

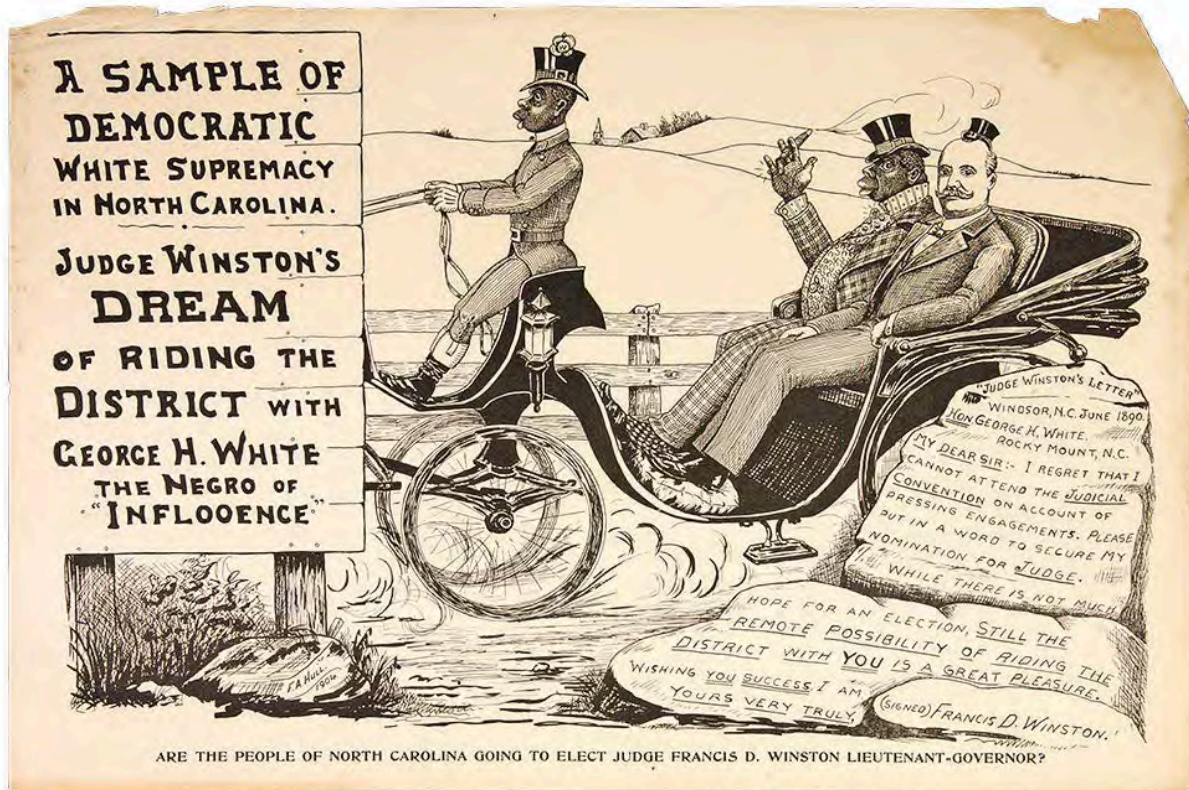
AUGUST 6, 2024

# 30 UNUSUAL & EXTRAORDINARY ITEMS



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### The "Negro of 'Infloence'"

1. [Broadside].

[African Americans].

[North Carolina].

Hull, F[red] A., Engraver.

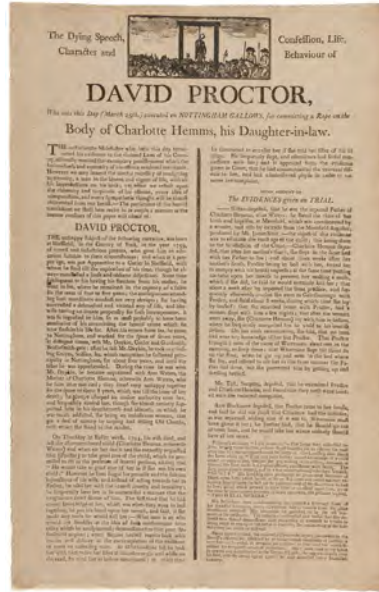
*A Sample of Democratic White Supremacy in North Carolina. Judge Winston's Dream of Riding the District with George H. White, the Negro of "Infloence."* *Are the People of North Carolina Going to Elect Judge Francis D. Winston Lieutenant-Governor?* [North Carolina (Asheville?)]: F.A. Hull, 1904.

10" x 14" lithographed pictorial broadside, text in upper left and lower right corner. Moderate toning, negligible chipping and light staining to upper right corner, image not affected. \$800.

\* A scathing racist attack against Judge Francis D. Winston [1857-1941], the Democratic candidate for Lieutenant Governor of North Carolina. He is seen riding in a coach alongside a grotesquely caricatured George Henry White [1852-1918], a Republican congressman who represented North Carolina from 1897-1901. White was a symbol of Reconstruction and the last African American congressman to survive the beginning of the Jim Crow era. The coachman is depicted in a similar manner. Winston is accused, in a letter supposedly written in 1890 and transcribed here, of seeking White's influence with Black voters to win his judgeship. Winston asks White to promote his candidacy and suggests the "possibility of riding the district with you." Hull, the engraver, was a civic leader, politician and artist in Asheville.

OCLC locates 4 copies (UNC-Chapel Hill, Yale, University of Alabama, Wake Forest). We located an additional copy at Duke.

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**An Unrecorded Broadside Documenting a Successful Prosecution for Child Rape**

2. [Broadside].  
[Execution].

**Proctor, David [1759-1795].**

*The Dying Speech, Confession, Life, Character and Behaviour of David Proctor, Who was This Day (March 25th.) Executed on Nottingham Gallons, For Committing a Rape on the Body of Charlotte Hemms, His Daughter-in-Law.* [Nottingham?: S.n., 1795].

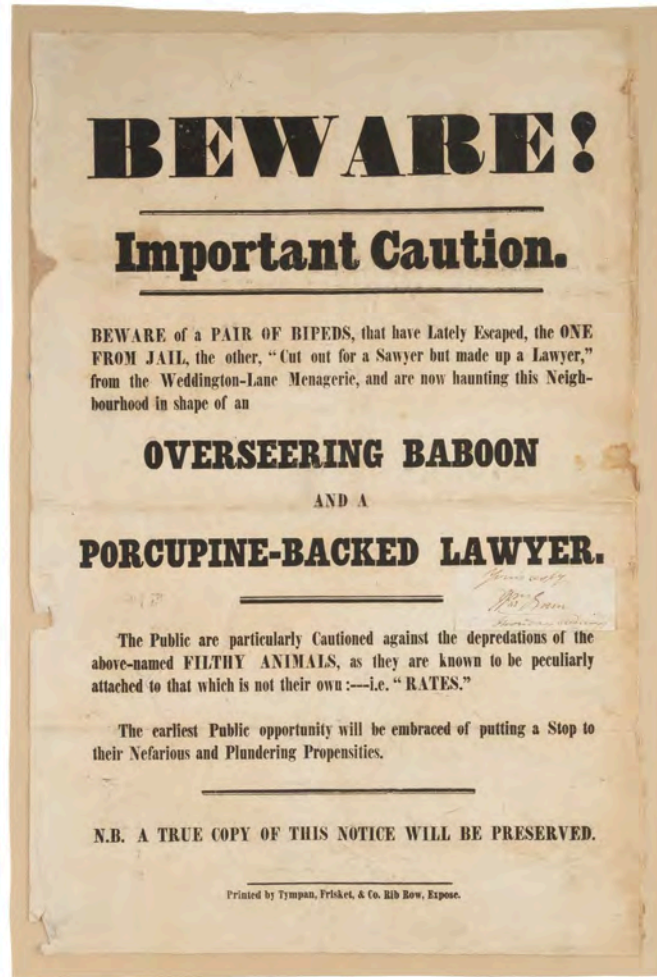
15-1/2" x 10" broadside mounted onto backing sheet, left and bottom edges untrimmed, text in two columns separated by thick rule below headline with woodcut vignette of a hanging. Moderate toning, light soiling to margins, partial embossed library stamp to top-edge, a few faint creases. Rare. \$4,500.

\* David Proctor was accused of the rape of his young stepdaughter, Charlotte Hemms (more commonly Waters). Our broadside does not list her age, but she was certainly younger than ten, the age after which consent could be a defense in prosecutions of rape. A newspaper article about Proctor's arrest gives her age as nine years and eleven months. The abuse was discovered when Charlotte contracted a venereal disease. Proctor was arrested in September of 1794, tried and executed. He proclaimed his innocence "to the last moment of his existence."

Convictions for rape were difficult to secure in this period, particularly in the case of the rape of a child, and this broadside is notable as an example of a successful prosecution. Its account of Proctor's trial is brief, but revealing; Charlotte's age was verified by her birth father, Charlotte herself testified, which child victims were not always permitted to do, and a surgeon attested to the transmission of disease from Proctor to Charlotte. It also illustrates the public perception of child rape in early modern England. Although treated as more heinous than other rapes, it "was seen in the context of general 'lasciviousness,' or indulgence of lust and sexual appetite, rather than as a particular sexual desire directed toward children" (Toulalan). Our broadside takes pains to point out this aspect of Proctor, who "always manifested a loose and obscene disposition," "contracted a debauched and vitiated life," and had "an innate propensity for such intemperance."

This broadside is rare and appears to be unrecorded. Not in the *English Short-Title Catalogue* (accessed via interim Print & Probability database). No copies located by OCLC or LibraryHub. Not at Harvard, the British Library, Oxford or Cambridge. Toulalan, "Is He a Licentious Lewd Sort of a Person?: Constructing the Child Rapist in Early Modern England." *Journal of the History of Sexuality* 23, no. 1 (2014): 30.

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"An Overseering Baboon and a Porcupine-Backed Lawyer"

3. [Broadside].  
[Great Britain].

*Beware! Important Caution. Beware of a Pair of Bipeds, That Have Lately Escaped, The One from Jail, The Other "Cut out for a Sawyer but Made Up a Lawyer," From the Weddington-Lane Menagerie, And are Now Haunting this Neighbourhood in Shape of an Overseering Baboon and a Porcupine-Backed Lawyer.* [N.p. (Warwickshire?)]: Printed by Tympan, Frisket, & Co, Rib Row, Expose, [c.1850].

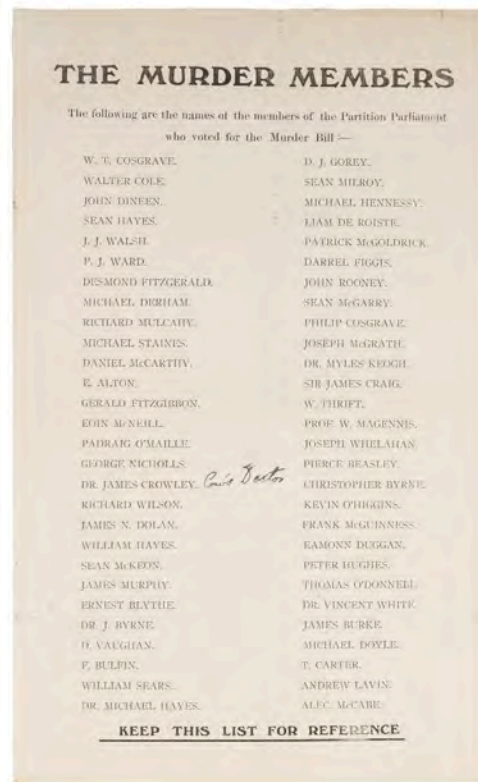
15" x 10-1/2" broadside, mounted, cut piece of letter laid down near center reading: "Yours resp[ectfully] Wm Oram 43 Monday evening." Light browning and soiling, a few minor chips and some rubbing to edges, three horizontal fold lines. A curious, rare item. \$1,850.

\* The text of this anti-lawyer satirical broadside continues (in part): "The Public are particularly Cautioned against the depredations of the above-named FILTHY ANIMALS, as they are known to be peculiarly attached to that which is not their own:--i.e. 'Rates.'" William Oram may have been the author of the broadside text. The imprint is fictitious, but the "Weddington Lane" in the title refers to a street in Warwickshire.

No copies located by OCLC or LibraryHub, or by us in the catalogues of major institutions worldwide.

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**"Keep This List for Reference"**

**4. [Broadside].  
[Irish Civil War].**

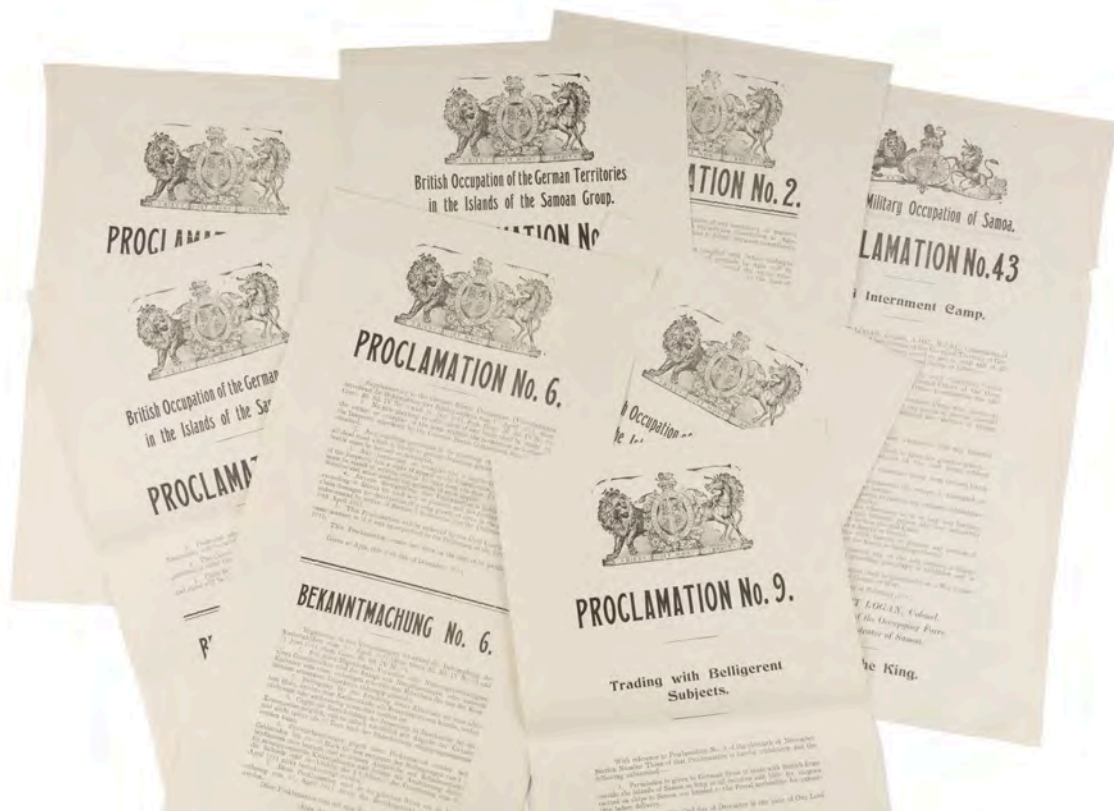
*The Murder Members: The Following are the Names of the Members of the Partition Parliament Who Voted for the Murder Bill:—Keep This List for Reference.* [N.p.: S.n., 1922].

13" x 8" broadside, main text in two columns. Light toning and edgewear, horizontal and vertical fold lines, a few with tears, two repaired on verso with cellotape, "Con's Doctor" in contemporary hand near center. \$1,250.

\* Known to its opponents as the "Murder Bill," the Public Safety Act of 1922 was enacted by the recently established Irish Free State to suppress the Irish Republican Army (IRA), which rejected the legitimacy of the Free State because it did not include the counties of Northern Ireland. It was one of the key events of the Irish Civil War. The act imposed death sentences on any IRA member or supporter captured with a firearm or ammunition. Our pro-IRA broadside lists the members of the "Irish Partition Parliament" who voted for this bill. It clearly intended to mark them for assassination. And soon after its publication, gunmen shot and wounded two of the members listed. A third, assumed to be another listed member, was killed in a case of mistaken identity. In reprisal, the government ordered the summary execution of four IRA prisoners.

"Con's Doctor" is written next to the name of Dr. James Crowley [1879-1946], an Irish nationalist, paramilitary combatant and member of Sinn Féin. Interned by the British during the War of Independence, he took a less militant stance in his later years and voted for the Anglo-Irish Treaty that established the Irish Free State. "Con" is probably Constance Markievicz [1868-1927], a fellow Irish revolutionary and politician, then an active member of the IRA and a number of other republican groups. In addition to her militant work, she was the first woman elected to the House of Commons and a member of the Sinn Féin and Fianna Fáil parties.

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### Proclamations from the British Military Occupation of Samoa

#### 5. [Broadsides].

[Samoa].

[Logan, Robert (1863-1935)].

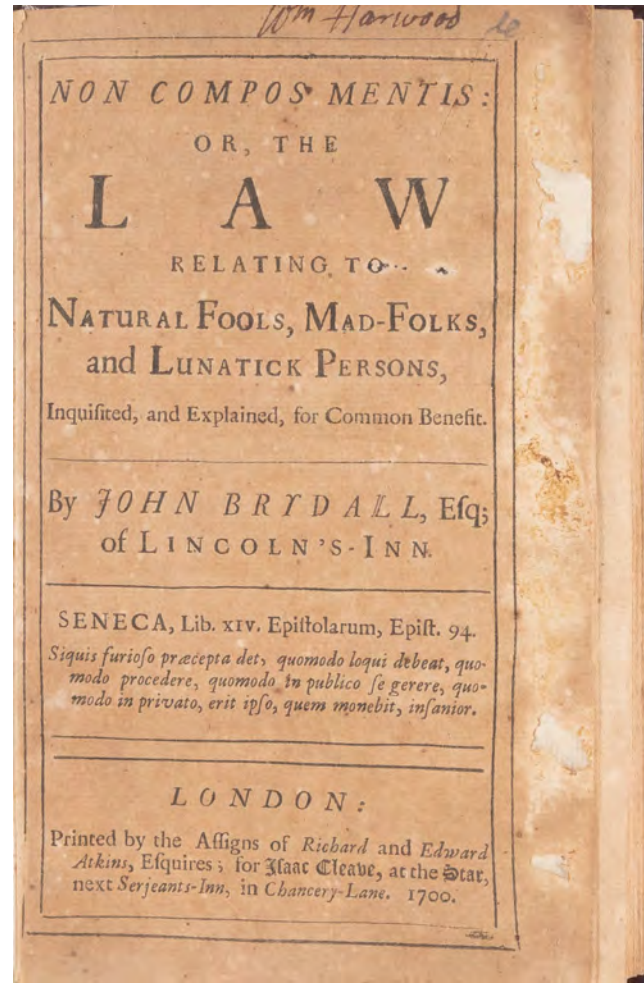
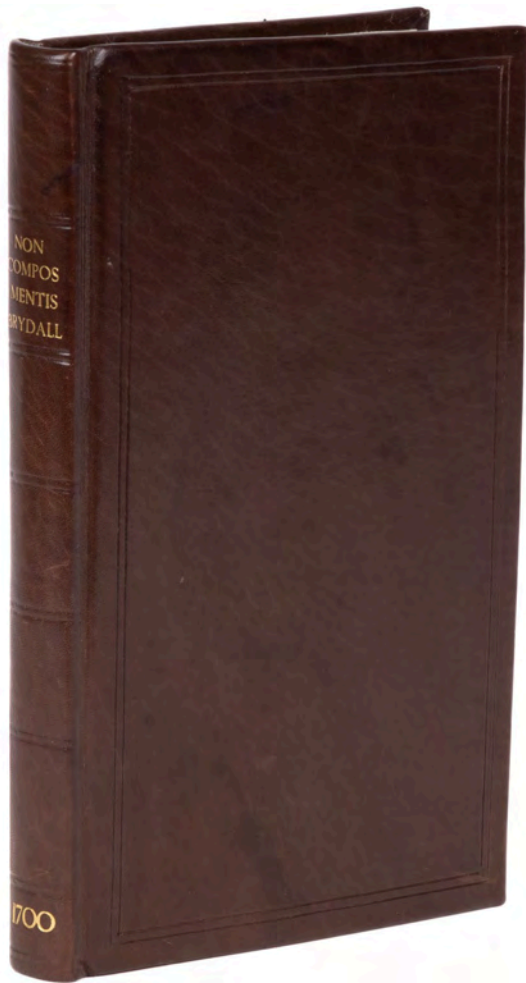
[*British Military Occupation of Samoa: Proclamations 1-40, 42-43*]. [Apia, Western Samoa: S.n., 1914-1917].

43 broadsides and broadsheets (Proclamation No. 40 present in duplicate) ranging in size from 12-3/4" x 9-1/4" to 17" x 10-3/4" (folded, 17" x 22" unfolded), text in English, Samoan and German with some broadsides printed in all three languages. Light toning, horizontal fold lines to most items, light edgewear and soiling to a few items, holes and small tears along fold line to Proclamation No. 15 affecting text with minor loss to legibility, small ink stamp to upper right corner of second copy of Proclamation No. 40. \$3,750.

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

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

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### "Natural Fools, Mad-Folks, And Lunatick Persons"

#### 6. Brydall, John [b. 1635?].

*Non Compos Mentis: Or, The Law Relating to Natural Fools, Mad-Folks, And Lunatick Persons, Inquited, And Explained, For Common Benefit.* London: Printed by the Assigns of Richard and Edward Atkins, for Isaac Cleave, 1700. [xvi], 127, [1] pp. Final page is a publisher advertisement. Octavo (7" x 4").

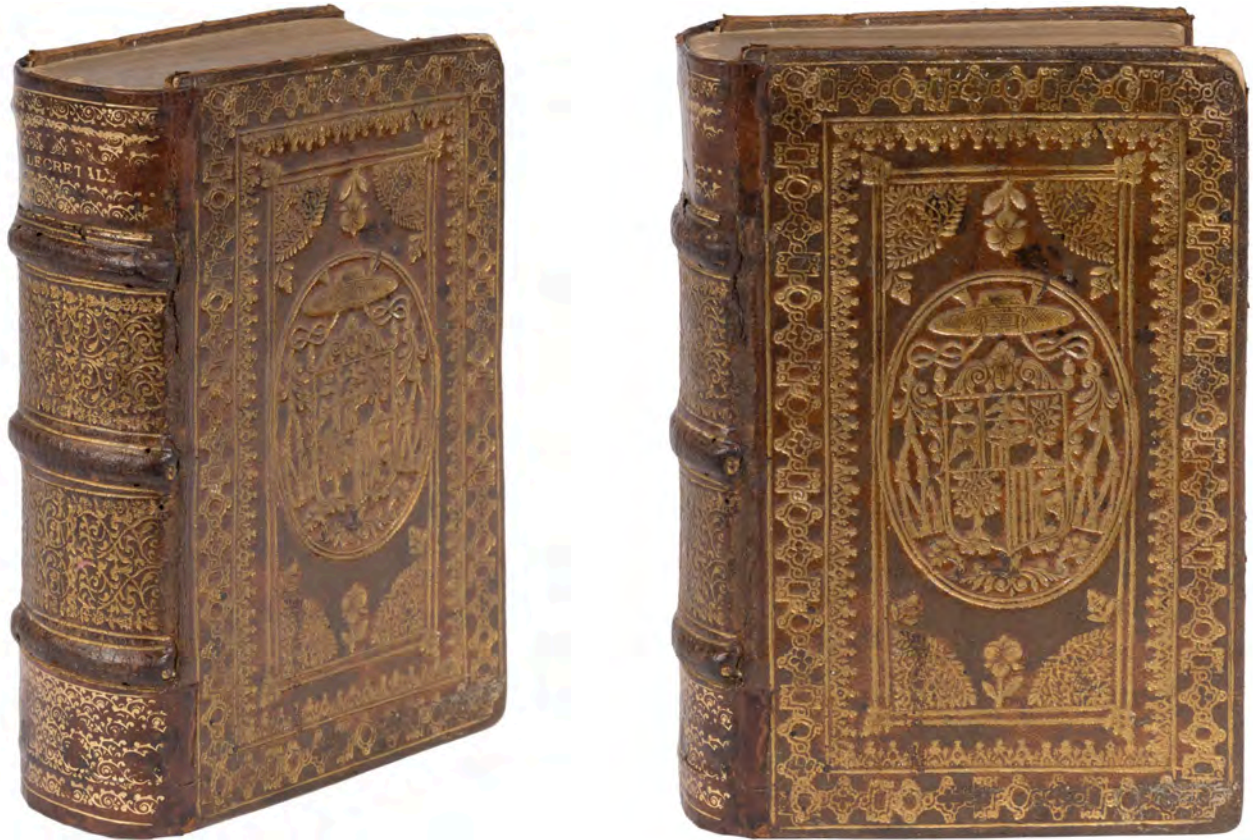
Recent calf, blind frames to boards, blind fillets and gilt title and date to spine, endleaves renewed. Browning and foxing to interior, somewhat lighter or heavier in places, partial crack in text block between pp. [xiv] and [xv], all leaves secure, light soiling and/or spark burns to a few leaves, no loss to legibility, adhesive residue to fore-edge of title page and small early ownership signature (of William Harwood) to its head. \$2,000.

\* Only edition. John Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." Fascinating for its insights into English ideas about mental illness during the 17th century, this treatise also considers the legal nature of "idiots," "persons furious, or distracted" and "drunkards."

Holdsworth, *A History of English Law* VI:600, 605. *English Short-Title Catalogue* R19885.

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Plantin Edition of the *Decretals* of Gregory IX in a Notably Handsome Binding

7. [Canon Law].

Gregory IX, Pope [1227-1241].

[Raymond of Penaforte, Saint (1175?-1275), Compiler].

[Le Conte, Antoine (1517-1586), Editor].

*Epistolae Decretales Summorum Pontificum, A Gregorio Nono Pontifice Maximo Collectae. Quid Hac Editione Praestitum Sit, Sequenti Pagella Indicatur.* Antwerp: Ex Officina Christophori Plantini, 1570. [xxxii], 911, [1] pp. Octavo (6-1/2" x 4-1/4").

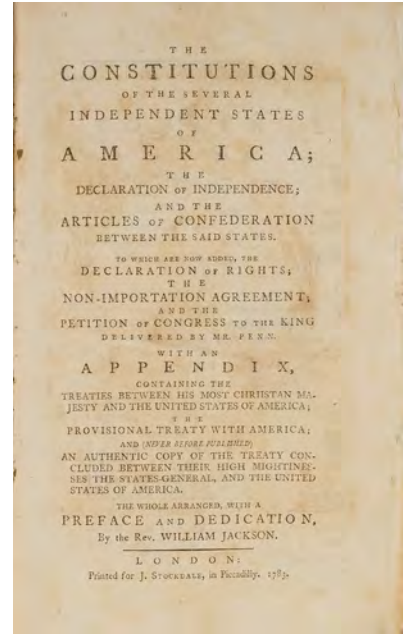
Contemporary ornately gilt-paneled calf, large heraldic arms with the arms of an unidentified bishop or cardinal (indicated by a galero hat with tassels) to centers of boards, gilt spine with raised bands, all edges gilt, spine ends carefully mended. A few minor nicks and scuffs to boards, a few tiny worm holes to spine, moderate rubbing to extremities, front joint starting, hinges cracked. Plantin device to title page. Moderate toning and light foxing, light soiling to title page, single worm hole through most of text block. A superbly bound volume. \$1,750.

\* Promulgated in 1234, the *Decretals* of Gregory IX is one of the four works known collectively as the *Corpus Juris Canonici*, a collection of papal decisions comprising the law of the Catholic Church and lands governed by the Pope. The *Decretals* is organized into five books dealing with church government, procedure, clerical life, marriage and criminal law. The first printed edition was issued in Strasbourg by Heinrich Eggestein in 1470-1472. Edited by the important humanist Le Conte, also known as Contius, our Plantin edition predates the Reformation-inspired *Correctores Romani* (1580-1582), which was the law of the Church until 1917.

Adams, *Catalogue of Books Printed on the Continent of Europe* G1227.

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**"The Magna Carta of the United American States":  
A Remarkable Survival, Uncut and Unopened**

**8. [Constitutions]**

**[United States].**

**Jackson, William [1750-1815], Editor.**

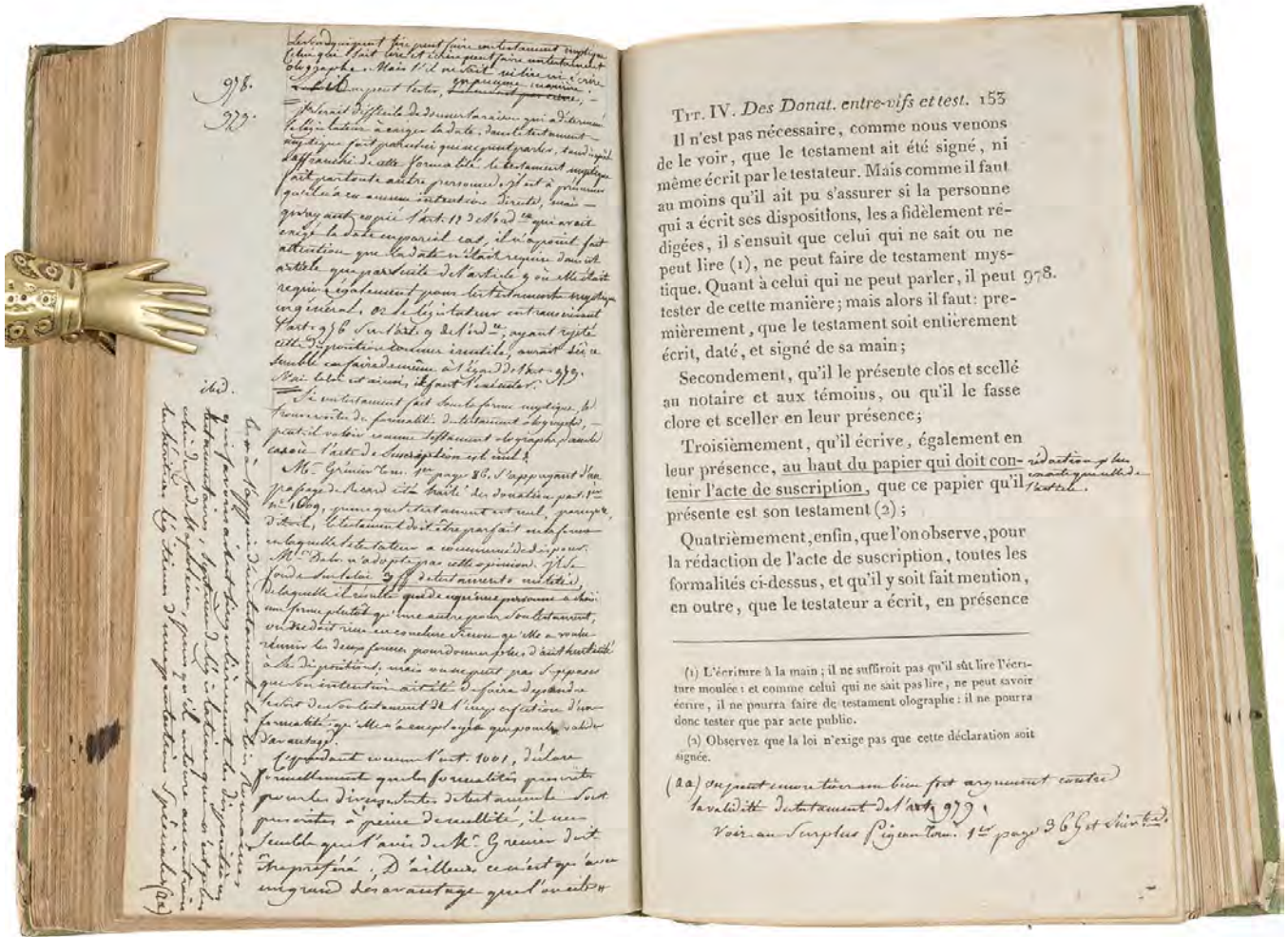
*The Constitutions of the Several Independent States of America; The Declaration of Independence; And the Articles of Confederation Between the Said States. To Which are Now Added, The Declaration of Rights; The Non-Importation Agreement; And the Petition of Congress to the King Delivered by Mr. Penn. With an Appendix, Containing the Treaties Between His Most Christian Majesty and the United States of America; The Provisional Treaty with America; And (Never Before Published) An Authentic Copy of the Treaty Concluded Between Their High Mightinesses the States-General, And the United States of America.* London: Printed for J. Stockdale, In Piccadilly, 1783. [iv], vi-xxix, [3], 367, 401-472, [4] pp. Copperplate frontispiece of George Washington, by W. Sharp, shows Washington surmounted with a liberty cap and rattlesnake, with the words "DONT TREAD ON ME" above. Final 3 pp. are publisher advertisements. Octavo (9" x 5-1/2").

Original publisher boards with contrasting paper spine, leaves uncut and unopened. Light toning to text, negligible light foxing in a few places. Book housed in morocco-backed box with gilt ornaments and publication date to spine, "J. McN.H./ Oxford 1948" to lower corner of the box's front board. A remarkable survival, much as it would have been received by a reader at the time. \$5,000.

\* Second London edition, one of two issues, both from 1783, the other with an edition statement. As noted in the title, this was the first edition with additional material, most notably the Declaration of Rights, along with the contents of the previous edition: the Declaration of Independence, the Articles of Confederation, the constitutions of the thirteen states, the 1778 treaties with France, the Treaty of Amity and Commerce and the Treaty of Alliance. The first London edition, issued by Stockdale in 1782, was a reprint of the first edition, issued by the Continental Congress in Philadelphia in 1781. Stockdale's preface refers to this work as "the Magna Carta of the United American States" [ii].

Adams, *The American Controversy* 83-53a. Sabin, *A Dictionary of Books Relating to America* 16088. Cohen, *Bibliography of Early American Law* 3019.

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**Interleaved and Extensively Annotated Copy  
of a Notable Commentary on the Code Napoleon**

**9. Delvincourt, [Claude-Étienne] [1762-1831].**

*Institutes de Droit Civil Français, Conformément aux Dispositions du Code Napoleon.* Paris: Chez P. Gueffier, Imprimeur, Rue du Foin-Saint-Jacques, No. 18, 1808. Three volumes divided into six books. xi, 192; 193-393; [iv], 192; 193-382; [iv], 190; 191-396. Interleaved. Octavo (7-3/4" x 5").

Contemporary paper-covered vellum, calf lettering pieces (indicating title and volume number) and hand-lettered book numbers (1-6) to spines. Moderate rubbing, faint dampstaining to boards, a few large chips to spine, corners bumped and moderately worn, faint annotation to front board of Book 4, partial crack to upper-outside corner of Book 6, fragments of wax seals to pastedowns. Moderate toning to interior, light foxing and dampstaining in places, rectos and versos of most interleaves filled with contemporary annotations in neat hand, additional annotations in same hand to rear pastedown of Book 5, contemporary owner signature, "A. Bouvier" to front free endpaper of Book 3, 18th-century legal document, with later stamp of a Grenoble dealer to verso, laid into Book 1. \$6,000.

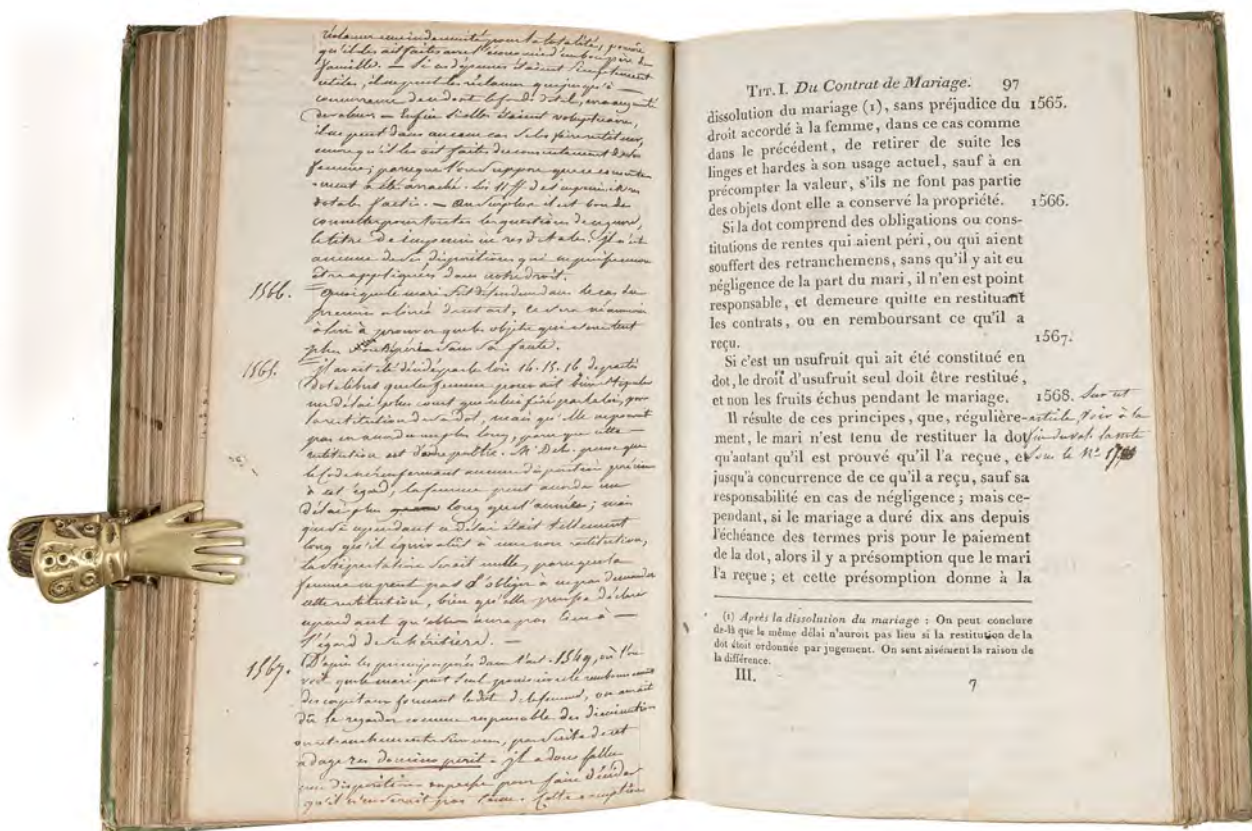


\* First edition. Delvincourt was the professor of the Code Napoleon at the Faculty of Law of Paris. His *Institutes* was the first substantial study of the Code. A standard work during the first half of the nineteenth century, its final edition was published in 1834. (Later editions, published after the fall of Napoleon, were titled *Cours de Code Civil*.)

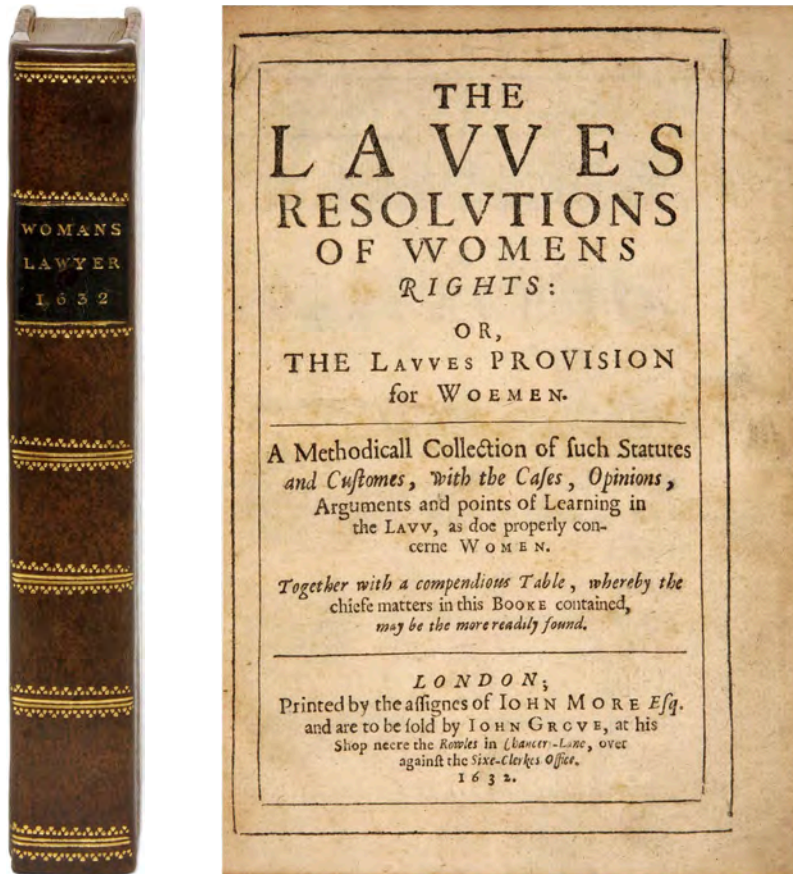
The annotations in our copy, some filling several leaves, display a deep and committed study of Delvincourt's work. Likely added by a law student or academic (A. Bouvier?), they form a detailed commentary with additional references to related documents, treatises and later legislation and case law. Some of these consider the legal and political roots of the Code. One example mentions discussions that were held by its framers and cites speeches by Jean-Etienne-Marie Portalis (Book I, "Of Persons," p. 124). Another is an 18-page historical sketch of French law inserted before the first page of Book 1.

As indicated in his remarks on the chapter "Adoption," the annotator does not always agree with the author: "It seems established in case law that one can adopt natural children. (...) Mr. Delvincourt professes a contrary opinion; but he has against him all the judgments rendered on this matter, and moreover what is stated in the speech of the Government speakers, on the paternity and filiation, Volume 3, p. 108. See also the Treaty of Persons by Mr. Proudhon. (Tit X, On adoption, p. 13)." More often, the annotator compares Delvincourt's readings to those of other contemporary scholars and tries to find a consensus among them. We can see this in his notes on the question of property (Book 3, "Ways of Acquiring Property," p. 192).

Overall, the large number of high-quality annotations in our copy makes it an important document in the early reception of this important work.



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### The Earliest Work in English About Laws Relating to Women

#### 10. E[dgar], T[homas] (fl. 1615-1649), Attributed].

*The Lawes Resolutions of Womens Rights: Or, The Lawes Provision for Woemen. A Methodicall Collection of Such Statutes and Customes, With the Cases, Opinions, Arguments and Points of Learning in the Law, As Doe Properly Concerne Women. Together with a Compendious Table, Whereby the Chiefe Matters in This Booke Contained, May Be the More Readily Found.* London: Printed for the Assignes of John More Esq., 1632. [xiv], 404 pp. First leaf in collation, a blank, lacking. Quarto (7-1/2" x 5-1/2").

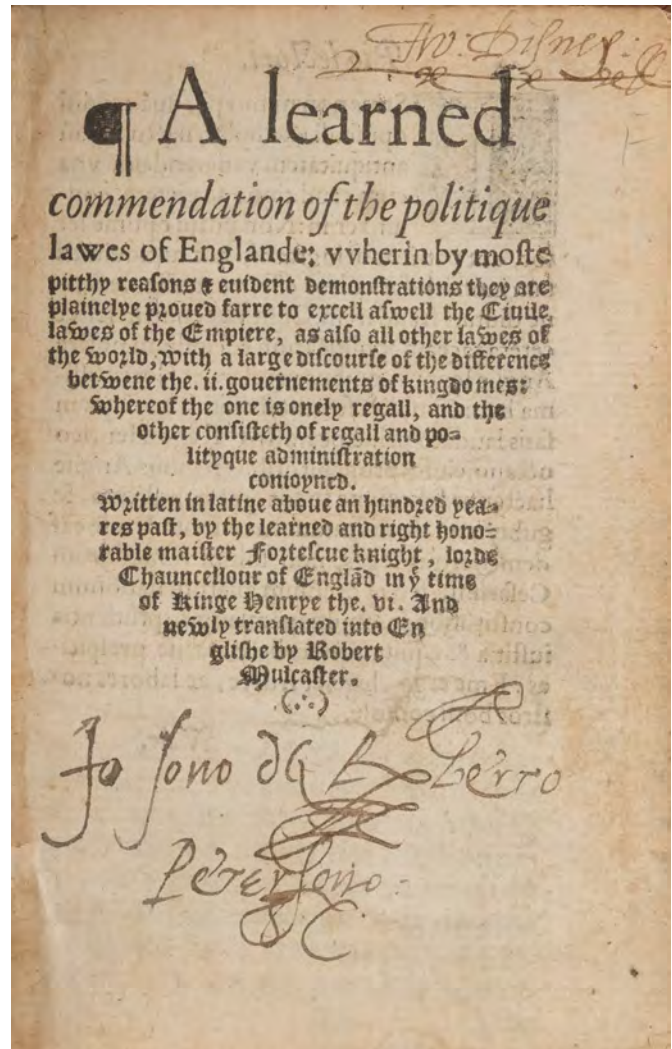
Contemporary speckled calf, rebacked in period style, gilt fillets and lettering piece to spine, gilt tooling to board edges, corners mended, endpapers renewed, speckled edges. Light rubbing to boards, tiny nick to lettering piece. Light toning to text, light foxing to a few leaves. Housed in a custom quarter morocco over cloth clamshell box with gilt-edged raised bands and gilt title to spine. A handsome copy. \$25,000.

\* First edition. The earliest work in English devoted to laws relating exclusively to women, this incomparable digest from the time of the Civil War is also known as *The Womens Lawyer*. It is notable, in part, as the first book in English with the phrase "women's rights." A wide-ranging work, it treats such diverse topics as age of consent, dower, hermaphrodites, polygamy, wooing, partition, chattels, divorce, descent, seisin, treason, felonies and rape. Some sources, such as the *English Short-Title Catalogue*, believe this work was written in 1603 by Sir John Doddridge [1555-1628], an important legal figure during the reign of James I. Its preface is signed T.E., who is believed to be Thomas Edgar. Jefferson owned a copy of this book, which suggests a few copies could be found in early American libraries.

Sowerby, *Catalogue of the Library of Thomas Jefferson* 1999. *English Short-Title Catalogue* S100217.

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**"Worthy to be Written in Letters of Gold":  
A Handsome Annotated Copy of the First English-Language Edition**

**11. Fortescue, Sir John [1394?-1476?].**

**Mulcaster, Robert [16th. c.], Translator.**

*A Learned Commendation of the Politique Lawes of Englande: Wherin by Moste Pitthy Reasons and Evident Demonstrations They are Plainely Proved Farre to Excell Aswell the Civile Lawes of the Empiere, As Also All Other Lawes of the World, With a Large Discourse of the Difference Betwene the ii. Governementes of Kingdomes: Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conjoynd. Written in Latine Above an Hundred Yeares Past, By the Learned and Right Honorable Maister Fortescue Knight, Lorde Chauncellour of England in ye Time of Kinge Henrye VI. and Newly Translated into Englishe by Robert Mulcaster.* [London: In Fletestrete Within Temple Barre, At the Signe of the Hand and Starre, by Rychard Tottill, 1567]. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/4").

Recent period-style calf, blind frames and corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed, edges rouged. Front hinge just starting. Moderate toning to interior, lower corners of ff. 91 and 121 and upper corner of f. 32 lacking without loss to text, small tear to text block of f. 1 without loss to legibility, occasional early and later (seventeenth and eighteenth-century?) underlining and annotations, mostly brief glosses, in two hands in Latin and English, early ownership signatures (of Thomas Disney, possibly Thomas Disney [c.1510-1568], and Gilbert Peterson) to title page. A very appealing copy. \$10,000.

\* First edition in English, by Robert Mulcaster, the great Elizabethan educationalist. *De Laudibus Legum Angliae*, a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in a friendly dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe. The first work to examine trial by jury and the Inns of Court at length, it also extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first published (in Latin) in 1537. "Fortescue was a favorite among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the Common Law" (Marvin). Coke deemed it "worthy to be written in letters of gold."

OCLC locates 9 copies of this edition in North American law libraries (Los Angeles County, University of Michigan, University of Minnesota, University of Virginia, Georgetown, George Washington University, Library of Congress, College of William and Mary, Harvard). Coke cited in Skeel, "The Influence of the Writings of Sir John Fortescue," *Transactions of the Royal Historical Society* 10: 93. Marvin, *Legal Bibliography* 321. Beale, *A Bibliography of Early English Law Books* T357. *English Short-Title Catalogue* S102454.



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**A Digest of the Military Law and Practice of the Holy Roman Empire  
With Six Large, Strikingly Detailed Folding Plates**

**12. Fronsberger, Leonhardt.**

**[Amman, Jost (1539-1591), Illustrations].**

*Von Kayserlichem Kriegßrechten, Malefitz und Schuldhändlen, Ordnung und Regiment: Samt Derselbigen unnd Andern hoch oder Niderigen Beuelch, Bestallung, Stabt und Empter, Zu Rossz und Fuß, An Geschütz und Munition, In Zug und Schlachtordnung, Zu Feld, Berg, Thal, Wasser und Land, Vor oder in Besatzungen, Gegen oder von Feinden Fürzunemen, Welcher Art Sitten Herkommen und Gebrauch, Under und bey Regierung deß Allerdurchleuchtigsten Großmächtigsten, Unüberwindlichsten, Und Kriegßerfahrnen berümpftisten Römischen Keyzers Caroli deß Fünfften, Hochlöblichster unseligster Gedechniß, Geübt Ungebraucht, In Zehen Bücher Abgetheilt, Vergleichen nie is Gesehen Worden, Von Neunnen Beschrieben und antag Geben durch Leonhardt Fronsperger. Mit Schönen Neunnen Figuren und einem Ordenlichen Register. Jetzt von Neunnen mit Sondern fleiß Ubersehen, Und an vielen Örtern Gemehrt unnd Gebessert. Frankfurt: [Georg Raben, In Verlegung Sigmund Feyerabends und Simon Hüters], 1565. [iv], CCLI, XXI, [7] ff. 6 copperplate folding plates by Jost Amman. Woodcut text illustrations. Folio (12" x 7-3/4").*

Contemporary paneled calf, rebaked in period style, raised bands to spine, clasps restored, hinges mended, preliminaries and following gathering re-hinged. Some scuffing to boards with wear to edges and corners, large early armorial bookplate of the Bavarian Ducal Library dated 1618 to front pastedown, front hinge starting. Title page with large woodcut vignette printed in red and black. Moderate toning to text, light foxing in places, light edgewear to a few leaves at beginning of text, upper corner of title page repaired, small later owner name neatly lettered below imprint date. A very appealing copy with all of the often-lacking plates. \$6,500.

\* Third edition with plates by Amman. Originally published in 1555, this comprehensive book was intended for officers and others involved in the military and naval affairs of the Holy Roman Empire. Most of the book is devoted to aspects of organization and the rules of engagement. As indicated by its title, it also provides extensive discussion of military law and the laws of war. One of the woodcuts is a trial scene; another is an execution. The plates, by the notable Swiss-German artist Amman, depict a military encampment and land and naval battle scenes. Interestingly, our copy appears to have been added to the Bavarian Ducal Library in 1618, the first year of the Thirty Years' War.

OCLC locates 11 copies of this edition, none in North America. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* F3118.



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1712 Edition of *De Jure Belli ac Pacis*, This Copy Enriched With Extensive Contemporary Manuscript Annotations by a French Law Professor

13. Grotius, Hugo [1583-1645].

Gronov (Gronow), Johannes, Editor.

*De Jure Belli ac Pacis Libri Tres: In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur: Cum Annotatis Auctoris, Ex Postrema Ejus Ante Obitum Cura: Accesserunt Ejusdem Dissertatio de Mari Libero, & Libellus Singularis de Aequitate, Indulgentia, & Facilitate: Nec non Joann. Frid. Gronovii v.c. Notae in Totum Opus De Jure Belli ac Pacis.* Amsterdam: Apud Janssonio-Waesbergios, 1712. [xiv], xxxiv, 946, [94] pp. Copperplate allegorical title page, copperplate portrait of Grotius. Octavo (7-3/4" x 4-3/4").

Contemporary calf, raised bands and lettering piece to spine. Shallow scuffing to boards, moderate rubbing to boards and extremities, small chips to ends of rear joint, corners bumped and somewhat worn, front joint starting, bit of bookplate residue to front pastedown. Main title page printed in red and black. Moderate toning to interior, light foxing in a few places, extensive contemporary annotations to large sections of text, struck-through owner name (?) and inscription to front free endpaper, another stuck-through inscription and a note dated 1735 identifying the annotator as Jean-Baptiste Boucher de Bégnicourt to its verso, owner inscription dated 1843 of Charles Gourand [1823-1876], the historian and economist, to verso of portrait frontispiece, small (unidentified) hand-drawn coat of arms to foot of title page. \$7,500.

\* Later Gronov edition. First published in Paris in 1625, *De Jure Belli ac Pacis* established the system of modern public international law, based on the concept of "droit naturel," an immutable morality-based law that superseded the personalities of individuals or nations. Though based on Christian natural law, Grotius advanced the novel argument that his system, like a mathematical axiom, 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. Our 1712 edition includes *Mare Liberum* (1609), Grotius's influential treatise on maritime law and the right of free navigation.

Boucher de Bégnicourt, the annotator of our copy, was a professor of law at the University of Utrecht when he annotated this copy. He was formerly a law professor at University of Pont-à-Mousson and an advisor to Leopold "The Good" [1679-1729], Duke of Lorraine. Little else is known about him, but he was clearly a high-level jurist.

His notes, in Latin, show a deep engagement with Grotius's text. He is deeply concerned with the implications of Grotius's ideas. This is especially evident in his remarks on Book I, Chapter XX, which is devoted to penalties. He confronts the question of legitimate judicial power that is not given by God, but from the fact that people form hierarchical social units: "If someone objects that no one punishes or governs himself, therefore no one could have given this power to a prince. Answer: when men assembled in cities they submitted their will to the will of the prince for the public good, and endeavored to see law-breakers punished. Thus the prince has the power to punish, even if he didn't have it originally. This right comes from the process of forming a community" (p. 485).

In some cases, our annotator opposes Grotius. One example is his rejection of a remark on a passage in Samuel (1 Samuel 8:2), where Grotius says royal dignity is based on an abstract right (p. 130). He also questions Grotius's reliance on juristic authorities when discussing theological subjects. We see this in a few places, such as his remark on a passage in Book I, Chapter IV, regarding the resistance of subjects to political authority in such cases as the Maccabees against the Seleucids (p. 143). Other notes clarify or expound general terms or remarks. Where Grotius says "German peoples," our annotator notes specific nations, such as Goths, Vandals, Saxons and Burgundians.

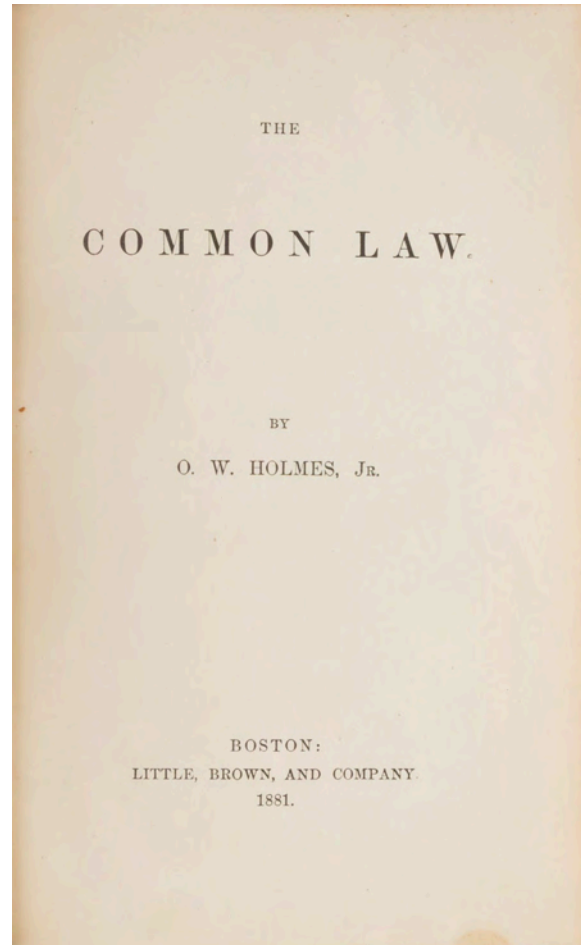
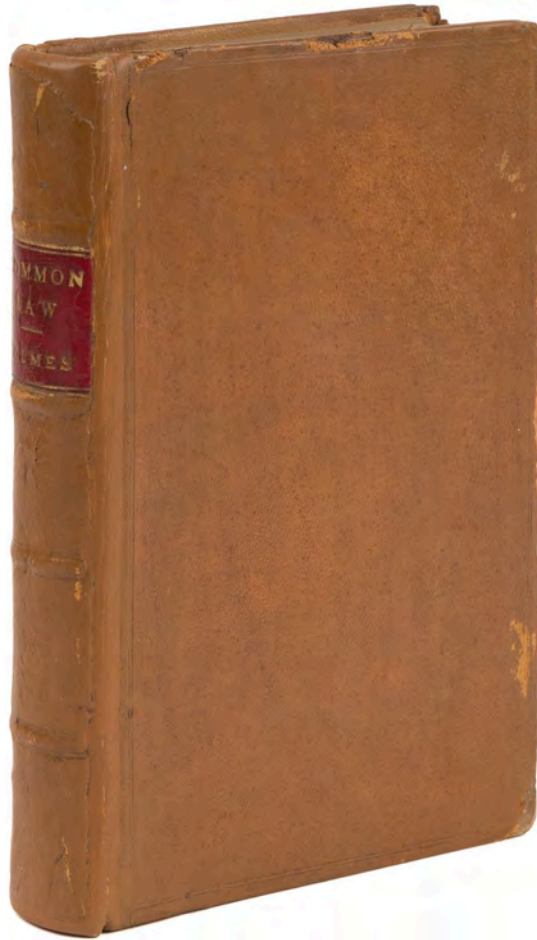
On a general level, this copy is a fascinating document of the reception of *De Jure Belli ac Pacis* in the early eighteenth century. More specifically, it connects the contemporary reader with the thoughts of a perceptive French jurist when he was associated with one of Europe's leading Protestant universities.

Carter and Muir, *Printing and the Mind of Man* 125. Ter Muelen and Diermanse, *Bibliographie des Ecrits Imprimés de Hugo Grotius* 596.



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**First Edition of *The Common Law* in the Scarce Law-Calf Binding**

**14. Holmes, Oliver Wendell, Jr. [1841-1935].**

*The Common Law*. Boston: Little, Brown, And Company, 1881. [i]-xvi, 422 pp. Octavo (8-1/4" x 5-1/4").

Original law calf, rebacked retaining existing spine with raised bands and lettering piece, blind frames to boards, hinges mended. A few light scuffs to boards, a few small chips to board edges, faint creases to spine, corners bumped and moderately worn, early owner signature (Samuel L. Morris, Jr., 1/13/1908) to front and rear pastedowns. Moderate toning to interior, offsetting, light soiling and a few tiny chips to edges of endleaves. \$1,750.

\* First edition, second issue, with the one-line printer statement reading "The University Press, Cambridge, Mass., U.S.A." at foot of the title page, verso, and foot of p. 422. As Friedman points out, "*The Common Law* was easily the most distinguished book on law by an American published between 1850 and 1900." In contrast to earlier Anglo-American jurists, and the reigning positivist ethos of the nineteenth century, Holmes proposed that the common law was not a science founded on abstract principles but a body of practices that responded to particular situations. This functionalist interpretation led to his radical idea that law was not discovered, but invented. This theme is announced at the beginning of Lecture I: "The life of the law has not been logic: it has been experience" (1).

"Oliver Wendell Holmes and *The Common Law*," Meyer Boswell Books, Inc., *Rare and Unusual Law Books, Catalogue Fourteen* 2. Friedman, *A History of American Law* 544. Grolier Club, *One Hundred Influential American Books* 84.

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### A Scarce Guide to Land Law for Both "The Skilfull" and "The Ignorant"

#### 15. [Layman's Guide].

*The Exact Law-Giver; Faithfully Communicating to the Skilfull The Firm Basis and Axioms of Their Profession. To the Ignorant Their Antient and Undoubted Birthrights and Inheritances. Being as a Light Unto All the Professors of the Law, As Well Counsellors as Attorneys, Clerks, Solicitors, Scriveners, &c. Or a Manu-ductio, Or a Leading, As it Were, By the Hand, All Such, Both of the Gentry or Laity (As Desire to be Instructed How to Gain or Preserve Their Estates from the Hands of Their Cruell Adversaries) To the Perfect Knowledge of the Common and Statute Law of This Nation.* London: Printed for Thomas Bassett, 1658. [xvi], 189, 202-226, [12] pp. Pagination irregular; lacking final advertisement leaf, text complete. Octavo (5-1/2" x 3-1/2").

Contemporary calf, rebaked in period style with raised bands and retained lettering piece, lower outside corner of rear board recornered, endpapers renewed, hinges mended with cloth. Light rubbing to boards, moderate rubbing to joints and board edges, corners bumped and worn, front hinge starting, recent bookplate (of J. Michael Loening) to front pastedown. Moderate toning to interior, light foxing and soiling to a few leaves, faint dampstaining to lower outside corner of last 20 or so leaves, first and final leaves re-hinged affecting legibility at gutter of penultimate index page, chipping to top-edge of title page, its upper inside corner reinforced, just touching text without loss, later owner signature ("W Bulkeley Glasse/ Linc: Inn") to its upper right corner, pencil marks to margins of a few leaves. A scarce title, this the first copy we have seen. \$1,800.

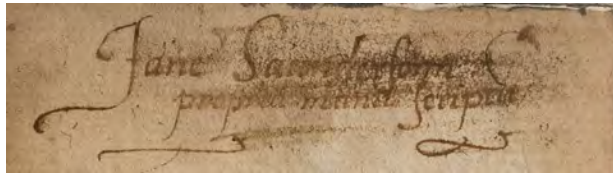
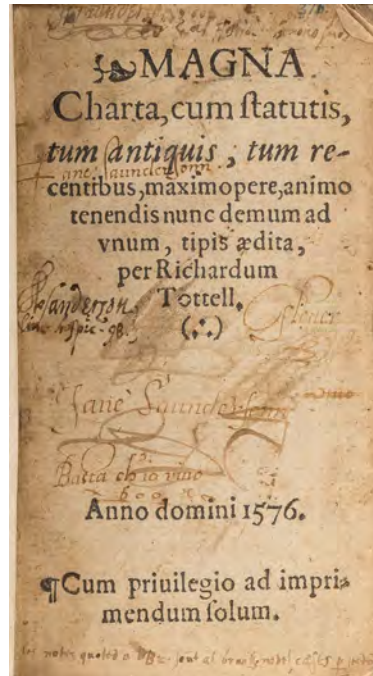
\* Only edition. This layman's guide deals primarily with topics in land and estate law such as tenancy, rents, feudal duties, recovery and probate. Its first chapters discuss "the Antiquity, Excellency and Perfection of the Common Laws of England" and their origins. An anonymous work, its preface states that it was published from "an Antient Manuscript."

William Bulkeley Glasse [1806-1890 or 1892] was a barrister, Queen's Counsel and dedicated bibliophile. He was admitted to Lincoln's Inn in 1829 and served as treasurer there. His large library was sold at auction in 1892. Michael Loening [1930-2022] was a New York lawyer who held important positions in a number of important firms, including Emmet, Marvin & Martin.

OCLC locates 12 copies, 5 in North American law libraries (San Francisco Law Library, Yale, Columbia, Harvard, University of Pennsylvania). *The Records of the Honourable Society of Lincoln's Inn* (1896) I:373. *English Short-Title Catalogue* R201913.

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### Handsome Copy of the 1576 Tottel Edition of Magna Carta, Owned by a Woman

#### 16. [Magna Carta].

*Magna Charta, Cum Statutis, Tum Antiquis, Tum Recentibus, Maximopere, Animo Tenendis Nunc Demum ad Unum, Tipis Aedita, Per Richardum Tottell. Anno Domini 1576.* [Imprinted at London in Fleetestrete Within Temple Barre at the Signe of the Hand and Starre, By Richard Tottell, The 8. Day of Marche, 1576]. [viii], 247 ff. Octavo (4-1/2" x 2-3/4").

Recent period-style calf, raised bands and gilt title and ornaments to spine, endpapers renewed. Some toning to text, margins trimmed close with loss of a few letters on outer margin of leaf A1 (fol. 1), minor dampstaining in a few places. Contemporary ownership signatures of Jane Saunderson to title page and rear endleaf, brief annotations in a tiny hand to a few pages. An appealing copy. \$7,500.

\* Text in Latin, English and Law-French. With two tables of statutes, one alphabetical. An early and uncommon edition of the Magna Carta printed here with corrections and additions from earlier editions, up to the 14th year of the reign of Elizabeth I. It includes the Carta de Foresta of Henry III, the Statutes of Merton and Marlebridge and additional information useful to "studentes of the lawe" and "practisers of the same." A valuable window on English society in the sixteenth century, the statutes deal with women, wills, leases, forcible entry, "Fraudulent Deedes" and many other topics. In 1553 Tottel was granted an exclusive seven-year patent to print all "duly authorized books on the common law" (Dugdale). His patent was renewed several times over the following forty years. During that time, he became one of the most important legal publishers of the sixteenth century.

Dugdale, *Origines Juridicales* 59-60. Beale, *A Bibliography of Early English Law Books* S19. *English Short-Title Catalogue* S92154.

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### Letters Tracing the Courtship and Early Marriage of a Notable New Jersey Judge

#### 17. [Manuscript Archive].

**Hartshorne, Ellen Fritz [1895-1988].**

**Hartshorne, Richard [1888-1975].**

[*Correspondence of Judge Richard Hartshorne and His Wife, Ellen Fritz (Née Sahlin) Hartshorne. America, Early 1900s*].

Approximately 550 letters, 1,150 manuscript pages in ink, 200 pages in pencil, most in original envelopes. Moderate toning, occasional creases, edgewear and minor chips and tears, overall condition very good. \$1,250.

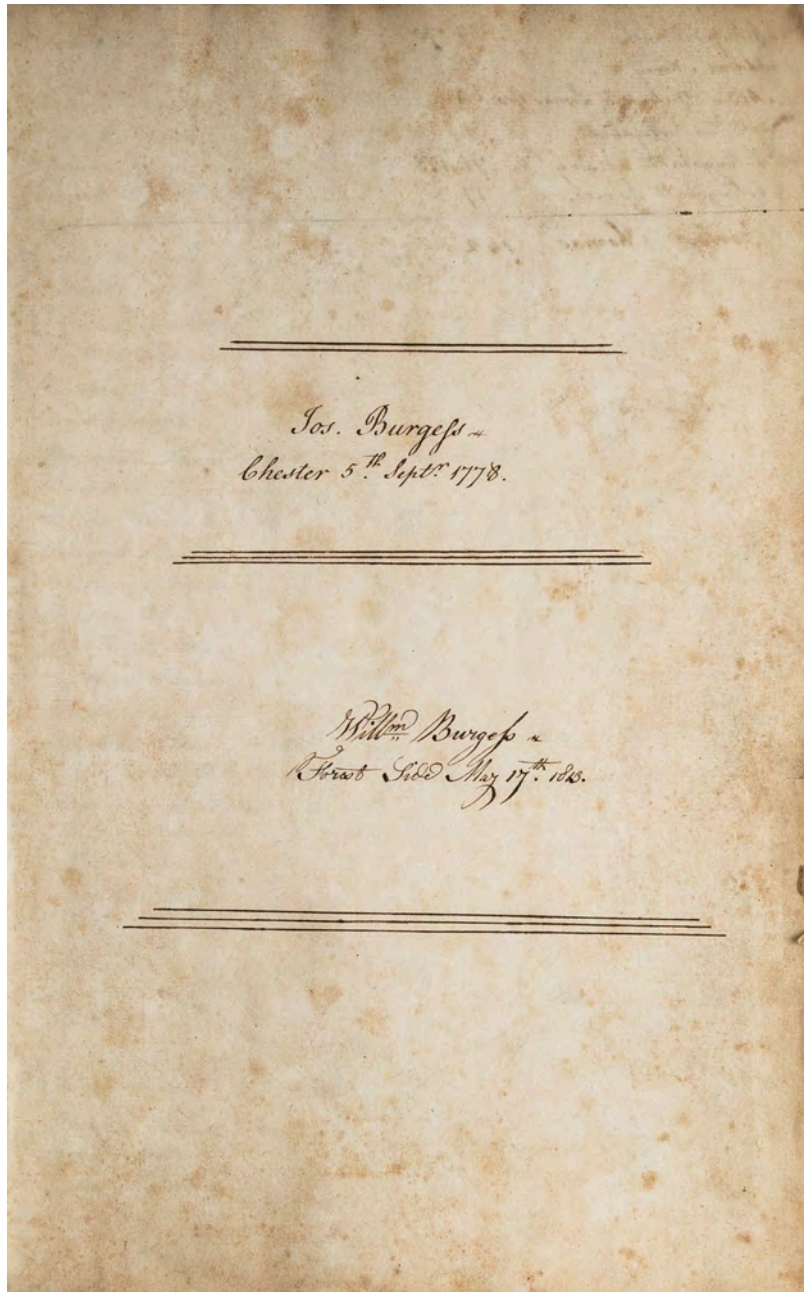
\* Researchers interested in social rituals and letter-writing customs of America in the early 20th century will be engrossed by this archive. Richard Hartshorne and Ellen Sahlin's courtship and early years of marriage and parenthood coincided with the U.S. entry into World War I, the 1920s and the financial disaster of 1929. A graduate of Wellesley College, Sahlin worked as an interior designer for a firm in New York City. Hartshorne, a graduate of Princeton and Columbia Law School, enlisted in the Navy and was stationed on the Eastern seaboard during the war. After his tour of service, he advanced professionally in various legal firms and was a judge of the United States District Court for the District of New Jersey from 1951 to 1961 and a senior judge of that court from 1961 to the end of his life. Both came from renowned families. The Hartshornes were among the earliest settlers in New Jersey. Known for their probity, several Hartshornes served in judicial and legislative posts. Ellen's father, uncle and brother played important roles in the steel industry in the United States and India.

Although they were strong-willed, well-educated, career-oriented individuals from pedigreed families, they still faced their share of challenges. For example, Hartshorne, while a naval ensign, had issues with senior officers. Sahlin mentioned her struggles with difficult clients. Several letters from Hartshorne and Sahlin include whimsical drawings. If there is a lesson in this archive, it is related to the importance of having an extensive circle of family and friends to draw upon during difficult times. As the family expanded, and the household fractured to accommodate Hartshorne's work obligations, the couple received vital information and advice from others, especially from Ellen's "devoted brother," Bob. This support was important when Sahlin was hospitalized for the birth of her children and when Hartshorne fell into depression in 1927.

Several letters from well-wishers received upon their engagement provide examples of the manner in which the couple managed their social networks. The engagement announcement, for example, was sent to circles of intimates and acquaintances in ever-widening waves of correspondence and public notices. For months following, responses arrived from Connecticut, Massachusetts, New Jersey, New York, Ohio and Pennsylvania as well as from Belgium, France and Sweden. Besides the congratulatory remarks, there were many promises of future visits and renewals of friendship as the couple began a new phase of their lives.

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**Account Book and Client Ledger of a Chester Lawyer**

**18. [Manuscript].**

**[Burgess, Joseph (d. c.1803)].**

**[Burgess, William].**

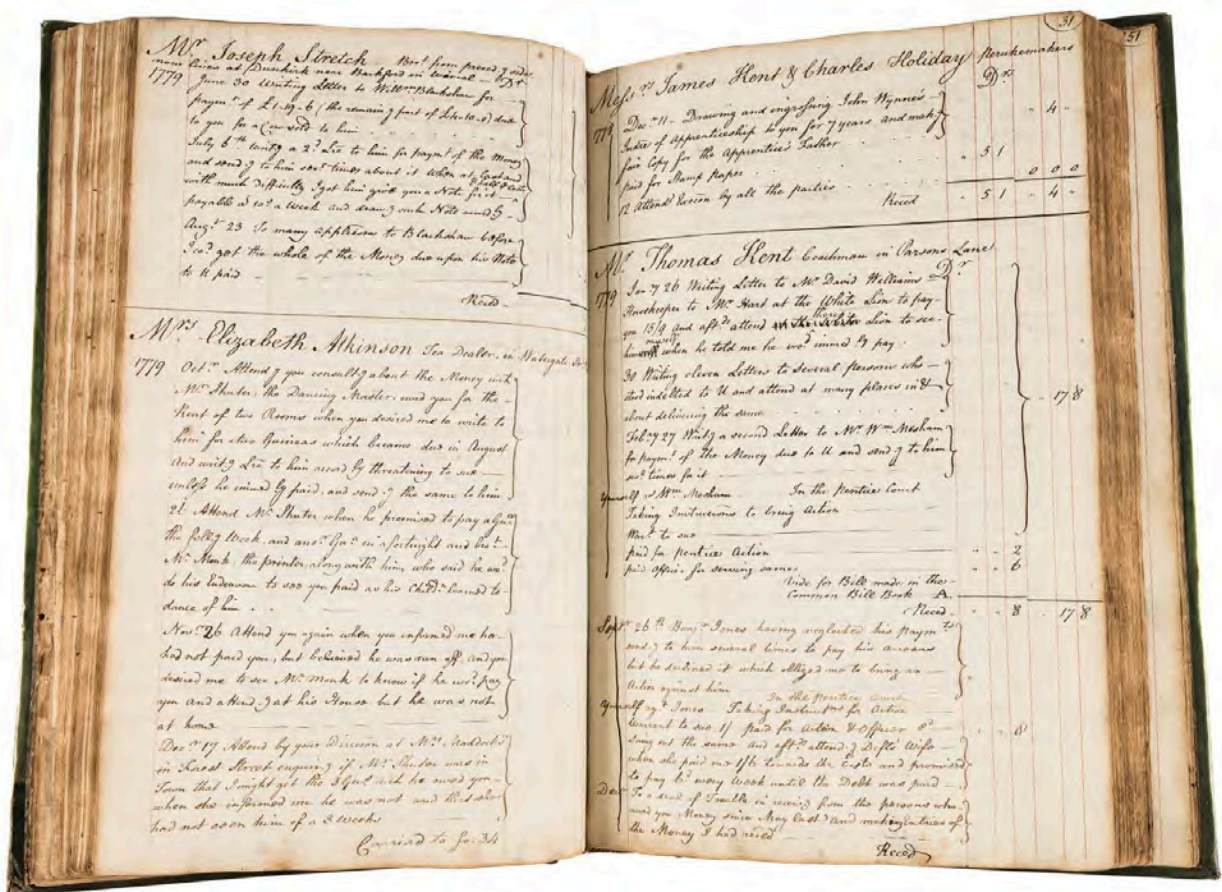
[*Account Book of Joseph and William Burgess*]. Chester, UK, 1778-1846. [xiii], 151, [1] ff. Final leaf numbered 251, 100 ff. neatly removed after fol. 151. With an index. Folio (12-3/4" x 8").

Contemporary green laced vellum, blind rules to boards, marbled endpapers. Light rubbing and soiling and a few small scuffs to boards, which are slightly bowed, lace missing from head of front joint. Moderate toning to interior, occasional very light foxing, lower portion of f. 132 lacking, a few leaves neatly removed. Eighteenth-century content in a single neat hand, nineteenth-century content in multiple hands. \$4,500.

\* This manuscript began its life as a ledger of clients served by Joseph Burgess from approximately 1778-1784. Each entry is highly detailed and lists the client's name, occupation and details of their case along with the steps taken by Burgess and the expenses incurred. Many of his clients were tradespeople or servants and his charges appear to have been accordingly modest. In several cases, Burgess did not charge his clients at all, particularly (though not exclusively) when he noted they were in difficult circumstances. Despite this generosity, at least one client, an innkeeper seeking to claim a tenant's goods in lieu of unpaid rent, absconded.

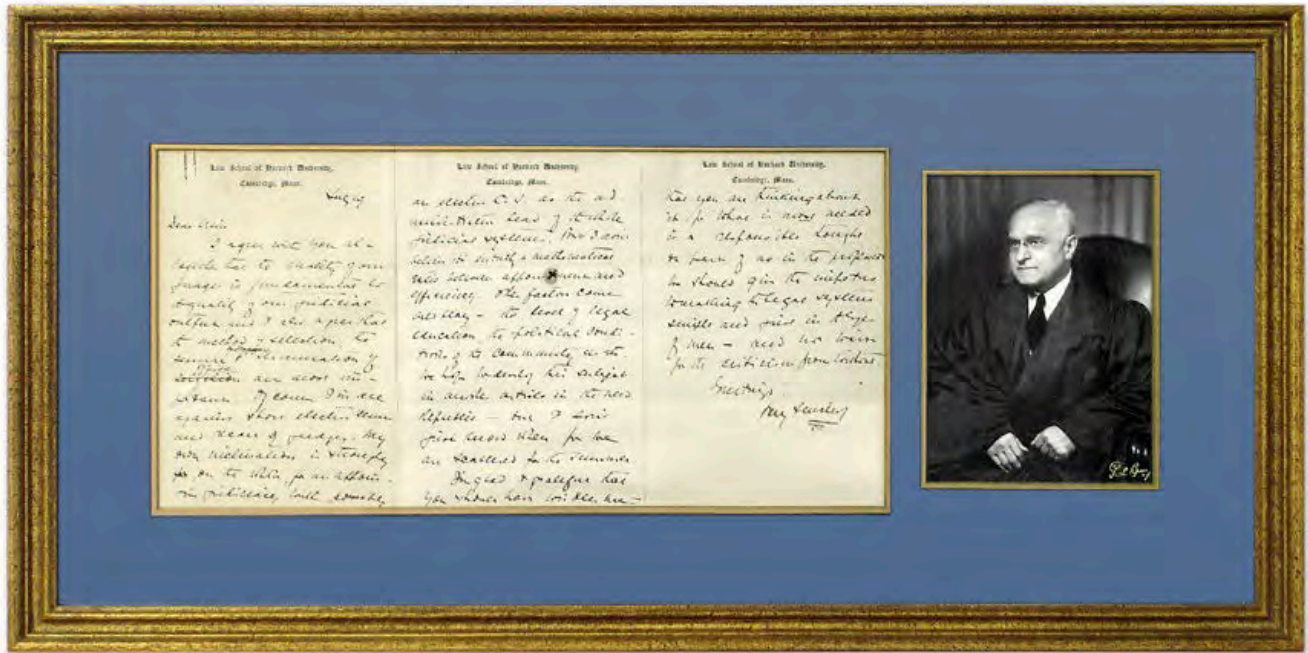
The entries provide a fascinating look into legal practice and daily life in the area. In addition to more prosaic matters such as wills and contracts, Burgess also dealt with libel, assault and verbal abuse. One client, a grocer, was accused of calling another woman "a Whore and an Old Bawd" by a witness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

The ledger was then passed to William Burgess, likely Joseph Burgess's son, who noted on the first page that he was practicing in Forest Side in 1813. It is unclear which entries are William's, though some entries from the early nineteenth century appear on blank portions of leaves with Joseph Burgess's records. His entries may also have appeared on the excised leaves. The ledger concludes with entries in several hands spanning approximately 1818-1846 and dealing with the household expenses and estate of John Burgess. Taken as a whole, the volume is both a thorough record of everyday legal practice in the eighteenth century and an interesting window onto the use and reuse of manuscripts by later owners.



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**Frankfurter Weighs in on Judicial Reform,  
Suggesting an Elected Chief Justice**

**19. [Manuscript].**

**Frankfurter, Felix [1882-1965].**

[Autograph Letter, Signed, On Harvard Law School Letterhead, Signed F.F. and Dated Sept. 19] c.1935.

Three-page letter on three 5" x 8" sheets and 5"x 7" portrait photograph of Frankfurter in judicial attire in attractively matted and glazed 28" x 14" frame. \$1,250.

\* In this interesting letter to an unidentified recipient, Frankfurter shares his thoughts on the judicial system and elected judges. "I agree with you altogether that the quality of our judges is fundamental to the quality of our judicial output and I also agree that the method & selection, the tenure & termination of office are most important. Of course I am all against short election terms and recall of judges. My own inclination is strongly, on the whole, for an appointive judiciary particularly with, possibly, an elected C.J. as the administrative head of the whole judicial system..." Note: Item not examined out of frame.

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### Private Records of Eighteenth-Century Parliamentary Proceedings

#### 20. [Manuscript].

Gray, Charles [1696-1782].

[*Commonplace Book and Parliamentary Notebook*]. Great Britain [London?], c.1762-1775. [i], a-d, 81, [147 blank], A-Y, a-p, [13] pp. With a 12-pp. index. Octavo (8" x 4-3/4").

Contemporary paneled reverse calf with blind fillets and corner fleurons, raised bands to spine, blind tooling to board edges, marbled endpapers, edges rouged. Light rubbing to extremities, a few small chips to joints, front joint just starting at foot, corners bumped, front hinge starting, several small scraps of paper with manuscript notes laid in. Text in single neat hand, primarily in English with brief excerpts in Latin, Greek and French. Light toning, light foxing to a few leaves. An interesting and attractive manuscript. \$3,500.

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

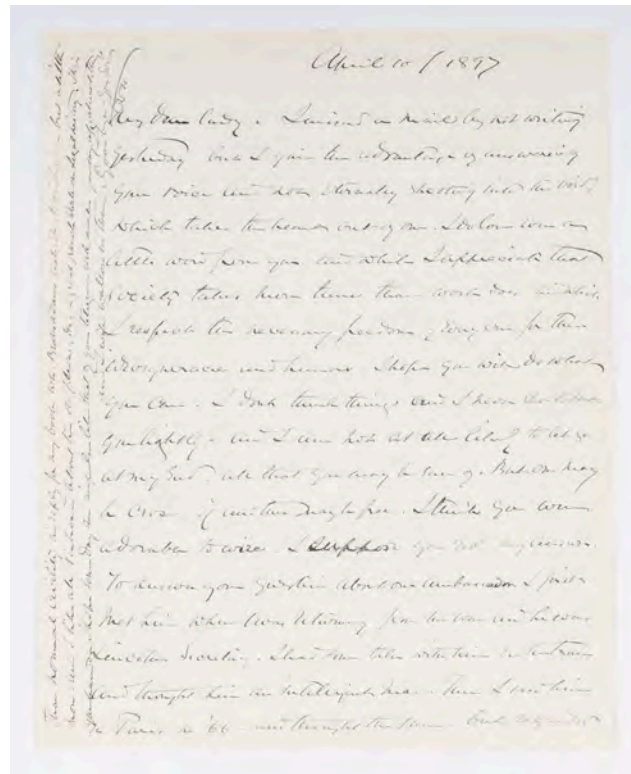
The numbered pages include notes on parliamentary procedure and Gray's own records of parliamentary proceedings. They deal with active controversies such as the Wilkes Cause and the increasing discontent in the American colonies. A March 1766 entry records a debate over what would become the Declaratory Act, described by Gray as "the bill for declaring the right of the british [*sic*] Legislature over the colonies." The bill received royal assent 10 days after Gray's entry. Others from 1767 discuss recent "Acts of N. American Assemblies" prior to the passage of the Townshend Acts and "a libel printed in N. America" afterwards. A particularly detailed entry dated 6 December 1770 records the establishment of a commission to investigate crime in London and Middlesex, with vote totals for and against the motion and Gray's own thoughts on the attitude of the populace ("irritated to the highest degree...and persuaded that all their liberties are agoing in a moment").

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

Royal Commission on Historical Manuscripts, *Fourteenth Report, Part IX* (Round 309-317).

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**"Don't You Feel a Sort of Settled Intimacy  
as the Result of Time and Our Writing and Every Thing?"**

**21. [Manuscript].**

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

**[Castletown, Lady Clare (1853-1927)].**

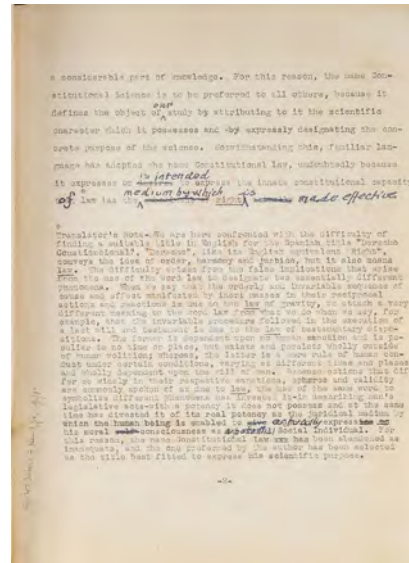
[Autograph Letter Signed "OWH" to Lady Clare Castletown, Boston (?), April 10, 1897].

10" x 8" bifolium, content filling rectos and versos of both leaves. Light toning, vertical and horizontal fold lines, minor tears to folds in two places. \$1,950.

\* This letter dates from the early years of Holmes's lengthy correspondence with Lady Clare Castletown, an aristocratic woman with whom Holmes had an intense flirtation. Holmes, then an associate justice of the Massachusetts Supreme Judicial Court, offers interesting remarks about the statesman John Hay, the historian Henry Adams and the recently published book *Farthest North* (1897) by the Norwegian Polar explorer Fridtjof Nansen.

The letter reads, in part: "To answer your question about our Ambassador [Hay], I first met him when I was returning from the war and he was Lincoln's Secretary. I had some talk with him on the train and thought him an intelligent man. Then I saw him in Paris in '66 and thought the same, but regard him as having a rather a thin varnish on an imperfect Civilization. He has had much experience since then I know and no doubt has learnt much. (...) He is a friend of Henry Adams, a son of our Minister to England, which is a mark in his favor as the Adamases are a clever lot-that's that. (...) My most interesting experience in the way of general reading is Nansen's book (*Farthest North*). It is beautiful as a Greek statue. (...) [N]othing could be more enchanting than to see a man nearly killing himself for an End which derives its worth simply from his having affirmed it. You see the pure ideal in concrete-nonsensical and sublime. (How much we could tell each other if we met again. Don't you feel a sort of settled intimacy as the result of time and our writing and every thing? For oh oh oh, I wish."

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

#### 22. [Manuscript].

Hostos, Eugenia María de [1839-1903].

Hunt, A[ibert]. 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. Two volumes. [i], 229; [ii], 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 on the Constitution* 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.

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A Handsome Annotated Copy of an Important Treatise on Roman Criminal Law

**23. Marsilius, Hippolytus de [1451-1529].**

*Practica Causarum Criminalium Domini Hippolyti de Marsilijs. J.V. Doctoris Bononien. Recenter Correcta. Una cum Repertorio et Summarijs unicuique Paragrapho Novissime Appositis.* At head of title: *Practica Hippolyti de Marsilijs.* [Lyon: Impressa in officina typographaria Jacobi Myt], 1535. Imprint from colophon, woodcut printer's device of Vincent de Portonariis to title page. 2 parts in 1, index has separate title page. clix, [25] ff. Final leaf blank. Octavo (6-3/4" x 4-1/2").

Recent period-style vellum with yapp-style fore-edges, hand-lettered title to spine, endpapers renewed. Light soiling to exterior, recent monogram bookplate ("J E," of Jean Estève) to front pastedown, front hinge starting very slightly. Light toning to interior, light foxing in a few places, occasional faint dampstaining to outside corners, light edgewear to first few leaves, leaf f4 (f. xliiii) detached. Owner signatures to head and foot of title page, one, of "P. Massis" (?), affected by trimming, and the other struck-through, along with owner signature of Louis Chaliat ("Ludovicij Chaleat J.V.D."), partial annotation (shelfmark?) in the same hand to upper outside corner, ink underlining and/or brief annotations in Latin in two early hands to 139 pages, text of many annotations affected by trimming (legibility often preserved). A handsome copy. \$3,500.

\* Later edition. First published in Venice in 1526, this is a treatise on criminal law and criminal procedure in Roman law. It is accompanied by an extensive index with a separate title page. Marsilius (also Marsilius or Marsili) was a lawyer and prolific jurist of civil and canon law. Our handsome Lyon edition was printed by Jacob Myt in partnership with Vincent de Portonariis. The striking woodcut border on the title page is also found on the first edition of Rabelais's *Pantagruel* by Lyon printer Claude Nourry.

Our copy had a number of early owners. Chaliat, identified on the title page as a *doctor utriusque iuris* ("doctor of both laws," i.e. both civil and canon law), practiced in Romans in the late 17th century. Most of the annotations are in the same hand, possibly Chaliat's, and appear consist of brief glosses with a few longer interpretative notes. This annotator appears to be concerned with procedural questions and the role of the judge, with annotations concerning a wife testifying against her husband and the mandate for a judge to follow the law and not his conscience. A few annotations are in a different hand, including one on f. clvi that cites Gambiglioni's *Tractatus Maleficiorum*, or *Treatise on Sorcery*. The citation concerns whether a cleric can be arrested by a secular officer.

OCLC locates 6 copies of the 1535 edition, 1 in North America (Harvard Law School). Not in Adams, which lists Lyon editions from 1528 and 1574.



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### Chinese Punishment in the British Imagination

#### 24. [Mason, George H. (1770-1851)].

*The Punishments of China, Illustrated by Twenty-Two Engravings: With Explanations in English and French.* London: Printed for William Miller by W. Bulmer and Co., 1801. [94] pp. With 22 hand-colored stipple engravings, first plate bound as frontispiece. Folio (14-1/2" x 10-1/4").

Contemporary paneled morocco, elaborate blind and gilt fillets to boards, gilt spine with raised bands and gilt title ("Costum China") to spine, gilt tooling to outer and inner board edges, edges of text block gilt. Light rubbing and a few small scuffs to boards, moderate rubbing to extremities, spine very lightly varnished, light wear to head of front joint and corners, which are bumped, front hinge just starting at head, armorial bookplate (of "J.M. Sagar-Musgrave," i.e. John Musgrave Sagar-Musgrave [1835-1906]) to front pastedown. Light toning to interior, faint offsetting from plates, light foxing in a few places, faint stain to upper gutter of Plate V and following page not affecting image or text, Plates IV and XX affected by trimming at fore-edge with minor loss to images.

#### [With]

[*Album of 12 Chinese Export Watercolors Depicting Punishments*]. N.d., circa mid-nineteenth century.

Twelve 6" x 9-3/4" watercolor (or gouache) drawings on pith paper with blue silk ribbon borders, mounted on contemporary untrimmed 8-1/4" x 12-1/2" sheet tipped onto 11" x 14" card. Light toning, occasional faint dampstaining and spotting to images and larger sheet, tears to pith paper affecting six of the images with minor loss, most very small with a larger tear to final image. Drawings housed in modern red morocco binder with gilt frames to boards, moderate rubbing to extremities, light fading to spine, light wear to spine ends and corners.

Together two items. \$3,000.

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

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



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**A Remarkable Survival from the First Annual Session of the Oldest Professional Organization of Female Lawyers in the United States**

**25. [National Association of Women Lawyers].**

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

Light soiling, vertical creases, tiny tear to right margin. \$3,500.

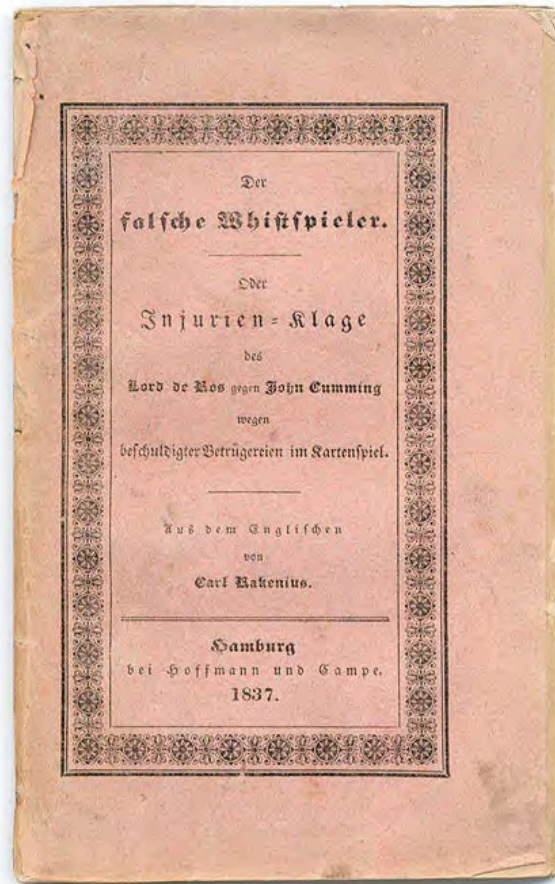
\* Founded as the Women Lawyers' Club in 1899, the National Association of Women Lawyers (NAWL) is the oldest organization of its kind in the United States in existence today. It held its first annual convention in Minneapolis in 1923 and celebrated 125 years in 2024. This large and striking group photograph was produced with remarkable clarity. Chief Justice William Howard Taft, pictured in the center of the first row, was a special guest; seated to his right is Emilie Bullowa, NAWL's president from 1923 to 1924. Also pictured are Judge Mary O'Toole of Washington, DC, Customs Court Judge Genevieve Cline of New York and Phoebe Munnecke of Michigan (NAWL). A caption at the bottom includes Taft's signature (made to the negative and reproduced in our photograph).

This photograph was likely produced in small numbers to commemorate the session. Besides a copy we presume to be held by the Association and depicted on their website, we could locate no copies in institutions. Not at the Library of Congress, the National Portrait Gallery, or the Schlesinger Library, which holds photographs of later annual meetings from 1928-1966 as part of the Association's archives.

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### The Baron Cheated

#### 27. Rakenius, Carl.

**Fitzgerald-de Ros, Henry, 22nd Baron de Ros, [1793-1839], Defendant.**

*Der Falsche Whistspieler: Oder Injurien-Klage des Lord de Ros gegen John Cumming wegen Beschuldigter Betrügereien im Kartenspiel.* Hamburg: Bei Hoffmann & Campe, 1837. viii, 136 pp. Octavo (7" x 4-1/2").

Original printed wrappers, several unopened signatures. Light soiling, a few finger smudges and moderate edgewear, spine abraded, front wrapper partially detached, moderate toning and light foxing to text, light edgewear to half-title. A rare title. \$1,650.

\* Only edition. Henry Fitzgerald-de Ros, 22nd Baron de Ros, one of the finest whist players in England, was involved in a gambling scandal in 1836. He was accused of cheating, which led him to initiate an action for libel. This was not a wise move. The trial showed that Ros cheated. Disgraced, he left England and settled in Rotterdam, where he spent the rest of his life. This trial attracted a good deal of attention. As indicated by this German account, interest in this trial was not limited to England. According to the title page, this work was translated from an English source. We were not able to locate any English equivalent to this work, however. The translated portion of our work is a court report, which is not credited to an original source. It is preceded by an original preface that discusses the case and its background.

OCLC locates 2 copies, both in Germany. Schroeder, *Lexikon der Hamburgischen Schriftsteller* VI:3085.

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**"His Famous Wig Composed Entirely of Split Hairs and Adorned with the Ceremonial Crimson Tape"**

**28. Robinson, Boardman [1876-1952].**

**[Becker-Rosenthal Murder Trial].**

*Mr. Justice Precedent.* [New York, 1914].

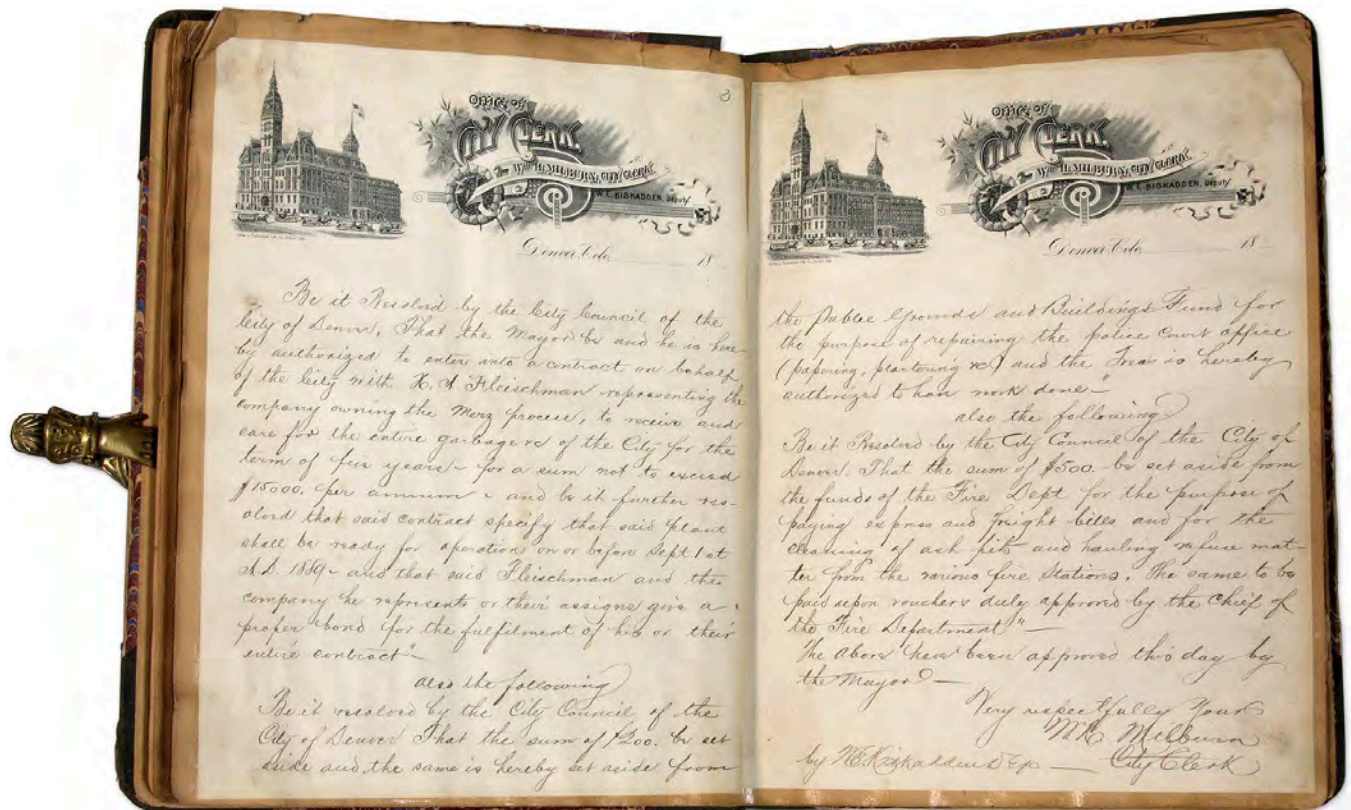
21" x 15-1/2" gouache image on 26" x 19-1/2" sheet, image signed twice and inscribed by Robinson, caption in pencil below image, most likely in another hand, laid down on illustration board. Image in 30-1/2" x 24" wooden frame, glazed. Light soiling, a few minor stains and four crop-marks to margins outside of image, which could be covered with a matte, image fine. Several minor scuffs and nicks to frame. A unique item relating to a notable trial. \$3,500.

\* This piece was created to illustrate "Leaden Footed Justice in New York State," an article that appeared in the special feature section of the *New York Tribune* on Sunday, March 1, 1914. The caption reads: "Mr. Justice Precedent wearing his famous wig composed entirely of split hairs and adorned with the ceremonial crimson tape." The caption refers to the protracted nature of the Becker-Rosenthal Murder case, which began on October 7, 1912, restarted on May 2, 1914 and finally concluded after a series of procedural events in 1915. The case involved a group of corrupt police officers led by Charles Becker who ran a protection racket on illegal casinos. Becker hired gangsters to kill a casino owner, and rival gangster, who was threatening to expose the racket. A breathtaking example of police corruption, the investigation and trial was front-page news in New York for months. In the end Becker was sent to the electric chair at Sing Sing. (This was the first time a police officer received the death penalty). The case lived on for several years in the popular imagination; it is mentioned, for example, in *The Great Gatsby* (1925).

Robinson, the creator of this illustration, was a distinguished artist, illustrator and cartoonist. A native of Nova Scotia, he studied art in Boston and completed his training at the Académie Colarossi and the École des Beaux-Arts, both in Paris. "Mr. Justice Precedent" shows his affinity, acquired in Paris, for the work of Daumier, Forain and Steinlen. Robinson produced work for several newspapers and periodicals. He created "Mr. Justice Precedent" when he was an editorial cartoonist for the *Tribune*, a position he held from 1910 to 1914. The piece is signed twice; the second signature is part of a mostly illegible (and undated) inscription to an attorney.

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### A Fascinating Look at Denver in Its Early Decades

#### 29. [Scrapbook].

#### [Denver City Council].

*Resolutions Passed by City Council* [cover title]. [Denver, 1888-1889]. [100] pp. A few documents laid in. Quarto (11-1/4" x 9").

Three-quarter pebbled cloth over marbled paper boards, "Scrap Book" gilt-stamped to spine. Binding slightly cocked, moderate rubbing to boards, somewhat heavier rubbing to extremities with some wear to board edges and corners, which are bumped. Documents affixed to rectos and versos of first 64 pages. Light toning and edgewear to contents, light browning, edgewear and occasional chipping to scrapbook leaves, light toning, edgewear and occasional creases to documents. \$2,500.

\* This scrapbook provides a fascinating look at Denver, Colorado, when it was about 30 years old. (The city was established in November 1858.) In 1888-1889, its mayor was the colorful Wolfe Londoner [1842-1912], a former dry-goods merchant who was elected by a campaign that turned to ballot stuffing and vote-buying. Most of the documents in this scrapbook are council resolutions, some of them appropriating sums of \$250 to \$500 to entertain various conventions for firemen, pharmaceutical salesmen and other visitors. Mayor Londoner, one of the leading entertainments in the city, took some of this money. An example from Denver's 1899 Festival and Mountain Plain suggests why he was such a draw: "Thursday, the Masquerade, was Wolfe Londoner's day and the people's, with Wolfe as director and star comedian. Wolfe is an autumn daisy, who banks his reputation partly on his resemblance to Cupid in top boots and gray mustache, partly on the after-dinner speeches with which he regales his newspaper chums, but mainly on the wine cellar that props up his store."

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**An Account of a Notorious Case of Election Bribery  
Bound with a Related Unrecorded Broadside**

**30. [Trial].**

**Sykes, Francis [1730-1804], Defendant.**

**Mortimer, Hans Wintrop, Plaintiff.**

*The Trial of the Cause on the Action Brought by Hans Wintrop Mortimer, Esq; Member for the Borough of Shaftesbury, Against Francis Sykes, Esq; For Bribery Committed at Shaftesbury, Previous to the General Election, In October, 1774. Tried by a Special Jury, On Saturday the 27th of July, 1776. At the Assize Held at Dorchester for the County of Dorset, Before The Honourable Sir James Eyre, One of the Barons of His Majesty's Court of Exchequer.* [London?]: [S.n.], 1776. 19, [1] pp. Main text in parallel columns. Quarto (9-3/4" x 7-1/2").

**[Bound with Text]** Two later tipped-in leaves of notes. Affixed to one of these leaves are a contemporary account of the trial and a section of a letter in Mortimer's hand.

**[and]** Tipped-in contemporary 14" x 21" mezzotint by an unknown artist, *The Shaftesbury Election or the Humours of Punch* (1775). Additional annotations about the mezzotint to front endleaves, one followed by two ownership inscriptions (one of Henry White). Affixed to one of these is a small clipping about the Mortimer family.

**[and]**

**[Broadside].**

**[Mortimer, Hans Winthrop].**

*To the Worthy Electors of the Borough of Shaftesbury.* Shafton: [s.l.], 11 June 1790. Trimmed to 9" x 6" and affixed to verso of title page.

Nineteenth-century calf, rebaked in period style, gilt rules to boards, gilt fillets and retained nineteenth-century lettering piece to spine, hinges mended, marbled endleaves. Moderate rubbing to boards and toning to text, occasional early underlining and brief notes in pencil. \$3,500.

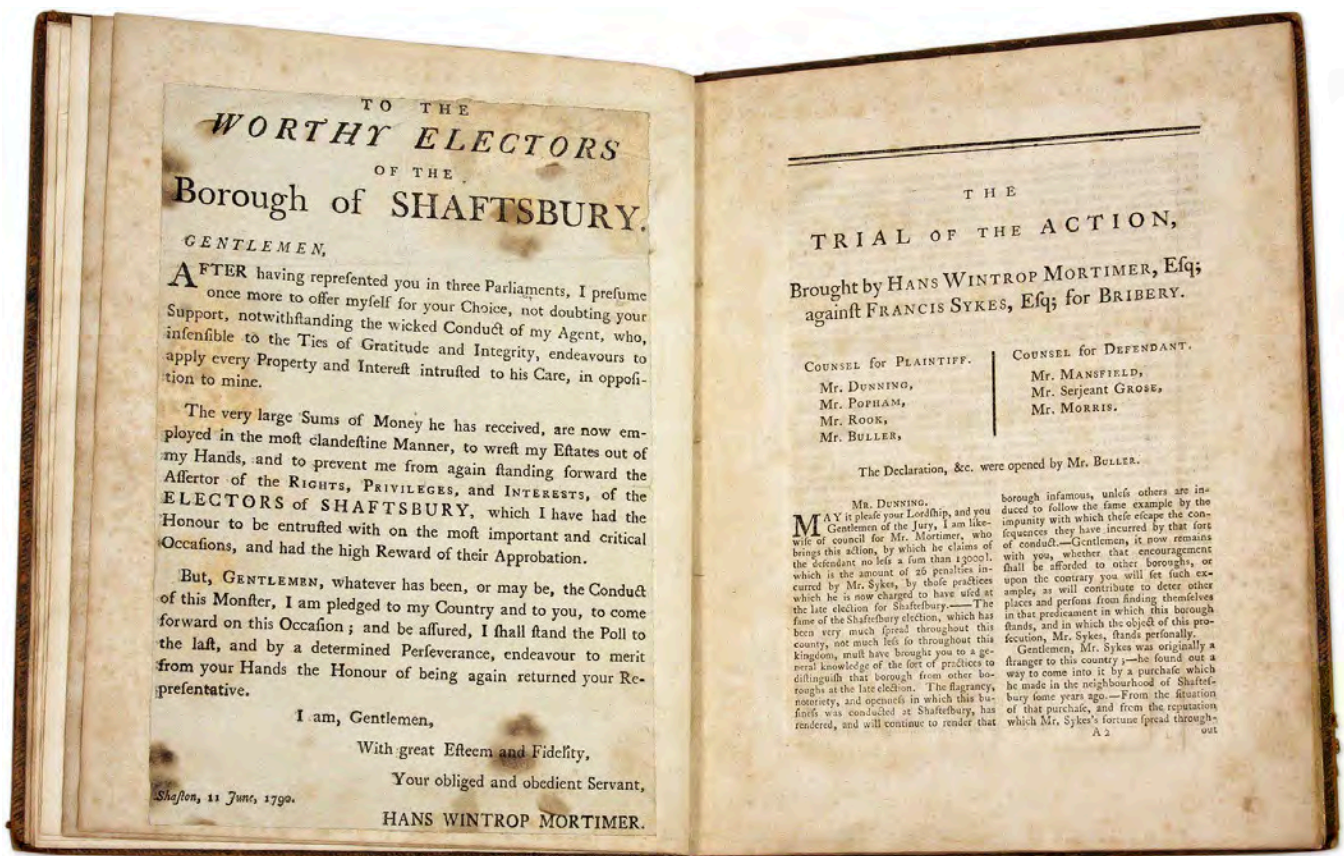


\* The Shaftesbury Election of 1774 was perhaps the most notorious English example of a rigged election. "At the election of Sir Thomas Rumbold and Sir Francis Sykes, the two ministerial candidates for Shaftesbury in 1774, several thousand pounds were distributed to the voters.... The defeated candidate, Hans Mortimer, petitioned against the return on the ground of gross and notorious bribery by the members and their agents...The House of Commons resolved that Sykes, Rumbold and six members of the corporation of Shaftesbury should be prosecuted for subornation of perjury; a bill was brought in for disfranchising Shaftesbury. These proceedings were eventually shelved, but while they were pending Mortimer brought actions...against Sykes for twenty-six acts of bribery, obtaining a verdict for twenty-two penalties amounting to £11,000" (*BM Satires*).

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

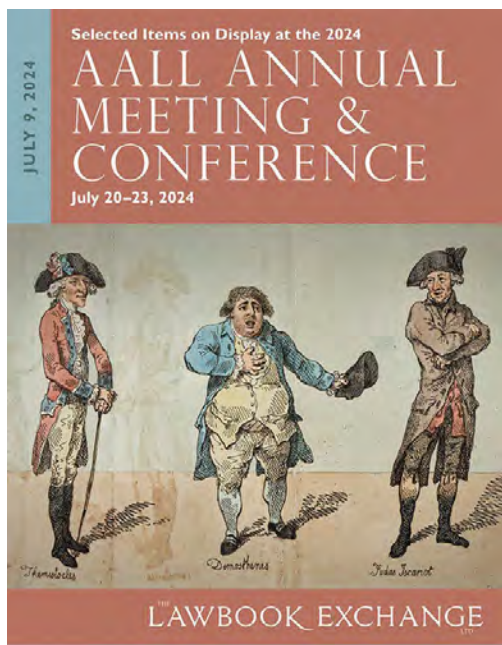
OCLC locates 8 copies of *The Trial* in North America, 3 in law libraries (Harvard, Library of Congress, Yale), and 3 copies of the mezzotint, 1 in North America (Yale). The tipped-in broadside appears to be unrecorded, with no copies listed on OCLC or Library Hub.

*British Museum Catalogue* (Compact Edition) 24:746. Stephens and George, *Catalogue of Political and Personal Satires in the Department of Prints and Drawings in the British Museum* (BM Satires) 5341.

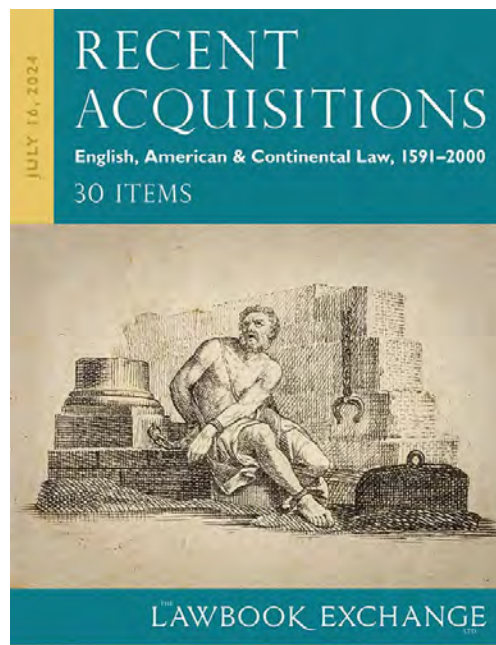


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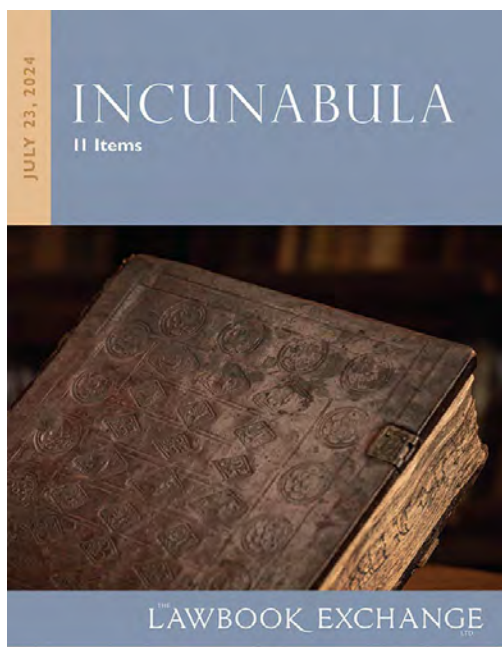
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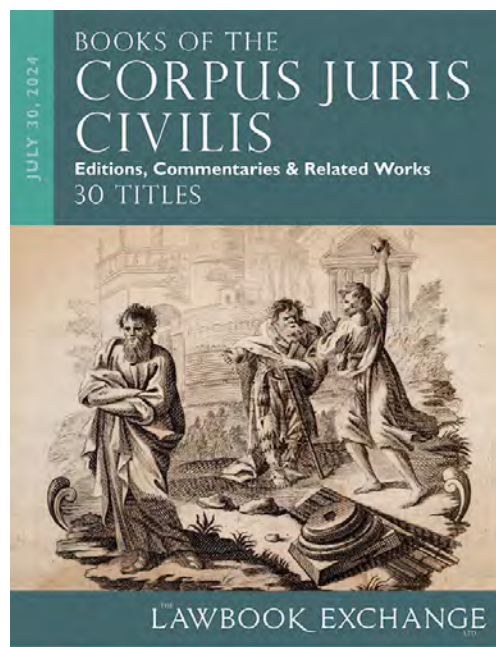
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