

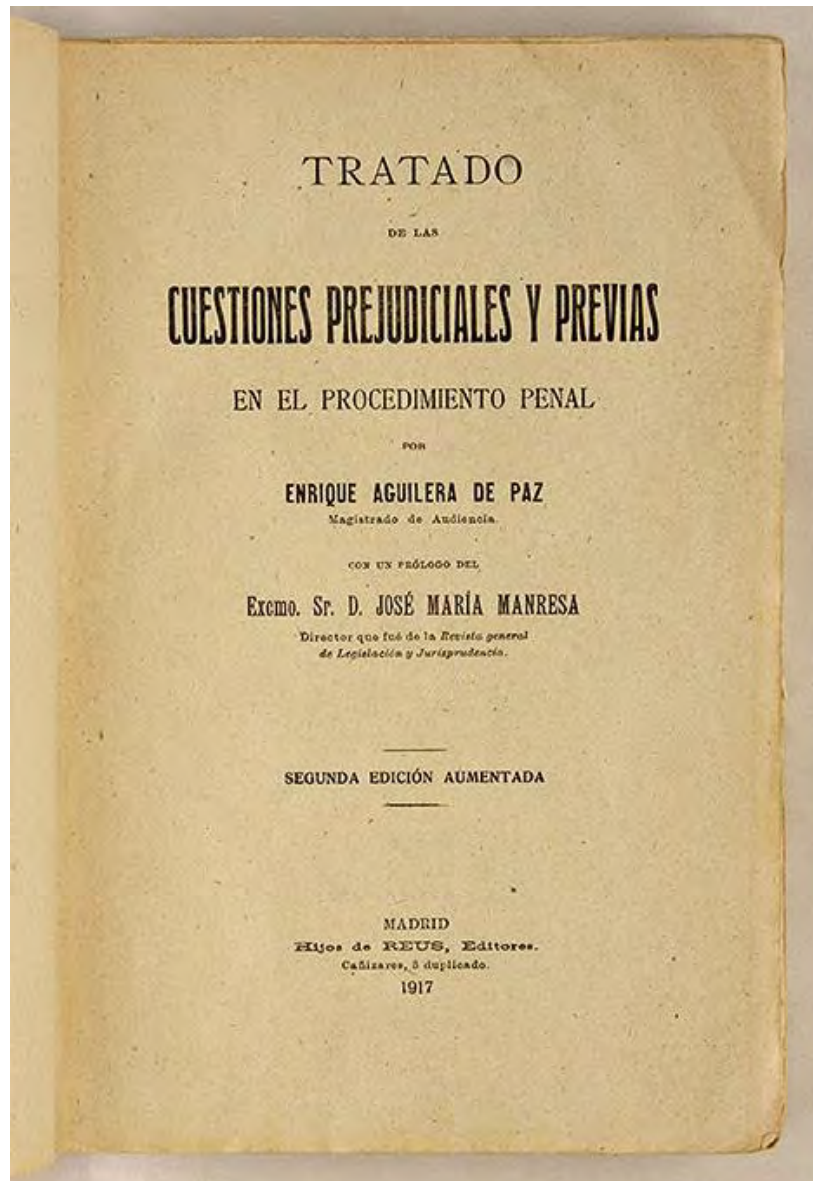
Spanish & Portuguese Law, 1667–1917

30 ITEMS

March 24, 2020



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**Scarce Spanish Treatise on
Prejudicial Actions in Criminal Law**

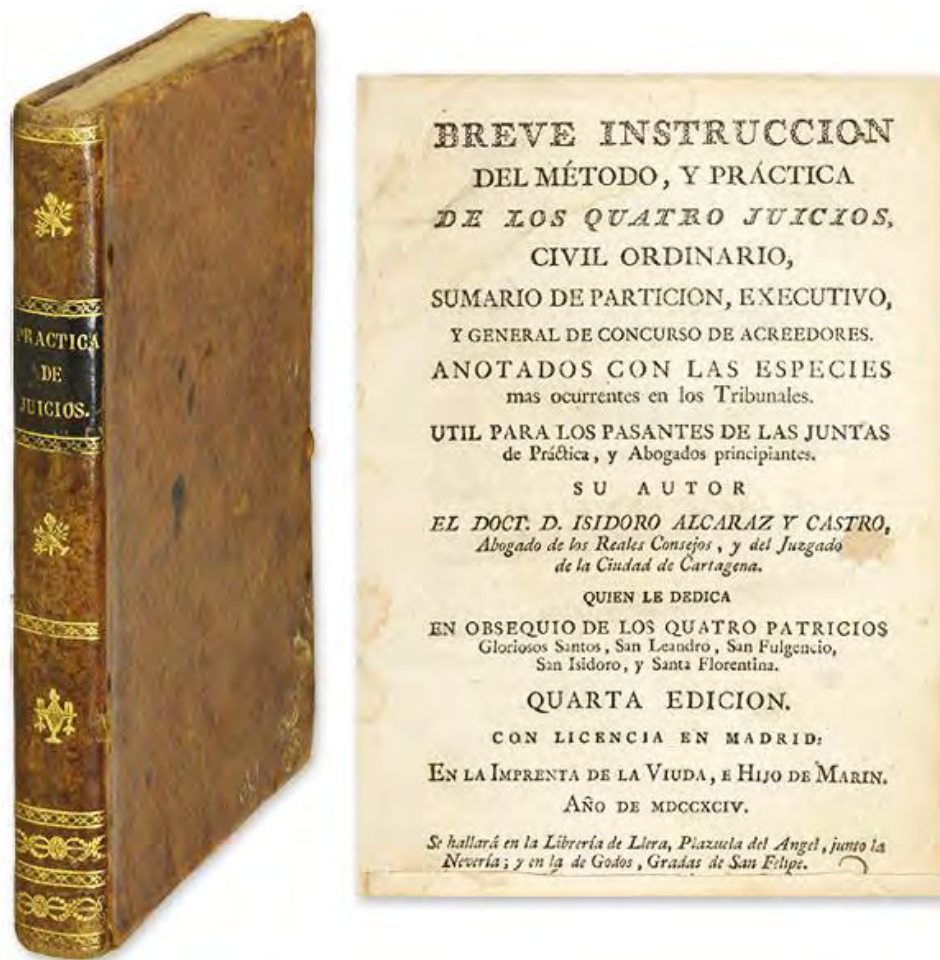
1. Aguilera de Paz, Enrique.

Manresa Navarro, José María [1818-1905], Preface.

Tratado de las Cuestiones Prejudiciales y Previas en el Procedimiento. Madrid: Hijos de Reus, 1917. xvii, 529 pp.

Original publisher wrappers, untrimmed edges, small bookseller price ticket to spine. A few minor stains, rubbing with some wear to spine ends, moderate browning to text, unopened signatures, small inkstamp to half-title. \$95.

* Second and final edition, enlarged. This treatise on prejudicial actions in Spanish criminal procedure was first published in 1904. OCLC locates no copies of the first edition in North American law libraries, 6 of the second (Columbia, Harvard, Library of Congress, Tulane, UC-Berkeley, Yale). [Order This Item](#)



Scarce Eighteenth-Century "Institutes" of Spanish Law

2. Alcaraz y Castro, Isidoro.

Breve Instruccion del Metodo y Practica de los Quatro Juicios, Civil Ordinario, Sumario de Particion, Ejecutivo, Y General de Concurso de Acreedores: Anotados con las Especies mas Ocurrentes en los Tribunales. Util Para los Pasantes de la Juntas de Practica, Y Abogados Principiantes. Madrid: En la Imp. de la Viuda, E Hijo de Marin, 1794. [xii], 271, [1] pp. Two parts in one volume with continuous pagination; the second part is titled: *Breve Instruccion del Metodo, Y Practica de los Quatro Juicios Criminales*. Quarto (8" x 6").

Contemporary sheep treated to look like tree calf, lettering piece, gilt fillets and gilt ornaments to spine. Some rubbing to extremities, a few minor scuffs and stains to boards, corners bumped, front endleaves lacking, about 1/4 inch trimmed from foot of title page. Toning, faint dampspotting in places, tiny dampstains to title page. Brief annotations to front pastedown and rear endleaf, interior otherwise clean. \$500.

* Fourth edition. Divided into two parts, each with four sections, this is an elementary textbook on Spanish law similar (in overall conception) to the *Institutes* of Justinian. In his preface Castro says his principal sources were Vela, Molina, Gregorio Lopez, Acevedo, Barbosa, Gutierrez, Rodriguez, Acosta, Parladorio and Antonio Gomez. First published in 1762, this book went through four more editions in 1770, 1781, 1794 and 1828. All are scarce and rarely found in North America. Of all editions, OCLC locates 5 copies, all of the 1781, two in law libraries (Harvard, Library of Congress). We also located a copy of the fifth edition at UC-Berkeley law library. [Order This Item](#)



Rare Portuguese Treatise on Water Law

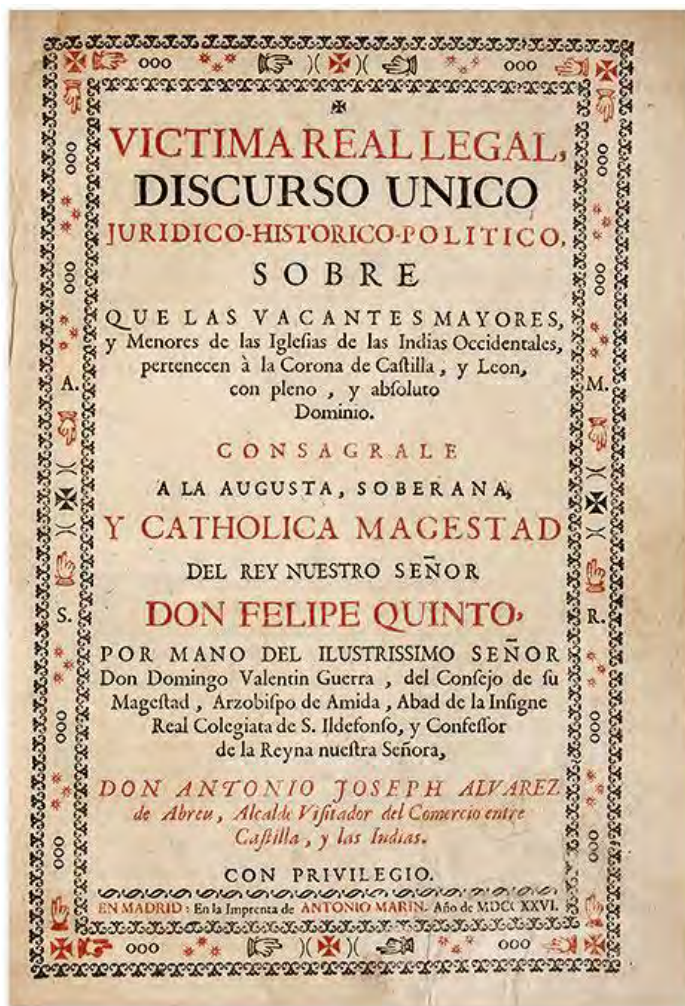
3. Almeida e Sousa de Lobao, Manuel de.

Tratado Prático e Compendiário das Águas dos Rios Públicos, Fontes Públicas, Ribeiros e Nascentes d'Ellas: Obra Apurada, Em que se Adopta o Mais Racionavel da Legislação Romana, Cortado o que Hoje é Reprovado Pelo uso Moderno das Nações. Com Dois Indices, Um dos Capitulos, Outro das Conclusões mais Notaveis e com Duas Dissertações Analogas Primeira Sobre as Águas Pluviaes Segunda Sobre as Águas Subterraneas. Lisbon: Imprensa Nacional, 1861. xxiv, 195 pp. Octavo (8" x 5-1/2").

Contemporary sheep treated to look like tree calf, lettering pieces and gilt ornaments to spine, marbled endpapers. A few shallow scuffs to boards, some rubbing to extremities with wear to spine ends and corners, front joint starting at ends, boards somewhat bowed, rear hinge cracked but secure, small worm hole to front free endpaper and title page. Some toning to text, light foxing to a few leaves. Early owner name to fore-edge of text block, internally clean. Ex-library. Fragment of shelf label to spine, fragment of bookplate to front free endpaper. A solid copy of a rare title. \$1,250.

* This appears to have been a respected work. It was cited by jurists in Portugal and Brazil and reprinted in 1911. It is quite rare today, however. OCLC locates one copy in North America (at Yale Law School). Other copies located at UC-Berkeley Law School and Harvard Law School, which has the 1911 edition. Not in the *British Museum Catalogue*.

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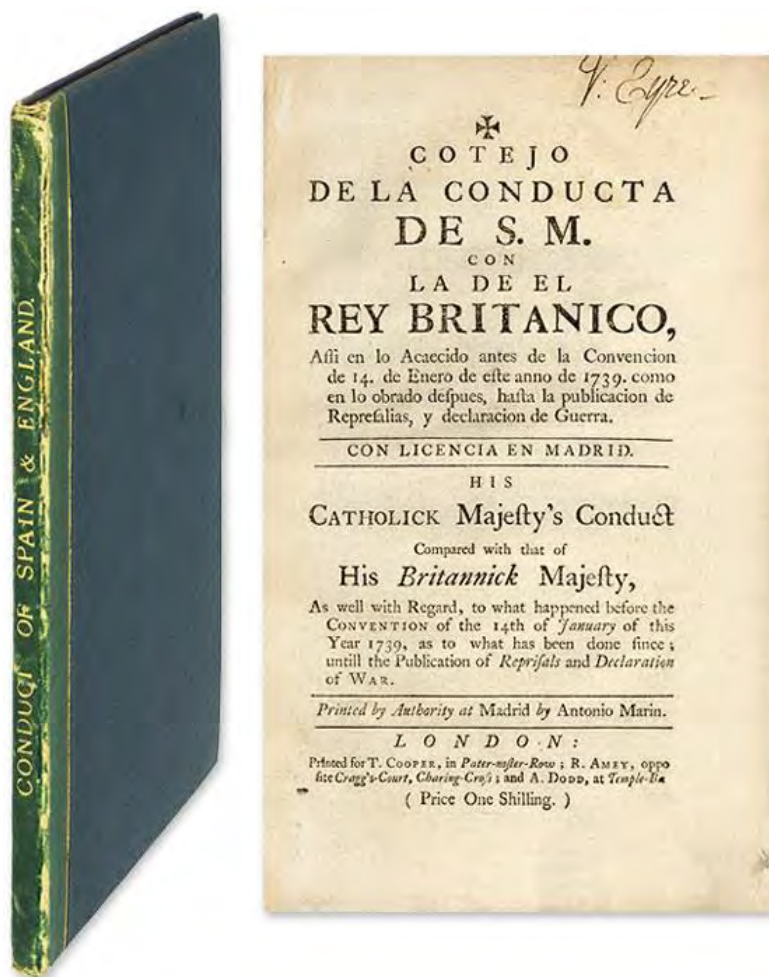
An Influential Spanish Work Addressing the Relationship Between Church and State

4. Alvarez de Abreu, Antonio [1683-1756].

Victima Real Legal, Discurso Unico Juridico-Historico-Politico, Sobre que las Vacantes Mayores, Y Menores de las Iglesias de las Indias Occidentales, Pertencen a la Corona de Castilla, Y Leon, Con Pleno, Y Absoluto Dominio. Madrid: En la imprenta de Antonio Marin, 1726. [xl], XXIV, [8], 365, [27] pp. Folio (11-1/4" x 8").

Contemporary flexible vellum, fragments of thong ties, faint early hand-lettered title to spine. Light rubbing and a few minor scuffs and stains to boards, moderate rubbing to extremities with some wear to spine ends, pastedowns beginning to detach, front hinge cracked. Title printed in red and black within typographical border. Light toning to text, slightly heavier in places, early repair to hole near foot of title page with no loss to text. \$2,500.

* First edition. Abreu, a member of the Spanish nobility, spent much of his career as a colonial official and law professor in Caracas, Havana and Veracruz. Returning to Spain in his later years, he held a series of posts in the royal finance ministry. *Victima Real Legal* argues that rents and moneys accruing to vacant positions in the churches of the Spanish Empire belong to the king, a concept known as regalism. An influential work on church-state relations, it also addresses other topics, such as freedom of the seas, marriage, estates, war and hegemony. It had a second edition in 1769. Both editions of this work are scarce. OCLC locates 2 copies of the first edition in North American law libraries (Harvard, UC-Berkeley). Palau, *Manual del Librero Hispano-Americano* 9444. [Order This Item](#)



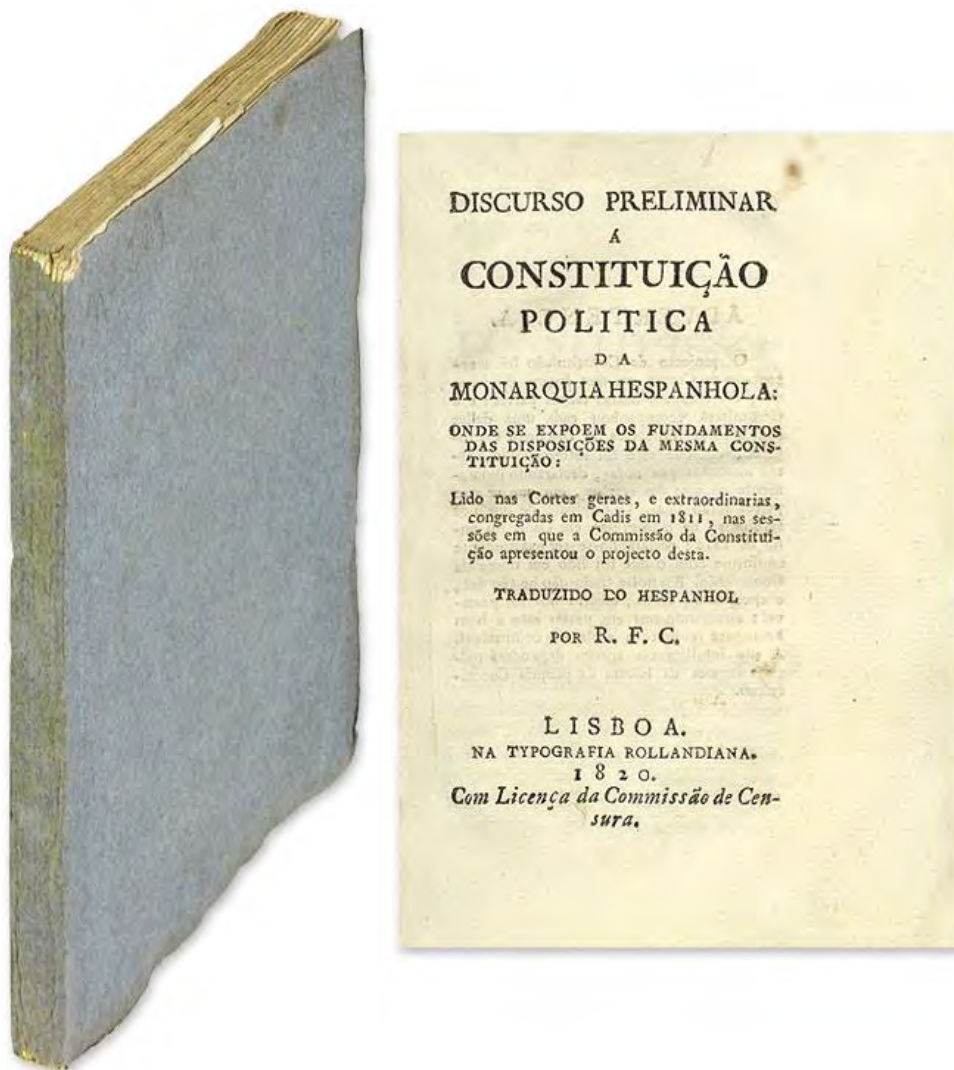
Relates to Events in the Americas

5. [Anglo-Spanish War].

Cotejo de la Conducta de S.M. Con la de el Rey Britanico, Assi en la Acaecido Antes de la Convencion de 14. de Enero de Este Anno de 1739 Como en lo Obrado Despues, Hasta la Publicacion de Represalias, y Declaracion de Guerra: Con Licencia en Madrid. His Catholick Majesty's Conduct Compared With That of His Britannick Majesty, As Well With Regard, To What Happened Before the Convention of the 14th of January of This Year 1739, As to What Has Been Done Since, Untill the Publication of Reprisals and Declaration of War: Printed by Authority at Madrid by Antonio Marin. London: Printed for T. Cooper, [1739]. 63 pp. Spanish text with English translation on facing leaves. Octavo (8" x 5").

Later quarter morocco over textured paper boards, gilt title to spine. Some rubbing to joints, corners lightly bumped, hinges just starting at ends. Discoloration to free endpapers, light toning to text, somewhat heavier in a few places. Early owner signature (Eyre) to head of title page, interior otherwise clean. \$1,250.

* Only edition. A legalistic analysis of Spanish claims advanced during the Anglo-Spanish War (1739-1748). Also known as the War of Jenkins' Ear (after the conflict's flashpoint), it related to Great Britain's exclusive right, granted by the Treaty of Utrecht at the end of the War of the Spanish Succession (1713), to ply the slave trade and sell other goods in Spain's American colonies. This war was eventually subsumed into the War of the Austrian Succession (1742-1748). The signature in this copy may be that of Sir James Eyre [1734-1799], the notable judge, later chief justice of the Common Pleas. Sabin, *A Dictionary of Books Relating to America* 17026. [Order This Item](#)



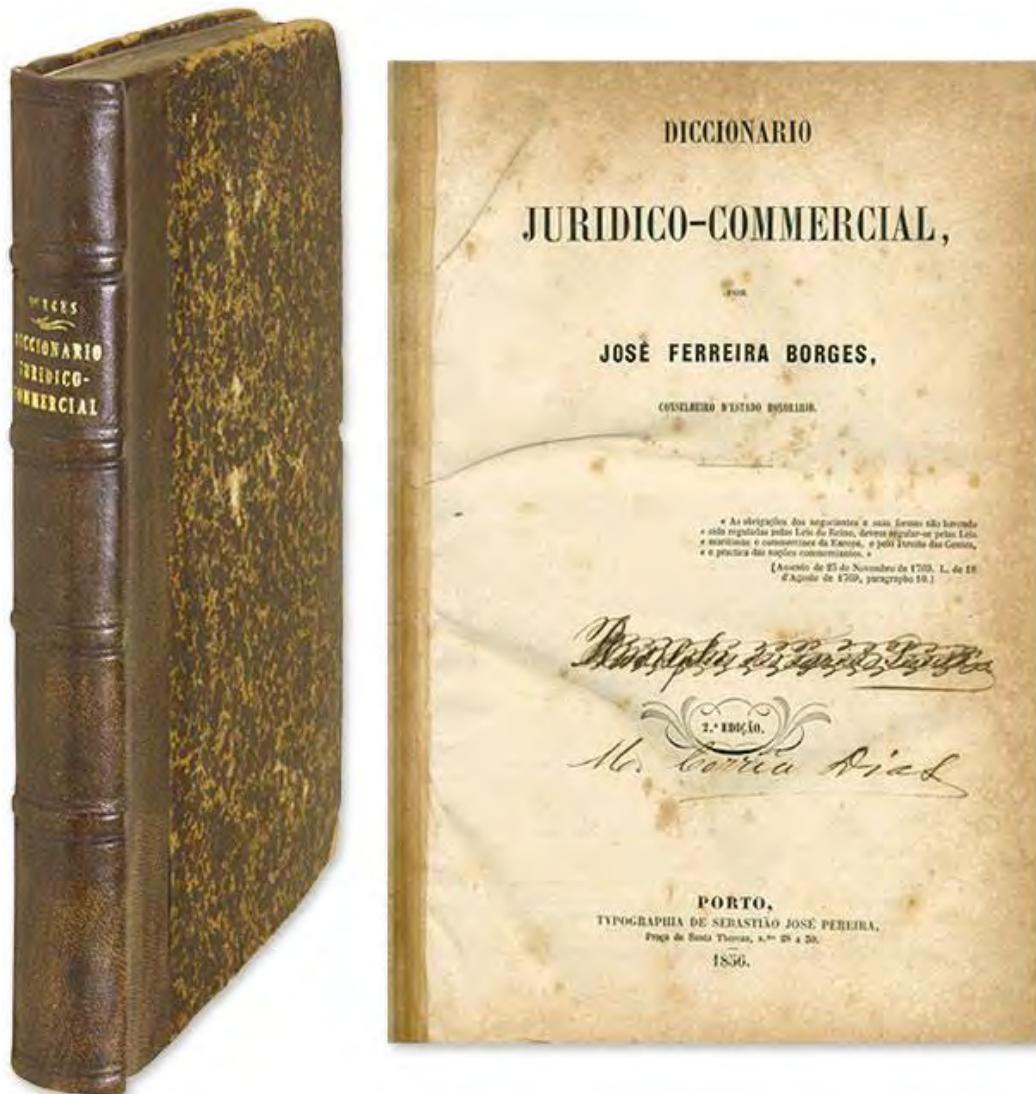
A Profound Influence in Spain, Portugal and Latin America

6. [Arguelles, Augustin de (1776-1844)].

Discurso Preliminar a Constituição Política de Monarquia Hespanhola: Onde se Expoem os Fundamentos das Disposicoes da Mesma Constituicao. Lido nas Cortes Geraes, E Extraordinarias, Congregadas em Cadis em 1811, Nas Sesses em Que a Commissao da Constituicao Apresentou o Projecto Desta. Traduzido do Hespanhol por R.F.C. Lisbon: Na Typografia Rollandiana, 1820. 157, [2] pp. Octavo (6-1/4" x 4-1/4").

Original plain paper wrappers, untrimmed edges, signatures unopened. Some wear to spine ends, internally fresh. \$650.

* First edition in Portuguese. Influential in Spain and Portugal, this essay on the Spanish constitution of 1812 was also a profound influence in Latin America. It was first delivered in 1811 before the Cortes that brought constitutional monarchy to Spain. This translation was prepared on the occasion of the revolution at Porto on August 24, 1820 that overthrew the regency and paved the way for the parliamentary deliberations that resulted in the Portuguese constitution of 1822. It also helped to inspire the Latin American independence movements of the 1820s. The identity of "R.F.C." is unknown. Arguelles was a Spanish statesman and diplomat. OCLC locates 2 copies (at Harvard Law School and the University of Kansas). Another copy located at the National Library of Portugal. [Order This Item](#)



Final Edition of a Rare Portuguese Commercial Law Dictionary

7. Borges, Jose Ferreira [1786-1838].

Diccionario Juridico-Commercial. Porto: Typographia de S.J. Pereira, 1856. viii, 423 pp. Main text in parallel columns. Quarto (8-1/2" x 6").

Recent period-style quarter calf over original marbled boards, raised bands and gilt title to spine, endpapers renewed. Slight rubbing to boards with moderate edgewear. Some toning to text, faint dampstaining to head of text block, light foxing in places. Early owner signature to title page, interior otherwise clean. \$350.

* Second and final edition. A highly regarded dictionary dealing with commercial law, commerce and political economy. According to the preface, it was intended to be a companion to the author's *Codigo Commercial Portuguez* (1836). It was originally published in 1839. Both editions of this dictionary are rare. OCLC locates 2 copies of the first in North American law libraries (Harvard, UC-Berkeley), 1 of the second (at the Library of Congress). *Catalogo da Livraria de Azevedo-Samodães* 1204. [Order This Item](#)



Important Spanish-Language Edition of the *Consolato del Mare*

8. [Consolato del Mare].

Pallejá, Cayetano de, Translator.

Consulado Del Mar de Barcelona, Nuevamente Traducido de Cathalan en Castellano por don Cayetano de Pallejá. Y Addicionado de los Autores que Tratan Cada uno de los Capítulos, En el qual se Contienen las Leyes, Y Ordinaciones de los Contratos de Mar, Muy Util, Y Provechoso para Todos los Mercaderes, Negociantes, Patrones, Y Marineros. Barcelona: En la Imprenta de J. Piferrer, 1732. [xvi], 199, [25] pp. Main text in parallel columns. Folio (11-3/4" x 8").

Contemporary vellum, faint early hand-lettered title and later blank paper shelf label to spine, fragments of thong ties. Light soiling and faint dampstaining to sections of boards and spine, front hinge partially cracked, vellum just beginning to crack through pastedowns. Moderate toning, somewhat heavier in places, occasional faint dampstaining to margins, light foxing and faint inkstains to edges of leaves in a few places, later owner stamp to title page and a few other pieces. \$1,500.

* First edition by Pallejá. A landmark in the development of maritime law, the *Consolato del Mare* is 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. Its circulation was widest in Italy, especially among the Venetians, but it was also influential in Western Europe. In addition to maritime law, it contains a great deal of information about the day-to-day operations of a ship and practical advice on seafaring. This work was first published in Barcelona in 1484 in Catalan. The first edition in Castilian (standard Spanish) was published in 1539. It was superseded by Pallejá's superior translation, which was the basis of later editions in Spanish. Palau, *Manual del Libro Hispano-Americano* 59534. [Order This Item](#)



Three Nineteenth-Century Cuban Titles Dealing With Mortgages

9. [Cuba].

Ley Hipotecaria de 21 de Diciembre de 1869. Que Empezara a Regir Desde 10. de Enero de 1880. Havana: Imprenta del Gobierno y Capitanía General por S.M., 1879. 102 pp. Folding table.

[Bound with]

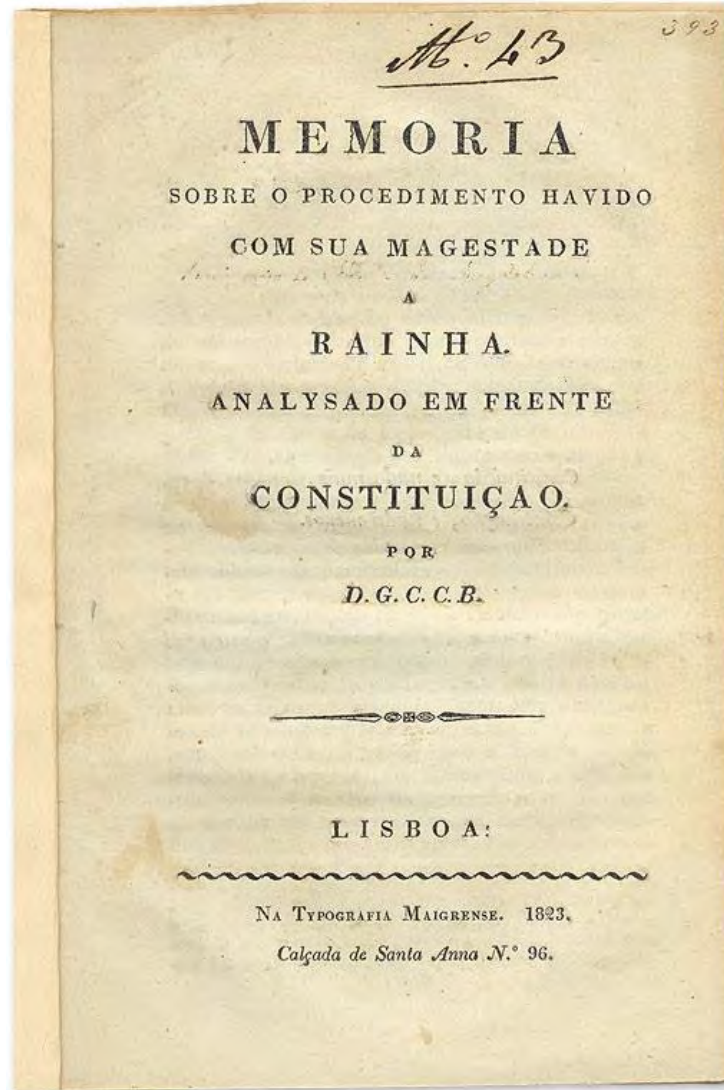
Reglamento General para la Ejecucion de la Ley Hipotecaria de la Isla de Cuba. Havana: Imprenta del Gobierno y Capitanía General por S.M., 1880. 151 pp.

[And]

Instruccion General Sobre la Manera de Redactar los Documentos Publicos Sujetos a Registro en las Islas de Cuba y Puerto-Rico. Havana: S.n., [1879]. xxxi pp.

Octavo (8" x 5-1/2"). Later buckram, red and black lettering pieces to spine, endpapers renewed, hinges reinforced with cloth. Some soiling and shelfwear, front joint just starting at head, a few small chips to edges of lettering pieces. Moderate toning, a bit heavier in places, occasional faint dampstaining to margins, a few minor tears to chart in *Ley Hipotecaria*, internally clean. Ex-library. Location label to spine, small inkstamps and annotations to title page. An appealing volume containing three very scarce titles. \$450.

* *Ley Hipotecaria*, only Cuban edition; *Reglamento General*, second and final edition of a work first published in 1879; *Instruccion General*, only edition. This volume collects three titles dealing with mortgages. These were published for lawyers and municipal officials. The folding table in *Ley Hipotecaria* is a list of real estate documents and the fees for preparing them. All three titles are very scarce. *Ley Hipotecaria* (Cuban edition): OCLC locates 4 copies, 2 in law libraries; *Reglamento General*: OCLC locates 2 copies, in a law library (Ohio State); *Instruccion General*: OCLC locates 2 copies, 1 in a law library (Harvard). [Order This Item](#)



A Monarch Rejects the Nation's Constitution

10. [Coimbra Botado, Duarte Gorjao da Cunha].

Memoria Sobre o Procedimento Havido com Sua Magestade a Rainha. Analysado em Frente da Constituiçao. Por D.G.C.C.B. Lisbon: Na Typografia Maigrense, 1823. 28 pp. Octavo (7-3/4" x 5").

Stab-stitched pamphlet in later marbled wrappers. Light rubbing and a few minor creases to extremities. Light toning and a few minor stains to interior, occasional (authorial?) corrections to text, early annotation to title page, later hand-lettered page numbers throughout, which indicates this pamphlet was once bound into a volume. A nice copy of a rare item. \$500.

* Only edition. The Liberal Revolution overthrew the regency and initiated a series of parliamentary deliberations that resulted in the Portuguese constitution of 1822. It remained in force until May 1823, when Joao VI renounced it. This pamphlet, critical of the monarch, analyzes the legal consequences of this action. OCLC locates 3 copies worldwide, 1 in a law library (Catholic University). [Order This Item](#)



Judicial Administration in Spain and Its Colonies, OCLC Locates No Copies in North America

11. Diaz Ufano y Negrillo, Jose.

Tratado Teorico-Practico de Materias Contencioso-Administrativas en la Peninsula y Ultramar, Con un Apendice Sobre el Modo de Sustanciar y Dirimir las Competencias Entre las Autoridades Administrativas y Judiciales. Madrid: Imprenta de Manuel Minuesa, 1866. xi, 408 pp. Octavo (8-1/2" x 5-1/2").

Contemporary tree calf, gilt ornaments and title to spine, marbled endpapers. Some rubbing to extremities, crack in text block between title page and following leaf. Moderate toning to text, internally clean. Ex-library. Shelf labels to spine, small inkstamp to title page, annotations to verso. \$150.

* Only edition. This treatise discusses procedure and other aspects of judicial administration in Spain and in its colonies (then Puerto Rico, Cuba, the Philippines and Guam). OCLC locates 5 copies, none in North America. *British Museum Catalogue* VII:249. [Order This Item](#)



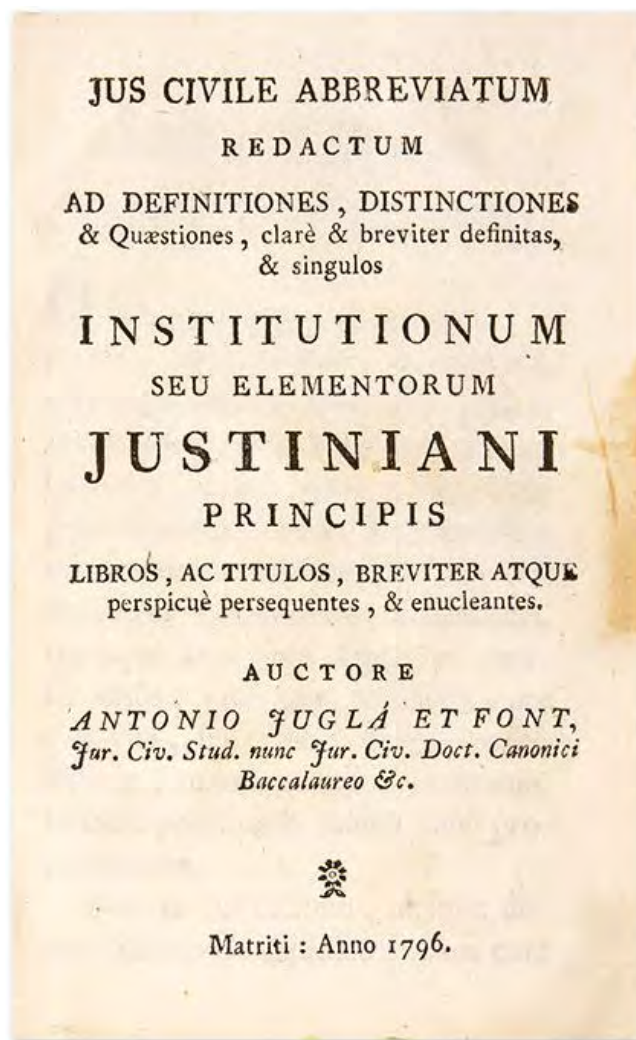
**Supports the Supremacy of the Crown
Over the Church in Spain's American Colonies**

12. Frasso, Pedro [1630-1691].

De Regio Patronatu Indiarum. Quaestiones Aliquae Desumptae et Disputatae, In Alia Quinquaginta Capita Partitae. Madrid: Ex Typographia Blasii Roman, 1775. Two volumes. [iv], 328, XC; [iv], CXIV, 383 pp. Main text in parallel columns. Folio (Volume I: 13-1/2" x 9"; Volume II: 13-1/4" x 9").

Contemporary limp vellum, early hand-lettered titles to spine, ties lacking from Volume II, which had renewed endleaves. Moderate rubbing and light soiling, a few minor chips to spines, corners bumped, wear to corners of Volume I, vellum just beginning to crack though its rear pastedown. Light toning to text, worming to a few sections of Volume II, mostly to margins and with negligible loss to text, light foxing to a few leaves in each volume, internally clean. Ex-library. Bookplates to front pastedowns. A handsome copy. \$1,250.

* Second and final 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 treatment of indigenous peoples was the source of tension between the Church and Crown. Both parties pursued colonial goals, but the Church was concerned about welfare of native people and attempted to ameliorate the effects of their exploitation by the Spanish government. The first edition was published in 1677-1679. Both editions are rare in the trade. OCLC locates 3 copies of the second edition in North American law libraries (Columbia, Harvard, UT-Austin). Medina, *Biblioteca Hispano-Americana* 4711. Palau, *Manual del Libro Hispano-Americano* 94685. [Order This Item](#)



Scarce Spanish Textbook on the *Institutes* with an Unusual Format

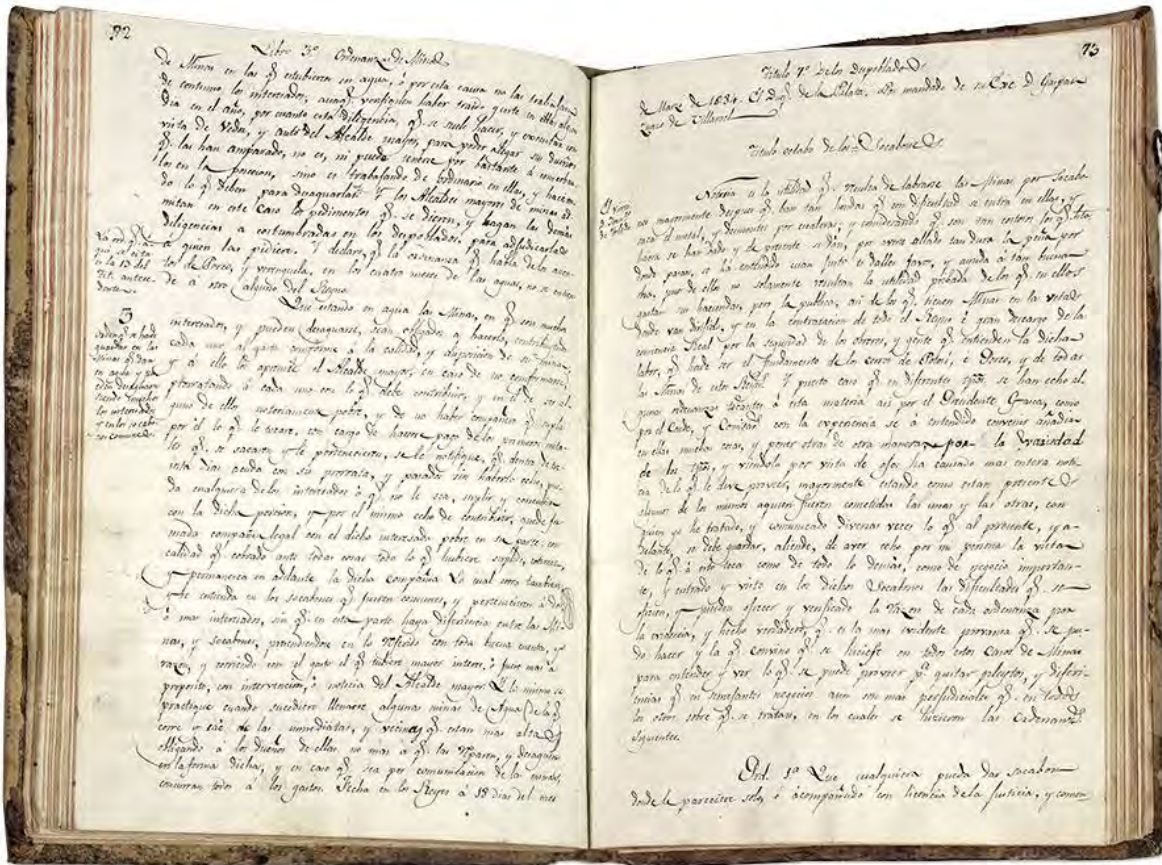
13. Jugla y Font, Antonio.

Jus Civile Abbreviatum Redactum: Ad Definitiones, Distinctiones & Quaestiones, Clarè & Breviter Definitas, & Singulos Institutionum, Seu Elementorum Justiniani Principis Libros, Ac Titulos, Breviter Atque Perspicuè Persequentes, & Enucleantes. Madrid: [S.n.], 1796. [viii], [vi], 178 pp. Octavo (5-3/4" x 3-3/4").

Contemporary tree calf, gilt fillets and lettering piece to spine, Light wear to corners, chipping to spine ends, front hinge starting, early owner bookplate, signatures and doodles to front free endpaper (with a bit of offsetting to pastedown). Light foxing, light toning to text, discoloration to text in a few places, faint dampstaining to a few leaves. An attractive copy. \$250.

* Third and final edition. First published in 1775, this is a textbook on Roman law based on the *Institutes* of Justinian. Each section is condensed into a few sentences arranged as a series of questions and answers. In many cases, these are followed by references. OCLC locates 1 copy of the first edition in North America (at the Library of Congress), 4 copies of the 1796 edition (UC-Berkeley Law School, University of Colorado Law School, Vanderbilt University, Yale Law School). Another copy dated 1785 located at Harvard Law School. Palau, *Manual del Librero Hispanoamericano* 125857.

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An Important Edition of Colonial-Era Peruvian Mining Laws

14. [Manuscript].

[Toledo, Francisco de (1515-1582)].

Ordenanzas de Minas del Peru, Tomo Primero y Unico. Peru?, c. 1678. 183, [10] pp. Folio (12" x 8").

Contemporary tree sheep, "Ordenanza del Perú" in bold early hand to front board, thong ties, catches lacking. Moderate rubbing and light scuffing to boards and extremities, spine ends and corners bumped, hinges cracked. Moderate toning to interior, faint stains to a few leaves. A fair copy, with a title page and index, in an elegant secretarial hand, text to rectos and versos of all but a few leaves. \$3,500.

* The Spanish conquest of Peru opened a new era in mining. At first, the intense exploitation of its vast mineral wealth was regulated by a patchwork of pertinent laws from *Las Siete Partidas* and other sources. It was soon discovered that these laws were not flexible enough to address local conditions, most notably the use of indigenous labor. Over time Spanish laws were supplanted by viceregal decrees and orders. In 1574, Viceroy Francisco de Toledo organized these provisions into a body of *Ordenanzas* that was approved by King Phillip II. Known as the *Ordenanzas de Toledo*, these circulated as manuscript copies. Later copies carry additions of later viceroys; the latest entry in our copy is dated 1678. An official updated edition was issued in 1683. This was followed by first printed edition of mining laws in 1783 (which applied to all of New Spain). Intended for a small circle of users, few of Peruvian manuscript editions were produced. (It was not cost-effective to print these works.) Few copies exist today. We did not locate any copies in the auction databases or on OCLC. For a background history see Clagett, *A Guide to the Law and Legal Literature of Peru* 127. [Order This Item](#)



Valuable Guide to an Important Portuguese/Brazilian Code

15. Mendes de Almeida, Candido, Editor.

Auxiliar Juridico Servindo de Appendice a Decima Quarta Edicao do Codigo Philippino, Ou Ordenacoes do Reino de Portugal, Recopiladas por Mandado de El-Rey D. Philippe I, A Primeira Publicada no Brazil. Obra Util aos que se Dedicao ao Estudo do Direito e da Jurisprudencia Patria. Rio de Janeiro, 1869. ix, [2] 835 pp. Half-title lacking. Main text in parallel columns. Octavo (10-1/4" x 6-1/2").

Later buckram, red and black lettering pieces to spine, endpapers renewed, hinges reinforced with cloth. Some soiling, light shelfwear, fading to sections of boards, a few small chips to edges of lettering pieces. Light toning, somewhat heavier in places. Title page mounted, repairs to margins of a few leaves, dampstaining, edgewear and soiling in a few places, internally clean. Ex-library. Shelf label to spine, small inkstamps and annotations to title page. A solid copy of a scarce title. \$500.

* Only edition. The *Ordenacoes Philippinas*, or *Codigo Philippino*, was promulgated by King Philip II in 1603. Originally the civil law of Portugal and Brazil, parts of it remained in force in Brazil until 1917. Mendes de Almeida, an eminent jurist, edited the definitive edition of the *Codigo* (1870). The *Auxiliar Juridico* is a companion volume offering valuable philological, historical, and textual notes. It is a valuable guide. A facsimile reprint was published in Portugal in 1985. Both the original title and the reprint are very scarce. OCLC locates 5 copies of the original worldwide, 2 in North America (at Harvard Law School and Vanderbilt University). Borchard, *Guide to the Law and Legal Literature of Argentina, Brazil and Chile* 230-231. [Order This Item](#)



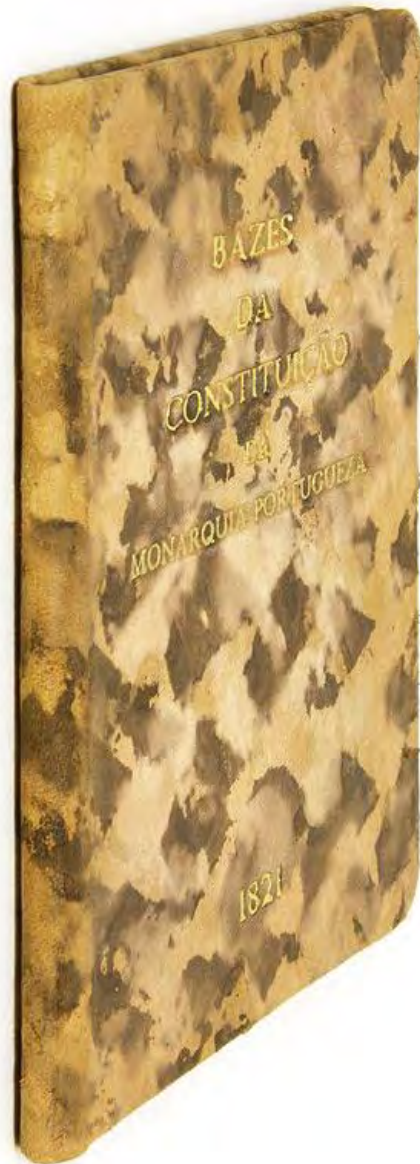
Rare Portuguese Treatise on Administrative Law

16. Navarro de Paiva, Jose Cunha.

Manual do Ministerio Publico: Repertorio Alfabeticos da Legislaçao Diplomas do Governo, Circulares de Execucao Permanente dos Procuradores Regios das Relacoes de Lisboa, Porto e Acores, Officios do Procurador Geral da Coroa, Jurisprudencia e Doutrina Relativas a Assumptos 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. [Order This Item](#)



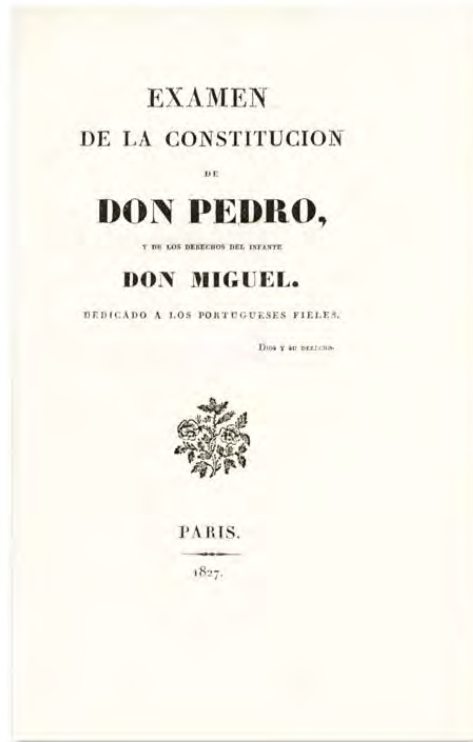
The "Bases" of Portugal's Constitution

17. [Portugal].

Bazes da Constituição da Monarquia Portuguesa. Com Licença da Comissão de Censura. Lisbon: Na Typografia de J.F.M. de Campos, 1821. 23 pp. Octavo (5-1/2" x 3-1/2").

Recent mottled sheep, gilt title to front board, endpapers renewed. Light rubbing to spine and corners, moderate toning to text, faint dampstains to a few leaves, internally clean. \$350.

* Only edition. The Liberal Revolution overthrew the regency and initiated a series of parliamentary deliberations that resulted in the Portuguese constitution of 1822. Written to influence the constitution's authors, this contemporary pamphlet by an anonymous (royalist) author offers proposals for the monarchy's role. This is a rare title. No copies located on OCLC. [Order This Item](#)



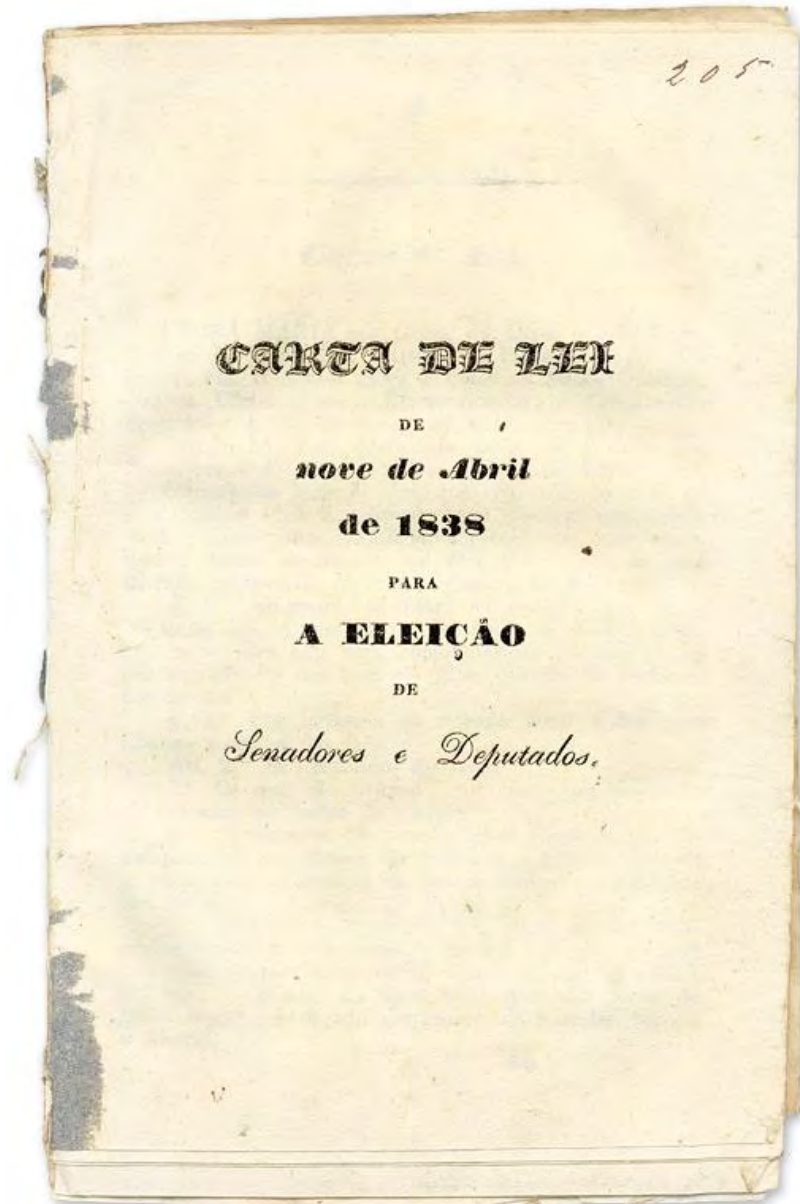
The Complicated Question of the Portuguese Succession, 1826-1827

18. [Portugal]. [Bordigne, Comte de].

Examen de la Constitucion de Don Pedro, Y de Los Derechos del Infante Don Miguel. Dedicado a Los Portugueses Fieles. Paris: [s.n.]. 1827. 195 pp. Octavo (8-1/2" x 5-1/2").

Original plain publisher wrappers, untrimmed edges. Some edgewear, light rubbing to wraps, moderate wear to spine, binding lightly cocked. Light browning to near top-edges of a few leaves at beginning of text, interior otherwise fresh. \$350.

* This is a Spanish translation of Bordigne's *Examen de la Constitution de Don Pedro, et des Droits de Don Miguel* (1827). Also published as part one of his *Legitimite Portugaise* (1827), it examines the Portuguese succession in 1826-27. This was a case that raised several questions of legitimacy, constitutionality and nationality. In 1807 Napoleon compelled the Portuguese monarchy to flee to its colony of Brazil, which then became, by decree, the capital of the United Kingdom of Portugal, Brazil, and the Algarve. In 1816 Joao VI returned to Portugal and demoted Brazil to colonial status. His eldest son, Pedro I, remain in Brazil, sided with its independence movement and declared himself emperor when independence was achieved. Pedro ruled Brazil until 1831, then abdicated to return to Portugal to help his daughter achieve the throne. Pedro I of Brazil became King of Portugal as Pedro IV (1826). Since no one wanted to re-establish the union of Portugal and Brazil Pedro abdicated the Portuguese throne in favor of his daughter Maria II da Gloria, then seven years old. Pedro's brother Miguel was to act as Regent and marry Maria when she came of age. Miguel instead proclaimed himself king and repudiated the liberal constitution granted by Joao VI. Maria was forced into exile. Her father Pedro returned from Brazil, and from the Azores waged a successful campaign against Miguel, who was defeated and exiled in 1834. This Spanish edition is not in the *British Museum Catalogue*, which lists editions in French and Portuguese. OCLC locates 1 copy in North America (at the Catholic University of America). [Order This Item](#)



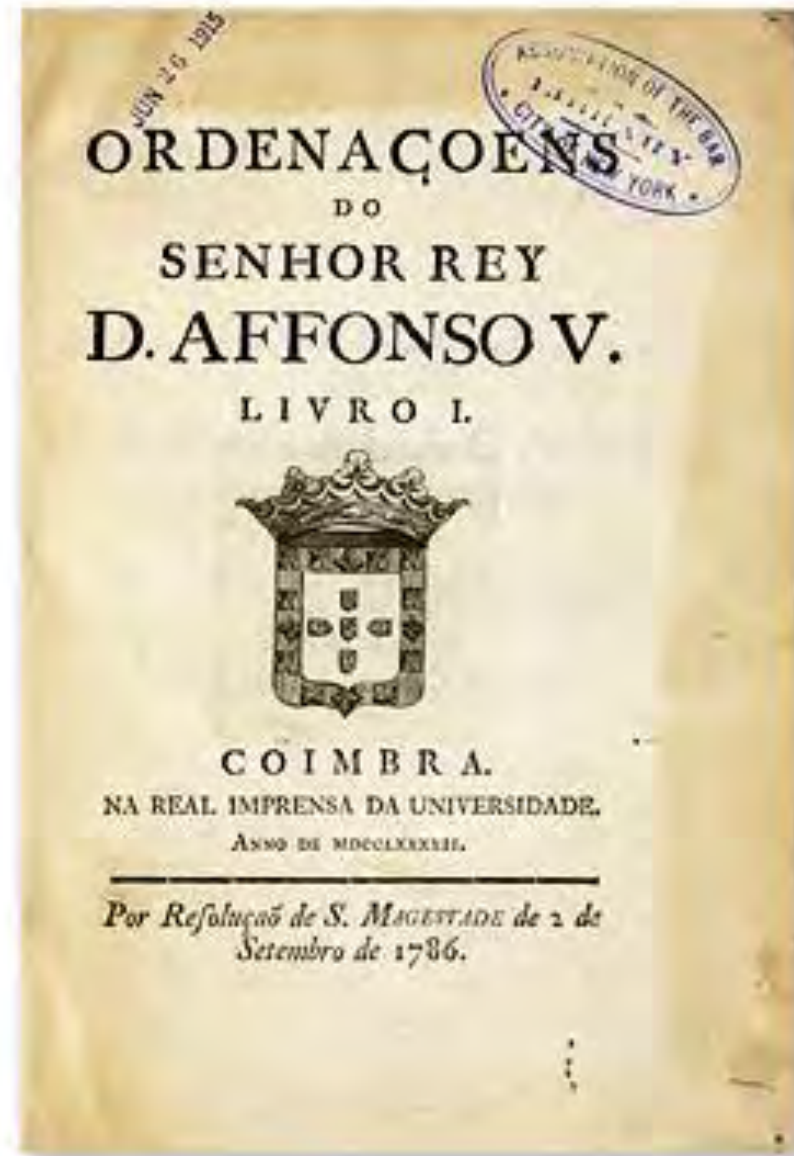
Revision to Portugal's Election Laws

**19. [Portugal]
[Election Law].**

Carta De Lei De Nove De Abril De 1838 Para E Eleicao de Senadores E Deputados [Half-title]. [Porto: Imprensa Constitucional, 1838]. 33 pp. Folding table.

Disbound stab-stitched pamphlet. Light toning, foxing to a few leaves, early hand-lettered page numbers to upper corners of leaves. \$75.

* The Portuguese law of 1838 governing national elections, containing 92 articles, with numerous statistical tables relating to district representation. [Order This Item](#)



Scarce 1786 Portuguese Compilation of Royal Decrees

20. [Portugal].

Ordenações do Senbor Rey D. Affonso V. Coimbra: Por Resolucao de S. Masgestade de 2 de Setembro de 1786. Five volumes. Quarto (8" x 5-3/4").

Contemporary calf, lettering pieces and gilt-edged raised bands to spine. Moderate rubbing to extremities, some chipping to spine ends, corners bumped, front joints cracked or starting, a few hinges starting as well. Light toning to text, somewhat darker in places, minor worming in a few places, internally clean. Ex-library. Location labels to spines, stamps to title pages, annotations to their versos. A solid set. \$350.

* First edition. Bibliographically independent, this is a component of the *Collecao da Legislaçao Antiga e Moderna do Reino de Portugal*, a complete collection of the laws in force. *Ordenações* was updated and reissued in 1792. Both are scarce. OCLC locates 2 complete sets (in the British Library). [Order This Item](#)



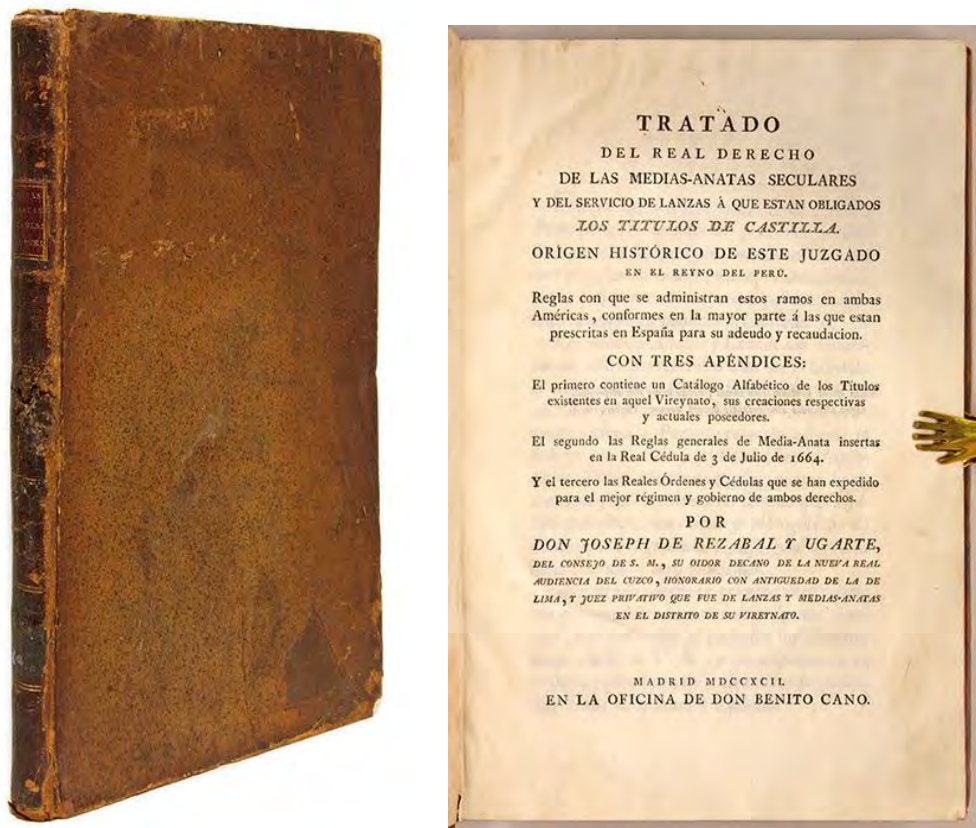
The Legal Arguments that Led to the War of Devolution

21. [Ramos Del Manzano, Francisco (1604-1683)].

Respuesta de España al Tratado de Francia Sobre las Pretensiones de la Reyna Christianissima Año M.DC.LX.VII. [Antwerp or Madrid]: N.p., 1667. [x], 285 fols. Copperplate pictorial title page. Folio (12" x 8").

Contemporary vellum, gilt frames to boards, lettering piece and gilt ornaments to spine. Some rubbing and soiling, chipping to spine along front joint, chipping to edges of lettering piece, boards slightly bowed. Minor worming to front hinge, interior otherwise fresh. Ex-library. Small embossed stamp to title page and seven additional leaves at rear. A handsome copy. \$1,800.

* This appears to be the only edition of a set of legal arguments refuting France's attempts to lay claim to portions of the Spanish Netherlands. "Louis's claims to the Spanish Netherlands [in 1667] were tenuous. His wife, Maria Theresa, the daughter of Philip IV, had renounced her rights of a Spanish inheritance in return for a large dowry at the time of her marriage. The dowry had yet to be paid, however. When Philip died in 1665, Louis' lawyers justified Louis's possible claims by arguing that, while Spanish laws of succession meant the throne of Philip IV would pass to his son Charles II, ancient laws of Duchy of Brabant ruled that the Spanish Netherlands could 'devolve' to Philip's daughter from his first marriage, Louis's wife." (Wikipedia). Spain's refusal to acquiesce to Louis's demands led to the War of Devolution (1667-68). Francisco Ramos del Manzano was a lawyer, an eminent professor of law at the University of Salamanca and archdeacon of Malaga. He was a lawyer in the Council of Castile during reign of Felipe IV and was an instructor to Carlos II. The *New Catholic Encyclopedia* says he was "among the illustrious writers of treatises in the 16th and 17th century" and that he enjoyed "high prestige in the most distinguished circles of Europe." Peeters-Fontainas suggests this book was printed in Brussels while Palau says Antwerp. The copies listed on OCLC suggest Madrid. 4 copies located in the United States: UC Berkeley, UC Bancroft Library, Ransom Library and the Newberry Library. *New Catholic Encyclopedia* VIII 551. Palau, *Manual del Librero Hispanoamericano* 247905. Peeters-Fontainas, *Bibliographie des Impressions Espagnoles des Pays-Bas Meridionaux* 1098. [Order This Item](#)



**Scarce 1792 Treatise on Taxation
And Inheritance Laws in the Viceroyalty of Peru**

22. 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. Reglas con Que se Administran Estos Ramos en Ambas Americas, Conformes en la Mayor Parte a las que Estan Prescritas en Espana Para su Adeudo y Recaudacion. Con Tres Apendices: El Primero Contiene un Catalogo Alfabético de los Titulos Existentes en Aquel Vireynato, Sus Creaciones Respectives y Actuales Poseedores. El Segundo las Reglas Generales de Media-Anata Insertas en la Real Cedula de 3 Julio de 1664. Y el Tercero las Reales Ordenes y Cedula que se Han Expedido Para el Mejor Regimen y Gobierno de Ambos Derechos. Madrid: Oficina de B. Cano, 1792. [xvi], 252 pp. Folding table. Folio (12" x 8").

Contemporary speckled sheep, lettering piece and gilt fillets to spine, rouged edges, ribbon marker, marbled endpapers. Light rubbing and a few scuffs to boards, heavier rubbing to extremities, some chipping spine ends, insect damage near center of spine, corners bumped and somewhat worn, joints just starting at ends, front hinge partially cracked, early owner bookplate to front pastedown, light toning to interior. An attractive copy. \$1,500.

* Only edition. Written by a distinguished senior judge and legal scholar in Cusco, this is a treatise on inheritance law in the Viceroyalty of Peru. It includes a history and overview of Peru's court system with comparisons to the Spanish courts and a detailed catalogue of all Spanish titles of nobility in Peru. It also provides 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 and is included in the CD-ROM collection *Textos Clasicos de Literatura Juridica Indiana* (Madrid, 1999). OCLC locates 14 copies, 12 in North America, 2 in a law library (Library of Congress, UC-Berkeley). Palau, *Manual del Librero Hispanoamericano* 265986. [Order This Item](#)



Scarce Nineteenth-Century Spanish Treatise on Water Law

23. Ros Biosca, Jose Maria.

Novisima Legislacion de Aguas: Leyes de 13 de Junio de 1879 (Sobre las Aguas Terrestres) y 7 de Mayo de 1880 (Sobre las Aguas del Mar Puertos) Concordadas con la de Aguas de 3 de Agosto de 1866 y Decretos Sobre Puertos de 17 de Diciembre de 1851 y de Enero de 1852. Anotadas con las Disposiciones de Otras Leyes que les Son Aplicables, Sentencias del Tribunal Supremo, Decisiones del Consejo de Estado, Resoluciones Administrativas, Motivos y Observaciones; Y Seguidas de un Extenso Apendice que Contiene mas de 50 Importantes Piezas Legales, Entre Ellas la Ley y Reglamento de Canales y Pantanos de Riego y la Legislacion de Colonias Agricolas con la Instruccion de los Expedientes de Exencion de Tributos a los Riegos y Artefactos y Aprovechamientos de Aguas, Y una Indicacion de las Disposiciones Sobre las Mismas, Contenidas en Nuestra Antigua Legislacion General y Foral. Valencia: Libreria de Pascual Aguilar, Editor, 1882. xxi, 552, [12] pp. Tables. Octavo (7" x 4-1/2").

Contemporary sheep treated to resemble tree calf, lettering piece and gilt ornaments to spine, marbled endpapers. Moderate rubbing to extremities, a few minor scuffs to boards, front hinge cracked. Moderate toning to text, light foxing in a few places. Early owner stamps to front endleaf and title page, interior otherwise clean. Ex-library. Location label to spine, small inkstamp to title page, stamps and annotations to verso. A nice copy of a rare title. \$100.

* Only edition. This comprehensive treatise addresses "agua en sus varios estados, en sus numerosos usos," including inland navigation, irrigation and coastal trade. OCLC locates 4 copies, 1 in North America (at Harvard Law School).

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Criminal Procedure in Nineteenth-Century Spain

24. Ruiz y Rodriguez, Hermenegildo Maria.

Tratado General de Procedimientos Criminales, O, Exposicion de las Reglas que Deben Observarse en la Sustanciacion de los Juicios Para la Averiguacion y Castigo de los Delitos y Faltas. Madrid: Imprenta de la Revista de Legislacion, 1877-1878. Two volumes. xxxviii, 585, [1]; 929, [2]; 32. Includes 32-page publisher catalogue. Octavo (8-1/2" x 6").

Contemporary tree calf, lettering pieces and gilt ornaments to spines, marbled endpapers. Moderate rubbing to extremities, chipping to head of spines, corners bumped and somewhat worn, hinges cracked, front free endpaper of Volume II partially detached. Moderate toning to text, internally clean. Ex-library. Residue from location labels to spines, small inkstamps to preliminaries. \$100.

* Only edition. This scarce treatise is an excellent Guide to mid-nineteenth century Spanish criminal procedure. It was published at an interesting juncture in Spain's political history: the first years of the Restoration that followed the collapse of the First Spanish Republic in 1874. This title was issued as a two-volume set. An appendix volume was added in 1880. OCLC locates 1 copy in North America (at the LA County Law Library). Not in the *British Museum Catalogue*.

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An Important Analysis of Spanish Colonial Law

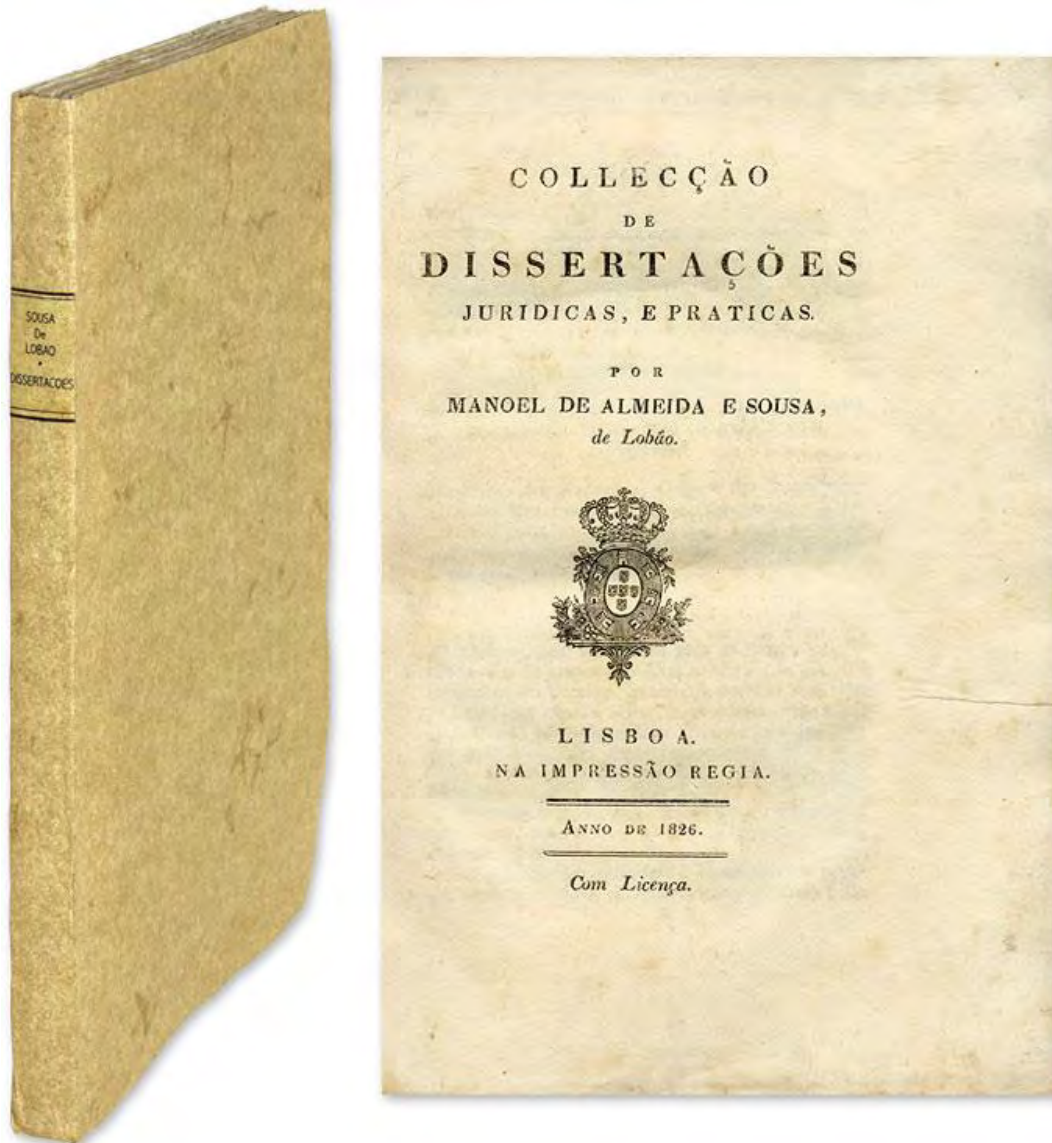
25. Solorzano Pereira, Juan de [1575-1655].

De Indiarum Jure. Sive de Justa Indiarum Occidentalium Inquisitione, Acquisitione, & Retentione. Cum Duplici Indice, Primo Librorum & Capitulo; Altero Rerum Notabilium Absolutissimo. Editio Novissima ab Innumeris, Quibus Priores Deformatae Erant, Mendis Emaculata, opera et Studio. Madrid: In Typographia Regia, Vulgo de la Gazeta, 1777. Two volumes. [xviii], 431, [73]; [xii], 272, 275-896, 128 pp. Main text in parallel columns. Folio (11" x 8").

Contemporary mottled sheep, gilt spine with raised bands and lettering piece, marbled endpapers, edges rouged. Moderate rubbing to extremities with wear to board edges and corners, some shallow scuffs to boards, chipping to spine ends of Volume II, hinges starting. Light toning to text, cello tape repair to upper corner of pp. 255-56 of Volume II. Early owner signature to half-title of Volume I and title page of Volume II, interiors otherwise clean. Ex-library. Location labels to spine, small inkstamps to title pages, a few other markings in faint pencil. An attractive copy. \$1,950.

* Final edition. First published in 1629, with a second volume in 1639, this important analysis of Spanish colonial law was written by a Spanish jurist who served as a judge of the high court at Lima. Married to the Creole daughter of the governor of Cuzco and resident in Peru for eighteen years, he acquired an unparalleled knowledge of the law and history of the Indies. According to Gongora, his treatise is the "most systematic juridical formulation of the problems of legitimisation of dominion in the seventeenth century [and] enjoyed an unrivalled prestige in the official and legal circles of the Indies for a century and a half." It went through several editions in Latin and Spanish. OCLC locates 9 copies of our 1777 Latin edition in North America, 3 in law libraries (Columbia, Harvard, UT-Austin). Gongora, *Studies in the Colonial History of Spanish America* 62. Medina, *Bibliotheca Hispano-Americana* 4830. Sabin, *A Dictionary of Books Relating to America* 86529.

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Rare Essays by a Leading Portuguese Jurist

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

Collecção de Dissertações Juridicas, E Praticas. Lisbon: Na Impressao 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. \$250.

* 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 the 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.

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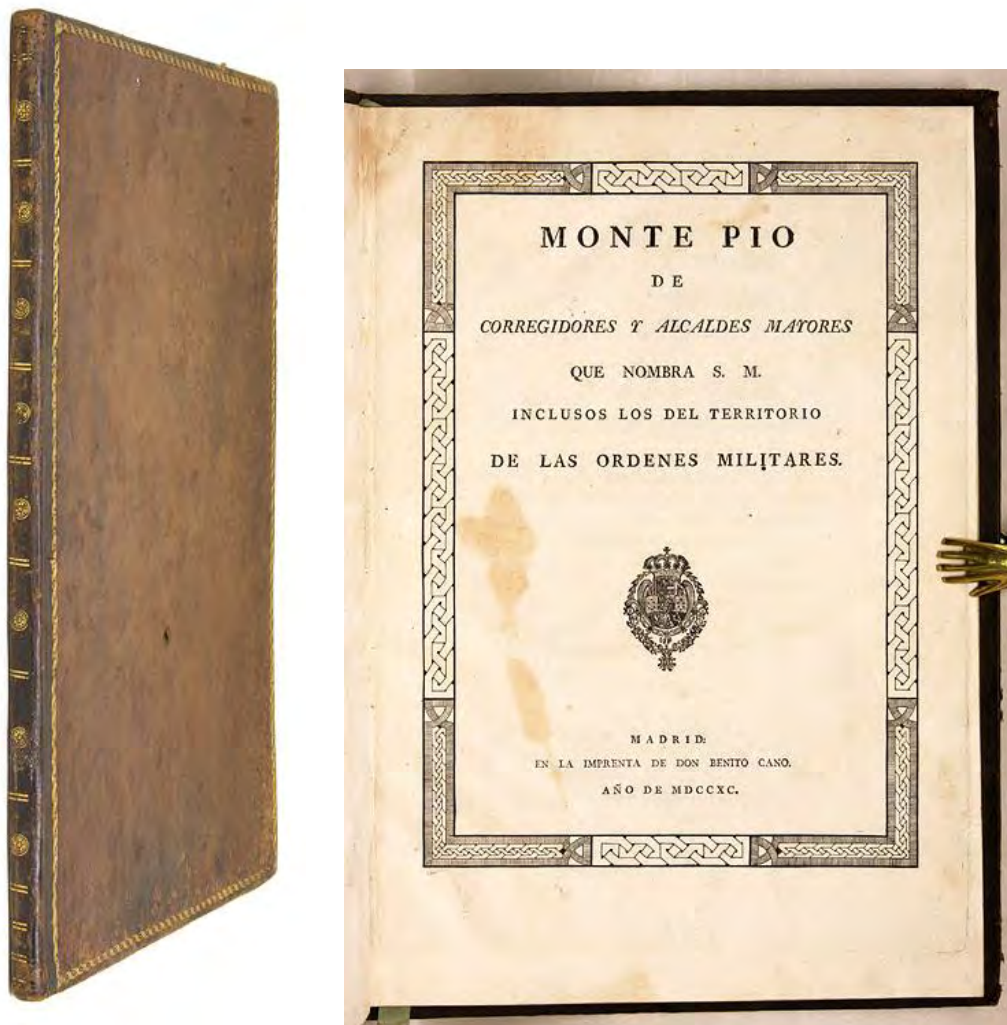
Rare Portuguese Lectures on Criminal Law

27. Sousa Pinto, Basilio Alberto de.

Lições de Direito Criminal, Redigidas Segundo as Prelecoes 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 Pascheal 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. \$1,250.

* First 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. Later editions appeared in 1847 and 1861. All three editions are rare. OCLC locates no copies of the first edition, 1 of the second (at Catholic University Law School) and 3 of the third (British Library, British Library Reference Collections, Harvard Law School). [Order This Item](#)



Eighteenth-Century Spanish Regulations Concerning Loans to Government Officials

28. [Spain].
[Loans].
[Pensions].

Monte Pio de Corregidores y Alcaldes Mayores que nombra S.M. Inclusos los del Territorio de las Ordenes Militares. Madrid: En la Imprenta de Don Benio Cano, 1790. 467 pp. Folio (11-3/4" x 8-1/4").

Contemporary tree sheep, gilt fillets to boards, gilt fillets and ornaments to spine, gilt tooling to board edges, marbled endpaper, detached ribbon marker laid in. Some minor nicks to boards, moderate rubbing to extremities, corners bumped. Very light toning to text, faint dampstaining to a few leaves, a few minor worn holes. A handsome copy. \$750.

* Only edition. A collection of legislation establishing a system of low-interest loans for aldermen, mayors and the governors of military districts in Spain (and New Spain). This legislation has its roots in the "Mounts of Piety," a system of pawnbrokers run as a charity by the Catholic Church in Europe in the Late Middle Ages to offer low-interest loans to the needy. The regulations in the present volume offered low-interest loans from the state treasury secured against amounts intended to fund the borrower's pension. OCLC locates 1 copy in North America (Duke University). Palau, *Manual del Librero Hispano-Americano* 177.666. [Order This Item](#)



King Carlos IV Organizes Spain's Lucrative Silver Mines of Potosí

29. [Spain].

Real Banco de San Carlos de Potosí.

Real Cédula de Incorporacion de el Banco de Potosí á la Real Hacienda y Ordenanzas Para su Regimen y Gobierno: Con Arreglo á las Leyes de Indias y Demas Reales Disposiciones que al Márgen se Citan: de Orden de S.M. Madrid: En la Imprenta de Don Benito Cano, 1795. [xii], 67, [107] pp. Final 107 un-numbered pages are charts and tables, 4 folding. Folio (11-3/4" x 8").

Contemporary tree sheep, gilt fillets to boards, gilt fillets to spine, recased, endpapers renewed. Moderate rubbing to extremities with some loss to gilding, spine abraded, corners bumped and lightly worn. Light toning to text, somewhat heavier in places, faint dampstaining to preliminaries and a few other leaves, light edgewear to one of the folding tables. A handsome copy \$2,500.

* Only edition. The Bank of Potosí was organized to manage the network of mines in Potosí, a mountain in present-day Bolivia. Worked by a brutally exploited force of indigenous workers, later supplemented by African slaves, these mines were one of the greatest sources of Spain's wealth for nearly 200 years. The *Real Cédula de Incorporacion* prints the certificate of incorporation granted by King Carlos IV and the charter outlining the bank's purpose, organization and regulation. OCLC locates 12 copies in North America, 1 in a law library (Library of Congress). Sabin, *A Dictionary of Books Relating to America* 68224. [Order This Item](#)



Remarks by the Recently Appointed President of the Supreme Court of Grenada

30. Vasco del Campo, Don Rafael.

Discurso Pronunciado en la Real Chancilleria de Granada el Dia 2 de Enero de 1802, por El Exmo. Sr. Don Rafael Vasco, Caballero del Orden de Santiago, y de las Reales Maestranzas de Ronda y Granada; Regidor Perpetuo del Aquel Ilustre Ayuntamiento; Teniente General de los Reales Exercitos; Gobernador y Capitan General del Exército, Costa y Reino de Granada, y Presidios Menores de Africa; Presidente de Esta Real Chancilleria, De la Junta de Reales Obras de la Plaza de Malaga, De la Mayor de Caminos de Este Reyno, Los de Cordoba y Jaen; Superintendente de los del Obispado de Malaga, Y de las de Sanidad Establecidas en el y su Costa; Inspector de las Companias de Invalidos, Las de Infanteria Fixa y Torreros del Distrito, Etc. Etc. Granada: En la Imprenta de Moreno, [1803]. [iv], xix pp. Quarto (8" x 5-1/2").

Contemporary mottled sheep, gilt frames to boards. Light rubbing to extremities with minor wear to spine ends and corners, a few minor scuffs to boards, tiny manuscript label to rear cover, marbled endpapers, crack between front free endpaper and following endleaf, which is detached, text notably fresh. An attractive copy. \$250.

* First edition. This book reproduces the text of a speech given by military leader Don Rafael Vasco del Campo shortly upon his elevation by the King of Spain to the Presidency of Granada's Supreme Court of Justice. Don Vasco, who distinguished himself in the service of the Spanish Crown in Mexico, proclaims his humility before the office of his charge, never before entrusted to a military man, and invokes education as an antidote to envy, hate, revenge and thoughts of theft, lies and deception. He also challenges the need for capital punishment and other legal injustices. During his short-lived presidency over Granada's highest court, the region enjoyed peace and a flowering of the arts, which ended with Napoleon's invasion of Spain and the subsequent popular uprisings against the Spanish Crown. No copies located on OCLC. Palau, *Manual del Librero Hispano-Americano* 353024. [Order This Item](#)