Recent Acquisitions

English, American & Continental Law, 1514–1958

30 ITEMS

June 15, 2021
First Edition of Sir Francis Bacon's *Elements of the Common Laws of England*

1. **Bacon, Sir Francis** [1561-1626].

The *Elements of the Common Laws of England*, Branched Into a Double Tract: The One Contayning a Collection of Some Principall Rules and Maximes of the Common Law, With Their Latitude and Extent. Explicated for the More Facile Introduction of Such as are Studiously Addicted to that Noble Profession. London: Printed by [Robert Young for] the Assignes of I. More Esq., 1630. [xxiv], 104; [8], 84 pp. Two parts, each with title page and pagination, second part titled The Use of the Law. Quarto (7” x 5-1/2”).

Nineteenth-century three-quarter morocco over cloth, raised bands and gilt title to spine, top-edge gilt, marbled endpapers. Faint dampstaining to boards near top-edges, moderate rubbing to extremities, small chip to head of spine, front joint and hinge just starting at ends, corners bumped, title page and final leaf re-hinged. Toning to text, edgewear and light soiling to preliminaries and final leaves of text, repair to lower corner of leaf D4 (pp. 22-23 of first part) below text. Two illegible later owner signatures to front endleaf, one struck through, another struck-through signature to title page. $1,000.

*First edition. Bacon, one of the great intellectuals of his era, held the posts of Solicitor General, Attorney General and Lord Chancellor during the reign of James I. The *Elements of the Common Laws of England* is the general title for a work that is comprised of two different treatises: *A Collection of Some Principall Rules and Maximes of the Common Laws of England* and *The Use of the Law*, Provided for the Preservation of Our Persons, Goods and Good Names. The first contains a set of twenty-five maxims, or regulae, one of the earliest, if not first, collection of maxims on English law. These maxims are remarkable for their stylistic vigor, intellectual rigor, meticulousness and clarity. The Regulae was intended to be the first part of *De Regulis Juris*, a codification of English law that Bacon never completed. This is quite unfortunate, observes Holdsworth, because "he alone had the philosophical capacity, the historical knowledge and the literary taste needed to select the subject matter and shape the form of the books. (...) [Had he completed the book] there would be many who would question whether, as a lawyer, he was not Coke's superior." The second treatise is a review of the history and practical application of criminal law, estate law, personal property law and the law of slander.

As noted in the ESTC, *The Use of the Law* is probably not by Bacon; it was first printed anonymously as Part II of *The Lawyers Light* (1629) by Sir John Doddridge. Jefferson held Bacon in high esteem. In a 1789 letter to John Trumbull, he said he considered Bacon, Locke and Newton to be "the three greatest men that have ever lived, without any exception." Sowerby, *Catalogue of the Library of Thomas Jefferson* 3720. Holdsworth, *A History of English Law* V:498-499. *English Short-Title Catalogue* S100348. [Order This Item]
2. [Bacon, Matthew (fl. 1730)].
George Read [1733-1798], Owner.

The Compleat Arbitrator: Or the Law of Awards and Arbitrations; Containing Plain and Easy Directions to All Kinds of Arbitrators, What Matters are Proper to be Submitted to Arbitration, And In What Manner; The Nature and Different Kinds of Submissions, The Parties to the Submission, The Duty and Office of Arbitrators and Umpires; The Right Manner of Making and Delivering up Awards, How Awards have been Concluded in Equity, The Manner of Making and Enforcing the Performance of Awards, When the Submission Has Been Made a Rule of Court; The Right Method of Setting Forth and Pleading Awards. With Precedents of Submissions, Awards, And Pleadings in All Cases. [London]: Printed by E. And R. Nutt, and R. Gosling, 1731. vi, [6], 308 pp. Octavo (7-1/2" x 4-3/4").

Contemporary calf, rebacked in period style, blind frames to boards, raised bands and retained existing lettering piece to spine, hinges mended. A few minor nicks and scuffs to boards, faint stain to foot of front board, light rubbing to lettering piece, corners bumped and lightly worn, nineteenth-century bookseller label, twentieth-century bookplate (William J. Highfield) and two owner signatures ("Lyon" and "J. Joshua Fish, 1949") to front pastedown, two gift inscriptions (from Highfield to "Judge Wiley Grau" dated 1935 and "Albert J. Nauby" dated 1941) to front free endpaper. Moderate toning to text, occasional faint dampstaining to margins, light browning and foxing in a few places, owner signature of George Read to head of title page. Book housed in recent cloth slipcase, light rubbing to extremities. $3,500.

* First edition. This was the first substantial treatise on the subject. (It was preceded by an anonymous 93-page work from 1694.) "It is a good straightforward and up-to-date account of the law. That it was found to be useful is shown by the fact that it reached a third edition in 1770" (Holdsworth). Read, a lawyer and politician from New Castle, Delaware, was a signer of the Declaration of Independence, a Continental Congressman, a delegate to the U.S. Constitutional Convention of 1787, President of Delaware, a U.S. Senator and Delaware's Chief Justice. Along with Roger Sherman, Read was one of the two statesmen who signed three of the great documents that established the United States: the First Continental Congress's Petition to the King, the Declaration of Independence and the U.S. Constitution. Holdsworth, A History of English Law XII:393. English Short-Title Catalogue T112886. [Order This Item]
First Edition of a Standard American Treatise on Admiralty Law


Recent period-style calf, red and black lettering piece and blind fillets to spine, endpapers renewed, faint early hand-lettered owner name (Haskell) to fore-edge of text block. Moderate toning and occasional light foxing, faint dampstaining to lower half of text block, mostly along inner margins. Early owner stamp (Burnett G. Haskell) to head of p.1, brief early annotations, underlining and marks in a few places, early manuscript copy of a Supreme Court rule issued in 1854 tipped-in at rear of text. $1,500.

* First edition. With an appendix containing admiralty rules, rules of the United States Supreme and other U.S. Courts, fee schedules, statutes and forms. At the time of its publication there were other popular treatises on admiralty law, but the particular American viewpoint of this work, and its practicality, enabled it to surpass its peers in the United States. Published today as Benedict on Admiralty, it remains a standard work on the subject. Cohen, Bibliography of Early American Law 1568. Order This Item
A Scarce Abridgment of Blackstone's Commentaries

[Addams, Jesse (1786-1871)], Abridgment, Editor.
Commentaries on the Laws of England: Principally in the Order, And Comprising the Whole Substance of the Commentaries of Sir William Blackstone. London: Printed by A. Strahan, Law-Printer to the King's Most Excellent Majesty, For J. Butterworth & Son, 43, Fleet-Street, And J. Cooke, Ormond Quay, Dublin, 1819. xii, 838, xviii pp. Copperplate Table of Consanguinity and folding Table of Descents. Octavo (8-1/4" x 5-1/4").

Recent period-style quarter calf over cloth, blind fillets and lettering piece to spine, endpapers renewed. Moderate toning to interior, light foxing and soiling to a few leaves, light foxing and some creasing to folding table, "by Dr. J. Addams" added to title page in neat early hand. $1,500.

* Only edition. Addams was an advocate of Doctors' Commons and reporter for Ecclesiastical Reports from 1822 to 1826. "In his preface, dated '20th Nov. 1818,' Addams states that he has endeavored to reduce Blackstone's Commentaries 'into a better form...correct their errors...supply their defects...retrench their superfluities...and...confer on them...order and coherence.'" (Laeuchli). OCLC locates 12 copies, 4 in North America (Creighton University Law School, University of Georgia Law School, Université Laval Law School, Yale Law School). Not in Eller. Laeuchli, A Bibliographical Catalog of William Blackstone 58. Order This Item
First Edition of Blackstone's *Law Tracts*

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

*Law Tracts, In Two Volumes*. Oxford: At the Clarendon Press, 1762. Two volumes. [iv], 257, [7]; [iv], cxv, [5], 135, [9] pp. 4 parts, each with divisional title page. 8 copperplate facsimiles (of royal seals), copperplate Table of Descents and folding Table of Consanguinity. Octavo (8" x 5").

Recent period-style calf, blind rules to boards, gilt-edged raised bands, blind fillets, lettering pieces and gilt volume numbers to spines, endpapers renewed. Light toning to text, slightly heavier in places, light soiling to a few leaves in each volume, light soiling and a few creases to Table of Descents, minor wormtrack to final leaves and pastedown of Volume II. $2,400.

* First edition. The first collected edition, with revisions, of five early works, several of which are quite rare in their original editions. They are reprinted here "with a few corrections and additions"; each of the volumes contains a general index. The works are, Volume I: *An Essay on Collateral Consanguinity* (1750, Blackstone's first legal publication), *Considerations on Copyholders* (1758), *Treatise on the Law of Descents in Fee-Simple* (1759), Volume II: *The Great Charter* (1759) and *Magna Carta, Carta de Forest, Etc.* (1759). A "third" edition was published in 1771. (There is no evidence of a second edition, unless one counts the pirated Dublin reissue of the first, which was printed in 1767.) The contents of the two editions differ. The first does not have *Analysis of the Laws of England* (1756) or *Observations on the Oxford Press* (1757); the "third" does not have *Treatise on the Law of Descents in Fee-Simple*. Eller, *The William Blackstone Collection in the Yale Law Library* 238. Laechli, *A Bibliographical Catalog of William Blackstone* 551. [Order This Item]
"A Testimonial of Their Firmness and Integrity"

6. [Broadside].
[Coldbath Fields Riot].
An Authentic Account of the Proceedings of the Coroner's Inquest on the Body of Robert Cully, A Policeman; With the Very Important Verdict of the Jury; To Which is Added (By Permission) An Authentic Copy of that Affecting Letter, From One of the Sufferers in the Conflict, As Presented to the Inquest. And a Correct List of the Names, Residences and Trades of the Inflexible Jurymen. London: Smeeton, Printer, [1833].

14-3/4" x 10" broadside, double-column text below headline. Light toning, moderate edgewear, a few creases to corners, left-hand margin backed with strip of paper, possibly part of a hinge from an album. A well-preserved copy. $2,000.

* Held on May 16, 1833, the Coldbath Fields Riot began as a public meeting of the National Union of the Working Classes at Coldbath Fields in Clerkenwell, an area of central London. Batons drawn, the police marched on the 1,000 attendees at the meeting. In the violence that followed three policemen were stabbed. One of them, Robert Culley (or Cully), died from his wounds. The subsequent inquest showed that the protestors were overwhelmed in number by the police. More important, no officer issued a call to disperse. Based on those facts, the jury returned a verdict of lawful homicide. This broadside advertises a subscription for a series of medals to be minted for the men of the jury "as a testimonial of their firmness and integrity." This appears to be an unrecorded imprint. No copies listed on OCLC or Library Hub. Order This Item
An Early Clash Between Police and Protesters

7. [Broadside].
[Coldbath Fields Riot].
An Authentic Account of the Riotous Meeting near Gray’s Inn Road; With Full Particulars of the Sad Murder of Robert Culley, A Policeman, And the Stabbing of Serj. Brookes. London: Smeeton, Printer, [1833].

14-3/4" x 10" broadside, double-column text below headline. Light toning, moderate edgewear, a few creases to corners, left-hand margin backed with strip of paper, possibly part of a hinge from an album. A Well-preserved copy. $2,000.

* Second edition. This broadside records an early clash between the London Metropolitan Police, founded in 1829, and a group of organized protesters. Held on May 16, 1833, the Coldbath Fields Riot began as a public meeting of the National Union of the Working Classes at Coldbath Fields in Clerkenwell, an area of central London. Batons drawn, the police marched on the 1,000 attendees at the meeting. In the violence that followed three policemen were stabbed. One of them, Robert Culley (or Cully), died from his wounds. The subsequent inquest showed that the protestors were overwhelmed in number by the police. More important, no officer issued a call to disperse. Based on those facts, the jury returned a verdict of lawful homicide. No copies listed on OCLC. Library Hub locates 1 copy (British Library). Order This Item
Unrecorded Account of Two English Infanticides

8. [Broadside].
[Execution].
[Infanticide].

_Awful Account of the Dreadful Execution of Mr Matthew Grey, And Miss Susan Smith, for Murder._ [London]: Printed by J. Catnach, 2, Monmouth-Court, 7 Dials, [c.1830].

14-3/4" x 10" broadside, triple-column text below headline and three woodcut images: one of a hurling an infant, a man and a woman hanging from nooses and a woman burning an infant's corpse in a fireplace while being watched through a window, main text followed by three columns of verse below headline. Light toning, horizontal fold line, light edgewear and a few minor tears to extremities. A well-preserved copy. $4,850.

* Matthew Grey, apparently insane, decided his wife was unfaithful and that he was not the father of his three children. Enraged, he murdered his entire family. The gruesome sounds of the murders attracted the attention of his neighbors, who rushed to the scene and apprehended Grey. Susan Smith, a girl of 17, was pregnant with an unwanted child. Unable to abort the pregnancy, she murdered the baby shortly after it was born. Her crime was discovered when a neighbor saw her when she was attempting to burn the baby's corpse in fireplace. This appears to be an unrecorded broadside. No copies located on OCLC or Library Hub. [Order This Item](#)

_Tele: (800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887 | law@lawbookexchange.com | www.lawbookexchange.com_
Unrecorded Account of an Attempted Murder in Oxfordshire

9. [Broadside].
[Murder].
[Great Britain].

*James Layton, under stress from financial distress, began to entertain paranoid delusions that his wife conspiring against him. This led him to shoot and stab her while they were on a walk near Banbury. Responding to the sounds and commotion, a group of men came to the scene and apprehended Layton. His wife later died of her injuries. The subsequent trial ended in a verdict of not guilty on the ground of insanity. This appears to be an unrecorded broadside. No copies located on OCLC or Library Hub. Order This Item*
"Natural Fools, Mad-Folks, And Lunatick Persons"

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

Contemporary sheep, blind rules to boards, blind fillets along joints, raised bands and early hand-lettered title to spine, gilt tooling to board edges. A few minor nicks, scuffs and some small inkspots to boards, light wear to spine ends, front joint starting at foot, corners bumped and lightly worn, rear hinge starting. Light browning and faint dampspotting, minor worming to margins in a few places, clean tears to leaves F (pp. 65-66) and G2 (pp. 83-84). Book housed in recent cloth clamshell box, quarter morocco over cloth, gilt title and gilt-edged raised bands to spine. A choice copy. $3,000.

* Only edition. Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." Fascinating for its insights into English ideas about mental illness during the 17th century, this treatise also considers the legal nature of "idiots", "persons furious, or distracted" and "drunkards." Holdsworth, A History of English Law VI:600, 605. English Short-Title Catalogue R19885. Order This Item
A Plan to Promote the "Respectability, Esteem, And Confidence" of the British Legal Profession


An Address to the Attorneys at Law and Solicitors, Practising in Great Britain, and to the Public, Upon the Proceedings of a Committee of the London Law Club, Relative to a Bill Proposed to be Presented to Parliament for the Incorporating and Better Regulation of the Practitioners; Together with Extracts from a Journal, Kept by the Author, Of Transactions had in Prosecution of the Proposed Measure, From June 1794, To January 1796; And also, Some Observations on the Professional Corporations in England and Scotland, and on Several Acts of Parliament, And Rules of the Courts of King's Bench and Common Pleas, Relative to Attorneys. London: Printed and Sold Only by the Author, 1796. iv, 212 pp. Octavo (8" x 5").

Recent period-style quarter calf over marbled boards, gilt title and blind fillets to spine, endpapers renewed. Light browning to text, faint dampspotting in a few places, small chip near upper corner of title page, neat corrections in a fine early hand to a few passages, most likely by the author or a printer. A handsomely bound copy of a rare title. $1,250.

* Only edition. Day was a member of the London Law Club. His pamphlet was intended to enlist support for a set of proposals drafted by his club to influence a proposed bill before Parliament designed to regulate the legal profession. "It appeared to me that the profession could by no other means attain the high degree of respectability, esteem, and confidence so extremely desired" (33-34). This is a rare title. OCLC locates 2 copies (University of Manchester, Yale Law School). English Short-Title Catalogue T187775. Order This Item
Advice for the Seventeenth-Century English Law Student

12. Doddridge, Sir John [1555-1628].

Contemporary mottled calf, raised bands, blind fillets and lettering piece to spine, blind tooling to board edges. Light rubbing to extremities, a few shallow scuffs to boards, pastedowns lacking. Light toning to text, somewhat heavier in places, light soiling to title page, finger smudges and other marks to a few leaves, annotations in contemporary hand to endleaves, which are somewhat soiled. A handsome copy. $2,500.

* Only edition. Doddridge wrote this book to advise law students. Among other points, such as suggested readings and advice concerning personal demeanor, he urges the student to acquire a solid liberal-arts education that emphasizes subjects with practical application, such as logic and etymology. Regarding the specifics of legal education, he discusses the best methods of study and information on the sources and principles of English law. Holdsworth said it was the "most notable" book of its kind. As distinguished a jurist as Coke and Bacon, Doddridge was a counselor of the King's Bench, a Serjeant for Prince Henry, Solicitor-General, a Member of Parliament and the author of five important works, all published posthumously. Holdsworth, A History of English Law V:397-398. English Short-Title Catalogue S109764.
Order This Item
13. Gratian the Canonist [c. 1090-c.1160].
Johannes Teutonicus (or Zeneka) [d.1253], Glossator.
Bartolomeo da Brescia (d.1258), Glossator.
Martinus, Polonus [d. 1279], Margariti Decreti.
Joannes, Diaconus Hispanus, Flos Decreti.

*This edition is notable for its elegant typography and numerous woodcuts illustrating key points in the text. The Concordia Discordantia Canonum, or Decretum Gratiani, is the cornerstone of modern canon law. The first work of its kind, it was supposedly compiled by Gratian, a Camaldolese monk, around 1140. Using the latest scholastic and juristic techniques from Bologna, he created a work that synthesized the existing body of canon law. The Decretum Gratiani addresses various aspects of legal jurisdiction as well as administrative issues like baptism, feast days, confirmation and the consecration of churches. In addition to the Glossa Ordinaria of Joannes Teutonicus and the glosses of Bartolomeo da Brescia this imprint includes the Flos Decreti of Johannes Hispanus, a set of commentaries on Gratian, and the Margarita Decreti of Polonus Martinus, a collection of excerpts from the Decretals of Gregory IX. A complete work (and bibliographically distinct), it is part of a three-volume edition of the Corpus Juris Canonici issued by Giunta in 1514. Böcher [1935-2020] was a notable Protestant theologian and professor of the New Testament at the University of Mainz. Censimento Nazionale Delle Edizioni Italiane del XVI Secolo CNCE 13367. Order This Item.*
A Treatise on Inheritance and Succession
Derived from the Manuscript of Hale's History and Analysis

14. [Hale, Matthew (1609-1676)].
[Shower, Sir Bartholomew (1658-1701), Editor].
De Successionibus apud Anglos: Or, A Treatise of Hereditary Descents: Shewing the Rise, Progress and Successive Alterations Thereof. And Also, The Laws of Descent, As They are Now in Use. With a Scheme of Pedigrees; And the Degrees of Parentage and Consanguinity. London: Printed, And are to be Sold by Robert Battersby, 1700. [x], 104 pp. Folding table. Title page preceded by publisher advertisement. Octavo (6-1/4" x 4-1/2").

Recent period-style calf (by Phil Dusel), blind rules to boards, lettering piece and blind fillets to spine, blind tooling to board edges, endpapers renewed. Title page printed within ruled borders. Moderate toning, light foxing in places, faint dampstaining to head of text block and table, light edgewear to table, a few short splits to folds, loss from trimming to final line of publisher advertisement and rule at foot of title page, annotations in early hand to a few leaves. A handsomely bound copy. $850.

* One of two reissues of the first edition, both from 1700. First published in 1699, this work is derived from the manuscript of Hale's History of the Common Law of England, which was first published in 1713. Shower edited the text liberally and added some original material, most notably the folding table, "A Scheme of Pedigrees." With a few exceptions, the manuscript annotations in our copy are references to statutes, cases and Littleton's Tenures. A second edition was published in 1735. English Short-Title Catalogue R173. Order This Item
Inscribed by Learned Hand to a Fellow Judge


Original cloth, gilt title to spine. Light edgewear, gilt oxidized, light toning to text. Presentation inscription from Hand to Edward Weinfeld to front free endpaper. $750.

* First edition. 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. 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. Weinfeld [1901-1988] was a United States District Judge of the United States District Court for the Southern District of New York. The dedication reads: "To Edward Weinfeld/ Who brings to our communal (?)/ calling a devotion to justice,./ a penetrating intelligence,./ and a fabulous industry./ Learned Hand/ April 14, 1958".

Order This Item
Uncut, Unbound Copy of Hémard's Illustrated French Tax Code


Uncut, unbound in signatures, as issued, copy in publisher's wrappers housed in publisher's chemise and slipcase. Light soiling and edgewear to slipcase and spine of chemise, which has some discoloration around its lower corners, lower joints of slipcase beginning to crack. Offsetting to margins of endleaves, rear joint cracked at ends, negligible light toning to text, images vivid. $750.

* From an edition limited to 800 copies, this number 744. Hémard presents the official text of the French Tax Code with witty, often racy illustrations, colored (au pochoir) by E. Charpentier. It is a sequel to his Code Civil: Livre Premier, Des Personnes (1925) and Code Penal: Commentaires Images (c. 1940). Hémard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books. The Code Général was issued in several forms. The first 145 copies of the 800-copy edition also included an original sheet of text illustrations and a sheet of their original sketches. It was also issued in an unnumbered trade edition of a thousand copies. There is also a signed and numbered edition of 160 printed on Arches paper (papier vélin), an edition of 40 non-commercial copies intended for friends and associates (hors commerce) and 60 portfolios of the images alone. Order This Item

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17. Hémard, Joseph [1880-1961].

Original publisher stiff printed color wrappers bound into contemporary three-quarter morocco over marbled boards, by M. Bobot, raised bands and gilt title to spine, top-edge gilt, deckle fore-edge. Negligible light rubbing to extremities, front joint just starting at ends, light toning to interior, illustrations vivid. A handsome copy $1,500.

* From an edition limited to 900 copies, this is number 320. Hémard presents the official text of the French Code Pénal with witty, and often mildly erotic, color pochoir illustrations. It is a sequel to his *Code Civil: Livre Premier, Des Personnes*. In 1944 Hemard issued another legal work: *Code Général des Impôts Directs et Taxes Assimilées*. Hemard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books.

Order This Item

18. Holmes, Oliver Wendell, Jr. [1841-1935].


Original green pebbled cloth, blind double frames to boards, gilt title to spine, triple gilt rules at spine ends, publisher name at foot of spine. A few nicks and minor stains to boards, front joints just starting at ends, some chipping to spine, corners bumped and lightly worn, front hinge staring, early bookseller ticket to front pastedown, bit of cello tape residue to front free endpaper. Light toning to text, faint, gradually diminishing staining to fore-edges of leaves from p. 273 to end of text, early owner inscription ("John R. Emory/ Newark NJ") to title page.

[With]

Holmes, Oliver Wendell, Jr.

[Autograph Letter, Signed, Washington, DC, December 17, 1913].

Content on first page of 7-3/4" x 5" U.S. Supreme Court bifolium letterhead. Light toning and soiling, faint horizontal crease at center, small chip to fore-edge of first page, tear just beginning along fold. Letter accompanied lightly edgeworn typewritten bookseller description and transcription dated 1941 that was formerly affixed with cello tape to front free endpaper of book.

Together two items. Housed in recent cloth clamshell box, quarter morocco over cloth, gilt title and gilt-edged raised bands to spine. $1,750.
* First edition, first issue, with the two-line printer statement at foot of the title page, verso, reading "University Press: John Wilson and Son, Cambridge and one-line statement to foot of p. 422 reading "University Press: John Wilson & Son, Cambridge," a copy in the unusual green cloth binding. As Friedman points out, "The Common Law was easily the most distinguished book on law by an American published between 1850 and 1900." In contrast to earlier Anglo-American jurists, and the reigning positivist ethos of the nineteenth century, Holmes proposed that the law was not a science founded on abstract principles but a body of practices that responded to particular situations. This functionalist interpretation led to his radical idea that law was not discovered, but invented. This theme is announced at the beginning of Lecture I: "The life of the law has not been logic: it has been experience" (1).

Sent to an unknown recipient, the letter is a response to a request for an autograph by Oliver Wendell Holmes, Sr. The letter reads (in part): "I am happy to be able to send you one. But I must request that you will not mention that it comes from me as I should be troubled with requests that I should be unable to satisfy." Lutrell, "Oliver Wendell Holmes and The Common Law," Meyer Boswell Books, Inc., Rare and Unusual Law Books, Catalogue Fourteen 2. Friedman, A History of American Law 544. Grolier Club, One Hundred Influential American Books 84.
Legal Advice for Tradesmen


Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and early hand-lettered title to spine, gilt tooling to board edges. Negligible light rubbing and a few minor nicks to boards, corners lightly bumped, rear hinge cracked. Light toning to text, slightly heavier in places, tiny worm track near upper corners of final four text leaves, rear free endpaper and rear pastedown, early owner annotation to pp. 10 and 34 and rear free endpaper. A notably well-preserved copy of a rare title. Book housed in recent cloth clamshell box, quarter morocco over cloth, gilt title and gilt-edged raised bands to spine. $5,000.

* First edition. An early form of "consumer protection," this book was written to protect members of the middle ranks of English society from the "cunning" of "persons of a higher Rank," who always enjoyed the "Learning and Leisure to read the Law." Two later editions were published in 1709 and 1720 with the title Gentleman's Assistant, Tradesman's Lawyer and Country-Man's Friend. The ESTC and OCLC locate 7 copies worldwide, 1 in a law library (Library of Congress). English Short-Title Catalogue T111090. [Order This Item]
1576 Printing of Magna Carta and Later Statutes

20. [Magna Carta].

Recent period-style calf, blind rules to boards, raised bands and antiqued gilt ornaments to spine, blind tooling to board edges, endpapers renewed. Moderate toning, occasional faint dampstaining, minor worming to foot of text block after Fol. 127 with negligible loss to text in a few places, brief early annotations to thirty-seven pages, light soiling and faint early owner signatures to title page. Book housed in recent cloth clamshell box, quarter morocco over cloth, gilt title and gilt-edged raised bands to spine. $5,000.

* An early printing of the Magna Carta, which was first 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 and cross-referenced to Rastell's Collection of All the Statutes. Among the most notorious statutes are those of Edward I 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 early annotations range from a few words to a sentence or two. About half of these are interpretive in nature, the others are references to statutes and cases. Beale, Bibliography of Early English Law Books S18. English Short-Title Catalogue S101094. Order This Item
First Edition of the First English Treatise on Family Law

21. [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 Covert: 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; Of 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. London: Printed by the Assigns of Richard and Edward Atkyns Esquires, for John Walthoe, 1700. [xxxii], 380, [36] pp. Publisher advertisement facing title page. Four numbered advertisement leaves following index not present in our copy. Octavo (7-1/2" x 4-1/2")

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and early hand-lettered title to spine, gilt toothing to board edges. Negligible light rubbing to boards, tiny inkspot to rear boards, corners bumped and lightly worn, rear hinge starting. Light toning, slightly heavier in places, occasional early annotations in contemporary hand to margins, additional annotations to rear free endpaper, faint (often very faint) dampstaining to foot of text block in a few places. Book housed in recent cloth clamshell box, quarter morocco over cloth, gilt title and gilt-edged raised bands to spine. A choice copy. $6,500.

* First edition. Passing through subsequent editions in 1719 and 1738, this was 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). English Short-Title Catalogue R6177. Order This Item
Proposals to Remedy the "Mal-Practices, "Mis-Conduct" and "Ignorance" of Attornies

22. Martyn, Charles.

Stab-stitched pamphlet bound into recent period-style quarter calf over marbled boards, gilt title and blind fillets to spine endpapers renewed. Moderate toning, light foxing to a few leaves, "From the Author." to head of title page. A handsomely bound copy of a rare title. $1,500.

* Only edition. Martyn calls for a series of reforms to legal training because "It cannot have escaped the notice of your Lordships, that at least one half of the business which is brought forward in your courts, during term, is interlocutory matter arising from mal-practices, mis-conduct, or ignorance of attornies" (2). OCLC and the ESTC locate 2 copies, both at Harvard. English Short-Title Catalogue N27317. [Order This Item]
A Standard Textbook on Justinian's *Digest*

Lauterbach, Wolfgang Adam [1618-1678].
Schütz, Johann Jacob [1640-1690], Editor.


Contemporary paneled vellum, large central arabesques to boards, raised bands, calf lettering piece and blind fillets to spine, edges rouged. Light rubbing, boards slightly bowed, light soiling to spine, spine ends bumped. Title page printed in red and black. Light browning to text, faint spotting in a few places, early repair to lower corner of leaf Aaa (pp. 369-370), a few creases and light edgewear to endleaves. $1,500.

* First edition by Mollenbeck. This monumental commentary on Justinian's *Digest*, one of the four components of the *Corpus Juris Civilis*, was based on lectures by Lauterbach, a professor of law at the University of Tübingen. These lectures were published posthumously by Schütz in 1679 and they soon became a standard textbook in German law schools. Mollenbeck was a professor of law at the University of Giessen. In his edition, he added commentary from prominent German jurists, among them Jacob Friedrich Ludovici [1671-1723] and Samuel Stryk [1640-1710], and another text on the *Digest* by Lauterbach, the *Compendium Digestorum*. OCLC locates 1 copy of this edition in North America (UC-Berkeley Law School). *Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts 11067632-001. Order This Item*
First American Edition of Montefiore's Fascinating Commercial Dictionary


Recent period-style speckled goatskin, lettering pieces, gilt fillets and gilt volume numbers to spines, speckled edges, endpapers renewed. Moderate toning, light foxing and ink spots to a few leaves each volume. A handsome copy of a scarce title. $5,000.

* First American edition, based on the 1803 London edition with much American material added. The subscriber list includes businessmen throughout the eastern seaboard and several notable Philadelphia jurists, such as Horace Binney, Alexander James Dallas, Peter S. Duponceau and William Rawle. Intended for merchants, this dictionary offers a wealth of information about contemporary commercial and maritime law, international business practices and commercial ports and their primary imports and exports. It also discusses the present state of banks and insurance companies in the United States, the laws of copyright and letters patent, the regulation of coastal trade and the funding system and state of the U.S. national debt. A Jewish solicitor from London who moved to the United States after the War of 1812, Montefiore published several works on commercial law. Sabin, *A Dictionary of Books Relating to America* 50100. Kress Library of Business and Economics Catalogue 4827. Cohen, *Bibliography of Early American Law* 2433. [Order This Item](mailto:law@lawbookexchange.com?subject=Order%20This%20Item).
25. **Pound, Roscoe [1870-1964].**


Original quarter cloth over paper boards, gilt title to spine. Light soiling, spine ends and corners lightly bumped, light toning to text. Presentation inscription from Pound to Theodore Francis Green, to whom this book is dedicated, to front free endpaper. $850.

* First edition. The published form of the 1924 Colver Lectures delivered at Brown University, *Criminal Justice in America* concerns a subject that had long occupied Pound. This copy is inscribed to the dedicatee of this book, Theodore F. Green [1867-1966], a prominent Rhode Island politician and civic leader. The inscription reads: "For Theodore Francis Gree, Esq.,/ With grateful appreciation of his/ hospitality while these lectures/ were being delivered and his pa-//tience while they were waiting/ to be written out. Roscoe Pound/ September 22, 1930". Order This Item
Antebellum Georgia Treatise: Includes Sections on Slaves and "Negroes"


Contemporary sheep, blind rules to boards, raised bands and lettering piece to spine, blind tooling to board edges. Light rubbing and a few minor nicks to boards, light rubbing to spine, moderate rubbing to extremities. Light browning to text, light foxing to a few leaves. $250.

* Second and final edition. This well-regarded work was popularly known as "Reese's Manual." Though it was used by lawyers, this handbook was intended for laymen. As one would expect, this treatise includes sections on slaves and "Negroes." It was first published in 1858. Both editions are uncommon outside of Georgia. Cohen, Bibliography of Early American Law 4652. Order This Item
Pioneering English Treatise on Election Law,
A Copy with Manuscript Corrections by the Author

27. Simeon, John [1756-1824].

Recent period-style quarter calf over cloth, gilt-edged raised bands, blind fillets and lettering piece to spine, endpapers renewed. Moderate toning to text, occasional faint dampstaining, light soiling to a few leaves. "John Williams Atty. from author" to head of title page, annotations by Simeon, one of them signed, to a few leaves. $1,000.

* First edition. With extensive index containing extracts from election cases. "We have seen that Douglas, the reporter in the court of King's Bench, had also made reports of election cases, which he published in 1775-177, and that other reports of election cases began to appear about the same time. The publication of these reports gave an opportunity for a more logical treatment of the subject, which was provided by Simeon's [book]...": Holdsworth, *History of English Law* XII:346. A second edition was published in 1795. The annotations in our copy by Simeon indicate laws that were modified or repealed. *English Short-Title Catalogue* N14027. [Order This Item](#)

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An 1849 Murder in Petersburg, VA: McDade 286

28. [Trial].
Epes, William Dandridge [1806-1848], Defendant.
Brunet, James Monroe H. [d. 1856], Reporter.


Stab-stitched pamphlet bound into later three-quarter calf over cloth, recently rebacked, gilt title to spine, endpapers renewed. Light rubbing to board edges, some wear to corners. Moderate toning to text, light foxing in a few places, light soiling and edgewear to title page, the following leaf and final leaf. $1,850.

* "Muir threatened to foreclose [farm] property he had sold to Epes, so Epes shot his creditor and hid his body on the farm. He faked a series of letters to account for Muir's absence, but he pawned his victim's watch and led the police to his door" (McDade). OCLC locates 7 copies in law libraries (Harvard, Jenkins, Library of Congress, University of Missouri, University of Virginia, US Supreme Court, William & Mary). McDade, The Annals of Murder 286. Order This Item
Rare Account of the Cato Street Conspiracy Trial with a Folding Plate

29. [Trials].
[Cato Street Conspiracy].
Thistlewood, Arthur [1774-1820], Primary Defendant.

Stab-stitched pamphlet with untrimmed edges bound into recent quarter-calf over marbled boards, lettering piece and blind fillets to spine. Moderate toning to text, light foxing to a few leaves and folding plate, which has light edgewear and a few short tears along folds. $950.

* Led by Arthur Thistlewood, the event known as the Cato Street Conspiracy was an attempt to murder all of the ministers and prime minister of King George IV in 1820. Motivated in part by the economic depression of the period, the conspirators wished to avenge earlier protests suppressed by the state, such as the Paterloo Massacre. The conspirator's goal was to overthrow the government and initiate a revolution similar to the French Revolution. Betrayed by one of the co-conspirators, Thistlewood and four others were captured, tried and executed. There are many accounts of this trial, nearly all published in London. This account by a Barr is rare. Library Hub locates 1 copy at the British Library. OCLC adds 5: Harvard Law School, New York Public Library, Library of Congress, University of Georgia Law School, University of Melbourne. Only two of these have records mention the folding table, which suggests some copies were issued without one. Order This Item.
30. [Trials].
[Cobbett, William (1763-1835)].
Howell, Thomas Bayly [1768-1815], Editor.
[Howell, Thomas Jones [1793-1858], Editor.
Jardine, David [1794-1860], Compiler of Index.

A Complete Collection of State Trials and Proceedings for High Treason and Other Crimes and Misdemeanors from the Earliest Period to the Year [1820], With Notes and Illustrations. London: Printed by T.C. Hansard, Published by R. Bagshaw [and other publishers], 1816-1828. 34 volumes, complete set. Main text in parallel columns. Complete set. Octavo (9-1/4" x 6").

Contemporary three-quarter calf over pebbled cloth, raised bands, gilt titles and gilt ornaments to spines. Light rubbing to boards, small scuff to front board of Volume 34, moderate rubbing to extremities, occasional light scuffing to spines, corners of several volumes bumped and worn, armorial bookplate of Sir Richard David Muir to front pastedown of each volume. Moderate toning to text, offsetting to margins, light foxing in a few places in some volumes, gift inscription dated 1986 to front free endpaper of Volume 1. $2,000.

* Also known as "Cobbett's State Trials," this was the fifth, final and best collection of state trials. It incorporates Francis Hargrave's Collection of State Trials, an eleven-volume collection published between 1776 and 1781. (Hargrave's edition incorporated three earlier collections.) The majority of the cases are from the King's Bench, and many are not reported elsewhere. The coverage is chronological from Thomas Becket in 1163 through 1820. According to Sweet & Maxwell and the Harvard Law Catalogue, the first twelve volumes were compiled by William Cobbett. Wallace and Marvin dispute this claim. They say Cobbett was simply a general editor who hired Thomas Howell and his son to do the actual work. (Howell's son completed the project after his father's death.) Later printings, such as the present set, attribute every volume to the Howells.

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