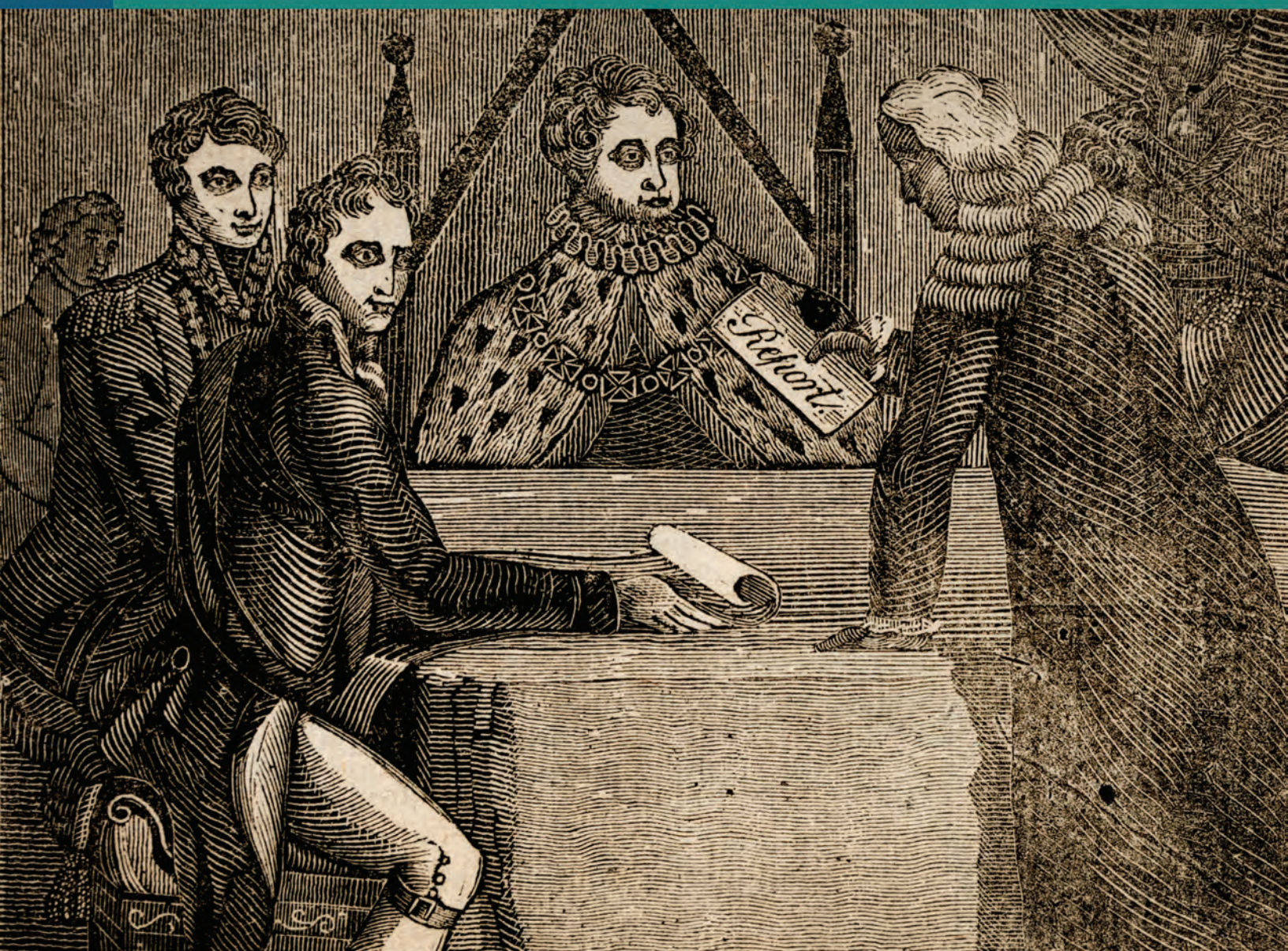


FEBRUARY 14, 2023

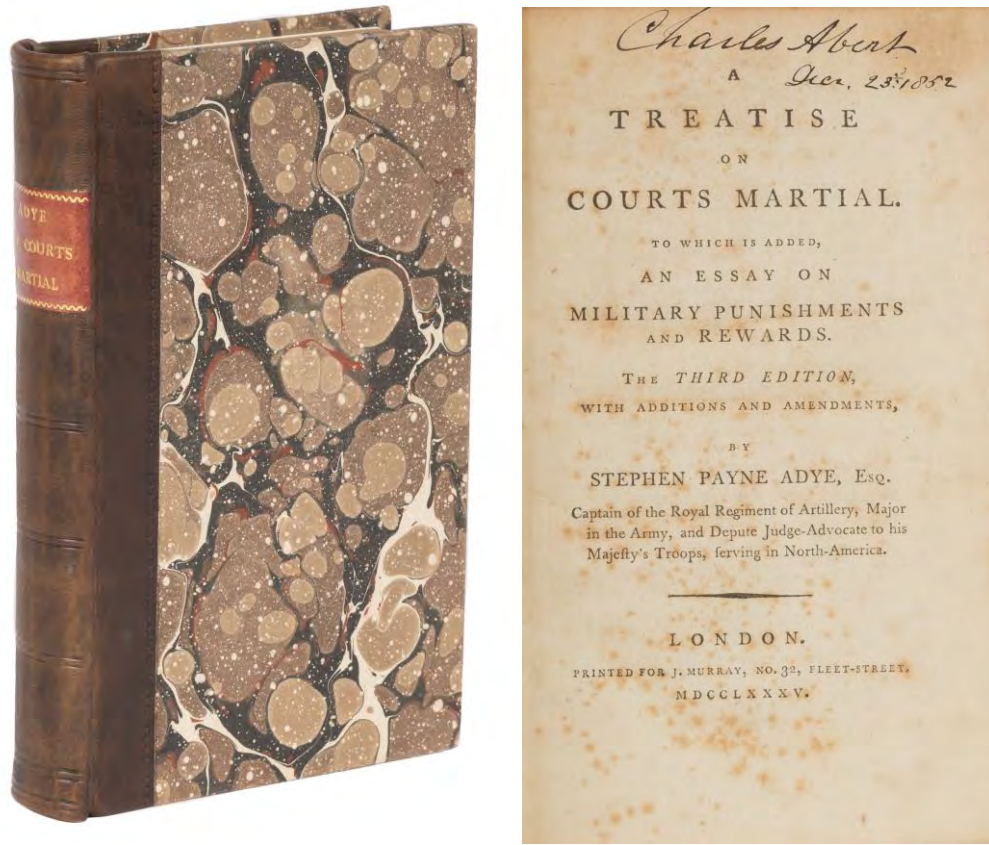
RECENT ACQUISITIONS

English & American Law, 1567–1930

30 ITEMS



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The First Anglo-American Treatise on Courts-Martial

1. Adye, Stephen Payne [d.1794].

A Treatise on Courts Martial To Which is Added, An Essay on Military Punishments and Rewards. London: Printed for J. Murray, 1786. viii, 284, [4] pp. Includes 4 pp. publisher catalogue. Octavo (7-1/4" x 4-1/2").

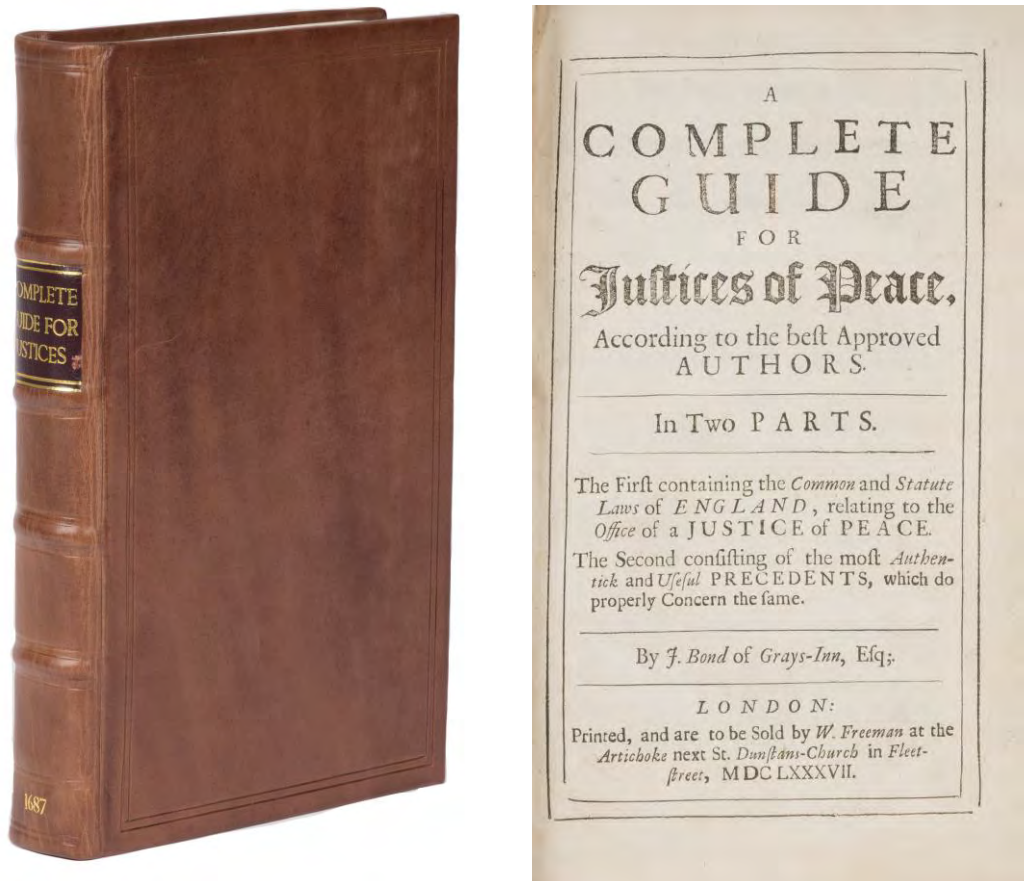
Recent period-style quarter calf over marbled boards, lettering piece and blind fillets to spine, endpapers renewed. Moderate toning to interior, light foxing in places, later owner signature (Charles Abert, dated 1852) to head of title page. \$1,500.

* Third edition. First published in New York in 1769, this title was the first Anglo-American treatise on courts-martial (and the 1769 edition was one of the first law books printed in America). It was the standard guide used by the British and American forces during the Revolutionary War. A standard treatise for many years, and an authority today, it went through eight editions, the final in 1810. The third edition is a much-expanded version of its predecessor.

Adye was Deputy Judge Advocate for the British Army in North America from 1769 to 1783. William and Henry Blacker, brothers, were stationed in America. Henry served in the Northern Campaign of 1777 and surrendered with the rest of Burgoyne's army at Saratoga on October 17, 1777. He remained in captivity with the rest of his regiment until the end of the war. OCLC locates 11 copies of this reissue in North America, 5 in law libraries (Columbia, Harvard, Howard, Library of Congress, Thurgood Marshall State Law Library, Annapolis, MD).

Wiener, *Civilians Under Military Justice* 182-188. *English Short-Title Catalogue* N13707.

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"Adapted to Our Present Age"

2. Bond, J[ohn].

A Complete Guide for Justices of Peace, According to the Best Approved Authors. In Two Parts. The First Containing the Common and Statute Laws of England, Relating to the Office of a Justice of Peace. The Second Consisting of the Most Authentick and Useful Precedents, Which do Properly Concern the Same. London: Printed, And are to be Sold by W. Freeman, 1687. [xiv], 252, [4]; 150, [10] pp. Two parts. Each with title page, the second with imprint "Printed by T.B. for H. Sawbridge, 1685," and individual pagination. Octavo (7-1/4" x 4-1/2").

Recent period-style calf, blind rules to boards, lettering piece, raised bands, blind fillets and gilt publication date to spine, endpapers added. Moderate toning to interior, light foxing to a few leaves, struck-through early annotation to recto of preliminary leaf, early owner signature (Roland Wood, dated 1694) to rear endleaf. \$400.

* Reissue of the first edition. Bond thought his manual was necessary to restate the laws and procedures concerning justices, which he felt had been corrupted during the years of the Civil War and Commonwealth. The contents are digested alphabetically by topic. Published in 1685, it proved to be a useful work. After its 1687 reissue, it went through three more editions, the last in 1707. All editions are scarce. OCLC locates 2 copies of the the first-edition reissue in North American law libraries (Georgetown, Harvard).

English Short-Title Catalogue R40759.

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"Four Wretches are Ordered to Die"

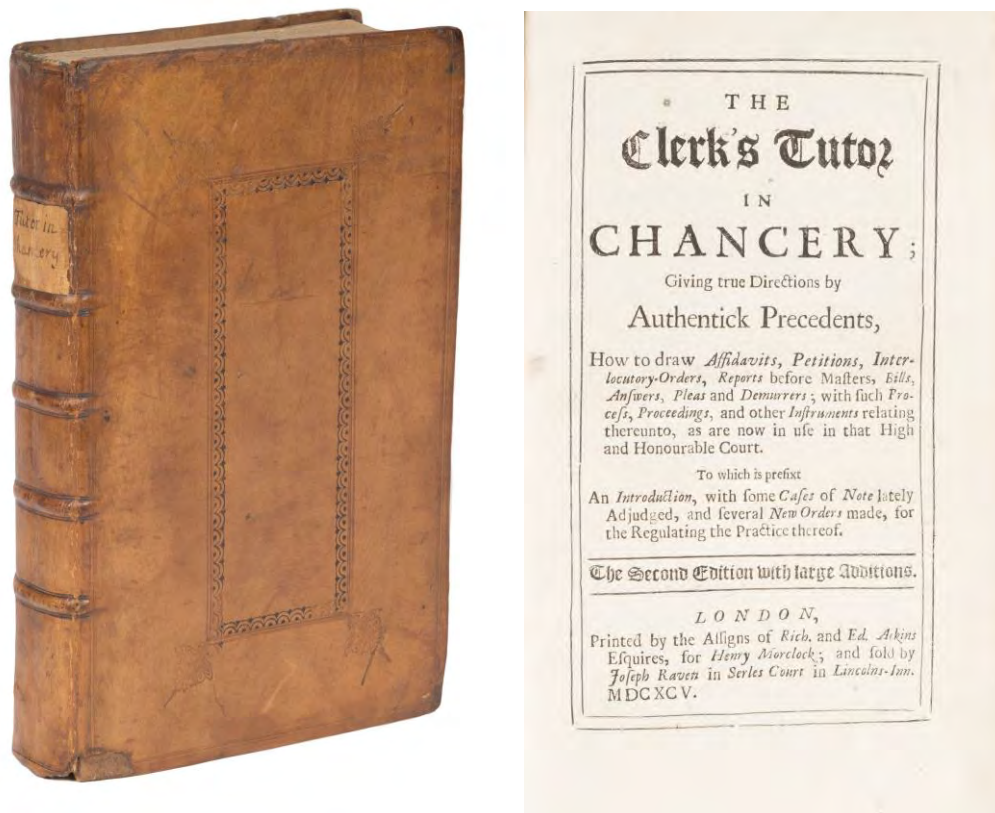
3. [Broadside].
[Execution].

The Recorder's Report. To The King in Council, Of All the Prisoners, Under Sentence of Death in Newgate, When the Four Following Prisoners, John Smith for Uttering Forged Bank Notes, John Crisp for Burglary, Edward Hogan, And James Scott for Cutting and Maiming, Were Ordered for Execution on Wednesday Next. [London]: Pitt, Printer, Wholesale Toy and Marble Warehouse, 6 Great St. Andrew Street 7 Dials, [1823].

13-1/2" x 8-3/4" broadside, text in two columns below headline and large woodcut vignette, main text followed, at foot of second column, by six stanzas of verse titled "A Mournful Copy of Verses, On the Occasion." Moderate toning, faint horizontal fold line, a few minor creases, light soiling to headline. A well-preserved copy. \$1,500.

* Stylistically similar to a court calendar, this broadside reviews the sentences of several prisoners, some of them not guilty. This was not the case, alas, of the four men listed in the headline. Their fate is the subject of the verses, which begin: "The Report is now made, and the Lord has decreed, and four Wretches are ordered to die; On Wednesday next for their sins they will bleed, So their time it draws now very nigh." This appears to be an unrecorded broadside. No copies located on OCLC or Library Hub.

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"True Directions by Authentick Precedents"

4. Brown, William [fl c.1680].

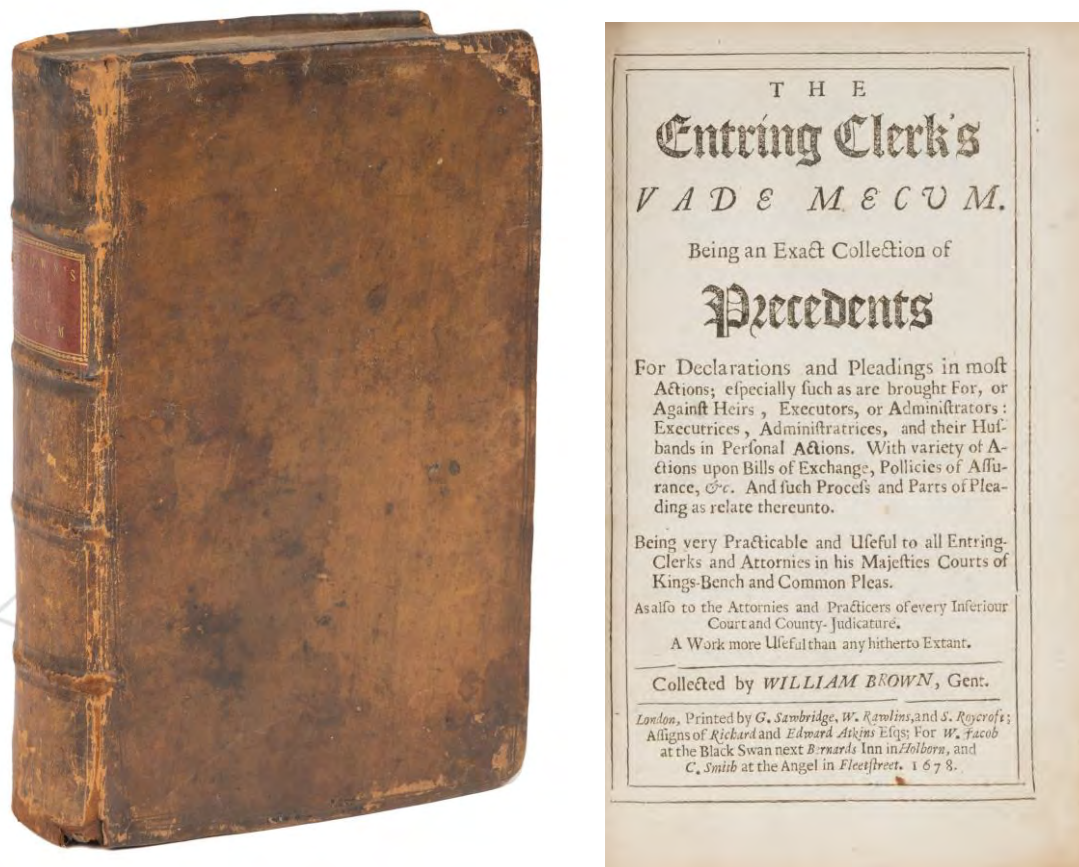
The Clerk's Tutor in Chancery; Giving True Directions by Authentick Precedents, How to Draw Affidavits, Petitions, Interlocutory-Orders, Reports Before Masters, Bills, Answers, Pleas and Demurrers; With Such Process, Proceedings, And Other Instruments Relating Thereunto, As are Now in Use in that High and Honourable Court. To Which is Prefixt an Introduction, With Some Cases of Note Lately Adjudged, And Several New Orders Made, For the Regulating the Practice Thereof. With Large Additions. London: Printed by the Assigns of Rich. and Ed. Atkins Esquires, for Henry Morclock, 1695. [x], xl, 368, [16] pp. Bound with a duplicate imprimature leaf. Octavo (7-3/4" x 4-3/4").

Eighteenth-century paneled calf, raised bands and hand-lettered paper title label to spine, gilt tooling to board edges. Light rubbing and a few minor scratches to boards, small chip to front joint at foot, moderate rubbing to extremities, a few tiny chips to spine ends, corners bumped and lightly worn. Moderate toning to interior, light foxing in a few places. \$950.

* Reissue of the second edition, 1694. Brown was clerk of the Court of Common Pleas and the author of several pleading manuals. First published in 1688, *The Clerk's Tutor* complements his *Praxis Almae Curiae Cancellariae* (first ed. 1694-1695), a treatise held in high regard by Holdsworth. Its final edition was published in 1705. All editions are scarce. OCLC locates 4 copies of the 1695 edition in North America (Brown, Case Western Reserve University, George Mason University, Library of Congress). The ESTC adds 5 more (Columbia Law School, Harvard Law School, University of Alberta, University of King's College, University of Washington).

Holdsworth, *A History of English Law* XII:179-180. *English Short-Title Catalogue* (ESTC) R23815.

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Guidance For the Novice Clerk

5. Brown, William [fl c.1680].

The Entering Clerk's Vade Mecum: Being an Exact Collection of Precedents for Declarations and Pleadings in Most Actions: Especially Such as Are Brought For, Or Against Heirs, Executors, or Administrators: Executrices, Administratrices, and Their Husbands in Personal Actions. With Variety of Actions Upon Bills of Exchange, Policies of Assurance, &c. And Such Process and Parts of Pleading as Relate Thereunto. Being Very Practicable and Useful to All Entering Clerks and Attornies in His Majesties Courts of Kings-Bench and Common-Pleas. As Also to the Attornies and Practicers of Every Inferiour Court and County-Jurisdiction. A Work More Useful Than Any Hitherto Extant. London: Printed by G. Sawbridge, W. Rawlins, And S. Roycroft; Assigns of Richard and Edward Atkins Esqs; For W. Jacob, 1678. [viii], 575, [57] pp. Octavo (7" x 4-1/2").

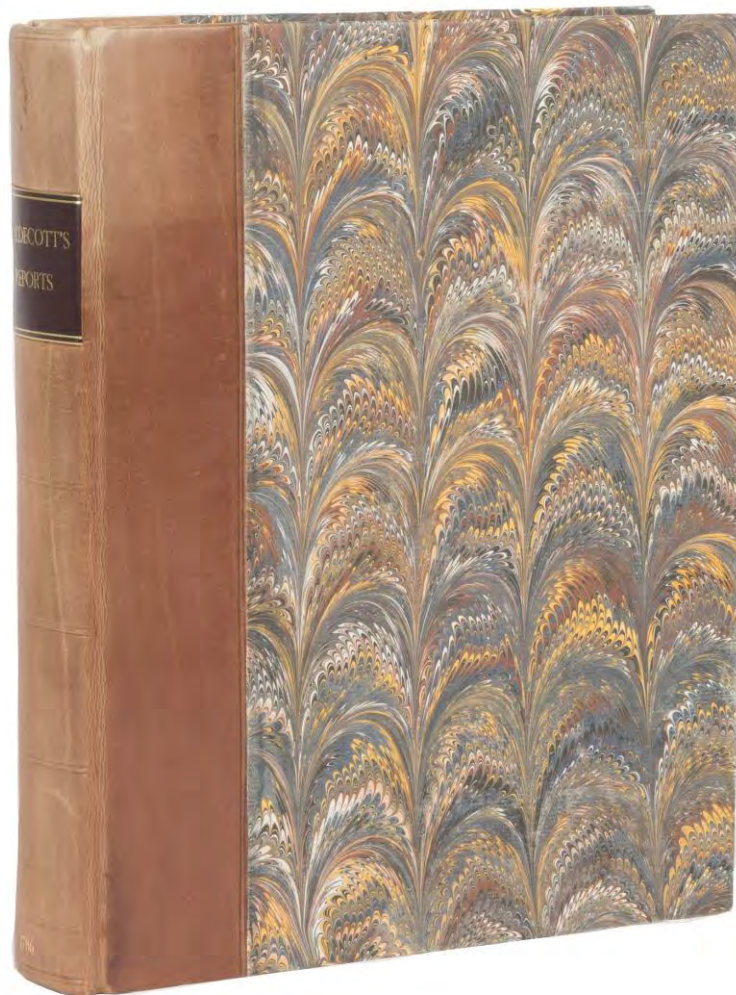
Contemporary calf, blind rules to boards, eighteenth-century lettering piece, raised bands and blind fillets to boards. Light rubbing and faint staining to boards, moderate rubbing to extremities, small chip to foot of spine, corners bumped and somewhat worn, hinges cracked, a few cracks to text block. Moderate toning to interior, early markings and illegible early signatures to endleaves. \$750.

* First edition. Brown, clerk of the Court of Common Pleas and the author of several pleading manuals, was renowned, and continues to be today, for the depth of his knowledge. The *Entering Clerk's Vade Mecum* is an excellent guide to such matters as taking entries from the plea rolls. A second edition was published in 1695.

English Short-Title Catalogue R23815.

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Settlement Cases Relating to Justices of the Peace

6. Caldecott, Thomas [1744-1833].

Reports of Cases Relative to the Duty and Office of a Justice of the Peace, From Michaelmas Term 1776, Inclusive, to Michaelmas Term 1785, Inclusive. London: Printed by His Majesty's Law Printers, For P. Uriel, 1786-1797. [viii], 166, [2]; [viii], 167-388, [2]; [vi], 389-593, [3] pp. Three parts, each with title page and individual pagination. Quarto (10-1/2" x 8-1/2").

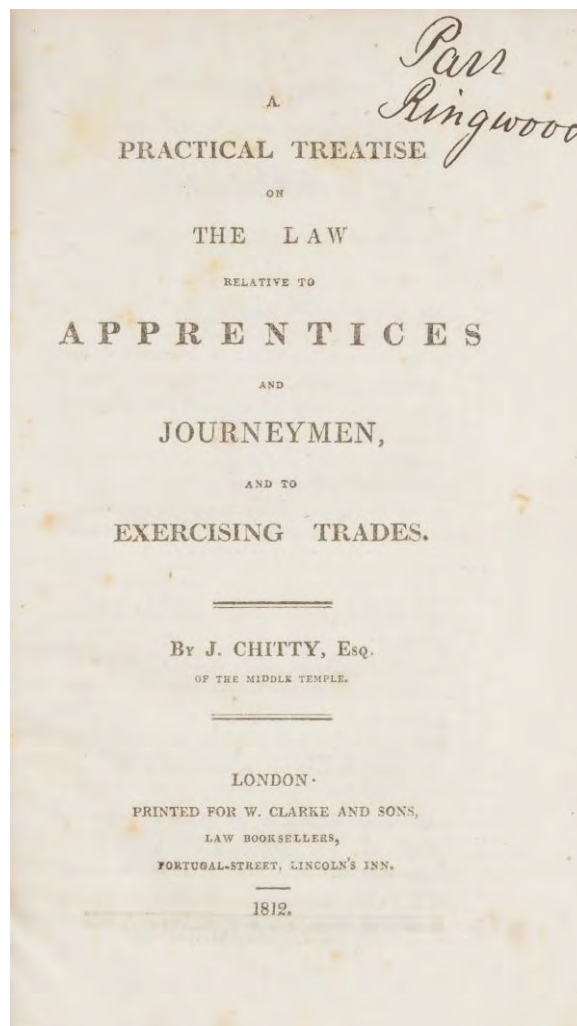
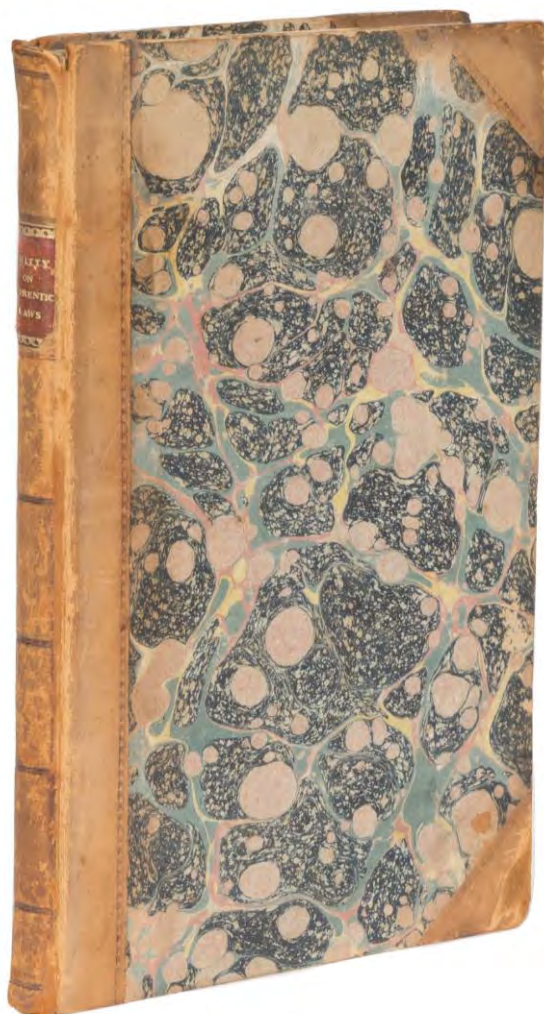
Recent period-style calf, endpapers renewed. Light fading to spine, minor wear to spine ends. Moderate toning to interior, light foxing in a few places, negligible faint dampstaining to preliminaries, library marking to verso of title page, small library stamp to following leaf. \$450.

* Only edition. Bridgeman says Caldecott was "peculiarly conversant" with settlement cases. His collection of reports was produced as a continuation of Sir James Burrow's *Decisions of the Court of King's Bench, Upon Settlement-Cases*, which covered the years 1732 to 1776. Several cases reported by Caldecott were decided by Mansfield.

Bridgeman cited in Marvin, *Legal Bibliography* 170. *English Short-Title Catalogue* T95280.

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Apprentices, Journeymen and the Industrial Revolution

7. Chitty, Joseph [1776-1841].

A Practical Treatise on the Law Relative to Apprentices and Journeymen, And Exercising Trades. London: Printed for W. Clarke and Sons, 1812. iv, 169, [4] pp. Forms. 1 pp. publisher advertisement at rear of text. Octavo (8-1/2" x 5").

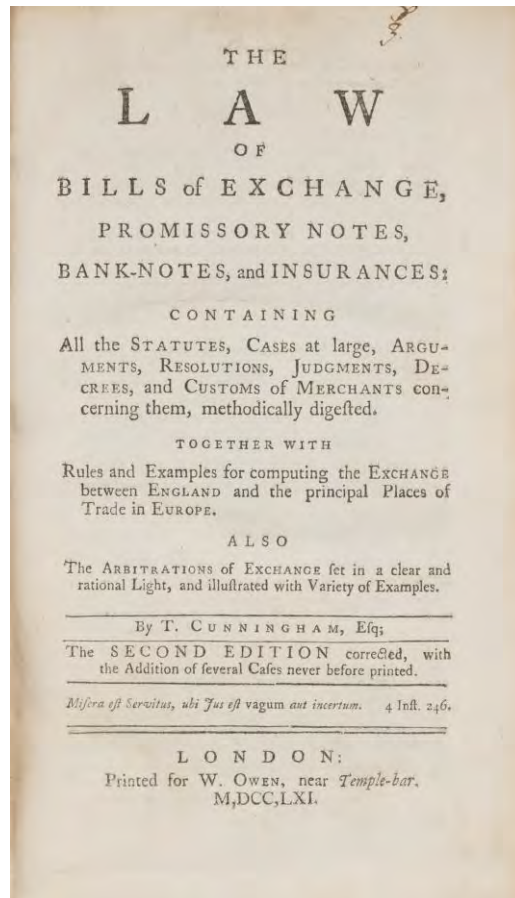
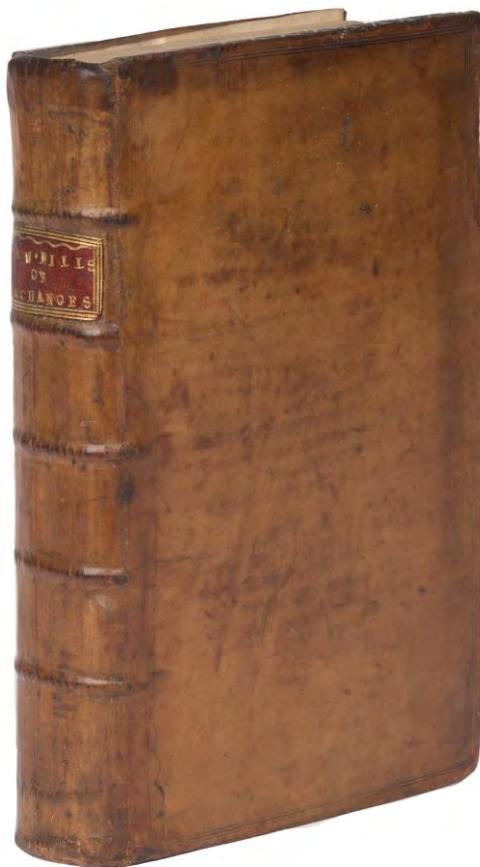
Contemporary three-quarter calf over marbled boards, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to boards, moderate rubbing to extremities with some wear to spine, early owner stamp (of Robert Davy) to front pastedown, partial crack between front endleaf and title page. Light toning to interior, light foxing in a few places, light scrinkling to a few leaves at rear of text, early owner signature (Parr Ringwood) to head of title page. \$650.

* Only edition. Chitty's pioneering book was, as Holdsworth notes, prompted "by events which arose out of the industrial revolution." It shows how the law, dating to an Elizabethan statute, was increasingly out of touch with the economic and industrial conditions of the early 1800s.

Holdsworth, *A History of English Law* XIII:486-487. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:63.

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"A Pioneer Book"

8. Cunningham, Timothy [d.1789].

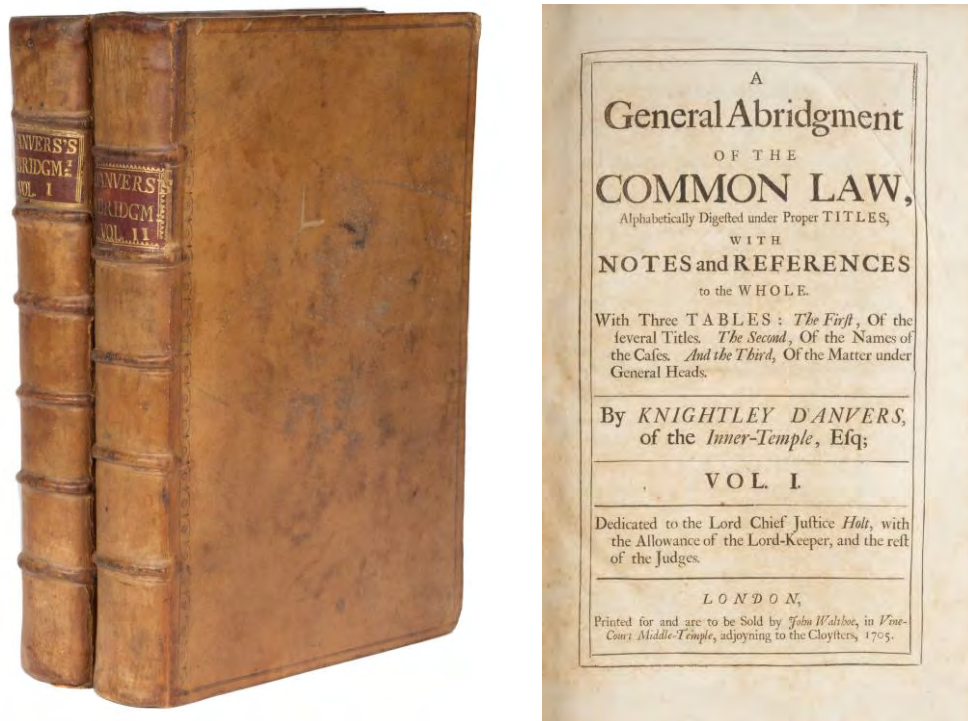
The Law of Bills of Exchange, Promissory Notes, Bank-Notes, And Insurances: Containing all the Statutes, Cases at Large, Arguments, Resolutions, Judgments, Decrees, And Customs of Merchants Concerning Them, Methodically Digested. Together with Rules and Examples for Computing the Exchange Between England and the Principal Places of Trade in Europe. Also the Arbitrations of Exchange Set in a Clear and Rational Light, And Illustrated with Variety of Examples. London: Printed for W. Owen, 1761. xxxvi, 519, [1] pp. Octavo (8" x 7-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, blind tooling to board edges. Light rubbing to bears and extremities, a few faint creases to spine, a few bumps to board edges and corners, pastedowns partially detached, front pastedown creased and moderately edgeworn, light edgewear to following endleaf. Moderate toning to interior, folds to upper outside corners of a few leaves near center of text, light soiling to endleaves, early owner initials in small hand to front endleaf and head of title page. A handsome copy. \$450.

* Second edition. The second and considerably expanded edition of the first English legal treatise on the subject, comprehensive in its coverage and praised by Holdsworth as "a pioneer book . . . a creditable piece of work [whose] arrangement is clear"

Holdsworth, *A History of English Law* 12:389. *English Short-Title Catalogue* T140361.

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**D'Anvers Substantially Revised Translation of
"A New Departure in the Literature of Abridgments"**

**9. D'Anvers, Knightly.
[Rolle, Henry (1589-1656)].**

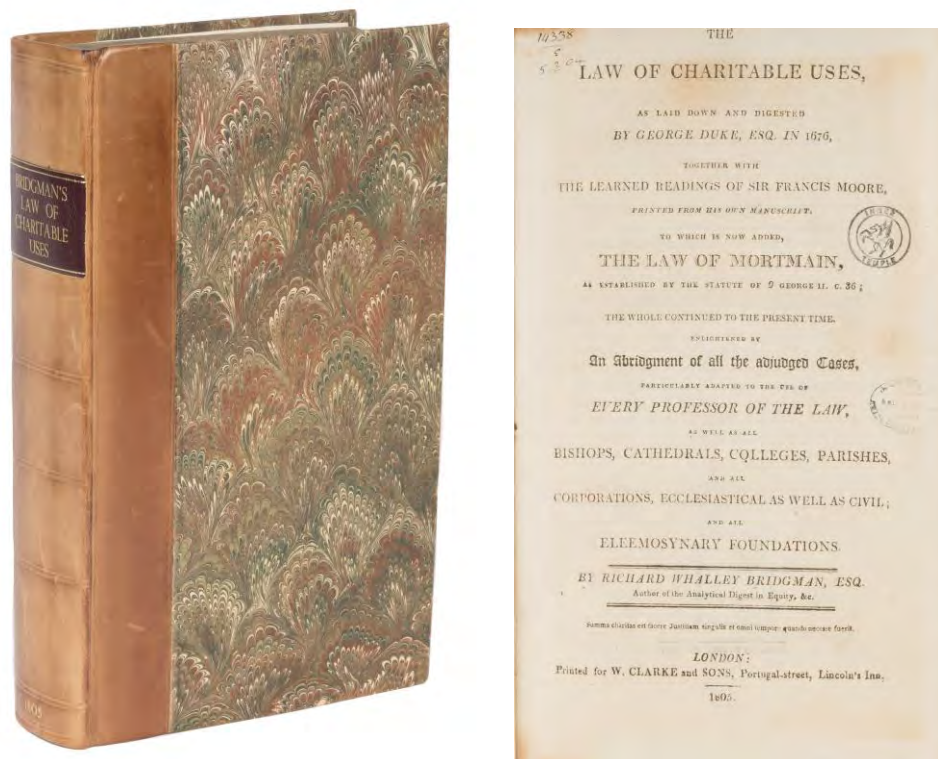
A General Abridgment of the Common Law, Alphabetically Digested Under Proper Titles, With Notes and References to the Whole. With Three Tables: The First, Of the Several Titles. The Second, Of the Names of the Cases. And the Third, Of the Matter Under General Heads. Volume I: London: Printed for and Are to be Sold by John Walthoe. 1705; Volume II: [London]: Printed by John Nutt, Assignee of Edward Sayer Esq; for John Walthoe, 1713. Complete set. Folio (12-1/4" x 7-3/4").

Uniform contemporary calf, blind rules to boards, blind fillets along joints, raised bands and lettering pieces to spine, gilt tooling to board edges. Light rubbing and some minor nicks, scuffs and scratches to boards, corners bumped and somewhat worn, bookplate residue to front pastedowns, hinges starting. Moderate toning to interiors, light foxing in places, worming at center and rear of text block of Volume I with minor loss to text on a few leaves, some creasing and light edgewear to endleaves. \$2,500.

* First edition. This is a English translation of Rolle's *Abridgment des Plusiers Cases et Resolutions del Common Ley* (1668), up to the letter "E," with substantial editorial additions and the addition of later cases by D'Anvers. (Despite later supplements, he never completed his work on this book.) The third, and last, abridgment to contain Year Book cases, Rolle's *Abridgment* was consulted and cited as frequently as those of Fitzherbert and Brooke. More important, as Holdsworth notes, it marked "a new departure in the literature of abridgments" because it was better organized and included summaries of Parliamentary records and statutes. Surpassing its predecessors as a digest of the whole law, it became a model for future abridgments, including those of Hughes, Nelson and Viner.

Holdsworth, *A History of English Law* V:376-377. *English Short-Title Catalogue* T112658.

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A Classic Treatise on Charitable Uses

10. Duke, George.

Moore, Sir Francis [1558-1621].

Bridgman, Richard Whalley [1761?-1820], Editor.

The Law of Charitable Uses, As Laid Down and Digested by George Duke, Esq., In 1676, Together With the Learned Readings of Sir Francis Moore, Printed from His Own Manuscript. To Which is Now Added, The Law of Mortmain, As Established by the Statute of 9 George II. c. 36; The Whole Continued to the Present Time. Enlightened by an Abridgment of All the Adjudged cases, Particularly Adapted to the Use of Every Professor of the Law, As Well as All Bishops, Cathedrals, Colleges, Parishes, And All Corporations, Ecclesiastical as Well as Civil; And All Eleemosynary Foundations. London: Printed for W. Clarke and Sons, 1805. xxxii, 4, 689, [52] pp. Octavo (9" x 5-1/2").

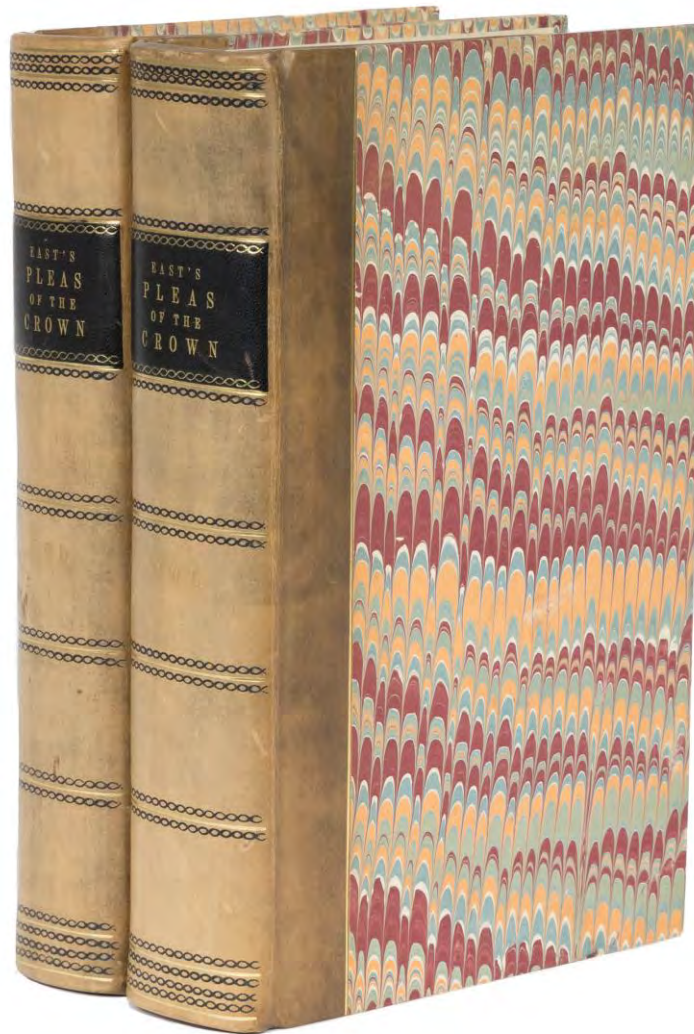
Recent period-style quarter half over marbled boards, lettering piece, blind fillets and gilt publication date, endpapers renewed. light fading and a few minor scratches to spine, library stamps to edges. Moderate toning to interior, light foxing in a few places, library stamps to title page, following leaf and final leaf of text. \$450.

* Second and final edition. First published in 1676, this treatise discusses Queen Elizabeth's 1601 Statute of Charitable Uses, the act that established the legal definition of a private charity. Holdsworth, who considered this an important book, notes "[it] sets out the statute, the commission thereunder, the proceedings to call the parties, the inquisition, the decree, and cases decided upon the statute. It also gives examples of pleadings and decrees. The most useful parts of the book are the fifth and sixth chapters, which contain the selection of cases upon the statute." Particular attention is given to the Mortmain Act of 1736, which fundamentally affected charitable gifts of land for over a century.

Holdsworth, *A History of English Law* VI:616. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:42.

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First Edition of a Classic English Treatise on Criminal Law

11. East, Sir Edward Hyde [1764-1847].

A Treatise of the Pleas of the Crown. London: Printed by A. Strahan for J. Butterworth and J. Cooke, 1803. Two volumes. lxiv, 480; [ii], 481-1126 pp. Octavo (9-1/4" x 5-1/4").

Recent period-style quarter calf over cloth, lettering pieces, gilt volume numbers and gilt and black-stamped fillets to spines, endpapers renewed. Light fading and a few minor nicks and spots to spines, moderate toning to interiors, offsetting and light edgewear to preliminaries and final few leaves of both volumes. An attractive set. \$600.

* Only edition. This classic treatise, an authority into the twentieth century, was also the first substantial treatment of the subject since Blackstone. Marvin praises its "clear, concise style" and "most thorough examination and sifting of all English Crown law writers to the time of publication." A reprint edition was published in Philadelphia in 1806.

Marvin, *Legal Bibliography* 286. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth of Nations* 2:106.

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A Work Highly Esteemed by Coke and Blackstone in a Handsome Contemporary Binding

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

La Nouvelle Natura Breviu[m] du Iudge Tresreverende Monsieur Anthony Fitzherbert... London: In Aedibus Richardi Tottelli, 1567. (Colophon begins: Imprinted at London by Rycharde Tottill.) [xxxii], 271, [1] ff. Octavo (6-1/2" x 4-1/2").

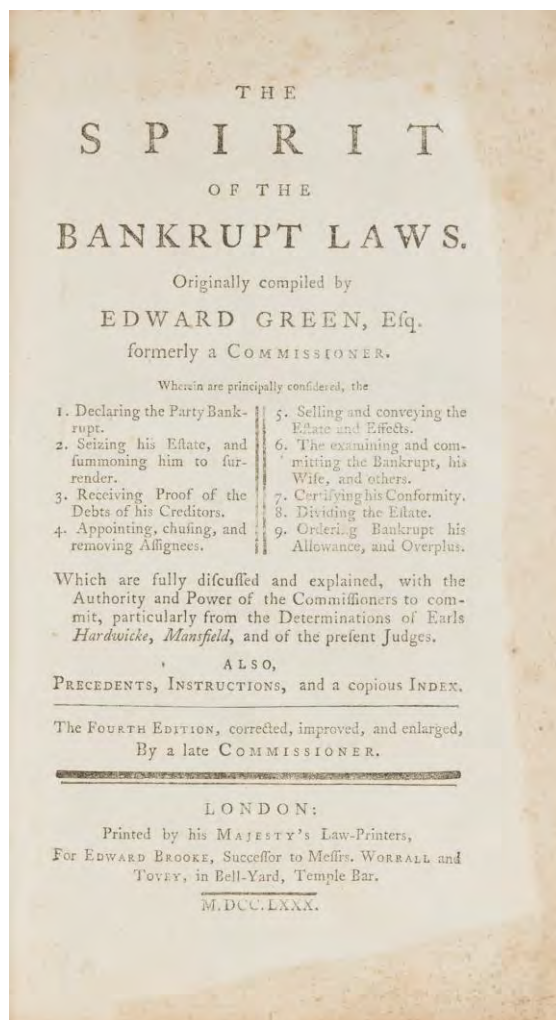
Contemporary calf, blind frames with corner fleurons, large central arabesques and initials "IW" to boards, raised bands to spine, recent repairs to spine ends and corners, three of four early ties present. A few minor nicks and wormholes to boards, moderate rubbing to extremities, a few chips to board edges, pastedowns loose, later armorial bookplate to verso of front board. Light toning to interior, underlining and brief annotations to several leaves. \$1,850.

* First published in 1534, the *Nouvelle Natura Brevium* is a procedure manual written by a Judge of the Common Pleas during the reign of Henry VIII. Winfield notes that "Coke put it among the books which he considered most necessary and of greatest authority and excellency"; Blackstone considered it an authority as well. Compiled from the earlier *Natura Brevia* and the *Registrum Brevium*, it includes several original observations on the form and function of writs. Rastell's revisions include the addition of a table. A popular work, it went through numerous editions in Law French and English, the final appearing in 1794. It remains significant to this day for its descriptions of writs that were becoming obsolete in the early sixteenth century. With few exceptions, the annotations in our copy are references to cases and statutes. The others are glosses or interpretive remarks.

Winfield, *Chief Sources of English Legal History* 303. Beale, *Bibliography of Early English Law Books* T347. *English Short-Title Catalogue* S4100.

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**Final Edition of an Important
Eighteenth-Century Treatise on English Bankruptcy Law**

13. Green, Edward.

The Spirit of the Bankrupt Laws. (...) *Corrected, Improved and Enlarged.* London: Printed for His Majesty's Law-Printers, 1780. [iii], iii-xxiv, iv, 518, 32 pp. Octavo (8-1/4" x 5").

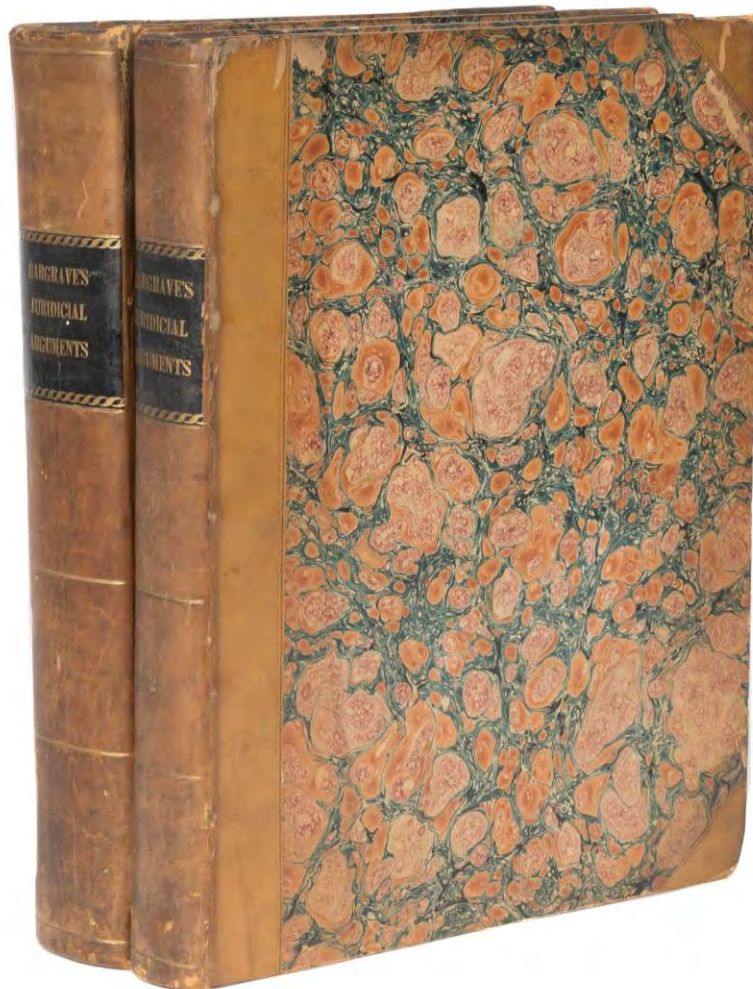
Contemporary calf, rebacked in period style, blind fillets to boards, blind and gilt fillet, contemporary lettering piece and gilt publication date to spine, hinges mended. Light rubbing and a few scuffs to boards, some gatoring to front board along joint, moderate rubbing to board edges. Light toning to interior, light foxing in a few places, offsetting to margins of endleaves and title page. \$650.

* Fourth and final edition. "The book is clearly written and well arranged. It states the effect of the modern cases and statutes; but it is not a mere digest. It explains underlying principles, and gives a good account of the way in which the commissioners in practice conducted their business" (Holdsworth). The first edition was published in 1767.

Holdsworth, *A History of English Law* XII:388. *English Short-Title Catalogue* T113145.

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Collected Writings and Speeches of a Notable Eighteenth-Century English Lawyer

14. Hargrave, Francis [1741?-1821].

Juridical Arguments and Collections. London: Printed for G. G. and J. Robinson, 1797-1799. [vi], xv, 570, liii; [viii], 391, [1], xxiv pp. Half-title lacking from Volume I, that of Volume II misbound after title page. Quarto (10-3/4" x 8-1/2").

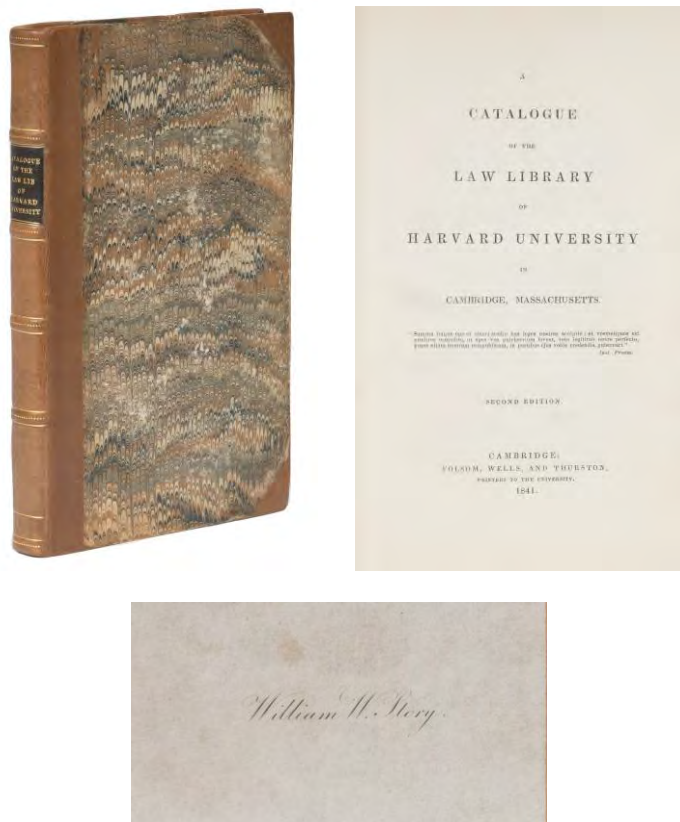
Contemporary three-quarter calf over marbled boards, lettering pieces, gilt fillets and gilt volume numbers to spines. Light rubbing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, front hinge of Volume I cracked, owner name (Harwood Shephard Mills) and small bookseller ticket to front pastedowns. Moderate toning to interiors, light foxing in places, light soiling to title pages. \$1,250.

* Only edition. Hargrave is remembered today as the most prominent of the five advocates who defended James Somerset in the 1772 case that determined the legal status of slaves in England. As Holdsworth attests, he was also a first-class jurist and legal historian, an opinion echoed by later legal historians. *Juridical Arguments* is a collection of his tracts, opinions and courtroom speeches on marriage, equity, writs of error in criminal cases and other topics.

Holdsworth, *A History of English Law* 12:410. *English Short-Title Catalogue* T146969.

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William W. Story's Copy of the Harvard Law Library Catalogue

15. [Harvard Law School].

[Sumner, Charles (1811-1874), Compiler].

[Woodward, William R., Compiler].

A Catalogue of the Law Library of Harvard University in Cambridge, Massachusetts. Cambridge: Folsom, Wells, And Thurston, 1841. xii, 228 pp. Octavo (8-1/2" x 5-1/2").

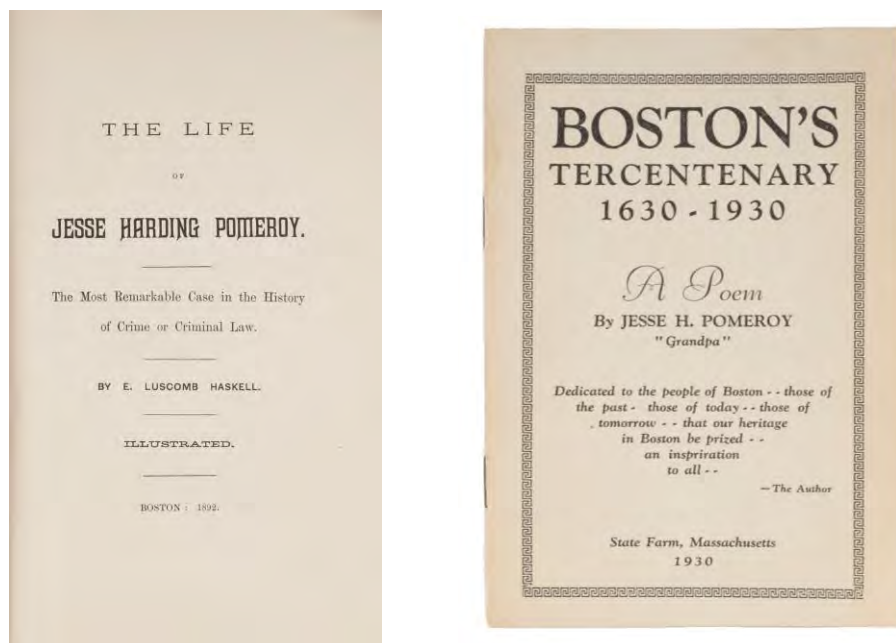
Recent period-style three-quarter calf (by Philip Dusel) retaining existing marbled boards and endpapers, lettering piece, gilt fillets and gilt-edged raised bands to spine. Light rubbing to boards, bookplate of William Wetmore Story to front pastedown. Light toning to interior, light foxing and offsetting to endleaves. \$1,000.

* Second edition. Sumner, later an eminent statesman and U.S. senator, was the librarian of Harvard's law library when he was a student at Harvard Law School. His catalogue, the first published by the law school, was preceded in 1826 by an unofficial catalogue produced by students. Woodward, his successor, updated it and added a topical index.

The son of Joseph Story, William Wetmore Story [1819-1895] wrote two important legal treatises and a notable biography of his father. He also edited a collection of his father's writings. Abandoning the law around 1850, he moved to Rome and became a successful sculptor, art critic and poet and a prominent member of the Anglo-American expatriate community. His life and rich social circle was the subject of his friend Henry James's *William Wetmore Story and His Friends* (1903).

Cohen, *Bibliography of Early American Law* 1814.

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The Youngest Person Ever Convicted of Murder In Massachusetts

16. Haskell, E. Luscomb.

The Life of Jesse Harding Pomeroy. The Most Remarkable Case in the History of Crime or Criminal Law. Boston: S.n., 1892. [viii], 20-90 pp. Portrait frontispiece. 4 plates. Octavo (9" x 6").

Sewn pamphlet in stiff printed wrappers. Light rubbing, soiling and a few minor stains, moderate rubbing to extremities with some wear to spine ends and corners, front wrapper beginning to detach at ends, rear wrapper detached, light toning to interior.

[With]

Pomeroy, Jesse Harding [1859-1932].

Boston's Tercentenary, 1630-1930: A Poem. State Farm, MA: [Charlestown State Prison], 1930. 12 pp. 12mo. (5-1/4" x 3-3/4").

Stapled pamphlet in self-wrappers. Light toning, light soiling to exterior.

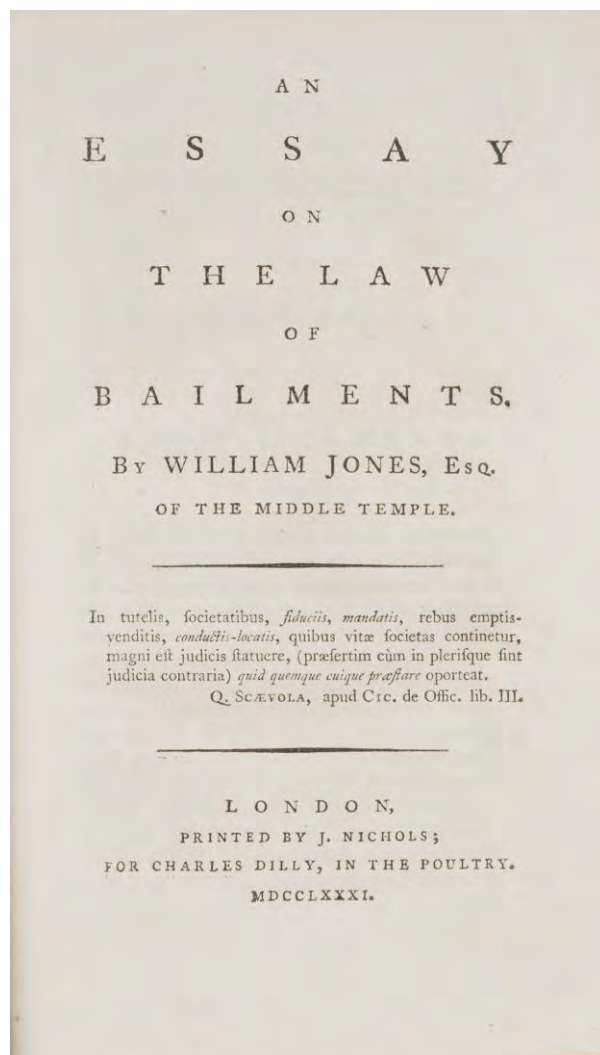
Together two items. \$950.

* Only edition. Jesse Harding Pomeroy, who had a history of sadistic violence, was the youngest person in the history of Massachusetts to be convicted of murder. In 1874, when he was 14, he was sentenced to death for the murder of a ten-year-old girl and a four-year-old boy. (He may have killed several others as well.) Due in part to his youth, his sentence was commuted to life in solitary confinement in Charlestown State Prison. While incarcerated he became a scholar, studied law to argue for better treatment, learned to read several languages, published poetry and made several attempts to escape. He was admitted to the general prison population in 1917. He was transferred to Bridgewater Hospital for the Criminally Insane in 1929, where he spent the rest of his life. OCLC locates 8 copies of *The Life*, 3 in law libraries (Social Law, Trial Court Law Library, Worcester, University of Missouri), no copies of *Boston's Tercentenary*, which appears to be unrecorded.

Life:: McDade, *The Annals of Murder* 758.

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"One of the Most Remarkable Books of All Time"

17. Jones, Sir William [1746-1794].

An Essay on the Law of Bailments. London: Printed by J. Nichols; For Charles Dilly, 1781. [iv], 130, [2] pp. With a half-title, errata leaf at rear of text. Octavo (8" x 5").

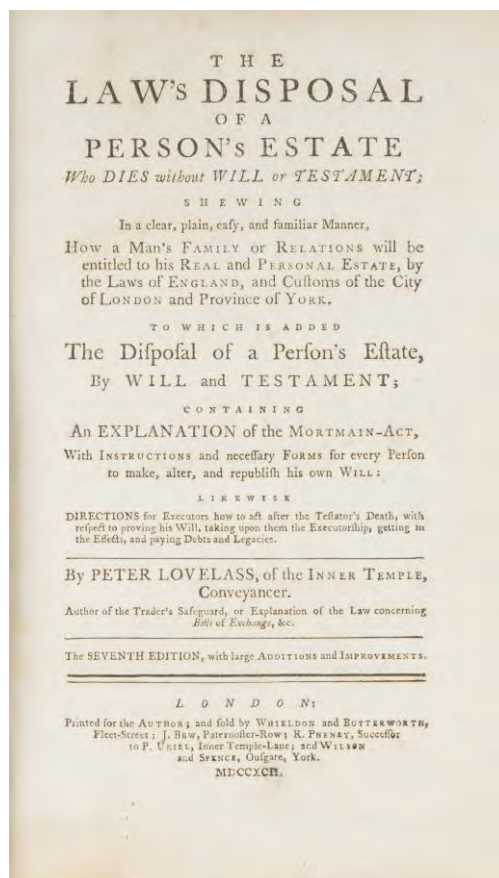
Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine, blind tooling to board edges. Light rubbing and a few minor nicks and scuffs to boards, tiny stain near upper outside corner of front board, moderate rubbing to extremities, tiny chip to front joint, later armorial bookplate (of W.H.M. Hodder) to front pastedown. Light toning to interior, minor stains to a few leaves, faint offsetting to margins of endleaves. An attractive copy. \$1,500.

* First edition. This exceptional treatise on a fundamental aspect of commercial law was called "incomparable" by Joseph Story in his own book on the subject and "one of the most remarkable books of all time" by Holdsworth. It was also one of the first significant Anglo-American treatises to use principles derived from Roman and civil law sources.

Holdsworth, *A History of English Law* 12:393. *English Short-Title Catalogue* T69325.

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An Important Eighteenth-Century Treatise on Wills

18. Lovelass, Peter [fl. 1786-1812].

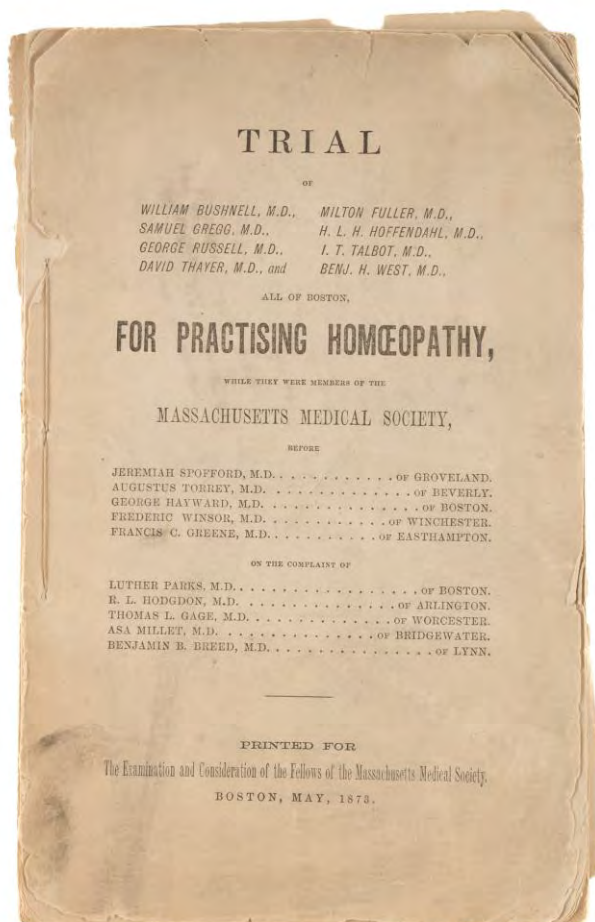
The Law's Disposal of a Person's Estate Who Dies Without Will or Testament: Shewing in a Clear, Plain, Easy, And Familiar Manner, How a Man's Family or Relations Will be Entitled to His Real and Personal Estate, By the Laws of England, And Customs of the City of London and Province of York. To Which is Added the Disposal of a Person's Estate, by Will and Testament; Containing an Explanation of the Mortmain-Act, With Instructions and Necessary Forms for Every Person to Make, Alter, And Republish His Own Will. Likewise Directions for Executors How to Act After the Testator's Death. With Respect to Proving His Will, Taking Upon them the Executorship, Getting in the Effects, And Paying Debts and Legacies. With Large Additions and Improvements. London: Printed for the Author; And Sold by Whieldon and Butterworth, 1792. xix, [1], 302, [14] pp. Octavo (8-1/2" x 5-1/2").

Contemporary calf, blind fillets to boards, raised bands and lettering piece to spine. Light rubbing to boards, moderate rubbing to extremities and spine, small chip to lettering piece, front joint cracked, later owner initials (C.G.) to front pastedown. Moderate toning to interior, minor worming to preliminaries, light foxing to a few leaves. \$250.

* Seventh edition. Published originally in 1785 as *The Will Which the Law Makes, Or How it Disposes of a Person's Estate in Case He Dies Without Will or Testament*, this useful and popular book went through thirteen subsequent editions, the last in 1839. Beginning with this edition, Lovelass expanded his scope to include people who had wills. Although this book was written for laymen, it was also used by the legal profession.

English Short-Title Catalogue T113059.

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The Medical Establishment vs. Homeopathy

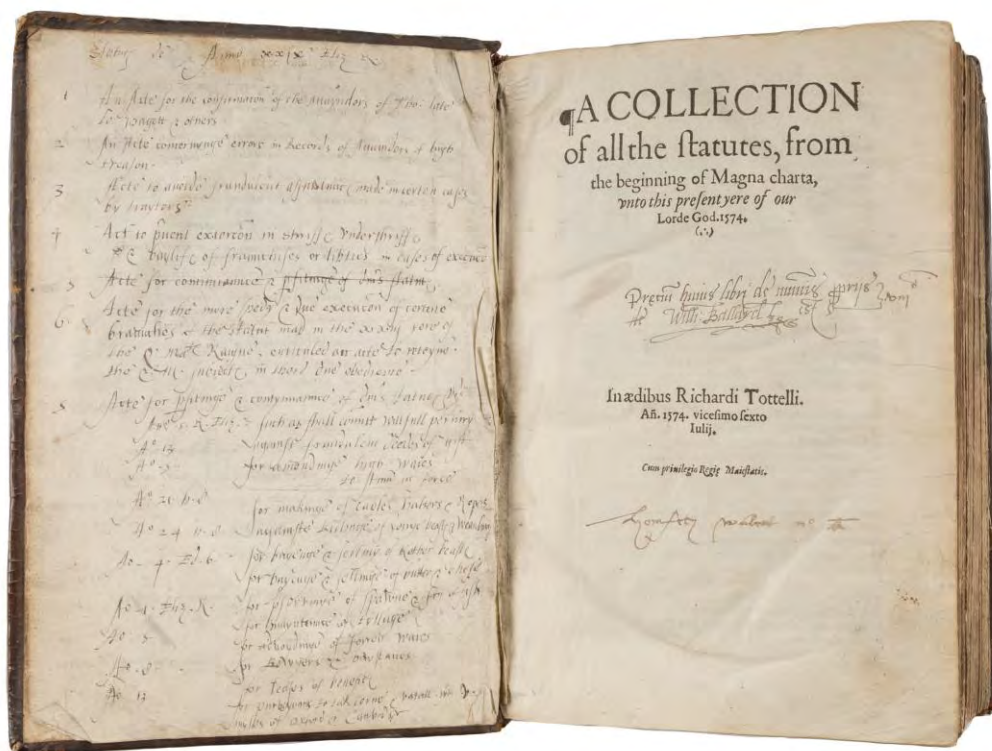
19. Massachusetts Medical Society.

Trial of William Bushnell, M.D., Milton Fuller, M.D., Samuel Gregg, M.D., H.L.H. Hoffendahl, M.D., George Russell, M.D., I.T. Talbot, M.D., David Thayer, M.D., And Benj. H. West, M.D., All of Boston, for Practicing Homoeopathy, While They Were Members of the Massachusetts Medical Society. Boston: Printed for the Examination and Consideration of the Fellows of the Massachusetts Medical Society, 1873. 60, [1] pp. Octavo (9" x 6").

Stab-stitched pamphlet in printed wrappers. Moderate toning, light soiling to exterior, wear to corners of text block, moderate egewear and a few chips and small tears to first and final leaves. \$350.

* Only edition. Founded in 1781, the Massachusetts Medical Society played a leading role in the professionalization of American medicine. This process entailed the discrediting of alternative--some would say rival--medical systems. Homeopathy was one of them. This hearing led to the dismissal of several doctors who incorporated homeopathic methods into their practice. The Society's efforts helped to marginalize homeopathy in the United States; the last school of Homeopathic medicine closed in 1920. However, Homeopathy began to enjoy a revival in the 1990s and the medical establishment has begun to incorporate some of its practices. OCLC locates 5 copies in law libraries (Harvard, Trial Court Law Library, Lowell, University of Washington, University of Missouri, Social Law).

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One of the Great Landmarks of Sixteenth-Century English Legal Literature

20. [Rastell, William (1508-1565), Compiler].

A Collection of all the Statutes, From the Beginning of Magna Carta, Unto this Present Yere of Our Lord God. 1574. [London]: In Aedibus Richardi Tottelli, 1574. [viii], 689 [i.e. 687] ff. Main text in parallel columns. Folio (9-1/2" x 6-1/4").

Contemporary calf, blind frames with corner fleurons, large blind central arabesques and fragments of thong ties to boards, raised bands, blind fillets and later paper hand-lettered title label to spine. Light scratches, minor scuffs and worming to boards, moderate rubbing to extremities, light chipping to head of spine, corners bumped and worn, some soiling and edgewear to endleaves, crack in text block between front endleaf and title page. Moderate toning to interior, worming and faint dampstaining to margins in a few places, spark burns to a few leaves, early owner signatures (of William Ballard, one dated 1593) and annotations to endleaves, title page and a few passages of the text. \$3,000.

* One of the great landmarks of sixteenth-century English legal literature, Rastell's topically digested "great collection of statutes from Magna Carta to his own day" was first published in 1557. It supplanted all previous compilations. Holdsworth notes the reasons for its success: "It is partly of the nature of an edition of the statutes at large, as the enacting parts of the public statutes in force are printed nearly word for word, and in their original language. But it is more of the nature of an abridgment.... The book was frequently republished and brought up to date in successive editions and in 1579 the Latin and French Statutes were translated." The annotations to the front endleaves are carefully copied statutes from the 30-33rd regnal years of Queen Elizabeth.

Holdsworth, *A History of English Law* IV:311-312. *English Short-Title Catalogue* S101087. Beale, *Bibliography of Early English Law Books* S64.

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Reforming the Registration of Land

21. [Real Property]. [Great Britain].

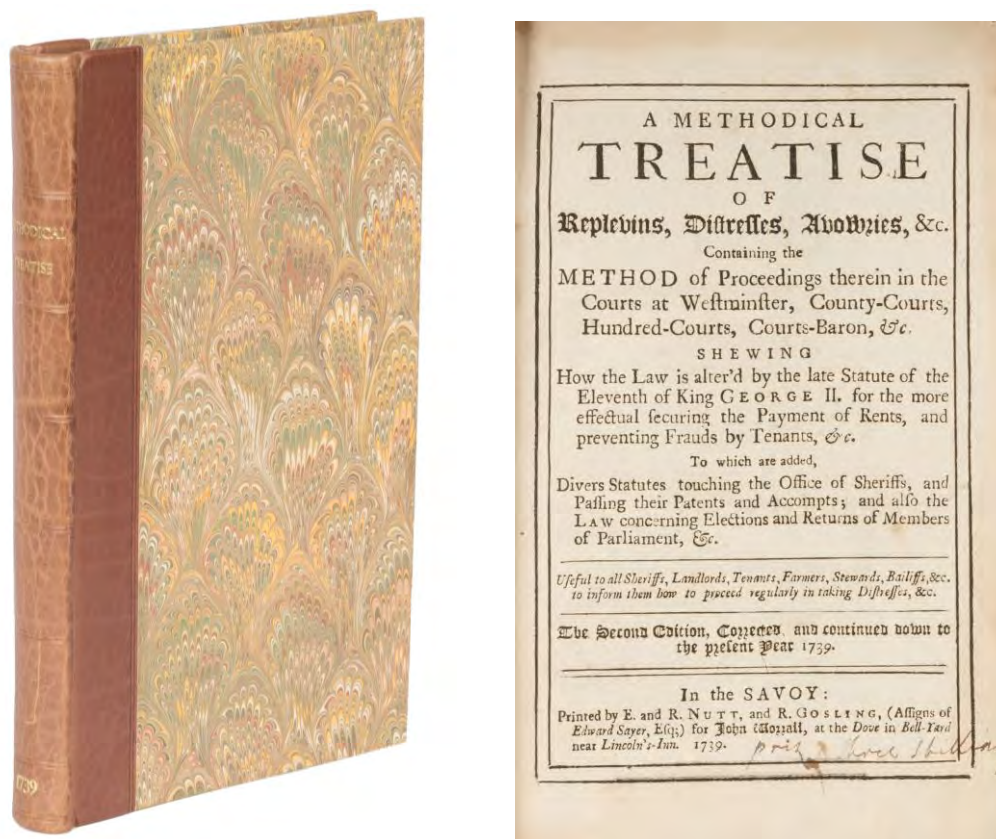
The Office of Generall Remembrance. Of Matters of Record, Created by His Majesties Letters Patents for Ease of His Subiects in Their Searches, And Auoyding the Inconueniences Heretofore Incident for Want of Meanes Speedily to Finde Out All Incumbrances upon Record, &c. Is Kept in Cursitors Court, Right Ouer Against Lincolnes Inne in Chauncery Lane. The Brieve of the Letters Patents, Followeth in the Next Leaf, &c. London: Printed by G. Eld for the Remembrancers Generall the Patentees, By Authority Graunted in the Said Letters Patents: And are to bee Had at the Shop of Robert Wilson Stationer, 1617. [58] pp. Folding table. Quarto (7" x 5-1/2").

Stab-stitched pamphlet bound into recent calf, gilt fillets and title to spine. Moderate toning to pamphlet, faint dampstaining to lower outside corner of text block and upper margins of a few leaves, light edgewear and a few minor tears to table. \$1,500.

* Only edition. This pamphlet proposes and outlines a broadly conceived effort to reform the registration of a great variety of matters affecting land, including wills and transactions. Ultimately unsuccessful in its day, it anticipated several changes that would be realized centuries later. This is a scarce title. OCLC locates 5 copies in North American law libraries (Harvard, University of Michigan, University of Minnesota, University of Pennsylvania, Yale).

English Short-Title Catalogue S113403.

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The Law of Replevin in the Early Eighteenth Century

22. [Replevin].

A Methodical Treatise of Replevins, Distresses, Avowries, &c., Containing the Method of Proceedings Therein in the Courts at Westminster, County-Courts, Hundred-Courts, Courts-Baron, &c., Shewing How the Law is Alter'd by the Late Statute of the Eleventh of King George II. For the More Effectual Securing the Payment of Rents, And Preventing Frauds by Tenants, &c. To Which are Added, Divers Statutes Touching the Office of Sheriffs, And Passing Their Patents and Accompts; And Also the Law Concerning Elections and Returns of Members of Parliament, &c. Useful to All Sheriffs, Landlords, Tenants, Farmers, Stewards, Bailiffs, &c. To Inform Them How to Proceed Regularly in Taking Distresses, &c. Corrected, And Continued Down to the Present Year. [London] Printed by E. and R. Nutt, And R. Gosling, (Assigns of E. Sayer, Esq.) for J. Worrall, 1739. viii, 164, [8] pp. Includes 1 pp. publisher advertisement. Octavo (7-3/4" x 5").

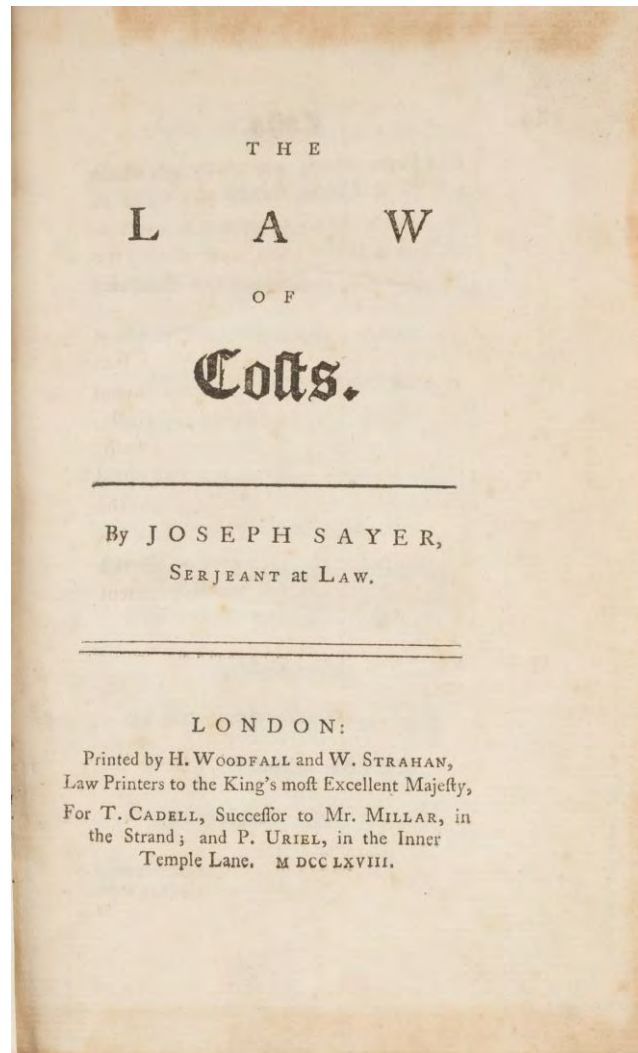
Recent period-style quarter calf over marbled boards, blind fillets, gilt title and gilt publication date to spine, endpapers renewed. Moderate toning to interior, light soiling and edgewear to preliminaries, early owner signature (Edith Philipps) and offsetting to front endleaf, illegible early annotation to foot of title page. \$650.

* Second and final edition, enlarged, the best edition of this work. First published in 1718, this was the first treatise on replevins, distresses and related topics. Well-arranged, it offers an excellent overview of this legal area as it existed in the first half of the eighteenth century. OCLC locates 9 copies in North American Law Libraries. This edition not in Sweet & Maxwell.

English Short-Title Catalogue T123428.

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"A Comprehensive Little Book"

23. Sayer, Joseph.

The Law of Costs. London: H. Woodfall and W. Strahan, 1768. xvi, 280 pp. Octavo (8" x 5").

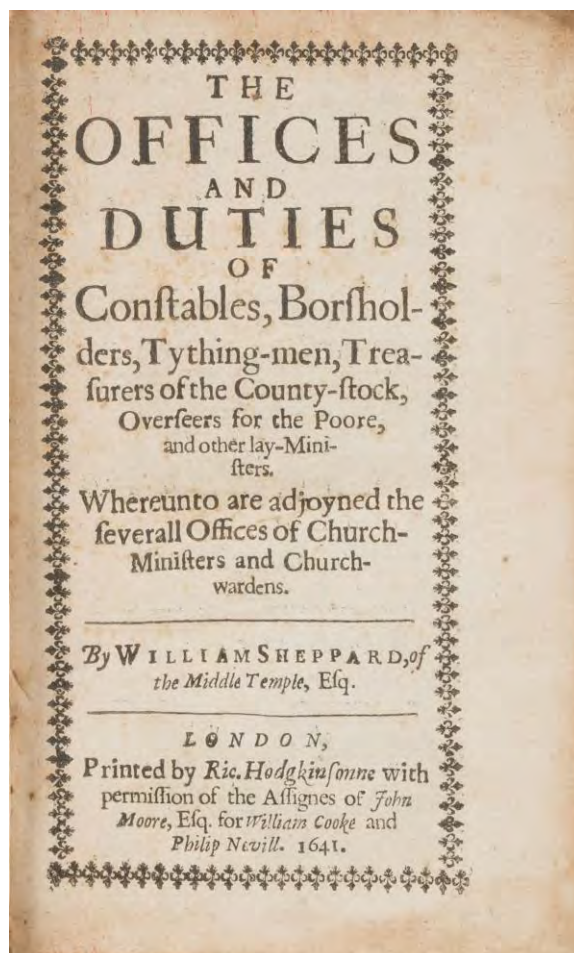
Contemporary calf, rebaked in period style, blind rules to boards, later hand-lettered paper title label to front board, blind fillets along joints, raised bands, lettering piece, blind fillets and gilt publication date to spine, blind tooling to board edges, hinges mended. Light rubbing and a few minor nicks and scuffs to boards, moderate rubbing to extremities, corners bumped and lightly worn. Moderate toning to interior, faint offsetting to preliminaries and rear endleaves, later owner mark to front free endpaper. \$450.

* First edition. The first work on this important, practical area of law, Sayer's treatise, which addresses civil and criminal law, was praised by Holdsworth, who considered it "a comprehensive little book." Its final edition, the third, was published in 1792.

Holdsworth, *A History of English Law* XII:356. *English Short-Title Catalogue* T115470.

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The First Book by Cromwell's Law Reformer

24. Sheppard, Wiliam [d.1675?].

The Offices and Duties of Constables, Borsholders, Tything-Men, Treasurers of the County-Stock, Overseers for the Poore, And Other Lay-Ministers. Whereunto are Adjoynd the Severall Offices of Church-Ministers and Church-Wardens. London: Printed by Ric. Hodgkinsonne with Permission of the Assignes of John Moore, Esq., 1641. [xxxii], 9-359, [1] pp. Pagination irregular, text complete. Octavo (5-1/2" x 3-1/2").

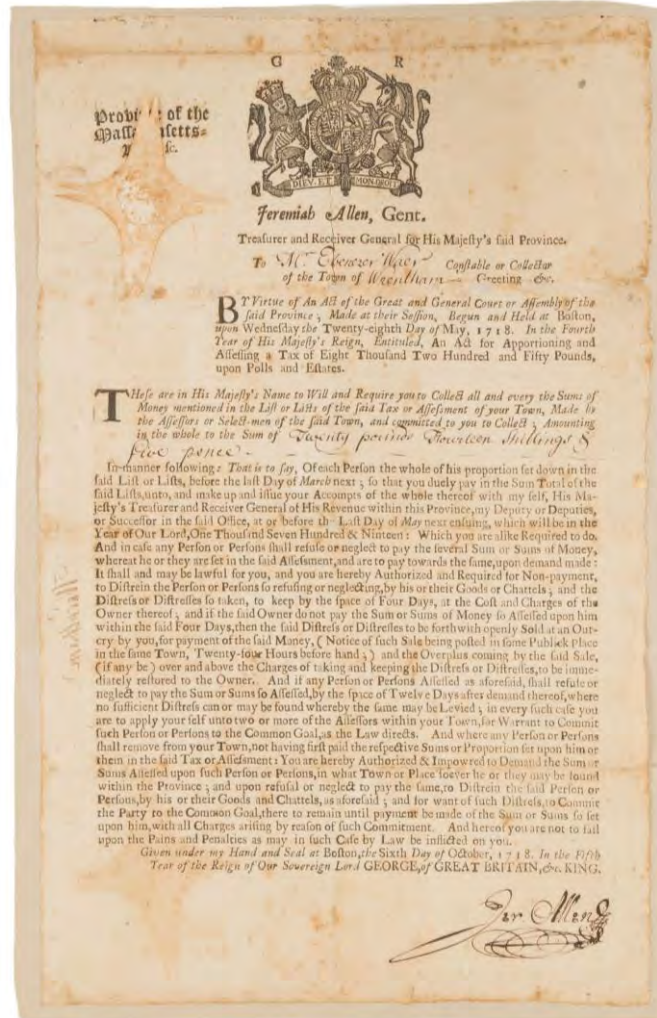
Contemporary sheep with recent calf rebacking, blind rules to boards, raised bands and gilt title and publication date to spine. A few minor stains nicks and scratches to boards, moderate rubbing to board edges with wear to corners, which are bumped, pastedowns loose. Moderate toning to interior, light foxing to title page and a few other leaves, light edgewear, offsetting and early owner annotations and doodles to endleaves, early owner and gift inscriptions (Richard Holt, Holt to Rogen Kay) to front pastedown. \$1,250.

* Only edition. Sheppard's first work, it anticipated his many efforts as Cromwell's law reformer. The main text is preceded by an "Epistle" that describes an important part of his philosophy of government. His philosophical and reforming ideas are most apparent in the two chapters on prisons and the two chapters on church officials.

Matthews, *William Sheppard, Cromwell's Law Reformer* 73-74. *English Short-Title Catalogue* R31815.

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"Collect All and Every the Sums of Money"

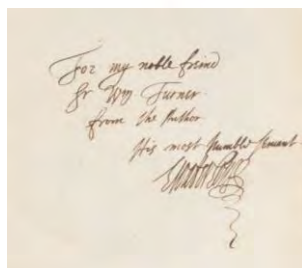
**25. [Taxation].
[Massachusetts].**

Province of the Massachusetts-Bay, &c., Jeremiah Allen, Gent. Treasurer and Receiver General for His Majesty's Said Province. To [Mr. Ebenezer Waer] Constable or Collector of the Town of [Wrentham] Greeting &c. [Boston], October 6, 1718.

7-3/4" x 8-1/2" part-printed document backed onto 14" x 9" sheet, inscribed in neat hand and signed by Allen, wax seal to upper left-hand corner, "Wrentham" to verso visible through left-hand margin. Light soiling, moderate toning and some minor stains, moderate edgewear, three horizontal fold lines. An interesting item. \$1,250.

* A partially printed document concerning an act of assembly from May 1718 "for Apportioning and Assessing a tax of Eight Thousand Two Hundred and Fifty Pounds, Upon Polls and Estates." It directs Waer to "Collect all and every the Sums of Money mentioned in the List or Lists of the said tax or Assessmen of your Town, Made by the Assessors or Select-Men of the said Town, and committed to you to Collect, Amounting in the whole the Sum of [Twenty Pounds, Fourteen Shillings & Five Pence]." No copies located on OCLC, Library Hub or the ESTC.

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Presentation Copy of a Scarce Commentary on Fortescue

26. Waterhous(e), Edward [1619-1670].

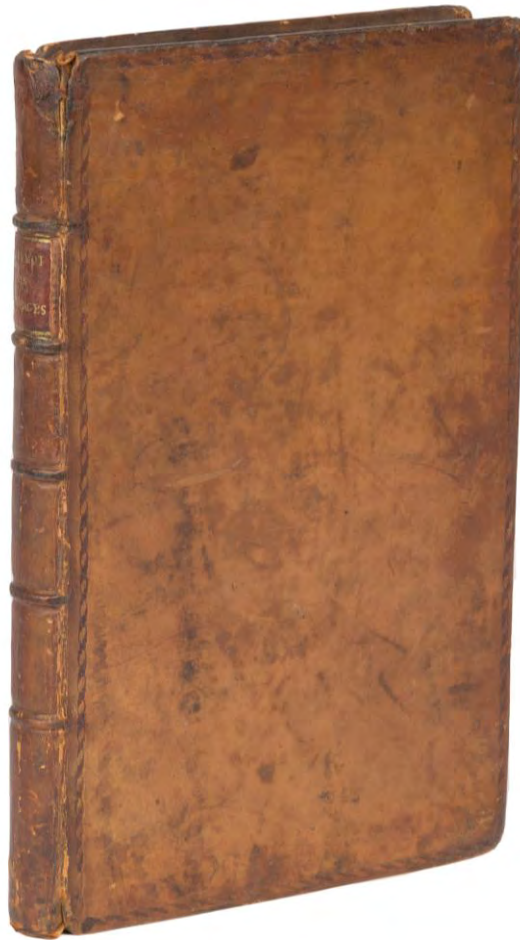
Fortescutus Illustratus, Or a Commentary on that Nervous Treatise De Laudibus Legum Angliae, Written by Sir John Fortescue Knight, First Lord Chief Justice, after Lord Chancellour to King Henry the Sixth.... London: Printed by Tho. Roycroft for Thomas Dicas, 1663. [xx], 593, [6] pp. Two copperplate portraits: Waterhouse (frontispiece), Fortescue (facing p.1). Folio (13" x 8").

Contemporary mottled calf, gilt panels to boards, raised bands, gilt ornaments and gilt title to spine, speckled edges. Boards beginning to separate but secure, negligible light scuffs to rear boards, moderate rubbing to extremities, corners bumped and somewhat worn, early bookplate to front pastedown (Kirkleatham Library). Moderate toning to extremities, faint dampstotting in places, offsetting and moderate edgewear to endleaves, presentation inscription, "For my noble friend / Sr Wm Turner/ from the Author / This most humble present," to front endleaf. \$1,500.

* Only edition. An antiquarian and writer on miscellaneous subjects, Waterhouse (conventional spelling) held an LL.D. and later took Holy Orders. Many of his writings are deeply critical of contemporary society; decadence and moral decay are frequent themes. *Fortescutus Illustratus* is a curious hybrid of edition and commentary on Fortescue's *De Laudibus Legum Angliae* (c. 1470) that draws heavily on his antiquarian research into early sources. Its most valuable feature is the text of a now-lost manuscript on moots in the Inns of Court. Sir William Turner [d.c. 1670] was a prominent civil lawyer and attorney to the Duke of York.

English Short-Title Catalogue R15022.

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With "Scientific Precedents"

27. Wilmot, Edward Coke.

A Succinct View of the Law of Mortgages: With an Appendix, Containing a Variety of Scientific Precedents of Mortgages. London: Printed for W. Clarke and Son, 1798. [vi], 104, 108, [4] pp. Includes 3 pp. publisher catalogue. Octavo (8-1/4" x 5-1/4").

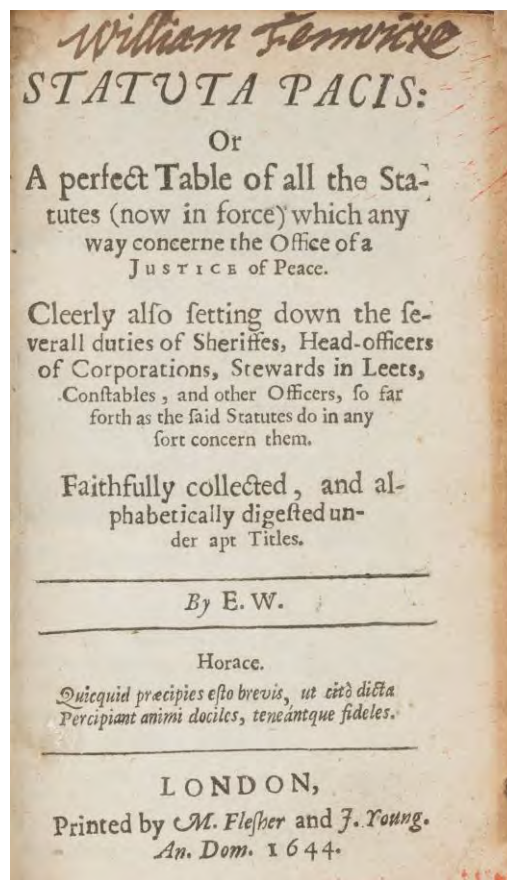
Contemporary calf, blind fillets to boards, raised bands and lettering piece to spine. Light rubbing to boards, front joints starting at head, moderate wear to spine ends and corners, front hinge cracked, owner signature (Arthur Leeds, dated 1810) to front free endpaper, library stamps to front pastedown, half-title and title page, which is lightly soiled. Moderate toning to interior, light foxing to a few leaves. \$650.

* Second edition. Written for the benefit of "the junior Part of the Profession," Wilmot's book offers a review of the law and a collection of model precedents. The chapters of the "succinct view" are clearly written and arranged topically. Its definitions are illustrated with leading cases. This appears to have been a well-received book. The first edition was published in 1789, the third and final edition in 1819. All are scarce. OCLC locates 5 copies of this edition in North American law libraries, 1 of the first, 13 of the third.

English Short-Title Catalogue T73270.

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**A Useful Reference for
Commonwealth-Era Justices of the Peace**

28. [W]ingate, E[dmund] [1596-1656].

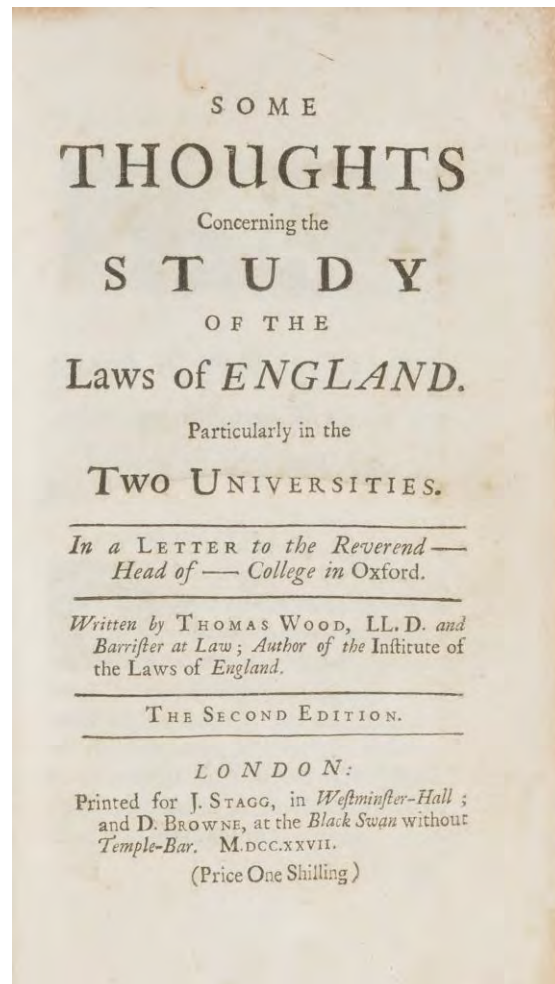
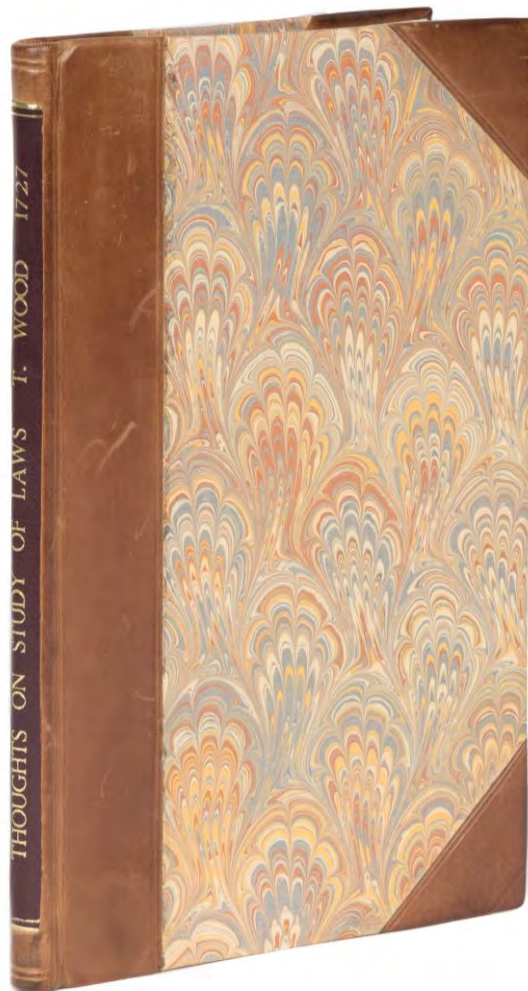
Statuta Pacis: Or a Perfect Table of All the Statutes (Now in Force) Which any Way Concerne the Office of a Justice of Peace. Cleerly also Setting down the Severall Duties of Sherifes, Head-Officers of Corporations, Stewards in Leets, Constables, And Other Officers, So Far Forth as the Said statutes do in Any Sort Concern Them. Faithfully Collected, And Alphabetically Digested Under Apt Titles. London: Printed by M. Flesher and J. Young, 1644. [xx], 286 pp. First and final leaves blank. Tables. 12mo. (5-1/2" x 3-1/4").

Contemporary sheep, rebaked in calf retaining existing spine, endpapers renewed, blind rules to boards. A few shallow scuffs to boards, moderate rubbing to board edges with wear to corners, front hinge cracked. Moderate toning to interior, light foxing in places, later owner signature (William Germwicke) to head of title page. \$1,250.

* Only edition. Also a notable mathematician, Wingate wrote several important legal books, including *Maximes of Reason* (1658) and *An Exact Abridgment of the Statues in Force* (1642). Intended as a handy reference, and thus pocket-sized and alphabetically arranged, *Statuta Pacis* is a digest of statutes relevant to the jurisdiction of a justice of the peace. It explicitly supports Coke's view of the importance of England's unique system of subordinate government. OCLC locates 6 copies in North American law libraries (Duke, Harvard, Library of Congress, LA County, Southern Illinois University, University of Minnesota).

English Short-Title Catalogue R25185.

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Proposals for Undergraduate Legal Education That Anticipated Blackstone

29. Wood, Thomas [1661-1722].

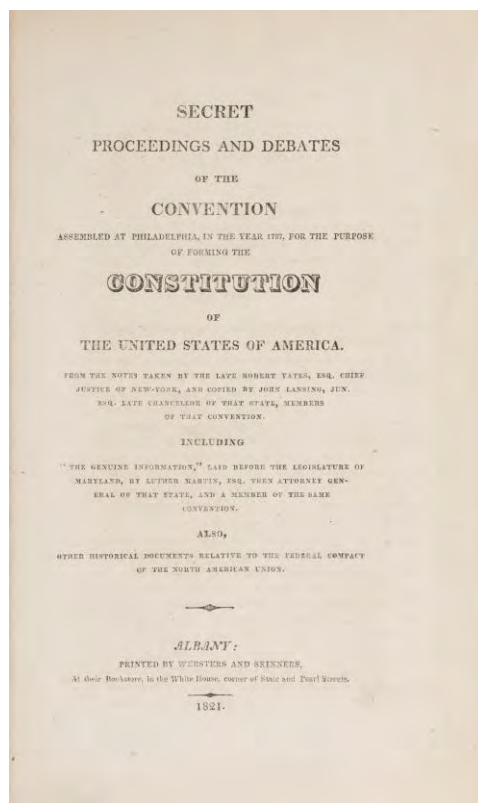
Some Thoughts Concerning the Study of the Laws of England. Particularly in the Two Universities. In a Letter to the Reverend — Head of — College in Oxford. London: Printed for J. Stagg, In Westminster-Hall; And D. Browne, At the Black-Swan, Without Temple-Bar, 1727. [ii], 62 pp. Octavo (7-1/2" x 4-1/2").

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, lettering piece to spine. Moderate toning to interior, light foxing to title page. \$850.

* Second edition. First published anonymously in 1708, Wood's proposal, which anticipates Blackstone, urged the addition of legal education to the undergraduate coursework of Oxford and Cambridge. Particular authors and subjects on common and civil law are recommended throughout this work. A final edition, erroneously indicated as the fourth, was published in 1728. Wood is known today for a work that anticipated Blackstone's *Commentaries*, his popular *An Institute of the Laws of England* (first edition 1720, final edition 1772).

English Short-Title Catalogue T49402.

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**First Edition of the First
Record of the Constitutional Convention**

**30. Yates, Robert [1738-1801].
Martin, Luther [1748-1826].**

Secret Proceedings and Debates of the Convention Assembled at Philadelphia, in the Year 1787, for the Purpose of Forming the Constitution of the United States of America. From the Notes Taken by the Late Robert Yates, Esq. Chief Justice of New-York, and Copied by John Lansing, Jun. Esq. Late Chancellor of That State, Members of That Convention. Including "The Genuine Information," Laid before the Legislature of Maryland, by Luther Martin, Esq. Then Attorney of the Same Convention. Also, Other Historical Documents Relative to the Federal Compact of the North American Union. Albany: Printed by Websters and Skinners, 1821. 308 pp. Octavo (8-1/2" x 5-1/4").

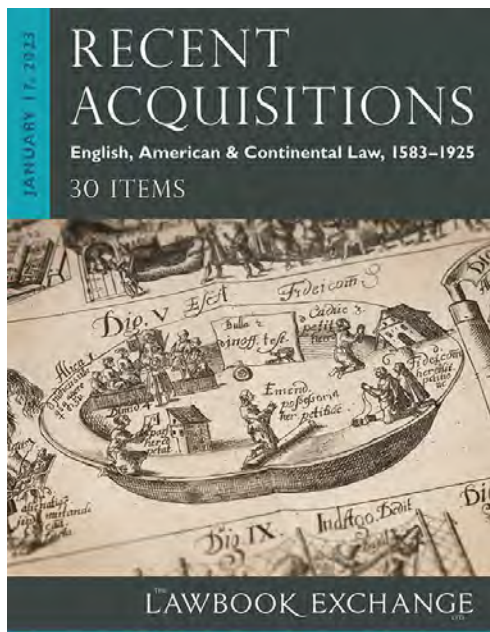
Contemporary sheep, lettering piece and gilt fillets to spine. Moderate rubbing and a few minor stains to boards, heavier rubbing to extremities with wear to spine ends, corners and joints, which are cracked, (illegible) later owner inscription to front pastedown. Moderate toning to interior, offsetting to margins of endleaves. \$350.

* First edition. James Madison thought that Yates and Martin "reported in angry terms what they observed with jaundiced eyes." It must be added that in many particulars Yates' notes were fuller than Madison's own. Martin's "Genuine Information" summarized the course of the debates, criticizing the various provisions of the Constitution. Five more editions were published, the last one in 1845.

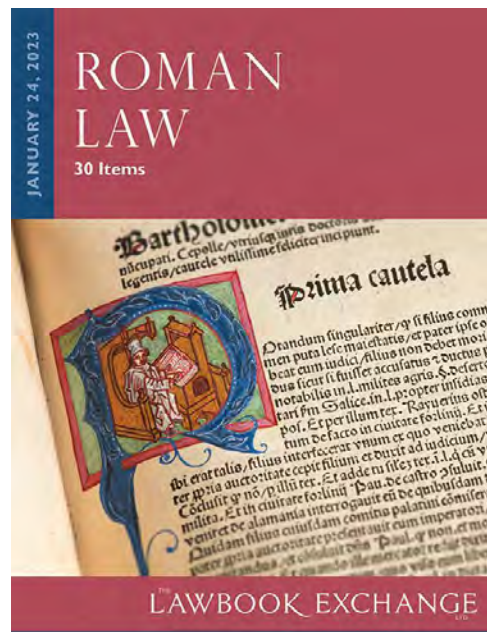
Quotations from Warren's *Making of the Constitution* and Larned's *Literature of American History* cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 382. Cohen, *Bibliography of Early American Law* 2937.

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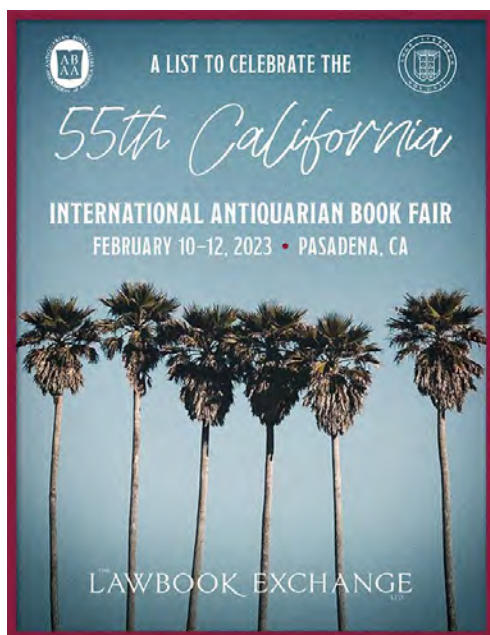
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