

NOVEMBER 29, 2022

# LAW & RELIGION

Europe & Great Britain, 1501–1780

30 ITEMS



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With a Section on Canon-Law Jurisprudence

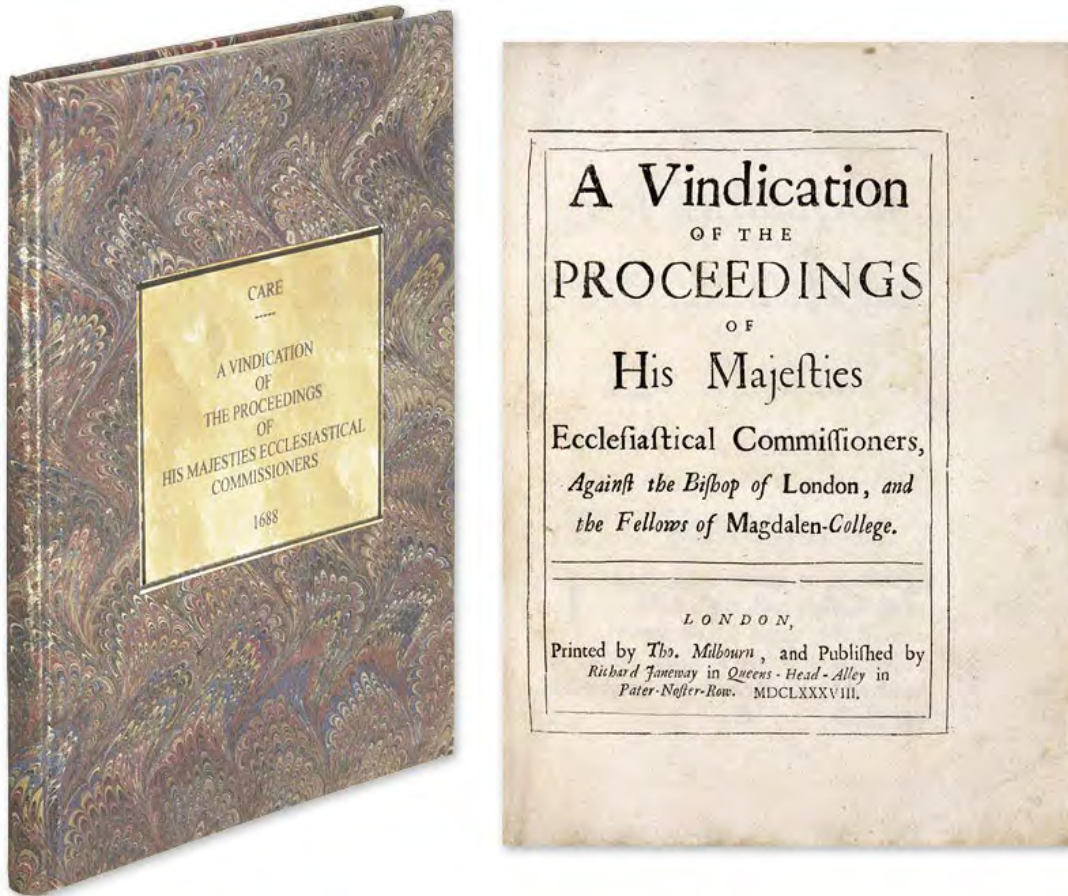
1. Bonacina, Martino [1585-1631].

*Tractatus Tres de Legibus, De Peccatis, Et de Praeceptis Decalogi: In Quorum Primo Agitur de Legibus in Genere, & in Specie, & de iis que Pertinent ad Legem Praeceptivam, & Poenalem, & ad eius Cessationem Agitur Etiam de Dispensationibus, & de Privi Egis. In Secundo Vero Copiose Agitur de Peccatis. In Tertio Denique Plura de Praeceptis Decalogi, Deque Duobus Ecclesiae Praeceptis, Videlicet, Ieiunio, & Decimis; Solertissime Disputatur. In Hac Vero Nostra Postrema Editione non Solum Omnes Errores qui in Priori Irrepserant Omni Diligentia Correcti & Emendati Sunt, Verum Etiam Quamplura Loca ab Ipso Autore Perpolita, & Illustrata.* Venice: Sumptibus Disiunctae Societatis, 1629. [x], 916, [88] pp. Main text in parallel columns. Quarto (8" x 6").

Contemporary vellum, speckled edges. Some soiling and a few minor stains, a few tiny worm holes, small chip to upper corner of rear board, front hinge cracked but secure, rear hinge starting, minor worming to pastedowns. Large woodcut device to title page, woodcut head-pieces, tail-pieces and decorated initials. Edges trimmed with negligible loss to text in first and final gatherings. Toning, faint dampspotting and stains in a few places, internally clean. \$350.

\* Final edition. Bonacina was one of the foremost moralists of his age and an influential church official. A fine introduction to his work on law and theology, *Tractatus Tres* was first published in 1622. Other editions followed in 1627, 1625 and 1629. As its subtitle indicates, the first of the three *tractati* discusses the jurisprudence of canon law. The other sections discuss sin and the Ten Commandments from the viewpoints of law and theology. All editions are scarce. OCLC locates 5 copies of the 1629 edition, 1 in North America (St. Bonaventure University). Not in the *British Museum Catalogue*.

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### Care Supports a Controversial Decision by King James II

#### 2. [Care, Henry (1646-1688)].

*A Vindication of the Proceedings of His Majesties Ecclesiastical Commissioners, Against the Bishop of London, And the Fellows of Magdalen-College.* London: Printed by Tho. Milbourn, 1688. [iv], 8, 17-78 pp. Text continuous despite pagination. With a preliminary imprimatur leaf. Quarto (8-1/4" x 6-1/2").

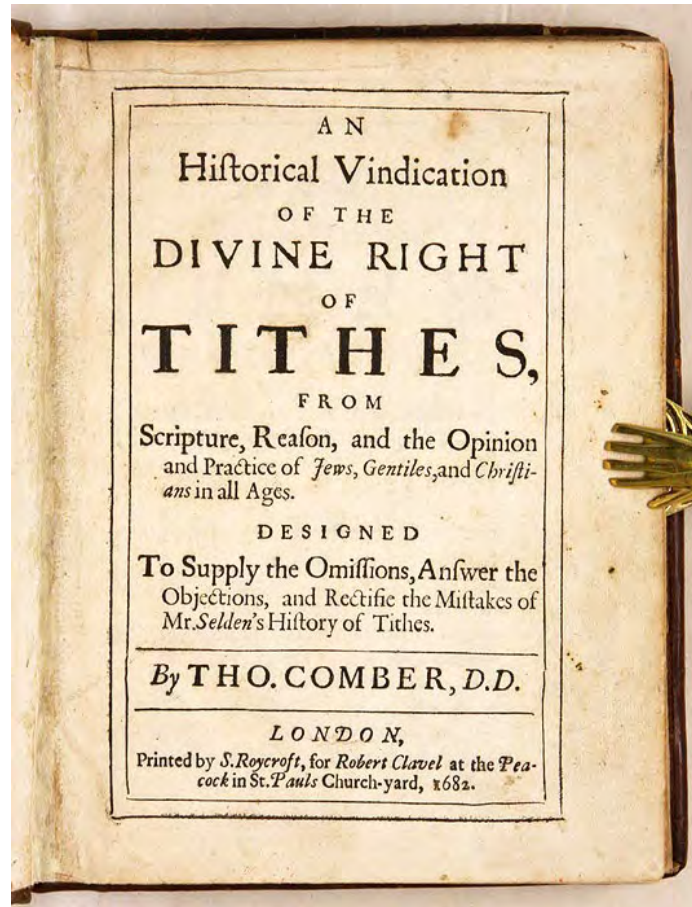
Recent marbled boards, printed paper title panel to front cover, untrimmed edges. Light rubbing to spine. Title printed within double-ruled border. Light toning to text, faint dampstain to head of title page, internally clean. A handsome copy. \$350.

\* Only edition, one of two issues from 1688. In April 1687 King James II interfered in the presidential election of Magdalen College. The ensuing controversy ended with the installation of the pro-Catholic Bishop of Oxford, backed by the Royal Ecclesiastical Commissioners, as president. The fellows acquiesced, but this was not enough for the king, who ordered them to admit their wrongdoing and ask for his pardon. Most of the fellows refused and were ejected and replaced by Catholics. Care supported the King's actions. For most of his career, Care was an opponent of Catholicism and royal power, but he shifted course during the reign of James II, becoming an unofficial royal propagandist. Though not uncommon, few copies of this title are held in North American law libraries. Counting both issues, OCLC locates 3 (Harvard, Library of Congress, York University).

*English Short-Title Catalogue* R202803.

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### An Important Reply to Selden's *Historie of Tithes*

#### 3. Comber, Thomas [1645-1699].

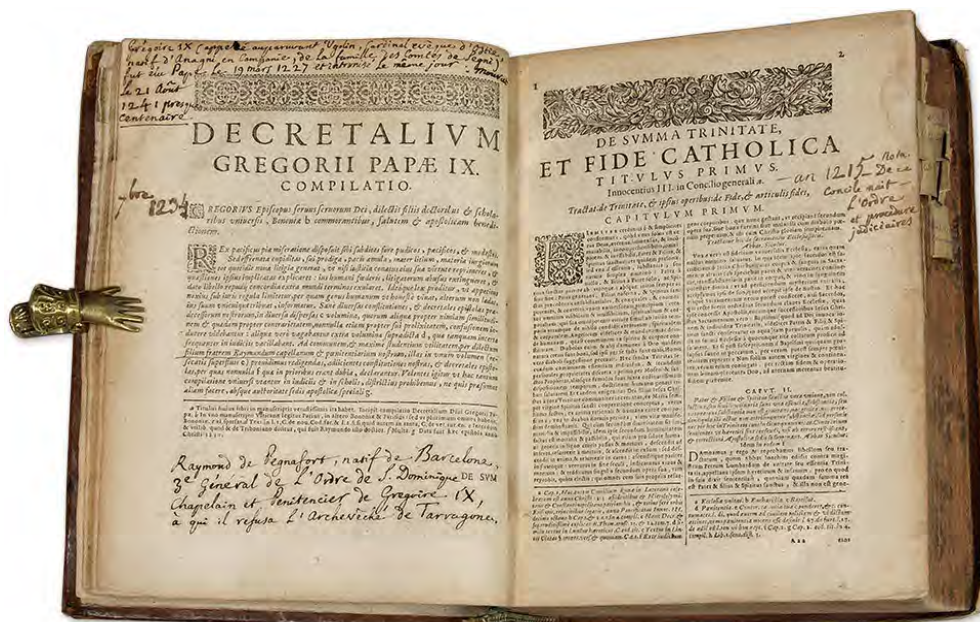
*An Historical Vindication of the Divine Right of Tithes, From Scripture, Reason, And the Opinion and Practice of Jews, Gentiles, And Christians in All Ages. Designed to Supply the Omissions, Answer the Objections, And Rectifie the Mistakes of Mr. Selden's History of Tithes.* London: Printed by S. Roycroft, for Robert Clavel, 1682. [xxviii], 247, [1] pp. Quarto (8" x 6").

Contemporary calf, rebacked in period style, blind rules and panels to boards, raised bands, blind ornaments and lettering piece to spine, upper corner of rear board and hinges mended. A few minor nicks and scuffs to boards, light rubbing and a few nicks to extremities, corners bumped and lightly worn, front free endpaper lacking, original lower half of final leaf (Ii4, p. 247) lacking with minor loss to text, the word "Finis" below last sentence, leaf carefully repaired with recent paper. Light toning to text, ginger smudges to a few leaves, light soiling to title page and rear free endpaper. Later owner signature to front pastedown, interior otherwise clean. \$350.

\* First edition. Comber's spirited work is a reply to Selden's *Historie of Tythes* (1618), especially his claim that tithes are not a divine right, and an attack on Catholic and Protestant dissenters, most notably Quakers and Anglican churchmen who fail to give full, uncritical support to the Church of England. This book had a second edition in 1685. OCLC locates 4 copies of the first edition in North American law libraries (Harvard, UC-Berkeley, University of Minnesota, University of Pennsylvania).

*English Short-Title Catalogue* R6540.

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With Contemporary Annotations by a French Scholar

4. [Corpus Juris Canonici].  
 Naldi, Antonio [d.1645], Editor.  
 Lancellotti, Giovanni Paolo [1522-1590].

*Corpus Iuris Canonici Notis Illustratum: Gregorii XIII. Iussu Editum: Complectens Decretum Gratiani, Decretales Gregorii Papae IX., Sextum Decretalium Bonifacii Papae VIII., Clementinas, Extravagantes Ioannis Papae XXII., Extravagantes Communes. Accesserunt Constitutiones Novae Summorum Pontificum Nunquam Antea Editae, Quae VII. Decretalium Loco Esse Possint, Annotationes Ant. Naldi, Cum Addit. Novis, Et Quae in Plerisque Editionibus Desiderabantur, Petri Lancelotti Institutiones Iuris Canonici; Regulae Cancellariae Apostolicae; Cum Indicibus, &c. De Quibus Singulis Lector Consulat Paginam Praefationi Praefixam.* Lyon: Sumptibus Laurentii Anisson, 1661. Two volumes. [liv] pp., 1264 (of 1272) cols; [xx] pp., 752 cols., [12] pp., 406 cols., [9] pp., 158 cols., [69] pp., 256 cols, [24] pp., 98 cols., [19] pp. Final two leaves of Volume I lacking. Main text in parallel columns. Quarto (9-1/2" x 7-1/4").

Contemporary calf, gilt spines with raised bands and lettering pieces, marbled edges and endpapers. Moderate rubbing and a few scuffs to boards, heavier rubbing to extremities with wear to spine ends and corners, front boards detached. Title pages printed in red and black. Moderate toning and occasional light foxing to text, inkstains to a few leaves, contemporary manuscript thumb-tabs, extensive contemporary annotations to front endleaves, occasional brief annotations throughout both volumes, struck-through signatures to title pages. \$1,750.

\* This complete edition of the *Corpus Juris Canonici* edited by Naldi is based on the *Correctores Romani*, the official version in force from 1580 to 1917. It includes a related text: Lancellotti's *Institutiones Iuris Canonici*, an elementary textbook. This copy was annotated in French by a teacher, most likely for use in the classroom. They appear to be related to a course on canon law. The notes on the front endleaves of Volume I, which contain general information about the *Corpus Juris Canonici*, have the heading "Notes Préliminaires à la lecture du droit canon." Most of the annotations are dates for specific decrees, such as "10 Juillet 511" and cross-references, such as "555=560." There are also some corrections and underlined passages. A few are interpretive or note historical background. The thumb-tabs mark the books of the *Corpus* and their sub-sections. In all, these notes and tabs would have facilitated quick reference in a lecture hall. Not in Ferreira-Ibarra.

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### The Holy Roman Empire and the Church

#### 5. Cortrejus, Adam [1637-1706].

*Repraesentatio Juris Primiarum Precum Sacratissimis Imperatoribus Romano-Germanicis Sine Praevio Pontificum Assensu Competentis. Ad Reverendissimum atque Celsissimum Archi-Episcopum Rhodiensem Internuncium Papalem in Germania Coloniensem Preces Primarias Imperatoris Nostri Sacratissimi Sine Papali Suffragio Impertitas nequicquam Suggillantem.* Magdeburg: Cassitero Joh. Danielis Mülleri, 1706. 70 pp. Quarto (7-1/2" x 6-1/4").

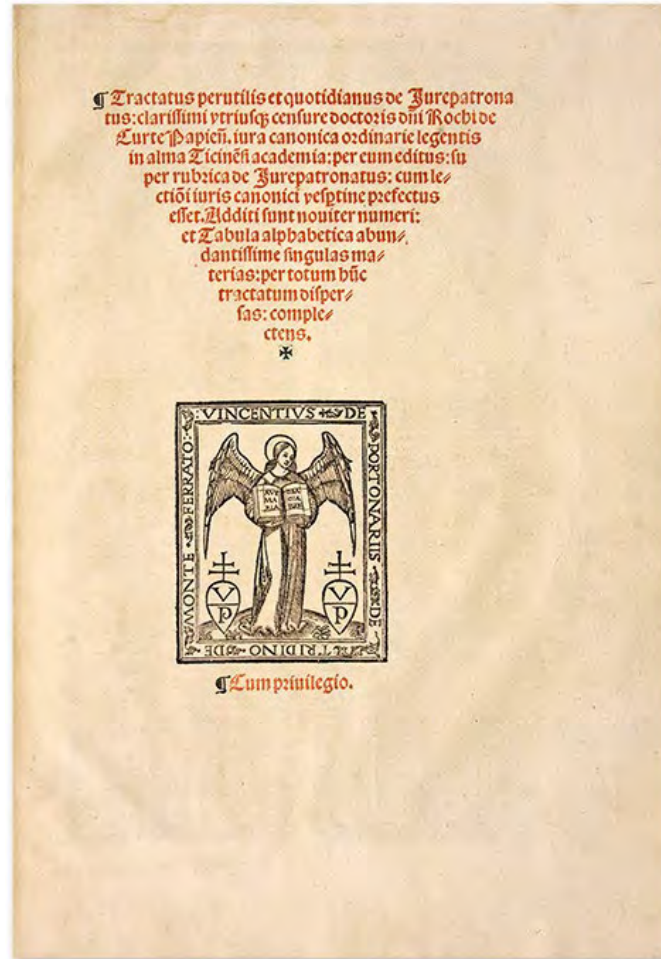
Disbound stab-stitched pamphlet, speckled edges. Moderate toning, small faint dampstain to top-edge, light soiling and some browning to exterior, a few signatures loose. \$350.

\* Only edition. A commentary on the relationship between the Holy Roman Emperors and the Church from a seventeenth-century German scholar. Cortrejus is best known for his *Corporis Juris Publici Sacri Romani Imperii Germanici* (1707), a comparative study of the canon and Holy Roman law.

*Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts* 10237313.

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### First Edition of a Classic Study of Church Patronage

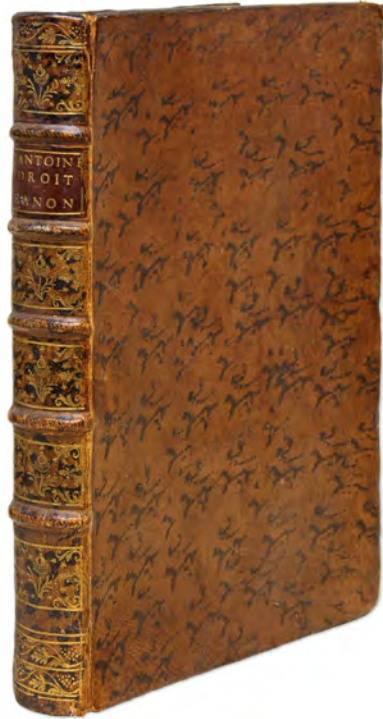
#### 6. Curtius, Rochus (Corte, Rocco) [fl. 1470-1515].

*Tractatus Perutilis Et Quotidianus De Jure Patronatus...* [Lyon]: Vincentius de Portonariis, De Tridino Monte Ferrato, [1520]. 37 ff. Text in parallel columns. Folio (15-3/4" x 11").

Recent three-quarter vellum over marbled boards, endpapers renewed. Negligible light shelfwear and soiling. Title page with large woodcut printer device, printed in red and black, large woodcut initial with (possibly) later coloring at head of text, woodcut decorated initials, text printed on wide-margined paper. Light toning, somewhat heavier in places, underlining and brief annotations in early hand to a few leaves. An appealing copy of a rare, handsomely printed edition. \$5,000.

\* The *ius patronatus* is the body of laws concerning patronage by members of the church, including the granting of privileges, lands and goods. First published in 1506, the commentary of Rochus Curtius was a standard work on this subject into the seventeenth century. Our edition is remarkable for its magnificent typography and notably wide margins. (title as inverted pyramid in red); remarkably broad-margined, printed on strong paper. The printer Vincent de Portonariis, de Tridino de Monte Ferrato is not stated in the colophon; he is only identified by the printer device on the title page. As a result, this imprint is often mis-attributed. OCLC locates 2 copies of our 1520 imprint, both in Germany. Not in Adams or the *Universal Short-Title Catalogue*.

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### The Principles of Canon Law Stated as Maxims

#### 7. Dantoine, Jean-Baptiste [1693-1720?], Translator and Editor.

[Gregory IX (1147?-1241), Pope].

[Boniface VIII (1235-1303), Pope].

*Les Regles du Droit Canon, Dans le Même Ordre Qu'Elles sont Disposées au Dernier Titre du Cinquieme Livre du Sexte, & Au Dernier Titre du Cinquieme Livre des Décrétales. Traduites en François, Avec des Explications et des Commentaires sur Chaque Règle. Et Trois Tables l'Une des Regles Disposées par Ordre Alphabétique avec Leur Numero, l'Autre de Tous les Textes du Droit Civil, Qui sont Cités Dans cet Ouvrage; La Troisième de Toutes les Matières, l'Une de Tous les Textes du Droit Rapportés & Expliqués dans cet Ouvrage, l'Autre des Regles du droit Rangées par Ordre Alphabétique Selon leur Ordre Naturel, La Troisième de Toutes les Matières.* Liège: Chez J. Dessain, 1772. [22], 468, [35] pp. Quarto (10" x 7-3/4").

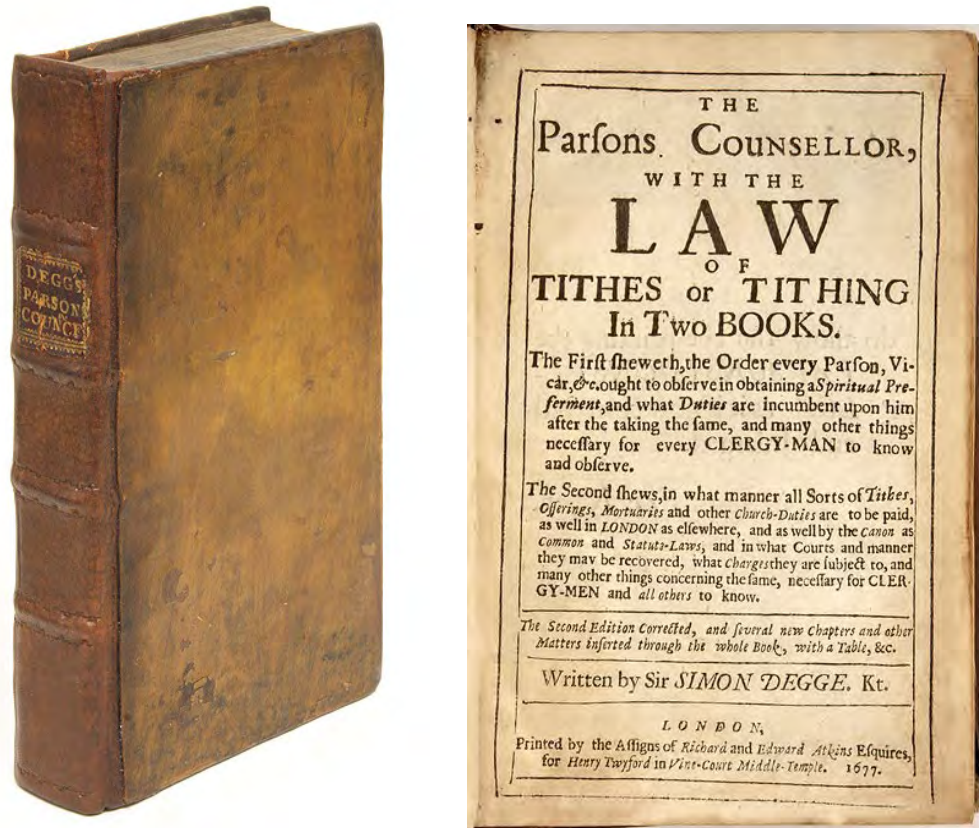
Contemporary sheep with cat's-paw decoration, gilt spine with raised bands and lettering piece, speckled edges. Boards slightly bowed, rubbing to extremities with minor wear to edges, corners bumped and somewhat worn, moderate toning to interior, some offsetting to margins of preliminaries. A handsome copy. \$750.

\* Penultimate edition. Modeled on the final title of Justinian's *Digest*, "De Diversis Regulis Juris Antiqui (Concerning Different Rules of Ancient Law)," the *Regulae Juris* (Rules of Law), are two collections of legal principles in canon law stated as maxims. 88 of these are in the *Liber Sextus Decretalium* of Boniface VIII. 11 were added by Gregory IX to the *Quinque Compilationones Antiquae Decretalium* (Fifth Book of Old Decretals), a collection superseded by the *Decretals* of Gregory IX. (The collections of these two popes are books of the *Corpus Juris Canonici*). Dantoine's edition presents the maxims in the original Latin with translations, extensive commentary and cross-references to similar statements in the *Corpus Juris Civilis*. First published in 1720, it went through six editions the, last in 1775. All are scarce. OCLC locates 3 copies in North American law libraries (Louisiana State University, UC-Berkeley, U.S. Supreme Court).

Camus, *Bibliothèque Choisie des Livres de Droit* 658.

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### A Well-Respected Work on English Church Law

#### 8. Degge, Simon [1612-1704].

*The Parsons Counsellor, With the Law of Tithes or Tithing. In Two Books. The First Sheweth, The Order Every Parson, Vicar, &c. Ought to Observe in Obtaining a Spiritual Preferment, And What Duties are Incumbent upon Him After the Taking the Same, And Many Other Things Necessary for Every Clergy-Man to Know and Observe. The Second Shews, In What Manner All Sorts of Tithes, Offerings, Mortuaries and Other Church-Duties are to be Paid, as Well in London as Elsewhere, And as Well by the Canon as Common and Statute-Laws, And in What Courts and Manner They May be Recovered, What Charges They are Subject to, And Many Other Things Concerning the Same, Necessary for clergy-men and all others to know. The second edition corrected, and Several New Chapters and Other Matters Inserted Through the Whole Book, With a Table, &c.* London: Printed by the Assigns of Richard and Edward Atkins for Henry Twyford, 1677. [xxxii], 384, 383-408, [38] pp. Pagination irregular, text complete. Part II has separate title page. Octavo (6-1/2" x 4").

Contemporary calf, rebaked, blind rules to boards, raised bands and retained contemporary lettering piece to spine. Light rubbing to boards and extremities, corners bumped, hinges cracked. Moderate toning to text, final quarter of text has faint dampstaining to margins. \$250.

\* Second, enlarged edition, first published in the previous year. There were four more editions to 1703 and an 1820 7th edition, with great additions, by Charles Ellis." Holdsworth called this "a comprehensive and clearly written work (that) was very popular." Marvin cites this as a book of authority. Sir Simon Degge was a barrister and bencher of the Inner Temple, justice of the Welsh marches, and high sheriff of Derbyshire. This is his only published work.

Holdsworth, *History of English Law* XII:602f. *English Short-Title Catalogue* R214458.

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**Handsome Copy of a Rare Seventeenth-Century Treatise on Ecclesiastical Benefices**

**9. Delvaux (Del Vault), Andre [1569-1636].**

*De Beneficiis Libri IV. Quibus Tum ea Quae Theoriam Concernunt, Tum Maxime Quae in Iudiciis Practicantur, Solide Enucleantur. Cum Indice Omnium Rerum & Materiarum Locupletissimo. Opera Iuris-Consultis, Iudicibus, Advocatis, Ac Aliis Curiarum Utriusque Fori Practicis, & Theologis Utilissimum.* Mechelen: Typis Roberti et Viduae Henrici Iaye, 1646. [xxxiv], 612, [84] pp. Copperplate pictorial title page, full-page coat-of-arms and author portrait. Quarto (7-1/2" x 5-3/4").

Contemporary vellum with lapped edges, hand-lettered spine (with later retouching), edges rouged, recent thong ties. Some darkening to spine, light spotting to boards, some wear to board edges and corners, rear pastedown just starting to detach along edges. Light toning to text, internally clean. A handsome copy. \$1,000.

\* First edition. Andre del Vault, also known as Vallensis, taught canon Law at the University of Louvain. *De Beneficiis* is a treatise on ecclesiastical benefices. A second edition was published in 1758. Both editions are rare. Concerning the first edition, OCLC locates 4 copies, 1 in North America (at UC-Berkeley Law School). Not in Ferreira-Ibarra.

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**A Distinguished Commentary on  
Maxims and Phrases in the *Liber Sextus Decretalium***

**10. Dinus de Mugello [1254-c.1300].**

**Bohier, Nicolas de [1469-1539].**

**Du Moulin, Charles [1500-1566].**

*Dynus de Regulis Juris, Commentarius Mirabilis Super Titulo De Regulis Iuris Praecipui Sui Seculi Iurisconsulti Do. Dyni Muxcellani Insignis I.U. Doctoris: Multò Plus Quàm Unquam Annotationibus Auctus, & Recognitus: Ubi Praeter Do. Nicolai Boërij, & Et Celsi Hugonis Cabilonen[sic] Additiones Multa Novissime per Doctorem Anonymum Sunt Addita, Pleraq[ue] Depravata in hac Ultima Impressione Restituta, & Omnia cum Repertorio Castigatissimo ad Unguem & Feliciter Emendata.* Lyons: Venundantur Lugduni per Jacobum Giuncti, 1533. cxxxii, [20] ff. Main text in parallel columns with linear annotations. Octavo (6" x 4").

Recent calf, blank lettering piece to spine, endpapers renewed. Moderate rubbing to extremities, corners bumped, front hinge starting, a few cracks to text block, later armorial bookplate (of George Baron Ferrers of Chartley) to front endleaf. Title page, with large woodcut Giunta device, printed in red and black within woodcut architectural border, woodcut decorated initials, woodcut colophon. Moderate toning, occasional faint dampstaining, minor edgewear to a few leaves, worming to final leaves with minor loss to text of final two leaves. Early annotations to margins of sixty-three leaves, some affected slightly by trimming. A scarce title. \$1,650.

\* Dinus's distinguished commentary on *De Regulis Juris*, a collection of 88 maxims and phrases in Book 5, Title 12 of the *Liber Sextus Decretalium*, was first published around 1472. It went through several editions into the sixteenth century. Each *Regula* is followed by Dinus's commentary. The additions and commentary by Bohier and Moulin flank or surrounds the main text. This edition, identical to editions published in Lyon in 1533 by Jacques Myt and in 1535 by Giunta, is not listed in Adams, Baudrier or the *Universal Short-Title Catalogue*. No copies of this imprint located on OCLC.

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### Tithing to the Church of England During the Commonwealth

#### 11. E[lderfield], C[hristopher] [1607-1652].

*The Civil Right of Tythes: Wherein, Setting Aside the Higher Plea of Jus Divinum from the Equity of the Leviticall Law, Or That of Nature for Sacred Services, And the Certain Apportioning of Enough by the Undoubted Canon of the New Testament, The Labourers of the Lords Vineyard of the Church of England are Ested in Their Quota Pars of the Tenth or Tythe per Legem Terrae, by Civil Sanction or the Law of the Land: Which Being the Foundations of All Civill Right Here, Must Needs Render Their Spoliation Wrong, The Taking or Withholding as Injurious as of Any Other Mans Due. Humbly Represented to the Judicious and Pious Consideration of All Sober and Advised Christians, Who Fearing God and Hating Covetousness, Have Learned Christ so Far, As, To Give Every One His Own; And Would do no Wrong for Conscience Sake.* London: Printed by Tho. Newcomb, For John Holden, At the Anchor in the New-Exchange, 1650. [viii], 344 pp. Lacking final leaf, errata sheet on recto, blank verso. Quarto (7-1/4" x 5-1/2").

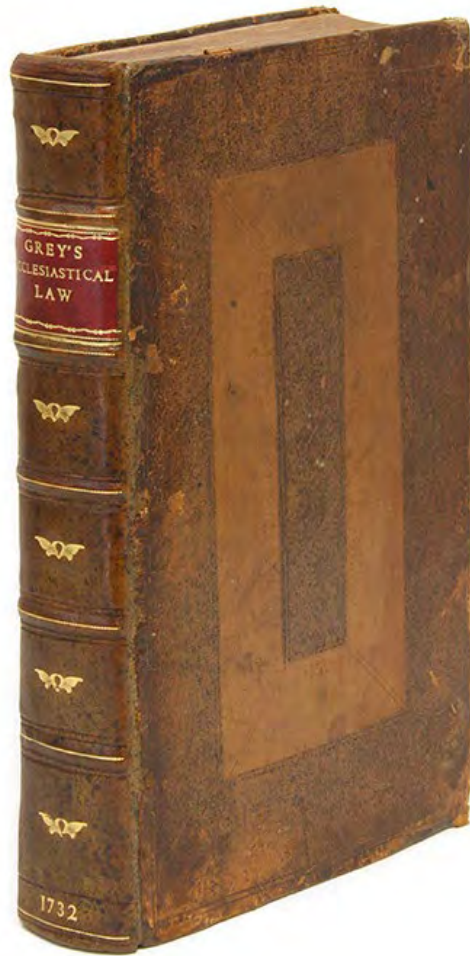
Recent three-quarter calf over pebbled cloth, lettering piece to spine, endpapers renewed. Negligible light rubbing to extremities. Moderate toning to text, light foxing in a few places, margins of some leaves have faint dampstaining, light soiling to title page. \$500.

\* Only edition, one of two issues from 1650. The Church of England was disestablished during the Commonwealth and Protectorate. As a result, its status shifted with the political climate. Elderfield's treatise defended the Church's right to collect tithes, a right threatened by Puritans in Parliament. Counting both issues, OCLC locates 10 copies in North America, 5 in law libraries (Columbia, Harvard, LA County, Library of Congress, University of Georgia).

*English Short-Title Catalogue* R18717.

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#### Abridgment of Gibson's Exposition of Anglican Church Law

**12. Grey, Richard [1694-1771], Editor. [Gibson, Edmund (1669-1748)].** *A System of English Ecclesiastical Law, Extracted from the Codex Juris Ecclesiastici Anglicani of the Right Reverend the Lord Bishop of London. For the Use of Young Students in the Universities, Who Are Designed for Holy Orders.* [London]: Printed by E. and R. Nutt, And R. Gosling, 1732. [xvi], 448, [84] pp. Includes three-page bookseller list. Octavo (7-3/4" x 4-3/4").

Contemporary paneled calf, rebacked in period style with raised bands and lettering piece, hinges mended. Some rubbing and minor scuffing to boards, corners somewhat worn. Early owner signature to front endleaf. Toning to title page, faint dampstaining to margins of rear endleaves, interior otherwise fresh. \$350.

\* Second edition. First published in 1730, this is an abridgment of Gibson's great *Codex Juris Ecclesiastici Anglicani* (1713) in question-and-answer form. Gibson's work is a comprehensive treatise in two folio volumes. It was therefore too detailed and expensive for most students and clergy. Grey's abridged edition brought Gibson's work to a wider audience. What is more, Grey's edition carefully emphasizes the rights and status of the Anglican Church in order to defend it from the claims of non-conformists. Gibson, an English divine and jurist, was chaplain and librarian to the archbishop of Canterbury. He went on to become the Bishop of London.

*English Short-Title Catalogue* T123343.

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### Criminal Procedure in Canon Law

#### 13. Guazzini Sebastiano.

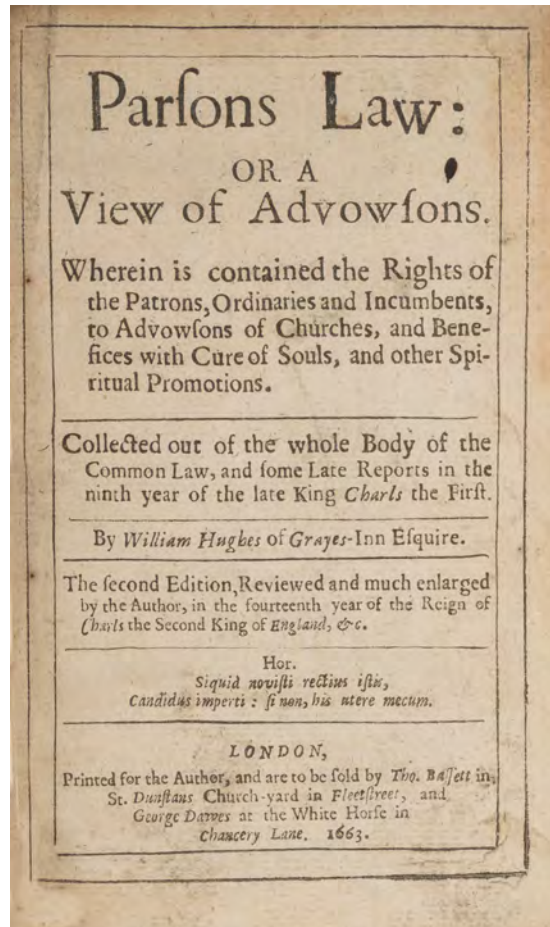
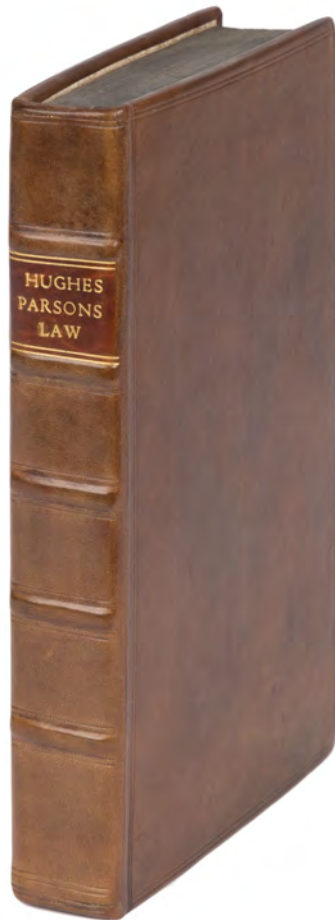
*Tractatus ad Defensam Inquisitorum, Carceratorum Reorum & Condemnatorum Super Quocunque Crimine. Opus Novum, Alacri Studio Digestum, Omnibus Magistratibus, & Iudicibus tam Secularibus, Quam Ecclesiasticis ad Cuitandas Nullitates, & Iniustitias, Advocatis, Procuratoribus, Causorum Criminalium Defensoribus, Atque Excusatoribus ad Reos Tuendos, Etiam in Unaquaque Processus Parte Maxime Utile, & Necessarium. In quo Plura, Statuta, Decreta, Bannimenta, Bullae Summorum Pontificum, & Praesertim Gregorii XIV. Super Immunitate Ecclesiastica, Constitutiones, Pragmaticae, Ritus, & Consuetudines Diversorum Locorum, & Provinciarum Declarantur, Ac Referuntur Quamplurimi Casus in Contingentia Facti, In Gravissimis Criminibus, Etiam per Supremos Magistratus Decisi. Cum Index Reum, & Verborum.* Venice: Apud Bertanos, 1639. Two volumes in one, each with title page and individual pagination. [xii], 388; 324, [48] pp. Main text in parallel columns. Folio (13" x 9").

Contemporary limp vellum, faint early hand-lettered title to spine, later repairs to corners, endpapers renewed. Light soiling and some minor stains to boards, spine slightly darkened, some edgewear, front joint just starting at head. Title page printed in red and black. Light toning to text, occasional minor worming, mostly to margins, faint dampstaining to margins in some places, some loss to upper corners of final 25 leaves with no loss to text, light soiling, edgewear and early library owner inscription to title page. A nice copy of a scarce title. \$950.

\* Third edition. Guazzini was an advocate and expert of criminal law associated with the Roman Curia. First published in 1614, *Tractatus ad Defensam Inquisitorum* was a well-regarded treatise on criminal procedure under canon law. It is a detailed work that draws comparisons between canon law, Roman law and Italian customary law. A durable work, it went through several editions and issues into the eighteenth century. All are scarce. OCLC locates 2 copies of the 1639 edition in North America (Columbia, University of Pennsylvania). This edition not in the *British Museum Catalogue*.

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### Scarce Treatise on the Law of Advowson

#### 14. Hughes, William [1587 or 1588-1663].

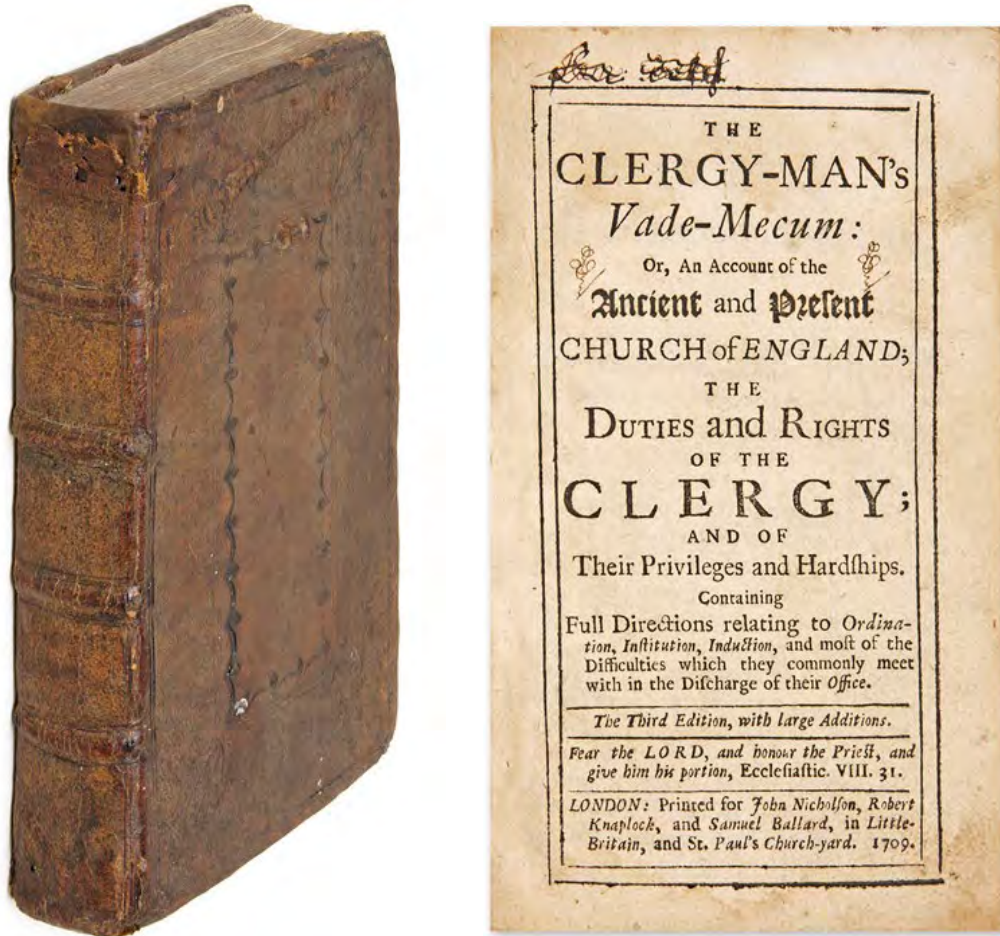
*Parsons Law: Or a View of Advowsons. Wherein is Contained the Rights of the Patrons, Ordinaries and Incumbents, To Advowsons of Churches, And Benefices with Cure of Souls, And Other Spiritual Promotions. Collected Out of the Whole Body of the Common Law, And Some Late Reports in the Ninth Year of King Charles the First. Reviewed and Much Enlarged by the Author, In the Fourteenth Year of the Reign of Charles the Second King of England, &c.* London: Printed for the Author, And are to be Sold by Tho. Bassett, 1663. [xvi], 333, [3] pp. Final leaf is a blank. Octavo (6-1/2" x 4").

Recent period-style calf, blind rules to boards, raised bands, blind fillets and lettering piece to spine, endpapers renewed. Moderate toning to interior, light soiling to title page. \$450.

\* Second edition, 1 of 2 issues from 1663. Hughes, a barrister of Gray's Inn, was the author of an important abridgment, an edition of Horne's *Mirror of Justices* and the editor of an interesting collection of mooted cases. First published in 1641, *Parsons Law* concerns laws governing advowson, a patron's right in English law to present a candidate to fill a vacant ecclesiastical benefice to a bishop (or other church official). According to the preface, Hughes says he wrote this book in response to "the earnest request of some eminent men of the Clergy" [iii].

*English Short-Title Catalogue* R6801.

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### A Legal Handbook for Eighteenth-Century English Clergymen

#### 15. [Johnson, John (1662-1725)].

*The Clergy-Man's Vade-Mecum: Or, An Account of the Ancient and Present Church of England; The Duties and Rights of the Clergy; And of Their Privileges and Hardships. Containing Full Directions Relating to Ordination, Institution, Induction, And Most of the Difficulties Which They Commonly Meet With in the Discharge of Their Office. With Large Additions.* London: Printed for John Nicholson, Robert Knaplock, and Samuel Ballard, 1709. [xxiv], 386 [i.e.350], [34] pp. 12mo. (6" x 3-3/4").

Contemporary sheep, blind panels to boards, raised bands to spine, early repair to head of spine. A few minor nicks to boards, moderate rubbing and a few nicks to extremities, corners bumped and somewhat worn, front pastedown loose, a few partial cracks to text block, binding secure and tight. Light toning to text, light dampstaining in a few places, faint spotting to a few leaves, light soiling and tiny doodles and struck-through signature to title page, early annotation to pastedown. \$250.

\* Third edition. A useful overview of legal matters encountered by officials and clergymen of the Church of England. Bibliographically distinct, this book has a companion title, *The Clergy-Man's Vade-Mecum. Part II. Containing the Canonical Codes of the Primitive, Universal, Eastern, And Western Church*. First published in 1706, the companion volume in 1707, this work's final edition appeared in 1731.

*English Short-Title Catalogue* T33108.

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A Principal English Treatise on Canon Law

16. [Lyndwood, William (c.1375-1446)]. [Badius, Josse (1462-1535), Editor].

Provinciale seu Constitutiones Anglie cum Summariis Atque Iustis Annotationibus: Honestis Characteribus: Summaque Accurate Rursus Impressa. [Paris: Printed by Andreas Bocard at the University of Paris, May 28, 1501]. Collation: a8 b6, c-g8 h6 i-q8 r6 s-z8 [et]8 [con]6 A-B6 C8(-C8). cxcii, [19] ff. Complete. Main text surrounded by two-column linear gloss. Folio 13-1/2" x 9-1/2."

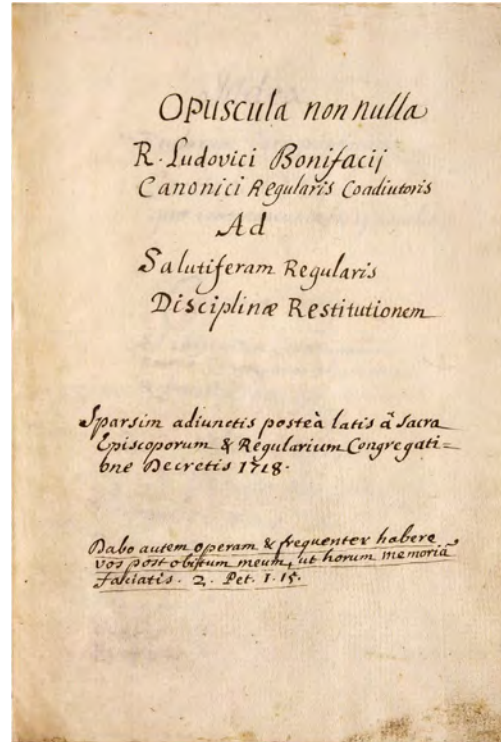
Contemporary paneled calf, corner fleurons and large arabesques to boards, recently rebaked, raised bands and lettering piece to spine, endpapers added, early hand-lettered title to fore-edge. A few shallow scuffs to boards, moderate rubbing to their extremities, corners bumped and somewhat worn, hinges cracked, later bookseller ticket, owner bookplate (of Walter Wigglesworth, dated 1934) and two 1930s-era auction or bookseller descriptions affixed to front pastedown. Text printed in red and black gothic type, woodcut decorated initials. Light toning to text, faint dampstaining in places, minor edgewear to leaves at beginning and end of text, some with repairs, inkstains and spark burns to a few leaves. Contemporary annotations to endleaves and portions of text, some with minor loss due to trimming. A nice post-incunable copy of an important title. \$4,500.

\* First post-1500 edition. Main text followed by nineteen-page, two-part index (Tabula). Compiled around 1433 and first published around 1483-1485, Provinciale is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This copy was printed in Paris for the English market.

Beale, A Bibliography of Early English Law Books T403. English Short-Title Catalogue S103845.

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**Restoring Discipline in the  
Augustinian Community of Grand Saint Bernard**

**17. [Manuscript].**

**Boniface, Louis.**

**[Hospice de Grand Saint Bernard].**

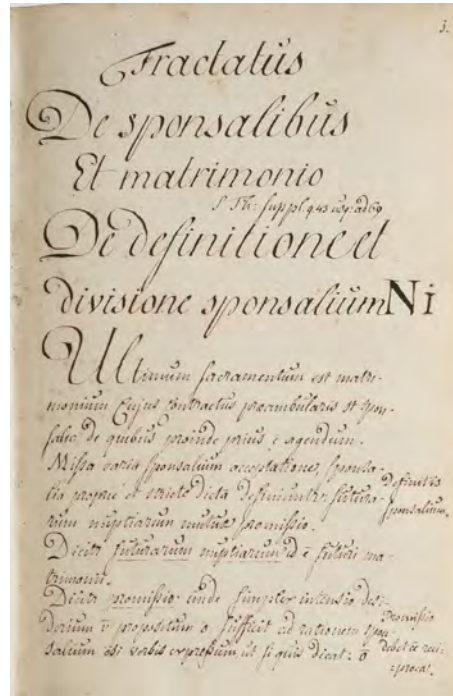
*Opuscula Nonnulla R. Ludovici Bonifacii Canonici Regularis Coadiutoris ad Salutiferam Regularis Disciplinæ Restitutionem. Sparsim Adiunctis Postea Latis à Sacra Episcoporum & Regularium Congregatione Decretis 1718.* [Grand-St.-Bernard, c.1718]. 304 ff. Quarto (9-1/2" x 7").

Contemporary morocco with decorate blind stamping, stitched down center of spine, which has an early hand-lettered title panel, fragments of thong ties, untrimmed edges. Light rubbing to boards, somewhat heavier rubbing to extremities, early repair to foot of spine. Light toning to interior, text in neat hand, a few laid-in notes. A handsome item. \$5,000.

\* This is a collection of canon law writings by Louis Boniface, intended (so the title-page states) to restore discipline at the famous Augustinian community of Grand Saint Bernard in the Swiss Alps, where the author was coadjutor and provost. We understand it to be an official report, later distributed as manuscript copies, which was presented at a synodical meeting of 1718. Much of the study concerns money and property. Other subjects include the officers of the community and a ban on women servants. Showing its high status as a report, other copies are found in the Grand-Saint-Bernard archives. Our copy has a remarkable binding featuring blind-stamped floral designs with red-painted inlay. It was probably made from a wall hanging or wallpaper. The archive of Grand Saint-Bernard has a copy of Boniface's baptism certificate (1664) and several of his papers, which include works on cosmography, geography and history, and a thirty-year travel diary. The archives of Grand Saint Bernard record four other manuscripts with the same author, title and date (AGSB 5056, 5057, 5058, 4049). We located no other copies. (On Boniface in the archives see <http://www.aasm.ch/fonds/agseb/static/5314.html> and <http://www.aasm.ch/fonds/agseb/static/5040.html>).

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### Pre-Publication Manuscript of a Treatise on Marriage

#### 18. [Manuscript].

[Dens, Peter (1690-1775)].

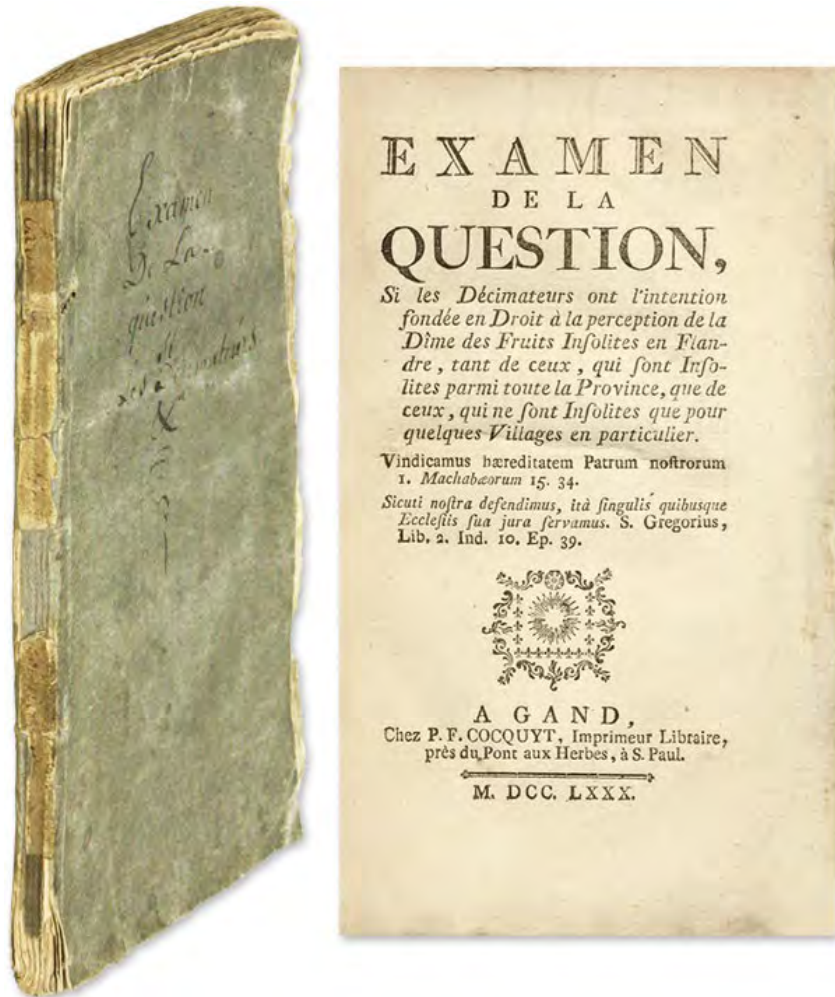
[*Tractatus de Sponsalibus et Matrimonio and Tractatus de Quatuor Novissimis*]. [Louvain?]: 15 July 1767-14 October 1768. 381, [1]; 59, [1] pp. Text in Latin in single neat hand with chapter headings, side notes and indices. Octavo (7-1/2" x 4-1/2").

Contemporary mottled calf, blind rules to boards, raised bands, gilt decoration to compartments, blind fillets and lettering piece ("V. Rymentant De Matrimon Et 4. Novissimis") to spine, edges rouged. Faint dampstain to front board, which is bowing slightly, very light rubbing to extremities, slight gatoring to spine, joints just starting at both ends, corners bumped, hinges starting, light soiling and offsetting to pastedowns, small circular sticker to lower left corner of front pastedown. Light toning to interior, negligible light foxing and soiling to a few leaves. An appealing volume with a clean and well-organized interior. \$1,950.

\* This manuscript appears to be a fair copy of two works by Catholic theologian Peter (or Pierre) Dens: *Tractatus de Sponsalibus et Matrimonio* and *Tractatus de Quatuor Novissimis*. The first, an extensive treatise on Catholic marriages in canon law, was published after Dens's death in 1775. The shorter *Tractatus de Quatuor Novissimis* was published in 1776 and again in 1790 with *De Sponsalibus*. It concerns "the four last things," i.e. death, judgment, heaven and hell, the final stages of the soul in Christian eschatology. Both treatises were highly regarded, with the final edition of *De Sponsalibus* appearing in 1894 and the final edition of *De Quatuor Novissimis* in 1864.

The first portion of the manuscript (*Tractatus de Sponsalibus et Matrimonio*) has a completion date of 15 July 1767. The second part (*Tractatus de Quatuor Novissimis*) was completed on 14 October 1768. The transcriber is unnamed but may be the "V. Rymentant" noted on the spine label. The text is similar to the printed versions in organization and content, but has many differences of varying degrees and includes text not in the printed versions. It may represent an early version of Dens's work as taught to his students in theology at the University of Louvain, where he was a professor from 1723 until his death. Editions of both treatises are scarce in print.

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### 1780 Pamphlet Questioning the Church's Right to Raise Tithes in Flanders

#### 19. [Massez, C.].

*Examen de la Question, Si les Decimateurs ont l'Intention Fondée en Droit a la Perception de la Dime des Fruits Insolites en Flandre, Tant Ceux, Qui Sont Insolites Parmi Toute la Province, que de Ceux, Qui ne Sont Insolites que pour Quelques Villages en Particulier.* Ghent: Chez P.F. Cocquyt, 1780. vi, 84, [2] pp. Octavo (7-1/4" x 4-1/2").

Stab-stitched pamphlet in plain wrappers, untrimmed edges, early hand-lettered title to front, fragments of title label to spine. Some soiling and edgewear, later owner bookplate to verso of front wrapper. Some toning, light soiling to title page, internally clean. \$650.

\* Only edition located. Massez wishes to limit the rights of the church to raise tithes in Flanders. He notes that "God himself established tithes for the Jewish people, where it was part of the dividing-up of the lands, which God himself ordered: [however] amongst the Christian nations, it is men who have ordered this division, men have also introduced tithes there; thus [such a tax] depends on the civil law of each nation" (iii-iv). Massez discusses statutes from 1520 and 1530 onward and disputes their interpretation by Zeger Bernhard van Espen [1646-1728], the distinguished Flemish canon lawyer. OCLC locates 8 copies, 2 in North American law libraries (Columbia, UC-Berkeley). Not in the *British Museum Catalogue*.

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### Venerable Alphabetically Digested Handbook on Canon Law

20. Milis, Joannes Nicolaus de [15th C.].  
 Ferrandat, Henri, Editor.

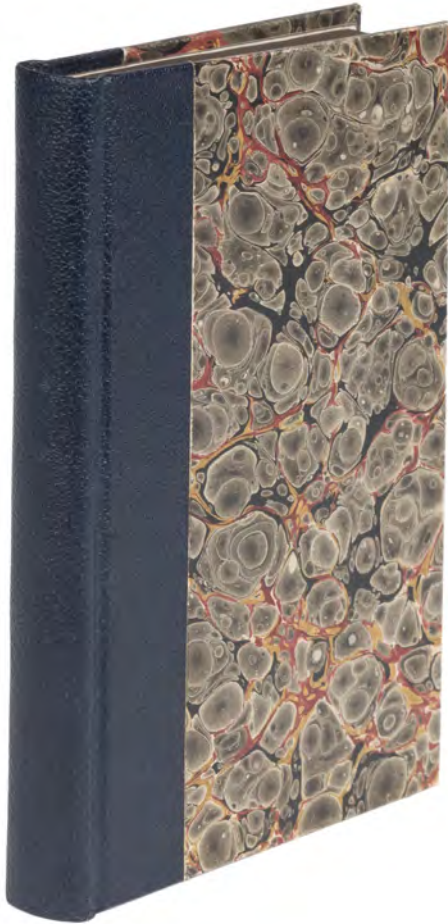
*Repertorium Aureum do Nicolai de Milis, Repertorium Admodum Solenne (Quod Merito Opus Singularium[s] Dictionum Appellant)...*  
 [Lyon: Jacques Giunta and Jean Flajollet], 1543. [xvii], 396 ff. Octavo (5-1/2" x 3-3/4").

Contemporary limp vellum with lapped edges, early calligraphic titles to spine and bottom edge of text block, thong ties removed. Light soiling, tiny tear to top-edge of rear cover, hinges starting, front free endpaper lacking, rear free endpaper affixed to pastedown. Title page printed in red and black. Moderate toning to text, faint dampspotting in a few places, light soiling to title page and verso of final leaf, "S.2" in early hand to front pastedown. An attractive copy. \$2,500.

\* Written in the early fifteenth century and first printed in Rome around 1471, this work was issued with various titles but is generally known as the *Repertorium Juris Canonici* or *Repertorium Aureum*. Arranged alphabetically by topic, it is a venerable handbook on canon law for clerics. The identity of the author is uncertain, but most sources attribute authorship to Niccolo di Milis, a 15th-century Franciscan friar from Sardinia. It went through numerous editions, but all are scarce today. OCLC locates 4 copies of this imprint, 2 in North America (Emory Law School, George Washington University Law School).

Schulte, *Die Geschichte der Quellen und Literatur des Canonischen Rechts* 2:299. Baudrier, *Bibliographie Lyonnaise* XII:434.

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### A Controversial Treatise on Ecclesiastical Jurisdiction

21. Mocket, Richard [1577-1618].

[Zouch, Richard (c.1590-1661)].

*Tractatus de Politia Ecclesiae Anglicanae. Cui Accesserunt Richard Zouch, L.L.D. Descriptio Juris & Judicii Ecclesiastici Secundum Canones & Constitutiones Anglicanas. Necnon Descriptio Juris & Judicii Temporalis Secundum Consuetudines Feudales & Normannicas.* London: Typis Gul. Sayes, Impensis R. Clavel, 1705. [xvi], 280 pp. Octavo (7-1/4" x 4").

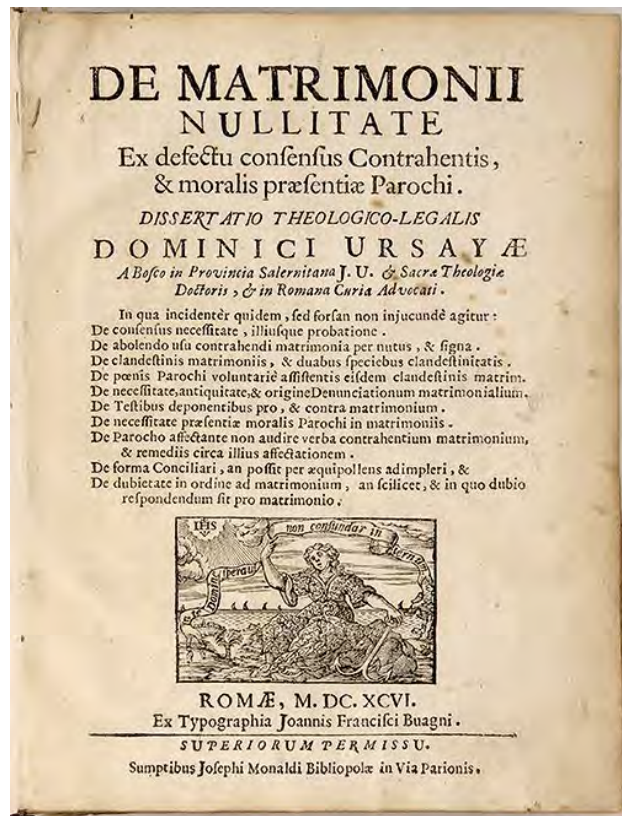
Recent quarter pebbled cloth over marbled boards, edges rouged, endpapers renewed. Light toning to interior, light foxing and soiling in a few places, corner of leaf G2 (pp. 83-84) lacking and bottom edge of leaf K1 (pp. 129-130) torn without loss to text, light edgewear to title page, which has a small note in pencil along with a few leaves. \$500.

\* Third and final edition. First published in 1616 as *Doctrina et Politia Ecclesiae Anglicanae*, this treatise on ecclesiastical jurisdiction proved controversial and was condemned and burnt by an edict of James I in 1617. It was republished under the present title in 1683 with a work by Zouch on English ecclesiastical law, to which our third edition added his work on feudal, private and customary law. OCLC locates 4 copies of this title in North American law libraries (Harvard, University of Virginia, Northwestern, Berkeley).

*English Short-Title Catalogue* T118538.

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### "Matrimonii Nullitate ex Defectu"

#### 22. Orsaio, Domenico (Ursaya, Domingo, Ursaya, Domenicus).

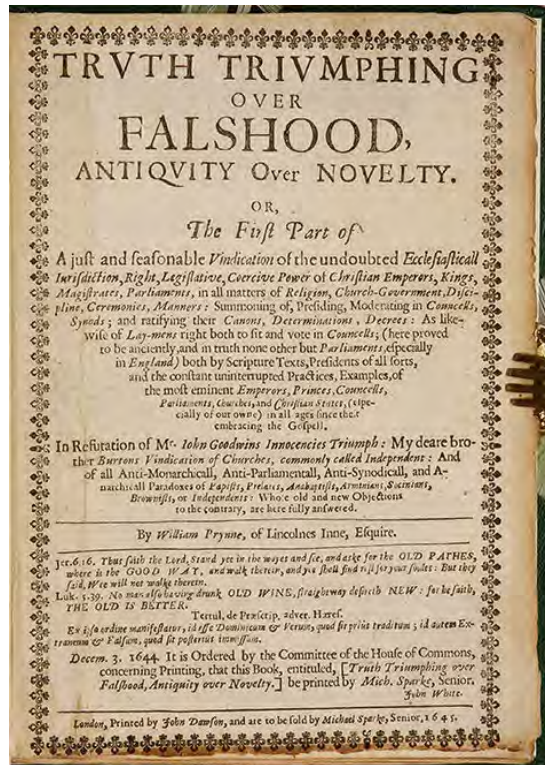
*De Matrimonii Nullitate ex Defectu Consensus Contrahentis & Moralis Consensus Contrahentis & Moralis Praesentiae Parochi: Dissertatio Theologico-Legalistic Dominici Ursayae, In qua Incidenter Quidem, Sed Forsitan non Injucundè Agitur: De Consensus Necessitate, Illiusque Probatione; De Abolendo Usu Contrahendi Matrimonia per Nutus, & Signa.; De Clandestinis Matrimoniis, & Duabus Speciebus Clandestinitatis; De Poenis Parochi Voluntarie Assistentis Eisdem Clandestinis Matrim.; De Necessitate, Antiquitate, & Origine Denunciationum Matrimonialium; De Testibus Deponentibus Pro, & Contra Matrimonium; De Necessitate Praesentiae Moralis Parochi in Matrimoniis; De Parocho Affectante non Audire Verba Contrahentium Matrimonium, & Remediis Circa Ilius Affectationem; De Forma Conciliari, An Possit per Aequipollens Adimpleri, & de Dubietate in Ordine ad Matrimonium, An Scilicet, & in Quo Dubio Respondendum sit pro Matrimonio.* Rome: Ex Typographia Joannis Francisci Buagni, 1696. [viii], 143, [1], 39, [1] pp. Quarto (8-3/4" x 6-1/4").

Contemporary vellum. Boards lightly bowed, minor worming to rear board, vellum covering spine mostly perished from worming, cords present, boards secure, some worming to hinges, crack in text block between front endleaf and title page. Moderate toning to text, occasional faint dampstaining to foot of text block, light foxing to a few leaves. \$350.

\* Only edition. As indicated by its title page, this treatise examines ten situations in which the nullification of a marriage is allowed under canon law. Unusual for a treatise of this kind, the author notes cases in which clerics bear some responsibility, such as conducting clandestine marriages. The main text is preceded by a series of brief essays on miscellaneous unrelated topics. One of them discusses the opinions of Aristotle and other classical authorities concerning the use of cosmetics. OCLC locates 9 copies, 2 in North America (Library of Congress, University of Pennsylvania).

Ferreira-Ibarra, *The Canon Law Collection of the Library of Congress* 1852.

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### A Contentious Essay on the Relationship Between Church and State

#### 23. Prynne, William [1600-1669].

*Truth Triumphant over Falshood, Antiquity Over Novelty. Or, The First Part of a Just and Seasonable Vindication of the Undoubted Ecclesiasticall Iurisdiction, Right, Legislative, Coercive Power of Christian Emperors, Kings, Magistrates, Parliaments, In All Matters of Religion, Church-Government, Discipline, Ceremonies, Manners: Summoning Of, Presiding, Moderating in Councells, Synods; And Ratifying Their Canons, Determinations, Decrees...* London: Printed by John Dawson, And are to be Sold by Michael Sparke, Senior, 1645. [xii], [2], 156 pp. Final leaf, which should follow p. 156, misbound after p. [xii]. Quarto (8-1/2" x 6-1/2").

Stab-stitched pamphlet with untrimmed edges bound into recent period-style three-quarter morocco over marbled boards, raised bands and lettering piece to spine, endpapers added, recent bookplate (of D.G. Mackenzie) to front pastedown. Title printed within woodcut typographical border, woodcut headpieces. Moderate toning, occasional minor loss to headlines due to printing errors, fore-edges of final two leaves shaved just touching marginal notes with loss of a few letters or figures on p. 156, some edgewear to title page. A nice copy. \$500.

\* Only edition, variant issue with the additional leaf signed (\*) and headed "To Master Henry Burton." One of the most notable and colorful figures of the seventeenth century, Prynne was a contentious and erudite Puritan attorney and legal antiquarian who wrote around 200 books and pamphlets about legal history, religion and politics. He was a veteran of numerous pamphlet wars. *Truth Triumphant Over Falshood* is a reply to *Innocencies Triumph. Or An Answer to the Back-Part of a Discourse Lately published by William Prynne, Esquire* (1644) by John Goodwin and *A Vindication of Churches, Commonly Called Independent* (1644) by Henry Burton, two pamphlets that attacked two other pamphlets by Prynne that criticized the government of the Church of England. Prynne asserts the political supremacy of Parliament over the Church of England.

*English Short-Title Catalogue* R212479.

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### Interesting Seventeenth-Century Dutch Treatise on Marriage Law

#### 24. Rodenburg, Christiaan [1608-1668].

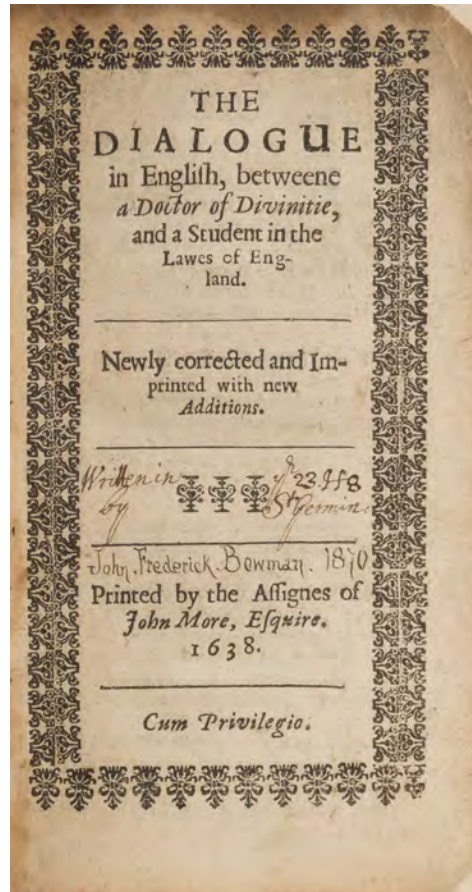
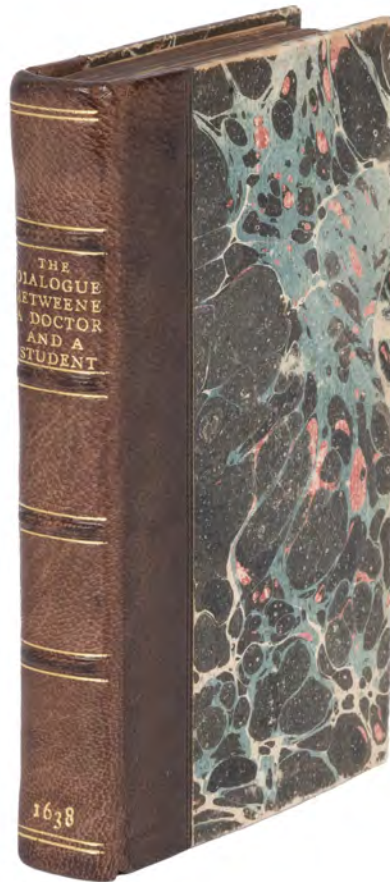
*Tractatus De Jure Conjugum. In quo de Viri in Uxorem Potestate, Eorumque Obligationibus, Judiciis, Mutuis Gratificationibus, Bonorum Communionem, Pactisque Dotalibus, Illustriores Controversiae, Ad Usum Fori Patrii, Vicinarumque Regionum Expenduntur, Cum Tractatione Praeliminari De Jure, Quod Oritur Ex Statutorum, Vel Consuetudinum Discrepantium Conflictu.* Utrecht: Apud Gisbertum Zylum, & Theodorum ab Ackersdijck, 1653. [xxvii], 358, [24] pp. Quarto (7-3/4" x 6").

Contemporary vellum with lapped edges, early hand-lettered title to spine. Moderate soiling and a few tiny stains, two chips to top-edge of front board. Some rubbing to corners, vellum just beginning to crack through pastedowns, lower section of front endleaf lacking, partial crack in text block between front endleaf and title page. Light toning to text, corners of a few leaves dog-eared, annotations in early hand to endleaves. \$1,500.

\* First edition. An interesting treatise on marriage in canon, Germanic, feudal, Roman and Roman-Dutch law. Educated at the Universities and Utrecht, Rodenburg was a state official and a canon of Saint Peter's Church in Utrecht. His *Tractatus de Jure Conjugum* is an interesting comparative treatise on marriage in canon, customary, Roman and Roman-Dutch law. A practical work, Rodenburg pays particular attention to conflicts between these different systems. Two more editions were published in 1676 and another in 1699. All are scarce. OCLC locates 6 copies of the first edition in North American law libraries (George Washington University, Harvard, UC-Berkeley, University of Chicago, University of Michigan, Yale).

Dekkers, *Bibliotheca Belgica Juridica* 146.

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### A Classic English Work on Equity and the Philosophy of Law that Influenced Blackstone

#### 25. [Saint German (Germain), Christopher].

*The Dialogue in English, Betweene a Doctor of Divinitie, And a Student in the Lawes of England. Newly Corrected and Imprinted with New Additions.* [London]: Printed by the Assignes of John More, Esquire, 1638. 176, [4] ff. Octavo (5-1/2" x 3").

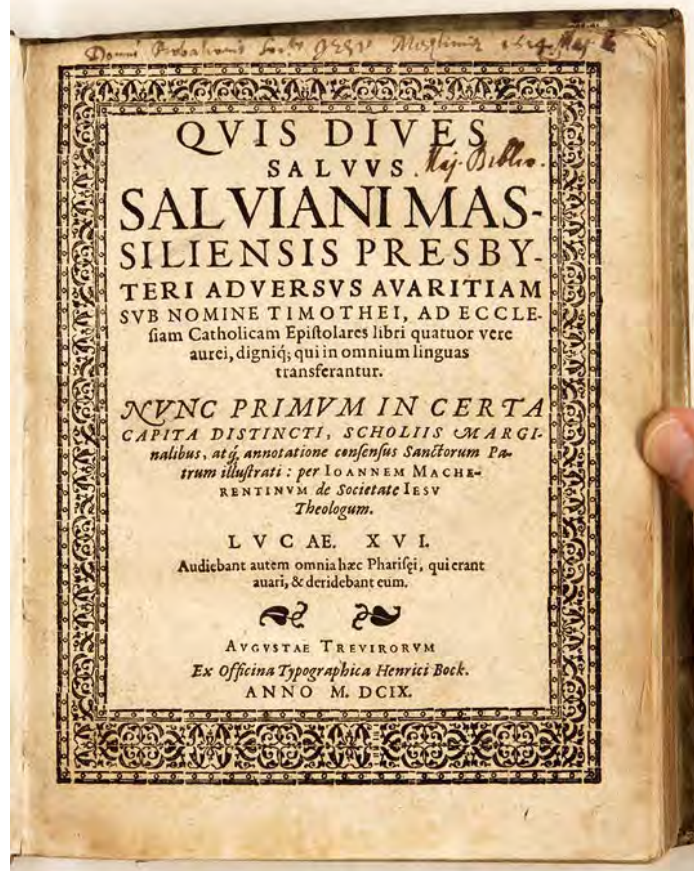
Recent quarter morocco over marbled boards, raised bands, gilt fillets, gilt title and date to spine, edges rouged, endpapers renewed. Light rubbing to extremities, light offsetting to endleaves. Title printed within typographical border. Moderate toning to text, somewhat heavier in places, light chipping and edgewear to some leaves with no loss to text, light foxing (or spotting) and soiling to a few leaves, faint dampstaining to top-edge of first few leaves, corners of title page mended, ownership signature (of John Frederick Bowman) dated 1880 to title page with early annotations in a different hand to title page and pp. 61 and 129. \$400.

\* Later edition. With the second dialogue. Written originally in Latin in 1523 and cast in dialogic form, this was the first work to study the role of equity in common law and, by its nature, was the first jurisprudential work written in England. It also considers the relative merits of common, canon and civil law, the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. *Doctor and Student* appeared in numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone.

*English Short-Title Catalogue* S116404.

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### Give to the Church, Not to Your Children

#### 26. Salvian (Salvianus) [c.390-c.484 CE].

#### Macherentinus, Johannes [1540-1610], Editor.

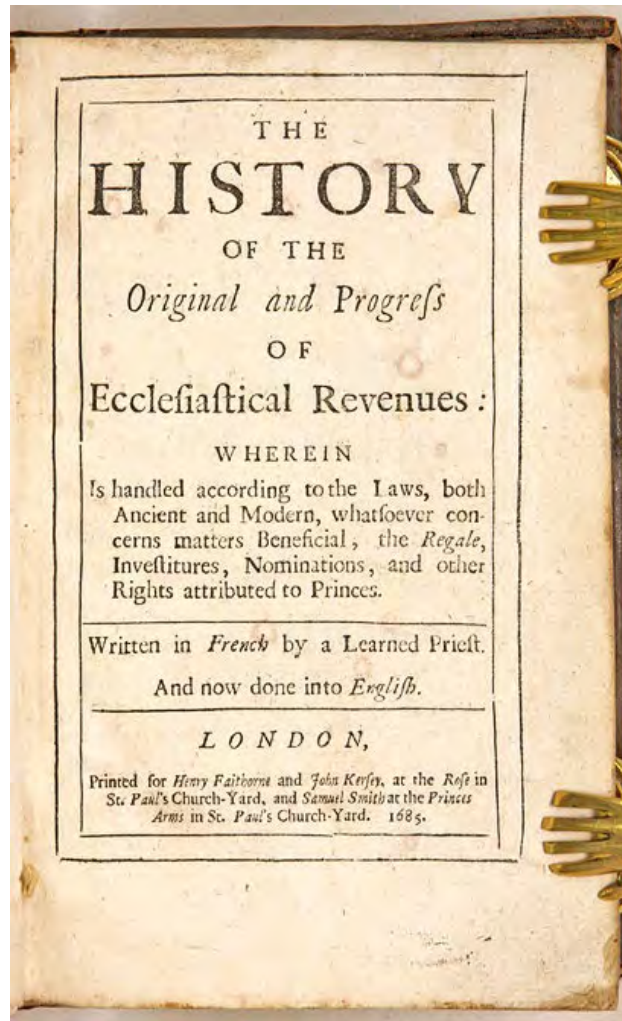
*Quis Dives Salvus. Salviani Massiliensis Presbyteri Adversus Avaritiam Sub Nomine Timothei, Ad Ecclesiam Catholicam Epistolares Libri Quatuor Vere Aurei, Digni[que] qui in Omnium Linguas Transferantur Nunc Primum In Certa Capita Distincti, Scholiis Marginalibus, Atque Annotatione Consensus Sanctorum Patrum Illustrati: Per Joannem Macherentinum de Societate Jesu Theologum.* Trier: Ex Officina Typographica Henrici Bock, 1609. 28, 226, [10] pp. Quarto (7-1/4" x 6-1/4").

Contemporary flexible vellum, later lettering piece to spine, ties lacking. Light rubbing to extremities, some soiling and spotting, vellum just beginning to crack through pastedowns. Title printed within woodcut typographical border, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light foxing to a few leaves. Early annotations to endleaves, interior otherwise clean. \$750.

\* First edition (by Macherentinus). Salvian of Gaul was an important Christian thinker and canonist of the fifth century. Enhanced with arguments drawn from canon law, his *Adversus Avaritiam* outlines reasons to give alms to the church. More interesting, it says parents should bequeath their estates to the Church rather than their children; it is better for children to suffer want in this world to save their parents from damnation in the next. Salvian also has much to say on the duty of self-denial by priests, nuns and monks. Macherentinus, the editor of this edition, was a Jesuit theologian. OCLC locates no copies of this edition in North America.

*Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 39:129323G.

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### A Critical Examination of Tithes and Other Forms of Ecclesiastical Revenue

#### 27. [Simon, Richard (1638-1712)].

*The History of the Original and Progress of Ecclesiastical Revenues. Wherein is Handled According to the Laws, Both Ancient and Modern, Whatsoever Concerns Matters Beneficial, The Regale, Investitures, Nominations, And Other Rights Attributed to Princes. Written in French by a Learned Priest. And Now Done into English.* London: Printed for Henry Faithorne and John Kersey, 1685. [xvi], 271, [1] pp. Octavo (7" x 4-1/2").

Contemporary calf, rebacked retained backstrip with gilt fillets and recent lettering piece to spine, blind rules to boards. Minor nicks and scuffs to boards, which are slightly bowed, moderate rubbing to extremities, wear along joints and spine ends, pastedowns loose and lightly edgeworn. Light toning to text, negligible light soiling to title page. \$350.

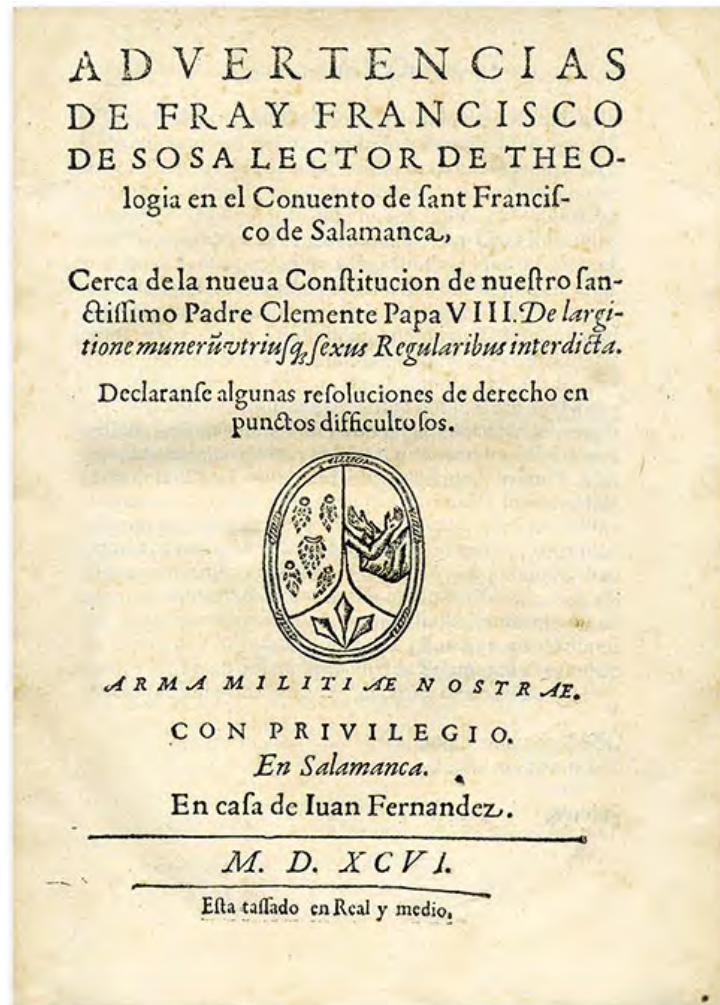
\* Only English edition. This critical work was originally published in Frankfurt in 1684 as *Histoire de l'Origine & Du Progrès des Revenues Ecclesiastiques*. This anonymous translation was clearly intended to criticize laws concerning tithes to support the Church of England. According to the preface, "this work" is worth reading because it "plainly discovers what good Use the Ecclesiastics have made of the Pious Inclinations of the Laity, to their own Advantage..."

*English Short-Title Catalogue* R19448.

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### Rare Sixteenth-Century Spanish Treatise Concerning Monasteries

#### 28. Sosa, Francisco de [fl. 1556].

*Advertencias de Fray Francisco de Sosa, Lector de Theologia en el Conuento de Sant Francisco de Salamanca: Cerca de la Nueva Constitucion de Nuestro Sanctissimo Padre Clemente Papa VIII. De Largitione Munerum Utriusque Sexus Regularibus Interdicta. Declaranse Algunas Resoluciones de Derecho en Punctos Difficultosos.* Salamanca: En Casa Iuan Fernandez, 1596. [x], 131, [2] pp. Quarto (8" x 6").

Contemporary limp vellum, black rules to covers, calligraphic title to spine, early hand-lettered title to spine, ties mostly lacking. Some soiling and small stains, spine darkened with a few small chips near center, vellum just beginning to crack through pastedowns. Light to moderate toning to text, occasional faint dampspotting, internally, clean. \$1,100.

\* First edition. This book details a series of legal reforms regarding monasteries and holy orders implemented by Pope Clement VI, formerly a canon lawyer (Ippolito Aldobrandini, 1536-1605, the son of notable jurist Sylvestro Aldobrandini). For the most part, these reforms led to an increase of Papal control and supervision. Two other editions were published in 1597 and 1696. OCLC locates no copies of this title in North America. No copies located at the Library of Congress, Harvard Law School or UC-Berkeley Law School.

Palau, *Manual del Librero Hispano-Americano* 319804.

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### A Standard Canon-Law Treatise on Punishment

29. Tesaurio, Carlo Antonio [1587-1655].

Giraldi, Ubaldo [1692-1775], Editor.

*De Poenis Ecclesiasticis Praxis Absoluta, Et Universalis. Iam Primum in Duas Partes Distributa Nunc Notis, & Accessionibus Earumdem Poenarum ab Anno MDCLIII. Ad Currentem MDCCLX. Inflictarum Locupletata ab Adm. R.P. Ubaldo Giraldi a S. Cajetano. Opus Diligenter Revisum, Emendatumque, Ac Propositionibus ab Apostolica Sede Proscriptis Auctum Publicae Commoditati Deferunt.* Rome: Haeredes Jo. Laurentii Barbiellini, 1760. [iv], 524 pp. Main text in parallel columns. Folio (13" x 8-1/2").

Contemporary vellum, raised bands and early hand-lettered title and small early shelf label (reading "63") to spine, speckled edges. Light rubbing, light soiling and a few tiny worm holes to spine, boards slightly bowed, corners bumped and somewhat worn, crack in text block between front free endpaper and title page, which is printed in red and black. Moderate toning to text, somewhat heavier in places, some leaves have light foxing or dampspotting. A handsome copy. \$400.

\* Later edition. First published in 1640, this treatise on punishments by a Jesuit canonist went through at least six editions. It was a standard work into the final decades of the nineteenth century. Not in Ferreira-Ibarra.

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### Well-Regarded by Holdsworth

#### 30. Watson, William [1637?-1689].

*The Clergy-Man's Law: Or, The Compleat Incumbent. Collected from the 39 Articles, Canons, Proclamations, Decrees in Chancery and Exchequer As Also from All the Acts of Parliament, And Common-Law Cases, Relating to the Church and Clergy of England: Digested Under Proper Heads for the Benefit of Patrons of Churches, And the Parochial Clergy....* [London]: Printed by John Nutt, 1712. Two volumes. [viii], 1143, [123] pp. Octavo (7-1/2" x 4-3/4").

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spines, early hand-lettered titles to fore-edges. Some rubbing to extremities, a few minor scuffs and stains to boards, chipping to spine ends, joints and hinges starting, corners bumped and somewhat worn. Light toning to text, corners of a few leaves dog-eared, a few others dampstained. Early owner signatures to front free endpapers, interiors otherwise clean. \$250.

\* Second edition. "[During the eighteenth century a] number of books aimed at setting out more or less a summary of those branches of law which would be useful to the clergy. The most elaborate of these books is [the present title], which was first published in 1701.... The author was a clergyman who held the deanery of Battel; but he had been educated with a view to becoming a practitioner in the ecclesiastical courts, and had taken his degree of doctor of laws. Because he had had a legal education he was, he tells us 'soon apply'd to by his neighbours, as a person able to advise them in the many doubts and difficulties that daily occurred to them.' (...) The book deals clearly and systematically in fifty-nine chapters with the law and practice on all topics which are useful to the clergy. It is a learned book; but, as the title page indicates, it is compiled almost entirely from the English cases, statutes and other authorities, to which the full references are given. Though the author is an L.L.D. he is obviously more learned in English law than in the civil or canon law" (Holdsworth). The first edition was published in 1701; the fourth and final in 1747.

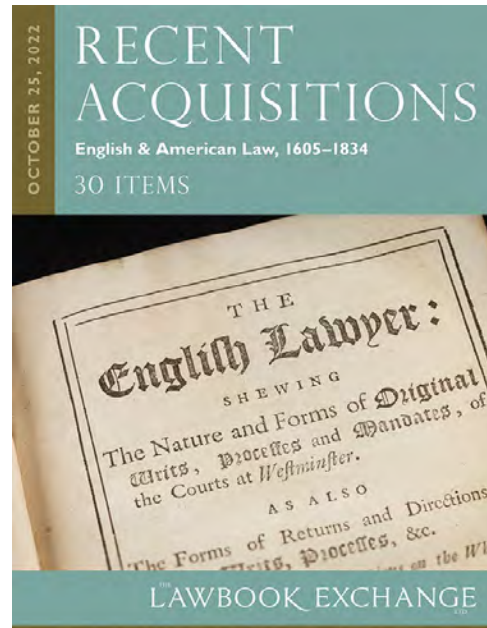
Holdsworth, *History of English Law* 12:622-623. *English Short-Title Catalogue* N3137.

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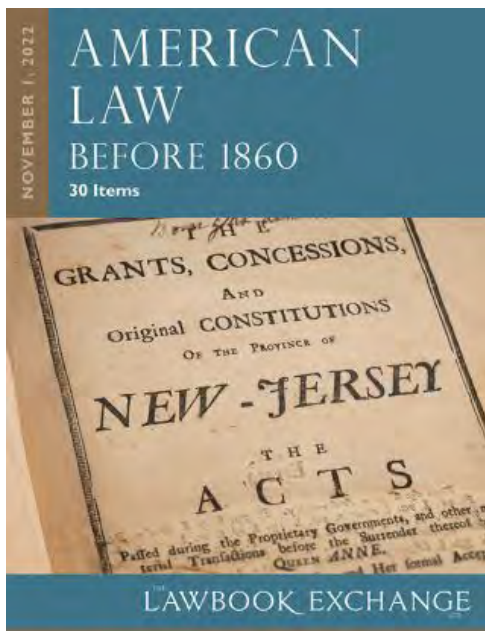
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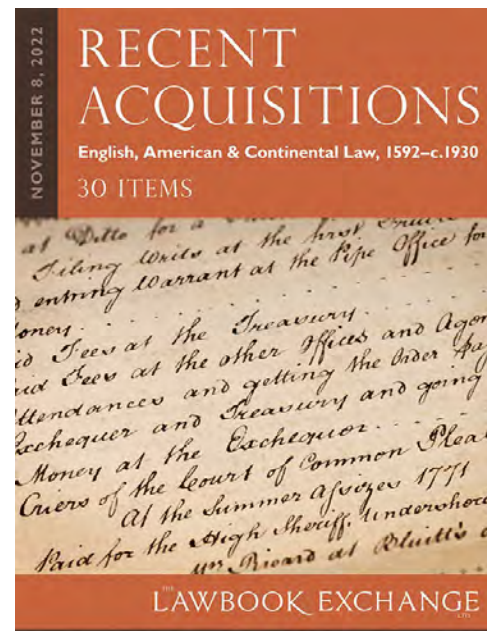
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