

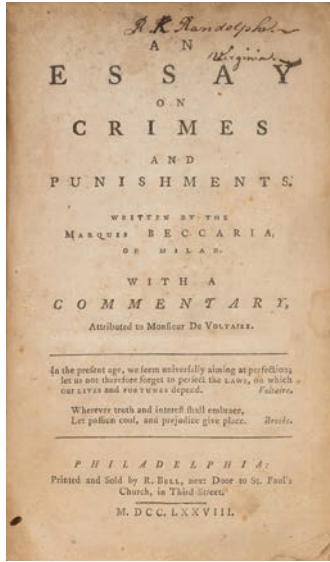
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NEW YORK INTERNATIONAL ANTIQUARIAN BOOK FAIR

Park Avenue Armory | April 4-7, 2024



Nº 1

America

**"NO MAN WHO READS THIS BOOK
WILL BE A TYRANT"**

1
Beccaria, [Cesare Bonesana, Marchese di]. *An Essay on Crimes and Punishments. Written by the Marquis Beccaria of Milan. With a Commentary Attributed to Monsieur De Voltaire.* Philadelphia, 1778. Three works in one with continuous pagination. The second work is Granville Sharpe's *Remarks on the Opinions of Some of the Most Celebrated Writers on Crown Law, Respecting the Due Distinction Between Manslaughter and Murder*, the third, with a drop-head title, is J.J. Rousseau, *Citizen of Geneva, His Opinion on Duelling*. \$3,500.

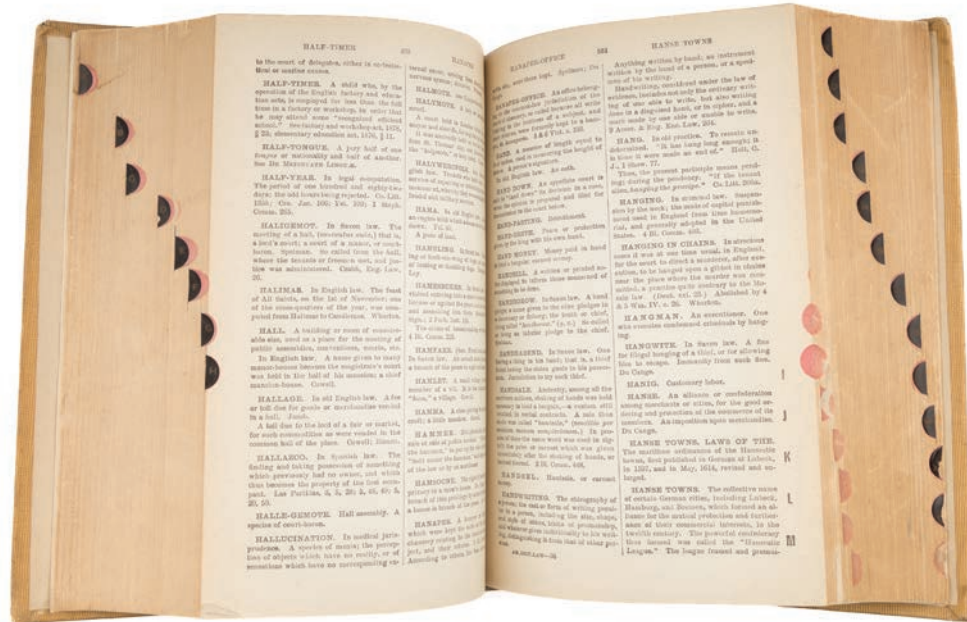
WITH A TABLE of authorities and cases. *Dei Delitti e Delle Pene* (1764) was the first systematic study of the principles of crime and punishment. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the medieval era.

It had a profound influence on the development of criminal law. It was especially influential among American thinkers, who saw Beccaria as a source of enlightened ideas to reform English common law. Though a matter of some debate, the first American edition was published in Charleston, SC, in 1777. (Earlier American imprints, including one printed in New York in 1773, are ghosts).

The Randolphs were an elite Virginia family. Our copy likely eventually belonged to Richard Kidder Randolph [1781-1849], although it may have had a previous Randolph owner. The frequent annotations show an engaged reader at work. The comments include "no man who reads this book will be a tyrant" and "How many Lives had depended on the composition of a Judge's Dinner!"

NOTABLY HANDSOME COPY OF A LANDMARK IN AMERICAN LEGAL PUBLISHING

2
Black, Henry Campbell. *A Dictionary of Law Containing Definitions of the Terms and Phrases of American and English Jurisprudence,*



Nº 2

Ancient and Modern. St. Paul, MN, 1891.
 \$3,500.

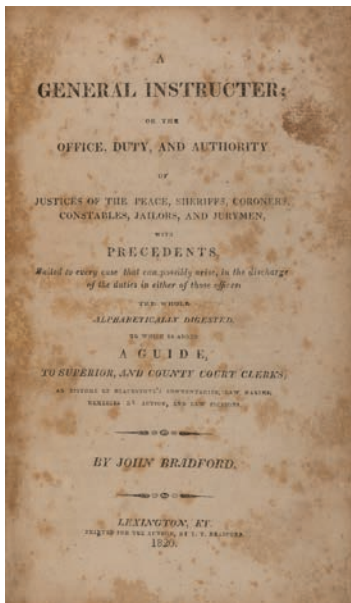
FIRST EDITION of the standard American law dictionary, which is now in its eleventh edition. It contains definitions of the terms and phrases of American and English jurisprudence, ancient and modern (including the principal terms of international, constitutional, and commercial law), a collection of legal maxims and a bibliography of the principal law dictionaries in English and other languages to 1891. Besides its status as a landmark in American legal publishing, the first edition of Black's dictionary is valuable because it offers important insights into the rapid development of American law at the turn of the century.

AN INTERESTING BLACKSTONE-RELATED TITLE, THE UNRECORDED OHIO VERSION

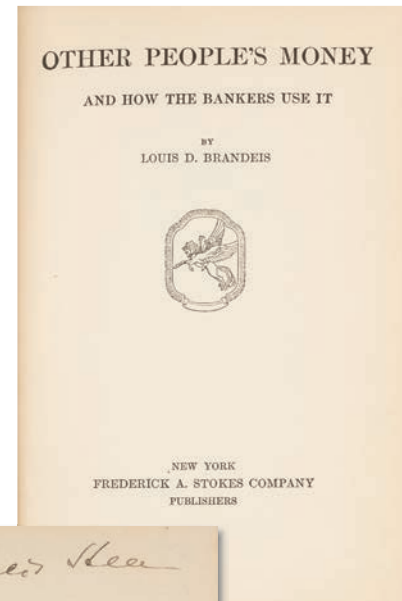
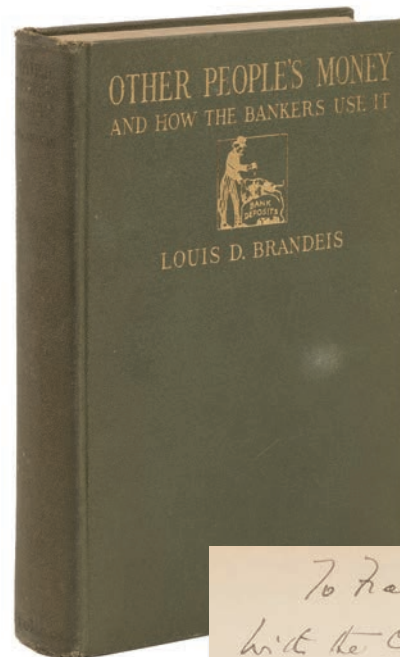
3
Bradford, John. *A General Instructor [sic]; Or the Office, Duty and Authority of Justices of the Peace, Sheriffs, Coroners, Constables, Jailors,*

And Jurymen, With Precedents, Suited to Every Case that Can Possibly Arise, In the Discharge of the Duties in Either of Those Offices. The Whole Alphabetically Digested. To Which is Added a Guide, to Superior, And County Court Clerks; An Epitome of Blackstone's Commentaries; Law Maxims; Remedies by Action, And Law Fictions. Lexington, KY, 1820. \$2,500.

SECOND AND FINAL EDITION, the only one with Blackstone content. This manual includes four features that aim to provide a smattering of legal education and erudition, enough at least to impress a frontier judge and jury. There are the lists of legal maxims and legal fictions, examples of remedies and an "Epitome of the Commentaries of Sir William Blackstone, On the Laws of England" (pp. 405-425), which consists of the first sentences from, or summaries of, sections of selected chapters. The first edition of this work, published in 1800, does not have a Blackstone section. When Bradford published the second edition, he also produced versions for Indiana and Ohio. Bradford was an early printer and newspaper publisher in Kentucky. He was also an engineer,



Nº 3



Nº 4

*To Francis Shea
with the cordial regards
& good wishes of
Felix Frankfurter,*

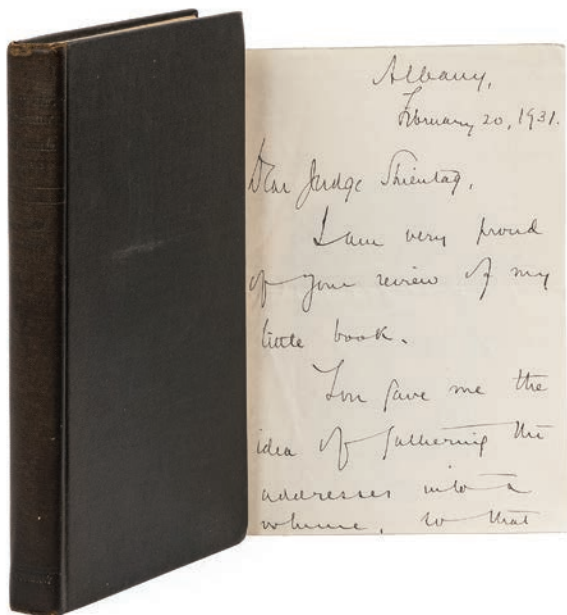
surveyor and sheriff. Philip Ardery [1914-2013], the former owner of this copy, was a distinguished bomber pilot during World War II. He was one of the founders of the Kentucky Air National Guard and its first wing commander. The Ohio version appears to be unrecorded. Not in Eller, Laeuchli or Cohen. No copies listed on OCLC. We located one copy at Yale Law School.

**FIRST EDITION, INSCRIBED BY
FRANKFURTER TO A PROTÉGÉ**

4
Brandeis, Louis D. *Other People's Money And How the Bankers Use It.* New York, [1914]. \$1,950.

FIRST EDITION, FIRST ISSUE. This scathing critique of "Our Financial Oligarchy" is based on a series of articles published in *Harper's Weekly*

from 1913 to 1914. Frankfurter [1882-1965], a protégé of Brandeis, inscribed this copy to one of his protégés, Francis Shea [1905-1989], who was one of his former Harvard Law students (LL.B., 1928). Shea became a prominent New Deal official and went on to a distinguished career as the dean of the University of Buffalo School of Law, which experienced a renaissance under his direction. Recruited by Robert H. Jackson, he was Roosevelt's Assistant Attorney General, heading the Claims (now Civil) Division. In 1945 he joined the staff of American lawyers that helped to design the International Military Tribunal at Nuremberg, then served on as a prosecutor at the trials. Returning to Washington after the war, he established what became a leading Washington law firm, Shea & Gardner. The inscription reads: "To Francis Shea/ With the cordial regards/ & good wishes of/ Felix Frankfurter."



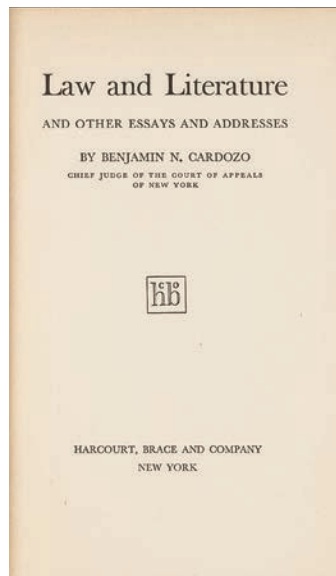
A FIRST EDITION OF CARDOZO'S
LAW AND LITERATURE WITH A
RELATED CARDOZO LETTER

5

Cardozo, Benjamin N. *Law and Literature and Other Essays and Addresses*. New York, [1931]. [With] [Autograph Letter, Signed, To Bernard L. Shientag, February 20, 1931]. \$1,250.

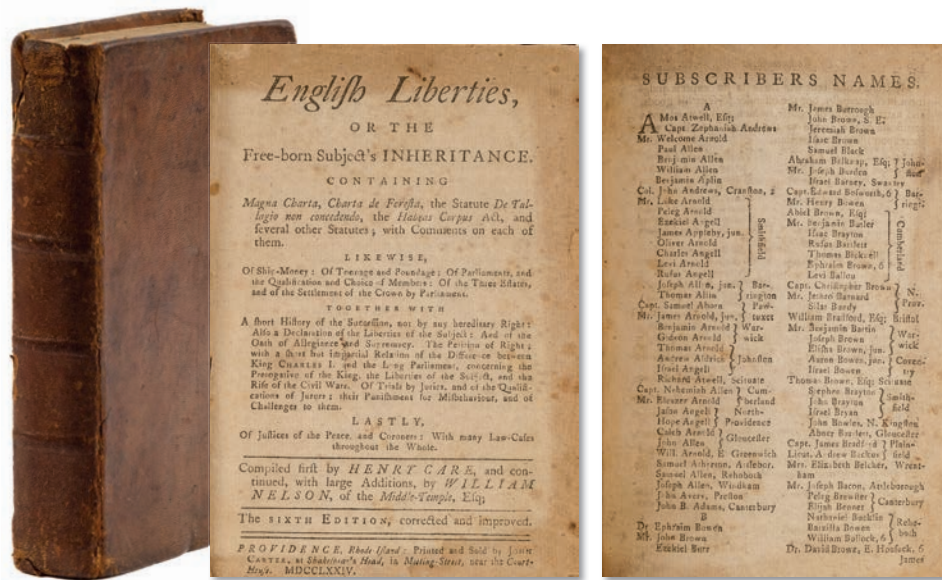
SHIENTAG was a distinguished New York Supreme Court Justice and legal author. The letter reads, in part: "I am very proud of your review of my little book [*Law and Literature and Other Essays*]. You gave me the idea of fathering the addresses into a volume, so that some of the responsibility for preserving them may perhaps be chargeable to you. It is pleasant to be assured that you have felt no cause for repentance. Your appreciation of my work is a joy and an encouragement."

Far from a "little book," Cardozo's *Law and Literature* is widely considered one of the most important American books on the law written in the twentieth century. Cardozo was a justice of the New York Supreme Court from 1914 to 1917, an associate judge of the New York Court of Appeals from 1917 to 1926, chief judge of that



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court from 1926 to 1932 and an associate justice of the U.S. Supreme Court from 1932 until his death. He believed that the courts should not just interpret the law, but also adapt it to address changing social conditions.



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A PROFOUND INFLUENCE IN
PRE-REVOLUTIONARY AMERICA

6

[Care, Henry]; N[elson], W[illiam], 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*. Providence, 1774. \$7,500.

SECOND AMERICAN EDITION. Preceded by a 1721 Boston edition, this 1774 Providence edition was published in the same year as the first Continental Congress and the Intolerable Acts (and about a year after the Boston Tea Party). A publisher's note at the end of the table of contents says this edition was "principally designed for America" and contained "extracts from several late celebrated writers on the constitution" (vi). It is almost certain that this publisher was capitalizing on popular resentment toward the Crown and parliament. First published in England in 1680 (or 1682, the first edition was not dated), this layman's guide reviews, from a Whig perspective, the principles of English law and government.

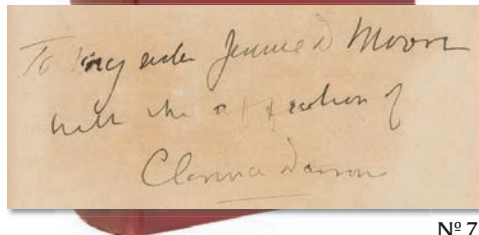
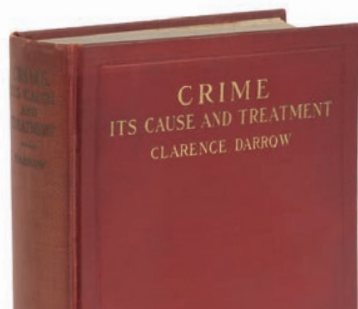
Containing the texts of Magna Carta and other foundational documents of the English Constitution, it emphasizes the role of juries in the preservation of civil rights and prevention of tyranny. It was first published in America in 1721 by James Franklin, the half-brother of Benjamin Franklin, who may have offered editorial guidance; this was one of the very first legal books published in the American colonies. 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). And Jefferson, who owned two copies, 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.

INSCRIBED BY DARROW TO HIS SISTER

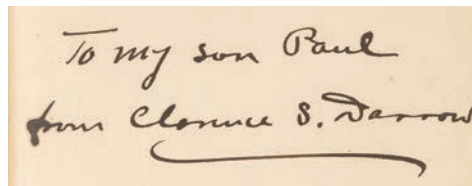
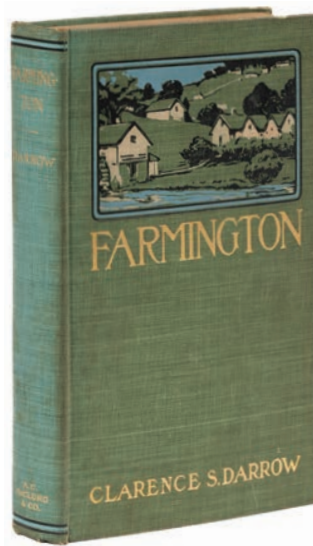
7

Darrow, Clarence. *Crime: Its Cause and Treatment*. New York, 1922. \$1,250.

FIRST EDITION. This sociological study of crime, punishment and humanity is the source



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Nº 8

of Darrow's famous statement: "You might as well hang a man because he is ill as because he is a criminal." Viola "Jennie" Darrow Moore [1868-1955] was Clarence Darrow's youngest sibling. She worked as a teacher in a Chicago school where her sister, Mary Darrow Olson, was principal.

INSCRIBED BY DARROW TO HIS SON

8

Darrow, Clarence. *Farmington*. Chicago, 1904. \$2,000.

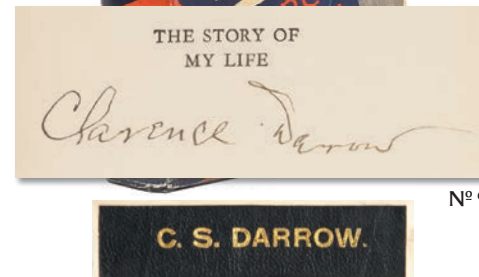
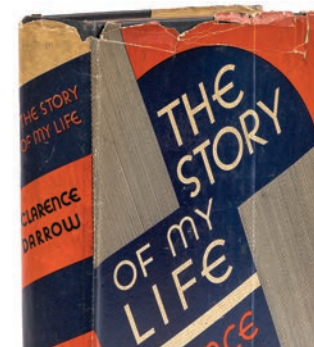
FIRST EDITION. *Farmington* is a fictionalized account of the author's youth in Ohio. Though it went through seven editions, it was never a critical or commercial success. This pained Darrow because he thought it was his finest book. Paul Darrow, Darrow's only child, was a businessman in Chicago for most of his adult life.

WITH DARROW'S SIGNATURE AND BOOK LABEL

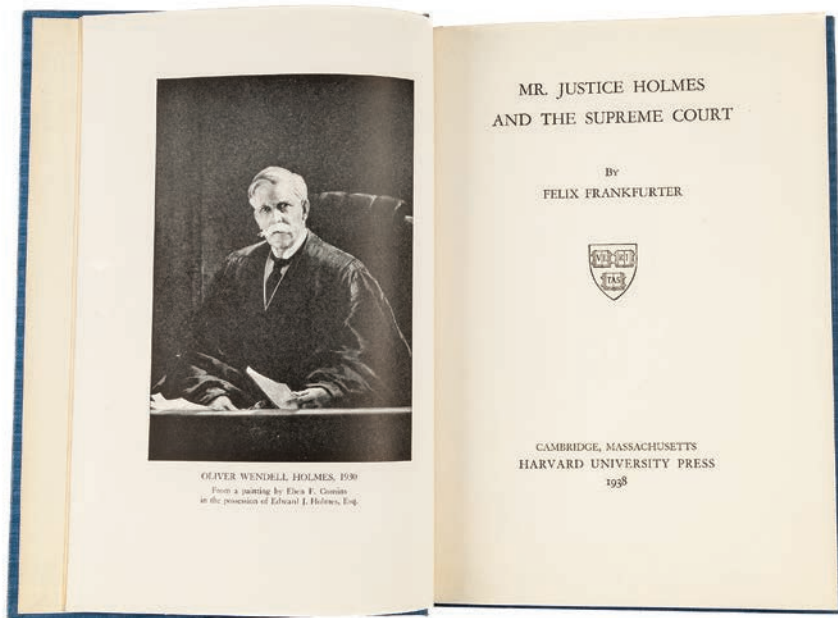
9

Darrow, Clarence. *The Story of My Life*. New York, 1932. Leather spine label reading "C.S. Darrow" affixed to front pastedown, Darrow signature to half-title in bold hand. \$2,000.

FIRST EDITION (Scribner "A," blue cloth). A curious feature of this copy, one we have never seen before, is the label affixed to the front pastedown. It is not a bookplate; it appears to be a lawyer's spine label, this one from Darrow's office. The label may have been added by the owner of the book. (It is unlikely that Darrow would have owned an autographed copy of his book.) Darrow's *Story of My Life* is one of the great autobiographies of the twentieth century. When Darrow died in 1938 at the age of 81, few disputed that he was one of the great attorneys and public intellectuals of his day. There were other lawyers in his lifetime who contributed more to the development of legal science, who rose to positions of greater influence, or who won larger financial rewards, but perhaps none who could match his record as a crusader for the common man.



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N° 10

INSCRIBED BY FRANKFURTER TO ARTHUR MEIER SCHLESINGER AND ELIZABETH SCHLESINGER

10

Frankfurter, Felix. *Mr. Justice Holmes and The Supreme Court.* Cambridge, 1938. \$1,250.

FIRST EDITION. The inscription reads: "For/ Elizabeth and/ Arthur Schlesinger,/ devoted listeners/ and otherwise devoted/ friends, with the warm/ regards of/ F.F." *Mr. Justice Holmes* is Frankfurter's finest statement of his admiration.

For Elizabeth and
Arthur Schlesinger,
devoted listeners
and otherwise devoted
friends, with the warm
regards of
F.F.

N° 10

This and other books did much to establish Holmes's posthumous reputation. Arthur Meier Schlesinger was a prominent American historian who taught at Harvard from 1924 to 1954. Elizabeth Bancroft Schlesinger, his wife, was a notable feminist and one of the first scholars of women's history. They were part of Frankfurter's social circle at Harvard, along with such faculty luminaries as Josef Schumpeter and Alfred North Whitehead.

For (Lester) Edith
amateur j. artist
with the warm regards of
F.F.

N° 11

For Evy & Dave,
with the affection of
F.F.

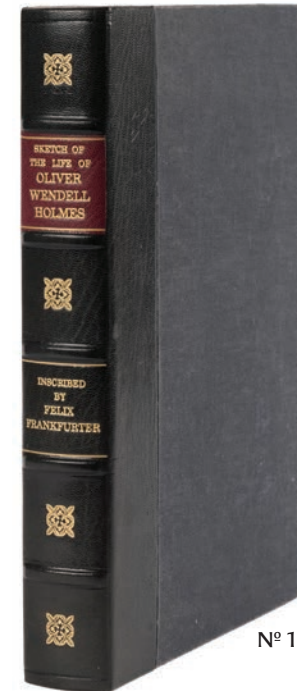
N° 11

**THREE INSCRIBED COPIES
OF FRANKFURTER'S SKETCH OF
THE LIFE OF OLIVER WENDELL HOLMES**

11

Frankfurter, Felix. Three Copies of *Sketch of the Life of Oliver Wendell Holmes.* Reprinted from *Dictionary of American Biography Volume XXI, Supplement One.* [New York?, 1944]. \$3,500.

EACH COPY is inscribed by Frankfurter to a friend.



N° 11

For David R. Essig,
with the good wishes of
Knod to Felix Frankfurter

N° 11

**LAST EDITION OF THE FEDERALIST
PUBLISHED IN HAMILTON'S LIFETIME**

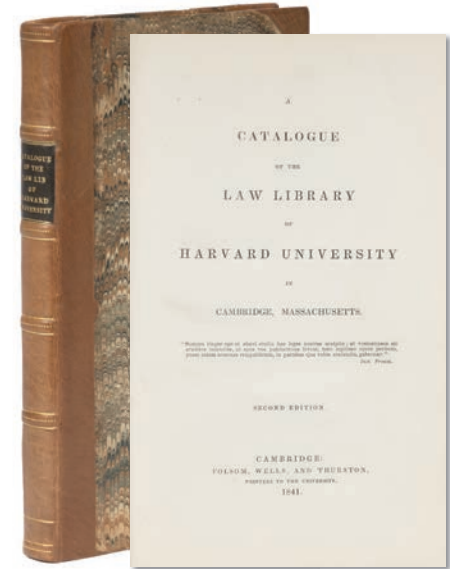
12

[**Hamilton, Alexander; Madison, James; Jay, John**]. *The Federalist, On the New Constitution. By Publius. Written in 1788. To Which is Added, Pacificus, On the Proclamation of Neutrality. Written in 1793. Likewise, The Federal Constitution, With All the Amendments. Revised and Corrected.* New York, 1802. \$12,500.

SECOND EDITION, "Revised and Corrected" with Hamilton's approval by George Hopkins. First published by the M'Lean brothers in March and May 1788, *The Federalist* collected a series of essays published in New York periodicals under the collective pseudonym "Publius" between October

1787 and May 1788 that encouraged ratification of the proposed constitution by New York State. (Most scholars agree that 51 were written by Hamilton, 29 by Madison and 5 by Jay.) Taken together, these essays were seen almost immediately as the most compelling commentary on the most radical form of government the world had seen.

The second edition is significant because its preface establishes Hamilton, Madison and Jay as the authors and discusses the extent of their contributions. It is also the last edition published in Hamilton's lifetime. Published fourteen years after the U.S. Constitution's ratification, it includes the text of the U.S. Constitution with the first eleven amendments and Hamilton's "Pacificus" essays, which defended Washington's 1793 proclamation of neutrality during the Anglo-French War.



**WILLIAM W. STORY'S COPY OF
THE HARVARD LAW LIBRARY CATALOGUE**

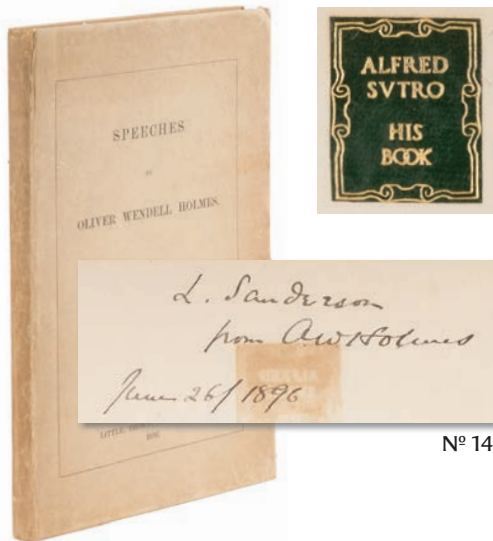
13

[**Harvard Law School**]; [**Sumner, Charles, Compiler**]; [**Woodward, William R., Compiler**]. *A Catalogue of the Law Library of Harvard University in Cambridge, Massachusetts.* Cambridge, 1841. \$1,000.

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

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

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Nº 14

INSCRIBED BY HOLMES

14
Holmes, Oliver Wendell, Jr. *Speeches*. Boston, 1896. \$1,250.

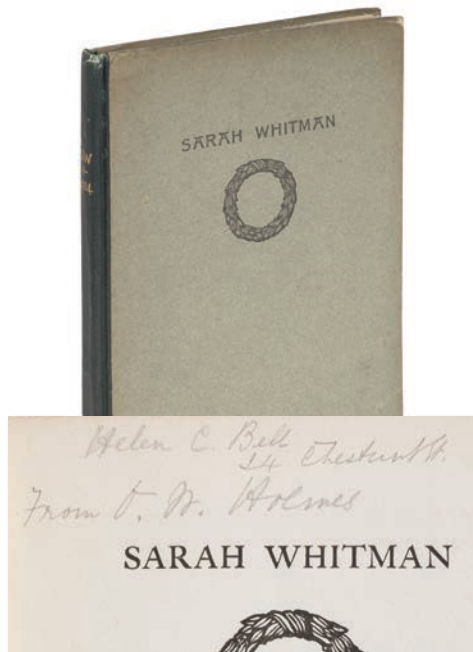
THIRD ISSUE, which contains content not in the first two editions (1891, 1895). The inscription reads: "L. Sanderson/from O.W. Holmes." These "chance utterances of faith and doubt" were offered by Holmes to "a few friends who will care to keep them." It includes several of Holmes's memorable addresses, such as his 1886 lecture at Harvard on "The Profession of Law," his 1895 Memorial Day address at Harvard, "A Soldier's Faith," as well as speeches on John Marshall and "The Puritan." We could not determine the identity of L. Sanderson. Alfred Sutro [1869-1945] was a notable San Francisco lawyer and bibliophile.

INSCRIBED, SIGNED AND MARKED BY HOLMES

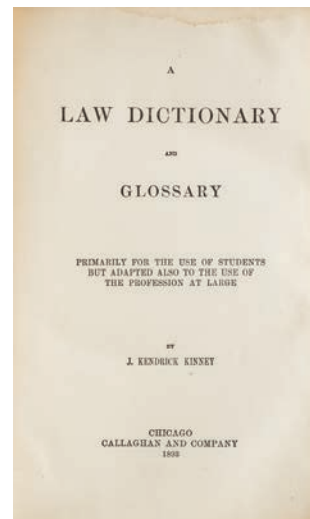
15
[Holmes, Oliver Wendell, Jr.]; [Whitman, Sarah Wyman]. *Sarah Whitman*. Boston, 1904. \$2,500.

A PROMINENT ARTIST and intellectual who ran an important literary salon with her husband,

Whitman was one of Holmes's neighbors in Boston and Beverly Farms. *Sarah Whitman* is a record of a memorial service in her honor at the Baptist Church in Beverly Farms. It reprints poems, prayers and addresses delivered at this service, among them one by Holmes. The recipient of this copy, Helen Olcott Choate Bell [1830-1918], was a prominent literary intellectual and mainstay of Whitman's salon. She was also the daughter of Rufus Choate, the great Boston lawyer and orator. One of the check marks is next to a passage in Richard C. Cabot's address reading: "The true attitude towards any person or groups of persons is not that of a critic, nor a judge, nor even a spectator, but that of a friend." The other is next to a paragraph in Holmes's address reading (in part): "I might go on accumulating the varied experiences which united to make her companionship interesting as well as delightful to people who had nothing in common except their love for her. And it was done so easily—always with a smile, often with a laugh, which she so readily could command that it almost made an amusement out of the interchange of high thoughts."



Nº 15



KINNEY'S LAW DICTIONARY

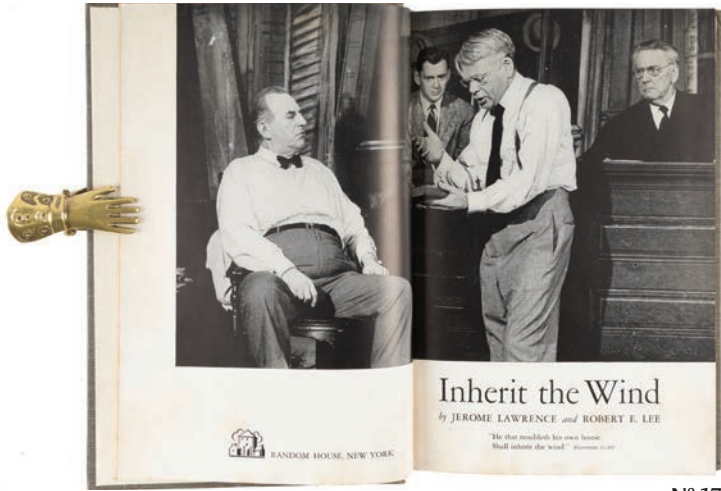
16
Kinney, J. Kinderick. *A Law Dictionary and Glossary*. Chicago, 1893. \$650.

FIRST EDITION. In the preface Kinney mentions his indebtedness to Burrill and his inclusion of "modern words as well as the older words in whatever tongue, whether now a part of the living legal language or not, which have had legal use and function, and which thus mark the lines upon which the law has grown, and the salient points in history with which the student should become familiar.": Preface, v.

"TO THE GRANDDAUGHTER OF ONE OF AMERICA'S MOST INSPIRING THINKERS"

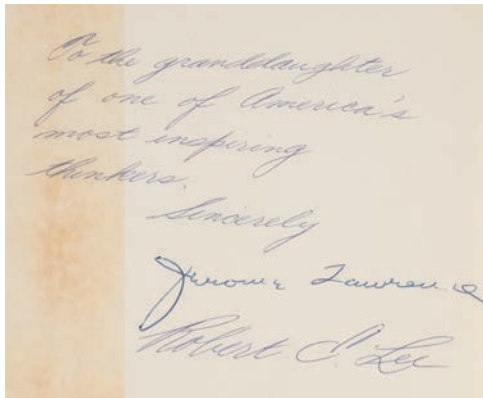
17
Lawrence, Jerome; Lee, Robert E. *Inherit the Wind*. New York, [1955]. \$1,000.

FIRST EDITION, first printing. A fictionalization of the famous Scopes "monkey trial" as a representation of the then-current wave of McCarthyism, *Inherit the Wind* is one of the twentieth century's best loved American plays. It has been adapted for the screen four times and revived on stage as recently as 2009. The inscription



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reads "To the granddaughter/ of one of America's/ most inspiring thinkers." Our copy of the play may have been presented to one of Clarence Darrow's three granddaughters, Jessie Darrow Lyon Johnston [1910-1968], Mary Darrow Simonson [1912-2003] or Blanche Darrow Chase [1913-2006], though it is unclear from the inscription to which of the three it was presented. It is unlikely to have been presented to a granddaughter of H.L. Mencken (who did not have children) or William Jennings Bryan. Inscribed copies of the first edition are scarce.



N° 17

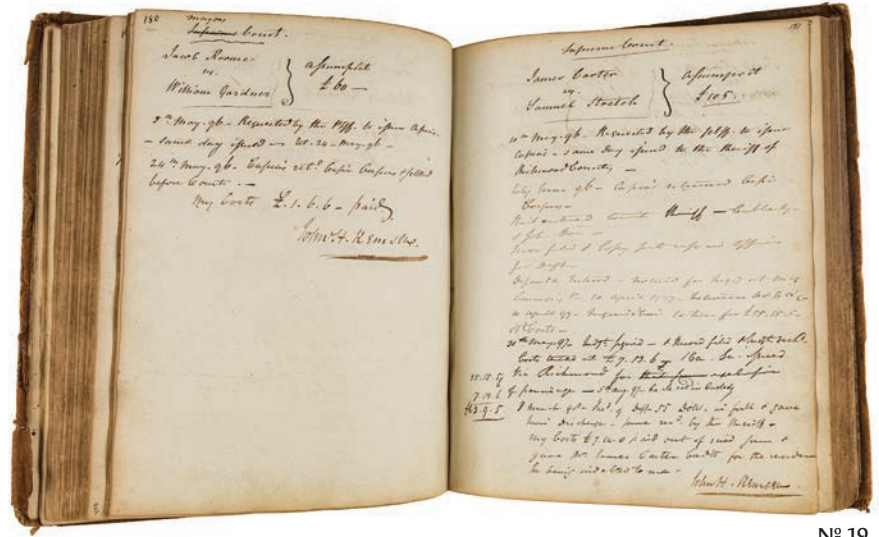
MANUSCRIPT RELATING TO A SENSATIONAL MURDER CASE IN BALLSTON SPA, NY

18

[Manuscript]. [Billings, Jesse, Jr.]; [Beach, William A.]. *Billings Trial, Beach's Argument* [Spine Title]. [Ballston Spa, NY, 1880]. \$1,000.

BILLINGS, a wealthy and influential businessman in Saratoga County, NY, was accused of murdering his wife in 1878. There was a large body of evidence that showed he was the murderer. What's more, he had motives for the act: his marriage had been acrimonious for decades and he appeared to have a mistress. (Devout Methodists, Billings and his wife were forbidden by church edict to get a divorce.) Billings was tried twice: the first trial, in 1878, ended with a hung jury; the second, in 1880, with an acquittal. It is clear that Billings escaped justice due to his wealth, social clout and first-class legal defense.

A sensational case with elements of intrigue, marital strife, wealth, power and adultery, it was given a fair amount of press coverage. However, it produced little documentation. There is a printed version of the final prosecution's final argument in the first case (Albany, 1879) and a multi-volume manuscript account of both trials compiled by the prosecutor from shorthand records, which



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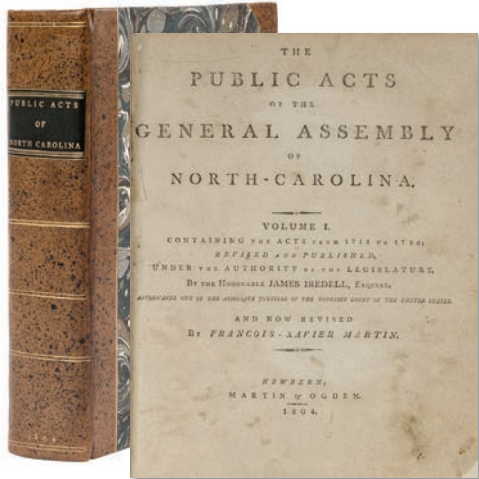
is held by Cornell Law School. Our manuscript, which contains the defense's final argument in the second case, along with a brief summary of the trial, appears to be from a similar multi-volume manuscript compiled by another lawyer involved in the case.

LATE EIGHTEENTH-CENTURY ACCOUNT BOOK OF A NOTABLE NEW YORK ATTORNEY

19

[Manuscript]. Remsen, John H. [*Account Book*]. New York, 1795-1798. \$6,500.

WITH a thumb-tabbed index of cases. John H. Remsen was a New York lawyer and notary public who served as private secretary to New York governor John Jay. This volume records work done and fees charged by Remsen on hundreds of cases in the Mayor's Court, the Federal District Court, and the New York Supreme Court. Most of these cases were initiated from September 1795 to September 1796. Among the more noteworthy cases, Remsen represented the Bank of the United States in a protracted suit against Loyalist publisher James Rivington (pp. 169 and 170). He also represented a group led by John Jay and George Clinton.



Nº 20

**NORTH CAROLINA PUBLIC ACTS
WITH 1804-1805 APPENDIX**

20

Martin, François-Xavier, Editor; Iredell, James, Compiler. *The Public Acts of the General Assembly of North-Carolina. Volume I. Containing the Acts from 1715 to 1790; Revised and Published, Under the Authority of the Legislature.* Newbern (NC), 1804. **[Bound with]** **Martin, François-Xavier, Compiler.** *The Public Acts of the General Assembly of North-Carolina. Volume II. Containing the Acts from 1790 to 1803; Revised and Published, Under the Authority of the Legislature.* Newbern, 1804. \$2,800.

ONLY EDITION. Martin's revision of James Iredell's compilation of the laws of North Carolina from 1715 to 1790, with Martin's own compilation of the laws from 1790 to 1803. With side-notes, index and the texts of the North Carolina Constitution (1776), the Articles of Confederation (1781), the Treaty of Paris (1783), the U.S. Constitution (1787), and documents relating to its ratification by North Carolina.

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 North Carolina. He later moved to the Louisiana territory, where he played a 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.

**FIRST AMERICAN EDITION
OF MONTEFIORE'S FASCINATING
COMMERCIAL DICTIONARY**

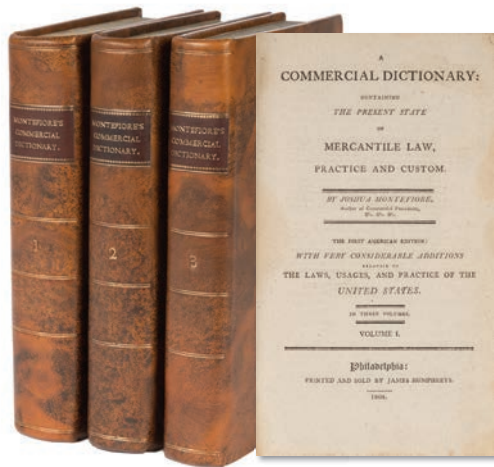
21

Montefiore, Joshua. *A Commercial Dictionary: Containing the Present State of the Mercantile Law, Practice and Custom. With Very Considerable Additions Relative to the Laws, Usages, and Practice of the United States.* Philadelphia, 1804. \$4,500.

FIRST AMERICAN EDITION, based on the 1803 London edition with a considerable addition of American material. The subscriber list includes businessmen throughout the eastern seaboard and several notable Philadelphia jurists, such as Horace Binney, Alexander James Dallas, Peter S. Du Ponceau 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



Nº 22



Nº 21

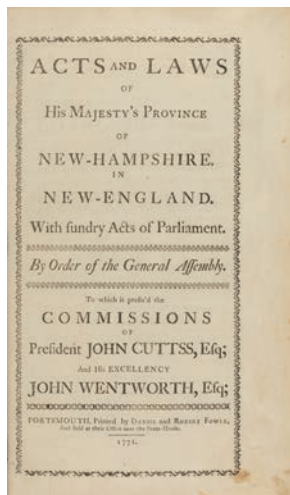
of the U.S. national debt. A Jewish solicitor from London who moved to the United States around 1811, Montefiore published several works on commercial law.

**THE FIRST ANNUAL SESSION OF
THE NATIONAL ASSOCIATION
OF WOMEN LAWYERS**

22

[National Association of Women Lawyers].
[10" x 35" Black-and-White Panoramic Photograph
of the First Annual Session of the National
Association of Women Lawyers]. Minneapolis,
MN, August 28, 1923. \$3,500.

FOUNDED as the Women Lawyers' Club in 1899 by an initial group of 18 members, the National Association of Women Lawyers (NAWL) held its first annual convention in Minneapolis in 1923. Chief Justice William Howard Taft, pictured in the center of the first row, was a special guest; seated to his right is Emilie Bullowa, NAWL's president from 1923 to 1924. Also pictured are Judge Mary O'Toole of Washington, DC, Customs Court Judge Genevieve Cline of New York and Phoebe Munnecke of Michigan.



N° 23

**1771 COMPILATION OF
NEW HAMPSHIRE LAWS**

23

[New Hampshire]. *Acts and Laws of His Majesty's Province of New-Hampshire in New-England.* Portsmouth, 1771. \$2,500.

ALSO KNOWN as "Fowles second edition" to distinguish it from a 1761 compilation, this fascinating volume of acts and laws from 1698 to 1771 provides unparalleled insights into the colony's attitude towards Indians, the poor, fornication, incest, polygamy, bankruptcy, fraud, court procedure and many other social and political topics. The main text is followed by a 51 pp. collection of temporary laws, which was also published as a separate volume.

**1719 COMPILATION OF NEW YORK LAWS
PRINTED IN LONDON BY JOHN BASKETT**

24

[New York]. *Acts of Assembly Passed in the Province of New-York, From 1691, To 1718.* London, 1719. \$3,000.

PUBLISHED the same year as William Bradford's compilation, this was the fourth codification of New York laws, preceded by three collections

printed by William Bradford in 1694, 1710 and 1713. It comprises all the acts of the New York Assembly from 1691 through 1718, including many concerning trade and slaves, such as the 1709 "Act for Preventing the Conspiracy of Slaves." According to Rich, Baskett's edition was likely copied from Bradford's and "according to Trott, printed by order of the Lords Commissioners of Trade and Plantation." Titles of expired or repealed laws are included.

**HANDSOME 1789 FOLIO EDITION OF
NEW YORK LAWS WITH TWO INTERESTING
LAID-IN MANUSCRIPT NOTES**

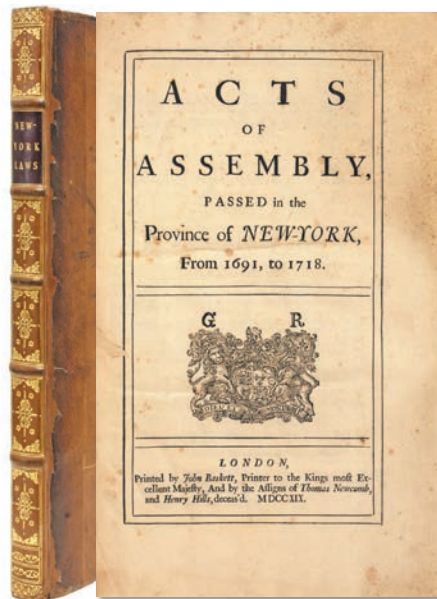
25

[New York]. [Jones, Samuel, Compiler; Varick, Richard, Compiler]. *Laws of the State of New York, Comprising the Constitution, And the Acts of the Legislature Since the Revolution, From The First to the Twelfth Session, Inclusive.* New York, 1789. \$3,000.

THE FIRST VOLUME of collected New York laws printed after the ratification of the U.S.

Constitution and the second issued after the American Revolution, the 1789 compilation contains laws passed from 1778 through 1789, regulating such topics as governance, mortgages, debtors, land, slaves, New York City, criminal and marital law, rape, liquor and exports. Also includes an interesting law in Kings County (Brooklyn) and Queens County (Queens) establishing a 40-shilling fine to those carriages traveling from the City of New York that fail to give right of way to carriages going toward the city. Also includes the Constitution of the State of New York, passed April 20, 1777.

The laid-in notes are quite interesting. The first is a contract between New York City Mayor Richard Varick and Hugh Gaine dated February 7, 1792. It directs the city treasurer to pay Gaine 73 pounds for "printing an emission of notes for small change." Issued two months before the establishment of the U.S. Mint, this note is essentially an authorization by the State of New York to issue fractional currency. The U.S. Constitution prohibited states from issuing paper money, but it appears that a few states and municipalities issued notes, or at least authorized them, in the early 1790s. Backed



N° 24



N° 25



N° 26

by the faith and credit of the issuer, these notes for small change were a response to the scarcity of coinage and the fluctuating value of copper. Such documents are rare, especially ones from New York, and offer important insights into early U.S. banking history and the interplay of federal and state rights. The other document is a note of acknowledgement for interest received on a bond from the N.Y. City treasurer signed by Hugh Gainé. The former owner of this book, Leonard Bronk [1751-1828], was a judge and member of the New York State Assembly. He was descended from Jonas Bronck, the Dutch settler whose estate formed the basis of the present-day New York City borough of the Bronx.

**FIRST AMERICAN EDITION OF
EVANS'S POTHIER ON OBLIGATIONS**

26

Pothier, Robert Joseph; [Evans, William David, Translator and Editor]. *A Treatise on the Law of Obligations, or Contracts. Translated From the French, With an Introduction, Appendix, and Notes, Illustrative of the English Law on the Subject.* Philadelphia, 1826. \$950.

FIRST AMERICAN EVANS EDITION, the second American edition of this work. (The first, a translation by F.X. Martin, was published in

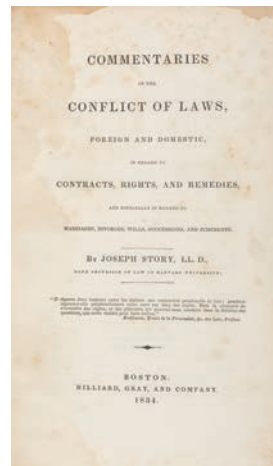
Newbern, N.C. in 1802.) Evans's edition was first published in London in 1806. Holdsworth says it introduced Pothier to English lawyers, which "did considerable service to the development of the English law of contract." It was "soon recognized as a major contribution to legal science...and frequently cited in British courts" (Walker).

**FIRST EDITION OF ONE OF STORY'S
MOST IMPORTANT TREATISES
IN A SUPERB BINDING**

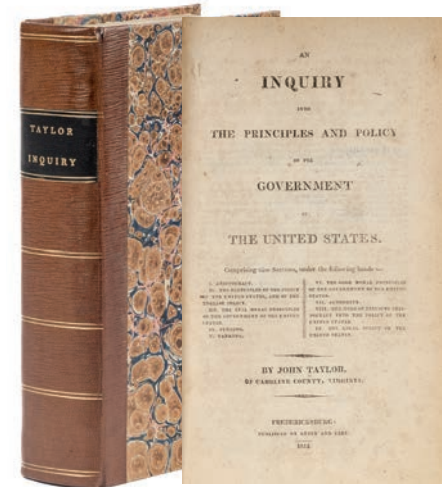
27

Story, Joseph. *Commentaries on the Conflict of Laws, Foreign and Domestic.* Boston, 1834. \$1,500.

FIRST EDITION. Story's *Conflict of Laws*, the first systematic treatise on the subject, is one of his greatest and most influential works. Warren says in the *History of the American Bar*: "It is not too much to say that its publication constituted an epoch in the law; for it became at once the standard and almost the sole authority...[it] received the honor of being practically the first American law book to be cited as authority in English courts." Expanding on this latter point Marvin's *Legal Bibliography* quotes "a late English writer" who says that "no work on international jurisprudence merited, nor received,



N° 27



N° 28

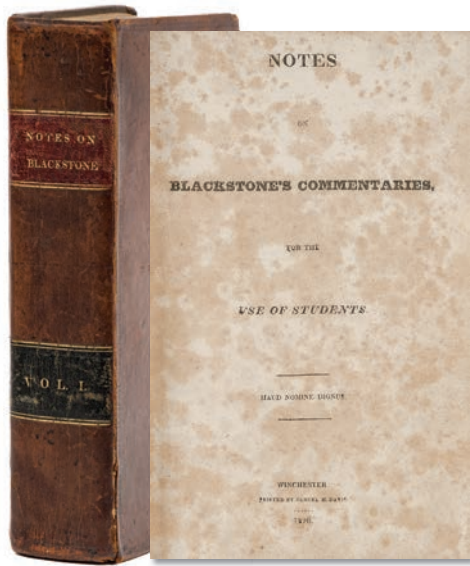
greater praise from the jurists of Europe. It impressed English lawyers with the highest respect for [Story's] extensive learning."

**"DESERVES TO RANK AMONG THE TWO OR
THREE REALLY HISTORIC CONTRIBUTIONS
TO POLITICAL SCIENCE WHICH HAVE BEEN
PRODUCED IN THE UNITED STATES"**

28

Taylor, John, Of Caroline. *An Inquiry into the Principles and Policy of the Government of the United States.* Fredericksburg [VA], 1814. \$1,850.

ONLY EDITION. A reply to John Adams's *Defence of the Constitutions of Government of the United States of America*, this book rejects the concept of "a natural aristocracy" of "paper and patronage" and a powerful federal government based on a system of debt and taxes. Also opposed to the extent of power awarded to the executive office, he calls for shorter terms for the president and all elected officers. It was a deeply influential work among antebellum southern proponents of states' rights and decentralized government. A later assessment by Charles Beard in the *Dictionary of National Biography* says it "deserves to rank among the two or three really historic contributions to political science which have been produced in the United States."



Nº 29

PRESENTED TO ONE OF HIS FORMER STUDENTS, WHO ADDED INTERLEAVES AND ANNOTATIONS

29

[Tucker, Henry St. George]. *Notes on Blackstone's Commentaries for the Use of Students*. Winchester [VA], 1826. \$2,500.

ONLY EDITION. Designated an “unfinished work” in the preface, this text 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. Though published as a single volume, some copies were re-bound as two books, often with interleaves. Our volume, designated Volume I on the spine, contains the contents for Books I and II and the first page of Book III.

The former owner was almost certainly Patrick Henry Cabell [1804-1886], a Richmond-area lawyer from one of Virginia's most distinguished families, one that produced several lawyers, judges, politicians and civic leaders. It follows that he was the “Mr. Cabell” enrolled at the Winchester Law School from 1824 to 1825. (No other Cabells attended that school.) Cabell was practicing law when he

received his copy from Tucker. As one would expect, his annotations are those of a lawyer. Concerned mostly with estate matters, they expound points in the text, add case citations or draw comparisons to other sections of the *Commentaries*. One example criticizes a case used by his former teacher to illustrate a point. The subsequent owner, “James M. Whittle,” was probably James Murray Whittle [1806-1891], a lawyer and entrepreneur who lived in Chatham, Virginia.

THE FIRST COMPILATION OF UNITED STATES CONSTITUTIONS SINCE 1787

30

[United States]; [Constitutions]. *Constitutional Law: Comprising the Declaration of Independence; The Articles of Confederation; The Constitution of the United States; And the Constitutions of the Several States Composing the Union*. Washington City [DC], 1819. \$2,500.

FIRST EDITION. With an appendix containing federal constitution and the constitutions and amendments of 21 states, including Indiana and Illinois. Federal and state amendments enacted between 1808 and 1816 are also included. This was the first compilation published in Washington. A quasi-official work, it was the first “government” compilation since the ratification of the Federal constitution. Later editions were published in 1820, 1822 and 1823. All editions are scarce. OCLC locates 5 copies of the first edition in law libraries (Duke, Georgetown, Harvard, Library of Congress, William and Mary).

INCLUDES EARLY COMMENTARIES ON THE U.S. CONSTITUTION BY ONE OF THE FRAMERS

31

Wilson, James; Wilson, Bird, Editor. *The Works of the Honourable James Wilson, L.L.D.* Philadelphia, 1804. \$8,500.

FIRST EDITION. Wilson was one of the most influential delegates to the Federal Constitutional

Convention and one of the six founding fathers who signed both the Declaration of Independence and the U.S. Constitution. He was also the principal author of the Pennsylvania Constitution, a professor of law and an associate justice of the United States Supreme Court. Compiled and edited by his son, the *Works* consist mostly of lectures on American law delivered at the College of Philadelphia in 1790 and 1791. Wilson intended to revise them and publish them as a treatise, but death intervened. As published, they cover several aspects of public and private law, such as the common law, general principles of the law of nations and the law of nature, crime, obligations and property. Other lectures are some of the earliest commentaries on the U.S. Constitution. The texts of several important speeches, including several concerning the Constitution, are also included.

Great Britain

THE FIRST LONDON EDITION OF BLACKSTONE'S COMMENTARIES

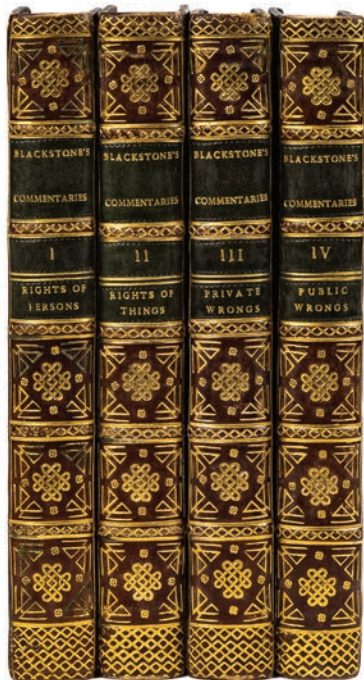
32

Blackstone, Sir William. *Commentaries on the Laws of England*. London, 1774. \$3,000.

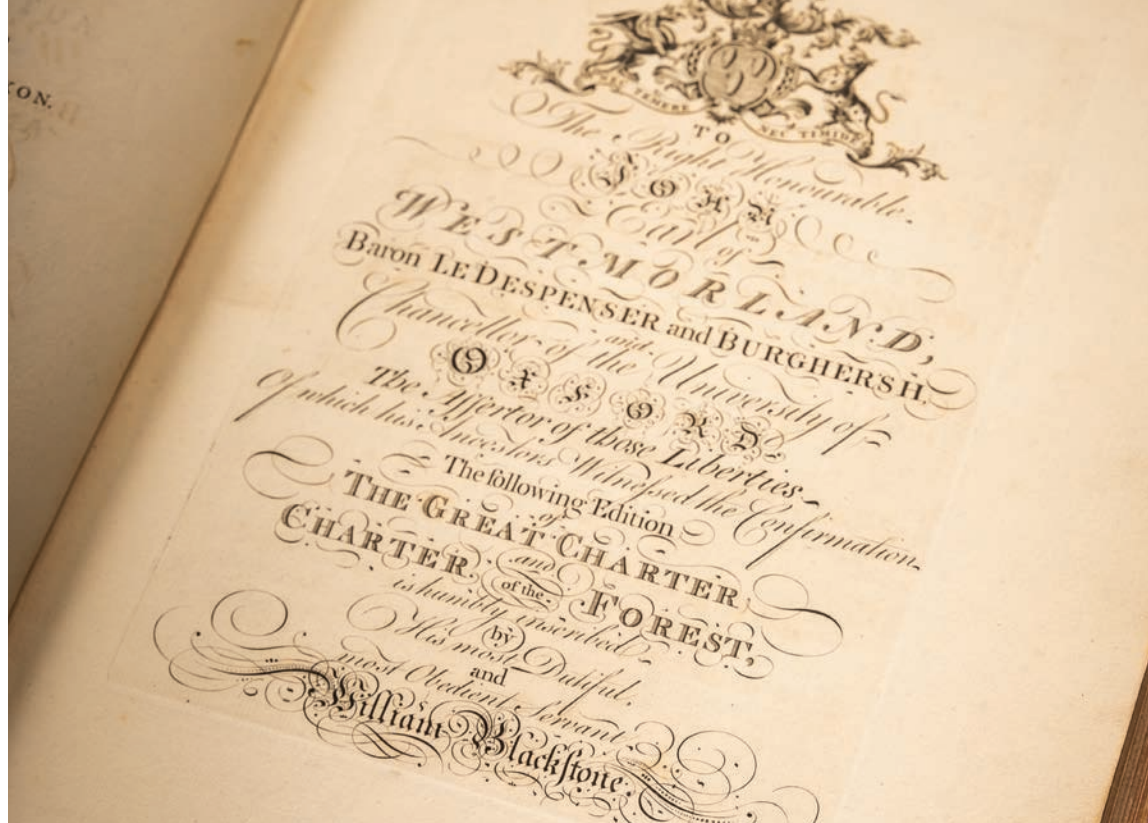


Nº 31

SIXTH EDITION and the first edition published in London. The most influential publication in the history of modern Anglo-American law, the *Commentaries on the Laws of England* is based on a course of lectures delivered at Oxford University. Because they were not intended for aspiring practitioners, they described general principles rather than practical specifics. Sensitive to the systematizing trends of the day and the prestige of the natural sciences, it described the common law as an intricate, well-designed system akin to Newton's mechanistic universe. It was also an important account of the law's evolution. As Holdsworth notes, "the *Commentaries* are not only a statement of the law of Blackstone's day, but the best history of English law as a whole which had yet appeared...The skillful manner in which Blackstone uses his authorities new and old, and the analogy of other systems of law, to illustrate the evolution of the law of his day, had a vast influence, both in England and America, in implanting in the profession a sound tradition of the historical development of the law."



Nº 32



Nº 33

THE FIRST CRITICAL EDITION OF MAGNA CARTA IN A HANDSOME BINDING

33

Blackstone, Sir William, Editor. *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, 1759. \$10,000.

FIRST EDITION of the first modern critical edition of Magna Carta. Blackstone's first important work, it contains the Articles of the Barons, the issues of the Great Charter in 1215, 1216 and 1217, with several charters of confirmation, the Charter of the Forest, and the Statute of Marlebridge. The introduction is in English and the texts of the Magna Carta and Carta de Foresta in Latin. 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.

This edition is esteemed for its handsome appearance, which 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" and noted that its "elegance of typography is very great." The engraved dedication to the Earl of Westmoreland is surmounted with his armorial ensigns; engraved historiated initials in the text depict views of buildings at Oxford University. The tail-pieces on pages lxxvi and 73 are historical vignettes; the other ten engraved tail-pieces reproduce the royal seals attached to the original documents.

EXECUTION

OF JAMES ANY BIRD BELL, AT MAIDSTONE, FOR MURDER.



Maidstone, Friday, July, 29th, 1831,
JAMES Any Bird Bell, aged 14, was placed at the bar, and indicted for having, on the 4th of March, at Bridge wood, in this county, with malice aforethought, killed and murdered Richard Faulkner Taylor, by cutting his throat. The prisoner manifested not the slightest concern on appearing at the bar.

It appeared in evidence that on Friday, the 4th of March last, Robert Taylor, who is a journeyman tallow-chandler, living at Strood, near Rochester, and who having been ill some time, received 9s. per week from the parish of Aylesford, toward the support of his family. On the day above-mentioned, he sent his son, who was 13 years of age, at nine in the morning to receive the money, when not returning that day, the father became uneasy, and the following morning Taylor went to Aylesford, to make enquiries after him, and found that his son had received the money. Notice was given of the loss of the child, bills were printed, and a reward offered for his discovery. The loss of the boy remained in mystery till the 11th of May, when a man named Izzard, in passing through a wood, a short distance from the road, and two miles from Rochester, found the body; it was lying on the back with the right hand across the breast. The body was taken to the poor-house at Rochester, and examined by the surgeon; it was in a very bad state of decay, and the surgeon stated the cause of his death was from a wound inflicted on the left side of the neck, with a cutting instrument.

Charles Pattison, a constable, who took the prisoner from Rochester to Maidstone, stated that as he brought the prisoner along, he (the prisoner) pointed to a pond by the road side and said there's the pond where I washed my hands and the knife after I had done the crime. At this time they were not in conversation. After they had gone a short distance further on, the prisoner pointed to an opening in the wood,--

"That leads to the place where I murdered the poor boy,-- don't you think he's better off than me, Sir?" About 40 yards further on he pointed out a gap in the hedge through which he said he had come, with the knife open in his hand, after he had done the murder. He then described the transaction very minutely. He said that when he first met with Taylor, they went into a turnip field together, and ate a turnip each, that Taylor pared his turnip with his own knife in the field, and then they came out and walked along the road. He said, when he first spoke to Taylor, he intended to murder him, and under pretence of leading him home, he took him into the wood. When they came to the spot where he was found he told him that he had lost his way, upon which Taylor sat down upon the ground and cried.-- Then he (the prisoner) sprung upon him, and cut his throat. He then took the money out of a little bag which was in a glove, but he had a good deal of trouble in doing it. In the bag there were three half-crowns, a shilling, and a sixpence. When he had got the money he became very much alarmed, and rushed out of the wood. On his way to the gaol, he also said that there would be no necessity for putting irons on him, for he knew that he should suffer, and did not mean to attempt to get away. On another occasion he told the witness that he was sure that if the deceased was dug up, his knife would be found wrapped up in his gloves, in one of his pockets, for that he saw him, after he had pared his turnip, wipe it, and put it up so. The body in consequence of this, was dug up, and his pocket a knife and glove was found, as the prisoner had described. He also told witness that he sold the knife to a boy, named James Perrin, and that, as he was going home from the wood, he met George Ellis. When the prisoner was called upon for his defence, he made no reply, but said he wished to have his mother examined. His mother was in Court, but his request was not complied with.

Mr. Justice Gaslee then proceeded to charge the Jury, who almost immediately found the prisoner guilty.

His Lordship then passed sentence of Death upon the prisoner, intimating to him that notwithstanding his youth, his crime was so atrocious that no hope of mercy could be held out to him.

Thousands of people from far and near, assembled to see the Execution of this poor youth. When he was led to the fatal drop, not a dry eye was to be seen. The Clergyman, and some other gentlemen attended him, and benighted them in prayer, with great fervor. The dreadful preparations being completed, the fatal drop fell, and the world closed upon him for ever.

▲▲▲▲▲▲▲▲
DRAW near good Christian pass,
 And I will tell you what,
 A foul and horrid murder,
 Will make your blood run cold
 The like of which for many years,
 Has not been heard or seen,
 Committed by James Any Bell,
 A youth about fifteen.
 A youth named Robert Taylor,
 who lived down in Strood,
 Returning home from Maidstone,
 He passed through a wood,
 When he attacked him secretly,
 And with a sharp crimp knife,
 He robbed him of nine shillings,
 And afterwards of five,
 Upon the damp cold ground he fell,
 With many a pory wound,
 ▲▲▲▲▲▲▲▲



▲▲▲▲▲▲▲▲
 Ten weeks the murder's body lay
 before that it was found;
 Two bodies were murdered, cold,
 And sent to god with good,
 When the youngest man's confession
 Of the most horrid deed.
 He said his brother told him he
 while he did watch the wood,
 Then to a post his brother went,
 And washed off the blood;
 Now he has found his trail
 and for his cruelty
 at Maidstone he did not die,
 Upon a fatal tree.
 ▲▲▲▲▲▲▲▲
 J. CLEVELAND, Printer, 2, Minster-
 Court, 7 Dials



Nº 34

PRINTING AND THE MIND OF MAN 89: THE FIRST TREATISE ON ENGLISH LAW

34

Bracton, Henry de. *De Legibus et Consuetudinibus Angliae, Libri Quingq.* London, 1569. \$8,500.

FIRST EDITION. Written between 1250 and 1256, *De Legibus et Consuetudinibus Angliae* [The Laws and Customs of England] is the first treatise on English law. A systematic work, it emphasizes the separation of procedural and substantive matters and also cites cases as sources of at least intellectual, if not formal, authority. The principles formulated in this work, including *mens rea* (criminal intent), and its use of precedents determined the development of English law and established the method adopted by Littleton and Coke. In Maitland's words, it is "the crown and flower of English medieval jurisprudence" and "by far the greatest of our medieval law books."

THE EXECUTION OF A TEENAGE MURDERER

35

[Broadside]; [Execution]. *Execution of James Any Bird Bell, At Maidstone, For Murder.* [London, 1831]. SOLD

FOURTEEN-YEAR-OLD John Any Bird Bell confessed to killing Richard Faulkner Taylor,

Nº 35

thirteen, presumably for the small sum of money Taylor was carrying home. His younger brother, James (with whom John Any Bird is often confused in contemporary accounts), apparently a witness to the crime, testified against him at trial, where he was convicted of murder. Bell was the youngest person executed in England in the nineteenth century. This broadside appears to be unrecorded. No copies located on OCLC or Library Hub.

**ONLY KNOWN COPY:
"WILL YOU NOT CONFESS?"**

36

[Broadside]; [Execution]. *Trials and Execution of John and Robert Greers, Two Brothers, For the Murder of Their Father.* [London, c.1800]. \$2,000.

THIS BROADSIDE says nothing about the circumstances of the crime. It describes the behavior of the two brothers on the day of their execution. Robert was penitent, John defiant. When "solemnly exhorted to declare their guilt"

after the nooses were placed around their necks, John said "'I forgive my persecutors, prosecutors, and all my enemies, and I hope God will forgive them as I do.' Robert prayed aloud to the Almighty to enable him, in these last moments, to tell the truth, and then addressing himself to those around him, said, 'I am a guilty sinner, and suffer justly and lawfully;' then turning to his brother said, 'John, will you not confess?' to this appeal John made no reply, when a person present said, 'John, do you hear what your brother Robert says?' to which he replied, 'I have done,' meaning he would not again speak. The cart was now drawn away, and they were launched into eternity." This broadside appears to be unrecorded. No copies located on OCLC or Library Hub.

ONLY KNOWN COPY

37

[Broadside]; [Execution]. *The Awful Execution and Confession of James Bloomfield Rush, Who was Executed on Saturday Morning at Norwich.* Exeter, [1849]. \$3,850.

RUSH, a delinquent tenant of Isaac Jermy and his son, devised a plan to kill the two men, their servant, and the son's wife and blame the murders on rival claimants to the Jermy estate. He succeeded in killing the Jermys but failed to kill Mrs. Jermy and the servant, who survived to identify him. Popularly known as the "murders at Stanfield Hall," the killings became a national sensation, and many businesses sought to cash in on the lurid tale. A wax figure of Rush was displayed at Madame Tussauds after Rush's execution; our broadside notes that "agents of Madame Tussaud" were seeking to purchase the disguises Rush wore on the night of the murder. It also reports a Norwich bookseller's offer of five hundred pounds to each of Rush's children for a history of his life. This broadside appears to be unrecorded. No copies located on OCLC or Library Hub.

Nº 37



Nº 38

**UNRECORDED ACCOUNT OF
AN ATTEMPTED MURDER IN OXFORDSHIRE**

38

[Broadside]; [Murder]. *Attempted Murder of a Wife by Her Husband, Near Banbury, Oxfordshire.* Reading, [1849]. \$3,850.

JAMES LAYTON, under stress from financial distress, began to entertain paranoid delusions that his wife was 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 due to insanity. This appears to be an unrecorded broadside. No copies located on OCLC or Library Hub.



A most Horrible Murder,

Committed by John Holloway upon the body of his WIFE, by Cutting off her Head, Legs, and Arms.



ONE of the most appalling and inhuman murders in the annals of crime has been recently committed in

on the side of the high road, in the plantation of Mr. Standford's farm, and in a sort of a hollow, overhung

HOLLOWAY'S CONFESSION.

On Saturday last, Holloway expressed a great desire to speak in private with the Rev. Mr. Everard, the Chaplain of the Prison, and when that gentleman visited him, Holloway stated that

MURDER AND MUTILATION IN BRIGHTON

39

[Broadside]; [Murder]. *A Most Horrible Murder, Committed by John Holloway Upon the Body of His Wife, By Cutting Off Her Head, Legs, And Arms.* [London, 1831]. \$3,000.

HOLLOWAY AND HIS WIFE Celia had been separated for a number of years, with Holloway required to pay her two shillings per week as maintenance. This proved difficult, and he was forced to rely on his mistress, Ann Kennett (sometimes given as Kennard) for the money. Tired of this arrangement, he lured Celia out of the house, strangled her and dismembered the corpse for burial. According to some accounts, she was pregnant at the time of the murder. Holloway confessed (contradicting himself several times on the point of whether Kennett was involved) and was convicted and hanged on December 16, 1831. Kennett was cleared of wrongdoing. This broadside appears to be unrecorded. No copies found on OCLC or Library Hub.

PROCLAMATIONS FROM THE BRITISH MILITARY OCCUPATION OF SAMOA

40

[Broadside]; [Samoa]. [British Military Occupation of Samoa: Proclamations 1-40, 42-43]. [Apia, Western Samoa, 1914-1917]. \$3,750.

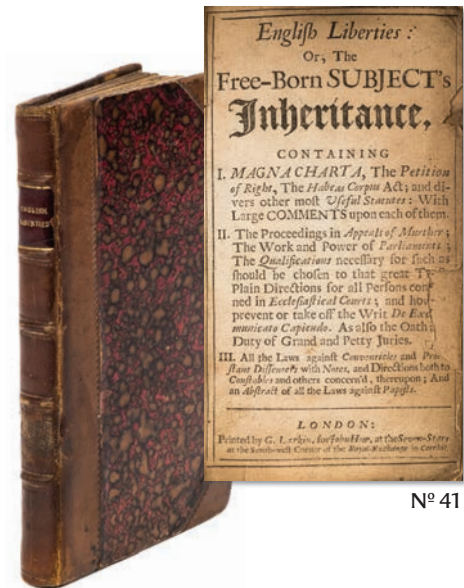
A COLLECTION of 42 proclamations issued during the British military occupation of German Samoa during World War I, most signed in type by Colonel Robert Logan in his capacity as the military administrator of the colony. New Zealand's Samoa Expeditionary Force landed in August of 1914 and the colony remained under military administration until 1919. This was New Zealand's first military action in World War I; Samoa would remain under New Zealand's governance until independence in 1962. The proclamations deal with a wide range of matters, including the announcement of the occupation, restrictions on imports and exports, the supply of liquor to Samoan natives, the administration of local legal institutions and the treatment of

Chinese indentured laborers. These broadsides are rare, with OCLC generally locating fewer than 5 copies worldwide and no copies of any in North America.

FIRST EDITION OF A CLASSIC GUIDE TO ENGLISH LAW AND GOVERNMENT THAT INSPIRED THE AMERICAN FOUNDING FATHERS

41

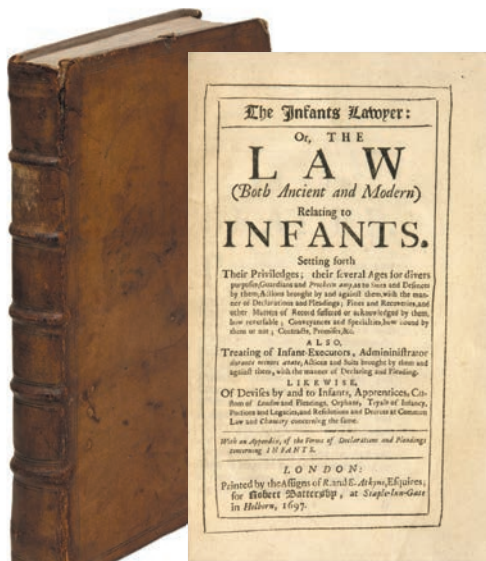
[Care, Henry]. *English Liberties: Or, The Free-Born Subject's Inheritance, Containing I. Magna Charta, The Petition of Right, The Habeas Corpus Act; And Divers Other Most Useful Statutes: With Large Comments Upon Each of Them. II. The Proceedings in Appeals of Murther; The Work and Power of Parliaments; The Qualifications Necessary for Such as Should be Chosen to that Great Trust. Plain Directions for All Persons Concerned in Ecclesiastical Courts; And How to Prevent or Take Off the Writ De Excommunicato Capiendo. As Also the Oath and Duty of Grand and Petty Juries. III. All the Laws Against Conventicles and Protestant Dissenters with Notes, And Directions both to*



Nº 41

Constables and Others Concern'd, Thereupon; And an Abstract of All the Laws Against Papists.
London, [1682]. \$2,500.

FIRST EDITION, one of two imprints from that year (1682 publication date conjectured by Wing). 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 Priviledge 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 this edition and another copy printed in London in 1719, 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. OCLC locates 2 copies of this imprint (at Harvard Law School and the Library of Congress, Law Division). The two undated imprints were followed by a series of dated imprints, the first from 1682.



Nº 42



Nº 40

**FIRST EDITION OF THE FIRST ENGLISH
TREATISE ON LAWS CONCERNING INFANTS**

42

[Carter, Samuel]. *The Infants Lawyer: Or, The Law (Both Ancient and Modern) Relating to Infants. Setting Forth Their Priviledges; Their Several Ages for Divers Purposes; Guardians and Prochein Amy, As to Suits and Defences by Them; Actions Brought by and Against Them, With the Manner of Declarations and Pleadings; Fines and Recoveries, And Other Matters of Record Suffered or Acknowledged by Them.* London, 1697. \$4,500.

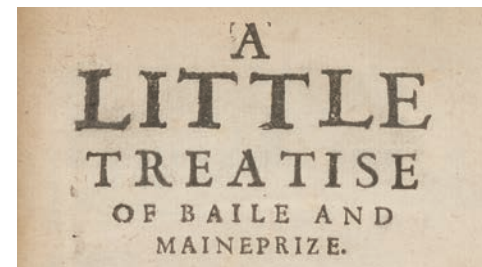
FIRST EDITION. This was the first English treatise on the subject and the first copy of this edition we have seen in 35 years. Its twenty comprehensive chapters consist of a digest of the case law relating to each topic with explanatory comments. Holdsworth notes that "[i]t was a useful book to practitioners since it covers all the topics connected with its subject." A third edition was published in 1726. All editions are scarce.

**COKE ON BAIL
AND MAINPRISE**

43

Coke, Sir Edward. *A Little Treatise of Baile and Maineprize.* London, 1637. \$1,250.

SECOND AND FINAL EDITION. First published posthumously in 1635, this treatise by Coke provides a clear and succinct overview of the law of bail. Holdsworth notes that it would have been of particular use to justices of the peace. OCLC locates 2 copies in North American law libraries (Harvard, Jenkins Law Library).



Nº 43

"A PEEP INTO THE COURT OF KINGS BENCH"

44

Dighton, Robert (Senior). *Term Time or The Lawyers All Alive in Westminster Hall.* [London, 1795]. \$15,000.

A SUPERB WATERCOLOR satirizing lawyers, judges and juries. "Three judges preside over lawyers who jabber among themselves. No interest is taken in clients and it is impossible to say if one is actually present, although the crestfallen man holding a hat, on the right of the picture, could be a plaintiff. Meanwhile the jury of five men sit in their box exhibiting at least one deficiency each: they appear to be individually deaf, blind, asleep, dumb and sick in the head" (Padbury). The piece is numbered 557 and captioned, after the title, with a strike-through: "A Peep into the Court of Kings Bench." Robert Dighton was a portrait painter, printmaker and caricaturist known for his satirical views of elite Londoners. Three of his children and two of his grandchildren followed in his footsteps. This watercolor was part of the collection of David Edward Padbury, an authority on the work of the Dightons.

THE EARLIEST WORK IN ENGLISH
DEVOTED TO LAWS RELATING TO WOMEN

45

[Edgar, Thomas, Attributed]. *The Lawes Resolutions of Womens Rights: Or, The Lawes Provision for Woemen. A Methodicall Collection of Such Statutes and Customes, With the Cases, Opinions, Arguments and Points of Learning in the Law, As Doe Properly Concerne Women.* London, 1632. \$25,000.

FIRST EDITION. The earliest work in English devoted to laws relating exclusively to women, this incomparable digest from the time of the Civil War is also known as *The Womens Lawyer*. It is notable, in part, as the first book in English with the phrase "women's rights." A wide-ranging work, it treats such diverse topics as age of consent, dower, hermaphrodites, polygamy, wooing,



N° 44

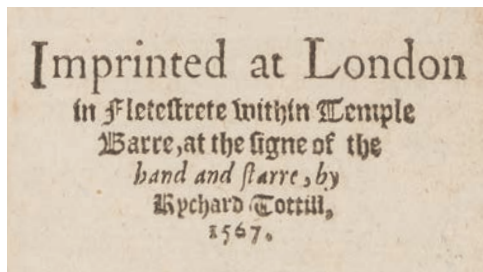
partition, chattels, divorce, descent, seisin, treason, felonies and rape. Some sources, such as the *English Short-Title Catalogue*, believe this work was written in 1603 by Sir John Doderidge [1555-1628], an important legal figure during the reign of James I. Its preface is signed T.E., who is believed to be Thomas Edgar. Jefferson owned a copy of this book, which suggests a few copies could be found in early American libraries.

**HANDSOME ANNOTATED COPY OF
THE FIRST ENGLISH-LANGUAGE EDITION
OF FORTESCUE'S *DE LAUDIBUS***

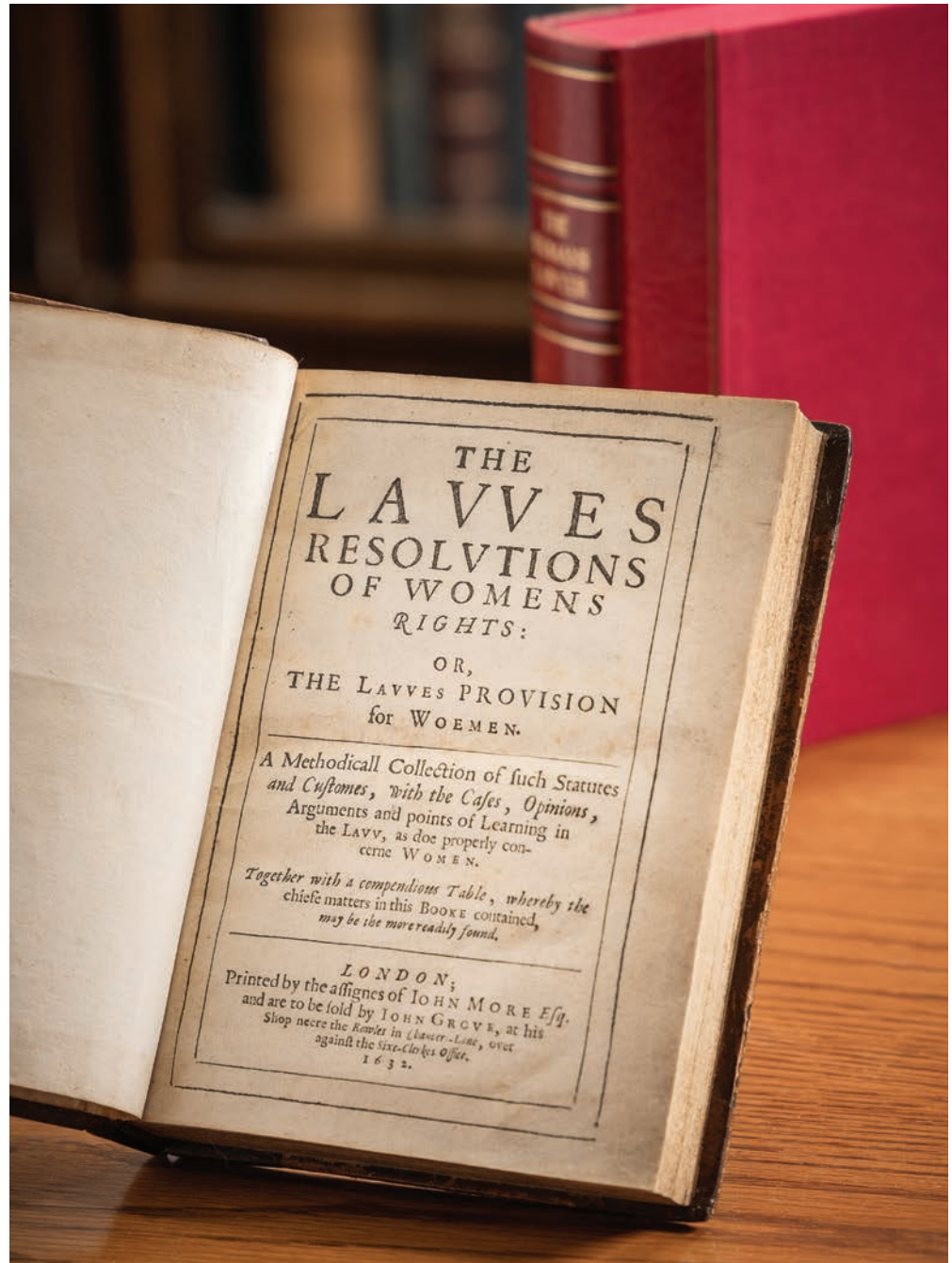
46

Fortescue, Sir John; Mulcaster, Robert, Translator. *A Learned Commendation of the Politique Lawes of England: Wherin by Moste Pitthy Reasons and Evident Demonstrations They are Plainely Proved Farre to Excell Aswell the Civile Lawes of the Emperie, As Also All Other Lawes of the Worlde.* [London, 1567]. \$10,000.

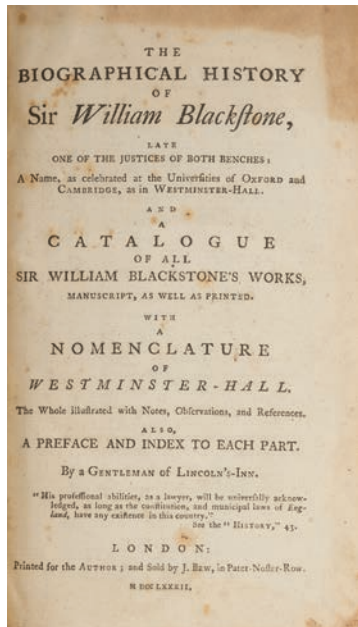
FIRST EDITION IN ENGLISH, by Robert Mulcaster, the great Elizabethan educationalist. *De Laudibus Legum Angliae*, a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in a friendly dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe. The first work to examine trial by jury and the Inns of Court at length, it also extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first published (in Latin) in 1537. Coke deemed it “worthy to be written in letters of gold.”



N° 46



N° 45



N° 47

THE FIRST INDEPENDENT BIOGRAPHY OF BLACKSTONE

47

Gentleman of Lincoln's-Inn. *The Biographical History of Sir William Blackstone, And a Catalogue of All Sir William Blackstone's Works, Manuscript as Well as Printed, With a Nomenclature of Westminster Hall.* London, 1782. \$1,500.

ONLY EDITION. Based on Clitherow's biographical preface from the *Reports*, which was also included in several editions of the *Commentaries*, this is the first independent biography of Blackstone. The *English Short-Title Catalogue* notes this work is "[s]ometimes attributed to Sylvester Douglas, Baron Glenberrie and D. or Dr. Douglas; the attribution to Sylvester Douglas (b. 1743) is incorrect as p. xviii of the preface to the *Nomenclature* states 'The compiler of this nomenclature attended the several courts of justice himself, in and from Trinity term, 1750.'" It also shows some copies have the indexes of all three parts bound at the rear of the text.

A COLLECTION OF SCARCE DUBLIN PAMPHLETS IN A CONTEMPORARY BINDING

48

[Great Britain]. [A *Trial Bound with Five Pamphlets on Social and Political Topics*]. Dublin, 1740-1747. Together 6 titles. \$4,500.

THE IMPRINT LOCATIONS and appearance of the binding suggest these pamphlets were bound together around 1750 in Ireland. The first pamphlet addresses a sensational case of fratricide; the third is an anti-Catholic tract. The other four, all with a strong anti-Catholic bias, discuss the war of Austrian Succession and the Jacobite Rising of 1745.

Contents:

1. [Goodere, Sir Samuel]. *The Genuine Trial of Samuel Goodere, Esq.* Dublin, 1740.

2. [Murray, Sir John]. *Genuine Memoirs of John Murray, Esq.* Dublin, 1747.

3. [Coustos, John]. *The Sufferings of John Coustos, For Free-Masonry, And for His Refusing to Turn Roman Catholic, In the Inquisition at Lisbon.* Dublin, 1746.

4. [War of the Austrian Succession]. *The Case of the Genoese Impartially Stated.* Dublin, 1747.

5. [Squire, Samuel, Attributed]. *The Important Question Discussed; Or, a Serious and Impartial Enquiry into the True Interest of England with Respect to the Continent.* Dublin, 1746.

6. Herring, Thomas. *A Sermon Preach'd at the Cathedral Church of York, September the 22d, 1745. On Occasion of the Present Rebellion in Scotland by Thomas, Lord Archbishop of York.* Dublin, 1746.



N° 48



**ORDINANCES AND ORDERS FROM
THE FIRST ENGLISH CIVIL WAR**

49

[Parliament]. *A Collection of All the Publicke Orders Ordinances and Declarations of Both Houses of Parliament, From the Ninth of March 1642. Untill December 1646.* London, 1646. \$2,000.

ONLY EDITION. Published near the end of the first English Civil War, this volume collects ordinances and orders issued during that time. Many relate directly to the war, while others deal with everyday governance or ideological issues such as religious liberty.

**WITH 16 HAND-COLORED
SATIRICAL PLATES BY ROWLANDSON**

50

[Hartley, J.]; [Rowlandson, Thomas, Artist]. *History of the Westminster Election, Containing Every Material Occurrence, From its Commecement [sic] on the First of April, To*

**A PRINCIPAL ENGLISH TREATISE
ON CANON LAW**

51

[Lyndwood, William]; [Badius, Josse, Editor]. *Provinciale Seu Col[n]stitutiones Anglie: Cu[m] Summariis/Atq[ue] Iustis Annotationibus/ Politissimis Characteribus/Summa[ue] Accuratione Rursum Revise/Atq[ue] Impresse.* [Antwerp, 1525]. \$5,000.

SECOND POST-1500 EDITION. Main text followed by 28-ff. two-part index. Compiled around 1433 and first published around 1483-1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This edition was printed in Antwerp for the English market.

Nº 50

the Final Close of the Poll, On the 17th of May. London, 1784. \$2,500.

FIRST EDITION, one of two variants. The Westminster borough was the most populous in the country, and campaigns for its two seats were among the most contentious in the late eighteenth century. This volume is a history of the 1784 general election issued on behalf of supporters of the radical Whig politician Charles James Fox [1749-1806]. It includes reprints of parliamentary debates, newspaper articles and advertisements, poetic and lyrical extracts and 16 hand-colored plates by Thomas Rowlandson. The election ultimately resulted in victory for Fox, who spent lavishly on the election and defeated his Whig opponent Sir Cecil Wray by 225 votes. Our variant is dedicated "to the free and independent electors of Westminster" rather than "her Grace the Duchess of Devonshire." Later editions appeared in 1784 and 1785.



Nº 51



N° 52

THE FIRST ENGLISH BOOK ON INSURANCE, A SOURCE FOR SMITH'S WEALTH OF NATIONS

52

Magens, Nicolas. *An Essay on Insurances, Explaining the Nature of the Various Kinds of Insurance Practised by the Different Commercial States of Europe, And Shewing their Consistency or Inconsistency with Equity and the Public Good.* London, 1755. \$3,500.

ONLY EDITION IN ENGLISH. First published in German in Hamburg in 1753 and substantially revised and enlarged in translation, this was the first English book on insurance. It was highly esteemed by Adam Smith, who cites it several times in *The Wealth of Nations*. The first volume describes the nature of insurance policies in European states and includes an overview of “real and extraordinary cases” that illustrate key points. The second volume translates foreign insurance ordinances into English, lists relevant English acts of parliament and summarizes commercial treatises between England and foreign nations. Magens, a German merchant and naturalized British citizen, was also the author of the popular work *The Universal Merchant* (1753). William



N° 53

Curtis Noyes [1805-1864], the former owner of our copy, was a leading New York lawyer and a member of the commission to codify the state’s laws, which resulted in the Field Codes. A man of extensive learning, he owned one of the finest law libraries in the United States.

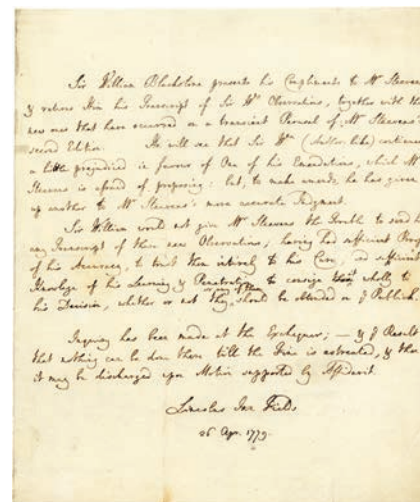
HANDSOME COPY OF THE 1576 TOTTTEL EDITION OF MAGNA CARTA OWNED BY A WOMAN

53

[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.* [London, 1576]. Contemporary ownership signatures of Jane Saunderson to title page and rear endleaf. \$7,500.

TEXT IN LATIN, English and Law-French. With two tables of statutes, one alphabetical. An early and uncommon edition of the Magna Carta printed here with corrections and additions from earlier editions, up to the 14th year of the reign of Elizabeth I. It includes the Carta de Foresta of

Henry III, the Statutes of Merton and Marlebridge and additional information useful to “students of the law” and “practisers of the same.” A valuable window on English society in the sixteenth century, the statutes deal with women, wills, leases, forcible entry, “Fraudulent Deedes” and many other topics.



N° 54

BLACKSTONE DISCUSSES SHAKESPEARE

54

[Manuscript]. Blackstone, Sir William.
[Autograph Letter (in Third Person) to George Steevens, London, Lincoln's Inn Fields, 26 April 1779]. \$5,000.

ADDRESSED to the eminent Shakespearean George Steevens, the letter discusses Blackstone's critical notes on Shakespeare, which were ultimately published the following year (after his death) in Edmund Malone's supplement to the 1778 edition of Shakespeare's plays by Samuel Johnson and George Steevens. Blackstone returns a transcription of the notes "together with the new ones that have occurred on a transient Perusal of Mr Steevens's second edition. He will see that Sir W[illiam] (Author-like) continues a little prejudiced in favour of One of his Emendations, which Mr Steevens is afraid of proposing: but, to make amends, he has given up another to Mr Steevens's more accurate Judgement." He adds that there is no need to send a transcript of the new "observations," and concludes with a note on a legal case: "Inquiry has been made at the Exchequer; - & [the] Result is, that nothing can be done there till the Fine is estreated, & then it may be discharged upon Motion supported by Affidavit."

ACCOUNT BOOK AND CLIENT LEDGER OF A CHESTER LAWYER

55

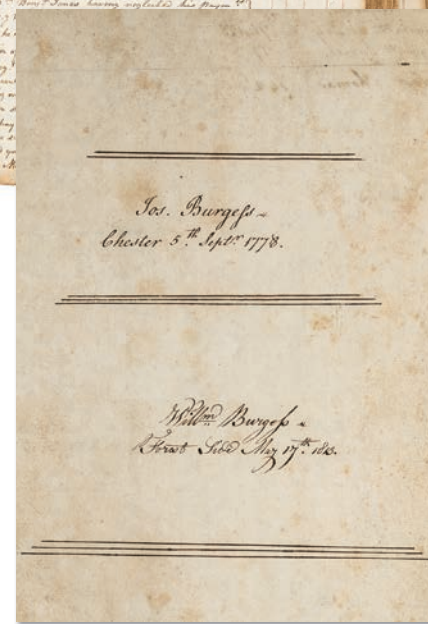
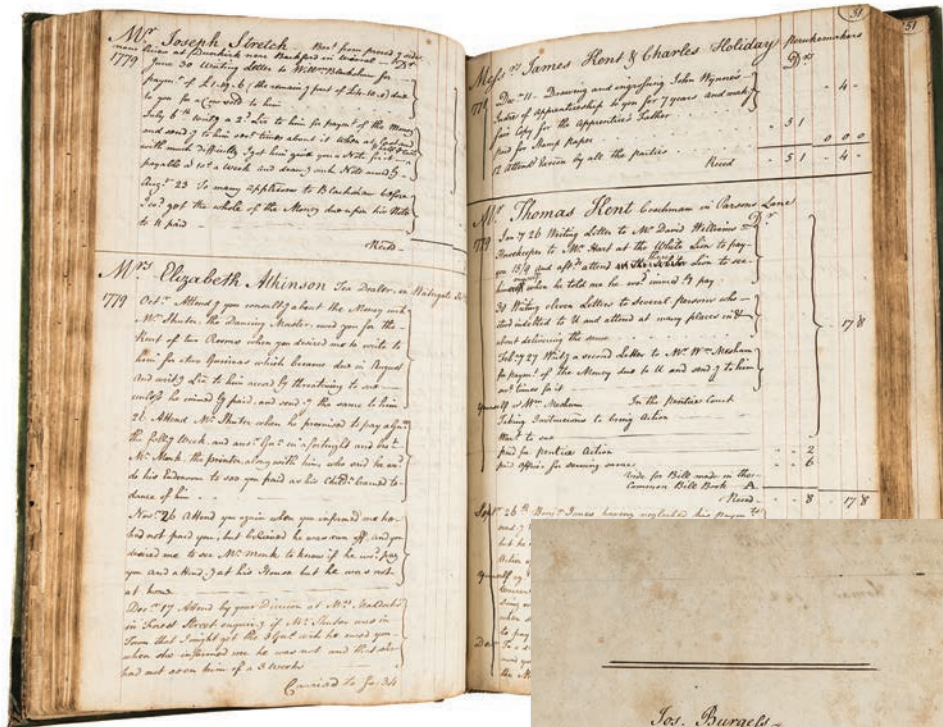
[Manuscript]. [Burgess, Joseph]; [Burgess, William]. **[Account Book].** Chester, UK, 1778-1846. \$4,500.

THIS MANUSCRIPT began its life as a ledger of clients served by Joseph Burgess from approximately 1778-1784. Each entry is highly detailed and lists the client's name, occupation and details of their case along with the steps taken by Burgess and the expenses incurred. Many of his clients were tradespeople or servants and his charges appear to have been accordingly modest. In several cases, Burgess did not charge his clients at all, particularly (though not exclusively) when

he noted they were in difficult circumstances. Despite this generosity, at least one client, an innkeeper seeking to claim a tenant's goods in lieu of unpaid rent, absconded.

The entries provide a fascinating look into legal practice and daily life in the area. In addition to more prosaic matters such as wills and contracts, Burgess also dealt with libel, assault and verbal abuse. One client, a grocer, was accused of calling another woman "a Whore and an Old Bawd" by a witness who demanded payment and "an undertaking never to molest [the woman] again." Another client asked Burgess to assist his sons with obtaining prize money from the ships *Mannon* and *Thetis*.

The ledger was then passed to William Burgess, likely Joseph Burgess's son, who noted on the first page that he was practicing in Forest Side in 1813. It is unclear which entries are William's, though some entries from the early nineteenth century appear on blank portions of leaves with Joseph Burgess's records. His entries may also



Nº 55

have appeared on the excised leaves. The ledger concludes with entries in several hands spanning approximately 1818-1846 and dealing with the household expenses and estate of John Burgess. Taken as a whole, the volume is both a thorough record of everyday legal practice in the eighteenth century and an interesting window onto the use and reuse of manuscripts by later owners.



N^o 56

**PRIVATE RECORDS
OF EIGHTEENTH-CENTURY
PARLIAMENTARY PROCEEDINGS**

56
[Manuscript]. Gray, Charles. [Commonplace Book and Parliamentary Notebook]. Great Britain [London?], c.1762-1775. \$3,500.

THIS COMMONPLACE BOOK and parliamentary notebook was compiled by Charles Gray, who served as a Conservative MP for Colchester from 1761 to 1780. (He was first elected in 1754 but unseated by petition.) Parliamentary notebooks such as these grant unique insight into a closely guarded world. Reporters and journalists would not be explicitly admitted into the chamber until 1778 or allowed to take notes until 1783, and the details of proceedings were generally kept secret.

The numbered pages include notes on parliamentary procedure and Gray's own records of parliamentary proceedings. They deal with active controversies such as the Wilkes Cause and the increasing discontent in the American colonies. A March 1766 entry records a debate over what would

become the Declaratory Act, described by Gray as "the bill for declaring the right of the brittish [sic] Legislature over the colonies." The bill received royal assent 10 days after Gray's entry. Others from 1767 discuss recent "Acts of N. American Assemblies" prior to the passage of the Townshend Acts and "a libel printed in N. America" afterwards. A particularly detailed entry dated 6 December 1770 records the establishment of a commission to investigate crime in London and Middlesex, with vote totals for and against the motion and Gray's own thoughts on the attitude of the populace ("irritated to the highest degree...and persuaded that all their liberties are agoing in a moment").

The lettered pages at the beginning and end of the manuscript are commonplace entries in Latin, Greek and French. They appear to primarily deal with legal history, with particular attention to the role of the monarch and his relationship to legislative bodies and the citizen population. Together, Gray's records provide not only personal insight, but a rare look at the inner workings of Parliament during a time of controversy and change for Great Britain.

**COMMONPLACE BOOK
ON LAND AND ESTATE LAW**

57
[Manuscript]; [Land and Estate Law]. [Commonplace Book]. Great Britain, 17th century. \$4,500.

ORGANIZED BY SUBJECT, this interesting and extensive commonplace book includes extracts on a wide range of topics in land and estate law such as annuity, suspension, remainder, tenure, legacy and legatee, chivalry, charitable uses, usury, homage and fealty. It appears to cite both authors, such as Bracton and Croke, and relevant cases and statutes.

**EARLY MANUSCRIPT NOTES
ON ELIZABETHAN POOR LAWS**

58
[Manuscript]; [Poor Laws]. Expositions upon the Statute of 43 Eliz. for the Poare. N.p., c.1633. \$2,600.



THE REIGN of Elizabeth I saw numerous attempts to relieve poverty through legislation. From 1552 to 1598, a series of statutes were passed which empowered justices of the peace and churchwardens to register the poor and raise funds for their relief. The so-called “Elizabethan Poor Law” of 1601 consolidated the previous legislation and provided for the creation of “overseers” of relief, who would work under justices of the peace to set a compulsory sum to be extracted from each parish, among other duties. The effects of the 1601 law and other “poor laws” resonated widely, from the penal system to the labor market to universities and the education system in general.

The text of our manuscript relates to the so-called “Resolutions of the Judges of Assize” of 1633. These “resolutions,” intended to address ambiguities in the 1601 Poor Law, take the form of a series of questions submitted to Chief Justice Heath and his answers. “Although apparently repudiated after the Restoration as invalid, Heath’s interpretations were nonetheless employed consistently by both magistrates and judges as



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the standard guide to the rigorous enforcement of the poor laws which characterized the 1630s” (Cockburn, *A History of English Assizes 1558-1714* 169-170). The text subsequently appeared in print in various justice of the peace manuals, with the earliest of these appearances around 1655 in Dalton’s *Coutrety Justice*. Our manuscript likely pre-dates printed versions of the text; similar manuscripts are held by the British Library.

This volume was owned by Walter Ashburner [1864-1936], a British legal scholar and an important collector of early printed books and manuscripts. The “Bibliotheca Confanoneria” bookplate likely originates from Italy, where Ashburner traveled extensively. It is unclear whether it pre or post-dates Ashburner’s ownership.

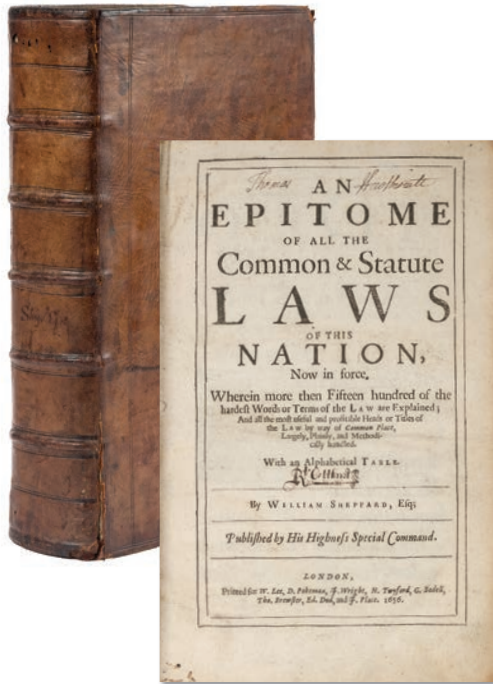
CHINESE PUNISHMENT IN THE BRITISH IMAGINATION

59

[Mason, George H.]. *The Punishments of China, Illustrated by Twenty-Two Engravings: With Explanations in English and French*. London, 1801. [With] [Album of 12 Chinese Export Watercolors Depicting Punishments]. N.d., circa mid-nineteenth century. \$3,000.

PUNISHMENTS: first edition, six plates watermarked 1818. As trade with China increased, Chinese culture began to take hold of the British imagination. This was particularly true in cases where Chinese people and practices could be stereotyped or depicted as barbaric. Written by an East India Company soldier who traveled to Canton in 1789, *Punishments of China* depicts lurid scenes of torture and contrasts Chinese and Western customs.

Export albums like ours were produced in the port cities of China for tourists in the late eighteenth and early nineteenth centuries. Early watercolors were done on European paper, which later shifted to the thin pith paper of the present example. They were typically sold in sets of 12 or 24 and depicted a variety of subjects, including tea culture, manufacturing and local flora and fauna. The first workshop to produce these albums was Pu-Quà’s in Canton, where Mason may have purchased a similar group of drawings of punishments; the images in our album depict scenes similar to the stipple engravings in *Punishments of China* but with different compositions.



N° 60

A NEW DEPARTURE FOR THE ABRIDGMENT

60

Sheppard, William. *An Epitome of All the Common & Statute Laws of This Nation Now in Force. Wherein More than Fifteen Hundred of the Hardest Words or Terms of the Law are Explained.* London, 1656. \$3,500.

FIRST EDITION. Sheppard's *Epitome* marked a significant change in the nature of abridgments. Unlike other examples, which are collections of notes of cases and statutes arranged loosely under headings and sub-headings, Sheppard's is comprised of entries on all branches of the law. Dedicated to Oliver Cromwell, the *Epitome* is divided into 170 chapters and arranged alphabetically from "Acceptance" to "Words." It was inspired, at least in part, by the reforming spirit of the Commonwealth. Notable works that followed Sheppard's example, and went on to inspire the modern legal encyclopedia, are Bacon's *Abridgement* and Comyn's *Digest*.



THOMAS MCDADE'S COPY

61

[Trial]. **Manning, Frederick George, and Manning, Maria, Defendants.** *The Bermondsey Murder. A Full Report of the Trial of Frederick George Manning and Maria Manning, For the Murder of Patrick O'Connor.* London, 1849. [Bound with] *The Only Correct Account of the Confession and Execution of Frederick George Manning and Maria Manning, For the Murder of Patrick O'Connor.* [London, 1849]. \$1,750.

ONLY (STATED) EDITIONS, each one of two 1849 issues. O'Connor, a domestic servant, was the former lover of Marie DeRoux Manning. He was murdered by Marie and her husband, Frederick George Manning. The motivation was greed; O'Connor was a successful moneylender and investor. The case attracted a good deal of public attention and became known as the "Bermondsey Horror." Eventually apprehended, the husband and wife were hanged on November 13, 1849.



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This execution was the first time a husband and wife had been executed together in England since 1700. Dickens witnessed the execution and wrote an account of it that was published in *The Times*. He based a character on Marie Manning, Mademoiselle Hortense, Lady Dedlock's maid in *Bleak House*.

This volume was owned by Thomas M. McDade [1907-1996], an FBI agent and author of the seminal bibliography of American homicides *The Annals of*

Murder (1961). The account of the trial had two 1849 issues with different page counts (64 and 80 pp.). It was sometimes bound with the account of the pair's confession and execution from the same publisher, marketed as the appendix in this issue.

ACCOUNT OF A NOTORIOUS CASE OF ELECTION BRIBERY BOUND WITH SEVERAL RELATED ITEMS

62

[Trial]. Sykes, Francis, Defendant. *The Trial of the Cause on the Action Brought by Hans Wintrop Mortimer, Esq; Member for the Borough of Shaftesbury, Against Francis Sykes, Esq; For Bribery Committed at Shaftesbury, Previous to the General Election, In October, 1774.* [London?], 1776. \$3,500.

ONLY EDITION. The Shaftesbury Election of 1774 was perhaps the most notorious English example of a rigged election. "At the election of Sir Thomas Rumbold and Sir Francis Sykes, the two ministerial candidates for Shaftesbury in 1774, several thousand pounds were distributed to the voters.... The defeated candidate, Hans Mortimer, petitioned against the return on the ground of gross and notorious bribery by the members and



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their agents.... The House of Commons resolved that Sykes, Rumbold and six members of the Corporation of Shaftesbury should be prosecuted for subornation of perjury; a bill was brought in for disfranchising Shaftesbury. These proceedings were eventually shelved, but while they were pending Mortimer brought actions...against Sykes for twenty-six acts of bribery, obtaining a verdict for twenty-two penalties amounting to £11,000" (BM Satires).

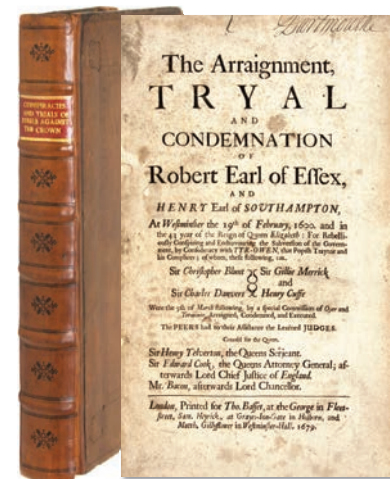
Our copy of *The Trial* belonged to two of Mortimer's descendents: J.W. Mortimer, who notes that he received this book and the mezzotint in 1821 from a Henry White, whose owner inscription is above, and Mark Mortimer, who wrote the tipped-in leaves of notes, one of which is dated 1856.

PLOTS AGAINST THE ENGLISH CROWN

63

[Trials]; [Plots Against the Crown]. *The Arraignment, Tryal and Condemnation of Robert Earl of Essex, And Henry Earl of Southampton, At Westminster the 19th of February, 1600. And in the 34th Reign of Queen Elizabeth: For Rebelliously Conspiring and Endeavouring the Subversion of the Government.* London, 1679. **[Bound with]** *The Tryal of Henry Baron Delamere for High Treason.* London, 1686. **[And]** *[Sixteen Trials and Essays Relating to Conspiracies Against the Crown].* Eighteen pamphlets in all. \$4,000.

THIS VOLUME collects eighteen pamphlets relating to seventeenth-century plots against the English Crown, such as the Popish Plot, Rye House Plot and Tyrone's Rebellion. Seven are trial accounts, four discuss trials, the others address background issues. Two titles are identified above; the others are (in short-titles): *The Arraignment, Trials, Conviction of Sir Rich. Grahme, And John Ashton* (1691), *The Arraignment, Tryal and Condemnation of Sir William Parkins* (1696), *The Arraignment, Tryal & Condemnation of Algernon Sidney* (1684), *The Late Lord Russel's Case, With Observations Upon It* (1686), *The Tryals of Henry Cornish... And John Fernley, William Ring, And Elizabeth Gaunt* (1685), *The Character of an Ill-Court-*



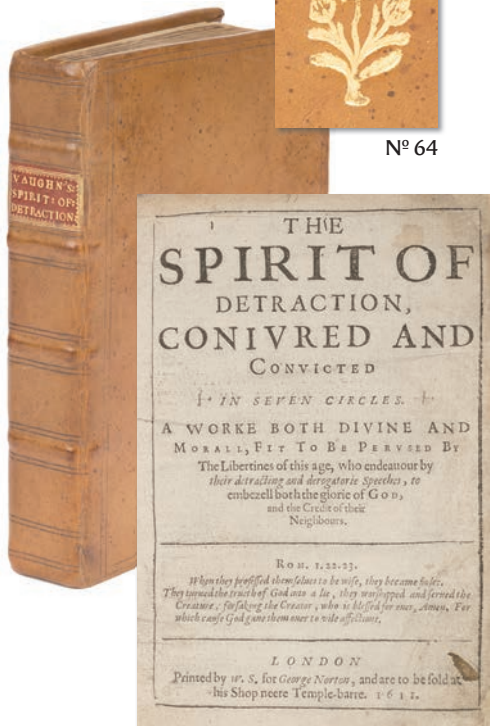
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Favourite: Representing the Mischiefs that Flow from Ministers of State (1681), *Grimalkin, Or, The Rebel-Cat: A Novell* (1681), *A Speech Without Doors. Made by A Plebeian to His Noble Friends* (1681), *The French Intrigues Discovered* (1681), *Remarques Upon a New Project of Association* (1682), *The Oath and Covenant Signed by Several Members of the House of Commons* (1681), *The Proceedings Held at the Sessions of the Peace Held at Hicks-Hall* (1682), *The Great and Weighty Considerations, Relating to the Duke of York, Or Successor of the Crown...Considered* (1680), *The Act of Parliament of the 27th. Of Queen Elizabeth, To Preserve the Queen's Person, And Protestant Religion, And Government* (1679) and *A Letter from a Gentleman of Quality in the Country to His Friend* (1679). The binding style and manuscript hand date to the eighteenth century. However, the identity of "Dartmouth" is unclear. According to the laid-in note, the bookseller, H.W. Edwards, says he purchased this volume from "the Earl of Dartmouth's library." He may be referring to William Legge, 1st Earl of Dartmouth [1672-1750] or William Legge, 2nd Earl of Dartmouth. [1731-1810]. The 2nd Earl is remembered as a colonial administrator in the decades leading to the American Revolution. He was First Lord of Trade from 1765 to 1766 and Secretary of State for the Colonies and First Lord of Trade from 1772 to 1775.



N° 65

"FIT TO BE PERUSED BY THE
LIBERTINES OF THIS AGE"



N° 64

64

[Vaughan, Sir William]. *The Spirit of Detraction Coniured and Convicted in Seven Circles. A Worke Both Divine and Morall, Fit to be Perused by the Libertines of this Age, Who Endeauour by Their Detracting and Derogatorie Speeches, to Embezzell Both the Glorie of God, And the Credit of Their Neighbours.* London, 1611.

\$3,500.

ONLY EDITION, one of two issues, both from 1611. This is a treatise on slander and libel. As indicated by its title, its argument has a strongly theological cast. Vaughan, who held an LL.D. from Oxford, is known today for his moralistic writings and efforts to establish an English colony in Newfoundland. Both issues are rare. OCLC locates 6 copies of our issue, none in North America. The ESTC locates 7 more, 4 of them in North America (Boston Public Library, Folger Shakespeare Library, Harvard, New York Public Library).

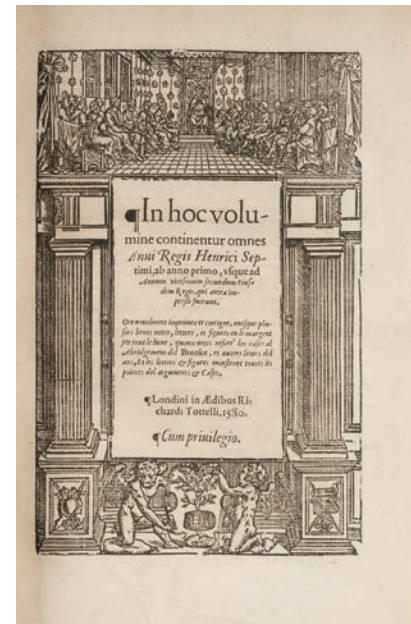
N° 64

AN IMPRESSIVE COLLECTION OF
EIGHT YEAR BOOKS OF EDWARD III

65

[Year Books]. Edward III. *De Termino Hillarii Anno XVII. Edwardi Tertij.* [London, 1584?]. [Bound with] *De Termino Hillarii Anno XVIII. Edwardi Tertij.* [London, 1584?]. [And] *De Termino Hillarii Anno Regni Regis Edwardi Tertij. XX.* [London, 1584]. [And] *De Termino Hillarii Anno Regni Regis Edwardi Tertij, Post Conquestum XXI.* [London, 1585]. [And] *De Termino Hillarii Anno Regni Regis Edwardi Tertij XXIX.* [London, 1585]. [And] *De Termino Hillarii Anno Regis Edwardi Tertij Post Conquestum XXX.* [London, 1585]. [And] *De Termino Hillarii Anno Regni Regis Edwardi Tertii. XXXVIII.* [London, 1585]. [And] *De Termino Hillarii Anno Regis Edwardi Tertij Post Conquestum XXXIX.* [London, 1585]. \$3,500.

IT IS DIFFICULT TO OVERESTIMATE the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman



N° 66

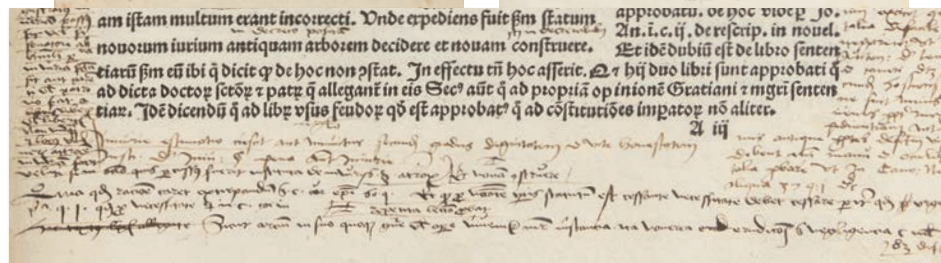
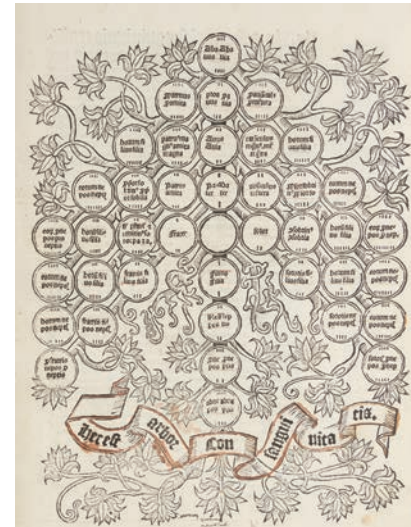
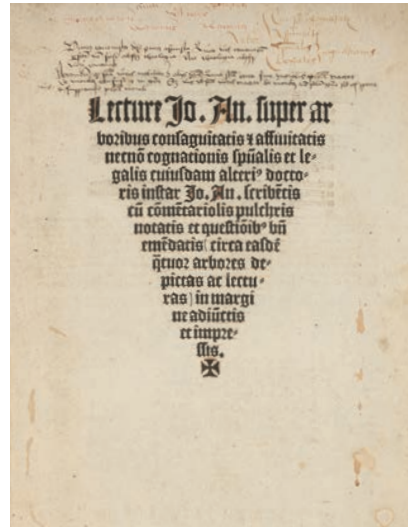
England, they are crucial primary sources for our knowledge of medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Some scholars believe the earliest volumes were notes transcribed by law students for study and for the use of lawyers in later cases, while others maintain they were made by lawyers. Though it is not known when the first manuscript volumes were compiled, the cases date from the 1270s to 1535. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present titles belong to the so-called "Quarto Edition." Not a set or edition in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619.

**AN IMPRESSIVE COLLECTION
OF EIGHT YEAR BOOKS FROM THE
LIBRARY OF THE EARLS OF MACCLESFIELD**

66

[Year Books]. **Edward V.** *De Termino Trinitatis Anno I. Regni Regis Edwardi Quinti.* [London, 1579]. [Bound with] **Richard III.** *De Termino Michaelis Anno Primo Richardi Tertii.* [London, 1581]. [And] *De Termino Michaelis Anno Secundo Richardi Tertii.* [London, 1581]. [And] **Henry VII.** *In Hoc Volumine Continentur Omnes Anni Regis Henrici Septimi.* [London, 1580]. [And] **Henry VIII.** *De Termino Trinitatis Anno Regni Regis Henrici Octavi. XII.* [London, 1579]. [And] *De Termino Michaelis Anno Regni Regis Henrici Octavi XVIII.* [London, 1579]. [And] *De Termino Paschae Anno XXVI. Regni Regis Henrici Octavi.* [London, 1579]. [And] *De Termino Paschae Anno XXVIII. Regni Regis Henrici Octavi.* [London, 1579]. \$3,500.

OUR VOLUME comes from the library of the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. The extensive early notes to the rear free endpaper are written in Law French and appear to concern the outcomes



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of cited cases. All titles in our volume appear to be scarce, with OCLC and the ESTC combined generally locating fewer than 6 copies of each in North America.

Europe

**A FUNDAMENTAL TREATISE
ON FAMILY RELATIONS**

67

Andrea, Giovanni d'; [Greve, Henricus, Commentary]. *Lecture Jo. An. Super Arboribus Consanguinitatis [et] Affinitatis.* [Leipzig, 1511]. \$2,750.

D'ANDREA was an Italian canonist and professor of canon law at the University of Bologna. An eminent figure who received the highest tributes

from Arithemius, Baldus, Forster and Bellarmin, his principal writings circulated widely in manuscript and were among the earliest printed works on canon law. The *Super Arboribus* is a fundamental treatise on degrees of consanguinity and affinity, also known as blood relations, and spiritual relationships created by godparents and their families. It was a work of vital importance in cases regarding estates, incest and conflicts of interest. It went through numerous manuscript and printed editions into the modern era. Our 1511 edition is the fifth of six printed by Landsberg and features five attractive woodcut trees of consanguinity and affinity. The annotations appear to consist of both brief glosses and longer interpretative notes.



N° 68

**1493 COLLECTION OF TREATISES FROM
A RENOWNED LEGAL SCHOLAR
AND COMMENTATOR**

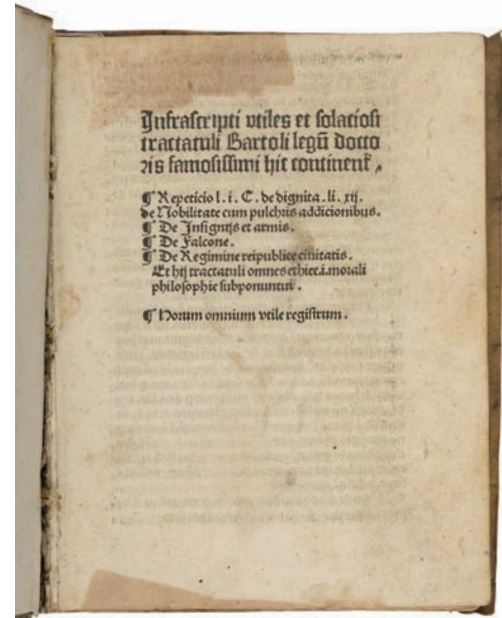
68

Bartolo of Sassoferrato. *Infrascripti Utiles et Solaciosi Tractatuli Bartoli Legu[m] Doctoris Famosissimi hic Continent.* *Repeticio l. i. C. De Dignita li. xii. De Nobilitate cum Pulchris Addicionibus. De Insigniis et Armis. De Falcone. De Regimine Reipublice Civitatis. Et hii Tractatuli Omnes Ethiee. i. Morali Philosophie Subponuntur. Horum Omnium Utile Registrum.* [Leipzig, 1493].

\$12,500.

BETWEEN 1250 AND 1450, the Post-Glossators, a group of legal scholars and teachers in Italy, initiated the recovery of Roman law texts from the corruptions of the medieval Glossators. Their efforts to apply Roman law to the jurisprudence of their day also prepared the way for the natural law school of the seventeenth century and helped to lay the foundations of the modern state. The greatest member of this group was Bartolo of Sassoferrato. Better known as Bartolus, he was a

practicing lawyer and professor at the University of Perugia. His unrivalled reputation derives from his enormous literary output. In addition to the commentaries on the *Corpus Juris Civilis* for which he is best known, he wrote a number of treatises on law and politics. *Tractatuli* gathers several of his works, including a brief commentary on Book XII of the Code and additional short treatises on nobility, the legal aspects of heraldry, military action, and the authority of states and the rights of their subjects. The latter includes references to Aristotle's *Politics* and an index to Thomas Aquinas's commentary on that work. The *Incunabula Short-Title Catalogue* locates 4 copies in North America (Walters Art Museum Library, University of Chicago, Yale University, Yale Law School).

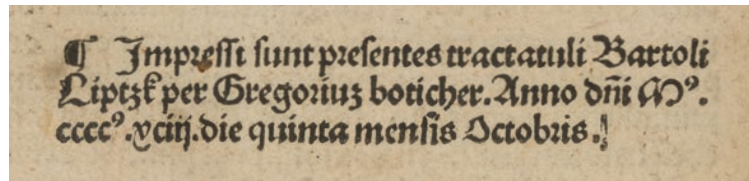


N° 68

**RARE SEVENTEENTH-CENTURY
AUSTRIAN LAW DICTIONARY**

69

Beckmann, Nicolaus. *Reformata Doctrina Juris, Qua Totum Jus Romanum cum Suis Juris Principiis tam quo ad Theoriam, Quam Hodiernam Tribunalium Germanicorum Praxin ex Jure Naturae & Gentium Perspicue Deductum, Rationibus Philosophicis et Juridicis Illustratum, Ex Recessibus Imperii, Ut ex Jure Canonico et Divino sic Roboratum est, ut Omissis Inutilibus et Obsolete Utilissima Saltem Juris pro Praesenti Usu Forensi in Illa Clare et Perspicue Tractentur, Et SuffICIENTER Declarentur, Annexo Sparsim Jure Statutario Austriaco.* Nuremberg, 1681. \$2,500.



N° 68

ONLY EDITION. This remarkable work is a dictionary of legal terms relevant to Austria. The terms are quite detailed, cite authorities and, whenever possible, clarify concepts with principles from Roman law. As its title indicates, this is a prescriptive work. OCLC locates 1 copy in North America (at Harvard Law School).

**A CLASSIC TEXTBOOK BOUND WITH
AN ANTHOLOGY OF WRITINGS
FOR LAW STUDENTS,
TWO RARE BASEL IMPRINTS**

70

I. Brant, Sebastian; Caccialupi, Giovanni Battista. *Expositio[n]es Sive Declarationes Omniu[m] Tituloru[m] Iuris tam Civilis Q[uam] Canonici per Sebastianum Brant Collecte [et] Revise.* [Basel, 1514]. **[Bound with]** **II. Bartolo of Sassoferrato; Andrea, Giovanni d'.** *In Utriusq[ue] Juris Libros Introductorium. Tractatus et Processus Diversi, Utriusque Juris: Studiosis Plurimum Accomodati: Modus Legendi Abbreviaturas in Utroque Jure. Tractatus Judiciorum Bartholi Legum Doctoris. Tractatus Renunciationum Beneficiorum in Publicis Instrumentis. Processus Sathana Infernalis Contra Genus Humanum. Ars Notariatus. Summa Joannis Andreae, Super Secundo Decretalium. Summa Joannis Andreae, Super Quarto Decretalium. Arbor Consanguinitatis [et] Affinitatis Joannis Andreae. Arbor Cognationis Spiritualis. Arbor Cognationis Legalis.* [Basel, 1513]. \$7,500.

I. REMEMBERED TODAY as the author of the moral and satirical *Narrenschiff* (*The Ship of Fools*), Brant was also a highly regarded law professor and state official. First published in 1490, and Brant's only original legal work, *Expositiones* was a popular, highly regarded introduction to the *Corpus Juris Canonici* and *Corpus Juris Civilis*. According to Stintzing-Landsberg, it is a useful guide to contemporary legal pedagogy in the Holy Roman Empire. Our edition also includes an equally renowned introductory textbook that



Brant held in high regard: Caccialupi's *Tractatus de Modo Studendi in Utroque Jure*, which offers a basic history and outline of Europe's legal systems and advice on study methods. OCLC locates 4 copies, 2 in North America (Boston College, UCLA).

II. First edition. Probably compiled by a law student or layman, *In Utriusque Juris Libros Introductorium* is an anthology of works by two great late-medieval jurists. It includes, among other titles, the *Modus Legendi Abbreviaturas*, a dictionary of abbreviations, the *Ars Notariatus*, a

handbook on legal drafting, and *Flores Legum*, a collection of maxims. It also includes, perhaps as a warning, the *Processus Sathana Infernalis Contra Genus Humanum*, a legalistic account of Judgment Day (with Satan as prosecutor). A popular work, it went through several editions during the sixteenth century. All are rare today. OCLC locates 5 copies, 1 in North America (Harvard Law School).

Nº 70

71

**Clement V, Pope; Andrea, Giovanni d',
Glosses.** [Constitutiones]. [Nuremberg, 1486].
\$15,000.

ATTEMPTS TO CODIFY the body of canon law began in earnest during the Carolingian Empire. These efforts reached fruition in 1151 with the completion of Gratian's *Concordia Discordantium Canonum*, or *Decretum Gratiani*, a watershed compilation that superseded earlier collections. The *Liber Quinque Decretalium* of Gregory IX followed in 1234. Published in 1298, the *Liber Sextus Decretalium* of Boniface VIII was the last great collection of the pre-Reformation era. John XXII added the final official collection, the *Liber Septimus Decretalium*, better known as the *Constitutiones Clementis V*, or *Clementinae* (1317). Three more texts were added later: the *Extravagantes* of John XXII (1325), the *Extravagantes Communes* of other popes to 1484 and the *Appendix Pauli Lancellotti* (1563). These texts, popularly known as the *Corpus Juris Canonici*, were revised in 1580-1582 to reflect changes ordered by the Council of Trent. In this form it remained in force until the enactment of the *Codex Iuris Canonici* in 1918. The *Incunabula Short-Title Catalogue* locates 8 copies in North America, 3 in law libraries (Harvard, UC-Berkeley, University of Michigan).



**Clementinarum opus putile enucleatius castigatū elimina-
tumq; impensa atq; industria singulari Antonij koberger
nuremberge imp̄ssum feliciter explicat Olimpiadibus dñi
cis .AD. CCCCLXXXVJ. xv. Marcij.**

Nº 71

FIRST EDITION OF A CLASSIC STUDY
OF CHURCH PATRONAGE

72

Curtius, Rochus. *Tractatus Perutilis Et Quotidianus De Jure Patronatus.* [Lyon, 1520].
\$4,000.

THE *IUS PATRONATUS* is the body of laws concerning patronage by members of the church, including the granting of privileges, lands and goods. First published in 1506, the commentary of Rochus Curtius was a standard work on this subject into the seventeenth century. Our edition is remarkable for its magnificent typography and notably wide margins. The printer, Vincent de Portonariis de Tridino de Monte Ferrato is not stated in the colophon; he is only identified by the printer device on the title page. As a result, this imprint is often mis-attributed. OCLC locates 2 copies of our 1520 imprint, both in Germany. Not in Adams or the *Universal Short-Title Catalogue*.



N° 73

CONTAINS THE FIRST DEPICTION OF A
BOOK AUCTION TO APPEAR IN A BOOK

73

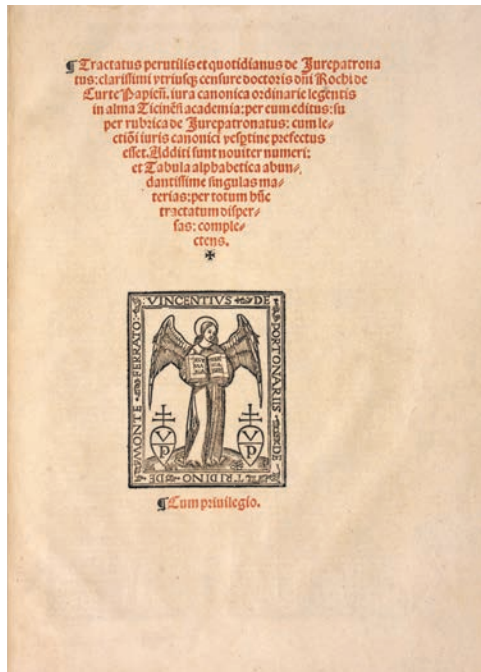
Damhouder, Josse de. *Pupillorum Patrocinium, Legum et Praxeos Studiosis.* Antwerp, 1564.
\$3,500.

THIRD EDITION. First published in 1544, this is a comprehensive treatise on the law of guardian and ward. Like Damhouder's works on civil and criminal law, *Pupillorum Patrocinium* has plates that illustrate points in the text. One depicts three young orphans with their guardian, tutor, godfather, conservator and executor before a magistrate, facing preface. Other plates depict situations in later stages of life, such as a guardian introducing a child to a teacher, the guardian and child at a shoemaker's shop and the guardian making a record of his charge's assets with an accountant. This edition incorporates two other works. *De Magnificentia Policiae Amplissimae Civitatis Brugarum*, first published in 1544, is a political and sociological study of

Bruges. It is illustrated with a folding plan of the city. *Subhastationum Compendiosa Exegesis*, first published in 1546, is a brief treatise on public sales. It has what is believed to be the first text illustration of a book auction.



N° 72



N° 72



N° 74

HANDSOME FRENCH EDITION OF DAMHOUDER ON GUARDIAN AND WARD

74

Damhouder, Josse de. *Le Refuge et Garand des Pupilles, Orphelins, Et Prodiges: Traite Fort Utille et Necessaire a tous Legistes, Practiciens, Iusticiers & Officiers, Aorné de Figures Convenables a la Matiere.* Antwerp, 1567. \$3,500.

ONLY FRENCH EDITION. First published in 1544 in Latin as *Pupillorum Patrocinium*, this is a comprehensive treatise on the law of guardian and ward. Like Damhouder's works on civil and criminal law, it has woodcut illustrations, 10 in this case, that illustrate points in the text. One depicts three young orphans with their guardian, tutor, godfather, conservator and executor before a magistrate, facing preface. Other plates depict situations in later stages of life, such as a guardian introducing a child to a teacher, the guardian and child at a shoemaker's shop and the guardian making a record of his charge's assets with an accountant. The French edition includes an address to the reader in verse by Antoine Tiron. OCLC locates 7 copies of the French edition in North America. Not in Adams.

AN IMPORTANT SIXTEENTH-CENTURY LAW DICTIONARY

75

Duprat, Pardoux, Compiler. *Lexicon Iuris Civilis et Canonici.* Lyon, 1574. \$3,500.

SECOND EDITION. This is a concise but scholarly dictionary of terms from canon, civil, and Roman law that draws on the work of Ulrich Zasius and Francois Hotman. Some attention is given to classical Greek law as well. The entries, which range in length from a few sentences to several paragraphs, address lexicographical and philological issues and conclude with references and citations. A list of ancient and modern authorities divided into the following categories precedes the main text: *Lexicographi, Iuris Auctores, Interpretes, Ex Iure Pontificio, Alii Lexicographi, Ex Medicis, Ex Aliis Classicis*. Little is known about Duprat, and the title page of this edition does not list any academic or professional distinctions. According to notes cited in Robert's *South African Legal Bibliography*, he was born in Aubusson and taught at the University of Lyons (246). His range of references, descriptive method, organizational style and facility with Latin and Greek demonstrates that he received a solid humanistic education. In addition to the

present work, he published and edited treatises on French, Greek and Roman law. The *Lexicon Iuris* went through four editions, the first in 1567 and the last in 1584. All are scarce. OCLC locates 2 copies of the second in North America (Library of Congress, University of Alberta). This edition not in Adams.

RARE REPORT OF THE FAMOUS "SOLAR AFFAIR"

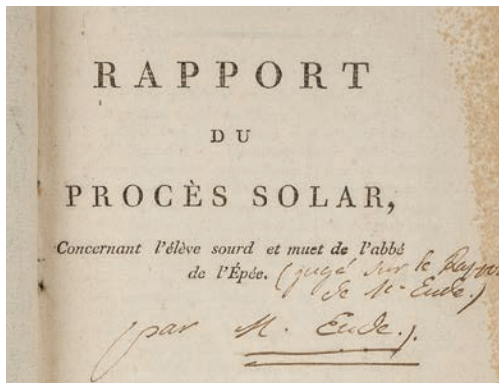
76

Eude, Jean-François. *Rapport du Procès Solar, Concernant l'Élève Sourd et Muet de l'Abbé de l'Épée.* [Paris, 1792]. Manuscript leaf, a list in docket format of services rendered by Eude, laid-in. \$1,500.

ONLY EDITION. In 1776, a philanthropist and prominent advocate for the deaf, Charles-Michel de l'Épée, took in a deaf and mute child who had been abandoned since 1773. L'Épée came to believe that this child was in fact Joseph de Lafontaine, Count of Solar, who had supposedly died in 1774. He accused Solar's mother of conspiring with a



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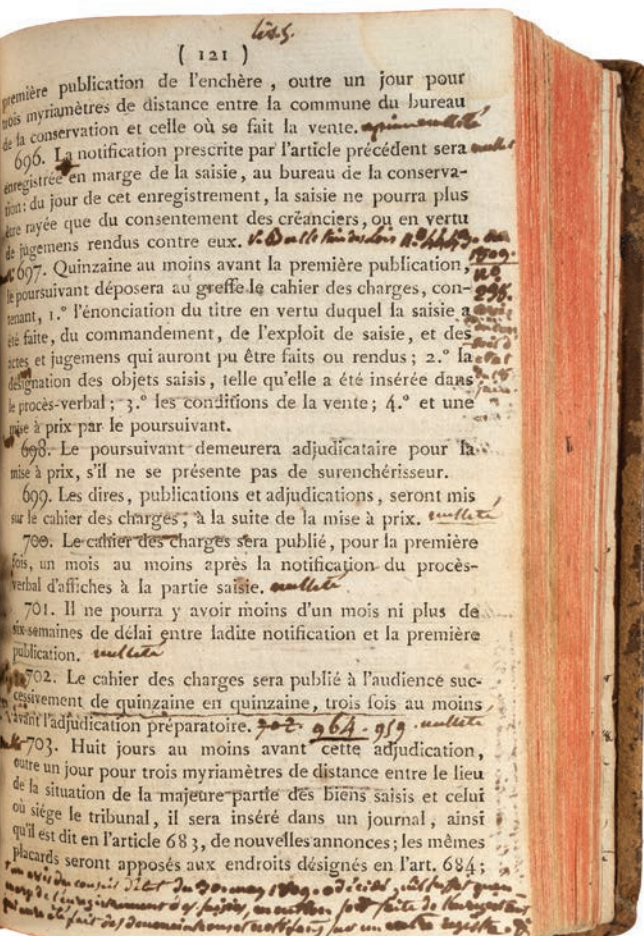
man named Cazeaux to abandon the child. In 1781, the case was heard in the Châtelet; Cazeaux was cleared of wrongdoing but the child was declared to be the Count of Solar and restored to his title. Solar's sister appealed in 1792. The appeal, heard before Jean-François Eude, resulted in the child being stripped of his titles. Eude's report lists the facts of the earlier case and discusses evidence in great detail. According to the preface, it was published to dispel controversy over the verdict. The case is interesting not only for its legal aspects, but the insight it provides into the perception and treatment of the deaf in French society. OCLC locates 4 copies of this rare title, 2 in North America (Yale Medical School, Gallaudet University).



N° 78

WITH EXTENSIVE CONTEMPORARY ANNOTATIONS BY A RIOM JURIST

LOUIS XV VERSUS THE PARLEMENTS



N° 77

77

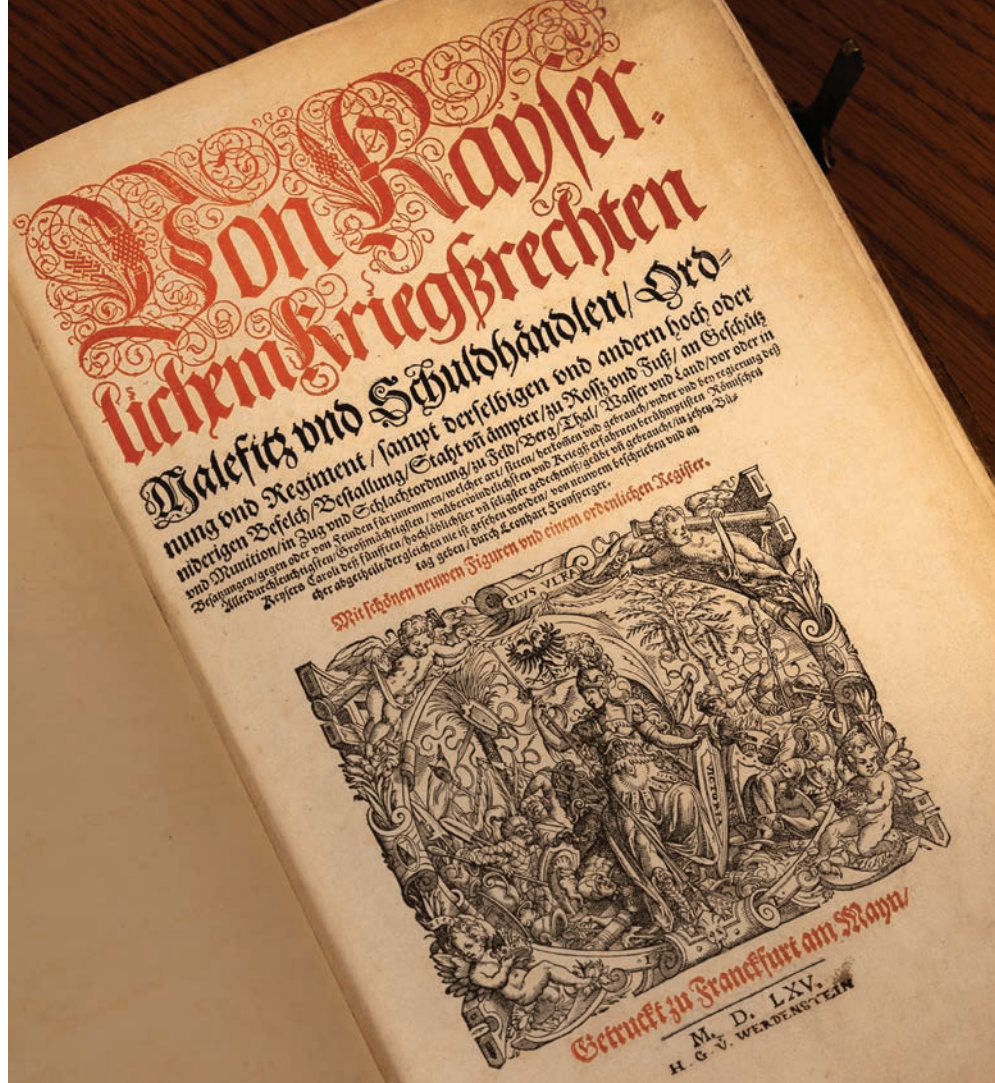
[France]. *Bulletin des Lois* No. 96. *Loi Contenant les Deux Premiers Livres de la 1re. Partie du Code de Procédure Civile. Du 14 Avril 1806* [Caption Title]. [Paris, 1807]. [Bound with] *Bulletin des Lois* No. 97. (No. 1649.) *Loi Contenant le Cinquième Livre de la 1re. Partie du Code de Procédure Civile. Du 21 Avril 1806* [Caption Title]. [Paris, 1807]. [And] *Bulletin des Lois*. No. 164. (No. 2804.) *Code de Commerce. 1re. Loi. Du 10 Septembre 1807* [Caption Title]. [Paris, 1808]. \$3,500.

A HEAVILY ANNOTATED COPY, clearly intended as a reference work, of Napoleonic-era bulletin laws dealing with civil procedure and commercial law. Beginning in 1792, bulletin laws with the text of legislation and government regulations were published for circulation to army units and villages with 2,000 or more occupants. The annotator, Maigne Sauzinet, was a Riom jurist. His extensive interpretative annotations include 26 additional leaves with alphabetical tables and notes elaborating on sections of the laws and referencing later statutes. (The latest date in the notes is 1813.) Together, they provide an in-depth look at the evolution and reception of the law in the Napoleonic era.

78

[France]. *Recueil de Remontrances et Autres Pièces Concernant l'Edit Pour Règlement, Donné à Versailles au Mois de Décembre 1770, Régistré en Parlement, Le Roi Tenant son Lit de Justice au Château de Versailles le 7 Décembre de la Même Année.* [S.l.], 1771. \$2,500.

THIS COMPREHENSIVE COLLECTION of documents concerns the edict of Louis XV that limited the powers of the parliaments and the ensuing backlash from their members, who ceased work to protest the edict. Many appear to have been published separately as pamphlets before being (we presume) issued together in this collected volume. Together, the collection documents a crucial moment in the later history of the *Ancien Régime* and provides a detailed look at the relationship between royal power and the legislative system at the end of Louis XV's reign. The contemporary annotations to the blank leaves at the end of the volume include a list of 32 exiled members of the Parliament of Besançon and a table of contents. No copies located on OCLC or at the *Bibliothèque Nationale de France*. An item with an identical title but different pagination appears in Voltaire's catalogue of his library at Ferney (77v). Many of the pamphlets are scarce or unrecorded in their original form.



1500 IMPRINT OF GRATIAN'S
EPOCH-MAKING DECRETUM

80

[Gratian the Canonist]; [Johannes Teutonicus, Glossator]; [Bartolomeo da Brescia, Glossator]; [Brant, Sebastian, Editor]. *Decretum Gratiani, Qui Decreta Patru[m] Lector Studiose Cupiscis: Correctu[m] Inge[n]ti Prorsus ab Arte Librum: Multa hic ex Om[n]i Q[ua]drantia Parte Decora: Et Lectu Invenies Digna: Et Amena Quide[m]. Plura Novata Etia[m]: Supaddita Plura: Notata Margine: Que Poteris Lector Amare. Vale.* [Basel, 1500]. \$9,500.

THE *Concordia Discordantia Canonum*, or as it is better known, the *Decretum Gratiani*, is the cornerstone of modern canon law. The first work of its kind, it was compiled by Gratian, a monk, professor, later Bishop of Chiusi, around 1140. Correctly regarded as the father of canon law, he used the latest scholastic and juristic techniques from Bologna and attempted to harmonize the disparate legal texts that had accumulated throughout the history of the Church. Like the *Corpus Juris Civilis* in the study of the civil law, his *Decretum* became the basic text for the study of canon law for many centuries.

It is divided into three parts. The first contains 101 *distinctiones* dealing with sources and topics. The second contains 36 *causae*, which are subdivided into many *quaestiones*. Taken as a whole, the *Decretum Gratiani* addresses various aspects of church jurisdiction, offenses and legal proceedings, as well as administrative issues like baptism, feast days, confirmation and the consecration of churches. In the following century an extensive gloss was added by Teutonicus, a German prior living in Bologna. Known as the *Glossa Ordinaria*, it was later revised and enriched by another Bolognese prior, Bartholomew of Brescia. The gloss and its revisions become a standard feature of subsequent manuscripts and printings. Though never an official edition of canon law, it was a standard work for nearly 800 years until it was superseded in 1918 by the Code of Canon Law (*Codex Iuris Canonici*). Most bibliographers

WELL-ILLUSTRATED DIGEST
OF THE MILITARY LAW AND PRACTICE
OF THE HOLY ROMAN EMPIRE

79

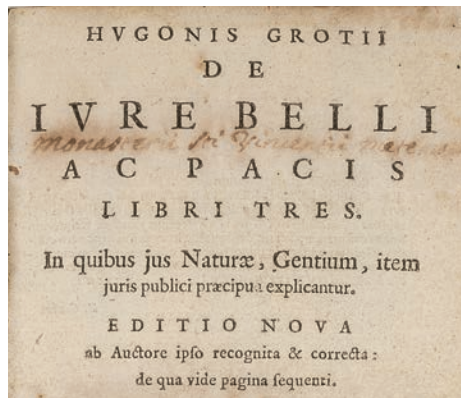
Fronsberger, Leonhardt; [Amman, Jost, Illustrations]. *Von Kayserlichem Kriegßrechten, Malefitz und Schuldhändlen, Ordnung und Regiment.* Frankfurt, 1565. \$9,500.

THIRD EDITION with plates by Amman. Originally published in 1555, this comprehensive

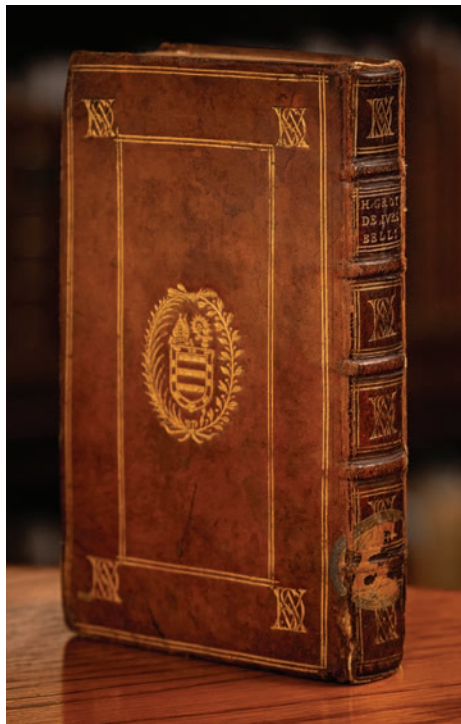
book was intended for officers and others involved in the military and naval affairs of the Holy Roman Empire. Most of the book is devoted to aspects of organization and the rules of engagement. As indicated by its title, it also provides extensive discussion of military law and the laws of war. One of the woodcuts is a trial scene; another is an execution. The plates, by the notable Swiss-German artist Amman, depict a military encampment and land and naval battle scenes. OCLC locates no copies in North America.

Nº 79

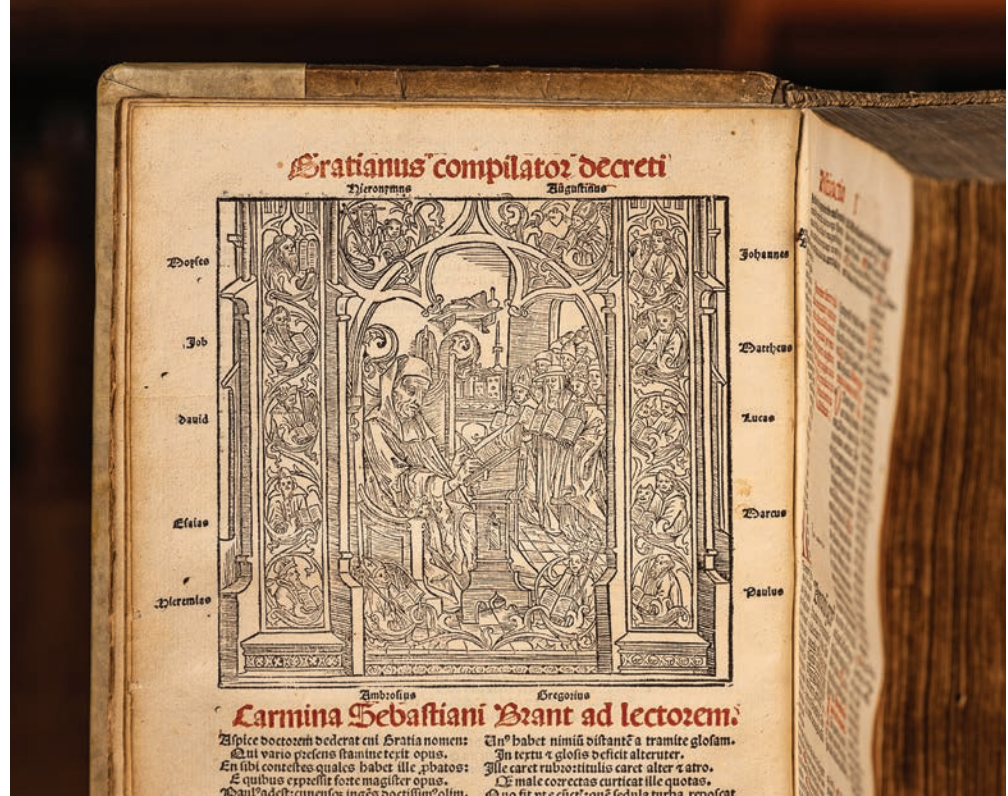
believe that the first printed edition was published in Strassburg in 1471. The *Incunabula Short-Title Catalogue* locates 2 copies of this imprint in North America (Huntington Library, Conception Abbey).



N° 81



N° 81



**1632 BLAEU EDITION
OF DE IURE BELLII AC PACIS
ENDORSED BY GROTIUS**

81

Grotius, Hugo. *De Iure Belli ac Pacis Libri Tres. In Quibus Jus Naturæ & Gentium, Item Juris Publici Praecipua Explicantur. Editio Nova ab Auctore ipso Recognita & Correcta: De qua Vide Pagina Frequenti.* Amsterdam, 1632. **[Bound with]** **Grotius, Hugo.** *Mare Liberum, Sive De Jure, Quod Batavis Competit ad Indicana Commercia, Dissertatio. Editio Nova, Prioribus Longe Emendatio.* Amsterdam, 1633. \$5,000.

DE IURE BELLII AC PACIS: third edition, a reissue of the second edition, 1631, which includes corrections by Grotius; *Mare Liberum:* later edition. First published in Paris in 1625, *De Iure Belli Ac Pacis* established the system of modern public international law, based on the concept of *droit naturel*, a morality-based law that superseded the laws of individuals or nations. Despite the

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work's basis in Christian natural law, it advanced the novel argument that its system would still be valid without a divine basis. In this regard Grotius moved international law in a secular direction.

First published in 1609, *Mare Liberum* was frequently appended to editions of *De Iure Belli Ac Pacis*. In general terms, it argued for the free navigation of the seas. More specifically, it defended Dutch fishermen who were attempting to operate near the English coast and the Dutch East India Company, which was engaged in a territorial dispute in the Caribbean with Portuguese traders.

Another edition of *De Iure Belli*, designated the third, was issued in 1632 by rival publisher Johannes Jansson. (Jansson also published an edition of *Mare Liberum* that year.) A low-priced reissue of the second edition, it was not authorized by Grotius, who denounced it as inaccurate in a notice on the verso of the title page of the Blaeu edition. The notice also states that Blaeu's is the correct version of his work, which resulted in his edition being treated as definitive.

**INCLUDES ANTI-NAPOLEONIC
EXPORT RESTRICTIONS FOR
ART AND ANTIQUITIES**

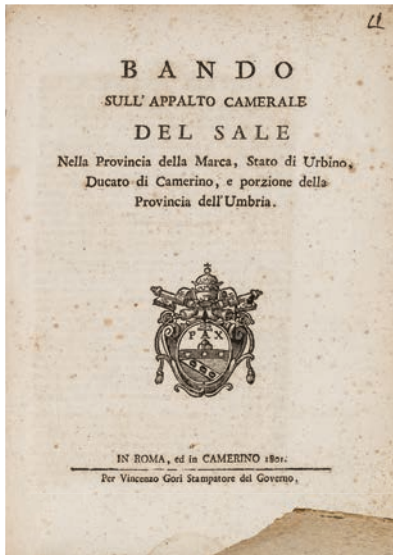
82

[Italy]; [Papal States]. [Sammelband of 32 Edicts and Proclamations, 31 Printed, 1 in Manuscript, With a Manuscript Index]. Rome, 1801-1806. \$2,650.

ISSUED during the turbulent pontificate of Pius VII, this interesting volume provides fascinating insights into policy-making in the Papal States during the early years of the Napoleonic era. The period covered in this volume was one of great political tension and uncertainty. Pontifical rule was re-established after the fall of the short-lived Roman Republic in 1799, but the States remained insecure. They

were annexed by Napoleon in 1809. Prefaced with a detailed manuscript index, the volume's contents are arranged chronologically. Subjects addressed range from monetary policy to control inflation to laws restricting the manufacture and possession of firearms and the unauthorized export of antiquities or artworks. These latter proclamations were a reaction to Napoleon's infamous confiscations of Papal property.

Manuscript additions to ff. 11-12 suggest the volume was likely compiled by a lawyer from the papermaking city of Fabriano in Le Marche, then a part of the Papal States. All of the thirty-one printed items are rare. Eighteen are not recorded on OCLC or ICCU. Of the remainder, seven are not traced outside Italy. A detailed complete list is available on request.



N° 82

**RARE IMPRINTS OF TWO IMPORTANT
EARLY LEGAL REFERENCE WORKS**

83

[Jodocus of Erfurt, Attributed]; Caccialupi, Giovanni Battista; Alberico Da Rosate; Chambon, François, Editor. *Vocabularius Utriusq[ue] Juris Longe Castigatissime: Quicq[ue] Boni est in Repertorio Milis / Dictionario Alberici in se Complect[ur]s Cui (Preter Nunc Primu[m] Impressas Additiones Singulares Doctorum Theoricas Co[n]tinentes) Addita sunt Recenter a Francisco Chambon Utriusq[ue] Juris Licentiato Quadringe[n]ta Fere Vocabula. (...) Annectuntur ad Calcem Modus Studendi. Orthographia Alberici Rosatis.* [Paris, 1520]. [Bound with Wernherus of Schussenried. *Preclarus*



N° 83

et Insignis Tractatus Docens Mod[um] Lege[n]di Abbreuiaturas Utriusq[ue] Censure: Studiosis Tyru[n]culis Valde Necessarius: Ac a Multis Me[n]dis Purgatus et Emendatus. Paris, [1518]. \$7,500.

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 around 1475, it went through several editions over the following 150 years and was later incorporated into Antonio de Nebrija's popular *Lexicon Juris Civilis* (1559).

Our edition by Chambon, who added additional content, includes Caccialupi's *Tractatus de Modo Studendi in Utroque Iure*, an introductory textbook for law students, and Rosate's *Breve Compendiolum de Orthographia*, a guide to legal writing. The *Modus Legendi Abbreuiaturas*, issued here with the prefix *Preclarus et Insignis Tractatus Docens*, is a dictionary of abbreviations first published in 1475.

Both imprints in this volume are rare. The *USTC* locates 5 copies of the *Vocabularius* and 7 copies of *Preclarus*, all in Europe. *OCLC* locates 2 copies of *Preclarus* in North America (Library of Congress, George Washington University), none of the *Vocabularius*.

1501 VENETIAN EDITION OF THE *INSTITUTES*
IN A CONTEMPORARY BINDING

84

[Justinian I, Emperor of the East];
[Accursius (Accorso, Franciscus),
Glossator]; [Gradibus, Johannes de].
Instituta cum Summariis. [Venice, 1501]. \$6,500.

COMMISSIONED by the Emperor Justinian in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* restated all existing Roman law. It has four components: the *Code*, *Novels*, *Institutes* and *Digest*. Intended for students, the *Institutes* is a synopsis of the reformed legal system. Rediscovered during the late middle ages, it became the standard textbook of Roman law. The main text of our 1501 imprint is accompanied by Accorso's great *Glossa Ordinaria* (or *Magistralis*). A professor of law at Bologna and a leading figure in the revival of classical jurisprudence, Accorso examined every extant note and commentary when he prepared his epochal edition of Justinian's *Institutes*, *Digest* and *Code*. This massive effort eliminated much of the obscurity and contradiction introduced by earlier writers. His editions, which superseded all previous attempts, remained definitive until the 1583 revision by Denis Godefroy. OCLC locates 3 copies of our 1501 imprint, 1 in North America (Library of Congress). Not in Adams.



Nº 85

1505 PARIS EDITION OF
THE *INSTITUTES*

85

[Justinian I, Emperor of the East];
[Accursius (Accorso, Franciscus),
Glossator]; [Chappuis, Jean, Editor].
*Institutiones Imperiales: Ordinate Glosis
Textuales Divisiones Habentur. Patescit
Grecum Utile cum Expositione Succincta.
Universi Tituli Alphabetico Ordine Ponuntur.
Summaria Rubra Multis Adiectis Sunt Textibus
Immixta. Orbibus Variis Vallata Civilis Arbor
hic Exarat[ur], Fo. cxvij. Plurima et Textuum
et Glosarum Turpis Menda Expurgatur.
Tituli Continuatione Patenti Redduntur Clari.
Involute Materie Nectuntur Tabula Singulari.
Medulle Glosarum Omnibus in Marginibus
Sunt Extracte. Versibus Rubrice Iuris Cesarei
Leguntur Aperte. Multiplices Bone Glose
Plerisq[ue] Locis Sunt Apposite*. [Paris, 1505].
\$3,500.



Nº 85



Nº 84

1494 EDITION OF A DISTINGUISHED
COMMENTARY ON FOUR PARTS OF
THE CORPUS JURIS CANONICI

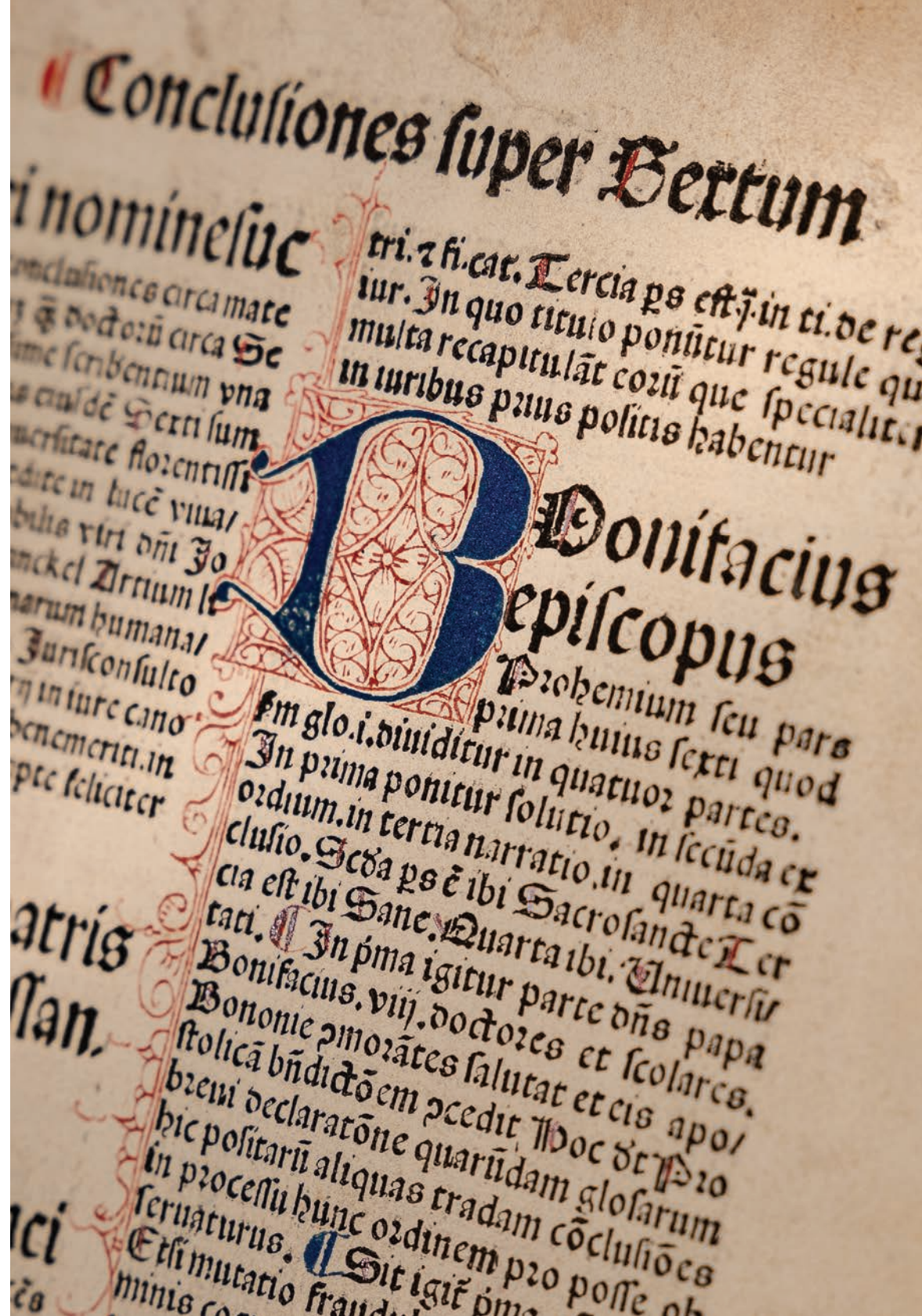
86

Koelner de Vanckel, Johannes. *Summarium Textuale et Conclusiones Super Sextum et Clementinas* [et *Decretales Extravagantes Johannis XXII*]. [Cologne, 1494]. \$25,000.

FOURTH AND FINAL EDITION. First published in 1484, this is a masterly scholastic exegesis of four principal volumes of canon law: the *Liber Sextus* of Boniface VIII (1298), the *Clementinae*, or *Liber Septimus Decretalium*, (1317), the *Extravagantes* of John XXII (1325) and the *Extravagantes Communes* of later popes to 1484. Along with Gratian's *Decretum Gratiani*, or *Concordia Discordantium Canonum*, (1151), these works are known collectively as the *Corpus Juris Canonici*. Vanckel, perhaps the leading German canonist of his time, was a professor of law at the University of Cologne. OCLC locates 3 copies of the 1494 edition, 1 in North America (Huntington Library).



N° 86



action en retrait mixte, vid. tit. d. u. 141. et
quelle action ont les creanciers de la co
la femme, vid. tit. h. u. 64.
quarum resum actio quot annis nos cu
purgatua est. vid. tit. p. n. 41. et in not.
action rédhibitoiva a lieu en faveur de
le vendant qui vend un fonds chargé d'agn
ou le vend exempt de ce droit. vid. tit. g. u. 13.
Ajudication. vid. pag. 10.
femme n'est plus veuve à demandes l'adju
son mari, les creanciers qui offent de la ven
vid. ibid. pag. l'ancienne jurisprudence, et la nouve
adjudication idonne à l'adjudicataire
lors du decret interposé, en tenant compte des
ciens. S'il n'a pas consigné. vid. tit. f. u. 67.
adjudication ne peut prétendre ni garantir
de prix. vid. tit. g. u. 6.
adjudication d'une seigneurie donne à l'adju
de des titres les officiers pourvus à titre creancier.
adjudication. vid. hic n.º decret.
adjudicataire. vid. hic n.º consignation.
Administrateurs.
administrateurs chargé de rendre compte, S
religiosa. vid. tit. L. u. 27. et in not. et ce qui est
être déchargé du reliqua. idem.
administrateurs volontaire n'est compris
de 1539. est capable de legs et donation. vid. tit. u.
de même de celui qui est chargé d'une administr
vid. idem in not.
Adultère. vid. pag. 8. u. 17.
mari seul accusateur en France de l'adultère
A. u. 17. et in not. S'il peut être la femme adultère
justice. idem.
le hestier du mari est recevable à acc
ultère. vid. tit. A. u. 17. in not. quad l'actio a
par le mari. vid. idem. u. 22.
hestiere de la femme n'est recevable a
du mari. vid. tit. M. pag. 233. in fin.
cas ou le mari gagne la dot, et ne la gagne
18. 21. agitur de l'agencement.
la dot gagnée par l'adultère appartient au
doz creanciers du mari. vid. idem. arrêt du 22.
peine de la femme convaincue d'adultère, n
millet. S'il meurt le mari, le mari ne de

AN INTERLEAVED AND
HEAVILY ANNOTATED COPY OF
AN EIGHTEENTH-CENTURY DIGEST
OF BORDEAUX DECISIONS

87

Lapeyrère, Abraham; [Bréchard, François, Annotator]. *Décisions Sommaires du Palais par Ordre Alphabetique, Illustrées de Notes & De Plusieurs Arrêts de la Cour de Parlement de Bordeaux.* Par feu Me Abraham Lapeyrere, Ancien Avocat en Ladite Cour. Cinquième Édition. Revüe, Corrigée & Augmentée d'un Grand Nombre de Décisions & d'Arrêts Recueillis des Memoires de Plusieurs Illustres Senateurs de ce Parlement. Et à Laquelle on a Ajoûté Plusieurs Nouveaux Arrêts Notables. Bordeaux, 1725. \$3,500.

DIGESTED BY TOPIC, this copy of a compilation of decisions of the Court of Justice of the Parliament of Bordeaux has numerous annotations, mostly clarifications or subsequent changes, and a detailed manuscript index. The annotations reflect the expertise of a seasoned practitioner. Some are notably interesting, such as a 24-line statement on p. 32 concerning a woman's right to acquire or retain jewelry without permission from her father or husband in cases of death, remarriage, separation or divorce. François Bréchard [b. 1770] was a lawyer in Poitiers, later a deputy judge. Well-respected, he was known for his lively and engaging manner in the courtroom.

RESTORING DISCIPLINE IN THE
AUGUSTINIAN COMMUNITY OF
GRAND-SAINT-BERNARD

88

[Manuscript]. Boniface, Louis; [Hospice de Grand-Saint-Bernard]. *Opuscula Nonnulla R. Ludovici Bonifacii Canonici Regularis Coadiutoris ad Salutiferam Regularis Disciplinae Restitutionem. Sparsim Adiunctis Postea Latis à Sacra Episcoporum & Regularium Congregatione Decretis* 1718. [Grand-St.-Bernard, c.1718]. \$4,500.

Nº 87



Nº 88

THIS IS A COLLECTION of canon law writings by Louis Boniface, intended (so the title page states) to restore discipline at the famous Augustinian community of Grand-Saint-Bernard in the Swiss Alps, where the author was coadjutor and provost. We understand it to be an official report, later distributed as manuscript copies, which was presented at a synodical meeting of 1718. Much of the study concerns money and property. Other subjects include the officers of the community and a ban on women servants. Showing its high status as a report, other copies are found in the Grand-Saint-Bernard archives. Our copy has a remarkable binding featuring blind-stamped floral designs with red-painted inlay. It was probably made from a wall hanging or wallpaper. The archive of Grand-Saint-Bernard has a copy of Boniface's baptism certificate (1664) and several of his papers, which include works on cosmography, geography and history, and a thirty-year travel diary. The archives of Grand-Saint-Bernard record four other manuscripts with the same author, title and date.



**A POWERFUL OPPONENT
OF MARTIN LUTHER**

89

Mazzolini, Silverstro, Da Prierio. *Compendium in Johannem Capreolum cum Additionibus.* [Cremona, 1497]. \$9,000.

FIRST EDITION. Mazzolini, a theologian and wide-ranging scholar, was an inquisitor and censor of books for Rome. An early opponent of Martin Luther, he was involved in the juridical process against him. (Mazzolini was also involved in cases against Johann Reuchlin, Pietro Pomponazzi and Erasmus). A great deal of his scholarship was devoted to the works of St. Thomas Aquinas. Also known as the *Egregium vel Potius Divinum Opus in Johannem Capreolum*, Mazzolini's *Compendium* is a summary of a work of another Aquinas scholar, Jean Capreolus [c.1380-c.1444], dealing with Aquinas's commentaries on the *Libri Quattuor Sententiarum* of Peter Lombard [c.1096-1160], one of the great works of medieval theology. Silberschlag,

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the former owner of this copy, was a professor of theology at the University of Erfurt. This is a scarce imprint. We located only two auction records for it, one in 1991, the other in 2002. OCLC locates 5 copies in North America (Cornell, Library of Congress, Morgan Library, St. Bonaventure University, Yale).

**AN IMPORTANT SIXTEENTH-CENTURY
LAW DICTIONARY**

90

Nebrija, Antonio de, Compiler; Gromors, Pierre; Scot, Alexander; Caccialupi, Giovanni Battista; [Jodocus of Erfurt, Presumed Compiler of *Vocabularius*]. *Novum Lexicon Iuris Utriusque Variorum Autorum Antonii Nebrissenis, Petri Gromoroi, Alexandri Scoti. &c. Ex Omnibus Iuris Lexicis in hunc Usque diem Editis Summa Diligentia & Succincto Tenore Collectum; Ut Locupletissimi Iuris Thesaurus Vicem Merito Obtineat. Addita*

Legum Romanor. Recensione ex Diversis Autoribus. Accesit Jo. Bapt. de Caccialupi Tractat. De Modo Studendi in Utroque Iure, Una cum Historia, Iuris, & Quibusdam Accursii Erroribus. Omnia ad Commodiorem Lectorum usum Varietate Characterum Distincta. Cologne, 1597. \$1,750.

LATER EDITION. A work of great authority, this popular dictionary was first published in 1559. It went through more than twenty-five editions, with several variations in content, during the sixteenth and seventeenth centuries. All editions have two principal parts: the fifteenth-century *Vocabularius* attributed to Jodocus of Erfurt and Nebrija's *Lexicon Iuris Civilis*. It is a curious hybrid of late-medieval and renaissance scholarship; the former work is a typical scholastic compilation, the latter is a humanistic work grounded in philology and historical commentary.

Nebrija was an important Spanish scholar and educator. Educated at the universities of Salamanca and Bologna, he read widely in law, medicine and theology. His philological work, which included the first Spanish grammar and dictionary, led to the standardization of the language. In 1502 he was a member of a group of scholars gathered by Cardinal Ximenes de Cisneros at Alcala to produce the Complutensian Polyglot Bible. OCLC locates 1 copy of this edition in North America (at UT-Austin Law School).

**FIRST EDITION OF A STANDARD WORK
ON PLEDGES AND MORTGAGES**

91

Negusanti, Antonio. *Tractatus de Pignoribus et Hypothecis Domini Antonii Negusantii de Fano.* [Bologna, 1526]. \$5,000.

FIRST EDITION. Negusanti's treatise on pledges and mortgages in Roman law was a standard work for several generations of lawyers throughout Europe. Several issues and editions followed, the last one in 1736. OCLC locates 2 copies, 1 in North America (at Harvard Law School).

INCUNABLE IMPRINTS OF TWO
IMPORTANT COMMENTARIES
ON CANON LAW

92

Parmensis, Bernardus (Bottoni, Bernardo di). [*Casus Longi Super Quinque Libros Decretalium*]. [Strasbourg, 1498]. [Bound with] **Regnierus, Helias (Regnier, Élie).** [*Casus Longi Super Sextum Librum Decretalium; Casus Longi Clementinarum*]. [Strasbourg, 1496]. \$15,000.

THIS VOLUME collects three important commentaries on books of the *Corpus Juris Canonici*: the *Liber Quinque Decretalium* of Gregory IX (1234), the *Liber Sextus Decretalium* of Boniface VIII (1298) and the *Liber Septimus Decretalium*, better known as the *Constitutiones Clementis V* or *Clementinae* of John XII (1317). Better known as Bernardus Parmensis, from his birthplace, Parma, Botono was a notable canonist. He studied at the University of Bologna, joined its faculty and later became the university's chancellor. Regnier, a French jurist, was a professor of law at the University of Poitiers.



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N° 92

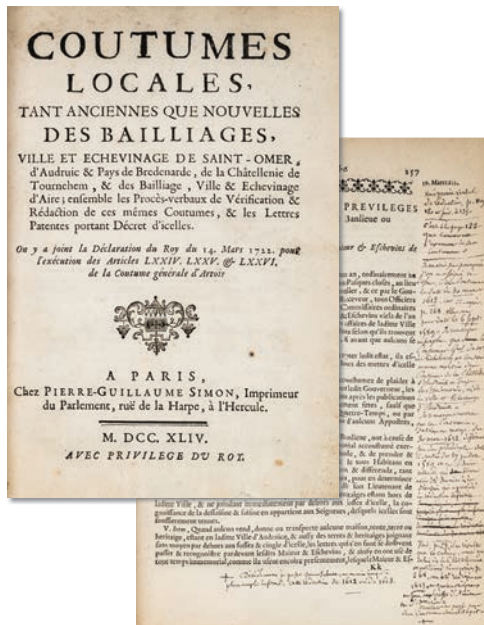
VAST EARLY-EIGHTEENTH CENTURY
COLLECTION OF LEGAL MAXIMS
FOR ATTORNEYS

93

Pistorius, Georg Tobias. *Thesaurus Paroemiarum Germanico-Iurisdicarum, Teutsch-Juristischer-Sprichwörter-Schatz, In quo Mille et Quod Excurrit Germanorum Dicteria, Cum Primis Iuris, Recensentur, Et Quidem Eius Centuria Prima [-Decima]*. 10 volumes in one. Imprint varies. Part I, IV, V, Leipzig, 1716; Parts II-III, Leipzig, 1715; Parts VI-X, Augsburg, 1723-1725. \$3,500.

PART I: SECOND EDITION, Parts II-X: only editions. The largest collection of its day, this

collection of nearly 1,000 legal maxims was intended to serve as a desk reference for lawyers looking to enhance the erudition of their pleadings. Each item has extensive commentary, including many supplemental sayings in prose and verse, along with numerous citations to secondary sources and nuanced interpretive glosses. According to Jantz, this is "a rich collection, also folkloristically and philologically." Stirling-Maxwell [1818-1878], 9th Baronet of Pollok and a former owner of our copy, was a Scottish historical writer, politician, art historian and bibliophile. V.S.M. de Guinzbourg, another former owner, was an authority on maxims and proverbs. No complete copies located on OCLC.



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THOROUGHLY ANNOTATED COPY OF THE COUTUME OF SAINT-OMER

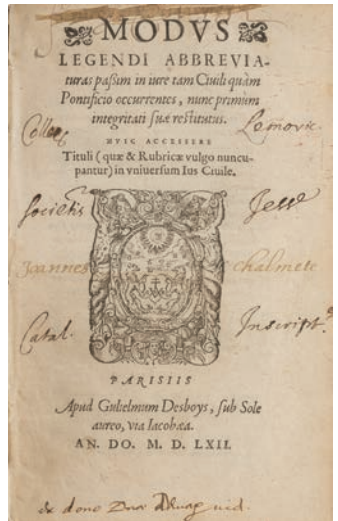
94
[Saint-Omer]. *Coutumes Locales, Tant Anciennes que Nouvelles des Bailliages, Ville et Echevinage de Saint-Omer, d'Audruic & Pays de Bredenarde, De la Châtellenie de Tournehem, & Des Bailliage, Ville & Echevinage d'Aire; Ensemble les Procès-Verbaux de Vérification & Rédaction de ces Mêmes Coutumes, & Les Lettres Patentes Portant Décret d'Icelles. On y a Joint la Déclaration du Roy du 14. Mars 1722. Pour l'Exécution des Articles LXXIV. LXXV. & LXXVI. De la Coutume Générale d'Artois.* Paris, 1744. \$2,500.

ONLY EDITION. The commune of Saint-Omer received its charter in 1127; its customary law is closely related to that of Artois. The annotations in our copy of its *coutume* reflect close reading and careful study. They include glosses, cross-references, corrections to the text, notes on the *coutume's* evolution over time and references to earlier statutes, proclamations and cases.

SIXTEENTH-CENTURY EDITIONS OF THREE CLASSIC LEGAL REFERENCE WORKS

95
[Wernherus of Schussenried]. *Modus Legendi Abbreviaturas Passim in Iure tam Civili Quam Pontifico Occurrentes, Nunc Primum Integritati Suae Restitutus. Huic Accessere Tituli (Quae & Rubricae Vulgo Nuncupantur) In Universum Ius Civile.* Paris, 1562. **[Bound with]** *Legum Flosculi, Nunc Demum Suae Integritati Restituti.* Paris, 1566. **[and]** **[Azo, Portius].** *Brocardica Iuris, Seu Verius, Communes Iurium Sententiae, Serie Alphabetica Digestae: Post Multa Tandem Secula Natalibus Velut Suis Restitutae; Hoc Est, A Mendis Librariorum Repurgatae.* Paris, 1566. \$1,750.

THIS VOLUME collects three important early legal reference works. First published in 1475, *Modus Legendi Abbreviaturas* is a dictionary of abbreviations compiled by the fifteenth-century jurist Wernherus of Schussenried. First published in 1497, *Legum Flosculi*, more commonly known as *Flores Legum*, is an anonymous collection of maxims arranged alphabetically. Attributed to Portius Azo, the *Brocardia Iuris* is a legal handbook. These three titles were often published together



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or bound together by owners. In North America, OCLC locates 1 copy of this edition of *Modus Legendi Abbreviaturas* (Yale Law School), 2 copies of *Legum Flosculi* (Yale Law School, Charleston Library Society) and 1 copy of *Brocardica Iuris* (Yale Law School).

A SCARCE SIXTEENTH-CENTURY COLLECTION OF LEGAL MAXIMS

96
Soccini, Bartolommeo; Vadi, Benedetto; Gerlier, Jean; Petrucci, Federico; Molinarus, Jacobus. *Fallentiae. Regule cum suis Ampliationibus et Fallentiis e Toto Iure Delecte: P[er] P[er]spicacissimum Utriusque Iuris Docto[r]ez do. Bartholomeum Socinum (...) [et] Co[r]recte: Nuperrimeque [et] Denuo Emendate Atque Frequentibus] (Quibus Scaturiebat) Erro[r]ibus Expurgate.* [Lyon, 1524]. \$2,600.

LATER EDITION. The main part of this work is a collection of legal maxims, mostly relating to the civil law, arranged alphabetically with critical commentary, mostly by Soccini. First published in 1510, it was a popular work that went through

several editions into the late sixteenth century with additions by later jurists. It was also included in the *Tractatus Universi Iuris* (1584-1586), the great eighteen-volume anthology commissioned by Pope Gregory XIII. All editions of Soccini's work are scarce in North American law libraries. OCLC locates 5 copies of the 1524 edition, 1 in North America (Harvard Law School).

**AN IMPORTANT HUMANISTIC
LAW DICTIONARY WITH A
HANDSOME TITLE PAGE, NO COPIES
OF THIS EDITION IN NORTH AMERICA**

97

[**Spiegel, Jakob; Oldendorp, Johannes; And Others**]. *Lexicon Iuris Civilis, Per C.U.D. Iac. Spiegelium, Postremo Auctum & Recognitum*. Basel, 1564. [Bound with] [**Vigelius, Nikolaus**]. *Iuris Civilis Universi Absolutissima Methodus*. Basel, [1565]. \$3,500.



Nº 97



Nº 97

LEXICON: LATER EDITION; *Methodus*: first edition. Spiegel was a lawyer, a privy counselor to Holy Roman Emperor Charles V and a notable humanist scholar who corresponded with Erasmus. The *Lexicon Iuris Civilis*, a dictionary of terms in Roman and canon law, is his best and most successful work. It went through twelve editions, the first in 1538, the last in 1577. The entries are rather brief, ranging from a sentence to a few paragraphs, and they contain references to examples in the Roman juristic literature. The second part of the work, *Quae Lexico Huic Postrema Editio Recens Accessere*, contains additional texts and a comprehensive addendum with texts by Oldendorp and other eminent authors. The unusual borderless woodcut title page first appeared in the 1549 edition.

Iuris Civilis Universi Absolutissima Methodus is a series of proposals for the reorganization of Roman law based on the needs of modern courts. Its final edition was published in 1628. Vigelius, a professor at Marburg, was one of the leading legal methodists of the late sixteenth century.

**NOTABLE DICTIONARY OF
ROMAN AND CANON LAW**

98

[**Stoer, Jacob, Attributed**]. *Lexicon Iuridicum: Hoc Est, Iuris Civilis et Canonici in Schola Atque Soro Vsitatarum Vocum Penus*. Geneva, 1607. \$3,000.

THIRD EDITION. This useful dictionary was issued in 1594 and reprinted in 1599, 1607 and 1615. Attributed sometimes to Barnabe Brisson, it was probably compiled by the publisher, Jacob Stoer. It is a carefully edited text with a critical introduction and notes. The compiler also lists the primary and secondary sources he consulted while compiling this work. It includes such authors as Alciati, Aristotle, Bartolus, Brisson, Gaius, Gratian, Hotman, Plato and Ulpian and such texts as the Twelve Tables, the *Code*, *Digest* and *Novels* of Justinian and the *Decretals* of Gregory IX.



Nº 98



A COPY OF THE LAIENSPIEGEL BOUND WITH TWO CLASSIC GERMAN WORKS OF ROMAN LAW AND LEGAL WRITING

99

[Tengler, Ulrich]; [Brant, Sebastian]; [Locher, Jakob]; [Tengler, Christoph, Editor]. *Layenspiegel: Von Rechtmässigen Ordnungen inn Burgerlichen und Peinlichen Regimenten*. Strasbourg, 1544. [Bound with] **Brant, Sebastian, Editor**. *Der Richterlich Clagspiegel*. [Strasbourg], 1538. [And] *New Formular Teutsch, Allerlei Schreibenn Als Instrument, Sendbrieff, Anlaß, Compaß, Testament &c. Un[d] Dergleichen Andere Schrifften*. Frankfurt, [1545]. \$9,500.

FIRST PRINTED IN 1509, the *Laienspiegel* (or *Layenspiegel*) responded to a popular need among laymen (i.e. *Laien*) and local political and legal officials for a compilation of civil, criminal and public law in the vernacular. It is somewhat notorious for its commentary on witches, heretics and Jews. The preface is by Brant, the humanist and legal scholar. Locher, a scholar and poet, wrote the introduction and a dedication in verse. Christoph

Tengler, the author's son, prepared the text used in this 1544 edition.

Written in 1436, the *Clagspiegel* was the first book on Roman law in German. It has two parts, the first on civil law and procedure, the second on criminal law and procedure. Throughout, it shows relations between German practice and the *Corpus Juris Civilis*. The first edition by Brant was published in 1516. A durable work that went through 20 editions between 1475 and 1612, it played a leading role in the popularization of Roman law in early modern Germany and was especially influential in the development of criminal law.

First printed in 1522 as *Deutsch Formulari*, the *New Formular Teutsch* is a style manual for German legal and business documents. It went through several editions into the seventeenth century.

GUIDE TO NOTARIES IN THE HOLY ROMAN EMPIRE WITH A HANDSOME TITLE PAGE

100

Volckmann, Adam; Beyer, Georg, Editor. *Volckmannus Emendatus, Sive, Manuale Advocatorum et Notariorum: Hand-Buch vor*

Advocaten und Notarien, So Bisshero unter dem Titul: Adam Volckmanns Notariat-Kunst. Leipzig, 1708. \$2,000.

LATER EDITION. Like their counterparts in other lands with civil-law systems, notaries in the Holy Roman Empire occupied an important place in the legal hierarchy analogous to a present-day British solicitor. First published in 1624-1625 with a title beginning *Informatio Notariorum*, Volckmann's treatise was a standard work into the mid-1700s. (Its final edition was published in 1763.) A detailed reference, it outlines the legal responsibilities of a notary and reviews aspects of notarial practice and procedure. It is a fine source of historical information on everyday legal practice in the Holy Roman Empire. All editions of this work are scarce. OCLC locates 1 complete copy of the 1708 edition in North America (UC-Berkeley Law School). It is not listed in VDI8.



Nº 100

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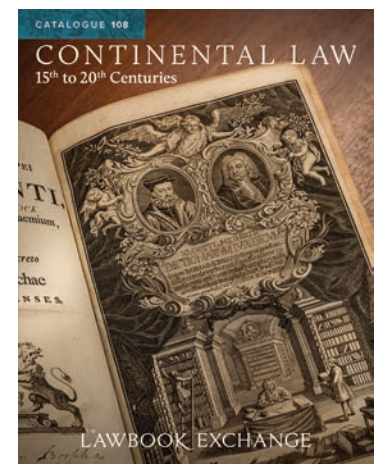
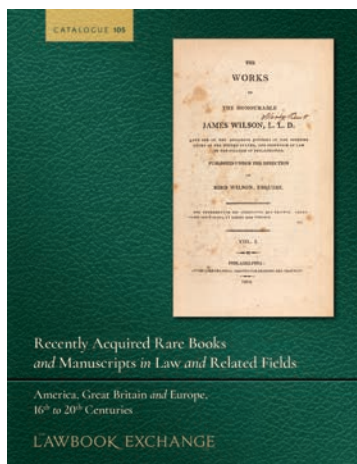
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