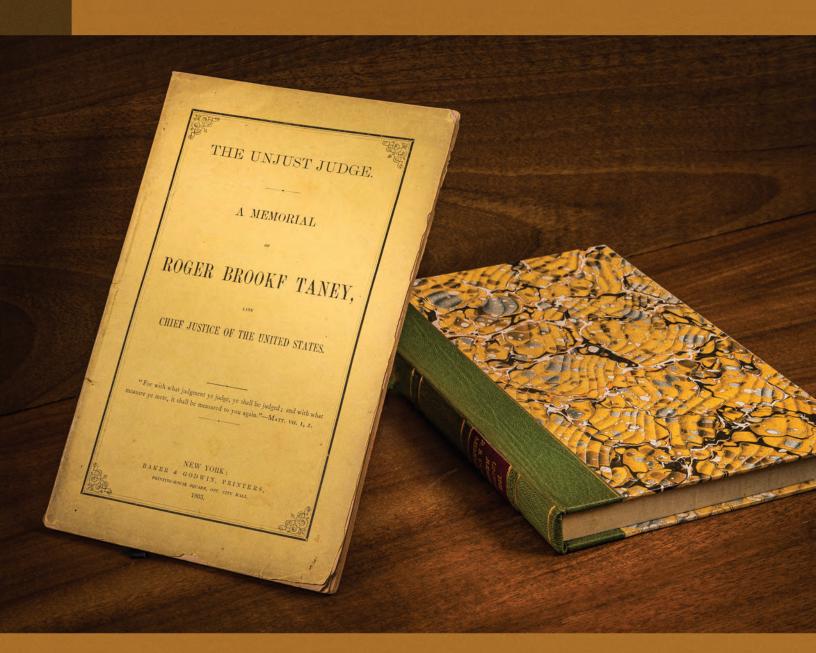
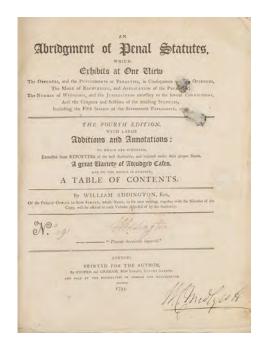
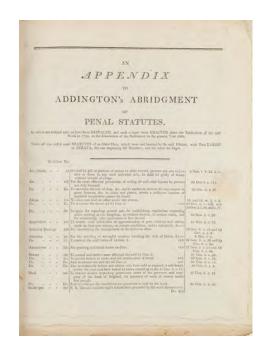
RECENT ACQUISITIONS

English, American & Continental Law, 1642–1944
30 ITEMS



L'AWBOOK EXCHANGE





A Tabular Guide to Crime and Punishment from Eighteenth-Century England

1. Addington, Sir William [d.1811].

An Abridgment of Penal Statutes, Which Exhibits at One View The Offences, And the Punishment or Penalties, In Consequence of Those Offences, The Mode of Recovering, And Application of the Penalties, The Number of Witnesses, And the Jurisdiction Necessary to the Several Convictions, And the Chapters and Sections of the Enacting Statutes, Including the Fifth Session of the Seventeenth Parliament, 1795. With Large Additions and Annotations: To Which are Subjoined, Extracted from Reporters of the Best Authority, And Inserted Under Their Proper Heads, A Great Variety of Adjudged Cases. And to the Whole is Annexed, A Table of Contents. London: Printed for the Author, By Cooper and Graham, 1795. 861, [91] pp.

[Bound with]

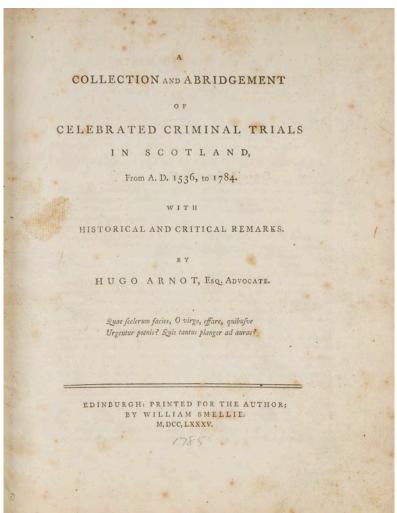
An Appendix to Addington's Abridgment of Penal Statutes, In Which are Noticed Such as Have Been Repealed, And Such as Have Been Enacted Since the Publication of the Said Work in 1795, To the Dissolution of the Parliament in the Present Year 1802 [Caption Title]. [Bath: Keenes, Printers, (1802)]. 7, [1] pp. Bound after second leaf of Abridgment.

Quarto (11-1/2" x 9"). Recent quarter imitation calf over cloth, gilt fillets, title and date to spine, endpapers renewed, edges of text block untrimmed. Negligible light shelfwear, spine ends and corners bumped, rear hinge starting. Moderate toning to interior, very light foxing in a few places, small stains (printers' flaws?) to first two leaves of *Abridgment* with loss to a few words of text on title page, which has an (illegible) early owner signature to its foot, author signature and copy number (191) to title page and p. 521, as in all copies. \$450.

* Fourth stated edition, actually the sixth. This useful reference went through nine editions, the final one in 1812. Its detailed descriptions of rogues, vagabonds, thieves, gambling, commercial fraud, illegitimacy, bootlegging, poaching, forgery, sumptuary laws, actors, poverty, bawdy houses and other colorful topics offers fascinating insights into English social history during the later decades of the eighteenth century. According to the preface, the *Abridgment* was based on the author's commonplace book.

OCLC locates 1 individual copy of the separately issued 1802 Appendix (National Library of Wales). Abridgment: English Short-Title Catalogue T88438.





First Edition of the Most Famous Collection of Scots Trials

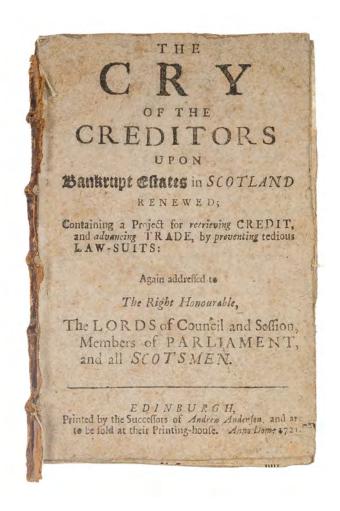
2. Arnot, Hugo [1749-1786].

A Collection and Abridgement of Celebrated Criminal Trials In Scotland, From A.D. 1536, To 1784. With Historical and Critical Remarks. Edinburgh: Printed for the Author; by William Smellie, 1785. xxiii, [1], 400 pp. Without the additional leaf of "Subscribers Omitted." Quarto (10-1/2" x 8-1/4").

Later three-quarter calf over paper covered boards, central gilt arms to boards, rebacked with raised bands, lettering piece and gilt author and date, endleaves renewed. Light rubbing and a few small faint stains to boards, a few tiny nicks and scuffs to spine, moderate rubbing and light wear to board edges, corners bumped and worn. Light toning to interior, occasional light foxing, small tears to top-edges of a few leaves not affecting text. \$250.

* First edition. According to Walker, Arnot's work contains the only accounts of many trials otherwise unknown. Contents include chapters on treason, murder, piracy, forgery, incest, adultery, blasphemy, witchcraft and crimes against religion and the state among others. With a twelve-page list of over 800 subscribers that includes the Prince of Wales, Adam Smith, Thomas Erskine, Lord Chancellor Thurlow and many other luminaries.

Walker, The Oxford Companion to Law 79. English Short-Title Catalogue T142881.



"A Project for Retrieving Credit"

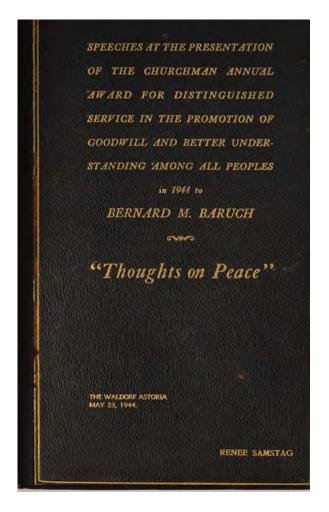
3. [Bankruptcy]. [Scotland].

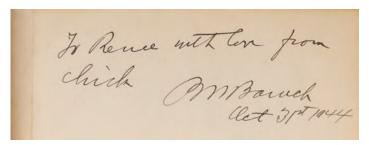
The Cry of the Creditors upon Bankrupt Estates in Scotland Renewed; Containing a Project for Retrieving Credit, And Advancing Trade, By Preventing Tedious Law-Suits: Again Addressed to the Right Honourable, the Lords of Council and Session, Members of Parliament, And all Scotsmen. Edinburgh: Printed by the Successors of Andrew Anderson, 1721. 24 pp. 12mo. (6" x 4").

Disbound stab-stitched pamphlet. Light browning, some soiling to exterior, margins trimmed closely with loss to page numbers and words on a few leaves, legibility not affected. \$750.

* Only edition. Noting that over the past forty years "almost the Fourth Part of all the Estates in Scotland had Changed Masters, or Proprietors, through their becoming bankrupt," this pamphlet calls for a reform of bankruptcy law and procedure. This matter was especially urgent in 1721 because Scotland, as well as the rest of Great Britain, was coping with the collapse of the South Sea Company in 1720. Popularly known as the "South Sea Bubble," it was the world's first great financial crash.

OCLC and the ESTC locate a single copy (at the National Library of Scotland). Not in Goldsmiths'. English Short-Title Catalogue T192280.





Inscribed by an Eminent Statesman to his Daughter

4. [Baruch, Bernard M. (1870-1965)].

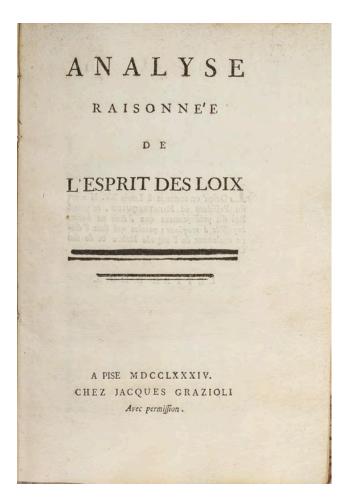
"Thoughts on Peace." At head of title: Speeches at the Presentation of the Churchman Annual Award for Distinguished Service in the Promotion of Goodwill and Better Understanding Among All Peoples in 1944 to Bernard M. Baruch. [New York: The Churchman], 1944. 29 pp.

Stiff morocco wrappers with gilt title and stamped name (Renee Samstag) to front wrapper, bound in recent goatskin, gilt rules to boards, gilt title to front board, raised bands and lettering piece to spine, original wrappers separated from text block and bound at rear. Light toning to interior, small surface tear to p. 7 not affecting text, presentation inscription "To Renee with love from chick (?) BM Baruch Oct 31st 1944." A notably handsome copy. \$450.

* Only edition. Bernard Baruch was an American financier, statesman and presidential advisor to Wilson and Roosevelt. He was the sixth recipient of The Churchman Award, presented by *The Churchman* magazine "to an individual who has rendered distinguished service in the promotion of goodwill and better understanding of all peoples." Previous recipients included Eleanor Roosevelt, Franklin Delano Roosevelt and William Allen White. Renee Baruch Samstag [1905-1944] was Baruch's youngest daughter.

OCLC locates 8 copies of this title (Columbia, New York Public Library, Yale, Emory Pitts Theological Library, Boston Athenaeum, University of Oregon, CUNY-Baruch College, Temple University).





Rare Italian Printing of a Study of Montesquieu

5. Bertolini, Stefano [1711-1782].

Analyse Raisonée de l'Esprit des Loix. Pisa: Chez Jacques Grazioli, 1784. 125, [1] pp. Octavo (7-1/2" x 5").

Contemporary stiff patterned wrappers. Light rubbing to extremities, patterned paper of spine lightly worn. Light toning to interior, light soiling to a few leaves, partial crack in text block between pp. 32-33, crack in text block between pp. 96-97, all leaves secure. An attractive copy of a rare edition. \$1,500.

* Only Italian edition. Written in 1754 and first published in Geneva in 1771, this is a study of *De l'Esprit des Loix*, Montesquieu's famous work of political theory and comparative law. Bertolini was an attorney in Florence and civil servant. Prior to publication, he sent a copy of *Analyse* to Montesquieu, whose reply is reproduced at the beginning of the work. Though never published with *De l'Esprit des Loix* during either man's lifetime, as Bertolini hoped it would be, the *Analyse* appeared in a 1798 collected-works edition of Montesquieu. Another edition was published in Leipzig in 1773.

All editions of this title are scarce. No copies of the Pisa edition located on OCLC. See Shackleton, *Montesquieu: A Critical Biography* 365.



First Oxford Edition in Octavo of Blackstone's Commentaries

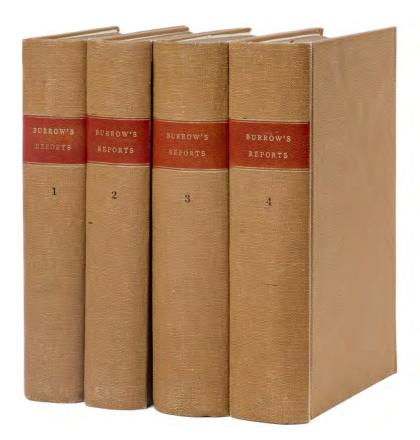
6. Blackstone, Sir William [1723-1780].

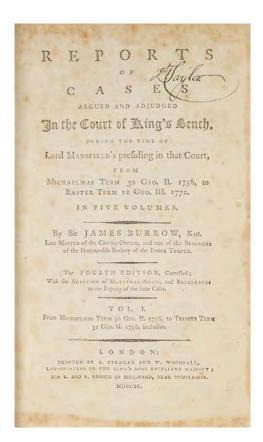
Commentaries on the Laws of England. In Four Books. Oxford: Printed at the Clarendon Press, printed for William Strahan, Thomas Cadell, and Daniel Prince, 1773. Four volumes. [xii], 485; [viii], 520, xix; [viii], 455, xxvii; [viii], 443, vii, [51] pp. Volume II has copperplate "Table of Consanguinity" and fold-out "Table of Descents." Octavo (8-1/4" x 4-3/4").

Contemporary calf, blind rules to boards, rebacked with raised bands, blind fillets, retained lettering pieces and gilt volume numbers to spines, blind tooling to board edges, hinges mended. Light rubbing and some minor nicks and shallow scuffing to boards, moderate rubbing to board edges, corners bumped and worn, faint offsetting to endleaves. Moderate toning, light foxing in a few places in each volume, faint offsetting to plates, light soiling to a few leaves. A nice set. \$1,500.

* Fifth edition, the first Oxford edition published in octavo format and the first edition with the "Table of Precedence" (Volume I, p. 405). The most influential publication in the history of modern Anglo-American law, the *Commentaries on the Laws of England* was based on a course of lectures delivered at Oxford University. Because it was not intending for aspiring practitioners, the *Commentaries* provided a general, easily comprehensible overview of the English legal system and its history. Though written for laymen, it soon became the standard introductory textbook for law students.

Eller, The William Blackstone Collection at Yale University 7. Laeuchli, A Bibliographical Catalog of William Blackstone 10.





"An Epoch in the History of Reporting"

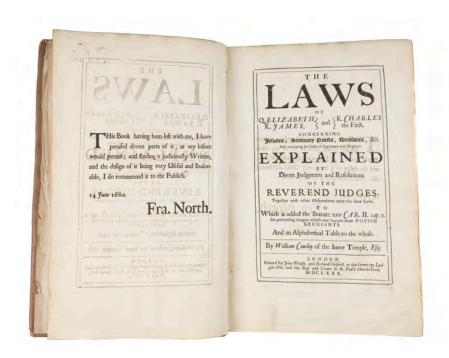
7. Burrow, Sir James [1701-1782], Reporter.

Reports of Cases Adjudged in the Court of King's Bench, Since the Death of Lord Raymond; In Four Parts, Distributed According to the Times of his Four Successors, Lord Hardwicke, Sir William Lee, Sir Dudley Ryder, and Lord Mansfield. With Two Tables, One, of the Names of the Cases; The Other, Of the Matter Contained in Them. London: Printed by A. Strahan and W. Woodfall, Law-Printers to the King's Most Excellent Majesty, 1790. 4 of 5 volumes. Octavo (9-1/4" x 8-1/4").

Recent buckram, lettering piece and volume numbers to spine, endpapers renewed. Some rubbing to extremities, library stampts to front free endpapers, front hinge of Volume II just starting (due to a binder error). Light browning to interiors, light foxing in places, early owner signature (H. Taylor) to heads of title pages. \$350.

* Fourth edition. These reports are renowned for their careful organization, lucid prose and accuracy. As Wallace notes, the "Reports of Sir James Burrow make an epoch in the history of reporting. He made his Reports for the purpose of publishing them... He, more than any man, seems to have perceived as a canon of the subject... that every report, in the form in which it comes out at last for the bar, should be preceded by a statement of the case, and that that statement should be made by the reporter himself...in other words, that the reporter holds a high and responsible office... Burrow's Reports may... fairly be called works of art." Contents of each volume: Volume I: Michaelmas Term 30 G. II, 1756 to Trinity Term 31 G. II, 1758; Volume II: Michaelmas Term 32 G. II, 1758 to Trinity term 1 G. III, 1761; Volume III: Michaelmas Term 2 G. III, 1761 to Trinity Term 6 G. III, 1766; Volume IV: Michaelmas Term 7 G. III, 1766 to Hilary Term 10 G. III, 1770. (The missing Volume V covers the Easter Term 10 Geo. III, 1770 to Easter Term 12 Geo. III, 1772).

Wallace, The Reporters 446-452. English Short-Title Catalogue T97749.



Collection of Laws Concerning Jesuits
Published Eight Years Before the Glorious Revolution

8. Cawley, William.

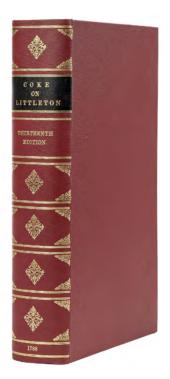
The Laws of Q. Elizabeth, K. James, and K. Charles the First, Concerning Jesuites, Seminary Priests, Recusants, &c. and Concerning the Oaths of Supremacy and Allegiance Explained by Divers Judgments and Resolutions of the Reverend Judges. Together with Other Observations Upon the Same Laws, To Which is Added the Statute XXV CAR.II. cap. 2. for Preventing Dangers Which May Happen from Popish Recusants. And an Alphabetical Table to the Whole. London: Printed for John Wright, And Richard Chiswell, 1680. [x], 267, [36] pp. Folio (12-1/2" x 7-3/4").

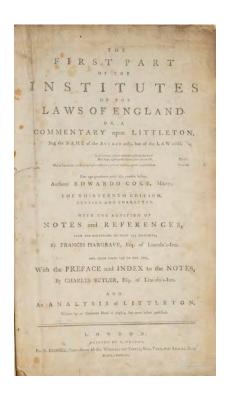
Contemporary calf, blind rules to boards, raised bands, early hand-lettered title label, two small later paper shelf labels and shelf number in early hand to spine. Shallow scuffs, nicks and faint stains to boards, a deeper scuff to rear board, moderate rubbing to extremities with wear to spine ends and corners, hinges starting, light edgewear to front endleaves. Light toning to interior, slightly heavier in places, light soiling and foxing to a few leaves, early owner initials, J.W., dated August 20, 1680, to front endleaf. \$1,200.

* Only edition. This volume was published eight years before the Glorious Revolution, a period that witnessed an increase in anti-Catholic sentiment. "The Judgments and resolutions of the reverend Judges upon the several branches of these Statutes, and of others likewise here occasionally mentioned, (as far as they relate to the subject in hand) which lye scattered in the printed Books, are here collected and placed under proper heads; And this is the only thing, the Statutes themselves excepted, for which I durst recommend the Book to thy perusal. Besides which, there are several other Authorities cited in the Cases, which arise upon the poenal Laws: And here and there, where the path is untrodden, I have adventured to add some observations of my own" (Preface).

Topics include Catholic foreigners, women married to Catholic recusants, pro-Catholic books, land law regarding recusants and capital punishment for Jesuit missionaries. The text of the statutes is in black letter, the commentary in Roman type.

English Short-Title Catalogue R5101.





First Critical Edition of Coke on Littleton, With Notes by Hargrave and Butler

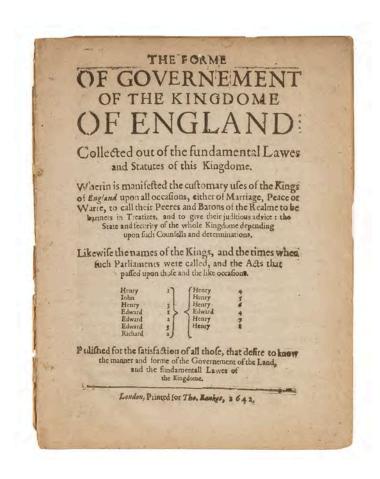
9. Coke, Sir Edward [1552-1634]. Hargrave, Francis [1741?-1821], Editor. Butler, Charles [1750-1832], Editor. Hale, Sir Matthew [1609-1676]. [Finch, Heneage, Earl of Nottingham (1621-1682)].

The First Part of the Institutes of the Laws of England or, A Commentary upon Littleton. Not the Name of the Author Only, But of the Law Itself. With the Addition of Notes and References From the Beginning to Folio 195 Inclusive, by Francis Hargrave, And From Folio 196 to the End, With the Preface and Index to the Notes, by Charles Butler and an Analysis of Littleton. London: Printed by T. Wright, For E. Brooke (Successor to Messrs. Worrall and Tovey), 1788. [xxii], xx, [54] pp., 395 ff., [10] pp. Lacking errata leaf. Table of Heads misbound between p. [54] Fol 1, Folding table of consanguinity misbound between pp. [xviii] and [xvix]. Folio (14-1/2" x 9").

Recent cloth with period-style decoration to spine, endpapers renewed. Light toning to interior, faint dampstaining to edges of text block with crinkling and, in some places, light soiling, moderate edgewear and soiling to preliminaries and final few leaves of text, moderate edgewear and a few creases and tears to folding table with no loss to text or image, contemporary annotations and underlining in a few places. \$650.

* Thirteenth edition, the first critical edition of this landmark work. The four books of Coke's *Institutes* are considered the first textbooks on modern common law. They are virtually a legal encyclopedia. The importance of this work is indicated by its inclusion in *Printing and the Mind of Man*, which notes: "[if] Bracton first began the codification of the common law, it was Coke who completed it.... In the Institutes (...) the tradition of the common law from Bracton to Littleton, whose name Coke's commentary made famous, firmly established itself as the basis of the constitution of the Realm." Refined by later editors, Hargrave and Butler's edition became the standard version of this landmark work.

Printing and the Mind of Man 126. English Short-Title Catalogue T117845.



The King Must Consult with Parliament

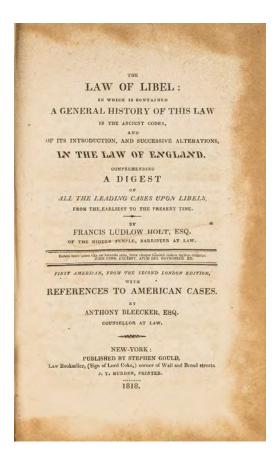
10. [Cotton, Sir Robert (1571-1631)].

The Forme of Government of the Kingdome of England: Collected Our of the Fundamental Lawes and Statutes of this Kingdome. Wherin is Manifested the Customary Uses of the Kings of England Upon All Occasions, Either of Marriage, Peace or Warre, To Call Their Peeres and Barons of the Realme to be Bartners [sic] in Treatizes, And to Give Their Judicious Advice: Tho State and Security of the Whole Kingdome Depending Upon Such Counsells and Determinations. Likewise the Names of the Kings, And the Times When Such Parliaments were Called, And the Acts that Passed Upon Such Counsells and Determinations. Likewise the Names of the Kings, And the Times When Such Parliaments were Called, And the Acts that Passed Upon Those and the Like Occasions. [...] Published for the Satisfaction of All Those, That Desire to Know the Manner and Forme of the Government of the Land, And the Fundamentall Lawes of the Kingdome. London: Printed for Tho. Bankes, 1642. 19, [1] pp. Quarto (7-1/4" x 5-3/4").

Disbound stab-stitched pamphlet in later plain wrappers. Moderate toning, light edgewear to wrappers, which are detached from pamphlet and separating along spine. \$450.

* First edition. Cotton was a member of Parliament and an important scholar of early English legal and political records. (His vast collection of manuscripts became the British Museum's Cotton Library.) Published posthumously, *The Forme of Government* discusses the sovereign's obligation to consult with Parliament "in their great Counsels of Marriage, Peace and Warre." Like Cotton's other works, a great deal of attention is paid to historical precedent. An expanded version was later published as *The Antiquity and Dignity of Parliaments* (1679).

OCLC locates 1 copy in a law library (University of Minnesota). English Short-Title Catalogue R021849.



First American Edition of an Important English Treatise on Slander and Libel

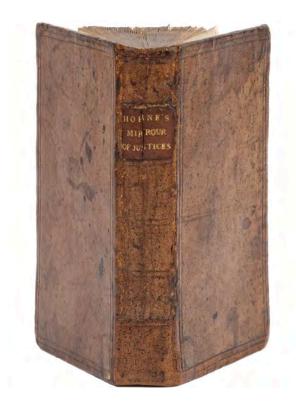
11. Holt, Francis Ludlow [1780-1844]. [Bleecker, Anthony, Editor].

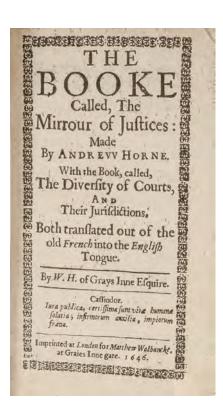
The Law of Libel: In Which is Contained a General History of This Law in the Ancient Codes, and of Its Introduction, and Successive Alterations, In the Law of England. Comprehending a Digest of All the Leading Cases Upon Libels, From the Earliest to the Present Time. First American, From the Second London Edition, With References to American Cases. New York: Published by Stephen Gould, 1818. xii, [13]-328 pp. Octavo (8-1/4" x 5-1/4").

Contemporary sheep, blind fillets to boards, calf lettering piece, fragment of calf owner label and blind fillets to spine. Light rubbing and a few minor scuffs to boards, faint illegible owner inscription to heads of boards, moderate rubbing and a few bumps and scuffs to extremities, front joint starting at ends, early owner bookplate (Benjamin Rand) to front pastedown, early embossed stamp (Nath. Pereles & Sons) to following endleaf and title page. Moderate toning to interior, faint dampspotting to sections of text. \$500.

* First American edition, from the second London edition, 1816. First published in 1812, this was the standard English treatise on slander and libel in the opening decades of the nineteenth century. Though it was eventually superseded, it remained an authoritative history of the subject. With its intelligent discussion of sources and cases it is just as valuable today. Holt was a member of the Inner Temple. Also the author of treatises on nisi prius, bankruptcy, admiralty law and Parliament, his work was held in high esteem by Kent.

Cohen, Bibliography of Early American Law 10934.





First English-Language Edition of Horne's Mirrour of Justices

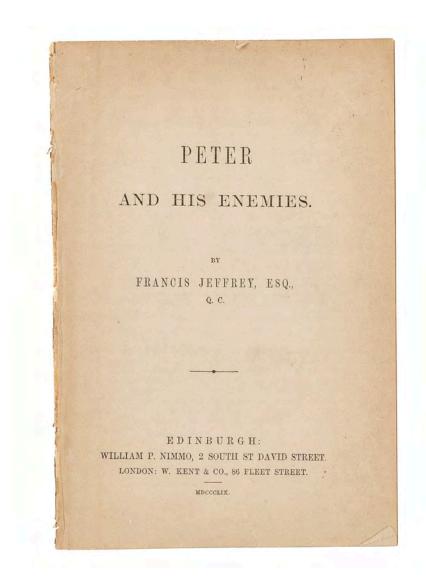
12. Horne, Andrew [d.1328]. H[ughes], W[illiam], Translator. [Fitzherbert, Anthony (1470-1538)].

The Booke Called, The Mirrour of Justices: Made by Andrew Horne. With the Book, Called, The Diversity of Courts, And Their Jurisdictions. Both Translated Out of the Old French into the English Tongue. London: Matthew Walbancke, 1646. [xxxii], 288, 287-325, [9] pp. First leaf blank. Octavo (5-1/4" x 3-1/4").

Contemporary speckled sheep, blind rules to boards, blind fillets and (later?) lettering piece to spine, blind rules to board edges, edges of text block rouged, hand-lettered annotation ("Lawe") to its fore-edge. Faint staining and a few shallow scuffs to boards, light rubbing to extremities, foot of spine and bottom-edge of front board repaired, chipping to head of spine, vertical crack to lettering piece, corners bumped and lightly worn, front hinge mended with tissue, rear hinge starting before free endpaper, later bookplate (of Dr. and Mrs. H.R. Knohl) to front pastedown. Light toning to interior, small spots to a few leaves. \$1,500.

* First edition in English and the second edition overall. Written in about 1290, *The Mirrour of Justices* became an authority in the latter part of the sixteenth century when English lawyers began to look to Glanville, Bracton, and Britton as guides to put the common law into a more logical arrangement. It was not a reliable source, however. As Maitland observed, it is "the work of one profoundly dissatisfied with the administration of the law by the king's judges. As against this he appeals to myths and legends about the law of King Alfred's day and the like, some of which myths and legends were perhaps traditional, while others were deliberately concocted. Intelligently read it is very instructive; but the intelligent reader will often infer that the law is exactly the opposite of what the writer represents it to be." *Mirrour* was first published in Law-French in 1642. The *Diversity of Courts* is by Fitzherbert.

Maitland, Collected Papers II:46. English Short-Title Catalogue R23979.



An Acerbic Call for Law Reform
With a Dedicatory Preface to Sir Walter Scott

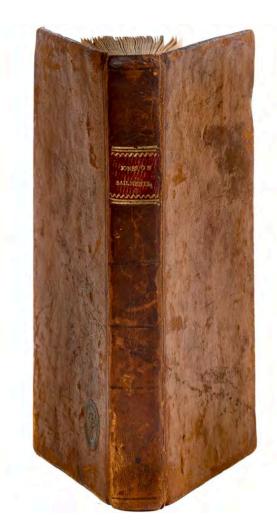
13. Jeffrey, Francis, Lord Jeffrey [1773-1850].

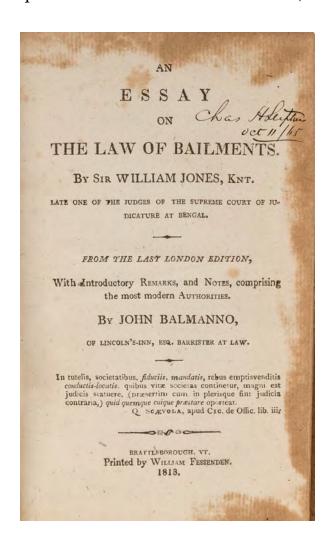
Peter and His Enemies. Edinburgh: William P. Nimmo, 1859. 31, [1] pp. Two woodcut vignettes. Octavo (6-3/4" x 4-1/2").

Disbound pamphlet. Moderate toning, internally clean. Rare. \$450.

* First edition. Jeffrey was the longtime editor of the Edinburgh Review, a Whig literary journal with notable contributors including Bertrand Russell and Sir Walter Scott. He would go on to a career in Parliament and the Court of Session. Published posthumously, *Peter and His Enemies* is an acerbic fictional account comparing the life of "Peter Gilchrist" to Scott's character Peter Peebles and intended to expose abuses in the law and advocate for law reform. A second edition was published later in 1859.

OCLC locates 3 copies of the first edition, none outside Scotland. Not in the British Museum Catalogue, which lists the second edition.





Attractive Brattleboro Imprint of Jones on Bailments

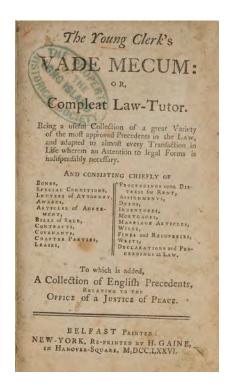
14. Jones, Sir William [1746-1794]. Balmanno, John, Introduction, Notes.

An Essay on the Law of Bailments. With Introductory Remarks, and Notes, Comprising the Most Modern Authorities. Brattleboro, VT: Printed by William Fessenden, 1813. [12], 144, xxi pp. 12mo. (6-1/2" x 4").

Contemporary sheep, lettering piece and blind fillets to spine, blind tooling to board edges. Light rubbing and scuffing, small earlry shelf label (?) to lower inside corner of rear board, moderate rubbing to extremities. Moderate toning to interior, light foxing in a few places, offsetting to preliminaries, final leaves of text and rear endleaves, early owner signature (of Charles H. Stephens) to front free endpaper and head of title page. An attractive copy. \$125.

* Later American edition, a reprint of the London edition, 1798. "Lord Holt, in *Coggs v. Bernard*, introduced from the Roman law a substratum, upon which the English Law of Bailments chiefly reposes, and Sir William Jones further developed this interesting department of jurisprudence, in his *Essay*, which has ever been admired for its artistic and scholar-like finish" (Marvin). Sir William Jones was a distinguished scholar of Indo-European languages and a brilliant jurist. A friend of Johnson, Gibbon and Burke, he was a judge of the High Court at Calcutta from 1783 until his death.

Marvin, Legal Bibliography 428-429. Cohen, Bibliography of Early American Law 2423.



Revolution-Era New York Edition of a Popular JP Manual

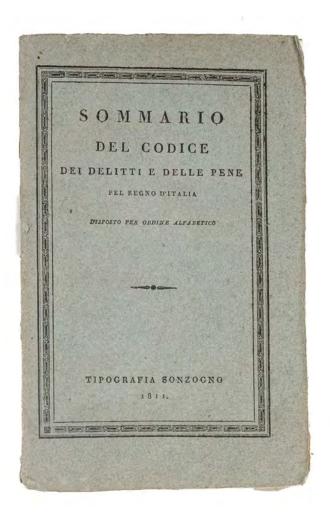
15. [Justice of the Peace Manual].

The Young Clerk's Vade Mecum: Or, Compleat Law-Tutor. Being a Useful Collection of a Great Variety of the Most Approved Precedents in the Law, And Adapted to Almost Every Transaction in Life Wherein an Attention to Legal Forms is Indispensably Necessary. And Consisting Chiefly of Bonds, Special Conditions, Letters of Attorney, Awards, Articles of Agreement, Bills of Sale, Contracts, Covenants, Charter Parties, Leases, Proceedings upon Distress for Rent, Assignments, Deeds, Indentures, Mortgages, Marriage Articles, Wills, Fines and Recoveries, Writs, Declarations and Proceedings at Law. To Which is Added, A Collection of English Precedents, Relating to the Office of a Justice of Peace. Belfast Printed: New-York, Re-Printed by H. Gaine, In Hanover-Square, 1776. [xii], 236; iv, 86, [6] pp. Two parts, each with title page and individual pagination. The title part for the second part reads (in part): A Collection of English Precedents, Relating to the Office of a Justice of Peace. Lacking final two leaves, which are publisher advertisements. 12mo. (6-1/4" x 3-3/4").

Later pebbled cloth, gilt title, fillets and publication date to spine, endpapers renewed. Some chipping to spine ends, light rubbing to corners, later library bookplate to front pastedown, front free endpaper detached, rear free endpaper partially detached, cracks in text block preceding title page and following final leaf of text, binding secure. Light browning to interior, light foxing in a few places, library stamp to head of title page, "1426" in small hand to rear pastedown. \$850.

* Later edition. "In those days, when anyone who was anybody was a judge, and most of those who were not quite anybodies were justices of the peace, a *vademecum*...was an essential tool..." (Cohen). Alphabetically organized with forms for pleading, this popular work, derived from an English manual first published in 1723, covers topics such as bonds, bills of sale, grants, indentures and wills. The final edition was printed in Dublin in 1795. Gaine's edition is a reprint of an edition published in Belfast in 1771. (He also issued the second part as an independent title.) It is a scarce edition, especially in commerce; the last two copies appeared at auction in 2019 and 1941.

Cohen, "Historical Development of the American Lawyer's Library," 61 Law Library Journal (1968) 440, 445. English Short-Title Catalogue W21107. Cohen, Bibliography of Early American Law 8207.



Rare Index to Italy's Napoleonic Penal Code

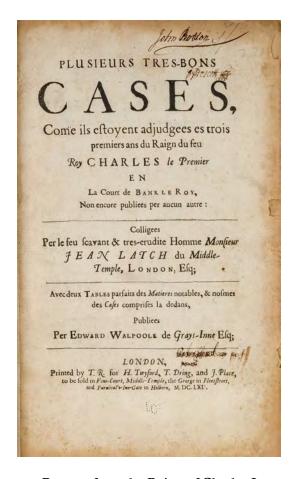
16. [Kingdom of Italy].

Sommario del Codice dei Delitti e delle Pene pel Regno d'Italia. Disposto per Ordine Alfabetico. Milan: Dalla Tipografia di Francesco Sonzogno di G.B., 1811. [ii], 112 pp. Octavo (8" x 5").

Sewn pamphlet in printed wrappers, signatures uncut, edges untrimmed. Light soiling to exterior, light rubbing to spine with minor wear to spine ends, light toning to interior, light soiling and tiny fox-spots to a few leaves, internally clean. A very attractive copy in its original state. \$1,200.

* Only edition. Introduced by Napoleon in 1810, the French penal code came into force in the Kingdom of Italy under his personal rule on January 1, 1811. It is divided into four books, with the first two covering criminal responsibility and sentencing, the third defining felonies and misdemeanors against the state and individuals and the fourth enumerating "violations," crimes dealt with strictly on the police level. It is notable for its harsh penalties and absolute view of criminal responsibility. The *Sommario* is a glossary of the code arranged alphabetically and cross-indexed to the text as published by the Stamperia Reale and Sonzogno in 1810. It gives a brief explanation of the crimes and punishments enumerated by the code and definitions of some of the technical terms.

This is a rare title. OCLC locates 3 copies, 1 outside Italy (George Washington University Law School).



Reports from the Reign of Charles I

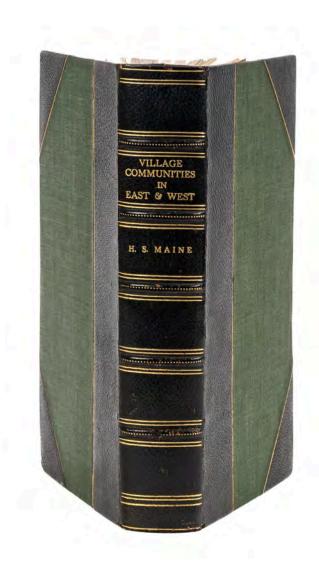
17. Latch, John [1588 or 9-1655]. Walpole, Edward.

Plusieurs Tres-Bons Cases, Come Ils Estoyent Adjudgees es Trois Premiers Ans du Raign du Feu Roy Charles le Premier en La Court de Bank le Roy, Non Encore Publiees per Aucun Autre: Avec Deux tables Parfaits des Matieres Notables, & Nosmes des Cases Comprises la Dedans Publiees per Edward Walpoole. London: Printed by T.R. for H. Twyford, T. Dring, and J. Place, 1662. [xii], 275, [21] pp. Final leaf contains publisher advertisement. Folio (11-1/2" x 7").

Later library cloth, black-stamped fillets and red and black lettering pieces to spine, endpapers renewed, cloth hinges. Light soiling to exterior, light rubbing to extremities, chips to top lettering piece, light residue from removed labels to spine, corners bumped, residue from removed bookplate to front pastedown, faint ink stamp to front free endpaper. Moderate toning to interior, occasional light foxing and soiling, small chips to edges of a few leaves without loss to text, early owner signatures (one of J. Prescott, two others struck through) to title page, small punch stamp to its bottom margin, brief early ink annotations (case citations) to several leaves. \$200.

* Only edition. The reports, mostly in Law-French, cover the period 1625-1628. As noted by the *ESTC*, "the second "I" in the imprint year "M.DC.LXII" is either faint or failed to print" in some copies of this book. This has misled some bibliographers, such as Wing, to list a printing date of 1661. An English translation of this reporter, by François-Xavier Martin, was published in 1793.

English Short-Title Catalogue R39113.



Maine's Village Communities in an Attractive Signed Binding

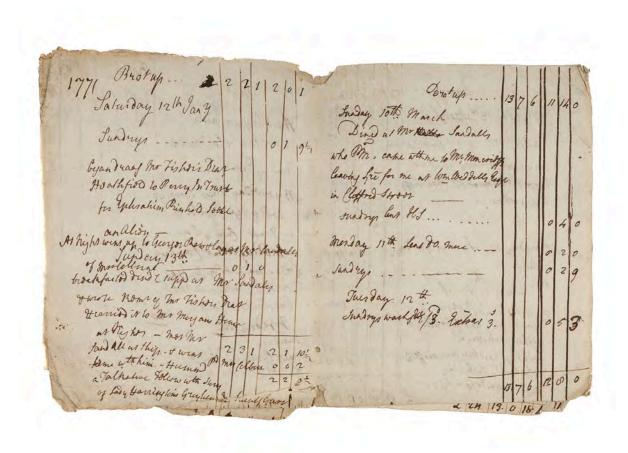
18. Maine, Henry Sumner [1822-1888].

Village Communities in the East and West. New York, Henry Holt and Company, 1876. xii, 413, [3] pp. Main text followed by 2 pp. publisher catalogue. Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter morocco over cloth by Stikeman & Co., gilt rules to boards, raised bands, gilt fillets and gilt title to spine, top-edge gilt, patterned endpapers. Moderate rubbing to extremities, moderate toning to interior, tiny later owner stamp (Michael Lee Warner, Valhalla) to verso of front free endpaper, contemporary gift inscription (to James Lowndy from the 1880 graduating class of Georgetown Law School) to front endleaf. \$250.

* Third edition, enlarged. Maine's classic comparison of Indian and European property law was first published in 1871. It contains the texts of six lectures given at Oxford and other essays and lectures on Roman and Indian law. As Pound notes: "These works...are at the foundation of all study of historical jurisprudence."

Pound, Outlines of Jurisprudence (5th. ed.) 196. Catalogue of the Library of the Harvard Law School II:34.



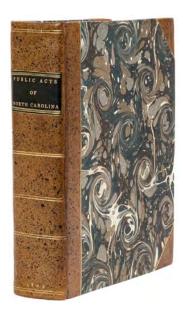
A Charming Slice of London Legal Life

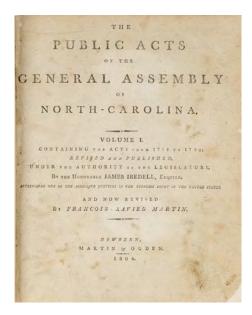
19. [Manuscript].

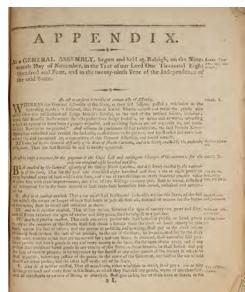
[Memorandum and Account Book]. [London], January 1-March 23, 1771. [28] pp.

- 5" x 4" untrimmed, unsewn bifolia, text in single neat hand. Light toning, light soiling to exterior, small holes or tears to a few leaves affecting text on final leaf only with no loss to legibility. \$950.
- * This manuscript provides a glimpse into the professional and social life of a member of the legal profession. Likely a solicitor's or barrister's clerk, the compiler notes a range of professional activities. "Got up early and walk'd to Mr. Morgan's Chambers- writing Lord Belvedere's Case," "At Common Law work Dr. Dodry, &c at Mr. Morgan's," and "Pd Postage of Letter for Mr. Morgan" are among the descriptions of his job duties, indicating (along with his weekly salary of 1 pound, 10 shillings) that he performed substantive legal work but was most likely not an attorney himself.

Other entries shine light on his personal and social life. Figures in the ruled columns indicate cash received and paid. Many of these note expenses for "sundrys," while others record various sums paid for dining, such as trips to London icons Tom's Coffee House and the Black Jack tavern. The compiler appears to have had a thriving social and professional network. He frequently mentions the names of those with whom he "dined, supped and lay," including, at times, his private views, referring to a Mr. Humm as "a talkative fellow." Some of his social activities seem to be more professional in nature, with the same names appearing at dinner and at business. Others are solely personal ("Jacky B's birthday, 7 year old today"). These entries provide interesting insight into the overlap of professional and social networks. Together, they paint an engaging, intimate portrait of three months in the life of a Georgian legal professional.







North Carolina Public Acts with 1804-1805 Appendix

20. Martin, François-Xavier [1762-1846], Editor.

Iredell, James [1751-1799], 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): Martin & Ogden, 1804. [iv], 501, [1] pp.

[Bound with]

Martin, François-Xavier, Compiler.

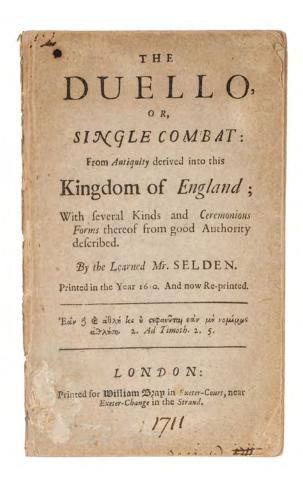
The Public Acts of the General Assembly of North-Carolina. Volume II. Containing the Acts from 1790 to 1803; Revised and Published, Under the Authority of the Legislature. Newbern (NC): Martin & Ogden, 1804. 226, [16], [2]; [227]-272 pp. With a one-page list of books published or distributed by Martin. Pp. [227]-272 is an appendix of acts from 1804 to 1805.

Quarto (9-1/4" x 7-3/4"). Recent period-style speckled calf over marbled boards, gilt rules to boards, lettering piece, gilt fillets and gilt publication date to spine. Light browning to interior, light foxing and spotting in places, all edges trimmed, recent repairs to edges of title page of Volume I, light edgewear to a few leaves at beginning and end of text, minor chipping to fore-edges of several leaves at center of text, original front wrapper of appendix bound in. Annotation in contemporary hand to last page of text, ownership inscription, dated August 19, 1808, at bottom of last page of Appendix. A very nice copy with the uncommon appendix. \$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 the central role in the reorganization of the legal system. Appointed attorney-general when Louisiana became a state, he is considered the father of Louisiana jurisprudence.

Babbitt, Hand-List of Legislative Sessions and Session Laws 385.



Selden on Dueling

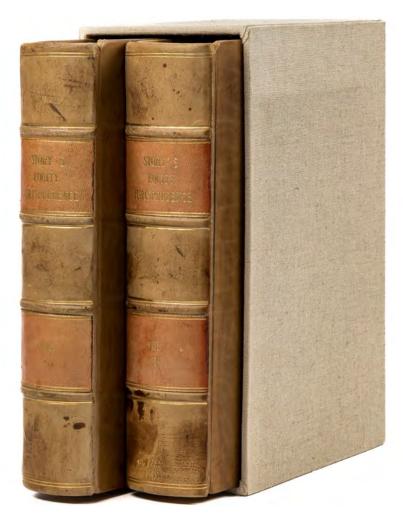
21. Selden, John [1584-1654].

The Duello, Or, Single Combat: From Antiquity Derived into this Kingdom of England; With Several Kinds and Ceremonious Forms Thereof from Good Authority Described. By the Learned Mr. Selden. Printed in the Year 1610. And Now Re-Printed. London: Printed for William Bray in Exeter-Court, Near Exeter-Change in the Strand, [1711]. 24, 33-78, [2] pp. Final leaf is a publisher catalogue.

Disbound stab-stitched pamphlet, thread lacking, title page and a few other leaves loose. Moderate soiling to exterior, some wear to corners of text block, "1711" in later hand to foot of title page. Moderate toning to interior, worm-hole to upper outside corner of text block beginning on leaF D4 (pp. 39-40), which is noticeable on the final four leaves, no loss to text. \$650.

* Second and final edition as an independent work. *The Duello* was one of Selden's first three publications, all published in 1610. A scholarly and practical book, it provides a history of dueling and a review of current laws governing court-ordered single combat. (Judicial dueling was abolished in 1819.) It leans selectively on precedents dating back to the Norman conquest to show that dueling is a right and often a sensible, and sometimes only, way to settle disputes. This work was later reprinted in Selden's *Opera Omnia* (1726).

The 1610 and 1711 printings of this work are scarce. OCLC locates 2 copies of the 1711 edition in North American law libraries (Harvard, UT-Austin). *English Short-Title Catalogue* T35003.



"A Major Step in the Transformation of Equity"

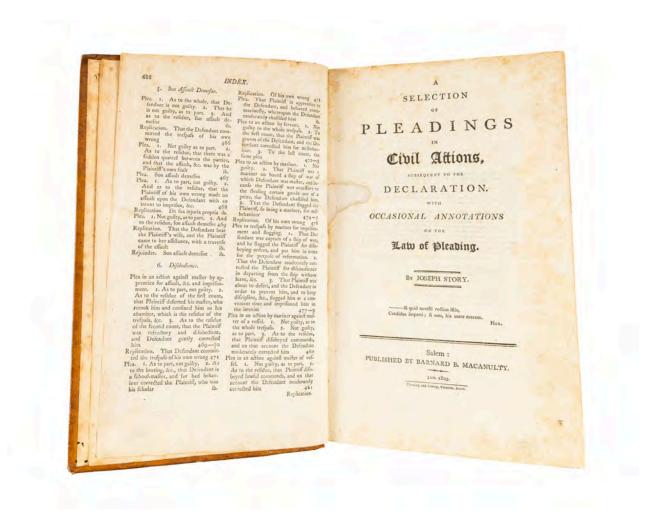
22. Story, Joseph [1779-1845].

Commentaries on Equity Jurisprudence, As Administered in England and America. Revised, Corrected, And Enlarged. London: Reprinted...Under the Direction and Sanction of the Learned Author, By A. Maxwell, 1839. Two volumes. [i], xxxiii, 773; xl, 947 pp. Octavo (9-1/2" x 6").

Recent period-style calf, raised bands and lettering pieces to spines, endpapers renewed, cloth hinges. Fading and some minor stains and spots to spines, light toning to interiors, light foxing to a few leaves at beginning and end of each volume, preliminaries of Volume I detached, light soiling to title page of Volume II. Volumes housed in a recent linen-covered slipcase. \$750.

* First English edition, indicated "Second Edition" on the title page, published the same year as the second American edition. As Horwitz notes, this treatise "marks a major step in the transformation of Equity from an eighteenth century system of substantive rules derived from 'natural justice' to a nineteenth century positivist conception of Equity as simply providing a more complete and inclusive set of procedural remedies."

Horwitz, The Transformation of American Law, 1780-1860 265. Sweet & Maxwell, A Legal Bibliography of the British Commonwealth 2:342. Cohen, Bibliography of Early American Law 5013.



The First Legal Work Bearing Story's Name

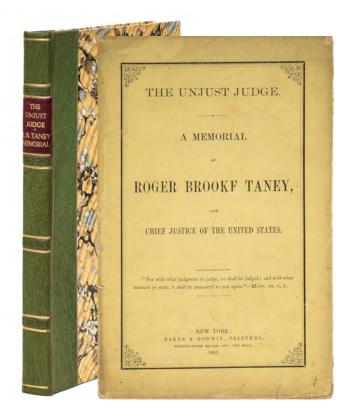
23. Story, Joseph [1779-1845].

A Selection of Pleadings in Civil Actions Subsequent to the Declaration. With Occasional Annotations on the Law of Pleading. Salem: Published by Barnard B. Macanulty, 1805. viii, 697, [6] pp. Includes six-page publisher catalogue of law books. Octavo (9" x 5-1/2").

Contemporary sheep, blind frames to boards, raised bands and lettering piece to spine, blind tooling to board edges, endleaves derived from printer waste (extra index leaves for this title). Light rubbing and a few minor stains to boards, front board partially detached but secure, rear board beginning to separate, moderate rubbing to extremities, light wear to spine ends and corners. Moderate toning to interior, light foxing in a few places, faint dampstaining to upper-outside corners of index leaves and publisher catalogue, light soiling and early paper repair to title page. \$1,500.

* First edition. This is both the first legal work bearing Story's name and the first American book of entries of precedents. It had a second edition in 1829. According to Marvin, the work's "notes and references show that the author had made no ordinary attainments in the science of special pleading." Story was Associate Justice of the U.S. Supreme Court, a professor at Harvard Law School and the most respected and prolific legal writer of his time.

Marvin, Legal Bibliography 668. Cohen, Bibliography of Early American Law 9274.



"Next to Pontius Pilate, Perhaps the Worst That Ever Occupied the Seat of Judgment"

24. [Taney, Roger Brooke (1777-1864)].

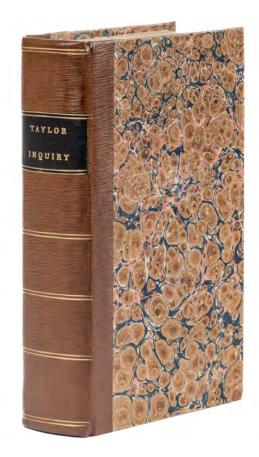
The Unjust Judge. A Memorial of Roger Brooke Taney, Late Chief Justice of the United States. New York: Baker & Godwin, Printers, 1865. 68 pp. Octavo (9" x 5-3/4").

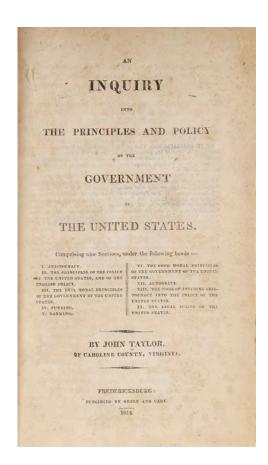
Stab-stitched pamphlet in printed wrappers. Light soiling to exterior, a few small chips and minor tears to wrappers, moderate toning to interior, very light foxing to a few leaves, fold lines to lower outside corners of first few leaves. Pamphlet housed in handsome custom 9-1/4" x 6" clamshell box, quarter morocco over marble, gilt-edged raised bands and lettering piece to spine. \$1,500.

* Only edition. Taney held many state and federal political and legal positions and became chief justice of the United States Supreme Court in 1836, a post he held until his death in 1864. He is best known as the author of the majority opinion in the notorious Dred Scott decision (1857), which ruled that a slave who had resided in a free state or territory was not entitled to his freedom and that African Americans were not and could never be citizens of the United States. It also invalidated the Missouri Compromise of 1820, which prohibited slavery west of Missouri and north of latitude 36° 30'

As this pamphlet makes clear, Taney was reviled by many of his contemporaries for the Dred Scott decision despite the respect he had previously accrued during his long career. The anonymous author reviews Taney's career in depth and points out that Taney had previously held antislavery views but proved "false to the liberal principles he had eulogized, and to a free Constitution he had sworn to support." The work also argues that slavery is incompatible with both divine law and the founding principles and documents of the United States.

It is scarce. OCLC locates 4 copies, 1 in a law library (University of Notre Dame). We located additional copies at Harvard Law School and University of Chicago.





"Deserves to Rank Among the Two or Three Really Historic Contributions to Political Science Which Have Been Produced in the United States"

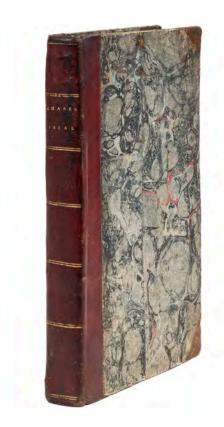
25. Taylor, John, Of Caroline [1753-1824].

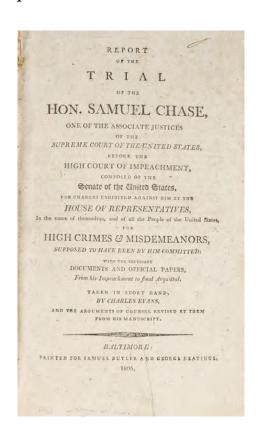
An Inquiry into the Principles and Policy of the Government of the United States. Comprising Nine Sections, Under the Following Heads: I. Aristocracy; II. The Principles of the Policy of the United States, And of the English policy; III. The Evil Moral Principles of the Government of the United States; IV. Funding; V. Banking; VI. The Good Moral Principles of the Government of the United States; VII. Authority; VIII. The Mode of Infusing Aristocracy into the Policy of the United States; IX. The Legal Policy of the United States. Fredericksburg, [VA]: Green and Cady, 1814. viii, 656, [1] pp. Octavo (8" x 5").

Recent period-style quarter morocco over marbled boards, gilt fillets and calf lettering piece to spine, endpapers renewed. Light browning to interior, unobtrusive light foxing and dampspotting in places. A handsome copy. \$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 American 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."

Dictionary of American Biography IX:331. Sabin, A Dictionary of Books Relating to America 94491. Cohen, Bibliography of Early American Law 5823.





The Only Impeachment of a U.S. Supreme Court Justice

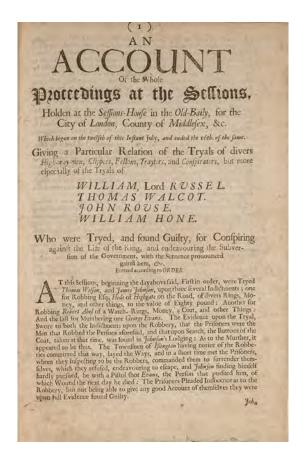
26. [Trial]. Chase, Samuel [1741-1811], Defendant. Evans, Charles, Reporter.

Report of the Trial of the Hon. Samuel Chase, One of the Associate Justices of the Supreme Court of the United States, Before the High Court of Impeachment, Composed of the Senate of the United States, For Charges Exhibited Against Him by the House of Representatives, In the Name of Themselves, And of All the People of the United States, For High Crimes and Misdemeanors Supposed to Have Been by Him Committed; With the Necessary Documents and Official Papers, From His Impeachment to Final Acquital. Baltimore: Printed for Samuel Butler and George Keatinge, 1805. [vi], [12], [3]-268, [2], 68 pp. Main text in double columns. Octavo (10" x 6").

Contemporary three-quarter calf over marbled boards, gilt fillets and title to spine. Binding slightly cocked, light rubbing to boards, moderate rubbing to extremities, corners lightly bumped and moderately worn, crack in text block between p.68 and following endleaf. Moderate toning to interior, light foxing and corner folds in places, faint dampstaining to endleaves, top-edge neatly removed from title page with no loss to text. \$500.

* Only edition (one of several accounts published in 1805). Chase was impeached for alleged misdemeanors in the trials of John Fries and James Thomson Callender for treason and seditious libel under the Alien and Sedition Acts. This was the only time a Supreme Court justice was impeached. "[Chase] is usually dismissed by most American historians as nothing but a rabid partisan. He was, as a study of Chase's opinions reveals, one of the most important political and legal theorists at work in the early republic, and there is still much that can be learned from his work... There is even a chance that future scholars will begin to accord Chase the recognition he deserves and raise the man...to his proper place in the judicial pantheon, one very possibly at the level of Marshall himself" (Hall).

Hall, Oxford Companion to the Supreme Court 138ff.



"Tryals of Divers High-way-men, Clippers, Fellons" and the Conspirators in the Rye House Plot

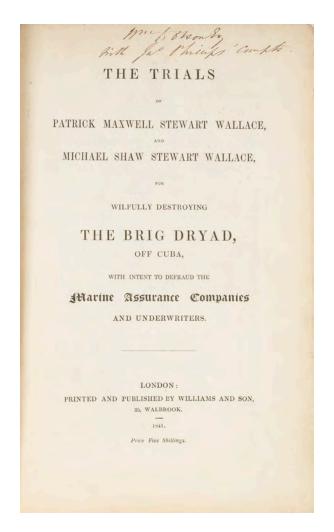
27. [Trials]. [Rye House Plot].

An Account of the Whole Proceedings at the Sessions, Holden at the Sessions-House in the Old-Baily, For the City of London, County of Middlesex, &c. Which Began on the Twelfth of this Instant July, And Ended the 16th. Of the Same. Giving a Particular Relation of the Tryals of Divers High-way-men, Clippers, Fellons, Traytors, And Conspirators, But More Especially of the Tryals of William, Lord Russel. Thomas Walcot. John Rouse. William Hone. Who Were Tryed, And Found Guilty, For Conspiring Against the Life of the King, And Endeavouring the Subversion of the Government, With the Sentence Prouonced [sic] Gainst Hem, &c. [Caption Title]. [London: Printed for Langley Curtiss, 1683]. 4 pp. Folio (10-3/4" x 7").

Bifolium bound in later quarter cloth over marbled boards, endleaves added. Fading to boards, light rubbing to extremities, a few tiny stains to spine, moderate toning and light foxing to interior, trimming to bottom-edge with loss to colophon. \$450.

* Only edition. This list of trials and sentences includes a brief account of the trial of conspirators in the "Rye House Plot" to kill Charles II and his brother, the Duke of York. The defendants were found guilty and summarily hanged, drawn and quartered. While most likely were guilty, Lord Russell's guilt was later called into question. He received a posthumous pardon and is remembered as a Whig martyr. Popular discontent at Charles II's use of the Rye House Plot to remove many of his political opponents ultimately led to the Glorious Revolution of 1688 and the reform of English treason law.

This item is scarce. OCLC locates 6 copies, 3 in North America, none in law libraries. English Short-Title Catalogue R006781.



Transportation for Life

28. [Trials].

Wallace, Patrick Maxwell Stewart, Defendant.

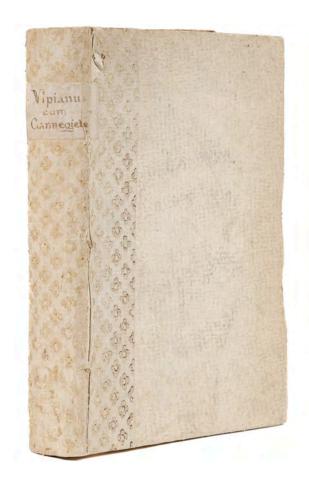
Wallace, Michael Shaw Stewart, Defendant.

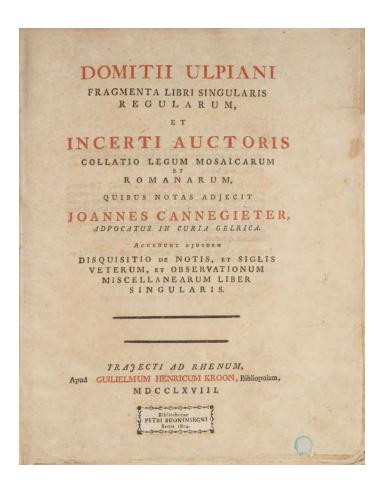
The Trials of Patrick Maxwell Stewart Wallace, And Michael Shaw Stewart Wallace, For Wilfully Destroying the Brig Dryad, Off Cuba, With Intent to Defraud the Marine Assurance Companies and Underwriters. London: Printed and Published by Williams and Son, 1841. viii, 294 pp. Octavo (8-3/4" x 5-1/4").

Publisher's blind-stamped textured cloth, blind fillets and gilt title to spine. Moderate rubbing, a few small stains to boards, some fading to extremities, chipping to spine ends, joints starting, corners bumped and worn, rear hinge starting, early owner signatures and later bookplate to front endleaves. Light toning to interior, negligible light foxing to a few leaves, early presentation inscription to head of title page. \$200.

* Only edition. The Wallace brothers were accused of leading a conspiracy to sink the ship *Dryad* en route from Liverpool to Cuba in an insurance fraud scheme. They were convicted and sentenced to transportation for life to Van Diemen's Land.

British Museum Catalogue (Compact Edition) 26:587.





Attractive 1768 Edition of Ulpian's Fragmenta

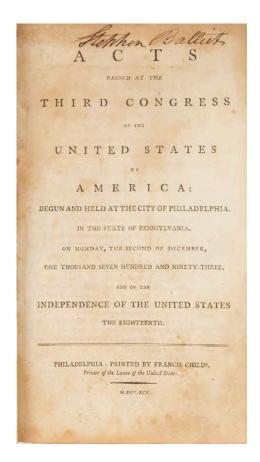
29. Ulpian [c.170-228]. Cannegieter, Johannes [1731-1804], Commentary.

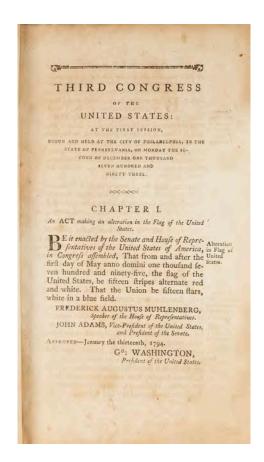
Fragmenta Libri Singularis Regularum, Et Incerti Auctoris Collatio Legum Mosaicarum et Romanarum, Quibus Notas Adjecit Joannes Cannegieter, Advocatus in Curia Gelrica. Accedunt Ejusdem Disquisitio de Notis, Et Siglis Veterum, Et Observationum Miscellanearum Liber Singularis. Utrecht: Apud Guilielmum Henricum Kroon, 1768. viii, 539 pp. Quarto (10-3/4" x 8-1/2").

Contemporary textured paper boards, block-printed spine with hand-lettered title label, edges untrimmed. Light rubbing and soiling to boards, moderate rubbing to extremities, light fading to spine, light wear to joints, lower outside corner of front pastedown folded. Moderate toning to interior, light browning to last half of text block, light foxing and small faint marginal stains in a few places, a few cracks to text block, all leaves secure, small later bookplate (of Pietro Buoninsegni, dated 1814) to foot of title page. An appealing, wide-margined copy. \$650.

* First edition with commentary by Cannegieter. An eminent Roman jurist and important legal authority, Ulpian is principally known as a primary contributor to Justinian's *Digest*; approximately a third of its contents are drawn from his works, which are characterized by their methodical arrangement and lucid style. Much of his work only survives in fragments, of which *Fragmenta*, first edited by Tilius in 1549, collects 29. Cannegieter was a professor of law in Groningen. A second and final edition was published in Leiden and Utrecht in 1774.

OCLC locates 6 copies of the 1768 edition in North America, 3 in law libraries (Columbia, Northwestern, University of Michigan). Dekkers, *Bibliotheca Belgica Juridica* 32.





A Consequential Congress

30. [Congress, United States].

Acts Passed at the Third Congress of the United States of America:

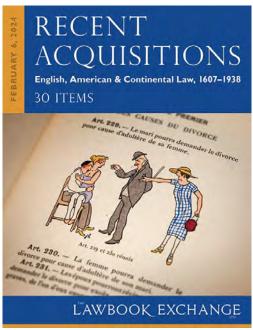
Begun and Held at the City of Philadelphia in the State of Pennsylvania, On Monday, The Second of December, One Thousand Seven Hundred and Ninety-Three, And of the Independence of the United States, The Eighteenth. [Spine Title: Laws of the U. States.] Philadelphia: Printed by Francis Childs, Printer of the Laws of the United States, 1795. Two parts, one for each session, with continuous pagination. 144; [145]-260, iii, [1], iv, [24] pp. Table of contents of first section mis-bound after p. 260. Octavo (8-1/4" x 4-3/4").

Contemporary sheep, blind fillets to boards, calf lettering piece and blind fillets to spine. Light rubbing and a few minor stains and creases to boards, which are partially detached, wear to joints, spine ends and corners. Moderate toning, a few cracks to text block, light foxing and dampstaining in places, early owner signature (Stephen Balliet) to head of title page. \$350.

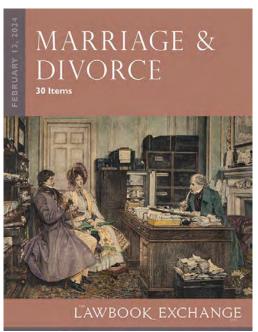
* With tables index and three treaties, all with Native American nations. Important acts passed by the Third Congress include the first Flag Act, which added two stars and two stripes for Vermont and Kentucky, the Slave Trade Act, the first federal law intended to restrict the trans-oceanic slave trade, the Naval Act, which extablished the U.S. Navy, and the Naturalization Act, which increased the period of residence from two to five years and established that children born abroad to parents from the United States are natural born citizens. Another important act was the ratification of the 11th Amendment, which protects states from lawsuits filed by citizens of other states or countries.

Evans, American Bibliography 29676.

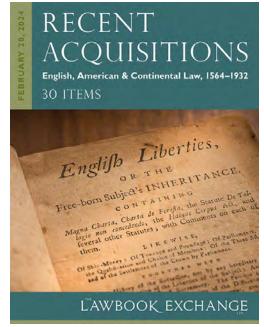
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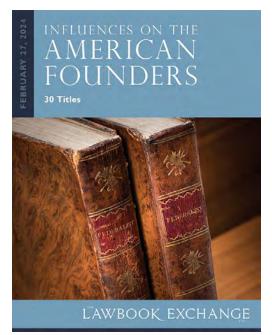
February 6, 2024



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