

MARCH 26, 2024

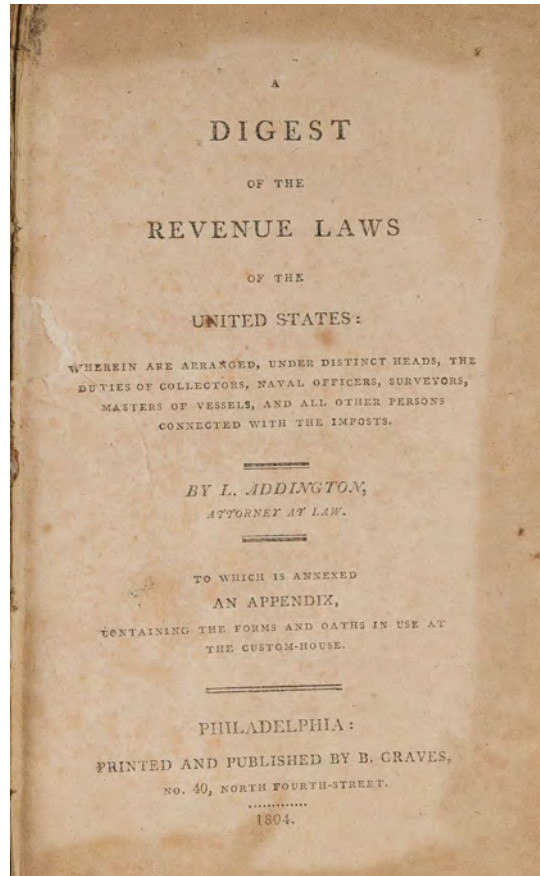
RECENT ACQUISITIONS

English, American & Continental Law, 1493–1982

30 ITEMS



THE
LAWBOOK EXCHANGE
LTD.



1804 Digest of United States Revenue Laws

1. Addington, L.

A Digest of the Revenue Laws of the United States: Wherein are Arranged, Under Distinct Heads, The Duties of Collectors, Naval Officers, Surveyors, Masters of Vessels, And All Other Persons Connected with the Imposts. To Which is Annexed an Appendix, Containing the Forms and Oaths in Use at the Custom-House. Philadelphia: Printed and Published by B. Graves, 1804. iv, [3]-262, xlv pp.

[Bound with]

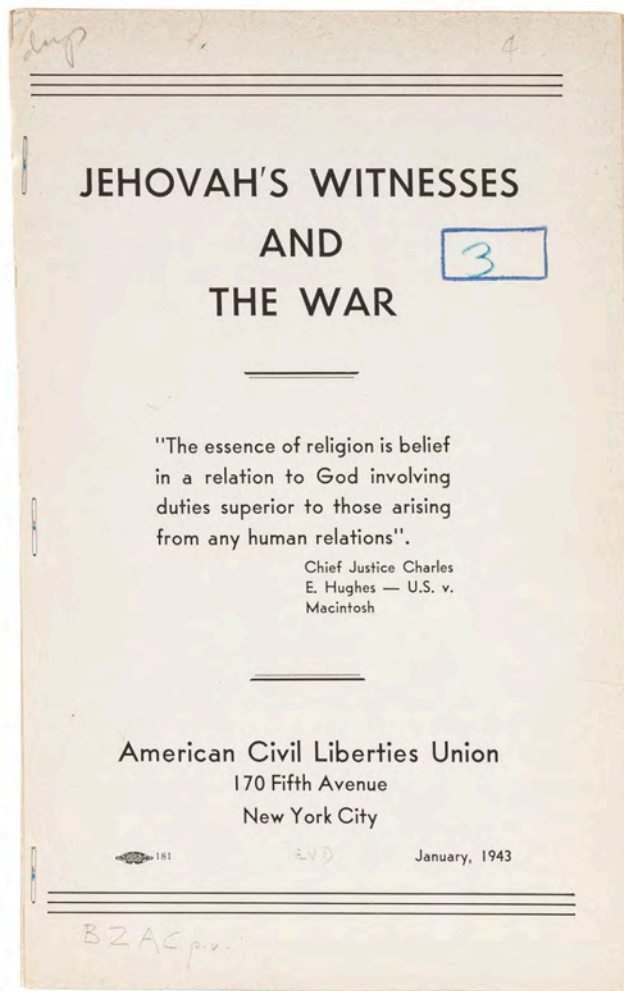
Supplement to the Digest of the Revenue Laws; Passed During the Second Session of the Eighth Congress, Ending March 3, 1805. Philadelphia: Printed and Published by B. Graves, 1805. 19, [1] pp.

Octavo (6-3/4" x 4-1/4"). Contemporary sheep, blind fillets and lettering piece to spine, blind tooling to board edges. Worn, moderate rubbing and scuffing to boards, which are separated but secured by cords, rubbing and wear to extremities, chipping to spine ends, early repairs to front joint, corners bumped and worn, struck-through/abraded owner signatures to front endleaves, front free endpaper and first signature of text block, which is cracked between pp. 14-15, loosening slightly but secure. Moderate toning to interior, occasional light foxing, lower outside corner of leaf F1 (pp. 63-64) lacking without loss to text. \$350.

* Only editions. A thorough account of excise and revenue laws in the early Federal era with tables and an appendix of forms that gives a glimpse into the enforcement of the law by customs officers. Separately published, the *Supplement* is often bound with copies of the *Digest*.

Cohen, *Bibliography of Early American Law* 10450, 10451.

[Order This Item](#)



Against the Persecution of Jehovah's Witnesses

2. American Civil Liberties Union.

Jehovah's Witnesses and the War. New York: American Civil Liberties Union, 1943. 36 pp.

Stapled pamphlet in self-wrappers. Moderate toning, pencil annotations (shelfmarks) to first leaf, which has a small clean tear to its fore-edge not affecting text, ink stamps to front wrapper and final page, internally clean. Item housed in custom 9-1/4" x 5-3/4" cloth folder. \$350.

* Only edition. This pamphlet, an "extraordinary record of attacks upon the liberty of a religious organization," was produced by the American Civil Liberties Union and prominent supporters in order to bring attention to the persecution of Jehovah's Witnesses, who were conscientious objectors to American participation in World War II. It encourages "vigorous action" in order to "maintain those liberties of speech, press and conscience so essential to us all in a democracy."

OCLC locates 2 copies of this title in law libraries (Library of Congress, Harvard).

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The Construction of "A Jewish Commonwealth" in Palestine

3. American Zion Commonwealth.

The American Zion Commonwealth (Inc.) Affiliated with the Zionist Organization of America. [New York: American Zion Commonwealth?], 1920. 15 pp.

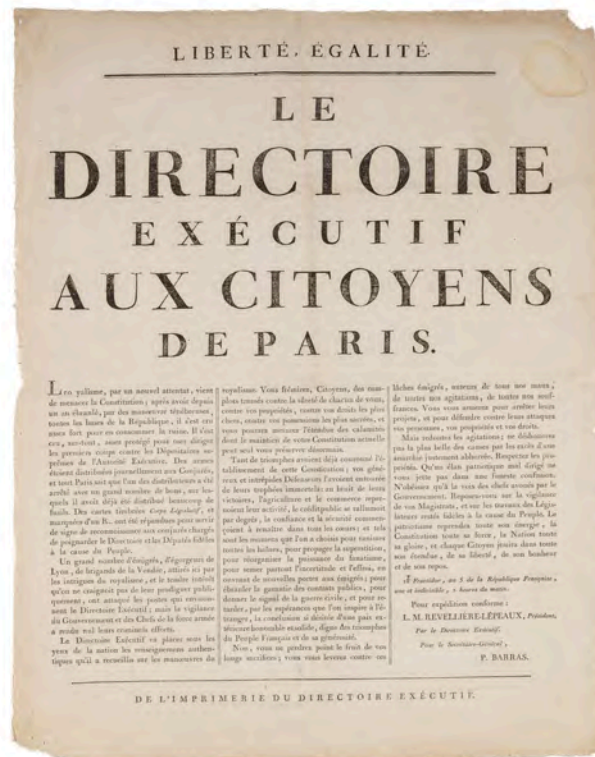
Pamphlet in printed wrappers, formerly stapled and recently resewn. Light toning, soiling and a few small chips to wrappers, rear wrapper, which has two small stains, adhered to final leaf with cellotape, faint fold lines to corners, internally clean. Item housed in 9-1/4" x 4" three-quarter calf folder with gilt title to spine. Rare. \$650.

* Only English edition, published in Yiddish the same year. The American Zion Commonwealth was established in 1914 by American Zionists for the purpose of purchasing land in Palestine for Jewish settlements. Suspended during World War I, it became active after the Balfour Declaration and the Mandate for Palestine and established several large and well-known settlements still populated today.

Probably produced for fundraising purposes, this pamphlet describes the group's mission and business model as not only a business enterprise, but a social and political project: "It is our firm purpose to enlist in our ranks all those who see in Zionism not only a political project but a social ideal." Notably, it compares the Commonwealth to the British East India Company and holds up the latter's blend of political power and business acumen as a blueprint for the Commonwealth, though it disavows "the longing to live on luxuries secured by the toil of conquered subjects." The pamphlet also includes the group's articles of agreement with the Zionist Organization of America and an excerpt from "Justice Brandeis in Palestine."

This is a rare item. OCLC locates 1 copy worldwide (National Library of Israel).

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A Turning Point of the French Revolution

4. [Broadside].
[French Revolution].
[Coup of 18 Fructador].

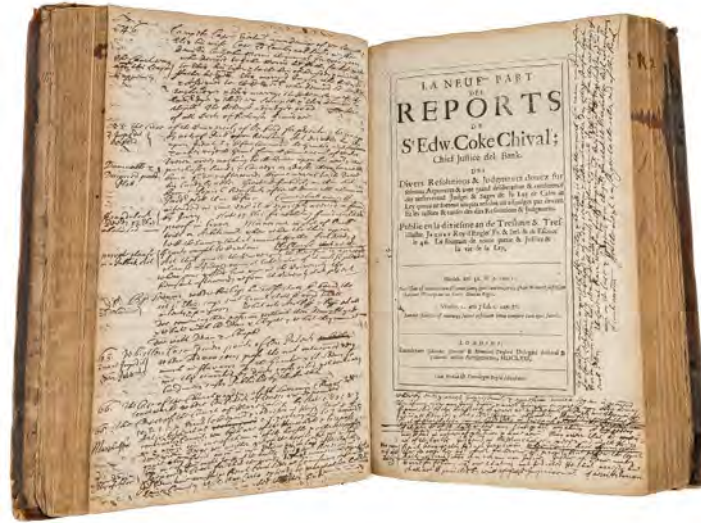
Liberté, Égalité. Le Directoire Exécutif aux Citoyens de Paris. [Paris]: De L'Imprimerie du Directoire Exécutif, [1797].

21-1/2" x 16-1/2" broadside, untrimmed edges. Light toning, vertical and horizontal fold lines, a few creases to lower-right corner, small faint dampstain at head, upper-right corner lacking with no loss to text. A well-preserved item. \$1,500.

* Signed in type by Paul Barras and Louis Marie de La Révellière-Lépeaux, this broadside announces the Coup d'etat of 18 Fructador (September 4, 1797), a turning point of the French Revolution. Initiated by three members of the Directory, Barras, Révellière-Lépeaux and Jean-François Rewbell, this coup was motivated by a fear that recently elected legislative majorities would attempt to restore the monarchy. As Cobban notes, the "legislative bodies were purged, the elections of forty-nine departments quashed, all opposition journals suppressed, and seventeen of the more prominent enemies of [Barras, Rewbell and Révellière-Lépeaux] dispatched to the 'dry guillotine,' French Guiana, where eight of them rapidly died. A few hundred priests were also sent to Guiana, and a similar number of other opponents of the régime were tried by military courts and shot. For a short period it was a new Terror, but one inspired not by republican ardour but by political calculation. The Republic had been saved and even the appearance of liberty lost. With the aid of the army the politicians of the Directory still held precariously to their power and kept the centre of the stage, but the tramp of marching men increasingly drowned their voices, and from the wings the figure of Bonaparte cast a deepening shadow."

This appears to be an unrecorded imprint. No copies located on OCLC or BNF. Cobban, *A History of Modern France* I:254.

[Order This Item](#)



**1671-1672 Printings of Parts 7-11 of
Coke's *Reports* with Contemporary Annotations**

5. Coke, Sir Edward [1552-1634].

[*Les Reports de Edward Coke*]. Parts 7-11 (of 11). [London: John Streater and Henry Twyford, Parts 7, 9, 11; Elizabeth Flesher, Parts 8 and 10]. Various paginations.

[And]

Un General Table, A Touts les Several Livres de les Reports de le Tres-Reverend Judge, Sir Edward Coke, Chevalier, Jades Chiefe Justice de Bank le Roy, Per Quelle, Touts les Cases & Matters in Yeux Conteynus, Puisse Facilement Estre Troves. Ouesque deux Catalogues Alphabetical; Lun de les Principal Cases, Lauter de Touts les General Titles Naturellement Surdant Hors del Matter des Dits Reports. London: Printed by John Streater, Eliz. Flsher, And Henry Twyford, 1672. [170] pp. Main text followed by 2 pp. printer catalogue.

Folio (13-3/4" X 8-1/2"). Contemporary paneled reverse calf, raised bands and blind ornaments to spine, "CR2" in early hand to fore-edge of text block. Moderate rubbing and a few scuffs and stains to boards, which are partially detached but secure, heavier rubbing to extremities with notable wear to spine ends and corners. Light toning to interior, light soiling and offsetting to preliminaries and final few leaves, chips, tears and corner folds in places, inkstains and spark burns to a few leaves, endleaves and margins of several other leaves throughout volume filled with annotations in a contemporary hand. \$2,500.

* Later editions. A work of immense authority for generations, Coke's *Reports* are not reports in the conventional sense; they are highly detailed anthologies of precedents organized by topic. Taken together, the *Reports* form the most extensive and detailed treatment of common law pleading that had yet appeared. The first editions, all in Law-French, were first published in 1600, 1602, 1602, 1604, 1605, 1607, 1608, 1611, 1613, 1614, 1615. After Coke's death editors compiled a "General Table" to Parts 1-11, which was first published in 1652, and two more parts, which were first published in 1656 and 1659. (The first edition in English, which did not include pleadings, was published in 1658.)

The thoughtful annotations throughout this volume, all in English, are probably the work of a law student. Those filling the endleaves and other large blank spaces in the text are summaries of selected cases. All are about a paragraph in length. Annotations to the text, sometimes accompanied by underlining, are glosses or summaries of important points.

English Short-Title Catalogue R233370, R213559.

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Orders for Connecticut Sheriffs, 1749 and 1755

6. [Connecticut].

To the Sheriff of the County of [New London] Or his Deputy, Or Either of the Constables of the Town of [Norwich] within Said County, Greeting. Norwich, CT, August 15, 1749. 1 pp. 6-3/4" x 6-3/4".

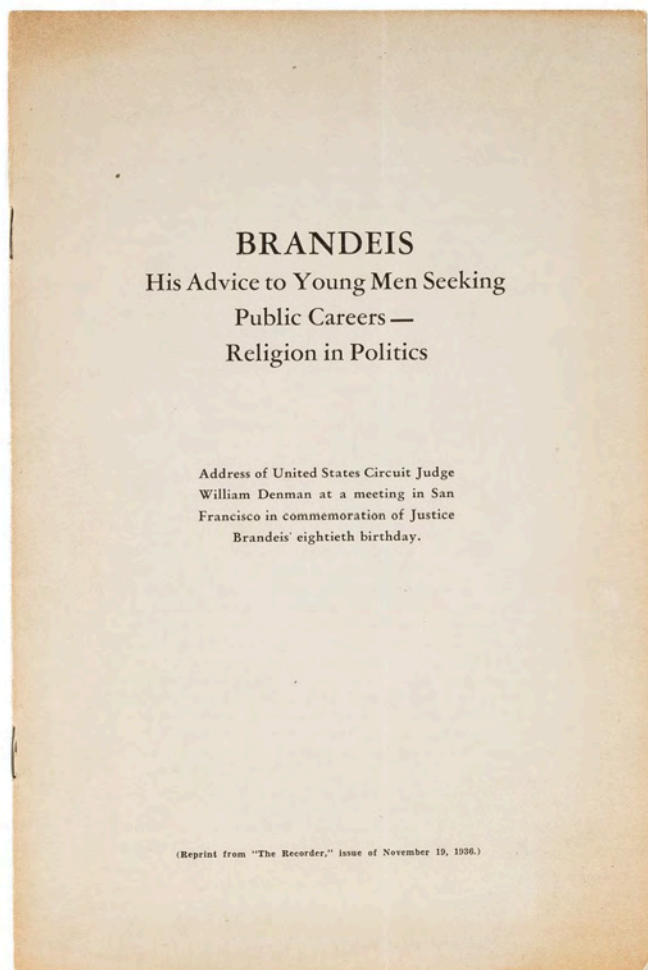
[With]

To the Sheriff of the County of [New London] Or his Deputy, Or Either of the Constables of the Town of [Stoneington] within Said County, Greeting. Norwich, CT, April 22, 1755. 1 pp. 5" x 6-1/4".

Single-sheet part-printed documents completed in manuscript, dockets to versos. Moderate toning, horizontal fold lines, very light edgewear, light foxing to 1749 document, cancel slip adhered to foot of 1755 document. \$250.

* Signed by justices of the peace Isaac Huntington and Ebenezer Backus, respectively, these documents order local sheriffs to enforce the payment of costs incurred in lawsuits. The 1749 document also explicitly empowers the sheriff to imprison a recalcitrant debtor for non-payment.

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Memories of Brandeis

7. Denman, William [1872-1959].

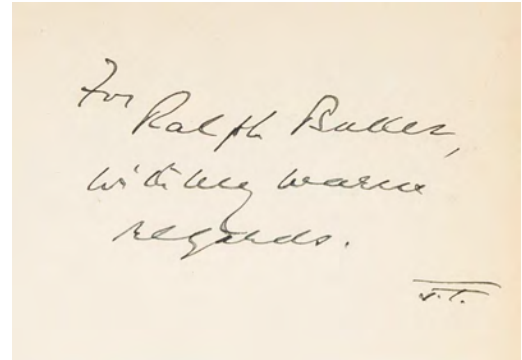
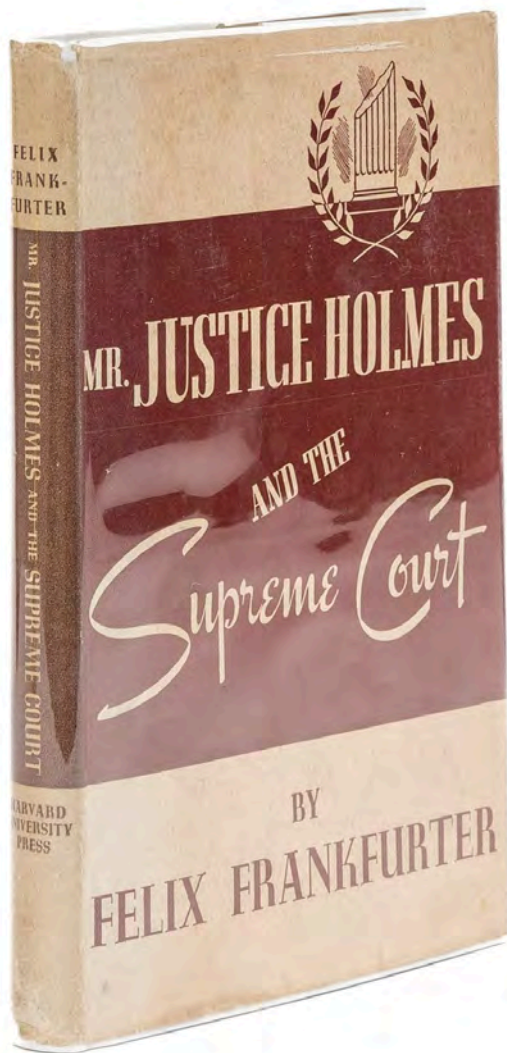
Brandeis: His Advice to Young Men Seeking Public Careers-Religion in Politics. Address of United States Circuit Judge William Denman at a Meeting in San Francisco in Commemoration of Justice Brandeis' Eightieth Birthday. Reprint from "The Recorder," issue of November 19, 1936. [San Francisco: The Recorder, 1936]? 8 pp.

Stapled pamphlet in self-wrappers. Light toning, vertical fold line, small marginal pencil mark to p. 7. Item housed in 9-1/2" x 6-1/2" cloth folder. Rare. \$250.

* Denman served as a judge on the Ninth Circuit Court of Appeals from 1935 until his death (assuming senior status in 1957). He supported Brandeis's nomination to the Supreme Court and worked with him on the cases that defended the constitutionality of California's Eight Hour Law for Women. In this address, he looks back on fond memories of Brandeis and attempts to paint a picture of his personality.

It is rare. No copies located on OCLC.

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Warmly Inscribed by Frankfurter to Ralph Baker

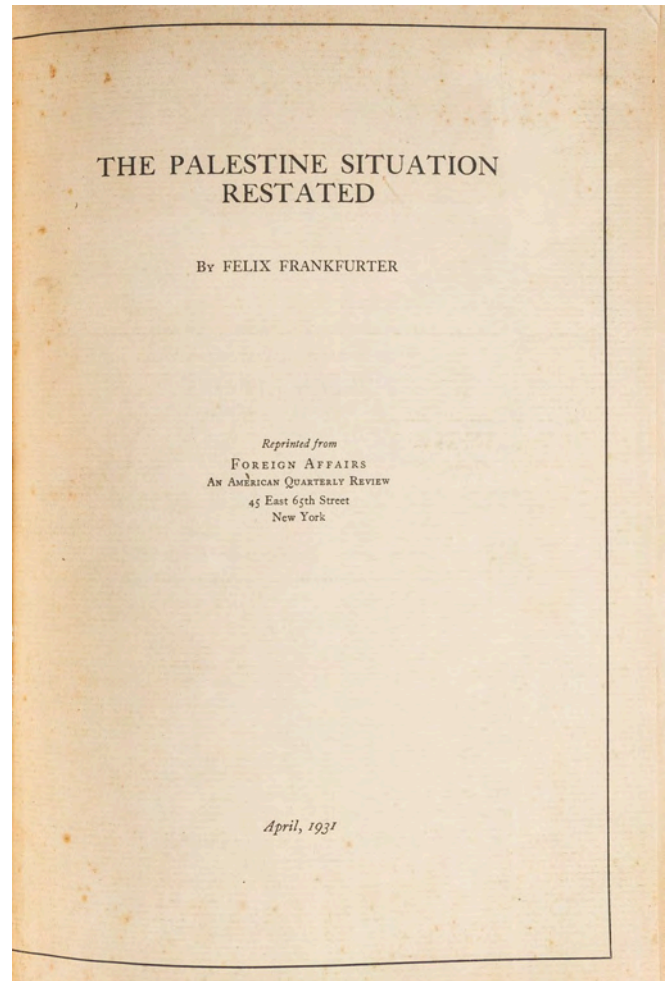
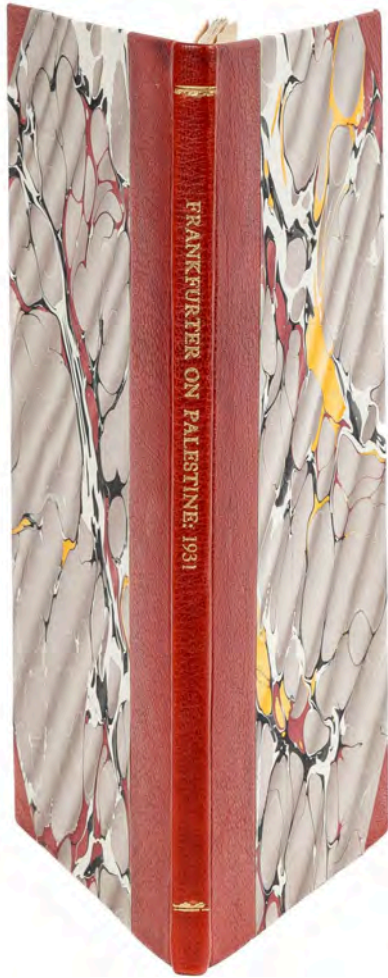
8. Frankfurter, Felix [1882-1965], Editor.

Mr. Justice Holmes and the Supreme Court. Cambridge, MA: Harvard University Press, 1938. [viii], 139 pp. Portrait frontispiece of Holmes.

Original cloth, blind frames to boards, gilt title to spine, in lightly worn dust jacket. Light rubbing to extremities, light wear to spine ends, moderate toning, internally clean. Presentation inscription from Frankfurter to Ralph Baker to front free endpaper. \$650.

* First edition. The inscription reads: "For Ralph Baker, with his warm regards. F.F." *Mr. Justice Holmes* is Frankfurter's finest statements of his admiration for Holmes. This and other books did much to establish Holmes's posthumous reputation. Ralph Baker [1888-1966] was a law professor at Harvard from 1932 to 1958. He specialized in trust and corporation law.

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Frankfurter on "The Palestine Situation"

9. Frankfurter, Felix [1882-1965].

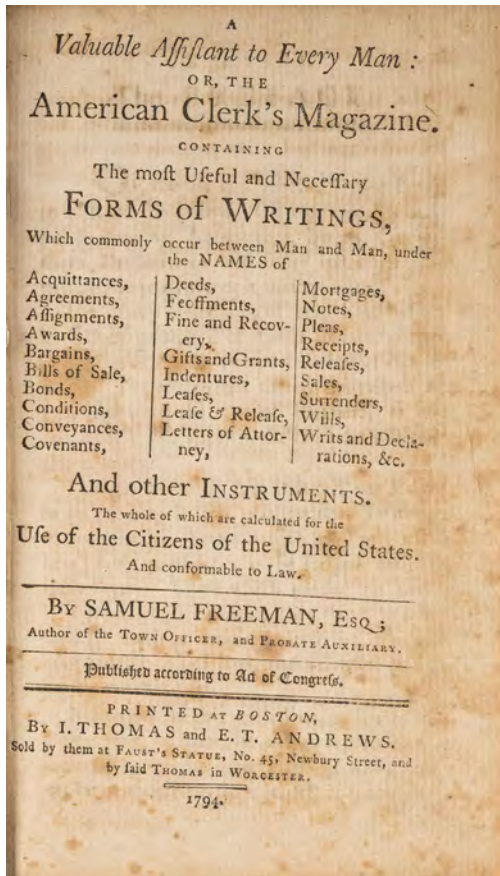
The Palestine Situation Restated. Reprinted from *Foreign Affairs*, April 1931. New York: The Council on Foreign Relations, Inc., 1931. 28 pp.

Pamphlet in self-wrappers bound in three-quarter morocco over marbled boards, gilt fillets and title to spine, endpapers added. Light toning, light foxing to first and final leaves, upper outside corner of front wrapper lacking without loss to text. A handsome copy. \$250.

* Reprinted from *Foreign Affairs*, Volume 9, Number 3 (April 1931), pp. 409-434. Like his friend and colleague Louis Brandeis, Frankfurter was a prominent and enthusiastic Zionist. In this article, he praises the progress of the Jewish settlement of Palestine: "There Jews are living and laboring with a joy and ardor felt by Jews probably in no other land. The Arab masses thrive better than in any of the Arab countries surrounding Palestine. And despite the stimulation of religious fanaticism and the blatancy of the doctrinaire, Jew and Arab are collaborating in the thousand intimacies of their common life as builders of a new country." He also discusses the Palestine Mandate and the Balfour Declaration at length.

OCLC locates 7 copies of this reprint, 4 in North America (American Jewish Historical Society, Harvard Law School, Johns Hopkins, Hebrew Union College.

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First Edition, Printed by Isaiah Thomas

10. Freeman, Samuel [1743-1831].

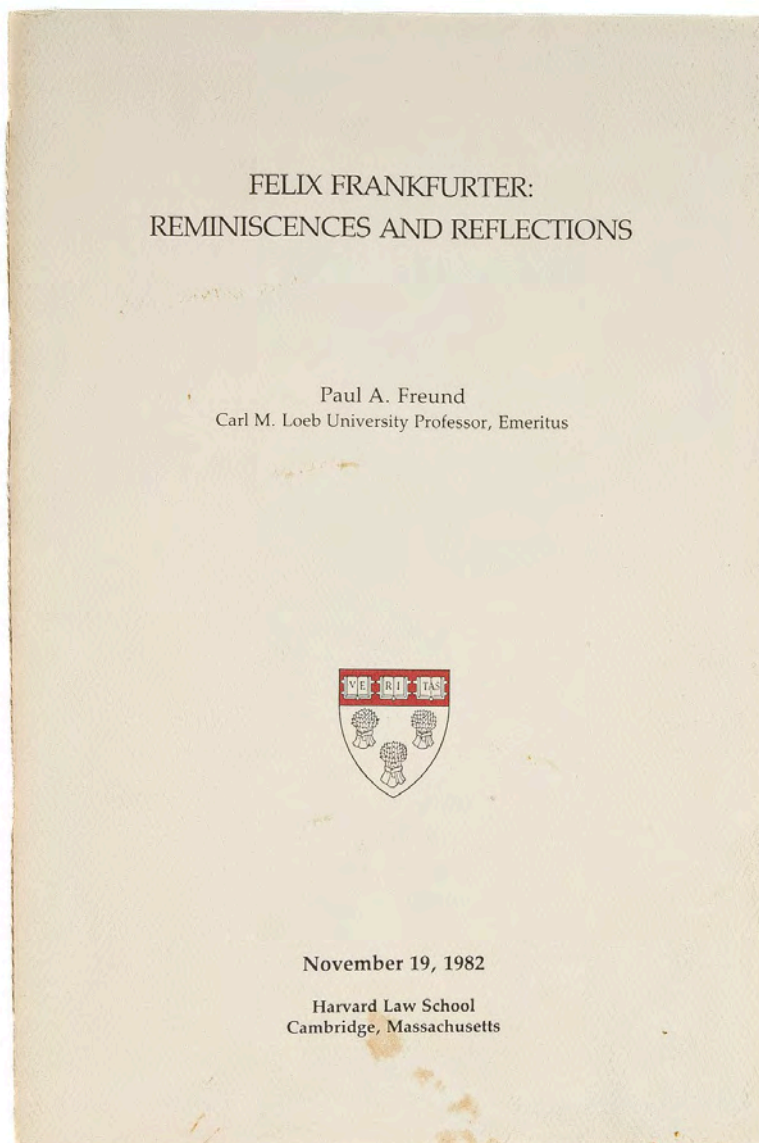
A Valuable Assistant to Every Man: Or, The American Clerk's Magazine. Containing the Most Useful and Necessary Forms of Writings, Which Commonly Occur Between Man and Man, Under the Names of Acquittances, Agreements, Assignments, Awards, Bargains, Bills, Bonds, Complaints, Conveyances, Covenants, Deeds, Feoffments, Fine and Recovery, Gifts, And Grants, Indentures, Leases, Lease and Release, Letters of Attorney, Mortgages, Notes, Pleas, Petitions, Receipts, Releases, Sales, Surrenders, Wills, Writs and Declarations, &c. And Other Instruments. The Whole of Which are Calculated for the Use of the Citizens of the United States. And Conformable to Law. Published According to Act of Congress. Boston: Printed by I. Thomas and E.T. Andrews, 1794. v, [66]-223 pp. 12mo. (6-3/4" x 4").

Contemporary sheep, blind fillets to boards, blind fillets and calf lettering piece to spine. Moderate rubbing to boards, front board partially detached, wear to spine ends and corners, which are bumped, later armorial bookplate (of the Daggett family) to front pastedown. Moderate toning and light foxing to interior, owner inscription of Ebenezer Daggett of Attleboro, MA dated 1794 to front free endpaper. \$125.

* Third edition. Freeman was clerk of courts, a register of probate and a probate judge in Massachusetts. The seventh and final edition of his *Valuable Assistant* was published in 1814. Thomas [1749-1831], an important early Massachusetts printer, newspaper publisher and author, was also the founder of the American Antiquarian Society. Ebenezer Daggett is almost certainly a relative of David Daggett [1764-1851], one of the founders of Yale Law School.

Cohen, *Bibliography of Early American Law* 8011.

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A Tribute to Frankfurter

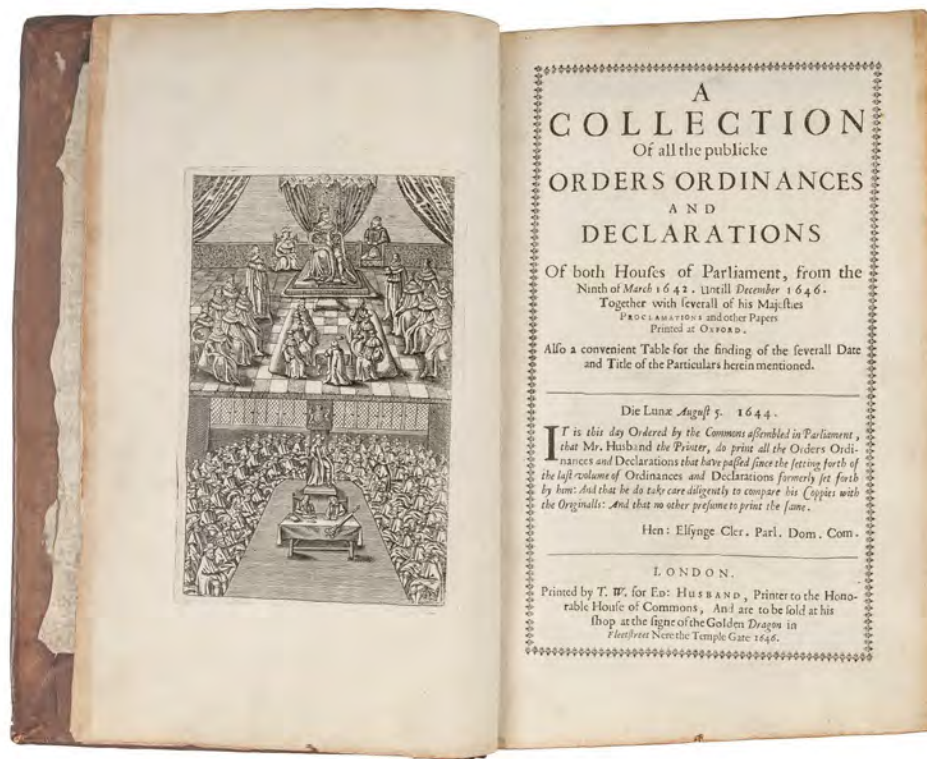
11. Freund, Paul A. [1908-1992].

Felix Frankfurter: Reminiscences and Reflections. [Cambridge: Harvard Law School, 1982]. 13 pp.

Stitched pamphlet in stiff printed wrappers. Light toning, small stain to front wrapper, cancel slip tipped onto title page. Item housed in handsome three-quarter calf over plain paper folding case (9-1/4" x 6"), gilt title to spine. \$150.

* This "informal, appreciative and immensely enjoyable" address was the "centerpiece" of Harvard Law School's centennial celebration to mark the anniversary of the birth of Felix Frankfurter. Freund was a clerk for Justice Brandeis from 1932-1933, a civil servant and a legal scholar who taught at Harvard for the majority of his career.

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Ordinances and Orders from the First English Civil War

12. [Great Britain].

[Parliament].

A Collection of All the Publicke Orders Ordinances and Declarations of Both Houses of Parliament, From the Ninth of March 1642. Untill December 1646. Together with Severall of his Majesties Proclamations and Other Papers Printed at Oxford. Also a Convenient Table for the Finding of the Severall Date and Title of the Particulars Herein Mentioned. London: Printed by T.W. for Ed: Husband, Printer to the Honorable House of Commons, 1646. [18], 5-943 [i.e. 951], [1], 24 pp. Pagination irregular, text complete. Engraved frontispiece depicting Parliament. Folio (11-1/4" x 7").

Contemporary speckled calf, new morocco spine label, blind rules to boards, raised bands, blind fillets and lettering piece to spine, gilt rules to board edges, edges of text block rouged. A few shallow scuffs and faint stains to boards, which are slightly bowed, light rubbing to extremities, chipping to head of spine, corners bumped and lightly worn, pastedowns loose, hinges cracked, later armorial bookplate (of John Fairfax Crowder) to inner front board, later owner signature (Mathison?) and recent bookplate (of Dr. and Mrs. H.R. Knohl) to front pastedown, small tear to front free endpaper. Light toning to interior, light soiling in a few places, faint dampstaining to last several leaves, later binder's notes tipped onto first leaf of table, marginal markings and brief later annotations in pencil to a few leaves. A very good copy. \$2,000.

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

English Short-Title Catalogue R007926.

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1493 Koberger Imprint in a Contemporary English Binding

13. [Gregory IX, Pope (c.1170-1241)].
 [Bottoni, Bernardo (d.1266), Glosses].
 [Clarius, Hieronymus, Additions].

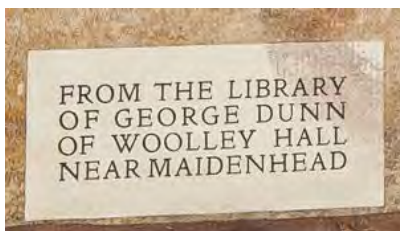
[*Decretales cum Summariis*]. [Nuremberg: Anton Koberger, 10 March 1493]. [iv], [2]-381 [i.e. 384] ff. Collation: [*4], a2-z8, A-Z8, AA6, BB7. First four leaves are an index. Lacking first leaf of main text, a title page, and final leaf, "De Regulis Iuris." Folio (13-1/2" x 9-1/2"; 34.30 x 24.15 cm).

Contemporary calf over beveled wooden boards with later rebacking, blind frames and an elaborate pattern of blind ornaments and rules in a diced pattern to boards, raised bands and lettering piece to spine, one buckle from clasp to rear board, hinges reinforced, rear pastedown from early vellum manuscript leaf. Moderate rubbing, a few scratches and scuffs to boards, corners worn, rear hinge cracked, armorial bookplate of Sir John Cope and bookplate of George Dunn to front pastedown, nineteenth or early twentieth-century sale record tipped-in to front free endpaper, pencil annotations in Dunn's hand to endleaves. Double-column text in red and black gothic type, 72/73-line linear gloss surrounding main text. Moderate toning to interior, light soiling and discoloration to outer edges of margins in places, first eleven and final eleven leaves carefully re-margined with no loss to text, burn holes to the centers of 11 leaves (L1-M3) repaired, missing text replaced in neat manuscript, later manuscript title page before fol. [i], brief early annotations in a near-contemporary court hand to a few leaves. An interesting copy with a notable binding and associations. \$8,500.

* The *Decretals* of Gregory IX is the first authentic general collection of papal decrees and constitutions. Compiled by Raymond of Penaforte at the request of Pope Gregory IX in 1230-1234 and promulgated in 1234, it is one of the collections known collectively as the *Corpus Juris Canonici*. Our copy includes its most important commentary, the so-called *Glossa Ordinaria* of Bernard of Botone (*Bernardus Parmensis*), which was written around 1263.

Our copy had two notable owners. Cope [1673-1749], 6th Baronet, sat in the House of Commons (as a Whig) for 36 years and was a director of the Bank of England from 1706 to 1721. Dunn [1865-1912] was a notable bibliophile who owned a distinguished collection of early books in contemporary bindings. One of his notes indicates that he purchased the book in 1902. (The book was sold in the third Dunn sale, at Sotheby's London in November 1917.) It is easy to see why it attracted him. It has a handsome early English book binding with distinctive tooling to the board edges featuring an oblong image of a hound pursuing a boar. This tool is not found in Oldham's list of tools on English bindings and does not appear to be recorded elsewhere. Dunn notes: "the 'Pig & Dog' tool especially good." Dunn also identified dates of 1491 and 1492 in the manuscript leaf, which contains descriptions of remedies for colic and stone and refers to Hanwell, a small village in Oxfordshire.

The *ISTC* locates 7 copies of this imprint in North America (Bryn Mawr, Harvard Law School, Huntington Library, Library of Congress, Newberry Library, UC-Berkeley Law School, Yale). OCLC adds 1 more (UT-Austin). See Oldham, *English Blind-Stamped Bindings* Plate 26. *Incunabula Short-Title Catalogue* ig00470000.



[Order This Item](#)



First Edition of the First Complete English Translation, With the Pictorial Title Page

14. Grotius, Hugo [1535-1645].

Evats, William [c.1606-1677], Translator.

The Most Excellent Hugo Grotius His Three Books Treating of the Rights of War & Peace. In the First is Handled, Whether any War be Just. In the Second is Shewed, The Causes of War, Both just and Unjust [sic]. In the Third is Declared, What in War is Lawful; That is, Unpunishable. With the Annotations Digested Into the Body of Every Chapter. Translated into English by William Evats, B.D. London: Printed by M[argaret] W[hite] for Thomas Basset, 1682. [vi], xxi, [5], 220, 361-572, [32] pp. Pagination irregular. Text complete, epistle to the reader bound after preface. With copperplate pictorial added title page. Title page printed in red and black. Folio (12-1/2" x 7-3/4").

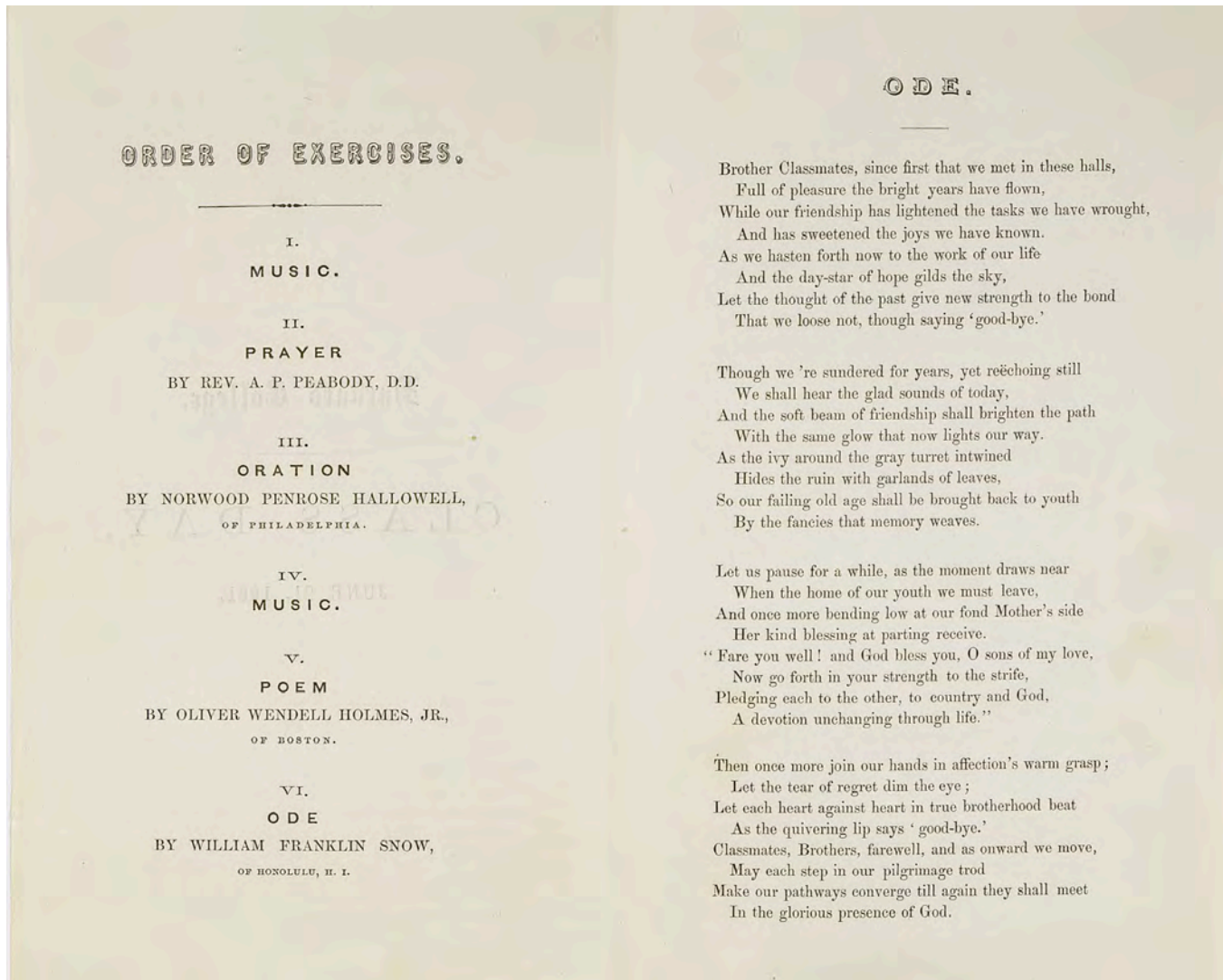
Contemporary paneled calf, rebacked, blind rules and corner fleurons to boards, raised bands, blind fillets, lettering piece and gilt date to spine, gilt tooling to board edges, edges of text block rouged, hinges reinforced. Light rubbing and some scuffs, scratches and small stains to boards, rubbing and light wear to board edges, corners bumped and worn, front joint cracked, hinges starting, later and recent bookplates (of William Priestly, The Halifax Literary and Philosophical Society, Craig Burns and Dr. and Mrs. H.R. Knohl) to front pastedown and free endpaper, front endleaves detached. Light toning to interior, occasional very faint dampstaining to lower outer corner not affecting text, light soiling to title page, light soiling to margins in a few places, small fox-spots to a few leaves. \$3,500.

* First edition of the first complete translation in English. First published in Paris in 1625, *The Rights of War and Peace* established the system of modern public international law, based on the concept of "*droit naturel*," a morality-based law that superseded the personalities of individuals or nations. Grotius describes the situations in which war is a valid tool of law enforcement and outlines the principles of armed combat. Though based on Christian natural law, Grotius advanced the novel argument that his system would still be valid if it lacked a divine basis. In this regard he pointed to the future by moving international law in a secular direction.

The first English edition, an abridged translation by Clement Barksdale, was published in London in 1654. It was reissued twice in 1655. This translation by Evats, which includes original notes, followed in 1682. These early English translations, both by Oxford-based theologians, mark an important phase in the reception history of this book. These projects were undertaken due to the author's reputation as a leading Protestant scholar and a faith-motivated desire to reduce international conflict.

English Short-Title Catalogue R8527. Ter Meulen and Diermanse, *Bibliographie de Grotius* 630.

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Program for Oliver Wendell Holmes, Jr.'s Harvard Commencement

15. [Harvard College].

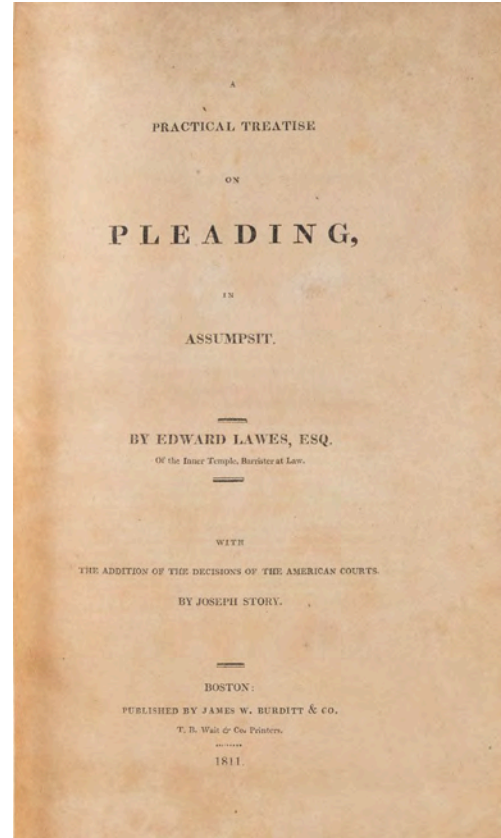
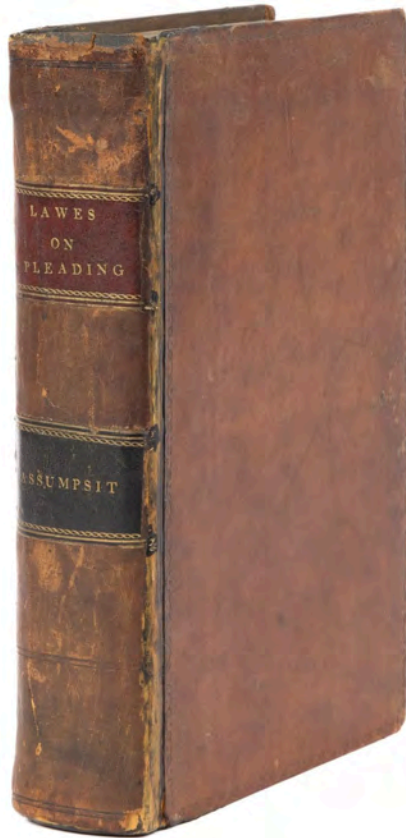
Harvard College. Class Day, June 21, 1861. 3, [1] pp. Octavo (7-1/2" x 4-3/4").

Bifolium leaflet, very light toning, a few negligible small stains. Housed in handsome 8" x 5" folder, three-quarter calf over paper, gilt title to spine. \$350.

* This program for Harvard College's 1861 Class Day lists music, a prayer, an oration by Norwood Penrose Hallowell, a poem by future Supreme Court justice Oliver Wendell Holmes, Jr., and an ode by William Franklin Snow reproduced opposite the order of exercises.

OCLC locates 2 copies (American Antiquarian Society, Brown University).

<https://www.lawbookexchange.com/details.php?record=79401>



With Decisions by Joseph Story

16. Lawes, Edward [d.1849].

[Story, Joseph (1779-1845)].

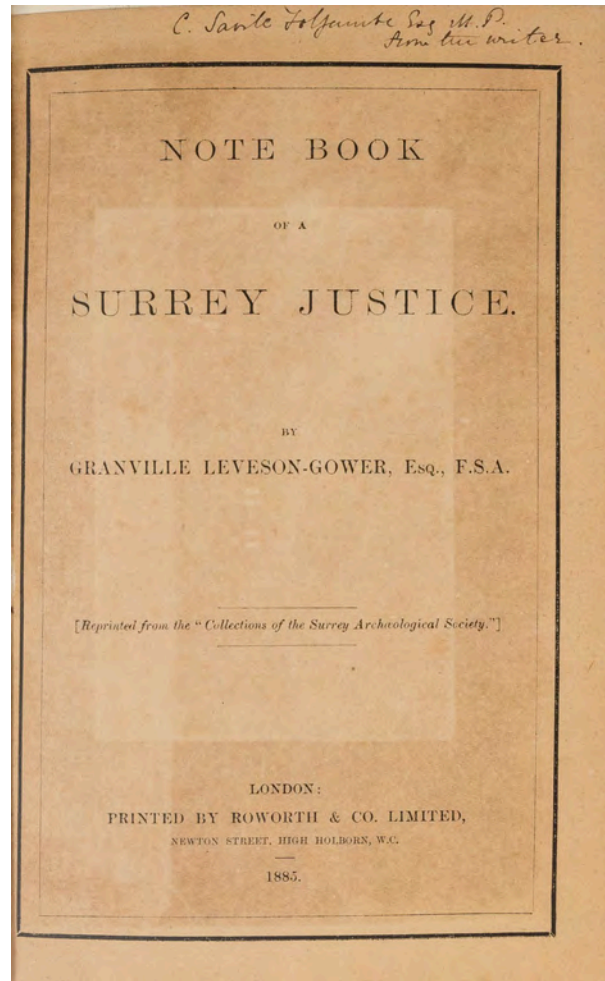
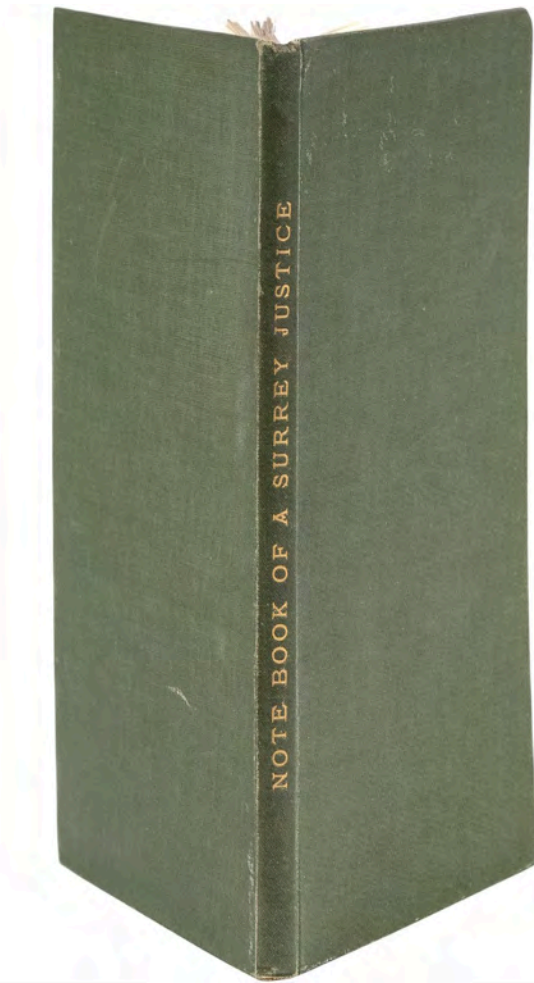
A Practical Treatise on Pleading, In Assumpsit. With the Addition of the Decisions of the American Courts. By Joseph Story. Boston: Published by James W. Burditt & Co., 1811. viii, [12]-621, [30] pp. With a one-page publisher advertisement. Octavo (8-1/2" x 5-1/2").

Contemporary sheep, rebaked retaining existing spine with blind rules and lettering pieces, blind fillets to boards, blind tooling to board edges, hinges repaired. Light rubbing and a few minor nicks, scratches and scuffs, moderate rubbing to board edges, corners bumped and lightly worn. Moderate toning to interior, light browning and light foxing in places, later bookseller stamp to front pastedown, early owner signature (William Thomas Carroll) to front free endpaper. A nice copy. \$750.

* Second and final American edition, based on the London edition of 1810, to which it is star-paged. Lawes was one of the first English jurists to cite Story. "In publishing...the present edition, it has been deemed advisable to select such American authorities as illustrated, confirmed or impugned the doctrines of the text. To this object the notes are exclusively confined; and in no instance do they intrude upon the reader the opinions of the Editor [Story]. They have been prepared during the pressure of professional engagements, and within a *prescribed* limitation of time; but it is believed that few cases of general importance have escaped examination, and none will be found cited with substantial inaccuracy" [ix].

Cohen, *Bibliography of Early American Law* 9246.

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A Transcription of a Seventeenth-Century JP's Notebook

17. Leveson-Gower, Granville [1838-1895].

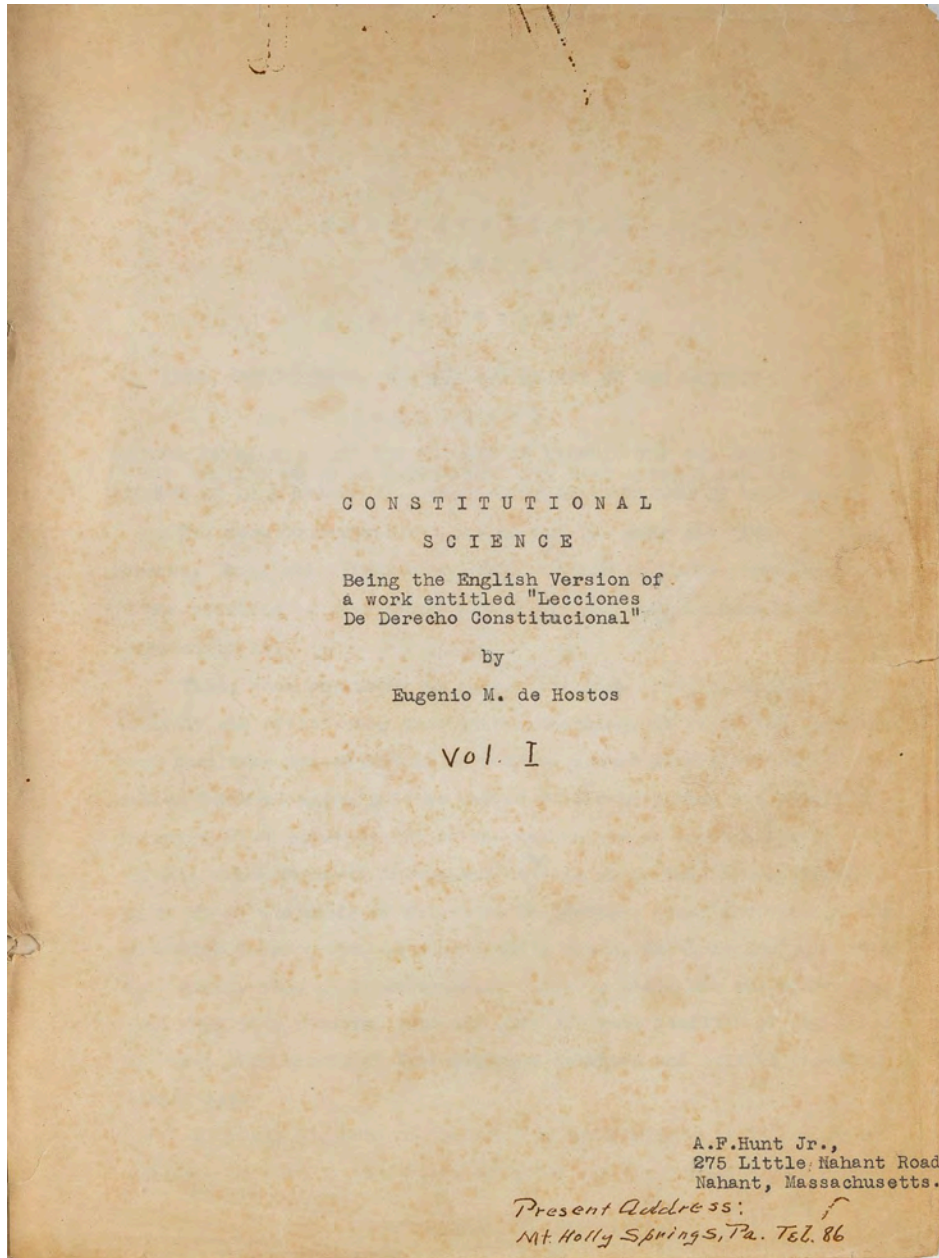
Note Book of a Surrey Justice. Reprinted from the "Collections of the Surrey Archaeological Society." London: Printed by Rowroth & Co. Limited, 1885. 72 pp. Octavo (8-1/2" x 5-1/2").

Pamphlet in printed wrappers (rear wrapper lacking) bound in contemporary cloth with gilt title to spine. Light rubbing, spine ends and corners lightly bumped, armorial bookplate (of Cecil Foljambe, 1st Earl of Liverpool) and later owner signature dated 1947 to front pastedown. Light toning to interior, slight vertical fold line, faint offsetting to front wrapper, presentation inscription "C. Savile Foljambe Esq M.P. from the writer" to head of front wrapper, brief annotations and corrections in the same hand to pp. 9 and 13. Rare. \$450.

* Only edition. A transcription of a seventeenth-century justice of the peace notebook kept by Bostock Fuller of Tandridge Court and held by the Bodleian Library with an introduction by the author. Leveson-Gower, a Liberal MP from a prominent British family, presented this copy to Cecil Foljambe [1846-1907], a fellow politician who would serve as a member of the Royal Commission on Historical Manuscripts in 1901.

OCLC and Library Hub locate 5 copies of this rare title, 2 in North America (Cornell, Yale). Not in the *British Museum Catalogue*.

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**An Unpublished English Translation of an
Important Spanish-Language Work on Constitutional Law**

18. [Manuscript].

Hostos, Eugenia María de [1839-1903].

Hunt, A[lbert]. F[rancis]., Jr. [1872-1947], Translator.

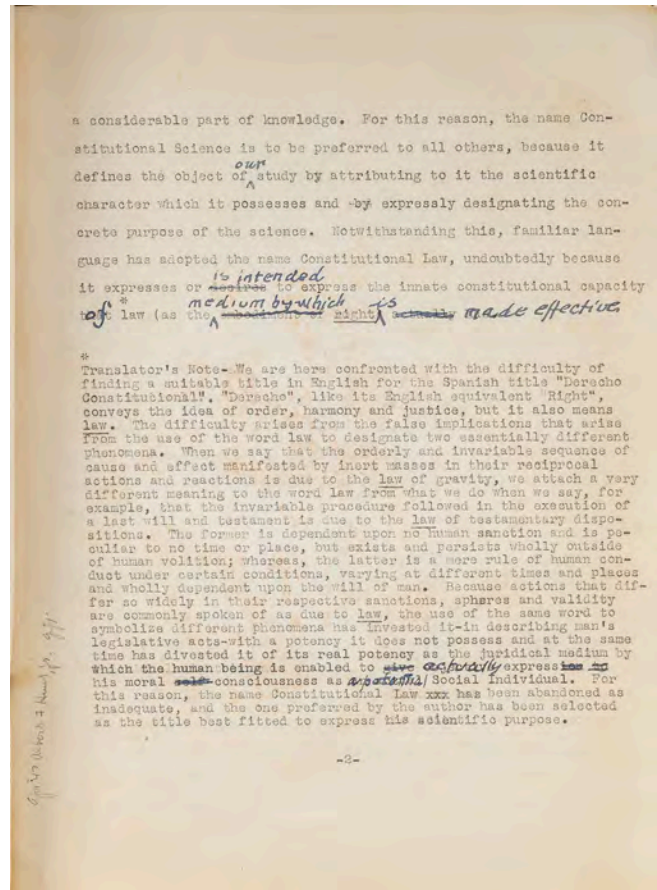
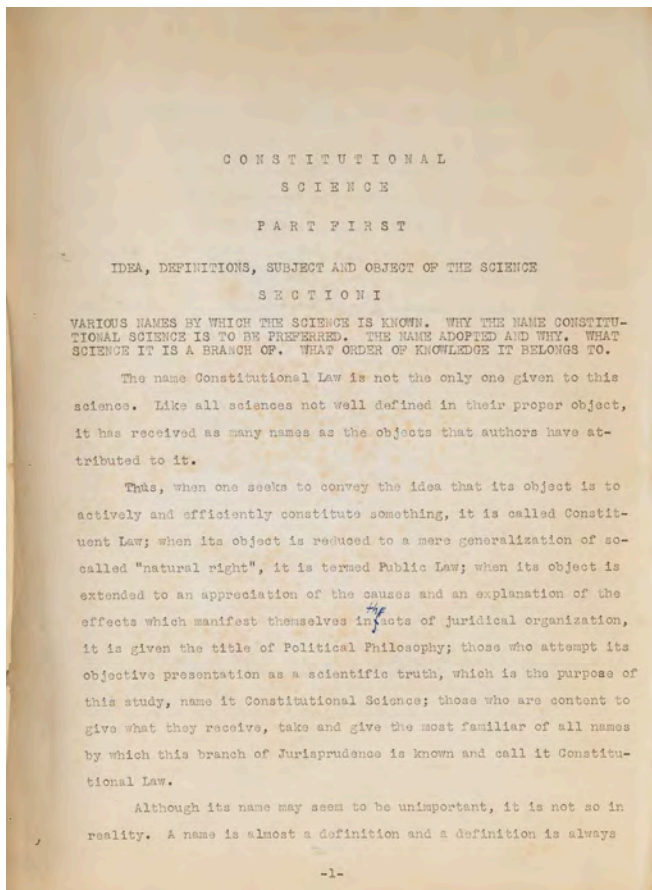
Constitutional Science: Being the English Version of a Work Entitled "Lecciones De Derecho Constitucional" by Eugenio M. de Hostos. Nahant, Massachusetts and Mt. Holly Springs, Pennsylvania, May 16 (?), 1939. 2 volumes. [i], 229; [i], 258 ff. Folio (11" x 7-3/4").

Typescript bound in stiff textured paper covers with metal brads. Rubbing and light wear to extremities, moderate toning to interior, light foxing to a few leaves, first two leaves of Vol. I loosening. Manuscript corrections, additions and redactions in ink and pencil to several leaves in each volume. \$3,000.

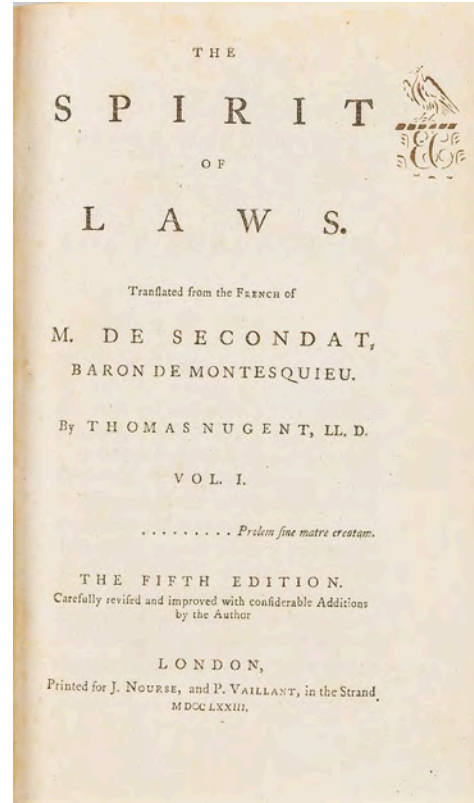
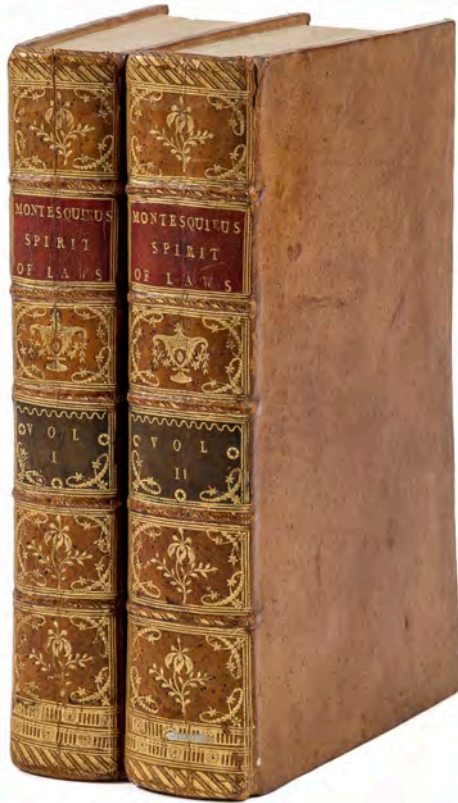
* As the title indicates, this is a lightly corrected manuscript of an English translation of *Lecciones de Derecho Constitucional*, first published in Santo Domingo in 1887. Hostos was an educator, writer, activist and one of Latin America's first sociologists. After studying law and philosophy at the Complutense University of Madrid, he became a vigorous advocate for Puerto Rican and Cuban independence and an anti-slavery and anti-colonial activist. He also made immense contributions to educational philosophy and pedagogy throughout his career. *Lecciones de Derecho Constitucional* is a collection of lectures given by Hostos on constitutional theory. The lectures discuss the development and implementation of constitutional law around the world. In his discussion of the United States, he references *The Federalist*, *Story's Commentaries* and the Declaration of Independence.

Hunt graduated from New York University Law School in 1898 and opened a law practice, Hunt & Ingle, in the city after graduation. By 1906, he was living in Puerto Rico, but had returned to Massachusetts by 1935. He was an avowed admirer of Hostos, whom he described as "a political philosopher who lived before his time, but whose timeless ideas are sadly needad [sic] by the world today" in an article commemorating the centenary of Hostos's birth. He is described in the article's byline as a jurist and the translator of two other works by Hostos (*Moral Social* and *Sociología*). As far as we can tell, none of Hunt's translations were published and no English translation of *Lecciones de Derecho Constitucional* has appeared to date.

Eugenio María de Hostos: Promoter of Pan Americanism 164.



[Order This Item](#)



**Superb Copy of an Early English Edition
of a Landmark Work in Political Science**

19. Montesquieu, Charles-Louis de Secondat, Baron de [1689-1755].

[Nugent, Thomas (c.1700-1772), Translator].

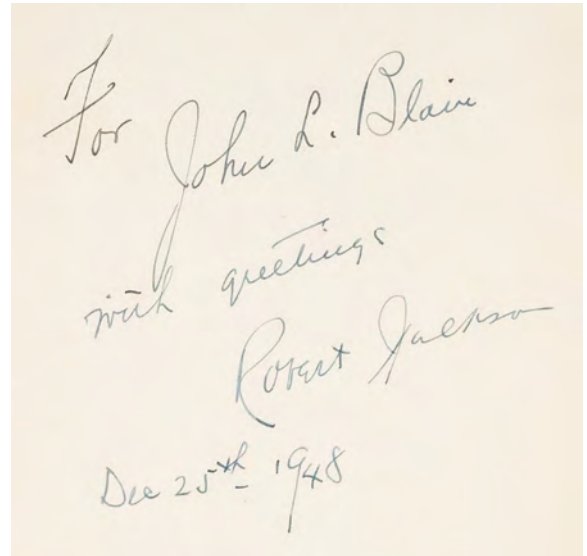
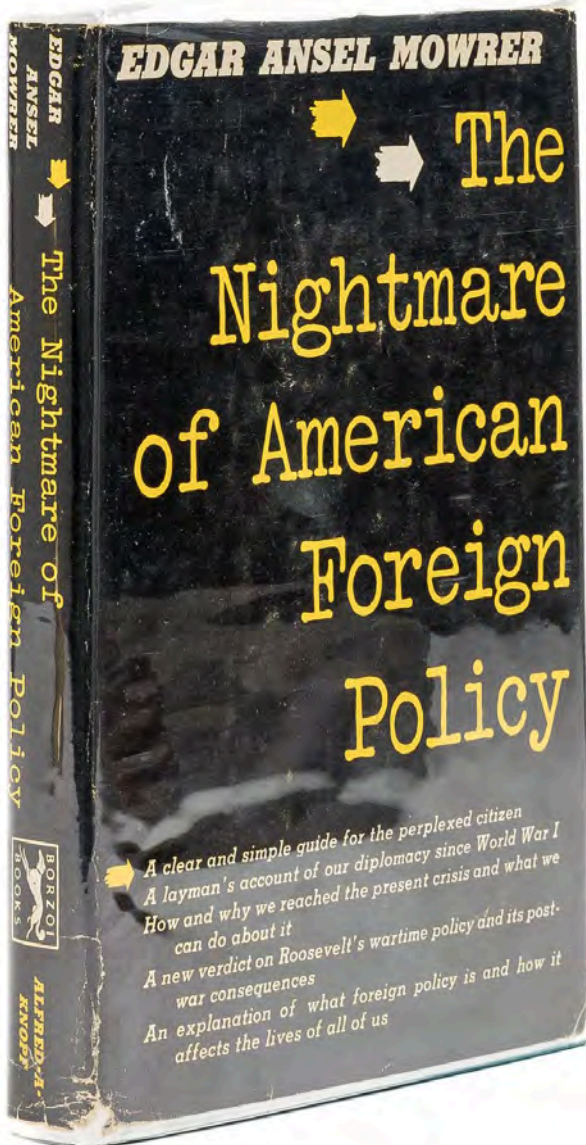
The Spirit of Laws. Translated from the French of M. de Secondat, Baron de Montesquieu. The Fifth Edition. Carefully Revised and Improved with Considerable Additions by the Author. London: Printed for J. Nourse, And P. Vaillant, 1773. Two volumes. [iv], xlvii, [1], 468; [iv], xvi, 534, [46] pp. Octavo (8-1/4" x 5").

Contemporary speckled calf, gilt spines with raised bands and lettering pieces, gilt tooling to board edges, marbled endpapers. Light rubbing and scuffing to boards, faint vertical cracks through centers of spines, joints just starting at ends. Light toning to interiors, heavier toning to a few leaves, small early owner stamp to title pages. \$2,500.

* Fifth (stated) English edition. *De L'Esprit des Lois* was one of the landmark works of eighteenth-century political science and an immeasurable influence on jurisprudence and political thought, especially in the Americas. It was a profound influence on the founding fathers, such as Thomas Jefferson, and the framers of the U.S. Constitution. It contained provocative and wide-ranging ideas on the sociology of law, the separation of political powers and the need for checks on a powerful executive office. First published in Geneva in 1748, and first translated into English in 1750, it remains one of the most significant studies of political and legal theory ever written. Based on Montesquieu's study of the English Constitution, this work is important as the first work to propose the separation of powers, an idea incorporated into the U.S. Constitution.

Sowerby, *Catalogue of the Library of Thomas Jefferson* 2325 (citing a collected edition of Montesquieu's works). *English Short-Title Catalogue* N23470.

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Inscribed by Robert H. Jackson to John Leo Blair

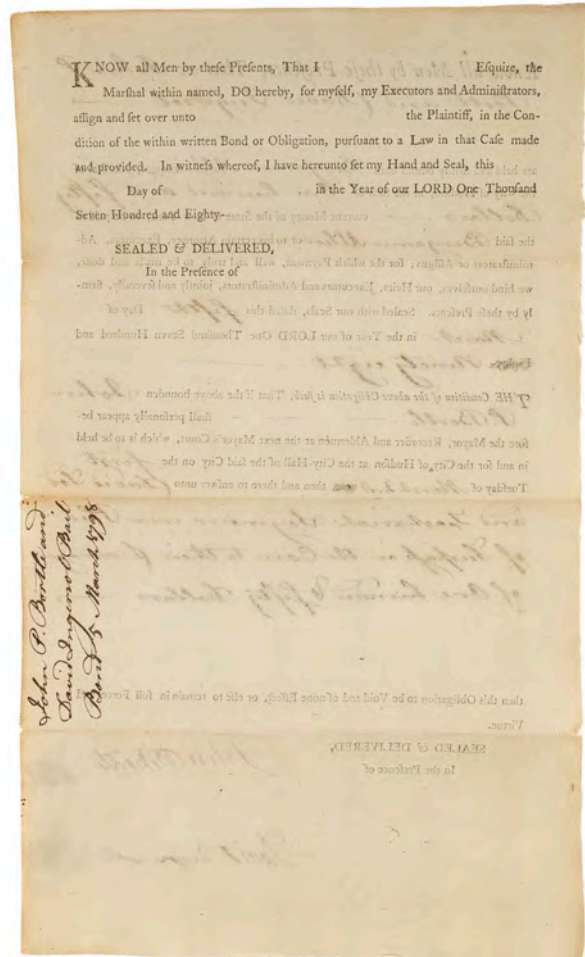
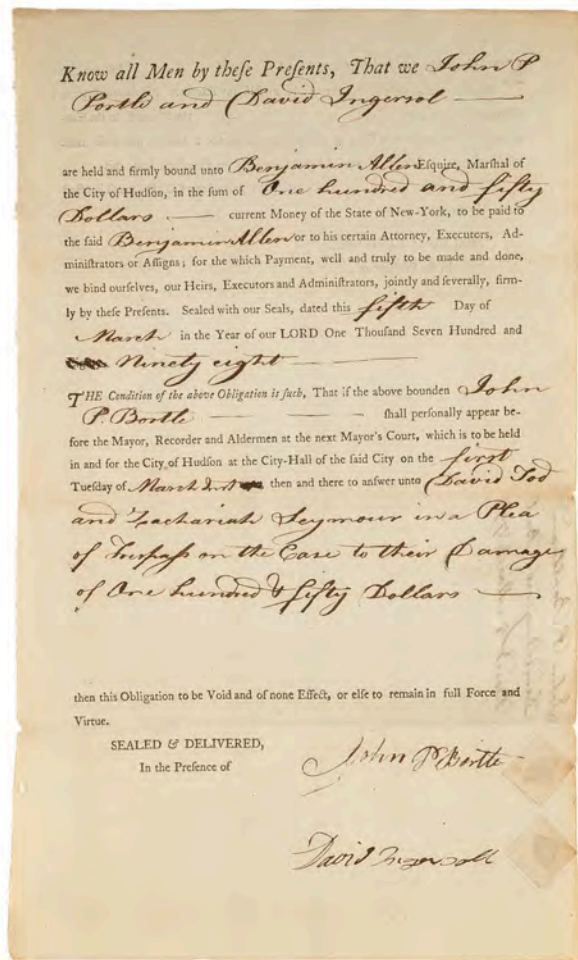
20. Mowrer, Edgar Ansel.

The Nightmare of American Foreign Policy. New York: Alfred A. Knopf, 1948. viii, 283, xxii pp.

Hardcover, very good with light shelfwear in lightly worn and price-clipped dust jacket, internally clean. Inscription "For John L. Blair/ with greetings/ Robert Jackson/ Dec 25th 1948" to front free endpaper. Item housed in custom cloth slipcase. \$500.

* First edition. Robert H. Jackson, who had a long and distinguished career as a lawyer and politician, served as associate justice of the United States Supreme Court, United States Solicitor General and United States Attorney General. He was also the chief prosecutor for the United States at the Nuremberg trials. Blair was a close friend of Jackson's. He was a successful businessman and advisor to Franklin D. Roosevelt and Henry Morgenthau, Jr.

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A New York Bail Bond from 1798

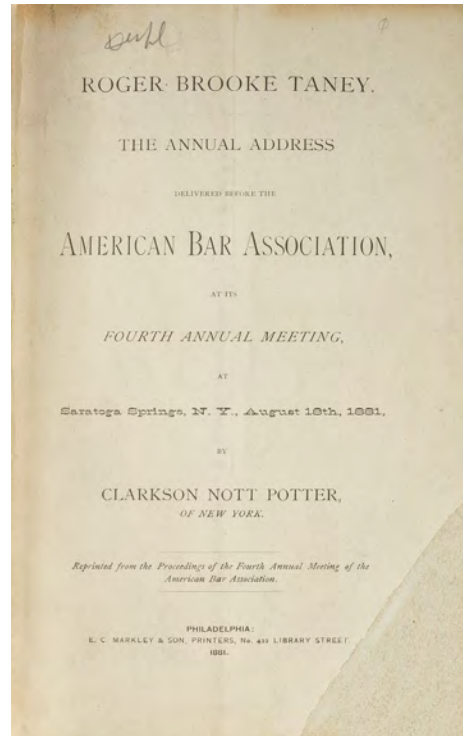
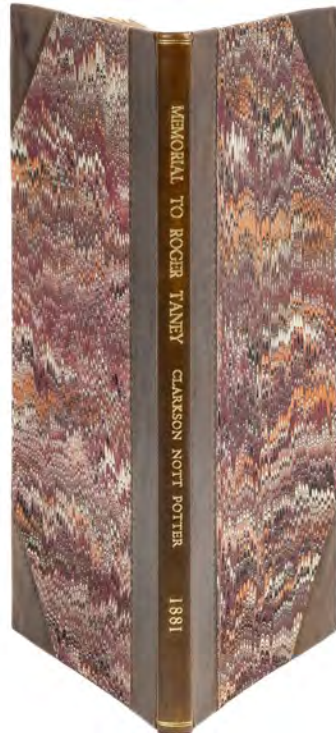
21. [New York].

Know All Men by These Presents, That We [John P. Bortle and David Ingersoll] are Held and Firmly Bound Unto [Benjamin Allen] Esquire, Marshal of the City of Hudson.... Hudson, New York, March 5, 1798. 2 pp.

12" x 7-1/4" part-printed document with two forms on recto and verso, form on recto completed in manuscript with autograph signatures and seals of John P. Bortle and David Ingersoll, docket to verso. Moderate toning, horizontal fold lines, very small tears along fold lines not affecting text. \$250.

* This document sets out a bail bond for John P. Bortle and David Ingersoll, residents of Hudson, New York and subjects of a plea of trespass brought by David Tod and Zachariah Seymour. The bond was \$150, a considerable sum equal to the damages Tod and Seymour sought. An interesting feature of this document is the presence of an additional related form on the verso, which is not completed in our example. The document is also dated for the 1780s, but was evidently repurposed well into the following decade.

[Order This Item](#)



In Praise of Chief Justice Taney

**22. Potter, Clarkson N. [1825-1882].
[Taney, Roger B. (1777-1864)].**

Roger Brooke Taney. The Annual Address Delivered Before the American Bar Association At its Fourth Annual Meeting, At Saratoga Springs, N.Y., August 18, 1881. Philadelphia: E.C. Markley & Son, Printers, 1881. 26 pp. Octavo (8-3/4" x 5-1/2").

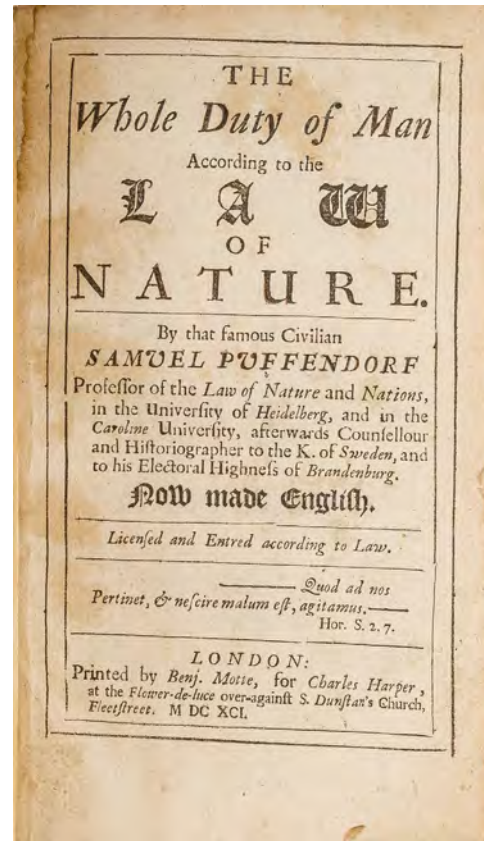
Pamphlet in stiff printed wrappers, bound in three-quarter calf over marbled boards, blind fillets to calf edges, gilt fillets and title to spine, endpapers added. Moderate toning, slight vertical fold line, front wrapper laid-down on stiff card, its lower outside corner lacking without loss to text, small clean tears to bottom edges of a few leaves, two mended with cellotape, text not affected. \$250.

* Only edition, reprinted from the proceedings of the fourth annual meeting of the American Bar Association. In addition to many other state and federal political and legal positions, Taney was chief justice of the United States Supreme Court from 1836 until his death in 1864. He is best known as the author of the majority opinion in the notorious Dred Scott decision (1857), which held that enslaved people residing in a free state or territory were not entitled to their freedom and that Black Americans were not and could never be citizens of the United States.

Though the Dred Scott decision made Taney an object of disdain among some of his contemporaries, he was also praised by many and garnered respect during his long career in public service. This address reviews his career and compares his term on the Supreme Court with that of his predecessor, John Marshall. It is largely effusive in its praise for Taney, to whom Potter refers as "[in] the highest and best sense a Christian, a lawyer and a gentleman." Potter also emphasizes the distinction between Taney's writing in the Dred Scott opinion and his conduct and beliefs in his personal life, which were largely anti-slavery.

OCLC locates 4 copies of this title in law libraries (Harvard, U.S. Supreme Court Library, Library of Congress, Social Law). *Catalogue of the Library of the Harvard Law School* (1909) II:707.

[Order This Item](#)



The First English Translation of Pufendorf's *De Officio Hominis et Civis*

23. Pufendorf, Samuel von [1632-1694].

Motte, Benjamin [d.1710], Translator.

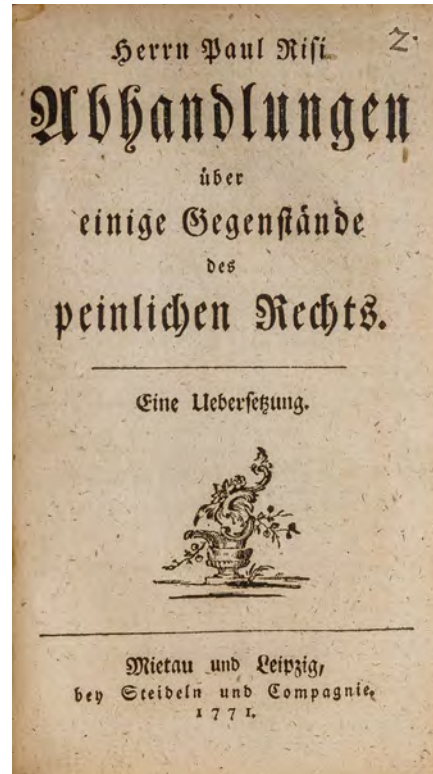
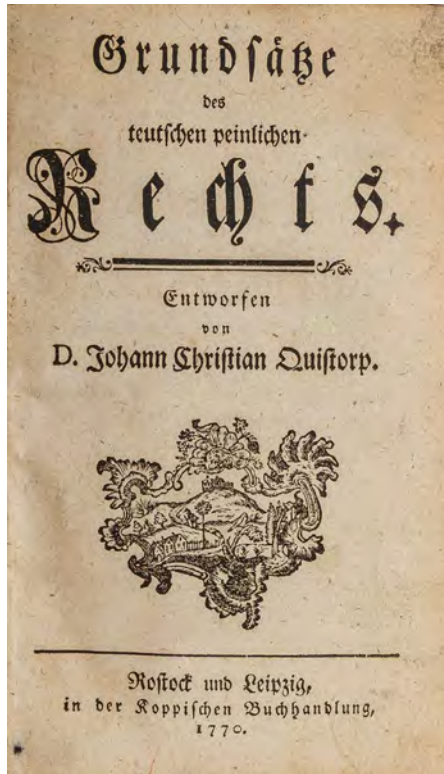
The Whole Duty of Man According to the Law of Nature. By that Famous Civilian Samuel Puffendorf, Professor of the Law of Nature and Nations, In the University of Heidelberg, And in the Caroline University, Afterwards Counsellour and Historiographer to the K. of Sweden, And to his Electoral Highness of Brandenburg. Now Made English. London: Printed by Benj. Motte, for Charles Harper, at the Flower-de-luce over-against S. Dunstan's Church, Fleetstreet, 1691. [xxxvi], 338, [2] pp. Final leaf is bookseller catalogue. Octavo (7" x 4-1/4").

Recent period-style quarter calf over marbled boards, lettering piece, gilt-edged raised bands and blind fillets to spine, endpapers renewed. Moderate toning to interior, light foxing to margins in a few places, folds to corners of a few leaves, tiny inkspot to head of leaf A3 (pp. [5-6]). A handsome copy. \$1,950.

* First English-language edition. Originally published in 1672 in Latin as *De Officio Hominis et Civis*, this is a synopsis of Pufendorf's *De Jure Naturae et Gentium*, a landmark work that proposed a thorough system of private, public, and international law based on natural law. Beginning with a consideration of fundamental legal ideas and their various divisions, Pufendorf proceeds to a discussion of the validity of customs, the doctrines of necessity and innate human reason. It is significant in part because it develops principles introduced by Grotius and Hobbes. Unlike Hobbes, Pufendorf argued that peace, not war, was the state of nature, and he proposed that international law was not restricted to Christendom.

English Short-Title Catalogue R17921.

[Order This Item](#)



Enlightened Penology in Eighteenth-Century Germany

24. Quistorp, Johann Christian von [1737-1795].

Grundsätze des Teutschen Peinlichen Rechts. Rostock and Leipzig: In der Koppischen Buchhandlung, 1770. [xvi], 1087 pp.

[Bound with]

Risi, Paolo.

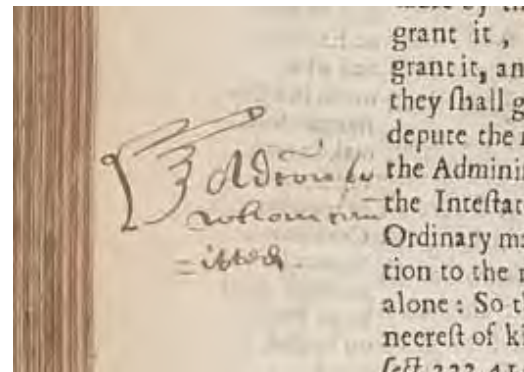
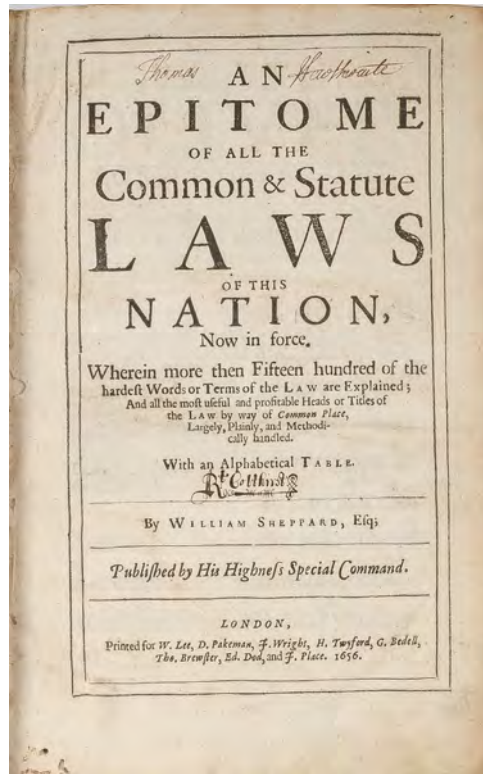
Abhandlungen Über Einige Gegenstände des Peinlichen Rechts. Jelgawa and Leipzig: Bey Steideln und Compagnie, 1771. [xvi], [17]-136 pp.

Octavo (6-1/2" x 4"). Contemporary marbled boards, hand lettered title label to spine, edges rouged. Light soiling, notable rubbing with wear to board edges and spine ends, a few creases to spine, scuff to title label, corners bumped. Moderate toning to interior, light foxing in a few places near front and rear of text block, marks and brief annotations to a few leaves in each title. \$1,500.

* Quistorp: first edition; Risi: only German edition. This volume contains two works that illustrate the early reception of Enlightenment ideas on criminology in Germany. Quistorp, a professor of law at the University of Rostock and later Rector of the University of Bützow, was an authority on criminal law. *Grundsätze*, his principal work, is a general treatise. Likely influenced by Beccaria's *Dei Delitti e Delle Pene* (1764), it advocated a reduction of capital offenses and the abolition of torture to obtain confessions. It went through several editions and issues, the last one in 1828, and was one of the sources of the influential German Penal Code of 1871. Risi was a judge in Milan and one of Beccaria's associates. The work of an anonymous translator, *Abhandlung* is a translation of Risi's *Animadversiones ad Criminalem Jurisprudentiam* (1766), a practical treatise on criminal procedure that incorporated principles drawn from *Dei Delitti e Delle Pene*.

Both titles are scarce. OCLC locates no copies of *Abhandlung* or the first edition of *Grundsätze* in North America. *Verzeichnis Deutscher Drucke des 18. Jahrhunderts* 11017252, 11925930.

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A New Departure for the Abridgment

25. Sheppard, William [fl. 1660].

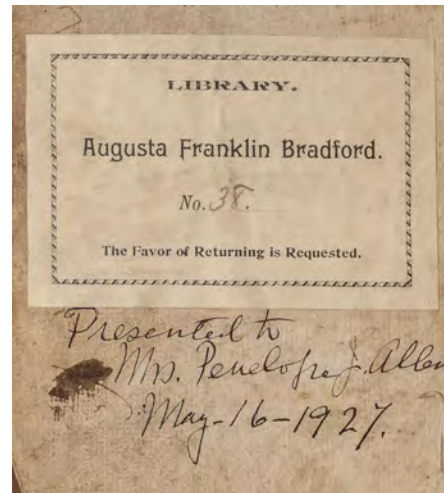
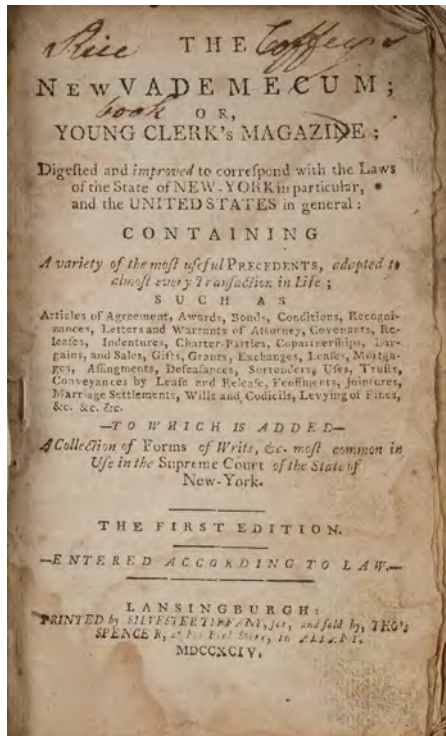
An Epitome of All the Common & Statute Laws of This Nation Now in Force. Wherein More than Fifteen Hundred of the Hardest Words or Terms of the Law are Explained; And All of the Most Useful and Profitable Heads or Titles of the Law by Way of Common Place, Largely, Plainly, and Methodically Handled. With an Alphabetical Table. London: Printed for W. Lee, D. Pakeman [et al.], 1656. [xxiv], 1131, [1] pp. Leaves 6G2 and 6G3 bound out of order; text complete. Folio (11-1/2" x 7").

Contemporary calf, blind rules to boards, raised bands and blind fillets to spine, gilt tooling to board edges, hand-lettered title to spine and fore-edge of text block. Light rubbing and a few shallow scratches and small stains to boards, moderate rubbing to extremities, a few small (worm?) holes to spine, front joint starting at foot, corners bumped and worn, hinges cracked, pastedowns loosening slightly but secure, later bookplate (of Dr. and Mrs. H.R. Knohl) to front pastedown, early annotations in a neat hand to verso of front free endpaper. Light toning to interior, minor worming to lower inside corner of approximately first third of text block (text not affected), light soiling, tiny spark burns and very faint marginal stains to several leaves, later owner signature (of Thomas Hewthwaite) and early owner signature (of R[obert] Colthirst) to title page, brief annotations, corrections and manicules in Colthirst's elegant hand to a few leaves. An appealing copy. \$3,500.

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

English Short-Title Catalogue R10939.

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1794 New York Legal Manual

26. [Spencer, Thomas (1752-1840)].

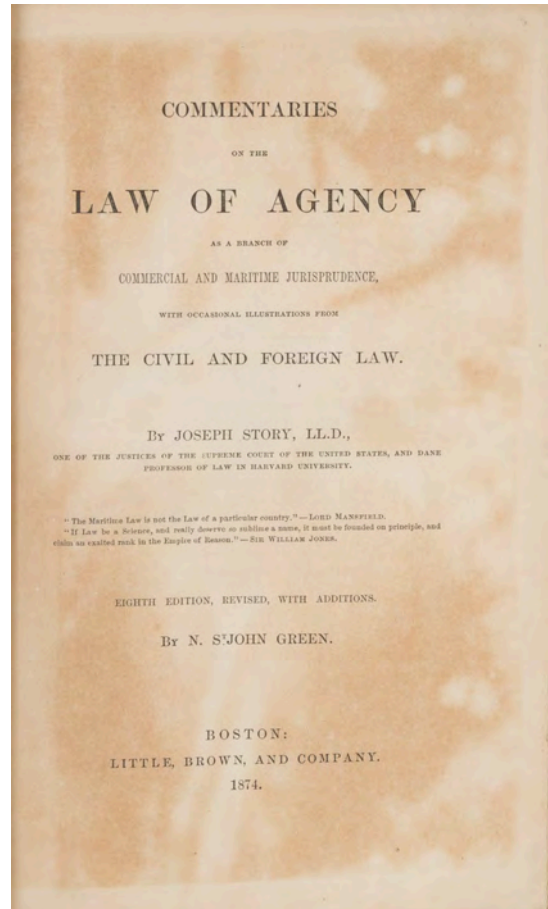
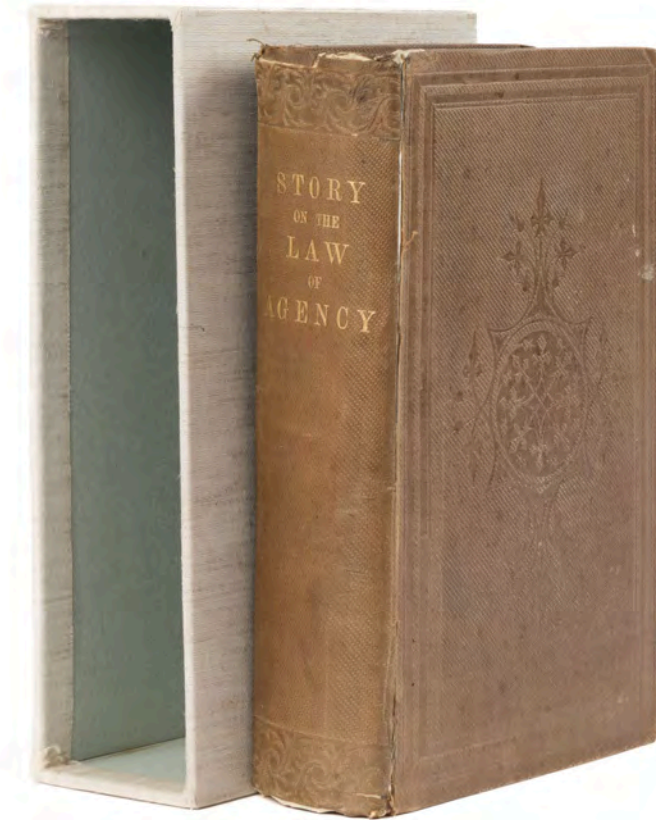
The New Vade Mecum; or Young Clerk's Magazine: Digested and Improved to Correspond with the Laws of the State of New-York in Particular, and the United States in General: Containing a Variety of the Most Useful Precedents, Adapted to Almost Every Transaction in Life; Such as Articles of Agreement, Awards, Bonds, Conditions, Recognizances, Letters and Warrants of Attorney, Covenants, Releases, Indentures, Charter-Parties, Copartnerships, Bargain, And Sales. Gifts, Grants, Exchanges, Leases, Mortgages, Assignments, Defeasances, Surrenders, Uses, Trusts, Conveyances by Lease and Release, Feoffments, Jointures, Marriage Saettlements, Wills and Codicils, Levying of Fines, &c. &c. &c. To Which is Added a Collection of Forms of Writs, &c. Most Common in Use in the Supreme Court of the State of New-York. Lansingburgh: Printed by Silvester Tiffany for Tho's Spencer, 1794. 346 pp. (pp. 289-336 incorrectly numbered pp. 299-346). Octavo (6" x 4").

Contemporary sheep. Moderate rubbing, some nicks and scratches to boards, which are slightly bowed, rubbing to joints, chipping to spine ends, corners bumped and worn, hinges cracked, front free endpaper near-detached and edgeworn, later bookplate (of Augusta Franklin Bradford) and owner annotation (Presented to Mrs. Penelope J. Allen May-16-1927) to front pastedown, which is loosening slightly. Moderate toning and light foxing to interior, occasional staining to upper outside corner and fore-edge, faint marginal dampstaining in a few places, clean tear to bottom-edge of leaf M5 (pp. 153-154) affecting text without loss to legibility, early owner signature (of Rice Coffey) to title page. \$200.

* First edition. An American manual derived from *The Young Clerk's Magazine; Or English Law Repository* that covers all areas relevant to a New York practitioner during the Federal period. The book's first owner may have been Rice Coffey [1766-1823], born in Virginia and later living in Tennessee. Augusta Franklin Bradford [1865-1942] was a Chattanooga librarian and head of the Chattanooga Public Library's department of history and genealogy; Penelope Johnson Allen [1886-1945] was a historian and genealogy columnist for the *Chattanooga Times*.

Cohen, *Bibliography of Early American Law* 8002.

[Order This Item](#)



Nicholas St. John Green's Notable Edition of *Story on Agency*

27. Story, Joseph [1779-1845].

Green, Nicholas St. John [1830-1876], Editor.

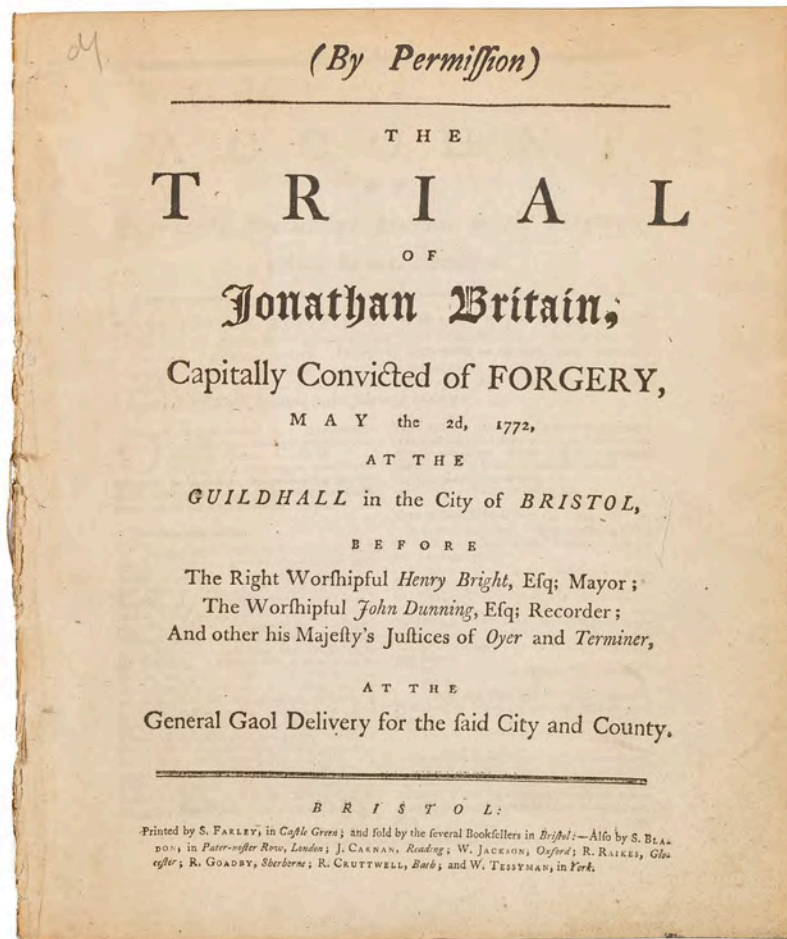
Commentaries on the Law of Agency as a Branch of Commercial and Maritime Law. With Occasional Illustrations from the Civil and Foreign Law. Boston: Little, Brown, and Company, 1874. xl, 706 pp. Octavo (9" x 5-3/4").

Original textured cloth, rebacked retaining existing spine with gilt title and blind ornaments, blind frames and large arabesques to boards, hinges mended. Light rubbing to boards, moderate rubbing to board edges, some chipping to spine ends, corners bumped. Light toning to interior, early owner signature to verso of front free endpaper, which is lightly browned, along with title page, most likely from a laid-in sheet of acidic paper. Book housed in attractive cloth slipcase. \$450.

* Only edition by Green, eighth edition overall. An important lawyer and philosopher, Green, a friend of Holmes and Peirce, was a leading member of the Metaphysical Club and one of the founders of pragmatism. As a lawyer, his "favorite target was legal formalism—the belief that legal concepts refer to something immutable and determinate. His criticism of legal formalism was Wright's criticism of Spencer's evolutionary philosophy: he thought it treated what were merely tools of analysis as though they named actual entities" (Menand). Green's was the penultimate edition of Story's *Agency*, which was first published in 1839. The final edition, by C.P. Greenough, was published in 1882.

Menand, *The Metaphysical Club* 224. *Catalogue of the Library of the Harvard Law School* (1909) II:671.

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A Confidence Man is Sent to the Gallows

28. [Trial].

Britain, Jonathan [d. 1772], Defendant.

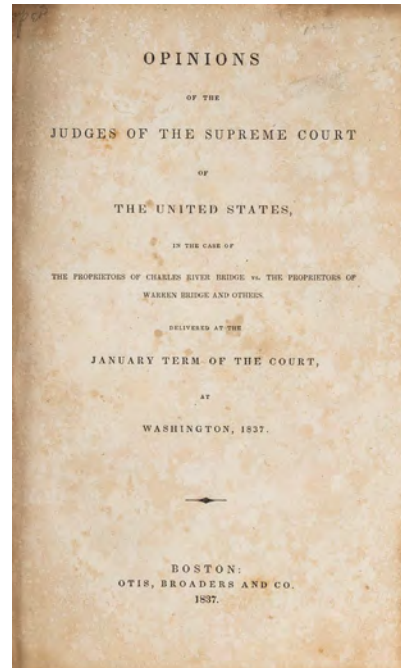
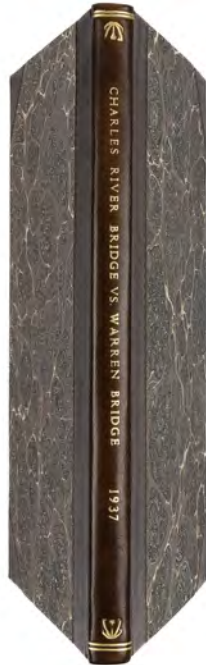
The Trial of Jonathan Britain Capitally Convicted of Forgery, May the 2d, 1772, at the Guildhall in the City of Bristol, Before the Right Worshipful Henry Bright, Esq; Mayor; The Worshipful John Dunning, Esq; Recorder; And Other His Majesty's Justices of Oyer and Terminer, At the General Gaol Delivery for the Said City and County. Bristol: Printed by S. Farley; In Castle Green; And Sold by the Several Booksellers in Bristol [et al.], [1772]. 15 pp. At head of title page: "By permission." Quarto (9-3/4" x 8").

Disbound stab-stitched pamphlet. Light toning, negligible light soiling to exterior. \$450.

* Only edition. Jonathan Britain was a notable confidence man. After a long career he was finally caught, convicted and hanged after he attempted to impersonate the son of a woman, one of many he charmed, to whom he sent letters requesting money in the son's name. Despite the evidence, he was so persuasive in his trial that many were convinced he was innocent. The forward in our account details Britain's convoluted trail of forgery. It also illuminates the use of bills of exchange, which was the most common way to remit money in eighteenth-century England.

English Short Title Catalogue T176402.

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A Landmark Supreme Court Case Dealing with States' Rights

29. [United States Supreme Court]. Charles River Bridge v. Warren Bridge.

Opinions of the Judges of the Supreme Court of the United States, In the Case of the Proprietors of Charles River Bridge vs. The Proprietors of Warren Bridge and Others. Delivered at the January Term of the Court, At Washington, 1837. Boston: Otis, Broaders and Co., 1837. 115, [1] pp. Octavo (8-1/4" x 5").

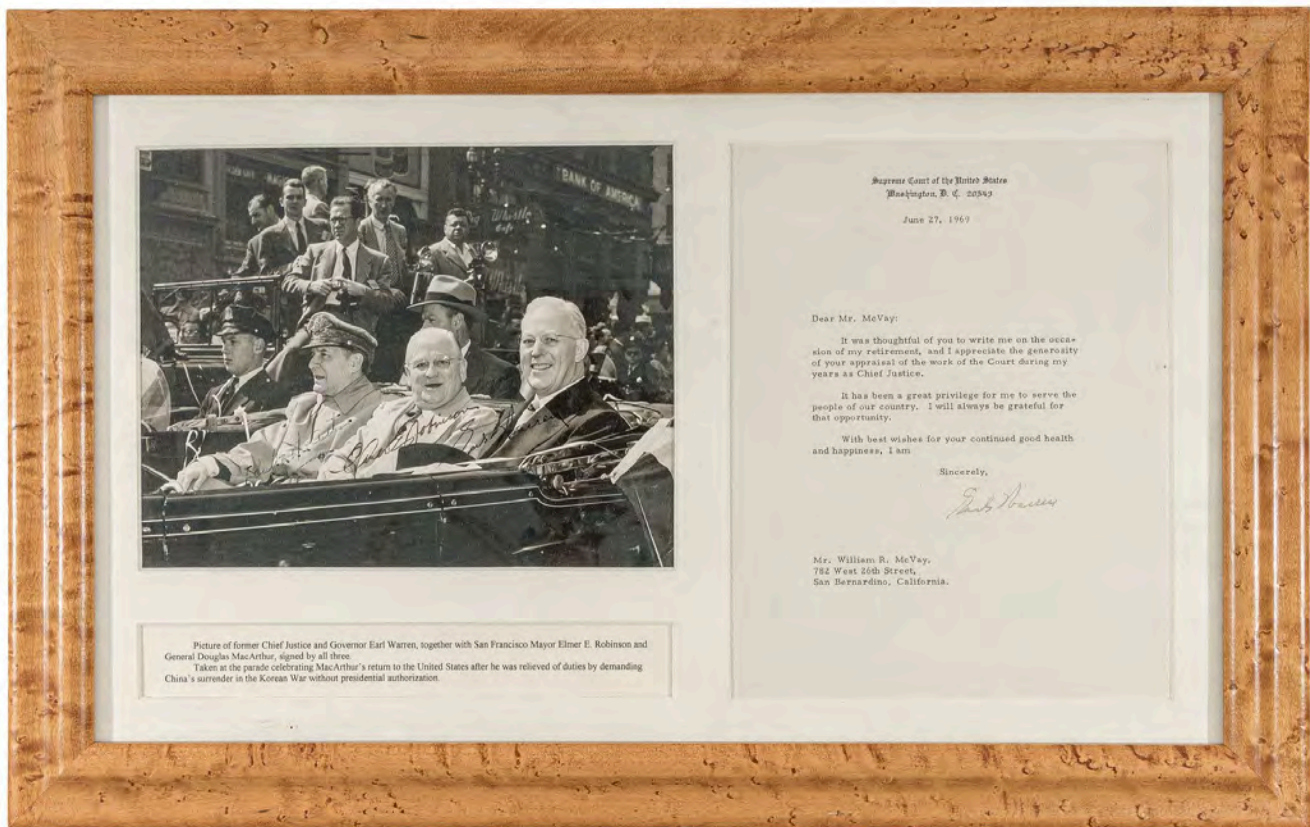
Recent three-quarter calf over marbled boards, blind fillets to calf edges, gilt fillets and title to spine, endpapers added. Moderate toning to interior, occasional light foxing, faint offsetting to upper outside corner of title page. A handsome copy. \$1,500.

* Only edition as a separate report, also published as part of *Reports of Cases Argued and Adjudged...January Term, 1837* (36 U.S. 420) in Philadelphia the same year. The Charles River Bridge case centered around a contract dispute between the Charles River Bridge Company and the Massachusetts legislature. The legislature had granted the company a charter to construct a bridge over the Charles River in 1785 but granted another company permission to build a bridge over the river in 1828.

The Charles River Bridge Company, faced with a competing toll-free bridge that would essentially eliminate their revenue from the existing bridge, sued, arguing that the 1785 charter had an implicit guarantee of exclusivity. The Supreme Court decided in favor of Warren Bridge by 5-2. The majority opinion, written by Chief Justice Taney, stated that the contract should be construed narrowly and in favor of public interest: If the Court decided for the Charles River Bridge, transportation improvements would be severely curtailed. Justices Story and Thompson dissented. The verdict was seen as a victory for states' rights by supporters and a failure of the federal government by detractors (among them Daniel Webster and James Kent).

This item is scarce, particularly in commerce. No copy of this Boston imprint has appeared at auction since 1916. OCLC locates 12 copies of this title, 4 in law libraries (Library of Congress, University of Minnesota, Boston College, Harvard). Cohen, *Bibliography of Early American Law* 11595.

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**Large Photograph of General Douglas MacArthur
with Earl Warren and Elmer Robinson, Signed By All Three**

30. MacArthur, Douglas [1880-1964].

Warren, Earl [1891-1974].

Robinson, Elmer [1894-1982].

[8" x 10" Black-and-White Photograph of Douglas MacArthur, Elmer Robinson and Earl Warren]. [San Francisco, 1951]. With autograph signatures of MacArthur, Robinson and Warren.

[With]

Warren, Earl.

[Typed Letter, Signed, On U.S. Supreme Court Letterhead, To William R. McVay, Washington, DC, June 27, 1969]. 1 pp.

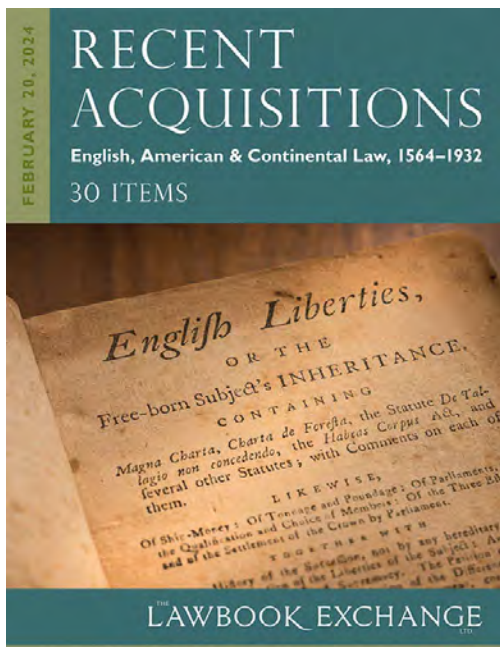
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* The photograph was taken on the day of the San Francisco parade celebrating MacArthur's return to the United States. He had previously been relieved of duties by President Truman for demanding China's surrender in the Korean War without presidential authorization. Seated in an automobile (part of a motorcade), MacArthur is shown in profile, wearing his signature Field Marshall-style hat and trench coat. He is seated next to Elmer E. Robinson, the San Francisco mayor, and Earl Warren, the former governor of California and Chief Justice of the Supreme Court, both of whom are looking toward the camera.

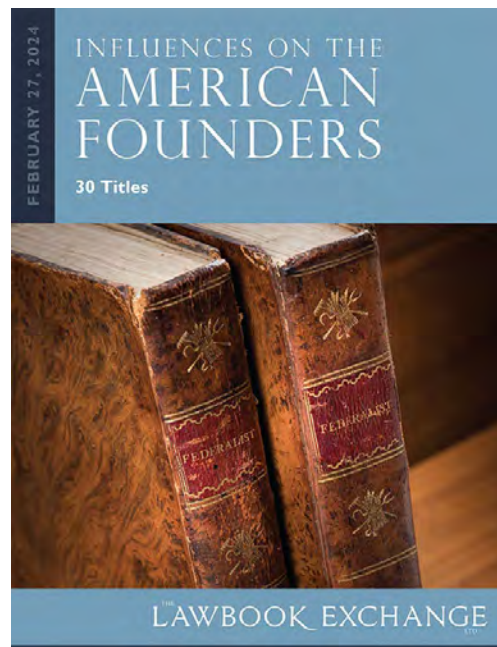
Warren's letter thanks McVay for good wishes sent to Warren upon his retirement in 1969.

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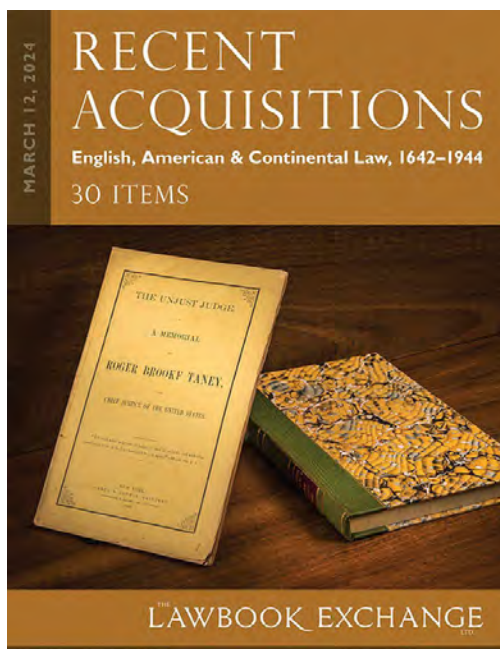
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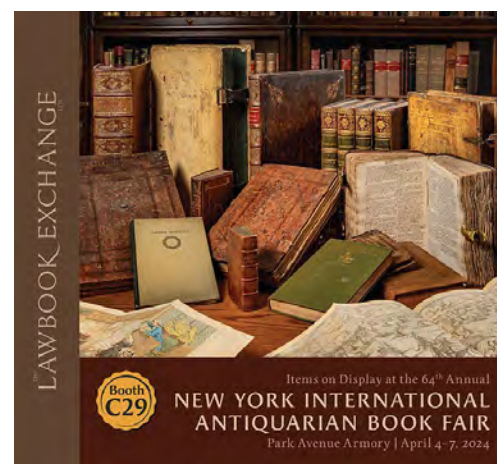
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