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Detail from N° 91

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CONTENTS:

I. United States.....	5
II. Great Britain.....	18
III. Continental Europe (to 1700).....	42
IV. Continental Europe (after 1700).....	70
V. Latin America.....	79
References.....	82
Index.....	84
Publications.....	86

Exterior Front Cover: *Detail from Item 107* (digitally colored, actual woodcut not colored).

Exterior Rear Cover: **Item 97.**

Interior Front Cover: **Item 71.**

Interior Rear Cover: **Item 17.**

Title Page: *Detail from Item 97.*

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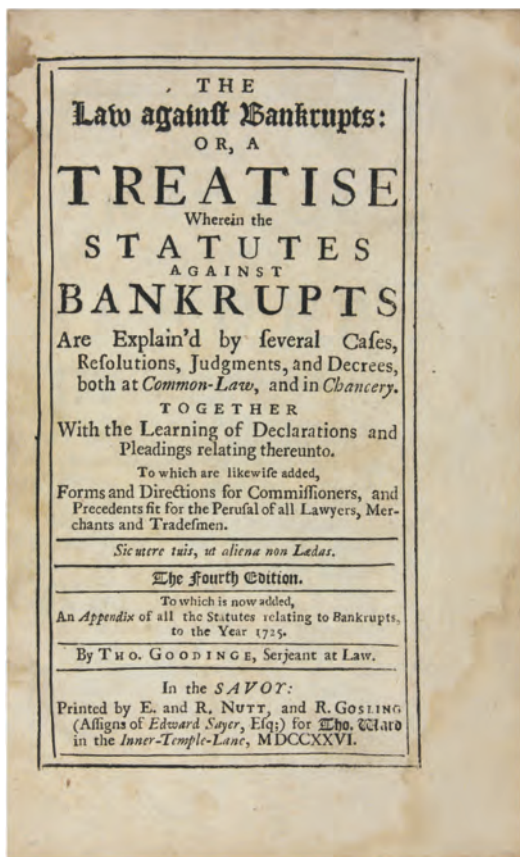
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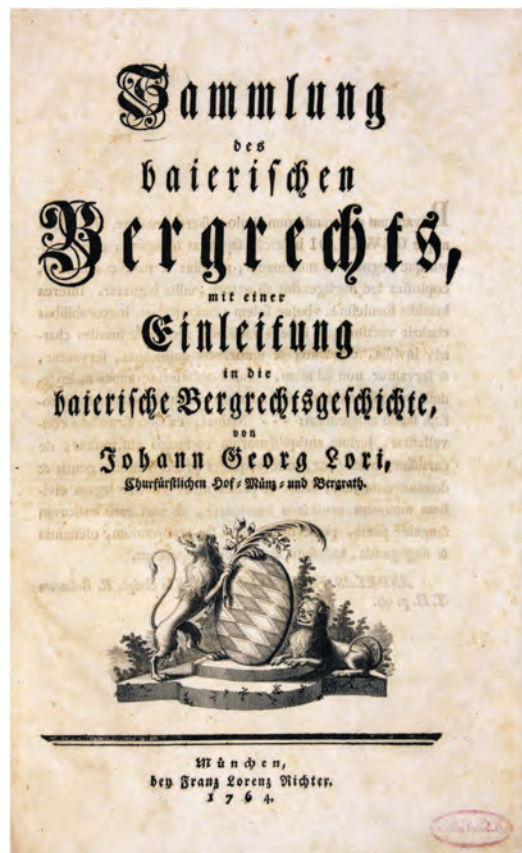
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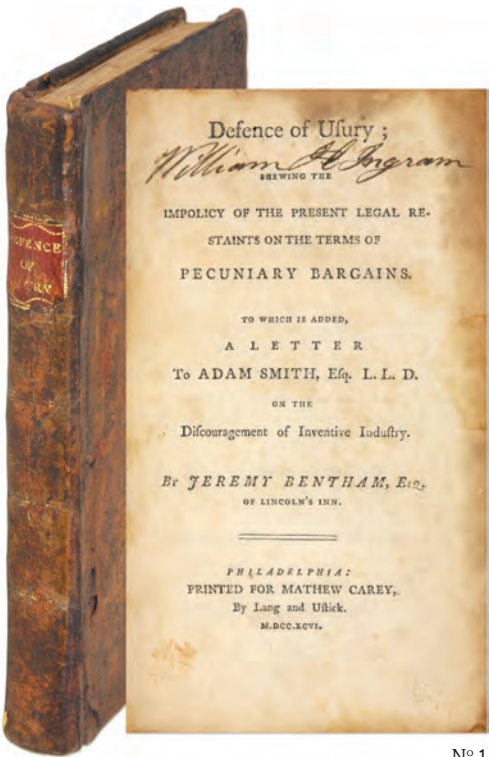
N° 56



N° 88



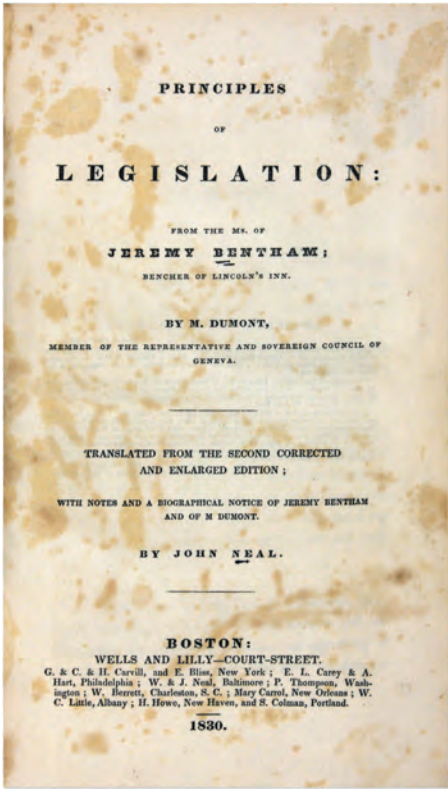
N° 154



N° 1



N° 7



N° 2

UNITED STATES

FIRST AMERICAN EDITION

- 2 BENTHAM, JEREMY.
DUMONT, ETIENNE [1759-1829].
NEAL, JOHN [1793-1876].
[SISMONDI, JEAN-CHARLES-LEONARD, SIMONE DE
(1773-1842)].

Principles of Legislation: From the Ms. of Jeremy Bentham. By M. Dumont. Translated from the Second Corrected and Enlarged Edition; with Notes and a Biographical Notice of Jeremy Bentham and of M. Dumont by John Neal.

Boston: Wells and Lilly, 1830. Frontispiece with tissue overlay. viii, [9]-310 pp. Portrait frontispiece. Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter calf over marbled boards, gilt fillets and lettering piece to spine, speckled edges. Moderate rubbing with some wear to corners and head of spine, hinges cracked. Light toning, faint dampspotting to most of text. Early signatures in pencil to front free endpaper, interior otherwise clean. Ex-library. Shelf label to spine, bookplate to front pastedown, small inkstamps to head of frontispiece and a few text leaves, date due sheet and stamps to rear endleaves. A solid copy. \$500.

FIRST AMERICAN EDITION. Arguably Bentham's greatest work, it is the clearest exposition of the principles of utilitarianism and the most concise statement of his chief principles. This volume is prefaced by lengthy biographical notices of both Bentham and Dumont. It also includes a chapter on utilitarianism by Neal and a biographical sketch of Dumont by Sismondi. Cohen 7801.

FIRST AMERICAN EDITION
OF BENTHAM'S CLASSIC ESSAY ON USURY

- 1 BENTHAM, JEREMY [1748-1832].

Defence of Usury; Shewing the Impolicy of the Present Legal Restraints on the Terms of Pecuniary Bargains. To Which is Added, A Letter to Adam Smith, Esq. LL.D. On the Discouragement of Inventive Industry

Philadelphia: Printed for Matthew Carey, 1796. [iv], [5]-149, [2] pp. Includes two-page publisher advertisement. 12mo. (5-3/4" x 3-1/2").

Contemporary tree sheep, lettering piece and gilt fillets to spine. Spine ends bumped, corners somewhat worn, minor wear along joints, a few minor scuffs to boards, a bit of chipping to edges of lettering piece. Some toning to text, heavier toning and some edgewear and dampstaining to preliminaries, foxing to a few leaves. Early owner annotation to front free endpaper, early signature to head of title page, interior otherwise clean. \$2,500.

THIS WAS BENTHAM'S FIRST ESSAY on a legal aspect of economics. Presented in the form of a series of letters from Russia, it takes issue with Adam Smith's argument that a maximum interest rate of 5% would prevent speculators from tying up the supply of available currency. It was written in 1787 and first published in Dublin in 1788. Later American editions were published in 1796, 1837, 1841 and 1842. OCLC locates 6 copies of the 1796 imprint in North American law libraries (Georgetown, Harvard, Library of Congress, Southern Illinois University, University of Minnesota, Yale). Cohen 2641.

A NOTABLE JURIST
EXAMINES SECESSION AND SLAVERY

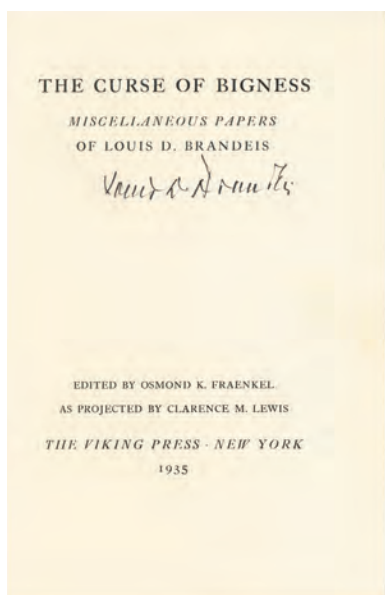
- 3 BISHOP, JOEL PRENTISS [1814-1901].

Secession and Slavery: Or The Constitutional Duty of Congress to Give the Elective Franchise and Freedom to All Loyal Persons, in Response to the Act of Succession.

Boston: A. Williams & Co., 1866. [ii], 112 pp. Octavo (9" x 5-3/4").

Original printed wrappers. Light soiling, a few minor chips to wrappers, some rubbing to spine ends. Light toning to text, occasional faint dampspotting, internally clean. \$350.

FINAL EDITION. Bishop was one of the most influential American legal writers of the nineteenth century. According to Roscoe Pound, he belonged to the class of jurists whose works "went far to shape the law." First published in 1863, this essay is a consideration of secession and slavery under constitutional law. It was substantially revised in 1864 and issued as a new work. Our 1866 edition, designated the second, addresses the legal conclusion of the Civil War, such as the status of freedmen and the re-admission of states that were part of the Confederacy. Pound, *The Formative Era of American Law* 140-141. Sabin 5698a.



N° 4

SIGNED BY BRANDEIS

4 BRANDEIS, LOUIS D. [1856-1941].

The Curse of Bigness: Miscellaneous Papers of Louis D. Brandeis.

Edited by Osmond K. Fraenkel. New York: The Viking Press, 1935. ix, 339 pp.

Cloth in dust jacket. Light edgewear to dust jacket, some soiling to spine, minor chipping to ends. "Louis D. Brandeis" in bold hand to center of title page, internally clean. \$950.

FIRST EDITION, SECOND PRINTING. "Preceding the text of the reprinted matter each section of this work contains a brief note and following it a bibliography of the articles and addresses on the subject covered by that section. The reprinted articles are given in full even when parts of them appear more than once." Foreword.

TITLE PAGE SIGNED "LOUIS D. BRANDEIS"

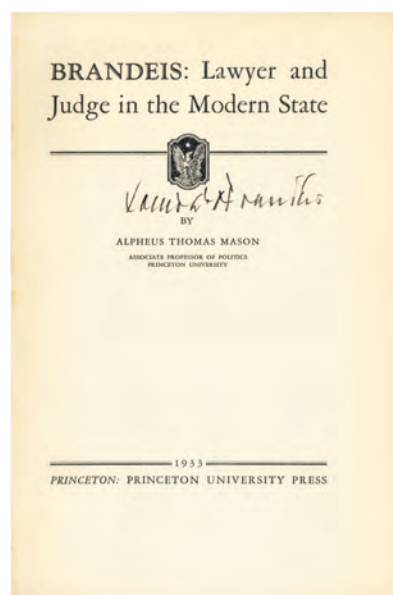
5 BRANDEIS, LOUIS D.
LIEF, ALFRED [1901-1971], EDITOR.

The Social and Economic Views of Mr. Justice Brandeis.

With a Foreword by Charles A. Beard. New York: The Vanguard Press, [1930]. xxi, 419 pp.

Cloth in dust jacket. Moderate edgewear to dust jacket, some soiling to spine, chipping to ends. "Louis D. Brandeis" in bold hand to head of title page, internally clean. \$850.

FIRST EDITION, SECOND PRINTING. "The papers are primarily the work of a great lawyer. His work is considered to have a tremendous effect upon not only the body of law already assimilated and codified but also upon the law which is being called into being in response to the modern development of society, particularly as regards the industrial situation": *Boston Transcript*, November 22, 1930, cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 1061.



N° 6

"MUCH THE BEST APPRAISAL OF BRANDEIS'S WORK AS JUSTICE," SIGNED BY BRANDEIS

6 [BRANDEIS, LOUIS D.].
MASON, ALPHEUS THOMAS.

Brandeis: Lawyer and Judge in the Modern State.

Princeton: Princeton University press, 1933. vi, 203 pp.

Cloth in dust jacket. Moderate edgewear to dust jacket, some soiling to spine, chipping to ends. "Louis D. Brandeis" in bold hand to head of title page, internally clean. \$650.

FIRST EDITION. "Much the best appraisal of Brandeis's work as justice": Corwin, *Constitutional Revolution, Ltd.*, cited in Marke, *A Catalogue of the Law Collection at New York University* (1953) 1061.

"YOU OFT BENEATH A RIGHTEOUS ROBE,
MAY FIND A WOLF CONCEALED"

7 [BROADSIDE].
[MURDER].
[AVERY TRIAL].

The Death of Sarah M. Cornell.

N.p: S.n., c.1832.

11-1/4" x 8" broadside mounted to 11-1/2" x 8-3/4" backing, text enclosed by woodcut typographical border. Printed in two columns within border of type ornaments. Poem in twelve stanzas about the murder of Sarah Cornell by her seducer, Ephraim Avery. Some toning, some chipping, edgewear and tears to margins and small hole near center remedied by mounting, no loss to text. \$450.

ONLY EDITION. This was one of the most famous American murder trials of the nineteenth century. Although questions about this case remain, it appears that Avery murdered Cornell when he learned she was pregnant with his child. After strangling her he put a noose around her neck and hung her from a barn rafter to make it appear that she had committed suicide. This broadside, which reviews the events of the murder, laments Cornell and curses Avery. Not in McDade. OCLC locates 12 copies, 1 in a law library (Harvard).

"THE BURGLAR CARRIED AWAY MR. GRIFFITH'S PANTALOONS"

8 [BROADSIDE].
[NEW YORK].

\$500 Reward! A Reward of \$500 Will Be Paid for the Arrest and Conviction of the Person Who Entered the House of John M. Griffith...

Portage, NY: October 11, 1897.

14" x 10" broadside. Light toning and edgewear, minor foxing, three horizontal and one vertical fold lines, some with minor tears, a few mended on verso with archival tape. \$400.

THE CRIMINAL "committed an assault upon [Griffith] by striking him in the face with a revolver, breaking his nose and cheek bone and severely [sic] injuring him." The burglar then "carried away Mr. Griffith's pantaloons containing about \$6 or \$7 in cash and his keyes [sic]." Portage is a town in Livingston County, New York. No copies located on OCLC.



THE FIRST AMERICAN TREATISE ON COMMERCIAL
AND ADMIRALTY LAW

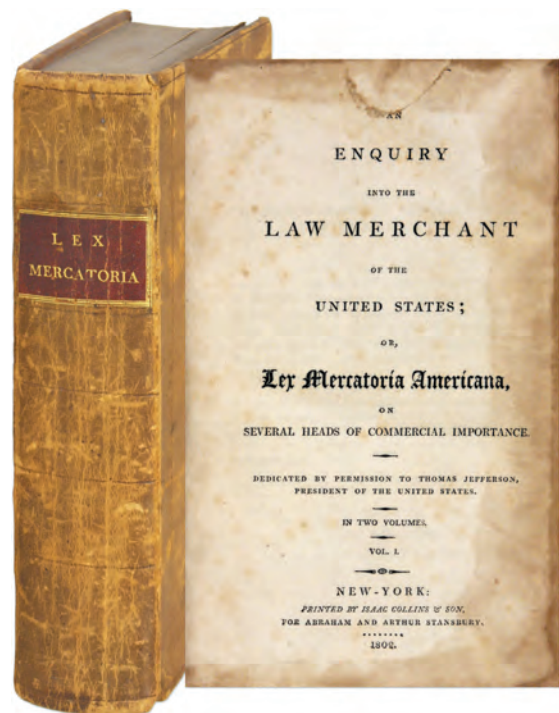
9 [CAINES, GEORGE (1771-1825)].

An Enquiry into the Law Merchant of the United States; Or, Lex Mercatoria Americana, on Several Heads of Commercial Importance. Dedicated by Permission to Thomas Jefferson, President of the United States. In Two Volumes. Vol. 1 [all published].

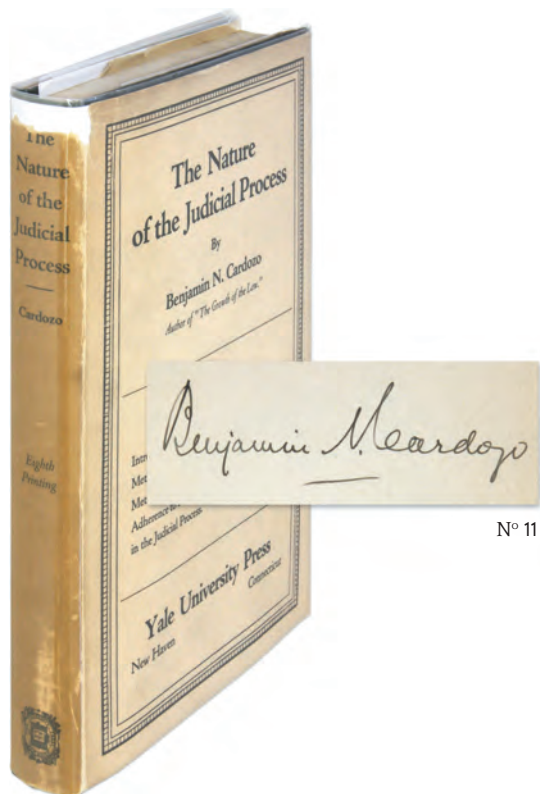
New York: Printed by Isaac Collins & Son, For Abraham and Arthur Stansbury, 1802. xxxviii, [2], 648; clxvii, [1] pp. Octavo (8-1/2" x 5").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and minor scuffing to boards, somewhat heavier rubbing to spine and extremities, front hinge cracked, rear hinge starting, front free endpaper lacking, small chip to head of title page. Moderate toning to text, faint dampstaining, edgewear and light foxing to a few leaves. Early owner markings to front pastedown, his signature to head of p. 7, interior otherwise clean. \$950.

ONLY EDITION. With an appendix of forms. As Horwitz has pointed out, this is "the first American treatise on commercial law." Surrency notes that it was also the first to deal with admiralty law. It focused on shipping and maritime commerce, with substantial sections on insurance and bankruptcy. Reflecting the tension that existed between arbitrators and courts of law, Caines insisted that "in what appertains to trade, let it be constantly remembered, that custom alone is law" (220). Among other topics, this treatise has fascinating entries on the slave trade and the character of different ports. Caines was the official reporter of the New York Supreme Court. Surrency, *A History of American Law Publishing* 141. Horwitz, *The Transformation of American Law 1780-1860* 150. Cohen 1570.



Detail from N° 10



N° 11

SIGNED BY CARDOZO

10 CARDOZO, BENJAMIN N. [1870-1938].

The Growth of the Law.

New Haven: Yale University Press, [1924 (1934 printing)]. 145 pp.

Cloth in dust jacket. Light wear to dust jacket, small chip to head of spine. "Benjamin N. Cardozo" in bold hand to front free endpaper, internally clean. \$1,000.

FIRST EDITION, FIFTH PRINTING. Intended as a supplement to *The Nature of the Judicial Process*, this is the published version of a series of lectures delivered at Yale Law School in 1924.

CARDOZO'S MOST INFLUENTIAL WORK, SIGNED BY THE AUTHOR

11 CARDOZO, BENJAMIN N.

The Nature of the Judicial Process.

New Haven: Yale University Press, [1921 (1932 printing)]. 180 pp.

Cloth in dust jacket. Light soiling to spine of dust jacket, some wear to head. "Benjamin N. Cardozo" in bold hand to front free endpaper, internally clean. \$1,000.

FIRST EDITION, EIGHTH PRINTING. The Storrs Lectures delivered at Yale University Law School in 1921. One of the most important legal works of the twentieth century, *The Nature of the Judicial Process* argued that judges create law. Along with Holmes' *The Common Law*, this book is one of the seminal works that helped the American bar to move beyond the formalism of nineteenth-century jurisprudence.

WELL-PRESERVED SIGNED COPY OF CARDOZO'S
PARADOXES OF LEGAL SCIENCE

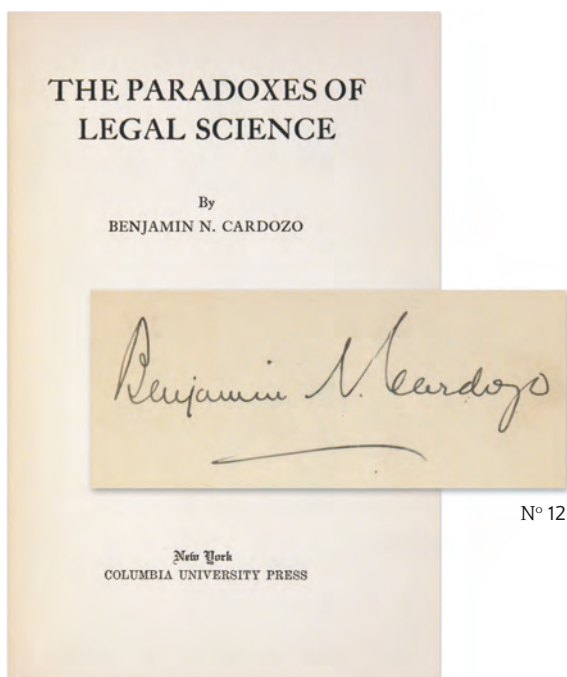
12 CARDOZO, BENJAMIN N.

The Paradoxes of Legal Science.

New York: Columbia University Press, 1928 (1930 printing)]. v, 142 pp.

Cloth in dust jacket. Light wear to dust jacket, small chip to head of spine. "Benjamin N. Cardozo" in bold hand to front free endpaper, internally clean. \$1,000.

FIRST EDITION, SECOND PRINTING. One of Cardozo's most important books, the *Paradoxes of Legal Science* is a classic statement of juristic pragmatism. As Goodhart points out, it also reveals the non-legal sources that informed his work. "His many references in these lectures to Greek philosophy show how great a part his early classical training played in the formation of his ideas; in relating his general principles to the concrete cases which, in his words, he used as a kind of legal litmus paper, he was a true Aristotelian." Goodhart, *Five Jewish Lawyers of the Common Law* 59-60.



N° 12

CHIEF JUSTICE CHASE DISCUSSES RECONSTRUCTION WITH
THE WIFE OF A CIVIL WAR GENERAL

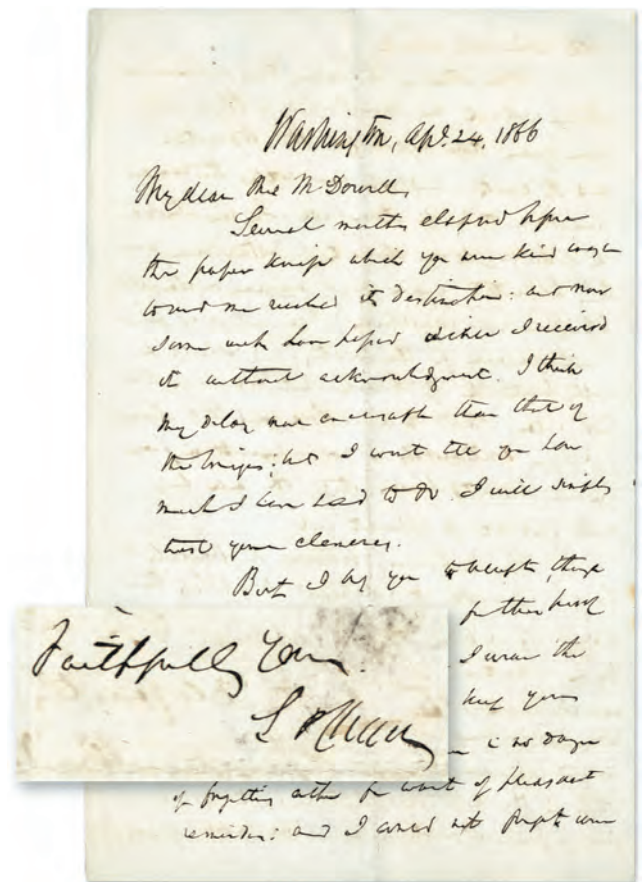
13 CHASE, SALMON P. [1808-1873].
[MCDOWELL, HELEN (1826-1891)].

[Autograph Letter, Signed, As Chief Justice of the Supreme Court, To Mrs. Irvin McDowell].

Washington, 24 April 1866. Leaf folded to form four-page 5" x 8" bifolium, written in ink

Light toning, two horizontal and one vertical fold lines. Tear to ends of vertical fold, otherwise fine. \$1,500.

"I CANNOT HELP FEELING GRAVE CONCERN FOR THE COUNTRY," Chase tells Mrs. McDowell. He fears "new convulsions" from former slave owners restored to prominence by President Andrew Johnson's lax reconstruction policies. "How strange it seems, this extensive change which has happened in these last four years! How wonderful the transition and the events: and yet how little the wiser we seem to be for them all. To me it's been as if the very same elements of disturbance were being permitted, and in new names & character to prepare new convulsions. I cannot help feeling grave concern for the country; and should be really heartsick if I did not remember that God rules; & that God is Love, and that thousands of prayers continually go up before Him from sincere & devoted hearts that He will bring Good out of apparent evil. The controversy between the President & Congress is greatly to be deplored. Doubtless there are faults on both sides; but I think most on his. He is a Unit, Congress a Plural....and a very little consideration would have availed all our trouble." Helen McDowell was the wife of General Irvin McDowell [1818-1885], the General best known for his defeat in the First Battle of Bull Run, the first major battle of the American Civil War. Mrs. McDowell played an important role during the war through her work for the Sanitary Commission, the forerunner of the American Red Cross.



Nº 13

THE FIRST AMERICAN TREATISE ON CONTRACTS

14 CHIPMAN, DANIEL [1765-1850].

An Essay on the Law of Contracts, for the Payment of Specifick Articles.

Middlebury [VT]: Published by the Author, 1822. xvi, [17]-224 pp. Octavo (8-1/2" x 5").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. Moderate rubbing, spine abraded with some chipping to head, corners bumped and somewhat worn, joints and hinges just starting at ends. Moderate toning to text, occasional faint dampspotting, faint dampstaining to margins of a few leaves. Early owner signature to head of front board, internally clean. A solid copy. \$500.

FIRST EDITION. Chipman's *Essay* was the first original treatise on the subject written in the United States. (Verplanck's *An Essay on the Doctrine of Contracts* (1825) was the second.) In 1847 Marvin criticized Chipman for "show[ing] what the law of contracts ought to be rather than what the law of contracts is." This remark reflects Marvin's failure to grasp the changing nature of contract law, and it shows that Chipman's ideas were ahead of their time. Indeed, as Horwitz points out, Chipman was the first American to submerge the "dominant equity theory of contract in a conception of contractual obligation based exclusively on express bargains" determined by market values. Chipman was a Vermont lawyer, a professor of law at Middlebury, a representative to the state legislature and the U.S. Congress and a delegate to several Vermont constitutional conventions. Marvin 189. Horwitz 181. Cohen 3621.

UNPUBLISHED EYEWITNESS ACCOUNT OF
A FAMOUS MAINE MURDER TRIAL

15 [COOLIDGE, DR. VALORUS P.].
BROWN, DAVID.

[Autograph Letter Describing the Trial of Dr. Coolidge].

Augusta, ME, March 18, 1848. Single leaf folded to form 10" x 8"

Quarto bifolium, written in ink, addressed, franked and postmarked on verso of fourth page, which has a wax seal. Fold lines, some toning along margins, otherwise fine. \$750.

BROWN, OF GARDNER, MAINE, wrote this letter to his brother, an attorney in Bangor. The letter, which fills three sides of the bifolium in a small hand, begins: "Passing through Augusta during the trial of Coolidge for the murder of Mathews I felt inclined to take a peep into the court house or rather Doct. Tappans meeting house where the trial is had and thinking I might notice some things there that will not be reported in the papers that would be interesting to you; will write you a few lines." The rest of the letter records his observations. Brown was aware that he was a witness to one of the most sensational trials of the day, which involved two leading citizens of Waterville, ME. Mathews, a wealthy cattle dealer, was poisoned with a shot of poison-laced brandy because he refused to loan Coolidge money. Though his motives seem unclear, it seems Coolidge planned to steal money and valuables from his corpse. When the body was found Coolidge was summoned by the coroner's jury to perform an autopsy on his own victim. After an inept series of attempts to hide his crime, Coolidge was convicted and sentenced to hang. He cheated the gallows, however, by committing suicide. The case is described in McDade 211 and Howard, *American State Trials* 3:732-802.



N° 16

PRE-PUBLICATION REVIEW COPY OF
DARROW'S AUTOBIOGRAPHY

16 DARROW, CLARENCE [1857-1938].

The Story of My Life.

New York: Charles Scribner's Sons, 1932. viii, [1], 457 pp. Frontispiece. Plates.

Original printed wrappers with designs used in the first edition's multi-color Art Deco dust jacket. Spine of binding somewhat soiled and worn, with some chipping to ends, light soiling to rear wrapper. Paper label stating that this book is a review copy affixed to front wrapper. Light foxing in a few places, interior otherwise clean. \$350.

ADVANCE EDITORIAL COPY. Distributed to commentators "with the understanding that reviews and newspaper articles concerning it [were] for release in the morning papers of February 5, which is the date it will be published." The page following the appendix states: "Index to follow." Hunsberger 271.



N° 17

INTERESTING COLLECTION OF DARROW PHOTOGRAPHS

17 [DARROW, CLARENCE].

[Eighteen Black-and-White Press Photographs of Darrow, 1894-1936].

Sizes ranging from 3-1/2" x 6-1/2" to 8" x 10."

Light to moderate edgewear, annotations and tipped-in captions to versos, some photos have crop marks and creases. \$2,500.

THIS INTERESTING COLLECTION comprises seven formal and informal images of Darrow, seven images of Darrow with associates and three images with Darrow and his wife, Ruby and an image of her alone.



N° 18

INTERESTING COLLECTION OF
TRIAL-RELATED DARROW PHOTOGRAPHS

18 [DARROW, CLARENCE].

[Fifteen Black-and-White Press Photographs of Darrow, 1924-1936].

Sizes ranging from 5-1/2" x 8" to 8" x 10."

Light to moderate edgewear, annotations and tipped-in captions to versos, some photos have crop marks and creases, a few have captions printed below image. An interesting collection. \$1,500.

THESE PHOTOGRAPHS, some later reprintings, record incidents from four of Darrow's greatest trials. Four relate to the Loeb-Leopold Trial (1924). Three were taken during trials, the fourth is an image of Nathan Leopold from 1957. There are three courtroom scenes from the Scopes Trial (1925) and a single image of Darrow and his client Russell McWilliams, a young man sentenced to death in 1933. The remaining six images depict incidents surrounding the Massie Trial (1931-1932). This group also includes a 1936 picture of Darrow and his wife, Ruby.

FIRST POST-REVOLUTION EDITION OF AN IMPORTANT WORK
ON THE RIGHT TO TRIAL BY JURY

- 19 HAWLES, SIR JOHN (1645-1716).
[BACON, FRANCIS (1561-1626)].
BRODIE, ALEXANDER, BOOKSELLER.

The Englishman's Right; A Dialogue Between a Barrister at Law and a Jurymen; Shewing, I. The Antiquity, II. The Excellent Designed Use, III. The Office and Just Privileges of Juries by the Law of England (Being a Choice Help for All Who Are Qualified by Law to Serve on Juries). To Which is Prefixed, An Introductory Essay, On the Moral Duty of a Judge. By Lord Bacon.

Philadelphia: Printed by John Thompson, of Philadelphia; For Alexander Brodie, 1798. 6, [vii]-viii, [1], [17]-70 pp. Octavo (7-1/2" x 4-1/2").

Contemporary marbled sheep over marbled boards. Light rubbing to extremities, heavier rubbing and a few minor stains to boards, hinges starting. Moderate toning to text, dampstaining in a few places, internally clean. An appealing copy. \$1,950.

THIRD AMERICAN EDITION. First published in London in 1680, and in Boston in 1693 and 1772, this 1798 Philadelphia edition was the first printed after the Revolution. Possibly a response to the recent passage of the Alien and Sedition Acts, it has an interesting preface by the bookseller, Alexander Brodie: "But lest (sic) the title 'The Englishman's Right' should give offence to any, it is proper to observe that the Charter of the Liberties of England is a grant from their kings obtained by force. This charter is the fountain of all their Rights; and among others of the Englishman's Right to be tried by a Jury of his Equals. As Americans we possess the same Right, and Juries by our Laws have the same powers

and privileges, as by the Law of England. Neither we or our Ancestors ever were Slaves. We hold our Liberties from God alone, and to him alone are we accountable for the use or abuse of them. It is no mark of Vassalage to borrow instructions from English Jurisprudence. To understand our rights well, we must study them, and endeavour to profit by the experience of other Nations. The better to enable Jurymen to discern between Judge and Prisoner, if a lawless stretch of power should be attempted, of which at present there appears no danger, from the high character of our American Judges, I have prefixed by way of Introduction, Lord Bacon's Essay on the Moral duty of a Judge. And let it be remembered, that Judges are appointed to interpret the Laws faithful but Juries were instituted to watch and restrain Judges; so may the blessing 'Him That Was Ready To Perish Upon Them!'" A staunch Whig, Hawles wrote *The Englishman's Right* to outline the rights, duties and proper behavior of a jurymen and to promote the jury system as a bulwark against tyranny. Immediately successful among Whigs and others who saw themselves as defenders of English liberties, it was received with great enthusiasm in America, where it was reprinted several times well into the nineteenth century. According to Cohen, it was probably the first English law book reprinted in the American colonies. Cohen 1481.

A COLLECTION OF HUGHES'S SPEECHES, SIGNED BY HUGHES

- 20 HUGHES, CHARLES EVANS [1862-1948].

Addresses of Charles Evans Hughes, 1906-1916. With an Introduction by Jacob Gould Shurman. Revised, With New Material, Including the Address of Acceptance, July 31, 1916.

New York: G.P. Putnam's Sons, 1916. lxxxii, 363 pp. Portrait frontispiece.

Printed paperwrappers. Moderate edgewear to front, rear wrapper lacking, spine heavily abraded. "Charles E. Hughes" in bold hand to verso of frontispiece, internally clean. \$500.

SECOND EDITION, published the same year as the first. An associate justice of the U.S. Supreme Court from 1910-1916, Hughes resigned to accept the Republican presidential nomination. Secretary of State from 1921 to 1925, Hughes was appointed again to the Court as Chief Justice, an office he held from 1930 to 1941. He is the only person who served two terms on the Court. *Addresses* was published to promote his presidential campaign.

HUGHES'S THOUGHTS ON LATIN AMERICA, SIGNED BY HUGHES

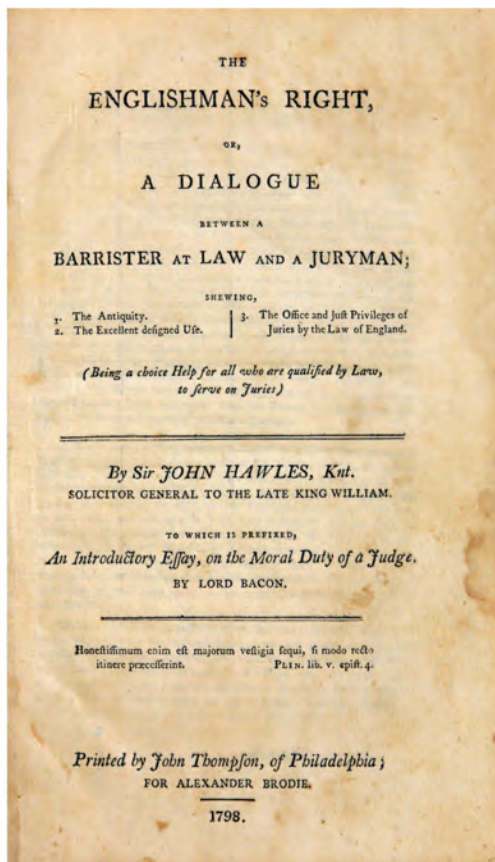
- 21 HUGHES, CHARLES EVANS.

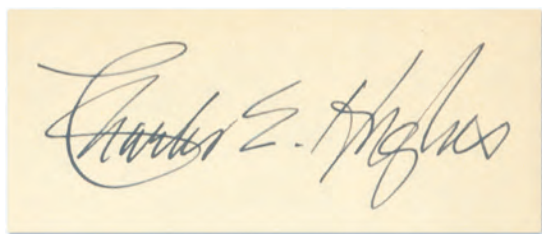
Our Relations to the Nations of the Western Hemisphere.

Princeton: Princeton University Press, 1928. [vi], 123, [2] pp.

Cloth in dust jacket. Light edgewear to dust jacket, some fading to spine, chipping to ends. "Charles E. Hughes" in bold hand to front free endpaper, internally clean. \$500.

SECOND EDITION. An associate justice of the U.S. Supreme Court from 1910-1916, Hughes resigned to accept the Republican presidential nomination. Secretary of State from 1921 to 1925, Hughes was appointed again to the Court as Chief Justice, an office he held from 1930 to 1941. He is the only person who served two terms on the Court. First published in 1918, *Our Relations to the Nations of the Western Hemisphere* discusses the importance of good relations between Latin America and United States.





Detail from N° 22

PAN AMERICAN PEACE PLANS, SIGNED BY HUGHES

22 HUGHES, CHARLES EVANS.

Pan American Peace Plans.

New Haven: Yale University Press, 1929. [iv], 68 pp.

Cloth in dust jacket. Light edgewear to dust jacket, some fading to spine, chipping to ends. "Charles E. Hughes" in bold hand to front free endpaper, internally clean. \$500.

FIRST EDITION. An associate justice of the U.S. Supreme Court from 1910–1916, Hughes resigned to accept the Republican presidential nomination. Secretary of State from 1921 to 1925, Hughes was appointed again to the Court as Chief Justice, an office he held from 1930 to 1941. He is the only person who served two terms on the Court. In 1928 Hughes represented the U.S. at the Pan American Conference. *Pan American Peace Plans* is his review of that event. Hughes believed this conference "represented the most complete and effective cooperation that has been witnessed in any meeting of the representatives of the American republics" (68).

THE FIRST ANNOTATED EDITION OF THE LOUISIANA CIVIL CODE

23 [LOUISIANA].

UPTON, WHEELOCK S.
JENNINGS, NEEDLER R.

Civil Code of the State of Louisiana; With Annotations. By Authority.

New Orleans: E. Johns & Co., 1838. [vi], [v]–xl, 536, [2], 51 pp. Octavo (9-1/2" x 6").

Contemporary calf, blind fillets to boards, lettering piece, raised bands and blind fillets to boards. Some rubbing to extremities, corners bumped, a few minor stains and light rubbing to boards, front hinge cracked, rear hinge starting, front free endpaper detached, a few leaves partially detached, a few signatures loose. Light toning to text, occasional light foxing. Early owner signatures and stamps (of Samuel Dalton and Thom. B. Percy) to preliminaries, contemporary annotations in a few places, interior otherwise clean. \$750.

FIRST EDITION. In 1822 Derbigny, Livingston and Lislet were commissioned to revise the 1808 compilation of territorial laws. The result of their effort was the Civil Code of 1825. Also issued in a bilingual French–English format, Upton and Jennings's edition of that code is significant because it was the first to include annotations. Marvin 476. Babbitt 138.

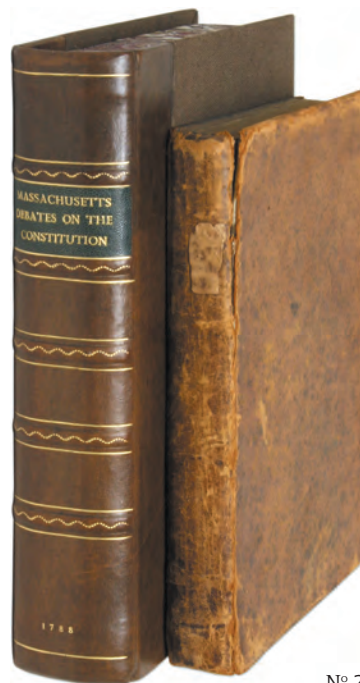
187 TO 168 IN FAVOR OF RATIFICATION

24 [MASSACHUSETTS].
[FEDERAL CONSTITUTION].***Debates, Resolutions and Other Proceedings, Of the Convention of the Commonwealth of Massachusetts, Convened at Boston, On the 9th of January, 1788, And Continued Until the 7th of February Following, For the Purpose of Assenting to and Ratifying the Constitution Recommended by the Grand Federal Convention. Together with The Yeas and Nays on the Decision of the Grand Question. To Which The Federal Constitution is Prefixed.***

Boston: Printed and Sold by Adams and Nourse, and Benjamin Russell, and Edmund Freeman, 1788. 219 pp. Octavo (7" x 4-1/2").

Contemporary speckled sheep, blind fillets and fragment of later hand-lettered paper title label to spine. Moderate rubbing to extremities with wear to head of spine, front joint starting, hinges cracked, later owner bookplate to front pastedown, front free endpaper lacking. Moderate toning to interior, occasional light foxing, internally clean. Item housed in a period-style clamshell box, lettering piece and blind fillets to spine. A desirable copy. \$3,250.

FIRST EDITION. "The ratification process in Massachusetts was viewed with anxiety by supporters of the Constitution throughout the nation. Massachusetts was a key state, and it was thought that actions there might determine the ultimate fate of the Constitution. The struggle was hard, bitter, and characterized by wild rumor and allegations of corrupt behavior. The Federalist strategy was to ratify the Constitution first and then consider amendments to it. On February 6 the Constitution was endorsed by the narrow vote of 187 to 168. Massachusetts became the sixth state to ratify. Massachusetts was the first state to propose amendments along with ratification, setting a pattern for the states that followed. All except Maryland and Rhode Island were to ratify and simultaneously propose amendments" (Paeckham). A second edition was published in 1808; another, edited by Bradford K. Peirce and Charles Hale, in 1856. Peckham, *Liberty's Legacy: Our Celebration of the Northwest Ordinance and the United States Constitution* USC-25. Cohen 2859. Sabin 45702.



N° 24

A COLORFUL ACCOUNT OF THE ONDERDONK AFFAIR

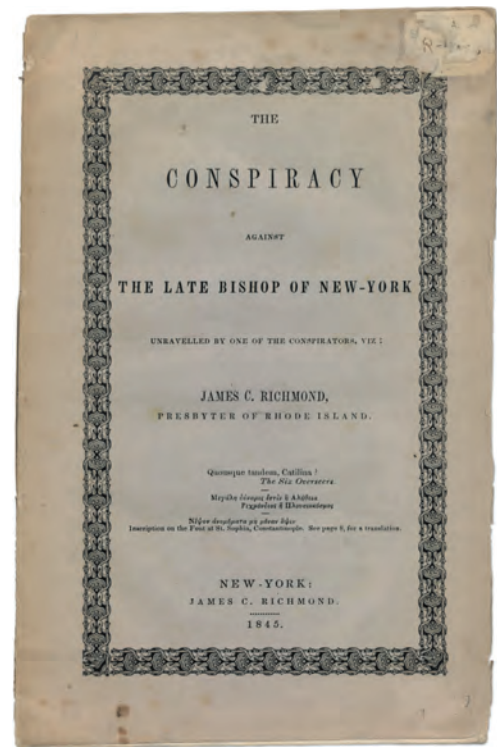
25 RICHMOND, JAMES C[OOK].
[ONDERDONK, BENJAMIN T. (1791-1861)].

The Conspiracy Against the Late Bishop of New-York Unravelled by One of the Conspirators, Viz: James C. Richmond, Presbyter of Rhode Island [wrapper title].

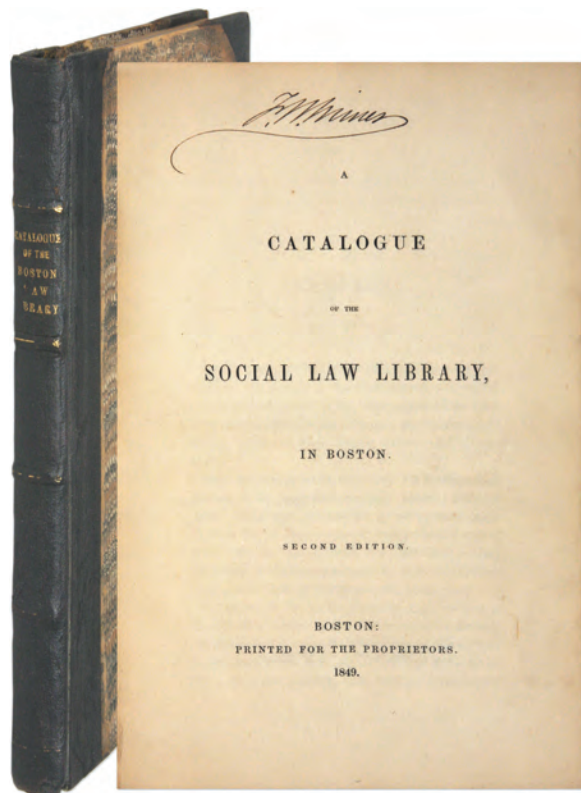
New York: James C. Richmond, 1845. 16 pp. Octavo (9" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Light edgewear and soiling, wrappers partially detached, fragment of small (private?) library label to upper corner of front wrapper. Some toning, light foxing to a few leaves, internally clean. \$250.

ONLY EDITION. This crude and, frankly, entertaining pamphlet is one of many inspired by the Onderdonk controversy, a notable scandal that combined sexual misconduct, theological controversy and the public disgrace of a religious leader. Benjamin T. Onderdonk, the Episcopal bishop of New York, was accused of sexual misconduct and ultimately suspended from his pulpit by the House of Bishops. Onderdonk argued that the charges were politically motivated by liberal members of the diocese who disliked his conservative ideas (influenced by the English Oxford Movement). Onderdonk was later reinstated and maintained his office until his death in 1861. The validity of the charge was never resolved, but its heady mix of sex, theology and public disgrace brought forth a wave of popular literature. Sabin 71132.



Nº 25



Nº 26

ONE OF THE GREAT AMERICAN LAW LIBRARIES OF THE NINETEENTH CENTURY

26 SOCIAL LAW LIBRARY.

A Catalogue of the Social Law Library, In Boston.

Boston: Printed for the Proprietors, 1849. xii, 197 pp. Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter calf over marbled boards, rebacked retaining spine with raised bands, gilt title and gilt fillets, marbled endpapers, hinges cracked. Moderate rubbing to boards and spine with some wear to corners, light toning to text. Early owner signature to head of title page, interior otherwise clean. \$450.

SECOND EDITION. With a subject index. Founded in 1803, the Social Law Library is one of the oldest in the United States and one of the great law libraries of the nineteenth century. (It houses over 450,000 volumes today.) Previous catalogues, appended to the society's rules, were published in 1814 and 1824. All are scarce. OCLC locates 7 copies of the 1849 catalogue in North American law libraries (Boston University, Columbia, Harvard, Social Law Library, UC-Davis, USC, University of Michigan). Cohen 1803.



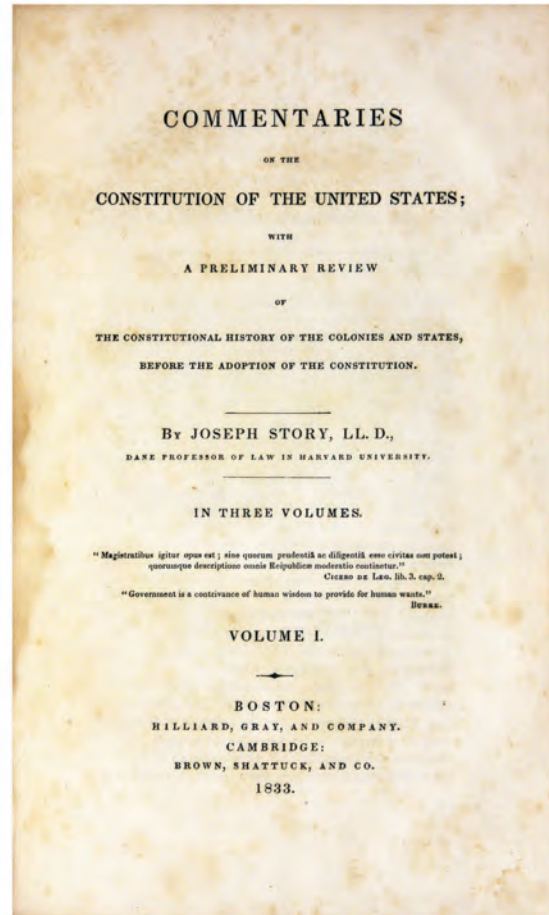
FIRST EDITION OF THE FIRST COMPREHENSIVE STUDY OF
THE UNITED STATES CONSTITUTION

27 STORY, JOSEPH [1779-1845].

Commentaries on the Constitution of the United States; With a Preliminary Review of the Constitutional History of the Colonies and States, Before the Adoption of the Constitution.

Boston: Hilliard, Gray and Company, 1833. Three volumes. xxxiv, [ii], 494; [ii], 555; [ii], 776 pp. Octavo (8-1/2" x 5-1/2").

Original sheep, blind fillets to boards, red and black lettering pieces and blind fillets to spines. Light rubbing, somewhat heavier to spines, minor wear to spine ends and corners, a few stains and shallow scuffs to boards, early owner bookplate (of Arthur McArthur) to each front pastedown. Light toning to text, occasional faint spotting, faint dampstaining in a few places in each volume. A very nice unsophisticated set in the original bindings. Early owner inscription (of McArthur) to front endleaf of Volume II, brief annotations in his hand to a few leaves, interior otherwise clean. \$12,500.



FIRST EDITION. Story's *Commentaries* was the most substantial and influential work written on the American Constitution before the Civil War, and it remains an important work today. Written while Story was Dane Professor at Harvard Law School and an Associate Justice of the Supreme Court, it presented a strongly Nationalist interpretation. It is divided into three books. Book I contains a history of the colonies and discussion of their charters. Book II discusses the Continental Congress and analyzes the flaws that crippled the Articles of Confederation. Book III begins with a history of the Constitution and its ratification. This is followed by a brilliant line-by-line exposition of each of its articles and amendments. Comparing it to the *Federalist*, James Kent said that Story's work was "written in the same free and liberal spirit, with equal exactness and soundness of doctrine, and with great beauty and eloquence of composition. (...) Whoever seeks...a complete history and exposition of this branch of our jurisprudence, will have recourse to [this] work, which is written with great candor, and characterized by extended research, and a careful examination of the vital principles upon which our government reposes": cited in Marvin. McArthur was a lawyer in Livingston, Maine. Marvin 669-670. Cohen 2914.

A CASE OF ARSON IN GLOUCESTER, MASSACHUSETTS

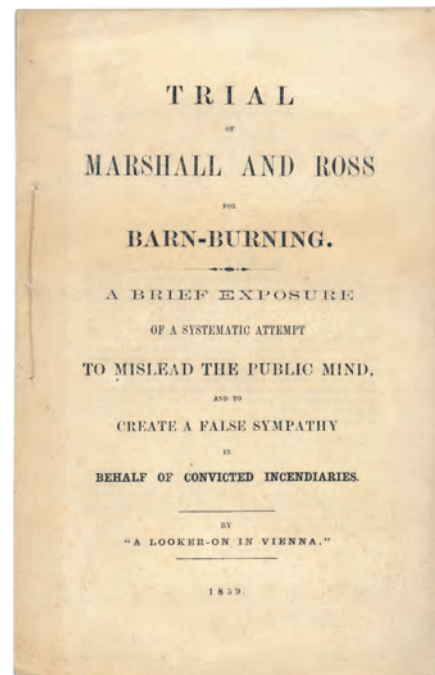
28 [TRIAL].
LOOKER-ON IN VIENNA.

Trial of Marshall and Ross for Barn-Burning: A Brief Exposure of a Systematic Attempt to Mislead the Public Mind, And Create a False Sympathy in Behalf of Convicted Incendiaries.

[Gloucester, MA: S.n.], 1859. 20 pp. Octavo (8-3/4" x 5-1/2").

Stab-stitched pamphlet in printed wrappers. Light soiling and negligible edgewear, rear wrapper lacking, light toning to text. \$650.

ONLY EDITION. Marshall and Ross (we are never given their first names) were a tenant and hired hand of a Mr. Niles, a farmer. They were convicted of arson after Niles's barns were destroyed by fire. This verdict seemed unfair and the defense attorney petitioned successfully for an appeal. Published in the weeks leading up to the second trial, this pamphlet offers an argument for their conviction. An interesting case, it is also a fine record of the social setting of criminal law in small-town New England in the mid-nineteenth century. OCLC locates 14 copies in North America, 5 in law libraries (Columbia, Harvard, Library of Congress, Social Law, University of Missouri). HLC II:1140.



A VICTORY FOR FREE SPEECH

29 [TRIAL].
TOKKER, MARY ANN, DEFENDANT.
COBBETT, WILLIAM [1763-1835], REPORTER.

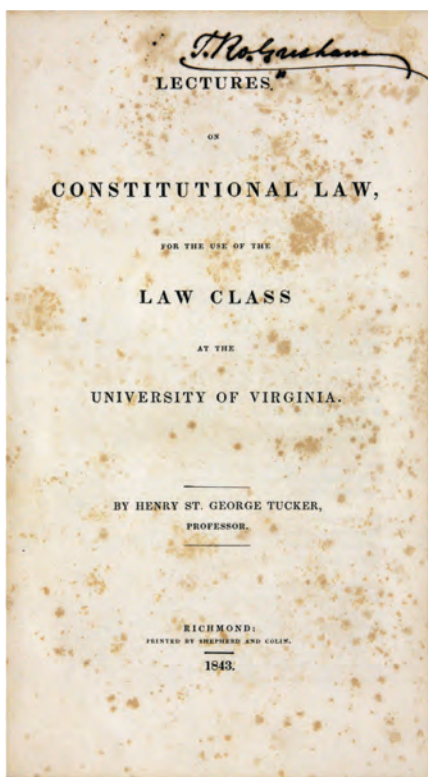
The Trial of Miss Mary Ann Tocker, For an Alleged Libel, On R. Gurney, Jun. Vice-Warden of the Stannery Court, In the County of Devon; Which Trial Took Place Before Mr. Justice Borrough, One of the Judges of the Court of King's Bench, On Wednesday, The 5th of August, 1818, At the Town of Bodmin, In the County of Cornwall. To Which is Prefixed a Letter to Miss Tocker, And to Which is Added an Address to Jury-Men on Their Duties as Jurors, And Especially on Trials for Criminal Libel.

New York: Printed for William Cobbett, By Clayton & Kingsland, 1818. 48 pp. Octavo (7" x 4-1/2").

Disbound stab-stitched pamphlet. Moderate toning and light foxing to text, title page partially detached but secure. Early signature to head of title page, text otherwise clean. \$850.

FIRST AMERICAN EDITION, the best account of this notable case. Tocker was prosecuted for libel upon on a local official. She represented herself and was exonerated by the jury, who declared that her accusations were true. "Miss Tocker achieved great fame in radical circles by the spirited manner in which she conducted her own defense. (...) Cobbett, too, was delighted with 'Miss Tocker's triumph,' in part by her appeal to the jury over the head of the judge, the unpopular Sir James Burrough (...) whom Cobbett himself had faced in 1809" (Pearl). Although there are several London editions, the American edition is the only one with additions by Cobbett, which are considerable, including the text of a letter to Tocker dated North Hempstead, Long Island, November 2, 1818 and notes to ten pages of the trial transcript. This edition was reprinted in Boston by Coverly "from the 3rd New York Edition." However, OCLC and Pearl list no edition other than ours. Pearl, *William Cobbett: A Bibliographical Account of His Life and Times* 99. Evans 43652.





N° 30

TUCKER'S IMPORTANT 1843 LECTURES ON THE CONSTITUTION

30 TUCKER, HENRY ST. GEORGE [1780-1848].

Lectures on the Constitutional Law, for the Use of the Law Class at the University of Virginia.

Richmond: Printed for Shepherd and Colin, 1843. 242 pp. 12mo. (7-1/2" x 4-1/2").

Contemporary pebbled cloth, light rubbing, minor wear to spine ends and corners, dampspotting to front board, some fading to spine. Light toning, occasional light foxing. Early owner signature to head of title page, interior otherwise clean. \$850.

ONLY EDITION. Tucker proposes a vigorous defense of states-rights principles in the manner of John Taylor of Caroline. A notably sophisticated argument, it balances detailed analysis of the U.S. Constitution with criticism of Joseph Story, Daniel Webster and other proponents of a powerful Federal government. Tucker was a judge of the superior courts of chancery for the Winchester and Clarksburg districts, President of Virginia's Supreme Court of Appeals, the director of a private law school in Winchester and, later in life, Professor of Law at the University of Virginia. Works that grew out of the classroom include *Commentaries on the Laws of Virginia* (1836-1837). Cohen 2928.

SCARCE HARTFORD IMPRINT OF THE ACTS PASSED
AT THE FIRST U.S. CONGRESS

31 [UNITED STATES].

Acts Passed at a Congress of the United States of America, Begun and Held at the City of New-York, on Wednesday the Fourth of March, in the Year M,DCC,LXXXIX, and of the Independence of the United States the Thirteenth. Being the Acts Passed at the First Session of the First Congress of the United States, to wit, New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, South-Carolina and Georgia, Which Eleven States Respectively Ratified the Constitution of Government for the United States, Proposed by the Federal Convention, Held in Philadelphia, On the Seventeenth of September, One Thousand Seven Hundred and Eighty Seven.

Hartford: Re-Printed and Sold by Hudson and Goodwin, 1791. [x], [3]-327 pp. Octavo (9-1/4" x 5-1/2").

Contemporary sheep, gilt fillets and lettering piece to spine. Some rubbing to extremities, staining and a few scuffs to boards, corners bumped, front endleaves and a few rear endleaves lacking. Moderate toning to text, somewhat heavy but gradually diminishing dampstaining to foot of the first third of text block with no loss to legibility, inkstaining to head (above text). Early signatures and annotations to front board, title page and a few other leaves. A solid copy. \$2,500.

VERY SCARCE HARTFORD EDITION. Includes the acts and resolutions of all three sessions of the First Congress (March 1789 to March 1791) and the texts of the Declaration of Independence, the Articles of Confederation, and the U.S. Constitution. The Bill of Rights had yet to be ratified and those amendments are included within the general legislative text. This edition not in Sabin or Evans, which do describe later Hartford edition dated 1791, containing 486 pages, which was actually printed after March, 1792. Howes A35.

"A THING UNPRECEDENTED IN
THE HISTORY OF VIRGINIA ASSEMBLIES"

32 [VIRGINIA].

ROBERTSON, DAVID, REPORTER.

Debates and Other Proceedings of the Convention of Virginia, Convened at Richmond, on Monday the Second Day of June, 1788, For the Purpose of Deliberating on the Constitution Recommended by the Grand Federal Convention; To Which is Prefixed the Federal Constitution.

Richmond: Printed at the Enquirer-Press, For Ritchie & Worsley and Augustine Davis, 1805. viii, 477 pp. Octavo (8" x 5").

Contemporary tree calf rubbed and scuffed, with original green gilt lettering piece and gilt fillets to spine. Small loss to headcap of spine, front joint starting at head, light toning to interior. Early signature of Samuel Spackman to title, to front endleaf at head of title page, interior otherwise clean. A desirable copy in its original state. \$650.

SECOND EDITION. Among those debating the Federal Constitution, which appears just following the Preface, were James Madison, Patrick Henry, James Monroe, John Marshall, Benjamin Harrison, Bushrod Washington, George Wythe, George Mason, Richard Henry Lee, and many other notable Virginians of the day. Assisted by another reporter, Roberson recorded the debates, "a thing unprecedented in the history of Virginia assemblies" (Swem). The first edition was published as a three-volume set in 1788. Swem, *Virginia Historical Index* 7589. Cohen 2949. Sabin 100029.

NOTABLE ESSAYS BY A NOTABLE EARLY AMERICAN ECONOMIST
AND POLITICAL THINKER

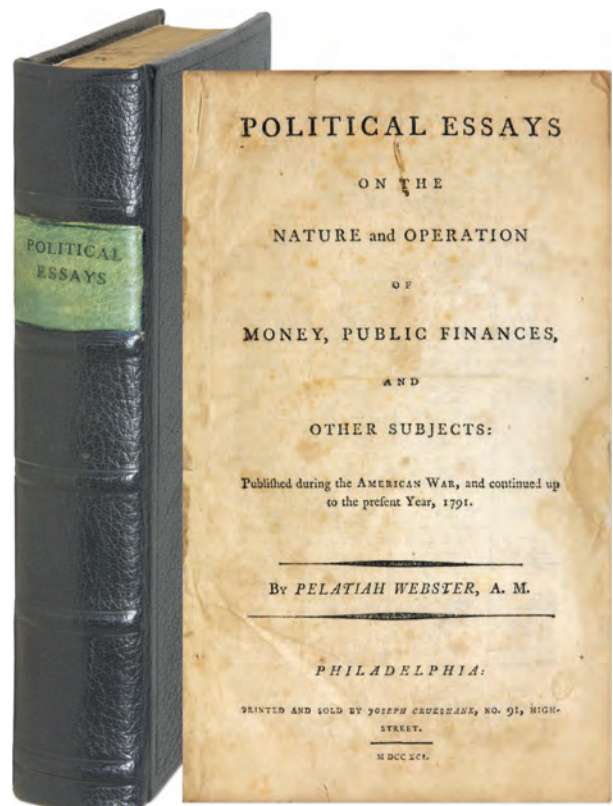
33 WEBSTER, PELATIAH [1726-1795].

Political Essays on the Nature and Operation of Money, Public Finances, And Other Subjects: Published During the American War, And Continued up to the Present Year, 1791.

Philadelphia: Printed and Sold by Joseph Cruikshank, 1791. viii, 504 pp. Octavo (7-3/4" x 4-3/4").

Recent morocco, blind rules to boards, raised bands and lettering piece to spine, marbled endpapers. Some toning to text, light foxing in places, faint dampstaining to outer margins of a few leaves, some edgewear and minor tears to title page, internally clean. \$2,850.

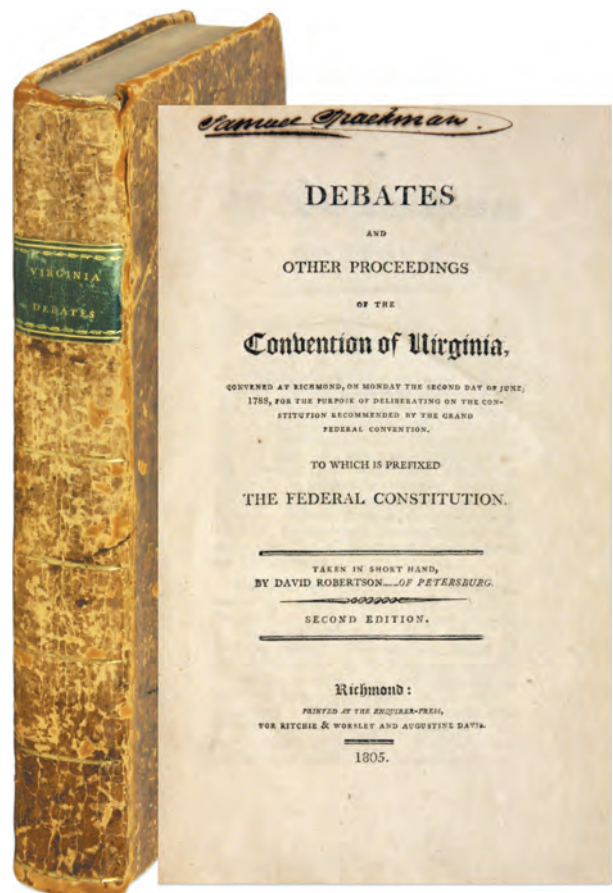
ONLY EDITION. Pelatiah Webster, a Yale-educated Philadelphia merchant, is often cited as America's first economist. He wrote several essays on the subject and was often consulted by the Continental Congress on economic matters. He was also a notable political thinker. Indeed, he is remembered today for his "Dissertation of the Political Union and Constitution of the Thirteen United States of North America" (1783), which argued for a new constitution to replace the Articles of Confederation. This essay was studied carefully by members of the Constitutional Convention. He played a large part in the struggle for ratification, and his arguments, based on historical and economic principles, were influential. *Political Essays* collects all of his principal writings. In addition to the "Dissertation," it includes, among other essays, "An Essay on the Danger of Too Much Circulating Cash in a State," "An Essay on Free Trade and Finance," "Strictures on Tender-Acts," "An Essay on the Economy, Policy, And Resources of the Thirteen States, And the Means of Their Preservation," "A Dissertation on the Nature, Authority, And Uses of the Office of a Financier-General," "Remarks on the Resolution of Council, Of the 2d May, 1781, for Raising the Exchange to 175 Continental Dollars for One Hard," "Remarks on the address of sixteen members of the Assembly of Pennsylvania to their Constituents, Dated Sept. 29, 1787," "An Essay on credit," "Strictures on the Net Produce of Great-Britain in the Year 1784" and "An Essay on the Extent and Value of Our Western Inlocated Lands." Kress 2235. Evans 23972.



N° 33

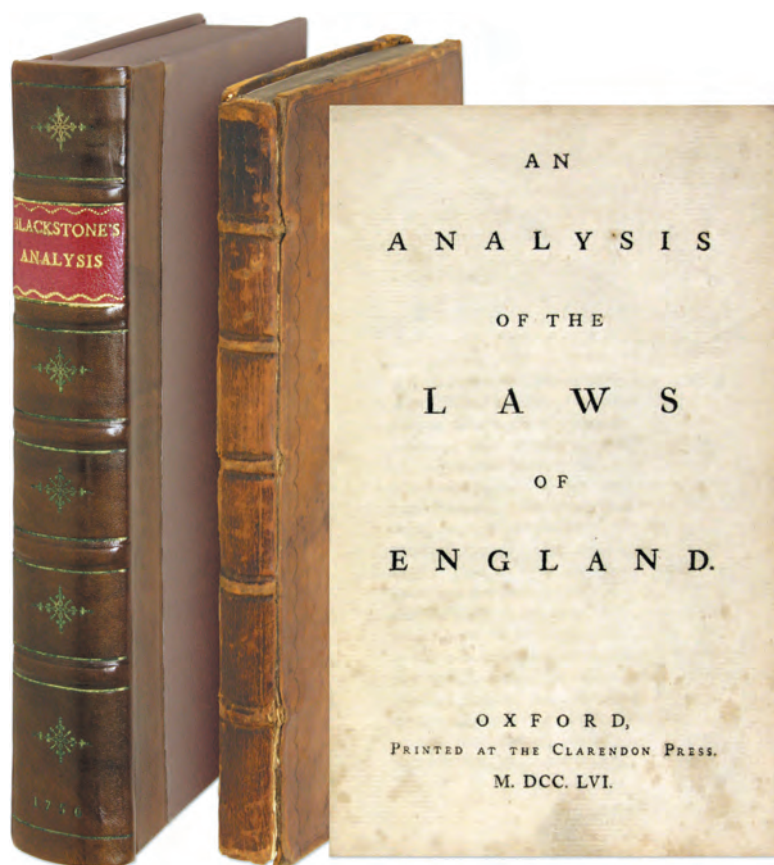


Detail from N° 31



N° 32

GREAT BRITAIN



N° 35

"NOBILITIE OF THE REALME"

THE OUTLINE FOR BLACKSTONE'S COMMENTARIES

34 [BIRD, WILLIAM].

A Treatise of the Nobilitie of the Realme. Collected Out of the Body of the Common Law, With Mention of Such Statutes as are Incident Hereunto, Upon a Debate of the Barony of Aburgavenny. With a Table of the Heads Contained in this Treatise.

London: Printed by A.N. for Mathew Walbanke and Richard Best, 1642. [iv], 157, [1] pp. Woodcut illustrations (genealogical tables). Octavo (5-1/2" x 3-1/2").

Recent period-style calf, blind rules and fillets to boards, gilt-edged raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Title page and text printed within ruled borders. Light browning to text, somewhat heavier in places, occasional faint dampspotting, some edgewear to title page and a few other leaves, internally clean. \$500.

ONLY EDITION. The occasion for this treatise was a contemporary controversy regarding the legitimacy of Edward Nevill's claim to the title of Lord Bergavenny. His claim is the starting point for a general review of peerage law. Another edition, with additions by Sir John Doddridge, was published later in 1642 as *The Magazine of Honour; Or, A Treatise of the Severall Degrees of the Nobility of this Kingdome*. Both editions are scarce. OCLC locates 8 copies of *Treatise* in North American law libraries (Columbia, Georgetown, Harvard, Library of Congress, Ohio State, University of Minnesota, University of Pennsylvania, York University). Sweet & Maxwell 1:203 (6).

35 [BLACKSTONE, SIR WILLIAM (1723-1780)].

An Analysis of the Laws of England.

Oxford: Printed at the Clarendon Press, 1756. x, [iv], 180 pp. Two copperplate tables, one folding. Octavo (7-3/4" x 5").

Contemporary calf, blind rules and fillets to boards, rebacked retaining existing unlettered spine with raised bands. Light rubbing and some scratches to boards, moderate rubbing to extremities, corners bumped and somewhat worn, early armorial bookplate (of Sir John Hussey Delaval) to front pastedown, lower corners of rear endleaves restored. Light toning to text, somewhat heavier in places, occasional faint dampspotting. Delaval's signature and a later owner stamp (of Arthur W. Baldwin) to front free endpaper, interior otherwise clean. Book housed in period-style quarter-calf over cloth clamshell box, raised bands and lettering piece to spine. An appealing copy of a scarce title. \$5,000.

FIRST EDITION. Published anonymously, the *Analysis* is a synopsis of Blackstone's Vinerian lectures at Oxford. Issued as a companion to his course, it was, in effect, the outline for Blackstone's *Commentaries on the Laws of England* (1765-1769). The main text is preceded by a detailed diagrammatic table of contents. The plates depict lines of descent and consanguinity. OCLC locates 14 copies in North American law libraries. ESTC T56692. Eller 217. Laeuchli 520.

36 [BLOUNT, THOMAS (1618-1679)]. BILLINGHURST, GEORGE, ATTRIBUTED.

The Judges Resolutions Upon the Several Statutes Concerning Bankrupts, With the Like Resolutions on the Statutes of 13 Eliz. and 27 Eliz. Touching Fraudulent Conveyances.

London: Printed for Henry Twyford, 1676. 206, [2] pp. A second part, beginning on p. 176, has a divisional title page reading *The Resolutions of the Judges, Upon 13 Eliz. and 27 Eliz. the Statutes Touching Fraudulent Conveyances*. Octavo (5-1/2" x 3-1/2").

Later library cloth, lettering piece to spine, hinges reinforced. Light rubbing to extremities, light soiling to spine. Moderate toning, faint dampstaining to margins in a few places. Two early owner signatures to title page, one dated 1735, underlining and annotations throughout text, some notes affected slightly by trimming. Ex-library. Stamps to edges, boards and free endpapers, bookplate to front pastedown, perforated stamp to title page. A solid copy of a scarce title. \$1,000.

SECOND AND FINAL EDITION. One of the earliest books on the topic, this brief treatise was originally published in 1670 under Blount's name with a slightly different title. Blount was a member of the Inner Temple. Prohibited to practice at the Bar because he was a Catholic, and blessed with a large private income, Blount turned to legal scholarship, historical studies and lexicography. Both editions are scarce. OCLC locates 12 copies of the 1676 edition in North America, 10 in law libraries. ESTC R4175.

THE LAWS, RIGHTS AND LIBERTIES OF LONDON

37 BOHUN, WILLIAM.

Privilegia Londini: Or, The Rights, Liberties, Privileges, Laws, And Custom of the City of London. Wherein are Contained, I. The Several Charters Granted to the Said City, From King William I. to the Present Times. II. The Magistrates and Officers Thereof, With Their Respective Creations, Elections, Rights, Duties, And Authorities. III. The Laws and Customs of the City, As the Same Relate Either to the Persons or Estates of the Citizens; Viz. of Freemens Wills, Feme-Sole Merchants, Orphans, Apprentices, &c. IV. The Nature, Jurisdiction, Practice, And Proceedings of the Several Courts Thereof, With Tables of Fees Relating Thereto. V. The Several Statutes Concerning the Said City, And Citizens, Alphabetically Digested. With Large Additions.

London: Printed for D. Browne, W. Mears, [et al.], 1723. xvi, 498, [22] pp. Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind frames to boards, later calf rebacking with blind fillets and red and black lettering pieces, endpapers renewed. Rubbing to extremities with light wear, a few minor scuffs to boards. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, occasional light dampspotting. Early owner name to head of title page, annotations to margins of a few leaves. Ex-library. Inkstamps to boards, bookplate to front pastedown, perforated stamps to title page and a few other leaves. A solid copy. \$1,250.

THIRD AND FINAL EDITION. "Having observed in the Course of our English History many Attempts made (by the Ministers of some artful and designing Princes) to weaken and undermine the ancient, legal, and fundamental Rights, Liberties,

and Privileges of the City and Citizens of London: I thought myself obliged to Endeavor to collect and ascertain such Laws, Customs, and Usages of the said City, Wherein the Original Constitution and Foundation of its Government seem to have been laid; and whereby its Happiness, Opulency, and Glory do (under God and his present Majesty) evidently subsist" (Preface). Though little is known about him personally, Bohun was an attorney and prolific author who published well-received treatises on legal education, pleading, ecclesiastical law and other subjects. The first and second editions of *Privilegia Londini* were published in 1703 and 1716. Sweet & Maxwell 1:436 (27).



Detail from N° 38

LAWS RELATING TO THE STUART-ERA NOBILITY

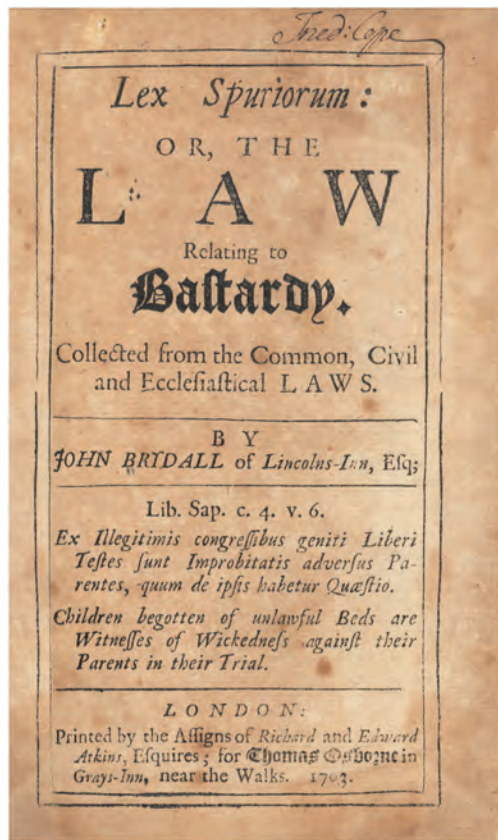
38 BRYDALL, JOHN [B.1635?].

Jus Imaginis Apud Anglos; Or the Law of England Relating to the Nobility & Gentry. Faithfully Collected and Methodically Digested for Common Benefit.

London: Printed for John Billinger, 1675. [xvi], 76, [1] pp. Blank interleaves throughout without annotations. Copperplate frontispiece (Arms of Great Britain). Folding table. Collates complete. Octavo (6-1/2" x 4-1/4").

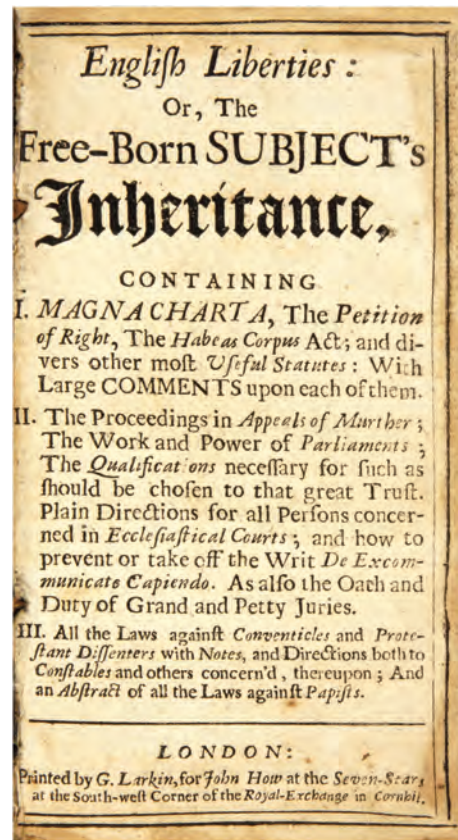
Nineteenth-century three-quarter calf over marbled boards, raised bands and gilt title to spine. Moderate rubbing to extremities, corners bumped, hinges cracked, armorial bookplate to front pastedown, small early owner (orbookseller) stamp to verso of frontispiece. Moderate toning to text, occasional faint dampspotting, internally clean. Ex-library. Faint inkstamps to boards, another stamp to rear free endpaper, bookplate to front free endpaper, perforated stamp to head of title page. A solid copy of a scarce title. \$600.

ONLY EDITION. Brydall was a fellow of Queen's College, Oxford, and a bencher of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." OCLC locates 12 copies in North American law libraries. Holdsworth, *HEL* VI:605. Sweet & Maxwell 1:203 (9).



N° 39

1703 TREATISE ON THE LAW RELATING TO BASTARDY



N° 40

FIRST EDITION OF A CLASSIC GUIDE TO ENGLISH LAW AND GOVERNMENT THAT INSPIRED THE AMERICAN FOUNDING FATHERS

39 BRYDALL, JOHN.

Lex Spuriorum: Or, The Law Relating to Bastardy. Collected from the Common, Civil and Ecclesiastical Laws.

London: Printed by the assigns of Richard and Edward Atkins, Esquires; For Thomas Osborne, 1703. [viii], 127, [9] pp. Octavo (6-3/4" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets along joints, rebacked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners worn, a few minor scuffs to boards, crack in text block between title page and following leaf. Light browning and foxing to text. Small early owner signature to head of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$850.

ONLY EDITION. Brydall was a fellow of Queen's College, Oxford, and a benchet of Lincoln's Inn. A remarkably prolific writer, he published 36 legal treatises, and left 30 others in manuscript at the time of his death. All of these are brief, synthetic works. Holdsworth says they are good summaries that are "clearly arranged and based on the leading authorities." *Lex Spuriorum*, a handbook of English laws concerning illegitimacy, is cited in Holdsworth's review of legal writings of the seventeenth and eighteenth centuries. OCLC locates 6 copies in North American law libraries (Harvard, NY State Appellate Division, Ohio State, Southern Methodist University, University of Michigan, US Supreme Court). Holdsworth, *HEL* VI:605, 607. Sweet & Maxwell 1:498 (3).

40 [CARE, HENRY (1646-1688)].

English Liberties: Or, The Free-Born Subject's Inheritance, Containing I. Magna Charta, The Petition of Right, The Habeas Corpus Act; And Divers Other Most Useful Statutes: With Large Comments Upon Each of Them. II. The Proceedings in Appeals of Murther; The Work and Power of Parliaments; The Qualifications Necessary for Such as Should be Chosen to that Great Trust. Plain Directions for All Persons Concerned in Ecclesiastical Courts; And How to Prevent or Take Off the Writ De Excommunicato Capiendo. As Also the Oath and Duty of Grand and Petty Juries. III. All the Laws Against Conventicles and Protestant Dissenters with Notes, And Directions both to Constables and Others Concern'd, Thereupon; And an Abstract of All the Laws Against Papists.

London: Printed by G. Larkin, For John How at the Seven-Stars at the South-West Corner of the Royal Exchange in Cornhill, [1680 or 1682]. [x], 228 pp. Initial blank and final four leaves, which contain a publisher list, lacking. Three leaves in Signature D (pp. 49-72 bound out of order. 12mo. (5-1/2" x 3-1/4").

Somewhat later sheep, blind rules to boards and spine, endleaves renewed, text block recased. Some rubbing to spine and extremities, minor chipping to head of spine, minor worming to foot. Moderate toning to text, light browning to a few leaves, faint dampstaining in a few places, minor text loss to a few leaves due to trimming. A solid copy. \$2,850.

FIRST EDITION, one of two imprints from that year (1682 publication date conjectured by Wing). This classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Priviledge of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned this edition and another copy, printed in London in 1719, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. OCLC locates 2 copies of this imprint (at Harvard Law School and the Library of Congress, Law Division). The two undated imprints were followed by a series of dated imprints, the first from 1682. Sowerby 2702, 2703. Wing C515. ESTC R32534.

THE FIRST ENGLISH TREATISE ON THE LAW OF INFANTS

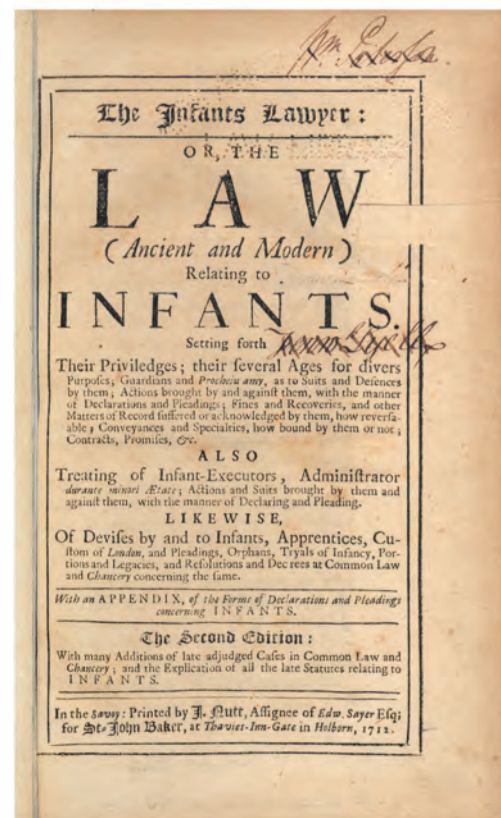
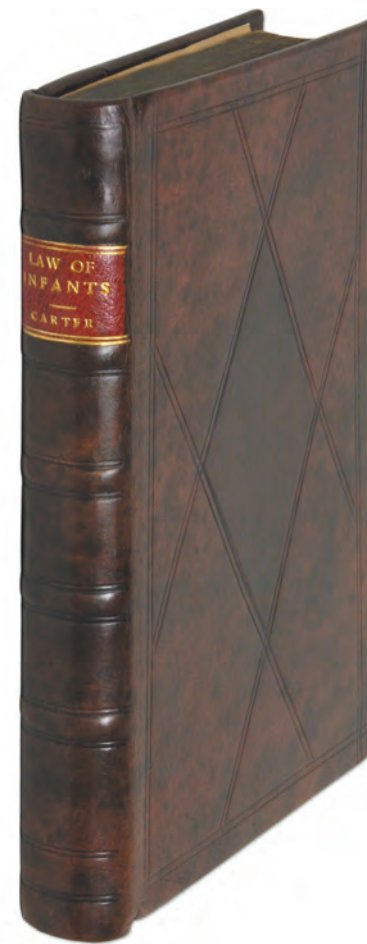
41 [CARTER, SAMUEL].

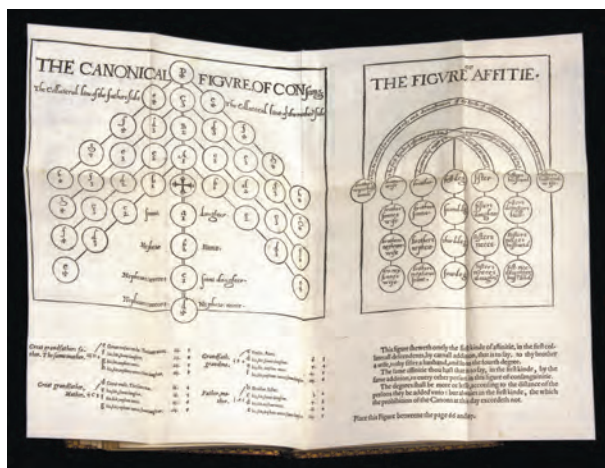
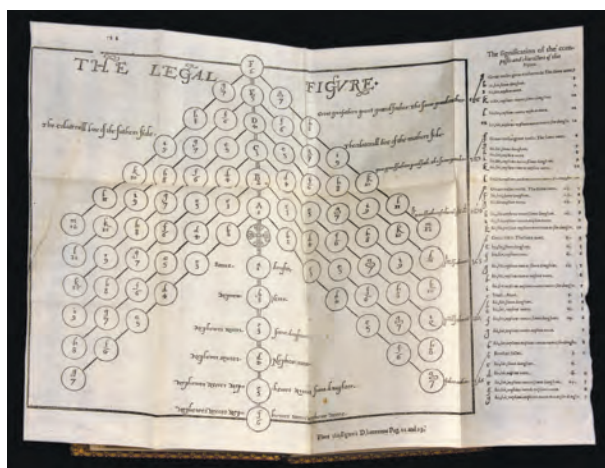
The Infants Lawyer: Or the Law (Ancient and Modern) Relating to Infants. Setting Forth Their Priviledges; Their Several Ages for Divers Purposes; Guardians and Prochein Amy, As to Suits and Defences by Them; Actions Brought by and Against Them, With the Manner of Declarations and Pleadings; Fines and Recoveries, And other Matters of Record Suffered or Acknowledged by Them, How Reversible; Conveyances and Specialties, How Bound by Them or Not; Contracts, Promises, &c. Also Treating of Infant-Executors, Administrator Durante Minori Aetate; Actions and Suits Brought by Them and Against Them, With the Manner of Declaring and Pleading. Likewise, Of Devises by and to Infants, Apprentices, Custom of London, And Pleadings, Orphans, Tryals of Infancy, Portions and Legacies, And Resolutions and Decrees at Common Law and Chancery Concerning the Same. With an Appendix of the Forms of Declarations and Pleadings Concerning Infants. With Many Additions of Late Adjudged Cases in Common Law and Chancery; and the Explication of All the Late Statutes Relating to Infants.

[London]: Printed by J. Nutt, 1712. [xxiv], 380, [28] pp. Octavo (7-1/2" x 4-1/2").

Recent period-style calf, blind rules diced pattern to boards, raised bands and lettering piece to spine, endpapers renewed, early hand-lettered title to fore-edge of text block. Moderate toning to text, faint dampspotting in places, small strip of paper clipped from title page with minor loss to text. Two early owner signatures to title page, interior otherwise clean. Ex-library. Perforated stamps to title page and following leaf. A solid copy in a handsome binding. \$1,850.

SECOND EDITION. First published in 1697, this is the first English treatise on the subject. Its twenty comprehensive chapters consist of a digest of the case law relating to each topic with explanatory comments. Holdsworth notes that "[i]t was a useful book to practitioners since it covers all the topics connected with its subject." A third edition was published in 1726. All editions are scarce. Holdsworth, *HEL* XII:399-400. Sweet & Maxwell 1:499 (17).





N° 42

"THE ISSUE OF THE DEFILED BED"

42 CLERKE, WILLIAM [FL. 1595].

The Triall of Bastardie: That Part of the Second Part of Policie, Or Maner of Government of the Realme of England: So Termed, Spirituall, or Ecclesiasticall. Annexed at the End of this Treatise, Touching the Prohibition of Marriage, A Table of the Levitical, English, And Positive Canon Catalogues, Their Concordance and Difference.

London: Printed by Adam Islip, 1594. [xvii], 82; [22] pp. Final section has individual pagination and title page. Three folding tables. Quarto (7-1/4" x 5-1/2").

Later morocco, gilt frames with corner fleurons to boards, raised bands and gilt title to spine, marbled endpapers, inside gilt dentelles, all edges gilt. Light rubbing to extremities with minor wear around spine ends, hinges cracked, early owner bookplate to front pastedown. Woodcut printer devices head-pieces, tail-pieces and decorated initials. Early woodcut of a man denying a child pasted to verso of the second part's title page. Light toning text. Early owner inscription to head of p. 1, interior otherwise clean. Ex-library. Bookplate to front free endpaper, stamps to front endleaf and foot of text block. A handsome copy. \$3,000.

ONLY EDITION. Clerke's fascinating treatise explores the manifold issues relating to "the issue of the defiled bed" under the common, ecclesiastical and, to some extent, Jewish law. It is an important resource for students of Elizabethan society and culture. It has been used, for example, in discussions of Edmund, the bastard son of Gloucester in Shakespeare's *King Lear*. The tables depict lines of descent and consanguinity. OCLC locates 6 copies in North American law libraries (Harvard, Library of Congress, Ohio State, St. Louis University, UC-Berkeley, Yale). Beale T327.

"THE MOST LEARNED CIVILIAN OF HIS TIME"

43 COWELL, JOHN [1554-1611].

Institutiones Juris Anglicani Ad Methodum Et Serium Institutionum Imperialium Compositae & Digestae. Opus non Solum Juris Anglicani Romani[que] in hoc Regno Studiosis, Sed Omnibus qui Politeiani & Consuetudines Inclyti Nostri Imperii Penitus Scire Cupiunt, Utile & Accommodatum. Cum Duplici Indice, Quorum Alter Titulos Ordine Alphabetico, Alter Obscuras Juris Ang. Dictiones Earum[que] Explicationem Continet.

Cambridge: Ex Officina Iohannis Legat, 1605. [xii], 268, [20] pp. Octavo (6-1/2" x 4-1/2").

Contemporary limp vellum, early hand-lettered title to spine. Moderate soiling, corners and spine ends bumped, small hole to center of spine, pastedowns loose. Large seal of Cambridge University to verso of title. Some toning, moderate edgewear to endleaves. Early owner signature (of Charles Milborne) to front and rear endleaves, interior otherwise clean. \$950.

FIRST EDITION. As Walker notes, Cowell was "the most learned civilian of his time." Regius Professor of Civil Law at Cambridge from 1594 to 1611, he is remembered today as the author of an important (and controversial) dictionary, *The Interpreter* (1607), which went through several subsequent editions. As indicated by its title, the *Institutiones* is an elementary textbook on English law organized in the manner of Justinian's *Institutes*. As Holdsworth notes, "The objects of [this book] were to promote the union of England and Scotland by pointing out the resemblances between the common law and the civil law; to give the student of the common law some knowledge of the general principles of law; and to show the students of the civil law that if they would study the common law, they would improve their knowledge of both laws, and cease to be regarded as mere children in legal knowledge. That these ideas were sound is fairly obvious [today]... but they were in advance of their time." A translation of this book was ordered by Parliament in 1651, which indicates its stature during the Commonwealth period (despite Cowell's support of the crown). There were five editions in all; the final edition, in Latin, was published in 1676. Walker 311. Holdsworth, *HEL* V:21. Sweet & Maxwell 1:21 (7).

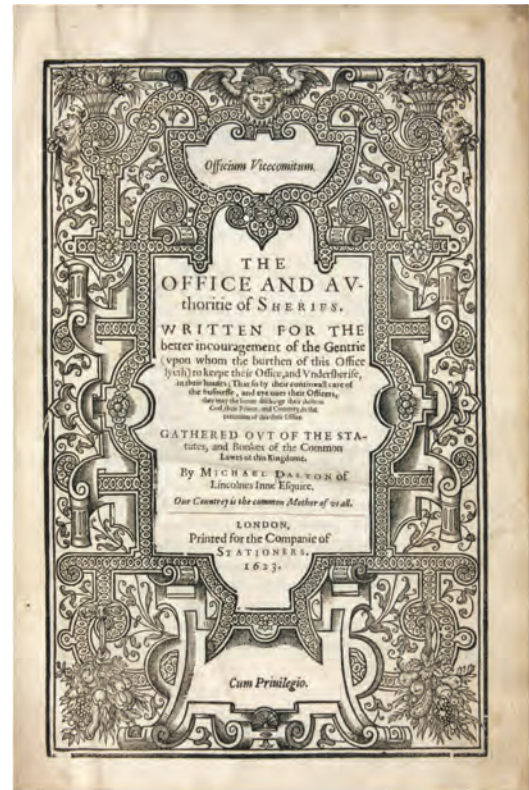
44 DALTON, MICHAEL [D.CA. 1648].

Officium Vicecomitum: The Office and Authoritie of Sherifs, Written for the Better Incouragement of the Gentry (Upon Whom the Burthen of This Office Lyeth) to Keepe Their Office, And Undersherife, In Their Houses; That so by Their Continuall Care of the Businesse, And Eyeover Their Officeres, They May the Better Discharge Their Dutie to God, Their Prince, And Countrey, In the Execution of This Their Office. Gathered Out of the Statutes, And Bookes of the Common Lawes of this Kingdome.

London: Printed for the Companie of Stationers, 1623. Folio (11-1/4" x 7-1/2").

Contemporary calf, blind rules to boards, raised bands and later gilt-stamped title to spine, endpapers renewed. Light rubbing, recent repairs to spine ends and adjacent corners of boards, front joint partially cracked, corners bumped and lightly worn. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Light toning, faint dampstaining to upper corners of margins, bookplate residue to front pastedown. Early owner signature, interior otherwise clean. An appealing copy. \$2,500.

FIRST EDITION. This is the first English treatise on sheriffs. As its title suggests, it is a remarkably comprehensive work. Holdsworth, who cites it several times, says "in spite of a growing number of rivals, it continued to be a standard authority until the beginning of the eighteenth century." *HEL* IV:119. See Sweet & Maxwell 1:222 (6).



N° 44

ASSERTING THE ACT OF SUPREMACY

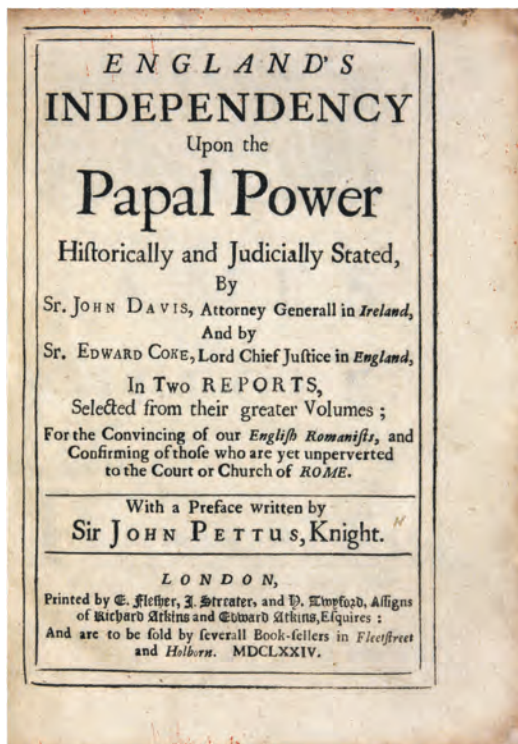
45 [DAVIES, SIR JOHN (1569-1626)].
PETTUS, SIR JOHN [1613-1690], PREFACE.

England's Independency Upon the Papal Power Historically and Judicially Stated, By Sr. John Davis, Attorney Generall in Ireland, And by Sr. Edward Coke, Lord Chief Justice in England, In Two Reports, Selected from Their Greater Volumes; For the Convincing of our English Romanists, And Confirming of Those Who are Yet Unperverted to the Court or Church of Rome. With a Preface Written by Sir John Pettus, Knight.

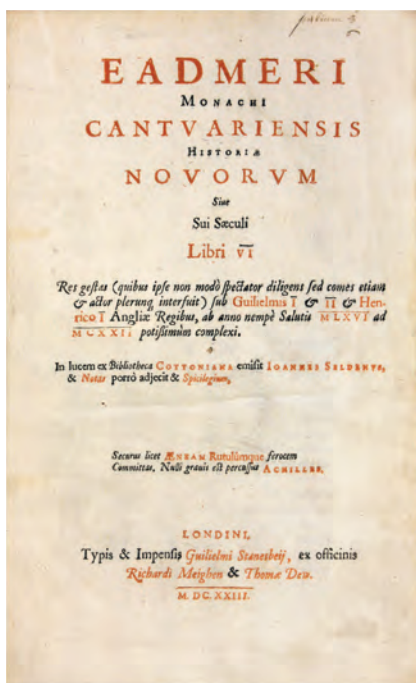
London: Printed by E. Flesher, J. Streater, and H. Twyford, 1674. [xvii], 88 [i.e. 84] pp. (Pp. 82-84 mis-numbered 84, 85, 88, respectively.) Quarto (7-1/2" x 5-1/2").

Stab-stitched pamphlet bound into later morocco, gilt title to spine, endpapers renewed. Light rubbing to extremities, front joint starting at foot. Attractive large woodcut head-pieces and decorated initials. Light toning to text, somewhat heavier in places, light soiling and some edgewear to title page, internally clean. \$950.

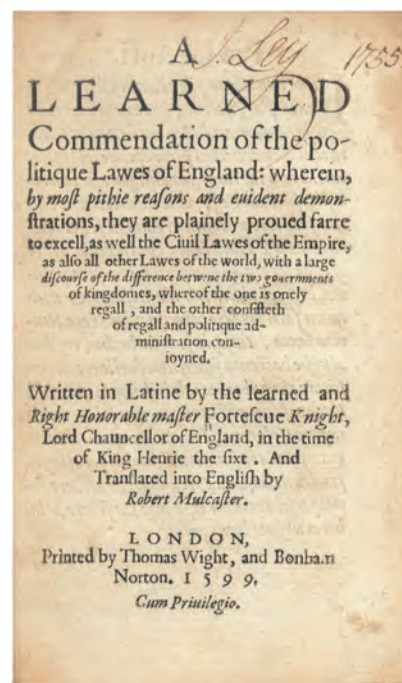
ONLY EDITION. Davies is an important figure in English and Irish constitutional history. Also a notable poet, he was attorney general for Ireland. During that time he framed several legal principles that were used to support the growth of the British Empire. *England's Independency* reflects his fear of the pro-Catholic King Charles II. It warns the king to restrict his support through a clever reading of the Act of Supremacy. Issued by King Henry VIII in 1534, it declared the king to be the "supreme head on earth of the Church in England" in place of the pope. Therefore, he argues, any sympathy towards Catholicism is treasonous because it cedes power to the pope, who, like the king, claims political power over his followers. OCLC locates 12 copies in North America, 2 in law libraries (Library of Congress, Yale). *ESTC* R21289.



N° 45



SELDEN'S EDITION OF AN IMPORTANT HISTORY OF EARLY NORMAN ENGLAND



WELL-ANNOTATED 1599 EDITION OF FORTESCUE'S *DE LAUDIBUS*

- 46 EADMER [C.1060–C.1126].
SELDEN, JOHN [1584–1654], EDITOR.

Eadmeri Monachi Cantuariensis Historiae Novorum Sive Saeculi Libri VI. Res gestas (Quibus Ipse non Modo Spectator Diligens Sed Comes Etiam & Actor Plerunq[ue] Interfuit) sub Guilielmo I & II & Henrico I Angliae Regibus, Ab Anno Nempe Salutis MLXVI ad MCXXII Potissimum Complexi. In Lucem ex Bibliotheca Cottoniana Emisit Ioannes Seldenus, & Notas Porro Adjecit & Spicilegium.

London: Typis & Impensis Guilielmi Stanesbeii, Ex Officinis Richardi Meighen & Thomae Dew, 1623. [viii], XVI, 218, pp. Woodcut text illustration (facsimile of two seals). Final leaf, a blank, lacking. Folio (13" x 8").

Contemporary speckled calf, blind rules to boards, rebaked, raised bands and lettering piece to spine, endpapers renewed, ribbon marker. Moderate rubbing to extremities, joints just starting at ends, corners bumped and lightly worn, a few partial cracks to text block. Title page printed in red and black, woodcut head-pieces and decorated initials. Light toning, spark burns, smudges and minor tears to a few leaves, internally clean. Ex-library. Bookplate to front pastedown, stamps to endleaves and edges of text block. \$950.

ONLY EDITION, one of two issues from 1623. Eadmer (or Edmer) was an English historian, theologian, and ecclesiastic. He wrote two important works, *Vita Alselmi*, a biography of his archbishop and companion, Saint Anselm, and *Historia Novorum in Anglia*, a history of England between 1066 and 1122, the time when Norman rule was established and consolidated. Although it emphasizes ecclesiastical matters, it offers interesting insights into political and judicial administration. Selden's was the first modern edition of this important work and the basis of subsequent editions by Martin Rule (1884) and Geoffrey Bosanquet (1964). ESTC S121439.

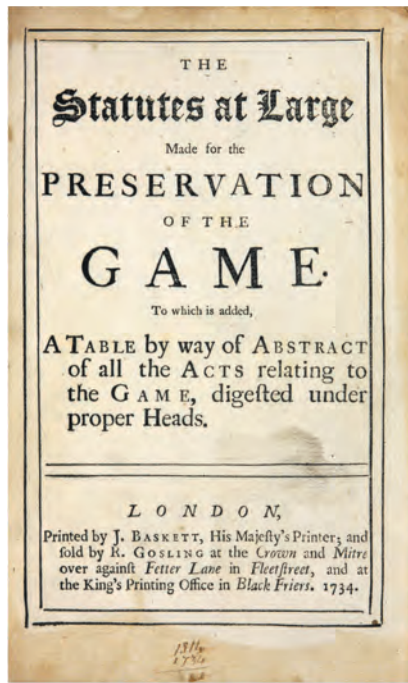
- 47 FORTESCUE, SIR JOHN [1394?–1476?].
MULCASTER, ROBERT [16TH. C.], TRANSLATOR.

A Learned Commendation of the Politique Lawes of England: Wherein, By Moste Pittie Reasons and Evident Demonstrations, They are Plainely Proved Farre to Excell, As well the Civil Lawes of the Empire, As Also All Other Lawes of the World, With a Large Discourse of the Difference Betwene the Two Governements of Kingdomes, Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conioyned. Written in Latine by the Learned and Right Honorable Master Fortescue Knight, Lord Chauncellor of England, In the Time of King Henie the Sixt. And Translated into English by Robert Mulcaster.

London: Printed by Thomas Wight, and Bonham Norton, 1599. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/2").

Contemporary calf, blind rules to boards, rebaked in period style, endpapers renewed. Light rubbing to boards, corners bumped and somewhat worn. Moderate toning to text, light soiling to title page, inkstains to margins of a few leaves. Early owner signature, of J or I Ley, dated 1755, to head of title page, underlining and brief annotations throughout text, some affected slightly by trimming. An appealing copy. \$4,500.

THIRD EDITION with an English text. *De Laudibus Legum Angliae*, was written for the instruction of Edward, the young Prince of Wales. Cast in dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe. It also compares the common and Roman systems and extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first published (in Latin) in 1537. "Fortescue was a favorite among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the Common Law" (Marvin). This was the first work to examine trial by jury and the Inns of Court at length. Marvin 321. Beale T359. ESTC S102543.



"PRESERVATION OF THE GAME"

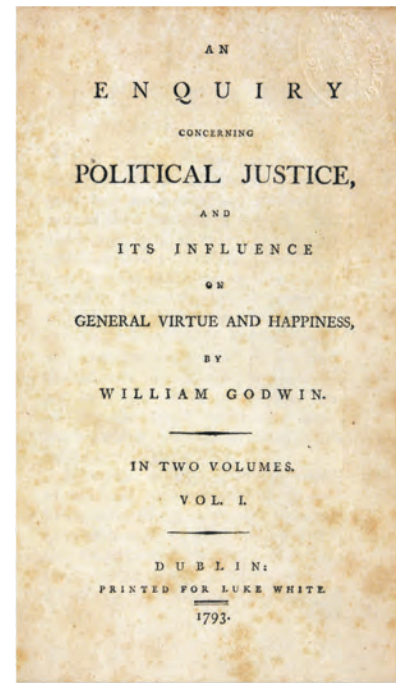
48 [GREAT BRITAIN]. [GAME LAWS].

The Statutes at Large Made for the Preservation of the Game: To Which is Added, a Table by Way of Abstract of All the Acts Relating to the Game, Digested Under Proper Heads.

London: Printed by J. Baskett, 1734. 108 [i.e. 128], [24] pp. Octavo (8" x 5").

Contemporary calf, blind rules and fillets to boards, raised bands and to spine. Moderate rubbing to boards, heavier rubbing to extremities, gilt spine title rubbed away, front board beginning to separate, corners bumped and somewhat worn, rear hinge cracked. Light toning to text, somewhat heavier in places, offsetting to margins of preliminaries and rear endleaves. Neat early underlining to a few passages, interior otherwise clean. A solid copy. \$950.

SECOND EDITION. "Of all the Branches of the Statute-Laws of this Kingdom, there is scarce any that requires to be more universally known than the Acts that have been made for the Preservation of the Game: Persons of all degrees may be concerned therein. Now because many of the said Acts are not to be had Single, and the Statutes at Large being grown bulky in Price as well as Size, the Publishers were for these reasons induced to oblige the Publick with the following Collection, in which the Lords of Manors, and Owners of Royalities, and also of Forests, Chases, Parks, &c. may at one View in a Manner see their Franchises and Privileges; the Civil Magistrate, as Justices of the Peace, and other Peace-Officers, his Duty and Authority, and the unlawful Destroyer of the Game, his Punishment" [iii]. First published in 1726, this treatise went through two more editions in 1734 and 1756. All are scarce. OCLC locates 6 copies of the 1734 edition in North America, 2 in law libraries (Harvard, University of Georgia). Sweet & Maxwell 1:466 (54).



A LANDMARK IN THE DEVELOPMENT OF UTILITARIAN, SOCIALIST AND ANARCHIST DOCTRINE, LISTED IN *PRINTING AND THE MIND OF MAN*

49 GODWIN, WILLIAM [1756-1836].

An Enquiry Concerning Political Justice, And its Influence on General Virtue and Happiness.

Dublin: Printed for Luke White, 1793. Two volumes. [xiii], [22], 411; [xxii], 424 pp. Octavo (8" x 5-1/2").

Contemporary speckled calf, gilt fillets and red and black lettering pieces to spines. Light rubbing to extremities, corners bumped and lightly worn, hinges starting. Light toning, occasional light foxing. Early annotations to a few leaves, a leaf of notes laid in. Ex-library. Small embossed stamps to title pages. A handsome set. \$1,850.

FIRST DUBLIN EDITION, apparently pirated, published the same year as the first edition, which was published in London. Along with those of Burke and Paine, Godwin's *Enquiry* was one of the most influential English political books of the late eighteenth century inspired by the French Revolution. It was also "one of the earliest, clearest, and most absolute theoretical expositions of socialist and anarchist doctrine. Godwin believed that the motives of all human doctrine were subject to reason, that reason taught benevolence, and that therefore all rational creatures could live in harmony without laws and institutions. (...) The time would come, he maintained, when every man by doing what seemed right in his own eyes, would also be doing what was best for all men, because all, through discussion, would be guided by purely rational principles. Natural relationships had no meaning--marriage and parental duty were alike irrational, and property the worst form of tyranny" (*Printing and the Mind of Man*). It was an equally important landmark in the development of Utilitarian thought, and on political thinking generally. 4,000 copies were sold within a few years of its first publication. It was acquired by several corresponding societies, which increased its circulation considerably among others who could not afford to purchase the book. (Members of these societies also read it to illiterate members.) Godwin was the husband of Mary Wollstonecraft, author of *A Vindication of the Rights of Women* (1792), and father of Mary Shelley, the author of *Frankenstein* and wife of the Percy Bysshe Shelley, a devoted follower of Godwin's political theories. Carter and Muir, *Printing and the Mind of Man* 243 (citing the London edition). ESTC N6481.

50 G[OODINGE], T[HOMAS].

The Law Against Bankrupts: Or, A Treatise Wherein the Statutes Against Bankrupts are Explained, By Several Cases, Resolutions, Judgments and Decrees, Both at Common Law and Chancery. Together with the Learning of Declarations and Pleadings Relating Thereunto. To Which are Likewise Added Forms and Directions for Commissioners, And Presidents, Fit for the Perusal of Lawyers, Or Merchants and Tradesmen.

[London]: Printed for Richard Southby, 1694. [xxxii], 275, [29] pp. Octavo (7" x 4-1/2").

Recent period-style calf, blind fillets and rules to boards, raised bands, blind fillets and lettering piece to spine, early hand-lettered title to fore-edge of text block. Light toning to text, somewhat heavier in places, faint dampspotting and dampstaining in a few places. Brief early annotations to a few leaves, interior otherwise clean. Ex-library. Faint stamp to top edge of text block, perforated stamps to title page and one other leaf. \$2,950.

FIRST EDITION. Title page and preface signed T.G. Goodinge's was the first English treatise on bankruptcy, and also the first statement on the subject by a common (rather than civil) lawyer. It was reissued in 1695. The second edition was published in 1701, with a 1704 reissue. The third edition followed in 1713, with a 1719 reissue; a fourth in 1726. All are scarce. OCLC locates 6 copies of the first edition in North America, 5 in law libraries (Duke, Library of Congress, Ohio State, University of Pennsylvania, Yale). ESTC R177531.

THE FIRST ENGLISH TREATISE ON BANKRUPTCY

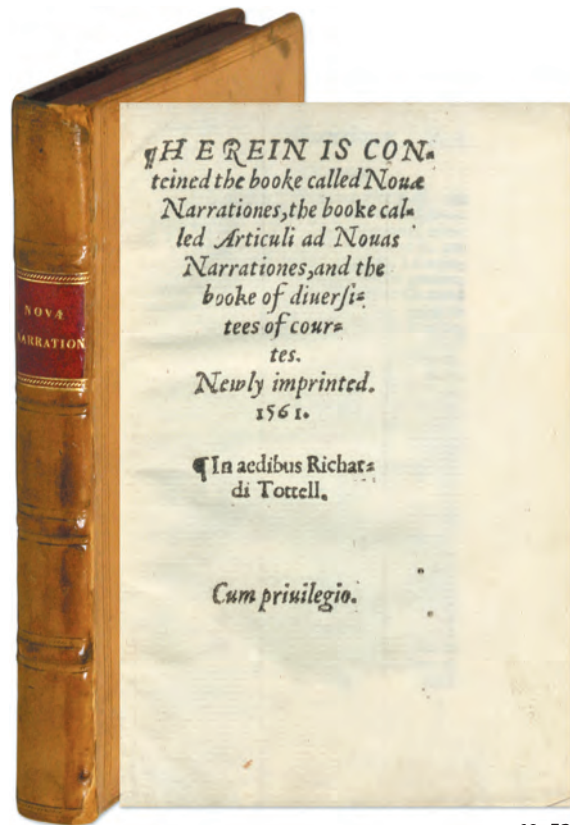
51 GOODINGE, THOMAS.

The Law Against Bankrupts: Or, A Treatise Wherein the Statutes Against Bankrupts are Explain'd, By Several Cases, Resolutions, Judgments and Decrees, Both at Common-Law and in Chancery. Together with the Learning of Declarations and Pleadings Relating Thereunto. To Which are Likewise Added, Forms and Directions for Commissioners, And Precedents Fit for the Perusal of All Lawyers, Merchants and Tradesmen. To Which is Now Added, An Appendix of All the Statutes Relating to Bankrupts, To the Year 1725.

[London]: Printed by E. and R. Nutt, and R. Gosling (Assigns of Edward Sayer), 1726. [xxiii], 296, [36], 50, [2]; [28] pp. One-page publisher list at the beginning of text, two-page and 28-page catalogues at the end. Octavo (8" x 5").

Contemporary calf, blind rules and fillets to boards, raised bands and fragment of paper label to spine. Spine ends worn, corners bumped, boards beginning to separate, but still quite secure, a few minor scuffs and scratches to boards. Some toning and faint dampspotting to text, dampstaining to lower corners of preliminaries, internally clean. \$2,500.

FOURTH AND FINAL EDITION. An enlarged work with an appendix of statutes. OCLC locates 4 copies of the fourth edition, all in law libraries (Georgetown, Ohio State, UC-Berkeley, University of Pennsylvania). ESTC T90159.



Nº 52

A CONSIDERABLE AUTHORITY DURING THE REIGN OF HENRY VI

52 [FITZHERBERT, ANTHONY (1470-1538), ATTRIBUTED].

Herein is Contained the Booke Called Novae Narrationes, The Booke Called Articuli ad Novas Narrationes, And the Booke of Diversitees of Courtes.

[London]: In Aedibus Richardi Tottell [1 April], 1561. 120 ff. Three parts in one with continuous foliation, first and third parts in law-French, second in Latin. Octavo (5-1/4" x 3-1/2").

Nineteenth-century calf, blind rules to boards, raised bands and lettering piece to spine, edges rouged, endpapers renewed. Corners bumped, a few tiny nicks to boards, some wear to spine ends, front joint partially cracked, crack in text block between title page and following leaf, negligible light toning to text. Brief early annotations to a few leaves, interior otherwise clean. A notably handsome copy. \$3,000.

THIRD EDITION. A work of considerable authority during the reign of Henry VI, *Novae Narrationes* is the first work to discuss the jurisdiction of courts. It was first printed by Pynson around 1515; it is attributed to Fitzherbert in some sources. It consists of precedents of pleading upon a number of writs, some with annotations. Its second part deals with similar actions, but is organized differently. It describes different types of pleas and says a few words about the different courts. The final section dates from the reign of Henry VIII. It describes the different courts and their jurisdictions. The work has three parts. One of them, "Articuli ad Narrationes Novas Pertinentes Formati," remains and anonymous work. The other two, "Nova Narrationes" and "Diversite de courtz et Lour Jurisdictions" were almost certainly written by Fitzherbert. OCLC locates 10 copies of this edition in North American law libraries. Beale T110. ESTC S113072.



N° 54

IMPORTANT EIGHTEENTH-CENTURY TREATISE
ON ENGLISH BANKRUPTCY LAW

THE FIRST ENGLISH TRANSLATION OF GROTIUS

53 GREEN, EDWARD.

The Spirit of the Bankrupt Laws. Wherein are Principally Considered, The Power and Authority of the Commissioners, In, 1. Declaring the Party Bankrupt. 2. Seizing His Estate, And Summoning Him to Surrender. 3. Receiving Proof of the Debts of His Creditors. 4. Appointing, Chusing, and Removing Assignees. 5. Conveying and Selling his Estate and Effects. 6. Examining and Committing Him, His Wife, and Others. 7. Certifying His Conformity. 8. Dividing the Estate. 9. Ordering Him His Allowance, And Overplus. These are Fully Discussed and Explained, Particularly the Power of the Commissioners to Commit, From the Determinations of Lords Hardwicke, Mansfield, And of the Present Judges. With Precedents and Instructions. To Which is Prefix'd, A Discourse Concerning the Appointment, Qualifications, Fees, Authority, Duty, Indemnity, &c. of Commissioners of Bankrupts.

London: Printed for J. Williams, 1767. viii, xii, [10], 434, [14] pp. Includes four-page publisher catalogue. 12mo. (6-3/4" x 4").

Contemporary calf, blind frames to boards, blind fillets along joints, raised bands and lettering piece to spine. Some rubbing to extremities, a few shallow scuffs to boards, small chip to head of spine, corners bumped, front board beginning to separate (but still quite secure), rear hinge cracked. Light toning to text, darker in places, spotting to a few leaves, internally clean. Ex-library. Stamps to boards, edges and free endpapers, brief annotation to front free endpaper, bookplate to front pastedown, perforated stamp to title page and following leaf. A solid copy. \$750.

FIRST EDITION. "The book is clearly written and well arranged. It states the effect of the modern cases and statutes; but it is not a mere digest. It explains underlying principles, and gives a good account of the way in which the commissioners in practice conducted their business" (Holdsworth). The first edition was published in 1767, the final edition (the fourth) in 1780. All are scarce. OCLC locates -2 copies of the first edition in North America, 1 in a law library (University of Pennsylvania). Holdsworth, *HEL* XII:388. Sweet & Maxwell 1:542 (22).

54 GROTIUS, HUGO [1583-1645].
[BARKSDALE, CLEMENT (1609-1687).
EDITOR AND TRANSLATOR].

The Illustrious Hugo Grotius: Of the Law of Warre and Peace, With Annotations. III. Parts. And Memorials of the Author's Life and Death.

London: Printed by T. Warren, For William Lee, 1655. [lxxx], [ii], 660, [82 of 92] pp. Lacking index. Two-page list of biblical references misbound at beginning of text after [p. lxxx]. Copperplate portrait frontispiece. Eight-page publisher catalogue. Octavo (6-1/2" x 4").

Contemporary calf, blind rules to boards, early rebacking with raised bands and gilt title, repairs to corners, hinges mended. Some rubbing to extremities, corners bumped, a few minor scuffs to boards, hinges partially cracked. Moderate toning to text, some edgewear and minor tears to preliminaries, repair to fore-edge of frontispiece (with no loss to text). Underlining and annotations in a few places, interior otherwise clean. Ex-library. Bookplate to front free endpaper. A scarce title. \$3,500.

REISSUE OF THE FIRST ENGLISH TRANSLATION, 1654, one of two from 1655, the other with a cancel title page identifying the author as "C.B." First published in 1625 *De Jure Belli et Pacis*, this momentous work describes situations in which war is a valid tool of law enforcement and outlines principles for the use of force. Though based on Christian natural law, Grotius advances the novel argument that his system would still be valid if it lacked a divine basis. In this regard he points to the future by moving international law in a secular direction. Barksdale's annotated translation, the first in English, appeared in 1654. It includes an original biographical sketch of the author. Barksdale edited this work considerably and added numerous annotations to add a stronger Christian component. These editorial changes reflect contemporary debates about the nature of foreign policy and the roles of civil and ecclesiastical authority. *ESTC* R16252. Ter Meulen and Diermanse 628.



N° 55

AN IMPORTANT RESTORATION-ERA CRITIQUE
OF GREAT BRITAIN'S ECCLESIASTICAL COURTS

55 HICKERINGILL, EDM[UND] [1631-1708].

The Test or, Tryal of the Goodness & Value of Spiritual-Courts in Two Queries I. Whether the Statute of 1 Edw. 6.2. be in Force (Against Them) at This Day, Obliging Them to Summon and Cite the Kings Subjects (Not in Their Own Names and Styles, As Now They do, But) In the Name and Stile of the Kings Majesty (As in the Kings Courts Temporal) and Under the Seal of the Kings Arms? II. Whether Any of the Cannon-Law, Or How Much of the Cannon-Law is (At this Day) the Law of England, In Courts Christian, Highly Necessary to be Perused by All Those That Have Been, Or May be Cited to Appear at Doctors Commons.

London: Printed by George Larkin, 1683. [iv], 22, 18 pp. Lacking final leaf, a blank. Folio (11-3/4" x 5-1/2").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine, endpapers renewed. Negligible light rubbing to extremities. Light toning to text, some edgewear and light soiling to first and final leaves, faint dampstaining in a few places, chip to fore-edge of leaf with some loss to side-notes. Early manuscript page numbers added to upper corners of leaves, showing this item was once part of a bound volume, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$950.

FIRST EDITION. Britain's ecclesiastical courts received a great deal of scrutiny in early years of the Restoration. Dissenters, Parliamentarians and others who feared the power of the Church of England under the control of a Catholic or crypto-Catholic king, believed it was necessary to limit the scope of its courts. The work of an idiosyncratic Anglican Churchman who supported the Commonwealth, Hickeringill's pamphlet was one of the most important and legally detailed contributions to this argument. Recognized as an important work, a second edition was issued in 1683, a third in 1706. All are scarce. OCLC locates 2 copies of the first edition in North American law libraries (University of Michigan, University of Pennsylvania). ESTC R2631.

BACKGROUND TO THE GLORIOUS REVOLUTION

56 [LAWRENCE, WILLIAM (1613 OR 14-1681 OR 2)].

Marriage by the Morall Law of God Vindicated Against all Ceremonial Laws of Popes and Bishops Destructive to Filiation Aliment and Succession and the Government of Families and Kingdoms.

[London: s.n.], 1680. [xii], 136, [8], 137-422, [2] pp. Copperplate pictorial title page.

[BOUND WITH]

[LAWRENCE, WILLIAM].

The Right of Primogeniture, In Succession to the Kingdoms of England, Scotland, and Ireland: As Declared by the Statutes of 25 E.3. Cap. 2. De Proditionibus, King of England, And of Kenneth the Third, And Malcolm Mackenneth the Second, Kings of Scotland. As Likewise of 1 H.7. Made by a Parliament of Ireland; With all Objections Answered, and Clear Probation Made, That to Compass or Imagine the Death, Exile, or Disinheriting of the King's Eldest Son, Is High Treason. To Which is Added, An Answer to All Objections Against Declaring Him a Protestant Successor, With Reasons Shewing the Fatal Dangers of Neglecting the Same.

London: Printed for the A.C., 1681. [xxiv], 199, [39] pp. Leaves in Signature C (pp. 9-16) bound out of order.

[AND]

[LAWRENCE, WILLIAM].

The Two Great Questions, Whereon in this Present Juncture of Affairs, the Peace & Safety of His Maiestie's Person; And of All His Protestant Subjects in His Three Kingdoms Next Under God Depend: Stated, Debated, and Humbly Submitted to the Consideration of Supreme Authority, As Resolved by Christ.

London: Printed for the Author, 1681. [ii], 14 pp.

Quarto (8" x 6"). Contemporary calf, raised bands, lettering piece and blind tooling to spine, speckled edges. Moderate rubbing, a few scuffs to boards, which are beginning to separate but still secured by cords, some chipping to spine ends, corners bumped, front free endpaper lacking, some edgewear to title page of *Marriage*, facing leaf starting to detach, a few cracks to text block. Moderate toning, somewhat heavier in places, occasional light foxing. Inkspots to a few leaves and title page of *Marriage*, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$1,250.

ONLY EDITIONS (*Questions* one of two issues from 1681). This volume collects the principal writings of a notable Protestant attorney and Member of Parliament. They reflect the anxieties of Protestants living in England under the reign of the Catholic monarch James II. *Marriage*, which was published as an unfinished work due to "disturbances at the press," is an anti-Catholic theological and legal essay that may have been inspired by an unpleasant episode in Lawrence's marriage. The other titles are an argument in support of the Protestant Duke of Monmouth's succession to the English throne. (Monmouth's claim resulted in the Monmouth Rebellion, a failed attempt in 1685 to remove James II from power; James II was ousted in 1688 and replaced by the joint monarchs William and Mary.) Copies in North American law libraries listed on OCLC: *Marriage*, Library of Congress, UC-Berkeley, Yale; *Right*, Harvard, Library of Congress, UC-Berkeley, University of Michigan, Yale; *Questions*, UC-Berkeley, Yale. DNB XI:726. ESTC R7113 (*Marriage*), R1575 (*Right*), R43358 (*Questions*).

EARLY SEVENTEENTH-CENTURY EDITION OF MAGNA CARTA

57 [MAGNA CARTA].

Magna Charta, Cum Statutis, Tum Antiquis, Tum Recentibus, Maximopere Animo Tenendis, Iam Noviter Excusa, & Summa Diligentia Emendata & Correcta. Cui Adiecta Sunt Nonnulla Statuta, Nunc Demum Tipis Aedita.

London: Printed for the Companie of Stationers, 1608. [vi], 258 ff. Octavo (5-1/2" x 3-1/2").

Contemporary calf, blind rules to boards, raised bands and later hand-lettered title label to spine, early hand-lettered title to fore-edge. Moderate rubbing, chipping to head of spine, corners bumped and somewhat worn, boards beginning to separate, pastedowns loose. Light toning to text, early annotations to endleaves. \$2,500.

ONE OF THE EARLIEST seventeenth-century printings of the *Magna Carta*, which was first printed around 1508 by Richard Pynson. It also includes the *Charta de Foresta* of Henry III, the Statutes of Merton and Marlebridge, the Statutes of Edward I and other statutes. It also contains a topical index useful to "all Studentes of the law for their private studies, Readings, Mootes, Bolts, cases, & other exerciscies" and "practiceres of the same for their daily affaires and causes." Among the most notorious statutes are those of Edward concerning Jews, including the Edict of Expulsion (1290), which banished them from England. Other statutes relate to women, wills, forcible entry, "Fraudulent Deedes" and other topics. ESTC S122650.

MANUSCRIPT RECORD OF
A NORTHERN ENGLISH LAW SOCIETY FROM 1889 TO 1909

58 [MANUSCRIPT].

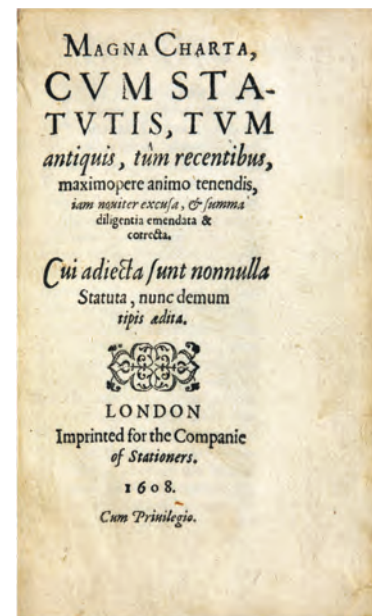
SHEFFIELD & DISTRICT LAW STUDENTS' SOCIETY.

Committee Minute Book.

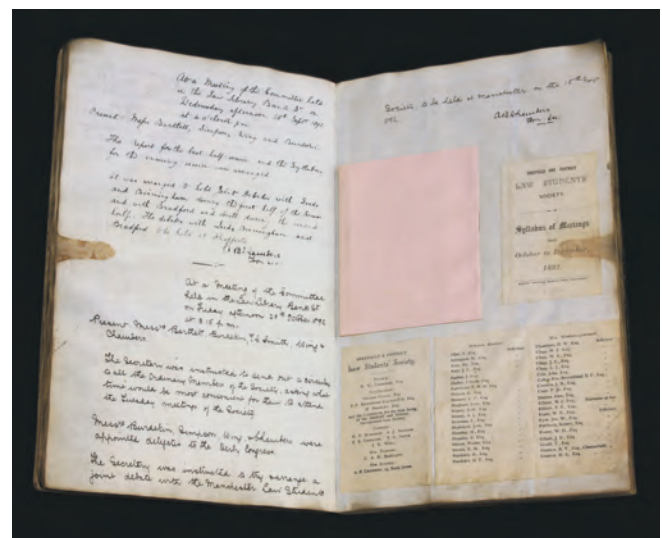
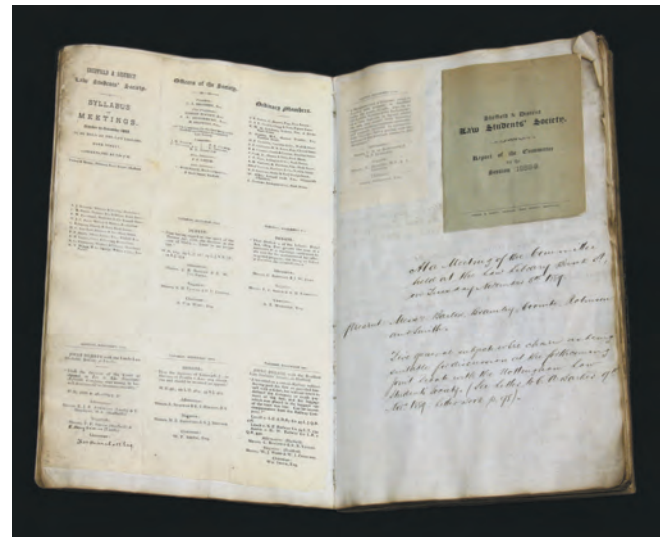
[Sheffield, 1889-1909]. 77 ff. Numerous tipped-in items including several pamphlets and other multi-page items. Folio (12-3/4" x 8").

Contemporary limp calf, marbled endpapers, reinforced hinges. Heavily rubbed, corners worn, spine perished, text secure, large bookseller ticket (of a Sheffield stationer) to front pastedown. Content in neat hand to rectos and versos of most leaves, all tipped-in items annotated. \$3,000.

THIS TEXTUALLY RICH VOLUME is a fine record of the activities of a northern English law society around the turn of the twentieth century. It includes minutes of meetings, notices and notes of debates between the Sheffield society and others in Yorkshire and other places, newspaper articles about these debates, which range from political topics, such as the abolition of trade unions, to fine points of law. There are also syllabi of meetings, printed committee reports, notes about membership, a note asking members to subscribe for a course of law classes at the Yorkshire College in Leeds, notes of special meetings, reports of the Congress of Law Students' Societies of Yorkshire, applications form and other correspondence, some relating to broader topics in legal education. The members of the Sheffield Law Students' Society, like those of other societies that emerged across England in the nineteenth century, were not attached to a college of inn of court. They were articled clerks and autodidacts. The aims of the societies like Sheffield's were the encouragement of a more systematic legal education though correspondence between members on moot points and the organization of debates. These societies were inspired by the founding of the *Law Students' Magazine* in 1844. Most major English cities had a society by the end of the nineteenth century.



N° 57



N° 58



THE FIRST WORK ON THE LAW OF THE KING'S FOREST

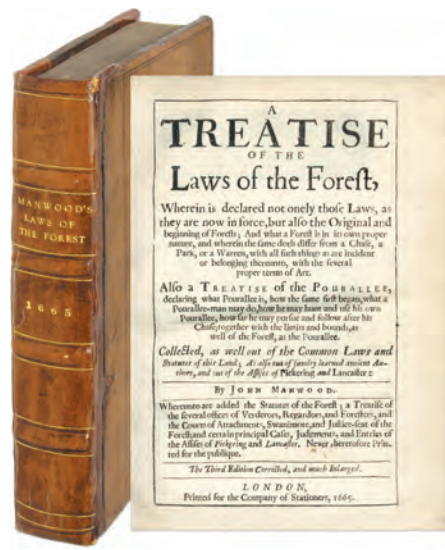
59 MANWOOD, JOHN [D.1610].

A Treatise of the Lawes of the Forest: Wherein is Declared Not Onely Those Lawes, As They Are Now In Force, But Also the Originall and Beginning of Forests: And What a Forest is In His Owne Proper Nature, And Wherein the Same Doth Differ From a Chase, A Parke, A Warren, With All Such Things As Are Incident or Belonging Thereunto, With Their Severall Proper Termes of Art. Also a Treatise of the Pourallee, Declaring what Pourallee Is, How the Same First Began, What a Pourallee Man May Do, How He May Hunt and Use His Owne Pourallee, How Farre He May Pursue and Follow After His Chase, Together With the Limits and Bounds, As Well of the Forest, As the Pourallee. Collected, As Well Out of the Common Lawes and Statutes of This Land, As Also out of Sundrie Learned Ancient Authors, And Out of the Assises of Pickering and Lancaster. Whereunto Are Added that Statutes of the Forest, A Treatise of the Severall Offices of Verderors, Regardors, and Forests, & the Courts of Attachments, Swanimote, & Justice Seat of the Forest, And Certaine Principal Cases, Judgements, and Entries of the Assises of Pickering and Lancaster: Never Heretofore Printed for the Publique.

London: Printed for the Societie of Stationers, 1615. [xv], 258 [i.e. 259], [1] ff. Quarto (7-1/4" x 5-3/4").

Contemporary calf, gilt rules to boards, rebaked in period style, raised bands and lettering piece to spine. Light rubbing to extremities, a few scuffs, nicks and minor stains to boards, corners repaired, hinges cracked, later armorial bookplate to front pastedown. Woodcut decorated initials and head-pieces. Some toning to text, negligible light foxing in places, light soiling and minor edgewear to title page. Owner signature dated 1810 to head of title page, interior otherwise clean. A handsome copy. \$1,500.

FIRST EXPANDED EDITION. First published in 1598, it remained a standard text well into the twentieth century. This enlarged edition, which is the third chronologically, includes a great deal of information that does not appear in the first and second editions. Forests were central to England's economy from the time of the conquest to the mid-seventeenth century. A member of Lincoln's Inn, a barrister, gamekeeper of Waltham Forest and a justice of the New Forest, Manwood was eminently



THE FIRST WORK ON THE LAW OF THE KING'S FOREST

60 MANWOOD, JOHN.

A Treatise of the Laws of the Forest, Wherein is Declared Not Only Those Laws, As They are Now in Force, But Also the Original and Beginning of Forests; And What a Forest is in its Own Proper Nature, and Wherein the Same Doth Differ from a Chase, A Park or a Warren, Wit All Such Things as are Incident or Belonging Thereunto, With the Several Proper Terms of Art. Also a Treatise of the Pourallee, Declaring what Pourallee is, How the Same First Began, What Pourallee May Do, How he May Hunt and Use his Own Pourallee, How Far he May Pursue and Follow After His Chase; Together with the Limits and Bounds as Well of the Forest, As the Pourallee. Collected, As Well Out of the Common Laws and Statutes of this Land; As also Out of Sundry Learned Ancient Authors, And Out of the Assises of Pickering and Lancaster by John Manwood. Whereunto are Added the Statutes of the Forest; A Treatise of the Several Offices of Verderors, Regardors and Forestors, and the Courts of Attachments, Swanimote and Justice-seat of the Forest, And Certain Principal Cases, Judgments, And Entries of the Assises of Pickering and Lancaster. Never Heretofore Printed for the Publique. Corrected, And Much Inlarged.

London: Printed for the Company of Stationers, 1665. [xxiv], 552 pp. Quarto (7-1/2" x 5-1/2").

Contemporary calf, blind rules to boards, rebaked in period style, raised bands and lettering piece to spine, hinges mended, spine varnished. A few minor scuffs and stains to boards, corners lightly bumped, front joint and both hinges just starting at ends. Light toning to text, somewhat darker in places, internally clean. Ex-library. Bookplate to front pastedown. A nice copy. \$1,250.

THIRD EDITION, one of two imprints from 1665. ESTC R235229. Sweet & Maxwell 1:465 (38).

IMPORTANT EARLY TREATISE ON MARITIME LAW

IMPORTANT EARLY TREATISE ON MARITIME LAW

61 MOLLOY, CHARLES [1646-1690].

De Jure Maritimo et Navali: Or, a Treatise of Affairs Maritime and of Commerce. In Three Books.

London: Printed for John Bellinger, 1682. [xxiv], 433, [15] pp. Two-page copperplate pictorial frontispiece, three-page publisher advertisement. Large octavo (7-3/4" x 5-1/4").

Contemporary calf, blind rules to boards, rebaked in period style, raised bands and lettering piece to spine, endpapers renewed. Some mottling to boards, light rubbing to edges, corners bumped, upper margins of frontispiece mended (no loss to image). Some toning to text, light foxing to preliminaries and a few other places. "6/6" in early hand to margin of frontispiece, interior otherwise clean. \$1,000.

THIRD EDITION, one of two issues from 1682. For many years this was the standard treatise on international, commercial and maritime law, and went through many editions, the first published in 1676, the last in 1778. "It was not until 1676 that a man, who had some claims to be called an English lawyer, wrote upon [bills of exchange]. Charles Molloy who was both a civilian and a member of Lincoln's Inn and Gray's Inn, in the second book of his very successful treatise, *De Jure Maritimo et Navali*, gives us some account of these branches of the law" (Holdsworth). Chapters III and IV deal with privateers and piracy. Holdsworth, *Sources* 210. ESTC R32101. Sweet & Maxwell 1:511 (64).

62 MOLLOY, CHARLES.

De Jure Maritimo et Navali: Or, a Treatise of Affairs Maritime and of Commerce. In Three Books. With Large Additions, Never Before Printed, Of Modern Cases, And Other Matters Proper Thereunto.

London: Printed for J. Walthoe [et al.], 1707. [iv], xii [i.e. xvii], [3], 476 [i.e. 492], [16] pp. Page xvii numbered xii; pp. 278-293 repeated in paging. Two-plate copperplate allegorical frontispiece. Octavo (8-1/2" x 5-1/4").

Nineteenth century calf, blind rules to boards, raised bands and lettering piece to spine. Moderate rubbing to boards and extremities, corners lightly bumped, hinges just starting, front endleaf and rear free endpaper partially detached, owner bookplate to front pastedown. Light toning to text, somewhat heavier in places, faint dampspotting to a few leaves. Owner signatures to front pastedown and head of title page, interior otherwise clean. An appealing copy. \$750.

SIXTH EDITION. Sweet & Maxwell 1:511 (64).



N° 61

ENGLISH TAXATION: WORSE THAN FRENCH SLAVERY?

66 [PHILALETHERS].

English Liberty in Some Cases Worse than French Slavery: Exemplified by Animadversions Upon the Tyrannical and Anti-Constitutional Power of the Justices of the Peace, Commissioners of Excise, Customs, And Land-Tax, &c. Containing a Particular Relation of the Barbarous and Oppressive Methods Made Use of in Raising the Land-Tax of This Kingdom, Compared with an Historical Narrative of the More Mild, And Equitable Measures Pursued in Raising the Taxes, Call'd the Taille and Taillon, The Most Oppressive in France. In a Letter Address'd to the Serious Consideration of the Lesser Freeholders and Electors of Great-Britain.

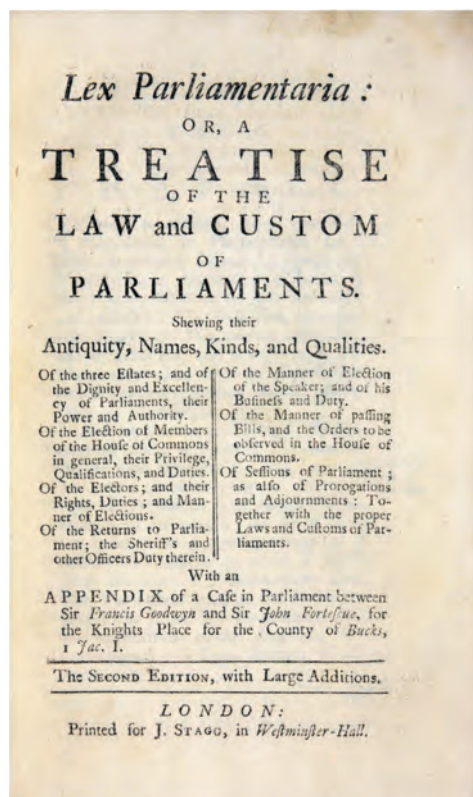
London: Printed for M. Cooper, 1748. [iv], 96 pp. Octavo (8" x 4-3/4").

Stab-stitched pamphlet bound into contemporary three-quarter sheep over marbled boards. Moderate rubbing to extremities with some wear to spine ends and corners, light rubbing to boards, front hinge starting. Light toning to text, light soiling to title page, internally clean. A nice copy. \$850.

ONLY EDITION. The essay is signed "Philaethes," and is catalogued under that name in Kress and Goldsmiths. Dedicated, significantly, to Great Britain's "lesser Freeholders and Electors," it compares the tax burden imposed "arbitrarily" on English citizens with that of other, supposedly less democratic, European countries. OCLC locates 1 copy in a North American law library (Harvard). Goldsmiths' 8351. Kress 4922. ESTC T103148.



N° 64



N° 65

FINES IN CHANCERY

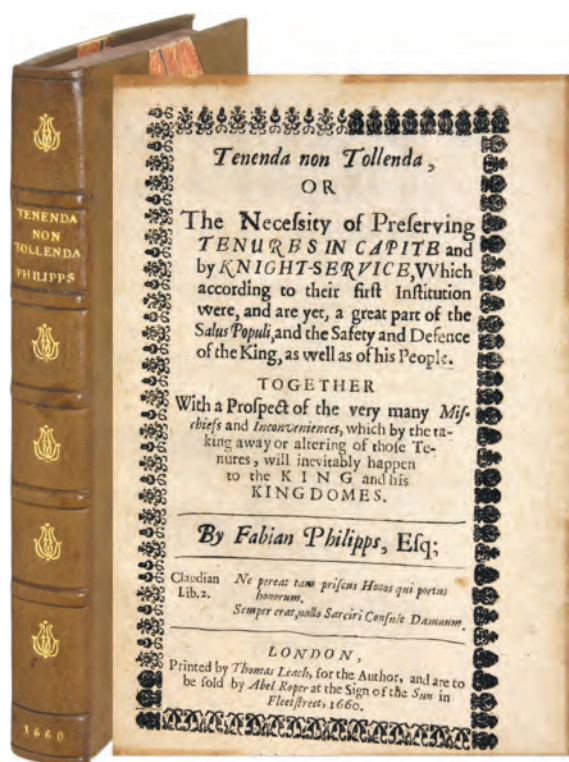
67 PHILIPPS, FABIAN [1601-1690].

The Antiquity, Legality, Right, Use, And Ancient Usage of Fines, Paid in Chancery Upon the Suing Out, Or Obtaining Some Sorts of Original Writs Returnable Into the Court of Common-Pleas, At Westminster.

London: Ja. Cottrel, For Henry Marsh, 1663. [xx], 32 pp. Quarto (7-1/2" x 6").

Stab-stitched pamphlet bound into recent cloth, gilt title to spine. Light shelfwear, spine ends lightly bumped. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown. \$650.

ONLY EDITION. Philipps, a member of an old gentry family educated at inns of chancery, Oxford and Middle Temple, was a notable, and prolific, legal antiquarian. A committed Royalist, most of his scholarship aimed to promote the rights of the Crown though the use of old records. *The Antiquity* argues for the restoration of chancery fines, a practice ignored during the Civil War and Commonwealth. OCLC locates 6 copies in North America, 4 in law libraries (Columbia, Northwestern, University of Minnesota, University of Pennsylvania). Sweet & Maxwell 1:341 (45).



N° 68

FEAR OF A STANDING ARMY

68 PHILIPPS, FABIAN.

Tenenda non Tollenda, Or the Necessity of Preserving Tenures in Capite and by Knight-Service, Which According to Their First Institution Were, and are Yet, a Great Part of the Salus Populi, and the Safety and Defense of the King, as Well as of His People. Together with a Prospect of the Very Many Mischiefes and Inconveniences, Which by the Taking Away or Altering of Those Tenures, Will Inevitably Happen to the King and His Kingdomes.

London: Printed by Thomas Leach, 1660. [xiv], 276 pp. Quarto (7-1/4" x 5-1/4").

Later three quarter calf over marbled boards, raised bands, gilt title and gilt ornaments to spine, speckled edges, endpapers renewed. Negligible light rubbing to extremities, a bit of worming to front board and rear pastedown, front hinge cracked, rear hinge starting. Title printed within woodcut typographical border. Light toning to text, somewhat heavier in places, offsetting to margins of title page and final text leaf. A few cross-outs and corrections in a small early hand, interior otherwise clean. \$1,250.

AN IMPORTANT BOOK according to Holdsworth, *Tenenda non Tollenda* was written to protest the recent abolition of military tenures, a system through which the crown granted lands in exchange for military services, either personal or through the provision of troops. He feared this would eventually lead to the creation of a standing army, a potential tool of royal oppression. On a broader level the abolition of military tenure eliminated a legal bond that balanced the interests of the monarchy and large landholders. A thoroughly argued thesis, it is supported by 72 points. Holdsworth, *HEL* VI:610. *ESTC* R16070.

69 PULTON, FERDINAND[O] [1536-1618].

De Pace Regis et Regni. Viz. A Treatise Declaring Which be the Great and Generall Offences of the Realme, And the Chiefe Impediments of the Peace of the King and the Kingdome, As Menaces, Assaults, Batteries, Treasons, Homicides, And Felonies, Ryots, Routs, Unlawfull Assemblies, Forcible Entries, Forgeries, Perjuries, Maintenance, Deceit, Extortion, Oppression: And How Many and What Sorts of Them There Be, And by Whome, And What Means the Sayd Offences, And the Offendors Therein are to bee Restrained, Repressed, Or Punished. Which Being Reformed or Duly Checked, Florebit Pax Regis & Regni. Collected Out of the Reports of the Common Lawes of This Realme, And of the Statutes in Force, And Out of the Painfull Workes of the Reverend Iudges, Sir Anthonie Fitzharbert, Sir Robert Brooke, Sir William Stanford, Sir Iames Dyer, Sir Edward Coke, Knights, And Other Learned Writers of Our Lawes.

London: Printed for the Companie of Stationers, 1609. [vi], 258, [22] ff. Folio (11" x 7-1/4").

Recent period-style calf, blind panels with corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed, speckled edges. Woodcut head-pieces and decorated initials. Some toning to text, internally clean. A notably handsome copy. \$3,500.

FIRST EDITION. With comprehensive index, glosses and side-note references to the works of Fitzherbert, Brooke and others. Pulton is best known for his respected abridgements *An Abstract of all the Penal Statutes Which are General* (1560) and *A Kalendar or Table of All the Statutes* (1606). *De Pace Regis et Regni* took his earlier works as the starting point for a comprehensive overview of criminal law. Holdsworth, who holds this work in high regard, observes that it was only the second title devoted to the subject. The first, Staunford's *Les Pleees del Coron*, was published posthumously in 1560. Holdsworth adds that a comparison between Pulton and (the less comprehensive) Staunford "enables us to appreciate the effect of the additions to and alterations of the criminal law made during this period, both by the legislature, and by the judges of the common law courts and of the court of Star Chamber" (392-393). This is especially evident in his discussion of topics like "Triall by Battaile," "The King's Pardon," "Maihem" and "Corruption of Bloud." In all, Pulton's treatise offers a fascinating perspective on criminal law as it was understood in Shakespeare's England. *ESTC* S116053. Holdsworth, *HEL* V:39.

THE FIRST EDITION TITLED *LES TERMES DE LA LEY*70 [RASTELL, JOHN (D.1536)].
[RASTELL, WILLIAM (C.1508-1565)].

Les Termes De La Ley: Or, Certaine Difficult and Obscure Words and Termes of the Common Lawes of This Realme Expounded. Now Newly Imprinted, And Much Inlarged and Augmented.

London: Printed for the Company of Stationers, 1624. [viii], 311, [1] ff. Text printed in parallel columns in English and Law-French. Octavo (6-1/4" x 4").

Contemporary calf, blind rules and early owner initials (I.M.) to boards, raised bands and later lettering piece to spine, edges rouged. Some rubbing to extremities, a few minor scuffs to boards, corners and spine ends bumped, tiny worm hole to bottom edge of lettering piece, front hinge cracked, front free endpaper partially detached, minor worming to front pastedown, rear hinge starting. Light toning to text, occasional (very) faint dampstaining to margins. Early owner signatures and annotations to front endleaves and title page (of Jacob Marshall, one signature dated 10 August 1632), interior otherwise clean. \$2,500.

THE FIRST EDITION entitled *Les Termes de la Ley*. First published in 1527 by John Rastell, this was both the first English dictionary and first English law dictionary. It was originally written in Law French with the Latin title *Expositiones Terminorum Legum Anglorum*. Later editions were produced by his son, William, who is believed to be the editor or translator. (Some sources claim, erroneously, that he is the author.) Quite popular with students and lawyers due to its clarity and concision, it went through at least twenty-five editions by 1721. A final reissue appeared in 1819. As Marvin observes, it is a useful dictionary because it "reflects the common law at the close of the year-book period with much fidelity." OCLC locates 6 copies of this imprint worldwide, 5 in North America, 3 in law libraries (Library of Congress, University of Minnesota, University of Pennsylvania). Marvin 599. ESTC S11975. Sweet & Maxwell 1:11 (48).



N° 69



Detail from N° 71

FIRST CRITICAL EDITION OF RUGGLE'S CLASSIC LEGAL SATIRE

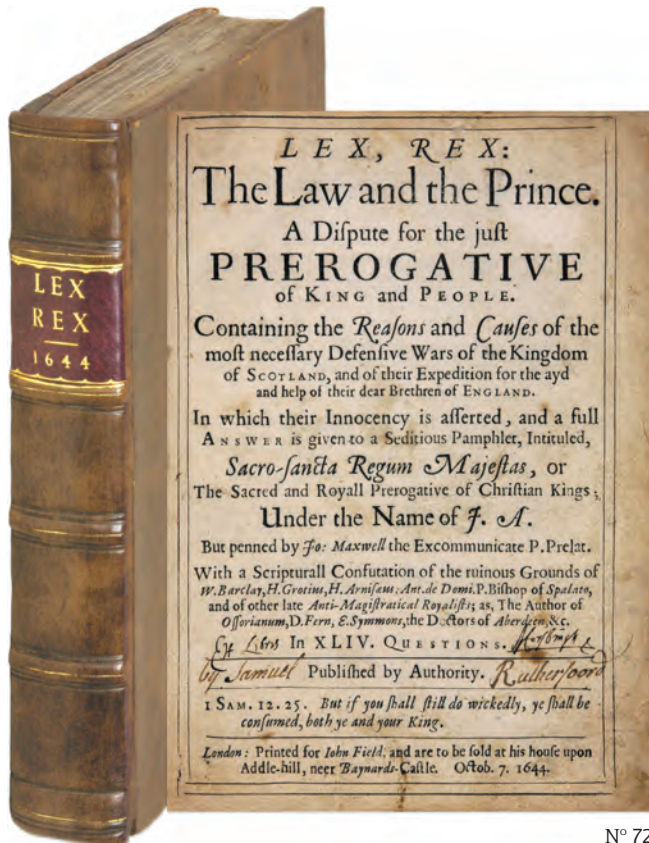
- 71 RUGGLE, GEORGE [1675-1622].
HAWKINS, JOHN SIDNEY, EDITOR.

Ignoramus, Comoedia; Scriptore Georgio Ruggle, A.M. Aulæ Clarensis, Apud Cantabrigienses, Olim Socio; Nunc Denuo in Lucem Edita cum Notis Historicis et Criticis; Quibus Insuper Praeponitur Vita Auctoris, et Subjicitur Glossarium Vocabula Forensia Dilucide Exponens: Accurante Johanne Sidneio Hawkins, Arm.

London: Prostat Venalis Apud T. Payne et Filium, 1787. vii, cxxii, [2], 319, [1] pp. Copperplate frontispiece. Woodcut plates and illustrations. Octavo (8-1/2" x 5-1/2").

Contemporary calf, blind rules and fillets to boards, gilt spine with lettering piece. Some rubbing to extremities, early armorial bookplate to front pastedown. Light toning to text, a bit heavier in places, foxing to a few leaves. Early owner inscription to head of title page, annotations and marks to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. A handsome copy. \$200.

THE FIRST CRITICAL EDITION. With extensive notes (the first 122 pages) in English, a life of Ruggle, commentary explaining the jokes and an extensive glossary of legal terms. Main text in Latin. Ruggles' classic acerbic satire of the English bench and bar was written in Latin and first performed in 1615. Designed to ridicule the language of the common law and the dullness of lawyers, the play is based on events relating to a legal dispute between the vice-chancellor of Cambridge University and the mayor of Cambridge. As one would expect, it incensed the legal community. ESTC T154171.



N° 72

THE LAW IS KING

72 [RUTHERFORD, SAMUEL (1600?-1661)].

Lex, Rex: The Law and the Prince. A Dispute for the Just Prerogative of King and People. Containing the Reasons and Causes of the Most Necessary Defensive Wars of the Kingdom of Scotland, And of Their Expedition for the Ayd and Help of Their Dear Brethren of England. In Which Their Innocency is Asserted, And a Full Answer is Given to a Seditious Pamphlet, Intituled, Sacro-Sancta Regum Majestas, Or The Sacred and Royall Prerogative of Christian Kings; Under the Name of J.A. But Penned by Jo: Maxwell the Excommunicate P. Prelat. With a Scripturall Confutation of the ruinous Grounds of W. Barclay, H. Grotius, H. Arnisaeus, Ant. de Domi. P. Bishop of Spalato, And of Other Late Anti-Magistratical Royalists; As, The Author of Ossorianum, D. Fern, E. Symmons, The Doctors of Aberdeen, &c. In XLIV. Questions. Published by Authority.

London: Printed for John Field, Octob. 7. 1644. [xl], 280, 313-467 pp. Text continuous despite pagination. The first leaf bears a dialogue between Seneca and Nero in Latin on verso. Quarto (7" x 5-1/2").

Contemporary calf, rebaked, raised bands and lettering piece to spine, endpapers renewed. Light rubbing to boards and



N° 73

extremities, corners bumped and lightly worn. Some toning to text, faint dampstaining in places, edges trimmed with occasional minor loss to side-notes and, in a few places, main text, some edgewear to preliminaries and final few leaves. A few early signatures and annotations to title page, later annotation to rear endleaf, interior otherwise clean. \$4,500.

FIRST EDITION. Important for its contribution to the social contract idea, the foundation for the political theory of John Locke, *Lex, Rex* is a comprehensive defense of the Scottish Presbyterian ideal in politics. Utilizing arguments from Scripture, Natural Law and Scottish law, it attacked royal absolutism and endorsed the rule of law (divine, natural and positive), limited government, the supremacy of the constitution, the separation of church and state and the idea that government is founded on the consent of the governed. Rutherford was a Scottish Presbyterian minister and the principal of the University of St. Andrews. *Lex, Rex* was a response to Bishop John Maxwell's *Sacro-Sancta Regus Majestas* (1660), a defense of royal absolutism. Rutherford became a political target after the Restoration. He was indicted on a charge of high treason, but he died before he was brought to trial. The first edition of this work is uncommon in the trade and only two complete copies have appeared at auction in the last 35 years. Some early bibliographical records list an edition printed in Edinburgh in 1644, but it appears to be a ghost. OCLC locates 5 copies of the 1644 London edition in North American law libraries (Harvard, University of Minnesota, University of Michigan, University of Pennsylvania, Yale). ESTC R12731.

INFLUENCED BLACKSTONE AND OTHERS

A NOTABLE GATHERING OF ABOLITIONISTS

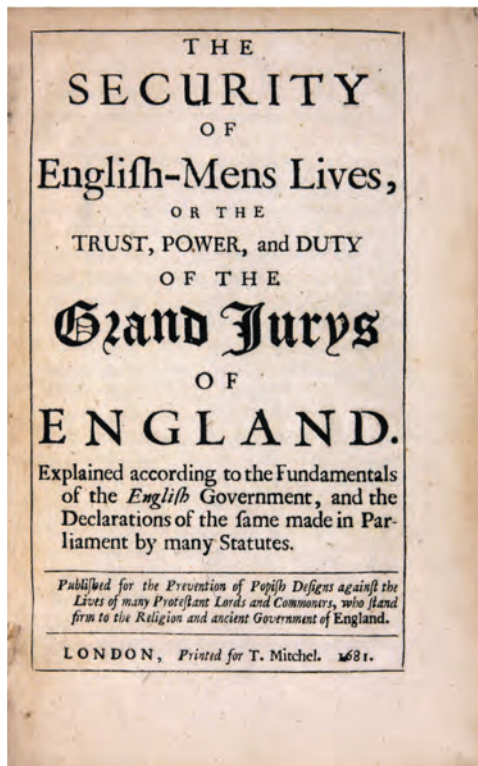
73 SAINT GERMAN [GERMAIN], CHRISTOPHER [1460?-1540].

The Dialogues in English, Betwene a Doctour of Divinity, And a Student in the Lawes of England, Newely Corrected and Imprinted Wyth New Addicions.

[(London): In Aedibus Richardi Tottelli, 1569]. 48, 50-177, [4] ff. Text continuous despite pagination. Octavo (5-1/4" x 3-1/2").

Recent period-style calf, blind rules and corner fleurons to boards, raised bands, lettering piece and blind ornaments to spine, endpapers renewed. Title printed within attractive woodcut architectural border. Early struck-through signature to title page, annotation to fore edge of a leaf (an alphabet in chancery hand), owner signature to margin of another, interior otherwise fresh. An appealing copy in a handsome binding. \$3,500.

WRITTEN ORIGINALLY 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 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 9 copies, 7 in North America, 1 in a law library (Harvard). ESTC S116365. Beale T475.



Nº 75

74 [SLAVERY]. [GREAT BRITAIN].

Proceedings of the General Anti-Slavery Convention, Called by the Committee of the British and Foreign Anti-Slavery Society, And Held in London, From Friday, June 12th, To Tuesday, June 23rd, 1840.

London: British and Foreign Anti-Slavery Society, 1841. xi, [1], 597, [2] pp. Includes two-page publisher advertisement and a five-page list of subscribers. Octavo (8-3/4" x 5-1/2").

Original textured cloth, blind-stamped frames to boards, blind fillets and gilt title to spine. Light rubbing to extremities, spine ends, corners and a few spots along fore-edges bumped, some fading to spine, hinges just starting. Light toning to text, lower corner of title page lacking (with no loss to text), internally clean. Ex-library. Two stamps to foot of title page, another to the lower corner of p. 41. A nice copy of a scarce title. \$750.

FIRST EDITION. The British and Foreign Anti-Slavery Society organized the above convention in response to a call for united action from several anti-slavery societies, most from Great Britain and the United States. It drew about 500 delegates and more than 1,000 people attended the meetings each day. *Goldsmiths'* 32407.

FIRST EDITION OF A LANDMARK WORK ON GRAND JURIES

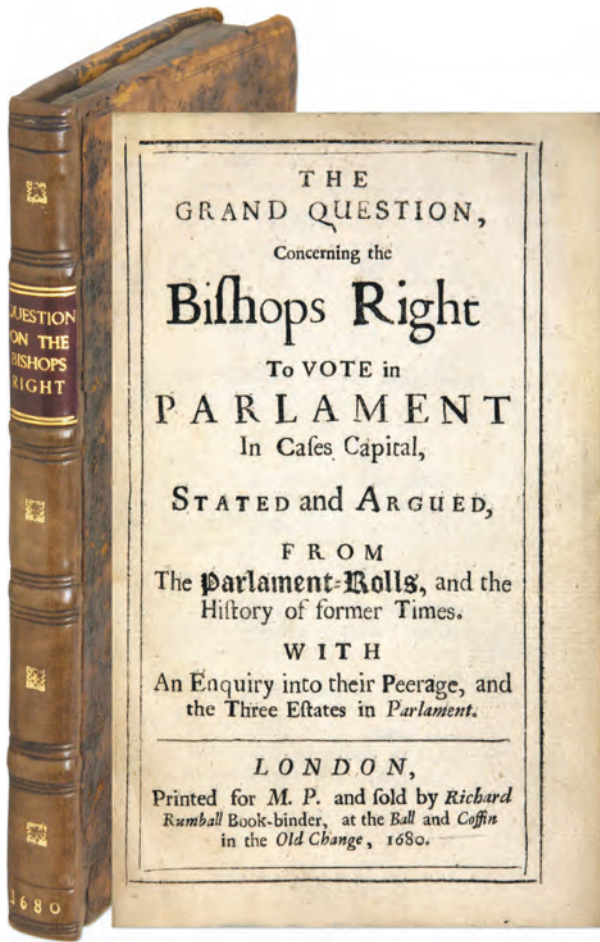
75 SOMERS, JOHN SOMERS, BARON [1651-1716].

The Security of English-Men's Lives, Or the Trust, Power and Duty of the Grand Jurys of England. Explained According to the Fundamentals of the English Government, And the Declarations of the Same Made in Parliament by Many Statutes. Published for the Prevention of Popish Designs Against the Lives of Many Protestant Lords and Commons, Who Stand Firm to the Religion and Ancient Government of England.

London: Printed for T. Mitchel, 1681. 168 pp. Octavo (7-1/2" x 5").

Recent period-style calf, blind tooling to boards, raised bands and lettering piece to spine, endpapers renewed. Light toning to text, faint dampspotting to margins of a few leaves, internally clean. \$2,500.

FIRST EDITION. Published anonymously, attributed by Wing to John Somers. See also Halkett & Laing. This influential pamphlet defined a hearing before a grand jury of peers as a fundamental English right. An assertion of the priority of the law over the English crown, it was written to support the right of a grand jury to reject the bill of indictment against Anthony Ashley-Cooper, First Earl of Shaftesbury, issued by Charles II (a Catholic). Somers, a barrister of the Middle Temple and an important Whig statesman, was Lord Chancellor of England during the reigns of William and Mary and Queen Anne. He presided over the framing of the Bill of Rights (1689). As one would suspect, this book was studied by the American founding fathers. OCLC locates 9 copies of this edition in law libraries. Sweet & Maxwell 1:378 (34). ESTC R33648.



Nº 76

A DEFENSE OF THE LORDS SPIRITUAL

76 [STILLINGFLEET, EDWARD (1635-1699), ATTRIBUTED].

The Grand Question, Concerning the Bishops Right To Vote in Parliament [sic] in Cases Capital, Stated and Argued, From The Parliament [sic] Rolls, and the History of Former Times. With An Enquiry into the Peerage, And the Three Estates in Parliament [sic].

London: Printed for M.P., 1680. [iv], 188 pp. Octavo (6-1/2" x 4").

Contemporary mottled calf, blind rules to boards, rebaked, raised bands, gilt ornaments and lettering piece to spine, hinges mended. Moderate rubbing to boards with wear to corners. Light toning to text. Later signatures and annotations to endleaves, interior otherwise clean. \$850.

FIRST EDITION, one of two issues from 1680. On the face of it, this is a discussion of a right enjoyed by the Lords Spiritual, the bishops of the Church of England who sit in the house of Lords. More broadly, it is an argument defending their membership in Parliament that refuted contrary claims advanced in several recent pamphlets by Whig authors. At this time, the tense years leading to the Glorious Revolution, the Whigs feared the imminent ascendance of French-style royal absolutism and "popery," which would initiate a corresponding suppression of Protestantism and the rights of Englishmen. Stillingfleet, a prominent theologian and scholar, was an able and enthusiastic defender of Anglican orthodoxy. A second edition of *The Grand Question* was published in 1682. ESTC R19869.

A READING ON BANKRUPTCY

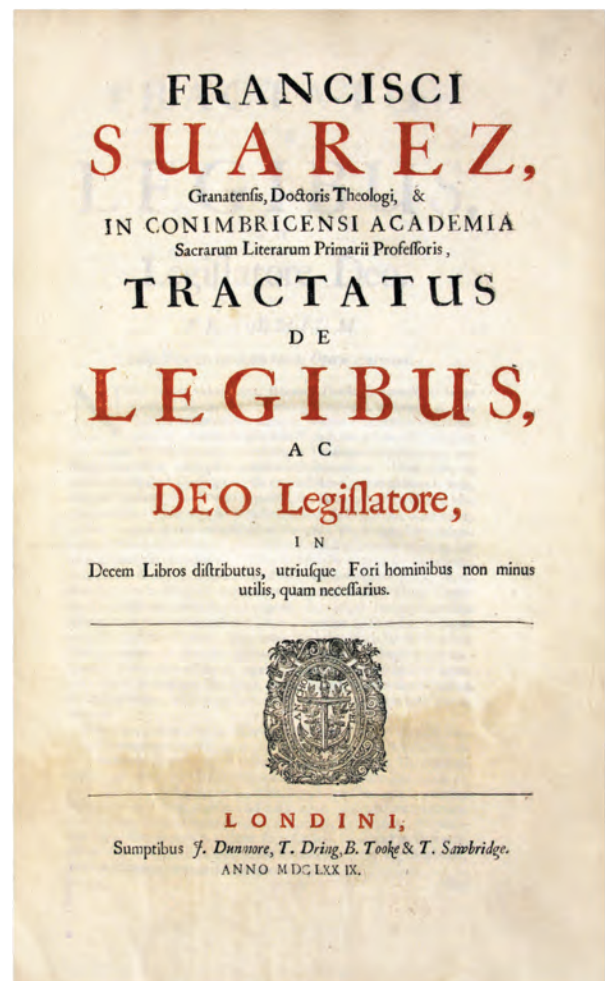
77 STONE, JOHN.

The Reading Upon the Statute of the Thirteenth of Elizabeth, Chapter 7. Touching Bankrupts, Learnedly and Amply Expained.

London: Printed for B. Griffin, C. Harper [et al.], 1695. [ii], 124 [i.e. 134] pp. Octavo (6-3/4" x 4").

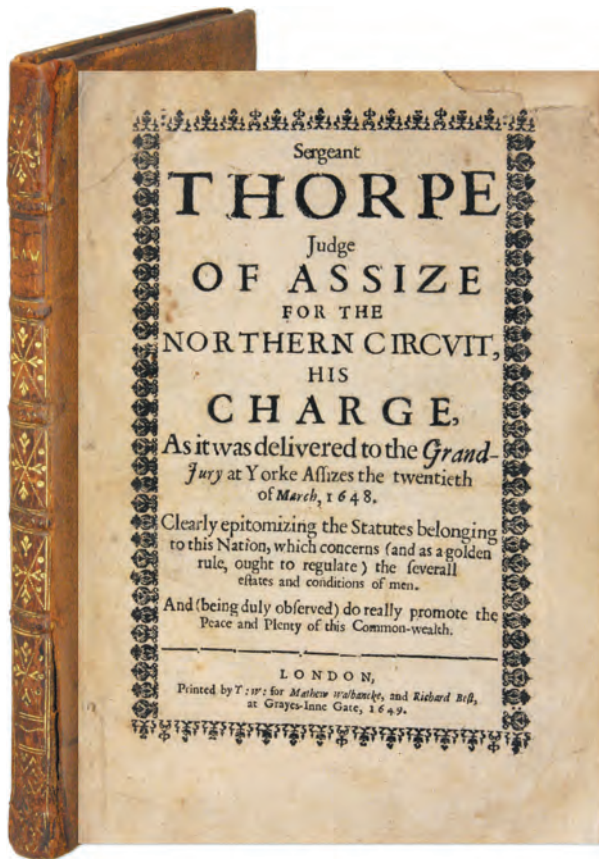
Later library cloth, lettering piece to spine, hinges reinforced. Light rubbing to extremities, a bit of fading to spine. Some soiling and edgewear to title page and following leaf, moderate toning and occasional faint dampspotting to rest of interior, internally clean. Ex-library. Stamps to edges and free endpapers, bookplate to front pastedown, perforated stamp to title page. A solid copy of a scarce title. \$950.

SECOND AND FINAL EDITION, one of two issues from 1695. First published in 1656, this is the published version of a lecture presented at Gray's Inn. As Holdsworth notes, these presentations were an important part of a law student's education. They usually addressed recent statutes, narrow topics or complicated legal points. Stone's *Reading* is one of the examples cited (with approval) by Holdsworth. OCLC locates 6 copies of the first edition in North America, but only one copy of the second (at UCLA). Holdsworth, *HEL* V:393, 395. ESTC R43936.



Nº 78

IMPORTANT ESSAY ON MAGNA CARTA BOUND WITH SCARCE
PAMPHLETS ON PROPERTY AND JUDICIAL ADMINISTRATION



Nº 79

FIRST ENGLISH EDITION OF *TRACTATUS DE LEGIBUS*

78 SUAREZ, FRANCISCO [1548-1617].

Tractatus de Legibus, Ac Deo Legislatore, In Decem Libros Distributus, Utriusque Fori Hominibus Non Minus Utilis, Quam Necessarius.

London: Sumptibus J. Dunmore, T. Dring, B. Tooke & T. Sawbridge, 1679. [vii], 5-725, [27] pp. Main text in parallel columns. Folio (14-3/4" x 9").

Eighteenth-century calf with later varnishing, panels with corner fleurons to boards, raised bands and lettering piece to spine, later (?) patterned endpapers. Light rubbing to boards, moderate rubbing to extremities, some chipping to spine ends, corners bumped and lightly worn, boards just beginning to separate, early armorial bookplate to front pastedown, front and rear endleaves excised. Title page, with woodcut printer device, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, occasional faint dampstaining, internally clean. Ex-institution library. Bookplate to front pastedown. \$1,500.

FIRST ENGLISH EDITION (in Latin). With indexes. Suarez, a theologian and jurist who wrote treatises on political philosophy, the state and sovereignty, was one of the greatest thinkers produced by the Jesuit order. First published in 1612, his *Tractatus de Legibus, Ac Deo Legislatore* is a landmark work that proposes a natural law basis for the law of nations. It was a significant influence on the work of Grotius and Pufendorf. ESTC R24634.

79 THORPE, FRANCIS [1595-1665].

Sergeant Thorpe, Judge of Assize for the Northern Circuit, His Charge, As it Was Delivered to the Grand-Jury at Yorke Assizes the Twentieth of March, 1648. Clearly Epitomizing the Statutes Belonging to this Nation, Which Concerns (And as a Golden Rule, Ought to Regulate) the Severall Estates and Conditions of Men. And (Being Duly Observed) Do Really Promote the Peace and Plenty of this Common-Wealth.

London: Printed by T. W: for Mathew Walbancke, and Richard Best, 1649. [ii], 30 pp. Only edition, one of two issues from 1649.

[BOUND WITH]
COLLET, HENRY.

A Treatise on the Laws of England; Concerning Estates in Lands, Advowsons, Or Hereditaments, Of What Kind Soever; Advising Persons Interested Therein, Either as Purchasers, Mortgagees, Or Otherwise, --As Well as Conveyancers, What Methods are Proper to be Used in Relation to the Security of Titles to Such Estates: With Some Observations on the Laws of Bankruptcy.

[London]: Printed by Henry Lintot, 1754. [iv], 74, [2] pp. Only edition.

[AND]

The Oath of a Constable, So Far as It Relates to Apprehending Night-Walkers, And Idle Persons, And His Presenting Offences Contrary to the Statutes Made Against Unlawful Gaming, Tipling, and Drunkenness, And for the Suppressing of Them [running title].

[London: Printed by J. Downing, 1701]. 3, [1] pp. First edition.

[AND]

The Obligations of a Justice of the Peace, To be Diligent in the Execution of the Penal-Laws Against Prophaneness and Debauchery, For the Effecting of a National Reformation. In a Letter to a Friend [running title].

[London: Printed and Sold by J. Downing, 1705]. 3, [1] pp. Second edition, one of two issues from 1705.

Quarto (7-3/4" x 5-1/2"). Pamphlets bound into contemporary speckled calf, gilt spine with raised bands and lettering piece, spine ends repaired. Rubbing to extremities, corners bumped and lightly worn, a few minor scuffs to fore-edges, hinges cracked. Light toning to text, *Oath of a Constable* somewhat darker and faintly dampstained, light soiling and edgewear to title page of *Sergeant Thorpe*, last two leaves have pieces torn from fore-edge, just touching the text without loss, slight shaving to side-notes of *Oath* and *Obligations*. Owner signature dated 1922 to front free endpaper, early annotations to a few leaves, interior otherwise clean. \$1,850.

THORPE'S IS A NOTABLE DOCUMENT of Magna Carta's reception during the Commonwealth. After noting the different, but negative, perceptions of Royalists and the politically indifferent in 1215, he praises a third group who, using their innate reason, perceived it then as the source of "their own future happiness" (1-2). This dream was fulfilled, of course, by Parliament and Cromwell. Intended for gentlemen, Collet's essay discusses issues relating to land titles, real property and bankruptcy. The others deal with aspects of judicial administration. ESTC R203780, T51651, T61192, T176956.

80 [TRIAL].

BELL, JOHN, DEFENDANT.
MARSH, CHARLES, ATTORNEY.

The Defence of Lieutenant-Colonel John Bell, Of the First Battalion of Madras Artillery, On His Trial at Bangalore, Before a General Court-Martial, As it Was Read in Court by His Counsel, Charles Marsh, Esq.

London: Printed and Sold by Black, Parry & Kingsbury, 1810. [iv], 85, [3] pp. Includes three-page publisher advertisement (of books relating to India). Octavo (8-1/4" x 5").

Stab-stitched pamphlet in later plain wrappers, handwritten title to front. Light toning to text, some offsetting to margins of title page, internally clean. \$500.

ONLY EDITION. In 1809 several officers of the East India Company's Madras Army caused a number of violent disturbances and refused to obey orders due to a dispute over allowances and pay, an event later known as the "White Rebellion." Bell was charged with joining and leading this "most dangerous and alarming mutiny and sedition" [iii]. He was found guilty and discharged from his post. OCLC locates 8 copies, 5 in North America, 2 in law libraries (Library of Congress, University of Minnesota). See Malcolm, *Observations on the Disturbances in the Madras Army in 1809*.

82 [TRIAL].

GILES, JOHN, DEFENDANT.

The Tryal of John Giles at the Sessions-House in the Old Bayly: Held by Adjournment from the 7th Day of July, 1680 Until the 14th Day of the Same Month the Adjournment Being Appointed on Purpose for the Said Giles, His Trial for a Barbarous and Inhumane Attempt to Assassinate and Murther John Arnold, Esq.

London: Printed by Thomas James for Randal Taylor, 1681. 58 pp. Folio (12" x 7-1/2").

Later paper-covered boards, calf lettering piece to spine. Light soiling, some rubbing to extremities, corners and spine ends bumped and lightly worn. Light toning to text, light foxing to title page and final leaf, internally clean. \$375.

ONLY EDITION. An account of a sensational case of assault and battery. John Arnold, a justice of the peace from Monmouth, was attacked by a gang of men armed with knives and swords. Stabbed several times, Arnold survived the attack. One of these men, Giles, was apprehended and brought to trial. He was convicted, fined, compelled to offer sureties for good behavior for the rest of his life and sentenced to three hour-long sessions in the pillory over the course of three days, one facing Lincoln's Inn, another facing Gray's Inn and a third "by the May-Pole in the Strand." OCLC locates 13 copies, 3 in North American law libraries (Harvard, Yale, York). ESTC R24640.

81 [TRIAL].

CHARLES I [1600-1659], DEFENDANT.
NALSON, J[OHN] [1638-1686].

A True Copy of the Journal of The High Court of Justice, For the Tryal of King Charles I. As it Was Read in the House of Commons, And Attested Under the Hand of Phelps, Clerk of That Infamous Court. With a Large Introduction.

London: Printed by H.C. For Thomas Dring, 1684. [xii], LXX, [2], 128, [8] pp. Two copperplate frontispieces, one a portrait frontispiece of Charles I., the other an allegory of his trial. Copperplate trial scene. Folio (12" x 7-1/2").

Contemporary calf, gilt fillets and small central owner crests to boards, raised bands, gilt ornaments and lettering piece to spine. Moderate rubbing with some wear to extremities, small chip to foot of spine. Pages 86 and 110, which list the members of the High Court, printed in red and black. Light toning to text, dampspotting, dampstaining, finger smudges and minor tears in a few places, clean tear to plate depicting trial mended with archival tape, edgewear to folding leaf with minor loss to text, internally clean. \$1,250.

FIRST EDITION. The seventy-page "Large Introduction" is a polemical attack on the high court, "Monsters of Ingratitude and Cruelty, Treachery and Hypocrisie" who committed "the blackest and basest of all crimes" in their conviction and execution of King Charles I. Many journal entries have commentary by Nalson; several are quite sarcastic. The allegorical frontispiece is faced with an explanation in verse. The trial scene is keyed to a facing (polemical) leaf of captions. Later editions were published in 1731 and 1740. ESTC R5636.



Detail from N° 81

- 83 [TRIALS].
[TREASON].
DOUGLAS, NIEL [1750-1823], DEFENDANT.

An Address to the Judges and Jury, In a Case of Alleged Sedition, On 26th May, 1817, Which was Intended to be Delivered Before Passing Sentence.

Glasgow: Printed by D. Mackenzie, 1817. 40 pp.

[BOUND WITH]
DOW, JOHN, REPORTER.

The Trial of the Rev. Niel Douglas, Before the High Court of Justiciary, At Edinburgh, On the 26th May 1817, For Sedition.

Edinburgh: Printed for John Robertson, 1817. [ii], 50 pp. Portrait frontispiece.

[AND]
[BELLINGHAM, JOHN].

An Authentic Account of the Trial and Execution of John Bellingham, For the Assassination of the Right Hon. Spencer Perceval. With a Vindication of the Character of Sir Francis Burdett from the Aspersions of Some of the London Prints.

Edinburgh: Printed and Published by D. Schaw and Son, 1812. [ii], [5]-65 pp.

[AND]
M'LAREN, ALEXANDER, DEFENDANT.
BAIRD, THOMAS, DEFENDANT.
DOW, JOHN, REPORTER.

The Trial of Alexander M'Laren, And Thomas Baird, Before the High Court of Justiciary, At Edinburgh, On the 5th and 7th March 1817, For Sedition.

Edinburgh: Printed for John Robertson, 1817. vi, 153 pp.

[AND]
Account of the Proceedings of the Public Meeting of the Burgesses and Inhabitants of the Town of Kilmarnock, Held on the 7th of December, 1816, For the Purpose of Deliberating on the Most Proper Method of Remedying the Present Distresses of the Country. With a Full Report of the Speeches on that Occasion.

Kilmarnock: Printed by H. Crawford, 1816. 45 pp.

Octavo (8-1/2" x 5"); *Account*: Octavo (6-1/2" x 4"). Stab-stitched pamphlets bound into contemporary three-quarter sheep over marbled boards, lettering piece and gilt fillets to spine. Moderate rubbing, a few scuffs to boards, some chipping to spine ends, corners bumped, front hinge cracked. Light to moderate toning, soiling to title page of *Bellingham*, internally clean. \$1,850.

AN EXEMPLARY GATHERING of five tracts, four of them concerning the trials of Douglas and M'Laren, the first trials for sedition held in Scotland during the aftermath of the Napoleonic Wars, a time of acute economic distress and social protest. These took place concurrently with the London trials of William Hone. Douglas, an eccentric non-conformist minister, poet, abolitionist and visionary social reformer was charged with sedition for comments in a sermon that compared the king to Nebuchadnezzar, the prince regent to Belshazzar and the House of Commons to a den of thieves. His counsel brought forth witnesses familiar enough with the preacher's eccentricities to prove his innocence. He was acquitted. M'Laren, a weaver, was charged with sedition for delivering a fiery speech at Kilmarnock in favor of Parliamentary reform. Thomas Baird, a grocer,



Detail from N° 83

was charged with printing it. They were fined and sentenced to six months in prison. Bellingham was the only person to assassinate a British Prime Minister. A merchant who had been imprisoned in Russia, he demanded compensation from the British government. Twice refused, he shot the prime minister in the lobby of the House of Commons. *An Address to the Judges*, prepared in advance of the trial, is scarce, more so than accounts of the trial. OCLC locates 6 copies in North America, 1 in a law library (Harvard). *Account of the Proceedings* is the rarest item in this volume. OCLC locates 1 copy (at the National Library of Scotland). Concerning Douglas and M'Laren, see May, *Constitutional History of England* II:192.

AN ALTERNATIVE TO LOCKE

- 84 TUCKER, JOSIAH [1712-1799].

A Treatise Concerning Civil Government, In Three Parts. Part I. The Notions of Mr. Locke and his Followers, Concerning the Origin, Extent, And End of Civil Government, Examined and Confuted. Part II. The True Basis of Civil Government Set Forth and Ascertained; Also Objections Answered; Different Forms Compared; And Improvements Suggested. Part III. England's Former Gothic Constitution Censured and Exposed; Cavils Refuted; And Authorities Produced: Also the Scripture Doctrine Concerning the Obedience Due to Governors Vindicated and Illustrated.

London: Printed for T. Cadell, 1781. [ii], v, [i], 428, [5] pp. Table of contents misbound at rear of text. Octavo (7-1/2" x 5").

Recent buckram, gilt title to spine, endpapers renewed. Light shelfwear and soiling, light toning to text. Early struck-through signature to title page, annotations to endleaves, interior otherwise clean. Ex-library. Bookplates to front pastedown, front free endpaper and verso of title page, residue from date-due sheet and card pocket to rear free endpaper and pastedown. \$450.

ONLY EDITION. Tucker was a notable Welsh economist and political scientist. An advocate of free trade and an early opponent of colonialism, he is best known for his support of the American cause during the Revolution. Some scholars believe his works were studied by Adam Smith. Tucker's *Treatise Concerning Civil Government* is a refutation of the social contract theory of John Locke, which was upheld by most thinkers of the period. He believed Locke's theory of government advocated towards democracy and undermined the basis of the English constitution. It is considered a classic work today. ESTC T51616.

CONTINENTAL EUROPE (TO 1700)



N° 85

ONE OF THE FIRST GREAT LAW DICTIONARIES

- 85 ALBERICUS, DE ROSATE [1290-1360].
DECIANI, GIOVANNI FRANCESCO [1537-1590], EDITOR.

Dictionarium Iuris tam Civilis, Quam Canonici. Quod Equidem post Omnes Omnium Editiones Diligentissime Emendatum, Ac Praeter Additiones ad Hanc Usque diem Impressas, Quibus Authorum Suorum Nomina in Fine Singularum sunt Descripta, Plus Mille & Octingentis Additionibus Nunquam Antea in Lucem Emisis Auctum & Locupletatum Est. Per Excellentissimum I.U.D. Io. Franciscum Decianum, Ex Variis tum Antiquorum, Tum Iuniorum Commentariis, Nec non Consiliis Excerptis: Quibus hoc Signum [pointing hand], Ut a Caeteris Discernantur, Appositum Est. Omnibus Iurisconsultis tam Theoricae, Quam Practicae Vacantibus Utilissimis, & Necessariis.

Venice: Apud Guerreos Fratres, & Socios, 1573. [886] pp. First and final leaves blank. Main text in parallel columns. Folio (13-3/4" x 9").

Contemporary vellum with somewhat later vellum rebacking, speckled edges, endpapers renewed, title page re-hinged. Light soiling, some staining to boards, corners bumped and lightly worn, front hinge partially cracked. Large woodcut printer device and colophon, woodcut head-pieces, tail-pieces and decorated initials. Text has light toning, foxing in places, dampstaining and worm holes to some leaves (with no loss to legibility). Faint early owner signature to foot of title page, marks in ink to a few leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$2,500.

LATER EDITION. Educated in Padua, Rosate was a prominent lawyer, judge and civic official in Bergamo. He was famous throughout Europe for his commentaries on the *Digest* and *Code* of Justinian and his dictionary, which was compiled around 1350. Encompassing civil and canon law, it was considered an essential work for generations and served as a model for several later dictionaries. The work is more practical than theoretical, which probably reflects the author's experience as a lawyer and official. The first edition was published in Bologna 1481. Seven editions, all modified considerably through additions and editorial changes, followed over the next century, the last in 1581. Additions and notes by Deciani, the editor of the present copy, are indicated with manicules (pointing hands) and the word "Additio." OCLC locates 9 copies of this edition, 3 in North America (Catholic University, UC-Berkeley Law School, University of Washington Law School). EDIT16 CNCE660.

A SCARCE COLLECTION OF CONSILIA

- 86 ALTOGRADI, LELIO [16TH/17TH C.].

Consiliorum Sive Responsorum, Et Rerum Super Iis Iudicatarum. Nunc Primum in Lucem Editus. In quo Plures Arduae Iuris Quaestiones tam Circa Iudicia, Quam Contractus, & Ultimas Voluntates. Aliaq[ue] in Usu Forensi Frequentiora et Utiliora. Iuxta Veras, Et Receptas Doctorum Sententias. Solidis Argumentis, Ac Perspicua Elocutione Resoluuntur. Opus Omnibus Iuris Professoribus, Praesertim in Foro Versantibus Apprime Necessarium. Additionibus, Argumentis & Copioso Verborum & Sententiarum Indice Exornatum.

Lucca: Ex Typographia Balthassar de Iudicibus, 1643-1654. Two volumes. [xii], 752, [68]; [xii], 671, [61] pp. Main text in parallel columns. Folio (13-1/2" x 9").

Contemporary vellum, gilt fillets and recent thong ties to boards, gilt fillets and early hand-lettered titles to spines, hinges reinforced, speckled edges. Light rubbing to extremities, spine ends and corners lightly bumped. Title pages, both with large copperplate vignettes, printed in red and black, woodcut head-pieces. Some toning to text, occasional light browning, faint dampspotting in a few places, vellum just beginning to crack through pastedowns, internally clean. Ex-library. Bookplates to front pastedowns. A well-preserved set. \$2,500.

FIRST EDITION. Altogradi, a nobleman, was a prominent jurist and state official in Lucca. His *Consiliorum*, a vast collection in two volumes, relates to cases heard in various Tuscan civil and canon courts. A second edition was published in 1700. Both are very scarce. OCLC locates 5 copies of the first edition in North America, 2 in law libraries (Columbia, Library of Congress). Pazzaglini and Hawks A-21, A-22.



N° 86



Detail from N° 86

DOMICILE, JURISDICTION AND SACRED SPACE

87 ANTONELLI, GIOVANNI CARLO [D. 1694].

Tractatus de Loco Legali in Tres Libros Distributus, In Quibus Nedium Utriusque Iuris Controversiae Difficiliores, & In Foro Frequentiores, Quoad Locum Singulariter Tractantur, & Resoluuntur. Opus Omnibus tam in Scholis, Quam in Palatiis Versantibus, Theoricis, & Practicis Apprime Utile, & Necessarium. Argumentis, Summariis, & Diversis Indicibus, & Praesertim Materialium Decoratum.

Venice: Apud Nicolaum Pezzana, 1687. [xii], 306, [32] pp. Main text in parallel columns. Folio (13" x 9").

Contemporary calf, raised bands, early varnishing and traces of gilt ornaments to spine, small early repair to head. Moderate rubbing to extremities, corners bumped, two large scuffs, one to each board, front joint cracked, negligible worming to pastedowns and hinges, split in text block between front free endpaper and half-title. Title page printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, faint dampstaining to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. \$850.

SECOND EDITION. Antonelli was Cardinal Antonio Barberini's chief curate and protonotarius (scribe). He went on to become the Cardinal of Ferranto. *Tractatus de Loco Legali* deals with domicile, jurisdiction and the definition of sacred space in canon law. First published in 1671, it went through four later editions, the last in 1744. All are scarce. OCLC locates 4 copies of the 1687 edition in North American law libraries (Harvard, UC-Berkeley, University of Michigan, Yale). Not in the BMC or Ferreira-Ibarra.

LAWS CONCERNING TIME

88 ANTONELLI, GIOVANNI CARLO.

Tractatus De Tempore Legali: In Quatuor Libros Distributus, Ubi Principales, Difficiliores, Ac Practicabiliores Canonici, Ac Civilis Iuris Quaestiones Singulariter Explanantur, Ac Resoluuntur. Opus Praelatis, Ac Iudicibus Ecclesiasticis, & Secularibus, Advocatis, Aliisque in Utraque foro Versantibus, & in Scholis Prositentibus Apprime Utile, Ac Necessarium.

Velletri: Apud Carolum Bilancionum, 1659. [xiv], 524, [40] pp. Main text in parallel columns. Folio (12" x 8").

Contemporary vellum with early rebacking and later varnishing, raised bands and early hand-lettered title to spine. Moderate rubbing to extremities, some worming, mostly to spine, front board slightly bowed, front joint starting at foot, hinges partially cracked, preliminaries and rear free endpaper partially detached and somewhat edgeworn. Large woodcut printer device to title page. Light browning to text, faint dampspotting in places, internally clean. Ex-library. Bookplate to front pastedown. A solid copy. \$1,500.

SECOND EDITION. This treatise is arranged in four books. The first treats "de tempore in generale"; the other books address years, months and hours. Published in 1642, it went through seven more editions, the last in 1753. Few copies of any edition are held in North American law libraries. Not in the BMC or Ferreira-Ibarra.



N° 89



N° 90

FUNERAL RITES AND BURIALS

89 ASINIO, GIOVANNI BAPTISTA [FL. 1562].

Commentarii in Titulum Digestorum De Religiosis & Sumptibus Funerum.

Florence: Apud Laurentium Torrentinum, 1562. [viii], 338, [52] pp. Folio (12-3/4" x 8-1/4").

Contemporary calf with later varnishing, blind rules and small central arabesques to boards, raised bands and later lettering piece to spine, spine ends and corners mended. Some scuffing to boards, corners bumped, front joint partially cracked, front hinge just starting, rear hinge mended, later armorial bookplate to front pastedown. Light toning to text, a bit of soiling to title page. Early owner annotations to front pastedown, signatures and stamps to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy of a rare title. \$1,250.

ONLY EDITION. Asinio was a notable Florentine jurist who was patronized by Cosimo I de Medici. He is best-known for his treatises on practice and procedure in Roman and Florentine law. *De Executionibus* is a comprehensive treatise on the section of the *Digest*, Book XI, Title 7, which addresses funeral rites and burial. It is a scarce title. OCLC locates 5 copies, 3 in North America (at the Library of Congress, Newberry Library and University of Chicago). EDIT16 CNCE3262.

AZO'S GREAT SUMMA

90 AZO, PORTIUS [FL. C. 1150-1230].
GIGANTE, GIROLAMO [D. 1560], EDITOR.

Summa Azonis, Id Est, Locuples Iuris Civilis Thesaurus. Hactenus Depravatissima, Olim Iugi Sedulitate et Exquisito Studio Hieronymi Gigantis, Nunc Autem Doctissimorum Quorundam in V.I. Virorum, Emendatissima, & Supra Omnes Omnium Editiones Recens Pristino Illi Suo Nitore Reddita. Quibus Quarundam Veterum Apostillarum & Additionum Castigationes, & Quaedam Annotatiunculæ Marginales, Ab Eisdem in Gratiam Iuris Studiosrum Adiectæ.

Lyons: Sumptibus Philippi Tinghi, 1576. [iv], 278, [28] pp. Main text in parallel columns. Folio (16-1/4" x 11").

Later three-quarter vellum over paper-covered boards, lettering piece to spine, endpapers renewed. Light soiling, moderate rubbing to extremities, dampspotting to boards, corners bumped and lightly worn, hinges starting, partial crack in text block between title page and following leaf. Large woodcut printer device to title page. Moderate toning to text, somewhat heavier in places, occasional dampspotting, faint dampstaining to a few leaves. Ex-library. Bookplate to front pastedown, tiny inkstamp to verso of title page. A nice copy. \$3,500.

PORTIUS AZO, also known as Azo of Bologna, Azo Porius, Azo Porcius and Azo Soldanus, was a lawyer and professor of law at the University of Bologna whose pupils included Accursius and Johannes Teutonicus. His fame rests on his carefully organized commentaries on the *Code*, *Digest* and *Institutes* of the *Corpus Iuris Civilis*. Known collectively as the *Summa Azonis*, these three commentaries form a methodical exposition of Roman law. The *Summa* circulated widely in manuscript; 35 printed editions were issued from 1481 to 1610. A work of immense authority for generations of continental lawyers, it was synthesized by Accursius in his *Glossa Ordinaria*; his *Summa Codicis* was used (and, in many places, copied verbatim) by Bracton in his *Legibus et Consuetudinibus Angliae*. OCLC locates 3 copies of this edition, none in North American law libraries. This edition not in Adams or the *USTC*.



Details from N° 91

TWO IMPORTANT GERMAN COMPILATIONS, ONE FEATURES WOODCUTS BY HOLBEIN THE YOUNGER

- 91 [BAVARIA].
[WILLIAM IV (1493–1550), DUKE OF BAVARIA].
[LUDWIG X (1495–1545), DUKE OF BAVARIA].

Reformation der Bayrisch[e]n Landrecht: Nach Cristl Unsers Hailmachers Geburde Im[m] Funfzehnhundert unnd Achtzehendm Jar Aufgericht.

[Munich: Johann Schobsser, 1518]. [xxxv], 168 ff. Final leaf, a blank, lacking. Two-page woodcut table of affinity. Large woodcut vignette by Caspar Cloßigl of the Dukes of Bavaria, Wilhelm and Ludwig, to title page, woodcut decorated initials.

[BOUND WITH]
ZASIVS, ULRICH, COMPILER.
[HOLBEIN, HANS (1497–1543)].

Nuwe Stattrechten und Statuten der Loblichen Statt Fryburg im Pryszgow Gelegen.

[Basel: Adam Petri, 1520]. [xii], 97 ff. (Fol 1. is a divisional title page.) Nearly full-page arms of Freiburg to title pages and full-page images of the patron saints of Freiburg by Holbein on recto and verso of both title pages, double-page woodcut table of descents, woodcut decorated initials.

Folio (12-1/4" x 8"). Contemporary half-paneled pigskin over beveled wooden boards, pigskin clasps with bronze buckles, raised bands and early hand-lettered title to spine, head and tail repaired, a scattering of worm holes through boards and text block. Light soiling, some wear to corners, front hinge cracked, twentieth-century owner bookplate and bookseller description to front pastedown. *Reformation* printed throughout in red and black. Light toning to text, negligible faint dampstaining and foxing in a few places, light edgewear to some leaves, early repairs to a fol. 20 of *Reformation*. Early annotations in a few places, interior otherwise clean. A very handsome volume. \$12,500.

FIRST EDITIONS. Two important collections of German statutes. Enacted in 1518, the Bavarian *Reformation* revised the Bavarian law code of 1346. It is notable, in part, because it incorporated input solicited by the Dukes of Bavaria from representative groups of subjects. The 1520 edition of Freiburg statutes is a comprehensive restatement by Zasius, a leading German humanist and friend of Erasmus. A leading jurist, he was one of the first jurists to apply modern philological methods to the study of Roman and older Germanic law. Both titles are scarce. OCLC locates 2 copies of *Reformation* in North American law libraries (George Washington University, UC-Berkeley), 4 copies of *Nuwe Stattrechten* (George Washington University, Harvard, University of Michigan, Yale). VDI6 B1007, F2540.



No 92

ASSERTING THE CHURCH AND CROWN IN BOHEMIA

- 92 [BOHEMIA].
FERDINAND II [1578-1637], HOLY ROMAN EMPEROR.

Der Rom. Kay. Auch zu Hungarn und Bohaimb [Et]c. Königlichen Majestat, Ferdinandi dess Andern [et]c. Vernewerte Landes Ordnung Deroelben Erbkonigreichs Bohaimb. Auff der Jetzt Regierenden Kay. und Königl. May. Ferdinandi dess Dritten [et]c. Allerhöchsten Befehl von Newem Aufgelegt und mit Unterschiedlichen Declaratorien und Novellen Vermehret.

[Vienna: Gedruckt bey Mariae Formick, 1640]. [viii], 551, [vi], 131, [2] pp. Two parts, each with title page and individual pagination. Folio (11" x 7").

Contemporary speckled calf, varnished, blind rules to boards, raised bands and lettering piece to spine, speckled edges, (later?) marbled endpapers. Light rubbing to boards, moderate rubbing to extremities, joints just starting at ends, corners bumped. Title pages, with large copperplate arms of the Holy Roman Empire, printed in red and black, large arms copperplate arms of Bohemia to versos, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, somewhat heavier in places, light foxing to a few laves, edges of title pages trimmed closely with minor loss, internally clean. Ex-library. Bookplate to front pastedown. \$1,500.

FOURTH EDITION. Holy Roman Emperor Ferdinand II, a Habsburg, ruled the Kingdom of Bohemia. A document of the

Thirty Years War [1618-1648], his *Vernewerte Landes Ordnung* (Revised Land Ordinance) for Bohemia, enacted in 1627, aimed to consolidate his power and suppress Protestantism, which was spreading though parts of that kingdom. Among other measures, it deprived the Bohemian estates of their military rights, placed all schools under Jesuit control and made Catholicism the kingdom's only legal religion. Due in part to his aggressive stance, Bohemia witnessed some of the most brutal battles of the war. Ferdinand, who died in 1637, was able to pass the kingdom to his heir, but the land and its crown were greatly diminished. Editions of the *Vernewerte Landes Ordnung* were published in 1627, 1628, 1638, 1640, 1714 and 1753. All are scarce. OCLC locates 2 copies of the 1640 edition in North American law schools (University of Michigan, Yale). VD17 12:656896L.

RARE SEVENTEENTH-CENTURY TREATISE ON
INHERITANCE AND SUCCESSION

- 93 BOTTIGLIERO, CARLO ANTONIO.

De Successionibus ab Intestato, Tractatus Elaboratissimus in Quo Sororum Exclusiones a Parentum Successione per Fratrum Existentiam Novissime Explicantur.

Rome: Typis Bartholomaei Lupardi, 1680. [xxxiv], 594, [44] pp. Main text in parallel columns. Folio (12-3/4" x 8-1/2").

Somewhat later quarter vellum over marbled boards, lettering piece to spine, endpapers renewed. Light rubbing to extremities, corners and spine ends bumped. Moderate toning to text, occasional light foxing, title page partially detached but secure, internally clean. Ex-library. Bookplate to front pastedown. An attractive copy. \$1,500.

SECOND EDITION. This treatise on inheritance and succession in Roman law and the civil law of the Papal States was first published in 1653, its third and final edition in 1688. This is a rare title. OCLC locates no copies of the first or third edition in North America, 3 copies of the second (George Washington University Law School, Princeton University and UC-Berkeley Law School). Not in Camus. This edition not in the BMC.

A DURABLE CONCEPT IN ROMAN LAW

- 94 CAMARELA, FRANCISCO.

De Legatis et Singulis Rebus per Fideicommissum Relictis. Libris Quindecim Exaratum in Foro, Et Scholis Professoribus Perutile, Ac Necessarium, Cum Indice Locupletissimo, Collegii Iudicium Vincentiae Cura, & Aere Editum.

Venice: Apud Abundium Menafolium, 1681. [xl], 628, [68] pp. Main text in parallel columns. Folio (13" x 8-1/2").

Contemporary vellum, raised bands and early hand-lettered title to spine. Light rubbing and some staining to boards, spine slightly darkened, spine ends and corners bumped, a few minor chips to fore-edges. Title page, with large woodcut vignette, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning, faint dampstaining and worming in a few places (with no loss to legibility), internally clean. Ex-library. Bookplate to front pastedown. \$850.

ONLY EDITION. One of the most durable concepts in Roman law, *fideicommissum* involves situations in which something is committed to somebody's trust. It is central to the law concerning testators. This treatise by a practicing attorney from Vicenza, reconciles received Roman law with practice in the Republic of Venice. OCLC locates 5 copies in North America, 4 in law libraries (Harvard, Library of Congress, UC-Berkeley, Yale). Not in the BMC.



Detail from N° 95

HIRE AND LEASES IN ROMAN LAW

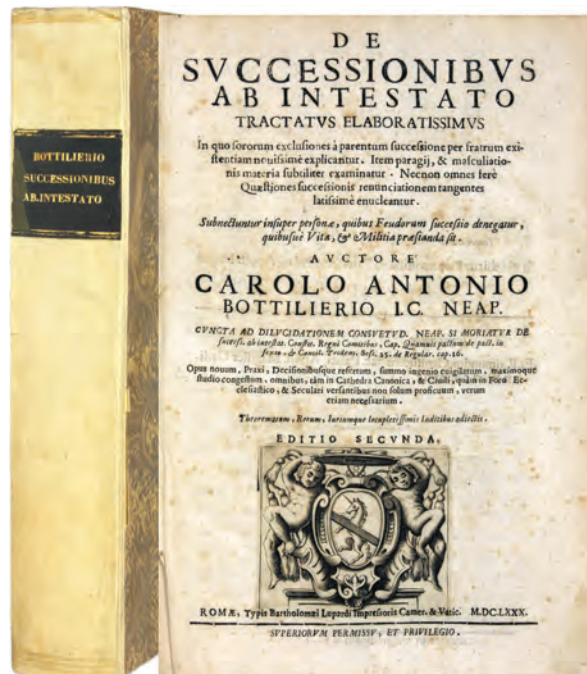
95 CAROCCI, VICENZO [16TH/17TH CENT.].

Tractatus Locati et Conducti, In quo Exacte de Pensionibus, Fructibus, Caducitatibus, Remissionibus, Saliis & Similibus, Nova, Quotidiana & Practicabilis Materia Pertractatur. Hac Tertia, Et Postrema Editione ab Ipso Authore Maximo cum Labore, Diligentia, & Studio, Variis, & Prope Innumerabilibus Quaestionibus Utilibus, & in Practica Frequentibus, & Quotidianis Ornatus, Auctus, & Summopere Illustratus, Ita (Ut Quae Asterisco Insignita, & Parenthesi Quadam a Veteribus Seiuncta Sunt) Penultima Editione Noviter Instar Auctarii Accesserint, Prout Priores Ambae Editiones cum hac Tertia Conferenti Luce Meridiana Clarius Apparebit.

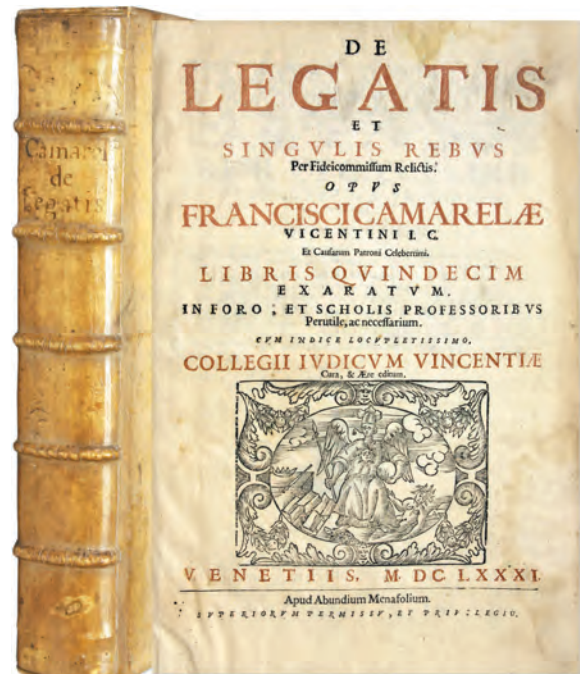
Venice: Apud Ioannem Baptistam & Ioan. Bernardum Sessam, 1597. [xviii], 286 ff. Main text in parallel columns. Folio (12-1/2" x 8-1/2").

Contemporary limp vellum, early hand-lettered title to spine, endpapers renewed. Light soiling, a few stains to boards, joints just starting at foot, a few cracks to spine, a bit of wear to corners. Title page, with large woodcut Sessa device, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Some toning to text, faint dampstaining in a few places, a few worm holes to title page and following leaf, lower corners of preliminaries somewhat worn. Early owner signatures to title page, early underlining and check marks in a few places, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$1,000.

THIRD (STATED) EDITION, actually the fourth. First published in 1584, this treatise on hire, leases and other types of contracts in Roman law went through at least eight editions; it was still an authority in the late seventeenth century. Few copies of any edition are held by North American law libraries. Regarding our 1597 edition, OCLC locates 1 (at Yale). EDIT16 CNCE9673.



N° 93



N° 94

SCARCE SIXTEENTH-CENTURY STUDY OF WARRANTY,
ACTIONS AND DEFENSES IN ROMAN LAW

- 96 CAVALLINI, GASPARE [D. 1589].
[DU MOULIN, CHARLES (1500-1566), ATTRIBUTED].

Tractatus de Evictionibus, Cui Accessit Eiusdem Libellus. Addito Etiam Indice Materialium Utilissimo.

Venice: Apud Iordanum Zilletum, & Socios, 1571. 288, [16] pp. Two parts with divisional title page and continuous pagination. Octavo (5-1/2" x 3-1/2").

Later quarter calf over paper-covered boards, gilt fillets and gilt title to spine. Light soiling to boards, light rubbing to extremities, top edge of text block trimmed touching head-lines in a few places. Woodcut printer device to title page, woodcut decorated initials. Light toning to text, faint dampspotting in places. Early owner signature to title page, brief annotations in similar hand to a few leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy of a scarce title. \$1,500.

FIRST EDITION. This book contains two brief treatises on Roman law. The first deals with warranty, the second with actions and defenses. Until the twentieth century they were thought to be a pseudonymous work by the great French jurist Charles Du Moulin. Later editions were published in 1573 and 1574. All three editions are scarce. Concerning the first edition, OCLC locates 3 copies in North American law libraries (Columbia, Harvard, UC-Berkeley). *EDIT16* CNCE17847.

A LAVISH COLLECTION OF PAPAL LEGISLATION
ILLUSTRATED THROUGHOUT WITH 240 COPPERPLATES

- 97 CHERUBINI, LAERTIO.
CHERUBINI, ANGELO MARIA, PRIMARY EDITOR.

Magnum Bullarium Romanum a B. Leone Magno Usque ad S.D.N. Clementem X, Opus Absolutissimum Laertii Cherubini & D. Angelo Cerubino, Novissime Vero a RR. PP. Agelo a Lantusca, & Ioanne Paulo a Roma, Ordinis Minorum S. Francisci Strictioris Observantiae, Quinti Tomi Editione Illustratum, & Auctum. Quinque Tomis Distributa: Ubitis & Iconibus Aeneis Omnium Pontificum Decorata: In qua non Solum Constitutiones Omnes S.D.N. Urbani VIII. Quotquot Reperi Potuerunt, Ordine Temporis Insertae, Appendicesque Duae Suis Locis Restitutae; Verum & S.D.N. Innocentii X. Alexandri VII. Clementis IX. & Clementis X. Constitutiones Usque ad Hanc Diem Emanatae, Sunt Superaddita, Suis Rubricis & Scholiis Convenientibus, Summariisque Marginalibus Exornatae, Ac Tandem Uberioribus Quam Antea Indicibus Locupletatae.

Lyons: Sumpt. Laurentii Arnaud, & Petri Borde, 1673. Five volumes in four books. Main text in parallel columns. 240 copperplate portraits of Saint Peter and subsequent popes throughout, a few copperplate text illustrations. Folio (15-1/4" x 9-3/4").

Contemporary vellum with latervellum rebacking, raised bands and hand-lettered titles to spines, endpapers renewed. Some staining to boards, moderate rubbing to extremities with some wear to spine ends and corners. Title pages, all with large copperplate vignettes, printed in red and black, copperplate vignette to head of dedication, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning, occasional light foxing, some leaves have dampstaining to margins, internally clean. Ex-library. Bookplates to front pastedowns. An impressive set. \$2,500.

WITH SUBJECT TOPICAL INDEXES. Conceived as a supplement to the *Corpus Juris Canonici*, the *Bullarium* is a

comprehensive collection of papal bulls and other decrees from St. Peter through Clement X, the pope when this edition was published. Each entry is headed by a copperplate portrait and brief biography. The indexes are notably detailed and useful. The first edition was published in 1586. Later editions of this collection, all updated, were issued into the late nineteenth century. Unofficial works produced to assist canonists, each edition is notable because the choice of material reflects the concerns of the editors and issues that were important at the time of publication. Our 1673 edition, for example, has a great deal of material concerning the Counter-Reformation, Science and other Baroque-era issues absent from later editions. OCLC locates 1 copy of our 1673 edition in a North American law library (Library of Congress). This edition not in the *BMC*.



N° 97

A RARE VOLUME OF CONSILIA BY A SICILIAN JURIST

- 98 COSTA, FRANCESCO ANTONIO.
COSTA, PLACIDIO, EDITOR AND ANNOTATOR.

Consiliorum Sive Responsorum Juris. Volumen Primum. Quibus Novissime Accesserunt Annotationes Don Placidi Costa.

Messina: Typis Petri Breae, 1629. [xx], 498, 27, [68] pp. Complete as issued. Main text in parallel columns. Folio (11-1/4" x 7-3/4").

Contemporary vellum, red and green lettering pieces to spine. Spine ends bumped, a few minor smudges and stains, light rubbing to lettering pieces. Woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, faint dampstaining in a few places, pp. 197-200 lacking, replaced by bound-in contemporary manuscript copies. Early stuck-through signature to front free endpaper, offsetting from ink to front pastedown, interior otherwise clean. \$1,500.

SECOND AND FINAL EDITION. This was the first volume of a projected multi-volume collection of legal opinions edited and annotated by the author's son. Francesco Antonio Costa was a jurist, state official and law professor in Messina, Sicily. It was first published in 1609. (It is a shorter work without the annotations by Placidio Costa.) OCLC locates 1 copy worldwide of the 1629 edition (at the Bibliothèque Nationale, Paris), none of the first. Not in the BMC.

RARE SEVENTEENTH-CENTURY TREATISE ON REMEDIES

99 COSTA, GIOVANNI BATTISTA (JUAN BATTISTA) [16TH/17TH C.].

Tractatus de Remediis Subsidiariis. Primae Sedis Antecessoris; In quo Methodice Explicantur Variae, Atque; Multiplices Materiae, Tam Canonicae, Quam Civiles, Criminales Quoque; & Alique Theologicae, Ex Ipsi Legum, Canonum, Bullarum, Statutorum; Ac Constitutionum Fontibus Exhaustae, Necnon Indicati Consignantur Complures Casus Conciliares, Quatenus in Subsidium Dumtaxat Proditia Remedia Utrunque Comperiuntur, Quae Postea ad Quotidianam Praxim pro Ultimo Praesidio, Ac Refugio Frequentius Revocantur. Cum Indice Rerum, Atque; Sententiarum Fatis Copioso Iuxta Seriem Alphabetica Disposito.

Pavia: Ex Typographia Petri Bartoli, 1608. [lxxx] 365. [2] pp. Main text in parallel columns. Copperplate portrait (to verso of title page). Folio (12" x 8").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Light rubbing to extremities, faint staining to boards, minor worming to hinges and pastedowns. Title page, with large copperplate arms, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, somewhat heavier on places, faint dampstaining to preliminaries and a few other leaves, early owner signature partially excised from foot of title page, internally clean. \$1,250.

FIRST EDITION. This treatise deals with civil and criminal remedies in Roman, canon and feudal law. Little is known about Costa. The title page identifies him as a highly placed canon lawyer attached to the Vatican. The presence of a portrait frontispiece, with a cartouche bearing his arms, indicates that he was an important man. Costa is not to be confused with the French jurist Jean Lacoste (de la Coste) [1560-1637]. Costa's treatise went through two later editions in 1629 and 1630. All three are rare. OCLC locates 2 copies in North America, both 1629 editions (at the Library of Congress and UC-Berkeley Law School). Not in Camus, Roberts or the BMC.

RARE SICILIAN TREATISE ON INHERITANCE AND SUCCESSION

100 CUMIA, GIUSEPPE.

De Successione Feudalium Repetitio, Omnibus in foro Versantibus ad Totius Feudalis Causae Cognitionem Necessaria. Cum Summariis, Tam Verborum, Qua Sententiarum, & Locupletissimo Alphabetico Indice.

Palermo: Apud Erasmum de Simeone, 1609. [iv], 402, [54] pp. Main text in parallel columns. Folio (11-1/4" x 7-3/4").

Contemporary vellum, red and green lettering pieces to spine. Spine ends bumped, a few minor inkspots, light rubbing to lettering



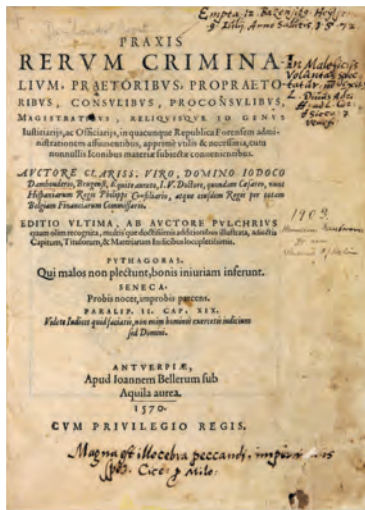
Detail from N° 99



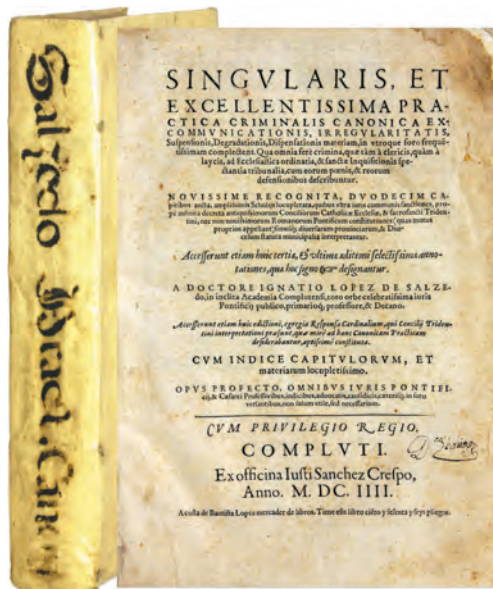
N° 100

pieces. Title page, with woodcut arms, printed in red and black, woodcut decorated initials. Light toning to text, minor tears to a few leaves, internally clean. A handsome copy. \$1,500.

SECOND AND FINAL EDITION. This is a study of inheritance and succession in the feudal law of Sicily, then governed under the Crown of Aragon. It was first published in 1563. Both editions are rare. In North America OCLC locates 1 copy of the first edition (at Harvard Law School), none of the second edition. Not in the BMC.



N° 101



N° 102

NOTABLE TREATISE ON CRIMINAL PROCEDURE IN CANON LAW

- 102 DIAZ DE LUCO, JUAN BERNARDO [1495-1556].
LOPEZ DE SALCEDO, IGNACIA [FL. 1552-1564].

Singularis et Excellentissima Practica Criminalis Canonica Excommunicationis, Irregularitatis, Suspensionis, Degradationis, Dispensationis Materiam, In Utroque Foro Frequentissimam Complectens. Qua Omnia Fere Crimina, Quae Tam a Clericis, Quam a Laycis, Ad Ecclesiastica Ordinaria, & Sanctae Inquisitionis Spectantia Tribunalia, Cum Eorum Poenis & Reorum Defensionibus Describuntur. Accesserunt Etiam huic Tertia, & Ultimae Aeditioni Selectissimae Annotationes, Quae hoc Signo [pointing hand] Designantur. Accesserunt Etiam huic Editioni, Egregia Responsa Cardinalium, Qui Cocilii Tridentini Interpretationi Praesunt, Quae Mire ad Hanc Canonica Practicam Desiderabatur, Aptissime Constituta. Cum Indice Capitulorum, Et Materialum Locupletissimo. Opus Profecto, Omnibus Iuris Pontificii, & Caesaris Professoribus, Iudicibus, Advocatus, Causidicis, Caeterisque in foro Versantibus, Non Solum Utile, Sed Necessarium.

CLASSIC ILLUSTRATED SIXTEENTH-CENTURY TREATISE ON
CRIMINAL LAW WITH CONTEMPORARY ANNOTATIONS
AND A NOTABLE ASSOCIATION

- 101 DAMHOUDER, JOSSE DE [1507-1581].
[KANTOROWICZ, HERMANN (1877-1940)].

Praxis Rerum Criminalium: Praetoribus, Propraetoribus, Consulibus, Proconsulibus, Magistratibus, Reliquisque id Genus Iustitiariis ac Officialiis, Apprime Utilis & Necessaria.

Antwerp: Ioannem Bellerum, 1570. 508 pp. Text in parallel columns. 72 woodcuts. 68 depict criminal acts, 2 depict types of torture, 2 are coats of arms (of Damhouder and the book's dedicatee, King Philip II). Twelve leaves, including one with a woodcut, supplied as bound-in facsimiles. Quarto (8-3/4" x 6-1/2").

Twentieth-century quarter vellum over cloth, lettering piece to spine, endpapers renewed. Negligible light soiling, a bit of discoloration to boards. Moderate toning to text, somewhat heavier in places, occasional light foxing, early repair to lower corner of title page. Contemporary annotations throughout in black and red ink, illegible owner signature dated 9 July 1572 and owner signature of Hermann Kantorowicz dated 1903 to title page. Ex-library. Bookplate to front pastedown. A unique copy of an important title. \$2,500.

FIRST PUBLISHED in 1551, 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* (1439-1519) and other earlier treatises. Published in Latin, Dutch and French, it was the standard authority throughout the continent for many years. This Dutch edition from 1570 is illustrated throughout with woodcuts depicting adultery, murder, theft and many other crimes. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. Kantorowicz was a distinguished German jurist and law professor. Removed from his professorship at the University of Kiel by the Nazis in 1933, he moved to the United States, then Great Britain, where he taught at the New School for Social Research, City College of New York, the London School of Economics, All Souls College, Oxford, and Cambridge University. Dekkers 44.

Alcala de Henares: Ex Officina Iusti Sanchez Crespo, 1604. [viii], 611, [49] pp. Main text in parallel columns. Folio (11-1/2" x 8").

Contemporary limp vellum with lapped edges, early calligraphic title to spine, "RN" in early hand to top edge of text block, ties lacking, hinges reinforced. Light rubbing to extremities, corners bumped. Light brownning to text, faint dampstaining to margins in places, early repairs to title page and a few leaves (no loss to text). Early owner signature to title page, underlining and brief annotations in a few places, interior otherwise clean. A nice copy. \$1,500.

LATER EDITION. This notable treatise on criminal procedure in canon law was first published in 1543 and went through several issues and editions throughout Europe. It is notable, in part, because it contains guidelines for the inquisition. Luco, a canon lawyer and author of legal treatises, achieved eminence as the Bishop of Calahorra, Spain. (He is not to be confused with the important canonist Juan de Lugo [1583-1660].) OCLC locates 1 copy of this imprint in North America (at Emory University). This edition not in the *BMC* or Ferreira-Ibarra.

103 GAIL, ANDREAS VON [1526-1587].

De Pace Publica, Et Eius Violatoribus, Atque Proscriptis Sive Bannitis Imperio, Libri Duo. De Pignorationibus Liber Unus. De Manuum Iniectionibus, Impedimentis, Sive Arrestis Imperii, Tractatus Singularis.

Cologne: Apud Ioannem Gymnicum, Sub Monocerote, 1586. 468, [60], 123, [1], [52] pp. Three parts, each with title page, third part has divisional title page. Octavo (7" x 4-1/2").

Contemporary vellum, endpapers renewed, early calligraphic title to foot of text. Light rubbing to extremities, small stain to front board, a few cracks to text block. Moderate toning, occasional dampstaining and spotting, internally clean. Ex-library. Bookplate to front pastedown. \$950.

SECOND EDITION. Gail was a German judge and legal scholar. First published in 1578, this book deals with executions and pledges under the laws of the Holy Roman Empire. The final section is a collection of legal epigrams. Its final edition, a German translation, was published in 1601. The contents of this book were incorporated into Gail's *Practicarum Observationum* beginning with the 1589 edition. As an independent work *De Pace Publica* is a rare title. Concerning both editions, OCLC locates 1 copy in North America (at Yale Law School). VD16 G52.



Detail from N° 104

GUIDANCE FOR CATALONIAN NOTARIES

104 GALI ET RAMON, HIERONYMUS.

Opera Artis Notariae, Theoricam Simul, Et Practicam Eruditionem Complectentia.

Barcelona: Ex Typographia Hyacinthi Andreu, 1682. [xii], 672 [i.e. 674], [16] pp. Folio (12" x 8").

Contemporary limp vellum, early calligraphic title to spine, ties lacking, endpapers renewed. Light soiling, spine slightly darkened, minor spotting to boards, some wear to spine ends and corners, two tiny chips to front joint. Title page, with woodcut vignette, printed within typographical border, woodcut typographical head-pieces. Light toning to text, somewhat heavier in places, faint dampspotting, mostly to margins, faint dampstaining to heads of preliminaries and the next few leaves, internally clean. Ex-library. Bookplate to front pastedown. A nice copy of a rare title. \$1,500.

FIRST EDITION. In the civil and canon law systems of seventeenth-century Europe notaries occupied an important place in the legal hierarchy analogous to a present-day British solicitor. Ramon's handbook addresses the needs of a canon-law notary in Catalonia. It is an excellent source of information about notarial practices in that part of Spain. A second edition was published in 1684. Including both edition, OCLC locates 3 copies in North America, 1 in a law library (Harvard, which has a first edition). Palau 96728.

105 GARCIA, NICOLAUS [D. 1645].

Tractatus de Beneficiis Amplissimus: Continens Duodecim Partes Divisas. Cum Duplici Indice Altero Partium & Capitulorum, Altero Rerum & Materialium.

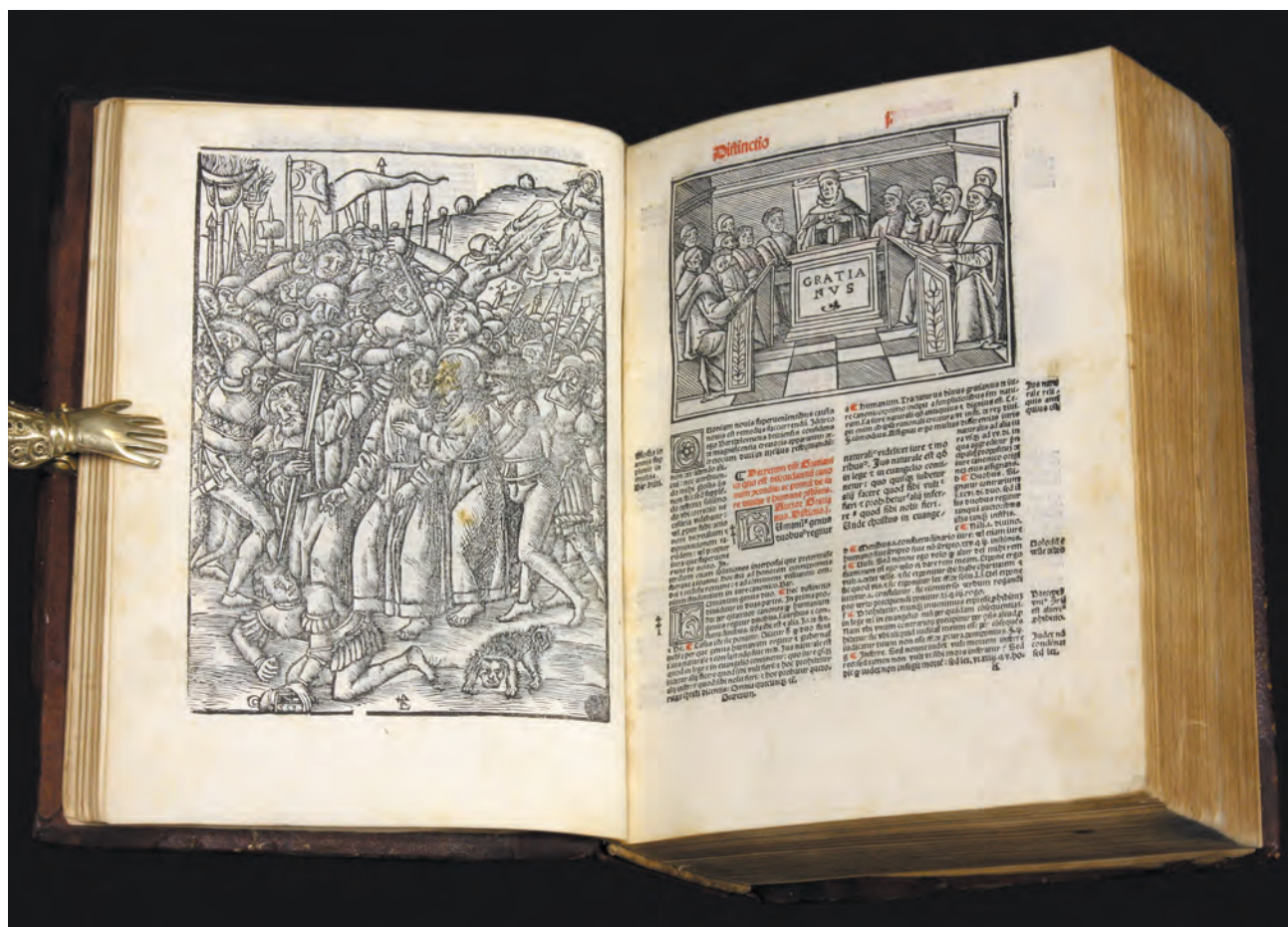
Volume I: Saragossa (Zaragoza): Apud Ioannem Antonium & Ioannem Baptistam Tavannum, 1609; Volume II: [Madrid: Apud Ludovicum Sanchez, 1613 (i.e. 1613)]. Two volumes. [xii], 821 [i.e. 815], [69]; [x] (of xii), 319, [63] ff. Title page of Volume II lacking. Main text in parallel columns. Folio (11" x 7").

Contemporary vellum, early hand-lettered titles to spines, ties lacking, endpapers renewed. Some rubbing to extremities, a few minor chips to spine ends, light wear to corners, rear hinge of Volume I starting, title page of Volume I mounted, repairs to margins of a few leaves, a few partial cracks to text blocks. Volume I title page printed in red and black, woodcut decorated initials. Moderate browning and spotting to text, internally clean. Ex-library. Bookplates to front pastedowns. \$650.

THIRD EDITION. First published in 1608, this is an exhaustive treatise on ecclesiastical benefices (irrevocable church appointments that provide income-producing properties) with an emphasis on the Church in Spain and its possessions. It was a durable work that went through several editions and reissues into the mid eighteenth-century. Palau 98122, 98123.



N° 105



Detail from N° 107

INCLUDES A SELECTION OF MAXIMS

GIUNTA EDITION OF THE *DECRETUM GRATIANI*
WITH 130 WOODCUTS

106 GODEFROY, JACQUES [1587-1652].

Manuale Juris Seu Parva Juris Mysteria, Ubi Quatuor Sequentia Continentur. Juris Civilis Romani I. Historia. II. Bibliotheca. III. Florilegium Sententiarum Juris, Politicarum, & Communium Notionum, Ex Corpore Justiniano Desumptarum. IV. Series Librorum & Titulorum in Digestis & in Codice. Nona Editio Auctior & Accuratio.

Leiden: Ex Officina Joannis Verbessel, 1684. [viii], 591, [1] pp. 12mo. (5" x 3").

Contemporary vellum with lapped edges, blind rules to boards, later (eighteenth century?) lettering pieces to spine, edges rouged. Light soiling, some spotting to front board, spine ends bumped, a few tiny chips to edges of lettering pieces, light toning to text. Two later owner signatures to front free endpapers, interior otherwise clean. An attractive copy. \$650.

LATER EDITION. *Manuale Juris* is an introductory textbook on Roman law and its history by the second son of Denis Godefroy [1549-1622], who was, like his father, a formidable humanist and legal scholar. (His achievements include the reconstruction of the Twelve Tables.) It includes a reading lists and a collection of maxims, the *Florilegium Sententiarum Juris*. First published in 1632, it went through numerous editions into the eighteenth century. Camus 454.

107 GRATIAN THE CANONIST [c. 1090-C. 1160].
JOHANNES TEUTONICUS (OR ZENEKA) [D.1253]. GLOSSATOR.
BARTOLOMEO DA BRESCIA (D.1258). GLOSSATOR.
MARTINUS, POLONUS [D. 1279], MARGARITI DECRETI.
JOANNES, DIACONUS HISPANUS, FLOS DECRETI.

Decretu[m] Gratiani Cu[m] Glossis D[omi]ni Joannis Theutonicus Prepositi Alberstatensis [et] Annotationibus Bartholomei Brixiensis, Divisionibus Archidiaconi, Casibus a Bene. So[m]positis per Bart. Brixi. Correctis [et] pro Clariore I[n]tellectu[m] Pluribus in Locis Extensis, Concordia ad Bibliam, Tabula Marginalium Glossularum, Omnium Canonum [et] Conciliorum, Margarita Decreti, Flosculis Totius Decreti a Domi[n]o Joanne Diacono Compositis, Additione in Margine Litterarum Quo Minusculi Characteres Lineis Intercepti Citius Legenti Apparea[n]t.

[Venice: Per Lucantonium de Giunta, 1514.] [xxxviii], 652, [76] ff. Main text in parallel columns surrounded by linear gloss. Full-page woodcut (of Christ's Scourging) facing fol. 1, woodcut tables of descent and consanguinity, 130 woodcuts throughout text. Quarto (8" x 6").



Nº 109

Contemporary paneled calf with elaborate blind tooling, intricate borders enclosing cruciform IES device to boards, diced spine with raised bands and later hand-lettered title label, clasps lacking. Some rubbing to extremities, minor worming, some chipping to head of spine, joints starting at ends, rear free endpaper replaced with a printed vellum leaf from an edition of the *Aeneid*. Printed in red and black throughout, woodcut Giunta device to title page, woodcut decorated initials. Light toning to text, light browning in a few places, spotting to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. Item housed in lightly rubbed cloth slipcase with small shelf label to spine. A handsome copy. \$6,000.

THIS EDITION IS NOTABLE for its elegant typography and numerous woodcuts that illustrate points in the text. The *Concordia Discordantia Canonum*, or *Decretum Gratiani*, is the cornerstone of modern canon law. The first work of its kind, it was supposedly compiled by Gratian, a Camaldolese monk, around 1140. Using the latest scholastic and juristic techniques from Bologna, he created a work that synthesized the existing body of canon law. The *Decretum Gratiani* addresses various aspects of church jurisdiction, offenses and legal proceedings, as well as administrative issues like baptism, feast days, confirmation and the consecration of churches. In addition to the *Glossa Ordinaria* of Joannes Teutonicus and the glosses of Bartolomeo da Brescia this imprint includes the *Flos Decreti* of Johannes Hispanus, a set of commentaries on Gratian, and the *Margarita Decreti* of Polonus Martinus, a collection of excerpts from the *Decretals* of Gregory IX. A complete work (and bibliographically distinct), it is part of a three-volume edition of the *Corpus Juris Canonici* issued by Giunta in 1514. OCLC locates 3 copies in North American libraries (Harvard, UC–Berkeley, Yale). EDIT16 CNCE 13367.

RENTS AND TAXATION IN THE KINGDOM OF ARAGON

- 108 GREGORIO, PIETRO DI [C.1480–1533].
[NICHOLAS V (1397–1455), POPE].
[ALFONSO V (1396–1458), KING OF ARAGON].

Ad Bullam Apostolicam Nicolai Quinti et Regiam Pragmaticam Alphonsi Regis de Censibus Commentaria. Cum Additionibus non Solum Antiquis & Novis, Verum Etiam Novissimis Annotationibus Nunquam Antea Impressis Eiusdem Don Garsiae Mastrilli ad Eandem Bullam & Pragmaticam Regii Consilarii Auctoris Pronepotis: Quibus Accesserunt Scholia ad Eadem Bullam & Pragmaticam Diversorum Doctorum, Non Prius Edita, Quorum Nomina Sequens Pagina Indicabit. Cum Summariis, & Indice Locupletissimo.

Palermo: Ex Officina Typographica Francisci Ciotti, 1622. [viii], 207, [29] pp. Main text in parallel columns. Folio (11" x 7-1/2").

Contemporary flexible vellum, red and green lettering pieces to spine. Corners and spine ends bumped, a few minor inkspots, some rubbing to edges of lettering pieces. Title page, with large woodcut vignette, printed in red and black, woodcut decorated initials. Moderate toning to text, somewhat darker in places, faint dampspotting to a few leaves. Early struck-through owner signatures to title page, interior otherwise clean. A handsome copy. \$1,500.

SECOND AND FINAL EDITION. Originally published in 1601, this work analyzes a Papal Bull and a royal edict concerning tax assessments and rents for the support of ecclesiastical benefices in Sicily, then governed under the Crown of Aragon, which included most of southern Italy. Gregorio, a lawyer from Messina, is not to be confused with the French jurist Pierre Gregoire [1540–1617]. OCLC locates no copies of either the first or second edition in North America. Not in the BMC.

SCARCE SIXTEENTH-CENTURY TREATISE ON INVESTITURE

- 109 GREGORIO, PIETRO DI.
MASTRILLO, GARZIA (D.1620), INDEX.

De Concessione Fevdi Tractatus: Cum Additionibus, Summariis, Argumentis, Ac Indice Don Garsiae Mastrilli Iureconsulti Eiusdem Authoris Pronepotis.

Palermo: Apud Io. Antonium de Franciscis, 1598. [viii], 288 [i.e. 294], 30 pp. Main text in parallel columns. Folio (11" x 7-1/2").

Contemporary flexible vellum, red and green lettering pieces to spine. Corners and spine ends bumped, a few minor inkspots, some rubbing to edges of lettering pieces. Title page, with woodcut arms, printed in red and black, woodcut decorated initials. Light toning to text, a few leaves somewhat darker, faint dampstaining to margins, internally clean. A handsome copy. \$1,500.

FIRST EDITION. This is a study of the laws concerning the transfer of land from an overlord to a vassal (investiture) in Sicily, at that time governed under the Crown of Aragon, which included most of southern Italy. Gregorio, a lawyer from Messina, is not to be confused with the French jurist Pierre Gregoire [1540–1617]. A second edition was published in 1600, a reprint of the first edition in 2002. All three are scarce. In North America OCLC locates 1 copy of the first edition (at the Library of Congress), 1 copy of the second edition (at Harvard Law School) and two copies of the 2002 reprint (at Harvard Law School and UC–Berkeley). Not in the BMC.



N° 110

IMPRESSIVE 1554 EDITION OF THE DECRETALES OF GREGORY IX

- 110 GREGORY IX, POPE [1227-1241].
 RAYMOND OF PENAFORTE, SAINT
 [1175?-1275], COMPILER.
 [BOTTONI, BERNARDO (D.1266), GLOSSES].
 [D'ANDREA, GIOVANNI (C.1270-1348), GLOSSES].

Decretales, Quibus Additae Fuerunt Doctissimorum Virorum non Minus Necessariae Quam Utiles Annotationes & Expositiones.

Lyons: Senneton Freres, 1554. [10] ff., 1804 columns, [4], 16 ff. Woodcut tables of descent and consanguinity. Main text in parallel columns. Folio (16" x 11").

Contemporary paneled pigskin, raised bands, ties lacking. Moderate rubbing to extremities, a few minor scuffs and stains, chipping to foot of spine, corners bumped and somewhat worn, vellum just beginning to crack through pastedowns, edgewear and a few holes to endleaves, partial crack in text block between front free endpaper and title page, later owner bookplate to front pastedown, earlier over stamp to verso of front free endpaper. Printed in red and black throughout, attractive woodcut title page with architectural border and large Salamandre device, frontispiece depicting the presentation of the *Decretals* to Gregory, attractive woodcut pictorial initials. Some toning to text, faint dampspotting in a few places, moderate edgewear and some dampstaining to margins of title page and few other leaves. A solid copy of an impressive volume. \$2,500.

WITH rubrics, glossary, marginal glosses, table and index. The glosses are those originally compiled by Bernardo Bottoni, with later accretions by Giovanni D'Andrea and others. "Decretals are letters containing a papal ruling, particularly one relating to canonical discipline, and most precisely a papal prescript in response to an appeal...the *Decretals* of Gregory IX are the first authentic general collection of papal decretals and constitutions, compiled by Raymond of Penaforte at the request of Pope Gregory IX in 1230-1234 and promulgated in 1234. (...) It gave rise to a vast amount of commentaries and literature" (Walker). Gregory's

Decretales is one of the four works known collectively as the *Corpus Juris Canonici*, a collection of papal decisions concerning ecclesiastical hierarchy, procedure, the functions and duties of clerks, marriage, and crime. This edition predates the Reformation-inspired *Correctores Romani* (1580-1582), which was definitive until the revision of 1917. Walker 177-179. Adams G1222.

INFLUENTIAL COMPILATION OF BYZANTINE LAW

111 HARMENOPOULOS, KONSTANTINOS

[D. C. 1380].
 MERCIER, JEAN [1545-1600].
 TRANSLATOR AND EDITOR.
 GODEFROY, DENIS [1549-1621].
 EDITOR AND ANNOTATOR.

Procheiron Nomon Konstantinou tou Harmenopoulou/ Promptuarium iuris, Constantino Harmenopulo Authore. Interprete Ioanne Mercero. Dionysij Gothofredi J. C. Paratitla ad Singulos Constantini Harmenopuli Titulos. Variarum Lectionum Libellus ad Eundem Authorem, Nomenclator Graecarum Dictionum iuris, Ad Eundem Harmenopulum. [First part of title, in Greek letters, Romanized.]

[Geneva]: Apud Guillelmum Laemarium, 1587. [viii], 495, [70] pp. Greek and Latin translation in parallel columns. Quarto (9" x 6").

Seventeenth-century calf, mottled and varnished, raised bands, gilt ornaments and lettering piece to spine, speckled edges. Moderate rubbing to extremities, chip to head of spine, corners bumped and somewhat worn, joints starting at ends, two recent owner bookplates to front pastedown. Large woodcut printer device to title page, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text, brief early annotations to front free endpaper, two early signatures to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$2,500.



N° 111

FIRST EDITION with contributions by Godefroy. Also known as the *Hexabible*, this digest of Byzantine law was compiled around 1346. After the collapse of the Byzantine Empire it became the code of laws for Orthodox Christians in the Ottoman Empire. It was the civil code of Greece from the time of its independence to 1947. As indicated by its title, the *Hexabible* has six sections: I. General Principles, II. Property Law, III. Law of Nations, IV. Law Obligations, V. Family Law and Inheritance and VI. Criminal Law. It circulated widely in manuscript and was first published in Paris in 1540. The first Latin translation followed in 1547. The first edition of Mercier's superior translation was published in Lyons in 1556. The 1587 is edited by the great humanist jurist Godefroy, who added a series of digested notes (*paratitla*) and a Greek-Latin dictionary of legal terms. It went through several subsequent editions. OCLC locates 4 copies in North American law libraries, all of the 1587 edition (Columbia, University of Georgia, UC-Berkeley, Yale). Adams H68.

COMPREHENSIVE TREATISE ON
OBLIGATIONS AND RELATED TOPICS

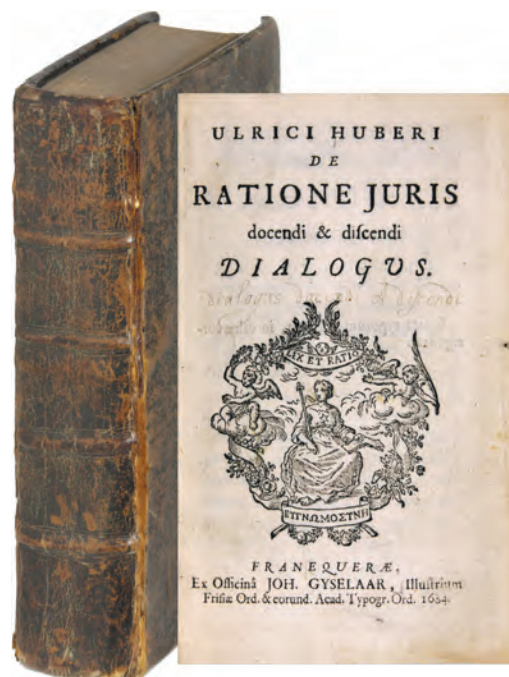
- 112 HERING, ANTON [D. 1610].
MARSILIUS, HIPPOLYTUS DE [1451-1529].
SANTAREM, PEDRO DE [16TH/17TH. C.].
CUGNO (CUNIO), GUILIELMIS DE.
TARINO, GIOVANNI DOMENICO.

Tractatus de Fideiussoribus, In Quo ex Iure Communi, Civili, Ac Canonico, nec non Variorum Iuris Interpretum Commentariis, Ac Consiliis, Ut et Diversis Imperii Romani, Germanici, Aliorumque, Regnorum, Ducatum, & Civitatum Constitutionibus, Ordinationibus, Rebus Iudicatis, Statutis Municipalibus, Ac Moribus, Integra Materia Fideiussionum, Tam Practice, Quam Theorice, Iusta Methodo, Ac Summatim est Collecta & Exposita. Additis Nunc Primum Tractatibus Hippoliti de Marsiliis, Gulielmo a Cuneo, & Petri Santernae in Eadem, & Affini Materia. Cum Indicibus Capitum, Rerum, Ac Verborum Locupletissimis.

Turin: Apud Io. Dominicum Tarinum, 1615. [xxxiv], 475 pp. Main text in parallel columns. Folio (14-1/2" x 9").

Recent imitation calf, raised bands and lettering piece to spine. A few minor bumps to edges, a bit of wear to edges of lettering piece. Title page, with large woodcut printer device, printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning and faint dampspotting, occasional light browning, minor worming and spark burns to a few leaves, edgewear to preliminaries. Early owner signatures to title page, annotations and underlining to some leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$1,250.

FOURTH EDITION. Hering was a practicing lawyer and law professor at the University of Oldenburg. Remarkable for its broad scope, his *Tractatus de Fideiussoribus* reviews obligations, contracts, suretyship and guaranty in Roman law, canon law, feudal law and the legal system of the Holy Roman Empire. Its first edition, published in 1604, was a modest work restricted to Roman law. Later editions incorporated new material and the work of other authors. Our fourth edition is one of the two largest versions. Another, from 1647, has a different selection of material. The fourth seems to be the definitive version; it was the basis for the final two editions of this work, which were published in 1675 and 1724. OCLC locates 2 copies of the fourth edition in North America (at the University of Chicago and UC-Berkeley Law School). Roberts 154.



Nº 113

ONE OF THE GREAT AUTHORITIES ON ROMAN-DUTCH LAW

- 113 HUBER, ULRİK [1636-1694].

De Ratione Juris Docendi & Discendi Dialogus.

Franecker: Ex Officina Joh. Gyselaar, 1684. [vi], 111, [1] pp. Copperplate portrait frontispiece of the Duke of Nassau.

[BOUND WITH]
HUBER, ULRİK.

De Jure Civitatis Libri Tres. Editio, Plus Tertia Parte, Nova Faciem Operis Oratio Praemissa & Argumenta Capitum in Calce Subjecta Exhibent.

Franecker: Apud Johannem Gyselaar, 1684. [xxxviii], 605, [37] pp.

Octavo (6-1/4" x 3-3/4"). Contemporary calf, raised bands to spine. Moderate rubbing with light wear to extremities, corners bumped, joints starting at head, front hinge cracked, later owner bookplate to front pastedown. Woodcut title vignettes, woodcut head-pieces, tail-pieces and decorated initials. Light toning to text. Faint early owner annotations to endleaves, title page of *Ratione Juris* and a few other leaves in both works. Ex-library. Bookplate to front pastedown. \$750.

Ratione Juris, first edition; *Jure Civitatis*, third edition.

HUBER WAS A WELL-KNOWN Dutch jurist and professor at the Universities of Franecker, Utrecht and Leyden. He was also a judge in Friesland and the author of numerous legal works on Roman and Roman-Dutch law including *Heedendaagse Rechtsgeleertheit* (1686), which was later translated as *The Jurisprudence of My Time*. He was as important in his day as Grotius. Huber's work was renowned for his humanism and knowledge of life. It remains influential in South African law. *Ratione Juris* is an essay on legal reasoning. A second edition was published in 1688. First published in 1672, his influential *Jure Civitatis* examines public law through perspectives drawn from jurisprudence and political science. As one would expect, Roman, canon and natural-law principles play a leading role. The laws of the Dutch states are also considered, though less extensively. Dekkers 86 (5, 11).

114 LABITTE, JACQUES [16TH. C.].

Indices Iuris Varii, Ad Pandectarum & Codicis Leges huc & Illuc Dispersas Suis Authoribus ac Libris Coniunctim Restituendas: Temporum, Quibus Veteres Illi Iuris Authores Vixerunt, Aut Leges Promulgarunt, Ratione Seruata: Anno, Mense ac die Adiectis. Singulis Authoribus Praefixae Sunt Eorum Vitae. Adiecta est Etiam Brevis Interpretum Iuris, Qui ab Irnerio Vixerunt, Enumeratio.

[Geneva]: Apud Iacobum Chouet, 1585. [vi], 16 pp., 17-944 cols. Octavo (6-3/4" x 4-1/4").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Light soiling to spine, head bumped, minor wear to corners, pastedowns loose. Light toning to text, minor edgewear to endleaves, faint dampspotting in a few places. Woodcut head and tail-pieces. Brief early owner annotations in a miniscule hand to title page and several text leaves, interior otherwise clean. \$1,500.

SECOND AND FINAL EDITION. First published in 1581, this is a comprehensive index and concordance of sources cited in the *Digest* and *Code* of Justinian. A work of painstaking research, it served as the basis for later indexes, most notably Wieling's *Iurisprudentia Restituta*. OCLC locates 2 copies in North America, both of the second edition (Princeton, UC-Berkeley Law School). Adams L6.



N° 114

SYNODAL DECREES FROM A TUMULTUOUS PERIOD IN
THE HISTORY OF THE LOW COUNTRIES

115 LE MIRE, JEAN.

Decreta Synodi Dioecesanæ Antverpiensis, Mense Maio Anni M.DC.X. Celebratae.

Antwerp: Ex Officina Plantiniana, 1610. [xvi], 30, 154, [3] pp.

[BOUND WITH]
MORETUS, BALTHASAR.

Decreta et Statuta Synodi Provincialis Mechliniensis, Die Undecima Mensis Iulij, Anni Millesimi Quingentesimi Septuagesimi, Pontificatus Sanctiss. In Christo Patris ac Domini Nostri D. Pii Divina Providentia Papae Quinti Anno Quinto Inchoatae, & Decima Quarta die Mensis Iulij Eiusdem Anni Conclusae; Praesidente in ea Reverendiss. In Christo Patre ac Domino D. Martino Rythouio Episcopo Yprensi, Tamquam seniori Comprovinciali, Nomie & Loco Illustriss. & Reverendiss. in Christo Patris ac Domini Nostri D. Antonii Perrenot, Archiepiscopi Mechliniensis, & Tituli S. Petri ad Vincula Cardinalis Granvellani.

Antwerp: Ex Officina Plantiniana Balthasar Moreti, 1634. 84, [2] pp.

[AND]
HOVIUS, MATTHAEUS.

Decreta et Statuta Synodi Provincialis Mechliniensis: Die Vigesima Sexta Mensis Junii Anni Millesimi Sexcentissimi Septimi Pontificatus Sanctissimi in Christo Patris ac D. N. D. Pauli Divina Providentia Papae V. Anno Tertio Inchoatae, et Vigesima die Mensis Iulii Eiusdem Anni Conclusae.

Antwerp: Ex Officina Plantiniana Balthasar Moreti, 1633. 127, [1] pp.

[AND]

HOVIUS, MATTHAEUS.

Decreta et Statuta Synodi Dioecesanæ Mechliniensis: Die Quinta Maji Anni Millesimi Sexcentissimi Noni Inchoatae, Et die Sexta Eiusdem Anni et Mensis Absolutae.

Antwerp: Ex Officina Plantiniana Balthasar Moreti, 1634. 76, [1] pp.

Octavo (6-1/2" x 4"). Contemporary vellum with lapped edges and later thong ties (one lacking), early hand-lettered title to spine. Light soiling, corners and spine ends bumped. Copperplate vignette to title page of *Decreta Synodi Dioecesanæ Antverpiensis*, woodcut Plantin devices to rear endleaves or title pages of other titles, woodcut decorated initials. Moderate toning to texts, early owner signature to front free endpaper. Ex-library. Bookplate to front pastedown. \$750.

THIS VOLUME COLLECTS four volumes of statutes and decrees enacted at synods of the (Catholic) diocese of Mechelen, Belgium, all printed by the Plantin Press. La Mire, Moretus and Hovius were the presiding bishops. All of these took place during the Dutch War of Independence and reflect its religious, political and social consequences. In effect, they offer official statements of doctrine during this troubled period. None of these titles are listed in the *BMC*.



N° 116

THREE SCARCE SIXTEENTH-CENTURY TREATISES ON CONTRACTS, OBLIGATIONS AND INHERITANCE

116 LEONI, PAOLO [D. 1590].

In Rub. Et in l. 1. ff. De Verbor. Oblig. Solennis Interpretatio.

Ferrara: Apud Franciscum Rubeum de Valentia, Anno Domini 1557, Mense Ianuario. [viii], 149 ff.

[BOUND WITH]
LEONI, PAOLO.

In L. Qui Romae [Section Symbol] Duo Fratres ff. De Verbor. Oblig. Solennis Interpretatio.

Ferrara: Apud Franciscum Rubeum de Valentia, Anno Domini 1557, Mense Decembro. [viii], 91 ff.

[AND]
ZANCHI, GIROLAMO [D. 1576].

Repetitio [Section Symbol] Cum Ita L. Haeredes Mei. Ad Trebell.

[Brescia: Apud Damianum Turlinum], 1560. 130 ff. Text in parallel columns.

Folio (12" x 8"). Contemporary vellum with later vellum rebacking, raised bands and hand-lettered title to spine, another title in early hand to bottom edge of text block, endpapers renewed. Light soiling, some rubbing to extremities, corners and spine ends bumped and lightly worn, front hinge just starting at foot, boards slightly bowed, title page of *Rubrica Et in l. 1.* re-hinged, following signature partially detached with some edgewear. Large woodcut printer devices to title pages, ornate woodcut architectural border to title page of *Repetitio*, woodcut head-pieces, tail-pieces and decorated initials. Light toning, somewhat heavier in places, light

foxing and stains to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. \$2,500.

Leoni, only editions; Zanchi, first edition.

LEONI (LEONIUS) WAS A LEGAL ADVISOR to the duke of Ferrara. Published in two parts in January and December of 1557, *Rubrica* is a commentary on the first section of Book 45 of the *Digest*, which deals with contracts and obligations. Zanchi's treatise addresses inheritance and succession in Roman law. It was a well-received work; it went through subsequent editions in 1566, 1576 and 1602. Zanchi, a former-Augustinian monk, converted to Protestantism and spent much of his professional life as a professor of theology at the University of Heidelberg. One of the first great contributors to the development of Protestant theology and natural law, his legal studies dealt mostly with issues of political power and the definition of just and unjust laws. Leonius: OCLC locates 2 copies of *Rubrica Et in l. 1.* (Columbia, UC-Berkeley Law School), no copies of *In L. Qui Romae*. Zanchi: 16 copies of all editions, 3 copies of the first edition in North America (at Columbia and Harvard Law Schools and Notre Dame University). *EDIT16* CNCE 45524, 38307 (Leoni), 35503 (Zanchi).

DISTINGUISHED COMMENTARY ON THE INFORTIATUM

117 MAINO, GIASONE DAL [1435-1519].

In Primam Infortiati Partem Commentaria: Summa Diligentia & Fide Emendata, & Suo Candori Restituta. Quibus, Praeter Solitas Insignium Doctorum Praesertim Purpurati, Adnotationes Accesserunt. Eminentissimorum I.C. Bellacombae, Panciroli, Trotti, Masueri, & Aliorum Additamenta, Receptarumque, Sententiarum, Quas Communes Opiniones Vocant, & Forensium Questionum ac Decisionum Centuria, Suis Quibusque Locis Adiecta.

Turin: Apud Nicolaum Bevilaquam, 1573. 219 ff. Main text in parallel columns. Volume I of a two-volume set. Folio (16" x 11").

Contemporary vellum with recent vellum rebacking, raised bands and calf lettering piece to spine, early hand-lettered abbreviated title to head of text block (?), ties lacking. Light soiling to spine, hinges bumped and somewhat worn, minor worming to boards and pastedowns, hinges reinforced, endleaves lacking. Large woodcut vignette to title page, woodcut head-pieces and decorated initials. Some toning to text, dampstaining and light foxing in a few places. Early underlining to passages in a few leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$750.

LATER EDITION. Maino, a respected Italian jurist, was one of the last commentators of the Bartolist school. He taught at the Universities of Pavia and Padua. Among his students were Filippo Decio and Andrea Alciati. First published in 1499, his commentaries on the first and second parts of the *Infortiatum*, Books XXIV, Title 2-XXXVIII of the *Digest*, were standard works that went through numerous issues and editions into the seventeenth century. *In Primam Infortiati Partem Commentaria* discusses the books concerning donations between husband and wife, divorce, curatorship, wills and testaments and trusts and legacies. Our 1573 imprint is augmented with additional notes by Giovanni Bellacomba [16th c.], Guido Panciroli [1523-1599], Giovanni Francesco Porporato [1485-1544], Bernardo Trotti [d. 1595] and Jean Masuer [d. 1450]. Complete in itself, this volume is part of a two-volume set. *EDIT16* CNCE 16665.



SECOND EDITION OF A CLASSIC TREATISE ON
ROMAN CRIMINAL LAW

118 MATTHAEUS, ANTONIUS [1601-1654].

De Criminibus ad Lib. XLVII. et XLVIII. Dig. Commentarius. Adjecta est Brevis & Succincta Juris Municipalis Interpretatio, Cum Indice Triplici; Titulorum, Rerum & Verborum, Nec non Legum, Qua Strictius, Qua Fusius Explicatarum.

Amsterdam: Johannis Waesberge, 1661. [xvi], 902, [38] pp. Quarto (7-1/2" x 6").

Contemporary vellum with lapped edges, early hand-lettered title to spine. Light rubbing to extremities, spine ends and corners bumped. Title page printed in red and black. Light toning to text, faint dampstaining in a few places, internally clean. Ex-library. Bookplate to front pastedown, inkstamp to front free endpaper, perforated stamp to title page and following leaf. \$250.

SECOND EDITION, one of two issues, the other printed in Utrecht. Antonius Matthaeus, the progenitor of a line of noted jurists, first published his *De Criminibus* in 1644. It is a commentary on Books 47 and 48 of Justinian's *Digest* with an additional treatise on the municipal law of Utrecht. Distinguished for its critical use of original sources, rather than later commentaries, it was one of the first modern commentaries on Roman criminal law. It was a successful, widely circulated treatise; it reached its fifteenth edition in 1761. Dekkers 111 (4).

A CLASSIC TREATISE ON THE ROMAN LAW OF EVIDENCE

119 MENOCHIO, GIACOMO [1532-1607].
HAUNOLD, JOACHIM, COMMENTARY.

De Praesumptionibus, Coniecturis, Signis, & Indiciis Signis, & Indiciis Commentariorum. Non Antheac in Lucem Edita. Varia, Recondita Perfecta[que] Eruditione Referta, & Omnibus Iudicia Praesertim Exercentibus, Oppido Quam Necessaria. Adiecta Sunt Summaria Index[que]; Omnium Rerum Sententiarum[que]; Insignium Locupletissimus Summa Vigilantia Ioachimi Haunoldi. Quae in Opera Habeantur: Versa Pagella Sedulo Indicabit. Cum Privilegiis.

Volume I: Venice: Apud Haeredes Francisci Ziletti, 1587; Volume II: Venice: Apud Franciscum de Franciscis, 1590. Two volumes. [xvi], 80, 273; [lxix], 364; 156 ff. Complete as issued. Main text in parallel columns. Folio (14-1/2" x 9-3/4").

Later quarter vellum over marbled boards, lettering pieces to spines, endpapers renewed, early hand-lettered titles to bottom edges of text blocks. Moderate rubbing to boards with some wear to edges and corners, which are bumped, spines lightly soiled, minor worming around joints, front hinge of Volume I cracked, its rear hinge starting, some creasing to its final 30 leaves. Large woodcut printer devices to title page, woodcut head-pieces, tail-pieces and decorated initials. Light to moderate toning, occasional faint dampspotting and foxing, minor worming in places, spark burns and inkstains to a few leaves. Faint early owner signatures to title pages, interiors otherwise clean. A nice set. \$1,250.

SECOND EDITION. Highly regarded in his time, Menochio was a professor of law at the University of Padua. First published in 1579, this exhaustive and formidably erudite treatise addresses the law of evidence (presumption) in Roman law. An authority for generations, it went through numerous editions and issues into the eighteenth century. Well-represented in European libraries, this title is not held by many libraries in North America, in any edition. Regarding the second edition, OCLC locates 6 copies, 3 in law libraries (Harvard, Library of Congress, UC-Berkeley). EDIT16 CNCE36291.



Nº 119

HANDSOME COPY OF AN IMPORTANT
SIXTEENTH-CENTURY LAW DICTIONARY

- 120 NEBRIJA, ANTONIO DE [c.1444-1522], COMPILER.
CACCIALUPI, GIOVANNI BATTISTA [c. 1420-1496].
[JODOCUS OF ERFURT, PRESUMED COMPILER
OF VOCABULARIUS].

Vocabularium Utriusque Iuris, Una cum Tract. Admodum Utili de Ratione Studii. Accessit Lexicon Iuris Civilis, In quo Varii & Insignes Errores Accursii Notantur. Nunc Denuo Studio, Ac Diligentia ab Innumeris Erroribus Expurgatum, Multisque Multarum Vocum Significationib. Illustratum.

Venice: Apud Haeredes Valerii Bonelli, 1589. 414, [2] ff. Main text in parallel columns. Octavo (5-1/2" x 4").

Recent period-style vellum (using material from an old volume), hand-lettered title to spine. Light rubbing to extremities, a few minor stains to boards, a few cracks to text block (binding secure). Woodcut printer device to title page, woodcut head-pieces, tail-pieces and decorated initials. Some toning to text, occasional faint dampspotting, light browning and faint dampstaining to some leaves. Early owner signature to title page, interior otherwise clean. A nice copy in an attractive binding. \$1,950.

LATER EDITION. A work of great authority, this popular dictionary was first published in 1559. It went through more than twenty-five editions, with several variations in content, during the sixteenth and seventeenth centuries. All editions have two principal parts: the fifteenth-century *Vocabularius* attributed to Jacobus of Erfurt and Nebrija's *Lexicon Iuris Civilis*. It is a curious hybrid of late-medieval and renaissance scholarship; the former work is a typical scholastic compilation, the latter is a humanistic work grounded in philology and historical commentary. Nebrija was an important Spanish scholar and educator. Educated at the universities of Salamanca and Bologna, he read widely in law, medicine and theology. His philological work, which included the first Spanish grammar and dictionary, led to the standardization of the language. In 1502 he was a member of a group of scholars gathered by Cardinal Ximenes de Cisneros at Alcalá to produce the Complutensian Polyglot Bible. This edition also includes Caccialupi's *Tractatus de Modo Studendi in Utroque Iure*, an introductory textbook for law students. OCLC locates 6 copies of this edition worldwide, 1 in North America (at the Library of Congress). This edition not in Adams. EDIT16 CNCE 47083.

A STANDARD WORK FOR SEVERAL GENERATIONS OF LAWYERS

- 121 NEGUSANTI, ANTONIO [1465-1528].

Tractatus de Pignoribus et Hypothecis. Amendis Quibus Scatebat Diligenter Recognitus. Adiecta Sunt Summaria et Index Copiosus.

Cologne: Apud Ioannem Gymnicum, 1589. [xlv], 744 (i.e. 704) pp. Octavo (7" x 4-1/4").

Contemporary limp vellum, loop ties to front board, catches missing from rear, endpapers renewed. Light soiling and edgewear, front hinge starting, a few cracks to text block. Light browning to text, faint dampstaining in places, spark burns to a few leaves. Early owner signatures to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$650.

LATER EDITION. Negusanti's treatise on pledges and mortgages in Roman law was a standard work for several generations of lawyers throughout Europe. The first edition was published in 1526. Several issues and editions followed, with the last being published in 1736. VD16 N468.



Nº 120



Nº 121



N° 123

A NOTABLE TREATISE ON THE ROMAN LAW OF DAMAGES

122 ODDI, SFORZA [1540-1611].

De Restitutione in Integrum Tractatus. Cum Duplici Indice Quaestionum, & Materiarum Omnium Locupletissimo, Insertis Quoque in hac Postrema Editione Additionibus Aliquot ex Tomo Auctoris Manuscriptis Desumptis.

Venice: Apud Haeredem Hieronymi Scoti, 1606. [xii], 382, [2]; [xii], 283, [45] pp. Two parts in one volume, each with title page and individual pagination. Main text in parallel columns. Folio (12-1/2' x 8-1/2").

Contemporary limp vellum with lapped edges and recent thong ties, one lacking, early hand-lettered title and somewhat later hand-lettered title panel to spine, pastedowns renewed. Some rubbing and light soiling, spine darkened, minor wear to spine ends and corners. Large woodcut printer devices to title pages. Moderate toning, somewhat heavier in places, occasional faint dampspotting. Early owner signature to title page, brief annotations in a few places, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$500.

FOURTH EDITION. This treatise on damages, more specifically, compensation for damages, in Roman law was first published in 1584. A well-received work, it went through at least 11 more editions into the eighteenth-century. Little is known about Oddi. The title page indicates that he was a jurisconsult in Perugia. Not in Roberts or the *BMC*.

123 OLDENDORP, JOHANN [1480-1567].

Actionum Iuris Civilis Loci Communes, Ad Usus Forenses Accommodati, Et Tractatus de Forma Investigandae Actionis In Iudicio Proponendae, Item de Formula Libelli, Per que Editur Actio, Ubi Etiam Explicatio Adjicitur de Usitatibus & Salutaribus Libellorum Clausulis, & de Positionibus & Articulis.

Cologne: Apud Ioannem Gymnicum, 1595. [viii], 104, 102 pp.

[BOUND WITH]

TREUTLER, HIERONYMUS.

Lucerna Causidicorum, Id est, In Iurisprudentiam Romanam, Praesertim Vero Tam Cameralem, Quam Communis fori Processum, Annotationes Aureae, Hieronymi Treutleri, Ut ad Causas Obtinendas Summum Momentum Habere, Facile Quivis Reipsa Deprehendere Possit.

Cologne: Excudebat Seruatius Erfdens, 1612. 203 [i.e. 199], [4] pp.

Octavo (6" x 3-3/4"). Contemporary vellum with lapped edges, faint early hand-lettered title to spine. Light soiling, a few minor stains to boards, minor worming to rear hinge, partial crack between front free endpaper and title page of *Actionum*. Woodcut printer devices, head-pieces, tail-pieces and decorated initials. Light toning to text, faint dampspotting in places, internally clean. Ex-library. Bookplate to front pastedown. \$1,950.

Oldendorp: third and final edition; Treutler, only edition.

THE TWO TITLES IN THIS VOLUME are fine examples of the reception of Roman law in the German states during the early modern era. Both are the work of fairly distinguished lawyers. *Actionum Iuris Civilis* is a treatise on actions and defenses in Roman law. Its first two editions were published in 1539 and 1549. *Lucerna Causidicorum* is a textbook on Roman jurisprudence. Both are scarce. OCLC locates no copies of *Lucerna Causidicorum* in North America, 5 copies of *Actionum Iuris*, 4 in law libraries, none of the third edition. VD16 O543; VD17 1:012574X.

NOTABLE SIXTEENTH-CENTURY TREATISE ON TRIAL PRACTICE

124 ORIANO, LANFRANCO DA [D. 1488].

VADI, BENEDETTO [16TH. C.]. ANNOTATOR.

DESCOUSU, CELSER-HUGUES [B. 1480]. ANNOTATOR.

Practica Iudiciaria Super Cap. Quoniam, De Probationibus, Lanfranci de Oriano I.C. Praeclarissimi: Insertis Benedicti Vadii & Celsi Hugonis Annotationibus. Accesserunt in hac Editione Reliqua Omnia Auctoris Opuscula, Quae de Iure Fecit, Quorum Catalogum Sequens Indicat Pagina. Omnibus Iudicibus, Advocatis, Notariis, Aliisque Practicae Oppido Quam Necessaria. Praeter Diligentem Recognitionem, Accesserunt Summaria, & Index Copiosus.

Cologne: Apud Ioannem Gymnicum, 1592. [xxxvi], 829 [i.e. 831], [1] pp. Octavo (6-1/2" x 4").

Later vellum with lapped edges. Light rubbing and soiling, corners and spine ends bumped, vellum beginning to crack through rear pastedown. Woodcut decorated initials. Light toning to text, spark burns to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. A well-preserved copy. \$950.

LATER EDITION. Based on the lecture notes of a law professor from the University of Padua, this treatise discusses trial practice, both civil and criminal, in Roman and canon law. This work was published posthumously in 1513. Well received, it went through numerous editions and issues in the sixteenth century and a final edition in 1673. All are scarce, however, in North America. For example, OCLC locates 1 copy of the 1592 imprint (at UC-Berkeley Law School). Adams O263.

THE INTERPRETATION AND CONSTRUCTION OF
ROMAN AND CANON LAW

- 125 PANCIROLI, GUIDO [1523-1599].
PANCIROLI, OTTAVIO, EDITOR.

De Claris Legum Interpretibus Libri Quatuor.

Venice: Apud Marcum Antonium Brogiollum, 1637. [xiv], 509, [56] pp. Quarto (8" x 6").

Contemporary limp vellum, early hand-lettered title to spine. Light soiling, a few minor inkstains, corners and spine ends lightly bumped, worming to pastedowns and free endpapers with some damage to joints, section lacking from front free endpaper, a few signatures loose. Woodcut head-pieces and decorated initials. Some toning to text, a bit heavier in places. Early annotations to front pastedown, owner initials to foot of title page, interior otherwise clean. \$1,250.

FIRST EDITION. Panciroli's treatise on the interpretation and construction of Roman and canon law was a respected work that went through later editions in 1655 and 1721. Educated at the University of Padua, Panciroli taught there for most of his career. OCLC locates 1 copy in North America of this 1637 first edition at Harvard Law School. Camus 45.

A DURABLE TREATISE ON LEASES AND TENANCY

- 126 PACIONI, PIETRO [17TH C.].

De Locatione, et Conductione. Tractatus. In Quo non Solum Agitur in Genere de Contractu Locationis, & Omnibus ad Eum Pertinentibus, Sed Etiam in Specie de Locatione Operarum, ac Singularum Rerum, tam Laicalium, Quam Ecclesiasticarum, Casusque Individui Passim Inseruntur. Cum Tribus Indicibus, Capitulorum Uno, Argumentorum, Seu Materialium Altero, Verborum, & Sententiarum Tertio Locupletissimo.

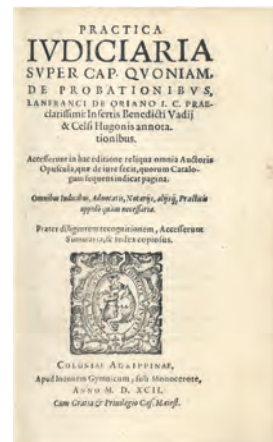
Rome: Typis, & Sumptibus Nicolai Angeli Tinassii, 1677. [xxxvi], 830, [2] pp. Main text in parallel columns. Folio (13" x 8-1/2").

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

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



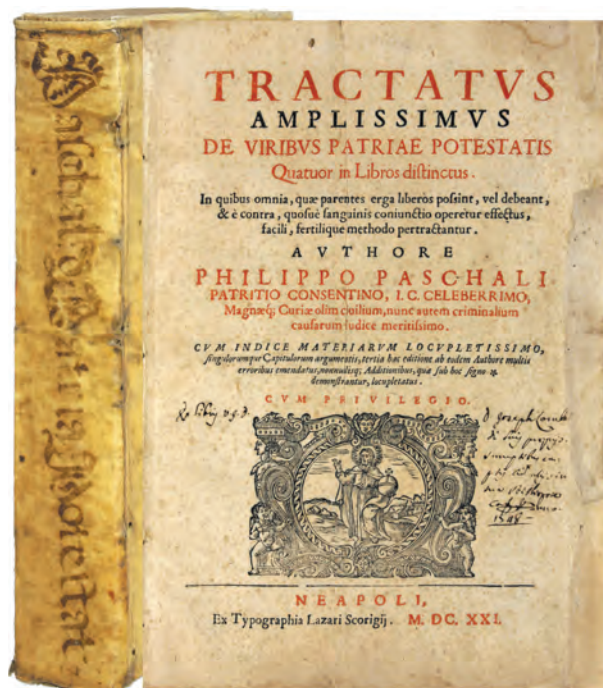
N° 125



N° 124



N° 126



N° 127

THE LAW OF PARENT AND CHILD

127 PASCALE, FILIPPO [D. 1625].

*Tractatus Amplissimus de Viribus Patriae Potestatis Quatuor in Libros Distinctus. In Quibus Omnia, Quae Parentes Erga Liberos Possint, Vel Debeant, & E Contra, Quosue Sanguinis Coniunctio Operetur Effectus, Facili, Fertilique Methodo Pertractantur. Cum Indice Materialium Locupletissimo, Singulorumque Capitulum Argumentis, Tertia hac Editione ab Eodem Authore Multis Erroribus Emendatus, Nonnullisq; Additionibus, Quae Sub Hioc Signo * Demonstrantur, Locupletatus.*

Naples: Ex Typographia Lazari Scorrigii, 1621. [xvi], 535, [57] pp. Main text in parallel columns. Folio (11-1/2" x 8").

Contemporary limp vellum, early hand-lettered title to spine, top edge and fore-edge of rear board mended, endpapers renewed, ties lacking. Light rubbing to extremities, a few minor stains to boards, spine ends bumped, minor chip to foot. Title page, with large woodcut vignette, printed in red and black, woodcut decorated initials. Heavy toning to text, light browning in places, occasional faint dampspotting, minor worming to margins in a few places, some edgewear and early repairs to edges of preliminaries. Early owner signature and annotation to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$1,500.

SECOND EDITION. First published in 1619, this is a treatise on the law of parent and child in the Roman and Spanish systems. (Naples was part of the Spanish empire during the seventeenth century.) It appears to have been a well-received work; its third edition appeared in 1672. All editions are scarce. In North America OCLC locates no copies of the first edition, 2 copies of the second (at Yale Law School and the Newberry Library) and 1 copy of the third (at the University of Alberta). Not in Camus or the BMC.

CLASSIC TREATISE ON FIDEICOMMISSUM

128 PELLEGRINI, MARCANTONIO [1530-1616].
LONIGIUS, GASPARUS, EDITOR.

De Fideicommissis Praesertim Universalibus, Tractatus Frequentissimus, M. Antonii Peregrini Patavini. Omnibus tam in Scholis, Quam in Causarum Foro Versantibus Admodum Utilis, Ac Pernecessarius. Ab Eodem Ultima hac Post Germanicam Editione, Summa Diligentia Recognitus, & Compluribus Additamentis Recenter Adauctus & Illustratus. Editio Undecima. In qua Novissime Additae sunt Notabilissimae Remissiones ad Consil. Tract. & Decis. Eiusdem Auctoris in Quolibet Article & Numero, Utilissime, & Accommodatissime tam in Consulendo, Quam in Iudicando, Cum Quibus Dilucidatur in Particulari Doctrina Universalis Tradida in hoc Eodem Frequentissimo Tractatu, Hoc. [cross] Signo Notatae. Auctore Gasp. Lonigo. Cum Summariis, Et Indice Locupletissimo.

Venice: Apud Milochum, 1665. [lvi], 727 pp. Main text in parallel columns. Folio (13" x 8-1/2").

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

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

CANON LAW AND GALLICANISM

129 REBUFFI, PIERRE [1487-1557].

Commentarii in Constitutiones seu Ordinationes Regias non Solum Iuris Studiosis, Verum Etiam Pragmaticis Utilissimi in Quibus Facilis ad Praxim Curiarum Franciae Via, & Iurium Intellectus Explicatur, Qui in Tractatus in Sequenti Pagina Enumeratos Distribuantur.

Lyons: Ad Salamandrae, Apud Sennetonios Fratres, 1554-1555. Three volumes in two books, Volume I has seven parts, six with titles beginning *Tractatus*, each with title page. Volumes I and II bound together. Volumes II and III are titled: *Secundus [-Tertius] Tomus Commentariorum in Constitutiones Regias Gallicas*. [xlv], 539 (i.e. 535), [1]; [xlviii], 475, [1]; [viii], 569, [55] pp. Complete set. Folio (13-1/4" x 8-1/4").

Contemporary paneled vellum with elaborate tooling (dated 1566), small gilt owner arms to center of front boards, raised bands and early hand-lettered title to spine, ties lacking. Some rubbing to extremities, spine ends and corners bumped, light soiling and a few minor scuffs and stains to boards, boards slightly bowed, minor worming to pastedowns and a few other places, later owner bookplates to pastedowns, endleaves lacking from Volume III. Attractive woodcut pictorial initials. Light toning to text, somewhat heavier places, internally clean. \$1,250.

FIRST EDITION AS A THREE-VOLUME SET. 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). First published as a single-volume work in 1550, *Commentarii in Constitutiones* is a review of royal decrees concerning civil and criminal law with an emphasis on conflicts with canon law. In this regard it is an early example of canon law's reaction to Gallicanism. Two more volumes were published in 1552 and 1553. The three-volume edition from 1554–1554 went through six later editions, the last one in 1613. OCLC locates 4 complete copies of the 1554–1554 edition in North America, all in law libraries (at George Washington University, UC–Berkeley, University of Michigan, Yale). Baudrier, *Bibliographie Lyonnaise* VII:421. USTC 51218.



N° 129



N° 130

RARE TREATISE ON LAWS CONCERNING HOLY RELICS

130 RICCIULLO, ANTONIO [c.1570–1642].

Lucubrationum Ecclesiasticarum Libri Sex. Videlicet de Cultu, Et Veneratione Sanctarum Reliquiarum, Episcopo Titulari, Eraemitis Confraternitatibus, Laicorum, Praedicatorum, Feriis, Faestisqdiebus.

Naples: Typis Camilli Cavalli, 1643. [xxii], 312, 48 pp. Main title page preceded by copperplate pictorial title page. Main text in parallel columns. Folio (12" x 8")

Contemporary limp vellum with lapped edges, ties lacking, early hand-lettered title and somewhat later hand-lettered title panel to spine. Spine darkened, minor wear to spine ends and corners, vellum beginning to crack through pastedowns. Pictorial title page printed within architectural border, main title page printed in red and black, woodcut decorated initials. Moderate toning to text, somewhat heavier in places, faint dampspotting to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. \$1,250.

ONLY EDITION. Grounded in the body of canon law of persons, this curious treatise addresses issues regarding the possession of holy relics. Its author was, successively, Bishop of Belcastro, Umriatico, Caserta and Cosenza. Appointed inquisitor-general for Naples by Pope Urban VIII, he brought the Inquisition to Naples and pursued its mission with great zeal. OCLC locates 2 copies in North America (at UC–Berkeley Law School and the University of Chicago). Not in the BMC or Ferreira-Ibarra.

PROCEDURE IN CANON LAW

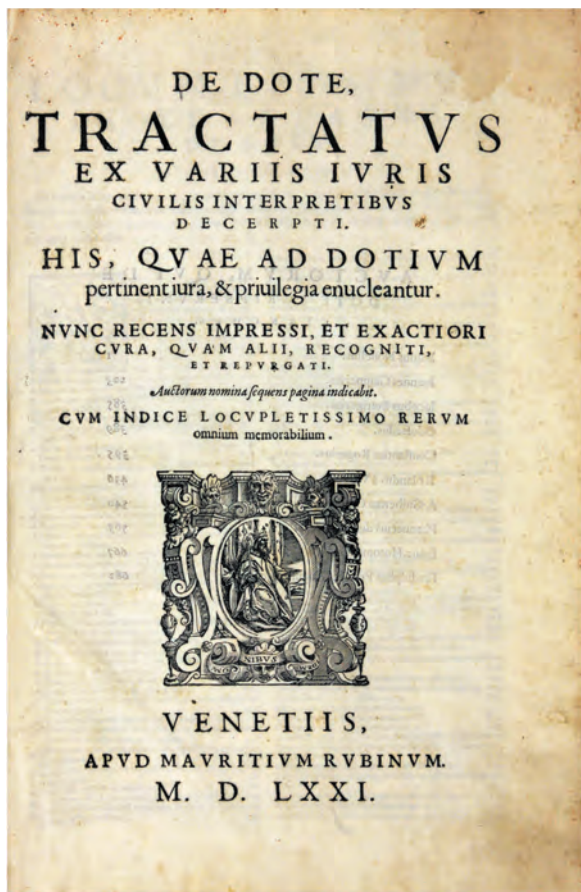
131 RIDOLFINI, PIETRO [d. 1674].

De Ordine Procedendi in Iudiciis in Romana Curia, Praxis Recentior in qua Monitoria, Citationes, Decreta, Intimationes, Sententiae, Appellationes, Commissiones, Caeterique Actus, Qui pro Utraque Parte in Iudicijs, Tam Executiujs, Quam Summarijs, & Ordinarijs in Tribunalibus Almae Urbis Fieri, & Seruari in Dies, Recentioribus Hisce Temporibus, Consueuerunt. Necnom Eorum Formulae Opportunae, Ac Tela Iudiciaria, In Casibus illa Requiritur, Mirum in Modum Traduntur, & Enucleantur. Una cum Practicis Observationibus, & Conclusionibus Legalibus, & Rotalibus in Iudicijs Frequentioribus. In hac Vero Quarta Veneta Editione Praeter Nonnullas Animaduersiones, & Novas Allegationes, Quibus Aucta & Illustrata; Accuratissime Quoque est a Mendis Recognita.

Venice: Typis Stephani Curtii, 1680. [viii], 572, 100 pp. Main text in parallel columns. Folio (12" x 8").

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

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



N° 132

SCARCE ANTHOLOGY OF WRITINGS ON
DOWRIES AND ENDOWMENTS132 [ROMAN LAW].
[DOWRIES AND ENDOWMENTS].

De Dote, Tractatus ex Variis Iuris Civilis Interpretibus Decerpti. His, Quae ad Dotium Pertinent Iura, & Privilegia Enucleantur. Nunc Recens Impressi, Et Exactiori Cura, Quam Alii, Recogniti, Et Repurgati. Auctorum Nomina Sequens Pagina Indicabit. Cum Indice Locupletissimo Rerum Omnium Memorabilium.

Venice: Apud Mauritium Rubinum, 1580. [xii], 685, [1] pp. Main text printed in parallel columns. Folio (12" x 8").

Later vellum, raised bands and lettering piece to spine, repairs to corners and spine ends, speckled edges. A few minor scuffs and stains, spine ends and corners bumped. Large woodcut printer device to title page, woodcut decorated initials. Moderate toning to text, occasional faint dampspotting, faint dampstaining to margins of a few leaves, minor worming to inner margins in a few places, one leaf near center of text detached. Early owner signature to front free endpaper, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$950.

FOURTH EDITION. This anthology of writings on dowries and endowments (dotation) was first published in 1569. It went through four more editions, the final appearing in 1585. The authors excerpted in this anthology are Duprat Pardoux [c.1520–c.1570], Giovanni Campeggi [1438–1511], Rolando Della Valle [16th. Cent.], Odofredus, Phanuccius de Phanucciis [16th. c.], Antonius Guibertus Costanus [fl.1550], Iacopo Bottrigari [1274–1348], Constant Roger and Baldo Bartolini [c.1408–1490]. Including all editions, OCLC locates 4 copies in North America, 1 copy of the fourth (at Stanford). Not in Adams or the BMC.



N° 133

THE REVIVAL OF ROMAN LAW IN SOUTHERN FRANCE

133 [ROMAN LAW].

Exceptiones Legum Romanorum cum Tractatu[s] Actionum: Earu[n]demque Longiquitate.

[Strassburg: Johann Schott, 4 November, 1500]. Collation: pi4, a–d8/4, e–f8. [iv], 38, [2] ff. Final two leaves are blanks. Complete. Quarto (8" x 6").

Recent period-style calf, blind rules to boards, raised bands to spine. Text printed in 38-line gothic type, wide margins. Light soiling and some edgewear to endleaves and title leaf, light toning to text, faint dampstaining to a few leaves. Early owner annotation to verso of title leaf, interior otherwise clean. Ex-library. Small inkstamp to recto of title leaf. A handsome copy. \$7,500.

FIRST EDITION, and the only incunable edition. *Exceptiones Legum Romanorum* is a tract on Roman law drawn from the books of the *Corpus Iuris Civilis*. A practical handbook of everyday legal matters for local magistrates. It was compiled in the eleventh century in Dauphine, France. It is also known as the *Exceptiones Petri* because it is attributed in some sources to a compiler named "Petrus." It is an important document of the revival of Roman law in southern France. Our imprint is notable as one of the first books printed by Schott. OCLC locates 4 copies in North America (Newberry Library, Library of Congress, Morgan Library, Harvard Law School). GW 9493. Goff E135.



SIXTEENTH-CENTURY TREATISE ON SUCCESSION
WITH EIGHT FOLDING TABLES

134 SCHURER, AMBROSIIUS.

De Haereditatibus Quae ab Intestato Deferuntur, Tam ex Arte Boni et Aequi, Doctrina: Quam ex Quotidianis Fori Decisionibus cum Actionibus Quoque, Libellis & Exceptionibus Praxis: iuxta Ius Commune, Feudorum, Saxonicum, & Quorundam Locorum Atque Civitatum Statuta. Urteyl und Urtelmessige Sprueche oder Rechtsbelernung von Allerley Erbfellen, Auch Form und Art der Klag unnd Erbfornderunglibell/ Sampt Rechtlichen Schutzwehren/ Nach Gemeinen Beschriebenen Keyserauch Lehen und dann Sechsischen Rechten/ Mit Angehessten Etlicher Lande/ Furstenthumb/ Grassschaften und Stedt Satzungen und Gownheit. Eiusdem Authoris Methodica de Gradibus Consanguinitatis & Affinitatis Explicato. Adiuncto Duplici Indice, & Loco Tertii Indicis Artificiola Distributione Totius Operis Addita.

[Leipzig: Bey Hans Steinman, (c. 1571)]. [xxiv], 583, 64 pp. Eight woodcut folding tables of descent and consanguinity, the first seven counted in collation as pp. 577-583. Full-page woodcut portrait of Schurer at end of dedication. Quarto (8" x 6").

Contemporary paneled vellum with elaborate tooling, raised bands to spine. Some soiling, a few worm holes, bump to head of spine, corners worn, small chip to fore-edge of front board, pastedowns loose, upper corners of preliminaries and final few index leaves worn away due to water damage with no loss to text, bookplate residue to front pastedown, a few cracks to text block. Title page printed in red and black. Moderate toning, browning to some section of text, dampstaining in a few places, minor edgewear to tables. Early owner signature to title page, interior otherwise clean. \$1,500.

LATER EDITION. Text in Latin and German. This comprehensive treatise summarizes the laws of succession from the feudal, Roman, canon, Saxon and customary systems recognized in the Holy Roman Empire. First published in 1567, it went through several editions and reissues. Schurer was a Professor of Law at the Universities of Leipzig and Erfurt. OCLC locates no copies of this imprint in North America. Some sources say it was printed in 1575. VDI6 S4337.



SCARCE TREATISE WITH A LARGE COLLECTION OF
LEGAL MAXIMS

135 [SOCCINI, BARTOLOMMEO (1436-1507)].

[DIAZ DE LUCO, JUAN BERNARDINO (D. 1556)].

[DUENAS, PEDRO DE (16TH. C)].

[TIRAQUEAU, ANDRE (1488-1558)].

[AND OTHER AUTHORS].

Regulae Iuris Tam Civilis, Quam Canonici, A Diversis Conscriptae ac Collectae, Quaeque Hactenus Diversis Libris Circumserebantur, Nunc Multo Emendatiores quam Unquam Antea, In Unum Volumen Studiosorum Gratia Congestae. Omnibus Iurisprudentiae Studiosis Apprime Utiles ac Necessariae. Cum Rerum & Verborum Omnium Indice Locupletissimo. Auctorum Nomina Sequens Indicabit Pagina.

Leiden: Apud Haerdes Iacobi Iunctae, 1565. [xlvi], 665, [3] pp. Main text in parallel columns. Folio (13" x 8-1/2").

Later quarter vellum over marbled vellum boards, gilt fillets and red and black lettering pieces to spine, early hand-lettered title to foot of text block, "A.C." to other edges, pastedowns renewed. Light rubbing to extremities, corners and spine ends lightly bumped, rear hinge just starting at head, minor worming to hinges, front hinge cracked, minor worming in a few places with minor loss to text (legibility not affected). Large woodcut Giunta device to title page, woodcut head-pieces and decorated initials. Moderate toning, some what heavier in places, faint dampspotting and staining to some leaves. Early owner signature and brief annotations to title page, brief annotations in a few other places, interior otherwise clean. Ex-library. Bookplate to front pastedown. An attractive copy. \$1,750.

EARLIEST EDITION LOCATED. The main part of this work is a collection of legal maxims, mostly relating to the civil law, arranged alphabetically with critical commentary by Soccini and other jurists. The rest of the book is concerned with the construction and interpretation of Roman and canon law. First published around 1514, it was a popular work that went through several editions into the late sixteenth century with additions by later jurists. It was also included in the *Tractatus Universi Iuris* (1584-86), the great eighteen-volume anthology commissioned by Pope Gregory XIII. OCLC locates no copies of this edition in North America, and few holdings of other editions. USTC 58035.

136 SPAN, SEBASTIAN.

Speculum Juris Metallici, Oder: Berg-Rechts-Spiegel, Darinnen zu Finden Was Jedweder dem Bergwesen Zugethaner, Hohen, Mittlern und Niedern Person, Als Grund-Herren, Obrist-Munzmeister, Berg-Vorstheern, Berg-Ampts-Leuten, Dienern und Arbeitern, Befehl, Verrichtung und Befugniß Ist; Wie sie sich bey und Gegen Andere, So zum Bergwerck Angenommen, Mit Befehl-Oder Forttreiben, Auch in Gut-Oder Rechtlichen Streit-Handeln Verhalten Sollen; Aus denen vom Kayser Ferdinando I. Lobl. Gedachtniss, An. 1584 Publicirten Joachimsthalischen, Schlackenwaldischen Silber- und Zien- wie auch bey Zeiten Kayser Rudolphi II. Hochlobl. Andenckens, zu Pappier Gesetzten Zweyen Land-Bergwercks-Ordnungen im Konigreich Bohmen, Auffgerichteten Bergwercks-Vergleichungen, Gefolgten Reformationen, Ertz-Kauffen, Begnadigungen un Privilegien, It. Andern Berg-Gebrauchen, Was Darinnen von ein Oder Andern Chur- und Furstl. Berg-Ordnung Statuiert Worden; Mit Denen Formalibus Unter Eines Jeden Sonderbare Rubric Gebracht.

Dresden: Bey Johann Jacob Wincklern, 1698. [xvi], 422 (i.e. 426), [20] pp. Folio (12-1/2" x 7-3/4").

Contemporary three-quarter calf over speckled boards, raised bands, lettering piece and gilt ornaments to spine, speckled edges, ribbon marker. Some rubbing to boards and extremities, front joint just starting at head. Title page printed in red and black, woodcut head and tail-pieces. Moderate toning to text, light browning in places, part of date lacking from bottom edge of title page due to printer error, early owner stamp to foot of verso, internally clean. Ex-library. Bookplate to front pastedown. \$750.

ONLY EDITION. Central Europe, Bohemia especially, has been an important mining center since the late-middle ages and the source of some of Europe's earliest mining laws. Originally local, Central European mining law became more Germanic over time through the authority of the Holy Roman Empire. Span's treatise summarizes this body of law with an emphasis on the enactments of Holy Roman Emperors, and Kings of Hungary, Bohemia and Croatia, Ferdinand I and Rudolf II. Among other topics, Span considers the demarcation of territory, drainage, ventilation and the division of expenses and profits among investors. OCLC locates 3 copies in North American law libraries (Harvard, UC-Berkeley, Yale). VD717 1:015512F.

NOTABLE SIXTEENTH-CENTURY DICTIONARY OF
ROMAN AND CANON LAW

137 [STOER, JACOB, ATTRIBUTED].

Lexicon Iuridicum: Hoc Est, Iuris Civilis et Canonici in Schola Atque Soro Vsitatarum Vocum Penus. Ex Antiquis & Recentioribus Iurisconsultis ac Lexicographis, Praecipue ex Brissonii, Hotmani, & Prateii Lexicis, Item ex Cuiacii Observationibus & Commentariis ita Constructum, ut ei Nihil Demi, Nihil Addi, Quod sit Necessarium, Posse Videatur. Accessit Legum Populi Copiosus Index.

[Geneva]: Excudebat Iacobus Stoer, 1599. [xvii], 1121 pp. Main text in parallel columns. Octavo (7-1/2" x 4-1/2").

Contemporary vellum with lapped edges, blind rules to boards, later lettering piece to spine, ties lacking. Light rubbing to extremities, some staining to boards, corners bumped and likely worn, front joint starting at head, front hinge starting, a few partial cracks to

text block. Title page printed in red and black. Attractive woodcut printer device, head-piece and initials. Some toning to text, faint dampstaining at rear of text (about 30 leaves). Early owner signature to foot of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy of a scarce and important title. \$1,500.

SECOND EDITION. This useful dictionary was issued in 1594 and reprinted in 1599, 1607 and 1615. Attributed sometimes to Barnabe Brisson, it was probably compiled by the publisher, Jacob Stoer. It is a carefully edited text with a critical introduction and notes. The compiler also lists the primary and secondary sources he consulted while compiling this work. It includes such authors as Alciati, Aristotle, Bartolus, Brisson, Caius, Gratian, Hotman, Plato and Ulpian and such texts as the Twelve Tables, the Code, Digest and Novels of Justinian and the Decretals of Gregory IX. KVK locates 7 copies of this edition. Not in Brunet or Graesse. This edition not in Adams or the BMC.

TREATISE ON THE ROMAN LAW OF TRANSFERS BY A
DISTINGUISHED FRENCH HUMANIST JURIST

138 TIRAQUEAU, ANDRE [1488-1588].
ZILLETO, GIOVANNI BATTISTA.

De Iure Constituti Possessorii Tractatus. Cum Summariis Novissime Additis & Alphabetico Repertorio Io. Bap. Zilleti.

Venice: [Apud Bartholomaeum Caesarem], 1551. 136, [20] ff. Octavo (5-3/4" x 3-3/4").

Later quarter vellum over marbled boards, lettering piece, gilt fillets and gilt ornaments to spine. Rubbing with some wear around edges and corners, small inkstain near foot of spine, small strip of paper excised from foot of title page. Large woodcut printer device and colophon, woodcut vignette of Tiraqueau lecturing at head of main text, woodcut decorated initials. Light toning to text, early underlining in a few places, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy. \$850.



N° 137



N° 139

THIRD EDITION. Tiraqueau was a distinguished humanist jurist and counselor to the Paris *Parlement*. First published in 1549, *De lure Constitututi Possessorii* addresses the Roman law concerning the transfer of property. It went through five more editions, the last one in 1558. It was reissued in two later collected-works editions, *Tractatus* and *Opera Omnia*. EDIT16 CNCE49628.

HOW TO ISSUE A SUMMONS ACCORDING TO CANON LAW

139 UBERTI, GRAZIOSO [c.1574-1650].

Tractatus de Citationibus et de Modo Citandi: Cuilibet Utilis, & Nemini non Necessarius. In hac Postrema Editione, Ad Maiorem Iurisprudendum Utilitatem, Ex Quatuor in Unum Tantum Tomum Redactus, & a Quamplurimis Mendis Expurgatus. Cum Additione Instructionis pro Agentibus in Romana Curia, & Decretorum Reformationem Tribunalium Concernentium.

Rome: Typis Bartholomaei Lupardi, 1680. [clxii], 672; [iv], 170, [14] pp. Two parts in one, each with title page and individual pagination. Second part titled *De Modo et Ratione Citandi et Procedendi in Romana Curia*. Main text in parallel columns. Folio (12-3/4" x 8-1/4").

Contemporary vellum, raised bands and early hand-lettered title to spine. Light rubbing, spine ends and corners bumped and lightly worn, small scuff to rear board, minor worming to joints and title page. Large copperplate vignette to title page, woodcut head-pieces, tail pieces and decorated initials. Light toning to text, faint dampspotting in a few places. Early owner signature to front free endpaper, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy. \$950.

SECOND EDITION. This interesting treatise details the correct ways to issue summonses according to canon law. Published in 1637, it went through four more editions, the last one in 1735. All are scarce. OCLC locates 2 copies in North American law libraries, both of the 1680 edition (Harvard, UC-Berkeley). Not in the *British Museum Catalogue* or Ferreira-Ibarra. VD16 S4337.

TWO GREAT JURISTS ANALYZE EXCERPTS FROM THE
CORPUS JURIS CIVILIS140 VAN LEEUWEN, SIMON [1626-1682].
VINNIUS, ARNOLDUS [1588-1657].

De Origine & Progressu Juris Civilis Romani, Auctores & Fragmenta Veterum Jurisconsultorum, Cum Notis Arn. Vinnii, & Vartiorum. Que Hisce Continentur Sequens Docebit Pagina.

Leiden: Apud Arnoldum Doude, 1672. [xvi], 850 pp. Main title page preceded by copperplate pictorial title page. Octavo (6-1/2" x 4-1/4").

Contemporary vellum, early hand-lettered title to spine, large gilt arms of Arnhem to boards. Light soiling, chip to head of spine, upper corners bumped and somewhat worn, front endleaves lacking. Light toning to text, internally clean. Ex-library. Bookplate to front pastedown, stamps to top edge, bottom edge and rear endleaves. A nice copy. \$350.

SECOND EDITION. Two of the greatest Dutch jurists of their day, Van Leeuwen and Vinnius were perhaps the most widely read Dutch jurists during the late-seventeenth and eighteenth century. *De Origine* is a collection of annotated excerpts from the *Corpus Juris Civilis* and essays. The first essay, "De Origine Juris" is by Vinnius. Van Leeuwen compiled the excerpts and wrote two of the essay. Both authors provide annotations and cite additional annotations from other authors. It was first published in 1671, its third and final edition in 1762. Dekkers 99 (12).

PATRONAGE AND BENEFICES IN CANON LAW

141 VIVIANI, GIULIANO [1581-1641].

Praxis Iurispatronatus Acquirendi, Conservandique Illud, Ac Amittendi Modos Breviter Continens. Denuo Pluribus in Locis Aucta, Et Locupletata, Et Sac. Rot. Rom. Decisionibus Firmata, & Ornata, & ad Singulas Materias Secundum Stylum Romanae Curiae Accommodata. In hac Postrema Editione Aliis Quamplurimis Eiusdem Sacrae Romanae Rotae Decisionibus Posterioribus ac Novissimis Amplificata. Addito Locupletissimo Librorum, Capitum, Decisionum, Rerum, & Verborum Indice.

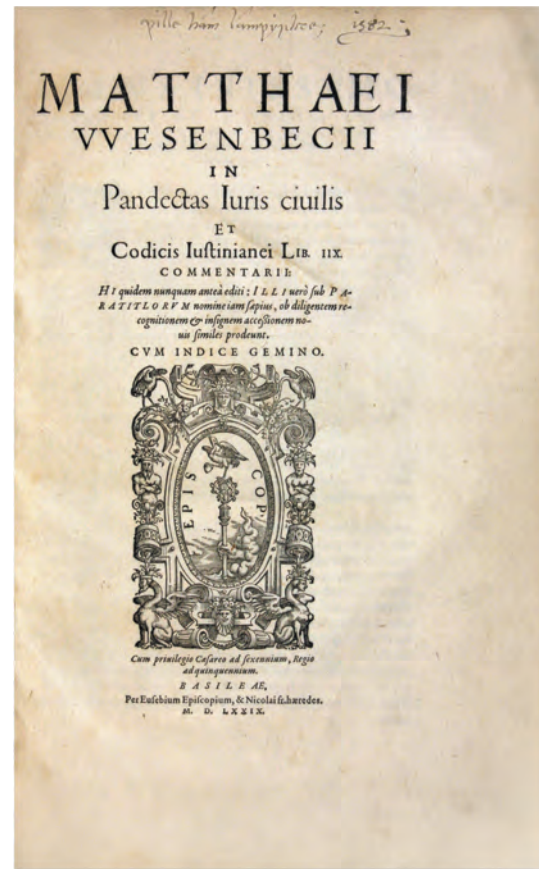
Venice: Bertanorum Sumptibus, 1670. [xvi], 365 [i.e. 377], [67], 190, [2] pp. Main text in parallel columns. Folio (12" x 8").

Contemporary vellum with early rebacking, raised bands to spine, endpapers renewed. Light rubbing and a few minor stains and scratches to boards, corners bumped and lightly worn, repairs to upper corners of half-title and title page. Title page, with large woodcut printer device, printed in red and black, woodcut head-pieces and decorated initials. Light toning to text, light soiling to half-title, internally clean. Ex-library. Bookplate to front pastedown. \$500.

FIFTH EDITION. Enhanced with a selection of Rota decisions, this treatise offer a thorough review of the laws governing patronage and benefices in canon law, a large topic concerning salaries, pensions and other forms of payment. The author, a priest and canon lawyer, was a church official in Pisa who held a position in the Papal Curia. The first edition was published in 1620 with later editions in 1628, 1648, 1652, 1670 and 1673. All are scarce, with few copies held in North American libraries. OCLC locates 1 copy of the sixth edition (at the University of Chicago). Not in the *BMC* or Ferreira-Ibarra.



TWO INTRODUCTORY WORKS BY AN IMPORTANT
SIXTEENTH-CENTURY HUMANIST JURIST



IMPORTANT COMMENTARY ON THE *DIGEST*

142 WESENBECK, MATTHAEUS [1531-1586].

Exempla iurisprudentiae.

Leipzig: [Georgius Defnerus Imprimebat], 1585. [xvii], 240 pp.

[BOUND WITH]
WESENBECK, MATTHAEUS.

Prolegomena iurisprudentiae: De Finibus & Ratione Studiorum Libris[que] Iuris.

Leipzig: Imprimebat Georgius Defnerus, 1584. [viii], 167, [1] pp.

Octavo (6" x 3-3/4"). Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Light soiling and rubbing to extremities, pastedowns excised, minor worming in a few places (with no loss to legibility). Light browning to text. Early owner annotation to front endleaf, his signature to foot of title page, internally clean. \$1,500.

Exempla: third and final edition; *Prolegomena*: only edition (as an independent work).

WESENBECK, a leading Belgian humanist jurist who taught at the Universities of Jena and Wittenberg, was a distinguished and prolific scholar of Roman law with a pan-European reputation. A posthumous eight-volume collection of his consilia was published from 1611 to 1624. Our volume collects two books on jurisprudence for students. *Exempla*, a volume of legal points, was first published in 1573. *Prolegomena*, an introductory work on the law, was originally a section of the 1566 edition of *Paratitla in Pandectas Iuris Civilis*. Both titles are scarce. VD16 W2138, W2146.

143 WESENBECK, MATTHAEUS.

In Pandectas Iuris Civilis et Codicis Iustiniani Lib. IIX. [sic] Commentarii: Hi Quidem Nunquam Antea Editi: Illi sub Paratitlorum Nomine Iam Saepius, Ob Diligentem Recognitionem et Insignem Accessionem Novis Similes Prodeunt. Cum Indice Gemino.

Basel: Per Eusebium Episcopium, et Nicolai Fr. Haeredes, 1579. [viii], 386, [24]; 82, [8] pp. Two parts, each with title page and individual pagination. Folio (13-1/2" x 9").

Contemporary limp vellum ties, early hand-lettered title to spine, ties lacking. Light soiling and rubbing to extremities, early repair to fore-edge of rear board, minor wear to corners. Large woodcut printer devices to title pages and final leaf of Part I, a few woodcut decorated initials. Light toning to text, a bit heavier in places, spotting and minor worming to a few leaves. Early owner signature to head of title page, annotations and underlining in similar hand to a few passages, interior otherwise clean. Ex-library. Bookplate to front pastedown. A handsome copy. \$1,500.

FIFTH EDITION. Also known as the *Paratitla in Pandectas*, this is an important section-by-section commentary on the *Digest* and *Code* of the *Corpus Iuris Civilis*. A popular and influential study, it went through 34 editions in the Netherlands, Germany, Switzerland and France. The first edition was published in 1563, the last in 1669. Dekkers 188.



RARE SEVENTEENTH-CENTURY TREATISE ON CONTRACTS

- 144 ZACCHIA, SILVESTRO [D. 1632].
ZACCHIA, LANFRANCO, EDITOR.
MASSA, ANTONIO (GALLESIVS) [16TH. C.].

Lucubrationes ad Gallesium De Obligatione Camerali: Quibus Praeter Additiones Eiusdem Authoris Alias Impressas, Suisque Locis Reportatas. Accesserunt Aliae Lanfranchi Zacchiae, Author ex Fratre Nepotis hoc Signo [] Indicatae. Una cum Novis Sacrae Rotae Romanae Decisionibus Obligationis Cameralis Materiam Illustrantibus. Cum Triplici Indice, Et Privilegio.

Rome: Ex Typographia Reverendae Camerae Apostolicae, 1647. [xl], 167, 386, [2] pp. Main text in parallel columns. Folio (13" x 8-1/2").

Contemporary vellum, raised bands and early hand-lettered title to spine. Light rubbing to extremities, corners bumped, minor worming to spine and hinges, a few scratches and stains to boards. Title page printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, internally clean. Ex-library. Bookplate to front pastedown. \$1,500.

ONLY EDITION. Edited posthumously by the author's nephew, this is a treatise on contracts, executions and suretyship and guarantee in canon law. It is, for the most part, a commentary on an earlier work first published in 1553, *Ad Formularem Sameralis Obligationis* by Antonio Massa (Gallesius), which is included in Zacchia's text. OCLC locates no copies in North America. Not in Camus or the BMC.



LIAR!

- 145 ZAHN, BALTHASAR CONRAD [1616-1665].

Tractatus De Mendaciis Ex Sacris, Juridicis, Ethicis, Politicis, Historicisque Varie Congestus & In Tres Libros Dispositus; Primo, De Variis Mendaciorum Generibus, Secundo, De Illorum Poenis, Tertio, De Mendacio Urato Seu Iuramento Firmato, Quod est Perjurium. Cum Indice Duplici, Uno Capitum, Altero Rerum Memorabilium. Editio Secunda Priore Multis Mendis Castigatio & Correctio.

Cologne: Apud Wilhelmum & Franciscum Metternich, 1686. [viii], 504, [40] pp. Main text in parallel columns. Quarto (8" x 6-1/2").

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

SECOND AND FINAL EDITION. First published in 1662, this is an extensive canon-law treatise on various types of lies and the moral and legal consequences of lying. In addition to general issues of truth and falsehood it considers libel, slander and blasphemy. VD17 12:109106Z.

CONTINENTAL EUROPE (AFTER 1700)



N° 148

AN IMPRESSIVE SYNTHESIS

EARLY STUDY OF ANCIENT GREEK LEGISLATION

- 146** BARRIGUE DE MONTVALLON, ANDRE DE [1678-1779].

Traite des Successions, Conformement au Droit Romain et aux Ordonnances du Royaume, Contenant ce qui Concerne les Successions ab Intestat, Les Legitimes, Heritiers, Heritages, Benefices d'Inventaire, Testamens, Legs, Substitutions, Fideicommiss, Quartes Falcidie et Trebellianique, Viriles, Portions Viriles, Institutions Contractuelles & Droit de Reversion & Retour.

Aix-en-Provence: Chez Jan-Balthazard Mouret Fils, 1780. Two volumes. xvi, 715; viii, 564 pp. Quarto (9-3/4" x 7-3/4").

Contemporary sprinkled calf, gilt spine with raised bands and lettering pieces, edges rouged, binding shellacked. Some rubbing to extremities with chipping to heads of spines, a few minor scuffs to boards, corners bumped, front joint of Volume I cracked, other joints starting at ends, all hinges cracked. Offsetting to endleaves, light toning to text, heavier in places, negligible light foxing in a few places, internally clean. Ex-library. Bookplates to front pastedowns, date-due sheets to rear. A solid copy. \$400.

FIRST EDITION. Montvallon was a notable jurist, scholar and counselor of the *parlement* of Aix-en-Provence. His *Traite des Successions* organizes the laws of inheritance and succession according to principles of Roman law revised to conform with contemporary royal edicts. It is an impressive feat of synthesis. A second edition was published in 1786. Both are scarce. OCLC locates 5 copies of the first edition in North America, 3 in law libraries (George Washington University, Harvard, UC-Berkeley), none of the second. Camus 1536.

- 147** BIAGI, CLEMENTE [1740-1804].

Tractatus de Decretis Atheniensium in que Illustratur Singula Decretum Atheniense ex Museo Equitis ac Senatoris Iacobi Nanii Veneti.

Rome: Apud Antonium Fulgoni, 1785. Ivi, 446 pp. Quarto (10-1/4" x 7-1/2").

Contemporary three-quarter vellum over speckled boards, traces of early hand-lettered title to spine. Negligible light rubbing and a few minor stains, spine ends bumped, corners bumped and lightly worn. Woodcut head-pieces and tail-pieces, copperplate title vignette, copperplate leaf (of a monument with an inscription), two woodcut tables. Light to moderate toning to text, light foxing in places, internally clean. Ex-library. Bookplate to front pastedown. \$650.

ONLY EDITION of 250 copies printed. Biagi was a cleric, canon lawyer and legal antiquarian based in Rome. His *Tractatus* analyzes legislation in ancient Greece. It is notable as one of the earliest studies of its kind, which was part of an interest in Greek antiquity that was beginning to emerge in the late eighteenth century. OCLC locates 6 copies in North America, 2 in law libraries (Columbia, UC-Berkeley). BMC 2:1241.

- 148 [BOHEMIA].
WEINGARTEN, JOHANN JAKOB VON
[1629-1701]. COMPILER.

Codex Ferdinando-Leopoldino-Josephino-Carolinus: Pro Haereditario Regno Bohemiae, Ac Incorporatis Aliis Provinciis, Utpote, Marchionatu Moraviae, Et Ducatu Silesiae: In Welchem Verschiedene von Anno 1347. Biss auf das 1719. Jahr Allergnädigst Verliehene Respective Kayser- und Königliche Privilegia, Und Hieruber Ertheilte Confirmationes, Wie auch Andere Neue Concessionen; Nicht Minder alle Ergangene Sanctiones Pragmaticae, Declaratoriae & Rescripta, Königliche Stadthalterische, Und von Hohen Obrigkeiten Emanirte Patenten, Und Decreten: Dessgleichen Etwelche Extracten derer Land-Tags-Schlussen, Hertzogliche Privilegia, Landes- und Executions-Ordnungen, Erb-Vereinigungen mit der Cron Boheim, Wie auch noch Viel Andere sehr Heilsame dieses Edleste Erb-Königreich Boheim, Marggrathum Mahren, Und Hertzogthumer Ober- und Nieder-Schlesien, Publica, Politica, Militaria, Auch das Justiz-Wesen in Civilibus, & Criminalibus Betreffende Sachen Enthalten, Und mit Grosser Muhe und Fleiss Zusammen Getragen.

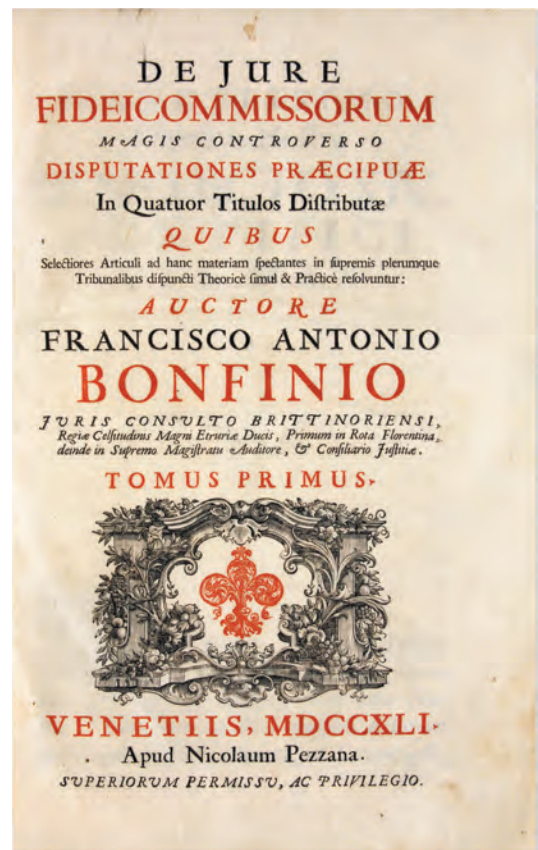
Prague: Zu Finden bey Conrad Mullem, 1720. [xii], 732, [34] pp. Main text in parallel columns. Copperplate allegorical frontispiece (misbound after title page). Folio (13" x 8").

Contemporary speckled calf, varnished, blind rules to boards, raised bands and lettering piece to spine, speckled edges. Light rubbing to boards, moderate rubbing to extremities, minor chipping to head of spine, corners bumped and lightly worn, small recent bookseller ticket top front pastedown, a few partial cracks to text block. Title page printed in red and black. Moderate toning to text, somewhat heavier in places, light foxing to most of text. Ex-library. Bookplate to front pastedown. \$1,500.

SECOND EDITION. With a subject index. Arranged chronologically from 1347 to 1719, this book is a collection of legal documents relating to Bohemia and its place within the Habsburg domains and the Holy Roman Empire. Supplemental volumes (*Continuatio Codicis*) with later documents were published in 1728, 1731 and 1735. All of these volumes are scarce. OCLC locates 3 copies of the *Codex*, all dated 1720, in North American law libraries (Harvard, University of Michigan, Yale). This imprint not listed in *VD18*.



N° 147



N° 149

SCARCE TREATISE ON AN IMPORTANT CONCEPT IN ROMAN LAW

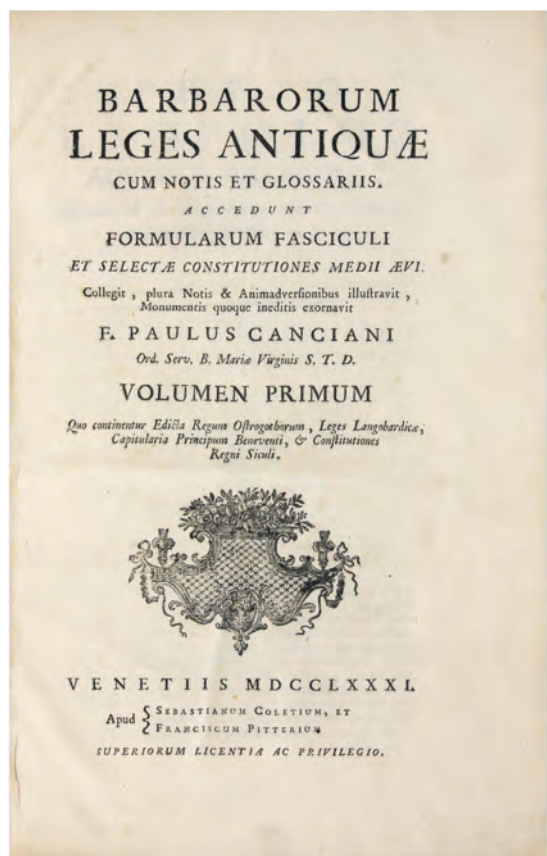
- 149 BONFINI, FRANCESCO ANTONI [D. 1739].

De Jure Fideicommissorum Magis Controverso Disputationes Praecipuae in Quatuor Titulos Distributae Quibus Selectiores Articuli ad Hanc Materiam Spectantes in Supremis Plerumque Tribunalibus Dispuncti Theorice Simul & Practice Resolvuntur.

Venice: Apud Nicolaum Pezzana, 1741. Two volumes in one book, each with title page and individual pagination. [xxxvii], 432; 328, [106] pp. Main text in parallel columns. Complete. Folio (14-1/2" x 9-1/2").

Three-quarter contemporary vellum over patterned boards, faint early hand-lettered title to spine. Some rubbing and light edgewear, spine ends and corners bumped. Title page of Volume I printed in red and black, woodcut printer devices, head-pieces, tail-pieces and decorated initials. Light toning to text, light foxing in a few places, light inkstains and minor worming to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. A nice copy. \$750.

FIRST EDITION. One of the most durable concepts in Roman law, *fideicommissum* involves situations in which something is committed to somebody's trust. It is central to the law concerning testators and was the subject of several treatises. Notable for its clarity and organization, Bonfini's treatise was one of the best. Later editions were published in 1755, 1760, 1781-1789. (The last edition has an additional volume of related Rota decisions.) All are scarce. OCLC locates 6 copies of the first edition in North America, 4 in law libraries (Catholic University of America, Columbia, Harvard, Southern Methodist University). Not in Roberts. This edition not in the *BMC*.



N° 150



Detail from N° 150

NOTABLE COLLECTION OF POST-ROMAN AND GERMANIC LAW

150 CANSIANI, PAOLO [1725-1810].

Barbarorum Leges Antiquae Cum Notis et Glossariis Accedunt Formularum Fasciculi et Selectae Constitutiones Medii Aevi. Collegit, Plura Notis & Animadversionibus Illustravit, Monumentis Quoque Ineditis Exornavit F. Paulus Canciani.

Venice: Apud Sebastianum Coletium et Franciscum Pitterium, 1781-1792. Five volumes. Two folding copperplates. Main text in parallel columns. Folio (14" x 9-1/4").

Later quarter calf over marbled boards, gilt titles and ornaments to spines, endpapers renewed. Some rubbing to extremities, corners bumped and lightly worn, some chipping to spine ends and joints, a few joints and hinges starting, a few cracks to text blocks. Light toning to text, somewhat heavier in places, occasional light foxing, internally clean. Ex-library. Bookplates to front pastedowns. An impressive set. \$2,950.

ONLY EDITION. Canciani was a law professor at several universities, later as Papal Nuncio in London. He ended his career as a state archivist in Venice. A notable achievement from this part of his life, *Barbarorum Leges Antiquae* was one of the first scholarly editions of post-Roman and Germanic legal sources, all with annotations. Volume I: *Edicta Regum Ostrogothorum, Leges Langobardicae, Capitularia Principum Beneventi, Constitutiones Regni Siculi*; Volume II: *Pactus Legis Salicae, Antiquiores Leges Populorum Regni Austrasiae, Assisiae Regni Hierosolymitani ad Inferiorem Curiam Pertinentes*; Volume III: *Leges Frisionum, Anglorum et Werinorum, Et Saxonum, Libri Capitularium Regum Francorum, Liber Consuetudinum Imperii Romaniae*; Volume IV: *Leges Burgundionum, et Visigothorum, Leges in Anglia Conditae, Lex Romana Barbaris Regnantibus Observata Facile in Italia*; Volume V: *Monumenta Legalia Leges Langobardicas et Italiae Regnum Pressius Afficientia, Assisiae Regni Hierosolymitani ad Superiorem Curiam Pertinentes, Selectae Constitutiones Arabum in Usus Insulae Siciliae, Vetus Capitulare Nauticum pro Emporio Veneto, Antiquioris Legis Salicae Exemplaria duo ab Heroldino in Pluribus Diversa*. Camus 1013.

JUDICIAL ADMINISTRATION IN SPAIN AND HER COLONIES.
OCLC LOCATES NO COPIES IN NORTH AMERICA

151 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. \$750.

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. BMC VII:249.

152 [KINGDOM OF THE TWO SICILIES].

Statuti Dell'Amministrazione Civile in Sicilia.

[N.p.: S.n., c.1827]. [ii], 275 pp. Eight folding tables. Octavo (7-3/4" x 4-1/2").

Contemporary quarter calf over marbled boards, lettering piece and gilt fillets to spine. Moderate rubbing to boards and extremities with some wear to spine ends and corners, joints partially cracked, a few partial cracks to text block. Some toning to text, occasional faint dampspotting, internally clean. \$250.

SECOND EDITION (?). The Kingdom of the Two Sicilies, which encompassed the lower half of Italy as well as the island of Sicily, was the largest of the states of Italy before the Italian unification. Apparently a handy reference for state officials, this is a digest of the kingdom's administrative law. The earliest edition we were able to locate was issued in 1818, updated editions were issued periodically. All are rare. OCLC locates no copies of our edition, and one copy of issues from 1818 and 1821, neither in North America. Not in the BMC.

FASCINATING EIGHTEENTH-CENTURY
FRENCH CRITICAL EDITION OF LITTLETON'S *TENURES*

153 LITTLETON, SIR THOMAS [D.1481].

HOUARD, DAVID [1725-1802].
EDITOR AND TRANSLATOR.

Anciennes Loix des Francois, Conservees Dans les Coutumes Angloises, Recueillies par Littleton; Avec des Observations Historiques & Critiques, Ou l'on Fait Voir que les Coutumes & les Usages Suivis Anciennement en Normandie, Sont les Memes que Ceux qui Etoient en Vigueur dans Toute la France sous les Deux Premieres Races de nos Rois. Ouvrage Egalement Utile pour L'Etude de Notre Ancienne Histoire & Pour L'Intelligence du Droit Coutumier de Chaque Province.

Rouen: Chez le Boucher, 1779. Two volumes. xlviii, [4], 772; [iv], 495, [1] pp. Main text in parallel columns. Quarto (10" x 7-1/2").

Contemporary sprinkled calf, gilt spine with raised bands and lettering pieces, edges rouged, marbled endpapers. Light rubbing to extremities, a few minor scuffs, light wear to head of spine. Ex-library. Bookplates to front pastedowns, brief annotations to versos of title pages. A handsome set. \$2,000.

SECOND AND FINAL EDITION. Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with land tenure and other issues relating to real property. This venerable work is a landmark because it was the first treatise based on common, rather than Roman, law. Houard was a member of Parliament and respected scholar of the customary law of Normandy. His works include the four-volume *Dictionnaire Analytique, Historique, Etymologique, Critique et Interpretive de la Coutume de Normandie* (1780-1782). *Anciennes Loix* was first published in 1766. As its title indicates, Houard believed that Littleton's treatise preserved and developed a body of Norman customary laws dating from the time of the conquest. In effect, it was both a record of early Norman law and a contribution to English jurisprudence. Littleton's text is accompanied by a French translation and numerous annotations. Both editions of this work are scarce. OCLC locates 14 copies of the second edition in North America, 9 in law libraries. This edition not in Camus or the BMC.

154 LORI, JOHANN GEORG VON [1723-1787].

Sammlung des Baierischen Bergrechts, Mit Einer Einleitung in die Baierische Bergrechtsgeschichte.

Munich: Bey Franz Lorenz Richter, 1764. [viii], cxx, [xvi], 647 pp. Majority of text in parallel columns. Folio (13-1/4" x 8-1/4").

Contemporary three-quarter calf, with later shellacking, over speckled boards, raised bands, lettering piece and gilt ornaments to spine, speckled edges, ribbon marker. Light rubbing to boards and extremities, corners bumped and lightly worn, shellac flaking along joints and center of spine. Attractive woodcut title vignette, head-pieces, tail-pieces and decorated initials (depicting cherubs engaged in mining activities). Some toning to text, small early owner inkstamp to verso of title page, internally clean. Ex-library. Bookplate to front pastedown. \$1,500.

ONLY EDITION. Bavarian mines were an important source of salt, graphite and iron from the middle ages to the mid-twentieth century. Lori's collection of Bavarian mining laws, arranged chronologically from 1285 to 1760 is both a legal and a historical work. The work begins with a brief treatise on Bavarian mining law and concludes with a well-organized index. Lori, a state official, was a Hof-Muenz-und Bergrath in the Kingdom of Bavaria. OCLC locates 4 copies in North America, 3 in law libraries (Harvard, UC-Berkeley, Yale). VD18 10200630.



Detail from N° 154



N° 153

COLLECTED WORKS OF A PROMINENT NEAPOLITAN JURIST

- 155 MARINIS, DONATO ANTONIO DE [1599?-1666].
 RODOERIO, GIOVANNI LEONARDO [1640-1701].
 LUCA, CARLO ANTONIO DE [17TH. C.].
 ALEXIO, CAROLUS DE [17TH. C.].
 CAPPELLI, FELICE [18TH. C.].
 CURTE, CAMILLO DE.
 ROVERTER, FRANCISCO.

Opera Juridica in Quinque Tomos Distributa: Cum Additionibus Leonardi Rodoerii, Caroli Antonii de Luca, Caroli de Alexio, Francisci Reverterii, & Camilli de Curte. Necnon Nuperrimis Felicis Cappelli Animadversionibus.

[Venice: Apud Nicolaum Pezzana, 1758]. Four volumes, in six parts, bound in five books. Each volume Excepting Volume II has an individual title page, Volume I (in two parts, paged continuously) has, in addition, a general half-title. Complete set. Folio (15" x 9").

Contemporary vellum, title panels and faint hand-lettered titles to spines. Minor staining, spines slightly darkened, spine ends and corners bumped and lightly worn, two later sheets of notes tipped-in to pastedowns of Volumes I, Parts 1 and 2. Title page of Volume I, Part 1, printed in red and black, woodcut preinter devices, head-pieces, tail-pieces and decorated initials. Moderate toning, light browning in places, faint dampspotting, internally clean. Ex-library. Bookplates to front pastedowns. An appealing set. \$2,000.

THIRD, FINAL AND BEST EDITION. This set collects the consilia and other principal writings of Donato Antonio de Marinis, a prominent Neapolitan jurist. It contains notes by additional



N° 155

writers and two related works by other authors: Curte's *Selectioes Juris Feudalis Resolutiones* (Volume II) and Reverter's *Decisiones Regiae Camerae Summariae Neapolitanae*. Contents: Volume I (two parts in two books): *Resolutionum Juris, Tomus Primus* [Pars Prima, Pars Altera], Volume II (one book): *Resolutionum Juris, Liber Secundus*, Volume III (one book): *Juris Allegationes Insignium Jurisconsultorum Urbis Regiae Neapolis*, Volume IV (two parts in one book): *Summa, Et Observationes ad Singulas Decisiones Regiae Camerae Summariae Neapolitanae; Arresta, Capitula, & Reformationes Regiae Camerae Summariae Neapolitanae*. First published in 1731, it went through two more editions in 1757 and 1758. The final edition is preferred because it contains notes and additions that do not appear in its predecessors. Few copies of any edition are held in North American libraries; OCLC locates 6 copies of the third, 5 in law libraries (Harvard, Library of Congress, Tulane, SMU, York). This edition not in the BMC, Camus or Roberts.

INTERESTING NAPOLEONIC-ERA TREATISE ON MARITIME AND COMMERCIAL LAW

- 156 PIANTANIDA, LUIGI.

Della Giurisprudenza Marittima-Commerciale Antica e Moderna.

Milan: Dalla Stamperia e Fonderia di Gio. Giuseppe Destefanis (Volume I); Dalla Stamperia e Fonderia di Giuseppe e Paolo Fratelli Veladini (Volumes II-IV), 1806-1808. Four volumes. Does not have the portrait frontispiece of author issued with some copies of this title. Complete set. Folio (11-1/4" x 8-1/2").

Three-quarter vellum over patterned paper boards, lettering pieces to spines. Light rubbing to extremities, a few minor stains to boards, corners and spine ends lightly bumped. Copperplate vignettes to dedication leaves of each volume. Light toning to text, occasional faint dampstaining to margins of Volume II, internally clean. \$3,000.



N° 156

ONLY EDITION. Dedicated to Napoleon, this ambitious treatise uses a history of maritime and commercial law as the basis for a set of general principles. It is also useful for its overview of these subjects during the early phase of the Napoleonic era. His dedication indicates a keen desire for a commission to produce a commercial code for the Kingdom of Italy, the north-Italian puppet state established by Napoleon. OCLC locates 14 copies worldwide, 6 in North America, 5 in law libraries (Harvard, Library of Congress, UC-Berkeley, University of Michigan, Yale). *BMC* 20:268.



N° 157

FASCINATING EIGHTEENTH-CENTURY
ENCYCLOPEDIA OF CANON LAW

- 157 PIGNATELLI, GIACOMO [1625-1698].
PASCUCCI, CARMINE TOMMASO [1653-1701], EDITOR.

Compendium seu Index ad Consultationes Canonicas, In Quo Omnia, Quae ab Eodem Dispersim per Decem Tomos Dicta Sunt. Opus non Tantum Judicibus et Curialibus, Sed Etiam Parochis & Parochianis, Aliisque Ecclesiasticis Personis tum Saecularibus, Tum Regularibus Valde Utile; Necnon Theologis, Canonistis, Ac Moralibus, Cunctisque in Utroque Foro Versantibus, Apprime Necessarium. Editio Secunda Veneta, Cui Adjectum est Compendium Consultationum Canoniarum, Quae Sub Titulo Consultationum Novissimarum Circumferentur; & Quae in Hoc Libro per Tomos Undecimum & Duodecimum Consultationum Canoniarum Adnotantur.

Venice: Ex Typographia Balleoniana, 1733. Two parts in one book, each with title page, index and individual pagination. [viii], 386, [30]; 306, 24 pp. Main text in parallel columns. Folio (15" x 9-1/2").

Later plain glazed paper-covered boards, endpapers renewed. Light rubbing to extremities, spine ends and corners bumped. Title page of first part printed in red and black, woodcut headpieces, tail-pieces and decorated initials. Light toning, light foxing

in places, burn holes through bottom corner of final fourteen leaves with no loss to text. Tiny early owner (or library) stamp to title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy. \$1,250.

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

IMPORTANT PRE-CODE REFORMS TO PORTUGUESE CIVIL LAW

- 158 [PORTUGAL].

Leis de 18 de Agosta de 1769 e de 3 de Agosto de 1770-E de Tabella dos Sellos de 1845

[manuscript cover title]. 15, 14, pp., two folded manuscript leaves. Quarto (8-1/2" x 6); leaves (12" x 8-1/2").

Stab-stitched pamphlets and manuscript leaves sewn together and laid into paper folder, manuscript title to front. Light browning, manuscript in neat hand to both sides of leaves. \$850.

ASSEMBLED, we assume in 1845, this item has three parts. The first two are offprints of two important legislative pieces, one on the sources of law, the other on primogeniture rights. Important reforms, these laws were standard points of reference until the adoption of the Civil Code of 1867. The final item is a manuscript compilation of legislation concerning fiscal matters. OCLC locates no copies of the two offprints in North America.

CANON LAW FOR GERMAN STUDENTS

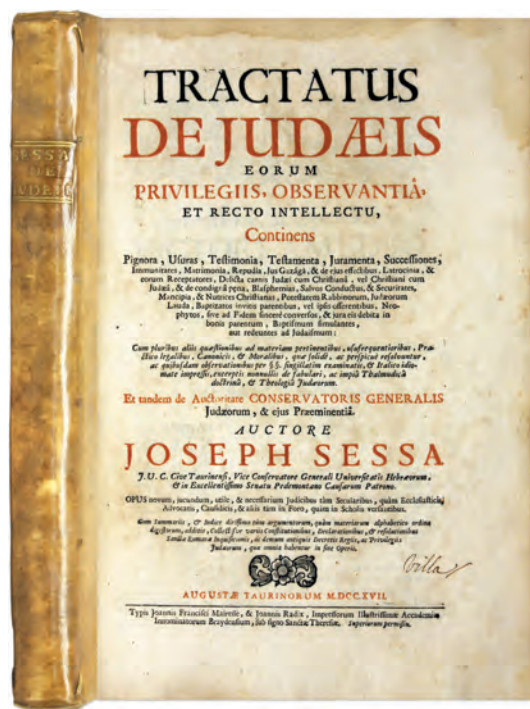
- 159 REISS, ULRICH.

Analysis Collectionum, & Fontium Juris Ecclesiastici Publici, Et Privati Germanici, Quam in Commodiorem Usus Tyronum Juris Sacri ex Probatissimis Auctoribus Collegit, Et una Cum Selectis Corollariis Juridicis Publicae Disputationi Expositis in Lucem Publicam.

Augsburg: Sumptibus Riegerianis, 1777. xxxii, 224; 54 pp. Final section preceded by title page. Octavo (6-3/4" x 4").

Contemporary speckled-paper boards, fragments of title labels to spine, speckled edges. Moderate rubbing to extremities, front joint starting at head. Light toning to text, occasional light foxing, internally clean. Ex-library. Small inkstamps to preliminaries and final leaf. A nice copy of a scarce title. \$1,250.

ONLY EDITION. This is a handbook to German canon law for students. Reiss was a professor of canon law at the University of Augsburg. At the end of the book is a related dissertation from 1777, at which Reiss presided, entitled *Corollaria ex Universo Jure Ecclesiastico Publico, et Privato Hodiernis Academicarum Germaniae Moribus Accomodato*. OCLC locates no copies in North America. Not in *VD18*, the *BMC* or Ferreira-Ibarra.



N° 160

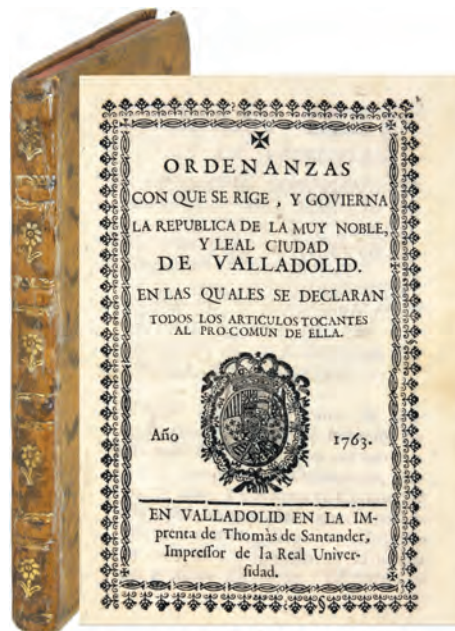
JEWS IN EIGHTEENTH-CENTURY SARDINIA

160 SESSA, GIUSEPPE.

Tractatus de Judæis Eorum Privilegiis, Observantiæ, Et Recto Intellectu, Continens Pignora, Usuras, Testimonis, Testamenta, Juramenta, Successiones, Immunitates, Matrimonia, Repudia, Juz Gazaga, & de Ejus Effectibus, Latrocinia, & Eorum Receptatores, Delicta Carnis Judæi cum Christiani, Vel Christiani cum Judæe, & de Condigna Pena, Blasphemias, Salvos Conductus, & Securitates, Mancipia, & Nutrices Christianas, Potestatem Rabbiorum, Judæorum Lauda, Baptizatos Invitis Parentibus, Vel Ipsi Offerentibus, Neophytos, Sive ad Fidem Sincere Conversos, & Jura eis Debita in Bonis Parentum, Baptismum Simulantes, Aut Redeuntes ad Judaismum: Cum Pluribus Aliis Quaestionibus ad Materiam Pertinentibus, Usufrequentioribus, Practico Legalibus, Canonicis, & Moralibus, Quae Solide, Ac Perspicue Resolvuntur, Ac Quibusdam Observationibus per Singillatim Examinatis, & Italico Idiomate Impressis, Excerptis Nonnullis de Fabulari, ac Impia Thalmudica Doctrina, & Theologia Judæorum. Et Tandem de Auctoritate Conservatoris Generalis Judæorum, & Ejus Præaeminentia. Opus Novum, Jucundum, Utile, & Necessarium Judicibus tam Secularibus, Quam Ecclesiasticis, Advocatus, Causidicis, & Aliis tam in Foro, Quam in Scholis Versantibus. Cum Summariis, & Indice Ditissim tum Argumentorum, Quam Materiæ Alphabetico Ordine Digestorum, Additis, Collective Variis Constitutionibus, Declarationibus, & Resolutionibus Sanctæ Romanæ Inquisitionis, Ac Demum Antiquis Decretis Regiis, Ac Privilegiis Judæorum, Quae Omnia Habentur in Fine Operis.

Turin: Typis Joannis Francisci Mairesse, & Joannis Radix, 1717. [xx], 387 pp. Main text in parallel columns. Folio (13-1/2" x 8-3/4").

Contemporary vellum, gilt title to spine. Light soiling, a few minor stains, spine somewhat darkened, boards slightly bowed, spine ends and



N° 163

corners bumped, vellum just beginning to crack through pastedowns. Title page printed in red and black, woodcut head-pieces, tail-pieces and decorative initials. Light toning to text, somewhat heavier in places, occasional foxing, faint dampstaining to a few leaves. Early owner signature to foot of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy. \$1,500.

ONLY EDITION. This fascinating work discusses all laws concerning the Jewish population of the Kingdom of Sardinia (which included, as dependencies, Piedmont, Savoy and Nice). It is equally valuable as a record of political and social life. Along with strictly legal topics Sessa discusses such matters as conversion and sexual relations between Jews and Gentiles. Sessa, a lawyer in the Savoy Senate, was one of the judges appointed in Piedmont to regulate Jewish affairs. OCLC locates 5 copies in North American law libraries (Harvard, Library of Congress, UC-Berkeley, University of Michigan, Yale). BMC 23:205.

REFORMS FOR THE CRIMINAL COURTS OF PORTUGAL
PROPOSED IN 1835

161 [TEIXEIRA, JOSE JOAQUIM].

Relatorio Resumido dos Trabalhos da Comissao dos Trabalhos da Comissao das Cadeias da Capital Desde a Sua Instalacao Ate ao Fim do Mez de Setembro de 1835.

Lisbon: Na Typographia de Luiz Maigre Retier Junior, 1835. 14 pp. Folding table. Octavo (7-1/2" x 4-1/2").

Stab-stitched pamphlet in recent plain wrappers, spine reinforced with cloth tape. Upper corner lacking from front cover, light toning to text, foxing to a few leaves, internally clean. \$350.

THIS IS THE REPORT of a commission headed by Teixeira that was convened to propose reforms for the criminal courts of Portugal. This followed an earlier reform of criminal procedure from 1832. The recommendations of Teixeira's committee, which aimed to simplify the court system and increase public access, were implemented in 1836 and 1837. Another round of reforms followed in 1841, a penal code in 1852. OCLC locates 2 copies, neither in North America.



CODEFROY'S EDITION OF THE THEODOSIAN CODE
WITH LATER ADDITIONS



Nº 162

162 THEODOSIUS II [408-450 CE].

EMPEROR OF THE EAST.

GODEFROY, JACQUES [1587-1652], EDITOR.

ANTOINE MARVILLE [1609-1663], EDITOR.

RITTER, JOHANN DANIEL [1709-1775], EDITOR.

Codex Theodosianus Cum Perpetuis Commentariis Jacobi Gothofredi. Praemittuntur Chronologia Accuratio, Chronicon Historicum, & Prolegomena Subjiciuntur Notitia Dignitatum, Prosopographia, Topographia, Index Rerum, & Glossarum Nomicum. Opus Posthumum Div in Foro, & Schola Desideratum, Recognitum, & Ordinatam ad Usum Codicis Iustiniani Opera, & Studio Antonii Marvillii Antecessoris. Editio Nova in VI. Tomos Digesta, Collata cum Antiquissimo Codice ms. Wurceburgensi, & Libris Editis, Iterum Recognita, Emendata, Variosumque Observationibus Aucta; Quibus Adjecit Suas Joan. Dan. Ritter.

Mantua: Prostant Venetiis apud Franciscum Pitte, 1740-1750. Seven parts in six volumes (Volume VI has two parts). Main text in parallel columns. Folio (14-1/2" x 9-1/2").

Original publisher boards, untrimmed edges. Light soiling, moderate rubbing to extremities with some wear to spine ends and corners, one leaf in Volume IV loose, apparently never bound. Main title page printed in red and black, attractive woodcut title-page devices, head-pieces and tail-pieces, a few copperplate text illustrations (of seals and documents). Light toning to text, somewhat heavier in places, internally clean. Ex-library. Annotations in pencil to front boards and preliminaries, bookplates to front pastedowns. A nice set. \$5,000.

REPRINT OF THE SECOND, AND FINAL, EDITION. The Theodosian Code is an official compilation of all laws enacted since the reign of Constantine that was 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. First published in 1665, Codefroy's edition, which includes extensive commentary, was the first modern edition of the *Codex*. It remains a masterpiece of scholarship and erudition. Our Mantua edition, a reissue of a set issued in Leipzig by Weidmann from 1734-1745, contains additional notes by Antoine Marville and Johann Ritter. BMC 21:980.

STATUTES OF VALLADOLID, 1763

163 [VALLADOLID].

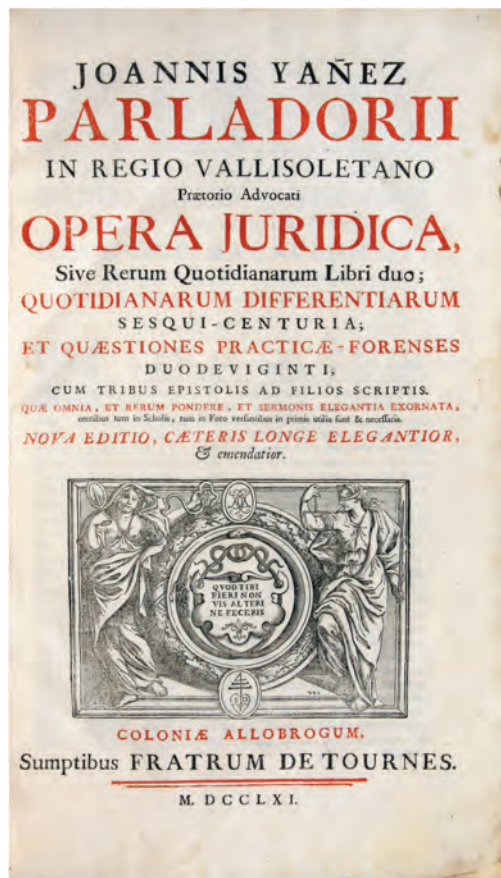
[MOSQUERA DE MOLINA, JUAN, COMPILER].

Ordenanzas con que se Rige y Gobierna la Republica de la Muy Noble y Leal Ciudad de Valladolid, En las Quales se Declaran Todos los Articulos Tocantes al pro Comunde Ella.

Valladolid: Imprenta de Thomas de Santander, 1763. [x], 183, [4] pp. Quarto (8" x 5-1/2").

Contemporary mottled sheep, gilt fillets to boards, raised bands and gilt ornaments to spine, edges rouged. Light rubbing to extremities, corners and spine ends bumped, minor wear along joints. Title printed within woodcut typographical border, large title vignette of the arms of Valladolid. Light offsetting to margins of endleaves, interior notably fresh. Ex-library. Bookplate to front pastedown. A very well-preserved copy. \$1,500.

ONCE THE CAPITAL CITY of the Kingdom of Castile, later of united Spain and briefly of Habsburg Spain, Valladolid remained an important city in eighteenth-century Spain. The 1763 collection of *Ordenanzas* offers an interesting perspective on the city at this time. OCLC locates 5 copies worldwide and 1 copy in a North American law library (Harvard). *Bibliografía de Autores Espanoles del Siglo 18*: Anonimos 2:1498.



Nº 164

COLLECTED WORKS OF A NOTABLE
SEVENTEENTH-CENTURY SPANISH JURIST

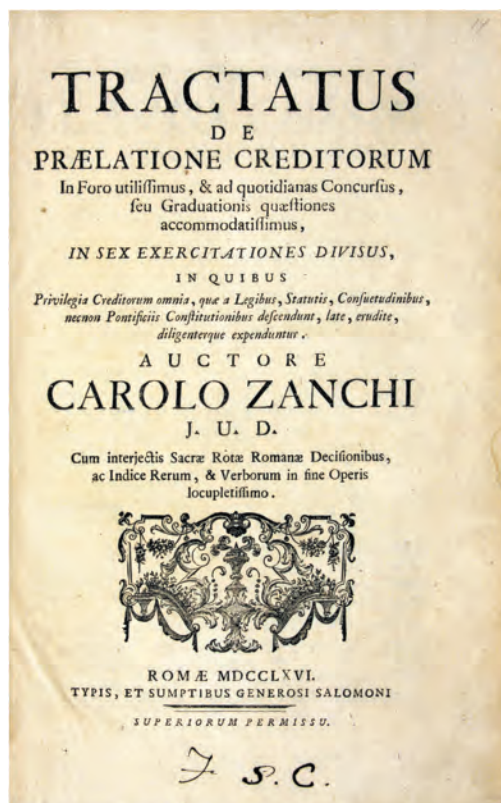
164 YANEZ PARLADORIO, JUAN.

Opera Juridica, Sive Rerum Quotidianarum Libri Duo; Quotidianarum Differentiarum Sesqui-Centuria; Et Quaestiones Practicae-Forenses Duodeviginti; Cum Tribus Epistolis ad Filios Scriptis. Quae Omnia, Et Rerum Pondere, Et Sermonis Elegancia Exornata, Omnibus tum in Scholis, Tum in Foro Versantibus in Primis Utilia Sunt & Necessaria. Nova Editio, Caeteris Longe Elegantior, & Emendatior.

Geneva: Sumptibus Fratrum de Tournes, 1761. [xx], 424 [i.e. 422], [42] pp. Main text in parallel columns. Folio (14-3/4" x 8-3/4").

Recent imitation calf, gilt fillets and title to spine. Title page, with large woodcut vignette, printed in red and black. Light toning to text, faint dampstaining to margins of a few leaves, light soiling, edgewear and dampstaining to half-title, internally clean. Ex-library. Bookplate to front pastedown. \$1,450.

LATER EDITION. Parladorio was a Spanish advocate who lived in Valladolid. Not much is known about him, but his studies of canon and Roman law were held in high regard, as indicated by this handsome collected-works edition. It was first published in 1678 and went through at least four more editions, the last in 1762. All are scarce today. OCLC locates 7 copies worldwide, 2 in North America (at Harvard Law School and UC-Berkeley Law School). This edition not in Roberts or the BMC.



Nº 165

SCARCE ITALIAN TREATISE ON DEBTOR AND CREDITOR

165 ZANCHI, CARLO [FL. 1770].

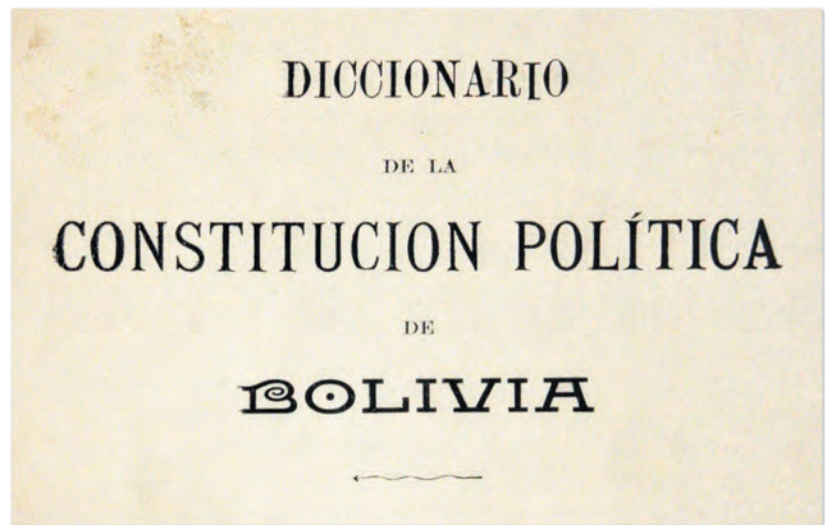
Tractatus de Praelatione Creditorum in Foro Utilissimus, & ad Quotidianas Concursus, Seu Graduationis Quaestiones Accommodatissimus, in Sex Exercitationes Divisus, In Quibus Privilegia Creditorum Omnia, Quae a Legibus, Statutis, Consuetudinibus, Necnon Pontificiis Constitutionibus Descendunt, Late, Erudite, Diligenterque Expenduntur.

Rome: Typis, Et Sumptibus Generosi Salomoni, 1766. viii, 628 pp. Main text in parallel columns. Folio (12-3/4" x 9").

Contemporary vellum with later rebacking, gilt-title to spine, endpapers renewed, speckled edges. Light rubbing to extremities, a few minor stains to boards, spine ends and corners bumped, gilding oxidized or worn away. Light toning to text, light foxing in places. Early owner initials to foot of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy. \$1,250.

FIRST EDITION. A second edition of this notable treatise on debtor and creditor, with an emphasis on insolvency and the priority of claims and liens, was published in 1839. Both are scarce. OCLC locates 3 copies of the first edition in law libraries (Columbia, Harvard, UC-Berkeley), 3 copies of the second (Columbia, Harvard, Yale). Not in Roberts or the BMC.

LATIN AMERICA



Detail from N° 167

THE READJUSTMENT OF CHURCH-STATE RELATIONS
IN POST-COLONIAL ARGENTINA

166 [ARGENTINA].

TRIBUNAL FISCAL DE LA NACION.

[AGRELO, PEDRO JOSE (1776-1846), AUTHOR].

Memorial Ajustado de los Diversos Aspedientes Seguidos Sobre la Provision de Obispos en Esta Iglesia de Buenos Aires, Hecha por el Solo Sumo Pontifice sin Presentacion del Gobierno, Y Sobre un Breve Presentado en Materia de Jurisdiccion, Y Reservas Retenido y Suplicado. Con la Defensa que se Sostiene de la Jurisdiccion Ordinaria, Y Libertades de Esta Iglesia y sus Diocesanos, y del Soberano Patronato y Regalias de la Nacion en la Proteccion de sus Iglesias, Y Provision de Todos sus Beneficios Eclesiasticos Como Correspondiente Esclusivamente a los Gobiernos Respectivos de las Nuevas Republicas Americano-Espanolas del Continente. Dispuesto por el Fiscal General del Estado, Por Autorizacion del Gobierno.

Buenos Aires: Imprenta Argentina, 1834. 246 pp. Octavo (8-1/4" x 5-1/2").

Later quarter calf over pebbled paper boards, raised bands, gilt title and gilt ornaments to spine, marbled endpapers. Moderate rubbing to extremities, some chipping to spine ends, corners bumped and somewhat worn, front joint starting, hinges cracked, front free endpaper carefully reattached with archival tape. Light toning to text, some soiling to title page. Ex-library. Shelf label to foot of spine, annotation to verso of front free endpaper, small inkstamps and shelf numbers to title page. A solid copy. \$950.

ONLY EDITION. The dominant religious presence in Argentina, the Catholic Church was also its most important provider of social services and a powerful force in the national culture. Following independence from Spain in 1810, there were sharp disagreements within the national ruling elite over the proper degree of Church

influence in the country. At the same time the Papacy, unwilling to offend Spain, condemned the revolutions sweeping South America at the time, which created additional tensions within Argentina. The *Memorial Ajustado* was written by Agrelo, the primary author of the 1813 *Proyecto de Constitución Argentina*. It intended to clarify sections in the constitution concerning church-state relations. It called for state financial support for the Church, but allowed religious freedom. Other articles, all controversial, included compulsory secular education, support of civil marriage and the governmental appointment of religious authorities. Most of its articles were incorporated into Argentina's first constitution, which was adopted in 1853. OCLC locates 4 copies in North America (Indiana University, Notre Dame, Stanford, Yale), none in law libraries. Not in Borchard.

RARE 1898 GLOSSARY OF TERMS IN
THE CONSTITUTION OF BOLIVIA

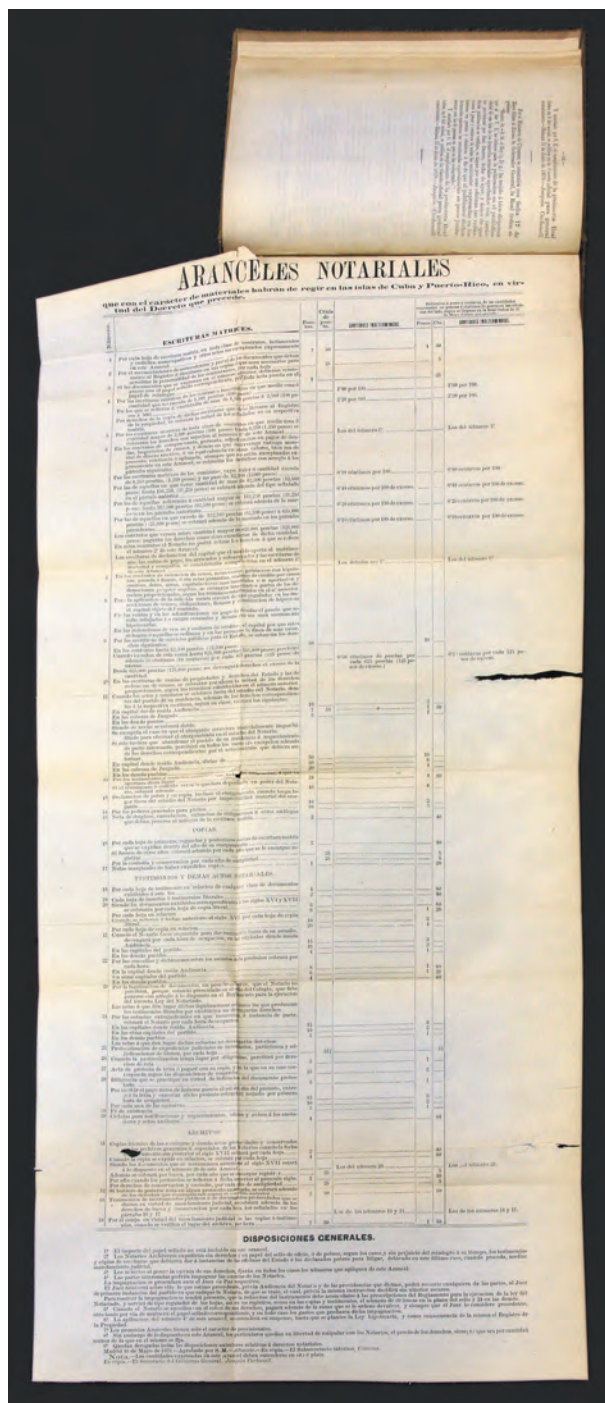
167 BARRIOS, CLAUDIO Q.

Diccionario de la Constitucion Politica de Bolivia.

[La Paz: Imprenta y Lit. de "El Nacional," 1898]. [iv], v, 63, xiv pp. Quarto (8" x 5-3/4").

Stab-stitched pamphlet, wrappers not present, bound into later buckram, lettering piece to spine, hinges reinforced with cloth. Some soiling and shelfwear, front joint partially cracked, rear joint just starting at head, small chip to head of half-title, a few cracks to text block. Light toning to text, internally clean. Ex-library. Location label to spine, stamps and annotations to half-title. \$850.

ONLY EDITION. This is a glossary and index of terms in Bolivia's 1880 Constitution, which was replaced in 1938. Each entry has a brief definition and a reference to the relevant article. This appears to be a rare title. OCLC locates 1 copy (at the University of Pennsylvania Law School). We located another copy at the Library of Congress Not in the BMC.



Detail from N° 168

THREE NINETEENTH-CENTURY CUBAN TITLES
DEALING WITH MORTGAGES

168 [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.

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).

A FRENCH PERSPECTIVE ON AN IMPORTANT
CONFERENCE CONVENED BY BOLIVAR

169 DUFOUR DE PRADT, DOMINIQUE-GEORGES-FREDERICK [1759-1837].

Congres de Panama.

Paris: Bechet Aine, 1825. viii, 95 pp. Octavo (8-1/2" x 5-1/2").

Stab-stitched pamphlet bound into recent marbled wrappers, printed paper title panel to front, untrimmed edges, several signatures unopened. Moderate toning, occasional faint dampspotting, internally clean. \$250.

ONLY EDITION. The Congress of Panama was organized by Simon Bolivar in 1826. It aimed to organize a league of the new Latin American republics with unified policy towards Spain, a common military, a mutual defense pact and a supranational assembly. Its goals were never realized. The proceedings, which took place in Panama City from June 22 to July 15, 1826, attracted a good deal of attention from the international community. Dufour de Pradt was an ambassador sent to observe the proceedings by the French government. This book is a summary of his observations. OCLC locates 7 copies in North America, none in law libraries. *BMC* 7:827.

COMPENDIUM OF AN IMPORTANT COMPILATION OF
BRAZILIAN CIVIL LAW

170 [FREITAS, AUGUSTO TEIXEIRA DE].

Promptuario das Leis Cíveis.

Rio de Janeiro: Instituto Typographico do Direito, 1876. 604, iii pp. Quarto (8-3/4" x 6").

Contemporary quarter calf over marbled boards, raised bands, gilt title and gilt ornaments to spine. Moderate rubbing to extremities, chipping to head of spine, corners worn, front hinge cracked, rear hinge starting, text block loose (but secure), bookseller ticket to front pastedown. Moderate toning to text block, internally clean. Ex-library. Location label to spine, stamps and annotations to title page. A solid copy of a rare title. \$950.

ONLY EDITION. Freitas was a prominent Brazilian jurist and state official. He produced the first systematic compilation of Brazilian civil law, the *Consolidacao das Leis Cíveis*, and a pioneering draft *Esboco de Codigo Civil* (1860-64) that served as the basis for codifications in Brazil, Argentina and other South American nations. Borchard notes that Freitas's *Consolidacao* was so excellent that it was adopted as law by decree in 1858. A valuable companion, the *Promptuario* is an alphabetically arranged compendium of this work. It is a rare title. OCLC locates 3 copies, 2 in North America (Library of Congress, University of St. Louis). Borchard 250.

VALUABLE GUIDE TO AN IMPORTANT
PORTUGUESE/BRAZILIAN CODE

171 MENDES DE ALMEIDA, CANDIDO, EDITOR.

Auxiliar Juridico Servindo de Appendice a Decima Quarta Edicao do Codigo Philippino, Ou Ordenações 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 230-231.

SOME OF THE EARLIEST CODES PRODUCED IN LATIN AMERICA

172 [PERU].

[BOLIVIA].

[SANTA CRUZ Y CALAUMANA, ANDRES (1792-1865)].

Codigo Mercantil Santa Cruz Dado Por el Congreso Constitucional de 1834. Impreso de Orden del Gobierno Supremo.

Paz de Ayacucho: Colejio de Artes, 1835. 191, [6] pp.

[BOUND WITH]

[SANTA CRUZ Y CALAUMANA, ANDRES].

Codigo Mineral Santa-Cruz.

[Sucre?]: Imprenta Chuquisoquena, 1835. [iv], 90, VII, [3] pp.

[AND]

[SANTA CRUZ Y CALAUMANA, ANDRES].

Codigo Civil Santa Cruz del Estado Nor-Peruano.

Lima: Imprenta Jose Masias, 1836. viii, 200, viii pp.

[AND]

[SANTA CRUZ Y CALAUMANA, ANDRES].

Codigo Penal Santa Cruz del Estado Nor-Peruano.

Lima: Imprenta de Eusebio Aranda, 1836. viii, 180 pp.

[AND]

[SANTA CRUZ Y CALAUMANA, ANDRES].

Codigo Santa-Cruz, De Procedimientos Judiciales del Estado Nor-Peruano.

Lima: Imprenta de Eusebio Aranda, 1836. vi, 200, [2], viii pp.

[AND]

[SANTA CRUZ Y CALAUMANA, ANDRES].

Reglamento Organico de los Tribunales y Juzgados del Estado Nor-Peruano.

Lima: Imprenta de Eusebio Aranda, 1836. [ii], 70, [23] pp.

Quarto (7-1/4" x 5-1/2"). Later buckram, red and black lettering pieces to spine, endpapers renewed, hinges reinforced with cloth. Some soiling, light shelfwear, chipping to edges of lettering pieces. Light toning, somewhat heavier in places, dampstaining and soiling to a few leaves, internally clean. Ex-library. Small inkstamps to title pages, embossed stamp to title page of *Codigo Mercantil*. An appealing volume containing six scarce titles. \$3,000.

FIRST EDITIONS. These are among the earliest codes produced in post-colonial Latin America. Santa Cruz was the President of Peru in 1827, then divided into the states of North and South-Peru, President of Bolivia from 1829 to 1839 and the Supreme Protector of the short-lived Peru-Bolivian Confederation (1836-1839), which he established. He was such a Francophile that he was known as "El Afrancesado." While president of Bolivia he reformed the legal system along French lines and introduced a series of codes based on the *Code Napoleon*. All are scarce. *Codigo Mercantil*: Palau 297870. Other codes: Clagett 27, 57, 67, 76, 85.

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BEALE, JOSEPH HENRY. *A Bibliography of Early English Law Books* (Cambridge, 1926. Reprint, Buffalo, 1966).

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PINAL, FRANCISCO AGUILAR. *Bibliografía de Autores Espanoles del Siglo 18: Anonimos* (Madrid, 1981-2001).

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CLAGETT, HELEN. *A Guide to the Law and Legal Literature of Peru* (Washington, DC, 1947).

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ELLER, CATHERINE SPICER. *The William Blackstone Collection in the Yale Law Library* (New Haven, 1938. Reprint. New York, 1993).

EVANS, CHARLES. *American Bibliography* (New York, 1941-1959).

FERREIRA-IBARRA, DARIO C. *The Canon Law Collection of the Library of Congress* (Washington, DC, 1981. Reprint. Clark, NJ, 2004).

GOFF, FREDERICK RICHMOND. *Incunabula in American Libraries* (New York, 1964).

GRAESSE, JEAN GEORGE THEODORE. *Tresor de Livres Rares et Precieux* (Dresden, 1859-1869. Reprint, Cambridge, MA, 1992-1993).

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-----, *Sources and literature of English Law* (Oxford, 1925). Cited as *Sources*.

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HOWES. *U.S. Iana, 1650-1950* (New York, 1962).

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PALAU Y DULCET, ANTONIO, *Manual del Librero Hispano-Americano* (Barcelona, 1948-1977).

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ROBERTS, A.A. *A South African Legal Bibliography* (Pretoria, 1942).

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SWEET, W. HAROLD, AND LESLIE F. MAXWELL, EDITORS. *Sweet & Maxwell's Legal Bibliography of the British Commonwealth of Nations*. (London, 1959. Reprint, London, 1989). Cited as Sweet & Maxwell.

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TER MUELEN, JACOB, AND DIERMANSE, P.J.J. *Bibliographie des Écrits Imprimés de Hugo Grotius* (The Hague, 1950).

WALKER, DAVID M. *The Oxford Companion to Law* (Oxford, 1980).

WING, DONALD. *A Short-Title Catalogue of Books Printed in England, Scotland, Ireland, Wales, and British America* (New York, 1945–1951).

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>

Gesamtkatalog der Wiegendrucke (GW)
<http://www.gesamtkatalogderwiegendrucke.de>

Hollis (Online Catalogue of Harvard University)
<http://lib.harvard.edu>

Incunabula Short-Title Catalogue (ISTC)
<http://www.bl.uk/catalogues/istc/>

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>

Universal Short-Title Catalogue (USTC)
<http://www.ustc.ac.uk/>

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

Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts (VD17)
<http://www.vd17.de>

Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 18. Jahrhunderts (VD18)
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INDEX

DESCRIPTION

ITEM N°

Books Printed in

Argentina	166
Austria	92
Belgium	101, 115
Bolivia	167
Brazil	170, 171
Colombia (Panama)	169
Cuba	168, 151
Czech Republic	148
France	90, 97, 110, 129, 133, 146, 153, 169
Germany	91, 103, 121, 123, 124, 134, 136, 142, 145, 154, 159
Ireland	49
Italy	85, 86, 87, 88, 89, 93, 94, 95, 96, 98, 99, 100, 107, 108, 109, 112, 116, 117, 119, 120, 122, 125, 126, 127, 128, 130, 131, 132, 138, 139, 141, 144, 147, 149, 150, 152, 155, 156, 157, 162, 165
Netherlands	106, 113, 118, 135, 140
Peru	172
Portugal	158, 161, 171
Scotland	83
Spain	102, 104, 105, 151, 163
Switzerland	111, 114, 137, 143, 164

Authors and Topics

Albericus, de Rosate	85
Alexio, Carolus de	155
Altogradi, Lelio	86
American Books	
Printed Before 1800	1, 19, 24, 31, 33
Antonelli, Giovanni Carlo	87, 88
Argentina	166
Asinio, Giovanni Baptista	89
Avery Trial	7
Azo, Portius	90
Bacon, Francis	19
Bankruptcy	9, 36, 50, 51, 53, 77, 79
Barbarians	150, 162
Barrigue de Montvallan, Andre de	146
Barksdale, Clement	54
Barrios, Claudio Q.	167
Bartolomeo da Brescia	107
Bastardy	39, 42
Bavaria	91
Belgium	101, 115
Bell, John	80
Bellingham, John	83
Bentham, Jeremy	1, 2
Biagi, Clemente	147
Billinghurst, George	36
Bird, William	34
Bishop, Joel Prentiss	3
Blackstone, Sir William	35
Blount Thomas	36
Bohemia	92, 136, 148
Bohun, William	37
Bolivia	167
Bonfini, Francesco Antonio	149
Books with Extensive Annotations	36, 47, 64, 101

DESCRIPTION

ITEM N°

Books Listed in Beale	42, 47, 52, 73
Books with Illustrations	71, 81, 97, 107, 147, 162
Books with Frontispieces	38, 54, 56, 61, 62, 71, 81, 99, 130, 148
Bottigliero, Carlo Antonio	93
Brandeis, Louis D.	4, 5, 6
Brazil	170, 171
Broadsides	7, 8
Brydall	38, 39
Byzantine Law	111
Caccialupi, Giovanni Battista	120
Caines, George	9
Camarela, Francisco	94
Canciani, Paolo	150
Canon Law	42, 46, 86, 87, 97, 102, 105, 107, 108, 110, 129, 131, 139, 141, 144, 145, 157, 159, 164
Cappelli, Felice	155
Cardozo, Benjamin	10, 11, 12
Care, Henry	40
Carocci, Vincenzo	95
Carter, Samuel	41
Cavallini, Gaspare	96
Charles I, King of England, Scotland and Ireland	81
Charles II, King of England, Scotland and Ireland	45, 75
Chase, Salmon P.	13
Cherubini, Laertio	97
Cherubini, Angelo Maria	97
Children	39, 40, 42, 127
Chipman, Daniel	14
Church-State Relations	45, 55, 72, 76, 92, 105, 108, 129, 166
Clerke, William	42
Cobbett, William	29
Codes,	
Compilations of Laws	23, 31, 48, 91, 97, 107, 110, 111, 115, 136, 148, 150, 154, 158, 162, 163, 171, 172
Collet, Henry	79
Colombia (Panama)	169
Commentaries	27, 116, 117, 118, 143, 144, 162
Consilia	86, 98, 155
Constitution	
(United States)	3, 24, 27, 30, 31, 32, 33, 40
Contracts	14, 95, 112, 116, 126, 144
Coolidge, Dr. Valorus P.	15
<i>Corpus Juris Canonici</i>	97, 107, 110
<i>Corpus Juris Civilis</i>	90, 114, 116, 117, 118, 133, 140, 143
Costa, Francesco Antonio	98
Costa, Giovanni Battista	99
Costa, Placidio	98

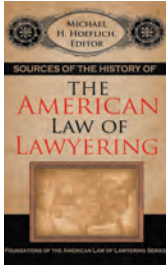
DESCRIPTION

ITEM N°

Cowell, John	43
Courts	11, 37, 40, 52, 55, 63, 67, 75, 161
Criminal Law	69, 101, 102, 118, 161
Cuba	168, 151
Cumia, Giuseppe	100
Curte, Camillo de	155
Dalton, Michael	44
Damhouder, Josse de	101
Davies, Sir John	45
Darrow, Clarence	16, 17, 18
Deciani, Giovanni Francesco	85
Descousu, Celser-Hugues	124
Diaz de Luco, Juan Bernardino	135
Diaz Ufano y Negrillo, Jose	151
Dictionaries	70, 85, 111, 120, 137, 167
Douglas, Niel	83
Dowry, Endowments	132
Dufour de Pradt, Dominique-Georges-Frederick	169
Eadmer	46
Ecclesiastical Law	
(Great Britain)	39, 40, 42, 46, 54, 55, 56, 76
Encyclopedias	157
Evidence	119
Ferdinand II, Holy Roman Emperor	92
<i>Fideicommissum</i>	94, 128, 149
First Editions	27, 35, 40, 43, 44, 49, 50, 55, 64, 69, 72, 74, 75, 76, 79, 81, 86, 91, 96, 99, 104, 109, 111, 113, 116, 125, 126, 129, 133, 146, 149, 165, 172
Fortescue, Sir John	47
France	129, 133, 146, 153
Freitas, Augusto Teixeira de	170
Funerals	89
Gail, Andreas von	103
Gali et Ramon, Hieronymus	104
Game Laws	48, 59, 60
Garcia, Nicolaus	105
Germany	91, 123, 134, 154, 159
Gigante, Girolamo, Editor	90
Giles, John	82
Godefroy, Denis	111
Godefroy, Jacques	106, 162
Godwin, William	49
Goodinge, Thomas	50, 51
Gratian the Canonist	107
Great Britain, Constitution	40, 45, 56, 57, 64, 65, 72, 76, 79, 84
Greece	63, 111, 147
Green, Edward	53
Gregorio, Pietro di	108, 109
Gregory IX, Pope	110
Grotius, Hugo	54
Harmenopoulos, Konstantinos	111

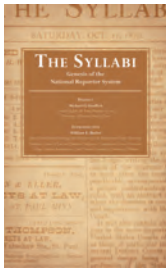
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Haunold, Joachim	119	Mendes de Almeida, Candido	171	Schurer, Ambrosius	134
Hawkins, John Sidney	71	Menochio, Giacomo	119	Scotland	43, 56, 72, 83
Hawles, Sir John	19	Mercier, Jean	111	Selden, John	46
Hering, Anton	112	Mining	136, 154	Sessa, Giuseppe	160
Hickeringill, Edmund	55	Molloy, Charles	61, 62	Sheffield & District Law	
Holbein, Hans	91	Mortgages	79, 121, 168	Students' Society	58
Holy Relics	130	Mosquera de Molina, Juan	163	Signed Books	4, 5, 6, 10, 11, 12, 20, 21, 22
Holy Roman Empire	92, 103, 112, 134, 136, 148	Murder	7, 15	Slavery	3, 13, 74
Houard, David	153	Nebrija, Antonio de	120	Soccini, Bartolommeo	135
Huber, Ulrik	113	Negusanti, Antonio	121	Social Law Library	26
Hughes, Charles Evans	20, 21, 22	Netherlands	101, 113, 118	Somers, John, Baron	75
		Nobility (Great Britain)	34, 38	Spain	104, 105, 127, 151, 163, 164
Incunabula	133	Oddi, Sforza	122	Span, Sebastian	136
India	80	Oldendorp, Johann	123	Stillingfleet, Edward	76
Inheritance and Succession (see also Wills)	39, 41, 93, 100, 111, 116, 117, 146	Onderdonk, Benjamin T.	25	Stoer, Jacob	137
International Law	20, 21, 22, 54, 78, 169	Oriano, Lanfranco da	124	Stone, John	77
Ireland	45, 56	Pacioni, Pietro	126	Story, Joseph	27
Italy	86, 89, 93, 98, 100, 108, 109, 127, 150, 152, 155, 156, 165	Panciroli, Guido	117, 125	Suarez, Francisco	78
Jennings, Needler R	23	Panciroli, Ottavio	125	Teixeira, Jose Joaquim	161
Jews	42, 57, 160	Pascale, Filippo	127	Taxation	66, 108
Joannes, Diaconus Hispanus	107	Pascucci, Carmine Tommaso	157	Textbooks	27, 30, 35, 43, 47, 73, 142, 143, 159
Jodocus of Erfurt	120	Pellegrini, Marcantonio	128	Theodosius II	
Johannes Teutonicus	107	Peru	172	Emperor of the East	162
Juries	19, 47, 63, 75	Pettingal, John	63	Thorpe, F. Sergeant	79
Jurisprudence, Philosophy of Law	4, 5, 10, 11, 12, 73, 78, 123, 142	Pettus, Sir John	45	Time	88
Justices of the Peace	48, 66, 79	Petyt, William	64, 65	Tiraqueau, Andre	135, 138
Kantorowicz, Hermann	101	Philalethes	66	Tocker, Mary Ann	29
		Philipps, Fabian	67, 68	Treason	45, 56, 69, 72, 83
Labitte, Jacques	114	Philips, George	65	Treutler, Hieronymus	123
Land Law	36, 109, 136, 153	Photographs	17, 18	Trials	28, 29, 80, 81, 82, 83
Lawrence, William	56	Piantanida, Luigi	156	Tucker, Henry St. George	30
Le Mire, Jean	115	Pignatelli, Giacomo	157	Tucker, Josiah	84
Leoni, Paolo	116	Pleading		Uberti, Grazioso	139
Letters and Manuscripts	13, 15, 58	Practice and Procedure	37, 52, 53, 94, 101, 102, 104, 112, 124, 131, 151	United States Supreme Court	4, 5, 6, 10, 11, 12, 13, 27
Library Catalogues	26	Pledges	103, 121	Upton, Wheelock S.	23
Littleton, Sir Thomas	153	Political Science	2, 40, 49, 56, 84	Vadi, Benedetto	124
Lonigius, Gasparus	128	Portugal	158, 161, 171	Valladolid	163
Lori, Johann Georg von	154	Pulton, Ferdinand	69	Van Leeuwen, Simon	140
Louisiana	23	Rastell, John	70	Vinnius, Arnoldus	140
Louisa, Carlo Antonio de	155	Rastell, William	70	Virginia	30, 32
Lying	145	Rebuffi, Pierre	129	Viviani, Giuliano	141
		Reiss, Ulrich	159	Webster, Pelatiah	33
Magna Carta	40, 57, 79	Ricciullo, Antonio	130	Weingarten, Johann Jakob von	148
Maino, Giasone dal	117	Richmond, James Cook	25	Wesenbeck, Mattaeus	142
Manwood, John	59	Ridolfini, Pietro	131	Wills	37, 57, 117
Marinis, Donato Antonio de	155	Robertson, David	32	Yanez Parladorio, Juan	164
Maritime and Commercial Law	156, 9, 61, 62, 156	Rodoerio, Giovanni	155	Zacchia, Silvestro	144
		Roman Law	90, 93, 94, 95, 96, 106, 116, 119, 121, 122, 123, 128, 132, 133, 138, 142, 146, 149, 164	Zacchia, Lanfranco	144
Marsilius, Hippolytus de	112	Roverter, Francisco	155	Zahn, Balthasar Conrad	145
Martinus, Polonus	107	Ruggle, George	71	Zanchi, Carlo	165
Marville, Antoine	162	Rutherford, Samuel	72	Zanchi, Girolamo	116
Mason, Alpheus Thomas	6	Saint German, Christopher	73	Zasius, Ulrich	91
Massachusetts	24, 28	Santa Cruz y Calaumana, Andres	172	Zilleto, Giovanni Battista	138
Matthaeus, Antonius	118	Santarem, Pedro de	112		
Maxims	106, 135	Satire	71		
M'Laren, Alexander	83				

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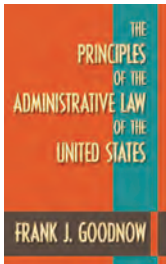


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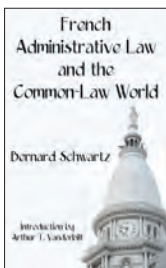
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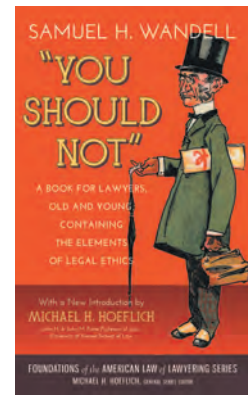
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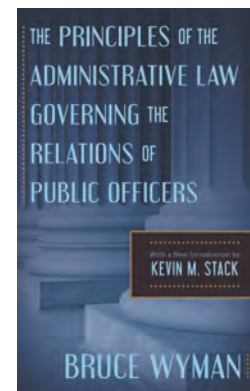
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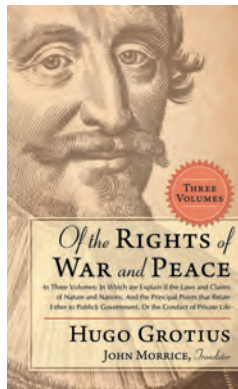
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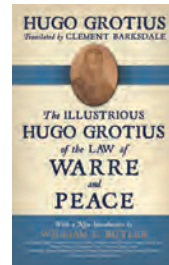
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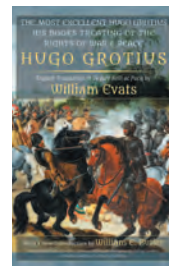
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ANNO DOMINI CCCXV.



Sanctus Sylvester, Rufini filius, Romanus, Sanctæ Romanæ Ecclesiæ Presbyter Cardinalis, Creatus quinto Kalend. Decembris, Anno Domini 315. Sedit annos 21, dies quatuor. Creavit Episcopos 65, Presbyteros 42, Diaconos 26. Constantinū in Magnum Imperatorem baptizavit, ab eoq; Italiæ domino donatus fuit. Obiit pridie Kalendas Ianuarij, anno 335. Eius corpus sepultum in cœmeterio Priscillæ, via Salaria, tertio ab Urbe milliario, postea translatus fuit ad Ecclesiā, ab ipso Sylvestro fundatā, sub titulo Equitij, nunc S. Sylvestri in Montibus, & sub altate maius reconditum. Vacavit Sedes dies 15.

MARCUS PONTIF. XXXV.
ANNO DOMINI CCCXXV.



Marcus Romanus, Prisci filius, Sanctæ Romanæ Ecclesiæ Diaconus Cardinalis, Creatus 17. Kalendas Februarij, Anno Domini 336. Vixit menses octo, dies viginti duos, creavit Episcopos quinque, Presbyteros septem, Diaconos quinque. Obiit eodem anno, nonis Octobris, Sepultus est in cœmeterio Balbinæ, via Ardeatinā, quod ipse construxerat. Vacavit Sedes dies viginti.

IVLIVS I. PONTIF. XXXVI.
ANNO DOMINI CCCXXVI.



Iulius Primus, Romanus, Sanctæ Romanæ Ecclesiæ Diaconus Cardinalis, à sancto Sylvestro factus, Creatus die 26. mensis Octobris, Anno Domini 336. Sedit annos quindecim, menses quinque, dies decem & septem. Creavit Episcopos novem, Presbyteros decem & octo, Diaconos tres. Obiit Romanæ, pridie idus Aprilis, Anno Domini 352. in cœmeterio Calepodij, tertio ab Urbe lapide sepultus. Vacavit Sedes dies viginti quinque.

LIBERIVS PONTIF. XXXVII.
ANNO DOMINI CCCCLII.



Liberius, Roman. Augusti filius S.R.E. Diac. Card. à beato Sylvestro Papa ordinatus. Creatus 8. Idus Maij, anno 352. Sedit annos 15, menses 4, dies 17. Creavit Episc. 19. Presb. 18. Diac. 5. Obiit Romæ 8. Kal. Octob. anno 367. Sepultus viā Salaria, in cœmeterio Priscillæ. Vacavit Sedes menses 4, dies 17. Schisma secundum in Romana Ecclesia inter Liberium Papam, & Felicem Antipapam.

Felix, Romanus, Pseudopontifex, Patre Anastasio, Diac. Card. Sedit contra Liberium, in exilium iussu Constantij Imperatoris electum, annum 1. mens. 3. dies 2. Eodem iubente Constantio, quem excommunicauerat, ceruice abscissa, si saluus vixit Pontifex, verus martyr occubuit.

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