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# CANON LAW

30 ITEMS

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*October 12, 2021*

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## 1481 Printing of an Important Commentary on Gratian with Handsome Penwork

1. [Baysio, Guido de (d. 1313)].

[Moneliensis, Franciscus, Editor].

[*Rosarium Decretorum*]. [Venice: Johannes Herbolt de Seligenstadt for Johannes de Colonia, Nicolaus Jenson, Et Socie, 3 April 1481]. [415] ff. Lacking final leaf, a blank. Collation: a10, b8, c-d10, d-l8, m-n6, o-tuvx8, y10, z8, ?8, ?10, ?-aa8, bb-cc10, dd-dd8, ee-gg10, ggg-hh8, hhh8, ii10, kk-mm8, nn-qq10, rr8, ss6. Folio (40 x 28cm; 10-3/4" x 15-1/2").

Eighteenth-century calf, raised bands, "A L" in small type blind-stamped to foot of front board, blind ornaments and lettering piece to spine, edges speckled, endpapers renewed. Light rubbing and some minor nicks and scuffs to boards, moderate rubbing to extremities, chipping to head of spine, corners bumped and somewhat worn, joints and hinges just starting at head, crack in text block between fol. a1 and a2 (fols. 1-2). 66-line text in parallel columns, 4 large illuminated acanthus initials, one of which with partial border, the other 2 with smaller flourishes, 2 smaller illuminated initials, other red and blue initials and red capital strokes, woodcut printer's device printed in red. Light toning, occasional faint dampstaining to foot of text block, some soiling and light dampstaining to leaf a1 (fol. 1), illuminated borders on first leaf trimmed, lower corner torn away, minor interior tear to printer's device. Bookplate of Alexandre P. Rosenberg, designed by Pablo Picasso, to front pastedown, Rosenberg's brief typewritten book description, with Goff number added in pencil, laid in, owner signature dated 1672 to head of leaf a2 (fol. 2). \$37,000.

\* The *Concordia Discordantia Canonum*, or *Decretum Gratiani*, is the cornerstone of modern canon law and one of the components of the *Corpus Juris Canonici*. The first work of its kind, it was supposedly compiled by Gratian, a Camaldolese monk, around 1140. It addresses various aspects of legal jurisdiction as well as administrative issues like baptism and feast days. Guido de Baysio, also known as Archidiaconus, was a canonist, law professor and church official. He ended his career as archdeacon and chancellor of the University of Bologna. Written around 1300, his *Rosarium Decretorum* is an important commentary on Gratian's work. First printed in Strasbourg in 1472, it went through numerous editions.

The present edition was printed for the firm of Johannes de Colonia and Jenson. Jenson died the previous year and his types were replaced by those of Seligenstadt. Alexandre Rosenberg [1921-1987], an art dealer, and his wife, Elaine [1921-2020], were important collectors of illuminated manuscripts and early printed books. Picasso, who was represented by Alexandre's father, the eminent Paris art dealer Paul Rosenberg [1881-1959], was a lifelong friend. The ISTC locates 5 copies of this imprint in North America, 2 in law libraries (Harvard, UC-Berkeley). Goff, *Incunabula in American Libraries* B288. *Gesamtkatalog der Wiegendrucke* 3747. *Incunabula Short-Title Catalogue (ISTC)* ib00288000.



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One of the Earliest Printings of the *Liber Sextus Decretalium*

## 2. Bonifacius VIII, Pope [c.1235-1303]

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

[*Liber Sextus Decretalium*]. [Strasbourg: Heinrich Eggstein, c.1473].

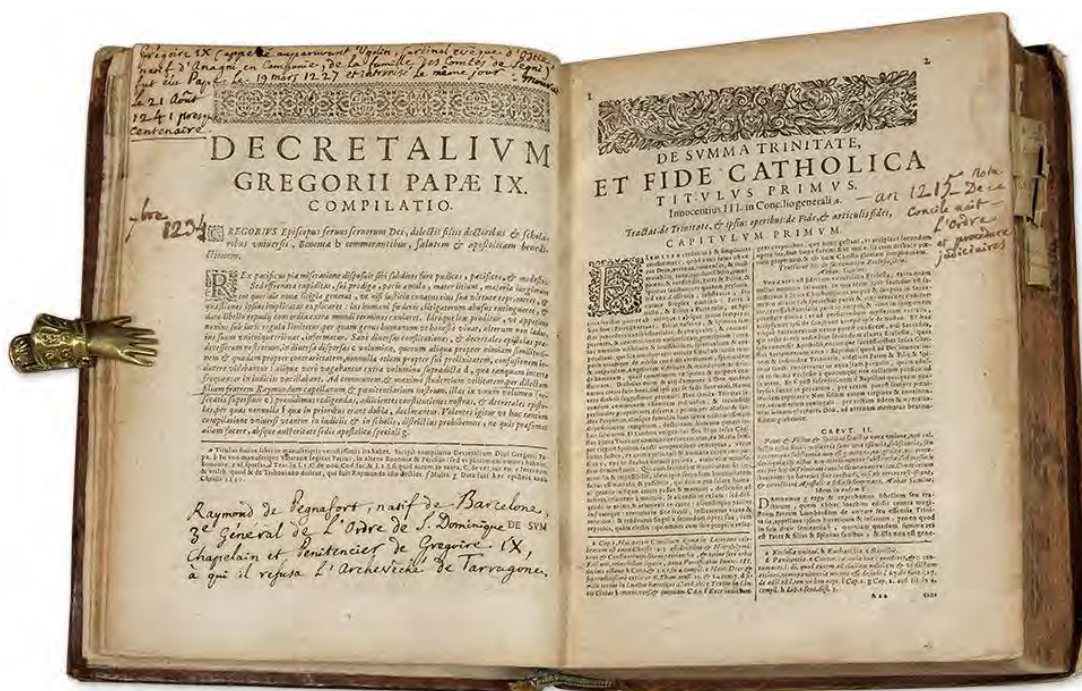
199 ff. Lacking h6 and final leaf, both blanks. Collation: [a-d10, e13, f-g10, h5, i10, k-l8, m-p10, q4, r-v10, x11]. Folio (16-1 1/2" x 12"; 41 x 30.5 cm).

Contemporary reversed calf (on thick wooden boards), brass catches to fore-edges, straps lacking, raised bands and fragment of later paper title label to spine, residue of title label to front board. Moderate rubbing and scuffing to boards, heavier rubbing to extremities with wear to spine and corners, boards beginning to separate but secure, minor worming to pastedowns, upper corner lacking from front free endpaper, which, along with following two leaves, is lightly soiled and edgeworn. Text in parallel columns, 44-line main text with Andrea's 59-line linear gloss. Printed in red and black. Initials in red, blue, and purple, paragraph marks and capital strokes in red. Moderate toning, light browning in places, occasional light soiling and faint dampstaining to margins. Early and nineteenth-century annotations to front free endpaper and first leaf of text (one of them a gift inscription to a convent), bookplate of Theodore Low De Vinne and bookplate of Alexandre P. Rosenberg, designed by Pablo Picasso, to front pastedown, Rosenberg's brief typewritten book description, with Goff number added in pencil, tipped in. \$45,000.

\* Third edition. Issued in 1298, the *Liber Sextus* of Boniface VIII is one of the primary collections of canon law. It is one of the writings known collectively as the *Corpus Juris Canonici*. Andrea was an Italian canonist and professor of canon law at the University of Bologna. An eminent figure, his principal writings circulated widely in manuscript and were among the earliest printed works on canon law. His glosses were first published in 1472. All early editions are rare on the market. This Eggstein edition was considered the second for many years, a point upheld by Goff and *GW*, but it is now widely believed to be the third. De Vinne was a typographer and one of the founders of the Grolier Club. Alexandre Rosenberg [1921-1987], an art dealer, and his wife, Elaine [1921-2020], were important collectors of illuminated manuscripts and early printed books. Picasso, who was represented by Alexandre's father, the eminent Paris art dealer Paul Rosenberg [1881-1959], was a lifelong friend. The *ISTC* locates 7 copies of this imprint in North America, 1 in a law library (Harvard). Goff, *Incunabula in American Libraries* B977. *Gesamtkatalog der Wiegendrucke* (*GW*) 4849. *Incunabula Short-Title Catalogue* (*ISTC*) ib00977000.



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With Contemporary Annotations by a French Scholar

### 3. [Corpus Juris Canonici].

Naldi, Antonio [d.1645], Editor.

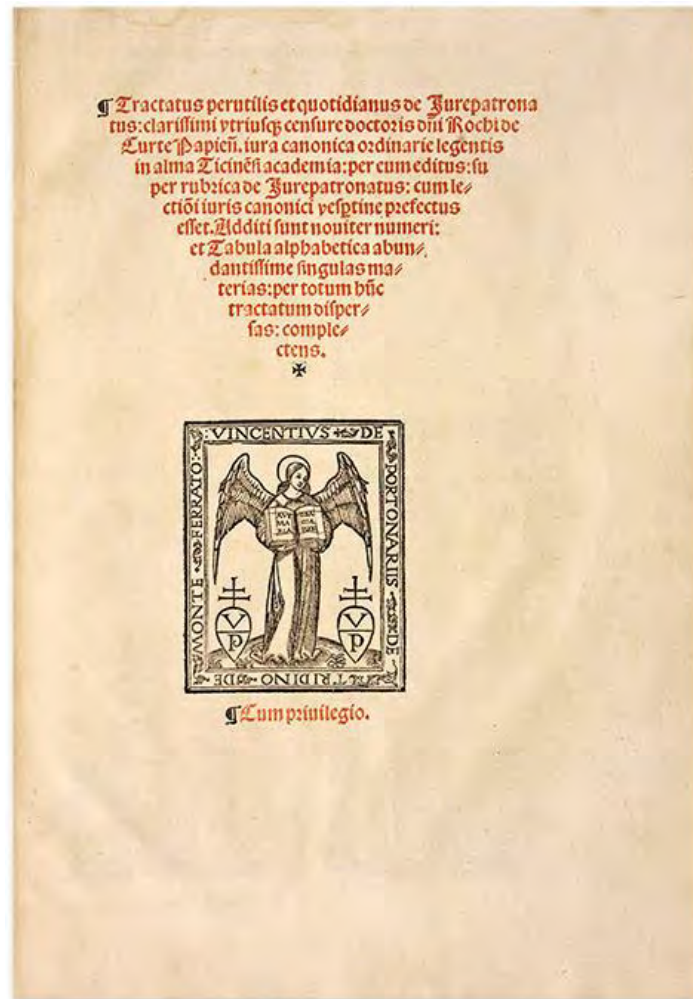
Lancellotti, Giovanni Paolo [1522-1590].

*Corpus Iuris Canonici Notis Illustratum: Gregorii XIII. Iussu Editum: Complectens Decretum Gratiani, Decretales Gregorii Papae IX., Sextum Decretalium Bonifacii Papae VIII., Clementinas, Extravagantes Ioannis Papae XXII., Extravagantes Communes. Accesserunt Constitutiones Novae Summorum Pontificum Nunquam Antea Editae, Quae VII. Decretalium Loco Esse Possint, Annotationes Ant. Naldi, Cum Addit. Novis, Et Quae in Plerisque Editionibus Desiderabantur, Petri Lancelotti Institutiones Iuris Canonici; Regulae Cancellariae Apostolicae; Cum Indicibus, &c. De Quibus Singulis Lector Consulet Paginam Praefationi Praefixam.* Lyon: Sumptibus Laurentii Anisson, 1661. Two volumes. [liv] pp., 1264 (of 1272) cols; [xx] pp., 752 cols., [12] pp., 406 cols., [9] pp., 158 cols., [69] pp., 256 cols, [24] pp., 98 cols., [19] pp. Final two leaves of Volume I lacking. Main text in parallel columns. Quarto (9-1/2" x 7-1/4").

Contemporary calf, gilt spines with raised bands and lettering pieces, marbled edges and endpapers. Moderate rubbing and a few scuffs to boards, heavier rubbing to extremities with wear to spine ends and corners, front boards detached. Title pages printed in red and black. Moderate toning and occasional light foxing to text, inkstains to a few leaves, contemporary manuscript thumb-tabs, extensive contemporary annotations to front endleaves, occasional brief annotations throughout both volumes, struck-through signatures to title pages. \$1,750.

\* This complete edition of the *Corpus Juris Canonici* edited by Naldi is based on the *Correctores Romani*, the official version in force from 1580 to 1917. It includes a related text: Lancellotti's *Institutiones Iuris Canonici*, an elementary textbook. This copy was annotated in French by a teacher, most likely for use in the classroom. They appear to be related to a course on canon law. The notes on the front endleaves of Volume I, which contain general information about the *Corpus Juris Canonici*, have the heading "Notes Préliminaires à la lecture du droit canon." Most of the annotations are dates for specific decrees, such as "10 Juillet 511" and cross-references, such as "555=560." There are also some corrections and underlined passages. A few are interpretive or note historical background. The thumb-tabs mark the books of the *Corpus* and their sub-sections. In all, these notes and tabs would have facilitated quick reference in a lecture hall. Not in Ferreira-Ibarra. [Order This Item](#)





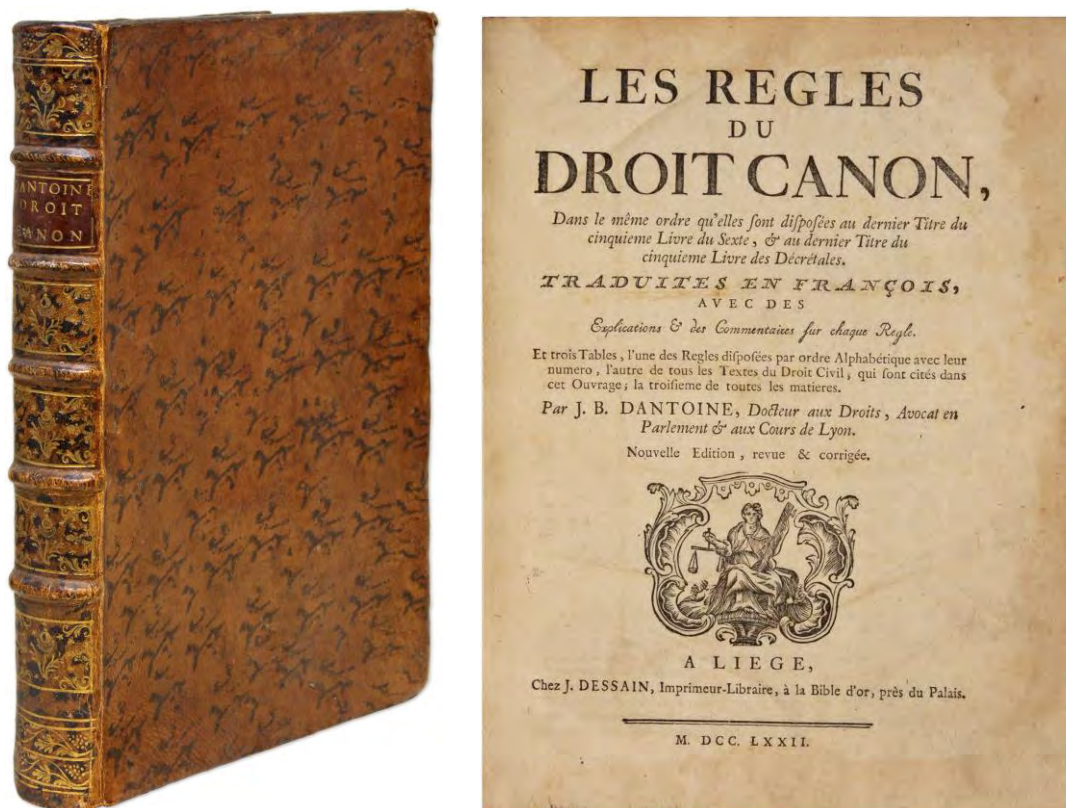
#### First Edition of a Classic Study of Church Patronage

#### 4. Curtius, Rochus (Corte, Rocco) [fl. 1470-1515].

*Tractatus Perutilis Et Quotidianus De Jure Patronatus...* [Lyon]: Vincentius de Portonariis, De Tridino Monte Ferrato, [1520]. 37 ff. Text in parallel columns. Folio (15-3/4" x 11").

Recent three-quarter vellum over marbled boards, endpapers renewed. Negligible light shelfwear and soiling. Title page with large woodcut printer device, printed in red and black, large woodcut initial with (possibly) later coloring at head of text, woodcut decorated initials, text printed on wide-margined paper. Light toning, somewhat heavier in places, underlining and brief annotations in early hand to a few leaves. An appealing copy of a rare, handsomely printed edition. \$5,000.

\* The *ius patronatus* is the body of laws concerning patronage by members of the church, including the granting of privileges, lands and goods. First published in 1506, the commentary of Rochus Curtius was a standard work on this subject into the seventeenth century. Our edition is remarkable for its magnificent typography and notably wide margins. (title as inverted pyramid in red); remarkably broad-margined, printed on strong paper. The printer Vincent de Portonariis, de Tridino de Monte Ferrato is not stated in the colophon; he is only identified by the printer device on the title page. As a result, this imprint is often mis-attributed. OCLC locates 2 copies of our 1520 imprint, both in Germany. Not in Adams or the *Universal Short-Title Catalogue*. [Order This Item](#)



### The Principles of Canon Law Stated as Maxims

5. Dantoine, Jean-Baptiste [1693-1720?], Translator and Editor.

[Gregory IX (1147?-1241), Pope].

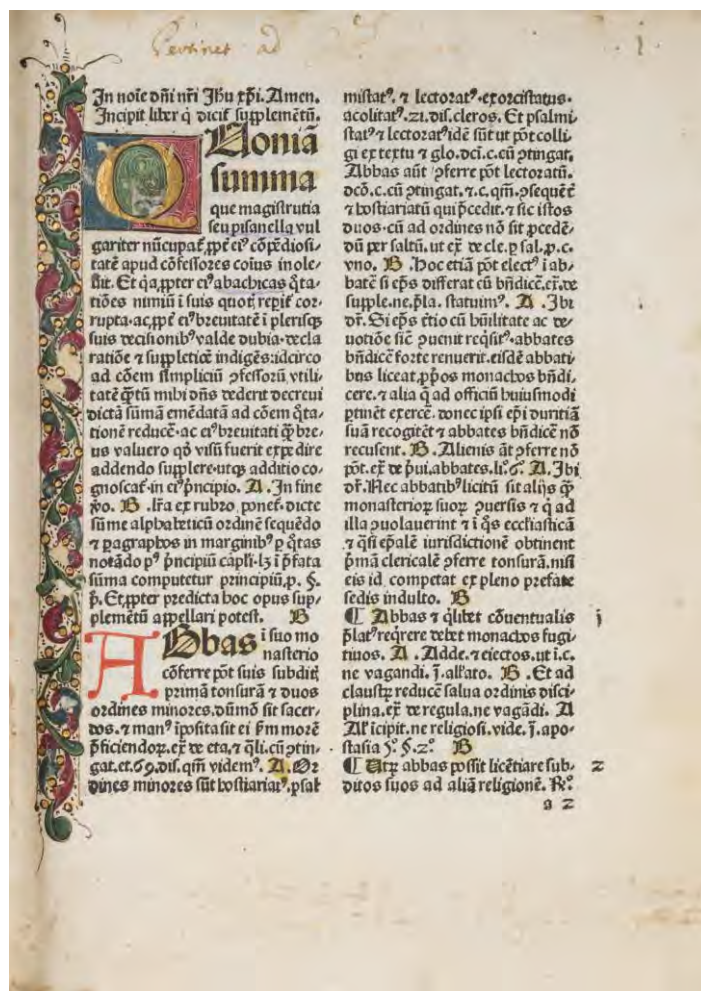
[Boniface VIII (1235-1303), Pope].

*Les Regles du Droit Canon, Dans le Même Ordre Qu'Elles sont Disposées au Dernier Titre du Cinquieme Livre du Sexte, & Au Dernier Titre du Cinquieme Livre des Décrétales. Traduites en François, Avec des Explications et des Commentaires sur Chaque Règle. Et Trois Tables l'Une des Regles Disposées par Ordre Alphabétique avec Leur Numero, l'Autre de Tous les Textes du Droit Civil, Qui sont Cités Dans cet Ouvrage; La Troisieme de Toutes les Matieres, l'Une de Tous les Textes du Droit Rapportés & Expliqués dans cet Ouvrage, l'Autre des Regles du droit Rangées par Ordre Alphabétique Selon leur Ordre Naturel, La Troisieme de Toutes les Matieres.* Liège: Chez J. Dessain, 1772. [22], 468, [35] pp. Quarto (10" x 7-3/4").

Contemporary sheep with cat's-paw decoration, gilt spine with raised bands and lettering piece, speckled edges. Boards slightly bowed, rubbing to extremities with minor wear to edges, corners bumped and somewhat worn, moderate toning to interior, some offsetting to margins of preliminaries. A handsome copy. \$750.

\* Penultimate edition. Modeled on the final title of Justinian's *Digest*, "De Diversis Regulis Juris Antiqui (Concerning Different Rules of Ancient Law)," the *Regulae Juris* (Rules of Law), are two collections of legal principles in canon law stated as maxims. 88 of these are in the *Liber Sextus Decretalium* of Boniface VIII. 11 were added by Gregory IX to the *Quinque Compilationones Antiquae Decretalium* (Fifth Book of Old Decretals), a collection superseded by the *Decretals* of Gregory IX. (The collections of these two popes are books of the *Corpus Juris Canonici*). Dantoine's edition presents the maxims in the original Latin with translations, extensive commentary and cross-references to similar statements in the *Corpus Juris Civilis*. First published in 1720, it went through six editions the, last in 1775. All are scarce. OCLC locates 3 copies in North American law libraries (Louisiana State University, UC-Berkeley, U.S. Supreme Court). Camus, *Bibliothèque Choisie des Livres de Droit* 658. [Order This Item](#)





### An Important Digest of Canon Law with a Tract on Jewish Moneylenders

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

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

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

Astesanus of Asti (Astesano) [d.c.1330].

[*Supplementum Summae Pisanellae; Consilia Contra Judaeos Foenerates; Canones Poenitentiales*]. [Venice: Franciscus Renner, de Heilbroonn, 1482]. [555] ff. Lacking initial blank. Collation: a2-12, b-y12, 1-1812, 198, 2010, 21-2212, A-B12, C10. Quarto (7" x 5"; 18 x 13 cm).

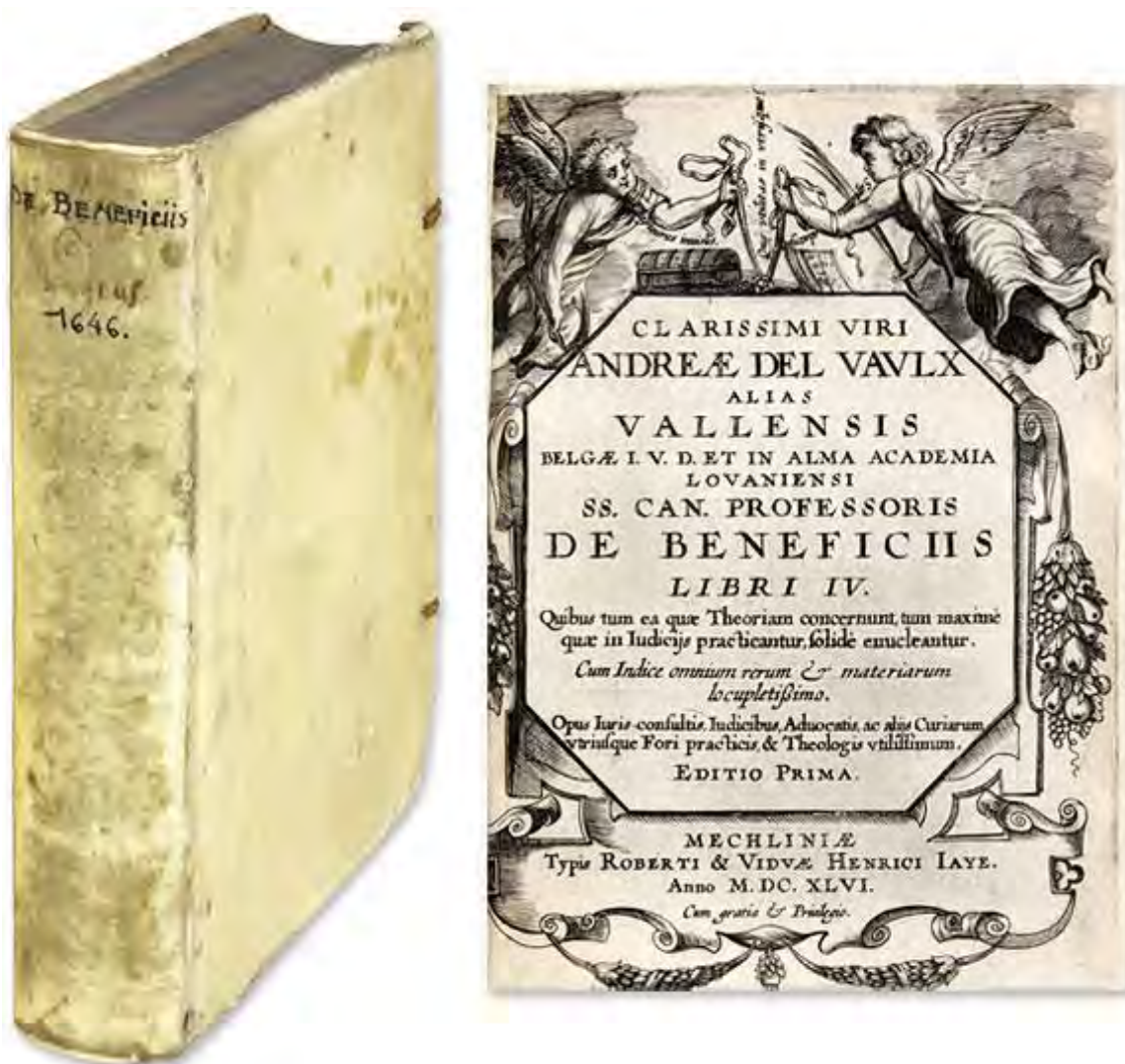
Contemporary morocco, blind rules and elaborate stamping to boards, raised bands and blind ornaments to spine, manuscript-waste endleaves, clasps lacking. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, minor wear to ends of joints, spine ends and corners bumped, lacking free rear-endpaper, partial crack to text block between a12 and b1 (fols. 12-13). 38-line gothic type in parallel columns, illuminated initial with partial flower border, red and blue Lombard initial, decorated initials, yellow, red, and blue paragraph marks. Light toning, slightly heavier in a few places, occasional faint dampspotting and dampstaining to margins, some paint flaking and repair affecting interior of initial. Brief early annotations to first leaf of text and a few other places, later (and inaccurate) folio numbers to upper corners, bookplate of Alexandre P. Rosenberg, designed by Pablo Picasso, to front pastedown, Rosenberg's brief typewritten book description, with Goff number added in pencil, laid in. \$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. Two other important texts are appended: Alexander de Nevo's (or Nievo's) analysis of the Church's view of Jewish money lenders, *Consilia Contra Iudaeos Fenerantes*, and the *Canones Poenitentiales* by Astesano. These two texts appear in editions of the *Supplementum* published after 1476. Alexandre Rosenberg [1921-1987], an art dealer, and his wife, Elaine [1921-2020], were important collectors of illuminated manuscripts and early printed books. Picasso, who was represented by Alexandre's father, the eminent Paris art dealer Paul Rosenberg [1881-1959], was a lifelong friend. The *ISTC* locates 4 copies of this imprint in North America, 1 in a law library (Library of Congress). Goff, *Incunabula in American Libraries* N74. *Gesamtkatalog der Wiegendrucke* M26260. *Incunabula Short-Title Catalogue (ISTC)* in00074000.



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Handsome Copy of a Rare  
Seventeenth-Century Treatise on Ecclesiastical Benefices

**7. Delvaux (Del Vaulx), Andre [1569-1636].**

*De Beneficiis Libri IV. Quibus Tum ea Quae Theoriam Concernunt, Tum Maxime Quae in Iudiciis Practicantur, Solide Enucleantur. Cum Indice Omnium Rerum & Materialum Locupletissimo. Opera Iuris-Consultis, Iudicibus, Advocatis, Ac Aliis Curiarum Utriusque Fori Practicis, & Theologis Utilissimum.* Mechelen: Typis Roberti et Viduae Henrici Iaye, 1646. [xxxiv], 612, [84] pp. Copperplate pictorial title page, full-page coat-of-arms and author portrait. Quarto (7-1/2" x 5-3/4").

Contemporary vellum with lapped edges, hand-lettered spine (with later retouching), edges rouged, recent thong ties. Some darkening to spine, light spotting to boards, some wear to board edges and corners, rear pastedown just starting to detach along edges. Light toning to text, internally clean. A handsome copy. \$1,500.

\* First edition. Andre del Vaulx, also known as Vallensis, taught canon Law at the University of Louvain. *De Beneficiis* is a treatise on ecclesiastical benefices. A second edition was published in 1758. Both editions are rare. Concerning the first edition, OCLC locates 4 copies, 1 in North America (at UC-Berkeley Law School). Not in Ferreira-Ibarra.

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A Distinguished Commentary on Maxims and Phrases in the *Liber Sextus Decretalium*

8. Dinus de Mugello [1254-c.1300].

Bohier, Nicolas de [1469-1539].

Du Moulin, Charles [1500-1566].

*Dynus de Regulis Juris, Commentarius Mirabilis Super Titulo De Regulis Iuris Praecipui Sui Seculi Iurisconsulti Do. Dyni Muxellani Insignis I.U. Doctoris: Multò Plus Quàm Unquam Annotationibus Auctus, & Recognitus: Ubi Praeter Do. Nicolai Boërij, & Et Celsi Hugonis Cabilonen[sic] Additiones Multa Novissime per Doctorem Anonymum Sunt Addita, Pleraq[ue] Depravata in hac Ultima Impressione Restituta, & Omnia cum Repertorio Castigatissimo ad Unguem & Feliciter Emendata.* Lyons: Venundantur Lugduni per Jacobum Giuncti, 1533. cxxxii, [20] ff. Main text in parallel columns with linear annotations. Octavo 6" x 4."

Recent calf, blank lettering piece to spine, endpapers renewed. Moderate rubbing to extremities, corners bumped, front hinge starting, a few cracks to text block, later armorial bookplate (of George Baron Ferrers of Chartley) to front endleaf. Title page, with large woodcut Giunta device, printed in red and black within woodcut architectural border, woodcut decorated initials, woodcut colophon. Moderate toning, occasional faint dampstaining, minor edgewear to a few leaves, worming to final leaves with minor loss to text of final two leaves. Early annotations to margins of sixty-three leaves, some affected slightly by trimming. A scarce title. \$1,650.

\* Dinus's distinguished commentary on *De Regulis Juris*, a collection of 88 maxims and phrases in Book 5, Title 12 of the *Liber Sextus Decretalium*, was first published around 1472. It went through several editions into the sixteenth century. Each *Regula* is followed by Dinus's commentary. The additions and commentary by Bohier and Moulin flanks or surrounds the main text. This edition, identical to editions published in Lyon in 1533 by Jacques Myt and in 1535 by Giunta, is not listed in Adams, Baudrier or the *Universal Short-Title Catalogue*. No copies of this imprint located on OCLC. [Order This Item](#)





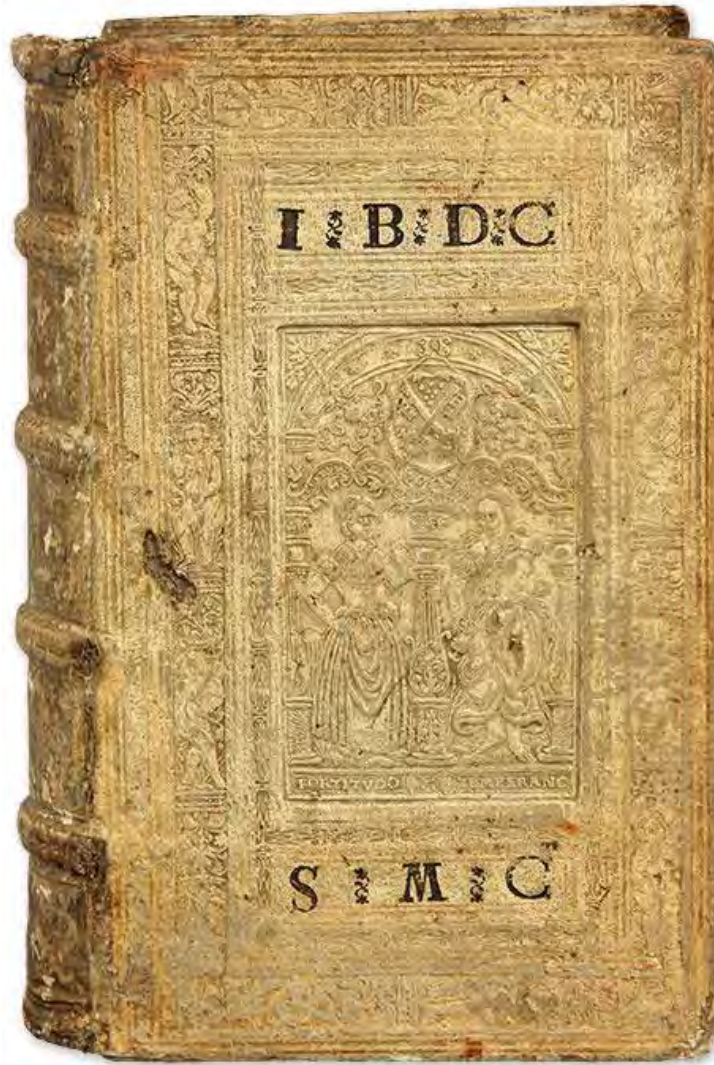
**Consilia by a Humanist Advisor to Pope Clement VII**

**9. Ferretti, Giulio [1480-1547].**

*Consilia et Tractatus Quorum Tabulam Secunda Pagina Indicat. Cum Summariis, & Copiosissimo Omnium Materialium Indice, Nunc Primum in Lucem Veniunt.* Venice: Apud Avantium, 1562. [iv], 48, 219, [1] ff. Main text in parallel columns. Quarto (8-1/2" x 6-1/2").

Contemporary limp vellum with lapped edges, hand-lettered title to spine. Some darkening to spine, minor chipping to head, a few small cracks along joints, hinges reinforced, vellum just beginning to crack through pastedowns, partial crack to text block between front endleaf and title page, a few other partial cracks elsewhere. Some toning, faint dampstaining in a few places, internally clean. \$1,500.

\* Only edition. Ferretti was a member of the College of Jurisconsults during the papacy of Clement VII [1478-1534]. This volume collects 31 of his canon-law consilia (analyses of disputed legal points, usually submitted by a judge). This volume was reissued in 1563. OCLC locates 3 copies of this imprint, 5 of the 1563 reissue. Copies located in North America at UC-Berkeley, which has the 1562 imprint, and the Library of Congress and University of Illinois, which have the 1563 imprint, and Harvard Law School, which has both. Not in Pazzaglini and Hawks. *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE 18857. [Order This Item](#)



### Trial Practice in Canon Law

**10. Gomez, Luis [d. 1545].**

**Milles de Souvigny, Jean, Editor.**

*Commentarii in Iudiciales Regulas Cancellariae. Ioannis Millaei, Ac Aliorum Doctissimorum Virorum Adnotationibus Illustrati. Eiusdem, Utriusque Signaturae Compendium.* Lyon: Apud Carolum Pesnot, 1575. [civ], 474 [i.e. 472] pp. Octavo (7" x 4-1/2").

Contemporary blind-tooled pigskin, early hand-lettered title to spine, early owner monogram black-stamped to front board with central panel featuring allegorical female figures titled "Fortitudo" and "Temperenc[e]", "1583 black-stamped to rear board, which has a central panel featuring allegorical female figures titled "Iusticia" and "Prudentia," edges rouged. Some soiling, minor wear to spine ends and corners, small scuff to front board, front hinge starting. Toning, faint dampstaining in a few places, chip to p. 254 with minor loss to text, internally clean. A very appealing binding. \$1,500.

\* Third edition. Gomez was the Bishop of Sarno, Italy. First published in 1540, *Commentarii* is a treatise on trial practice in canon law. Also a practical work, it describes the rules of practice in detail. All editions are scarce. OCLC locates 3 copies of the 1575 edition in North America (Harvard Law School, Library of Congress, University of Texas). Not in Adams. Palau, *Manual del Librero Hispanoamericano* 103.620. [Order This Item](#)





## Criminal Procedure in Canon Law

### 11. Guazzini Sebastiano.

*Tractatus ad Defensam Inquisitorum, Carceratorum Reorum & Condemnatorum Super Quocunque Crimine. Opus Novum, Alacri Studio Digestum, Omnibus Magistratibus, & Indicibus tam Secularibus, Quam Ecclesiasticis ad Cuitandas Nullitates, & Iniustitias, Advocatis, Procuratoribus, Causorum Criminalium Defensoribus, Atque Excusatoribus ad Reos Tuendos, Etiam in Unaquaque Processus Parte Maxime Utile, & Necessarium. In quo Plura, Statuta, Decreta, Bannimenta, Bullae Summorum Pontificum, & Praesertim Gregorii XIV. Super Immunitate Ecclesiastica, Constitutiones, Pragmaticae, Ritus, & Consuetudines Diversorum Locorum, & Provinciarum Declarantur, Ac Referuntur Quamplurimi Casus in Contingentia Facti, In Gravissimis Criminibus, Etiam per Supremos Magistratus Decisi. Cum Index Reum, & Verborum.* Venice: Apud Bertanos, 1639. Two volumes in one, each with title page and individual pagination. [xii], 388; 324, [48] pp. Main text in parallel columns. Folio (13" x 9").

Contemporary limp vellum, faint early hand-lettered title to spine, later repairs to corners, endpapers renewed. Light soiling and some minor stains to boards, spine slightly darkened, some edgewear, front joint just starting at head. Title page printed in red and black. Light toning to text, occasional minor worming, mostly to margins, faint dampstaining to margins in some places, some loss to upper corners of final 25 leaves with no loss to text, light soiling, edgewear and early library owner inscription to title page. A nice copy of a scarce title. \$950.

\* Third edition. Guazzini was an advocate and expert of criminal law associated with the Roman Curia. First published in 1614, *Tractatus ad Defensam Inquisitorum* was a well-regarded treatise on criminal procedure under canon law. It is a detailed work that draws comparisons between canon law, Roman law and Italian customary law. A durable work, it went through several editions and issues into the eighteenth century. All are scarce. OCLC locates 2 copies of the 1639 edition in North America (Columbia, University of Pennsylvania). This edition not in the *British Museum Catalogue*. [Order This Item](#)



**A Collection of Legal "Letters" by an Important Canon Lawyer and Bishop**

**12. Ivo, Saint, Bishop of Chartres [c. 1040-1116].**

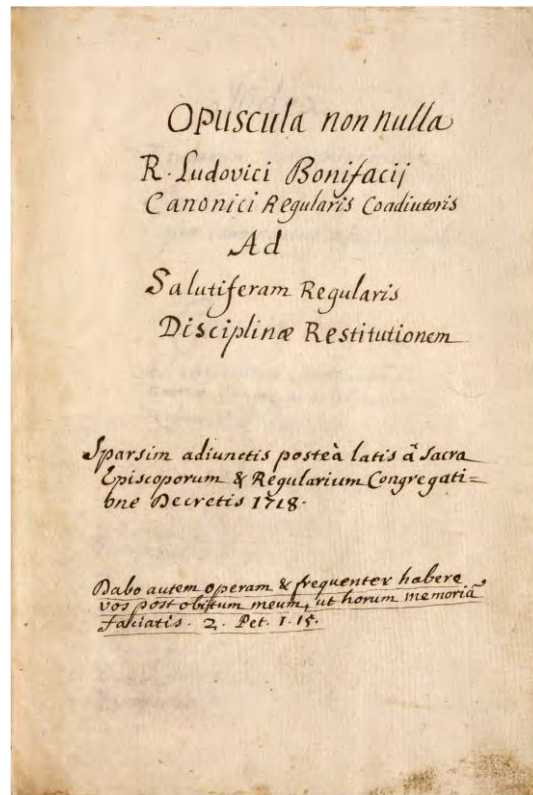
**Juretus, Franciscus, Editor.**

*Eiusdem Chronicon de Regibus Francorum.* Paris: Apud Sebastianum Nivellium, 1584. [14], 260 [i.e. 256], [xiv] ff. Quarto (8-1/2" x 6-1/2").

Contemporary vellum with lapped edges, early hand-lettered title to spine. Some rubbing to extremities with minor wear, spine ends and corners bumped, hinges starting, vellum just beginning to crack through pastedowns. Attractive woodcut head-pieces and decorated initials. Light toning to text, heavier in a few places, faint dampstaining to lower corner of text block. Fore-edges of title page and following three leaves carefully mended with no loss to text. Early annotations to front free endpaper, small signature to head of title page, interior otherwise clean. \$1,500.

\* First edition. Ivo, Bishop of Chartres, was an important canon lawyer who played a key role in the resolution of the investiture crisis. The most significant conflict between church and state in the medieval era, it concerned the authority of European monarchs to control the appointments, or investitures, of bishops, abbots and other church officials. This collection of 285 opinions, or "letters," discusses legal aspects of political, institutional and religious subjects. Several deal with the investiture crisis and its background. Other editions were published in 1585 and 1610, the latter designated "Editio Secunda." OCLC locates a handful of copies in North America, 1 in a law library, UC-Berkeley, which has a 1610 edition. Adams, *Catalogue of Books Printed on the Continent of Europe, 1501-1600* I257. [Order This Item](#)





### Restoring Discipline in the Augustinian Community of Grand Saint Bernard

#### 13. [Manuscript].

Boniface, Louis.

[Hospice de Grand Saint Bernard].

*Opuscula Nonnulla R. Ludovici Bonifacii Canonici Regularis Coadiutoris ad Salutiferam Regularis Disciplinæ Restitutionem. Sparsim Adiunctis Postea Latis à Sacra Episcoporum & Regularium Congregatione Decretis 1718.* [Grand-St-Bernard, c.1718]. 304 ff. Quarto (9-1/2" x 7").

Contemporary morocco with decorate blind stamping, stitched down center of spine, which has an early hand-lettered title panel, fragments of thong ties, untrimmed edges. Light rubbing to boards, somewhat heavier rubbing to extremities, early repair to foot of spine. Light toning to interior, text in neat hand, a few laid-in notes. A handsome item. \$5,000.

\* This is a collection of canon law writings by Louis Boniface, intended (so the title-page states) to restore discipline at the famous Augustinian community of Grand Saint Bernard in the Swiss Alps, where the author was coadjutor and provost. We understand it to be an official report, later distributed as manuscript copies, which was presented at a synodical meeting of 1718. Much of the study concerns money and property. Other subjects include the officers of the community and a ban on women servants. Showing its high status as a report, other copies are found in the Grand-Saint-Bernard archives. Our copy has a remarkable binding featuring blind-stamped floral designs with red-painted inlay. It was probably made from a wall hanging or wallpaper. The archive of Grand Saint-Bernard has a copy of Boniface's baptism certificate (1664) and several of his papers, which include works on cosmography, geography and history, and a thirty-year travel diary. The archives of Grand Saint Bernard record four other manuscripts with the same author, title and date (AGSB 5056, 5057, 5058, 4049). We located no other copies. (On Boniface in the archives see <http://www.aasm.ch/fonds/agsb/static/5314.html> and <http://www.aasm.ch/fonds/agsb/static/5040.html>).

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13th Century Manuscript Leaf From a Papal  
Decretal Concerning Prescription of Ecclesiastical Property

14. [Manuscript].

[Canon Law].

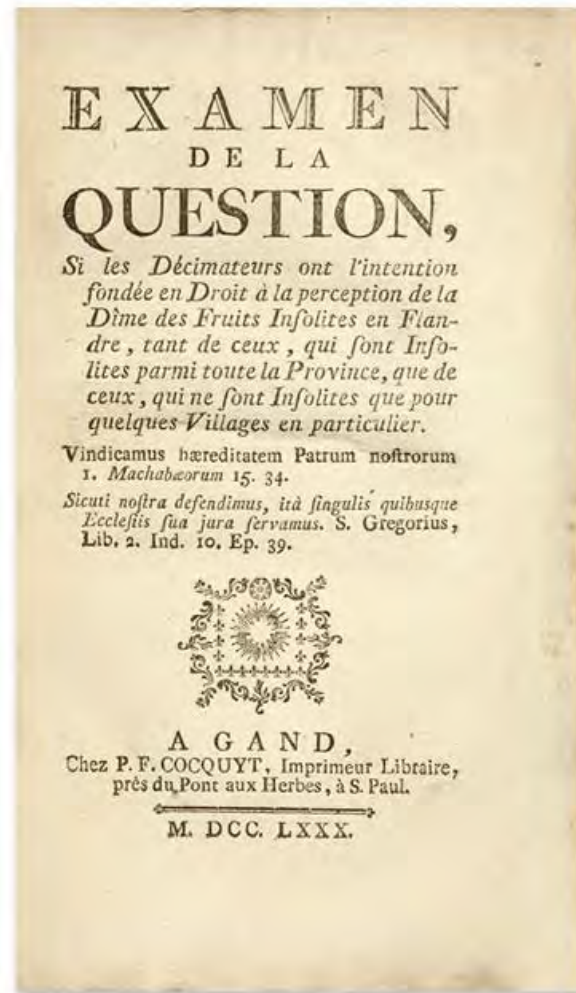
[Clement, III (1130-1191), Pope].

[Leaf from a Papal Decretal Concerning Prescription of Ecclesiastical Property]. Germany?, c. 1220-1234. [2] pp. Folio (12-3/4" x 9-1/2").

Parchment leaf, light soiling and a few faint stains, fold lines and tiny holes, pieces removed from corners with minor loss to text. 50-line rubricated text in gothic hand in 2 columns surrounded by glosses, 8 vividly colored lombard initials with flourishes in red and blue, 4-line ornamented incipit beginning with 14-line initial "P" in red and blue, with elaborate flourishes. A few faint later annotations. A fine example of a high-medieval legal manuscript. \$3,500.

\* An extensive text fragment from a thirteenth-century copy of a papal decretal concerning prescription of ecclesiastical property with later commentary providing a detailed exegesis. The leaf is the first leaf of an important legal collection composed by Johannes Galensis ca. 1210 and named *Compilatio secunda*. The leaf contains the first title of Book 1 *On Constitutions* (*De constitutionibus*) and the second title *On rescripts* (*De rescriptis*) lacking only the last decretal of the title. The Ordinary Gloss of Tancred of Bologna is in the margins. Tancred was the leading jurist at the law school in that city. The remaining 8 decretals under *De rescriptis* treat a variety of subjects. The text begins with the incipit "De constitutionibus - Preterea de lege illa vel errore quam cives tuos asseris statuissse." [Order This Item](#)





**1780 Pamphlet Questioning the  
Church's Right to Raise Tithes in Flanders**

**15. [Massez, C.].**

*Examen de la Question, Si les Decimateurs ont l'Intention Fondée en Droit à la Perception de la Dîme des Fruits Insolites en Flandre, Tant Ceux, Qui Sont Insolites Parmi Toute la Province, que de Ceux, Qui ne Sont Insolites que pour Quelques Villages en Particulier.* Ghent: Chez P.F. Cocquyt, 1780. vi, 84, [2] pp. Octavo (7-1/4" x 4-1/2").

Stab-stitched pamphlet in plain wrappers, untrimmed edges, early hand-lettered title to front, fragments of title label to spine. Some soiling and edgewear, later owner bookplate to verso of front wrapper. Some toning, light soiling to title page, internally clean. \$650.

\* Only edition located. Massez wishes to limit the rights of the church to raise tithes in Flanders. He notes that "God himself established tithes for the Jewish people, where it was part of the dividing-up of the lands, which God himself ordered: [however] amongst the Christian nations, it is men who have ordered this division, men have also introduced tithes there; thus [such a tax] depends on the civil law of each nation" (iii-iv). Massez discusses statutes from 1520 and 1530 onward and disputes their interpretation by Zeger Bernhard van Espen [1646-1728], the distinguished Flemish canon lawyer. OCLC locates 8 copies, 2 in North American law libraries (Columbia, UC-Berkeley). Not in the *British Museum Catalogue*. [Order This Item](#)



### Canon Law and Capital Punishment

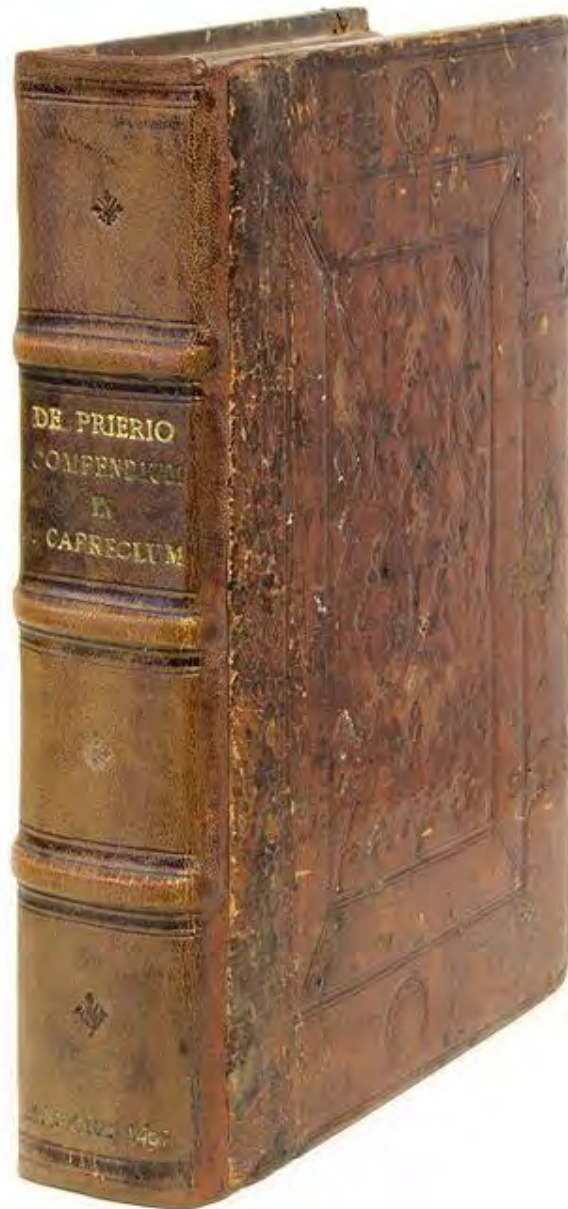
#### 16. Matthæus, Antonius (III) [1635-1710].

*De Jure Gladii Tractatus et de Toparchis qui Exercent id in Dioecesi Ultrajectina.* Leiden: Sumptu Auctoris Excudit Johannes Kellenaar, 1689. Quarto (8-1/2" x 7").

Contemporary vellum, fragment of title label to spine, edges rouged. Some soiling, spine somewhat darkened, front joint just starting at head, corners bumped, 3-1/2" x 9" piece of vellum excised from front board. Large arms of the Curia of the Holy Roman Empire (which has a portrait of Holy Roman Emperor Charles V) to title page. Some toning, light browning in places. Faint dampstaining to head of first quarter of text block, internally clean. \$350.

\* Only edition. The son and grandson of distinguished jurists of the same name, Antonius Matthæus III was a professor of law at the University of Utrecht and later its rector. *De Jure Gladii* is a treatise on capital crimes in canon law as applied to the diocese of Utrecht. It also addresses corporal punishment and lesser crimes. Capital punishment was a complicated topic because it involved conflicts with local feudal law. (On a fundamental level, canon law forbids capital punishment, feudal law applies it to a broad spectrum of crimes.) These tensions were acute in Utrecht. Though part of the Protestant United Provinces (Dutch Republic), Utrecht was historically a Catholic center. The Church continued to be a strong presence in the seventeenth century. About 40% of the population was Catholic. This percentage was higher among elite groups. OCLC locates 4 copies in North American law libraries (Columbia, Harvard, Southern Methodist University, UC-Berkeley). Dekkers, *Bibliotheca Belgica Juridica* 112 (11). [Order This Item](#)





**A Powerful Opponent of Martin Luther**

**17. Mazzolini, Silverstro, Da Prierio [1456-1527].**

*Compendium in Johannem Capreolum cum Additionibus*. [Cremona: Carolus de Darleriis, 15 and 28 April 1497]. [320] ff. Collation: [\*4], a-n8, aa-kk8, ll-mm4, A-C8, D6, E4, AA-DD8, EE-GG6, HH4, (1-9)4. Complete. Quarto 9-1/4" x 7" (23 x 18 cm).

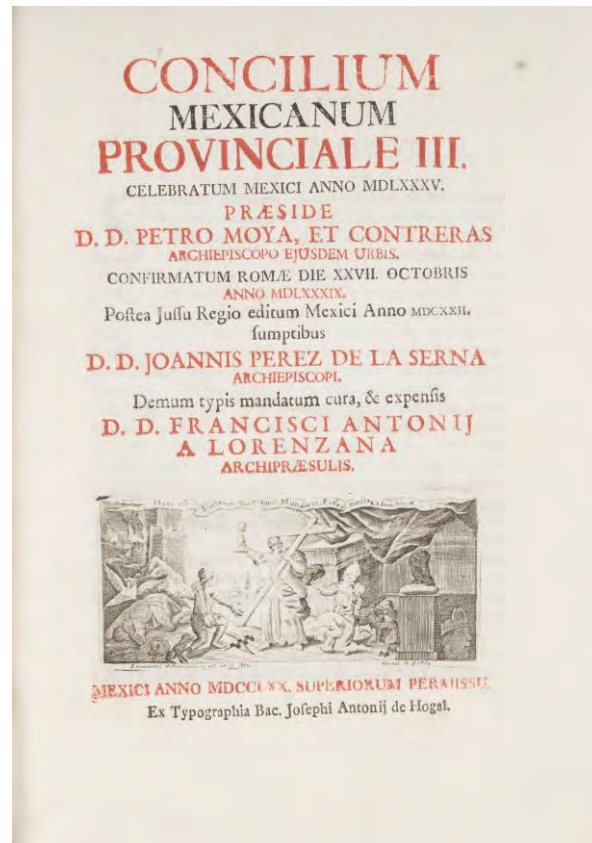
Contemporary calf with elaborate blind stamping, over wooden boards, rebacked with raised bands, blind ornaments and gilt title, traces of clasps. Light rubbing and minor worming to boards, moderate rubbing to board edges, hinges cracked. 46-line text in parallel columns, extensively rubricated in red, with 8 large 12 line initials in interlocking red and blue with fine purple penwork decoration, other 6 line initials in red. Light toning to text, somewhat heavier in places, early annotations to front pastedown, other annotations and owner signature dated 1606 of Isaias Silberschlag, to title page, occasional annotations in his hand to text. A handsome copy of a rare imprint. \$10,000.

\* First edition. Mazzolini, a theologian and wide-ranging scholar, was an inquisitor and censor of books for Rome. An early opponent of Martin Luther, he was involved in the juridical process against him. (Mazzolini was also involved in cases against Johann Reuchlin, Pietro Pomponazzi and Erasmus). A great deal of his scholarship was devoted to the works of St. Thomas Aquinas. Also known as the *Egregium vel Potius Divinum Opus in Iohannem Capreolum*, Mazzolini's *Compendium* is a summary of a work of another Aquinas scholar, Jean Capreolus [c.1380-c.1444] dealing with Aquinas's commentaries on the *Libri Quattuor Sententiarum* of Peter Lombard [c.1096-1160], one of the great works of Medieval theology. Silberschlag, the former owner of this copy, was a professor of theology at the University of Erfurt. This is a scarce imprint. We located only two auction records for it, one in 1991, the other in 2002. OCLC locates 5 copies in North America (Cornell, Library of Congress, Morgan Library, St. Bonaventure University, Yale). Goff, *Incunabula in American Libraries* V519. *Gesamtkatalog der Wiegendrucke* M42160. *Incunabula Short-Title Catalogue* is00519000.



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### A Landmark in the Colonial History of the Western Hemisphere

#### 18. Moya de Contreras, Pedro [c.1530-1591].

*Concilium Mexicanum Provinciale III. Celebratum Mexici Anno MDLXXXV. Praeside D.D. Petro Moya, Et Contreras Archiepiscopo Ejusdem Urbis. Confirmatum Romae die XXVII. Octobris Anno MDLXXXIX. Postea Jussu Regio Editum Mexici Anno MDCXXII. Sumptibus D.D. Joannis Perez de la Serna Archiepiscopi. Demum Typis Mandatum Cura, & Expensis D.D. Francisci Antonij a Lorenzana Archipraesulis.* [Mexico City]: Ex Typographia Bac. Josephi Antonij de Hogal, 1770. [xii], 328, [4]; [2], 141, [5] pp. Two parts. Second part has divisional page and separate pagination. Folio (10-1/2" x 7-1/2").

Contemporary vellum, calf lettering piece to spine, edges rouged. Light rubbing, soiling and a few minor faint stains to boards, light chipping to edges of lettering piece, a few minor wormholes to pastedowns, rear endleaves, gutter at final half of text block and final eight leaves of text (with no loss to legibility). Title page, with large copperplate vignette, printed in red and black, large copperplate vignette and historiated initial at beginning of text (p.1). Light toning to interior, slightly heavier in places. A handsome copy. \$1,500.

\* Later edition. A landmark in the colonial history of the Western Hemisphere, the Third Provincial Council of the Church in Mexico brought the Counter-Reformation to New Spain and established standards for the Church that endured until the end of the colonial era. It was convened by Moya de Contreras (or Moya y Contreras), who then held the three highest offices in New Spain: viceroy, archbishop and inquisitor general. The council's work is notable, in part, for its treatment of indigenous people. One of the council's most important decisions banned their enslavement. Others aimed to assimilate these people into colonial society by teaching them Spanish, Christian doctrine and European trades. The first part of our 1770 imprint is a record of the council's proceedings. The second is the set of statutes ordered by the council and confirmed by the pope in 1589. Sabin, *A Dictionary of Books Relating to America* 42064. Palau, *Manual del Librero Hispano-Americano* 142389. [Order This Item](#)



"Matrimonii Nullitate ex Defectu"

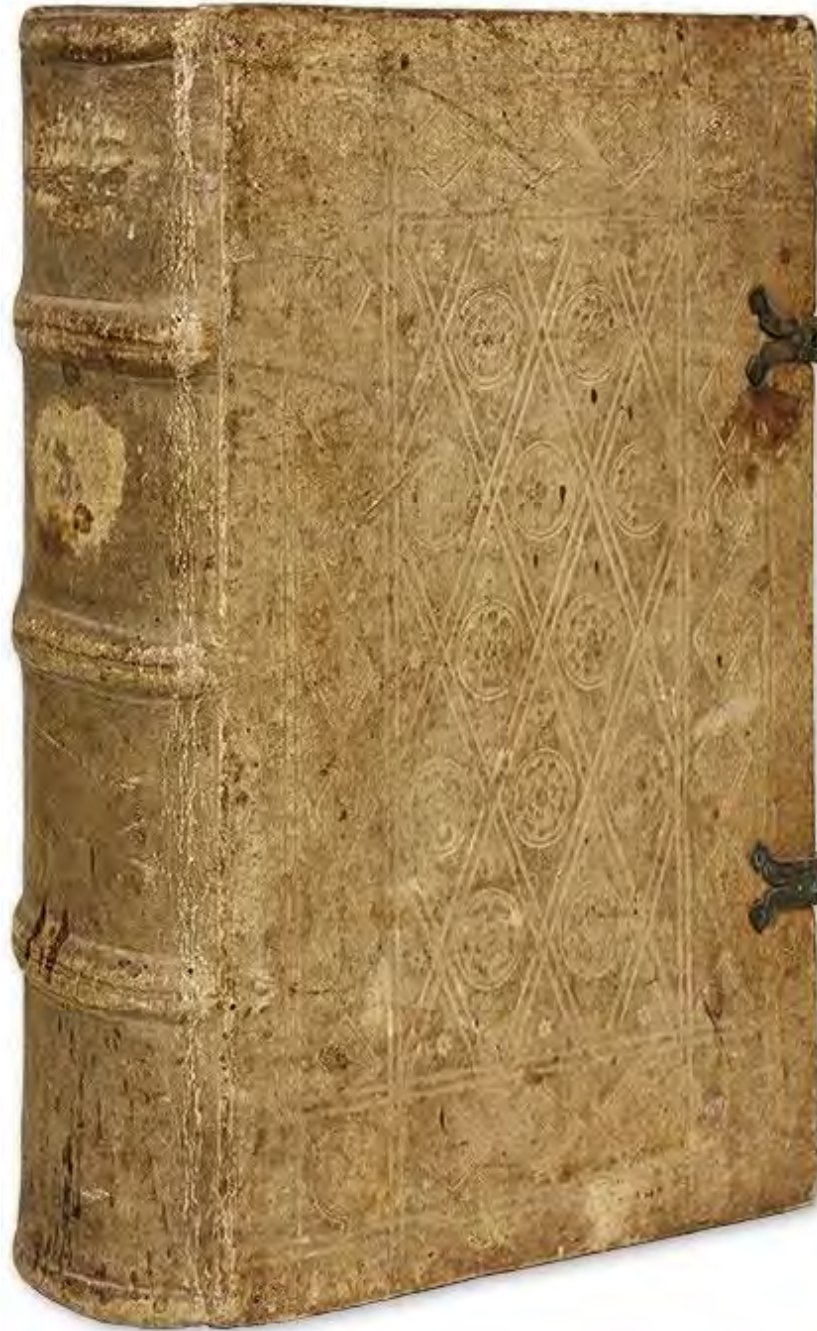
19. Orsaio, Domenico (Ursaya, Domingo, Ursaya, Domenicus).

*De Matrimonii Nullitate ex Defectu Consensus Contrahentis & Moralis Consensus Contrahentis & Moralis Praesentiae Parochi: Dissertatio Theologico-Legalís Dominici Ursayae, In qua Incidenter Quidem, Sed Forsan non Injucundè Agitur: De Consensus Necessitate, Illiusque Probatione; De Abolendo Usu Contrahendi Matrimonia per Nutus, & Signa.; De Clandestinis Matrimoniis, & Duabus Speciebus Clandestinitatis; De Poenis Parochi Voluntarie Assistentis Eisdem Clandestinis Matrim.; De Necessitate, Antiquitate, & Origine Denunciationum Matrimonialium; De Testibus Deponentibus Pro, & Contra Matrimonium; De Necessitate Praesentiae Moralis Parochi in Matrimoniis; De Parocho Affectante non Audire Verba Contrahentium Matrimonium, & Remediis Circa Ilius Affectationem; De Forma Conciliari, An Possit per Aequipollens Adimpleri, & de Dubietate in Ordine ad Matrimonium, An Scilicet, & in Quo Dubio Respondendum sit pro Matrimonio.* Rome: Ex Typographia Joannis Francisci Buagni, 1696. [viii], 143, [1], 39, [1] pp. Quarto (8-3/4" x 6-1/4").

Contemporary vellum. Boards lightly bowed, minor worming to rear board, vellum covering spine mostly perished from worming, cords present, boards secure, some worming to hinges, crack in text block between front endleaf and title page. Moderate toning to text, occasional faint dampstaining to foot of text block, light foxing to a few leaves. \$350.

\* Only edition. As indicated by its title page, this treatise examines ten situations in which the nullification of a marriage is allowed under canon law. Unusual for a treatise of this kind, the author notes cases in which clerics bear some responsibility, such as conducting clandestine marriages. The main text is preceded by a series of brief essays on miscellaneous unrelated topics. One of them discusses the opinions of Aristotle and other classical authorities concerning the use of cosmetics. OCLC locates 9 copies, 2 in North America (Library of Congress, University of Pennsylvania). Ferreira-Ibarra, *The Canon Law Collection of the Library of Congress* 1852. [Order This Item](#)





**Incunable Imprints of Two Important Commentaries on Canon Law**

**20. Parmensis, Bernardus (Bottoni, Bernardo di) [d. 1223 or 1266].**

[*Casus Longi Super Quinque Libros Decretalium*]. [Strasbourg: (Printer of the 1483 Jordanus de Quedlinburg), i.e. Georg Husner, 29 Oct. 1498]. [204] ff. Collation: 204 ff. a-b8, c-d6, e-k8/6, l-z6, A-H6, I8.

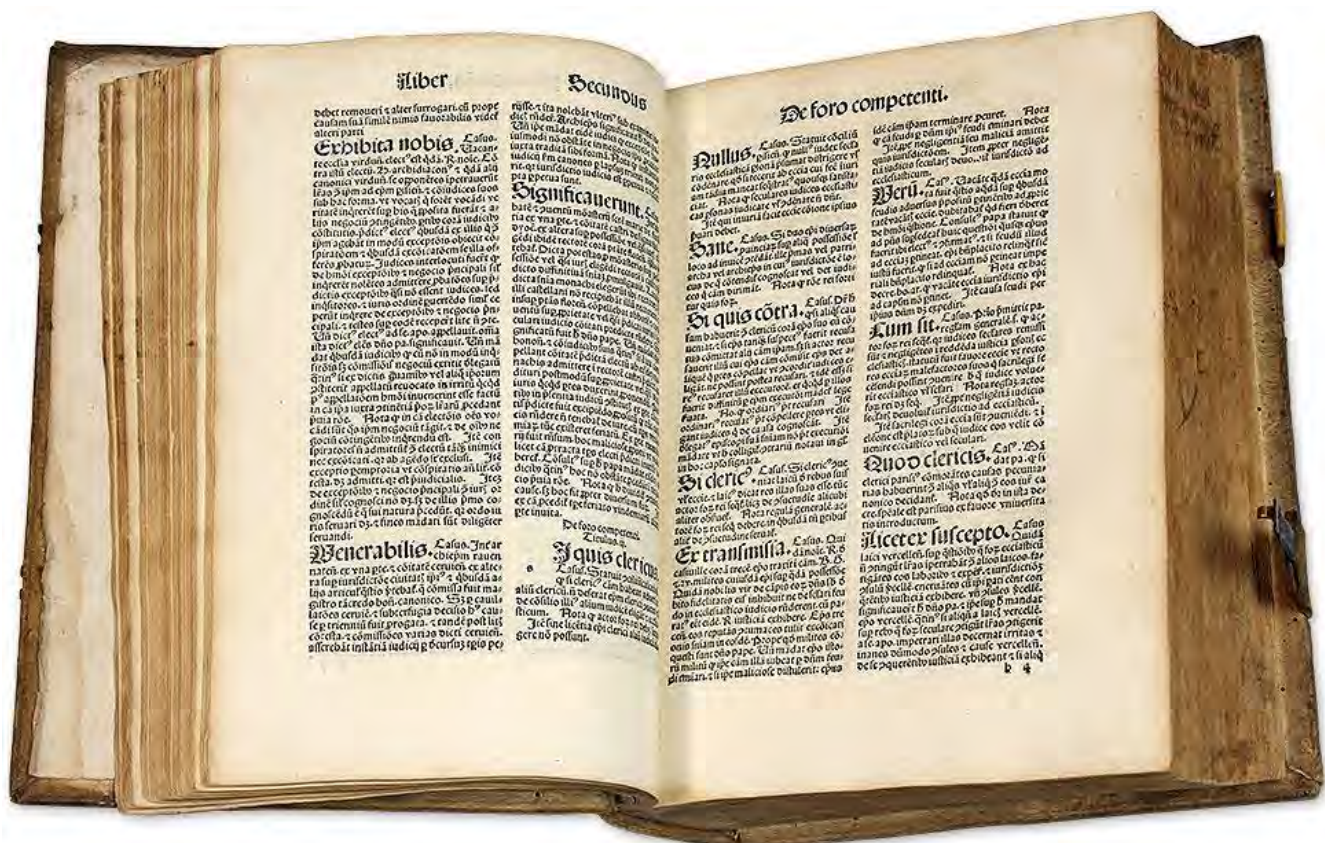
**[Bound with]**

**Regnierus, Helias (Regnier, Élie) [fl. 1483-1494].**

[*Casus Longi Super Sextum Librum Decretalium; Casus Longi Clementinarum*]. [Strasbourg: (Printer of the 1483 Jordanus de Quedlinburg), i.e. Georg Husner), 18 Aug. 1496]. [152] ff. Collation: a8, b-z6, ?6, )6. Final blank present.

Folio (10-3/4" x 7-3/4"; 27 x 19.5 cm). Contemporary blind-tooled pigskin over wood, covers, blind fillets and small armorial emblems (double-headed eagles of the Holy Roman Empire, greyhounds and roses) to boards, raised bands to spine, two clasps, upper clasp restored, early hand-lettered title to fore-edge of text block. Some soiling and a few minor inkstains, light rubbing to extremities, traces on spine of removed shelf labels, crack between front free endpaper and title page, rear hinge cracked, both titles printed in 52-line gothic type in parallel columns, initial spaces blank. Moderate toning, light soiling to margins in a few places, minor dampstaining to corners of a few leaves, a few worm holes to margins, clean tear to leaf p6 of Parmensis's *Casus*, later annotation and two small library stamps to its title page, brief later annotations to two other leaves. An impressive volume. \$15,000.

\* This volume collects three important commentaries on books of the *Corpus Juris Canonici*: the *Liber Quinque Decretalium* of Gregory IX (1234) *Liber Sextus Decretalium* of Boniface VIII (1298) and the *Liber Septimus Decretalium*, better known as the "Constitutiones Clementis V" or "Clementinae" of John XII (1317). Better known as Bernardus Parmensis, from his birthplace, Parma, Bottono a notable canonist. He studied at the University of Bologna, joined its faculty and later became the university's chancellor. Regnier, a French Jurist, was a professor of law at the University of Poitiers. Parmensis: OCLC locates 12 copies, 4 in North America, 3 in law libraries (Harvard, Library of Congress, UC-Berkeley); Regnierus: OCLC locates 8 copies, none in North America. Goff, *Incunabula in American Libraries* B462, R118. *Gesamtkatalog der Wiegendrucke* 4104, 37590. *Incunabula Short-Title Catalogue* ib00462000, ir00118000.



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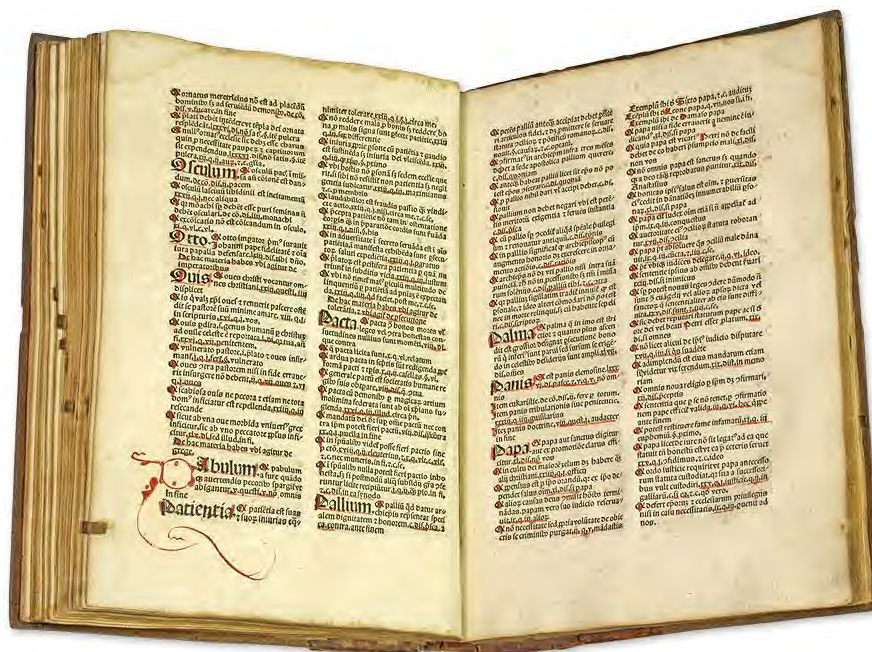
## The Pearls of the Decretals

## 21. [Polonus, Martinus (d.1278)].

*Margarita Decreti Seu Tabula Martiniana*. [Strasbourg: Printer of the 'Casus Breves Decretalium' (Georg Husner?)], 1493. [106] ff. Final leaf blank. Thumb-tabbed. Collation: a8 b-q6 r8. Complete. Folio (11" x 7-1/2"; 28 x 19 cm).

Contemporary half-calf with elaborate blind-tooling over wooden boards, two contemporary diagrams relating to horizontal sundials to front board, clasp lacking. Moderate rubbing, minor worming, light scuffing to calf-covered sections of boards, light gatoring to spine, early owner inscription dated 1528 to front, owner inscription of the Franciscan convent of Munich to head of title page. 52-line text in parallel columns, initials and capital strokes in red. Moderate toning, occasional spotting or staining, negligible minor worming in places. \$13,500.

\* Penultimate edition. An important early legal reference work, *The Margarita Decretalium*, i.e. "Pearls of the Decretals," is the index to the *Decretals* of Gregory IX (or *Liber Extra*). First printed in 1481, the *Margarita* was probably assembled during the late thirteenth century, some time before the appearance of the *Liber Sextus* in 1298. There are twelve incunable editions. Our 1493 imprint is the tenth. OCLC locates 3 copies in North America (Huntington Library, Library of Congress, Yale Law School). Goff, *Incunabula in American Libraries* V327. *Gesamtkatalog der Wiegendrucke* M21422. *Incunabula Short-Title Catalogue* im00327000.



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**Betrothals Are Illicit Without Parental Consent, Whatever the Jesuits Say**

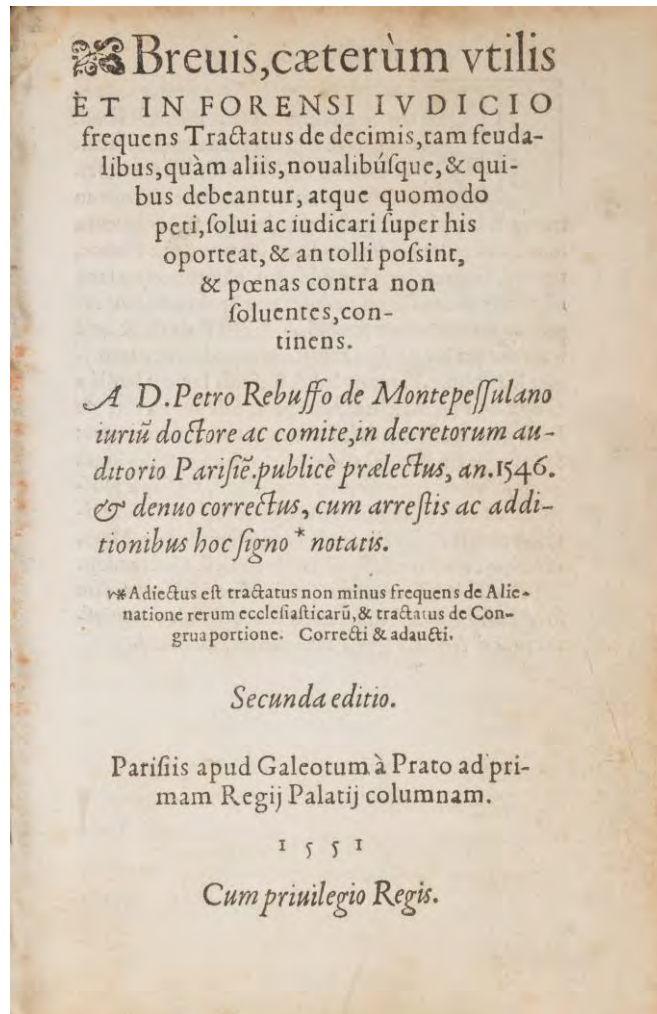
**22. Rebello, Bartholomeu Coelho Neves.**

*Discurso Sobre a Inutilidade dos Esponsaes dos Filhos Celebrados sem consentimento dos Pais; Em que se Mostra ser elle de Direito Divino, Natural, das Gentes, Canonico, Patrio, E Civil de Todos os Povos da Europa. E se Mostra Offensiva de Todos Estes Direitos a Doutrina dos Jezuitas, que Propunhao Huma Illimitada Liberdade a Este Respeito, Asseverando Serem Indignas de se Observarem as Leis dos Principes Catholicos, Que Determinao Esta Necessidade. Dedicado ao Ilmo. E Exmo. Senhor Marquez de Pombal, Conde de Oeyras, Senhor das Vendas Novas, do Conselho de Sua Magestade Fidelissima, E Seu Primeiro Ministro de Estado, &c. &c. &c.* Lisbon: Off. do Francisco Sabino dos Santos, 1773. [x], xvii, [1], 231, [1] pp. Half-title lacking. Octavo (6-1/4" x 3-3/4").

Contemporary mottled sheep, blind fillets and gilt-stamped title to spine, speckled edges. Moderate rubbing to extremities, a few light scuffs to boards, spine abraded with wear to ends, front joint partially cracked. Moderate toning to text, somewhat heavier in places, faint dampstaining to a few leaves. \$1,250.

\* Only edition. Rebello argues that betrothals are not legal without parental consent. In the dedication to the Marquês de Pombal and the Proemio, the author refers to the "relaxada Moral Jezuitica" and notes that allowing disobedience to parents in matters such as betrothals (which Jesuits such as Sanches and Molina advised) might well also encourage disobedience to the king. As a magistrate, Rebello had been involved in several cases of such illicit betrothals. He reviews the writings of Church Fathers, papal bulls, and Councils on this matter, and on pp. 170-218, reviews the laws in Spain, France, Germany, Prussia, Holland and Italy. Porbase contains a record with an incorrect publication date of 1755. OCLC locates 3 copies, 2 in North America (Newberry Library, UC-Berkeley Law School). Not in Ferreira-Ibarra.

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**Treatise on Tithes by an Eminent French Canonist**

**23. Rebuffi, Pierre [1487-1557].**

*Brevis, Caeterum Utilis et in Forensi Iudicio Frequens Tractatus de Decimis; Tam Fendalibus, Quàm Aliis, Noualibúsque, & Quibus Debeantur, Atque Quomodo Peti, Solvi ac Iudicari Super His Oporteat, & an Tolli Possint, & Poenas Contra Non Solventes, Continens. Adiectus est Tractatus non Minus Frequens de Alienatione Rerum Ecclesiasticarum, & Tractatus de Congrua portione, Correcti & Adaucti.* Paris: Apud Galeotum à Prato ad Primam Regii Palatii Columnam, 1551. [xvi], 152 ff. Three parts, each with title page. Octavo (6-1/2" x 4-1/4").

Contemporary vellum with lapped edges, fragments of thong ties, traces of early hand-lettered title to spine. Light soiling, spine ends bumped, front joint starting at foot. Moderate toning to interior, light foxing and early underlining in a few places, early doodles and struck-through signature to front endleaves. \$1,500.

\* Second edition, enlarged. Rebuffi was the leading French canonist of the period, an auditor of the Rota Romana and the author of several important treatises. First published in 1549, *Brevis* is a treatise on canon law and tithes. The second edition has two additional tracts. The first one is a compendium of arrests, the second deals with the share of benefits and the value of coming to trial. A final edition, which has the same content as the second, was published in 1575. All editions are scarce. OCLC locates no copies of our edition in North American libraries and only two in Europe. Not in Adams.

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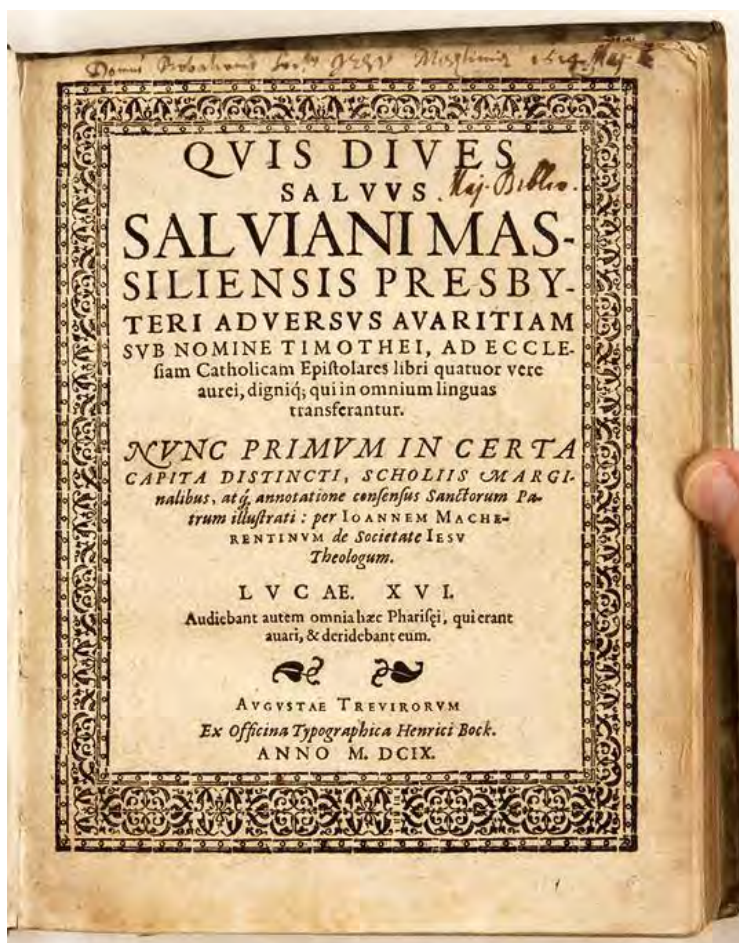
**Interfaith Marriage in Bourbon France**

**24. [Richard, Charles Louis (1711-1794)].**

*Recueil de Pièces Intéressantes sur les Deux Questions Célèbres; Savoir si un Juif Converti au Christianisme Peut Epouser une Fille Chrétienne, Lorsque son Epouse Juive Refuse de Suivre, & Si un Juif Endurci Devenu Baron, Peut Nommer aux Canonicats d'une Collégiale de sa Baronie.* Deux-Ponts: De L'Imprimerie Ducale, 1779. 192 pp. Octavo (6-1/2" x 4-1/4").

Later marbled boards, lettering piece to head of spine, gilt-stamped date and place of publication to foot, endpapers renewed. A few shallow scuffs to boards, some rubbing to spine ends and corners. Light toning to text, light foxing in a few places, recent notes in pencil to verso of front free endpaper. An appealing copy of a scarce title. \$1,500.

\* Only edition. Richard was a Catholic theologian and a member of the Dominican Order. A conservative, somewhat anti-Semitic work, *Recueil de Pièces Intéressantes* discusses issues concerning marriages between Christians and Christian converts from Judaism. OCLC locates 15 copies worldwide, 3 in North America (Harvard, Hebrew Union College, New York Public Library), none in law libraries. *British Museum Catalogue* (Compact Edition) 21:554. [Order This Item](#)



### Give to the Church, Not to Your Children

25. Salvian (Salvianus) [c.390-c.484 CE].

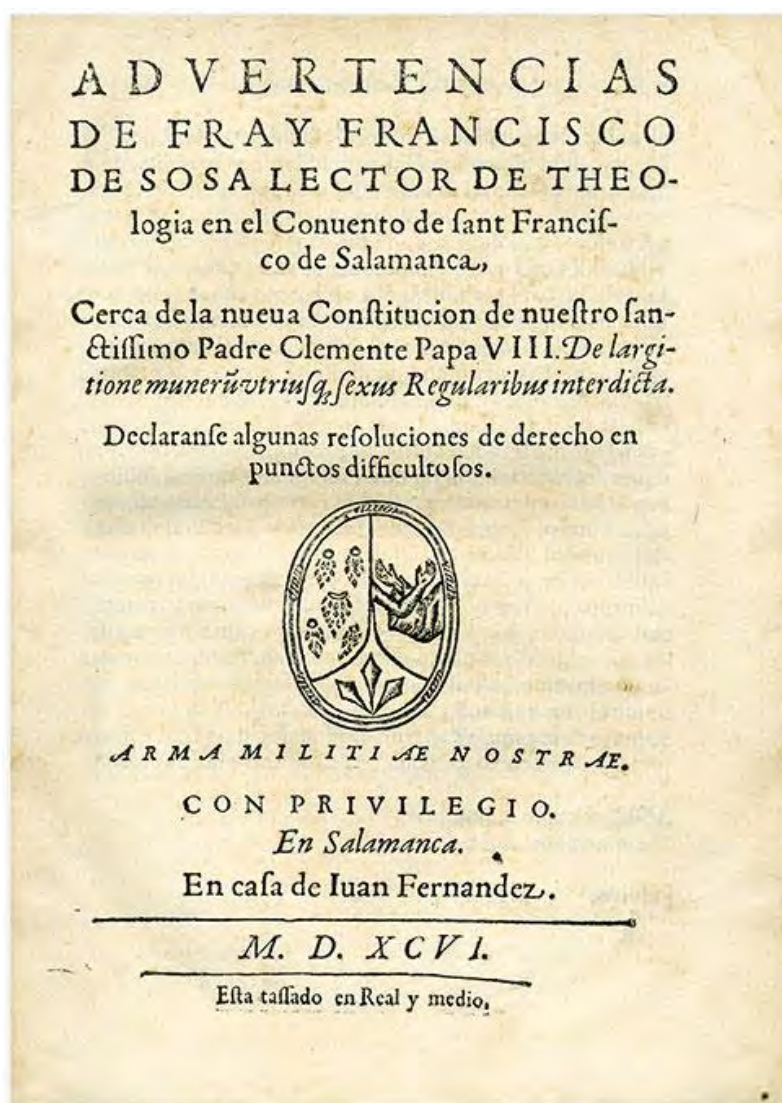
Macherentinus, Johannes [1540-1610], Editor.

*Quis Dives Salvus. Salviani Massiliensis Presbyteri Adversus Avaritiam Sub Nomine Timothei, Ad Ecclesiam Catholicam Epistolares Libri Quatuor Vere Aurei, Digni[ue] qui in Omnium Linguas Transferantur Nunc Primum In Certa Capita Distincti, Scholiis Marginalibus, Atq[ue] Annotatione Consensus Sanctorum Patrum Illustrati: Per Joannem Macherentinum de Societate Jesu Theologum.* Trier: Ex Officina Typographica Henrici Bock, 1609. 28, 226, [10] pp. Quarto (7-1/4" x 6-1/4").

Contemporary flexible vellum, later lettering piece to spine, ties lacking. Light rubbing to extremities, some soiling and spotting, vellum just beginning to crack through pastedowns. Title printed within woodcut typographical border, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing to a few leaves. Early annotations to endleaves, interior otherwise clean. \$950.

\* First edition (by Macherentinus). Salvian of Gaul was an important Christian thinker and canonist of the fifth century. Enhanced with arguments drawn from canon law, his *Adversus Avaritiam* outlines reasons to give alms to the church. More interesting, it says parents should bequeath their estates to the Church rather than their children; it is better for children to suffer want in this world to save their parents from damnation in the next. Salvian also has much to say on the duty of self-denial by priests, nuns and monks. Macherentinus, the editor of this edition, was a Jesuit theologian. OCLC locates no copies of this edition in North America. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 39:129323G. [Order This Item](#)





**Rare Sixteenth-Century Spanish Treatise Concerning Monasteries**

**26. Sosa, Francisco de [fl. 1556].**

*Advertencias de Fray Francisco de Sosa, Lector de Theologia en el Convento de Sant Francisco de Salamanca: Cerca de la Nueva Constitucion de Nuestro Sanctissimo Padre Clemente Papa VIII. De Largitione Munerum Utriusque Sexus Regularibus Interdicta. Declaranse Algunas Resoluciones de Derecho en Puntos Difficultos.* Salamanca: En Casa Iuan Fernandez, 1596. [x], 131, [2] pp. Quarto (8" x 6").

Contemporary limp vellum, black rules to covers, calligraphic title to spine, early hand-lettered title to spine, ties mostly lacking. Some soiling and small stains, spine darkened with a few small chips near center, vellum just beginning to crack through pastedowns. Light to moderate toning to text, occasional faint dampspotting, internally, clean. \$1,100.

\* First edition. This book details a series of legal reforms regarding monasteries and holy orders implemented by Pope Clement VI, formerly a canon lawyer (Ippolito Aldobrandini, 1536-1605, the son of notable jurist Sylvestro Aldobrandini). For the most part, these reforms led to an increase of Papal control and supervision. Two other editions were published in 1597 and 1696. OCLC locates no copies of this title in North America. No copies located at the Library of Congress, Harvard Law School or UC-Berkeley Law School. Palau, *Manual del Librero Hispano-Americano* 319804. [Order This Item](#)



### A Standard Canon-Law Treatise on Punishment

27. Tesauero, Carlo Antonio [1587-1655].

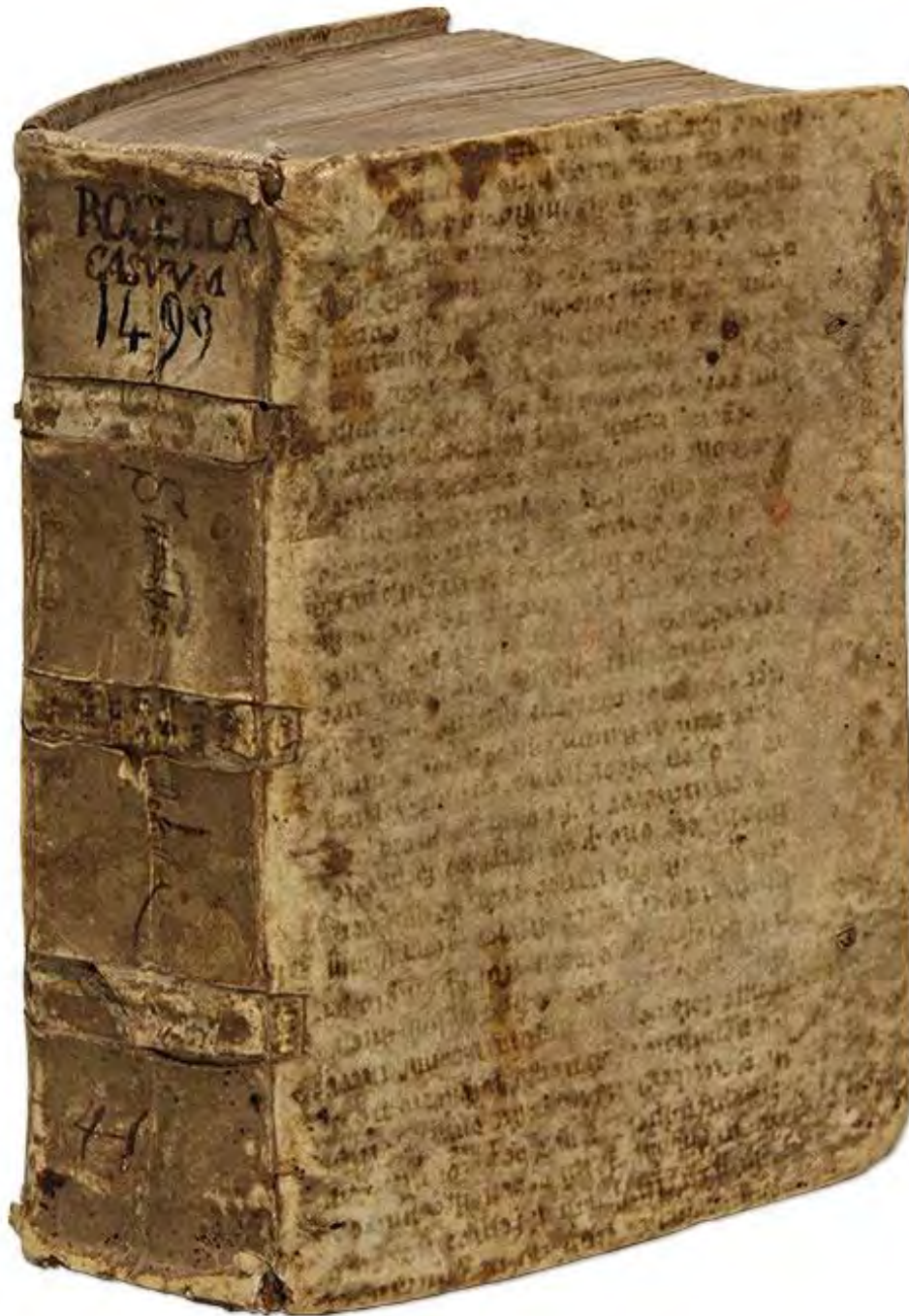
Giraldi, Ubaldo [1692-1775], Editor.

*De Poenis Ecclesiasticis Praxis Absoluta, Et Universalis. Iam Primum in Duas Partes Distributa Nunc Notis, & Accessionibus Earundem Poenarum ab Anno MDCLIII. Ad Currentem MDCCLX. Inflictarum Locupletata ab Adm. R.P. Ubaldo Giraldi a S. Cajetano. Opus Diligenter Revisum, Emendatumque, Ac Propositionibus ab Apostolica Sede Proscriptis Auctum Publicae Commoditati Deferunt.* Rome: Haeredes Jo. Laurentii Barbiellini, 1760. [iv], 524 pp. Main text in parallel columns. Folio (13" x 8-1/2").

Contemporary vellum, raised bands and early hand-lettered title and small early shelf label (reading "63") to spine, speckled edges. Light rubbing, light soiling and a few tiny worm holes to spine, boards slightly bowed, corners bumped and somewhat worn, crack in text block between front free endpaper and title page, which is printed in red and black. Moderate toning to text, somewhat heavier in places, some leaves have light foxing or dampspotting. A handsome copy. \$500.

\* Later edition. First published in 1640, this treatise on punishments by a Jesuit canonist went through at least six editions. It was a standard work into the final decades of the nineteenth century. Not in Ferreira-Ibarra. [Order This Item](#)





**One of the Great Fifteenth-Century Manuals for Confessors**

**28. [Trovamala de Salis, Battista (d.1496)].**

[*Summa Casuum Conscientiae* (Second Version known as *Rosella Casuum*)]. [Venice: Paganinus de Paganinis, 21 Dec. 1499]. [xiv], 479 ff. Collation:  $\pi$ 4, a10, aa-CC16, DD12. Complete. Printed register at end does not list the first [14] leaves, which contain the "Rubrice Iuris Civilis" and "Summa Angelica." Leaf  $\pi$ 4 includes the Papal bull "Etsi Dominici Gregis" with the imprint: Rome, 21 December 1479. Octavo (6" x 4"; 15 x 10 cm).

Later vellum from a manuscript leaf, raised bands and hand-lettered title to spine, ties lacking, endpapers renewed. Light soiling, moderate rubbing to extremities, a few small sections neatly removed from spine, minor chipping to spine ends, corners bumped, hinges partially cracked. 46-line text in parallel columns, capital spaces left blank. Moderate toning, occasional faint dampstaining, minor worming in places, mostly to margins, minor loss to text on leaves tt4-tt16 (ff. 292-304), light soiling and edgewear to preliminaries, first three leaves partially detached. \$5,000.

\* Second edition in octavo format and the final incunable edition. After the Fourth Lateran council of 1215 a number of manuals of confession appeared. Their purpose was the intellectual preparation of priests for a prudent and informed exercise of the office of confessor. Father Trovamala's is one of the best examples of this literature. Also known as the *Summa Casuum Conscientiae*, *Rosella Casuum* or *Summa Baptistiniana*, it was a standard work. First printed in 1482 and immediately successful, it was revised and expanded by the author as the *Rosella Casuum* or *Summa Rosella*. That edition was printed in 1484 with later editions in 1489, 1495 and 1499. A notable feature is its opinion of usury. Unlike other authors of *summa* for confessors, Trovamala argues that dry exchange is not usury because of its speculative nature. Goff, *Incunabula in American Libraries* S50. *Gesamtkatalog der Wiegendrucke* 3326. *Incunabula Short-Title Catalogue* is00050000.



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### Commentaries on the Decretals of Gregory IX Concerning Marriage and Criminal Procedure by the "Lamp of the Law"

#### 29. Tudeschis, Nicolaus de (Abbas Panoramitanus) [1386-1445].

[*Lectura Super V Libris Decretalium*]. [Basel: Johann Besicken, 1480-1481]. Part VI (of VI). [236] ff. Text in parallel columns. Collation: a-c10, d12, e10, f8, g-k10, l8, m-o10, p8, q-r10, [symbol]10, [symbol]8, s6, t-v10, u10, w10, x6. Folio (14" x 10-1/4"; 36 x 26 cm).

Contemporary blind-tooled pigskin over wooden boards, manuscript vellum lettering piece to front cover, spine with raised bands sanded white, eighteenth-century leather lettering pieces and later paper shelf labels, boards lacking catches and clasps. Moderate soiling to boards, corners bumped and lightly worn, numerous small wormholes through covers into text block with minor text loss to few leaves but not impairing legibility, pastedowns loose, eighteenth-century Salzburg Benedictine Monastery bookplate to verso of front board, brief early annotations to front free endpaper (author name) and head of leaf a2 (ownership inscription). Printed in 55 lines, text in gothic type, rubricated, large Lombard initials in red and blue, seven-line decorated initial and three-quarter illuminated border in colors and gold on a2r incorporating 3 linked roundels in lower margin containing depictions of 2 men with shields and lances and woman with bow and arrow, similar decoration on g1r with floral and ornamental motifs instead of figures in the roundels. Light toning, dampstaining to lower margin of c1-3 and light browning to margin of m7, blank lower outer corner off q3, paper flaw in blank lower outer corner of t1. \$25,000.

\* Nicholas de Tudeschi, a famous Benedictine canonist from Catania, Sicily, taught at the Universities of Siena, Parma and Bologna. His commentaries on the *Liber Quinque Decretalium* of Gregory IX, the *Liber Sextus Decretalium* of Boniface VIII and the *Liber Septimus Decretalium* (Clementinae), three components of the *Corpus Juris Canonici*, established his immense authority and the title of "lucerna juris" (lamp of the law). First printed in 1475-1477 in Venice, his commentary of Pope Gregory's *Decretals* is a multi-volume work. The 1480-1481 Basel edition was issued in six parts, each complete in itself. Our part contains the portions concerning marriage and criminal procedure. The ISTC locates 3 single parts in North America (Houghton Library, Harvard, V, Columbia University, I, Huntington Library, V), 1 complete set (George Washington University Law School) and two incomplete sets (Library of Congress, V-VI, Union Theological Seminary (I, III-V). Goff, *Incunabula in American Libraries* P48. *Gesamtkatalog der Wiegendrucke* M47800. *Incunabula Short-Title Catalogue* ip00048000.



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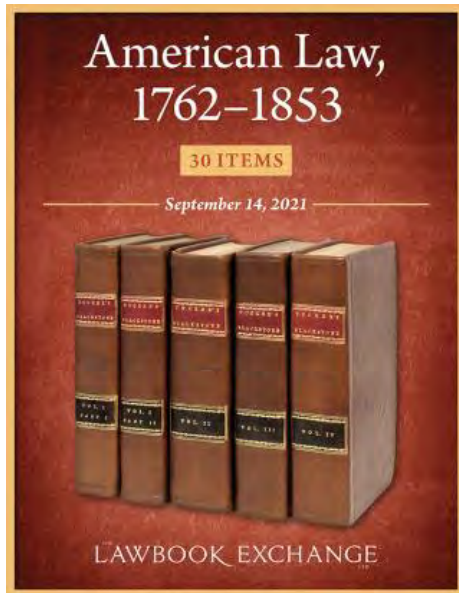
**30. Zahn, Balthasar Conrad [1616-1665].**

*Tractatus De Mendaciis Ex Sacris, Juridicis, Ethicis, Politicis, Historicisque Variè Congestus & In Tres Libros Dispositus; Primo, De Variis Mendaciorum Generibus, Secundo, De Illorum Poenis, Tertio, De Mendacio Urato Seu Iuramento Firmato, Quod est Perjurium. Cum Indice Duplici, Uno Capitum, Altero Rerum Memorabilium. Editio Secunda Priore Multis Mendis Castigator & Correctior.* Cologne: Apud Wilhelmum & Franciscum Metternich, 1686. [viii], 504, [40] pp. Main text in parallel columns. Quarto (8" x 6-1/2").

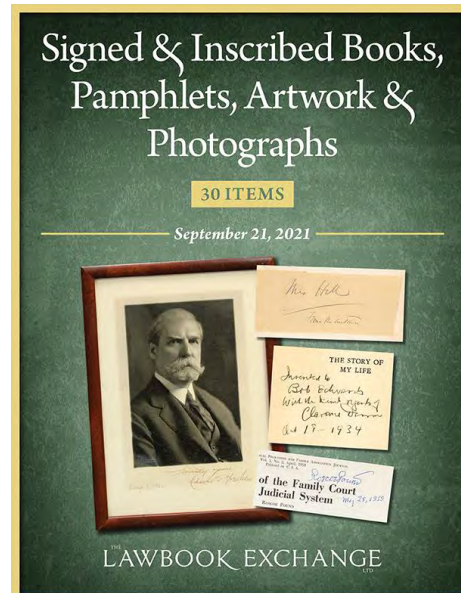
Contemporary vellum, raised bands and early hand-lettered title to spine. Some rubbing to extremities, a few minor stains to boards, spine darkened, spine ends bumped, vellum just beginning to crack through pastedowns. Title page printed in red and black, woodcut head-pieces and tail-pieces. Moderate toning to text, browning in places, occasional light foxing. A few annotations to endleaves, internally clean. Ex-library. Small inkstamps to title page. An appealing copy of an interesting and scarce title. \$1,750.

\* Second and final edition. First published in 1662, this is an extensive canon-law treatise on various types of lies and the moral and legal consequences of lying. In addition to general issues of truth and falsehood it considers libel, slander and blasphemy. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 12:109106Z. [Order This Item](#)

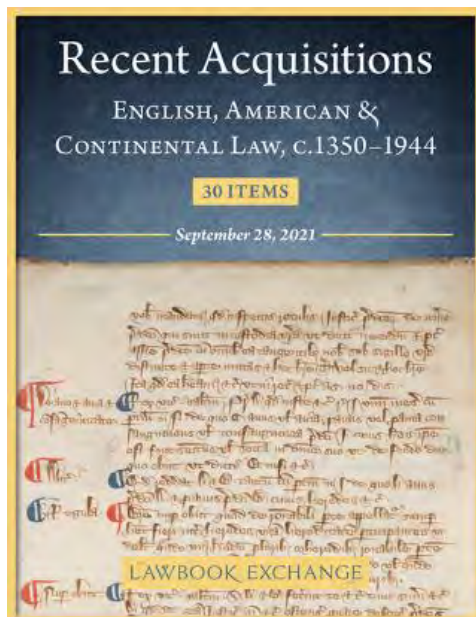
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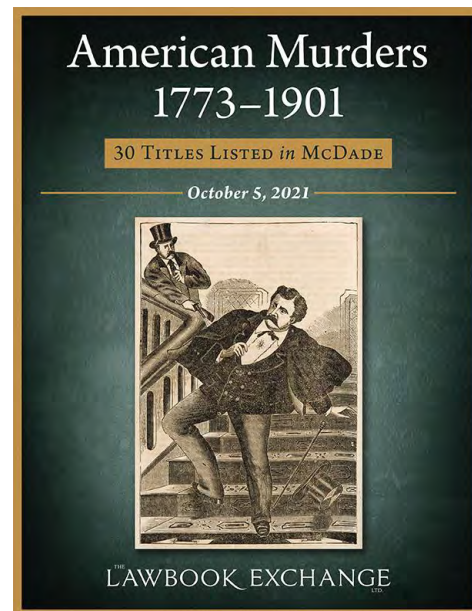
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