

EARLY ENGLISH *and* CONTINENTAL LAW BOOKS 1478–1546

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Early English and Continental Law Books, 1478-1546

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"A Little too Human to be Strictly Scientific"

1. Acton, John [d. 1350].

[Badius, Josse (1462-1535), Editor].

Constitutiones Legitime seu Legatine Regionis Anglicane: Cu[m] Subtilissima Interpretatione D[omi]ni Johannis de Athon: Triplici[ue] Tabella. Necnon et [Con]stitutiones Provinciales ab Archiepiscopis Cantuariensibus Edite: Et Sum[m]a Accuratione Recognite: Annotate et Parisiis Coimpressae. [Paris: Wulfgangi Hopilii et P[ro]vissimi Bibliopole Joa[n]nis Co[n]flue[n]tini, (13) September 1504]. Collation: A-B8, a-e8, f10, g-o8, p6, q-s8 (-r1-8), t-v6 (-v6, a blank). [xvi], clv ff. Complete. Main text in parallel columns surrounded by two-column linear gloss. Quarto (10-1/2" x 7-1/2").

Recent calf, boards have gilt rules enclosing handsomely tooled blind panels, gilt spine with raised bands and lettering piece, endpapers renewed. Printed throughout in red and black, woodcut pictorial title page, divisional title page (f. 1) and vignette at head of main text (f. 2), woodcut initials, some pictorial. Light toning to text, faint dampstaining in places, mostly confined to margins, occasional worming, mostly to rear of text, with negligible loss to text, brief early annotations to a few leaves. A handsome copy. \$5,000.

* First edition by Badius. Acton's *Constitutiones* was the first major treatise on English canon law. It is a commentary on the constitutions (edicts) of Otto and Ottobone, the papal legates in England during the mid-thirteenth century. For decades, these constitutions formed the majority of English canon law. Acton's commentary was authoritative. Several copies circulated in manuscript. It was first printed in 1496 by Wynkyn de Worde in an edition of William Lyndwood's *Provinciale*. (This led several people to attribute *Constitutiones* to Lyndwood.) An excellent summation of English canon law at the time, it is also notable for its insights into the Church's place in English society. As Maitland notes in *Roman Canon Law in the Church of England*, Acton was "a little too human to be strictly scientific. His gloss often becomes a growl against the bad world in which he lives, the greedy prelates, the hypocritical friars, the rapacious officials" (7-8). OCLC locates 9 copies of this edition in North American law libraries (Columbia, George Washington, Harvard, Library of Congress, Ohio State, UC-Berkeley, University of Minnesota, Washington University, Yale). *English Short-Title Catalogue* S104759. Beale, *Bibliography of Early English Law Books* T404.

Procedure Manual Attributed to Alciati

2. Alciati, Andrea[s] [1492-1550], Attributed.

Hegendorph, Christoph [1500-1540], Editor.

Iudicarii [Judicarii] Processus Compendiu[m], Atque Adeo Iuris Utriusq[ue]; Praxis. Locis tam Multis, Tamq[uam] Insignibus Integritati Suae Restitutis, Fere ut Novu[m], Ac Pene Aliud Opus hoc Nostrum Indicet, Qui Primo Illi Coloniensi Contulerit. Accessit huc & Iuris Discendi Methodus, & De Artibus Iurisconsulto Futuro Necessariis, Oratio Elegantissima, Authore Christophoro Hegendorphino. Paris: Apud Ioannem Parvum [Chevallon], 1537. [viii], 271 ff. Signatures M and N (ff. 97-104) bound in reverse order. Octavo (6-1/2" x 4").

Contemporary vellum, raised bands and early hand-lettered title to spine, another title to foot of text block in early hand, ties lacking. Light soiling, rubbing to extremities with some wear to spine ends, top edge of front board and corners, a few worm holes to boards and front pastedown, partial crack between text block and rear free endpaper. Attractive crible initials. Toning, faint dampstaining to endleaves and a few text leaves. Early owner signature to foot of title page, annotation in his hand to endleaves, interior otherwise clean. \$1,000.

* An important Italian humanist and professor of law at Avignon, Bologna, Milan, Padua, Ferrara and Bourges, Alciati was one of the first jurists to base his interpretation of civil law on the history, languages and literature of antiquity, and to conduct original research on the texts rather than merely copy earlier glosses. His work was deeply influential and his services were retained by the kings of France and Spain, as well as by several Italian princes. As one would expect, there was a large market for his works. In addition to those published by Alciati there are several unauthorized publications based on lecture notes compiled by his students. First published in Cologne in 1530, *Iudicarii Processus Compendium*, a treatise on procedure in civil and canon law, appears to fall into this latter category. Some sources say it is not based on Alciati's work and is the work of an anonymous author. It was nevertheless a popular work that went through several editions and issues over the next 30 years. OCLC locates 3 copies of this imprint, 1 in North America (at the University of Iowa). Not in Adams.

Legal Pointers for Lawyers in Sixteenth-Century Naples

3. Arnono, Giovanni d' [fl. 1524-1534].

Singularia Domini Ioannis de Arnono in Utroq; Iure Memoratu Digna & in Regno Satis Accommodata: Foelicitur Incipiunt. Venice: [In Officina Aurelii Pincii Veneti, Ad Instantiam D. Petri Facholi, Ditto Dal Cauallo], 1536. 68 ff. Octavo (6-1/4" x 4").

Contemporary limp vellum, light soiling, covers somewhat bowed. Large woodcut printer device to verso of final leaf, woodcut decorated initials. Some toning to text, faint dampstaining to final few leaves, internally clean. A well-preserved copy. \$1,950.

* Second edition. This handy treatise was first published in 1535 and went through three editions, the last in 1540. The first part offers pointers for lawyers practicing in the Kingdom of Naples. The second part, entitled *Tractatus Cautelarum*, addresses Neapolitan civil law and procedure. All editions are scarce. OCLC locates 2 copies in North America at UC-Berkeley Law School and the Library of Congress; both have copies of the 1534 edition. *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE 3098.

A Scarce Collection of *Decisiones*

4. Balbi, Goffredo Lanfranco [16th. c.].

Observationes Nonnullarum in Iure Decisionum, Causidicis ac Iuristudiosis Magno Usui Futurae. Hoc Aureum Iam Opusculum ex Integro Renascitur, Decisionum Centurias Quinque cum Sextae Fragmento Continens. Lyons: Iacobus Giunta, 1535. 183, [14] pp. Octavo (6-1/4" x 4-1/4").

Later quarter morocco over cloth, raised bands and gilt title to spine, endpapers renewed. Light rubbing with negligible wear to corners, a few tiny faint stains to boards. Large woodcut Giunta device to title page, woodcut decorated initials. Faint dampstaining to margins and annotations and underlining in early hand to a few leaves. A handsome copy. \$1,950.

* First edition. This volume collects 500 rulings by the noted jurist with additional commentary. Each entry notes comparable rulings by other leading jurists. Later editions appeared in 1538, 1540, 1545, 1546 and 1588. OCLC locates 3 copies of the first edition, 5 of other editions. Editions located in the U.S. at Harvard Law School (1535, 1540, 1588), Library of Congress (1546) and UC-Berkeley (1545). Adams, *Catalogue of Books Printed on the Continent of Europe, 1501-1600* C72.

Commentaries on Criminal Law by a Great Medieval Jurist

5. Baldus de Ubaldis, Petrus [1327-1400].

Corneto, Tancredus de, Commentary.

Cremonte, Antonius de, Commentary.

Descousu, Celsus-Hugo, Commentary.

Ferrandat, Henricus, Commentary.

Practica Baldi. Perutilis Ac Vere Aurea Practica Iuris. Utriusq[ue] Monarche ac Luminis Domini Baldi de Ubaldis de Perusio...Cu[m] Additionibus Domini Antonii de Crema[n]te: Que Preter Primam Omnes Textui Inseru[n]tur: [Et] cum Pristinis Apostillis...Celsi Hugo[n]is Dissuti. Novissime cu[m] Adjectionibus Nonnullorum Tituloru[m] in Quibusdam Antiquissimis Exe[m]plaribus Inventorum Hactenus non Impressorum: [Et] cum Repertorio Alphabetico. AdVertas Lector: Quod Angelus...Dicit Practica[m] Istam: Seu Mavis Co[m]pendiosam: Fuisse Ta[n]credi de Corneto. Ego Vero Balsa Esse Affirmo: Ut Patet in Pluribus Eius Locis: Maxime in Prefatione Ante Rubricam de Iurisdic[ti]on[e]. [Lyons: Antoine Blanchard, 6 February 1528. [xii], XCVI ff. Main text in parallel columns. Quarto (6-3/4" x 5").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Title page printed in red and black within woodcut architectural border, woodcut decorated initials. Moderate toning, finger smudges and light stains to a few leaves, some soiling to title page, minor edgewear to final leaf. \$1,950.

* Later edition. Baldus de Ubaldis, a pupil of Bartolus, was one of the great jurists of Medieval Europe. He taught at the Universities of Bologna, Perugia, Pisa, Florence, Padua, Pavia and Piacenza. He also served occasionally as a judge and diplomat. His fame rests on his commentaries on Roman and canon law, which were standard texts into the seventeenth century. First published in 1513, *Practica Baldi* is a collection of his commentaries on criminal law and procedure drawn from his larger works with additional commentary and notes by Corneto, Cremonte, Descousu and Ferrandat. All editions are scarce. OCLC locates 3 copies of this edition in North American law libraries (Columbia, Harvard, UC-Berkeley). *Universal Short-Title Catalogue* 146006.

1478 Printing of Bartolus's Important Commentary on the First Part of the *Digest*

6. Bartolo of Sassoferrato [1314-1357].

[*Super Prima Parte Infortiati*]. [Venice, Nicholas Jenson, 28 March 1478]. Collation: a10, b-z8, A-C8, D-E6. 221 of 222 ff. Final leaf, a blank, lacking. Folio (16-1/2" x 11-1/4").

Contemporary quarter calf with blind tooling over wooden boards, raised bands and later hand-lettered title label to spine, clasps (and buckles) lacking. Several tiny wormholes, a few cracks to spine, chip to foot of spine, Signatures a and E6 partially detached, bookplate of Robert Proctor and bookseller description from the Rosenbach company to verso of front board, pastedowns lacking (or never present). Text printed in 60-line gothic type on wide-margined paper, initial spaces filled in alternate red and blue, most with flourishes, seven-line initial "Q" at beginning of text in red and blue with flourish in the margin, chapter numerals at head in red. Light toning to text, occasional discoloration to outer margins, minor worming in places. Contemporary (or early) manuscript table of contents to initial blank, annotations in similar hand to a few other leaves, interior otherwise clean. A handsome copy and a fine specimen of Jenson's Gothic typeface. \$30,000.

* Between 1250 and 1450 the Post-Glossators, a group of legal scholars and teachers in Italy, initiated the recovery of Roman law texts from the corruptions of the medieval Glossators. Their efforts to apply Roman law to the jurisprudence of their day also prepared the way for the natural law school of the seventeenth century and helped to lay the foundations of the modern state. The greatest member of this group was Bartolo of Sassoferrato. Better known as Bartolus, he was a practicing lawyer and professor at the University of Perugia. His unrivalled reputation derives from his enormous literary output, much of it dealing with the texts later collected as the *Corpus Juris Civilis*. He produced commentaries on most of these texts. The most notable are the ones dealing with the *Digest* and *Code*; all of them went through numerous editions and issues. *Super Prima Parte Infortiati* is a commentary on a group of books from the *Digest* concerning donations between husband and wife, divorce, curatorship, wills and testaments and trusts and legacies. (The Medieval Glossators divided the 50 books of the *Digest* into three parts: *Digestum Vetus*, I-XXIV, Title 2, *Infortiatum*, XXIV, Title 3-XXXVIII, and *Digestum Novum*, XXXIX-L.) Robert Proctor [1868-1903] was the bibliographer and book collector who established the "Proctor order" for cataloguing incunabula at the British and Bodleian Libraries. A note on the bookseller description shows he purchased this book on June 15, 1942. OCLC locates no copies of this imprint in North America. Goff, *Incunabula in American Libraries* B233. *Gesamtkatalog der Wiegendrucke* 3616.

Two Important German Compilations, One Features Woodcuts by Holbein the Younger

7. [Bavaria]

[William IV (1493-1550), Duke of Bavaria].

[Ludwig X (1495-1545, Duke of Bavaria].

Reformation der Bayrisch[en] Landrecht: Nach Cristj Unsers Hailmachers Geburde Im[m] Funftzebenhundert unnd Achtzehebndm Jar Aufgericht. [Munich: Johann Schobsser, 1518]. [xxxv], 168 ff. Final leaf, a blank, lacking. Two-page woodcut table of affinity. Large woodcut vignette by Caspar Clofigl of the Dukes of Bavaria, Wilhelm and Ludwig, to title page, woodcut decorated initials.

[Bound with]

Zasius, Ulrich, Compiler.

[Holbein, Hans (1497-1543)].

Nuwe Statrechten und Statuten der Loblichen Statt Fryburg im Prysszgow Gelegen. [Basel: Adam Petri, 1520]. [xii], 97 ff. (Fol 1. is a divisional title page.) Nearly full-page arms of Freiburg to title pages and full-page images of the patron saints of Freiburg by Holbein on recto and verso of both title pages, double-page woodcut table of descents, woodcut decorated initials.

Folio (12-1/4" x 8"). Contemporary half-paneled pigskin over beveled wooden boards, pigskin clasps with bronze buckles, raised bands and early hand-lettered title to spine, head and tail repaired, a scattering of worm holes through boards and text block. Light soiling, some wear to corners, front hinge cracked, twentieth-century owner bookplate and bookseller description to front pastedown. *Reformation* printed throughout in red and black. Light toning to text, negligible faint dampstaining and foxing in a few places, light edgewear to some leaves, early repairs to a fol. 20 of *Reformation*. Early annotations in a few places, interior otherwise clean. A very handsome volume. \$12,500.

* First editions. Two important collections of German statutes. Enacted in 1518, the Bavarian *Reformation* revised the Bavarian law code of 1346. It is notable, in part, because it incorporated input solicited by the Dukes of Bavaria from representative groups of subjects. The 1520 edition of Freiburg statutes is a comprehensive restatement by Zasius, a leading German humanist and friend of Erasmus. A leading jurist, he was one of the first jurists to apply modern philological methods to the study of Roman and older Germanic law. Both titles are scarce. OCLC locates 2 copies of *Reformation* in North American law libraries (George Washington University, UC-Berkeley), 4 copies of *Nuwe Statrechten* (George Washington University, Harvard, University of Michigan, Yale). *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* B1007, F2540.

Early Studies of Canon, Roman and Lombard Law

8. Bohier, Nicolas de [1469-1539], Editor.

Leges Longobardorum Seu Capitulare Divi ac Sacratissimi Carolimagni Imp[er]atoris: [Et] Fra[n]cie Regis ac Novelle [Con]stitut[i]o[n]es D[omi]ni Justinia. Imp[er]atoris cu[m] Prae[faci]u[n]cula [et] An[n]otationib[us] in Ipsas. ll. [et] Co[n]stitutiones Novellas. [Lyons: Antoine du Ry: Simon Vincent, 1512]. ciiij, [1], cj, clx, [2] ff.

[Bound with]

Bohier, Nicolas de, Editor.

Sole[m]nis Repetitio Famose l. Consentaneum. C. Quomodo [et] Q[ua]n[do] Index... [Lyons: Antoine du Ry: Simon Vincent, 1512]. xxxviii ff. Sections of text in parallel columns.

[And]

Bohier, Nicolas de

Questio de Custodia Clavium Portarum Civitatu[m]: Castrorum [et] Aliorum Locorum Fortiliciorum... [Lyons: Antoine du Ry: Simon Vincent, 1512]. xix, [1] ff. Main text in parallel columns.

[And]

Castellione, Johannes Lapus de.

Allegationes D[omi]ni Lapi. Tractatus Allegationu[m] Illustrissimi. J. U. Monarche D[omi]ni Lapi de Castellbovo. Lyons: Impe[n]sis Vencentii de Portonariis, 1532. [xii], cxxvj, [1] ff. Main text in parallel columns.

Four works in one volume. Octavo (6-1/2" x 4-3/4"). Nineteenth-century vellum, lettering piece to spine, edges rouged. Light soiling, spine ends bumped, boards slightly bowed, front joint partially cracked. Woodcut decorated initials and colophons, title page of *Allegationes* printed within architectural border. Some toning to text, heavier in places, title page of *Leges Longobardorum* and following three leaves lightly browned and moderately edgeworn, faint dampstaining to margins in a few places. Later annotations to rear endleaf, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing volume containing four scarce titles. \$5,000.

* *Leges Longobardorum*: first edition; *Solemnis* and *Questio*: only editions; *Allegationes*: later edition. *Leges Longobardorum* is a pioneering critical edition of the legal code of the Lombards (Italians) issued after their conquest by Charlemagne. It was adapted from the Lombard's Roman-derived legal system. Bohier's edition sought to distinguish the contributions of Charlemagne, the Lombards and earlier Roman law. The other studies by Bohier are related but bibliographically distinct. First printed in 1470, Castellione's *Allegationes* is a venerable treatise on procedure in canon law and, to a limited extent, Roman law. All of the titles in our volume works are scarce, especially in North America. Bohier: *Universal Short-Title Catalogue* 143981, 144040, 144029; Castellione: Adams, *Catalogue of Books Printed on the Continent of Europe* L207.

The Final Fifteenth-Century Imprints of the *Liber Sextus Decretalium* and *Clementinae*

9. [Boniface VIII, Pope (1235-1303)].

[D'Andrea, Giovanni [c.1270-1348], Glossator.

[Brant, Sebastian (1457-1521), Editor].

Sextus Decretalium cum Certis Additionibus Johannis Andree. [Basel: Johann Froben and Johann Amerbach, December 1, 1500]. Two parts in one, Part II is titled *Constitutiones Clementinarum*. [288] ff. Collation: AA6, a-y8, z12; AA-MM8. Complete. Main text surrounded by linear glosses in parallel columns, printed in red and black throughout. Large woodcut depicting the presentation of the *Liber Sextus* to Boniface on fol. [8]v, woodcut tables of consanguinity and descent on ff. [3]v and [5]r. Quarto (8" x 6").

Recent vellum, hand-lettered title to spine, endpapers added, edges rouged. Text in 72-line gothic type printed throughout in red and black. Light toning to text. Early annotation to title page of the *Liber Sextus*, marginalia to a few leaves, some affected by trimming. Light soiling to bottom inner margins on first 100 leaves, faint dampstaining to outer margins of a few leaves at end of text block, interior otherwise fresh. \$9,500.

* With a register of titles and D'Andrea's *Super Arboribus Consanguinitatis et Affinitatis*. Attempts to codify the body of canon law began in earnest during the Carolingian Empire. These efforts reached fruition between 1020 and 1025 in the twenty-volume *Decretum* of Burchard, Bishop of Worms. The next great step was taken in 1234 with the *Libri Quinque Decretalium* of Gregory IX, which formed the basis of the *Corpus Juris Canonici*. The *Liber Sextus* of Boniface VIII (1298), the last great collection of the pre-Reformation era, consists of updates and modifications. The *Clementinae Constitutiones* (1313) is a collection of papal legislation that modifies portions of the *Liber Sextus*. It was followed by the *Extravagantes Joannes XXII* and the *Extravagantes Communes* in 1325. All of these texts were edited after the Council of Trent in 1582 under the collective title *Corpus Juris Canonici*. 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. His glosses were first published in 1472. Our edition by the great Basel printers Froben and Amerbach was the last printed in the fifteenth century. Remembered today as the moral and satirical poet of *Das Narrenschiff* (*The Ship of Fools*, 1549), Brant was also a noted legal scholar and

humanist. His edition of the *Liber Sextus* was first published in 1494. OCLC and the ISTC locate 4 copies of our 1500 imprint in North America (at Harvard Law School, the Huntington Library, the Library of Congress and UC-Berkeley Law School). *Gesamtkatalog der Wiegendrucke* 4905. Goff, *Incunabula in American Libraries* B1015.

Late Fifteenth-Century Venetian Printings of the *Liber Sextus Decretalium* and *Clementinae Constitutiones* in a Remarkable Binding

10. [Boniface VIII, Pope].

[D'Andrea, Giovanni, Glossator.

[Clarius, Hieronymus, Editor].

[*Liber Sextus Decretalium*]. [Venice: Baptista de Tortis, 1 April 1494]. 104 ff. Collation: a-n8. Complete. Main text surrounded by linear glosses in parallel columns.

[And]

[Clement V, Pope (c.1264-1314)].

[D'Andrea, Giovanni (c.1270-1348), Glossator].

[Clarius, Hieronymus, Editor].

[*Constitutiones Clementis Pape Quinti*]. [Venice: Baptista de Tortis, 10 December 1491]. Collation: A-E8, F-H6. [i], 57 (of 58) ff., final leaf, a blank, lacking. Main text surrounded linear glosses in parallel columns.

Two parts in one, as issued. Folio (17" x 11"). Nineteenth-century calf over wooden boards (by Louis Hague of Belgium), elaborately gilt-tooled, with wide border of painted flowers and stem, central sunken panels of interweaving floral design on a dotted ground with French royal arms in centre, gilt gauffered edges, silver gilt decorative corner-pieces, metal catches, one (of two) metal clasps, endpapers renewed. Some rubbing to extremities with minor wear to corners, joints partially cracked, front hinge cracked. Text in 82-line rounded Gothic type printed throughout in red and black, initial spaces filled in blue, two large initials have decorative penwork in red. Light toning, some edgewear and offsetting to free endpapers, soiling and minor stains to some leaves places, a few other leaves have faint dampstaining, chips and minor tears to margins. Later auction and bookseller records affixed to front free endpaper, annotation to verso, later owner signature and tiny bookplate to half-title of the *Liber Sextus*, interior otherwise clean. A handsome copy in remarkable binding. \$35,000.

* With a register of titles and Andrea's *Super Arboribus Consanguinitatis et Affinitatis*. The glosses on these editions were first published in 1472. OCLC and the ISTC locate 1 copy of this imprint in North America (University of Illinois). *Gesamtkatalog der Wiegendrucke* 4889, 4888. Goff, *Incunabula in American Libraries* B1007, HC3620*.

Consanguinity and Affinity in the *Decretals* of Gregory IX

11. Brant, Sebastian, Editor.

Annotatio[n]es Sive Reportatio[n]es Margaritaru[m] Omnium[m] Decretalium S[e]c[un]d[u]m Alphabeti Ordinem. [Basel: Nicolaus Kesler, c.19 June 1496]. Collation: a8b-c6d4, e-g6. 41 of 42 ff. Final leaf, a blank, lacking. Text in parallel columns. Folio (12" x 8-1/2").

Contemporary blind-tooled quarter pigskin over wooden boards, raised bands to spine, strap lacking, buckles present, early hand-lettered title to foot of text block. Light soiling, minor wear to upper corners, a scattering of worm holes to boards. Text printed in 54-line Gothic type. Moderate toning to text block, occasional faint dampspotting, minor worming in places, edgewear and minor stains to a few leaves, internally clean. \$15,000.

* First edition, one of two issues from 1496. Remembered today as the moral and satirical poet of *Das Narrenschiff* [*The Ship of Fools*], Brant was also a noted legal scholar and humanist. He studied at Basel, where he completed a doctor of laws degree. After serving on Basel's law faculty he moved to Strasbourg, his birthplace, where he became city clerk and enjoyed a position of great prominence. Brant was later appointed imperial councilor by the Holy Roman Emperor Maximilian I, who elevated him to the nobility. The *Margaritarum* is an alphabetically arranged compilation of excerpts from the *Decretals* of Gregory IX, one of the principal books of the *Corpus Juris Canonici*, concerning descent, affinity and consanguinity. OCLC locates 3 copies of this imprint in North America (Harvard Law School, Harvard Medical School, UC-Berkeley Law School). The ISTC locates 6 more copies (California State Library, Huntington Library, Library of Congress, Princeton University, University of Illinois, Walters Art Museum). Goff, *Incunabula in American Libraries* M263. *Gesamtkatalog der Wiegendrucke* M20967.

The German Reception of Roman Law

12. Brant, Sebastian, Editor.

Der Richterlich Clagspiegel: Eyn Nutzlicher Begriff, Wie man Setze[n] und Formieren Sol Nach Ordnung der Rechten, Eyn Yede Klag, Antwort, Und Ausssprechene Urteylen, Gezogen Auss Geystlichen und Weltlichen Rechte[n]. Da Durch sich ein Yed[en] Ersey Clager, Antworter, Od Richter un Recht Geschicket Machen, Dasseluben, Brauchen, Un[en] Dargeg[en] vor Unrechter That, Ansechtung, Unnd Furnmen Verbuten Mag. Mit Mererm Fleiss Wider

Durchsichtiget, Und von Neuem zum Theyl Gebessert. [Haguenau: In Verlegung Pauli Gotzen, 1529]. [viii], 151, [1] ff. Woodcut title page, two woodcuts in text.

[Bound with]

Tengler, Ulrich [1445-1521/22].

[Tengler, Christoph], Editor.

[Locher, Jacob (1471-1528)], Editor.

[Brant, Sebastian], Editor.

Layenspiegel. Von Rechtmassigen Ordnungen in Burgerlichenn und Peinlichen Regimenten. Mit Additionen Ursprunglicher Rechtspruchen. Auch der Guldin Bulla, Kunigklicher Reformation, Landtfriden, &c. Sampt Bewarungen Gemainer Rechten, Und Anderm Anzeigen. Newlich Getruckt. Strassburg: Hans Knoblauch der Jungen, 1530. [viii], 151, [5] ff. Woodcut title page, 26 woodcuts in text.

Folio (12" x 8"). Contemporary calf with elaborate blind-tooling, rebacked retaining spine with raised bands, clasps lacking (brass buckles present). A few minor scuffs, light rubbing to boards, somewhat heavier rubbing to extremities, corners bumped and lightly worn, hinges mended, front endleaves lacking. Moderate toning to texts, darker in places, faint dampstaining and dampspotting in a few places, minor tears to a few leaves, light soiling to title page of *Clagspiegel*, internally clean. A handsome volume. \$6,500.

* Later editions. The *Klagspiegel*, or *Clagspiegel*, was the first German-language treatise on Roman law. It was originally compiled in the early years of the fifteenth century from a number of Italian treatises by an anonymous author. It has two parts, one on civil law and one on criminal law. The second part was especially influential because it introduced several fundamental principles of criminal law and procedure that were adopted in the German states. The first edition edited by Brant was published in 1516. An expanded version of the *Klagspiegel*, the *Layenspiegel*, or *Laienspiegel*, was first published in 1509. It is somewhat notorious for its original commentary by Tengler on witches, magicians, heretics and Jews. Our 1530 edition, which includes notes by Brant, is interesting for its observations on the German reception of Roman law since the beginning of the century. Both volumes are appealing for their handsome woodcut title pages and text illustrations, which depict legal allegories, law-giving monarchs, crimes and punishments. All editions of these works are rare in North America. Concerning our copies, OCLC locates none of the *Clagspiegel* and 3 of the *Layenspiegel* (at Trinity College, Harvard Law School and the Library of Congress). *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* B7089, T346.

One of the Great Italian Jurists of the Fifteenth Century

13. Cipolla, Bartolomeo [d. ca. 1477].

[Gradibus, Johannes de (15th/16th c.), Editor].

Incipiu[n]t Sole[m]nes ac P[er]utiles Tractatus Memoriaq[ue] ac Studio Dignissimi Egregij Viri: Iurisq[ue] Utriusq[ue] Peritissimi D. Bartholomei Cepolle, Videlicet. [Lyons: Antoine Du Ry, Impensis Jacques and Franciscus Giunta, 1525]. [xii], cccxvi [i.e. 312], [2] ff. Main text in parallel columns. Octavo (7" x 5").

Contemporary vellum from manuscript leaf, hand-lettered title to spine, front endleaves recycled from another book. Some soiling, moderate rubbing to extremities, joints starting, some worming to spine, corners worn, pastedowns loose, worming to rear hinge, a few cracks to text block, a few signatures loose. Title page, with woodcut vignette and architectural border, printed in red and black, small woodcut vignette at head of main text, woodcut decorated initials. Moderate toning to text, occasional faint dampstaining to margins, some edgewear and a few minor tears to title page and the following four leaves. Finger smudges, annotations to rear endleaves, underlining and brief annotations in few places, interior otherwise clean. \$1,750.

* Third edition. Cipolla was a professor of law at the University of Padua, Venetian diplomat and one of the greatest Italian Jurists of the fifteenth century. His works are notable for their humanistic scholarship and coordination of theoretical and practical concerns. *Tractatus Memoriaque* is a collection of seven essays on servitudes, real property and related topics in Roman and canon law. It is a collection based on titles that circulated in manuscript and the early printed era. The first edition in its final, seven-essay form appeared in 1511. It was issued several times into the sixteenth century. All editions are scarce. OCLC locates no copies of the 1525 imprint in North America. This edition not in Adams.

An Important Digest of Canon Law With a Tract Against Jewish Moneylenders

14. De Ausmo (Osimo), Nicolaus [d. 1453].

De Nevo (Nievo), Alexander [d. 1484].

[Bartholomew, Of San Concordio (1262-1347)].

[Supplementum Summae Pisanellae et Canones Poenitenciales Fratris Astensis et Consilia Alexandri de Nevo Contra Judaeos Foenerantes]. [Venice: Andreas Torresanus, de Asula, Bartolomeo de' Blavi and Maffeo de Paterbonis, 10 March 1481]. [336] ff. Text in parallel columns. Collates complete: a-f12, g-h8, i12, k-o8, oo8, p-r8, [et]8, s-y8, A-M8, j8, [et]12. First leaf [a1] unsigned and blank. Quarto (7-1/2" x 6").

Eighteenth-century three-quarter vellum over marbled boards, hand-lettered title to spine. Light rubbing, spine ends bumped, joints just starting at foot, a few minor worm holes to hinges, leaves L3-6 partially detached. Initials supplied in alternating red and blue, paragraph marks in red, first initial, Q, in blue with ornate red background and long penwork border, with numerous smaller rubricated initials in red and blue. Light toning to text, finger smudges and negligible faint dampstaining to some leaves, interior otherwise clean. \$15,000.

* Completed in 1444, this important alphabetically digested encyclopedia of canon law is an enlargement of the *Summa de Casibus Conscientiae* by Bartholomew of San Concordio. Appended to the *Summa* are two other important texts: Alexander de Nevo's (or Nievo's) analysis of the Church's view of Jewish money lenders, *Consilia Contra Iudeos Fenerantes*, and the *Canones Poenitentiales* by Astesano (d. 1330?). These two texts appear in editions of the *Supplementum* published after 1476. The *Summa* and other digests of concilia are important guides to legal doctrine. As Pazzaglini and Hawks note, they "represent a body of precedent and reflect the underlying political, social, and economic tensions of the day. The consilium merged legal theory with facts of a case to produce a constantly developing law on a wide range of issues, such as the status of women and Jews, laws of inheritance, statute legislation, court procedure, imprisonment and homicide. (...) There is always an element of casuistry in the consilia, as they apply general principles of doctrine to the particular cases of fact. Thus, consilia are as firmly grounded in reality as any historical source can be" (xiii). OCLC locates 10 copies in North America, 2 in law libraries (George Washington University, Library of Congress). Pazzaglini & Hawks, *Consilia: A Bibliography of Holdings in the Library of Congress and Certain Other Collections in the United States* xiii (listing other editions). Goff, *Incunabula in American Libraries* N73. *Gesamtkatalog der Wiegendrucke* M26265.

An Important Contribution to the Early-Modern Recovery of Roman Law

15. Du Rivail, Aymar [1491-1558].

Civilis Historiae Juris, Sive in XII Tab. Leges Commentariorum Libri Quinq, Iam Denuo Diligenter Recogniti. Historiae Item Juris Pont. Liber Singularis. Mainz: [Apud Ioanem Schoeffer], 1533. [xvii], 357 pp. Octavo (6" x 4").

Later quarter calf over patterned paper boards, red and black lettering pieces to spine, endpapers renewed. Moderate rubbing to extremities, a few small scuffs to boards, joints just starting at ends, crack between front free endpaper and following endleaf. Title printed within attractive woodcut architectural border, woodcut decorated initials, large printer device to verso of final text leaf. Toning, light soiling to title page, internally clean. Attractive. \$950.

* Later edition. Du Rivail, who studied under Alciati, was a humanist jurist, historian and member of the parlement of Grenoble. As Peter Stein has observed, *Civilis Historiae Juris*, a set of commentaries on the Twelve Tables, was an important contribution to the early-modern recovery of Roman law from the obfuscations of the glossators and Commentators. It was first published in 1515 and went through four subsequent editions, the final in 1539. The laws identified erroneously or questionably as those of the Twelve Tables are included as well. The final section is a historical sketch of canon law entitled *Historia Pontificii Iuris Liber Singularis*. "He concentrated on the main account of the 'origin of law' in the Digest, the long fragment...from Pomponius, and supplemented it by reference to Livy's account of the early republic. Du Rivail sought to reconstruct the contents of the Twelve Tables, and, since that legislation was said to be inspired by the Athenian laws of Solon, he included all known provisions of Solon's law (Stein). 3 copies of this edition located in North America (at the National Library of Canada, UC-Berkeley Law School and the Library of Congress). Another copy located at Harvard Law School. Stein, *Roman Law in European History* 78. Adams, *Catalogue of Books Printed on the Continent of Europe* R592.

Rare Lyons Imprint of a Notable Canon-Law Handbook

16. [Formularium Procuratorum].

Formulare Advocatorum & Procuratorum Romane Curie & Regii Parlamenti Practicam Secundum Jura Communia Clarissime Ostendens: Continens & Tradens Formam Commissionum Articulorum; Exceptionum; Duplicationum; Petitionum; Appellationum; Libellorum; Protestationum; Replicationum; Interrogationum; Sententiarum. [Lyons: Magistrum Simonem Bivilaqua, 1518]. [vi], CLXXVIII ff. Main text in parallel columns. Octavo (6-1/2" x 4").

Contemporary limp vellum with lapped edges and thong ties, faint early hand-lettered titles to spine and top edge of text block, endpapers renewed. Some rubbing to extremities, moderate soiling, spine darkened, early signatures to front and rear covers. Woodcut initials. Light browning to title page, toning to text, faint dampstaining in a few places. Later owner signature to title page, tiny inkstamp to head of following leaf, interior otherwise clean. \$2,750.

* The work, compiled from unidentified sources by an unidentified compiler, was originally published in Rome in 1479 with colophon title *Procuratorum Formularius*. Usually referred to as the *Formularium Procuratorum*, it is a collection of canon-law legal instruments established by the Roman Curia relating to procedure, actions and defenses. It offers an excellent "ground level" view of canon law practice in the early modern era. No copies of the 1514 Lyons imprint located on OCLC, or in Adams or Baudrier. One copy located in North America (at GWU Law School).

Handsomely Printed
Edition of Gratian, Lyons 1512

17. Gratian the Canonist [c.1090-c.1160].

Johannes Teutonicus [c. 1175-1245], Glosses.

Astesano [d.c. 1330].

Martinus, Polonus [d. 1279].

Bartolomeo da Brescia [d. 1258], Glosses.

Decreti Huius Amplissimum Argumētum: Consanguinitatis & Affinitatis Arboristic Imprimetur. fo. cccbxxxv: Hic Divisiones Domini Archidiaconi hic Reperiuntur: Adduntur Biblie Capita Caractere Textuali Impressa: Pregnans Tabula pro Glosarum Medullis in Marginibus Positis: Canonum Congregatio Perfecta sub Indice Fidelissimo Varia Carmina Totam Breviter Materiam Complectentia : Inest Decretum Abbreviatum Enigmata Succincte Resoluens: Seorsum Concilia Sunt hic Diversis ex Locis Coadunata: Margarita Seu Tabula Martiniana Nuperrime Recognita hic Inferitur. [Lyons]: Francoys Fradin, [1512]. CCCCXXVI, [22], XXXVIII, [2] ff. Woodcut tables of descent and consanguinity. Text in parallel columns within linear gloss. Folio (15-1/2" x 11").

Later calf, raised bands, lettering piece and gilt ornaments to spine. Moderate rubbing to boards with some (mostly shallow) scuffing, heavier rubbing to extremities with wear to spine ends, board edges and corners, front hinge cracked but secure, bookplate residue to front pastedown, front free endpaper partially detached, rear hinge starting, light soiling to title page. Fol. 1 features a large woodcut frontispiece of Gratian surrounded by Old Testament figures, saints and church fathers. Large woodcut printed device to title page, woodcut decorated initials, text printed in gothic type. Minor worming to text block, occasional faint dampstaining to margins, internally clean. \$5,000.

*The *Concordia Discordantia Canonum*, or as it is better known, the *Decretum Gratiani*, is the cornerstone of modern canon law. The first work of its kind, it was supposedly compiled by Gratian, a Camaldolese monk, around 1140. Using the latest scholastic and juristic techniques from Bologna, he attempted to harmonize these disparate texts. Like the *Corpus Juris Civilis* in the study of the civil law, it became the basic text for the study of canon law for many centuries. The *Decretum Gratiani* addresses various aspects of church jurisdiction, offenses and legal proceedings, as well as administrative issues like baptism, feast days, confirmation and the consecration of churches. In the following century an extensive gloss was added by Teutonicus, a German prior living in Bologna. Known as the *Glossa Ordinaria*, it was later revised and enriched by another Bolognese prior, Bartholomew of Brescia. The gloss and its revisions become a standard feature of subsequent manuscripts and printings. Though never an official edition of canon law, it was a standard work for nearly 800 years until it was superseded in 1918 by the *Code of Canon Law* (*Codex Iuris Canonici*). In addition to the *Glossa Ordinaria* of Joannes Teutonicus and the glosses of Bartolomeo da Brescia this imprint includes the *Canones Poenitentiales* of Astesano and the *Margarita Decreti* of Polonus Martinus. OCLC locates 1 copy of this imprint in North America (at the University of Pennsylvania), and two others in France. Not in Adams or *The Canon Law Collection of the Library of Congress*.

1493 Koberger Imprint of
Gratian's Epoch-Making Decretals

18. Gratian the Canonist.

[Johannes Teutonicus (or Zeneka) (d.1253), Glossator].

[Bartolomeo da Brescia (d.1258), Glossator].

Decreta Patr[um] Sive Co[n]cordantia Discordantiarum Canonum Gratiani Auctoris Sive Compilatoris: Cum Additionibus Bartholomei Brixienensis. [Nuremberg: Anton Koberger, 30 November 1493]. Collation: a-r10, s12, t-z10, [et]10, A-D10, E6, F8, G10, H8, I-M10, N8, O10, P8, Q-S10. 409 of 410 ff. Final leaf, a blank, lacking. Main text surrounded by linear gloss in parallel columns. Folio (13-1/2" x 9-1/2").

Contemporary English paneled calf over beveled boards, later rebacking, corners mended, straps present, one clasp lacking, endpapers renewed. Rules and central lattice-patterned panels with blind-stamped mythical beasts to boards, later rebacking, raised bands, lettering piece and blind ornaments to spine. A few minor scuffs and some scratches and worm holes to boards, later bookplate to front pastedown. Printed throughout in red and black on 73-line Gothic type. Light toning, occasional spots or minor stains to text, some minor tears to margins, unobtrusive stab holes and occasional dampstaining, later repaired to verso of a1. Occasional annotations to margins in early hand, interior otherwise clean. Ex-library. Bookplate to front free endpaper. A handsome copy. \$20,000.

* OCLC locates 6 copies in North America (Harvard Law School, Library of Congress, UC-Berkeley Law School, UNC-Chapel Hill, UT-Austin, University of Washington Law School) Goff, *Incunabula in American Libraries* G386. *Gesamtkatalog der Wiegendrucke* 11379.

Handsome Giunta Edition of the *Decretum Gratiani* Illustrated with 130 Woodcuts

19. Gratian the Canonist.

Johannes Teutonicus (or Zeneka), Glossator.

Bartolomeo da Brescia, Glossator.

Martinus, Polonus [d. 1279], Margariti Decreti.

Joannes, Diaconus Hispanus, Flos Decreti.

Decretu[m] Gratiani Cu[m] Glossis D[omi]ni Joannis Theutonici Prepositi Alberstatensis [et] Annotationibus Bartholomei Brixiensis, Divisionibus Archidiaconi, Casibus a Bene. So[m]positis per Bart. Brixi. Correctis [et] pro Clariore I[n]tellectu[m] Pluribus in Locis Extensis, Concordia ad Bibliam, Tabula Marginalium Glossularum, Omnium Canonum [et] Conciliorum, Margarita Decreti, Flosculis Totius Decreti a Domi[n]o Joanne Diacono Compositis, Additione in Margine Litterarum Quo Minusculi Characteres Lineis Intercepti Citius Legenti Appareat[n]t. [Venice: Per Lucantonium de Giunta, 1514.] [xxxviii], 652, [76] ff. Main text in parallel columns surrounded by linear gloss. Full-page woodcut (of Christ's Scourging) facing fol. 1, woodcut tables of descent and consanguinity, 130 woodcuts throughout text. Quarto (8" x 6").

Contemporary paneled calf with elaborate blind tooling, intricate borders enclosing cruciform IES device to boards, diced spine with raised bands and later hand-lettered title label, clasps lacking. Some rubbing to extremities, minor worming, some chipping to head of spine, joints starting at ends, rear free endpaper replaced with a printed vellum leaf from an edition of the *Aeneid*. Printed in red and black throughout, woodcut Giunta device to title page, woodcut decorated initials. Light toning to text, faint dampstaining to portions of text, foxing in a few places, light browning to a few leaves. Brief early annotations to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. Item housed in lightly rubbed cloth slipcase with small shelf label to spine. A handsome copy. \$6,000.

* This edition is notable for its elegant typography and numerous woodcuts that illustrate points in the text. In addition to the *Glossa Ordinaria* of Joannes Teutonicus and the glosses of Bartolomeo da Brescia this imprint includes the *Flos Decreti* of Johannes Hispanus, a set of commentaries on Gratian, and the *Margarita Decreti* of Polonus Martinus, a collection of excerpts from the *Decretals* of Gregory IX. A complete work (and bibliographically distinct), it is part of a three-volume edition of the *Corpus Juris Canonici* issued by Giunta in 1514. OCLC locates 3 copies in North American libraries (Harvard, UC-Berkeley, Yale). *Censimento Nazionale Delle Edizioni Italiane del XVI Secolo* CNCE 13367.

With Seventeen Additional Pages of Precedents in a Contemporary Chancery Hand

20. [Great Britain].

Intrationum Liber Omnibus Legum Anglie Studiosis Apprime Necessarius: In se Complectens Diversas Formas Placitoru[m], Tam Realium, Personalium Q[uam] Mixtorum Necnon Multorum Brevium tam Executionum q[uam] Aliorum Valde Utilium nunc Tandem in Gr[at]am Studiosorum Maiori Cura et Diligentia q[uam] Ante hac Renisus ac Emendatus Adiectis Etiam Iudice Multo q[uam] Ante hac Castigatiore cum Nonnullis Alliis Addita Mentis Hactenus non Excusis nec Editis Cuiusquidem Iudicis Ordinem Series Alphabetica Tibi Demonstrabit. [London]: Excudebat [N. Hill for] Henricus Smythe, 1546. [xliv], 244 (i.e. 246), [1] ff. Folio (13" x 8-1/2").

Later three-quarter calf over marbled boards, raised bands and lettering piece (from an earlier binding) to spine, endpapers renewed. Light rubbing to extremities with minor wear to spine ends and corners, hinges cracked. Title printed within woodcut architectural border. Moderate toning to text, occasional faint dampstaining to upper portion of text block, light edgewear to preliminary and final leaves of text, light soiling to title page, repair to lower corner of final text leaf, which has two small holes with minor loss to legibility. Early struck-through annotations to title page and some other leaves, interior otherwise clean. A solid copy in an attractive binding. \$6,500.

* The first and only edition of the second printed book of entries, the first published in 1510. Also known as the Book of Legal Writs, this is the earliest English book of precedents for pleadings. It contains pleadings in real, personal and mixed actions, information on writs and executions and miscellaneous information on other topics. The anonymous author derived his material from the plea rolls, a fundamental source for early English legal history. Sir John Baker notes the "old books of entries are the least used of all early law books; but they are replete with learning which, though difficult to extract, the legal historian ignores at his cost." *An Introduction to English Legal History* 2d ed. 160-161. This copy contains seventeen additional pages of precedents in a fine contemporary chancery hand. OCLC locates 12 copies of this imprint. Beale, *A Bibliography of Early English Law Books* T284. *English Short-Title Catalogue* S112077.

1482 Koberger Imprint of the *Decretals* of Gregory IX with Exquisite Initials

21. [Gregory, IX, Pope (c.1170-1241)].

[Bottoni, Bernardo (c.1266), Glosses].

[*Decretales*]. [Nuremberg: Anton Koberger, 14 July 1482]. Collation: a10, b-e8, f-g110, h-m8, n10, o-s8, t10, v-z8, [Xa]8, [Xb]10, [Xc]8, A-C8, D-E10, F-K8, L10 (a1 glued to pastedown). 314 ff. Complete. Main text surrounded linear gloss in parallel columns. Folio (13" x 9").

Contemporary tooled pigskin, "OBER RATH" gilt-stamped near head of front board, raised bands to spine, clasps lacking, later hand-lettered paper title label to spine, fragments of paper label to front board. Light soiling, a few minor scuffs and some tiny worm holes, light rubbing to extremities, corners and spine ends bumped, recent bookplates to front pastedown. Text printed in 78-line gothic type on wide-margined paper, rubricated throughout, beginning of each book decorated in blue, pink or green ink with bird or flower design. Light toning to text, minor edgewear and light soiling to a few leaves at the beginning and end of text. Rear endleaves filled with contemporary annotations, interior otherwise clean. Ex-library. Bookplate to front pastedown. A handsome copy with exquisite decorated initials. \$25,000.

* "Decretals are letters containing a papal ruling, particularly one relating to canonical discipline, and most precisely a papal prescript in response to an appeal...the *Decretals* of Gregory IX are the first authentic general collection of papal decretals and constitutions, compiled by Raymond of Penafort at the request of Pope Gregory IX in 1230-34 and promulgated in 1234. (...) It gave rise to a vast amount of commentaries and literature" (Walker). The most important commentary, which is included in our copy, is the gloss of Bernard of Botone, also known as Bernard of Parma (Bernardus Parmensis), who composed it shortly before 1263. It is known as the "Ordinary Gloss," of *Glossa Ordinaria*. Gregory's *Decretales* is one of the four works known collectively as the *Corpus Juris Canonici*, a collection of papal decisions concerning ecclesiastical hierarchy, procedure, the functions and duties of clerks, family law, crime and vast areas of what are now called "private law." It was revised in 1580-1582 to reflect changes ordered by the Council of Trent. In this form it remained in force until the enactment of the *Code of Canon Law* (*Codex Iuris Canonici*) in 1918. OCLC locates 6 copies of this imprint in North America (Harvard Law School, Huntington, Kent State, UC Berkeley, University of Pennsylvania, Yale). Walker, *The Oxford Companion to Law* 177-179. Goff, *Incunabula in American Libraries* G457. *Gesamtkatalog der Wiegendrucke* 11466.

An Important Law Dictionary in a Handsome Contemporary Binding

22. [Jodocus of Erfurt, Attributed].

Vocabularium Iuris. [Venice: Bernardini Stagninus de Tridino, 1498]. Collation: A-B6, C7, D-M6. 73 ff. Complete. Text in parallel columns. Folio (12" x 8").

Contemporary half-calf with elaborate blind tooling over wooden boards, raised bands to spine, clasps lacking, buckles present, earlier liturgical musical manuscript on vellum used as endpapers, leaves from an earlier manuscript used as pastedowns, early hand-lettered title to head of text block. A few cracks to spine, small chip to head. Text printed in 71-line Gothic type on wide-margined paper, large woodcut capital at beginning of text. Light toning to text, faint dampspotting to a few leaves. Later annotations to front pastedown, partially erased early owner signature to title page, interior otherwise clean. \$18,500.

* A work of great authority, the *Vocabularius*, as it is popularly known, is attributed occasionally to Jacobus of Erfurt. First published around 1474 in Basel, it went through more than seventy editions over the following 150 years. (It had a second life as the first section of the 1559 edition of Elio Antonio de Nebrija's *Lexicon Juris Civilis*, a work that was reissued into the seventeenth century.) A useful and highly respected reference work, the *Vocabularius* is a collection of terms dealing with the *Ius Commune* taken from such late-scholastic texts as the *Vocabularius Stuttgardiensis* (1432), the *Collectio Terminorum Legalium* (c. 1400) and the *Introduitorium pro Studio Sacrorum Canonum* of Hermann von Schildesch (c. 1330). OCLC locates 1 copy of this imprint in North America (at the University of Michigan Law Library). We located other copies at George Washington University and UNC-Chapel Hill. The collation listed in the *GW* indicates 6 leaves in Gathering C and a page count of 74 ff. Our copy is complete, however, matching the collations of the copies held at GWU, Michigan and UNC. Goff, *Incunabula in American Libraries* V356. *Gesamtkatalog der Wiegendrucke* M12676.

Two Important Early Legal Reference Works

23. [Jodocus of Erfurt, Attributed].

Vocabularius Iuris Utriusque. [Strasbourg: Georg Husner, 27 May 1500]. Collation: a8 b6 c8 d-x6. 130 ff. Complete. Text in parallel columns.

[Bound with]

Formulare Registorum Seu Terminorum Observandorum in Curia Romana: Noviter Impressum Apprime Utile Practicam Nancisci Cupientibus. [Leipzig: Wolfgang Stockel, 19 March, 1506]. Collation: [*]2(-*2) a6 +*2 b6 C-K6. [ii], lix, [1] ff. Complete. Text in parallel columns.

Folio (10-1/2" x 8"). Contemporary half blind-tooled deerskin over wooden boards, remains of brass fore-edge clasp, somewhat later re-staining of spine and addition of lettering piece. Some rubbing to extremities, a few cracks to spine, some chipping and a few minor tears to foot. Text printed in Gothic type, *Vocabularius* with initial spaces with printed guide letters. Light soiling and stains in places, light toning to *Vocabularius*, *Formulare* evenly browned some trimming to headlines, final leaf (colophon) used as rear pastedown. Owner inscription (of the Jesuit house of Millstatt [Carinthia]) to head of a2, interior otherwise clean. Appealing copies in a handsome contemporary binding. \$20,000.

* The second work is a well-known formulary (vocabulary and form book) on procedure in the papal courts produced for the German market. The first edition has not been determined, but two incunable editions with similar titles were printed in Rome. *Vocabularius*: OCLC locates 1 copy of this imprint in a North American law library (UC-Berkeley). Goff, *Incunabula in American Libraries* V358; *Formularium*: OCLC locates no copies of this imprint in North America. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* F1893.

1534 Collection of Grenoble Reports

24. La Pape, Guy de [c.1402-c.1487].

[Ferrandat, Henri, Editor].

Decisiones Parlam[en]ti Dalphinalis Gratianopolis per Excellentissimū J.U. Monarcham d. Guidonem Pape in Curia Eiusde[m] Civitatis Senatore Dignissimum Edite: Alliduum Materiam Continentes in Foro Seculari & Ecclesiastico Creb. Esercitate Versatiles; Cum Summariis Decisivis (Preter Dilligentissima Emendatione) Manus Appositione Notatis Rote Decisiones Capel[le]q[ue] Tholosane: Novissime Scripta per Euendem Guidone Pape in Tripertito Suo Opere Consiliorum [I[m]primū. in *Luce Emissio Repertorio/Humeris et Addi. dni. Herici Ferrandii P Pulcre sub hoc Signo Accomodatis*. Lyons: Jacobum Hiuncti, 1534. [xxv], 267, [3] ff. Main text printed in double columns. Octavo (6-3/4" x 4-3/4").

Later three-quarter vellum over paper boards, hand-lettered title to spine and top edge. Some soiling, rubbing with minor wear to extremities, three tiny partial worm holes to boards, hinges starting. Title printed in red and black within an ornamental architectural border. Woodcut head-pieces, tail-pieces and decorated initials. Some wear to edges of preliminaries and final few leaves, faint dampstaining to margins, minor worming to final few leaves and rear pastedown with negligible loss to text, light foxing to portions of text. Early owner signature to title page, occasional early annotations, check marks and underlining. An appealing copy. \$500.

* Later edition. With side notes. This thoroughly annotated volume contains reports of decisions of the Parlement of Grenoble, France. Like many books of this kind, it opens a window on the legal culture and society of the era. First published in 1504, it was reprinted several times well into the seventeenth century. Beyond its legal value, it is significant as the first book published in Grenoble. Guy de la Pape was a legal scholar and statesman who spent most of his career in Grenoble. His best-known work is *Commentaria in Statutum Delphinale*, a study of the Dauphine region. KVK locates 12 copies of this edition, which is not listed in Adams or Brunet.

A Principal English Treatise on Canon Law

25. [Lyndwood, William (c.1375-1446)].

[Badius, Josse (1462-1535), Editor].

Provinciale seu Constitutiones Anglie cum Summariis Atq[ue] Iustis Annotationibus: Honestis Characteribus: Summaq[ue] Accurratione Rursum Impresse. [Paris: Printed by Andreas Bocard at the University of Paris, May 28, 1501]. Collation: a8 b6, c-g8 h6 i-q8 r6 s-z8 [et]8 [con]6 A-B6 C8(-C8). cxcii, [19] ff. Complete. Main text surrounded by two-column linear gloss. Folio (13-1/2" x 9-1/2").

Contemporary paneled calf, corner fleurons and large arabesques to boards, recently rebacked, raised bands and lettering piece to spine, endpapers added, early hand-lettered title to fore-edge. A few shallow scuffs to boards, moderate rubbing to their extremities, corners bumped and somewhat worn, hinges cracked, later bookseller ticket, owner bookplate (of Walter Wigglesworth, dated 1934) and two 1930s-era auction or bookseller descriptions affixed to front pastedown. Text printed in red and black gothic type, woodcut decorated initials. Light toning to text, faint dampstaining in places, minor edgewear to leaves at beginning and end of text, some with repairs, inkstains and spark burns to a few leaves. Contemporary annotations to endleaves and portions of text, some with minor loss due to trimming. A nice post-incunable copy of an important title. \$6,500.

* First post-1500 edition. Main text followed by nineteen-page, two-part index (*Tabula*). Compiled around 1433 and first published around 1483-1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This copy was printed in Paris for the English market. Beale, *A Bibliography of Early English Law Books* T403. *English Short-Title Catalogue* S103845.

A Handsome Copy of a Controversial Essay

26. Nevizzano, Giovanni [1490?-1540].

Sylva Nuptialis: P[er] Excelltū Iurisco[n]sul. D. Jo. de Nevizanis Asten[sis]; Co[n]structa, Materia[m] Matrimonij, Dotiu[m], Filiatio[n]is, Adulterij, Originis, Successio[n]is, [et] Monitorialiu[m]; Remedia Etia[m] ad Sedandu[m] Factiones de Guelphis et Giebellinis Co[m]plecte[n]s; Cu[m] Modo Insia Principum Iudica[n]di [et] Exequen[di]; Item de Autoritatib[us] Doctoru[m], Privilegijs[que] Miserabiliu[m] [Per]sonaru[m], Que sub Questione an Nubendum sit vel No[n] Sumpta Est. [Lyons: Jacques Giunta], 1540. [xvi], 256 ff. Octavo (6" x 4").

Recent blind-tooled calf in period style, raised bands and gilt title to spine. Title page printed in black and red with a woodcut architectural border, 20 woodcut initials decorated in contemporary gold, red and blue pigments. Moderate toning to text, faint dampstaining in places. Interesting contemporary marginalia and underlining to preliminaries and text, heavier on some pages than others, occasional loss to marginalia due to trimming. A handsome copy of an important work. \$3,000.

* Fifth edition, the last in the author's lifetime. Nevizzano was a professor of law at the University of Turin and the author of several legal studies. His *Sylva Nuptialis* (1521) is a wide-ranging miscellany derived from Roman and Canon law that addresses judicial problems connected with virginity, marriage, sexual matters, domestic manners, morals and estates. His view of women in this work is notably satirical and sarcastic, which probably enhanced its popularity. In his opinion, women were enthusiastic and effective torturers of men. They were successful, he reasoned, because their bodies were created by Satan and inhabited by the souls of fallen angels. The author's misogyny, along with his relaxed views about fornication and concubinage, which he did not consider mortal sins, attracted the Church's attention. He was commanded to remove some of the more objectionable passages in subsequent editions, which he did. He did not go far enough, however; the book was added to the Papal Index in 1596. This edition not in Adams; OCLC locates one copy in North America (at Cornell University). Cosenza, *Biographical and Bibliographical Dictionary of the Italian Humanists and of the World of Classical Scholarship in Italy, 1300-1800* III:2434. Graesse, *Tresor de Livres Rares et Precieux* IV:661. Baudrier, *Bibliographie Lyonnaise* V:190-191.

With a Full-Page Allegorical Frontispiece by Albrecht Dürer

27. [Nuremberg]. [Dürer, Albrecht (1471-1528)].

Reformation der Stat Nuremberg. [Nuremberg: Fridrichen Peypus, 1522]. [xxxvi], 30, 208 ff. Folio (12" x 8").

Contemporary panel-stamped reversed calf (with traces of gilt stamping), early repairs to spine ends, clasps present and intact, endpapers renewed at some point. Some rubbing to extremities, chipping to head of spine, a few scuffs and stains to boards, small crack to front joint, rear hinge cracked due to worming, minor worming to fol. 208. Allegorical frontispiece by Dürer featuring Lady Justice and a female figure representing charity, attractive woodcut decorated initials throughout. Light toning to text, some leaves lightly browned, faint stains and foxing to a few leaves, wide margins. "1522/ Jahre" to title page in near-contemporary hand, interior otherwise clean. \$18,000.

* First edition. Nuremberg was the center of the Renaissance in Germany and was its leading cultural and intellectual center until the end of the sixteenth century. These qualities are reflected in the contents and design of this volume. The *Reformation*, or civic legal code, of Nuremberg is known for its humanistic orientation, straightforward language and elegant production. It revised the code enacted in 1498. The 1522 issue by Peypus is notable for its splendid full-page frontispiece by the great Nuremberg artist Albrecht Dürer, which was originally issued as an independent print in 1521. The bottom half depicts two putti displaying the arms of the city and empire. The upper half depicts Lady Justice, holding scales and a sword, and a female figure representing charity, who is pouring coins from a purse and opening her bodice to bear her heart, which is represented by a flame. The woodcut initials are finely carved and possibly the work of Dürer or his workshop. OCLC locates 4 copies in North America, 1 in a law library (Harvard). *Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 16. Jahrhunderts* N2027. Meder, *Dürer-Katalog* 285.

Summary of Canon Law by a Patron Saint of Lawyers

28. Raymond of Penafort, Saint [c.1175-1275].

Summa Clarissimi Iuris Consultissimi[ue] Viri Raymundi Demum Revisa ac Castigatissime Correcta, Brevissimo Compendio Sacramentorum Alta Co[m]plectens Mysteria: De Sortilegiis, Symonia, Furto, Rapina, Usura, Atq[ue] Variis Casib[us] que in Plurimis Iuris Codicum Voluminibus Confusa Indistinctag[ue] Multiplicatio[n]e Disperguntur, Resolutio[n]es Abunde Tradens Pastoribus, Sacerdotibus, Omnibusq[ue] Personis, Divino Caractere Insignitis, Summe Necessaria. [Strassburg: Johann Knobloch, 3 July 1504]. Collation: a-d6, e4, f-i6, k8, l4, m8, n4, o-t6, v4, x-z6, A-B6, *8. Last leaf is a blank. [i], CXLV, [7] ff. Complete. Quarto (7-3/4" x 5-1/2").

Contemporary calf with early rebacking using a section of a pigskin binding, blind rules to beveled boards, elaborate blind tooling to spine, somewhat later bronze clasp in center of fore-edges of boards, section of fifteenth-century vellum leaf used as rear pastedown, another section used for front pastedown lacking. Light rubbing, negligible minor worming and a few minor scuffs to boards, spine slightly darkened, some wear to corners, early bookseller description pasted to verso of front board. Red hand-lettered initials, including two large initials, some chapter heading and paragraph marks in red, one vellum tab near center of text block. Light toning to text, extensive near-contemporary marginalia and manicules (pointing hands), some in red ink. Ex-library. Location label to spine, small inkstamp and annotation to title page. An appealing copy in a handsome binding. \$15,000.

* Raymond of Penafort, a Dominican friar and canon lawyer from Catalonia, is renowned as the compiler and editor of the *Decretals* of Gregory IX, one of the components of the *Corpus Iuris Canonici* and the present book. Beatified in 1542 by Pope Paul III and canonized in 1601 by Pope Clement VIII, he is one of the two patron saints of lawyers. (St. Thomas More is the other.) Written around 1222, the *Summa de Casibus Poenitentiae* is a manual of canon law for confessors. One of the most widely circulated law books of the medieval and early-modern periods, it was much more sophisticated

than its predecessors, which were mostly lists of sins and suggested penances. Raymond's work explains the reasoning behind the Church's doctrines and laws. In all, it is both a treatise and a manual. Pope Gregory was so impressed by this work that he summoned Raymond to serve as his personal confessor, which led to his commission to compile his *Decretals*. OCLC locates 3 copies of this edition in North America, none in law libraries. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* R169.

The Revival of Roman Law in Southern France

29. [Roman Law].

Exceptiones Legum Romanorum cum Tractatu[s] Actionum: Earu[n]demq[ue] Longiquitate. [Strassburg: Johann Schott, 4 November, 1500]. Collation: pi4, a-d8/4, e-f8. [iv], 38, [2] ff. Final two leaves are blanks. Complete. Quarto (8" x 6").

Recent period-style calf, blind rules to boards, raised bands to spine. Text printed in 38-line gothic type, wide margins. Light soiling and some edgewear to endleaves and title leaf, light toning to text, faint dampstaining to a few leaves. Early owner annotation to verso of title leaf, interior otherwise clean. Ex-library. Small inkstamp to recto of title leaf. A handsome copy. \$7,500.

* First edition, and the only incunable edition. *Exceptiones Legum Romanorum* is a tract on Roman law drawn from the books of the *Corpus Juris Civilis*. A practical handbook of everyday legal matters for local magistrates. It was compiled in the eleventh century in Dauphine, France. It is also known as the *Exceptiones Petri* because it is attributed in some sources to a compiler named "Petrus." It is an important document of the revival of Roman law in southern France. Our imprint is notable as one of the first books printed by Schott. OCLC locates 4 copies in North America (Newberry Library, Library of Congress, Morgan Library, Harvard Law School). Another copy located at George Washington University Law School. *Gesamtkatalog der Wiegendrucke* 9493. Goff, *Incunabula in American Libraries* E135.

A Durable Treatise on Benefices

30. Selve, Jean de [d. 1529].

Tractatus de Beneficio: Perspicacissimi Iuris Utrius[que] Luminis ac Monarche D[omi]ni Joannis de Selva Tractat[us] de Beneficio: Lusummariis Ante Una[m]qua[m]q[ue] Questione[m] Acco[m]modatis: Copiosaq[ue] Repertorio Numeris Distincto: Quo que Quisq[ue] Scire Cupierit eide Occurrat Facilius. [Lyons: Jean David], 1531. 290, 18 ff. Octavo (7" x 4-1/2").

Recent calf, raised bands and lettering piece to spine, endpapers renewed, early hand-lettered title to foot of spine. Light rubbing to extremities. Title page with woodcut architectural border printed in red and black, woodcut decorated initials. Light toning to text, negligible foxing in places, recent repairs to a few leaves. Underlining to a few pages, interior otherwise clean. \$1,500.

* Later edition. This notable canon-law treatise on ecclesiastical benefices and pensions was originally published in 1504. It went through at least editions into the seventeenth century. Baudrier, *Bibliographie Lyonnaise* V152, 290.

A Distinguished Collection of Legal Opinions

31. [Ubaldis, Angelus de (c.1328-c.1407)].

[Sancto Blasio, Johannes Baptista, Editor].

[Consilia et Responsa]. [Venice: Johannes Rubeus Vercellensis, 27 February 1487. Table at end of text, *Tabulas. Repertorium Consiliorum*, by Sancto Blasio, dated 14 April, 1487. Collation: a-d8, e6, E8, f-l8, m6, n-s8, t6, A-C8. [178] ff. Complete. Text in parallel columns. Folio (16-1/2" x 11-1/2").

Nineteenth-century quarter calf over cloth, raised bands, gilt ornaments and lettering piece to spine, endpapers added. Some rubbing with wear to spine ends and corners, some scuffing to calf portions of boards, a few cracks to text block. Text printed in 77-line gothic type, initial spaces blank, wide margins. Light toning to text, occasional faint dampstaining to margins, a few small wormholes with minor loss to a few letters. Ex-monastery library. Recent small inkstamp to front free endpaper, early owner inscription to head of first leaf. \$12,500.

* Angelus de Ubaldis was the brother of the great jurist Baldus de Ubaldis. Angelus was a highly regarded jurist as well. This volume is a collection of his civil and canon-law *consilia*, opinions on disputed legal points in an active case referred by a judge, and *responsa*, opinions on points of written law or decided cases. It was edited by Sancto Blasio, who added a useful index. Collections of consilia are important guides to the history of legal doctrine. As Pazzaglini and Hawks note, they "represent a body of precedent and reflect the underlying political, social, and economic tensions of the day. [They] merged legal theory with facts of a case to produce a constantly developing law on a wide range of issues, such as the status of women and Jews, laws of inheritance, statute legislation, court procedure, imprisonment and homicide. (...) There is always an element of casuistry in the consilia, as they apply general principles of doctrine to the particular cases of fact. Thus, consilia are as firmly grounded in reality as any historical source can be." Edited by Sancto Blasio, the first edition of Ubaldis's work was published in 1477. It went through three more editions in 1478, 1487 and 1498.

All are rare. OCLC locates no copies of our 1487 imprint in North America. The *ISTC* locates copies at Harvard Law School, The Huntington Library and the Library of Congress. Pazzaglini & Hawks, *Consilia: A Bibliography of Holdings in the Library of Congress and Certain Other Collections in the United States* xiii. Goff, *Incunabula in American Libraries* U4. *Gesamtkatalog der Wiegendrucke* M48393.

A Notable Commentary of the *Authentica*

32. Ubaldis, Angelus de.

[*Super Authenticis*]. [Venice: Baptista de Tortis, 3 March 1489]. Collation: a-e8. 39 of 40 ff. Folio a1, a blank, lacking. Text in parallel columns. Folio (15-1/2" x 11-1/2").

Recent paper-covered boards (illustrated with copies of unrelated incunable leaves), endpapers renewed. Light soiling, corners and spine ends bumped. Text printed in 83-line Gothic type, guide spaces blank. Some toning, light soiling to first leaf, faint dampstaining to foot of text block reaching into text, minor worming to some leaves, first leaf (a2) dust-soiled, fol. b1 mounted on stub, internally clean. Ex-library. Bookplate to front pastedown. A solid copy. \$9,500.

* First published in 1474, the *Super Authenticis*, also known as the *Lectura de Authenticis*, a commentary on the *Authentica*, a collection of 134 constitutions of Justinian, later included in the *Novels* of the *Corpus Juris Civilis*. It was believed to be a collection intended for Byzantine Italy, but this assumption is doubted today. Ubaldis's commentary was highly regarded; it went through at least 12 editions before 1500. Today, all editions are scarce. OCLC locates no copies of this imprint in North America. However, the *GW* locates copies at the University of Michigan Law School and the Walters Art Museum, Baltimore. Goff, *Incunabula in American Libraries* U10. *Gesamtkatalog der Wiegendrucke* M48377.



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