30 Antiquarian Items

Canon, Civil, Common & Roman Law

January 16, 2018

THE LAWBOOK EXCHANGE LTD.
1. Bacon, Matthew [fl. 1730].  
[Sayer, Joseph (f. 1750)].  
[Ruffhead, Owen (1723-1769)].  
A New Abridgment of the Law. By a Gentleman of the Middle Temple.  
[London]: Printed by E. and R. Nutt, And R. Gosling, [and other printers], 1736, 1736, 1740; 1768, 1770. Five volumes. Complete set. Folio (13-1/2" x 8-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands, lettering pieces and blind volume numbers to spines, joints and spine heads of Volumes I-III discreetly reinforced. Light rubbing to spines, moderate rubbing to extremities with wear to spine ends and heads of Volumes IV and V, corners bumped and somewhat worn, some scuffs and scratches to boards, front joints of Volumes IV and V starting, hinges of all volumes starting or cracked. Light foxing to endleaves, light toning to texts, slight heavier in places, occasional faint dampspotting to Volume IV. A handsome set in matching bindings. $1,950.
Volumes I-III: first edition; Volumes IV-V: third edition. Bacon’s *Abridgment* is a digest of cases and treatises written by Sir Jeffrey Gilbert. In frequent use by practitioners in Great Britain and the United States into the early nineteenth century, it went through several editions. Its comprehensiveness and, still more, the logical system of subdivisions employed within each title, was a significant improvement over previous compendia of its kind. This made it, according to Marvin’s *Legal Bibliography*, "quite a law library in itself" (85). The *Abridgment* was compiled and edited by Bacon. However, he died after he completed the entry for "Sheriff" and the rest of the work was produced editors by Sayer and Ruffhead. *English Short-Title Catalogue* T145688, N5624.  

Scarce Scottish Treatise on Election Law

2. Bell, Robert [d. 1816].


Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Toning to text, internally clean. A handsome copy. $350.

* Only edition. With side-notes. This treatise is notable because it reflects contemporary debates about the extension of suffrage. An important figure in the history of Scots law, Bell was an advocate and professor of conveyancing to the Society of Writers to the Signet. He is known today as the author of *The Dictionary of the Law of Scotland* (1807) and several other treatises on Scots law, especially leases and conveyancing. OCLC locates 4 copies, 3 in North America (at Thomas Fisher Rare Book Library, Ontario, Cornell University and Georgetown University Law Library), COPAC locates 3. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 5:11.  

Tel: (800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887 | law@lawbookexchange.com | www.lawbookexchange.com
3. Bonacina, Martino [1585-1631].


Contemporary vellum, speckled edges. Some soiling and a few minor stains, a few tiny worm holes, small chip to upper corner of rear board, front hinge cracked but secure, rear hinge starting, minor worming to pastedowns. Large woodcut device to title page, woodcut head-pieces, tail-pieces and decorated initials. Edges trimmed with negligible loss to text in first and final gatherings. Toning, faint dampspotting and stains in a few places, internally clean. $650.

* Final edition. Bonacina was one of the foremost moralists of his age and an influential church official. A fine introduction to his work on law and theology, _Tractatus Tres_ was first published in 1622. Other editions followed in 1627, 1625 and 1629. As its subtitle indicates, the first of the three _tractati_ discusses the jurisprudence of canon law. The other sections discuss sin and the Ten Commandments from the viewpoints of law and theology. No copies of this edition located on OCLC, which locates 1 copy of a 1625 edition at St. Bonaventure University. Not in the British Museum Catalogue. _Order This Item_
Notable Treatise by a Notable Belgian Canonist and Cleric


Contemporary unlettered vellum. Rubbing to extremities, chip to lower corner of front board, other corners and spine ends bumped, soiling to spine, a few faint stains, boards somewhat bowed, vellum beginning to crack through pastedowns. Attractive woodcut head-pieces, tail-pieces and decorated initials. Light browning, faint dampstaining to a few leaves, some wear to edges of preliminaries and rear endleaves. Later armorial bookplate (of Leon Lahaye) to front pastedown. Early annotations to head of front free endpaper and foot of title page, interior otherwise clean. $950.

* Second edition. Surlet was an important theologian, canon lawyer, and canon of Liège Cathedral. He went on to become Vicar-General of that city. Scholia is a treatise dealing with petitions, appeals and requests according to canon law and secular law of Liège. The first edition was published in 1621, the third and final edition in 1674. Our 1658 imprint was printed by a woman, "The Widow of Leonard Streel." Not in Dekkers or the British Museum Catalogue. This edition not in Camus. Schulte, Die Geschichte der Quellen und Literatur der Canonischen Rechts I:694. Order This Item
5. Coke, Sir Edward [1552-1643].

Recent period-style speckled calf, blind rules and fillets to boards, raised bands and lettering piece to spine, endpapers renewed. Moderate toning to text, light edgewear to folding table, light soiling to title page, a few brief early (and recent) annotations to endleaves, a few doodles in miniscule hand and a tiny stain to margins of frontispiece. A nice copy in a handsome binding. $750.

* Seventh edition. Coke's Institutes, which eventually comprised four volumes, are thought to be the first textbooks on the modern common law. Taken together, they are a virtual legal encyclopedia of the law as it stood in Coke's lifetime. The first Institutes, better known as Coke on Littleton, contains the text of Sir Thomas Littleton's Tenures with extensive commentary. First published in 1628, it was a standard work for decades and was often used as a textbook. "If Bracton first began the codification of the common law, it was Coke who completed it... In the Institutes (...) the tradition of the common law from Bracton to Littleton, whose name Coke's Commentary made famous, firmly established itself as the basis of the constitution of the Realm.": Printing and the Mind of Man 126. English Short-Title Catalogue R33309, R34822 (Table). Order This Item
Early Edition of Coke's Second Institutes: Includes Coke's Landmark Commentary on Magna Carta


Contemporary paneled calf, raised bands to spine, early repairs to front board, later repair to foot of spine. A few minor nicks and scuffs to boards, moderate rubbing to extremities, a few minor chips to board edges, corners bumped, hinges mended. Light toning to text, occasional (very) faint dampstaining to lower margins, edgewear and light soiling to title page. A handsome copy. $850.

* Second edition. The Second Part of the Institutes, an exposition of "many ancient and other statutes" including Magna Carta, was published by order of the House of Commons after the author's death. It is a landmark work because it offered a novel interpretation of Magna Carta. Reflecting contemporary struggles between the king and Parliament, Coke presented the charter as the ancient constitution of England, one that established the fundamental rights of Englishmen and placed royal power under the laws of the land. Perhaps the most famous section is Coke's commentary on the 29th chapter, in which he traced the origins of trial by jury and the right of habeas corpus. English Short-Title Catalogue R30266. Order This Item
Early Editions of Coke's *Third* and *Fourth Institutes* in a Handsome Contemporary Binding


[Bound with]

Coke, Edward.

*The Fourth Part of the Institutes of the Laws of England; Concerning the Jurisdiction of Courts. With an Alphabetical Table, Not Heretofore Printed.* London: Printed by John Streater, Henry Twyford, Elizabeth Flesher, 1671. [x], 364, [38] pp. Lacking copperplate portrait frontispiece, which is identical to the frontispiece in the *Third Institutes*.

Folio (11-1/4" x 7-1/2"). Contemporary reversed calf, blind rules to boards, raised bands to spine, two small repairs at head. Light rubbing and a few minor nicks and scuffs to boards, slightly heavier rubbing to extremities, corner bumped, a few tiny worm holes and a bit of faint shelf-label residue to spine, pastedowns loose. Title pages printed within ruled borders, woodcut head and tail-pieces. Light toning to text, occasional faint staining to lower margins of each volume, a few leaves have minor tears, early struck-through signature to inner margin of the title page of the *Third Institutes*, with a bit of offsetting to facing margin of frontispiece, upper corner of that title page skillfully replaced with a facsimile, lower portion of final leaf of *Fourth Institutes*, which contains the word Finis between rules, neatly removed. A handsome volume. $1,000.
*Third Institute*: fourth edition; *Fourth Institute*: fifth edition, one of three issues from 1671. "Coke's Third Institutes gives us a Treatise of great learning, and not unworthy the hand that produced it... Having run over all criminal matters, and their legal punishments, he concludes with the nature of pardons and restitutions; showing how far, in each of these, our Kings can process alone, and where they want the assistance and joint power of the Parliaments" (Marvin). The Fourth Part outlines the authority and jurisdictions of the Court of Star-Chamber, Kings Court, Chancery, the Court of Common Pleas, Ecclesiastical Courts, Courts of Exchequer, Augmentations, Admiralty, the Justices Assize, Courts in Universities of Cambridge and Oxford, Court of the Commissioners Upon the Statute of Bankrupts, the Marshalsea, the Stannaries, the Eighteen Courts of the City of London, the Court of Pipowders (concerning Markets and Fairs), the Courts of the Forest Countries, various ecclesiastical courts and many more. *English Short-Title Catalogue* R27899, R235361. Order This Item

A Popular Abridgment of *Coke on Littleton*


Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and recent lettering piece to spine, repair to head of spine. A few minor nicks and scuffs, moderate rubbing to extremities, small chip to head of spine, corners bumped and somewhat worn, rear hinge cracked. Moderate toning to text, somewhat heavier in places, faint dampstaining to a few leaves, owner signature to front free endpaper dated 1757, numerous annotations in identical hand to margins. $950.
Second edition. One of the most popular abridgements of Coke's *First Institutes (Coke on Littleton)* in the eighteenth century, with some eight editions by 1751, as well as a later Dublin edition in 1792 and a London edition in 1822. Most of the annotations are references to cases in the reports of Coke, Rolle and other jurists, the others are brief glosses. Early editions of this work are rare. OCLC locates 3 copies of the second edition at Amherst College, the Huntington Library and the National Library of Scotland. The *ESTC* adds the Free Library of Philadelphia and the William Salt Library. *English Short-Title Catalogue* T163340. Order This Item

Praised by Wallace, Holdsworth and Marvin


*Reports of Cases Adjudged in the Court of King's Bench; From Hilary Term, the 14th of George III, 1774, To Trinity Term, The 18th of George III, 1778, (Both Inclusive).* London: Printed by His Majesty's Law-Printers, 1783. iv, [8], 846, [42] pp. Folio (12-1/2" x 7-3/4").

Recent period-style quarter morocco over marbled boards. gilt-edged raised bands and lettering piece to spine, endpapers renewed. Crack in text block between title page and following leaf, moderate toning to text, light foxing in places, brief early annotations and underlining to a few passages. A handsome copy. $350.

* First edition. Cowper was the reporter of King's Bench and one of the finest reporters of his generation. His reports span the years from 1774 to 1778. Holdsworth, Marvin, and Wallace are among the numerous legal writers who praise the accuracy and value of his work. Holdsworth, *History of English Law* XII:113. Marvin, *Legal Bibliography* 235. Wallace, *The Reporters* 453. *English Short-Title Catalogue* T97755. Order This Item
10. [Dartmouth College Case].

* Trustees of Dartmouth College v. Woodward, 17 U.S. (4 Wheat.) 518 (1819), was a landmark United States Supreme Court case dealing with the application of the Contract Clause of the United States Constitution to private corporations. The case arose when the president of Dartmouth College was deposed by its trustees, leading to the New Hampshire legislature attempting to force the College to become a public institution and thereby place the ability to appoint trustees in the hands of the governor. The Supreme Court upheld the sanctity of the original charter of the College, which pre-dated the creation of the State. The decision settled the nature of public versus private charters and resulted in the rise of the American business corporation" (Wikipedia). Order This Item
An Urgent 1795 Pamphlet
Calling For Stricter Homeland Security

11. [Downes, J., Attributed].

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

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

12. [Erskine, John (1695-1768)].

Contemporary calf, raised bands, gilt ornaments and lettering piece to spine, edges rouged. Some rubbing to boards and extremities, corners bumped and lightly worn, hinges cracked, rear free endpaper lacking, tear to leaf Z1 in second volume carefully repaired. Early armorial bookplate (of Hugh McLean of Ardgour) to front pastedown. Offsetting to endleaves, light toning to text, internally clean. $750.

* First edition. The Dictionary of National Biography says this is a work "of very great importance. (...) [It] was first published in 1754 as a manual for the use of his class, for whom he had hitherto prescribed Sir George Mackenzie's work. It became at once popular. New editions were published under the author's supervision in 1757 and 1764, and after his death it was edited in succession by Gillon, Professor Schank More, Mr. Guthrie Smith, and Mr. William Guthrie. The seventeenth edition was published in 1886 by Professor Macpherson, by whom 'the book has been restored to its original position as the Scots law manual in the metropolitan university'." OCLC locates 9 copies. Not in COPAC. Dictionary of National Biography VI:849. Sweet & Maxwell, A Legal Bibliography of the British Commonwealth 5:40. Order This Item
13. Escobar, Francisco Muñoz de [fl. 1618].

Full contemporary tree calf, gilt spine with lettering piece, marbled endpapers and edges. Some rubbing to extremities, front joint cracked but secure, corners bumped and somewhat worn, front hinge starting. Title page printed in red and black, attractive woodcut printer device, head-pieces and decorated initials. Occasional toning, light foxing in a few places. A nice copy of an uncommon title. $350.

* Later edition of a work first published in 1606. With subject and title indexes. Escobar's treatise deals with financial administration, executors and administrators and criminal law as practiced in Spain. This edition is enhanced by a selection of relevant decisions by the Rota Romana. Little is know about Escobar's life and reputation, but Roberts observes that he was cited often by Roman-Dutch jurists of the eighteenth century. *Ratiociniis* seems to have been a well-respected work; it went through several editions and imprints throughout Europe into the eighteenth century. Roberts, *A South African Legal Bibliography* 115. [Order This Item]
Trial Practice in Canon Law


Contemporary blind-tooled pigskin, early hand-lettered title to spine, early owner monogram black-stamped to front board, 1583 black-stamped to rear, edges rouged. Some soiling, minor wear to spine ends and corners, small scuff to front board, front hinge starting. Toning, faint dampstaining in a few places, chip to p. 254 with minor loss to text, internally clean. $1,950.

* Third edition. With indexes. Gomez was the Bishop of Sarno, Italy. First published in 1540, Commentarii is a treatise on trial practice in canon law. Also a practical work, it describes the rules of practice in detail. All editions are scarce. OCLC locates 3 copies of the 1575 edition in North America (Harvard Law School, Library of Congress, University of Texas). Not in Adams. Palau, Manual del Librero Hispanoamericano 103.620. Order This Item
Jacob's Treatise on Real Property

15. Jacob, Giles [1686-1744].

The Complete Court-Keeper: Or, Land-Steward's Assistant: Containing, First, The Nature of Courts Leet and Courts Baron; With a General Introduction to Every Thing Incident to Them, According to Law and Custom. Secondly, The Manner of Holding Courts Leet, Courts Baron, and Courts of Survey, With the Charge to the Jurors; And the Forms of Entering Those Courts in the Minute Books and in the Court Rolls; With Precedents.... Thirdly, The Manner of Keeping the Court Baron for Trying of Actions; The Nature and Kinds of Actions; And of Pleadings; And Precedents of Declarations and Pleadings.... Fourthly, Precedents of Contracts, Conditions, Covenants, Leases for Life, Leases for Years, Assignments, Mortgages, Surrenders of Such Leases; and Clauses of Copy of Court Roll in Special Cases, sold by the Land Steward. Fifthly, The Power and Authority of the Lord, and of the Steward, and the Privilege of the Tenants, With Variety of Law-Cases and Resolutions Concerning Copyholders.... London: Printed by Henry Lintot, 1741. viii, 522, [22], 16 pp. Includes 16-page publisher catalogue. Octavo (7-3/4" x 5").

Recent period-style quarter calf over marbled, raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Negligible light rubbing to extremities with light wear to corners. Light toning to text, minor stains to a few leaves. Early owner signature to head of title page, brief annotations in later hand to a few leaves. An appealing copy. $300.

* Fourth edition. This comprehensive treatise on landlord and tenant was a standard work for many years. (Its final edition, the eighth, was issued in 1819.) A practical book designed mainly for the use of stewards, it reflects the author's experience with court keeping. Holdsworth includes this title among his list of notable works on land law and speaks well of it. Holdsworth, History of English Law XII: 380-381. English Short-Title Catalogue T136993.

Order This Item
Scarce Treatise by Jacob on Common, Civil and Canon Law

16. Jacob, Giles.

*A Treatise of Laws: Or, A General Introduction to the Common, Civil, and Canon Law. In Three Parts. I. The Common Law of England; Illustrated in Great Variety of Maxims &c. Also the Use of this Law; With References to Statutes, in All Cases. II. Of the Civil Law, intermix'd With the Law of Nations, and Its Use here in England; and a Parallel between the Civil Law and Common Law. III. The Canon Law, and Laws Ecclesiastical; Containing the Authority, and Rights of the English Clergy; Of Patronage and Churches; Courts Ecclesiastical, Trials, &c. The Whole Adapted to the Use of Students, and Practicers of the Law; Students of the Universities; Civilians, Proctors, Ecclesiastics, and All young Gentlemen.*


Contemporary calf, rebacked retaining existing spine with raised bands and lettering piece, blind rules to boards, blind fillets along joints, front hinge mended. A few minor nicks and scuffs to boards, some rubbing to extremities, corners bumped, joints just starting at ends, rear hinge cracked. Moderate toning to text, somewhat heavier in places, brief early annotations to a few passages. A nice copy of a scarce title. $1,500.

* First edition, one of two issues from 1721. This title is unique in Jacob's prolific output because it discusses civil and canon law at length. The mention of "civilians, proctors, clergy, and gentlemen" in the subtitle is significant. Jacob, though certainly interested in boosting sales by attracting the widest audience possible, was an idealist who believed that widespread knowledge of the Law would help create a more just society. Counting both issues, OCLC locates 9 copies in North American law libraries. Jefferson owned a copy of this book: Sowerby, *Catalogue of the Library of Thomas Jefferson*, 1804. *English Short-Title Catalogue* N13977. Order This Item

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Six Scarce Seventeenth-Century Law Dissertations.

17. [Law Dissertations].

Gockel, Ernest.
[Bound with]
Graff, Johannes Georg.
[And]
Less, Georg.
[And]
Munter, Heinrich.
[And]
Scheinemann, David.
Dissertatio Juridica Inauguralis, De Transactione Super Fideicommissio, Inter Personas ad Illud Vocatas; Quam, Auspicio Deo Ter Opt. Maximo; Magnifico, In Hac Illustissima Eberhardina, Ictorum Ordine Gratios Annuent; Praeside Ferdinand-Christophoro Harpprecho... Pro Honoribus Doctoralibus Legitimo Capessendis...Placido Eruditorum Examini. Tubingen: Martin Rommey, 1688. 64 pp.
[And]
Trent, Adolph.
De Locatione et Conductione Disputatio Juridica...Quam Praesidio...Friederici Deckherri...Solenni & Publico Examini Submittit... Strassburg: Apud Josiam Staeedel, 1659. [ii], 37, [l] pp.

Quarto (7" x 6"). Recent marbled boards. Top edges cropped closely with no loss to text. Light toning in places, otherwise fresh. An appealing collection of six rare items. $1,000.

* As indicated by the six items in this sammelband, dissertations, especially by average jurists, are an excellent resource to measure general assumptions of the period and the general state of legal expertise. All of these titles are scarce. Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts 1:004605V (Gockel); 1:012031W (Graff); 14:024534H (Less); 3:688042X (Munter); 12:152993Q (Scheinemann); 1:665338H (Trent). Order This Item
A Restoration-Era Defense of Monarchy
by a Leading Scottish Jurist and Man of Letters


Contemporary sheep, blind rules to boards, blind fillets to spine, speckled edges. A few minor stains, nicks and shallow scuffs to boards, moderate rubbing to extremities, corners bumped and somewhat worn, hinges cracked, front free endpaper lacking. Moderate toning to text, slightly heavier in places, light soiling to title page. $350.

* First London edition, one of two issues from 1684. This book was first published in Edinburgh the same year. Later editions were published in London in 1688 and 1701. One of the leading Scotsmen of the seventeenth century, Mackenzie was a Scottish lawyer, Lord Advocate, legal writer and man of letters, as well as the founder the Advocates Library, which is now the national law library for Scotland. English Short-Title Catalogue R945. Order This Item
Consilia by an Important Paduan Jurist

19. Menochio, Giacomo [1532-1607].

Contemporary limp vellum, early hand-lettered title to spine, ties lacking. Some soiling and rubbing to extremities, vellum beginning to break through pastedowns. Large woodcut printer device to title page, woodcut head-pieces, tail-pieces and decorated initials. Contemporary and later signatures and annotations to preliminaries. Wear to edges of margins at ends of text block, light toning in a few places, interior otherwise fresh. $650.

* Second edition. With index. Highly regarded in his time, Menochio was a professor of law at the University of Padua. Complete in itself, this book is from a three-volume collection of Menochio's writings on Roman and canon law. Volume I was issued in 1575, Volume II in 1577. Expanded editions were published in 1582, 1594, 1605 and 1676. Complete sets of any edition are quite uncommon. Adams, A Catalogue of Books Printed on the Continent of Europe M1269-70. Pazzaglini and Hawks, Consilia M51-53. Order This Item
1646 Study of Laws Concerning the Blind, Mute and Deaf

20. Michalorius, Blasius (Micalori, Biagio).


Contemporary quarter sheep over marbled boards, gilt fillets, ornaments and title to spine. Moderate rubbing with light wear to extremities, a few scuffs to front board, rear hinge starting. Large woodcut printer device to title page, woodcut head-pieces and decorated initials. Womring to preliminaries and first few text leaves, mostly in the margins but with minor loss a few letters. Small stain and early (institutional?) inkstamp to title page, interior clean and bright. $750.

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


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

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

* Second and final edition. Volume II is entitled: *Ordo Judiciorum; Seu Formularium in Negotiis et Litibus in Foro Ecclesiastico-Civili.* Oughton "was a learned man, who spared no pains to produce a book which was scientific, accurate, and historically correct. He consulted public and private muniment rooms, the records of the courts, the Cottonian MSS., and the MSS. in the Harleian library. The result of these labors was a book in two volumes, the first of which describes the practice of the ecclesiastical courts, and the second contains a collection of formularies. After the book had been finished and sent to the printers, the printing office and the MS. was destroyed by fire. But Oughton, being, as he said, 'ardens et tenax,' rewrote it. His diligence and perseverance were rewarded; for it became the accepted authority on the practice of the ecclesiastical courts." Holdsworth, *A History of English Law* XII:616. *English Short-Title Catalogue* T108877. [Order This Item]
The Complicated Question of the Portuguese Succession, 1826-1827

22. [Portugal].
[Bordigne, Comte de].

Original plain publisher wrappers, untrimmed edges. Some edgewear, light rubbing to wraps, moderate wear to spine, binding lightly cocked. Light browning to near top-edges of a few leaves at beginning of text, interior otherwise fresh. $650.

* This is a Spanish translation of Bordigne's Examen de la Constitution de Don Pedre, et des Droits de Don Miguel (1827). Also published as part one of his Legitimite Portugaise (1827), it examines the Portuguese succession in 1826-27. This was a case that raised several questions of legitimacy, constitutionality and nationality. In 1807 Napoleon compelled the Portuguese monarchy to flee to its colony of Brazil, which then became, by decree, the capital of the United Kingdom of Portugal, Brazil, and the Algarve. In 1816 Joao VI returned to Portugal and demoted Brazil to colonial status. His eldest son, Pedro I, remain in Brazil, sided with its independence movement and declared himself emperor when independence was achieved. Pedro ruled Brazil until 1831, then abdicated to return to Portugal to help his daughter achieve the throne. Pedro I of Brazil became King of Portugal as Pedro IV (1826). Since no one wanted to re-establish the union of Portugal and Brazil Pedro abdicated the Portuguese throne in favor of his daughter Maria II da Gloria, then seven years old. Pedro's brother Miguel was to act as Regent and marry Maria when she came of age. Miguel instead proclaimed himself king and repudiated the liberal constitution granted by Joao VI. Maria was forced into exile. Her father Pedro returned from Brazil, and from the Azores waged a successful campaign against Miguel, who was defeated and exiled in 1834. This Spanish edition is not in the British Museum Catalogue, which lists editions in French and Portuguese. OCLC locates 1 copy (at the Catholic University of America). Order This Item

Tel: (800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887 | law@lawbookexchange.com | www.lawbookexchange.com
23. [Rastell, John (d. 1536)].

Contemporary paneled calf, raised bands and recent lettering piece to spine, early repair to head of spine. Light rubbing and a few shallow scuffs, moderate rubbing to extremities, corners bumped and somewhat worn, front hinge cracked. Moderate toning to text, occasional dampspotted, occasional faint dampstaining to margins. $450.

* Later edition. Corrected and greatly enlarged with Law French and an English translation in Parallel columns. This edition was translated by his son, William Rastell [1508?-1565]. First published in 1527, originally composed in French, with a Latin title page, Expositiones Terminorum Legum Anglorumae. The first English law dictionary, it "reflects the common law at the close of the year-book period with much fidelity.": Marvin, Legal Bibliography 599. English Short-Title Catalogue T59645. Order This Item

Paris: Apud Galeotum Pratensem, 1545. [lxiv], 429, [3]; [ii], 166, [2]; [2], 74, [4] pp. Three parts in one volume. Main text in double columns, text of concordat surrounded by linear gloss. Quarto (9-1/2" x 7").

Later mottled sheep, gilt title to spine, speckled edges. Light rubbing to extremities, a few scuffs to boards. Attractive crible initials, large woodcut printer device to verso of final text leaf. Offsetting to margins of endleaves, faint dampstaining, toning to a few sections, internally clean. Ex-library. Location and author label (Rebuffus) to spine, small bookplate to front pastedown, small stamp to foot of spine. An appealing copy. $650.

* Fourth edition. Editorial changes to this edition noted with asterisks. First published in 1532, this work is a commentary by Rebuffi on the Concordat of 1516, which regulated the status of the Catholic Church in France and established guidelines for the nomination of bishops, the interpretation of canon law and other matters. The final part is Rebuffi’s essay *Tractatus de Pacis Possessoribus,* an essay on possession and benefices. Rebuffi was the leading French canonist of the period, an auditor of the Rota Romana and the author of several important works, such as *Praxis Beneficiorum* (1584) and a commentary on *De Verborum et Rerum Significatione* (1576). OCLC locates 6 copies in North America, 3 in the United States, 2 in law libraries (at Harvard and the University of Pennsylvania). Not in Adams. This edition not in Camus. [Order This Item](mailto:law@lawbookexchange.com)
25. [Saint German (Germain), Christopher].


Contemporary calf, rebacked in recent cloth, blind rules to boards, calf lettering piece to spine, hinges reinforced, early hand-lettered title to fore-edge of text block. Considerable rubbing to boards with wear to corners. Title page printed within typographical border. Light browning to text, brief annotations to margins, most in contemporary hand, in several places, "by St. Jermyn" in later hand to center of title page. $250.

* With the second dialogue. Written originally in Latin in 1523 and cast in dialogic form, this was the first work to study the role of equity in common law and, by its nature, was the first jurisprudential work written in England. It also considers the relative merits of common, canon and civil law, the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. Doctor and Student appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. English Short-Title Catalogue S962. Order This Item
Selden's Reply to Grotius

26. Selden, John [1584-1654].


Contemporary vellum with lapped edges, raised bands and early hand-lettered title to spine. Light soiling, small chip to head of spine, corners bumped, later woodcut portrait of Selden affixed to front pastedown, free endpaper removed, recent bookplate to front endleaf. Title page printed in red and black. Light toning to text, slightly heavier in places, early owner signature to title page, early annotations to verso of facing endleaf. A nice copy. $750.

* Second edition, one of three issues from 1636. Selden's *Mare Clausum* (*Dominion of the Sea*) is the most famous British reply to the argument of Grotius's *Mare Liberum*, which denied the validity of England's claim to the high seas south and east of England. Selden argues that England's jurisdiction extends, in fact, to all waters surrounding the isles. "Like all the works of Selden, the book is of tremendous erudition.... It is not like Grotius's work, based on large philosophical principles, but it exhibits a vast historical knowledge, and is fortified at every point with authority from record, statute, case-book and chronicle.": Fletcher, *John Selden 1584-1654* (Selden Society Lecture, 1969) 10-11. *English Short-Title Catalogue* S123287. Order This Item

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"His Sense of Various Matters of Weight and High Consequences"

27. Selden, John.

Recent period-style calf, blind fillets to boards, gilt title to spine, blind tooling to board edges, blind inside dentelles. A few minor scratches, small faint stain to rear board. Moderate toning to text, light soiling to title page, neat repair to its upper corner. An attractively bound copy. $250

* Later edition. Perhaps the most personal of Selden's works, Table Talk was compiled by Selden's secretary, Richard Milward. It was first printed in 1689, when the Civil War had given freedom to the press. "The work may safely be accepted as the most vivid picture extant of the habits of thought and the modes of expression of the great Erastian lawyer. The conversations cover a great range of subjects relative to human life and history...": Dictionary of National Biography XVII:1159. English Short-Title Catalogue T83879. Order This Item
28. [Skene, Alexander (c. 1621-1694)].

Memorialls for the Government of the Royall-Burghs in Scotland. With Some Overtures Laid Before the Nobility and Gentry of the Several Shyres in this Kingdom. As also, A Survey of the City of Aberdeen, With the Epigrams of Arthur Iohnstoun Doctor of Medicin, Upon Some of Our Chief Burghs Translated into English by I.B. By Philopoliteious (Or,) A Lover of the Publick Well-Fare. Aberdeen: Printed by John Forbes, 1685. 288 pp. A Succinct Survey of the Famous City of Aberdeen has separate dated title page (p. 199). Octavo (5-1/2" x 3-1/2").

Later period-style calf, blind rules to boards, raised bands and gilt title and date to spine, endpapers renewed, all edges gilt. A few minor nicks to boards, some fading to spine, recent owner bookplate to front pastedown. Moderate toning, somewhat heavier in places, faint dampstaining to lower corners of some leaves, edges trimmed with minor loss to page numbers of a few leaves, light soiling to title page, early owner annotations to rear endleaf. A handsome copy. $500.

* Only edition. Written by a seasoned politician and state official, this work provides a systematic description of the political, legislative and bureaucratic organizations of the Scottish burghs was intended for inexperienced government officials. A prescriptive work as well, it offers opinions on such matters as trade, the establishment of public libraries and ways to instill civic values in young people. It also includes a collection of celebratory poems in Latin and English about Edinburgh, St. Andrews, Inverness, Perth and other cities and towns in Scotland. English Short-Title Catalogue R38926. Order This Item
29. [Strachey, William, Attributed].
[Ayloffe, Sir Joseph, Attributed].
An Index to the Records, With Directions to the Several Places where They are to be Found, and Short Explanations of the Different Kinds of Rolls, Writs, &c. To Which is Added, A List of the Latin Sir-Names, and Names of Places, as They are Written in the Old Records, Explained by the Modern Names. Also a Chronological Table, Shewing at One View the Year of Our Lord, Answering to the Particular Year of each King's Reign; The Several Parliaments, And the Different Titles by Which our Kings are Styled in the Records. London: Printed for G. Hawkins, 1739. [viii], 182, [2] pp. Includes two-page publisher's catalogue at rear. Octavo (6-3/4" x 4-1/2").

Contemporary calf, gilt fillets to boards, lettering piece and gilt-edged raised bands to spine. Light rubbing and a few light inksots to boards, moderate rubbing to extremities, chipping to head of spine, corners bumped and lightly worn. Very light toning to text, light foxing to title page and a few other leaves. $250.

* First edition. Lists records in institutional and private libraries. A useful source, enhanced by the Latin and chronological charts. An undated re-issue was published around 1775. English Short-Title Catalogue T146961.

Order This Item
A Contested North Carolina Election


Recent quarter cloth over marbled boards, printed paper title label to spine, endpapers renewed. Toning, light foxing and minor edgewear to a few leaves, internally clean. $350.

* United States Congress (24th, 1st Session). House Report 378. David Newland contested the election of James Graham as member of the U.S. House of Representatives in 1835, citing illegal voting practices. Newland prevailed and was seated on March 19. This detailed report includes a section of supporting documents and a minority report. OCLC locates 3 copies (Indiana State Library, UNC-Chapel Hill, Yale Law School). Cohen, Bibliography of Early American Law 14426. Order This Item.