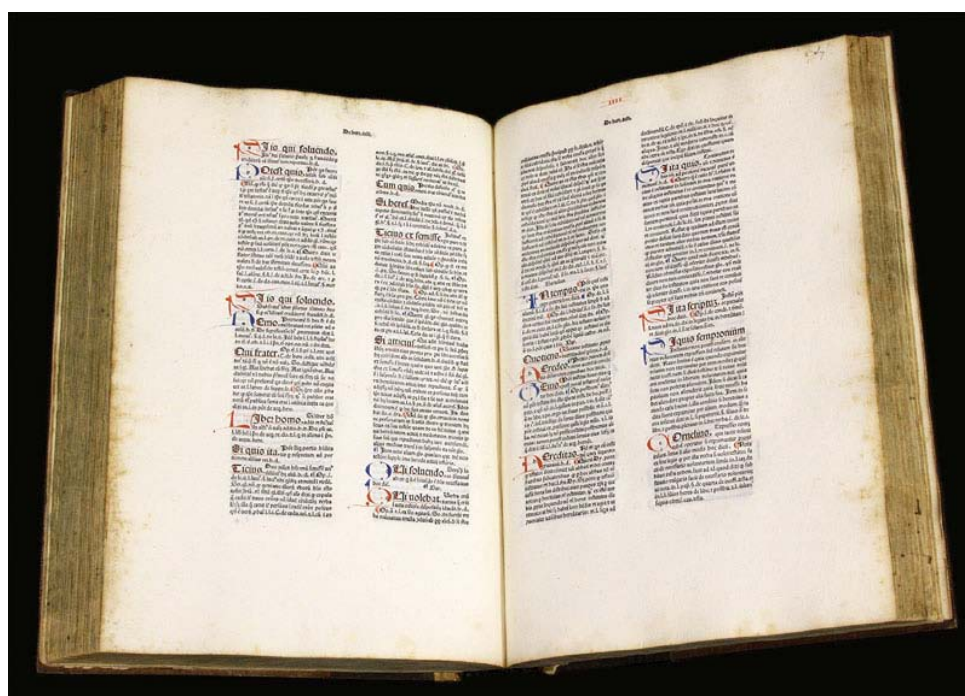


The Lawbook Exchange, Ltd.

On Display at the

Tokyo International Antiquarian Book Fair

5-7 March 2015



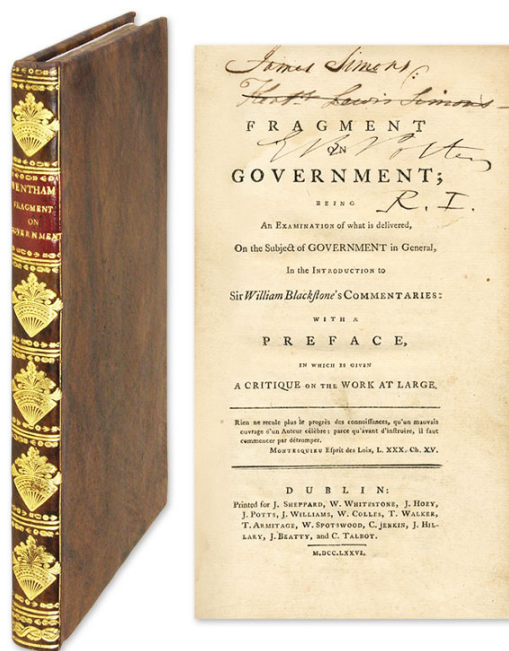
1478 Printing of Bartolus's Important Commentary on the First Part of the Digest

1. Bartolo of Sassoferrato [1314-1357].

[*Super Prima Parte Infortiati*]. [Venice, Nicholas Jenson, 28 March 1478]. Collation: a10, b-z8, A-C8, D-E6. 221 of 222 ff. Final leaf, a blank, lacking. Folio (16-1/2" x 11-1/4").

Contemporary quarter calf with blind tooling over wooden boards, raised bands and later hand-lettered title label to spine, clasps (and buckles) lacking. Several tiny wormholes, a few cracks to spine, chip to foot of spine, Signatures a and E6 partially detached, bookplate of Robert Proctor and bookseller description from the Rosenbach company to verso of front board, pastedowns lacking (or never present). Text printed in 60-line gothic type on wide-margined paper, initial spaces filled in alternate red and blue, most with flourishes, seven-line initial "Q" at beginning of text in red and blue with flourish in the margin, chapter numerals at head in red. Light toning to text, occasional discoloration to outer margins, minor worming in places. Contemporary (or early) manuscript table of contents to initial blank, annotations in similar hand to a few other leaves, interior otherwise clean. A handsome copy and a fine specimen of Jenson's Gothic typeface. \$30,000. ¥3,552,696

* Between 1250 and 1450 the Post-Glossators, a group of legal scholars and teachers in Italy, initiated the recovery of Roman law texts from the corruptions of the medieval Glossators. Their efforts to apply Roman law to the jurisprudence of their day also prepared the way for the natural law school of the seventeenth century and helped to lay the foundations of the modern state. The greatest member of this group was Bartolo of Sassoferrato. Better known as Bartolus, he was a practicing lawyer and professor at the University of Perugia. His unrivalled reputation derives from his enormous literary output, much of it dealing with the texts later collected as the *Corpus Juris Civilis*. He produced commentaries on most of these texts. The most notable are the ones dealing with the *Digest* and *Code*; all of them went through numerous editions and issues. *Super Prima Parte Infortiati* is a commentary on a group of books from the *Digest* concerning donations between husband and wife, divorce, curatorship, wills and testaments and trusts and legacies. (The Medieval Glossators divided the 50 books of the *Digest* into three parts: *Digestum Vetus*, I-XXIV, Title 2, *Infortiatum*, XXIV, Title 3-XXXVIII, and *Digestum Novum*, XXXIX-L.) Robert Proctor [1868-1903] was the bibliographer and book collector who established the "Proctor order" for cataloguing incunabula at the British and Bodleian Libraries. A note on the bookseller description shows he purchased this book on June 15, 1942. OCLC locates no copies of this imprint in North America. Goff, *Incunabula in American Libraries* B233. *Gesamtkatalog der Wiegendrucke* 3616.



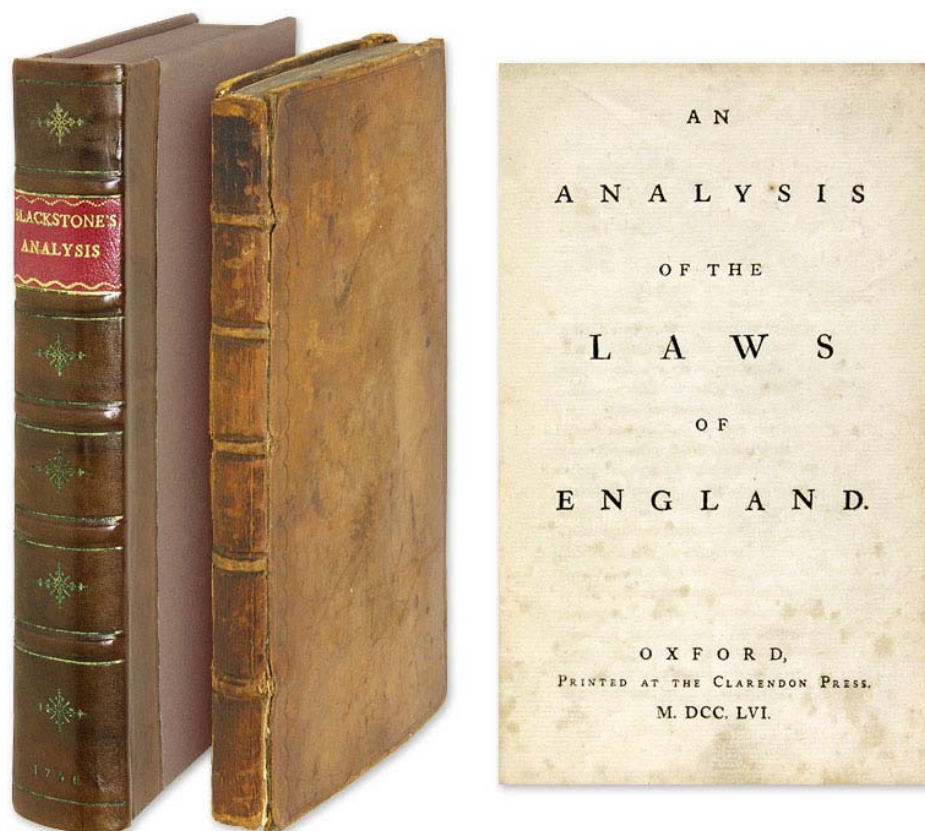
Rare First Irish Edition of Bentham's *Fragment on Government*

2. [Bentham, Jeremy (1784-1832)].

A Fragment on Government: Being an Examination of What is Delivered, On the Subject of Government in General, In the Introduction to Sir William Blackstone's Commentaries: With a Preface, In Which is Given a Critique of the Work at Large. Dublin: Printed for J. Sheppard, W. Whitestone, J. Hoey, J. Potts, J. Williams, J. Colles, T. Walker, T. Armitage, W. Spotswood, C. Jenkin, J. Hillary, J. Beatty, and C. Talbot, 1776. [ii], xli, [1], 132 pp. Octavo (8-1/4" x 4-3/4").

Recent period-style calf, gilt spine with lettering piece, endpapers renewed. Light toning, heavier in places, faint dampstaining to upper margins of text block in places. Early owner signatures to title page (of James Simons, Robert Lewis Simons and E. B. Potter, R.I.), interior otherwise clean. An appealing copy in an attractive binding. \$4,500. ¥532,963

* Rare first Irish edition of Bentham's first work and a masterly criticism of Blackstone's *Commentaries*. "As Bentham is one of the few English writers of mark upon the theory of political institutions, and as his doctrine forms a link in the chain of English political philosophy, we still read the "Fragment in government" in order to see, not how far Blackstone was wrong, but how far Bentham was right (Montague)." The work was the first indication of the genius which later made him the foremost writer in the field. Catherine Eller had not seen a copy at the time of her landmark comprehensive bibliography of Blackstone, she mentions it in a footnote. OCLC locates 6 copies in North America, 2 in law libraries (Baylor, Ohio State). Additional copies found at Yale Law School and the Library of Congress. The ESTC locates eight locations in the British Isles. Montague, "Introduction" in Bentham, *A Fragment of Government* (Oxford, 1891) 59. Not in Eller. Laeuchli, *A Bibliographical Catalog of William Blackstone* 577.



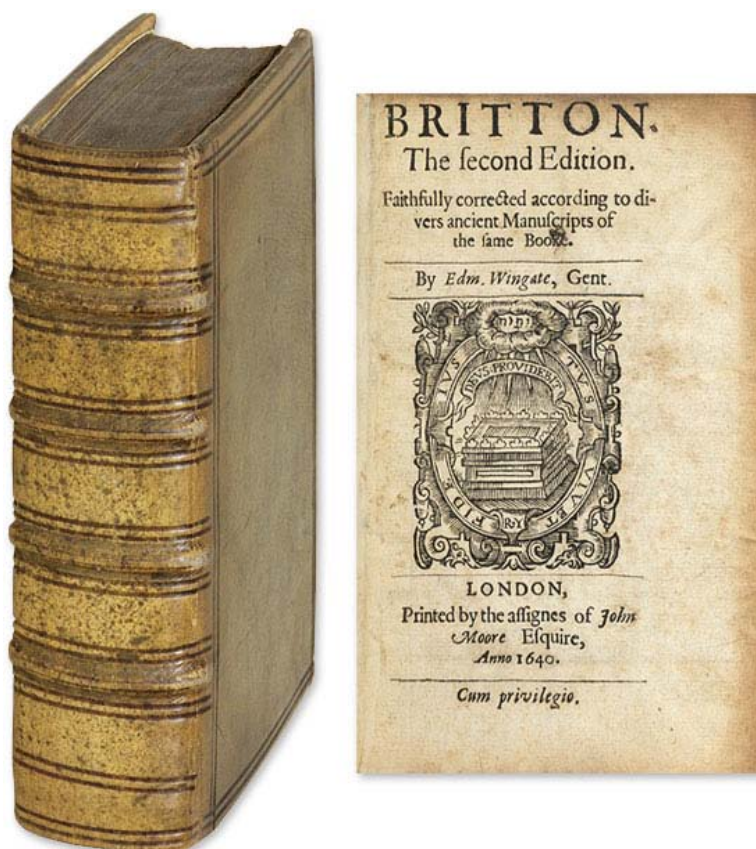
The Outline for Blackstone's *Commentaries*

3. [Blackstone, Sir William (1723-1780)].

An Analysis of the Laws of England. Oxford: Printed at the Clarendon Press, 1756. x, [iv], 180 pp. 2 copperplate tables, 1 folding. Octavo (7-3/4" x 5").

Contemporary calf, blind rules and fillets to boards, rebaked 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. ¥592, 159

* 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. *English Short-Title Catalogue* T56692. Eller, *The William Blackstone Collection in the Yale Law Library* 217. Laeuchli, *A Bibliographical Catalog of William Blackstone* 520.



The Best Edition of Britton

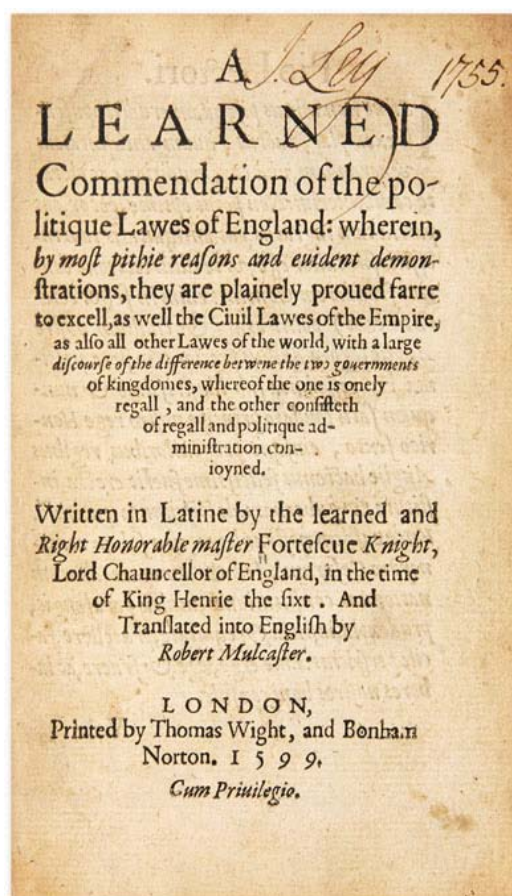
4. [Breton, John le (d. 1275), Attributed].

Wingate, Edm[und] [1596-1656], Editor.

Britton. The Second Edition. Faithfully Corrected According to Divers Ancient Manuscripts of the Same Booke. London: Printed by the Assignes of John Moore, 1640. [xv], 287, [21] ff. Octavo (5-3/4" x 3-1/2").

Recent period-style speckled calf, blind rules to boards, raised bands and blind rules to spine, endpapers renewed, other endleaves lacking, early armorial bookplate (of James Bengough of ye Inner Temple London Gent. 1702) to verso of title page. Some toning to text, light foxing in a few places, light foxing to title page, internally clean. A handsome copy. \$1,250. ¥147,981

* Second edition. Text in Law French, preliminaries and corrections in English. Along with *Fleta*, *Britton* is one of two significant law books produced during the reign of Edward I [1272-1307]. According to Francis Morgan Nichols, editor of the 3rd ed. (1865), it is a legal compilation with no known author, wrongly attributed to John Britton, or Le Breton, bishop of Hereford. The oldest English book in Law-French, it was probably a response to a wish of Edward I to produce a digest of the English law in the spirit of Justinian's *Institutes*. Book One outlines the authority of justices and officers and defines the nature of various personal pleas (including pleas of the crown). Book Two describes disseisins and their remedies. Book Three treats intrusions and their remedies. Book Four describes pleas relating to advowsons and the property of churches (and of attaints). Book Five outlines pleas of dower and entry. Book Six defines different kinds of proprietary actions. In all, this treatise offers an incomparable overview of British law during the medieval era. The first edition was issued was printed in 1540. As Wingate observes, it is "exceeding full of manifest imperfections," including the omission of an entire chapter (Advertisement [iii]). Wingate corrects these errors and supplies the missing chapter. (All of these improvements to the 1540 edition are listed in an appendix.) Copies on this title were found in the libraries of several discerning readers, such as Thomas Jefferson, who had a copy of the 1640 edition. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:52 (11). Sowerby, *Catalogue of The Library of Thomas Jefferson* 1773.

Well-Annotated 1599 Edition of Fortescue's *De Laudibus***5. Fortescue, Sir John [1394?-1476?].****Mulcaster, Robert [16th. c.], Translator.**

A Learned Commendation of the Politique Lawes of England: Wherein, By Moste Pitthy Reasons and Evident Demonstrations, They are Plainly Proved Farre to Excell, As well the Ciuil 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 Conjoyned. 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 with raised bands and lettering piece, 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. ¥532, 793

* Third edition with an English text. *De Laudibus Legum Angliae*, a history of English law, 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, *Legal Bibliography* 321. Beale, *A Bibliography of Early English Law Books* T359. *English Short-Title Catalogue* S102543.



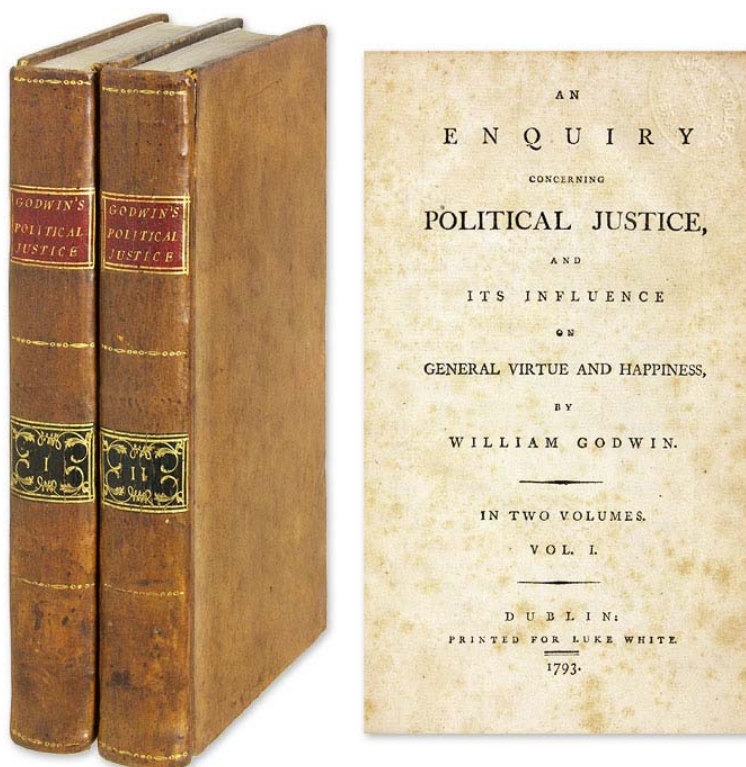
First Edition of the First English Legal Treatise

6. Glanville, Ranulf de [d. 1190], Attributed.

Tractatus de Legibus et Consuetudinibus Regni Anglie. Tempore Regis Henrici Secundi Compositus, Iusticie Gubernacula Tenente Illustri Viro Ranulpho de Glanuilla Iuris Regni & Antiquarum Consuetudinum eo Tempore Peritissimo. Et Illas Solu[m] Leges Continet et Consuetudines Secundum Quas Placitatur in Curia Regis ad Scaccarium et Coram Iusticiis Ubicunque Fuerint. Huic Adiectae Sunt a Quodam Legem Studioso Adnotationes Aliquot Marginales Inutiles. [London: In Aedibus Richardi Totteli, c.1554]. [iii], 5, 5-44, 43-113, [17] ff. (Fol. P8 a blank). Octavo (5-1/2" x 3-1/2").

Recent period-style calf, old calf covers with small central arabesques laid down, raised bands and gilt title to spine, endpapers renewed, title page mounted. Light toning to text, some staining to title page and another leaf, gutter of last leaf adhered slightly to facing endpaper just touching text, two small wormholes to upper margins with no loss to text, early annotations to head of title page and a few leaves. Ex-library. Small inkstamp to fol. 59. An attractive copy. \$12,500. ¥1,479,980

* First edition. As Winfield notes, the anonymous Latin text long attributed to Glanville (or Glanvill) is the "first classical textbook of English law." Completed around 1189, it describes the procedure of the King's Bench. There is much information pertaining to litigation and includes the texts of approximately eighty writs. Glanville was a major contribution to the development of the common law tradition. It continued to be a primary reference for several generations. Coke, for example, praised it wholeheartedly and used it liberally in his *Reports*. Though overshadowed by Bracton's larger treatise, Glanville is still cited today. It also remains useful for its unparalleled insights into the nature of land law and procedure in medieval England. *English Short-Title Catalogue* S102455. Beale, *A Bibliography of Early English Law Books* T365. Sowerby, *Catalogue of the Library of Thomas Jefferson* 1769.



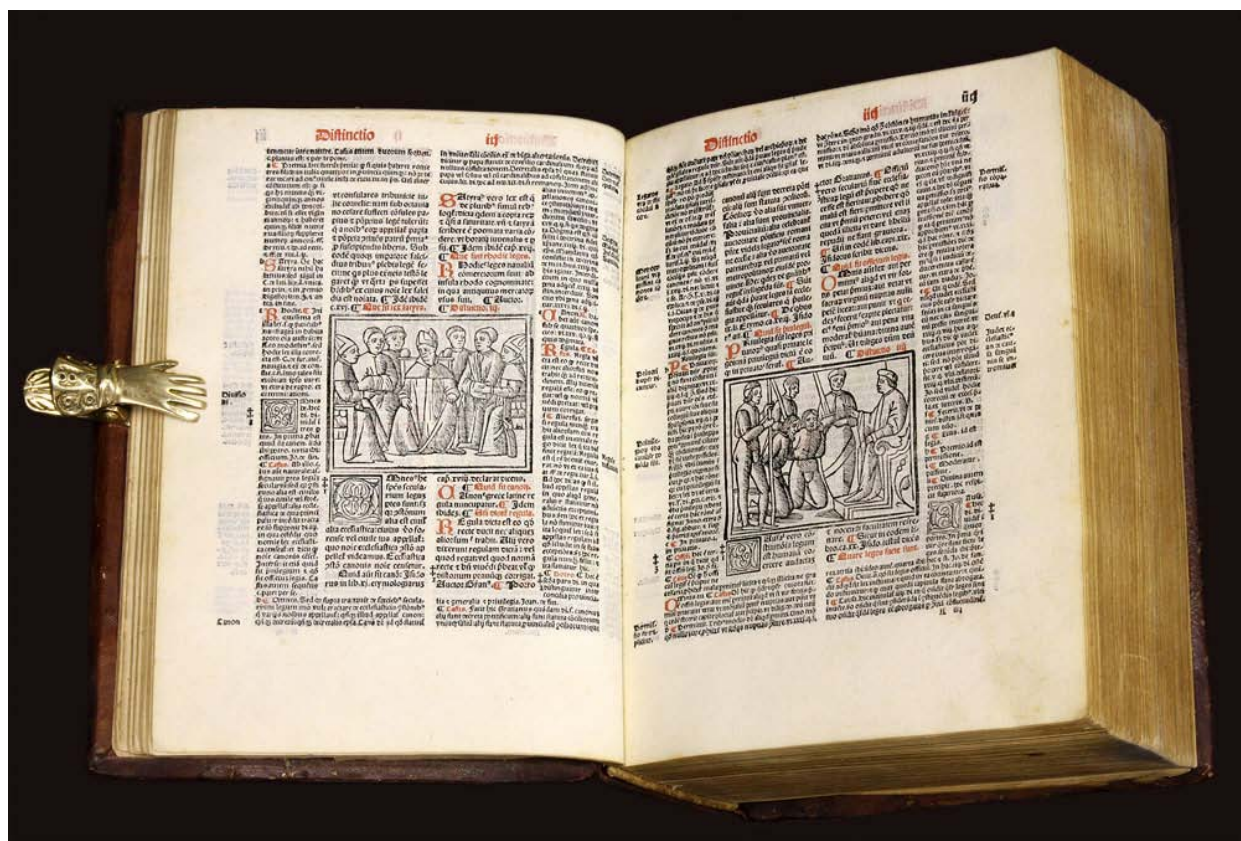
**A Landmark in the Development of Utilitarian, Socialist
and Anarchist Doctrine, Listed in *Printing and the Mind of Man***

7. 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. ¥219,055

* 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). *English Short-Title Catalogue* N6481.



Handsome Giunta Edition of the
Decretum Gratiani Illustrated with 130 Woodcuts

8. Gratian the Canonist [c. 1090-c. 1160].

Johannes Teutonicus (or Zeneka) [d.1253], Glossator.

Bartolomeo da Brescia (d.1258), Glossator.

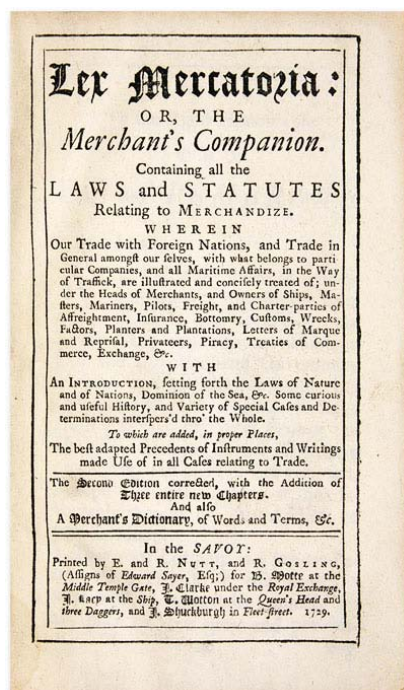
Martinus, Polonus [d. 1279], Margariti Decreti.

Joannes, Diaconus Hispanus, Flos Decreti.

Decretu[m] Gratiani Cu[m] Glossis D[omi]ni Joannis Theutonici Prepositi Alberstatensis [et] Annotationibus Bartholomei Brixienis, Divisionibus Archidiaconi, Casibus a Bene. So[m]positis per Bart. Brixii. 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").

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, faint dampstaining to portions of text, foxing in a few places, light browning to a few leaves. Brief early annotations 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. ¥710,449

* 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). *Censimento Nazionale Delle Edizioni Italiane del XVI Secolo* CNCE 13367.



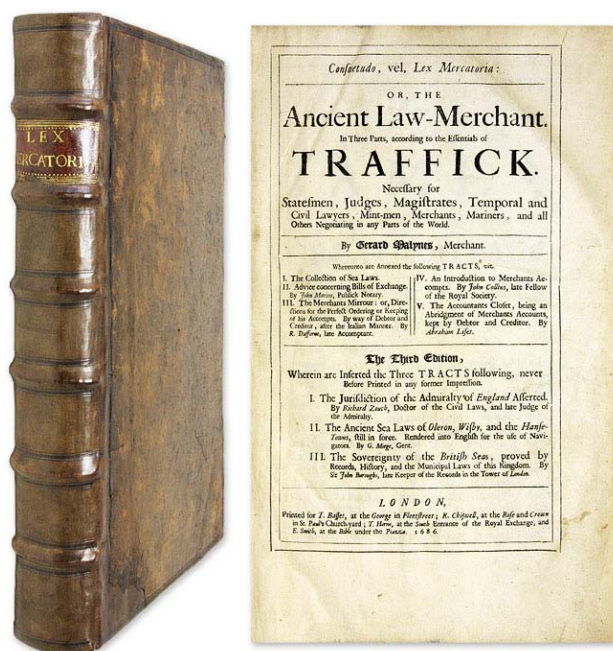
With A "Merchants's Dictionary of Words and Terms"

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

Lex Mercatoria: Or, The Merchant's Companion. Containing all the Laws and Statutes Relating to Merchandize. Wherein Our Trade with Foreign Nations, and Trade in General Amongst Our Selves, With What Belongs to Particular Companies, and all Maritime Affairs, in the way of Traffick, are illustrated and Concisely Treated of; Under the Heads of Merchants, and Owners of Ships, Masters, Mariners, Pilots, Freight, and Charter-Parties of Affreightment, Insurance, Bottomry, Customs, Wrecks, Factors, Planters and Plantations, Letters of Marque and Reprisal, Privateers, Piracy, Treaties of Commerce, Exchange, &c. With an Introduction, Setting Forth the Laws of Nature and of Nations, Dominion of the Sea, &c. Some Curious and Useful History, and Variety of Special Cases and Determinations Interspers'd Thro' the Whole. [London]: Printed by E. and R. Nutt [et al.] for B. Motte [et al.], 1729. [x], 404, [12] pp. Octavo (7-1/2" x 5").

Recent period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed, colored edges. Light toning to text, internally clean. A notably handsome copy. \$1,750. ¥207,218

* Second and final edition, "Corrected, with the Addition of Three Entire New Chapters. And Also A Merchant's Dictionary, of Words and Terms, &c." Jacob, best-known for his *New Law-Dictionary*, was the most prolific English legal writer of the eighteenth century. Although he was interested in boosting sales by attracting the widest audience possible, Jacob was also an idealist who believed that widespread knowledge of the law would help create a more just society. This is the goal of *Lex Mercatoria* (1718) and several other publications, such as *Every Man His Own Lawyer* (1736) and *Treatise of Laws* (1721). Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:522 (46). *English Short-Title Catalogue* T137820.



Fascinating 1686 Collection of Merchant and Maritime Laws

10. Malynes, Gerard [fl. 1586-1641], Principal Author.

Consuetudo, Vel, Lex Mercatoria: Or, The Ancient Law-Merchant. In Three Parts, According to the Essentials of Traffick. Necessary for Statesmen, Judges, Magistrates, Temporal and Civil Lawyers, Mint-Men, Merchants, Mariners, And All Others Negotiating in Any Parts of the World. Whereunto are Annexed the Following Tracts, Viz. I. The Collection of Sea Laws. II. Advice Concerning Bills of Exchange. By John Marius. III. The Merchants Mirrour: Or, Directions for the Perfect Ordering or Keeping of His Accompts. By Way of Debtor and Creditor, After the Italian Manner. By R. Dassorne. IV. An Introduction to Merchants Accompts. By John Collins. V. The Accountants Closet, Being an Abridgement of Merchants Accounts, Kept by Debtor and Creditor. By Abraham Liset. Wherein are Inserted the Three Tracts Following, Never Before Printed in Any Former Impression. I. The Jurisdiction of the Admiralty of England Asserted. By Robert Zouch. II. The Ancient Sea Laws of Oleron, Wisby, And the Hanse-Towns, Still in Force. Rendered Into English for the Use of Navigators. By G. Miede. III. The Sovereignty of the British Seas, Proved by Records, History, and the Municipal Laws of This Kingdom. By Sir John Burroughs. London: Printed for T. Basset, At the George in Fleetstreet; R. Chiswell, At the Rose and Crown in St. Paul's Church- Yard; T. Horne, At the South Entrance of the Royal Exchange, And E. Smith, At the Bible Under the Piazza, 1686. Nine works in one with separate paginations and title pages (with various dates and imprints), first work preceded by general title page. [xvi], 340, 2; 43-78; [vi], 42; [xx], 54, [298]; [124]; [112]; [viii], 87-130; 28; 22 pp. First and final leaves blank. Complete as issued. Folio (13-1/4" x 8-1/4").

Contemporary calf, blind rules to boards, rebacked, raised bands to spine, earlier lettering piece retained, marbled edges, hinges mended, eighteenth-century armorial bookplate of Brice Fisher to front pastedown. Moderate toning to text, occasional faint dampspotting to margins, spark burns to a few leaves, corner of one leaf repaired restoring minor loss to text, internally clean. A handsome copy. \$4,500. ¥532,762.

* Third and final edition, one of (at least) two issues from 1686. Also known as the law merchant, consuetudinary law or, somewhat anachronistically, commercial law, *lex mercatoria* is a system of customary law that developed in Europe during the middle ages to regulate the dealings of mariners and merchants. The earliest significant compilations are the eleventh-century Rules of Oleron, the Laws of Wisby and the Hanseatic Laws of the Sea. Although *lex mercatoria* fell out of use during the seventeenth century, many of its principles were incorporated into the common law. They would later provide the foundation of the (U.S.) Uniform Commercial Code. Malynes' *Consuetudo* was the final significant contribution to this field. (Beawes's *Lex Mercatoria Rediviva* (1752) was an attempt to revive it.) Malynes was a commissioner of trade in the Low Countries and was frequently consulted by the Privy Council during the reigns of Elizabeth and James, a dynamic period of commercial expansion and colonization. He was one of the first writers on business practice, economic affairs and foreign exchange. These interests are explored at length in this collection, both in Malynes's treatise and the texts by Marius, Dassorne, Collins and Liset. This volume also includes a collection of sea laws and two works on international law by

Richard Zouch and John Burroughs. These assert the thesis expounded by John Selden in *Mare Clausum* (1635). Taken together, this volume provides a broad holistic view of *lex mercatoria* during its final maturity. The first edition was published in 1622, later editions and issues in 1629, 1636, 1656 and 1685. Our 1686 copy, designated the third edition, is one of four variants of the 1686 edition we have examined. The ESTC lists two from 1686, which have somewhat different collations. Fisher was a Member of Parliament and merchant who owned land in South Carolina and Georgia. See *English Short-Title Catalogue* R229419, R24438. Canney and Knott, *Catalogue of the Goldsmiths' Library* 2639. Institute of Chartered Accountants in England and Wales, *Historical Accounting Literature* 73.



Important Early Treatise on Maritime Law

11. 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, rebacked 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. ¥118,388

* 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 and Literature of English Law* 210. *English Short-Title Catalogue* R32101. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:511 (64).



With a Full-Page Allegorical Frontispiece by Albrecht Dürer

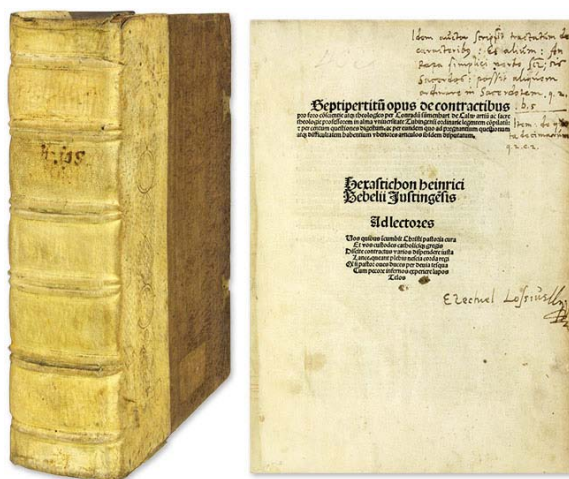
12. [Nuremberg].

[Dürer, Albrecht (1471-1528)].

Reformation der Stat Nuremberg. [Nuremberg: Fridrichen Peypus, 1522]. [xxxvi], 30, 208 ff. Folio (12" x 8").

Contemporary panel-stamped reversed calf (with traces of gilt stamping), early repairs to spine ends, clasps present and intact, endpapers renewed at some point. Some rubbing to extremities, chipping to head of spine, a few scuffs and stains to boards, small crack to front joint, rear hinge cracked due to worming, minor worming to fol. 208. Allegorical frontispiece by Dürer featuring Lady Justice and a female figure representing charity, attractive woodcut decorated initials throughout. Light toning to text, some leaves lightly browned, faint stains and foxing to a few leaves, wide margins. "1522/ jahre" to title page in near-contemporary hand, interior otherwise clean. \$18,000. ¥2,130,984

* First edition. Nuremberg was the center of the Renaissance in Germany and was its leading cultural and intellectual center until the end of the sixteenth century. These qualities are reflected in the contents and design of this volume. The *Reformation*, or civic legal code, of Nuremberg is known for its humanistic orientation, straightforward language and elegant production. It revised the code enacted in 1498. The 1522 issue by Peypus is notable for its splendid full-page frontispiece by the great Nuremberg artist Albrecht Dürer, which was originally issued as an independent print in 1521. The bottom half depicts two putti displaying the arms of the city and empire. The upper half depicts Lady Justice, holding scales and a sword, and a female figure representing charity, who is pouring coins from a purse and opening her bodice to bear her heart, which is represented by a flame. The woodcut initials are finely carved and possibly the work of Dürer or his workshop. OCLC locates 4 copies in North America, 1 in a law library (Harvard). *Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 16. Jahrhunderts* N2027. Meder, *Dürer-Katalog* 285



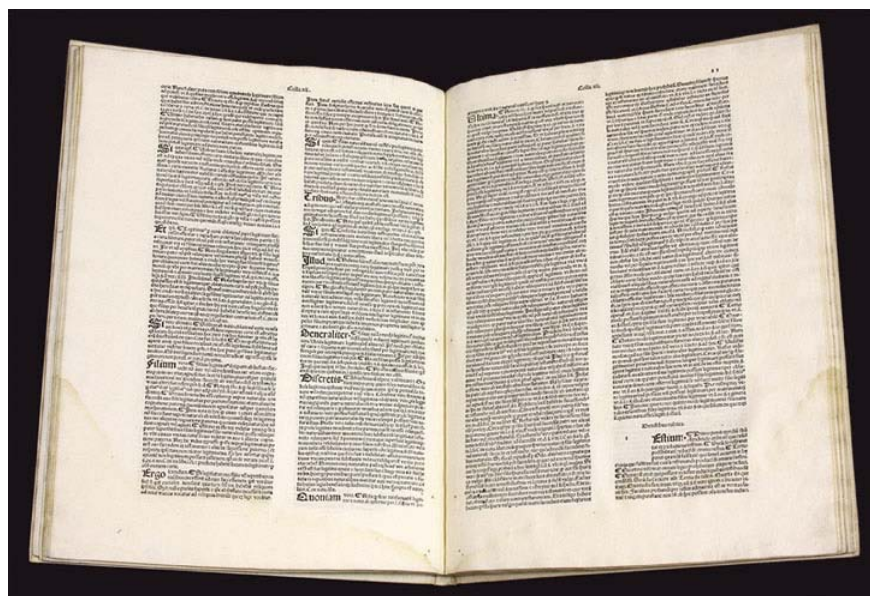
A Path-Breaking Treatise on Contracts and Usury

13. Summenhart, Konrad [1465-1511].

Septipertitū[m] Opus de Contractibus Pro Foro C[on]scientie Atq[ue] Theologico P[er] Conradu[m] Su[m]menhart de Calwartiu[m] ac Sacre Theologie P[ro]fessorem in Alma Universitate Tubingensi Ordinarie Legentem Co[m]pilatu[m] et per Centum Questiones Digestum ac per Eundem Quo ad Pregnantium Questionum At[que] Difficultatem Habentium Ueberiores Articulos Ibidem Disputatum. Haguenau: Heinrich Gran for Johannes Rynman, 13 October 1500. Collation: AA-BB8, CC6, DD-EE8, a-b8, c-d6, e8, f6, g8, h-i6, k-l8, m6, n-r8, s10, t6, v8, x-z6, aa-bb6, cc4, dd-ff6, gg8, hh-ll6, A-C6, D-H8, I10, K8, L12, M8, N-P6, Q8, R6, S-V8, X-Y6. 434 ff. Complete. Text in parallel columns. Thumb-tabbed. Folio (11" x 8").

Contemporary quarter blind-tooled pigskin over wooden boards, raised bands and faint later hand-lettered title label to spine, early hand lettered titles to top and fore-edge of text block, clasps (and buckles) lacking. Some wear to extremities, spine ends bumped, joints cracked. Text printed in 51-line Gothic type on wide-margined paper. Moderate toning to text, faint dampspotting in places, one thumb-tab torn away with small loss to margin, lower corners of Signature D trimmed with no loss to text, faint dampstaining to outer margins in a few places. Early annotations to title page and a few other leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy of a scarce title. \$23,000. ¥2,722,771

* Second edition. First published in 1497, this comprehensive treatise examines the nature of contracts under Roman law, canon law and Catholic doctrine using the methods of casuistic moral theology. It is a landmark work because it was the first work to offer a comprehensive and systematic attack on the prohibition of Usury. "Summenhart's contribution was twofold: first, in enormously widening all the possible exceptions to the usury prohibition, i.e. the *census* and *lucrum cessans*; and second, in launching a blistering direct assault on all the time-honoured arguments against whatever usury contracts remained. On the first, Summenhart developed the argument for insured or guaranteed partnerships far more subtly and extensively than before. He also widened the *lucrum cessans* exception far more than anyone else had ever done. Money is fruitful, Summenhart declared boldly, it is the merchant's tool, which he can make fruitful by the use of his labor. Consequently, the merchant should be compensated for loss of the use of his money just as a farmer should be recompensed for the loss of his fields" (Rothbard). OCLC locates 8 copies of this imprint in North America (Columbia, Columbia Law School, Harvard, Huntington Library, Mt. Angel Abbey, NY Public Library, UC-Berkeley Law School, University of Pennsylvania). Rothbard, *An Austrian Perspective on the History of Economic Thought* 91. Goff, *Incunabula in American Libraries* S863. *Gesamtkatalog der Wiegendrucke* M44538.



A Notable Commentary of the *Authentica*

14. Ubaldus, Angelus de [c.1327-1400].

[*Super Authenticis*]. [Venice: Baptista de Tortis, 3 March 1489]. Collation: a-e8. 39 of 40 ff. Folio a1, a blank, lacking. Text in parallel columns. Folio (15-1/2" x 11-1/2").

Recent paper-covered boards (illustrated with copies of unrelated incunable leaves), endpapers renewed. Light soiling, corners and spine ends bumped. Text printed in 83-line Gothic type, guide spaces blank. Some toning, light soiling to first leaf, faint dampstaining to foot of text block reaching into text, minor worming to some leaves, first leaf (a2) dust-soiled, fol. b1 mounted on stub, internally clean. Ex-library. Bookplate to front pastedown. A solid copy. \$9,500. ¥1,124,665

* Angelus de Ubaldus, a renowned jurist, was almost as highly regarded as his brother, Baldus de Ubaldus. First published in 1474, the *Super Authenticis*, also known as the *Lectura de Authenticis*, a commentary on the *Authentica*, a collection of 134 constitutions of Justinian, later included in the *Novels* of the *Corpus Juris Civilis*. It was believed to be a collection intended for Byzantine Italy, but this assumption is doubted today. Ubaldus's commentary was highly regarded; it went through at least 12 editions before 1500. Today, all editions are scarce. OCLC locates no copies of this imprint in North America. However, the GW locates copies at the University of Michigan Law School and the Walters Art Museum, Baltimore. Goff, *Incunabula in American Libraries* U10. *Gesamtkatalog der Wiegendrucke* M48377.

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