

CORPUS JURIS CIVILIS:

Editions, Commentaries & Related Works

May 26, 2015



THE
LAWBOOK EXCHANGE
LTD.

The Lawbook Exchange, Ltd.

Books of the *Corpus Juris Civilis*:
Editions, Commentaries and Related Works

26 May 2015



Three Scarce Titles by Alciati, Including a Collection of Consilia Relating to Duelling

1. Alciati, Andrea [1492-1550].

In Digestorum Seu Pandectarum Librum XII qui De Rebus Creditis Primus est, Rubric. Si Certum Petatur, Commentarius: Longe Doctissimus Atque Utilissimus: Una cum Vocum ac Rerum Toto hoc in Libro Notabilium Indice Diligentissimo. Lyons: Apud Iacobum Giunta, 1546. 387, [21] pp.

[Bound with]

Alciati, Andrea.

Parerga: Andreae Alciati Iurisconsulti Mediolanensis PARERGON Iuris Libri Tres, Cum Argumentis Capitum in Eisdem, & Indice Vocum, Rerum, Autoritatum, & Locorum Notatu Dignorum. Lyons: Apud Iacobum Giunctam, 1539. [xxxii], 190 pp.

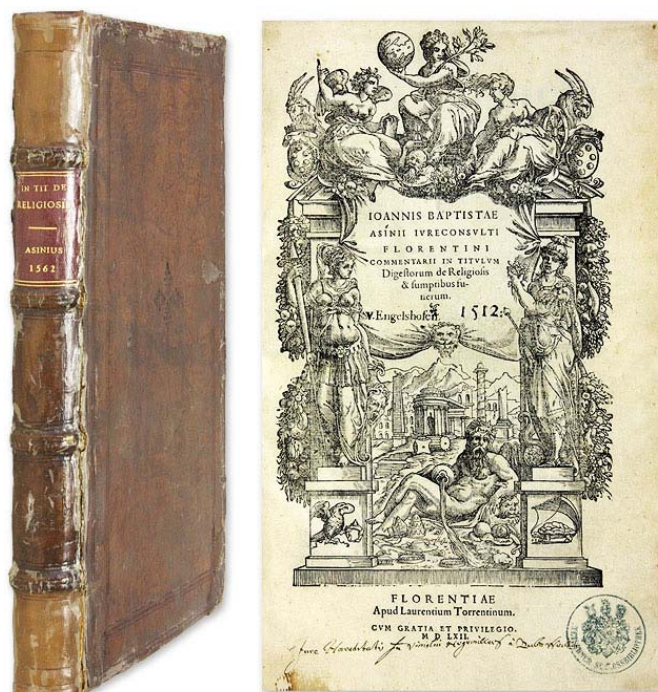
[And]

Alciati, Andrea.

De Singulari Certamine Liber: Eiusdem Consilium in Materia Duelli, Exceptum ex Libro Quinto Responsorum. Lyons: Apud Theobaldum Paganum, 1545. 111, [1] pp.

Octavo (6-1/4" x 4-1/4"). Contemporary limp vellum with lapped edges, early hand-lettered titles to spine, top edge and front cover, ties lacking. Light soiling, rubbing to extremities with minor wear around spine ends and corners, vellum just beginning to crack through pastedowns. Attractive woodcut printer devices, colophons and decorated initials. Toning and light browning in places, early owner initials to title page of first title, interior otherwise clean. \$3,000.

* Fourth, second and third editions respectively. The first title is a commentary on the *Digest*, Book XII, Title 1: "Things Credited Giving Rise to Fixed Claims and the *Condictio*." *Parergon* is a collection of "thought pieces" on miscellaneous topics in Roman law. The final volume is a collection of consilia on matters relating to dueling. It is derived from his *Responsa*, a multi-part collection of consilia on different topics. All editions of these titles are scarce. *Digestorum*: OCLC locates 3 copies; *Parerga*: OCLC locates 6 copies. Both of these imprints not listed in Adams, Roberts or the *British Museum Catalogue*; *Singulari*: OCLC locates 3 copies of this edition. Pazzolini & Hawks, *Consilia* A-9.



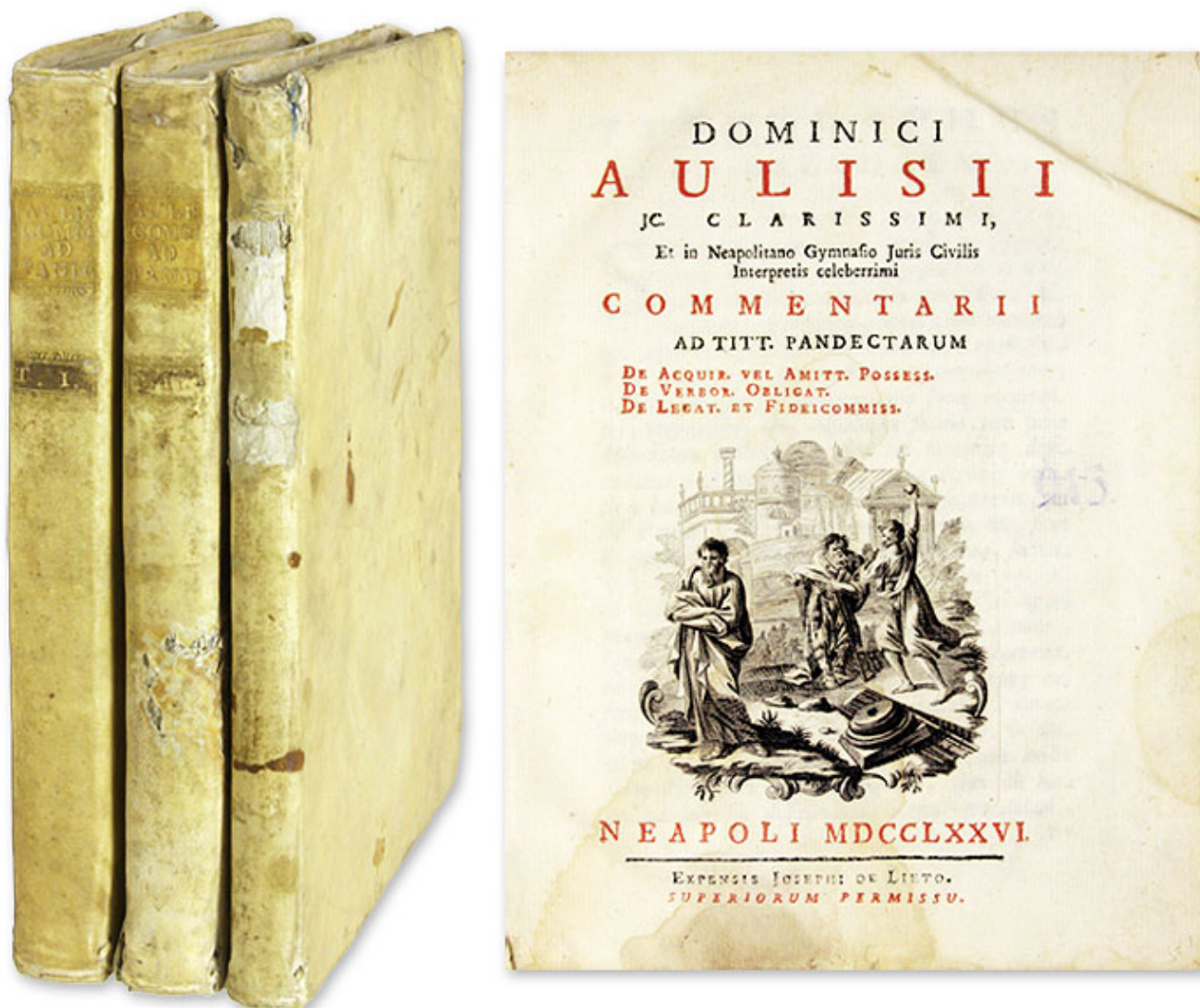
Funeral Rites and Burials

2. Asinio, Giovanni Battista [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). *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE3262.



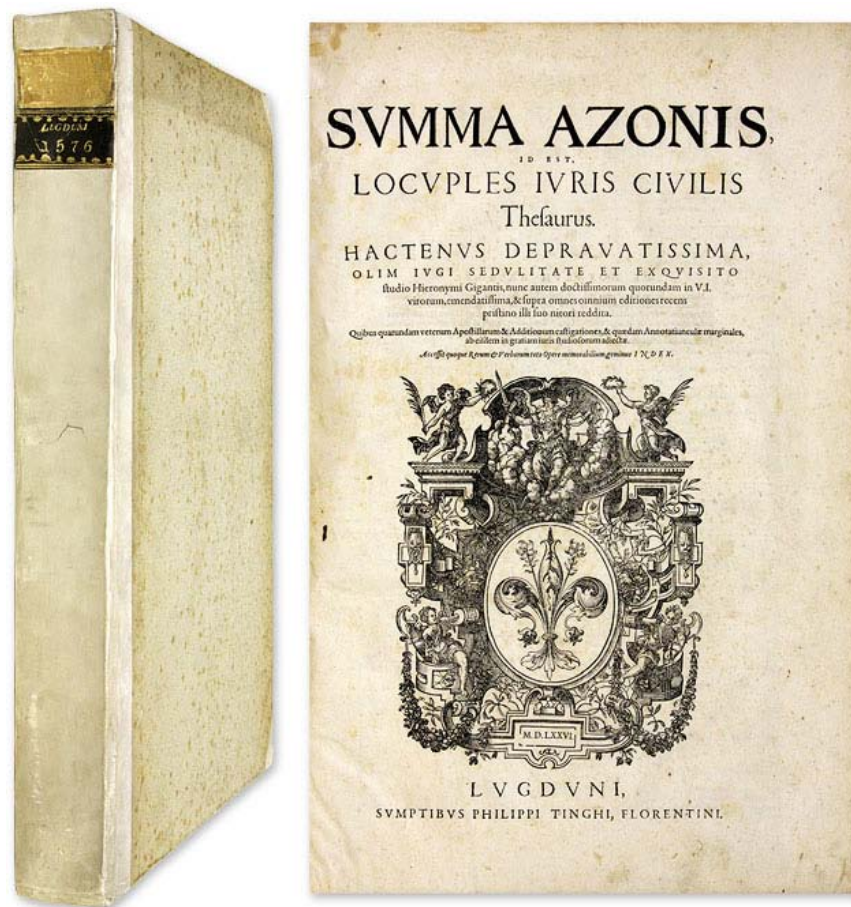
Scarce Commentary on Titles of the *Digest* by an Important Neapolitan Jurist

3. Aulio, Domenico [1649-1717].

Commentarii ad Titt. Pandectarum De Acquir. Vel Amitt. Possess. De Verbor. Obligat. De Legat. Et Fideicommiss. Naples: Expensis Josephi de Lieto, 1776. Three volumes. Main text in parallel columns. Quarto (9-1/2" x 7-1/2").

Contemporary vellum, gilt-framed colored title panels to spines. Some rubbing and soiling and minor stains, corners lightly bumped, chips to head and center of spine of Volume II, minor worming to boards of Volumes I and III, a few endleaves lacking, some hinges cracked, a few cracks to text blocks. Large copperplate vignettes to title pages, that of Volume I printed in red and black. Moderate toning, occasional faint dampstaining and worming to margins, light foxing in a few places, internally clean. A solid copy of a scarce title. \$1,500.

* Second and final edition. Much larger than the two-volume first edition (1719-20), also quarto-sized. This is an interesting commentary on the titles of the *Digest* on matrimony, credit, mortgages and commercial transactions. The editor of this edition is unknown, and Aulio was a professor of law at the University of Naples and an associate of Giambattista Vico. He was a prolific author on a variety of legal subjects. OCLC locates 3 copies of the first edition and 3 copies of the second in North America (Harvard Law School, Library of Congress, UC-Berkeley Law School, first, Harvard Law School, University of Chicago, University of Michigan Law School, second). This edition not in the *British Museum Catalogue*.



Azo's Great *Summa*

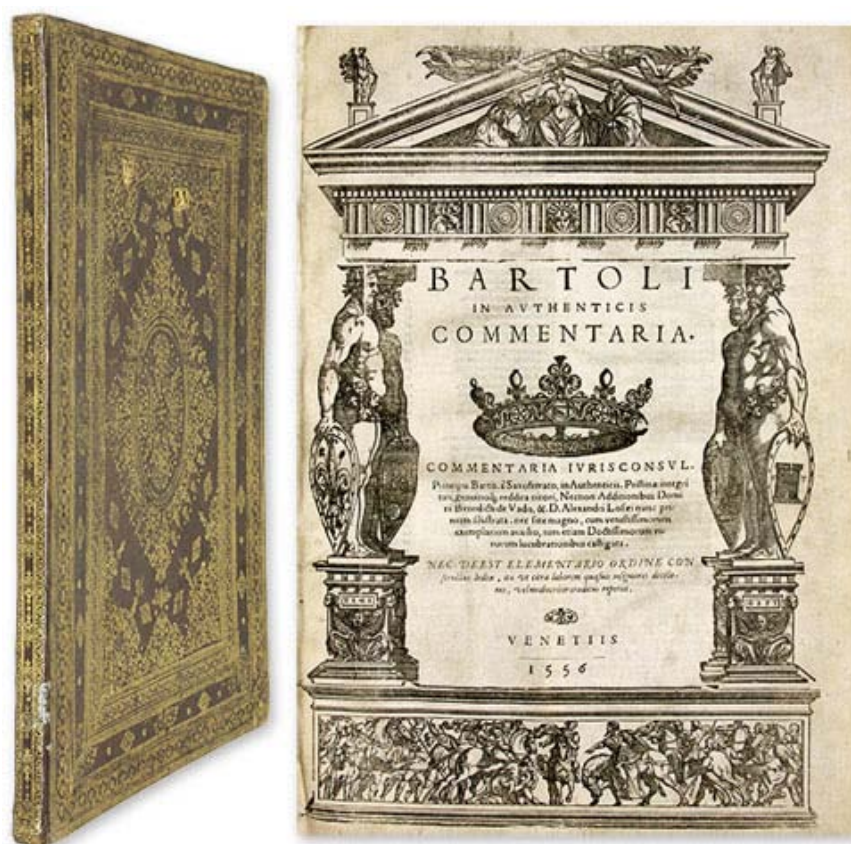
4. Azo, Portius [fl. c. 1150-1230].

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 Sui Nitore Reddita. Quibus Quarundam Veterum Apostillarum & Additionum Castigationes, & Quaedam Annotatiunculae Marginales, Ab Eisdem in Gratiam Iuris Studiosum Adiectae. Accessit Quoque Rerum & Verborum toto Opere Memorabilium, Geminus Index. 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. \$2,000.

* 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 Juris 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 *Universal Short-Title Catalogue*.



Handsomely Bound Edition of Bartolus's Commentary on the *Authenticus*

5. Bartolo of Sassoferrato [1314-1357].

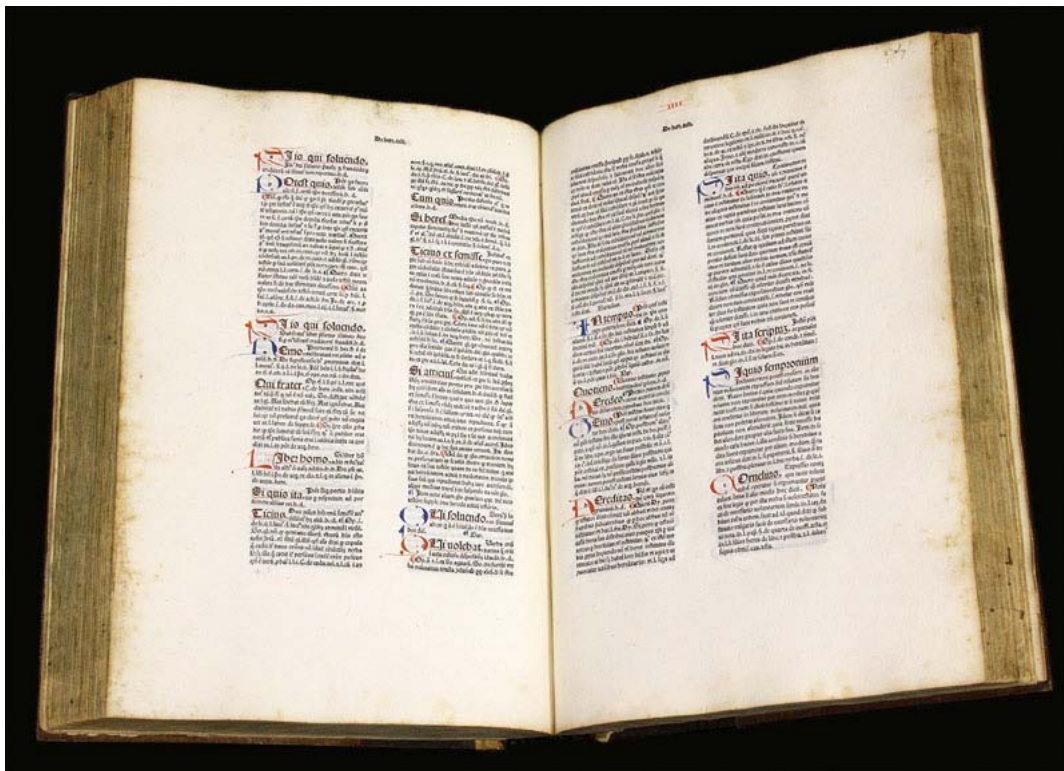
Loseo, Alessandro [1514-1571], Editor.

Vadi, Benedetto [16th. c.], Editor.

In Authenticis Commentaria, Necnon Additionibus Domi Benedicti de Vadis, & D. Alexandri Losaei. Nec Deest Elementario Ordine Constructus Index, Ita ut Citra Laborem Quasuis Insigniores Decisiones, Vel Mediocriter Eruditus Reperiet. Venice: [Ex Officina Coronae: Haer. Lucantonio I Giunta & Gabriele Giolito De Ferrari & Haer. Ottaviano I Scoto & Federico Torresano], 1556. Main text in parallel columns with side-notes. 66 ff. Folio (15-1/4" x 10-1/2").

Later calf with elaborate gilt tooling to boards and spine, gilt edges. Light rubbing to extremities, two small scuffs to front board, corners bumped and lightly worn, front board somewhat bowed, later armorial bookplate to front pastedown. Title printed within ornate architectural border, woodcut decorated initials, main text printed in rounded Gothic type. Light toning to text, foxing and spark burns to a few leaves, internally clean. A handsome volume. \$3,500.

*Later edition. 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 Bartolus, 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. *In Authenticis Commentaria* discusses the *Authentica*, a collection of 134 constitutions of Justinian, later included in the Novels of the *Corpus Juris Civilis*. It was thought to be a collection intended for promulgation in Byzantine Italy, but this is doubted today. No copies of this imprint listed on OCLC. *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE 4380.



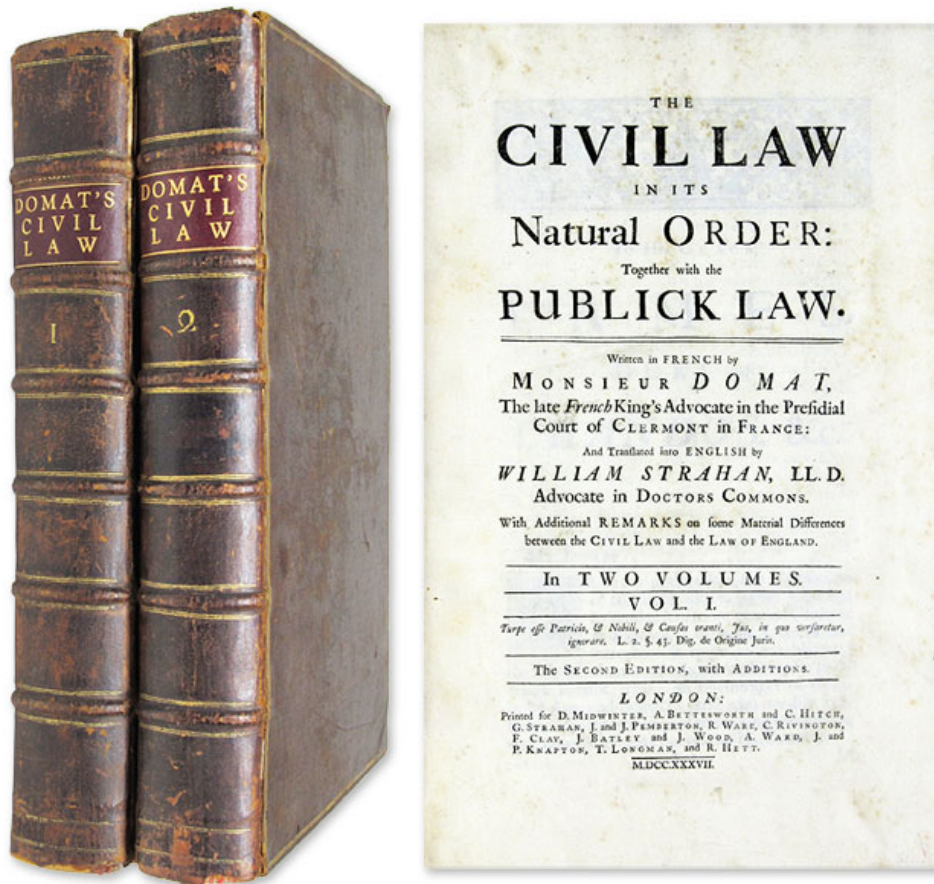
1478 Printing of Bartolus's Important Commentary on the First Part of the Digest

6. Bartolo of Sassoferrato.

[*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.

* 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.



Important English Translation of Domat's Great Study of the Civil Law

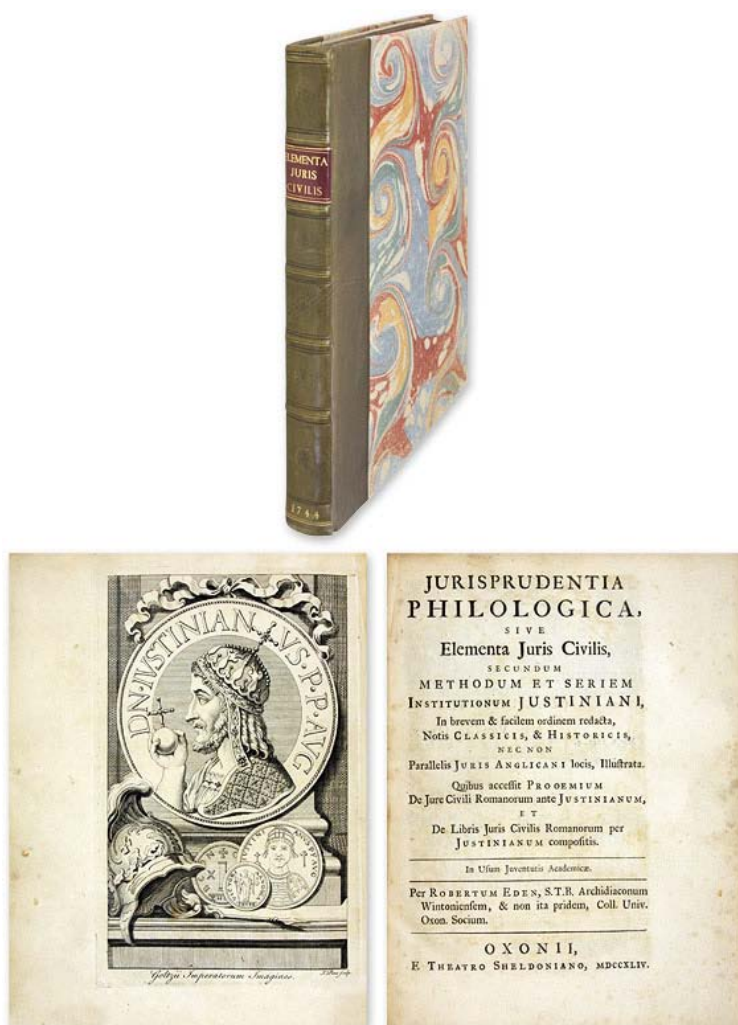
7. Domat, Jean [1625-1696].

Strahan, William, Translator.

The Civil Law in Its Natural Order: Together with the Publick Law. Written in French by Monsieur Domat: And Translated into English by William Strahan, LL.D. With Additional Remarks on Some Material Differences Between the Civil Law and the Law of England. London: Printed for D. Midwinter [et al.], 1737. Two volumes. xcix, [i], 670; [ii], 676, [28] pp. Main text in parallel columns. Folio (13-1/2" x 8-1/2").

Contemporary calf, gilt rules to boards, raised bands and recent period-style lettering pieces to spines. Moderate rubbing with some wear to spine ends and corners, boards beginning to separate (but secure), front free endpaper of Volume I partially detached, following endleaf completely detached, armorial bookplate (Viscount Dorone) to pastedowns of both volumes. Some toning to text, heavier toning and light foxing in places, internally clean. A handsome copy. \$1,250.

* Second English edition, "with additions." Domat's Civil Law is a great work that combines the materials of Roman and French law into a single system and places it on a foundation of ethical principles. "The Civil Law in its Natural Order, considering the age and the circumstances in which it was written, is a truly wonderful performance. His method is excellent, and his matter clear, exact, and comprehensive. Pothier, and other continental jurists, have drawn largely upon him to assist their own labors" (Marvin). Holdsworth says this edition is better than Wood's incomplete 1705 translation. "Strahan's translation...is a very much more considerable book, both as a book on Roman law, and, by reason of the translator's notes, as a book on comparative law.": Holdsworth, *History of English Law* XII:428. Marvin, *Legal Bibliography* 271. *English Short-Title Catalogue* T96069.



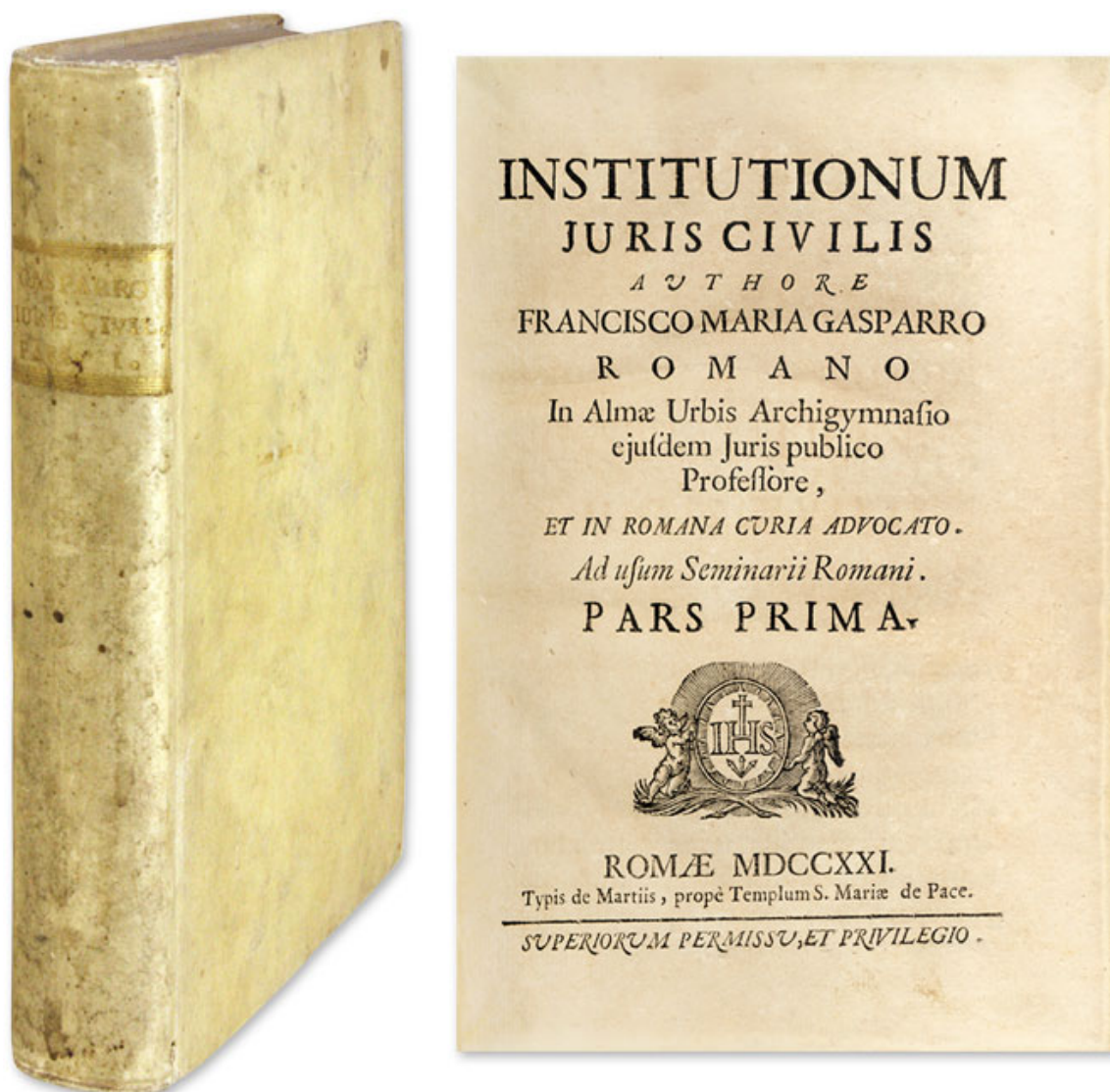
An Interesting, and Notable, Eighteenth-Century Example of Comparative Law

8. Eden, Robert [1701-1759].

Jurisprudentia Philologica, Sive Elementa Juris Civilis, Secundum Methodum et Seriem Institutionum Justiniani, In Brevem & Facilem Ordinem Redacta, Notis Classicis, & Historicis, Nec non Parallelis Juris Anglicani Locis, Illustrata. Quibus Accessit Prooemium de Jure Civili Romanorum ante Justinianum, Et de Libris Juris Civilis Romanorum per Justinianum Compositis. In Usum Juventutis Academicæ. Oxford: E Theatro Sheldoniano, 1744. xx, 307 pp. Copperplate portrait frontispiece. Quarto (9-1/2" x 7-1/2").

Recent period-style quarter calf over marbled boards, raised bands, blind ornaments and lettering piece to spine, endpapers renewed. Light toning, somewhat darker in places, occasional faint dampspotting, blank rear endleaf detached and somewhat edgeworn. Attractive copperplate vignette at head of dedication. Later owner signatures (Geo B Young/ Oct 21 1862) to verso of frontispiece, another signature (of Young) to rear endleaf, interior otherwise clean. \$1,250.

* Only edition. Text in Latin. An interesting work of comparative law, Eden's textbook presents an annotated summary of Roman law arranged in the order of Justinian's *Institutes* with references to parallel rules in English law. Eden was archdeacon of Winchester. Holdsworth includes this book in short list of notable eighteenth-century titles on Roman law. Holdsworth, *A History of English Law* XII:641. Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 5:133. *English Short-Title Catalogue* T106360.



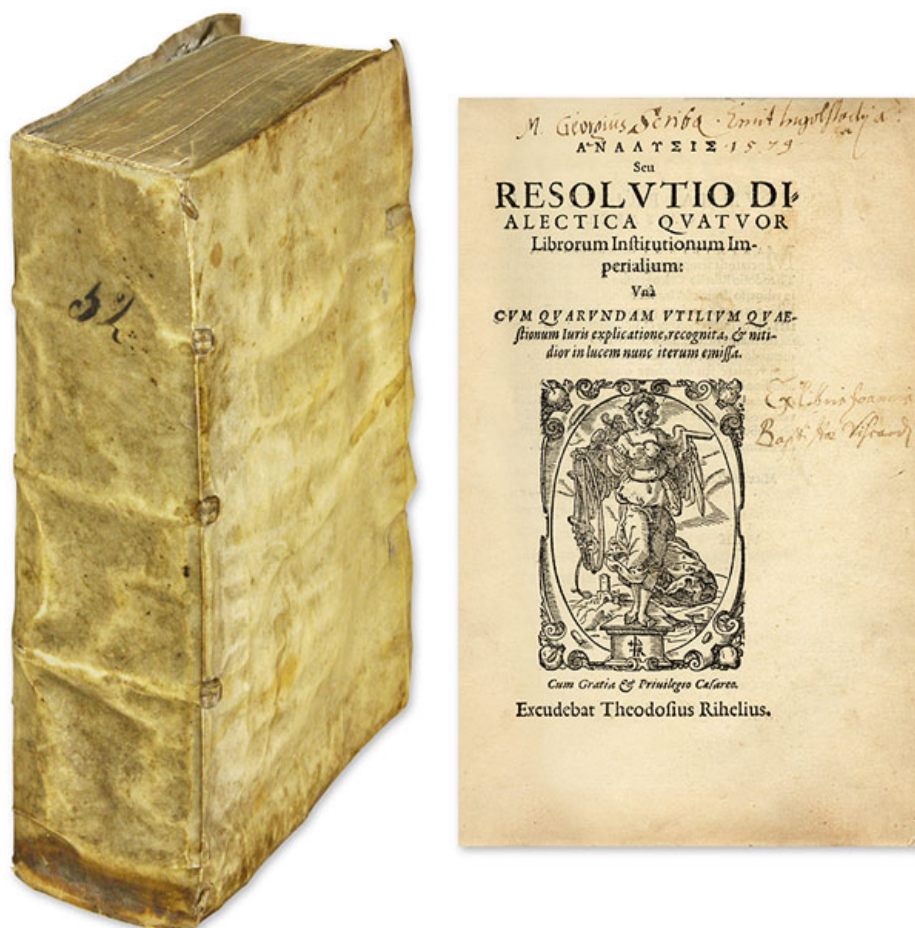
A Jesuitical Restatement of the *Institutes*

9. Gasparro, Francesco Maria [1679-1735].

Institutionum Juris Civilis. Ad Usum Seminarii Romani. Rome: Typis de Martiis, 1721-22. Four parts in two volumes bound as one. Quarto (9" x 6-1/4").

Contemporary vellum, gilt title to spine. Light soling to spine, spine ends bumped, negligible spotting to boards. Woodcut head and tail-pieces. Some toning to text, light foxing and browning in places, internally clean. \$1,500.

* Second and final edition. Gasparro, a Jesuit canon lawyer and member of the Papal Curia, taught criminal and civil law and the University of Rome. Published with Jesuit sponsorship, and notable for its Jesuitical perspective, Gasparro's restatement of Justinian's *Institutes* was a standard text throughout the eighteenth century. First published in 1707, editions appeared as late as 1787. Despite its popularity, all editions of this title are scarce today, especially in North America. Of all editions, OCLC locates 1 copy of the second (at UC-Berkeley Law School) and 2 copies of the first (at Harvard and Stanford Law Schools). Not in the *British Museum Catalogue*.



A Scarce Sixteenth-Century Commentary on the *Institutes* Bound With an Essay on the Art of Writing Letters

10. Gremp von Freudenstein, Ludwig [1509-1583].

Analysis, Seu Resolutio Dialectica Quatuor Librorum Institutionum Imperialium: Una cum Quarundam Utilium Quaestionum Iuris Explicatione, Recognita, & Nitidior in Lucem nunc Iterum Emissa. Strassburg: Excudebat Theodosius Rihelius, [1570]. 393, [5] ff. Woodcut tree of consanguinity.

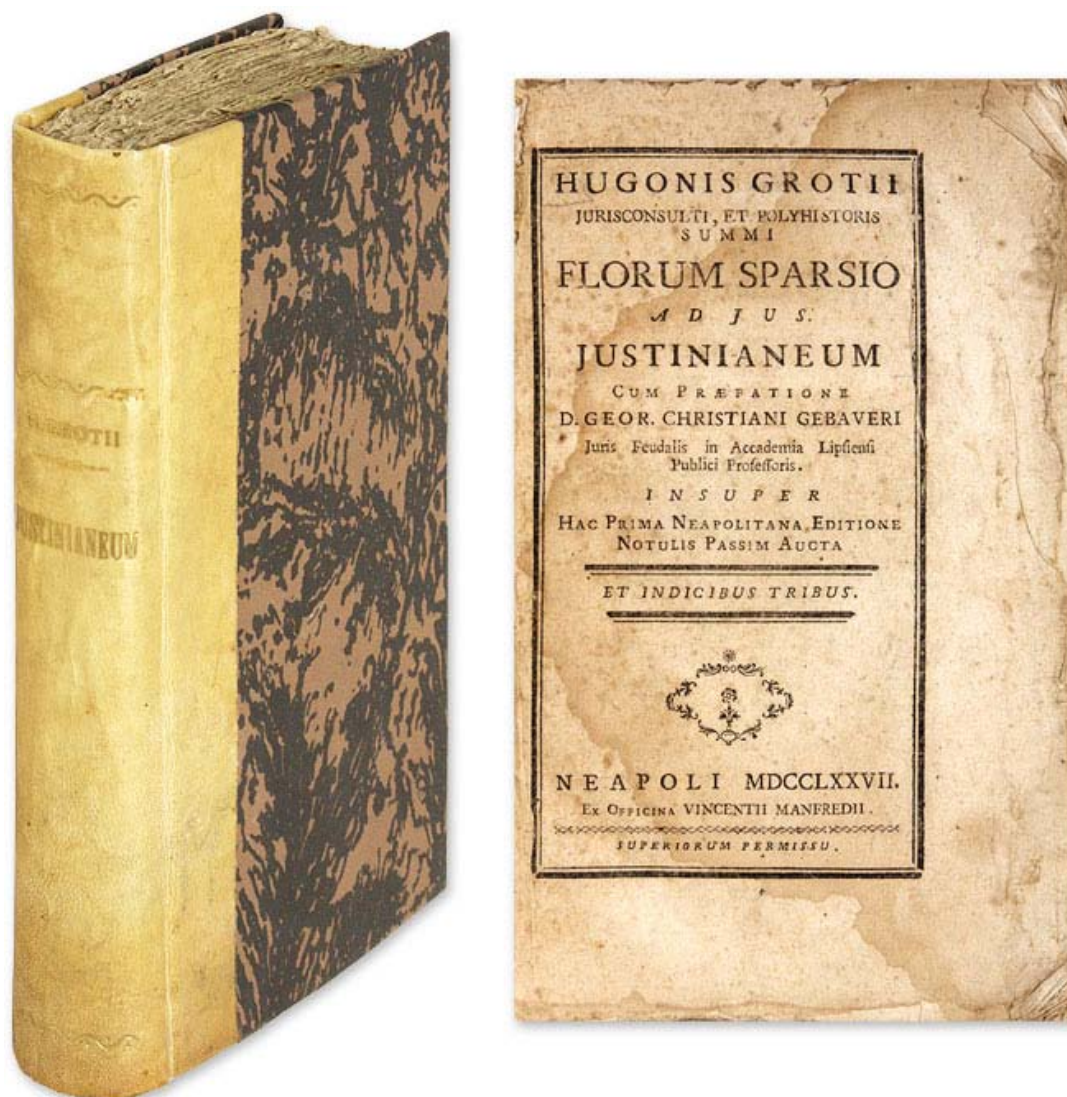
[Bound with]

Trachelaeus Statius, Franciscus.

Ars Epistolica. Venice: Apud Petrum Bosellum, 1558. 14 ff.

Octavo (6-1/2" x 4"). Contemporary limp vellum with lapped edges, ties lacking. Light soiling, spine somewhat darkened, front free endpaper lacking. Large woodcut printer devices to title pages. Light toning. Annotations and underlining in some places, interior otherwise clean. \$1,950.

* *Analysis*: third edition; *Epistolica*: only edition. Gremp von Freudenstein was a lawyer and state official who spent his professional life in Tübingen and Strassburg. A well-regarded commentary first published in 1567, *Analysis*, a study of the *Institutes* of Justinian, is a textbook commentary in question-and-answer form, following Justinian's *Institutes* book by book and title by title, paraphrasing, abridging, or adapting the text. It is equally interesting for its insights into the reception of Roman law at the end of the sixteenth century. *Ars Epistolica* is an essay on the art of writing letters. OCLC locates no copies of either title in North America. *Analysis*: *Das Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* ZV552; *Epistolica*: *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE67205.



Excerpts from Roman Law Selected by Grotius

11. Grotius, Hugo [1583-1645].

Gebauer, Georg Christian [1690-1773].

[Somma, Gabriele, Notes].

Florum Sparsio ad jus Iustinianum, Cum Praefatione D. Geor. Christiani Gebaveri. Insuper hac Prima Neapolitana Editione Notulis Passim Aucta, Et Indicibus Tribus. Naples: Ex Officina Vincentii Manfredii, 1777. [xxiii], 378, [4] pp. Octavo (8" x 5").

Original printed wrappers with untrimmed edges bound into later quarter vellum over marbled boards, gilt title to spine. Negligible rubbing to extremities. Moderate toning to text, foxing in places, dampstaining to first quarter of text block, internally clean. \$1,750.

* Fourth and final edition, the only edition with Somma's notes. First published in 1642, the *Florum Sparsio* is a topically digested selection of excerpts from Justinian's *Code* with commentary by Grotius. It was intended to serve as a tool for legal arguments. Somma, who wrote the additional notes in this edition, was a Neapolitan theologian. They add philological detail and information about Neapolitan and Italian law. OCLC locates 2 copies in North America (Library of Congress, UC-Berkeley Law School). Ter Meulen and Diermanse, *Bibliographie de Grotius* 795.



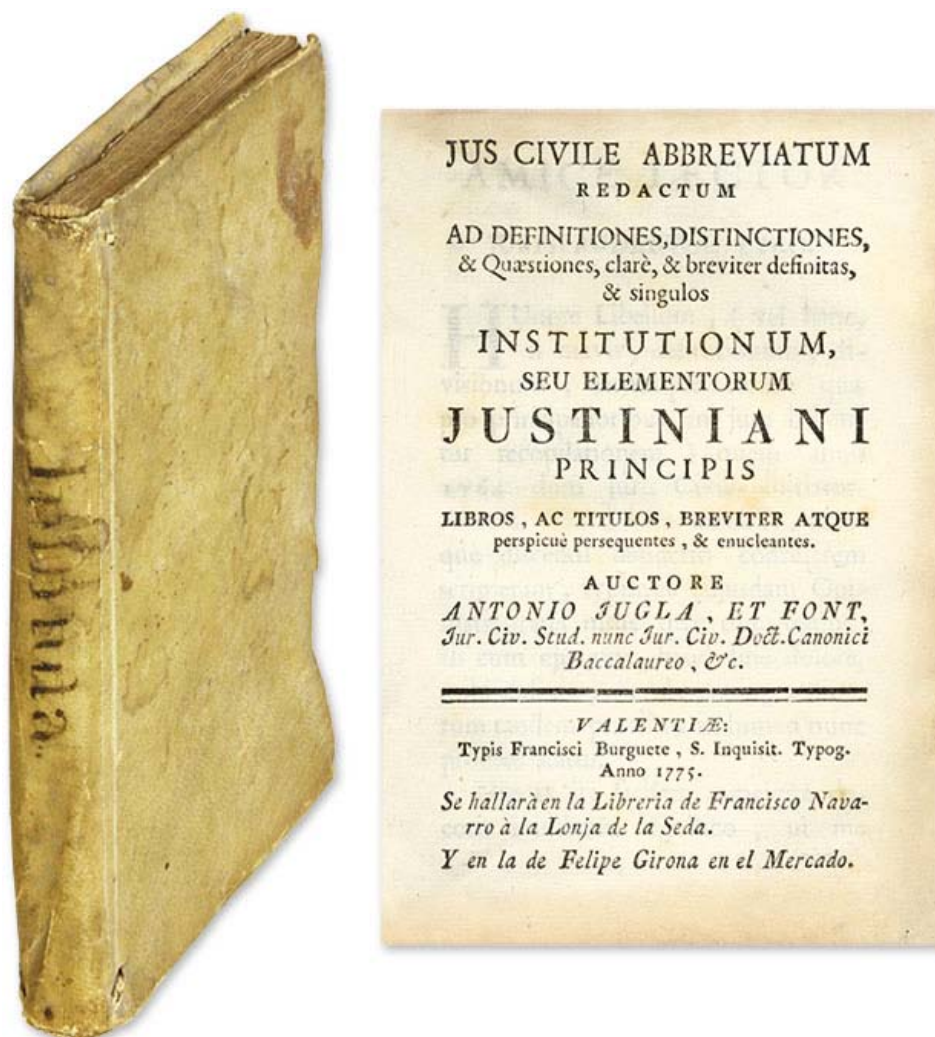
**First Edition of a Scarce
German Dictionary of Roman Law Terms**

12. Heumann, H[ermann] G[ottlieb].

Handlexicon zum Corpus Juris Civilis: Nach den Quellen Bearbeitet. Jena: Verlag von Carl Hochhausen, 1846. iv, 563 pp. Main text in parallel columns. Octavo (8-1/2" x 5-1/4").

Contemporary marbled boards, lettering piece and gilt fillets to spine. Rubbing to extremities with some wear to spine ends and corners. Some toning and occasional foxing to text. Ex-library. Inkstamps to front endleaves and title page, fragment of card pocket to rear pastedown. A solid copy of a scarce title. \$300.

* First edition. This useful dictionary of terms in Roman law with references to passages in the *Corpus Juris Civilis* and other sources. The fourth and final edition was published in 1884. All are scarce, especially in North America. OCLC locates no copies of any edition in North America. This edition not in the *British Museum Catalogue*.



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

13. Jugla y Font, Antonio.

Jus Civile Abbreviatum Redactum: Ad Definitiones, Distinctiones & Quaestiones, Clare & Breviter Definitas, & Singulos Institutionum, Seu Elementorum Justiniani Principis Libros, Ac Titulos, Breviter Atque Perspicue Persequentes, & Enucleantes. Valencia: Typis Francisci Burguete, 1775. [viii], 181 pp. Octavo (6" x 4").

Contemporary vellum, early hand-lettered title to spine. Some edgewear and light staining to boards, hinges just starting at ends, a few partial cracks to text block, minor worming to pastedowns. Early owner bookplate to front pastedown, light toning to text, internally clean. A nice copy of a scarce title. \$1,250.

* First edition. This is a textbook on Roman law based on the *Institutes* of Justinian. Each section is condensed into a few sentences arranged as a series of questions and answers. In many cases, these are followed by references. OCLC locates 1 copy of this edition in North America (at the Library of Congress) and 2 copies worldwide of a 1796 edition (At UC-Berkeley Law Library and the Biblioteca Nacional, Madrid). Another copy dated 1785 located at Harvard Law School. Palau, *Manual del Librero Hispanoamericano* 125855.



**Uncommon Large-Paper Edition of the Code
and Related Works with Important Notes by Denis Godefroy**

14. Justinian I, [483-565CE] Emperor of the East.

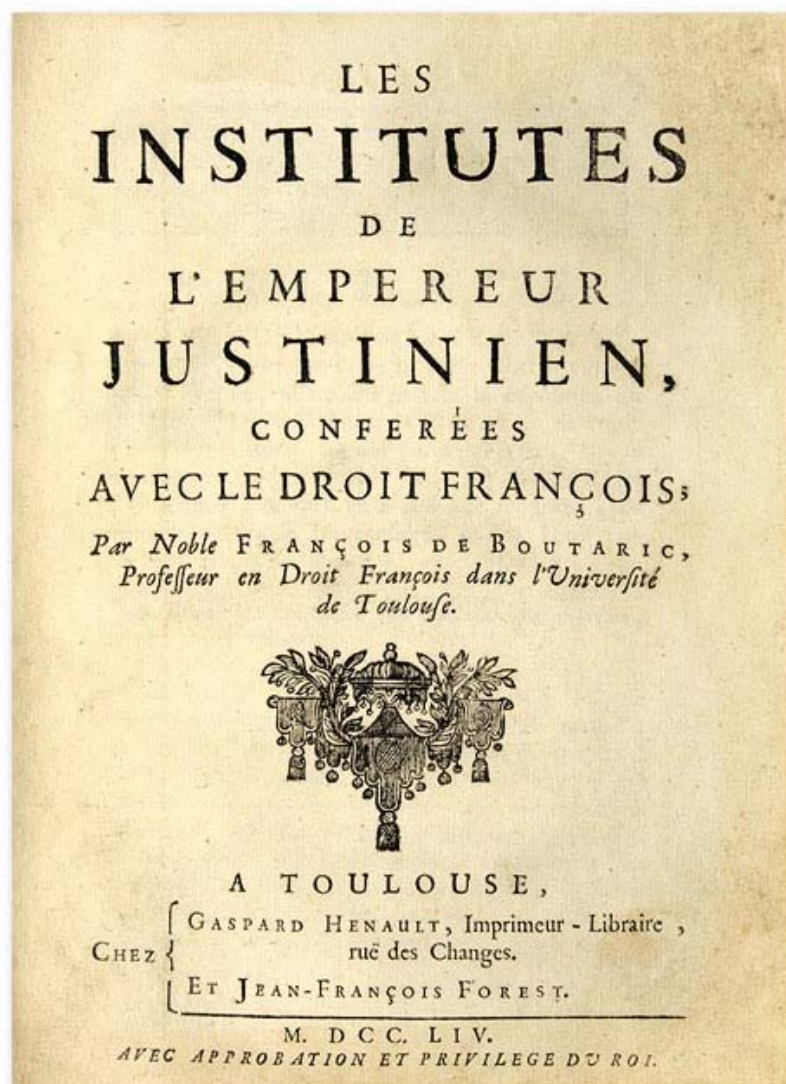
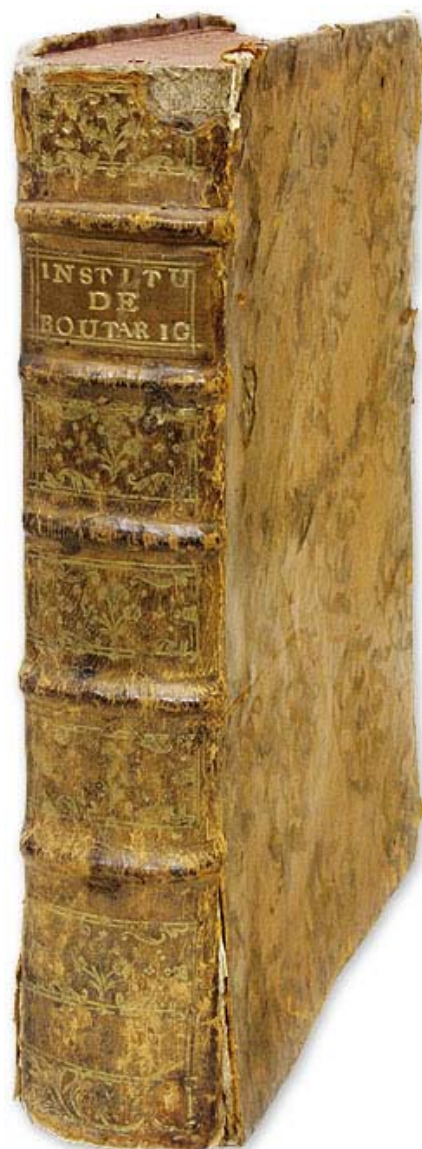
Godefroy, Denis [1549-1622], Editor and Annotator.

Codicis Dn. Justiniani Sacratissimi Principis PP. Aug. Repetitae Praelectionis Libri XII. Postrema Editio Prioribus Auctor et Emendatior.

Frankfurt: Sumptibus Societatis. Imprimebat Hieronymus Polichius, 1663. [xvi] pp., 1024 cols., [4] pp., 456 cols., [13] pp., 78 cols., [2] pp., 282 cols. Folio (14" x 9").

Contemporary mottled calf, gilt spine with raised bands and lettering piece. Moderate rubbing with wear to extremities, chipping to spine ends, front board just beginning to separate but still secure. Large woodcut printer device, head-pieces, tail-pieces and decorated initials. Faint dampstaining to head of text block, light foxing and browning to portions of text, internally clean. \$500.

* Large-paper edition. Includes the *Authenticae; Seu, Novellae Constitutiones, Feudorum Consuetudines, Constitutiones Friderici II. Imp. Extravagantes, Liber de Pace Constantiae, Epitome Feudorum* and related writings and notes by Godefroy. Commissioned by the Emperor Justinian in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* preserved and restated all existing Roman law. Compiled in three years under the direction of Tribonius, it was both a critical restatement of earlier law and jurisprudential writings and a complete collection of recent legislation. It is divided into four books, the *Institutes, Digest, Code* and *Novels*. The *Code* contains the laws in force during Justinian's reign. It is divided into 12 books. Book 1 deals with ecclesiastical law, the sources of law, and the duties of high officials. Books 2-8 deal with private law. Book 9 deals with criminal law. Books 10-12 deal with administrative law. It received a great deal of commentary during the medieval and early modern eras. That of Denis Godefroy was influential well into the twentieth century. Godefroy was a jurist, humanist, historian, scholar of Roman law and professor at the Universities of Geneva and Heidelberg. He was also the first to apply the collective name *Corpus Juris Civilis* to Justinian's works. KVK locates 5 copies of this imprint, but all seem to be trimmed to a quarto format. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 1:012970P. (See also VD17 3:319950N, the same imprint as a quarto).



A Comparative Edition of the *Institutes* with References to French Law

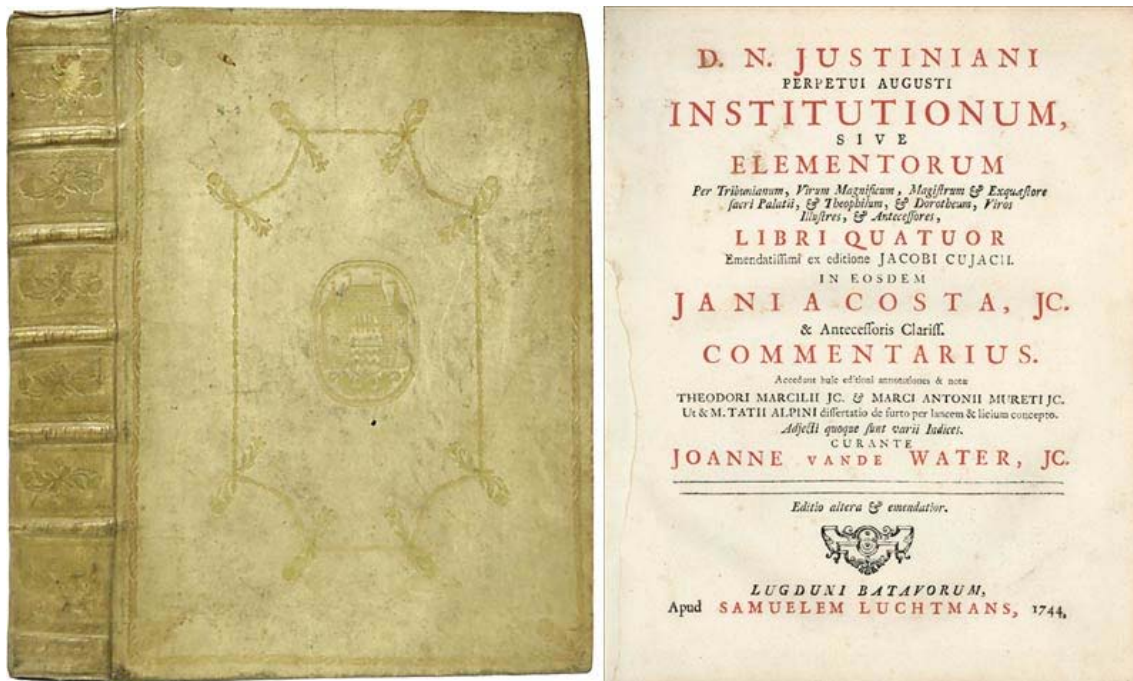
15. Justinian I, Emperor of the East.

Boutaric, Francois de [1672-1733], Editor.

Les Institutes de l'Empereur Justinien, Conferees avec le Droit Francois. Toulouse: Gaspard Henault, et Jean-Francois Forest, 1754. [ii], xvi, [6], 566, lxxxix pp. Quarto (9" x 7").

Contemporary calf with cat's paw decoration, gilt spine with raised bands and lettering piece, edges rouged. Some rubbing to extremities with wear to spine ends and corners, a few scuffs to boards, front free endpaper lacking. Light toning to text, internally clean. \$150.

*Third edition. First published in 1738, this is a comparative edition of the *Institutes* with references to French law. Boutaric taught law at the University of Toulouse. Camus, *Bibliothèque Choisie des Livres de Droit* 1460.



The *Institutes* with Commentaries by Notable French Scholars

16. Justinian I, Emperor of the East.

Cujas, Jacques [1522-1590], Editor.

Lacoste, Jean [c.1560-1637], Commentator.

Marcile, Theodore [1548-1617], Commentator.

Muret, Marc-Antoine [1526-1585], Commentator.

van de Water, Johannes [d.1689], Editor.

D.N. Justiniani Perpetui Augusti Institutionum, Sive Elementorum per Tribonianum, Virum Magnificum, Magistrum & Exquaestorem Sacri Palatii, & Theophilum, & Dorotheum, Viros Illustres, & Antecessores, Libri Quatuor Emendatissimi ex Editione Jacob Cujacii. In Eosdem... & Antecessoris Clariss. Commentarius. Accedunt Huic Editioni Annotationes & Notae Theodori Marcilii & Marci Antonii Mureti Ut & M. Tatii Alpini Dissertatio de Furto per Larcen & Lictum Concepto. Adjecti Quoque Sunt Varii Indices Curante Joanne van de Water. Leiden: Apud Samuelem Luchtmans, 1744. xxxviii, 667, [1] pp. Fold-out table of descents. Quarto (9-1/2" x 7-1/2").

Contemporary vellum, raised bands, ornate gilt double frames enclosing heraldic device to boards, gilt ornaments to spine. Soiling, some wear to corners and spine ends, front endleaf (or half-title) lacking. Title page printed in red and black. Handsome woodcut tail-pieces and decorated initials. Partial split between preliminary gathering and title page. Interior notably fresh. \$400.

* An edition of the *Institutes* by Cujas with extensive commentary and notes by Jean Lacoste, Theodore Marcile and Marc-Antoine Muret. These jurists, who followed Cujas' example, were leaders of the French humanistic school, which aimed to purge Roman sources of later corruptions. Their pioneering methods did much to establish the field of philology. Compiled around 161 CE, the *Institutes* is an elementary treatise on Roman private law that served as a standard text for 300 years. After its rediscovery during the medieval era it became a staple of European legal education. Not in the *British Museum Catalogue*.



**Edition of the *Institutes*
With Notes by a Distinguished German Jurist**

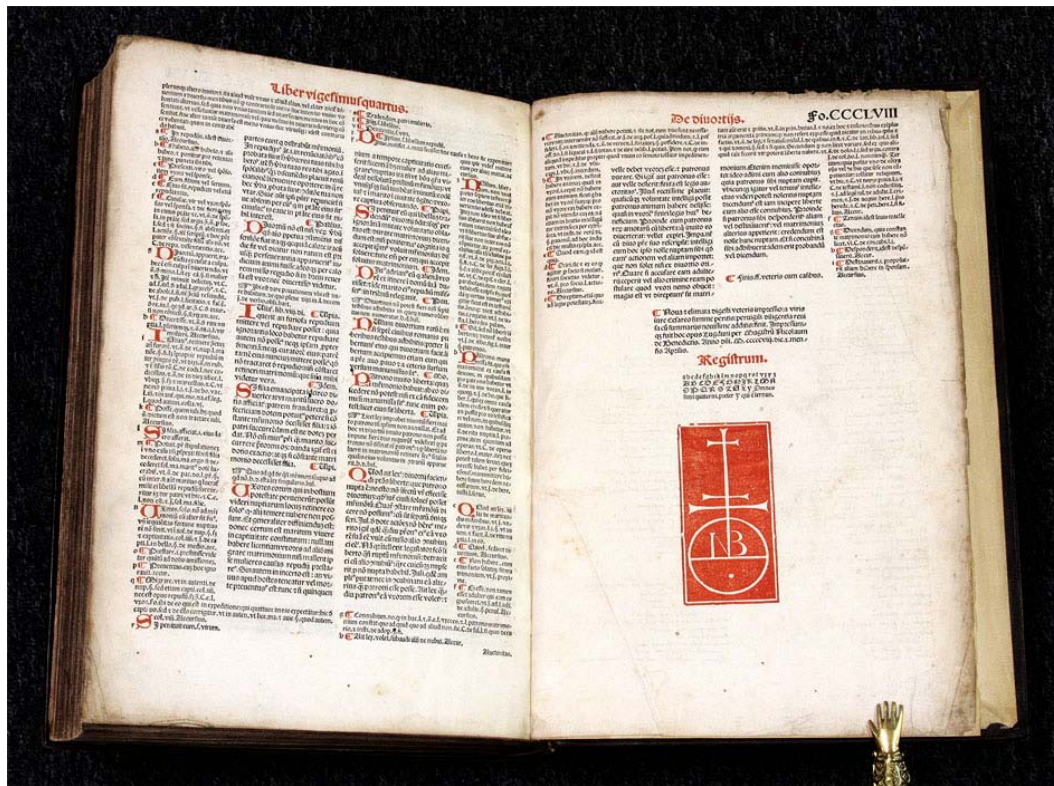
17. Justinian I, Emperor of the East.

Stryk, Samuel [1640-1710], Annotator.

Institutionum Libri Quatuor: In Gratiam Cupidae Legum Iuuentutis, Notis Maxime Necessariis Explanati. Added copperplate pictorial title page. Halle: Impensis Io. Friderici Zeitleri, 1708. [xvi], 663 pp. Octavo (6-1/2" x 4").

Contemporary vellum with lapped edges, edges of text block rouged. Light rubbing and soiling, recent owner stamp to front free endpaper, light toning to text. Title page printed in red and black. Early annotations to rear endleaves, a few early struck-through signatures to title page, interior otherwise clean. \$500.

*With index. Commissioned by the Emperor Justinian in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* preserved and restated all existing Roman law. It has four books: the *Code*, *Novels*, *Institutes* and *Digest*. Intended for students, the *Institutes* is a synopsis of the reformed legal system. It supplanted the earlier *Institutes* of Gaius. Stryk was a distinguished German jurist who was instrumental in developing German law from native sources rather than from received Roman law. He was an eminent professor of law at Halle whose pupils included Thomasius, Boehmer, Heineccius and Ludovici. His annotated edition of the *Institutes* was first published in 1698 and went through five editions, the last in 1726. The annotations, all of them footnotes, are extensive. They form a running commentary on the text. *Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 18. Jahrhunderts* 11313838.



Impressive 1508 Lyons Imprint of the *Digestum Vetus*

18. Justinian I, Emperor of the East.

Accursius, Franciscus [c. 1185-1263], Glossator.

Nova Accuratissima[ue] Castigatio Digesti Veteris ta[m] in Textu Q[uam] in Glosa Cu[m] Additione Novissima Q[uam] Plurimo[rum] Summarioru[m]. Una cum Tabulis Tituloru[m] Atq[ue] Legum seu Pandectaru[m] Nuperri me Additis. [Lyons: Nicolas de Benedictis, 1508]. CCCLVIII ff. Text in parallel columns surrounded by linear gloss. Folio (16" x 11").

Handsome modern calf blind tooled in period style, raised bands, lettering piece. Light rubbing to extremities, a few nicks to boards, corners bumped and somewhat worn. Text, in a handsome italic font, printed throughout in red and black, woodcut decorated initials. Light toning to text, light soiling and some edgewear to first five and final three leaves. Detailed manuscript index to rear endleaf and occasional reference numbers to text in miniscule early hand, later reference numbers in pencil by a later hand in some places. A very desirable post-incunabulum imprint. Rare. \$5,000.

* Commissioned by the Byzantine Emperor Justinian I in 530 CE, the *Digest* (or *Pandects*) is a critical edition of writings by Gaius, Ulpian, Papinian and 36 other eminent jurists organized by topic. The medieval Glossators divided it into three sections, or *Volumina*. The *Digestum Vetus* (or *Veteris*) corresponds to Book 1 to Book 24, Title 2; the *Digestum Novum* corresponds to Book 39 to Book 50; the *Infirmitatum* corresponds to Book 24, Title 3, to Book 38. These divisions are based on the order in which the sections of the *Digest* were recovered during the thirteenth century. Along with the *Institutes*, *Code* and *Novels*, the *Digest* is one of the writings known collectively as the *Corpus Juris Civilis*. Its subsequent influence on European jurisprudence is difficult to overestimate. The most important editor of the Medieval era, Accursius arranged the vast body of notes and comments on the *Institutes*, *Code* and *Digest* in a more orderly fashion than his predecessors. Known as the *Glossa Ordinaria* or *Magistralis* [Great Gloss], it superseded earlier glosses and summaries. Complete in itself, the 1508 Lyons imprint is also part of an edition of the *Digest* issued by Benedictis in four parts in 1508 and 1509. OCLC locates 4 copies of its *Vetus* volume worldwide, none in North America. The *USTC* adds three more locations, all in Europe. We located a copy in North America at the New York Public Library. *Universal Short-Title Catalogue* 143404.



Three Scarce Sixteenth-Century Treatises on Contracts, Obligations and Inheritance

19. 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.

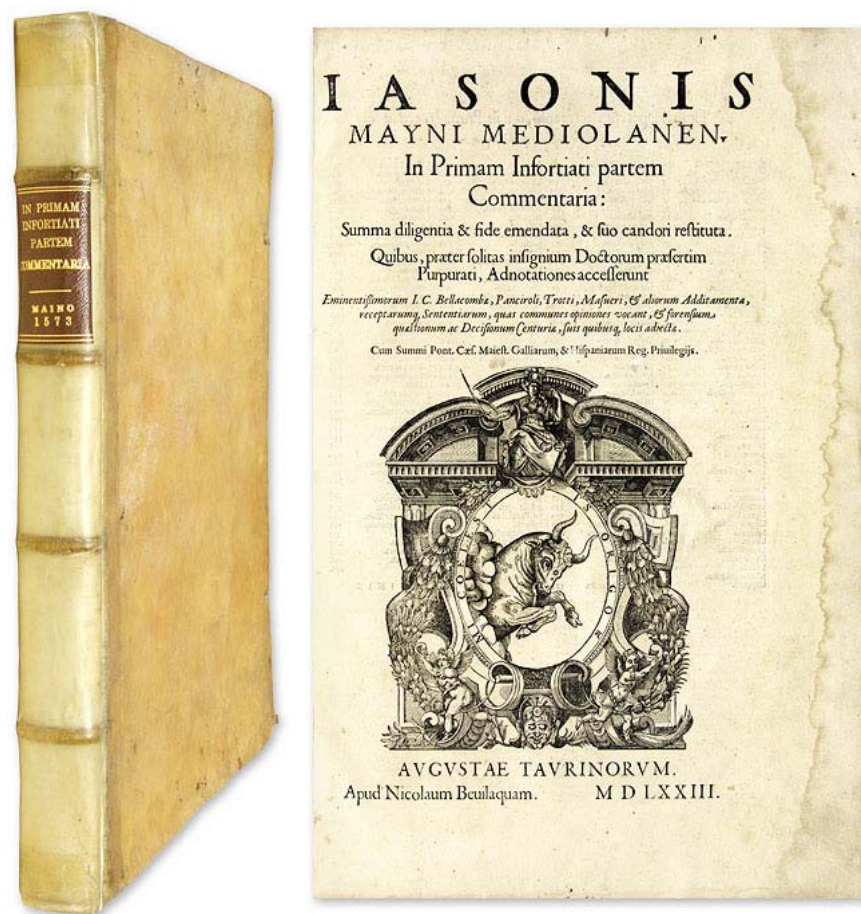
[And]

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). *Censimento Nazionale Delle Edizioni Italiane del XVI Secolo* CNCE 45524, 38307 (Leoni), 35503 (Zanchi).



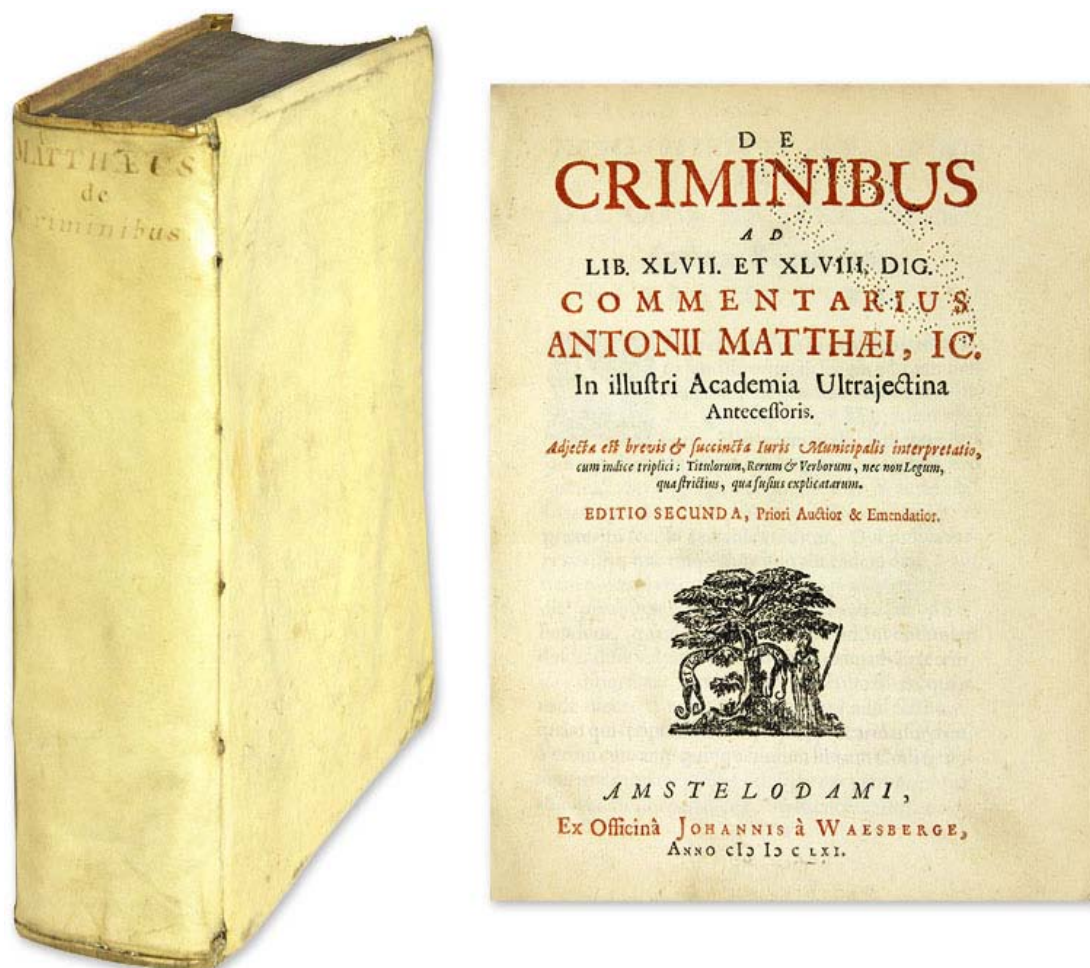
Distinguished Commentary on the *Infortiatum*

20. 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, Receptarumq[ue], Sententiarum, Quas Communes Opiniones Vocant, & Forensium Questionum ac Decisionum Centuria, Suis Quibusq[ue] 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. \$500.

* 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. *Censimento Nazionale Delle Edizioni Italiane del XVI Secolo* CNCE 16665.



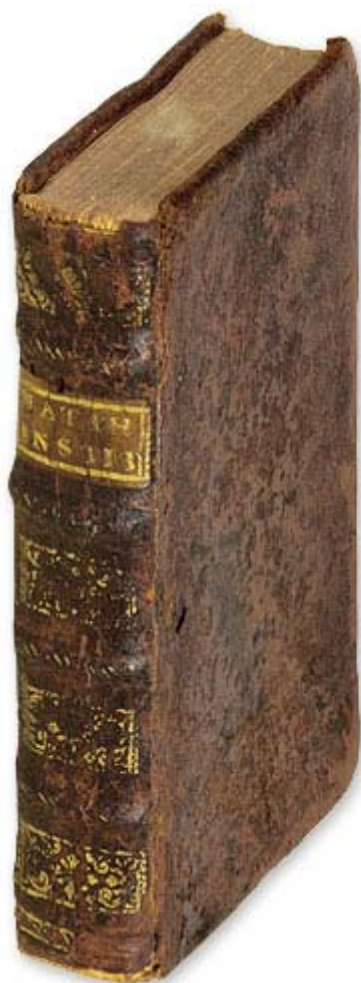
Second Edition of a Classic Treatise on Roman Criminal Law

21. Matthaeus, Antonius (II) [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, one in 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, *Bibliotheca Belgica Juridica* 111 (4).



A Well-Regarded Commentary on the *Institutes*

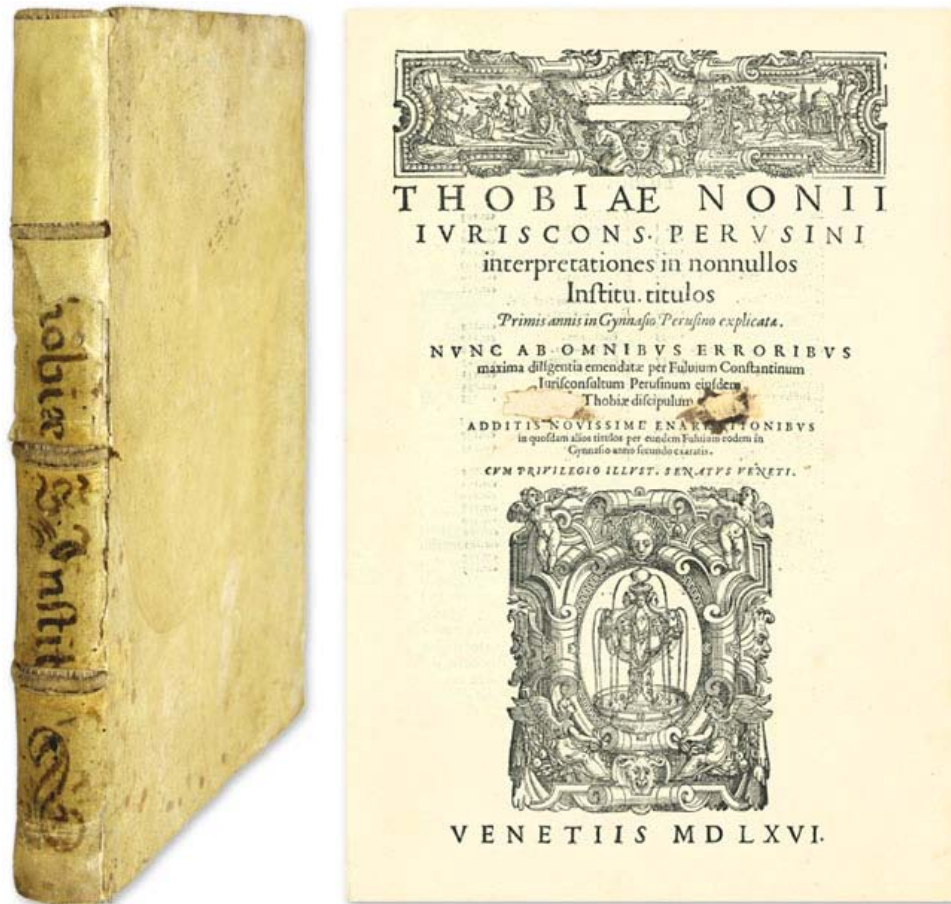
22. Matthæus, Antonius [1564-1637].

Mommerius (Mommer), Aegidius [c.1510-1570].

Notæ & Animadversiones in Libros IV. Institutionum Juris Imper. Justiniani: Praefixa est Epistola Aegidii Mommerii, De Ratione Legendi Discendique Jura, Antehac Nunquam Excusa; Subjuncta Synopsis Institutionum Iuris, Quæ Illæ ad huc Hodie Sunt in Usus. Amsterdam: Impensis Ioannis Iansonii Junioris, 1657. [xiv], 407, [9] pp. Main title page preceded by copperplate pictorial title page, copperplate coat of arms of page facing dedication. 12mo. (5" x 3").

Contemporary sheep, gilt spine with raised bands and lettering piece. Some rubbing, joints just starting at ends, minor chipping to spine ends. Brief annotations to endleaves, which have offsetting to margins, light toning to text, internally clean. \$750.

* Later edition. Matthæus was a jurist, professor of law at the University of Marburg and the father of the distinguished Roman-Dutch jurist, Antonius Matthæus (II). Originally published in 1600, *Notæ et Animadversiones* is a commentary on the *Institutes* of Justinian. A well-regarded work, it went through seven subsequent editions, the last in 1784. OCLC locates 2 copies of this edition in North America, one in a law library (UC-Berkeley). Dekkers, *Bibliotheca Belgica Juridica* 110 (3).



Commentaries on the *Institutes*

23. Nonio, Tobio [1528-1570].

Constantini, Fulvio [d. 1590], Editor.

Interpretationes in Nonnullos Institu. Titulos Primis Annis in Gynasio Perusino Explicatae. Nunc ab Omnibus Erroribus Maxima Diligentia Emendatae per Fulvium Constantinum. Additis Novissime Enarrationibus in Quosdam alios Titulos per Eundem Fulvium Eodem in Gynasio Anno Secundo Exaratis. Venice: Apud Cominum de Tridino, Montisferrati], 1566. [x], 164 fols. Main text printed in parallel columns. Folio (12" x 8-1/2").

Contemporary vellum, raised bands and early hand-lettered title to spine, ties lacking. Some rubbing to extremities, faint staining and a few minor scuffs to boards, early annotation to front. Later vellum repairs to backstrip, joints and hinges partially cracked but secure, cords exposed, minor worming to pastedowns. Large woodcut title vignettes, woodcut decorated initials. Toning, light browning in a few places. Early underlining, check marks and ink stains to a few leaves, interior otherwise clean. A nice copy. \$500.

* First edition. Based on a series of lectures, this analysis of various points from the titles "De Testamentis," "De Exheredatione Liberorum," "De Obligationibus," "Quibus Modis Re Contrahitur Obligatio" and "De Verborum Obligatione" of the *Institutes*. It went through three subsequent editions, the final in 1586. Nonio was a lawyer and professor at the University of Perugia. *Censimento Nazionale Delle Edizioni Italiane del XVI Secolo* CNCE 41448.



The Revival of Roman Law in Southern France

24. [Roman Law].

Exceptiones Legum Romanorum cum Tractatu[s] Actionum: Earu[n]demq[ue] 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 Juris 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). Another copy located at George Washington University Law School. *Gesamtkatalog der Wiegendrucke* 9493. Goff, *Incunabula in American Libraries* E135.



Commentaries on the Code by an Important Humanist Scholar

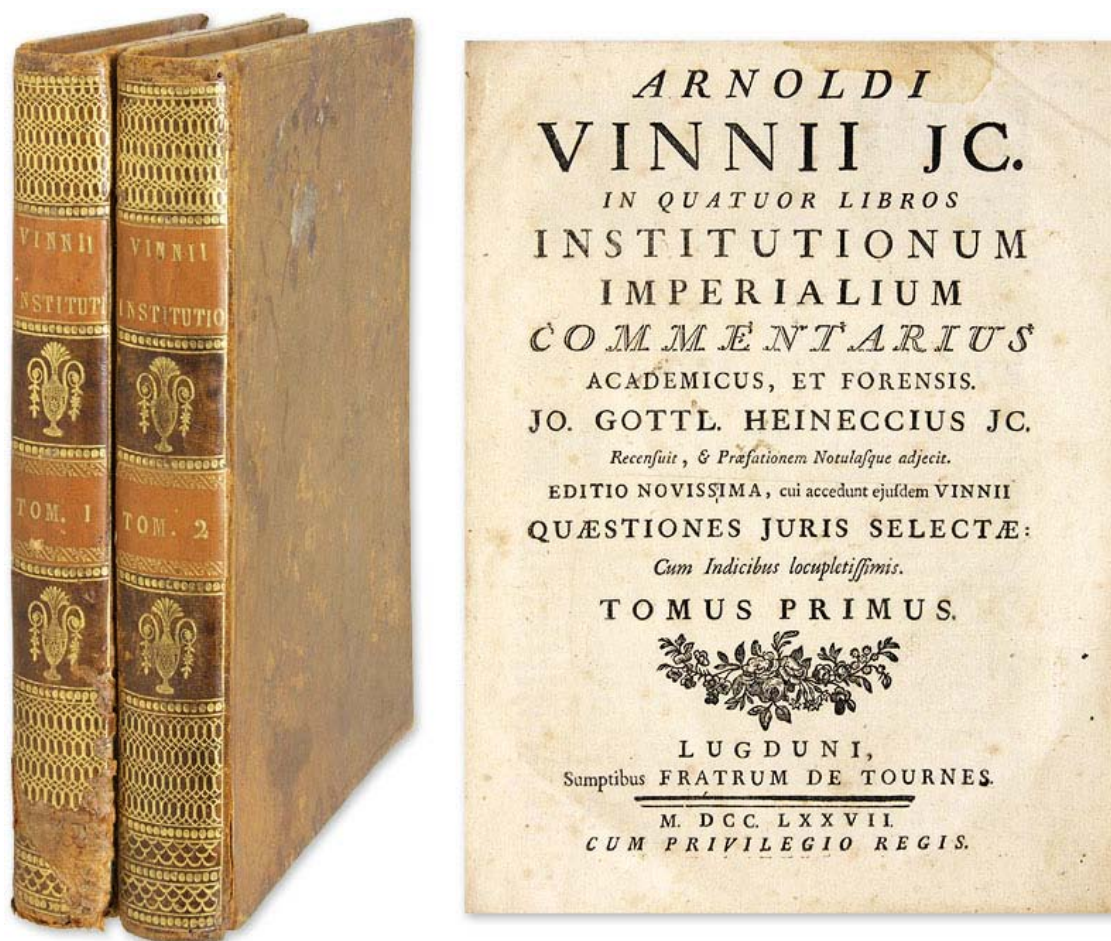
25. Sichard, Johannes [1499-1552].

Hertzog, Samson, Editor.

Sichardus Redivivus. Clarissimi Viri Ioannis Sichardi, Celeberrimi Iureconsulti Germani, Et in Alma Tubingensi Academia Quondam Ordinarii Iuris Civilis, Dictata & Praelectiones in Codicem Iustinianum. Ex Collatione Operosa Manuscriptorum Codicum, Restitutis Primo quam Plurimis Haud Parvi Momenti Defectibus. Deinde Negativis Desideratis Additis: & Abundantibus Dementis. Tertio Amplius Quingentis Iurium Allegationibus Redintegratis. Quarto Sublatis Plusquam Mille Aliis Erratis, Hactenus non Animadversis. Nunc Demum Post Modianam Recognitionem et Anni LXXXVI. Editionem Francofurtensem, A Samson Hertzog, Auctores, & Emendatiores Editae. Opus Plane Frugiferum, Et Tam Foro, Quam Scholis (Quod Evidentialia Titulorum & Legum, Id Est, Vocabula & Phrases Artis Singulari Diligentia Excusiat,) Accommodatum. Cum Praefatione Amplissimi Collegii Facultatis Iuridicae in Predicta Academia; Necnon Summariis & Indice Locupletissimo. Frankfurt: Ex Officina Hoffmanniana, Sumtibus Iona Rhodii, 1613-1614. [xx], 617, [1]; 12, [8], 641-1145 (i.e. 1175), [47] pp. Two volumes in one book. Main text in parallel columns. Folio (14" x 8-1/2").

Contemporary paneled pigskin, raised bands to spine, ties lacking. Moderate rubbing to extremities with wear to head of spine, some soiling, a few nicks and scuffs, boards slightly bowed, front joint just starting at foot, corners bumped and lightly worn. Title page of Volume I printed in red and black, woodcut title-page devices, head-pieces, tail-pieces and decorated initials, Volume I has large woodcut printer's device and colophon and, above the dedication, the arms of the Price of Wurtemberg, dedicatory poem in Volume II followed by woodcut arms of Sichard. Moderate toning to text, light browning in places, occasional faint dampstaining to outer margins of fore-edges, light soiling to title page of Volume I, which has a few early owner signatures. Early underlining, brief annotations and other markings in a few places, interior otherwise clean. \$2,000.

* Third and final edition. Sichard, or Sichardt, was a notable German humanist and professor of law at the University of Tübingen. A pupil and protégé of Ulrich Zasius, he was an outstanding editor and interpreter of Roman law. *Sichardus Redivivus* is based on his celebrated lectures on the *Code* of Justinian, one of the four components of the *Corpus Juris Civilis*. First published in 1565, this lavishly produced edition indicates the importance of Sichard's lectures and his high posthumous reputation. Few copies of any edition are held in North American law libraries; OCLC locates no copies of the third. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 3:615067N.



Final Edition of a Standard Text on Roman Law

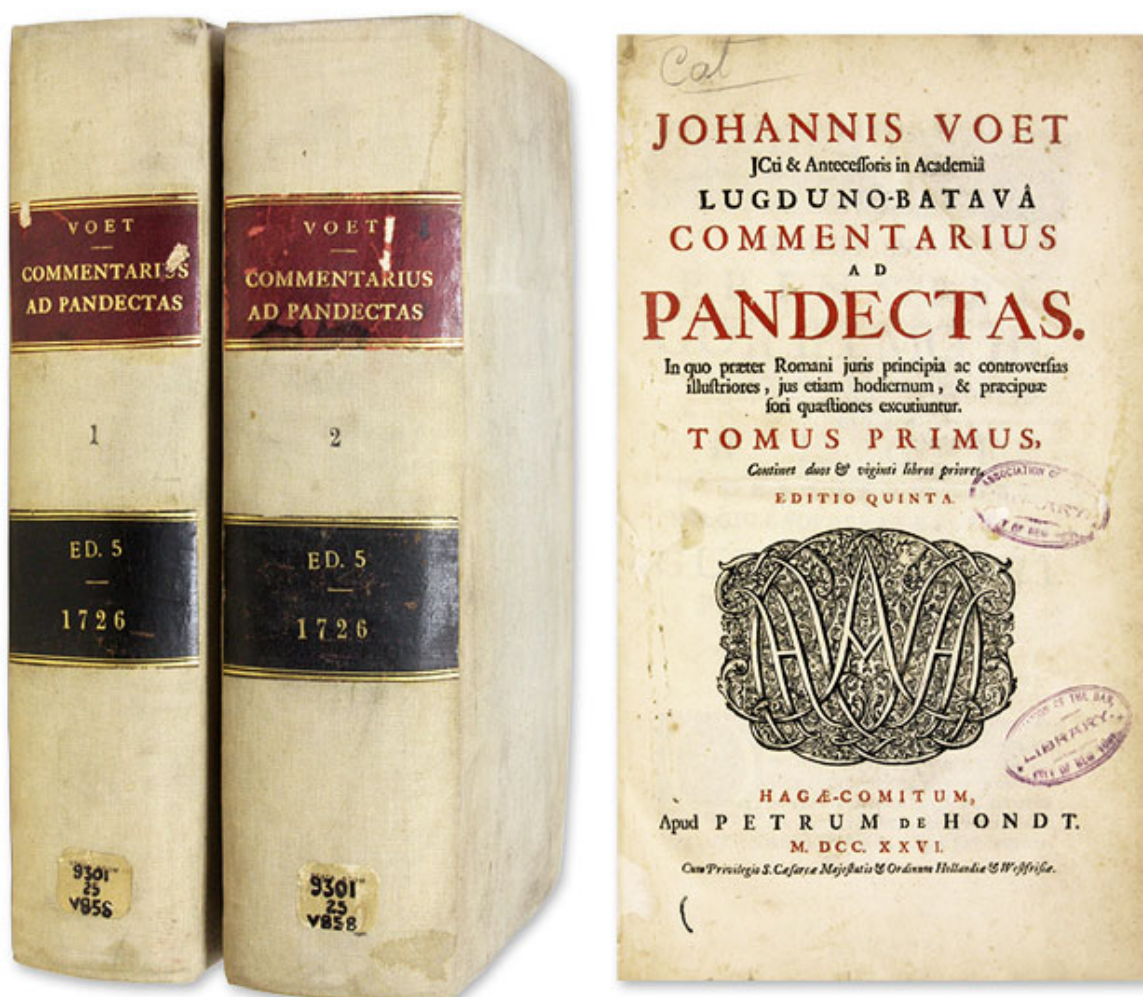
26. Vinnius, Arnoldus [Vinnen, Arnold (1588-1657)].

Heineccius, Johann Gottlieb [1681-1741], Editor.

In Quatuor Libros Institutionum Imperialium Commentarius Academicus & Forensis. Editio Novissima, Cui Accedunt Ejusdem Vinnii Quaestiones Juris Selectae. Leiden: Sumptibus Fratrum de Tournes, 1777. Two volumes. [xvi], 568; [ii], 571-998, [38]; [viii], 194, [2] pp. Main text printed in parallel columns. Two parts, each with individual pagination. Second part, at end of Volume II, *Selectarum Juris Quaestionum*, preceded by divisional title page. Quarto (9" x 7-1/2").

Contemporary calf, blind rules to boards, gilt spines with lettering pieces. Moderaet rubbing to extremities, light rubbing and a few scuffs to boards, front hinge of Volume I starting near foot, which is abraded with some loss. Moderate toning to text, occasional light browning, faint dampstaining in places, internally clean. \$150.

* Final edition. First published in 1642, this commentary on the *Institutes* of Justinian was a standard text in European law schools during the seventeenth and eighteenth centuries. It was also studied in the American colonies by such important lawyer-statesmen as John Adams. It received a new lease on life when it was edited by Heineccius, who also added an introduction. The Heineccius edition, which is considered the best, went through five further printings, the final appearing in 1777. This final edition is enhanced by the inclusion of Vinnius's *Selectarum Juris Quaestionum*, an essay on the interpretation and construction of Roman law. Vinnen, a renowned Dutch jurist with an international reputation, was Professor of Law at Leiden. Heineccius was a prominent German jurist and a professor of jurisprudence and philosophy at Halle. This edition not in Dekkers.



A Principal Treatise on Roman-Dutch Law

27. Voet, *Johannis* [1647-1713].

Commentarius ad Pandectas. In quo Præter Romani Juris Principia ac Controversias Illustriores, Jus Etiam Hodiernum, Et Præcipuæ Fori Quæstiones Excutiuntur. The Hague: Apud Petrum de Hondt, 1726. Two volumes. [xxii], 974, [61]; 1180, [68] pp. Imprimatur leaf in Volume I misbound after dedication. Main text in parallel columns. Folio (13-1/2" x 8-1/4").

Later buckram, red and black lettering pieces to spines, endpapers renewed. Light shelfwear and moderate soiling, a few small chips to lettering pieces. Title pages printed in red and black, attractive woodcut text ornaments. Some toning to text, occasional discoloration to outer margins, internally clean. Ex-library. Location labels to spines, small inkstamps to title pages. \$500.

* Fifth edition. With indexes. First published in 1698-1704, this exhaustive commentary on Justinian's *Digest* is one of the principal works of Roman-Dutch law. A deeply influential work that was translated into Italian, Dutch and English, it was a part of the law libraries of such men as John Adams and Joseph Story. It remains an authority in South Africa. Voet discusses all of Justinian's titles then explains how they were influenced by customary and local law. The second volume pays special attention to subjects relevant to the Netherlands, such maritime law. Voet was Professor of Law at the Universities of Utrecht and Leiden. Walker, *The Oxford Companion to Law* 1280. Dekkers, *Bibliotheca Belgica Juridica* 181 (9).



**Commentaries on Passages from the
Digest Concerning Accusations and Adultery**

28. Voltz, Valentin [1534-1581].

Burchard, Georg Adelbert, Notes.

Schutz, Jakob, Editor.

I. De Inquisitione: Sive ad L. 2. [Paragraph Symbol]. Si Publico Iudicio. 5. ff. Ad L. Jul. De Adult. II. In Tit. Digest. Ad Leg. Cornel. De Sicar. &c. Uterque Notis hinc Inde Illustratus: Per Georgium Adelbertum Burchardum. Nunc cum Notis Uberioribus, Summariis, & Indice in Lucem Editus, Cura ac Studio Jacobi Schytzii. Tübingen: Typis Johan-Alexandri Cellii, 1620. [xxiv], 916, [52] pp. Octavo (6-1/4" x 3-1/4").

Contemporary binding with lapped edges using vellum from choirbook. Light soiling, some rubbing to extremities, a few small chips to front joint and fore-edges, minor worming to joints. Some toning to text. Early inscription to title page in small hand, indicating ownership by a monastery, interior otherwise clean. Ex-library. Shelf labels to spine, bookplate to front pastedown, small inkstamp to title page. \$1,500.

* Only edition. Based on his dissertation *Disputatio de Inquisitione*, University of Tübingen, 1576, this work analyzes passages from two titles in Book 48 of Justinian's *Digest* concerning adultery and accusations. OCLC locates 1 copy in North America (at Princeton University). *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 1:011535Z.



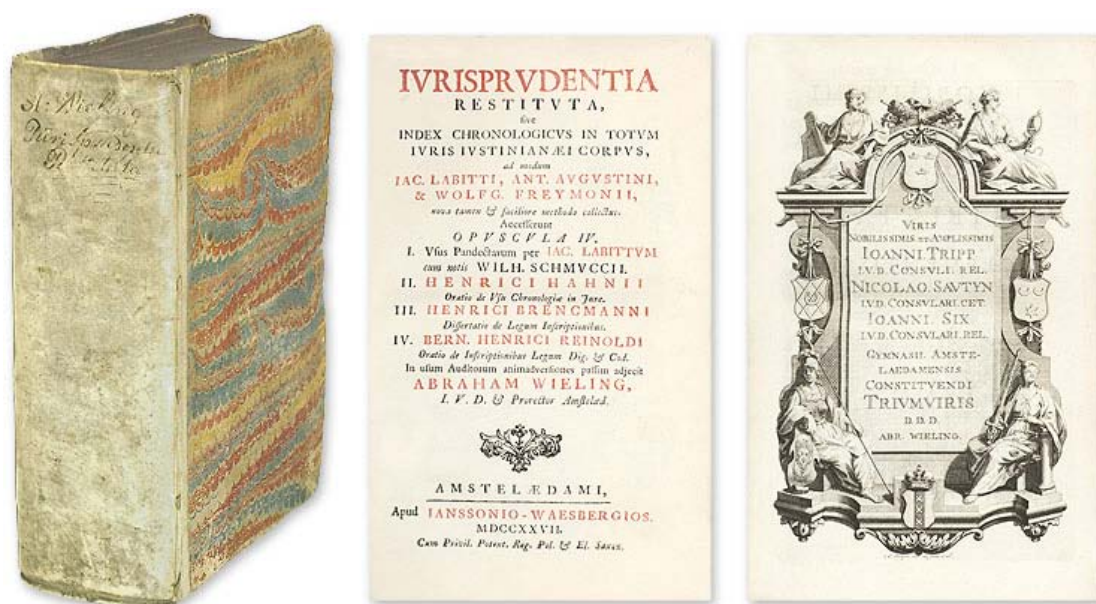
First Edition of an Important Commentary on the *Institutes*

29. Vultejus, Hermann [1555-1634].

In Institutiones Iuris Civilis A Iustiniano Compositas Commentarius: Additi Sunt In Fine Indices Sex, Operi Ipsi Accommodatissimi. Marburg: Apud Paulum Egenolphum, 1598. [viii], 890, [54] pp. Quarto (8" x 6-1/2").

Contemporary paneled pigskin with elaborate blind tooling, raised bands and somewhat later hand-lettered title and tiny hand-lettered shelf label to spine, ties lacking. Some soiling and a few minor stains, spine darkened, minor edgewear, corners lightly bumped, front free endpaper detached. Toning to text, occasional light browning, foxing in a few places. Filled-in 3" x 1" hole in preliminary leaf (part of dedication) with some loss to text. Early owner annotation to front pastedown, neat underlining in a few places, interior otherwise clean. \$2,950.

* First edition. Commissioned by the Emperor Justinian in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* preserved and restated all existing Roman law. It has four books: the *Code*, *Novels*, *Institutes* and *Digest*. Intended for students, the *Institutes* is a synopsis of the reformed legal system. It supplanted the earlier *Institutes* of Gaius. Vultejus was a notable legal scholar and professor at the University of Marburg, where he also taught Greek. In later years he served as a diplomat and was raised to the nobility by Holy Roman Emperor Ferdinand II. *In Institutiones Iuris Civilis* is an extensive article-by-article commentary on the *Institutes*. It was a work of authority that went through five later editions, the last one in 1630. All are scarce, especially in North American law libraries; OCLC locates 1 copy of this edition (in the Library of Congress). *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* V2823.



A Key to the *Corpus Juris Civilis*

30. Waeling, Abraham [1693-1746] [and Others].

Jurisprudentia Restituta, Seu Index Chronologicus in Totum Juris Justinianaei Corpus, Ad Modum Iac. Labitti, Ant. Augustini, & Wolfg. Freymonii, Nova Tamen & Faciliore Methodo Collectus. Accesserunt Opuscula IV. I. Usus Pandectarum per Iac. Labittum, cum Notis Wilh. Schmuccii. II. Henrici Hahnii, Oratio de usu Chronologiae in Jure. III. Henrici Brenemannii, Dissertatio de Legum Inscriptionibus. IV. Bern. Hyenrici Reinoldi, Oratio de Inscriptionibus Legum Dig. & Cod. In usum Auditorum Animadversiones Passim Adjecit. Amsterdam: Apud Janssonio-Waesbergios, 1727. [xvi], xciv, [2], 400; 199, [1], 278 pp. Two parts in one volume. Octavo (4-1/2" x 7-1/2").

Contemporary quarter vellum over marbled boards, early hand-lettered title to spine, speckled edges. Moderate rubbing with some wear to corners, light soiling to spine, partial crack between front endleaf and title page. Later bookplate (of J.W. Enschede) to front pastedown. Title page printed in red and black, copperplate dedication leaf. Light browning in a few places, interior otherwise fresh. \$200.

* First edition. Waeling was a professor of law at the University of Freneker, later the University of Utrecht. *Jurisprudentia Restituta*, an analytical index to the *Corpus Juris Civilis* with annotations by a group of notable scholars, is a heavily revised edition of the *Index Legum Omnium Quae in Pandectis Continentur* of Jacques Labitte (Paris 1557), which was written under the direction of his teacher Cujas. KVK locates 6 copies of the first edition, 4 copies of the second and final edition (1739). Roberts, *A South African Legal Bibliography* 337. Dekkers, *Bibliotheca Belgica Juridica* 192.

The Lawbook Exchange, Ltd.

Antiquarian Bookseller and Publisher

New and Used Titles for Practitioners and Scholars

Subscription Agent • Collection Development • Appraisals

33 Terminal Avenue, Clark, New Jersey 07066

(800) 422-6686 or (732) 382-1800. Fax: (732) 382-1887

law@lawbookexchange.com

www.lawbookexchange.com

