

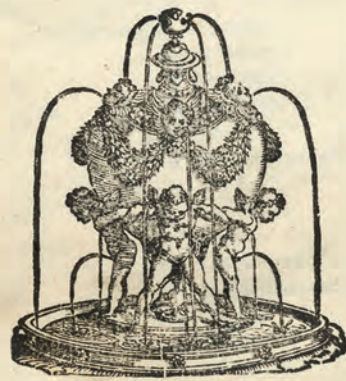


CATALOGUE 74

Recently Acquired Books, Manuscripts and Ephemera

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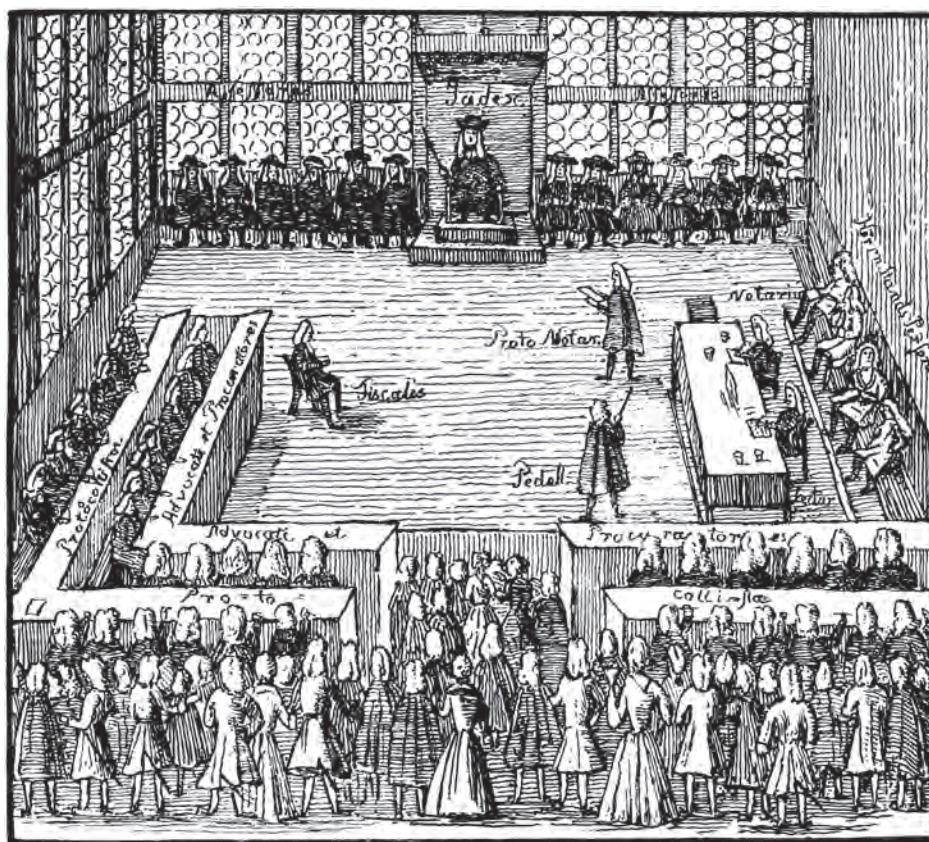


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Apud Iac. Antonium Somaſchl

CATALOGUE 74

*Recently Acquired Books, Manuscripts, Artwork and Ephemera
Including First Editions of Bracton, Glanville and
Livingston's System of Penal Law, A Collection of Broadside
Relating to Legal Education at the University of Louvain
and an Unedited Transcript of the Eichmann Trial*



THE LAWBOOK EXCHANGE, LTD.

Clark, New Jersey
2013

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Front Cover: **Items 8 and 7**, John Doyle, *A Hint to Duellists, A Supposed Case, Founded on Facts and A Broad Hint*.

Rear Cover: **Item 6**, [Criminals]. [Germany]. [*Collection of Broadsides and Pamphlets About Murders and Other Crimes*].

Title Page: *Detail from Item 82*, Georg Ludwig Maurer, *Geschichte des Altgermanischen und Namentlich Altbairischen Oeffentlich-Muendlichen Gerichtsverfahrens*.

Digital images of all items in this catalogue can be found on our web site.

Additional images of any item can be supplied upon request.

Item depictions in this catalogue are not to scale.

Our Latest Web-Only E-Catalogue is Now Available Online: It offers 143 recently acquired American, British and Continental, and Latin American titles priced from \$25.00 to \$500.00. Along with books there are several pamphlets, including a selection of trials, and a few manuscript and ephemeral items.

E-Lists: In addition to our e-catalogues we offer brief bi-monthly e-lists of recently acquired items and special offers. Please send us a note if you would like to receive these lists.

We are happy to accept orders by telephone, fax, e-mail or through our website. All items in this catalogue have color digital images which can be seen at our website. Our office hours are: Monday through Friday from 9 AM to 6 PM. Should you wish, we can supply by e-mail a digital image of title pages and/or the binding(s) of any item.

We purchase books on topics similar to those which appear in our catalogues, and appreciate offers of either single items or whole collections.

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A SELECTIVE INDEX, TOPICAL AND GEOGRAPHIC

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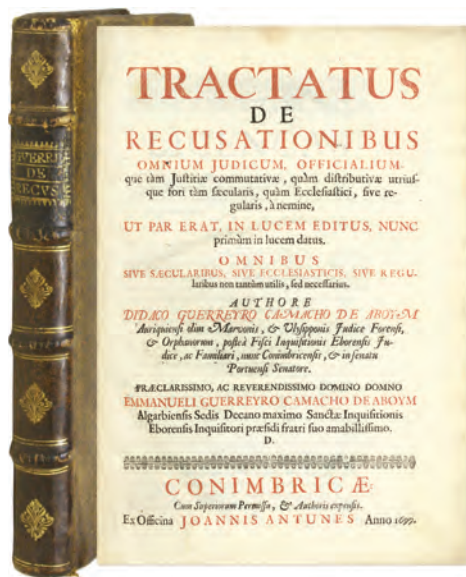
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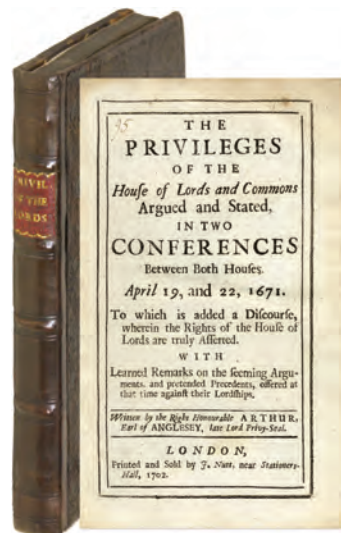
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Nº 1



Nº 2



Nº 3

1. Aboym (Aboim), Diego Guerreyro Camacho de [1663-1709].

Tractatus de Recusationibus Omnium Judicum. Coimbra: Ex Officina Joannis Antunes, 1699. [xxviii], 445 pp. Main text in parallel columns. Quarto (11" x 8").

Contemporary speckled sheep, raised bands, gilt title and gilt ornaments to spine. Light rubbing to spine ends and corners, which are bumped, a few minor scuffs to boards. Title page printed in red and black, copperplate arms at head of dedication, woodcut head-pieces, tail-pieces and decorated initials. Some offsetting to margins of endleaves, light toning, faint dampstains to a few leaves, internally clean. A handsome copy of a rare title. \$750.

First edition. This treatise addresses laws and procedures relating to having a judge disqualified (recused). It also deals with the disbarment of judges and lawyers. Aboym, or Aboim, was a prominent Portuguese attorney, later a senior official of the Supreme Court in Lisbon. A second edition was published in 1759. OCLC locates no copies of either edition in North America. We located two, both in law libraries. Harvard has a 1699 edition, UC-Berkeley one from 1759. Not in the *BMC*.

2. Anglesey, Arthur Annesley, Earl of [c.1677-1737].

The Privileges of the House of Lords and Commons Argued and Stated, In Two Conferences Between Both Houses. April 19, and 22, 1671. To Which is Added a Discourse, Wherein the Rights of the House of Lords are Truly Asserted. With Learned Remarks on the Seeming Arguments, And Pretended Precedents, Offered at that Time Against Their Lordships. London: Printed and Sold by J. Nutt, 1702. [xxiv], 64, 63-78, 81-179, [5] pp. Pagination irregular but complete. Octavo (6" x 3-3/4").

Contemporary calf, rebaked in period-style calf, blind rules to boards, blind fillets along joints, raised bands and lettering piece to spine, endpapers renewed. Light rubbing to boards, corners bumped and lightly worn. Some toning to text, early armorial bookplate to verso of title page, internally clean. \$1,250.

Only edition. Anglesey was an important Anglo-Irish statesman during the Commonwealth and Restoration periods. Originally a Parliamentarian, the anarchy of the last months of the Commonwealth converted him to monarchism. He played an important role in bringing about the Restoration and used his influence to minimize revenge and violence on the Regicides and other opponents of the Crown. *Privileges* defends the right of the House of Lords to amend money bills. It relates to a debate between the two houses that took place in 1671. OCLC locates copies in 8 North American law libraries. Sweet & Maxwell 1:140 (1).

OIL PORTRAIT OF MELVIN BELLI

3. [Artworks and Broadside].

Belli, Melvin [1807-1996].

"Dexter."

[*Portrait of Melvin Belli*]. [San Francisco?], 1987. Oil on Canvas, 30" x 40."

Very good condition, glazing free of cracks. An interesting item.

\$850.

The work of an amateur artist, possibly a friend or client, this portrait hung in the office of the legendary attorney Melvin Belli. Known as "The King of Torts" and "Melvin Bellicose," he was known for his colorful personality, innovative use of graphic evidence and expert witnesses, important class-action cases on behalf of consumers and famous clients, such as Jack Ruby, the Rolling Stones, Jim and Tammy Faye Bakker and Zsa Zsa Gabor. He won over \$600,000,000 in judgments during his legal career.

4. [Artworks and Broadsides].

Burton, William.

The Life and Behaviour of William Burton, Who was Executed at Gloucester, On Thursday, April 8, 1819. For the Wilful Murder of William Syms, of Woolaston. Gloucester: Price, Printer. 1819. 12" x 8-1/2."

Broadsides, woodcut vignette of hanging at head. Light browning and a few spots

\$650.

Burton murdered Syms for his money and dumped his body in the River Severn. No copies located on OCLC.

HANDS OFF!

5. [Artworks and Broadsides].

Coburn, Abel.

Stickney, Chas. H.

Jones, Darius B.

\$25.00 Reward! For the Arrest and Conviction of Any Person for Setting Fire, or Otherwise Injuring and Destroying any Property in the Town of Dracut, Or for Committing Any Offense Enumerated in Chapter 161 of the General Statutes. Section 83 of Chapter 161 of the General Statutes: Whoever willfully and maliciously enters any Orchard, Nursery, Garden, or Cranberry Meadow, and takes away, mutilates, or destroys any tree, shrub, or vine, or steals, takes, and carries away, any fruit or flower, without consent of the owner thereof, shall be punished by fine not exceeding ONE HUNDRED DOLLARS, or by imprisonment in the House of Correction not exceeding three months. ABELL COBURN, CHAS. H. STICKNEY, DARIUS B. JONES, Selectmen of Dracut. Dracut [Mass.], June 1, 1874. 18-1/2" x 12."

Broadsides on yellow paper mounted on board. Faint vertical fold line through center, a few tears and light edgewear. \$450.

An unrecorded reward poster. Dracut is a town near Lowell, Massachusetts.

NINETEENTH-CENTURY GERMAN
BROADSIDES AND PAMPHLETS ABOUT
MURDERS AND OTHER CRIMES

6. [Artworks and Broadsides].

[Criminals].

[Germany].

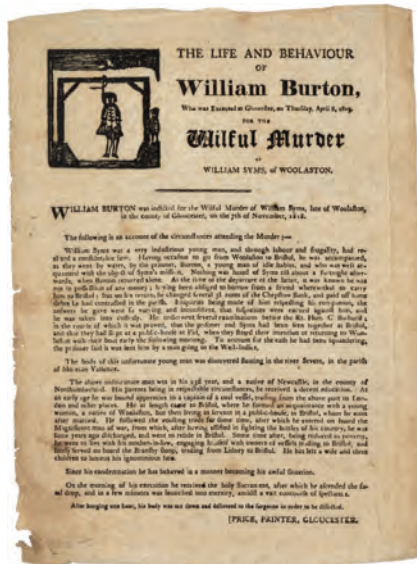
[Collection of Broadsides and Pamphlets About Murders and Other Crimes]. [Southern Germany, c. 1830-75.]. 29 items: 12 bifoliums, 12 single leaves and 5 sewn pamphlets, 10 have woodcut or lithographed illustrations, sizes range from 7-1/2"x 4" to 12-1/2" x 9."

Moderate toning and edgewear, occasional foldlines, faint dampstaining, edgewear and chips to some items, a few missing corners with minor loss to text. Overall condition is very good. \$6,500.

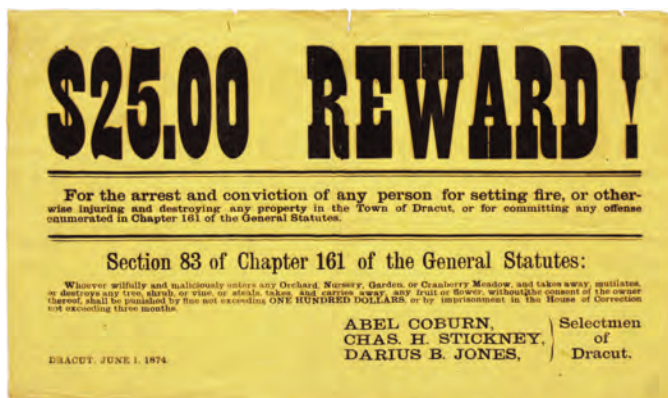
A very interesting collection of rare popular broadsides and pamphlets about murders, rapes, robberies and other crimes committed (mostly) in southern Germany during the early to mid-nineteenth century. Some of these are "official" reports, others are journalistic accounts. There are also a few sermons and accounts in verse. All are sensational and lurid. Ten of these feature woodcut or lithograph illustrations; one depicts a mother decapitating her infant with a kitchen knife.



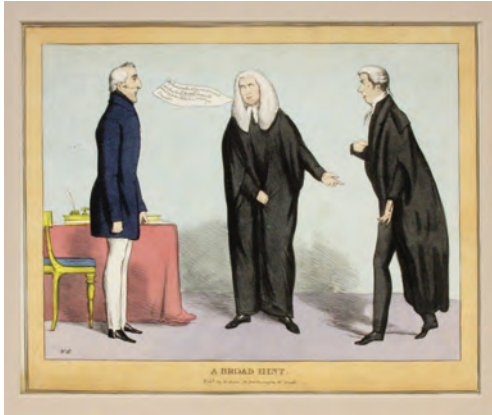
№ 6



№ 4



№ 5



A RECONCILIATION?

7. [Artworks and Broadside].

Doyle, John [1797-1868].

A Broad Hint. [London]: Published by S. Gans, [1829]. 14" x 11" hand-colored lithograph in 16-1/2" x 19" hinged matte.

Light soiling to matte, some toning to margins, a few miniscule spots to image, colors vivid. \$450.

Doyle moved English caricature from the ridiculous, grotesque and sometimes bawdy style of Thomas Rowlandson and James Gillray to the more witty and genteel manner developed further by later cartoonists, such as those associated with *Vanity Fair*. Doyle's pictures appeared anonymously in the *London Times* and a series of books, *Political Sketches*, between 1830 and 1851 under the signature H.B. They were commentaries on recent events and were sometimes accompanied by explanatory essays. *A Broad Hint* depicts the Duke of Wellington, then Prime Minister, Lord Chancellor Lyndhurst and Lord Brougham, then a leading member of the House of Commons who advocated legal reform and education of the poor, causes Wellington opposed. Doyle satirizes the opposition between these two men in the guise of a reconciliation managed by Lyndhurst. This is a re-strike of a plate issued by T. McLean, July 18, 1829. Stephens, *Catalogue of Political and Personal Satires in the Department of Prints and Drawings in the British Museum* 15837.A.



YOU'RE NOT SUPPOSED TO
KILL YOUR OPPONENT

8. [Artworks and Broadside].

Doyle, John.

A Hint to Duellists, A Supposed Case, Founded on Facts. [London]: Published by Thomas McLean, 1830. 15-1/2" x 11" hand-colored lithograph in 20-1/2" x 16" hinged matte.

Light soiling to matte, some toning and light foxing to margins, a bit of light foxing to image, colors vivid. \$450.

A Hint to Duellists is a commentary on a recent trial of R.W Lambrecht, who was tried for manslaughter as the result of a duel. The title, personified by the substitution of The Duke of Wellington [1769-1852] for Lambrecht in the dock, alludes to an event the previous year in which Wellington and his opponent went through the motions of a duel with no intention of drawing blood. Lambrecht was ultimately acquitted due to a hung jury. George, *Catalogue of Political and Personal Satires in the British Museum* XI:1954.

MURDERED FOR THE VIOLENT ROBBERY
OF AN ELDERLY WOMAN

9. [Artworks and Broadsides].

Ettell, William.

Pool, Jacob.

An Account of the Trial and Execution of Wm. Ettell and Jacob Pool, Who Suffered at Gloucester, On Saturday, April 19, 1817. Gloucester: Printed and Sold by T. Birt, 1817. 10" x 7-3/4."

Broadside, woodcut vignette of hanging at head, untrimmed edges, printing flaw without loss due to fold. Light browning and soiling, negligible stain near head. \$850.

William Ettell, 22, and Jacob Pool, 37 were hanged for the violent robbery of Mrs. Ship of York, a women "of advanced years." who was returning from Bath market. No copies located on OCLC.



"GIVE ME MY SEALS AND BE OFF!"

10. [Artworks and Broadsides].

J.H. (or H.J., I.H. or H.I.).

Ejection & Symptoms of Rejection!. No. 4. London: Published by S.W. Fores, 41 Piccadilly, c. 1832-34. 15-1/2" x 11-1/2" hand-colored lithograph in 20-1/4" x 16-1/2" hinged matte.

Light soiling to matte, white areas lightly toned, colors vivid. \$450.

Currently unidentified, the creator of this print worked in the style of John Doyle [1797-1868], the leading English caricaturist of the 1830s to 1850s. *Ejection & Symptoms of Rejection* is commentary on the work of the 1832 Royal Commission into the Operation of the Poor Laws, which drafted the Poor Law Amendment Act. Passed in 1834, it created the system of laws and workhouses described by Dickens.





115 UNLOCATED BROADSIDES RELATING TO LEGAL EDUCATION IN LOUVAIN

11. [Artworks and Broadsides].

[Legal Education].

[University of Louvain].

[115 Broadsides Announcing Examinations and Other Academic Events in the Faculty of Laws]. Louvain, 1712-1794. 115 folio broadsides (17" x 13").

Light toning, some minor stains, flaws, tears or worming, small stab holes to top center margins (for filing), all generally in very good condition, though one broadside has flaws affecting text. 47 broadsides have brief contemporary annotations. An interesting collection. \$7,500.

Disputations were important events in the early modern university. They functioned as exams,

inaugural events and teaching exercises. Our collection offers 115 unlocated broadsides from 18th-century Louvain, mostly from the 1770s, advertising disputations in law. The broadsides list the name of the candidate or speaker, the date of the event and the legal passages and questions that will form the basis of the examination or disputation and the presiding professor or respondent. 46 examples in this collection are the equivalent of present-day bar exams. Two of the broadsides are for theological disputations on law-related subjects and one is a broadside poem in Dutch from 1712 congratulating a law student (one Jan Baptist Coeck) for having passed his exam. 47 items have annotations. Most are notes relating to the event, some are jurisprudential comments. A complete list of the broadsides is available on request.

"COME ALL YOUNG MEN BOTH FAR AND NEAR, A WARNING BY ME TAKE"

12. [Artworks and Broadsides].

Walker, William.

Particular Account of the Execution &c. of William Walker, Who was Executed this Morning, (Friday, April 29, 1831, On the Drop Over the New Bristol Gaol. [Bristol]: Taylor, Printer. 1831.

14-1/2" x 6-1/2" broadside, woodcut vignette of hanging at head, untrimmed edges. Negligible dampspotting, light browning, somewhat darker at foot. \$650.

Walker, who was hanged for burglary, confessed his involvement in two other burglaries before his death. The account of the trial, description of Walker after the trial and his execution is followed by a set of didactic verses. No copies located on OCLC.

13. Bacon, Matthew [fl. 1730].
[Ruffhead, Owen (1723-1769)].
[Sayer, Joseph (f. 1750)].
Gwillim, Sir Henry [1760-1837], Editor.
Wilson, Bird [1770-1859], Editor, American
Decisions.

A New Abridgement Of The Law. With Considerable Additions. From the Sixth London Edition, With the Addition of the Later English, And the American Decisions. By Bird Wilson. Philadelphia: Published by Philip H. Nicklin, 1813. Seven Volumes. Octavo (9" x 5-1/2").

Contemporary sheep, blind fillets to boards, lettering pieces and blind fillets to spines. Some rubbing to extremities, front board of Volume I partially detached, minor cracks to other joints of some volumes. Some toning to text, internally clean. An attractive set. \$750.

First American edition, second issue, from the sixth London edition (1807). Bacon's *Abridgment* is a digest of cases and treatises written by Sir Jeffrey Gilbert. In frequent use by practitioners of the era, its importance is attested to by the many editions the work enjoyed. Its comprehensiveness and, still more, the logical system of subdivisions employed within each title, placed it far above all previous compendia of its kind, and made it, according to Marvin's *Legal Bibliography* (1847), "quite a law library in itself" (85). First published in 1736, it was compiled and gathered and edited by Bacon. However, he died after completing the entry for "Sheriff" and the work was completed by the original editors, Joseph Sayer and Owen Ruffhead. Bird Wilson was a distinguished Pennsylvania jurist and son of James Wilson. The first issue of the first American edition was published by Nicklin in 1811. Cohen 5304.

THE ROMAN LAW OF PRESCRIPTION



14. Balbo, Giovanni Francesco [f. 1510-1518].
[Henricus, de Segusio, Cardinal (Hostiensis)
(c. 1200-1271)].

Tractatus Foecundus, et Perutilis de Praescriptionibus. Venice: [Apud Cominum de Tridino], 1564. [32], 300 pp. Main text in parallel columns. Fol. 1 has woodcut of Balbo instructing a class of students. Octavo (6" x 4").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Some soiling, especially to spine, minor wear to corners, some worming to pastedowns and endleaves, a few partial cracks to text block, boards slightly bowed. Some toning to text, light foxing in places. Early annotations and signatures to preliminaries and title page, other annotations and underlining to a few places in text, two inkstains to fol. 224 with minor damage to legibility. \$1,950.

Later edition of a work first published in 1511. *Tractatus Foecundus* is concerned with the Roman law of prescription, the principle whereby a right or liability is created or extinguished over a certain period of time, usually in regard to a property title. It also includes an edition of a short treatise on this subject by Henricus de Segusio. It was a popular work that went through several issues and editions, the last one in 1582. Our 1564 copy was also issued in 1563. Both are identical in every respect and share the same entry number in EDIT16. All editions are scarce in North America. OCLC locates 2 copies of the 1564 edition in North America (at Harvard Law School and the Library of Congress). EDIT16 CNCE3948.



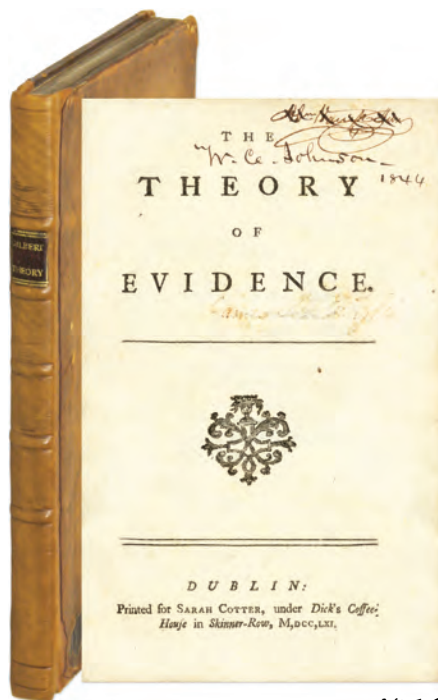
15. [Bankruptcy].
[United States Senate].
[Committee on Bankruptcy].
Crittenden, John J. [1787-1863].

S. 369. *In Senate of the United States. June 12, 1840. Mr. Crittenden, From The Select Committee On the Subject, Reported the Following Bill; Which was Read, And Passed to a Second Reading, And Made the Special Order of the Day for Tuesday Next, The 16th Instant. June 23, 1840. Amended in Committee of the Whole, Reported to the Senate, The Amendments Agreed to, And the Bill Ordered to be Printed. A Bill to Establish a Uniform System of Bankruptcy Throughout the United States.* Washington, D.C.: United States Senate, 1840. 21 pp. Folio (14" x 9").

Stab-stitched, untrimmed edges. A few minor stains, three faint horizontal fold lines, light toning. A generously margined unmarked copy. \$750.

The historic Federal Bankruptcy Act of 1841 was enacted after the unprecedented commercial failures that followed the Panic of 1837. A relief measure, it was the first to permit voluntary bankruptcies. More than a generation had passed since the first Bankruptcy Act in 1800 and its repeal in 1803. The 1800 law had authorized creditors to place the debtor in bankruptcy and seize his assets, but it had not allowed debtors to choose bankruptcy. This 1840 Bill, which passed the Senate but was tabled in the House, was revived in the 27th Congress and passed in 1841. Its innovation, permitting voluntary bankruptcy petitions by persons "owing debts," tracks the 1841 Act, which was based on Congress's power to establish "uniform laws on the subject of bankruptcies." Only two years after its enactment, charges of corruption and profligate expenditures, and at least one lower court's decision that the Act was unconstitutional, led to its repeal.

THE ENGLISH LAW OF EVIDENCE IN
THE MID-EIGHTEENTH CENTURY



№ 16

16. [Bathurst, Henry].

The Theory of Evidence. Dublin: Printed for Sarah Cotter, 1761. [iv], 123, [9] pp. Includes one-page printer advertisement. Octavo (7-1/2" x 5").

Contemporary calf, rebaked in period style, raised bands and lettering piece (reading "Gilbert Theory") to spine, corners and hinges mended. A few shallow scuffs and some minor stains to boards. Moderate toning to text, light foxing in places. Later owner signature (of C.H. Buffett) to front pastedown, three other signatures (one erased, one illegible and one of W.C. Johnson) to head of title page, interior otherwise clean. A nice copy of a scarce title. \$950.

Reissue of the only edition, published the same year in London. Published anonymously, this concise treatise is a good summary of the field as it stood in the mid-eighteenth century. It was later incorporated into Buller's treatise on nisi prius. An interesting feature is the Analysis and Index, which arranges the book's contents in a tree diagram with page references. OCLC locates 12 copies in North American Law libraries, 5 of the Dublin issue. Sweet & Maxwell 1:378 (1).

RARE COMMENTARY ON JUSTINIAN THAT
FEATURES AN ATTACK ON HOBBS

17. Beckman (Beckmann), Nils.

Commentarius ad Prima Juris Fundamenta.
Lund: Typis Haberegeri Excudi Curavit, 1672.
[xx], 884, [4] pp. Quarto (7-1/2" x 6-1/4").

Contemporary vellum with lapped edges, early hand-lettered title to spine. Light soiling and rubbing, tiny chip to head of spine. Large woodcut arms to title page, small woodcut descent table to p. 96, one of consanguinity to p. 520. Some toning to text, early annotations to front free endpaper, early inscription to head of title page, other annotations in same hand to margins of a few leaves. A very good copy. \$2,750.

First edition. Vice-chancellor and professor of Roman law at the University of Lund, Beckman was famous for his attacks on his celebrated colleague Samuel von Pufendorf. Beckman accused him of heresy and atheism. Royal pressure compelled him to flee to Denmark in 1673. *Commentarius*, a self-published work, is a detailed exposition of Justinian's *Institutes*. Beckman's introduction surveys legal literature and attacks, in an extended, strong and moralistic way, Thomas Hobbes, a primary influence on Pufendorf. He also critiques Hugo Grotius, another influence. The work concludes with an interesting comparison between ancient Roman law and the Ten Commandments. In exile, Beckman convert to Catholicism and ended his career as the director of a monastery in Bamberg, Germany. OCLC locates 4 copies, none in North America. Collijn, *Swedish Bibliography* I:53 (recording 19 rather than 20 preliminary leaves).



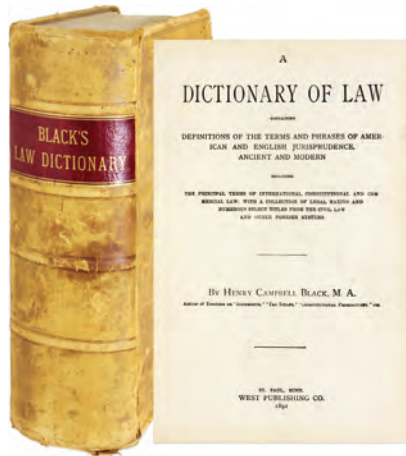
WELL-ILLUSTRATED WITH "CHARACTERISTIC" IMAGES

18. Bertolini, Gino.

Le Anime Criminali: La Legge Determinista, La Guerra di Razza. Venice: Istituto Veneto di Arti Grafiche, [1914]. 480 pp. 70 plates, 24 text illustrations. Quarto (9-1/2" x 7").

Original printed publisher wrappers, untrimmed edges. Light edgewear, a few minor stains, spine somewhat darkened, moderate toning to text, foxing in a few places, internally clean. \$850.

Only edition located. An example of the somatic school of criminology associated with Cesare Lombroso, this well-illustrated book is a collection of essays, mostly profiles of exemplary criminals. As one would suspect in a European book from 1914, there are several politically motivated assassinations. The images depict the criminals, their victims, crime scenes, courtroom scenes, court officers, prisons and artifacts. OCLC locates 7 copies worldwide, 1 in North America at Harvard Law School. Another copy located at the John Jay College of Criminal Justice, CUNY.



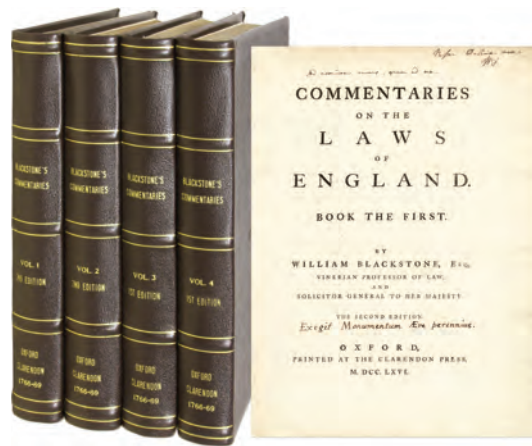
FIRST EDITION OF BLACK'S LAW
DICTIONARY IN ORIGINAL
LAW-CALF BINDING

19. Black, Henry Campbell [1860-1927].

A Dictionary of Law Containing Definitions of the Terms and Phrases of American and English Jurisprudence, Ancient and Modern Including the Principal Terms of International, Constitutional, and Commercial Law. St. Paul: West Publishing Co., 1891. x, 1253 pp. Alphabetic thumb-tabs to fore edge black. Large octavo (10" x 7").

Original law calf, blind rules to boards, raised bands and lettering piece to spine. Moderate rubbing with wear to spine ends and corners, front joint starting at foot, hinges cracked, offsetting to margins of endleaves, minor edgewear to front free endpaper. Light toning to text, internally clean. A solid copy, uncommon in a law-calf binding. \$1,750.

First edition of the standard American law dictionary, which is now in its ninth edition. It contains definitions of the terms and phrases of American and English jurisprudence, ancient and modern (including the principal terms of international, constitutional, and commercial law), a collection of legal maxims and a bibliography of the principal law dictionaries in English and other languages to 1891. Besides its status as a landmark in American legal publishing, the first edition of Black's dictionary is valuable because it offers important insights into the rapid development of American law at the turn of the century. *HLC* I:182.



SECOND EDITION OF BLACKSTONE'S
COMMENTARIES, VOLUME I ANNOTATED
THROUGHOUT IN CONTEMPORARY HAND

20. Blackstone, Sir William [1723-1780].

Commentaries on the Laws of England, in Four Books. Oxford: Printed at the Clarendon Press, 1766, 1767, 1768, 1769. Four volumes. Volume II has copperplate "Table of Consanguinity" and fold-out "Table of Descents." Quarto (10-1/2" x 8-1/2").

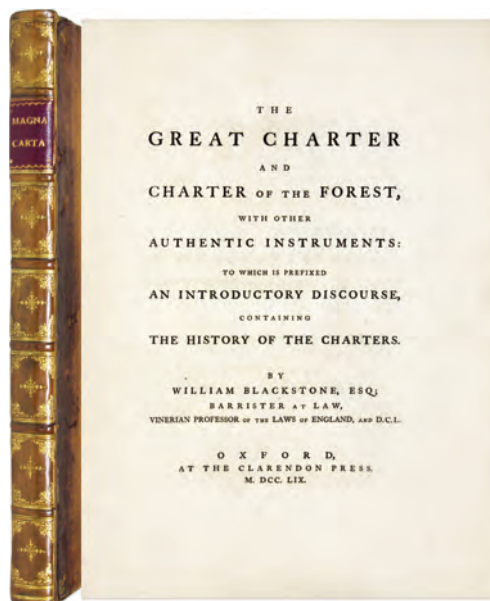
Recent morocco, raised bands and gilt titles to spines, endpapers renewed. Negligible shelfwear, light toning to text, faint dampspotting in places, upper corners of pp. 217-222 of Volume II lacking with minor loss to text. (We can supply these leaves in facsimile). Early owner signature to head of Volume III title page, illegible due to trimming, copious contemporary annotations in fine hand throughout Volume I, later signature (of H.L. Bradford Lawrence) to front free endpaper. \$2,000.

First edition of Volumes III and IV, second edition of Volumes I and II. The most influential publication in the history of modern Anglo-American law, the *Commentaries on the Laws of England* is based on a course of lectures delivered at Oxford University. Written in an eighteenth-century hand, the annotations to Volume I are quite interesting, some are glosses, others expand upon or dispute Blackstone's points. The first editions of Volumes I and II were published in 1765 and 1766. By the time Volume III was published in 1768 the first two volumes had already been re-published in their second edition. Due to this publication history there are many so-called "mixed" editions today. Volumes III and IV were later revised, along with the first two volumes, for the fourth edition, 1770. Eller 2.

21. Blackstone, Sir William.

The Great Charter and Charter of the Forest. Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. As in many copies, the half-title and table of contents (Tabula) are bound between pp lxxvi and p. 1. Folio (13-1/2" x 10-1/2").

Contemporary calf, gilt rules with corner thistle devices to boards, rebaked in period style, raised bands and lettering piece to spine, marbled endpapers, hinges mended. Light rubbing and some shallow scuffing to boards, areas near joints somewhat darkened. Light toning to text, early armorial bookplate (of E. Wyatt Edgell) to front pastedown, (illegible) early signature to front endleaf. A handsome copy. \$5,000.



First edition. Texts of documents in Latin, Blackstone's essay in English. The engraved dedication to the Earl of Westmoreland is surmounted with his armorial ensigns; initials in the text are ornamented with engravings of various buildings at Oxford University. The tail-pieces on pages lxxvi and 73 are historical vignettes; the other ten tail-pieces are facsimiles of the royal seals that are attached to the original documents. This remarkable work is esteemed for its production and scholarship. Its physical appeal was recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition." Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. This idea, first proposed by Coke, was a central tenet of Whig ideology. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter. Eller notes that Worrall's *Bibliotheca Legum Angliae* (1788) lists an edition from 1758 with the title *Magna Charta and Charta de Foresta*. She was not able to locate any copies, however. Later research indicates that this edition is a ghost. Eller 237.

FINAL EDITION OF BLOUNT'S DICTIONARY

22. Blount, Thomas [1618-1679].**Nelson, William, Editor.**

A Law-Dictionary and Glossary, Interpreting Such Difficult and Obscure Words and Terms, As are Found Either in Our Common or Statute, Ancient or Modern, Laws. (...) Likewise an Explanation of All the Ancient Names of the Inhabitants, Cities, Towns, Villages and Rivers of Great Britain. Collected Formerly by Mr. Camden and Others, And Necessary for the True Understanding the History and Laws of this Realm. By W. Nelson, of the Middle Temple, Esq. [London]: Printed by Eliz. Nutt and R. Gosling, 1717. [330] pp. Main text in parallel columns. Folio (13" x 8").

Contemporary calf, blind rules to boards, blind fillets to joints, raised bands to spine, lettering piece lacking. Light rubbing to extremities, somewhat heavier rubbing to spine, a few scuffs to boards, a small length of calf lacking from fore-edge of rear board, corners bumped, some chipping to head of spine, minor worming to rear pastedown, front joint starting at ends, front hinge cracked, early bookplate (of G. Helyar) to front pastedown. Some toning to text, internally clean. \$850.

Third and final edition. Enlarged by W. Nelson. Nelson claimed to have added nearly three thousand words, which he collected from all the laws of the Saxon, Danish and Norman kings. Blount's *Dictionary* was first published in 1656, and along with Rastell's, Cowell's and Spelman's, is one of the earliest English law dictionaries. Sweet & Maxwell 1:6. Cowley 202.

AN IMPORTANT STUDY OF INHERITANCE
AND SUCCESSION IN ROMAN LAW



23. Bluntschli, Johann Caspar (Kaspar) [1808-1881].

Entwicklung der Erbfolge Gegen den Letzten Willen nach Römischen Recht mit bes. Rücksicht auf die Novelle 115. Bonn: Bei Adolph Marcus, 1829. x, 310 pp. Octavo (8" x 5").

Original marbled publisher boards, paper title label to spine. Moderate rubbing to extremities, heavy rubbing to spine, front joint starting, lower half of rear joint cracked through hinge, early bookseller stamp to front pastedown. Light toning to text, early annotations to rear pastedown. A nice copy. \$950.

First edition. A notable work of Historical School jurisprudence, this treatise addresses the Roman law of inheritance and succession and wills with comparisons to these laws in Prussia and, to a lesser extent, other German states. Bluntschli was one of the great Continental Jurists of the nineteenth century. He published a code for the Canton of Zurich and works on German private law, the law of war and international law. His most important historical work is the *Geschichte des Allgemeinen Staatsrechts und der Politik* (1864). BMC 3:687.

THE FIRST IRISH LEGAL TREATISE

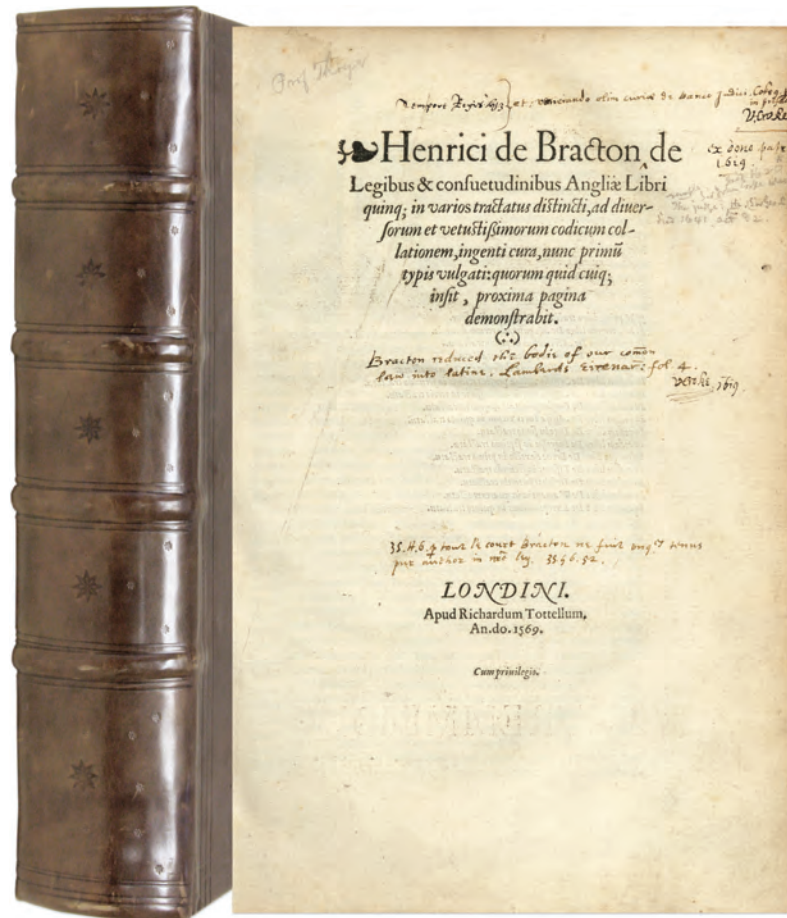
24. Bolton, Sir Richard [c.1570-1648].

Travers, Michael.

A Justice of Peace for Ireland: Consisting of Two Books; The First, Declaring the Exercise of That Office by One or More Justices of Peace Out of Sessions; The Second, Setting Forth the Form of Proceeding in Sessions, And the Matter to be Enquired of and Handled Therein. To which are Now Added, In an Alphabetical Order, All the Statutes Now in Force in England and Ireland, (Since Sir Richard Bolton Published His Said Treatise) Which Concern the Office of a Justice of Peace for Ireland, Both in and Out of Sessions. (...) With a Table of the Precedents. By Michael Travers, Esq; Barrister at Law. Dublin: Printed for J. Leathley, And T. Moore, 1750. xiv, 586, 292 pp. Two parts, each with title page and individual pagination. Quarto (10" x 8").

Contemporary calf, raised bands and recent period-style lettering piece to spine. Light rubbing to extremities, a few minor scuffs and stains to boards, minor worming to lower edges of pastedowns and some adjacent leaves. Light toning, a bit darker in places, faint dampstaining to portions of text, internally clean. A nice copy. \$750.

Third and final edition. First published in 1638, this was the first Irish legal treatise. Considerably enlarged by Travers, the third is the preferred edition of this work. Bolton was chief baron of the Irish Court of Exchequer. OCLC locates 9 copies of this edition in North American law libraries. Sweet & Maxwell 4:8-9.



PMM 89: THE "CROWN AND FLOWER OF MEDIEVAL JURISPRUDENCE"

25. Bracton, Henry de [d. 1268].

De Legibus et Consuetudinibus Angliae, Libri Quinq; In Varios Tractatus Distincti, ad Diversorum et Vetustissimorum Codicum Collationem, Ingenti Cura, Nunc Primu Typis Vulgati; Quorum Quid Cuiq; Insit, Proxima Pagina Demonstrabit. London: Apud Richardum Tottellum, 1569. [xvi], 444 [i.e. 442] ff. Folio (10-3/4" x 7-1/2").

Recent period-style paneled calf, raised bands to spine, endpapers renewed. Light toning to text, tiny wormhole to margins of first forty leaves, paper flaw to margin of fol. 72. Faint dampstaining to upper portions of ff. 73-80. Attractive large woodcut decorated initials. Early annotations and underlining in neat court hand to title page and throughout the text, some affected slightly by trimming. This copy belonged to Professor James Bradley Thayer, Harvard Law School, and bears his occasional notations to title page and some other leaves, mostly cross-references. A nice copy in a handsome binding. \$13,500.

First edition. Written between 1250 and 1256, *De Legibus et Consuetudinibus Angliae* is the first systematic treatise on English law. It is a landmark work because it established the use of decided cases as sources of intellectual and formal authority. Developed by Littleton and Coke, Bracton's system of case precedents directed the development of the common law. In Maitland's words, Bracton's *Legibus* is "the crown and flower of English medieval jurisprudence" and "by far the greatest of our medieval law books." Thayer [1831-1902] was an influential professor at Harvard Law School from 1873 until his death. A fairly wide-ranging and prolific scholar, he was especially interested in the historical evolution of Anglo-American law. Two of his most important books are *The Origin and Scope of the American Doctrine of Constitutional Law* (1893) and *The Development of Trial by Jury* (1896). Sweet & Maxwell 1:51 (6). Maitland, *Collected Works* II:43. Beale T323. PMM 89. ESTC S122159.

26. Brant, Sebastian [1458-1521].

Caccialupi, Giovanni Battista
[c.1420-1496].

Titulorum Omnium Iuris, Tam Civilis, Quam Canonici Expositiones. His Accessit Modus Studendi in Utroque Iure, Per Ioannem Baptistam Caccialupum. Omnia ad Vetustorum Exemplarium Fidem nunc Demum Diligentissime Repurgata. Venice: Apud Bartholomaeum Rubinum, 1576. 255, [17] ff. Octavo (6" x 4").

Contemporary limp vellum with lapped edges, early hand-lettered paper title label to spine, thong ties. Light soiling, moderate rubbing to extremities with some minor chipping to spine ends, some wear to spine exposing cords and small section of front joint, small chip to rear cover, front hinge cracked. Light toning to text, minor worming to final 9 leaves with very minor loss to text. Early owner inscription to front free endpaper, later signature

and faint stamp (from a monastery library) to title page, interior otherwise clean. \$1,500.

Remembered today as the author of the moral and satirical *Narrenschiff* (*The Ship of Fools*), Brant was also a noted legal scholar and humanist. He studied at Basel, where he completed a doctor of laws degree. After serving on Basel's law faculty he moved to Strasbourg, his birthplace, where he became city clerk and enjoyed a position of great prominence. Brant was later appointed imperial councilor by the Holy Roman Emperor Maximilian I, who elevated him to the nobility. *Expositio Titulorum* is a renowned textbook devoted to complex passages in Roman and canon law. First published while Brant was in Strasbourg, it summarizes his thoughts concerning Roman and Canon law and reflects his conservative and somewhat cynical worldview. OCLC locates 1 copy of this edition in North America (at Harvard Law School), 4 copies in Europe. EDIT16 CNCE 7455.

A CURIOUS HYBRID OF ENCYCLOPEDIA, TREATISE AND REFORM TRACT

27. [Bretonnier, Barthelemy-Joseph (1656-1727)].

Recueil Par Ordre Alphabetique des Principales Questions de Droit, Qui se Jugent Diversement dans les Differens Tribunaux du Royaume. Avec des Reflexions pour Concilier la Diversite de la Jurisprudence, & la Rendre Uniforme dans tous les Tribunaux. Paris: Chez Emery, 1718. lxxii, 463, [18] pp. Octavo (6-1/2" x 3-3/4").

Contemporary sheep, gilt spine with raised bands and lettering piece, edges rouged. Moderate rubbing to extremities with wear to spine ends and corners, joints starting at ends. Woodcut head and tail-pieces. Some toning to text. Early annotations to verso of front free endpaper, two early struck-through signatures to title page, interior otherwise clean. \$1,250.

First edition. Organized alphabetically, this guide to French law and judicial administration is an encyclopedia, a treatise and a reform tract. As the title indicates, it outlines different jurisdictions in order to advance an argument for a comprehensive uniform court system. The "questions" relate, for the most part, to tricky aspects of family law. Some of the topics its covers are the marriage of wives of absent husbands, dowries, bastards, the passing on of jewelry, the marriage of minors, second marriages, subrogation, wills, and wards. Bretonnier was an avocat of the Paris Parlement. First published in 1718, his treatise went through five editions, the final appearing in 1783. All are scarce in North America. OCLC locates 3 copies of the first edition in North America, 2 in law libraries (Harvard, University of Michigan). This edition not in Camus.





No 26

28. Bronkhorst (Bronchorst), Everard van [1554-1627].

Enantiophanon Centuriae Sex, Et Conciliationes Eorundem: Ab Ipso Authore Recognitae, & Amplius Quam Tertia Parte Auctae [et] Locupletatae. Leiden: Ex Officina Iacobi Marci, 1621. [xl], 511, 300 pp. Two parts, each with title page. Quarto (8" x 6").

Contemporary vellum with lapped edges, early hand-lettered title to spine, edges rouged. Light soiling and some edgewear, front joint cracked but secure, text block partially detached but secure, vellum beginning to crack through pastedowns, front endleaf detached, upper portion of rear free endpaper lacking. Main title page printed in red and black, woodcut decorated initials and tail-pieces. Light toning, residue from small bookseller ticket to head of title page, a few brief annotations to endleaves. A solid copy. \$1,000.

Later edition of a work first published in 1594. Bronkhorst was a professor of law at the University of Leiden from 1587 until his death. According to Roberts, his work was cited often by the leading Roman-Dutch authorities, especially van Leeuwen. *Enantiophanon* is an extensive treatise on controversial topics in Roman-Dutch law. A sophisticated work, it went through 9 editions, the last one in 1695. Roberts 63. Dekkers 28 (2).

"ORDER OUT OF CHAOS"

29. Browne, William Henry.

A Treatise on the Law of Trade Marks and Analogous Subjects (Firm Names, Business-Signs, Good Will, Labels, Etc.). Revised and Enlarged, With Supplement. Boston: Little, Brown, and Company, 1898. xxiv, 706, xviii, 222 pp. Octavo (9" x 6").

Recent period style quarter calf over cloth retaining original red and black lettering pieces, endpapers renewed. Offsetting and a few minor chips to margins of endleaves, toning to text, internally clean. \$450.

Second edition, with supplement; the best edition of this work. "The first edition of this book sprang from the author's desire to bring order out of chaos. There was a need for a collation of authorities on the Law of Trade-Marks and kindred matters; and that need was felt, not only by owners of applied symbols of manufacture and commerce, but also by bench and bar alike. (...) It is probable that no other branch of legal science has had a more rapid growth during the twelve years since the first edition appeared. (...) The latest obtainable decisions of courts of various nations have been consulted and cited in the following pages" (v-vi).

30. Bruyere, J.M.

Controversy Between Dr. Ryerson, Chief Superintendent of Education in Upper Canada, and Rev. J.M. Bruyere, Rector of St. Michael's Cathedral, Toronto, On the Appropriation of the Clergy Reserve Funds; Free Schools vs. State Schools; Public Libraries and Common Schools Attacked and Defended. Toronto: Leader and Patriot Steam-Press Print, 1857. 108 pp. Octavo (7-1/2" x 4-3/4").

Recent quarter morocco over marbled boards, lettering piece to spine, endpapers renewed. Moderate toning to title page, light toning to text, printing flaw to p. 16 (with no loss to legibility), internally clean. \$650.

First edition. A church-state controversy involving the use of public funds to finance the common

school system to the detriment of Catholic sectarian schools. The Clergy Reserve funds were intended for Catholics and Protestants alike. To avoid dissension the legislature decided instead to devote the funds to educational resources for the common school system and public libraries. Rev. Bruyere, representing Catholic interests, protests the use of Catholic and Protestant money to bolster common schools where religion is "banished ... where the child of Christian parents must be taught practically that all religious systems are equally pleasing ... be he a believer in the immutable decrees of eternal reprobation or a follower of the imposter Joe Smith." OCLC locates 14 copies worldwide, none in North American law libraries. We located 1 copy, however, at Osgoode Hall, York University. See Sweet & Maxwell 3:59 for related publications, missing this. Sabin 74551.

AN EARLY FRENCH GUIDE TO COMPARATIVE LAW WITH CONTEMPORARY ANNOTATIONS

31. Bugnyon, Philibert [c.1530-1590].

Traite des Loix Abrogees et Inusitees en Toutes les Cours, Terres, Iurisdiccions & Seigneuries du Royaume de France, Reduit en Cinq Livres, Pour la Septieme Edition. Lyons: Par Charles Pesnot, 1578. [xxii], 504 pp. First leaf, a blank, lacking. Large woodcut portrait at head of dedication and adjacent leaf misbound after index (rather than before). Quarto (8-3/4" x 6-1/4").

Contemporary reversed calf, raised bands and fragments of later hand-lettered title label to spine. A few scuffs to boards, rubbing with wear to board edges, spine ends and corners, front board beginning to separate but secured by cords. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light browning in places. Early owner signatures to title page and rear endleaves, annotations throughout text in fine early hand. \$1,250.



Seventh edition. Originally published in 1563 as *Traite des Loix Abrogees et Inusitees en Toutes les Cours du Royaume de France*, this was a handbook for lawyers who needed to reconcile conflicts between the three legal systems of pre-revolutionary France: canon, customary and civil. It was a useful work that went through several editions and issues, in French and Latin, into the eighteenth century. However, copies are scarce in North American law libraries. OCLC locates 4 copies of the 1578 edition (George Washington University, Harvard, Library of Congress, Northwestern). Adams B3176.



461 CONSILIA BY A NOTABLE MANTUAN JURIST

32. Bursati (Borsati), Francesco [16th. C.].

Consiliorum Sive Responsorum. Frankfurt: Ex Officina Typographica Ioannis Saurii, 1601 (Volume I), Sumptibus Rulandiorum, 1610 (Volume II), Apud Ioannem Feyrabend, 1594 (Volumes III and IV). Four volumes in all. Complete as issued. Main text in parallel columns. Folio (15" x 9-1/2").

Contemporary vellum, blind rules and large central arabesques to boards, rebaked retaining original spine with raised bands and early hand-lettered title, ties lacking. Light soiling, moderate wear to extremities, large scuff to front board, corners worn, vellum beginning to crack through pastedowns, rear hinge starting at ends. Armorial bookplate of William Curtis Noyes to front pastedown, title page of Volume I printed in red and black, large woodcut printer devices to all title pages, woodcut head-pieces, tail-pieces and decorated initials throughout. Toning, occasional browning, light foxing and dampspotting, minor creases and edgewear to a few leaves. Neat early underlining and annotations in a few places, interior otherwise clean. \$7,500.

Second and final edition. These massive volumes collect 461 *consilia* (detailed analysis of specific legal points) by a notable Mantuan jurist. Most of these deal with canon law. This collection was first published in Venice in four volumes from 1573-1586. Both editions are very scarce today, both as sets and individual volumes. OCLC locates 6 complete copies of the second edition, 1 in North America (Harvard Law School). Another copy located at the Library of Congress. 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. Adams B2523. Pazzaglini and Hawks B119, B120, B121.

33. Caeiro da Matta, Jose.

Do Furto (Esboco Historico e Juridico).
Coimbra: Imprensa da Universidade, 1906.
xii, 262, [1] pp. Signatures containing pp.
51-62 bound upside down and backwards.
Octavo (9-1/2" x 6-1/4").

Recent imitation calf, gilt title and ornaments to spine,
endpapers renewed, later owner bookplate to verso of
front free endpaper. Some toning to text, light foxing
to a few leaves. Author presentation inscription to half-
title, interior otherwise clean. \$950.

Only edition located. A treatise on theft by a leading
Portuguese authority on criminal law. No copies
located on OCLC.



34. [Canon Law].**Pithou, Pierre [1539-1596], Editor.****Pithou, Francois [1543-1621], Editor.****Le Peletier, Claude [1630-1711], Editor.**

Corpus Juris Canonici Gregorii XIII. Pont. Max. Jussu Editum a Petro Pithoeo, Et Francisco Fratre, Jurisconsultis. Ad Veteres Codices Manuscriptos Restitutum, Et Notis Illustratum. Ex Bibliotheca Illustrissimi, D.D. Claudii Le Peletier. Paris: Sumptibus Jo. Friderici Gleditschii, 1705. Two volumes bound as one. [xxxii], 492; [vi], 488, [45], 140 pp. Main text in parallel columns. Volume II has title beginning: *Decretales Gregorii Papae IX. Folio (15-1/2" x 9")*.

Contemporary vellum with lapped edges, small gilt monogram to center of front board, early hand-lettered title to spine. Some soiling, front board slightly bowed, corners bumped and somewhat worn, front joint starting at head, front free endpaper lacking. Title pages, with copperplate vignettes, printed in red and black. Moderate toning to text, light foxing and dampspotting in places. Early annotations to foot of title page and rear endleaves, neat underlining in a few places, interior otherwise clean. \$1,800.

Later edition. With tables and indexes. Attempts to codify the body of canon law began in earnest during the Carolingian Empire. These efforts reached

fruition between 1020 and 1025 in the twenty-volume *Decretum of Burchard*, Bishop of Worms. The next great step was taken in 1151 with Gratian's *Concordia Discordantium Canonum* or *Decretum Gratiani*, a watershed compilation that superseded earlier collections. The *Libre Quinque Decretalium* of Gregory IX followed in 1234. Published in 1298, the *Liber Sextus* of Boniface VIII was the last great collection of the pre-Reformation era. John XXII added the final official collection, the *Liber Septimus Decretalium*, better known as the "Constitutiones Clementis V" or simply "Clementinae" (1317). Three more texts were added later: the *Extravagantes* of John XXII (1325), the *Extravagantes Communes* of other popes to 1484 and the *Appendix Pauli Lancellotti* (1563). The texts in this volume are drawn from the *Correctores Romani* (1580-1582), an edition commissioned by the Council of Trent. It remained the only authenticated collection of material for the Western Church until the promulgation of the Code of Canon Law in 1917. The first edition by the Pithou brothers and Claude Le Peletier appeared in 1687 and was reissued several times throughout Europe. It is notable as an early critical edition and for the quality of its notes. Despite its popularity, few copies of any imprint are held by North American law libraries. OCLC locates 5 copies of the 1705 edition (Columbia, Harvard, Library of Congress, Social Law, UC-Berkeley). Not in Ferreira-Ibarra.

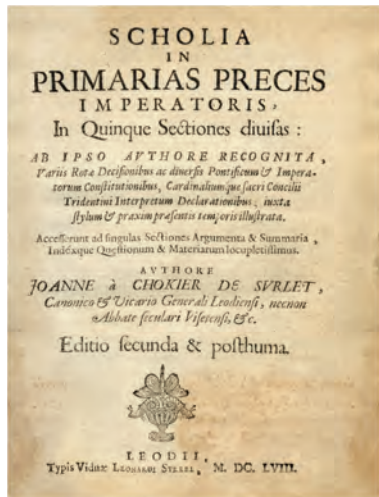
35. [Censorship].**[N., Pseudonym].**

La Verdad Aunque Amargue, Es Muchas Veces el Objeto Precioso de la Libertad de Imprenta. [Running Title]. Mexico City: S.n., October 28, 1820. 8 pp. Quarto (8-1/2" x 6-1/4").

Unbound sheets, as issued. Minor smudges and some light staining, otherwise fine.

\$750.

First printing of a pamphlet defending the imprisoned liberal pamphleteer Rafael Davila. Freedom of the press was granted under the Constitution of 1812. Repudiated by Ferdinand VII in 1814, but eventually revived after the revolt of Rafael del Riego y Nunez in 1820. Richard H. Dillon notes Davila's importance and observes: "Pamphlets constitute the major source of fresh new material on nineteenth-century and earlier Mexico.... [O]ne can find no surer guide to the troublous times of eighteenth- and nineteenth-century Mexico than these booklets. Written in the heat of argument, of battle, of revolution, they bring to life a time and place removed from us by hundreds of miles and years." *The Hispanic American Historical Review* 45, No. 2 (May 1965), 270-271. Sabin 98934. Palau 359296.



NOTABLE TREATISE BY THE BROTHER OF ERASMUS

36. Chokier de Surlet, Jean de [1571-1656].

Scholia in Primarias Preces Imperatoris in Quinque Sectiones Divisas: Ab Ipso Authore Recognita, Variis Rotae Decisionibus ac Diversis Pontificum & Imperatorum Constitutionibus, Cardinaliumque Sacri Concilii Tridentini Interpretum Declarationibus, Iuxta Stylum & Praxim Praesentis Temporis Illustrata. Liege: Typis Viduae Leonardi Streele, 1658. [xvi], 198 [i.e. 200], [20] pp. Quarto (7-3/4" x 6").

Contemporary unlettered vellum. Rubbing to extremities, chip to lower corner of front board, other corners and spine ends bumped, soiling to spine, a few faint stains, boards somewhat bowed, vellum beginning to crack through pastedowns. Attractive woodcut headpieces, tail-pieces and decorated initials. Light browning, faint dampstaining to a few leaves, some wear to edges of preliminaries and rear endleaves. Later armorial bookplate (of Leon Lahaye) to front pastedown. Early annotations to head of front free endpaper and foot of title page, interior otherwise clean. \$1,000.

Second edition. Surlet, the brother of Desiderius Erasmus, was an important theologian, canon lawyer, and Canon of Liege Cathedral. He went on to become Vicar-General of that city. *Scholia* is a treatise dealing with petitions, appeals and requests according to canon law and secular law of Liege. The first edition was published in 1621, the third and final edition in 1674. Our 1658 imprint was printed by a woman, "The Widow of Leonard Streele." Not in Dekkers or the BMC. This edition not in Camus. Schulte, *Die Geschichte der Quellen und Literatur der Canonischen Rechts* 1:694.

ANNOTATED CONNECTICUT SUPREME COURT JUSTICE'S COPY

37. Clarke, Samuel.

[Edmond, William (1755-1838)].

["*Sermons on the Following Subjects,*" A Copy Owned by William Edmond, A Connecticut Supreme Court Justice]. London: Printed by W. Botham, 1731. Octavo (7-3/4" x 5-1/2").

Contemporary calf, blind frames to boards, raised bands and lettering piece to spine. Moderate rubbing to extremities with wear to spine ends and corners, hinges cracked. Toning, occasional light foxing and dampstaining. Shelf [?] numbers and 1897 date-stamp to front pastedown, lengthy annotations by Edmond to endleaves and final page of each sermon. \$250.

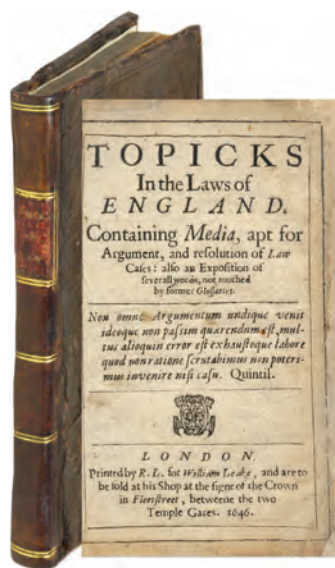
William Edmond was a Yale alumnus, Revolutionary War veteran, lawyer, jurist and United

States Representative from Connecticut. He served on the Connecticut Supreme Court between 1805-1809. He acquired this book Clarke's sermons while a student at Yale. Edmond has identified the book as his throughout and has added commentary and observations in Latin and English. Page [258] identifies his birth date of 1755 and his inscription and date above is 1777. The rear free endpaper shows that by the 1800s he still kept the book, citing his position as "Judge of Supreme Court of the State of Connecticut." The ownership dates throughout the book 1777, 1783, and the implied ownership period in the 1800s suggest that Edmond had more than a passing interest in this particular volume. He may have had a particular fondness for Sermon VI: "The Reward of Justice" (pp. 117-138). *Biographical Directory of the United States Congress* (online version).

38. [Clayton, John].

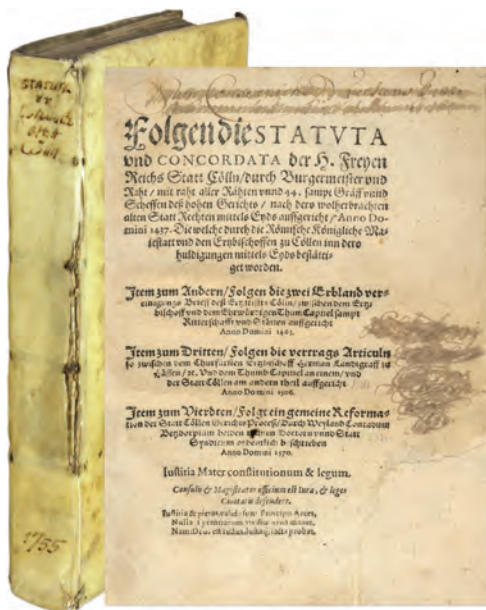
Topicks in the Laws of England. Containing Media, Apt for Argument, And Resolution of Law Cases: Also an Exposition of Severall Words, Not Touched by Former Glossaries. London: Printed by R.L. for William Leake, 1646. [xx], 138 pp. Final leaf, a blank, lacking. Octavo (5-1/2" x 3-1/2").

Contemporary calf, blind rules to boards, rebaked in period style, gilt fillets and lettering piece to spine, corners repaired, front free endpaper and rear free endpaper and pastedown renewed. Some rubbing to extremities, a few minor scuffs to boards, bookseller ticket, later owner signature (of Alfred J. Norwood) and armorial bookplate of Charles Purton Cooper to front pastedown. Some toning to text, light browning to title page, faint dampstaining to margins of some leaves. Cooper's small inkstamp to head of title page, interior otherwise clean. A nice copy with an interesting association. \$1,500.



First edition. Intended for the layman, this is an alphabetically digested collection of 167 maxims and common legal phrases (i.e. topicks) with references to reporters and other works. A second edition was published in 1647. The dedication to Oliver Cromwell in 1646 is relatively early. It was to be a full ten years before Cromwell sought a comprehensive reform of English law. Cooper (1793-1873) was a distinguished lawyer, legal reformer and legal historian. Sweet and Maxwell 1:575 (7).

ANNOTATED CITY STATUTES OF COLOGNE, 1582

**39. [Cologne].
Betzdorp, Conrad.**

Folgen die Statuta und Concordata der H. Freyen Reichs Statt Colln.... [Cologne: S.n., 1582]. [iv], 186, 177, [1] pp. Quarto (8" x 6").

Contemporary vellum with lapped edges, early hand-lettered title to spine, ties lacking. Some soiling, light rubbing to extremities, front joint partially cracked, minor cracks to spine ends. Moderate toning to text, faint dampspotting and dampstaining in places, repair to lower corner of title page (with no loss to text). Annotations to front free endpaper, title page and rear endleaf, interior otherwise clean. \$2,500.

Cologne's importance was insured by its location on the Rhine at the intersection of several major east-west trade routes. It had an unusual political structure. Since the middle ages the city of Cologne and its surrounding lands were

controlled by the Archbishop of Cologne, who was one of the seven prince-electors of the Holy Roman Empire and one of the three ecclesiastical electors. After 1288, when the archbishops lost most of their temporal power in the city of Cologne in 1288 after the Battle of Worringen, Cologne became a free imperial city and a member of the Hanseatic League. The surrounding lands became the Archbishopric of Cologne, a state within the Holy Roman Empire that included the cities of Bonn and Bruhl. With their power and status as major electors, the archbishops of Cologne often challenged the city's free status, which resulting in complicated diplomatic and legal affairs, both locally and in the courts of the Empire. This situation is reflected in Betzdorp's annotated compilation of city statutes, which pays close attention to the laws of the Archbishopric. OCLC locates 5 copies in North America, 1 in a law library (Harvard). Not in Adams. VD16 K1809.

40. [Consolato del Mare].

Ca da Mosto, Alvise [1432-1488].

Il Consolato Del Mare. Nel Quale si Comprendono Tutti Gli Statuti, & Ordini, Disposti da Gli Antichi, Per Ogni Caso di Mercantia & Di Navigare. Venice: Appresso L. Spineda, 1599. [xvi], 232; [4], 37 [i.e. 74] pp. The second part, *Il Portolano del Mare*, has title page and separate foliation. Quarto (7-1/2" x 6").

Contemporary vellum, spine repaired, pastedowns renewed, ties lacking. Minor edgewear, light soiling and a few stains to boards, which are slightly bowed. Attractive woodcut head-pieces, tail-pieces and decorated initials. Light toning, minor worming in a few places with negligible loss to text. Early owner signature to title page, contemporary underlining and checkmarks to a few leaves, interior otherwise clean. An appealing copy. \$3,500.

Later edition. A landmark in the development of maritime law, the *Consolato del Mare* was first published in Barcelona in 1484. A digest of the law and practice commonly followed by the commercial judges in the chief ports around the Mediterranean, it became a maritime common law of the Mediterranean and a foundation for subsequent European maritime laws and customs. *Il Portolano del Mare*, an appendix, is usually attributed to Alvise Ca da Mosto, a Venetian navigator who made two voyages to Guinea in the service of Portugal's Prince Henry the Navigator. Adams C2538.

41. Costa, Giovanni Battista (Juan Battista) [16th/17th century].

Tractatus de Retrotractionibus seu de Fictione Translativa. Venice: Apud Iac. Antonium Somaschum, 1606. Quarto (8" x 6"). [lii], 280 [i.e. 270], [2] pp. Main text in parallel columns.

Contemporary vellum, early hand-lettered title to spine, ties lacking. Minor wear to spine ends and corners. Title page with large woodcut printer device printed in red and black, woodcut head-piece and decorated initials. Light foxing in a few places, interior otherwise fresh. A handsome copy of a scarce title. \$2,500.

Only edition. This treatise deals with the Roman law of rescission, that is, the cancellation or annulment of a transaction or contract by mutual consent. Little is known about Costa. The title page identifies him as a canon lawyer attached to the Vatican. He is not to be confused with the French jurist Jean Lacoste (de la Coste) [1560-1637]. KVK locates 6 copies; OCLC 5 copies. 1 copy located in the United States at the Library of Congress. Not in the BMC.

TITLE PAGE SIGNED "T.E. CHITTY"

42. [Crompton, Richard].

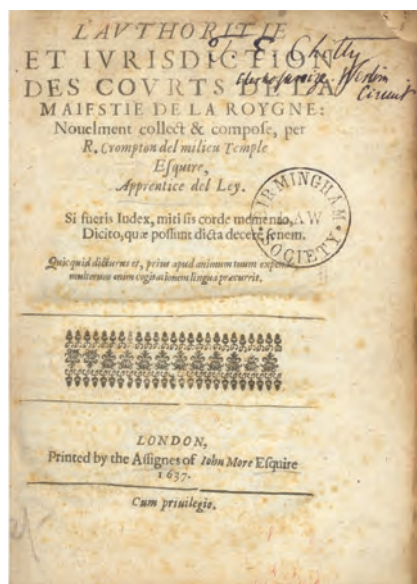
L'Autoritie et Iurisdiction des Courts de la Maiestie de la Roygne. (...) Si Seuris Index, Mitisis Corde Memento, Dicit, quae Possunt Dicta Decere Senem. London: Printed by the Assignes of Iohn More Esquire, 1637. [iv], 232 ff. Quarto (7" x 5").

Later three-quarter calf over cloth, raised bands, gilt spine. Worn, front hinge cracked but secure, title page signed "T.E. Chitty." Numerous annotations and brief notes in early court hand, light foxing to a few leaves. Ex-library. Institution name gilt-stamped to front cover and spine, corresponding monogram to rear cover, bookplate to front free endpaper, a few small ownership stamps to title page and elsewhere. \$600.

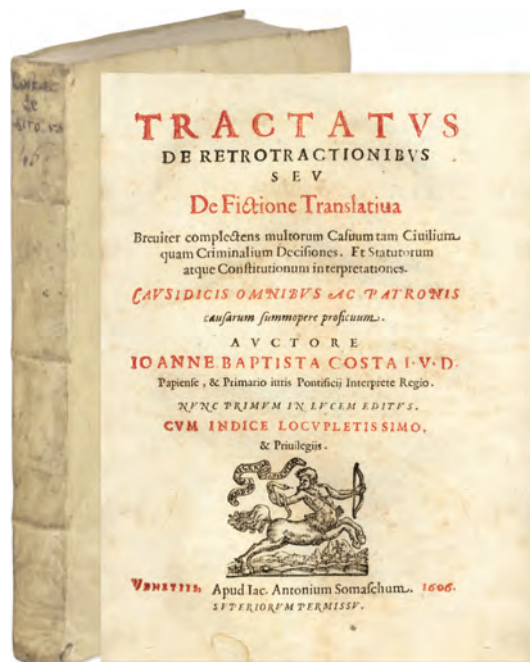
Second and final edition, first published in 1594. First published in 1594, *L'Autoritie et Iurisdiction* is considered to be his principal work. It is essentially a digest of the Year Books and other cases applicable to the subject. On a broader scale, it offers legal justification for the creation of a rigidly hierarchical "natural" society governed by a powerful monarch. This desire, articulated by Bodin among others, was common to several conservatives in England and Europe during the Late Renaissance. This copy probably belonged to Thomas Chitty [1802-1878], the eminent lawyer, teacher and legal reformer. Sweet & Maxwell 1:259.



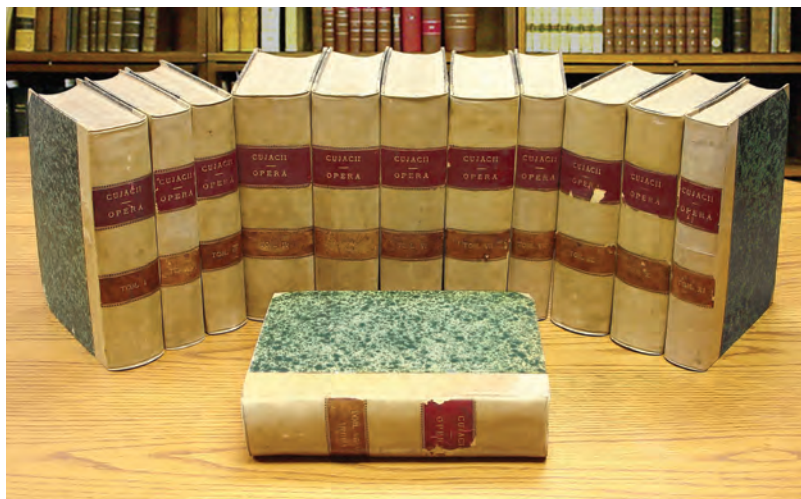
Nº 40



Nº 42



Nº 41



43. Cujas, Jacques [1522-1590].

Fabrot, Charles Annibal [1580-1659], Editor.

Opera ad Parisiensem Fabrotianam Editionem Diligentissime Exacta in Tomos XIII. Distributa Auctiora Atque Emendatiora. Prati: Ex Officina Fratr. Giachetti, 1836-1844. Thirteen volumes in twelve books. Octavo (7-1/2" x 10").

Contemporary three-quarter vellum over marbled boards, red and black calf lettering pieces to spines. Light soiling and some rubbing, chipping to edges of some lettering pieces. Occasional toning, light browning and foxing. Later owner signatures and bookplates to front endleaves, interiors otherwise clean. \$3,000.

Reissue of an edition first published in 1658 containing all editions and original works. Cujas, a professor of law at the universities of Cahors, Bourges, Valencia and Turin, was the preeminent authority on Roman law in his day and one of its most important scholars. He recovered

and published the *Codex Theodosianus* and the *Basilica* and published several commentaries and editions. "He is the outstanding representative of humanism in Roman law. The glossators had studied Roman law as it stood at Justinian's death and the commentators, or Bartolists, had used their comprehensive knowledge of Justinian acquired by the glossators as the basis of a systematic science, but as their was practical they introduced non-Roman elements into the civil law and adapted it to contemporary needs. The school of Cujas viewed the Roman texts as historical documents, interpreting them in the full setting of ancient history and literature. A consummate master of jurisprudence, philology and history, Cujas may claim to be the greatest legal scholar of all time" (Zulueta). Fabrot was a French jurist who continued the work of Cujas and edited the first complete edition of the *Basilica*. His collected-works edition of Cujas was reissued several times. OCLC locates 2 copies of this edition, neither in North America. KVK locates 5 copies, 1 in North America at the National Library of Canada. 1 other copy located at Harvard Law School. This edition not in the BMC.

ENGLISH BANKRUPTCY LAW AT THE BEGINNING OF THE NINETEENTH CENTURY

44. Cullen, Archibald [1755-1824].

Principles of the Bankrupt Law. London: Printed by A. Strahan, 1800. viii, [xii], 477, [15] pp. Octavo (8-1/4" x 5").

Contemporary tree calf, gilt spine with lettering piece, gilt dentelles along board edges. Light rubbing to extremities, a few minor scuffs to boards, early owner bookplate (Fasquel) to front pastedown. Light toning to text, negligible foxing to a few leaves. A well-preserved copy in a handsome binding. \$1,850.

Sole edition. Cullen's detailed treatise offers an excellent synopsis of English bankrupt law at the beginning of the nineteenth century, a time when the laws would change considerably due to the Industrial Revolution and the growth of the British Empire. OCLC locates no copies in North America; the ESTC locates 7 copies, 5 in law libraries (Columbia, Harvard, UCLA, UC-Berkeley and Yale). Sweet & Maxwell 1:541 (17).

CLASSIC SIXTEENTH-CENTURY TREATISE
ON CRIMINAL LAW ILLUSTRATED
WITH 55 LARGE WOODCUTS

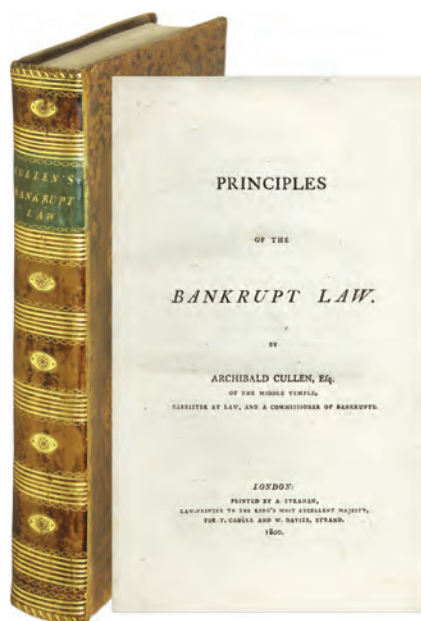
45. Damhouder, Josse (Joost) de [1507-1581].
*Praxis Rerum Criminalium, Elegantissimis
Iconibus ad Materiam Accommodis Illustrata.*
Antwerp: Apud Ioannem Bellerum, 1556. [x],
567, [98], [1] pp. 55 large woodcuts depicting
crimes and punishments in text. Octavo (6-
1/4" x 4").

Later three-quarter calf over marbled boards, rebacked,
raised bands and gilt title to spine, edges rouged,
corners mended, endpapers renewed. Some rubbing
to extremities, heavier rubbing to boards, front hinge
cracked. Light toning to text, faint dampstaining in
places, light soiling to title page. Annotations in early
hand to title page and several places in text, some
affected by trimming of margins. A nice copy. \$3,500.

Second (or third) edition. First published in Leuven
and Antwerp in 1554, this was the first comprehensive
study of criminal procedure published in northern
Europe. A synthetic work drawn mostly from Roman-
Dutch sources, it was based on Philip Wielant's
Practycke Crimineele [editions from 1439 to 1519] and
other earlier treatises. Published in Latin, Dutch and French, it was standard authority throughout the continent
for many years. This edition is illustrated throughout with woodcuts depicting adultery, murder, theft and many
other crimes. Dekkers 44.



WITH SECTIONS DEVOTED
TO PORTUGAL'S COLONIES



Nº 44

46. Delgado de Carvalho, J.I.

Manual do Processo Criminal Moderno. Coimbra:
Imprensa da Universidade, 1897-1898. Two volumes.
351, [1]; 382 pp. Octavo (8-1/2" x 5").

Contemporary speckled calf, lettering pieces and gilt fillets
and ornaments to spine. Some rubbing with light wear to
extremities, corners lightly bumped, a few minor scuffs to
boards, which are slightly bowed, hinges starting, partial crack
in text block between front endleaf and title page, upper corner
from pp. 515-16 of Volume I lacking with minor loss (to page
numbers). Light browning to text, faint dampstaining in a
few places. Author dedication inscriptions to half-titles, early
owner signatures to title pages, later owner bookplates to front
endleaves. Annotations and underlining in pencil in places,
texts otherwise clean. \$1,500.

Only edition. This treatise on criminal law and procedure has
sections devoted to Portugal's colonies. OCLC locates 1 copy in
North America (at Harvard Law School).



A MONUMENTAL COLLECTION OF TREATIES



47. Dumont, Jean, Baron de Carelscoorn [1667-1727].

Rousset de Missy, Jean [1686-1762].

Barbeyrac, Jean [1674-1744].

Corps Universel Diplomatique du Droit des Gens; Contenant un Recueil des Traitez d'Alliance, de Paix, De Treve, de Neutralite, De Commerce, d'Echange, de Protection & de Garantie, De Toutes les Conventions, Transactions, Pactes, Concordats, & Autres Contrats, Qui ont Ete Faits en Europe, Depuis le Regne de l'Empereur Charlemagne Jusques a Present. Amsterdam and The Hague: Chez P. Brunel, R. et G. Wetstein, Les Janssens Waesberge, et L'Honore et Chatelain [et al.], 1726-31.

[With]

Supplement au Corps Universel Diplomatique du Droit des Gens... Amsterdam and The Hague: Chez P. Brunel, R. et G. Wetstein, Les Janssens Waesberge, et L'Honore et Chatelain [et al.], 1739.

24 books in 13 volumes. Main text in parallel columns. Complete set. Folio (18" x 11"). Contemporary three-quarter vellum over cloth, raised bands and lettering pieces to spines, edges rouged. Light soiling, some rubbing to extremities with wear to corners and heads of spines, a few hinges starting, first gathering of Volume I partially detached. Title pages printed in red and black, woodcut head and tail-pieces, Volume I and Volume I of the *Supplement* have additional copperplate pictorial title, wide margins throughout. Some toning, light browning in places, internally clean. Ex-library. Small stamps to foot of each spine. A handsome set, very uncommon in the trade. \$20,000.

Only edition. This remarkable collection of nearly 2000 annotated treaties from 315 CE to 1730 is a notable testament to the Enlightenment belief that humanity would progress when it applied reason to large bodies of hitherto-unavailable evidence. It was begun by Carlscoorn, a French publicist and continued in 1739 by Rousset de Missy and Barbeyrac. The treaties are in their original languages (Latin, German, Spanish and Dutch). The first volume of the five-volume *Supplement* is a history of diplomacy during antiquity by Barbeyrac. Other volumes contain additional treaties, both ancient and modern, essays on diplomacy and indexes. Camus 236-237.



A SCARCE SIXTEENTH-CENTURY TREATISE
ON THE BENEFIT OF INVENTORY

48. Fanucci, Fanuccio de.

Tractatus de Inventario Haeredis ac Eius Beneficio. Cui Accedit, Eiusdem Authoris, Non Inelegans Responsum, Super Statuto Lucensi. Venice: Apud Haeredes Vincentii Valgrisi, 1574 (colophon dated 1573). [xxxii], 314 (i.e. 310), [4], [8] pp. Octavo (6" x 4").

Contemporary limp vellum, somewhat later hand-lettered paper title label, early hand-lettered title to foot of text block, ties lacking. Light soiling, some rubbing to extremities, a few small wormholes through covers, pastedowns, endleaves and final leaf of text with negligible damage to legibility (parts of two words), occasional minor worming to margins. Attractive woodcut decorated initials. Light toning to text, early owner signatures to foot of front free endpaper and title page, interior otherwise clean. \$1,650.

Only edition. This treatise analyzes benefit of inventory, a concept in Roman (and local) law concerning an heir's right to commission a legally binding inventory of his ancestor's estate for representatives of the estate's creditors. It also concerns the right to limit debts and legacies to the amount of three fourths of an estate, thus preserving one fourth for the heir. OCLC locates 3 copies in North American law libraries (Columbia, Harvard, Library of Congress). EDIT16 CNCE18578.



CONSILIA BY A HUMANIST ADVISOR
TO POPE CLEMENT VII

49. Ferretti, Giulio [1480-1547].

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

Contemporary limp vellum with lapped edges, hand-lettered title to spine. Some darkening to spine, minor chipping to head, a few small cracks along joints, hinges reinforced, vellum just beginning to crack through pastedowns, partial crack to text block between front endleaf and title page, a few other partial cracks elsewhere. Some toning, faint dampstaining in a few places, internally clean. \$2,950.

Only edition. Ferretti was a member of the College of Jurisconsults during the papacy of Clement VII [1478-1534]. This volume collects 31 of his canon-law consilia (analyses of disputed legal points, usually submitted by a judge). This volume was reissued in 1563. OCLC locates 3 copies of this imprint, 5 of the 1563 reissue. Copies located in North America at UC-Berkeley, which has the 1562 imprint, and the Library of Congress and University of Illinois, which have the 1563 imprint, and Harvard Law School, which has both. Not in Pazzaglini and Hawks. EDIT16 CNCE18857.

50. Ferriere, Claude Joseph de [c.1680-c.1748].

[Beaver, John (f.1724), Translator].

[Duck, Sir Arthur (1580-1648)].

The History of the Roman or Civil Law. Shewing Its Origin and Progress; How, and When the Several parts of It Were First Compil'd; With Some Account of the Principal Writers and Commentators Thereupon. (...) To Which is Added, Dr. Duck's Treatise on the Use and Authority of the Civil Law in England. London: Printed for D. Browne, 1724. [xii], iv, [2], 169, xxxviii pp.

[Bound with]

[Fleury, Claude (1640-1723), Attributed].

The History of the Origine of the French Laws, Translated from the French by J.B. Esq., With a Preface and Notes Shewing, the Analogy of the Laws of the Antient Gauls and Britons. London: Printed for D. Browne, 1724. [viii], vii, 105, 7 pp.

Octavo (7-3/4" x 4-3/4"). Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Attractive woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, browning to a few leaves, internally clean. \$750.

Only English edition. Through the influence of Doctors' Commons and the universities the civilians played an important role in the development of English law, especially in the fields of commercial, estate and admiralty law. Despite its value, study of the civil law had entered a moribund phase by the eighteenth century. Several student handbooks attempted to correct this deficiency, and Beaver's translation of Ferriere's *Histoire du Droit Romain* (1718) is among the best. Accompanied by Duck's learned essay that connects the civil law to the common law, the work is among the first in English to establish the confluence of these legal traditions. Though bibliographically distinct, Beaver's translation of *The History of the Origine of the French Laws* is often bound into copies of this book. First published anonymously in 1703, it is usually attributed to Claude Fleury. (Some sources propose Ferriere or Gabriel Argou.) Ferriere: Sweet & Maxwell 5:133; Fleury: ESTC T64301.

A WELL-REGARDED DICTIONARY OF LEGAL PRECEDENTS

51. [Forms].

[Great Britain].

By an Attorney at Law, Author of the Practice Epitomized.

The Attorney's Compleat Pocket-Book. Containing Near Four Hundred of Such Choice and Approved Precedents, In Law, Equity, And Conveyancing. (...) Corrected, With Large Additions. [London]: Printed by Henry Lintot, 1756. Two volumes. [iv], 222, [xxii]; [iv], 324, [viii], 11 pp. Includes eleven-page publisher catalogue. Octavo (6-1/2" x 4").

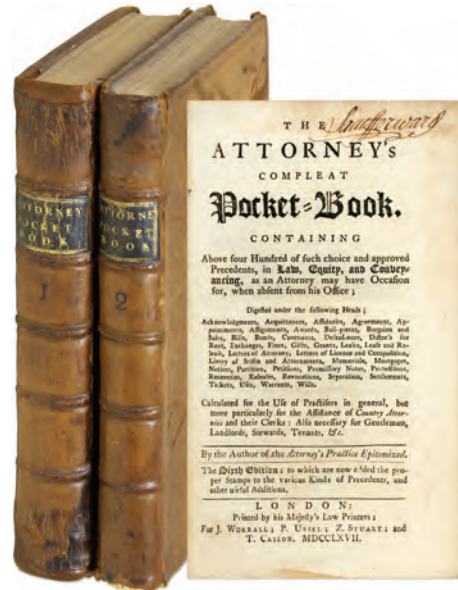
Contemporary calf, blind rules and fillets to boards, raised bands and lettering piece to spine. Minor chipping to spine ends, front board of Volume I carefully reattached, corners bumped, joints just starting at ends, hinges cracked, endleaves lacking (except one at beginning of Volume I), later armorial bookplate to each pastedown. Moderate toning to text, occasional light foxing and dampspotting. Early annotations and signatures to pastedowns and index leaves, interiors otherwise clean. An appealing copy. \$750.

Fourth edition. First published in 1741, this useful work went through five more editions, the last one in 1767. Its utility extended from urban law offices to the libraries of "gentlemen" and "country attorneys and their clerks." All edition of this work are scarce. OCLC locates 2 copies of this edition in North American law libraries (SMU, University of Georgia). Sweet & Maxwell 1:263 (17).

52. [Forms].**[Great Britain].****By an Attorney at Law, Author of the Practice Epitomized.**

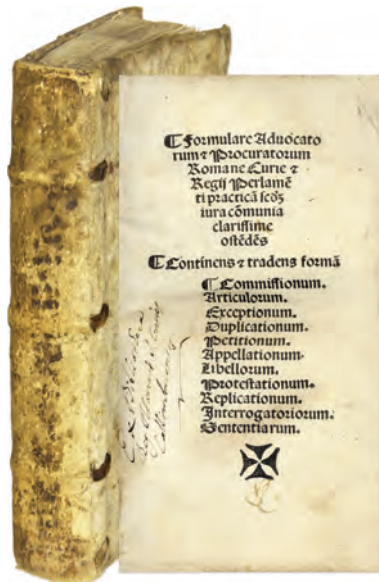
The Attorney's Compleat Pocket-Book. (...) To Which are Now Added the Proper Stamps to the Various Kinds of Precedents, And Other Useful Additions. [London]: Printed by His Majesty's Law Printers, 1767. Two volumes. [iv], 342, [30]; [iv], 297, [11] pp. Octavo (6-1/2" x 4").

Contemporary calf, blind rules and fillets to boards, raised bands and lettering piece to spine, Volume I carefully rebaked retaining spine. Light rubbing to extremities, a few minor scuffs to boards, corners bumped, hinges partially cracked. Light toning to text, annotation to front free endpaper of Volume I, early owner signature to its title page. A handsome copy. \$750.



Sixth and final edition. OCLC locates 7 copies on this edition in North American law libraries. Sweet & Maxwell 1:263 (17).

RARE LYONS IMPRINT OF A NOTABLE CANON-LAW HANDBOOK

**53. [Formularium Procuratorum].**

Formulare Advocatorum & Procuratorum Romane Curie & Regii Parlamenti Practicam Secundum Jura Communia Clarissime Ostendens. [Lyons: Magistrum Simonem Bivilaqua, 1518]. [vi], CLXXVIII ff. Main text in parallel columns. Octavo (6-1/2" x 4").

Contemporary limp vellum with lapped edges and thong ties, faint early hand-lettered titles to spine and top edge of text block, endpapers renewed. Some rubbing to extremities, moderate soiling, spine darkened, early signatures to front and rear covers. Woodcut initials. Light browning to title page, toning to text, faint dampstaining in a few places. Later owner signature to title page, tiny inkstamp to head of following leaf, interior otherwise clean. \$3,500.

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



SUPPORTS THE SUPREMACY OF
THE CROWN OVER THE CHURCH
IN SPAIN'S AMERICAN COLONIES

54. Frasso, Pedro.

De Regio Patronatu: Ac Aliis Nonnullis Regaliis, Regibus Catholicis, in Indiarum Occidentalium Imperio, Pertinentibus. Madrid: Ex Typographia Imperiali, Apud Iosephum Fernandez a Buendia, 1677-1679. Two volumes. Main text in parallel columns. Additional copperplate title pages. Two portrait plates. Folio (13" x 8-3/4").

Eighteenth-century three-quarter sheep over marbled boards, raised bands, gilt ornaments and lettering pieces to spines, marbled endpapers, ribbon markers, edges rouged. Some rubbing to extremities, chipping to edges of lettering pieces, corners bumped and somewhat worn, front hinges cracked, minor worming to final six leaves of 1677 volume. Title pages printed in red and black, woodcut decorated initials, head-pieces and tail-pieces. Toning to text, occasional light browning, internally clean. \$5,000.

First edition. Frasso, a Peruvian jurist of the Regalist school, presents an important legal analysis that supports the crown's power over the church in Spain's American colonies. The full title of the 1677 volume is *De Regio Patronatu ac Aliis Nonnullis Regalis, Regibus Catholicis, in Indiarum Occidentalium Imperio*; the second is *De Regio Patronatu Indiarum Questiones Aliquae Desumptae et Disputatae*. Both volumes contain a portrait of Frasso. The two portraits were apparently printed from the same plate, but for some reason Frasso's face was re-engraved for the second volume and looks substantially different. A second edition was published in 1775. Both editions are rare in the trade. The last known copy to enter the market was a first edition that appeared at auction in 1923. OCLC locates 8 copies of the first edition, 2 in North American law libraries (Yale, UC-Berkeley). Palau 94684.



Nº 56

55. Fulgenei (Fulgineus), Franciscus [d.1647].

De Jure Emphyteutico Tractatus, In Quo Quaestiones Omnes Quae ad Materiam Spectant, Titulis Apte Distinctis, Adamussim Discutiuntur & Enucleantur. Venice: Apud Turrinum, 1663. [xvi], 447, [53] pp. Main text in parallel columns.

[Bound with]

Passeri (Genovo), Nicolo [1585-1615].

De Scriptura Privata, Tractatus Novus, & Locupletissimus. In Libros Quinque Distinctos. Venice: Apud Bertanos, 1668. [viii], 235, [37]; [xii], 84; [viii], 56 pp. Main text in parallel columns. Three parts in one, each with title page, index and individual pagination. First part has general title page.

Folio (12-1/2" x 9"). Contemporary vellum, early vellum rebacking, hand-lettered titles to spine and foot of text block. Some rubbing to extremities, a few minor stains, edges of rebacked spine beginning to work loose, boards slightly bowed, front hinge cracked but secure. Title page of *Emphyteutico* printed in red and black, attractive woodcut head-pieces, tail-pieces, printer devices and decorated initials. Brief early annotations to title page and a few leaves. Toning, worming in a few places with negligible loss to text. Ex-library. Early location number to foot of spine. A nice volume containing two scarce titles. \$2,750.

Emphyteutico: third edition; *Scriptura*, third edition. Both with indexes. *De Iure Emphyteutico* is a treatise on real property and emphyteusis in Roman and canon law. It is the principal work of Fulgineus, a canon lawyer and Apostolic *Protonotario*. First published in 1644, it went through several editions into the nineteenth century. The work of a notable Paduan juriconsult first published in 1613, *De Scriptura Privata* is an exhaustive treatise on contracts. Its second part is *De Enunciatus Verbis Tractatus*, its third is *Tractatus de Scriptura Privata*. It went through several issues and editions into the eighteenth century. *Emphyteutico*: No copies of this edition located in North America. Saponi 2253; *Scriptura*: 1 copy of this edition located in North America (at Princeton University). Passeri 3-S52.

FIRST EDITION OF THE FIRST ENGLISH LEGAL TREATISE

56. Glanville, Ranulf de [d. 1190], Attributed to.

Tractatus de Legibus et Consuetudinibus Regni Anglie. Tempore Regis Henrici Secundi Compositus, Iusticie Gubernacula Tenente Illustri Viro Ranulpho de Glanvilla Iuris Regni & Antiquarum Consuetudinum eo Tempore Peritissimo. [London: In Aedibus Richardi Totteli, c.1554]. [iii], 5, 5-44, 43-113, [17] ff. (Fol. P8 a blank). Octavo (5-1/2" x 3-1/2").

Recent calf, old calf covers with small central arabesques laid down, endpapers renewed. Light toning to text, gutter of last page adhered slightly to facing endpaper just touching text, two small wormholes to upper margins with no loss to text, early annotations to head of title page and a few leaves. Ex-Birmingham Law Society. Bookplates to front pastedown and verso of title page, small inkstamp to title page and a few leaves. An attractive copy. \$15,000.

First edition. As Winfield notes, the anonymous Latin text long attributed to Glanville (or Glanvill) is the "first classical textbook of English law." Completed around 1189, it describes the procedure of the King's Bench. There is much information pertaining to litigation and includes the texts of approximately eighty writs. Glanville was a major contribution to the development of the common law tradition. It continued to be a primary reference for several generations. Coke, for example, praised it wholeheartedly and used it liberally in his *Reports*. Though overshadowed by Bracton's larger treatise, Glanville is still cited today. It also remains useful for its unparalleled insights into the nature of land law and procedure in medieval England. ESTC S102455. Beale T365.

57. [Great Britain].

An Abridgment of the English Military Discipline. Printed by Especial Command, For the Use of His Majesties Forces. London: Printed by Charles Bill, Henry Hills, and Thomas Newcomb, 1686. 271, [1] pp.

[Bound with]

Rules and Articles for the Better Government of His Majesties Land-Forces In Pay. London: Printed by Charles Bill, Henry Hills, and Thomas Newcomb, 1688. 35, [1] pp.

Octavo (6-1/4" x 3-3/4"). Recent quarter calf over marbled boards, gilt title to spine (reading *Military Discipline*), endpapers renewed. Negligible light rubbing to exterior, moderate toning, light

foxing in places. Early annotations, signatures and embossed stamp to title page of *Abridgment*, interior otherwise clean. \$650.

Later editions. These two books encompass the regulations and laws that governed the army of late-restoration England and Wales. The *Abridgment*, which includes a section on courts martial, is a manual of military training and procedure that addresses such topics as formation of a company on a battlefield, marching and firings. The second book is a digest of military laws and regulations. It contains extensive discussion of penalties and a good overview of the procedures governing courts martial. Neither title in Sweet & Maxwell. ESTC R9769, R23604.

WITH TWO WELL-ANNOTATED ACTS CONCERNING ALCOHOLIC BEVERAGES

58. [Great Britain].**[Statutes].****[James I. Sovereign (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 (...) And of Scotland the 40. And There Continued Untill the 4. day of Iuly 1607. And Then Proroged Untill the 16. Day of November Next Following. [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. \$1,950.



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 Drunkennesse." ESTC S121600.

59. Guazzini Sebastiano.

Massini, Seraphino.

Tractatus de Confiscatione Bonorum, Cui Accessit in hac Postrema Editione Semicenturia Practicarum Quaestionum Eandem Materiam Tractantium Seraphini Massini. Macerata: Typis Heredum Augustini Grisei, & Iosephi Piccini, 1658. 160, [36], 307, [79] pp. The second part, by Massini, has the title: *Practicarum Quaestionum de Confiscatione Semicenturia*. Main text in parallel columns. Folio (12" x 8").

Contemporary vellum, contrasting vellum spine with raised bands and calligraphic title. Some rubbing to board edges, corners bumped, about half of backstrip lacking due to worming, cords secure, front hinge broken, front free endpaper and half-title detached, rear hinge partially cracked, minor worming to final few leaves and rear endleaves, a few signatures loose. Early armorial bookplate to front pastedown, title page printed in red and black, woodcut head-piece and decorated initials. Toning to text, occasional faint dampspotting, internally clean. A solid copy of a scarce title. \$900.



Third edition. First published in 1611, this was a well-regarded treatise on the appropriation, under legal authority, of private property to the state in Roman, canon and Italian law. Little is known about Guazzini. The title page of our copy says he was an advocate and expert on criminal law associated with the Roman Curia. This edition is enhanced by an extensive second treatise by Massini. According to the title page, he was jurisconsult associated with the Rota in Macerata. OCLC locates 4 copies in North American law, 1 of this edition (at UC-Berkeley). BMC 11:193.

60. Gutierrez, Juan [d. 1618].

Praxis Criminalis Civilis et Canonica, in Librum Octavum Novae Recopillationis Regiae.

[Bound with]

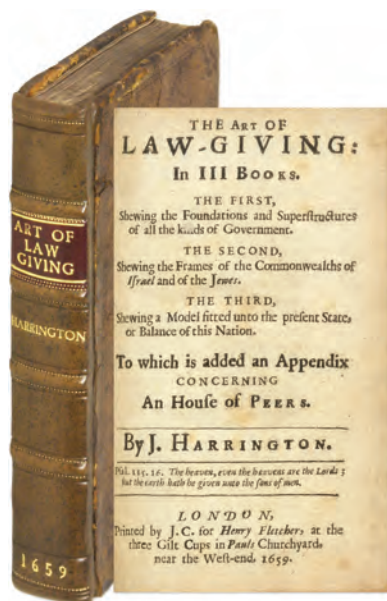
S[acrae] Rotae Romanae.

Decisiones Novissimae & Recentissimae, Nullo in Alia Libro Usque Nunc Impressae, D. Joannis Gutierrez. Geneva: Sumptibus Perachon & Cramer, 1730, 1731. Two volumes bound as one, each with title page. [iv], 334, 10; [xii], 126, [24] pp. Folio (15" x 9").

Contemporary vellum, traces of gilt stamping to spine. Rubbing and light soiling to boards, chipping to tips and head of spine. Attractive woodcut armorial title page devices, head-pieces and tail-pieces. Light

browning to most of text. Ex-library. Small institution stamps to title page and a few leaves, interior otherwise clean. A nice copy. \$900.

With table and three indexes. Two volumes from the collected works edition, *Opera Omnia Civilia, Canonica, et Criminalia, Decisionibus S. Rotae Romanae* (1730-1731). The first examines criminal practice and procedure in civil and Canon law. The second is a compilation of commentaries on Gutierrez' legal writings issued between 1710 and 1730 by the Sacred Roman Rota, a Papal tribunal that deals with all contentious cases, including criminal cases, that come before the Holy See. Not in Brunet or Graesse. BMC 11:333.



61. Harrington, James [1611-1677].

The Art of Law-Giving: In III Books. The First, Shewing the Foundations and Superstructures of All the Kinds of Government. The Second Shewing the Frames of the Commonwealths of Israel and of the Jewes. The Third, Shewing a Model Fitted Unto the Present State, or Balance of This Nation. London: Printed by J.C. for H. Fletcher, 1659. [xii], 35; [vii], 104; [ii], 143; [1] pp. Three books in one. The second and third books have divisional title pages. Octavo (3-3/4" x 5-1/2").

Contemporary sheep, blind rules to boards, rebaked in period-style calf with raised bands and lettering piece, endpapers renewed, hinges mended. Some edgewear and a few minor scuffs to boards. Moderate toning, faint dampspotting in places, minor worming to final 26 leaves with negligible loss to text. Early annotations and check marks to margins of some leaves, interior otherwise clean. An appealing copy. \$2,500.

Only edition. Harrington was an influential political philosopher. His most important work is the *Commonwealth of Oceana* (1655), which portrayed a utopian society directed by the landed gentry. Despite his traditional sense of hierarchy, Harrington advocated land reforms in order to achieve a greater equality of power and the elimination of primogeniture. He also proposed a division of governmental powers, a written constitution and the principle of rotation in office. All of these themes are expounded and refined in the *Art of Law-Giving*. Like *Oceana*, it was widely discussed and a definite influence on the American founding fathers and the leaders of the French Revolution. Some scholars, most notably J.G.A. Pocock, feel the *Art of Law-Giving* is a more sophisticated and better-argued work than *Oceana*. OCLC locates 7 copies in North American law libraries. Pocock, *The Political Works of James Harrington* 34. ESTC R13628.

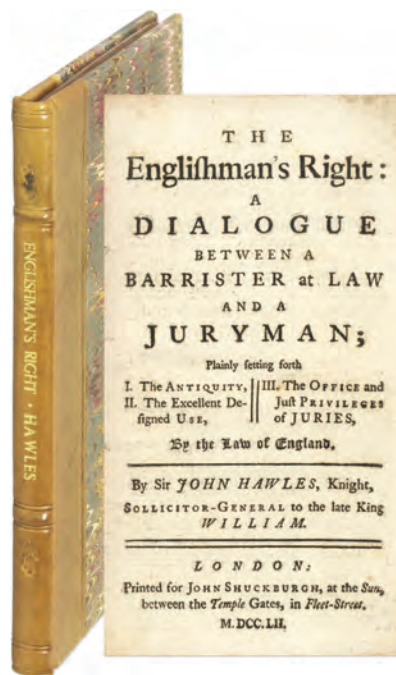
A CLASSIC ESSAY ON THE RIGHT TO TRIAL BY JURY

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

The Englishman's Right: A Dialogue Between a Barrister at Law and a Jurymen; Plainly Setting Forth I. The Antiquity, II. The Excellent Designed Use, III. The Office & Just Privileges of Juries, By the Law of England. London: Printed for John Shuckburgh, 1752. viii, 60 pp. 12mo. (6-1/4" x 4").

Recent Period-style quarter calf over marbled boards, raised bands, gilt title and blind ornaments to spine, endpapers renewed. Light toning to text, faint dampspotting to a few leaves, internally clean. A handsome copy. \$750.

Fourth edition of a work first published in 1680. Sir John Hawles was a member of the House of Lords and solicitor-general from 1695 to 1702. A staunch Whig, he wrote *The Englishman's Right* to outline the rights, duties and proper behavior of a jurymen. This work was immediately successful among Whigs and others who saw themselves as supporters of British liberties. It was received with great enthusiasm in America, where it was reprinted several times well into the nineteenth century. Holdsworth XII:460-461. This edition not in the BMC the HLCor Sweet & Maxwell.



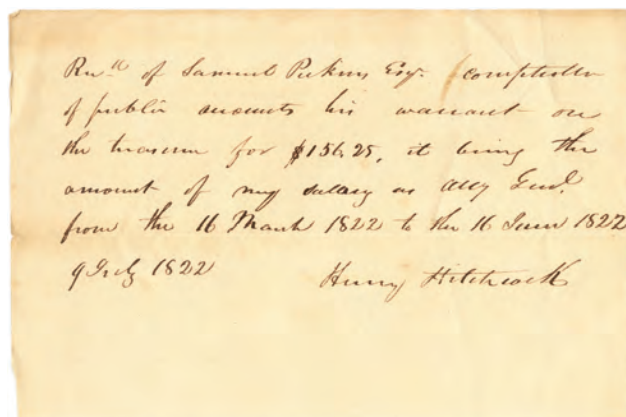
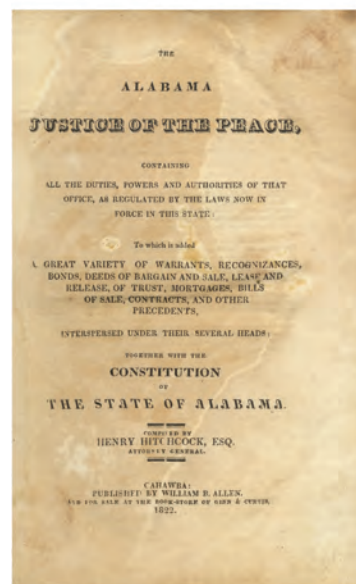
THE ALABAMA JUSTICE, THE FIRST BOOK
PRINTED IN ALABAMA

63. Hitchcock, Henry [1795-1839], Compiler.

The Alabama Justice of the Peace, Containing All the Duties, Powers and Authorities of That Office, As Regulated by the Laws Now in Force in This State. (...) Together with the Constitution of the State of Alabama. Cahawba, Ala.: Published by William B. Allen. And for sale at the book-store of Ginn & Curtis., 1822. [ii], 494, [2] pp. Octavo (8-1/4" x 5").

Contemporary sheep, lettering piece and blind fillets to spine. Light rubbing to boards and extremities with some wear to corners, a few minor stains to boards, hinges starting, crack near rear of text block repaired with archival tape. Toning to text, occasional light dampstaining and foxing. Faint early owner initials (MB) to spine, "M. Bohannon" to foot of text block, Bohannon's signature and annotations to front free endpaper, which has a few holes repaired with archival tape, autograph document laid in. A well-preserved copy. \$3,000.

Only edition. According to Owen, this was the first book printed in Alabama other than collected documents of the constitutional convention of 1819 and the journals and session laws of the general assembly. Hitchcock, who was Alabama's attorney general when he compiled this book, is an important figure in that state's history. He helped to write its constitution and went on to become chief justice of the Alabama Supreme Court. The autograph document, signed by Hitchcock, is dated July 9. 1822. It acknowledges receipt of his salary as attorney general. Owen, *A Bibliography of Alabama* 981. Cohen 8316.



64. Horne, Andrew [d.1328].**H[ughes], W[illiam], Translator.****[Fitzherbert, Anthony (1470-1538)].**

The Booke Called, The Mirroure of Justices. With the Book, Called, The Diversity of Courts, And Their Jurisdictions. London: Matthew Walbancke, 1646. [xxxii], 288, 287-325, [9] pp. Octavo (5-1/4" x 3-1/4").

Recent period-style calf, blind fillets to boards, blind fillets and gilt title to spine, endpapers renewed. Woodcut head and tail-pieces. Moderate toning, light foxing in places. Early owner annotations and signature (of Jacobi Bremridge) to front endleaves, small tear to title page mended with archival tape. An appealing copy. \$1,500.

First edition in English and the second edition overall. Written about 1290, *The Mirroure of Justices* became an authority in the latter part of the sixteenth century when English lawyers began to look to

Glanville, Bracton, and Britton as guides to put the common law into a more logical arrangement. It was not a reliable source, however. As Maitland observed, it is "the work of one profoundly dissatisfied with the administration of the law by the king's judges. As against this he appeals to myths and legends about the law of King Alfred's day and the like, some of which myths and legends were perhaps traditional, while others were deliberately concocted. Intelligently read it is very instructive; but the intelligent reader will often infer that the law is exactly the opposite of what the writer represents it to be." *Mirroure* was first published in Law-French in 1642. The *Diversity of Courts* is by Fitzherbert. Maitland, *Collected Papers* II:46. Lowndes, *Bibliographer's Manual of English Literature* 3:1119. Sweet & Maxwell 1:40-41 (19, 20).

NOTABLE EIGHTEENTH-CENTURY COMPARATIVE STUDY
OF EARLY ENGLISH AND FRENCH LAW

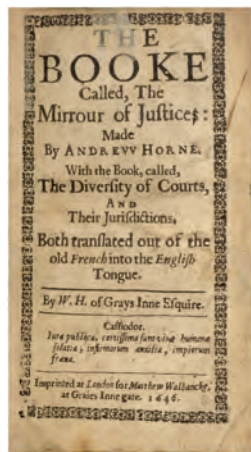
65. Houard, David [1725-1802].

Traites sur les Coutumes Anglo-Normandes, Publies en Angleterre, Depuis le Onzieme, Jusqu'au Quatorzieme Siecle: Ouvrage qui Supplee aux Monuments de l'Histoire & de la Legislation Francoise. Rouen: Le Boucher le Jeune/ Paris: Durand Neveu, 1776. Four volumes. Complete set. Quarto (10" x 8").

Contemporary mottled calf, gilt spines with raised bands and lettering pieces, marbled endpapers, edges rouged, ribbon markers. Light to moderate rubbing to extremities, minor scuffing to boards, front joint of Volume III partially cracked, chips and wear to fore-edges, joints of Volume IV starting at ends, nineteenth-century armorial bookplates (of John Beames) to front pastedowns. Attractive woodcut head-pieces and title-page devices. Light toning, negligible foxing in places, internally clean. Ex-library. Old paper location labels to spines, card pockets to rear pastedowns. A solid copy of a scarce set. \$3,500.

Only edition. The scope of this massive comparative study is evident in a listing of its contents, which includes original scholarship and editions of primary

texts: Preface, Dissertation Preliminaire sur les Variations de la Legislation Francoise et Angloise, Depuis l'entree des Saxons dans les Gaules Jusqu'au Onzieme siecle, Extraits du Domesday, Loix d'Henry I, Traites sur les Coutumes Angloises, par Glanville, Leges Malcomi Mackenneth, Ejus Nominis Secundi, Regiam Majestatem, Quoniam Attachiamenta, Leges & Consuetudines Burgorum, Curia Quatuor Burgorum, Statuta Gildoe, Assisa Regis David, Iter Camerarii, Brevis, & Succincta Forma Itineris, Statuta Wilhelmi Regis, Leges Forestarum, Statuta Alexandri Secundi, Prima Statuta Roberti Primi, Statuta Secunda Roberti Primi, Assisa & Statuta Davidis Secundi, Statuta Roberti Secundi, Acta Parliamenti Roberti Tertii, Fleta, Liber I-VI, Traite de Britton, Somme de Hornes ou Myrror de Justices. Houard was a respected scholar of the customary law of Normandy who investigated links between Norman early English law. In addition to several studies of Norman *coutumes*, Hourd's works include *Anciennes Loix des Francois, Conservees Dans les Coutumes Angloises* (1766), which argues that Littleton's *Tenures* preserved and developed Norman law dating from the time of the conquest. Camus 1166.



Nº 64



Nº 65



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

Juretus, Franciscus, Editor.

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

Contemporary vellum with lapped edges, early hand-lettered title to spine. Some rubbing to extremities with minor wear, spine ends and corners bumped, hinges starting, vellum just beginning to crack through pastedowns. Attractive woodcut head-pieces and decorated initials. Light toning to text, heavier in a few places, faint dampstaining to lower corner of text block. Fore-edges of title page and following three leaves carefully mended with no loss to text. Early annotations to front free endpaper, small signature to head of title page, interior otherwise clean. \$2,500.

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

BEST EDITION OF JACOB'S JP MANUAL

67. Jacob, Giles [1686-1744].

The Modern Justice: Containing the Business of a Justice of Peace, In All its Parts. As an Abridgmet of the Common Law. (...) To Which are Added, A Concise Account of the Constitution and Government of a Considerable Workhouse for Employing of the Poor Within the City of Bristol. An Alphabetical Table Shewing what Acts of Parliament do Concern the Business of a Justice. And a Compleat Table to the Whole. Corrected, Improv'd, and Continued to this Present Year, 1720. [London]: Printed by Eliz. Nutt and R. Gosling, 1720. [viii], 502, [42] pp. Octavo (7-1/2" x 4-1/2").

Contemporary paneled calf, rebacked in period style, raised bands and lettering piece to spine, hinges mended. Some rubbing to extremities with some wear to corners, light toning to text. Later owner signature to front free endpaper, brief annotation to rear pastedown, internally clean. \$750.

Third edition. This is the final and most complete edition. The first edition appeared in 1717. It was reissued in 1718 with new preliminaries. In the third edition Jacob has "continued the statutes to the present year; added many new entire heads and precedents never before printed; a very great number of references, and variety of cases and resolutions in the superior courts" (preface). He also added about 100 pages of new material. One of the most interesting features is the detailed six-page description of the workhouse at Bristol. It forms part of a full chapter devoted to the Poor Law (pp.324-348). OCLC locates 11 copies of this edition in North American law libraries. Sweet & Maxwell 1:228.

FIRST EDITION OF LORD KAMES'S
FIRST PUBLICATION

68. [Kames, Henry Home, Lord (1696-1782)].
Remarkable Decisions Of The Court Of Session, From 1716, to 1728. Edinburgh: Printed by Mr. Tho. Ruddiman, 1728. iv, 287, [1], xx pp.

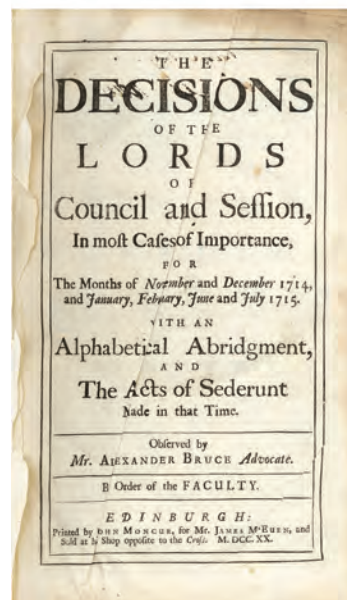
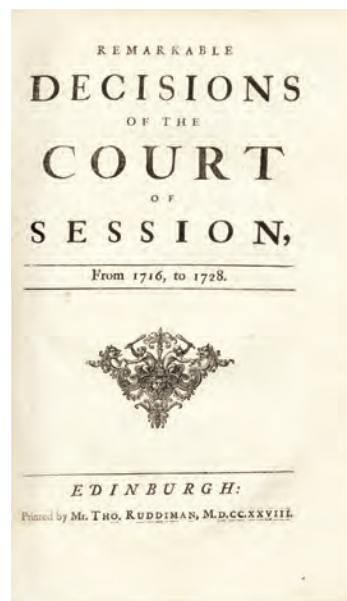
[Bound After]

Bruce, Alexander [d. 1729], Reporter.

The Decisions Of The Lords Of Council And Session, In Most Cases of Importance, For the Months of November and December 1714, And January, February, June and July, 1715. Edinburgh: Printed by John Moncur for James M'Euen, 1720. vi [i.e. iv], 178, 14 pp.

Folio (11-1/2" x 7"). Contemporary speckled calf, raised bands, lettering piece and gilt ornaments to spine, free endpapers lacking. Some rubbing to extremities, joints starting at ends, light toning to text. Early owner signature to front free endpaper, interior otherwise clean. An appealing copy. \$1,500.

First edition. This was Kames's first publication and an auspicious beginning to a long and successful publishing career. Admitted to the Scottish Bar in 1724, Kames was initially "not very successful. In 1728, however, he published his 'Remarkable Decisions ...,' a carefully executed work, which drew attention to (his) abilities. From this time his progress was assured" (DNB). Some copies were issued with a 6-page preface; this one was not, nor were two other copies we have handled; the copy in the British Library and the entry in the NUC also omit the preface. Whether this represents the "normal issue" is undetermined, but by no means is it uncommon. *Dictionary of National Biography* IX:1126. Sweet & Maxwell 5:57 (listing Kames's continuation of these reports to 1752). Wallace 553.



№ 68

CRIMINAL LAW IN EIGHTEENTH-CENTURY SAXONY

69. Kemmerich, Dietrich Hermann [1677-1745].

Synopsis Juris Criminalis per Succinctas Positiones Delineati in Usum Praelectionum Academicarum. Pisa: Ex Typographia Augustini Pizzorno, 1768. xxii, 187 pp. Octavo (7" x 4-1/2").

Later plain paper wrappers, untrimmed edges. Light soiling, some wear to spine ends and corners. Moderate toning, light foxing in places. Early struck-through signature to title page, interior otherwise clean. \$1,250.

Later edition of a work first published in 1731. This was a university handbook on criminal law in Saxony with comparisons to Roman law. OCLC locates 1 copy in North America, at Harvard Law School, which has the 1768 edition.

SIXTEENTH-CENTURY GERMAN MANUAL
WITH A WOODCUT VIGNETTE DEPICTING A TRIAL SCENE



70. Knaust, Heinrich.

Feuwerzeugk Gerichtlicher Ordnunge/ Process/ Lauffe/ und Sachen/ So sich in Gerichtspflegen Zuzutragen. Frankfurt: [Christian Egenolff], 1582. 314, [12] ff. Octavo (6" x 4").

Contemporary paneled pigskin, raised bands to spine, edges rouged, early hand-lettered title to head of text block, clasps lacking, endpapers renewed. Some soiling, moderate rubbing to extremities with some wear to head of spine, corners bumped and somewhat worn, a few cracks to text block. Title page printed in red and black, woodcut vignette of trial scene at beginning of main text. Light toning to text, faint dampstaining to margins in a few places. Early annotations to title page, underlining and annotations to some leaves in text. A nice copy of a very scarce title. \$3,500.

Second edition. This manual of criminal procedure in the Holy Roman Empire is a comprehensive work that pays attention to conflicting viewpoints of authorities. First published in 1578, it went through later editions in 1582, 1594, 1601 and 1616. All are scarce. OCLC locates 1 copy in North America (at the University of Rochester, which has a 1578 edition). Not in Adams. VD16 K1402.

LAMBARD'S IMPORTANT COMPILATION OF ANGLO-SAXON LAWS

**71. Lambard[e], William [1536-1601], Compiler.
[Wheelocke, Abraham (1593-1653), Editor].**

ARCHAIONOMIA, Sive de Priscis, Anglorum Legibus Libri, Sermone Anglico, Vetustate Antiquissimo. Cambridge: Rogeri Daniel, 1644. [xvi], 226, 9 pp. Portions of text in parallel columns. Folio (14" x 9").

Contemporary calf, blind rules to boards, rebaked in period style with raised bands and lettering piece, endpapers renewed. A few scuffs to boards, moderate rubbing to edges, front hinge cracked. Title page printed in red and black, woodcut printer device, head-pieces, tail-pieces and decorated initials. Moderate toning to text, some browning to outer edges of margins, inkspots and dampspotting to a few leaves. \$1,500.

Second edition, corrected, edited and expanded by Wheelocke. With side-notes, index and a preface by Sir Roger Twysden. First published in 1568, this collection of Anglo-Saxon laws presents the original Anglo-Saxon texts and Latin translations in parallel columns. This edition also includes the laws of William I in Norman and Latin, the law of Henry I in Latin and a glossary from a manuscript in the Monastery of St. Augustine. As Holdsworth observed, it is a significant work because it "restored the forgotten Anglo-Saxon laws to the students of the common law. Because they had a direct bearing upon constitutional and legal antiquities, they could be pressed into the service of those who fought the battle of the constitution in the following century...[A]nd they enabled pedigrees of our institutions and our laws to be traced back to an antiquity sufficiently remote and obscure to justify many ingenious deductions as to their rightful relations and proper sphere in the modern state." : *HELIV*:117. Sweet & Maxwell 1:47 (24).



72. [Liber Assisarum].

[Callow, William, Sir (fl. 1555), Attributed].

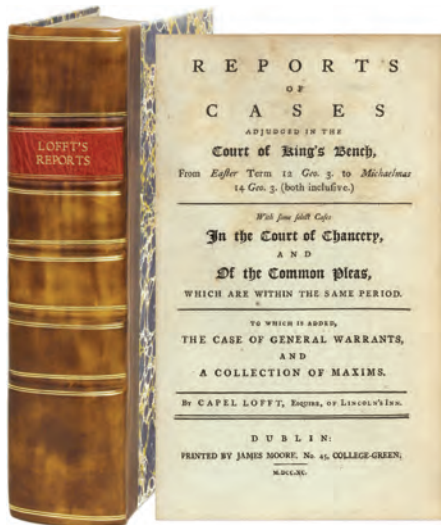
The Abridgement of the Booke of Assises, Lately Perused Over, And Corrected, & Nowe Newly Imprinted by Richard Tottle... 1555. [London: Imprinted...in Fletestrete Within Temple Barre, At the Signe of the Hand & Starre, By Richard Tottel, (1555)]. [i], 165, [2] ff. Octavo (5-1/4" x 3-1/2").

Recent period-style calf, raised bands, blind ornaments, and lettering piece to spine, endpapers renewed. Title printed within woodcut architectural border. Toning to text, some soiling and edgewear to title page and following leaf, early check-marks in pen to a few leaves, interior otherwise clean. Ex-library. Small stamp to foot and verso of title page. A handsome copy. \$5,000.



Text in Law-French. With a table. The *Liber Assisarum* is a selection of reports from the Year Books covering regnal years 1-50 of Edward III (1327-77). The contents are arranged alphabetically by topic. "The Book of Assizes (...) is of great authority in law; and so called because it principally contains proceedings upon Writs of Assize of Novel Disseisin, which in those days was *festinum et freems renaedium*. 'Tis often quoted and referred to by most of our ancient writers. (...) The questions are here discussed with more precision and clearness, and they contain more of those points of law that have survived to the present times." (Rastell). OCLC locates 5 copies, ESTC locates 6 in the British Isles, 6 in North America and 1 in Australia. Rastell, John, Preface to London, 1679, *Livre des Assises et Pleas del' Corone* cited in Marvin 754. ESTC S114295. Beale R52.





№ 75



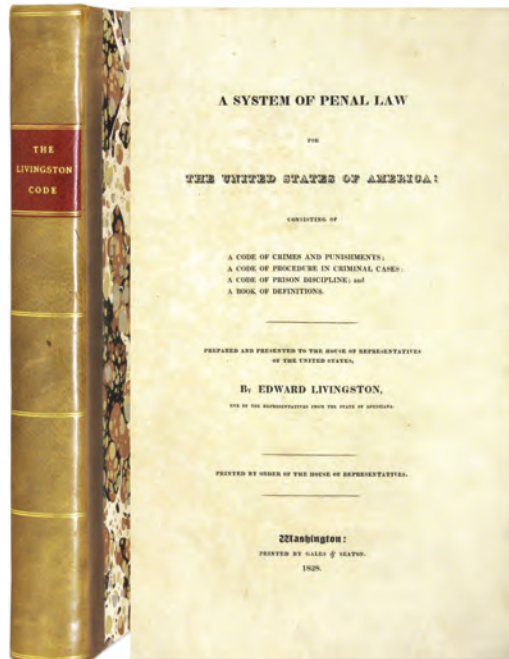
№ 73

"THE FIRST GREAT BOOK UPON ENGLISH LAW"

73. Littleton, Sir Thomas [1402-1481].

Lyttilton Tenures Truelye Translated into Englishe. [Imprinted at Londo[n] in Fletestrete Near to S. Dunstones Church. By Thomas Marshe, Anno 1556]. 180, [2] ff. Octavo (5-1/4" x 3-1/2").

Eighteenth-century calf, gilt fillets and lettering piece to spine. Some rubbing to extremities, corners bumped and lightly worn, a few minor nicks and scratches, a few vertical creases to spine, armorial bookplate (of Guy Phillips) to front pastedown. Title printed within woodcut architectural border. Light toning to text, edges trimmed closely with some loss to fore-edge of title page and a few headlines and side-notes, chips to fore-edges of ff. 10 and 27 repaired. Early annotations to title page and a few leaves, interior otherwise clean. \$5,000.



№ 74

Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is the first English treatise on a specific topic and probably the most revered treatise in the history of the common law. "Five books stand out pre-eminently in the history of English law - Glanvil, Bracton, Littleton, Coke, and Blackstone, and of these Littleton's book is the first great book upon English law.... It showed that [the common law] possessed principles and doctrines of its own which were scientifically exact and yet eminently practical, because they were founded upon the actual problems of daily life" (Holdsworth). OCLC locates two copies (at Harvard Law School and Cambridge University). The ESTC locates another copy at the William Salt Library, England. Holdsworth II:573. ESTC S3242. Beale T47.

“THE MOST COMPREHENSIVE AND ENLIGHTENED SYSTEM OF CRIMINAL LAW
THAT HAS EVER BEEN PRESENTED TO THE WORLD”

74. Livingston, Edward [1764-1836].

A System of Penal Law for the United States of America. Washington, D.C.: Printed by Gales & Seaton, 1828. x, [1], 142, 187, 51, 45, 21 pp. Folio (12” x 7-3/4”).

Recent period-style quarter calf over marbled boards, gilt fillets and lettering piece to spine, endpapers renewed. Light shelfwear and fading to spine. Early signature to front endleaf, some toning to text, minor dampspotting to endleaves. A handsome copy of a landmark work. \$2,500.

First edition. Livingston’s codes mark an epoch in the broad international movement for penal reform. Profoundly influenced by Bentham, they stressed prevention over vengeance in every facet of his work. Like its earlier counterpart designed for the State of Louisiana, this monumental, enlightened code was never adopted. However, it was a profoundly influential work. “Writing in 1902, Eugene Smith states what may be taken to be the modern view of Livingston’s work. ‘Seventy-five years have since elapsed,’ he wrote, ‘and yet it is probably safe now to say that these Codes embody the most comprehensive and enlightened system of criminal law that has ever been presented to the world.’: Hicks, *Men and Books Famous in the Law* 180. Cohen 10311.

AN IMPORTANT SET OF REPORTS THAT INCLUDES THE FULLEST ACCOUNT OF
THE LANDMARK SOMERSET CASE AND AN APPENDIX OF MAXIMS

75. Lofft, Capel, Reporter.

Reports Of Cases Adjudged In The Court Of King’s Bench, From Easter Term 12 Geo. 3. To Michaelmas 14 Geo. 3 (Both Inclusive). With Some Select Cases in the Court of Chancery and of the Common Pleas (...) And a Collection of Maxims. Dublin: Printed by James Moore, 1790.[ii], [xxvi], 814 (star-paged), 10, 22, [60] pp. Octavo (8-1/4” x 5-1/4”).

Recent quarter calf over marbled boards, raised bands and lettering piece to spine. Light toning to text, faint dampspotting to a few leaves. Early owner stamp (Rockingham County) and early signature (of C[harles] L[evi] Woodbury, the son of Levi Woodbury (1789-1851), governor, legislator, cabinet official, and U.S. Supreme Court justice) to front free endpaper, interior otherwise clean. \$750.

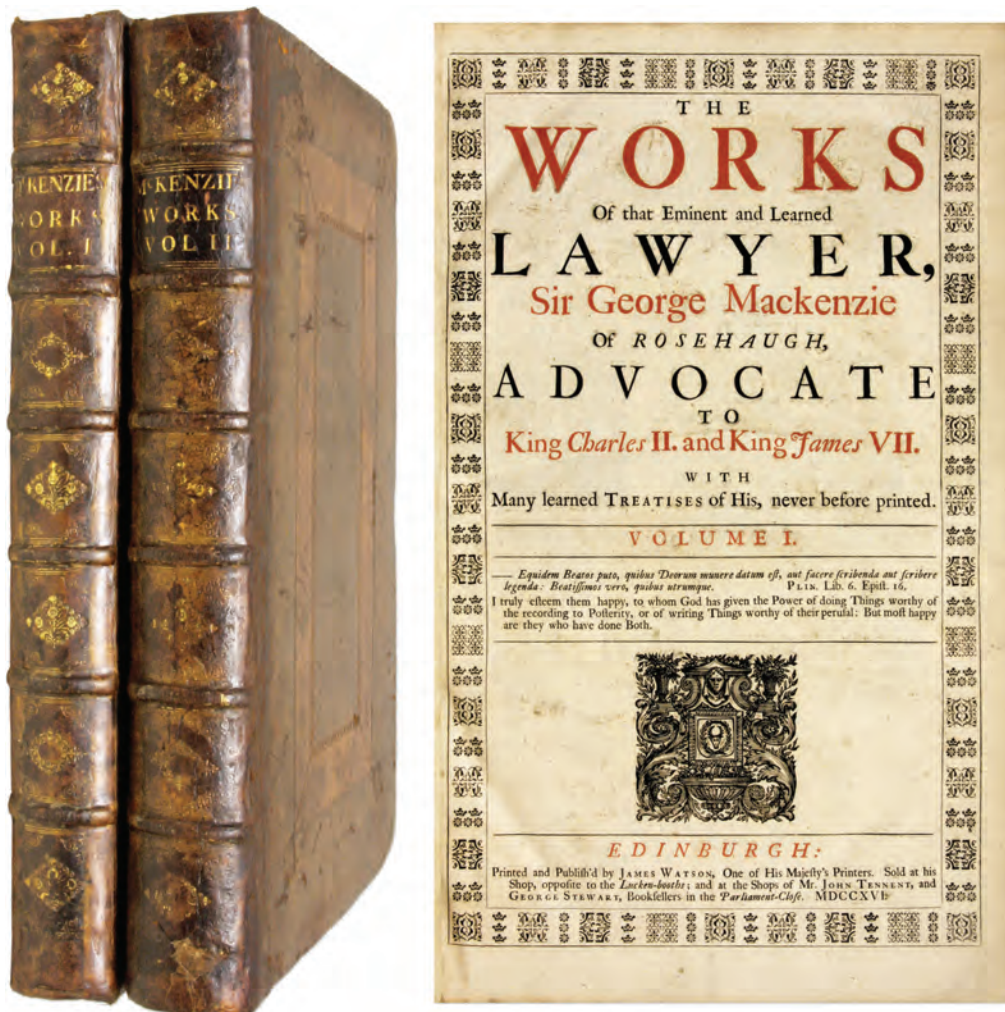
First Dublin edition, from the first and only London edition of 1776--the sole editions of a very important collection of reports heard before Lord Mansfield from 1772 to 1774. It is notable on several accounts, foremost being its unique coverage of the full proceedings in the case *Somerset v. Stewart* (1772). This was the first major legal victory for the British abolitionist movement, in which Lord Hargrave argued successfully for the fundamental illegality of slavery under the laws of England. Lord Mansfield’s concurring opinion owed much of its language to Hargrave. Also included here (retrospectively) is the case of *Wilkes v. Wood* (1763) in which John Wilkes won a precedent-setting suit against Robert Wood, the chief government agent involved in the illegal seizure of Wilkes’s papers during Wilkes’ prosecution for the publication of *North Briton* No. 45. Wallace notes that Lofft’s reports “embraced a portion of Lord Mansfield’s judicial life not covered by any other reporter,” and that Lofft was the only reporter to preserve a record of the *Somerset* case. Hargrave’s argument in defense of *Somerset* was published separately in pamphlet form in 1772, but for the proceedings *as a whole*, Lofft’s report remains the sole printed source. Appended to the reports is an original collection of 652 Latin maxims followed by a useful 60-page index. Wallace 452.

76. Mackenzie, Sir George [1636(?) - 1691].

The Works of that Eminent and Learned Lawyer, Sir George Mackenzie of Rosehaugh. With Many Learned Treatises of His, Never Before Printed. Edinburgh: Printed and Published by James Watson, 1716, 1722. Two volumes. Copperplate portrait frontispiece in each volume, division title page and 30 plates. Folio (15" x 9-1/2").

Contemporary paneled calf, rebacked retaining spines, hinges mended. Light rubbing to extremities, corners bumped and lightly worn, a few nicks to boards. Woodcut head-pieces and tail-pieces, decorated initials and 30 copperplate engravings. Offsetting to margins of endleaves, light toning to text, somewhat darker in places, light foxing to a few leaves in each volume. A notably handsome set. \$2,500.

Only edition. Mackenzie was Lord Advocate during the reigns of Charles II and James II. He is best known for his leading role in the persecution of Scottish Presbyterians, which earned him the nickname "Bloody MacKenzie." (In many cases, he bent the law to secure a conviction.) He was an important jurist, scholar and author, and the founder of the Advocates Library, which is now the national law library for Scotland. This set collects all of his legal, historical and literary works except *Aretina* and *The Discovery of the Fanatical Plot*. The *Science of Heraldry* is preceded by a copperplate pictorial title page and is embellished with 30 copperplates illustrating heraldic devices. Unlike most sets, Volume II of our copy has a portrait frontispiece. Sweet & Maxwell 5:74.

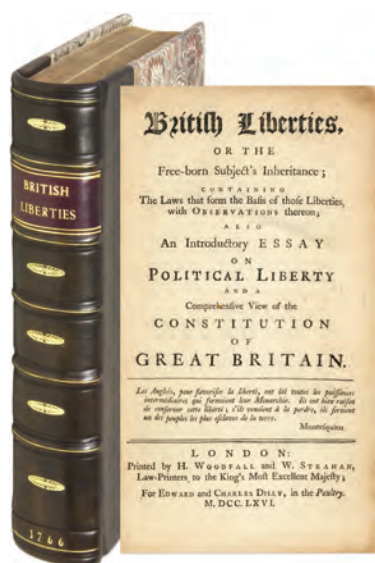


77. [Magna Carta and the English Jury].

British Liberties, Or, The Free-Born Subject's Inheritance; Containing the Laws that Form the Basis of Those Liberties, with Observations Thereon; Also an Introductory Essay on Political Liberty and a Comprehensive View of the Constitution of Great Britain. London: Printed by H. Woodfall and W. Strahan, 1766. [xii], lxxix, [1], 396 pp. Octavo (8" x 5").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Light toning to text, internally clean. A handsome copy. \$950.

First edition. This assertion of English rights was apparently based on Henry Care's classic *English Liberties*. Influenced by Coke, it is a strongly Whiggish interpretation of English liberty that traces its progress from its genesis in Magna Carta to its ultimate fulfillment in the English jury. The lengthy preface is a historical essay that draws on Locke, Montesquieu and Rousseau. The work concludes with a fascinating essay that posits the jury as a safeguard of liberties. It also contains a provocative subsidiary argument that juries must determine both law and fact, at least in cases where a mental element or intent must be proven. ESTC T108730.



№ 77

SEVENTEENTH-CENTURY HUNGARIAN
MANUSCRIPT COMPILED BY A LAW
STUDENT PREPARING FOR HIS
FINAL EXAMINATION

78. [Manuscript].

De Nagy, Nicholaum Appony, Compiler.

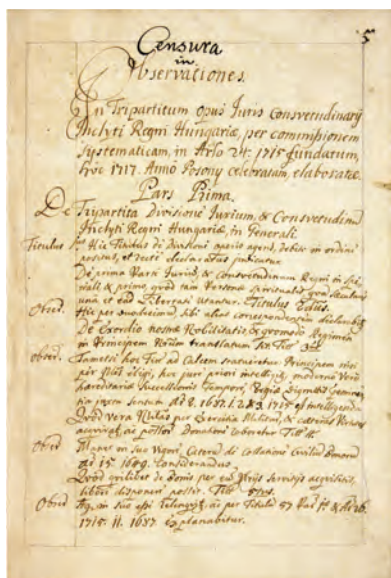
Pia Mentins Exercetia. [Probably Hungary, c. 1670]. 479 pp. Quarto (8" x 6-1/4").

Contemporary vellum (cut from an antiphonal), fragments of thong ties. Some soiling and edgewear, boards slightly bowed, crack to center of spine near foot, vellum beginning to crack through rear pastedown, front hinge starting, rear hinge partially cracked. Light toning to interior, early inscriptions and signature to front pastedown, text in Latin, written in a fine secretarial hand. \$2,500.



№ 78

Probably compiled in Hungary, this is a reference work for Hungarian law students during the *patvaria* (or *patvaristak*), a two-year training period for that preceded final examinations and admission to practice. It has a number of additional annotations to the endleaves and text. The pastedown is inscribed with an early owner's name, "Ioannes," above the Latin motto "Sors Bona Nil Aliud" (Good Luck, Nothing Else). The rear pastedown has the motto, "dat Galenus opes, dat Justinianus honores, solus Aristoteles cogitur ire pedes," which is based on the quote by Robert Burton [1577-1640]: "Galen gives wealth, Justinian honors, but Moses must go on foot with a beggar's wallet." Our scribe, who seems to have been familiar with Burton, substitutes Aristotle for Moses. Nicholaas Appony de Nagy was a member of a noble Hungarian family.



EIGHTEENTH-CENTURY MANUSCRIPT
RELATING TO THE CONSTITUTIONAL
LAW OF HUNGARY



MANUSCRIPT LEGAL DICTIONARY ON
THE LAWS AND CUSTOMS OF HUNGARY,
COMPILED CIRCA 1650

79. [Manuscript].

[Kingdom of Hungary].

Observationes In Tripartitum Opus Juris Consuetudinarii Inlyti Regum Hungariae per Commissionem Systematicam in Arlo 24. 1715 Fundatum hoc 1717 Anno Posony Celebratum, Elaborate. [Arlo, Hungary, 1715-1717, 1726]. [101, 9 blank, 32 pp.] Folio (12" x 8").

Contemporary paneled calf, ties lacking. Moderate rubbing to boards, heavier rubbing to extremities with wear to spine and corners, rear hinge partially cracked, two leaves at rear of text detached, occasional worming to margins with no loss to text, contemporary armorial bookplate to front pastedown. Some toning to interior, text in neat secretarial hand. The second group of notes, 32 pp., are dated 1726. \$3,000.

Two sets of student notes on the *Tripartitum*. Compiled in 1514 by Istvan Werboczy [c.1465-1541], a Hungarian jurist and statesman, this collection of early customary laws, though never incorporated formally, was regarded as the second pillar of the Hungarian constitution. It was a *de facto* law-book of Hungary until 1848. According to the doctrine of the Holy Crown, which appeared in the *Tripartitum*, the king and the legally equal noblemen formulated the "corpse of the Holy Crown," which symbolized the Hungarian state. This manuscript is one such effort, in the early eighteenth century, to coordinate the *Tripartitum* with Hungary's constitutional statutes.

80. [Manuscript].

[Law Dictionary].

[Kingdom of Hungary].

Suggestor Legum et Consuetudinum Regni Hungariae. [Hungary, c. 1650]. [420] pp. Quarto (7-1/2" x 6").

Contemporary vellum (cut from a manuscript calendar for the month of August, red-letter days indicated). Some soiling and edgewear, small chip to head of spine, minor worming to front board and pastedown, front hinge starting, vellum just beginning to crack through rear pastedown. Light toning to interior, early inscription and cancelled signature to front pastedown, text in Latin, written in a fine secretarial hand. \$5,000.

This manuscript contains an alphabetical arrangement of Hungarian laws and customs relating to the principles and regulations established in a community by some authority. It pays careful attention to application and the distinction between legislation and custom. Several entries give citations, mostly of legal books with sixteenth and seventeenth-century dates. The inscription on the front pastedown reads: "Durant Virtute Parata" (Endurance Wins).

81. [Massachusetts].**[Thomas, Isaiah, Compiler].**

The Perpetual Laws, of the Commonwealth of Massachusetts... To The First Session of the General Court, A.D. 1788. Worcester: Isaiah Thomas, 1788. [viii], [5], 389 pp. Octavo (8-1/4" x 4-7/8")

Contemporary sheep, raised bands, gilt ornaments and lettering piece to spine. Some rubbing to extremities, a few minor scuffs to boards, corners bumped, hinges cracked, front free endpaper and upper portion of following endleaf lacking, bookplate of William Paine Sheffield to front pastedown, light browning and foxing to text. Early owner signature to head of title page, interior otherwise clean. An appealing copy. \$850.

First octavo edition, published one year after the folio edition. This title is the first printing of the first collection of Massachusetts statutes, covering Massachusetts legislation up to the year of the ratification of the U.S. Constitution. It was printed in a size and at a price that would enable significant distribution. However, at this time few copies remain. Thomas was a successful and highly regarded printer in Worcester, Massachusetts. An important figure in the history of printing and book collecting in the United States, he founded the American Antiquarian Society and wrote the classic reference on early American printing, *The History of Printing in America*. Not in Tower or the *Harvard Law Catalogue*. Benedict locates only ten copies. Benedict 214



WITH FOUR WOODCUTS, TWO FULL-PAGE

82. Maurer, Georg Ludwig [1790-1872].

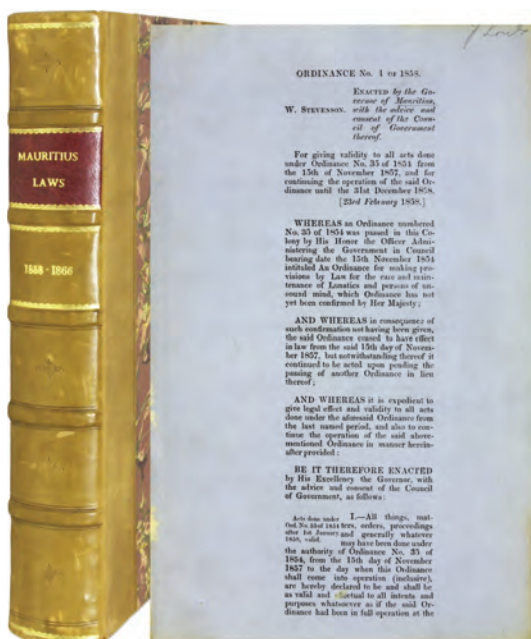
Geschichte des Altgermanischen und Namentlich Altbairischen Oeffentlich-Muendlichen Gerichtsverfahrens. Heidelberg: Akademische Buchhandlung von J.C.B. Mohr, 1824. xviii, 362 pp. Three plates with four woodcuts, two cuts full-page. Quarto (10" x 8").

Contemporary speckled boards, lettering piece to spine, edges rouged. Light wear to spine ends and corners, a few partial cracks to text block. Toning, light foxing to a few leaves. Small early owner signature to title page, interior otherwise clean. Ex-library. Location label to foot of spine, shelf number to front pastedown in fine hand, small stamp to verso of title page. An attractive copy. \$950.



Nº 82

Only edition. This is an interesting, historically grounded study of German criminal and civil procedure. Three of the woodcuts depict court scenes, the fourth is an allegorical (?) woodland court with animals. In this image a fox is being led to the gallows for his murder of a hen. (A lion is the judge, the executioner is a cat.) All of the images are discussed in the text. KVK and OCLC locate 4 copies, 1 in North America (at the University of Alberta). Other copies located at the Library of Congress and Harvard and Yale Law Schools. Not in the BMC or Roberts.



83. [Mauritius].

[Original Legislative Enactments, 1858-1866].
[Port Louis], 1858-1866. c. 1,000 pp. Folio
(11-1/2" x 7-12").

Recent three-quarter calf over marbled boards,
raised bands, ornaments and lettering piece to spine,
internally fresh. \$1,250.

A specially bound folio volume containing 152 separately printed acts of varying paginations (on varying paper stocks). This non-consecutive run covers an array of interesting topics including (with recurring emphasis) immigration, currency and taxes, police and prisons, public health, and railways, as well as, less frequently, topics like poor relief, lunacy, tobacco, the slave trade, bankruptcy, education, marriage and civil law, rape and shipping. Especially well represented are the regulations (and forms) concerning Indian immigration and the use of Indian labor. A detailed list of serial numbers by year is available upon request.

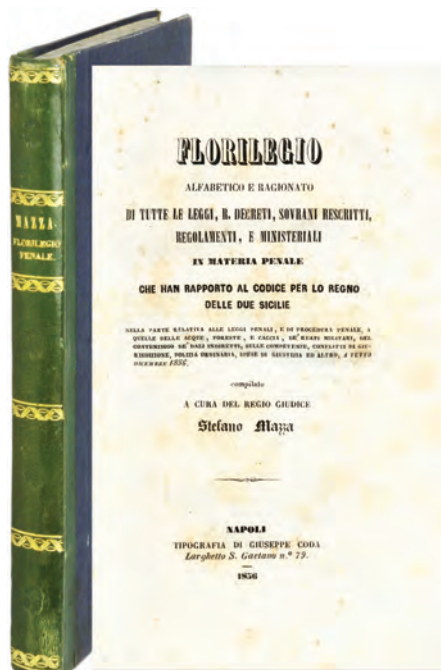
1856 SICILIAN LAW DICTIONARY

84. Mazza, Stefano, Compiler.

Florilegio Alfabetico e Ragionato di Tutte le Leggi, R. Decreti, Sovrani Rescritti, Regolamenti, E Ministeriali in Materia Penale che Han Rapporto al Codice per lo Regno delle Due Sicilie nella Parte Relativa alle Leggi Penali, E di Procedura Penale, A Quelle delle Acque, Foreste, E Caccia, De'Reati Militari, Del Contenzioso De' Dazj Indiretti, Sulle Competenze, Conflitti di Giurisdizione, Polizia Ordinaria. Naples: Tipografia di Giuseppe Coda, 1856. 307, 36, [3] pp. Octavo (8-1/2" x 5-1/2").

Contemporary quarter calf over patterned paper boards, blind ornaments and gilt title and fillets to spine. Some rubbing to extremities with light wear to corners, light toning to text, foxing to a few leaves. Early owner signature to front pastedown, interior otherwise clean. \$950.

Only edition. The Kingdom of the Two Sicilies was the largest and wealthiest Italian state before unification. Its legal system was strongly influenced by the Code Napoleon, a result of French rule from 1799-1816 in Naples and 1806-1816 in Sicily. *Florilegio* is a dictionary of terms relating to Sicilian criminal law and procedure as well, to a lesser extent, forest law, military law and other subjects. . The entries, all quite detailed, include citations to relevant laws and other sources. Many entries are cross-referenced. OCLC locates no copies; KVK locates 2, both in Italy. Not in the BMC.



85. Michalorius, Blasius.

Tractatus de Coeco, Surdo et Muto. Venice: Apud Guerilios, 1646. [viii], 152, [20] pp. Main text in parallel columns. Quarto (8-1/4" x 6").

Contemporary quarter sheep over marbled boards, gilt fillets, ornaments and title to spine. Moderate rubbing with light wear to extremities, a few scuffs to front board, rear hinge starting. Large woodcut printer device to title page, woodcut head-pieces and decorated initials. Worming to preliminaries and first few text leaves, mostly in the margins but with minor loss a few letters. Small stain and early (institutional?) inkstamp to title page, interior clean and bright. \$950.

First edition. One of the earliest works of its kind from the early modern era, this is a curious canon-law treatise concerning blind, mute and deaf people. It appears to have been a well-received work; other editions were published in 1667, 1681, 1709, 1710 and 1847. Michalorius was a canon lawyer and member of the Rota Romana. OCLC locates 9 copies in the United States, 2 in law schools (Yale and UC- Berkeley). BMC 17:450.



CANON LAW IN NEW SPAIN

86. Molina Lama Y Guzman, Geronimo (Jeronimo) De.

Novae Veritates Iuris Practicae, Utraque Manu Elaboratae, Tum Theologorum Moralium Scientia, Tum Legum, & Canonum Principiis, & Regulis Inconcussis. Madrid: Ex Typographia Regia, 1665. [xii], 571, [63] pp. Main text in parallel columns. Copperplate coat of arms, large woodcut portrait. Folio (11-1/2" x 8").

Contemporary limp vellum, early calligraphic title to spine, ties lacking. Some darkening to spine darkened, rodent gnawing (?) to fore-edges of boards and adjacent leaves near head, hinges reinforced, vellum just beginning to crack through pastedowns. Title page printed in red and black followed by large copperplate leaf depicting the coat of arms of Pedro Nunez de Guzman, a member of the Spanish Court, woodcut portrait, apparently of Juan de Mendoza y Luna, a former viceroy of New Spain, facing p. 1, woodcut head and tail-pieces. Moderate toning, light browning and foxing in places. Early signatures to front free endpaper and title page, underlining to a few passages in text, interior otherwise clean. \$1,350.



First edition. This is a digest of canon law, with sections on theology and doctrine, designed for use in New Spain. A second edition was published in 1670. Both editions are scarce. OCLC locates 6 copies of the first edition worldwide, 1 in North America (at the Huntington Library, which has a badly mutilated copy with loss of text to pp. 56-109). Palau 174774.



87. Monticello, Joannes Maria.

Aureum Repertorium de Testibus In Materiis Civilibus Et Criminalibus: Titulorum Ordine Digestum & Ordinatum. Omnibus in Foro Versantibus Apprime Necessarium. Venice: [s.n.], 1575. [xii], 448, 187, [33] pp. Main text in parallel columns. Quarto (8" x 6").

Contemporary limp vellum, early hand-lettered title to spine. Some staining to boards, chipping to spine ends and along fore-edges, hinges starting, partial split near center of text block, some wear to fore-edges of first and final signatures. Woodcut initials. Toning, faint dampstaining to portions of text, dampspotting to a few leaves, internally clean. \$2,750.

First edition. This is a Roman law treatise dealing with criminal law, criminal procedure, trial practice and witnesses. A second issue with identical pagination was published in 1585. Two copies located

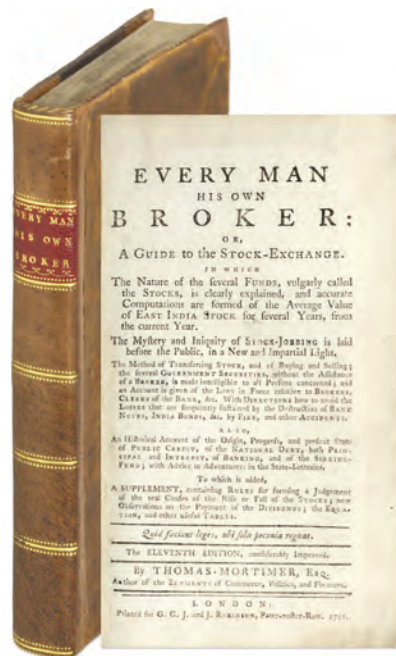
in North America, both 1575 imprints, both at law schools: UC-Berkeley and Harvard. One other copy located at GWU. EDIT16 CNCE 73291.

88. Mortimer, Thomas [1730-1810].

Every Man His Own Broker: Or, A Guide to the Stock-Exchange. (...) To Which is Added, A Supplement, Containing Rules for Forming a Judgment of the Real Causes of the Rise or Fall of the Stocks; New Observations on the Payment of the Dividends; The Equation, And Other Useful Tables. London: Printed for G.G.J. and J. Robinson, 1791. xxiv, 263, [1] pp. Engraved fold-out "Table of Equation." Octavo (6-7/8" x 4-1/8").

Contemporary sheep, carefully rebacked and re-cornered, lettering piece and gilt fillets to spines, hinges mended, negligible toning to text. Faint pencil marks to margins in some places, interior otherwise clean. An excellent copy. \$950.

Eleventh edition, "Considerably Improved." This popular guide was first published in 1761 and was later translated into German, Dutch, French and Italian. It appeared at a time when Great Britain was codifying its position as the most sophisticated commercial empire in the world. At the time of the eleventh edition stock in the East India company held an allure comparable to shares in internet start-ups in the mid-1990s. As his lengthy sub-title title suggests, Mortimer was critical of brokers and hostile toward speculators and jobbers. However, his detailed advice offers one of the best accounts of stock trading in the second half of the eighteenth century. *Goldsmiths'* 14941.45.



RARE NINETEENTH-CENTURY
ITALIAN LAW DICTIONARY

89. Napolitani, Vincentio [1814-1886].

Lexicon Universi Corporis Juris in Quo Repertorium Sententiarum et Regularum, Relatio Legum, Verborum Significatio, Index Titulorum Omnium, Nec non Legum in Universo Corpore Juris Comprehensarum Continentur. Naples: Ex Tipographia Androsio, 1853-56. Four volumes in three books. Main text in parallel columns. Quarto (10" x 7-3/4").

Contemporary quarter calf over patterned boards, gilt titles and ornaments to spines, speckled edges. Some rubbing to boards and extremities, stains to front board of Volume II. Toning, occasional foxing, faint dampstaining in places, internally clean. \$2,950.

Only edition. With indexes. Devoted to Roman and canon law, this work appears to have been produced as an aid for practicing attorneys. It contains word definitions, phrases and maxims. Its brief entries refer the reader to passages in the *Corpus Juris Civilis* and *Corpus Juris Canonici*. OCLC locates 3 copies worldwide, 2 in North America (at the law libraries of Harvard and UC-Berkeley). Not in the BMC.

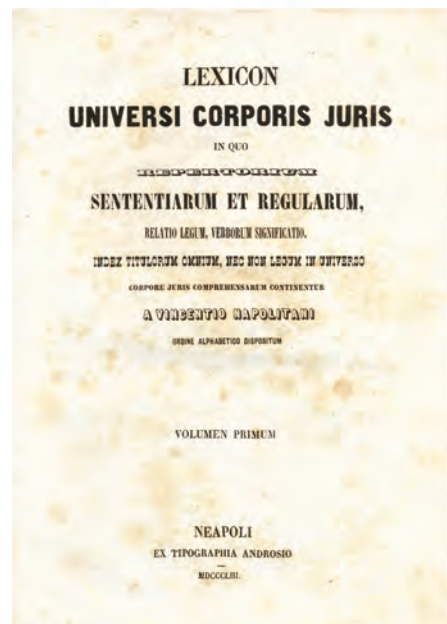
RARE PORTUGUESE TREATISE
ON ADMINISTRATIVE LAW

90. Navarro de Paiva, Jose Cunha.

Manual do Ministerio Publico. Coimbra: Imprensa da Universidade, 1867. xii, [2], 400, [1] pp. Octavo (8" x 5-1/2").

Contemporary tree calf, lettering pieces and gilt fillets, lettering piece and ornaments to spine. Light rubbing to boards, heavier rubbing to extremities with some wear to spine ends and corners, boards slightly bowed, front joint just starting at head. Light toning to text, foxing to title page, minor worming to upper corner of preliminaries and a few following leaves, internally clean. \$1,500.

Second edition. This well-regarded manual of administrative law and procedure reached a third edition in 1901. No copies located on OCLC.



Nº 89

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

Sylva Nuptialis: P[er] Excelltum Iurisco[n]sul. D. Jo. de Nevizanis Asten[is]; Co[n]structa, Materia[m] Matrimonij, Dotiu[m], Filiatio[n]is, Adulterij, Originis, Successio[n]is, [et] Monitorialiu[m]; Remedia Etia[m] ad Sedandu[m] Factiones de Guelphis et Giebellinis Co[m]plete[n]s; Cu[m] Modo Iusia Principum Iudica[n]di [et] Exeque[n]di. [Lyons: Jacques Giunta], 1540. [xvi], 256 ff. Octavo (6" x 4").

Recent blind-tooled calf in period style, raised bands and gilt title to spine. Title page printed in black and red with a woodcut architectural border, 20 woodcut initials decorated in contemporary gold, red and blue pigments. Moderate toning to text, faint dampstaining in places. Interesting contemporary marginalia and underlining to preliminaries and text, heavier on some pages than others, occasional loss to marginalia due to trimming. A handsome copy of an important work. \$4,000.

Fifth edition, the last in the author's lifetime. Nevizzano's *Sylva Nuptialis* (1521) is a wide-ranging

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

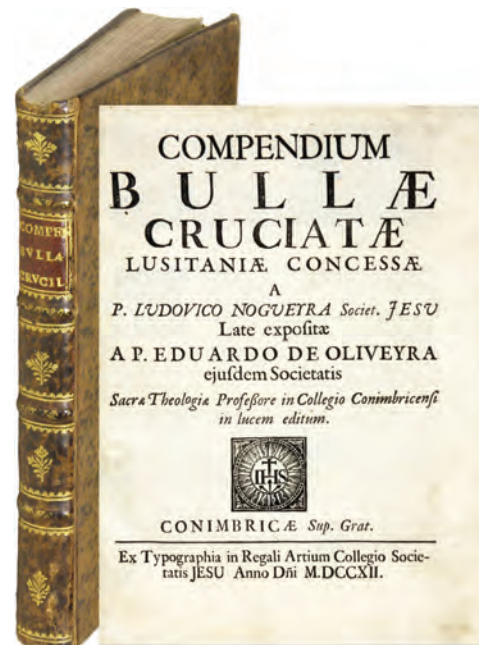
CRIMINAL ACTIVITIES CLASSIFIED

92. Oliveira, Eduard.

Compendium Bullae Cruciatæ Lusitaniæ Concessæ. Coimbra: Ex Typographia in Regali Artium Collegio Societatis Jesu, 1712. [xvi], 245, [35] pp. Main text in parallel columns. Quarto (7-1/2" x 5-3/5").

Contemporary speckled calf, raised bands, gilt title and gilt ornaments to spine. Light rubbing to extremities, a few minor nicks and worm holes, small chip to head of spine, corners bumped and lightly worn, negligible minor worming to pastedown, endleaves and a few text leaves. Small woodcut Jesuit device to title page and two head-pieces, a few decorated initials and typographical ornaments throughout text. Light toning, early readership marks to margins in a few places, interior otherwise clean. \$1,850.

First edition. A rare commentary on the powers and effects in Portugal of a papal bull for a crusade. The book includes discussion of 32 types of criminal activity, whether they can be classified as cases reserved for episcopal jurisdiction and whether a defendant can be absolved with submission to the bull. These crimes include sorcery and invocation of demons, homicide, abortion, clandestine marriage, failure to pay church taxes, sex with non-Christians. There are also cases involving slavery. Specific notes are given for individual dioceses, including those (160-161) of Bahia (Brazil), pp. 160-61, and Angola, pp. 161-62. OCLC locates no copies in North America. Not in Backer-Sommervogel.





No 91

REFLECTS CHANGES INTRODUCED
BY THE COUNCIL OF TRENT

93. Pacifico, da Cerano (Ceredano)
[1420-1482].

Francesco, da Trevigi (Turchi, Francesco)
[d. 1599].

*Somma Pacifica, Composta gia Piu di Cent'Anni dal
R.P.F. Pacifico Novara, Osservante di S. Francesco.*
Venice: Appresso Domenico, & Gio. Battista
Guerra, Fratelli, 1574. [40], 420 [i.e. 416] pp.
Tables. Octavo (6" x 4").

Contemporary limp vellum with lapped edges, later repair
to backstrip, hand-lettered title to spine and head of text
block. Some wear to edges, moderate worming near foot
of spine, vellum just beginning to break through front
pastedown. Attractive woodcut initials. Early annotations
and signatures to front free endpaper and title page, interior
otherwise clean. A nice copy of a scarce title. \$2,000.

SOMMA PACIFICA,

Composta già piu di cent'anni,

dal R. P. F. PACIFICO
DA NOVARA,

Osservante di S. Francesco.

*Novamente con sommo studio, & diligentia, ridotta in mi-
glior lingua, riformata, & illustrata, con le determinazioni
del Santissimo CONCILIO DI TRENTO, d'in-
torno alla materia del Matrimonio, con le figure de paren-
tadi, & d'altre cose necessarie, & facili per instruzione,
& commodità de Confessori,*

Per il R. P. FRANCESCO da Trevigi
Carmelitano.

Con due copiosissime Tauloe.



In Veneria, appresso Domenico, & Gio. Battista Guerra,
fratelli. M D LXXIII.

Better known as the "Summa Pacifica," this work addresses confession and penance. It pays particular attention
to the proper method of hearing confessions and legal aspects of penance and confession. It was first printed at
Milan in 1479. This edition is interesting because it reflects changes introduced by the Council of Trent (1545-
1563). OCLC does not locate any copies of this edition in law libraries. EDIT16 CNCE36069.



IMPRESSIVE (AND SCARCE) COLLECTION OF CONSILIA

94. Parisio, Pier Paolo [1473-1545].

Prima [-Quarta] Pars Consiliorum Petri Pauli Parisii Pontificii Caesareique Iur. Consultissimi. [And] Repertorium in Quatuor Volumi Consiliorum Petri Pauli Parisii. Venice: S.n., 1552. Five volumes, each with title page and individual pagination, bound in two books. Main texts in parallel columns. Folio (17" x 11-1/2").

Contemporary vellum, early repairs to spine of first volume using early manuscript leaf, early hand-lettered titles to spine and bottom edges of text blocks. Some soiling, edgewear and worming, pastedowns loose, hinges cracked or starting, a few partial cracks to text blocks. Title pages printed in red and black within impressive woodcut architectural frames, handsome large woodcut vignettes and decorated initials. Light soiling to title pages at beginning of each volume, minor edgewear to following few leaves. Toning, light browning and dampspotting in a few places, internally clean. \$8,500.

Second edition. With indexes. Parisio was a professor of law, later the Bishop of Nusco and an influential cardinal. These impressive volumes collect over 500 of his consilia on a variety of topics. Other editions were published in 1543, 1570-71, 1573, 1580 and 1593. All are scarce, especially in North America. OCLC locates copies of the 1543, 1552, 1570 and 1573 editions at Harvard Law School, the University of Alberta, University of Glasgow, and UC-Berkeley Law School respectively. The Library of Congress has copies of the 1543, 1570 and 1593 editions. EDIT16 CNCE 68118.

95. Parker, James [1714-1770], Compiler.

Conductor Generalis: Or, the Office, Duty and Authority of Justices of the Peace, High-Sheriffs, Under-Sheriffs, Coroners, Constables, Goalers, Jury-Men, and Overseers of the Poor. As Also the Office of Clerks of Assize, and of the Peace, &c. To Which Are Added, Several Choice Maxims in Law, &c. New York: Printed by John Patterson, for Robert Hodge, 1788. xvi, 539 pp. Octavo (7-1/2" x 4-1/2").

Contemporary sheep, lettering piece and raised bands to spine. Rubbing to extremities, light wear to spine ends, corners bumped and moderately worn, front joint starting at foot, front hinge starting, front free endpaper lacking, about an inch lacking from head of following endleaf, light toning to text. Early owner signature (of Luther Adams) to front endleaf, partially-erased signature to head of title page, interior otherwise clean. \$700.

A popular American legal manual issued by different printers and publishers based largely on Burn and other English sources. Part II contains (with caption titles only): The Office and Duty of Sheriffs; The Office of a Gaoler, and Concerning Escapes; The Office and Duty of the Clerk of Assize and Clerk of the Peace; A Guide to Juries; Of Maxims and General Rules, from Jacob's *Law Grammar*; Of Actions and Remedies; Of Fictions, Intendments, and Presumptions. Cohen 7959.



EIGHTEENTH-CENTURY TREATISE ON THE LAW RELATING TO THE CONFESSIONAL

96. Pertsch, Johann Georg [1694-1754].

Recht der Beicht-Stuhle: Darinnen der Ursprung und Fortgang der Geheimen Beichte aus Denen Kirchen-Geschichten Gezeiget. Wolffenbittel: J.C. Meissner, 1738. [xxxvi], 684, [12] pp. Quarto (8-1/4" x 7").

Contemporary paper-covered boards, early hand-lettered title to spine. Moderate rubbing with some wear to extremities, a few minor stains to boards. Copperplate vignette to title page, another, depicting the promotion of Christianity in south Asia, to head of dedication. Toning, light foxing to a few leaves, internally clean. \$950.



Second edition. This is an extensive historically grounded treatise on the canon, ecclesiastical and civil laws relating to church confession. An important and respected work, it was first published in 1721 and went through three subsequent editions, the final in 1740. Pertsch was a jurisconsult and a legal scholar who wrote several works on church history and Protestant and Catholic ecclesiastical law. OCLC locates 4 copies in North America, a first edition (at Harvard Law School) and two second editions (at UC Berkeley Law School and the University of Dayton and Harvard Law School). This edition not in the BMC.



97. Pietro, d'Ancarano (Ancharano) [1330-1416].

Consilia Sive Iuris Responsa: Summa Fide ac Diligentia Elaborata: Nunc Denuo Accurata Multorum Locorum Castigatione in Communem Jurisperitorum Utilitatem Edit. Venice: Apud Nicolaum Bevilaquam, 1568. [xiv], 239, [1] pp. Main text in parallel columns. Folio (12" x 8").

Later quarter vellum over patterned paper boards, title panel to spine, endpapers renewed. Negligible soiling, light rubbing to extremities, spine ends lightly bumped. Attractive woodcut printer device to title page and verso of final leaf, woodcut decorated initials. Toning, occasional browning, light foxing and dampspotting in a few places, annotations in contemporary hand to a few leaves. An appealing copy. \$2,500.

Later edition. Ancharano was a renowned Italian jurist and commentator on the canon and civil law. First published in 1490, this volume of *consilia* is one of his principal works. It went through at least six editions during the sixteenth century and remained an authority well into the next century. OCLC locates 3 copies of this edition in North America (at the Library of Congress and the law libraries of Harvard and the University of Michigan). Pazzaglini and Hawks A-40.

REVIEW OF ENGLISH GAME LAWS IN THE FORM OF A DIALOGUE

98. [Purlewent, Samuel].

A Dialogue Between a Lawyer and a Country Gentleman, Upon the Subject of the Game Laws, Relative to Hares, Partridges, And Pheasants. (...) With a Letter to John Glynn, Esq; Serjeant at Law, And Representative of the County of Middlesex, Upon the Penal Laws of this Country by a Gentleman of Lincoln's-Inn, A Freeholder of Middlesex. London: Printed for J. Wilkie, 1771. xv, [1], 39 pp. Three folding tables. Octavo (9" x 5-1/2").

Original plain wrappers, untrimmed edges. Some soiling, wrappers worn away at spine ends. minor creasing and edgewear to tables. Moderate toning, internally clean. A fine uncut copy, complete with the half-title. Rare. \$750.

First edition, one of three issues from 1771. This review of the game laws in dialogue form was reprinted in 1775 and incorporated into a later work, *Two Tracts on Game Laws* (1787). The three tables summarize the laws relating to hares, partridges and pheasants. OCLC locates 9 copies in North American Law libraries. Not in Sweet & Maxwell. ESTC T66787.

COMMENTARIES ON AN IMPORTANT TREATY BETWEEN
THE CATHOLIC CHURCH AND FRENCH CROWN

99. Rebuffi, Pierre [1487-1557], Commentator.

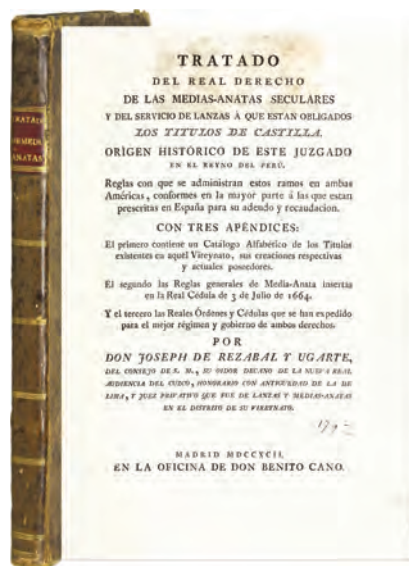
Concordata Inter Sanctissimum Dominum Nostrum Papam Leonem Decimum, & Sedem Apostolicam. Paris: Apud Galeotum Pratensem, 1545. [lxiv], 429, [3]; [ii], 166, [2]; [2], 74, [4] pp. Three parts in one volume. Main text in double columns, text of concordat surrounded by linear gloss. Quarto (9-1/2" x 7").

Later mottled sheep, gilt title to spine, speckled edges. Light rubbing to extremities, a few scuffs to boards. Attractive crible initials, large woodcut printer device to verso of final text leaf. Offsetting to margins of endleaves, faint dampstaining, toning to a few sections, internally clean. Ex-library. Location and author label (Rebuffus) to spine, small bookplate to front pastedown, small stamp to foot of spine. An appealing copy. \$950.



Fourth edition. Editorial changes to this edition noted with asterisks. This is an important series of commentaries on the Concordat of 1516, which regulated the status of the Catholic Church in France and established guidelines for the nomination of bishops, the interpretation of canon law and other matters. The final part is Rebuffi's essay *Tractatus de Pacificis Possessoribus*, which deals with possession and benefices. Rebuffi was the leading French canonist of the period, an auditor of the Rota Romana and the author of several important works, such as *Praxis Beneficiorum* (1584) and a commentary on *De Verborum et Rerum Significatione* (1586). OCLC locates 6 copies in North America, 3 in the United States, 2 in law libraries (at Harvard and the University of Pennsylvania). Not in Adams. This edition not in Camus.

SCARCE 1792 TREATISE ON TAXATION AND INHERITANCE LAWS
IN THE VICEROYALTY OF PERU

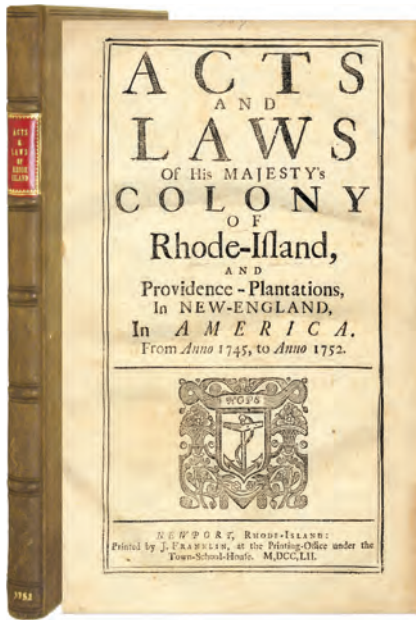


100. Rezabal (Rezabel) y Ugarte, Jose de [d. 1800].

Tratado del Real Derecho de las Medias-Anatas Seculares: y del Servicio de Lanzas a que Estan Obligados los Titulos de Castilla. Origen Historico de Este Juzgado en el Reyno del Peru. Madrid: En la Oficina de B. Cano, 1792. [xvi], 252 pp. Fold-out table. Folio (11-1/2" x 8").

Contemporary sheep treated to look like tree calf, lettering piece and gilt fillets to spine, rouged edges, ribbon marker, marbled endpapers. Some rubbing to extremities with minor chipping to head of spine, corners bumped and somewhat worn, hinges cracked. Early owner bookplate and signature to verso of title page with some bleed-through and offsetting, interior otherwise fresh. \$950.

Only edition. This is a treatise on inheritance law and taxation in the Viceroyalty of Peru. It includes a detailed catalogue of all Spanish titles of nobility in Peru and contains a good deal of information relating to native South Americans and people of mixed Spanish-native blood. Indeed, it is an important source for its information on the legal status of these people. OCLC locates 14 copies, 11 in North America, 1 in a law library (Library of Congress). Palau265986.



1752 COMPILATION OF RHODE ISLAND ACTS
AND LAWS PRINTED BY JAMES FRANKLIN

101. [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 449. Tower 812.

"CURIOSITIES OF THE LAW BOOKS"

102. Roscoe, Henry, Compiler.

Roscoe, Thomas, Compiler.

Westminster Hall: Professional Relics and Anecdotes of the Bar, Bench, and Woolsack. London: John Knight & Henry Lacey, 1825. Three volumes. Fold-out tables. Engravings. Octavo (6-1/2" x 4").

Contemporary sheep treated to look like tree calf, rebaked in period style, endpapers renewed. Rubbing and some edgewear to boards, annotations in early hand throughout. Ex-institutional library. Small inkstamps to preliminaries. An attractive set. \$350.

The public are so much disposed to regard the study of the law as a pursuit destitute of all attraction and interest, that the present attempt to glean from that ample field a few grains of amusement, will, probably, be looked upon with surprise. Those, however, who have rendered themselves acquainted with our law books, well know, that there exists in them a copious store of curious and interesting matter, which often enlivens those severer labours, of which information, and not entertainment, is the object. (...)With the view of collecting together these scattered curiosities of the law books, the present compilation has been undertaken." Preface i-ii. *HLC* II:900. Sweet & Maxwell 2:306.



No 103

103. [Sachsenspiegel].**[Zobel, Christoph (1499-1560), Editor].**

Sechsisch Weichbild und Lehenrecht. [Leipzig: Nikolaus Wolrab], 1555. [vi], clxi, cxxi, [128] ff. Three works in one, each with title page and separate foliation. Main text in parallel columns. Folio (12" x 8").

Contemporary half-pigskin with elaborate blind tooling over recent grey paper-covered boards, raised bands and early hand-lettered title to spine, its ends repaired, endpapers renewed, front and rear endleaves next to free endpapers partially detached and edgeworn. Title page printed in red and black, woodcut decorated initials. Some toning to text, light browning in places, some leaves have minor wear, worming and dampstaining to margins. Early annotations and underlining, to endleaves, title pages and some text leaves. A solid copy of a scarce title.

\$1,950.

A republication of a 1537 compendium by Christoph Zobel, first published in 1535, containing his copiously edited and annotated translation of the *Saechsische Weichbild*, the *Sechsisch Lehenrecht*, the second half of the *Sachsenspiegel* and Zobel's *Remissorium*, an index for the *Saechsische Weichbild* and the complete *Sachsenspiegel*. Compiled around 1230 by Eike von Repgow (or Repkow), the *Sachsenspiegel* [*Mirror of the Saxons*] is a deeply influential collection of territorial and feudal law. It was the basis for several subsequent codes, such as the Gorlitz Lawbook, the Breslau Territorial Law, the *Schwabenspiegel*, the Dutch *Sachsenspiegel* and the Berlin Townbook of Brandenburg Law. An authority on civil law well into the nineteenth century, it was a source for the German Civil Code (1896). OCLC locates 1 copy of this edition in a North American law library (UC-Berkeley). VD16 D737.

**Nº 104**

ROYAL AUTHORITY AND THE CHURCH

104. Salgado de Somoza, Francisco.

Tractatus de Supplicatione ad Sanctissimum a Litteris et Bullis Apostol. Nequam, Et Importune Impetratis in Perniciem Reipublicae, Regni, Aut regis, Aut Iuris Tertii Praejudicium. Madrid: Apud Mariam de Quinones, 1639. [xvii], 350, [101] ff. Main text in parallel columns. Folio (11-1/4" x 8").

Contemporary limp vellum, large calligraphic title to spine. Light rubbing and a few minor chips to extremities, stain to upper corner of front cover, free endpapers lacking. Large copperplate arms to title page, woodcut decorated initials. Light toning to text, occasional light foxing. Minor stains, early signatures and annotations to title page, interior otherwise clean.

\$2,500.

First edition. Preferred for its unexpurgated text, this treatise asserts royal authority over papal bulls and apostolic letters. Other editions, edited in response to Papal censure, were published in 1664, 1758 and 1792. All are scarce in North America; OCLC locates 3 copies of the first edition (at Columbia, Harvard Law School and UC-Berkeley Law School). Palau 287429.

105. Savigny, Carl Friedrich von [1779-1861].

System des Heutigen Romischen Rechts. Berlin: Bei Veit und Comp., 1840-1849. Eight volumes in four books. Octavo (8" x 5).

Contemporary quarter calf over textured paper boards, raised bands, gilt titles and gilt fillets to spines. Moderate rubbing to extremities with some wear to spine ends and corners, minor scuffs and nicks to boards, some hinges starting or cracked. Some toning to text, occasional light foxing, internally clean. \$1,500.

First edition. Savigny was a deeply influential German jurist and an excellent scholar of Roman law. His *System* is a study of Roman law's role in the legal systems of Savigny's day. It can be thought of as a companion to his *Geschichte des Romischen Rechts im Mittelalter* (1815-31), a study of the revival and influence of Roman law during the medieval era.

106. Severo, Veranio.

Datos Sobre Algunas Leyes Inglesas que han Contribuido al Poder de la Gran Bretana en Perjuicio de las Demas Naciones, Con Observaciones Utiles a los que Estudian la Economia Politica. Madrid: En la Imprenta de Alban, 1807. x, [2], 257 pp. Octavo (5-3/4" x 3-3/4").

Contemporary tree-sheep, lettering piece and gilt fillets to spine, marbled endpapers. Some rubbing to extremities, corners bumped. Some toning to text, light dampstaining to upper corner of rear quarter of text block, interior otherwise clean. \$1,650.

First edition. This enthusiastically anti-British work details the ways Britain has manipulated international trade laws in its favor, and against the interests of Spain. It sketches the history of British politics as it affected the country's foreign entanglements, and lists some of the tricks used by Britain to win over international opinion. Inspired by Adam Smith, Severo discusses a wide variety of trades and industries, including whaling, herring, fishing, the trade in coal and tobacco, and shipbuilding, describing the shipping routes used by British merchant vessels and British trade with India, the Americas (including South America) and the Baltic. OCLC locates 2 copies in North America (at Harvard and Yale). Palau 311227.

107. [Shakers].

[Dyer, Mary].

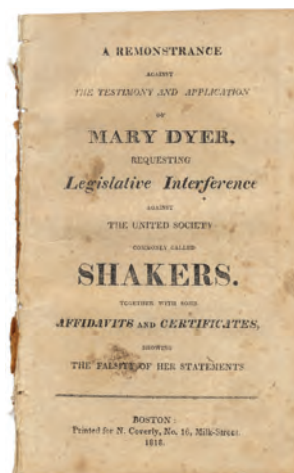
A Remonstrance Against the Testimony and Application of Mary Dyer, Requesting Legislative Interference Against the United Society, Commonly Called Shakers. Boston: Printed for N. Coverly, 1818. 24 pp. Octavo (7" x 4").

Disbound stab-stitched pamphlet. Light edgewear, some browning and foxing, internally clean. \$1,500.

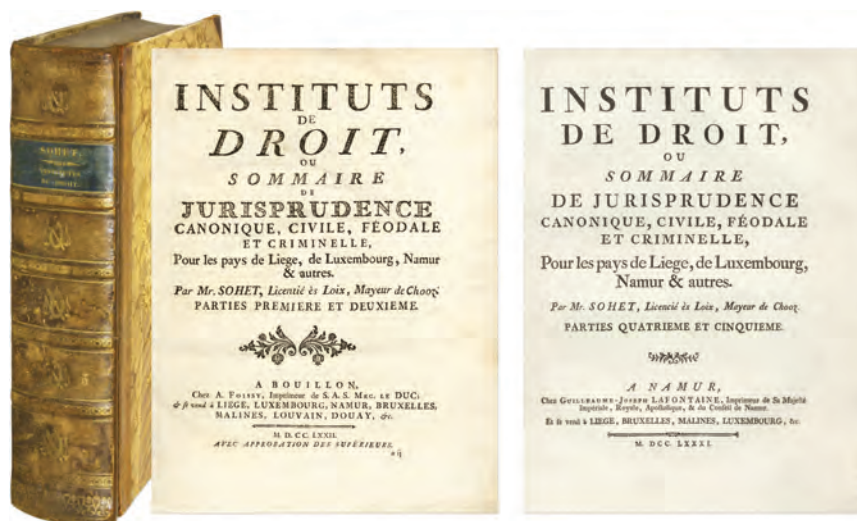
Only edition, also issued the same year in Concord, New Hampshire. A spirited defense of the Shakers by Enfield and Canterbury leaders against Mary Dyer's attempt to get the New Hampshire legislature to interfere with Shaker communities. Dyer and her family joined the Enfield community, but eventually left it. Her husband refused to release any of their children to her, so Mary began a 50-year campaign against the sect. OCLC locates 4 copies worldwide (Library of Congress, Hamilton College, Syracuse, Brigham Young) of the Boston imprint, with no copies of either imprint in North American law libraries. Sabin 21596.



Nº 105



Nº 107



A SCARCE COMPLETE COPY OF AN IMPORTANT BELGIAN TREATISE

108. Sohet, (Dominique Francois) [1728-1811].

Instituts de Droit, Ou Sommaire de Jurisprudence Canonique, Civile, Feodale et Criminelle, Pour les Pays de Liege, de Luxembourg, Namur & Autres. Bouillon: A. Foissy, 1770, 1772, 1781. Five parts bound as one. Complete as issued. Main text in parallel columns. Quarto (10" x 8-1/2").

Nineteenth-century three-quarter calf over marbled boards, rebaked retaining original backstrip with raised bands, gilt ornaments and lettering piece, hinges mended, marbled endpapers. Moderate rubbing with some wear to extremities. Attractive woodcut head and tail-pieces. Toning, light foxing and browning in a few places, interior otherwise fresh. \$1,650.

Only edition. This is a remarkable work comparable to the *Institutes* of Justinian. Etienne adds, "it is a principal work on the legal history of the Principality of Liege, the Comte of Namur and the Duchy of Luxembourg." OCLC locates 5 complete copies, none in North America. A complete copy located at the Library of Congress, incomplete copies located at UC-Berkeley and Yale law libraries. Not in Harvard Law School's online catalogue. Etienne, *Impressions Bouillonaises* 42.

109. Solsona, Francisco de, Editor.

De Laudimiis Tractatus Auctorum, Qui Hactenus in ea Commentarios Conscripserunt. Turin: Apud H.H. Io. Dominici Tarini, 1629. [xii] pp., 288 ff., [48] pp. Folio (9" x 14").

Contemporary vellum, gilt titles on colored background to spine. Light shelfwear, some soiling and spotting to spine, boards slightly bowed, partial crack between front free endpaper and title page. Title page in red and black with large copperplate printer device, woodcut head-piece, tail-piece and decorated initials. Wear, small chips and minor worming to margins of some leaves with no loss to text, occasional faint dampstaining to foot of text block. Light foxing and toning in places. A nice copy of a rare title. \$1,150.

Later edition. This is a collection of tracts on canon, Roman, civil and other legal topics by Amadeus de Ponte, Antonio Faber, Bertrand Argentreus, Camillo Borello, Carlo Antonio Blancardo, Solsona, Hartmann Pistor and Maurice Bourgeois. This volume appears to have been compiled from Solsona's eighteen-volume *Tractatus Universi Juris* (1584-1585), an anthology of contemporary legal writings compiled under the direction of Pope Gregory XIII. OCLC locates 5 copies of this edition, 1 in North America (at UC-Berkeley Law School). Not in the BMC or other standard references, but the collation of this copy matches the copies located online.

RARE PORTUGUESE ESSAYS
BY A LEADING PORTUGUESE JURIST

**110. [Sousa de Lobao, Manoel de Almeida e (1745-1817)].**

Collecção de Dissertações Jurídicas, E Práticas. Lisbon: Na Impressão Regia, 1826. 178 pp. Quarto (8-1/2" x 6").

Recent wrappers, printed title label to spine, untrimmed edges. Light toning to text, internally fresh. \$1,500.

Second edition. This successful work first appeared in 1808 and went through at least six posthumous expanded editions, the latest in 1903. Included here are essays on children born of incest, succession and legitimacy, guardianship, bail, debtor and creditor. The author, one of the major Portuguese jurists of his time, did much to integrate the civil law tradition with modern codes. His many works in numerous posthumous editions were accepted as authority through the end of the nineteenth

century. The 1808 and 1826 editions were followed by editions in 1836, 1839, 1868, 1884. All are rare in American institutions. OCLC locates 1 copy, at Harvard Law School, which has an 1808 edition.

RARE PORTUGUESE LECTURES ON CRIMINAL LAW

111. Sousa Pinto, Basilio Alberto de.

Licoes de Direito Criminal, Redigidas Segundo as Preleccoas Oraes do Illustrissimo Senhor Basilio Alberto de Sousa Pinto, Feitas no Anno Lectivo de 1844 a 1845, E Adaptadas A's Instituicoes de Direito Criminal Portuguez do Senhor Paschcal Jose de Mello Freire. Coimbra: Na Imprensa da Universidade, 1845. [viii], 384 pp. Octavo (8-1/2" x 5-1/4").

Contemporary quarter calf over recent marbled boards, raised bands and lettering piece to spine. Light rubbing to extremities, endleaves lacking. Light toning to text, occasional faint dampspotting. Early owner inscriptions to title page, interior otherwise clean. \$1,500.

Only edition. These were the first lectures on criminal law issued during the Portuguese constitutional era (1838-1911). Sousa Pinto was a leading professor at the University of Coimbra, later its rector. He was also a notable conservative politician. No copies listed on OCLC.



IMPORTANT HUMANISTIC LAW DICTIONARY WITH STRIKING TITLE PAGE

112. [Spiegel, Jakob (Jacobus) (1483-c.1547)].

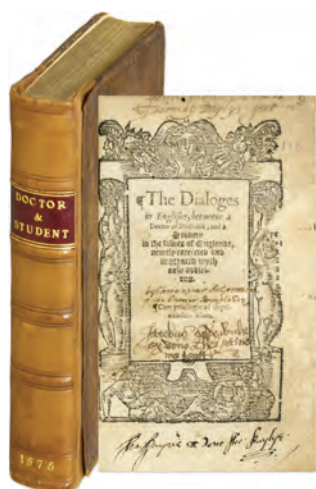
[Oldendorp, Johannes (1487-1567), And Others].

Lexicon Iuris Civilis per C.U.D. Iac. Spiegelium, 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. \$6,500.

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 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 Melancthon ("Oratio de Scripto Iure, & Dignitate Veterum Interpretum Iuris," "Romanum Ius Antecere Legibus Aliarum Gentium," and his "Censura de Legibus") and Claude Chansonnette ("De Ratione Studii Legalis Paraenesis," Christoph Hegendorff ("Epitome Tyrocinii Iuris Civilis," "Exegeses in XII Libros Codicis" and Compendiariae Titulorum Codicis Iustiniani Exegeses"). The unusual borderless woodcut title page 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 S1585.

Third edition (stated). Spiegel was a lawyer, a privy counselor to Holy Roman Emperor Charles V and a



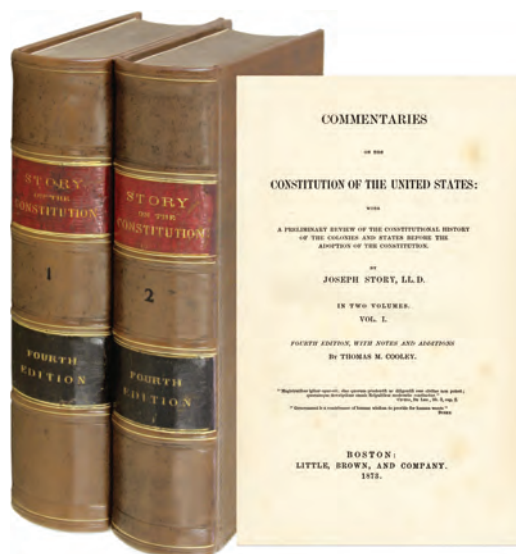
1575 IMPRINT OF *DOCTOR AND STUDENT*

113. St. Germain [German], Christopher [?1460-1540].

The Dialoges in Englishe, Betweene a Doctor of Divinitie, And a Student in the Lawes of Englande. Newly Corrected and Imprinted Wyth New Addicions. [London: In Aedibus Richardi Tottelli, 1575]. 177 [i.e. 176], [4] ff. Octavo (5-1/4" x 3-3/4").

Eighteenth-century calf, rebacked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners bumped and worn. Title printed within woodcut architectural border. Toning to text, faint dampstaining in places, a few worm holes to fore-edge leaves just touching text in a few places, light soiling to title page, which has a chip to fore-edge with some loss to border. Contemporary and later (probably eighteenth-century) annotations to title page and some text leaves, interior otherwise clean. \$3,000.

Originally written in Latin in 1523, this work contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and other issues regarding the jurisdiction of Parliament. A very important work in the development of equity, *Doctor and Student* appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. OCLC locates 7 copies of this edition in North America. Beale T476. ESTC S116366.



UNCOMMON COOLEY EDITION OF STORY'S
COMMENTARIES ON THE CONSTITUTION

114. Story, Joseph [1779-1845].

Thomas M. Cooley, (1824-1898)], Editor.

Commentaries on the Constitution of the United States. Boston: Little, Brown, and Company, 1873. Two volumes. xxxii, 752; 737 pp. Octavo (9" x 6").

Recent period-style calf, raised bands with original lettering pieces to spines, endpapers renewed. Light toning, interior otherwise fresh. Quite uncommon in the trade. \$2,500.

Fourth edition. *Commentaries on the Constitution* was the most extensive and widely discussed study of the Constitution written during the antebellum period. It was originally published in 1833 and went through two more editions in 1851 and 1858. Published in 1873, Cooley's edition updated Story's text to include discussion of the 13th, 14th and 15th Amendments, as well as other changes introduced during the Civil War and Reconstruction. Cooley's additions are enclosed in square brackets, some notes by Edmund Bennett, the editor of the third edition, are retained and attributed. HLC II:669.

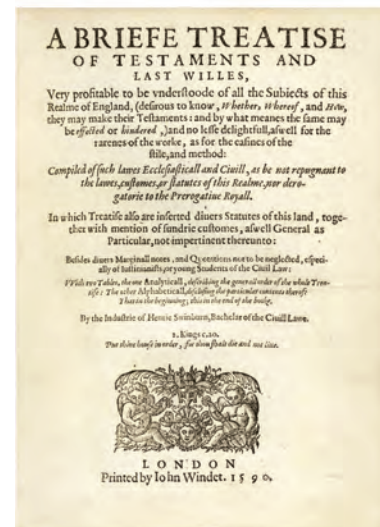
FIRST EDITION OF THE FIRST
STANDARD TREATISE ON WILLS

115. Swinburne, Henry [1560?-1623].

A Briefe Treatise of Testaments and Last Willes, Very Profitable to be Understoode of All the Subjects of This Realme of England. (...) And no Lesse Delightfull, Aswell for the Rareness of the Worke, As for the Easines of the Stile, And Method. London: Printed by Iohn Windet, 1590 [colophon date 1591]. [xii], 293, [13] ff.

Contemporary calf, blind rules and later corner fleurons to boards, rebaked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners bumped and somewhat worn, front hinge starting at head. Woodcut head-pieces and decorated initials. Minor toning to text, faint dampstaining in places, minor worm hole to outer margins of final sixteen leaves. Early owner signatures and annotations to front endleaf, interior otherwise clean. An appealing copy. \$5,000.

First edition. The testamentary jurisdiction of ecclesiastical law was a separate branch that produced its own literature. From the sixteenth until well into the seventeenth century Swinburne's was the standard treatise on this subject. Holdsworth, who cites it often and considers it "the most practically useful book of [its] period" notes that "it is a very useful summary of the law as to wills and executors as administered in the ecclesiastical courts." *HEL* V:14. ESTC S118058. Beale T498.



FIFTH EDITION

116. Swinburne, Henry.

A Briefe Treatise of Testaments and Last Wils [sic]. London: Printed by I.L. for the Company of Stationers, 1640. [xxiv], 344, 215, [32] pp. Quarto (9" x 6-1/2").

Contemporary calf, blind rules to boards, raised bands to spine, early hand-lettered title to fore-edge of text block. A few faint stains to boards, some rubbing to extremities, joints starting, corners bumped, pastedowns loose. Attractive woodcut head-pieces, tail-pieces and decorated initials, large woodcut arms facing dedication. Some soiling to title page, light toning to text, early repair (or paste-over) at center of fore edge of pp. 203-04. Extensive annotations in contemporary chancery hand to front endleaves and foot of title page, interior otherwise clean. An appealing unsophisticated copy. \$1,000.

Fifth edition, "Newly Corrected and Augmented, With Necessary Tables." Sweet & Maxwell 1:494 (34).



Nº 118

AN IMPORTANT EARLY WORK ON WRITS



117. Theloall, Simon.

Le Digest des Brieves Originals, Et des Choses Concernants Eux.
London: In Aedibus Richardi Tottelli, 1579. 16mo. [viii],
424 ff. Octavo (6" x 4").

Seventeenth-century calf, blind rules to boards, raised bands and later lettering piece to spine, early hand-lettered title to fore-edge of text block. A few shallow scuffs to boards, some rubbing to extremities, front board beginning to separate, rear joint starting, some chipping to spine ends, corners bumped, pastedowns lacking, partial crack to text block between ff. 192 and 193. Light soiling to title page, toning to text. Annotations in neat early chancery hand to several leaves, later owner signature of William Jones to title page. An appealing copy of a scarce title. \$3,500.

First edition. An important early work on writs, Theloall's *Digest* owes its origin to the suggestion of Staunford that it would be a good idea if lawyers would write treatises on the other titles of the abridgments similar to his study of the Title "Prerogative." Staunford illustrated his meaning by showing how the Title "Brief" might be treated. Theloall chose this title, and wrote a treatise on it for his own use. The manuscript, having been lent, eventually found its way to a printer. "It deserved to be printed, as it is the most orderly treatise on procedure, founded on the Year Books, that had yet appeared... Historically, it comes between the older commentaries upon writs and the modern books on procedure." Holdsworth V:381. A second edition was published in 1678. The owner of this book may have been Sir William Jones [1746-1794], the important jurist, legal writer and Orientalist. Beale T499. ESTC S118369.

118. Theodosius II, Emperor of the East [408-450 CE].

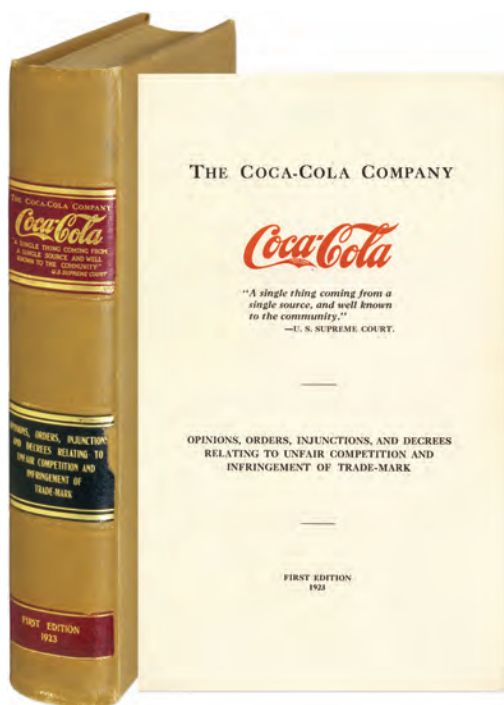
Godefroy, Jacques [1587-1652], Editor.

Antoine Marville [1609-1663]. Editor.

Codex Theodosianus: Cum Perpetuis Commentariis Iacobi Gothofredi. Lyons: Sumptibus Ioannis-Antonii Huguetan, & Marci-Antonii Rauaud, 1665. Six volumes in 4 books. Main text in parallel columns. Folio (14-1/4" x 9").

Contemporary calf, gilt spines, speckled edges. Moderate rubbing, some wear to spine ends and corners, some scuffing to boards, most joints and a few hinges cracked or starting, early armorial bookplate of private library to front pastedown of each book, small location label to spine of Volume I (at foot). Title pages in red and black, woodcut head-pieces and decorated initials. Light toning, occasional foxing, internally clean. A handsome set. \$8,500.

First edition. The Theodosian Code is an official compilation of all laws enacted since the reign of Constantine commissioned by Emperor Theodosius II in 429 CE. Completed in 438 CE, and ratified that year by the senate, it was the standard legal text of the empire, one that superseded all earlier codes. It would later exert enormous influence on the barbarians who assumed control of the Western Empire. The Visigoths, Ostrogoths, Franks, Lombards and Burgundians used it as the basis for their legal codes. Godefroy's edition, which includes extensive commentary, was the first modern edition of the *Codex*. It remains a masterpiece of scholarship and erudition. This edition also contains additional notes by Antoine Marville. Graesse 209. BMC 21:980.



SCARCE TITLE WITH COLOR FACSIMILES
OF COLA COMPANY TRADEMARKS

119. [Trademarks].

[Supreme Court, United States].

The Coca-Cola Company: Opinions, Orders, Injunctions, And Decrees Relating to Unfair Competition and Infringement of Trade-Mark. [Atlanta: The Coca-Cola Company, 1923]. 648, viii pp. Color plates. Facsimiles.

Original buckram, three lettering pieces to spine, two red, one black. Light shelfwear and soiling, tiny chip to edge of spine label, internally fresh. \$650.

First edition. Illustrated throughout with several color reproductions of cola company trademarks, this volume collects briefs and other documents relating to the several appellate, district and U.S. Supreme Court decisions regarding the Coca-Cola trademark from 1886 to 1923. O, including a famous decision by Justice Holmes. OCLC locates 4 copies in North American law libraries (Catholic University, Jenkins, University of Cincinnati and University of Denver).



120. [Trial].

Eichmann, Adolf [1906-1962], Defendant.

In the District Court of Jerusalem. Criminal Case No. 40/61: The Attorney-General of the Government of Israel v. Adolf, The Son of Adolf Karl Eichmann. Minutes of Session 1 [to 114]. Jerusalem: April 4, 1961-August 14, 1961. 114 sessions, each with title page and individual pagination, in four 13-1/2" x 11-1/2" ring-binders.

Considerable shelfwear to binders, some edgewear and toning to leaves, several leaves have minor edgewear, punctures to some sections of text, chips and tear to occasional leaves, no damage to legibility. Occasional early corrections to text, interior otherwise clean. Binders housed in recent cloth-covered slipcases with printed paper title labels. \$2,500.

A real-time translation, this is a complete, unedited (and unofficial) English-language transcript of the Eichmann trial produced by the District Court of Jerusalem for jurists, diplomats, journalists, politicians and others who were following the case. One of the main organizers of the Holocaust, Eichmann escaped assumed a false identity after the end of World War II and escaped to Argentina. He was captured by Mossad agents on May 11, 1960 and brought to Jerusalem for trial. The trial lasted from April 4 to August 14, 1961. Eichmann was convicted on December 11 and sentenced to death on December 15. He submitted an appeal that was rejected on May 29 and was hanged on May 31, 1962. (The verdict, appeal and the appeal's rejection were issued as sessions 115-121.) Eichmann's nondescript appearance, demeanor and bland insistence that he was "only following orders" shocked the public imagination. Many wondered how such an "ordinary" person could have done what he did. Hannah Arendt argued that Eichmann was horrible because he was not a fanatic but an unquestioning state official. The Eichmann case also inspired Stanley Milgram's famous experiment on obedience to authority figures, which measured the willingness of participants to follow commands that conflicted with their conscience. Complete transcripts of the trial are scarce. OCLC locates 17 copies worldwide, 3 in North American law libraries (Columbia, Harvard, Northwestern).

121. [Trial].

Varnum, James M. [1748-1789].

Weeden, John, Defendant.

The Case, Trevett Against Weeden: On Information and Complaint, For Refusing Paper Bills in Payment for Butcher's Meat, In Market, At Par with Specie... Also, The Case of the Judges of Said Court, Before the Honourable General Assembly, At Providence, October Session, 1786, On Citation, For Dismissing Said Complaint. Wherein the Rights of the People to Trial by Jury, &c. Are Stated and Maintained, And the Legislative, Judiciary and Executive Powers of Government Examined and Defined. Providence: Printed by John Carter, 1787. iv, 60 pp. Quarto (7-3/4" x 6").

Stab-stitched pamphlet in plain wrappers. Moderate edgewear and staining. Light browning to text, internally clean. An appealing copy of an important item. \$1,000.

First edition. This landmark in the history of American judicial review arose from a dispute with a butcher. In 1786 Trevett attempted to purchase meat from Weeden with paper money issued by an act of the General Assembly of Rhode Island, which Weeden refused. Trevett lodged a complaint with Superior Court of Newport, but it ruled in favor of the defendant, who was defended by Varnum, stating that it was unconstitutional for the state to demand acceptance of its paper money. The judges were called before the state legislature, where they defended their actions. This event received a great deal of public attention and inspired Varnum's brief study, which examines the motivations of the legislature, the power of the judiciary to alter legislation and the rights of individual citizens. John Marshall noted Varnum's book in the debates leading to his decision in *Marbury v. Madison*. Also a general in the Rhode Island State Militia, Varnum was a Rhode Island lawyer who served in the Continental Congress from 1780 to 1782. He was appointed Judge of the Northwest Territory in 1787 and spent the rest of his life in Ohio. Ritz, *American Judicial Proceedings Published Before 1801* 157. Cohen 11239.



№ 120

RARE ACCOUNT OF AN 1844 INDIANA TRIAL
OF A CATHOLIC PRIEST FOR RAPE

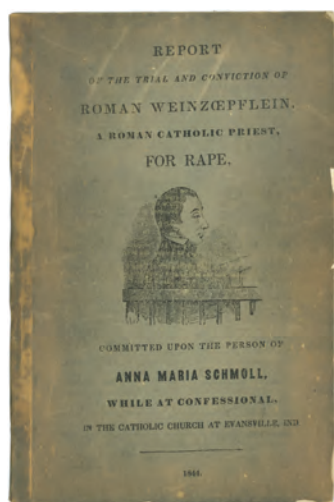
122. [Trial].

Weinzoepflein, Roman, Defendant.

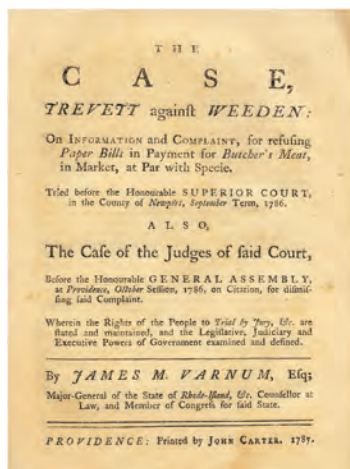
[Chandler, William H., Reporter].

Report of the Trial and Conviction of Roman Weinzoepflein, A Roman Catholic Priest, For Rape, Committed Upon the Person of Anna Maria Schmoll, While at Confessional in the Catholic Church at Evansville, Ind. [Evansville, Ind.?: s.n.], 1844. 80 pp. Octavo (7-1/2" x 5") 20 cm.

Stab-stitched pamphlet in printed wrappers with printed wrappers with woodcut portrait illustrations, supposedly of Weinzoepflein on front cover and Schmoll on rear. Some soiling, minor edgewear, a few tears mended with archival tape. Light toning to text, internally clean. A very good copy of a rare item. \$2,500.

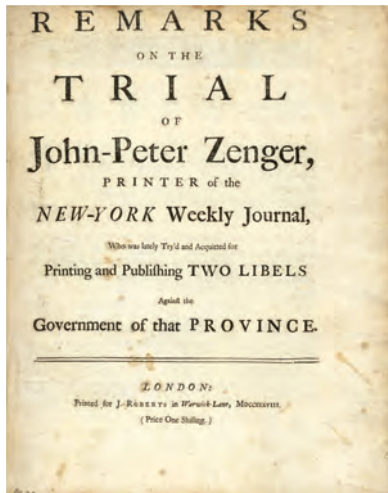


№ 122



№ 121

Only edition of a rare early Indiana imprint. "The defendant, Roman Weinzoepflein, a Roman Catholic priest, was convicted on charges of rape on Anna Marie (Long) Schmoll after a second trial. The jury was unable to agree in the first trial, the venue was changed, and the new trial ended in conviction" (Cohen). Chandler offers an account of the second trial. The rear wrapper has testimonials confirming the accuracy of his account. This is one of two accounts of this trial. (The other, reported by A.E. Drapier, was issued the same year.) There are no comparable accounts of the first trial. Both accounts are rare. OCLC locates 4 copies of Chandler's, 2 in law libraries (Harvard, Social Law). Cohen 13869



A LANDMARK IN THE HISTORY OF FREE SPEECH

123. [Trial].

[Zenger, John Peter (1697-1746), Defendant].

Remarks on the Trial of John-Peter Zenger, Printer of the New-York Weekly Journal, Who was Lately Try'd and Acquitted for Printing and Publishing Two Libels Against the Government of that Province. London: Printed for J. Roberts, 1738. v, 27, [1] pp. Main text in parallel columns. Quarto (8-1/2" x 7").

Stab-stitched pamphlet bound into recent three-quarter morocco over cloth, gilt title to spine, marbled endpapers. Moderate rubbing to extremities, front hinge weak. Some soiling to title page and verso of final leaf, moderate toning to text, faint dampstaining and minor edgewear to margins of a few leaves. \$1,500.

Only edition (in this form). Zenger's acquittal in 1735 from a charge of seditious libel is generally regarded as the first major victory for freedom of the press in the American colonies. *Remarks* is a variant of a pamphlet published in Philadelphia in 1737. It is critical of Zenger's defense, disputing the premise that truth is not libelous. On the contrary, it argues that truth may enhance the libel. The preface says *Remarks* was written by "two eminent lawyers in one of our colonies in America." One of these lawyers is believed to be Jonathan Blenman, the King's attorney in Barbados. Cohen 13382.

COMMENTARIES ON THE DECRETALS OF GREGORY IX BY THE "LAMP OF THE LAW"

124. Tudeschis, Niccolo de, Archbishop (Abbas Panoramitanus) [1386-1445].

Corsetti, Antonio [d. 1503], Editor.

Repertorium in Loculentissimas Praelectiones quas Idem in Quinque Decretalium Libros Divino Prorsus Ingenio, Labore Incredibili & Studio Doctissime Iuxta ac Elegantissime Concinnauit. Venice: [Apud Ioannem de Ghara], 1571. [cl], 44, [12] ff. Main text in parallel columns. Folio (12" x 8-1/4").

Contemporary vellum, early hand-lettered titles to spine and foot of text block, which is neatly detached with pastedowns and well-secured by cords. Moderate edgewear, bowing and spine stains to vellum, locations of cords worn through. Light toning to text, heavier in places, light foxing to a few leaves, small worm hole to inner margin of front endleaf and title page, internally clean. \$2,950.



Later edition. Tudeschi, a Benedictine canonist from Sicily, taught at the Universities of Siena, Parma and Bologna. "It was his canonical works, especially his 'Lectura in Decretales' 'In Sextum,' and 'In Clementinas,' that won him the title of 'lucerna juris' (lamp of the law) and insured him great authority; he also wrote 'Consilia,' 'Quaestiones,' 'Repetitiones,' 'Disputationes, Disceptationes et Allegationes,' and 'Flores Utriusque Juris.' A fine edition of his works appeared at Venice in 1477; among later editions...published in 1617-18 (Venice) in 10 folio volumes is especially notable": *Catholic Encyclopedia*. First published in 1481, *Repertorium* collects his notes on the fifth books of the Decretals of Gregory IX. Each of these has a reference so it can be used in conjunction with any edition of that work. Complete in itself, this is part of an eight-title series of Tudeschi's works. "Niccolo de' Tudeschi" in *Catholic Encyclopedia* (Online edition). Not in Ferreira-Ibarra.

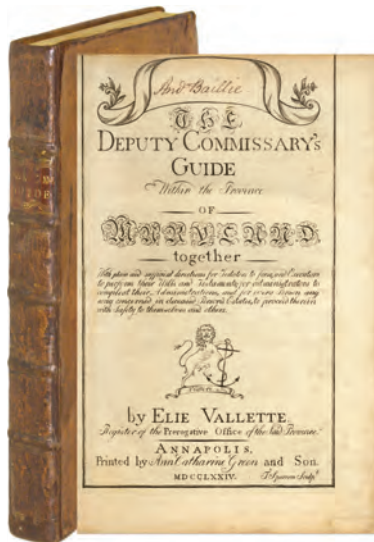
**125. [United States].
[Constitutions].**

The Constitutions of the Several Independent States of America; The Declaration of Independence; The Articles of Confederation Between the Said States; The Treaties Between His Most Christian Majesty and the United States of America. Boston: Printed by Norman and Bowen, 1785. 12mo. 17 cm. 28, 5-180, [1], 29 pp. Octavo (6-1/2" x 4").

Contemporary sheep, rebacked retaining spine with raised bands and lettering piece (reading "America"), hinges mended. Some rubbing to extremities with wear to corners, minor nicks and rubbing to boards. Some toning to text, negligible dampspotting in a few places, internally clean. Book housed in a lightly worn quarter-morocco slipcase with raised bands and gilt title (reading "Constitutions of the Thirteen United States"). An appealing copy of an important title. \$2,500.



Second edition. This is the second edition published in America, preceded by the rare 1781 Philadelphia printing of 200 copies. (London, Dublin and Glasgow editions were issued in 1782 and 1783). Published originally by order of Congress, this compilation exerted a significant influence on the 1787 Federal Constitution. "This work was the first authoritative and original printed texts of these important documents... It is, in short, the book which may be considered as the Magna Carta of the United States. It is scarcely necessary to say that this important work has been repeatedly reprinted" (Sabin). OCLC locates 7 copies of the 1785 edition in North American law libraries (Boston College, Duke, Georgetown, Harvard, Social Law, University of Michigan, Yale). Sabin 16092. Cohen 3024.



THE FIRST AMERICAN TREATISE
DEALING WITH THE LAW OF WILLS

**126. Vallette, Elie.
[Sparrow, Thomas (1746?-1780?), Engraver].**

The Deputy Commissary's Guide Within the Province of Maryland, Together with Plain and Sufficient Directions for Testators to Form, and Executors to Form Their Wills and Testaments, For Administrators to Compleat Their Administrations, And for Every Person Any Way Concerned in Deceased Person's Estates, To Proceed Therein with Safety to Themselves and Others. Annapolis: Printed by Ann Catherine Green and Son, 1774. iv, 248, [12] pp. Copperplate title page and table of descents. Octavo (7-3/4" x 5").

Contemporary sheep, re-backed retaining original spine with raised bands and lettering piece, hinges mended. Some edgewear, scuffs and contemporary hand-lettered titles to boards, early owner bookplate to front pastedown, top edge of text block trimmed affecting top edge of frame surrounding engraved title page. Light toning to text, early annotations to endleaves, early owner signatures to heads of title page and dedication leaf. \$2,500.

Only edition. The first original American legal work, and the earliest book published in America on the law of wills. Dedicated to Maryland Governor Robert Eden, it was printed by Ann Catherine Green, wife of Jonas Green, whom she succeeded as public printer of Maryland from 1767 to 1775. The engraved title page, the only one issued from a colonial Maryland press, and the plate were the work of Thomas Sparrow, the only engraver south of the Mason-Dixon line prior to 1775. Vallette was registrar of the Prerogative Office of Maryland Province. Wroth, *Maryland Imprints* 338. Wroth, *The Colonial Printer in America* 290. Cohen 4632.

127. Ventris, Peyton [1645-1691], Reporter.

Richardson, Mr. Serjeant, Editor.

[Tyler, Royall (1757-1826), Owner].

The Reports Of Sir Peyton Ventris Kt. Late One of the Justices of the Common Pleas. (...)Also Several Cases and Pleadings Thereupon in the Exchequer-Chamber, Upon Writs of Error from the King's Bench. Together With Many Remarkable and Curious Cases in the Court of Chancery. London: Printed for John Walthoe, 1716. Two volumes. [xi], 429, [25]; [xviii], 368, [20] pp. Folio (13" x 7-1/2").

Recent period-style quarter calf over marbled boards, raised bands and lettering piece to spine, endpapers renewed. Preliminary leaves browned and edgeworn, moderate toning and occasional light foxing to text. Early owner signatures to preliminaries, including that of Royall Tyler, interiors otherwise clean. \$650.

Third edition, the first to be edited by Richardson, of an important collection of reports covering cases in King's Bench, 1668-1684, and Common Pleas and Chancery 1669-1691. An interesting association copy, with the ownership signature of Royall Tyler on both front blanks. Also the contemporary ownership signature of "Rs. Newdgate of ye Middle Temple" on both titles. Royall Tyler was a distinguished American jurist, serving as chief justice of Vermont, a professor of law at the University of Vermont, and, as playwright and novelist, one of the most significant figures in American literature in the period just after the Revolution. Wallace 345. Sweet & Maxwell 1:310.

RARE COLONIAL-ERA COLLECTION
OF MEXICAN FIRE LAWS

128. Viana, Francisco Leandro de [1730-1804].

Reglamento Para Precaver y Extinguir en Mexico los Incendios de sus Casas, y Edificios Publicos. Madrid: Por Don Joachin Ibarra, 1782. [iv], xviii, 90, xiv pp. Copperplate portrait frontispiece (of Princess Maria Luisa de Borbon). Quarto (9-1/2" x 6").

Contemporary speckled sheep, gilt fillets to boards, gilt spine, marbled endpapers. Negligible light rubbing to extremities, small scuff near center of rear board, light toning to text, internally clean. A very well-preserved copy. \$3,500.

Only edition. Issued for Spanish Mexico, this is a code of laws relating to fire prevention, fire fighting and property damaged by fire. OCLC locates a handful of copies in North America, but only 1 in a law library (Harvard). Sabin 99408.

A METHODICAL BASIS

129. Vigelius, Nicolaus [1529-1600].

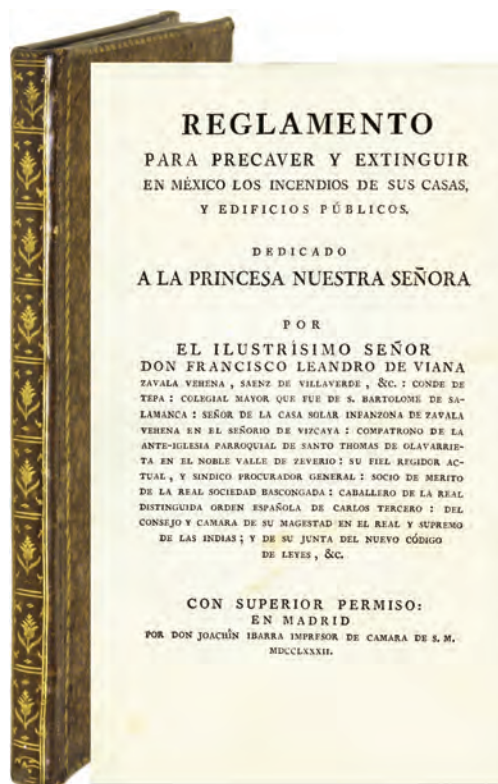
Methodus Duplex Duorum Commentariorum seu Librorum Andreae Tiraquelli de Utroq[ue] Retractu, Municipali & Conventionali. Basel: Typis Oporinianis, 1586. Octavo (6" x 3-3/4"). 197, [3] pp.

Contemporary limp vellum, early calligraphic paper title to spine, ties lacking. Light toning to text, faint dampspotting in places. Early owner inscription to front pastedown, a few words crossed out in ink on p. 1, interior otherwise clean. \$2,950.

First edition. Vigelius was one of the leading legal methodists of the late sixteenth century. He was instrumental in promoting the adoption of a concept of *jus publicum* by legal theorists of the time after its introduction in his *Methodus Universi Iuris Civilis Absolutissima* of 1561. The present work draws on an earlier work by Tiraqueau, a vast treatise derived from the customary law of Poitou that first appeared in 1543. OCLC locates one copy in North America (at Harvard Law School). Not in Adams.



Nº 129



Nº 128

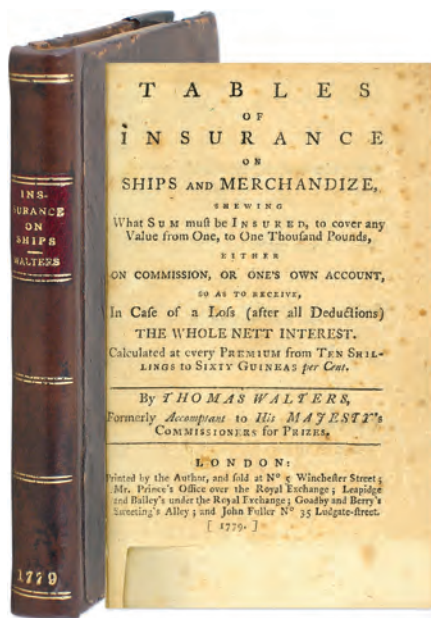
RISKS AND LOSSES

130. Walters, Thomas.

Tables of Insurance on Ships and Merchandize, Shewing What Sum Must be Insured, To Cover Any Value from One, To One Thousand Pounds, Either on Commission, Or One's Own Account. London: Printed by the Author, 1779. viii, 104 pp. 55 pp. of additional manuscript tables. Octavo (5-1/2" x 3-1/2").

Contemporary tree calf, rebacked in period style with lettering piece and gilt fillets, corners and repaired. Light wear to extremities. Residue from small bookplate to front pastedown, bottom of title page excised with no loss to text. Early owner signature to verso of title page, early annotations to foot of each leaf. Light foxing in a few places, interior otherwise fresh. A handsome copy of a scarce item. \$1,950.

"Insurance on Ships and Merchandize, is an Expedient devised for securing to the Proprietors their Interest in case of a Loss; but Persons Insuring the Cost only, without including the Praemium, &c. paid for Insuring, will be Sufferers; and that in a greater proportion as Praemiums increase." Preface. OCLC locates 2 copies, KVK locates 3. Not in Goldsmiths.





COLLECTED WORKS OF NOTABLE
ROMAN-DUTCH JURIST

131. Wesel, Abraham van [1633-1680].

Opera Omnia, Antea Diversis Temporibus Seorsim Edita, Nunc in Unum Corpus Redacta. Ghent: Apud Cornelium Meyer, 1729-30. Three parts, each with title page and individual pagination. Main text in parallel columns. Quarto (7-1/2" x 6-1/2").

Contemporary mottled calf, gilt frames to boards, gilt spine with raised bands and lettering piece, edges rouged, speckled endpapers. Some rubbing to extremities, chipping to head of spine, corners bumped and somewhat worn, residue from bookplate to front pastedown. First title page printed in red and black, attractive woodcut head-pieces, tail-pieces and decorated initials. Some toning to text. Brief later annotation to front pastedown, interior otherwise fresh. \$950.

Third and final edition, with corrections. A solid Romanist, Abraham van Wesels was also "a great authority not only on the law of Utrecht, but also on the law of Holland" (Wessels). *Opera Omnia* was first published in 1692 and it collects his principal works. The first part is a detailed article-by-article commentary on the *Novellae Constitutiones* of the Province of Utrecht in Dutch and Latin. The other parts address the Roman and Roman-Dutch law of husband and wife, dowry, community property and compensation. OCLC locates 1 copy in North America, at UC-Berkeley Law School; another copy located at Harvard Law School. Wessels 316. Dekkers 188 (4).

THE PRINCE OF WALES'S
CLANDESTINE MARRIAGE

132. [Withers, Philip (d. 1790)].

Alfred's Appeal. Containing His Address to the Court of King's Bench, On the Subject of the Marriage of Mary Anne Fitzherbert, And Her Intrigue with Count Bellois. London: S.n., 1789. 88 pp.

[Bound with]

[Withers, Philip].

Alfred's Apology. London: Entered at Stationers-Hall, 1789. 86 pp. Half-title lacking.

[And]

[Withers, Philip].

Alfred's Apology, Second Part, Containing a Letter to His Royal Highness the Prince of Wales; With a Summary of the Trial of the Editor of Nemesis, On the Prosecution of Mrs. Fitzherbert, For a Libel... London: Entered at Stationers-Hall, 1789. 154 pp.

[And]

[Withers, Philip].

History of the Royal Malady, With Variety of Entertaining Anecdotes... 62 (of 64) pp. Final two leaves lacking.

Octavo (8" x 4-3/4"). Stab-stitched pamphlets bound into contemporary three-quarter calf over marbled boards, rebacked in period style, raised bands and lettering piece to spine, marbled edges. Light rubbing to boards, moderate rubbing to extremities with some wear to corners, endpapers renewed. Moderate toning to text, light foxing in places, internally clean. \$750.

Alfred's Apology: second edition; Others: first editions (one of several issues, all in the same year). In 1785 George, the Prince of Wales and the future King George IV contracted an illegal marriage in secret with Maria Anne Fitzherbert, a Catholic commoner. (It violated the Bill of Rights and the 1701 Act of Settlement). King George III compelled the prince to leave her in 1794 to marry Duchess Caroline of Brunswick, but he continued his relationship with her (with some periods of estrangement). These items are part of a pamphlet war that grew out of a libel trial that resulted from Withers's public exposure of the clandestine marriage. ESTC T11257, T11276, T11256, T11274.

133. [Woodward, Josiah (1660-1712), Attributed].

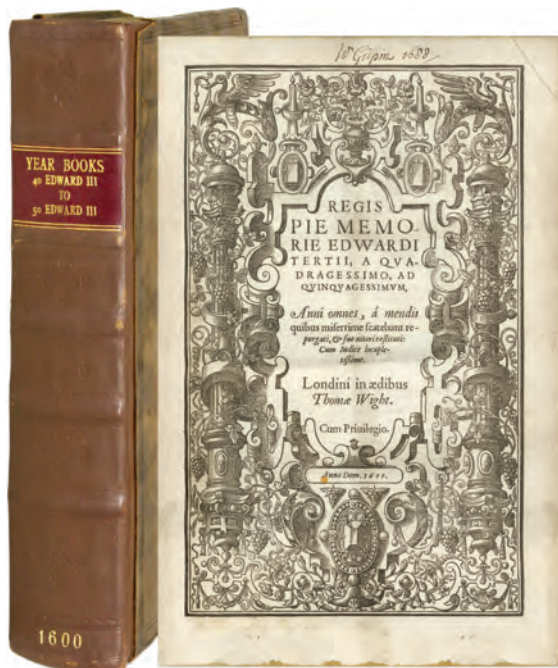
A Help to a National Reformation. Containing an Abstract of the Penal-Laws Against Prophaneness and Vice. (...) As Also, Some Considerations Offered to such Unhappy Persons as are Guilty of Prophane Swearing and Cursing, Drunkenness, And Uncleaness, And are Not Past Counsel. London: Printed and Sold by Joseph Downing, 1706. [xvi], 131, [1] pp. Includes one-page advertisement leaf. Copperplate portrait frontispiece (of Queen Anne). Octavo (6-1/2" x 4-1/2").

Contemporary sheep, blind rules to boards, blind fillets to joints, raised bands to spine, speckled edges,

recent repairs to spine ends and corners. Some rubbing to extremities, minor scuffing to boards, chip to foot of spine, crack in text block between frontispiece and title page, front endleaves and part of rear free endpaper lacking, small shelf label to front pastedown. Light toning to text, faint dampstaining to lower corners of some leaves at rear of text, internally clean. \$650.

Fifth edition, "With Great Additions." First published in 1700, this book reflects the eighteenth-century movement to reform manners and morals, one of the more enduring legacies of the Enlightenment. OCLC locates 3 copies of this edition in North American law libraries (Harvard, University of Pennsylvania, UVA). ESTC N8116.

ANNOTATED THROUGHOUT BY A SEVENTEENTH-CENTURY READER



134. [Year Book].

Edward III.

Regis Pie Memorie Edwardi Tertii a Quadragesimo, Ad Quingagesimum, Anni Omnes. (...) Cum Indice Locupletissimo. London: In Aedibus Thomae Wight, 1600. 49, 2-31, 26, 36, 2-46, 2-28, 2-34, 2-26, 34, 27, 27, [26] ff. Folio (11" x 8").

Contemporary calf, blind rules to boards, rebacked, raised bands, lettering piece and blind ornaments to spine, endpapers renewed with marbled paper, lower corners repaired, ties lacking. Faint stains to boards, upper corners bumped and lightly worn. Title printed within woodcut architectural border, woodcut decorated initials. Light soiling to title page, signature of "W Gilpin" dated 1688 to head, annotations to margins in Gilpin's hand throughout text. A nice copy with annotations from the time of the Glorious Revolution. \$2,500.

Covers regnal years 40 to 50 of Edward III. With an index of cases, side-notes and cross-references to Brooke, Fitzherbert and other authorities. It is difficult to overestimate the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are of crucial primary sources for our knowledge of medieval common law. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present volume belongs to the so-called "Quarto Edition." Not a set in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. ESTC S116761. Beale R46.

**135. Zeulner, Johann.**

Examen Creandorum Notariorum. Nuremberg: Typis et Sumptibus Joannis Friderici Sartorii, 1620. [xii], 97, [1] pp.

[Bound with]

Knausten, Heinrich.

E Divi Iustiniani Imperatoris Institutionibus Erotemata Latinogermanica, In Legalis Militiae Tyronum Usus, Singulari Studio, Olim ab Aliis Collecta, Nunc Autem Denovo Recocta, Ac in Totem Recognita/Kurtze Fragen und Antwort, Latein und Teutsch Dagegen, Aus des Keyzers Justiniani Institutionen Gezogen. [Frankfurt: Bey Matthaeo Kempffern in Verlegung Vincentij Steinmeyers], 1628. [lxiv], 402, [14] pp.

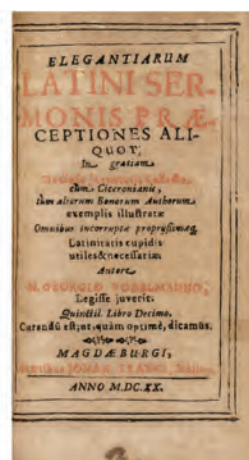
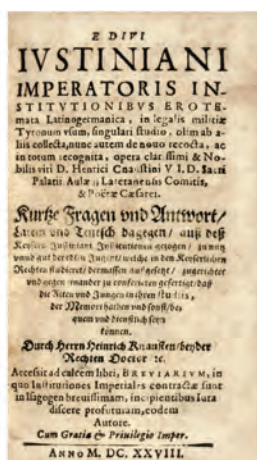
[And]

Vogelmann, Georg.

Elegantiarum Latini Sermonis Praeceptiones Aliquot. Magdeburg: Sumtibus Johan. Franci, Bibliop., 1620. [i], 161, [5] pp.

12mo. (5" x 3"). Contemporary vellum (using older manuscript leaf), hand-lettered title to spine. Light soiling, chipping to head of spine, corners bumped and lightly worn, front free endpaper lacking. Toning, light foxing in places, light browning to *Iustiniani*, heavier browning to *Elegantiarum* (not affecting legibility), minor worming, light soiling and early annotations and signatures to front pastedown title page of *Examen*. An appealing sammelband of three rare titles. \$1,500.

Examen: First edition; *Iustiniani*, *Elegantiarum*, later editions. This volume collects three books that would have been useful to a seventeenth-century German student training to become a notary. First published in 1620, *Examen Creandorum Notariorum* is a study guide for the examination given notarial candidates. *Iustiniani*, another study guide first published in 1569, is a highly abridged version of the *Institutes* of Justinian with a parallel German translation and study questions. First published in 1566, the final title is a handbook on eloquence and forensics based on a collection of exemplary passages from the speeches of Cicero and other Latin authors. Although all three were popular titles that went through several editions, OCLC locates very few in North America. VD17. *Iustiniani*, 547:698277U; *Elegantiarum*, 3:312833M; *Examen*, not recorded.



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PRINCIPAL INTERNET RESOURCES

Censimento Nazionale delle Edizioni Italiane del XVI Secolo (EDIT16)

http://edit16.iccu.sbn.it/web_iccu/ihome.htm

English Short-Title Catalogue (ESTC)

<http://estc.bl.uk>

Hollis (Online Catalogue of Harvard University)

<http://lib.harvard.edu>

Karlsruhe Virtueller Katalog (KVK)

<http://www.ubka.uni-karlsruhe.de/kvk.html>

LawCat (Online Catalogue of UC-Berkeley Law School)

<http://lawcat.berkeley.edu>

Library of Congress Online Catalogue

<http://catalog.loc.gov>

Online Computer Library Center (OCLC)

<http://www.oclc.org>

Short Title Catalogue Netherlands (STCN)

<http://www.kb.nl/stcn>

Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts (VD16) <http://www.vd16.de>

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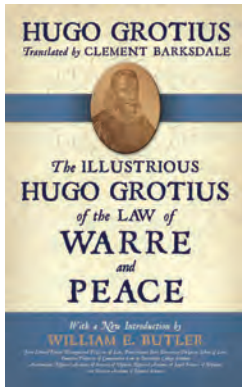
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William E. Butler, xii

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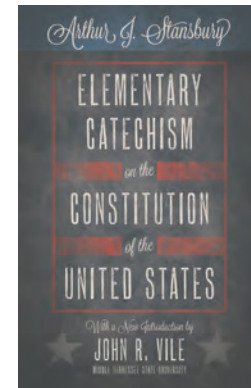
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John R. Vile, XIX-XX

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