

30 Antiquarian Items

CANON, CIVIL, COMMON, CUSTOMARY,
ECCLESIASTICAL & ROMAN LAW

February 6, 2018



THE
LAWBOOK EXCHANGE
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**A Popular Eighteenth-Century
Treatise on Forest and Game Laws**

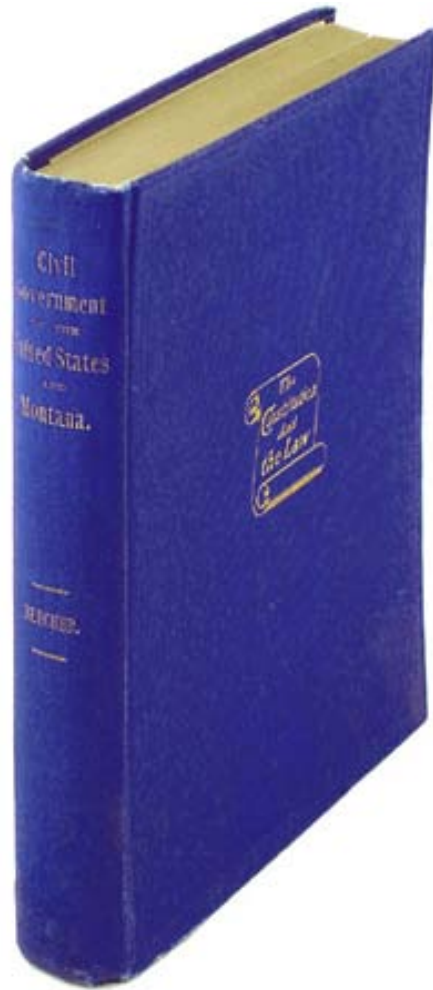
1. Beck, Johann Jodocus [1684-1744].

Tractatus de Jurisdictione Forestali, Von der Forstlichen Obrigkeit, Forst-Gerechtigkeit, Und Wildbann. Wie dieselbe Heuntiges Tages im Heil. Römischen Reich, Sonderlich in Schwaben, Francken und Andern Vornehmen Provinzien, Fürstenthumen und Herrschafften, So wol im Eigenen, Als Fremden Territorio, Practiret wird. Aus Denen Allgemeinen Reichs-Rechten, Landes-Verordnungen, Der täglichen Observanz und Heuntigen Praxi, Gründlich und deutlich Deducirt, Anbey mit Vielen darzu Dienlichen Praejudiciis, Responsis, Decisionibus und Judicialiter Ventilirten Casibus hin und Wieder Illustriert und Bestärcket. Nuremberg: Bey Christoph Riegel, 1733. [vi], 440, [52] pp. Copperplate pictorial frontispiece. Quarto (8" x 6").

Contemporary vellum, calf lettering piece to spine. Some minor spots and stains, spine lightly soiled, corners bumped and somewhat worn, struck through early owner inscription and recent owner bookplate to front pastedown, some worming along hinges, a few worn holes to front endleaves. Title page printed in red and black, Light toning to text, slightly heavier in places. An attractive copy. \$750.

* First edition. This was one of the most popular German treatises on forest and game laws during the eighteenth century. Its final edition, the fourth, was published in 1767. The scope encompasses the laws of the Holy Roman states and adjacent countries. The charming frontispiece depicts a forest scene with images of sport hunting, tree felling and other activities regulated by forest and game laws. OCLC locates two copies of the first edition in North America (Cornell, University of Cincinnati). Not in VD18. *British Museum Catalogue* (Compact Edition) 2:709.

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**Rare 1901 Exposition
of the Montana State Constitution**

2. Beecher, William J.

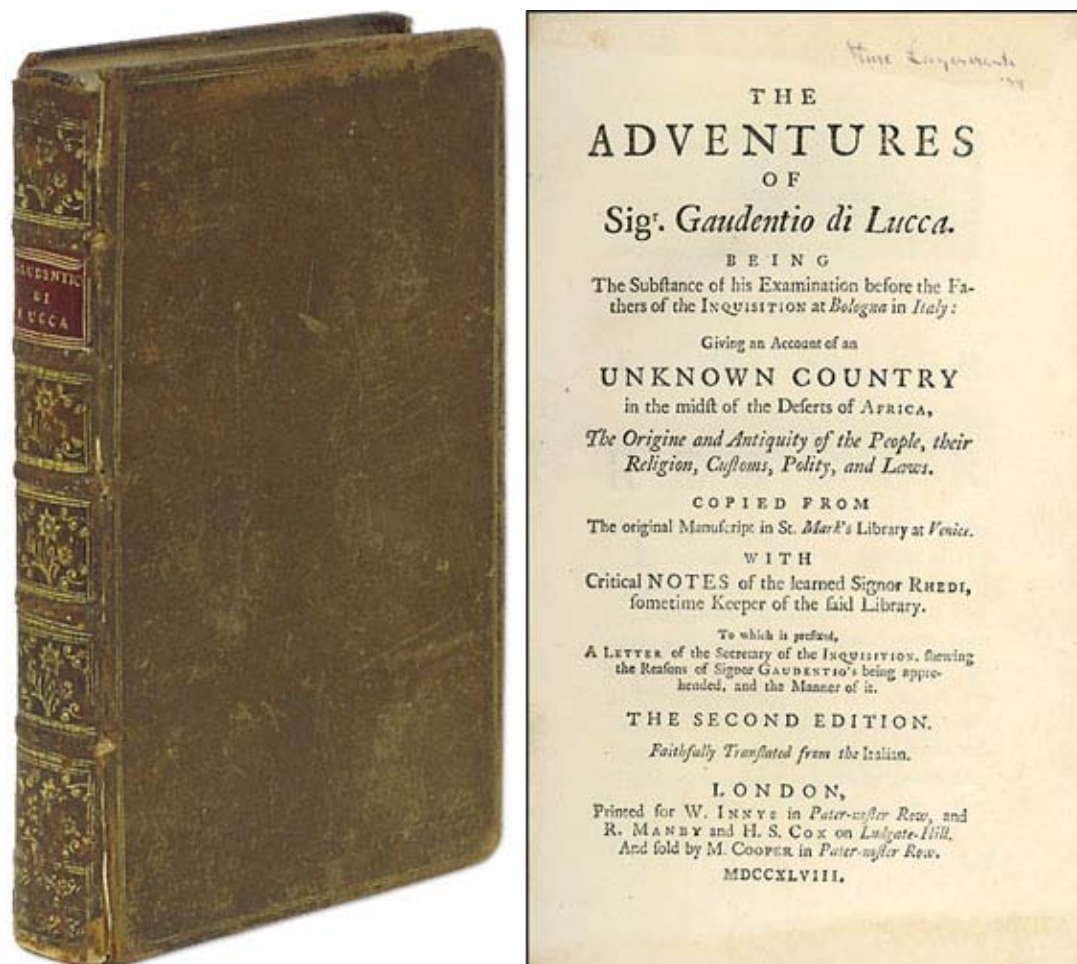
Beecher's Constitution and Civil Government of the United States. Livingston, MT: Wm. J. Beecher, Publisher, 1901.

[And]

Beecher's Constitution and Civil Government of Montana. Livingston, MT: Wm. J. Beecher, Publisher, 1901. Two volumes in one, each with individual title pages and paginations. viii, 194; viii, 188 pp.

Original cloth, blind frames to boards, gilt titles to front board and spine. Light shelfwear to spine ends and corners, small chip to rear pastedown. Owner inscription to front free endpaper, interior otherwise clean. A very good copy of a rare title. \$200.

* Only editions. Written (and published) by a member of the Montana Bar, these two books are clause-by-clause expositions of the Federal and Montana constitutions for general readers. They are similar in style and intent to Joseph Story's *Popular Exposition of the Constitution*. [Order This Item](#)



Utopian Scheme for a Patriarchal Government

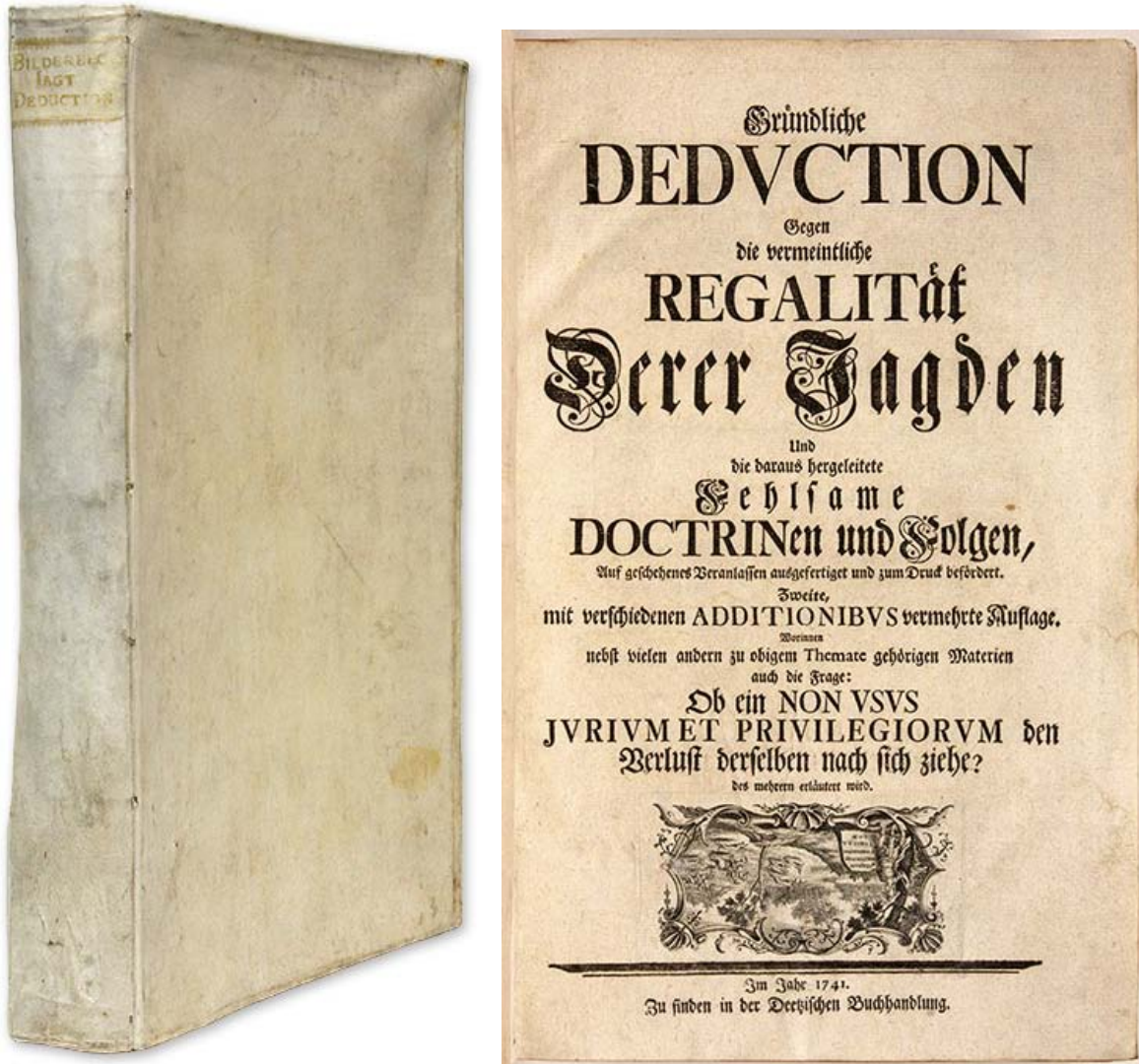
3. [Berington, Simon (1680-1755)].

[Berkeley, George (1685-1753), Presumed Author].

The Adventures of Sigr. Gaudentio di Lucca. Being the Substance of His Examination before the Fathers of the Inquisition at Bologna in Italy: Giving an Account of an Unknown Country in the Midst of the Deserts of Africa, The Origine and Antiquity of the People, Their Religion, Customs, Polity, and Laws. Copied From the Original Manuscript in St. Mark's Library at Venice. With Critical Notes of the Learned Signor Ruedi, Sometime Keeper of the Said Library. To Which is Prefixed, A Letter of the Secretary of the Inquisition, Shewing the Reasons of Signor Gaudentio's Being Apprehended, And the Manner of It. Faithfully Translated From the Italian. London: Printed for W. Innys, 1748. xx, 291 pp. Octavo (8" x 5").

Contemporary calf, gilt spine with raised bands, gilt double rules to boards. Moderate rubbing with wear to spine ends and corners, boards partially detached but secure. Offsetting to margins of endleaves. Early and later annotations to front board, small later owner signature to title page, interior otherwise clean. \$200.

* Second edition. First published in 1737, this utopian novel relates the travels of a prisoner of the inquisition named Gaudentio de Lucca to the country of Mezzorania in Africa, a patriarchal (and socialistic) society where competition and egoism are banned and all enjoy equal property and a spirit of community. Written by a Catholic priest, the novel was originally attributed to George Berkeley. A popular work, it went through several editions and was translated into French and German. *English Short-Title Catalogue* T59629. [Order This Item](#)



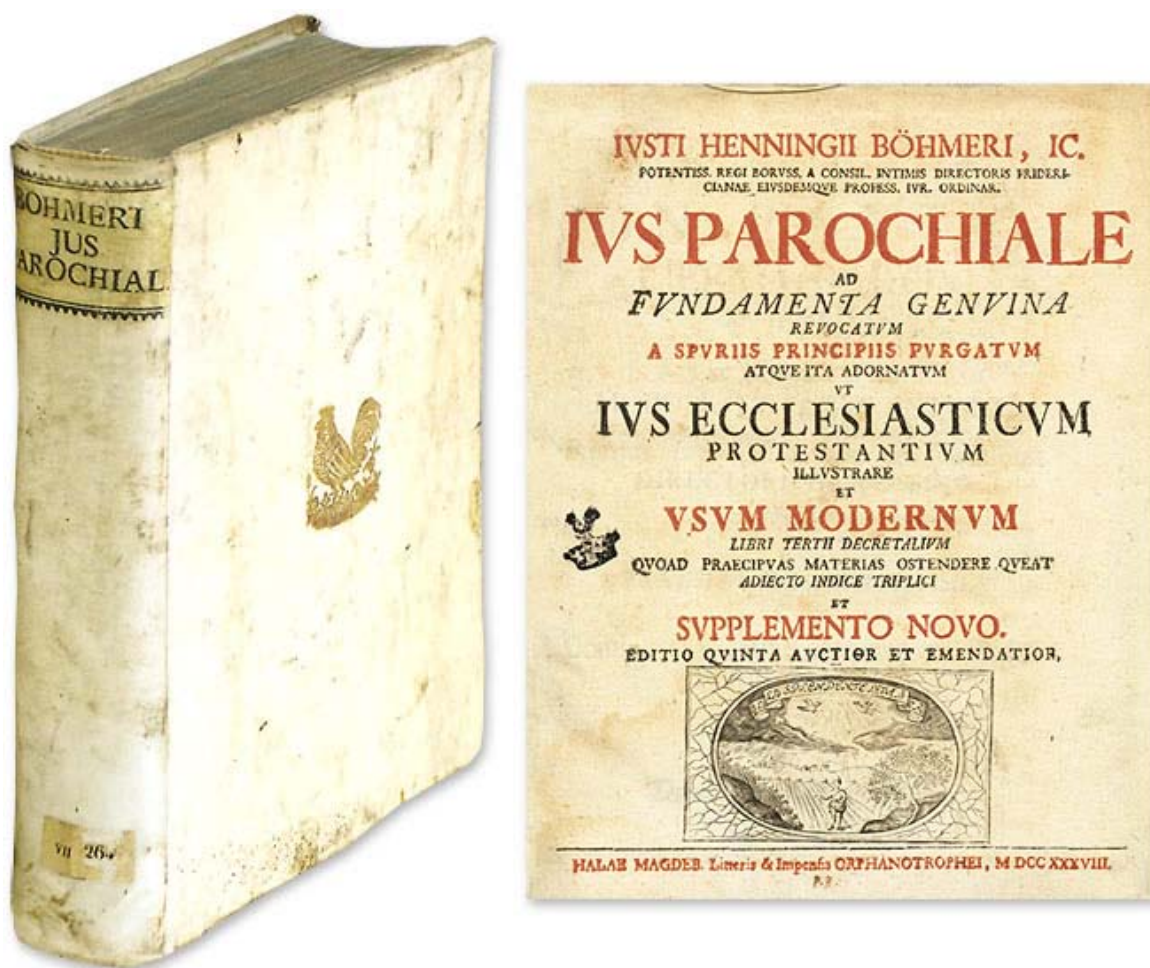
Scarce Commentary on Saxon Game and Forest Law

4. Bilderbeck, Christoph Lorenz [1682-1740].

Gründliche Deduction Gegen die Vermeintliche Regalität derer Jagden und die Daraus Hergeleitete Fehlsame Doctrinen und Folgen, Auf Geschehenes Veranlassen Ausgefertiget u. Zum Druck Befördert. Mit Verschiedenen Additionibus Vermehrte Auflage. Worinnen nebst Vielen Andern zu Obigem Themate Gehörigen Materien auch die Frage: Ob ein non Usus Jurium et Privilegiorum den Verlust Derselben nach sich Ziehe des Mehrern Erläutert Wird. [Celle]: Zu Finden in der Deetzischen Buchhandlung, 1741. [ii], 17, [9], 458, [12] pp. Folio (13" x 8-1/2").

Contemporary vellum, gilt title to spine, edges rouged, pastedowns renewed. A few minor stains, boards slightly bowed, vellum beginning to crack tough pastedowns, recent owner bookplate to front pastedown, rear hinge cracked, moderate toning to text. \$1,500.

* Second and final edition. Early game and land laws record the earliest attempts to preserve the environment. They also offer fascinating insights into social history due to their relevance to topics ranging from class structure to foodways. First published in 1723, Bilderbeck's treatise deals mostly with Saxon law, with comparative commentary on Roman law. Both editions of this title are scarce. OCLC locates no copies of either edition in North America. Not in VD18. *British Museum Catalogue* (Compact Edition) 3:429. [Order This Item](#)



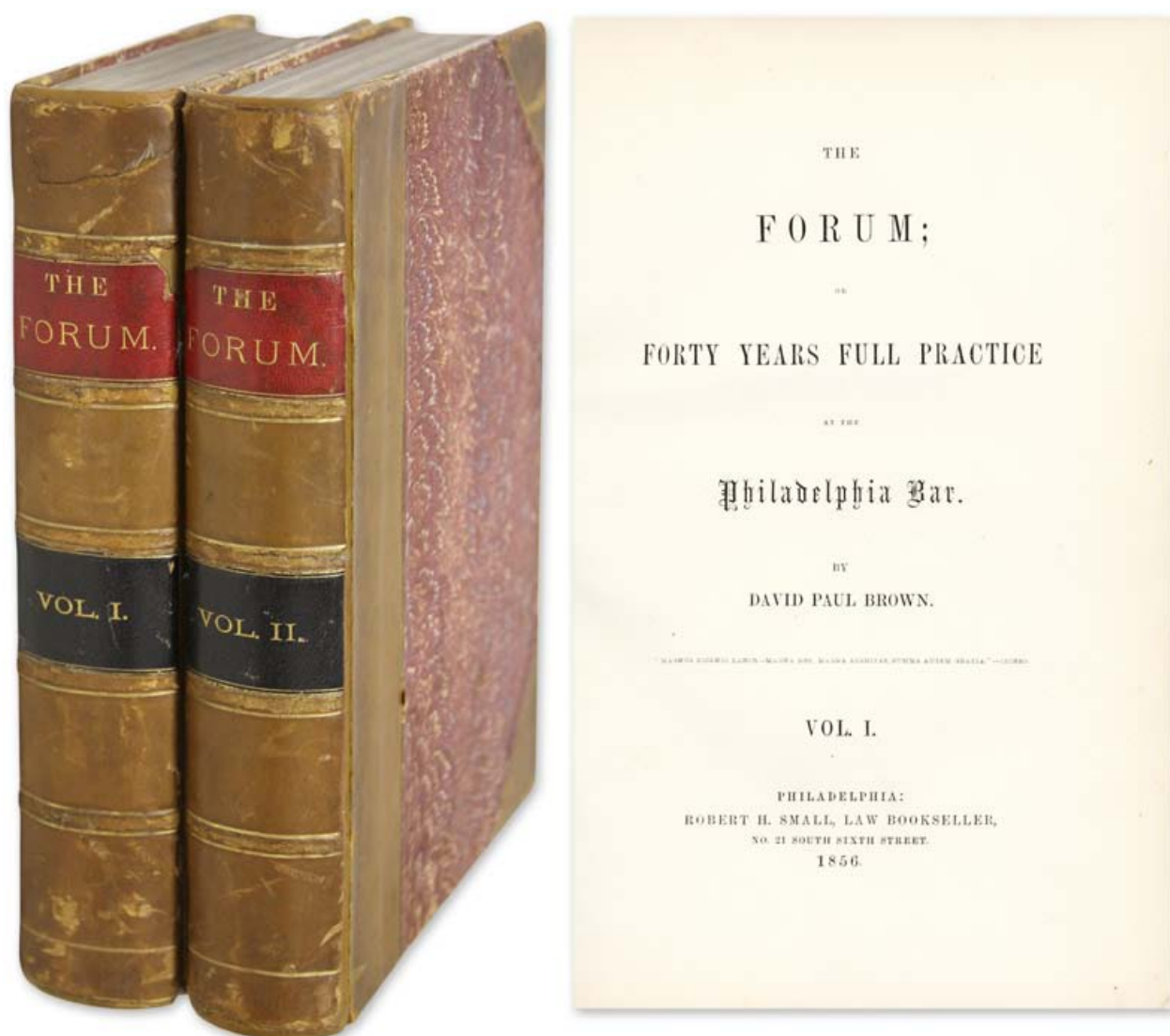
Lutheran Treatise on Church Property, Tithes and Clergy

5. Bohmer, Justus Henning [1674-1749].

Ius Parochiale ad Fundamenta Genuina Revocatum a Spuriis Principiis Purgatum Atque Ita Adornatum ut Ius Ecclesiasticum Protestantium Illustrare et Usus Modernum Libri Tertii Decretalium Quoad Praecipuas Materias Ostendere Queat Adiecto Indice Triplici et Supplemento Novo. Halle: Litteris & Impensis Orphanotrophei, 1738. [xxiv], 552, [56]. Frontispiece and free endpapers lacking. Quarto (8" x 6-1/2").

Contemporary vellum, attractive hand-lettered title to spine, gilt device to center of front and rear boards, green edges. Light soiling and a few minor stains. Title page with attractive large copperplate printer device printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light browning, foxing, and dampstaining to a few leaves, interior otherwise fresh. Ex-library. Remains of shelf label to foot of spine, small owner stamps to front pastedown and title page. An appealing copy of an important work. \$250.

* Fifth edition, corrected, with additions. With indexes. Bohmer was perhaps the leading German authority of his age on ecclesiastical law and its history. He played a leading role in the adaptation of canon law for use in the Lutheran church and established sound theoretical foundations for Lutheran church law. First published in 1701, *Ius Parochiale* addresses issues relating to church property, tithes and clergy. Kleinheyer and Schroder, *Deutsche Juristen aus Fünf Jahrhunderten* 45. *British Museum Catalogue* (Compact Edition) 3:749. [Order This Item](#)



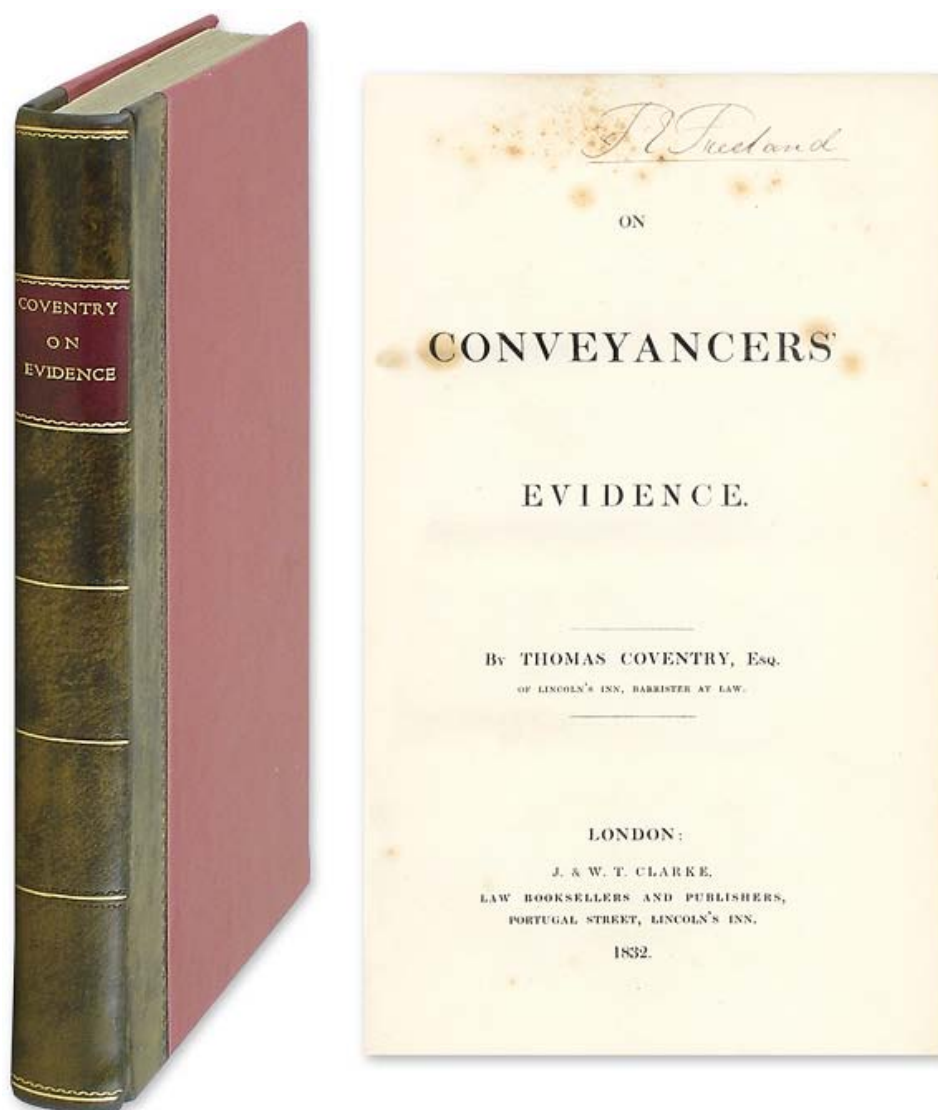
A True Philadelphia Lawyer

6. Brown, David Paul [1795-1872].

The Forum; or Forty Year Full Practice at the Philadelphia Bar. Philadelphia: Robert H. Small, 1856. Two volumes. Illustrated. Octavo (9" x 6").

Contemporary three-quarter calf over marbled boards, raised bands, red and black lettering pieces, marbled endpapers. Rebacked retaining original spines. Light rubbing to boards, some wear to board edges and corners. Small bookseller ticket to front pastedown of Volume I. Minor foxing to a few leaves, interiors otherwise fresh. A handsome set. \$350.

* First edition. A lively memoir of a notable lawyer and orator who was retained in almost every important criminal case in the Philadelphia courts due to his formidable cross-examination skill. This collection of biographical sketches and meditations on the law and legal profession contain several fascinating insights into the Philadelphia bar during the first half of the nineteenth century. *Dictionary of American Biography* 3:111-112. Cohen, *Bibliography of Early American Law* 8522. [Order This Item](#)



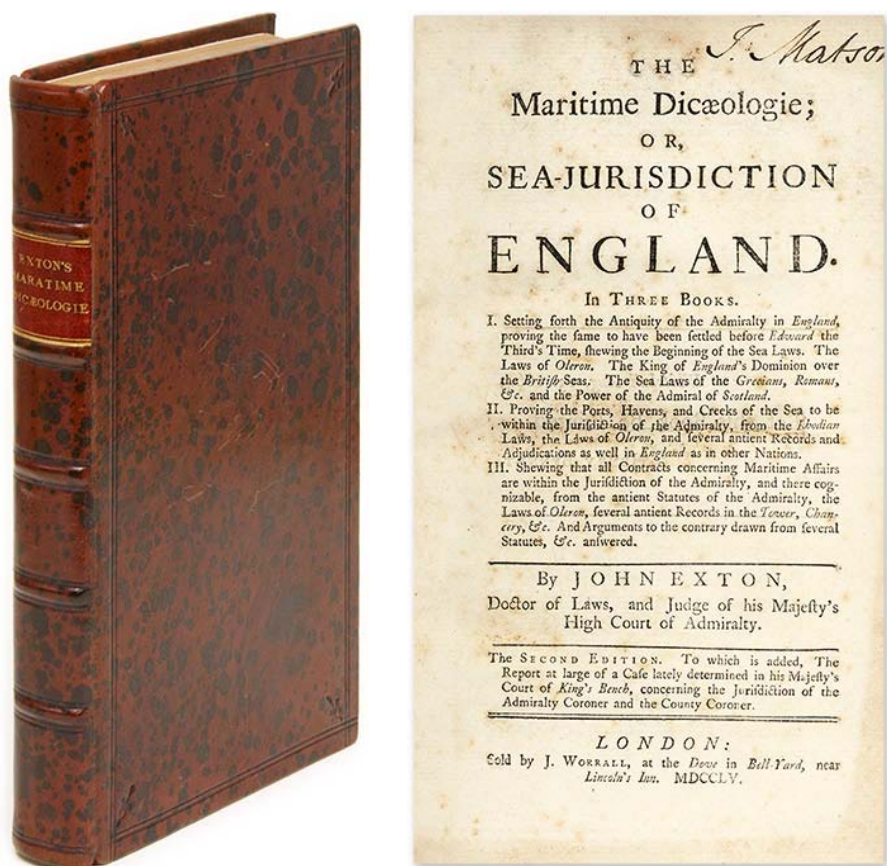
Evidence in Conveyancing

7. Coventry, Thomas [1797?-1869].

On Conveyancers' Evidence. London: J. & W.T. Clarke, 1832. viii, 328, xxii, [8] pp. Octavo (9-1/2" x 6").

Recent period-style quarter calf over cloth, lettering piece, gilt fillets to spine, endpapers renewed. Early owner signature to title page, occasional light foxing, interior otherwise fresh. \$375.

* Only edition. "The object of [this] treatise is to embody the practice of conveyancers relating to evidence. It is in many cases difficult to define that practice accurately; and a poll of the profession would probably yield a chequered result. In such cases an opinion only can be hazarded; and on points which appear more settled, it is possible for an individual to be mistaken in the usages of a widely diffused and unassociated Body.... [T]he present writer... presumes to offer a record of his limited experience, in the hope that his unassuming tract will at least afford a rallying point for the accumulation of knowledge on a very important topic to the conveyancer.": Preface, iii. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:81. [Order This Item](#)



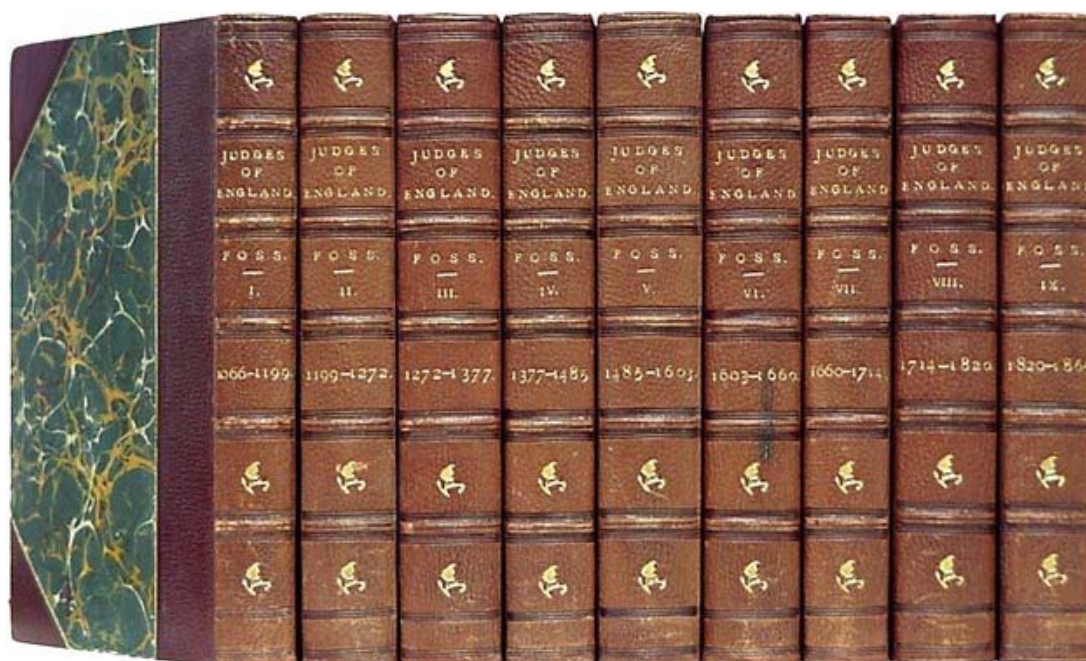
Defense of the Admiralty Courts

8. Exton, John [1600?-1668].

The Maritime Dicaeologie; Or, Sea-Jurisdiction of England. In Three Books. I. Setting Forth the Antiquity of the Admiralty in England, Proving the Same to Have Been Settled Before Edward the Third's Time, Shewing the Beginning of the Sea Laws. The Laws of Oleron. The King of England's Dominion over the British Seas. The Sea Laws of the Grecians, Romans, &c. And the Power of the Admiral of Scotland. II. Proving the Ports, Havens, and Creeks of the Sea to be Within the Jurisdiction of the Admiralty, From the Rhodian Laws, The Laws of Oleron, and Several Antient Records and Adjudications as well in England as in Other Nations. III. Shewing that All Contracts Concerning Maritime Affairs are Within the Jurisdiction of the Admiralty, And There Cognizable, From the Antient Statutes of the Admiralty... London: Sold by J. Worrall, 1755. xvi, vi, 404 pp. Octavo (8" x 5").

Recent period-style calf, blind rules and corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed, retained armorial bookplate of William Curtis Noyes and bookseller ticket to front pastedown. Light toning to text, early owner signature (of J. Matson) to head of title page. \$1,500.

* "Second edition," actually the fourth and final edition, a reissue of the sheets of the 1746 edition with a cancel title leaf and the addition of six pages following p. xvi. First published in 1664, this book, though ostensibly descriptive, was written chiefly to maintain the jurisdiction of the Admiralty court in the new government. Beyond its political interest, it offers a detailed analysis of seventeenth-century maritime law and admiralty jurisdiction at the time when Great Britain was emerging as a major maritime and colonial power. Exton was educated at Cambridge, earning the LL.D. in Civil Law in 1634. He was appointed President of the High Court of Admiralty by Parliament in 1649, and was reappointed by the Duke of York after the Restoration. Noyes [1805-1864] was a leading New York lawyer and a member of the commission to codify the state's laws, which resulted in the Field Codes. A man of extensive learning, he owned one of the finest law libraries in the United States. *English Short-Title Catalogue* T130727. [Order This Item](#)



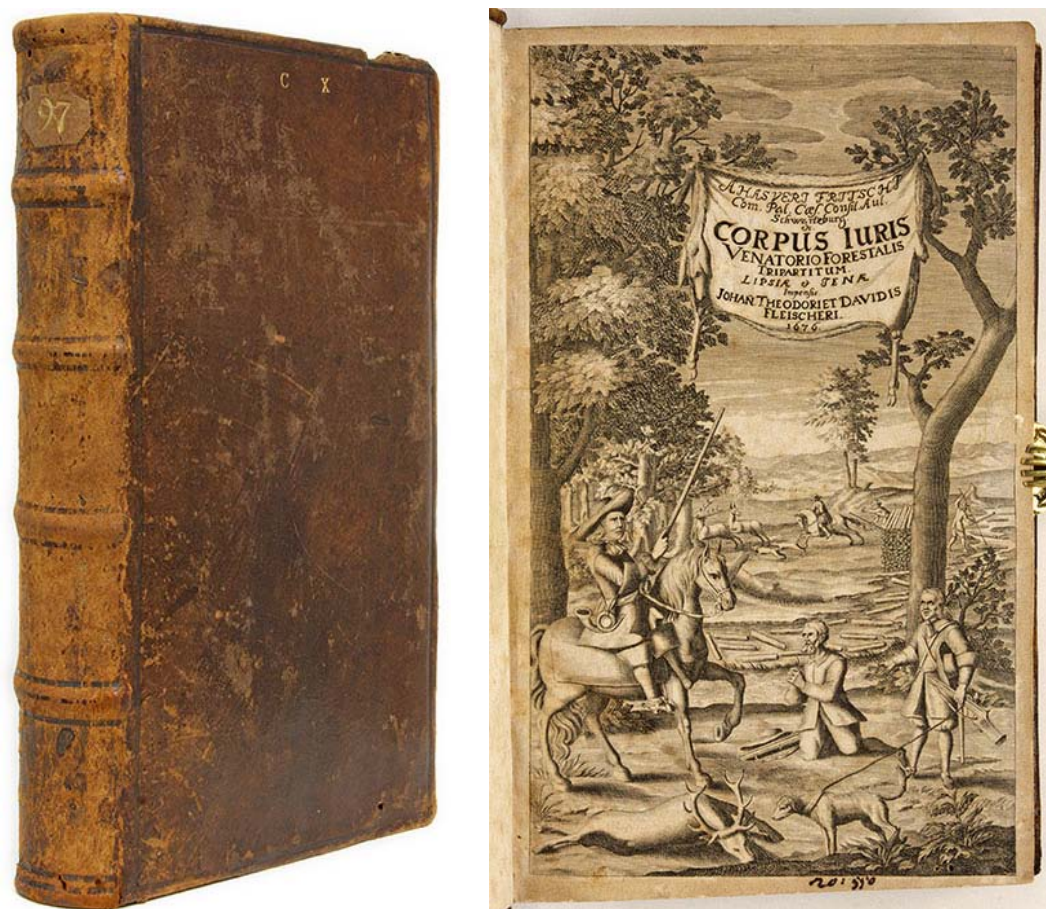
Handsome Copy of
Foss's Important *Judges of England*

9. Foss, Edward [1787-1870].

The Judges of England; with Sketches of Their Lives, and Miscellaneous Notices Connected with the Courts of Westminster, from the Time of the Conquest. London: Longman, Brown, Green, and Longmans, 1848-1864. Nine volumes. Complete. Octavo (8-1/2" x 5-1/2").

Contemporary three quarter morocco over marbled boards, raised bands, gilt ornaments to spines, marbled edges and endpapers. Minor rubbing to spine ends and corners, light fading to spines. Small scuff to front board of Volume I, tiny stain to spine of Volume VI, partial split near center of text block of Volume VIII. Interiors clean and bright. A handsome set. \$2,000.

* Authoritative biographies of 1,589 chancellors, masters of the rolls, and judges of the courts are provided for each reign, from the time of the Norman Conquest through the reign of Queen Victoria, 1066-1864. Based on original sources, it is an important reference work for legal historians. Considered "the standard authority" in its field by J.C. Robertson in the (cited in the *Dictionary of National Biography*), it is frequently cited by Holdsworth in *A History of English Law*. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:127. [Order This Item](#)



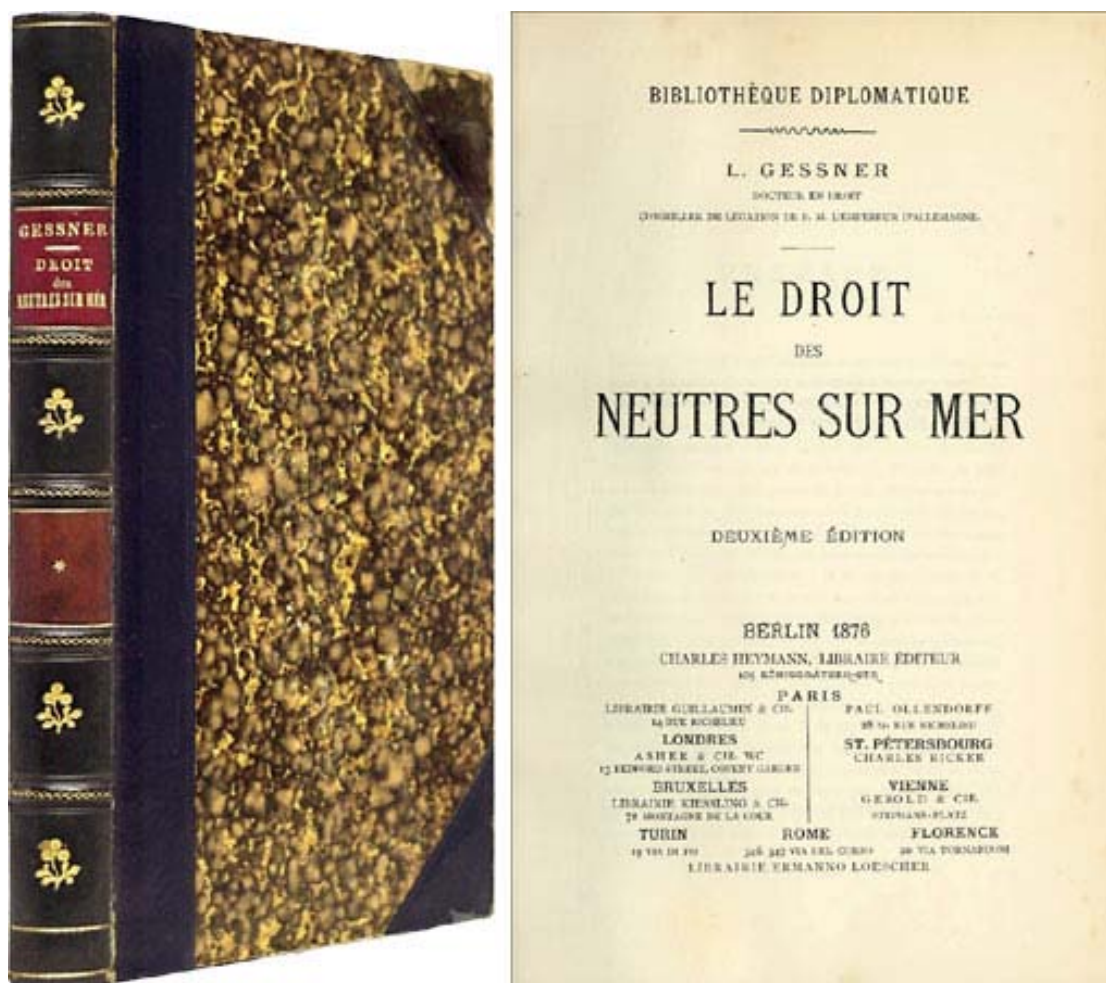
A Seventeenth-Century Collection of
Writings and Consilia About Forest and Game Laws

10. Fritsch, Ahasver [1629-1701].

Corpus Juris Venatorio-Forestalis, Tripartitum, I. VII. *Diversorum Auctorum Tractatus, Jus Venatorio-Forestale Concernentes*. II. XXX. *Consilia, Decisiones & Quaestiones de Eadem Materia*. III. XX. *Electorum, Principum ac Statuum Imperii, Ordinationes Venatorio-Forestales, Multaque Alia Edicta & Mandata &c. Complectens. Opus tam in Aulis Principum, Quam in foro Perquam Utile a Multis Hactenus Desideratum*. Jena: Literis Samuelis Adolphi Mülleri (Impensis Johan. Theodoriet Davidis Fleischeri), 1676. [xiv], 114, 47, 68, 219, 284, 52 pp. Main text in parallel columns. Copperplate pictorial title page. Folio (12-1/2" x 7-1/2").

Contemporary sheep, blind rules to boards, "cx" gilt-stamped to head of front board, raised bands to spine, tiny later shelf label to head of spine. Light rubbing and some minor scuffing to boards, moderate rubbing to spine and extremities, small chip to head of front board, recent owner bookplate to front pastedown. Title page following pictorial title page printed in red and black. Moderate toning to text, somewhat heavier in places, occasional light foxing, "no: 550" in tiny hand to lower margin of pictorial title page. An attractive copy. \$1,500.

* Second edition. First published in 1675, this book collects Fritsch's writings and consilia dealing with the forest and game law of the Holy Roman Empire and the local laws of German states. Early game and land laws record the earliest attempts to preserve the environment. They also offer fascinating insights into social history due to their relevance to topics ranging from class structure to foodways. Other editions in 1677 and 1702. All are scarce. OCLC locates 9 copies of the second edition, 3 in North American law libraries (Harvard, UC-Berkeley, Yale). *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 1:015426N. [Order This Item](#)



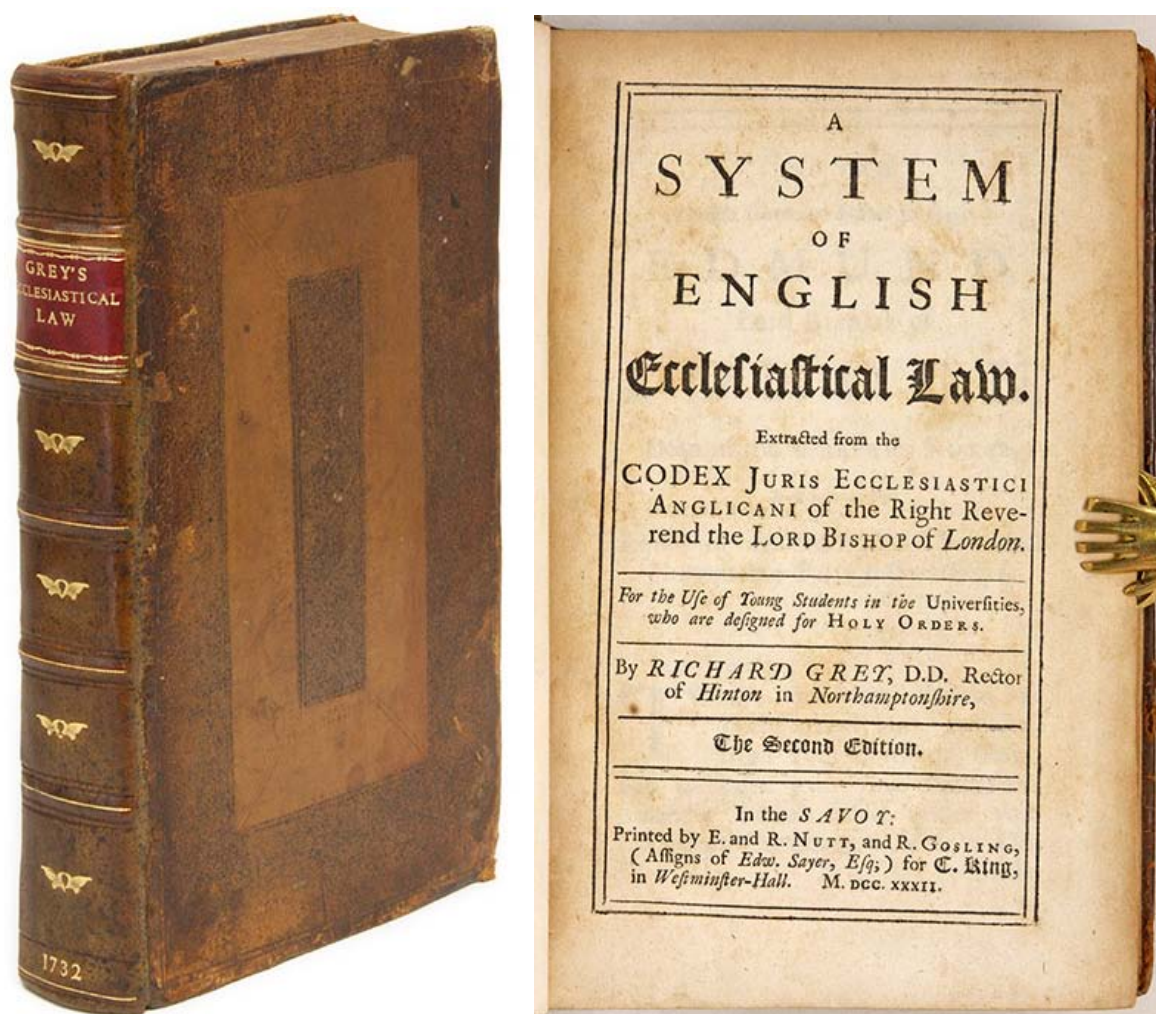
**Comprehensive 1876
Treatise on the Rights of Neutrals**

11. Gessner, L[udwig] [1828-1890].

Le Droit des Neutres Sur Mer. Berlin: Charles Heymann, Libraire Editeur, 1876. xvi, 444 pp. Octavo (9" x 6").

Contemporary three-quarter calf over marbled boards, raised bands, marbled endpapers, top edge gilt. Some rubbing with minor wear to corners and joints, a few negligible tiny scuffs to spine. Light foxing to endleaves and edges, interior otherwise fresh. \$125.

* Second edition. Written by a German diplomat, this treatise is a comprehensive summary of the contemporary law of neutrality as it stood in the mid-nineteenth century. Written in French to reach the broadest educated audience possible, it is international in scope and lays particular emphasis on the contributions of German-speaking jurists, which Gessner believes are not as well known. After a general history of the field, Gessner devotes individual sections to contraband of war, blockade, the rights of neutrals when trading with belligerent nations, prize law and right of search and seizure. This edition not in the *British Museum Catalogue*. [Order This Item](#)



Abridgment of Gibson's Exposition of Anglican Church Law

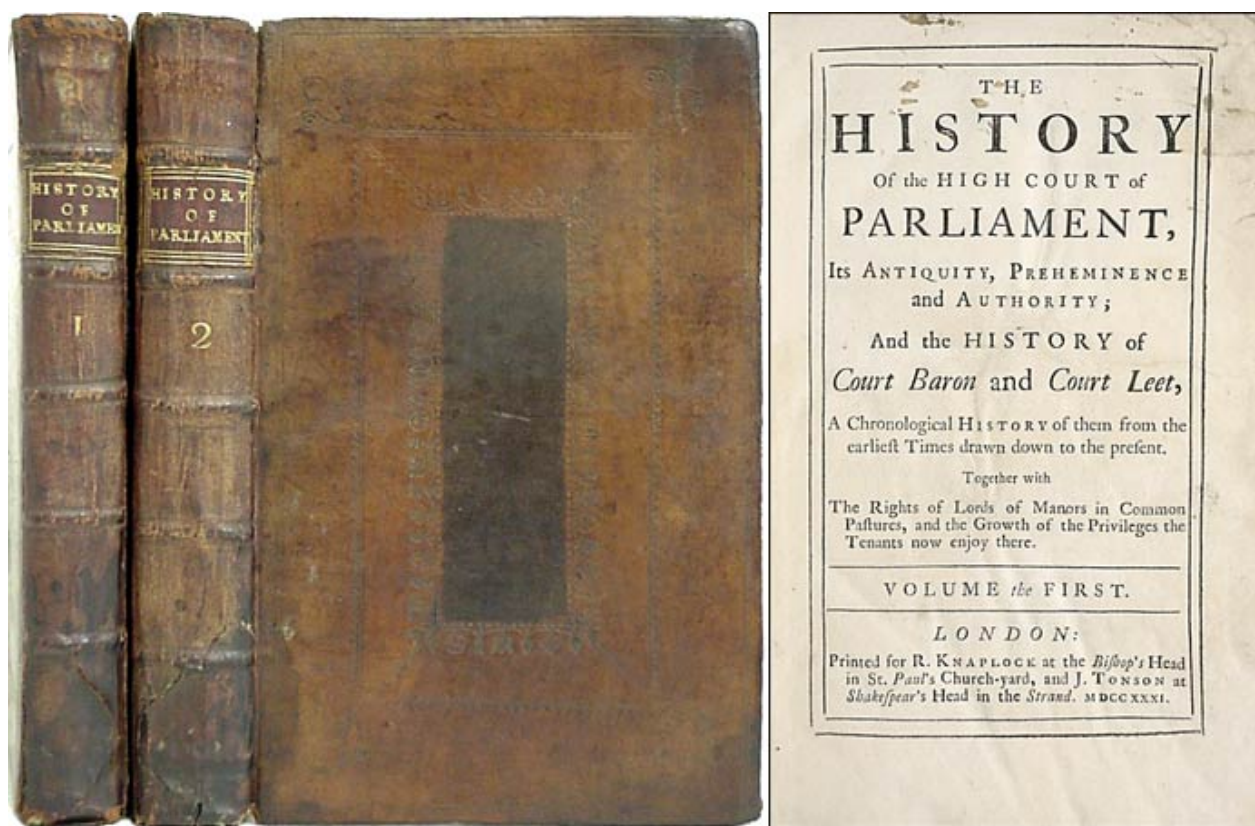
**12. Grey, Richard [1694-1771], Editor.
[Gibson, Edmund (1669-1748)].**

A System of English Ecclesiastical Law, Extracted from the Codex Juris Ecclesiastici Anglicani of the Right Reverend the Lord Bishop of London. For the Use of Young Students in the Universities, Who Are Designed for Holy Orders. [London]: Printed by E. and R. Nutt, And R. Gosling, 1732. [xvi], 448, [84] pp. Includes three-page bookseller list. Octavo (7-3/4" x 4-3/4").

Contemporary paneled calf, rebacked in period style with raised bands and lettering piece, hinges mended. Some rubbing and minor scuffing to boards, corners somewhat worn. Early owner signature to front endleaf. Toning to title page, faint dampstaining to margins of rear endleaves, interior otherwise fresh. \$350.

* Second edition. First published in 1730, this is an abridgment of Gibson's great *Codex Juris Ecclesiastici Anglicani* (1713) in question-and-answer form. Gibson's work is a comprehensive treatise in two folio volumes. It was therefore too detailed and expensive for most students and clergy. Grey's abridged edition brought Gibson's work to a wider audience. What is more, Grey's edition carefully emphasizes the rights and status of the Anglican church in order to defend it from the claims of non-conformists. Gibson, an English divine and jurist, was chaplain and librarian to the archbishop of Canterbury. He went on to become the Bishop of London. *English Short-Title Catalogue* T123343.

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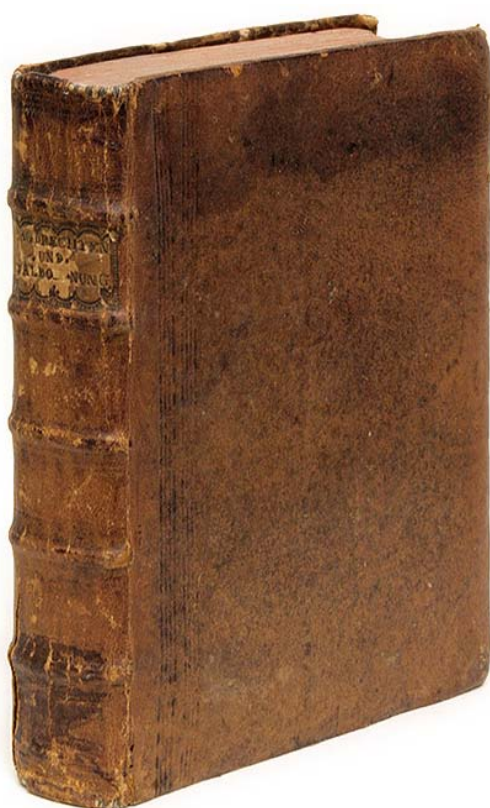
**Early History of
the High Court of Parliament**

13. [Gurdon, Thornhagh (1663-1733)].

The History of the High Court of Parliament, Its Antiquity, Preheminence and Authority; and The History of Court Baron and Court Leet, A Chronological History of Them From the Earliest Times Drawn Down to the Present. Together with the Rights of Lords of Manors in Common Pastures, and the Growth of Privileges the Tenants Now Enjoy There. London: Printed for R. Knaplock...and J. Tonson, 1731. Two volumes. xviii, [28], 254; [255-258], [259]-445 [i.e. 645], 9 pp. Complete. Octavo (8" x 5").

Contemporary paneled calf, raised bands, lettering piece. Wear to board edges and spine ends, corners bumped, joints starting. Front free endpaper lacking from Volume Two. Attractive woodcut head-pieces, tail-pieces and decorated initials. Early armorial bookplates to versos of title pages. Wear to endleaves and preliminaries with some loss, dampstaining to lower half of text blocks. \$500.

* Only edition. This important early history includes a subject index and an interesting index of the books and manuscripts used by the author. "In this historical account of the government of England, of its senates and councils or parliaments, I take a cursory view of them in other nations, as introductory to the British, Saxon and Norman national councils or Parliaments, and so gradually slide down from Antiquity to modern times, shewing the conformity of modern with ancient constitutions; how ancient Laws and Decrees have been, some of them confirmed, some amended, and some totally abrogated, according to the wisdom of the several ages, thereby in a short history giving the reader a large view into times past." Preface, Volume One, v-vi. The second part, on courts leet and baron, treats the history of two early feudal courts. Court baron arbitrated dealings between the lords of manors and their tenants. Court leet was a court held by the right of franchise in which a private lord oversaw land under a sheriff's jurisdiction. *English Short-Title Catalogue* T130666. [Order This Item](#)



1749 Treatise on the Game Laws of Bavaria, Austria and Mainz

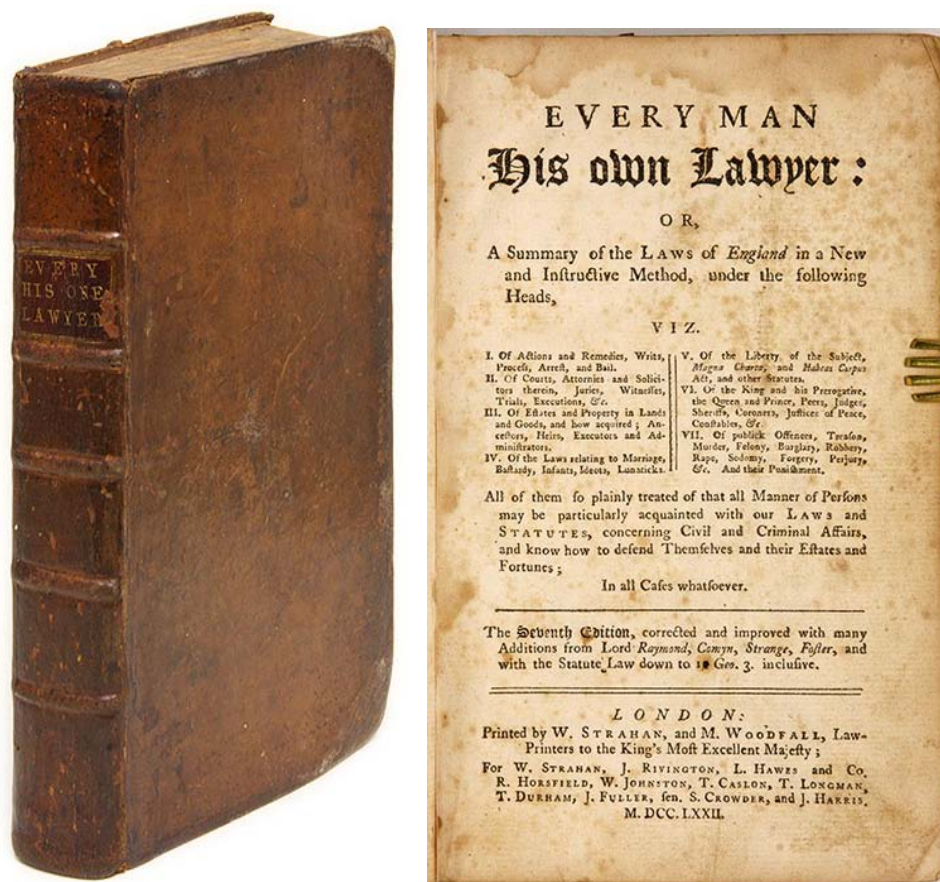
14. Ickstatt, Johann Adam von [1701-1776].

Klett, Johann Friedrich, Editor and Translator.

*Gründliche Abhandlungen von den Jagdrechten: Wie sich Solche aus den Allgemeinen, Natürlichen, Und Besondern Staatsrechten Erweisen Lassen. Mit einer Vorrede von dem Verschiedenen Zustande der Jagden bey den Römern und Deutschen und einem Anhang von den Neuesten Mehrentheils Ungedruckten Churmaynzischen, Churbayerischen, Erzherzoglich-Oesterreichischen, Und Andern Jagdordnungen. Nebst einem Entwurf von einer Vorthailhaft Eingerichteten Waldordnung. Herausgegeben und mit einem Register Versehen von Johann Friedrich Klett. Nuremberg: Auf Kosten Johann Georg Lochners, 1749. [xlv], 428, [16]; 172 pp. Two parts, each with title page. Title page of second part, with title beginning *Wald-Ordnung*, dated 1748. Quarto (7-3/4" x 6-1/4").*

Contemporary speckled calf, blind rules to boards, raised bands and lettering piece to spine, marbled pastedowns. Light rubbing and a few minor worm holes to boards, moderate rubbing to extremities, light chipping to spine ends, corners bumped and somewhat worn, later library bookplate to front pastedown, later owner bookplate to front free endpaper. Title page of first part printed in red and black, attractive woodcut head and tail-pieces. Light toning to text, light foxing in places, early owner signatures to verso of front free endpaper and head of title page, later library stamp to title pages' verso. A handsome copy. \$850.

* Only edition, Part II a reissue of a work first published in 1748. The first part is overview of Bavarian forestry, hunting and fishing laws from 1664-1742 followed by similar sets of laws promulgated in Austria in 1743 and in Mainz in 1744. The second part is a translation of the Bavarian laws with editorial commentary by Klett, who also translated Part I. Early game and land laws record the earliest attempts to preserve the environment. They also offer fascinating insights into social history due to their relevance to topics ranging from class structure to foodways. *Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts* 14598590-006. [Order This Item](#)



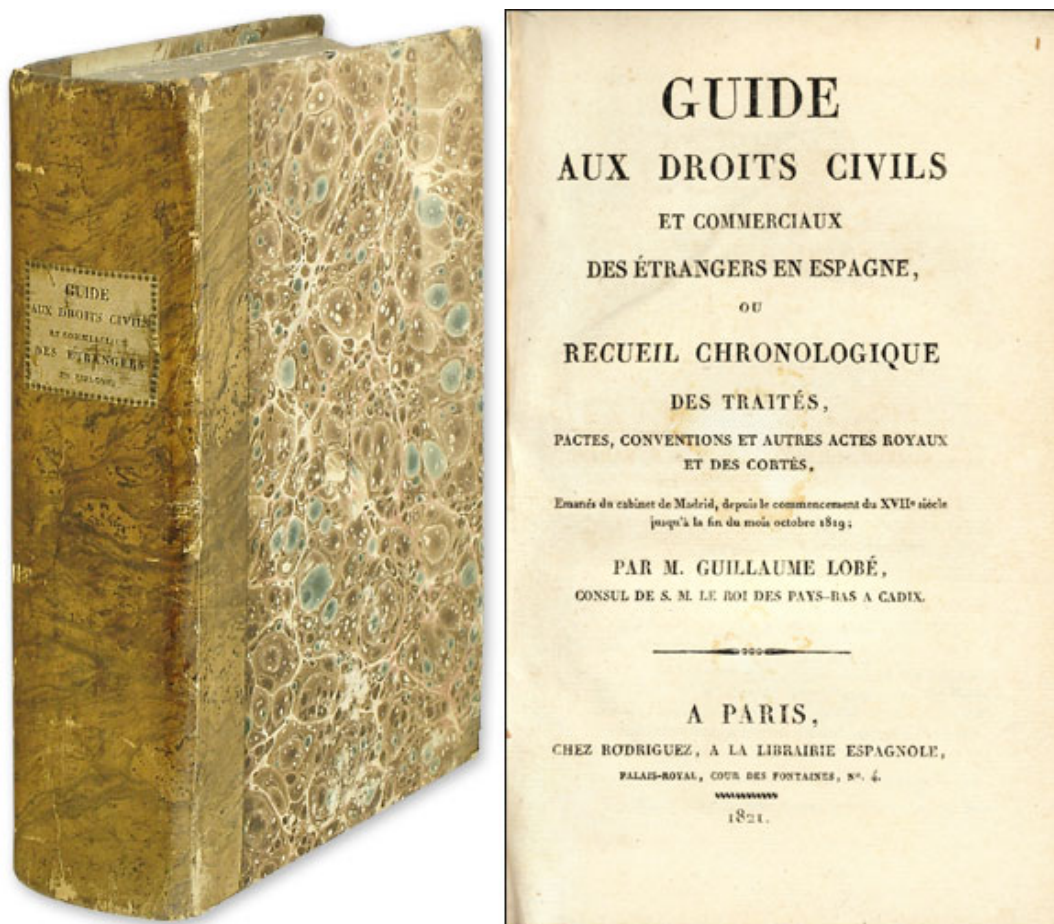
One of Jacob's Most Popular Books

15. [Jacob, Giles (1686-1744)].

Every Man His Own Lawyer: Or, A Summary of the Laws of England in a New and Instructive Method, Under the Following Heads, Viz. I. Of Actions and Remedies, Writs, Process, Arrests, and Bail. II. Of Courts, Attornies and Solicitors Therein, Juries, Witnesses, Trials, Executions, &c. III. Of Estates and Property in Lands and Goods, and How Acquired; Ancestors, Heirs, Executors and Administrators. IV. Of the Laws Relating to Marriage, Bastardy, Infants, Ideots, Lunaticks. V. Of the Liberty of the Subject, Magna Charta, The Habeas Corpus Act, and Other Statutes. VI. Of the King and His Prerogative, The Queen and Prince, Peers, Judges, Sheriffs, Coroners, Justices of the Peace, Constables, &c. VII. Of Publick Offences, Treason, Murder, Felony, Burglary, Robbery, Rape, Sodomy, Forgery, Perjury, &c., And Their Punishment. All of Them so Plainly Treated of, That All Manner of Persons May be Particularly Acquainted With Our Laws and Statutes, Concerning Civil and Criminal Affairs, And Know How to Defend Themselves and Their Estates and Fortunes; In All Cases Whatsoever. With Additions. [London]: Printed by W. Strahan, And M. Woodfall, 1772. vi, 482, [34] pp. Octavo (8" x 5").

Contemporary calf, rebaked retaining existing spine, blind fillets to boards, raised bands and lettering piece to spine, hinges mended. Light rubbing to boards, moderate rubbing to extremities, small chip to rear joint, corners bumped. Light browning and foxing to text, early owner inscription to front free endpaper. \$450.

* Seventh edition. This popular guide reached its eleventh and final edition in 1791; it was reissued at least two more times in the 1800s. The mention of "All Manner of Persons" in the subtitle is significant. Jacob, though certainly interested in boosting sales by attracting the widest audience possible, was an idealist who believed that widespread knowledge of the law would help create a more just society. This is also evident in his other publications, such as *The Common Law Common- Placed* (1726) and *Treatise of Laws* (1721). *English Short-Title Catalogue* T100693. [Order This Item](#)



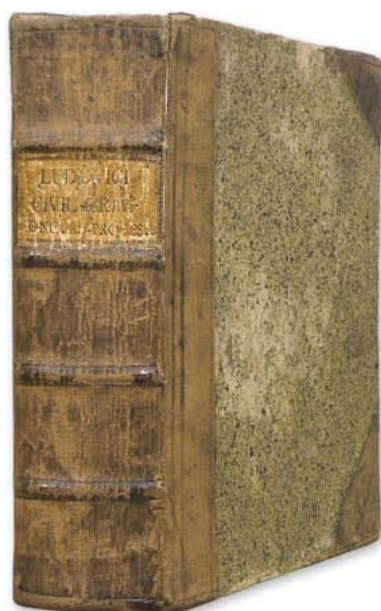
Commerce Between Spain and France

16. Lobe, Guillaume (Guillermo) [d. 1883].

Guide Aux Droits Civils et Commerciaux des Etrangers en Espagne, Ou Recueil Chronologique des Traites, Pactes, Conventions et Autres Actes Royaux et des Cortes, Emanes du Cabinet de Madrid, Depuis le Commencement du XVIIe Siecle Jusqu'a la Fin du Mois Octobre 1819. Paris: Chez Rodriguez, 1821. vi, 499 pp. Octavo (8-3/4" x 5-1/4").

Contemporary three-quarter tree calf over marbled boards, paper title label to spine, speckled edges. Light rubbing with negligible wear to spine ends and corners, rear hinge starting. Check marks to margins and a bound-in leaf of notes in a contemporary hand. Toning to a few leaves, interior otherwise fresh. \$200.

* First edition. This is a digest of commercial laws and treaties regarding trade between France and Spain from the early seventeenth century to the Bourbon restoration. A second edition appeared in 1837. 1 copy located in the United States at Harvard Law School. OCLC locates 1 copy of the second edition in North America (at the Library of Congress). *British Museum Catalogue* (Compact Edition) 15:699. [Order This Item](#)



Notable German Treatises on Civil, Criminal and Bankruptcy Law

17. Ludovici, Jacob Friederich [1671-1723].

Schlitte [1683-1748], Johann Gerhard, Editor.

Einleitung zum Civil-Process...Nebst Einem Anhange/ Von der Art die Acten und Registraturen zu Verfertigen, auch die Acta zu Excerptiren und zu Referiren, Wie Auch einer Instruction fur einem Gerichtshalter auf dem Lande. Voritzze mit Vielen Anmerkungen, Darinnen Dendes der in der Marck Brandenburg, als auch in Chur-Sachsen, nach Anleitung der Erlauterten und Verbesserten Process-Ordnung Ubliche Modus Procedendi vor Augen Geleget Wird, Vermehret, Auch Andern Nutzlichen Observationibus. Halle: In Verlegung des Weysenhauses, 1732. [xlii], 525, [50] pp. Copperplate portrait frontispiece.

[Bound with]

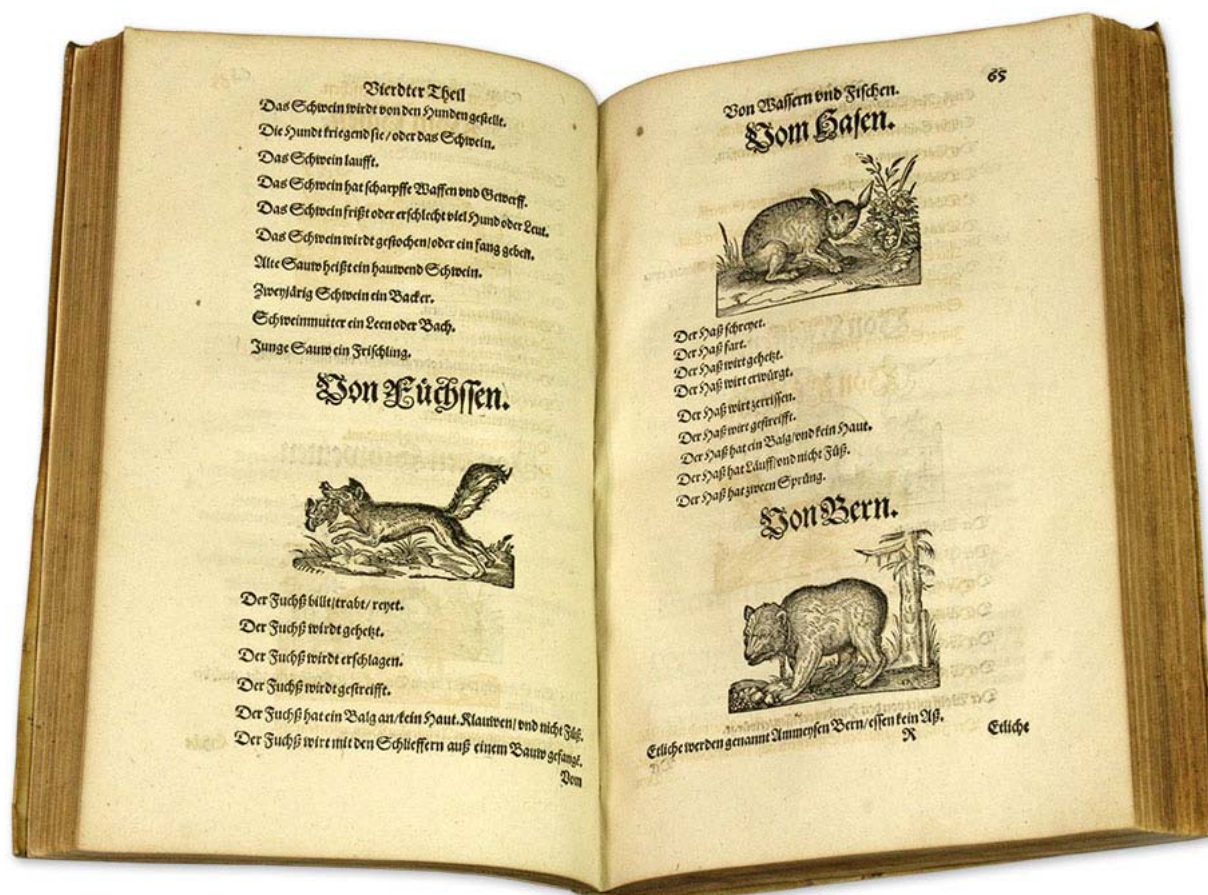
Einleitung zum Peinlichen Process...Nebst Einem Anhang von der Art, die Acten und Registraturen in Peinlichen Scaben zu Verfertigen, auch die Acten zu Excerptiren, und in Gerichten zu Referiren. Vorietzo mit Unterschiedenen Zusatzzen aus der Kon. Preuss. Criminal-Ordnung und Chur-Sachsichen Rechten Vermehret, auch Andern Nutzlichen Unmerkungen Erlautert. Halle: In Verlegung des Weysen-Hauses, 1732. [xvi], 195, [25] pp.

[And]

Einleitung zum Conkurs-Prozess, Darinnen, wie sich die Glaubiger bey der Liquidation und Bescheinigung Ihre Forderungen der Schuldner, oder Curator Bonorum...Und dabey der Sachsische u. Gemeine, wie Auch der in Vielen Provintzen Vorkommende Sonderliche Modus Procedendi in Iedem Capitel Gegen Einander Gehalten Wird.... Halle: In Verlegung des Weysen-Hauses, 1733. [xvi], 146, [18] pp.

Quarto (8" x 6-1/2"). Contemporary three-quarter calf over speckled boards, raised bands and lettering piece to spine, speckled edges. Some rubbing to boards and spine, minor wear to corners, joints and front hinge cracked but secure. Title page of first work printed in red and black, attractive woodcut head-pieces, tail-pieces and decorated initials. Occasional foxing to a few leaves, interior otherwise fresh. An attractive volume with three uncommon titles. \$650.

* First two titles, tenth edition; third title, eighth edition. With indexes. Professor of Law at the University of Halle and an authority on civil law, Ludovici was the first jurist to write a legal treatise in German. A prolific author, he published works on a wide variety of legal topics. His work is notable for its clarity, well-crafted syntheses and elegant prose style. This volume contains his treatises on civil procedure, criminal procedure and bankruptcy law. All have notes by Schlitte, a Privy Counselor to the Emperor of Prussia. Stintzing/Landesberg, *Geschichte der Deutschen Rechtswissenschaft* III/1:136 and Notes 80-81. [Order This Item](#)



See also front cover

Two Handsome German Treatises on Forest and Water Law, One Illustrated with 20 Charming Woodcuts

18. Meurer, Noe.

Jag und Forstrecht, Das Ist, Unterricht, Chur, und Fürstlicher Landt auch Graff und Herrschafften und Anderen Obrigkeiten Gebiet von Verhauung un Widerhauung der Waeld vnd Geboeltz... Weiter sind Herzu Kommen Etliche Gute Consilia wie sie in Etlichen an dem Hochloelichen Keyserlichen Cammergericht Rechtthengigen Sachen dieser Materien Referiert und mit Urtheil Seind Entscheiden Worden... Frankfurt: Durch Paulum Reffeler, in Verlegung Sigmund Feyerabends, 1576. [iv], 205 ff.

[Bound with]

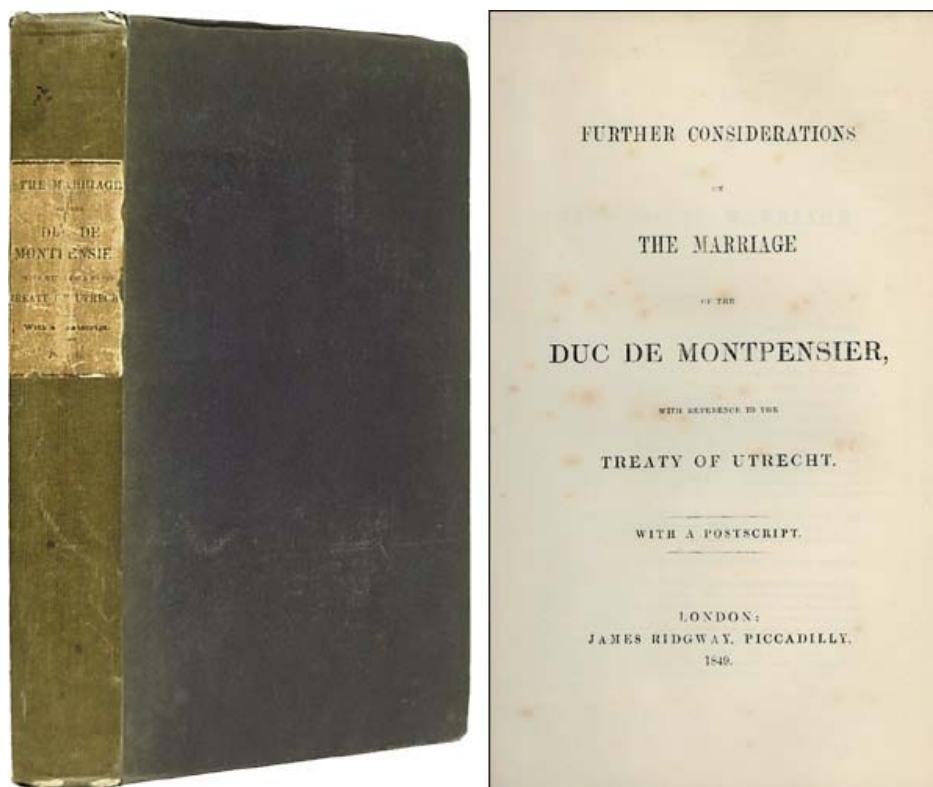
Meurer, Noe.

Wasser Recht Unnd Gerechtigkeit Fürnemlich des Weitberümbten und Boltreichen Rheinstrams wie Derselbig Gleich als ein Richter am Gestaden Jetzt dem einen Gebe dem andern Nemme: Item von Inseln, Awen, Wäuten auch Berh oder Bauch des Rheins, Sampt Andern Desselben Mehr Anhangenden vnd zu Gehörigen Gerechtigkeiten als der Oberkeit, Gestaden, Ufern, Leinpfäd, Schiffung, Vogelweid, Salmen und Goltgründen, Eyssbrüchen, Altwassern, Was Derwegen in Rechten Fürsehen und sonst nach Gemeinem Gebrauch Gehalten Werde. Frankfurt: [Nikolaus Basse], 1570. [viii], 66 ff. Lacking final four leaves, an index.

Folio (12-1/2" x 8"). Contemporary limp vellum, early hand-lettered titles to spine, endleaves renewed. A few minor stains, spine somewhat darkened, front hinge partially cracked. Title pages printed in red and black, large woodcut head and tail-pieces and initials, *Jag und Forstrecht* illustrated with 20 large woodcut illustration, German sections printed in handsome *Fraktur* type. Light toning to text, somewhat heavier in places. Volume housed in light shelfworn and lightly dampspotted paper-covered slipcase with hand-lettered title to spine. Handsome copies of two scarce volumes. \$5,000.

* First editions. Text in German and Latin. Based on an earlier work, *Von Forstlicher Oberherrlichkeit* (1560), *Jag und Forstrecht* is a comprehensive treatise on forest, game and water laws under the Holy Roman, Roman legal systems, with some comparative commentary on German customary law. Grounded in Holy Roman and Roman law, *Wasser Recht* deals specifically with riparian and water-rights, principally fishing and navigation on the Rhine River. Editions of both titles are scarce. OCLC locates 2 copies of the 1576 edition of *Jag und Forstrecht* in North America (Harvard, Yale), 3 copies of the 1570 edition of *Wasser Recht* (Harvard Law School, Library of Congress, University of Michigan Law School). *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* M4997, ZV22483.

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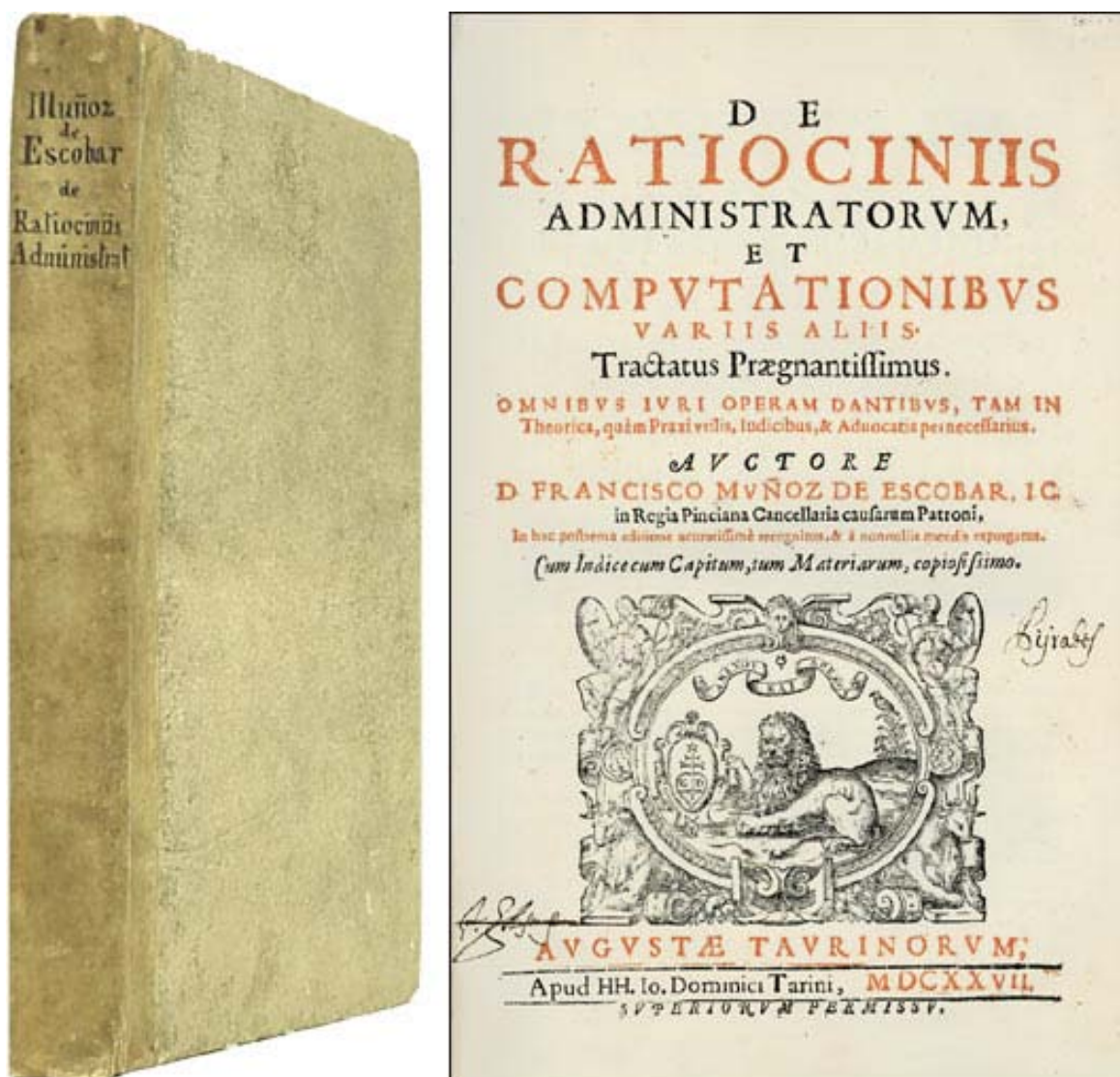
Controversy Regarding Succession to the Spanish Throne

19. [Montpensier, Antoine Marie Philippe Louis d'Orleans, Duc de (1824-1890)].

Further Considerations on the Marriage of the Duc de Montpensier, With Reference to the Treaty of Utrecht. With a Postscript. London: James Ridgway, 1849. [i], 293, [3]-72 pp. Octavo (8-3/4" x 5-1/2").

Contemporary textured cloth, paper spine label. Moderate rubbing with some wear to spine ends and corners, some fading to spine, front hinge starting, rear hinge cracked but secure, rear free endpaper lacking. Two partial splits near center of text block, numerous unopened signatures. Light foxing to a few leaves, interior otherwise fresh. \$350.

* This was one of several publications inspired by the controversy surrounding the claims of Montpensier's children to the Spanish throne. Some argued that the Treaty of Utrecht, which ended the War of the Spanish Succession, annulled this claim. For them the treaty clearly stated that the crowns of France and Spain remain separate. The anonymous author of the present book does not agree. He supports his claim with an ingenious argument. The final section, entitled "Postscript to the Montpensier Marriage" was also published separately. Not in the *British Museum Catalogue*. [Order This Item](#)



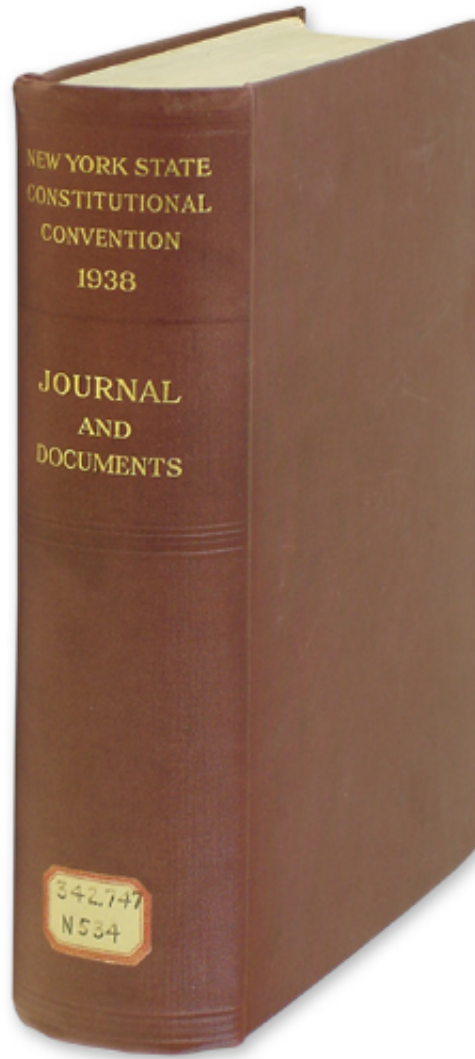
1627 Treatise Dealing
with Administration and Billing

20. Munez de Escobar, Francisco [fl. 1618].

De Ratiociniis Administratorum et Computationibus Variis Aliis. Tractatus Praegnantissimus. Omnibus Iuri Operam Dantibus, Tam in Theorica, Quam Praxiutilis, Indicibus, & Advocatis Peinecessarius. Turin: Apud H.H. Io. Dominici Tarini, 1627. [viii], 352, [51] pp. Quarto (12" x 8").

Contemporary quarter vellum over paper boards, hand-lettered title to spine and bottom edge. Moderate soiling and rubbing with some wear to extremities. Title page printed in red and black, attractive woodcut printer device, head-pieces and decorated initials. Two early signatures to title page in fine hand, a few annotations and small markings to text. Light browning to a few leaves, occasional light foxing, text otherwise fresh. A nice copy of an uncommon title. \$300.

* Later edition. With subject and title indexes. An early work on legal aspects of administration and billing. Not in Goldsmiths, Kress or the *British Museum Catalogue*. [Order This Item](#)



**The 1938 New York
Constitutional Convention**

21. [New York State].

Journal of the Constitutional Convention of the State of New York, April Fifth to August Twenty-Sixth, 1938. Albany: J.B. Lyon Company, 1938. [1190] pp.

Original cloth, light shelfwear, internally clean. Ex-library. Location label to spine, bookplate and shelf label to front pastedown, small embossed stamp to title page. \$125.

* Contains Journal, Appendix to Journal No. 1, Points of Order No. 2, Rules of the 1938 Constitutional Convention No. 3, Documents of the Constitutional Convention of 1938. [Order This Item](#)



Three Notable Treatises
Useful to a Practicing Lawyer or Wealthy Landowner

22. Oettinger, Johann [1577-1633].

Tractatus de Jure et Controversiis Limitum, Ac Finibus Regundis, Oder Gründlicher Bericht Von den Gräntzen und Marcksteinen, Wie durch Dieselbe der Königreiche, Landschaften, Fürstenthume, Bisstümer ... Gebiete, Weydreichin, Marckungen, Zwing und Bänn, Nach Ausweisung der Gemeinen Rechten, Und eines Jeden Lands Gewohnheit, Unterschieden, Eingesteint, Und die Daraus Enstehende Nachbarliche Streitigkeiten und Missverstände Erörtert und Beygeleget Werden Sollen. Hanover: Zu Finden bey Nicolaus Förstern, 1711. [xxxii], 443 pp. Double folded title page. 20 woodcuts illustrating geometrical calculations. Lacking folding map.

[Bound with]

Stryk, Samuel [1640-1710].

Fundamenta Iuris Iustiniani, Ad Ordinem Institutionum Succinctis Aphorismis in Usum Auditorum Proposita. Accesserunt Resolutiones Casuum in Matrimonii & Successionibus ut et Memoriale Legum in Foro, Maxime Necessarium. Halle: Sumptibus Io. Godofredi Rengeri, 1704. [xviii], 266, [6] pp. Lacking blank leaf before p. 1.

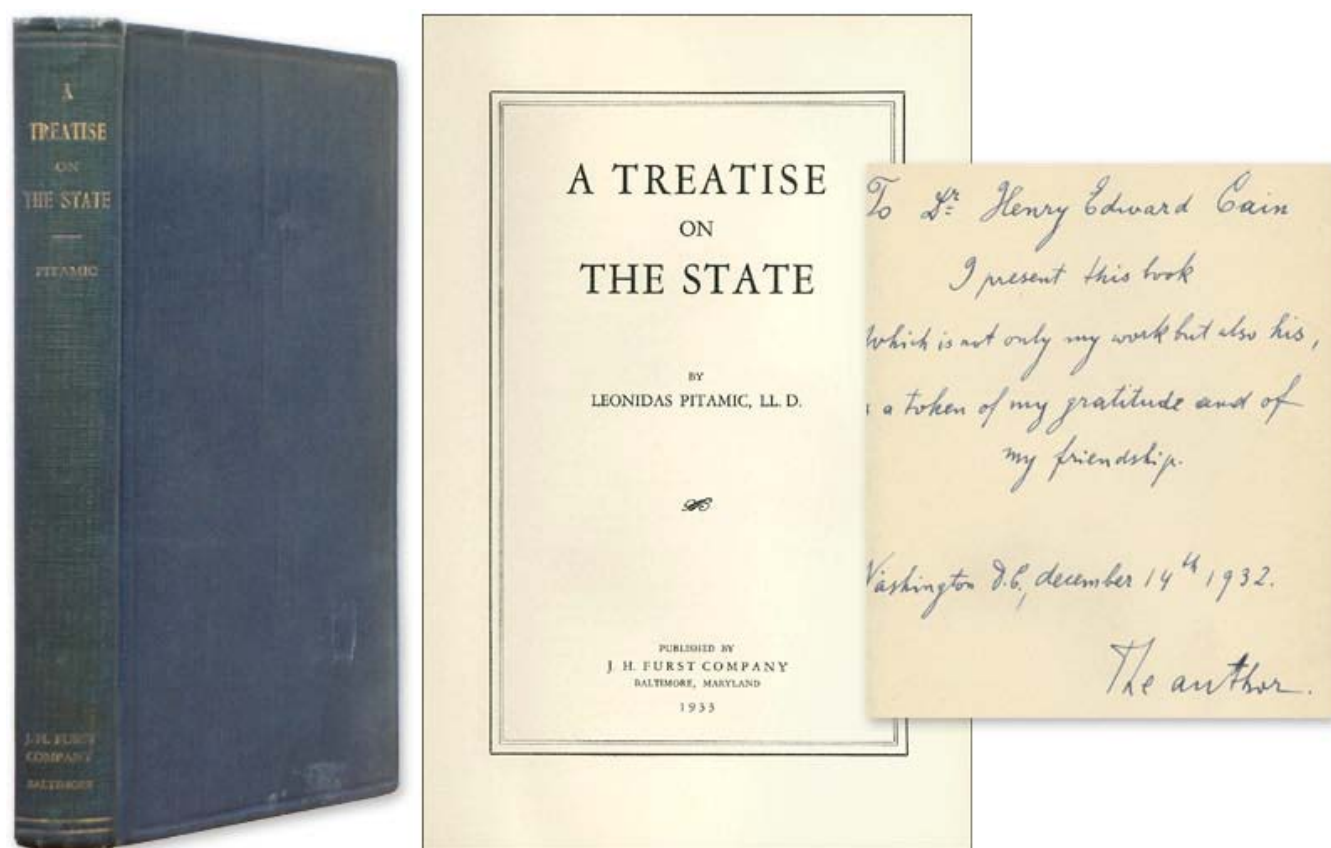
[And]

Rivinus, Quintus Septimius Florens [1651-1713].

Specimen Exceptionum Forensium: Exhibens Dilatorias ad Usus Fori Saxonici Accommodatas. In Gratiam Auditorum Suorum Editum. Leipzig: Sumptibus Davidis Fleischeri, 1701. [ii], 279, [3] pp.

Octavo (6-1/2" x 4"). Contemporary vellum with lapped edges, early hand-lettered titles to spine, edges rouged. Moderate soiling, minor tear to foot of spine, vellum just beginning to crack through pastedowns, hinges cracked, some worming to boards, endleaves and parts of text block with minor loss to text and no loss to legibility. Title pages printed in red and black. Moderate toning, somewhat heavier in places, occasional faint dampstaining to margins. \$1,500.

* Later editions. This volume collects three works that would have been useful to a practicing lawyer or wealthy landowner in Saxony. Oettinger was a distinguished geographer, cartographer and surveyor. First published in 1607, his *Tractatus de Jure et Controversiis Limitum*, deals with legal aspects of surveying and boundaries according to Roman law. A useful study, it went through nine editions by 1729. One of the great German jurists of his time, Stryk was a professor at the University of Halle who was instrumental in the development of German civil law. First published in 1695, *Fundamenta Iuris Iustiniani* is an introductory textbook on Roman law. As indicated by its subtitle, this book has additional sections on marriage and inheritance and succession. It went through six editions by 1714. Rivinus's *Specimen Exceptionum Forensium* is a handbook on pleading and procedure in the courts of Saxony. It was first published in 1686 and reached its tenth edition in 1755. This edition not VD18 or the *British Museum Catalogue*. *Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts* (VD18) 10450106 (Oettinger), 10406069 (Ravinius). [Order This Item](#)



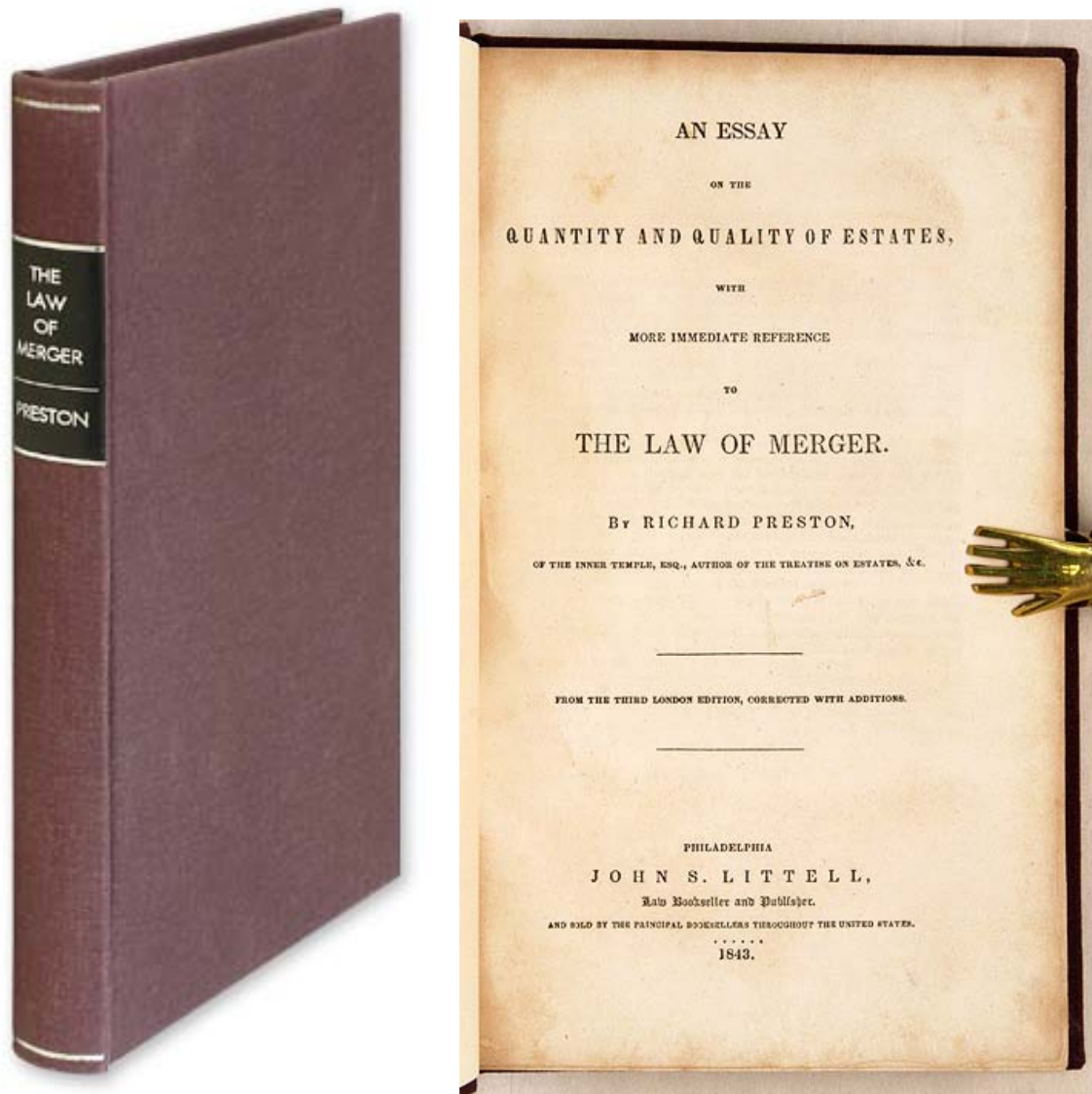
Incisive Analysis of the State

23. Pitamic, Leonidas.

A Treatise on the State. Baltimore: J.H. Furst Company, 1933. x, 301 pp.

Original cloth, some shelfwear, gilt title worn from spine, a few stains to rear board. Author inscription to front free endpaper, internally clean. \$150.

* "The author brings into his discussion the views of European writers and the notions of European jurists sufficiently to give the book something of an independent position among the many treatises on the state. Particularly is the book of interest and aid to students of international law.... Of special significance, it appears to the reviewer, are the discussions of the nature of the state, the presidential republic, the corporate state, the question of judicial significance, and some of the sections on state organs. (...) The book deserves a wide reading." Charles E. Martin, *American Journal of International Law* 27 (1933) 392. [Order This Item](#)



A "Profound" Scholar of Estates and Real-Property

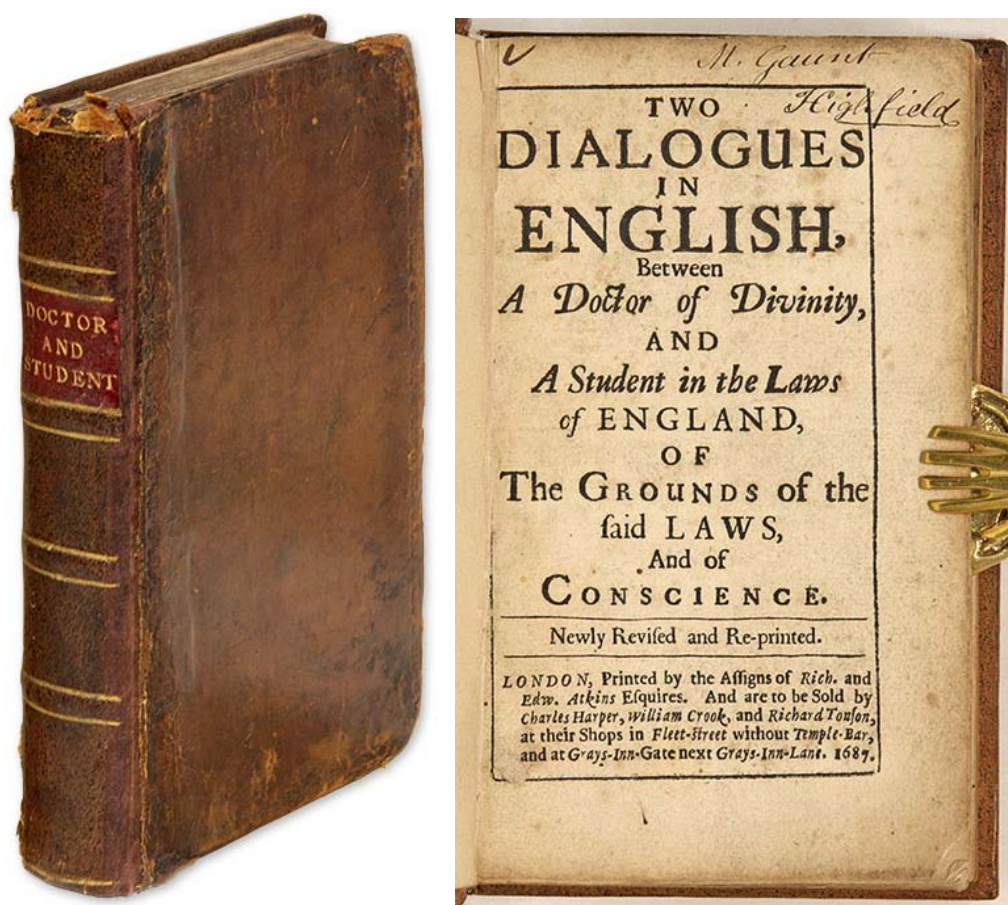
24. Preston, Richard [1768-1850].

An Essay on the Quantity and Quality of Estates, With More Immediate Reference to the Law of Merger. Corrected with Additions. Philadelphia: John S. Littell, 1843. xiv, 244 pp. Octavo (9" x 5-1/4").

Recent cloth, lettering piece to spine, endpapers renewed. Occasional faint dampstaining, interior otherwise fresh. \$150.

* First American edition, from the third volume of the third London edition of Preston's *A Treatise on Conveyancing* (1829), to which it is star-paged. A conveyancer and a member of the Inner Temple, Preston wrote several treatises on estates and real property. His "knowledge of the technique of real-property law was profound, and his works on conveyancing are masterpieces of patient research and lucid exposition." *Dictionary of National Biography* XVI:312. This book was Volume 42 of *The Law Library* (Oct./Dec. 1843). Cohen, *Bibliography of Early American Law* 9493.

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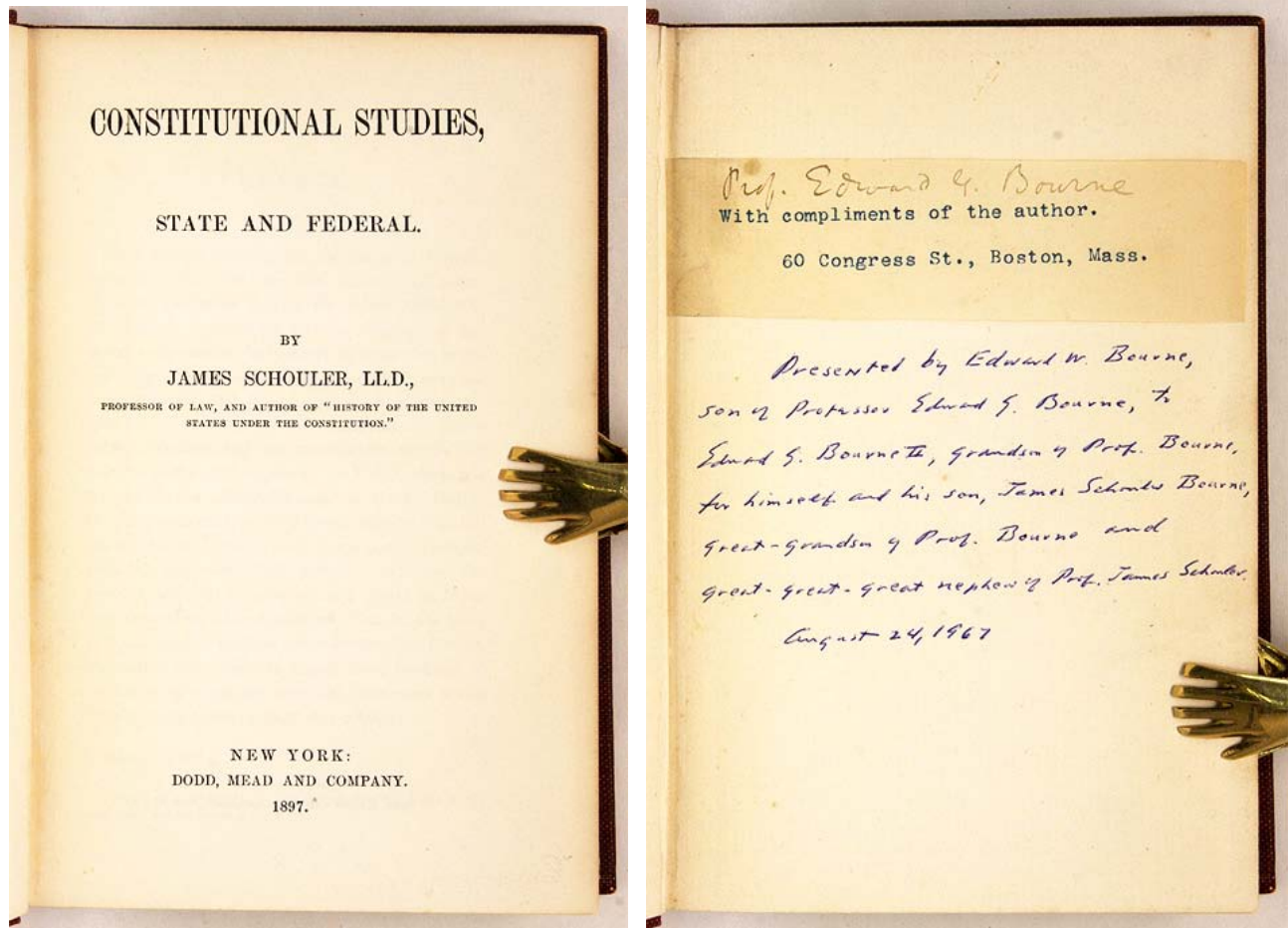
**A Classic English Work on Equity and the
Philosophy of Law that Influenced Blackstone**

25. [Saint German (Germain), Christopher].

Two Dialogues in English, Between a Doctor of Divinity, And a Student in the Laws of England, Of the Grounds of the Said Laws, And of Conscience. Newly Revised and Re-Printed. London: Printed by the Assigns of Rich. and Edw. Atkins Esquires, 1687. [ii], 366, [8] pp. Octavo (5-3/4" x 3-1/2").

Recent period-style calf, contemporary front board retained, blind fillets to boards, lettering piece and gilt-edged raised bands to spine, endpapers renewed, hinges reinforced, early hand-lettered title to fore-edge of text block. A few minor nicks and scuffs to front boards, moderate rubbing to extremities, chipping to head of spine, rear board detached, along with final leaf of index and rear endleaves, corners bumped and somewhat worn. Moderate toning, occasional light foxing to margins, early marks (pointing hands) to margins to a few passages, early owner signature to head of title page. \$150.

* Written originally in Latin in 1523 and cast in dialogic form, this was the first work to study the role of equity in common law and, by its nature, was the first jurisprudential work written in England. It also considers the relative merits of common, canon and civil law, the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. *Doctor and Student* appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. *English Short-Title Catalogue* R13538. [Order This Item](#)



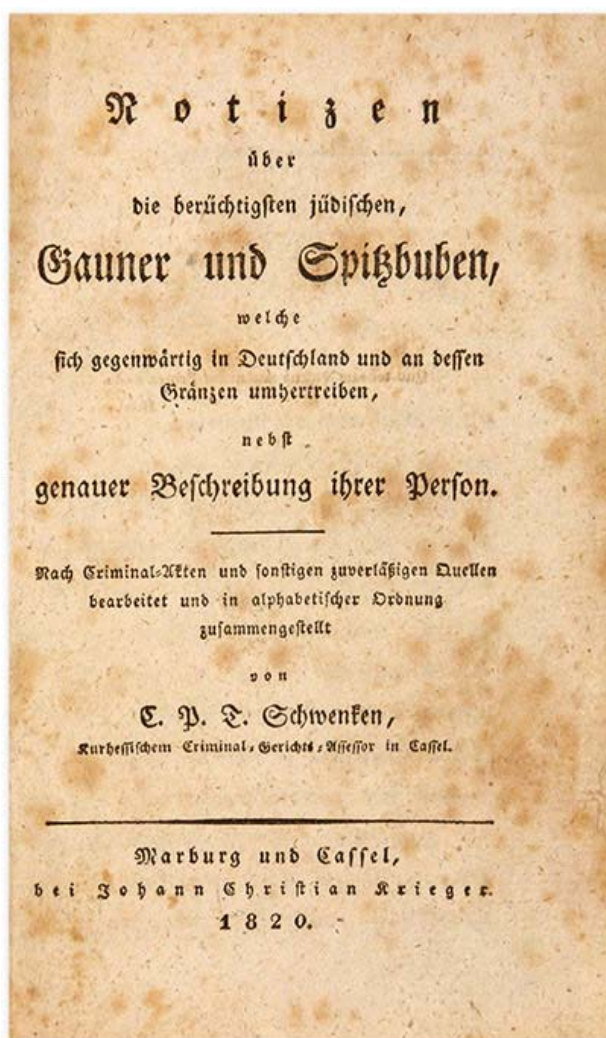
With an Interesting Inscription

26. Schouler, James [1839-1920].

Constitutional Studies, State and Federal. New York: Dodd, Mead and Company, 1897. xii, 332 pp. Octavo (7-1/4" x 5").

Original buckram, blind frames to boards, gilt titles to spine. Light rubbing to extremities, some fading and discoloration to spine. Tipped-in typed slip reading "With the compliments of the author./ 60 Congress St., Boston, Mass." inscribed "Prof. Edward G. Bourne." Inscription dated August 24, 1967 in ink to front free endpaper below. Internally clean. \$150.

* Only edition. The inscription reads: "Presented by Edward W. Bourne,/ son of Professor Edward G. Bourne, to/ Edward G. Bourne II, grandson of Prof. Bourne,/ for himself and his son, James Schouler Bourne,/ great-grandson of Prof. Bourne and/ great-great-great nephew of Prof. James Schouler." [Order This Item](#)



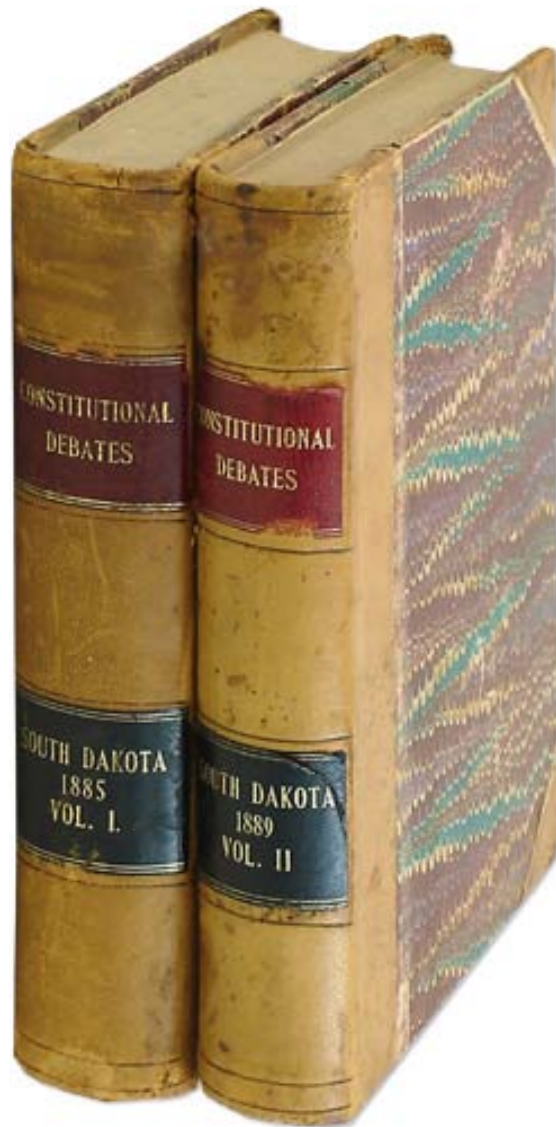
**An Anti-Semitic Review of
"Notorious Jewish Thieves, Swindlers and Rascals"**

27. Schwenken, Carl Philipp Theodor [1785-1847].

Notizen über die Berüchtigsten Jüdischen, Gauner und Spitzbuben, welche sich Gegenwärtig in Deutschland und an Dessen Gränzen Umhertreiben nebst Genauer Beschreibung Ihrer Person; Nach Criminal-Akten und Sonstigen Zuverlässigen Quellen Bearbeitet und in Alphabetischer Ordnung Zusammengestellt. Marburg and Cassel: Bei Johann Christian Krieger, 1820. xvi, 416, [4] pp. Octavo (6-3/4" x 4").

Contemporary plain paper-covered boards. Moderate rubbing and staining to boards and spine, heavier rubbing to extremities with wear to edges, spine ends and corners, tiny early owner stamp and small blank label to front free endpaper, moderate toning and foxing to text. A rare title. \$2,950.

* First edition. A classic example of nineteenth-century German Anti-Semitism, this book by a notable criminologist reviews the careers of 650 "notorious Jewish thieves, swindlers and rascals." These biographies serve to demonstrate the patent criminality of "Jewish race." A second edition was published in 1825. Both are rare. OCLC locates no copies of the second edition in North America, 3 of the first (Hebrew Union College, Michigan State University, New York Public Library). Leo Baeck Institute, New York, Bibliothek und Archiv, *Katalog* I:A768. [Order This Item](#)



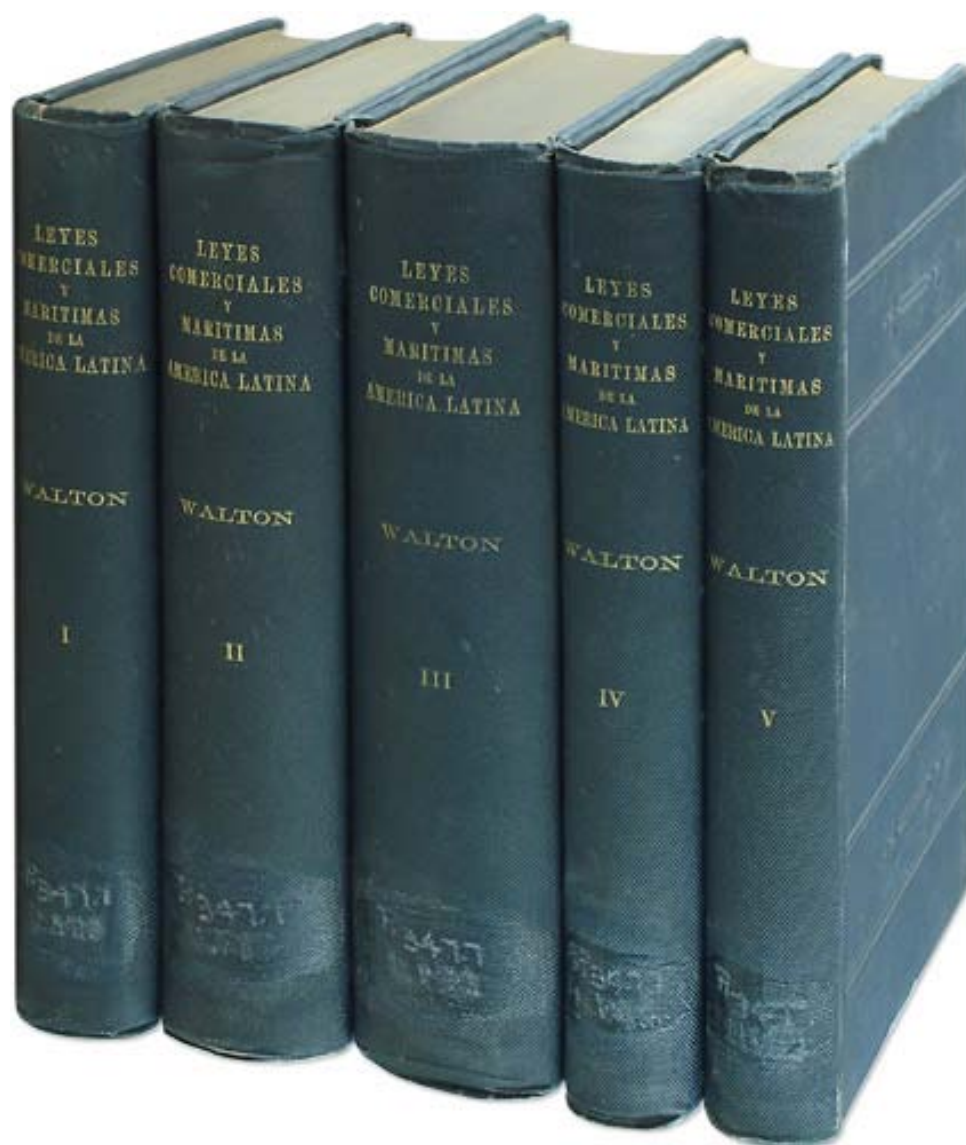
**A Territorial Constitution
that Congress Refused to Ratify**

28. [South Dakota].

Dakota Constitutional Convention Held at Sioux Falls, September, 1885. [And] South Dakota Constitutional Convention Held at Sioux Falls, July, 1889. Published under the Editorial Supervision of Doane Robinson, State Librarian. Huron: Huronite Printing Co., 1907. Two volumes. 700; 575 pp.

Three-quarter law calf over marbled boards, red and black lettering pieces. Some rubbing and a few minor stains to boards, moderate wear to corners and joints. Some discoloration to text, internally clean. \$125.

* With indexes and the text of the Dakota Constitution of 1883, which Congress refused to ratify. In 1889 the territory was divided into North and South Dakota. Both territories achieved statehood that year. Babbitt, *Hand-List of Legislative Sessions and Session Laws* 516. [Order This Item](#)



1907 Compilation of
Latin American Commercial and Maritime Laws

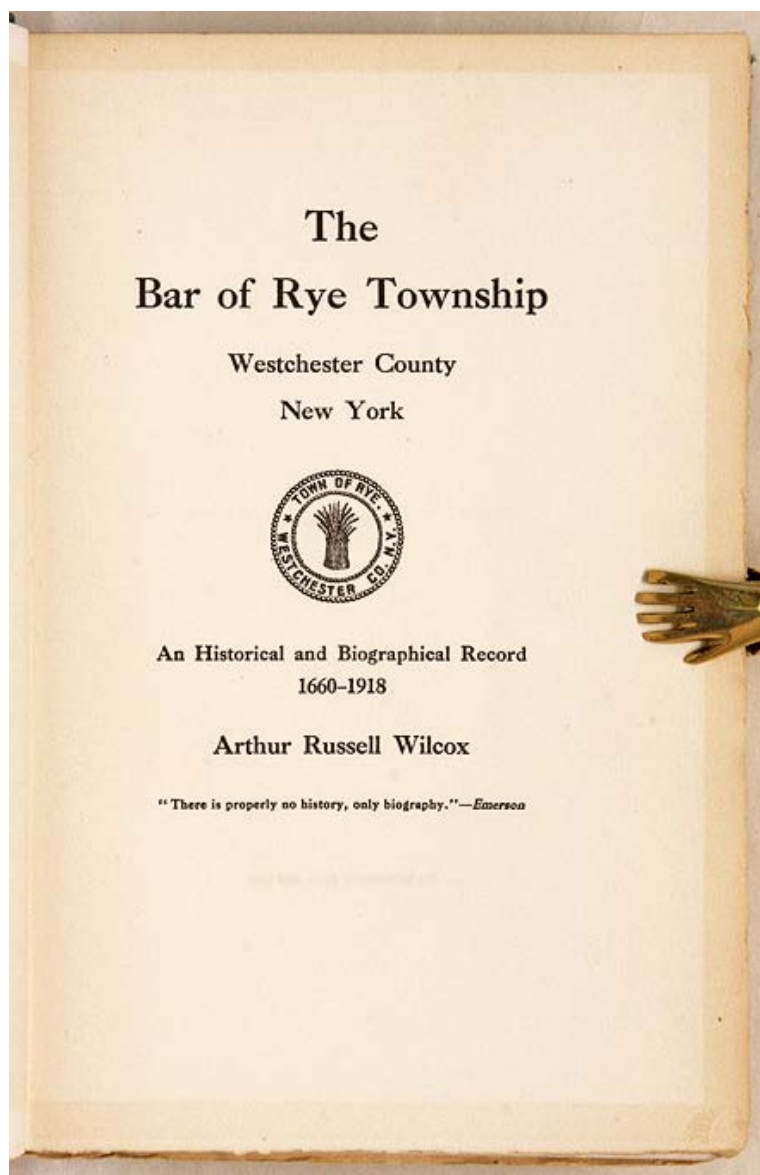
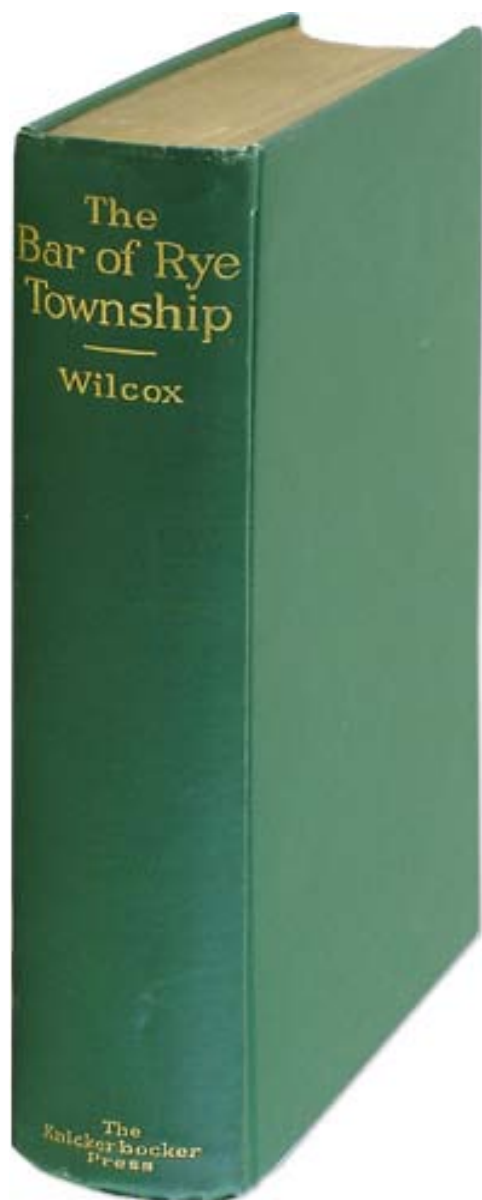
29. Walton, Clifford Stevens.

Leyes Comerciales Y Maritimas de la America Latina: Comparadas Entre si y Con Los Codigos de Espana y las Leyes de Los Estados Unidos de America. Profusamente Anotados con la Legislacion de Espana y Con la Jurisprudencia Extranjera. Washington: Imprenta del Gobierno, 1907. Five volumes. Complete set.

Original cloth, moderate shelfwear, internally clean. Ex-library. Shelf label residue to spines, bookplates to front pastedowns, stamps to front free endpaper, perforated stamps to title pages. A very good set. \$300.

* Stevens, an American jurist and legal historian, was an expert on the legal systems of Spain and Latin America.

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Uncommon History of the Bar of Rye Township

30. Wilcox, Arthur Russell.

The Bar of Rye Township, Westchester County New York: An Historical and Biographical Record 1660-1918. [New York: The Knickerbocker Press, 1918]. xv, 347 pp. Frontispiece. Plates.

Cloth, top edge gilt, deck fore and bottom edges. Light shelfwear, front hinge just starting. Author presentation inscription to front free endpaper, internally clean. \$125.

* From an edition limited to 250 copies, this number 54. This compilation of biographies of attorneys in Mamaroneck, Port Chester and Rye contains a great deal of information that is difficult or impossible to find elsewhere. [Order This Item](#)