Recent Acquisitions

English, American & Continental Law, 1566–1895

30 Items
Scarcely 1566 Edition of Azo’s Deeply Influential Summa

1. Azo, Portius [fl. c.1150-c.1230].
Draeius, Heinrich, Editor.


Later three-quarter vellum over marbled boards, raised bands and lettering piece to spine, endpapers renewed at a recent date. Light rubbing to boards, moderate rubbing to extremities with wear to board edges and corners. Moderate toning, light foxing and dampstaining in a few places, early institution stamp and owner inscription of Walter Ashburner, dated 1905, to title pages, institution stamp and brief marks and annotations in Ashburner’s hand to a few other leaves, light soiling, part-erased illegible inscription and paper repairs to title page of first part. $3,500.
Portius Azo, also known as Azo of Bologna, Azo Porcius, Azo Soldanus, was a lawyer and professor of law at the University of Bologna whose pupils included Accusius and Johannes Teutonicus. His fame rests on his carefully organized commentaries on the Code, Digest and Institutes of the Corpus Juris Civilis. Known collectively as the Summa Azonis, these three commentaries form a methodical exposition of Roman law. The Summa circulated widely in manuscript; 35 printed editions were issued from 1481 to 1610. It was a work of immense authority for generations of continental lawyers. It was synthesized by Accursius in his Glossa Ordinaria; his Summa Codicis was used (and, in many places, copied verbatim) by Bracton in his treatise on English law. The first edition by Draesius, a German jurist, was published in 1563. Well-received, it went through several later editions, the last one in 1584.

Ashburner [1864-1936], the former owner of this book, was an America-born British classical and legal scholar who is known for his research the law of ancient Greece. He was professor of jurisprudence at the University of Oxford from 1926 to 1929. OCLC locates 1 copy of this imprint in North America (University of Toronto).

Universal Short-Title Catalogue 811808.
"A More Complete Lawyer
Than Any of His Contemporaries"

2. Bacon, Sir Francis [1561-1626].

Disbound stab-stitched pamphlet. Light toning, light soiling to exterior, small ink-spots to title page, which has a library stamp along with a few other leaves, light foxing and minor edgewear to a few leaves, tear to fore-edge of leaf E3 (pp. 29-30) not affecting text. $600.

* First edition. Published posthumously, this brief treatise discusses various aspects of the laws regarding treason, including what offenses constitute treason and the king's prerogative in such cases. No stranger to treason trials, Bacon had been a member of the legal team (headed by Sir Edward Coke) that prosecuted the Earl of Essex for treason. He was one of the great intellectuals of the age and held the posts of solicitor general, attorney general and lord chancellor during the reign of James I. According to Holdsworth, "[h]e was a more complete lawyer than any of his contemporaries. Not only was he an eminent practitioner in the common law; not only did he leave his mark as lord chancellor upon the development of equity; he also studied both English law and law in general scientifically and critically. The only other lawyer, in that age of distinguished lawyers, who can be compared to him is his great rival Coke."


Order This Item
3. [Broadside].
Hubbard, William [d.1846].

_Trial, Sentence, And Condemnation of William Hubbard, For the Wilful Murder of Hannah Hubbard, His Wife, On August 11th, 1845._ Leicester: T. Warwick, Printer, [1846].

19" x 6-1/4" broadside mounted to 20-1/4" x 7-1/2" paper-covered cardboard sheet, text in single column below headline, publisher's advertisements at foot of text. Moderate toning, faint horizontal fold lines and creasing, a few clean tears to edges, small tear to foot of text with minor loss to text of publisher advertisement but no loss to legibility. Rare. $1,250.

* Hubbard was accused of murdering his wife after she expressed a desire to stay with her mother with their child while he recovered from an illness. The jury deliberated for less than an hour before finding him guilty and he was sentenced to hang. This broadside appears to be unrecorded. No copies located on OCLC or LibraryHub.

Order This Item
An English Supplement to Angell's Classic Treatise


Recent buckram, gilt fillets and lettering piece to spine, endpapers renewed. Light soiling to exterior, light fading to spine, moderate toning, internally clean. $150.

* Only London edition. Intended as an Anglo-centric supplement to Angell's famous treatise on the subject, this treatise discusses the law of carriers. Despite its focus on English law, it makes reference to several leading American cases. An American edition was published under a different title in 1883. Browne was the author of several treatises on corporate and shipping law.


Order This Item
A Profound Influence in Pre-Revolutionary America

5.[Care, Henry (1646-1688)].
N[elson], W[illiam] [b.1653], Editor.


Later morocco signed binding by MacDonald, gilt double frames to boards, raised bands and gilt ornaments to spine, inside dentelles, top edge gilt, endpapers renewed. Negligible light rubbing to extremities, some fading to spine, front hinge starting, offsetting to outer margins of endleaves, later armorial bookplate of George R. Dyer to front free endpaper. Light toning to interior, trimming to edges just touching some headlines, catchwords and page numbers with minor loss, light foxing in a few places, neatly mended small clean tear to a leaf, foxing and offsetting to margins of title page. A handsome copy. $7,500.

* Second American edition. Preceded by a 1721 Boston edition, this 1774 Providence edition was published in the same year as the first Continental Congress and the Intolerable Acts (and about a year after the Boston Tea Party). A publisher's note at the end of the table of contents says this edition was "principally designed for America" and contained "extracts from several late celebrated writers on the constitution" (vi). It is almost certain that this publisher was capitalizing on popular resentment toward the crown and parliament. First published in England in 1680 (or 1682, the first edition was not dated), this layman's guide reviews, from a Whig perspective, the principles of English law and government. Containing the texts of Magna Carta and other foundational documents of the English Constitution, it emphasizes the role of juries in the preservation of civil rights and prevention of tyranny.
First published in America in 1721 by James Franklin, the half-brother of Benjamin Franklin, who may have offered editorial guidance, this was one of the very first legal books published in the American colonies. It had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's Excellent Priviledge of Liberty and Property (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). And Jefferson, who owned two copies, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights.

George Rathbone Dyer [1869-1934], the former owner of our copy, was a descendant of a prominent Rhode Island family, a businessman, and a major general in the First World War. He was also a New York City public servant, best known for his oversight of the New York Bridge and Tunnel Commission, responsible for the construction of the Holland Tunnel, and the Port Authority of New York and New Jersey.

A Nephew Remembers Sir Michael Foster

6. Dodson, Michael [1732-1799].
Disney, John [1746-1816], Editor.
The Life of Sir Michael Foster, Knt. Sometime One of the Judges of the Court of King's Bench, And Recorder of Bristol. By His Nephew, The Late Michael Dodson, Esq. Barrister at Law.

Later cloth, gilt title and blind fillets to spine. Moderate wear to spine ends, light wear to corners. Moderate toning and light foxing to interior, offsetting from frontispiece to title page. $250.


Order This Item

7. Hall, Robert [1764-1831].

Nineteenth-century three-quarter calf over marbled boards, raised bands, lettering piece and blind and gilt fillets to spine, marbled endpapers. Moderate rubbing, front board neatly detached, chip to head of spine, wear to foot of spine and corners, rear hinge cracked, early owner bookplate (James Chaffin) to front pastedown. Moderate toning to interior, light foxing to title page and a few other leaves, later owner annotations, one dated 1880, to front endleaf, "or 1793" in early hand to foot of title page. $1,250.

* First edition. Hall, a Baptist minister, was a well-known champion of religious liberty and free expression of ideas. His belief in his causes, and that they would ultimately prevail, were amplified by the French Revolution and they had their fullest expression in his Apology. An instant left-wing classic, it appeared in later editions well into the nineteenth century, the last one in 1882. Thomas Jefferson, who owned a copy of the first edition, of one of many readers who recognized the importance of this work. Hall characterizes this work as "an eloquent statement" and "a landmark in the development of the idea of press freedom."

The autograph is dated January 24 1827. It includes the text of Romans 12:1 as it appears in the King James Bible: "I beseech you therefore, brethren, by the mercies of God, that ye present your bodies a living sacrifice, holy, acceptable unto God, which is your reasonable service."


Order This Item

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Signed by Holmes at the Beginning of His Legal Career

8. Holmes, Oliver Wendell, Jr. [1841-1935].
[Warranty Deed Signed by Holmes]. Boston: March 9, 1869.

10-1/2" x 8-1/4" part-printed bifolium completed in manuscript, small seals next to signatures of parties in document, revenue stamps (for $3.50 and $5.00) below. Light toning, two horizontal folds, light edgewear, short clean tears along fold lines. $1,500.

* This warranty deed attests to a considerable real estate transaction between Calvin Winch and Edwin Osgood (for a parcel of land, along with the buildings on it, that is now part of campus of Massachusetts General Hospital). As used in fee-simple conveyances in nineteenth-century Massachusetts, these deeds were witnessed, endorsed and signed by justices of the peace.

In this document Holmes, two years after his Bar admission and then a junior associate in the law firm of Chandler, Shattuck and Thayer, assumed the role of a justice of the peace. It is likely that one or both of the parties were clients of Holmes's firm and he completed the document to expedite the transaction. (We have not been able to locate any evidence that Holmes ever was a justice of the peace.)

Order This Item
A Handy Guide to
Scots Civil Law Circa 1726

9. Hope, Sir Thomas [1580?–1646].
[And]
Bayne, Alexander [d.1737].
[And]

Three volumes in one, each with title page. Octavo (6-3/4" x 4-1/4").

Later cloth, gilt fillets and title to spine, endleaves renewed. Faint spotting to front board, light rubbing to extremities, light fading to spine. Moderate toning to interior, occasional very light foxing, light soiling and faint offsetting to title page, which is reinforced at gutter on recto without loss to text. $175.


English Short-Title Catalogue T71745.

Order This Item
Handsome Copy of the 1576
Tottel Edition of Magna Carta Owned by a Woman

10. [Magna Carta].

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 Charta 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.


Order This Item
Manuscript With a Copy of the Death Sentence from a Notable New York City Murder Case

11. [Manuscript], [Trial].
[Johnson, Richard (d.1829)], Defendant.
Judge Irving's Address, Previous, [to] Passage [of Sentence] of Death on Richard Johnson, For the Murder of Ursula Newman (all) of the City of New York, March 21st 1829. [New York?, 1829?].

13-1/4/ x 8-1/4" bifolium, text in neat hands to rectos and versos. Light browning, some wear and small chips to edges with minor loss to text, additional minor loss from an inkstain with a chip along fold. $950.

* Johnson, a New York City printer, murdered his common-law wife. His motive appeared to be stress caused by her refusal to marry him and business trouble. On May 9, 1829 he had the dubious distinction, along with Catherine Cashiere, of being one the last two people publicly executed in New York. Possibly taken from a commonplace book, our anonymous manuscript begins with the text of Irving's address, which was copied from one of the several published accounts of Johnson's trial, perhaps Trial of Richard Johnson, For the Murder of Mrs. Ursula Newman (New York, 1829). The address fills most of the first leaf's recto. Below, just above the bottom margin, is a three-line recipe for "Potatoe Pudding."

The theme of death returns on the verso with an essay, possibly derived from Samuel Johnson, titled "Pray on Death, which is prefaced with a quote from Gray's "Elegy Written in a Country Churchyard." The essay ends on the recto of the following leaf, where is it followed by a 38-line poem titled "In Memory of Hannah Bradley Died 1829." The verso of that leaf, which appears to be in a different hand, is headed by paraphrases of Mark 9:48 and Revelation 18:19: "Where their Worm dieth no 7 Thine shall be weeping, Wailing and Woe." It is followed by a lengthy extract from Book I of Robert Pollok's The Course of Time, a summary of the damnation sections of the Book of Revelation. We have not been able to determine the purpose of this bifolium.

Order This Item

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**First English-Language Edition of A Profitable Booke**

12. Perkins, John [d. 1545].


Contemporary sheep, blind rules to boards, blind fillets to spine, hinges, upper-outside corner of rear board, a nick to rear board and head of spine mended. A few scratches and tiny stains to boards, moderate rubbing to extremities, a few nicks to board edges and spine, corners bumped and somewhat worn. Moderate toning to interior, faint dampstaining to fore-edges of several leaves near rear of text, faint oil stains to a few other leaves. $450.

* First edition in English. A popular work during the sixteenth and early seventeenth centuries that was held in high regard by Coke, Perkins' Profitable Booke was first published in 1528 and went through numerous editions in both English and Law-French. Devoted mostly to the land law as developed in the Year Books, it is divided into the following topics: grants, deeds, foemiments, exchanges, dower, curtesy, wills, devises, surrenders, reservations and conditions.

*English Short-Title Catalogue R005477.*

Order This Item
13. Roosevelt, Theodore [1858-1919].
Lodge, Henry Cabot [1850-1924].
*Hero Tales from American History.* New York: The Century Co., 1895. xiv, [2], 335 pp. Illustrated. Octavo (7-1/2″ x 5-1/4″).

Publisher’s cloth, gilt title and central vignette to front board, gilt title to spine. Light soiling, moderate rubbing and shelfwear to extremities, spine, which has a few tears, somewhat darkened, chipping to spine ends, corners bumped and worn. Moderate toning, a few, mostly partial, cracks to text block, all leaves secure. Bookplate and ink stamp of Paul E. Darrow, ownership inscription "Rabbi Charles R. Austrian - former Pastor Brith Sholom Congregation Springfield Ill." and presentation inscription "From his wife to Master Paul Darrow 1896 Chicago Ill" to front free endpaper. $250.

* First edition. Paul Darrow [1883-1956] was the only child of famed American attorney Clarence Darrow. He was a businessman in Chicago for most of his adult life.

Order This Item
"Hee's But an Asse, Who England's Church Defies"

14. [Saint German (Germain), Christopher].

Contemporary speckled sheep, blind rules to boards, later hand-lettered paper title label and blind fillets to spine, early owner initials (EC) to fore and bottom edge of text block. Light rubbing and a few scuffs and faint stains to boards, moderate rubbing to extremities, corners bumped and somewhat worn, pastedowns loose and moderately edgeworn. Moderate toning to interior, minor worming to text block at head of gutter and in a few other places, early scribble and annotations to endleaves, small faint dampstains to title page and following few leaves. $400.

* Later edition. With the second dialogue. Written originally in Latin in 1523 and cast in dialogic form, this was the first work to study the role of equity in common law and, by its nature, was the first jurisprudential work written in England. It also considers the relative merits of common, canon and civil law, the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. Doctor and Student appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone.

The inscriptions, mostly fragmentary, have sectarian themes and date from the time of the Civil War. One note reads "August ye 10th, 1646." The longest of these reads: "I hold as fayth, What England's Church allowes, / What Rome's church sayth, My Conscience disallowes, / Where th'alters drest, There Service scarce divine, / The People's blest, With Table Bread and Wine, / Hee's but an Asse, Who England's church defies, / Who shuns the masse, Is Catholike and wise."

*Order This Item*

English Short-Title Catalogue S116404.
1854 Treatise on Equity in the Virginia Courts

15. Sands, Alexander H.

*History of a Suit in Equity, As Prosecuted and Defended in the Virginia State Courts and in the United States Circuit Courts.* Richmond: Published by A. Morris, 1854. xi, [1], 510, [2] pp. Octavo (8" x 4-1/2").

Recent buckram, gilt fillets and lettering piece to spine, two small ink spots to fore-edge of text block, endleaves renewed. Light toning to interior, occasional light foxing, later pencil annotations to a few pages. $150.

* First edition. A review of the second and final edition, 1883, says the first edition "received the commendation of such lawyers as the late Judges Lee and Joynes, of the Supreme Court of Appeals, Judge Wm. Leigh, of the Circuit Court, and the present able and excellent Professor of Law at the University of Virginia, John B. Minor.": *Alabama Law Journal* (1883-1884) 2:167 (citing an article in the *Virginia Law Journal*).

Cohen, *Bibliography of Early American Law* 5004.

Order This Item
Two Nineteenth-Century American Pamphlets
Concerning the Abolition of Imprisonment for Debt

An Act to Abolish Imprisonment for Debt, And to Punish Fraudulent Debtors. Passed April 26, 1831. Also, A Synopsis of the Same.
New York: Printed and Published by Elliott and Palmer, 1832. 24 pp.
[Bound with]
Johnson, Richard M. [1780-1850].

Octavo (8-1/2” x 5”). Stab-stitched pamphlets bound into later three-quarter morocco-grained calf over marbled boards, which are neatly detached, gilt title to spine, marbled endpapers. Light rubbing to boards, moderate rubbing to extremities, chipping to spine ends, later library bookplate to front pastedown. Moderate toning, light foxing to Act and a few leaves of Speech, side notes of Act affected in a few places by trimming. $500.

* Act: second and final edition; Speech: only edition. Stilwell, a member of the New York State Assembly from New York County, proposed the 1831 act to abolish imprisonment for debt, which became known as Stilwell's Act. It was the final step in a series of acts beginning in 1809 that reduced penalties for debtors. The first printing of the text with Stilwell's synopsis was in 1831.

Johnson, a senator from Kentucky, later Van Buren's vice president, proposed a well-received but ultimately unsuccessful bill to eliminate debt imprisonment throughout the United States. Speech was published to encourage support for the bill by a Boston's Society for the Relief of the Distressed. The text of the bill is followed by an appendix with information on the kinds of cases that resulted in imprisonment for debt in Boston. Neither of these imprints are listed in Sabin or Cohen; Speech is a scarce title, Act is rare: OCLC locates 2 copies (New York Public Library, University of Pennsylvania Law School).

Order This Item

Later buckram, black-stamped title and paper shelf label with "Withdrawn" stamp to spine, endleaves renewed. Light soiling to exterior, light wear to spine ends and corners, which are lightly bumped, ink library stamps to front endleaves and fore-edge of text block, card pocket to rear pastedown, front hinge starting, cracks in text block after title page, which has a blind-embossed library stamp to its foot, and before final leaf, title page loosening slightly but secure. Moderate toning to interior, light foxing to a few leaves, a few partial cracks to text block, ink library stamps to a few pages not affecting text, early owner signature (of Joseph McDonald) to head of p. 100. $250.

* Third edition. Story's treatise on bills of exchange was a standard text during the nineteenth century. As Marvin notes, it was certainly the most complete and wide-ranging text of its day. In addition to American and English sources it draws on the work of Heineccius and other civil-law jurists. The first edition was published in 1843 and the fourth and final edition in 1860.


Order This Item
1823 Study of Women's Rights in Roman Law and the Code Napoleon

18. Swellengrebel, Hendrik Willem [1800-1824].


Contemporary grained morocco, gilt frames with corner and small central gilt ornaments to boards, gilt spine with lettering piece, all edges gilt, gilt tooing to board edges, marbled endpapers, ribbon marker. Light rubbing to spine ends and corners, front board slightly bowed, light toning to interior. A handsome copy. $850.

* Only edition. This dissertation discusses the rights of women, with an emphasis on married women, in Roman law and in the Napoleonic Code. The main text is followed a poem by Gerardus Dorn Seiffen (1774-1858), a notable classicist and scholar of Roman law. Our copy's handsome binding suggests it was the author’s, possibly bound as a gift to him, or bound by him for presentation. OCLC locates 9 copies, 7 in the Netherlands, 1 in Italy and 1 in North America (Harvard Law School).

Order This Item
A Famous Massachusetts Libel Case

19. [Trial].
Buckingham, J[oseph] T[inker], Defendant.
Trial: Commonwealth vs. J.T. Buckingham, Of an Indictment for Libel Before the Municipal Court of the City of Boston, December Term, 1822. Boston: Published at the Office of the New-England Galaxy, 1822. [iii], iv-60 pp. Octavo (8-1/4" x 4-3/4").

Stub-stitched pamphlet. Moderate toning, folds to edges of several leaves, light soiling, moderate edgewear and a few tears and chips to first and final leaves, early owner inscription to head of p. [iii]. $100.

* Only edition. This was one of three accounts issued in 1822. Cohen offers a succinct summary of this notable libel case: "Joseph Buckingham, publisher of the New England Galaxy, was indicted on the charge of printing a libel on John Maffitt, a Methodist preacher (sometimes spelled Maffit). His defense was built on proving the truth of the alleged libel, and he was acquitted. Several works about the trial itself were published long after it took place; their intent was to damage Maffitt's reputation, as he was then engaged in parochial conflicts."


Order This Item
A Case Overlooked by
McDade, No Copies Listed on OCLC

20. [Trial].
Clarke, Frederick W, Appellant.

Stub-stitched pamphlet in stiff wrappers. Moderate soiling to exterior, spine abraded, mostly at ends, wrappers secure, light wear to corners of text block and wrappers, offsetting (from laid-in papers) to pastedowns and front free endpaper and p. 44, rear free endpaper lacking. Moderate toning to interior, signature and manuscript seal of County Clerk (G.E. Smith) to p. 44, manuscript seal to p. 42, brief corrections to a few leaves and case number and "Reporter" to front wrapper in his hand. $750.

* This rare item, which is not listed on OCLC, concerns a case that is overlooked in McDade's remarkably thorough Annals of Murder. (Clarke was convicted for the murder of Zelotes Reed on a ranch in Oakland Township.) It is also notable as a pre-fire San Francisco imprint and an example of the work produced by the Women's Co-Operative Printing Union. Established in 1868, it was probably California's first women-owned printing company.
A Schoolteacher Sues to Redeem Her Reputation and Save Her School

21. [Trial].
Hall, Eunice, Plaintiff.
Rogers, Daniel, Reporter.

Disbound stab-stitched pamphlet. Moderate toning and light foxing, light wear to spine ends. $500.

* Only edition. Robert Grant, a physician who treated one of Hall's students, alleged that Hall, a teacher, was responsible for the student's death, which destroyed her reputation and that of the school she kept. Hall sued Grant for fifteen counts of libel; the jury awarded her $250 in damages. The first page has a statement by Grant that indicates his interest in the publication of this pamphlet. OCLC locates 7 copies in law libraries (Harvard, Library of Congress, NYU, Nova Southeastern University, University of Minnesota, University of Missouri, Yale).


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Murder and Mutilation in Brighton

22. [Trial].
Holloway, John [1806?–1831], Defendant.

An Authentic and Faithful History of the Atrocious Murder of Celia Holloway, With an Accurate Account of All the Mysterious and Extraordinary Circumstances Which Led to the Discovery of Her Mangled Body in the Copse in the Lover's Walk, At Preston, Near Brighton; Including, Also, The Trial for the Murder, And the Extraordinary Confessions of John William Holloway, Together with His Life, Written by Himself, And Published by His Own Desire, For the Benefit of Young People. Embellished with Highly Amusing Engravings. [London]: Printed for the Proprietors, and sold by W. Nute [et al.], 1832. 366 pp. With six full-page engravings, one a portrait frontispiece, and two woodcut vignettes in text. Octavo (8” x 4 3/4”).

Contemporary mottled sheep, blind fillets to boards, gilt fillets and lettering piece to spine. Light rubbing to boards, moderate rubbing and light wear to extremities, boards carefully reattached with tissue, chipping to spine ends, corners bumped and worn, later bookplate (“The John Rathbone Oliver Criminological Collection”) to front pastedown, early owner signatures (of Ann Holmes, dated 1833, and Harry Patchett, dated 1877) to front free endpaper. Light toning to interior, more moderate in a few places, very light foxing in several places, light soiling and small faint stains to a few leaves. $500.

* Only edition. Holloway and his wife Celia had been separated for a number of years, with Holloway required to pay her two shillings per week as maintenance. This proved difficult, and he was forced to rely on his mistress, Ann Kennett for the money. Tired of this arrangement, he lured Celia out of the house, strangled her and dismembered the corpse for burial. According to medical and witness testimony, she was pregnant at the time of the murder. Holloway confessed, contradicting himself several times on the point of whether Kennett was involved, and was convicted and hanged on December 16, 1831. Kennett was cleared of wrongdoing.

John Rathbone Oliver [1872-1943] was a physician, psychiatrist and book collector specializing in criminology and criminal psychiatry. OCLC locates 4 copies of this title in North American law libraries (Harvard, University of Minnesota, University of Memphis, Los Angeles County).


Order This Item

Disbound stab-stitched pamphlet. Moderate toning, light foxing to several leaves, moderate edgewear to title page, faint fold lines to upper-outside corner of text block, minor chips and tears to edges of a few leaves. $750.

* Second, final and definitive edition. Milford, an inmate in an almshouse, accused Lippincott of rape. He was acquitted, but Walker, his prosecutor claimed he was guilty and wrote this pamphlet, ostensibly a report, to prove his case in the court of public opinion. Walker claims Lippincott was able to evade justice due to his social position. His account is unusually moralistic and notable for its insights into the nature of gender and class in Georgian society.

The first edition was published in Bristol in 1810. It and the second edition are rare. OCLC locates (University of Memphis Law Library, York University Law Library). Neither edition in the Harvard Law Catalogue or the British Museum Catalogue.

Order This Item
24. [Trial].

Newton, Catherine, Defendant.

The Second Part of the Trial of the Hon. Mrs. Catherine Newton, Wife of John Newton, Esq; And Daughter of the Right Honourable and Reverend Lord Francis Seymour: At the Consistory Court of Doctor's Commons; Upon a Libel and Allegations, Charging Her with the Crime of Adultery with Mr. Isham Baggs, A Young Oxonian; Mr. Brett, A Player at Bath; Thomas Cope, Mrs. Newton's Coachman; Isaac Hatheway, Her Footman; John Arkland, Of Fairfield, in the County of Somerset, Esquire; And divers other Persons. With all the interesting scenes, fully, minutely, and circumstantially displayed. Containing the Whole of the Evidence in that very Extraordinary Trial.

London: Printed for the Proprietors, and Sold by C. Etherington [et al.], 1782. [iv], 107, [1] pp. With a half-title; without the frontispiece present in some copies. Octavo (8" x 5").

Disbound stab-stitch pamphlet, spine reinforced with tissue. Moderate toning, occasional light foxing, clean tear to gutter of title page not affecting text, early annotation to head of half-title. $250.

* First edition, one of three from the same year. Newton was accused of adultery with her household servants, local men and "divers other persons" in addition to the five named parties. The court found her guilty and granted her husband, John Newton, a divorce. This account of the trial was published in two parts. Both are scarce; OCLC locates 10 copies of all editions of the second part, one in a law library (Harvard).

*English Short-Title Catalogue T053445.*

Order This Item
A Convicted Libeler Brings His Own Libel Charges

25. [Trial].
Tipper, Samuel, Defendant.
Finnerty, Peter, Plaintiff.

Disbound stub-stitched pamphlet, edges untrimmed. Moderate toning, light foxing and soiling in a few places, leaves separating at head but secure. $500.

* Only edition. Finnerty was a radical Irish journalist and publisher convicted of seditious libel in 1797. Again charged with libel, this time against the Duke of York by publishing a pamphlet critical of his sale of military promotions, he was attacked in the Tory magazine The Satirist while his libel charges were pending. He quickly brought his own libel proceedings against the publisher in civil court. Though Mansfield reluctantly concluded that the attacks in The Satirist did constitute libel, he also concluded that Finnerty's already less than sterling character made extensive damages impossible. The jury agreed. Finnerty was awarded one shilling in damages and forced to pay court costs. OCLC locates 2 copies, both at the British Library. Not in McCoy.


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An Early (and Successful) Sleepwalking Defense: McDade 991

26. [Trial].
Tirrell, Albert John, Defendant.

Stub-stitched pamphlet in self-wrappers, edges untrimmed. Moderate toning, minor creasing to edges in places, small ink stains to title page and final three leaves with resulting small holes, minor loss to legibility on final leaf only, faint dampstaining to a few leaves. $450.

* Only edition. "The murder of a harlot seems to lend a special interest to a case which is measurable by the many publications which ensue. (...) The Tirrell case is one of the triumphs of Rufus Choate, who convinced the jury that his client did not cut the throat of Mrs. Bickford, or, if he did, he did it in his sleep. The defense of somnambulism by Choate might well join that other classic of defense put forth by Delphin Michael Delmas, who as counsel for Harry K. Thaw pleaded 'dementia Americana'" (McDade).


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27. [United States]. [Constitutions]. Constitutional Law: Comprising the Declaration of Independence; The Articles of Confederation; The Constitution of the United States; And the Constitutions of the Several States Composing the Union, viz. New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Louisiana, Kentucky, Ohio, Tennessee, Mississippi, Indiana, Illinois. Washington City [DC]: Printed and Published by Gales and Seaton, 1819. [iv], 360 pp. Check for this: Pasted-in slip to foot of p. 360 containing a recent amendment to Georgia’s constitution. 12mo. (6-3/4" x 4").

Contemporary tree calf, lettering piece and gilt fillets to spine. Moderate rubbing to extremities, small chip o heda of spine, corners bumped, hinges starting, bookplate residue to front pastedown, rear free endpaper lacking. Moderate toning and light foxing and dampstaining to interior, minor worming to first half of text block, mostly to margins, text affected in a few places with no loss to legibility. $2,500.

* First edition. With an appendix containing federal constitution and the constitutions and amendments of 21 states, including Indiana and Illinois. Federal and state amendments enacted between 1808 and 1816 are also included. This was the first compilation published in Washington. A quasi-official work, it was the first "government" compilation since the ratification of the Federal constitution. Later editions were published in 1820, 1822 and 1823. All editions are scarce. OCLC locates 5 copies of the first edition in law libraries (Duke, Georgetown, Harvard, Library of Congress, William and Mary).

Cohen, Bibliography of Early American Law 3013.

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28. Walters, Robert.


Disbound stab-stitched pamphlet. Moderate toning, light soiling to exterior, light foxing to a few leaves, inscription (affected by trimming) "John Tyrell Esq with the author's Compliments" to head of title page, marginal pencil marks to several pages. $150.

* Only edition. An entry in the spirited and lengthy public debate in Great Britain over the establishment of a general register for titles and deeds, similar to that created in Ireland in 1822. Though the idea was first proposed under Henry VIII, no such register would be created in England until the passage of the Land Registry Act in 1862, which established a registry of titles (but not deeds). The system created by the act was voluntary and largely ineffective; successive attempts at reform failed until the Land Registration Act of 1925. Walters and Tyrrell were both barristers and members of Lincoln's Inn working in conveyancing and real property. OCLC locates 5 copies of this title in law libraries (Yale, University of Georgia, University of Notre Dame, Harvard, Wisconsin State).

*British Museum Catalogue* (Compact Edition) 26:634.
Includes Early Commentaries on the U.S. Constitution by One of the Framers

29. Wilson, James [1742-1798].  
Wilson, Bird [1777-1859], Editor.  

Contemporary sheep, blind fillets and red and black morocco gilt lettering pieces to spine, small embossed owner stamp, "D.A. Smalley," to centers of front boards. Light rubbing, a few faint stains and a few minor scuffs to boards, moderate rubbing to extremities, corners bumped and somewhat worn, front joint of Volume I just starting at head, owner signature (George Ashburn, dated 1856) to front pastedowns, foxing and dampstaining to frontispiece, foxing and offsetting to title-pages. Moderate toning, light foxing and offsetting to text throughout set, light dampstaining in top corner of most leaves in second volume, wear and toning along edges of pp. (67)-70 in third volume, "D.A. Smalley" to title pages. A handsome set. $8,500.

* First edition. Wilson was one of the most influential delegates to the Federal Constitutional Convention and one of the six founding fathers who signed both the Declaration of Independence and the U.S. Constitution. He was also the principal author of the Pennsylvania Constitution, a professor of law and an associate justice of the United States Supreme Court.

Compiled and edited by his son, the Works consist mostly of lectures on American law delivered at the College of Philadelphia in 1790 and 1791. Wilson intended to revise them and publish them as a treatise, but death intervened. As published, they cover several aspects of public and private law, such as the common law, general principles of the law of nations and the law of nature, crime, obligations and property. Other lectures are some of the earliest commentaries on the U.S. Constitution. The texts of several important speeches, including several concerning the U.S. Constitution, are also included.

"D.A. Smalley," the former owner of our copy, is probably David Allen Smalley [1809-1877], a Vermont lawyer, judge and politician who was chairman of the Democratic National Committee from 1856 to 1860 and a United States district judge of the United States District Court for the District of Vermont from 1857 to 1877.


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30. Yáñez Parladorio, Juan [16th Century].

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