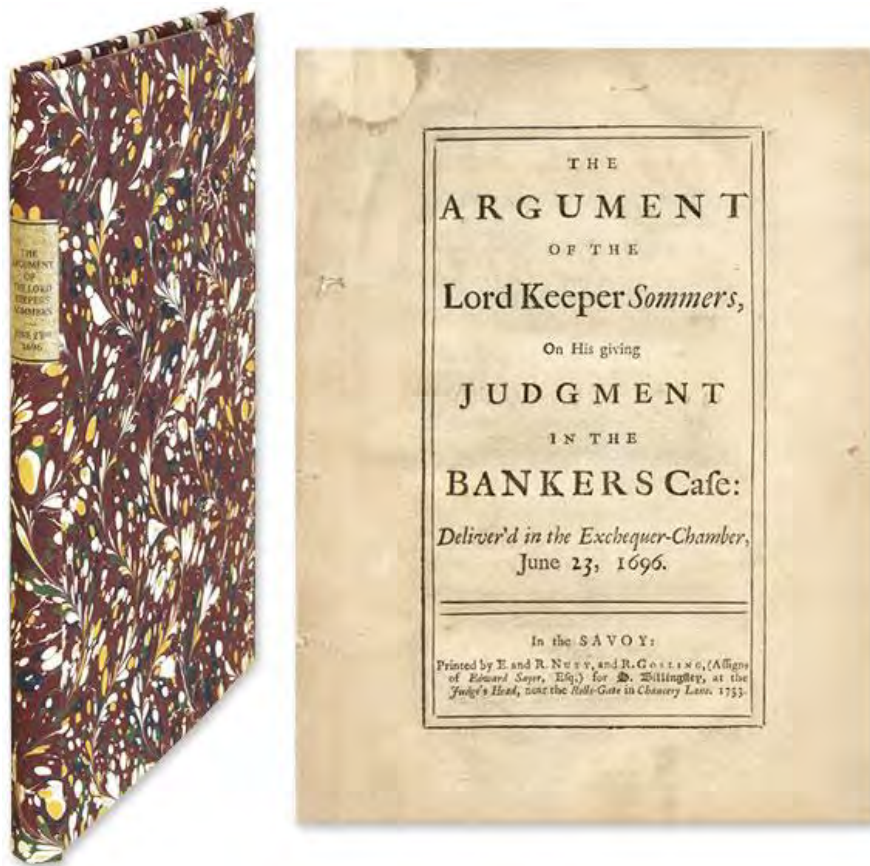


Handsome Portrait of Justice Samuel Miller

21. Rosenthal, Max.

[*Etched Portrait of Samuel F. Miller*]. [N.p.: S.n., 1890]. Attractively glazed and matted 5" x 6-3/4" etching in attractive 9-1/2" x 11-1/2" wooden frame, small brass plaque to center of bottom. A few nicks to frame, otherwise fine. \$300.

* Miller [1816-1890], who also held a medical degree, was an associate justice of the U.S. Supreme Court from 1862 to 1890. The author of nearly twice the number of opinions as the rest of his fellow justices, he was probably the most dominant member of the court. Born in Poland and trained in Paris and Philadelphia, Rosenthal was a respected artist who specialized in portraits of notable individuals and historical figures. [Order This Item](#)



A Low Point in Somers's Career

22. Somers, John, Baron [1651-1716].

The Argument of the Lord Keeper Sommers, On His Giving Judgment in the Bankers Case: Deliver'd in the Exchequer-Chamber, June 23, 1696. [London]: Printed by E. and R. Nutt, and R. Gosling, 1733. [ii], 128 pp. Quarto (8" x 7").

Stab-stitched pamphlet bound into recent marbled boards, printed paper title label to spine. Soiling to title page and verso of final leaf, light foxing to a few leaves. Early shelf label to head of title page, annotations to two leaves, interior otherwise clean. \$600.

* Only edition and the only complete account. This case was an unfortunate moment in Somers's otherwise brilliant career. (He was an important Whig jurist, Lord Chancellor during the reigns of William & Mary and Queen Anne and framer of the English Bill of Rights). "In the most important case which came before him in the exchequer chamber, that of the bankers who had recovered judgment in the court of exchequer for arrears of interest due to them as assignees of certain perpetual annuities charged by Charles II upon the hereditary excise as security for advances, he expended some hundreds of pounds and an immense amount of thought and research, with no better result than to defeat an intrinsically just claim, on the technical ground that it was not cognisable in the court of exchequer, but only by petition of right. No judgment so elaborate had ever been delivered in Westminster Hall as that by which, in November 1696, he reversed the decision of the court of exchequer." (*DNB*). This decision was reversed by the House of Lords three years later. Despite Somers's importance, few accounts of his legal work exist today; it is known mostly through summaries. OCLC locates 7 copies in North American law libraries. *Dictionary of National Biography* XVIII:632. *English Short-Title Catalogue* T79392. Sowerby, *Catalogue of the Library of Thomas Jefferson*, 2015. [Order This Item](#)

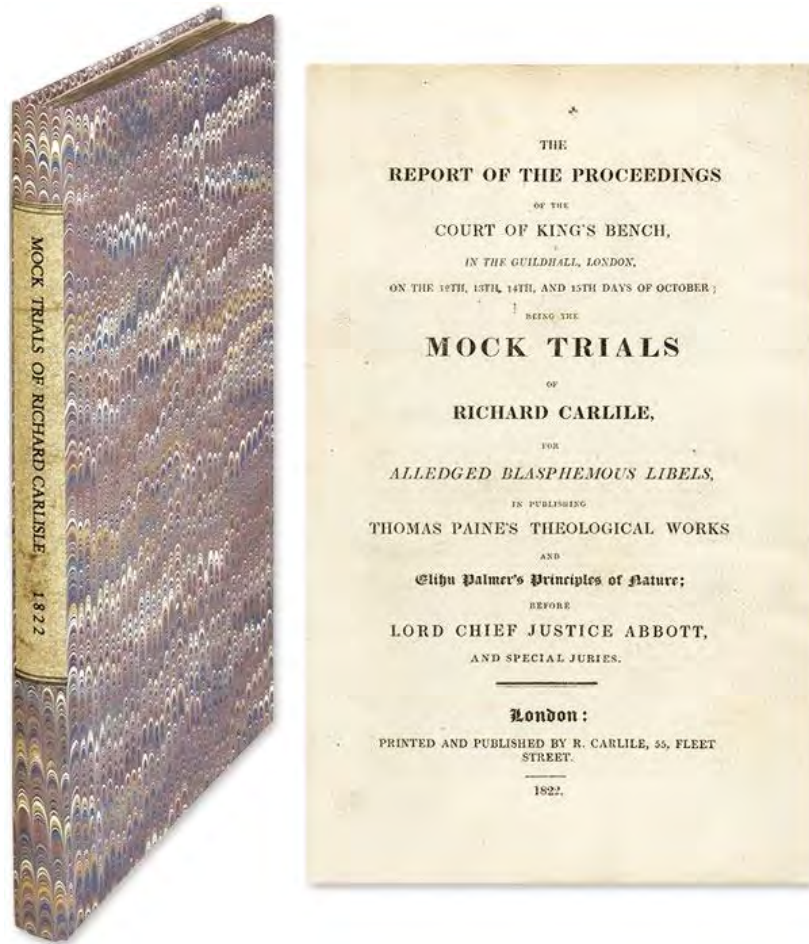


Image of Furnival's Inn by Noted Engraver

23. Sutton, Nicholas.

Furnival's Inn, c. 1725. 13" x 18" copperplate engraving, handsomely matted and glazed. Image notably fresh. \$400.

* This engraving, which has a caption near the top margin, offers a bird's eye view of the courtyard of Furnival's Inn, its buildings and the surrounding neighborhood. The appearance of the Inn and the clothing and vehicles of the figures places the date of this image in the early decades of the eighteenth century. Sutton was highly regarded for his topographical engravings. Many were created for later editions of John Stow's *Survey of the Cities of London and Westminster*, which is probably the source of this plate. Furnival's Inn was an Inn of Chancery attached to Lincoln's Inn that was founded in 1383. Sir Thomas More was a reader at this Inn; Dickens rented rooms there in 1834 to 1837, the time when he was writing the *Pickwick Papers*. [Order This Item](#)



**A Notable Freethinker and Publisher
Of Thomas Paine Reports One of His Blasphemy Trials**

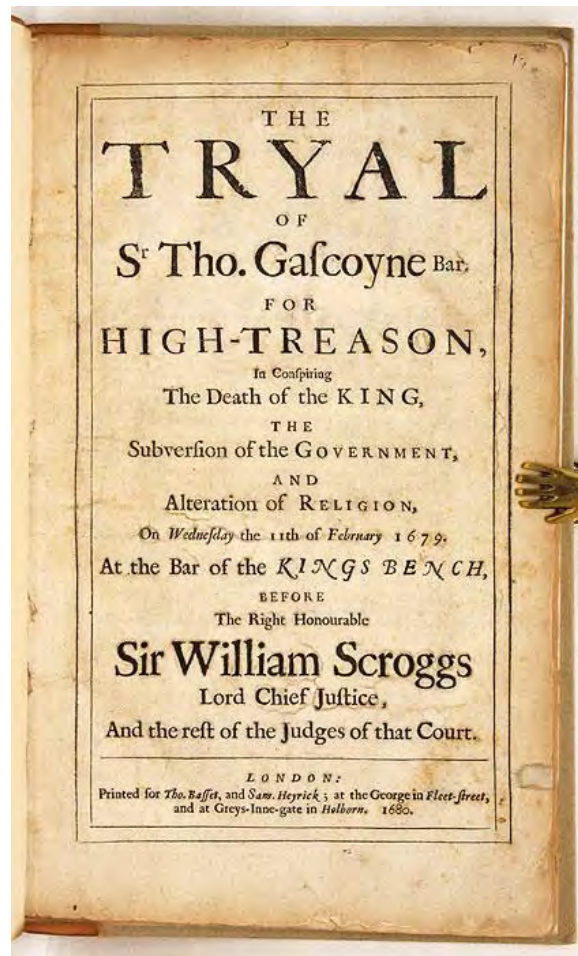
24. [Trial].

Carlile, Richard [1790-1843], Defendant and Reporter.

The Report of the Proceedings of the Court of King's Bench, In the Guildhall, London, On the 12th, 13th, 14th, And 15th Days of October: Being the Mock Trials of Richard Carlile, For Alledged [sic] Blasphemous Libels, In Publishing Thomas Paine's Theological Works and Elisha Palmer's Principles of Nature; Before Lord Chief Justice Abbott, And Special Juries. London: Printed and Published by R. Carlile, 1822. xx, 203 pp. Octavo (8-1/4" x 5-1/4").

Stab-stitched pamphlet (without wrappers) bound into recent marbled boards with paper title label. Toning, light soiling to title page, creases to corners of a few leaves. An appealing copy. \$950.

* Only edition. Carlile was one of the most prolific freethinking journalist-publisher-political activists of his day. As one would suspect, he was often at odds with the government. In 1819 he was fined 1,500 pounds and imprisoned for three years for six counts of "blasphemous libel." He published this account of the first day of his 1819 trial after his release. It deals with the information against him for publishing Thomas Paine's *Age of Reason* and *Examination of the Passages in the New Testament Quoted from the Old and Called prophecies concerning Jesus Christ*, which Carlile issued as *The Age of Reason, Part the Third*. Portions of these were read in court by Carlile with commentary. *Catalogue of the Library of the Harvard Law School* II:1035. [Order This Item](#)



A Survivor of the Popish Plot

25. [Trial].

Gascoigne, Sir Thomas [1593?-1686], Defendant.

The Tryal of Sr Tho. Gascoyne Bar. For High-Treason, In Conspiring the Death of the King, The Subversion of the Government, And Alteration of Religion, On Wednesday the 11th of February 1679. At the Bar of the Kings Bench, Before the Right Honourable Sir William Scroggs Lord Chief Justice, And the Rest of the Judges of that Court. London: Printed for Tho. Bassett, and Sam. Heyrick, 1680. Final leaf is a bound-in facsimile. 67, [1] pp. Folio (11-3/4" x 7").

Stab-stitched pamphlet bound into later quarter speckled calf over paper-covered boards, lettering piece to spine. Light rubbing to extremities, slight darkening to edges of boards. Moderate toning to text, light browning to edges, light foxing, edgewear and minor tears to a few leaves, light soiling to title page. Ex-library. Bookplate to front pastedown, stamps to endleaves, perforated stamp to head of title page. \$150.

* Only edition. A fictitious conspiracy to assassinate Charles II, the Popish Plot provoked a spasm of anti-Catholic hysteria in England and Scotland that led to the executions of at least 22 men between 1678 and 1681 and harsh laws against Catholics. Gascoigne, who was implicated by two disgruntled former servants, was among the many who were implicated in the Popish Plot, and one of the few who managed to escape execution. OCLC locates 4 copies in North American law libraries (Harvard, Osgoode Hall, University of Minnesota, University of Michigan). *English Short-Title Catalogue* R6828.

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**Notable Fraud Case at an
Important Argentinean Trading House**

26. [Trial].

[Iturriaga, Jose de, Defendant].

Cavallero, Manuel.

Respuesta a la Acusacion Formada por la Sindicatura de los Concursos de Lezica y Hornung Contra D. Jose Iturriaga. Buenos Aires: Imprenta Argentina, 1836. [iv], 47 pp.

[Bound with]

I[iturriaga], J[ose de].

Breve Contestacion al Libelo Publicado por Manuel Sainz de la Maza. Buenos Aires: Imprenta Argentina, 1836. 8 pp.

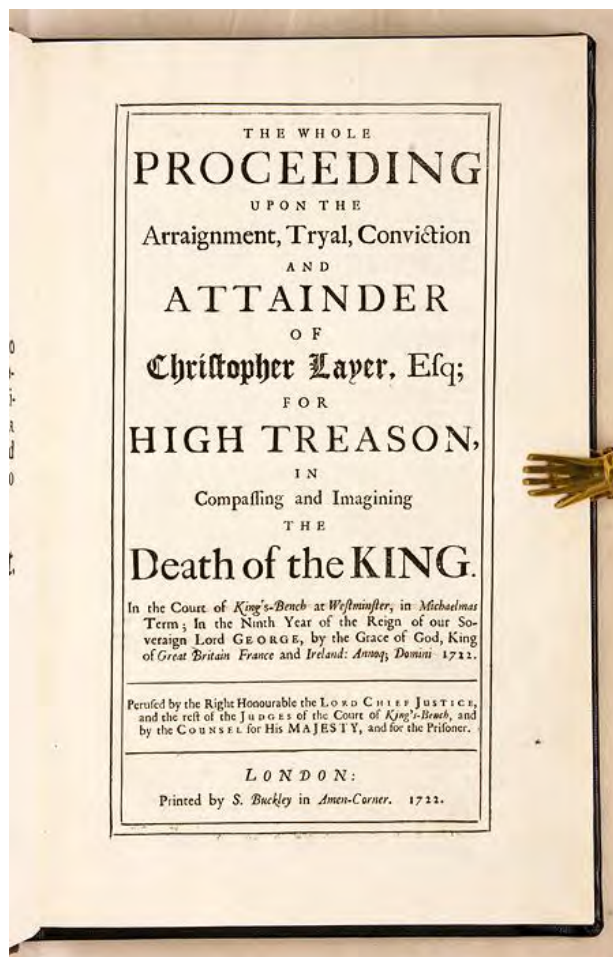
[And]

O., G.

Manifiesto en Derecho a Favor de Jose de Iturriaga, Acusado de Ocultacion de Unos Ganados y de Complicidad en la Falsificacion de su Firma, Ejecutada por Federico Hornung. [Buenos Aires]: Imprenta Argentina, [1836]. 83 pp.

Contemporary quarter calf over marbled boards, gilt ornaments and title (reading *Causa de Iturriaga*) to spine. Rubbing to extremities with heavy wear to corners, chipping to head of spine, hinges starting, owner bookplate to front pastedown. Manuscript divisional title pages between items. Moderate toning and occasional foxing to text, internally clean. Ex-library. Location label to spine, small inkstamps to title page of *Respuesta*, brief annotations to verso. Solid copies of three rare items. \$750.

* Only editions. These items relate to a trial that followed the collapse of a notable Argentinean trading house. "Corruption or mismanagement by employees or partners of non-British houses frequently made news during the century. One of the more celebrated cases was the failure of Sebastian Lezica Brothers in September 1835. The manager of the house, a German named Frederick Hornung, apparently forged bills of exchange without the knowledge of his employers, three Argentine brothers. After the failure of a British house, Thwaites and Company, and after the retention of money in the Chilean branch, the Lezica Brothers had to raise money. Originally Hartung procured the signatures of a number of people, including Thwaites; but when persons declined, he began to forge names on bills of exchange--both the drawer's and drawee's names--in order to prevent bankruptcy. He thought this would need to be done for only a short time, but he became involved until the total sum owed the market was over one and a half million pesos." (Reber). OCLC locates 1 copy of *Respuesta* (at UC-Berkeley), 1 copy of *Breve Contestacion* (at the Biblioteca Nacional de Chile) and no copies of *Manifiesto*. Reber, *British Mercantile Houses in Buenos Aires, 1810-1880* 107. [Order This Item](#)



A Leader of the Jacobite Rebellion of 1722

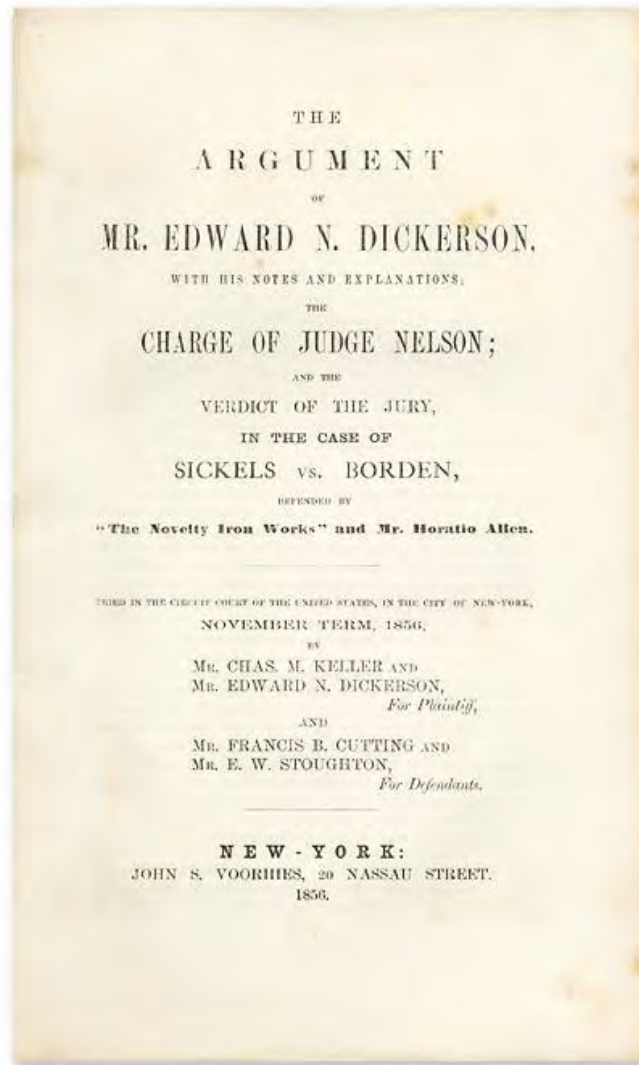
27. [Trial].

Layer, Christopher [1683-1723], Defendant.

The Whole Proceeding Upon the Arraignment, Tryal, Conviction and Attainder of Christopher Layer, Esq; For High Treason, In Compassing and Imagining the Death of the King, In the Court of King's-Bench at Westminster, In Michaelmas Term; In the Ninth Year of the Reign of Our Sovereign Lord George, By the Grace of God, King of Great Britain France and Ireland: Annoq; Domini 1722. Perused by the Right Honourable the Lord Chief Justice, And the Rest of the Judges of the Court of King's-Bench, And by the Counsel for His Majesty, And for the Prisoner. London: Printed by S. Buckley in Amen-Corner, 1722 [i.e. 1723]. [iv], 152 pp. Leaves in Signature Y (pp. 85-88) bound in reverse order. With an initial imprimatur leaf dated Jan. 21, 1722/3. Folio (12-1/2" x 8").

Stab-stitched pamphlet bound into recent buckram, gilt-stamped title to spine. Very light toning to text, internally clean. \$150.

* First edition. This is the standard contemporary account of Layer's trial, which resulted from his leadership during Jacobite Rebellion of 1722. Also known as the Atterbury Plot, this was the second attempt to return James II to the thrones of England and Scotland. The trial ended with the execution of Layer and most of his colleagues. (One of them, Francis Atterbury, the Bishop of Rochester, was banished.) This account was reissued in Dublin in 1723. *English Short-Title Catalogue* T114598. [Order This Item](#)



An Interesting Patent Case

28. [Trial].

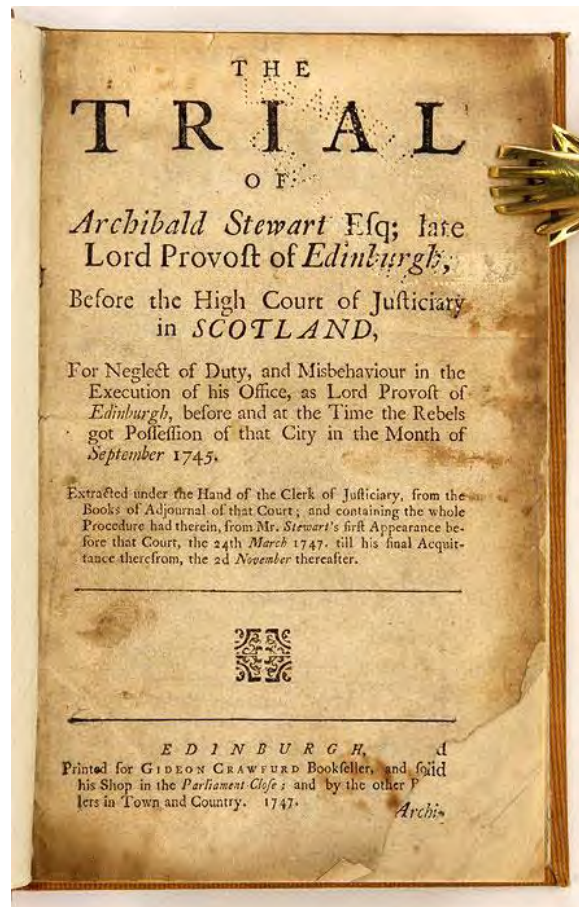
[Sickels Et Al. v. Corliss Et Al.]

Dickerson, E[dward] N[icoll] [1824-1889].

The Argument of Mr. Edward N. Dickerson: With His Notes and Explanations: The Charge of Judge Nelson: And the Verdict of the Jury in the Case of Sickels vs. Borden Defended by "The Novelty Iron Works" and Mr. Horatio Allen. New York: John S. Voorhies, 1856. 67 pp. Octavo (9-1/2" x 6").

Stab-stitched pamphlet in printed wrappers. Light soiling, some rubbing to extremities. Light toning to text, foxing and faint dampstaining to a few leaves, internally clean. \$100.

* Argued by a great patent lawyer and reported at 22 *Federal Cases* 67, this case involved the infringement of Sickels's patent on a steam value device, an important innovation that enabled the development of more powerful steam engines. The jury found a verdict for the plaintiff for \$720. Dickerson was the outstanding authority on patent law in the United States at this time. Cohen, *Bibliography of Early American Law* 11530. [Order This Item](#)



A Turncoat?

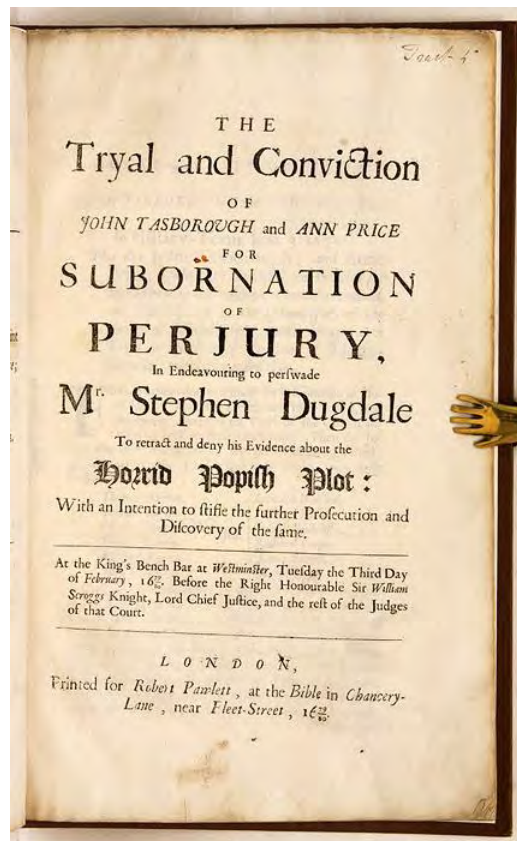
29. [Trial].

Stewart, Archibald [1697-1780], Defendant.

The Trial of Archibald Stewart Esq; Late Lord Provost of Edinburgh, Before the High Court of Justiciary in Scotland, For Neglect of Duty, and Misbehaviour in the Execution of His Office, As Lord Provost of Edinburgh, Before and at the Time the Rebels Got Possession of That City in the Month of September 1745. Extracted Under the Hand of the Clerk of Justiciary, From the Books of Adjournal of that Court; And Containing the Whole Procedure had Therein, From Mr. Stewart's First Appearance Before that Court, The 24th March 1747. Till his Final Acquittance Therefrom, The 2d November Thereafter. Edinburgh: Printed for Gideon Crawford, 1747. 178; 203, [1] pp. Two parts. The second has the drop-head title: *Proceedings in the Second Trial of Archibald Stewart, Esq.* Octavo (7-1/2" x 4-1/2").

Later buckram, calf lettering piece to spine. Light soiling, corners bumped and lightly worn. Moderate toning to text, soiling and edgewear to title page, lower corner lacking with minor loss to text. Ex-library. Stamps to boards, edges and endleaves, bookplate to front pastedown, perforated stamps to title page, following leaf. \$250.

* Only edition. Stewart was tried for his failure to prevent Jacobite troops from taking Edinburgh. After a long trial he was acquitted, though many believed he was a secret Jacobite who handed Edinburgh to the rebels. OCLC locates 9 copies in North American law libraries (Harvard, Indiana Supreme Court, Library of Congress, Social Law, UC-Berkeley, University of Georgia, University of Miami, University of Minnesota, University of Pennsylvania). *English Short-Title Catalogue* T140658. [Order This Item](#)



Two Victims of the Popish Plot

30. [Trials].

Tasborough, John, Defendant.

Price, Ann, Defendant.

The Tryal and Conviction of John Tasborough and Ann Price for Subornation of Perjury, In Endeavouring to Perswade Mr. Stephen Dugdale to Retract and Deny his Evidence About the Horrid Popish Plot: With an Intention to Stifle the Further Prosecution and Discovery of the Same. At the King's Bench Bar at Westminster, Tuesday the Third day of February, 1679/80. Before the Right Honourable Sir William Scroggs Knight, Lord Chief Justice, And the Rest of the Judges of that Court. London: Printed for Robert Pawlett at the Bible in Chancery Lane near Fleet-street, 1679/80 [i.e. 1680]. [iv], 59, [1] pp. Main text preceded by licence leaf. Final leaf contains a publisher advertisement. Folio (12-1/4" x 7-3/4").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light rubbing to extremities. Light toning, some soiling and edgewear to first and final leaves, negligible light foxing to a few leaves. Early annotation to recto of licence leaf, "tract-5" in small early hand to head of title page. Ex-library. Bookplate to front pastedown. \$100.

* Only edition. Dugdale was a self-proclaimed discoverer of parts of the Popish Plot. A fictitious conspiracy to assassinate Charles II, it provoked a spasm of anti-Catholic hysteria in England and Scotland that led to the executions of at least 22 men between 1678 and 1681 and harsh laws against Catholics. Tasborough and Price, servants of Dugdale, were two of the victims. Dugdale accused them with soliciting him to sign a recantation of his evidence in exchange for a £1,000 reward. OCLC locates 7 copies in North American law libraries (Columbia, Harvard, Library of Congress, Ohio State, University of Michigan, University of Washington, Worcester County Law Library). *English Short-Title Catalogue* R23482. [Order This Item](#)