

# CONTINENTAL LAW

15<sup>th</sup> to 20<sup>th</sup> Centuries



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# CONTINENTAL LAW

15<sup>th</sup> to 20<sup>th</sup> Centuries

CATALOGUE 108



Detail from N° 40

Highlights include:

- ♥ an important 15th-century study of usury and economics (Item 76)
- ♥ a scarce 16th-century imprint of the *Consolato del Mare* (Item 20)
- ♥ a 17th-century collection of humorous legal anecdotes (Item 1)
- ♥ a 19th-century French manuscript on women and marriage (Item 56)
- ♥ a satirical c.1940 illustrated edition of the French *Code Pénal* (Item 40)

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Exterior Rear Cover: Item 8

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*Tailpiece detail from N°7*

A COLLECTION OF HUMOROUS LEGAL ANECDOTES  
WITH ATTRACTIVE COPPERPLATE PICTORIAL TITLE PAGES

**1. Abele von und zu Lilienber, Matthias [1618-1677].**

Metamorphosis Telae Judiciae, Das Ist: Seltsame Gerichtshändel. Samt Denen/Hierauf Gleichfalls Seltsam Erfolgten Gerichts Aussprüchen: Zusammen Getragen/Mit lustigen Anmerckungen Erläutert/ Auch Uhterschiedlichen Geschichten Vermehret/ Und an Vielen Orten Verbessert.

Nuremberg: In Verlegung Michael Endters, 1655.

[AND] Continuatio Metamorphosis Telae Judiciae, Oder: Ander Theil Seltzamer Gerichtshändel/ Und Hierauf Gliechsfalls Seltsam Erfolgter Ausprüche. Zusammen Getragen/Und Mit lustigen Anmerckungen/Und Gefütterert.

Nuremberg: In Verlegung Michael Endters, 1658. \$1,500.

Two volumes in one book. [xvi], 791 [i.e. 761], [14]; [xvi], 452 [i.e. 434], [12] pp. With 2 additional engraved copperplate pictorial title pages. Octavo (6-1/4" x 3-1/4").

Contemporary laced vellum, later repair to spine with portions of existing spine laid down, edges of text block rouged. Light soiling and a few small stains, remnants of early hand-lettered title to head of spine, early annotation and (illegible) owner signature dated 1680 to front pastedown. Moderate toning to interior, somewhat heavier in places in second volume, light foxing and minor faint dampstaining to a few leaves, small ink library stamp to half-title and title page of first volume, tear to margin of leaf R6 (pp. 187-188) of first volume without loss to text, small hole to leaf U8 (pp. 319-320) of second part with very minor loss to text but not legibility.

LATER EDITION. First published in 1651, *Metamorphosis Telae Judiciae* is an extensive collection of accounts of amusing and unusual court cases, several of which are accompanied by poems or songs. The second volume contains an additional 150 cases. The final edition appeared in 1712.

OCLC locates 3 complete copies of the 1655-1658 edition in North America (George Washington University Law School, Harvard Law School, Duke University). VDI7 3:605930L.



A FUNDAMENTAL TREATISE ON FAMILY RELATIONS

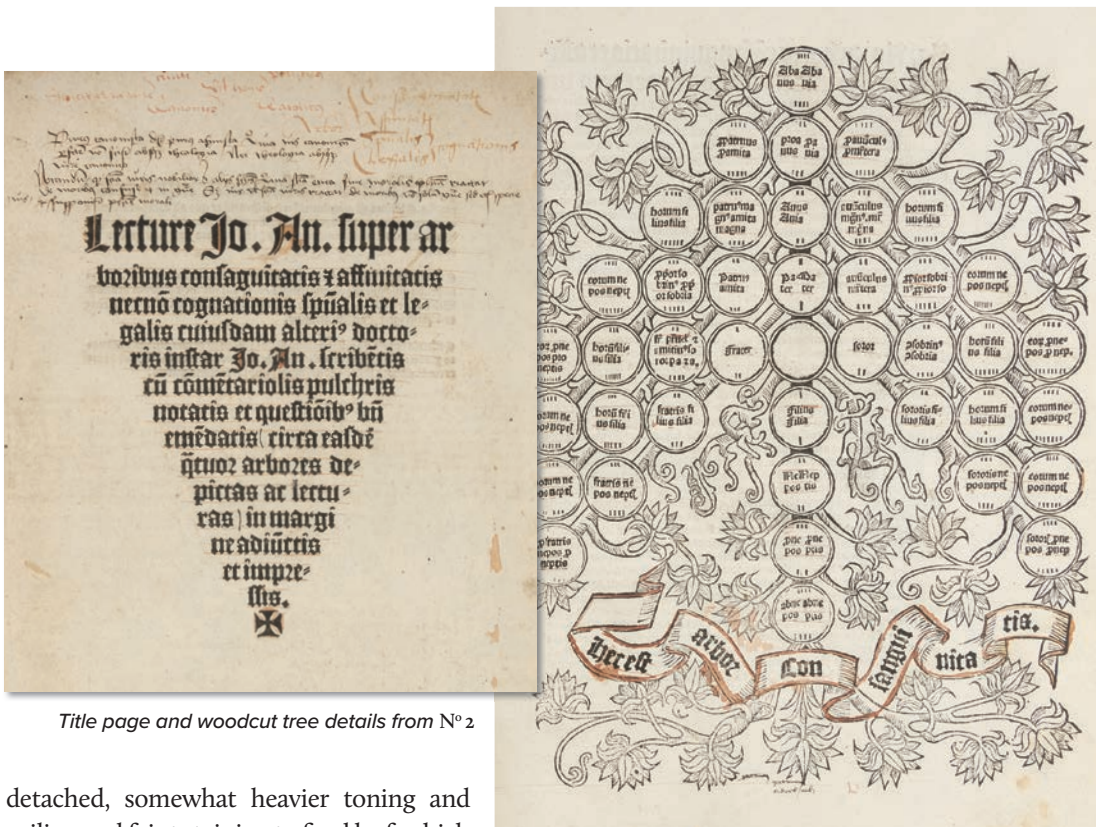
**2. Andrea, Giovanni d' [1275-1348].**

[Greve, Henricus, Commentary].

Lecture Jo. An. Super Arboribus Consaguitatis [et] Affinitatis Necno[n] Cognationis Sp[irit]ualis et Legalis Cuiusdam Alteri[us] Doctoris Instar Jo. An. Scribe[n]tis cu[m] Co[m]me[n]tariolis Pulchris Notatis et Questio[n]ib[us] B[e]n[e] Eme[n]datis (Circa Easde[m] Q[ua]tuor Arbores Depictas ac Lecturas) In Margine Adiu[n]ctis et Impressis. [Leipzig: Impressum...Per Providu Viru Baccalaureu Martinu Herbipolensem, 1511]. [18] ff. Five woodcut trees of consanguinity and affinity, two of which are full-page. Folio (11-3/4" x 8-1/4").

\$2,750.

Recent (twentieth-century) patterned wrappers. Wrappers beginning to separate from text block but secure. Text in single column with linear gloss. Light toning to interior, occasional small stains and light soiling, tiny wormhole to outer margin of last ten leaves not affecting text, leaves C2-C5 (ff. [14-17])



Title page and woodcut tree details from N° 2

detached, somewhat heavier toning and soiling and faint staining to final leaf, which has several mended tears with loss to text and final woodcut tree, early hand-coloring to first woodcut tree, annotations to first eight leaves in an early hand, a few affected by trimming at fore-edge.

D'ANDREA was an Italian canonist and professor of canon law at the University of Bologna. An eminent figure who received the highest tributes from Arithemius, Baldus, Forster and Bellarmin, his principal writings circulated widely in manuscript and were among the earliest printed works on canon law. The *Super Arboribus* is a fundamental treatise on degrees of consanguinity and affinity, also known as blood relations, and spiritual relationships created by godparents and their families. It was a work of vital importance in cases regarding estates, incest and conflicts of interest. It went through numerous manuscript and printed editions into the modern era. Our 1511 edition is the fifth of six printed by Landsberg and features five attractive woodcut trees of consanguinity and affinity. The annotations appear to consist of both brief glosses and longer interpretative notes.

OCLC locates 5 copies, none outside Germany. VDr6 J324.

UNCOMMON COMMERCIAL  
LAW DICTIONARY BY AZUNI

### 3. Azuni, D[omenico] Alberto [1749-1827]. Ricci, Giuliano, Editor.

Dizionario Universale Ragionato Della Giurisprudenza  
Mercantile.

Sassari: Tiopgrafia di Luigi Azzati, 1844. xxiii, 759 pp.  
Lithograph portrait frontispiece. Quarto (11" x 7-1/2").  
\$950.

Contemporary quarter morocco over marbled boards, gilt fillets and title to spine. Light rubbing to boards, small faint stain to front board, moderate rubbing to extremities,



Azuni frontispiece detail

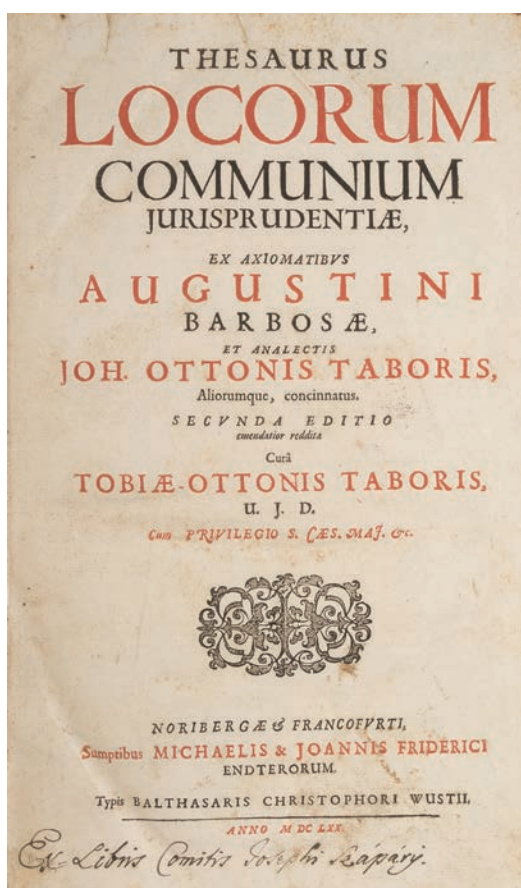


chipping to foot of spine, light wear to board edges and corners, hinges cracked. Light toning to interior, occasional light foxing, small ink marks to right margin of p.109. An appealing copy.

FIFTH AND FINAL EDITION. An authority on mercantile law, Azuni was an Italian jurist and a writer who later became a French citizen, president of the appeal court at Genoa and judge of the Commercial Court at Cagliari. He is best known for his *Maritime Law of Europe* (1806), which was a standard authority in the United States. Adapted in part from Baldasseroni's *Dizionario* (1807), it is more an encyclopedia or essay collection than a dictionary. Both synthetic and critical, it refers often to the leading treatises of commercial law. Marvin found it useful because it "contains the results of many authors, not readily accessible." Useful for its definitions, it is equally interesting because it has detailed criticism of the literature by a contemporary expert. The first edition was published in 1786-1788.

All editions are scarce; OCLC locates 3 copies of the fifth edition, one in North America (Harvard Law School). Marvin 81-82.

ENCYCLOPEDIA LAW DICTIONARY BY AN IMPORTANT CANONIST



4. Barbosa, Agostino [1589-1649], Compiler.  
Tabor, Johann Otto [1604-1674], Editor.  
Tabor, Tobias Otto [fl. 1670], Editor.

Thesaurus Locorum Communium Jurisprudentialae, Ex Axiomatibus Augustini Barbosae, Et Analectis Joh. Ottonis Taboris, Aliorumque, Concinnatus. Emendatior Reddita Cura Tobiae-Ottonis Taboris. Strassburg and Frankfurt: Sumptibus Michaelis & Joannis Friderici Endterorum, 1670. [iv], 888 pp. Main text in parallel columns. Folio (13-1/4" x 7-1/2"). \$1,500.

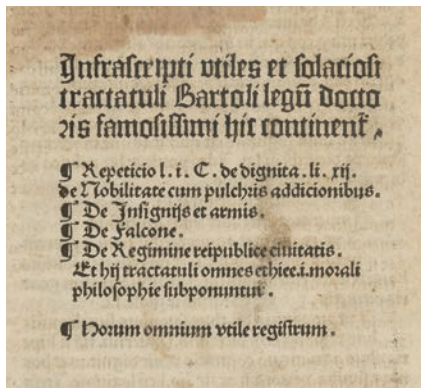
Contemporary vellum with yapp-style fore-edges, early hand-lettered title to spine, edges colored green. Light rubbing, faint staining to spine, spine ends lightly bumped. Vellum just beginning to crack through pastedowns, later armorial bookplate to front pastedown, early owner signature (Joseph Lappary) to front free endpaper. Title page printed in red and black, attractive woodcut head and tail-pieces. Light toning and foxing to interior, light soiling and early owner signature (of Lappary) to title page.

SECOND EDITION. Covering the whole of the *ius commune* from Abbate to Zelo, this dictionary was compiled from Barbosa's works by Johann Otto Tabor and published in 1652. It was expanded in subsequent editions by Tobias Otto Tabor, Samuel Stryk [1640-1710] and Andreas Christoph Rosener [1657-1719]. The final edition was reissued in 1719 and 1737. The *Thesaurus* is an encyclopedic dictionary; most of the definitions are remarkably long and detailed with numerous citations; many are divided into complex sub-categories. Barbosa was a notable Portuguese canonist, later Bishop of Ugento, who spent his professional career in Rome and Madrid. A prolific author, his work is distinguished by a close reading of sources and a taste for controverted questions. Johann Otto Tabor was a distinguished German jurist and professor of law at the University of Giessen and the brother of Tobias Otto.

All editions are scarce. OCLC locates 3 copies of the second edition in North America (at Harvard Law School, Princeton and UC-Berkeley Law School). This edition not in the BMC or Roberts.



1493 COLLECTION OF TREATISES FROM  
A RENOWNED LEGAL SCHOLAR AND COMMENTATOR



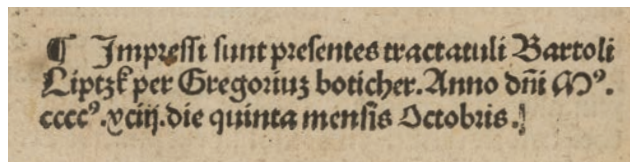
Title page detail

### 5. Bartolo of Sassoferrato [1313-1357].

Infrascripti Utiles et Solaciosi Tractatuli Bartoli Legu[m] Doctoris Famosissimi hic Continent. Repeticio l. i. C. De Dignita li. xii. De Nobilitate cum Pulchris Addicionibus. De Insignijs et Armis. De Falcone. De Regimine Reipublice Civitatis. Et hii Tractatuli Omnes Ethiee. i. Morali Philosophie Subponuntur. Horum Omnium Utile Registorum. [Leipzig: Gregor Böttiger, 5 October 1493]. [52] ff. Collation: a8, b-g6, h8. Complete. Quarto (7" x 5-1/4"). \$12,500.

Later binding from a 14th or early 15th-century manuscript, endleaves renewed, early vellum front pastedown with early ink annotations (dated 1543). Soiling, minor tears and small holes to exterior manuscript leaf, light rubbing to extremities, light wear to spine ends and corners, which are bumped, hinges cracked, minor worming to rear free endpaper. Moderate toning to interior, occasional light soiling, faint dampstaining in a few places, partial crack in text block between leaves a7-a8, all leaves secure, leaves a8, b1, b2, g6 and h1 recently reinforced at gutter, small wormholes to margins of a few leaves, no loss to text, occasional early underlining, manicules and brief annotations, some affected slightly by trimming.

BETWEEN 1250 AND 1450, the Post-Glossators, a group of legal scholars and teachers in Italy, initiated the recovery of Roman law texts from the corruptions of the medieval Glossators. Their efforts to apply Roman law to the jurisprudence of their day also prepared the way for the natural law school of the seventeenth century and helped to lay the foundations of the modern state. The greatest member of this group was Bartolo of Sassoferrato, better known as Bartolus. In addition to the commentaries on the *Corpus Juris Civilis* for which he is best known, he wrote a number of treatises on law and politics. *Tractatuli* gathers several of his works, including a brief commentary on Book XII of the *Code* and additional short treatises on nobility, the legal aspects of heraldry, military action, and the authority of states and the rights of their subjects. The latter includes references to Aristotle's *Politics* and an index to Thomas Aquinas's commentary on that work.



Colophon detail

The *ISTC* locates 4 copies in North America (Walters Art Museum Library, University of Chicago, Yale University, Yale Law School). *ISTC* ib00254000.

## EARLY COLLECTED-WORKS EDITION OF BECCARIA

**6. Beccaria, Cesare Bonesana, Marchese di [1738-1794]. [Voltaire (Arouet, Francois-Marie) (1694-1778)].**

**Opere Diverse del Marchese Cesare Beccaria Bonesana Patrizio Milanese.**

Naples: Nella Stamperia di Giovanni Gravier, 1770. Three parts in two volumes. [xii], 316, [4]; [iv], 128, [4], 178, [2] pp. 6 folding tables. Volume I has copperplate allegorical frontispiece of an executioner before Athena, who has features similar to Lady Justice. Octavo (7-1/2" x 4-1/4"). \$1,500.

Contemporary three-quarter vellum over marbled boards, red and green lettering pieces and gilt decoration to spines, ribbon markers. Light rubbing to boards, moderate rubbing to board edges, light soiling to spines, chipping to edges of lettering pieces, spine ends and corners bumped, corners lightly worn, small blind embossed ownership stamps to preliminaries and a few leaves in each volume. Light toning and foxing to interior, light creasing to folding tables, one of which has a small clean tear just touching table, faint dampstain to upper corner of first 20 or so leaves of Vol. I.



*Allegorical frontispiece*

ONE OF THE FIRST COLLECTIONS of Beccaria's works. Volume I contains *Dei Delitti e Delle Pene*, Voltaire's famous commentary on that work and two anonymous commentaries: "Giudizio di Celebre Professore Sopra il Libro de' Delitti e Delle Pene" and "Riposta ad uno Scritto, Che s'initola Note ed Osservazioni sul Libro de' Delitti e Delle Pene." The other two volumes collect Beccaria's writings on economics, aesthetics and other topics. The frontispiece appears to be a variant on Perseus's presentation of Medusa's head to Athena. In this version Perseus is an executioner holding three severed heads in one hand and a sword and guillotine blade in the other. Athena, who is horrified, represents Lady Justice. (Her scales are resting beside her with symbols of justice and industry.)

OCLC locates 16 complete copies, 10 in North America, 1 in a law library (Yale). Not in the *BMC*.

SCARCE TREATISE ON EXCHANGE IN THE HOLY ROMAN EMPIRE  
WITH STRIKING ENGRAVED PICTORIAL FRONTISPIECE

**7. Beck, Johann Adam [1686-1751].**

Tractatus Novus vom Wechsel-Recht: In Sich Begreifend, So Wohl die Persohnen, Welche Diesem Recht Unterworffen Sind, Als Auch die Verschiedene Arten und Gattungen Derer Wechsel und Wechsel-Briefffen, Ingleichen was in- Order bey Ausstell- Verfertig- Versend- Und Versicherung der Wechsel-Briefffen, Oder Sonst Insgemein [...] Zu Observiren ist, Alles aus Denen, Durchaus mit Allegirten, Neuesten in- Und Ausser dem H. Röm. Reich Erfindlichen, Vielen Wechsel-Ordnungen, Mandaten und Decreten, Wie Ingleichen Denen Best- Und Bewährtesten Autoribus, Mit Allem Fleiß, Zusammen Getragen, Nicht Minder mit Verschiedenen Kauffmanns

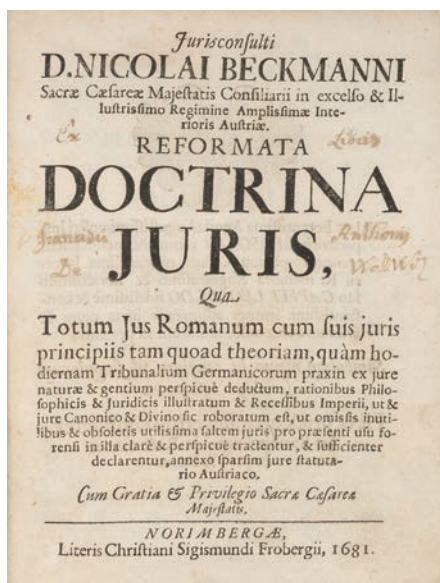


Contemporary marbled boards, gilt fillets and calf lettering piece to spine. Light rubbing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, edges rouged. Title page printed in red and black. Moderate toning to interior, somewhat heavier in places, light foxing to title page, later owner signature (Pannier) to front free endpaper. A handsome copy of a scarce title.

FOURTH AND FINAL EDITION. A practical treatise on the canon and Holy-Roman laws governing marriage and divorce and, to some extent, children. It devotes a good deal of attention to reasons for divorce, with an emphasis on adultery. Apparently a well-received work, it was first printed in 1738, with second and third editions in 1741, 1743.

All editions are scarce. OCLC locates 3 copies of the fourth edition in North American law libraries (Georgetown, Harvard, Yale). VDI8 12613037.

#### RARE SEVENTEENTH-CENTURY AUSTRIAN LAW DICTIONARY



#### 9. Beckmann, Nicolaus.

Reformata Doctrina Juris, Qua Totum Jus Romanum cum Suis Juris Principiis tam quo ad Theoriam, Quam Hodiernam Tribunalium Germanicorum Praxin ex Jure Naturae & Gentium Perspicue Deductum, Rationibus Philosophicis & Juridicis Illustratum & Recessibus Imperii, Ut & Jure Canonico & Divino sic Roboratum est, Ut Omissis Inutilibus & Obsolete Utilissima Saltem Juris pro Praesenti Usu Forensi in Illa Clare & Perspicue Tractentur, & Sufficenter Declarentur, Annexo Sparsim Jure Statutario Austriaco.

Nuremberg: Literis Christiani Sigismundi Frobergii, 1681. [xxxii], 1135, [3] pp. Quarto (8" x 6-1/2"). \$2,500.

Contemporary calf, blind fillets to boards, blind (formerly gilt) arms of Austria to centers of boards, raised bands and blind (formerly gilt) fillets to spine. Moderate rubbing, somewhat heavier rubbing to extremities with some wear to fore-edge of rear board, minor tear to head of spine, pastedowns loose, a few minor worm holes to rear board, rear pastedown and margins of final quarter of text block, part-excised inscription, some edgewear and a few chips to front pastedown. Moderate toning to interior, browning to a few sections, negligible faint dampstaining to foot of text block, light soiling and early owner inscription to title page.



Title page and front board detail

ONLY EDITION. This remarkable work is a dictionary of legal terms relevant to Austria. The terms are quite detailed, cite authorities and, whenever possible, clarify concepts with principles from Roman law. As its title indicates, this is a prescriptive work.

OCLC locates 1 copy in North America (at Harvard Law School). Das VDI7 12:621887E.

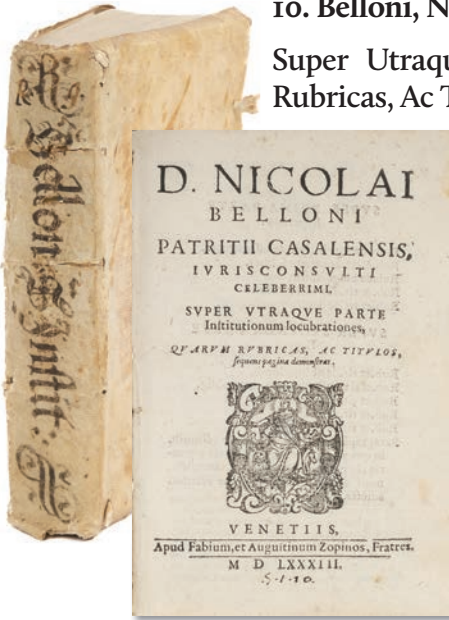
RARE COMMENTARY ON SELECTIONS FROM THE *INSTITUTES*

## 10. Belloni, Niccolò [d.1552].

**Super Utraque Parte Institutionum Locubrationes, Quarum Rubricas, Ac Titulos, Sequens Pagina Demonstrat.**

Venice: Apud Fabium, Et Augustinum Zopinos, Fratres, 1583. 240 [i.e. 238], [26] ff. Octavo (6" x 4").

\$1,250.



Contemporary limp vellum with yapp-style fore-edges, early hand-lettered title to spine, remnants of thong ties to fore-edges. Light soiling and a few faint stains, light rubbing to extremities, a few small holes to spine and joints, front hinge starting, early (illegible) ownership signatures to front free endpaper. Light toning to interior, occasional faint dampstaining to last fifty or so leaves, early underlining to several leaves.

LATER EDITION. First published in 1544, this is a commentary on selections from Books 2 and 3 of the *Institutes* and the "Item Serviana," a discussion of actions in

land law, from Book 4. Belloni was a university lecturer in Pavia who later became a senator in Milan.

OCLC locates 5 copies of the 1583 edition, 2 in North America (Library of Congress, University of Kansas). *EDIT*16 CNCE 4949.

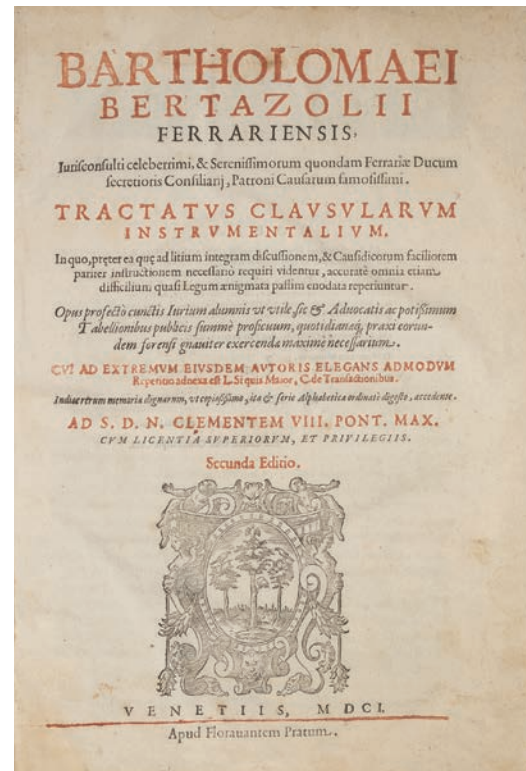
## SCARCE TREATISE ON NOTARIAL INSTRUMENTS, OATHS AND COMPROMISE

## 11. Bertazzoli, Bartolomeo [1520-1588].

Tractatus Clausularum Instrumentalium. In Quo, Praeter ea Quae ad Litem Integram Discussionem, & Causidicorum Faciliorem Pariter Instructionem Necessariò Requiri Videntur, Accuratè Omnia Etiam Difficilium Quasi Legum Aenigmata Passim Enodata Reperiuntur. Opus Profectò Cunctis Iurium Alumnis ut Utile, Sic & Advocatis ac Potissimum Tabellionibus Publicis Summè Proficuum, Quotidianaeq[ue] Praxi Eorundem Forensi Gnauiter Excercendae Maximè Necessarium. Cui ad Extremum Eiusdem Autoris Elegans Admodum Repetitio Adnexa Est L. Si Quis Maior, C. De Transactionibus. Indice Rerum Memoria Dignarum, Ut Copiosissimo, Ita & Serie Alphabetica Ordinate Digesto, Accedente. Ad S.D.N. Clementem VIII. Pont. Max.

Venice: Apud Florauantem Pratum, 1601. [xlvi], 219, [1]; [ii], 26 ff. Main text in parallel columns. Folio (12-1/2" x 8-1/2").

\$1,400.



Contemporary vellum with later repairs to spine and corners, faint illegible inscription to front board, raised bands and later hand-lettered title label to spine, hand-lettered title to foot of text block. Light rubbing and soiling to boards, which are slightly bowed, spine ends and corners bumped, minor chipping to foot of spine, front free endpaper, which has some show through from early inscriptions, affixed to front pastedown, front hinge cracked, title page and following leaf partially detached and lightly edgeworn, but secure. Moderate toning to interior, light foxing and faint dampstaining in a few places.

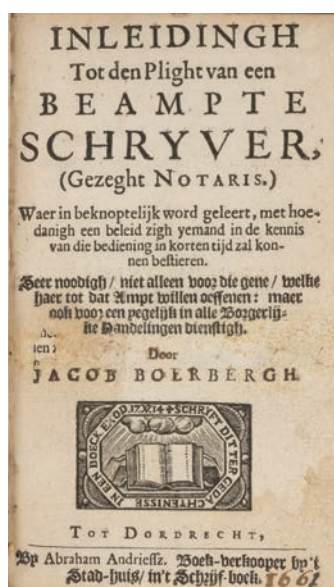
SECOND (STATED) EDITION, actually the third. Written by a judge and state official from Modena, this is a digest of notarial instruments for canon courts of Ferrara and the Emilia-Romagna region. It also discusses the historical background of these instruments and the subjects of oaths and compromise in Roman law. This work was first published in 1598 with later editions in 1599, 1601 and 1624.

All editions are scarce and few copies of any edition are held in North American libraries. OCLC locates 1 of the 1601 edition (Catholic University of America). *USTC* 4036493.

A RARE SEVENTEENTH-CENTURY DUTCH NOTARIAL MANUAL



*Allegorical copperplate title page*



## 12. Boerbergh, Jacob.

**Inleiding tot den Plight van een Beampte Schryver, (Gezegt Notaris.) Waer in Beknoptelijck Word Geleert, Met Hoedanigh een Beleid Zigh Yemand in de Kennis van die Bediening in Kortten Tijd zal Konnen Bestieren. Seer Noodigh/ Niet Alleen voor die Gene/ Welke Haer tot Dat Ampt Willen Oeffenen: Maer ook Voor een Pegelijck in Alle Bergerlijke Handelingen Dienstigh.**

Dordrecht: By Abraham Andriessz, [1662]. [xxxii], 186, [20] pp. Title page preceded by allegorical copperplate title page. 12mo. (5" x 3-1/4"). \$750.

Contemporary calf, gilt spine with raised bands. A few light scratches to boards, chipping to head of spine, front board beginning to separate but secure, corners bumped and somewhat worn, early annotation and recent bookplate to front pastedown, front free endpaper lacking, rear hinge cracked. Moderate toning to text, text block trimmed touching headlines in a few places, very minor loss to lower corner of allegorical title page, faint dampstaining to foot of preliminaries and a few following leaves, light soiling, small hole, with no loss to text, and early added publication date to title page.

SECOND EDITION. The Dutch notary in the seventeenth century was an important legal officer with a role analogous to a present-day English solicitor. Their handbooks offer important insights into the daily practice of law. First published in 1661, Boerbergh's well-received *Inleiding* went through three editions, the last in 1669.

All editions are rare. OCLC locates 1 copy in North America (at Columbia Law School, which has a 1662 edition). This edition not in Dekkers.

AN EDITION OF THE *COUTUME* OF BURGUNDY  
WITH CONTEMPORARY ANNOTATIONS



13. [Bouhier, Jean (1673-1746), Compiler].  
Villers, Philippe de [1545-1622], Commentary.  
Despringles, Jean [1550-1629], Commentary.  
Guillame, Jean, Commentary.

La Coutume du Duché de Bourgogne, Enrichie des Remarques de Mes. Philippes de Villers, Jean de Pringles, & Jean Guillaume, Anciens Avocats au Parlement de Dijon. Avec le Procès Verbal des Conférences, Tenuës par les Commissaires Députez sous le Roi Charles IX, Pour la Réformation de Cette Coutume, Les Cayers par eux Dressez en Conséquence, Divers Traitez & Arrêts Recüeillis par M<sup>rs</sup>. Jean Bégat Président au

Même Parlement, & Un Essai de Nouvelles Observations sur le Droit Coutumier de Cette Province. Ensemble L'Histoire de Tous les Commentateurs de la Même Coutume. Dijon: Chez Antoine de Fay, 1717. [ii], lxiv, 724, [2] pp. Quarto (9" x 6-3/4"). \$1,850.

Contemporary calf, blind rules to boards, gilt spine with raised bands and lettering piece, gilt tooling to board edges, edges of text block rouged. Light rubbing and a few minor scuffs, scratches and small stains to boards, moderate rubbing to extremities, joints starting at ends, lettering piece loosening and lightly edgeworn, corners bumped and lightly worn, hinges starting. Light toning to interior, occasional light foxing, light soiling and finger smudges to a few leaves, early annotation and struck-through ownership signature to title page, occasional annotations throughout in a single early hand.

ONLY EDITION. The *coutume* of the duchy of Burgundy in eastern France, which governed five *baillages*, was codified in 1459 and reformed in 1575. This edition of the *coutume* was compiled by Jean Bouhier, an eminent French magistrate and the first president of the *parlement* of Burgundy from 1704-1729. The annotations to our copy include many references to Bouhier's other works. The annotator also takes an interest in passages discussing the scope of customary law and makes notes on such topics as succession and family law.

OCLC locates 5 copies in North American law libraries (Harvard, University of Pennsylvania, George Washington University, Columbia University, Northwestern University). Gouron and Terrin 615.

FINAL AND BEST EDITION OF BRISSON'S  
LEGAL DICTIONARY IN A HANDSOME  
CONTEMPORARY PRIZE BINDING

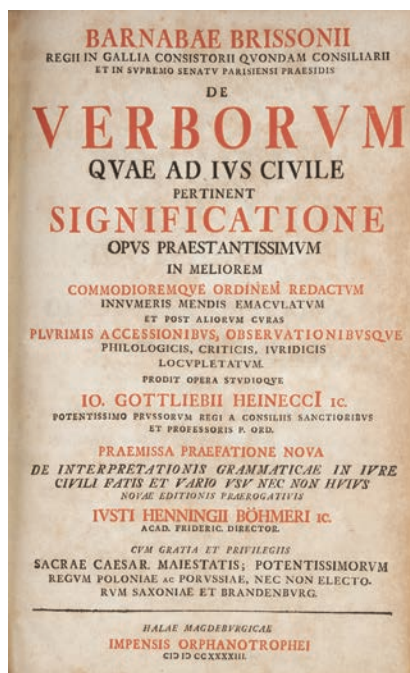
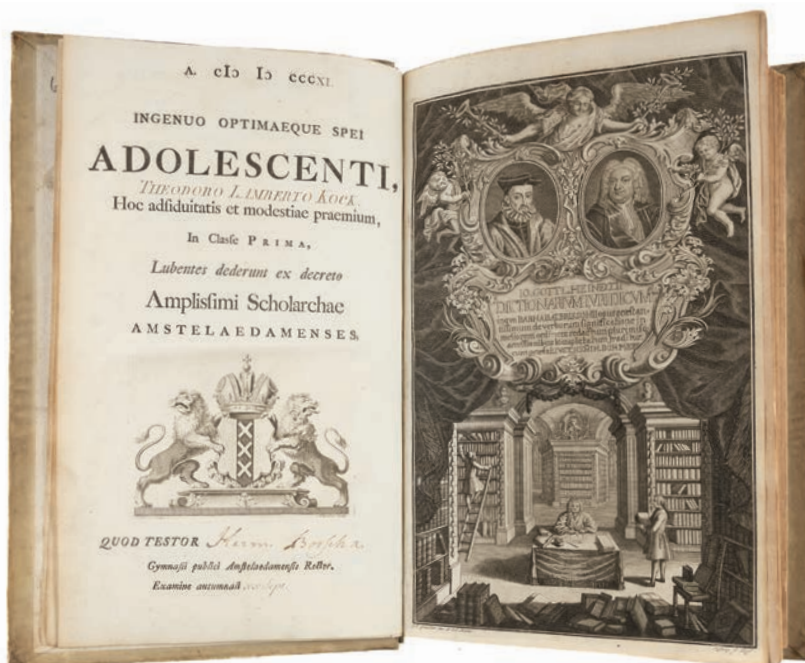
14. Brisson, Barnabae [1531-1591].  
[Heineccius, Johann Gottlieb (1681-1741), Editor].  
[Bohmer, Justus Henning (1674-1749)].

De Verborum Quae ad Ius Civile Pertinent Significatione Opus Praestantissimum in Meliorem Commodioremque Ordinem Redactum Innumeris Mendis Emaculatum et Post Aliorum Curas Plurimis Accessionibus, Observationibusque Philologicis, Criticis, Iuridicis Locupletatum. Prodit Opera Studioque



N<sup>o</sup> 14





Io. Gottliebii Heinecci IC. Praemissa Praefatione Nova de Interpretationis Grammaticae....

Halle: Impensis Orphanotrophei, 1743. Two parts in one volume. [xiii], 48, 760; 761-1436 pp. Initial presentation leaf dated September 20, 1811 from the Amsterdam Latin School to Theodoro Lamberto Kock, followed by engraved pictorial title page depicting a library designed by G. Grundler and engraved by Sysang and general title page. Half-title bound before p. 1. Second part preceded by half-title. Folio (13-3/4" x 8-1/2"). \$1,500.

Contemporary paneled vellum prize binding, central gilt coat of arms of Amsterdam with rolled gilt border and corner pieces, gilt-edged raised bands to spine with gilt coats of arms to compartments, fragments of silk ties to outer boards, edges speckled. Light rubbing and soiling to boards, which are slightly bowed, light creasing to spine ends, small pencil mark to front pastedown and fragment of paper label to front free endpaper. General title page printed in red and black, occasional attractive engraved copperplate and woodcut head-pieces, tail-pieces and

initials. Moderate toning to interior, slightly lighter or heavier in places, light foxing, light soiling in a few places, trimming to head of leaf Ar (pp. 1-2) just catching copperplate head-piece, text not affected. A handsome and impressive volume.

FINAL AND BEST EDITION. Brisson was a renowned French jurist and philologist. Widely respected, he was appointed president of the Parliament of Paris in 1588. First published in 1557, Brisson's *Verborum* was the standard legal dictionary of its day and remained an authoritative source for hundreds of years. In this edition, the definitions are preceded by a useful digest of Roman and French laws and interesting sections on marriage, adultery and the feudal system. Edited and corrected by Johann Gottlieb Heineccius, an important German jurist and scholar at Halle, it is much larger than its predecessors. It includes more notes and entries and a section on the interpretation of Latin grammar by Bohmer, the director of the Halle Royal Academy. Our copy was presented as a school prize from the Amsterdam Latin School in 1811 to Theodoro Lamberto Kock. The initial presentation leaf is signed by the school's rector ("Hirm. Bosscha").

Walker 153. Brunet I:1262.

## A RARE THREE-PART POCKET-SIZED BRETON COUTUMIER

## 15. [Brittany].

**Les Coustumes Générales des Pays et Duché de Bretagne: Naguères Réformées, Et Publiées aux Estats Tenus à Plöermel.**

Rennes: Et se Vendent, Chez Jean Vatar Marchand Libraire, 1651. 303, [2]; III, [1]; 122, [6] pp. Three parts each with title page and individual pagination, collation register continuous. Second part titled: *Les Nobles Coutumes ou Guidon, Stille et Uzances des Marchands qui Mettent a la Mer*, third part titled *Traicté de la Nature et Usage des Marches Separantes des Provinces de Poitou, Bretagne, & Anjou* "par M. Gabriel Hullin." 16mo. (3-1/4" x 2"). \$7,500.

Contemporary calf, gilt rules to boards, gilt spine with raised bands, speckled edges. A few minor nicks, light rubbing to extremities, (illegible) early owner signature and later owner bookplate (R. Chardey) to front pastedown. Moderate toning to interior, crack in text block between front free endpaper and title page of first part, which is soiled and has a small faint stain and an (illegible) early owner signature. A well-preserved copy in a handsome binding.

SCHOLARS ARE UNSURE when the coutume of Brittany was compiled, or the names of its authors, but it was first cited officially in 1341. Its final codification was issued in 1580. It deals primarily with civil and criminal procedure and is original in many respects. It also incorporated some aspects of English law, especially in matters concerning succession of certain fiefs, and a good deal of canon law, more so than any other coutumiers. The first part of our pocket-sized edition is the text of the coutume. The second and third parts address parts of the coutume dealing with maritime law, commercial law and territorial jurisdiction. These three parts were also issued separately.

OCLC locates 1 copy in a North American law library identical to ours (George Washington University). Gouron & Terrin 731.

## RARE 1656 PROCLAMATION OF TAXES TO SUPPORT PIACENZA'S ARMY

## 16. [Broadside].

[Taxation].

[Italy].

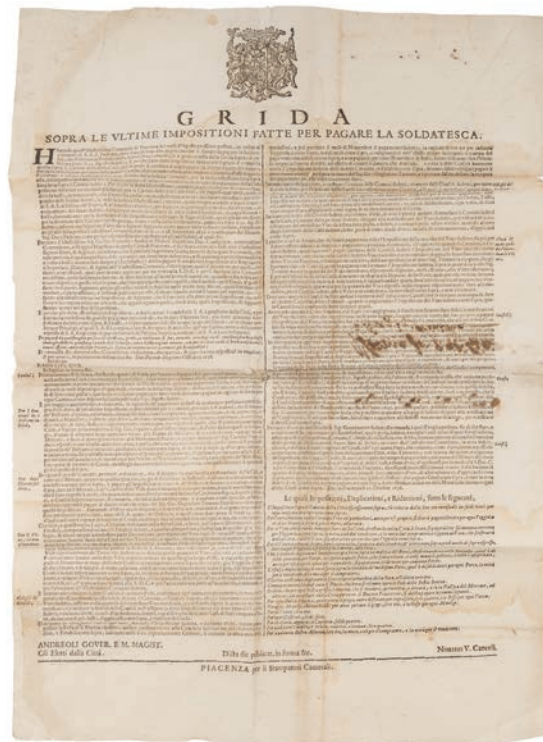
**Grida Sopra le Ultime Impositioni Fatte per Pagare la Soldatesca.**

Piacenza: Per li Stampatori Camerali, 1656.  
\$650.

20-1/2" x 15" broadside, text in two columns separated by vertical rule below headline and woodcut arms of Piacenza. Moderate toning, faint dampstaining in places, vertical and horizontal fold lines, a few chips and short tears to edges, paper repairs to edges and verso, minor loss to a few letters of text near center at intersection of fold line, faint bleed-through from inscription to verso.

THIS PROCLAMATION introduced a new tax on chimneys and additional taxes on food and wine to support Piacenza's army. It was issued shortly after a major plague epidemic in Italy 1655-1656, which had strained a treasury already depleted by decades of economic stagnation.

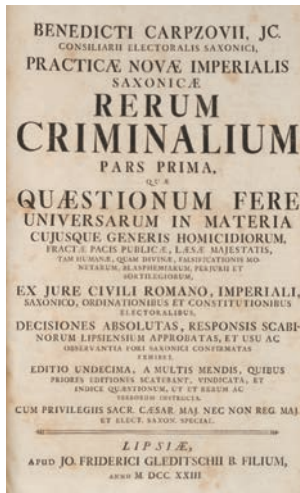
This broadside is rare; we were not able to locate another copy in the standard printed or online catalogues.





COVSTVNES  
DE BRETAGNE

## CARPZOV'S GREAT TREATISE ON SAXON CRIMINAL LAW

**17. Carpzov, Benedikt [1595-1666].****Practicae Novae Imperialis Saxonicae Rerum Criminalium, In Tres Partes Divisa.**

Leipzig: Apud Jo. Friderici Gleditschii B. Filium, 1723. Three parts in one volume, each with title page. Main text in parallel columns. [x], 298; [viii], 371, [1]; [viii], 356, [92] pp. Folio (13-1/2" x 8-1/4"). \$1,000.

Contemporary sheep, raised bands, gilt tooling (mostly rubbed away) and lettering piece to spine, blind tooling to board edges, edges of text block rouged. Moderate rubbing and light scuffing to boards, repair to head of spine, a few tiny wormholes near its foot, joints just starting at foot, corners bumped and lightly worn, armorial bookplate and small monogram bookplate ("V.") to front pastedown. Moderate toning and light foxing to interior, light browning in places.

LATER EDITION. Widely considered to be the founder of German legal science, Carpzov did much to systematize German law and secure a wide recognition of the Germanic legal tradition. First published in 1635, his magisterial treatise on Saxon criminal law was the first systematic study of its kind. It discusses major crimes, including murder, counterfeiting, blasphemy, perjury and witchcraft, lesser crimes, such as robbery, and the criminal process, including procedure and torture. It had a profound influence on the development of criminal law in the Holy Roman Empire and went through numerous editions into the late eighteenth century.

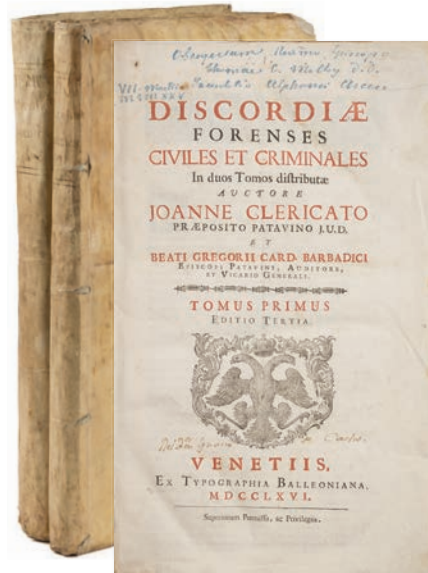
Stintzing/Landesberg II:69. VD18 90926374.

## DISTINCTIONS BETWEEN CIVIL AND CRIMINAL MATTERS IN CANON LAW

**18. Chiericato, Giovanni Maria [1633-1717].****Discordiae Forenses Civiles et Criminales in Duos Tomos Distributae.**

Venice: Ex Typographia Balleoniana, 1766. Two volumes. xxiv, 487; xx, 349 pp. Main text in parallel columns. Folio (15-1/4" x 9-1/4"). \$1,500.

Contemporary flexible vellum, thong ties, early hand-lettered titles to spines. Minor stains to boards and spine, moderate rubbing to extremities with minor chips and wear to spine ends and corners, hinges cracked, vellum just beginning to crack through pastedowns. Title pages printed in red and black. Light toning to text, light foxing and dampstaining in places, light edgewear to preliminaries and final leaves, illegible early owner signature and inscription to title page of Volume I. A handsome set.



THIRD AND FINAL EDITION. Chiericato, or Clericato, was a highly regarded expert in canon-law jurisprudence. Vicar-general of the Diocese of Padua for much of his career, he published several books on canon and civil law. First published in 1708-1715, *Discordiae Forenses Civiles et Criminales* is a comprehensive, carefully organized treatise on distinctions between civil and criminal matters in canon law.

All editions of this work are scarce. OCLC locates 5 copies of the third in North America, 3 in law libraries (Columbia, Harvard, Library of Congress). Stapleton, John H., "Clericato, Giovanni," in *The Catholic Encyclopedia* (accessed online). Ferreira-Ibarra 2139.

**Bartholo**  
nūcupati. Cepolle/vtriu  
legentis/cautele vtilissim



**Q**uod standum sing  
men puta lese m  
beat cum iudica  
dus sicut si fuisset  
notabilis in .l. milit  
tari fm Salice. in .l. t  
pos. Et per illum ter.  
tum de facto in ciuitate  
ibi erat talis / filius interfecterat vnum et quo  
ter p<sup>ria</sup> aucto:itate cepit filium et ducit ad iud  
Cōclusit q<sup>o</sup> nō / p illū ter. Et adde tu siles ter. i. l. l.  
milita. Et in ciuitate fo:linij Pau. de castro p<sup>ful</sup>  
veniret de alamanca interrogauit eū de quibus dan  
Quidam filius cuiusdam comitis palanni comiser  
pater p<sup>ria</sup> aucto:itate p<sup>re</sup>sentauit dno Paul. q<sup>o</sup> non. et moueb  
decapitanda / et cōsuluit dno Paul. in dicit .l. p<sup>ter</sup>  
ue. et Salice. Et quando ille mercator redijt dixit q<sup>o</sup> im  
voluit ipsemet videre terram / quo viso cum liberavit a p  
uit cum per decennium. Ita dicit Paul. in dicit .l. p<sup>ter</sup>  
sa. non pos. Quod singulariter tene mē. q<sup>o</sup> si p<sup>ter</sup>  
delictum capitale et sperat iudicem velle se  
ferat iudici vel superior. tamen ista cau  
testans licet imperator p<sup>re</sup>dictus obse  
sus sicut fuit Paul. et Rayne

THE LAST INCUNABLE IMPRINT OF CIPOLLA'S "LEGAL CAUTIONS"  
CONCERNING SERVITUDES AND REAL PROPERTY



**19. Cipolla, Bartolomeo [1420-1475].**

**Cautelae Iuris.**

[Strasbourg: Johann Prüss, 25 February 1490]. [i], 85 ff. Collation: [a8, b-c6,d8], e-f6, g8, h-m6, n8. Quarto (9-1/4" x 6-1/2": 23 x 16.5 cm).

\$12,000.

Contemporary quarter pigskin with elaborate blind tooling over oak wood boards, clasp (at center of boards) lacking, buckle present, early hand-lettered author name and "X" to spine. Binding slightly cocked, soiling to spine, some wear to corners, second work removed from rear of text block, early owner signature of Philipp von Flersheim to front pastedown, later library stamp of Heidelberg Capuchin Library to front free endpaper, early manuscript index and a few other annotations to rear pastedown. 44-line text in single column, comprising 325 numbered sections, text begins with 12-line multi-color illuminated initial depicting a scribe. Moderate toning, slightly heavier in places, brief early annotations in a few places, faint dampstaining to margins of a few leaves, light soiling to title page.

THIRD EDITION, and the last incunable edition. Cipolla was a professor of law at the University of Padua, a Venetian diplomat and one of the greatest Italian jurists of the fifteenth century. His works are notable for their humanistic scholarship and coordination of theoretical and practical concerns. *Cautelae Iuris* is a set of 325 knotty legal points, i.e. "legal cautions," concerning servitudes and real property under Roman and canon law. It was first printed in Perugia by Petrus Petri de Colonia and Johannes Nicolai de Bamberga around 1474 and reached its tenth edition in 1577. Philipp von Flersheim [1481-1522] was the bishop of Speyer.

OCLC locates 5 copies of this imprint in North America, 1 in a law library (Library of Congress). *ISTC* ic00381000.

SCARCE 1564 VENETIAN IMPRINT OF THE CONSOLATO DEL MARE

**20. [Consolato del Mare].**

**[Pedrezzano, Giovanni Battista, Editor and Translator].**

Libro del Consolato de' Marinari, Nelquale si Comprendono Tutti gli Statuti, & Ordini Disposti da Gli Antichi per Ogni Caso di Mercantia, Ò di Navigare, Così à Beneficio de' Marinari, Come de' Mercanti, & Patron de' Navilij. Con l'Aggiunta delle Ordinationi Sopra l'Armata di Mare, Sicurtà, Entrate, & Uscite.

Venice: Per Francesco Lorenzini, 1564. [vii], 117, [2] ff. Quarto (8" x 6").

\$2,500.

Contemporary quarter vellum over thick paper-covered boards, early hand-lettered title to spine. Light soiling, faint vertical crease and two small stains to front board, spine slightly darkened, corners bumped, minor worming to front hinge, paper just beginning to crack through pastedowns. Moderate toning to interior, light browning and foxing in places. Illegible early owner signature and small later owner stamp (of Giovanni Brunetti) to title page, brief early annotations and marks to a few leaves.



A LANDMARK in the development of maritime law, the *Consolato del Mare* is a digest of the law and practice commonly followed by the commercial judges in the chief ports around the Mediterranean. It became a foundation for subsequent European maritime laws and customs. In addition to legal topics, it contains a great deal of information about commerce, the day-to-day operations of a ship and practical advice on seafaring. It was first published in Barcelona in 1484 (in Catalan). As suggested by the present edition, its circulation was widest in Italy, especially among the Venetians, but it was also influential in Western Europe.

OCLC locates 8 copies of this edition in North America, 2 in law libraries (Harvard, Yale). *EDIT16* CNCE13101.

SETTLING THE DEBTS OF THE PRINCE OF ROCCELLA

**21. [Creditors].**  
**[Calabria].**

**Ponderazioni in Risposta della Nuova Allegazione data Fuori à Pro di Alcuna Creditori de' Passati Principi della Roccella.**

[Naples?]: S.n, [1715]. [26] pp. Folio (11-1/4" x 8-1/4").

\$750.

Stitched pamphlet, spine reinforced with patterned paper, title page features a woodcut device with putti, flowers and birds, following leaf features a large woodcut decorated initial featuring an armored soldier. Light toning, negligible light soiling and light foxing to title page and final leaf.

ONLY KNOWN EDITION. This odd ruling concerns the settlement of debts and discharge from creditors of the Calabrian Prince of Roccella who had been involved in the sale of the feudal estate of Roccella.

No copies listed on OCLC or other online catalogues.

FIRST EDITION OF A CLASSIC STUDY OF CHURCH PATRONAGE

**22. 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").

\$4,000.

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 an early hand to a few leaves. An appealing copy of a rare, handsomely printed edition.

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. The printer is not stated in the colophon; he is only identified by the woodcut 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 *USTC*.



HANDSOME FRENCH EDITION OF DAMHOUDER ON GUARDIAN AND WARD

### 23. Damhouder (Damhoudere), Josse (Joost) de [1507-1581].

*Le Refuge et Garand des Pupilles, Orphelins, Et Prodiges: Traite Fort Utile et Necessaire a tous Legistes, Practiciens, Iusticiers & Officiers, Aorné de Figures Convenables a la Matiere.*

Antwerp: Chez Jean Bellere, 1567. [xiv], 133, [19] ff. With two full-page armorial woodcuts and ten full-page illustrations. Quarto (7-1/4" x 5-1/4"). \$3,500.

Later signed binding (by Gustave Schildknecht of Brussels), three-quarter morocco over marbled boards, gilt fillets to morocco edges, gilt-edged raised bands, gilt title and date to spine, gilt ornaments to compartments, edges rouged, marbled (renewed) endpapers, silk ribbon bookmark. Main text in two columns with a few woodcut tail-pieces and initials. Moderate rubbing to joints, light rubbing to board edges, armorial bookplate of Jules Vandenpeereboom to front pastedown, autograph letter, signed, from him dated 15 October 1880 and fragment of an additional autograph letter laid in. Light browning to interior, light foxing and soiling in a few places, occasional faint dampstaining to bottom margin from f. 45, just touching main text on a few pages without loss to legibility, trimming to bottom-edges of leaf \*\*\*3-4 (ff. [xi-xii]) with loss to catchwords but no loss to main text, a few brief annotations and corrections in an early hand. A handsome copy of a scarce title.

ONLY FRENCH EDITION. First published in 1544 in Latin as *Pupillorum Patrocinium*, this is a comprehensive treatise on the law of guardian and ward. Like Damhouder's works on civil and criminal law, it has woodcut illustrations, 10 in this case, that illustrate points in the text. One depicts three young orphans with their guardian, tutor, godfather, conservator and executor before a magistrate, facing preface. Other plates depict situations in later stages of life, such as a guardian introducing a child to a teacher, the guardian and child at a shoemaker's shop and the guardian making a record of his charge's assets with an accountant. The French edition includes an address to the reader in verse by Antoine Tiron.

Vandenpeereboom [1843-1917] was a politician who served as prime minister of Belgium in 1899. In 1880, he presented it to a friend along with a note addressed to "Mon cher Jean." This note is laid in to the volume along with a fragment of an 1884 letter that seems to identify the recipient as a Jean Bethune.

OCLC locates 7 copies of the French edition in North America, 3 in law libraries (Harvard, George Washington University, John Jay College of Criminal Justice). Not in Adams. Cockx-Indestege 804. Dekkers 44.



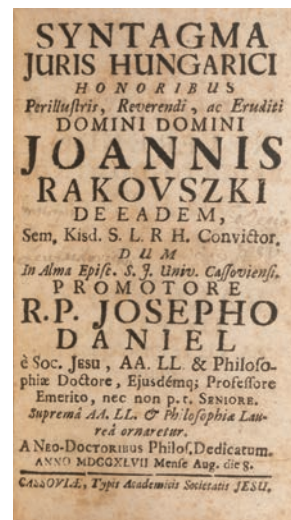
## A RARE EIGHTEENTH-CENTURY "INSTITUTES" OF HUNGARIAN LAW

## 24. Daniel, Joseph.

*Syntagma Juris Hungarici Honoribus Perillustris, Reverendi, Ac Eruditi Domini Domini Joannes Rakovszki De Eadem, Sem. Kisd. S.L.R.H. Convictor. Dum in Alma Episc. S.J. Univ. Cassoviensi. Promotore R.P. Josepho Daniel è Soc. Jesu, AA. LL. & Philosophiae Doctore, Ejusdémq; Professore Emerito, Nec non P.T. Seniore. Supremâ AA. LL. & Philosophiae Laureâ Ornaretur. A Neo-Doctoribus Philos. Dedicatum. Mense Aug. Die 8.*

Kosice: Typis Academicis Societatis Jesu, 1747. 380, [4] pp. Main text followed by 4 pp. publisher catalogue. 12mo. (5-1/4" x 3"). \$1,250.

Contemporary speckled paper-covered boards, edges rouged. Moderate rubbing to boards, corners bumped and somewhat worn, most of backstrip perished exposing cords, cracks at beginning and end of text block, text and binding secure, owner inscription dated 1837 and later shelfmark (?) to front free endpaper. Moderate toning and light foxing to interior, tiny inkspots to a few leaves.



ONLY EDITION LOCATED. Analogous to Justinian's *Institutes*, Daniel's *Syntagma* is an elementary introduction to the *Corpus Juris Hungarici*, an influential, though unofficial, codification of Hungarian law that was first published in 1514 (with several later updated editions).

OCLC locates 1 copy (Dominican House of Studies, Washington, DC). Not in the BMC.

## 1482 PRINTING OF AN IMPORTANT DIGEST OF CANON LAW WITH A TRACT ON JEWISH MONEYLENDERS, A COPY WITH NOTABLY FINE PENWORK



25. De Ausmo (Osimo), Nicolaus [d. 1453].

[Bartholomew of San Concordio (1262-1347)].

Astesanus of Asti (Astesano) [d.c.1330].

De Nevo (Nievo), Alexander [d. 1484].

[*Supplementum Summae Pisanellae; Canones Poenitentiales; Consilia Contra Judaeos Foenerates.*].

[Venice: Franciscus Renner, de Heilbroonn, 1482]. [555] ff. Lacking initial blank. Collation: a2-12, b-y12, 1-1812, 198, 2010. 21-2212, A-B12, C10. Quarto (7" x 5"; 18 x 13 cm). \$18,000.

Recent period-style blind-tooled calf with clasps, bosses to boards, endpapers renewed. 38-line gothic type in parallel columns, decorated initials, rubricated throughout with red, blue and green penwork extending into margins. Light toning to text, occasional faint dampstaining and minor worming to head of text block above text. A handsome volume with exceptional penwork.

COMPLETED IN 1444, this important, alphabetically digested encyclopedia of canon law is an enlargement of the *Summa de Casibus Conscientiae* by Bartholomew of San Concordio. Two other important texts are appended: the *Canones Poenitentiales* by Astesano and Alexander de Nevo's (or Nievo's) analysis of the Church's view of Jewish money lenders, *Consilia Contra Judaeos Fenerantes*. These two texts appear in editions of the *Supplementum* published after 1476. The *Consilia* appears last in our volume and ends with its date of composition, 17 November 1441, but the colophon appears at the end of the *Canones* and dates the printing to 1482.

The ISTC locates 3 complete copies of this imprint in North America, 1 in a law library (Library of Congress). ISTC in00074000.

tonis pprijs ul' re suo artificio. **A**  
 Nam hec obligatio alendi no ca-  
 dit nisi circa indigetes. dicto. s.  
 illud. **B.** Et re hoc etiam s. fa-  
 milia. s. p. r. s. expositus. **E**trum  
 aut op a pietatis in pareres possint  
 prater mutuo occasioe religionis re-  
 quire. **I.** religio. s. s. s.

**P**aricida

parere occidit quasi paren-  
 tibus. **S**ed in lex que punit pari-  
 cidias locū habet in omni-  
 bus locis et rescedentibus in in-  
 nitiā. **I**tem locū habet in vroz.  
 viro nuru. genero. vitrico. socero.  
 patruo. auunculo. amica. sobri-  
 no. patruale. prono. nouerca. spon-  
 sa. patre et matre sponi et sponse. **E**t  
 similiter intelligas si femina p̄di-  
 ctas psonas p̄dicatas occiderit ul'  
 ab eis occidat. **I**tem qui emi-  
 tenū ut hoc fieret. ff. eo. li. i. s. et. 4.

**A.** In dicta. li. i. dicitur. **E**t qui  
 emi- tenū ut pri daret q̄uis da-  
 re nō potuerit. **B.** Similiter oēs  
 sc̄i tenent. ff. eo. l. vtrum.

**Q**ue est pena paricide? **R.**  
 Que est pena paricide? **R.**  
 Eōm leges ē ut p̄p̄gis cedat. et  
 inde sacco corū. **S**tutus cū cane et  
 gallo gallinatio vixera et symia i  
 mari iactet ul' in annē prīmū ut  
 omniū elemētoz vsu careat. et ce-  
 lū sup̄stet et era mortuo auferas  
 et si mare ul' annis nō sit primū.  
 bestijs subicit. **C.** eo. l. i. ff. e. l. p̄t.

aliū in festis et missa exco-  
 dus est ut s. missa. s. p̄t.

**P**aterfamilias

rebet regere et educare fami-  
 liam suam. ut s. familia. s. p. r. s.  
 et co. s. r. s. r. s. parentes.

**P**atencia

Patencia quid sit?  
**I**tem. **A**ug. in li. de parencia. **P**ar-  
 entia ē qua equo animo bona te-  
 leram' ne animo iniquo bona te-  
 neramus per que ad meliora pre-  
 ueniamus. de qua etiam dicitur  
**I**ac. p̄. Patencia i. amor. **P**aren-

**P**atencia

patencia quid sit?  
**C**trum inuere semper sit pa-  
 tencia sustulde. **R.** **S**icut in  
 a bonis in hoc q̄ ab ea inuere  
 proprias patenter sustulde. **R.**  
 q̄ oporter. **B**nde sup̄ illud. **C**ant.  
 sicut libitū inter bonos. **R.**  
 cit glo. **N**on hnt bonis qui ma-  
 los tolerare nō p̄nt. **P**on aut  
 tolerare eos ut sustulde inuere  
 ter et p̄ncipz. **B**nde **C**ant. **P**ro-  
**M**ort. **I**n iusticia p̄nt et in-  
 pi. **P**atencia sustulde. **R.**  
 aut ter sustulde inuere. **R.**  
**D**oc tñ intelligitur. **R.**  
 illata p̄nt ad illa. **R.**  
**T**heom' patenter sustulde.  
**R.** **S**icut in iusticia p̄nt et in-  
 ter et p̄ncipz. **B**nde **C**ant. **P**ro-  
 mort. **I**n iusticia p̄nt et in-  
 pi. **P**atencia sustulde. **R.**  
 aut ter sustulde inuere. **R.**  
**D**oc tñ intelligitur. **R.**  
 illata p̄nt ad illa. **R.**  
**T**heom' patenter sustulde.  
**R.** **S**icut in iusticia p̄nt et in-  
 ter et p̄ncipz. **B**nde **C**ant. **P**ro-  
 mort. **I**n iusticia p̄nt et in-  
 pi. **P**atencia sustulde. **R.**  
 aut ter sustulde inuere. **R.**  
**D**oc tñ intelligitur. **R.**  
 illata p̄nt ad illa. **R.**  
**T**heom' patenter sustulde.

**P**rochianus

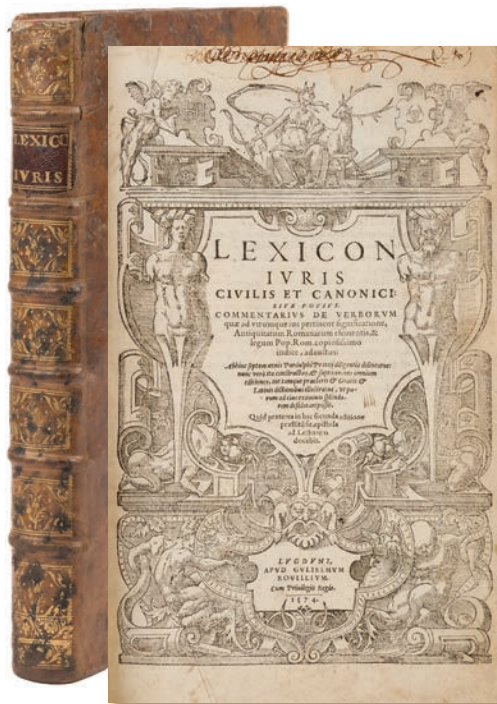


## AN IMPORTANT SIXTEENTH-CENTURY LAW DICTIONARY

**26. Duprat, Pardoux [1520?-1570?], Compiler.**

*Lexicon Iuris Civilis et Canonici: Sive Potius, Commentarius De Verborum Quae ad Utrumque Ius Pertinent Significatione, Antiquitatum Romanarum Elementis, & Legum Pop. Rom. Copiosissimo Indice, Adauctus: Abhinc Septem Annis Pardulphi Prateij Diligentia Delineatus: Nunc Vero Ita Constructus, & Supra Omnes Omnium Editiones, Tot Tamque Praeclaris & Graecis & Latinis Dictionibus Illustratus, Ut Parum ad Eius Eximium Splendorem Desiderari Possit. Quid Praeterea in hac Secunda Editione Praestitu[m] sit, Epistola ad Lectorem Docebit.*

Lyon: Apud Gulielmum Rouillium, 1574. [xii], 638, [2] pp. Leaf v4 (pp. 235-236) bound before leaf v3 (pp. 234-235), text complete. Main text in parallel columns. Folio (13-1/2" x 8"). \$3,500.



Contemporary mottled sheep, gilt spine with raised bands and lettering piece, blind tooling to inner board edges, edges of text block rouged. Light rubbing, some shallow scuffs to boards, chipping to head of spine, joints just starting at head, small hole near foot of rear joint, corners lightly bumped, upper corner of rear board somewhat worn, front hinge cracked, light creasing to pastedowns. Title printed within handsome woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning and light foxing to interior, minor worming to bottom-edge of text block at lower right corner, text not affected, gradually diminishing faint dampstain to fore-edge of first 142 pp., small faint dampstains in a few other places, small hole to lower gutter of pp. 613-638 not affecting text, light creasing to final leaf, which has an illegible annotation (owner signature?) to its verso, struck-through owner signature to title page, underlining and brief marginal notations to a few pages.



Dedication leaf doodle detail

**SECOND EDITION.** This is a concise but scholarly dictionary of terms from canon, civil, and Roman law that draws on the work of Ulrich Zasius and Francois Hotman. Some attention is given to classical Greek law as well. The entries, which range in length from a few sentences to several paragraphs, address lexicographical and philological issues and conclude with references and citations. A list of ancient and modern authorities, divided into the following categories, precedes the main text: *Lexicographi, Iuris Auctores, Interpretes, Ex Iure Pontificio, Alii Lexicographi, Ex Medicis, Ex Aliis Classicis*. Little is known about Duprat, and the title page of this edition does not list any academic or professional distinctions. According to notes cited in Roberts's *South African Legal Bibliography*, he was born in Aubusson and taught at the University of Lyons (246). His range of references, descriptive method, organizational style and facility with Latin and Greek demonstrates that he received a solid humanistic education. In addition to the present work, he published and edited treatises on French, Greek and Roman law. The *Lexicon Iuris* went through four editions, the first in 1567 and the last in 1584.

All editions are scarce. OCLC locates 2 copies of the second edition in North America (Library of Congress, University of Alberta). This edition not in Adams. Baudrier IX:350.

WITH EXTENSIVE CONTEMPORARY ANNOTATIONS BY A RIOM JURIST



27. [France].

Bulletin des Lois No. 96. Loi Contenant les Deux Premiers Livres de la Ire. Partie du Code de Procédure Civile. Du 14 Avril 1806 [Caption Title].

[Paris: De l'Imprimerie Impériale, 1807]. 91, [1] pp.

[BOUND WITH] Bulletin des Lois No. 97. (No. 1649.) Loi Contenant le Cinquième Livre de la Ire. Partie du Code de Procédure Civile. Du 21 Avril 1806 [Caption Title].

[Paris: De l'Imprimerie Impériale, 1807]. 93-196 pp.

[AND] Bulletin des Lois. No. 164. (No. 2804.) Code de Commerce. Ire. Loi. Du 10 Septembre 1807 [Caption Title].

[Paris: De l'Imprimerie Impériale, 1808]. 161-284 pp. \$3,500.

Octavo (7" x 4-1/4"). Contemporary mottled calf, blind frames to boards, gilt fillets and lettering piece to spine, edges rouged. Light rubbing to boards, very minor scuffing to rear board, moderate rubbing to extremities, light edgewear to lettering piece, rear joint just starting at ends, corners bumped and worn, hinges starting. Twelve heavily annotated leaves added before text block, and two heavily annotated between Bulletin No. 97 and 164, and fourteen heavily annotated leaves at end. Light toning to interior, light foxing in a few places. Annotations in an early hand to pastedowns, additional blank leaves and throughout text.

A HEAVILY ANNOTATED COPY, clearly intended as a reference work, of Napoleonic-era bulletin laws dealing with civil procedure and commercial law. Beginning in 1792, bulletin laws with the text of legislation and government regulations were published for circulation to army units and villages with 2,000 or more occupants. The annotator, Maigne Sauzinet, was a Riom jurist. His extensive interpretative annotations include 26 additional leaves with alphabetical tables and notes elaborating on sections of the laws and referencing later statutes. (The latest date in the notes is 1813.) Together, they provide an in-depth look at the evolution and reception of the law in the Napoleonic era.



WELL-ILLUSTRATED DIGEST OF THE MILITARY LAW  
AND PRACTICE OF THE HOLY ROMAN EMPIRE

**28. Fronsberger, Leonhardt.**

[Amman, Jost (1539-1591), Illustrations].

Von Kayserlichem Kriegßrechten, Malefitz und Schuldhändlen, Ordnung und Regiment: Samt Derselbigen unnd Andern hoch oder Niderigen Beuelch, Bestallung, Staht und Empter, Zu Rossz und Fuß, An Geschütz und Munition, In Zug und Schlachtordnung, Zu Feld, Berg, Thal, Wasser und Land, Vor oder in Besatzungen, Gegen oder von Feinden Fürzunemen, Welcher Art Sitten Herkommen und Gebrauch, Under und bey Regierung deß Allerdurchleuchtigstenm Großmächtigsten, Unüberwindlichsten, Und Kriegßerfahrenen berümpftisten Römischen Keysers Caroli deß Fünfften, Hochlöblichster unseligster Gedechniß, Geübt Ungebraucht, In Zehen Bücher Abgetheilt, Vergleichen nie is Gesehen Worden, Von Neuwen Beschrieben und Antag Geben durch Leonhardt Fronsperger. Mit Schönen Neuwen Figuren und einem Ordenlichen Register. Jetzt von Neuwem mit Sonderm fleiß Übersehen, Und an vielen Örtern Gemehrt unnd Gebessert.

Frankfurt: [Georg Raben, In Verlegung Sigmund Feyerabends und Simon Hüters], 1565. [iv], CCLI, XXI, [7] ff. 6 copperplate folding plates by Jost Amman. Woodcut text illustrations. Folio (12" x 7-3/4"). \$9,500.



Contemporary paneled calf, rebaked in period style, raised bands to spine, clasps restored, hinges mended, preliminaries and following gathering re-hinged. Some scuffing to boards with wear to edges and corners, large early armorial bookplate of the Bavarian Ducal Library to front pastedown, front hinge starting. Title page with large woodcut vignette printed in red and black. Moderate toning to text, light foxing in places, light edgewear to a few leaves at beginning of text, upper corner of title page repaired, small later owner name neatly lettered below imprint date. A very appealing copy with all of the often-lacking plates.

THIRD EDITION with plates by Amman. Originally published in 1555, this comprehensive book was intended for officers and others involved in the military and naval affairs of the Holy Roman Empire. Most of the book is devoted to aspects of organization and the rules of engagement. As indicated by its title, it also provides extensive discussion of military law and the laws of war. One of the woodcuts is a trial scene; another is an execution. The plates, by the notable Swiss-German artist Amman, depict a military encampment and land and naval battle scenes.

OCLC locates 11 copies of this edition, none in North America. *VD16 F3118*.

# VON KAISER- lichem Kriegsbrechten

Malefiz vnd Schuldhändlen/ Ord-  
nung vnd Regiment/ sampt derselbigen vnd andern hoch oder  
niderigen Befelch/ Bestallung/ Stacht vñ ampter/ zu Feld/ Berg/ Thal/ Wasser vnd Fuß/ an Geschütz  
vnd Munition/ in Zug vnd Schlachtordnung/ welcher art/ steten/ herkommen vnd gebrauch/ vnder vnd bey regierung dess  
Allerdurchleuchtigsten/ Grosmächtigen/ vnüberwindlichsten vnd Kriegh/ erfahrenen berühmtesten Königlich  
Keyfers Caroli des fünfften/ hochlöblichsten vñ seligster gedechtnis/ geübt vñ gebrauch/ zu sehen Ditz  
her abgerheilt/ dergleichen nie ist gegeben worden/ von neuem beschreiben vnd an  
tag geben/ durch Leonhart Fromperger.

Mitschönen neuen Figuren vnd einem ordentlichen Register.



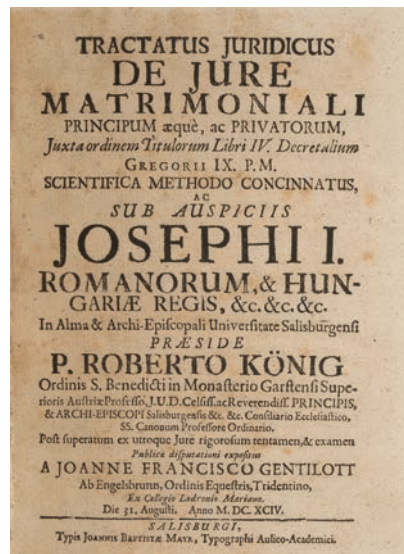
Getruckt zu Franckfurt am Mayn/  
M. D. LXV.  
H. G. V. WERDENSTEIN

## A RARE SEVENTEENTH-CENTURY STUDY OF MARRIAGE LAW

**29. Gentilott von Engelsbrunn, Johannes Franz.**

Tractatus Juridicus de Jure Matrimoniali, Principum Aequè, Ac Privatorum, Juxta Ordinem Titulorum Libri IV. Decretalium Gregorii IX. P.M. Scientifica Methodo Concinnatus, Ac Sub Auspiciis Josephi I. Romanarum, & Hun-Gariae Regis, &c. &c. &c. In Alma & Archi-Episcopali Univeritate Salisburgensi Praeside P. Roberto König Ordinis S. Benedicti in Monasterio Garstensi Superioris Austriae Professo, J.U.D. Celsiss. [...] Post Superatum ex Utroque Jure Rigorosum Tentamen, & Examen Publicae Disputationi Expositus A Joanne Francisco Gentilott Ab Engelsbrunn, Ordinis Equestris, Tridentino, Ex Collegio Lodronio Mariano. Die 31. Augusti. Anno M. DC. XCIV.

Salzburg: Typis Joannis Baptistae Mayr, 1694. [xxxii], 559, [1] pp. Quarto (7-3/4" x 5-1/2").  
\$1,500.



Contemporary paneled pigskin, brass clasps to fore-edges, raised bands, faint early hand-lettered title to spine, edges colored green. Light soiling and a few small faint spots and stains to boards, light rubbing to extremities, light wear to raised bands, spine ends and corners, small faint dampstains to head of text block, front hinge starting, a few small wormholes to rear pastedowns, early manuscript index to endleaves. Moderate toning to interior, occasional light foxing. A nice copy of a rare title.

ONLY EDITION, one of two issues, the other issued the same year as a folio. Submitted as an academic thesis, this work is a detailed commentary on the sections on matrimonial law in Book IV of the *Decretals* of Gregory IX, one of the four works known collectively as the *Corpus Juris Canonici*. Among the topics discussed are marriage contracts, child marriage, bigamy, consanguinity and reasons for annulment, such as non-consummation. Unlike the typical thesis of the era, which is brief and confined to a single, well-defined topic, this work is broad and comprehensive.

OCLC locates 11 copies, 2 in North America (Harvard Law School, University of Alberta). *Das VD17* 12:170216V.

A SCARCE SIXTEENTH-CENTURY COMMENTARY ON THE *INSTITUTES***30. Grep von Freudenstein, Ludwig [1509-1583], Editor.  
[Brederode, Pieter Cornelis van [d. 1593], Attributed.**

Analysis Seu Resolutio Dialectica Quatuor Librorum Institutionum Imperialium. In Qua Suis Locis, Pro Iure Antiquo Multae Utiles & Cottidianae Iuris Quaestiones Brevi Explicatione Restitutae Sunt. Omnia Nunc Recens Emendata et Aucta, Notis Denique ad Marginem Illustrata: Studio & Diligentia Petri Corn. Brederodii IC. Hagocomitani. [Strasbourg]: Excudebat Theodosius Rihelius, [1593]. [xii], 588, [38] ff. Octavo (6-3/4" x 4").  
\$1,500.



Contemporary or near-contemporary paneled pigskin, raised bands and very faint early hand-lettered title to spine. Light soiling and a few small stains to boards, light rubbing to extremities, a few small wormholes near head of spine, corners bumped and lightly worn, early ownership inscription (of Ioannis Bothag.) to front pastedown, small later ink stamp to rear free endpaper. Moderate toning to interior, light foxing and soiling in a few places, early underlining in ink to a few leaves, early ownership signature (of Agidi Ludovic) to title page, which has a tear to its right margin.

FOURTH AND FINAL EDITION. Grep von Freudenstein was a lawyer and state official who spent his professional life in Tubingen and Strassburg. A well-regarded commentary first published in 1567, *Analysis* is a textbook commentary on Justinian's *Institutes* derived from a manuscript by Brederode, a Dutch jurist and diplomat. Cast in question-and-answer form, it follows Justinian's text, paraphrasing, abridging, or adapting the text. It is equally interesting for its insights into the reception of Roman law at the end of the sixteenth century.

VD16 B7388. USTC 611303.

THE "MOST IMPORTANT" EDITION OF *DE JURE BELLI AC PACIS*

### 31. Grotius, Hugo [1583-1645].

*De Iure Belli ac Pacis Libri Tres. In Quibus Jus Naturae & Gentium: Item Juris Publici Praecipua Explicantur. Editio Secunda Emendatior, & Multis Locis Auctior.*

Amsterdam: Apud Guilielmum Blaeuw, 1631. [xxiv], 554, [46] pp. Folio (11-1/4" x 7-1/4"). Title page printed in red and black. Text in Latin with quotations and examples in Greek and Hebrew. SOLD

Contemporary vellum with yapp-style fore-edges, blind rules and later calf lettering piece to spine, thong ties recently renewed, edges rouged, hinges reinforced. Some spots and a few light scuffs to boards, a few minor tears to head of spine, corners bumped and lightly worn, vellum just beginning to crack through pastedowns. Early and later bookplates of the Mure family of Caldwell, Scotland to front and rear pastedowns, column of numbers and an illegible brief annotation in a small early hand to front free endpaper. Title page, with signatures and ownership markings of William Mure, Sr. and Jr. Moderate toning to interior, minor stains to a few leaves, chapter numbers in neat hand added to upper-outside corners, annotations in English, written in another (?) neat miniscule hand, most likely William Sr.'s, to margins of several leaves. Housed in a linen clamshell box.



Annotation detail

FIRST PUBLICATION OF THE SECOND EDITION. This landmark work presented a system of international relations based on morality-based legal principles that superseded the laws of individuals or nations. As Carter and Muir point out in *Printing and the Mind of Man*, this basis, "which God can no more alter than a mathematical axiom, was the first expression of the *droit naturel*, the natural law which the great political theorists of the eighteenth century, and is the foundation of modern international law."

Featuring nearly a thousand revisions by Grotius, this edition was both the first edition in folio format and the first to be printed in Amsterdam. Ter Muelen and Diermanse say this is the "most important"



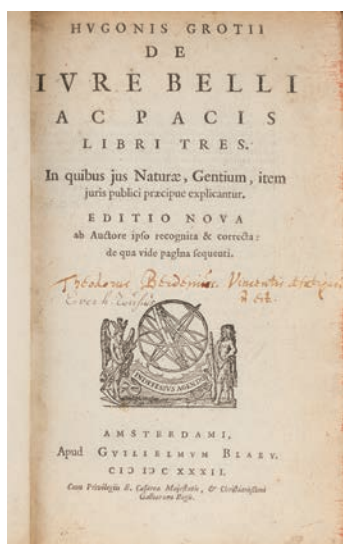
of the first five editions because it contains the most authorial corrections and was the basis for all later editions produced in the author's lifetime. Tuck described it "as the authoritative edition of the book that shaped international law for the whole world." The first edition was published in Paris in 1625. It was followed by a pirated edition printed in Frankfurt in 1626. The 1631 Amsterdam printing by Blaeu was the authorized second edition of this work.

The Mures were a prominent Scottish family of jurists and politicians. An annotation on the title page indicates this book was acquired in Leiden in 1702 by "Gulielme Mure," most likely William Sr. [d. 1722]. William Jr. [1718-1776] was a politician and friend of David Hume. The annotations, which range in length from a sentence to a paragraph, are mostly interrogative in nature and indicate a deep engagement with the book.

Tuck 99-100. *PMM* 125 (citing first edition). Ter Muelen and Diermanse 567.



1632 BLAEU EDITION ENDORSED BY GROTIUS



### 32. Grotius, Hugo.

*De Iure Belli ac Pacis Libri Tres. In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur. Editio Nova ab Auctore ipso Recognita & Correcta: De qua Vide Pagina Frequenti.*

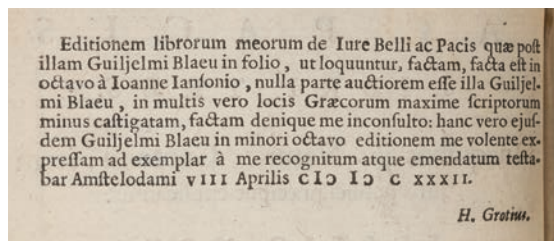
Amsterdam: Apud Guilielmum Blaeu, 1632. [xx], 421, [27] pp. Octavo (6-1/4" x 3-3/4"). \$2,500.

Contemporary vellum, yapp-style fore-edges, later calf lettering piece to spine, edges rouged. Light rubbing and a few minor stains to boards, joints cracked, minor crack to fore-edge of front board, spine ends bumped, minor wear to corners, pastedowns loose and somewhat edgeworn, a few cracks to text block, binding slightly loose but secure. Light browning to interior, moderate edgewear, creases and a few minor tears to front endleaves, brief contemporary and later annotations and owner names to front free endpaper and title page,

early underlining and annotations to a few leaves at beginning of text.

THIRD EDITION, a reissue of the second edition, 1631, which includes corrections by Grotius. Another edition, designated the third, was issued in 1632 by rival publisher Johannes Jansson. A low-priced reissue of the second edition, it was not authorized by Grotius, who denounced it as inaccurate in a notice on the verso of the title page of Blaeu's edition. (The notice also attests to the accuracy of Blaeu's printing of his work.)

Ter Meulen and Diermanse 569.



Grotius endorsement detail

THE AUTHORIZED EDITION APPENDED WITH *MARE LIBERUM***33. Grotius, Hugo.**

**De Iure Belli ac Pacis Libri Tres. In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur. Editio Nova ab Auctore ipso Recognita & Correcta: De qua Vide Pagina Frequenti.**

Amsterdam: Apud Guilielmum Blaeu, 1632. [xx], 421, [27] pp. P. 406 misnumbered 407.

[BOUND WITH] **Grotius, Hugo.**

**Mare Liberum, Sive De Jure, Quod Batavis Competit ad Indicana Commercia, Dissertatio. Editio Nova, Prioribus Longe Emendatio.**

Amsterdam: Apud Guilielmum Blaeuw, 1633. [viii], 26, [2] pp.

\$5,000.

Octavo (6-1/4" x 3-3/4"). Near-contemporary gilt-paneled calf, central gilt arms and corner monogram initials, raised bands, gilt fillets and lettering piece to spine, gilt monograms to compartments, edges rouged. Light rubbing and a few tiny scuffs and scratches to boards, moderate rubbing to extremities, front joint cracked, rear joint starting, spine ends chipped, fragments of label to foot of spine, corners bumped and lightly worn, front hinge starting, light edgewear to endleaves, rear pastedown loosening, owner signature to front endleaf. Light toning to interior, very light foxing in a few places, faint dampstains to edges of first few leaves, faded annotations and later owner signature (J.G. Willien) to title page. A handsome volume.

*DE IURE BELLI AC PACIS*: third edition; *Mare Liberum*: later edition. First published in 1609, *Mare Liberum* is an influential treatise on maritime law and the right of free navigation. It was frequently bound with or included alongside *De Iure Belli Ac Pacis*. Using a sophisticated argument based on natural law, it argued for the free navigation of the seas. More specifically, it defended Dutch fishermen who were attempting to operate near the English coast and the Dutch East India Company, which was engaged in a territorial dispute in the Caribbean with Portuguese traders.

Ter Meulen and Diermanse 569, 547.

CORRECTED REISSUE OF THE  
LAST EDITION PUBLISHED DURING GROTIUS'S LIFETIME

**34. Grotius, Hugo.**

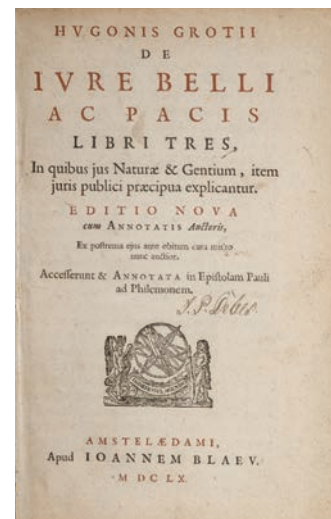
**De Iure Belli Ac Pacis Libri Tres, In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur. Editio Nova Cum Annotatis Auctoris....**

Amsterdam: Apud Joannem Blaeu, 1660. [xxiv], 618, [46] pp.

Octavo (7-3/4" x 5").

\$950.

Contemporary vellum, yapp-style fore-edges. Light rubbing, a few faint stains to boards, which are slightly bowed, spine ends and corners bumped, vellum beginning to crack through pastedowns, later owner annotations and signatures (F. Brant, Edward Hambro, Johannes Bodtker) to front pastedown, illegible brief annotation in early hand to rear free endpaper, partial crack in text block between front endleaf and title page, which is printed in red and black. Moderate toning to interior, light foxing to a few leaves, illegible later owner signature to title page.



A CORRECTED REISSUE of the 1642 Blaeu edition, the last published during Grotius's lifetime, which contained his final notes. With the *Annotata in Epistolam Pauli ad Philemonem*, a commentary on St. Paul's Epistle to Philemon.

Ter Meulen and Diermanse 577.



WITH AN ATTRACTIVE ALLEGORICAL TITLE PAGE

**35. Grotius, Hugo.**

*De Iure Belli Ac Pacis Libri Tres, In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur. Editio Nova Cum Annotatis Auctoris, ex Postrema Ejus Ante Obitum Cura Accesserunt Annotata in Epistolam Pauli ad Philemonem, et Dissertatio de Mari Libero.*

Amsterdam: Apud Joannem Blaeu, 1670. [viii], xviii, 620, [104], [6], 28, [1] pp. With copperplate portrait of Grotius and copperplate allegorical title page. Octavo (8" x 4-3/4"). \$950.

Contemporary calf, gilt and blind frames and corner fleurons to boards, rebaked with gilt-edged raised bands and lettering piece to spine, gilt tooling to board edges, edges of text block rouged, endpapers renewed. Light rubbing and a few minor scratches to boards, moderate rubbing to extremities, small chip to head of front joint, which is starting, corners bumped and worn, hinges cracked, faint offsetting to endpapers, early ownership signature (of W. Burton) to verso of copperplate portrait, which is trimmed at left margin with possible minor loss to image. Attractive copperplate allegorical title page by Romeyn De Hooghe [1645-1708] followed by second title page printed in red and black with small woodcut printer device, woodcut initials. Light toning to interior, light soiling and foxing to a few leaves, tiny ink annotation to second title page. An appealing copy.

REISSUE OF THE 1667 BLAEU EDITION, which is based on the final edition produced by the author. With *De Mari Libero* and the *Annotata in Epistolam Pauliad Philemonem*, a commentary on St. Paul's Epistle to Philemon. De Hooghe was an important Dutch artist best known for his engravings and etchings. He also produced book illustrations, and his work can be found in some of the most important texts of the period.

Ter Meulen and Diermanse 580.

HANDSOME COPY OF AN IMPORTANT EDITION OF GROTHII

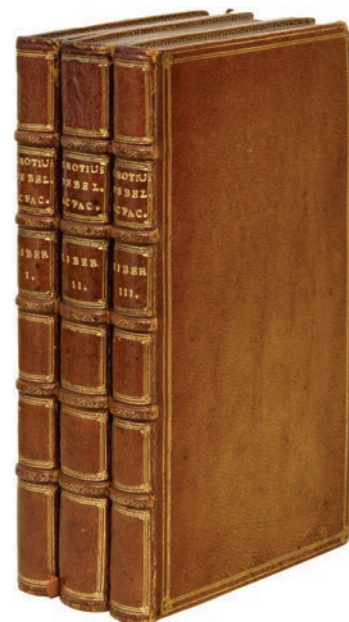
**36. Grotius, Hugo.**

**Gronov (Gronow), Johannes, Editor.**

*De Jure Belli ac Pacis Libri Tres: In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur: Cum Annotatis Auctoris, Ex Postrema Ejus Ante Obitum Cura: Accesserunt Ejusdem Dissertatio de Mari Libero, & Libellus Singularis de Aequitate, Indulgentia, & Facilitate: Nec non Joann. Frid. Gronovii v.c. Notae in Totum Opus De Jure Belli ac Pacis.*

Amsterdam: Apud Janssonio-Waesbergios, 1712. [xiv], [94], 158; 159-636; 537-946 pp. Complete; divided into three books, index bound before p. 1 of first book. Copperplate allegorical frontispiece, copperplate portrait of Grotius. Octavo (7-1/2" x 4-1/2"). \$1,250.

Nineteenth-century morocco, gilt rules and corner fleurons to boards, raised bands and gilt titles and compartments to spines, all edges gilt, gilt tooling to board edges, gilt inside dentelles, marbled endpapers,

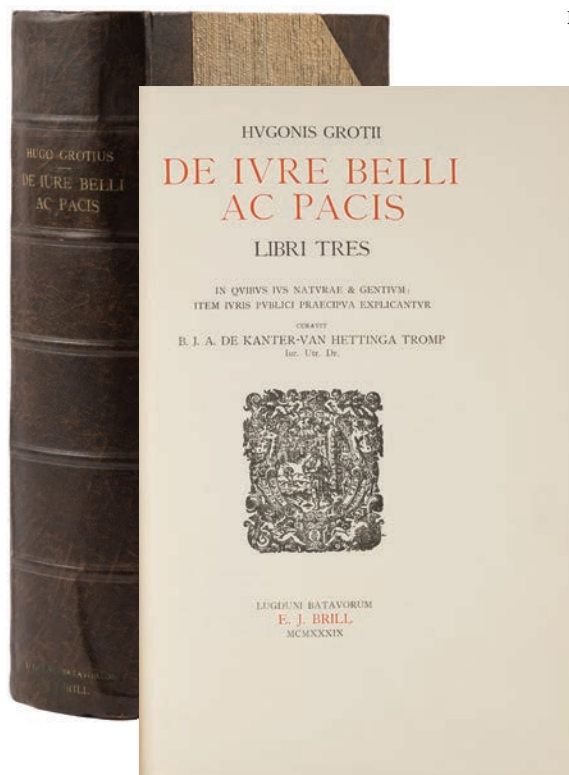




ribbon markers. Moderate rubbing to extremities, corners bumped. Light to moderate toning, light foxing in a few places in each book, early owner inscription to verso of front free endpaper of first book. A handsome set.

LATER GRONOV EDITION. The first Gronov edition, one of the most important editions of Grotius, was published in 1663. Our 1712 copy includes *Mare Liberum*, or *Freedom of the Seas* (1609), Grotius's influential treatise on maritime law and the right of free navigation. As indicated by its title, Grotius's study is in three parts, designated "three books" (*Libri Tres*). The owner of this copy had it bound as a three-book set with the index moved to the beginning of the first book.

Ter Muelen and Diermanse 596.



HANDSOME CRITICAL EDITION OF  
*DE JURE BELLII AC PACIS*

**37. Grotius, Hugo.**

**De Kanter-van Hettinga Tromp, B.J.A., Editor.**

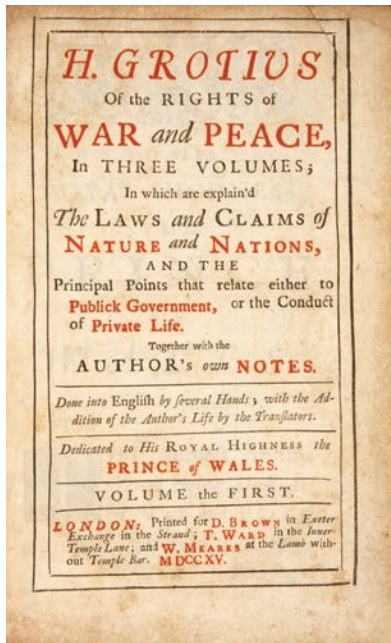
*De Iure Belli Ac Pacis Libri Tres: In Quibus Jus Naturae & Gentium: Item Juris Publici Praecipua Explicantur.*

Leiden: E.J. Brill, 1939. xvi, 917 pp. Folio (12-3/4" x 8").  
\$650.

Original three-quarter calf-stamped cloth over grass cloth-covered boards, raised bands and gilt title to spine, cloth hinges. Light rubbing to extremities. Title page printed in red and black, text decorated with facsimiles of woodcut head-pieces, tail-pieces and decorated initials from the first edition. Internally fine. Latin text with bibliographic notes at the bottom of the pages. A handsome book.

A CRITICAL EDITION based on the 1631 text prepared by Grotius and incorporating variants from the original 1625 text with extensive annotations and references to individual editions.

Ter Meulen and Diermanse 617.

EARLY ENGLISH TRANSLATION OF *DE JURE BELLI AC PACIS***38. Grotius, Hugo.**

[Morrice, John, Translator and Editor].

Of the Rights of War and Peace, In Three Volumes; In Which are Explain'd the Laws and Claims of Nature and Nations, And the Principal Points that Relate Either to Publick Government, Or the Conduct of Private Life. Together with the Author's Own Notes. Done into English by Several Hands; With the Addition of the Author's Life by the Translators. Dedicated to His Royal Highness the Prince of Wales.

London: Printed for D. Brown, T. Ward and W. Meares, 1715. Three volumes. [xv], civ, 212; [iii], 648; [ii], 356, [48] pp. Title page of each volume preceded by publisher advertisement. Octavo (7-1/2" x 4-3/4"). \$1,250.

Contemporary paneled calf, raised bands and gilt volume numbers to spines, speckled edges, gilt tooling to edges of boards. Minor nicks, scuffs and light stains to boards, moderate rubbing to extremities with some wear to spine ends and corners, light gatering to spines, boards beginning to separate but secure, early copperplate armorial bookplate to front pastedown of Volume I. Title pages printed in red and black. Light toning, somewhat heavier in places, occasional light foxing.

THIRD ENGLISH-LANGUAGE edition. Recognized immediately as an important work, *De Iure Belli ac Pacis* was translated into the principal languages of Europe. According to sources cited in the *ESTC*, the 1715 edition was translated and edited by Morrice with the assistance of Edward Littlehales and John Spavan. The English editions differ considerably and are very interesting to compare.

*ESTC* T117018. Ter Meulen and Diermanse 634.



## EXTENSIVELY ANNOTATED INTERLEAVED COPY OF GROTIUS'S IMPORTANT TREATISE ON ROMAN-DUTCH LAW

**39. Grotius, Hugo.****Hoogerbeets, Rembout (Rembaut) [1561-1625].****Groenewegen van der Made, Simon van [1613-1652], Editor.**

Inleydinge tot de Hollandsche Rechts-Geleertheyt, Beschreven by Hugo de Groot. Bevestiget met Placaten, Hand-Vesten, Oude Herkomen, Rechten, &c., &c. Midsgaders Eenige Byvoegsels en Aenmerkingen op de Zelve, Door Mr. Simon van Groenewegen van der Made. Als Mede R. Hogerbeets, Van het Aenleggen en Volvoeren der Processen, Voor de Respective Hoven van Holland. En het Versterf-Recht van Hollandt. Beyde met Groenewegens Aenmerkingen. Met een Groot Register Voorzien. Deeze druk is Merkelyk Verbeetert, Volgens het Berigt aan den Leezer.

Amsterdam: By Jan Boom, 1727. [xvi], 391 [i.e. 491], [28] pp. Interleaved. Quarto (interleaves 9-1/2" x 7-1/2"; text 8-1/2" x 7"). SOLD

Contemporary quarter goatskin over marbled boards, edges of interleaves untrimmed, tiny early labels to front board and spine. Considerable rubbing to boards and extremities with wear to spine ends and corners, which are bumped, marbled paper mostly perished from rear board, hinges just starting at ends, few cracks to text block, all leaves secure. Moderate toning to interior, extensive underlining to text, brief annotations to a few passages, most interleaves filled with annotations on rectos and versos in neat hand.

ORIGINALLY PUBLISHED IN 1631, this is an important systematic treatise on the law of the province of Holland in the seventeenth century, the mixture of local and Roman procedure known as Roman-Dutch law. The first edition by van der Made was published in 1644. Probably the work of a law student, the extensive annotations in our copy, which include references to other Roman-Dutch treatises, date to the late 18th to early 19th century. They indicate a careful and sustained engagement with Grotius's text.

Ter Meulen and Diermanse 775. Dekkers 70, 83.

HANDSOMELY BOUND COPY OF HÉMARD'S *CODE PÉNAL*  
WITH AN INTERESTING ADDITION

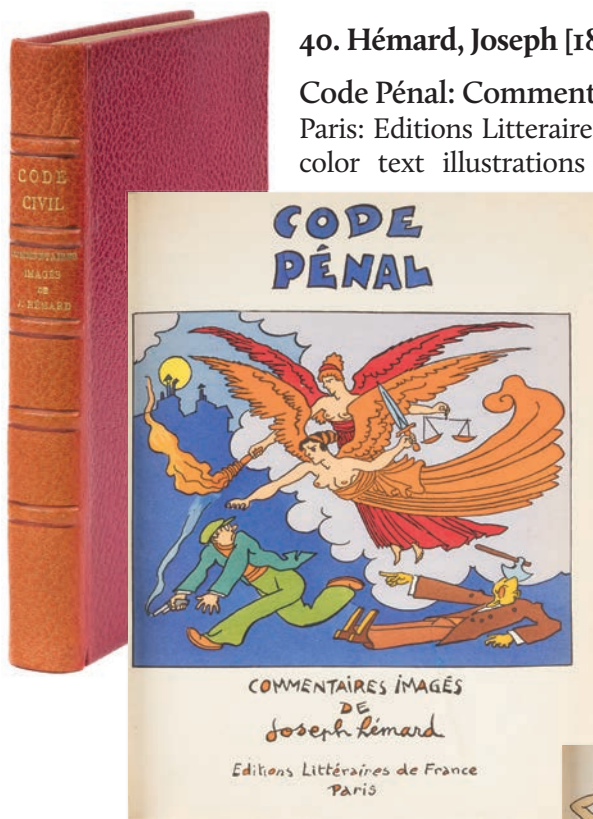
**40. Hémard, Joseph [1880-1961], Illustrator.**

**Code Pénal: Commentaires Images de Joseph Hémard.**

Paris: Editions Littéraires de France, [c.1940?]. 169 pp. Numerous pochoir color text illustrations throughout. Unrelated color folding greeting card illustrated by Hémard bound in before limitation leaf. Quarto (8-3/4" x 7"). \$750.

Original publisher stiff printed color wrappers bound into contemporary morocco, raised bands and gilt title to spine (reading, incorrectly "Code Civil"), top-edge gilt, deckle fore and bottom edges, wood-veneer pastedowns and free endpapers. Light fading to spine, minor wear to corners, light toning to interior, illustrations vivid. A handsome copy.

FROM AN EDITION limited to 900 copies, this number 338. Hémard presents the official text of the French Code Pénal with witty, and often mildly erotic, color pochoir illustrations. It is a sequel to his *Code Civil: Livre Premier, Des Personnes*. In 1944 Hémard issued another legal work:

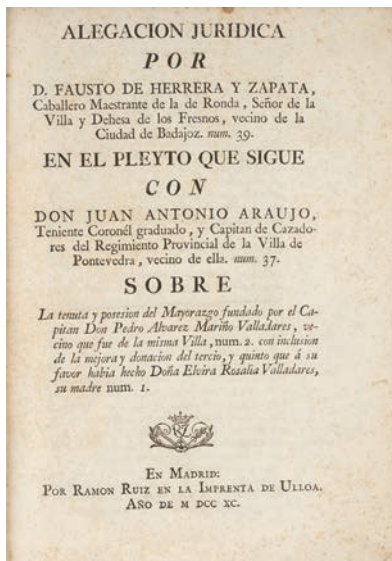


*Code Général des Impôts Directs et Taxes Assimilées*. Hémard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books. The card is a New Year's greeting for 1946 from René Miegéville, a French physician and bibliophile, and his wife.



Greeting card detail

## A RARE ACCOUNT OF AN INTERESTING 1790 SPANISH INHERITANCE CASE

**41. Herrera y Zapata, Fausto de.**

**Alegación Jurídica por D. Fausto de Herrera y Zapata, Caballero Maestrante de la de Ronda, Señor de la Villa y Dehesa de los Fresnos, Vecino de la Ciudad de Badajoz, En el Pleyto que Sigue con Don Juan Antonio Araujo, Teniente Coronel Graduado, Y Capitan de Cazadores del Regimiento Provincial de la Villa de Pontevedra, Vecino de Ella: Sobre la Tenuta y Posesion del Mayorazgo Fundado por el Capitan Don Pedro Alvarez Mariño Valladares: Num. 1.**

Madrid: Por Ramon Ruiz En La Imprenta De Ulloa, 1790. [iv], 22 pp. Engraved title device, decorative initial letter. Folio (11-1/2" x 8"). \$650.

Contemporary marbled wrappers. Light rubbing, some wear and creases to spine ends and corners, fold lines and light wear to corners of a few leaves at beginning and end of text, light toning to interior, faint dampspotting in places.

ONLY EDITION LOCATED. An interesting report of a Spanish case concerning inheritance law and primogeniture (*mayorazgo*), which established the rule that estates must be passed along to first-born sons. In this case it is explored with reference to the right of a first-born son who was born out of wedlock.

OCLC finds 1 copy, in Spain (University of Grenada).

## THE CODIFICATION OF HUNGARIAN CRIMINAL LAW

**42. [Hungary].**

**Az 1840. Évi V. Törvényczikkely Altal a' Bünteto Törvénykönyvvél Váihatlan Kapcsolatban Lévo Bünteto 's Javitó Rendszer Behozása Iránt Kimerito Véleményadás Végett Kiküldött Országos Választmány Jelentése.**

Pozsony: Nyomatott Wéber S. Lajos Betüivel, 1843. [ii], 78, 112, 64, [2], 95 pp. Folio (13-1/2" x 8-1/4"). \$850.

Contemporary marbled boards, printed paper label to spine, colored edges. Light rubbing to extremities, a few small tears to marbled paper at head and foot of spine, a few small nicks to board edges, spine ends and corners bumped and worn. Moderate toning to interior, occasional very light foxing, small ink stamp and (illegible) ownership signature to title page. Rare.

THE REPORT of a commission established by Article V of 1840 to codify Hungarian criminal law and propose reforms. The commission included important Hungarian jurists such as Ferenc Deák, an important figure in the Hungarian liberal movement, and József Eötvös, a progressive statesman who wrote on prison reform. Ultimately, its proposals were not adopted, but the report remains important for its ambitious scope and humane, enlightened ideas regarding the treatment of crime and criminals.

OCLC locates 2 copies, both in Hungary.





## RARE IMPRINTS OF TWO IMPORTANT EARLY LEGAL REFERENCE WORKS

43. [Jodocus of Erfurt, Attributed].  
Caccialupi, Giovanni Battista [c. 1420-1496].  
Alberico Da Rosate [c.1290-1360].  
Chambon, François [fl. 1500-1550], Editor.

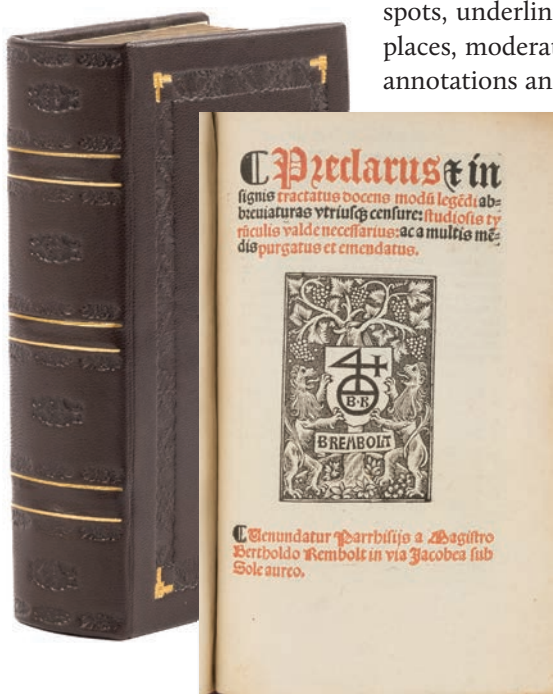
Vocabularius Utriusq[ue] Juris Longe Castigatissime:  
Quicq[ue]d Boni est in Repertorio Milis / Dictionario  
Alberici in se Complect[ur] Cui (Preter Nunc Primu[m]  
Impressas Additiones Singulares Doctorum Theoricas  
Co[n]tinentes) Addita sunt Recenter a Francisco  
Chambon Utriusq[ue] Juris Licentiatu Quadringe[n]  
ta Fere Vocabula. (...) Annectuntur ad Calcem Modus  
Studendi. Orthographia Alberici Rosatis.  
[Paris]: Apud Claudiu[s] Chevallonu[s] [and Berthold Rembolt,  
1520]. [viii], cclix, [1] ff. Main text in double columns.

[BOUND WITH] Wernherus of Schussenried [15th. c.].

Preclarus et Insignis Tractatus Docens Mod[um] Lege[n]di Abbreviaturas Utriusq[ue]  
Censure: Studiosis Tyru[n]culis Valde Necessarius: Ac a Multis Me[n]dis Purgatus et  
Emendatus.

Paris: Venundatur... Magistro Bertholdo Rembolt, [1518]. 40 ff. Main text in double columns.  
\$7,500.

Octavo (6-1/4" x 4-1/4"). Recent calf, blind fillets with gilt corner fleurons and blind central arabesques to boards, raised bands, gilt fillets and blind ornaments to spine, endpapers renewed. Title pages printed in red and black. Moderate toning to interior, light soiling, corner folds, ink spots, underlining and brief somewhat later annotations in a few places, moderate soiling and edgewear, early owner signature and annotations and small later monastery library stamps to title page of *Vocabularius*, faint ink smudges to Fol. 249.



A WORK OF GREAT AUTHORITY, the *Vocabularius*, as it is popularly known, is usually attributed to Jodocus, a jurist associated with the University of Erfurt. First published around 1475, it went through several editions over the following 150 years and was later incorporated into Antonio de Nebrija's *Lexicon Juris Civilis* (1559), a work that was reissued into the seventeenth century.

Our edition by Chambon, who added additional content, includes Caccialupi's *Tractatus de Modo Studendi in Utroque Iure*, an introductory textbook for law students, and Rosate's *Breve Compendiolum de Orthographia*, a guide to legal writing. The *Modus Legendi Abbreviaturas*, issued here with the prefix *Preclarus et Insignis Tractatus Docens*, is a dictionary of abbreviations first published in 1475.

Both imprints in this volume are rare. The *USTC* locates 5 copies of the *Vocabularius* and 7 copies of *Preclarus*, all in Europe. *OCLC* locates 2 copies of *Preclarus* in North America (Library of Congress, George Washington University), none of the *Vocabularius*. *USTC* 184047, 181872.



AN EDITION KNOWN FOR ITS EXCELLENT TYPOGRAPHY,  
THIS COPY HAS A HAND-COLORED TITLE PAGE



**44. Justinian I [483-565 CE], Emperor of the East.  
[Van Leeuwen, Simon (1628-1682), Editor].**

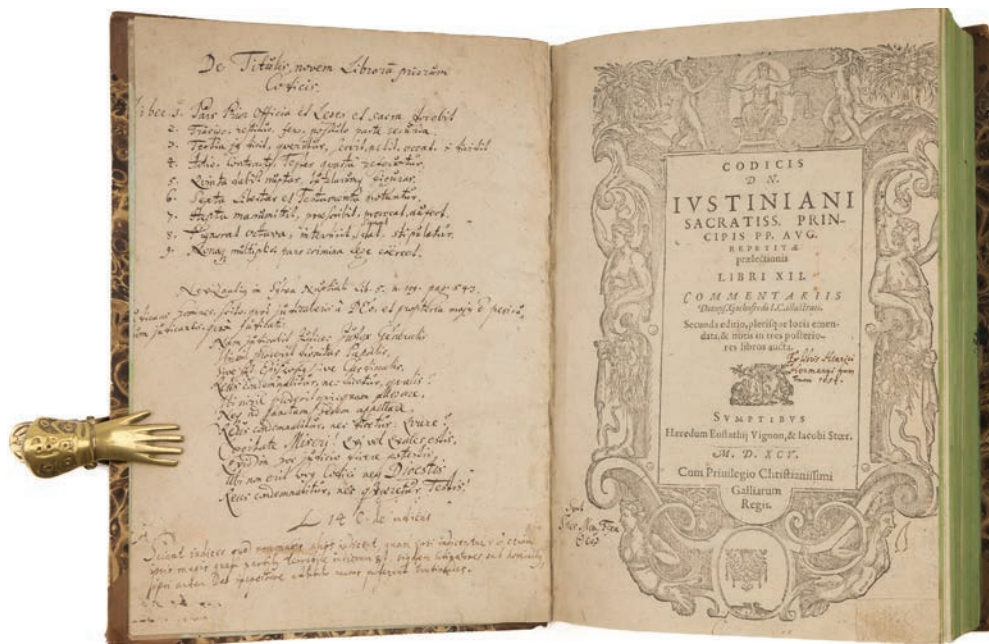
**Corpus Juris Civilis. Quo Continentur Institutionum Libri Quatuor, et Digestorum Sive Pandectarum Libri Quinquaginta.**

Amsterdam: Johannes Blaeu and Louis and Daniel Elzevier, 1663, 1664. Two volumes, each with title page and individual pagination. Volume I preceded by handsome copperplate allegorical title page. [xxiv], 1037, [1]; 820, [2] pp. Main text in double columns. Octavo (7-3/4" x 4-3/4"). \$500.

Contemporary paneled vellum, raised bands to spine, fragments of ties to fore-edges of boards, edges rouged, endpapers renewed. Some darkening, moderate rubbing to extremities, minor scuff to rear board, corners lightly bumped, front hinge cracked, later owner inscription (dated 1923) to front free endpaper. Moderate toning to interior, faint dampstaining to margins in a few places, chips and minor tears to a few leaves, light soiling and edgewear to preliminaries and final few leaves, underlining and annotations to several leaves and endleaves in contemporary and later hands, later hand-coloring to allegorical title page.

COMMISSIONED BY THE EMPEROR JUSTINIAN in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* reformed, restated and preserved early Roman law. Its subsequent influence on European jurisprudence is difficult to underestimate. Edited by van Leeuwen, likely the most prominent Dutch jurist of the late-seventeenth and early-eighteenth centuries, this volume is based on Godefroy's seminal 1583 edition with additional notes by Jacques Cujas, Denis Godefroy, Antoon Anselmo and other important French and Dutch jurists. According to Willems, this edition is renowned for its excellent typography. Our copy appears to have been annotated by two students. The annotations are mostly glosses of the text or summaries.

Willems 1323.



Nº 45

ANNOTATED 1595 GODEFROY EDITION OF THE CODE AND THE AUTHENTICORUM

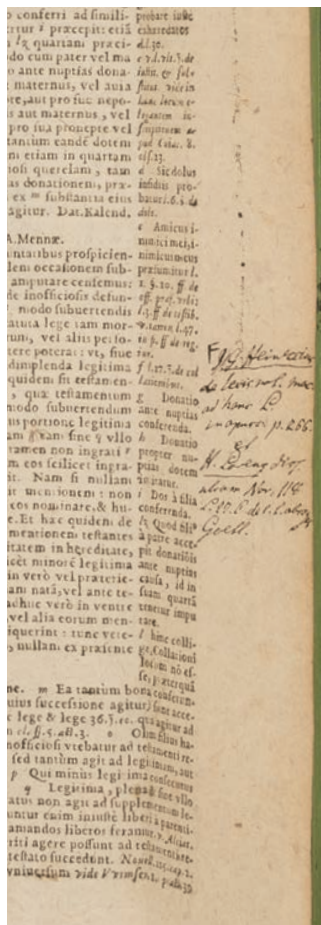
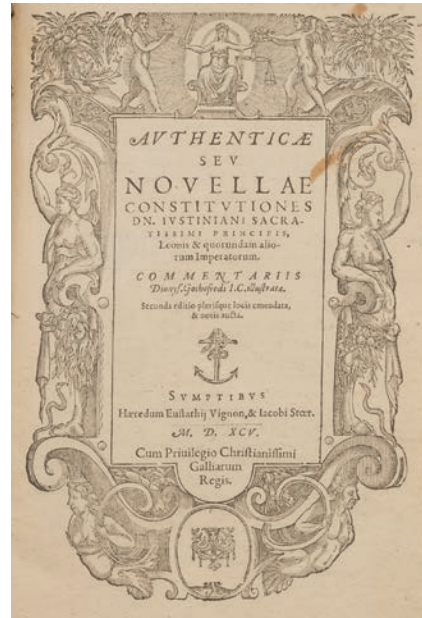
45. Justinian I, Emperor of the East. Godefroy, Denis [1549-1622], Editor.

Codicis Dn. Iustiniani Sacratiss. Principis PP. Aug. Repetitae Praelectionis Libri XII. Plerisque Locis Emendata, & Notis in Tres Posteriores Libros Aucta. [Geneva]: Sumptibus Haeredum Eustathij Vignon, & Iacobi Stoer, 1595. [xx] pp., 960 cols., [4] pp.

[BOUND WITH] Justinian I, Emperor of the East. Godefroy, Denis, Editor.

Authenticae Seu Novellae Constitutiones Dn. Iustiniani Sacratissimi Principis, Leonis & Quorundam Aliorum Imperatorum. Plerisque Locis Emendata, & Notis Aucta.

[Geneva]: Sumptibus Haeredum Eustathij Vignon, & Iacobi Stoer, 1595. [xxiv] pp., 534 cols., 535-553, [1] pp. \$1,500.



Annotation detail

Octavo (8-1/2" x 5-3/4"). Later three-quarter mottled calf over marbled boards, gilt fillets and lettering piece to spine, endpapers renewed, edges green. Light rubbing to boards, small inkstain to front board, moderate rubbing to extremities, a few shallow scuffs to spine and rear joint, lettering piece partially abraded, corners bumped and worn, faint offsetting to endpapers, upper right corner of front free endpaper, which is affixed to front endleaf, neatly removed, early (illegible) annotation to upper right corner of front endleaf, annotations to its verso. Light toning to interior, a few partial cracks to text block, all leaves secure, small faint stains in a few places in first work, faint staining through col. 171 of second work, early annotation and later ownership signature (of Henrici Hermanni, dated 1654) to title page of first work, its lower right corner neatly removed. Occasional early underlining, corrections and annotations to both works, most in a single hand, some affected by trimming, others preserved on folded and untrimmed leaves.

SECOND EDITIONS. Our volume contains volumes 2 and 3 of the 1595 Vignon/Stoer edition of the *Corpus Juris Civilis*, covering the *Code* and the *Authenticorum*, a selection from the *Novels*. The *Code* contains the laws in force during Justinian's reign. The *Authenticorum* is believed to be a body of laws intended for Italy, though this claim is disputed today. Both received a great deal of commentary during the medieval and early modern eras. That of Denis Godefroy was influential well into the twentieth century. Godefroy was a jurist, humanist, historian, scholar of Roman law and professor at the Universities of Geneva and Heidelberg. He was also the first to apply the collective name *Corpus Juris Civilis* to Justinian's works. The annotations to our copy include interesting brief commentaries on the text, such as a note on p. 776 about "raptores virginum honestarum" (kidnappers of virgins), and a

list of headings opposite the first title page.

Not in Adams.



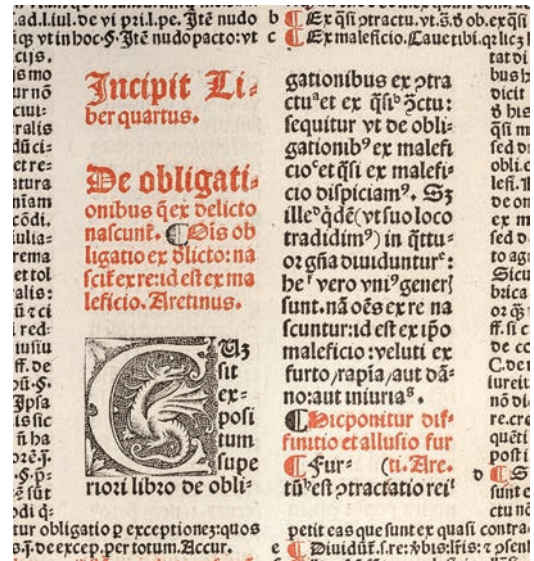
1505 PARIS EDITION OF THE *INSTITUTES*  
WITH EXTENSIVE CONTEMPORARY ANNOTATIONS

46. [Justinian I, Emperor of the East].  
[Accorso, Francisco (Accursius) (c.1182-c.1260), Glossator].  
[Chappuis, Jean, Editor].

Institutiones Imperiales: Ordinate Glosis Textuales Divisiones Habentur. Patescit Grecum Utile cum Expositione Succincta. Universi Tituli Alphabetico Ordine Ponuntur. Summaria Rubra Multis Adiectis Sunt Textibus Immixta. Orbibus Variis Vallata Civilis Arbor Hic Exarat[ur], Fo. cxvij. Plurima et Textuum et Glosarum Turpis Menda Expurgatur. Tituli Continuatione Patenti Redduntur Clari. Involute Materie Nectuntur Tabula Singulari. Medulle Glosarum Omnibus in Marginibus Sunt Extracte. Versibus Rubrice Iuris Cesarei Leguntur Aperte. Multiplices Bone Glose Plerisq[ue] Locis Sunt Apposite.

[Paris: Per Udalricum Gering [et] Magistru[m] Bertholdum Rembolt, 5 December 1505]. [xii], 117 ff. Double-column text with linear gloss. First letters of the verses that follow *Institutiones Imperiales* on title page from an anagram, "opus optimum." Two-page table of descents. Folio (10" x 7"). \$5,000.

Eighteenth-century calf, rebaked, gilt rules to boards, small gilt monograms to center of front board, small gilt heraldic lion to center of rear board, raised bands, lettering piece and small blind and gilt ornaments to boards, endpapers renewed. A few minor nicks and scuffs to boards, moderate rubbing to extremities, light fading to spine, corners bumped and lightly worn. Text printed throughout in red and black, large criblé printer device and decorative borders to title page, criblé initials and table of descents. Moderate toning to interior, light edgewear and soiling to preliminaries and final six leaves, which have faint dampstaining to margins, gradually diminishing stains to ff. [viii-xii] and 1, annotations in a sixteenth-century hand, some quite extensive, to several leaves.



COMMISSIONED BY THE EMPEROR JUSTINIAN in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* restated all existing Roman law. It has four components: the *Code*, *Novels*, *Institutes* and *Digest*. Intended for students, the *Institutes* is a synopsis of the reformed legal system. Rediscovered during the late Middle Ages, it became the standard textbook of Roman law. The main text of our 1501 imprint is accompanied by Accorso's great *Glossa Ordinaria* (or *Magistralis*). A Professor of Law at Bologna and a leading figure in the revival of classical jurisprudence, Accorso examined every extant note and commentary when he prepared his epochal edition of Justinian's *Institutes*, *Digest* and *Code*. This massive effort eliminated much of the obscurity and contradiction introduced by earlier writers. His editions, which superseded all previous attempts, remained definitive until the 1583 revision by Denis Godefroy.

OCLC locates 14 copies of this edition, 6 in North America, 1 in a law library (Library of Congress). Adams J618.

A COLLECTION OF TEXTS FROM THE *CORPUS JURIS CIVILIS* IN  
HANDSOME UNIFORM CONTEMPORARY PANELED PIGSKIN BINDINGS

**47. Justinian I, Emperor of the East.  
Accorso, Francisco (Accursius), Glossator.  
Gaius [Active 130-180 CE].**

*Institutionum D. Iustiniani Sacratissimi Imperatoris Libri Quatuor: Ad Vetustissimorum Simul et Emendatissimorum Exemplarium Fidem Summa Diligentia Recogniti, Emendati. Cum Scholiis Accursii. Adiecimus Pluribus Locis Annotationes ex Doctissimorum Hominum Commentariis, Ex Quibus non Parum Lucis ac Dignitatis his Iuris Civilis Elementis Accedit. Accessit Corpus Legum, Antea non Impressum, Ac Caii Institutionum Libri Duo.*

Lyon: Apud Hugonem à Porta, 1553. [xxiv], 290, [2] pp. Large woodcut image of Justinian surrounded by his court. Main text in parallel columns with linear gloss.

[BOUND WITH] **Justinian I, Emperor of the East.  
Accorso, Francisco (Accursius), Glossator.**

*Volumen hoc Complectitur (Sic Enim Peculiari Vocabulo Vocant) Novellas Constitutiones Iustiniani Principis Post Repetitam Codicis Praelectionem Aeditas: Authentica Vulgò Appellant. Tres Item Posteriores Libros Codicis; Feudorum seu Beneficiorum Duos; Constitutiones Friderichi Secundi Imperatoris; Extravagantes duas Henrici Septimi Imperatoris; & Tractatum De Pace Constantiae. Omnia ad Vetustissimorum Simul & Emendatissimorum Exemplarium Fidem Recognita, Emendata. Accesserunt nunc Primùm, & Nunquam Antehac Aediti, Iustiniani Novellarum Constitutionum Libri Duo, Cum Multis Annotationibus ex Doctissimorum Hominum Commentariis, Quae non Parum Lucis ac Dignitatis Huic Volumini Afferunt.*

Lyon: Apud Hugonem à Porta, 1553. [xvi], 276, 148, 99, [1] pp. Woodcut table of descents (in the form of a tree). Main text in parallel columns with linear gloss.

[WITH] **Justinian I, Emperor of the East.  
Accorso, Francisco (Accursius), Glossator.**

*Infortiatum, Pandectarum Iuris Civilis Tomus Secundus: Quartae Partis Reliquum, Itemque Quintam Digestorum Partem, Ac Sextae Partis: Libros Continens, Ex Pandectis Florentinis Ita in Universum Recognitus ac Emendatus, Ut Nihil Praeterea, Quod ad Puram Eorum Librorum Lectionem Attinet, Desiderari Possit.*

Lyon: Apud Hugonem à Porta, 1556. [xxxvi], 923, [1] pp. Main text in parallel columns with linear gloss.

[AND] **Justinian I, Emperor of the East.  
Accorso, Francisco (Accursius), Glossator.**

*Digestum Novum: Pandectarum Iuris Civilis Tomus Tertius Sextae Partis Reliquum, Ac Septimam, Eandemque Novissimam Digestorum Partem Continens, Ex Pandectis Florentinis Ita Universum Recognitus, Ac Emendatus: Ut Nihil Praeterea, Quod ad Puram Putam Eorum Librorum Lectionem Attinet, Desiderari Possit.*

Lyon: Apud Hugonem à Porta, 1556. [lvi], 866 pp. Main text in parallel columns with linear gloss. \$8,500.

Folio (15-3/4" x 11"). Contemporary paneled pigskin over beveled boards with elaborate blind tooling, Crest (of Adam Mockel) in oval frame to center of each board, brass clasps, colored edges. Moderate

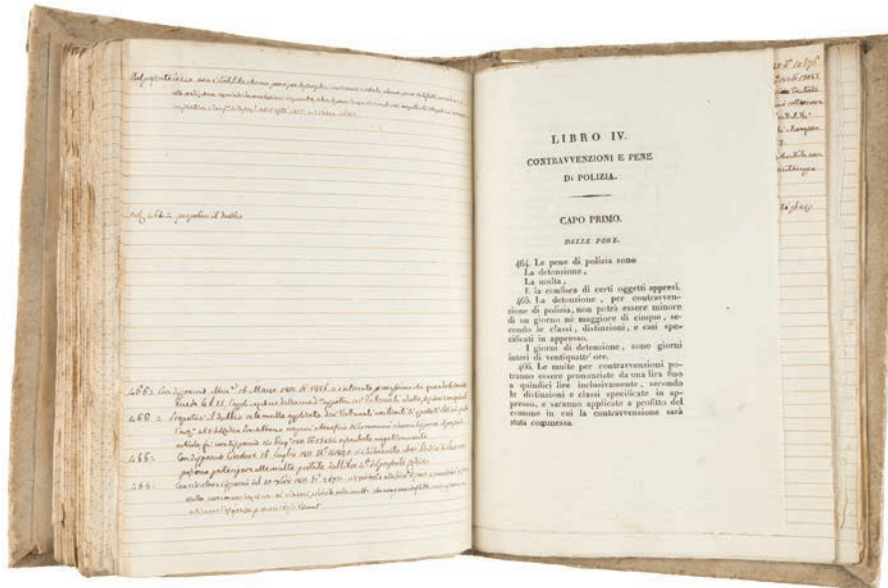


N° 47

soiling, moderate rubbing to extremities, some rubbing, scuffing and minor stains to boards and spines, a few chips to spine ends of *Digestum Novum*, minor worming to hinges and pastedowns, early owner signature ("P. Lieber") to front pastedowns. All volumes printed throughout in red and black. Light toning, faint dampstaining in places, margins trimmed with occasional minor loss to headlines, neat early underlining and brief annotations to some leaves, minor inkstains to a few leaves, light soiling to title pages, substantial ink staining to leaves aa7 and aa8 of "Index Materiarum Digesti Novi," legibility not affected.

THESE VOLUMES contain every part of the *Corpus Juris Civilis* except the *Digestum Vetus*. They also contain several related works, such as the pre-Justinian *Institutes* of Gaius, *Liber De Pace Constantiae*, *Epitome Feudorum* and *Authentica*. The texts used in this edition, along with the gloss by Accursius, were the standard versions from the high middle ages until 1583, when they were supplanted by Godefroy's seminal critical edition.

Baudrier VII:329-336.



INTERLEAVED AND ANNOTATED  
FIRST ITALIAN EDITION OF THE NAPOLEONIC PENAL CODE

**48. [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"). \$2,000.

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.

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.







N° 49

1494 EDITION OF A DISTINGUISHED COMMENTARY ON  
FOUR PARTS OF THE CORPUS JURIS CANONICI

#### 49. Koelner de Vanckel, Johannes.

*Summarium Textuale et Conclusiones Super Sextum et Clementinas [et Decretales Extravagantes Johannis XXII].*

[(Cologne): Johann Koelhoff, the Younger, 1494]. [290] ff. Two parts, each with title page. Part I dated 1 February 1494, Part II dated 24 March 1494. Collation: a8, b-z6, [et]6, [con]6, aa-ff6, gg8, (i-iiii2); A-N6, O4, P6. Complete. Folio (11" x 8"; 28 x 20 cm). \$25,000.

Contemporary blindstamped calf over wooden boards, later brass clasps and central and corner bosses to boards, raised bands to spine. Moderate rubbing, joints cracked through hinges, boards secure, spine worn with loss at ends, cords exposed, vellum pastedowns derived from contemporary manuscript leaf. Woodcut arms of Holy Roman Empire to title pages, the first colored partly in red. 46-line text in parallel columns, initials and section marks in red and blue, some highlighted in silver. Moderate toning, occasional faint dampstaining to margins, clean tear to margin of leaf r-iii with no loss to text, brief later annotations to upper corners of most leaves indicating sections, tiny signature and date of 1538 in tiny hand to title page, which is lightly soiled. A handsome volume.

FOURTH AND FINAL EDITION. First published in 1484, this is a masterly scholastic exegesis of four principal volumes of canon law: the *Liber Sextus* of Boniface VIII (1298), the *Clementinae*, or *Liber Septimus Decretalium* (1317), the *Extravagantes* of John XXII (1325) and the *Extravagantes Communes* of later popes to 1484. Along with Gratian's *Decretum Gratiani*, or *Concordia Discordantium Canonum* (1151), these works are known collectively as the *Corpus Juris Canonici*. Vanckel, perhaps the leading German canonist of his time, was a professor of law at the University of Cologne.

OCLC locates 3 copies of the 1494 edition, 1 in North America (Huntington Library). *ISTC* ik00032000.



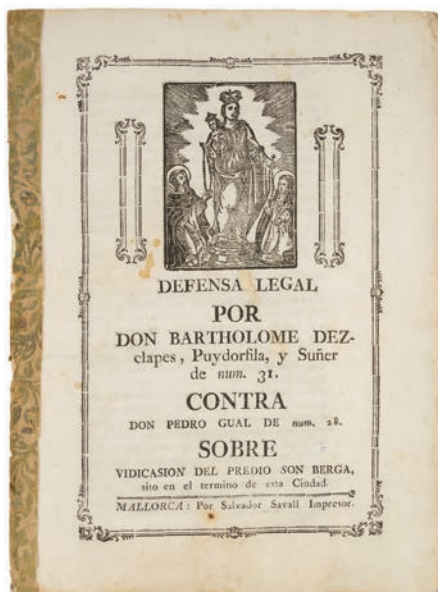
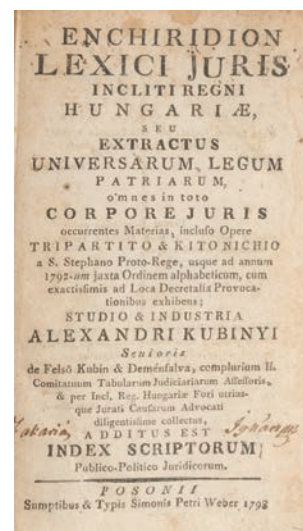
## A CLASSIC HUNGARIAN LAW DICTIONARY

## 50. Kubinyi, Sándor [1751-1799].

Enchiridion Lexici Juris Incliti Regni Hungariae, Seu Extractus Universarum Legum Patriarum, Omnes in Toto Corpore Juris Occurrentes Materias, Incluso Opere Tripartito & Kitonichio a S. Stephano Proto-Rege, Usque ad Annum 1792-Um Juxta Ordinem Alphabeticum, Cum Exactissimis ad Loca Decretalia Provocationibus Exhibens. Additus est Index Scriptorum Publico-Politico Juridicorum. Bratislava (Pozsony): Sumptibus & Typis Simonis Petri Weber, 1798. viii, 824 pp. Octavo (7-1/4" x 4-1/2"). \$1,500.

Contemporary three-quarter calf over marbled boards, lettering piece and blind fillets and ornaments to spine. Light rubbing to joints, heavier rubbing to boards with wear to corners, chip to edge of lettering piece, gilding rubbed from letters, minor worming to foot of spine and rear hinge, front hinge starting, front free endpaper lacking, later bookseller stamp and owner annotations and markings to front pastedown. Moderate toning and faint spotting to interior, faint dampstaining to margins in a few places, fold lines to corners of a few leaves, light soiling, some edgewear and early owner signature to title page.

LATER EDITION. Text in Latin, the official language of Hungarian law and government until 1836. As indicated by the timespan of its publication history, 1603 to 1832, this was long a standard reference work in the Kingdom of Hungary. Editions are valuable today as guides to Hungarian civil law and government during the seventeenth and early eighteenth centuries. Despite the importance of this work, few copies of any edition are found outside of Eastern Europe.



Nº 51

Stitched pamphlet, spine reinforced with patterned paper, title page features a woodcut border with corner fleurons and large woodcut image of the Madonna. Light toning, light edgewear, soiling, creases and a few minor stains to title page, following leaf and final two leaves. Rare.

ONLY KNOWN EDITION. This court statement, by a Dr. Don Antonio Pujals, was part of a land case initiated by Don Barthome Dez-Clapes and Don Francisco Suñer against Don Pedro Gaul. This imprint appears to be unrecorded.

No copies listed on OCLC or other online catalogues.

OCLC locates 2 copies of the 1798 edition in North America (Columbia Law School, Library of Congress). This edition not in the BMC.

RARE STATEMENT CONCERNING  
A LAND DISPUTE IN MALLARCA51. [Land Law].  
[Mallorca (Majorca)].

Defensa Legal por Don Bartholome dez-Clapes, Puydorfila, Y Suñer de Num. 31. Contra Don Pedro Gual de Num. 28. Sobre Vidicacion del Predio son Berga, Sito en el Termino de Esta Ciudad. Mallorca: Por Salvador Savall Impresor, [1798]. [ii], 39 pp. Folio (11-1/4" x 8-1/4"). \$650.

AN INTERLEAVED AND HEAVILY ANNOTATED  
EIGHTEENTH-CENTURY DIGEST OF BORDEAUX DECISIONS**52. Lapeyrère, Abraham.**  
[Bréchar, François, Annotator].

Décisions Sommaires du Palais par Ordre Alphabetique, Illustrées de Notes & De Plusieurs Arrêts de la Cour de Parlement de Bordeaux. Par feu Me Abraham Lapeyrere, Ancien Avocat en Ladite Cour. Cinquième Édition. Revûë, Corrigée & Augmentée d'un Grand Nombre de Décisions & d'Arrêts Recueillis des Memoires de Plusieurs Illustres Senateurs de ce Parlement. Et à Laquelle on a Ajoûté Plusieurs Nouveaux Arrêts Notables.

Bordeaux: Chez Simon Boudé, Ruë Saint Jâmes, Charles Labottière, Place du Palais, & Raymond Labottière, Place du Palais, 1725. [xii], 539, [7] pp. Interleaved. Folio (14" x 9-1/2"). \$3,500.

Contemporary sheep, blind rules and cats-paw decoration to boards, gilt spine with raised bands and lettering piece, edges rouged. Negligible light rubbing and a few minor scuffs to boards, slightly heavier rubbing to extremities, corners bumped and somewhat worn. Light toning to interior, faint dampspotting and foxing in a few places, side-notes affected by trimming in a few places, some text leaves have underlining, corrections and brief annotations, 140 interleaves have annotations, main text followed by 16-pp. double-column manuscript index, all annotations in a neat contemporary hand, signature of annotator, François Bréchar "avocat à Poitiers" to title page.

DIGESTED BY TOPIC, this copy of a compilation of decisions of the Court of Justice of the Parliament of Bordeaux has numerous annotations, mostly clarifications or subsequent changes, and a detailed manuscript index. The annotations reflect the expertise of a seasoned practitioner. Some are notably interesting, such as a 24-line statement on p. 32 concerning a woman's right to acquire or retain jewelry without permission from her father or husband in cases of death, remarriage, separation or divorce. Francois Bréchar [b. 1770] was a lawyer in Poitiers, later a deputy judge. Well-respected, he was known for his lively and engaging manner in the courtroom.

Filleau, Beauchet-Filleau and Chergé 1:339-340.

A HISTORY OF ORDEALS AND  
JUDICIAL COMBAT IN GERMANY**53. Majer, Friedrich [1772-1818].**

Geschichte der Ordalien, Insbesondere der Gerichtlichen Zweikämpfe in Deutschland. Ein Bruchstück aus der Geschichte und den Alterthümern der Deutschen Gerichtsverfassung.

Jena: In der Akademischen Buchhandlung, 1795. [viii], 319, [1] pp. Octavo (6-3/4" x 3-3/4"). \$1,850.

Contemporary paper-covered boards, edges rouged. Light rubbing and minor soiling to boards, moderate rubbing to extremities, light wear to board edges and corners, which are bumped, small bookseller ticket to rear pastedown, early owner signature ("Zoppi") to front free endpaper. Moderate toning to interior, light foxing in a few places, early annotation to head of title page.

ONLY EDITION. This book discusses the history of judicial combat and ordeals in Germany, practices intended to determine the truth of a person's claims through violence or gruesome tests with a supernatural element. Examples of ordeals listed include submersing the arm of the accused in boiling water or overtly religious tests such as the consumption of a communion wafer. It also provides extensive bibliographic details with contemporary sources for each type of ordeal. Notably, Majer's goal was not only historical, but ideological, and the work treats the history of ordeals as reflective of German national identity and essential to understanding German culture.

OCLC locates 4 copies in North American law libraries (Columbia, Yale, Library of Congress, Harvard). We located an additional copy at UC-Berkeley. Dorn, "Collection Highlights: Supernatural Ordeals and the Law of the Jungle in the Works of Friedrich Majer," *In Custodia Legis* (accessed online). VDr8 14614014-001.

MAXIMS ON MARRIAGE, INHERITANCE AND OTHER ASPECTS OF FAMILY LAW

**54. Mantova Benavides, Marco [1489-1582].**

*Apophthegmata* CC. Nunc Primum Edita, Ultra CCCCC. Alias Impressa, Cla. Iureconsul. Publicoque Interprete, D. Marco Mantova, Bonavito, Patavino, Auctore Inter Quae VII Etiam Quaestio. Insertae Sunt, Disputatae ad Partes, Nec Minus ad Usus Quotidianum Necessariae, Quam Utiles.

Venice: Apud Gabrielem Giolium de Ferrariis, 1545. 118, [2] ff. Final leaf blank. Woodcut printer's devices on title page and larger version on colophon leaf; woodcut initials.

[BOUND WITH] **Mantova Benavides, Marco. Flamminius, Ioannes Baptista [fl.1547], Editor.**

*Tractatus de Maiore Annorum* XIII. Efficaciter Obliga[n]do ad Declarationem Statuti Patavini, Sub Rub. De Alie. & Ob. Debi. Ordine Primi, Aliorum'q[ue] Locorum in Quibus Extat, Et ad Interpretationem Authen. Sacramenta Puberum C. Si Adver. Ven.

Venice: Apud Ioan. Gryphium, 1547. [viii], 80 pp. Woodcut printer's device to title page, woodcut initial. \$3,500.

Octavo (6" x 4"). Contemporary limp vellum, early hand-lettered title to front and spine, remnants of thong ties. Light creasing and soiling, a few small tears to extremities, light wear to head of spine, front hinge split, rear hinge starting. Light toning to interior, somewhat heavier in a few places, faint dampstaining to bottom margin in several places, light foxing and soiling in a few places, small tear to bottom edge of f. 8 of first work mended with cellotape and just touching text without loss, brief early annotations and manicules to several leaves. An appealing volume.

ONLY EDITIONS. The author was a distinguished jurist and professor of civil, canon and criminal law at the University of Padua. *Apophthegmata* is a collection of maxims on, to use a modern term, family law. Most of these address marriage and inheritance. The maxims are accompanied by commentary, some of it topical, as in Apoph. 3, which refers to the struggle of Henry VIII and the pope. Other entries refer to the problems of a Paduan colleague (Apoph. 16) and abortion (Apoph. 187). The second work is a brief treatise on the legal status of children and young people (fourteen years old and under) in Padua. It does not have the errata on p. 80 present in some copies and may represent an earlier issue.

OCLC locates 8 copies of *Apophthegmata* in North America, 5 in law libraries (Harvard, Library of Congress, UC-Berkeley, University of Georgia, Emory), and 3 copies of *Tractatus* in North America (UC-Berkeley Law School, UCLA, Library of Congress). EDIT16 CNCE26030, CNCE 35073.



RESTORING DISCIPLINE IN THE  
AUGUSTINIAN COMMUNITY OF GRAND SAINT BERNARD

**55. [Manuscript].  
Boniface, Louis.  
[Hospice de Grand Saint Bernard].**

*Opuscula Nonnulla R. Ludovici Bonifacii Canonici Regularis Coadiutoris ad Salutiferam Regularis Disciplinae 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").

\$5,000.

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.

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.

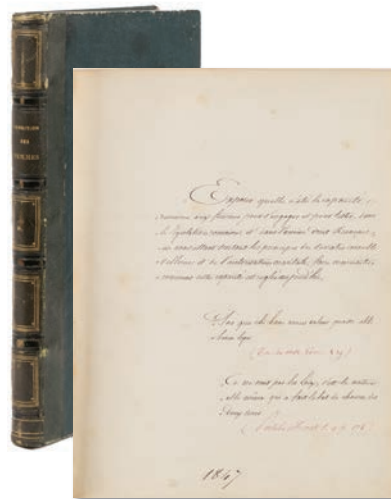
1847 FRENCH LEGAL THESIS ON WOMEN AND MARRIAGE

**56. [Manuscript].  
[Dossat, Jacques-Jean-Baptiste Alphonse (b.1823)].**

*[Legal Thesis on Women and Marriage in Roman and French Law].*

[Grenoble?], 1847. 202 pp. Quarto (10" x 7-3/4"). \$1,950.

Contemporary quarter morocco over pebbled cloth, raised bands, gilt ornaments and gilt title (*Condition des Femmes*) to spine, marbled endpapers. Light rubbing and a few nicks to boards, moderate rubbing to extremities, corners bumped and somewhat worn, owner bookplate (of Dossat) to front pastedown, a bit of glue transfer from edges of bookplate to front free endpaper. Light toning to interior, content in handsome, mostly correction-free hand to rectos and versos of numbered leaves.



THIS IS A PERSONAL COPY of a law-degree thesis on woman and marriage according to Roman law and the laws of pre-revolutionary and contemporary France. Its author, Dossat, was born and probably educated in Grenoble. He had a successful legal career, first as a lawyer in Bordeaux and later as a judge in Annecy. He appeared to have a deep interest in the legal status of women. In 1872, he delivered an address at the opening session of the Bordeaux Court of Appeals titled *De l'Emancipation de la Femme*, which was published (Bordeaux: G. Gounnouihou, 1872).

Grand livre  
contenant plusieurs  
1<sup>re</sup> Les Constitutions  
2<sup>de</sup> La vie de l'apostrophe  
3<sup>de</sup> L'obseques  
4<sup>de</sup> Le Peculier  
5<sup>de</sup> Maniere de  
tenir le Chapitre  
par le S<sup>r</sup> Bonifacio  
vers 1718



1797

Mait...

Formularium  
Astrorum

- 1602
- 1800
- 1803
- 1804
- 1805
- 1806



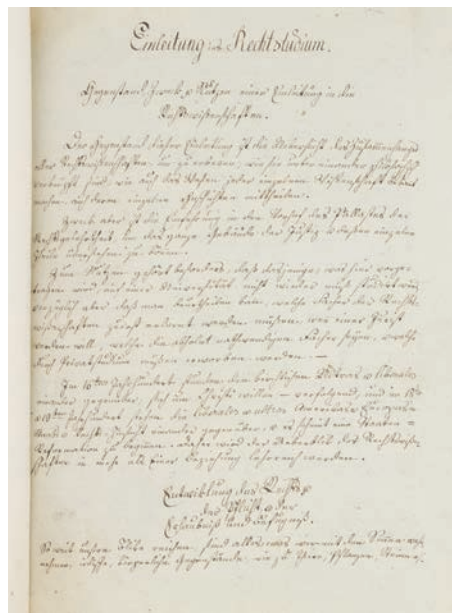
## HANDSOME GERMAN MANUSCRIPT ON THE SOURCES OF CIVIL LAW

**57. [Manuscript].  
[Germany].**

**[Einleitung ins Rechtsstudium].**  
[Germany, c.1790]. [194] pp. Quarto (7-1/2" x 5-3/4").  
\$1,250.

Contemporary quarter cloth over marbled boards with cloth-reinforced corners, blind, apparently once gilded, fillets, volume number (2) and illegible title to spine, speckled edges. Light rubbing to boards, moderate rubbing to board edges. Light toning to interior, text to rectos and versos in a small, elegant, correction-free hand.

Neatly written and formatted, with carefully organized chapters and sub-sections marked with Roman numerals, Arabic numerals, and upper and lower-case letters, this manuscript appears to be the final version of a set of lecture notes. We were unable to identify its place and date of composition, but the language, content, orthography, arrangement of material and binding suggest a German university at the end of the eighteenth century.



THIS MANUSCRIPT records an introductory class on the foundations of contemporary civil law. It begins with a brief chapter on the nature of law and proceeds to longer chapters on broad legal systems, such as natural law, and then to detailed chapters on Roman law and canon law. Overall, it offers a fine perspective on the conceptual framework that guided preliminary courses of legal study in the German states at the end of the eighteenth century.

## ITALIAN MANUSCRIPT FORMBOOK IN A WALLET BINDING

**58. [Manuscript].  
[Italy].**

**[Formulary].**  
Genoa [Chiavari?], Italy, c.1797. 250 ff., 18 ff. thumb-tabbed index, 25 blank leaves. Octavo (6" x 4-1/4").  
\$7,500.

Contemporary Italian tacketed wallet binding of limp vellum, remnants of thong-and-toggle fastener, untrimmed edges. Light soiling and shelfwear, "Formularium Instrorum" to front cover in later hand, along with lists of years 1801-1806 and some other, illegible marks, "1797" to head of spine. Light toning to interior, light soiling to a few leaves, text in neat legible hand.

THE FRONT PASTEDOWN IS SIGNED "Advocato Jo: [Giovanni] Baptista Bonta," who was probably the compiler of this manuscript. Its small format, wallet binding, topical organization and index suggest it was a portable reference work. The portions in Latin, many with book and chapter citations, primarily appear to be paraphrased excerpts from the civil statutes of the Republic of Genoa. Others are in question-and-answer format and appear to deal with topics in Roman law. Many, if not most, of the Latin passages are followed by forms in Italian dealing with the area of law cited in the previous passage; some of the statutory material appears in Italian as well. The manuscript generally deals with practical topics, such as notaries, wills, contracts and some procedural matters, and likely served as a portable manual of everyday practice for a working lawyer. One of the forms appears to be dated April 13, 1797, almost precisely two months before Genoa became the Ligurian Republic under Napoleon, suggesting that the manuscript may also provide insights into late Genoese legal tradition and practice within a system on the brink of transformation.

omnia nobis equi  
noy nopo ne nos  
ay pte augri pme  
i nos pte & hunc  
filiorum familiae  
reglii sunt diffidit  
a sunt profetia ab  
uilitio ab aynafra  
et quae ab aynafra

Judicium scribitur in debito qui p...  
liberum aliquis pupillo p...  
loquatur factus sit datus di ad abito obijt f...  
p... condempnari debitoris p...  
p... p... p...

Ad Titulum 9<sup>o</sup> Insti p...  
quas personae cuius adquiretur

Amphitruo hoc titolo tractatur de acquirendo ubi dicitur quia  
pro modo p... sed etiam tunc p...  
p... etiam ubi dicitur quia  
quod attinet ad fructus dicitur quia  
bona q... huiusmodi diffidit aut dicitur quia  
satis bona profetia aut adultitia vel aut  
quasi profetia bona dicitur ea qua filius familiae  
p... a patre sibi & sor...  
p... & tangunt p...  
p... & dicitur q...  
filio familiae vel a domino sibi commissa ut & sibi  
p... dicitur q...  
omni patrimonio vel dicitur appellabatur  
bona q... dicitur quia a patre profetia  
p... dicitur q...  
bona sibi filius adultitia vel quod  
obicit & appellat fortuna cuius  
p... dicitur q...  
bona adultitia dicitur  
vel ab uno obicit  
patre vel patre

Profetia bona dicitur  
in qua filius familiae  
necesse a patre sibi & sor  
commissa ut & sibi  
dicitur Judicium

Amphitruo proprie dicitur  
illud profetium pat...  
a patre sibi familiae vel  
a domino sibi commissa ut

Amphitruo dicitur q...  
p... p...  
p... q...  
quod filius dicitur p...  
p... dicitur q...

p... dicitur q...  
p... appellabatur  
p... dicitur q...

Adultitia bona sibi p...  
huiusmodi dicitur q...  
filio familiae obicit q...  
liberat fortuna cuius  
sunt annorum legata  
sacreditate vel quod a  
no & causa dicitur ad  
dicitur p...

q... dicitur q...  
p... dicitur q...  
p... dicitur q...

bona adultitia dicitur  
vel ab uno obicit  
patre vel patre



ANNOTATED MANUSCRIPT COPY OF THE *INSTITUTES* OF JUSTINIAN**59. [Manuscript].  
[Justinian I (483-565 CE), Emperor of the East].****Justinian Institutiones.**

[France, c.1700]. 144, [142], 63, [322] ff. Folio (11-1/2" x 8").

\$5,000.

Contemporary reversed calf, blind rules to boards, raised bands and blind fillets to spine, fragments of thong ties. A few minor worm holes, light rubbing and some scuffs and stains to boards, corners bumped, wear to head of spine, minor worming to rear pastedown. Light toning to interior, minor stains to a few leaves, text in neat hand within ruled borders to rectos and versos of most leaves.

THIS IS A CAREFUL TRANSCRIPTION of the *Institutes* of Justinian with detailed notes in ruled columns in the outer margins. Added to about one-half of the text, they are under the headings "Renoardus" or "Bengeus." These are likely the names of law professors, which suggests these are notes taken during lectures. In contrast to Justinian's text, the notes are not as neat and have occasional cross-outs and corrections. Written around 161 CE, the *Institutes* is an elementary treatise on Roman private law that served as a standard text for 300 years.

## A POWERFUL OPPONENT OF MARTIN LUTHER

**60. Mazzolini, Silverstro, Da Prierio [1456-1527].****Compendium in Johannem Capreolum cum Additionibus.**

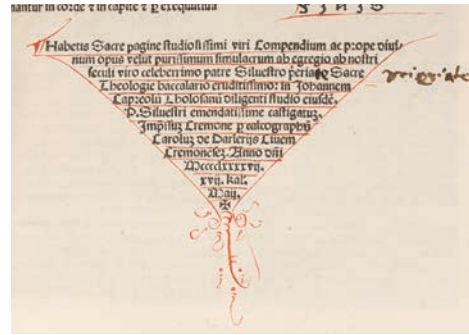
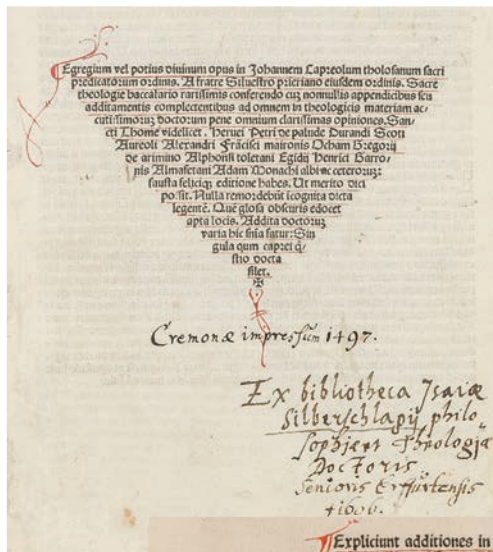
[Cremona: Carolus de Darleriis, 15 and 28 April 1497]. [320] ff. Collation: [\*4], a-n8, aa-kk8, ll-mm4, A-C8, D6, E4, AA-DD8, EE-GG6, HH4, (I-9)4. Complete. Quarto (9-1/4" x 7": 23 x 18 cm). \$9,000.

Contemporary calf with elaborate blind stamping, over wooden boards, rebaked with raised bands, blind ornaments and gilt title, traces of clasps. Light rubbing and minor worming to boards, moderate rubbing to board edges, hinges cracked. 46-line text in parallel columns, extensively rubricated in red, with 8 large 12-line initials in interlocking red and blue with fine purple penwork decoration, other 6-line initials in red. Light toning to text, somewhat heavier in places, faint dampstaining to lower gutter in a few places, first and final few leaves loosening but secure, lower outside corner of title page neatly excised, tear to fore-edge of leaf A1 without loss to text, early annotations to front pastedown, other annotations and owner signature dated 1606 of Isaias Silberschlag to title page, occasional annotations in his hand to text. A handsome copy of a rare imprint.

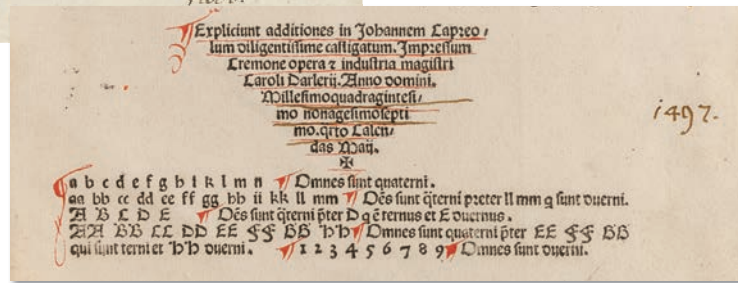
FIRST EDITION. Mazzolini, a theologian and wide-ranging scholar, was an inquisitor and censor of books for Rome. An early opponent of Martin Luther, he was involved in the juridical process against him. (Mazzolini was also involved in cases against Johann Reuchlin, Pietro Pomponazzi and Erasmus). A great deal of his scholarship was devoted to the works of St. Thomas Aquinas. Also known as the *Egregium vel Potius Divinum Opus in Johannem Capreolum*, Mazzolini's *Compendium* is a summary of a work of another Aquinas scholar, Jean Capreolus [c.1380-c.1444] dealing with Aquinas's commentaries on the *Libri Quattuor Sententiarum* of Peter Lombard [c.1096-1160], one of the great works of Medieval theology. Silberschlag, the former owner of this copy, was a professor of theology at the University of Erfurt.

This is a scarce imprint. We located only two auction records for it, one in 1991, the other in 2002. OCLC locates 5 copies in North America (Cornell, Library of Congress, Morgan Library, St. Bonaventure University, Yale). *ISTC* is00519000.





Title page and colophon details from N° 60



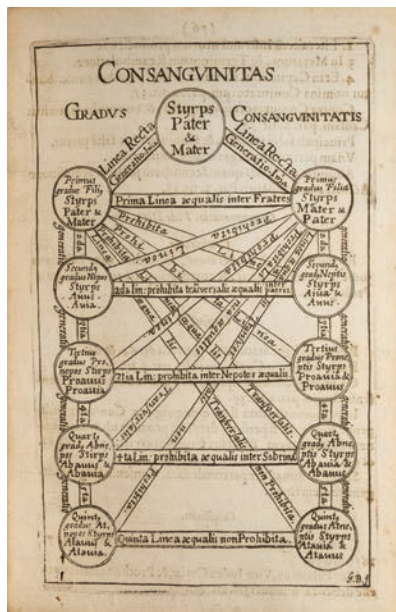
RARE EARLY INDEX TO HUNGARIAN LAW

61. [Nádasdy, Ferenc (1622-1671)].

Cynosura Iuristarum Loca Decretalia, Et Articulos Novissimarum Constitutionum Inlyti Regni Hungariae, Usque ad Annum 1659. Inclusive, Sub Titulis Ordine Alphabetico Collectis, Breviter Repraesentans.

Pottendorff: Per Hieronymum Verdussen, 1668. [ii], 269, [1] pp. Interleaved. Woodcut consanguinity diagram to p. 75. Octavo (6-1/2" x 4-1/4"). \$1,500.

Contemporary mottled calf, blind frames to boards, remnants of green silk ties to fore-edges, raised bands and blind fillets to spine, edges speckled red. Moderate rubbing, light gatoring and minor worming to boards, a few faint stains to rear board, rubbing and light wear to extremities, gatoring to spine, which is chipped at head, joints just starting at ends, corners bumped and worn, hinges cracked, minor worming to pastedowns and preliminaries, early (illegible) penciled annotations dated 1744



and 1746 to rear endleaf. Light toning to interior, occasional light foxing, faint (mostly very faint) dampstaining in a few places, title page, which has pencil annotations and an ink ownership signature, trimmed at foot affecting imprint and date.

ONLY EDITION. Arranged alphabetically under subject headings with brief commentary, the Cynosura is an index to Hungarian statutory and customary law up until the year 1659. The first such compilation, it was published by Count Ferenc Nádasdy, who would be executed three years later after a failed coup against Emperor Leopold I.

OCLC locates 7 copies, 2 in North America (Harvard, UC-Berkeley).

## AN IMPORTANT SIXTEENTH-CENTURY LAW DICTIONARY



**62. Nebrija, Antonio de [c.1444-1522], Compiler.**  
**Gromors, Pierre [d. 1645?].**  
**Scot, Alexander [fl. 1599-1622].**  
**Caccialupi, Giovanni Battista [c. 1420-1496].**  
**[Jodocus of Erfurt, Presumed Compiler of**  
**Vocabularius].**

**Novum Lexicon Iuris Utriusque Variorum Autorum Antonii Nebrissenis, Petri Gromoroi, Alexandri Scoti. &c. Ex Omnibus Iuris Lexicis in hunc Usque diem Editis Summa Diligentia & Succincto Tenore Collectum; Ut Locupletissimi Iuris Thesaurus Vicem Merito Obtineat. Addita Legum Romanor. Recensitione ex Divers Autoribus. Accesit Jo. Bapt. De Caccialupi Tractat. De Modo Studendi in Utroque Iure, Una cum Historia, Iuris, & Quibusdam Accursii Erroribus. Omnia ad Commodiorem Lectorum usum Varietate Charocterum Distincta.**

Cologne: Apud Ionnem Gymnicum sub Monocerote, 1597. [xvi], 957 pp. Main text in double columns. Octavo (7" x 4-1/2").

\$1,750.

Contemporary vellum with yapp-style fore-edges, faint early hand-lettered title to spine, front pastedown and free endpaper renewed. Spotting and light rubbing to boards, moderate rubbing to extremities, short tear near center of fore-edge of rear board, rear hinge cracked, rear free endpaper lacking, 1/2" strip removed from head of title page, text not affected. Light browning and spotting to interior, tiny spark burn and ink spots to a few leaves, minor worming to sections of text block, mostly to margins, with minor loss to text, but not legibility, underlining and brief annotations in a few places.

LATER EDITION. A work of great authority, this popular dictionary was first published in 1559. It went through more than twenty-five editions, with several variations in content, during the sixteenth and seventeenth centuries. All editions have two principal parts: the fifteenth-century *Vocabularius* attributed to Jodocus of Erfurt and Nebrija's *Lexicon Iuris Civilis*. It is a curious hybrid of late-medieval and renaissance scholarship; the former work is a typical scholastic compilation, the latter is a humanistic work grounded in philology and historical commentary.

Nebrija was an important Spanish scholar and educator. Educated at the universities of Salamanca and Bologna, he read widely in law, medicine and theology. His philological work, which included the first Spanish grammar and dictionary, led to the standardization of the language. In 1502 he was a member of a group of scholars gathered by Cardinal Ximenes de Cisneros at Alcala to produce the Complutensian Polyglot Bible.

OCLC locates 1 copy of this edition in North America (UT-Austin Law School). Adams N130.

## FIRST EDITION OF A STANDARD WORK ON PLEDGES AND MORTGAGES

**63. Negusanti, Antonio [1465-1528].**

**Tractatus de Pignoribus et Hypothecis Domini Antonii Negusantii de Fano.**  
**[Bologna: Characteribus Cynthii Achillini excussa, II Augusti 1526]. [xii], 68, [2] ff. Text (except**  
**dedication) in parallel columns. Main text preceded by index (Repertorium). Folio (14-1/2" x 10").**  
**\$5,000.**

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

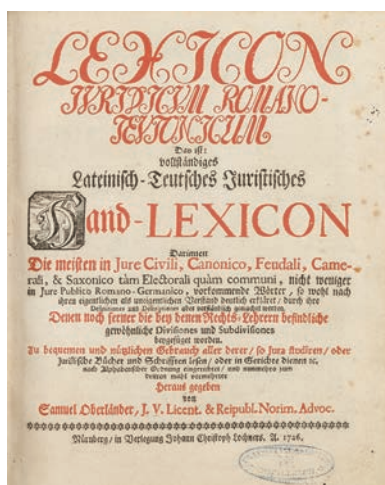
starting at foot, corners bumped and somewhat worn, minor worming to pastedowns and endleaves, wear holes (paper flaw?) to rear free endpaper, crack in text block between front free endpaper and title page of *Repertorium*. Title pages printed within woodcut architectural border, woodcut decorated initials. 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.

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 of the first edition, 1 in North America (Harvard Law School). *EDIT16* CNCE23606.



#### THE FIRST LATIN-GERMAN LEGAL DICTIONARY



#### 64. Oberländer, Samuel [1692-1720].

Lexicon Juridicum Romano-Teutonicum, Das Ist, Vollständiges Lateinisch-Teutsches Juristisches Hand-Lexicon: Darinnen die Meisten in Jure Civili, Canonico, Feudali, Camerali, & Saxonico Tam Electorali Quàm Communi, Nicht Weniger in Jure Publico Romano-Germanico, Vorkommende Wörter, So Wohl Nach Ihren Eigentlichen als Uneigentlichen Verstand Deutlich Erklaret, Durch Ihre Definitiones und Descriptiones aber Verständlich Gemachet Werden, Denen noch Ferner die bey Denen Rechts-Lehrern Befindliche Gewöhnliche Divisiones und Subdivisiones Beygefüget Worden, Zu Bequemen und Nutzlichen Gebrauch Aller

Derer, so Jura Studiren, Oder Juristische Bucher und Schrifften Lesen, Oder in Gerichte Dienen &c. Nach Alphabetischer Ordnung Eingerichtet.

Nuremberg: Johann Georg Lochner, 1726. [vi], 736, [12] pp. Copperplate allegorical frontispiece. Main text printed in double columns. Octavo (9" x 7-1/4"). \$1,500.

Contemporary vellum, faint residue of later paper shelf label to spine, edges rouged. Light soiling, rubbing and a few minor stains to boards, small scuff to rear board, rubbing to extremities with some wear to edges and, corners and foot of spine, front hinge cracked, minor worming to front free endpaper and frontispiece along gutters. Title page printed in red and black. Moderate toning to interior, light foxing in places, small later library stamp to foot of title page, brief annotations in contemporary hand to rear pastedown.

REISSUE OF THE THIRD EDITION. This was the first work devoted to German definitions of Latin legal terms. As much an encyclopedia as it is a dictionary, it contains extended discussions of several topics in Roman and German law. It is an indispensable reference for research into eighteenth-century Feudal, Cameral, Saxon and Holy Roman Law. The first edition was printed in 1721. Seven reissues and editions followed, the last in 1753.

All are scarce. OCLC locates 8 copies of the 1726 reissue, 1 in North America (UT-Austin Law School). Not in *VD18*.



**65. Oberländer, Samuel [1692-1720].**

**Lexicon Juridicum Romano-Teutonicum, Das Ist, Vollständiges Lateinisch-Teutsches Juristisches Hand-Lexicon:** Darinnen die Meisten in Jure Civili, Canonico, Feudali, Camerali, & Saxonico Tam Electorali Quam Communi, Nicht Weniger in Jure Publico Romano-Germanico, Vorkommende Wörter, So Wohl Nach Ihren Eigentlichen als Uneigentlichen Verstand Deutlich Erklaret, Durch Ihre Definitiones und Descriptiones aber Verständlich Gemachet Werden, Denen noch Ferner die bey Denen Rechts-Lehrern Befindliche Gewöhnliche Divisiones und Subdivisiones Beygefüget Worden, Zu Bequemen und Nutzlichen

Gebrauch Aller Derer, So Jura Studiren, Oder Juristische Bucher und Schrifften Lesen, Oder in Gerichte Dienen &c. Nach Alphabetischer Ordnung Eingerichtet.

Nuremberg: Johann Georg Lochner, 1753. [viii], 736, [12] pp. Allegorical copperplate frontispiece. Double-column text. Quarto (9" x 7"). \$1,750.

Contemporary sheep, blind rules to boards, raised bands and lettering piece to spine, edges rouged, marbled pastedowns, free endpapers removed. Moderate rubbing, small chip to head of spine, corners bumped and moderately worn, hinges cracked, early owner bookplate to front pastedown, recent owner book label to front endleaf and rear endleaf. Title page printed in red and black. Light toning to interior, negligible light foxing in places, light soiling and a few minor small spots to title page.

Eighth and final edition. OCLC locates 4 copies of the eighth edition in North American law schools (Harvard, University of Alberta, UC-Berkeley, Yale). This edition not in *VD18*. *BMC* 18:943.

SCARCE TEXTBOOK ON ACTIONS IN CIVIL LAW

**66. Oldendorp, Johann [c.1486-1567].**

**Actionum Forensium Progyrnasmata. Interpretatio Item, Complectens Universi Iuris Cognitionem: Quid Cuique vel Agendo Persequi, Vel Excipiendo Defendere Liceat; Ex Bono & Aequo. In Classes Septem Distincta. Editio Postrema Prioribus Multò Emendatior.**

Frankfurt: Apud Ioannem Saurium, Impensis Petri Kopffii, 1595. Two volumes in one book. [xxxii], 771, [1]; [ii], 775-1232 pp. Second volume with separate title page dated 1593, register and pagination continuous. Octavo (7-1/4" x 4"). \$1,950.

Contemporary paneled pigskin, central panels colored red, "M.S.E. 1600" black-stamped onto front board, raised bands to spine. Light rubbing and soiling to boards, moderate rubbing to extremities, corners bumped and lightly worn, front hinge starting at foot, tears to edges of pastedowns, residue (from removed bookplate?) and owner signature

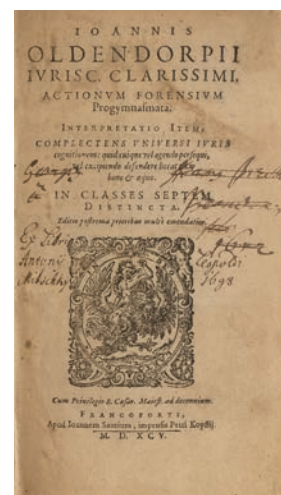


(of Antony Leopold Mitschky) to front pastedown, rear pastedown loosening but secure, lower corner



of front free endpaper lacking. Light toning to interior, occasional light foxing, a few partial cracks to text block, all leaves secure, struck-through owner signature dated 1612 and later owner signature (of Antony Leopold Mitschky, dated 1698) to title page, early underlining to several leaves.

**LATER EDITION.** First published in 1540 as *Practica Actionum Forensium Absolutissima*, this is a practical textbook on actions in civil law for students. It is a fine example of the reception of Roman law in the German states during the early modern era. A popular work, subsequent editions were published well into the seventeenth century. Oldendorp was a distinguished German jurist and scholar.



Front board and title page details

OCLC locates 2 copies of this edition in North America (Harvard Law School, Library of Congress). VD16 O590.

INCLUDES ANTI-NAPOLEONIC EXPORT RESTRICTIONS  
FOR ART AND ANTIQUITIES

### 67. [Papal States].

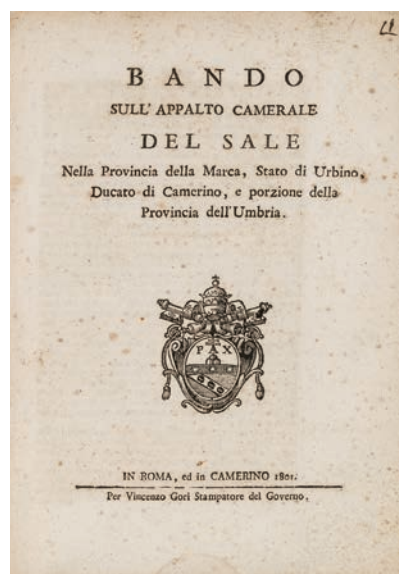
[Sammelband of 32 Edicts and Proclamations, 31 Printed, 1 in Manuscript, With a Manuscript Index]. Rome, 1801-1806. [vi], 163 ff. Folio (11-1/2" x 8"). \$2,650.

Contemporary thick-paper boards, text block joined with three thong ties, early hand-lettered shelf marks and manuscript paper title label reading "1806 Tomo Quarto" to spine, untrimmed edges. Light soiling, front joint cracked, chipping to spine ends. Texts in Italian and Latin, leaves foliated in manuscript. Light to moderate toning, foxing or spotting in places, some leaves have tears to margins or folds to corners, wormhole through ff. 147-162 with no loss to legibility.

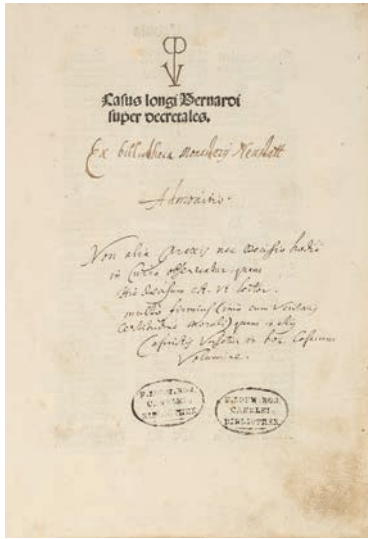
**ISSUED** during the turbulent pontificate of Pius VII, this interesting volume provides fascinating insights into policy-making in the Papal States during the early years of the Napoleonic era. The period covered in this volume was one of great political tension and uncertainty. Pontifical rule was re-established after the fall of the short-lived Roman Republic in 1799, but the States remained insecure. They were annexed by Napoleon in 1809. Prefaced with a detailed manuscript index, the volume's contents are arranged chronologically. Subjects addressed range from monetary policy to control inflation to laws restricting the manufacture and possession of firearms and the unauthorized export of antiquities or artworks. These latter proclamations were a reaction to Napoleon's infamous confiscations of Papal property. Manuscript additions to ff. 11-12 suggest the volume was likely compiled by a lawyer from the papermaking city of Fabriano in Le Marche, then a part of the Papal States.



All of the thirty-one printed items are rare. Eighteen are not recorded on OCLC or ICCU. Of the remainder, seven are not traced outside Italy. A detailed complete list is available on request.



INCUNABLE IMPRINTS OF TWO IMPORTANT COMMENTARIES ON CANON LAW



68. Parmensis, Bernardus (Bottoni, Bernardo di) [d. 1223 or 1266].

[Casus Longi Super Quinque Libros Decretalium]. [Strasbourg: (Printer of the 1483 Jordanus de Quedlinburg), i.e. Georg Husner, 29 Oct. 1498]. [204] ff. Collation: a-b8, c-d6, e-k8/6, l-z6, A-H6, I8.

[BOUND WITH] Regnierus, Helias (Regnier, Élie) [fl. 1483-1494].

[Casus Longi Super Sextum Librum Decretalium; Casus Longi Clementinarum].

[Strasbourg: (Printer of the 1483 Jordanus de Quedlinburg), i.e. Georg Husner, 18 Aug. 1496]. [152] ff. Collation: a8, b-z6, ?6, ?6. Final blank present. \$15,000.

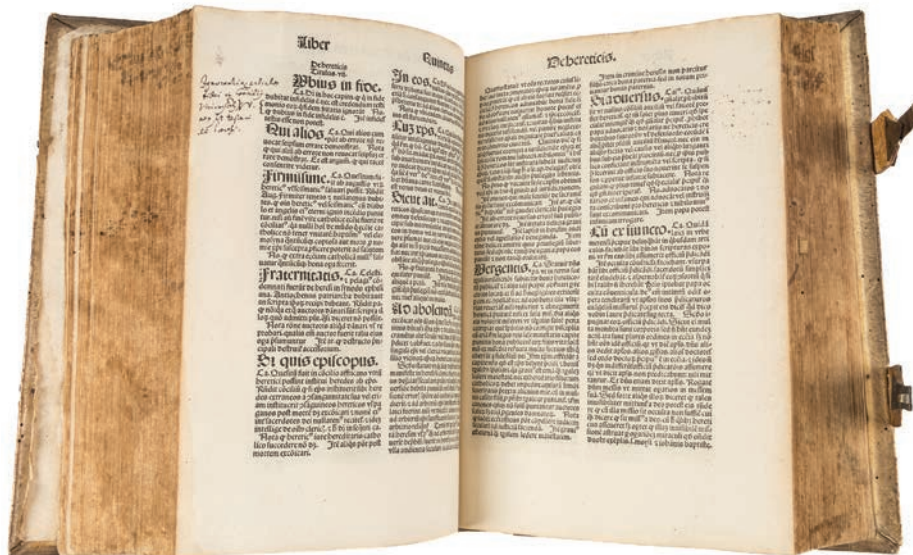
Casus longi septi et clementinarum

Title page details

Folio (10-3/4" x 7-3/4"; 27 x 19.5 cm). Contemporary blind-tooled pigskin over wood, covers, blind fillets and small armorial emblems (double-headed eagles of the Holy Roman Empire, greyhounds and roses) to boards, raised bands to spine, two clasps, upper clasp restored, early hand-lettered title to fore-edge of text block. Some soiling and a few minor inkstains, light rubbing to extremities, traces on spine of removed shelf labels, crack between front free endpaper and title page, rear hinge cracked, both titles printed in 52-line gothic type in parallel columns, initial spaces blank. Moderate toning, light soiling to margins in a few places, minor dampstaining to corners of a few leaves, a few worm holes to margins, clean tear to leaf p6 of Parmensis's Casus, later annotation and two small library stamps to its title page, brief later annotations to two other leaves. An impressive volume.

THIS VOLUME collects three important commentaries on books of the Corpus Juris Canonici: the Liber Quinque Decretalium of Gregory IX (1234), the Liber Sextus Decretalium of Boniface VIII (1298) and the Liber Septimus Decretalium, better known as the "Constitutiones Clementis V" or "Clementinae," of John XII (1317). Better known as Bernardus Parmensis, from his birthplace, Parma, Botono was a notable canonist. He studied at the University of Bologna, joined its faculty and later became the university's chancellor. Regnier, a French jurist, was a professor of law at the University of Poitiers.

Parmensis: OCLC locates 12 copies, 4 in North America, 3 in law libraries (Harvard, Library of Congress, UC-Berkeley); Regnierus: OCLC locates 8 copies, none in North America. ISTC iboo462000, iroo118000.





Handwritten text on the fore-edge of the book, possibly a library or collection mark, though the characters are difficult to decipher due to fading and the angle of the page.

**69. Peck, Pieter [1529-1589].****Van Leeuwen, Simon [1626-1682], Translator and Editor.**

Verhandelinghe van Handt-Opleggen ende Besetten: Dat is, Arrest op Persoon Ende Goederen, Eertijds Beschreven door Petrum Peckium. Ende nu Vertaelt, Ende Doorgaens met de Daghelijxsche Onderhoudinghe van Het Geene tot de Selve Stoffe, Uyt de Nederlandtsche Rechtsoeffeninghe, Bestaende in Allerhande Privilegien, Handtvesten, Statuyten, Plackaten, Ordonnantien, Keuren, Gewijsdens, Ende Gewoonten, Op de Rijpsinnighe Bewerpsels van den Schrijver uyt den Rechten, Ende Rechtsgeleerden, Aenmercke Lijckheeft Kunnen by Gebracht Werden,

Bevesticht Ende Vermeerdert door Simon van Leeuwen.

Dordrecht: Abraham Andriesz, 1659. [xxvi], 573, [36] pp. Main title page preceded by copperplate allegorical title page featuring an image of Lady Justice. Quarto (7-3/4" x 6"). \$1,250.

Contemporary vellum with yapp-style fore-edges, early hand-lettered title to spine, speckled edges. Light rubbing, light soiling to board edges, spine ends bumped, pastedowns beginning to loosen from boards. Moderate toning to interior, underlining and brief notes in an early hand in a few places. An attractive copy.

SECOND EDITION by Van Leeuwen. Peck was a professor at the University of Louvain, the school where he studied law, and a judge of the High Court of Mechelen. He was a prolific author; several of his works were standard texts. *Verhandelinghe van Handt-Opleggen ende Besetten* is a comprehensive treatise on arrest and seizure of property. First published in Latin in 1654 as *De lure Sistendi*, it went through several Latin editions into the seventeenth century and was one of the titles included in the *Tractatus Universi Juris* (1584-1586), the multi-volume anthology of key contemporary legal works edited by Francesco Ziletti under the patronage of Pope Gregory XIII. The translation edited by Van Leeuwen, possibly the most widely read Dutch jurist of the late-seventeenth and eighteenth centuries, expanded its audience. First published in 1653, it went through seven subsequent editions, the last one in 1784.

The Van Leeuwen editions are scarce. OCLC locates 2 in North American law schools, a 1569 edition at Yale and a 1712 edition at UC-Berkeley Law School. Dekkers 99, 131.

**70. Rodrigues, Manuel.**

Quaestiones Regulares et Canonicae, In Quibus Utriusque Iuris, & Privilegiorum Regularium, & Apostolicarum Constitutionum, Novae, & Veteres Difficultates Dispersae, & Confusae, Miro Ordine Scholastico Per Quaestiones & Articulos Elucidantur, Praelatis Ecclesiasticis, & Regularibus, Nec Non Indicibus Cuiuscumque Tribunalis, & Utriusque Iuris Peritis, & Quibuscumque Ecclesiasticis Regularibus Maximè Necessariae. Volume IV has a title beginning: Praxis Criminalis Regularium.... Antwerp: Apud Petrum & Ioannem Belleros, 1616. Four volumes in two books. [xii], 368, [48];

[viii], 322, [58]; [viii], 243, [29]; [iv], 346, [46] pp. Folio (14-1/2" x 9"). \$1,250.

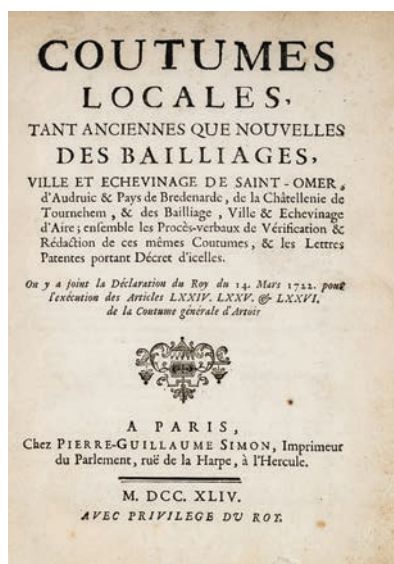
Contemporary paneled pigskin, raised bands, early hand-lettered titles, shelfmarks and a bit of paper-label residue to spines, brass clasps to fore-edges. Light rubbing and soiling to boards, moderate rubbing to extremities, spine ends bumped, chipping to foot of spine of second book, light wear to board edges and corners, front free endpaper of first book lacking. Volume 1 title page printed in red and black, text in two columns. Moderate toning to interior, light browning in places, occasional light foxing, faint dampstaining to top-edge in a few places, minor worming to last fifty or so leaves of Volume 2 without loss to legibility, early annotations and small ink library stamps to Volume 1 and Volume 3 title pages.



LATER EDITION. A treatise in question-and-answer format discussing monastic life as it relates to canon law, particularly matters of ecclesiastical privilege. The fourth volume, titled *Praxis Criminalis Regularium*, is not in question-and-answer format and deals with criminal procedure in canon law. The first edition was published in Salamanca in 1598 and the final edition in Lyon in 1634.

USTC 150743.

THOROUGHLY ANNOTATED COPY OF THE *COUTUME* OF SAINT-OMER



71. [Saint-Omer].

*Coutumes Locales, Tant Anciennes que Nouvelles des Bailliages, Ville et Echevinage de Saint-Omer, d'Audruic & Pays de Bredenarde, De la Châtellenie de Tournehem, & Des Bailliage, Ville & Echevinage d'Aire; Ensemble les Procès-Verbaux de Vérification & Rédaction de ces Mêmes Coutumes, & Les Lettres Patentes Portant Décret d'icelles.*

Paris: Chez Pierre-Guillaume Simon, 1744. [viii], 460, xxxi pp. With a half-title. Quarto (10" x 7-1/4"). \$2,500.

Contemporary mottled calf, blind rules to boards, gilt spine with raised bands, lettering piece lacking, gilt rules to board edges, marbled endpapers. Moderate rubbing and a few shallow scuffs to boards, which are separated but secured by cords, rubbing and wear to extremities, chipping to spine ends, later bookplate (of

M.A. Elton) to front pastedown, front endleaves loosening slightly but secure. Light toning to interior, small faint stains to a few leaves, partial crack in text block between pp. 248-249, all leaves secure, annotations in ink in an early hand, some quite extensive, throughout.

ONLY EDITION. The commune of Saint-Omer received its charter in 1127; its customary law is closely related to that of Artois. The annotations in our copy of its *coutume* reflect close reading and careful study. They include glosses, cross-references, corrections to the text, notes on the *coutume's* evolution over time and references to earlier statutes, proclamations and cases.

OCLC locates 5 copies of this title in North American law libraries (George Washington University, Northwestern, Tulane, Harvard, Southern Methodist University). Gouron & Terrin 1919.

## SCARCE SIXTEENTH-CENTURY COMPILATION OF SAXON LAW



## 72. [Saxony].

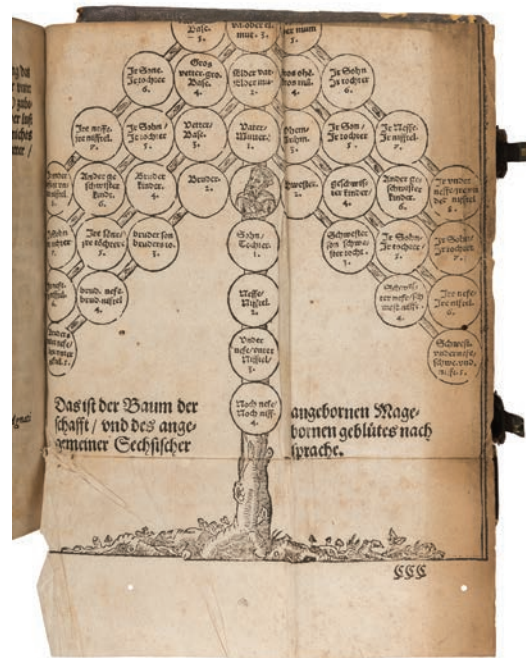
Ordnungen, Hertzog Ernsten, Hertzog Albrechten, Hertzog Moritzen, un[d] Hertzog Augusten, Chur und Fürsten zu Sachssen, &c.: So Ihre Chur und Fürstliche Gnaden, In Sachen Policei, Visitation, Hoffgerichte und Andere Notwendige Articul Belangende, Vor dieser Zeit in Derselben Landen Auffgericht, Und in Druck Vorfertigen Lassen.

Dresden: [Auffs naw Umbgedrucket, Durch Matthes Stöckel, Und Gimel Bergen], 1573. [iv], 241, [15] ff. Folding woodcut table of consanguinity. Three parts, each with title page with large woodcut arms, pagination continuous. First part preceded by general title page with large woodcut arms of Saxony. Quarto (7-1/2" x 6"). \$1,750.

Contemporary paneled pigskin, bronze clasps, later calf repairs to joints, somewhat later hand-lettered title and location number to spine. Moderate rubbing to boards, heavier rubbing to extremities with wear to spine ends and corners, hinges starting, front free endpaper lacking, a few partial cracks to text block. Light browning and foxing to interior, faint dampstaining to margins in a few places, moderate edgewear to preliminaries and final few leaves, which have minor worming, along with the rear pastedown, minor worm holes in a few other places, edgewear to folding table, its top-edge trimmed with some loss to image, browning to its fore-edge.

ONLY EDITION. A compilation volume of the state law codes (*Landesordnungen*) of 1532, 1543, 1555 and 1557, the Marriage Law (*Eheordnung*) of 1557, illustrated with a tree of consanguinity, and the Court Regulations (*Hofgerichtsordnungen*) of 1549 and 1550. These were enacted by the Saxon rulers Ernst [1441-1486], Albrecht [1443-1500], Moritz [1521-1553] and August [1526-1586].

OCLC locates 2 copies in North America (UC-Berkeley Law School, University of Pennsylvania). VD16 S729.



## RARE THESIS ON "JUST AND EQUITABLE JUDGES" BY AN AUSTRIAN NOBLE

## 73. Schlick (Schlik), Franz Joseph Heinrich von [1696-1766].

Justus Et Aequus Iudex, Quem Post Emensum Legitimi Studii Tramitem, Publica De Praetorum Edictis, Et Eorundem Aequitate Instituta Dissertatione Exhibet, Atque Sub Gloriosissimis Auspiciis Caroli Sexti, Romanorum Imperatoris, Hispaniarum, Germaniae, Hungariae, Bohemiae Regis Archi-Ducis Austriae. In Antiquissima et Celeberrima Universitate Viennensi Academico Certamini Subjecit Illustrissimus Dominus Franciscus Henricus S.R.I. Comes Schlick De Passan Et Weiskirchen, Praeside Praenobili, Clarissimo, Ac Consultissimo Domino Wolffgango Nicolao Joanne Senutti, U.I. Doctore, Aulae Iudiciorumque Advocato, Codicis Professore Publico & Ordinario, Celsissimi & Reverendissimi S.R.I. Principis, Episcopi Viennensis Consiliario

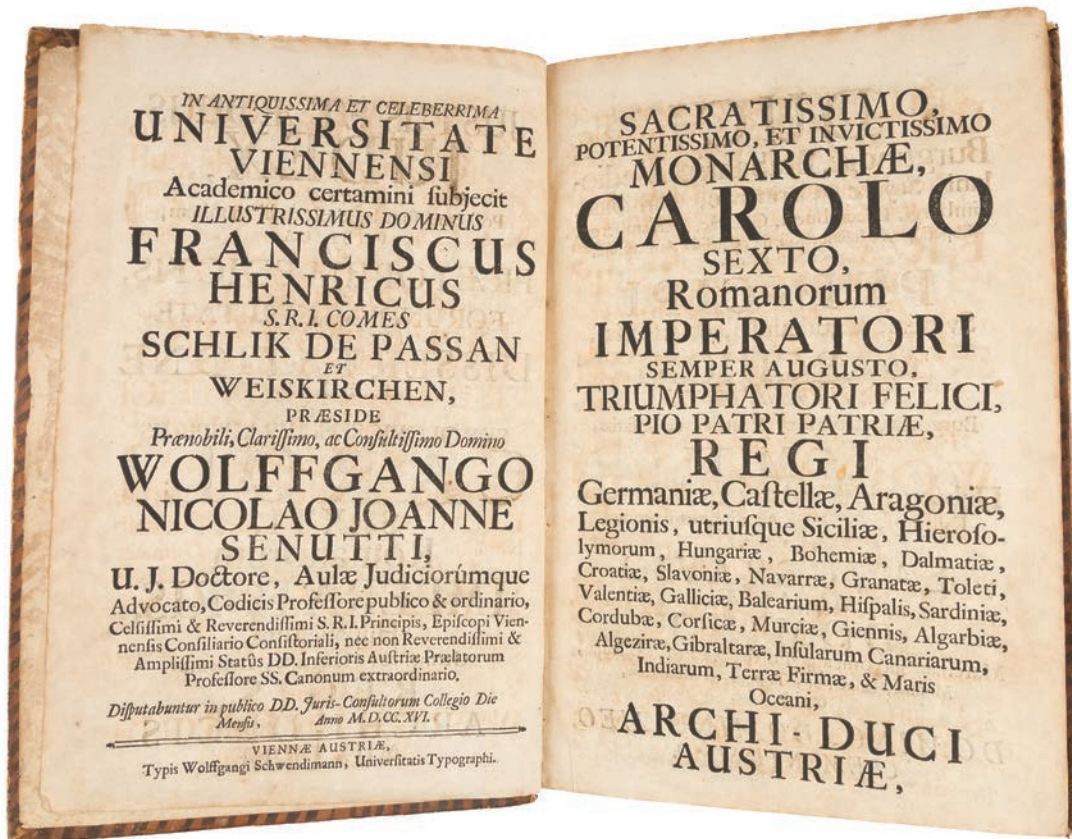
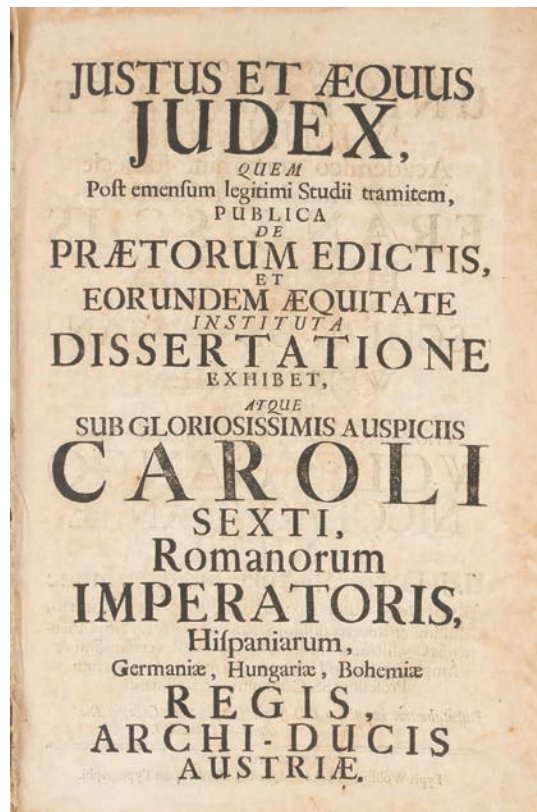
Consistoriali, Nec non Reverendissimi & Amplissimi Statûs DD. Inferioris Austriae Praelatorum Professore SS. Canonum Extraordinario. Disputabundur in Publico DD. Iuris-Consultorum Collegio Die Mensis, [...] Anno M.D.CC.XVI.

Vienna: Typis Wolfgangi Schwendimann, Universitatis Typographi, 1716. [xiv], 263 pp. Folio (13" x 8-1/2"). \$1,500.

Contemporary sheep, blind ornaments to spine. Moderate rubbing, heavier rubbing to extremities with some wear to spine ends, board edges and corners, which are bumped, hinges cracked, free endpapers lacking, early owner inscription and armorial bookplate to front pastedown. Light browning to interior, foxing in a few places.

ONLY EDITION. This dissertation by a member of a distinguished Bohemian noble family analyzes the qualities of "just and equitable" judges. As indicated by the title, dedication to Emperor Charles VI, and physical production of this work, the author was a highly placed member of Viennese society.

OCLC locates 4 copies, 1 in North America (American Philosophical Library). VDr8 10497927.



Continuation of title page

## A POPULAR EIGHTEENTH-CENTURY GERMAN TEXTBOOK ON ROMAN LAW

**74. Schoppach, Johann Michael.**

Einleitung zum Jure Civili, Nach Ordnung der Institutionum Imperialium Zusammen Getragen, Und Aus Liebe vor die Angehend-Studirende Jugend ans Licht Gegeben. Nunmehr aber mit Dienlich- und Hinlänglichen Allegatis Versehen.

Regensburg: Verlegts Johann Conrad Peetz, 1730. [xvi], 430 pp. Copperplate allegorical frontispiece. Octavo (6-1/4" x 3-3/4"). \$650.

Contemporary mottled sheep, raised bands, gilt tooling and lettering piece to spine, blind tooling to board edges, edges of text block rouged. Rubbing to boards and extremities, spine gilt rubbed away, light creasing to spine, chips to its foot, light wear to board edges, corners lightly bumped and worn, armorial bookplate to front pastedown, (illegible) early ownership signature to front free endpaper, partial crack in text block after frontispiece, all leaves secure. Title page printed in red and black. Light toning to interior, occasional light foxing, very faint offsetting to title page from frontispiece.

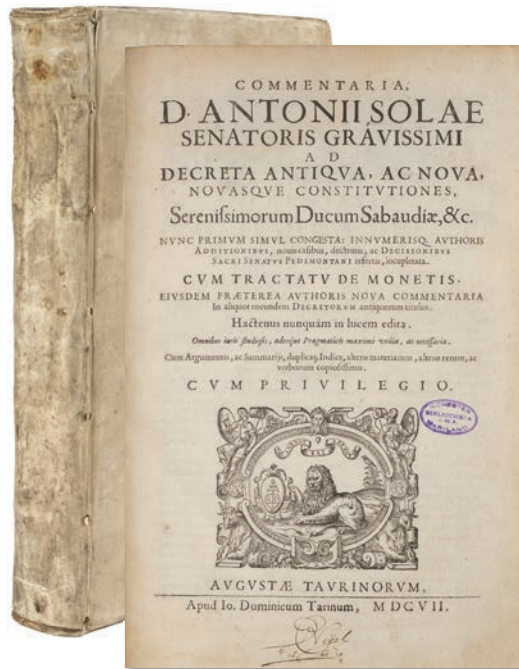
LATER EDITION. This introductory textbook on Roman civil law is patterned on the *Institutes* of Justinian. First published in 1711, it was a popular work that went through several editions, the last in 1763.

All editions are scarce today. OCLC locates 6 copies, all of them in Germany or Switzerland. This edition not in VDr8.

DETAILED COMMENTARY ON THE LAWS OF PIEDMONT  
WITH AN APPENDED TREATISE ON MONEY

**75. Sola, Antonio.**

Commentaria D. Antonii Solae Senatoris Gravissimi ad Decreta Antiqua, Ac Nova, Novasque Constitutiones, Serenissimorum Ducum Sabaudiae, &c. Nunc Primum Simul Congesta: Innumerisq; Authoris Additionibus, Novis Casibus, Doctrinis, Ac Decisionibus Sacri Senatus Pedemontani Refertis, Locupletata. Cum Tractatu di Monetis. Eiusdem Praeterea Authoris Nova Commentaria in Aliquot Corundem Decretorum Antiquorum Titulos. Hactenus Nunquam in Lucem Edita. Omnibus Iuris Studiosis, Adeoque Pragmaticis Maximè Utilia, Ac Necessaria. Cum Argumentis, Ac Summariis, Dupliciq; Indice, Altero Materiarum, Altero Rerum, Ac Verborum Copiosissimo.



Turin: Apud Io. Dominicum Tarinum, 1607. [lxxxiv], 767 [i.e. 756], [1] pp. Main text in double columns. Folio (14" x 9-1/2"). \$1,250.

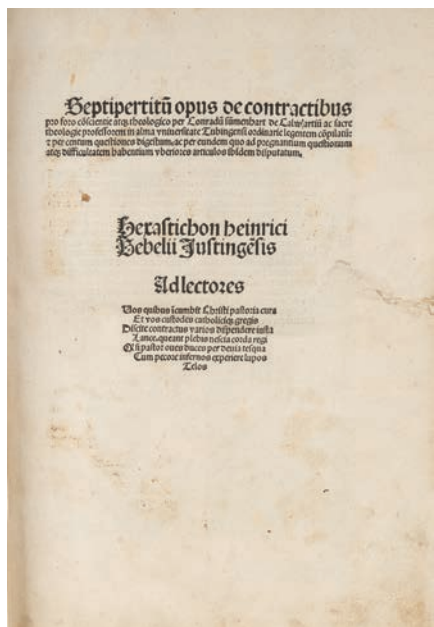
Contemporary vellum with yapp-style fore-edges, faint early hand-lettered title to spine. Light soiling and a few minor stains, moderate rubbing to extremities, minor chipping to spine ends, joints just starting at ends, faint residue from later spine label to head of spine and adjacent sections of boards, vellum beginning to crack through pastedowns, hinges partially cracked but secure, later hand-lettered library shelfmark to front pastedown. Moderate toning to interior, faint dampstaining in places, clean tears to final two leaves with no loss to text, light soiling, (illegible) signature dated 1620 and small later library stamp to title page, another stamp and shelf label to its verso.



PENULTIMATE EDITION. Sola was a Piedmontese jurist. First published in 1583, with later editions in 1595, 1607 and 1625, his *Commentaria* is a thorough overview of the laws of Piedmont. Contents are organized by topic. Appended to this work is an interesting treatise on money.

All editions are scarce. OCLC locates 3 copies of the 1607 edition in North America, 2 in law libraries (UC-Berkeley, Yale). *USTC* 4034348.

A LANDMARK IN THE HISTORY OF ECONOMIC THEORY



76. Summenhart, Konrad [1465-1511].

Septipertitū[m] Opus de Contractibus Pro Foro C[on]scientie Atq[ue] Theologico P[er] Conradu[m] Su[m]menhart de Calwartiu[m] ac Sacre Theologie P[ro]fessorem in Alma Universitate Tubingensi Ordinarie Legentem Co[m]pilatu[m] et per Centum Questiones Digestum ac per Eundem Quo ad Pregnantium Questionum At[que] Difficultatem Habentium Uberiores Articulos Ibidem Disputatum.

Hagenau: Heinrich Gran for Johannes Rynman, 13 October 1500. 433 ff. Lacking final leaf, a blank. Collation: AA-BB8, CC6, DD-EE8, a-b8, c-d6, e8, f6, g8, h-i6, k-l8, m6, n-r8, s10, t6, v8, x-z6, aa-bb6, cc4, dd-ff6, gg8, hh-ll6, A-C6, D-H8, I10, K8, L12, M8, N-P6, Q8, R6, S-V8, X-Y6. Text in parallel columns. Folio (11" x 8"; 28 x 20 cm). \$20,000.

Eighteenth-century speckled sheep, raised bands, gilt ornaments, lettering piece and small early paper shelf label to spine, speckled edges, endpapers renewed. Light rubbing and some minor nicks and shallow scuffing to boards, moderate rubbing to extremities, corners bumped and somewhat worn, front hinge starting, rear hinge cracked, minor worming to pastedowns. Light to moderate toning, light foxing in places, brief early owner annotation to leaf y3 (fol. 48), short tear to fore-edge of title page, which is lightly soiled, another short tear to fore-edge of following leaf, bookplate of Alexandre P. Rosenberg, designed by Pablo Picasso, and Rosenberg's brief typewritten book description, with Goff number added in pencil, to front pastedown.

SECOND EDITION. First published in 1497, this landmark treatise on the nature of contracts under Roman law, canon law and Catholic doctrine was the first work to offer a comprehensive and systematic attack on the prohibition of Usury. "Summenhart's contribution was twofold: first, in enormously widening all the possible exceptions to the usury prohibition, i.e. the *census* and *lucrum cessans*; and second, in launching a blistering direct assault on all the time-honoured arguments against whatever usury contracts remained. On the first, Summenhart developed the argument for insured or guaranteed partnerships far more subtly and extensively than before. He also widened the *lucrum cessans* exception far more than anyone else had ever done. Money is fruitful, Summenhart declared boldly, it is the merchant's tool, which he can make fruitful by the use of his labor. Consequently, the merchant should be compensated for loss of the use of his money just as a farmer should be recompensed for the loss of his fields" (Rothbard).

Alexandre Rosenberg [1921-1987], an art dealer, and his wife, Elaine [1921-2020], were important collectors of illuminated manuscripts and early printed books. Picasso, who was represented by Alexandre's father, the eminent Paris art dealer Paul Rosenberg [1881-1959], was a lifelong friend.

OCLC locates 12 copies of this imprint in North America, 6 in law libraries (Columbia, Emory, Harvard, UC-Berkeley, University of Michigan, Yale). Rothbard 91. *ISTC*is00863000.

Sed si fideles non mutuent ad usuras et a  
 ceteris peccatis abstineant dicunt querere  
 ignum dei et iusticiam eius, igitur tunc reliqua  
 omnia id est temporalia in quibus consistit tempo  
 ralis salus reipublice adijciunt eis, igitur non  
 est mutatio necessaria pro tali salute, sed est  
 ommissio potius inuat ad consequendam cano  
 nicam. Tertia ratio, Nunquam intantum creue  
 runt temporalia bona monasteriorum et eccle  
 desiarum quam quando ecclesiastice persone per vi  
 am mandatorum dei sollicitate incedebant in  
 seipis bene vivendo et in alijs id non facien  
 tibus crimina puniendo: adeo quod ipsis eccles  
 iasticis personis non habentibus curam vel sol  
 icitudinem de eisdem temporalibus sine sol  
 idio affluentissime obuenerunt temporalia  
 eorum patre fideliter iuxta promissum ve  
 re et noui testamenti eis, pudente, Ait  
 i. ca. Si volueritis et audieritis me  
 et non comedetis, Et similis promissio  
 habet Deutero xxviii, Cum vero  
 retrocedere ceperunt etiam tempo  
 ralia dotauerunt: ipsi nunc easde  
 mandant, Ergo eadem ratione sic esse  
 temporalia bona in quibus  
 consistit eis affluentem ob  
 lata dei seruariet sollicitate  
 inuiriatur quod in ea non  
 s: et quod tales excernerentur  
 et victoria tali ciuitate  
 daretur, Unde ait  
 dicit me et in vna  
 lo foris in inimis  
 et super tribulacione  
 Quarta ratio  
 pauperum dicit  
 dicitur: hoc  
 non inuiriatur  
 dicitur: hoc  
 dicitur: hoc

*L*  
*no. religiose*

1823 STUDY OF WOMEN'S RIGHTS IN ROMAN LAW AND THE CODE NAPOLEON

**77. Swellengrebel, Hendrik Willem [1800-1824].**

Dissertatio Juridica Inauguralis, De Beneficiis, Iure Romano et Nostro Codicis Feminis Concessis, Quam, Favente Deo, Ex Auctoritate Rectoris Magnifici, J.F.L. Schröder (...) Nec non Amplissimi Senatus Academici Consensu, Et Nobilissimae Facultatis Iuridicae Decreto, Pro Gradu Doctoratus Summisque in Jure Romano et Hodierno Honoribus ac Privilegiis, In Academia Rheno-Traiectina, Rite ac legitime Consequendis, Eruditorum Examini Submittit Henr. Gullielm. Swellengrebel, Haganus. Die. 13 Iunii 1823. Hora 2.

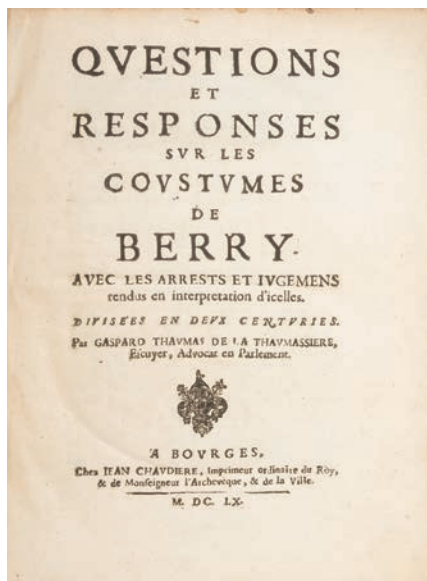
Utrecht: Ex Officina J. Van Schoonhoven, Academiae Typographi, 1823. [iv], 52, [2] pp. Octavo (7-3/4" x 4-3/4"). SOLD

Contemporary grained morocco, gilt frames with corner and small central gilt ornaments to boards, gilt spine with lettering piece, all edges gilt, gilt tooling to board edges, marbled endpapers, ribbon marker. Light rubbing to spine ends and corners, front board slightly bowed, light toning to interior. A handsome copy.

ONLY EDITION. This dissertation discusses the rights of women, with an emphasis on married women, in Roman law and the Napoleonic Code, which was the law of the Netherlands until 1838. The main text is followed a poem by Gerardus Dorn Seiffen (1774-1858), a notable classicist and scholar of Roman law. Our copy's handsome binding suggests it was the author's, possibly bound as a gift to him, or bound by him for presentation.

OCLC locates 9 copies, 7 in the Netherlands, 1 in Italy and 1 in North America (Harvard Law School). Not in the *BMC*.

COMMENTARY ON THE *COUTUME* OF BERRY WITH  
INTERESTING CONTEMPORARY ANNOTATIONS

**78. Thaumassière, Gaspard [1631-1702].**

Questions et Responses sur les Coustumes de Berry. Avec les Arrests et Jugemens Rendus en Interpretation d'Icelles. Divisées en Deux Centuries.

Bourges: Chez Jean Chaudière, 1660-1661. Two volumes in one book. [xviii], 276 [i.e. 278], [2]; [viii], 312 pp. Quarto (8-3/4" x 6-1/2"). \$1,850.

Contemporary mottled calf, raised bands and lettering piece to spine, gilt decoration to compartments, later shelf labels to head of spine. Moderate rubbing and a few shallow scuffs to boards, which are slightly bowed, a few small stains to rear board, rubbing to extremities, joints starting at ends, chipping to head of spine, corners bumped and worn, brief annotation (shelfmark?) to front pastedown. Woodcut head-

pieces, tail-pieces and initials. Light toning to interior, occasional light foxing, clean tears to edges of several leaves, mended on leaf F3 (pp. 45-46) of second volume, affecting text on that leaf only without loss to legibility, minor worming to right margin beginning on p. 211 of first volume and extending through second volume, just touching a few annotations without loss to legibility, light soiling and finger smudges to a few leaves, faint dampstaining to pp. 265-312 of second volume, occasional annotations throughout in an early hand.

FIRST EDITION. Berry, located in central France, is known as the birthplace of several kings and members of the French royal family. First codified in 1540, its customary law was influenced deeply by Roman law. This work is an important commentary on its *coutume* by the French juriconsult, historian and numismatist Gaspard Thaumais de La Thaumassière. The fourth and final edition appeared in 1694.

Our copy contains interesting annotations discussing later case law and comparing the author's remarks to other commentaries. For instance, one note discusses a 1672 judgment in the case of "Madame la Princesse de Guéméné" where customary law took precedence over Roman law. Other notes cite the *Journal du Palais* and commentaries on the customary law of Orleans, Paris and Rheims, among other sources.

OCLC locates 6 copies of the first edition, 2 in North America (George Washington University Law School, Harvard Law School). This edition not in Gouron and Terrin, which lists four editions starting with the second (1691).

WELL-ANNOTATED COPY OF TIRAQUEAU'S STUDY OF FRENCH CIVIL LAW  
AND THE CUSTOMARY LAW OF POITOU

79. Tiraqueau, André [1480?-1558].

De Utroque Retractu, Municipali, Et Conventionali, Commentarii Duo, Iam Tertio, Sed Multò Felicius, Quàm Antea, Renati, & Amendis Propemodum Innumeris, Quae Insuperiori Editione Resederat, Ipsius Denuo Autoris Opera Quàm Accuratissimè Repurgati.

Lyon: Apud Guliel. Rouillium, 1555. [lvi], 16, [1], 353 ff. Folio (13-1/4" x 8-3/4"). \$4,500.

Contemporary quarter calf over paper-covered boards, raised bands, gilt fillets and lettering piece to spine. Moderate rubbing and scuffing to boards, heavier rubbing to extremities with wear to spine ends and corners, boards beginning to separate, but secure. Copperplate frontispiece with architectural border, woodcut image of author to verso. Moderate toning and light foxing to interior, faint dampstaining to foot of text block in a few places, check marks, underlining and annotations to several leaves, a few somewhat illegible, in somewhat later hand.

LATER EDITION. André Tiraqueau, lawyer at the Parliament of Paris since 1541, was an authority on civil law and a leading legal humanist. First published in 1543, *De Utroque Retractu* is a comparative work on the civil law and the customary law of Poitou. A well-received work, it went through several later editions and issues into the seventeenth century.

Based on the handwriting style and content, our copy appears to have been annotated in the late sixteenth or early seventeenth centuries. Several notes relate to inheritance and succession. Others indicate penalties (p. 86) and prohibitions of alienation of the goods of others (p. 200). Throughout, the annotator quotes judgements of the Parliament and does not, in several places, hesitate to contradict Tiraqueau.

Baudrier IX:311.

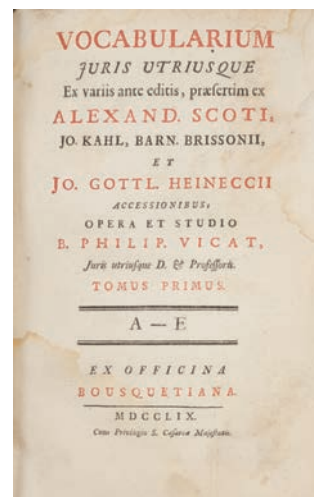


## FIRST EDITION OF A NOTABLE EIGHTEENTH-CENTURY DICTIONARY

80. Vicat, B[eat]-Phil[ippe] [1715-1770].  
 [Scot, Alexander (17th. c.)].  
 [Calvinus (Kahl), Johann (c.1550-c.1610)].  
 [Brisson, Barnabe (1531-1591)].  
 [Heineccius, Johann Gottlieb (1681-1741)].

Vocabularium Juris Utriusque ex Variis Ante Editis, Praesertim ex Alexand. Scoti, Jo. Kahl, Barn. Brissonii, Et Jo. Gottl. Heineccii Accessionibus; Opera et Studio.

[Paris]: Ex Officina Bousquetiana, 1759. Three volumes. [iv], xxviii, 542; [iv], 568; [iii], 566 pp. Volumes I and II have copperplate pictorial frontispieces, that of Volume I mis-bound after title page. Octavo (7-1/2" x 5"). \$1,250.



Contemporary flexible vellum with ties, early hand-lettered titles and traces of later paper shelf labels to spines. Negligible soiling, spine ends and corners bumped and lightly worn, faint dampstaining to edges of text blocks, vellum just beginning to crack through pastedowns, two ties worn away at ends, a few partial cracks to text blocks. Moderate toning to interiors, faint dampstaining in places, mostly confined to margins, spark burns and spots to a few leaves, repairs to front free endpaper and final leaf of Volume I, chip to fore-edge margin of frontispiece of Volume II. An appealing set.

FIRST EDITION. As Vicat explains in his preface, he compiled this dictionary from those of Francois Hotoman, Barnabe Brisson, Johannes Calvinus (Kahl) and, especially, Alexander Scot to bring their "excellent" work to a wider audience. More important, by combining these works and filling the gaps with original entries he was able to create a dictionary that covered the whole language of the law. Vicat's definitions are brief, but they contain comprehensive reference to authorities and texts, as well as conjugations, common phrases using the words, metaphors, alternate definitions and antonyms. Vicat was a jurist and the director of the University of Lausanne's library from 1749 to 1762. A pioneer in library science, he was the first to issue a printed catalogue.

BMC 26:118.



## A NOTABLE EARLY-MODERN HANDBOOK OF COMPARATIVE LAW



**81. Vigelius, Nikolaus [1529-1600].  
Husan, Bernhard Melchior, Editor.**

*Gerichtsbüchlein: Sampt dem Zusatz von Ungewissen Rechten: Dann dem Gespräch des Oratoris und Juristen über solch Büchlein. Darzu Jetzo auff's Neue zu Mehrer Übung, Gebrauch und Rutz Desselben Dreyhundert Auserlesene Casus oder Rechtsfälle, So Theils den Process, Theils Contractis, Testamenta und Andere Miscellanea Betreffen, Aus dem Allgemeinen Römischen/ Kayser/ Päbstlichen und Sächsischen Rechten, Besonders Th. Constitutionen, Auch Gewohnheiten Colligiret und Zusammen Getragen, Pro & Contra mit Fundamentis Solcher Rechte Gezieret, Und die*

*Decision durch Bescheide Annectiret. Allen den Jenigen, So Richterstellen Vertretten, Wie auch den Angehenden Practicis, Und Actuariis, So Manchmal Bescheide Concipirn und Protocoliren Müssen, Nicht Undienlich. Mit Zweyen Registern der Fälle und Fürnehmsten Materien.*

Jena: Gedruckt...bey Ernst Steinman, In Verlegung Christian Forbergers, Buchhandlers in Naumbergk, [1635]. [xvi], 677, [10] pp. Title page preceded by copperplate pictorial title page. Octavo (6" x 3-1/2"). \$950.

Contemporary vellum with yapp-style fore-edges, blind rules to boards, blind fillets and early hand-lettered title to spine, ties renewed (one lacking), edges green. Light soiling and spotting, small hole to rear joint, later (illegible) ownership signature (dated 1716) to front pastedown, minor worming to rear pastedown. Moderate toning to interior, somewhat lighter or heavier in places, occasional light foxing, partial crack in text block between pp. 152-153, all leaves secure. An appealing copy.

LATER EDITION. Vigelius, a professor at Marburg, was one of the leading legal methodists of the late sixteenth century. His *Gerichtsbüchlein* is a comparative collection of cases judged under Roman law, canon law and the customary laws of the Holy Roman Empire. First published in 1588, it went through several editions and issues into the eighteenth century. Our 1635 edition has an attractive copperplate pictorial title page with a depiction of Lady Justice.

VD17 31:749698B.

## PROPOSALS FOR THE REORGANIZATION OF ROMAN LAW

**82. Vigelius, Nikolaus.**

*Methodus Universi Iuris Civilis Absolutissima: Nunc Postremum ab Autore Ipso Recognita, Plurimis in Locis Emendata, & Aucta: Adiecta Insuper Triplicis Ipsius Methodi, Iuris Civilis, Pontificii & Controversi, Collatione.*

Basel: Per Hieronymum Gemusaeum, 1601. [xl] pp., 2002 col., [7] pp. Folio (12-1/4" x 7-1/2"). \$750.

Later (eighteenth-century?) speckled calf, gilt spine with raised bands and lettering piece, edges rouged, endpapers renewed. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, front joint just starting at ends, a few small wormholes to spine, minor chipping to head of spine, corners bumped, front hinge starting, armorial bookplate (of the Szapary coat of arms) to front pastedown.



N° 82

Moderate toning to interior, light foxing, soiling and marginal faint dampstaining in a few places, minor worming to edges of first and final fifteen or so leaves, just touching text in a few places without loss to legibility, last six leaves mended at right margin with loss to text, early and later ownership inscriptions (one of Joseph Szapary) to title page.

LATER EDITION. Vigelius, a professor at Marburg, was one of the leading legal methodists of the late sixteenth century. First published in 1565, *Methodus Universi Iuris Civilis* is a series of proposals for the reorganization of Roman law based on the needs of modern courts. Its final edition was published in 1628.

All editions are scarce. OCLC locates 4 copies of the 1601 edition, none in North America. VDr17 12:207388W.

## A RARE HUNGARIAN LAYMAN'S GUIDE



## 83. Vojdisek, Joseph (József).

Der Ungarische Hausadvocat. Ein Theoretisch-Practisches Handbuch zur Abfassung Verschiedener im Bürgerlichen Leben Vorkommender Geschäftsaufsätze.

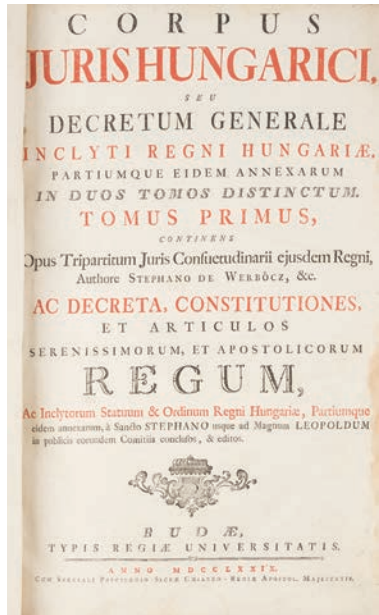
Budapest: Verlag Von C.A. Hartleben, 1831. [vi], 207, [1] pp. Octavo (8-1/4" x 5-1/4"). \$1,250.

Original printed wrappers, untrimmed edges. Moderate soiling and a few minor stains, light wear to spine ends. Moderate toning and light foxing to interior, small inkstamp of Landerers Buchdruckerei to foot of title page.

ONLY EDITION LOCATED. This layman's guide provides guidance and sample forms for topics ranging from rent agreements to pledges. Our copy once belonged to the reference library of the Landerers Buchdruckerei, a Hungarian publishing house that operated in Budapest c.1724-1878.

OCLC locates 1 copy (Szeged University, Hungary). Not in the BMC.

## AN IMPORTANT COMPILATION OF HUNGARIAN CUSTOMARY LAW



84. [Werböczy, István (1465-1531)].  
[Szentiványi, Márton (1633-1705)].

Corpus Juris Hungarici, Seu Decretum Generale Incltyti Regni Hungariae, Partiumque Eidem Annexarum in Duos Tomos Distinctum.

Buda: Typis Regiae Universitatis, 1779. [xvi], 878; 498, 229 pp. Folio (14-1/4" x 8-1/2"). \$850.

Contemporary mottled sheep, blind tooling, volume numbers and lettering pieces to spines, marbled endpapers, edges rouged. Moderate rubbing to boards and extremities, faint dampstaining and a few scuffs, nicks and minor cracks to boards, which are starting to separate at ends but secure, chipping to spine ends, corners bumped and worn, front free endpaper of Vol. II creased and detaching at head but secure, ownership signature to its front endleaf. Vol. I title page printed in red and black, text in two columns, woodcut printer's devices and headpieces. Light toning to interior, occasional light foxing and faint (often very faint)

dampstaining, adhesive residue to leaf Q1 (pp. 121-122) causing it to tear and partially adhere to following leaf with resulting offsetting and loss to legibility.

THE *CORPUS JURIS HUNGARICI* consists of the *Tripartitum*, the first distillation of Hungarian customary law, the *Cynosura*, its separate accompanying indices, and Hungarian statutes issued after the *Tripartitum* in 1517. The first compilation to use the title *Corpus Juris Hungarici* was published in 1696 by Márton Szentiványi; later editions, such as ours, also include the *Praxis Criminalis* of Ferdinand III. Though later editions were known to be defective, the *Corpus Juris Hungarici* maintained its authority by frequent use in the courts and provided the basis of Hungarian law until 1848.

OCLC locates 6 copies of this edition in North American law libraries (Yale, University of Miami, Northwestern, Indiana University, University of Michigan, UC-Berkeley). Not in the *BMC*.

TWO RARE WORKS CONCERNING THE  
FIRST COMPILATION OF HUNGARIAN CUSTOMARY LAW

## 85. Werböczy, István.

Werboczius Illustratus: Sive, Decretum Tripartitum Juris Consuetudinarii Incltyti Regni Hungariae.

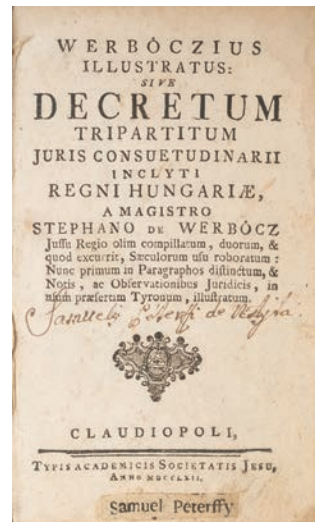
Cluj-Napoca (Kolozsvár): Typis Academicis Societatis Jesu, 1762. [xiii], 569, [237] pp.

[BOUND WITH] Kitonich, János [1560?-1619].

Centuria Certarum, Et Dubietatum, Contrarietatum et Dubietatum, Ex Decreto Tripartito Desumptarum et Resolutarum.

Cluj-Napoca (Kolozsvár): Typis Academicis Societatis Jesu, 1764. 95 pp. \$1,500.

Octavo (6-3/4" x 4-1/4"). Contemporary calf, raised bands, lettering piece and blind ornaments to spine. Moderate rubbing, chipping to lettering piece, corners somewhat worn, front hinge cracked through, rear hinge starting, text block slightly loose but secure, front free endpaper partially detached with wear to fore-edge. Moderate toning

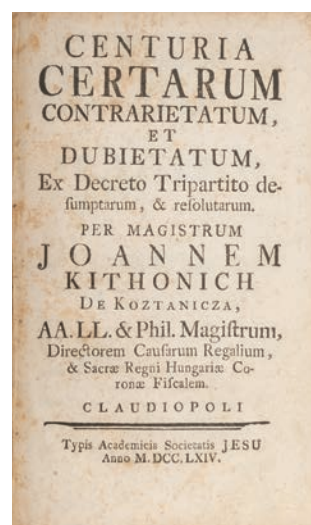




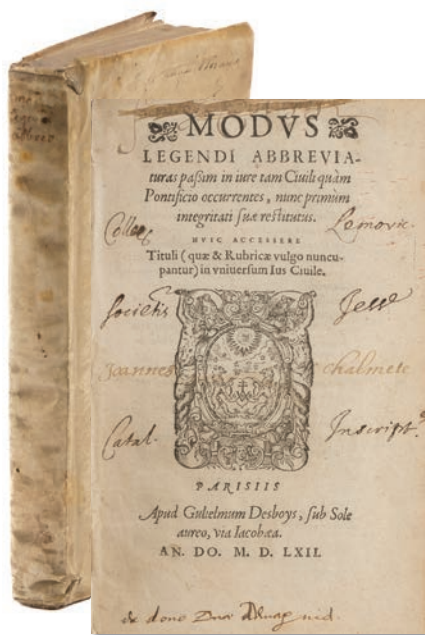
and light foxing to interior, contemporary and later annotations to endleaves, brief contemporary annotations and underlining to text in a few places, light soiling and early owner signature and small bookplate (Samuel Peterssy).

**LATER EDITIONS.** The two titles in this book, both rare, are an edition of the *Tripartitum*, with anonymous notes, and an analytical commentary on, to cite its title, 100 “controversial” and “doubtful” points in that work. Compiled by Werböczy and presented to the Diet of Hungary in 1514, the *Tripartitum* was the first to provide a distillation of Hungarian customary law. It aimed, for the most part, to enumerate the rights of the Hungarian nobility, mostly in respect to lands its members held, and outline the principles of Hungarian procedural law. The work was prefaced by a prologue that drew on a largely unidentified array of canonical and civilian texts. It was first published in 1517. Though never an official work, it was the basis of Hungarian law until 1848, and some of its passages were retained in later collections of Hungarian law. The annotated *Tripartitum* was first published in 1700, its final edition in 1822. The *Centuria Certarum* was first published in 1619 with later editions, some incorporated into editions of the *Tripartitum*, into the 1800s.

OCLC locates 4 copies of the 1762 *Tripartitum* and 3 copies of the 1764 *Centuria Certarum*; it locates a volume identical to ours at the University of Chicago and no other editions of either title in North America.



SIXTEENTH-CENTURY EDITIONS OF  
THREE CLASSIC LEGAL REFERENCE WORKS



**86. [Wernherus of Schussenried (15th. c.).]**

**Modus Legendi Abbreviaturas Passim in Iure tam Civili quam Pontificio Occurrentes, Nunc Primum Integritati Suae Restitutus. Huic Accessere Tituli (Quae & Rubricae Vulgo Nuncupantur) In Universum Ius Civile.**

Paris: Apud Gulielmum Desboys, 1562. 55, [1] ff. Final leaf blank.

[BOUND WITH] **Legum Flosculi, Nunc Demum Suae Integritati Restituti.**

Paris: Apud Gulielmum Desboys, 1566. [42] ff.

[AND] **[Azo, Portius (fl. 1150-1230)].**

**Brocardica Iuris, Seu Verius, Communes Iurium Sententiae, Serie Alphabetica Digestae: Post Multa Tandem Secula Natalibus Velut Suis Restitutae; Hoc Est, A Mendis Librarium Repurgatae.**

Paris: Apud Gulielmum Desboys, 1566. [32] ff. \$1,750.

Octavo (6-1/4" x 3-3/4"). Contemporary limp vellum, faint hand-lettered title to spine, remnants of thong ties at fore-edges, edges rouged. Light soiling and a few small ink spots, early faint annotation to front, spine ends and corners bumped, rear pastedown loosening, front hinge starting. Light toning to interior, occasional faint (often very faint) dampstaining to bottom edge, early owner signatures and annotations (one struck-through) to title page of *Modus Legendi*, very faint underlining to a few leaves and faint dampstaining to bottom half of first 25 or so leaves of that work. An appealing copy.

**THIS BOOK** collects three important early legal reference works. First published in 1475, *Modus Legendi Abbreviaturas* is a dictionary of abbreviations compiled by the fifteenth-century jurist Wernherus

of Schussenried. First published in 1497, *Legum Flosculi*, more commonly known as *Flores Legum*, is an anonymous collection of maxims arranged alphabetically. Attributed to Portius Azo, the *Brocardia Iuris* is a legal handbook. These three titles were often published together or bound together by owners.

In North America, OCLC locates 1 copy of this edition of *Modus Legendi Abbreviaturas* (Yale Law School), 2 copies of *Legum Flosculi* (Yale Law School, Charleston Library Society) and 1 copy of *Brocardica Iuris* (Yale Law School). USTC 198601, 154650, 154630.

COLLECTED WORKS OF A NOTABLE SPANISH JURIST



87. Yañez Parladorio, Juan [active 16th century].

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

Lyon: Sumpt. Joannis Antonii Huguetan, & Soc., 1678. [xx], 424, [60] pp. Main text in parallel columns. Folio (13-3/4" x 9"). \$950.

Contemporary vellum (from a manuscript leaf), later hand-lettered title to spine, pastedowns renewed, other endleaves removed. Staining to boards, front board bowed, spine ends and corners bumped, spine lettering partially rubbed away in places. Title page printed in red and black. Moderate toning, light foxing to most of text,

small inkspots to a few leaves, partial crack in text block between half-title and title page, repairs to fore-edges of half-title, title page and following leaf.

SECOND EDITION. Parladorio's life or career was an advocate in Valladolid and a legal advisor to the Spanish monarchy who was renowned throughout Europe for his knowledge of civil, administrative and commercial law. His works went through many editions and were published in several important publishing centers. *Opera Juridica* is a collection of his most important works. First published in 1595, its final four editions were published in 1688, 1734, 1761 and 1762. All are scarce.

OCLC locates 10 copies of the second edition, none in North America. USTC 6154013.



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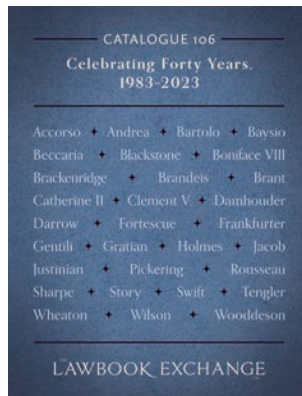
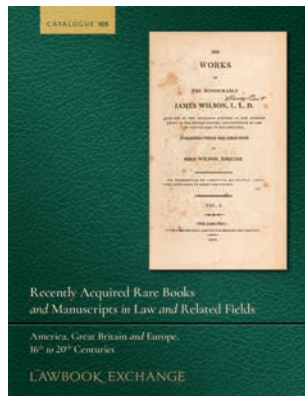


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Compendium seu abreviatura. Fratris Siluestri prietani ordinis  
dicatorum. in eximium doctorem Joannem Lapreolum. feliciter incipi



**P**ROLOGI  
PRIMI SE  
TERTIAR Q  
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SCIA REQ

...z ubiunq; tenet q; de eodem no  
z fides. vt. 22. q. i. ar. 5. 3. o. 24. ar. 9  
Sexta. ista doctria est necessaria  
manam salutem preter scientias huius  
inuentas. i. q. i. ar. i.  
Cōtra p<sup>as</sup> p<sup>ad</sup>u<sup>si</sup>ōez arguit Aureo  
pbado q; ad rōnē scie etiā sbaltne nō  
at notitia creditiua p<sup>ad</sup>u<sup>si</sup>ōez. p<sup>o</sup> sic. L  
bit<sup>o</sup> p<sup>ad</sup>u<sup>si</sup>ōez nobilito: ē bitu p<sup>ad</sup>u<sup>si</sup>ōez  
scite. tū q; p<sup>ad</sup>u<sup>si</sup>ōez p<sup>o</sup>. poste. tū q; p<sup>ad</sup>  
q; vniūq; q; tē. S; bit<sup>o</sup> creditiū nō ē no  
ltoz aliq; bitu p<sup>ad</sup>u<sup>si</sup>ōez scite. s; q; scit  
p<sup>ad</sup>u<sup>si</sup>ōez ip<sup>si</sup> credē. g<sup>o</sup> nullus bitus crediti  
uus ē bit<sup>o</sup> p<sup>ad</sup>u<sup>si</sup>ōez. Sol. p<sup>ad</sup>u<sup>si</sup>ōez p<sup>ad</sup>  
nōis z solutōez argu<sup>o</sup> sciēdū est p<sup>o</sup>. q; ois  
scia deriuat semp ab intellectu l; nō sp<sup>ad</sup>ime  
diatē. vñ sciaz p<sup>ad</sup>u<sup>si</sup>ōez cū qdā sint p<sup>o</sup> z qdā p<sup>ad</sup>  
rima. bit<sup>o</sup> p<sup>ad</sup>u<sup>si</sup>ōez cū semp sit intellect<sup>o</sup>. sp<sup>ad</sup>  
nobilito: ē bitu p<sup>ad</sup>u<sup>si</sup>ōez q; ad euidētia z  
modū assentiēdi. hūit<sup>o</sup> aut p<sup>ad</sup>u<sup>si</sup>ōez q; ad  
modū assentiēdi tū. Hā p<sup>ad</sup>u<sup>si</sup>ōez creditiua  
assentiētiū sine alia p<sup>ad</sup>u<sup>si</sup>ōez nō autē p<sup>ad</sup>u<sup>si</sup>ōez  
Quo<sup>o</sup> ad euidētia sō sit cogitō. S; sciaz  
est 2<sup>o</sup>. qd scia sup<sup>o</sup> est p<sup>ad</sup>u<sup>si</sup>ōez. q; in sua  
p<sup>ad</sup>u<sup>si</sup>ōez q; certitudo nō dependet vt sciaz  
nāz. z ip<sup>si</sup> scia q; dependet ab alia vt sciaz  
nāz a sbaltmāte q; nō ē p<sup>ad</sup>u<sup>si</sup>ōez nāz vt con  
tūat. cū illa. Det aut sup<sup>o</sup> est. Quodē n.  
est sup<sup>o</sup> scia cū. S; sciaz nō sit sciaz  
locū nō nāz cogitō. Quodē sō nō p<sup>ad</sup>  
p<sup>ad</sup>u<sup>si</sup>ōez q; sciaz nō nāz p<sup>ad</sup>u<sup>si</sup>ōez nō sciaz  
vt theo<sup>o</sup> ista que tū sciaz sciaz nō p<sup>ad</sup>  
nāz cū sup<sup>o</sup> sciaz. Hā arg<sup>o</sup> ergo nō p<sup>ad</sup>  
tū maior de p<sup>ad</sup>u<sup>si</sup>ōez p<sup>ad</sup>u<sup>si</sup>ōez q; est sō de  
p<sup>ad</sup>u<sup>si</sup>ōez. Et minor sō q; tū ad sō. cōmūto  
sciaz sbaltmāte z sō nōis nōis cō  
tūat cū sup<sup>o</sup> sciaz vt in p<sup>ad</sup>u<sup>si</sup>ōez. s; 1<sup>o</sup> q;  
2<sup>o</sup> sō. s; p<sup>ad</sup>u<sup>si</sup>ōez. z p<sup>ad</sup>u<sup>si</sup>ōez. s; p<sup>ad</sup>u<sup>si</sup>ōez  
q; de p<sup>ad</sup>u<sup>si</sup>ōez. z de sō sō. cōmūto  
nāz cū. ergo est sciaz vt sciaz. s; sciaz  
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rat endētia z intellectu suoz primoz p<sup>ad</sup>u<sup>si</sup>ōez  
p<sup>ad</sup>u<sup>si</sup>ōez: nō tū ois scia requit intellectu aut cui  
dētia suoz p<sup>ad</sup>u<sup>si</sup>ōez p<sup>ad</sup>u<sup>si</sup>ōez p<sup>ad</sup>u<sup>si</sup>ōez scia sbalt  
nata. boe. tri. q. 2. ar. 2. 7<sup>m</sup>. Et p<sup>o</sup>. q. i. ar. 2<sup>o</sup>.  
C<sup>o</sup> scia l; theo<sup>o</sup> nāz iuēta. i. p<sup>ad</sup>u<sup>si</sup>ōez nū  
li scie sbaltnef theo<sup>o</sup> tū p<sup>ad</sup>u<sup>si</sup>ōez bita  
sbaltnef scie dei vt b<sup>o</sup>z. boe. d. 5. 6. q. 14.  
ar. 9. 3<sup>m</sup>. C<sup>o</sup> Tertia l; theo<sup>o</sup> scio<sup>o</sup> dicta n  
fit eq<sup>o</sup> p<sup>ad</sup>u<sup>si</sup>ōez z p<sup>ad</sup>u<sup>si</sup>ōez scia sic theo<sup>o</sup> p<sup>ad</sup>u<sup>si</sup>ōez  
tū ipsa ē scia. z b<sup>o</sup> nāz tū p<sup>ad</sup>u<sup>si</sup>ōez scie dei z  
b<sup>o</sup>z. vi. d. 5. 3<sup>o</sup>. o. 2. q. 1. ar. 2<sup>o</sup>. q. 4. boe. d. 5.  
C<sup>o</sup> Quarta theo<sup>o</sup> scio<sup>o</sup> dicta ē certioz q; cū  
q; scia hūanit<sup>o</sup> iuēta l; sit iuēta. i. o. 2. q. 2. ar. 2<sup>o</sup>.  
q. 2. ar. 2<sup>o</sup>. vtualt z de vt. q. 14. ar. 1. 7<sup>m</sup>. Est  
aut sciedū q; dup<sup>o</sup> ē certitudo. s. simpli q; ē  
ex p<sup>ad</sup>u<sup>si</sup>ōez scie z a. s. l. bo. 2<sup>o</sup>. vbi. n. sc. distit.  
Est definitio itel<sup>o</sup> ad vni. Illa tāto ē  
maio: q; to deteriori sūerit sōnt<sup>o</sup> qd i si  
de ē ipa vitan p<sup>o</sup> cui credit. Illa ē s; qd i  
ex p<sup>ad</sup>u<sup>si</sup>ōez obi q; s; qd vtiq; ē cū de p<sup>ad</sup>u<sup>si</sup>ōez obo  
pollit cō opio. Dūc lūco. p<sup>o</sup> poste. cōm. s.  
sic distit. Est lux spūal q; sup<sup>o</sup> sciaz. s.  
b<sup>o</sup> itellectualib; z oculo mētis q; ita s; hūit  
ad oculū intēozē z ad res itellectuales s;  
ad oculū z res corpales. Et q; dūc ad  
mo. q; q; to aliq; sit p<sup>ad</sup>u<sup>si</sup>ōez scie certioz  
vt scia de aia alia s; sciaz de corp<sup>o</sup> est  
no: s; s; sciaz nāz sciaz in oculo s;  
Quita theo<sup>o</sup> s; sciaz cūta cōmūto quo est  
nō ē scia certioz s; sciaz. s; sciaz  
vt illa. s; l. q. 14. ar. 9<sup>m</sup>. boe. vt



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