

NOVEMBER 15, 2022

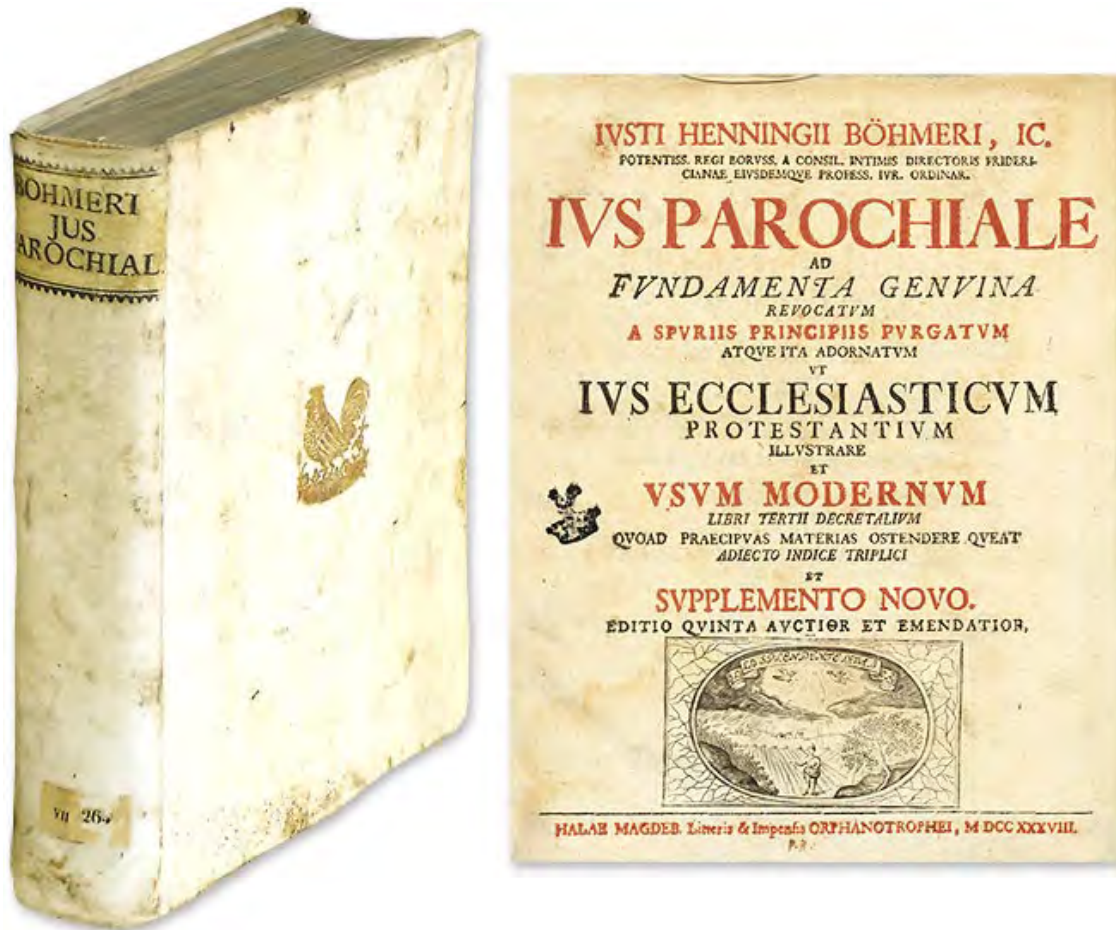
# CONTINENTAL LAW

## 1520–1863

30 Items



THE  
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### Lutheran Treatise on Church Property, Tithes and Clergy

#### 1. Böhmer, Justus Henning [1674-1749].

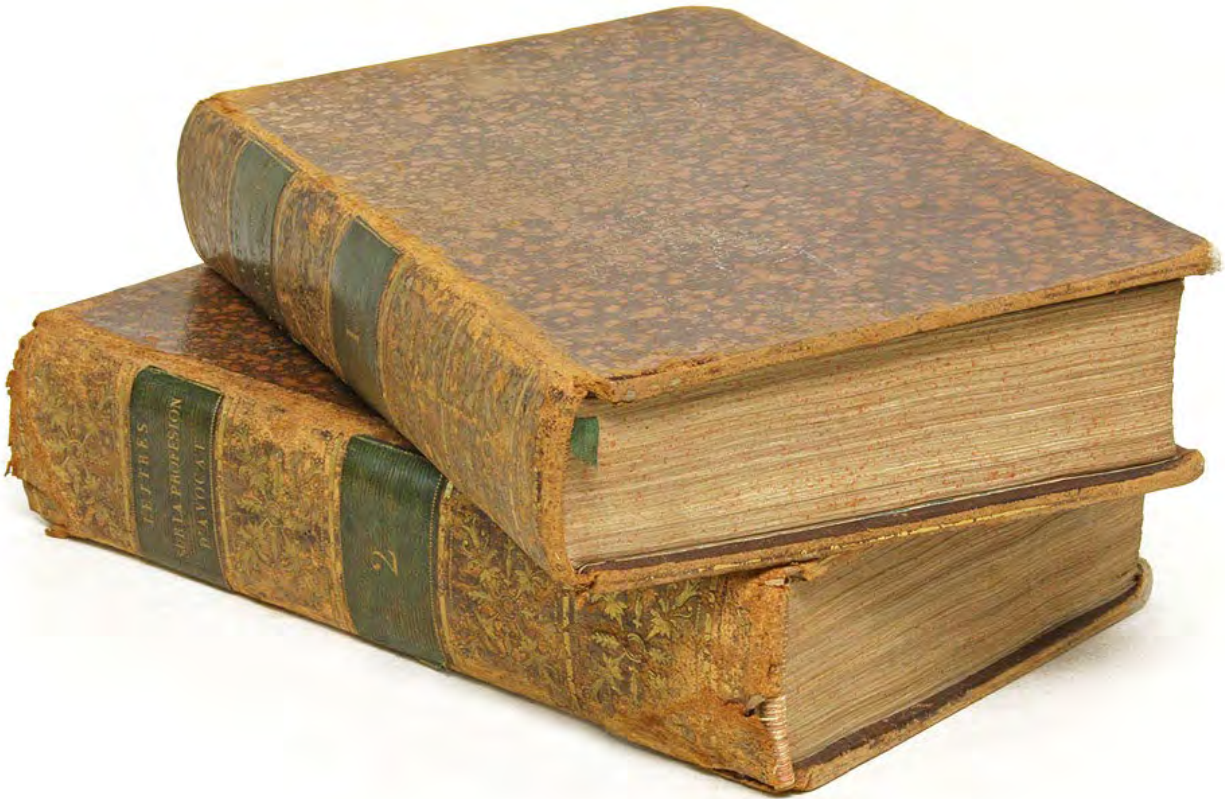
*Ius Parochiale ad Fundamenta Genuina Revocatum a Spuriis Principiis Purgatum Atque Ita Adornatum ut Ius Ecclesiasticum Protestantium Illustrare et Usus Modernum Libri Tertii Decretalium Quoad Praecipuas Materias Ostendere Queat Adiecto Indice Triplici et Supplemento Novo.* Halle: Litteris & Impensis Orphanotrophi, 1738. [xxiv], 552, [56]. Frontispiece and free endpapers lacking. Quarto (8" x 6-1/2").

Contemporary vellum, attractive hand-lettered title to spine, gilt device to center of front and rear boards, green edges. Light soiling and a few minor stains. Title page with attractive large copperplate printer device printed in red and black, woodcut head-pieces, tail-pieces and decorated initials. Light browning, foxing, and dampstaining to a few leaves, interior otherwise fresh. Ex-library. Remains of shelf label to foot of spine, small owner stamps to front pastedown and title page. An appealing copy of an important work. \$350.

\* Fifth edition, corrected, with additions. With indexes. Bohmer was perhaps the leading German authority of his age on ecclesiastical law and its history. He played a leading role in the adaptation of canon law for use in the Lutheran church and established sound theoretical foundations for Lutheran church law. First published in 1701, *Ius Parochiale* addresses issues relating to church property, tithes and clergy.

Kleinheyer and Schroder, *Deutsche Juristen aus Fünf Jahrhunderten* 45. *British Museum Catalogue* (Compact Edition) 3:749.

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### Handsomely Bound Copy of an Important French Legal Reference

2. Camus, [Armand Gaston] [1740-1804].

Dupin, [Andre-Marie-Jean-Jacques] [1783-1865], Editor.

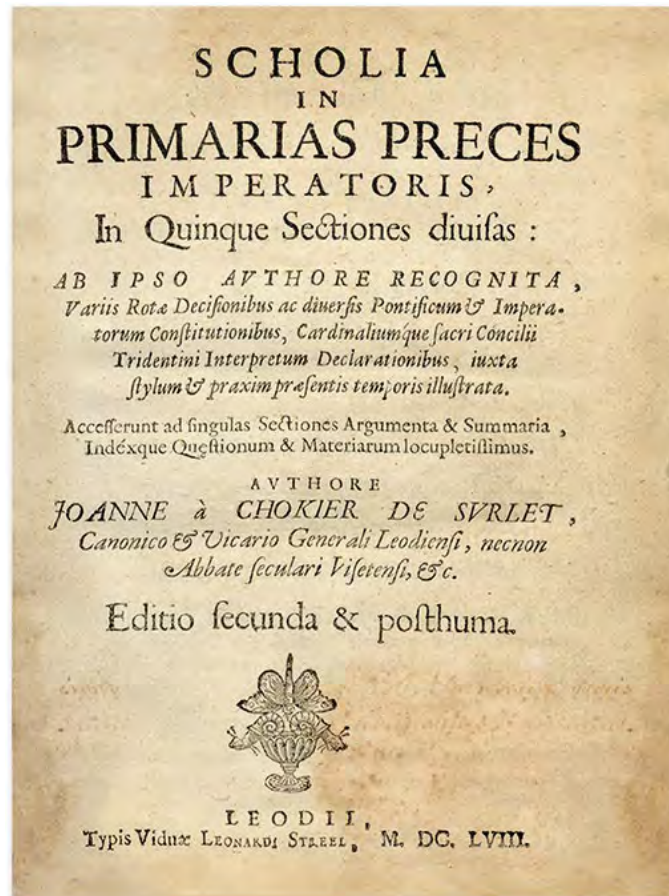
*Lettres Sur La Profession D'Avocat; Bibliothèque Choisie des Livres de Droit Qu'il est le Plus Utile d'Acquérir et de Connaître. Quatrième Édition. Augmentée de Plusieurs Lettres et Autres Pièces Intéressantes sur la Profession d'Avocat, Telles que le Célèbre "Dialogue des Avocats" de Loisel; Deux "Discours" de M. d'Aguesseau, et l'Histoire de l'Ordre des Avocats," Par M. Boucher d'Argis; La Bibliographie Revue, Corrigée et Augmentée d'un Grand Nombre d'Articles Nouveaux.* Paris: Chez B. Warea, 1818. 2 volumes. xlviii, 535; xii, 690 pp. Octavo (8-3/4" x 5").

Contemporary mottled sheep, gilt ornaments and lettering pieces to spines, marbled endpapers. Some rubbing to extremities, corners bumped, hinges starting, chipping to head of Volume II, rear joint of that volume starting at foot. Light toning to text, somewhat darker in places, light foxing to a few leaves. Early owner signature to title page of Volume I, interiors otherwise clean. \$300.

\* Fourth edition. Sweet and Maxwell include this in its list of major bibliographies and note: "the second volume is a descriptive bibliography of French, English, foreign and Roman law, well indexed. The bibliography lists 2,348 books and provides historical, critical and bibliographical notes on several remarkable books of French jurisprudence."

Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:1-2 (7).

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By a Notable Belgian Canonist and Cleric

### 3. Chokier de Surlet, Jean de [1571-1656].

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

Contemporary unlettered vellum. Rubbing to extremities, chip to lower corner of front board, other corners and spine ends bumped, soiling to spine, a few faint stains, boards somewhat bowed, vellum beginning to crack through pastedowns. Attractive woodcut head-pieces, tail-pieces and decorated initials. Light browning, faint dampstaining to a few leaves, some wear to edges of preliminaries and rear endleaves. Later armorial bookplate (of Leon Lahaye) to front pastedown. Early annotations to head of front free endpaper and foot of title page, interior otherwise clean. \$950.

\* Second edition. Surlet was an important theologian, canon lawyer, and Canon of Liège Cathedral. He went on to become Vicar-General of that city. *Scholia* is a treatise dealing with petitions, appeals and requests according to canon law and secular law of Liège. The first edition was published in 1621, the third and final edition in 1674. Our 1658 imprint was printed by a woman, "The Widow of Leonard Streel." Not in Dekkers or the *British Museum Catalogue*. This edition not in Camus.

Schulte, *Die Geschichte der Quellen und Literatur der Canonischen Rechts* I:694.

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#### Rare Treatise Dealing with Legal Rights of Farmers and Other Rural People

#### 4. Choppin, Rene [1537-1606].

*De Priuilegiis Rusticorum: Lib. III. O Fortunatos Nimium, Sua Si Bona Norint, Agricolas, Gnauosque Senes, Extrema per Illos Iustitia Excedens Terris Vestigia Fecit.* Paris: Apud Nicolaum Chesneau, 1575 [colophon: 29 November 1574]. [xvi] 248, [24] pp. Quarto (9" x 6-1/2").

Contemporary limp vellum, early calligraphic title to spine, ties lacking. Negligible light shelfwear, text block partially detached from binding. Woodcut printer device to title page, woodcut decorated initials. Some toning, light dampspotting and early annotations to a few leaves. \$2,000.

\* First edition. Choppin (or Chopin) was a French jurist and an *avocat* of the Parlement of Paris. Like Jean Bacquet and Jean Bodin, Choppin drew on Roman law and feudal principles to advocate a centralized state under royal rule. *De Priuilegiis Rusticorum* addresses legal privileges enjoyed by rural people in Roman and civil law, such as access to uncultivated land. A well-written and remarkably comprehensive work, it went through seven subsequent editions in Latin. Its final edition, translated into French, was published in 1634. This was a rarely explored topic, and Choppin's treatise is the only early example we have encountered. According to the *Biographie Universelle*, "it deserves notice for the singularity of its subject, for its profound research, and the decisions it contains" (8:499). All editions are scarce today and rare in North American law libraries. OCLC locates three copies of the 1575 edition (at Columbia, George Washington University and Harvard).

Camus, *Profession d'Avocat* 1477.

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Collected Works of the "Bartolus Hispanus"

**5. Covarrubias y Leyva, Diego de [1512-1577].  
Brederode, Pieter Cornelis van [d. 1593], Editor.  
Uffel, Johann, Editor.**

*Opera Omnia, Cum Authoris Tractatu in Tit. De Frigidis & Maleficiatis, Septem Quaestionibus Distincto, Quibus an Matrimonium cum hoc Impedimento Constare Possit, Accurate Explicatur. Multis in Locis a Cl. Ic. Cornelio Brederodio Auctus, Illustratus, Ut Passim Hac Nota □ Designatur; Accesserunt hac Postrema Editione Ioannis Uffeli Ic. Patrii Bruxellensis In Variarum Resolutionum Libros Notae Uberiores. Cum Duplici Indice, Capitum & Rerum Locupletissimo, Suis Numeris Restituto.* Antwerp: Apud Viduam & Haeredes Petri Belleri, 1614. Two volumes bound as one. [xii], 610; [viii], 548, [69] pp. Main text in parallel columns. Folio (14-1/2" x 9-1/2").

Somewhat later three-quarter vellum over marbled boards, hand-lettered title to spine, edges rouged. Light soiling, moderate rubbing to extremities with some wear to board edges and corners, some loss along junction of vellum and paper on rear board, a few minor wormholes to pastedowns. Title page of Volume I printed in red and black, large copperplate title vignettes, woodcut head-pieces, tail-pieces and decorated initials. Light browning to text, somewhat heavier in places, small tear to head of title page. Faint early owner signatures and annotations to title page, interior otherwise clean. Ex-library. Small inkstamps to title pages, a few annotations to that of Volume I. A handsome copy of a scarce title. \$1,250.

\* Later edition. Covarrubias y Leyva, Archbishop of Santa Domingo, later Bishop of Ciudad Rodrigo and of Segovia, was a canonist, theologian and leader of the Salamanca School. One of the foremost jurists of his time, he was called the "Bartolus Hispanus." *Opera Omnia*, the definitive collection of his work on Roman and canon law was first published in 1559 and went through numerous editions into the eighteenth century. Roberts says it was an important authority among Roman-Dutch jurists. Our edition is notable for its editorial contributions by Brederode, the notable Dutch jurist and diplomat. All editions are scarce in North America. OCLC locates 2 of the 1614 edition in North American law libraries (Columbia, Harvard).

Roberts, *A South African Legal Bibliography* 97 (citing other editions).

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### Neapolitan Courtroom Procedure

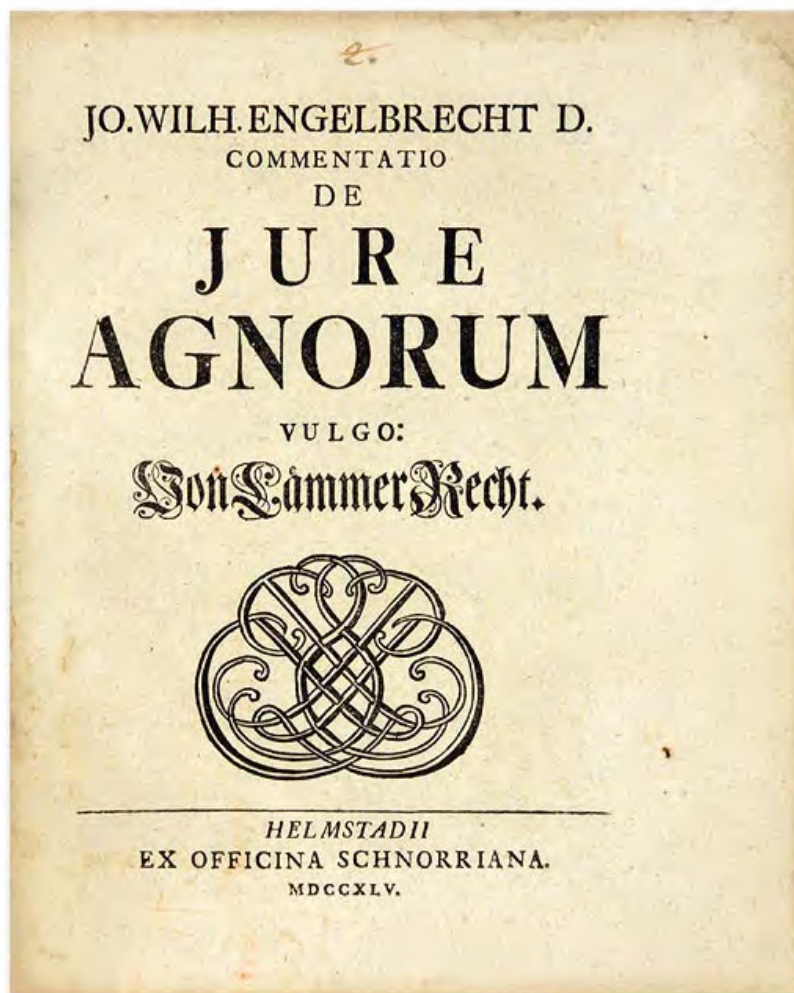
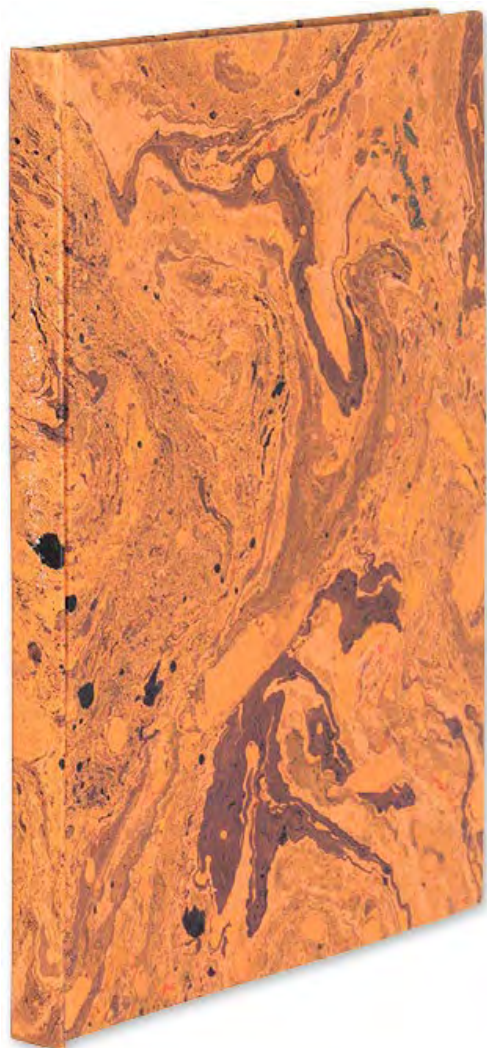
#### 6. Dattino, Giambattista.

*Arringhe Officiose*. Naples: Tipografia All'Insegna del Diogene, 1863. 376 pp. Octavo (8-1/2" x 5-1/2").

Contemporary quarter calf over marbled boards, gilt, title, fillets and ornaments to spine. Light rubbing to extremities, light fading to spine. Some toning to text, light foxing in places, internally clean. \$750.

\* Only edition located. This is a handbook for lawyers on courtroom procedure. It also addresses forensics, rhetoric and other matters pertaining to speaking in court. OCLC locates 1 copy in North America (at Harvard University).

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### Laws Concerning Sheep

7. Engelbrecht, Jo[hann] Wil[helm].

[Lammermann, Johann Jacob, Respondent].

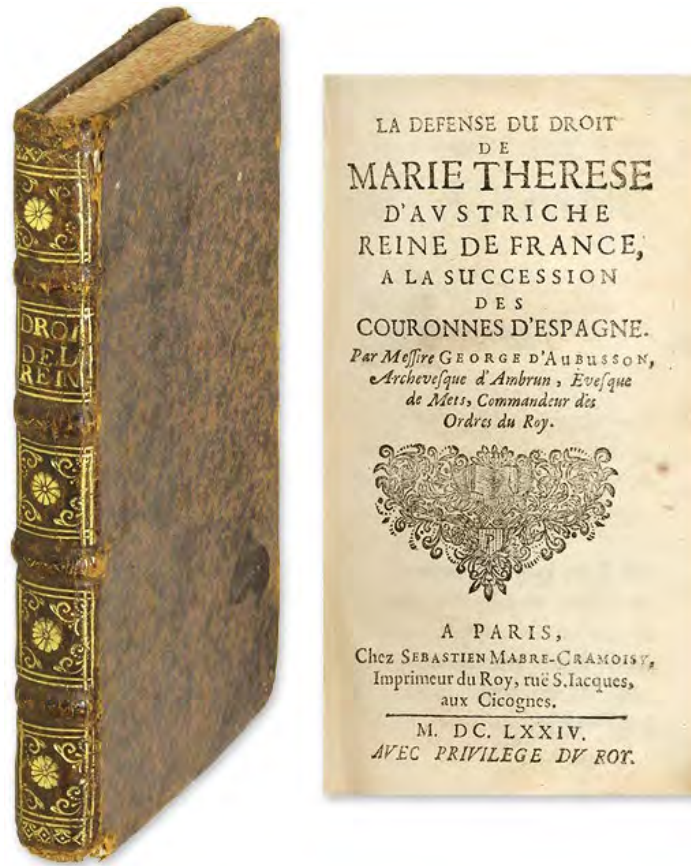
*Commentatio de Jure Agnorum Vulgo: Von Lammer Recht.* Helmstadt: Ex Officina Schnorriana, 1745. 70 pp. Quarto (8" x 6-1/2").

Recent marbled boards over nineteenth-century wrappers (taken from a French book), card pocket to rear pastedown. Moderate toning to text, light soiling to wrappers, internally clean. \$250.

\* Only edition. An interesting study on laws relating to sheep, this is a dissertation defended at the University of Helmstadt. As one would expect, it considers Roman law and, to a lesser extent, the civil law of the Holy Roman Empire. OCLC locates 8 copies, 1 in North America (University of Michigan Law School). Not in *VD18*.

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### Legal Foundations of the War of Devolution

#### 8. Feuillade, Georges d'Aubusson de la [1612-1697].

*La Defense du Droit de Marie Therese d'Autriche, Reine de France a la Succession des Couronnes d'Espagne.* Paris: Chez Sebastien Mabre-Cramoisy, 1674. [xxiv], 164, [1] pp. 12mo. (5-1/2" x 3").

Contemporary sheep treated to resemble tree-calf, gilt spine with raised bands, speckled edges. Some rubbing to extremities with minor wear to spine ends, corners bumped. Toning to text, faint dampstaining and spotting to a few leaves, internally clean. \$1,250.

\* First edition. The author was the Archbishop of Embrun, later Prince-Archbishop of Metz. Mazarin appointed him ambassador to Venice in 1659. Louis XIV appointed him ambassador to Spain in 1667 to pursue French claims to the Spanish Netherlands in the name of Maria Theresa of Austria (1638-1683), the Spanish Infanta and Queen Consort of Louis XIV. These claims were tenuous and constructed on intricate legal foundations. French jurists argued that the Spanish Netherlands should not go to the still underage heir to the Spanish throne, Charles II of Spain (1661-1700), because he was the issue of the second marriage of Philip IV. Maria Theresa, on the other hand, was a result of his first marriage and the lands thereby 'devolved' to her and, of course, Louis XIV. France's claims led to the War of Devolution (1667-68). Feuillade defends France's claims with an argument grounded in the "fundamental laws of Spain, the examples of past centuries and the solemn judgments of the Royal Council of Castile." A second edition was published in 1699. Both copies are scarce, especially in North America. OCLC locates no copies in North American law libraries.

*British Museum Catalogue* (Compact Edition) 1:1145.

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

**9. Frasso, Pedro [1630-1691].**

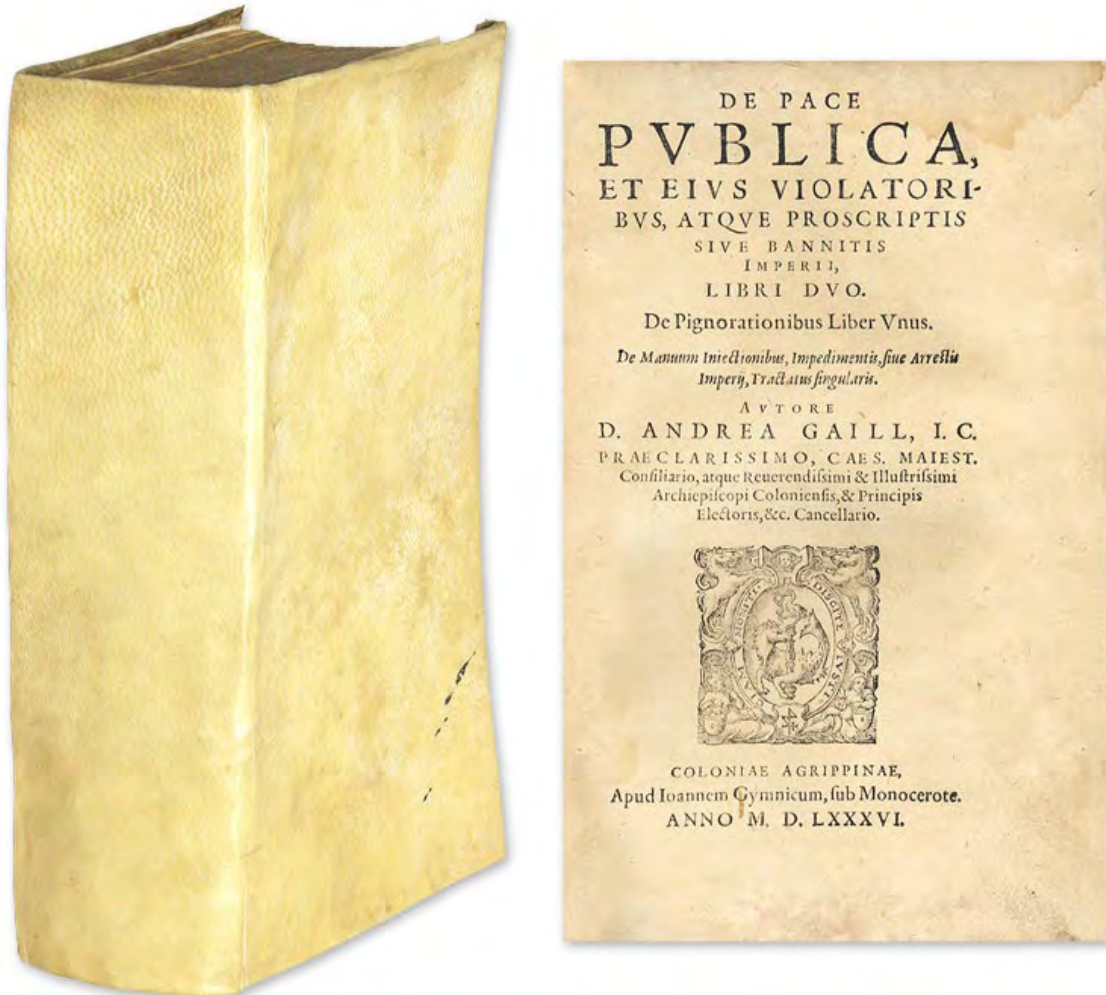
*De Regio Patronatu Indiarum. Quæstiones Aliquæ Desumptæ et Disputatæ, In Alia Quinquaginta Capita Partitæ.* Madrid: Ex Typographia Blasii Roman, 1775. Two volumes. [iv], 328, XC; [iv], CXIV, 383 pp. Main text in parallel columns. Folio (Volume I: 13-1/2" x 9"; Volume II: 13-1/4" x 9").

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

\* Second and final edition. Frasso, a Peruvian jurist of the Regalist school, presents an important legal analysis that supports the crown's power over the church in Spain's American colonies. The treatment of indigenous peoples was the source of tension between the Church and Crown. Both parties pursued colonial goals, but the Church was concerned about welfare of native people and attempted to ameliorate the effects of their exploitation by the Spanish government. The first edition was published in 1677-1679. Both editions are rare in the trade. OCLC locates 3 copies of the second edition in North American law libraries (Columbia, Harvard, UT-Austin).

Medina, *Biblioteca Hispano-Americana* 4711. Palau, *Manual del Libro Hispano-Americano* 94685.

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### Executions, Pledges and Epigrams

#### 10. Gail(l), Andreas von [1526-1587].

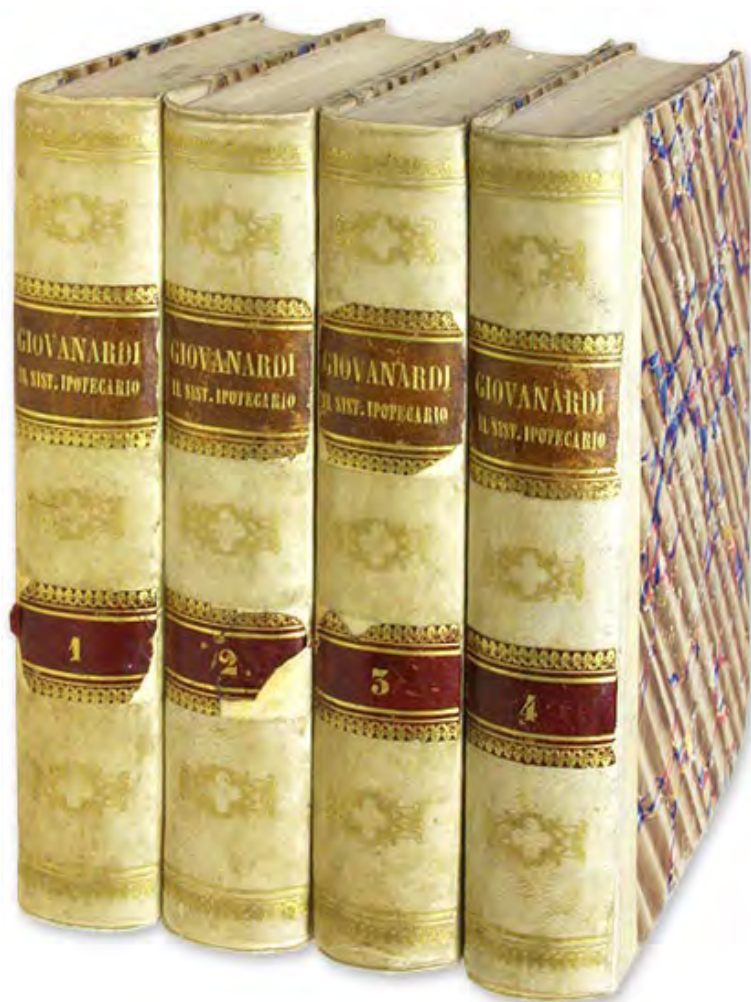
*De Pace Publica, Et Eius Violatoribus, Atque Proscriptis Sive Bannitis Imperio, Libri Duo. De Pignorationibus Liber Unus. De Manuum Iniectionibus, Impedimentis, Sive Arrestis Imperii, Tractatus Singularis.* Cologne: Apud Ioannem Gymnicum, Sub Monocerote, 1586. 468, [60], 123, [1], [52] pp. Three parts, each with title page, third part has divisional title page. Octavo (7" x 4-1/2").

Contemporary vellum, endpapers renewed, early calligraphic title to foot of text. Light rubbing to extremities, small stain to front board, a few cracks to text block. Moderate toning, occasional dampstaining and spotting, internally clean. Ex-library. Bookplate to front pastedown. \$650.

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

*Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* G52.

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### Rare Nineteenth-Century Italian Treatise on Mortgages

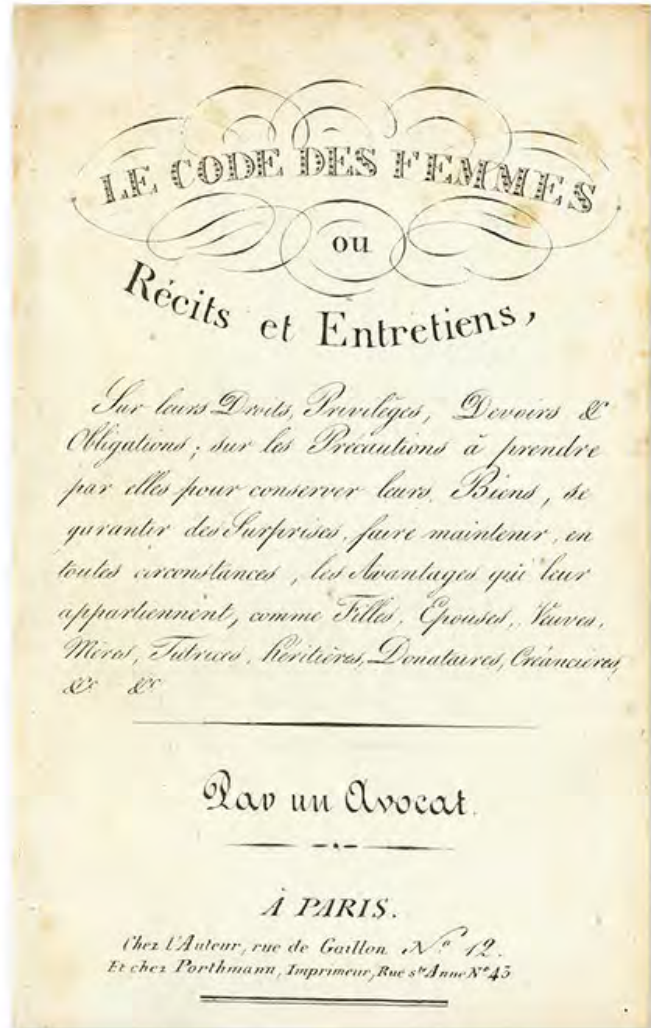
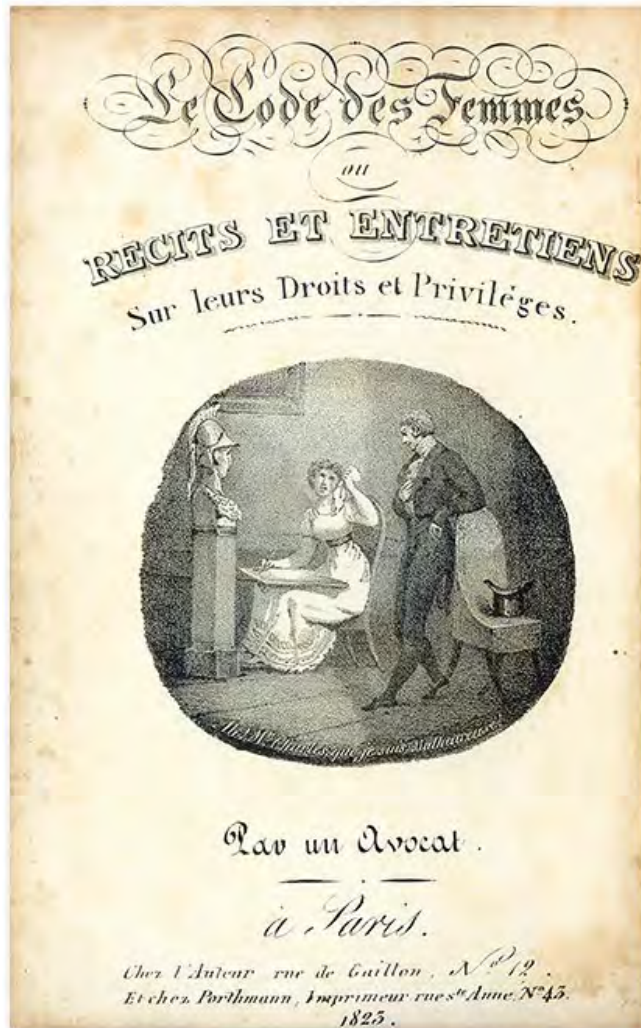
#### 11. Giovanardi, Clemente.

*Il Sistema Ipotecario Ridotto a Principii Generali e Conseguenziali per Modo di Istituzioni Elementari; Cento Dissertazioni.* Imola: Tipografia Galeati, 1854-1857. Four volumes. Octavo (9" x 5-1/2").

Contemporary quarter vellum over marbled boards, gilt fillets and calf lettering pieces to spines. Some rubbing to boards, corners bumped and lightly worn, some soiling to spine and chipping to edges of lettering pieces, spine ends lightly bumped, early owner signature to front free endpaper of each volume. Light foxing in places, interiors otherwise fresh. \$1,950.

\* Only edition. A thorough treatise on the law of mortgages as it existed in Emilia-Romagna shortly before its incorporation into the Kingdom of Italy. Giovanardi divides his subject into 100 "Dissertazioni," each with sub-categories. OCLC locates 1 copy in North America (at Harvard Law School). Another copy located at UC-Berkeley Law School. Not in the *British Museum Catalogue*.

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1823 French Guide on the Laws Relating to  
Women Featuring a Charming Pictorial Title Page

12. [Guichard, Augustin Charles].

*Le Code des Femmes, Ou, Récits et Entretiens, Sur Leurs Droits, Privilèges, Devoirs et Obligations des Femmes: Sur les Précautions à Prendre par Elles pour Conserver Leurs Biens: Se Garantir des Surprises: Faire Maintenir, En Toutes Circonstances, Les Avantages qui Leur Appartiennent, Comme Filles, Épouses, Veuves, Mères, Tutrices, Héritières, Donataires Créancières, Etc., Etc. Par un Avocat.* Paris: Chez l'Auteur, 1823. [vi], 472 pp. Octavo (8-1/2" x 5").

Period-style quarter calf over cloth, lettering piece, blind fillets and gilt ornaments to spine, endpapers renewed. Main title page followed by lithograph pictorial title page. Moderate toning to text, occasional light foxing, (very) faint dampstaining in a few places. \$450.

\* First edition. An interesting guide to the laws relating to women after the Bourbon Restoration in the form of a novel. (This may have been a ploy to attract a female audience; French women were assumed to be fond of novels.) A second edition was published in 1828. Guichard was a prolific author of legal treatises and popular guides to the law. Not in Camus. This edition not in the *British Museum Catalogue*.

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Satirical Views of Legal Practice

### 13. Holtermann, Arnold Moriz [1627-1681].

*De Nequitia Advocatorum, Von Tücken und Bubenstücken der Advocaten und deren Gebet. Cum Judicio Defensivo Francisci Clientis, Dicto Virgae! Virgae!* [Germany]: S.n., [c.1682]. 210 pp. Added double folded copperplate title page.

[Bound with]

### Wiederholdt, Johann Ludwig [1679-1760].

[Fritsch, Ahasver (1629-1701)].

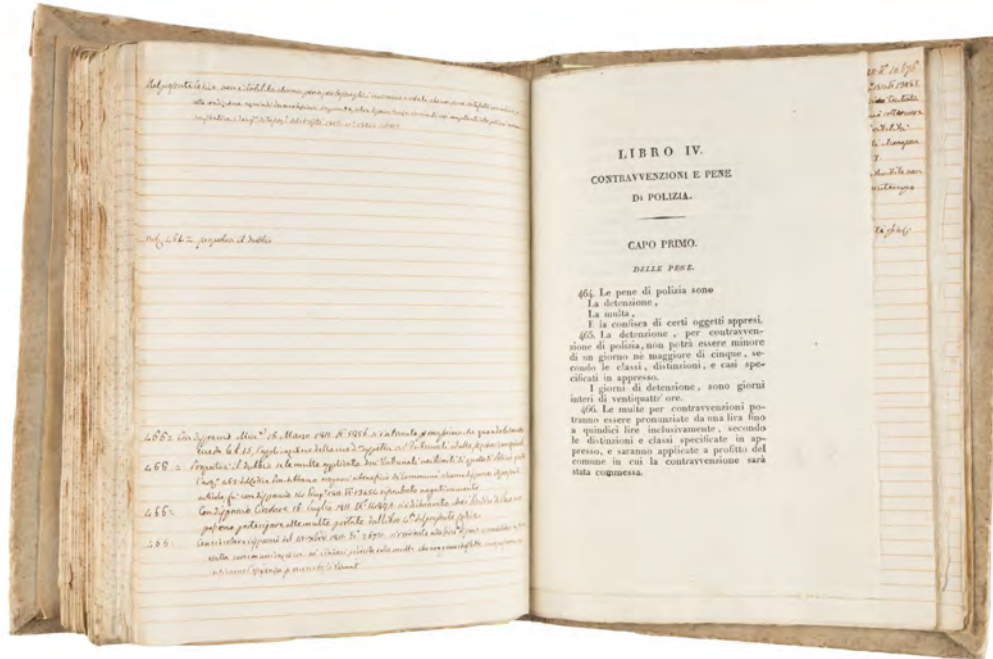
*Repraesentatio Judicis Muneribus Ac Donis Corrupti, Das Ist: Kurtze Abbildung Eines durch Gaben und Geschenke Bestochenen Richters, Darinnen gezeigt Wird: 1. Ob und wie weit einem Richter Geschenke Zunehmen erlaubt sey oder Nicht. 2. Wie sich ein Richter des Criminis Baratariae Verdächtig Mache. 3. Wie dieses Laster Zubestrafen, Und 4. Wie sich eine Hobe Landes-Herrschaft vor Solchen Geschenke-Fressern Hüten Könne.* Wetzlar: Verlegt Georg Ernst Winckler, [c.1725]. [48, (iii), 14, 17-28; 29-123 pp.]. Text complete, but contents bound out of order: [iii], 14, 17-28, a reprint of the complete text of Fritsch's *Der Beschämte Geschenke-Fresser: Nebst einer Treubereyigen Warnung*, which has a double folding title page with the imprint Jena: Bey Johann Bielcke, 1684, bound before the second part of Wiederholdt's text, pp. 29-132, which also has a double folding title page. This is followed by the first part, pp. 1-48, which has a divisional title page.

Octavo (6-1/2" x 3-3/4"). Contemporary vellum, front endleaves and rear pastedown renewed. Light soiling and a few minor stains, spine ends bumped, some wear to corners, hinges cracked, bookplate residue to front pastedown. Light browning to text, faint dampstaining to head of text block. \$1,850.

\* This volume collects later editions of three German satirical titles about legal practice in the German states. The best-known of these is Holtermann's *Nequitia Advocatorum*, which features an allegorical title page depicting a young man under assault from lawyers and judges. As indicated by their titles, the other titles address the corrupt nature of lawyers and judges.

*Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 23:653515W. *Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts* 10453814.

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**Interleaved and Annotated First Italian Edition of the Code Penal**

14. [Kingdom of Italy].

[Code Napoleon].

[Piantanida, Luigi (b.1770)].

*Codice dei Delitti e Delle Pene pel Regno D'Italia. Edizione Ufficiale.* Milan: Dalla Reale Stamperia, 1810. 176 pp. Interleaved. Octavo (8-3/4" x 6-1/4").

Contemporary paper boards, inked title to spine, ownership signatures ("Piantanida") to front board and front pastedown, edges untrimmed, later (illegible) ownership signature to rear pastedown. Light rubbing to boards, moderate rubbing to extremities, corners bumped, stitching of text block loosening slightly but secure. Light toning to interior, occasional very faint dampstaining to top-edge, lower corner of leaf 6a (pp. 81-82) lacking without loss to text. Text block fully interleaved (2 ff. between each page) with ruled paper, 64 pp. of annotations to ruled leaves in an early hand. A wide-margined, uncut copy with interesting contemporary annotations. \$2,000.

\* First edition. The first official Italian translation of the French Penal Code introduced by Napoleon in 1810. The Code came into force in the Kingdom of Italy under Napoleon's personal rule on January 1, 1811. It is divided into four books, with the first two covering criminal responsibility and sentencing, the third defining felonies and misdemeanors against the state and individuals and the fourth enumerating "violations," crimes dealt with strictly on the police level. The 1810 code is notable for its harsh penalties, including extensive use of the death penalty and long prison sentences or a lifetime of hard labor for felonies. It reinstated branding and life imprisonment and gave judges significant discretion in sentencing. It is also of interest for its reliance on the idea of criminal responsibility, independent of contingent circumstances and absolute in its consideration of criminal behavior.

The present copy may have belonged to the jurist Luigi Piantanida (1770-?), who was a lawyer in Milan and a great supporter of Napoleon, to whom he dedicated his treatise *Della Giurisprudenza Marittima-Commerciale Antica e Moderna* (1806-1808). The detailed notes appear to concern later updates to the Code and subsequent case law. The latest date in the notes is 1813.

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### Charmingly Decorated Manuscript Commentary on the Customary Law of Artois

15. [Manuscript].

[Artois].

Hébert, Guillaume-François.

*Remarques Faites sur Plusieurs Articles de la Coutume d'Artois, Et sur Quelques Questions de Droit et de Pratique, Par Hébert, Conseiller du Conseil Provincial d'Artois.* [Artois?, 1741?]. 608, [8 blank], [9] pp. With a 9 pp. index. Folio (11-1/2" x 7").

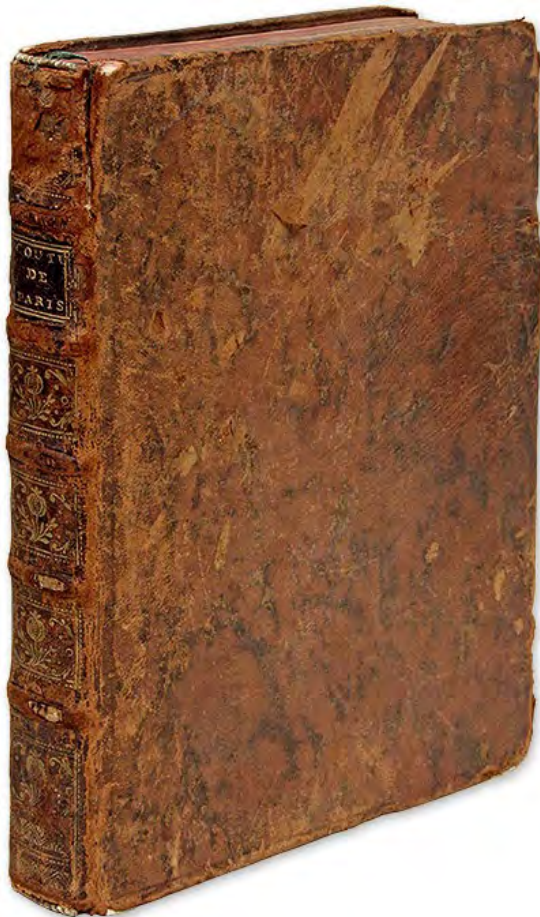
Contemporary mottled sheep, gilt spine with raised bands, title excised from spine, edges rouged. Rubbing and scuffing to boards, a few nicks, scratches and gouges, somewhat heavier rubbing to extremities, front board separated but secured by cords, rear joint starting at head, spine ends abraded, corners bumped and somewhat worn, rear hinge cracked, later penciled notes, title and ink library stamp (of André Mater) to front free endpaper. Moderate toning to interior, somewhat lighter or heavier in places, light soiling and stains to a few leaves, crack in text block between pp. 240-241, a few partial cracks to text block, all leaves secure. Text in three neat hands with occasional side notes, ornamented with small ink drawings of birds to margins of many leaves. \$1,500.

\* Hébert's *Remarques* is a commentary on Articles 1 to 201 of the customary laws of Artois (in its final 1669 codification). According to other copies, the work was begun in 1695. Possibly never finished, it does not discuss the other articles of the coutume. However, jurists saw its value and transmitted it through manuscript copies. OCLC locates six of them (none completely identical) at the Bibliothèque Nationale de France, Harvard Law School, Library of Congress, UC-Berkeley Law School, University of Pennsylvania Law School and the University of Queensland.

Our copy was owned by André Mater [1877-1964], a republican activist and lawyer at the Parisian Court of Appeal. The annotations are mainly comparisons to the customary laws of other regions, among them Boulogne, Lille and Rheims. Others mark revisions or repeals; the latest of these is dated 1782. They are in a neat eighteenth-century hand similar to the third hand of the manuscript. Many of the first 526 pages are decorated with small drawings of birds, flowers or suns. The date "1741" appears in one of these drawings, which may be the date of the first portion of the manuscript or the date of the ornamentation.

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Handsome Manuscript Copy of the *Coutume de Paris*

16. [Manuscript].  
[Paris].

*Coutume de la Prévosté et Vicomté de Paris.* [Paris?, c.1700-1750]. [ii], 389, [1] pp. Quarto (8" x 6-1/2").

Contemporary tree sheep, gilt spine with raised bands and lettering piece, edges rouged, ribbon marker. Light rubbing and shallow scuffing to boards, faint illegible name (?) to rear board, moderate rubbing to extremities with wear to spine ends and corners, joints just starting at ends, later owner signature to front pastedown, crack in text block between title page and following leaf. Light toning to interior, text in fine, almost calligraphic, hand within ruled margins, a few nineteenth-century notes laid in. \$3,500.

\* Enhanced with a table of contents, this handsomely written copy of the Paris coutume was intended for annotation. There is large blank space below the text on each page and occasional blank leaves. The laid-in slips have brief annotations about the coutume and its articles. Two of them have dates from the nineteenth century. Our assignment of a c.1700-1750 date to the manuscript is based on its binding, orthography and handwriting style.

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### Fascinating Sixteenth-Century Digest of Land and Hunting Laws

17. Meurer, Noe [1525-1583].

Spangenberg, Cyriacus [1528-1604].

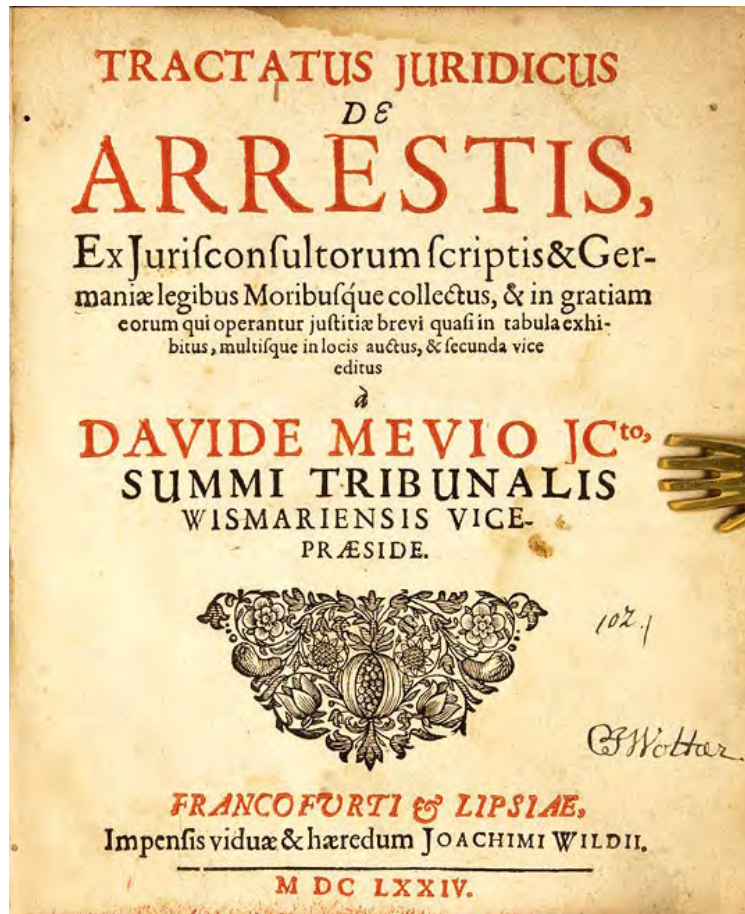
*Von Forstlicher Oberherrlichkeit und Gerechtigkeit, Was die Recht, Der Gebrauch, Und die Billigkeit Deshalben Vermög. Item: Von dem Waren Oder Gerechten Rechten, Der Teutschen Gerechtigkeit, Aequitate Oder Billigkeit, Wie und Wenn die von Einem Jeden Gerechten und Nüt zu Strengen Richter, Nach Gestalt und Gelegenheit Furfallender Ungleich Fall und Sachen Zubalten, Und Darnach zu Urteilen Sey. Alles Beschriben durch den Hochgelehrten Noe Meurer. Auch vom Rechtmessigen Jagen und vom Mißbrauch Desselbigen, Bestendiger Bericht durch M. Cyriacum Spangenberg.* [Frankfurt am Main: Weigand Han and Georg Raben, 1561]. c, xxxvii, [1], lxxx, [4] ff. Three parts in one volume. Folio (11" x 7").

Recent paper-covered boards retaining earlier paper spine, endpapers renewed, edges rouged. Light soiling, front joint just starting at head, recent owner bookplate to front pastedown. Title page printed in red and black, large woodcut coat of arms to verso. Light browning to text, faint dampstaining to fore-edge of text block, two small library stamps to foot of title page. A nice copy of a handsomely printed volume. \$2,500.

\* Second and final edition. Early game and land laws record the earliest attempts to preserve the environment. They also offer fascinating insights into social history due to their relevance to topics ranging from class structure to foodways. First published in 1560, Meurer and Spangenberg's compilation offers a thorough overview of land-use, fishing and hunting laws as they stood in the states of the Holy Roman Empire during the mid-sixteenth century. The first edition is considerably shorter than the second, containing 100 leaves. Both editions are scarce in North America. OCLC locates 2 copies of the first edition (at Columbia Law School and Yale University) and 1 copy of the second (at Harvard University). Not in Adams.

*Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* M5017.

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A Scarce Seventeenth-Century Treatise on Arrest

18. Mevius, David [1609-1670].

*Tractatus Juridicus de Arrestis: Ex Jurisconsultorum Scriptis & Germaniae Legibus Moribusque Collectus, & In Gratiam Eorum qui Operantur Justitiae Brevi Quasi in Tabulâ Exhibitus, Multisque in Locis Auctus, & Secunda Vice Editus.* Frankfurt: Impensis Viduae & Haeredum Joachimi Wildii, 1674. [viii], 311, [16] pp. Quarto (7-3/4" x 6-1/4").

Contemporary paper-covered boards with later cloth rebacking, plain paper title label to spine. Light rubbing and few minor stains to boards, moderate rubbing to extremities, corners bumped and lightly worn, tiny chip to head of spine, hinges just starting at ends, a few partial cracks to text block, owner inscription of Guido Kisch to front free endpaper dated 1913. Title page printed in red and black. Moderate toning to text, faint dampstaining to margins in a few places. Small early owner signature to title page, interior otherwise clean. \$650.

\* Second edition. First published in 1646, this treatise discusses laws and procedures concerning arrest. Much of its content deals with issues of debtor and creditor, attachment and garnishment and imprisonment for debt. A successful work, its third and final edition appeared in 1686.

Kisch [1889-1985] was a prominent jurist and scholar who produced important works on humanism, Jewish law and history, German jurisprudence and the history of German-Jewish relations. All editions are scarce. OCLC locates 1 copy of the second edition in North America (UC-Berkeley Law School).

*Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 3:010232F.

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**An Impressive, Alphabetically Digested Synthesis of Divine Law**

**19. Montholon, Jean de [d.1528].**

*Promptuarium Divini Iuris et Utriusque Humani, Pontificii & Caesaris Celebriores Eiusdem Divini Iuris, & Historias / & Sententias, Humanis Iuribus Tum Annotatas Tum Elucidatas, Sub Alphabetica Serie Complectens.* Paris: In Aedibus Henrici Stephani [and Simon de Colines], 1520. 2 volumes in 1. [vi], CCCCX, [2]; CCCXXXI, [6] ff. Lacking final blank. Folio (12" x 8-1/4").

Later (nineteenth-century) quarter sheep over marbled boards, gilt spine with raised bands and lettering piece, patterned edges, endpapers renewed. Moderate rubbing, scuffing and faint dampstaining to boards, somewhat heavier rubbing to extremities, joints discreetly mended with calf at head, light wear to board edges, corners reinforced, hinges cracked, vertical crease to front free endpaper. First title page printed within woodcut border with personifications of divine, canon and civil law, occasional woodcut initials throughout, main text surrounded by linear gloss. Moderate toning to interior, dampstain to upper gutter causing reoccurring tearing throughout text block, affecting legibility of a few leaves of first index and, occasionally, side notes, occasional faint dampstaining, somewhat heavier to last quarter of text block, light foxing and soiling in a few places, first several leaves, second title page and final leaf neatly reinforced at gutter, negligible light worming to lower right corner of last forty or so leaves, clean tears to fore and bottom edges of final leaf neatly mended on verso not affecting text. Early annotations, underlining and manicules throughout text in at least two hands, many annotations affected by trimming at fore-edge. An impressive volume. \$2,500.

\* Only edition. Montholon was a French priest and highly regarded ecclesiastical and legal scholar appointed cardinal by Pope Clement VIII. *Promptuarium Divini Iuris*, dedicated to his four brothers, is an alphabetically digested guide to divine law with extensive linear glosses. It was the first work printed by French Renaissance printer Simon de Colines, who inherited Henri Estienne's shop after the latter's death in 1520. The mention of Colines in the final dedicatory leaf is the first recorded appearance of his name in print (Schreiber). The annotations to our copy are primarily glosses in Latin, some quite detailed, demonstrating deep study by at least two early readers.

Adams, *A Catalogue of Books Printed on the Continent of Europe* M1718. Schreiber, *Simon de Colines* 1.

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First Edition of a Standard Work on Pledges and Mortgages

20. Negusanti, Antonio [1465-1528].

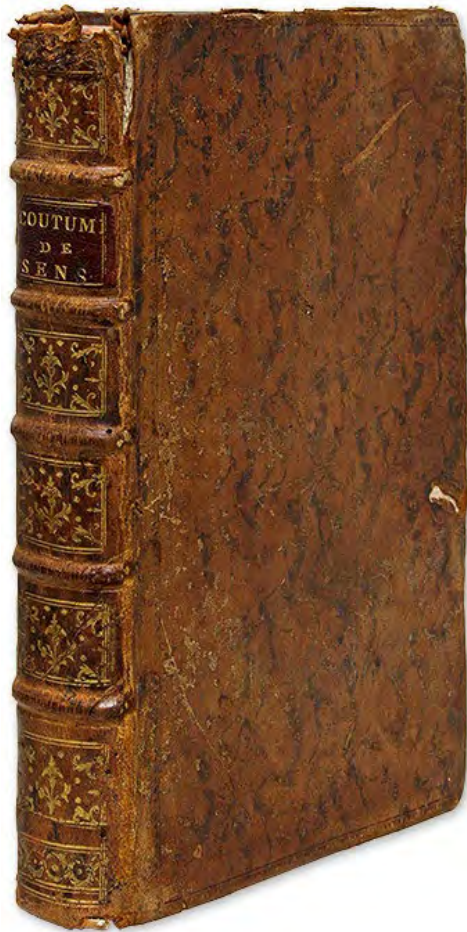
Tractatus de Pignoribus et Hypothecis Domini Antonii Negusanti de Fano. [Bologna: Characteribus Cynthii Achillini excussa, 11 Augusti 1526]. [xii], 68, [2] ff. Text (except dedication) in parallel columns. Main text preceded by index (Repertorium). Folio (14-1/2" x 10").

Contemporary vellum, raised bands and faint early hand-lettered title to spine. Light rubbing, minor soiling and some minor stains to boards, which are slightly bowed, chip to head of spine, joints just starting at foot, corners bumped and somewhat worn, minor worming to pastedowns and endleaves, wear holes (paper flaw?) to rear free endpaper, crack in text block between front free endpaper and title page of Repertorium. Title pages printed within woodcut architectural border, woodcut decorated initials. Light toning, light foxing in a few places, brief early annotations in a few places, some affected by trimming, faint oil stains to a few leaves, light soiling and minor edgewear to preliminaries. An impressive copy of the rare first edition. \$5,000.

\* First edition. Negusanti's treatise on pledges and mortgages in Roman law was a standard work for several generations of lawyers throughout Europe. Several issues and editions followed, the last one in 1736. OCLC locates 2 copies, 1 in North America (at Harvard Law School).

Censimento Nazionale Delle Edizioni Italiane del XVI Secolo CNCE23606.

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### A Comparative Study of the *Coutumes* of Sens

#### 21. Pelée de Chenouveau, [Blaise-Louis].

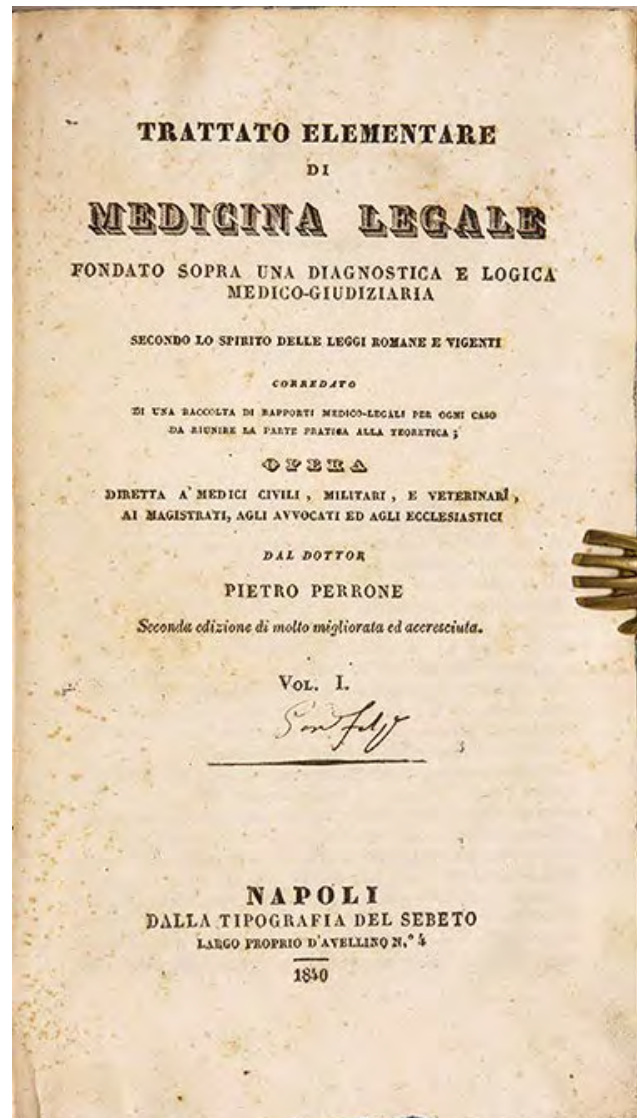
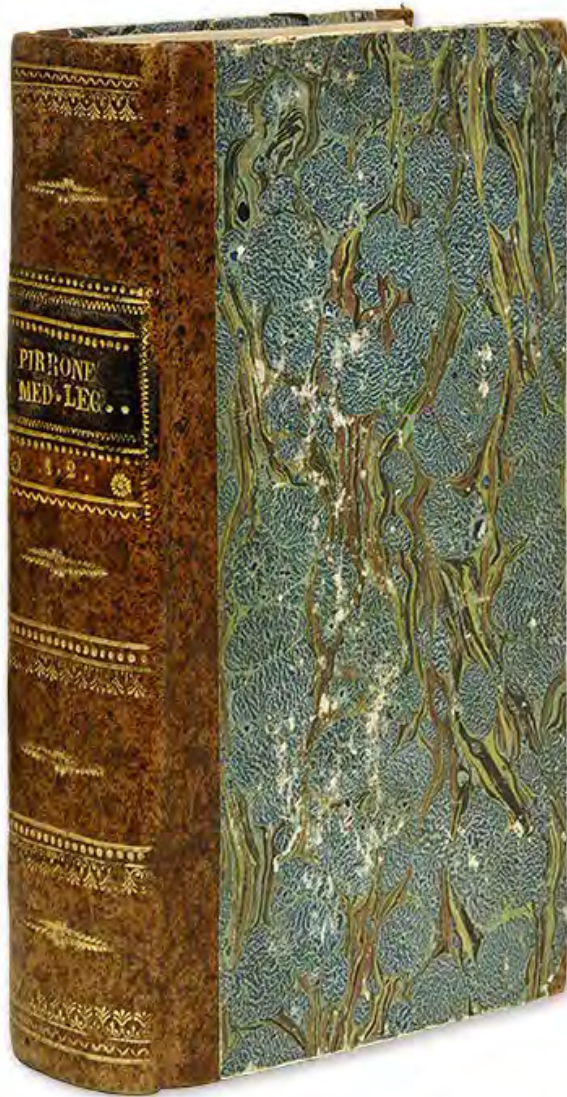
*Conférence de la Coutume de Sens, Avec le Droit Romain, Les Ordonnances du Royaume, Et les Autres Coutumes. Ouvrage, Dans Lequel on a Rassemblé, Sur Chaque Texte, Les Questions qui Peuvent y Avoir Rapport, Le Sentiment des plus Célèbres Jurisconsultes, Et les Sentences et Arrêts Rendus dans le Ressort de la Coutume, Qui en ont été Confirmé ou Interprété les Dispositions, Par M. Pelée de Chenouveau. Suivi de Détails Historiques sur le Baillage de Sens, Rédigés par M. T.D.S.* Sens: Chez Veuve Tarbé, Et Paris, Née de La Rochelle, 1787. [viii], 621, [3] pp. Main text in parallel columns. Quarto (10-1/4" x 7-3/4").

Contemporary sprinkled calf, blind rules to boards, gilt spine with raised bands and lettering pieces, marbled endpapers. Moderate rubbing and a few scuffs and minor worming to boards, heavier rubbing to extremities with wear to board edges, chipping to spine ends, corners bumped and worn, front free endpaper loose. Light toning to text, somewhat heavier in places, tiny puncture through rear board and final quarter of text block. \$400.

\* Only edition. Located near Paris, Sens is a historically rich city. Its archbishop was primate of Gaul and Germany during the middle ages and it remained a powerful archbishopric until Paris was elevated to archdiocese in 1622. At that point the city began to decline in importance. This erudite study compares the *coutumes* of Sens with Roman law and the *coutumes* of other parts of France.

Gouron & Terrin, *Bibliographie des Coutumes de France* 2005.

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### A Scarce Nineteenth-Century Italian Treatise on Medical Jurisprudence

#### 22. Perrone, Pietro.

*Trattato Elementare di Medicina Legale Fondato Sopra una Diagnostica e Logica Medico-Giudiziaria Secondo lo Spirito delle Leggi Romane e Vigenti. Corredato di una Raccolta di Rapporti Medico-Legali per Ogni Caso da Rinnire la Parte Pratica alla Teoretica; Opera Diretta a Medici Civili, Militari, E Veterinari, Al Magistrati, Agli Avvocati ed Agli Ecclesiastici.* Naples: Dalla Tipografia del Sebeto, 1840-1841. Two volumes in one. viii, 279; [ii], 435 pp. Octavo (8-1/2" x 5-1/4").

Contemporary three-quarter speckled calf over marbled boards, lettering piece and gilt ornaments to spine. Light rubbing to boards, moderate rubbing to extremities. Light toning to text, light foxing in places, small early owner signature to title page of Volume I. An attractive copy. \$500.

\* Second edition. First published in 1826, Perrone's treatise reached the fifth edition in 1858. As the title indicates, it addresses civil law, canon law, and military law. Volume I addresses civil law; Volume II addresses criminal law. All editions are scarce. OCLC locates one copy of the second edition (in France). Not in the *British Museum Catalogue*.

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### Notable Sixteenth-Century Treatise on Family Law

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

*Familiarium Iuris Quaestionum Libri Tres. Hac Postrema Editione Prioribus Duobus tum in Utroque Fore Versantibus, Tum in Scholis Docentibus Apprimè Necessarii.* Venice: Ex Officina Damiani Zenari, 1580. [xxxviii], 217, [1] ff. Final leaf blank. Main text in parallel columns. Folio (11-1/2" x 8-1/4").

Contemporary paneled pigskin with elaborate blind tooling and beveled edges, raised bands to spine, early hand-lettered title to spine, clasps lacking. Light soiling to spine, some minor scratches and a few minor scuffs and stains to boards, rear board slightly bowed, spine ends bumped, minor tears to joints at head of spine, a few tiny worm holes to front joint at foot, large armorial bookplate (of the Bavarian Ducal Library dated 1618) to front pastedown. Joints starting, some worming to pastedowns, minor worming to margins of preliminaries, crack in text block between front free endpaper and title page, faint dampstaining along crack, light toning to text, slightly heavier in places. \$1,500.

\* "New edition," enlarged with a "third book," the final edition of this work. Ancharano was a renowned Italian jurist and commentator on canon and Roman law. As indicated by its title, *Familiarium Iuris* is an extensive study of domestic relations in Roman and canon law. Its "Liber Primus" was published in 1563. A two-part edition followed in 1569.

*Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE1676.

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### The Baron Cheated

#### 24. Rakenius, Carl.

**Fitzgerald-de Ros, Henry, 22nd Baron de Ros, [1793-1839], Defendant.**

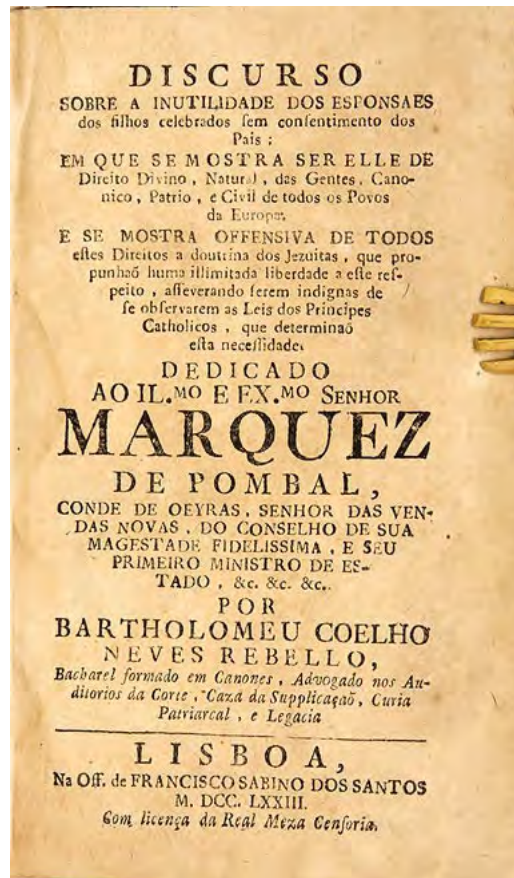
*Der Falsche Whistspieler: Oder Injurien-Klage des Lord de Ros gegen John Cumming wegen Beschuldigter Betrügereien im Kartenspiel.* Hamburg: Bei Hoffmann & Campe, 1837. viii, 136 pp. Octavo (7" x 4-1/2").

Original printed wrappers, several unopened signatures. Light soiling, a few finger smudges and moderate edgewear, spine abraded, front wrapper partially detached, moderate toning and light foxing to text, light edgewear to half-title. A rare title. \$1,650.

\* Only edition. Henry Fitzgerald-de Ros, 22nd Baron de Ros, one of the finest whist players in England, was involved in a gambling scandal in 1836. He was accused of cheating, which led him to initiate an action for libel. This was not a wise move. The trial showed that Ros cheated. Disgraced, he left England and settled in Rotterdam, where he spent the rest of his life. This trial attracted a good deal of attention. As indicated by this German account, interest in this trial was not limited to England. According to the title page, this work was translated from an English source. We were not able to locate any English equivalent to this work, however. The translated portion of our work is a court report, which is not credited to an original source. It is preceded by an original preface that discusses the case and its background. OCLC locates 2 copies, both in Germany.

Schroeder, *Lexikon der Hamburgischen Schriftsteller* VI:3085.

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**Betrothals Are Illicit Without  
Parental Consent, Whatever the Jesuits Say**

**25. Rebello, Bartholomeu Coelho Neves.**

*Discurso Sobre a Inutilidade dos Esponsaes dos Filhos Celebrados sem consentimento dos Pais; Em que se Mostra ser elle de Direito Divino, Natural, das Gentes, Canonico, Patrio, E Civil de Todos os Povos da Europa. E se Mostra Offensiva de Todos Estes Direitos a Doutrina dos Jezuitas, que Propunhao Huma Illimitada Liberdade a Este Respeito, Asseverando Serem Indignas de se Observarem as Leis dos Principes Catholicos, Que Determinao Esta Necessidade. Dedicado ao Ilmo. e Exmo. Senhor Marquez de Pombal, Conde de Oeyras, Senhor das Vendas Novas, do Conselho de Sua Magestade Fidelissima, E Seu Primeiro Ministro de Estado, &c. &c. &c.* Lisbon: Off. do Francisco Sabino dos Santos, 1773. [x], xvii, [1], 231, [1] pp. Half-title lacking. Octavo (6-1/4" x 3-3/4").

Contemporary mottled sheep, blind fillets and gilt-stamped title to spine, speckled edges. Moderate rubbing to extremities, a few light scuffs to boards, spine abraded with wear to ends, front joint partially cracked. Moderate toning to text, somewhat heavier in places, faint dampstaining to a few leaves. \$1,250.

\* Only edition. Rebello argues that betrothals are not legal without parental consent. In the dedication to the Marquês de Pombal and the Proemio, the author refers to the "relaxada Moral Jezuitica" and notes that allowing disobedience to parents in matters such as betrothals (which Jesuits such as Sanches and Molina advised) might well also encourage disobedience to the king. As a magistrate, Rebello had been involved in several cases of such illicit betrothals. He reviews the writings of Church Fathers, papal bulls, and Councils on this matter, and on pp. 170-218, reviews the laws in Spain, France, Germany, Prussia, Holland and Italy. Porbase contains a record with an incorrect publication date of 1755. OCLC locates 3 copies, 2 in North America (Newberry Library, UC-Berkeley Law School). Not in Ferreira-Ibarra.

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### An Anti-Semitic Review of "Notorious Jewish Thieves, Swindlers and Rascals"

#### 26. Schwenken, Carl Philipp Theodor [1785-1847].

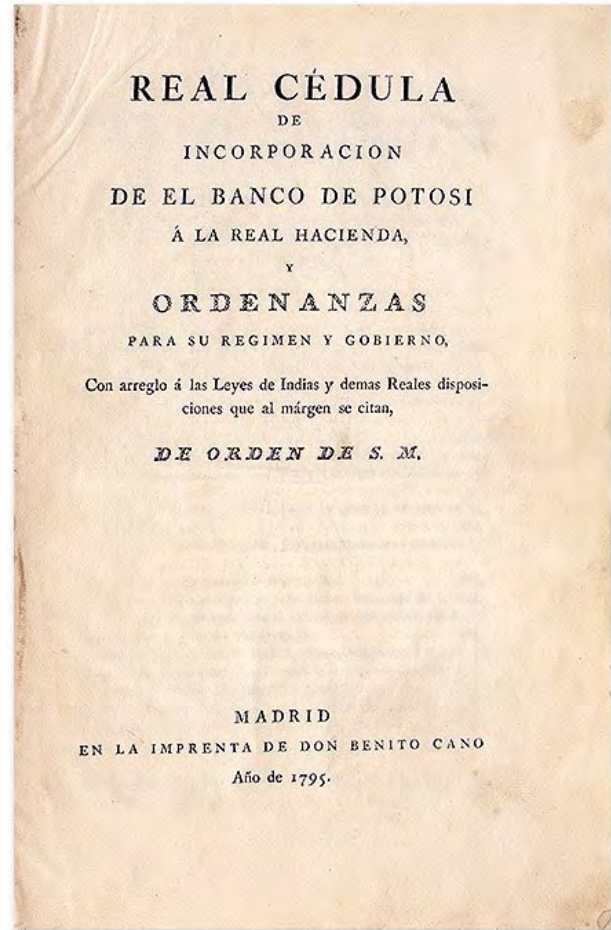
*Notizen über die Berüchtigsten Jüdischen, Gauner und Spitzbuben, welche sich Gegenwärtig in Deutschland und an Dessen Grenzen Umbertreiben nebst Genauer Beschreibung Ihrer Person; Nach Criminal-Akten und Sonstigen Zuverlässigen Quellen Bearbeitet und in Alphabetischer Ordnung Zusammengestellt.* Marburg and Cassel: Bei Johann Christian Krieger, 1820. xvi, 416, [4] pp. Octavo (6-3/4" x 4").

Contemporary plain paper-covered boards. Moderate rubbing and staining to boards and spine, heavier rubbing to extremities with wear to edges, spine ends and corners, tiny early owner stamp and small blank label to front free endpaper, moderate toning and foxing to text. A rare title. \$2,950.

\* First edition. A classic example of nineteenth-century German Anti-Semitism, this book by a notable criminologist reviews the careers of 650 "notorious Jewish thieves, swindlers and rascals." These biographies serve to demonstrate the patent criminality of "Jewish race." A second edition was published in 1825. Both are rare. OCLC locates no copies of the second edition in North America, 3 of the first (Hebrew Union College, Michigan State University, New York Public Library).

Leo Baeck Institute, New York, Bibliothek und Archiv, *Katalog* I:A768.

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

27. [Spain].

#### Real Banco de San Carlos de Potosí.

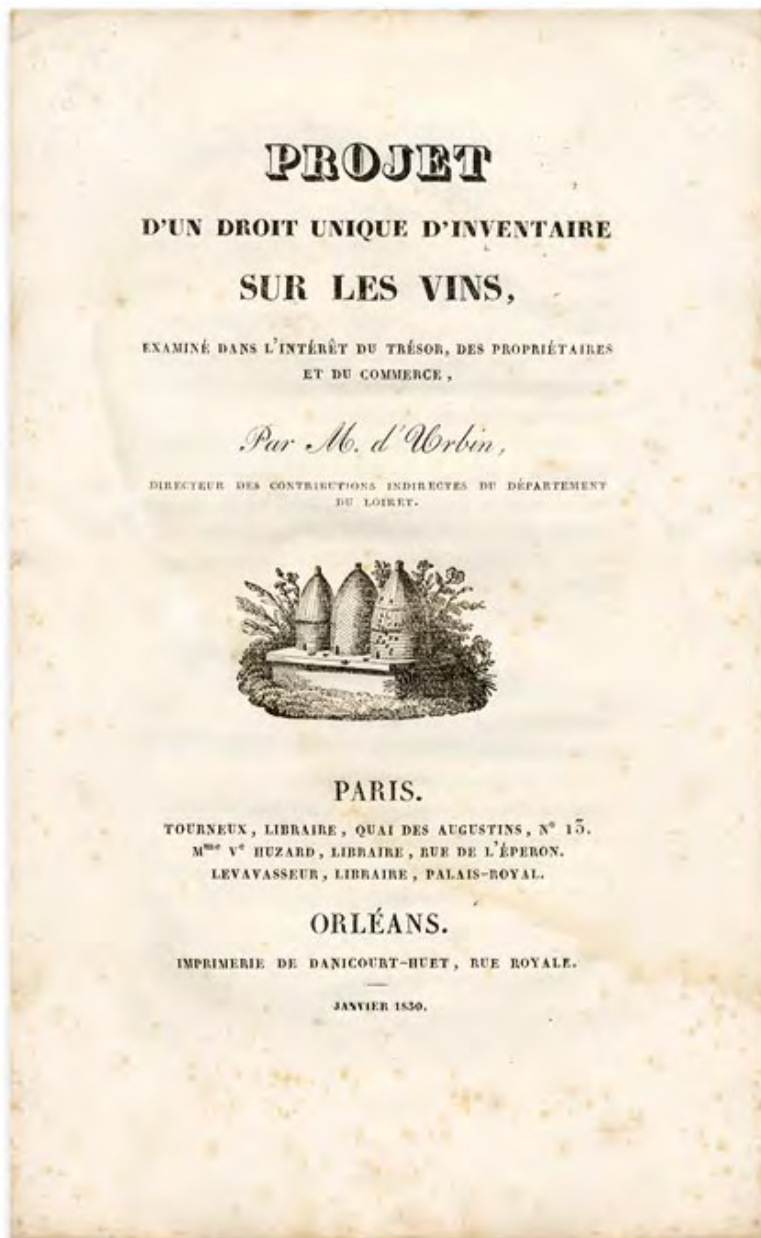
*Real Cédula de Incorporacion de el Banco de Potosí á la Real Hacienda y Ordenanzas Para su Regimen y Gobierno: Con Arreglo á las Leyes de Indias y Demas Reales Disposiciones que al Márgen se Citan: de Orden de S.M.* Madrid: En la Imprenta de Don Benito Cano, 1795. [xii], 67, [107] pp. Final 107 un-numbered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

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

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

Sabin, *A Dictionary of Books Relating to America* 68224.

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1830 French Pamphlet on Laws Dealing with the Wine Trade

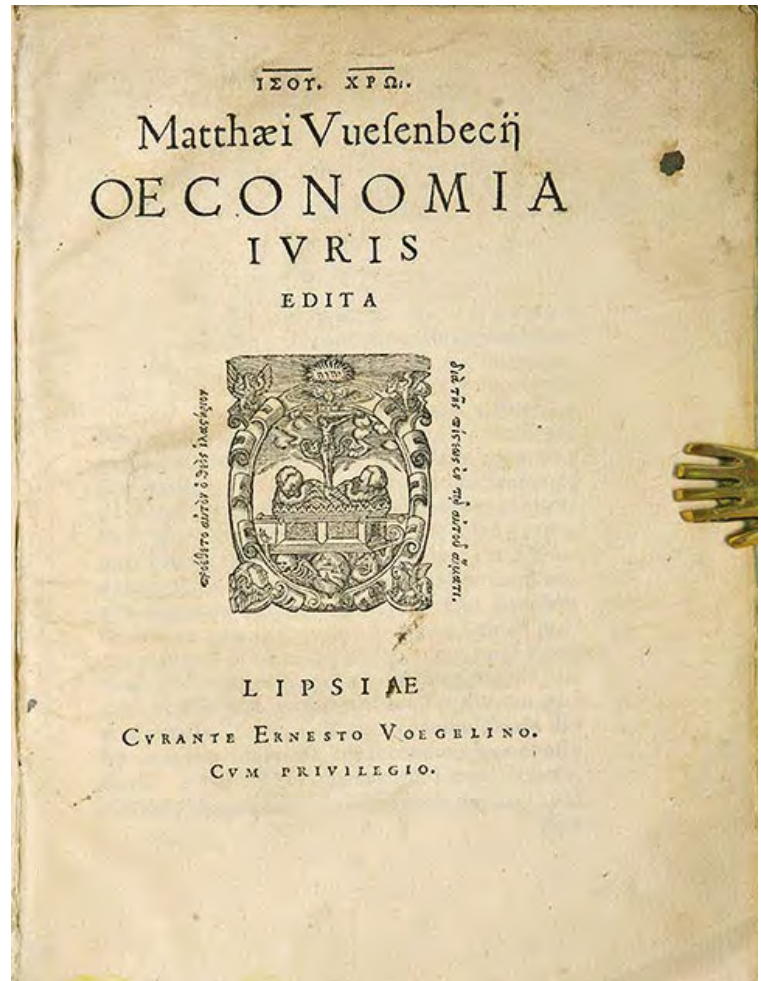
**28. Urbin-Gautier, Charles-Rosalie Mis d.'**

*Projet d'un Droit Unique d'Inventaire sur les Vins, Examiné du Trésor, Des Propriétaires et du Commerce.* Paris: Tourneux, Libraire/Orléans: Imprimerie de Danicourt-Huet, 1830. 28 pp. Octavo (8-1/4" x 5").

Stab-stitched pamphlet in plain wrappers. Wrapper beginning to split near spine ends, woodcut vignette of three beehives to title page, light toning and occasional light foxing to text. \$350.

\* Only edition. A critical review of laws regulating the French wine trade with an emphasis on the harm caused by duties and other taxes. OCLC locates 2 copies, 1 in North America (California State University, Fresno).

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### A Sixteenth-Century "Nutshell" of Roman, Feudal and Canon Law

#### 29. Wesenbeck (Wesembeke), Matthaeus [1531-1586].

*Oeconomia Iuris*. Leipzig: Curante Ernesto Voegelino [Imprimebatur per Andream Schneider, Typis Vogelianis, 1571]. [ii], 383, [21] pp. Quarto (7-1/2" x 5-1/2").

Contemporary paneled vellum, gilt-stamped early owner name (Cancell: Mari: Burg/ 1681) and faint tiny early signature to front board, raised bands, later calf lettering and small paper shelf label to spine, ties lacking. Light soiling, moderate rubbing to extremities, a few minor worm holes to rear board, corners bumped, front free endpaper lacking, front hinge cracked, a few cracks to text block. Moderate toning to text, light soiling and a small inkspot title page, early ink (library?) annotation to front pastedown. \$1,250.

\* First edition. Wesenbeck, a leading Belgian humanist jurist who taught at the Universities of Jena and Wittenberg, was a distinguished and prolific scholar of Roman law with a pan-European reputation. A posthumous eight-volume collection of his consilia was published from 1611 to 1624. First published in 1571, *Oeconomia Iuris* is summary of the *Corpus Juris Civilis*, the *Libri Feudorum* and the *Corpus Juris Canonici* with notes and correspondences. Its final edition was published in 1625.

*Verzeichnissen der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* W2131.

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### Scarce Italian Treatise on Debtor and Creditor

#### 30. Zanchi, Carlo [fl. 1770].

*Tractatus de Praelatione Creditorum in Foro Utilissimus, & ad Quotidianas Concursus, Seu Graduationis Quaestiones Accommodatissimus, in Sex Exercitationes Divisus, In Quibus Privilegia Creditorum Omnia, Quae a Legibus, Statutis, Consuetudinibus, Necnon Pontificiis Constitutionibus Descendunt, Late, Erudite, Diligenterque Expenduntur.* Rome: Typis, Et Sumptibus Generosi Salomoni, 1766. viii, 628 pp. Main text in parallel columns. Folio (12-3/4" x 9").

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

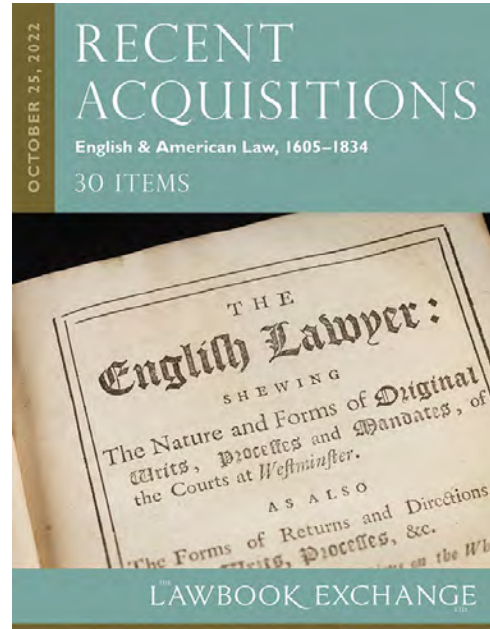
\* First edition. A second edition of this notable treatise on debtor and creditor, with an emphasis on insolvency and the priority of claims and liens, was published in 1839. Both are scarce. OCLC locates 3 copies of the first edition in law libraries (Columbia, Harvard, UC-Berkeley), 3 copies of the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

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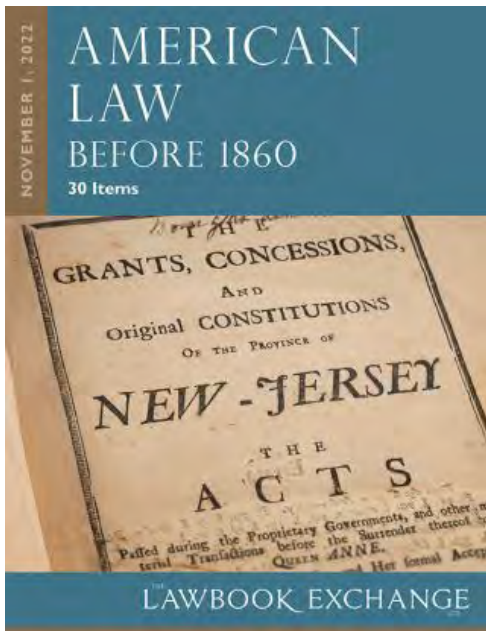
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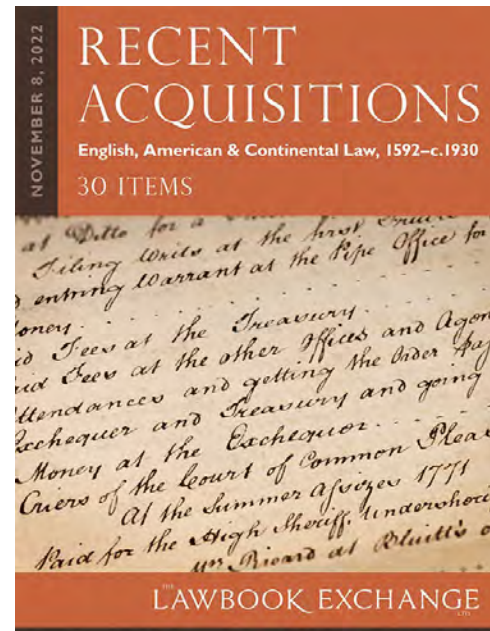
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