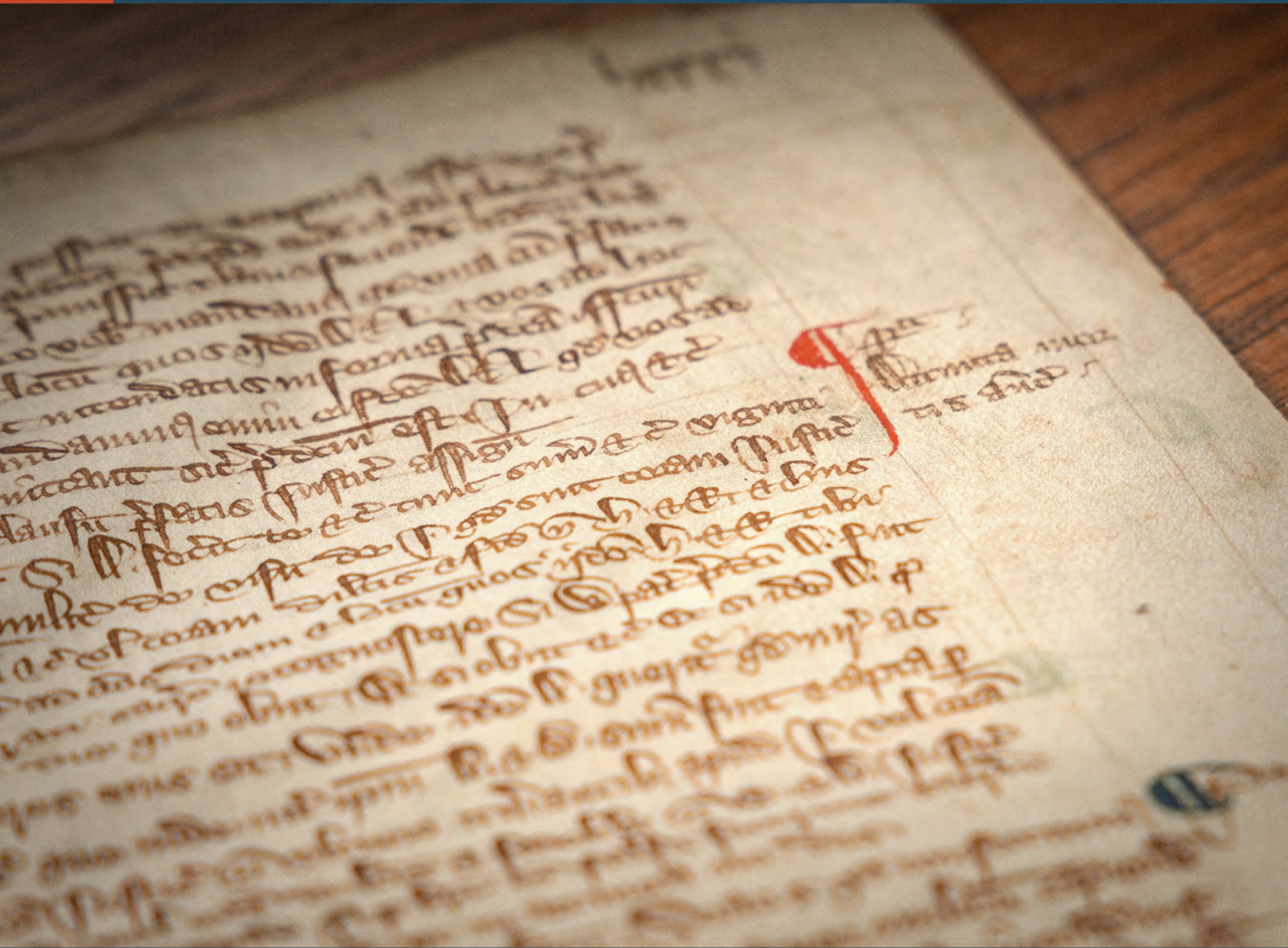


DECEMBER 24, 2024

30 UNUSUAL & EXTRAORDINARY ITEMS





**Fine Portrait of Chief Justice Read,
The Great Nineteenth-Century Pennsylvania Jurist**

1. [American School, 19th Century].

[Portrait of John Meredith Read]. Philadelphia, c.1815. 25" x 20" (image size).

Oil on canvas in ornate nineteenth-century gilded wood frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine. \$3,000.

* Read [1797-1874] was elected to the Pennsylvania House of Representatives in 1822 and 1823 and served as City Solicitor of Philadelphia from 1830 to 1833. He was appointed District Attorney of the Eastern District of Pennsylvania in 1837 and held the office until 1845. Read became Justice of the Supreme Court of Pennsylvania in 1858 and Chief Justice of the Supreme Court of Pennsylvania in 1872. Read gained an international reputation for the depth of his knowledge, eloquence, and masterly arguments in the courtroom. Active in politics, Read was an early supporter and organizer of the Republican Party.

This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.

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No Copies Located in North America

2. Andrea, Giovanni d' [1275-1348].

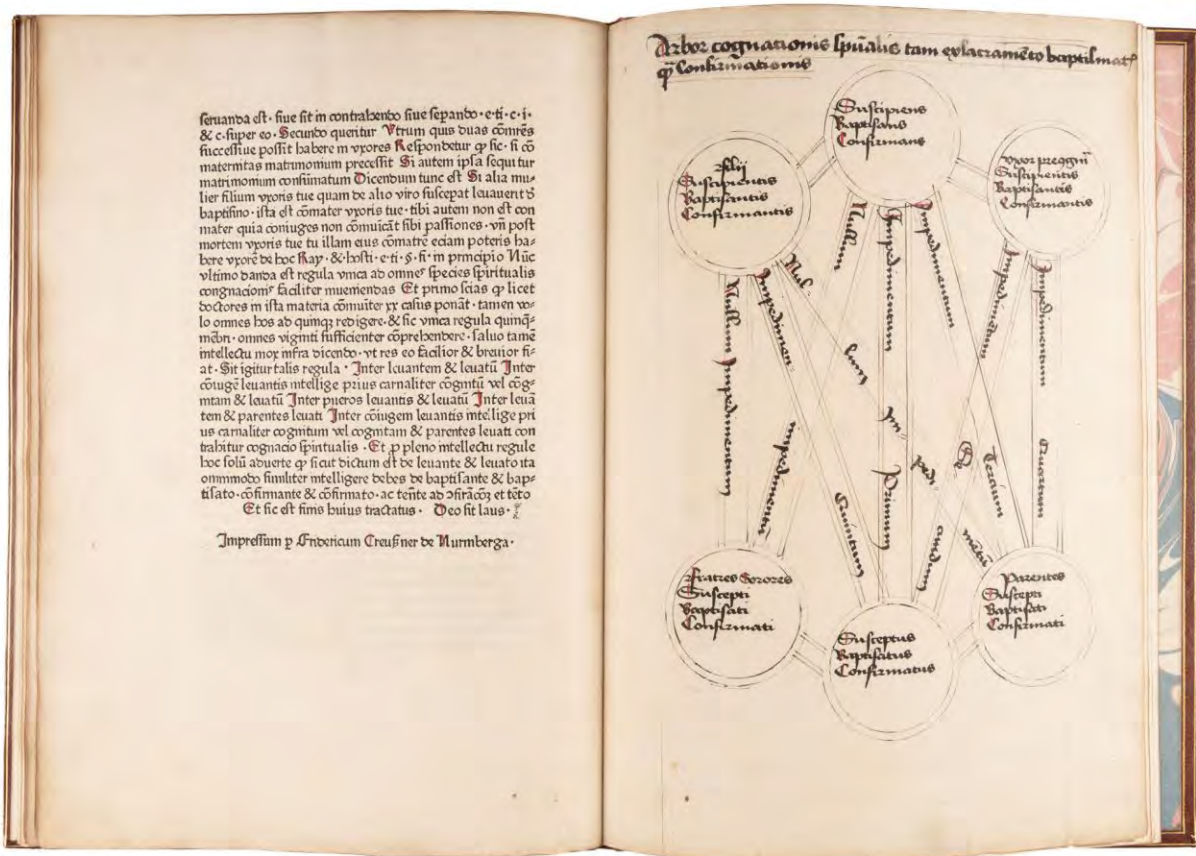
[*Super Arboribus Consanguinitatis, Affinitatis et Cognationis Spiritualis*]. [Nuremberg: Friedrich Creussner, c.1474-1477]. [10] ff. Collation: [a10]. 2 full-page woodcut tables of descents to leaves [a4]v and [a8]r, additional contemporary full-page manuscript table of spiritual relationships bound after text. Folio (11-1/2" x 8"; 29 x 20.5 cm).

Later nineteenth-century paneled morocco signed binding by Riviere & Son, gilt frames and corner fleurons to boards, discreetly rebacked retaining existing spine with raised bands, gilt and blind fillets and gilt ornaments, title and date, gilt edges, gilt rules to inner board edges, marbled endpapers, endpapers added. Light rubbing and a few minor scratches to boards, moderate rubbing to board edges, corners lightly bumped, hinges cracked, faint offsetting to edges of free endpapers, four later bookplates, of Guy Bechtel, the Huth family library, Arnold Hoffmann and George Abrams, to front free endpaper, recent French bookseller description tipped-in to front endleaf. Text printed in 33/34-line gothic type, rubricated throughout (including tables) in red ink, large initials in red and silver ink to [a1]r and red ink to [a5]r, smaller initials in red ink to [a9]r and [a1]v. Light toning to interior, very faint dampstain to upper corner of ff. [7] and [9] just touching text of f. [9], both tables trimmed close with minor loss to bottom edge, negligible loss at gutter of first table and fore-edge of second. An attractive, wide-margined copy of a fundamental treatise. \$12,500.

* D'Andrea was an Italian canonist and professor of canon law at the University of Bologna. An eminent figure who received the highest tributes from Arithemius, Baldus, Forster and Bellarmin, his principal writings circulated widely in manuscript and were among the earliest printed works on canon law. Often included in editions of the *Corpus Juris Canonici*, the *Super Arboribus* is a fundamental treatise on degrees of consanguinity and affinity, also known as blood relations, and spiritual relationships created by godparents and their families. It was a work of vital importance in cases regarding estates, incest and conflicts of interest. It went through numerous manuscript and printed editions into the modern era.

Our undated edition is one of seventeen issued by Creussner from c.1473-1488. The provisional date range given by the *ISTC* is based on the bull's head watermark present in the contemporary endleaves. The woodcuts in the Creussner editions are so much larger than the type-pages that many, if not most, copies are trimmed to some degree. Our copy also includes an attractive hand-drawn table of spiritual relationships ("Arbor cognationis spiritalis tam ex sacramento baptismatis quam confirmationis"). (A similar version of the table was added to later Creussner editions.) It was owned by several important collectors of rare books, among them George Abrams [1919 or 1920-2001], the distinguished graphic artist and typeface designer, and, most recently, Guy Bechtel [b.1931], a notable scholar of early printing.

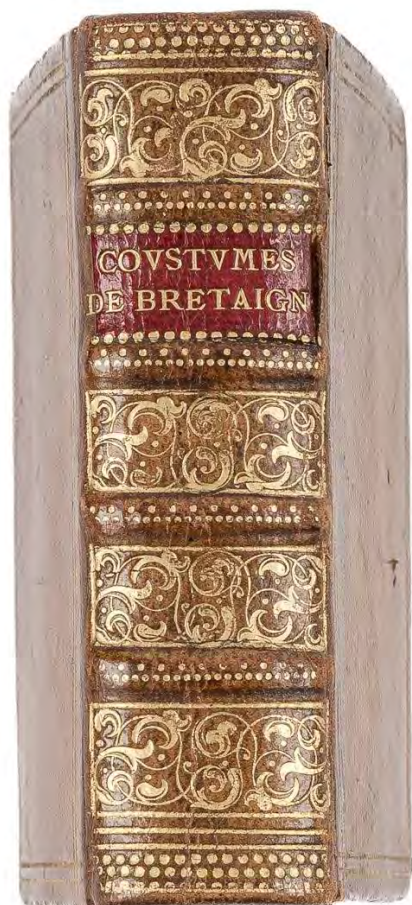
The *ISTC* locates 11 complete copies of this edition worldwide, none in North America. *Incunabula Short-Title Catalogue (ISTC)* ia00605500.



us carnaliter cognatum vel cognatam & parentes leuati con-
 trahitur cognatio spiritalis . Et p pleno intellectu regule
 hoc solū aduerte q̄ sicut dictum est de leuante & leuato ita
 omnimodo similiter intelligere debes de baptisante & bap-
 tizzato . cōfirmante & cōfirmato . ac tenēte ad dīrācōz et tēto
 Et sic est finis huius tractatus . Deo sit laus .

Impressum p̄ Fridericum Creussner de Nurnberga .

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A Rare Three-Part Pocket-Sized Breton Coutumier from the Library of Rémi Chardey

3. [Brittany].

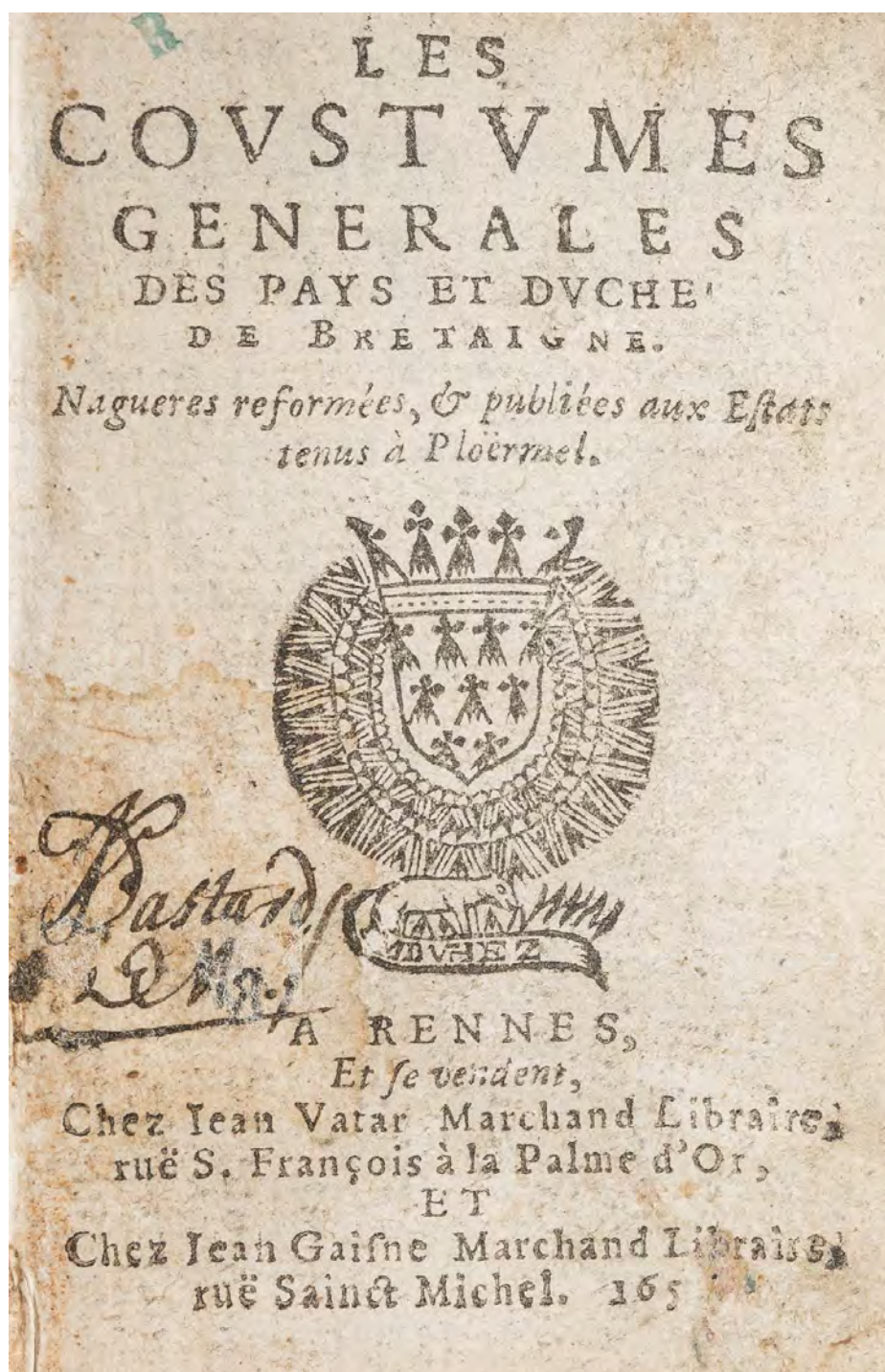
Les Coustumes Générales des Pays et Duché de Bretagne: Nagnères Réformées, Et Publiées aux Estats Tenus à Plöermel. Rennes: Et se Vendent, Chez Iean Vatar Marchand Libraire, 1651. 303, [2]; 111, [1]; 122, [6] pp. Three parts each with title page and individual pagination, collation register continuous. Second part titled: *Les Nobles Coutumes ou Guidon, Stille et Uzances des Marchands qui Mettent a la Mer, third part titled Traicté de la Nature et Usage des Marches Separantes des Provinces de Poictou, Bretagne, & Anjou* "par M. Gabriel Hullin." 16mo. (3-1/4" x 2").

Contemporary calf, gilt rules to boards, gilt spine with raised bands, speckled edges. A few minor nicks, light rubbing to extremities, early (?) owner signature ("Cte. Alphonse de la Guere") and later owner bookplate (of R[émi]. Chardey, Havre) to front pastedown. Moderate toning to interior, crack in text block between front free endpaper and title page of first part, which is soiled and has a small faint stain and an (illegible) early owner signature. A well-preserved copy in a handsome binding. \$7,500.

* Scholars are unsure when the coutume of Brittany was compiled, or the names of its authors, but it was first cited officially in 1341. Its final codification was issued in 1580. It deals primarily with civil and criminal procedure and is original in many respects. It also incorporated some aspects of English law, especially in matters concerning succession of certain fiefs, and a good deal of canon law, more so than any other coutumiers. The first part of our pocket-sized edition is the text of the coutume. The second and third parts address parts of the coutume dealing with maritime law, commercial law and territorial jurisdiction. These three parts were also issued separately.

Rémi Chardey [d.1900] was an important French collector, primarily of maps and city documents.

OCLC locates 1 copy in a North American law library identical to ours (George Washington University). Not in Caswell & Sipkov. Gouron & Terrin, *Bibliographie des Coutumes de France* 731.



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Rare Proclamations from the British Military Occupation of Samoa

4. [Broadsides].

[Samoa].

[Logan, Robert (1863-1935)].

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

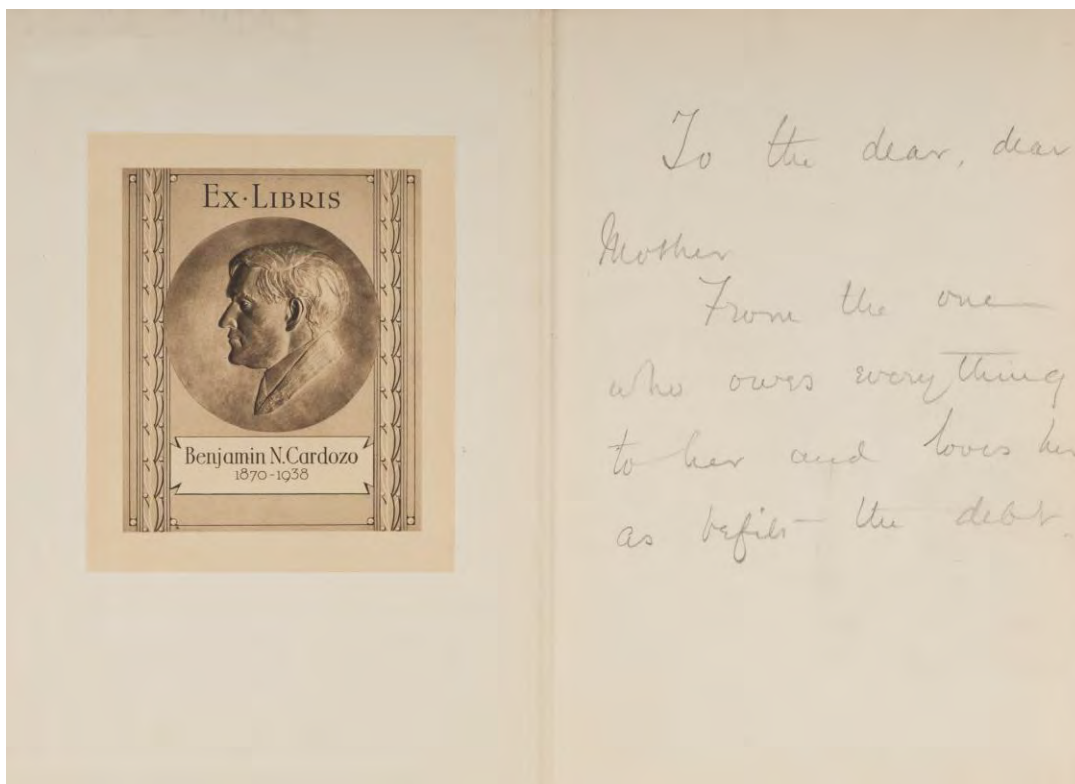
43 broadsides and broadsheets (Proclamation No. 40 present in duplicate) ranging in size from 12-3/4" x 9-1/4" to 17" x 10-3/4" (folded, 17" x 22" unfolded), text in English, Samoan and German with some broadsides printed in all three languages. Light toning, horizontal fold lines to most items, light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

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

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

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Inscribed by Cardozo, "To the Dear, Dear Mother..."

5. Cardozo, Benjamin N. [1870-1938].

The Paradoxes of Legal Science. New York: Columbia University Press, 1928. v, 142, [1] pp.

Original cloth, gilt title to spine, blind frames to boards, gilt Columbia University Press crest to center of front board. Light rubbing to extremities, Cardozo memorial bookplate to front pastedown, unsigned inscription in pencil, apparently in Cardozo's hand, to front free endpaper, light toning to text. \$1,750.

* First edition, first printing. One of Cardozo's most important books, *The Paradoxes of Legal Science* is a classic statement of juristic pragmatism. As Goodhart points out, it also reveals the non-legal sources, such as Greek philosophy, that informed his work. The bookplate was commissioned by Judge Irving Lehman, Cardozo's executor and close friend, to mark the books from Cardozo's library that were bequeathed to him. The inscription reads: "To the dear, dear Mother From the one who owes everything to her and loves her as befits the debt." We are not sure who the "dear, dear Mother" is. It cannot be Cardozo's mother; she died when he was a child. It may be his older sister, Ellen Ida, "Nell" Cardozo, who was mostly responsible for his upbringing and was a maternal figure in his life. She died in 1929. Posner notes that Benjamin and Nell's relationship "was a good deal closer than that of an average sister and brother [it was] perhaps more like that of a mother and a son."

Cardozo was nominated to the Supreme Court by President Hoover in 1932. Cardozo, along with left-leaning justices Harlan Fiske Stone and Louis Brandeis, formed the "Three Musketeers" and voted in favor of many New Deal policies. From 1932 to 1937, they faced off against the conservative "Four Horsemen," George Sutherland, Willis Van Devanter, James Clark McReynolds and Pierce Butler.

Lehman, *Benjamin Nathan Cardozo: A Memorial* 18. Goodhart, *The Jewish Lawyers of the Common Law* 59-60. Posner, *Cardozo: A Study in Reputation* 5.

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A Rare Complete Set of an Important Compilation of Dutch Sources, Some of them About the Americas

6. Cau, Cornelis [1601-1683], Primary Compiler.

Groot Placaet-Boeck, Vervattende de Placaten, Ordonnantien Ende Edicten Vande Doorluchtige, Hoogh Mog. Heeren Staten Generael der Vereenighde Nederlanden: Ende Vande Ed: Groot-Mog: Heeren Staten van Hollandt en West-Vrieslant; Mitsgaders Vande Ed: Mog: Heeren Staten van Zeelandt. Waer by noch Ghevoeght Zijn Eenige Placaten Vande Voorgaende Graven ende Princen der Selver Landen, Voor soo Veel de Selve als noch in Gebruyck Zijn. The Hague: By de Weduwe, Ende Erfgenamen van Wylen Hillebrandt Jacobsz van Wouw [and Other Printers], 1658-1797. Main text in parallel columns. Each volume includes an engraved copperplate added pictorial title page and an alphabetical and chronological register. The final volume, a general index, has a title beginning *Repertorium of Generaal Register Over de Negen Deelen van het Groot Placaetboek*. 10 volumes. Complete set. Folio (15" x 9-1/4").

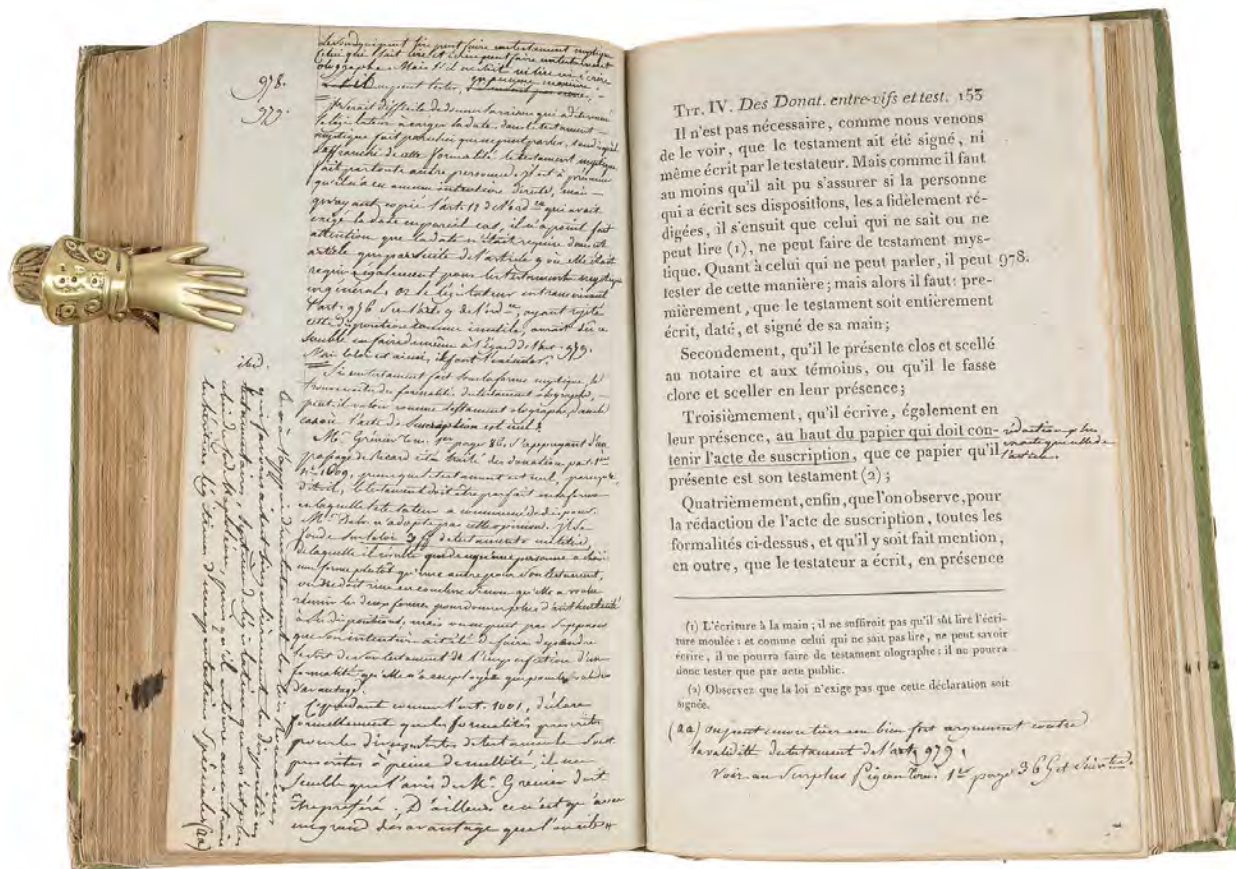
Contemporary paneled vellum, large central arabesques to boards, raised bands, blind fillets and early hand-lettered titles to spines, fore-edges of a few volumes have small slots for thong ties that were removed. Light soiling, corners and spine ends bumped, some worn, front joints of 5 volumes cracked or starting, moderate chipping to head of Volume IV, minor chipping to spine and foot of spine of Volume VII, front pastedown of Volume III loose with large chip to bottom edge, front free endpaper removed from Volume IX, which has a cracked front hinge. Light toning to interiors, somewhat heavier in places, light foxing in a few places, light soiling to title pages. A rare complete set. \$12,500.

* Only edition. A remarkable achievement, this is a compilation of every ordinance, treaty and other enactments of the Staten-Generaal and the states of Holland and Zeeland from 1097 to 1795. It is a valuable source of legal, political, theological and sociological information. It also provides a great deal of information about Holland's colonies. It has, for example, a complete record of the public-law documents relating to the Dutch West India Company's activities in the Americas. Cau, who is credited as the primary editor, produced the first two volumes. Volume III was edited by Simon van Leeuwen [1625-1682], Volume IV by Jacob Scheltus [1640-1712], Volume V by Paul Schultus [1664-1748], Volume VI by Isaac Scheltus [1739-1799], Volumes VII and VIII by Didericus Lulius [fl. 1776-1781] and Volumes IX-X by Johan van der Linden [1756-1835].

Sabin, *A Dictionary of Books Relating to America* 28930. Dekkers, *Bibliotheca Belgica Juridica* 33.



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

7. Delvincourt, [Claude-Étienne] [1762-1831].

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

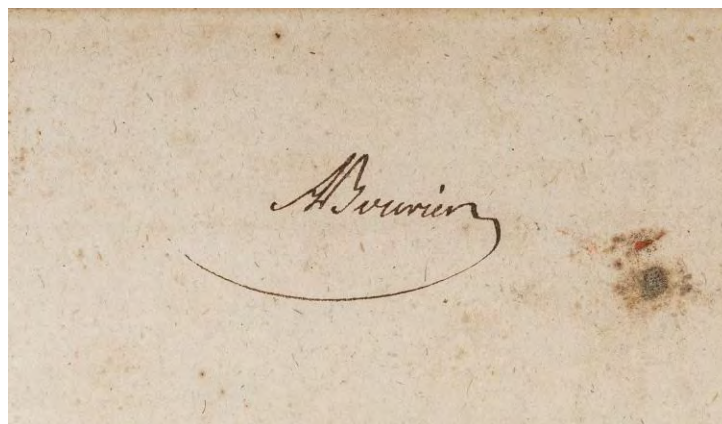
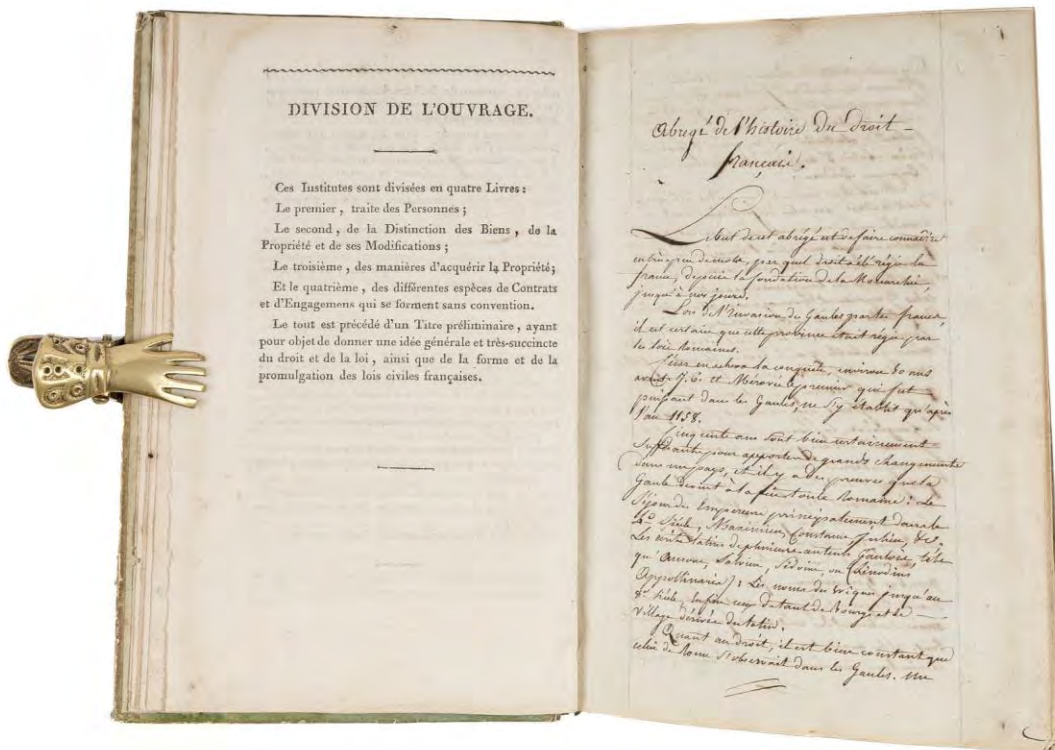
Contemporary paper-covered vellum, calf lettering pieces (indicating title and volume number) and hand-lettered book numbers (1-6) to spines. Moderate rubbing, faint dampstaining to boards, a few large chips to spine, corners bumped and moderately worn, faint annotation to front board of Book 4, partial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

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

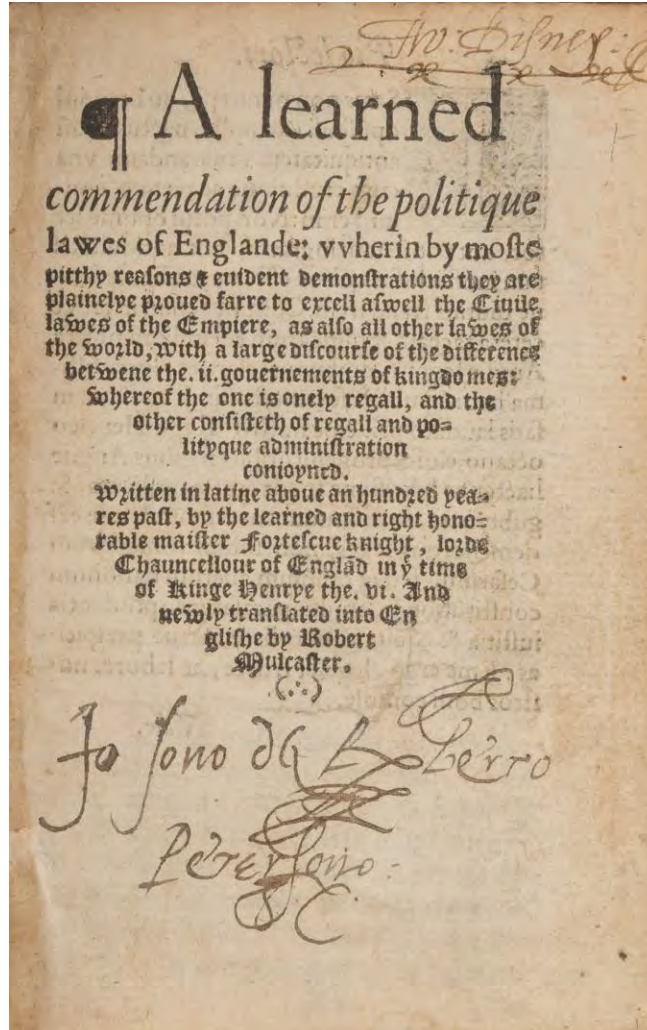
The annotations in our copy, some filling several leaves, display a deep and committed study of Delvincourt's work. Likely added by a law student or academic (A. Bouvier?), they form a detailed commentary with additional references to related documents, treatises and later legislation and case law. Some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

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

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



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Handsome Annotated Copy of the
First English-Language Edition of Fortescue's *De Laudibus*

8. Fortescue, Sir John [1394?-1476?].

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

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

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

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

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



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

9. Fronsberger, Leonhardt.

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

Von Kayserlichem Kriegßrechten.... Frankfurt: [Georg Raben, In Verlegung Sigmund Feyerabendts und Simon Hüters], 1565. [iv], CCLI, XXI, [7] ff. 6 copperplate folding plates by Jost Amman. Woodcut text illustrations. Folio (12" x 7-3/4").

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

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

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

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1712 Edition of *De Jure Belli ac Pacis* With Extensive Contemporary Annotations by a French Law Professor

10. Grotius, Hugo [1583-1645].

Gronov (Gronow), Johannes, Editor.

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

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

* Later Gronov edition. First published in Paris in 1625, *De Jure Belli ac Pacis* established the system of modern public international law, based on the concept of "droit naturel," an immutable morality-based law that superseded the personalities of individuals or nations. Though based on Christian natural law, Grotius advanced the novel argument that his system, like a mathematical axiom, would still be valid if it lacked a divine basis. In this regard he pointed to the future by moving international law in a secular direction. Our 1712 edition includes *Mare Liberum* (1609), Grotius's influential treatise on maritime law and the right of free navigation.

Boucher de Bégnicourt, the annotator of our copy, was a professor of law at the University of Utrecht when he annotated this copy. He was formerly a law professor at University of Pont-à-Mousson and an advisor to Leopold "The Good" Duke of Lorraine [[1679-1729]. Little else is known about him, but he was clearly a high-level jurist. His notes, in Latin, show a deep engagement with Grotius's text. He is deeply concerned with the implications of Grotius's ideas. This is especially evident in his remarks on Book I, Chapter XX, which is devoted to penalties. He confronts the question of legitimate judicial power that is not given by God, but from the fact that people form hierarchical social units: "If someone objects that no one punishes or governs himself, therefore no one could have given this power to a prince. Answer: when men assembled in cities they submitted their will to the will of the prince for the public good, and endeavored to see law-breakers punished. Thus the prince has the power to punish, even if he didn't have it originally. This right comes from the process of forming a community" (p. 485).

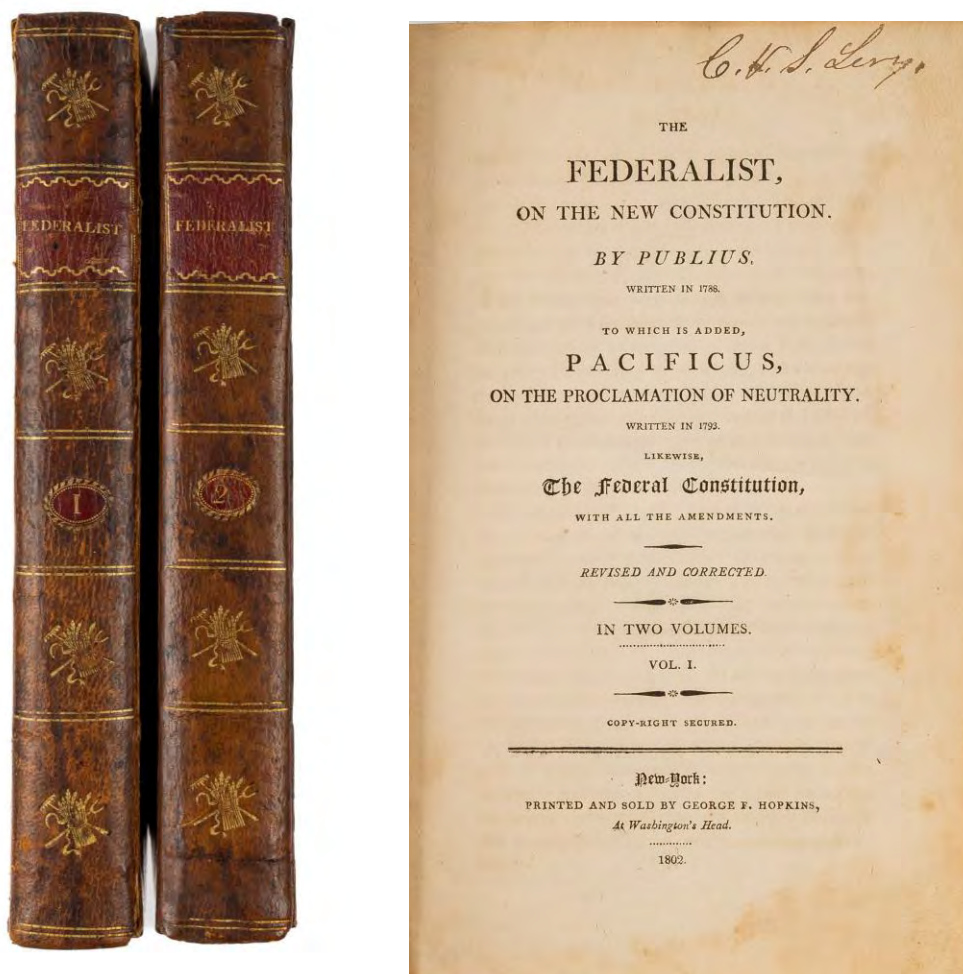
In some cases, our annotator opposes Grotius. One example is his rejection of a remark on a passage in Samuel (1 Samuel 8:2), where Grotius says royal dignity is based on an abstract right (p. 130). He also questions Grotius's reliance on juristic authorities when discussing theological subjects. We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

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

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



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**Attractive Copy of the Last Edition
Published in Hamilton's Lifetime, With a Maryland Provenance**

11. [Hamilton, Alexander (1755 or 1757-1804)].

[Madison, James (1751-1836)].

[Jay, John (1745-1829)].

The Federalist, On the New Constitution. By Publius. Written in 1788. To Which is Added, Pacificus, On the Proclamation of Neutrality. Written in 1793. Likewise, The Federal Constitution, With All the Amendments. Revised and Corrected. New York: Printed and Sold by George F. Hopkins, 1802. Two volumes. viii, 317, [1]; v, [3], 351 pp. Volume I has two pages numbered 167 and two pages numbered 168, as noted on the errata sheet and with page numbering 263-270 repeated. 1 pp. publisher advertisement at rear of Volume II. Octavo (8-3/4" x 5-1/4").

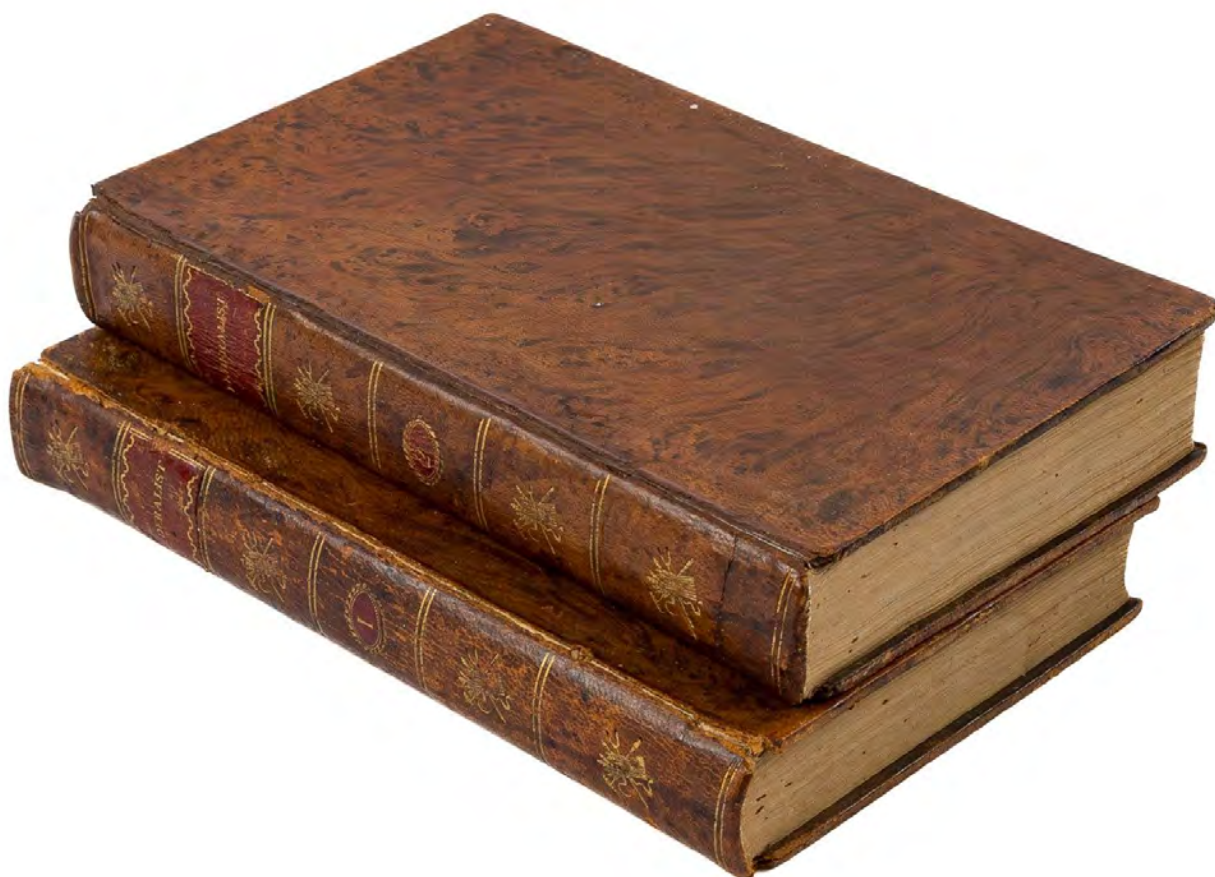
Contemporary early American tree calf with red morocco gilt title lettering pieces, gilt decorative ornaments and fillets creating six compartments. Gilt volume numbers in red ovals. Joints of Volume I cracked but secure. Repair to foot of Volume II, its front and rear boards neatly reattached, hinges mended. A few minor nicks and scuffs to boards, moderate rubbing to extremities, minor chips to heads of spines. Moderate toning to interior, light foxing in places, offsetting to margins of endleaves, faint dampstaining to front endleaves of Volume II, minor worming to its rear pastedown, early owner signature of Charles Van Swearingen Levy to front free endpaper and title page of both volumes. Housed in attractive red cloth slipcase. An appealing set. \$10,000.

* Second edition, "Revised and Corrected" with Hamilton's approval by George Hopkins. First published by the M'Lean brothers in March and May 1788, *The Federalist* collected a series of essays published in New York periodicals under the collective pseudonym "Publius" between October 1787 and May 1788 that encouraged ratification of the proposed constitution by New York State. (Most scholars agree that 51 were written by Hamilton, 29 by Madison and 5 by Jay.) Taken together, these essays were seen almost immediately as the most compelling commentary on the most radical form of government the world had seen.

The second edition is significant because its preface establishes Hamilton, Madison and Jay as the authors and discusses the extent of their contributions. It is also the last edition published in Hamilton's lifetime. Published fourteen years after the U.S. Constitution's ratification, it includes the text of the U.S. Constitution with the first eleven amendments and Hamilton's "Pacificus" essays, which defended Washington's 1793 proclamation of neutrality during the Anglo-French War.

Levy [1844-1895], the former owner of this copy, was a leading nineteenth-century attorney in Frederick, Maryland who served as the town's city attorney for twenty years and held a number of other important positions in local institutions.

Sabin, *A Dictionary of Books Relating to America* 23981. Cohen, *Bibliography of Early American Law* 2818. *Portrait and Biographical Record of the Sixth Congressional District, Maryland* (1898) 219-220.



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**The Binder-Publisher's Personal Copy,
From an Edition Limited to 50, of Hémard's *Code Civil***

12. Hémard, Joseph [1880-1961], Illustrator.

Code Civil: Livre Premier, Des Personnes: Titres V. Du Mariage. VI. Du Divorce. VII. De la Paternité. VIII. De l'Adoption. IX. De la Puissance Paternelle. X. De la Minorité. XI. De la Majorité. Paris: René Kieffer, Relieur-Éditeur, [1925]. [vi], 126, [4] pp., [65] plates. Pochoir color text illustrations. Added watercolor plate before title page. Quarto (7-3/4" x 5-3/4").

Original publisher wrappers bound into a superb contemporary morocco signed binding by René Kieffer featuring images of the mirror and scales of justice, raised bands to spine, top edge, gilt, deckle fore and bottom edges, gilt inside dentelles, marbled endpaper and ribbon marker. Negligible light toning to text, image colors vivid, small Kieffer bookplate to verso of front free endpaper, "aquarelle originale" in faint pencil below watercolor. Item housed in lightly shelfworn marbled slipcase with a morocco-trimmed opening. Two autograph letters and a postcard from Hémard to Kieffer, signed, and a proof sheet of a related foil-stamped image (for a promotional post card?) laid in. An extraordinary copy. \$3,500.

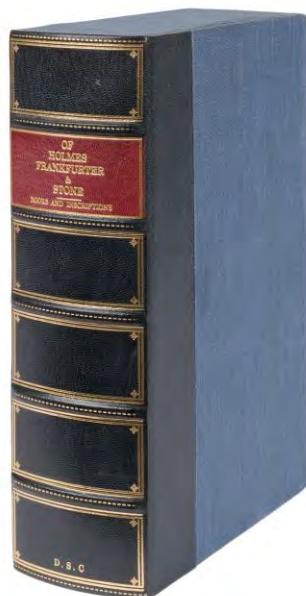
* First edition on Japan paper with an original unpublished watercolor ("*aquarelle originale inédite*") by Hémard and an additional set of plates limited to 50 copies, this copy unnumbered, "reserved for my personal library, René Kieffer" written on limitation page.

Hémard presents the official text of the sections of the French Civil Code dealing with family law with witty, and often mildly erotic, color pochoir illustrations. Hémard applied this treatment to two other legal works *Code Penal* (1940) and *Code General des Impôts Directs et Taxes Assimilées* (1944). Hémard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books.

Kieffer [1875-1965] was a leading Parisian art bookbinder and publisher. He was known for his elaborately bound editions of classic works with original illustrations. He collaborated frequently with Hémard.

The witty letters from Hémard to Kieffer are dated April 26, 1927 and September 30, 1924. Addressing profession and personal matters, they reflect their long-standing friendly relationship. (One letter refers to a group of recently posted drawings as "your order of potatoes," another offers a playful take on Kieffer's name, "qu'y faire.")

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To Harlan F. Stone
from his associate and friend
Oliver Wendell Holmes
May 23, 1928

For H. F. S., a meagre
conveyance of your
great friend, but it
comes to you with the
highest regards, from
Cambridge,
6 October 1938

Presentation Copies from Oliver Wendell Holmes and Felix Frankfurter Inscribed to Harlan Fiske Stone

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

Speeches. Boston: Little, Brown, and Company, 1918. [vi], 103 pp. Original printed paper boards. Light soiling, somewhat heavier on spine, moderate rubbing to extremities with some wear to spine ends and corners. Moderate toning to text, author inscription to front free endpaper.

[Boxed with]

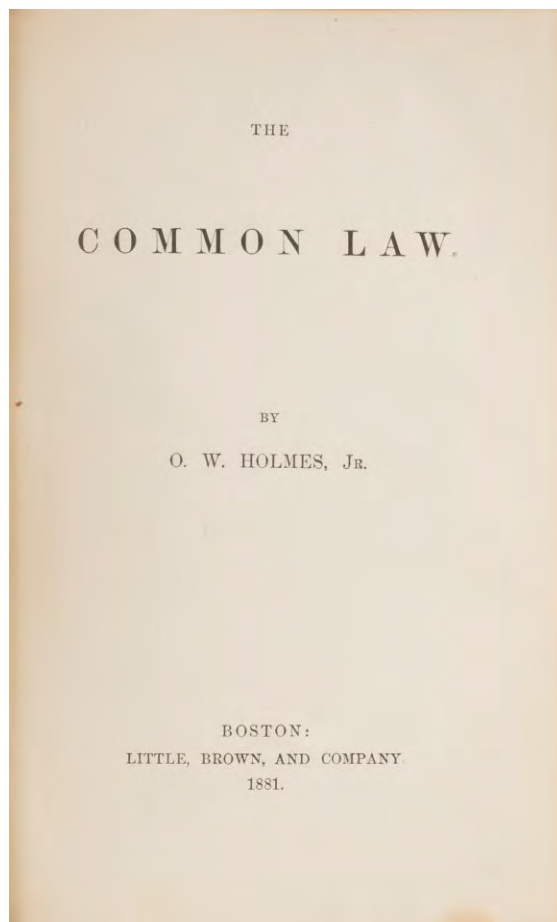
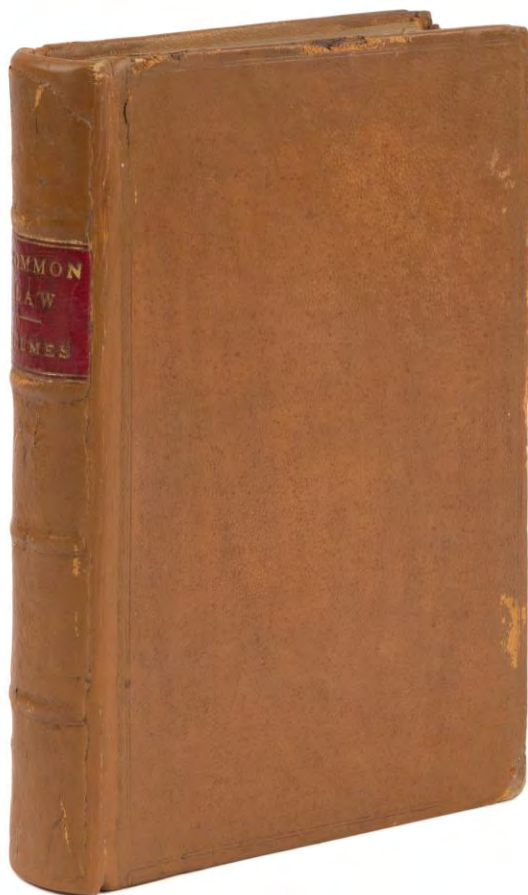
Frankfurter, Felix [1882-1965].

Mr. Justice Holmes and The Supreme Court. Cambridge: Harvard University Press, 1938. 137 pp. Frontispiece. Original cloth, gilt title to spine. Light rubbing to extremities with light wear to spine ends and corners, light fading to spine. Moderate toning to interior, author inscription to front free endpaper.

Books, each in a cloth flap folder, housed in handsome two-compartment cloth slipcase, quarter morocco spine with raised bands, gilt ornaments and gilt title reading: *Of Holmes Frankfurter & Stone, Books and Inscriptions*. \$5,000.

* *Speeches*: later printing; *Mr. Justice Holmes*: first edition. Both of these books were presented to Harlan Fiske Stone when he was an associate justice of the U.S. Supreme Court. (He was chief justice from 1941 to 1946.) *Speeches* is inscribed: "To Harlan F. Stone from his associate and friend Oliver Wendell Holmes. May 23, 1928." *Mr. Justice Holmes* is inscribed: "For H.F.S., a meagre conveyance of your great friend, but it comes to you with the highest regards from F.F. Cambridge, 6 October 1938." Frankfurter became Stone's associate on the Court in 1939. Holmes retired in 1932.

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

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

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

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

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

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

[View Additional Images or Order This Item](#)



A Rare Edition of Justinian by the Distinguished Female Printer Charlotte Guillard

15. Justinian I [483-565 CE], Emperor of the East.

Haloander, Gregor [1501-1531], Editor.

[*Corpus Juris Civilis*]. Paris: Charlotte Guillard and Guillaume Desboys, 1552-1553, except 1 book, Paris: [Guillaume Merlin], 1562. 12 unnumbered volumes in nine books.

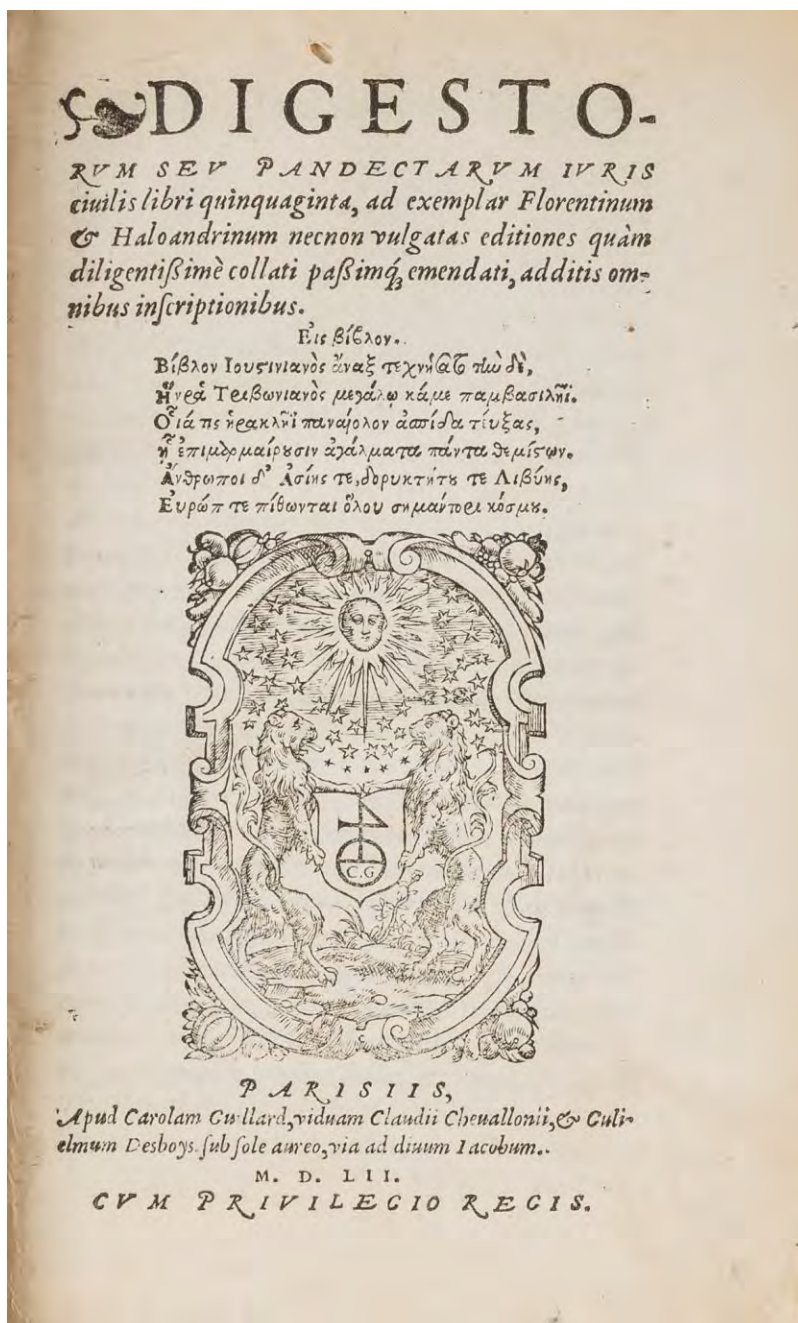
Uniform eighteenth-century calf, gilt rules to boards, gilt spines with raised bands and red and black lettering pieces, all edges gilt, gilt tooling to board edges, marbled endpapers, ribbon markers. Light rubbing, minor nicks, scratches and spots to boards, moderate rubbing to extremities with some loss to gilding of board edges, chipping to spine ends, mostly to spine heads, corners bumped and lightly worn, front joints of most volumes starting. Light toning to interiors, faint dampstaining in places, minor water damage, confined to bottom edges of two books, underlining and brief annotations in a few places, most volumes appear unread. A handsome set. \$7,500.

* In 528 CE Emperor Justinian I commissioned a panel of jurists to revise and organize existing Roman law. It produced a reformed legal system, the *Code*; an anthology of commentary by notable jurists, the *Digest* (or *Pandects*); an introductory textbook, the *Institutes*; and a collection of laws issued by Justinian after the completion of the *Code*, the *Novels*. Enacted between 529 and 534 CE, the subsequent influence of these books on European jurisprudence is difficult to overestimate. Beginning with the edition by Jacques Godefroy, first published in 1583, they have been grouped under the collective title *Corpus Juris Civilis*.

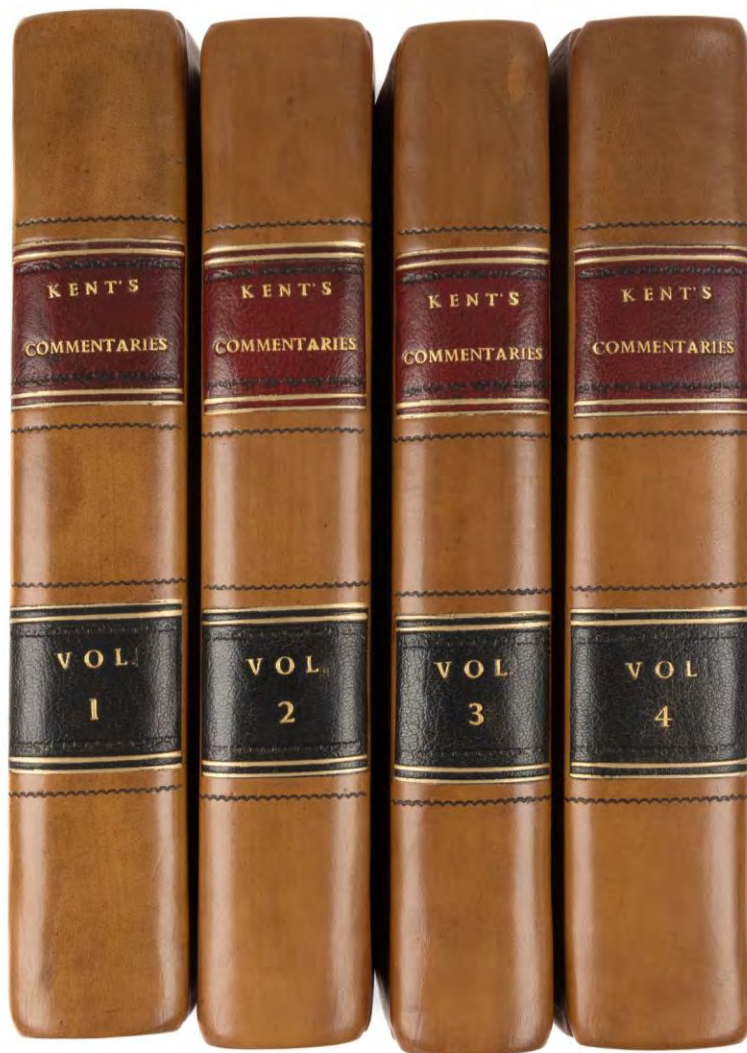
Haloander was one of the great sixteenth-century authorities on Roman law and his editions of Justinian, first published between 1529 to 1531 were highly regarded for many years and were reprinted and supplemented well into the seventeenth century. They are typical of the books issued by Guillard [c.1485-1557], a Parisian printer who specialized in high-quality works in law and theology. One of the first female printers and the first to attain great success in the field. She began her career while married to Berthold Rembolt, a printer who collaborated with Ulrich Gering, the owner of the Soleil d'Or, a distinguished Parisian printing house. Guillard became its proprietor after Gering's retirement and Rembolt's death. She later married another important printer Claude Chevallon and worked with him until his death. (As shown by our set's imprint, she was known afterwards as "the widow of Claude Chevallon.") She continued as a printer afterwards and was quite successful; she owned five, possibly six, printing presses with around 30 employees and published about 200 titles.

Our set was produced with a frequent collaborator during the later years of her career, Guillaume Des Bois (Desbois). The volume containing Books 37-45 of the *Digest*, printed by Guillaume Merlin in 1562, was a replacement for the Guillard volume, which has identical content. In all, this is an attractively produced and significant collection by an important female printer.

Although they comprise a set, the parts of the *Corpus* were issued individually and are bibliographically distinct. All of these are rare, complete sets are especially rare. OCLC locates few copies of each part and no sets in North America. Beech, "Charlotte Guillard: A Sixteenth Century Business Woman," *Renaissance Quarterly* 36, No.3 (1983): 345-367. Jimenes, *Charlotte Guillard* 149, 151, 152, 153, 157. *Universal Short-Title Catalogue* 151096, 151240, 151169, 196553, 153276.



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**A Handsome First-Edition Set of Kent's *Commentaries*,
Probably the Most Influential Interpretation of American Law**

16. Kent, James [1763-1847].

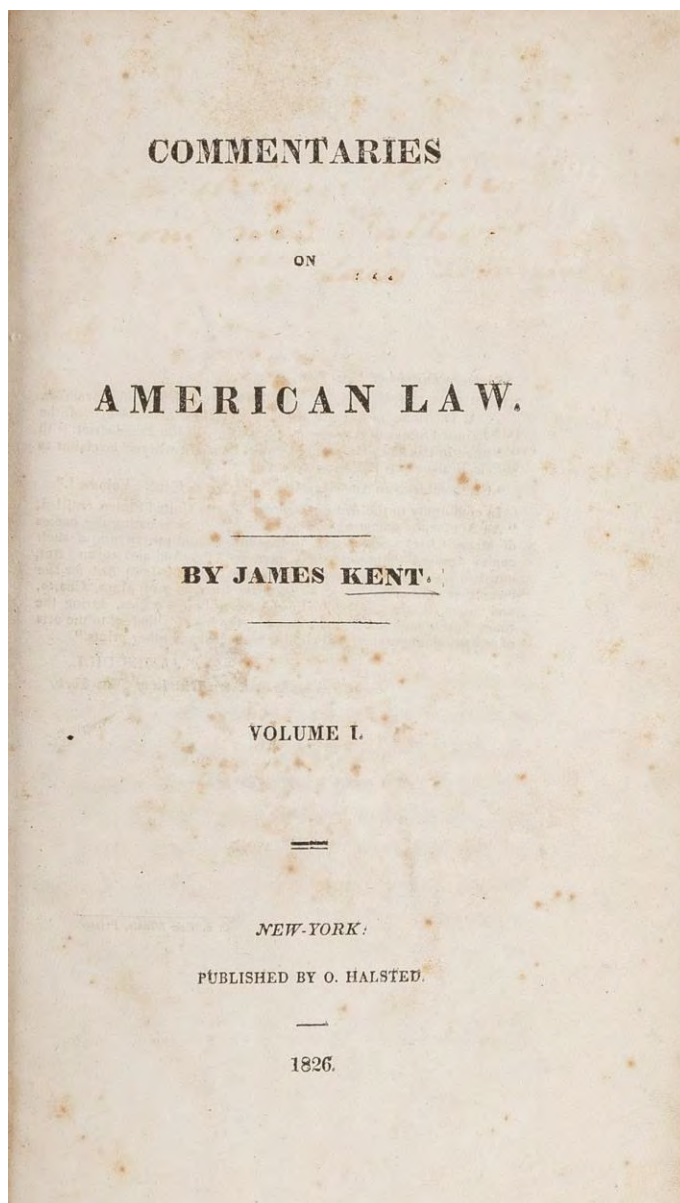
Commentaries on American Law. New York: Published by O. Halsted, 1826-1830. Four volumes. vi, [2], 508; viii, 528; viii, 413; viii, 550 pp. Octavo (8-3/4" x 5-1/4").

Superb period-style calf, blind frames to boards, blind and gilt fillets and red and black lettering pieces to spines, endpapers renewed, owner signature of William Porter clipped from original endpapers and affixed to recent endleaves. Light toning and foxing to interior, brief early annotations to a few leaves in Volumes II and III, faint embossed library stamp to title pages and a few other leaves. A very appealing set, handsomely bound. \$6,500.

* First edition. Kent's *Commentaries* is probably the single most important interpretation of American law. Writing in 1847, Marvin ranked it above Blackstone and observes that it contains "not only a clear statement of the English law, with all the alterations that have taken place since the time of Blackstone, but a full account of the main principles of Equity, also, a review of the modifications engrafted on the English law by the different states of the Union." Marvin's latter observation points to the significance of this landmark work.

Published at a time when there was considerable opposition to English law, Kent's *Commentaries* established it in a manner that appealed to the majority of influential American jurists and legislators. As Roper notes, by transplanting English common law, the *Commentaries* "had the two-prong effect of helping to maintain the primacy of judge-made law in contrast to codification by legislatures, while providing the legal profession with the degree and kind of certainty it craved."

According to records accessed through *Ancestry.com*, Porter [1792-1853], the former owner of our set, was a lawyer who lived and practiced in Hadley and, later in life, Lee, Massachusetts. Among his handful of brief annotations are cross-references to treatises by Joseph Story (on agency, partnership and bailments). According to an annotation in Volume I, it was acquired by his son, also named William [1820-1917], who was a distinguished professor at Beloit College. Bookplates, one removed from each volume and laid in, state that he donated the set to Beloit, which later de-accessioned it.



Marvin, *Legal Bibliography* 438. Roper, "James Kent" in *American National Biography* 12:598-199. Cohen, *Bibliography of Early American Law* 5398.

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

17. [Manuscript Archive].

Hartshorne, Ellen Fritz [1895-1988].

Hartshorne, Richard [1888-1975].

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

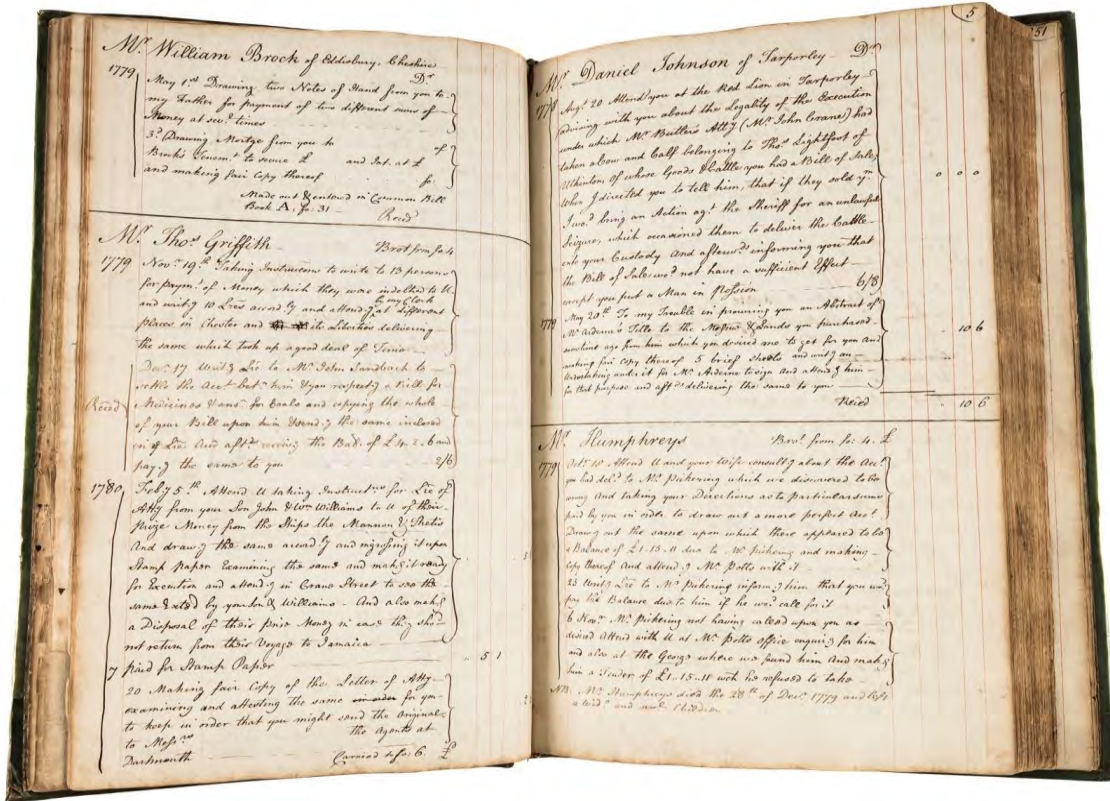
Approximately 550 letters, 1,150 manuscript pages in ink, 200 pages in pencil, most in original envelopes. Moderate toning, occasional creases, edgewear and minor chips and tears, overall condition very good. \$1,250.

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

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

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

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Account Book and Client Ledger of a Chester Lawyer

18. [Manuscript].
 [Burgess, Joseph].
 [Burgess, William].

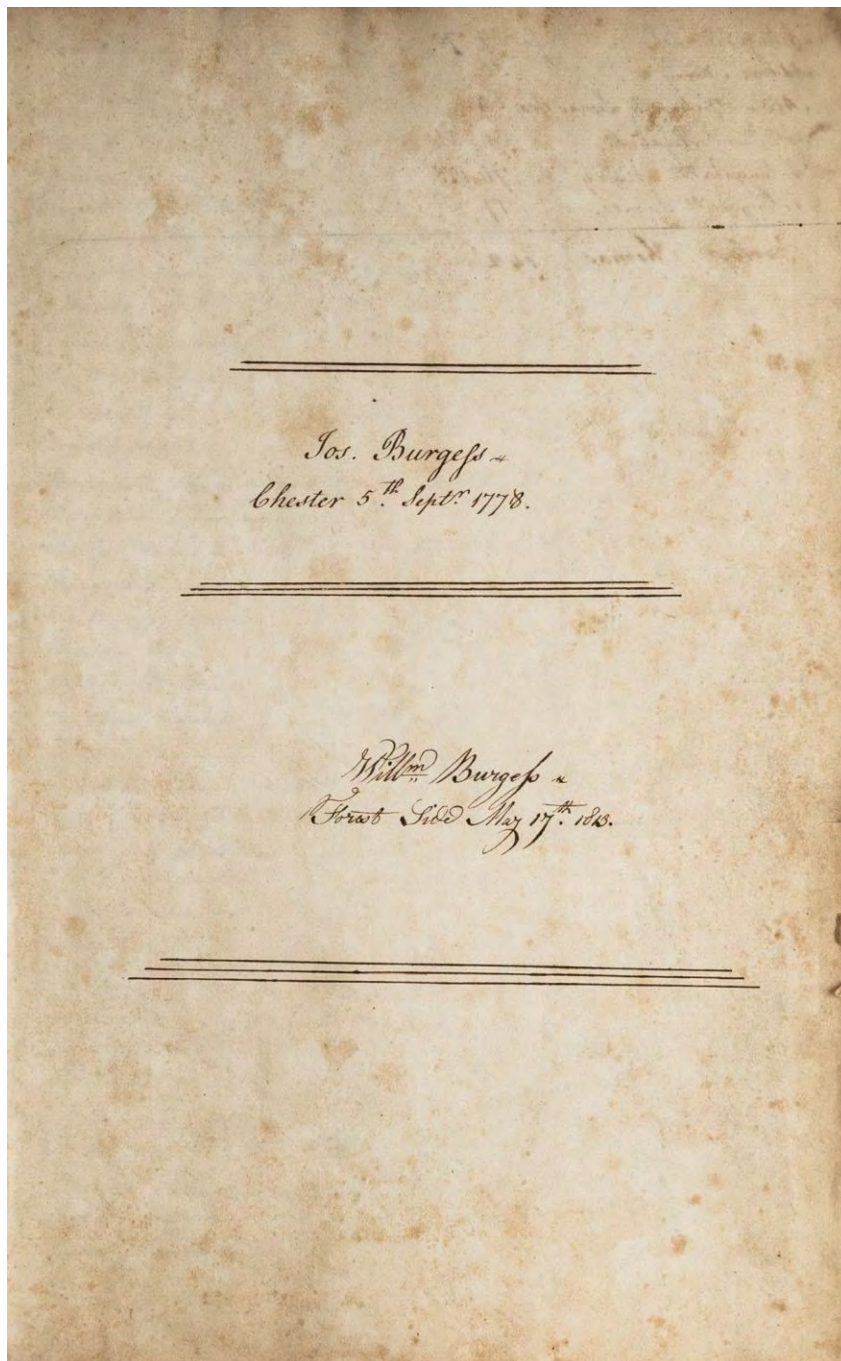
[Account Book of Joseph and William Burgess]. Chester, UK, 1778-1846. [xiii], 151, [1] ff. Final leaf numbered 251, 100 ff. neatly removed after fol. 151. With an index. Folio (12-3/4" x 8").

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

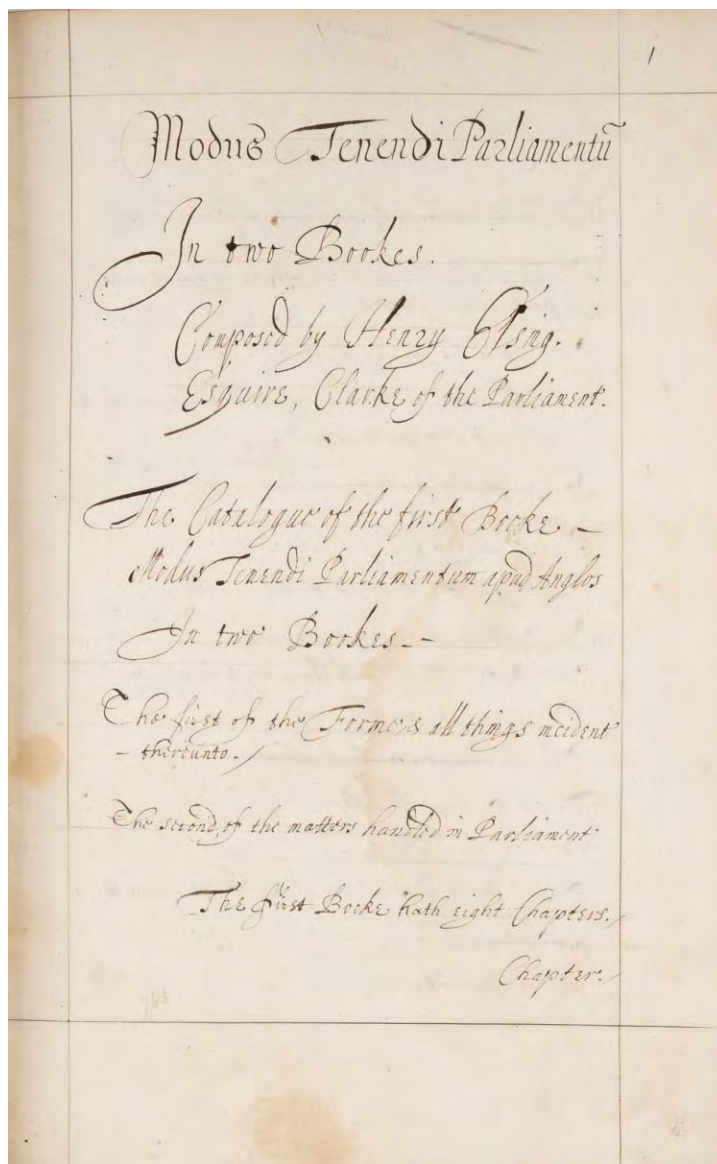
* This manuscript began its life as a ledger of clients served by Joseph Burgess from approximately 1778-1784. Each entry is highly detailed and lists the client's name, occupation and details of their case along with the steps taken by Burgess and the expenses incurred. Many of his clients were tradespeople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

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

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



[View Additional Images or Order This Item](#)



Rare Pre-Publication Manuscript Copy of a Classic Manual on Parliamentary Procedure

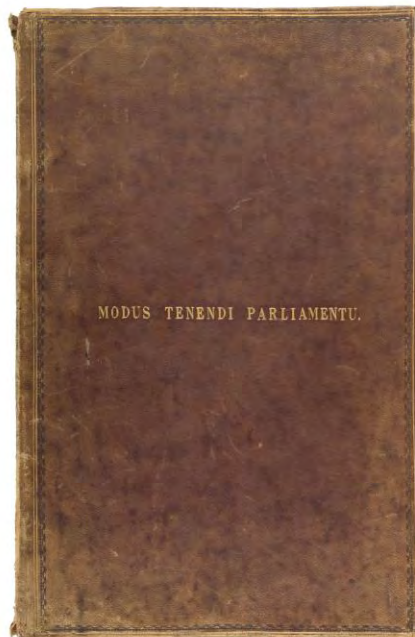
19. [Manuscript].

Elsynge, Henry (The Elder).

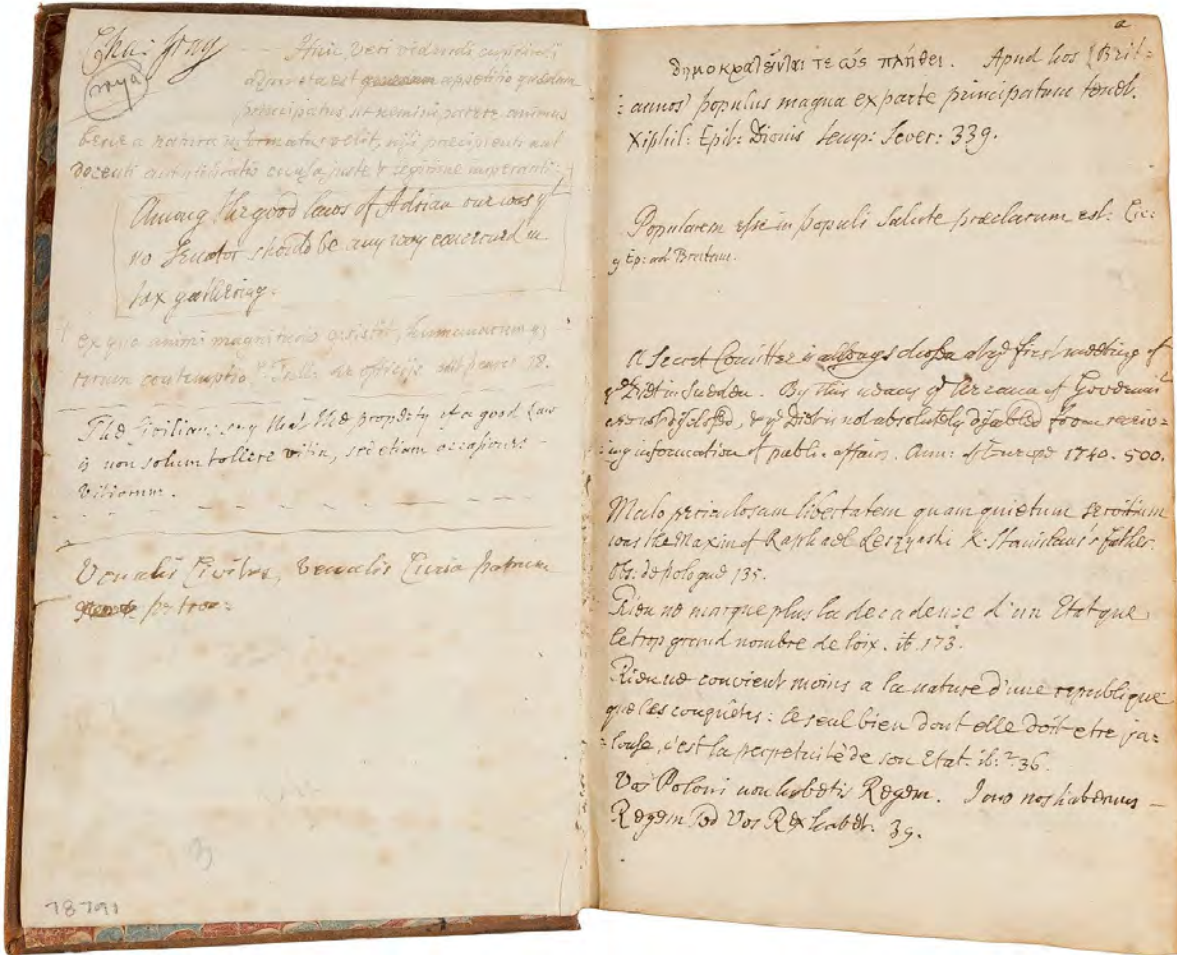
Modus Tenendi Parliamentu[m]. In Two Bookes. Composed by Henry Elsing, Esquire, Clerke of the Parliament. The Catalogue of the First Booke-Modus Tenendi Parliamentum Apud Anglos in Two Bookes-The First of the Forme, & All Things Incident-Thirtunto. The Second of the Matters Handled in Parliament. The First Booke Hath Eight Chapters. [London?, c.1626-c.1660]. 82 pp. Folio (13-1/4" x 8-1/2").

Nineteenth-century flexible pebbled calf, gilt rules and fillets to boards, gilt title "Modus Tenendi Parliamentu" to center of front board, gilt fillets to spine, all edges gilt. Light rubbing and minor scratches and nicks to boards, moderate rubbing and light fading to extremities with wear to corners, chipping to spine ends, joints starting at ends, front hinge starting at foot, twentieth-century sheet of typewritten notes tipped-in to front endleaf. Moderate toning, faint dampstaining to first third of text block, light soiling in a few places. Text in a single secretarial hand within ruled borders on wide-margined leaves, main text preceded by table of contents, doodles and penmanship exercises in later hand to front endleaf and foot of p. 82. \$5,000.

* A pre-publication manuscript copy of the first three chapters of this important manual of Parliamentary procedure: "Of Summons," "Of Appearances" and "Locus et Modus Sedendi." Written in 1626, it originally circulated as manuscript copies. Edited and enlarged by his son, also named Henry Elsyng [1606?-1656], who was clerk to the House of Commons, it was published in 1660 as *The Ancient Method and Manner of Holding of Parliaments in England*. Being the Collections of Henry Elsyng, Esq. A work of great authority, it went through several editions into the eighteenth century. Manuscript copies are held by several libraries, but they are rare in commerce. No copies have appeared at auction since 2012.



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Private Records of Eighteenth-Century Parliamentary Proceedings

20. [Manuscript].

Gray, Charles [1696-1782].

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

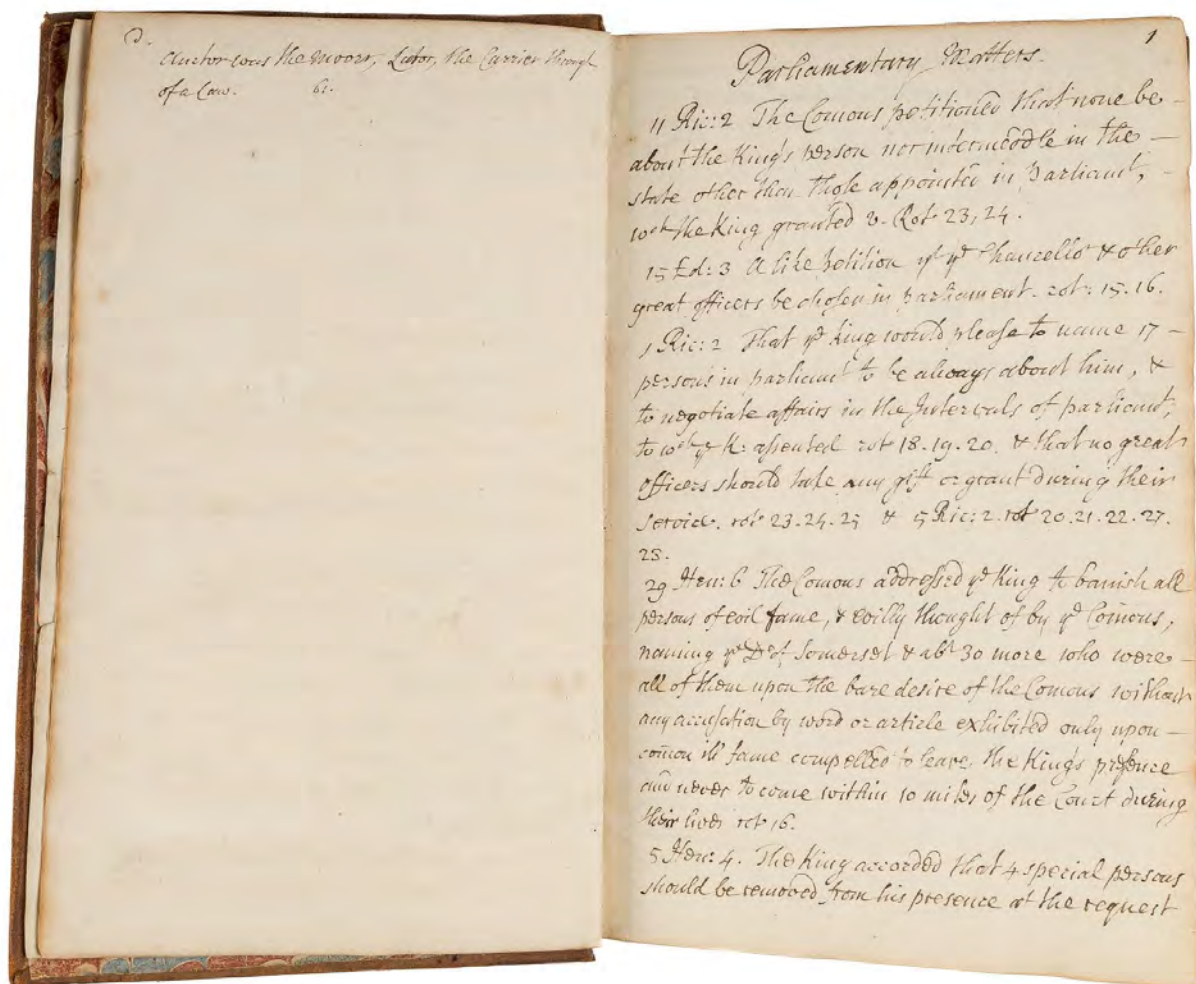
Contemporary paneled reverse calf with blind fillets and corner fleurons, raised bands to spine, blind tooling to board edges, marbled endpapers, edges rouged. Light rubbing to extremities, a few small chips to joints, front joint just starting at foot, corners bumped, front hinge starting, several small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

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

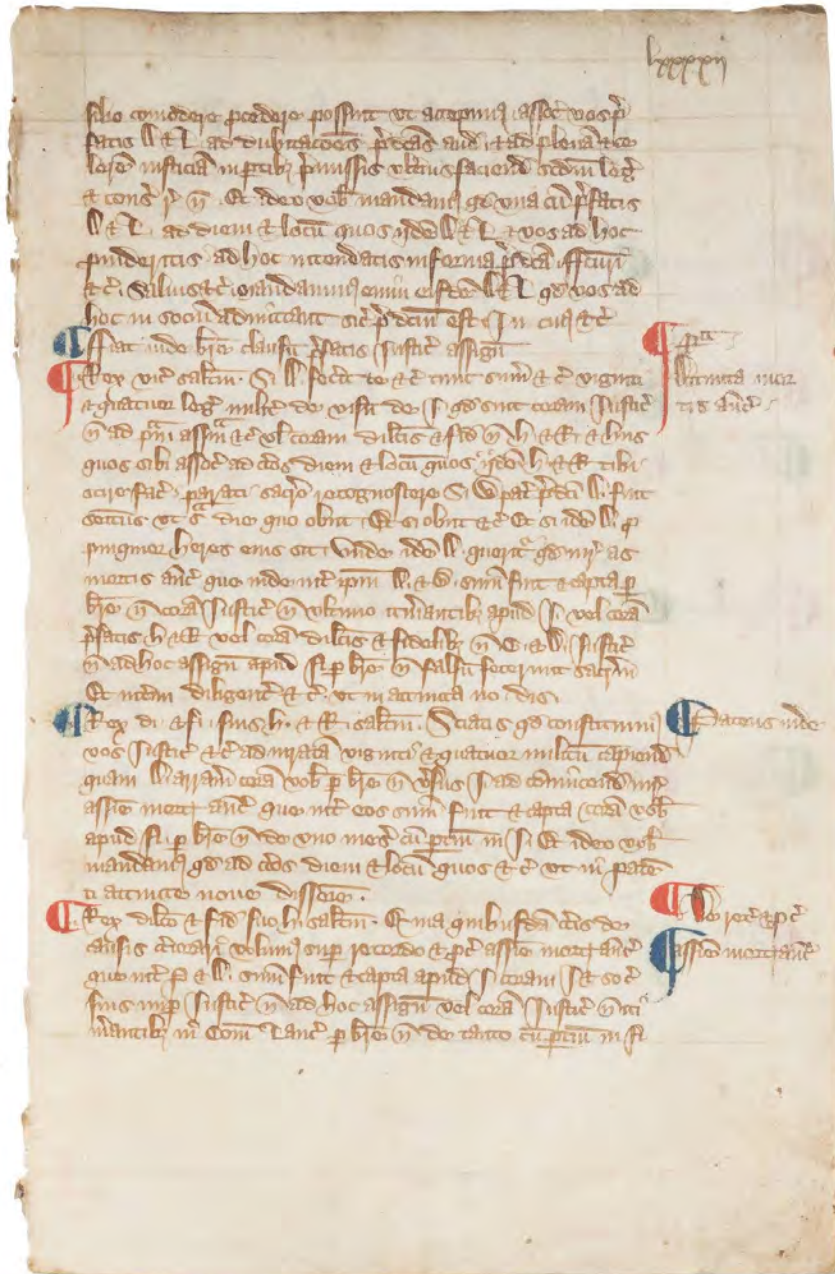
The numbered pages include notes on parliamentary procedure and Gray's own records of parliamentary proceedings. They deal with active controversies such as the Wilkes Cause and the increasing discontent in the American colonies. A March 1766 entry records a debate over what would become the Declaratory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

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

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



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Handsome c.1350 Leaf from a *Registrum Brevium*

21. [Manuscript].

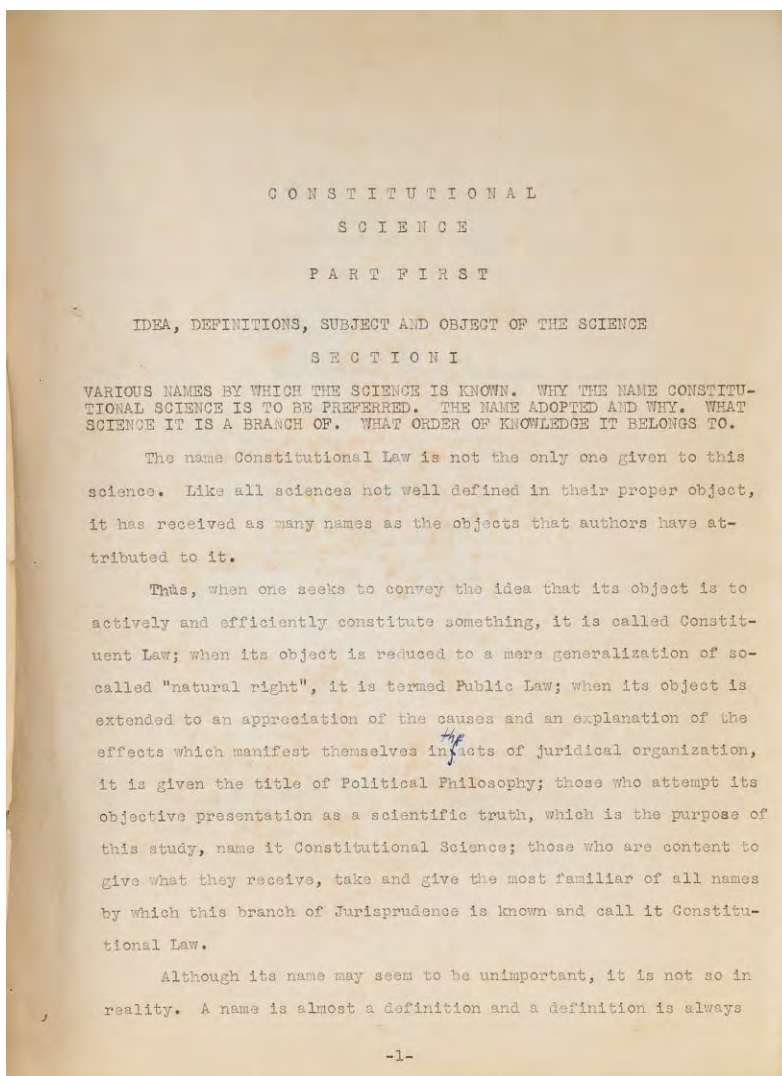
[Great Britain].

[Leaf from a *Registrum Brevium*]. [Probably London or Westminster, c.1350]. [2] pp. Octavo (7-1/2" x 5").

Parchment leaf, light soiling, mostly to margins, a few tiny spots, minor edgewear, faint fold crease to lower outer corner. 33-line single-column text in a small and compact anglicana chancery hand, paragraph marks and reference words in outer margin in red or dark blue, some capitals of these reference words touched in red, original folio no. 'lxxxiii' in upper outer corner of recto. \$5,000.

* This handsome leaf is from a manuscript collection of sample writs, the documents necessary to initiate legal actions. A cornerstone of the common law, these collections were an essential tool for lawyers in medieval England. Some were compiled from several sources or copied from other examples. The source of our leaf appears to be a copy of a widely circulated collection dating from the reign of Edward III [1327-1377]. Known as the *Registrum Brevium*, it was the source of the first printed collection of writs, which was published in 1494 by Richard Pynson.

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

22. [Manuscript].

Hostos, Eugenia María de [1839-1903].

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

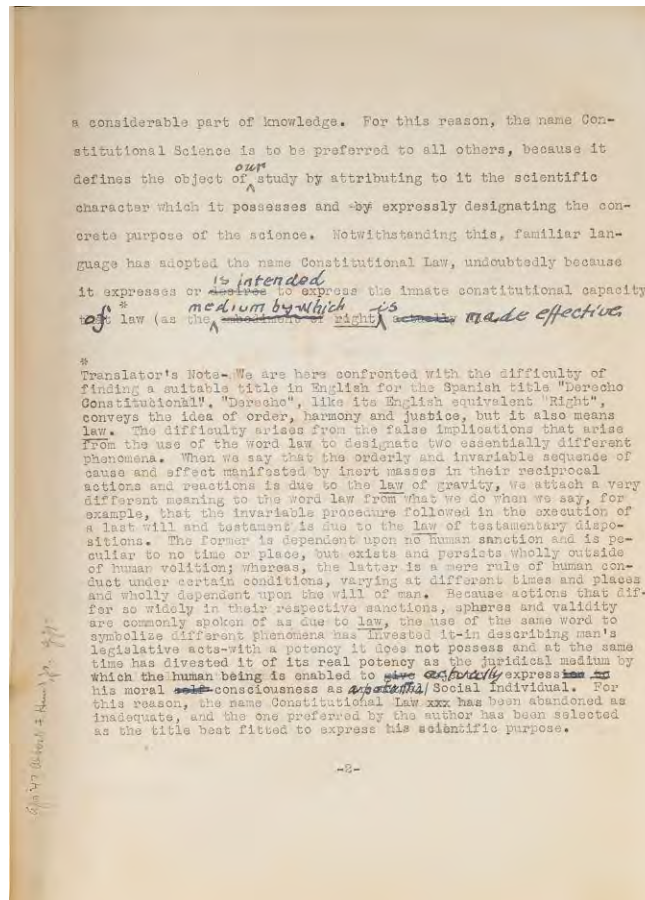
Constitutional Science: Being the English Version of a Work Entitled "Lecciones De Derecho Constitucional" by Eugenio M. de Hostos. Nahant, Massachusetts and Mt. Holly Springs, Pennsylvania, May 16 (?), 1939. Two volumes. [i], 229; [i], 258 ff. Folio (11" x 7-3/4").

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

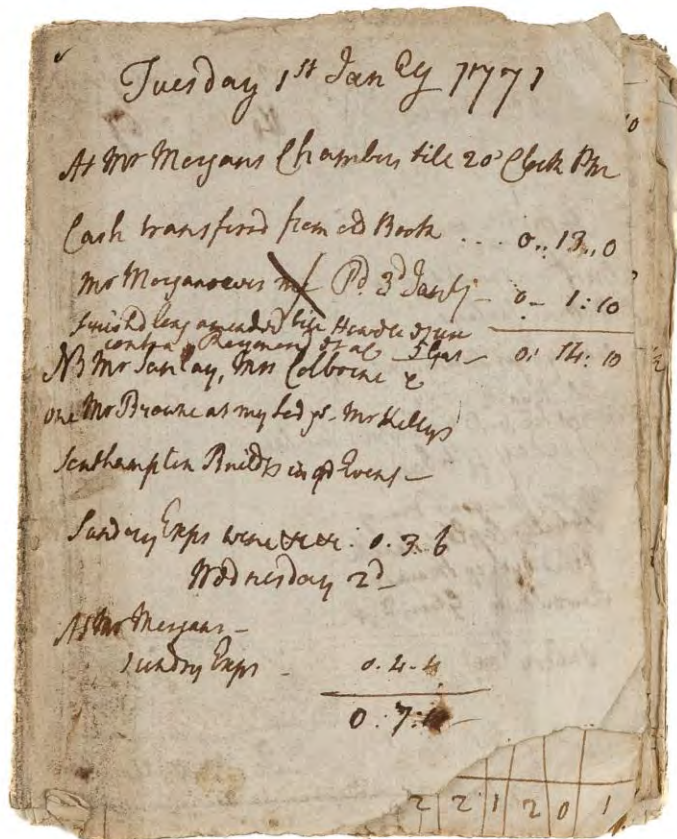
* As the title indicates, this is a lightly corrected manuscript of an English translation of *Lecciones de Derecho Constitucional*, first published in Santo Domingo in 1887. Hostos was an educator, writer, activist and one of Latin America's first sociologists. After studying law and philosophy at the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

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

Eugenio María de Hostos: Promoter of Pan Americanism 164.



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A Charming Slice of London Legal Life

23. [Manuscript].

[Legal Community, London].

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

5" x 4" untrimmed, unsewn bifolia, text in single neat hand. Light toning, light soiling to exterior, small holes or tears to a few leaves affecting text on final leaf only with no loss to legibility. \$950.

* This manuscript provides a glimpse into the professional and social life of a member of the legal profession. Likely a solicitor's or barrister's clerk, the compiler notes a range of professional activities. "Got up early and walk'd to Mr. Morgan's Chambers- writing Lord Belvedere's Case," "At Common Law work Dr. Dodry, &c at Mr. Morgan's," and "Pd Postage of Letter for Mr. Morgan" are among the descriptions of his job duties, indicating (along with his weekly salary of 1 pound, 10 shillings) that he performed substantive legal work but was most likely not an attorney himself.

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

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A Scholarly Scottish Manuscript Style Book

24. [Manuscript]. [Scotland].

Styles of the Most Usual and Important Securities of and Concerning Rights Personal and Real, Redeemable & Irredeemable, Used by and Conforme to the Laws & Practique of The Kingdom of Scotland. [Scotland]: Collected, Digested and Written Anno 1699. [xviii], 248 pp. Quarto (8" x 6-1/4").

Disbound, moderate toning, dampstaining and wear to edges of text block, which is split between pp. 208 and 209, charring to fore-edges of pp. 203-248 with minor loss to text, but not meaning, repairs to a few burned leaves. Title page and text within ruled borders. Text in neat hand, later owner inscription, "Liber Davidson, Esq." to foot of p. 248. Item housed in custom cardboard archival box. \$4,500.

* This fair-copy manuscript appears to have been the work of a practitioner with an interest in scholarship. It has a title page that simulates a printed example, a table of contents, an 18-page glossary of Latin terms with English translations, which is called a dictionary, and an 18-page preface that traces the evolution of agreements from the verbal promises of "the first Ages of the World" to "written, Evident, Chirography, hand writing" and the practice of "our nation of Scotland." The preface draws an interesting connection between secular education and the promotion of "subtily" and "deceit" and presents the subsequent collection of styles as a corrective.

The contents are summarized on the title page: "1. A Collection of Speciall & Singular Clauses through all securities, Alphabetically Digested. 2. Symbols and Solemnities used for the perfecting and Consumating of these writs and rights. 3. The order of the Chancellary, and the styles of writs that are issued therefrom. 4. A Dictionary Latine and English of the most matteriall words in Charters, Leasing &c. 5. Clauses of writs and their import by the Decisions of the Lords of Session. 6. Also their Decisions as to the Solemnities & formalities Requisite in Law and by Municipal custome, for making writs and securities valid, binding and effectual. With an Act of Parliament Concerning probative writs and instruments & an Act of Sederunt Anent Nottars."

Pre-Union style books are scarce. The earliest known example is that compiled by Oliver Colt, c. 1600, which is held by the National Archives of Scotland. Written eight years before the Act of Union with England, this manuscript offers a notably thorough summary of purely Scottish practice in its final phase. The compiler demonstrates a belief in the systematic organization of law and correct legal practice, as well as a keen sense of Scottish identity.

An Table of the Styles and others
 Contained in the following Collection.

Title 1. of person all Rights.

	pag.
1. An Common Band with Cankione	1
2. An Band of Release to a Cankione	4
3. An Band of Concoction	6
4. An Allegation to a Band	8
5. An Instrument of Intimation Cherson.	9
6. An Bark band	10
7. An Chirograph	12
8. An Translation	13
9. An Discharge	13
10. Discharge to a Cankione and Allegation to the band for the relief.	15
11. An Band of Cankion for long Intention	16
12. An Band of Cankion in a suspension	16
13. Bond of presentation of a Cankion	17
14. An suspension by Cankion	18
15. An Band of Cankion in Law Cankion	19
16. An Discharge of Annulment.	20

Title 2.
 Rights heritable Redemable.

1. A Heritable Band containing many privileges.	21
2. An Contract of Wadset of Land principal, and in warrant with a Barkark. &c.	29
3. Instrumentum factum propriis Relegentis manibus.	36

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

25. Marsilius, Hippolytus de [1451-1529].

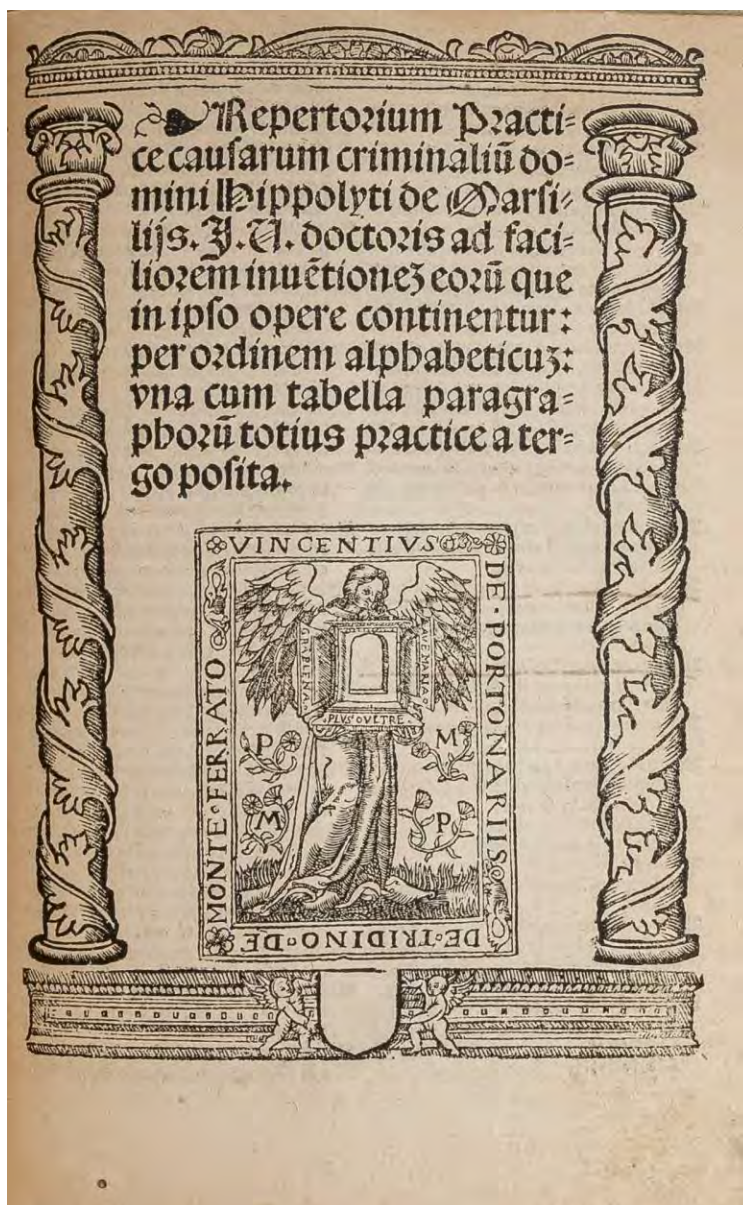
Practica Causarum Criminalium Domini Hippolyti de Marsilio. J.V. Doctoris Bononien. Recenter Correcta. Una cum Repertorio et Summariis Unicuique Paragrapho Novissime Appositis. At head of title: Practica Hippolyti de Marsilio. [Lyon: Impressa in Officina Typographaria Jacobi Myt], 1535. Imprint from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

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

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

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

OCLC locates 6 copies of the 1535 edition, 1 in North America (Harvard Law School). *Universal Short-Title Catalogue* 200263.



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Chinese Punishment in the British Imagination

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

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

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

[With]

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

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

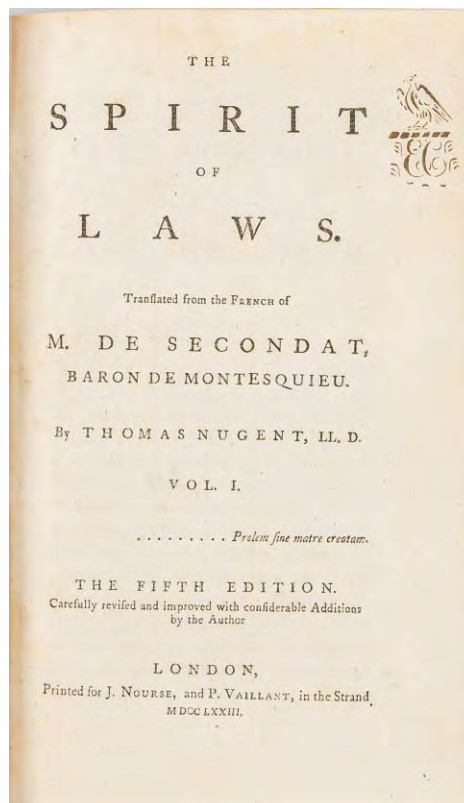
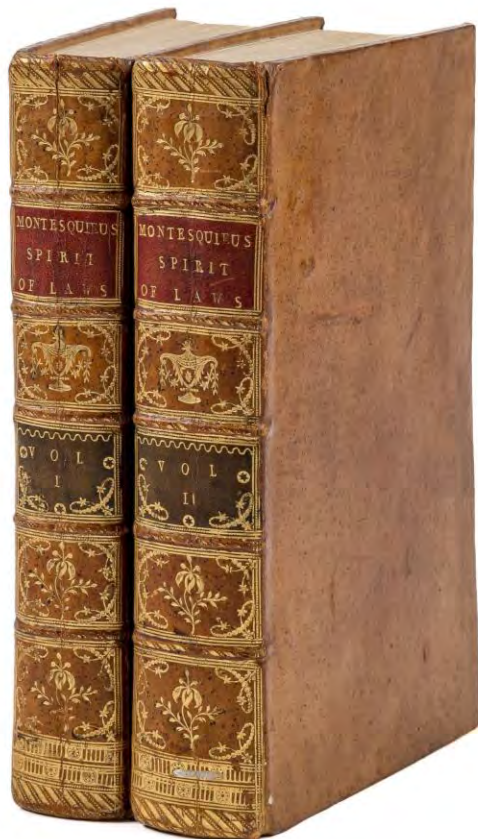
Together two items. \$3,000.

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

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



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A Notably Handsome Copy of a Landmark Work in Political Science

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

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

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

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

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

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

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A Fascinating Look at Denver in Its Early Decades

28. [Scrapbook].

[Denver City Council].

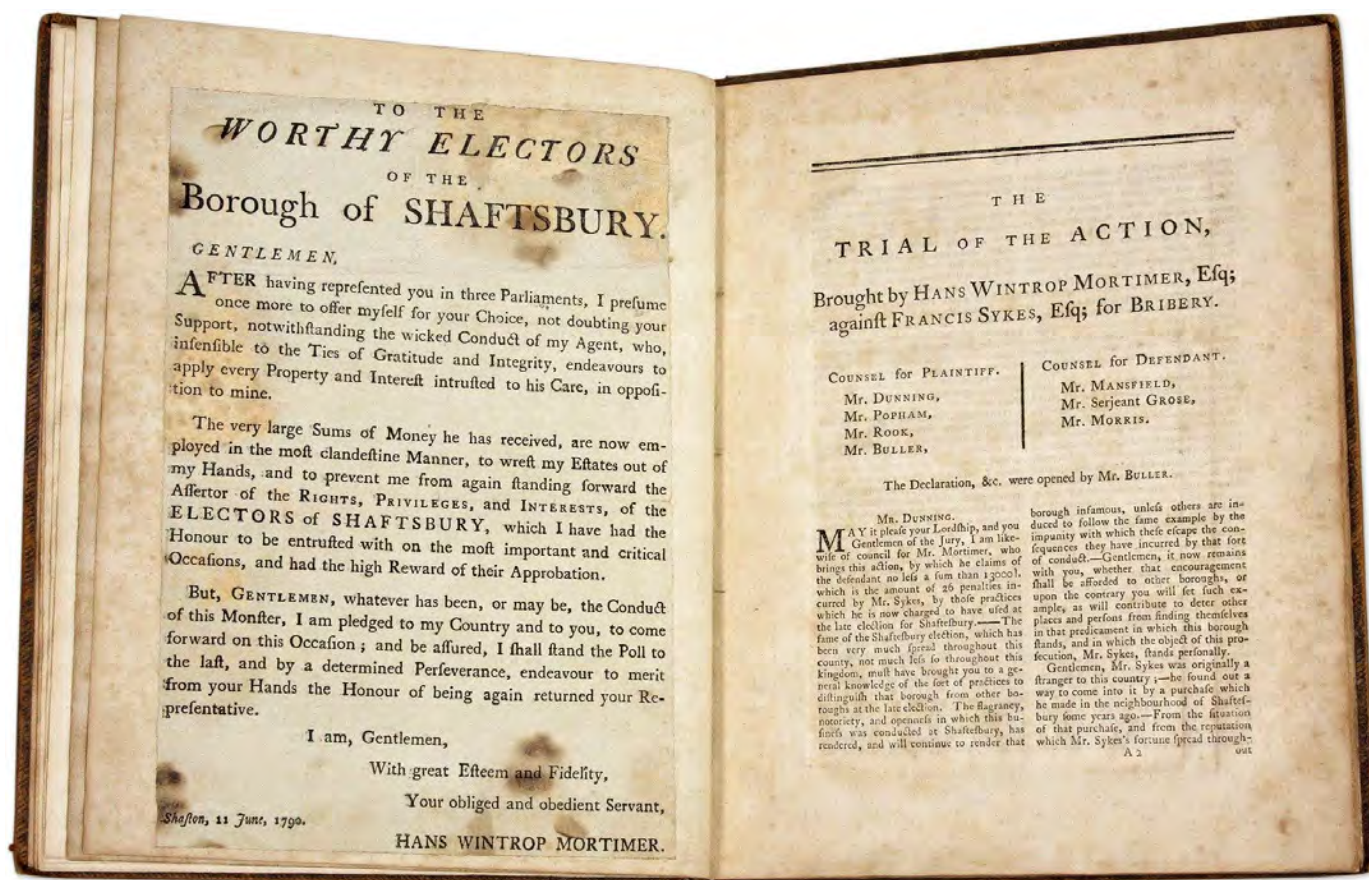
Resolutions Passed by City Council [cover title]. [Denver, 1888-1889]. [100] pp. A few documents laid in. Quarto (11-1/4" x 9").

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

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

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

29. [Trial].

Sykes, Francis [1730-1804], Defendant.

Mortimer, Hans Wintrop, Plaintiff.

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

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

[and]

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

[and]

[Broadside].

[Mortimer, Hans Winthrop].

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

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

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

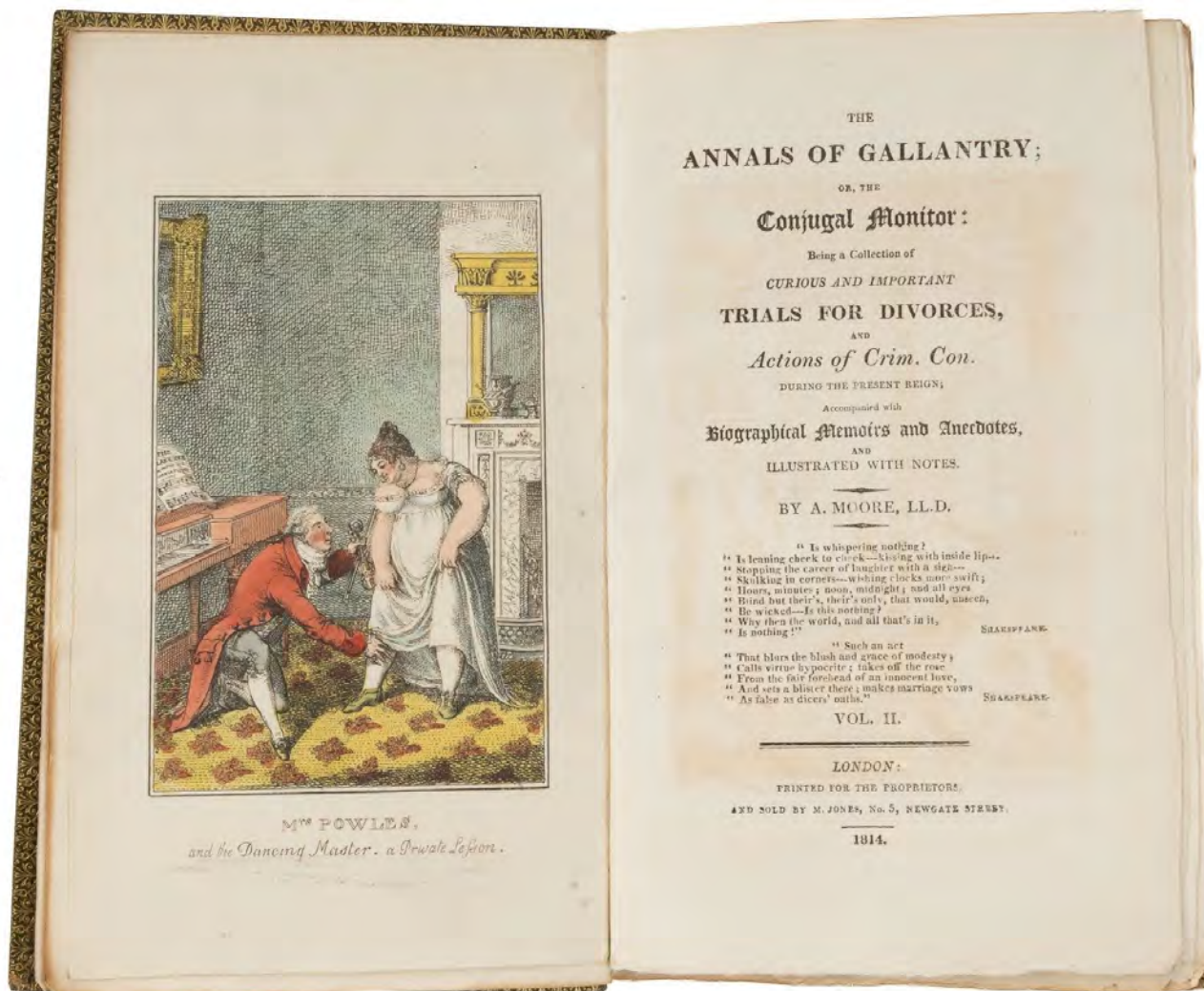
Our copy of *The Trial* belonged to two of Mortimer's descendants: J.W. Mortimer, who notes that he received this book and the mezzotint in 1821 from a Henry White, whose owner inscription is above, and Mark Mortimer, who wrote the tipped-in leaves of notes, one of which is dated 1856.

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

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



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With Sixteen Hand-Colored Plates, Three by George Cruikshank

30. [Trials].

Moore, A.

[Cruikshank, George, Illustrator].

[Jenkins, J., Illustrator].

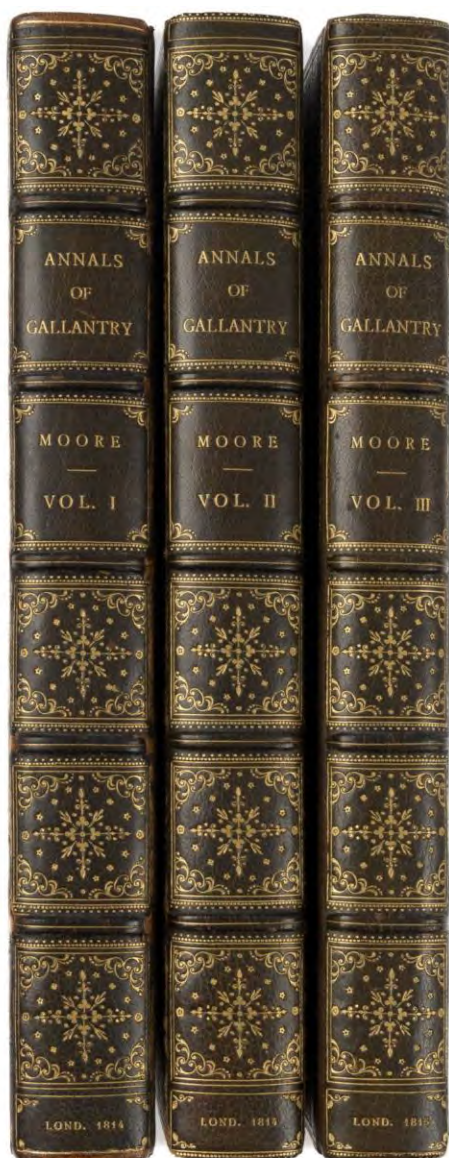
The Annals of Gallantry; Or, The Conjugal Monitor: Being a Collection of Curious and Important Trials for Divorces, And Actions of Crim. Con. During the Present Reign; Accompanied with Biographical Memoirs and Anecdotes, And Illustrated with Notes. London: Printed for the proprietors, And Sold by M. Jones, 1814-1815. Three volumes. 16 (of 18) hand-colored plates (2 bound as frontispieces), 2 uncolored plates (1 bound as a frontispiece). The three plates by Cruikshank, all in color, are present. Octavo (8" x 5").

Later signed Riviere morocco bindings, two volumes carefully rebacked retaining spines, gilt rules to boards, gilt spines with raised bands, gilt tooling to board edges, top edges gilt, gilt inside dentelles, colored endpapers, deckle fore and bottom edges, some signatures unopened, hinges of Volume I repaired. Some rubbing to extremities, corners of Volumes II and III bumped and somewhat worn, joints and hinges of Volume II starting, owner bookplate (of Marie L. Herrman) to front pastedown of each volume. Light toning to text, slightly heavier in places, a few leaves have faint offsetting from plates. A handsome set. \$3,500.

* Only edition (in this form). The *Annals of Gallantry* was originally issued in 18 monthly parts from March 1, 1814 to August 1, 1815. Primarily intended to amuse and titillate, the accounts in these volumes are still of historical value for their accurate reports and vivid background histories. This collection is also a fascinating document of English social and legal attitudes toward adultery and divorce during the age of George IV and Jane Austen. The plates by Cruikshank, all in Volume I, are "Lady Grosvenor and the Duke of Cumberland Surprised by the Servant," "The Unwelcome Intruders" and "The Elopement of Lady W---- with Lord Paget."

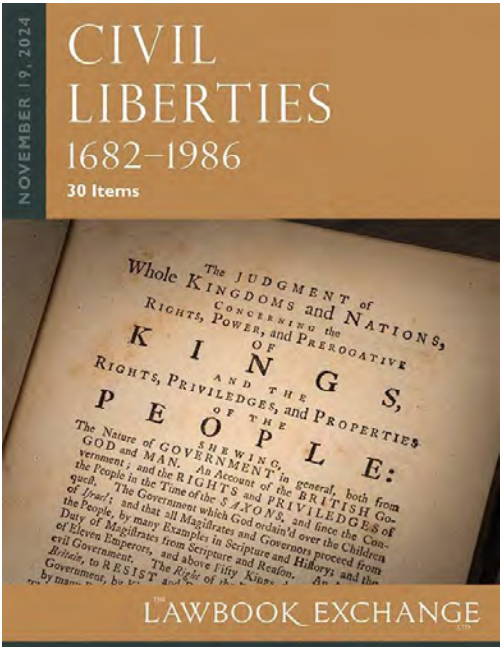
The previous owner was probably Marie Ida Lauer, who, after marrying the investment banker Henry Herrman, became Marie Herrman and styled herself as "Marie L. Herrman."

Cohn, *A Bibliographical Catalogue of the Printed Works Illustrated by George Cruikshank* 573.



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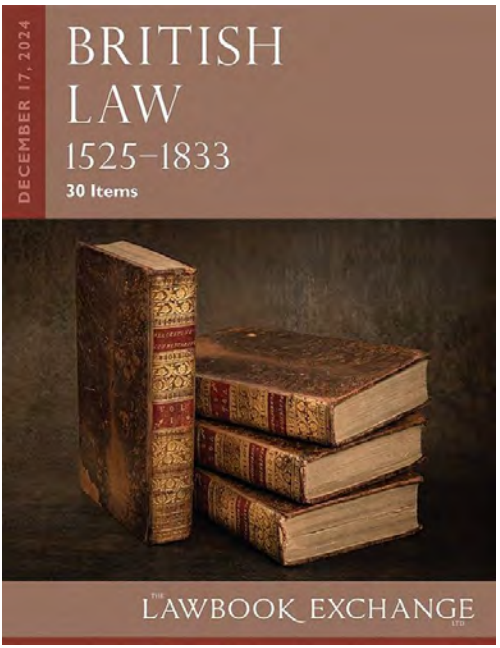
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