

Law and Related Fields 15th to 20th Centuries

CATALOGUE 93

*Illustres et sup
illustres minias
sibi illatas, per
procuratores
agere possunt
etiam dimittit
q civiliter*

*tolliunt nū
indūm per
alind, cum
vtrūq sit
prodestum
ad, vnder*

quia illustres et
supillustres in
iurias sibi illa
tas, per procura
tores agere pos
sint tam crimi
naliter q civil
iter tenore con
stitutionis Leo
nis quā habes
C.e.l.fi. ad quā
recurre. Fran.
b Agere. Et
sic tollitur vñ
iudiciū p aliud,
cū vtrūq sit p
ditum ad vindi
ctā: vt. ff. e. ptoz.
§. i. z. l. qd sena
tus consultū. i. fi.
in glo. fi. secus si
alterum esset d

ne facta fm qd
supra dictū est, a
patrifam
liosfamili

nationē
nem: i q
minali n
uenire p
si pro illi
na. h. d. 2
In sur
dum est
iuria eū
est posse
liter age
lit. Et si
ter agat
facta fm
est, pena
nit. Sin



Doniaz

iuri operam datu
rū prius nosse opor
tet vnde nomen iu
ris descendat. ff. de
iusti. et in. l. i. in pñ
cipio. Etiam vt ait
Phus primo Elen

roz. Qui virtutes vocabulorum igno
rant defacili paralyfantur. i. decipiunt
Nisi enim nomen rei scieris cognitio re
rum perit. secundum yfiderum. Turpe e
riam patricio et nobili viro et causas p
oranti ius in quo versatur ignorare. ff. d
ori. in. l. ij. §. multj auditores. x. Nāq
cum dixisset de heret Cum ex inuncto
xviii. di. sedulo. Ex quibus omnib. ha



Detail from N° 46

Books, Manuscripts and Ephemera on Law and Related Fields America, Great Britain and Europe, 15th to 20th Centuries

CATALOGUE 93



N° 42

Highlights include:

- ♥ a 1576 printing of Magna Carta with contemporary annotations (Item 64)
- ♥ 8 oil on canvas portraits of prominent 19th-century American jurists (Items 2, 3, 4, 5, 6, 69, 76, 129)
- ♥ an English card game used to promote the cause of female suffrage (Item 42)
- ♥ a 1483 Basel imprint of the *Vocabularius Iuris Utriusque* in a notably handsome binding (Item 55)
- ♥ important 16th-century Lutheran commentary on canon law (Item 60)
- ♥ 6 signed Supreme Court Slip Opinions (Items 96, 97, 98, 99, 100, 101)

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33 Terminal Avenue
Clark, New Jersey 07066-1321

Phone: (732) 382-1800
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Fax: (732) 382-1887

E-mail: law@lawbookexchange.com
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Front Cover (clockwise): Items 57, 113, 55, 59
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Interior Front: Item 46
Interior Rear: Item 5

Digital images of all items in this catalogue can be found on our website.

Additional images of any item can be supplied upon request. Item depictions in this catalogue are not to scale.

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for an index
to this catalogue.

Because of space limitations, we have not included all images that are available to describe each item. For additional images, please visit our website.

www.lawbookexchange.com

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TWO RARE PORTUGUESE TREATISES ON WATER LAW AND DAMAGES

1. ALMEIDA E SOUSA DE LOBAO, MANUEL DE [1745-1817].

Tractado Pratico e Compendiario das Aguas, Dos Rios Publicos, Fontes Publicas, Ribeiros, E Nascentes Dellas. Obra Apurada, Em que se Adoppta o Mais Racionalvel da Legislaçao Romana; Cortado o que Hoje he Reprovado Pelo uso Moderno das Nacoes. Com Dous Indices, Hum dos Capitulos, Outro das Conclusoes Mais Notaveis. E com Duas Dissertacoes Analogas: 1. Sobre as Aguas Pluvias; 2. Sobre as Aguas Subterraneas.

Lisbon: Na Impressao Regia, 1827. xxix, 244 pp.

[BOUND WITH]
ALMEIDA E SOUSA DE LOBAO, MANUEL DE.

Tractado Pratico das Avaliacoës, E dos Damnos.

Lisbon: Na Impressao Regia, 1826. 231 pp.

Quarto (7-1/2" x 5"). Contemporary tree calf, lettering pieces and gilt ornaments to spine, speckled edges. Light rubbing to extremities, corners bumped and lightly worn. Light toning to text, somewhat darker in places. Light pencil scribbled to front free endpaper, small later owner stamp to title page of *Aguas*, interior otherwise clean. A handsome volume. \$1,000.

AGUAS: FIRST EDITION; *Avaliacoës*: only edition. These treatises on water law and the law of valuations and damages were quite respected and cited often by jurists in Portugal, its colonies and Brazil. *Aguas* was reprinted in 1911. Both titles are rare. OCLC locates 2 copies of *Aguas* in North America (at Yale Law School and UC-Berkeley Law School), 1 copy of *Avaliacoës*, at Harvard Law School. Neither title in the *BMC*.



A NOTABLE NINETEENTH-CENTURY PHILADELPHIA LAWYER AND DEMOCRATIC POLITICIAN

2. [AMERICAN SCHOOL, 19TH CENTURY]. [HIRST, WILLIAM L. (1804-1876)].

[Portrait of William L. Hirst].

31-1/4" x 39-1/2" (image size).

Oil on canvas in ornate nineteenth-century gilded wood frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$4,000.

HIRST HAD A THRIVING PRIVATE law practice and was active in Democratic politics. In 1853, Hirst was elected President of the Democratic State Convention. He was an early proponent of the City of Philadelphia consolidation. This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.



A GREAT NINETEENTH-CENTURY PENNSYLVANIA JURIST



3. [AMERICAN SCHOOL, 19TH CENTURY].
[READ, JOHN MEREDITH (1797-1874)].

[Portrait of John Meredith Read].

Philadelphia, c.1815. 25"x 20"(image size).

Oil on canvas in ornate nineteenth-century gilded wood frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$3,500.

READ WAS ELECTED TO the Pennsylvania House of Representatives in 1822 and 1823 and served as City Solicitor of Philadelphia from 1830 to 1833. He was appointed District Attorney of the Eastern District of Pennsylvania in 1837 and held the office until 1845. Read became Justice of the Supreme Court of Pennsylvania in 1858 and Chief Justice of the Supreme Court of Pennsylvania in 1872. Read gained an international reputation for the depth of his knowledge, eloquence, and masterly arguments in the courtroom. Active in politics, Read was an early supporter and organizer of the Republican Party. This portrait belonged to the Philadelphia Bar Association. Founded in

1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.

A PHILADELPHIA LAWYER WHO SERVED
AS PENNSYLVANIA'S DEPUTY ATTORNEY GENERAL

4. [AMERICAN SCHOOL, 19TH CENTURY].
[SMITH, LEWIS WALN (1846-1881)].

[Portrait of Lewis Waln Smith].

Philadelphia, c.1870. 24"x 30"(image size).

Oil on canvas in ornate nineteenth-century gilded wood frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$2,000.

LEWIS WALN SMITH was a lawyer who served as Deputy Attorney General for the State of Pennsylvania. This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.



AN IMPORTANT NINETEENTH-CENTURY PENNSYLVANIA JURIST

5. [AMERICAN SCHOOL, 19TH CENTURY].
[TROUBAT, FRANCIS JOSEPH (1802-1868)].

[Portrait of Francis Joseph Troubat].

Philadelphia?, c.1837. 29"x 24-1/4"(image size).

Oil on canvas in ornate nineteenth-century gilded wood frame, small plaque reading "Francis J. Troubat/ Born 1802 Died 1868" to head of frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$5,000.

A PROLIFIC WRITER of legal texts, Troubat is best known as the co-author with William W. Haly, of *The Practice in Civil Actions and Proceedings in the Supreme Court of Pennsylvania, in the District Court and Court of Common Pleas for the City and County of Philadelphia, and in the Courts of the United States* (1837). This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967. **See inside rear cover.**

IMPRESSIVE PORTRAIT OF CHIEF JUSTICE TANNEY

6. [AMERICAN SCHOOL, 19TH CENTURY].

[HEALY, GEORGE P.A. (1813-1894), AFTER].
[TANEY, ROGER BROOKE (1777-1864)].

[Portrait of Roger Brooke Taney].

40-3/4"x 33"(image size). N.p., n.d.

Oil on canvas in ornate nineteenth-century gilded wood frame, plaque reading "Rodger [sic] Brooke Taney/ Nat 1813-Ob 1864 / Chief Justice of the United States 1836-1864" to head of frame. A few small nicks and chips to frame, gilding slightly dulled, otherwise fine. \$6,500.



TANEY HELD many state and federal political and legal positions and became chief justice of the United States Supreme Court in 1836, a post he held until his death in 1864. As chief justice, he is known for the notorious Dred Scott decision (1857), which ruled that a slave who had resided in a free state or territory was not entitled to his freedom and that African-Americans were not and could never be citizens of the United States. It also invalidated the Missouri Compromise of 1820, which prohibited slavery west of Missouri and north of latitude 36°30'. This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.

SACRED PLACES IN CANON LAW

7. ANTONELLI, GIOVANNI CARLO [D. 1694].

Tractatus de Loco Legali in Tres Libros Distributus, In Quibus Nedum Utriusque Iuris Controversiae Difficiliores, & In Foro Frequentiores, Quoad Locum Singulariter Tractantur, & Resoluuntur. Opus Omnibus tam in Scholis, Quam in Palatiis Versantibus, Theoricis, & Practicis Apprime Utile, & Necessarium. Argumentis, Summariis, & Diversis Indicibus, & Praesertim Materiarum Decoratum.

Venice: Apud Nicolaum Pezzana, 1687. [xii], 306, [32] pp. Main text in parallel columns. Folio (13"x 9").

Contemporary calf, raised bands, early varnishing and traces of gilt ornaments to spine, small early repair to head. Moderate rubbing to extremities, corners bumped, two large scuffs, one to each board, front joint cracked, negligible worming to pastedowns and hinges, split in text block between front free endpaper and half-title. Title page printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, faint dampstaining to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. \$450.



SECOND EDITION. Antonelli was Cardinal Antonio Barberini's chief curate and protonotarius (scribe). He went on to become the Cardinal of Ferranto. *Tractatus de Loco Legali* deals with issues relating to sacred places in canon law, such as legal jurisdiction, domicile and sanctuary. First published in 1671, it went through three later editions, the last in 1744. All are scarce. OCLC locates 4 copies of the 1687 edition in North American law libraries (Harvard, UC-Berkeley, University of Michigan, Yale). Not in the BMC or Ferreira-Ibarra.

NOTABLE EARLY DIGEST OF COKE'S *REPORTS*

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

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

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

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

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

FUNERAL RITES AND BURIALS



9. ASINIO, GIOVANNI BAPTISTA [FL. 1562].

Commentarii in Titulum Digestorum De Religiosis & Sumptibus Funerum.

Florence: Apud Laurentium Torrentinum, 1562. [viii], 338, [52] pp. Folio (12-3/4" x 8-1/4").

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

ONLY EDITION. Asinio was a notable Florentine jurist who was patronized by Cosimo I de Medici. He is best-known for his treatises on practice and procedure in Roman and Florentine law. *De Executionibus* is a comprehensive treatise on the section of the *Digest*, Book XI, Title 7, which addresses funeral rites and burial. It is a scarce title. OCLC locates 5 copies, 3 in North America (at the Library of Congress, Newberry Library and University of Chicago). EDIT16 CNCE3262.

EARLY STUDY OF ANCIENT GREEK LEGISLATION

10. BIAGI, CLEMENTE [1740-1804].

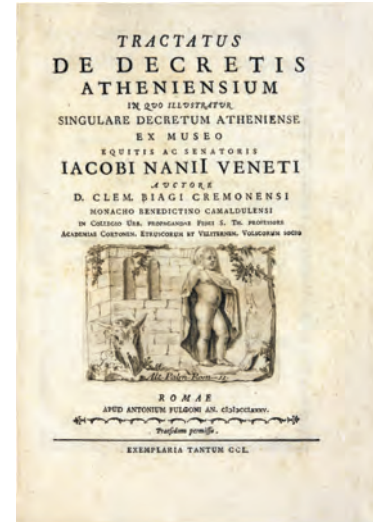
Tractatus de Decretis Atheniensium in que Illustratur Singula Decretum Atheniense ex Museo Equitis ac Senatoris Iacobi Nanii Veneti.

Rome: Apud Antonium Fulgoni, 1785. lvi, 446 pp. Quarto (10-1/4"x 7-1/2").

Contemporary three-quarter vellum over speckled boards, traces of early hand-lettered title to spine. Negligible light rubbing and a few minor stains, spine ends bumped, corners bumped and lightly worn. Woodcut head-pieces and tail-pieces, copperplate title vignette, copperplate leaf (of a monument with an inscription), two woodcut tables. Light to moderate toning to text, light foxing in places, internally clean. Ex-library. Bookplate to front pastedown.

\$500.

ONLY EDITION of 250 copies printed. Biagi was a cleric, canon lawyer and legal antiquarian based in Rome. His *Tractatus* analyzes legislation in ancient Greece. It is notable as one of the earliest studies of its kind, which was part of an interest in Greek antiquity that was beginning to emerge in the late eighteenth century. OCLC locates 6 copies in North America, 2 in law libraries (Columbia, UC-Berkeley). BMC 2:1241.



"NOBILITIE OF THE REALME"

11. [BIRD, WILLIAM].

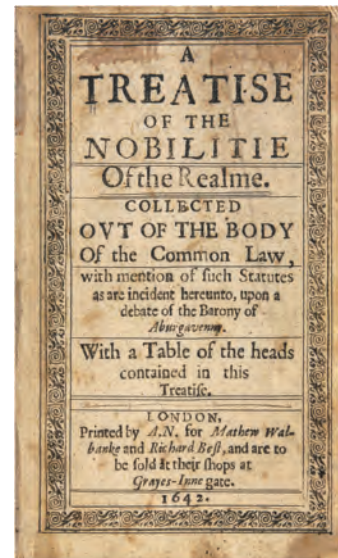
A Treatise of the Nobilitie of the Realme. Collected Out of the Body of the Common Law, With Mention of Such Statutes as are Incident Hereunto, Upon a Debate of the Barony of Aburgavenny. With a Table of the Heads Contained in this Treatise.

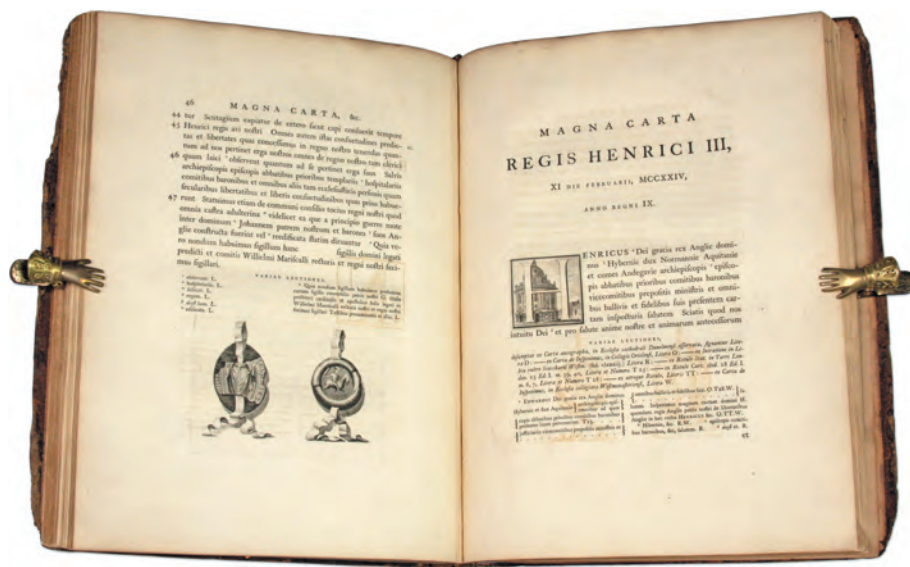
London: Printed by A.N. for Mathew Walbanke and Richard Best, 1642. [iv], 157, [1] pp. Woodcut illustrations (genealogical tables). Octavo (5-1/2"x 3-1/2").

Recent period-style calf, blind rules and fillets to boards, gilt-edged raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Title page and text printed within ruled borders. Light browning to text, somewhat heavier in places, occasional faint dampspotting, some edgewear to title page and a few other leaves, internally clean.

\$450.

ONLY EDITION. The occasion for this treatise was a contemporary controversy regarding the legitimacy of Edward Nevill's claim to the title of Lord Bergavenny. His claim is the starting point for a general review of peerage law. Another edition, with additions by Sir John Doddridge, was published later in 1642 as *The Magazine of Honour; Or, A Treatise of the Severall Degrees of the Nobility of this Kingdome*. Both editions are scarce. OCLC locates 8 copies of *Treatise* in North American law libraries (Columbia, Georgetown, Harvard, Library of Congress, Ohio State, University of Minnesota, University of Pennsylvania, York University). Sweet & Maxwell 1:203 (6).





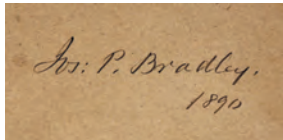
U.S. SUPREME COURT JUSTICE JOSEPH P. BRADLEY'S COPY
OF BLACKSTONE'S HANDSOME EDITION OF MAGNA CARTA

12. BLACKSTONE, SIR WILLIAM [1723–1780].

The Great Charter and Charter of the Forest, With Other Authentic Instruments: To Which is Prefixed an Introductory Discourse, Containing the History of the Charters.

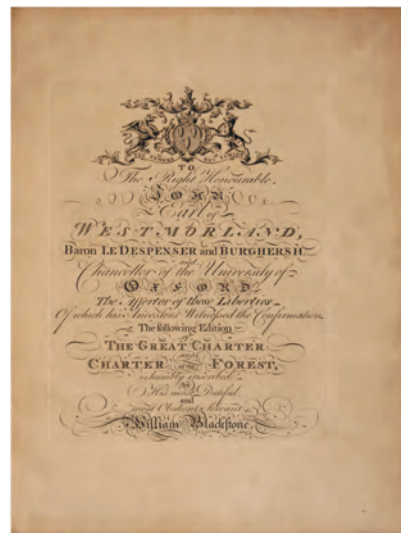
Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. Half-title and table of contents (Tabula) are bound between pp lxxvi and p. 1. Folio (13-1/2" x 10-1/2").

Contemporary paneled calf with later rebacking, raised bands, lettering piece and fragment of shelf label to spine, endpapers renewed. Light rubbing and minor scuffing to boards, considerable rubbing to extremities with loss to calf around fore-edges and corners, hinges repaired, faint vertical crack through center of spine, rear hinge partially cracked, backing added to front free endpaper. Moderate toning to text, finger smudges to a few leaves, library markings to endleaves, head of Tabula and verso of title page. Early owner signatures ("Leeman Tho: Redel" dated 1770 and "W: Leeman dated 1760" to title page, later owner signature of Joseph P. Bradley dated 1890, to front free endpaper. Item housed in lightly worn twentieth-century slipcase. \$6,500.



FIRST EDITION. Texts of documents in Latin, Blackstone's essay in English. The engraved dedication to the Earl of Westmoreland is surmounted with his armorial

ensigns; initials in the text are ornamented with engravings of various buildings at Oxford University. The tail pieces on pages lxxvi and 73 are historical vignettes; the other ten tail-pieces are facsimiles of the royal seals are attached to the original documents. This remarkable work is esteemed for its production and scholarship. Its physical appeal was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition." Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. This idea, first proposed by Coke, was a central tenet of Whig ideology. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter. Bradley [1813–1892] was an associate justice of the U.S. Supreme Court from 1870 until his death. He is best remembered as a member of the 1877 Electoral Commission that decided the outcome of the disputed 1876 presidential election. He cast the vote that gave the election made Rutherford B. Hayes. Eller 237. Laeuchli 548.



ASSERTING THE CHURCH AND CROWN IN BOHEMIA

13. [BOHEMIA].

FERDINAND II [1578-1637], HOLY ROMAN EMPEROR.

Der Rom. Kay. Auch zu Hungarn und Bohaimb [Et]c. Koniglichen Majestat, Ferdinandi dess Andern [et]c. Vernewerte Landes Ordnung Deroselben Erbkonigreichs Bohaimb. Auff der Jetzt Regierenden Kay. und Konigl. May. Ferdinandi dess Dritten [et]c. Allergnadigsten Befehl von Newem Aufgelegt und mit Unterschiedlichen Declaratorien und Novellen Vermehret.

[Vienna: Gedruckt bey Mariae Formick, 1640]. [viii], 551, [vi], 131, [2] pp. Two parts, each with title page and individual pagination. Folio (11"x 7").

Contemporary speckled calf, varnished, blind rules to boards, raised bands and lettering piece to spine, speckled edges, (later?) marbled endpapers. Light rubbing to boards, moderate rubbing to extremities, joints just starting at ends, corners bumped. Title pages, with large copperplate arms of the Holy Roman Empire, printed in red and black, large arms copperplate arms of Bohemia to versos, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, light foxing to a few laves, edges of title pages trimmed closely with minor loss, internally clean. Ex-library. Bookplate to front pastedown.



\$950.

FOURTH EDITION. Holy Roman Emperor Ferdinand II, a Habsburg, ruled the Kingdom of Bohemia. A document of the Thirty Years War [1618-1648], his *Vernewerte Landes Ordnung* (Revised Land Ordinance) for Bohemia, enacted in 1627, aimed to consolidate his power and suppress Protestantism, which was spreading through parts of that kingdom. Among other measures, it deprived the Bohemian estates of their military rights, placed all schools under Jesuit control and made Catholicism the kingdom's only legal religion. Due in part to his aggressive stance, Bohemia witnessed some of the most brutal battles of the war. Ferdinand, who died in 1637, was able to pass the kingdom to his heir, but the land and its crown were greatly diminished. Editions of the *Vernewerte Landes Ordnung* were published in 1627, 1628, 1638, 1640, 1714 and 1753. All are scarce. OCLC locates 2 copies of the 1640 edition in North American law schools (University of Michigan, Yale). VD17 12:656896L.

A COMPREHENSIVE EIGHTEENTH-CENTURY DIGEST OF BOHEMIAN LAW

14. [BOHEMIA].

WEINGARTEN, JOHANN JAKOB VON [1629-1701], COMPILER.

Codex Ferdinandeo-Leopoldino-Josephino-Carolinus: Pro Haereditario Regno Bohemiae, Ac Incorporatis Aliis Provinciis, Utpote, Marchionatu Moraviae, Et Ducatu Silesiae: In Welchem Verschiedene von Anno 1347. Biss auf das 1719. Jahr Allergnadigst Verliehene Respective Kayser- und Konigliche Privilegia, Und Hieruber Ertheilte Confirmationes, Wie auch Andere Neue Concessionen; Nicht Minder alle Ergangene Sanctiones Pragmaticae, Declaratoriae & Rescripta, Konigliche Stadthalterische, Und von Hohen Obrigkeiten Emanirte Patenten, Und Decreten: Dessgleichen Etwelche Extracten derer Land-Tags-Schlussen, Hertzogliche Privilegia, Landes- und Executions-Ordnungen, Erb-Vereinigungen mit der Cron Boheim, Wie auch noch Viel Andere sehr Heilsame dieses Edleste Erb-Konigreich Boheim, Marggraffthum Mahren, Und Hertzogthumer Ober- und Nieder-Schlesien, Publica, Politica, Militaria, Auch das Justiz-Wesen in Civilibus, & Criminalibus Betreffende Sachen Enthalten, Und mit Grosser Muhe und Fleiss Zusammen Getragen.



Prague: Zu Finden bey Conrad Mullem, 1720. [xii], 732, [34], 52 pp. Main text in parallel columns. Copperplate allegorical plate following title page. Folio (13"x 8").

Contemporary sheep, blind rules to boards, raised bands and lettering piece to spine. Moderate rubbing, chipping to spine ends, corner bumped and somewhat worn, a few cracks to pastedowns, front joint cracked, some edgewear to front endleaves, which are partially detached. Title page printed in red and black. Moderate toning, somewhat heavier in places, early underlining to some passages on p. 511, light soiling to title page. Later signature to front free endpaper, interior otherwise clean. Ex-library. Small de-accession stamp to front free endpaper.

\$950.

SECOND EDITION. With a subject index. Arranged chronologically from 1347 to 1719, this book is a collection of legal documents relating to Bohemia and its place within the Habsburg domains and the Holy Roman Empire. Supplemental volumes (*Continuatio Codicis*) with later documents were published in 1728, 1731 and 1735. All of these volumes are scarce. OCLC locates 3 copies of the *Codex* in North American law libraries, all dated 1720 (Harvard, University of Michigan, Yale). This imprint not listed in the VD18.

“LONDON IS INDEED A VERY HAPPY CITY”

15. [BOHUN, WILLIAM].

Privilegia Londini: Or, The Laws, Customs, And Privileges of the City of London. Wherein are Set Forth All the Charters From King William I. to Present Majesty William III, All Their General and Particular Customs, Viz. Against Foreigners, Of a Feme Sole Merchant, Of Disfranchisements of Freemens Wills, Of Executors and Administrators, Of Fining Those that Refuse Their Office, Of Market Overt, Of Prisage, &c. The Nature of By-Laws, What are Good, What are Not, And How Pleadable, With Several Special Cases Relating to the Same. Also of Masters and Apprentices, Variety of Cases, And Pleading Thereon. Likewise the Manner of Proceeding in Attachments, Pleadings in Foreign Attachments, With Several Cases Thereof, And Forms of Pleadings Thereon, The Custom of Orphans in Several Remarkable Cases. Together with the Practice of All the Courts, With the Fees Thereunto Belonging. As Also the Exact Table of Fees, As They were Given in by Order of the Court of Aldermen, Under the Hands of the Severeal Prothonotaries, Secondaries, Attornies, And Clerk-Sitters in Both Compters, Keepers of Woodstreet and Poultry Compters, And Ludgate. With Several Other Useful Matters Relating Thereunto. Necessary for All Merchants, Tradesmen, Citizens, And Others.

London: Printed for D. Brown, and J. Walthoe, 1702. [iv], 472, [16] pp. Two-page bookseller list bound at beginning of text. Octavo (7-1/2" x 4-3/4").

Later buckram, lettering piece to spine, endpapers added, hinges reinforced. Light soiling and shelfwear, light browning and foxing to text, moderate edgewear to publisher list, light edgewear to title page and index leaves. Brief early annotations to a few leaves, interior otherwise clean. Ex-library. Stamps to boards and endleaves, bookplate to front pastedown, small perforated stamp of title page. \$500.

FIRST EDITION. "London is generally look'd upon to be not only the most Magnificent, but withal the most happy City in Europe. (...) London is indeed a very happy City; happy in the enjoyment of many Royal Priviledges and immunities, and happy in many excellent Laws peculiar to her self; her only Unhappiness is, that her Laws &c. are either confin'd within Old Charters, in Words not very intelligible, which I have taken care to explain; or scatter'd about in such little parcels and fragments, that many of them are quite worn out, others almost forgot, and the rest of little use to the generality of the Inhabitants. My design therefore in the following Sheets, is to provide a Remedy against this, by reducing all her Ancient Laws, &c. into such a plain and compendious Method, that they may not only be of use to Practitioners in the respective Courts, but likewise to every other person that has any concern in the Corporation (Preface). Though little is known about him personally, Bohun was an attorney and prolific author who published well-received treatises on legal education, pleading, ecclesiastical law and other subjects. Two more editions of *Privilegia Londini* were published in 1716 and 1723. Sweet & Maxwell 1:436 (27). ESTC T56056.

THE LAWS, RIGHTS AND LIBERTIES OF LONDON

16. BOHUN, WILLIAM.

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

London: Printed for D. John Walthoe Junr., 1723. xvi, 272, 273-296, 273-498, [22] pp. Signatures *T-*U4 (pp.273-296) have been inserted; text is continuous (and complete). Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind frames to boards, later calf rebacking with blind fillets and red and black lettering pieces, endpapers renewed. Rubbing to extremities with light wear, a few minor scuffs to boards. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, occasional light dampspotting. Early owner name to head of title page, annotations to margins of a few leaves. Ex-library. Inkstamps to boards, bookplate to front pastedown, perforated stamps to title page and a few other leaves. A solid copy. \$400.

THIRD AND FINAL EDITION. ESTC T130094.

SCARCE TREATISE ON AN IMPORTANT CONCEPT IN ROMAN LAW

17. BONFINI, FRANCESCO ANTONI [D. 1739].

De Jure Fideicommissorum Magis Controverso Disputationes Praecipuae in Quatuor Titulos Distributae Quibus Selectiores Articuli ad Hanc Materiam Spectantes in Supremis Plerumque Tribunalibus Dispuncti Theorice Simul & Practice Resolvuntur.

Venice: Apud Nicolaum Pezzana, 1741. Two volumes in one book, each with title page and individual pagination. [xxxvii], 432; 328, [106] pp. Main text in parallel columns. Complete. Folio (14-1/2" x 9-1/2").

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

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

INTERESTING ESSAYS ON GOVERNMENT AND PARLIAMENT
BY A NOTABLE SEVENTEENTH-CENTURY DUTCH SCHOLAR

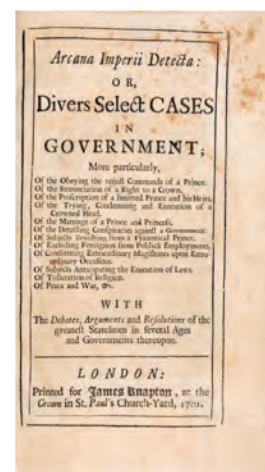
18. [BOXHORN, MARCUS ZUERIUS (1612-1653)].

Arcana Imperii Detecta: Or, Divers Select Cases in Government; More Particularly, Of the Obeying the Unjust Commands of a Prince. Of the Renunciation of a Right to a Crown. Of the Proscription of a Limited Prince and his Heirs. Of the Trying, Condemning and Execution of a Crowned Head. Of the Marriage of a Prince and Princess. Of the Detecting Conspiracies Against a Government. Of Subjects Revolting from a Tyrannical Prince. Of Excluding Foreigners from Publick Employments. Of Constituting Extraordinary Magistrates upon Extraordinary Occasions. Of Subjects Anticipating the Execution of Laws. Of Tolleration of Religion. Of Peace and War, &c. With The Debates, Arguments and Resolutions of the Greatest Statesmen in Several Ages and Governments Thereupon.

London: Printed for James Knapton, 1701. [xvi], 366, [2] pp. Includes two-page publisher list at rear of text; another one-page list opposite p.1. Octavo (7-1/2" x 4-1/2").

Nineteenth-century tree calf, gilt spine with lettering piece, "189" gilt-stamped to foot, endleaves renewed, ribbon marker. Moderate rubbing to extremities, some wear to spine ends and corners, front board beginning to separate but secured by cords, partial crack between final leaf of text and adjacent endleaf, recent owner bookplate to front pastedown, small recent image of Boxhorn affixed to front free endpaper. Light toning to text, light foxing in a few places. \$650.

ONLY EDITION. Compiled posthumously, this book is a fine introduction to the political and legal scholarship of one of the most interesting thinkers of the seventeenth century. Boxhorn, a prominent linguist, historian and political theorist, was a professor at the University of Leiden. A remarkably prolific scholar, his work stands on the cusp of late-Renaissance humanism and the early-Enlightenment thought epitomized by such philosophers as Hobbes and Pufendorf. He admired England's Parliament and had a keen interest in the history and institutions of English law and government. OCLC locates 9 copies in North American law libraries. ESTC T116021.



"ESTABLISH PEACE
THROUGHOUT THE LAND
AND DRIVE KING BACCHUS OUT"

19. [BROADSIDE].
GORK, W.H.

A Convict's Confession.

[Johnstown, PA?, 1890?].

12-1/4"x 6" broadside, verse text in two columns below headline. Light brown, three horizontal fold lines, negligible light edgewear, a (tiny) bit of tape residue near top and bottom edges. \$300.

GORK, BORN AND RAISED in Johnstown, PA, failed to follow his mother's advice and turned to a life of crime. He blames his failure on alcoholism and calls for prohibition, which will "establish peace throughout our land" by driving "King Bacchus out." Our conjectured date for this piece is based on a reference in the first stanza to the Johnstown flood, which took place in 1889.

MURDER BROADSIDE OVERLOOKED
BY COPAC AND OCLC

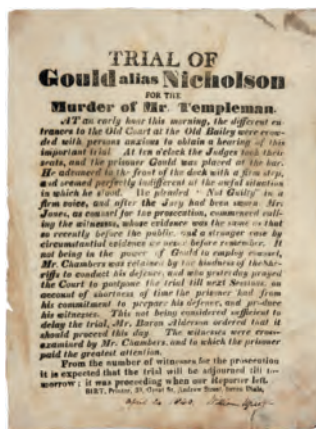
20. [BROADSIDE].
GOULD, RICHARD, DEFENDANT.

**Trial of Gould Alias Nicholson for the Murder of
Mr. Templeman.**

[London]: Birt, Printer, 39 Great St. Andrew Street, Seven
Dials, [April 14, 1840].

9-3/4"x 7-1/2" broadside. Text in single column below headline. Moderate toning, a faint stain, light edgewear, early repair to tear in lower right-hand corner, date and early owner signature at foot of text. \$950.

ACCORDING TO circumstantial evidence, Gould murdered Templeman while robbing his home. Provided with counsel, Gould was acquitted of murder. Gould conducted his own defense for his robbery trial, was found guilty and sentenced to transportation to Australia. Both trials had a number of irregularities. They attracted a good deal of contemporary attention in the London periodicals and were described in detail in such publications as the 1841 *Annual Register of World Events* (Volume 82). Our broadside was printed at the beginning of Gould's murder trial. No copies listed on OCLC or COPAC.



Nº 20



Nº 19

"DREADFUL OUTRAGE"

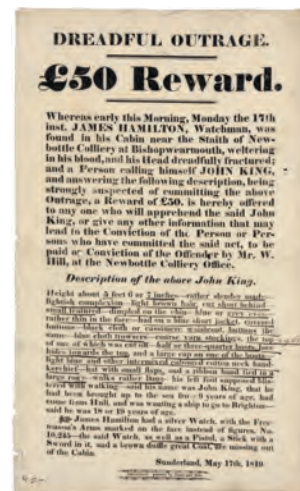
21. [BROADSIDE].
[KING, JOHN (D. 1819)].

Dreadful Outrage. £50 Reward.

Sunderland: May 17, 1819.

13-1/4"x 8" broadside, pasted to plain sheet. Text in single column below headline. Moderate toning, faint horizontal and vertical fold lines, a few minor chips and tears and a few tiny holes to sheet, underlining and a few brief annotations in contemporary hand. \$500.

THIS WANTED POSTER was issued after the murder of James Hamilton, a watchman at Bishopswearmouth, and the theft of his watch, pistol, swordstick and greatcoat. A detailed description is given of the prime suspect, a mariner named John King. Perhaps owing to the information in this broadside, King was eventually tracked down, tried and executed. COPAC and OCLC locate 1 copy (Durham University).



Nº 21

WILL A NEW TAX BE NECESSARY TO FINANCE THE LOUISIANA PURCHASE?



22. [BROADSIDE]. [LOUISIANA PURCHASE].

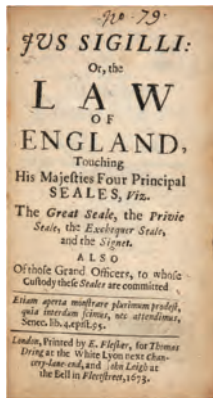
Direct Tax.

[New Hampshire: S.n. c.1807].

18"x 11" broadside, untrimmed edges, text in three columns. Light browning and foxing, vertical and horizontal fold lines, few minor tears along folds. \$1,500.

SIGNED IN TYPE BY "Americanus," this broadside discusses the cost of the Louisiana Purchase. The writer argues the difficulty, if not impossibility, of paying France without a special tax due to the revenue lost to the Embargo Act. The table described the proportionate cost to each New Hampshire county of the \$15 million bill. The author also warns of the threat of European war. No copies listed on OCLC. Shaw and Shoemaker 11983.

"HIS MAJESTIES FOUR PRINCIPAL SEALES"



23. [BRYDALL, JOHN (B. 1635?)].

Jus Sigilli: Or, The Law of England, Touching His Majesties Four Principal Seales, Viz. The Great Seale, The Privie Seale, The Exchequer Seale, And the Signet. Also of Those Grand Officers, to Whose Custody These Seales are Committed.

London: Printed by E. Flesher, For Thomas Dring, 1673. [iv], 129, [15] pp. Includes 9 pp. publisher catalogue. 12mo. (4-3/4"x 2-1/4").

Recent period-style calf, raised bands and lettering piece to spine, endpapers renewed, early annotations to fore and bottom edges. Moderate toning to text, light spotting to a few leaves, "no. 79" in early hand to head of title page, faint embossed library stamp to its foot, library inkstamp and annotation to its verso. A handsome copy of a scarce title. \$1,200.

ONLY EDITION. *Jus Sigilli* is a detailed description of the four principal seals of England. The Great or Broad Seal is used by the Lord Chancellor to denote the approval and authority of the king. Charters, commissions, or grants from the king must have the mark of the Great Seal in order to carry any authority. The Privy or Little Seal, the monarch's personal seal, was used by the Lord Keeper of the Privy Seale to authorize the use of the Great Seal on important documents, or as an authorization on documents of lesser importance. The Exchequer Great Seal is the seal used by The Court of the Exchequer, which oversees royal revenues. The Signet is affixed to royal documents relating to personal matters. OCLC locates 10 copies in North American law libraries. Sowerby 1727. ESTC R19862.

FIRST ENGLISH EDITION OF BURLAMAQUI'S *POLITIC LAW*

24. BURLAMAQUI, J[EAN] J[ACQUES] [1694-1748].

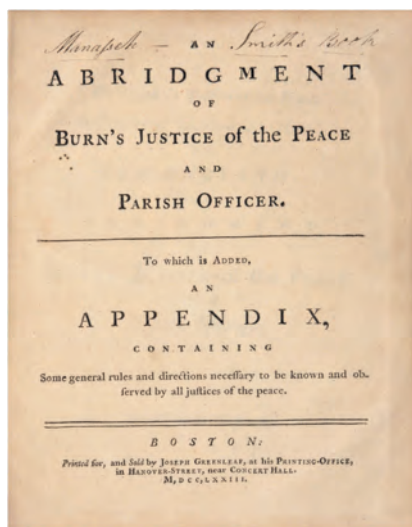
The Principles of Politic Law: Being a Sequel to the Principles of Natural Law.

Translated into English by Mr. Nugent. London: Printed for J. Nourse, 1752. [viii], 372 pp. Octavo (8"x 5").

Contemporary speckled calf, raised bands, letting piece and gilt ornaments to spine. Some rubbing to extremities with wear to spine ends, boards partially detached but secure, corners bumped, a few minor early inkstains to boards, early armorial book plate to front pastedown. Moderate toning to text, light foxing in places, offsetting to margins of endleaves. Early struck-through signature to head of title page, interior otherwise clean. \$1,500.

FIRST EDITION IN ENGLISH. The sequel to *The Principles of Natural Law*, his other major work, *The Principles of Politic Law* develops his thesis that international law is based on natural law and examines the principles of sovereignty with respect to considerations such as foreign rights, the necessity of war, the concept of absolute power, public treaties and economic factors. Burlamaqui, a Swiss jurist and professor of civil and natural law at Geneva, outlined a constitutional system based on principles similar to those of the American founding fathers. "Burlamaqui formulated the principles of popular sovereignty, of delegated power, of a constitution as a fundamental law, of a personal and functional separation of powers into three independent departments...and finally, he provided for an institutional guardian of the fundamental law" (Harvey). Burlamaqui's other great achievement was to put Pufendorf's theories into systematic form. Harvey 178-179. ESTC T112807.

THE ONLY AMERICAN ABRIDGMENT PUBLISHED BEFORE THE REVOLUTION



25. BURN, RICHARD [1709-1785].
GREENLEAF, JOSEPH [1720-1810], EDITOR.

An Abridgment of Burn's Justice of the Peace and Parish Officer. To Which is Added, An Appendix, Containing Some General Rules and Directions Necessary to be Known and Observed by All Justices of the Peace.

Boston: Printed For, And Sold By, Joseph Greenleaf, 1773. [viii], 386, [2] pp. Includes two-page publisher advertisement. Quarto (8-1/2"x 7").

Contemporary sheep, raised bands and later lettering piece to spine. "Boston 1773" gilt-stamped to foot. Light rubbing and a few minor scuffs and stains to boards, moderate rubbing to extremities, corners bumped and somewhat worn. Moderate toning, occasional faint dampspotting, paper flaw at foot of pp. 204-204 not affecting text, early owner signature and inscription of Manessah Smith to front free endpaper and head of title page. A choice copy. \$1,500.

ONLY EDITION of the only abridgement of a legal treatise printed in America before the Revolution. Richard Burn was an attorney and antiquarian who edited the ninth, tenth, and eleventh editions of Blackstone's *Commentaries*. His *Justice of the Peace, and Parish Officer* (1755) was perhaps his most important work. Holdsworth considered it to be one of the best treatments of the subject, an opinion shared by Burn's contemporaries, both in England and in the colonies. The "best proof that his book...was accepted as the leading text-book on that topic is the number of editions through which it passed.... It deserved its success." Greenleaf explains the nature of his abridgement in the preface: "The London edition takes in the whole practice of England and Scotland, this renders it both bulky and dear. The circle of a justices business in those places is vastly extensive, and is founded chiefly on acts of the British parliament, which can never have any relation to this colony" [i]. Greenleaf also added an appendix of forms and general rules and directions for American courts. Manessah Smith [1748-1823] was a 1775 Harvard graduate. He served as a chaplain during the Revolution and later practiced law in Wiscasset, Maine. He was the founder of a legal dynasty. All four of his sons and many of his grandsons became lawyers in mid-coast Maine. Holdsworth XII:332-333. Cohen 8325. James 41.

A DURABLE CONCEPT IN ROMAN LAW



26. CAMARELA, FRANCISCO.

De Legatis et Singulis Rebus per Fideicommissum Relictis. Libris Quindecim Exaratum in Foro, Et Scholis Professoribus Perutile, Ac Necessarium, Cum Indice Locupletissimo, Collegii Iudicium Vincentiae Cura, & Aere Editum.

Venice: Apud Abundum Menafolium, 1681. [xl], 628, [68] pp. Main text in parallel columns. Folio (13"x 8-1/2").

Contemporary vellum, raised bands and early hand-lettered title to spine. Light rubbing and some staining to boards, spine slightly darkened, spine ends and corners bumped, a few minor chips to fore-edges. Title page, with large woodcut vignette, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning, faint dampstaining and worming in a few places (with no loss to legibility), internally clean. Ex-library. Bookplate to front pastedown. \$850.

ONLY EDITION. One of the most durable concepts in Roman law, *fideicommissum* involves situations in which something is committed to somebody's trust. It is central to the law concerning testators. This treatise by a practicing attorney from Vicenza, reconciles received Roman law with practice in the Republic of Venice. OCLC locates 5 copies in North America, 4 in law libraries (Harvard, Library of Congress, UC-Berkeley, Yale). Not in the *BMC*.



HANDSOME 1519 PRINTINGS OF THREE PRINCIPAL VOLUMES OF CANON LAW

27. [CANON LAW].

GREGORY IX, [c.1145–1241], POPE.

Compendium Textuale Co[m]pilationis Decretalium Gregorii Noni sine qua (Ut est Vulgaris Prudentum Sententia) Omnis Ceca Practica Est.

Paris: Apud Franciscum Regnault sub Intersigno Divi Claudii, 1519. [ii], 248 ff. Main text in parallel columns.

[BOUND WITH]

BONIFACE VIII [1235–1303], POPE.

[Sextus Decretalium Liber per Bonifacium Octovum].

[Paris: Regnault, 1519]. 2–60 ff. Title page lacking. Main text in parallel columns.

[AND]

CLEMENT V [1264–1314], POPE.

Clementis Pape Quinti Singulares Constitutionum Textus. Tam XX Extravagantium XXII Johannis Pape. Q[uam] Decretalium Extravagantium a Romanis Pontificibus post Peractum Bonifacii Librum Sextum Emanantium Florent.

Paris: Venduntur Parisius apud Franciscum Regnault, 1519. 84 ff. Main text in parallel columns.

Octavo (5-3/4"x 4"). Contemporary limp vellum with lapped edges, ties lacking, raised bands and early calligraphic title to spine. Moderate soiling, a few small stains, spine darkened, some wear to foot of spine, tear with small hole to front cover, pastedowns loose, text block partially detached. Printed throughout in red and black, crible initials, large woodcut Regnault elephant device to title page and final leaf of *Compendium Textuale*, woodcut vignette of Clement V and his cardinals to title page of *Clementis Pape Quinti*. Moderate toning, faint dampspotting and dampstaining in places. Three works with notably attractive typography. \$4,500.

THIS POCKET VOLUME collects three books of canon law from the body of writings known collectively as the *Corpus Juris Canonici*. Issued in 1234 and 1298, the *Liber Quinque Decretalium* of Gregory IX and the *Liber Sextus* of Boniface VIII were the two great collection of papal legislation of the pre-Reformation era. In 1317 John XXII compiled the final official collection, the *Liber Septimus Decretalium*, better known as the "Constitutiones Clementis V" or simply "Clementinae." These texts remained unchanged until their revision by order of the Council of Trent. Moreau II:2024.



A DISTINGUISHED NEAPOLITAN JURIST

28. CAPECE, ANTONIO [c.1458-1545].

Decisiones Clarissimi et Excellentissimi D. Antonii Capycii Iuris Utriusque Consulti ac Regii Consiliarii: Quas Ipse ex Sententiis Varie Dictis, & à Indicibus Sacri Concilii Neap. Suo Tempore Prolatis Summa cum Diligentia Collegit, Ac Luculenter Digessit Nunc Demum Diligentissime Revisae: Cum Indice Locupletissimo, Omnibus in Foro Versantibus Eaeterisq Iuris Studiosis ad Difficilimarum Quarumq. Iuris Quaestionum Quotidie Occurrentium Resolutionem non Solum Perutiles, Sed & Perquam Maxime Necessariae.

Venice: [Apud Cominum de Tridino Montisferrati], 1556 [colophon dated 1555]. [xxxii], 192 ff. Main text in parallel columns. Octavo (6-3/4" x 4-3/4").

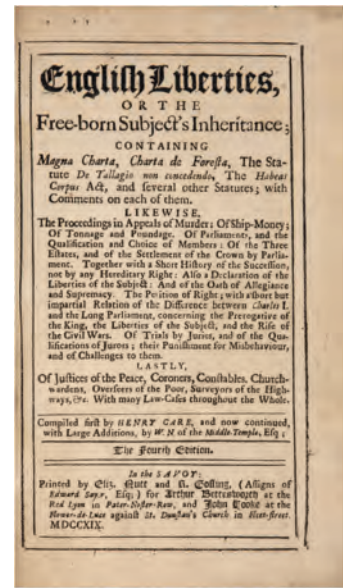
Contemporary limp vellum, ties lacking, early hand-lettered titles to spine and bottom-edge of text block. Some soiling, a few holes to front and rear covers, a few chips and tears to edges, wear to corners and foot of spine, binding slightly cocked, hinges cracked, light edgewear to preliminaries, occasional edgewear to corners of text block, outer corners of several leaves have folds, small tear to leaf H6 (Fol. 62). Large woodcut vignette of a professor teaching a class of students at head of Fol. 1. Moderate toning, faint, often very faint, dampstaining to upper half of text block, early owner signature to title page, early annotations, underlining and marks to several leaves. \$1,250.

CAPECE WAS A DISTINGUISHED Neapolitan jurist and a counselor to the king of Naples, Ferdinand of Aragon, and the Holy Roman Emperor Charles V. First published in 1541, his *Decisiones*, a collection of opinions on complicated legal questions, went through eight editions, the last one in 1583. All are scarce. OCLC locates 12 copies of the 1556 edition, 6 in North America, 3 in law libraries (George Washington University, Harvard, University of Minnesota). *EDIT16* CNCE24721.

A PROFOUND INFLUENCE IN THE AMERICAN COLONIES,
ONE OF THE TWO EDITIONS OWNED BY JEFFERSON

29. [CARE, HENRY (1646-1688)].
N[ELSON], W[ILLIAM] [B.1653], EDITOR.

English Liberties, Or the Free-Born Subject's Inheritance; Containing Magna Charta, Charta de Foresta, The Statute De Tallagio non Concedendo, The Habeas Corpus Act, And Several Other Statutes; With Comments on Each of Them. Likewise, The Proceedings in Appeals of Murder: Of Ship-Money; Of Tonnage and Poundage. Of Parliaments, And the Qualification and Choice of Members: Of the Three Estates, And of the Settlement of the Crown by Parliament. Together with a Short History of the Succession, Not by Any Hereditary Right: Also a Declaration of the Liberties of the Subject: And of the Oath of Allegiance and Supremacy. The Petition of Right; With a Short but Impartial Relation of the Difference Between Charles I. And the Long Parliament, Concerning the Prerogative of the King, The Liberties of the Subject, And the Rise of the Civil Wars. Of Trials by Juries, And of the Qualifications of Jurors: Their Punishment for Misbehaviour, And of Challenges to Them. Lastly, Of Justices of the Peace, Coroners, Constables, Church-Wardens, Overseers of the Poor, Surveyors of the Highways, &c. With Many Law Cases Throughout the Whole. Compiled First by Henry Care, And Now Continued, With Large Additions, By W.N. of the Middle Temple, Esq.



[London]: Printed by Eliz. Nutt and H. Gosling, 1719. [xii], 356 pp. Octavo (7-1/2"x 4-3/4").

Recent period-style calf, blind rules and fillets to boards, raised bands, blind ornaments and lettering piece to spine, colored edges, endpapers renewed. Moderate toning, minor worming to lower corner of final third of text block, light foxing in a few places, library stamp and annotations to verso of title page. A handsome copy. \$1,750.

FOURTH EDITION. First published in 1682, the first edition was not dated), this classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Privilege of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned copies of this edition and the first edition, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. See Sowerby 2702 (London 1719 edition), 2703 (London 1680 edition). ESTC T112711.

CARE SUPPORTS A CONTROVERSIAL DECISION BY KING JAMES II

30. CARE, HENRY.

A Vindication of the Proceedings of His Majesties Ecclesiastical Commissioners, Against the Bishop of London, And the Fellows of Magdalen-College.

London: Printed by Tho. Milbourn, 1688. [iv], 8, 17-78 pp. Text continuous despite pagination. With a preliminary imprimatur leaf. Quarto (8-1/4"x 6-1/2").

Recent marbled boards, printed paper title panel to front cover, untrimmed edges. Light rubbing to spine. Title printed within double-ruled border. Light toning to text, faint dampstain to head of title page, internally clean. A handsome copy. \$350.

ONLY EDITION, one of two issues from 1688. In April 1687 King James II interfered in the presidential election of Magdalen College. The ensuing controversy ended with the installation of the pro-Catholic Bishop of Oxford, backed by the Royal Ecclesiastical Commissioners, as president. The fellows acquiesced, but this was not enough for the king, who ordered them to admit their wrongdoing and ask for his pardon. Most of the fellows refused and were ejected and replaced by Catholics. Care supported the King's actions. For most of his career, Care was an opponent of Catholicism and royal power, but he shifted course during the reign of James II, becoming an unofficial royal propagandist. Though not uncommon, few copies of this title are held in North American law libraries. Counting both issues, OCLC locates 3 (at Harvard, the Library of Congress and York University). ESTC R202803.

HIRE AND LEASES IN ROMAN LAW

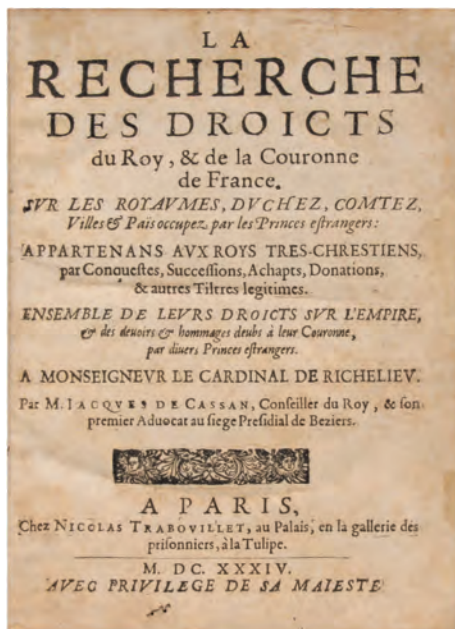
31. CAROCCI, VICENZO [16TH/17TH CENT.].

Tractatus Locati et Conducti, In quo Exacte de Pensionibus, Fructibus, Caducitatibus, Remissionibus, Salariis & Similibus, Nova, Quotidiana & Practicabilis Materia Pertractatur. Hac Tertia, Et Postrema Editione ab Ipso Autore Maximo cum Labore, Diligentia, & Studio, Variis, & Prope Innumerabilibus Quaestionibus Utilibus, & in Practica Frequentibus, & Quotidianis Ornatus, Auctus, & Summopere Illustratus, Ita (Ut Quae Asterisco Insignita, & Parenthesi Quadam a Veteribus Seiuncta Sunt) Penultima Editione Noviter Instar Auctarii Accesserint, Prout Priores Ambas Editiones cum hac Tertia Conferenti Luce Meridiana Clarius Apparebit.

Venice: Apud Ioannem Baptistam & Ioan. Bernardum Sessam, 1597. [xviii], 286 ff. Main text in parallel columns. Folio (12-1/2"x 8-1/2").

Contemporary limp vellum, early hand-lettered title to spine, endpapers renewed. Light soiling, a few stains to boards, joints just starting at foot, a few cracks to spine, a bit of wear to corners. Title page, with large woodcut Sessa device, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Some toning to text, faint dampstaining in a few places, a few worm holes to title page and following leaf, lower corners of preliminaries somewhat worn. Early owner signatures to title page, early underlining and check marks in a few places, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$450.

THIRD (STATED) EDITION, actually the fourth. First published in 1584, this treatise on hire, leases and other types of contracts in Roman law went through at least eight editions; it was still an authority in the late seventeenth century. Few copies of any edition are held by North American law libraries. Regarding our 1597 edition, OCLC locates 1 (at Yale). *EDIT16* CNCE9673.

INTERESTING SEVENTEENTH-CENTURY FRENCH LEGAL STUDY
OF ROYAL AUTHORITY

32. CASSAN, JACQUES DE.

La Recherche des Droicts du Roy, & De la Couronne de France, Sur les Royaumes, Duchez, Comtez, Villes & Pais Occupez par les Princes Estrangers: Appartenans aux Roys Très Chrestiens, Par Conquestes, Successions, Achapts, Donations, & Autres Titres Legitimes. Ensemble de Leurs Droicts sur l'Empire, & Les Devoirs & Hommages Deubs à Leur Couronne. Par Divers Princes Estrangers.

Paris: Chez Nicolas Trabouillet, 1634. [x], 426; 257, [3] pp. Two parts. Second part with drop-head title and individual pagination. Quarto (8-1/2"x 6-1/2").

Contemporary vellum with lapped edges, faint early hand-lettered title to spine, edges rouged. A few minor stains, boards slightly bowed, spine end and corners bumped, vellum just beginning to crack through pastedowns. Moderate toning and light foxing to text, faint dampstaining to margins in a few places, minor worming to foot of first half of text block. A nice copy of a scarce title. \$1,500.

SECOND EDITION. First published in 1634, this is an appraisal of the French King's jurisdiction, political authority and role in diplomatic relations. It is an interesting work because it is legalistic

rather than a work of speculative political science or one based on a theory of divine rights. A durable work, it went through seven editions in all, the last one in 1646. All editions are scarce. OCLC locates 6 copies in North America, 1 in a law library (Harvard). This edition not in Camus. *BMC* 5:122.

THE CITY LAW

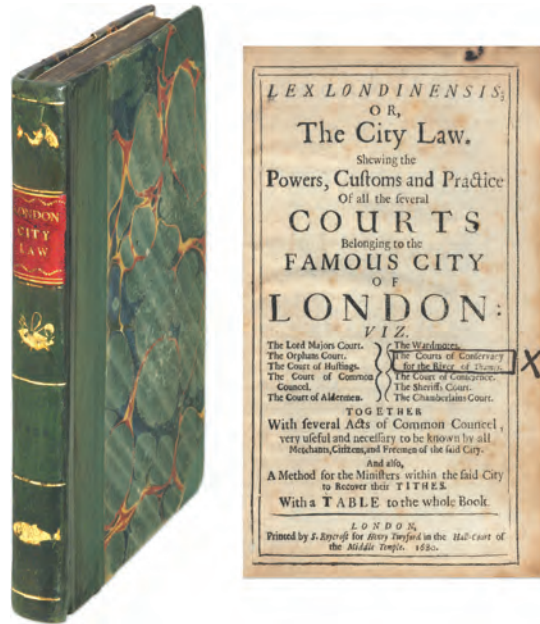
33. [CORPORATION OF LONDON].
[COURT OF COMMON COUNCIL].

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

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

Later three-quarter calf over marbled boards, rebaked retaining spine, which has gilt ornaments and later lettering piece, endpapers renewed. Some rubbing to boards and extremities, corners bumped and lightly worn. Light browning and occasional light foxing to text. Early owner underlining to title page, which has some edgewear, interior otherwise clean. An appealing copy. \$1,000.

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



RARE SEVENTEENTH-CENTURY TREATISE ON REMEDIES

34. COSTA, GIOVANNI BATTISTA
(JUAN BATTISTA) [16TH/17TH C.].

Tractatus de Remediis Subsidiariis. Primae Sedis Antecessoris; In quo Methodice Explicantur Variae, Atq[ue]; Multiplices Materiae, Tam Canonicae, Quam Civiles, Criminales Quoq[ue]; & Alique Theologicae, Ex Ipsi Legum, Canonum, Bullarum, Statutorum; Ac Constitutionum Fontibus Exhaustae, Necnon Indicati Consignantur Complures Casus Conciliares, Quatenus in Subsidium Dumtaxat Proditia Remedia Utrunque Comperiuntur, Quae Postea ad Quotidianam Praxim pro Ultimo Praesidio, Ac Refugio Frequentius Revocantur. Cum Indice Rerum, Atq[ue]; Sententiarum Fatis Copioso Iuxta Seriem Alphabeticam Disposito.

Pavia: Ex Typographia Petri Bartoli, 1608. [lxxx] 365, [2] pp. Main text in parallel columns. Copperplate portrait (to verso of title page). Folio (12"x 8").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Light rubbing to extremities, faint staining to boards, minor worming to hinges and pastedowns. Title page, with large copperplate arms, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, somewhat heavier on places, faint dampstaining to preliminaries and a few other leaves, early owner signature partially excised from foot of title page, internally clean. \$950.

FIRST EDITION. This treatise deals with civil and criminal remedies in Roman, canon and feudal law. Little is known about Costa. The title page identifies him as a highly placed canon lawyer attached to the Vatican. The presence of a portrait frontispiece, with a cartouche bearing his arms, indicates that he was an important man. Costa is not to be confused with the French jurist Jean Lacoste (de la Coste) [1560-1637]. Costa's treatise went through two later editions in 1629 and 1630. All three are rare. OCLC locates 2 copies in North America, both 1629 editions (at the Library of Congress and UC-Berkeley Law School). Not in Camus, Roberts or the BMC.



THE PROPER FORMS FOR PLEADING IN THE CURIA ROMANA

35. [CURIA ROMANA].

[*Formularium Instrumentorum ad Usus Curiae Romanae. Constitutio 19 November 1317 'Exsecrabilis Quorundam' Contra Pluralitatem Beneficiorum; Paulus II, Bulla 23 November 1464 'Cum Detestabile Scelus' Contra Simoniacos; Paulus II, Bulla 1 March 1467 'Ambitiose Cupiditati' de Rebus Ecclesiae non Alienandis*].

[Basel: Michael Wenssler, Not after 1480]. [126] ff. Collation: q6, a1, b-k8, l6, m-o8, p6. Leaf a1, a blank, lacking. Signature q, the table of contents, with blank q1, is bound at front as in the British Library copy. Folio 12"x 8-1/2" (30 x 21.5 cm).

Contemporary blind-stamped red-dyed doeskin, rebaked in period style, central cross and linear frame on covers with 15 repeat stamps, including man of sorrows, 'Maria' in a banner, paschal lamb, a deer, rosette and palmette, apparently not in *Einbanddatenbank*, raised bands and decorative blind tooling and stamps to spine, period-style replica clasps. Light rubbing and a few minor stains to boards, heavier rubbing to extremities with wear to spine ends and corners, partial crack through spine, scattered wormholes to exterior, pastedowns and leaves at front and rear of text block, minor worming to other leaves. 55-line text in single column. Light toning, slightly heavier in places, wrinkling from moisture to margins in a few places, inkspots to a few leaves, brief early annotation to verso of front leaf, 1646 owner inscription of Burghausen, Jesuit college at head of first text leaf. \$17,000.

FIRST APPEARING in the 1474 Rome edition of Johann Schurener and Johann Nicolai Hanheymer, the *Formularium Instrumentorum* is a collection of models for legal documents applicable to canon law. Developed in the second quarter of the fifteenth century, they were used in the multifarious business of the Curia. This edition was printed in Wenssler's type 124, later taken over by P. Kunne, Memmingen, and probably first cast for liturgical use. A 1480 date of purchase was noted by Baer, *Bücherfreund* 9 (1911), no 1, 2, 738. Goff F254. GW 10201. The *ISTC* locates 4 copies in the United States (Harvard, 2 copies, George Washington University Law School, University of Pennsylvania).





INTERESTING COLLECTION OF DARROW PHOTOGRAPHS

36. [DARROW, CLARENCE (1857-1938)].

[Eighteen Black-and-White Press Photographs of Darrow, 1894-1936].

Sizes ranging from 3-1/2"x 6-1/2" to 8"x 10."Light to moderate edgewear, annotations and tipped-in captions to versos, some photos have crop marks and creases.

\$1,500.

THIS INTERESTING COLLECTION comprises seven formal and informal images of Darrow, seven images of Darrow with associates and three images with Darrow and his wife, Ruby and an image of her alone.

AN ARTFUL DEFENSE OF KING CHARLES I

37. DIGGS, DUDLEY [1613-1643].

The Unlawfulness of Subjects Taking up Arms Against Their Sovereigne, In What Case Soever. Together with Answers to All Objections. A Work Very Seasonable for These Times, And May Serve as a Curb to the Treasonable Practices of Jesuits and Other State-Incendiaries.

London: Printed for Peter Parker, 1679. [viii], 144, 155-170, 137-168 pp. Pagination irregular. Text complete. Octavo (6-1/2"x 4-1/4").

Recent period-style three-quarter calf over marbled boards, gilt-edged raised bands and lettering piece to

spine. Moderate toning to text, faint dampstaining to a few leaves. Ex-library. Small inkstamp to title page and one other leaf. A handsome copy. \$950.

FIFTH AND FINAL EDITION. Derived in part from Bracton, Diggs's eloquent defense of the passive obedience of subjects contends that the king is under law as a moral proposition only, which precludes justified rebellion. It was originally published in 1644 as a defense of Charles II. This 1679 reissue was probably a response to the decision of Charles II to dissolve Parliament to prevent its impeachment of Lord Danby, who supervised the investigation into the "Popish Plot." Danby dismissed the plot as a fabrication, which angered Parliament. ESTC R14579.



RARE EIGHTEENTH-CENTURY TREATISE ON MILITARY LAW
BOUND WITH AN ANNOTATED *CONSTITUTIO CRIMINALIS CAROLINA*

38. DOLFFER, J[OHANN] A[NTON].

Processus Juris Militaris Informativus. Worinn Nicht nur alle Kriegs-Richter, Als Praesides, Assessores und Auditores, Auch Alle Hohe und Niedrige Officirer, Eine Vorhin noch nie Gehabte Voellige Information Finden, Wie sie Sich zu Denen Abhaltenden Kriegs-Ger-ichten, Habilitiren und Geschickt Machen Mogen, Und sonst ein Jeder, Der Peinliche Sachen Tractiret oder zu Tractiren Bedacht Ist, In Denen Latere Sequenti Verzeichneten Materiis den Selbst Verlangenden Unterricht Finden Kan.

Leipzig: In Verlegung Hieron. Friederich Hoffmann 1702. [iv], 315 pp.

[BOUND WITH]

STEPHANI, MATTHAEUS [1576-1646], EDITOR.

[CHARLES V [1500-1558], HOLY ROMAN EMPEROR].

Caroli Quinti, Imperatoris Invictissimi, & Gloriosissimi Principis, Constitutiones Publicorum Judiciorum: Cum Jure Communi Collatae; Ex Eoque Latius Declaratae, & Utilissimis Additionibus, Observationibusque Practicis Illustratae. Articulorum Carolinarum Constitutionum, Intemq[ue] Rerum Praecipuarum, Elenchus Duplex Adjectus Est.

Hannover: Sumptibus Gothofredi Freytagii, u. Rudolstadt, Urban 1702. [xx], 243, [5] pp.

Quarto (7-1/2"x 6"). Three-quarter calf over speckled boards, gilt spine with raised bands and lettering piece, edges rouged. Moderate rubbing to boards, light rubbing to extremities with some wear to spine and corners, edge of lettering piece just beginning to peel away. Title page of *Processus* printed in red and black. Moderate toning, somewhat heavier in places. Early initials to title page of *Processus*, early underlining and notes to a few pages in *Constitutiones*. An appealing volume.

\$2,500.

PROCESSUS: ONLY EDITION; *Constitutiones*: sixth and final edition. The *Processus* is a comprehensive guide to the laws that apply to European soldiers. It is a digest of positive law and conventions established by treaty. Each point is illustrated with a case study. The work reflects both the greater destructive power of eighteenth century armaments and the Enlightenment-inspired movement to civilize the rules of military engagement. "Von der Section und Inspection des Coerpers," its eleventh chapter, is especially interesting. An early example of medical jurisprudence, it discusses methods to distinguish signs of torture or other unacceptable deeds on the corpses of soldiers or civilians. *Constitutiones*, a commentary on the great 1502 *Constitutio Criminalis Carolina* of Holy Roman Emperor Charles V, was first published in 1626. A standard work, it went through further editions in 1661, 1665, 1670, 1678 and 1702. The owner of this copy added a few references in the index concerning the sections on torture. Provisions for the liberal use of torture was one of the most controversial aspects of this code. There are very few copies of either title in North America. OCLC locates 1 copy of *Processes* (at Harvard Law School) and a few copies of *Constitutiones*, 1 of the 1702 edition (at Harvard Law School). *Processus*: VD18 10336591; *Constitutiones*: this edition not in VD18.

JUVENILE OFFENDERS IN NINETEENTH-CENTURY WARWICKSHIRE

39. [EARDLEY-WILMOT, SIR JOHN EARDLEY (1783-1847)].

Observations on a Letter by John Eardley Eardley-Wilmot, Esq. One of His Majesty's Justices of the Peace for the County of Warwick, To the Magistrates of Warwickshire.

London: Published by T. & G. Underwood and Beilly and Knott, Birmingham, 1820. [iv], 23 pp. With a half-title.

Recent staff marbled wrappers, printed paper title label to front cover. Moderate toning to text, some edgewear to title page. A very good copy of a rare pamphlet. \$500.

ONLY EDITION. A paper on the increase in crime in Warwickshire, relative to the size of population, its causes and possible remedies. The author suggests that young offenders must be punished as much as older offenders. The paper was in response to Eardley-Wilmot's *A Letter to the Magistrates of England on the Increase of Crime: And an Efficient Remedy Suggested for Their Consideration*, first published in 1820, which suggesting that severe punishment of juvenile offenders often led them to a lifetime of criminal activity. He also argued for better prison conditions as an aid to rehabilitation of offenders, a claim refuted in *Observations*. OCLC and COPAC locate 2 copies (Cambridge University, Senate House Library of the University of London). *Goldsmiths'-Kress* 22967.

A CURIOUS 1864 CASE INVOLVING MURDER AND INSANITY

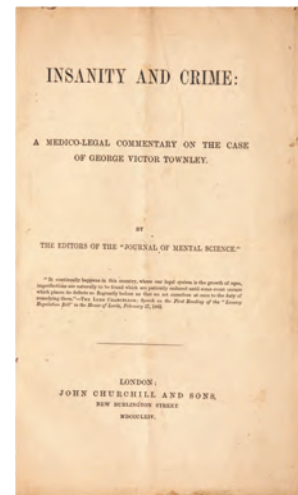
40. EDITORS OF THE JOURNAL OF MENTAL SCIENCE.

Insanity and Crime: A Medico-Legal Commentary on the Case of George Victor Townley.

London: John Churchill and Sons, 1864. 47, [1] pp. Octavo (8-3/4"x 5-1/2").

Stab-stitched pamphlet with untrimmed edges bound into recent cloth, printed paper title labels to front board and spine, endpapers added. Moderate toning to text, faint vertical crease through center, small inkspots to a few leaves. \$500.

ONLY EDITION. In this unusual trial Townley was found sane and guilty of the murder of his fiancée, but insane afterwards, and thus incapable of execution. The discussion of this case in the interesting pamphlets examines, among other related topics, partial, impulsive, and "moral" insanity. OCLC locates 13 copies in North America, 1 in a law library (U.S. Supreme Court).



THE ADMINISTRATION OF EXCISE LAWS IN EIGHTEENTH-CENTURY ENGLAND

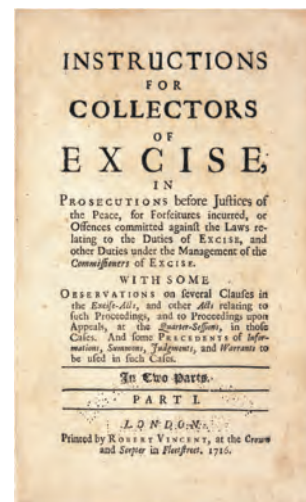
41. [ELLIS, JOHN (D. 1728)].

Instructions for Collectors of Excise, In Prosecutions Before Justices of the Peace, For Forfeitures Incurred, Or Offences Committed Against the Laws Relating to the Duties of Excise, And Other Duties Under the Management of the Commissioners of Excise. With Some Observations on Several Clauses in the Excise-Acts, And Other Acts Relating to Such Proceedings, And to Proceedings upon Appeals, At the Quarter-Sessions, In those Cases. And Some Precedents of Informations, Summons, Judgments, And Warrants to be Used in Such Cases.

London: Printed by Robert Vincent, 1716. [xvi], 112; [iv], 5-245, [17] pp. Two parts in one volume, second part preceded by divisional title page. Octavo (7-1/2"x 4-3/4").

Contemporary paneled calf, raised bands and lettering piece to spine, which is lightly varnished. Light rubbing to extremities, somewhat heavier along joints, corners bumped, a few minor scuffs to and stains to boards, hinges starting. Moderate toning to text, light foxing to a few leaves. Owner signature to front free endpaper, interior otherwise clean. Ex-library. Bookplate to front pastedown, small perforated stamp to title page. An attractive copy. \$400.

FIRST EDITION. According to the preface, Ellis, an excise officer, produced this treatise to clarify the excise law for the benefit of justices of the peace. It is interesting to present-day scholars for its summary of the laws as they stood in the early eighteenth century and the administration of the law at that time. A second edition was published in 1735. *Goldsmiths'-Kress* 5304. *ESTC* T136283.





AN ENGLISH CARD GAME USED TO PROMOTE
THE CAUSE OF FEMALE SUFFRAGE

42. [FEMALE SUFFRAGE].

[GREAT BRITAIN].

REED, E[DWARD] T[ENNYSON] [1860-1933], ILLUSTRATOR.

Panko, Or Votes for Women: The Great Card Game, Suffragists v. Anti-Suffragists.

London: Peter Gurney, c.1909. 48 color 3-1/2" x 2-1/2" lithographed cards on heavy coated stock in 3-1/3/4" x 2-3/4" slipcase, text on front, color illustration on rear, 6-3/4" x 4-3/4" instruction sheet enclosed. Complete as issued.

Moderate rubbing and light soiling to slipcase, one of the bottom joints cracked through, fragment of shop label to front. Light soiling and some edgewear to cards, some toning to instruction sheet, a few minor tears along fold lines. \$3,500.

NAMED AFTER THE ENGLISH SUFFRAGIST Emmeline Pankhurst [1858-1928], Panko was produced by the Women's Social and Political Union (WSPU) to raise funds for its activities and publicize its goals. The cards were illustrated by E.T. Reed, best-known for his illustrations for *Punch*. They reflect some of the key moments and characters in the Suffrage movement, such as Pankhurst wearing her WSPU sash, a Suffragist being escorted to a police station, a group of Suffragists trying to gain entry to the House of Commons, a Suffragist declaring a hunger strike in jail and an image of the attorney Christabel Pankhurst [1880-1958], Emmeline's daughter, addressing the viewer in her robes.

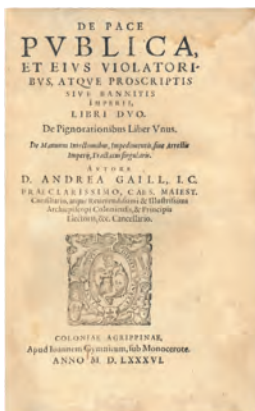
EXECUTIONS, PLEDGES AND EPIGRAMS

43. GAIL(L), ANDREAS VON [1526-1587].

De Pace Publica, Et Eius Violatoribus, Atque Proscriptis Sive Bannitis Imperio, Libri Duo. De Pignorationibus Liber Unus. De Manuum Iniectionibus, Impedimentis, Sive Arrestis Imperii, Tractatus Singularis.

Cologne: Apud Ioannem Gymnicum, Sub Monocerote, 1586. 468, [60], 123, [1], [52] pp. Three parts, each with title page, third part has divisional title page. Octavo (7" x 4-1/2").

Contemporary vellum, endpapers renewed, early calligraphic title to foot of text. Light rubbing to extremities, small stain to front board, a few cracks to text block. Moderate toning, occasional dampstaining and spotting, internally clean. Ex-library. Bookplate to front pastedown. \$850.



SECOND EDITION. Gail was a German judge and legal scholar. First published in 1578, this book deals with executions of contracts and pledges under the laws of the Holy Roman Empire. The final section is a collection of legal epigrams. Its final edition, a German translation, was published in 1601. The contents of this book were incorporated into Gail's *Practicarum Observationum* beginning with the 1589 edition. As an independent work *De Pace Publica* is a rare title. Concerning both editions, OCLC locates 1 copy in North America (at Yale Law School). VD16 G52.



ONE OF TWO COPIES MADE TO COMMEMORATE THE RELEASE OF A MAN WHO WAS WRONGFULLY CONVICTED OF MURDER

44. [GALLEY, EDMUND].
[WHIRE, F. FAULKNER, ILLUMINATIONS].

The Galley Memento.

[Exeter, England: H. Harrin, 1879, bound 1880]. 15 ff. Folding leaf, a tipped-in 25"x 18"broadside. Large quarto (14-1/2"x 10-3/4").

Crimson morocco with elaborate gilt tooling and cream and black on-lays, including the coat of arms of Great Britain, title and date to front board, gilt tooling to board edges, gilt inside dentelles, all edges gilt, marbled endpapers. Light rubbing to spine ends and corners. Gothic-style calligraphic text on heavyweight leaves with floral and decorative borders, all with tissue guards, some foxed, a few edgeworn and partially detached, small oval albumen photograph of the recipient, Ralph Sanders, mounted on the first leaf, followed by a 3-leaf testimonial of appreciation and a listing of the 12 members of the committee that worked to free Galley. The remaining leaves, all with floral borders, contain a list of the names of the 342 citizens of Exeter. The tipped-in folding broadside is titled "A Memento of the Galley Case. Presentation to Messrs. Thomas Latimer and Ralph Sanders, Reprinted from The Daily Western Times of Friday, January 30, 1880," which is an account of Galley's case and the creation of the memento. Note dated 1840 with text of an inscription on a salver presented to Latimer laid-in. Item housed in worn chemise with blind rules to edges and gilt title to front. An extraordinary item.



\$7,500.

THE GALLEY CASE was an extraordinary example of persistence in the pursuit of justice by Thomas Latimer, Ralph Sanders and a few others. Galley and Thomas Oliver were arrested for murder due to the testimony by unreliable eyewitnesses. Galley and Oliver were sentenced to hang; Galley's sentence was later commuted to life imprisonment. Before he was hanged, Oliver proclaimed Galley's innocence on several occasions, to no avail. Galley served two years in floating prison hulks in the Thames and was later transported to New South Wales, where he was part of a chain gang. Sanders, a solicitor and county clerk who attended Galley's trial, and Latimer, the publisher of the Daily Western Times, were convinced that Galley was innocent and made several efforts to reopen his case over the next 40 years. The case eventually attracted a good deal of attention. Finally, after pressure from the House of Commons and the Lord Chief Justice, the Home Secretary asked Queen Victoria to pardon Galley, a request granted in 1879. Two of these extraordinary memento volumes were created: one for Sanders, which we are offering, and one for Latimer.

GOULD ON WATER RIGHTS

45. GOULD, JOHN M.

A Treatise on the Law of Waters, Including Riparian Rights, and Public and Private Rights in Waters Tidal and Inland.

Chicago: Callaghan & Company, 1891. cxxi, 932 pp. Octavo (9"x 6").

Contemporary law calf, blind rules to boards, raised bands and red and black lettering pieces to spine. A few minor spots to boards and spine, light rubbing to boards, moderate rubbing to extremities, corners

bumped and lightly worn, hinges partially cracked, light toning to text.

\$200.

SECOND EDITION. "By sticking closely to the subject in hand, Mr. Gould has avoided a pitfall into which many writers on special topics fall: namely, of swamping the valuable and special part of the work in a sea of allied topics, often carelessly and inadequately treated ... In the main, the work has that accuracy, clearness, and fulness of citations so necessary in a special treatise."E.S.T., *Harvard Law Review* 14: 471-472. The second edition is enhanced by the inclusion of over 3700 cases not referred to in the first edition. HLC I:776.

COPY OF AN IMPORTANT 1654 ENGLISH ACT CONCERNING RELIGIOUS TOLERATION WITH CONTEMPORARY ANNOTATIONS

46. [GREAT BRITAIN].
[COMMONWEALTH AND PROTECTORATE].
[CROMWELL, OLIVER (1599–1658), LORD
PROTECTOR].

An Ordinance for the Ejecting of Scandalous, Ignorant and Insufficient Ministers and School-Masters. Tuesday August 29. 1654. Ordered by his Highness the Lord Protector, And His Council, That this Ordinance be Forthwith Printed and Published. Henry Scobell, Clerk of the Council.

London: Printed by William du-Gard and Henry Hills, Printers to His Highness the Lord Protector, 1654. [ii], 595–616, 613–624, 623–633, [i] pp. Complete. Text continuous despite pagination. Folio (11" x 7-1/4").



Stab-stitched pamphlet with untrimmed edges bound into recent quarter morocco over cloth, gilt title to spine. A few minor nicks to boards, light rubbing to extremities with some wear to corners. Moderate browning and light foxing, occasional faint dampstaining, repairs to fore-edges of final two leaves, later satirical engraving of Puritans affixed to front endleaf facing title page, early owner initials and brief annotation to head of title page ("J.B./ [illegible] 122 5d"), annotations in contemporary hand to several leaves. \$1,500.

FIRST EDITION, one of two issues. This was one of two ordinances issued by Cromwell in 1654 to promote religious toleration (excluding Catholics) by removing or debarring clerics whose extreme religious views or behavior provoked sectarian conflict. The annotations in our copy are quite interesting. They are generally interpretive; several have cross-references to earlier acts and court cases. *ESTC* R210341. *See inside front cover.*

KING HENRY VIII OUTLAWS BUGGERY

47. [GREAT BRITAIN].
[STATUTES].
[HOMOSEXUALITY].

Anno XXV. Henrici Octavi. Actes Made in the Session of this Present Parliament Holden upon Prorogacion at Westminster, the XV. Day of Januarie, In the XXV. Yere of the Reigne of Our Most Drad Sovereigne Lord Kyng Henry the VIII. And There Continued and Kept Till the XXX. Daie of Marche then Next Ensuyng: to the Honour of God and Holy Church, And for the Common Weale and Profite of this his Realme.

London: [T. Powell], 1562. [84] pp. Folio (10-1/4" x 6-3/4").



printed within woodcut architectural border, woodcut decorated initials. Light toning to text, minor worming to lower margin at gutter. A nice copy. SOLD

FIRST PUBLISHED IN 1534, this compilation of statutes includes the infamous "Acte for the punishment of the vice of buggerie" (Chapter VI). Enacted in 1533, this statute took homosexual acts away from the jurisdiction of the ecclesiastical courts and made them capital crimes under the common law. Revoked and revised several times, the act was restored in its original form by Queen Elizabeth I, one year after its republication here. It remained in force for more than two centuries. Edwin Freshfield [1832–1918] was a solicitor in his great family law firm. Founded in London in 1743, it is now the multi-national Freshfields Bruckhaus Deringer.

Anthony Taussig is a distinguished barrister and scholar. His collection of manuscripts and annotated printed books was acquired by Yale Law School and Yale's Beinecke Rare Book and Manuscript Library. As noted by the *English Short-Title Catalogue*, there are two copies bearing the date 1562. One was probably printed in 1575. Ours is a true 1562 printing, with line 4 of the title page ending "sessions." There are at least five editions of these acts published between 1535 and 1551. All are scarce. OCLC locates 2 copies of our 1562 imprint in North America (Harvard Law School, New-York Historical Society). *ESTC* S113128. Beale S159.

FINAL AUTHORIAL EDITION OF *DE JURE BELLI AC PACIS*

48. GROTIUS, HUGO [1583-1645].

De Iure Belli ac Pacis Libri Tres. In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur. Editio Nova cum Annotatis Auctoris. Accesserunt & Annotata in Epistolam Pauli ad Philemonem.

Amsterdam: Apud Guiljelmum Blaeuw, 1642. [xxiii], 601, [40] pp. Octavo (6-3/4"x 4-1/2").

Contemporary vellum with lapped edges, blind rules to boards, blind fillets to spine. Light rubbing and a few minor stains, light wear to corners, early owner names and annotations to front pastedown and title page, front free endpaper lacking. Title page printed in red and black. Light toning to text, somewhat heavier in places, occasional (very) faint dampstaining to foot of text block, light foxing and minor inkstains to a few leaves. \$1,350.



"EDITIO NOVA," the final edition produced under the author's direction, with his final notes and corrections. First published in 1625, *De Iure Belli et Pacis* describes situations in which war is a valid tool of law enforcement and outlines principles for the use of force. It was "the foundation of modern international law." Carter and Muir, *Printing and the Mind of Man* 125 (citing first edition). Ter Muelen and Diermanse 571.

THE FIRST ENGLISH TRANSLATION OF GROTIUS

49. GROTIUS, HUGO.

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

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

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

Contemporary calf, blind rules to boards, early rebacking with raised bands and gilt title, repairs to corners, hinges mended. Some rubbing to extremities, corners bumped, a few minor scuffs to boards, hinges partially

cracked. Moderate toning to text, some edgewear and minor tears to preliminaries, repair to fore-edge of frontispiece (with no loss to text). Underlining and annotations in a few places, interior otherwise clean. Ex-library. Bookplate to front free endpaper. A scarce title. \$1,000.

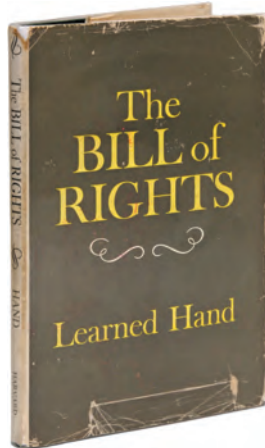
REISSUE OF THE FIRST English translation, 1654, one of two from 1655, the other with a cancel title page identifying the editor as "C.B." Barksdale's annotated translation, the first in English, appeared in 1654. It includes an original biographical sketch of the author. Barksdale edited this work considerably and added numerous annotations to add a stronger Christian component. These editorial changes reflect contemporary debates about the nature of foreign policy and the roles of civil and ecclesiastical authority. ESTC R16252. Ter Meulen and Diermanse 628.

INSCRIBED BY LEARNED HAND TO THE FIRST DIRECTOR OF THE U.S. COMMISSION ON CIVIL RIGHTS

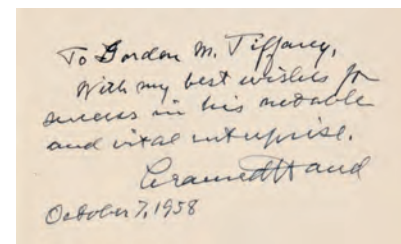
50. HAND, LEARNED [1872-1961].

The Bill of Rights.

Cambridge: Harvard University Press, 1958. v, 82 pp.



Cloth very good in moderately worn dust jacket, a few tears and scuffs to lower edge of front panel, lightly soiled rear panel. Author inscription to front free endpaper in bold hand, internally fresh. \$1,500.



FIRST EDITION. The inscription reads: "To Gordon M. Tiffany./ With my best wishes for/ success on his valuable/ and vital enterprise/ Learned Hand/ October 7, 1958." The *Bill of Rights* is the published version of the Oliver Wendell Holmes Lectures delivered at Harvard University in 1958, this influential book discusses the propriety of judicial efforts to expand the scope of the first ten amendments. It has three chapters, "When a Court Should Intervene," "The Fifth and Fourteenth Amendments" and "The Guardians." One of the most significant American jurists of the twentieth century, Hand was a judge of the U.S. Southern District of New York from 1904-1924 and a judge of the Court of Appeals, Second Circuit, from 1924 to 1956. His judgments were renowned for their lucidity and elegance. Gordon M. Tiffany was the first director of the U.S. Commission on Civil Rights, which was established in 1957. This is the "valuable and vital enterprise" that Hand is referring to in his inscription.

FIRST POST-REVOLUTION EDITION OF AN IMPORTANT WORK
ON THE RIGHT TO TRIAL BY JURY

51. HAWLES, SIR JOHN (1645–1716).
[BACON, FRANCIS (1561–1626)].
BRODIE, ALEXANDER, BOOKSELLER.

The Englishman's Right; A Dialogue Between a Barrister at Law and a Juryman; Shewing, I. The Antiquity, II. The Excellent Designed Use, III. The Office and Just Privileges of Juries by the Law of England (Being a Choice Help for All Who Are Qualified by Law to Serve on Juries). To Which is Prefixed, An Introductory Essay, On the Moral Duty of a Judge. By Lord Bacon.

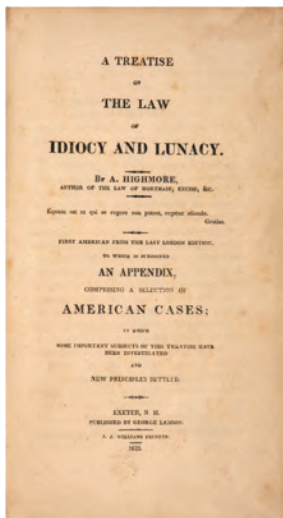
Philadelphia: Printed by John Thompson, of Philadelphia; For Alexander Brodie, 1798. 6, [vii]–viii, [1], [17]–70 pp. Octavo (7-1/2" x 4-1/2").

Contemporary sheep over marbled boards. Light rubbing to extremities, heavier rubbing and a few minor stains to boards, hinges starting. Moderate toning to text, dampstaining in a few places, internally clean. An appealing copy. \$750.

THIRD AMERICAN EDITION. First published in London in 1680, and in Boston in 1693 and 1772, this 1798 Philadelphia edition was the first printed after the Revolution. Possibly a response to the recent passage of the Alien and Sedition Acts, it has an interesting preface by the bookseller, Alexander Brodie: "But lest (sic) the title 'The Englishman's Right' should give offence to any,

it is proper to observe that the Charter of the Liberties of England is a grant from their kings obtained by force. This charter is the fountain of all their Rights; and among others of the Englishman's Right to be tried by a Jury of his Equals. As Americans we possess the same Right, and Juries by our Laws have the same powers and privileges, as by the Law of England. Neither we or our Ancestors ever were Slaves. We hold our Liberties from God alone, and to him alone are we accountable for the use or abuse of them. It is no mark of Vassalage to borrow instructions from English Jurisprudence. To understand our rights well, we must study them, and endeavour to profit by the experience of other Nations. The better to enable Jurymen to discern between Judge and Prisoner, if a lawless stretch of power should be attempted, of which at present there appears no danger, from the high character of our American Judges, I have prefixed by way of Introduction, Lord Bacon's Essay on the Moral duty of a Judge. And let it be remembered, that Judges are appointed to interpret the Laws faithful but Juries were instituted to watch and restrain Judges; so may the blessing "Him That Was Ready To Perish Upon Them"! A staunch Whig, Hawles wrote *The Englishman's Right* to outline the rights, duties and proper behavior of a juryman and to promote the jury system as a bulwark against tyranny. Immediately successful among Whigs and others who saw themselves as defenders of English liberties, it was received with great enthusiasm in America, where it was reprinted several times well into the nineteenth century. According to Cohen, it was probably the first English law book reprinted in the American colonies. Cohen 1481.

FIRST AMERICAN EDITION OF ONE OF THE FIRST BOOKS
ON THE LAW OF "IDIOCY AND LUNACY"



52. HIGHMORE, A[NTHONY] [1758–1829].

A Treatise on the Law of Idiocy and Lunacy. To Which is Subjoined an Appendix, Comprising a Selection of American Cases; In Which Some Important Subjects of This Treatise Have Been Investigated and New Principles Settled.

Exeter, NH: Published by George Lamson, 1822. x, [2], 194 pp. Octavo (8-1/2" x 5").

Contemporary three-quarter sheep over paper boards, green lettering piece and blind fillets to spine. Light rubbing and a few ink spots to boards, moderate rubbing to extremities, minor scuffing to spine, corners bumped and somewhat worn, front joint and hinge just starting at head, faint early owner signature in pencil (of H. Stephens) and later owner signature (of Dr. Edward Gillespie, dated 1929) to front pastedown. Moderate toning, light foxing to some leaves, a few leaves have early marks to margins. A choice copy. \$1,500.

ONLY AMERICAN EDITION, based on the first London edition, 1807. One of the very first books on the topic, Highmore's treatise examines precedents concerning the insane and their treatment under the law. It discusses the meaning of "ideot," *non compos mentis* and lunacy, as well as the custody of lunatics, commission of the insane to hospitals or asylums, *habeas corpus*, disability and recovery of the insane, regulations of asylums and criminal cases involving the insane. Highmore, a British legal writer and solicitor, was secretary to the London Lying-In Hospital. This American edition has a 27-page Appendix with valuable information on the insanity plea and the American criminal justice system at the time. It replaces that of the 1807 English edition which relates only to English courts. Cohen 8818.

ONE OF THE GREAT AUTHORITIES ON ROMAN-DUTCH LAW

53. HUBER, ULRIC [1636-1694].

De Ratione Juris Docendi & Discendi Dialogus.

Franecker: Ex Officina Joh. Gyselaar, 1684. [vi], 111, [1] pp. Copperplate portrait frontispiece of the Duke of Nassau.

[BOUND WITH]

HUBER, ULRIC.

De Jure Civitatis Libri Tres. Editio, Plus Tertia Parte, Nova Faciem Operis Oratio Praemissa & Argumenta Capitum in Calce Subjecta Exhibent.

Franecker: Apud Johannem Gyselaar, 1684. [xxxviii], 605, [37] pp.

Octavo (6-1/4"x 3-3/4"). Contemporary calf, raised bands to spine. Moderate rubbing with light wear to extremities, corners bumped, joints starting at head, front hinge cracked, later owner bookplate to front pastedown. Woodcut title vignettes, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text. Faint early owner annotations to endleaves, title page of *Ratione Juris* and a few other leaves in both works. Ex-library. Bookplate to front pastedown. \$750.

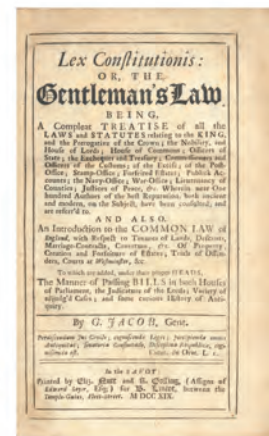


RATIONE JURIS, FIRST EDITION; *Jure Civitatis*, third edition. Huber was a well-known Dutch jurist and professor at the Universities of Franecker, Utrecht and Leyden. He was also a judge in Friesland and the author of numerous legal works on Roman and Roman-Dutch law including *Heedendaagse Rechtsgeleertheit* (1686), which was later translated as *The Jurisprudence of My Time*. He was as important in his day as Grotius. Huber's work was renowned for his humanism and knowledge of life. It remains influential in South African law. *Ratione Juris* is an essay on legal reasoning. A second edition was published in 1688. First published in 1672, his influential *Jure Civitatis* examines public law through perspectives drawn from jurisprudence and political science. As one would expect, Roman, canon and natural-law principles play a leading role. The laws of the Dutch states are also considered, though less extensively. Dekkers 86.

A LEGAL GUIDE FOR "GENTLEMEN OF ALL RANKS"

54. JACOB, G[ILES] [1686-1744].

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



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

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

FIRST EDITION. In his preface, Jacob indicates that he did not write this treatise on England's Constitution for the landed gentry exclusively, but for "gentlemen of all ranks," that is, the literate general public. This distinction is significant. Jacob, though certainly interested in boosting sales by attracting the widest audience possible, was an idealist who believed that widespread knowledge of the law would help create a more just society. This is also evident in his other publications, such as *A Treatise of Laws* (1721), *The Common Law Common-Placed* (1726) and *Every Man His Own Lawyer* (1736). Another edition of the *Lex Constitutionis* was published in 1737. Sweet & Maxwell 1:102 (48). ESTC T137002.



1483 BASEL IMPRINT OF THE *VOCABULARIUS IURIS UTRISQUE*
IN A HANDSOME BINDING



55. [JODOCUS OF ERFURT, ATTRIBUTED].

[*Vocabularius Iuris Utriusque*].

[Basel: Michael Wenssler, 20 August 1483]. [152] ff. Collation: a-t8. Text in parallel columns. Folio (12" x 8-3/4").

Contemporary blind-stamped calf over beveled wooden boards, rebaked in period style, circular and lozenge-shaped stamps (depicting, among others, Phoenixes, fleur-de-lis, and paschal lambs) within double blind-ruled frames, raised bands to spine, clasps and corners restored, vellum pastedowns. Light rubbing and a few small nicks and small faint hand-lettered title to front board, heavier rubbing to rear board. 51-line text in Gothic type, rubricated throughout, 9-line opening initial. Light toning, occasional foxing to margins, trimming to fore-edge of first leaf with no loss to text. Light toning, foxing and occasional faint dampstaining to margins, early owner inscription to front endleaf. An appealing copy in an attractive binding. \$17,500.

A WORK OF GREAT AUTHORITY, the *Vocabularius*, as it is popularly known, is usually attributed to Jodocus, a jurist associated with the University of Erfurt. First published by Wenssler in Basel, it went through more than seventy editions over the following 150 years. (It had a second life as the first section of the 1559 edition of Antonio de Nebrija's *Lexicon Juris Civilis*, a work that was reissued into the seventeenth century.) A useful and highly respected reference work,

the *Vocabularius* is a collection of terms dealing with the *Ius Commune* taken from such late-scholastic texts as the *Vocabularius Stuttgardiensis* (1432), the *Collectio Terminorum Legalium* (c. 1400), and the *Introductorium pro Studio Sacrorum Canonum* of Hermann von Schildesch (c. 1330). OCLC locates 3 copies in North America (Harvard Law School, University of Illinois, University of Pennsylvania Law School). The *ISTC* locates 2 more (Huntington Library, New York Public Library). Goff V342. GW M12632. See front cover.

RARE ESSAY ON INJUSTICE BOUND WITH A WARNING ABOUT STANDING ARMIES

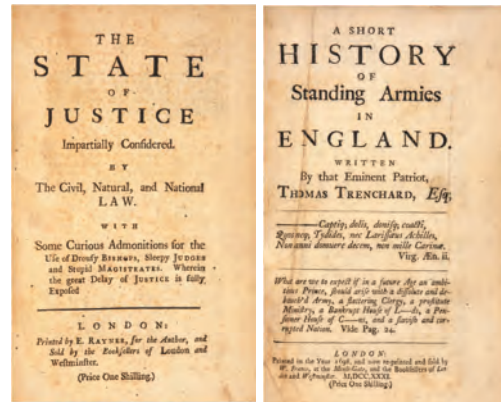
56. [JUSTICE].
[GREAT BRITAIN].

The State Of Justice Impartially Considered. By The Civil, Natural, And National Law. With Some Curious Admonitions For The Use Of Drousy Bishops, Sleepy Judges And Stupid Magistrates. Wherein The Great Delay Off Justice Is Fully Exposed.

London: Printed by E. Rayner, for the author, and sold by the booksellers of London and Westminster, [1732?]. 47, [1] pp.

[BOUND WITH]

TRENCHARD, THOMAS [1662-1723].



A Short History of Standing Armies in England.

London: Printed in the Year 1698. And Now Re-Printed and Sold by W. France, 1731. 70 pp.

Octavo (7-1/4" x 4-1/2"). Stab-stitched pamphlets bound into recent period-style quarter calf over marbled boards, gilt-edged raised bands to spine. Light toning to text, somewhat heavier in places, light foxing to a few leaves. Excellent copies in a handsome binding. \$2,500.

STATE OF JUSTICE: ONLY EDITION; *Short History*: reissue of a title issued three times in 1698. The anonymous author of *The State of Justice* positions himself as an opponent of bribery and the sale of offices and sinecures and a supporter of an equal distribution of justice and the rule of law. He warns: "It is not the law alone that makes a right government, but upright justice, and the equal distribution of it, which ought to be deeper engraven in the hearts of those who are authorised to execute justice, than in tables of stone"(9). It is a learned, and somewhat cranky, essay filled with references to Roman, European and English history. Trenchard's *Short Essay* is a classic argument against standing armies, a central theme in the commonwealthmen tradition (that was quite influential in America). This issue was probably a reaction to the expansion of England's military establishment during the Anglo-Spanish War (1727-29) *The State of Justice* is a rare title. OCLC locates 6 copies worldwide, 4 in North America (Case Western Reserve University, Harvard Law School, Northwestern Law School, UNC-Chapel Hill). The *ESTC* adds the University of Kansas. *ESTC* N23107, T126898.

ANNOTATED EXTENSIVELY IN TWO CONTEMPORARY HANDS

57. JUSTINIAN I, EMPEROR OF THE
EAST [482-565 CE].
ACCORSO, FRANCISCO (ACCURSIUS)
[C.1182-C.1260], GLOSSATOR.
PERRIN, GILLES [1479-1537], EDITOR.

Institutionum Civilium Libri Quatuor, Una Cum Accursii Commentariis, ac Multorum Jurisdctorum Annotationibus, Majore Cura Quam Unquam Antheac, cum in Textu, tum in Glossis ab Egidio Perrino, Officiali de Josaio, Emendati, Scholiis Illustrati. Justiniani vita et Uberimo Materiarum (Quas Vocant) Indice, Seu Repertorio, Nunc Primum Aucti.

Paris: Ex Officina Claudii Chevallonii, 1533. [xxv], 3, 271 ff. Main text in double columns with linear gloss. Quarto (10" x 7-3/4").

Early calf with recent rebacking, blind rules to boards, blind rules and gilt title to spine, hinges mended, moderate rubbing to boards, corners worn, light rubbing to joints, a few minor nicks to spine, hinges partially cracked, armorial bookplate of Thomas Fitzherbert, Esq., dated 1749, and small bookplate of Nathan Comfort Starr to front pastedown, faint embossed owner stamp to a few leaves. Printed throughout in red and black, large woodcut printer's device to title page, woodcut

initials and double-page woodcut Arbor Civilis. Light toning, occasional faint dampstaining to margins, light edgewear to preliminaries and index leaves, annotated throughout, with occasional underlining, in two sixteenth-century English hands. \$2,500.

ALONG WITH THE *Digest*, *Code* and *Novels*, the *Institutes* is one of the writings known collectively as the *Corpus Juris Civilis*. Intended for students, the *Institutes* is an elementary treatise on Roman private law. Like its companion volumes, its subsequent influence on European jurisprudence is difficult to underestimate. It received a great deal of commentary during the medieval and early modern eras. Accorso's was the first standard commentary. The handwriting style of the numerous annotations in our copy is that of a civilian (civil lawyer) or cleric. They repeat or summarize information in the gloss and list unfamiliar Latin terms, perhaps for later study. As one would expect, most of the annotations relate to topics in ecclesiastical and family law, such as marriage, guardianship. There are also occasional annotations on such topics as debtor and creditor. Thomas Fitzherbert may have been a descendant of the great jurist Sir Anthony Fitzherbert [1470-1538]. Nathan Comfort Starr [1896-1981] was a notable book collector who taught and wrote extensively about the Arthurian legend and Arthurian literature. *USTC* 185302. *See front cover*.

FIRST EDITION OF COOPER'S TRANSLATION OF THE *INSTITUTES***58. JUSTINIAN I, EMPEROR OF THE EAST.**

COOPER, THOMAS [1759-1839], TRANSLATOR AND EDITOR.

The Institutes of Justinian. With Notes.

Philadelphia: Printed for P. Byrne, 1812. xiv, 714 (i.e. 716) pp. Latin and English translation in parallel columns. Octavo (9"x 5-1/2").

Recent period-style quarter calf over marbled boards, lettering piece and gilt fillets to spine, original endpapers retained. Moderate toning to text, somewhat heavier in places, occasional light foxing. An attractive copy.

\$600.

FIRST EDITION. Includes a bibliography of civil law and the complete text of *The Law of the Twelve Tables*. A landmark in the American reception of Roman law and the first translation of Justinian produced in the United States, this edition includes fascinating notes that compare Roman law with that of the United States. (He even includes a table of cases.) Cooper, a chemist and lawyer by training, was a polymath who published books on law, political science, economics, medicine and the natural sciences. A friend of Joseph Priestley and Thomas Jefferson, he was a professor of chemistry at Dickinson College and the University of Pennsylvania. He joined the faculty of South Carolina College in 1819 and became its president in 1820. Cohen 1644.



"THAT SCAR WAS WON BY A SLAVE"

59. KEMBLE, E[DWARD] W[INDSOR]
[1861-1933].**"Look!" He Cried, "And Bless the Sight, For that Scar was Won by a Slave."**

[New York], September 1887.

Attractively glazed and matted 10-1/2"x 8-1/2" pen-and-ink drawing in handsome 16"x 14-1/2" wooden frame. A few minor nicks and scratches to frame, a few tiny spots to matte, light uniform toning to image.

\$1,850.

AN ILLUSTRATION FOR "De Valley an' de Shadder," A Story by the Macon, Georgia author Harry Stilwell Edwards [1855-1938] published first in *The Century Magazine* (January 1888, p. 476) and reprinted in *Two Runaways and Other Stories* (New York: Century Co., 1889, opposite p. 192 with the caption "See, If I Speak Not the Truth!"). The depiction of African-

Americans in Edwards's stories of the Old South are what one would expect. In some of his work Kemble also employed the same deplorable stereotypes. But Kemble is also known for his sympathetic depiction of African-Americans in his work for Mark Twain and other authors. In many cases his work stood in contrast with the stock-racist stories he illustrated. "Look!" *He Cried* is a case in point. It captures the dramatic moment in the story where a lawyer (General Robert Thomas) proves the good character of a former slave (Ben Thomas) accused of murdering a drunken, "low-browed, vicious-looking negro" by revealing how Ben sustained wounds after Pickett's Charge at Gettysburg when he carried to safety the slain body of his master, who was General Thomas's brother. The passage reads: "See if I speak not the truth!" He tore open the prisoner's shirt and laid bare his breast, on which the silent splendor of the afternoon sun streamed. A Great ragged seam marked it from left to right. "Look!" he cried, "and bless the sight, for that scar was won by a slave in an hour that tried the souls of freemen and put to its highest test the best manhood of the South." *See front cover.*

IMPORTANT LUTHERAN COMMENTARY ON CANON LAW
BOUND WITH A CLASSIC EXPOSITION OF JUSTINIAN'S *INSTITUTES*

60. KLING, MELCHIOR [1504–1571].

**Antiquarum Decretalium Titulos
Commentaria: Quibus Omnia Ferè Iudiciorum
& Praxis, Quam Vocant, Iura Diligentissimè
Explicantur. Recens iam Nata & In
Commondum Studiosorum Edita, Cum Indice
Rerum & Verborum Memorabilium Copioso.**

Frankfurt: Apud Chr. Egenolphum, [1550]. [viii], 167, [1]
ff. Last leaf blank.

[BOUND AFTER]

PORCIO, CRISTOFORO [D. 1442].
BELLONI, NICCOLO [D. 1552], EDITOR.
MAINO, GIASONE DAL [1435–1519].



**Super Tres Priores Institutionu[m] Divi
Iustiniani Libros Co[m]mentaria Longe
Utilissima: Una cum Iasonis Annotationibus, Antea Quidem cum Portij Verbis adeo Confusis, Ut non
Raro quid Alterutrius Esset, Uix a Purgatissimae Naris Hominibus Deprehendi Potuerit: Nunc Vero Opera
Nicolai Belloni.... Ita suis Quaeque Locis Digesta Emendata[ue], Ut hinc Universo Operi Plurimum Lucis
Accesserit: Id quod vel Mediocriter Attento ex Singulis Fermè Periodis Clarissimè Contrahit. Adiecti sunt
Indices Duo, Quorum alter Statim a Praefatione Positus, Titulos ac Paragraphos, Alter Vero in Calcem
Operis Reiectus, Res Memoratu Dignas Complectitur.**

Basel: Apud Michaellem Insigninum, 1547, [iv] ff., 608 cols., [10] ff. Main text in parallel columns.

Folio (12–3/4"x8"). Contemporary blind-tooled quarter pigskin over vellum-covered boards using vellum from 13th-century manuscript leaf, raised bands and early hand-lettered titles to spine and foot of text block, ties lacking. Light rubbing and some soiling, considerable wear to corners of front board, moderate wear to rear corners, pigskin beginning to come unglued from rear board, front endleaves and upper section of rear free endpaper lacking. Light toning to *Antiquarum Decretalium* early annotations and underlining in a few places, light browning to *Super Tres Priores Institutionum*, somewhat heavier in places, minor worming along gutter near end of text, occasional faint dampstaining and light foxing to margins of both works. \$1,750.

ANTIQUARUM DECRETALIUM: FIRST EDITION; *Super Tres Priores Institutionum*, second edition. An associate of Martin Luther, Kling was a professor of Roman and Canon law at the University of Wittenberg. He became its rector in 1539. One of the great jurists of his day, he was one of the first to interpret canon law from a Lutheran perspective. This approach governs the *Antiquarum Decretalium*, a commentary of the *Decretals* of Gregory IX, one of the books of the *Corpus Iuris Canonici*. As one would expect, it is especially critical of the papal decrees concerning marriage and clerical celibacy. First printed in 1483, the *Super Tres Priores Institutionum* is an important commentary on the *Institutes of Justinian*, one of the books of the *Corpus Iuris Civilis*. Our 1547 edition is enhanced with additional notes by Maino and Belloni. Highly regarded, this work went through several editions into the seventeenth century. VD16 K1325, P4365.

AN ADAPTATION OF BYNKERSHOEK

61. LEE, RICHARD.
[BYNKERSHOEK, CORNELIS VAN (1673–1743)].

**A Treatise of Captures in War. Corrected, With
Additional Notes.**

London: Printed for W. Clarke and Sons, 1803. viii, 240
pp. Octavo (8–1/4"x5–1/4").

Nineteenth-century three-quarter morocco over marbled boards, raised bands and gilt title to spine. Moderate rubbing to extremities, some chipping to head of spine. Moderate toning, somewhat heavier in places, occasional browning to outer edges of margins, light foxing to a few leaves. Ex-library. Institution name and shelf number to foot of spine, inkstamp to title page,

annotations to verso, inkstamp to rear pastedown. \$950.

SECOND EDITION. Lee's annotated translation of the first book of Bynkershoek's *Quaestionum Iuris Publici* (1737) was originally published in 1759. Bynkershoek considers questions dealing with international law and the customs of war. "De Rebus Bellicis," its most important chapter, addresses the customs of war on land and sea. Notably humane, it condemns actions against civilians and advocates the fair treatment of prisoners of war. Beginning with Lord Mansfield, scholars have considered this to be his greatest work. Lee's edition was timely, reflecting contemporary issues regarding neutral commerce, particularly that of the United States, during the Napoleonic wars. Sweet & Maxwell 1:352 (24).

SYNODAL DECREES FROM A TUMULTUOUS PERIOD IN THE HISTORY OF THE LOW COUNTRIES



62. LE MIRE, JEAN.

Decreta Synodi Dioecesanæ Antverpiensis, Mense Maio Anni M.DC.X. Celebratae.

Antwerp: Ex Officina Plantiniana, 1610. [xvi], 30, 154, [3] pp.

[BOUND WITH]
MORETUS, BALTHASAR.

Decreta et Statuta Synodi Provincialis Mechliniensis, Die Undecima Mensis Iunii, Anni Millesimi Quingentesimi Septuagesimi, Pontificatus Sanctiss. In Christo Patris ac Domini Nostri D. Pii Divina Providentia Papae Quinti Anno Quinto Inchoatae, & Decima Quarta die Mensis Iulij Eiusdem Anni Conclusae; Praesidente in ea Reverendiss.

Antwerp: Ex Officina Plantiniana Balthasaris Moreti, 1634. 84, [2] pp.

[AND]

HOVIUS, MATTHAEUS.

Decreta et Statuta Synodi Provincialis Mechliniensis: Die Vigesima Sexta Mensis Junii Anni Millesimi Sexcentissimi Septimi Pontificatus Sanctissimi in Christo Patris ac D. N. D. Pauli Divina Providentia Papae V. Anno Tertio Inchoatae, et Vigesima die Mensis Iulii Eiusdem Anni Conclusae.

Antwerp: Ex Officina Plantiniana Balthasaris Moreti, 1633. 127, [1] pp.

[AND]

HOVIUS, MATTHAEUS.

Decreta et Statuta Synodi Dioecesanæ Mechliniensis: Die Quinta Maji Anni Millesimi Sexcentissimi Noni Inchoatae, Et die Sexta Eiusdem Anni et Mensis Absolutae.

Antwerp: Ex Officina Plantiniana Balthasaris Moreti, 1634. 76, [1] pp.

Octavo (6-1/2"x 4"). Contemporary vellum with lapped edges and later thong ties (one lacking), early hand-lettered title to spine. Light soiling, corners and spine ends bumped. Copperplate vignette to title page of *Decreta Synodi Dioecesanæ Antverpiensis*, woodcut Plantin devices to rear endleaves or title pages of other titles, woodcut decorated initials. Moderate toning to texts, early owner signature to front free endpaper. Ex-library. Bookplate to front pastedown. \$750.

THIS VOLUME COLLECTS four volumes of statutes and decrees enacted at synods of the (Catholic) diocese of Mechelen, Belgium, all printed by the Plantin Press. La Mire, Moretus and Hovius were the presiding bishops. All of these took place during the Dutch War of Independence and reflect its religious, political and social consequences. In effect, they offer official statements of doctrine during this troubled period. None of these titles are listed in the *BMC*.

SEVENTEENTH-CENTURY TREATISE ON UNIVERSITIES AND THE LAW

63. LOSEO, NICCOLO [D. 1642].

Decisiones Juridicae. De Jure Universitatum. Omnibus Legum Studiosis & in Foro & in Schola Versantibus Apprime Utiles ac Necessariae. Hucusque Plurimum Desideratae.

Cologne: Sumptibus Petri Ketteler, 1693. [ii], 381, [59] pp.
Octavo (6-1/4"x 3-1/2").

Contemporary vellum, early hand-lettered title to spine. A few minor stains to boards, a few short tears to head of spine, small chip to foot, another short tear to head of front joint. Attractive woodcut head and tail-pieces. Light browning to text, somewhat heavier in places, occasional faint dampspotting. Early owner signature to front endleaves, tiny inkstains and spark burns to a few

leaves, internally clean. Ex-library. Bookplate to front pastedown. \$750.

FOURTH, FINAL AND BEST EDITION. First published in 1601 as *De Jure Universitatum*, this is a fascinating treatise on the privileges and immunities of universities under canon law. It is also notable as an early treatise on the law of corporations. Loseo published his book during a particularly tense period for the universities of Europe. As centers of theology, law and the civil service, they had been coping with the effects of the Reformation and Counter-Reformation for nearly two decades. A longer work than its predecessors, the text of the fourth edition is enriched with decisions and opinions. All editions are scarce. OCLC locates 3 copies of the first edition in North America (at Harvard Law School, the University of Chicago and Yale), none of the fourth edition. VD17 3:023435F.



1576 PRINTING OF MAGNA CARTA AND LATER STATUTES WITH CONTEMPORARY ANNOTATIONS

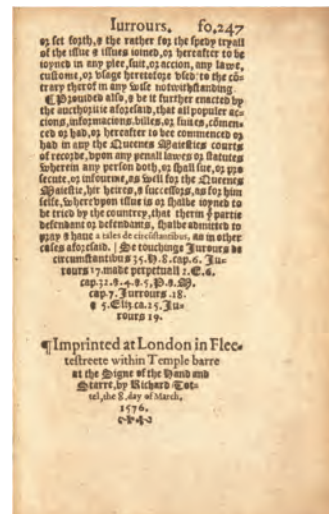
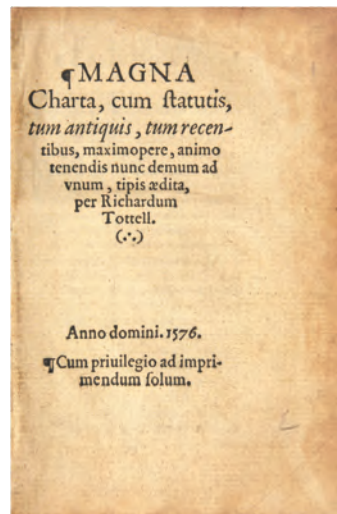
64. [MAGNA CARTA].

Magna Charta, cum Statutis, Tum Antiquis, Tum Recentibus, Maximopere, Animo Tenendis nunc Demum ad Unum, Tipis Aedita, Per Richardum Tottell. Anno Domini. 1576. Cum Privilegio ad Imprimendum Solum.

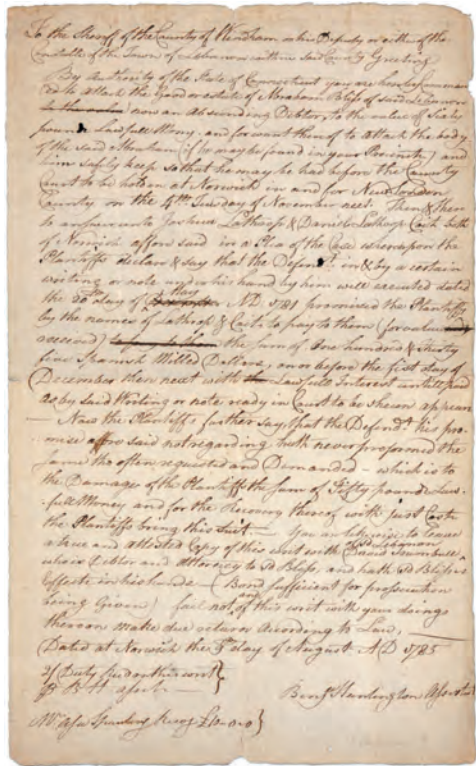
[Imprinted at London: In Fleetestrete Within Temple Barre at the Signe of the Hand and Starre, By Richard Tottell, The 8. Day of March. 1576]. [vii], 247 ff. Blank endleaf preceding Fol. 1 lacking. Octavo (5-1/2"x 3-3/4").

Contemporary paneled calf, raised bands to spine, early hand-lettered title to fore-edge, ties lacking. Light rubbing and a few minor gouges, cracks and nicks to boards, moderate rubbing to extremities, spine ends worn, corners bumped and somewhat worn, pastedowns and free endpapers lacking, later armorial bookplate to verso of front board, fragments of an illuminated manuscript Bible used as printer's waste at hinges, attractive woodcut decorated initials. Moderate toning to text, faint staining to a few leaves, annotations and underlining in early hand to margins of approximately 25 pages, light soiling and minor edgewear to title page. \$7,500.

AN EARLY PRINTING OF THE MAGNA CARTA, which was originally printed around 1508 by Richard Pynson. It also includes the Charta de Foresta of Henry III, the Statutes of Merton and Marlebridge, the Statutes of Edward I and other statutes through the fourteenth regnal year of Elizabeth I, which are digested by topic. Among the most notorious statutes are those of Edward concerning Jews, including the Edict of Expulsion (1290), which banished them from England. Other statutes relate to women, wills, forcible entry, "Fraudulent Deedes" and other topics. The text is mostly in Latin or Law-French, then in English after Fol. 119. The annotations range from a few words to a sentence or two. About half of these are interpretive, the others are references to statutes and cases. Beale S18. ESTC S101094.



1785 CONNECTICUT COURT DOCUMENT
ORDERING THE ARREST OF AN ABSCONDING DEBTOR



65. [MANUSCRIPT].
[CONNECTICUT].

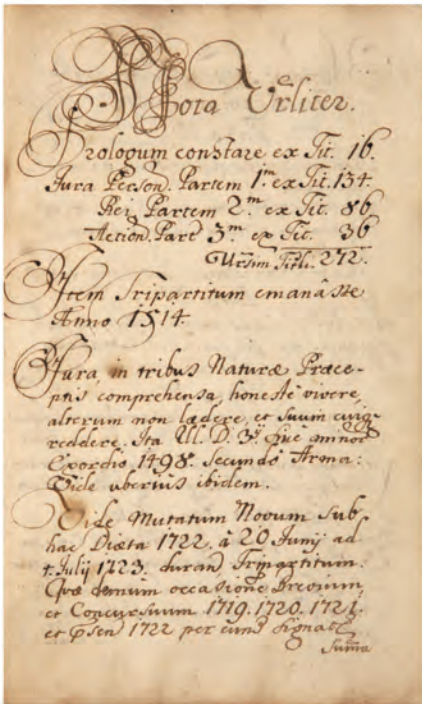
[Writ from the State of Connecticut Ordering the Seizure of Goods of an Absconding Debtor].

[Hartford or New Haven]: August 9, 1785. 2 pp. 13-1/2"x 8" bifolium, docketed on verso.

Horizontal fold lines, a few with minor tears, light edgewear, light browning and minor edgewear, horizontal and vertical fold lines, content in neat, legible hand. \$650.

ADDRESSED TO THE SHERIFF and deputy sheriff of Windham County, "or either of the Constables of the Town of Lebanon," this writ orders the arrest of Abraham Bliss and his deliverance to court in New London. This writ was issued because Bliss had defaulted on the repayment of 135 "Spanish Milled dollars" to Daniel and Joshua Lathrop. It also fines Bliss 50 pounds and directs the writ to be served to his attorney, David Turnbull of Lebanon.

EIGHTEENTH-CENTURY MANUSCRIPT
ON THE CONSTITUTIONAL LAW OF HUNGARY



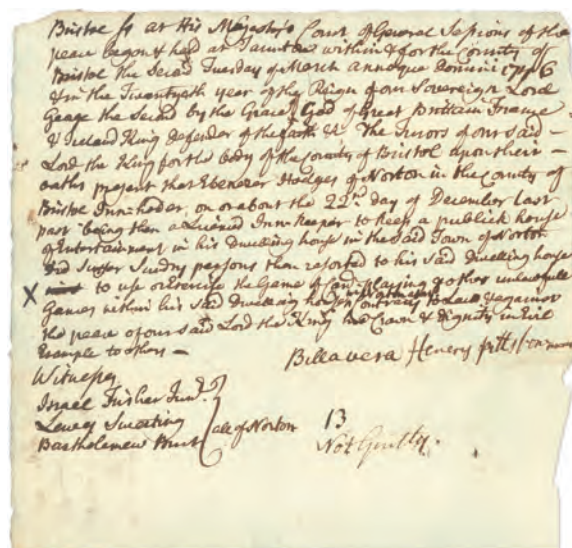
66. [MANUSCRIPT].
[KINGDOM OF HUNGARY].

[Summa Tripartiti].

[N.p., c. 1723]. [125] ff. Octavo (8"x 6-1/4").

Contemporary three-quarter vellum over patterned paper-covered boards. Moderate rubbing with wear to extremities, scuffing to boards, corners bumped, some chipping to spine ends. Light toning, text in Latin, written in a fine secretarial hand, ownership inscription (of Ignatius Modrovich, "Advocati," dated 1811) to front free endpaper. \$1,500.

FREE OF CROSS-OUTS or other signs of revision, and with a detailed alphabetical table of contents, this appears to be a fair-copy of an outline of the Hungarian *Tripartitum*. Compiled in 1514 by Istvan Werboczy [c.1465-1541], a Hungarian jurist and statesman, this collection of early customary laws, though never incorporated formally, was regarded as the second pillar of the Hungarian constitution. It was a *de facto* law-book of Hungary until 1848. According to the doctrine of the Holy Crown, which appeared in the *Tripartitum*, the king and the legally equal noblemen formulated the "corpse of the Holy Crown," which symbolized the Hungarian state.



1746 MASSACHUSETTS COURT DOCUMENT
INDICTING AN INNKEEPER FOR ILLEGAL GAMING

67. [MANUSCRIPT].
[MASSACHUSETTS].

[Indictment of Ebenezer Hodges for Sponsoring Unlawful Gaming in His Inn].

[Billerica, MA, March 2, 1746. Single 5-3/4"x 6"-1/2" leaf, untrimmed edges, docketed on verso.

Horizontal fold lines, light toning, content in neat, legible hand.

\$1,250.

THIS INDICTMENT (presentment) charges that Hodges, an innkeeper in Norton, Massachusetts, sponsored "card-playing and other unlawfull games" for "several sundry persons...on our about the 22nd Day of December last past." A note in the lower margin of the document states: "Not Guilty." The docket on the verso reads: "Mr Hodges presentment at March Court 1746").

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

68. MANWOOD, JOHN [D.1610].

A Treatise of the Laws of the Forest, Wherein is Declared Not Only Those Laws, As They are Now in Force, But Also the Original and Beginning of Forests; And What a Forest is in its Own Proper Nature, and Wherein the Same Doth Differ from a Chase, A Park or a Warren, Wit All Such Things as are Incident or Belonging Thereunto, With the Several Proper Terms of Art. Also a Treatise of the Pourallee, Declaring what Pourallee is, How the Same First Began, What Pourallee May Do, How he May Hunt and Use his Own Pourallee, How Far he May Pursue and Follow After His Chase; Together with the Limits and Bounds as Well of the Forest, As the Pourallee. Collected, As Well Out of the Common Laws and Statutes of this Land; As also Out of Sundry Learned Ancient Authors, And Out of the Assises of Pickering and Lancaster by John Manwood. Whereunto are Added the Statutes of the Forest; A Treatise of the Several Offices of Verderors, Regardors and Foresters, and the Courts of Attachments, Swanimote and Justice-seat of the Forest, And Certain Principal Cases,

Judgments, And Entries of the Assises of Pickering and Lancaster. Never Heretofore Printed for the Publique. Corrected, And Much Enlarged.

London: Printed for the Company of Stationers, 1665. [xxiv], 552 pp. Quarto (7-1/2"x 5-1/2").

Contemporary calf, blind rules to boards, rebounded in period style, raised bands and lettering piece to spine, hinges mended, spine varnished. A few minor scuffs and stains to boards, corners lightly bumped, front joint and both hinges just starting at ends. Light toning to text, somewhat darker in places, internally clean. Ex-library. Bookplate to front pastedown. A nice copy

\$500.

THIRD EDITION, one of two imprints from 1665. Originally printed privately in 1592, then published in 1598, Manwood's treatise remained a standard work into the twentieth century. This enlarged edition, which is the fourth chronologically, includes a great deal of information that does not appear in the first three editions. Forests were central to England's economy from the time of the conquest to the mid-seventeenth century. A member of Lincoln's Inn, a barrister, gamekeeper of Waltham Forest and a justice of the New Forest, Manwood was eminently qualified to write it. Both a history and guide, it contains lengthy extracts from the *Carta de Foresta* and other ancient statutes and charters. ESTC R235229. Sweet & Maxwell 1:465 (38).



A DISTINGUISHED NINETEENTH-CENTURY PENNSYLVANIA JURIST
AND POLITICIAN

69. [MARCHANT, EDWARD D. (1806-1887)].

[Portrait of James Thompson].

41"x 53-1/2" (image size).

Oil on canvas in ornate nineteenth-century gilded wood frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$3,500.

THOMPSON WAS A JURIST AND POLITICIAN serving in the Pennsylvania State Legislature from 1832 to 1834 and in 1855 and as speaker of the Pennsylvania State Legislature in 1834. He was a member of the Pennsylvania Constitutional Convention in 1838 and president judge of the 6th Judicial District from 1838 to 1844. He was elected to the United States Congress as a Democrat in 1845 and served until 1851, eventually becoming chairman of the Judiciary Committee. He became associate judge of The Supreme Court of Pennsylvania from 1857 to 1866 and served as chief justice from 1866 to 1874. This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.

NINE GERMAN TITLES ON
MARRIAGE AND RELATED TOPICS

70. [MARRIAGE].

[GERMANY].

SCOPP, J[OHANN] G[EORG].

Tractatus de Iure Sponsaliorum vom Recht der Ehe-Verlöbnißen; Worinnen in Specie die so Wichtige Materie von Denen Verbothenen Göttlichen Ehe-Gesetzen, So Wol Theoretisch als Practisch, Und von denen Ehe-Verlöbnißen Selbst...

Nuremberg: Verlegt Johann Georg Lochner, A. 1755. 1755. [iv], 148, [8] pp. VD18 14588498.

[BOUND WITH]

SCOPP, J[OHANN] G[EORG].

Computatio Graduum in Consanguinitate et Adfinitate Succincte et Methodo Faciliori Delineata.

Augsburg: Typis Ioannis Matthiae Schoenigk, 1750. 16 pp. VD18 10831460-004.

[AND]

LANGE, JOHANN MICHAEL.

Tractatus de Nuptiis et Divortiis, Exhibens Dissertationes Quinque de Nuptiis Partim Ipso Jure Naturae...

Berlin: Impensis Christoph Gottlieb Nicolai, 1716. [viii], 148, [xii] pp. Not in VD18, which lists an otherwise identical 1726 edition (11915757).

[AND]

LANGE, JOHANN MICHAEL.

Göttlich-Triumphirende Wahrheit Seines Gründlichen Beweises, Daß die Divortia oder Ehescheidungen Jure Naturae Verboten Seyn...

Berlin: Bey Gottfried Gedickten, 1717. 32 pp. VD18 10444211.

[AND]

Curiose Erwegung der Worte Mosis, Gen. VI, 2....Da sahen die Söhne Gottes, Wie die Töchter der Menschen Schön Waren, Und Nahmen Ihnen Weiber, Aus Allen die sie Erwehleten &c.

Amsterdam: S.n., 1727. 32 pp. VD18 10444238.

[AND]

SCHRÖER, JACOB SAMUEL.

Schriftmäßiger Beweis, Daß durch das Wort: Macht, In dem Spruche Pauli...Nicht der Weiber Herrschaft, Sondern dero Unterthänigkeit gegen Ihre Männer zu Vers theen Sey.

Leipzig: Bey Johann Georg Löwe, 1752. 12 pp. VD18 11324244.



[AND]

VOLQUARTS, GEORG.

Entdeckung einiger Hauptursachen, Warum so sehr Wenige dasjenige Vergnügen in der Ehe Antreffen...

Frankfurt u. Leipzig 1752. 72 pp. VD18 10125507-005.

[AND]

Muß Mann, Um Recht Glücklich zu Heyrathen, Allezeit Vorzüglich auf Stand, Schönheit und Geld Sehen?

Jena: s.n., 1752. 24 pp. Not in VD18.

[AND]

ZORN, PETER.

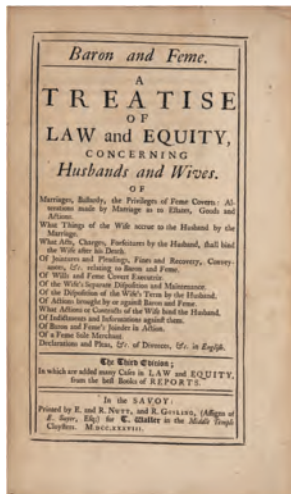
WE-MAZMUTIM hoc est Dissertatio de Epithalamiis, Sive Carminibus Veterum Hebraeorum Nuptialibus, Eorundem Usu, Origine, Causis, Argumentis Stylo.

Hamburg: Typis Johann Georgii Piscatoris, c. 1750. 20 pp. VD18 15155234-003.

Quarto (7-3/4" x 6-1/2"). Items bound into nineteenth-century marbled boards, lettering piece and gilt fillets to spine. Light rubbing to boards, moderate rubbing to extremities, tiny chip to front joint, corners bumped and somewhat worn. Light toning to contents, slightly heavier in places, manuscript table of contents to rear pastedown, "Nr. 379" in early hand to title page of first title. \$3,500.

A UNIQUE COLLECTION OF NINE SCARCE titles by German academics concerning marriage, divorce and consanguinity. Most of these essays are grounded in Roman and canon law with reference to local German law. *Curiose Erwegung der Worte Mosis* and the essay by Zorn address these topics under Jewish law. Lange's essay offers an interesting natural-law perspective on divorce and annulment. The penultimate essay in this volume is a satirical (?) essay that questions whether a marriage can succeed if a spouse lacks "position, beauty or money."

THE FIRST ENGLISH TREATISE ON THE
"COMMON LAW CONCERNING HUSBANDS AND WIVES"



71. [MARRIAGE LAW].
[GREAT BRITAIN].

Baron and Feme: A Treatise of the Common Law Concerning Husbands and Wives. Wherein is Contained the Nature of a Feme Covert, And of Marriages, Bastardy, The Privileges of Feme Coverts: What Alterations are Made by Marriage as to Estates, Leases, Goods, and Actions. What Things of the Wife Accrue to the Husband by the Intermarriage, Or Not. What Acts, Charges, Forfeitures by the Husband, Shall Bind the Wife After His Death, Or Not; Of Jointures and Pleadings, Fines and Recovery, Conveyances and Other Law Titles Relating to Baron and Feme. Of Wills, And Feme Covert Being Executrix. Of the Wife's Separate Disposition and Maintenance. What Amounts to the Disposition of the Wife's Term by the Husband. Of Actions Brought by or Against Baron and Feme. What Actions Done, Or Contracts Made by the Wife, Shall Bind Her Husband. Of Indictments and Informations Against Them. Of Baron and Feme's Joinder in Action. Of a Feme Sole Merchant. Declaration and Pleas &c. of Divorces &c. With Many

Other Matters Relating to the Said Subject; And Some Useful Precedents. The Third Edition; In Which are Added Many Cases in Law and Equity, From the Best Books of Reports.

[London]: Printed by E. And R. Nutt, And R. Gosling, 1738. [xxiv], 485, [43] pp. Title page preceded by publisher advertisement leaf, text followed by three other advertisement pages. Octavo (7-1/2"x 4-1/2").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, edges rouged, endpapers renewed. Moderate toning to text, somewhat heavier in places, occasional light foxing. \$2,500.

THIRD AND FINAL EDITION. First published in 1700, with a second edition in 1719, this is the first English treatise devoted exclusively to family law. It is a broadly conceived work. "I have herein considered Baron and Feme in all the circumstances of life, from the solemnization of marriage to the divorce, and have not omitted 'those collateral by-blows, (the title of bastardy making a considerable figure in our books;) and the variety of the matter made me some attonement for the labour'(To The Reader). According to the introduction, the anonymous author seems to have also been the author of the earlier *Infants Lawyer: Or the Law (Ancient and Modern) Relating to Infants* (1697). ESTC T93339.

RARE SIXTEENTH-CENTURY STUDY OF JUDICIAL JURISDICTION



72. MATTEI, ANTONIO.

Prorogationes Fori & Competentiae, Preventionis, & Iuris Revocandi Domum, Reconventionis, Et Reorum Transmissionis. Tractatus.

[Rome]: [Impensis Antonii Bladi Asulani, 1547]. [ii], 65, [2] ff. Final leaf, a blank, lacking. Main text in parallel columns. Quarto (8"x 5-1/2").

Recent period-style calf, blind rules and large blind central arabesques to boards, raised bands and blind ornaments to spine, endpapers renewed. Title printed with woodcut architectural border, woodcut decorated initials. Moderate toning to text, faint dampstaining in places, faint dampstains to lower margins of a few leaves below text. A handsome copy of a rare title. \$1,850.

ONLY EDITION. This study addresses the Roman law of prorogation, which addresses the expansion of a court's authority to hear a case beyond its jurisdiction by consent of the parties involved. Mattei, a Roman lawyer, was professor of civil law at the University of Rome from 1548 to 1549. OCLC locates 3 copies, 1 in North America (Harvard Law School). EDIT16 CNCE24577.

ONLY AMERICAN EDITION OF MAXWELL'S COMMERCIAL LAW DICTIONARY

73. MAXWELL, JOHN IRVING.

A Pocket Dictionary of the Law of Bills of Exchange, Promissory Notes, Bank Notes, Checks, &c. With an Appendix, Containing Abstracts of Acts and Select Cases Relative to Negotiable Securities, Analysis of a Count in Assumpsit, Tables of Notarial Fees, Stamps, Postage, &c. With Many Additions for the Use of the American Merchant.

Philadelphia: Published by William P. Farrand and Co., 1808. [xv], [1], 251 pp. Octavo (7"x 4-1/4").

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing to extremities,

corners bumped, recent owner bookplate to front pastedown, negligible faint dampstaining to front board. Moderate toning to text, somewhat heavier in places, minor wormholes near upper corner of preliminaries and a few other leaves, chip to fore-edge of Leaf X4 (pp. 233-234) with minor loss to text, legibility not affected, very faint dampstaining to a few leaves. Early owner signature and annotations to front free endpaper, interior otherwise clean. A nice copy. \$750.

ONLY AMERICAN EDITION. First published in London in 1802, this is an unusual alphabetical compendium dealing strictly with matters of commerce, such as bills of exchange and promissory notes. Maxwell was also the author of *The Spirit of Maritime Laws* and the delightfully titled *Hints for Protecting the Public Against the Extortion and Insolence of Hackney-Coachmen*. Cohen 2551.

A VENERABLE TREATISE ON GUARDIAN AND WARD

74. MONTANUS, PAULUS [1530-1587].
MONTANUS, BALTHASAR, EDITOR.

Tractatus Novus, De Jure Tutelarum, & Curationum, In Quo Universa Tutelarum Materia, cum Ampliationibus (ut Dicitur) Limitationibus, Quaestionibusque huic Cognatis, Nove & Plene, tam Theorice quam Practice Declaratur, & Enucleatur. Opus Omnibus Doctoribus, Judicibus, Causarum, Patronis Aliisque in Foro ac Scholis Versantibus Perutile, ac Necessarium. Cum Summariis ac Indice Rerum, ac Materialium Insignium Locupletissimo. Studio & Opera Balthasar Montani, Recogitum, & in Lucem Editum.

The Hague: Apud Henricum de Swaef, 1657. [xvi], 585, [80] pp. Quarto (7-1/2"x 6").

Contemporary vellum, speckled edges. A few minor stains to boards, spine ends bumped, minor wear to corners, vellum beginning to crack through pastedowns. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown. \$350.

LATER EDITION. Edited and published by the author's younger brother, this venerable treatise on guardian and ward in Roman and Roman-Dutch law was first published in 1595. It went through seven later editions, the last in 1680. Roberts, writing in 1942, said this is "a work of high authority" 216.

"SIX OF THEM BANDED TOGETHER TO COLLECT SOME LIFE INSURANCE"

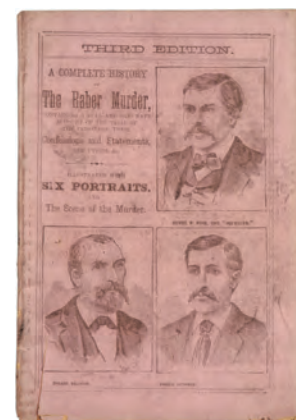
75. [MURDER].
[RABER, JOSEPH].

The Raber Murder, Containing a Detailed and Accurate Account of the Murder of Joseph Raber, By Drowning in Indiantown Creek, Union Township, Lebanon Co., PA., On the 7th of December, 1878, For the Insurance Money upon His Life. With Illustrations and Results of the Trial and Conviction of the Six Men for the Crime, Also, Full History of Their Lives and Confessions.

Lebanon, PA: C.M. Bowman, 1880. 52 pp. One woodcut plate (of crime scene with inset image of execution). Six woodcut text images (of the murderers). Octavo (8-1/2"x 5-1/2").

Stab-stitched pamphlet in pictorial wrappers. Light soiling, some wear to spine ends and corners, a few minor chips to edges, clean tear to lower margin of front wrapper near spine, rear wrapper just beginning to detach, light browning to text. \$350.

THIRD (STATED) EDITION. Raber was a "feeble old man who lived among the woodcutters of Lebanon County, Pennsylvania. Six of them banded together to collect some life insurance and selected him as their victim" (McDade). Of the six, five were convicted and hanged. This account brings the story up through the execution of the final three conspirators in the spring of 1880. It also includes biographical sketches of the conspirators, extracts from testimony, two lengthy written confessions, the judge's charge and an account of the executions." McDade 782.





A DISTINGUISHED POLITICIAN AND JURIST IN MARYLAND AND PENNSYLVANIA

76. NEAGLE, JOHN [1796–1865]
[PEALE, REMBRANDT (1778–1860), AFTER].
[TILGHMAN, WILLIAM (1756–1827)].

[Portrait of William Tilghman].

Philadelphia, c. 1815. 29"x 24" (image size).

Oil on canvas in ornate nineteenth-century gilded wood frame, small plaque reading "William Tilghman/ Chief Justice of Penna. 1806–1827/ Obiit Aril 30th, 1827" to head of frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$6,000.

WILLIAM TILGHMAN was a politician and jurist in Maryland and Pennsylvania. He was a member of the Maryland Assembly from 1788 to 1790, and of the Maryland Senate from 1791 to 1793, Chief Judge of the U.S. Circuit Court for Pennsylvania from 1801 to 1802, President Judge of Court of Common Pleas for Philadelphia District in 1805 and Chief Justice of the Pennsylvania Supreme Court, 1806 to 1827. Tilghman ran unsuccessfully for Governor of Pennsylvania as a Federalist in 1811. This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.

A STANDARD WORK FOR SEVERAL GENERATIONS OF LAWYERS

77. NEGUSANTI, ANTONIO [1465–1528].

Tractatus de Pignoribus et Hypothecis. Amendis Quibus Scatebat Diligenter Recognitus. Adiecta Sunt Summaria et Index Copiosus.

Cologne: Apud Ioannem Gymnicum, 1589. [xlv], 744 (i.e. 704) pp. Octavo (7"x 4-1/4").

Contemporary limp vellum, loop ties to front board, catches missing from rear, endpapers renewed. Light soiling and edgewear, front hinge starting, a few cracks

to text block. Light browning to text, faint dampstaining in places, spark burns to a few leaves. Early owner signatures to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$350.

LATER EDITION. Negusanti's treatise on pledges and mortgages in Roman law was a standard work for several generations of lawyers throughout Europe. The first edition was published in 1526. Several issues and editions followed, with the last being published in 1736. VD16 N468.

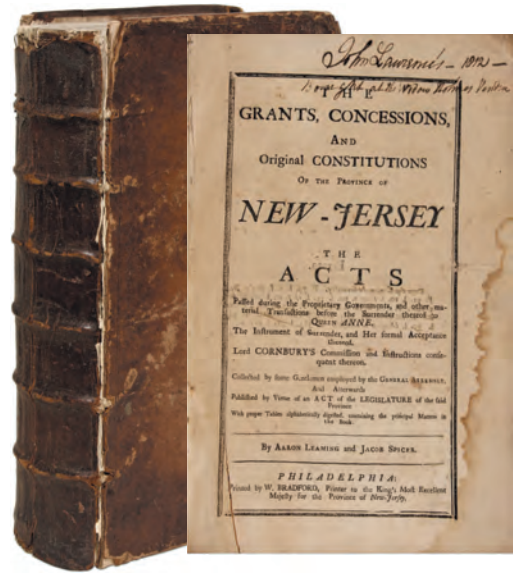
THE FIRST RETROSPECTIVE COMPILATION OF NEW JERSEY LAW,
AN INTERESTING ASSOCIATION COPY

78. [NEW JERSEY].

LEAMING, AARON, COMPILER.
SPICER, JACOB COMPILER.

The Grants, Concessions, And Original Constitutions of the Province of New-Jersey: The Acts Passed During the Proprietary Governments, And Other Material Transactions Before the Surrender Thereof to Queen Anne, The Instrument of Surrender, And Her Formal Acceptance Thereof, Lord Cornbury's Commission and Instructions Consequent Thereon. Collected by Some Gentlemen Employed By the General Assembly, And Afterwards Published by Virtue of an Act of the Legislature of the said Province With Proper Tables Alphabetically Digested, Containing the Principal Matters in the Book.

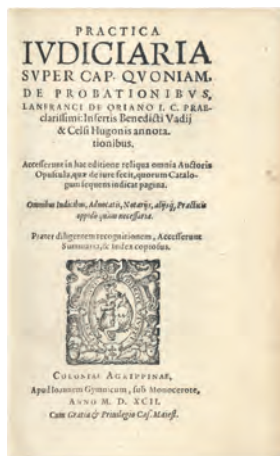
Philadelphia: Printed by W. Bradford, [1758]. [iv], 763 pp. Folio (11-1/4" x 7").



Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine. Moderate rubbing, boards partially detached, crack through center of backstrip, wear to spine ends, corners bumped and worn, later owner bookplate of Robert Leaming Montgomery to front pastedown, front free endpaper detached and somewhat edgeworn. Moderate toning to text, faint dampspotting in places, dampstaining to margins of title page and a few other leaves, "J. Fisher Leaming Esq/ from Henry Pennington/ May 13, 1850" to front free endpaper, tipped-in annotation in early hand (concerning the Monmouth Patent) to following endleaf, later owner inscription (of John Lawrence, dated 1812) to head of title page. Book housed in lightly rubbed recent cloth slipcase, morocco lettering piece to spine. An interesting association copy. \$2,750.

FIRST EDITION. With indexes for East Jersey and West Jersey. The third official compilation of New Jersey law, and the scarcest according to Felcone, it is the first to print fundamental laws, constitutions and documents from 1663 to 1702 and session laws from 1668 to 1702. "This handsome volume, generally known as Leaming and Spicer's Laws, was prepared under the authority of an act of Assembly passed in 1752, and is the largest work issued from the press of Wm. Bradford. Subscribers' names were first solicited in February, 1755, the compilers having spent nearly two years in its preparation. Three more years were consumed in printing, and it was not until May, 1758, that it was ready for delivery. Up to that time 170 copies had been subscribed for, and the editors say, in the Pennsylvania Journal, May 11, 1758, 'a number of copies yet remain not subscribed for,' and 'any person may be supplied' until 'the 17th of July next, after which we will not further extend the sale'" (Tower). Robert Leaming Montgomery and J. Fisher Leaming, both attorneys, were descendants of Aaron Leaming. Tower 165. Felcone 156.

NOTABLE SIXTEENTH-CENTURY TREATISE ON TRIAL PRACTICE



79. ORIANO, LANFRANCO DA [D. 1488].

VADI, BENEDETTO [16TH. C.], ANNOTATOR.

DESCOUSU, CELSER-HUGUES [B. 1480], ANNOTATOR.

Practica Iudiciaria Super Cap. Quoniam, De Probationibus, Lanfranci de Orzano I.C. Praeclarissimi: Insertis Benedicti Vadii & Celsi Hugonis Annotationibus. Accesserunt in hac Editione Reliqua Omnia Auctoris Opuscula, Quae de Iure Fecit, Quorum Catalogum Sequens Indicat Pagina. Omnibus Iudicibus, Advocatis, Notariis, Aliisque Practicae Oppido Quam Necessaria. Praeter Diligentem Recognitionem, Accesserunt Summaria, & Index Copiosus.

Cologne: Apud Ioannem Gymnicum, 1592. [xxxvii], 829 [i.e. 831], [1] pp. Octavo (6-1/2" x 4").

Later vellum with lapped edges. Light rubbing and soiling, corners and spine ends bumped, vellum beginning to crack through rear pastedown. Woodcut decorated initials. Light toning to text, spark burns to a few leaves, internally clean. Ex-library. Bookplate to

front pastedown. A well-preserved copy.

\$950.

LATER EDITION. Based on the lecture notes of a law professor from the University of Padua, this treatise discusses trial practice, both civil and criminal, in Roman and canon law. This work was published posthumously in 1513. Well received, it went through numerous editions and issues in the sixteenth century and a final edition in 1673. All are scarce, however, in North America. For example, OCLC locates 1 copy of the 1592 imprint (at UC-Berkeley Law School). Adams O263.

"MATRIMONII NULLITATE EX DEFECTU"



80. ORSAIO, DOMENICO (URSAYA, DOMINGO, URSAYA, DOMENICUS).

De Matrimonii Nullitate ex Defectu Consensus Contrahentis & Moralis Consensus Contrahentis & Moralis Praesentiae Parochi: Dissertatio Theologico-Legalís Dominici Ursayae, In qua Incidenter Quidem, Sed Forsan non Injucundè Agitur: De Consensus Necessitate, Illiusque Probatione; De Abolendo Usu Contrahendi Matrimonia pet Nutus, & Signa; De Clandestinis Matrimoniis, & Duabus Speciebus Clandestinitatis; De Poenis Parochi Voluntarie Assistantis Eisdem Clandestinis Matrim.; De Necessitate, Antiquitate, & Origine Denunciationum Matrimonialium; De Testibus Deponentibus Pro, & Contra Matrimonium; De Necessitate Praesentiae Moralis Parochi in Matrimoniis; De Parocho Affectante non Audire Verba Contrahentium Matrimonium, & Remediis Circa Illius Affectationem; De Forma Conciliari, An Possit per Aequipollens Adimpleri, & de Dubietate in Ordine ad Matrimonium, An Scilicet,

& in Quo Dubio Respondendum sit pro Matrimonio.

Rome: Ex Typographia Joannis Francisci Buagni, 1696. [viii], 143, [1], 39, [1] pp. Quarto (8-3/4" x 6-1/4").

Contemporary vellum. Boards lightly bowed, minor worming to rear board, vellum covering spine mostly perished from worming, cords present, boards secure, some worming to hinges, crack in text block between front endleaf and title page. Moderate toning to text, occasional faint dampstaining to foot of text block, light foxing to a few leaves. \$500.

ONLY EDITION LOCATED. As indicated by its title page, this treatise examines ten situations in which the nullification of a marriage is allowed under canon law. Unusual for a treatise of this kind, the author notes cases in which clerics bear some responsibility, such as conducting clandestine marriages. OCLC locates 9 copies, 2 in North America (Library of Congress, University of Pennsylvania). Ferreira-Ibarra1852.

NOTABLE TREATISE ON THE ROMAN LAW CONCERNING
PROPERTY LEFT TO A HUSBAND OR WIFE



81. PECK, PIETER [1529-1589].

De Testamentis Coniugum Libri Quinque; Adiectae Sunt Summaria Indicesque duo Locupletissimi, Argumentorum Unus, Alter Verborum, Rerum, Sententiarumque Insignium.

Cologne: Apud Ioannem Gymnicum, 1585. [xvii], 514, [88] pp. Octavo (6-1/2" x 4").

Recent polished calf, raised bands and lettering piece to spine, endpapers renewed, early hand-lettered title to fore-edge of text block, title page mounted and re-hinged. Light rubbing to extremities, some toning to text, occasional faint dampstaining to margins, early private-library bookplate to verso of title page, internally clean. Ex-library. Bookplate to front pastedown. A nice copy. \$950.

SECOND (OR THIRD) EDITION, one of two imprints from 1585, the other published in Namur. First published in 1564, *De Testamentis* analyzes the Roman laws that govern property bequeathed to a husband or wife in a will. Educated at the University of Leuven, Peck was a judge of the High Court of Mechelen. Later editions were published in 1599, 1627 and 1665. All are scarce. OCLC locates 2 copies of the 1585 Cologne imprint in North America (at the Morgan Library and the University of Chicago), none of the Namur imprint. This imprint not in Dekkers. VD16 P1098.

CLASSIC TREATISE ON FIDEICOMMISSUM

82. PELLEGRINI, MARCANTONIO [1530-1616].
LONIGIUS, GASPARUS, EDITOR.

De Fideicommissis Praesertim Universalibus, Tractatus Frequentissimus, M. Antonii Peregrini Patavini. Omnibus tam in Scholis, Quam in Causarum Foro Versantibus Admodum Utilis, Ac Pernecessarius. Ab Eodem Ultima hac Post Germanicam Editione, Summa Diligentia Recognitus, & Compluribus Additamentis Recenter Adauctus & Illustratus. Editio Undecima. In qua Novissime Additae sunt Notabilissimae Remissiones ad Consil. Tract. & Decis. Eiusdem Auctoris in Quolibet Articulo & Numero, Utilissime, & Accommodatissime tam in Consulendo, Quam in Iudicando, Cum Quibus Dilucidatur in Particulari Doctrina Universalis Tradida in hoc Eodem Frequentissimo Tractatu, Hoc. [cross] Signo Notatae. Auctore Gasp. Lonigo. Cum Summariis, Et Indice Locupletissimo.

Venice: Apud Milochum, 1665. [lvi], 727 pp. Main text in parallel columns. Folio (13"x 8-1/2").



Contemporary mottled and varnished calf, gilt spine with raised bands and lettering piece. Moderate running, chipping to head of spine, corners bumped, front hinge cracked. Title page, with large woodcut device, printed in red and black. Moderate toning and faint dampstaining, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$650.

LATER EDITION. One of the most durable concepts in Roman law, *fideicommissum* involves situations in which something is committed to somebody's trust. It is central to the law concerning testators. First published in 1595, Pellegrini's treatise was a standard work in Northern Italy into the eighteenth century. (Its final edition was published in Venice in 1761.) Not in the BMC.

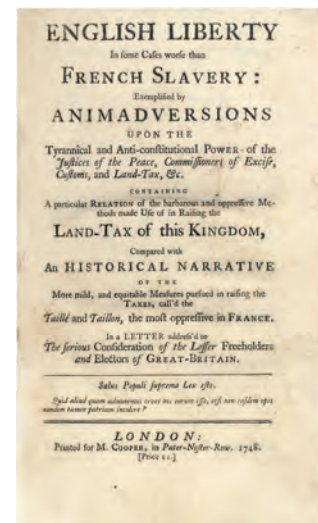
ENGLISH TAXATION: WORSE THAN FRENCH SLAVERY?

83. [PHILALETHERS].

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

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

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



ONLY EDITION. The essay is signed "Philalethes," and is catalogued under that name in Kress and Goldsmiths. Dedicated, significantly, to Great Britain's "lesser Freeholders and Electors," it compares the tax burden imposed "arbitrarily" on English citizens with that of other, supposedly less democratic, European countries. OCLC locates 1 copy in a North American law library (Harvard). *Goldsmiths'-Kress* L8351. *ESTC* T103148.

1896-97 COMPILATION OF THE LAWS OF MAURITIUS

84. PIGGOTT, FRANCIS TAYLOR.
 THIBAUD, LOUIS ARTHUR.
 HERCHENRODER, FURCY ALFRED.

The Laws of Mauritius Revised. With the Assistance of George Guibert and William Newton.

Port Louis: Printed by Gabriel Bouic, 1896-1897. Three volumes. Octavo (9"x 6").

Recent cloth, gilt titles to spine, endpapers renewed. Wear to edges of preliminaries and endleaves, interiors otherwise fresh. \$2,250.

ONLY EDITION. With thorough indexes. Volume 2 includes the Penal Code and the Criminal Law. The Dutch were the first Europeans to establish a settlement in Mauritius, an island in the Indian Ocean east of Madagascar. The Dutch were displaced by the French in 1715, who established a thriving colony with an economy based on sugar plantations worked with slave labor. The British captured the island in 1810 and it was ceded to Great Britain along with its dependencies in 1814 by the Treaty of Paris. Independent in 1968, Mauritius became a republic within the Commonwealth in 1992. OCLC locates 10 copies. Sweet & Maxwell 7:96.

IMPORTANT PRE-CODE REFORMS TO PORTUGUESE CIVIL LAW

85. [PORTUGAL].

Leis de 18 de Agosta de 1769 e de 3 de Agosto de 1770-E de Tabella dos Sellos de 1845 [manuscript cover title].

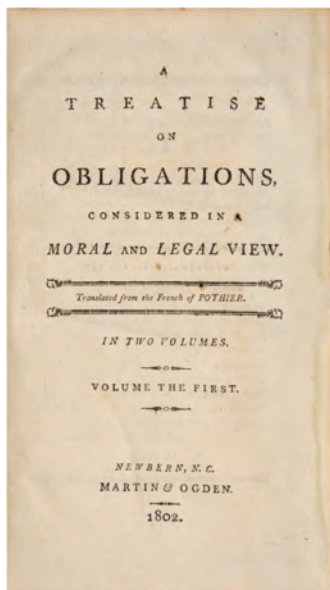
15, 14, pp., two folded manuscript leaves. Quarto (8-1/2"x 6); leaves (12"x 8-1/2").

Stab-stitched pamphlets and manuscript leaves sewn together and laid into paper folder, manuscript title to

front. Light browning, manuscript in neat hand to both sides of leaves. \$850.

ASSEMBLED, WE ASSUME IN 1845, this item has three parts. The first two are offprints of two important legislative pieces, one on the sources of law, the other on primogeniture rights. Important reforms, these laws were standard points of reference until the adoption of the Civil Code of 1867. The final item is a manuscript compilation of legislation concerning fiscal matters. OCLC locates no copies of the two offprints in North America.

TRANSLATED BY THE FATHER OF LOUISIANA JURISPRUDENCE



86. POTHIER, ROBERT JOSEPH [1699-1722].
 [MARTIN, FRANÇOIS-XAVIER (1762-1846), TRANSLATOR].

A Treatise on Obligations, Considered in a Moral and Legal View. Translated from the French of Pothier.

Newbern, NC: Martin & Ogden, 1802. Two volumes bound as one. [xii], 364; [x], 315, [1] pp. Octavo (8"x 4-3/4").

Contemporary sheep, rebacked retaining spine with lettering piece and blind fillets. Light rubbing and a few shallow scuffs to boards, moderate rubbing to board edges with some wear to corners, which are lightly bumped, minor worming to front hinge. Light toning to text, somewhat heavier in places, early owner signatures of Simeon Strong, Solomon Strong and Edwin Conant to endleaves, another Conant signature to head of p. 25. A handsome copy. \$3,500.

FIRST AMERICAN EDITION. In the decades before the Civil War, this classic treatise was required reading for Anglo-American practitioners, scholars and law students. Marvin quotes and endorses Sir William Jones's assessment of Pothier's treatises: "For my own part, I am so charmed with them, that if my undissembled fondness for the study of jurisprudence, were never to produce any greater benefit to the public, than barely the introduction of Pothier to the acquaintances of my countrymen, I should think that I had, in some measure, discharged the debt which

every man, according to Lord Coke owes to his profession." An important figure in the legal history of the south, Martin was a French-born lawyer, judge, author, translator, printer and historian. His career began in New Bern, North Carolina; he later moved to the Louisiana territory, where he played the central role in the reorganization of the legal system. Appointed attorney-general when Louisiana became a state, he is considered the father of Louisiana jurisprudence.

This copy is inscribed by three notable owners from Massachusetts: Samuel Strong [1735-1805], a justice of the Massachusetts Supreme Judicial Court, his son Solomon Strong [1780-1850], a lawyer judge and politician and Edwin Conant [1810-1897], a prominent lawyer, businessman and philanthropist. Marvin 578. Cohen 3656.

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

87. POWELL, THOMAS [1572?-1635?].

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

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

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

ONLY EDITION. Powell was a notable poet, a man of letters and an industrious legal antiquarian. In this work, the *Attourney's Academy* and the *Attornies' Almanack* Powell offered guidance to lawyers concerning the location and use of records, mostly to settle title claims. All are mentioned favorably by Holdsworth, who notes that the study of early records was an important aspect of legal education. In a sense, these books helped students to locate material for study. They are also important sources for students of Shakespeare. (All are listed in Lee's Catalogue of Shakespeareana). OCLC locates 4 copies in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Pennsylvania). Holdsworth V:381. ESTC S115034.

APPENDIX VOLUME TO BELL'S AMERICAN BLACKSTONE
CONTAINING A GROUP OF ESSAYS ON RELIGIOUS LIBERTY

88. PRIESTLEY, JOSEPH [1733-1804].

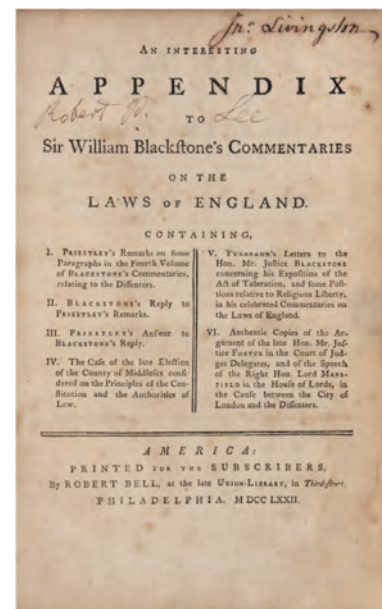
BLACKSTONE, SIR WILLIAM [1723-1780].

FURNEAUX, PHILIP [1726-1783].

FOSTER, SIR MICHAEL [1689-1763].

MURRAY, WILLIAM, EARL OF MANSFIELD (1705-1793)].

An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries, Relating to the Dissenters. II. Blackstone's Reply to Priestley's Remarks. III. Priestley's Answer to Blackstone's Reply. IV. The Case of the Late Election of the County or Middlesex Considered on the Principles of the Constitution and the Authorities of Law. V. Furneaux's Letters to the Hon. Mr. Justice Blackstone Concerning his Exposition of the Act of Toleration, And Some Positions Relative to Religious Liberty, in his Celebrated Commentaries on the Laws of England. VI. Authentic Copies of the Argument of the Late Hon. Mr. Justice Foster in the Court of Judges Delegates, And of the Speech of the Right Hon. Lord Mansfield in the House of Lords, in the Cause Between the City of London and the Dissenters.

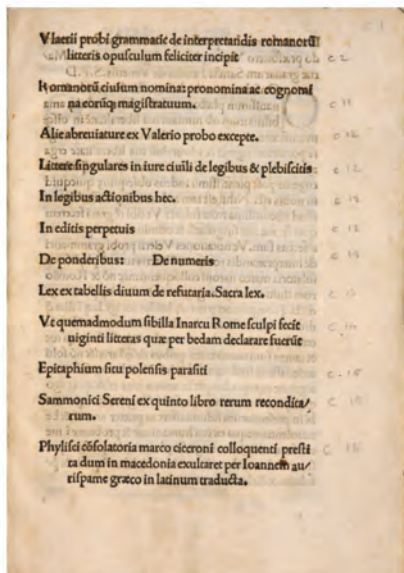


[Philadelphia]: Printed for the Subscribers, by Robert Bell, at the late Union-Library, in Third-Street, Philadelphia. 1772-1773. [iv], iv, [5]-119, [1], xii, 155, [1] pp. Includes one-page publisher advertisement for Bell's 1773 printing of Fergusons's *Essay on the History of Civil Society* and a subscription for a second American edition of Blackstone's *Commentaries*. Each section preceded by divisional title page, first section also preceded by general title page. Octavo (9"x 5-3/4").

Recent period-style quarter calf over cloth, raised bands, lettering piece and blind ornaments to spine, endpapers renewed. Light rubbing to spine ends and corners, small recent owner bookplate to front free endpaper. Moderate toning, occasional light foxing, faint dampstaining to margins in places. Early owner inscription dated 1785 to front endleaf, early owner signatures, of Robert P. Lee and Jonathan Livingston, to title page, another Livingston signature to following leaf, annotations signed by Lee to a few leaves. A desirable copy of an uncommon colonial imprint. \$2,500.

THE SECOND PRINTING BY ROBERT BELL of this important and influential commentary on Blackstone, published the year after the first edition. Later re-issued under the title *The Palladium of Conscience*, this book contains a group of essays on religious liberty inspired by a passage from Section III of Book IV, Chapter 4, "Of Offences Against God and Religion." It was originally published in 1772 as a fifth volume to Bell's edition of Blackstone's *Commentaries* (1771-1772).

WITH A SELECTION OF LEGAL ABBREVIATIONS



89. PROBUS, MARCUS VALERIUS [c.20/30-105CE].
PHILISCUS (PSEUDONYM).
BONARDI, GIOVANNI [ACTIVE 15TH C.], EDITOR.
AURISPA, GIOVANNI [1376-1459], TRANSLATOR (OF PHILISCUS).

**De Interpretandis Romanorum Litteris Opusculum. Phylisci;
 Cosolatoria Marco Cicroni Colloquenti Prestita dum in
 Macedonia Exultaret per Ioannem Aurispame Graeco in
 Latinum Traducta.**

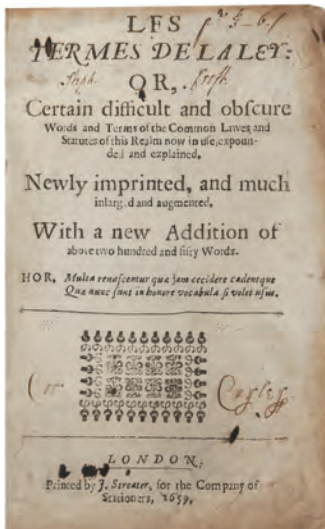
[Rome: Giacomo Mazzocchi, April 25, 1509]. [20] ff. Quarto (8-1/4" x 6").

Recent quarter vellum over early thick paste boards, pastedowns, one of which is loose, from a later leaf dated 1593. Negligible light soiling and edgewear, a few faint early annotations (probably bleed-through from a sheet of paper) to front cover. Moderate toning, somewhat heavier in places, light foxing to a few leaves, page numbers added in recent faint pencil. \$1,500.

ALSO KNOWN AS **PROBUS GRAMMATICUS**, Marcus Valerius Probus was a Roman grammarian and critic. *De Interpretandis Romanarum* is a fundamental guide to abbreviations used in Roman texts and inscriptions. First printed in the fifteenth century, it was an invaluable

guide to humanist scholars. Three of its sections contain abbreviations relating to legal under the heading "Littere Singulares in Iure Civili de Legibus & Plebiscitis": "In Legibus Actionibus Hec," "On Editis Perpetuis" and "Lex ex Tabellis Divum de Refutaria. Sacra Lex." The final section is a consoling letter on the subject of exile from Philiscus to Cicero, who was then in Exile in Macedonia. A rhetorical masterpiece, and thus an object for study, it was originally written in Greek. OCLC locates 5 copies of this imprint in North America (Harvard, UCLA, UNC-Chapel Hill, University of Pennsylvania, Washington University, St. Louis). Not in Adams. *EDIT16* CNCE30277.

THE FIRST ENGLISH LAW DICTIONARY



90. [RASTELL, JOHN (D.1536)].
[RASTELL, WILLIAM, EDITOR].

**Les Termes de la Ley; Or, Certain Difficult and Obscure Words and
 Terms of the Common Lawes and Statutes of This Realme Now in Use,
 Expounded and Explained. Newly Imprinted, And Much Inlarged and
 Augmented. With a New Addition of Above Two Hundred and Fifty
 Words.**

London: Printed by J. Streater, 1659. [vii], 271 ff. Text printed in parallel columns. Octavo (6-1/2" x 4-1/4").

Contemporary sheep with later rebacking and recorning, blind fillets and rules to boards, lettering piece and blind fillets to spine, which is varnished, endpapers renewed. Light rubbing to extremities, a few shallow scuffs to boards, corners bumped and somewhat worn. Some soiling to title page, light toning to text. Early owner signatures and initials to title page, faint drawing in pencil to verso, inkspots to a few leaves. Ex-library. Bookplate to front pastedown. \$650.

LATER EDITION. English and Law French in parallel columns. First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title *Expositiones Terminorum Legum Anglorumae*. Later editions were produced by his son, William. Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity" 599. *ESTC* R38213.

BETROTHALS ARE ILLICIT WITHOUT PARENTAL CONSENT, WHATEVER THE JESUITS SAY

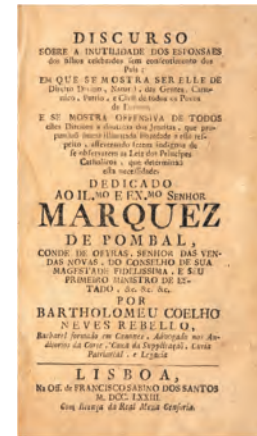
91. REBELLO, BARTHOLOMEU COELHO NEVES.

Discurso Sobre a Inutilidade dos Esponsaes dos Filhos Celebrados sem Consentimento dos Pais; Em que se Mostra ser elle de Direito Divino, Natural, das Gentes, Canonico, Patrio, E Civil de Todos os Povos da Europa.

Lisbon: Off. do Francisco Sabino dos Santos, 1773. [x], xvii, [1], 231, [1] pp. Half-title lacking. Octavo (6-1/4"x 3-3/4").

Contemporary mottled sheep, blind fillets and gilt-stamped title to spine, speckled edges. Moderate rubbing to extremities, a few light scuffs to boards, spine abraded with wear to ends, front joint partially cracked. Moderate toning to text, somewhat heavier in places, faint dampstaining to a few leaves. \$1,250.

ONLY EDITION. Rebello argues that betrothals are not legal without parental consent. In the dedication to the Marquês de Pombal and the Proemio, the author refers to the "relaxada Moral Jezuitica" and notes that allowing disobedience to parents in matters such as betrothals (which Jesuits such as Sanches and Molina advised) might well also encourage disobedience to the king. As a magistrate, Rebello had been involved in several cases of such illicit betrothals. He reviews the writings of Church Fathers, papal bulls, and Councils on this matter, and on pp. 170-218, reviews the laws in Spain, France, Germany, Prussia, Holland and Italy. Porbase contains a record with an incorrect publication date of 1755. OCLC locates 3 copies, 2 in North America (Newberry Library, UC-Berkeley Law School). Not in Ferreira-Ibarra.



A SCARCE TREATISE ON THE ROMAN LAW OF USURY

92. SAUMAISE, CLAUDE [1588-1653].

De Modo Usurarum Liber.

Leiden: Ex Officina Elseviriorum, 1639. [lvi], 891, [93] pp. Octavo (6-1/4"x 4-1/4").

Contemporary vellum with lapped edges, early hand-lettered title to spine. Light staining to binding, spine ends and corners bumped. Title page with Elsevier Solitaire device printed in red and black. Light toning, faint dampstaining to margins in a few places, worm track near upper corner of preliminaries and following 20 leaves with minor loss to text (legibility not affected). Underlining to some passages in an early hand, later annotations to front free endpaper, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$750.

ONLY EDITION. An interesting treatise of usury and other matters relating to interest rates, principally in Roman and canon law. Saumaise was an *avocat* of the *Parlement* of Paris. OCLC locates 5 copies in North American law libraries (Library of Congress, Social Law, UC-Berkeley, University of Michigan, Yale). Another copy located at George Washington University Law School. Willems 488.



THE "LONGEST LIVED" TREATISE ON COURTS LEET AND BARON

93. SHEPPARD, WILLIAM [D.1675?].

BROWNE, WILLIAM, EDITOR.

The Court-Keepers Guide for the Keeping of Courts-Leet and Courts-Baron: Wherein Is Largely and Plainly Opened. The Jurisdiction of These Courts, with the Learning of Manors, Copyholds, Rents, Harriots, and Other Services and Advantages Belonging unto Manors.

London: Printed by the Assigns of Rich. Atkins, and Edw. Atkins, 1685. [xii], 284 pp. *Precedents of Copies* preceded by divisional title page. Octavo (5-3/4"x 3-3/4").

Later three-quarter calf over marbled boards, lettering piece and blind fillets to spine, which is varnished, endpapers renewed. Moderate rubbing to extremities, corners bumped and lightly warned. Moderate toning, (very) faint dampspotting to most of text, small stain

near head of following leaf, edgewear and small tears to preliminaries and final few leaves, small chip to title page mended on verso with archival tape, internally clean. Ex-library. Bookplate to front pastedown. \$350.

SEVENTH EDITION. In his discussion of the common law in the sixteenth century Holdsworth observes "[t]here was still a considerable amount of works to be done by [the courts leet and baron]. The common field system of agriculture needed regulation; the rights and duties of copy-holders were matters for the manorial court to determine, subject to the control of the courts of common law; and statutes of this period had assigned new duties to the leet. Thus a want was felt for something more than the single stereotyped tract which various publishers went on issuing from the press during the first half of this century. (...) [T]he longest lived...was the Court Keeper's Guide of William Sheppard, first published in 1641 and re-issued as late as 1791."; Holdsworth IV:120-121. This edition not in the ESTC. Sweet & Maxwell 1:405(62).



COMMENTARIES ON THE CODE OF JUSTINIAN
BY AN IMPORTANT HUMANIST SCHOLAR

94. SICHARD, JOHANNES [1499-1552].
HERTZOG, SAMSON, EDITOR.

Sichardus Redivivus. Clarissimi Viri Ioannis Sichardi, Celeberrimi Iureconsulti Germani, Et in Alma Tubingensi Academia Quondam Ordinarii Iuris Civilis, Dictata & Praelectiones in Codicem Iustinianum. Ex Collatione Operosa Manuscriptorum Codicum, Restitutis Primo quam Plurimis Haud Parvi Momenti Defectibus. Deinde Negativis Desideratis Additis: & Abundantibus Demtis. Tertio Amplius Quingentis Iurium Allegationibus Redintegratis. Quarto Sublatis Plusquam Mille Aliis Erratis, Hactenus non Animadversis. Nunc Demum Post Modianam Recognitionem et Anni LXXXVI. Editionem Francofurtensem, A Samsone Hertzog, Auctiores, & Emendatiores Editae. Opus Plane Frugiferum, Et Tam Foro, Quam Scholis (Quod Evidentialia Titulorum & Legum, Id Est, Vocabula & Phrases Artis Singulari Diligentia Excutiatur,) Accommodatum. Cum Praefatione Amplissimi Collegii Facultatis Iuridicae in Predicta Academia; Necnon Summariis & Indice Locupletissimo.

Frankfurt: Ex Officina Hoffmanniana, Sumtibus Ionaе Rhodii, 1613-1614. [xx], 617, [1]; 12, [8], 641-1145 (i.e. 1175), [47] pp. Two volumes in one book. Main text in parallel columns. Folio (14" x 8-1/2").

Contemporary paneled pigskin, raised bands to spine, ties lacking. Moderate rubbing to extremities with wear to head of spine, some soiling, a few nicks and scuffs, boards slightly bowed, front joint just starting at foot, corners bumped and lightly worn. Title page of Volume I printed in red and black, woodcut title-page devices, head-pieces, tail-pieces and decorated initials, Volume I has large woodcut printer's device and colophon and, above the dedication, the arms of the Prince of Württemberg, dedicatory poem in Volume II followed by woodcut arms of Sichard. Moderate toning to text, light browning in places, occasional faint dampstaining to outer margins of fore-edges, light soiling to title page of Volume I, which has a few early owner signatures. Early underlining, brief annotations and other markings in a few places, interior otherwise clean. \$2,000.

THIRD AND FINAL EDITION. Sichard, or Sichardt, was a notable German humanist and professor of law at the University of Tübingen. A pupil and protégé of Ulrich Zasius, he was an outstanding editor and interpreter of Roman law. *Sichardus Redivivus* is based on his celebrated lectures on the *Code* of Justinian, one of the four components of the *Corpus Iuris Civilis*. First published in 1565, this lavishly produced edition indicates the importance of Sichard's lectures and his high posthumous reputation. Few copies of any edition are held in North American law libraries; OCLC locates no copies of the third. VD17 3:615067N.

SEVENTEENTH-CENTURY TREATISE ON BOHEMIAN MINING LAW

95. SPAN, SEBASTIAN.

Speculum Juris Metallici, Oder: Berg-Rechts-Spiegel, Darinnen zu Finden Was Jedweder dem Bergwesen Zugethaner, Hohen, Mittlern und Niedern Person, Als Grund-Herren, Obrist-Munzmeister, Berg-Vors theern, Berg-Ampts-Leuten, Dienern und Arbeitern, Befehl, Verrichtung und Befugniß Ist; Wie sie sich bey und Gegen Andere, So zum Bergwerck Angenommen, Mit Befehl-Oder Forttreiben, Auch in Gut-Oder Rechtlichen Streit-Handeln Verhalten Sollen.

Dresden: Bey Johann Jacob Wincklern, 1698. [xvii], 422 (i.e. 426), [20] pp. Folio (12-1/2"x 7-3/4").

Contemporary three-quarter calf over speckled boards, raised bands, lettering piece and gilt ornaments to spine, speckled edges, ribbon marker. Some rubbing to

boards and extremities, front joint just starting at head. Title page printed in red and black, woodcut head and tail-pieces. Moderate toning to text, light browning in places, part of date lacking from bottom edge of title page due to printer error, early owner stamp to foot of verso, internally clean. Ex-library. Bookplate to front pastedown. \$500.

ONLY EDITION. Central Europe, Bohemia especially, has been an important mining center since the late-middle ages and the source of some of Europe's earliest mining laws. Originally local, Central European mining law became more Germanic over time through the authority of the Holy Roman Empire. Span's treatise summarizes this body of law with an emphasis on the enactments of Holy Roman Emperors, and Kings of Hungary, Bohemia and Croatia, Ferdinand I and Rudolf II. Among other topics, Span considers the demarcation of territory, drainage, ventilation and the division of expenses and profits among investors. OCLC locates 3 copies in North American law libraries (Harvard, UC-Berkeley, Yale). VD17 1:015512F.

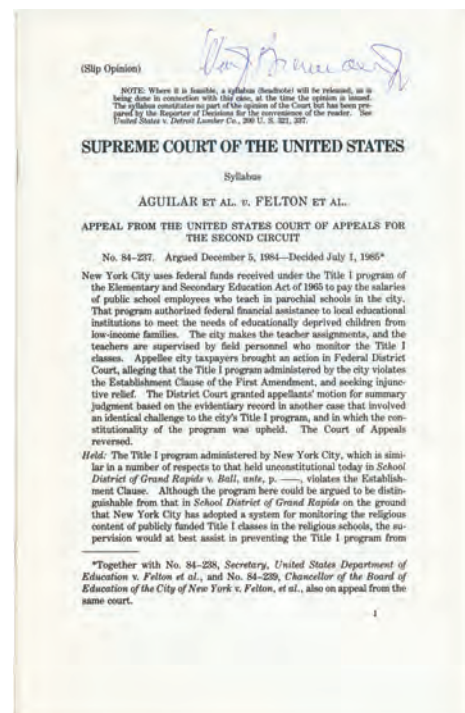
US Supreme Court Slip Opinions

Bench opinions are issued by the U.S. Supreme Court immediately after the announcement of a decision. Slip opinions are issued afterwards. Often incorporating corrections, they are the first printings of a decision intended for wide dissemination and review. After that stage the revised slip opinions are added to the latest paperback volume of *U.S. Reports*. A year later, that volume is printed in its final, authoritative, hardcover form.

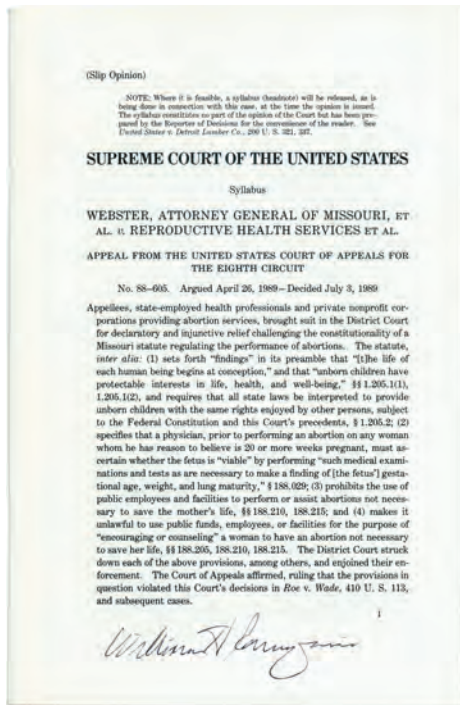
NOTABLE CASE DEALING WITH THE ESTABLISHMENT CLAUSE
SIGNED BY JUSTICE BRENNAN96. SUPREME COURT OF THE UNITED STATES.
[BRENNAN, WILLIAM (1906-1997)].(Slip Opinion) *Aguilar et Al. v. Fenton et Al.*

[Washington, DC: Government Printing Office, 1985]. ii, 12, 5, [i], 3, [1], 2, 12 pp. Complete. Signature of Justice Brennan to head of first page. Fine. \$500.

BASED ON THE FIRST AMENDMENT establishment clause, this decision invalidated a New York City program that provided public school teachers to parochial schools to teach special-needs children. Justice Brennan wrote the opinion of the Court, which was joined by Justices Marshall, Blackmun, Powell and Stevens.



AN IMPORTANT CASE CONCERNING ABORTION RIGHTS
SIGNED BY CHIEF JUSTICE REHNQUIST



97. SUPREME COURT OF THE UNITED STATES.
[REHNQUIST, WILLIAM (1924-2005)].

(Slip Opinion) Webster, Attorney General of Missouri, Et al.
v. Reproductive Health Services, Et al.

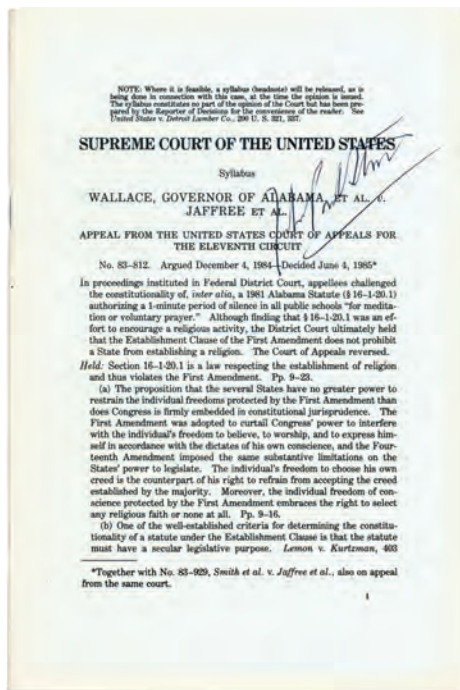
[Washington, DC: Government Printing Office, 1989]. vii, [1], 23, [1], 11,
[1], 7, [1], 23, [1], 14 pp. Complete. Signature of Chief Justice Rehnquist
to head of first page.

A few tiny marks to p. i, otherwise fine.

\$750.

A DECISION that undermined a key provision of Roe v. Wade, Webster v. Reproductive Health Services upheld a Missouri law that imposed restrictions on the use of state funds for services relating to abortion. Chief Rehnquist wrote the opinion of the Court for all but Parts II-D and III. Only Justices White and Kennedy joined the opinion in its entirety.

A SIGNIFICANT CASE CONCERNING PRAYER IN PUBLIC SCHOOLS
SIGNED BY JUSTICE STEVENS



98. SUPREME COURT OF THE UNITED STATES.
[STEVENS, JOHN PAUL].

(Slip Opinion) Wallace, Governor of Alabama, Et al. v.
Jaffree, Et al.

[Washington, DC: Government Printing Office, 1985]. ii, 23, [1], 6, 19,
[1], 7, [1], 2, 24 pp. Complete. Signature of Justice Stevens to head of
first page.

Light finger smudges to a few leaves, otherwise fine.

\$500.

IN THIS NOTABLE CASE the Supreme Court ruled that an Alabama statute authorizing a one-minute period of silence in all public schools "for meditation or voluntary prayer" violated the First Amendment's establishment clause. Stevens wrote the majority opinion, which was joined by Justices Brennan, Marshall, Blackmun and Powell.

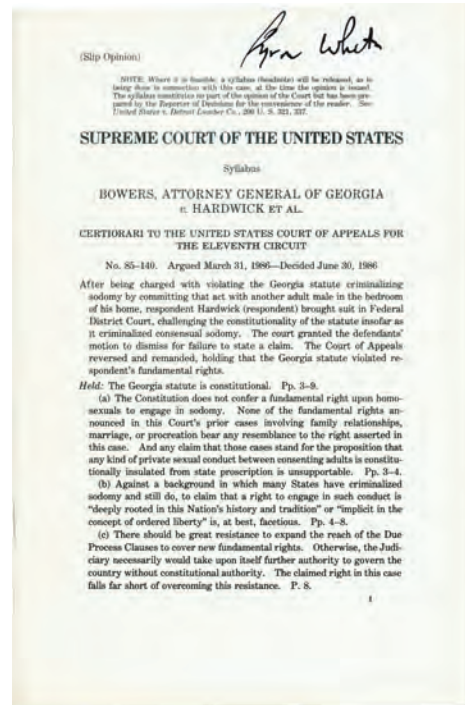
AN IMPORTANT CIVIL RIGHTS CASE SIGNED BY JUSTICE WHITE

99. SUPREME COURT OF THE UNITED STATES.
[WHITE, BYRON (1917-2002)].**(Slip Opinion) Bowers, Attorney General of Georgia v. Hardwick et Al.**

[Washington, DC: Government Printing Office, 1986]. ii, 9, [1], 2, 2, 16, 7 pp. Complete. Signature of Justice White to head of first page.

Fold lines to corners of first two leaves, otherwise fine. \$500.

THIS DECISION UPHELD, in a 5-4 ruling, the constitutionality of a Georgia sodomy law criminalizing "sodomy," that is, oral and anal sex, in private between consenting gay adults. It was overturned in 2003 in *Lawrence v. Texas*. Justice White wrote the opinion of the Court, with Justice Powell and Chief Justice Burger concurring.



A NOTABLE PRIVACY CASE SIGNED BY JUSTICE WHITE

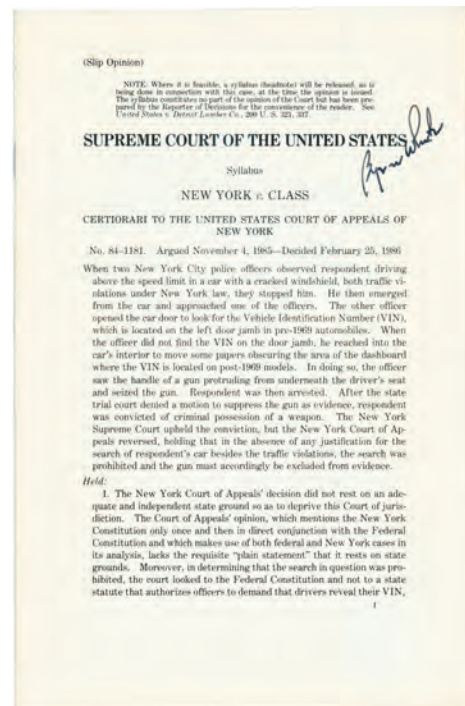
100. SUPREME COURT OF THE UNITED STATES.

[WHITE, BYRON].

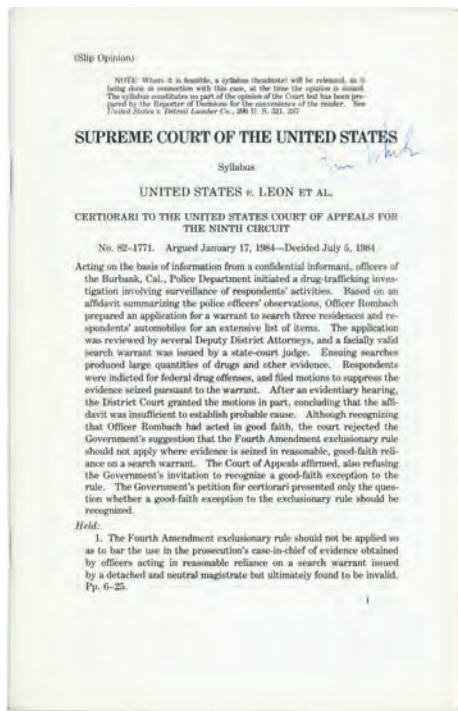
(Slip Opinion) New York v. Class. Certiorari to the United States Court of Appeals of New York.

[Washington, DC: Government Printing Office, 1986]. ii, 13, [1], 3, [1], 10, 2 pp. Complete. Signature of Justice White to head of first page. Fine. \$500.

THIS DECISION determined that police officers are allowed to search an automobile. Holding there is no reasonable expectation of privacy in an automobile, it reversed a conviction by the New York State Court of Appeals. Justice O'Connor wrote the opinion of the Court; Justice White filed a dissent, which was joined by Justice Stevens.



A SIGNIFICANT CASE DEALING WITH PRIVATE PROPERTY
AND SEARCH WARRANTS SIGNED BY JUSTICE WHITE



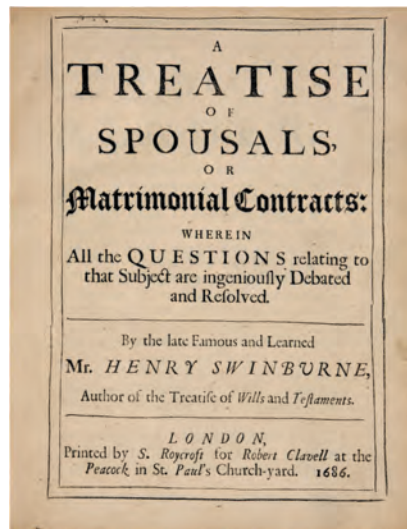
101. SUPREME COURT OF THE UNITED STATES.
[WHITE, BYRON].

(Slip Opinion) *New York v. Leon et Al. Certiorari to the United States Court of Appeals for the Ninth Circuit.*

[Washington, DC: Government Printing Office, 1984]. iii, [i], 27, [1], 2, 32, 21 pp. Complete. Signature of Justice White to head of first page. Fine. \$500.

THIS DECISION determined that evidence obtained by police with search warrant that is later found deficient may nevertheless be used in a criminal trial. Justice White wrote the opinion of the Court, which was joined by Chief Justice Burger and Justices Blackmun, Powell, Rehnquist and O'Connor.

FIRST EDITION OF THE FIRST ENGLISH TREATISE ON MATRIMONIAL LAW



102. SWINBURNE, HENRY [1560?-1623].

A Treatise of Spousals, or Matrimonial Contracts: Wherein All the Questions Relating to that Subject are Ingeniously Debated and Resolved.

London: Printed by S. Roycroft for Robert Clavell, 1686. [xvi], 240 pp. Quarto (7-1/2"x 6-1/2").

Recent period-style calf, blind rules and large blind central arabesques to boards, raised bands and lettering piece to spine, endpapers renewed. Title printed within ruled border. Moderate toning to text, spark burns to a few \$1,750.

leaves, a few small library marks to verso of title page. A handsome copy.

FIRST EDITION. Published posthumously, this was the first English ecclesiastical law treatise devoted to marriage, the relationship between spousal contracts and marriage contracts, the dissolution of those contracts and divorce. It is also notable as one of the first four English legal treatises devoted to laws concerning women. Swinburne was commissary of the exchequer and judge of the consistory court at York. He is best known for his influential treatise on wills, which went through seven editions between 1590 and 1793. ESTC R22016.

SCARCE 1775 ENGLISH ABRIDGMENT OF EXCISE LAWS

103. SYMONS, J[ELLINGER].

The Excise Laws Abridged, and Digested Under Their Proper Heads, in Alphabetical Order.

London: Printed for J. Nourse, 1775. xiv, [2], 264 pp. Octavo (8"x 5").

Contemporary calf, blind rules to boards, raised bands and later lettering piece to spine. Moderate rubbing to extremities, chipping to head of spine, boards beginning to separate (but quite secure). Light toning to text, somewhat heavier in places, annotated throughout in an early hand. Ex-library. Stamps to boards, edges and endleaves, bookplate to front pastedown, small perforated stamp to title page. A solid copy of a scarce title. \$350.

SECOND AND FINAL EDITION, "greatly enlarged and improved." Symons's guide for solicitors

and excise officers was first published in 1773. The statutes are arranged alphabetically by topic. "The statutes were becoming too numerous, and their connections too intricate to be understood by men of such slender abilities as a great part of those whom the Commissioners of Excise, through the smallness of the salary, were obliged to admit into their employ; and the leisure time which their employment allowed them was too little for those of greater abilities to make any proficiency in the study of them. With a view therefore to assist them I abstracted, collected together, and digested all the laws relating to the excise, under such heads, and in such order, as seemed most likely to answer that end" (Preface, vii-viii). The annotations in this copy appear to be case citations. Both editions are scarce. OCLC locates 2 copies in North American law library (University of Victoria, British Columbia, which has the second edition). Sweet & Maxwell 1:333 (112). ESTC T87833.

A DEFENSE OF SCHOOL SEGREGATION BY A SOUTH CAROLINA EDUCATOR

104. THOMASON, JOHN FURMAN.

History and Experience or the Supreme Court.

Rock Hill, SC: [Published for the Author], 1956. 43 pp.

Stapled pamphlet in stiff paper wrappers. Light shelfwear and soiling, light soiling to title page, light toning to text. \$150.

THIS ESSAY is a reply to the Supreme Court ruling in *Brown v. Board of Education of Topeka* (1954). Thomason, the author of several books on education and the history of education in South Carolina, argues that integration is unnecessary because the state provides school facilities that are "separate but equal." Moreover, it will fail because it denies the "history and experience" of South Carolinians.

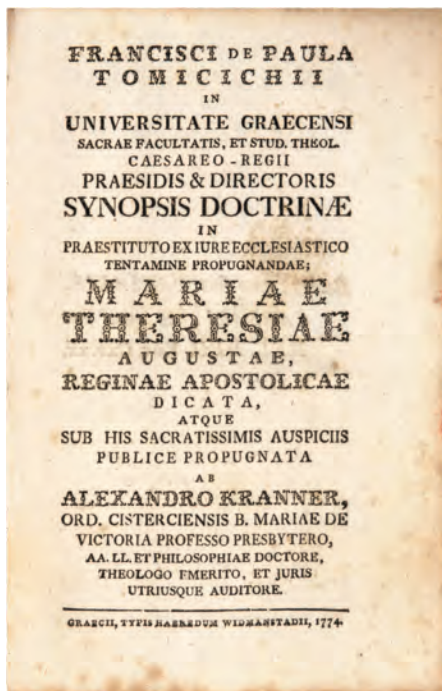
TREATISE ON THE ROMAN LAW OF TRANSFERS
BY A DISTINGUISHED FRENCH HUMANIST JURIST105. TIRAQUEAU, ANDRÉ [1488-1588].
ZILLETO, GIOVANNI BATTISTA.**De iure Constituti Possessorii Tractatus. Cum Summariis Novissime Additis & Alphabetico Repertorio Io. Bap. Zilleti.**

Venice: [Apud Bartholomaeum Caesatum], 1551. 136, [20] ff. Octavo (5-3/4"x 3-3/4").

Later quartervellum over marbled boards, lettering piece, gilt fillets and gilt ornaments to spine. Rubbing with some wear around edges and corners, small inkstain near foot of spine, small strip of paper excised from foot of title page. Large woodcut printer device and colophon, woodcut vignette of Tiraqueau lecturing at head of main text, woodcut decorated initials. Light toning to text, early underlining in a few places, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy. \$750.

THIRD EDITION. Tiraqueau was a distinguished humanist jurist and counselor to the Paris *Parlement*. First published in 1549, *De iure Constituti Possessorii* addresses the Roman law concerning the transfer of property. It went through five more editions, the last one in 1558. It was reissued in two later collected-works editions, *Tractatus* and *Opera Omnia*. EDIT16 CNCE49628.

A RARE TEXTBOOK ON PUBLIC CANON LAW



106. TOMICICH, FRANCISCO DE PAULA.

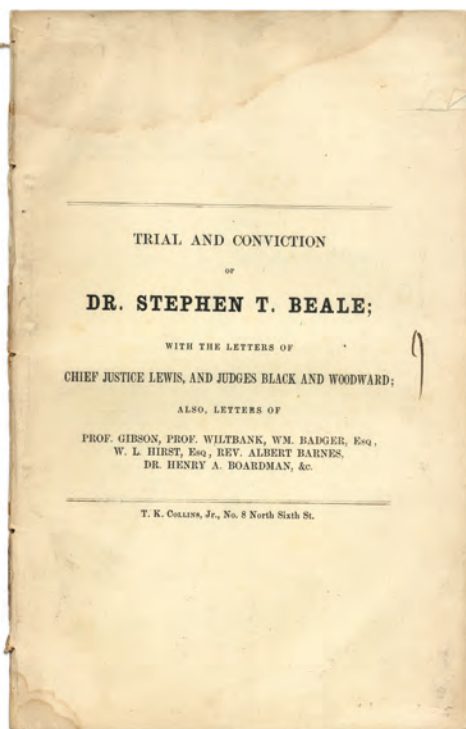
Synopsis Doctrinae in Praestituto ex Iure Ecclesiastico Tentamine Propugnandae, Mariae Theresiae Augustae, Reginae Apostolicae Dicata, Atque sub his Sacratissimis Auspiciis Publice Propugnata ad Alexandro Kranner.

Graz: Typis Haeredum Widmanstadii, 1774. [xxx], 159, [1]; [16] pp. Final section has a title page. Octavo (7-3/4" x 5").

Contemporary tree calf, gilt spine with lettering piece. A few minor nicks and scuffs, boards slightly bowed, light rubbing to extremities. Moderate toning and light foxing to text, title page and adjacent endleaf partially detached. A handsome copy of a rare title. \$950.

SECOND AND FINAL EDITION. First published in 1773, this is a textbook on public canon law issued under the auspices of the University of Graz. Some of its topics are specific to the Holy Roman Empire, such as the legal force of Frankish capitularies, the legal nature of concordats and the Peace of Westphalia. One hundred examination questions are listed at the end of the text. It is an interesting work because it shows how these older areas of public law were interpreted in the later eighteenth century. Counting both editions, OCLC locates 5 copies, none in North America. Not in Ferreira-Ibarra.

RAPED UNDER ANESTHESIA BY HER DENTIST



107. [TRIAL].

BEALE, STEPHEN T., DEFENDANT.

Trial and Conviction of Dr. Stephen T Beale; With the Letters of Chief Justice Lewis, And Judges Black and Woodward, On His Case. Interesting Ether Cases, And the Letters of Prof. Gibson, Prof. Wiltbank, Wm. Badger, Esq., W.L. Hirst, Esq. Rev. Albert Barnes, Dr. Henry Boardman, &c.

Philadelphia: T.K. Collins, Jr., 1855. 30 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in printed wrappers removed from a volume, rear wrapper lacking. Faint dampstaining to head and lower corner at foot of spine through first half of text block, light soiling to exterior, minor tear and "9" in early hand to front wrapper, light toning to text. \$750.

ONLY EDITION. This trial account reflects contemporary anxiety about ether, which was used for the first time in 1846. Narcissa Mudge claimed she was raped by her dentist, Dr. Beale while unconscious from ether during a procedure. Beale was convicted. This account of the trial is written by someone who characterizes the dentist as an innocent victim. He argues that Mudge's accusation was based on false memory, a side-effect induced by ether. His case is supported by the testimony concerning the effects of ether by a group of dentists and other authorities. Cohen 13774.

TRIAL OF THE LEADERS OF THE FIRST JACOBITE REBELLION

108. [TRIAL].

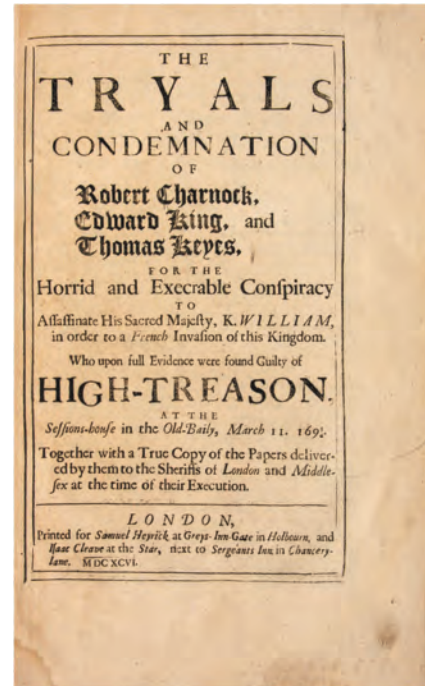
CHARNOCK, ROBERT [1663?-1696], PRIMARY DEFENDANT.

The Tryals and Condemnation of Robert Charnock, Edward King, and Thomas Keyes, for the Horrid and Execrable Conspiracy to Assassinate His Sacred Majesty, K. William, in Order to a French Invasion of This Kingdom. Who Upon Full Evidence Were Found Guilty of High-Treason, at the Sessions-House in the Old-Baily, March 11, 1695/6, Together With a True Copy of the Papers Delivered by Them to the Sheriffs of London and Middlesex at the Time of Their Execution.

London: Printed for Samuel Heyrick and Isaac Cleave, 1696. [iv], 76 pp. Folio (12-1/2"x 8").

Recent cloth, gilt title to spine. Light rubbing to extremities, moderate toning to text, spark burns and finger smudges to a few leaves, minor dampstaining to foot of title page and following few leaves. Early owner signature to front endleaf, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$450.

FIRST EDITION. Charnock, Keyes and King were tried and executed for their leading roles in the first Jacobite Rebellion, which aimed to restore the exiled James II to the English throne after the Glorious Revolution of 1688. The leading figure was Charnock, who held a captain's commission from King James. This report contains a record of the charges against the defendants and the circumstances surrounding their plot to assassinate King William III, the arguments and testimony for the prosecution and defense, the judgment, sentence and the final statements of the condemned before their execution. Another edition was published in Dublin in 1696. ESTC R4539.



A NOTABLE TRIAL THAT PITTED FREEDOM OF THE PRESS AGAINST THE LAW OF LIBEL

109. [TRIAL].

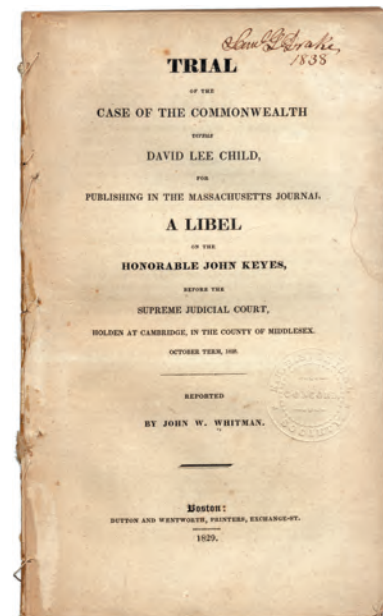
CHILD, DAVID LEE [1794-1874], DEFENDANT.
WHITMAN, JOHN W. [1798-1833], REPORTER.

Trial of the Case of the Commonwealth Versus David Lee Child, For Publishing in the Massachusetts Journal a Libel on the Honorable John Keyes, Before the Supream Judicial Court, Holden at Cambridge, In the County of Middlesex, October Term, 1828.

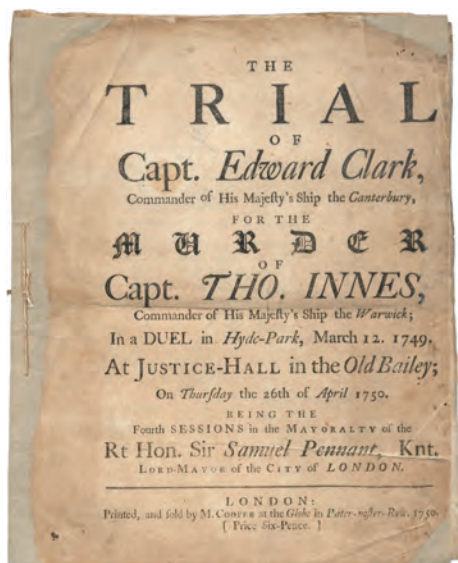
Boston: Dutton and Wentworth, Printers, 1829. 119 pp. Octavo (8-3/4"x 5-1/2").

Disbound stab-stitched pamphlet. Negligible light edgewear and soiling to exterior, embossed library stamp and early owner signature (Samuel Drake 1838) to title page. Moderate toning, occasional early marks and notes in pencil to margins, faint dampstaining to margins of title page and a few other leaves. \$350.

ONLY EDITION. This trial addressed the contested boundary between freedom of the press and the law of libel. In his *Massachusetts Journal* and various handbills, Child accused Keyes of irregularities as chairman of the county Committee of Accounts, bid rigging and animosity toward the administration in power in Washington. Child was found guilty. Cohen 13312. McCoy C318.



SENTENCED TO DEATH FOR DUELING, BUT PARDONED SOON AFTERWARDS



110. [TRIAL].

CLARK, WILLIAM [D.1779], DEFENDANT.

The Trial of Capt. Edward Clark, Commander of His Majesty's Ship the Canterbury, For the Murder of Capt. Tho. Innes, Commander of His Majesty's Ship the Warwick; In a Duel in Hyde-Park, March 12. 1749. At Justice-Hall in the Old Bailey; On Thursday the 26th of April 1750. Being the Fourth Sessions in the Mayoralty of the Rt. Hon. Sir Samuel Pennant, Knt. Lord-Mayor of London.

London: Printed, And Sold by M. Cooper, 1750. [ii], 18 pp. Text in parallel columns. Second leaf is a publisher advertisement. Quarto (8-1/2"x 6-3/4").

Stab-stitched pamphlet, recent repairs to corners and inner margin of title page. Some edgewear, horizontal fold line through center, light soiling to exterior, light browning and a few minor stains to interior. \$650.

ONLY EDITION. Captain Clark was convicted of murder and sentenced to death after he fatally shot Captain Innes in a duel.

He received a royal pardon almost immediately afterwards. The trial, reported in detail and apparently verbatim, is remarkable for the number of distinguished character witnesses produced for the defence. These include Lord Southwell, Admiral Martin, Admiral Bing, Admiral Fox, Lord Montague Bertie, Sir John Cross and several naval captains. This account was reprinted in Dublin in 1750. Both are scarce. Concerning the London edition, OCLC locates 11 copies, 3 copies in North America, 1 in a law library (University of Minnesota). ESTC T25541.

ONE OF THE MOST DETAILED ACCOUNTS
OF A MAJOR NINETEENTH-CENTURY FINANCIAL SWINDLE

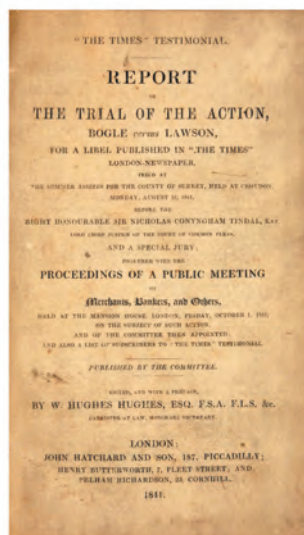
111. [TRIAL].

HUGHES, W. HUGHES, EDITOR.

"The Times" Testimonial: Report of the Trial of the Action, Bogle Versus Lawson, For a Libel Published in "The Times" London-Newspaper, Tried at the Summer Assizes for the Country of Surrey, Held at Croydon, Monday, August 16, 1841, Before the Right Honourable Sir Nicholas Conyngham Tindal, Knt. Lord Chief Justice of the Court of Common Pleas, And a Special Jury; Together with the Proceedings of a Public Meeting of Merchants, Bankers and Others, Held at the Mansion House, London, Friday, October 1, 1841, On the Subject of Such Action, And of the Committee then Appointed; And Also a List of Subscribers to "The Times" Testimonial. Published by the Committee.

London: John Hatchard and Son, Henry Butterworth and Pelham Richardson, 1841. 179, [1] pp. Half-title lacking. Octavo (8-1/4"x 5").

Recent quarter cloth over marbled boards, printed paper title label to spine. Some toning to text, light soiling to title page. A nice copy of a rare title. \$1,250.



FIRST EDITION. A sensational case of a million-pound plot to defraud continental bankers by forged letters of credit, or *lettres circulaires*, purporting to have been issued by the bankers Glyn, Hallifax, Mills, & Co. The plot was exposed by a *Times of London* correspondent in a letter, published in the newspaper on 26th May 1840, which referred to "the great forgery company established on the continent lately detected," and naming the co-conspirators. These included the Marquis of Bourbel, "the chief of the gang," the Baron Louis d'Arjuzon, alias De Castel, Pipe "an Englishman who professes to be a solicitor in London," and Cunningham Graham "an anonymous partner in the house of Bogle, Kerrich, and Co." The case was sensational in both social and in banking circles. It exposed the largely unregulated and certainly sloppy banking practices associated with letters of credit (easy to forge and difficult to police) and the almost brilliant ingenuity of an international gang of con men. The naming of Allan George Bogle—who was almost certainly involved—triggered this libel action against John Joseph Lawson, the printer and publisher of the *Times*, and resulted in the award of one farthing damages for Bogle, but enormous expense and the considerable gratitude of bankers and investors for the *Times*. The present report is without much doubt one of the most detailed accounts of a major financial swindle of this period, particularly one involving letters of credit. A second edition was published the same year as the first, the third and final edition in 1842. All three are rare. OCLC locates 6 copies worldwide of the first edition, 2 in North America (Newberry Library, Temple University). COPAC adds a copy at the Society of Antiquaries. This edition not in Kress, which lists the 3rd edition (C.5743).

THE LARGEST AWARD GRANTED IN AN ENGLISH ADULTERY CASE

112. [TRIAL].

MILDMAY, SIR HENRY [1787-1848], DEFENDANT.

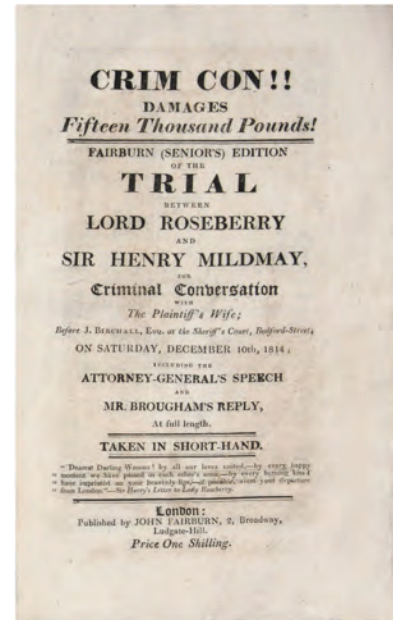
[CRUIKSHANK, GEORGE (1792-1878), FRONTISPIECE].

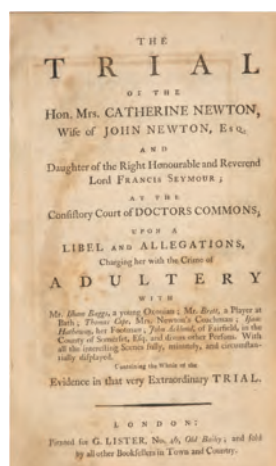
Crim Con!! Damages Fifteen Thousand Pounds! Fairburn (Senior's) Edition of the Trial Between Lord Roseberry and Sir Henry Mildmay, For Criminal Conversation with the Plaintiff's Wife; Before J. Birchall, Esq. At the Sheriff's Court, Bedford-Street, On Saturday, December 10th, 1814: Including the Attorney-General's Speech and Mr. Brougham's Reply, At Full Length: Taken in Short-Hand.

London: Published by John Fairburn, [1814]. [iii], [3]-43, [1] pp. Folding frontispiece. Final page is a publisher advertisement. Octavo (9"x 5-1/2").

Stab-stitched pamphlet in plain wrappers, untrimmed edges. Light soiling to wrappers, light toning to text, light soiling to title page. \$2,500.

MILDMAY WAS ACCUSED of committing adultery with his deceased wife's sister, Harriett Bouverie. At the time, she was the wife of Sir Archibald John Primrose, 4th Earl of Roseberry (or Rosebery) [1783-1868] and mother of their four children. The charges were not contested, but a trial was held to assess the damages. The award of 15,000 pounds sterling was the highest ever given in an English adultery case. Our imprint is similar to one listed in Cohn, which is 48 pages and has a plate that is colored. Cohn notes "there were several editions of this pamphlet, which is very scarce." No copies of this imprint listed on OCLC or COPAC. See Cohn 712.





"ALL THE INTERESTING SCENES
FULLY, MINUTELY,
AND CIRCUMSTANTIALLY
DISPLAYED"

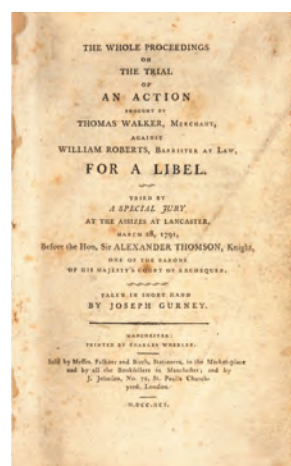
113. [TRIAL].
NEWTON, CATHERINE, DEFENDANT.

The Trial of the Hon. Mrs. Catherine Newton, Wife of John Newton, Esq. and Daughter of the Right Honourable and Reverend Lord Francis Seymour; At the Consistory Court of Doctors Commons; Upon A Libel and Allegations, Charging Her with the Crime of Adultery with Mr. Isham Baggs, A Young Oxonian; Mr. Brett, A Player at Bath; Thomas Cope, Mrs. Newton's Coachman; Isaac Hatheway, Her Footman; John Ackland, Of Fairfield, In the County of Somerset, Esq. And Divers Other Persons. With All the Interesting Scenes Fully, Minutely, And Circumstantially Displayed. Containing the Whole of the Evidence in That Very Extraordinary Trial.

London: Printed for G. Lister, [1782]. 72; 70, [2] pp. Two parts, each with title page and individual pagination. First part preceded by copperplate frontispiece. Second part followed by 2 pp. publisher catalogue. Octavo (7-1/4"x 4-3/4").

Later three-quarter calf over marbled boards, gilt spine with raised bands, top edge gilt, marbled endpapers. Light rubbing to boards, moderate rubbing to extremities with some wear to spine ends and corners. Moderate toning to text, light foxing in a few places, light browning to a few leaves. \$2,500.

FIRST EDITION, one of two issues, the other with an imprint stating (in part) "Printed for the Proprietors" and the date 1782. A fine example of Augustan ribaldry, this is an account of the colorful Catherine Newton, who was accused of committing adultery with four named men, ranging from a footman to a "young Oxonian," along with "divers other persons." The frontispiece depicts the student caressing Newton's legs with a washcloth by a stream. There were two subsequent editions, both printed in 1782. ESTC T152335. See front cover.



"MR. THOMAS WALKER
COMMENCED HIS VIRULENCE
AGAINST ME..."

114. [TRIAL].
ROBERTS, WILLIAM, DEFENDANT.
GURNEY, JOSEPH, REPORTER.

The Whole Proceedings on the Trial of an Action Brought by Thomas Walker, Merchant, Against William Roberts, Barrister at Law, For a Libel. Tried by a Special Jury at the Assizes at Lancaster, March 28, 1791, Before the Hon. Sir Alexander Thomson, Knight, One of the Barons of his Majesty's Court of Exchequer. Taken in Short Hand by Joseph Gurney.

Manchester: Printed by Charles Wheeler, 1791 208 pp. Lacking half-title.

[BOUND WITH]
[ROBERTS, WILLIAM].

Supplementary Facts and Observations Occasioned by Mr. Walker's Publication of His Prosecution of Mr. Roberts; With Notes, &c.

[Manchester?: S.n., 1791?]. 24 pp. Octavo (7-3/4"x 4-3/4").

Recent marbled boards, printed title label to spine, speckled edges. Moderate toning, light foxing and minor stains to a few leaves, light soiling to title pages, minor staining along gutter of the title page to *The Whole Proceedings*. A handsome volume. \$500.

ONLY EDITIONS. Unhappy with his treatment by Walker during a lawsuit, Roberts circulated a flyer reading: "Mr. Thomas Walker commenced his virulence against me like a BULLY, has conducted it like a FOOL, has acted in it like a SCOUNDREL, has ended it like a COWARD, at last has turned BLACKGUARD and unworthy of association with, or notice of any Gentleman, who regards his own character." Walker won his case; Roberts paid damages of ,100. *The Whole Proceedings* is scarce, OCLC locates 9 copies in North American law libraries; *Supplementary Facts* is rare, OCLC locates 4 copies worldwide, 2 in North America, Princeton University, Temple University). ESTC T99785, N37623.

A TRIUMPH FOR TORIES AND HIGH-CHURCHMEN

115. [TRIAL].

SACHEVERELL, HENRY [1674-1724], DEFENDANT.

The Tryal of Dr. Henry Sacheverell, Before the House of Peers, For High Crimes and Misdemeanors; Upon an Impeachment by the Knights, Citizens and Burgesses in Parliament Assembled, In the Name of Themselves, And of All the Commons of Great Britain: Begun in Westminster-Hall the 27th Day of February, 1709/10, And from Thence Continued by Several Adjournments Until the 23d Day of March Following. Published by Order of the House of Peers.

London: Printed for Jacob Tonson, 1710. 456 pp.

[BOUND WITH]

The Bishop of Salisbury's, And the Bishop of Oxford's Speeches in the House of Lords, On the First Article of the Impeachment of Dr. Henry Sacheverell; Also the Bishop of Lincoln's and Bishop of Norwich's Speeches At the Opening of the Second Article of the Said Impeachment.

London: Printed, And Sold by John Morphew, Near Stationers-Hall, 1710. 16; 16; [2], 35-52; 53-63, [1] pp. Four parts, each with title page, first three parts have individual pagination.

[AND]

An Impartial Account of What Pass'd Most Remarkable in the Last Session of Parliament, Relating to the Case of Dr. Henry Sacheverell. Done on Such Another Paper and Letter, And May Therefore be Bound up with the Tryal of the Said Doctor, [sic].

[London]: Printed for Jacob Tonson, at Grays-Inn Gate in Grays-Inn-Lane, 1710. 47, [1] pp.

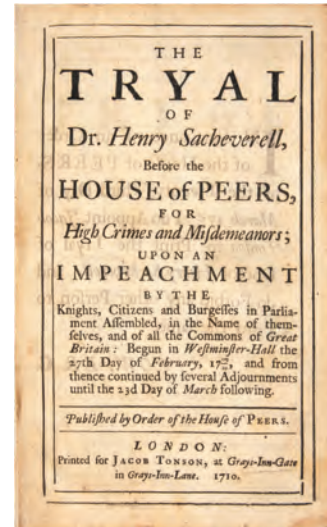
[AND]

A List of the Lords, Who Protested Against Some Proceedings, In Relation to the Case of Dr. Henry Sacheverell, In the House of Peers; with Their Lordships Reasons for Enttring Their Protestations.

London: [S.n.] Printed in the Year, 1710. 15, [1] pp.

Octavo (7-1/2"x 4-1/2"). Recent period-style marbled boards, printed paper title label to spine, speckled edges. Light toning to text, internally clean. An appealing copy. \$300.

FIRST OCTAVO EDITIONS (each one among several issues from 1710). The volume collects a group of four fundamental documents relating to the ideological controversy between Whigs and Tories. Dr. Henry Sacheverell was impeached for preaching two sermons that advocated the Tory doctrines of non-resistance and passive obedience. His punishment was unique. He was not allowed to preach for three years, but he was allowed to perform other clerical functions and accept preferment during that time. His two sermons were ordered burned by the common hangman. Such a sentence was felt to be a triumph for him and the High-Church and Tory party, and the news of it was received with great enthusiasm throughout the kingdom. See *DNB* XVIII:569-572. ESTCT176104, T22852, T13225, T75808.



FRAUD IN THE YORKSHIRE COAL FIELDS

116. [TRIAL].

STOCKS, MICHAEL, DEFENDANT.

An Authentic Report Of The Trial Of Michael Stocks, Esq. For Wilful And Corrupt Perjury, At The Yorkshire Lent Assizes, 1815. Before The Honourable Sir Alexander Thompson, Knt. Chief Baron Of His Majesty's Exchequer, And A Special Jury.

Huddersfield: Sold by the Principal Booksellers in London; And the Booksellers of York, Leeds, Bradford, Huddersfield, Halifax, Sheffield, Wakefield, Rochdale, Manchester, &c., 1815. 116 pp. Octavo (8-1/4"x 5-1/4").

Stab-stitched pamphlet bound into nineteenth-century unlettered pebbled cloth. Light rubbing to extremities with light wear to spine ends, corners bumped, minor spotting to boards. Light toning to text, finger smudges and light foxing to a few leaves. A very good copy.

\$500.

FIRST EDITION, second issue (with the errata all corrected). Stocks was accused of stealing and selling 10,000 tons of coal from mines in Northowram, in the West-Riding of Yorkshire, he owned in partnership with two other men. Stocks was not convicted. The trial details the contractual history of the partnership, such contentious matters as the exact legal boundaries of neighboring mines and coal-pits and the nature of written and verbal agreements. This appears to be an unrecorded issue. OCLC locates no copies of this imprint.

SENSATIONAL 1825 MURDER TRIAL IN BUFFALO, N.Y.

117. [TRIAL].
THAYER BROTHERS.

The Life, Trial, Condemnation and Dying Address, Of the Three Thayers! Who Were Executed for the Murder of John Love, At Buffalo, N.Y. June 17th, 1825.

Buffalo: Printed for the Publisher, [1825]. 15 pp. Octavo (8-1/2"x 5-1/4").

Stab-stitched pamphlet with printed wrappers, untrimmed edges, large woodcut of three coffins to front. Light browning and light foxing, wrappers detached and moderately edgeworn, small wear hole to center of front, a few tears mended with archival tape, small recent owner bookplate to verso of front wrapper. **SOLD**

THE THAYER BROTHERS were convicted in two separate trials for the robbery and murder of their boarder. They were executed together by hanging on June 17, 1825. A sensational event, it was the subject of several pamphlets. Sabin says this was the first hanging to take place in Erie County, New York. In this edition the dying address is followed by an account of the trial and execution in verse. This imprint, which is listed in Cohen, is a variant of a copy in McDade, which has an image of a single coffin. See McDade 972. Cohen 13089.

NOT IN MCDADE

118. [TRIAL].
TIRRELL, ALBERT J., DEFENDANT.

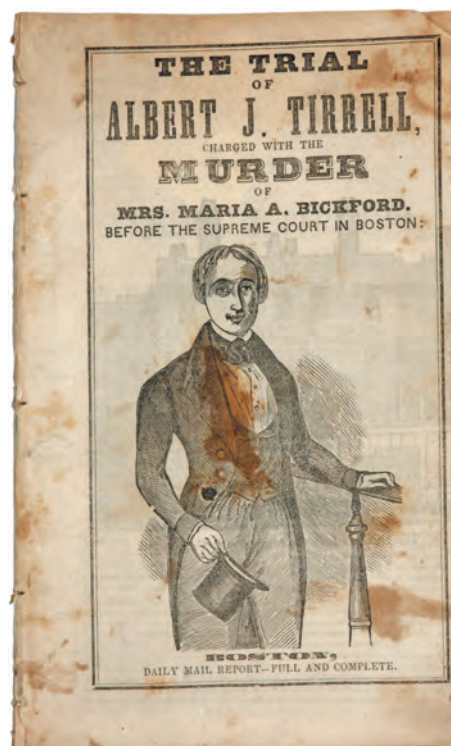
The Trial of Albert J. Tirrell, Charged with the Murder of Mrs. Maria A. Bickford. Before the Supreme Court in Boston.

Boston: Daily Mail Report-Full and Complete, [1846]. 37 pp. Text in parallel columns. Portraits. Illustrations. Octavo (8-1/2"x 5-1/4").

Disbound stab-stitched pamphlet in pictorial wrappers, rear wrapper lacking. Portrait of Tirrell on front wrapper, depiction of crime scene to verso; portrait of Bickford on p.37. Light soiling, small chip to upper corner of front wrapper, moderate toning, light foxing to a few leaves.

\$650.

ONLY EDITION. "The murder of a harlot seems to lend a special interest to a case which is measurable by the many publications which ensue. (...) the Tirrell case is one of the triumphs of Rufus Choate, who convinced the jury that his client did not cut the throat of Mrs. Bickford, or, if he did, he did it in his sleep. The defense of somnambulism by Choate might well join that other classic of defense put forth by Delphin Michael Delmas, who as counsel for Harry K. Thaw pleaded 'dementia Americana'" (McDade). Our 37-page account is not among the 8 accounts in McDade, which lists a similar account with 32 pages. OCLC locates 11 copies, 3 in law libraries, (Harvard, University of Missouri, Yale). McDade, note to 986.



TRIAL NOTABLE FOR "DR. WINSLOW'S ANALYSIS OF THE CONVICT'S MIND"

119. [TRIAL].

TOWNLEY, GEORGE VICTOR [B. 1838], DEFENDANT.

The Trial and Respite of George Victor Townley for Wilful Murder. With Original Documents and Correspondence Now First Published; Dr. Winslow's Analysis of the Convict's Mind, Portraits, Autographs and Plan.

Derby: W. Bemrose & Sons, [1864]. [iii], 6-70 pp. Portraits. Plan. Octavo (7-1/4"x 4-3/4").

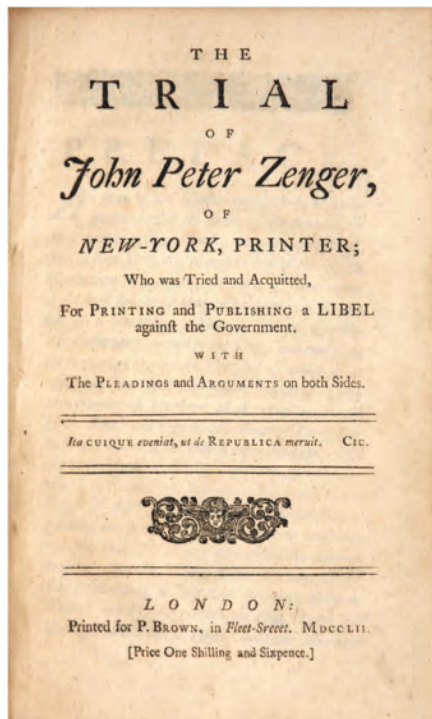
Stab-stitched pamphlet in printed wrappers. Negligible light soiling to exterior, early owner signature (St. John Crookes/ Sunderland/ 1864) to head of front wrapper, moderate toning to text, slightly heavier in places.

\$950.

ONLY EDITION. In 1863 Townley murdered his girlfriend, Elizabeth Goodwin, after she broke off her engagement to him. An expert witness at Townley's trial was Dr. Forbes Winslow, one of the founders of forensic psychiatry and the author of *The Plea of Insanity, In Criminal Cases* (1843). Despite Winslow's testimony, Townsend was found guilty and sentenced to death. He was granted a reprieve, however, after evidence was produced confirming hereditary insanity and a history of delusional behavior. Public outrage over the reprieve led to a second committee investigation, which judged him to be sane. Our account includes memorials from the public and the committee's report, along with Winslow's account of a visit with Townley in prison. Townley was later transferred to an asylum, where he committed suicide. The portraits are of Townley and Goodwin; the plan shows the scene of the crime. OCLC locates 11 copies in North American law libraries. HLC II:1210.



THE FIRST MAJOR VICTORY FOR FREEDOM OF THE PRESS IN AMERICA



120. [TRIAL].

ZENGER, JOHN PETER [1697-1746], DEFENDANT.

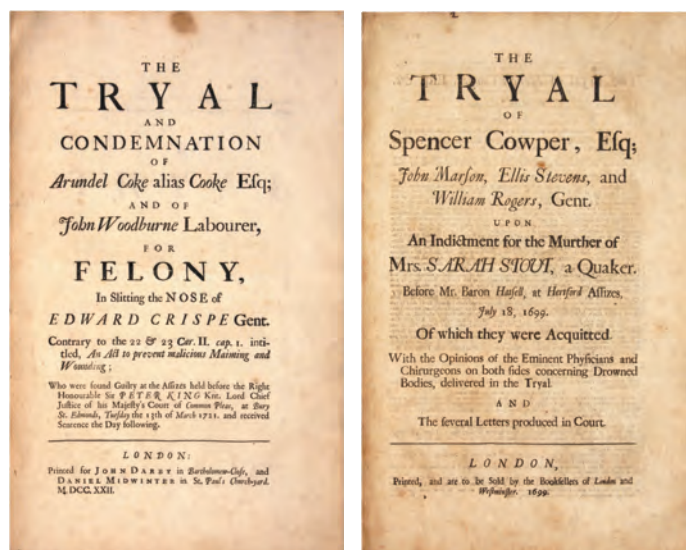
The Trial of John Peter Zenger, Of New-York, Printer; Who was Tried and Acquitted, For Printing and Publishing a Libel Against the Government, With the Pleadings and Arguments of Both Sides.

London: Printed for P. Brown, 1752. [iv], 74, [2] pp. Octavo (7-3/4"x 4-3/4").

Stab-stitched pamphlet bound into recent quarter calf over marbled boards, gilt title to spine, endleaves added. Light rubbing to extremities, light toning to text, light foxing in a few places. A handsome copy.

\$1,750.

LONDON REISSUE of an account first published in New York in 1736 as *A Brief Narrative of the Case and Trial of John Peter Zenger*, which was probably written by James Alexander, the co-founder and main editorial voice of Zenger's newspaper, the *New-York Weekly Journal*. Zenger was tried for seditious libel for publishing satirical comments about the governor of New York in his newspaper. Defended by the brilliant Philadelphia lawyer Andrew Hamilton, his 1735 acquittal is generally regarded as the first major victory for freedom of the press in the American colonies and a precedent for the First Amendment of the U.S. Constitution. McCoy Z8. ESTC T877.



SCARCE ENGLISH TRIALS CONCERNING A BOTCHED MURDER ATTEMPT
AND THE MURDER OF A QUAKER WOMAN

121. [TRIAL].

COKE, ARUNDEL [D. 1722], DEFENDANT.

WOODBURNE, JOHN, [D. 1722], DEFENDANT.

The Tryal and Condemnation of Arundel Coke Alias Cooke Esq; And of John Woodburne Labourer, For Felony, in Slitting the Nose of Edward Crispe Gent. Contrary to the 22 & 23 Car. II. Cap. I. Intitled, An Act to Prevent Malicious Maiming and Wounding; Who Were found Guilty at the Assizes Held Before the Right Honourable Sir Peter King Knt. Lord Chief Justice of his Majesty's Court of Common Pleas, At Bury St. Edmunds, Tuesday the 13th of March 1721. And Received Sentence the Day Following.

London: Printed for John Darby in Bartholomew-Close, And Daniel Midwinter in St. Paul's Church-Yard, 1722. 16, *17-*18, 17-37, [1] pp. With an initial imprimatur leaf; text is continuous (and complete).

[BOUND WITH]

COWPER, SPENCER [1669-1728], PRINCIPAL DEFENDANT.

The Tryal of Spencer Cowper, Esq; John Marson, Ellis Stevens, And William Rogers, Gent. Upon an Indictment for the Murther of Mrs. Sarah Stout, A Quaker. Before Mr. Baron Hatsell, At Hertford Assizes, July 18, 1699. Of Which They Were Acquitted. With the Opinions of the Eminent Physicians and Chirurgeons on Both Sides Concerning Drowned Bodies, Delivered in the Tryal. And the Several Letters Produced in Court.

London: Printed and Are to be Sold by the Booksellers of London and Westminster, 1699. 38 pp.

Folio (12-1/2" x 8"). Contemporary marbled boards with recent period-style re-backing, raised bands and lettering piece to spine, endpapers retained, hinges repaired. Moderate rubbing and scuffing to boards, corners bumped and somewhat worn, early armorial bookplate to front pastedown, tiny wormhole through bottom margin of text block. Moderate toning, somewhat heavier in places, some leaves have light foxing or stains. Early owner annotation to front free endpaper, interior otherwise clean. Two scarce trials in a handsome binding. \$1,750.

COKE: FIRST EDITION; Cowper: only edition, one of three issues from 1699. Coke, a barrister, lost his money in the South Sea Bubble. He hired Woodburn to kill his brother-in-law, Edward Crisp, aiming to inherit his money. In his failed murder attempt Woodburn managed to cut Edward Crisp's nose. This led to the first convictions under the Coventry Act, which outlawed assault with the intention to maim or mutilate. Both men were convicted and hanged. Spencer Cowper, a judge, was indicted for the murder of Sarah Stout. He was at her house late on the evening before she was found drowned in a river. Cowper's alleged motivations were a desire to end an illicit love affair and avoid payment of a debt. Cowper's lawyers argued that Stout's parents wanted to hide the fact that their daughter committed a suicide, a heinous act among Quakers. The defence also suggested a political motivation: a desire by local Tories to harm the career of a rising Whig. Cowper had been at the woman's house late on the evening before she was found drowned in the river, but there was little material evidence against him. Also, his lawyers benefited from expert medical testimony from three leading physicians, Samuel Garth, Hans Sloane and William Cowper. He was acquitted. The trial attracted a good deal of attention and generated several pamphlets, including post-verdict pamphlets that attempted unsuccessfully to reopen the case. *The Tryal of Spencer Cowper* is one of the standard accounts of the trial. ESTC T136036, R219713.

1721 COMPILATION OF LAWS CONCERNING RELIGION AND EDUCATION IN THE ENGLISH COLONIES IN AMERICA

122. TROTT, NICHOLAS [1663-1740].

The Laws of the British Plantations in America, Relating to the Church and the Clergy, Religion and Learning. Collected in One Volume.

London: Printed for B. Cowse, 1721. [iv], ix, [13], 435, [1] pp. Folio (14-1/2"x 9-1/4").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, speckled edges, endpapers renewed. Title page printed in red and black, title and text printed within ruled borders, woodcut head-pieces, tail-pieces and initial letters. Moderate toning to text, light foxing in a few places, repairs to clean tears to two leaves, upper corner of title page repaired. \$3,500.

FIRST EDITION. Trott was a judge, legal scholar and biblical scholar. Born into a prosperous commercial family with ties to Bermuda and the Bahamas, he spent most of his professional life in America. He was chief justice of South Carolina from 1703 until 1719. In 1718 he became famous as the judge who tried the pirate Stede Bonnet. His keen interest in the promotion of religion and education is reflected in his compilation of colonial laws on those topics. It covers South and North Carolina, Virginia, Maryland, Pennsylvania, New Jersey, New York, the New England states, Bermuda and Britain's Caribbean possessions: Barbados, Antigua, Nevis, Montserrat and St. Christopher. The preface includes a bibliography. A second edition was published in 1725. Both are quite scarce in commerce; the last two auctions records, both of first editions, are from 2014 and 1962. OCLC locates 7 copies of the first edition in North American law libraries (Columbia, Harvard, Library of Congress, New England Law School, UC-Berkeley, University of Michigan, University of Minnesota). ESTC T78926.



N° 123

LEARNED STUDY OF ROMAN AND DUTCH AGRICULTURAL LAW

123. TROTZ, CHRISTIAN HEN[DRIK] [1703?-1773].

Jus Agrarium Foederati Belgii.

Franecker: n.p., 1751-1754. Three volumes. Printed on very wide-margined paper. Quarto (10"x 8").

Contemporary vellum, early hand-lettered titles to spines. Light soiling to boards, somewhat heavier soiling to spines, extremities lightly bumped with minor wear, vellum just beginning to crack through pastedowns of Volumes II and III, recent bookseller (or auction) description pasted to front pastedown of Volume I. Woodcut title page devices, head-pieces, tail-pieces and decorated initials. Later bookplate to front pastedown of Volume I. Some toning, light foxing and browning in places. Stuck-through early owner signatures to front endleaves of Volumes II and III, interiors otherwise clean. \$750.

ONLY EDITION. Still an important historical work on agricultural law and the law concerning dikes and watercourses, it examines Dutch law in Volumes I and II (1751, 1754). The final volume, which is titled *Jus Agrarium Romanum* (1753), examines Roman law. This study is based on a series of public debates (*disputationes*) he sponsored at the University of Franecker, where he was a professor of law. Born in Germany and educated at the universities of Halle, Leipzig, Marburg and Utrecht, Trotz was an important scholar of public and constitutional law. A prolific author, *Jus Agrarium* is his most important work. OCLC locates 3 copies in North American law libraries (Harvard, UC-Berkeley, Yale). We located another copy at the Library of Congress. Dekkers 172.

TUCKER'S *NOTES ON BLACKSTONE'S COMMENTARIES*
WITH EXTENSIVE MARGINALIA BY ONE OF TUCKER'S STUDENTS

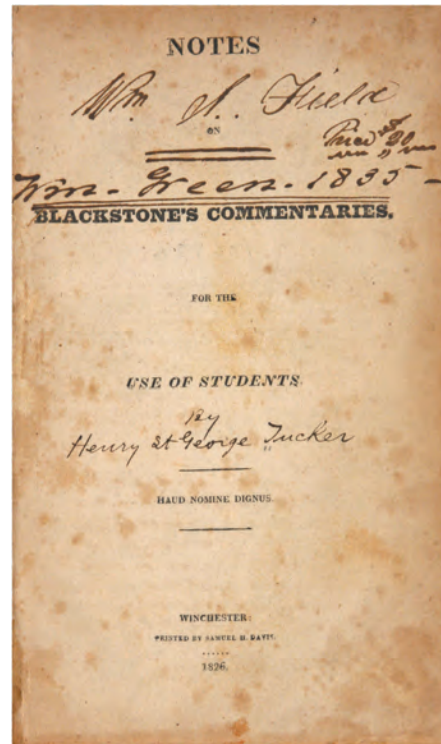
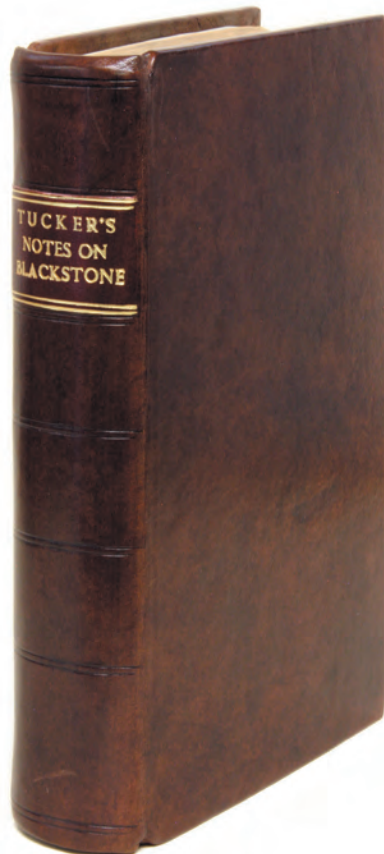
124. [TUCKER, HENRY ST. GEORGE (1780-1848)].

Notes on Blackstone's Commentaries for the Use of Students.

Winchester [Virginia]: Printed by Samuel H. Davis, 1826. iv, [7]-14, 2, 426 (i.e. 571) pp. Irregular pagination. Complete copy. Octavo (8-1/2" x 5-1/2").

Recent period-style calf, blind fillets and lettering piece to spine, endpapers renewed. Moderate toning, occasional light foxing, minor edgewear to some leaves. Brief annotations and underlining to most leaves, extensive notes to a few leaves, one bound-in leaf annotated on recto and verso, owner signature of William A. Field in same hand to head of title page, along with another signature and a brief annotation in a third hand identifying Tucker as the author. A unique copy of an uncommon title. \$4,500.

SOLE EDITION. Designated an "unfinished work" in the preface, this book is a series of notes on books I-III of Blackstone's *Commentaries* that "comprised a considerable portion of a course of lectures delivered by the author to a class of law students" (iii) at his Winchester Law School. As Klafter notes, William Field was a student at that school in 1827 to 1828. Most of the annotations are case references and corrections that appear to be based on comments heard in the classroom. The longer annotations explain specific points. The longest of these, on the bound-in leaf, discuss estates. The pagination of *Notes* is irregular and follows that of his father's edition of Blackstone (Philadelphia, 1803). It is cited erroneously in some records as a two-volume work. This assumption is based on a copy bound as two books recorded in Shaw and Shoemaker (entry 26252). Though some copies were re-bound as two books, often with interleaves, the book was actually issued as a single volume. Klafter 172. Cohen 5367. Laeuchli 406.



STATUTES OF VALLADOLID, 1763

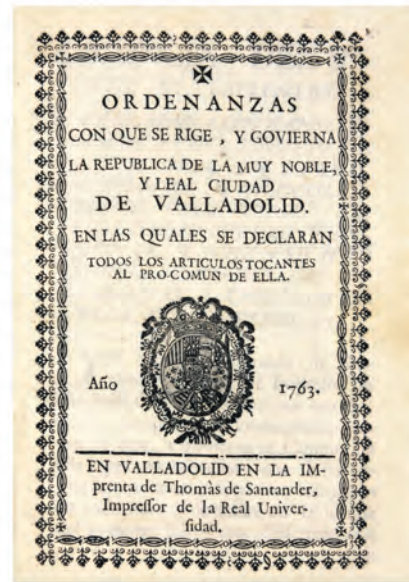
125. [VALLADOLID].
[MOSQUERA DE MOLINA, JUAN, COMPILER].

Ordenanzas con que se Rige y Gobierna la Republica de la Muy Noble y Leal Ciudad de Valladolid, En las Quales se Declaran Todos los Articulos Tocantes al pro Comunde Ella.

Valladolid: Imprenta de Thomas de Santander, 1763. [x], 183, [4] pp. Quarto (8"x 5-1/2").

Contemporary mottled sheep, gilt fillets to boards, raised bands and gilt ornaments to spine, edges rouged. Light rubbing to extremities, corners and spine ends bumped, minor wear along joints. Title printed within woodcut typographical border, large title vignette of the arms of Valladolid. Light offsetting to margins of endleaves, interior notably fresh. Ex-library. Bookplate to front pastedown. A very well-preserved copy. \$1,000.

ONCE THE CAPITOL CITY of the Kingdom of Castile, later of united Spain and briefly of Habsburg Spain, Valladolid remained an important city in eighteenth-century Spain. The 1763 collection of *Ordenanzas* offers an interesting perspective on the city at this time. OCLC locates 5 copies worldwide and 1 copy in a North American law library (Harvard). *Bibliografia de Autores Espanoles* 2:1498.

TWO GREAT JURISTS ANALYZE EXCERPTS FROM THE *CORPUS JURIS CIVILIS*

126. VAN LEEUWEN, SIMON
[1626-1682].
VINNIUS, ARNOLDUS [1588-1657].

De Origine & Progressu Juris Civilis Romani, Authores & Fragmenta Veterum Jurisconsultorum, Cum Notis Arn. Vinnii, & Variorum. Que Hisce Continentur Sequens Docebit Pagina.

Leiden: Apud Arnoldum Doude, 1672. [xvi], 850, [10] pp. Main title page preceded by copperplate pictorial title page. Octavo (6-1/2"x 4-1/4").

Contemporary vellum, early hand-lettered title to spine, large gilt arms of Arnhem to boards. Light soiling, chip to head of spine, upper corners bumped and somewhat worn, front endleaves lacking. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown, stamps to top edge, bottom edge and rear endleaves. A nice copy. \$500.



SECOND EDITION. Two of the greatest Dutch jurists of their day, Van Leeuwen and Vinnius were perhaps the most widely read Dutch jurists during the late-seventeenth and eighteenth century. *De Origine* is a collection of annotated excerpts from the *Corpus Juris Civilis* and essays. The first essay, "De Origine Juris" is by Vinnius. Van Leeuwen compiled the excerpts and wrote two of the essay. Both authors provide annotations and cite additional annotations from other authors. It was first published in 1671, its third and final edition in 1762. Dekkers 99.

SEVENTEENTH-CENTURY VENETIAN LEGISLATION CONCERNING BANDITS

127. [VENICE, REPUBLIC OF].
CONSIGLIO DEI DIECI.

Parte Presa Nell'Eccelso Consiglio di X. 1613. A' 16. Luglio. In Materia di Banditi.

[Venice]: Stampata in Calle dalle Rasse, Per il Rampazetto Stampator Ducale, 1613. [24] pp. Quarto (7-3/4"x 5-1/2").

Stab-stitched pamphlet in recent plain wrappers. A few creases and some edgewear to wrappers. Large woodcut image of Lady Justice to title page. Light to moderate toning, faints stains to a few leaves, "745" in small early hand to upper corner of title page. \$750.

WITH SIDE-NOTES. A compilation of 22 legislative acts concerning bandits in force in 1613 enacted by the Council of Ten, a powerful unit of the Venetian government concerned with the republic's security. Most of these concern gangs of highway robbers (brigands). OCLC locates 4 copies, 2 in North America (University of Michigan, Yale Law School). Goldsmiths'-Kress 428. **See rear cover.**

COMMENTARIES ON PASSAGES FROM THE DIGEST
CONCERNING ACCUSATIONS AND ADULTERY

128. VOLTZ, VALENTIN [1534-1581].
BURCHARD, GEORG ADELBERT, NOTES.
SCHUTZ, JAKOB, EDITOR.

I. De Inquisitione: Sive ad L. 2. [Paragraph Symbol]. Si Publico Iudicio. 5. ff. Ad L. Jul. De Adult. II. In Tit. Digest. Ad Leg. Cornel. De Sicar. &c. Uterque Notis hinc Inde Illustratus: Per Georgium Adelbertum Burchardum. Nunc cum Notis Uberioribus, Summariis, & Indice in Lucem Editus, Cura ac Studio Jacobi Schytzii.

Tubingen: Typis Johan-Alexandri Cellii, 1620. [xxiv], 916, [52] pp. Octavo (6-1/4"x 3-1/4").

Contemporary binding with lapped edges using vellum from choirbook. Light soiling, some rubbing to extremities, a few small chips to front joint and fore-edges, minor worming to joints. Some toning to text. Early inscription to title page in small hand, indicating ownership by a \$1,500.

monastery, interior otherwise clean. Ex-library. Shelf labels to spine, bookplate to front pastedown, small inkstamp to title page.

ONLY EDITION. Based on his dissertation *Disputatio de Inquisitione*, University of Tübingen, 1576, this work analyzes passages from two titles in Book 48 of Justinian's *Digest* concerning adultery and accusations. OCLC locates 1 copy in North America (at Princeton University). VD17 1:011535Z.



PORTRAIT OF A PROMINENT PHILADELPHIA LAWYER-POLITICIAN
BY A NOTABLE FEMALE ARTIST

129. WAUGH, IDA [1846-1919].
[HALY, WILLIAM WORTHINGTON (1805-1851)].

[Portrait of William Worthington Haly].

Philadelphia, n.d. 30"x 25"(image size), signed "Ida Waugh, 1889" in lower right corner. \$5,000.

Oil on canvas in ornate nineteenth-century gilded wood frame, plaque reading "William Worthington Haly/ Obt. Decem. 26th 1851/ Ida Waugh Pinxt/ The Law Association of Philadelphia" to head of frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$5,000.

BORN IN IRELAND, Haly was a prominent lawyer who represented Philadelphia in the Pennsylvania House of Representatives for two years. He is best known as the co-author with Francis Troubat of *The Practice in Civil Actions and Proceedings in the Supreme Court of Pennsylvania and in the District Court and Court of Common Pleas for the City and County of Philadelphia and also in the Courts of the United States* (1837). One of the first professional female artists in America to enjoy international acclaim, and a lifelong Philadelphian, Waugh was a classically trained artist known primarily as an illustrator of children's literature. This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.

TWO INTRODUCTORY WORKS
BY AN IMPORTANT SIXTEENTH-CENTURY HUMANIST JURIST



130. WESENBECK, MATTAÆUS [1531-1586].

Exempla Iurisprudentiae.

Leipzig: [Georgius Defnerus Imprimebat], 1585. [xvi], 240 pp.

[BOUND WITH]
WESENBECK, MATTAÆUS.

Prolegomena Iurisprudentiae: De Finibus & Ratione Studiorum Librisq[ue] Iuris.

Leipzig: Imprimebat Georgius Defnerus, 1584. [viii], 167, [1] pp.

Octavo (6"x 3-3/4"). Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Light soiling and rubbing to extremities, pastedowns excised, minor worming in a few places (with no loss to legibility). Light browning to text. Early owner annotation to front endleaf, his signature to foot of title page, internally clean. \$1,250.

EXEMPLA: THIRD AND FINAL EDITION; *Prolegomena*: only edition (as an independent work). Wesenbeck, a leading Belgian humanist jurist who taught at the Universities of Jena and Wittenberg, was a distinguished and prolific scholar of Roman law with a pan-European reputation. A posthumous eight-volume collection of his consilia was published from 1611 to 1624. Our volume collects two books on jurisprudence for students. *Exempla*, a volume of legal points, was first published in 1573. *Prolegomena*, an introductory work on the law, was originally a section of the 1566 edition of *Paratitla in Pandectas Iuris Civilis*. Both titles are scarce. VD16 W2138, W2146.

IMPORTANT COMMENTARY ON THE *DIGEST*



131. WESENBECK, MATTAÆUS.

In Pandectas Iuris Civilis et Codicis Iustiniani Lib. IIX. [sic] Commentarii: Hi Quidem Nunquam Antea Editi: Illi sub Paratitlorum Nomine Iam Saepius, Ob Diligentem Recognitionem et Insignem Accessionem Novis Similes Prodeunt. Cum Indice Gemino.

Basel: Per Eusebium Episcopium, et Nicolai Fr. Haeredes, 1579. [viii], 386.

[24]; 82, [8] pp. Two parts, each with title page and individual pagination. Folio (13-1/2"x 9").

Contemporary limp vellum ties, early hand-lettered title to spine, ties lacking. Light soiling and rubbing to extremities, early repair to fore-edge of rear board, minor wear to corners. Large woodcut printer devices to title pages and final leaf of Part I, a few woodcut decorated initials. Light toning to text, a bit heavier in places, spotting and minor worming to a few leaves. Early owner signature to head of title page, annotations and underlining in similar hand to a few passages, interior otherwise clean. Ex-library. Bookplate to front pastedown. A handsome copy. \$850.

FIFTH EDITION. Also known as the *Paratitla in Pandectas*, this is an important section-by-section commentary on the *Digest* and Code of the *Corpus Iuris Civilis*. A popular and influential study, it went through 34 editions in the Netherlands, Germany, Switzerland and France. The first edition was published in 1563, the last in 1669. Dekkers 188.

CLASSIC TREATISE ON THE MARITIME LAW OF AVERAGE

132. WEYTSSEN, QUINTYN (QUINTIJN)
[1518-1565].
VAN LEEUWEN, SIMON [1625/6-1682], NOTES.
WICQ, MATTHAEUS DE, TRANSLATOR
AND EDITOR.

**Tractatus de Avariis: Id est, Communi
Contributione Mercium Rerumque in Navi
Repertarum ad Sarcendum Damnum Bonis
Mercatorum Sive Nautarum Quorundam Ultro
Illatum Eum in Finem ut Vita, Navis, ac Reliqua
Bona Salva Evadant. Compositus per Quintinum
Weitsen, Quondam Regiae Majestatis in Curia
Hollandiae Consiliarium. Denuo Perlustratus,
Atque Allegatione Legum, Jureconsultorum,
Edictorum, Placitorum, Ordinationum,
Statutorum, etc.**

Amsterdam: Apud Henricum & Theodorum Boom, 1672.
[xvii], 127 [1] pp. Octavo (6"x 4").

Recent marbled boards. Light rubbing to extremities,
minor wear to spine ends. Light toning to text, internally

clean. Ex-library. Bookplate to front pastedown, small
inkstamp and shelfmark to title page, small inkstamps
to a few other leaves. An attractive copy of a scarce
title. **\$750.**

ONLY EDITION IN LATIN, with significant
additions. The Roman maritime law of average, which
requires all parties involved in a shipping enterprise to
share the cost of sacrificing some goods in order to save
others, is a principle that still applies in most countries.
This classic treatise was written in the sixteenth century,
but first published in 1617 in Dutch. It went through
eleven more Dutch-language editions, the final in 1736.
A French-language edition was published in 1703. The
Latin edition incorporates the notes and observations of
Simon van Leeuwen, which were added to later Dutch
editions, and additional commentary by Matthaeus de
Vicq. The notes are identified and arranged in double
columns. Educated at the University of Louvain,
Weytsen was a King's Counselor at the Hague during
the mid-sixteenth century. OCLC locates no copies
of this edition, and few copies of any other, in North
America. Dekkers 190.

PROVIDING THE FINANCING FOR A SACRED INSTITUTION

**133. YORK, PA, MARRIAGE MUTUAL
AID ASSOCIATION.**

Charter Perpetual.

York, PA: Throne's Job Printing House, c. 1880. Single
sheet folded to form 8 pages, 6-1/4"x 2-2/4."

A few minor chips to edges, otherwise fine. **\$150.**

OPEN TO MEN AND WOMEN, this organization
worked to encourage successful marriages by helping
members to raise the money necessary to establish
a married life on a sound financial footing. This
organization viewed marriage as both a civil and a
Divine institution.

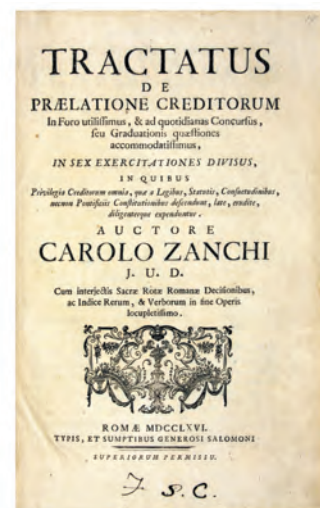
SCARCE ITALIAN TREATISE ON DEBTOR AND CREDITOR

134. ZANCHI, CARLO [FL. 1770].

**Tractatus de Praelatione Creditorum in Foro
Utilissimus, & ad Quotidianas Concursus, Seu
Graduationis Quaestiones Accommodatissimus, in Sex
Exercitationes Divisus, In Quibus Privilegia Creditorum
Omnia, Quae a Legibus, Statutis, Consuetudinibus,
Necnon Pontificiis Constitutionibus Descendunt, Late,
Erudite, Diligenterque Expenduntur.**

Rome: Typis, Et Sumptibus Generosi Salomoni, 1766. viii, 628 pp.
Main text in parallel columns. Folio (12-3/4"x 9").

Contemporary vellum with later rebacking, gilt-title to
spine, endpapers renewed, speckled edges. Light rubbing
to extremities, a few minor stains to boards, spine ends and
corners bumped, gilding oxidized or worn away. Light toning
to text, light foxing in places. Early owner initials to foot of title
page, interior otherwise clean. Ex-library. Bookplate to front
pastedown. An appealing copy. **\$1,250.**



FIRST EDITION. A second edition of this notable treatise on debtor and creditor, with an emphasis on insolvency and
the priority of claims and liens, was published in 1839. Both are scarce. OCLC locates 3 copies of the first edition in law
libraries (Columbia, Harvard, UC-Berkeley), 3 copies of the second (Columbia, Harvard, Yale). Not in Roberts or the BMC.

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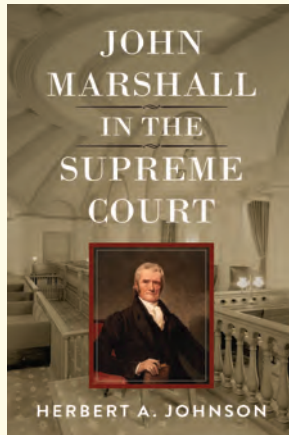
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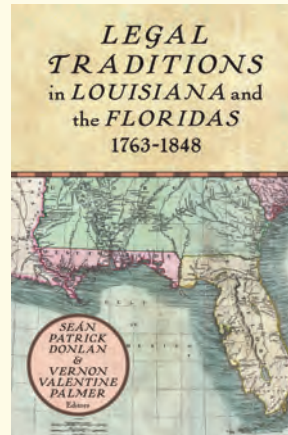
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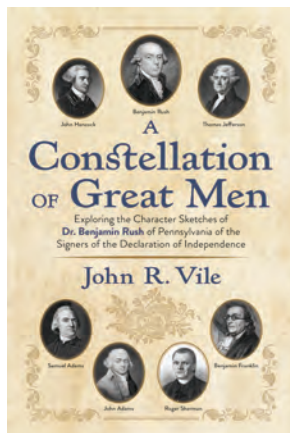
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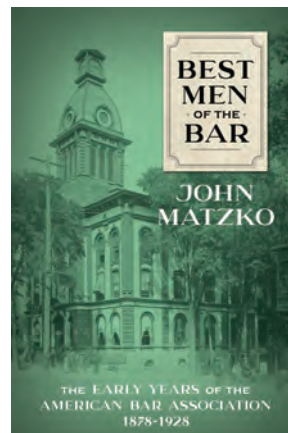
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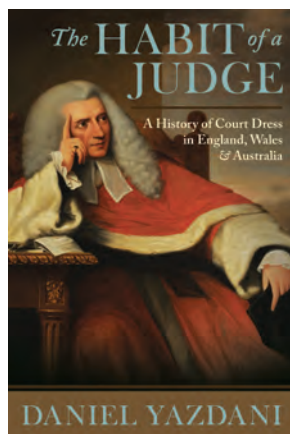
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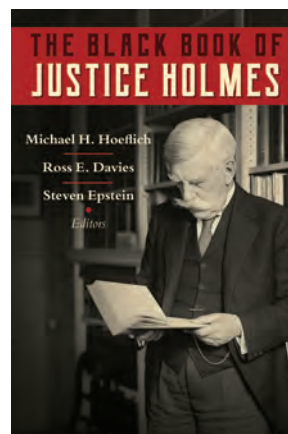
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