

OCTOBER 8, 2024

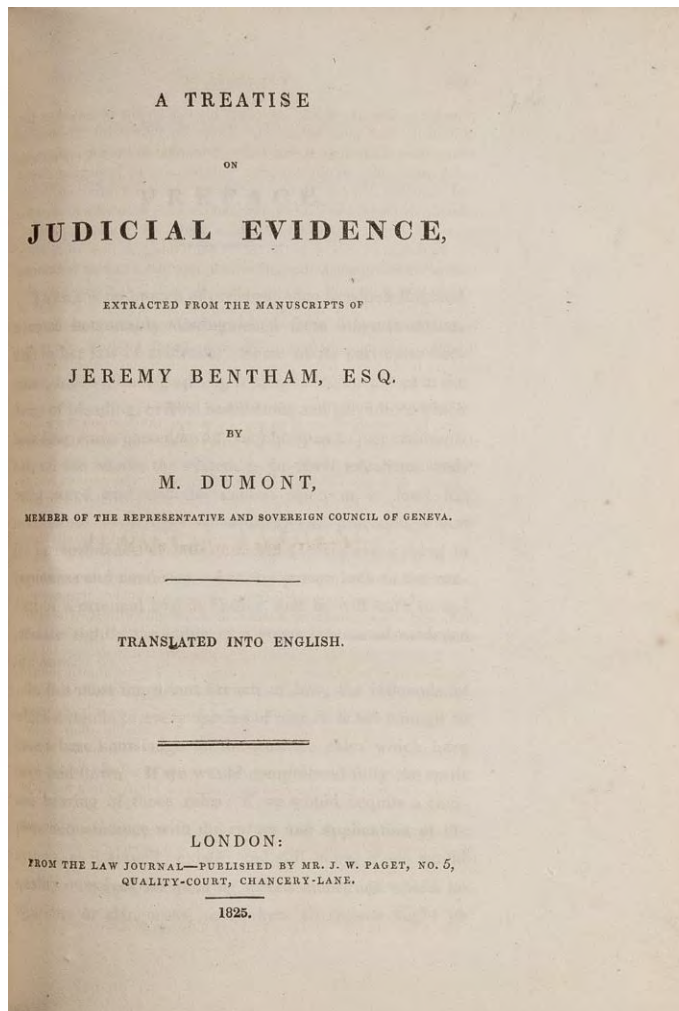
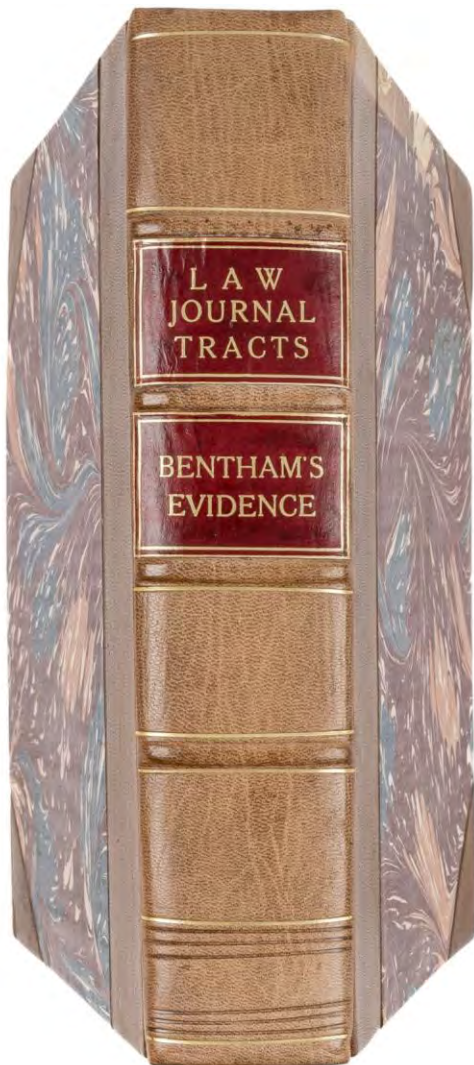
RECENT ACQUISITIONS

English, American & Continental Law, c.1490–1919

30 ITEMS



THE
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Includes the First English Edition of One of Bentham's Most Important Works

1. Bentham, Jeremy [1748-1832].

Dumont, [Etienne] [1759-1829], Editor.

A Treatise on Judicial Evidence, Extracted from the Manuscripts of Jeremy Bentham, Esq. by M. Dumont, Member of the Representative and Sovereign Council of Geneva. London: Published by J.W. Paget, 1825. xvi, 366 pp. With half title and appendix entitled *The Law of England in Regard to Investigatory Procedure*. Complete.

[Bound After]

[The Law Journal].

A Collection of Law Tracts, Published in the Years 1825 & 1826 [and 1828 & 1829] in The Law Journal, Which is a Monthly Publication Sold to Annual Subscribers Only. London: Published by J.W. Paget, [1827], 1830. Two volumes. [iv], 328; viii, 206, [16] pp. Complete set.

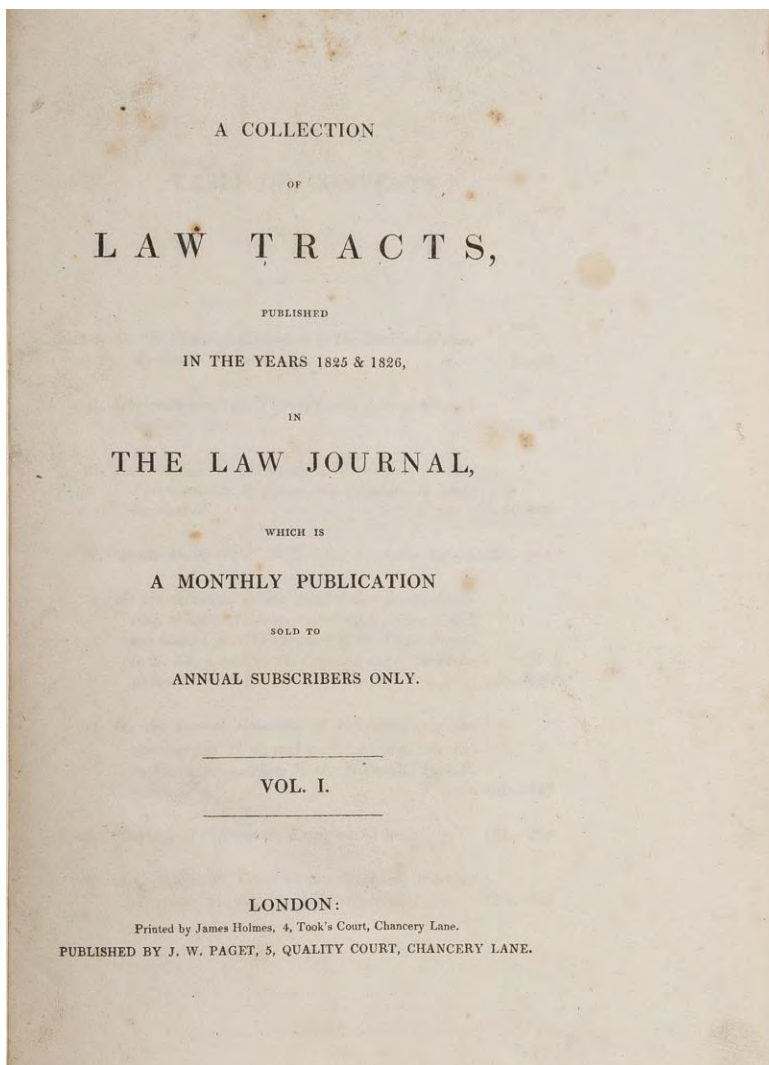
Recent period-style three-quarter calf over marbled boards, raised bands, gilt fillets and lettering pieces to spine, hinges mended. Light fading to spine and upper section of front board, corners lightly bumped. Light toning to interior, light foxing in a few sections of text. A handsome volume. \$1,850.

* *Treatise*: first edition in English, one of two issues, both by the same printer (B. Bensley) in 1825; *Collection*: only edition.

Edited by Dumont, Bentham's *Treatise* was originally published in Paris in 1823 as *Traité Des Preuves Judiciaires*. As Holdsworth notes, the 1825 English edition, along with Dumont's 1827 translation of Bentham's *Rationale of Judicial Evidence*, "marks an epoch both in law and the literature on the subject. Mill rightly regarded Bentham's labours in this branch of the law as the most important and the most beneficent of all his undertakings. Bentham, he said, 'found the philosophy of judicial procedure ... and of evidence in a more wretched state than even any part of the philosophy of law; he carried it at once almost to perfection.'"

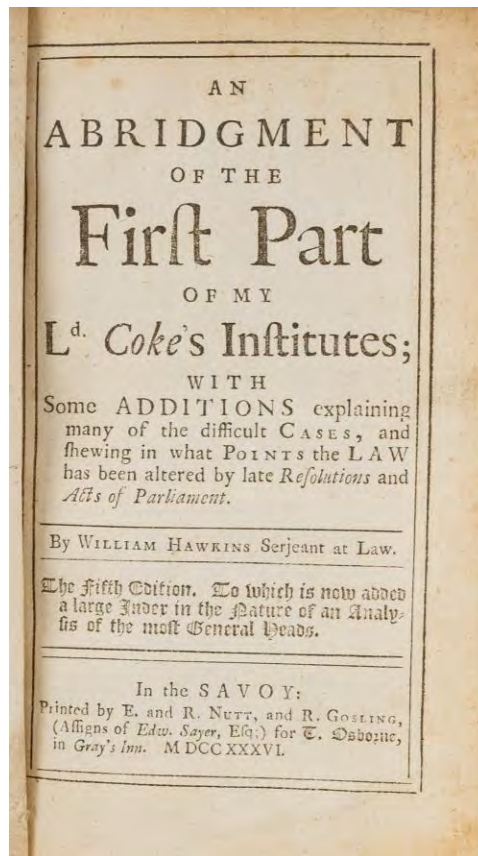
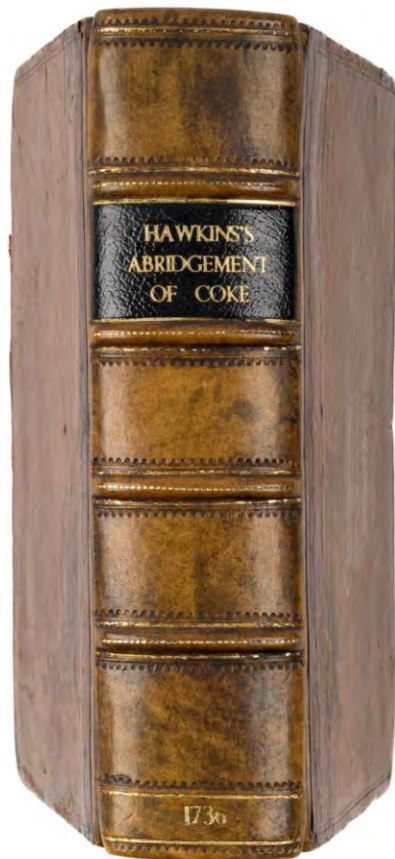
Fascinating for its insight into the English bar of the early nineteenth century, *A Collection of Law Tracts* is an anthology of articles from *The Law Journal*. Contents include "On the Claim of Executors to the Residue of Their Testator's Personal Estate" by J. Billingsley Parry, "Observations on the Title to Lands Derived Through Inclosure Acts" by Thomas Coventry, and "Suggestions as to the Course of Study to be Adopted, And the Selection of Books, By Parties Designed for Attornies and Solicitors," by J. Hooper Dawson.

Treatise: Holdsworth, *Sources and Literature of English Law* 121. Chuo University Library, *A Bibliographical Catalogue of the Works of Jeremy Bentham* T7, 5a; *Collection*: *Catalogue of the Library of the Harvard Law School* (1909) I:1132.



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A Popular Abridgment of Coke

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

Hawkins, William [1673-1746], Editor.

An Abridgment of the First Part of My Ld. Coke's Institutes; With Some Additions Explaining Many of the Difficult Cases, And Shewing in What Points the Law has Been Altered by Late Resolutions and Acts of Parliament. To Which is Now Added a Large Index in the Nature of an Analysis of the Most General Heads. [London]: E. and R. Nutt for R. Gosling, 1736. vi, 501, [97] pp. Text followed by 2 pp. publisher advertisement. 12mo. (6-1/4" x 3-3/4").

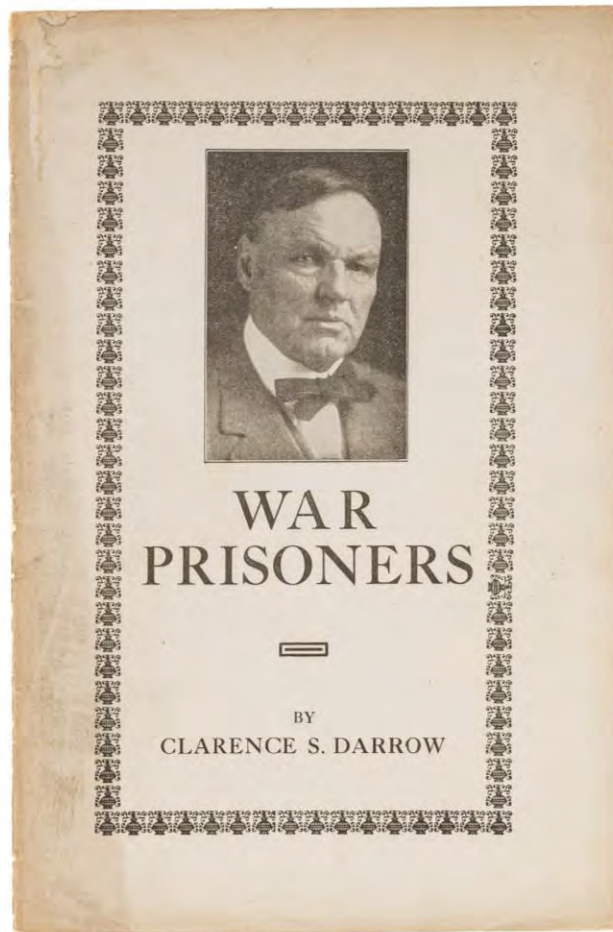
Contemporary calf, rebaked, blind rules to boards, blind fillets along joints, raised bands, lettering piece, blind and gilt fillets and gilt publication date to spine, gilt tooling to board edges, hinges mended. Light rubbing to boards, moderate rubbing to board edges, corners bumped and somewhat worn, hinge repairs cracked. Light toning to interior, negligible faint, gradually diminishing, dampstaining to head of text block at beginning of text, outside corners lacking from front free endpaper. \$750.

* "Fifth" edition. One of the most popular abridgements of Coke in the 18th century, with some 8 editions from 1711 to 1751, as well as a later Dublin edition in 1792 and a London edition in 1822. This "fifth" edition is in fact a reprint (with slightly different pagination) of the 1725 fourth edition, which was the first to contain the "large index." The 1742 and 1751 editions follow this pagination.

English Short-Title Catalogue N14925.

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**"You Cannot Speak in the Face of the Prison,
And You Cannot Write with Chains Around Your Wrists!"**

3. Darrow, Clarence [1857-1938].

War Prisoners: Address by Clarence S. Darrow at the Garrick Theatre, Chicago, Illinois, November 9, 1919. Chicago: Maclaskey & Maclaskey, Court Reporters, [1919]. 26 pp. 3 blank leaves at rear.

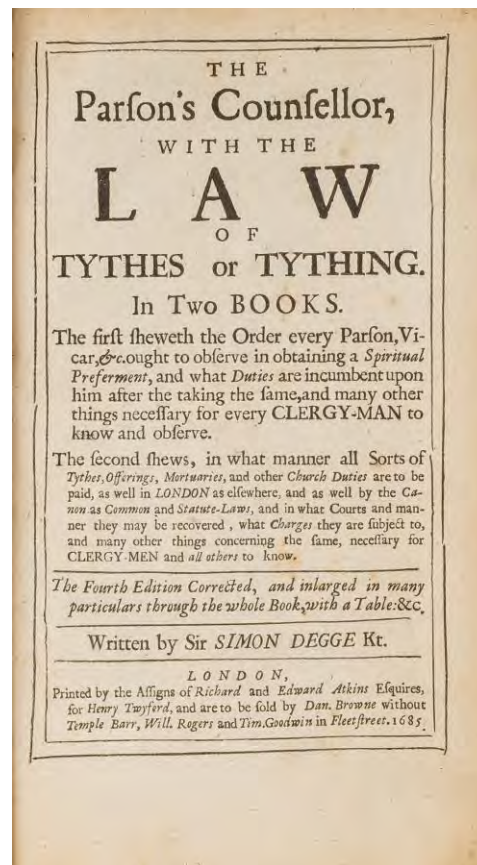
Stapled pamphlet in printed wrappers. Light toning, light soiling to exterior, small hole to rear wrapper, occasional faint staining to upper left corner not affecting text. \$250.

* Only edition. In this address, Darrow stakes out a number of controversial viewpoints. Unlike many American leftists, he supported U.S. entry into World War I, but he viewed the use of the Espionage and Sedition Acts after the war's end as overreach and opposed conscription and imprisonment of conscientious objectors on principle. This address calls for the release of convicted seditionists, conscientious objectors and other "victims of the war feeling." Appended is Justice Oliver Wendell Holmes's famous dissent in *Abrams v. United States* (1919), a decision upholding convictions under the Sedition and Espionage Acts.

OCLC locates 11 copies, 3 in law libraries (University of Minnesota, University of Notre Dame, Harvard). Hunsberger, *Clarence Darrow: A Bibliography* 124.

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An Influential English Treatise on Tithes

4. Degge, Sir Simon [1612-1704].

The Parson's Counsellor, With the Law of Tythes or Tything. In Two Books. (...) Corrected, And Inlarged in Many Particulars Through the Whole Book, With a Table: &c. London: Printed by the Assigns of Richard and Edward Atkins Esquires, For Henry Twyford, 1685. [xxxii], 341, [27] pp. Two parts, each with title page. Pagination continuous. Octavo (7" x 4-1/2").

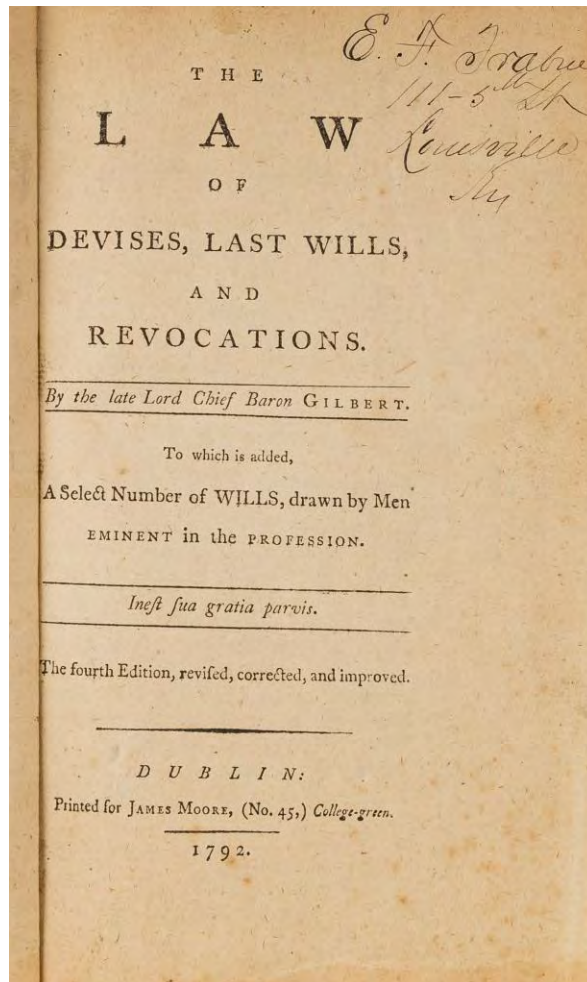
Contemporary calf, rebaked, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, upper outside hinge of rear board repaired, gilt tooling to board edges, hinges mended. Light rubbing and a few minor nicks, scratches and fine cracks to boards, moderate rubbing to board edges with some wear around corners and bottom edges, hinges partially cracked. Moderate toning to interior, light foxing in a few places, spark burns and light soiling to a few leaves. \$200.

* Fourth edition, one of two issues from 1685. This influential and oft-cited treatise was first published in 1676. Its final edition, the seventh, was published in 1820. It is divided into two books. The first addresses the procedures parson and vicars must follow to obtain a preferment, the duties imposed by a preferment and various regulations clergymen must observe. The second outlines various tithes, offerings, mortuaries and other church duties, relevant canon, common and statute laws and courts and suits involving tithes.

English Short-Title Catalogue R1607.

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**A Handsomely Bound Copy of Gilbert's Treatise
on Wills Owned by a Prominent Kentucky Lawyer and Judge**

5. Gilbert, Sir Geoffrey [1674-1726].

The Law of Devises, Last Wills, And Revocations. To Which is Added, A Select Number of Wills, Drawn by Men Eminent in the Profession. Revised, Corrected, And Improved. Dublin: Printed for James Moore, (No. 45,) College-Green, 1792. [xvi], 255, [9] pp. Octavo (8" x 5").

Recent quarter-calf over marbled boards, gilt title and blind fillets to spine, gilt publication date to foot of spine, endpapers renewed. Light browning to interior, faint dampspotting in places, early owner signature of E.F. Trabue to half-title, "E.F. Trabue/ 111-5th St./ Louisville/ Ky" to head of title page. \$500.

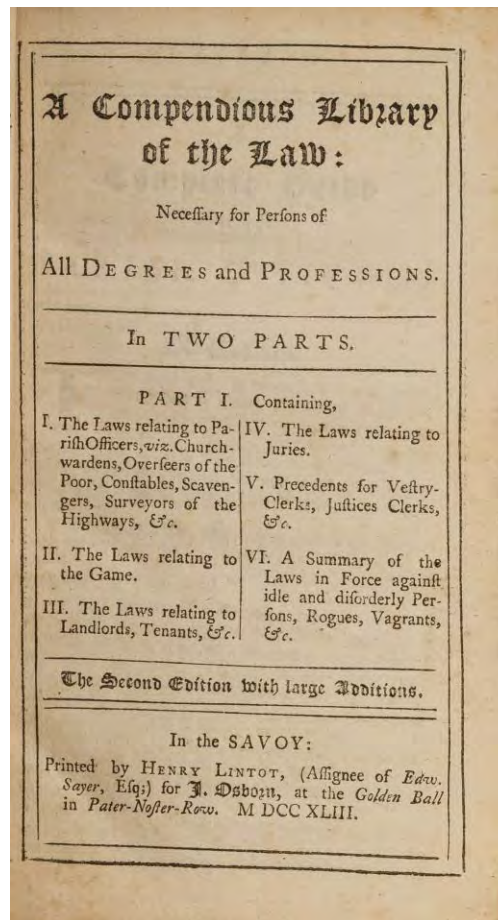
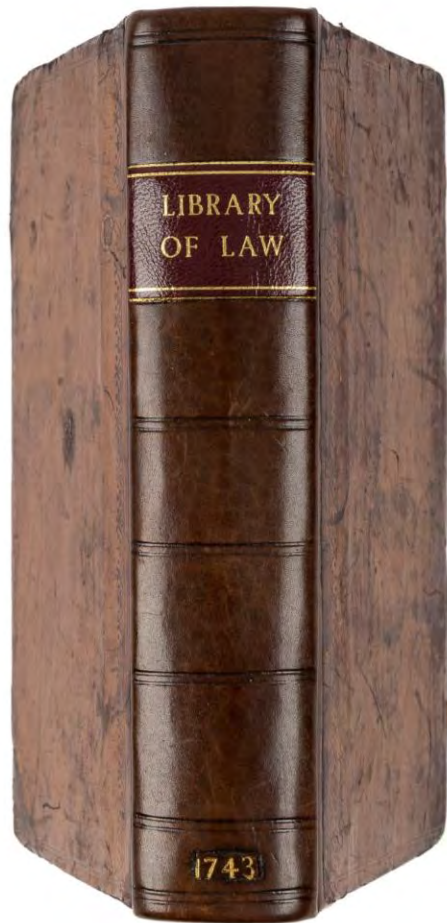
* Fourth and final edition, a reissue of the third London edition (1773). Gilbert was a prolific author, but this is his only work on wills. It was first published in 1756. A well-written work, its scope includes equity rules.

This copy was probably owned by Edmund Francis Trabue [1855-1936], a partner in a prominent Louisville, KY law firm, Pirtle & Trabue, later a judge.

Johnson, *Memorial History of Louisville from Its First Settlement to 1896* II:392-393. *English Short-Title Catalogue* N10256.

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A Compact Gentleman's Law Library

6. [Great Britain]. [Layman's Guide].

A Compendious Library of the Law: Necessary for Persons of All Degrees and Professions. In Two Parts... [London]: Printed by Henry Lintot, (Assignee of Edw. Sayer, Esq;) for J. Osborn, At the Golden Ball in Pater-Noster-Row, 1743. Two parts, each with title page. [iv], 191, [9]; 204, [10] pp. Publisher advertisement facing title page of first part. 12mo. (6-1/2" x 4").

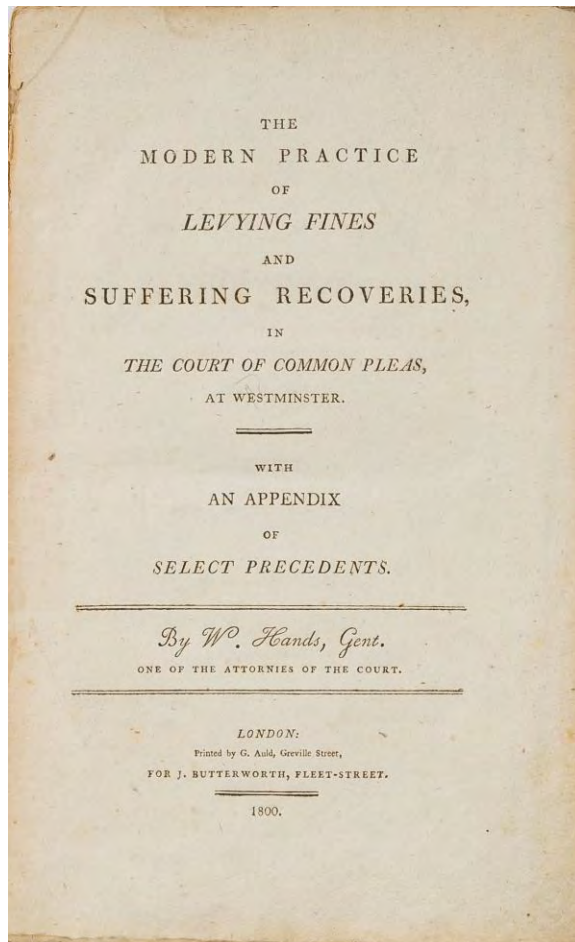
Contemporary calf, rebaked, blind rules to boards, blind fillets along joints, lettering piece and blind fillets to spine, gilt publication date to foot of spine, corners mended, endpapers renewed. Light rubbing to boards, moderate rubbing to board edges. Moderate toning to interior, negligible faint dampstaining to a few places on the top and fore-edges of text block, faint spotting to preliminaries, early owner inscription, "James Constable. His Booke./ January the 1st, 1746," to front endleaf. \$1,000.

* Second edition. First published in 1740, this well-received handbook covered the most common civic obligations and legal matters that occurred in the life of a gentleman, professional or tradesman. Its final edition, the third, was published in 1757. All editions of this work are scarce today.

English Short-Title Catalogue N15251.

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**A Rare English Treatise on Fines and Recoveries,
OCLC Locates no Copies in North America**

7. Hands, William.

The Modern Practice of Levying Fines and Suffering Recoveries, In the Court of Common Pleas, At Westminster. With an Appendix of Select Precedents. London: Printed by G. Auld, Greville Street, For J. Butterworth, Fleet-Street, 1800. xxxv, [1], 155, [1] pp. Octavo (8-1/2" x 5-1/2").

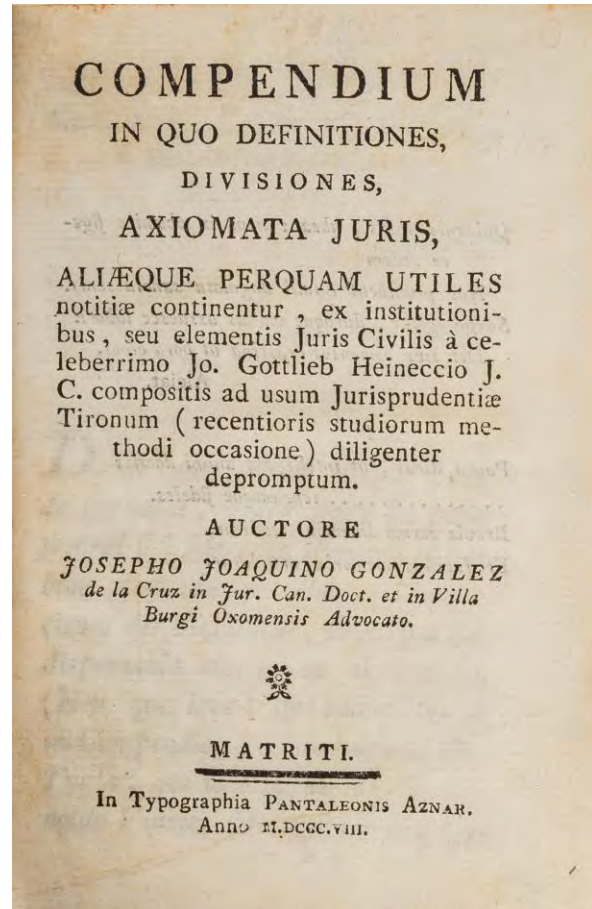
Original publisher boards, untrimmed edges. Moderate rubbing and light soiling and minor scuffing to boards, front board detached, spine perished, half-title and title page detached, several signatures partially detached but secure. Light toning to interior, light foxing to a few leaves. \$650.

* First edition. As noted in the preface, this treatise was the first one written to "assist the junior practitioner" with the "present mode" of "levying" fines and "suffering" recoveries (vii). Later editions of this work, published in 1807, 1817 and 1825, are titled *A Practical Treatise On Fines and Recoveries, in the Court of Common Pleas.*

All editions are scarce; the first edition is rare. There are several microform or digital copies, but few printed examples. Library Hub locates 9. OCLC locates 3, none in North America. We located one, however, at the Library of Congress. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1: 489.

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A Rare Spanish "Catechism" for Students Preparing for Their Examinations in Roman Law

**8. González de la Cruz, Josef Joaquín.
[Heineccius, Johann Gottlieb (1681-1741)].**

Compendium in quo Definitiones, Divisiones, Axiomata Juris, Aliæque Perquam Utiles Notitiæ Continentur, Ex Institutionibus, seu Elementis Juris Civilis à Celeberrimo Jo. Gottlieb Heineccio J.C. Compositis ad Usum Jurisprudentiæ Tironum (Recentioris Studiorum Methodi Occasione) Diligenter Depromptum. Madrid: In Typographia Pantaleonis Aznar, 1808. 151 pp. Octavo (5-3/4" x 3-3/4").

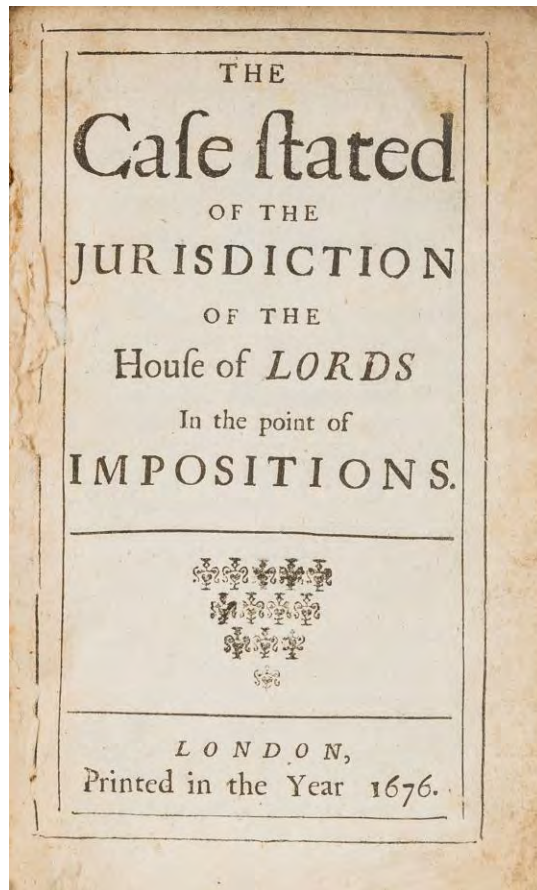
Contemporary tree sheep, lettering piece and gilt fillets to spine, speckled edges, marbled endpapers, ribbon marker. Head of spine lightly bumped, moderate rubbing and some wear to fore-edges of boards. Moderate toning to interior, light foxing to a few leaves. A handsome copy. \$750.

* Only edition. Text in Latin, dedication in Spanish. Reminiscent of a catechism, this summary of Roman law in question-and-answer form was designed for students preparing for examinations in Roman law. (One example: Q: "What is adoption?" A: "To make a son of a one who lacks parents.") The book is based on Heineccius's *Elementa Juris Civilis*. First published in 1725, this summary of Justinian's *Institutes* was a standard university textbook well into the nineteenth century.

OCLC locates 3 copies, 1 in North America (Harvard Law School). Not in Palau.

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The House of Lords Is Allowed to Initiate Tax Legislation

9. [Holles, Denzil Holles, Baron (1599-1680)].

The Case Stated of the Jurisdiction of the House of Lords in the Point of Impositions. London: S.n., 1676. [ii], 114 pp. Octavo (6" x 3-3/4").

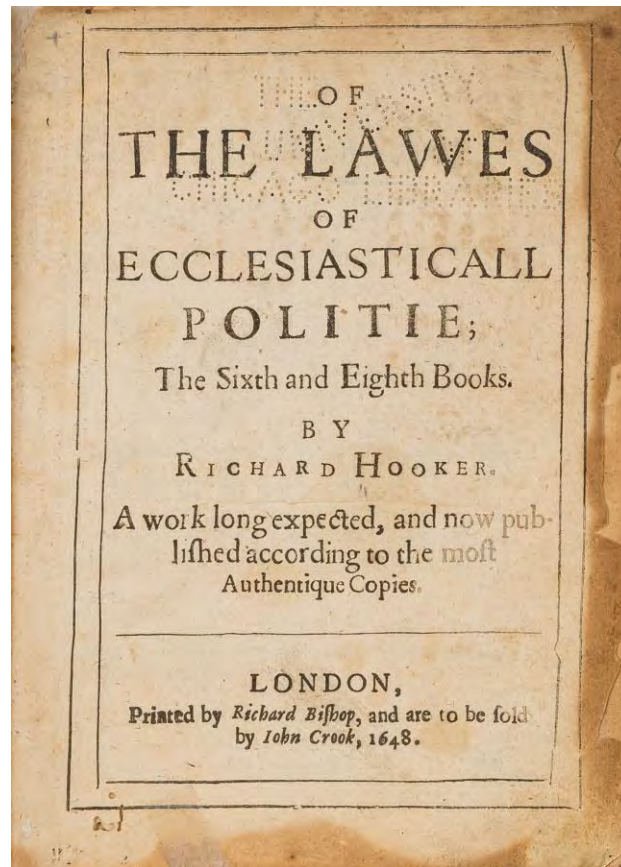
Contemporary sheep, blind rules to boards, speckled edges. Light rubbing and shallow scuffing to boards, moderate rubbing to extremities with some wear to spine ends and corners, front hinge cracked, front free endpaper lacking, crack in text block between p.114 and rear free endpaper. Light toning to interior, light foxing and soiling in places, corner folds to several leaves, some wear to fore-edges of title page, lower corners lacking from final text leaf (pp. 113-114) and rear free endpaper, title page partially detached and moderately edgeworn along gutter. \$450.

* Only edition. This essay, a constitutional argument over the right to impose taxes, disputes a recent claim that all laws of that nature must originate in the House of Commons. More broadly, it reflects the power struggle between two houses during the seventeenth century that resulted in the dominance of the House of Commons. Holles, an English statesman and writer, had a long and varied career that spanned the Civil War, Commonwealth and Restoration periods. He is best known as one of the "Five Members" whose attempted unconstitutional arrest by King Charles I in the House of Commons of England in 1642 sparked the Civil War.

OCLC locates 7 copies in North American law libraries (Columbia, Harvard, Library of Congress, University of Michigan, University of Minnesota, University of Pennsylvania, University of Washington). *English Short-Title Catalogue* R20018.

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**First Appearance of Books 6 and 8 of Hooker's *Lawes*,
OCLC Locates No Copies of This Imprint in North America**

10. Hooker, Richard [1554?-1600].

Of the Lawes of Ecclesiasticall Politie; The Sixth and Eighth Books. A Work Long Expected, And Now Published According to the Most Authentique Copies. London: Printed by Richard Bishop, And are to be sold by John Crook, 1648. [iv], 123, [1], 149, 130-160, 171-226 pp. Pagination irregular. Text complete. Quarto (7-1/4" x 5-1/2").

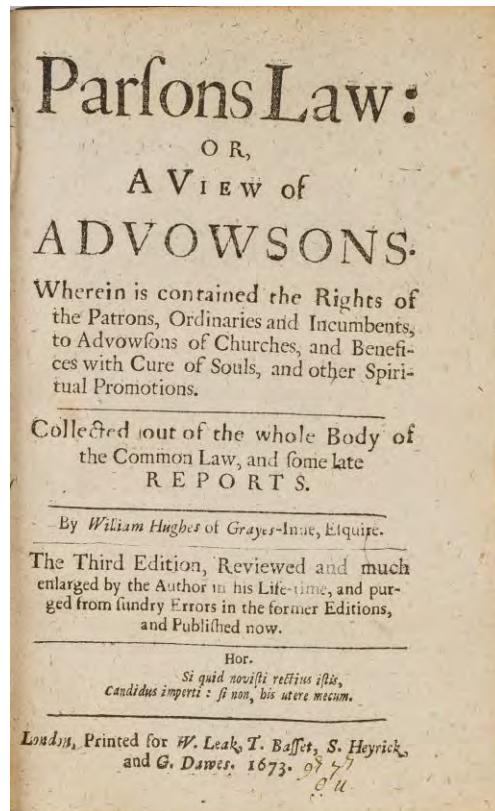
Recent calf, lettering piece and blind fillets to spine, gilt publication date to foot of spine, endpapers renewed. Moderate toning to interior, negligible minor wormhole through foot of first quarter of text block near gutter touching catch-words in a few places, offsetting and some chipping to edges of preliminaries and final leaf, perforated library stamp to title page, two small library inkstamps to its verso and head of following leaf. \$650.

* First edition of Books Six and Eight, one of three issues from 1648. First printed in 1594-1597, Hooker's influential work is concerned with the general principles involved in the Church of England's legal, political and social position. All early editions contain five books (though their title pages always claim to offer six). A seventh book was published in 1662. Many scholars doubt the authenticity of Books Six, Seven and Eight. The three 1648 imprints are scarce. OCLC locates no copies of any of these three in North American law libraries.

English Short-Title Catalogue R202054.

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Scarce Treatise on the Law of Advowson

11. Hughes, William [1587 or 1588-1663].

Parsons Law: Or, A View of Advowsons. Wherein is Contained the Rights of the Patrons, Ordinaries and Incumbents, To Advowsons of Churches, and Benefices with Cure of Souls, And Other Spiritual Promotions. Collected Out of the Whole Body of the Common Law, And Some Late Reports. Reviewed and Much Enlarged by the Author in His Life-Time, and Purged from Sundry Errors in the Former Editions, And Published Now. London: Printed for W. Leak, T. Basset, S. Heyrick, And G. Dawes, 1673. [xvi], 140, 145-299, [1] pp. Pagination irregular, text complete. Title page preceded by one-page published advertisement. Octavo (6-1/2" x 4").

Contemporary sheep, blind rules to boards, blind fillets to spine, blind tooling to board edges. Light scuffing and a few worm holes to boards, moderate rubbing to extremities with wear to spine ends and corners, front pastedown loose and partially detached, hinges cracked. Light toning to interior, early shelfmark to verso of front board, early shelfmarks and "Cashel Library" in early hand to front pastedown, another shelfmark (?) in similar hand to foot of title page. \$350.

* Third and final edition, 1 of 2 issues from 1673. Hughes, a barrister of Gray's Inn, was the author of an important abridgment, an edition of Horne's *Mirror of Justices* and the editor of an interesting collection of mooted cases. First published in 1641, *Parsons Law* concerns laws governing advowson, a patron's right in English law to present a candidate to fill a vacant ecclesiastical benefice to a bishop (or other church official). According to the preface, Hughes says he wrote this book in response to "the earnest request of some eminent men of the Clergy" [iii].

This copy belonged to the Cashel Diocesan Library, County Tipperary, Ireland. Later dissolved, most of its books are now in the Bolton Library of the University of Limerick.

English Short-Title Catalogue R3642.

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Bail Bonds from the Time of King George IV

12. [Legal Forms]. [Great Britain].

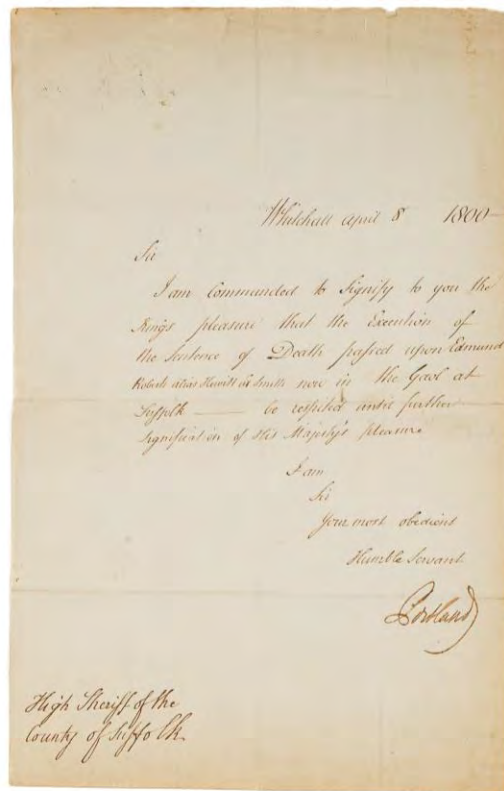
[Group of Three Bail Bonds, Derbyshire, July 29, September 9 and November 20, 1826].

13" x 8" part-printed documents, two bifolia, one single leaf, docketed on verso of second leaf of bifolia and verso of the single leaf, wax seal next to signatures. Moderate toning, light soiling, horizontal fold lines, negligible light rubbing to edges. Three well-preserved items. \$650.

* Documents such as these offer a good street-level perspective of judicial process. Contents: I. George Coulson, Edward Bostock & Edward Gadsby are bound to appear before the Barons of the Exchequer at Westminster to answer a plea of trespass to Wolston Roberts at a bail by oath of £69; II. John Brookhouse, Joseph Pool, John Pritchard and James Wall are bound to appear at Westminster court to answer a plea of trespass to William Ford at a bail by oath of £23; III. George Webster and George Richardson are bound to appear at Westminster court to answer a plea of trespass to James Holt at a bail by oath of £24.

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The Ritual of Mercy

13. [Manuscript].

Bentinck, William Henry Cavendish [1738-1809], 3rd Duke of Portland.

[Manuscript Document Signed by the Duke of Portland, Whitehall, April 8, 1800]. 1 pp.

Manuscript letter in neat clerical hand with autograph signature of William Cavendish-Bentinck, 3rd Duke of Portland ("Portland"), later pencil annotation to verso. Moderate toning, horizontal and vertical fold lines, clean tear at center mended with archival tape on verso, light wear to top-edge, light soiling to margins. \$1,500.

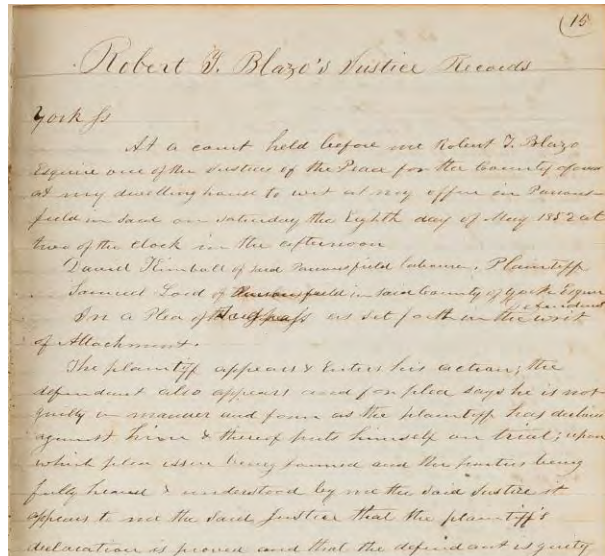
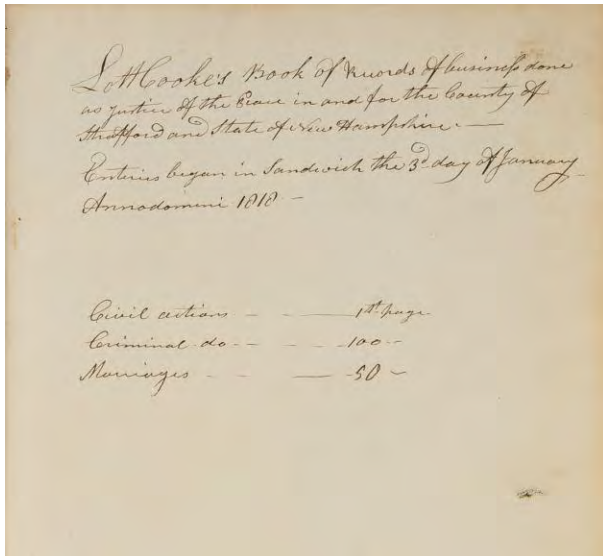
* Edmund Roberts, who had been convicted of horse theft, was set to be executed in Suffolk on April 12, 1800 (TNA). This was his first offense, and the convicting magistrates recommended that his death sentence be commuted to transportation for life. This letter from the Duke of Portland in his capacity as Home Secretary respites the sentence "until further signification of His Majesty's pleasure," suspending the execution and allowing the sentence to be commuted.

The document represents one of the final links in a cycle of crime, state punishment and sovereign mercy which fueled the British justice system and indelibly linked subject and sovereign. Blackstone discussed this ritual in the *Commentaries*, considering the sovereign prerogative of mercy essential to the "sure establishment of a prince" (IV:397). In the years of the "Bloody Code," "petitions had never been so necessary to support the legitimizing message that the harshness of English justice was tempered by mercy" (Gatrell). The majority of death sentences were, in fact, commuted during this time.

The National Archives of the UK (TNA): HO 47/24/9. Gatrell, *The Hanging Tree: Execution and the English People 1770-1868* 203.

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A Record Book Used by Two JPs Thirty Years Apart

14. [Manuscript].

Cooke, Lott [1764-1819].

Blazo, Robert Tibbetts [1797-1890].

[Record Book]. Sandwich, New Hampshire, 1818-1819 & Parsonsfield, Maine, 1852. 151 numbered pp. in ~400-pp. blank book. Manuscript content to eleven (11) pages ONLY. Folio (12-1/2" x 7-3/4").

Contemporary reverse calf, blind fillets to boards, faint annotation ("Lott Cooke's/ Justice Record/ Book") to front board, blind fillets and lettering piece to spine, blind tooling to outer and inner board edges. Some rubbing, light wear to extremities, chipping to spine ends, tear to head of spine, comers bumped. Moderate toning and occasional light foxing to interior. Text in two neat hands. \$650.

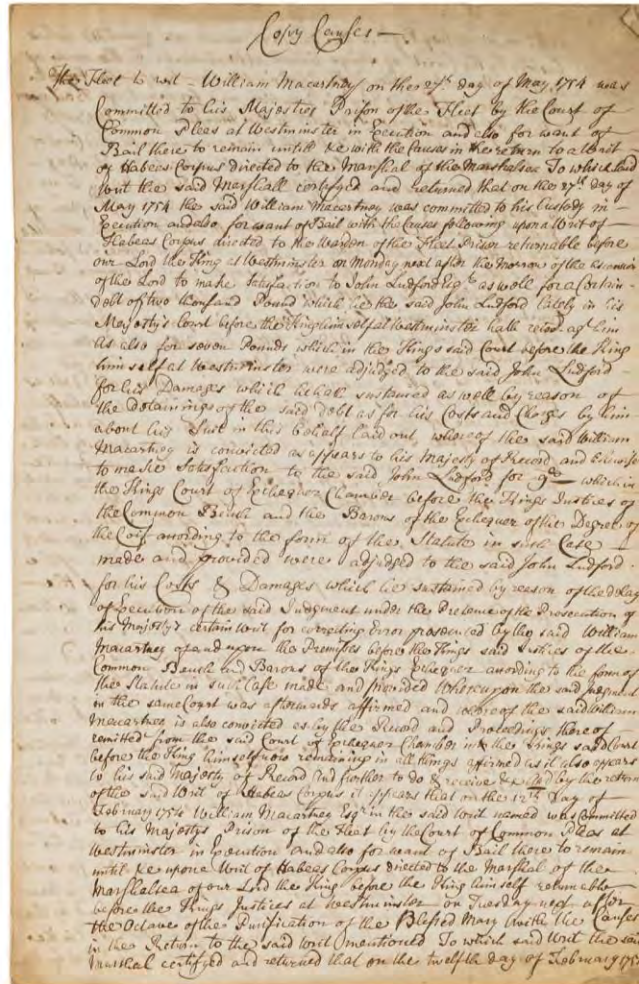
* In addition to the life and work of a justice of the peace in early eighteenth-century New Hampshire, this record book reflects the use and reuse of manuscripts by multiple owners. Lott Cooke, its first owner, was a doctor and eminent local in New Hampshire. Active as a physician in Cheshire County until approximately 1810, he was appointed a justice of the peace in Sandwich, Carroll County in 1817 and began his service on January 3rd, 1818. His entries consist of civil actions (pp. 2-4), criminal actions (pp. 100-101) and a list of marriages solemnized (p. 50). Though not numerous, the entries are detailed, with thorough accounts of the facts of the cases and the costs incurred.

Just over thirty years later, the book was taken up by another justice of the peace, this time from Parsonsfield, Maine (on the border of New Hampshire). Robert T. Blazo was a schoolmaster and lawyer who served as a justice of the peace and postmaster in Parsonsfield in addition to his legal practice. His home, the Blazo-Leavitt House, is listed on the National Register of Historic Places, an indicator of the wealth and prominence that were as important as any legal training (if not more so) to the office of justice of the peace. Cooke's book would have been a helpful guide to what entries in a JP's record book could look like, and Blazo's entries appear to have been at least partially modeled on his predecessor's. (They are also few in number, spanning pp. 15-18.) Together, they provide a fascinating look at the record-keeping practices and daily lives of two justices of the peace in neighboring states.

We located an account book kept by Cooke from 1793-1810 in his capacity as a physician at the Francis A. Countway Library of Medicine, Harvard (B MS b255.1).

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Committal Document, Signed by the Mid-Eighteenth-Century Warden of Fleet Prison

15. [Manuscript].

Eyles, John.

[Committal to Fleet Prison, London, October 22, 1757].

12-1/2" x 8-1/4" bifolium, text in neat hand to rectos and versos, docketed on lower half of second leaf, signed by Eyles. Moderate toning, faint dampstaining to top and bottom edges, horizontal fold lines, a few tiny chips to edges, minor creases and folds to corners. A well-preserved item. \$500.

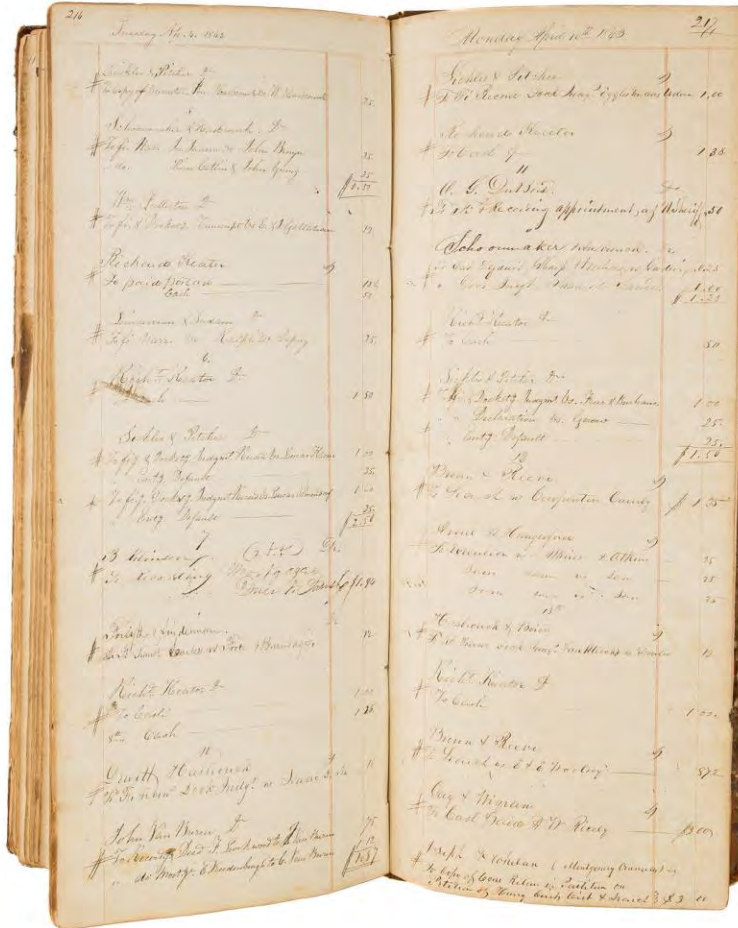
* A committal warrant from the Warden of Fleet Prison for William MacCartney on the 27th May, 1754, following a writ of habeas corpus for non-payment of a debt of £2000 to John Ludford, Lord Ludford of Ansley, with full details of the committing judgment. Headed "Copy Causes," it is detailed document of c.1800 words that provides a full description of the judgment.

Eyles was warden 1740 to 1758. (His son, John Eyles the younger, succeeded him, serving from 1758 to 1820.)

Burn, *The Fleet Registers* 23-24.

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A Prominent County Officer's Daily Duties

16. [Manuscript].

Gay, George Augustus [1792-1871].

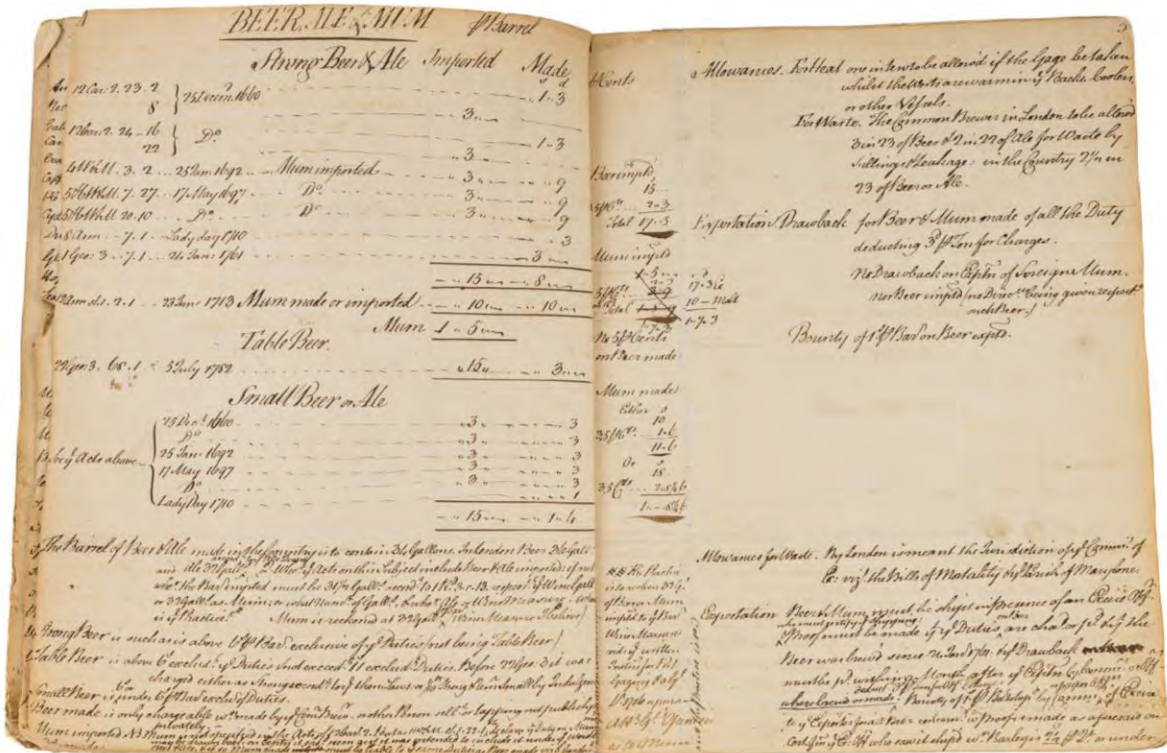
Day Book. Ulster County, New York, 1841-1843. 219, [4] pp. Folio (15-1/2" x 6-1/4").

Contemporary three-quarter calf over marbled boards. Rubbing and some wear to extremities, front joint starting at head, front hinge cracked, rear hinge starting, tears to front endleaves, ticket of C.W. and R.A. Chipp., "Booksellers and Stationers, opposite the Court House Kingston," to front pastedown. Moderate toning to interior, a few partial cracks to text block, a few signatures loosening but secure, pp. 83-98 nearly detached. Text in single neat hand. \$650.

* George A. Gay, a Saugerties native, was a merchant, four-time town supervisor and county clerk in Ulster County, serving in the latter position from 1840 to 1843. He went on to represent Ulster County in the New York State Assembly in 1848. He kept this record book while serving as Ulster County clerk in Kingston. It records charges for filing, docketing, transcripts and other daily duties, as well as activities like swearing in a judge or attending court in a hotel. Together, the entries provide an interesting glimpse into the daily life and civic duties of a prominent upstate New York county officer.

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**An Eighteenth-Century Manuscript Digest
of English Commercial Laws and Regulations**

17. [Manuscript].

[Great Britain].

[Commercial Law].

Excise Duties, Drawbacks & Allowances [Cover Title]. [England, c. 1784]. 43 [i.e. 50] pp. with 2 tipped-in addenda slips. Main text preceded by index. Quarto (9-1/2" x 7-1/2").

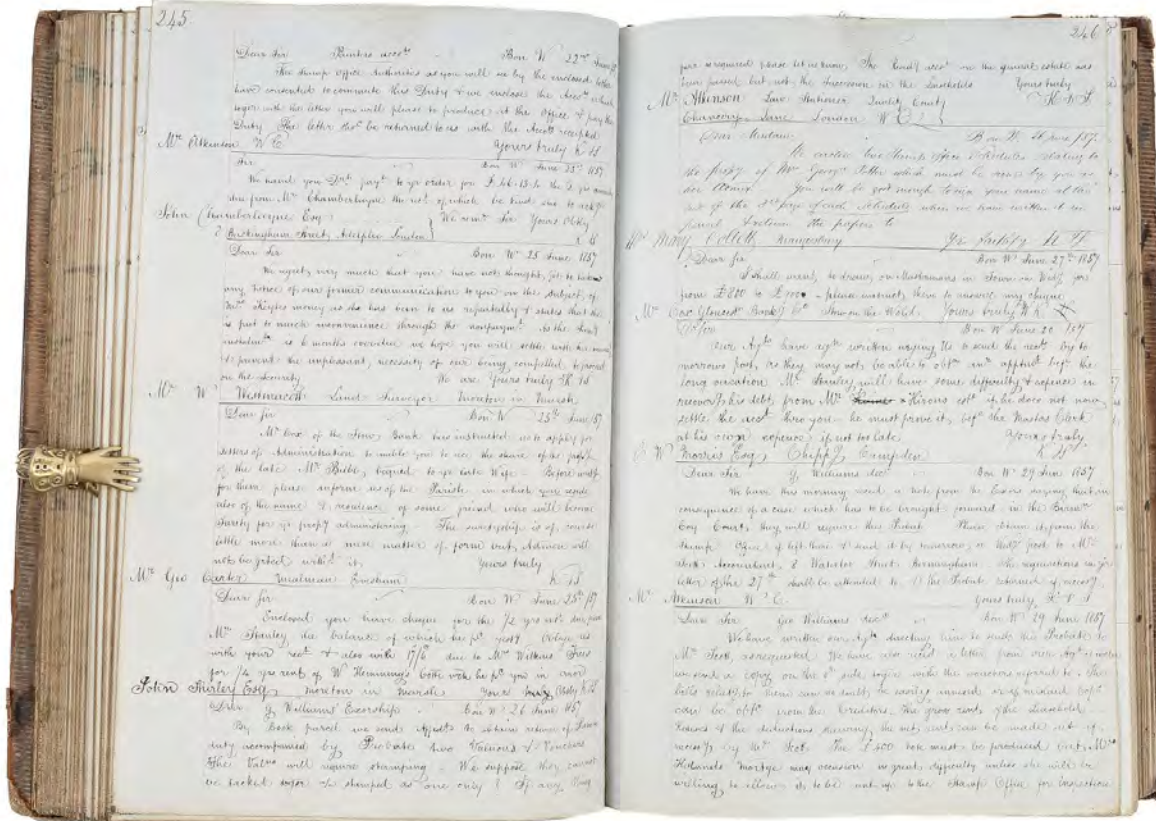
Stab-stitched booklet in stiff wrappers, recently re-spined, hand-lettered title panel. Moderate rubbing and some minor stains and inkspots to boards, heavier rubbing to edges of covers with some wear to corners of cover and text block. (Leaves bear horned crown and fleur-de-lis watermark with central initial P and initials LVG beneath, possibly Joseph Portal of Laverstoke.) Moderate toning to interior, rectos and versos of most pages filled with content in legible hand. \$3,500.

* This manuscript was probably compiled by (or for) an English merchant. A handy reference guide, it is a highly detailed digest of commercial regulations and taxes relating to the importation, manufacture and sale of commercial goods, notes on relevant legal instruments, times when duties are paid, and to whom, cases where exportation refunds are granted, and differences with Scottish regulations. Of particular interest are the details concerning levies on transactions, commodities, auction sale duties and licenses for plate dealers, servants, wine, beer and spirit merchants, coffee, tea & chocolate merchants and coaches. The final section is a dated summary of duties enacted from 1660 to 1784. Overall, this is a fine example of a digest of commercial laws and regulations compiled for everyday use.

See Benson, *The Spontaneous Evolution of Commercial Law* 655.

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A Country Solicitor's Letter Book

18. [Manuscript].
[Kendall & Son].

Letter Book [Spine Title]. Bourton-on-the-Water, Gloucestershire, 28 July 1856-27 June 1859. [xxviii], 695 pp. With a thumb-tabbed alphabetical index of recipients. Folio (14-1/2" x 9").

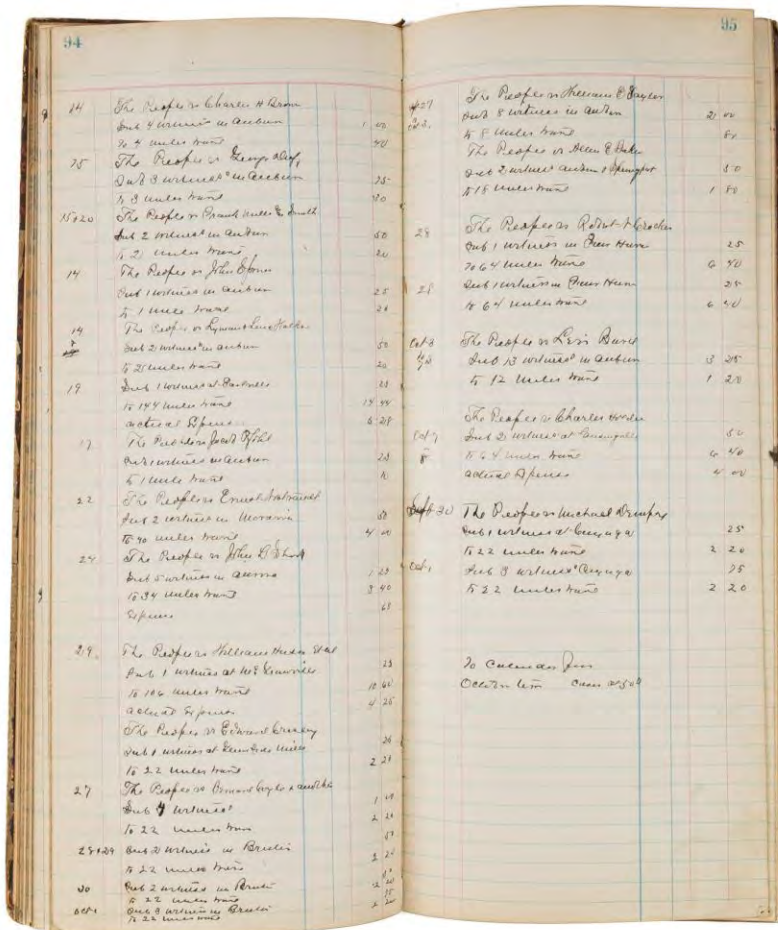
Contemporary calf, blind fillets to boards, early annotation (dates) to front board, blind fillets, lettering piece and hand-lettered dates to spine, blind tooling to outer and inner board edges, marbled endpapers, cloth hinges. Rubbing and scuffing, faint dampstaining to head of front board and spine, large abrasions to spine and lower outside corner of front board, some wear to extremities, chipping to spine ends and board edges. Text in several neat clerical hands, lightly corrected in places. Light toning, a few partial cracks to text block, internally clean. \$850.

* This impressive volume covers a three-year period in the life of Kendall & Son, a Gloucestershire law firm. Founded in 1742, the firm was operated by the Kendall family for two hundred years and operates today as Kendall & Davies Solicitors. The letters are signed "K & S" for Kendall & Son, "W K" for William Kendall [1795-1877] and "E K" for Edmund Kendall [1831-1905]. In addition to his work for the firm, Kendall was a commissioner in chancery and a court officer equivalent to a commissioner of deeds. Edmund was the third of William's five children and the second son.

The firm appears to have primarily dealt with matters of probate and conveyancing. The recipients of the letters include both local clients and colleagues and large London firms. Alternately pointed, cordial and prosaic, the letters provide a unique window into the daily work of a nineteenth-century country solicitor.

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**A Sheriff's Department Account Book
from Late Nineteenth-Century New York**

19. [Manuscript].
[New York].

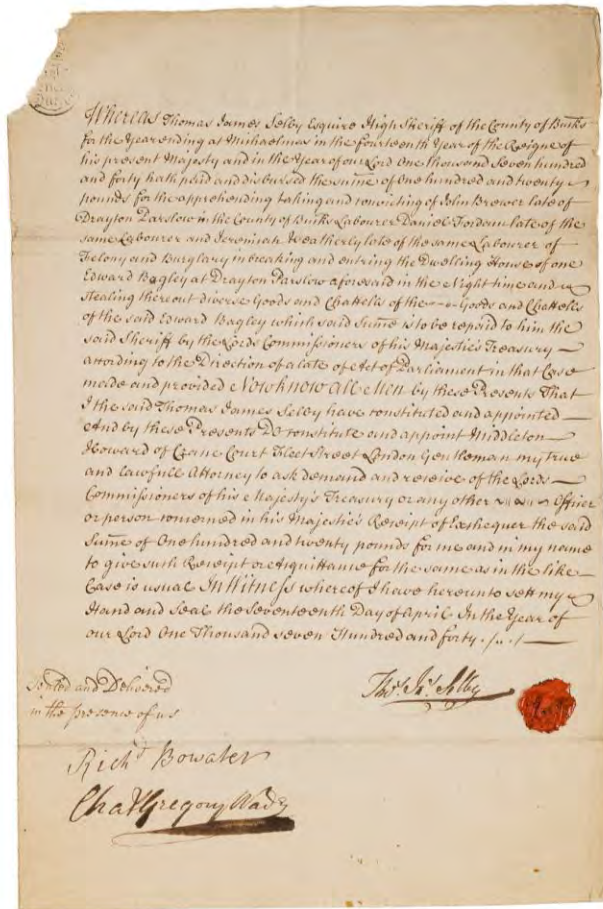
[*Sheriff's Department Account Book*]. Cayuga County, NY, 1890-1891. 125 pp. Folio (15" x 6").

Contemporary sheep over mottled paper boards, remnant of paper label to front board, marbled edges. Some rubbing and scuffing, light wear to extremities, chipping to spine ends. Moderate toning to interior, a few, mostly partial, cracks to text block, a few leaves loosening but secure. Text in one or two neat hands, two newspaper clippings pasted to front endleaf. \$500.

* This account book was kept by the Cayuga County sheriff's department in central New York. The county seat is Auburn, near Syracuse. Each entry consists of the name of the case (most prosecutions made by the state, e.g. "The People vs. Irving Sherman") and an itemized list of associated costs incurred by actions such as arrests, serving subpoenas and assembling a jury. Most of the costs are related to travel, and these entries paint an interesting portrait of how widely officials were required to travel, often upwards of fifty miles, in order to enforce justice. Together, they provide an interesting look at the realities of law and order in late nineteenth-century New York.

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The Sheriff of Buckinghamshire Requests Payment

20. [Manuscript].

Selby, Thomas James [c.1717-1772].

[Letter of Attorney to Receive Conviction Money, Buckinghamshire, England, April 17, 1740].

11-1/2" x 7-1/2" bifolium, text in neat hand to recto of first leaf, docketed on lower half of second leaf, four tax stamps, three embossed, one in ink to head of first leaf, wax seal next to Selby's signature. Moderate toning, light soiling, horizontal fold lines, negligible light rubbing to edges, upper inside comers torn away with loss to tax inkstamp. A well-preserved item. \$450.

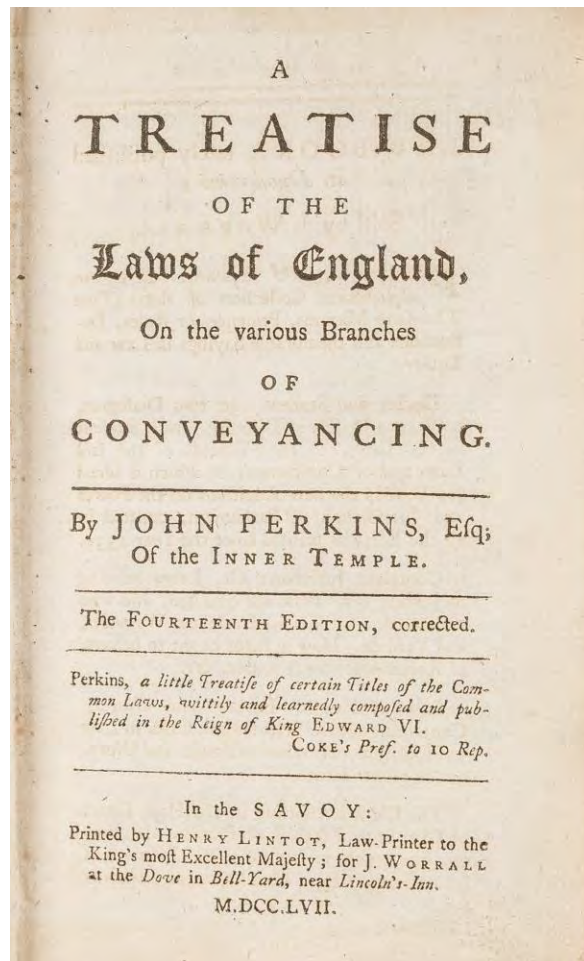
* Selby, the High Sheriff of Buckinghamshire, submitted this letter for his expenses in the pursuit and capture of John Brewer and Jeremiah Weatherly, who were convicted for felony, burglary and the theft of goods valued below £120.

Selby, of Wavendon and Whaddon in Buckinghamshire, took up the post of High Sheriff of Buckinghamshire in 1739. Educated at Brasenose College, Oxford, he was said to be, toward the end of his life, "a very shy and reserved man, given up to fox-hunting," and in possession of a "large Estate."

Page, Ed. *A History of the County of Buckingham* 4:489-496.

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"Wittily and Learnedly Composed"

21. Perkins, John [d. 1545].

A Treatise of the Laws of England, On the Various Branches of Conveyancing. Corrected. [London]: Printed by Henry Lintot, Law Printer to the King's Most Excellent Majesty; For J. Worrall at the Dove in Bell-Yard, Near Lincoln's inn, 1757. [vii], 388 [i.e 345], [43] pp. Star-paged. Title page preceded by publisher advertisement. 12mo. (6-1/4" x 4").

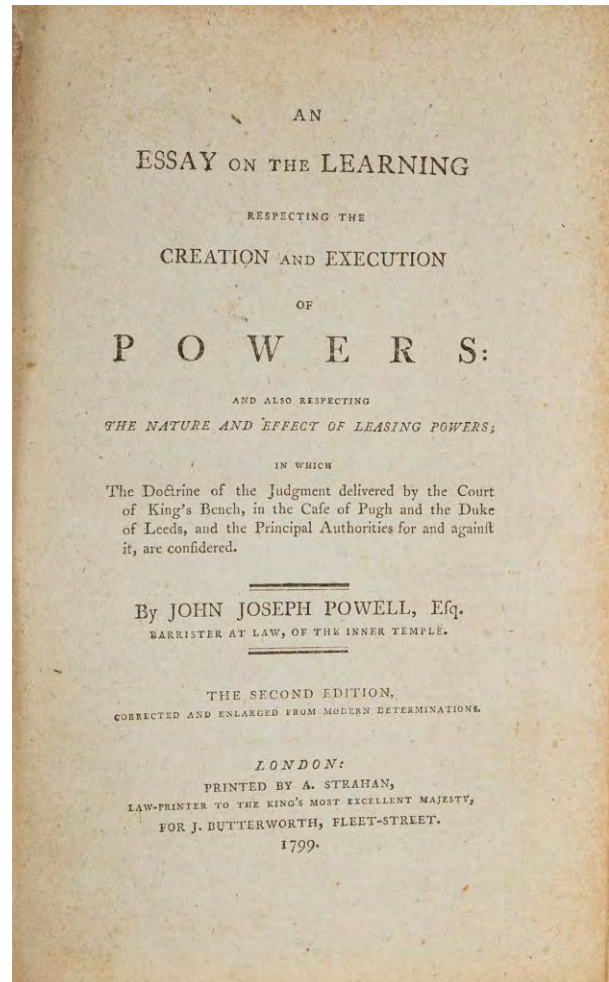
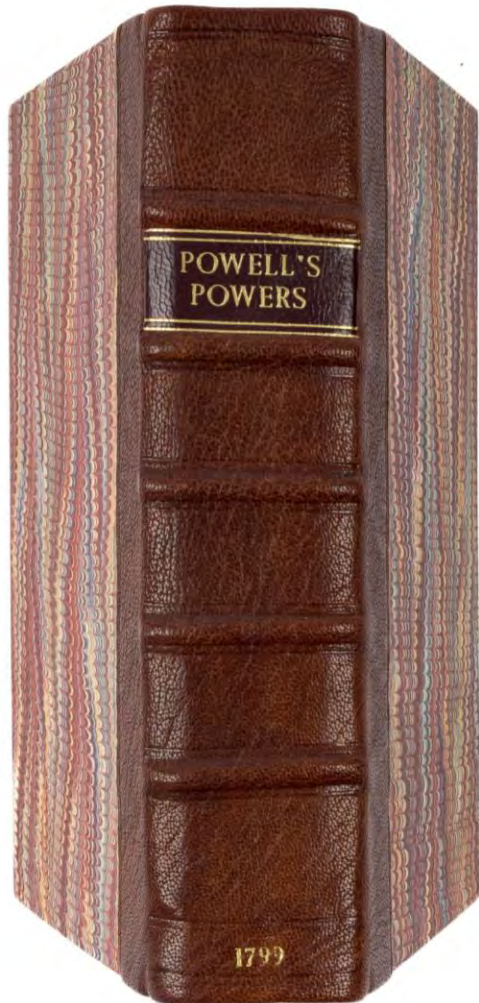
Contemporary calf, rebaked, blind rules to boards, blind fillets along joints, lettering piece and gilt fillets to spine, gilt publication date to foot of spine, blind tooling to board edges, hinges mended. A few minor nicks and scratches to boards, moderate rubbing to extremities, small bookseller ticket, of the venerable London law bookseller Wildy & Sons, and early owner signature in tiny hand, "A. Pinche," to front pastedown, "May 21, 1757" in same hand to rear pastedown. Moderate toning to interior, offsetting, light foxing and light edgewear to margins of endleaves. \$350.

* Fourteenth and penultimate edition, later reissued in Dublin in 1792. Originally published in 1528 in Law-French, this highly regarded treatise was second only to Littleton's *Tenures*. Coke, who held it in high regard, said it was "wittily and learnedly composed." A durable work, its final edition, the fifteenth, was published in 1827.

Coke on Littleton cited in Marvin, *Legal Bibliography* 563. *English Short-Title Catalogue* T113260.

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"The Subtle Distinctions of Powers"

22. Powell, John Joseph [1755-1801].

An Essay on the Learning Respecting the Creation and Execution of Powers; And also Respecting the Nature and Effect of Leasing Powers; In Which the Doctrine of the Judgment Delivered by the Court of King's Bench, In the Case of Pugh and the Duke of Leeds, And the Principal Authorities for and Against it, Are Considered. London: Printed by A. Strahan, Law-Printer to the King's Most Excellent Majesty, For J. Butterworth, Fleet-Street, 1799. xxv, [7], 581, [47] pp. Star-paged. Index followed by 2 pp. publisher advertisement. Octavo (8-1/4" x 5-1/4").

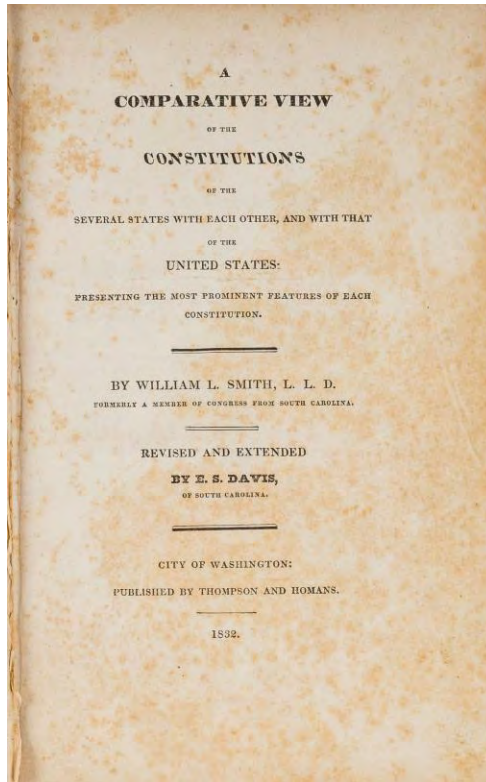
Recent period-style quarter morocco over marbled boards, raised bands and lettering piece to spine, gilt publication date to foot of spine, endpapers renewed. Moderate toning to interior. A handsome copy. \$300.

* Second and final edition, "Corrected and Enlarged from Modern Determinations," star-paged to first edition (1787). According to Marvin, this was the first treatise to compile and classify decisions on "the subtle distinctions of powers."

Marvin, *Legal Bibliography* 581. *English Short-Title Catalogue* T134177.

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A Comparative Summary of State Constitutions

23. Smith, William L. [1758-1812].

Davis, E.S., Editor.

A Comparative View of the Constitutions of the Several States with Each Other, And with that of the United States: Presenting the Most Prominent Features of Each Constitution. Washington, DC: Published by Thompson and Homans, 1832. 109, [5], 111-135, [1] pp. Octavo (9" x 5-1/4").

Original quarter cloth over plain boards, printed paper label to spine. Light soiling to exterior, moderate rubbing to extremities, fading to spine, small hole near head of front joint, light wear to spine ends and corners, which are bumped, hinges cracked, front free endpaper lacking, rear free endpaper partially adhered to rear pastedown. Moderate toning and foxing to interior, last few leaves just starting to detach at head but secure. \$450.

* Second and final edition. First published in 1796, this work contains the complete texts of the Declaration of Independence and the U.S. Constitution, along with summaries of the state constitutions. The work was originally intended to serve as an educational text for "schools and colleges" (6). The second edition is dedicated "to the people of the United States," remarking that it is "idle to talk of the usurpations of Congress, whilst the States are claiming rights altogether incompatible with a proper administration of the system of government which constitutes this Union. Let each act within the circle of its own constitutional limits, and all will be safe" (Dedication). Cohen notes: "According to Sabin, this edition has been revised to such an extent that it is almost a different work from the earlier one."

The second edition is scarce. OCLC locates 7 copies in law libraries (New York State Appellate Division, Yale, U.S. Supreme Court, Harvard, Ohio State University, Jenkins Law Library, Southern Methodist University). Cohen, *Bibliography of Early American Law* 3301. Sabin, *A Dictionary of Books Relating to America* 84821.

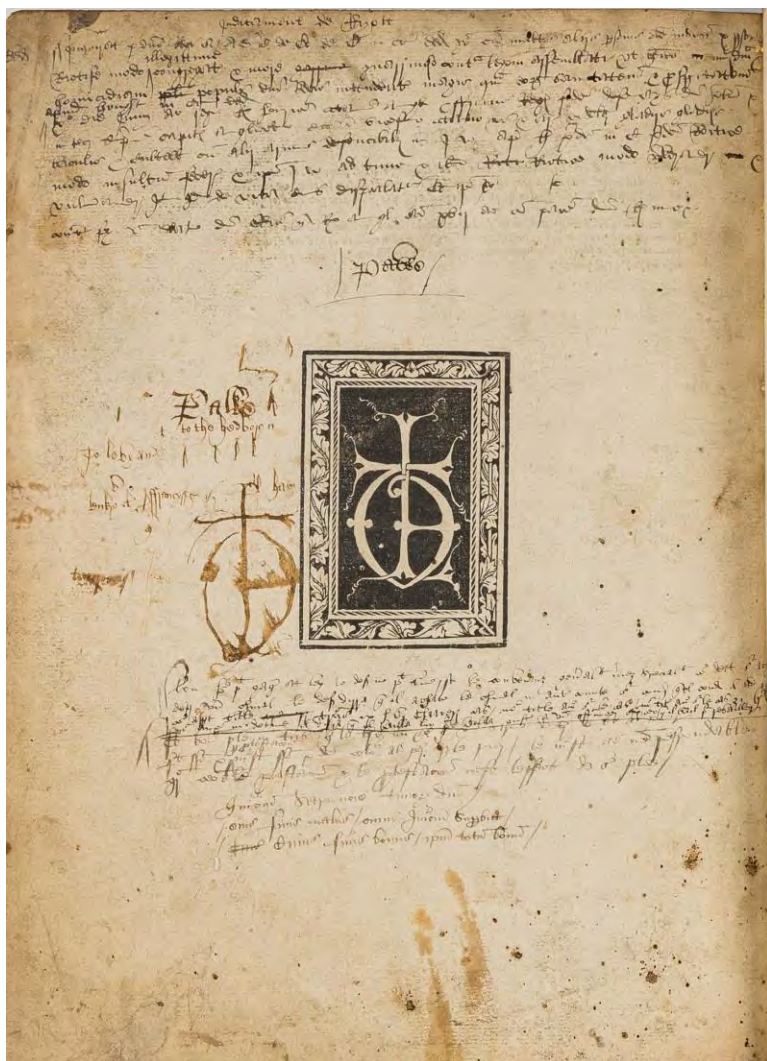
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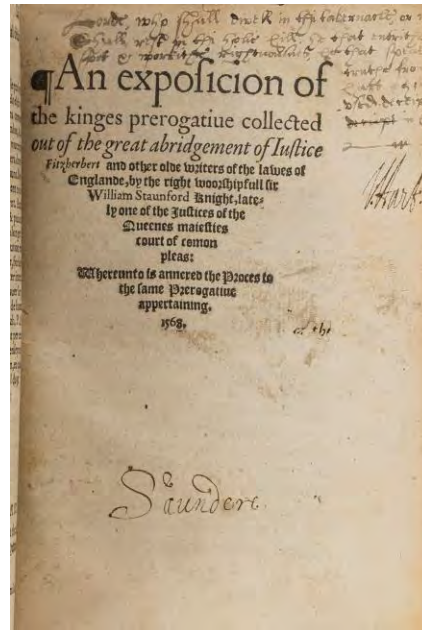
* First edition. The first printed abridgement of cases, it is generally assigned to Nicholas Statham, who was Lent reader at Lincoln's Inn. Its time period covers the reigns of Edward I and Henry VI. As Holdsworth notes, it contains "some long reports that are not to be found in the Year Books." Later editions were published in 1585 and 1679, and it was the standard abridgement until it was supplanted by Fitzherbert.

Printed by the first printer in Rouen, this imprint is highly esteemed for the quality of its book design and typography, which mimics a contemporary court hand. Duff speculates that the 2-leaf index may have been printed later and added only to some copies. A study of OCLC and other library and auction records supports his claim. Six leaves in our copy, all of which have c.17th-century annotations (primarily case citations and other references), are supplied from another copy. This may have been done at the time of the later binding or at the time of the rebacking. The early annotations appear to be glosses, doodles and brief notes on the content.

Holdsworth, *A History of English Law* II:543-44. Duff, *Fifteenth-Century English Books* 374. *Incunabula Short-Title Catalogue* is00689000. Beale, *Bibliography of Early English Law Books* R455.



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Staunford's Classic Works on Criminal Law and the Rights of the Crown

25. Staunford, Sir William [1509-1558].

Les Plees del Coron, Diuisees in Plusors Titles & Comon Lieux... [London]: In Aedibus Richardi Tottelli, [1583]. [xii], 196 [i.e. 198] ff.

[Bound with]

Staunford, Sir William.

An Exposition of the Kinges Prerogative... [London: Imprinted...by Rychard Tottel], 1568. [v], 6-85 ff. Leaves F3-8 and H3-8 transposed due to contemporary binding error, text complete.

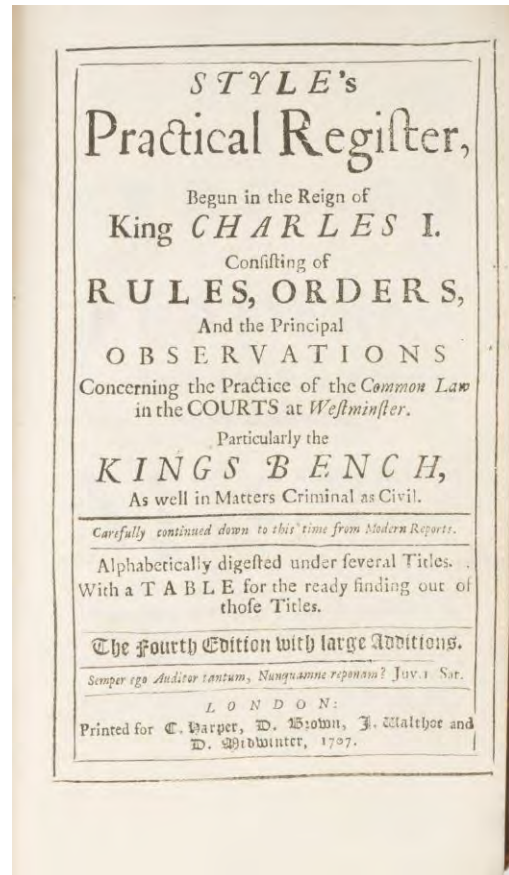
Quarto (7" x 5"). Recent calf, blind tooling across joints, raised bands and gilt title to spine, endleaves renewed. Title page of *Plees* printed within woodcut architectural border. Fading to spine, moderate toning to interior, small wormhole through f. 165 of *Plees* with no loss to legibility, small hole to title page of *Kinges Prerogative*, clean tear to its leaf I1 (f. 64) mended at foot on recto and affecting text with no loss to legibility, early numbers and owner signature ("Woodcock"?) to title page and brief annotations (case citations and other references, in at least two hands, some affected by trimming) and underlining to a few text leaves of *Plees*, early annotation (a quotation from Psalm 15) and two owner signatures ("Saunders" and "J. Hart"?) to title page of *Kinges Prerogative*. \$1,500.

* *Plees*: fifth edition; *Kinges Prerogative*: second edition. Building on Bracton, the Year Books and especially Fitzherbert's *Graunde Abridgement*, Staunford sought to digest the authorities and principles of the law even further so "learned men wyth lesse payns might comyle the thyng that shoold bee so easy" (Preface to *Kinges Prerogative*). First published in 1557, *Plees* was the first book devoted entirely to criminal law. Used as a standard reference by many, including Sir James Dyer, it "may well have become an assize judge's vade mecum" (Baker). *Exposition of the Kinges Prerogative* was written in 1548 and first published in 1567. It addresses discretionary rights enjoyed by the monarchy in foreign policy, domestic affairs, legal and governmental administration, religion and economic matters.

Baker, *Reports from the Lost Notebooks of Sir James Dyer I* (Selden Society 109). Beale, *A Bibliography of Early English Law Books* T490, T492. *English Short-Title Catalogue* S117812, S117817.

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1707 Edition of Style's *Practical Register* in a Contemporary Binding

26. Style, William [1603-1679].

Style's Practical Register, Begun in the Reign of King Charles I. Consisting of Rules, Orders, and the Principal Observations Concerning the Practice of the Common Law in the Courts at Westminster. Particularly the King's Bench, As Well in Matters Criminal as Civil. Carefully Continued Down to this Time from Modern Reports. Alphabetically Digested Under Several Titles. With a Table for the Ready Finding Out of Those Titles. With Large Additions. London: Printed for C. Harper, D. Brown, N. Walthoe & D. Medwinter, 1707. [xv], 682, [6] pp. Publisher advertisement facing title page. Octavo (7-1/2" x 4-1/2").

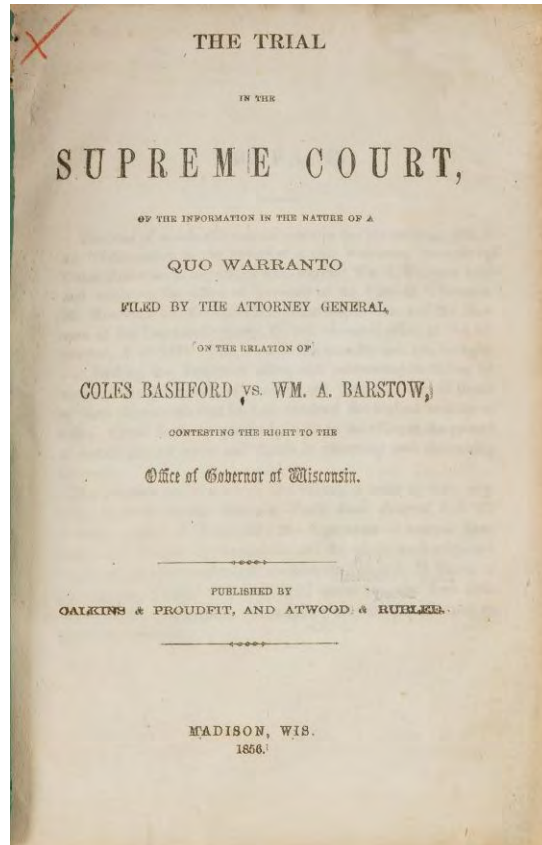
Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spine, gilt tooling to board edges. Negligible shallow scuffing to boards, moderate rubbing to extremities with wear to corners, tiny chip to head of spine, front joint starting at ends, hinges cracked. Moderate toning, faint spotting in a few places, folds to lower outside corners of a few leaves. \$250.

* Fourth edition. This popular guide was first published in 1657 with the title *Regestrum Practicale*. (Its early editions are called *Regula Placitandi* in Comyns's *Digest of the Laws of England*). Arranged alphabetically, it contains the rules for practice, together with some basic information regarding the substantive law. John Lilly published a continuation volume in 1710.

English Short-Title Catalogue T152265.

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A Contested Wisconsin Election With Accusations of Fraud

27. [Trial].

Bashford, Coles [1816-1878], Plaintiff.

Barstow, William Augustus [1813-1865], Defendant.

The Trial in the Supreme Court of the Information in the Nature of a Quo Warranto Filed by the Attorney General on the Relation of Coles Bashford vs. Wm. A. Barstow, Contesting the Right to the Office of Governor of Wisconsin. Madison: Published by Calkins & Proudfit and Atwood & Rublee, 1856. 368 pp. Octavo (8" x 5-1/4").

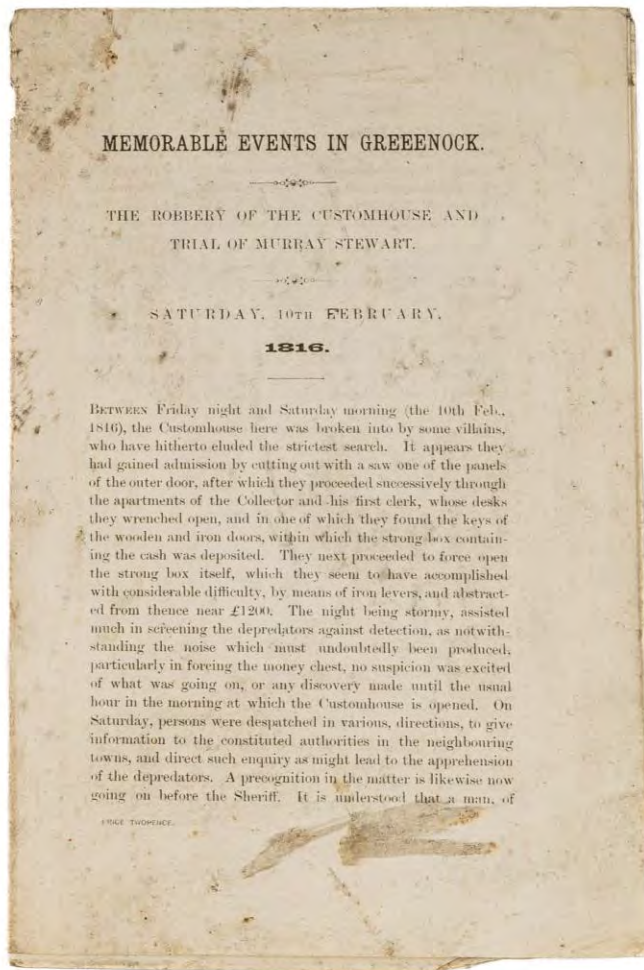
Printed wrappers. Wrappers edgeworn, front wrapper nearly detached, rear wrapper mostly lacking and detached, spine mostly abraded, small blind-embossed library stamps (Rhode Island Historical Society) to title page and rear wrapper. Light toning to text, light soiling to a few pages. \$850.

* Coles Bashford, one of the founders of the Republican Party, ran for Wisconsin governor against Barstow, the Democratic incumbent. After being defeated by only 157 votes, he claimed that the result was fraudulent. This turned out to be correct: Barstow had forged returns from fake precincts in the northern part of the state, among other irregularities, but refused to concede the election. Both men were "inaugurated" on January 7, 1856, each defended by private militia units as tensions grew. The attorney general filed a *quo warranto* to remove Barstow. Despite his bluster, Barstow resigned three days before the Wisconsin Supreme Court found for Bashford, a major victory for the young Republican Party. Bashford's own term in office was marked by a bribery scandal that forced him to leave the state.

Cohen, *Bibliography of Early American Law* 11484.

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A Customs Officer Accused of Robbery

28. [Trial].

Stewart, Murray, Defendant.

Memorable Events in Greenock [sic]. *The Robbery of the Customhouse and Trial of Murray Stewart. Saturday, 10th February, 1816.* [Greenock: James Storer, Printer, 1883]. 8 pp. Octavo (7-1/2" x 5").

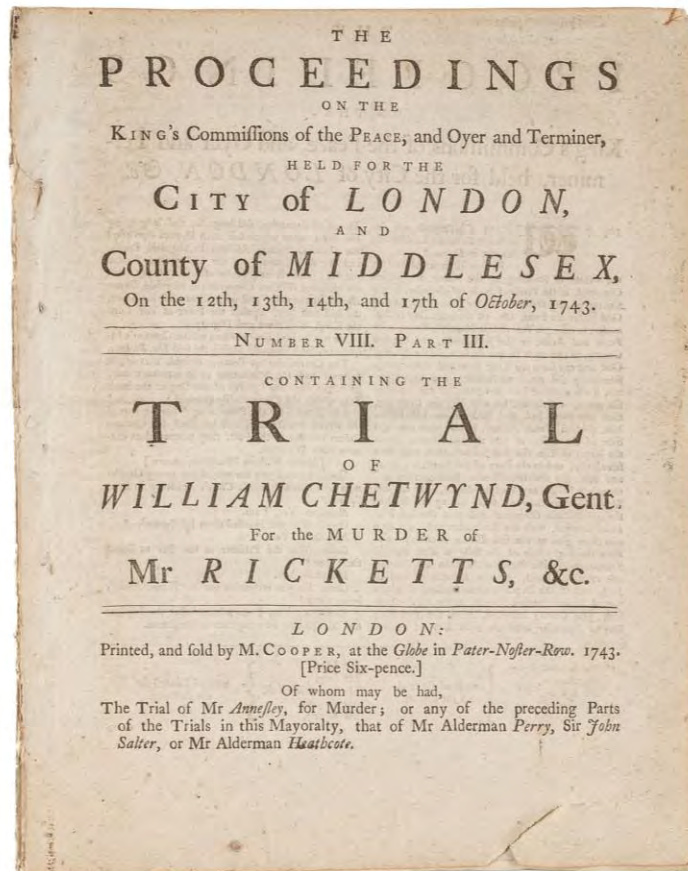
Unsewn bifolia. Light toning, moderate soiling to exterior, small chip to main vertical fold, faint fold line to center of text block. Rare. \$450.

* Murray, a customs officer, was accused of breaking into the Greenock custom house and stealing 1,200 pounds from a safe there. Witnesses said the robbery was likely carried out by someone with knowledge of the building, but no one could positively identify Murray and there was no other evidence that he had committed the crime. He pled not guilty and the jury agreed. Our pamphlet was apparently part of a series of separately issued reprints of articles from the *Greenock Advertiser*.

OCLC and Library Hub locate no individual copies of this title. Other pamphlets in the series are held by two libraries (National Library of Scotland, University of Glasgow Library).

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A Schoolyard Fight Turns Deadly

29. [Trials].

[Great Britain].

Chetwynd, William, Defendant.

The Proceedings on the King's Commissions of the Peace, And Oyer and Terminer, Held for the City of London, And County of Middlesex, On the 12th, 13th, 14th, And 17th of October, 1743. Number VIII. Part III. Containing the Trial of William Chetwynd, Gent. For the Murder of Mr Ricketts, &c. London: Printed, and Sold by M. Cooper, 1743. [ii], 303-318, [2] pp. With a final advertisement leaf. Quarto (9" x 7").

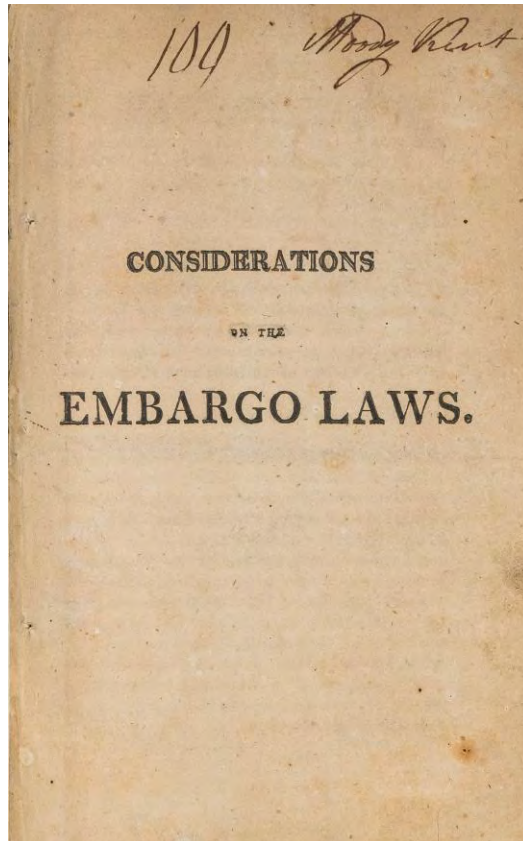
Disbound stab-stitched pamphlet, leaves separating along spine. Moderate toning, light soiling to exterior, small clean tear to lower outside corner of first leaf, trimming to top-edge just touching page numbers of a few leaves. \$250.

* Only edition, issued both serially and as an individual item. Chetwynd, who was about fifteen years old, stabbed his schoolmate with his pocket knife when the other boy tried to take a piece of his cake. The trial hinged on whether this constituted murder or manslaughter under common law; the jury could not decide and referred the matter to the judges. Chetwynd was eventually convicted of manslaughter and burned on the hand. This account includes an appendix with summaries of six cases cited in the Chetwynd trial.

English Short-Title Catalogue N22301.

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**A Copy of Daniel Webster's First Publication
Owned by One of His Professional and Political Associates**

30. [Webster, Daniel (1782-1852)].

Considerations on the Embargo Laws. [Boston, 1808]. 16 pp. Octavo (9-3/4" x 5-3/4").

Stab-stitched pamphlet in recent plain wrappers. Moderate toning, light foxing to a few leaves, "109" and early owner signature of Moody Kent to head of title page. \$750.

* Only edition. This was Webster's first publication, written when he was 26. It expresses the opposition of New England Federalists to the Embargo Act of 1807, which prohibited American ships from trading in foreign ports. Devised by President Jefferson, this act was intended to punish Britain and France for interfering with American trade while those nations were at war with each other. It was deeply resented in New England and others states that depended on maritime trade. Webster argues that the embargo is unconstitutional because Congress only has the power to regulate commerce. It does have the power to stop it.

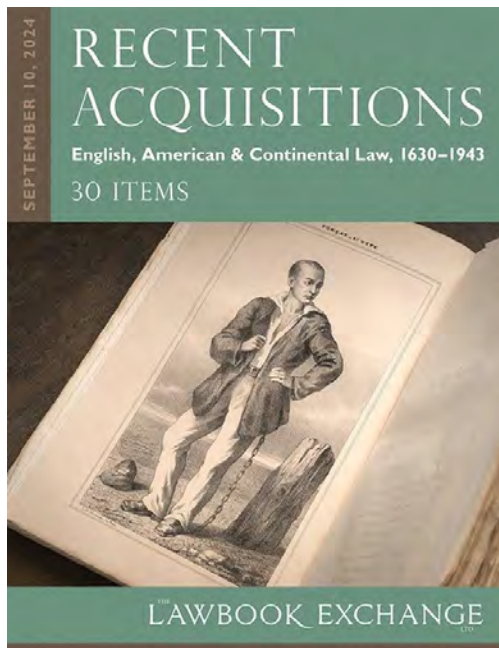
Moody Kent [1779-1866] was a successful lawyer and leading citizen who practiced in Deerfield and Concord, New Hampshire. A lifelong bachelor, he was a notable philanthropist who left a large part of his estate to the New Hampshire Asylum for the Insane. Kent, Webster and Webster's brother, Ezekiel, also a lawyer and politician, were professional and political associates.

See Webster, *The Writings and Speeches of Daniel Webster* (1903) 16:25, 32, 33. Sabin, *A Dictionary of Books Relating to America* 102257. Cohen, *Bibliography of Early American Law* 7560.

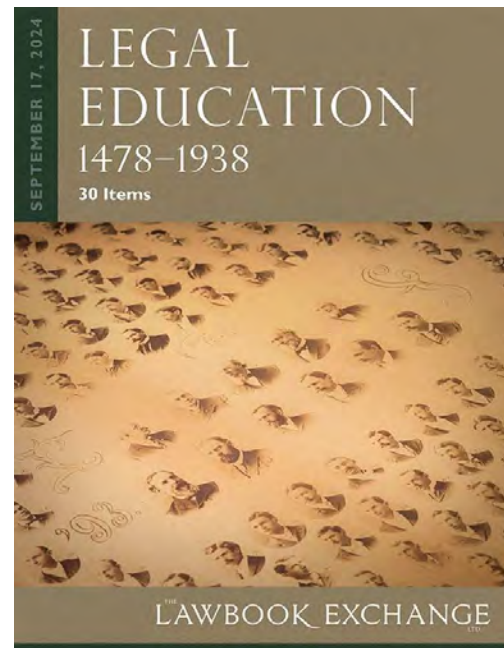
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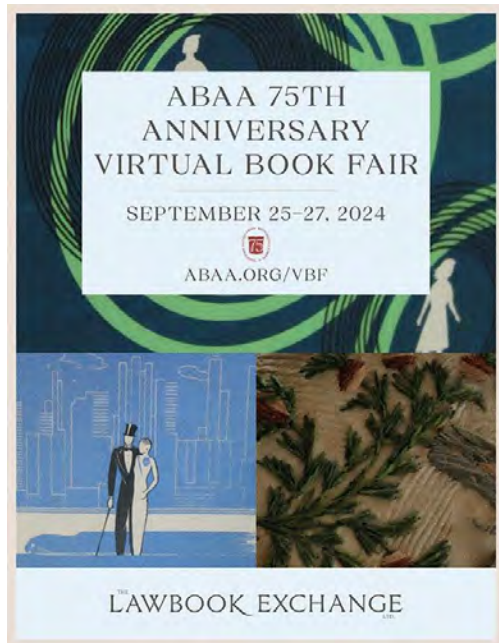
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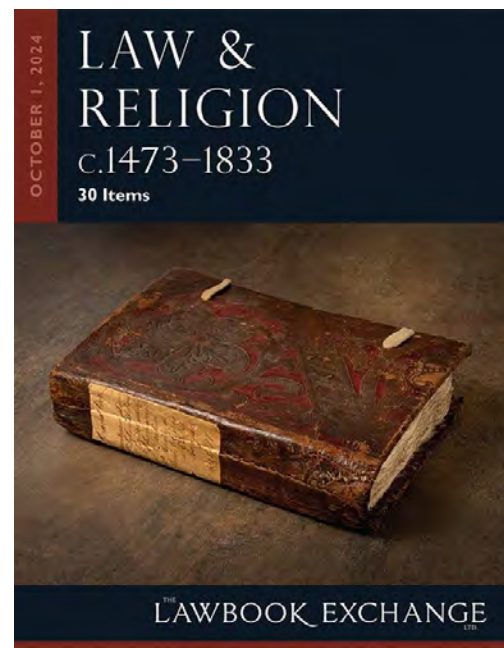
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