

A SELECTION OF 30

# ANTIQUARIAN FOLIOS

*October 25, 2016*



THE  
LAWBOOK EXCHANGE  
LTD.

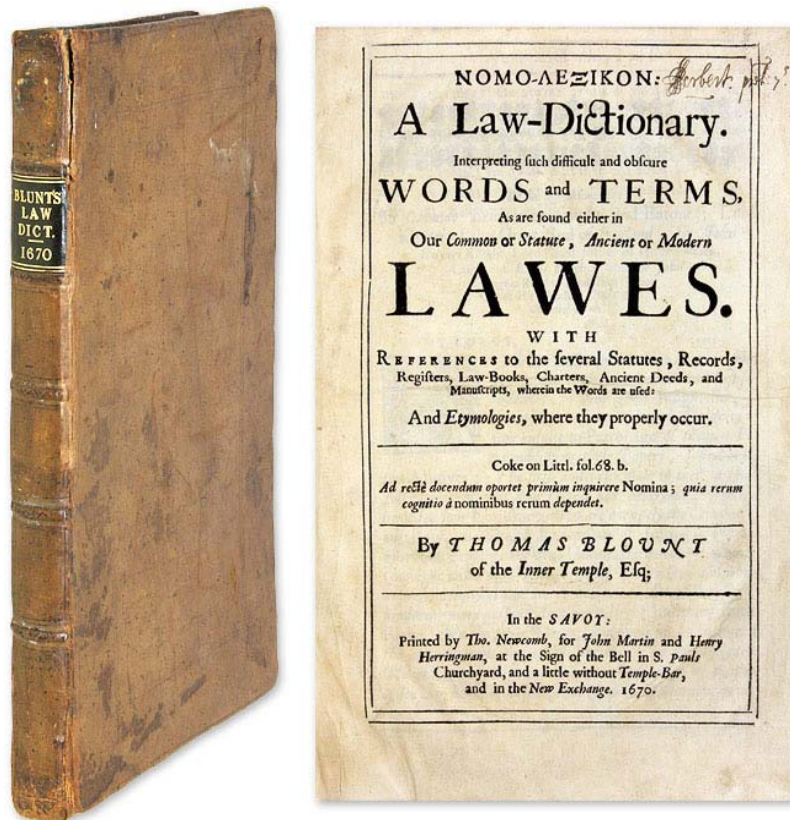


# The Lawbook Exchange, Ltd.

(800) 422-6686 or (732) 382-1800 | Fax: (732) 382-1887

law@lawbookexchange.com | [www.lawbookexchange.com](http://www.lawbookexchange.com)

## A Selection of 30 Antiquarian Folios



### First Edition of Blount's Dictionary

#### 1. Blount, Thomas [1618-1679].

*NOMO LEXIKON: A Law-Dictionary. Interpreting Such Difficult and Obscure Words and Terms, as are Found Either in Our Common or Statute, Ancient or Modern, Laws. With References to the Several Statutes, Records, Registers, Law-Books, Charters, Ancient Deeds, and Manuscripts, Wherein the Words are Used: And Etymologies, Where They Properly Occur.* London: Printed by Tho. Newcomb for John Martin and Henry Herringman, 1670. [286] pp. With a final errata leaf. Complete. Text printed in parallel columns within black-ruled borders. Folio (11-1/4" x 7").

Contemporary calf, speckled blind frames to boards, raised bands and later lettering piece to spine, gilt tooling to board edges. Moderate rubbing to extremities, minor scuffing and staining to boards, front joint starting near head, a few cracks to text block, one between front endleaf and title page. Light toning to text, somewhat heavier in places. Early owner signature to head of title page, interior otherwise clean. An appealing copy. \$500.

\* First edition. Blount was a member of the Inner Temple. Prohibited to practice at the Bar because he was a Catholic, but blessed with a large private income, Blount turned to legal scholarship, historical studies and lexicography. Blount aimed to correct the defects he found in Cowell's *Interpreter* (1607) and Rastell's *Termes de la Ley* (1523). In his preface, he observed that Cowell "is sometimes too prolix in the derivation of a Word, setting down several Authors Opinions, without categorically determining which is the true"; Rastell "wrote so long hence, that his very Language and manner of expression was almost antiquated." He hoped that by correcting these flaws he would create a dictionary useful to everyone in the profession from "the Coif to the puny-Clerk." The *Nomo-Lexikon* is clearer and more detailed than its predecessors. It is also the first English-language dictionary with entries that include word etymologies and citations. An immediate success that quickly supplanted its predecessors, it was reissued in larger and revised editions throughout the eighteenth century. Cowley, *A Bibliography of Abridgments, Digest, Dictionaries and Indexes to the Year 1800* 160. Holdsworth, *A History of English Law* XII:175-176. Starnes and Noyes, *The English Dictionary from Cawdrey to Johnson* 46. *English Short-Title Catalogue* R19028.



Asserting the Church and Crown in Bohemia

## 2. [Bohemia].

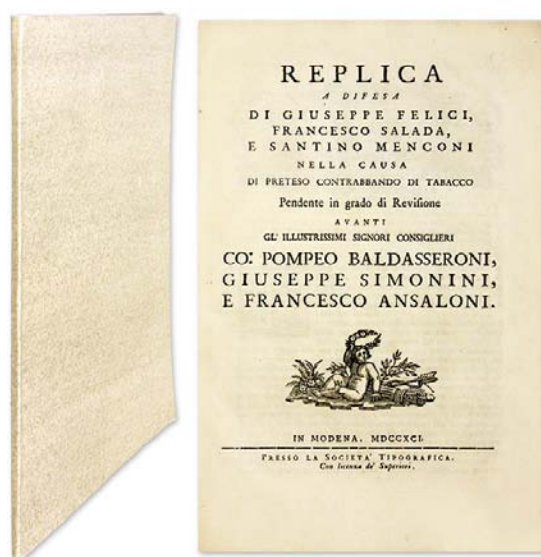
### Ferdinand II [1578-1637], Holy Roman Emperor.

*Der Rom. Kay. Auch zu Hungarn und Bohaimb* [Et]c. *Königlichen Majestat, Ferdinandi dess Andern* [et]c. *Vernewerte Landes Ordnung Deroselben Erbkönigreichs Bohaimb*. [Vienna: Gedruckt bey Mariae Formick, 1640]. [viii], 551, [vi], 131, [2] pp. Two parts, each with title page and individual pagination. Folio (11" x 7").

Contemporary speckled calf, varnished, blind rules to boards, raised bands and lettering piece to spine, speckled edges, (later?) marbled endpapers. Light rubbing to boards, moderate rubbing to extremities, joints just starting at ends, corners bumped. Title pages, with large copperplate arms of the Holy Roman Empire, printed in red and black, large arms copperplate arms of Bohemia to versos, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, light foxing to a few leaves, edges of title pages trimmed closely with minor loss, internally clean. Ex-library. Bookplate to front pastedown. \$950.

\* Fourth edition. Holy Roman Emperor Ferdinand II, a Habsburg, ruled the Kingdom of Bohemia. A document of the Thirty Years War [1618-1648], his *Vernewerte Landes Ordnung* (Revised Land Ordinance) for Bohemia, enacted in 1627, aimed to consolidate his power and suppress Protestantism, which was spreading through parts of that kingdom. Among other measures, it deprived the Bohemian estates of their military rights, placed all schools under Jesuit control and made Catholicism the kingdom's only legal religion. Due in part to his aggressive stance, Bohemia witnessed some of the most brutal battles of the war. Ferdinand, who died in 1637, was able to pass the kingdom to his heir, but the land and its crown were greatly

diminished. Editions of the *Vernewerte Landes Ordnung* were published in 1627, 1628, 1638, 1640, 1714 and 1753. All are scarce. OCLC locates 2 copies of the 1640 edition in North American law schools (University of Michigan, Yale). *Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 12:656896L.



Item 3



Item 4

### Tobacco Smugglers: An Unrecorded Imprint

#### 3. [Carandi (Carandini), Prospero].

*Replica a Difesa di Giuseppe Felici, Francesco Salada, E Santino Menconi Nella Causa di Preteso Contrabbando di Tabacco Pendente in Grado di Revisione Avanti Gl'Illustrissimi Signori Consiglieri Co: Pompeo Baldasseroni, Giuseppe Simonini, E Francesco Ansaloni.* Modena: Presso la Societa' Tipografica, 1791. 37 pp. Folio (11-1/4" x 7-1/2").

Recent stiff wrappers, endpapers renewed. Large woodcut title-page device, large woodcut vignette to head of p. 1. Light toning to text, internally clean. \$750.

\* Only edition. Defense submission for an appeal involving three men convicted of smuggling tobacco in a suit initiated by the licensed tobacco contractor Massa and Carrara. The arguments are erudite and learned; there are citations to Bartolus and Alberico de Rosate, for example, and, on p. 33, a eight-line quotation from Virgil. This appears to be an unrecorded imprint. No copies located on OCLC.

### Hire and Leases in Roman Law

#### 4. Carocci, Vincenzo [16th/17th Cent.].

*Tractatus Locati et Conducti, In quo Exacte de Pensionibus, Fructibus, Caducitatibus, Remissionibus, Salariis & Similibus, Nova, Quotidiana & Practicabilis Materia Pertractatur. Hac Tertia, Et Postrema Editione ab Ipso Authore Maximo cum Labore, Diligentia, & Studio, Variis, & Prope Innumerabilibus Quaestionibus Utilibus, & in Practica Frequentibus, & Quotidianis Ornatus, Auctus, & Summopere Illustratus, Ita (Ut Quae Asterisco Insignita, & Parenthesi Quadam a Veteribus Seiuncta Sunt) Penultima Editione Noviter Instar Auctarii Accesserint, Prout Priores Ambas Editiones cum hac Tertia Conferenti Luce Meridiana Clarius Apparebit.* Venice: Apud Ioannem Baptistam & Ioan. Bernardum Sessam, 1597. [xviii], 286 ff. Main text in parallel columns. Folio (12-1/2" x 8-1/2").

Contemporary limp vellum, early hand-lettered title to spine, endpapers renewed. Light soiling, a few stains to boards, joints just starting at foot, a few cracks to spine, a bit of wear to corners. Title page, with large woodcut Sessa device, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Some toning to text, faint dampstaining in a few places, a few worm holes to title page and following leaf, lower corners of preliminaries somewhat worn. Early owner signatures to title page, early underlining and check marks in a few places, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$450.



\* Third (stated) edition, actually the fourth. First published in 1584, this treatise on hire, leases and other types of contracts in Roman law went through at least eight editions; it was still an authority in the late seventeenth century. Few copies of any edition are held by North American law libraries. Regarding our 1597 edition, OCLC locates 1 (at Yale). *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE9673.



Item 5



Item 6

### Scarce Treatise on the Roman Law of Usufruct by Distinguished Spanish Canonist

#### 5. Castillo Sotomayor, Juan del [1560-1640].

*Tractatus Controversiarum Iuris Quotidianarum de Usufructu in Quo Singulariter tam Theorice, Quam Practice Universa Eiusdem Materia, Quaestiones, & Dubia Traduntur, Enucleantur, & Resoluntur. Additis in Fine CCLX.* Venice: Apud Turrinum, 1645. [xii], 348, [28] pp. Folio (12" x 8-1/2").

Contemporary vellum, raised bands, early hand-lettered title to spine. Minor staining and rubbing to extremities, repairs to corners, boards slightly bowed, minor worming to gutter near head of text block, partial crack between front endleaf and title page. Title page with large device printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Toning in a few places, rest of interior notably fresh. Early owner signature in fine hand to title page. A nice copy of a scarce title. \$500.

\* Later edition. First published in 1609, this treatise on the Roman law on the right to use the property of another (usufruct) went through several editions and issues in Italy, Spain, France and Germany. According to the title page, this Venetian imprint has unique additions. Complete in itself, this became the first part of a two-volume set when an additional volume was published by Turrinum in 1646. Castillo Sotomayor was a distinguished Spanish canonist. Not in the *British Museum Catalogue*.

### The "Celebrated" First Digest of the Laws of Colombia

#### 6. [Colombia].

**Pombo, Lino de [1797-1862], Editor.**

*Recopilacion de Leyes de la Nueva Granada, Formada I Publicada en Cumplimiento de la Lei de 4 de Mayo de 1843 I por Comision del Poder Ejecutivo por Lino de Pombo, Miembro del Senado. Contiene Toda la Lejislacion Nacional Vijente Hasta el Ano de 1844 Inclusive.* Bogota: Imprenta de Zoilo Salazar, Por Valentin Martinez, Febrero 1845. [iv], xxvi, 541 pp. Text in parallel columns. Folio (12" x 8").

Contemporary calf, gilt fillets to boards, lettering piece and gilt ornaments to spine, ribbon markers, marbled endpapers. Some rubbing with wear to spine ends and corners. Large woodcut arms of Colombia to title page, internally fresh. \$1,250.

\* This is the first digest of Colombia's laws since the nation became independent in 1821. It also includes the texts of treaties with England, the United States, France, and the Netherlands (with parallel translations). "By virtue of the laws of May 4, 1843 and June 12, 1844 the Congress of New Grenada [Colombia] specified the statutes then in force and ordered their compilation, a task which was entrusted to senator Lino de Pombo. This celebrated collection, popularly known as the *Recopilacion Granadina*, contained the extant legislation from 1821 to 1844 inclusive, arranged under appropriate headings, and was a work of high merit for its time": Backus and Eder, *A Guide to the Laws of Colombia* 125.



Item 7

Item 8

### First Edition of the First Systematic Work on Scots Law

#### 7. Craig, Sir Thomas [1538-1608].

*Jus Feudale Tribus Libris Comprehensum: Quibus Non Solum Consuetudines Feudales & Praediorum Jura, Quae in Scotia, Anglia, & Plerisque Galliae Locis Obtinere, Continentur.* Edinburgh: [S.n.] Impressum Anno. Dom. 1655. [xii], 383, [1 blank] pp. Folio (12" x 8").

Contemporary sheep, blind rules to boards, recent lettering piece to spine. Rubbed with some loss to spine ends, some worming to rear board and head of spine, joints starting at ends, front hinge partially cracked, about half of front free endpaper lacking, recent armorial bookplate (of the Baron de Spon) to front free pastedown, early wax seals to verso of front free endpaper. Light toning to text, internally clean. A solid copy of an important work. \$500.

\* First edition. Unlike previous compilations, *Jus Feudale* is an original work. "Indeed Craig was the first systematic writer on law in Scotland. The *Jus Feudale* is not a mere textbook of the law of land rights, but is a learned disquisition upon a great social system. The opening chapters are devoted to an examination of the sources of law in general, and trace the history and development of the Civil, Canon and Feudal laws. If Craig had accomplished no more than that he would have been entitled to a foremost place amongst our jurists, for unquestionably the form of his book not only exemplified the philosophical outlook of the learned Scots lawyer, but provided a model of construction and treatment for his successors" Black, *The Institutional Writers* 62-63. *English Short-Title Catalogue* R232723

### First Edition of the First English Treatise on Sheriffs

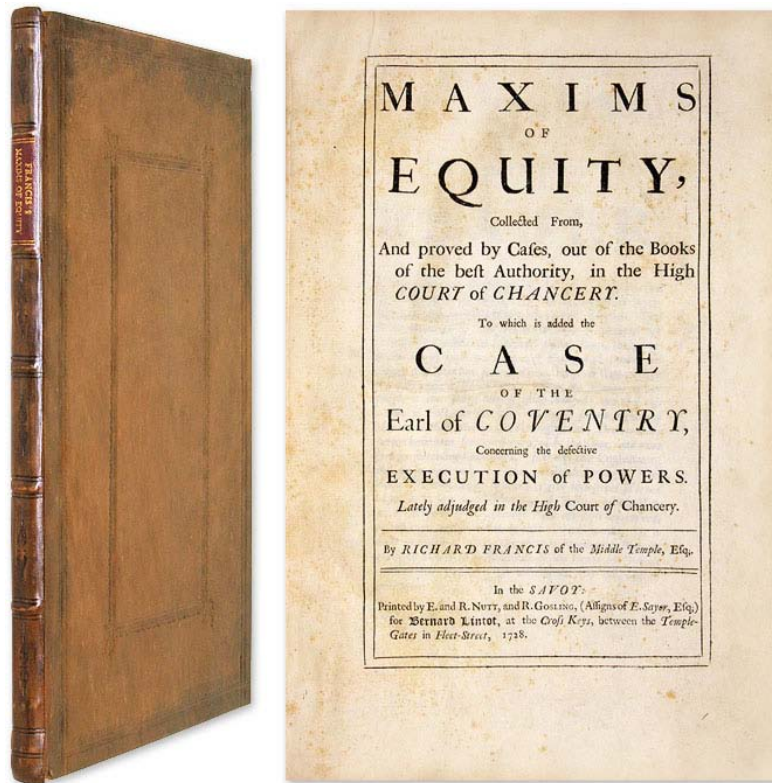
#### 8. Dalton, Michael [d.ca. 1648].

*Officium Vicecomitum: The Office and Authoritie of Sherifs, Written for the Better Incouragement of the Gentry (Upon Whom the Burthen of This Office Lyeth) to Keepe Their Office, And Undersherife, In Their Houses. (...) Gathered Out of the Statutes, And Bookes of the Common Lawes of this Kingdome.* London: Printed for the Companie of Stationers, 1623. [iv], 194, [6] ff. The first leaf and last leaves are blank. Folio (11-1/4" x 7-1/2").



Contemporary calf, blind rules to boards, raised bands and later gilt-stamped title to spine, endpapers renewed. Light rubbing, recent repairs to spine ends and adjacent corners of boards, front joint partially cracked, corners bumped and lightly worn. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Light toning, faint dampstaining to upper corners of margins, bookplate residue to front pastedown. Early owner signature, interior otherwise clean. An appealing copy. \$1,500.

\* First edition. This is the first English treatise on sheriffs. As its title suggests, it is a remarkably comprehensive work. Holdsworth, who cites it several times, says "in spite of a growing number of rivals, it continued to be a standard authority until the beginning of the eighteenth century.": *History of English Law* IV:119. *English Short-Title Catalogue* S107284.



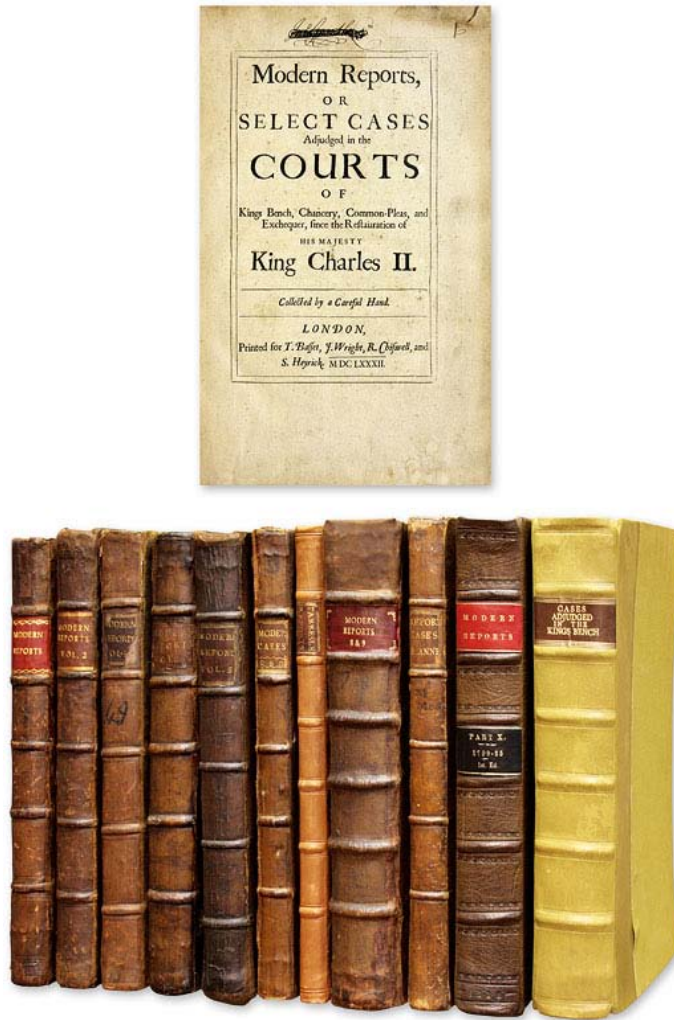
**The Book that Established  
the Field of Equity Jurisprudence**

**9. Francis, Richard [fl. 1719-1728].**

*Maxims of Equity, Collected From, And Proved by Cases, Out of the Books of the Best Authority, In the High Court of Chancery. To Which is Added the Case of the Earl of Coventry, Concerning the Defective Execution of Powers Latlky Adjudged in the High Court of Chancery.* [London]: Printed by E. and R. Nutt, and R. Gosling, 1728. [x], 72, [12], [2], 20 pp. Folio (12" x 8").

Recent period-style paneled calf, raised bands, blind ornaments and lettering piece to spine. Moderate toning and occasional light foxing to text, internally clean. \$950.

\* Second edition, a reissue of the first edition (1727) with an altered titlepage and a preliminary advertisement leaf. This was the first textbook on equity published since St. Germain's *Doctor and Student* (1523). It is generally considered to be the book that founded the field of equity jurisprudence. Francis outlines fourteen maxims, such as "Equality is Equity" and "Equity suffers not a right to be without a remedy." Each maxim is followed by a brief summary of cases that illustrate its application. As Roscoe Pound observed, Francis created a precursor to the casebook: "his maxims for the most part are independent attempts to state principles derived from the study of cases.": Pound, "On Certain Maxims of Equity" in *Cambridge Legal Essays* 261-262. *English Short-Title Catalogue* T118767.



**Rare Complete Set of the *Modern Reports***

**10. [Great Britain].**

**[Reports].**

**[Colquitt, Anthony, Compiler].**

1. *Modern Reports...* London: Printed for J. Basset, 1682. [xii], 314, [22] pp.

**[With]**

2. *The Second Part of Modern Reports...* London: Printed by the Assigns of Rich. and Edw. Atkins, 1698. [x], 322, [22] pp. Tables.

**[And]**

3. *The Third Part of Modern Reports...* London: Printed by the Assigns of Rich. And Edw. Atkins, 1700. [xx], 338, [38] pp.

**[And]**

4. *The Fourth and Last Part of Modern Reports...* London: Printed by the Assigns of Rich. and Edw. Atkins, 1703. [viii], 424, [24] pp.

**[And]**

**[Nelson, William (b. 1653), Compiler].**

5. *The Fifth and Last Part of Modern Reports...* [London]: Printed by John Nutt, 1711. [xii], 464, [20] pp.

**[And]**

**[Salkeld, William (1671-1715), Compiler].**

6. *Modern Cases...* [London]: Printed by John Nutt, 1713. [viii], 314, [22] pp.

**[And]**



**Farresley, Thomas, Compiler.**

7. *Modern Cases...* [London]: Printed by E. and R. Nutt, 1725. Second Edition. [iv], 32, 37-160, [12] pp.

[And]

8. *Modern Cases in Law and Equity...In Two Parts* [London]: Printed by E. and R. Nutt, 1730. [viii], 384, [44]; [iv], 210, [12] pp.

[And]

**[Lucas, Robert (d. 1776), Reporter].**

9. *Cases in Law and Equity...* [London]: Printed by E. and R. Nutt, And R. Gosling, 1736. [ii], ii, [8], 538, [94] pp.

[And]

10. *A Report of Cases...* [London]: Printed by E. and R. Nutt, And R. Gosling, 1737. v, [4], 276, [20] pp.

[And]

11. *Cases Adjudged in the Court of King's Bench...* [London]: Printed by E. and R. Nutt, And R. Gosling, 1738. iv, [x], 690, [78] pp.

Twelve volumes in eleven books. Complete. Folio (12-1/2" x 8").

1, 2: Contemporary calf, raised bands and recent lettering pieces to spines, later repairs to spine ends. Moderate rubbing to extremities with some wear to spine ends and corners, which are bumped, minor scuffing to boards, hinges cracked, early armorial bookplates to 1. Some toning to text, light foxing and dampstaining in places, occasional early annotations.

3, 4, 5, 10: Contemporary calf, raised bands and lettering pieces to spines. Moderate rubbing to extremities with some wear to spine ends and corners, light scuffing to boards, front joint of Volume 3 starting at head, hinges cracked or starting. Light to moderate toning, early owner signatures to preliminaries, occasional early annotations.

6: Contemporary calf, raised bands and lettering piece to spine, joints and portion of front board repaired. Moderate rubbing to extremities with some wear to spine ends and corners, a few shallow scuffs to boards. Moderate toning to text, staining to margins in a few places. Early owner annotations to preliminaries, interior otherwise clean.

7: Contemporary calf, rebaked in period style retaining lettering piece, raised bands, hinges mended. Some scuffing to boards, corners somewhat worn, early armorial bookplate to front pastedown. Light toning to text, somewhat heavier in places. Early owner signature to head of title page, annotations to a few leaves.

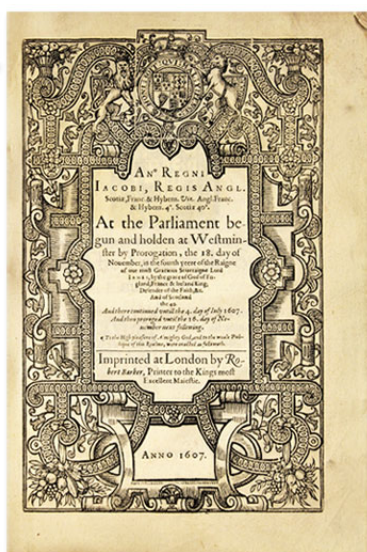
8: Contemporary calf, rebaked retaining most of original spine, recent lettering piece, hinges mended. Light scuffing to boards, corners bumped and somewhat worn, minor worming to front pastedown, dampstain to rear pastedown, interior otherwise fresh.

9: Recent period-style quarter morocco over marbled boards, raised bands and lettering piece to spine. Some print-through to preliminaries, early owner signature and annotation to title page, interior notably fresh.

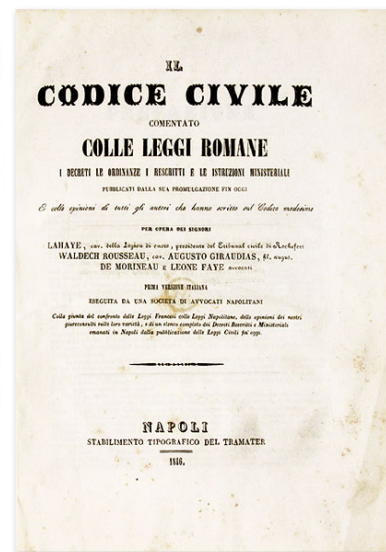
11: Recent period-style quarter calf over cloth, raised bands and lettering piece to spine. Boards very slightly bowed, light toning to text, occasional soiling to margins, somewhat heavier toning and foxing to preliminaries.

Detailed descriptions of individual volumes available on request. \$3,000.

\* First editions, except 7, which is a second edition. One of the most ambitious and admired works of its time, the *Modern Reports* began as a four-volume set issued from 1682 to 1703. A fifth volume was added in 1711. Six more, one of them in two parts, were issued by later reporters. Taken together, these books report cases from 21 Charles II to 4 George II (1669-1732). Thomas Leach edited the books and republished them in 1793-1796 as a twelve-volume set. Complete sets of early editions, such as ours, are rare in the trade. Very few have ever appeared at auction; we have not seen any sets in the past 30 years. (The Sweet & Maxwell annotation, otherwise excellent, gives incorrect publication dates for 3.) Wallace, *The Reporters* 347-390. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:304-305 (88).



Item 11



Item 12

### With Two Well-Annotated Acts Concerning Alcoholic Beverages

#### 11. [Great Britain].

##### [Statutes].

##### [James I, King (1566-1625)].

An[n]o Regni Iacobi, Regis Angl. Scotiae, Franc. & Hybern. Viz. Angl. Franc. & Hybern. 4. Scotiae 40. At the Parliament Begun and Holden at Westminster by Prorogation, The 18. Day of November, In the Fourth Yeere of the Raigne of Our Most Gracious Sovereigne Lord Iames, By the Grace of God of England, France & Ireland King; Defender of the Faith, &c. And of Scotland the 40. And There Continued Untill the 4. day of Iuly 1607. And Then Proroged Until the 16. Day of November Next Following. To the High Pleasure of Almighty God, And to the Weale Publique of this Realme, Were Enacted as Followeth. [London: Robert Barker, Printer to the Kings Most Excellent Maiestie, 1607]. 92 pp. Folio (10-1/2" x 7-1/2").

Contemporary limp vellum with fragments of ribbon ties, early hand-lettered title to spine. Light soiling, spine ends bumped, chips to head and foot of front board, free endpapers lacking. Title printed with woodcut architectural border, decorated initials, head-pieces and tail-pieces. Light toning to text, faint dampstaining in places. Extensive annotations in contemporary hand to eight pages, some slightly affected by trimming, interior otherwise clean. \$1,500.

\* This volume records 8 acts for the 4th year of James's Reign. Two acts are heavily annotated: "An Act to Restraine the Utterance of Beere and Ale to Alehouse-Keepers and Tiplers not Licenced" and "An Acte for Repressing the Odious and Loathsome Sinne of Drunkenness." *English Short-Title Catalogue* S121600.

### A Fine Example of Comparative Law

#### 12. [Italy].

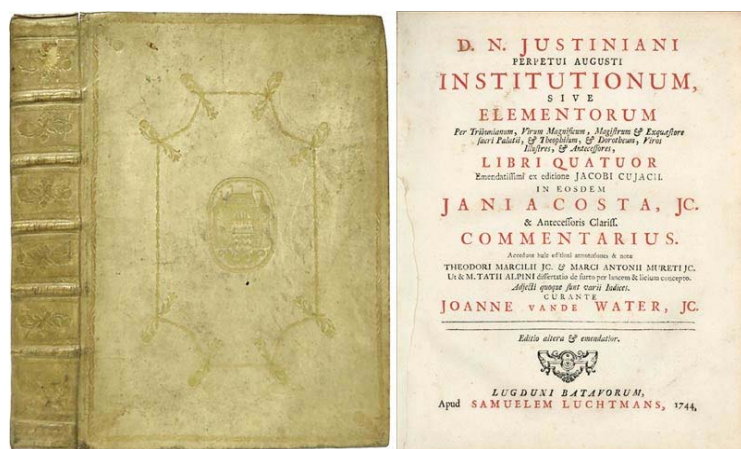
##### [Kingdom of the Two Sicilies].

*Il Codice Civile Comentato Colle Leggi Romane: I Decreti le Ordinanze I Rescritti e le Istruzioni Ministeriali.* Naples: Stabilimento Tipografico del Tramater, 1846. [viii], 1348 pp. Main text in parallel columns. Folio (12" x 8-1/2").

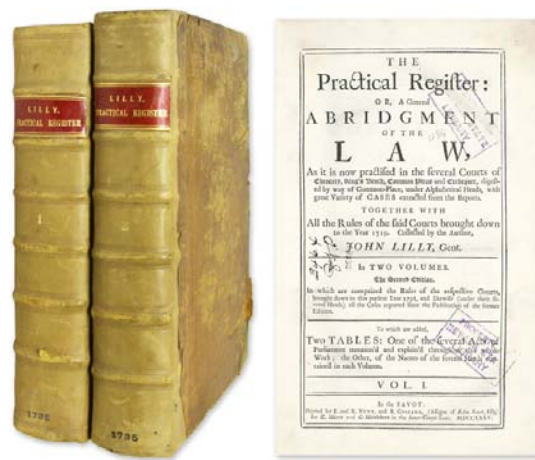
Contemporary vellum, lettering piece and gilt fillets and ornaments to spine. Light soiling to spine, a few minor stains to boards, corners bumped, 1" x 7" strip of vellum lacking from foot of rear board, a few worm holes to hinges. Light toning to text, occasional light foxing, internally clean. \$850.



\* Only edition located. An interesting work of comparative law that compares all of the articles in the Code Napoleon with comparable articles in the civil code of the Kingdom of the Two Sicilies and those of the Code of Justinian and other parts of the *Corpus Juris Civilis*. No copies located on OCLC.



Item 14



Item 15

### The *Institutes* with Commentaries by Notable French Scholars

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

**Cujas, Jacques [1522-1590], Editor.**

**Lacoste, Jean [c.1560-1637], Commentator. Marcile, Theodore [1548-1617], Commentator.**

**Muret, Marc-Antoine [1526-1585], Commentator. van de Water, Johannes [d.1689], Editor.**

*D.N. Justiniani Perpetui Augusti Institutionum, Sive Elementorum per Tribonianum, Virum Magnificum, Magistrum & Exquaestore Sacri Palatii, & Theophilum, & Dorotheum, Viros Illustres, & Antecessores, Libri Quatuor Emendatissimi...* Leiden: Apud Samuelem Luchtmans, 1744. xxxviii, 667, [1] pp. Fold-out table of descents. Quarto (9-1/2" x 7-1/2").

Contemporary vellum, raised bands, ornate gilt double frames enclosing heraldic device to boards, gilt ornaments to spine. Soiling, some wear to corners and spine ends, front endleaf (or half-title) lacking. Title page printed in red and black. Handsome woodcut tailpieces and decorated initials. Partial split between preliminary gathering and title page. Interior notably fresh. \$400.

\* An edition of the *Institutes* by Cujas with extensive commentary and notes by Jean Lacoste, Theodore Marcile and Marc-Antoine Muret. These jurists, who followed Cujas' example, were leaders of the French humanistic school, which aimed to purge Roman sources of later corruptions. Their pioneering methods did much to establish the field of philology. Compiled around 161 CE, the *Institutes* is an elementary treatise on Roman private law that served as a standard text for 300 years. After its rediscovery during the medieval era it became a staple of European legal education. Not in the *British Museum Catalogue*.

### Successor to Styles's *Regestrum Practicale*

**14. Lilly, John.**

*The Practical Register: Or, A General Abridgement of the Law, As it is Now Practiced in the Several Courts of the Chancery, King's Bench, Common Pleas, and Exchequer, Digested by Way of Common-Place, Under Alphabetical Heads, With Great Variety of Cases Extracted from the Reports. Together with All the Rules of the Said Courts Brought Down to the Year 1719.* [London] Printed by E. and R. Nutt, and R. Gosling for J. Walthoe [et al.], 1735. Two volumes. [xx], 882, [4]; [ii], 880 pp. Each volume includes a one-page publisher advertisement. Folio (12-1/2" x 8").

Contemporary calf with later rebacking, raised bands and lettering pieces to spines, corners mended, endpapers renewed. Moderate rubbing and scuffing to boards, front hinges starting. Faint dampspotting and soiling to some leaves, interior otherwise fresh. Ex-library. Stamps to preliminaries of both volumes. A nice set. \$400.

\* Second edition. Based on Styles's *Regestrum Practicale* (1657) and a standard reference during the eighteenth century, Lilly's *Register* was first published in 1719. It is divided into two parts. The first deals with conveyances. (The information is arranged under 36 alphabetical headings from "Assignments" to "Uses.") The second is a collection of precedents. As Holdsworth points out, "they are a varied collection, since they include, besides the ordinary conveyances of interests in real property, a settlement of stock, the assignment of a debt, compositions with creditors, an agreement between a high-sheriff and his under-sheriff, and agreement between a bishop's register and his deputy, and even a precedent for a private act of Parliament for the settlement of an estate.": Holdsworth, *A History of English Law* XII:376. *English Short-Title Catalogue* N12206.



### A Classic Treatise on the Roman Law of Evidence

#### 15. Menochio, Giacomo [1532-1607].

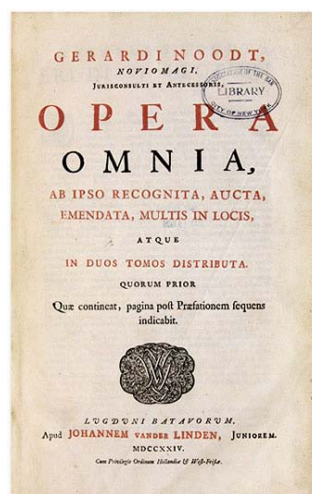
##### Haunold, Joachim, Commentary.

*De Praesumptionibus, Coniecturis, Signis, & Indiciis Signis, & Indiciis Commentariorum. Non Antehac in Lucem Edita. Varia, Recondita Perfectaq[ue] Eruditione Referta, & Omnibus Iudicia Praesertim Exercentibus, Oppido Quam Necessaria. Adiecta Sunt Summaria Indexq[ue].* Volume I: Venice: Apud Haeredes Francisci Ziletti, 1587; Volume II: Venice: Apud Franciscum de Franciscis, 1590. Two volumes. [xlv], 80, 273; [lxix], 364; 156 ff. Complete as issued. Main text in parallel columns. Folio (14-1/2" x 9-3/4").

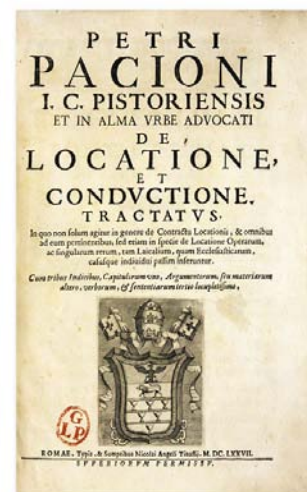
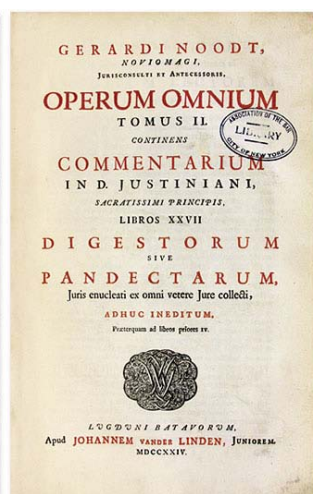
Later quarter vellum over marbled boards, lettering pieces to spines, endpapers renewed, early hand-lettered titles to bottom edges of text blocks. Moderate rubbing to boards with some wear to edges and corners, which are bumped, spines lightly soiled, minor worming around joints, front hinge of Volume I cracked, its rear hinge starting, some creasing to its final 30 leaves. Large woodcut printer devices to title page, woodcut head-pieces, tail-pieces and decorated initials. Light to moderate toning, occasional faint dampspotting and foxing, minor worming in places, spark burns and inkstains to a few leaves. Faint early owner signatures to title pages, interiors otherwise clean. A nice set. \$850.

\* Second edition. Highly regarded in his time, Menochio was a professor of law at the University of Padua. First published in 1579, this exhaustive and formidably erudite treatise addresses the law of evidence (presumption) in Roman law. An authority for generations, it went through numerous editions and issues into the eighteenth century. Well-represented in European libraries, this title is not held by many libraries in North America, in any edition. Regarding the second edition, OCLC locates 6 copies, 3 in law libraries (Harvard, Library of Congress, UC-Berkeley). *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE36291.





Item 16



Item 17

### Collected Works of a Distinguished Dutch Jurist

#### 16. Noodt, Gerard [1647-1725].

*Opera Omnia, Ab Ipso Recognita, Aucta, Emendata, Multis in Locis, Atque in Duos Tomos Distributa.* Leiden: Apud Johannem van der Linden, Junioem, 1724. [vi], 644, [24]; [iv], 590, [16] pp. Two parts in one volume, each with title page and individual pagination. Signatures in Part II containing pp.161-192 duplicated. Main text in parallel columns. Folio (12-1/2" x 8").

Contemporary paneled vellum, raised bands to spine. Moderate edgewear and some soiling to boards, backstrip perished, vellum partially detached from boards, pastedowns loose, text block secure. Title pages printed in red and black, woodcut text ornaments. Light toning to text, wear to fore-edges of pastedowns and front endleaves, internally clean. Ex-library. Inkstamps to title pages, another stamp and annotations to verso. A good candidate for rebacking. \$125.

\* Second edition. Influenced by Grotius, Noodt was a distinguished professor of law with an international reputation who taught at the universities of Nijmegen, Franeker, Utrecht and Leiden. His works were standard authorities during the eighteenth century. This volume collects his principal works, including his important commentaries on the *Corpus Juris Civilis*. The first edition was published in 1713, the sixth and final edition in 1767. Dekkers, *Bibliotheca Belgica Juridica* 124 (16).

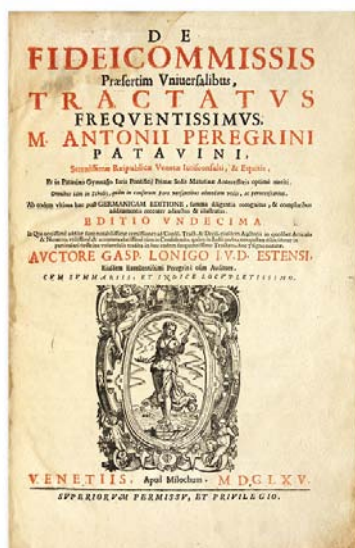
### A Durable Treatise on Leases and Tenancy

#### 17. Pacioni, Pietro [17th c.].

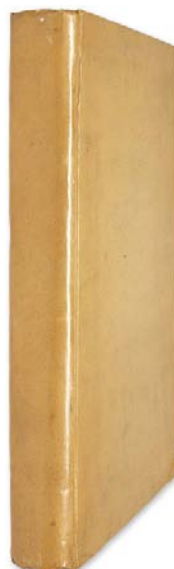
*De Locatione, et Conductione. Tractatus. In Quo non Solum Agitur in Genere de Contractu Locationis, & Omnibus ad Eum Pertinentibus, Sed Etiam in Specie de Locatione Operarum, ac Singularum Rerum, tam Laicalium, Quam Ecclesiasticarum, Casusque Indiuidui Passim Inseruntur.* Rome: Typis, & Sumptibus Nicolai Angeli Tinassii, 1677. [xxxvi], 830, [2] pp. Main text in parallel columns. Folio (13" x 8-1/2").

Contemporary calf, raised bands, gilt ornaments and lettering piece to spine, hinges mended. Light rubbing and a few minor nicks to boards, moderate rubbing to extremities with minor wear to spine ends, corners bumped, Attractive copperplate armorial title-page device, woodcut decorated initials, head-pieces and tail-pieces. Light toning to text, somewhat heavier in places. Somewhat later annotations to front free endpaper, small early owner inkstamp to foot of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy. \$750.

\* First edition. A remarkably durable work, Pacioni's comprehensive treatise on leases, tenancy, contracts and related subjects in Roman and canon law went through eight later editions, the last in 1840. All editions are scarce. OCLC locates 3 copies of the first edition in North American law libraries (Columbia, Georgetown, Harvard). *British Museum Catalogue* (Compact Edition) 19:185.



Item 18



Item 19

### Classic Treatise on Fideicommissum

#### 18. Pellegrini, Marcantonio [1530-1616].

Lonigius, Gasparus, Editor.

*De Fideicommissis Praesertim Universalibus, Tractatus Frequentissimus, M. Antonii Peregrini Patavini...* Venice: Apud Milochum, 1665. [lvi], 727 pp. Main text in parallel columns. Folio (13" x 8-1/2").

Contemporary mottled and varnished calf, gilt spine with raised bands and lettering piece. Moderate running, chipping to head of spine, corners bumped, front hinge cracked. Title page, with large woodcut device, printed in red and black. Moderate toning and faint dampstaining, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$650.

\* Later edition. One of the most durable concepts in Roman law, *fideicommissum* involves situations in which something is committed to somebody's trust. It is central to the law concerning testators. First published in 1595, Pellegrini's treatise was a standard work in Northern Italy into the eighteenth century. (Its final edition was published in Venice in 1761.) Not in the *British Museum Catalogue*.

### Fascinating Eighteenth-Century Encyclopedia of Canon Law

#### 19. Pignatelli, Giacomo [1625-1698].

Pascucci, Carmine Tommaso [1653-1701], Editor.

*Compendium seu Index ad Consultationes Canonicas, In Quo Omnia, Quae ab Eodem Dispersim per Decem Tomos Dicta Sunt...* Venice: Ex Typographia Balleoniana, 1733. Two parts in one book, each with title page, index and individual pagination. [viii], 386, [30]; 306, 24 pp. Main text in parallel columns. Folio (15" x 9-1/2").

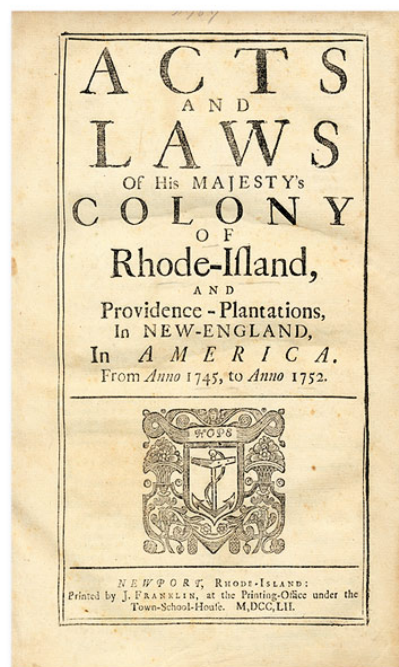
Later plain glazed paper-covered boards, endpapers renewed. Light rubbing to extremities, spine ends and corners bumped. Title page of first part printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light toning, light foxing in places, burn holes through bottom corner of final fourteen leaves with no loss to text. Tiny early owner (or library) stamp to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy. \$850.

\* Third edition. Arranged alphabetically, and well-indexed, with detailed entries, Pignatelli's reference work covers everyday topics in canon law, such as tithing and church property, but emphasizes more controversial subjects, such as adultery, atheism, dueling, indulgences, the inquisition, papal infallibility, Jews, Heretics and usury. The first two editions were published in 1687 and 1716, the last, mostly an original work by Pascucci published under his name, in 1773. All are scarce. OCLC locates 7 copies of the third edition in North America, 2 in law libraries (Columbia, University of Minnesota). Not in the *British Museum Catalogue* or Ferreira-Ibarra.





Item 20



Item 21

### A Highly Respected Reporter

#### 20. Raymond, Sir Thomas [1627-1683], Reporter.

*The Reports of Divers Special Cases Adjudged In The Courts Of Kings Bench, Common Pleas, & Exchequer, In the Reign of King Charles II.* London: Rich. & Edw. Atkins, 1696. [i], 506, [54] pp. Folio (12" x 8").

Contemporary calf, blind rules to boards, fillets along joints, raised bands and lettering piece to spine. Some rubbing to extremities with some wear to corners, boards beginning to separate (but still secure). Light toning to text, somewhat heavier in places, internally clean. \$200.

\* First edition. A highly respected set of reports, these cover the years 1660 to 1684 and extend back with some interruption to 1653. Sir Thomas Raymond sat as judge of the Courts of Common Pleas and King's Bench only briefly, at the end of his career. But he left superior manuscript accounts of cases heard in these courts in earlier times when he was a barrister of Gray's Inn. His reports were held in high regard by Holdsworth and Wallace. Holdsworth, *History of English Law* VI:560. Wallace, *The Reporters* 304.

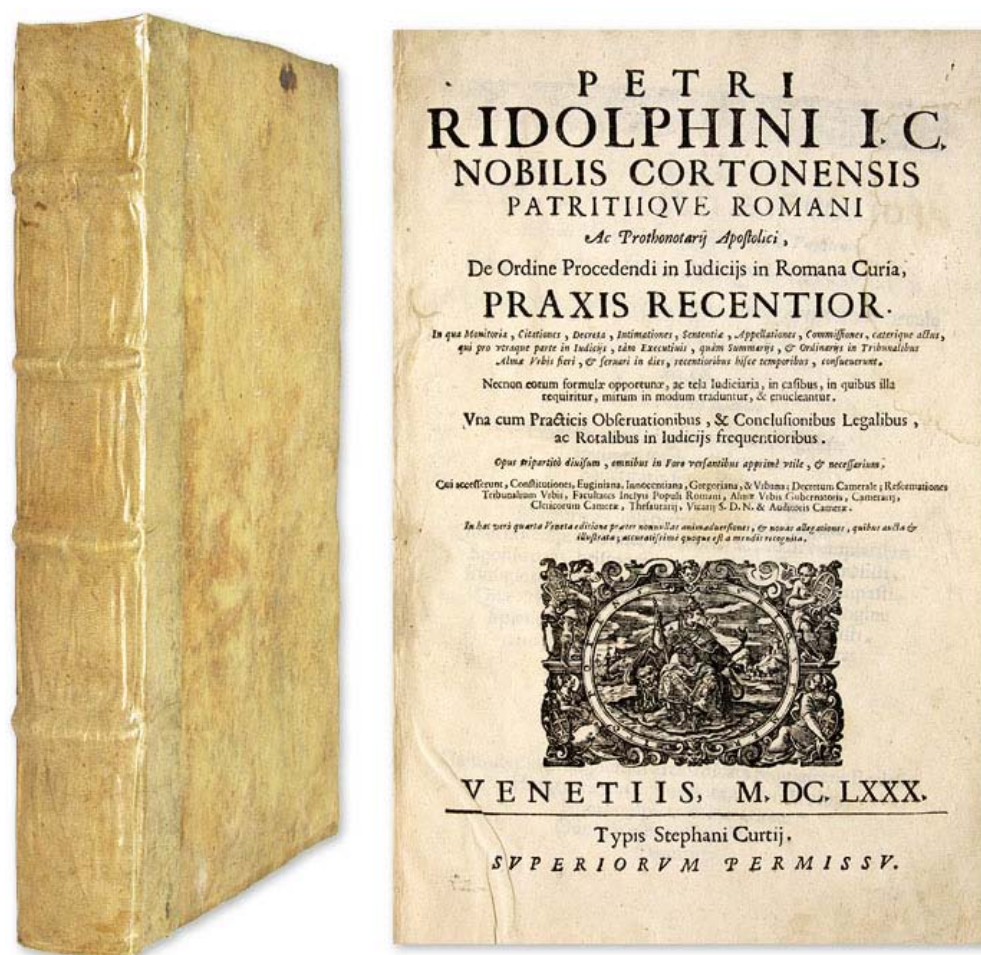
### 1752 Compilation of Rhode Island Acts and Laws Printed by James Franklin

#### 21. [Rhode Island].

*Acts and Laws of His Majesty's Colony of Rhode-Island, And Providence- Plantations, In New-England, In America. From Anno 1745, To Anno 1752.* Newport: Printed by J. Franklin, 1752. [viii], 110 pp. Folio (11" x 7").

Later reversed calf, red lettering piece with gilt title and date at foot of spine. Internally clean. A very good copy. \$2,500.

\* "A continuation of the third revision of Rhode Island laws" (Benedict). The first revised laws of the colony were printed in Boston in 1719; the second and third revisions were printed in Newport in 1730 and 1745 respectively. The present compilation is considered a supplement to the 1745 laws. Unlike the revisions which are in topical digest form, this is arranged chronologically by session. Printed by James Franklin, the son of James Franklin (1697-1735), brother of Benjamin Franklin. The younger James Franklin and his mother Ann Franklin were official printers for the colony throughout much of this period. [Benedict], *Acts and Laws of the Thirteen Original Colonies and States* 449. *The Charlemagne Tower Collection of Colonial Laws* 812.



### Procedure in Canon Law

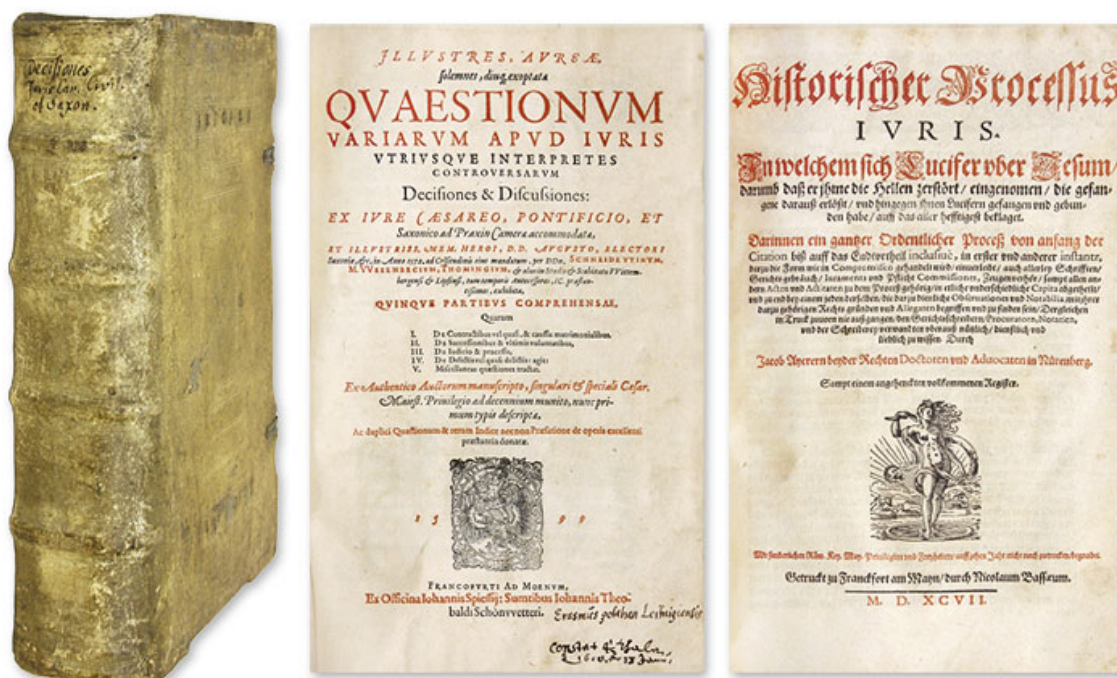
#### 22. Ridolfini, Pietro [d. 1674].

*De Ordine Procedendi in Iudicijs in Romana Curia, Praxis Recentior in qua Monitoria, Citationes, Decreta, Intimationes, Sententiae, Appellationes, Commissiones, Caeterique Actus, Qui pro Utraque Parte in Iudicijs, Tam Executiuis, Quam Summarijs, & Ordinarijs in Tribunalibus Almae Urbis Fieri, & Seruari in Dies, Recentioribus Hisce Temporibus, Consueuerunt.* Venice: Typis Stephani Curtii, 1680. [viii], 572, 100 pp. Main text in parallel columns. Folio (12" x 8").

Contemporary vellum with early rebacking, raised bands to spine, endpapers renewed. A few minor stains to boards, corners and spine ends bumped. Light toning to text, faint dampstaining in a few places, internally clean. Ex-library. Bookplate to front pastedown. \$500.

\* Second edition. As a lawyer attached to the Papal Curia, Ridolfini was well-qualified to write this treatise on procedure in canon law. It was first published in 1675, with other editions in 1680, 1696, 1703 and 1726. Few copies of any edition are held in North American libraries. OCLC locates 1 copy of the 1680 edition (at UC-Davis). Not in the *British Museum Catalogue* or *Ferreira-Ibarra*.





**An Anthology of Legal Opinions and a  
"Trial" of Humanity, Jesus Christ for the Defense**

**23. I. Schneidewein, Johann [1519-1568].**

**Thoming, Jakob.**

**Wesenbeck, Matthaeus [1531-1586].**

**Matthias, Konrad, Editor.**

**Schonwetter, Johann Theobald, Editor.**

*Illustres, Aureae, Solemnnes, Divq. Exoptatae Quaestionum Variarum apud Iuris Utriusque Interpretes Contrversarum Decisiones & Discussiones: Ex Iure Caesareo, Pontificio, Et Saxonico ad Praxin Camerae Accommodatae, Et Illustriss. Mem. Heroi, D.D. Augusto, Electori Saxoniae, &c. In Anno 1572. Ad Celsitudinis Eius Mandatum...* Frankfurt: Ex Officina Iohannis Spiessii: Sumtibus Iohannis Theobaldi Schonwetteri, 1599. [xxiv], 54, 203, [21] ff.

**[Bound with]**

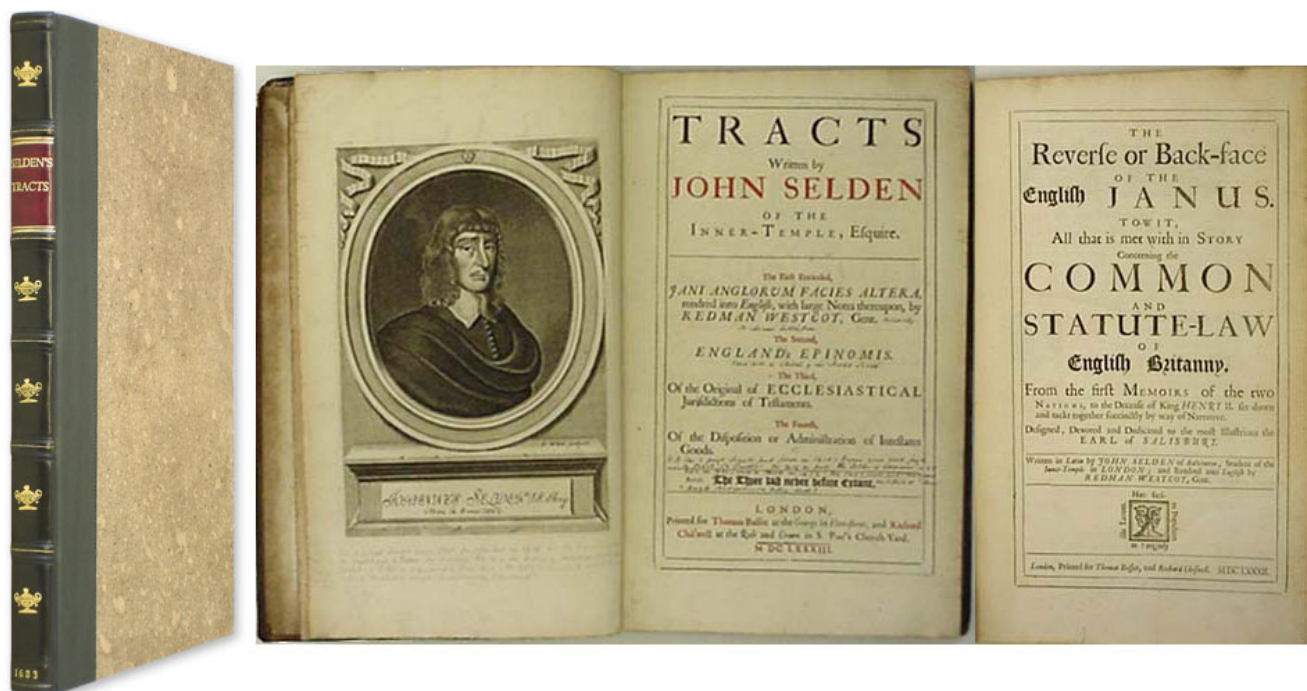
**II. Ayzer, Jakob [c.1543-1605].**

*Historischer Processus Iuris. In Welchem sich Lucifer uber Jesum, Darumb dass er Ihme die Hellen Zerstort, Eingenomen, Die Gefangene Darauß Erlosst und Hingegen Ihnen Luciferu Gefangen und Gebunden Habe, Auff das Aller Hefftigst Beklaget. Darinnen ein Gantzer Ordentlicher Process von Anfang der Citation bitz auff das Endturtheil Inclusive, In Erster und Anderer Instantz, Darzu die Form wie in Compromissen Gehandelt wird, Einuerleibt...* Frankfurt: Gedruckt durch Nicolaum Bassaeum, 1597. Colophon dated 1598. [xii], 739 [i.e.731], [38] pp.

Folio (12-1/4" x 7-1/2"). Two works bound together in contemporary paneled vellum over wooden boards with elaborate tooling, raised bands and somewhat later hand-lettered title to spine, "E G L" and "1600" stamped to front board, clasps lacking. Moderate soiling, some rubbing to extremities, spine ends bumped, a few minor scuffs, minor worming to pastedowns. Title pages printed in red and black, woodcut decorated initials and text ornaments. Moderate toning to text, somewhat darker in places, light foxing to a few leaves in each book. Early owner signature and annotation to foot of *Illustres*, interiors otherwise clean. \$2,500.

\* I. First edition. Arranged by topic in five sections, and well indexed, this is an anthology of legal opinions by three distinguished jurists. Complete in itself and bibliographically distinct, it was followed by another collection in 1608, confusingly titled *Tomus Tertius Continens Illustres*, that does not include contributions by Thoming. Both are scarce. OCLC locates 2 copies in North American law libraries (Harvard, UC-Berkeley), none of the 1608 collection. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* S8323.

II. First edition. This fascinating work casts the nature of human salvation as a trial argued by Christ and Satan. Its author, Ayres, was an important German playwright, early translator of Shakespeare and distinguished lawyer and state official. Based on the *Processus Belial* of Jacobus de Thieramo [1349-1417], the canon lawyer and bishop, it is a didactic work on the nature of redemption cast in a humorous "legal" style for the amusement of lawyers. A popular work, it went through several editions into the seventeenth century. OCLC locates 1 copy of this edition in a North American law library (UC-Berkeley). *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* A4523.



"The Pioneer of the  
Select Band of English Historians"

#### 24. Selden, John [1584-1654].

*Tracts Written by John Selden of the Inner-Temple, Esquire. The First Entitled, Jani Anglorum Facies Altera, Rendred into English, with Large Notes Thereupon, by Redman Westcot, Gent. The Second, England's Epinomis. The Third, Of the Original of Ecclesiastical Jurisdictions of Testaments. The Fourth, Of the Disposition or Administration of Intestates Goods. The Three Last Never Before Extant.* London: Printed for Thomas Basset, 1683. [xxxvi], 131; [7], 39; [4], 24, [2] pp. Copperplate portrait frontispiece. Two-page publisher advertisement. Four works in one, the first preceded by general title page, the others by divisional title pages. (The last two tracts comprise the third part.) Folio (12-1/2" x 8").

Recent period-style quarter calf over cloth, raised bands, lettering piece and gilt ornaments to spine, endpaper renewed. Copperplate portrait frontispiece. General title page printed in red and black. Three small tears with minor loss to frontispiece. Annotations to margins in fine early hand, interior otherwise fresh. \$500.

\* First edition, one of two issues, both from 1683. The first two tracts, *Jani Anglorum* (*The Reverse or Back-Face of the English Janus*) and *England's Epinomis*, discuss the development of the common law and the English constitution through Magna Charta. Holdsworth regards Selden "as the first scientific historian of English law" and goes on to say that "his great intellectual qualities justify us in regarding him bothas the pioneer of the select band of English legal historians, and one of the most eminent of its representatives." : *The Historians of Anglo-American Law* 50-51. *English Short-Title Catalogue* R18657.





### Seventeenth-Century Treatise on Bohemian Mining Law

#### 25. Span, Sebastian.

*Speculum Juris Metallici, Oder: Berg-Rechts-Spiegel, Darinnen zu Finden Was Jedweder dem Bergwesen Zugethaner, Hohen, Mittlern und Niedern Person, Als Grund-Herren, Obrist-Munzmeister, Berg-Vorstehern, Berg-Ampts-Leuten, Dienern und Arbeitern, Befehl, Verrichtung und Befugniss Ist...* Dresden: Bey Johann Jacob Wincklern, 1698. [xvi], 422 (i.e. 426), [20] pp. Folio (12-1/2" x 7-3/4").

Contemporary three-quarter calf over speckled boards, raised bands, lettering piece and gilt ornaments to spine, speckled edges, ribbon marker. Some rubbing to boards and extremities, front joint just starting at head. Title page printed in red and black, woodcut head and tail-pieces. Moderate toning to text, light browning in places, part of date lacking from bottom edge of title page due to printer error, early owner stamp to foot of verso, internally clean. Ex-library. Bookplate to front pastedown. \$700.

\* Only edition. Central Europe, Bohemia especially, has been an important mining center since the late-middle ages and the source of some of Europe's earliest mining laws. Originally local, Central European mining law became more Germanic over time through the authority of the Holy Roman Empire. Span's treatise summarizes this body of law with an emphasis on the enactments of Holy Roman Emperors, and Kings of Hungary, Bohemia and Croatia, Ferdinand I and Rudolf II. Among other topics, Span considers the demarcation of territory, drainage, ventilation and the division of expenses and profits among investors. OCLC locates 3 copies in North American law libraries (Harvard, UC-Berkeley, Yale). *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 1:015512F.



**Important Humanistic Law Dictionary with Striking Title Page**

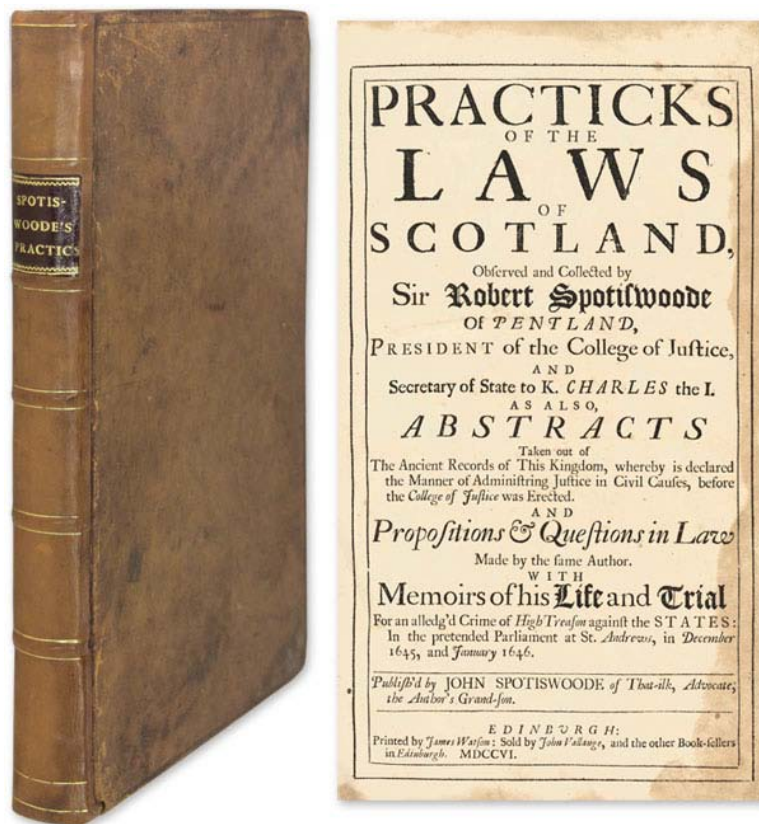
**26. [Spiegel, Jakob (Jacobus) (1483-c.1547)].  
[Oldendorp, Johannes (1487-1567), And Others].**

*Lexicon Iuris Civilis per C.U.D. Iac. Spegelium, Postremo Auctum & Recognitum*. Basel: Apud Ioan. Hervagium, 1549. Main text printed in double columns. [357] ff, 420 cols., [4] ff. Folio (12" x 8").

Mid-seventeenth-century French (?) vellum, painted with diagonal black-ink lines at corners within a mitered black-ink border, leaving a central lozenge shape in which is inked an oval centered with a blindstamped stylized pomegranate, raised bands, calf lettering piece, blind-stamped fleur-de-lys, inked fillets and stylized crown-like floral ornaments to spine, colored edges, marbled endpapers, ribbon marker. Light soiling, some rubbing to extremities, minor chipping to ends of front joint, corners bumped, front hinge cracked. Attractive woodcut pictorial title page. Light toning, title dusty with a few small stains, dampstaining to margins of first few leaves, occasional worming to margins with no damage to text, a few notes to margins of second part in a slightly later hand. A desirable copy of an important title. \$2,500.

\* Third edition (stated). Spiegel was a lawyer, a privy counselor to Holy Roman Emperor Charles V and a notable humanist scholar who corresponded with Erasmus. The *Lexicon Iuris Civilis*, a dictionary of terms in Roman and canon law, is his best and most successful work. It went through twelve editions, the first in 1538, the last in 1577. The entries are rather brief, ranging from a sentence to a few paragraphs, and they contain references to examples in the Roman juristic literature. The second part of the work, *Quae Lexico Huic Postrema Editione Recens Accessere*, contains additional texts. It starts with a work entitled "In Verba Legum XII Tabularum Scholia," an edition of the Twelve Tables by Oldendorp, and is followed by several other texts by Oldenburg and Spiegel. Also appearing for the first time is the comprehensive addendum, which includes a commentary on aspects of Oldendorp's contemporary dictionary, *De Copia Verborum*. There are also pieces by Protestant leader Philip Melanchton ("Oratio de Scripto Iure, & Dignitate Veterum Interpretum Iuris", 'Romanum Ius Antecere Legibus Aliarum Gentium', and his "Censura de Legibus") and Claude Channonette ("De Ratione Studii Legalis Paraenesis," Christoph Hegendorff ("Epitome Tyrocinii Iuris Civilis," "Exegeses in XII Libros Codicis" and Compendariae Titulorum Codicis Iustiniani Exegeses"). The somewhat bizarre vellum binding on our copy defies identification or localization. Just as arresting is the unusual borderless woodcut title page, which appeared for the first time in this edition. OCLC locates 6 copies in North America, 3 in law libraries (Harvard, Library of Congress, UC-Berkeley). Another copy located at Yale Law School. Adams, *Catalogue of Books Printed on the Continent of Europe* S1585.





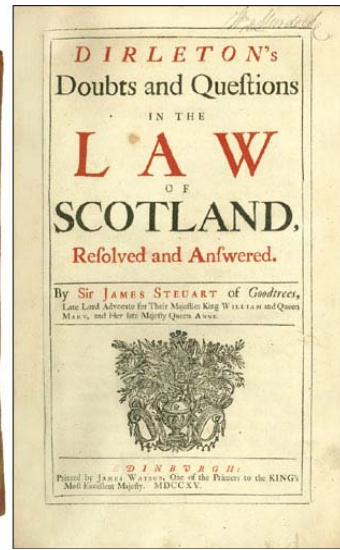
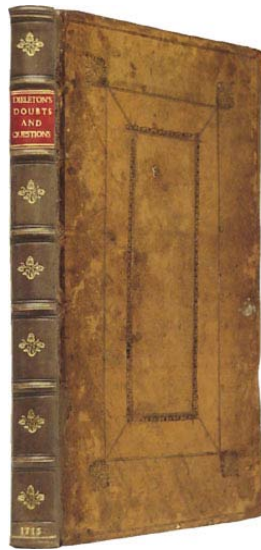
"A Pandect of Scots Law"

**27. Spotiswoode, Sir Robert [1596-1646].**

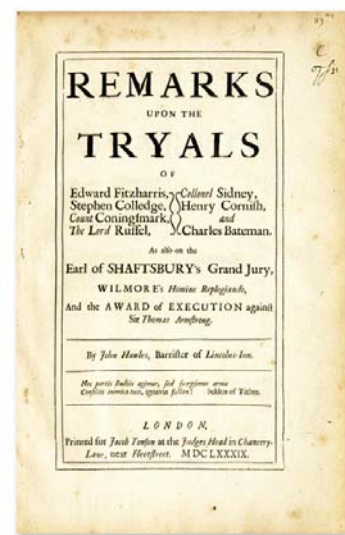
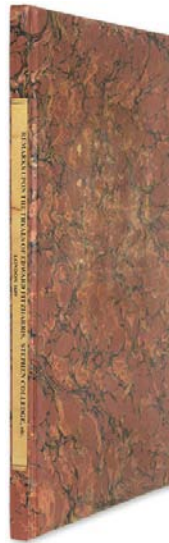
*Practicks of the Laws of Scotland, Also Abstracts Taken Out of the Ancient Records of This Kingdom, Whereby is declared the Manner of Administrating Justice in Civil Causes, Before the College of Justice was Erected....* Edinburgh: Printed by James Watson, 1706. [4], xli, [2], 372 pp. Folio (11-1/2" x 7").

Contemporary calf, blind rules to boards, rebacked in period style with lettering piece and gilt-edged raised bands. Some rubbing to boards, corners bumped and somewhat worn, hinges cracked but secure. Early library shelf label and armorial bookplate (of Mr. George Carre, Advocate) to front pastedown. Chip to bottom edge of title page with no loss to text. Offsetting to margins of endleaves, occasional spotting and light browning, internally clean. An appealing copy of a scarce title. \$950.

\* Only edition. "An anonymous abridgment of both Durie and Hope, and epitome of part of Nicholson by Sir Peter Wedderburn...call for no special comment, and are altogether eclipsed by four other digest Practicks all prior to the civil wars. The first is that of Sir Robert Spotiswoode of Pentland and New Abbey, who was appointed an ordinary Lord in 1626 and Lord President in 1633. Besides excerpts from civilians, Craig and Balfour, he notes cases from 1625 to 1637, not long before he had to fly to England to escape from the Presbyterians, together with a few earlier ones from 1541 derived from an unknown source. It has been described as 'an unfinished collection of materials for a Pandect of Scots law,' and is the earliest of the Practicks generally cited to the Court today" (Stair Society). OCLC locates 3 copies (at Columbia, Yale and UC-Berkeley law libraries). COPAC locates 3 copies (at the University of London, University of Edinburgh and the University of Glasgow). Stair Society, *Introductory Survey of the Sources and Literature of Scots Law* 36. *English Short-Title Catalogue* T101198.



Item 28



Item 29

### A Controversial Scottish Political Writer

#### 28. Steuart, Sir James [1635-1715].

*Dirleton's Doubts and Questions in the Law of Scotland, Resolved and Answered.* Edinburgh: James Watson, 1715. [iii], 340, 16 pp. Portrait frontispiece lacking. Folio (12-1/2" x 7-3/4").

Contemporary paneled calf, rebaked in period style with raised bands, gilt ornaments and lettering piece, hinges and corners repaired. Light rubbing, a few nicks and minor stains to boards. Title page printed in red and black, attractive woodcut head and tail-pieces throughout. Light toning to text, somewhat heavier in places. Early owner signature (William Murdoch) to head of title page, interior otherwise clean. \$300.

\* First edition. "Widely respected not only for legal and political prowess, but also for religious devotion and theological acumen," Sir James Steuart was a judge and controversial political writer. He was forced to leave Scotland after the publication of his treatise *Jus Populi Vindicatum. Or, The Peoples's Right to Defend Themselves and Their Covenanted Religion, Vindicated* (1669), a work that combines biblical, natural, and contractual arguments to justify violent resistance to tyrannical monarchs. He eventually returned from exile and practiced law in London under an alias. In 1679 he returned to Scotland and continued his involvement in state matters. In 1685 he wrote the Duke of Argyll's declaration of war in the rebellion, was accused of treason and pardoned by William III, who went on to appoint him Lord Advocate of Scotland in 1692" (DNB). A second edition was published in 1762. *Dictionary of National Biography* XVIII:1114. *English Short-Title Catalogue* T135776.

### An Illegal Treason Trial?

#### 29. [Trials].

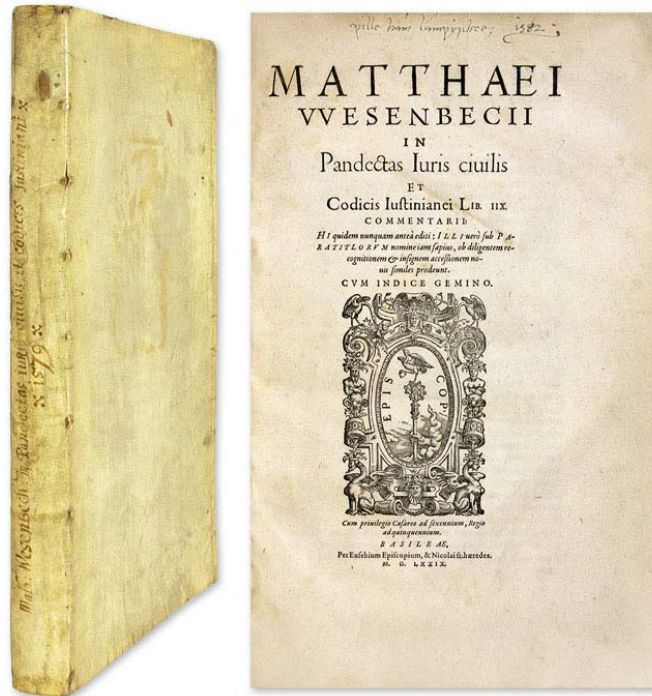
##### Hawles, Sir John [1645-1716].

*Remarks Upon the Tryals of Edward Fitzharris, Stephen Colledge, Count Coningsmark, The Lord Russel, Collonel Sidney, Henry Cornish, And Charles Bateman.* London: Printed for Jacob Tonson, 1689. [iv], 104 pp. Folio (11-3/4" x 7-3/4").

Recent stiff marbled boards, printed title panel to spine. Moderate toning to text, occasional light foxing and dampstaining, spark burns to a few leaves. Brief early owner annotation to head of title page, interior otherwise clean. \$250.

\* Only edition. Edward Fitzharris [1648?-1681] and his accomplices were conspirators against King Charles II and James, Duke of York. The trials of Fitzharris and his accomplices are notable because they raised a set of jurisdictional issues involving the courts and the two Houses of Parliament. These issues, which involve constitutional issues as well, are discussed in Hawles's *Remarks*. He concludes that the parties, while guilty, were tried illegally. *English Short-Title Catalogue* R10368.





**Important Commentary on the Digest**

**30. Wesenbeck, Matthaeus [1531-1586].**

*In Pandectas Iuris Civilis et Codicis Iustiniani Lib. IIX. [sic] Commentarii: Hi Quidem Nunquam Antea Editi: Illi sub Paratitlorum Nomine Iam Saepius, Ob Diligentem Recognitionem et Insignem Accessionem Novis Similes Prodeunt. Cum Indice Gemino.* Basel: Per Eusebium Episcopium, et Nicolai Fr. Haeredes, 1579. [viii], 386, [24]; 82, [8] pp. Two parts, each with title page and individual pagination. Folio (13-1/2" x 9").

Contemporary limp vellum ties, early hand-lettered title to spine, ties lacking. Light soiling and rubbing to extremities, early repair to fore-edge of rear board, minor wear to corners. Large woodcut printer devices to title pages and final leaf of Part I, a few woodcut decorated initials. Light toning to text, a bit heavier in places, spotting and minor worming to a few leaves. Early owner signature to head of title page, annotations and underlining in similar hand to a few passages, interior otherwise clean. Ex-library. Bookplate to front pastedown. A handsome copy. \$950.

\* Fifth edition. Also known as the *Paratitla in Pandectas*, this is an important section-by-section commentary on the *Digest* and *Code* of the *Corpus Iuris Civilis* by a leading Belgian humanist jurist and long-serving rector of the law faculty of the University of Wittenberg. A popular and influential study, it went through 34 editions in the Netherlands, Germany, Switzerland and France. The first edition was published in 1563, the last in 1669. Dekkers, *Bibliotheca Belgica Iuriudica* 188.

**The Lawbook Exchange, Ltd.**  
**Antiquarian Bookseller and Publisher**  
**New and Used Titles for Practitioners and Scholars**  
**Subscription Agent • Collection Development • Appraisals**  
**(800) 422-6686 or (732) 382-1800. Fax: (732) 382-1887**  
**law@lawbookexchange.com**  
**www.lawbookexchange.com**

