Maritime Law Bibliography

This Bibliography contains a reference to all books cited more than occasionally within the reports of the maritime law cases contained in Maritime law Digital, and also to other works relevant to the history and development of maritime law. Where later editions have been published, these are mentioned. A standard form has been given, and this is shown below together with the full title of the book and other details. For details of many of the works of the 17th and earlier centuries reliance on Story, Literature of the Maritime Law, is gratefully acknowledged.

Abbott, Shipping
London, 1802
2nd ed 1804
3rd ed 1808
4th ed 1812
5th ed 1827, editor J.H. Abbott
6th ed 1840, editor William Shee
7th ed 1844, editor William Shee
8th ed 1847, editor William Shee
9th ed 1854, editor William Shee
10th ed 1856, editor William Shee
11th ed 1867, editor William Shee
12th ed 1881, editor Samuel Prentice
13th ed 1892, editors T.T. Bucknill, J. Langley
14th ed 1901, editors J.P. Aspinall, B. Aspinall, H.S. Moore.

Charles Abbott (1762-1832):– Justice of the Court of Common Pleas 1816; Justice of the Court of King’s Bench 1816-18; Chief Justice of the Court of King’s Bench, 4th November 1818 to 4th November 1832; created Baron Tenterden on 30th April 1827. The work is therefore often referred to as written by Lord Tenterden.

This was the first modern book on shipping law and was highly regarded in its time for stating principles rather than just summarising cases. It was well used, and regularly cited in the English, Scottish, Irish and American courts throughout the nineteenth century. There were American editions, edited by Joseph Story. The editor of the 5th edition was the son of the author. The 5th edition was last edition published in author’s lifetime.

In the nineteenth century the book was almost invariably referred to as “Abbott on Shipping” although the word “shipping” does not appear in the title. According to the preface to the 11th edition this seems to have caused displeasure to the author and his son who edited the fifth edition while his father was still alive. However, this means of reference to the book is far too common to ignore, and is used in Maritime Law Digital.

**Arnould, Marine Insurance**
1848  
2nd ed 1857  
3rd ed 1866, editor David Maclachlan  
4th ed 1872, editor David Maclachlan  
5th ed 1877, editor David Maclachlan  
6th ed 1887, editor David Maclachlan  
7th ed 1901, editors Edward Louis De Hart and Ralph Iliff Simey  
8th ed 1909, editors Edward Louis De Hart and Ralph Iliff Simey  
9th ed 1914, editors Edward Louis De Hart and Ralph Iliff Simey  
10th ed 1921, editors Edward Louis De Hart and Ralph Iliff Simey  
11th ed 1924, editors Edward Louis De Hart and Ralph Iliff Simey  
12th ed 1939, editors Ralph Iliff Simey and G.R. Mitchison  
13th ed 1950, editor Lord Chorley  
14th ed 1954, editor Lord Chorley  
15th ed 1961, editors Lord Chorley and C.T. Bailhache  
16th ed 1981, editors Sir Michael Mustill and Jonathan Gilman  
17th ed 2008, editors Jonathan Gilman and others.


**Azuni, Maritime Law of Europe**
Azuni, Dominico Alberto, *The Maritime Law of Europe*  
Original title – *Sistema universale dei principi del diritto marittimo dell'Europa.*  
Florence 1759  
Trieste 1796-97  
Paris 1806  

**Bacon, Abr**
Bacon, Matthew, *A new abridgment of the law*  
1762-66, 5 vols.  
4th ed 1778, 5 vols  
5th ed 1798, 7 vols, editor Sir Henry Gwillim  
7th ed 1832, 8 vols, editor Charles Edward Dodd.  
Philadelphia 1846, 10 vols – American edition, editor Thomas Davis.
**Balfour, Practicks**


The work was actually written about 1579, although there are later additions. See D.M. Walker, *The Scottish Jurists*, 1985, c 4. One part of this work is entitled “Sea Lawes” – which is written in the style of the Digest of Justinian or an English abridgment. It gives some guidance as to the sources of maritime law and their reception into the law of Scotland.

**Bankton, Institute**


The author was a judge of the Court of Session, with the judicial title of Lord Bankton. This is deservedly recognised as an “institutional” work in Scotland, although is not usually regarded quite as highly as Stair, *Institutions*. It does cover commercial law subjects, and there are sections containing an account of equivalent English law, which were written with assistance from English lawyers. There were no other editions, probably because the task of editing it would have been very onerous.

**Beawes, Lex Mercatoria**


1752
2nd ed 1761
3rd ed 1772
4th ed 1783, editor Thomas Mortimer.
5th ed 1792, editor Thomas Mortimer.
6th ed 1813, editor Joseph Chitty.

**Bell, Commentaries**

Bell, George Joseph (1770-1843), *Commentaries on the Laws of Scotland, and on the principles of Mercantile Jurisprudence*

1800-04 *A treatise on the law of bankruptcy in Scotland*
2nd ed 1810 – title changed to *Commentaries …*
3rd ed 1816
4th ed 1821
5th ed 1826
6th ed Edinburgh 1858, editor Patrick Shaw (1796-1872)
7th ed Edinburgh 1870, editor John McLaren
This is an excellent Scottish contribution to legal writing from one of the institutional writers of Scotland. It is the first Scottish work to seriously address commercial law. Parts of it deal with maritime law subjects, and these amount to the first substantial work on Scottish maritime law. It was the first Scots law work to be well received in the English courts.

**Bell, Principles**
Bell, George Joseph, *Principles of the law of Scotland*
1829
2nd ed 1830
3rd ed 1833
4th ed 1839
5th ed 1860, ed Patrick Shaw (1796-1872)
6th ed 1872, ed William Guthrie (1835-1908)
7th ed 1876, do
8th ed 1885, do
9th ed 1889, do
10th ed 1899, do


**Bell, Illustrations**
Bell, George Joseph, *Illustrations from adjudged cases of the principles of the law of Scotland.*
1836-38

Published as a students’ aid to be used with Bell, *Principles*.

**Benecke, Insurance**
Benecke, Wilhelm, *A Treatise on the Principles of Indemnity in Marine Insurance, Bottomry and Respondentia, and on their practical application, etc.*
1824

See Stevens and Benecke, *Average and adjustments*.

**Black Book of Admiralty, The**

This is a collection of various ancient documents of the laws and rules followed in the High Court of Admiralty. It dates from the time of Henry VI (1423-1461), though some of the documents were originally written before then.

A printed edition was published in the four volumes (1871-76) edited by Sir Travers Twiss.
Volume I contains the contents of the Black Book and the part of the Appendices which continue over the other volumes.

**Blackstone, Commentaries**
2nd ed 1768
3rd ed 1768
4th ed 1770
5th ed 1773
6th ed 1774
7th ed 1775
8th ed 1778
9th ed 1783
10th ed 1787, editors Richard Burn, John Williams
11th ed 1791, editors Richard Burn, John Williams
12th ed 1793-5 editor Edward Christian
1796, editor William Curry
13th ed 1800, editor Edward Christian
14th ed 1803, editor Edward Christian
15th ed 1809, editor Edward Christian
1811, editor John Frederick Archbold
1813 editor Anonymous
1821, editor Jesse Addams
1822, editor J. Williams
16th ed 1825, editor John Taylor Coleridge
1826, editor Joseph Chitty (based on the 16th ed).
17th ed 1830, editor Richard Price
18th ed 1829, Thomas Lee, John Eykyn Hovenden, and A. Ryland
19th ed 1836, John Eykyn Hovenden, A Ryland
20th ed 1837-41, editor James Stewart
1840, editor John Bethune Bayly
21st 1844, editors J.F. Hargrave, W. Sweet, R. Couch, and W.N. Welsby
22nd 1844, re-issue 1849, James Stewart
23rd 1854, James Stewart
1857, editor Robert Malcolm Kerr, and further editions by this editor 1861, 1862 and 1876.
1869, editors Herbert Broom, and Edward A. Hadley. Based on 21st ed.

The author was the first Vinerian Professor of Law at Oxford, and a judge of the Courts of Common Pleas and King’s Bench. This work was based on the author’s lectures at Oxford. It has generally been considered a classic work in England and other English speaking countries, particularly in the United States of America, where it was a standard work of reference for over a century, with the last American edition being published in 1884. The number of editions is evidence of its popularity. It was translated into French and German.
The progress of the successive editions was not uniform. Some were not part of the accepted numbering sequence. Some of the editions spawned further editions, which perhaps could be called sub-editions. There were American and Canadian editions.
**Brooke, Abr**  
Brooke (Sir Robert), La graunde abridgement, collect & escrie per le iudge tres reuerend Syr Robert Brooke.  
1573  

This was a significant work in its time. In older text and reports it is often cited as “Bro Abr.”

**Browne, Admiralty**  
Browne (Arthur), *A Compendious View of the Civil Law and of the Law of the Admiralty*  
Dublin 1799  
2nd ed 1802 (2 vols).  

Volume 1 deals with Roman law. Volume 2, after a short chapter on international law, deals with admiralty law and practice. It was rarely cited in the Admiralty Court in England – according to the reported cases, only three times.  
A digital copy the second edition is available from Google Books.

**Bynkershoek, Quaestiones juris publici**  
Bynkershoek (Cornelius van), *Quaestiones juris publici libri luo, quorum primus est de rebus bellicis, secundus de rebus varii argumenti*  
Leiden 1737  

**Bynkershoek, Observationum**  
Bynkershoek (Cornelius van), *Observationum juris Romani libri quatuor in quibus plurima juris civilis*  
1733 and other years

**Bynkershoek, Opuscula**  
Bynkershoek (Cornelius van), *Opuscula varii argumenti*  
1719 and other years

**Casaregis, Discursus legales de commodo**  
Casaregis (Joseph Laurentius Maria) [Giuseppe Lorenzo Maria Casaregi] (1670-1737), *Discursus legales de commodo, in quibus fusissime tractantur materiae ...*  
1707 and other years

A 1740 edition included Weytsen, *de Avariis* (see below).

**Casaregis, Il consolato del mare**

There a number of other reprints.

**Clavel, Dominion of the Seas**
Clavel, Robert; Kembe, Andrew; Thomas, Edward. *His Majesties propriety, and dominion on the Brittish seas asserted.* 1665

**Cleirac, Us et coustumes de la mer**
Cleirac, Esteinne, *Us et coustumes de la mer* Bourdeaux 1661

**Clerke, Praxis.**

Written in Latin. The fourth and fifth edition contain an appendix with Roughton’s Articles. Save for the fifth, the later editions were not described by an ordinal number. A translation of the fifth edition (excluding Roughton’s Articles) is contained in: Hall *Practice and Jurisdiction.*

**Comyns, Digest**

**Cooke, Bankrupt Laws**
Cooke, William (1757-1832), *A compendious system of the bankrupt laws*
1785
2nd ed 1788, *The Bankrupt Laws*
3rd ed 1793
4th ed 1799
5th ed
6th ed 1812, editor W.P. Gregg
7th ed 1817 2 vols, editor George Roots
8th ed 1823, 2 vols, editor George Roots

**Digest**
domi nostri sacratissim i principis iustiniani iuris enucleati ex omni vetere iure collecti digestorum seu pandectarum – Our Lord the most holy Emperor Justinian’s Digests or Pandects of the law in a nutshell collected out of every ancient source.

Part of the *Corpus Juris Civilis*. This work for which no further explanation or comment is necessary is often referred to as *The Digest* or *The Digest of Justinian*. It is also referred to as *The Pandects*.

The Latin text as edited by Theodor Mommsen (assisted by Paul Kröger) is highly regarded.
Theodor Mommsen’s Latin text is available at the website of the University of Grenoble – http://webu2.upmf-grenoble.fr/Haiti/Cours/Ak/Corpus/digest.htm
There is an excellent English translation: see Watson, *Digest of Justinian*.

**Duer, Marine Insurance**
Duer, John, *The Law and Practice of Marine Insurance*.
New York 1845 and 1846, 2 vols.

**Edwards, Jurisdiction of the High Court of Admiralty**

**Emérigon, Assurances**
English translation London 1850, of the first edition by Samuel Meredith: *A treatise on Insurances*.

Digital copies of Emérigon’s work are available from Google Books.

**Emérigon, Maritime Loans**
Emerigon, Balthazard-Marie, *An Essay on Maritime Loans, From the French; With Notes: To Which is Added an Appendix, Containing the Titles De Exercitoria Actione, De Lege Rhodia de Jactu, and De Nautico Foenore, Translated From the Digest and Code of Justinian. And*
the Title Des Contracts a la Grosse Aventure ou a Retour de Voyage, From the Marine
Ordinance of Louis XIV.
English translation, Baltimore 1811, by John E. Hall.


Erskine, Institute
Erskine, John, 1695-1768, An Institute of the law of Scotland
1773
2nd ed 1785 editor Alexander Fraser Tytler
3rd ed 1793 editor Joseph Gillon
4th ed 1805 editor Joseph Gillon
5th ed 1812 editor William Maxwell Morison
6th ed 1824-28 editor James Ivory
7th ed 1838 editor Alexander Macallan
8th ed 1871 editor James Badenach Nicolson

A highly respected Scottish “institutional” work, although unfortunately its treatment of commercial law is very
short. Despite that, the excellence of the work means that anyone interested in Scottish aspects of maritime law
cannot ignore it. The work is divided into four books. It is normally cited, by book number in roman numerals,
and then title and section in Arabic numbers, e.g. Erskine, I, 2, 3. It is normally bound in two volumes.

Exton, Maritime Dicæologie
Exton, John – The maritime dicæologie, or, Sea-jurisdiction of England set forth in three
several books: the first setting forth the antiquity of the admiralty in England, the second
setting forth the ports, havens, and creeks of the sea to be within the jurisdiction of the
admiralty, the third shewing that all contracts concerning all maritime affairs are within the
jurisdiction of the admiralty and there cogniscible.
1664; reprint 1746.
2nd ed 1755, containing some additional material.

Godolphin, Admiral Jurisdiction
Godolphin, John, 1617-1678, A View of the Admiral Jurisdiction, wherein the most material
points concerning that jurisdiction are fairly and submissively discussed. Also divers of the
laws, customs, rights and privileges of the High Admiralty of England by ancient records,
and other arguments of law asserted.
1661
1685.

Grotius, De jure belli et pacis
Grotius, Hugo (1583-1645), De jure belli et pacis libri tres: in quibus jus naturae & gentium,
item juris publici prae cipua explicantur.
Paris 1625
Amsterdam 1642
Stralsund 1661
Lyon 1696
Edinburgh 1707
Amsterdam 1712
London 1715, English translation by various persons: Of the rights of war and peace.
Amsterdam 1720
Trier 1773
Cambridge 1853, editor William Whewell, including earlier editors’ notes and an abridged English translation.

**Guidon de la mer, le**
The name of a treatise on maritime law, written in 1671 at Rouen, France, author unknown. It is contained in Pardessus, *Collections*, vol 2, ch 13, p 369 ff.

**Hall, Practice and Jurisdiction**
Hall (John E.), *The Practice and Jurisdiction of the Court of Admiralty.*
Baltimore, USA, 1808.

This book contains three parts:
1 – Historical Essay on the Civil Jurisdiction of the Admiralty.
2 – An English translation of Clerke, *Praxis*, with notes on practice in the American Courts. The translation does not include Roughton’s Articles.
3 – Forms for use in the American Courts.

**Heineccius, Scriptorum**
Heineccius (Johann Gottlieb), *Scriptorum de jure nautico et maritimo fasciculus.*
1740


**Holt, Shipping and Navigation**
London, 1820 (2 volumes)
2nd ed 1824 (1 volume).

**Holt, Admiralty Court Cases**
Holt, William, *Admiralty Court Cases on the Rule of the Road, as laid down by the Articles and Regulations now in force under Order in Council for Preventing Collisions at Sea.*
1867
Jacobsen, Laws of the Sea
Jacobsen, Frederick J., Seerecht des Friedens und des Krieges in Bezug auf die Kauffahrteischiffahrt
Altona, 1815

This is reviewed in a long article by Joseph Story in the North American Review 1818. It was republished as the chapter entitled Literature of the Maritime Law in Story, Miscellaneous Writings.

Justice, Sea Laws
London, 1705
2nd ed 1709
3rd ed 1724

Kent, Commentaries
Kent (James) (1763-1847), Commentaries on American Law.
New York, 1826-30
2nd ed 1832
3rd ed 1836
4th ed 1840
5th ed 1844
6th ed 1848
7th ed 1851
8th ed 1854
9th ed 1858
10th ed 1860
11th ed 1867, editor George F. Comstock
12th ed 1873, editor Oliver Wendell Holmes.
13th ed 1884, editor Charles M. Barnes (based on 12th ed).
In the late nineteenth century, there were some other editions outside the principal sequence.

The author was a famous and highly regarded American judge and jurist. He was a professor of law, then a judge, then again a professor after retiring as a judge. He provided the relatively new USA with its first classic legal work covering a wide breadth of subjects, based on his lectures as a law professor. Lectures 40-42 and 45-49 are of interest to those interested in maritime law. The Commentaries were cited in many cases involving maritime law. The editor of the 12th ed was himself an eminent American judge and jurist.

Kuricke, Jus Maritimum Hanseaticum
Kuricke (Reinhold), Jus Maritimum Hanseaticum
Hamburg, 1667

This is a commentary on the Hanseatic Ordinance 1614.

**Kuricke, Diatriba de assecurationibus**
Kuricke (Reinhold), *Diatriba de assecurationibus*
1667

This is also found within Heineccius, *Scriptorum*

**Lawes, Charter-Parties**
London, 1813

So far as it is possible to ascertain, this book is recorded as cited only twice in reported English cases to 1865. It was probably overshadowed by Abbott, *Shipping*, the author of which was much more eminent than Mr Lawes.

**Loccenius, De jure maritimo**
Loccenius, Johannes, 1598-1677, *De jure maritimo*
Stockholm 1652.

This is also found within Heineccius, *Scriptorum*

**Maclachlan, Merchant Shipping**
Maclachlan, David, *A Treatise on the Law of Merchant Shipping*
London, 1860
2nd ed 1875
3rd ed 1880
4th ed 1892
5th ed 1911 editors Edward Louis de Hart and Alfred Townsend Bucknill
6th ed 1923 editors Edward Louis de Hart and Alfred Townsend Bucknill
7th ed 1932 editors G. St Clair Pilcher and Owen L. Bateson

A digital copy the first edition is available from Google Books. This is one of the best general books on English maritime law ever written.

**Magen, Insurances**
Magen, Nicolaus, *An essay on insurances.*
1755.

**Malynes, Lex Mercatoria**
Malynes, Gerard de (1586-1641), *Consuetudo, vel, lex mercatoria: or, The ancient law-merchant: In three parts, according to the essentials of traffick* … Whereunto are annexed the following tracts, viz I. The collection of sea laws. II. Advice concerning bills of exchange, by John Marius. III. The merchants mirror, by R. Dafforne, IV. An introduction to merchants accompts, by John Collins. V. The accountants closet, by Abraham Liset.
1622
1636-51

The tract “The collection of sea laws” annexed to all editions is Welwod, *Sea Law of Scotland* (see below), minus the preface.

**Marriot, Formulare Instrumentorum**
Marriott, James, *Formulare Instrumentorum: Or a Formularly of Authentic Instruments, Writs, and Standing Orders, Used in the High Courts of Admiralty of Great Britain, of Prize and Instance. Perused and Approved as Correct.*
1802

**Marsden, Select Pleas**
Marsden, Reginald Godfrey (1845-1927), *Select Pleas in the Court of Admiralty.* vol 1, 1891; vol 2, 1897; Selden Society Vols VI and XI.

A very valuable work by the famous author of many maritime law books. The introduction to vol 1, contains the results of his great research into the origins and history of the High Court of Admiralty of England.

**Marshall, Insurance**
1802
(1st American ed 1805)
2nd ed 1808
4th ed 1861, editor William Shee
5th ed 1865, editor William Shee

The author was a sarjeant-at-law, and practiced, *inter alia*, in marine insurance law. This book was cited often in marine insurance cases in the nineteenth century and was obviously highly regarded. It contains reliable accounts of unreported cases.

Maude and Pollock, Merchant Shipping
1853
2nd ed 1861
3rd ed 1864
4th ed 1881, editors Sir Charles Edward Pollock and Gainsford Bruce

Marvin, Wreck and Salvage
USA, 1858

The author was a Judge of the District Court of the United States, for the Southern District of Florida.

Millar, Insurance
Millar, John, 1760-1796, *Elements of the law relating to insurances.*
Edinburgh 1787.

This was the first Scottish book devoted solely to insurance law. A digital copy is available from the Internet Archive – [http://www.archive.org/index.php](http://www.archive.org/index.php).

Molloy, De jure maritimo
Molloy, Charles, *De Jure Maritimo et Navali, or A Treatise of Affairs Maritime, and of Commerce.*
1676
2nd ed 1677
3rd ed 1682
4th ed 1690
5th ed 1701
6th ed 1707
7th ed 1722
8th ed 1744
9th ed 1769.


This was one of the few maritime law books available for many years before the publication of Abbott *Shipping.* It is generally difficult to follow the text, and was rarely cited after the eighteenth century. In *The Gratitudine* (1801) 3 C Rob 240 at 269, 165 ER 450, the most highly respected judge of the Admiralty Court in England, Sir William Scott (later Lord Stowell), said: “Of Molloy I say nothing, knowing well that the authority to which he refers does not sustain him, and that his own authority amounts to little.”
Montagu, Bankrupt Laws
Montagu, Basil (1770-1851), *A digest of the bankrupt laws: with a collection of the statutes and of the cases argued and determined in the courts of law and equity upon that subject.* 1805-07, 4 vols. 1819, 2 vols, *A digest of the bankrupt laws.*

Neale, Sea-laws
Neale, Thomas, *Abstract of the sea-laws, as established in most kingdoms of Europe, but more particularly in England and Scotland* 1704

Pardessus, Collections
Pardessus, Jean Marie, *Collections de lois maritimes antérieures au XVIIIe siècle* Paris 1828-1845, (6 vols).

This is vast and scholarly work which cannot be ignored by anyone interested in the history and development of maritime law. There appears to be no English translation. A digital copy is available from the National Library of France: [http://gallica.bnf.fr](http://gallica.bnf.fr).

Park, Marine Insurance

The author was a judge of the Court of Common Pleas, 1816-1838. This was a highly regarded and oft cited work in its day, although reading between the lines of law reports the impression is gained that the 8th edition was not as highly regarded as the former editions which were all written by the author. This may not be fair on the editor who had a very hard task editing a work originally written over seven editions by an author of some eminence. Like Marshall, *Insurance*, it contains reliable notes of unreported cases. There were American editions. Digital copies of some of the early editions are available from Google Books and the Internet Archive – [http://www.archive.org/index.php](http://www.archive.org/index.php)

Parker, Shipping and Insurance
Parker, Thomas, *The Laws of Shipping and Insurance, with a digest of adjudged cases.* 1775.
Maritime Law Digital – Bibliography

**Parsons, Maritime Law**
Parsons, Theophilus (1797-1882)
*Treatise on maritime law. Including the law of shipping; the law of marine insurance; and the law and practice of admiralty.*
Boston, USA, 1859

**Parsons, Marine Insurance**
Parsons, Theophilus (1797-1882)
*A treatise on the law of marine insurance and general average.*
Boston, USA, 1868

**Peckius, Ad rem nauticam**
Peckius, (Petrus) [Pierre Peck], *In titt. Dig. & Cod. ad rem nauticam pertinentes, commentarii.*
1556

**Phillips, Insurance**
Boston, USA, 1823
2nd ed 1840
3rd ed 1853 (2 vols)
4th ed 1854 (2 vols)
5th ed 1867 (2 vols)


**Pratt, Lights and the Rule of the Road at Sea**
Pratt, Thomas Frederic, *An essay on the use of lights by sea-going vessels and the rule of the road at sea: with numerous cases and an appendix containing foreign ordinances, with translations.*
1857

**Pritchard, Admiralty Digest**
1847
2nd ed 1865 editors William Tarn Pritchard, Robert Albion Pritchard, Algernon Jones.

This is a vary large work. The section on Prize law does not appear in the 3rd edition.
The second and third editions were published in two volumes. A digital copy of the first and second editions, and of volume 2 of the third edition is available from Google Books.

**Reddie, An historical view of the law of maritime commerce**  
Reddie, James, *An historical view of the law of maritime commerce*  
Edinburgh 1841 (reprinted 2004)

**Reddie, Researches, historical and critical in maritime international law**  
Reddie, James, *Researches, historical and critical in maritime international law*  
Edinburgh 1844 (2 vols)

A digital copy is available from Google Books.

**Reeves, History**  
Reeves, John, *A History of the law of Shipping and Navigation*  
1792.

A digital copy is available from Google Books.

**Roccus, Notabilia de navibus**  
Roccus, Francesco (1605-1676), *Notabilia de navibus et nauto, item de assecurationibus*  
1655, Naples.  
1710, Utrecht, editor Abraham Westerveen.  
Philadelphia 1809, English translation by Joseph Reed Ingersoll: *A Manual of Maritime law, consisting of a treatise on ships and freight and a treatise on insurance*.

Digital copies of the 1809 publication are available from Google Books.

**Roscoe, Prize Court**  
Roscoe, Edward, Stanley (1849-1932), *A History of the English Prize Court*  
1924

A good historical work with much on the origins of the High Court of Admiralty in England.

**Roscoe, Studies**  
Roscoe, Edward Stanley (1849-1932), *Studies in the History of the Admiralty and Prize Courts*  
1932

A number of interesting articles written by the author re-published under one cover.

**Ross, Vendors and Purchasers**
Ross, George, *Law of Vendors and Purchasers of Personal Property*
1811
2nd ed 1826, editor S.B. Harrison

A digital copy of the second edition is available from Google Books.

**Stair, Institutions**
Dalrymple (James), Viscount Stair (1619-1695), *Institutions of the law of Scotland, The institutions of the law of Scotland: deduced from its originals, and collated with the civil and feudal laws, and with the customs of neighbouring nations: in four books*
1681
2nd ed 1693
3rd ed 1759, editors John Gordon and William Johnstone
4th ed 1826, editor George Brodie
5th ed 1832 editor John Schank More
6th ed 1981 – this is not a new edition as such, but a reprint of the 1693 edition, with additional materials, published to commemorate the tercentenary of the first edition.

The most highly regarded and most important of all the Scottish “institutional” works. It is impossible relate its merits in a few sentences. Suffice to say it was the first Scottish work which set out the law clearly, concisely and properly vouched, providing the foundations of the modern Scottish legal system. See D.M. Walker, *The Scottish Jurists*, 1985, ch 8. The work is divided into four books. It is normally cited, by book number in roman numerals, and then title and section in Arabic numbers, e.g. Stair, I, 2, 3. It is normally bound in two volumes.
It has little to say on maritime law as such, save for an account of prize law. However, maritime lawyers and historians interested in the development of maritime law in Scotland cannot ignore it because of its treatment of subjects to which maritime law is closely linked.
The editor of the 4th edition wrote a substantial supplement dealing with commercial and maritime law. Chapter 2 of the Supplement to vol 1 is entitled “Shipping law”. This supplementary work was, so far as is possible to ascertain, not cited often in the Court of Session: it was probably overshadowed by those parts of Bell, *Commentaries*, dealing with maritime law.
The editor of the 5th edition wrote substantial supplementary notes, including a useful note on prize law.

**Stevens, Average**
Stevens, Robert, *An Essay on Average and other subjects connected with the contract of marine insurance*
London, 1813
2nd ed 1816
See Stevens and Benecke, *Average and adjustments*.

A digital copy of the above is available from Google Books.

**Stevens and Benecke, Average and adjustments**
Stevens, Robert,
Benecke, Wilhelm,
Maritime Law Digital - Bibliography

*Treatises on average, and adjustments of losses in marine insurance: with notes by Willard Phillips.*
Boston 1833

This a combined but abridged edition of Stevens, *Average*, and Benecke, *Insurance*, with updating notes by Willard Phillips primarily for American readers.


**Story, Agency**

Story, Joseph, *Commentaries on the law of agency as a branch of commercial and maritime jurisprudence*
Boston, Mass 1839 (reprinted 2004 and 2006)
2nd ed 1844
3rd ed 1846, editor William Whetmore Story
4th ed 1851, editor Charles Sumner
5th ed 1857, editor Edmund Hatch Bennett
6th ed 1863, editor Edmund Hatch Bennett
7th ed 1869, editors Isaac Fletcher Redfield and William Augustus Herrick
8th ed 1874, Nicholas St John Green
9th ed 1882, editor Charles P. Greenough

This is one of many excellent works written by a prodigious legal author and judge of the Supreme Court of the United States of America, who can without doubt be described as a jurist in the classical sense. His own works were cited often on the east side of the Atlantic Ocean.

**Story, Bailments**

Story, Joseph, *Commentaries on the Law of Bailments*
1832, Cambridge, Mass (reprinted 2007)
2nd ed Boston, Mass 1840
3rd ed
4th ed 1846, editor William Whetmore Story
5th ed 1851
6th ed 1856
7th ed 1863 editor Edmund Hatch Bennett
8th ed 1870, editor Edmund Hatch Bennett (reprinted 1986)
9th ed 1878, editor James Schouler.

**Story, Conflict of Laws**

Story, Joseph, *Commentaries on the conflict of laws, foreign and domestic, in regard to contracts, rights, and remedies, and especially in regard to marriages, divorces, wills, successions, and judgments.*
1834, Boston, Mass (reprinted 1972 and 2007)
Story, Literature of the Maritime Law
This is a chapter within Miscellaneous Writings of Joseph Story, 1835; revised edition 1852.

Originally written for the North American Review 1818 as a review of Jacobsen, Sea Laws, it is an excellent guide to the older works of maritime law.

Stracca, Tractatus
Stracca (Benvenuto), Tractatus de mercatura seu mercatore
Venice 1553 – Part VI is entitled De nautis, navibus, et navigatione.
Venice 1575.
Amsterdam 1669 – to this edition is added a part on Insurance.

Stypmann, De jure maritimo et nautico
Stypmann (Franz) 1612-52, Tractus de jure maritimo et nautico
Greifswald 1652, editor Anton Günther Fritz.
Stralsund 1661, editor Anton Günther Fritz.

This is also found within Heineccius, Scriptorum

Targa, Contrattazione marittima
Targa (Carlo), Ponderazioni sopra la contrattazione marittima: ricavate dalla legge civile e canonica, dal consolato del mare, e dagli usi marittimi con le formole di tali contratti, profittevoli non solo a'praticanti nel foro, ma ancora ad ogni sorta di mercadanti e marinari.
Genova, 1750.

Tudor, Mercantile and Maritime Cases
Tudor (Owen Davies), A Selection of Leading Cases on Mercantile and Maritime Law.
London, 1860
2nd ed 1868.

Valin, Commentaire
Valin (René Josué), Nouveau commentaire sur l’ordonnance de la marine, du mois d’août 1681
La Rochelle 1760.

**Voet, Commentarius**
Voet, Johannes (1647-1713), *Commentarius ad Pandectas*.

The following editions have been noted:
- 1698-1704 (Hague) *
- 1707 (Hague) *
- 1716 (Hague) *
- 1734 (Hague)
- 1757 (Cologne) *
- 1769 (Cologne)
- 1775 (Venice)
- 1778 (Cologne)
- 1778-81 (Naples)
- 1780 (Cologne)
- 1804 (Bassani) ((referred to as 4th ed) (5 vols)
- 1827-28 (Venice) (referred to as 5th ed) (5 vols)
- 1827-28 (Bassani)
- 1827-29 (Paris) *
- 1827-31 (Naples)

* Edition held by the Advocates’ Library, Edinburgh, and therefore most likely to have been cited in cases before the Court of Session.

This work of immense value for Roman-Dutch law, was often cited in the Court of Session in maritime cases of the 18th century.

There have been a number of translations of parts of this large work. The most modern and comprehensive is: *The Selective Voet*: being the commentary on the Pandects … (Paris edition of 1829); and the supplement to that work by Johannes Van Der Linden; translated with explanatory notes and notes of all South African reported cases by Percival Gane, Durban, South Africa, 1955.

Digital copies of the 4th ed, vols 3 and 5, and of the 5th ed vol 1, are available from Google Books.

**Viner, Abr**
Viner, Charles (1678-1756), *A general abridgment of law and equity alphabetically digested under proper titles with references to the whole*.

- 2nd ed 1791-95, 24 vols.
- Supplement to 2nd ed, 1799-1806, 6 vols.

An abridgment in the sense used in England in the eighteenth century and earlier contained summaries of principles of law, derived from case law, statutes and texts. Viner created what became the best known of all the English abridgments. It was so successful that the author founded a chair of law at Oxford University using part of the proceeds.
Digital copies of the second edition and some of the supplementary volumes are available from Google Books.

**Vinnius, Institutionum imperialium commentarius**

Vinnius, Arnoldus (1588-1657), *In quatuor libros Institutionum imperialium commentarius: academicus & forensis.*

The following editions have been noted:

Lyon 1618 – This is the earliest edition according to the British Library catalogue, and is described as the first edition.

Lyon 1642

Amsterdam 1655 (described as 2nd ed in catalogue of the Library of Congress).

Amsterdam 1659 (described as 3rd ed in catalogue of the Advocates’ Library, Edinburgh).

Amsterdam 1665 (described as 4th ed in catalogue of the Advocates’ Library, Edinburgh).

Amsterdam 1692

Amsterdam 1703 (described as last ed (*postrema*) in catalogue of the Library of Congress).

Antwerp 1721

1726 edited by Heineccius \(^1\) (Johann Gottlieb) (1681-1741).

Venice 1740 edited by Heineccius.

Frankfurt-am-Main 1746

Lyon 1747 edited by Heineccius.

Lyon 1755 edited by Heineccius.

Lyon 1761 (described as a new ed in catalogue of the Advocates’ Library, Edinburgh), edited by Heineccius.

1767 edited by Heineccius.

1770 edited by Heineccius.

Naples 1772 (described as a new edition) edited by Heineccius.

Venice 1804

\(^1\) Heineccius is the Latin form of the name Heinecke.

A digital copy of the 1772 edition is available from Google Books.

**Vinnius, Peckiis ad rem nauticam.**

Vinnius, Arnoldus, (1588-1657), *Petri Peckii in titollo Dig & Cod ad rem nauticam pertinentes, commentarii: Quibus nunc accedunt notae cum ampla dote variarum circa rem navalem observationum beneficio Arnoldi Vinnii, J.C. Item leges navales & jus navale Rhodiorum,* Greek, Latin.

There were editions published in the following years:

1647

1668

This is based on the work of Peckiis which Vinnius edited and added substantial commentary. It deals with those parts of the Digest and Code concerned with maritime matters.
**Vinnius, Selectarum juris quaestionum**

Vinnius, Arnoldus, (1588-1657), *Selectarum juris quaestionum libri duo.*

There were editions published in the following years:

- Lyon 1653
- Lyon 1660, editor Vinnius (Simonis), son of author. (Described as 2nd ed in catalogue of the Advocates’ Library, Edinburgh).
- Rotterdam 1672
- Florence 1840

**Watson, Digest of Justinian**


This is a magnificent work: the 1985 edition contains the English translation of the Digest by Alan Watson and other eminent Roman law scholars, and the Latin text as edited by Theodor Mommsen (assisted by Paul Kröger) with footnote annotations. The 2009 text contains only the corrected English translation.

Theodor Mommsen’s Latin text is available at the website of the University of Grenoble – [http://webu2.upmf-grenoble.fr/Haiti/Cours/Ak/Corpus/digest.htm](http://webu2.upmf-grenoble.fr/Haiti/Cours/Ak/Corpus/digest.htm)

An earlier translation of the Digest contained within S.P. Scott, *The Civil Law,* Cincinnati USA, 1932 (17 vols), is not considered to be satisfactory by many recognised Roman legal scholars.

**Welwod, Sea Law of Scotland**


Edinburgh 1590 (re-published 1933).

Very few copies of this book survived into the twentieth century. It was re-published with a translation into modern English as part of: The Scottish Text Society, *Miscellany Volume,* editor T.C. Wade, Edinburgh and London 1933.

**Welwod, An Abridgement of All Sea-Lawes**

Welwod, William, *An Abridgement of All Sea-Lawes; Gathered Forth, of all Writings and Monuments, which are to be found among any people or Nation upon the coasts of the great Ocean and Mediterranean sea: And specially ordered and disposed for the use and benefit of all benevolent Sea-farers, within his Majesties Dominions of Great Britanne, Ireland, and the adjacent Isles thereof.*

London 1613.

Published also as an annex to Malynes, *Lex Mercatoria* (see above).

**Weskett, Digest**
1781
Dublin 1783.

**Westerveen, Il Consolato Del Mare**
Westerveen (Abraham), *Il Consolato del Mare, Nel quale si comprendono Tutti gli Statuti, & Ordini, disposti da gli Antichi per ogni cosa di Mercantia, & di Navigare. Così à beneficio di Marinari, come di Mercanti, Et Patroni di Nave.*
Leiden, 1704.
Schouten, 1723.

**Weytsen, de Avariis**
Weytsen, Quintyn, *Tractatus de avariis id est, communi contributione mercium rerumque in navi repertarum ad sarciendum damnum bonis mercatorum sive nautarum quorundam ulterior illatum eum in finem ut vita, navis, ac reliqua bona salva.*
[Een tractaet van avarien dat is, ghemeene contributie vande koopmanschappen ende goederen inden schepe bevonden, om te helpen dragen 't verlies van eenige kooplieden ofte schippers goeden, gewillichlijck gebeurt, om lifj, schip, ende goet te salveren ]
1631 and other years.
1672 – editor Simon Leeuwen.
1710 – editor Simon Leeuwen.
Published in 1740 along with Casaregis, *Discursus legales de commercio* (see above).

**Zouch, Jurisdiction of the Admiralty**
1663.


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