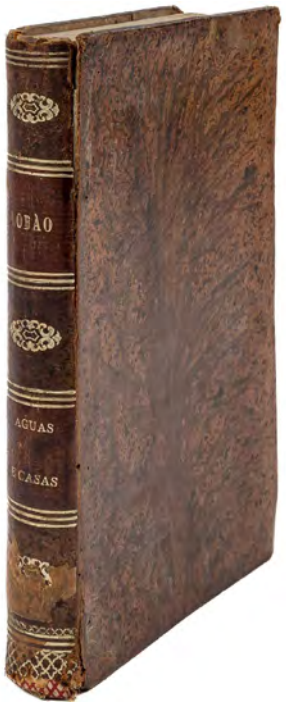
MAY 12, 2026

LAND USE & ENVIRONMENTAL LAW

THE LAWBOOK EXCHANGE LTD.



TRATADO
PRATICO E COMPENDIARIO DAS AGUAS
DOS
RIOS PUBLICOS, FONTES PUBLICAS, RIBEIROS
E NASCENTES D'ELLAS
OBRA APURADA, EM QUE SE ADOPTA O MAIS RACIONAVEL DA LEGISLAÇÃO ROMANA, CORTADO O QUE HOJE É REPROVADO PELO USO MODERNO DAS NAÇÕES
COM DOIS INDICES
UM DOS CAPITULOS, OUTRO DAS CONCLUSÕES MAIS NOTAVEIS
E
COM DUAS DISSERTAÇÕES ANALOGAS
PRIMEIRA SOBRE AS AGUAS PLUVIAES
SEGUNDA SOBRE AS AGUAS SUBTERRANEAS
POR
MANUEL DE ALMEIDA E SOUSA DE LOBÃO
J N E. Arruda
LISBOA
IMPRENSA NACIONAL
1861

Rare 1861 Treatise on Portuguese Water Law:
A Definitive 19th-Century Work on Public, Rain, and Subterranean Waters

1. Almeida e Sousa de Lobão, Manuel de.
Tratado Pratico e Compendiario das Aguas dos Rios Publicos, Fontes Publicas, Ribeiros e Nascentes d'Ellas: Obra Apurada, Em que se Adopta o Mais Racionavel da Legislacao Romana, Cortado o que Hoje e Reprovado Pelo uso Moderno das Nacoes. Com Dois Indices, Um dos Capitulos, Outro das Conclusoes mais Notaveis e com Duas Dissertacoes Analogas Primeira Sobre as Aguas Pluviaes Segunda Sobre as Aguas Subterraneas. Lisbon: Imprensa Nacional, 1861. xxiv, 195 pp. Octavo (8" x 5-1/2").

Contemporary sheep treated to look like tree calf; lettering pieces and gilt ornaments to spine; marbled endpapers. A few shallow scuffs to boards, which are somewhat bowed; some rubbing to extremities with wear to spine ends and corners; front joint starting at ends; rear hinge cracked but secure; small worm hole to front free endpaper and title page. Ex-library (fragment of shelf label to spine, fragment of bookplate to front free endpaper).

Early owner name, "J N E. Arruda", to title page and fore-edge of text block, which is toned and lightly foxed on a few leaves but internally clean. A solid copy of a rare title. $950.

* Written by the celebrated Portuguese jurist Almeida e Sousa (known as the "Portuguese Papinian" for his prolific legal output), this treatise represents a sophisticated 19th-century synthesis of water law. Lobão meticulously filters classical Roman precedents through the "modern use of nations," providing a practical framework for the management of public rivers, springs, and fountains. Notably, the work includes two specific dissertations on pluvial (rain) water and subterranean water, topics of increasing litigation during the mid-1800s.
Highly influential in the Lusophone world, the work was cited extensively by both Portuguese and Brazilian jurists and saw a reprint as late as 1911.

It is quite rare today, however. OCLC locates one copy in North America (at Yale Law School); we located an additional copy at UC-Berkeley Law School.

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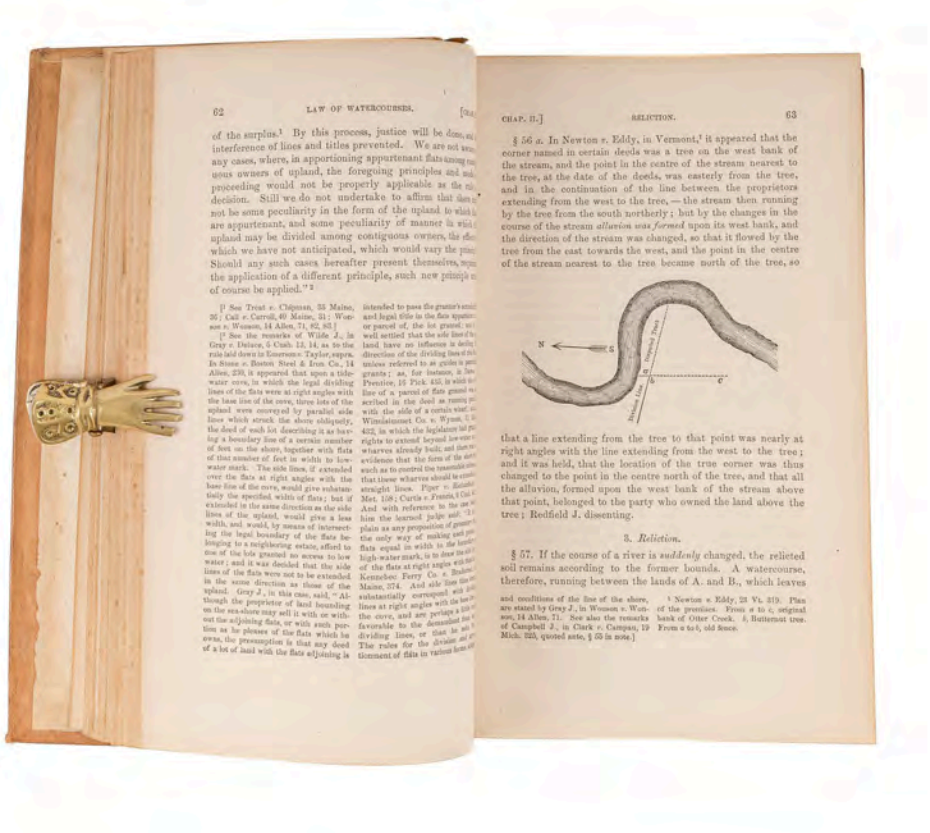

The Definitive Final Edition of the Foundational American Treatise on Water Rights and Industrial Law

2. Angell, Joseph K. [1794-1857].
Perkins, J[onathan] C[ogswell] [1809-1877], Editor.
A Treatise on the Law of Watercourses. With an Appendix, Containing Statutes of Flowing, And Forms of Declarations. Revised, And Very Much Enlarged by the Addition of New Matter to the Text and Notes. Boston: Little, Brown, And Company, 1877. xxxv, 842 pp. Illustrations. Octavo (9-1/2" x 6"; 24.13 x 15.24 cm).

Contemporary sheep; raised bands, red and black lettering pieces and faint residue from owner label to spine. Minor scratches and spots to boards; light rubbing to extremities; joints and rear hinge partially cracked; front hinge cracked. Moderate toning to interior; negligible light foxing in a few places; offsetting to margins of endleaves. A remarkably sturdy and attractive example of a common-law classic. $450.

* This is the seventh and final edition of the first American treatise on water law. First published in 1824, Angell's work was the primary authority as the United States transitioned into an industrial powerhouse. Chancellor Kent famously remarked that "no intelligent lawyer can well practice without" it.

This 1877 edition, edited by J.C. Perkins, is the most comprehensive version ever produced. It was "very much enlarged" to address the legal complexities of the late 19th century, including riparian rights, the diversion of streams for manufacturing, and the environmental impacts of water-powered industry. It remains a foundational text for understanding the evolution of American property and environmental law.

Kent, *Commentaries on American Law* III:453. *Catalogue of the Library of the Harvard Law School* (1909) I:52.

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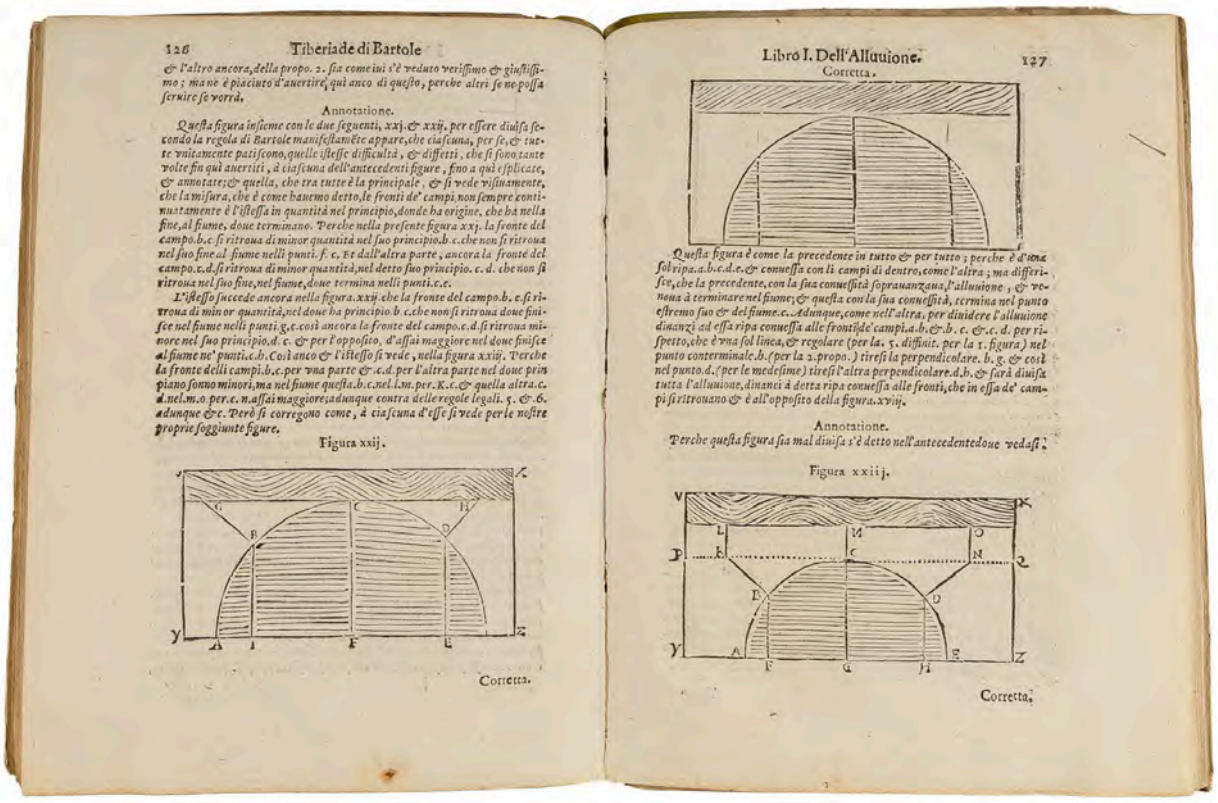

126 Tiberiade di Bartole

& l'altro ancora, della propo. 2. fia come ini s'è veduto veriſſimo & giuſtiſſimo; ma nè è piaciuto d'auertire, qui anco di queſto, perche altri ſe ne poſſa ſeruire ſe vorrà.

Annotatione.

Queſta figura inſieme con le due ſeguenti, xxj. & xxij. per eſſere diuiſa ſecondo la regola di Bartole manifeſtamẽte appare, che ciaſcuna, per ſe, & tutte vnitamente patiſcono, quelle iſteſſe difficultà, & diffetti, che ſi ſono tante volte fin quì auertiti, à ciaſcuna dell'antecedenti figure, fino a quì eſplicate, & annotate; & quella, che tra tutte è la principale, & ſi vede viſiuamente, che la miſura, che è come hauemo detto, le fronti de' campi non ſempre continuatamente è l'iſteſſa in quantità nel principio, donde ha origine, che ha nella fine, al fiume, doue terminano. Perche nella preſente figura xxj. la fronte del campo. b. c. ſi ritroua di minor quantità nel ſuo principio. b. c. che non ſi ritroua nel ſuo fine al fiume nelli punti. f. e. Et dall'altra parte, ancora la fronte del campo. c. d. ſi ritroua di minor quantità, nel detto ſuo principio. c. d. che non ſi ritroua nel ſuo fine, nel fiume, doue termina nelli punti. c. e.

L'iſteſſo ſuccede ancora nella figura. xxij. che la fronte del campo. b. c. ſi ritroua di min or quantità, nel doue ha principio. b. c. che non ſi ritroua doue finiſce nel fiume nelli punti g. e. così ancora la fronte del campo. e. d. ſi ritroua minore nel ſuo principio. d. c. & per l'oppoſito, d'aſſai maggiore nel doue finiſce al fiume ne' punti. c. b. Così anco & l'iſteſſo ſi vede, nella figura xxiij. Perche la fronte delli campi. b. c. per vna parte & a. d. per l'altra parte nel doue principiano ſono minori, ma nel fiume queſta. b. c. nel. l. m. per. K. c. & quella altra. c. d. nel. m. o. per. c. n. aſſai maggiore; aduque contra delle regole legali. 5. & 6. aduque &c. Però ſi corregono come, à ciaſcuna d'eſſe ſi vede per le noſtre proprie foggiunte figure.

Figura xxij.

Corretta.

Libro I. Dell'Alluuione. 127

Corretta.

Queſta figura è come la precedente in tutto & per tutto; perche è d'vna ſol ripa. a. b. c. d. e. & conneſſa con li campi di dentro, come l'altra; ma differiſce, che la precedente, con la ſua conneſſità ſopraauanzaua, l'alluuione, & veneua à terminare nel fiume; & queſta con la ſua conneſſità, termina nel punto eſtremo ſuo & del fiume. c. Adunque, come nell'altra, per diuidere l'alluuione dinanzi ad eſſa ripa conneſſa alle fronti de' campi. a. b. & b. c. & c. d. per riſpetto, che è vna ſol linea, & regolare (per la. 5. diffinit. per la 1. figura) nel punto conterminale. b. (per la 2. propo.) tireſi la perpendicolare. b. g. & così nel punto d. (per le medeſime) tireſi l'altra perpendicolare. d. b. & ſarà diuiſa tutta l'alluuione, dinanzi à detta ripa conneſſa alle fronti, che in eſſa de' campi ſi ritrouano & è all'oppoſito della figura. xviij.

Annotatione.

Perche queſta figura ſia mal diuiſa s'è detto nell'antecedente doue vedaſi.

Figura xxiij.

Corretta.

A Jurist Maps the River: Bartolus's Illustrated Treatise on Accretion and Avulsion

3. Bartolo of Sassoferrato [1314-1357].
Tebalducci, Claudio [16th c.], Notes.
La Tiberiade di Bartole da Sasferrato del Modo di Dividere l'Alluvioni, l'Isole, & Gl'Aluei. Con l'Annotationi, Et Espositioni di Claudio Tobaldutii da Montalboddo.

Rome: Per Gl'Heredi di Gio: Gigliotto, 1587. [viii], 190, [2] pp. Woodcut illustrations throughout. Quarto (8-1/2" x 6-3/4"; 21.6 x 17.2 cm).

Contemporary limp vellum, later hand-lettered title and shelf number to spine, early hand-lettered title to foot of text block, "23" in later hand to head of front cover, fore-edges with holes for thong ties. Light rubbing and a few minor stains, small stain to front pastedown, hinges cracked, several minor cracks to text block; all leaves secure. Light toning, later owner signature "Nicolo Bianchi", to front free endpaper. A very good copy. $2,500.

* Second and final edition; the only edition in Italian. This adaptation of Bartolus's celebrated *Tiberiad* renders into the vernacular one of the most influential medieval treatments of riparian rights-addressing alluvion, avulsion, river islands, and the shifting of channels-augmented here by the annotations of Claudio Tebalducci.

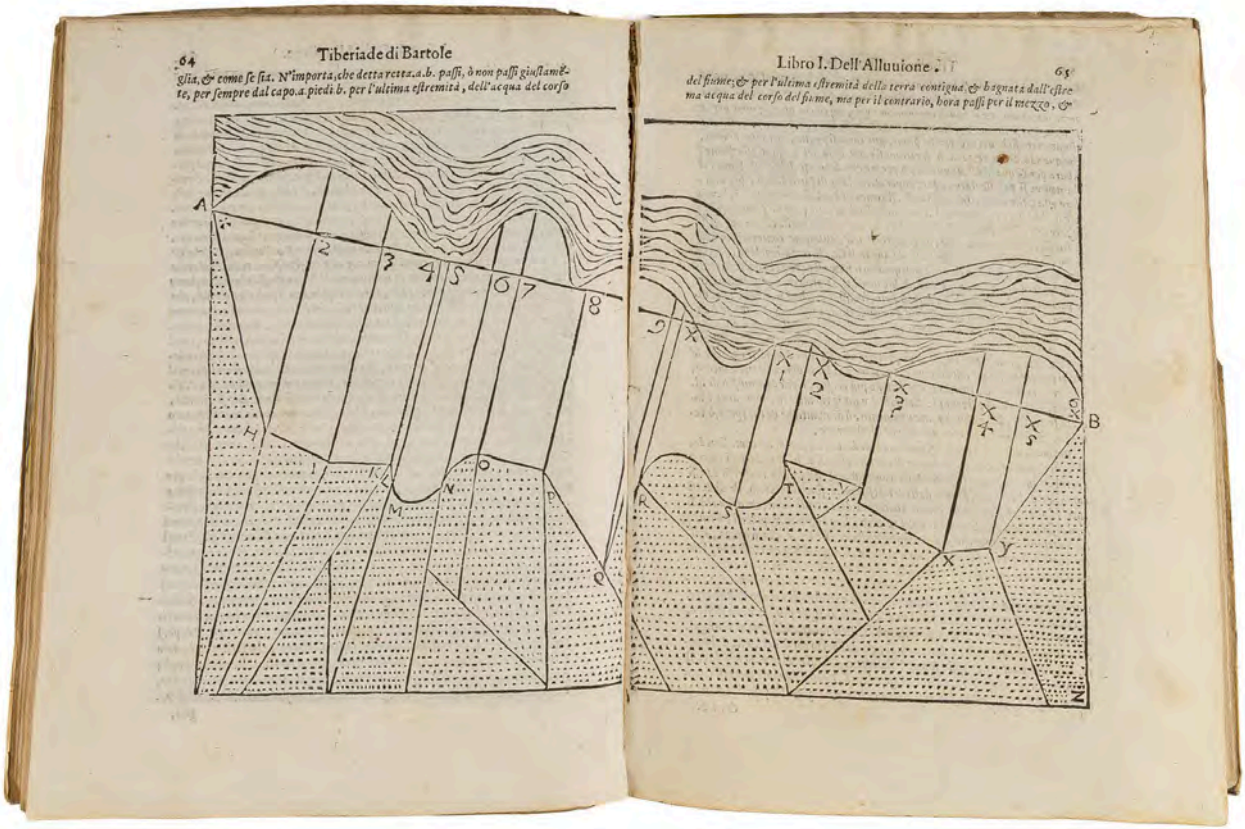
Long circulating in manuscript and first printed in Latin (1576), the *Tiberiad* stands at the intersection of Roman law doctrine and practical topography. Drawing on the jurisprudence of the Digest, Bartolus systematizes rules governing land newly formed by accretion or exposed by the recession or diversion of waters, questions central to property regimes in

riverine environments. The present edition is notable for its extensive woodcut diagrams, which translate complex legal problems into spatial and geometric terms-an unusual and early instance of visual reasoning in legal literature.

Bartolus (1314-1357), the preeminent commentator of the ius commune, exerted a formative influence on later civil-law doctrine; his treatment of alluvion and related phenomena remained authoritative well into the early modern period. The vernacularization offered here signals the continued practical importance of such questions for jurists, surveyors, and administrators concerned with land tenure and jurisdiction in a changing physical landscape.

The previous owner seems to be a member of the distinguished Bianchi family of Italy. The Bianchi lineage includes many prominent figures, including famous artists and scientists.

Censimento Nazionale delle Edizioni Italiane del XVI Secolo CNCE4453.



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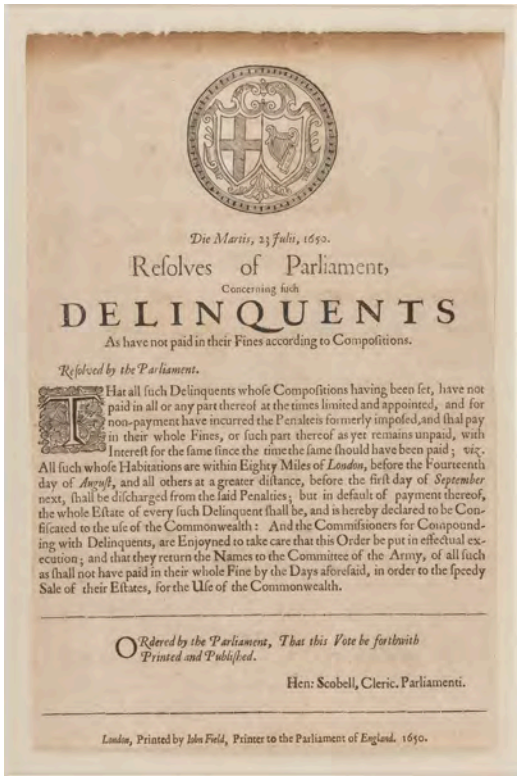

Die Martis, 23 Julii, 1650.

Resolves of Parliament,
Concerning such
DELINQUENTS
As have not paid in their Fines according to Compositions.

Resolved by the Parliament.

THat all such Delinquents whose Compositions having been set, have not paid in all or any part thereof at the times limited and appointed, and for non-payment have incurred the Penalties formerly imposed, and shal pay in their whole Fines, or such part thereof as yet remains unpaid, with Interest for the same since the time the same should have been paid; viz. All such whose Habitations are within Eighty Miles of *London*, before the Fourteenth day of *August*, and all others at a greater distance, before the first day of *September* next, shall be discharged from the said Penalties; but in default of payment thereof, the whole Estate of every such Delinquent shall be, and is hereby declared to be Confiscated to the use of the Commonwealth: And the Commissioners for Compounding with Delinquents, are Enjoyned to take care that this Order be put in effectual execution; and that they return the Names to the Committee of the Army, of all such as shall not have paid in their whole Fine by the Days aforesaid, in order to the speedy Sale of their Estates, for the Use of the Commonwealth.

ORdered by the *Parliament*, That this Vote be forthwith Printed and Published.

Hen: Scobell, Cleric. Parliamenti.

London, Printed by *John Field*, Printer to the Parliament of *England*. 1650.

Rare Cromwell-Era Broadside (1650): One of Four Known Copies

4. [Broadside].
[Parliament].
Die Martis, 23 Julii, 1650. Resolves of Parliament, Concerning Such Delinquents as Have Not Paid in their Fines According to Compositions. London: Printed by Iohn Field, Printer to the Parliament of England, 1650.

13-1/4" x 8-3/4" broadside mounted and matted on 20" x 14-1/2" board, text in single column below headline and woodcut Parliamentary arms with a four-line woodcut initial, signed in type by Henry Scobell.

Moderate toning, light soiling in places, light browning and wear to top-edge not affecting text or image, fold line to upper right corner. A remarkably crisp and imposing example of Commonwealth propaganda. $1,500.

* A rare and threatening artifact of the English Civil War's aftermath. Following the execution of Charles I, the Rump Parliament moved to fund the Commonwealth's military by aggressively liquidating the estates of "Delinquents" (Royalists). This specific decree serves as a draconian ultimatum: any Royalist within 80 miles of London who had not paid their "compositions" (fines) faced the immediate and total confiscation of their lands "to the use of the Commonwealth."

This broadside is a physical manifestation of the shift in power from Crown to Parliament, capturing the moment when the English landed gentry were forced to choose between their loyalty to the exiled King or the survival of their ancestral homes.

One of three known variants, this version is notable for listing John Field as the sole printer. OCLC, Library Hub and the *ESTC* locate 3 copies worldwide (British Library, Trinity College Dublin, Yale University). *English Short-Title Catalogue* (*ESTC*) R225774.

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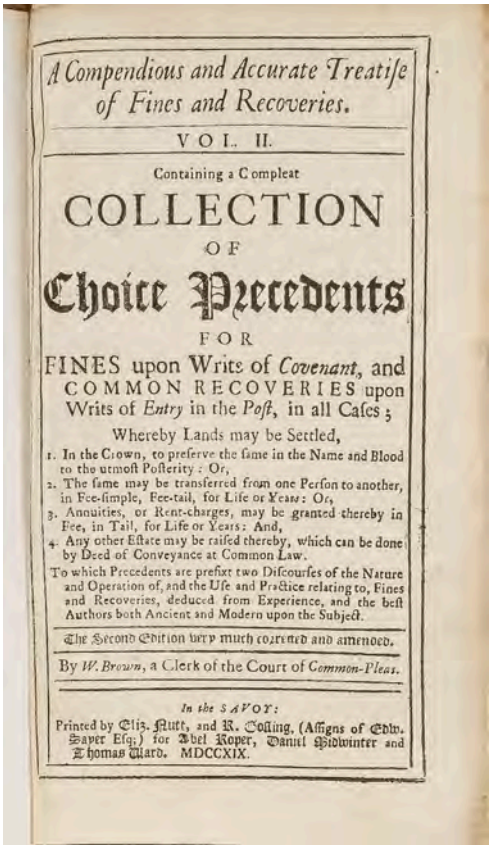

A Compendious and Accurate Treatise of Fines and Recoveries.

VOL. II.

Containing a Compleat

COLLECTION

OF

Choice Precedents

FOR

FINES upon Writs of *Covenant*, and COMMON RECOVERIES upon Writs of *Entry* in the *Post*, in all Cases;

Whereby Lands may be Settled,

1. In the Crown, to preserve the same in the Name and Blood to the utmost Posterity: Or,
2. The same may be transferred from one Person to another, in Fee-simple, Fee-tail, for Life or Years: Or,
3. Annuities, or Rent-charges, may be granted thereby in Fee, in Tail, for Life or Years: And,
4. Any other Estate may be raised thereby, which can be done by Deed of Conveyance at Common Law.

To which Precedents are prefixt two Discourses of the Nature and Operation of, and the Use and Practice relating to, Fines and Recoveries, deduced from Experience, and the best Authors both Ancient and Modern upon the Subject.

The Second Edition very much corrected and amended.

By *W. Brown*, a Clerk of the Court of *Common-Pleas*.

In the SAVOY:

Printed by Eliz. Nutt, and R. Gosling, (Assigns of Edw. Sayer Esq;) for Abel Roper, Daniel Midwinter and Thomas Ward. MDCCXIX.

An Essential 18th-Century Real Estate Manual,
The Definitive Final Edition Printed by Elizabeth Nutt

5. Brown, W[illiam].
A Compendious and Accurate Treatise of Fines and Recoveries. Vol. II. Containing a Compleat Collection of Choice Precedents for Fines Upon Writs of Covenant, And Common Recoveries upon Writs of Entry in the Post, In All Cases; Whereby Lands May be Settled…Very Much Corrected and Amended. [London]: Printed by Eliz. Nutt, and R. Gosling (Assigns of Edw. Sayer Esq;) for Abel Roper, Daniel Midwinter and Thomas Ward, 1719. [viii], 400, [24], 30, [2] pp. October (7-3/4" x 4-3/4").

Later three-quarter calf over cloth, lettering piece, blind fillets and black-stamped "2" to spine, endpapers renewed. Moderate rubbing to extremities with light wear to joints, spine ends and corners, cracks in text block following title page and final text leaf, all leaves secure. Light toning to interior, light toning to a few leaves. SOLD

* This is the second and best edition of Brown's essential guide to the most intricate "legal fictions" of English property law: Fines and Common Recoveries. While designated "Volume II" to complement the author's earlier 1678 work, this volume stands alone as the definitive collection of practical precedents. It provides the specific formulas required to "dock" (break) entails, settle land upon the Crown, or transfer fee-simple estates—effectively the "secret code" used by 18th-century lawyers to manage the wealth of the English aristocracy. This 1719 edition was "Very Much Corrected and Amended," representing the final evolution of Brown's expertise.

The first edition and its reissue are rare; the second edition is especially rare. OCLC and Library Hub locate 1 copy, at the University of York. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:489 (which considers it a bibliographically distinct work). *English Short-Title Catalogue* T66866.

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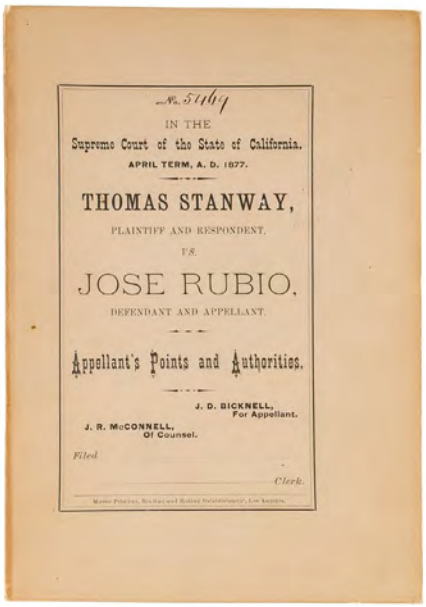

Early L.A. Wine History: A Rare 1877 California Supreme Court Brief Involving the Vineyards of Jose Rubio

6. [California].
In the Supreme Court of the State of California, April Term, A.D. 1877. Thomas Stanway, Plaintiff and Respondent, vs. Jose Rubio, Defendant and Appellant. Appellant's Points and Authorities. J.D. Bicknell, For Appellant. J.R. McConnell, Of Counsel. Los Angeles: Mirror Printing, Binding and Ruling Establishment, [1877]. 18 pp. Quarto (10" x 7").

Stab-stitched pamphlet in stiff printed wrappers. Light toning, light soiling to exterior, a few chips to rear wrapper, "No. 5469" at head of front wrapper with "5469" completed in manuscript. A remarkably well-preserved example of a fragile 19th-century legal imprint. An unrecorded Los Angeles rarity. $250.

* A compelling artifact from the early days of the Southern California legal and agricultural landscape. The case concerns a land dispute over the vineyards of Jose Rubio, a prominent Los Angeles viticulturist during the city's original "Wine Gold Rush."

The document is of particular importance for its association with John D. Bicknell, a titan of the Los Angeles bar and a co-founder of what is now Gibson, Dunn & Crutcher. Appearing just five years after Bicknell arrived in Los Angeles, this brief captures a future "power player" in the early stages of his career, before his association with the Southern Pacific Railroad and Henry Huntington.

Furthermore, this pamphlet is a rare specimen from the Mirror Printing Establishment, the commercial printing house that birthed the Los Angeles Daily Mirror and, eventually, the Los Angeles Times.

An apparently unrecorded piece of Californiana, essential for collections focusing on early Los Angeles imprints, the history of the California Bar, or 19th-century viticulture.

This is a rare item. No copies located on OCLC.

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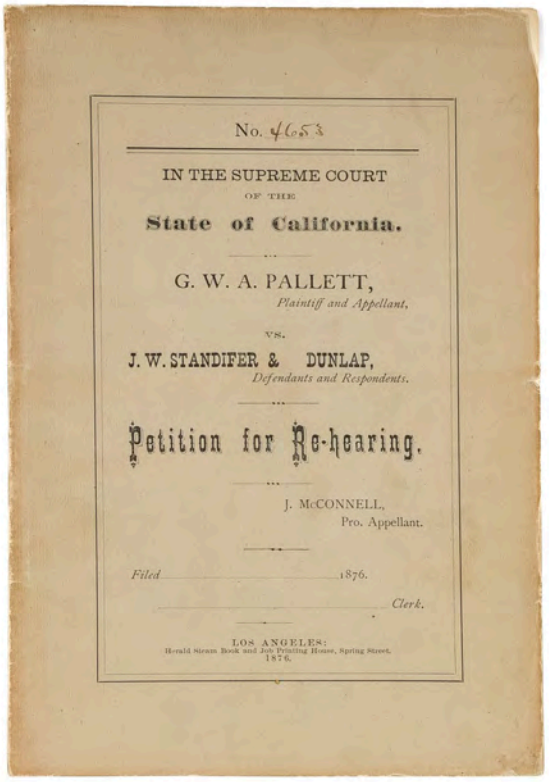

No. 4653

IN THE SUPREME COURT
OF THE
State of California.

G. W. A. PALLETT,
Plaintiff and Appellant,
vs.
J. W. STANDIFER & DUNLAP,
Defendants and Respondents.

Petition for Re-hearing.

J. McCONNELL,
Pro. Appellant.

Filed ..... 1876.
..... *Clerk.*

LOS ANGELES:
Herald Steam Book and Job Printing House, Spring Street.
1876.

Unrecorded Los Angeles Imprint (1876): A High-Stakes Water Rights Petition

7. [California].
In the Supreme Court of the State of California. G.W.A. Pallett, Plaintiff and Appellant, vs. J.W. Standifer & Dunlap, Defendants and Respondents. Petition for Re-hearing. J. McConnell, Pro. Appellant. Los Angeles: Herald Steam Book and Job Printing House, 1876. 16 pp. Quarto (9-3/4" x 7").

Stab-stitched pamphlet in stiff printed wrappers. Light toning, light soiling to exterior, a few chips to wrappers, "No. 4653" at head of front wrapper with "4653" completed in manuscript. $250.

* A rare and early Los Angeles legal imprint concerning the most contentious issue in the history of the American West: Water Rights. As Southern California transitioned from large-scale ranching to intensive agriculture in the 1870s, access to water became the primary driver of litigation. This "Petition for Re-hearing" suggests a high-stakes legal battle where the initial ruling was contested—a common occurrence in the complex evolution of California's riparian and appropriation laws.

The pamphlet is also a significant specimen from the Herald Steam Book and Job Printing House, a pioneer in the city's early industrial printing era.

Remarkably scarce. This item is not in Waters, the standard bibliography for early Los Angeles imprints, despite his inclusion of other briefs from this printer. Furthermore, no copies are located on OCLC, which records only two different (and likely shorter) briefs from this case held at the University of Southern California.

View Additional Images or Order This Item

The Foundational Systematic Codification of the Common Law and the "Bible" of the American Founders

8. Coke, Sir Edward [1552-1634].
The First Part of the Institutes of the Lawes of England. Or, A Commentarie upon Littleton, Not the Name of a Lawyer Onely, But of the Law It Selfe. London: Printed for the Societie of Stationers, 1628. [vii], 395, [1] ff. Lacking initial blank and folding table of consanguinity, text complete. Folio (10-1/2" x 7"; 26.5 x 17.5 cm).

Contemporary speckled calf; raised bands and blind fillets to spine; blind tooling to board edges. Worn; front board detached; rubbing and wear to extremities; spine ends and board edges partially abraded. Title printed within elaborate woodcut architectural border; woodcut headpieces and tail-pieces; text printed in one to three columns. Moderate toning to interior; occasional minor worming to margins (not affecting text); gradually diminishing and mostly unobtrusive faint dampstaining to upper portion of text block; light edgewear to several leaves with minor loss to a side-note on verso of f. 14; a few tiny holes to title page, which is lightly soiled. Later armorial bookplate ("Hugh Lyle, Esq./ Coleraine") to front pastedown. $1,500.

* A cornerstone of the Anglo-American legal tradition. Coke's Institutes was the first systematic codification of the common law. This first volume, universally known as "Coke on Littleton," served as the definitive legal textbook for over two centuries. Its influence cannot be overstated; it was the "Bible" of the law for the generation of the American Revolution, studied intensely by the likes of Jefferson, Adams, and Jay.

As a Printing and the Mind of Man title, it is recognized not just as a law book, but as one of the most influential works in the history of ideas. Coke's interpretation of English law helped establish the supremacy of the common law over the Royal Prerogative, a principle that remains a bedrock of modern constitutionalism. Its enduring relevance is evidenced by its frequent citation in landmark U.S. Supreme Court cases, including Dobbs (2022) and Loper Bright (2024).

Hugh Lyle [1791-1847], a later owner of our copy, was from a major landowning family in County Londonderry and served as mayor of Coleraine from 1814-1815.

Carter and Muir, *Printing and the Mind of Man* 126. Walker, *The Oxford Companion to Law* 240. *English Short-Title Catalogue* S113366.

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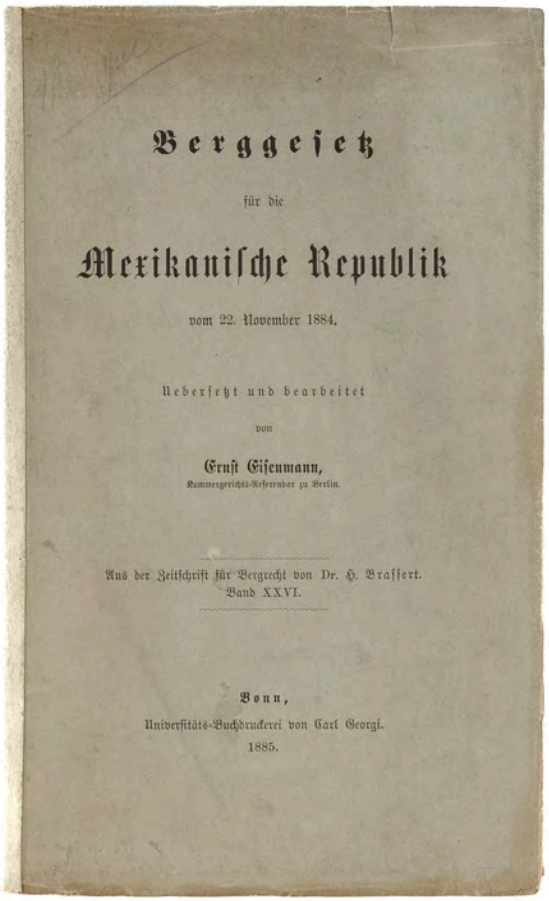
Berggeſetz
für die
Mexikaniſche Republik
vom 22. November 1884.
Ueberſetzt und bearbeitet
von
Ernſt Eiſenmann,
Kammergerichts-Referendar zu Berlin.
Aus der Zeitſchrift für Bergrecht von Dr. H. Braſſert.
Band XXVI.
Bonn,
Univerſitäts-Buchdruckerei von Carl Georgi.
1885.

Unrecorded in North America: The 1884 Mexican Mining Code (German Translation, 1885)

9. Eisenmann, Ernst, Translator and Editor.
Berggesetz für die Mexikanische Republik vom 22 November 1884. Bonn: Universitäts-Buchdruckerei von Carl Georgi, 1885. 61 pp. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed wrappers, spine reinforced. Negligible light soiling, a few minor tears to wrappers, light toning to interior. $450.

* The only edition of this rare German translation of the pivotal 1884 Mexican Mining Code. Published in Bonn just months after the law's enactment, this work was designed to facilitate German investment during the early Porfiriato—an era defined by President Porfirio Díaz's aggressive efforts to attract foreign capital.

The 1884 Code represented a radical departure from traditional Hispanic "patrimonial" law; for the first time, it granted landholders ownership of certain subsoil minerals (like coal and iron) and simplified the process for foreign entities to acquire silver and gold claims. Eisenmann's German edition serves as a primary source for the history of globalization, showing how Mexican law was packaged and marketed to European industrialists and engineers.

OCLC locates 3 copies (National Library of Mexico, University of Delft, Iron Library (Eisenbibliothek) Switzerland).

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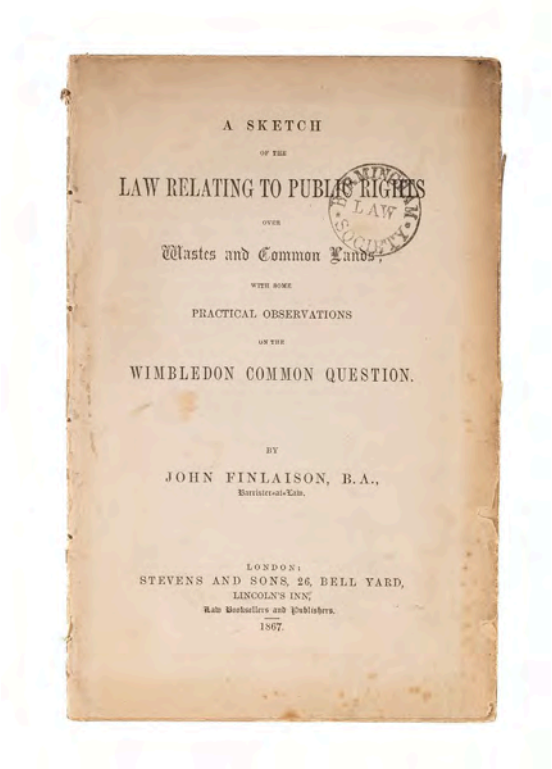
A SKETCH
OF THE
LAW RELATING TO PUBLIC RIGHTS
OVER
Wastes and Common Lands;
WITH SOME
PRACTICAL OBSERVATIONS
ON THE
WIMBLEDON COMMON QUESTION.
BY
JOHN FINLAISON, B.A.,
Barrister-at-Law.
LONDON:
STEVENS AND SONS, 26, BELL YARD,
LINCOLN'S INN,
Law Booksellers and Publishers.
1867.

Saving "The Pearl of London": A Rare 1867 Legal Defense of Wimbledon Common Against Aristocratic Enclosure

10. Finlaison, John [1839-1906].
A Sketch of the Law Relating to Public Rights Over Wastes and Common Lands; With Some Practical Observations on the Wimbledon Common Question. London: Stevens and Sons, 26, Bell Yard, Lincoln's Inn, Law Booksellers and Publishers, 1867. 62 pp. Octavo (8-1/2" x 5-1/2"; 21.6 x 14 cm).

Disbound stab-stitched pamphlet, untrimmed and unopened. Moderate toning; leaves separating slightly at foot but secure; light edgewear; light foxing and ink library stamp to title page; internally clean. A good copy of a scarce title. $450.

* Only edition. A primary legal weapon in the fight to save London's green belt. In 1864, the 5th Earl Spencer proposed a radical "improvement" to Wimbledon Common: selling one-third of the land for luxury housing and fencing off the rest as a private park for his own residence. This pamphlet represents the intellectual and legal pushback against the Earl's manorial claims.

Finlaison's "Sketch" was published at the height of this pivotal crisis. It serves as a vital bridge between centuries of feudal land law and the modern concept of Urban Conservation. By arguing for public rights over "Wastes" (historically considered useless land), Finlaison helped shift the legal tide that eventually led to the 1871 Wimbledon and Putney Commons Act. This victory ensured that London's "pearl of open spaces" remained a public trust rather than a private estate—a landmark moment in the history of the Environmental movement.

OCLC locates 5 copies of this scarce title, 1 outside Britain (U.S. Supreme Court Library). No other copies located on Library Hub. Winchester, "Wimbledon Common and Putney Heath, Surrey," in *Common Land in Britain: A History from the Middle Ages to the Present Day* (2022) 265.

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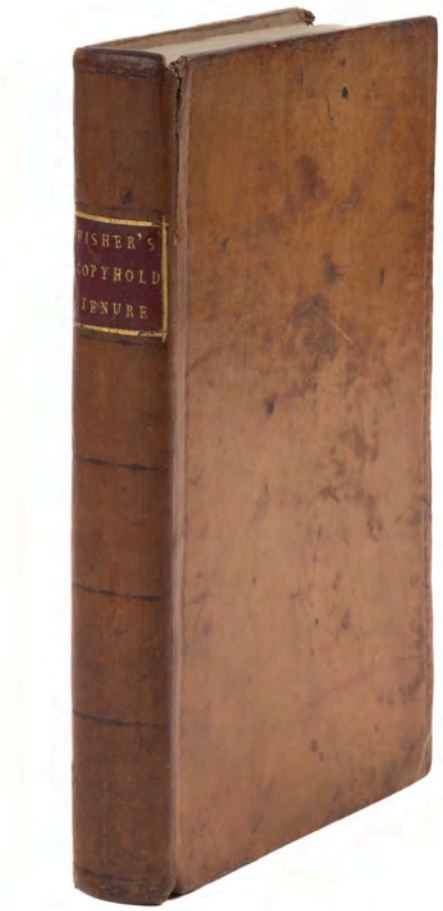

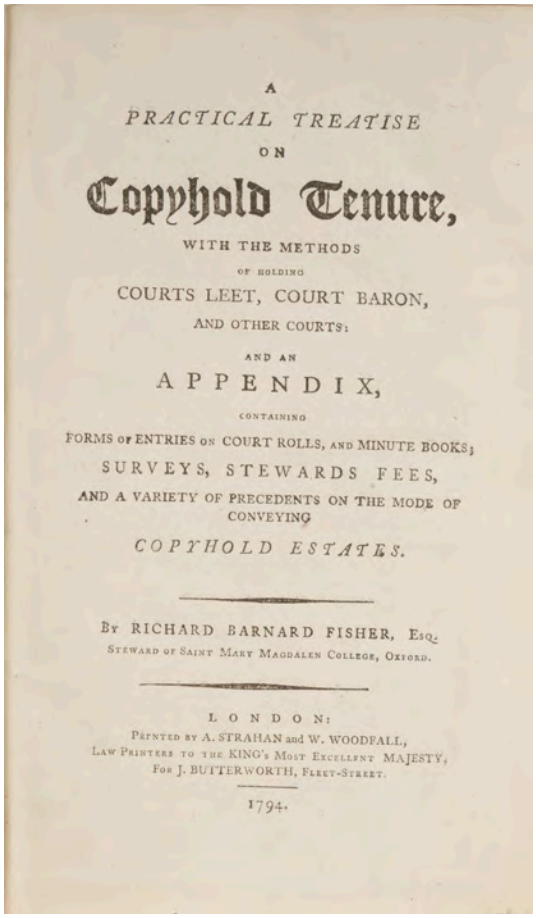
A
PRACTICAL TREATISE
ON
Copyhold Tenure,
WITH THE METHODS
OF HOLDING
COURTS LEET, COURT BARON,
AND OTHER COURTS:
AND AN
APPENDIX,
CONTAINING
FORMS OF ENTRIES ON COURT ROLLS, AND MINUTE BOOKS;
SURVEYS, STEWARDS FEES,
AND A VARIETY OF PRECEDENTS ON THE MODE OF
CONVEYING
COPYHOLD ESTATES.
By RICHARD BARNARD FISHER, Esq.
Steward of Saint Mary Magdalen College, Oxford.
LONDON:
Printed by A. STRAHAN and W. WOODFALL,
Law Printers to the KING's Most Excellent MAJESTY;
For J. BUTTERWORTH, Fleet-Street.
1794.

The Modern Evolution of Copyhold:
The First Systematic Treatise Since Lord Coke (1794)

11. Fisher, Richard Barnard.
A Practical Treatise on Copyhold Tenure, With the Methods of Holding Courts-Leet, Court-Baron, And Other Courts; And an Appendix, Containing Forms of Entries on Court-Rolls, And Minute-Books; Surveys, Stewards Fees, And a Variety of Precedents on the Mode of Conveying Copyhold Estates. London: Printed by A. Strahan and W. Woodfall, Law Printers to the King's Most Excellent Majesty, For J. Butterworth, 1794. xiv, 356, xi, [1] pp. Two folding tables. Final page is a publisher advertisement. Octavo (8-1/4" x 5").

Contemporary calf; lettering piece and blind fillets to spine. Light rubbing; a few minor scuffs to boards; tiny chip to head of front joint, which is just starting; corners bumped; tiny wormtrack and early owner signature (George Fuson/ Ilchester) to front free endpaper; notably light toning to interior. A handsome copy. SOLD

* First edition. Fisher's work represents a pivotal shift in 18th-century legal literature, providing the first comprehensive update to the laws of copyhold tenure since Edward Coke's 17th-century interpretations. Fisher successfully bridges the gap between feudal tradition and 'modern' Georgian variations, including detailed sections on 'bastard species' of copyhold and the practical administration of Manorial Courts (Leet and Baron). A second edition was published in 1803 and reprinted the following year. A vital primary source for the study of English land law evolution.

English Short-Title Catalogue T95659.

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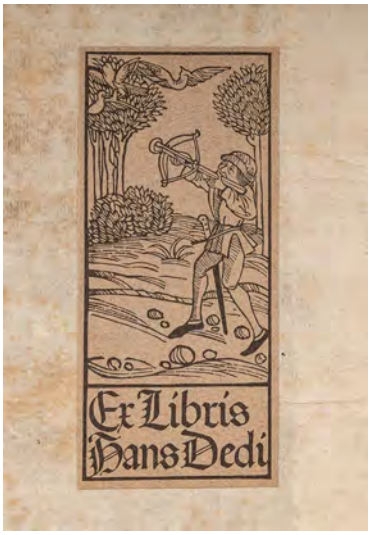

This Copy From One of the Most Significant Private Collections of Hunting Literature Ever Assembled

12. Fritsch, Ahasver [1629-1701].
Corpus Juris Venatorio-Forestalis, Tripartitum... Jena: Literis Samuelis Adolphi Mülleri, 1676. [xiv], 114, 47, 68, 219, 284, 52 pp. Main text in parallel columns. Folio (12-1/2" x 7-1/2"; 31.75 x 19 cm).

Contemporary sheep over blind-ruled boards, raised bands, "97" gilt-stamped to front board, small later shelf label to spine. Light rubbing and minor scuffing, small chip at head of front board. Later bookplate of the noted German bibliophile Johannes (Hans) Dedi to front pastedown. Engraved copperplate pictorial title page followed by a secondary title printed in red and black. Moderate toning and occasional foxing. A very good copy. $1,800.

* Scarce second edition (first published 1675) of this monumental three-part survey of German hunting and forestry law. Ahasver Fritsch, a prolific jurist and Chancellor of Schwarzburg-Rudolstadt, here synthesizes centuries of legal tradition into a comprehensive administrative framework. The work includes seven treatises on the fundamental legal principles of forest jurisdiction, thirty consilia and landmark judicial decisions and twenty forest ordinances promulgated by the electors, princes, and estates of the Holy Roman Empire.

The Corpus Juris serves as a primary record of the transition from medieval custom to codified early modern resource management. It details the complex hierarchy of "the privilege of the chase," the strict administration of timber and land use, and the increasingly severe penalties for poaching.

The work is celebrated for its elaborate engraved title page, which functions as a visual legal memorandum. It depicts an official pointing to the law—fittingly inscribed upon a stretched deerskin—while rebuking a captured poacher. This scene serves as a dramatic personification of the doctrine ignorantia juris non excusat, asserting that the forest's inhabitants were legally bound to the statutes of the sovereign.

From the library of Johannes (Hans) Dedi [1918-2016], the renowned German entrepreneur and bibliophile. Dedi's library was widely regarded as one of the most significant private collections of Jagdliteratur (hunting literature) ever assembled, characterized by a rigorous standard for both historical importance and condition.

OCLC records only three copies of this edition in North American law libraries (Harvard, Berkeley, Yale). *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 1:015426N.

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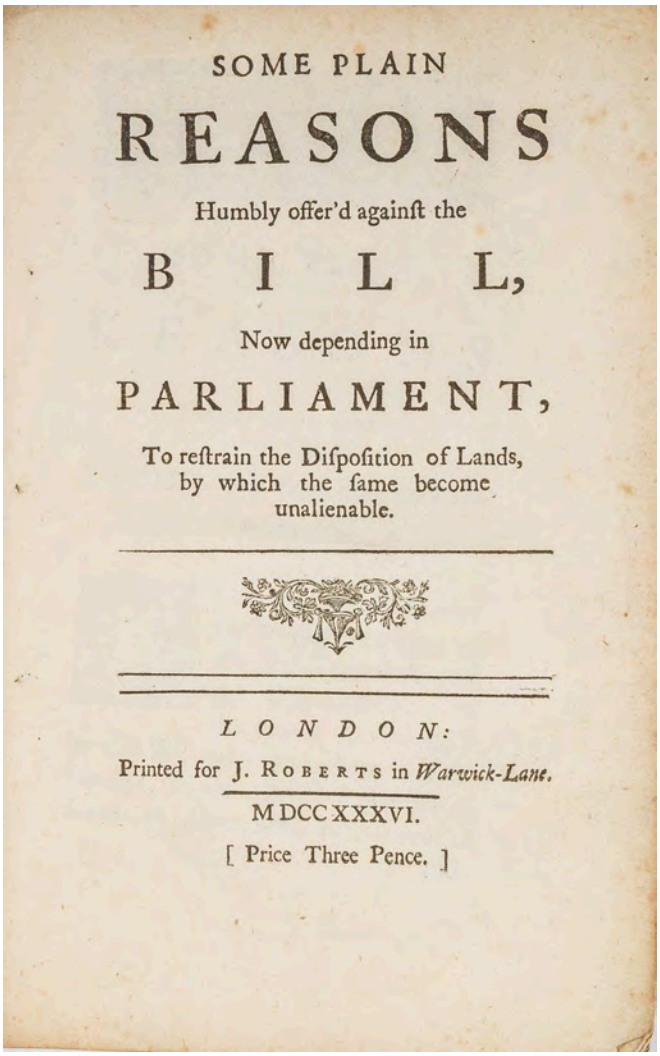

SOME PLAIN

REASONS

Humbly offer'd againſt the

B I L L,

Now depending in

PARLIAMENT,

To reſtrain the Diſpoſition of Lands, by which the ſame become unalienable.

LONDON:

Printed for J. ROBERTS in *Warwick-Lane.*

MDCCXXXVI.

[Price Three Pence.]

Defending the Dead Hand: A Rare Anonymous Protest Against the Mortmain Act of 1736

13. [Great Britain].
Some Plain Reasons Humbly Offer'd Against the Bill, Now Depending in Parliament, To Restrain the Disposition of Lands, By Which the Same Become Unalienable. London: Printed for J. Roberts, 1736. 22, [2] pp. With a half-title; final leaf blank. Octavo (7-1/2" x 4-3/4").

Disbound stab-stitched pamphlet. Light soiling to exterior, leaves starting to separate at ends but secure; light foxing and soiling to a few leaves of text. A good copy. SOLD

* Only edition. An important contemporary critique of the 1736 Mortmain Act. This legislation sought to curb the "Dead Hand" of the Church by prohibiting deathbed gifts of land to charities—a practice the state viewed as an evasion of feudal taxes and an invitation to clerical manipulation. The author of this pamphlet takes a dissenting view, arguing that the bill's sweeping restrictions would inadvertently cripple the endowment of universities and public institutions.

OCLC locates 3 copies of this scarce title in North America (Huntington Library, Yale University, UC-Berkeley Law School). *English Short-Title Catalogue* T108904.

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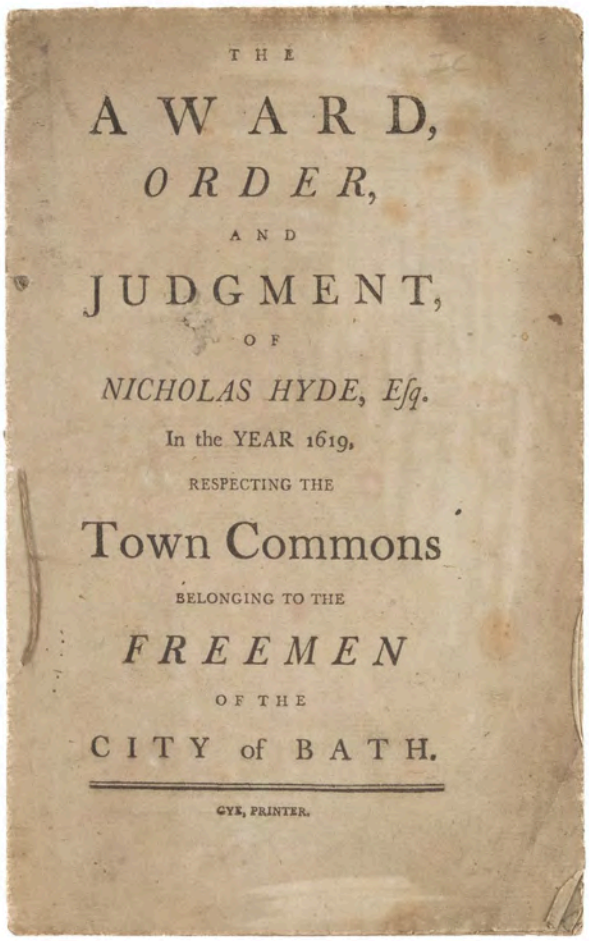
THE
AWARD,
ORDER,
AND
JUDGMENT,
OF
NICHOLAS HYDE, Esq.
In the YEAR 1619,
RESPECTING THE
Town Commons
BELONGING TO THE
FREEMEN
OF THE
CITY of BATH.
GYE, PRINTER.

Bacon, Hyde, and the Commons of Bath:
A Rare 18th-Century Printing of a Landmark 1619 Land Dispute

14. Hyde, Nicholas.
The Award, Order, And Judgment, Of Nicholas Hyde, Esq. In the Year 1619, Respecting the Town Commons Belonging to the Freemen of the City of Bath. [Bath]: Gye, Printer, [1792?]. 16 pp. Octavo (8" x 5").

Stab-stitched pamphlet in self wrappers. Moderate toning and edgewear; folds to corners of several leaves; soiling to title page and verso of final leaf. A good copy. $250.

* Sole printing. A rare and significant record of an arbitration commissioned by Lord Chancellor Francis Bacon. The dispute, heard by Nicholas Hyde (then Recorder of Bath and later Chief Justice of the King's Bench), aimed to settle the contentious rights of Bath's freemen over the Town Commons. This 1792 printing by Gye of Bath suggests that the 1619 'Award' remained the definitive legal authority on these lands well into the Georgian era.

This is a rare title. OCLC locates 1 copy (Bodleian Library), the *ESTC* adds 1 more (British Library). *English Short-Title Catalogue* (*ESTC*) T223100.

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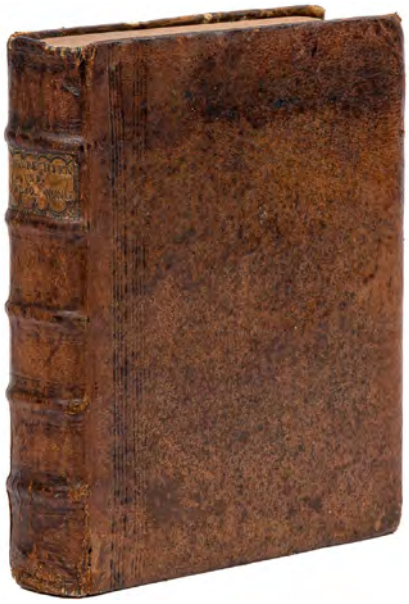

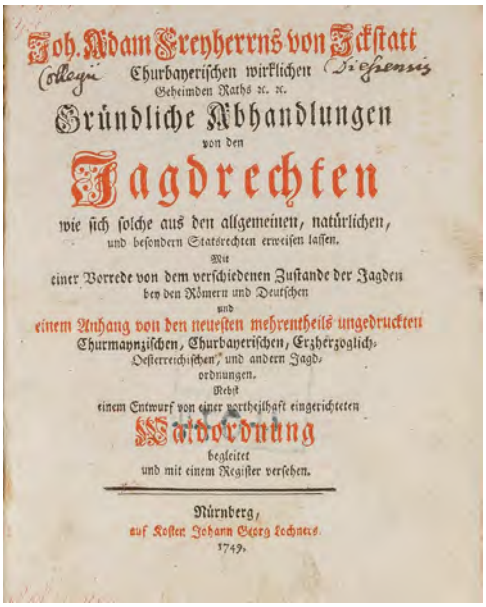
Joh. Adam Freyherrns von Ickstatt
Churbayerischen wirklichen Collegii Diessensis
Geheimden Raths ꝛc. ꝛc.
Gründliche Abhandlungen
von den
Jagdrechten
wie sich solche aus den allgemeinen, natürlichen,
und besondern Statsrechten erweisen lassen.
Mit
einer Vorrede von dem verschiedenen Zustande der Jagden
bey den Römern und Deutschen
und
einem Anhang von den neuesten mehrentheils ungedruckten
Churmaynzischen, Churbayerischen, Erzherzoglich-
Oesterreichischen, und andern Jagd-
ordnungen.
Nebst
einem Entwurf von einer wirthschaft eingerichteten
Waldordnung
begleitet
und mit einem Register versehen.
Nürnberg,
auf Kosten Johann Georg Lochners.
1749.

Forestry, Fishing, and the "Jagdrecht": A Comprehensive 1749 Treatise on the Seigneurial Hunting Laws of the Holy Roman Empire

15. Ickstatt, Johann Adam von [1701-1776].
Klett, Johann Friedrich, Editor and Translator.
Gründliche Abhandlungen von den Jagdrechten.... Nuremberg: Auf Kosten Johann Georg Lochners, 1749. [xlvi], 428, [16]; 172 pp. Two parts, each with title page. Title page of second part, with title beginning *Wald-Ordnung*, dated 1748. Quarto (7-3/4" x 6-1/4").

Contemporary speckled calf; blind rules to boards; raised bands and lettering piece to spine; marbled pastedowns. Light rubbing and a few minor worm holes to boards; moderate rubbing to extremities; light chipping to spine ends; corners bumped and somewhat worn; later library bookplate to front pastedown; later owner bookplate to front free endpaper. Title page of first part printed in red and black; attractive woodcut head and tail-pieces. Light toning to text; light foxing in places; early owner signatures to verso of front free endpaper (illegible) and head of title page ("Collegii Diessensis"); later library stamp to title page's verso. A handsome copy. $850.

* Only edition, with Part II a reissue of a work first published in 1748. A vital primary source for the transition from medieval feudal hunting rights to modern state-regulated forestry. Ickstatt, a leading legal figure of the German Enlightenment, provides a systematic analysis of the hunting and fishing mandates of Bavaria, Austria, and Mainz.

Crucially, the second part contains a dedicated 'Waldordnung' (Forest Ordinance), reflecting the mid-18th-century shift toward sustainable timber management and environmental conservation. These laws governed everything from the protection of crops against game to the social hierarchies of the forest. A rare and early intersection of legal theory, social history, and the roots of environmentalism.

The first part of this text is an overview of Bavarian forestry, hunting and fishing laws from 1664-1742 followed by similar sets of laws promulgated in Austria in 1743 and in Mainz in 1744. The second part is a translation of the Bavarian laws with editorial commentary by Klett, who also translated Part I.

Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts 14598590-006.

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Copy of a Rare 1824 Scottish Advocate's Thesis on Roman Water Rights,
In a Fine Contemporary Binding, That Belonged to the Notable Scottish Bibliophile Robert Maxtone Graham

16. [Legal Education].
Robertson, William [1802-1883].
Disputatio Juridica, Ad Lib. XLIII. Tit. XXII. Digest. De Fonte; Quam, Favente Numine, Ex Auctoritate Clarissimi ac Consultissimi Viri D. Georgii Cranstoun, De Corehouse, Inclytae Facultatis Juridicae Decani; Nec non ex Ejusdem Facultatis Consensu et Decreto, Pro Advocati Munere Consequendo, Publicae Disquisitioni Subjicit Gulielmus Robertson, Auct. et Resp. Ad Diem VI. Martii Hor. Loc. Sol. Edinburgh: Apud Alex. Smellie, Facultatis Juridicae Typographum, 1824. 13, [1] pp. Quarto (8-3/4" x 6-3/4"; 22 x 17.5 cm).

Contemporary straight-grained russet morocco, boards with central blind ornaments and gilt fillet frames, spine richly gilt, gilt tooling to board edges and turn-ins, all edges gilt, marbled endpapers, with several early blank leaves bound before and after the text. Light rubbing to boards, a small nick to front board (slightly bowed), moderate wear to extremities, light wear to spine ends and corners. Later armorial bookplate of Robert Maxtone Graham to front free endpaper, with brief penciled notes (likely in his hand) to its verso. Light toning and occasional foxing to interior. A handsome copy in an attractive contemporary binding. $450.

* Only edition. Candidates for admission to the Faculty of Advocates in Scotland were required to submit and publicly defend brief Latin dissertations on topics drawn from Roman law, the foundation of Scottish civil law and legal education. These exercises, though often handsomely printed, were produced in very small numbers for limited distribution among members of the Faculty and were not intended for commercial circulation.

This dissertation, written by William Robertson, treats Digest 43.22, De Fonte ("On Springs"), concerning water rights in relation to natural sources. Robertson was admitted as an advocate on March 9, 1824. Such productions are today of considerable interest as survivals of Scotland's distinctive legal training and its enduring engagement with Roman jurisprudence.

Robert Maxtone Graham [1931-2018], a later owner of this copy, was a noted Scottish writer, genealogist, and bibliophile. He was himself a member of the Faculty of Advocates.

Dissertations of this kind are notably scarce; OCLC and Library Hub locate no institutional copies of this title, underscoring the rarity of these ephemeral academic imprints. An unusually well-preserved and finely bound example of an elusive genre of Scottish legal printing, of interest to collectors of Roman law, Scottish legal history, and university disputations.

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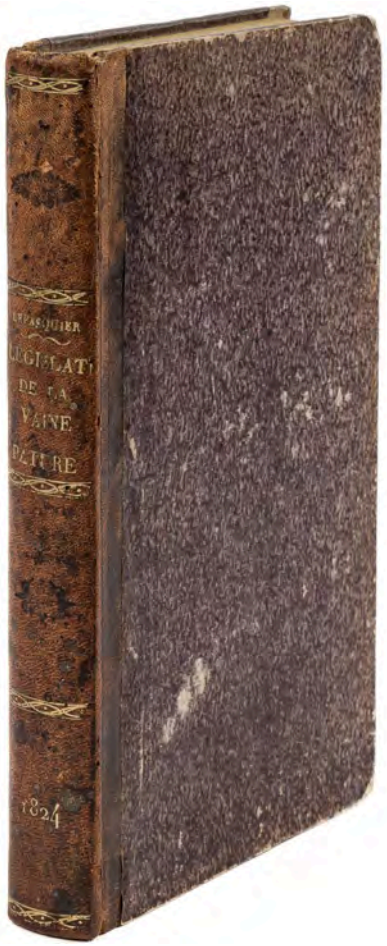

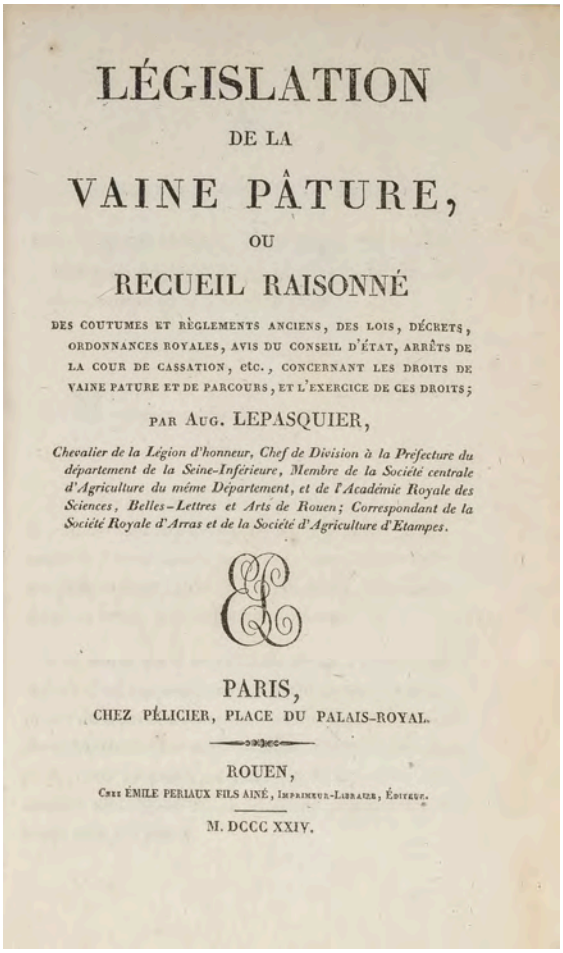

LÉGISLATION

DE LA

VAINE PÂTURE,

OU

RECUEIL RAISONNÉ

DES COUTUMES ET RÈGLEMENTS ANCIENS, DES LOIS, DÉCRETS, ORDONNANCES ROYALES, AVIS DU CONSEIL D'ÉTAT, ARRÊTS DE LA COUR DE CASSATION, etc., CONCERNANT LES DROITS DE VAINE PATURE ET DE PARCOURS, ET L'EXERCICE DE CES DROITS;

PAR AUG. LEPASQUIER,

Chevalier de la Légion d'honneur, Chef de Division à la Préfecture du département de la Seine-Inférieure, Membre de la Société centrale d'Agriculture du même Département, et de l'Académie Royale des Sciences, Belles-Lettres et Arts de Rouen; Correspondant de la Société Royale d'Arras et de la Société d'Agriculture d'Etampes.

PARIS,

CHEZ PÉLICIER, PLACE DU PALAIS-ROYAL.

ROUEN,

CHEZ ÉMILE PERIAUX FILS AINÉ, IMPRIMEUR-LIBRAIRE, ÉDITEUR.

M. DCCC XXIV.

The Struggle for the Commons: A Rare 1824 Treatise on the Rights of *Vaine Pâture* and Communal Grazing in France

17. Lepasquier, Ambroise Auguste [1788-1839].
Législation de la Vaine Pâture, Ou, Recueil Raisonné des Coutumes et Règlements Anciens, Des Lois, Décrets, Ordannances Royales, Avis du Conseil d'État, Arrêts de la cour de Cassation, Etc., Concernant les Droits de Vaine Pâture et de Parcours, Et l'Exercice de ces Droits. Paris: Chez Pélicier; Rouen: Chez Émile Periaux, 1824. [vi], 358, [iv] pp. Octavo (7-3/4" x 4-3/4").

Contemporary quarter calf over marbled boards; gilt fillets and title to spine; ribbon marker. Some rubbing to boards and extremities, corners bumped and somewhat worn. Moderate toning to text; light foxing to a few leaves; early (illegible) owner signature to head of half-title. As in all copies, author signature opposite title page. A solid, unsophisticated example. $150.

* First edition. A comprehensive study of one of the most contentious issues in 19th-century French agrarian law: the right of *vaine pâture* (the right to graze livestock on fallow or uncultivated private land). Lepasquier masterfully traces the evolution of these communal rights from ancient provincial *coutumes* through the seismic shifts of the Revolution to the Royal Ordinances of the Restoration. The work concludes with a visionary 'proposed code' for land use, reflecting the era's push toward agricultural modernization and the enclosure of 'waste lands.' A second edition was published in 1826.

Both editions are scarce. OCLC locates 6 copies of the first edition, none in North America.

View Additional Images or Order This Item

The First Law French and English Edition of Littleton,
An Interleaved Copy with an Interesting Association

18. Littleton, Sir Thomas [d. 1481].
Littleton's Tenures, In French and English. With an Alphabetical Table of the Principal Matters Therein Contained. London: Printed by John Streater, James Flesher and Henry Twyford, Assigns of Richard Atkins, and Edward Atkins, 1671. [xxii], 360, 371-436 (i.e. 426), [2] pp. Pagination irregular, text complete. Main text in parallel columns. Interleaved. 12mo. (5" x 3"; 14 x 7.6 cm).

Contemporary calf with later sheep rebacking; blind rules to boards; gilt tooling to board edges; raised bands and lettering piece to spine; marbled edges; hinges reinforced with cloth tape. Light rubbing to boards, front board partially detached; moderate rubbing to extremities; corners bumped and lightly worn; spine abraded with chipping at ends; owner signature of William Brockman to front pastedown. Light toning to interior; negligible foxing in places; annotations in Brockman's hand to four interleaves, shelf mark (?) in same hand to head of title page. A good copy with an interesting association. $1,500.

* First edition with parallel texts in English and Law French. Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is considered a landmark because it renounced the principles of Roman law (and Latin) in favor of guidelines and doctrines drawn from the Year Books and, when necessary, hypothetical cases.

Brockman [1652-c.1742] was a Whig politician from a distinguished Kent landholding family. (His grandfather, Sir William Brockman, gained local fame during the Civil War as a staunch Royalist who fought for Charles I.) He attended the Middle Temple and went on to become an active and influential Member of Parliament, where he represented the Kent town of Hythe, and a Justice of the Peace and Lord Lieutenant for Kent. He was often involved in property disputes as Lord Lieutenant, so a copy of Littleton would have been useful to him. A few of Brockman's annotations discuss the background of the book, the others elucidate points in the text. Most of his notes refer to Coke's *The First Part of the Institutes of the Lawes of England, Or, A Commentarie upon Littleton* (1628).

Holdsworth, *A History of English Law* II:573. *English Short-Title Catalogue* R216066.

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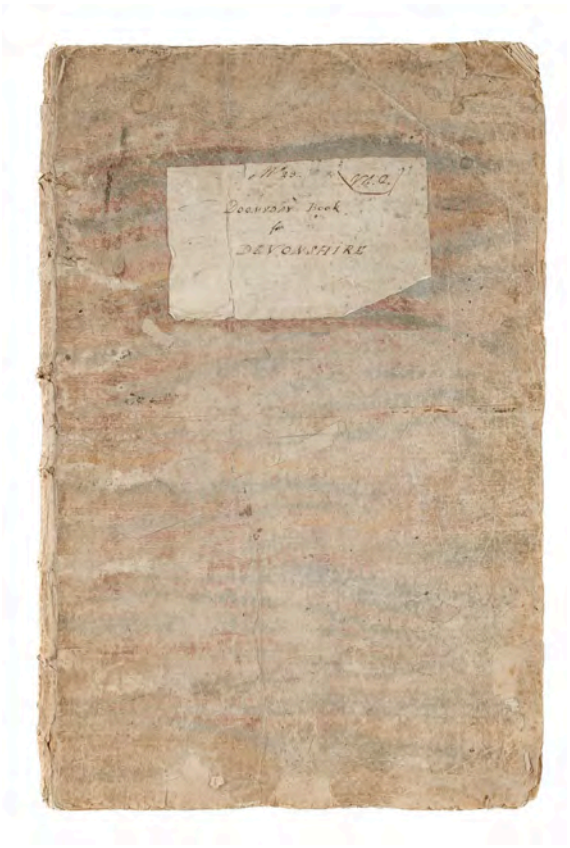

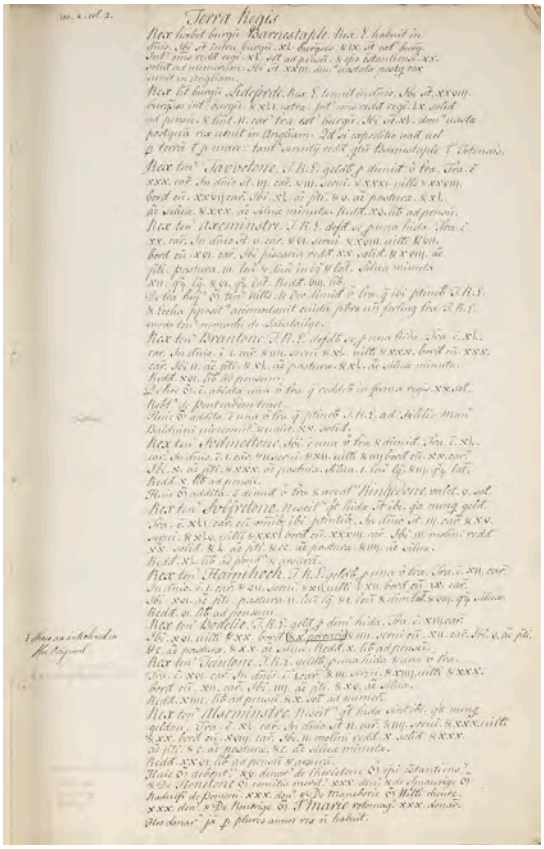

The Conqueror's Census: A Fine Hanoverian Folio
Manuscript Transcription of the Domesday Book for Devonshire (c. 1714–1783)

19. [Manuscript].
[Domesday Book].
No. 23. V 1.2. Domesday Book for Devonshire. London?, c.1714-1783. 73 ff. Folio (15-1/2" x 10-1/2"; 39.37 x 26.67 cm).

Marbled paper-covered limp boards, raised bands to spine, hand-lettered title panel to front cover. Rubbing and soiling to boards, spine and extremities with wear to spine ends and corners, sections of marbled paper rubbed away, chip to lower corner of title panel, minor worming to rear cover, pastedown and endleaves, two tiny stab-holes though rear half of text block. Light toning to leaves, text in neat hand to rectos of leaves, neat contemporary annotations in pencil to margins. $1,250.

* An important manuscript witness. Commissioned by William the Conqueror in 1085, the Domesday Book remained the ultimate authority on English land rights for centuries. Before the first official government printing in 1783, access to these records was strictly controlled. This 'Fair Copy' of the Devonshire chapter represents a massive undertaking of scholarship and clerical labor. Likely produced for a noble family or a legal scholar, the manuscript bridges the gap between the medieval original and the printed age. The contemporary marginalia, identifying Devonshire family names and estates, suggests this volume was a working tool for genealogical or territorial research during the height of the 18th-century antiquarian revival.

The pencil annotations provide a fascinating layer of 18th-century provenance, linking the 11th-century survey to the families and estates of Georgian Devon.

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II

Dem Wolgebornen Herrn/ Herren Carol/ Graffen zů Hohenzollern vnd Sigmaringen/ Herrn zů Hergerloch vnd Werstein/ deß Heiligen Römischen Reichs Erbcammerer/ Römischer Keyserlicher Kaiestat Rath/ vnd Hofrichts Rath Presidenten/ &c. Meinem gnedigen Herren/ embeüt ich Noe Meürer der Rechten Docto:/ mein vnderthänigen/ gehorigen/ dienstlichen willen zůvor.

WOlgeborner/ Gnediger Herr/ wiewol man in Geistlichen vñ Weltlichen Rechten/ auch anderen orten hin vnd wider/ daß Fürsten/ Grafen/ vnd Herren/ so Land vnd Leüte zů regieren/ das Jagen vnd ander Weydwerck treyben/ nit gebürt noch zůstande leret: Dann die geistliche Recht/ das man vnder allen Heyligen keinen Jäger finde/ anzeigen/ Auch den Esau/ dieweil er ein sünder/ auch einen Jäger gewesen vermeiden. Vnd eben zů angeregter distinction Augustinus vnnd Ambrosius/ Das die/ so die Jäger gern sehen/ Gott mit trauren sehen werde. Item das die/ welche morgens frů auffstehen/ jre diener zůsammen berüffen/ Garn zůrichten/ die Wäld durchziehen/ für sich vnd solche jre diener rechenschafft geben müssen/ angezogen werden: So haben doch jetzt angeregte Recht sonder zweiffels den gestrackte verstand mit/ das eben on vnderschid alles Weydwerck treyben verbotten/ oder an jm selber sündtlich sey/ Sonder wirt solchs allein de excessu/ vnd von denen fürnemlichen geredt vnd verstanden/ welche mit versäumnuß jrer Regierung vnnd Be-

A ij

XXIII. dist. C. quorundam. L. Venatoribus C. de ex. lib. in. ubi gl. LXXXVI. dist. C. Illud.

The Sovereignty of the Forest: A Rare 1561 Folio on the Hunting Laws and Judicial Equity of the Holy Roman Empire

20. Meurer, Noe [1525-1583].
Spangenberg, Cyriacus [1528-1604].
Von Forstlicher Oberherrligkeit und Gerechtigkeit, Was die Recht, Der Gebrauch, Und die Billigkeit Desshalben Vermog. [Frankfurt am Main: Weigand Han and Georg Raben, 1561]. c, xxxvii, [1], lxxx, [4] ff. Three parts in one volume. Folio (11" x 7"; 27.94 x 17.78 cm).

Recent paper-covered boards retaining earlier paper spine, endpapers renewed, edges rouged. Light soiling, front joint just starting at head, recent owner bookplate (of Hans Dedi) to front pastedown. Title page printed in red and black, large woodcut coat of arms to verso. Light browning to text, faint dampstaining to fore-edge of text block, two small library stamps to foot of title page. A nice copy of a handsomely printed volume. $2,500.

* Second and final edition. This monumental work by Noe Meurer and Cyriacus Spangenberg serves as one of the earliest and most comprehensive codifications of forestry and hunting rights in the German-speaking world. While Meurer provides the legal framework for 'Forestry Sovereignty,' Spangenberg contributes a critical 'Report on Lawful Hunting and its Abuse,' offering a rare 16th-century moral critique of the aristocratic chase. It is a fundamental text for the history of conservation, documenting the transition of the forest from a communal resource to a strictly regulated state asset. Significantly expanded from the 1560 first edition, this version is the more desirable scholarly resource.

Hans Dedi [1918-2016], a former owner of our copy of the second edition, was a prominent German entrepreneur and industrialist.

Both editions are scarce in North America. OCLC locates 2 copies of the first edition (at Columbia Law School and Yale University) and 1 copy of the second (at Harvard University). Not in Adams. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* M5017.

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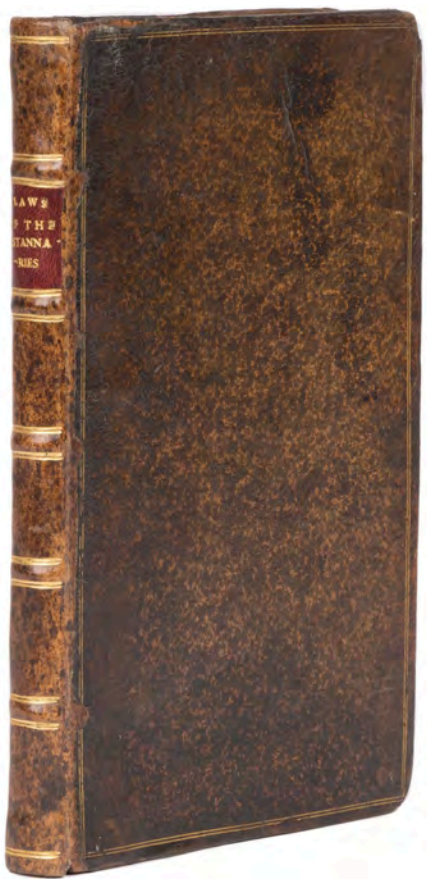

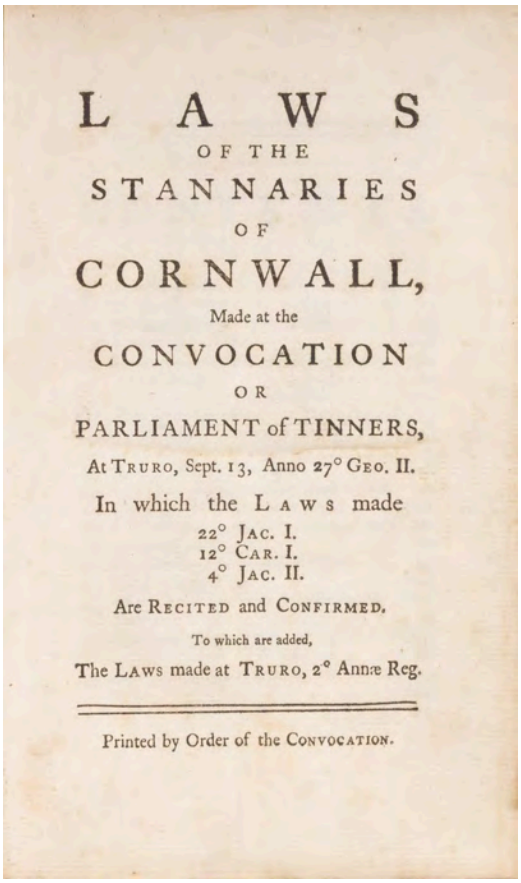

L A W S
OF THE
STANNARIES
OF
CORNWALL,
Made at the
CONVOCATION
OR
PARLIAMENT of TINNERS,
At TRURO, Sept. 13, Anno 27° GEO. II.
In which the LAWS made
22° JAC. I.
12° CAR. I.
4° JAC. II.
Are RECITED and CONFIRMED,
To which are added,
The LAWS made at TRURO, 2° Annæ Reg.
Printed by Order of the CONVOCATION.

The "Stannary Parliament": A Rare 1753 Codification of the Sovereign Laws and Customs of the Cornish Tinners

21. [Mining].
Convocation of Stannators.
Laws of the Stannaries of Cornwall, Made at the Convocation or Parliament of Tinners, At Truro, Sept. 13, Anno 27 ° Geo. II. In Which the Laws Made 22 ° Jac. I. 12 ° Car. I. 4 ° Jac. II. Are Recited and Confirmed. To Which are Added, The Laws made at Truro, 2 ° Annae Reg. [London?: S.n., 1753]. [ii], 126 pp. Octavo (7-3/4" x 4-3/4").

Contemporary sprinkled calf with later sprinkled-calf rebacking, gilt rules to boards, lettering piece and gilt-edged raised bands to spine, hinges mended. Light rubbing to boards, moderate rubbing to board edges, corners bumped and worn. Moderate toning to interior, light foxing to a few leaves, faint staining and offsetting to endleaves. $450.

* Only edition. The Stannary Laws represent one of the most significant examples of "customary law" in the British Isles. Granted by royal charter to protect the vital tin trade, the Convocation of Stannators held near-sovereign jurisdiction over the Cornish mining districts. This 1753 codification confirms laws from the 17th and early 18th centuries, providing a complete picture of the "Stannary Parliament" at its height. It covers everything from property rights and labor disputes to the unique Stannary Courts. It is an essential volume for collectors of mining history, Cornish heritage, and the evolution of constitutional law.

OCLC locates 1 copy in a North American law library (Georgetown); The *ESTC* adds 3 more (Columbia, Harvard, UC-Davis). *English Short-Title Catalogue* (*ESTC*) T112915.

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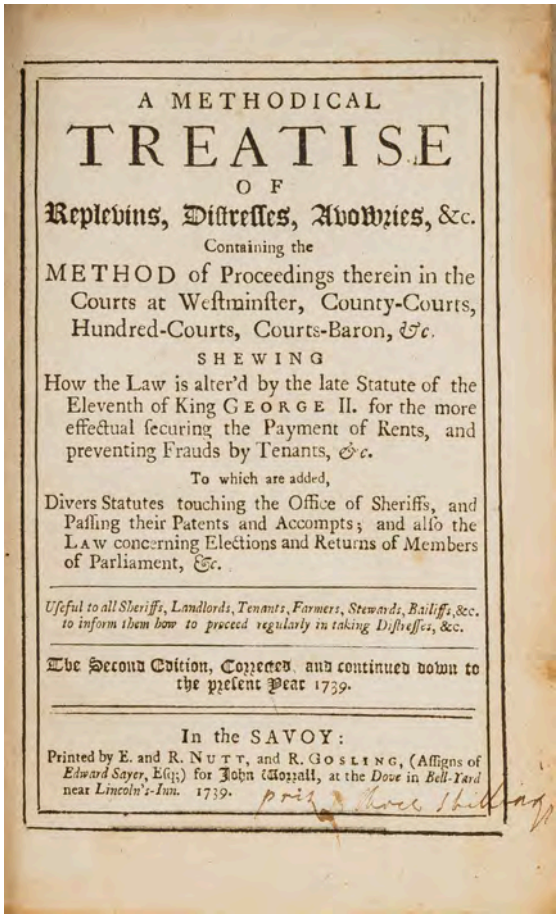

A METHODICAL

TREATISE

OF

Replevins, Diſtreſſes, Avowries, &c.

Containing the

METHOD of Proceedings therein in the Courts at Weſtminſter, County-Courts, Hundred-Courts, Courts-Baron, &c.

SHEWING

How the Law is alter'd by the late Statute of the Eleventh of King GEORGE II. for the more effectual ſecuring the Payment of Rents, and preventing Frauds by Tenants, &c.

To which are added,

Divers Statutes touching the Office of Sheriffs, and Paſſing their Patents and Accompts; and alſo the LAW concerning Elections and Returns of Members of Parliament, &c.

Uſeful to all Sheriffs, Landlords, Tenants, Farmers, Stewards, Bailiffs, &c. to inform them how to proceed regularly in taking Diſtreſſes, &c.

The Second Edition, Corrected, and continued down to the preſent Year 1739.

In the SAVOY:

Printed by E. and R. NUTT, and R. GOSLING, (Aſſigns of *Edward Sayer*, Eſq;) for John Worrall, at the *Dove* in *Bell-Yard* near *Lincoln's-Inn*. 1739.

The Landlord's Manual: The First Treatise on Replevins, Distresses, and the Prevention of Tenant Fraud (1739)

22. [Replevin].
A Methodical Treatise of Replevins, Distresses, Avowries , &c. [London] Printed by E. and R. Nutt, And R. Gosling, (Assigns of E. Sayer, Esq.) for J. Worrall, 1739. viii, 164, [8] pp. Includes 1 pp. publisher advertisement. Octavo (7-3/4" x 5").

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

* Second and final edition, enlarged, the best edition of this work. This is the definitive edition of the first treatise ever written on the complex laws of distraint and recovery. In an era where livestock and agricultural equipment were often seized to satisfy debts, this manual was essential for landlords, tenants, and law enforcement.

This 1739 edition is particularly prized for its inclusion of the 1737 Distress for Rent Act, which was designed to crack down on tenants who "fraudulently and clandestinely" moved their goods to avoid the bailiff. It remains an excellent primary source for the study of early 18th-century property and procedural law.

OCLC locates 9 copies in North American law libraries. This edition not in Sweet & Maxwell. *English Short-Title Catalogue* T123428.

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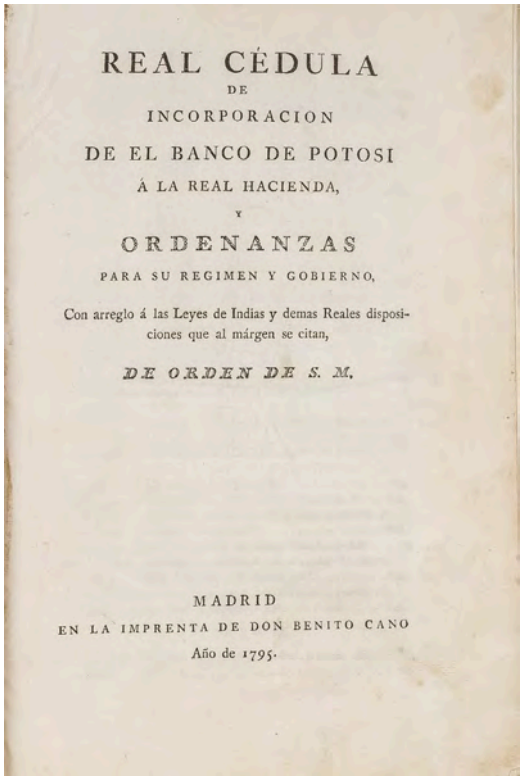

REAL CÉDULA
DE
INCORPORACION
DE EL BANCO DE POTOSI
Á LA REAL HACIENDA,
Y
ORDENANZAS
PARA SU REGIMEN Y GOBIERNO,
Con arreglo á las Leyes de Indias y demas Reales disposiciones que al márgen se citan,
DE ORDEN DE S. M.
MADRID
EN LA IMPRENTA DE DON BENITO CANO
Año de 1795.

King Carlos IV Organizes Spain's Lucrative Potosí Silver Mines

23. [Spain].
Real Banco de San Cárlos de Potosí.
Real Cédula de Incorporacion de el Banco de Potosí á la Real Hacienda y Ordenanzas Para su Regimen y Gobierno: Con Arreglo á las Leyes de Indias y Demas Reales Disposiciones que al Márgen se Citan: de Orden de S.M.

Madrid: En la Imprenta de Don Benito Cano, 1795. [xii], 67, [107] pp. Final 107 un-numbered pages are charts and tables, 4 folding. Folio (11-3/4" x 8"; 29.84 x 20.32 cm).

Contemporary tree sheep, gilt fillets to boards, gilt fillets to spine, recased, endpapers renewed. Moderate rubbing to extremities with some loss to gilding, spine abraded, corners bumped and lightly worn. Light toning to text, somewhat heavier in places, faint dampstaining to preliminaries and a few other leaves, light edgewear to one of the folding tables. A handsome copy. $1,250.

* Only edition. This *Real Cédula* marks the formal nationalization of the Bank of Potosí, bringing the legendary silver mines of Upper Peru (modern-day Bolivia) under the direct control of the Royal Treasury (*Real Hacienda*). By 1795, the Potosí mines—once the richest in the world—faced declining production and technical challenges. This decree represents the Crown's attempt to stabilize the economy by regulating the supply of mercury (essential for silver processing) and credit to the miners. The extensive appendix of tables provides an extraordinary granular view of the colonial economy just years before the collapse of the Spanish Empire in the Americas. A foundational primary source for the study of global mercantilism and colonial exploitation.

OCLC locates 12 copies in North America, 1 in a law library (Library of Congress). Sabin, *A Dictionary of Books Relating to America* 68224.

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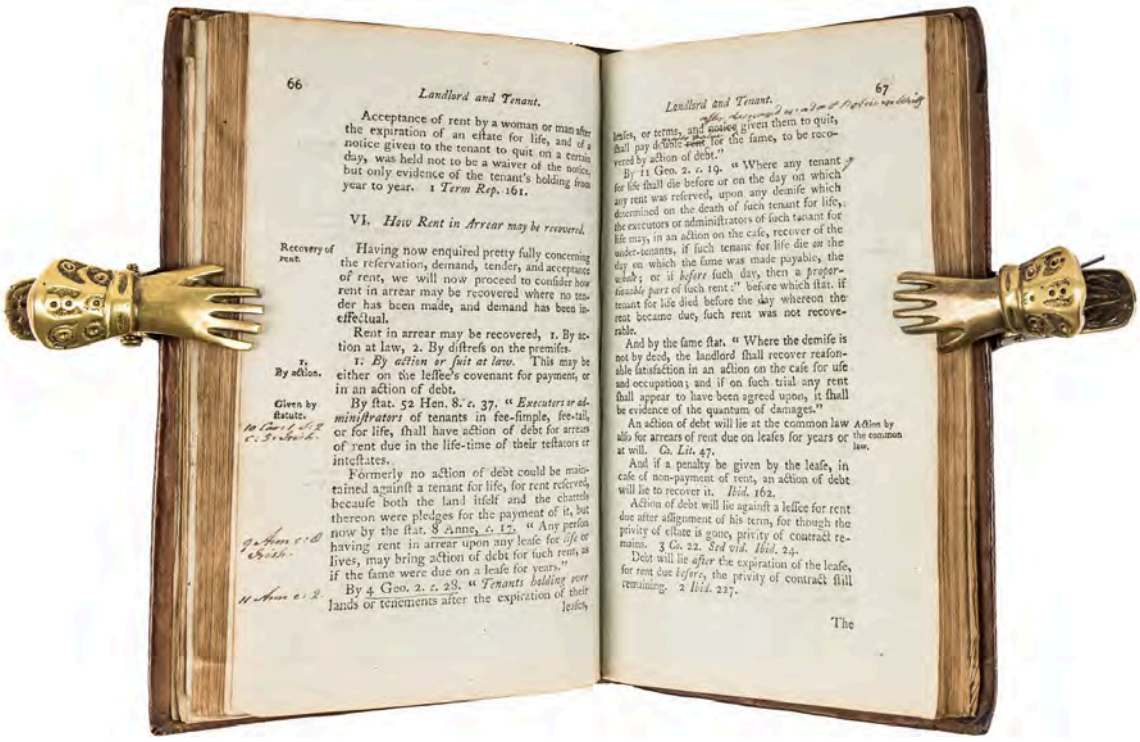

66 *Landlord and Tenant.*

Acceptance of rent by a woman or man after the expiration of an eſtate for life, and of a notice given to the tenant to quit on a certain day, was held not to be a waiver of the notice, but only evidence of the tenant's holding from year to year. 1 *Term Rep.* 161.

VI. *How Rent in Arrear may be recovered.*

Recovery of rent. Having now enquired pretty fully concerning the reſervation, demand, tender, and acceptance of rent, we will now proceed to conſider how rent in arrear may be recovered where no tender has been made, and demand has been ineffectual.

Rent in arrear may be recovered, 1. By action at law, 2. By diſtreſs on the premiſes.

1. By action. 1. *By action or ſuit at law.* This may be either on the leſſee's covenant for payment, or in an action of debt.

Given by ſtatute. By ſtat. 52 Hen. 8. *c.* 37. "*Executors or adminiſtrators* of tenants in fee-ſimple, fee-tail, or for life, ſhall have action of debt for arrears of rent due in the life-time of their teſtators or inteſtates.

Formerly no action of debt could be maintained againſt a tenant for life, for rent reſerved, becauſe both the land itſelf and the chattels thereon were pledges for the payment of it, but now by the ſtat. 8 Anne, *c.* 17. "Any perſon having rent in arrear upon any leaſe for *life* or lives, may bring action of debt for ſuch rents as if the ſame were due on a leaſe for years."

By 4 Geo. 2. *c.* 28. "*Tenants holding over* lands or tenements after the expiration of their leaſes,

67 *Landlord and Tenant.*

leaſes, or terms, and notice given them to quit, ſhall pay double rent for the ſame, to be recovered by action of debt."

By 11 Geo. 2. *c.* 19. "Where any tenant for life ſhall die before or on the day on which any rent was reſerved, upon any demiſe which determined on the death of ſuch tenant for life, the executors or adminiſtrators of ſuch tenant for life may, in an action on the caſe, recover of the under-tenants, if ſuch tenant for life die *on* the day on which the ſame was made payable, the whole; or if *before* ſuch day, then a *proportionable part* of ſuch rent:" before which ſtat. if tenant for life died before the day whereon the rent became due, ſuch rent was not recoverable.

And by the ſame ſtat. "Where the demiſe is not by deed, the landlord ſhall recover reaſonable ſatisfaction in an action on the caſe for uſe and occupation; and if on ſuch trial any rent ſhall appear to have been agreed upon, it ſhall be evidence of the quantum of damages."

Action by the common law. An action of debt will lie at the common law alſo for arrears of rent due on leaſes for years or at will. *Co. Lit.* 47.

And if a penalty be given by the leaſe, in caſe of non-payment of rent, an action of debt will lie to recover it. *Ibid.* 162.

Action of debt will lie againſt a leſſee for rent due after aſſignment of his term, for though the privity of eſtate is gone, privity of contract remains. 3 *Co.* 22. *Sed vid. Ibid.* 24.

Debt will lie *after* the expiration of the leaſe, for rent due *before*, the privity of contract ſtill remaining. 2 *Ibid.* 227.

The

With Detailed Contemporary Annotations

24. Bird, James Barry.

[*The Laws*] *Respecting Landlords, Tenants, And Lodgers, Laid Down in a Plain, Easy, And Familiar Manner; And Free from the Technical Terms of the Law. With Many Practical Directions. Concerning Leases, Assignments, Surrenders, Agreements, Covenants, Repairs, Waste, &c. &c. Demand and Payment of Rent, Distress, And Ejectment, As Collected from the Several Reports and Other Books of Authority, Up to the Commencement of the Present Easter Term, 1794. Containing Also Distinct Treatises on the Various Kinds of Estates, Particularly Estates for Life, For Years, And Copyhold Estates.* Dublin: Printed by N. Kelly, For Messrs. P. Byrne [et al.], [1794]. [xii], 157, [11] pp. 12mo. (6-3/4" x 3-3/4"; 17.2 x 9.5 cm).

Contemporary calf, blind rules to boards, blind fillets and lettering piece to spine, blind tooling to board edges, ten 6-1/4" x 3-3/4" sheets loosely sewn into front endleaves. Light rubbing and some small ink spots to boards, moderate rubbing to extremities, corners bumped, faint dampstaining to rear endleaves, annotations in a single neat hand to endleaves and sewn-in sheets. Light toning to interior, light foxing in a few places, early annotations to several leaves, upper part of title page excised with loss to first two words, completed on following leaf with "Laws" in manuscript. $750.

* Only Dublin edition, published the same year as the first London edition. Bird produced a well-regarded series of handbooks on a broad range of legal topics. Written for both "the general reader" and "the young practitioner," *The Laws Respecting Landlords* was not an exception and went through many editions with the final edition published in London in 1833.

The annotations to our copy, most to sheets sewn into the front endleaves, are statutory references. Primarily related to distress, they update the text for use in Ireland and were likely made by an Irish landlord or practitioner.

OCLC locates 4 copies of the Dublin edition in North American law libraries (DePaul, Ohio State, University of Iowa, Social Law). *English Short-Title Catalogue* N12323.

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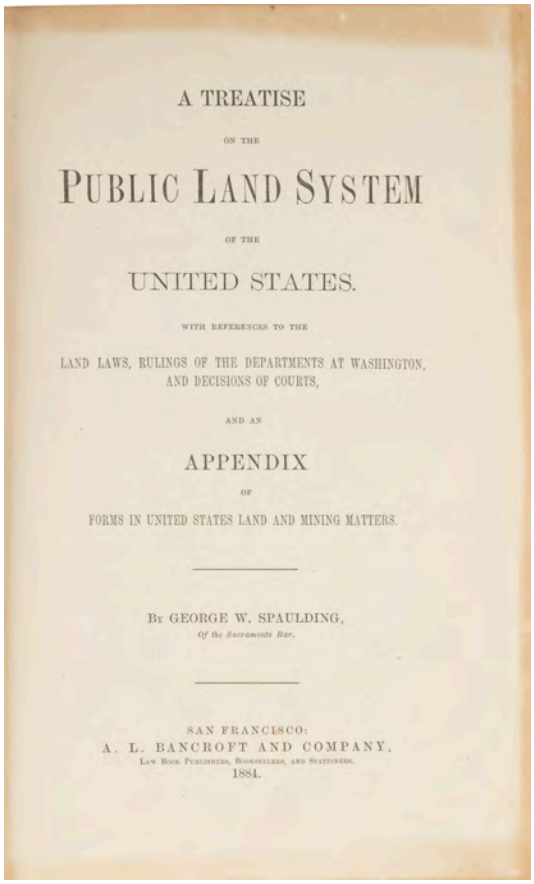

A TREATISE

ON THE

PUBLIC LAND SYSTEM

OF THE

UNITED STATES.

WITH REFERENCES TO THE

LAND LAWS, RULINGS OF THE DEPARTMENTS AT WASHINGTON, AND DECISIONS OF COURTS,

AND AN

APPENDIX

OF

FORMS IN UNITED STATES LAND AND MINING MATTERS.

BY GEORGE W. SPAULDING,

Of the Sacramento Bar.

SAN FRANCISCO:
A. L. BANCROFT AND COMPANY,
LAW BOOK PUBLISHERS, BOOKSELLERS, AND STATIONERS.
1884.

The Legal Architecture of the American West:
A Rare 1884 Treatise on the Public Land System and Mining Claims

25. Spaulding, George W.
A Treatise on the Public Land System of the United States. With References to the Land Laws, Rulings of the Departments at Washington, and Decisions of Courts, And an Appendix of Forms in United States Land and Mining Matters. San Francisco: A.L. Bancroft and Company, 1884. xxxii, 523 pp. Octavo (9" x 5-3/4").

Contemporary sheep, blind frames to boards, raised bands and lettering piece to spine, library shelf number to foot. Negligible light rubbing and scuffing to boards, moderate rubbing to extremities, chip to head of spine, corners bumped and lightly worn, joints starting, hinges cracked, owner bookplate (of Joseph M. Gleason) to front pastedown, library card pocket to rear pastedown. Moderate toning to interior, offsetting to margins of preliminaries and rear endleaves, library markings to verso of title page. A very good copy. $650.

* Only edition. A cornerstone of Western American legal history. Published in San Francisco during the final decade of the "Open Frontier," Spaulding's treatise was the practical manual for the grandest redistribution of land in human history. It details the complex interplay between federal rulings in Washington and the reality of mining and homesteading in the West. This work predates Frederick Jackson Turner's famous "Frontier Thesis" by less than a decade, offering a snapshot of the legal landscape just before the American West transitioned from a frontier to a settled society. Gleason [1869-1942] was a Catholic priest, historian and collector.

Catalogue of the Library of the Harvard Law School (1909) II:633.

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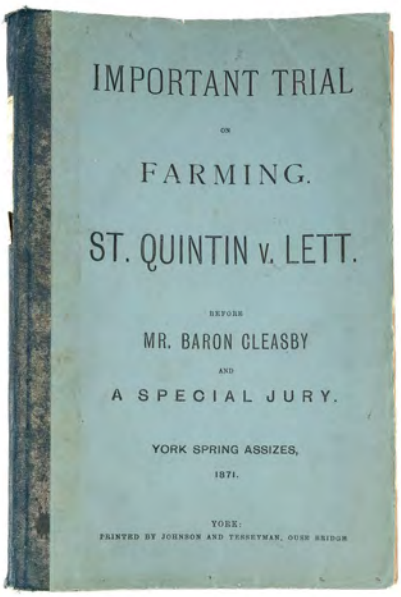

"The Turnip Controversy": A Defendant-Family Copy of the Landmark 1871 St. Quintin v. Lett Agricultural Trial

26. [Agriculture]. [Yorkshire].
ST. QUINTIN, Colonel [Matthew] vs. LETT, Joseph.

Important Trial on Farming: St. Quintin v. Lett: Before Mr. Baron Cleasby and a Special Jury, York Spring Assizes, 1871. York, [Eng.]: Printed by Johnson and Tesseyman, [1871].

Octavo, 206 pp. Original sewn blue printed wrappers with original printed paper label to spine. Wrappers worn and soiled; spine chipped. Internally clean and bright. $450.

A Unique "Turnip Controversy" Association Copy. This landmark 1871 agricultural dispute pitted the landed gentry-the prominent St. Quintin family of Harpham and Scampston-against their tenant, Joseph Lett. While the official transcript addresses technical "tenant-right" precedents, this copy identifies the colloquial heart of the conflict through two distinct contemporary hands:

1. **Family Provenance:** A title-page presentation inscription from "Mr. John Lett" (dated Dec. 1901), a relative of the defendant. The 30-year interval between the trial and this gift suggests the volume was a carefully preserved family artifact.
2. **The "Turnip" Gloss:** A second, distinct penciled hand has added "The Turnip Controversy 1870" directly beneath the title.

This annotation provides a rare, eyewitness window into the trial's origin: the catastrophic drought of 1870. In the Yorkshire "four-course" system, turnips were the vital winter fodder that cleaned the soil and provided manure. The 1870 drought caused widespread crop failures, forcing tenants into impossible choices: sell the failing crop for immediate cash (breaching their lease) or watch livestock starve. This volume records the legal fallout when the "gold standard" of Victorian farming failed, resulting in a high-stakes battle over land-use covenants and the "custom of the country."

A rare survival of a provincial legal printing by Johnson and Tesseyman, significantly elevated by layers of local social history and direct defendant-family association.

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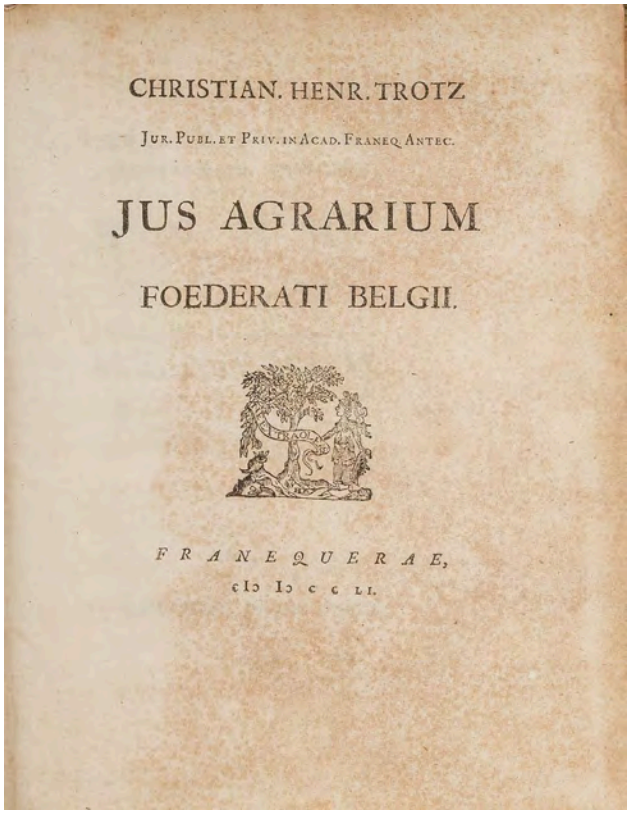
CHRISTIAN. HENR. TROTZ

JUR. PUBL. ET PRIV. IN ACAD. FRANEQ. ANTEC.

JUS AGRARIUM

FOEDERATI BELGII.

FRANEQUERAE,

cIↃ IↃ c c LI.

The Laws of Land and Water: Trotz's Definitive Three-Volume Study of Roman and Dutch Agricultural Jurisprudence (1751–1754)

27. Trotz, Christian Hen[drik] [1703?-1773].
Jus Agrarium Foederati Belgii. Franeker: n.p., 1751-1754. 3 volumes. Printed on wide-margined paper. Quarto (10" x 8").

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

Struck-through early owner signatures to front endleaves of Volumes II and III, interiors otherwise clean. A handsome, wide-margined example of Dutch Enlightenment bookmaking. $950.

* Only edition. This is the magnum opus of Christian Hendrik Trotz, one of the 18th century's most influential scholars of public law. Jus Agrarium is a monumental synthesis born from a series of high-level academic debates at the University of Franeker. Volumes I and II provide an exhaustive analysis of Dutch agrarian law, with a particular focus on the crucial laws of dikes, watercourses, and drainage—the legal backbone of the Low Countries. Volume III, Jus Agrarium Romanum, provides the classical Roman foundation for these land rights. Trotz's work remains a primary source for the evolution of property law and the environmental management of the Dutch landscape.

OCLC locates 3 copies in North American law libraries (Harvard, UC-Berkeley, Yale). We located another copy at the Library of Congress. Dekkers, *Bibliotheca Belgica Juridica* 172.

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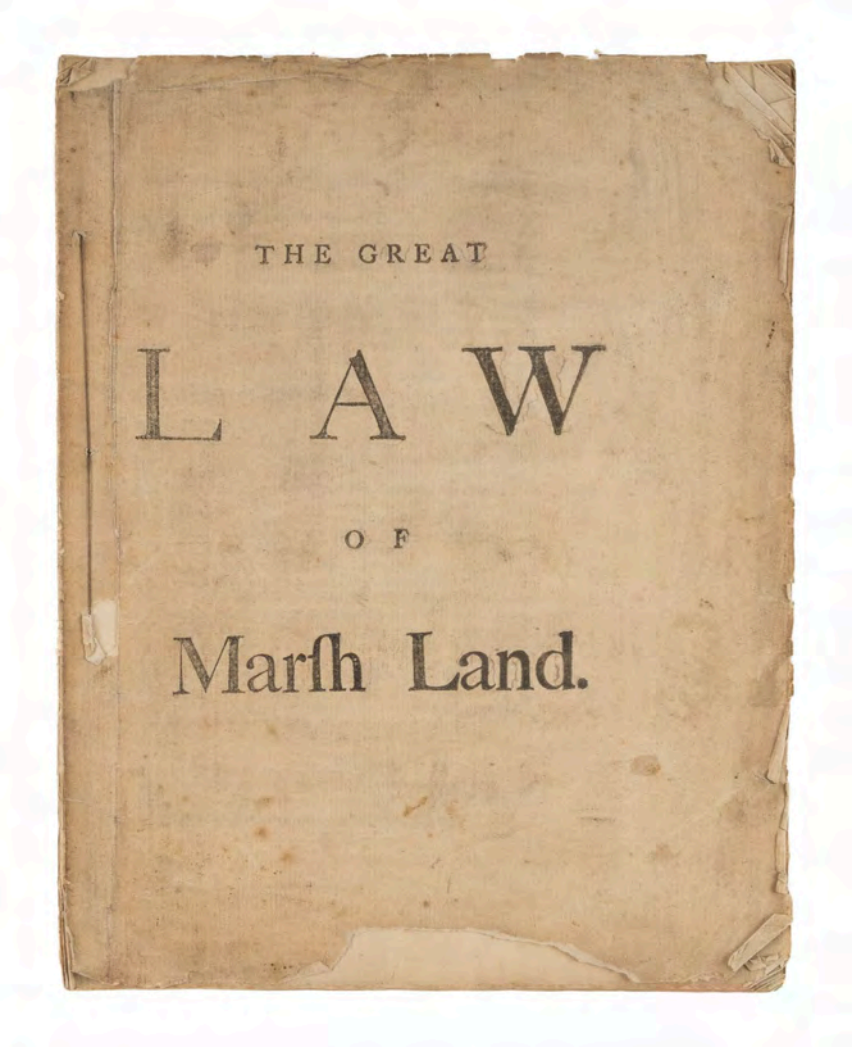

Holding Back the Tide: The Rare 1714 First Printing of the "Great Law of Marsh Land" for King's Lynn

28. [Water Law].
[Great Britain].
The Great Law of Marsh Land. [King's Lynn?: S.n., 1714]. 22 pp. Quarto (9-3/4" x 7-3/4").

Stab-stitched pamphlet in printed wrappers. Moderate soiling; a few minor stains and several tears and chips to wrappers; moderate toning to interior; folds to corners of several leaves; stains and soiling to corners of three leaves at rear of text. A good copy. $750.

* A foundational document for the environmental and legal history of East Anglia. This 'Great Law' contains the formal 1714 Orders of the Commissioners for the repair and maintenance of freshwater streams, rivers, and sea banks in and around King's Lynn. Representing a direct application of royal authority to environmental preservation, these orders updated the century-old mandates of James I (1603). It provides a fascinating glimpse into the communal labor and legal obligations required to maintain England's most vulnerable marshlands.

This is a rare title. OCLC locates 5 copies, 1 in North America (Huntington Library). *English Short-Title Catalogue* N70468.

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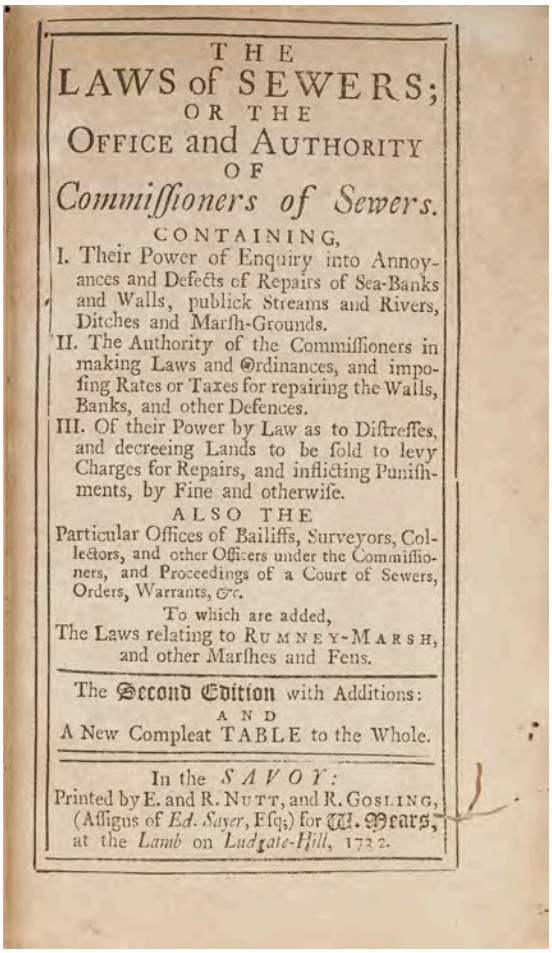

THE
LAWS of SEWERS;
OR THE
OFFICE and AUTHORITY
OF
Commiſſioners of Sewers.
CONTAINING,
I. Their Power of Enquiry into Annoyances and Defects of Repairs of Sea-Banks and Walls, publick Streams and Rivers, Ditches and Marſh-Grounds.
II. The Authority of the Commiſſioners in making Laws and Ordinances, and impoſing Rates or Taxes for repairing the Walls, Banks, and other Defences.
III. Of their Power by Law as to Diſtreſſes, and decreeing Lands to be ſold to levy Charges for Repairs, and inflicting Puniſhments, by Fine and otherwiſe.
ALSO THE
Particular Offices of Bailiffs, Surveyors, Collectors, and other Officers under the Commiſſioners, and Proceedings of a Court of Sewers, Orders, Warrants, &c.
To which are added,
The Laws relating to RUMNEY-MARSH, and other Marſhes and Fens.
The Second Edition with Additions:
AND
A New Compleat TABLE to the Whole.
In the *SAVOY:*
Printed by E. and R. NUTT, and R. GOSLING, (Aſſigns of *Ed. Sayer*, Eſq;) for W. Mears, at the *Lamb* on *Ludgate-Hill*, 1732.

Uncommon 1732 English Treatise on Watercourses

29. [Water Law].
The Laws of Sewers; Or the Office and Authority of Commissioners of Sewers. London: Printed by E. and R. Nutt, and R. Gosling, 1732. [viii], 202, 10 pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf; rebacked in period style with raised bands and lettering piece; endpapers renewed. Some wear to joints and corners; negligible rubbing and a few small inkstains to boards; front hinge starting. Occasional minor worming to text and rear pastedown. Later owner signatures to front pastedown and head of preface; occasional (very) light foxing and toning; interior otherwise fresh. An appealing copy of an uncommon work. $750.

* Second and final edition of a work first published in 1726. First published in 1726, this work was the first to bridge the gap between abstract legal theory and the daily administration of England's vital water defenses. While earlier works (like Callis) were written for lawyers, this treatise was designed for the 'Gentlemen of Estates' serving as Commissioners. It provided the first comprehensive set of precedents and forms for levying taxes and repairing sea-walls. Notably includes the ancient laws of Rumney-Marsh, the foundational site for English drainage law. A crucial volume for the study of environmental law, hydraulic engineering, and the transformation of the English landscape. It remains a vital primary source for the history of English infrastructure and environmental regulation.

English Short-Title Catalogue T130362.

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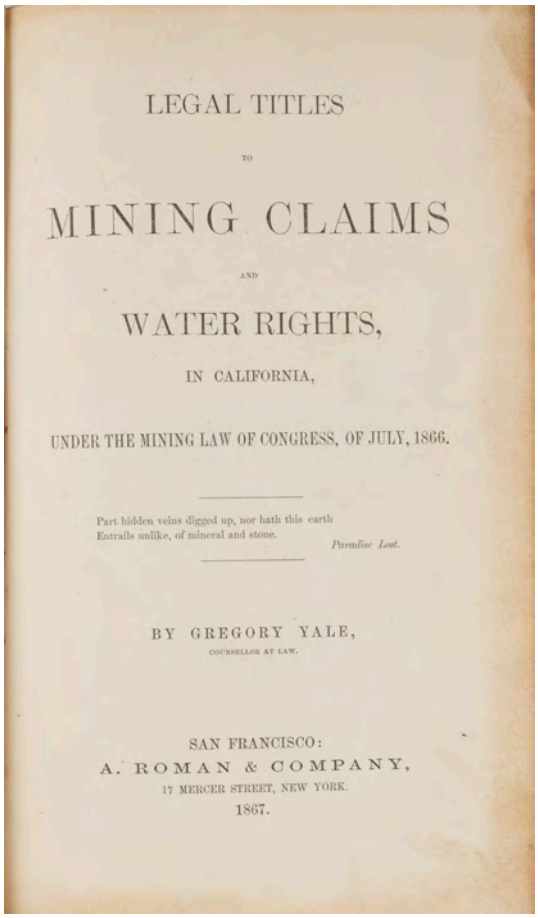

LEGAL TITLES

TO

MINING CLAIMS

AND

WATER RIGHTS,

IN CALIFORNIA,

UNDER THE MINING LAW OF CONGRESS, OF JULY, 1866.

Part hidden veins digged up, nor hath this earth
Entrails unlike, of mineral and stone.
Paradise Lost.

BY GREGORY YALE,
COUNSELLOR AT LAW.

SAN FRANCISCO:
A. ROMAN & COMPANY,
17 MERCER STREET, NEW YORK.
1867.

The Bedrock of California Mining Law: Yale's 1867 Definitive Treatise on Gold, Water, and the Federal Act of 1866

30. Yale, Gregory [1816-1871].
Legal Titles to Mining Claims and Water Rights, In California, Under the Mining Law of Congress, Of July, 1866. San Francisco: A. Roman & Company, 1867. xxiii, [2], 10-452, [2] pp. Main text followed by 2 pp. of publisher advertisements. Octavo (8-3/4" x 5-1/2"; 22.2 x 14 cm).

Contemporary sheep, blind fillets to boards, blind fillets and red and black lettering pieces to spine. Light rubbing and a few minor scuffs, scratches and stains to boards, moderate rubbing to extremities, chipping to spine and spine ends, front joint starting at ends, corners bumped and worn, hinges cracked, light foxing and faint offsetting to endleaves. Light toning to interior, small spots and faint marginal staining to a few leaves. A very good copy. $850.

* Only edition. Gregory Yale's work is the first systematic attempt to reconcile the chaotic, informal 'Miner's Customs' of the Gold Rush with the formal Federal Mining Act of 1866. Yale, a prominent San Francisco attorney involved in the city's most high-stakes litigation, provides an unparalleled history of how property rights were carved out of the California wilderness. As Cowan notes, this volume remains an essential historical authority on 'local mining history' that has never been superseded. A foundational text for the study of the Pacific Coast's economic development and the legal struggle over the West's most precious resources: gold and water.

Cowan, *A Bibliography of the History of California 1510-1930* 698.

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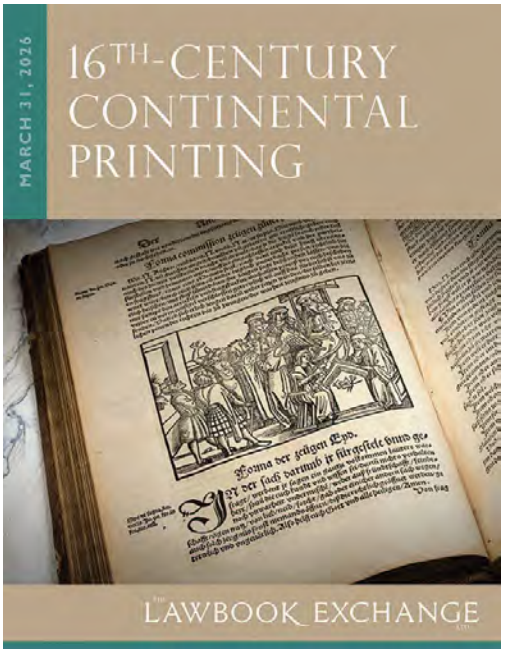

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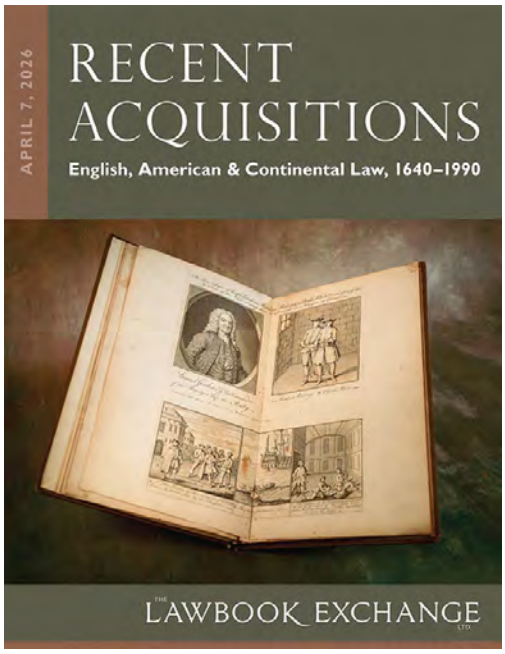

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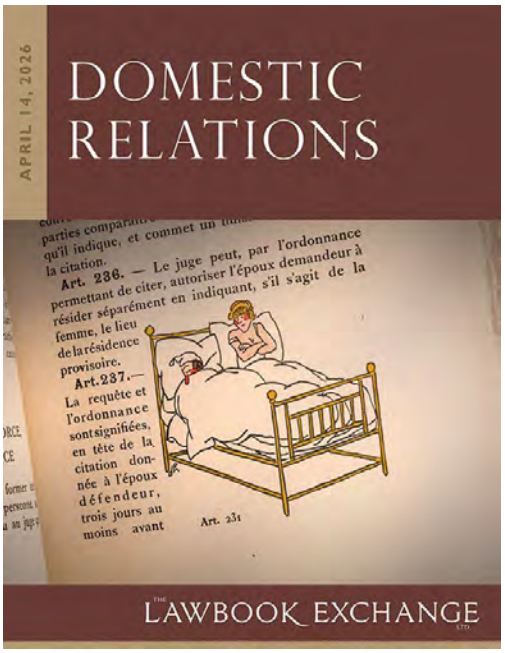

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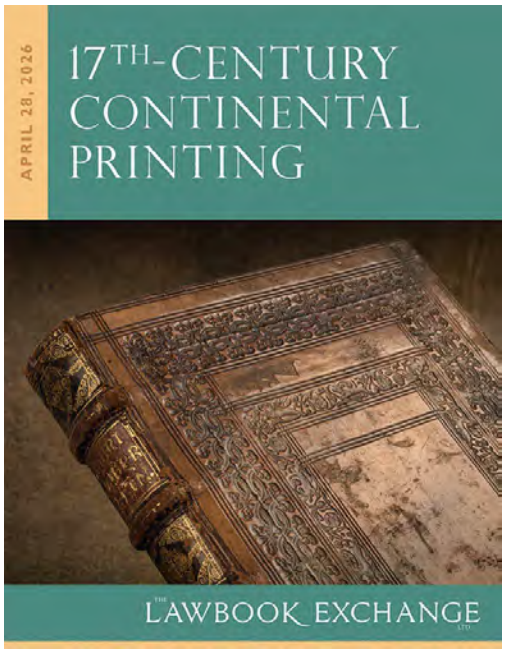

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