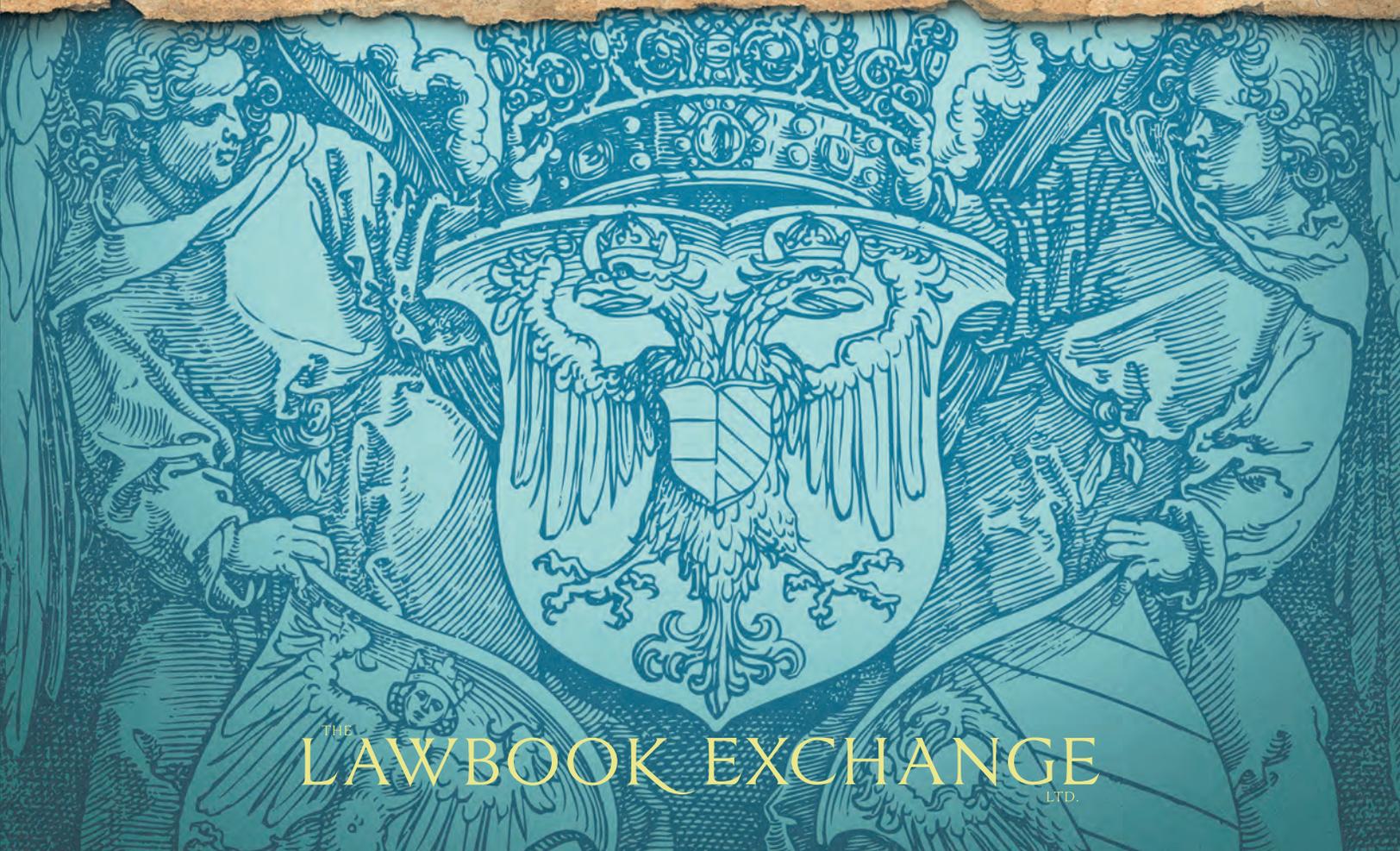


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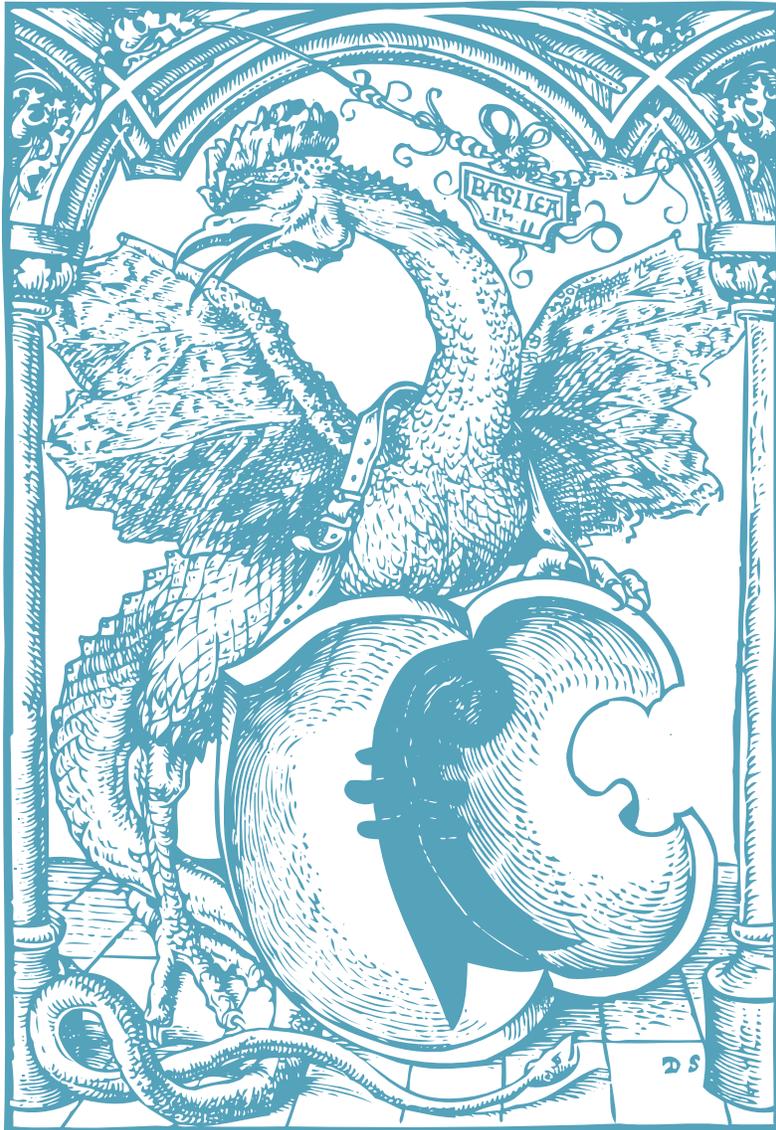
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Necessarye for all
yong studiers of
the lawe.

ANNO Domini. M.
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Because of space limitations, we have not included all images that are available to describe each book. For additional images, please visit our website.

www.lawbookexchange.com

Please contact us if you would like us to provide additional specific images not shown here or on our website.

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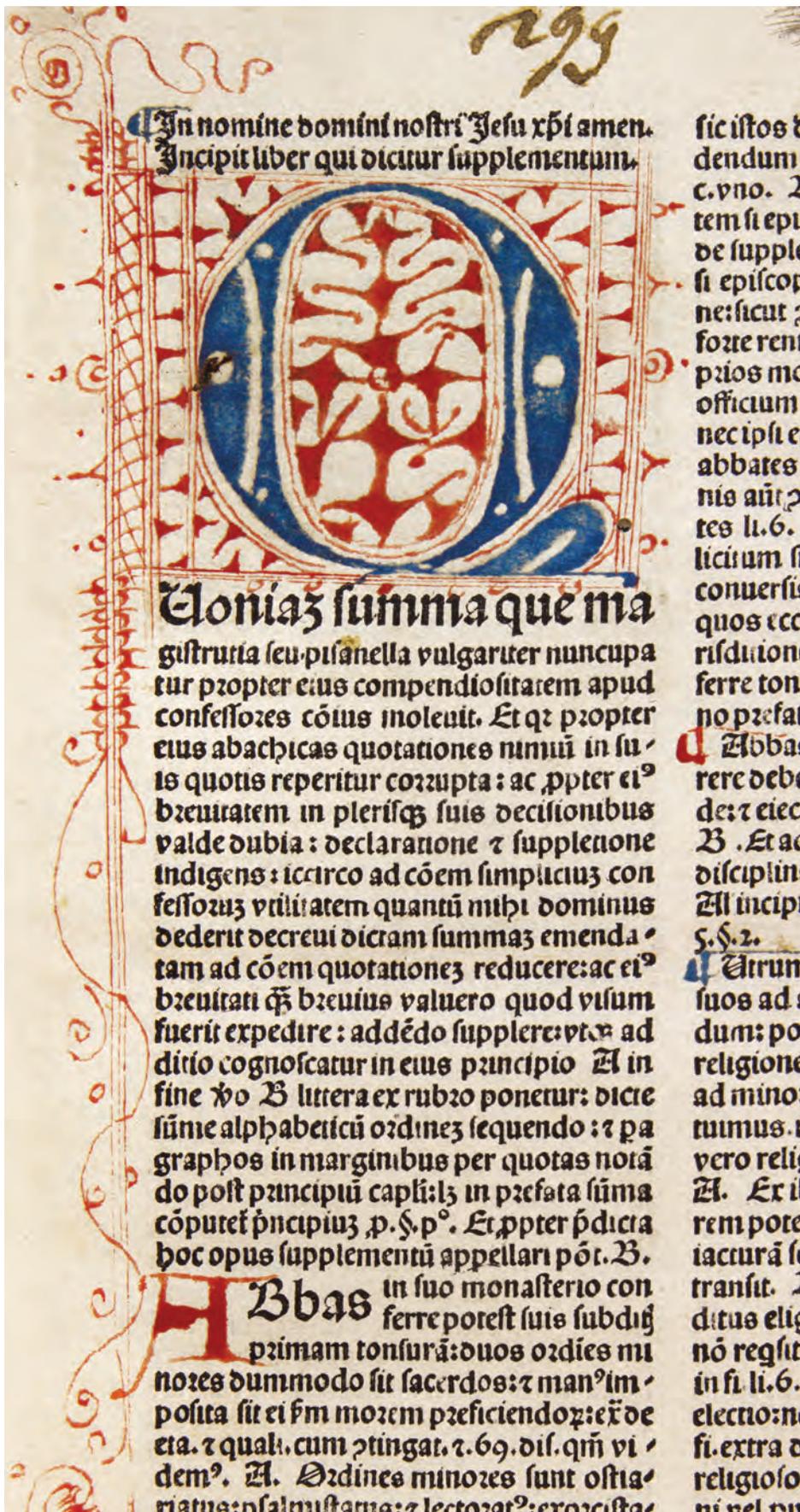
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I Incunabula (1478–1500)

Law books from
the first decades
of printing

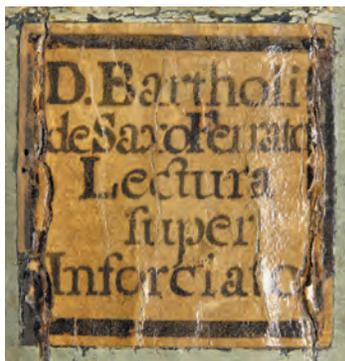
1 BARTOLO OF SASSOFERRATO [1314-1357].

[Infortiatum: Super Prima Parte Infortiati].

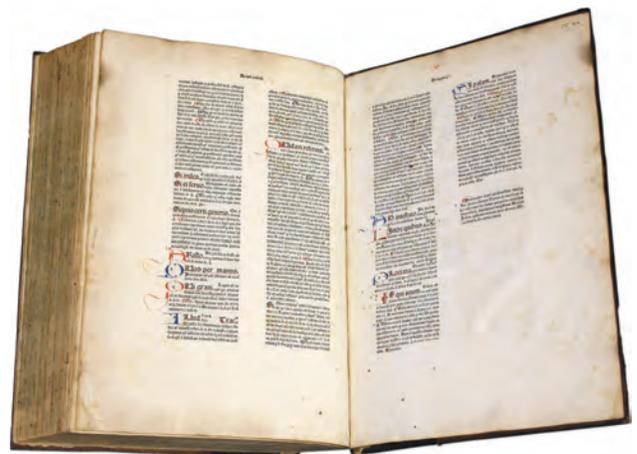
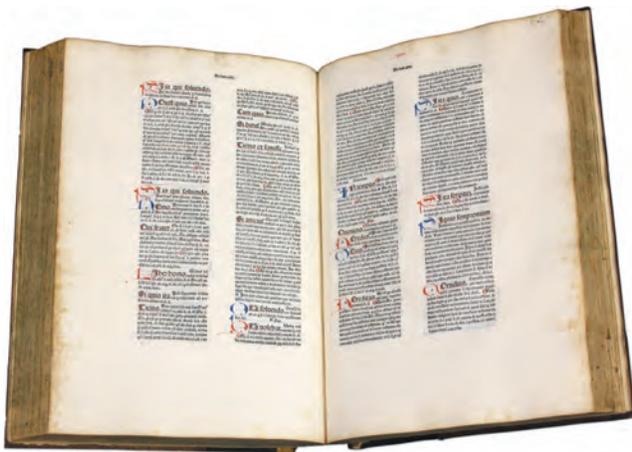
[Venice, Nicholaus Jenson, 28 March 1478]. Collation: a10, b-z8, A-C8, D-E6. 221 leaves forming 442 pages. Complete, except for the final blank. Folio (16-1/2" x 11-1/4").

Contemporary half pigskin over wooden boards, raised bands and later hand-lettered title label to spine, clasps lacking. Several tiny wormholes, a few cracks to spine, chip to foot of spine, signatures a and E6 partially detached, bookplate of Robert Proctor and 1942 bookseller description from The Rosenbach Company to verso of front board, pastedowns lacking (or never present). Text printed in 60-line gothic type on wide-margined paper, initial spaces filled in alternate red and blue, most with flourishes, seven-line initial "Q" at beginning of text in red and blue with flourish in the margin, chapter numerals at head in red. Light toning to text, occasional discoloration to outer margins, minor worming in places. Contemporary (or early) manuscript table of contents to initial blank, annotations in similar hand to a few other leaves, interior otherwise clean. A handsome copy and a fine specimen of Jenson's Gothic typeface. \$30,000.

BETWEEN 1250 AND 1450 the Post-Glossators, a group of legal scholars and teachers in Italy, initiated the recovery of Roman law texts from the corruptions of the medieval Glossators. Their efforts to apply Roman law to the jurisprudence of their day also prepared the way for the natural law school of the seventeenth century and helped to lay the foundations of the modern state. The greatest member of this group was Bartolo of Sassoferrato. Better known as Bartolus, he was a practicing lawyer and professor at the University of Perugia. His unrivalled reputation derives from his enormous literary output, much of it dealing with the texts later collected as the *Corpus Juris Civilis*. He produced commentaries on most of these texts. The most notable are the ones dealing with the *Digest* and *Code*; all of them went through numerous editions and issues. *Super Prima Parte Infortiati* is a commentary on a group of books from the *Digest* concerning donations between husband and wife, divorce, curatorship, wills and testaments and trusts and legacies. (The Medieval Glossators divided the 50 books of the *Digest* into three parts: *Digestum Vetus*, 1-XXIV, Title 2, *Infortiatum*, XXIV, Title 3-XXXVIII, and *Digestum Novum*, XXXIX-L.) Robert Proctor [1868-1903] was the bibliographer and book collector who established the "Proctor order" for cataloguing incunabula at the British and Bodleian Libraries. A bookseller catalogue description of this book (purchased from The Rosenbach Company) shows it was purchased on June 15, 1942, from their Catalogue 33, item 40, *Selections from Our Shelves*, 1942. Rosenbach's description mentions "the only copy [of this imprint] recorded in America by the New Census is in the Morgan Library." The *ISTC* locates 3 copies of this imprint in North America (Harvard Law School, Morgan Library, New York Public Library). Goff B233. CW 3616.



1478 PRINTING OF BARTOLUS'S IMPORTANT COMMENTARY ON THE FIRST PART OF THE *DIGEST*



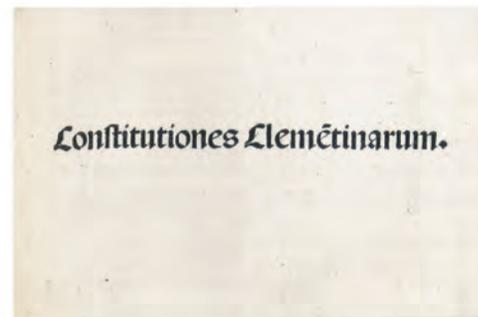
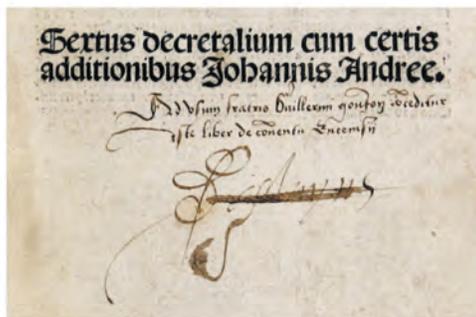
2 [BONIFACE VIII, POPE (1235-1303)].
 [D'ANDREA, GIOVANNI [c.1270-1348]. GLOSSATOR.
 [BRANT, SEBASTIAN (1457-1521). EDITOR].

Sextus Decretalium cum Certis Additionibus Johannis Andree.

[Basel: Johann Froben and Johann Amerbach, December 1, 1500]. Two parts in one, Part II is titled *Constitutiones Clementinarum*. [288] ff. Collation: AA6, a-y8, z12; AA-MM8. Complete. Main text surrounded by linear glosses in parallel columns, printed in red and black throughout. Large woodcut depicting the presentation of the *Liber Sextus* to Boniface on fol. [8]v, woodcut tables of consanguinity and descent on ff. [3]v and [5]r. Quarto (8" x 6").

Recent vellum, hand-lettered title to spine, endpapers added, edges rouged. Text in 72-line gothic type printed throughout in red and black. Light toning to text. Early annotation to title page of the *Liber Sextus*, marginalia to a few leaves, some affected by trimming. Light soiling to bottom inner margins on first 100 leaves, faint dampstaining to outer margins of a few leaves at end of text block, interior otherwise fresh. \$9,500.

WITH A REGISTER OF TITLES and D'Andrea's *Super Arboribus Consanguinitatis et Affinitatis*. Attempts to codify the body of canon law began in earnest during the Carolingian Empire. These efforts reached fruition between 1020 and 1025 in the twenty-volume *Decretum* of Burchard, Bishop of Worms. The next great step was taken in 1234 with the *Libri Quinque Decretalium* of Gregory IX, which formed the basis of the *Corpus Juris Canonici*. The *Liber Sextus* of Boniface VIII (1298), the last great collection of the pre-Reformation era, consists of updates and modifications. The *Clementinae Constitutiones* (1313) is a collection of papal legislation that modifies portions of the *Liber Sextus*. It was followed by the *Extravagantes Joannes XXII* and the *Extravagantes Communes* in 1325. All of these texts were edited after the Council of Trent in 1582 under the collective title *Corpus Juris Canonici*. 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. His glosses were first published in 1472. Our edition by the great Basel printers Froben and Amerbach was the last printed in the fifteenth century. Remembered today as the moral and satirical poet of *Das Narrenschiff* (*The Ship of Fools*, 1549), Brant was also a notable legal scholar and humanist. His edition of the *Liber Sextus* was first published in 1494. The *ISTC* locates 4 copies of this imprint in North America (Harvard Law School, Huntington Library, Library of Congress, UC-Berkeley Law Library). Goff B1015. GW 4905.



3 BRANT, SEBASTIAN [1458-1521], EDITOR.

Annotatio[n]es Sive Reportatio[n]es Margaritaru[m] Omniu[m] Decretalium S[e]c[un]d[u]m Alphabeti Ordinem.

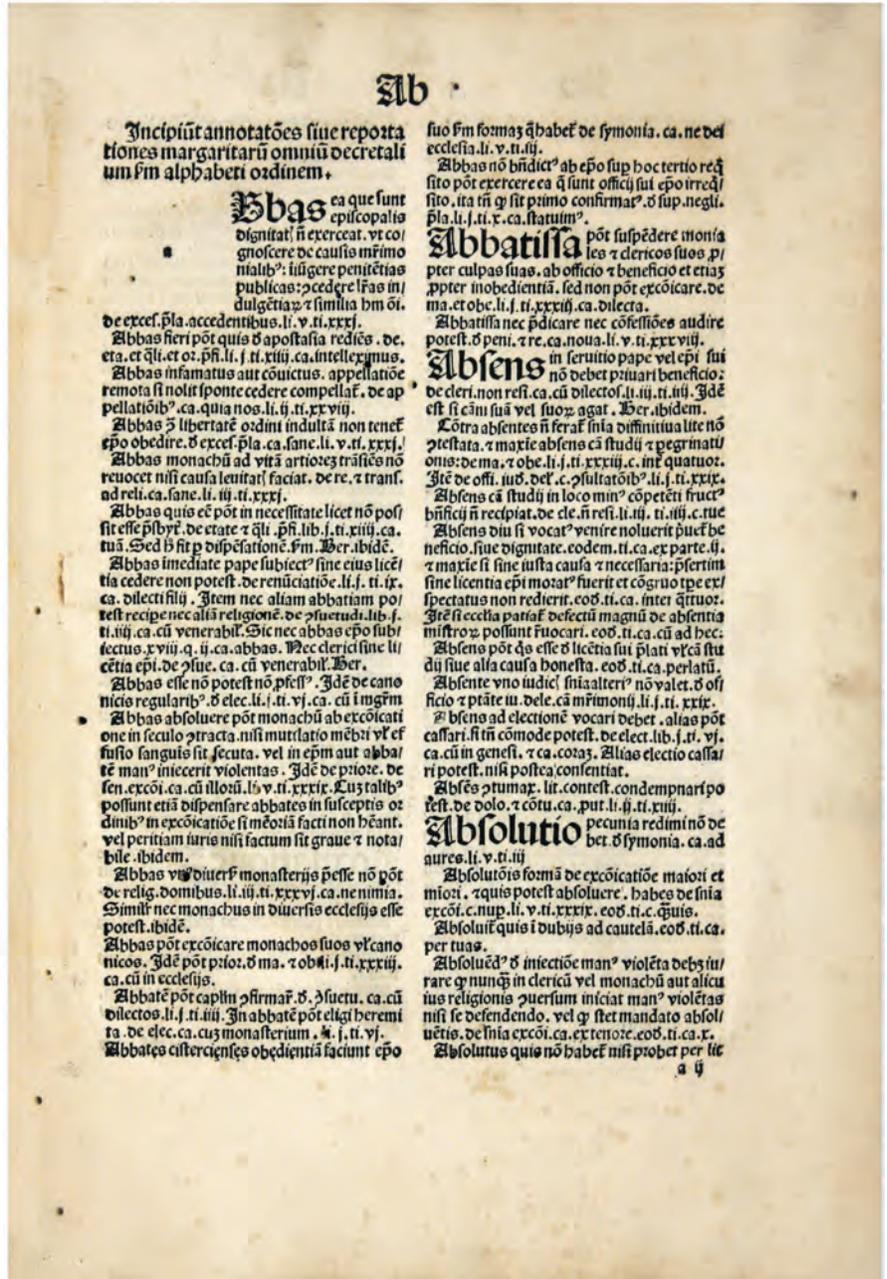
[Basel: Nicolaus Kesler, c.19 June 1496]. Collation: a8b-c6d4, e-g6. 41 of 42 ff. Final leaf, a blank, lacking. Text in parallel columns. Folio (12" x 8-1/2").

Contemporary blind-tooled quarter pigskin over wooden boards, raised bands to spine, strap lacking, buckles present, early hand-lettered title to foot of text block. Light soiling, minor wear to upper corners, a scattering of worm holes to boards. Text printed in 54-line Gothic type. Moderate toning to text block, occasional faint dampspotting, minor worming in places, edgewear and minor stains to a few leaves, internally clean. \$12,500.

FIRST EDITION, ONE OF TWO ISSUES FROM 1496. Remembered today as the moral and satirical poet of *Das Narrenschiff* [*The Ship of Fools*], Brant was also a noted legal scholar and humanist. He studied at Basel, where he completed a doctor of laws degree. After serving on Basel's law faculty he moved to Strasbourg, his birthplace, where he became city clerk and enjoyed a position of great prominence. Brant was later appointed imperial councillor by the Holy Roman Emperor Maximilian I, who elevated him to the nobility. The *Margaritarum* is an alphabetically arranged compilation of excerpts from the *Decretals* of Gregory IX, one of the principal books of the *Corpus Juris Canonici*, concerning descent, affinity and consanguinity. OCLC locates 3 copies of this imprint in North America (Harvard Law School, Harvard Medical School, UC-Berkeley Law School). The *ISTC* locates 6 more copies (California State Library, Huntington Library, Library of Congress, Princeton University, University of Illinois, Walters Art Museum). Goff M263. CW M20967.



CONSANGUINITY AND AFFINITY
IN THE *DECRETALS* OF GREGORY IX



Incipiunt annotatōes siue reportationes margaritarū omnium decretalium fm alphabeti ordinem.

Abbas ea que sunt episcopalis dignitas; si exerceat, vt cognoscere de causis infirmis; iungere penitentias publicas; pcedere ius in dulgētiis; et similia huiusmodi.

de exco. pla. accedentibus. li. v. ti. xxxj.
 Abbas fieri potest quis d' apostasia rediens. de. eta. et qli. et or. ph. li. j. ti. xliij. ca. intellegimus.
 Abbas infamatus aut coactus. appellatioe remota si nolit sponte cedere compellat. de appellatioib'. ca. quia nos. li. ij. ti. xxvij.
 Abbas si libertate ordinis indultā non tenet epō obedire. d' exco. pla. ca. sane. li. v. ti. xxxj.
 Abbas monachū ad vitā artioez trāsire nō reuocet nisi causa leuitat' faciat. de re. et transf. ad reli. ca. sane. li. ij. ti. xxxj.
 Abbas quis eē pot' in necessitate licet nō possit esse pbyr. de etate et qli. ph. lib. j. ti. xliij. ca. tuā. Sed h' sit p' dispensationē. fm. ibidē.
 Abbas immediate pape subiect' sine eius licētia cedere non potest. de renūciatioe. li. j. ti. ix. ca. dilecti filij. Item nec aliam abbatiam potest recipere nec alia religionē. de p'fuetud. lib. j. ti. iij. ca. cū venerabil'. Sic nec abbas epō subiectus. xvij. q. ij. ca. abbas. Nec clericus sine licētia epī. de p'fue. ca. cū venerabil'. ibidē.
 Abbas esse nō potest nō p'fess'. Idē de canonicis regularib'. d' elec. li. j. ti. vj. ca. cū iug' fm.
 Abbas absoluerē pot' monachū ab excoicatioe in seculo p'tracta. nisi mutatio mēbz v' effusio sanguinis sit secuta. vel in epm aut abbatē man' iniecerit violentas. Idē de p'ioze. de sen. excoi. ca. cū illorū. li. v. ti. xxxij. Cuz talib' possunt etiā dispensare abbatē in susceptis ordinib' in excoicatioe si mēozā facti non bēant. vel peritiam furis nisi factum sit graue et notabile. ibidē.
 Abbas videtur monasterijs p'esse nō pot' de relig. domibus. li. ij. ti. xxxvj. ca. ne nimia. Simil' nec monachus in diuersis ecclesijs esse potest. ibidē.
 Abbas pot' excoicare monachos suos v' canonicos. Idē pot' p'ioze. d' ma. et obli. j. ti. xxxij. ca. cū in ecclesijs.
 Abbatē pot' caplm p'firmat'. d' p'fuetu. ca. cū dilectos. li. j. ti. iij. In abbatē pot' eligi heremita. de elec. ca. cū monasterium. h. j. ti. vj.
 Abbatē cisterciensē obediētiā faciunt epō

suo fm formas q' habet de symonia. ca. ne de ecclesia. li. v. ti. ij.
 Abbas nō b'ndict' ab epō sup hoc tertio req' sito pot' exercere ea q' sunt officij sui epō irreq' sito. ita tñ q' sit p'imo confirmat'. d' sup. negli. pla. li. j. ti. r. ca. statum'.
Abbatissa pot' suspēdere moniales et clericos suos p'pter culpas suas. ab officio et beneficio et etiā p'pter inobediētiā. sed non pot' excoicare. de ma. et obe. li. j. ti. xxxij. ca. dilecta.
 Abbatissa nec p'dicare nec cōfessiones audire potest. d' peni. et re. ca. noua. li. v. ti. xxxvij.
Absens in seruitio pape vel epī sui nō debet priuari beneficio; de cleri. non resi. ca. cū dilectos. li. ij. ti. iij. Idē est si cū suā vel suoz agat. ibidē.
 Cōtra absentes nō ferat' inia diffinitua lite nō p'fektā. et maxie absens cū studi' et p'gramatū onis; de ma. et obe. li. j. ti. xxxij. c. inē quatuor. Idē de offi. iud. d' c. p'fuitatioib'. li. j. ti. xxxij.
 Absens cū studi' in loco min' cōpetēti fruct' b'nficij nō recipiat. de cle. si resi. li. ij. ti. iij. c. tue.
 Absens diu si vocat' venire noluerit p'f'ct' de neficio. siue dignitate. eodem. ti. ca. ex parte. ij. et maxie si sine iusta causa et necessaria p'fertim sine licētia epī morat' fuerit et cōgruo tpe et p'pectatus non redierit. eod. ti. ca. inē q'ntuor. Idē si ecclia p'f'ctā defectū magnū de absentia mistroz possunt fuocari. eod. ti. ca. cū ad bec.
 Absens pot' q's esse d' licētia sui plati v' cū suū diu siue alia causa honesta. eod. ti. ca. perlatū.
 Absente vno iudic' inia alteri' nō valet. d' oficio et p'ate u. de cle. cū m'fionij. li. j. ti. xxxij.
 Absens ad electionē vocari debet. alias pot' cassari. si tñ cōmode potest. de elect. lib. j. ti. vj. ca. cū in geneti. et ca. cotaz. Alias electio cassari potest. nisi postea consentiat.
 Absens p'umax. lit. contest. condempnat' potest. de dolo. et cōtu. ca. put. li. ij. ti. xliij.
Absolutio pecunia redimō de bet. d' symonia. ca. ad aures. li. v. ti. ij.
 Absolutiois formā de excoicatioe maior' et minor'. et quis potest absoluerē. habes de inia excoi. c. nup. li. v. ti. xxxij. eod. ti. c. q'uis.
 Absolut' quis i dubijs ad cautela. eod. ti. ca. per tuas.
 Absolut' d' iniectioe man' violēta de b'z iur' rare q' nunq' in clericū vel monachū aut alius religionis p'uerum inicit man' violētas nisi se defendendo. vel q' sit mandato absoluetis. de inia excoi. ca. et tenore. eod. ti. ca. r.
 Absolutus quis nō habet nisi probet per lit

4 DE AUSMO (OSIMO), NICOLAUS [D. 1453].
 DE NEVO (NIEVO), ALEXANDER [D. 1484].
 [BARTHOLOMEW, OF SAN CONCORDIO (1262-1347)].

[Supplementum Summae Pisanellae et Canones Poenitentiales Fratris Astensis et Consilia Alexandri de Nevo Contra Judaeos Foenerantes].

[Venice: Andreas Torresanus, de Asula, Bartolomeo de' Blavi and Maffeo de Paterbonis, 10 March 1481]. [336] ff. Text in parallel columns. Collation: a-f12, g-h8, i12, k-o8, oo8, p-r8, [et]8, s-y8, A- M8, j8, [et]12. First leaf [a1] unsigned and blank. Complete. Quarto (7-1/2" x 6").

Eighteenth-century three-quarter vellum over marbled boards, hand-lettered title to spine. Light rubbing, spine ends bumped, joints just starting at foot, a few minor worm holes to hinges, leaves L3-6 partially detached. Initials supplied in alternating red and blue throughout, paragraph marks in red, first initial, Q, in blue with ornate red background and long penwork border, with numerous smaller rubricated initials in red and blue. Light toning to text, finger smudges and negligible faint dampstaining to some leaves, interior otherwise clean. \$12,500.

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. Appended to the *Summa* are two other important texts: Alexander de Nevo's (or Nievo's) analysis of the Church's view of Jewish money lenders, *Consilia Contra Judaeos Fenerantes*, and the *Canones Poenitentiales* by Astesano (d. 1330?). These two texts appear in editions of the *Supplementum* published after 1476. The *Summa* and other digests of concilia are important guides to legal doctrine. As Pazzaglini and Hawks note, they "represent a body of precedent and reflect the underlying political, social, and economic tensions of the day. The consilium merged legal theory with facts of a case to produce a constantly developing law on a wide range of issues, such as the status of women and Jews, laws of inheritance, statute legislation, court procedure, imprisonment and homicide. (...) There is always an element of casuistry in the consilia, as they apply general principles of doctrine to the particular cases of fact. Thus, consilia are as firmly grounded in reality as any historical source can be." The *ISTC* locates 18 copies of this imprint in North America, 3 in law libraries (George Washington University Law School, Library of Congress, which owns 2 copies). Pazzaglini and Hawks xiii. Goff N73. GW M26265.



5 [JODOCUS OF ERFURT, ATTRIBUTED].

Vocabularius Iuris Utriusque.

[Strasbourg: Georg Husner, 27 May 1500]. Collation: a8 b6 c8 d-x6. 130 ff. Complete. Text in parallel columns.

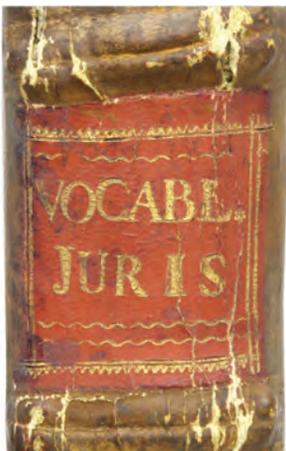
[BOUND WITH]

Formulare Registorum Seu Terminorum Observandorum in Curia Romana: Noviter Impressum Apprime Utile Practicam Nancisci Cupientibus.

[Leipzig: Wolfgang Stockel, 19 March, 1506]. Collation: [*]2(-*2) a6 +*2 b6 C-K6. [ii], lix, [1] ff. Complete. Text in parallel columns.

Folio (10-1/2" x 8"). Contemporary half blind-tooled deerskin over wooden boards, remains of brass fore-edge clasp, somewhat later re-staining of spine and addition of lettering piece. Some rubbing to extremities, a few cracks to spine, some chipping and a few minor tears to foot. Text printed in Gothic type, *Vocabularius* with initial spaces with printed guide letters. Light soiling and stains in places, light toning to *Vocabularius*, *Formulare* evenly browned some trimming to headlines, final leaf (colophon) used as rear pastedown. Owner inscription (of the Jesuit house of Millstatt [Carinthia]) to head of a2, interior otherwise clean. Appealing copies in a handsome contemporary binding. \$15,000.

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 1474 in Basel, this highly respected reference is a collection of terms dealing with the *Ius Commune* taken from such late-scholastic texts as the *Vocabularius Stuttgardiensis* (1432), the *Collectio Terminorum Legalium* (c. 1400), and the *Introductorium pro Studio Sacrorum Canonum* of Hermann von Schildesch (c. 1330). The second work is a well-known formulary (vocabulary and form book) on procedure in the papal courts produced for the German market. The first edition has not been determined, but two incunable editions with similar titles were printed in Rome. *Vocabularius*: The *ISTC* locates 5 copies of this imprint in North America (Huntington Library, which owns two copies, Ohio State University, UC-Berkeley Law Library, University of Kentucky). Goff V358. GW 12667. *Formularium*: OCLC locates no copies of this imprint in North America. VD16 F1893.



6 [ROMAN LAW].

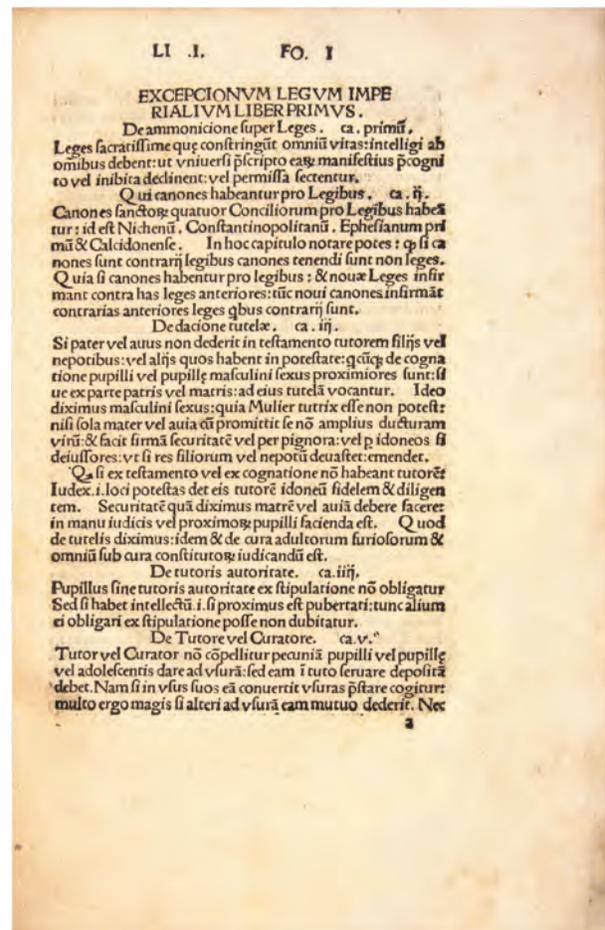
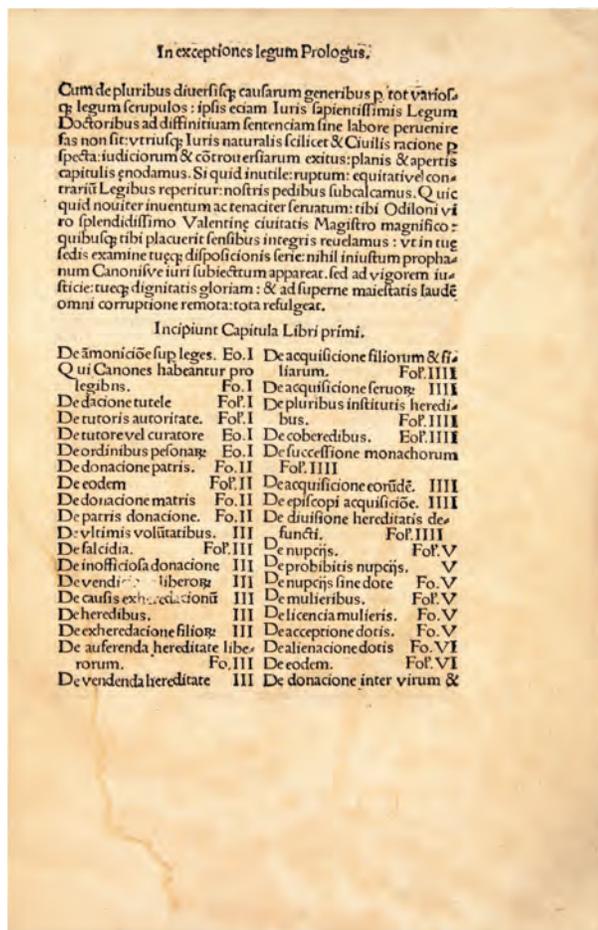
Exceptiones Legum Romanorum cum Tractatu[s] Actionum: Earu[n]demq[ue] Longiquitate.

[Strassburg: Johann Schott, 4 November, 1500].

Collation: p14, a-d8/4, e-f8. [iv], 38, [2] ff. Final two leaves are blanks. Complete. Quarto (8" x 6").

Recent period-style calf, blind rules to boards, raised bands to spine. Text printed in 38-line gothic type, wide margins. Light soiling and some edgewear to endleaves and title leaf, light toning to text, faint dampstaining to a few leaves. Early owner annotation to verso of title leaf, interior otherwise clean. Ex-library. Small inkstamp to recto of title leaf. A handsome copy. \$7,500.

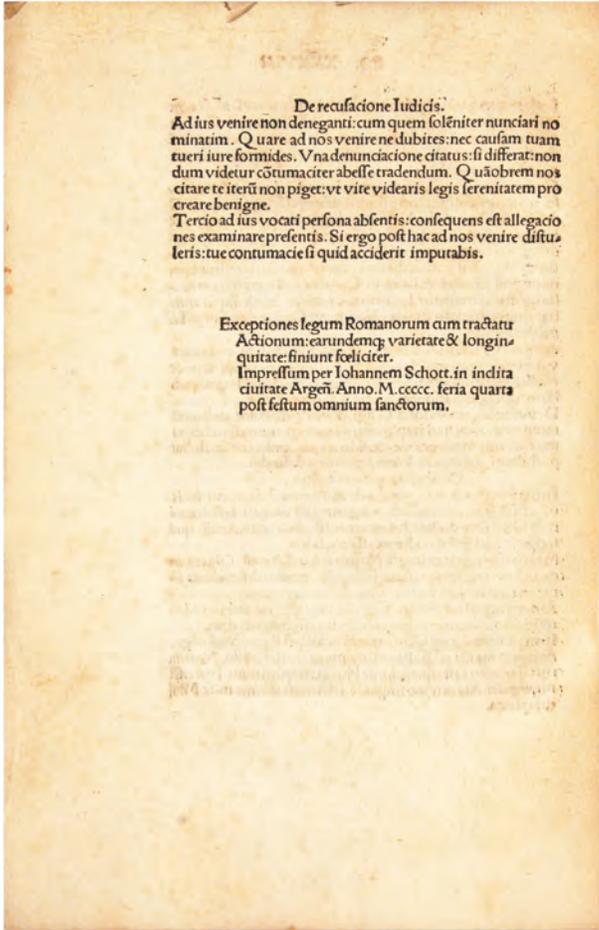
FIRST EDITION, AND THE ONLY INCUNABLE EDITION. *Exceptiones Legum Romanorum* is a tract on Roman law drawn from the books of the *Corpus Juris Civilis*. A practical handbook of everyday legal matters for local magistrates. It was compiled in the eleventh century in Dauphine, France. It is also known as the *Exceptiones Petri* because it is attributed in some sources to a compiler named "Petrus." It is an important document of the revival of Roman law in southern France. Our imprint is notable as one of the first books printed by Schott. The *ISTC* locates 4 copies of this imprint in North America (Brown University, George Washington University Law School, Library of Congress, Morgan Library). Goff E135. GW 9493.



THE REVIVAL OF ROMAN LAW IN SOUTHERN FRANCE



Exceptiones Legum
Romanorum cum
tractatu actionum:
earūdemq; longin-
quitate.



7 [UBALDIS, ANGELUS DE (C.1328-C.1407)].
[SANCTO BLASIO, JOHANNES BAPTISTA, EDITOR].

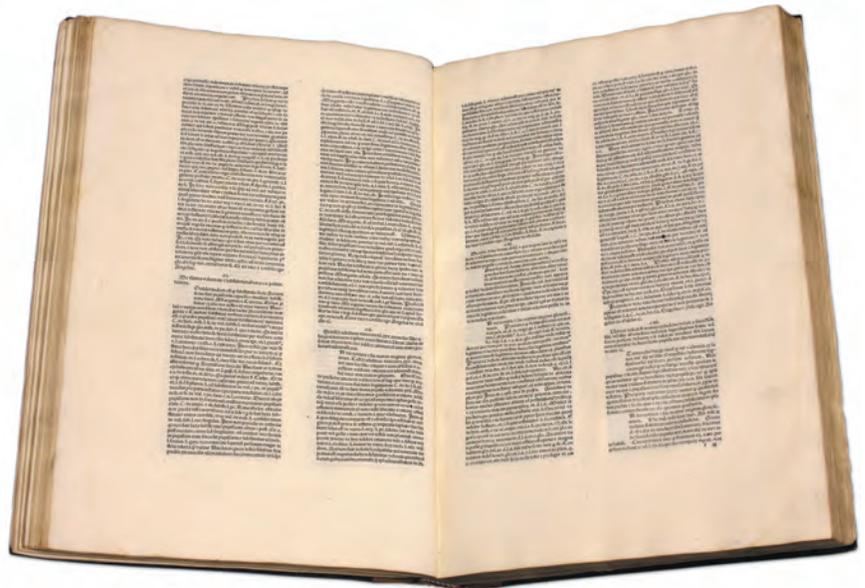
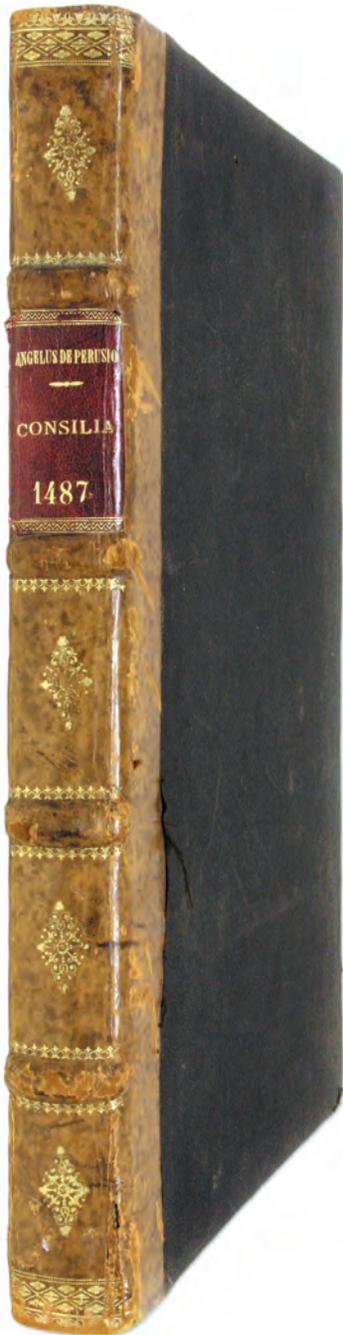
[*Consilia et Responsa*].

[Venice: Johannes Rubeus Vercellensis, 27 February 1487. Table at end of text, Tabulas. Repertorium Consiliorum, by Sancto Blasio, dated 14 April, 1487. Collation: a-d8, e6, E8, f-l8, m6, n-s8, t6, A-C8. [178] ff. Complete. Text in parallelcolumns. Folio (16-1/2" x 11-1/2").

Nineteenth-century quarter calf over cloth, raised bands, gilt ornaments and lettering piece to spine, endpapers added. Some rubbing with wear to spine ends and corners, some scuffing to calf portions of boards, a few cracks to text block. Text printed in 77-line gothic type, initial spaces blank, wide margins. Light toning to text, occasional faint dampstaining to margins, a few small wormholes with minor loss to a few letters. Ex-monastery library. Recent small inkstamp to front free endpaper, early owner inscription to head of first leaf. \$12,500.

ANGELUS DE UBALDIS was the brother of the great jurist Baldus de Ubaldis. Angelus was a highly regarded jurist as well. This volume is a collection of his civil and canon-law consilia, opinions on disputed legal points in an active case referred by a judge, and responsa, opinions on points of written law or decided cases. It was edited by Sancto Blasio, who added a useful index. Collections of consilia are important guides to the history of legal doctrine. As Pazzaglini and Hawks note, they "represent a body of precedent and reflect the underlying political, social, and economic tensions of the day. [They] merged legal theory with facts of a case to produce a constantly developing law on a wide range of issues, such as the status of women and Jews, laws of inheritance, statute legislation, court procedure, imprisonment and homicide. (...) There is always an element of casuistry in the consilia, as they apply general principles of doctrine to the particular cases of fact. Thus, consilia are as firmly grounded in reality as any historical source can be." Edited by Sancto Blasio, the first edition of Ubaldus's work was published in 1477. It went through three more editions in 1478, 1487 and 1498. All are rare. The *ISTC* locates 3 copies of the 1487 Venice imprint in North America (Harvard Law School, Huntington Library, Library of Congress). Pazzaglini & Hawks xiii. Goff U4. GW M48393.

A DISTINGUISHED COLLECTION OF LEGAL OPINIONS



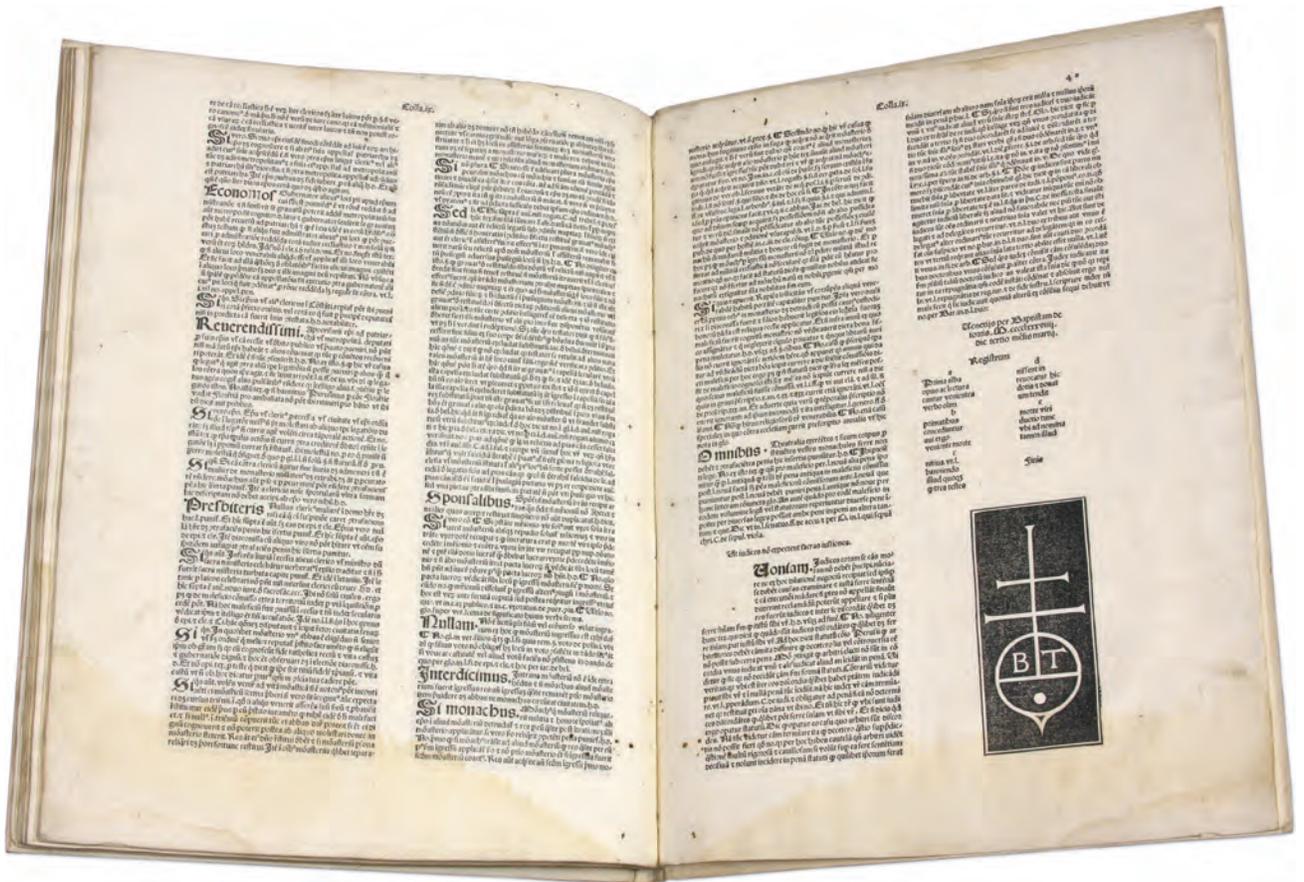
8 [UBALDIS, ANGELUS DE (C.1328-C.1407)].

[SUPER AUTHENTICIS].

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

Recent paper-covered boards (illustrated with copies of unrelated incunable leaves), endpapers renewed. Light soiling, corners and spine ends bumped. Text printed in 83-line Gothic type, guide spaces blank. Some toning, light soiling to first leaf, faint dampstaining to foot of text block reaching into text, minor worming to some leaves, first leaf (a2) dust-soiled, fol. b1 mounted on stub, internally clean. Ex-library. Bookplate to front pastedown. A solid copy. \$8,500.

ANGELUS DE UBALDIS, a renowned jurist, was almost as highly regarded as his brother, Baldus de Ubaldis. First published in 1474, the *Super Authenticis*, also known as the *Lectura de Authenticis*, a commentary on the *Authentica*, a collection of 134 constitutions of Justinian, later included in the Novels of the *Corpus Juris Civilis*. It was believed to be a collection intended for Byzantine Italy, but this assumption is doubted today. Ubaldis's commentary was highly regarded; it went through at least 12 editions before 1500. Today, all editions are scarce. The *ISTC* locates 2 copies of this imprint in North America (University of Michigan Law School, Walters Art Gallery, Baltimore). Goff, *Incunabula in American Libraries* U10. *Gesamtkatalog der Wiegendrucke* M48377.



II England (Including Scotland)

Handbooks, treatises,
compilations, digests
and reports from the
early printed history
of the common law

"A LITTLE TOO HUMAN TO BE STRICTLY SCIENTIFIC"

- 9 ACTON, JOHN [D. 1350].
[BADIUS, JOSSE (1462-1535), EDITOR].

Constitutiones Legitime seu Legatine Regionis Anglicane: Culm] Subtilissima Interpretatione D[omi]ni Johannis de Athon: Triplici[ue] Tabella. Necnon et [Con]stitutiones Provinciales ab Archiepiscopis Cantuariensibus Edite: Et Sum[m]a Accuratione Recognite: Annotate et Parisiis Coimpressa.

[Paris: Wulfgangi Hopilii et P[ro]vissimi Bibliopole Joa[n]nis Co[n]flue[n]tini, (13) September 1504]. Collation: A-B8, a-e8, f10, g-o8, p6, q-s8 (-r1-8), t-v6 (-v6, a blank). [xvii], clv ff. Complete. Main text in parallel columns surrounded by two-column linear gloss. Quarto (10-1/2" x 7-1/2").

Recent calf, boards have gilt rules enclosing handsomely tooled blind panels, gilt spine with raised bands and lettering piece, endpapers renewed. Printed throughout in red and black, woodcut pictorial title page, divisional title page (f. 1) and vignette at head of main text (f. 2), woodcut initials, some pictorial. Light toning to text, faint dampstaining in places, mostly confined to margins, occasional worming, mostly to rear of text, with negligible loss to text, brief early annotations to a few leaves. A handsome copy. \$4,500.

FIRST EDITION BY BADIUS. Acton's *Constitutiones* was the first major treatise on English canon law. It is a commentary on the constitutions (edicts) of Otto and Ottobone, the papal legates in England during the mid-thirteenth century. For decades, these constitutions formed the majority of English canon law. Acton's commentary was authoritative. Several copies circulated in manuscript. It was first printed in 1496 by Wynkyn de Worde

in an edition of William Lyndwood's *Provinciale*. (This led several people to attribute *Constitutiones* to Lyndwood.) An excellent summation of English canon law at the time, it is also notable for its insights into the Church's place in English society. As Maitland notes in *Roman Canon Law in the Church of England*, Acton was "a little too human to be strictly scientific. His gloss often becomes a growl against the bad world in which he lives, the greedy prelates, the hypocritical friars, the rapacious officials" (7-8). OCLC locates 9 copies of this edition in North American law libraries (Columbia, George Washington, Harvard, Library of Congress, Ohio State, UC-Berkeley, University of Minnesota, Washington University, Yale). ESTC S104759. Beale T404.

"SUPPLIES A CHASM IN THE PRINTED YEAR BOOKS"

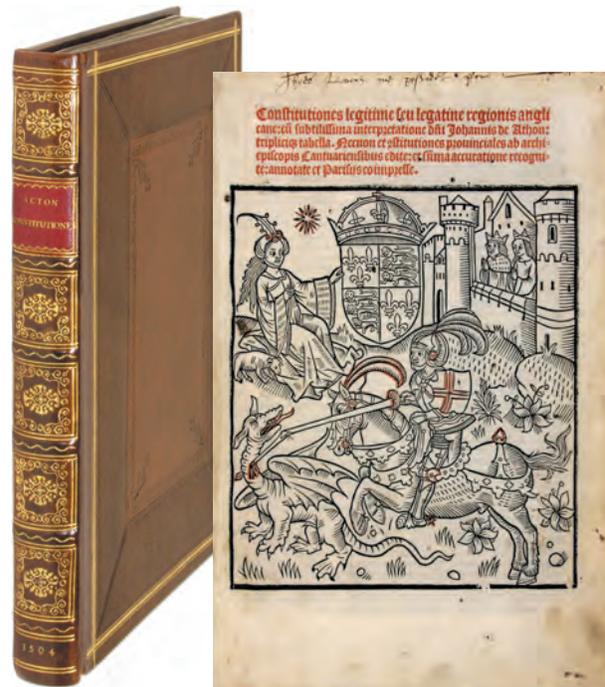
- 10 BELLEW(E), RICHARD, COMPILER.

Les Ans du Roy Richard le Second Collect' Ensemble' Hors de les Abridgments de Statham, Fitzherbert et Brooke.

London: Imprinted by Robert Robertson, Dwelling in Fewter Lane Neere Holborne, 1585. [viii], 326 [i.e. 342], [6] pp. Octavo (6" x 4-1/2").

Contemporary calf, blind rules and large central arabesques to boards, raised bands to spine, later repair to foot of spine, endpapers renewed. Moderate rubbing to extremities, with some wear to head of spine, corners bumped and somewhat worn, joints just starting near head. Title printed within woodcut typographical border, large woodcut arms to verso of title page, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, very light foxing in places, faint dampstaining to a few leaves, internally clean. \$2,500.

FIRST EDITION (one of 3 imprints issued in 1585). As Wallace notes, this alphabetical abridgement of a Year Book of Richard II covering the Courts of King's Bench and Common Pleas from 1378 to 1400 "supplies a chasm in the Year Books." He says it is "very rare," and it is indeed rather scarce. OCLC locates 12 copies of this edition (all imprints). Wallace 111-112. Beale R478.



N° 9

"A WORTHY AND PAINFUL WORK"

12 BROOKE, SIR ROBERT [D.1558].

La Grande Abridgement, Collecte & Escrite per le Iudge Tresreverend Syr Robert Brooke Chivalier, Nadgairs Chiefe Iustice del Common Banke.

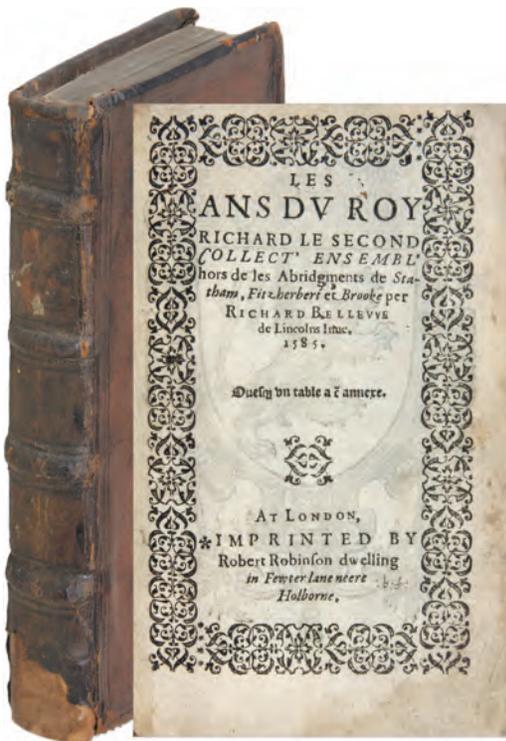
[AND]

La Secoude Part du Grande Abridgment....

London: In Aedibus Richardi Tottell, 1576. Two parts in one. [ii], 351; [i], 328 ff. Small folio (9-1/4" x 6").

Contemporary calf with recent rebacking, blind panels with large corner fleurons to boards, raised bands and lettering piece to spine. Moderate rubbing to board edges, a few minor scratches and scuffs, corners bumped and somewhat worn, hinges starting. Titles printed within woodcut architectural borders, woodcut decorated initials. Moderate toning to text, faint dampstaining to foot of text block, minor loss to fore-edges of title pages due to trimming. Tiny early owner signatures to title page of first part, interiors otherwise clean. An attractive copy. \$1,250.

SECOND EDITION. Sir Robert Brooke was renowned for his great learning as a scholar and his probity as a judge. Holdsworth notes that Brooke's *Abridgement*, first published in 1568, "is based on Fitzherbert's *Abridgement*, but it contains much new material. In particular it abridges fully the Year Books of Henry VII's and Henry VIII's reigns." Brooke abridged nearly 21,000 cases under 404 alphabetical headings. He proceeded with great care and accuracy, and is understood to have had access to the original records of the Year Books. Coke calls the *Abridgement* "a worthy and painful work and an excellent repertory or table for the Year Books of the Law." It was first issued in 1573. Coke cited in Marvin 151. HEL II:545. ESTC S106717. Beale R471, R472.



N° 10

A SELECTION FROM BROOKE'S ABRIDGEMENT

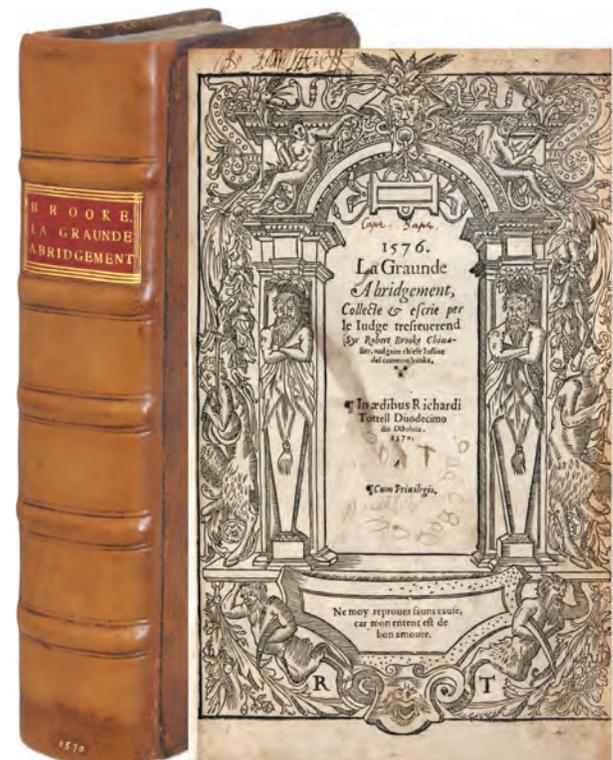
11 [BROOKE, SIR ROBERT].

Ascuns Novell Cases de les Ans et Temps le Roy, H.8. Ed.6. Et la Roygne Mary, Escrite ex la Grand Abridgement, Compose per Sir Robert Brooke Chivaler &c. La Disperse en les Titles. Mes Icy Collect Sub Ans.

[London]: In Aedibus Richardi Tottelli, 1578. [1], 116, [3] ff. Octavo (5-1/2" x 4-1/4").

Contemporary calf, blind rules to boards, recently rebacked, raised bands and lettering piece to spine, hinges mended, early hand-lettered title to fore-edge of text block. Light rubbing to extremities, corners bumped, a few minor nicks to boards. Title printed within woodcut architectural border. Moderate toning to text, somewhat heavier in places, occasional faint dampstaining to margins, light soiling to title page. Early owner annotations to title page and a few leaves, interior otherwise clean. An attractive copy. \$1,000.

FIRST EDITION. Also known as *Brooke's New Cases, Petit Brook or Bellewe Temp. Henry VIII*, this book is a selection of cases from 1514-1558 taken from Brooke's great *Abridgement*. Later editions were published in 1587, 1597, 1604, 1624, 1625, 1628 and 1651. All of these are scarce. Concerning the first edition, OCLC locates 7 copies in North America, all in law libraries (Boston College, Columbia, Georgetown, Social Law, University of Maine, University of Washington, Yale). ESTC S116228. Beale R480.

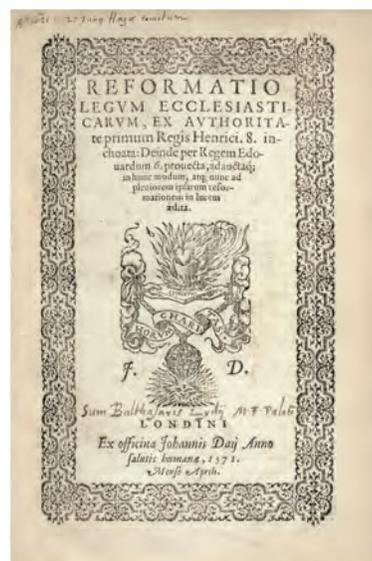


N° 12



N° 13

A PREDECESSOR OF THE SMALL CLAIMS COURT



FIRST EDITION OF AN INFLUENTIAL CODE PREPARED FOR THE CHURCH OF ENGLAND

13 [CAESAR, JULIUS, SIR (1558-1663)].

[The Ancient State, Authoritie, And Proceedings of the Court of Requests. 2 Oct. 1596]. Drop-head title: In Nomine Domini Nostri Iesu Christi. 13. Februarij. 1592. Actes, Orders, And Decrees Made by the King and His Counsell, 9. H.7. [-Anno 27. Eliz.] Remaining Amongst the Records of the Court, Now Commonly Called the Court of Requests.

[London: Printed by the Deputies of C. Barker, 1597]. 162, [2] ff. Complete as issued. Quarto (7-1/2" x 5-1/2").

Contemporary limp vellum with later ribbon ties, early hand-lettered title to spine. Negligible light rubbing and soiling, later armorial bookplate of the Earls of Macclesfield to front pastedown, embossed Macclesfield stamp to a few leaves. Light toning to text, somewhat heavier in places, a few leaves darkened, light foxing and dampspotting in a few places, internally clean. A handsome copy.

\$2,000.

FIRST EDITION, one of two issues. The court of requests was a minor equity court that flourished during the Tudor and Stuart periods. It was established in the reign of Henry VII as a low-fee appeal court intended to accompany the sovereign on progress around the country. Abolished during the Commonwealth, it is important as an ancestor of the small claims court. Also, its records offer a good deal of information about the function of law in non-elite circles. Caesar, later Sir Julius and master of the rolls, was extraordinary master (1591) and ordinary master (1596) of this court. Based on a notebook compiled around 1600, Caesar's study is the fundamental contemporary account of its work. The first edition was issued twice. Our copy matches the collation in Pollard and Redgrave and Sweet & Maxwell (which conjectures 1592 as the imprint date). We located copies identical to ours at Exeter College, Oxford, the Middle Temple Library and the Folger Library. The second issue has a title page with the title stated above in square brackets, five leaves of preliminaries and an errata leaf. Both issues are rare. OCLC does not list our issue and only 4 copies of the other issue (Bavarian State Library, Cambridge University, Huntington, Yale). Our issue is not in Beale or the ESTC. Our copy once belonged to the library of Shirbirn Castle, the library of the Earls of Macclesfield, one of the finest private libraries in Great Britain. Pollard and Redgrave 4341. Sweet & Maxwell 1:356 (1).

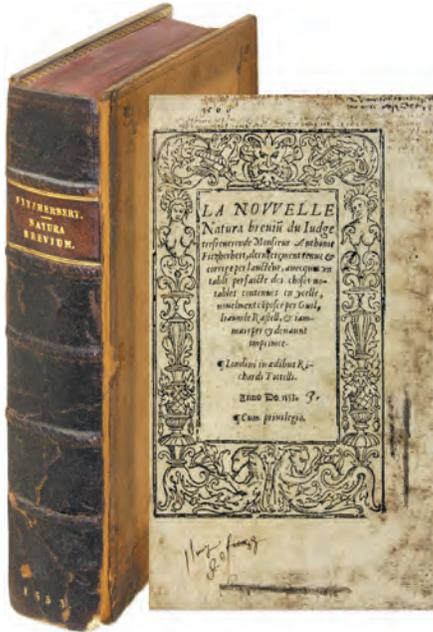
14 [CRANMER, THOMAS (1489-1556)]. [FOX, JOHN (1516-1587), EDITOR]. [CHEKE, SIR JOHN (1514-1557), TRANSLATOR]. [HADDON, WALTER (1516-1572), TRANSLATOR]. [COMMISSIONERS ON REVISION OF THE ECCLESIASTICAL LAWS, 1550-1552].

Reformatio Legum Ecclesiasticarum, Ex Auctoritate Primum Regis Henrici. 8. Inchoata: Deinde per Regem Edouardum 6. Provecta, Adauctaque in Hunc Modum, Atque Nunc ad Pleniorum Ipsarum Reformationem in Lucem Aedita.

London: Ex Officina Iohannis Daij Anno Salutis Humanae, Mense Aprili, 1571. [x], 149, [3] ff. Quarto (7-1/2" x 5-1/2").

Contemporary calf with later rebacking, endpapers renewed. Blind rules and fillets to spine, raised bands and gilt title to spine. Light rubbing to boards, moderate rubbing to extremities, corners lightly bumped, hinges cracked, front joint just starting. Title printed within woodcut typographical border, woodcut tail-pieces and pictorial initials. Light toning to text, early annotation in miniscule hand to head of title page. Ex-library. Bookplate to front pastedown. A handsome copy. SOLD

FIRST EDITION. Also known as the *Henrican Canons*, the *Reformatio Legum Ecclesiasticarum* is a revision of Catholic canon law intended for the newly established Church of England. It was written between 1550 and 1552 by the Commissioners on Revision of the Ecclesiastical Laws, which was headed by Thomas Cranmer, the Archbishop of Canterbury. One of the first acts of the English Reformation, it is an important source of information about the state of English canon law and church discipline in the mid-Tudor period and the challenges faced by the reformed church's leaders. It was edited by John Foxe after Cranmer's death and translated into Latin by Cheke and Haddon. Although it was never ratified by Parliament, it was highly esteemed by later lawyers and for many years an unofficial authority in ecclesiastical courts. According to the ESTC, this book may have been published in 1572, "since Walter Haddon, who died on 21 Jan. 1572, is referred to in the preface as 'clarissimae memoriae.'" OCLC locates 6 copies of this edition in North American law libraries (Columbia, Harvard, Library of Congress, UC-Berkeley, University of Michigan, Yale). ESTC S109036. Beale T308.



HEAVILY ANNOTATED COPY OF A WORK HIGHLY ESTEEMED BY COKE AND BLACKSTONE

15 FITZHERBERT, SIR ANTHONY [1470–1538].
 RASTELL, WILLIAM [1508?–1565].

La Nouvelle Natura Breuium] du Iudge Tresreverende Monsieur Anthoine Fitzherbert, Dernierement Renue & Corrige per Lauteur, Avecques un Table Perfaicte des Choses Notables Contenus en Ycelle, Novelment Co[m]posee per Guillaumle Rastell, & Jammais per Cydeuaut Imprimee.

London: In Aedibus Richardi Tottelli, 1553 [i.e. 1560 colophon]. [xxxii] of [xxxiii], 271, [1] ff. The missing leaf is a blank, collation otherwise complete. Octavo (6-1/4" x 4-1/4").

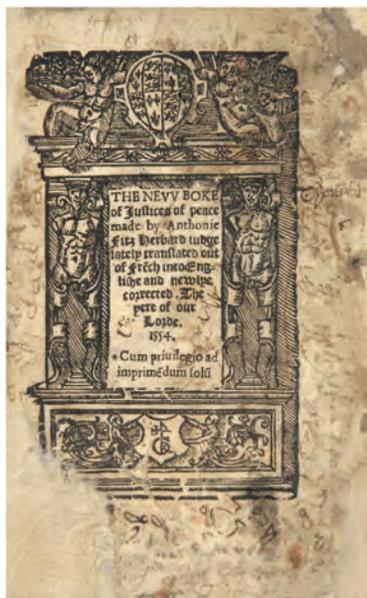
Nineteenth-century paneled calf, dentelles to board edges and interior, rebaked retaining earlier spine, raised bands and lettering piece to spine, edges rouged, marbled pastedowns, free endpapers lacking (or never present). Moderate rubbing to extremities with some wear to spine ends, hinges cracked, armorial bookplate to rear pastedown. Title printed within woodcut architectural border. Some toning to interior, very faint dampstaining to portions of text, dampspotting to a few leaves, light soiling and some edgewear to title page. Extensive annotations in early court hand to endleaves, title page and most of text. An appealing wide-margined copy. \$4,000.

FIRST PUBLISHED IN 1534, the *Nouvelle Natura Brevium* is a manual of procedure written by a Judge of the Common Pleas during the reign of Henry VIII. Winfield notes that “Coke put it among the books which he considered most necessary and of greatest authority and excellency”; Blackstone considered it an authority as well. Compiled from the earlier *Natura Brevia* and the *Registrum Brevium*, it includes several original observations on the form and function of writs. Rastell’s revisions include the addition of a table. A popular work, it went through numerous editions in Law French and English, the final appearing in 1794. It remains significant to this day for its descriptions of writs that were becoming obsolete in the early sixteenth century. Some of the annotations in our copy offer commentary or cite passages in other treatises, such as Lambard’s *Eirenarcha*. A few combine references to cases, commentary and a treatise citation. Winfield 303. *ESTC* S113138. *Beale* T344.

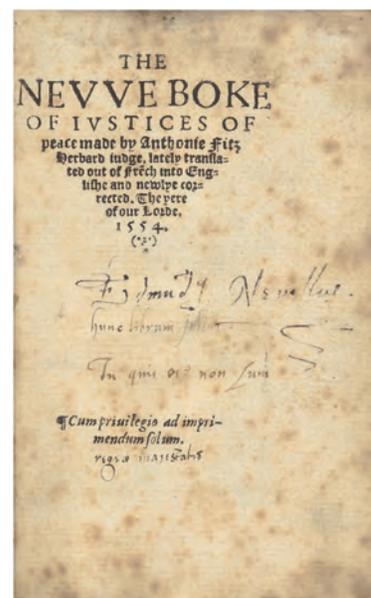




N° 16



N° 17



N° 18

HIGHLY ESTEEMED BY COKE AND BLACKSTONE

16 [FITZHERBERT, SIR ANTHONY].
[RASTELL, WILLIAM].

La Nouvelle Natura Breviu[m] du Judge Tresreverende Monsieur Anthony Fitzherbert, Denierement Renue & Corrige per Laucteur, Avecques un Table Perfecte des Choses Notables Contenus en Ycell, Novelment Compose per Guiliaulme Rastell, & Iammais per Cydeuaut Imprimee.

London: In Aedibus Richardi Tottelli, 1567 [i.e. 1576, date on colophon]. [xxxii], 271 ff. Octavo (6-1/2" x 4-1/2").

Contemporary paneled calf, blind fleurons and central arabesques to boards, raised bands and blind rules to spine, ties lacking. Some rubbing to extremities, minor nicks to boards, a few small worm holes, corners bumped and somewhat worn, spine ends bumped and lightly chipped, front joint just starting at head, front pastedown loose, a few cracks to text block. Title printed within woodcut architectural border. Moderate toning to text, occasional discoloration to outer margins in a few places, soiling to some leaves. Early owner signature to front free endpaper, brief annotations in early hand to head of title page and some text leaves, along with some underlining, rear endleaf filled with notes. A nice copy. \$2,500.

Winfield 303. Beale T348. ESTC S4100.

1554 EDITION OF FITZHERBERT'S IMPORTANT JP MANUAL

17 FITZHERBERT, SIR ANTHONY.

The New Boke of Iustices of Peace Made by Anthonie Fitz Herbard Iudge Lately Translated Out of Frel[n]ch into Englishe and Newlye Corrected.

[London: In Fletestrete within Temple Barre, At the Signe of the Hande and Starre, by Richarde Tottle], 1554. 173, [3] ff. Octavo (5-1/4" x 3-1/2").

Contemporary calf with later rebacking and recorning, raised bands to spines, early owner initials "G.T." to edges of text block, endpapers renewed, title page and final leaf rehinged. Moderate rubbing to extremities, a few chips to spine ends, some gatoring to boards and spine, hinges cracked. Title printed within woodcut architectural border. Moderate toning and occasional light soiling to text, heavier soiling and edgewear to title page and final two leaves, lower corner lacking from title page with minor loss to woodcut border, faint dampstaining in places. "Henry Rutter" to head of Fol. 1, annotations in early hands to several leaves. An appealing copy. \$3,500.

FIRST PRINTED IN 1538, Fitzherbert's manual was issued eight more times; its final edition was printed in 1617. Editions beginning in 1583 were edited by Richard Crompton. Despite his efforts, this work was eventually superseded by William Lambard's *Eirenarcha* (1581). Several leaves have legal notes ranging from a phrase to a sentence or two. Other leaves have non-legal comments and doodles. ESTC S4295. Beale T341.

AND AN EDITION FROM 1560

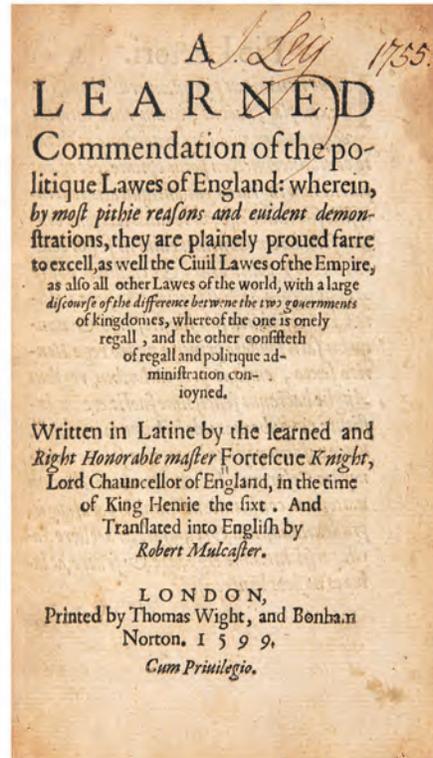
18 FITZHERBERT, SIR ANTHONY.

The Newve Boke of Iustices of Peace Made by Anthonie Fitzherbard Iudge, Lately Translated Out of Frel[n]ch into Englishe and Newlye Corrected. The Yere of Our Lorde 1554.

[London: Imprinted at London in Fletestrete Within Temple Barre... By Richarde Tottyll, 1560]. 173, [3] ff. Octavo (5-1/4" x 3-1/2").

Attractive twentieth-century paneled calf, lettering piece and raised bands to spine, blind inside dentelles. Light rubbing to extremities, crack to text block between final text leaf and following endleaf, chip to fore-edges of fol. 19 with no loss to text. Light toning, occasional light foxing, browning to a few leaves. Early owner signature (of Edmund Novellus) to title page in miniscule chancery hand, occasional brief annotations in same hand to text. An attractive copy. \$3,500.

ESTC S4295. Beale T342.



N° 19

WELL-ANNOTATED 1599 EDITION
OF FORTESCUE'S *DE LAUDIBUS*

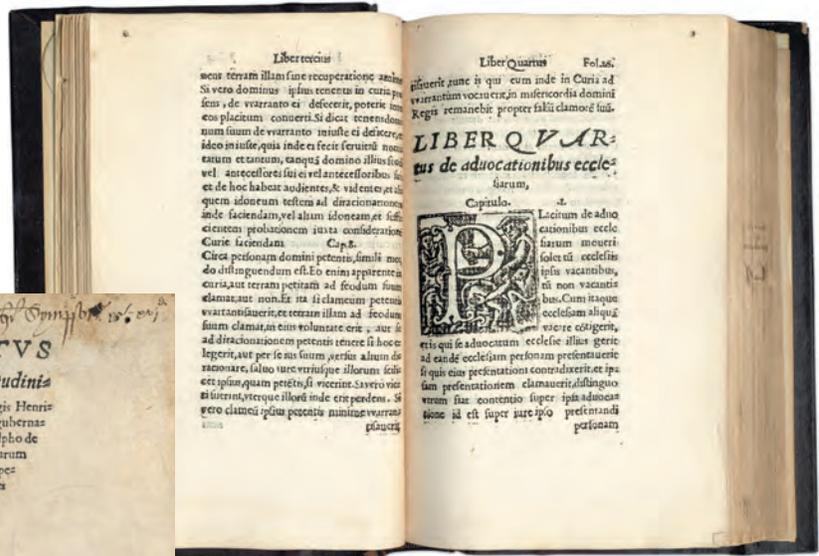
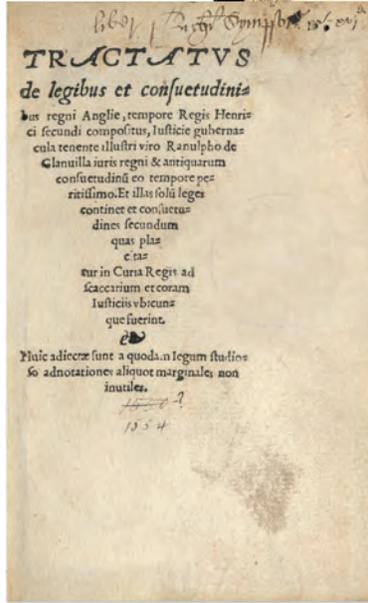
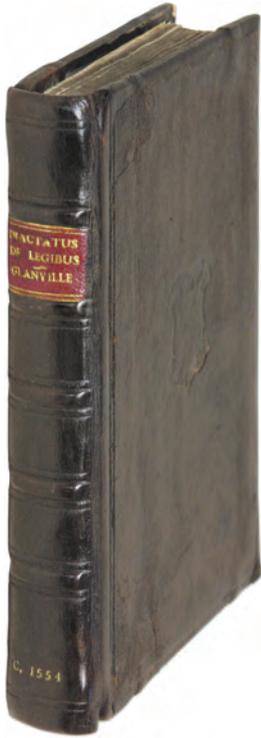
19 FORTESCUE, SIR JOHN [1394?-1476?].
MULCASTER, ROBERT [16TH. C.], TRANSLATOR.

A Learned Commendation of the Politique Lawes of England: Wherein, By Moste Pitthy Reasons and Evident Demonstrations, They are Plainely Proved Farre to Excell, As well the Civil Lawes of the Empire, As Also All Other Lawes of the World, With a Large Discourse of the Difference Betwene the Two Governements of Kingdomes, Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conjoyned. Written in Latine by the Learned and Right Honorable Master Fortescue Knight, Lord Chauncellor of England, In the Time of King Henie the Sixt. And Translated into English by Robert Mulcaster.

London: Printed by Thomas Wight, and Bonham Norton, 1599. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/2").

Contemporary calf, blind rules to boards, rebacked in period style with raised bands and lettering piece, endpapers renewed. Light rubbing to boards, corners bumped and somewhat worn. Moderate toning to text, light soiling to title page, inkstains to margins of a few leaves. Early owner signature, of J or I Ley, dated 1755, to head of title page, underlining and brief annotations throughout text, some affected slightly by trimming. An appealing copy. \$2,750.

THIRD EDITION with an English text. *De Laudibus Legum Angliae*, a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in dialogue form, it demonstrates that the common law was the oldest and most reasonable legal system in Europe. It also compares the common and Roman systems and extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first published (in Latin) in 1537. "Fortescue was a favorite among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the Common Law" (Marvin). This was the first work to examine trial by jury and the Inns of Court at length. Marvin 321. ESTC S102543. Beale T359.



FIRST EDITION OF THE FIRST ENGLISH LEGAL TREATISE

20 GLANVILLE, RANULF DE [D. 1190], ATTRIBUTED.

Tractatus de Legibus et Consuetudinibus Regni Anglie. Tempore Regis Henrici Secundi Compositus, Iusticie Gubernacula Tenente Illustri Viro Ranulpho de Glanulla Iuris Regni & Antiquarum Consuetudinum eo Tempore Peritissimo. Et Illas Solu[m] Leges Continet et Consuetudines Secundum Quas Placitatur in Curia Regis ad Scaccarium et Coram Iusticiis Ubicunque Fuerint. Huic Adiectae Sunt a Quodam Legem Studioso Adnotationes Aliquot Marginales Inutiles.

[London: In Aedibus Richardi Totteli, c.1554]. [iii], 5, 5-44, 43-113, [17] ff. (Fol. P8 a blank). Collates complete. Octavo (5-1/2" x 3-1/2").

Recent period-style calf, old calf covers with small central arabesques laid down on boards, raised bands and gilt title to

spine, endpapers renewed, title page mounted. Light toning to text, some staining to title page and another leaf, gutter of last leaf adhered slightly to facing endpaper just touching text, two small wormholes to upper margins with no loss to text, early annotations to head of title page and a few leaves. Ex-library. Small inkstamp to fol. 59. An attractive copy. \$12,500.

FIRST EDITION. Long attributed to Glanville (or Glanvill), this anonymous text in Latin, is widely considered the first English legal treatise. Completed around 1189, it describes the procedure of the King's Bench. There is much information pertaining to litigation and includes the texts of approximately eighty writs. Glanville was a major contribution to the development of the common law tradition. It continued to be a primary reference for several generations. Coke, for example, praised it wholeheartedly and used it liberally in his *Reports*. Though overshadowed by Bracton's larger treatise, Glanville is still cited today. It also remains useful for its unparalleled insights into the nature of land law and procedure in medieval England. ESTC S102455. Beale T365. Sowerby 1769.

"THE BOOKE THAT TEACHETH"

21 [JUSTICES OF THE PEACE].
[COURTS LEET AND BARON].

The Contentes of This Boke. Fyrst the Booke for a Justice of Peace. The Boke that Teacheth to Kepe a Courte Baron, Or a Lete. The Boke Teachynge to Kepe a Courte Hundred. The Boke Called Returna Brevium. The Boke Called Carta Feodi, Conteynyng the Forme of Dedes, Releases, Indentures, Obligacions, Acquitaunces, Letters of Attorney, Letters of Permutacion, Testamentes, And Other Thynges. And the Boke of the Ordinaunce to be Observed by the Offycers of the Kynges Eschequer for Fees Takinge.

[London: In Fletestrete Within Temple Barre, At the Sygne of the Hande and Starre, by Richard Tottill, 1559]. 192 ff. of 195, [11] ff. Incomplete. Octavo (5-1/4" x 3-1/2").

Somewhat later calf with recent rebacking, blind rules to boards, raised bands and lettering piece to spine, hinges reinforced. Light rubbing to boards, corners bumped and somewhat worn, final leaf partially detached but secure. Moderate toning to text, faint dampstaining to margins in a few places, light soiling and finger smudges to a few leaves. Brief annotations in early hand to a few leaves, interior otherwise clean. \$1,000.

LATER EDITION. First printed in 1505 by Richard Pynson, this is a handy anthology of treatises for justices of the peace, sheriffs, bailiffs. It includes the *Carta Foedi* and exchequer ordinance. It is sometime attributed erroneously to Sir Anthony Fitzherbert. OCLC locates 7 copies of this edition. ESTC S105844. Beale T153.

COPY OF KITCHIN'S COURT LEETE, ET COURT BARON FROM LIBRARY OF THOMAS PARKER, FIRST EARL OF MACCLESFIELD

22 KITCHIN, JOHN [C.1520-C.1590].

Le Court Leete et Court Baron Collect per Iohn Kitchin de Greies Inne un Apprentice in Ley. Et les Cases & Matters Necessaries pur Seneschals de Ceux Courts a Scier, & Pur les Students de les Measons del Chauncerie. Ore Nouvelment Imprimee, & Per le Author Mesme Corrigee, Ouesque Divers Novel Additions, Come Court de Marshalsey; Auncient Demesne, Court de Pipowders, Essoines, Imparlanche, View, Actions, Contracts, Pleadings, Maintenance, & Divers Auter Matters.

[London]: In Aedibus Thomae Wight, & Bonhami Norton, 1598. [xii], 289, [3] pp. Octavo (6" x 4").

Contemporary calf, blind rules and small blind-stamped initials "CW" to boards, raised bands and later lettering piece and small hand-lettered shelf labels to spine. Light rubbing to extremities, a few minor scuffs to boards, corners bumped small tears to head of spine, pastedowns loose, later armorial bookplate of the Earl of Macclesfield to verso of front board, small embossed Macclesfield stamp to head of title page. Moderate toning to text, faint dampstaining and soiling to preliminaries, light foxing in a few places. Early owner signature of Thomas Parker to head of title page, markings and brief annotations in his hand to the margins of several leaves. A nice copy with an interesting association. \$1,250.

LATER EDITION. First published in 1579, Kitchin's work is an important source of information on local courts and government. By outlining the differences between the previously undivided court, Kitchin, along with Coke, helped lay the foundations of modern legal theory. "In fact Kitchin was doing on a small scale what Coke was doing on a grand scale. Both were representatives

of that school of literate Elizabethan lawyers... whose great and enduring work was the adaptation of medieval law and institutions to modern needs. Imagination necessarily played some part in this process of adaptation; and thus they are responsible not only for the enunciation of the rules of modern law, but also for legal and historical theories, the soundness of which was considered by many generations of lawyers and historians to be as incontestable as their statements of law." This copy belonged to Thomas Parker [1666-1732], 1st Earl of Macclesfield, chief baron of the Court of Exchequer and Lord Chancellor from 1718 to 1725. His markings are mostly pointing hands (manicules). Housed in Shirbirn Castle, the library of the Earls of Macclesfield was one of the finest private libraries in Great Britain. OCLC locates 5 copies of this imprint in North American law libraries (Harvard, Library of Congress, University of Michigan, University of Texas, Washington University). HEL IV:130. ESTC S3959. Beale T374.



Nº 23

AN INTERESTING PERSPECTIVE ON ELIZABETHAN ENGLAND

23 LAMBARD(E), WILLIAM [1536-1601].

Eirenarcha: Or of the Office of the Iustices of Peace, In Two Bookes: Gathered 1579. And Now Revised, And First Published, In the 24. Yeere of the Peaceable Reigne of Our Gracious Queene Elizabeth.

London: Imprinted by Ra. Newbery, And H. Bynnean, 1582. [vii], 511, [15] pp. Octavo (6-1/4" x 4-1/2").

Recent period-style paneled calf, blind fleurons to inside panels, raised bands and blind ornaments to spine, early hand-lettered title to fore-edge of text block. Title printed within woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials, woodcut arms of dedicatee, Sir Robert Bromley, facing dedication leaf, large woodcut device to verso of final leaf. Light toning to text, some edgewear to endleaves and title page. Brief early annotation to front endleaf, interior otherwise clean. An appealing copy. \$3,500.

SECOND EDITION. one of two issues from 1582. Lambard, or Lambarde, a barrister and legal historian, was the keeper of records at the Rolls Chapel and the Tower of London. First published in 1581, *Eirenarcha* is esteemed for its comprehensive and systematic account of the organization of local government under the justices of the peace at the end of the sixteenth century. It was the standard authority for many years and often reprinted. Like many books of its kind, *Eirenarcha* offers fascinating insights into the society that produced it. This is evident in the detailed indictments for such offenses as murder via witchcraft, raping a child or maid (the age of distinction was ten), hearing a Catholic Mass, practicing usury or operating a bowling alley. ESTC S108154. Beale T388.



N° 24

THE BOOKE OF ASSISES ABRIDGED

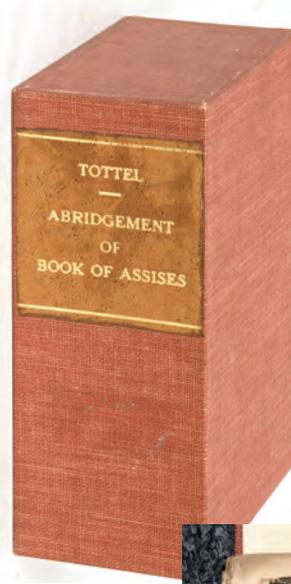
- 24 [LIBER ASSISARUM].
[CALLOW, WILLIAM, SIR (FL. 1555), ATTRIBUTED].

The Abridgement of the Boke of Assises, Lately Pler]used Over & Corrected, & Nowe Newlye Imprinted by Rycharde Tottle, Ye Laste Daye of Septel[m]ber. An. Do. 1555.

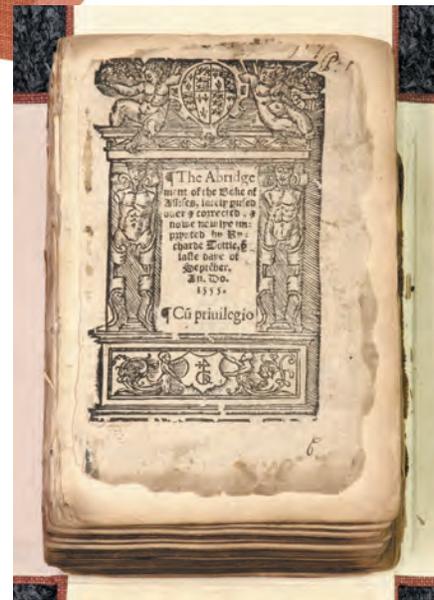
[London: Imprinted...in Fletestrete Within Temple Barre, At the Signe of the Hand & Starre. By Richard Tottel, (1555)]. [i], 165. [2] ff. Octavo (5-1/4" x 3-1/2").

Recent period-style calf, raised bands, blind ornaments, and lettering piece to spine, endpapers renewed. Title printed within woodcut architectural border. Toning to text, some soiling and edgewear to title page and following leaf, early check-marks in pen to a few leaves, interior otherwise clean. Ex-library. Small stamp to foot and verso of title page. A handsome copy. \$4,500.

SECOND EDITION. Text in Law-French. With a table. The *Liber Assisarum* is a selection of reports from the Year Books covering regnal years 1-50 of Edward III (1327-77). The contents are arranged alphabetically by topic. "The Book of Assizes (...) is of great authority in law; and so called because it principally contains proceedings upon Writs of Assize of Novel Disseisin, which in those days was *festinum et freems renaedium*. 'Tis often quoted and referred to by most of our ancient writers. (...) The questions are here discussed with more precision and clearness, and they contain more of those points of law that have survived to the present times. In regard to precision and clearness, all the reports of this reign excel those of the preceding; but the merit of these [reports] is of a peculiar kind, and has a very different appearance from what has in later times been considered as excellent in this way" (Rastell). OCLC locates 5 copies, the *ESTC* locates 6 in the British Isles, 6 in North America and 1 in Australia. Rastell, John, Preface to London, 1679, *Livre des Assises et Pleas del' Corone* cited in Marvin 754. *ESTC* S101227. Beale R53.



N° 25



INTERLEAVED COPY OF THE BOOKE OF ASSISES ABRIDGED

- 25 [LIBER ASSISARUM].
[CALLOW, WILLIAM, SIR, ATTRIBUTED].

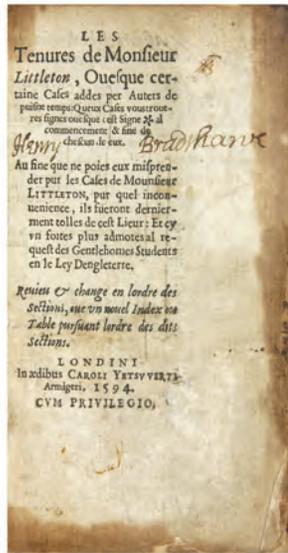
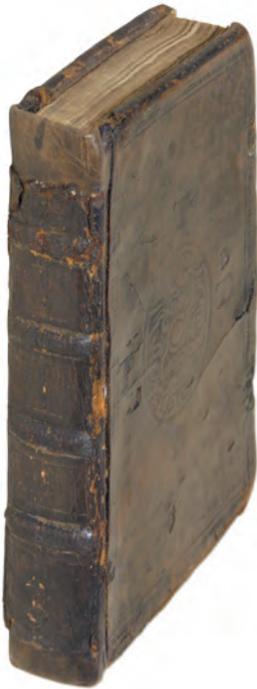
The Abridgement of the Boke of Assises, Lately Pler]used Over & Corrected, & Nowe Newlye Imprinted by Rycharde Tottle, Ye Laste Daye of Septel[m]ber. An. Do. 1555.

[London: Imprinted...in Fletestrete Within Temple Barre, At the Signe of the Hand & Starre, By Richard Tottel, (1555)]. [i], 8-165, [2] ff. Interleaved. Lacking ff. 2-7. Title page present. Octavo (5-1/4" x 3-1/2").

Disbound, contemporary front and rear boards present but worn, front board split in half. Title printed within woodcut architectural border. Moderate toning to text, considerable chipping to margins of title page and final few leaves with no loss to text. About 10% the interleaves have brief contemporary annotations in a miniscule court hand. Ex-library, with stamp to head of text block, a few annotations in pencil to verso of title page. Housed in recent cloth clamshell box with calf spine label. \$1,000.

SECOND EDITION. *ESTC* S101227. Beale R53.

HEAVILY ANNOTATED 1594 EDITION OF LITTLETON



26 LITTLETON, SIR THOMAS [1402-1481].
WEST, WILLIAM [FL. 1568-1594], EDITOR.

Les Tenures de Monsieur Littleton, Ouesque Certaine Cases Addes per Auters de Puisne Temps: Queux Cases vous Troveres Signes Ouesque cest Signe [flower] al commencement & Fine de Chescun de Eux. Au Fine que ne Poies eux Misprender pur les Cases de Mounseur Littleton, Pur Quel Inconuenience, Ils Fueront Dernierment Tolles de Cest Lievr; Et cy un Soites plus Admotes al Request des Gentlehomes Students en le Ley Dengleterre. Reuiu & Change en Lordre des Sections, Oue un Nouel Index ou Table Pursuant Lordre des Dits Sections.

London: In Aedibus Caroli Yetswerti Armigeri, 1594. [i], 170, [27] ff. 12mo. (5-1/4" x 3").

Contemporary calf, blind rules and large central arabesques flanked by initials to center of boards, rebacked retaining spine with raised bands, clasps lacking, endpapers renewed. Some scratches and nicks, edges of boards mended, hinges cracked. Some toning to text, light browning to outer margins, edgewear to preliminaries and final few leaves. Wide margins, annotations to most leaves, early owner signature (Henry Bradshaw) to center of title page. \$4,000.

WRITTEN DURING THE REIGN of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is considered a landmark because it renounced the principles of Roman law (and Latin) in favor of guidelines and doctrines drawn from the Year Books and, when necessary, hypothetical cases. The annotations in this copy are mostly case references, but many are interpretive. HEL II:573. ESTC S108064. Beale T36.

27 [LYNDWOOD, WILLIAM (C.1375-1446)].
[BADIUS, JOSSE (1462-1535), EDITOR].

Provinciale seu Constitutiones Anglie cum Summariis Atq[ue] Iustis Annotationibus: Honestis Characteribus: Summaq[ue] Accuratione Rursum Impresse.

[Paris: Printed by Andreas Bocard at the University of Paris, May 28, 1501]. Collation: a8 b6, c-g8 h6 i-q8 r6 s-z8 [et]8 [con]6 A-B6 C8(-C8). cxcii, [19] ff. Complete. Main text surrounded by two-column linear gloss. Folio (13-1/2" x 9-1/2").

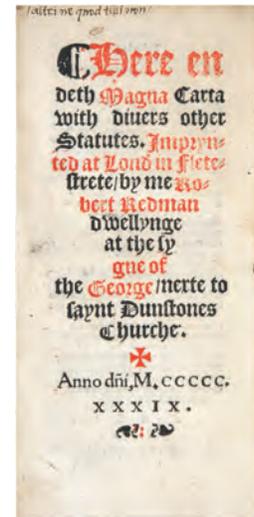
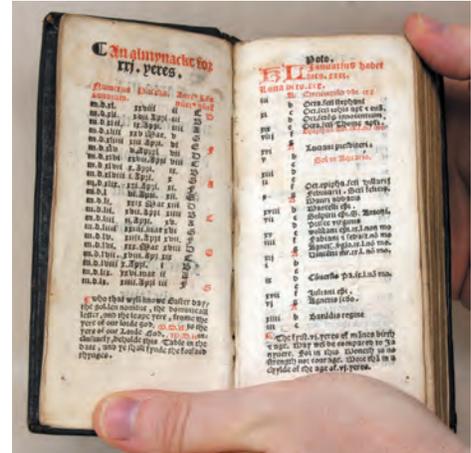
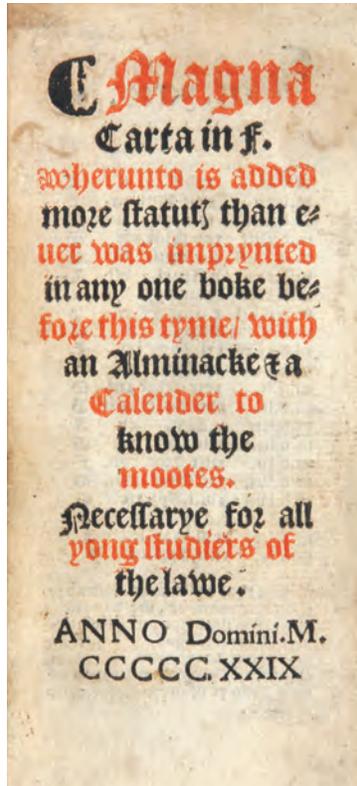
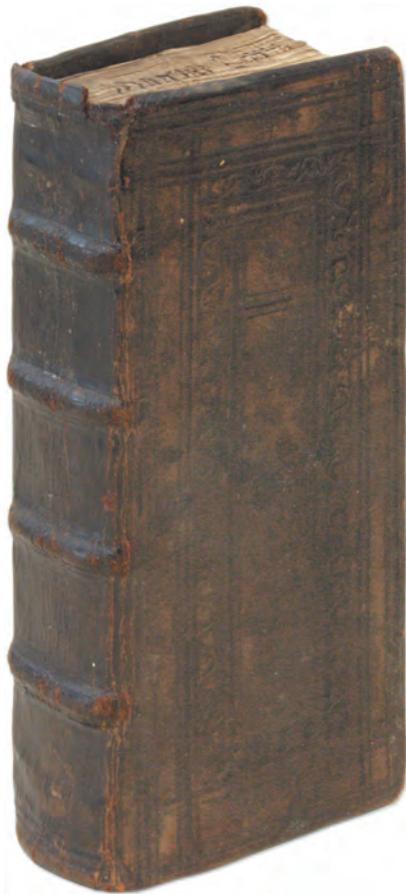
Contemporary paneled calf, corner fleurons and large arabesques to boards, recently rebacked, raised bands and lettering piece to spine, endpapers added, early hand-lettered title to fore-edge. A few shallow scuffs to boards, moderate rubbing to their extremities, corners bumped and somewhat worn, hinges cracked, later bookseller ticket, owner bookplate (of Walter Wigglesworth, dated 1934) and two 1930s-era auction or bookseller descriptions affixed

to front pastedown. Text printed in red and black gothic type, woodcut decorated initials. Light toning to text, faint dampstaining in places, minor edgewear to leaves at beginning and end of text, some with repairs, inkstains and spark burns to a few leaves. Contemporary annotations to endleaves and portions of text, some with minor loss due to trimming. A nice post-incunable copy of an important title. \$5,000.

FIRST POST-1500 EDITION. Main text followed by nineteen-page, two-part index (*Tabula*). Compiled around 1433 and first published around 1483-1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This copy was printed in Paris for the English market. Beale T403. ESTC S103845.



THE FIRST MAGNA CARTA PRINTED WITH A TITLE PAGE, THIS COPY OWNED BY THREE FAMOUS BOOK COLLECTORS:
RICHARD HEBER, SAMUEL CHRISTIE-MILLER AND ALBERT EH RMANN



28 [MAGNA CARTA].

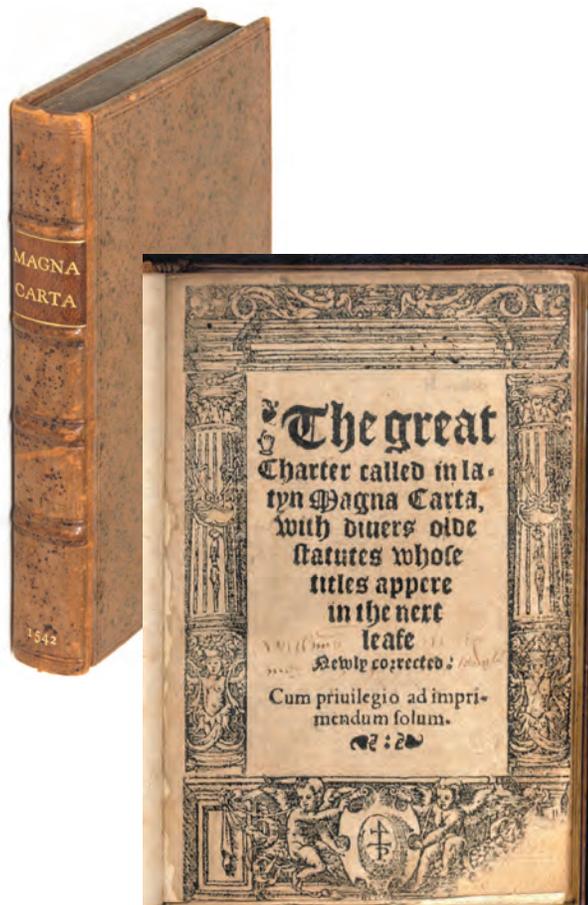
Magna Carta in F. Wherunto is Added More Statut[es] than Ever Was Imprynted in Any One Boke Before this Tyme, With an Alminacke & a Calender to Know the Mootes. Necessarye for All Yong Studiers of the Lawe. Anno Domini. M.CCCC.XXIX [1529, i.e. 1539].

[Imprynted at Lond(on): In Fletestrete, By Me Robert Redman Dwellynge at the Sygne of the George, Nexte to Saynt Dunstones Church, Anno D[omi]ni. M.CCCC.XXXIX (1539)]. [viii], 108, 108-148, [5], 2-74, [5] ff. Final two leaves are blanks. Collates complete. 12mo. (6" x 2-3/4").

Contemporary paneled calf with elaborate blind tooling, including a roll border of vine leaves, early hand-lettered titles to top and fore-edges. Negligible rubbing to extremities, corners bumped and lightly worn, small chip to head of spine, pastedowns loose, revealing strips of vellum with early manuscript, later owner stamp of Albert Ehrman to verso of boards, his bookplate (Bibliotheca Broxbourmiana) to verso of rear endleaf, later bookseller catalogue description tipped-in to front endleaf. Title page, other leaves in first gathering and leaves in final gathering, which contain the calendar and tables, printed in red and black, woodcut decorated initials. Light toning to text, a few cracks to text block, light soiling and a small faint stain to title page, a few small worm holes

through final gathering, annotations in fine early hand in a few places, later annotations, identifying ownership of Richard Heber and S. Christie-Miller to endleaves. An exceptional copy with an interesting chain of associations. \$17,500.

THE FIRST EDITION ISSUED WITH A TITLE PAGE and the first typographically handsome printing. Text of *Magna Carta* and *Charta de Foresta* in Latin (despite the claim in Redman's title page), statutes in Latin and Law French. First printed by Pynson around 1508, this augmented edition includes the *Charta de Foresta of Henry III*, statutes and additional information. Among the most notorious statutes are those of Edward I concerning Jews, which condemned them for irreverence and prevented them from practicing usury or acquiring land from Christians through pledges. Other "Antique Statutes" relate to women, wills, forcible entry, "Fraudulent Deedes" and other topics. It also includes a table of court calendars, "Necessarye for All Yong Studiers of the Lawe." This copy belonged to three notable book collectors: Richard Heber [1773-1833], Samuel Christie-Miller [1810-1889] and Albert Ehrmann [1890-1969]. Ehrman, a connoisseur and collector of early typography, was probably drawn to this copy for its appearance. OCLC locates 11 copies in North America, 6 in law libraries (Boston College, Harvard, Library of Congress, University of Michigan, University of Wisconsin, Washington University). ESTC S122126. Beale S8.



SCARCE EARLY PRINTING OF MAGNA CARTA IN ENGLISH

- 29 [MAGNA CARTA].
[FERRERS, GEORGE (1500?-1579), TRANSLATOR].

The Great Charter Called in Latyn Magna Carta, With Divers Olde Statutes Whose Titles Appere in the Next Leafe Newly Corrected. Cum Priuilegio ad Imprimendum Solum.

[London: In Paules Church Yerde at the Signe of the Maydens Heed by Thomas Petyt, 1542]. [iv], cxxviii ff. Lacking ff. cxxvix-ccix and following 5 unfoliated leaves of text. Final leaf, with colophon, supplied in facsimile. Octavo (5-1/4" x 3-1/2").

Recent speckled calf, blind rules to boards, raised bands and lettering piece to spine, title page mounted, repairs to corners of following three leaves. Light rubbing to extremities, moderate toning and occasional faint dampspotting to text, minor worming to margins of final 30 leaves, light dampstaining in a few places, light soiling to a few leaves. Faint early annotations to title page and a few other leaves, interior otherwise clean. \$1,650.

THIS IMPRINT IS BASED ON the first English translation published by Redman in 1534. It includes the *Charta de Foresta* of Henry III, the Statutes of Merton and Marlebridge, the Statutes of Edward I and additional information. OCLC locates 12 copies of this imprint in North America, 8 in law libraries (Columbia, Harvard, Library of Congress, New York University, UC-Berkeley, University of Michigan, George Washington University, Yale). ESTC S101057. Beale S13.



ATTRACTIVE 1556 MARSHE EDITION OF MAGNA CARTA

- 30 [MAGNA CARTA].

Magna Carta et Cetera Antiqua Statuta Nunc Noviter per Diversa Exemplaria Examinata et Summa Diligentia Castigata et Correctata cui Adiecta est Nova Tabula Valde Necessaria.

London: In Aedibus Thomae Marshe, 1556. [12], 2-160 ff.

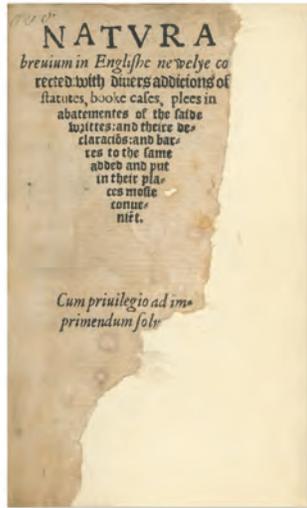
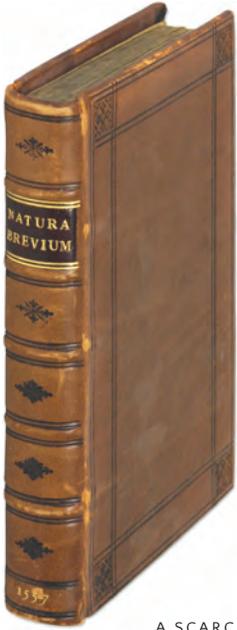
[AND]

Secunda Pars Veterum Statutorum: Anno M.D.LVI.

[Imprinted at London in Fletestrete Nere to S. Dunstones Church, by Thomae Marshe. Anno. M.D.LVI. (1556)]. [iv], 80 ff.

Octavo (5-1/4" x 3-1/4"). Later calf, blind rules to boards, rebacked retaining spine with raised bands, gilt ornaments and lettering pieces. Some rubbing to extremities, minor nicks and scuffs to boards and spine. Light toning to text, faint dampstains to a few leaves, clean tear to a leaf, light soiling to title page. A handsome copy. \$7,500.

ONE OF TWO EDITIONS FROM 1556, the last pre-Elizabethan printings. Also one of the earlier printings of *Magna Carta*, a work first printed around 1508, Marshe's (or Marsche's) edition is based on the version printed by Thomas Berthelet in 1531. It includes the *Charta de Foresta* of Henry III, the Statutes of Merton and Marlebridge, the Statutes of Edward I and additional information. OCLC locates 5 copies in North American law libraries (Columbia, Florida State University, Georgetown, Harvard, Washington University). ESTC S101067. Beale S15, S23.



A SCARCE NATURA BREVIUM

31 [NATURA BREVIUM].

Natura Brevium in Englishe Newely Corrected: With Divers Addicions of Statutes, Booke Cases, Pleees in Abatementes of the Saide Writtes: And Their Declaracio[n]s: And Barres to the Same Added and Put in Their Places Moste Convenie[n]t.

[London: In Flete Stret within Temple Barre, At the Sygne of the Hand and Starre, By Rychard Tottill, Ye xxvii Daie of Februarye, Anno Domini, 1557]. 180, [3] ff. Octavo (5-1/2" x 3-1/2").

Nineteenth-century calf, blind rules and corner fleurons to boards, raised bands lettering piece and blind ornaments to spine, early hand-lettered title to fore-edge, marbled endpapers. Light rubbing to extremities, title page, which is missing most of its fore-edge and lower corner with minor loss to text, re-hinged and mounted. Toning, (very) faint dampstaining to lower half of text block, internally clean. \$1,750.

WITH TABLE. Text mostly in English, translated from Law French; some text in Latin. A cornerstone of the common law, the *Natura Brevium* is a selection of writs, with commentary, based on the *Registrum Brevium* dating from the reign of Edward III. The first printed edition of the *Natura Brevium* was published in 1494



Detail from N° 31



by Richard Pynson. After Sir Anthony Fitzherbert published his *New Natura Brevium* in 1534 it was referred to as the *Old Natura Brevium*. The *ESTC* lists three variants of this title, with five copies found worldwide of our variant here. *OCLC* locates 12 of all three, 5 in North American law libraries (Columbia, Harvard, Library of Congress, Minnesota State Law Library, Yale). *ESTC* S105959. Beale T105a.

1584 TOTTTEL EDITION OF THE OLD NATURA BREVIUM

32 [NATURA BREVIUM].

La Vieux Natura Brevium, Dernierment Corrigeet Amend', &c. Nouelment Imprimee.

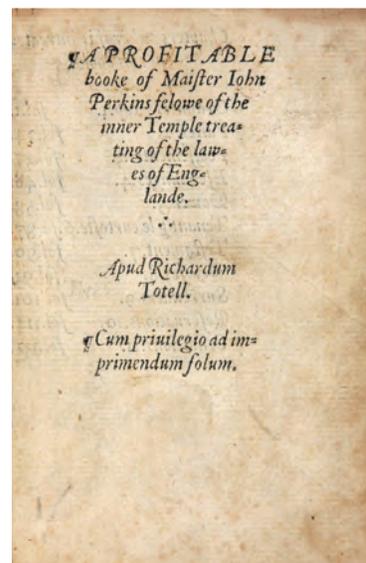
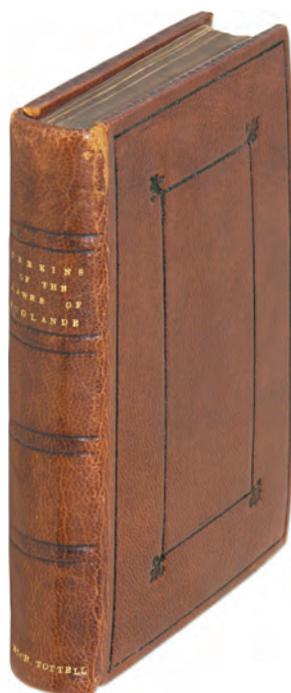
London: In Aedibus Richardi Tottelli, 1584. 180, [4] ff. 12mo. (5-3/4" x 4").

Contemporary calf, blind-stamped insignia and monogram "WC," and later blind stamp "SC" to upper corner, raised bands. Moderate rubbing to extremities with wear to spine ends and corners, front hinge starting. Occasional light dampstaining. Despite these minor impediments, a well-preserved, highly desirable copy in its original state. \$2,000.

THIS EDITION STANDS APART from the numerous editions produced during the sixteenth century because it was printed by Richard Totell [fl. 1553-1594]. Totell was an important London printer who owned the patent for many common law books. Walker 867. *ESTC* S113106. Beale T97.



Detail from N° 32



RARE IMPRINT OF A PROFITABLE BOOKE THAT IS NOT LISTED IN BEALE

33 PERKINS, JOHN [D. 1545].

A Profitable Booke of Maister Iohn Perkins, Fellowe of the Inner Temple Treating of the Lawes of Englande.

[London]: Apud Richardum Totell, [c.1560–1565]. 19, 168 ff. Lacking final blank leaf. Octavo (5-1/4" x 3-3/4").

Attractive late-nineteenth century maroon polished calf, blind frames to boards, raised bands and gilt titles to spine, endpapers renewed. Negligible light rubbing to spine ends and joints. Top edge gilt. The first leaf of the proem has a splendid decorated initial illuminated in gold against a blue background, main text has a woodcut decorated initial. Early underlining and brief annotations to a few leaves. Offsetting to margins of endleaves, negligible light wear and browning to a few leaves, interior otherwise fresh. A desirable copy of a rare imprint. \$3,500.

EARLY EDITION OF A WORK FIRST PUBLISHED in 1528. Main text in Law-French, preface in Latin. A popular work during the sixteenth and early seventeenth centuries that was held in high regard by Coke, Perkins's *Profitable Booke* went through numerous editions in both English and Law-French. Devoted mostly to the land law as developed in the Year Books, it is divided into the following topics: grants, deeds, feoffments, exchanges, dower, curtesy, wills, devises, surrenders, reservations, and conditions. According to Marvin, "the English translations are, more or less, inaccurate, and have accumulated errors...the French editions, therefore, are generally to be preferred" (563). This copy does not have a publication date, but its colophon, pagination (stated above) and printing errors suggest either 1560 or 1565. The colophon reads: "Imprinted at Lon-/ don in fletestrete

with-/ in temple barre, at the signe of/ the hande and starre, by/ Richarde Tottell"; leaf 154 is numbered 167. All of the imprints listed in Beale have printed dates. However, Pollard and Redgrave list two undated imprints with the provisional dates of 1560 and 1565. Records on OCLC with an identical colophon, pagination and printing errors of our copy state 1560, except for Harvard, which gives a provisional date of 1559. Our copy thus falls between the 1555 and 1567 Tottel editions. OCLC locates 7 copies. HEL V:388. Pollard & Redgrave 19634/19634.5. ESTC S4042.

"A PROFITABLE BOOKE"

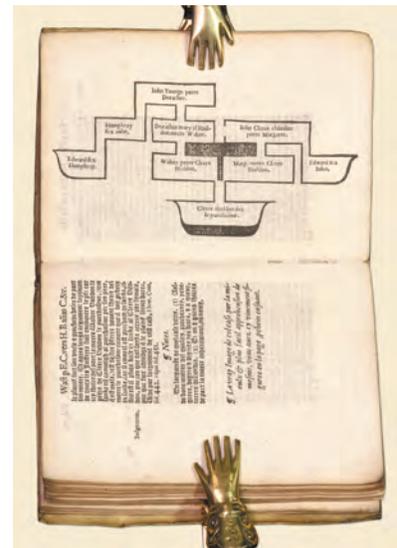
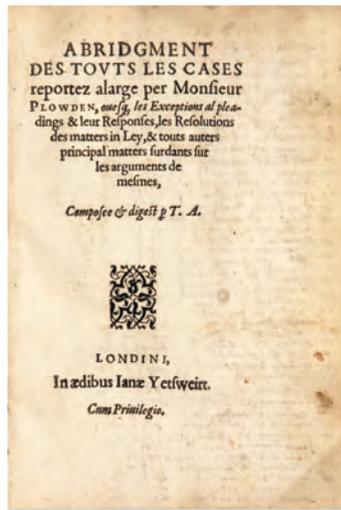
34 PERKINS, JOHN.

A Profitable Booke of Master John Perkins, Fellowe of the Inner Temple. Treating of the Lawes of Englande.

[London: In Fletestreete...Within Temple Barre...By Richarde Tottell, 1586]. [xx], 168 ff. Octavo (5-1/2" x 4").

Contemporary calf, blind rules and large central arabesques flanked by owner initials (E B) to boards, rebounded, lettering piece and blind rules to spine, corners repaired, endpapers renewed. Some rubbing to extremities, corners bumped and somewhat worn, crack in text block between title page and following leaf. Some toning, minor edgewear to preliminaries, chip to fore-edge of fol. [xvii] faint dampstaining to fore-edge and lower margins of most of text. Brief early annotations to a few leaves, a few minor inkstains, interior otherwise clean. \$1,250.

ESTC S108588. Beale T424.



THE FIRST ABRIDGMENT OF PLOWDEN WITH CONTEMPORARY ANNOTATIONS

35 PLOWDEN, EDMUND [1518–1585]. A[SHE], T[HOMAS [FL. 1599–1618], DIGESTER.

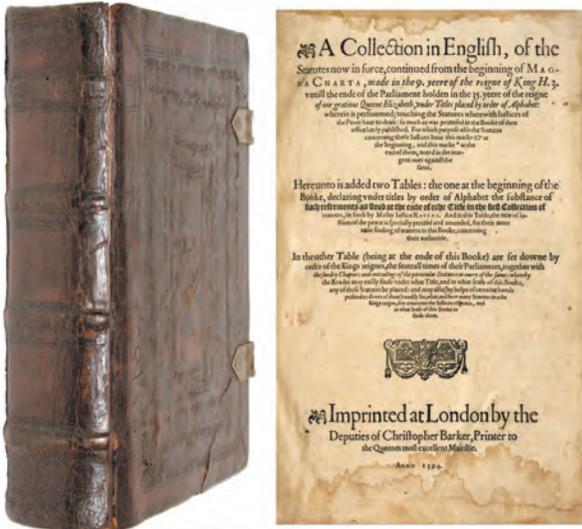
Abridgment des Touts les Cases Reportez Alarge per Monsieur Plowden, Ouesq[ue] les Exceptions al Pleadings & Leur Responses, Les Resolutions des Maters in ley, & Touts Auters Principal Matters Surdants sur les Arguments de Mesmes, Composee & Digest p[er] T.A.

London: In Aedibus Ianae Yetsweirt, [1597?]. [1], 91, [1] ff. Table. Lacking Signature D (ff. 17–24). Like most copies, this not issued with a preface (as per *ESTC*). Octavo (5-1/2" x 3-3/4").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, front joint reinforced, ties lacking. Light rubbing to extremities, light soiling, somewhat heavier soiling to spine, front joint starting near head, front pastedown loose, a few cracks to text block. Moderate toning to text, faint ink smudges to a few leaves,

light soiling to title page, some edgewear to preliminaries and final few leaves. Annotations in early hand filling front pastedown and verso of title page, other annotations in same hand to margins of several leaves. \$1,500.

FIRST EDITION. Ashe's was the first abridgment of Plowden. Well received, it had a second edition in 1607 and was reissued in an English translation in 1650. First published in 1571 and covering the period of 1550–1580, Plowden's *Reports* marks the transition away from the cumulative method of the Year Books to one based on exposition and commentary. In most respects it is a precursor of the modern reporter. The annotations in our copy indicate patient study. The notes on the preliminary leaves are case references linked to the text. The notes to the margins are glosses and summaries of key points. Some sources, most notably the Pollard and Redgrave *Short-Title Catalogue*, give a publication date of 1598. OCLC locates 3 copies in North American law libraries (Harvard, Library of Congress, University of Minnesota). Pollard & Redgrave 20037. *ESTC* R114904. Beale R491.



1594 EDITION OF RASTELL'S STATUTES

36 RASTELL, WILLIAM [1508-1565], COMPILER.

A Collection in English, Of the Statutes Now in Force, Continued from the Beginning of Magna Charta, Made in the 9. Yeere of the Reigne of King H.3. Until the Ende of the Session of Parliament Holden in the 35. Yeere of the Reigne of Our Gracious Queene Elizabeth, Under Titles Placed by Order of Alphabet: Wherein is Performed (Touching the Statutes Wherewith Iustices of the Peace Have to Deale) so Much as was Promised in the Booke of Their Office Lately Published.... Hereunto is Added Two Tables: The One...Declaring Under Titles by Order of Alphabet the Substance of Such Referments as Stood at the Ende of Eche Title in the First Collection of Statutes, Set Forth by Master Iustice Rastal. And in this Table, The Title of Iustices of the Peace is Speciallie Perused and Amended, For Their More Easie Finding of Matters in this Booke, Concerning Their Authoritie. In the Other Table... Are Set Downe by Order of the Kings Raignes, The Severall Times of Their Parliaments, Together with the Sundry Chapters and Intitulings of the Particular Statutes in Every of the Same: Whereby the Reader May Easilie Finde Under what Title, And in What Leafe of this Booke, Any of These Statutes be Placed: And May Also...Redilie See, What, And How Manie Statutes in Eche Kings Raigne, Do Concerne the Iustices of Peace, And in What Leafe of this Book to Finde Them.

London: Imprinted by the Deputies of Christopher Barker, 1594. [xxx], 552, [14] ff. Main text in parallel columns. Folio (11" x 7-1/2").

Contemporary paneled calf over wooden boards, elaborate blind tooling to boards, clasps lacking, buckles present, front board carefully re-attached, endleaves renewed. Moderate rubbing to extremities, some scuffs and scratches to boards. Woodcut head-pieces, tail-pieces and decorated initials. Light toning, somewhat heavier in places, faint dampstaining and edgewear to outer margins of preliminaries and a few other few leaves, light soiling to title page. \$2,500.

RASTELL FIRST PUBLISHED his great collection of statutes from Magna Carta to the present in 1557. It was updated periodically, the final edition appearing in 1625. As the title indicates, it had

finding aids to facilitate its use by justices of the peace. "It is partly of the nature of an edition of the Statutes at large, as the enacting parts of the public statutes in force are printed nearly word for word, and in their original language. But it is more of the nature of an abridgment.... The book was frequently republished and brought up to date in successive editions and in 1579 the Latin and French statutes were translated." *HEL* IV: 311-312. *ESTC* S121424. Beale S70.

EARLY PRINTING OF A LANDMARK WORK
IN LEGAL ETHICS AND EQUITY

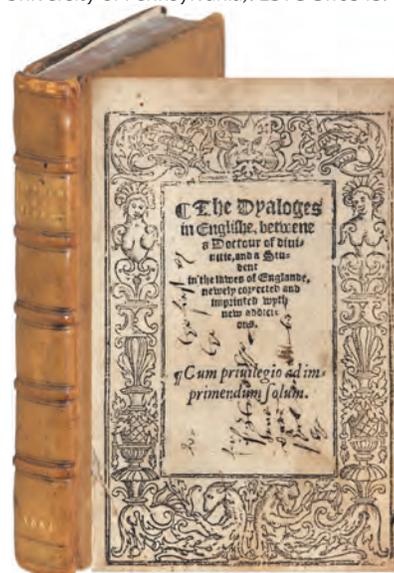
37 SAINT GERMAN (GERMAIN), CHRISTOPHER [1460?-1540].

The Dyaloges in Englishe, Betwene a Doctour of Divinitie, And a Student in the Lawes of Englande, Newly Corrected and Imprinted Wyth New Addicions.

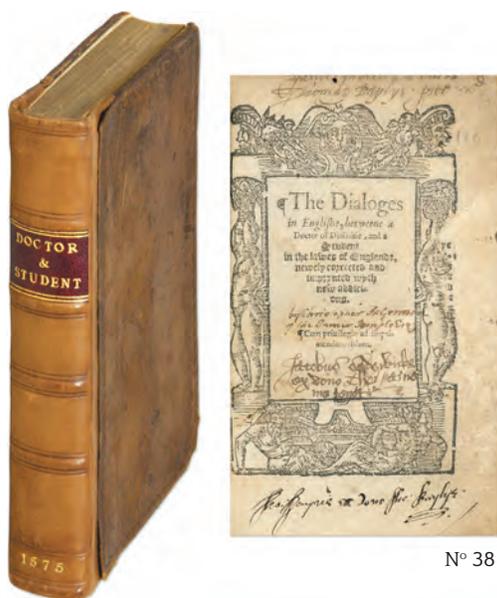
[London: In Aedibus Richardi Tottelli, 1554 (i.e. 1565?).] 48, 50-177, [4] ff. Final four leaves, which comprise the index, supplied in facsimile. Octavo (5-1/2" x 3-1/2").

Later calf, blind rules to boards, raised bands and gilt title to spine. Some rubbing to extremities with minor wear to spine ends and corners, a few minor nicks to boards. Title printed within woodcut architectural border. Moderate toning to text, somewhat heavier in places, faint dampstaining to a few leaves, title page, following leaf and final leaf partially detached. Early annotations to title page and a few leaves, later owner signature to front free endpaper, interior otherwise clean. An attractive copy. \$1,500.

WRITTEN ORIGINALLY IN LATIN IN 1523. *Dialogus de Fundamentis Legum Angliae et de Conscientia*, better known by its colloquial English title, *Doctor and Student*, contains two dialogues between a doctor of divinity and a student of English law. It popularized canonist learning on the nature and object of law, the religious and moral standards of law, the foundations of the common law and issues regarding the jurisdiction of Parliament. It was also a key work in the development of equity law. *Doctor and Student* went through numerous editions. An authority well into the eighteenth century, it influenced several writers, including Blackstone. A few sources believe the 1554 Tottell imprint was actually printed in 1565. Whatever the date, it is a scarce imprint. OCLC locates 7 copies in North American law libraries (Boston College, Columbia, Harvard, Jenkins, LA County, University of Michigan, University of Pennsylvania). *ESTC* S116343. Beale T473.

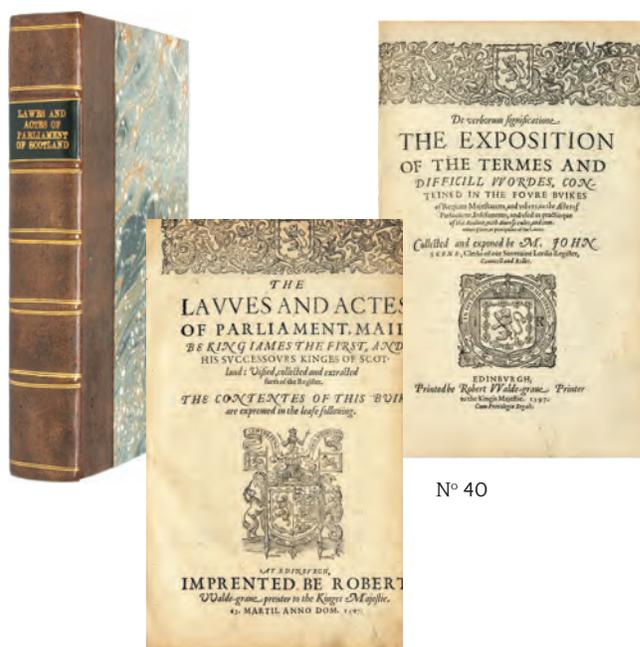


N° 37



N° 38

1575 IMPRINT OF DOCTOR AND STUDENT



N° 40

CONTAINS THE FIRST MENTION OF GOLF AND THE FIRST DICTIONARY OF SCOTS LAW

38 SAINT GERMAN (GERMAIN), CHRISTOPHER.

The Dialoges in English, Betwene a Doctor of Divinitie, And a Student in the Lawes of Englande. Newly Corrected and Imprinted Wyth New Addicions.

[London: In Aedibus Richardi Tottelli, 1575]. 177 [i.e. 176], [4] ff. Octavo (5-1/4" x 3-3/4").

Eighteenth-century calf, rebaked, raised bands and lettering piece to spine, endpapers renewed. Some rubbing to extremities, corners bumped and worn. Title printed within woodcut architectural border. Toning to text, faint dampstaining in places, a few worm holes to fore-edge leaves just touching text in a few places, light soiling to title page, which has a chip (1-3/4" x 1/2") to fore-edge with some loss to printed border. Contemporary and later (probably eighteenth-century) annotations to title page and some text leaves, interior otherwise clean. \$2,000.

OCLC LOCATES 4 COPIES in North American law libraries (Florida State University, Harvard, Social Law, Washington University). Beale T476. ESTC S116366.

AND AN IMPRINT FROM 1598

39 SAINT, GERMAN (GERMAIN), CHRISTOPHER.

The Dialogue in English, Betwene a Doctor of Divinitie, And a Student in the Lawes of England. Newly Corrected and Imprinted, With New Additions.

London: Printed by Thomas Wight and Bonham Norton, 1598. [2]-176, [4] ff. Title page lacking, supplied in facsimile. Octavo (5-1/4" x 3-1/4").

Somewhat later sheep, blind rules to boards, blind rules and raised bands to spine. Moderate rubbing to extremities, small chip to head of spine, corners bumped, endleaves neatly removed. Light toning to text, brief early annotations to a few leaves.

SOLD

ESTC S116373. Beale T480.

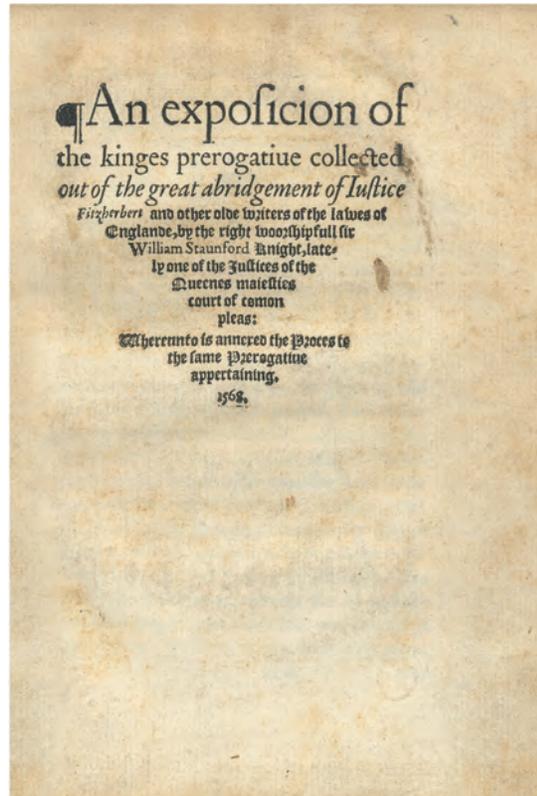
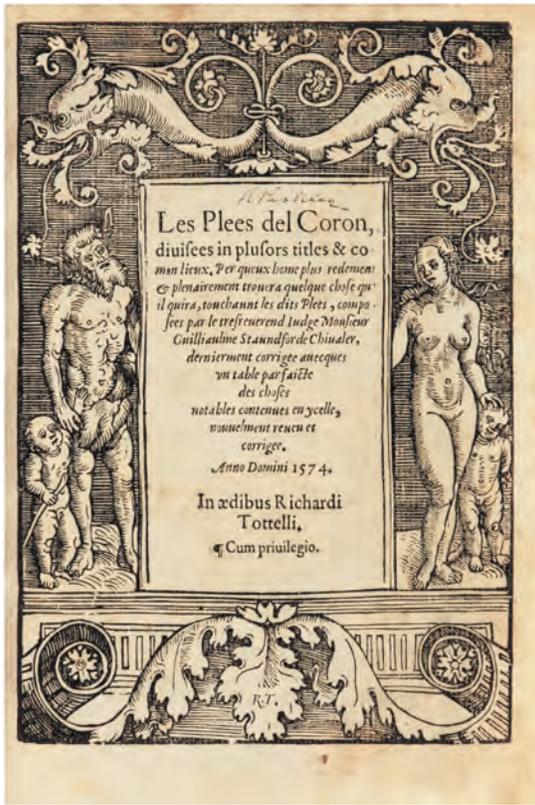
40 [SKENE, JOHN C.1543-1617], COMPILER].

The Lawes and Actes of Parliament Maid be King James the First, And His Successours Kinges of Scotland: Visied, Collected and Extracted Surth of the Register. The Contentes of This Buik, Are Expremed in the Leafe Following.

Edinburgh: Imprinted be Robert Waldegrave, 1597. [v], 162; 178; [30]; [70] ff. Folding table. Four parts. First and fourth parts have title pages, the fourth titled *De Verborum Significatione: The Exposition of the Termes and Difficill Wordes, Contained in the Foure Buikes of Regiam Majestatem*. Lacks additional engraved title page found in some copies. Folio (10" x 7").

Recent period-style quarter-calf over marbled boards. Toning to text, somewhat heavier in places, negligible foxing to a few leaves, a few leaves recorned. Woodcut initials and head and tail-pieces. Fore-edges trimmed with some loss to title page and head-piece of Fol. 1 of the second part. \$1,500.

SECOND EDITION. Expanded. This volume contains what is thought to be the earliest mention of golf in print, tracing its history to the manuscript Acts of 1457, when King James II decreed "that the fute-bal and golfe be utterly cryed downe, and not to be used. And as tuitching the futeball and the golfe, to be punished by the Baronnis un-law, and gif he takis not the un-law, that it be taken be the Kingis officiares." This volume also contains the 1491 re-confirmation by James IV: "Item. It is stature and ordained that in place of the Realme there be used fute-ball, golfe, or uther sik unprofitable sportes, for the commoun gud of the realme & defense thereof." In their bibliography, *The Game of Golf and The Printed Word 1566 1985, A Bibliography of Golf Literature in the English Language*, Donovan and Murdoch say "[t]he Acts is a prize that many golf collectors would like to win" (1). The last section, 70 ff., was the first appearance of Skene's *De Verborum Significatione*, the first published dictionary of Scots law. ESTC S116931.



THE FIRST PRINTED WORK DEVOTED TO CRIMINAL LAW
BOUND WITH A RELATED TREATISE ON ROYAL PREROGATIVES

41 STAUNFORD, SIR WILLIAM [1509-1558].

Les Plees del Coron, Divisees in Plusors Titles & Comon Lieux. Per Queux Home Plus Redement Trovera Quelque Chose quil Quira, Touchant les Dits Plees. Dernierment Corrigee Avecques un Table Parfaicte des Choses Notables Conteneues en Ycelle, Nouvelment Revue et Corrigees.

[London]: In Aedibus Richardi Tottelli, 1574. [xiv], 198 ff.

[BOUND WITH]

STAUNFORD, SIR WILLIAM.

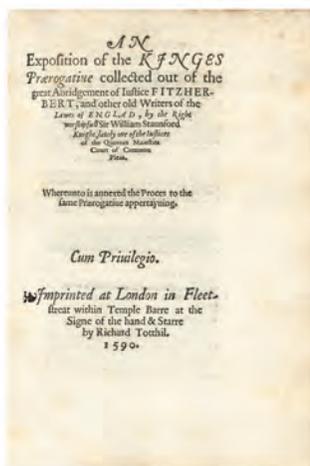
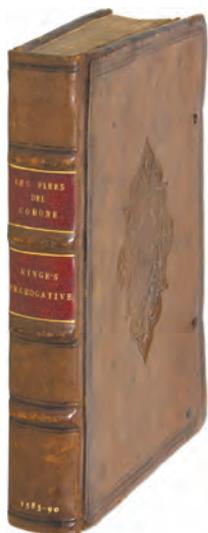
An Exposition of the Kinges Prerogative Collected Out of the Great Abridgement of Iustice Fitzherbert And Other Olde Writers of the Lawes of Englande. Whereunto is Annexed the Proces to the Same Prerogative Appertaining.

[London: Imprynted...in Flete Strete Within Temple Barre...By Rychard Tottel, 1568]. [i], 85 ff.

Quarto (7-1/4" x 5-1/4"). Contemporary calf, blind frames to boards, corners mended, rebacked, raised bands and lettering pieces to

spine, early hand-lettered title to fore-edge, endpapers renewed. Moderate rubbing to extremities, minor chipping to spine ends, front joint cracked, rear joint starting, cracks in text block before title page and after final index leaf. Title page of *Plees* printed within large woodcut architectural border, woodcut decorated initials to both works. Minor toning, light soiling to title pages. Later owner signature (of Wm. H. Stillingfleet, 1797) to front endleaf, notes in sixteenth and eighteenth-century hands in a few places, some affected by trimming with negligible loss. A nice copy. \$1,750.

LATER EDITIONS. First published in 1557, Staunford's *Plees* is considered a "principal book" by Pollock and Maitland, one that enables us "to trace our modern laws of crimes, from the later middle ages onwards." Based on Bracton and the Year Books, Staunford's treatise is divided into three parts. The first treats offences, the second treats jurisdiction, appeals, indictments, and defenses. The third addresses trials and convictions. *Plees* was written after Staunford was appointed judge of the common pleas in 1554. *Exposition of the Kinges Prerogative* was first published in 1567. It addresses discretionary rights enjoyed by the monarchy in foreign policy, domestic affairs, legal and governmental administration, religion and economic matters. Pollock and Maitland II:448. ESTC S117813, S117817. Beale T489, T492.



N° 42

N° 43

FINAL EDITIONS OF STAUNFORD'S PLEES AND EXPOSITION

AN IMPORTANT EARLY WORK ON WRITS

42 STAUNFORD, SIR WILLIAM.

Les Plees del Coron, Divisees in Plusors Titles & Comon Lieux. Per Queux Home Plus Redement & Pleinement Trover a Quelque Chose que Il Quira, Touchant les Dits Plees, Composees per le Tres Reuerend Iudge Monsieur Guillaulme Staundforde Chualer, Dernierment Corrigees Auecques un Table Parfaicte des Choses Notables Contenus en Ycelle, Nouelment Reveu & Corrigees.

[London]: In Aedibus Richardi Tottelli, 1583. [xii], 196 ff.

[BOUND WITH]

STAUNFORD, SIR WILLIAM.

An Exposition of the Kinges Prerogative, Collected Out of the Great Abridgement of Iustice Fitzherbert, And Other Old Writers of the Lawes of England. Whereunto is Annexed the Proces to the Same Praerogative Appertaining.

London: Imprinted...in Fleet-Streat Within Temple Barre...By Richard Totthil, 1590]. [i], [5]-84 [i.e. 85] ff.

Quarto (7-1/2" x 5-1/2"). Contemporary calf, blind rules and large central arabesques to boards, rebacked, raised bands and lettering pieces to spine, endpapers renewed, ties lacking. Light rubbing to extremities, corners bumped and lightly worn, front hinge cracked but secure, later bookplate to front pastedown. Title of *Plees* printed within handsome woodcut architectural border, woodcut initials. Light toning to text, some soiling to title page of *Plees*, negligible foxing to a few leaves. A handsome volume. \$2,500.

FINAL EDITIONS. ESTC S117812, S117820. Beale T490, T496.

43 THELOALL, SIMON.

Le Digest des Briefes Originals, Et des Choses Concernants Eux.

London: In Aedibus Richardi Tottelli, 1579. [viii], 424 ff. With dedication and table. Octavo (6" x 4").

Seventeenth-century calf, blind rules to boards, raised bands and later lettering piece to spine, early hand-lettered title to fore-edge of text block. A few shallow scuffs to boards, some rubbing to extremities, front board beginning to separate, rear joint starting, some chipping to spine ends, corners bumped, pastedowns lacking, partial crack to text block between ff. 192 and 193. Light soiling to title page, toning to text. Annotations in neat early chancery hand to several leaves, later owner signature of William Jones to title page. An appealing copy. \$1,500.

FIRST EDITION. An important early work on writs, Theloall's *Digest* owes its origin to the suggestion of Staunford that it would be a good idea if lawyers would write treatises on the other titles of the abridgments similar to his study of the Title "Prerogative." Staunford illustrated his meaning by showing how the Title "Brief" might be treated. Theloall chose this title, and wrote a treatise on it for his own use. The manuscript, having been lent, eventually found its way to a printer. "It deserved to be printed, as it is the most orderly treatise on procedure, founded on the Year Books, that had yet appeared... Historically, it comes between the older commentaries upon writs and the modern books on procedure.": HELV:381. A second edition was published in 1678. The owner of this book may have been Sir William Jones [1746-1794], the important jurist, legal writer and Orientalist. ESTC S118369. Beale T499.



5 EDWARD IV, THE "LONG QUINTO"

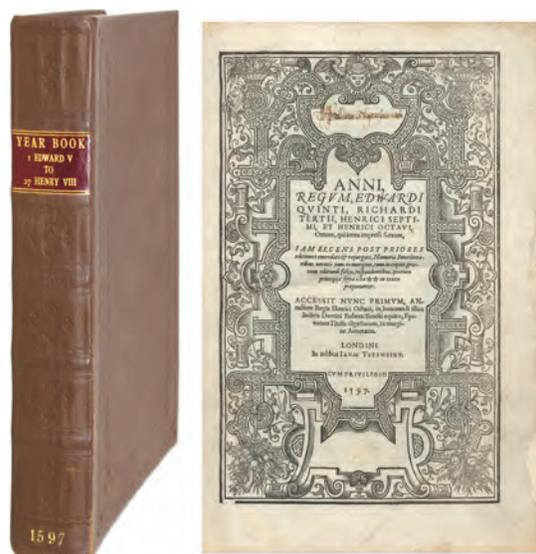
44 [YEAR BOOK].
EDWARD IV, KING [1442-1483].

En Cest Volume est Contenus le Longe Report de Anno Quinto Edwardi Quarti. Ore Novelment Imprimee & Corigee, Ouesque References al Abridgement de les Cases in Brooke Addes in le Margent de Chescun Case.

London: In Aedibus Richardi Tottelli, [1587]. [v], 108, 108-142, [1] ff. Collates complete. Folio (11-1/2" x 8").

Contemporary calf, blind rules and medium-sized arabesques to boards, raised bands and later lettering piece to spine. Some rubbing to extremities, chipping to spine ends, joints just starting at ends, corners bumped, pastedowns loose and edgeworn, as are other endleaves and title page, later annotations and private-library shelf label (Kimbolton Castle, Cambridgeshire) to verso of front board (behind pastedown, where it is loose). Title printed within handsome woodcut architectural border, woodcut decorated initials. Some soiling to title page, light browning to text. Underlining and brief annotations in fine contemporary chancery hand throughout. An appealing copy. \$1,350.

COVERS THE FIFTH REGNAL YEAR of Edward IV (Easter, Trinity, and Michaelmas terms, 1465-1466). This is also known as the "long quinto," the longer of the two Year Books for this regnal year, and one highly regarded for the quality of its reporting. It is difficult to overestimate the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are of crucial primary sources for our knowledge of medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Maitland believed that the earliest volumes were notes taken by law students in court copied for the use of pleaders in later cases. Holdsworth says they were records of cases made by lawyers for personal use. Though it is not known when the first manuscript volumes were compiled, it is clear that cases can be found to date from the 1270's and the series continues to 1535. Marvin suggests that the Year Books are as old as the time of William the Conqueror. As Marvin has pointed out, these are the "venerable books" from which Littleton, Hobart, Hale and Coke drew "so much valuable ore, melting it into ingots and refining and sending it abroad as the correct coin of the Common Law." Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present volume is one of the so-called "quarto editions." These volumes were issued separately with various dates and impressions between 1522 and 1619. *HEL* V:357-377. *ESTC* S101302. Beale R371.



NOT IN BEALE

45 [YEAR BOOK].
EDWARD V, KING [1470-C.1483].
RICHARD III, KING [1452-1485].
HENRY VII, KING [1457-1509].
HENRY VIII, KING [1491-1547].

*Anni, Regum, Edwardi Quinti, Richardi Tertii, Henrici Septimi, Et Henrici Octavi, Omnes, Qui Antea Impressi Fuerunt, Iam Recens Post Priores Editiones Emendati & Repurgati, Numeris Interlinearibus, Notatis Tum in Margine, Tum in Capite, Priorum Editionu[m] Foliis, Respondentibus, Quorum Principijs Signa Ista ** In Textu Praeponuntur. Accessit nunc Primum, Annalium Regis Henrici Octavi, In Honorandi Illius Ludicis Domini Roberti Brooki Equitis, Epitomes Titulis Digestorum, in Margine Annotatio.*

London: In Aedibus Ianae Yetsweirt, 1597. [390] ff. in various pagings. Collates complete. Folio (11-3/4" x 8").

Recent period-style calf, blind double fillets forming two panels with corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed with marbled paper, early hand-lettered title to fore-edge of text block. Light rubbing to extremities, cracks in text block between text block and free endpapers. Title printed within handsome woodcut architectural border, woodcut decorated initials. Some toning to text, light browning in a few places, struck through signature to head of title page, annotations in tiny early chancery hand to a few leaves. Ex-library. Perforated stamp to title page. A handsome copy. \$1,500.

COVERS REGNAL YEARS 1 EDWARD V (1483), 1-2 Richard III (1483-85), 1-16, 20-21 Henry VII (1485-1509), and 12-14, 18-19, 26-27 Henry VIII (1509-1547). With an index of cases, side-notes and cross-references to Brooke, Fitzherbert and other authorities. OCLC locates four copies of the present imprint in North American law libraries (Columbia, Harvard and the Universities of Minnesota and Pennsylvania). Not in Beale or its supplement (published 1943), but it is given the designation "382a" in an annotated copy and an unpublished "Supplement 2" held by the Harvard Law School Library (as noted in its online catalogue). *ESTC* S121406. Not in Beale.

HEAVILY ANNOTATED COPIES OF FOUR YEAR BOOKS
FROM THE REIGN OF HENRY VI

46 [YEAR BOOKS].
HENRY VI, KING [1421-1471].

De Termino Michaelis Anno XXXVII. Henrici Sexti.

[London: Imprinted...by Rychard Tottel the I. Daye of June in the Yere of Our Lord. 1575]. 38 ff.

[BOUND WITH]

De Termino Michaelis Anno XXXVIII. Regni Regis Henrici Sexti.

[London: Imprinted...by Rychard Tottel the V. Daye of Maye in the Yere of Our Lord. 1575]. 40 ff.

[AND]

De Termino Michaelis Anno XXXIX. Henrtici Sexti.

[London: Imprinted...by Rychard Tottel the 21. Daye of June in the Yere of Our Lord. 1575]. [63] ff. Lacking ff. 9-28, 47, 48, 55, 61 (and final blank leaf), but bound with 9 ff from Tottel's Year Books from the 35th and 38th Regnal years. Signatures F and G, ff. 21-28, and leaves M1 and Q1, ff. 55 and 61, bound out of order.

[AND]

Anno XXXVI.H.VI.

[London: Imprinted...by Rychard Tottel, 1575]. 34 ff.

Later vellum, blind rules to boards, hand-lettered title label to spine. Some soiling and a few minor stains, moderate rubbing to extremities, chipping to head of spine, another chip near foot, Boards slightly bowed, a few shallow cut marks to rear board, hinges starting, armorial bookplate and later presentation and private library bookplates to front pastedown. Moderate toning to text, somewhat heavier in places, occasional faint dampstaining, edgewear to margins in some places, a few tears and chips, lower corner lacking from a leaf in *Anno XXXIX* with minor loss to text (but not legibility). Margins annotated throughout in fine early hand. \$2,000.

THE MARGINS OF THIS VOLUME are filled with annotations. All but a few are in a neat early hand; the others are in a somewhat later style. Most of these appear to be cross-reference to other cases in the Year Books. A few are interpretive comments. According to the presentation bookplates, this copy belonged to George Chaworth, First Viscount Chaworth of Armagh [c. 1568-1639], a lawyer, Irish Chief Justice and Member of the House of Commons between 1621 and 1624, and, in 1636, William Cartwright "an eminent lawyer." It is possible that they were the annotators. The rear endleaf in this volume was taken from a 1577 Tottel edition of Fitzherbert's *Abridgement*. ESTC S101469, S101470, S101474, S101466. Beale R213, R217, R222, R207.

1-16, 20, 21 HENRY VII

47 [YEAR BOOK].
HENRY VII, KING.

In Hoc Volumine Continentur Omnes Anni Regis Henrici Septimi, Ab Anno Primo, Usque ad Annum Vicesimum Secundum Eiusdem Regis, Qui Antea Impressi Fuerunt. Ore Novelment Imprimee & Corrige, Ouesque Plousours Bones Notes, Letters, & Figures en le Margent, Et en le Pag. Mesme. Queux Notes Referre les Cases al Abridgement del Brooke, [et] Auters Lieurs del Ans. Et les Letters & Figures Monstront Toutes les Pointes del Arguments & Cases.

London: In Aedibus Richardi Tottelli, 1585. Colophon dated 1583. xxxi, xix, xv, xviii, xli, ii-xvi, ii-xvi, xiii, ii-xxvi, ii-xxx, ii-xxix, ii-xxix, ii-xxviii, xxxii, xvii, xvii, xiii, xli ff. Collates complete. Folio (10-1/2" x 7-1/2").



N° 46

Recent period-style calf, blind fillets and large central ornaments to boards, raised bands and lettering piece to spine, endpapers renewed with marbled paper. Negligible light rubbing to extremities. Title printed within handsome woodcut architectural border, woodcut decorated initials. Some toning to text, light foxing in a few places, minor worm holes to margins in a few places, light soiling to title page. Occasional annotations in tiny early chancery hand, some affected by trimming, interior otherwise clean. An attractive copy. \$2,000.

COVERS REGNAL YEARS 1-16, 20 AND 21 HENRY VII. With an index of cases, side-notes and cross-references to Brooke, Fitzherbert and other authorities. OCLC locates two copies of the present imprint in North American law libraries (Harvard, University of Pennsylvania). ESTC S121423. Beale R414.

SOME OF THE FIRST MOVES AGAINST
THE CATHOLIC CHURCH IN ENGLAND

48 [YEAR BOOK].
HENRY VIII, KING.

Anno. XXI. Henrici VIII. Statuta ad Remp. Spectantia, Edita in Prima Sessione Parlamenti, Primo Inchoati in Civitate Londin. Tertio die Novembris, Anno Regni Inuictissimi Principis Henrici Octavi, Angliae & Franciae Regis, Fidei Defensoris, & Domini Hiberniae. XXI & ex ea Civitate tam Adiurnati Q[uam] Prorogati ad Palatium Westmonast. & Ibidem Continuati per XLIII. Dies, Videlicet Usque ad XVII Diem Decembris, & Ab Eisdem Loco & Die Prorogati [sic] Usq[ue] ad. XXVI. diem Aprilis tunc Proxime Instantis.

[London: In Aedibus Thomae Bertholeti (i.e. Bertheleti) Regii Impressoris, 1551?]. XXVII, [1] ff. Folio (11-1/4" x 7-3/4").

Later quarter morocco over marbled boards. Light rubbing to boards, moderate rubbing to extremities, armorial bookplate of Edwin Freshfield to front pastedown. Title printed within woodcut architectural border, woodcut decorated initials. Some toning to text, faint dampstaining to foot of text block. A handsome copy. \$1,750.

THIS VOLUME RECORDS 21 ACTS for the 21st regnal year of Henry VIII (April 22, 1529-April 21, 1531). This was the second regnal year of the Reformation Parliament, so called because it was the first Parliament to enact legislation against the Catholic Church. The 21st year included acts secularizing inheritance matters (Chapters 4 and 5) and eliminating the rights of clergy to hold multiple benefices (Chapter 13). OCLC locates 3 copies of this imprint in North America (Harvard Law School, Huntington Library, Yale Law School). Edwin Freshfield [1832-1918] was a solicitor in his great family law firm. Founded in London in 1743, it is now the multi-national Freshfields Bruckhaus Deringer. ESTC S121435. Beale S130.

III

Continental Europe

1. Local and Customary Law

Laws of European states:
France, Holy Roman Empire,
Italy, Netherlands

AN EARLY FRENCH GUIDE TO COMPARATIVE LAW WITH
CONTEMPORARY ANNOTATIONS

- 49 [FRANCE].
BUGNYON, PHILIBERT [C.1530-1590].

Traite des Loix Abrogees et Inusitees en Toutes les Cours, Terres, Jurisdictions & Seigneuries du Royaume de France, Reduit en Cinq Livres, Pour la Septieme Edition.

Lyons: Par Charles Pesnot, 1578. [xxii], 504 pp. First leaf, a blank, lacking. Large woodcut portrait at head of dedication and adjacent leaf misbound after index (rather than before). Quarto (8-3/4" x 6-1/4").

Contemporary reversed calf, raised bands and fragments of later hand-lettered title label to spine. A few scuffs to boards, rubbing with wear to board edges, spine ends and corners, front board beginning to separate but secured by cords. Woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, light browning in places. Early owner signatures to title page and rear endleaves, annotations throughout text in fine early hand.

\$850.

SEVENTH EDITION. Originally published in 1563 as *Traicte des Loix Abrogees et Inusitees en Toutes les Cours du Royaume de France*, this was a handbook for lawyers who needed to reconcile conflicts between the three legal systems of pre-revolutionary France: canon, customary and civil. It was a useful work that went through several editions and issues, in French and Latin, into the eighteenth century. However, copies are scarce in North American law libraries. OCLC locates 4 copies of the 1578 edition (George Washington University, Harvard, Library of Congress, Northwestern). Adams B3176.

- 50 [FRANCE].
LA PAPE, GUY DE [C.1402-C.1487].
[FERRANDAT, HENRI, EDITOR].

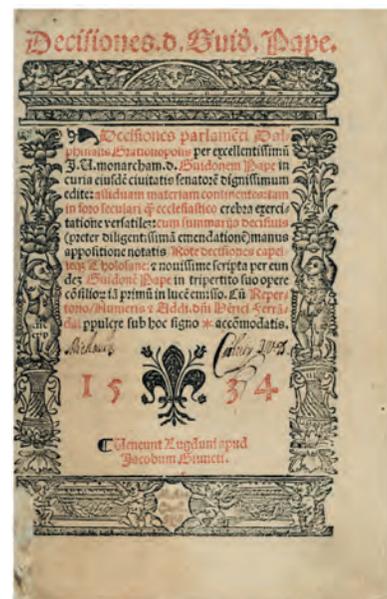
Decisiones Parlam[en]ti Dalphinalis Gratationopolis per Excellentissimii J.U. Monarcham d. Guidonem Pape in Curia Eiusde[m] Civitatis Senatore Dignissimum Edite: Alliduum Materiam Continentesitam in Foro Seculari & Ecclesiastico Creb. Esercitate Versatilez: Cum Summariis Decisivis (Preter Dilligentissima Emendatione) Manus Appositione Notatis Rote Decisiones Capelie[que] Tholosane: Novissime Scripta per Euendem Guidone Pape in Tripertito Suo Opere Consil[iorum] I[m]primim. in Luce Emissio Repertorio/Humeris et Addi. dni. Herici Ferraandi P Pulcre sub hoc Signo Accomodatis.

Lyons: Jacobum Hiuncti, 1534. [xxv], 267, [3] ff. Main text printed in double columns. Octavo (6-3/4" x 4-3/4").

Later three-quarter vellum over paper boards, hand-lettered title to spine and top edge. Some soiling, rubbing with minor wear to extremities, three tiny partial worm holes to boards, hinges starting. Title printed in red and black within an ornamental architectural border. Woodcut head-pieces, tail-pieces and decorated initials. Some wear to edges of preliminaries and final few leaves, faint dampstaining to margins, minor worming to final few leaves and rear pastedown with negligible loss to text, light foxing to portions of text. Early owner signature to title page, occasional early annotations, check marks and underlining. An appealing copy.

\$500.

LATER EDITION. With side notes. This thoroughly annotated volume contains reports of decisions of the Parlement of Grenoble, France. Like many books of this kind, it opens a window on the legal culture and society of the era. First published in 1504, it was reprinted several times well into the seventeenth century. Beyond its legal value, it is significant as the first book published in Grenoble. Guy de la Pape was a legal scholar and statesman who spent most of his career in Grenoble. His best-known work is *Commentaria in Statutum Delphinale*, a study of the Dauphine region. All editions are scarce. OCLC locates 2 copies of the 1534 edition, both in Europe. Not in Adams or Brunet. Baudrier 4:25.



N° 50



TWO IMPORTANT GERMAN COMPILATIONS, ONE FEATURES WOODCUTS BY HOLBEIN THE YOUNGER

- 51 [HOLY ROMAN EMPIRE].
 [BAVARIA]
 [WILLIAM IV (1493-1550), DUKE OF BAVARIA].
 [LUDWIG X (1495-1545, DUKE OF BAVARIA)].

Reformacion der Bayrische[n] Landrecht: Nach Cristij Unsers Hailmachers Geburde I[m] Funftzehnhundert unnd Achtzehendm Jar Aufgericht.

[Munich: Johann Schobsser, 1518]. [xxxv], 168 ff. Final leaf, a blank, lacking. Two-page woodcut table of affinity. Large woodcut vignette by Caspar Clofigl of the Dukes of Bavaria, Wilhelm and Ludwig, to title page, woodcut decorated initials.

[BOUND WITH]
 ZASIUS, ULRICH, COMPILER.
 [HOLBEIN, HANS (1497-1543)].

Nuwe Stattrechten und Statuten der Loblichen Statt Fryburg im Pryszgow Gelegen.

[Basel: Adam Petri, 1520]. [xii], 97 ff. (Fol 1. is a divisional title page.) Nearly full-page arms of Freiburg to title pages and full-page images of the patron saints of Freiburg by Holbein on recto and verso of both title pages, double-page woodcut table of descents, woodcut decorated initials.

Folio (12-1/4" x 8"). Contemporary half-paneled pigskin over beveled wooden boards, pigskin clasps with bronze buckles, raised bands and early hand-lettered title to spine, head and tail repaired, a scattering of worm holes through boards and text block. Light soiling, some wear to corners, front hinge cracked, twentieth-century owner bookplate and bookseller description to front pastedown. *Reformacion* printed throughout in red and black. Light toning to text, negligible faint dampstaining and foxing in a few places, light edgewear to some leaves, early repairs to a fol. 20 of *Reformacion*. Early annotations in a few places, interior otherwise clean. A very handsome volume. \$9,500.

FIRST EDITIONS. Two important collections of German statutes. Enacted in 1518, the Bavarian *Reformacion* revised the Bavarian law code of 1346. It is notable, in part, because it incorporated input solicited by the Dukes of Bavaria from representative groups of subjects. The 1520 edition of Freiburg statutes is a comprehensive restatement by Zasius, a leading German humanist and friend of Erasmus. A leading jurist, he was one of the first jurists to apply modern philological methods to the study of Roman and older Germanic law. Both titles are scarce. OCLC locates 2 copies of *Reformacion* in North American law libraries (George Washington University, UC-Berkeley), 4 copies of *Nuwe Stattrechten* (George Washington University, Harvard, University of Michigan, Yale). VD16 B1007, F2540.

52 [HOLY ROMAN EMPIRE].

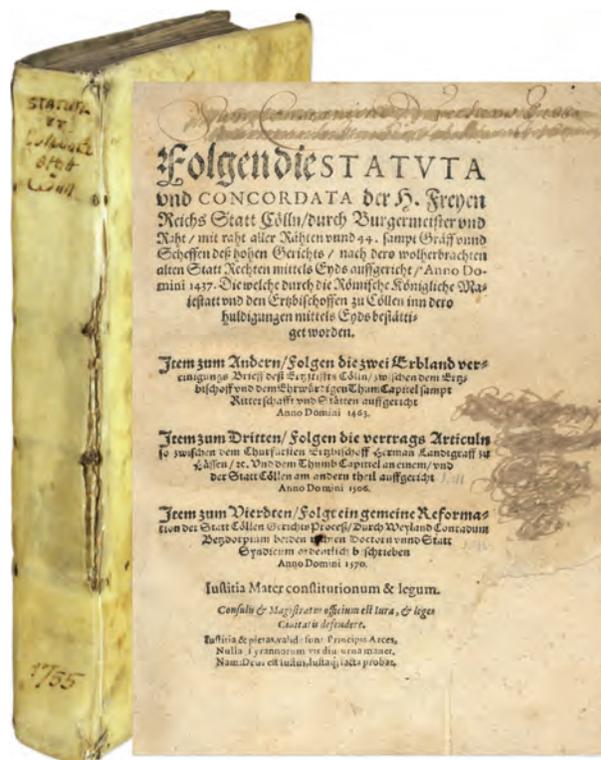
[COLOGNE].
BETZDORP, CONRAD.

Folgen die Statuta und Concordata der H. Freyen Reichs Statt Colln, Durch Burgermeister und Raht/ Mit Raht Aller Rahten unnd 44. Sampt Graff unnd Scheffen dess Hohen Gerichts/ Nach dero Wolherbrachten alten Statt Rechten Mittels Ends Auffgericht/ Anno Domini 1437. Die Welche durch die Romische Konigliche Maiestatt und den Ertzbischoffen zu Collen inn Dero Huldigungen Mittels Ends Bestattiget Worden. Item zum Andern/ Folgen die zwei Erbland Vereinigungs Brieff des Erststiffs Colln/ Zwischen dem Ertzbischoff und dem Ehrwürdigen Thum Capitel Sampt Ritterschaft und Stattem Auffgericht Anno Domini 1463. Item zum Dritten/ Folgen die Vertrags Articulu so Zwischen dem Churfursten Ertzbischoff Herman Landtgraff zu Hassen, Etc. und dem Thumb Capittel an einem, Und der Statt Colln Andern Theil Auffgericht Anno Domini 1506. Item zum Vierden/ Folgt ein Gemeine Reformation der Statt Colln Gerichts Process, Durch Weyland Conradum Betzdorpium Beiden Rechten Doctorn unnd Statt Syndicum Ordentlich Beschreiben Anno Domini 1570.

[Cologne: S.n., 1582]. [iv], 186, 177, [1] pp. Quarto (8" x 6").

Contemporary vellum with lapped edges, early hand-lettered title to spine, ties lacking. Some soiling, light rubbing to extremities, front joint partially cracked, minor cracks to spine ends. Moderate toning to text, faint dampspotting and dampstaining in places, repair to lower corner of title page (with no loss to text). Annotations to front free endpaper, title page and rear endleaf, interior otherwise clean. \$2,500.

COLOGNE'S IMPORTANCE was insured by its location on the Rhine at the intersection of several major east-west trade routes. It had an unusual political structure. Since the Middle Ages the city of Cologne and its surrounding lands were controlled by the Archbishop of Cologne, who was one of the seven prince-electors of the Holy Roman Empire and one of the three ecclesiastical electors. After 1288, when the archbishops lost most of their temporal power in the city of Cologne in 1288 after the Battle of Worringen, Cologne became a free imperial city and a member of the Hanseatic League. The surrounding lands became the Archbishopric of Cologne, a state within the Holy Roman Empire that included the cities of Bonn and Brühl. With their power and status as major electors, the archbishops of Cologne often challenged the city's free status, which resulting in complicated diplomatic and legal affairs, both locally and in the courts of the Empire. This situation is reflected in Betzdorp's annotated compilation of city statutes, which pays close attention to the laws of the Archbishopric. OCLC locates 5 copies in North America, 1 in a law library (Harvard). Not in Adams. VD16 K1809.



N° 52

AFFLITO'S PRINCIPAL TREATISE

53 [HOLY ROMAN EMPIRE].

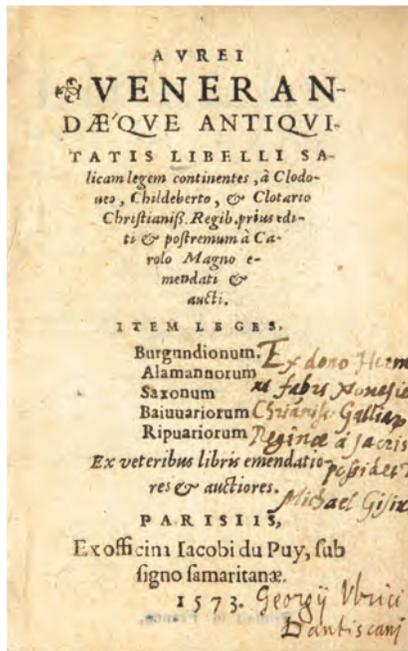
D'AFFLITO, MATTEO [C.1443-C.1523].
BALDUS DE UBALDUS, PETRUS [1327-1406].

Tract. de iure Prothomiseos. Hac Postrema Editione a Pluribus Quibus Scatebat Erroribus Vindicatus. Cum Commentariolo Gravissimi Iuris Interpretis, Marci Mantuae Benavidii Patavini, ad L. Dudum, C. de Contrahen. Empt. Summarioq, ac Elementario Indice Super Additis, Diligentissime Exornatus.

Venice: Apud Christophorum Zanettum, 1573. [iii], 4-108, [8] ff. Octavo (6" x 4").

Contemporary limp vellum. Light soiling, central section of spine, half of front cover and all of front free endpaper lacking, rear pastedown loose, binding secure. Attractive woodcut printer device, head-piece, tail-piece and decorated initials. Occasional light foxing, light browning in a few places, internally clean. \$600.

LATER EDITION. D'Afflito was an important Italian jurist and royal official. *Tractatus de Jure Protomiseos*, a treatise on preemption, purchase and sale is a commentary on the *Constitutio de Jure Protomiseos* of Holy Roman Emperor Frederick I (Barbarossa) [1122-1190]. One of his principal works, it was first published in 1544 and went through several issues and editions into the eighteenth century. In Zennetti's 1573 edition offered here D'Afflito's treatise is followed by a discussion of the same topic by the great Bolognese commentator Baldus de Ubaldis. OCLC locates 2 copies of this edition (Library of Congress and Penn State University). Adams A318.



A LANDMARK IN THE RECOVERY OF EARLY MEDIEVAL LAW

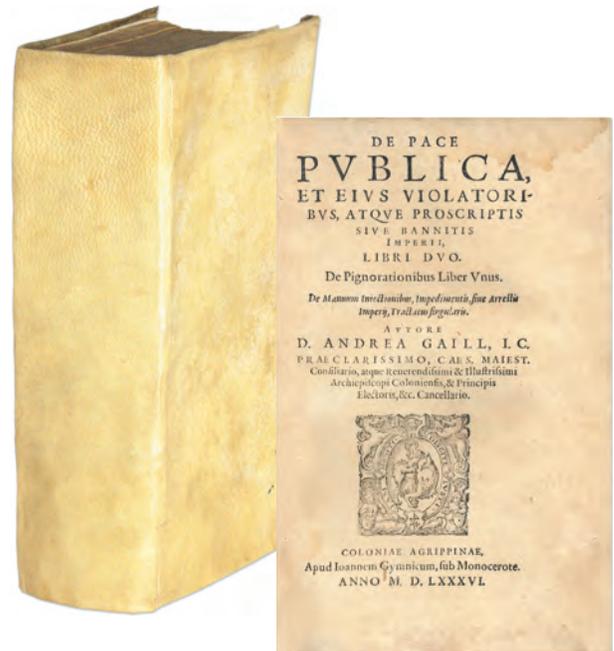
54 [HOLY ROMAN EMPIRE].
DU TILLET, JEAN [D. 1570], EDITOR.

Aurei Venerandaeque Antiquitatis Libelli Salicam Legem Continentes, A Clodoveo, Childeberto, & Clotario Christianiss. Regib. Prius Editi & Postremum a Carolo Magno Emendati & Aucti; Item Leges Burgundionum, Alamannorum, Saxonum, Baiuvariorum, Ripuariorum, Ex Veteribus Libris Emendatiores & Auctiores.

Paris: Ex Officina Iacobi du Puy, 1573. [ii], 127, [1]; 95, [1]; 70, [2]; 15, [1]; 119, [1]; 56 pp. Six parts, each with divisional title page. Work preceded by general title page. 16mo. (4-1/4" x 2-3/4")

Later varnished three-quarter calf over speckled boards, raised bands and lettering piece to spine, endpapers renewed. Moderate rubbing, corners bumped and somewhat worn, chipping to spine ends, joints cracked. Light toning, faint dampstaining in a few places. Early owner annotations to title page and a few other leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. A rare title. \$2,500.

SECOND EDITION. a reissue of the first edition. An important landmark in the recovery of early medieval law, this volume contains critical editions of the principal texts of Frankish, Burgundian, Germanic, Saxon, Salic and Ripuarian Frankish law (*Lex Alemannorum, Antiquae Burgundionum Leges, Ripuariorum Leges a Theodorico Rege Francorum Latae, Antiqua Baiuvariorum Lex* and *Vetus Lex Saxonum*.) The list of topics treated in these codes includes commerce, land ownership, inheritance, criminal procedure and civil procedure. A French humanist jurist and associate of Cujas, Du Tillet was also the Bishop of Brieuç, later Meaux. He edited Ulpian's *Regulae* and assisted Cujas with his edition of the *Codex Theodosianus*. The first edition of this work was issued by Charlotte Guillard in 1550 with a title beginning *Libelli Seu Decreta*. Excepting the title page and imprint, both editions are identical. And rare. OCLC locates 5 copies of the first edition in North America (University of Kansas, Library of Congress, UC-Berkeley Law School, University of Pennsylvania, Yale), 2 of the second (Harvard Law School, UC-Berkeley). This edition not in Adams.



EXECUTIONS, PLEDGES AND EPIGRAMS

55 [HOLY ROMAN EMPIRE].
GAIL(L), ANDREAS VON [1526-1587].

De Pace Publica, Et Eius Violatoribus, Atque Proscriptis Sive Bannitis Imperio, Libri Duo. De Pignorationibus Liber Unus. De Manuum Iniectionibus, Impedimentis, Sive Arrestis Imperii, Tractatus Singularis.

Cologne: Apud Ioannem Gymnicum, Sub Monocerote, 1586. 468, [60], 123, [1], [52] pp. Three parts, each with title page, third part has divisional title page. Octavo (7" x 4-1/2").

Contemporary vellum, endpapers renewed, early calligraphic title to foot of text. Light rubbing to extremities, small stain to front board, a few cracks to text block. Moderate toning, occasional dampstaining and spotting, internally clean. Ex-library. Bookplate to front pastedown. \$850.

SECOND EDITION. Gail was a German judge and legal scholar. First published in 1578, this book deals with executions of contracts and pledges under the laws of the Holy Roman Empire. The final section is a collection of legal epigrams. Its final edition, a German translation, was published in 1601. The contents of this book were incorporated into Gail's *Practicarum Observationum* beginning with the 1589 edition. As an independent work *De Pace Publica* is a rare title. Concerning both editions, OCLC locates 1 copy in North America (at Yale Law School). VD16 G52.



WITH A FULL-PAGE ALLEGORICAL FRONTISPIECE BY ALBRECHT DÜRER

56 [HOLY ROMAN EMPIRE].
[NUREMBERG].
[DÜRER, ALBRECHT (1471-1528)].

Reformacion der Stat Nuremberg.

[Nuremberg: Fridrichen Peypus, 1522]. [xxxvii], 30, 208 ff. Folio (12" x 8").

Contemporary panel-stamped reversed calf (with traces of gilt stamping), early repairs to spine ends, clasps present and intact, endpapers renewed at some point. Some rubbing to extremities, chipping to head of spine, a few scuffs and stains to boards, small crack to front joint, rear hinge cracked due to worming, minor worming to fol. 208. Allegorical frontispiece by Dürer featuring Lady Justice and a female figure representing charity, attractive woodcut decorated initials throughout. Light toning to text, some leaves lightly browned, faint stains and foxing to a few leaves, wide margins. "1522/ jahre" to title page in near-contemporary hand, interior otherwise clean. \$15,000.

FIRST EDITION. Nuremberg was the center of the Renaissance in Germany and was its leading cultural and intellectual center until the end of the sixteenth century. These qualities are reflected in the contents and design of this volume. The Reformation, or civic legal code, of Nuremberg is known for its humanistic orientation, straightforward language and elegant production. It revised the code enacted in 1498. The 1522 issue by Peypus is notable for its splendid full-page frontispiece by the great Nuremberg artist Albrecht Dürer, which was originally issued as an independent print in 1521. The bottom half depicts two putti displaying the arms of the city and empire. The upper half depicts Lady Justice, holding scales and a sword, and a female figure representing charity, who is pouring coins from a purse and opening her bodice to bear her heart, which is represented by a flame. The woodcut initials are finely carved and possibly the work of Dürer or his workshop. OCLC locates 4 copies in North America, 1 in a law library (Harvard). VD16 N2027. Meder 285.



VOLUMINOUS 1545 COLLECTION OF BAVARIAN AND HOLY ROMAN LAWS WITH A TREATISE ON CONTRACTS BY SOCCINI

57 [HOLY ROMAN EMPIRE].
 PERNEDER, ANDREAS [C.1500-1543].
 HUNGER, WOLFGANG [1511-1555], EDITOR.

Institutiones: Auszug un Anzaigung Etlicher Geschriben Kayserlichen unnd des Heyligen Reichs Rechte/Wie die Gegenwertiger Zeyten inn Übung gehalten Werden: in den Titeln Underschiedlich nach Ordnung der Vier Bucher Kayserlichen Institution Gestelt/mit Einfurung Lateinischer Allegation/ Daneben auch Etlicher Lande und Oberkaiten Besonderer Gewonhaiten unnd Statuten...

[BOUND WITH]
Gerichtlicher Prozess in Wolichem die Gemainen Weltlichen unnd Gaistlichen Recht/ auff Alle und Yede Articul Nicht al Ain Schlecht Allegirt/ Sonder auch als Vil Notwendig/Ordenlich in Ainer Jeden Materi mit Besunder Rainem/ Verstantlichen un Angeneme Teutsch Transferiert un Vordolmetschet Seind...

[BOUND WITH]
Der Lehenrecht Kurze und Aygentliche Verteutung nit Allain auss den Kayserlichen Satzungen und Derselben Texten/ Sonder auch Vilen Hochberumpten Doctorn/ die Daruber Geschriben/ Gezogen...

[BOUND WITH]
Von Straff unnd Peen Aller unnd Yeder Malefitz Handlungen ain Kurzer Bericht/ Genommen unnd Verfasst auszden Gemainen Kayserlichen Rechten/ mit Lateinischer Allegation Derselben/ auch Daneben Meldung der Gebrechlichen Hierinn Hochteutschlands Gewonhaiten/ Nit Anders Zuachten dann Ain Gerichtliche Practica/ Aller Criminal oder Peinlichen Sachen...

[BOUND WITH]
 SOCCINI, BARTOLOMMEO [1436-1507].
 [PERNEDER, ANDREAS, EDITOR].

Summa Rolandina: Das ist ein Kurtzer Bericht/ von Aller Hand Contracten unnd Testamenten/was Derselben Wensenliche Stuck unnd Clausel Seind/ auch von Sondern Gebrauch unnd Wurckund Derselben/ auf Gemainen Geschriben Rechten Gezogen Etc....

Ingolstadt: Alexander Weyssenhorn, 1545. [xxiv], 132; [xi], 97 (fol. 39 lacking); [v], 41; [liii], 23; [viii], 59 fols. Five works in one, each with title page. Folio (12" x 8").

Contemporary wooden boards, traces of vellum to spine, "Gerichtsbuch 1545 and Bavarian arms hand-painted to front. Rubbed, front board detached, half of rear board lacking at fore-edge, cords exposed, wear to spine ends, front endleaves lacking. Title page of first work printed in red and black, title pages and initials printed in bold gothic script. Final signature detached with wear to fore-edges. Minor tear to foot of first work's title page repaired with archival tape. Minor worming to boards and portions of text, edgewear and minor tears to a few leaves, occasional dampstaining and light foxing. Early signatures and annotations to pastedowns, early signature to first work's title page, interior otherwise clean. An appealing collection of five uncommon works. \$2,950.

THIRD EDITIONS. With indexes and introductions by Hunger. Parneder, a Bavarian jurist and Secretary to King Wilhelm V, was a prolific writer and an authority of great stature, his works were often reprinted. Their comprehensive, synthetic nature did much to organize legal procedure in the Holy Roman Empire. His works on criminal law were definitive until the mid-seventeenth century. This volume collects his principal works in editions by Hunger, a Bavarian state counselor. In *Deutsche Rechtsquellen*, Stobbe says these are the best. *Institutiones* is an analysis of Justinian's *Institutes* with comparisons to relevant laws of the Holy Roman Empire and the Kingdom of Bavaria. *Gerichtlicher Prozess* summarizes the Empire's civil and criminal procedure. *Der Lehenrecht* addresses feudalism and feudal law. *Von Straff unnd Peen* is a detailed summary of the Empire's criminal law and procedure. *Suma Rolandina* is a fifteenth-century treatise by Bartolommeo that describes forms, notaries, obligations and wills in Roman law. None of these editions are listed in Adams or the *BMC*. Stobbe II:173. Stalla 168, 170, 172, 173, 299.



1555 EDITION OF THE SACHSENSPIEGEL AND RELATED CODES

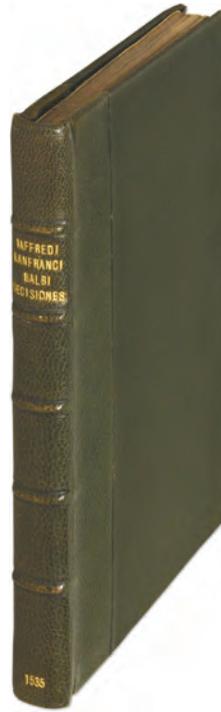
- 58 [HOLY ROMAN EMPIRE].
[SACHSENSPIEGEL].
[ZOBEL, CHRISTOPH (1499–1560), EDITOR].

Sechsisch Weichbild und Lehenrecht: Auffs New an Vielen Orten in Texten, Glossen, Und Derselben Allegaten Aus den Warhafftigen Glossen, Keiserlicher und Bepstlicher Rechte und also den Heuptquellen mit Vleis Corrigiert und Restituirt. Sampt einem Corrigierten und Vermehrten Repertorio. Darzu Etlichen Urteilm, Zu Teglichen Vorfallenden Sachen, Sehr Richtig und Dienstlich.

[Leipzig: Nikolaus Wolrab], 1555. [vi], clxi, cxxi, [128] ff. Three works in one, each with title page and separate foliation. Main text in parallel columns. Folio (12" x 8").

Contemporary half-pigskin with elaborate blind tooling over recent grey paper-covered boards, raised bands and early hand-lettered title to spine, its ends repaired, endpapers renewed, front and rear endleaves next to free endpapers partially detached and edgeworn. Title page printed in red and black, woodcut decorated initials. Some toning to text, light browning in places, some leaves have minor wear, worming and dampstaining to margins. Early annotations and underlining to endleaves, title pages and some text leaves. A solid copy of a scarce title. \$1,500.

A REPUBLICATION OF A 1537 COMPENDIUM by Christoph Zobel, first published in 1535, containing his copiously edited and annotated translation of the *Saechsisches Weichbild*, the *Sechsisch Lehenrecht*, the second half of the *Sachsenspiegel* and Zobel's *Remissorium*, an index for the *Saechsisches Weichbild* and the complete *Sachsenspiegel*. Compiled around 1230 by Eike von Repgow (or Repkow), a knight and judge, the *Sachsenspiegel* [*Mirror of the Saxons*] is a deeply influential collection of territorial and feudal law. It was the basis for several subsequent codes, such as the Gorkitz Lawbook, the Breslau Territorial Law, the *Schwabenspiegel*, the Dutch *Sachsenspiegel* and the Berlin Townbook of Brandenburg Law. An authority on civil law well into the nineteenth century, it was a source for the German Civil Code (1896). OCLC locates 1 copy of this edition in a North American law library (UC-Berkeley). VD16 D737.



A SCARCE COLLECTION OF DECISIONES

- 59 [ITALY].
BALBO, GOFFREDO LANFRANCO [16TH. C.].

Observationes Nonnullarum in Iure Decisionum, Causidicis ac Iuristudiosis Magno Usui Futurae. Hoc Aureum Iam Opusculum ex Integro Renascitur, Decisionum Centurias Quinque cum Sextae Fragmento Continens.

Lyons: Iacobus Giunta, 1535. 183, [14] pp. Octavo (6-1/4" x 4-1/4").

Later quarter morocco over cloth, raised bands and gilt title to spine, endpapers renewed. Light rubbing with negligible wear to corners, a few tiny faint stains to boards. Large woodcut Giunta device to title page, woodcut decorated initials. Faint dampstaining to margins and annotations and underlining in early hand to a few leaves. A handsome copy. \$1,950.

FIRST EDITION. This volume collects 500 rulings by the noted jurist with additional commentary. Each entry notes comparable rulings by other leading jurists. Later editions appeared in 1538, 1540, 1545, 1546 and 1588. OCLC locates 3 copies of the first edition, 5 of other editions. Editions located in the U.S. at Harvard Law School (1535, 1540, 1588), Library of Congress (1546) and UC-Berkeley (1545). Adams C72.



BANDITS AND OUTLAWS

60 [ITALY].
CARTARI. FLAMINIO [1531-1593].

Tractatus de Executione Sententiae Contumacialis Capto Bannito. In Quo non Pauca Scitu Digna, Ad Universam Huius rei Theoricam, & Praxim, Ac Motuum Propriorum, & Constitutionum Summorum Pont. Statutorumque Diversorum Civitatum de Super Iusta Severitate Aeditorum Declarationem Pertinent, Continentur. Nunc Primum in Gratiam Tyronum, & Ad Communem Etiam Omnium Utilitatem Aeditus. Cum Indice Rerum, Ac Verborum Locupletissimo.

Venezia: Apud Giovanni Zenaro, 1593. [xlviii], 179, [1] ff. Quarto (8-3/4" x 6-1/2").

Contemporary vellum, raised bands and early hand-lettered title label and shelf number (?) to spine, early hand-lettered title to foot of text block. Light soiling and a few minor stains to boards, spine abraded with wear to ends and bands, corners worn. Front hinge starting, rear free endpaper lacking. Attractive woodcut head-pieces, tail-pieces and decorated initials. Moderate toning to text, heavier in places. Early owner signature to title page, annotations in similar hand to a few leaves, interior otherwise clean. \$1,500.

SECOND EDITION. The work of a leading jurist from Orvieto, this is a treatise on the laws concerning bandits and other outlaws in the mid-Italian states. Its first edition was published in 1587. A useful work, it went through four more editions, the last in 1607. All are scarce in North American law libraries; OCLC locates 3 copies of all editions, 1 of the second (at UC-Berkeley). *EDIT6* CNCE9736.



1599 VENETIAN EDITION OF THE CONSOLATO DEL MARE

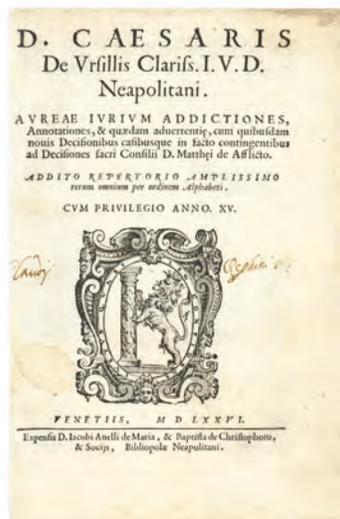
61 [ITALY].
[CONSOLATO DEL MARE].
CA DA MOSTO, ALVISE [1432-1488].

Il Consolato Del Mare. Nel Quale si Comprendono Tutti Gli Statuti, & Ordini, Disposti da Gli Antichi, Per Ogni Caso di Mercantia & Di Navigare: Così a Beneficio di Marinari, Come di Mercanti, & Patroni di Nave, & Navillii: Con l'Aggiunta delle Ordinationi Sopra l'Armata di Mare, Sicurta Entrate, Uscite; & Con Il Portolano del Mare. Di Nuovo con Quella piu Accurrata Diligentia, Che s'e Potuto Corretto, & Ristampato. Con una Nuova Tavola de i Capitoli.

Venice: Appresso L. Spineda, 1599. [xvii], 232; [4], 37 [i.e. 74] pp. The second part, *Il Portolano del Mare*, has title page and separate foliation. Quarto (7-1/2" x 6").

Contemporary vellum, spine repaired, pastedowns renewed, ties lacking. Minor edgewear, light soiling and a few stains to boards, which are slightly bowed. Attractive woodcut head-pieces, tail-pieces and decorated initials. Light toning, minor worming in a few places with negligible loss to text. Early owner signature to title page, contemporary underlining and check marks to a few leaves, interior otherwise clean. An appealing copy. \$2,500.

LATER EDITION. A landmark in the development of maritime law, the *Consolato del Mare* was first published in Barcelona in 1484. A digest of the law and practice commonly followed by the commercial judges in the chief ports around the Mediterranean Sea, it became a maritime common law of the Mediterranean and a foundation for subsequent European maritime laws and customs. Its circulation was widest in Italy, especially among the Venetians, but it was also influential in Western Europe. In addition to maritime law, it contains a great deal of information about the day-to-day operations of a ship and practical advice on seafaring. *Il Portolano del Mare*, an appendix, is usually attributed to Alvise Ca da Mosto, a Venetian navigator who made two voyages to Guinea in the service of Portugal's Prince Henry the Navigator. Adams C2538.



DIGEST OF RULINGS BY MATTEO D'AFFLITO

62 [ITALY].

URSILLI, CESARE [16TH. CENT.].
[D'AFFLITO, MATTEO (C.1450-C.1529)].

Aureae Iurium Addictiones, Annotationes, & Quaedam Advertentiae, Cum Quibusdam Novis Decisionibus Casibusque in Facto Contingentibus ad Decisiones Sacri Consilii D. Matthei de Afflicto. Assito Repertorio Amplissimo Rerum Omnium per Ordinem Alphabeti. Cum Privilegio Anno XV.

Venice: Expensis D. Iacobi Anelli de Maria, 1576. [viii], 612, [96] pp. Main text printed in parallel columns. Quarto (8" x 6").

Contemporary quarter patterned paper over contrasting paper boards, early hand-lettered title to bottom edge. Some rubbing with light wear to extremities, front hinge starting. Large woodcut printer device to title page, woodcut initials. Early owner annotation to front pastedown, early signature to title page, a few brief underlinings and check marks to text. Inkspots to edges, faint finger smudges and stains to a few leaves, interior otherwise fresh. \$2,000.

SECOND EDITION. With index. First published in 1568, this is a digest of Neapolitan cases decided by Matteo D'Afflito, an important jurist, royal official and author of notable *Tractatus de Jure Protomiseos* (1544). OCLC locates 3 copies worldwide, 1 in North America (at Harvard Law School). Not in Adams or the BMC.



CONSILIA BY "THE LEADING DUTCH JURIST OF HIS TIME"

63 [NETHERLANDS].

EVERAERTS [EVERARDI], NICOLAAS [1462-1532].
[MOLENGRAVE, JOHANN. EDITOR AND TRANSLATOR].

Consilia Sive Responsa Dn. Nicolai Everhardi. Longe Quam Antehac Accurativs, Una Cum Summariis Singulorum Responsorum, Atque Numeris Iam Usitatis, Hactenus Autem Desideratis, & Nunc Recens Confectis, Recusa. Accessit Insuper Eorum, Quae Partim Gallica, Partim Flandrica & Brabantica Lingua, Passim Iisdem Consilij Inserta (Nec in Hactamen Editione Omissa) Sunt, Latina Versio: In Gratiam Earundem Linguarum Imperitorum, Elaborata. Cum Indice Denique Novo Rerum Memorabilium Locupletissimo.

Frankfurt [Apud Franciscum Bassaeum, Impensis Nicolai Bassae], 1577. [viii], 570, [32] pp. Main text in parallel columns. Folio (13" x 8-1/2").

Contemporary paneled pigskin with elaborate blind tooling (dated 1578), raised bands to spine. Moderate soiling, chipping to foot of spine, corners bumped and somewhat worn, a few scuffs and early repairs to boards, which are slightly bowed, a few minor worm holes, minor worming to pastedowns, which are loose near the corners. Large woodcut printer's device to title page, colophon to verso of final leaf, head-pieces, tail-pieces and decorated initials. Some toning to text, some soiling and dampstaining to preliminaries and first few text leaves, light foxing and browning to a few leaves. Early owner wax seal to front pastedown, a small sheet of annotations tipped-in to front free endpaper, interior otherwise clean. \$4,000.

SECOND EDITION, enlarged and revised; decisions originally written in Flemish and French translated into Latin. First published in 1554, Everaerts's treatise on disputed legal points in Roman and Roman-Dutch law went through eight editions. An important legal humanist, Everaerts was president of the Court of Holland and the Great Council of Mechlin. According to Walker, he was the "leading Dutch jurist of his time [and] one of the earliest authorities on Roman-Dutch law." Walker 441-442. Dekkers 53 (3). Pazzagliani and Hawks E5.



DICTIONARY OF ROMAN LAW AND LEGISLATION WITH 24 PLATES

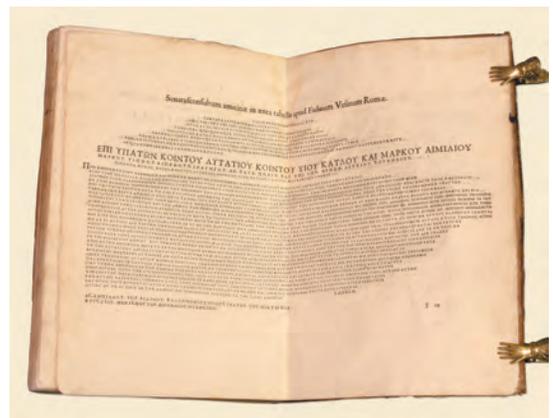
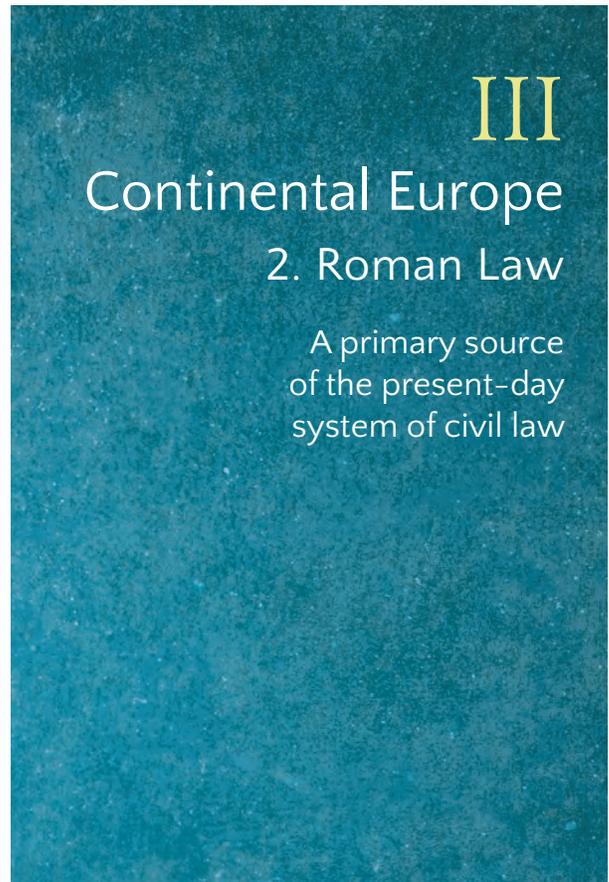
64 AGUSTIN, ANTONIO [1517-1586].
ORSINO, FULVIO [1529-1600], EDITOR.
LIPSIUS, JUSTUS [1547-1606].

De Legibus et Senatusconsultis Liber: Adiunctis Legum Antiquarum & Senatusconsultorum Fragmentis, Cum Notis Fulvii Ursini, Multo Quam Antea Emendatius, Additiis Etiam Locorum Quorundam Notis: Cum Duobus Indicibus Locupletissimis: Adiectus est Iusti Lipsii Libellus de Legibus Regiis & X. Viralibus.

Paris: Apud Ioannem Richerium, via Diui Ioannis Lateranensis, Sub signo Arboris Virescentis, 1584. [xvi], 221, [1], 46 pp., [24] leaves of tipped-in bifolium plates (numbered [cross]1-[cross]35). Collates complete. Folio (14" x 9").

Contemporary limp vellum (colored green) with lapped edges, later gilt ornaments to spine, ties lacking. Rubbing to boards and extremities, some wrinkling to corners, minor worming to front board, small chip to front joint, spine ends bumped, corners worn, hinges cracked, front pastedown renewed, other endleaves lacking. Large woodcut printer device to title page, woodcut decorated initials, head-pieces and tail-pieces. Moderate toning to text, a bit heavier in places, occasional faint dampstaining, early annotations to a few leaves. An appealing copy. \$2,850.

SECOND EDITION. Agustín, a Spanish cleric and jurist, was Archbishop of Tarragona. He was a leading member of the group of antiquarians in mid-sixteenth century Rome who were involved in the study of ancient Roman institutions. First published in 1583, *De Legibus* is a dictionary of Roman law with an emphasis on legislation. The final section, a set of plates preceded by a half-title reading *Leges et Senatusconsulta Quae in Veteribus cum ex Lapide tum ex Aere Monumentis Reperiuntur*, is a collection of transcribed documents. *De Legibus* went through four editions, the last in 1694. All editions are scarce. OCLC locates 4 copies of the second edition in North America (Emory Theological Seminary, Library of Congress, St. Louis University, University of King's College, Nova Scotia). Adams A2231.



Details from N° 64



Details from N° 66

THE ROMAN LAW OF PRESCRIPTION

HANDSOMELY BOUND EDITION OF BARTOLUS' COMMENTARY ON THE AUTHENTICUS

- 65 BALBO, GIOVANNI FRANCESCO [F. 1510-1518]. [HENRICUS, DE SEGUSIO, CARDINAL (HOSTIENSIS) (C. 1200-1271)].

Tractatus Foecundus, et Perutilis de Praescriptionibus: Editus per Clarissimum Iurisconsultum do. Ioannem Franciscum Balbum Taurinensem. Cui Accedit Repetitio Singularis l. Celsus ff. de Usucap. Cum Multis Additionibus & Apostillis, Una cum Dictis Hostien. In Summa de Praescrip. & Usucap. & Cum Summariis & Repertorio Nuper Additis.

Venice: [Apud Cominum de Tridino], 1564. [xxxii], 300 pp. Main text in parallel columns. Fol. 1 has woodcut of Balbo instructing a class of students. Octavo (6" x 4").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Some soiling, especially to spine, minor wear to corners, some worming to pastedowns and endleaves, a few partial cracks to text block, boards slightly bowed. Some toning to text, light foxing in places. Early annotations and signatures to preliminaries and title page, other annotations and underlining to a few places in text, two inkstains to fol. 224 with minor damage to legibility. \$1,500.

LATER EDITION OF A WORK FIRST PUBLISHED in 1511. *Tractatus Foecundus* is concerned with the Roman law of prescription, the principle whereby a right or liability is created or extinguished over a certain period of time, usually in regard to a property title. It also includes an edition of a short treatise on this subject by Henricus de Segusio. It was a popular work that went through several issues and editions, the last one in 1582. Our 1564 copy was also issued in 1563. Both are identical in every respect and share the same entry number in EDIT16. All editions are scarce in North America. OCLC locates 2 copies of the 1564 edition in North America (at Harvard Law School and the Library of Congress). EDIT16 CNCE3948.

- 66 BARTOLO OF SASSOFERRATO [1313-1357]. LOSEO, ALESSANDRO [1514-1571], EDITOR. VADI, BENEDETTO [16TH. C.], EDITOR.

In Authenticis Commentaria, Necnon Additionibus Domi Benedicti de Vadis, & D. Alexandri Losaei. Nec Deest Elementario Ordine Constructus Index, Ita ut Citra Laborem Quasuis Insigniores Decisiones, Vel Mediocriter Eruditus Reperiet.

Venice: [Ex Officina Coronae: Haer. Lucantonio I Giunta & Gabriele Giolito De Ferrari & Haer. Ottaviano I Scoto & Federico Torresano], 1556. Main text in parallel columns with side-notes. 66 ff. Folio (15-1/4" x 10-1/2").

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

LATER EDITION. *In Authenticis Commentaria* discusses the *Authentica*, a collection of 134 constitutions of Justinian, later included in the Novels of the *Corpus Juris Civilis*. It was thought to be a collection intended for promulgation in Byzantine Italy, but this is doubted today. No copies of this imprint listed on OCLC. EDIT16 CNCE 4380.



CONSILIA AND COMMENTARIES BY BARTOLUS

67 BARTOLO OF SASSOFERRATO.

Super Authenticis et Institutionibus, Bartoli a Saxoferrato Commentaria: Cum Adnotationibus Doctissimorum Plerorumq; Qui in Eundem Sunt Commentati. Elenchi Rubricarum, Authenticarum, & Paragraphorum, Initio Praefixi Sunt. Sub Calcem Operum Omnium, Accessit Index Rerum ac Verborum, Locupletissimis Simul & Diligentissimus.

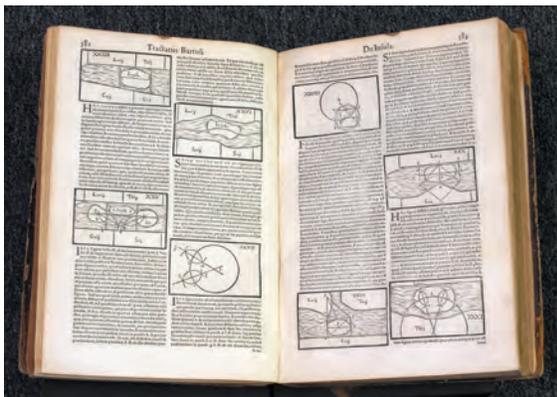
Basel: Ex Officina Episcopiana, 1588. [viii], 286 pp. Main text in parallel columns.

[BOUND WITH]
BARTOLO OF SASSOFERRATO.

Consilia, Quaestiones, & Tractatus; Cum Adnotationibus Doctissimorum Plerorumq; Qui in Eundem Sunt Commentati. Initia Consiliorum, Quaestionum, & Tractatum, Suis Numeris Accurate Consignata, Ad Literarum Seiem, Subsequentia Indicabunt. Sub Calcem Operum Omnium, Accessit Index Rerum ac Verborum, Locupletissimis Simul & Diligentissimus.

Basel: Ex Officina Episcopiana, 1588. [iv], 508 pp. Main text in parallel columns.

[AND]



BARTOLO OF SASSOFERRATO.
BREDERODE, PIETER CORNELIS VAN.

Locis Communes Novi et Uberrimi in Bartoli a Saxoferrato Opera Omnia, Lecturas, Consilia, Quaestiones, Tractatus, &c. In Quibus Ordine Literario, & Methodo Singulari, Verborum Significationes, Sententiae, Notabilia, & Singulae Quaeque Materiae ita Plene Digestae Sunt, Ut non Solum Repertorii Locupletissimi, Sed & Compendiariae in Universi Bartoli Epitomes Uice Sungi Possint.

Basel: Ex Officina Episcopiana, 1589. [viii], [512] pp. Two folding tables. Main text in parallel columns.

Contemporary three-quarter calf over speckled paper-covered boards, raised bands to spine. Moderate rubbing and scuffing to boards, heavy rubbing to extremities with wear to corners, spine mostly perished, several cracks to text block, some causing tears to leaves (with no loss to text. Moderate toning to text, light soiling to title page of *Super Authenticis*, section clipped from fore-edge of *Consilia* title page with no loss to text. Early annotations in a few places, interior otherwise clean. Ex-library. Small inkstamps to title page of *Super Authenticis*. Three scarce titles worth rebinding. \$950.

BETWEEN 1250 AND 1450 the Post-Glossators, a group of legal scholars and teachers in Italy, initiated the recovery of Roman law texts from the corruptions of the medieval Glossators. Their efforts to apply Roman law to the jurisprudence of their day also prepared the way for the natural law school of the seventeenth century and helped to lay the foundations of the modern state. The greatest member of this group was Bartolus, a practicing lawyer and professor at the University of Perugia. His unrivalled reputation derives from his enormous literary output, much of it dealing with the texts later collected as the *Corpus Juris Civilis*. All of his works went through numerous editions. This volume collects three of his books. *Super Authenticis et Institutionibus* is a commentary on the *Institutes*, a textbook on Roman law, and the *Authentica*, a collection of 134 constitutions of Justinian. Later included in the *Novels* of the *Corpus Juris Civilis*, the *Authentica* was believed to be a collection intended for Byzantine Italy. This assumption is doubted today. *Consilia, Quaestiones, & Tractatus* collects his consilia and other brief writings. Brederode's *Locis Communes Novi et Uberrimi* is an index of terms and concepts in the works of Bartolus. Complete in themselves and bibliographically distinct, the titles in our volume are part of a set issued in 1588-1589. (Brederode's work is indexed to this set.) All of these are scarce; few copies are held in North American libraries. None are listed in Adams.



AN IMPORTANT HUMANIST SCHOLAR

68 BAUDOIN, FRANCOIS [1520-1573].

Commentarius de Iurisprudencia Muciana. Accessit Rerum & Verborum Praecipue Memorabilium Index.

Basel: Per Ioannem Oporinum, [1558]. [xvii] 306 [6] pp.

[BOUND WITH]

BAUDOIN, FRANCOIS.

De Legibus XII Tabularum. Tertia sed Plane nova Editio.

Basel: Per Ioannem Oporinum, [1557]. [viii] 252 [18] pp.

[AND]

BAUDOIN, FRANCOIS, COMMENTARY.

Ad Edicta Veterum Principum Rom. de Christianis.

Basel: Per Ioannem Oporinum, [c. 1557]. 122, [10] pp. Lacking leaves HH5 and HH6, the final text leaf (pp. 121-2) and the first index leaf.

Contemporary calf, blind frames and central medallions to boards, raised bands, blind ornaments and later hand-lettered paper title label to spine. Some rubbing to boards, heavier rubbing to extremities with wear to spine ends and corners, joints starting at ends, hinges cracked but secure, later armorial bookplate and tipped-in leaf of notes to front pastedown. Light toning to text, faints foxing and dampstaining in places. Occasional notes and glosses in a contemporary hand, interior otherwise clean.

\$3,500.

LATER EDITIONS. Baudouin was an eminent French humanist jurist and theologian. Interested in the early history of Roman law, he emphasized the importance of history in the development of the law. This volume collects two of his principal works, *De Legibus XII Tabularum*, a study of the history and significance of the Twelve Tables, and *Commentarius de Iurisprudencia Muciana*, a study of Roman law during the Republic. The final title addresses the legal status of the early Christian Church. Adams B87, B93, B84.

TREATISE ON POSSESSION AND INTERDICTION IN ROMAN LAW
BOUND WITH A COMMENTARY ON THE FIRST CONSTITUTION
OF THE PAPAL STATES

69 BOCCACCI, VIRGINIO [D. 1596].

Tractatus de Interdicto Uti Possidetis, Sive De Manutentione in Possessionem: Continens Quaestiones Utiles in Praxi, & Theorica, Quae Versis Paginis Indicantur. Nunc Primum in Lucem Editus, Cum Summariis, & Indice Rerum, Ac Verborum Locupletissimo.

Macerata: Ex Typographia Sebastiani Martellini, 1581. [viii], 198, [34] pp.

[BOUND WITH]
BOCCACCI, VIRGINIO.

Annotationes cum Additionibus in Constitutione Aegidiana, Seu L. Unica C. Si de Mom. Poss. Fuer. Appel. Nunc Primum in Lucem Editae, Quae Autem Contineantur in Additionibus, Post Sequentem Paginam Demonstrabitur. Adiecto Insuper Indice Rerum, Ac Verborum Locupletissimo.

Macerata: Ex Typographia Sebastiani Martellini, 1581. [viii], 88, [16] pp.

Quarto (8-1/4" x 6"). Nineteenth-century quarter vellum over marbled boards, edges colored green. Gilt fillets and calf lettering piece to spine, endpapers renewed. Light soiling to spine, some rubbing to extremities with minor wear. Title page of first title printed in red and black, woodcut decorated initials. Faint dampstaining to a few leaves, occasional light browning and foxing. Underlining and inkstains to some leaves, interior otherwise clean. \$1,500.

FIRST EDITION (TRACTATUS): Only edition (*Annotationes*). The first title discusses interdictions and actions. A popular work, it was reissued several times well into the eighteenth century. The second work is a commentary on the *Constitutiones Sanctae Matris Ecclesiae*, also known as the *Constitutiones Aegidiana*. This document, the first constitution of the Papal States, was adopted in 1357 and remained in force until 1816. Though bibliographically distinct, these titles appear to have been issued together. OCLC locates 3 copies of the 1581 *Tractatus* in North American law libraries (Duke, Library of Congress, Yale), 4 copies of *Annotationes* (Harvard, Library of Congress, UC-Berkeley, Yale). EDIT16 CNCE 6218, 6219.

SCARCE SIXTEENTH-CENTURY STUDY
OF WARRANTY, ACTIONS AND DEFENSES IN ROMAN LAW

70 CAVALLINI, GASPARE [D. 1589].
[DU MOULIN, CHARLES (1500-1566), ATTRIBUTED].

Tractatus de Evictionibus, Cui Accessit Eiusdem Libellus. Addito Etiam Indice Materialium Utilissimo.

Venice: Apud Iordanum Zilletum, & Socios, 1571. 288, [16] pp. Two parts with divisional title page and continuous pagination. Octavo (5-1/2" x 3-1/2").

Later quarter calf over paper-covered boards, gilt fillets and gilt title to spine. Light soiling to boards, light rubbing to extremities, top edge of text block trimmed touching head-lines in a few places. Woodcut printer device to title page, woodcut decorated initials. Light toning to text, faint dampspotting in places. Early owner signature to title page, brief annotations in similar hand to a few leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy of a scarce title. \$750.



Details from No 69

FIRST EDITION. This book contains two brief treatises on Roman law. The first deals with warranty, the second with actions and defenses. Until the twentieth century they were thought to be a pseudonymous work by the great French jurist Charles Du Moulin. Later editions were published in 1573 and 1574. All three editions are scarce. Concerning the first edition, OCLC locates 3 copies in North American law libraries (Columbia, Harvard, UC-Berkeley). EDIT16 CNCE17847.



No 70



RARE TREATISE DEALING WITH LEGAL ASPECTS OF FARMING
AND AGRICULTURE

71 CHOPPIN, RENE [1537-1606].

De Priuilegiis Rusticorum: Lib. III. O Fortunatos Nimium, Sua Si Bona Norint, Agricolas, Gnauosque Senes, Extrema per Illos Iustitia Excedens Terris Vestigia Fecit.

Paris: Apud Nicolaum Chesneau, 1575 [colophon: 29 November 1574]. [xvii] 248, [24] pp. Quarto (9" x 6-1/2").

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

FIRST EDITION. Choppin (or Chopin) was a French jurist and an *avocat* of the Parlement of Paris. Like Jean Bacquet and Jean Bodin, Choppin drew on Roman law and feudal principles to advocate a centralized state under royal rule. *De Priuilegiis Rusticorum* addresses legal privileges enjoyed by rural people in Roman law. A well-written and remarkably comprehensive work, it went through seven subsequent editions in Latin. Its final edition, translated into French, was published in 1634. This was a rarely explored topic, and Choppin's treatise is the only early example we have encountered. According to the *Biographie Universelle*, "it deserves notice for the singularity of its subject, for its profound research, and the decisions it contains" (8:499). All editions are scarce today and rare in North American law libraries. OCLC locates three copies of the 1575 edition (at Columbia, George Washington University and Harvard). Camus 1477.

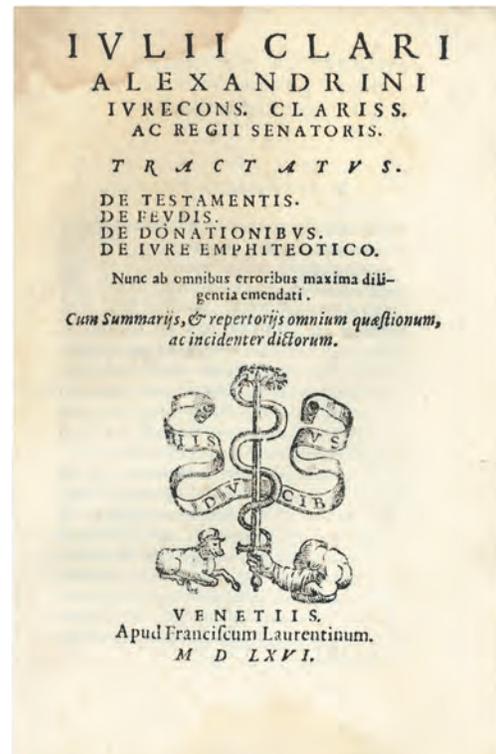
72 CLARO, GIULIO [1525-1575].

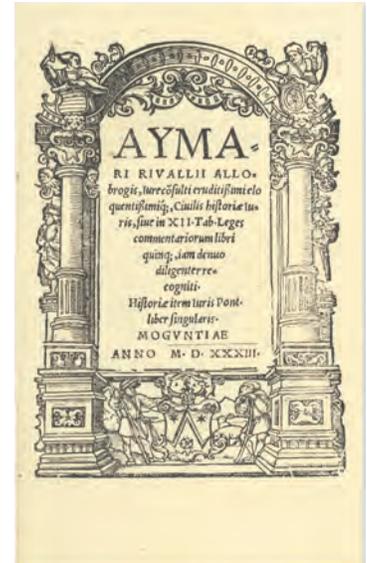
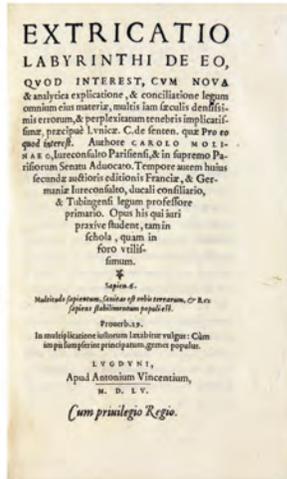
Tractatus de Testamentis, De Feudis, De Donationibus, De Iure Emphiteotico: Nunc ab Omnibus Erroribus Maxima Diligentia Emendati: Cum Summariis, & Repertoriis Omnium Quaestionum, Ac Incidenter Dictorum.

Venice: Apud Franciscum Laurentinum, 1566. 8, [32], 243 ff. Octavo (6" x 4").

Contemporary limp vellum with lapped edges, faint early hand-lettered title to spine, later signature (Romatelli) to front cover, ties lacking. Light soiling, rubbing to extremities, insect damage to rear cover, front joint cracked, pastedowns loose. Large woodcut printer device to title page, woodcut decorated initials. Occasional early annotations and underlining. Toning, dampstaining in a few places, interior otherwise clean. \$500.

SECOND EDITION. With indexes. First published in 1565, this popular work on wills, gifts, feudal writs, usury and other topics in Roman criminal and civil law went through numerous editions throughout Europe well into the eighteenth century. These four tracts were books 3-4 of the author's unfinished *Sententiae Receptae*. Claro was a Milanese jurist. OCLC locates 1 copy of this edition in North America (at the Library of Congress). Another copy located at Harvard Law School. This edition not in Adams. *EDIT16* CNCE 12641.





TWO WELL-PRESERVED STUDIES BY A NOTABLE FRENCH HUMANIST JURIST

AN IMPORTANT CONTRIBUTION TO THE EARLY-MODERN RECOVERY OF ROMAN LAW

73 DU MOULIN, CHARLES [1500-1566].

74 DU RIVAIL, AYMAR [1491-1558].

Extrictio Labyrinthi de Eo, Quod Interest: Cum Nova & Analytica Explicatione, & Conciliatione Legum Omnium Materiae, Multis iam Saeculis Densissimis Errorum, & Perplexitatum Tenebris Implicatissimae, Praecipue I. Unicae. C. De Senten. Quae Pro eo Quod Interest.

Civilis Historiae Juris, Sive in XII Tab. Leges Commentariorum Libri Quinq, iam Denuo Diligenter Recogniti. Historiae Item Juris. Liber Singularis.

Lyons: Apud Antonium Vincentium, 1555. [xxiv], 302, [10] pp.

Mainz: [Apud Ioanem Schoeffer], 1533. [xvii], 357 pp. Octavo (6" x 4").

[BOUND WITH]
DU MOULIN, CHARLES.

Later quarter calf over patterned paper boards, red and black lettering pieces to spine, endpapers renewed. Moderate rubbing to extremities, a few small scuffs to boards, joints just starting at ends, crack between front free endpaper and following endleaf. Title printed within attractive woodcut architectural border, woodcut decorated initials, large printer device to verso of final text leaf. Toning, light soiling to title page, internally clean. Attractive. \$450.

Tractatus Duo Analytici. Prior, De Donationibus Factis, Vel Confirmatis in Contractu Matrimonii. Posterior, de Inofficiosis Testamentis, Donationibus, & Dotibus.

LATER EDITION. Du Rivail, who studied under Alciati, was a humanist jurist, historian and member of the parlement of Grenoble. As Peter Stein has observed, *Civilis Historiae Juris*, a set of commentaries on the Twelve Tables, was an important contribution to the early-modern recovery of Roman law from the obfuscations of the glossators and Commentators. It was first published in 1515 and went through four subsequent editions, the final in 1539. The laws identified erroneously or questionably as those of the Twelve Tables are included as well. The final section is a historical sketch of canon law entitled *Historia Pontificii Iuris Liber Singularis*. "He concentrated on the main account of the 'origin of law' in the *Digest*, the long fragment...from Pomponius, and supplemented it by reference to Livy's account of the early republic. Du Rivail sought to reconstruct the contents of the Twelve Tables, and, since that legislation was said to be inspired by the Athenian laws of Solon, he included all known provisions of Solon's law (Stein). 3 copies of this edition located in North America (at the National Library of Canada, UC-Berkeley Law School and the Library of Congress). Another copy located at Harvard Law School. Stein 78. Adams R592.

Lyons: Apud Antonium Vincentium, 1556. 159, [1] pp.

Octavo (6-1/2" x 4"). Contemporary limp vellum with lapped edges and thong ties, early hand-lettered title to front cover. Light soiling and edgewear, minor horizontal crack to spine, a bit of bookplate residue to front free endpaper, interior notably fresh. A remarkably well-preserved volume containing two scarce titles. \$3,500.

SECOND EDITION. Du Moulin was a distinguished French humanist lawyer. First published in 1546, *Extrictio Labyrinthi* is a detailed commentary on the Roman law governing loans and interest. The other book is a commentary on marriage contracts, gifts and testaments. *Extrictio*: Baudrier V:231; *Tractatus*: Adams D1078.



A SCARCE SIXTEENTH-CENTURY
TREATISE ON THE BENEFIT OF INVENTORY

75 FANUCCI, FANUCCIO DE.

Tractatus de Inventario Haereditis ac Eius Beneficio. Cui Accedit, Eiusdem Authoris, Non Inelegans Responsum, Super Statuto Lucensi. Nunc Primum In Lucem Editus, & Ceteris Omnibus, Qui Hactenus Super Huiuscemodi Materia Conscripti Sint, Longe Auctior, & Locupletior. Cum Indicibus, Ac Summariis Copiosissimis.

Venice: Apud Haeredes Vincentii Valgrisi, 1574 (colophon dated 1573). [xxxii], 314 (i.e. 310), [4], [8] pp. Octavo (6" x 4").

Contemporary limp vellum, somewhat later hand-lettered paper title label, early hand-lettered title to foot of text block, ties lacking. Light soiling, some rubbing to extremities, a few small wormholes through covers, pastedowns, endleaves and final leaf of text with negligible damage to legibility (parts of two words), occasional minor worming to margins. Attractive woodcut decorated initials. Light toning to text, early owner signatures to foot of front free endpaper and title page, interior otherwise clean. \$1,250.

ONLY EDITION. This treatise analyzes benefit of inventory, a concept in Roman (and civil) law concerning an heir's right to commission a legally binding inventory of his ancestor's estate for representatives of the estate's creditors. It also concerns the right to limit debts and legacies to the amount of three fourths of an estate, thus preserving one fourth for the heir. OCLC locates 3 copies in North American law libraries (Columbia, Harvard, Library of Congress). *EDIT16* CNCE18578.

A SCARCE SIXTEENTH-CENTURY COMMENTARY
ON THE *INSTITUTES* BOUND WITH AN ESSAY
ON THE ART OF WRITING LETTERS

76 GREMP VON FREUDENSTEIN, LUDWIG [1509-1583].

Analysis, Seu Resolutio Dialectica Quatuor Librorum Institutionum Imperialium: Una cum Quarundam Utilium Quaestionum Iuris Explicatione, Recognita, & Nitidior in Lucem nunc Iterum Emissa.

Strassburg: Excudebat Theodosius Rihelius, [1570]. 393, [5] ff.



Details from N° 76

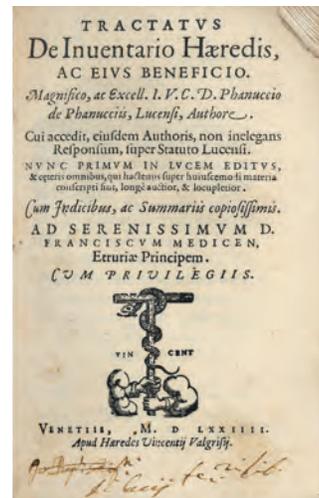
[BOUND WITH]
Trachelaeus Statius, Franciscus.

Ars Epistolica.

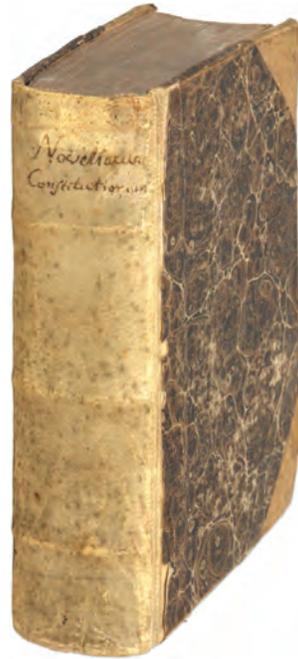
Venice: Apud Petrum Bosellum, 1558. 14 ff.

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

ANALYSIS: THIRD EDITION; *Epistolica*: only edition. Grempl von Freudenstein was a lawyer and state official who spent his professional life in Tübingen and Strassburg. A well-regarded commentary first published in 1567, *Analysis*, a study of the *Institutes* of Justinian, is a textbook commentary in question-and-answer form, following Justinian's *Institutes* book by book and title by title, paraphrasing, abridging, or adapting the text. It is equally interesting for its insights into the reception of Roman law at the end of the sixteenth century. *Ars Epistolica* is an essay on the art of writing letters. OCLC locates no copies of either title in North America. *Analysis*: *VD16* ZV552; *Epistolica*: *EDIT16* CNCE67205.



N° 75



A RESPECTED EDITION OF THE *NOVELS*

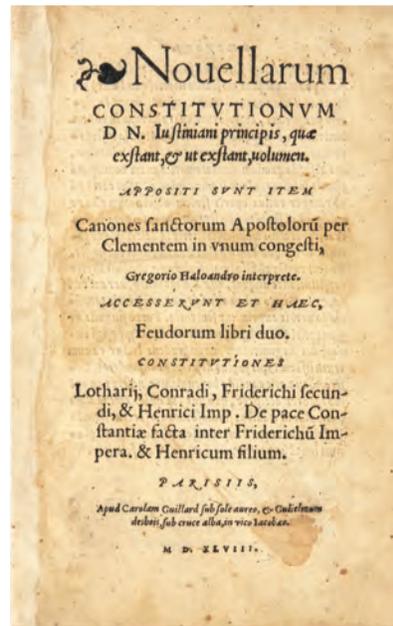
77 JUSTINIAN I [483-565 CE], EMPEROR OF THE EAST.
HOLOANDER, GREGOR [1501-1531], EDITOR AND ANNOTATOR.

Novellarum Constitutionum DN. Iustiniani Principis, Quae Exstant, Et ut Exstant, Volumen. Appositi Sunt Item Canones Sanctorum Apostolorum per Clementem in Unum Congesti, Gregorio Haloandro Interprete. Accesserunt et Haec, Feudorum Libri Duo. Constitutiones Lotharii, Conradi, Friderichi, Et Henrici Imp. De Pace Constantiae.

Paris: Apud Carolam Guillard, 1548. [viii], 367 ff. Octavo (6-1/4" x 4-1/4").

Later three-quarter vellum over marbled boards, hand-lettered title to spine, endpapers renewed, title page re-hinged. Light soiling and spotting to spine, some rubbing to extremities, a few cracks to text block. Light toning to text, very faint dampstaining in places to foot of text block, early inkspots to a few leaves, light soiling and dampstaining to title page. \$750.

ALONG WITH THE *Institutes*, *Code* and *Digest*, the *Novels* is one of the writings known collectively as the *Corpus Juris Civilis*. The first three books were commissioned by the Justinian I in 530CE. The *Code* is the restated code of law, the *Digest* is a compilation of legal opinions and the *Institutes* is an introductory textbook on the *Code*. The *Novels* is a compilation of laws enacted after the publication of the *Code*. The subsequent influence of these books on European jurisprudence is difficult to overestimate. Haloander was one of the great sixteenth-century authorities on Roman law. His edition of the *Novels* includes the Peace of Constantine (Edict of Milan), the act that recognized the legitimacy of Christianity in the Roman Empire, edicts of the Holy Roman Emperors Henry VI [reigned 1165-1197], Frederick II [reigned 1194-1250] and a collection of papal legislation falsely attributed to Pope Clement I [reigned 88-99CE], the so-called "False Decretals." Adams J675.



N° 77

DISTINGUISHED COMMENTARY ON THE *INFORTIATUM* TITLES DEALING WITH FAMILY LAW

78 MAINO, GIASONE DAL [1435-1519].

In Primam Infortiati Partem Commentaria: Summa Diligentia & Fide Emendata, & Suo Candori Restituta. Quibus, Praeter Solitas Insignium Doctorum Praesertim Purpurati, Adnotationes Accesserunt. Eminentissimorum I.C. Bellacombae, Panciroli, Trotti, Masueri, & Aliorum Additamenta, Receptarum[ue], Sententiarum, Quas Communes Opiniones Vocant, & Forensium Questionum ac Decisionum Centuria, Suis Quibusq[ue] Locis Adiecta.

Turin: Apud Nicolaum Bevilaquam, 1573. 219 ff. Main text in parallel columns. Volume I of a two-volume set. Folio (16" x 11").

Contemporary vellum with recent vellum rebacking, raised bands and calf lettering piece to spine, early hand-lettered abbreviated title to head of text block (?), ties lacking. Light soiling to spine, hinges bumped and somewhat worn, minor worming to boards and pastedowns, hinges reinforced, endleaves lacking. Large woodcut vignette to title page, woodcut head-pieces and decorated initials. Some toning to text, dampstaining and light foxing in a few places. Early underlining to passages in a few leaves, interior otherwise clean. Ex-library. Bookplate to front pastedown. \$500.

LATER EDITION. Maino, a respected Italian jurist, was one of the last commentators of the Bartolist school. He taught at the Universities of Pavia and Padua. Among his students were Filippo Decio and Andrea Alciati. First published in 1499, his commentaries on the first and second parts of the *Infortiatum*, Books XXIV, Title 2-XXXVIII of the *Digest*, were standard works that went through numerous issues and editions into the seventeenth century. *In Primam Infortiati Partem Commentaria* discusses the books concerning donations between husband and wife, divorce, curatorship, wills and testaments and trusts and legacies. Our 1573 imprint is augmented with additional notes by Giovanni Bellacomba [16th c.], Guido Panciroli [1523-1599], Giovanni Francesco Porporato [1485-1544], Bernardo Trotti [d. 1595] and Jean Masuer [d. 1450]. Complete in itself, this volume is part of a two-volume set. EDIT16 CNCE 16665.



MAXIMS ON MARRIAGE, INHERITANCE
AND OTHER ASPECTS OF FAMILY LAW

79 MANTOVA BENAVIDES, MARCO
[1489–1582].

Apophtegmata 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 Usum Quotidianum Necessariae, Quam Utiles.

Venice: Apud Gabrielem Giolium de Ferrarijs, 1545. 118, [2] pp. Octavo (6" x 4").

Nineteenth-century tree sheep, blind rules to boards, raised bands, gilt ornaments and gilt title to spine, marbled endpapers. Moderate rubbing to extremities with some wear to spine ends, front joint cracked, rear joint starting, boards slightly bowed, owner bookplate (of V.S.M. de Guinzbourg) to front pastedown, early bookseller description laid in. Woodcut decorated initials, larger printer device to verso of final leaf. Light toning to text, somewhat heavier in places, light stain to foot of title page, annotation in small early hand to front endleaf. A handsome copy. \$2,850.

ONLY EDITION. The author was a distinguished jurist and professor of law at the University of Padua. *Apophtegmata* is a collection of maxims on, to use a modern term, family law (as defined by Roman 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). Guinzbourg, a diplomat, author and bibliophile, was an authority on maxims and proverbs. OCLC locates 5 copies in North America, 4 in law libraries (Harvard, Library of Congress, UC–Berkeley, University of Georgia). *EDIT16* CNCE26030=72411.

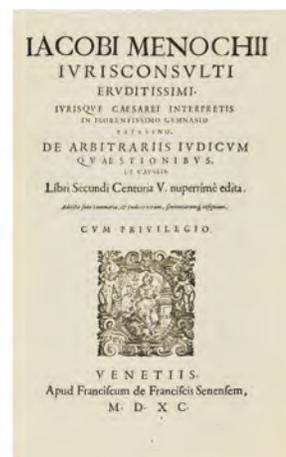
80 MENOCHIO, GIACOMO [1532–1607].

De Arbitrarijs Iudicum Quaestionibus et Causis, Libri Duo, Varia, Recondita, Perfectaque Eruditione Referti, & Omnibus, Iudicia Prefertim Exercentibus, Oppido Quam Necessarii: Universam Enim Iuris Tractationem Quae a Iudicum Arbitrio Atque Potestate Pendet, Complectuntur. Nunc Demum Multis in Locis Restituti, & A Quamplurimis Mendis Vindicati, Hacq; Omnium Postrema Auctoris Recognitione, Multarum Rerum Auctione Illustrati, & Locupletati, Quas his Notis [Pointing Hand] Inclusimus. Accessit Praeterea Libro Secundo Centuria Quinta, Eiusdem Authoris Solertia Recens Conscripta, Centum Cases Iudicibus Arbitrarios Continens, In Qua Multa, Quae ad Quotidianum Usum Forensem Spectant, Dilucidissime Pertractantur. Adiecta sunt Summaria, Indicesque Duo Copiosi, Argumentorum Unus, Alter Verborum, Rerum, Sententiarumque Insignium.

Venice: Ad Signum Concordiae, [Apud Franciscum de Franciscis], 1590. [lxx], 352 ff; [xxxii], 139 pp. Two volumes in one. Main text printed in parallel Columns. Folio (12-1/2" x 8-1/2").

Later calf, gilt double frames with corner fleurons to boards, gilt spine with raised bands and lettering piece, speckled edges, marbled endpapers. Some rubbing, chipping to spine ends, front board detached, rear boards beginning to separate. Large woodcut printer devices to title pages. Some toning, light soiling to first title page, minor worm holes to margins of a few leaves with no loss to text. Ex-library. Early location labels to spine, small blindstamp to title page and a few other leaves. A nice copy. \$750.

FINAL EDITION, CORRECTED. With index. Editorial changes noted with pointing hands (manicules) in margins. Highly regarded in his time, Menochio was a professor of law at the University of Padua. This volume is a collection of writings dealing with judges, judicial discretion and civil procedure, actions and defenses in Roman law. It was first published in 1569 and went through seven subsequent editions. OCLC locates 3 copies of this imprint (at Harvard and UC–Berkeley Law Schools and the University of Kansas). *EDIT16* CNCE 24943.



WITH ENDLIVES DERIVED FROM A PAPAL BULL
RELATING TO THE ENGLISH CROWN PRINTED BY PYNSON IN 1498



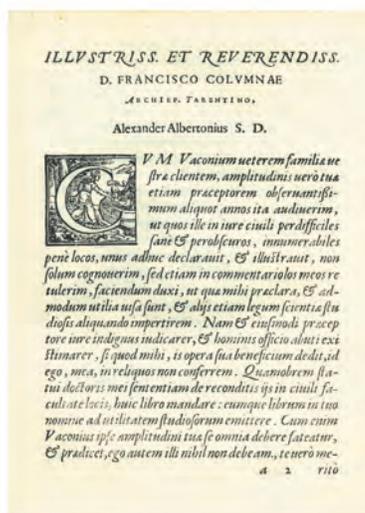
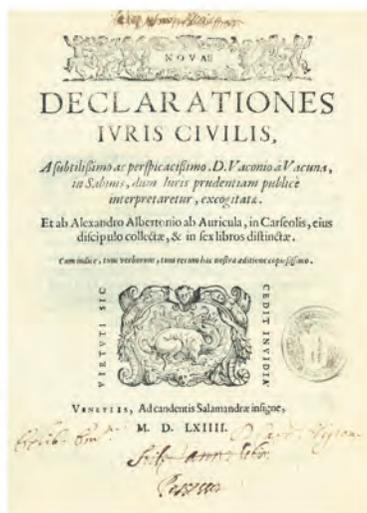
- 81 TARTAGNI, ALESSANDRO [1424-1477].
CORTE, FRANCESCO [D. 1495]. ANNOTATIONS.
LANDRIANO, BERNARDINO DE. [15TH/16TH. C.].
ANNOTATIONS.

[Alexander de Imola in Prima(m) (et) Secunda(m). ff. Novi Parte(m). Cum Apostillis Doctissimo(rum) Doctorum Domini Fra(n)cisci de Curte (et) Bernardini de Landriano. Et cum Aliis Innumeris Additionibus per Dominum Antonium Franciscum de Doctoribus Patavinum Noviter Editis].

[Venice: Per Baptistam de Tortis, 1514]. 49, [1], 200; 106 ff. Two parts in one volume. Main text in parallel columns with side-notes. Folio 16-1/2" x 11").

Contemporary chained binding, blind-paneled half-calf over beveled wooden boards, spine, with raised bands, carefully restored at ends, clasp buckles present, pastedowns derived from 1498 papal bull printed by Richard Pynson, described below, recent bookseller description and owner bookplate (Hans Furstenberg) to front pastedown. Main title page printed in red, text in handsome rounded Gothic type, woodcut decorated initials throughout text, large woodcut printer device at ends of text. Light toning, faint dampstaining to margins in a few places, light foxing to a few leaves, early repairs to fore-edges of the first two leaves. Some leaves have annotations, interior otherwise clean. A handsome post-incunable volume with an interesting addition. \$30,000.

LATER EDITION. Tartagni, also known as Alexander de Tartagnis de Imola, was a professor of law at the University of Bologna and a leading member of the generation of jurists that followed Bartolus. Like his illustrious predecessor, he was the author of several important commentaries on the Code and books of the Digest. *In Primam et Secundam. ff. Novi Partem* addresses the first and second parts of the *Digestum Novum* (Books 39-45, Title 1). These books deal mostly with property and contracts. This copy is bound with most of a single-leaf, single-sided papal bull printed on vellum on 8 March 1498 by Richard Pynson. Issued by John Morton, Archbishop of Canterbury, it confirms the succession of Henry VII and his heirs and endorses his marriage to Elizabeth of York. The document is signed by the episcopal notary, John Baret. The binder cut it into two parts. About ten inches are missing from the left side of the document, along with its top four lines. There are also two small holes with minor loss to the text. The 1514 Tartagni imprint and 1498 papal bull are rare. Neither is listed on OCLC. The book is not recorded in Adams, the *BMC* or *EDIT16*. The *GW* locates three copies of the papal bull: one in the Cologne State Library and two other fragmentary copies in the Library of Canterbury Cathedral and the Trier State library. Not in Goff. *GW* M13152/M1315220.



Details from N° 83

TREATISE ON THE ROMAN LAW OF TRANSFERS
BY A DISTINGUISHED FRENCH HUMANIST JURIST

ON THE INTERPRETATION AND CONSTRUCTION OF ROMAN LAW

82 TIRAQUEAU, ANDRE [1488-1588].
ZILLETO, GIOVANNI BATTISTA.

De Iure Constituti Possessorii Tractatus. Cum Summaris Novissime Additis & Alphabetico Repertorio Io. Bap. Zilleti.

Venice: [Apud Bartholomaeum Caesanum], 1551. 136, [20] ff. Octavo (5-3/4" x 3-3/4").

Later quarter vellum over marbled boards, lettering piece, gilt fillets and gilt ornaments to spine. Rubbing with some wear around edges and corners, small inkstain near foot of spine, small strip of paper excised from foot of title page. Large woodcut printer device and colophon, woodcut vignette of Tiraqueau lecturing at head of main text, woodcut decorated initials. Light toning to text, early underlining in a few places, interior otherwise clean. Ex-library. Bookplate to front pastedown. A nice copy. \$850.

THIRD EDITION. Tiraqueau was a distinguished humanist jurist and counselor to the Paris *Parlement*. First published in 1549, *De Iure Constituti Possessorii* addresses the Roman law concerning the transfer of property. It went through five more editions, the last one in 1558. It was reissued in two later collected-works editions, *Tractatus* and *Opera Omnia*. EDIT16 CNCE49628.

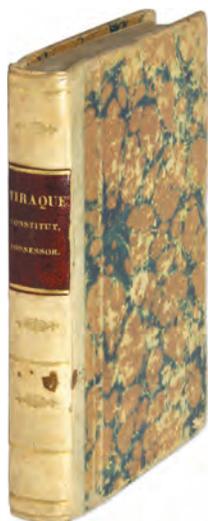
83 VACUNA, VACONIO.
ALBERTONI, ALESSANDRO.

Novae Declarationes Iuris Civilis, A Subtilissimo ac Perspicacissimo d. Vaconio a Vacuna, in Sabinis, Dum Iuris Prudentiam Publice Interpretaretur, Excogitatae. Et ab Alexandro Albertonio ab Auricula, In Carseolis, Collectae, & In Sex Libros Distinctae. Cum Indice, Tum Verborum tum Rerum hac Nostra Aeditio Copiosissimo.

Venice: Ad Candentis Salamandrae Insigne, 1564. [28], 362, [2] pp. Main text printed in double columns. Quarto (8" x 6").

Contemporary limp vellum with lapped edges, early hand-lettered title to spine, ties lacking. Light soiling, a few minor stains to boards, spine ends bumped, minor wear to corners, pastedowns chipped and partially detached. Toning, light dampspotting and browning in an a few places. Early owner signatures to front free endpaper and title page, which also has a small early library stamp, underlining in a few places. An appealing copy. \$1,250.

SECOND EDITION. *Novae Declarationes* is a treatise on the interpretation and construction of Roman law. A well-circulated work, it was first published in 1556. Its third and final edition appeared in 1585. OCLC locates 10 copies of this edition, 4 in North America, 3 in law libraries (Harvard, UC-Berkeley, Library of Congress). EDIT16 CNCE 48192.



N° 82

THREE TREATISES ON ECCLESIASTICAL PATRONAGE

- 84 CURTIUS, ROCHUS [FL. 1470–1515].
CITTADINI, PAOLO [D. 1525].
NILSSON, JENS [1538–1600].

Iurispatronatus Tractatus et Flores: In Quibus Continentur Omnia ea Quae ad Illam Materiam Spectant.

Lyons: Apud Petrum Landry, 1573. [lxxxvii], 879 pp. Octavo (7" x 4-1/2").

Contemporary limp vellum with lapped edges, recently re-cased, early hand-lettered title to spine. Light rubbing to extremities, light soiling and a few minor stains, spine darkened. Large woodcut printer device, woodcut decorated initials. Some toning to text, faint dampstaining to head of text block in a few places. Early owner signature to title page, early markings in pen to a few leaves, interior otherwise clean. \$1,950.

ONLY EDITION (IN THIS FORM), one of two issues from 1573 (the other printed by Charles Pesnot). This volume collects three notable canon-law treatises dealing with ecclesiastical patronage. All three were published previously, but our copy appears to be the only one to collect all three. OCLC locates 8 copies of both issues, 1 in North America (at the Library of Congress). Adams C3116.



Nº 84

CONSILIA BY A HUMANIST ADVISOR TO POPE CLEMENT VII

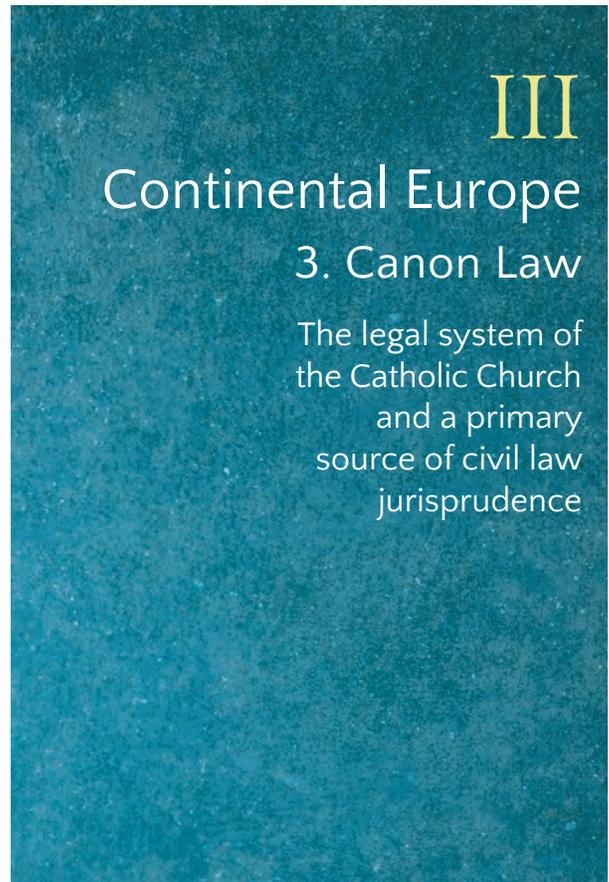
- 85 FERRETTI, GIULIO [1480–1547].

Consilia et Tractatus Quorum Tabulam Secunda Pagina Indicat. Cum Summariis, & Copiosissimo Omnium Materiarum Indice, Nunc Primum in Lucem Veniunt.

Venice: Apud Avantium, 1562. [iv], 48, 219, [1] ff. Main text in parallel columns. Quarto (8-1/2" x 6-1/2").

Contemporary limp vellum with lapped edges, hand-lettered title to spine. Some darkening to spine, minor chipping to head, a few small cracks along joints, hinges reinforced, vellum just beginning to crack through pastedowns, partial crack to text block between front endleaf and title page, a few other partial cracks elsewhere. Some toning, faint dampstaining in a few places, internally clean. \$1,750.

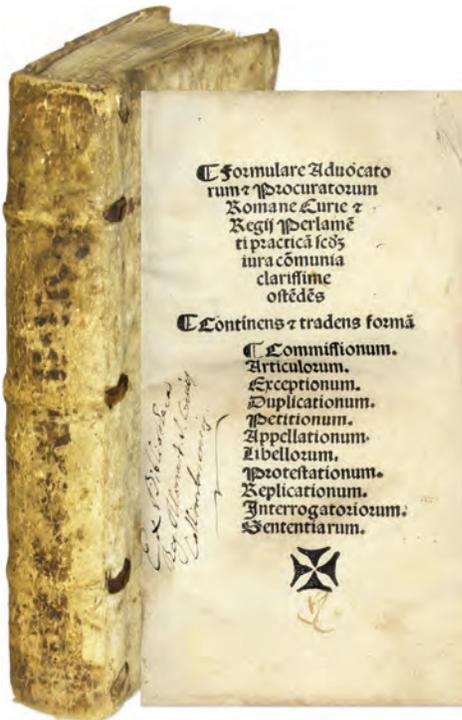
Nº 85



ONLY EDITION. Ferretti was a member of the College of Jurisconsults during the papacy of Clement VII [1478–1534]. This volume collects 31 of his canon-law consilia (analyses of disputed legal points, usually submitted by a judge). This volume was reissued in 1563. OCLC locates 3 copies of this imprint, 5 of the 1563 reissue. Copies located in North America at UC-Berkeley, which has the 1562 imprint, and the Library of Congress and University of Illinois, which have the 1563 imprint, and Harvard Law School, which has both. Not in Pazzagliani and Hawks. EDIT16 CNCE 18857.



Nº 85



RARE LYONS IMPRINT OF A NOTABLE CANON-LAW HANDBOOK

86 [FORMULARIUM PROCURATORUM].

Formulare Advocatorum & Procuratorum Romane Curie & Regii Parlamenti Practicam Secundum Jura Communia Clarissime Ostendens: Contiens & Tradens Formam Commissionum Articulorum; Exceptionum; Duplicationum; Petitionum; Appellationum; Libellorum; Protestationum; Replicationum; Interrogationum; Sententiarum.

[Lyons: Magistrum Simonem Bivilaqua, 1518]. [vi], CLXXVIII ff. Main text in parallel columns. Octavo (6-1/2" x 4").

Contemporary limp vellum with lapped edges and thong ties, faint early hand-lettered titles to spine and top edge of text block, endpapers renewed. Some rubbing to extremities, moderate soiling, spine darkened, early signatures to front and rear covers. Woodcut initials. Light browning to title page, toning to text, faint dampstaining in a few places. Later owner signature to title page, tiny inkstamp to head of following leaf, interior otherwise clean.

\$2,750.

THE WORK, COMPILED FROM unidentified sources by an unidentified compiler, was originally published in Rome in 1479 with colophon title *Procuratorum Formularius*. Usually referred to as the *Formularium Procuratorum*, it is a collection of canon-law legal instruments established by the Roman Curia relating to procedure, actions and defenses. It offers an excellent "ground level" view of canon law practice in the early modern era. No copies of the 1514 Lyons imprint located on OCLC, or in Adams or Baudrier. One copy located in North America (at GWU Law School).

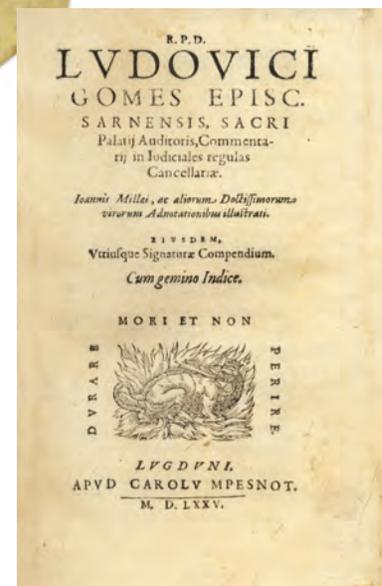
87 GOMEZ, LUIS [D. 1545].
[MILLES DE SOUVIGNY (16TH. C.)].

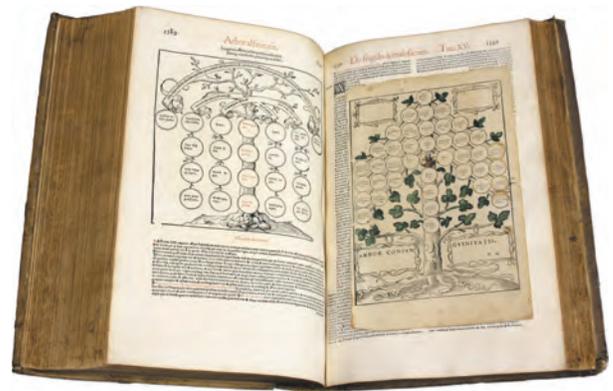
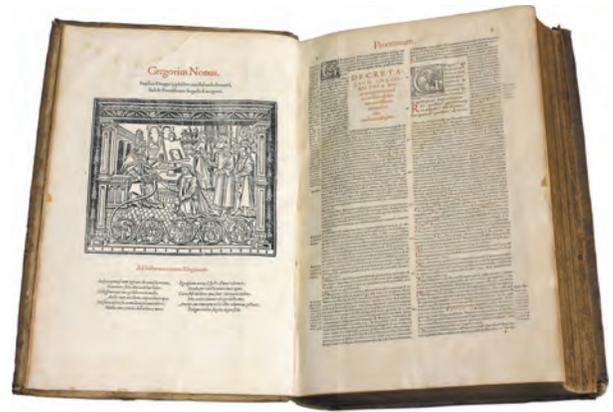
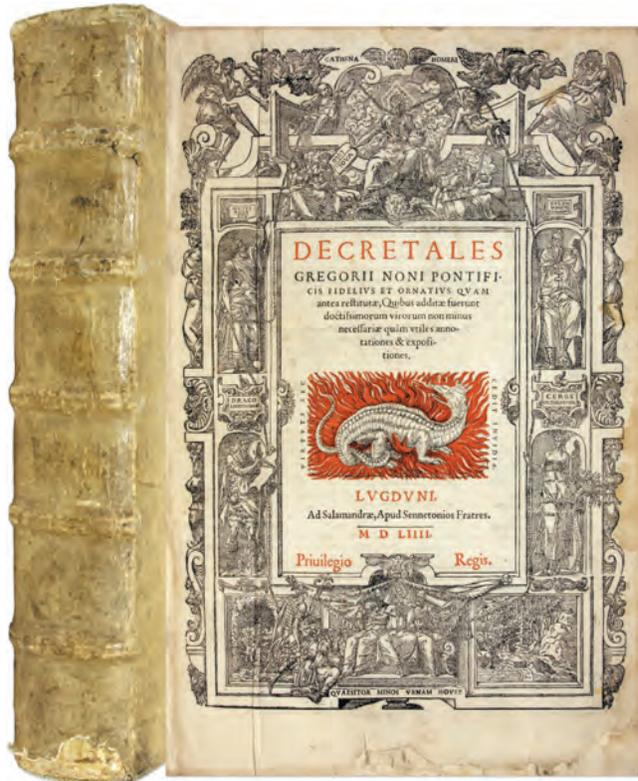
Commentarii in Iudiciales Regulas Cancellariae. Ioannis Millaei, Ac Aliorum Doctissimorum Virorum Adnotationibus Illustrati. Eiusdem, Utriusque Signaturae Compendium.

Lyons: Apud Carolum Pesnot, 1575. [civ], 474 [i.e. 472] pp. Octavo (7" x 4-1/2").

Contemporary blind-tooled pigskin, early hand-lettered title to spine, early owner monogram black-stamped to front board, 1583 black-stamped to rear, edges rouged. Some soiling, minor wear to spine ends and corners, small scuff to front board, front hinge starting. Toning, faint dampstaining in a few places, chip to p. 254 with minor loss to text, internally clean. \$3,500.

THIRD EDITION. With indexes. Gomez was the Bishop of Sarno, Italy. First published in 1540. *Commentarii* is a treatise on trial practice in canon law. Also a practical work, it describes the rules of practice in detail. Its final edition, the fourth, was published in 1610. All editions are scarce. OCLC locates 3 copies of the 1575 edition in North America (Harvard Law School, Library of Congress, University of Texas). Not in Adams. Palau 103.620.





IMPRESSIVE 1554 EDITION OF THE *DECRETALS* OF GREGORY IX

- 88 GREGORY IX, POPE [1227-1241].
 RAYMOND OF PENAFORTE. SAINT [1175?-1275],
 COMPILER.
 [BOTTONI, BERNARDO (D.1266), GLOSSES].
 [D'ANDREA, GIOVANNI (C.1270-1348), GLOSSES].

Decretales, Quibus Additae Fuerunt Doctissimorum Virorum non Minus Necessariae Quam Utiles Annotationes & Expositiones.

Lyons: Senneton Freres, 1554. [10] ff., 1804 columns, [4], 16 ff. Woodcut tables of descent and consanguinity. Main text in parallel columns. Folio (16" x 11").

Contemporary paneled pigskin, raised bands, ties lacking. Moderate rubbing to extremities, a few minor scuffs and stains, chipping to foot of spine, corners bumped and somewhat worn, vellum just beginning to crack through pastedowns, edgewear and a few holes to endleaves, partial crack in text block between front free endpaper and title page, later owner bookplate to front pastedown, earlier over stamp to verso of front free endpaper. Printed in red and black throughout, attractive woodcut title page with architectural border and large Salamandre device, frontispiece

depicting the presentation of the *Decretals* to Gregory, attractive woodcut pictorial initials. Some toning to text, faint dampspotting in a few places, moderate edgewear and some dampstaining to margins of title page and few other leaves. A solid copy of an impressive volume. \$2,500.

WITH RUBRICS, GLOSSARY, MARGINAL GLOSSES, table and index. The glosses are those originally compiled by Bernardo Bottoni, with later accretions by Giovanni D'Andrea and others. "*Decretals* are letters containing a papal ruling, particularly one relating to canonical discipline, and most precisely a papal prescript in response to an appeal...the *Decretals* of Gregory IX are the first authentic general collection of papal decretals and constitutions, compiled by Raymond of Penaforte at the request of Pope Gregory IX in 1230-1234 and promulgated in 1234. (...) It gave rise to a vast amount of commentaries and literature" (Walker). Gregory's *Decretals* is one of the four works known collectively as the *Corpus Juris Canonici*, a collection of papal decisions concerning ecclesiastical hierarchy, procedure, the functions and duties of clerks, marriage, and crime. This edition predates the Reformation-inspired *Correctores Romani* (1580-1582), which was definitive until the revision of 1918. Walker 177-179. Adams 1222.

89 GREGORY IX, POPE.
[BOTTONI, BERNARDO, GLOSSES].
[D' ANDREA, GIOVANNI, NOTES].
[GRAF, URS (C.1485-1528), ENGRAVER].

Decretalium Gregorii Noni Liber Accuratissime Emendatus. Cum Concordantiis tum ad Ius Civile, tum ad Eius Interpretes Nuperrime Additis: [Cum] Annotationibus Pluribus ad Quecunq[ue] Facile Reperienda Accomodatissimis. [Et cum] Additione in Margine Litteraru, quo Minusculi Characteres Lineis Intercepti, Citius Apparent.

Basel: [Johannes Amerbach, Johannes Petri, and Johann Froben, 31 May], 1511. [x], 336, [24] pp. Main text in parallel columns surrounded by linear gloss with side-notes. Full-page woodcut by Urs Graf depicting the presentation of the Decretals to Gregory IX by a group of clerics, woodcut tables of descent and consanguinity. Folio (16" x 11").

Contemporary blind-paneled pigskin over heavy beveled wooden boards, raised bands and somewhat later hand-lettered title to spine, clasps lacking, buckles present. Moderate rubbing and a few worm-holes, light scuffing and some minor stains to boards, minor chipping to foot of spine, two tiny gouges to center of spine, some worming to pastedowns near hinges, a few worm holes to text block. Printed throughout in red and black, large printer device to title page. Light toning to text, occasional faint dampspotting, spark burns to margins of a few leaves. Later annotations to front pastedown, interior otherwise clean. A handsome post-incunable imprint. \$7,500.

FIRST PRINTING BY THIS ASSOCIATION of notable Basel printers. Graf was an important Swiss goldsmith, painter and printmaker (of woodcuts, etchings and engravings). His image of Pope Gregory and his clerics and servants was the model for woodcuts in several later editions of the *Decretals*. OCLC locates 4 copies in North America, 2 in law libraries (Library of Congress, UC-Berkeley). Stockmeyer and Reyber 48, 36.



A COLLECTION OF LEGAL "LETTERS"
BY AN IMPORTANT CANON LAWYER AND BISHOP

90 IVO, SAINT, BISHOP OF CHARTRES
[C. 1040-1116].
JURETUS, FRANCISCUS, EDITOR.

Eiusdem Chronicon de Regibus Francorum.

Paris: Apud Sebastianum Nivellium, 1584. [14], 260 [i.e. 256], [xiv] ff. Quarto (8-1/2" x 6-1/2").

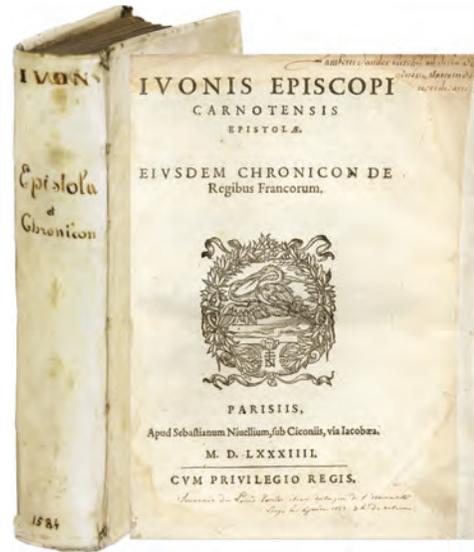
Contemporary vellum with lapped edges, early hand-lettered title to spine. Some rubbing to extremities with minor wear, spine ends and corners bumped, hinges starting, vellum just beginning to crack through pastedowns. Attractive woodcut head-pieces and decorated initials. Light toning to text, heavier in a few places, faint dampstaining to lower corner of text block. Fore-edges of title page and following three leaves carefully mended with no loss to text. Early annotations to front free endpaper, small signature to head of title page, interior otherwise clean. \$2,500.

FIRST EDITION. Ivo, Bishop of Chartres, was an important canon lawyer who played a key role in the resolution of the investiture crisis. The most significant conflict between church and state in the medieval era, it concerned the authority of European monarchs to control the appointments, or investitures, of bishops, abbots and other church officials. This collection of 285 opinions, or "letters," discusses legal aspects of political, institutional and religious subjects. Several deal with the investiture crisis and its background. Other editions were published in 1585 and 1610, the latter designated "Editio Secunda." OCLC locates a handful of copies in North America, 1 in a law library, UC-Berkeley, which has a 1610 edition. Adams I257.

UNRECORDED IMPRINT OF THE LEGAL WRITINGS OF POPE LEO I

91 LEO I, POPE [D. 461].
SURIUS, LAURENTUS [1522-1578], EDITOR.

Opera, Quae Quidem Haberi Potuerunt, Omnia, Magno Labore ad Manuscriptorum Codicum Fidem a Permultis, Ijsq; Foedis Mendis nunc Denuo Repurgata, per F. Laurentium Surium Carthusianum: Cuius Etiam Studio iam Recens Accesserunt Quinq; Eusdem Leonis Epistolae, Hactenus Praelo non Cimmissae. His Adiunximus D. Leonis IX. Aequae. Cum Indice Novo ac Copioso.



N° 90

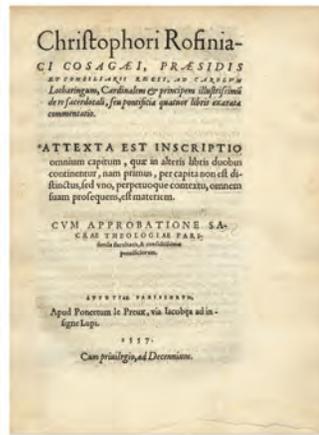
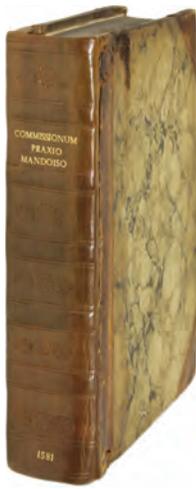
Cologne: Apud Ioannem Birckmannum, 1568. [x], 173 [i.e. 169], [1] fols. Folio (12" x 8").

Contemporary limp vellum, rebounded in later vellum with hand-lettered title, ties lacking. Moderate soiling, light wear to extremities, a few small chips to spine, tiny hole to front cover, front hinge cracked but secure. Attractive large printer device to title page and verso of final leaf, handsome arms of Leo I to verso of title page, decorated initials. Light brown and faint dampspotting to most of text, internally clean. Ex-library. Early hand-lettered shelf label to spine, institution name in faint early hand to title page. \$750.

THIS EDITION OF THE COLLECTED LEGAL and theological writings of Pope Leo I was first published in 1561. Known as "the Great," Leo reigned from CE 440-461 and guided the development of the Church during the final decades of the Western Roman Empire. In power during its most turbulent period, he preserved the church through a vigorous reform of church discipline and persecution of heretics. The collation of this copy is identical with others dated 1569. The listing in VD16 even gives the date of this imprint as "1568/1569," which suggests that it was issued twice with different dates. No copies of the 1568 imprint located. See Adams L447 (listing 1569 imprint). VD16 ZV17915.



N° 91



N° 92

TWO SCARCE SIXTEENTH-CENTURY TREATISES ON CANON LAW

92 MANDOSIO, QUINTILIANO [D. 1593].

Praxis et Theoria Commissionum a Beatiss. Papa ad Causas Decidendas in Quibus Omnes tam Veterum, Quam Recentium Doctorum Theoricas Recto Ordine Digestas, Ad Praxim Deductae Sunt. Omnibus Nedum Pontificii, & Caesaris Iuris Studiosis, Sed & Causarum Patronis, Advocatis Admodum, & Iusdicentibus Cuiuscunq; Ordinis Utiles, Ac Necessarie.

Rome: Ex Typographia Georgii Ferrarii, 1581. [iv], 141, [1] ff.

[BOUND WITH]

ROFFIGNAC, CHRISTOPHE DE.

De re Sacerdotali, Seu Pontificia Quatuor Libris Exarata Commentatio Attexta est Inscriptio Omnium Capitem, Quae in Alteris Libris Duobus Continentur, Nam Primus, Per Capita non Est Distinctus, Sed uno, Perpetuoque Contextu, Omnem suam Prosequens, Est Materiem. Cum Approbatione Sacrae Theologiae, Parisiensis Facultatis, & Consultissimae Pontificiorum.

Paris: Apud Poncetum le Preux, 1557. [viii], 325, [1] ff.

Quarto (8-1/2" x 6-1/2"). Later three-quarter calf over marbled boards, rebacked, raised bands, blind ornaments and lettering piece to spine, hinges mended, early armorial bookplate (of Thomas Hamilton, First Earl of Haddington, Lord Drumcairn) to verso of title page of *Praxis*. Some rubbing to board edges with some wear to corners. Attractive head-pieces, tail-pieces and decorated initials. Light toning to text, foxing in a few places, worming to margins of leaves at rear of text block, tear to final leaf carefully repaired. Later annotation, possibly a shelfmark, to front pastedown, later owner signature to front free endpaper, interior otherwise clean. \$3,000.

PRAXIS: SECOND EDITION; *Sacerdotali*: only edition. This volume collects two sixteenth-century treatises on canon law. First published in 1571, Mandosio's treatise addresses administrative law and government. Its final edition was published in 1585. A respected work, it was reprinted in the great *Tractatus Universi Iuris* (1584-86). Rossignac's treatise deals with the same topics



N° 93

from a historical perspective with an emphasis on councils and synods. Hamilton [1563-1637] was a notable Scottish lawyer, judge and politician. Copies of both titles are scarce in North American law libraries. *Praxis*: OCLC locates 3 copies, 1 at UC-Berkeley, which has a 1572 edition and the reissue in the *Tractatus Universi Iuris*, and 2 at Columbia and Harvard, which have copies of the 1585 edition. *Sacerdotali*: OCLC locates 1 copy in North America, at the University of Delaware. Adams M348, R660.

A DURABLE TREATISE ON BENEFICES

93 SELVE, JEAN DE [D. 1529].

Tractatus de Beneficio: Perspicacissimi Iuris Utriusque Luminis ac Monarche D[omi]ni Joannis de Selva Tractat[us] de Beneficio: Lusumariis Ante Una[m]qua[m]que[m] Questionem Acco[m]modatis: Copiosoque Repertorio Numeris Distincto: Quo que Quisque Scire Cupierit eide Occurrat Facilius.

[Lyons: Jean David], 1531. 290, 18 ff. Octavo (7" x 4-1/2").

Recent calf, raised bands and lettering piece to spine, endpapers renewed, early hand-lettered title to foot of spine. Light rubbing to extremities. Title page with woodcut architectural border printed in red and black, woodcut decorated initials. Light toning to text, negligible foxing in places, recent repairs to a few leaves. Underlining to a few pages, interior otherwise clean. \$1,500.

LATER EDITION. This notable canon-law treatise on ecclesiastical benefices and pensions was originally published in 1504. It went through at least editions into the seventeenth century. Baudrier V:152, 290.



RARE SIXTEENTH-CENTURY SPANISH TREATISE CONCERNING MONASTERIES

94 SOSA, FRANCISCO DE [FL. 1556].

Advertencias de Fray Francisco de Sosa, Lector de Theologia en el Convento de Sant Francisco de Salamanca: Cerca de la Nueva Constitucion de Nuestro Sanctissimo Padre Clemente Papa VIII. De Largitione Munerum Utriusque Sexus Regularibus Interdicta. Declaranse Algunas Resoluciones de Derecho en Puntos Difficultosos.

Salamanca: En Casa Iuan Fernandez, 1596. [x], 131, [2] pp. Quarto (8" x 6").

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

FIRST EDITION. This book details a series of legal reforms regarding monasteries and holy orders implemented by Pope Clement VI, formerly a canon lawyer (Ippolito Aldobrandini, 1536-1605, the son of notable jurist Sylvestro Aldobrandini). For the most part, these reforms led to an increase of Papal control and supervision. Two other editions were published in 1597 and 1696. OCLC locates no copies of this title in North America. No copies located at the Library of Congress, Harvard Law School or UC-Berkeley Law School. Palau 319804.

COMMENTARIES ON THE DECRETALS OF GREGORY IX BY THE "LAMP OF THE LAW"

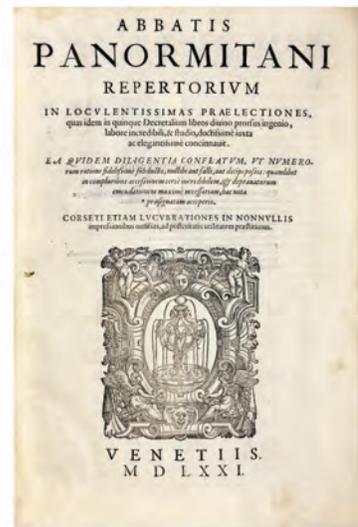
95 TUDESCHIS, NICCOLO DE, ARCHBISHOP (ABBAS PANORAMITANUS) [1386-1445]. CORSETTI, ANTONIO [D. 1503], EDITOR.

Repertorium in Loculentissimas Praelectiones quas Idem in Quinque Decretalium Libros Divino Prorsus Ingenio, Labore Incredibili & Studio Doctissime Iuxta ac Elegantissime Concinnavit. Ea Quidem in Quinque Diligentia Conflatum, Ut Numerorum Ratione Fidelissime Subducta, Nullibi aut Falli, Aut Decipipossis: Quamlibet in Compluribus Accessionem Certe Incredibilem, Et Depravatorum Emendationem Maxime Necessariam, Hac nota Praesignatam Acceperis. Corseti Etiam Lucubrationes in Nonnullis Impressionibus Omissas, Ad Posteritatis Utilitatem Praestitimus.

Venice: [Apud Ioannem de Gara], 1571. [cl]. 44. [12] ff. Main text in parallel columns. Folio (12" x 8-1/4").

Contemporary vellum, early hand-lettered titles to spine and foot of text block, which is neatly detached with pastedowns and well-secured by cords. Moderate edgewear, bowing and spine stains to vellum, locations of cords worn through. Light toning to text, heavier in places, light foxing to a few leaves, small worm hole to inner margin of front endleaf and title page, internally clean. \$2,500.

LATER EDITION. Tudeschi, a Benedictine canonist from Sicily, earned his doctorate in canon law at the University of Bologna. He taught at the Universities of Siena, Parma and Bologna. "It was his canonical works, especially his 'Lectura in Decretales' 'In Sextum,' and 'In Clementinas,' that won him the title of 'lucerna juris' (lamp of the law) and insured him great authority; he also wrote 'Consilia,' 'Quaestiones,' 'Repetitiones,' 'Disputationes, Disceptiones et Allegationes,' and 'Flores Utriusque Juris.' A fine edition of his works appeared at Venice in 1477; among later editions...published in 1617-18 (Venice) in 10 folio volumes is especially notable": *Catholic Encyclopedia*. First published in 1481, *Repertorium* collects his notes on the fifth books of the Decretals of Gregory IX. Each of these has a reference so it can be used in conjunction with any edition of that work. Complete in itself, this is part of an eight-title series of Tudeschi's works. "Nicolo de' Tudeschi" in *Catholic Encyclopedia* (Online edition). Not in Ferreira-Ibarra.

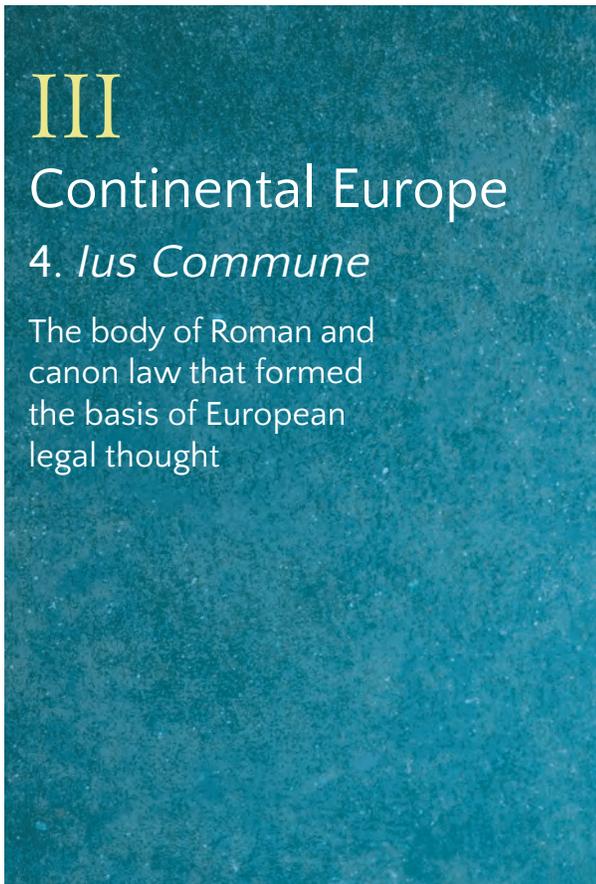


III

Continental Europe

4. *Ius Commune*

The body of Roman and canon law that formed the basis of European legal thought



PROCEDURE MANUAL ATTRIBUTED TO ALCIATI

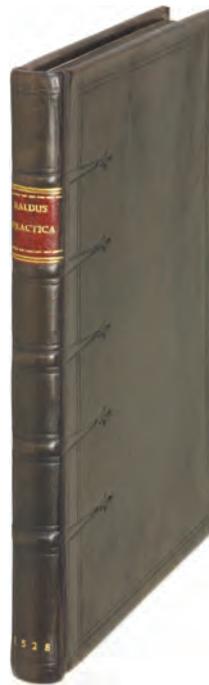
- 96 ALCIATI, ANDREA[S] [1492-1550], ATTRIBUTED.
HEGENDORPH, CHRISTOPH [1500-1540], EDITOR.

Iudicarii Processus Compendiu[m], Atque Adeo Iuris Utrius[ue]; Praxis. Locis tam Multis, Tamqu[am] Insignibus Integritati Suae Restitutis, Fere ut Nov[um], Ac Pene Aliud Opus hoc Nostrum Iudicet, Qui Primo Illi Coloniensi Contulerit. Accessit huc & Iuris Discendi Methodus, & De Artibus Iurisconsulto Futuro Necessariis, Oratio Elegantissima, Authore Christophoro Hegendorphino.

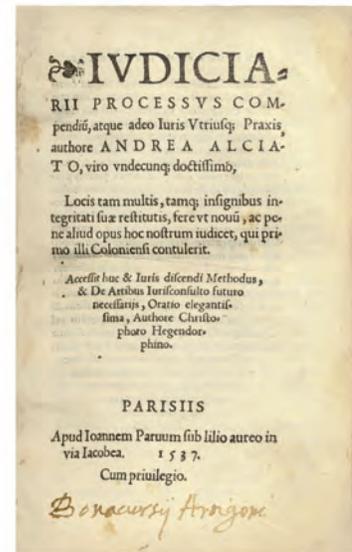
Paris: Apud Ioannem Parvum [Chevallon], 1537. [viii], 271 ff. Signatures M and N (ff. 97-104) bound in reverse order. Octavo (6-1/2" x 4").

Contemporary vellum, raised bands and early hand-lettered title to spine, another title to foot of text block in early hand, ties lacking. Light soiling, rubbing to extremities with some wear to spine ends, top edge of front board and corners, a few worm holes to boards and front pastedown, partial crack between text block and rear free endpaper. Attractive crible initials. Toning, faint dampstaining to endleaves and a few text leaves. Early owner signature to foot of title page, annotation in his hand to endleaves, interior otherwise clean. \$1,000.

LATER EDITION OF A WORK FIRST PUBLISHED in 1530 (one of three imprints issued in 1537, the others in Cologne and Venice). An important Italian humanist and professor of law at Avignon, Bologna, Milan, Padua, Ferrara and Bourges, Alciati was one of the first jurists to base his interpretation of civil law on the history, languages and literature of antiquity, and to conduct original research on the texts rather than merely copy earlier



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glosses. His work was deeply influential and his services were retained by the kings of France and Spain, as well as by several Italian princes. As one would expect, there was a large market for his works. In addition to those published by Alciati there are several unauthorized publications based on lecture notes compiled by his students. First published in Cologne in 1530, *Iudicarii Processus Compendium*, a treatise on procedure in Roman and canon law, appears to fall into this latter category. Some sources say it is not based on Alciati's work and is the work of an anonymous author. It was nevertheless a popular work that went through several editions and issues over the next 30 years. OCLC locates 3 copies of this imprint, 1 in North America (at the University of Iowa). Not in Adams.



COMMENTARIES ON CRIMINAL LAW
BY A GREAT MEDIEVAL JURIST



Nº 98

- 97 BALDUS DE UBALDIS, PETRUS [1327-1400].
CORNETO, TANCREDDUS DE, COMMENTARY.
CREMONTE, ANTONIUS DE, COMMENTARY.
DESCOVSU, CELSUS-HUGO, COMMENTARY.
FERRANDAT, HENRICUS, COMMENTARY.

Practica Baldi. Perutilis Ac Vere Aurea Practica Iuris. Utriusque Monarchie ac Luminis Domini Baldi de Ubaldis de Perusio...Cu[m] Additionibus Domini Antonii de Cremonate: Que Preter Primam Omnes Textui Inseruntur: [Et] cum Pristinis Apostillis...Celsi Hugo[n]is Dissuti. Novissime cu[m] Adjectionibus Nonnullorum Titulorum in Quibusdam Antiquissimis Exemplaribus Inventorum Hactenus non Impressorum: [Et] cum Repertorio Alphabetico. Ad Vertas Lector: Quod Angelus...Dicit Practica[m] Istam: Seu Mavis Col[m]pendiosam: Fuisse Tal[is] credi de Corneto. Ego Vero Balsi Esse Affirmo: Ut Patet in Pluribus Eius Locis: Maxime in Prefatione Ante Rubricam de Iurisdictione.

[Lyons: Antoine Blanchard, 6 February 1528. [xii], XCVI ff. Main text in parallel columns. Quarto (6-3/4" x 5").

Handsome period-style calf, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed. Title page printed in red and black within woodcut architectural border, woodcut decorated initials. Moderate toning, finger smudges and light stains to a few leaves, some soiling to title page, minor edgewear to final leaf. \$1,950.

LATER EDITION. Baldus de Ubaldis, a pupil of Bartolus, was one of the great jurists of Medieval Europe. He taught at the Universities of Bologna, Perugia, Pisa, Florence, Padua, Pavia and Piacenza. He also served occasionally as a judge and diplomat. His fame rests on his commentaries on Roman and canon law, which were standard texts into the seventeenth century. First published in 1513, *Practica Baldi* is a collection of his commentaries on criminal law and procedure in both systems drawn from his larger works with additional commentary and notes by Corneto, Cremonte, Descousu and Ferrandat. All editions are scarce. OCLC locates 3 copies of this edition in North American law libraries (Columbia, Harvard, UC-Berkeley). USTC 146006.

TWO SCARCE SIXTEENTH-CENTURY
ITALIAN WORKS ON ROMAN AND CANON LAW

- 98 BERO, AGOSTINO [1474-1554].
THOMASIVS, JOANNES, EDITOR.

Quaestiones Familiares: Pragmaticis Percommodae.

Venice: Apud Io. Antonium Bertanum, 1574. [lxxii], 445, [3] pp.

[BOUND WITH]

MARZARI, FRANCESCO.

In Materiam Fideicomissariam Epitome Francisci Marzarrii Vicentini Iurisconsulti ac in Rot. Genuens. Bononiens. Florentina Quondam Auditoris Integerrimi.

Venice: Apud Vincentium Vianum, 1574. [viii], 67, [1] pp.

Octavo (6" x 4"). Contemporary vellum, early hand-lettered title to spine. Some soiling, a few minor stains, light rubbing to extremities, vellum beginning to crack through front and rear pastedowns, hinges cracked, text block secure. Moderate toning to text, faint dampstaining to margins of a few leaves, internally clean. Nice copies of two scarce titles. \$1,500.

BERO, LATER EDITION; MARZARI, FIRST EDITION. *Quaestiones Familiares* was first published in Bologna with title *Familiares Quaestiones*. Its 136 *quaestiones* deal mostly with Roman or canon law. Whatever the topic, most of Bero's authorities come from canon law. A durable work, it went through five editions, the last in 1629. As indicated by its title, Marzari's treatise addresses the Roman law of fideicommissum, the request by a testator to any person who benefited by his will or intestacy to give certain objects to a third party. Both titles are scarce, especially Marzari's. OCLC locates 3 copies in North America, all of the 1574 edition (University of Texas-Austin, Harvard Law School, UC-Berkeley Law Schools). EDIT16 Bero: CNCE5561; Marzari CNCE38579.

ONE OF THE GREAT ITALIAN JURISTS
OF THE FIFTEENTH CENTURY99 CIPOLLA, BARTOLOMEO [D. CA. 1477].
[GRADIBUS, JOHANNES DE (15TH/16TH C.), EDITOR].

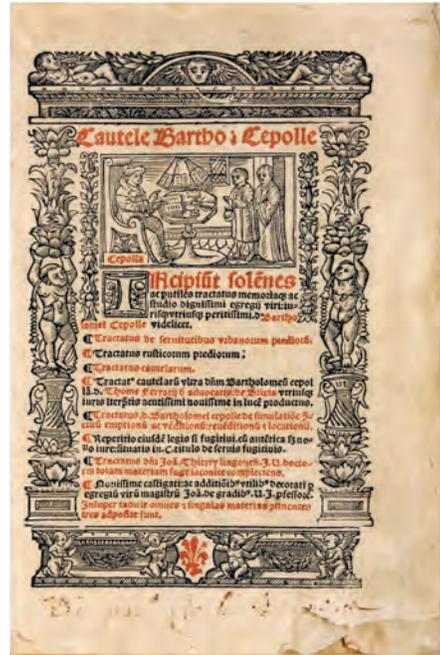
Incipiunt Solemnes ac Plerutiles Tractatus Memoriae ac Studio Dignissimi Egregij Viri: Iurisq[ue] Utriusq[ue] Peritissimi D. Bartholomei Cepolle, Videlicet.

[Lyons: Antoine Du Ry, Impensis Jacques and Franciscus Giunta, 1525]. [xii], cccxvi [i.e. 312], [2] ff. Main text in parallel columns. Octavo (7" x 5").

Contemporary vellum from manuscript leaf, hand-lettered title to spine, front endleaves recycled from another book. Some soiling, moderate rubbing to extremities, joints starting, some worming to spine, corners worn, pastedowns loose, worming to rear hinge, a few cracks to text block, a few signatures loose. Title page, with woodcut vignette and architectural border, printed in red and black, small woodcut vignette at head of main text, woodcut decorated initials. Moderate toning to text, occasional faint dampstaining to margins, some edgewear and a few minor

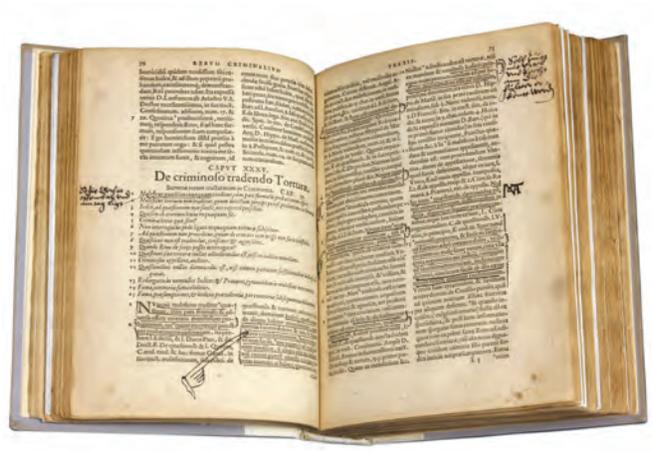
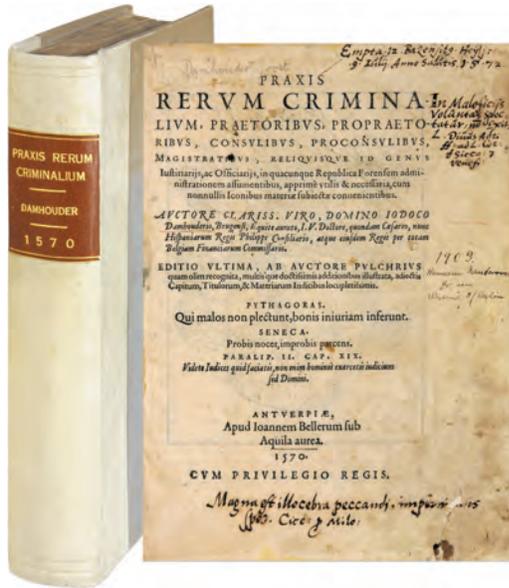
tears to title page and the following four leaves. Finger smudges, annotations to rear endleaves, underlining and brief annotations in few places, interior otherwise clean. \$1,750.

THIRD EDITION. Cipolla was a professor of law at the University of Padua, 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. *Tractatus Memoriae* is a collection of seven essays on servitudes, real property and related topics in Roman and canon law. It is a collection based on titles that circulated in manuscript and the early printed era. The first edition in its final, seven-essay form appeared in 1511. It was issued several times into the sixteenth century. All editions are scarce. OCLC locates no copies of the 1525 imprint in North America. This edition not in Adams.



Details from N° 99

CLASSIC ILLUSTRATED SIXTEENTH-CENTURY TREATISE ON CRIMINAL LAW WITH CONTEMPORARY ANNOTATIONS AND A NOTABLE ASSOCIATION



100 DAMHOUDER (DAMHOUDERE), JOSSE DE [1507-1581]. [KANTOROWICZ, HERMANN (1877-1940)].

Praxis Rerum Criminalium: Praetoribus, Propraetoribus, Consulibus, Proconsulibus, Magistratibus, Reliquisque id Genus Iustitiariis ac Officialiis, Aprime Utilis & Necessaria.

Antwerp: Ioannem Bellerum, 1570. 508 pp. Text in parallel columns. 72 woodcuts. 68 depict criminal acts, 2 depict types of torture, 2 are coats of arms (of Damhouder and the book's dedicatee, King Philip II). Twelve leaves, including one with a woodcut, supplied as bound-in facsimiles. Quarto (8-3/4" x 6-1/2").

Twentieth-century quarter vellum over cloth, lettering piece to spine, endpapers renewed. Negligible light soiling, a bit of discoloration to boards. Moderate toning to text, somewhat heavier in places, occasional light foxing, early repair to lower corner of title page. Contemporary annotations throughout in black and red ink, illegible owner signature dated 9 July 1572 and owner signature of Hermann Kantorowicz dated 1903 to title page. Ex-library. Bookplate to front pastedown. A unique copy of an important title. \$2,500.

FIRST PUBLISHED IN 1554, this was the first comprehensive study of criminal procedure published in northern Europe. A synthetic work drawn mostly from Roman-Dutch sources, it was based on Philip Wielant's *Practycke Crimineele* (1439-1519) and other earlier treatises. Published in Latin, Dutch and French, it was the standard authority throughout the continent for many years. This Dutch edition from 1570 is illustrated throughout with woodcuts depicting adultery, murder, theft and many other crimes. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. Kantorowicz was a distinguished German jurist and law professor. Removed from his professorship at the University of Kiel by the Nazis in 1933, he moved to the United States, then Great Britain, where he taught at the New School for Social Research, City College of New York, the London School of Economics, All Souls College, Oxford, and Cambridge University. Dekkers 44.

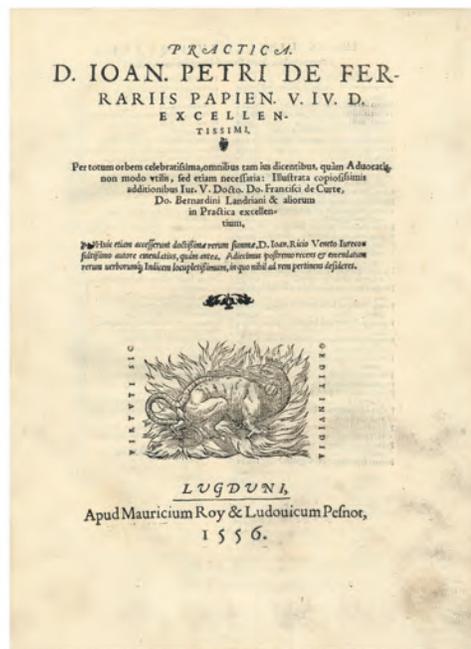
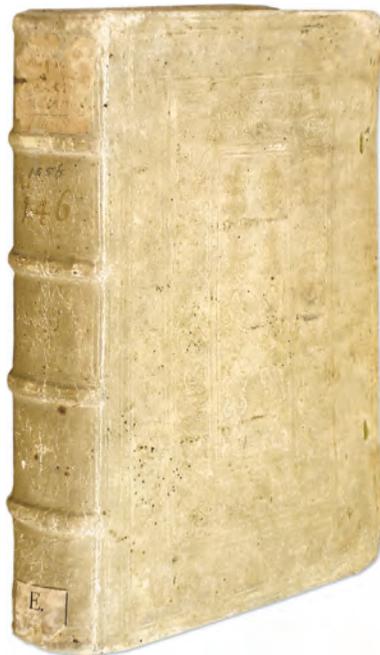
- 101 FERRARI, GIOVANNI PIETRO [FL. 1389-1416].
CORTE, FRANCESCO [D. 1495], EDITOR.
[LANDRIANO, BERNARDINO DA. (15TH-16TH C.)].
[RICCIO, GIOVANNO (16TH. C.)].

Per Totum Orbem Celebratissima, Omnibus Tam Ius Dicentibus Quam Advocatis non Modo Utilis, Sed Etiam Necessaria: Illustrata Copiosissimis Additionibus Iur. V. Docto. Do. Francisci de Curte, Do. Bernardini Landriani & Aliorum in Practica Excellentium. Huic Etiam Accesserunt Doctissimae Rerum Summae D. Ioan. Ricio Veneto Iureconsultissimo Autore Emendatius, Quam Antea. Adiecimus Postremo Recens & Emendatum Rerum Verborumq; Indicem Locupletissimum, In quo Nihil ad rem Pertinens Desideres.

Lyons: Apud Mauricium Roy & Ludovicum Pesnot, 1556. [xl], 533 pp. Main text printed in double columns. Quarto (9-1/2" x 7").

Contemporary paneled vellum with elaborate tooling, raised bands to spine, ties lacking. Some soiling and rubbing to extremities, corners bumped, boards slightly bowed, "1556" and "146" in fine early hand to spine, front hinge starting. Attractive woodcut printer device and decorated initials. Early owner signatures to front pastedown and free endpaper, early underlining and brief annotations to a few leaves. Some toning, interior otherwise fresh. Ex-private library. Location label to spine, bookplate to front pastedown, stamp to front free endpaper. An appealing copy of a scarce title. \$1,750.

THIRD EDITION. This collection of civil and canon court cases with extensive commentary was completed around 1416. It circulated widely in manuscript and was first printed in 1519. It went through at least ten editions by the end of the sixteenth century. In 1559 the Roman Curia attempted to suppress this book because of the author's critical opinion of the canon courts. All editions are scarce. OCLC locates 3 copies in North America (Harvard Law School, Library of Congress, UC-Berkeley Law School). Adams F271.



N° 101

CONSILIA BY MENOCHIO

102 MENOCHIO, GIACOMO.



N° 102

Consilia Sive Responsorum. Liber Tertius; Nunc Primum in Lucem Editus. Quorum Quidam Responsorum (Ea Sunt Argutia, Eruditione, Atque Elegantia) Velut ex Oraculo Prudenter, Sciteq; Dicta, Facile Quisque Legendo Iudicabit. Et si Quis Libri Utilitatem, Vel Scriptoris vim Ingenii Atque Solertiam Spectet, Nulle Cere Aut Pauca, Quae cum His Conferre Queat. Cum Rerum Summis, Et Indice Locupletissimo.

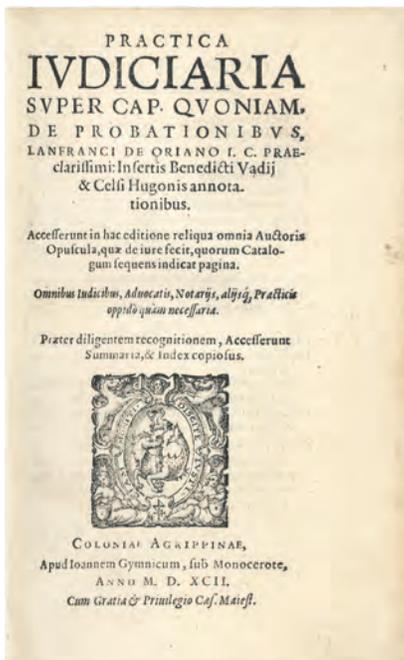
Venice: Apud Franciscum Zilettum, 1582. [xxxvi], 381 fols. Main text printed in parallel columns. Folio (14" x 9-1/2").

Contemporary limp vellum, early hand-lettered title to spine, ties lacking. Some soiling and rubbing to extremities, vellum beginning to break through pastedowns. Large woodcut printer device to title page, woodcut head-pieces, tail-pieces and decorated initials. Contemporary and later signatures and annotations to preliminaries. Wear to edges of margins at ends of text block, light toning in a few places, interior otherwise fresh. \$1,500.

SECOND EDITION. With index. Complete in itself, this book is from a three-volume collection of Menochio's writings on Roman and canon law. Volume I was issued in 1575, Volume II in 1577. Expanded editions were published in 1582, 1594, 1605 and 1676. Complete sets of any edition are quite uncommon. Adams M1269-1270. Pazzaglini and Hawks M51-53.

NOTABLE SIXTEENTH-CENTURY TREATISE ON TRIAL PRACTICE

103 ORIANO, LANFRANCO DA [D. 1488]. VADI, BENEDETTO [16TH. C.], ANNOTATOR. DESCOSU, CELSER-HUGUES [B. 1480], ANNOTATOR.



N° 103

Practica Iudiciaria Super Cap. Quoniam, De Probationibus, Lanfranci de Oriano I.C. Praeclarissimi: Insertis Benedicti Vadii & Celsi Hugonis Annotationibus. Accesserunt in hac Editione Reliqua Omnia Auctoris Opuscula, Quae de Iure Fecit, Quorum Catalogum Sequens Indicat Pagina. Omnibus Iudicibus, Advocatis, Notariis, Aliisque Practicae Oppido Quam Necessaria. Praeter Diligentem Recognitionem, Accesserunt Summaria, & Index Copiosus.

Cologne: Apud Ioannem Gymnicum, 1592. [xxxvi], 829 [i.e. 831], [1] pp. Octavo (6-1/2" x 4").

Later vellum with lapped edges. Light rubbing and soiling, corners and spine ends bumped, vellum beginning to crack through rear pastedown. Woodcut decorated initials. Light toning to text, spark burns to a few leaves, internally clean. Ex-library. Bookplate to front pastedown. A well-preserved copy. \$950.

LATER EDITION. Based on the lecture notes of a law professor from the University of Padua, this treatise discusses trial practice, both civil and criminal, in Roman and canon law. This work was published posthumously in 1513. Well received, it went through numerous editions and issues in the sixteenth century and a final edition in 1673. All are scarce, however, in North America. For example, OCLC locates 1 copy of the 1592 imprint (at UC-Berkeley Law School). Adams O263.



IMPRESSIVE (AND SCARCE) COLLECTION OF CONSILIA

104 PARISIO, PIER PAOLO [1473-1545].

Prima [-Quarta] Pars Consiliorum Petri Pauli Parisii Pontificii Caesareique Iur. Consultissimi, Ex Innumeris Quibus Scatebat Mendis, Olim Purgata, Nunc Vero Maiore Cura Pristino Candori Poenitus Restituta, Necnon Argumentis Locupletissimis Illustrata. Ac Praeter Locupletissimum Indicem Elementario Ordine Confectum, Accedunt Multa, Quae in Coeteris Voluminibus non Reperies, None Sine Maxima Studiosorum Utilitate.

[AND]

Repertorium in Quatuor Volumi Consiliorum Petri Pauli Parisii.

Venice: S.n., 1552. 5 volumes, bound in 2 books. Each volume with title page and individual pagination. Main texts in parallel columns. Folio (17" x 11-1/2").

Contemporary vellum, early repairs to spine of first volume using early manuscript leaf, early hand-lettered titles to spine and bottom edges of text blocks. Some soiling, edgewear and worming, pastedowns loose, hinges cracked or starting, a few partial cracks to text blocks. Title pages printed in red and black within impressive woodcut architectural frames, handsome large woodcut vignettes and decorated initials. Light soiling to title pages at beginning of each volume, minor edgewear to following few leaves. Toning, light browning and dampspotting in a few places, internally clean. \$5,000.

SECOND EDITION. With indexes. Parisio was a professor of law, later the Bishop of Nusco and an influential cardinal. These impressive volumes collect over 500 of his civil and canon-law consilia on a variety of topics. Other editions were published in 1543, 1570-71, 1573, 1580 and 1593. All are scarce, especially in North America. OCLC locates copies of the 1543, 1552, 1570 and 1573 editions at Harvard Law School, the University of Alberta, University of Glasgow, and UC-Berkeley Law School respectively. The Library of Congress has copies of the 1543, 1570 and 1593 editions. *EDIT16 CNCE 68118.*

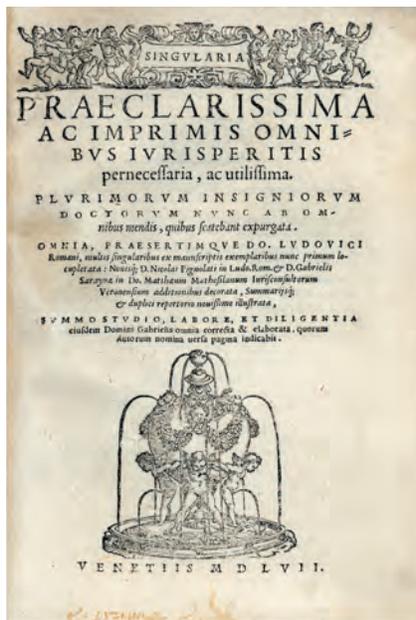
105 PONTANO (ROMANUS), LUDOVICO [1409-1439], PRIMARY AUTHOR.

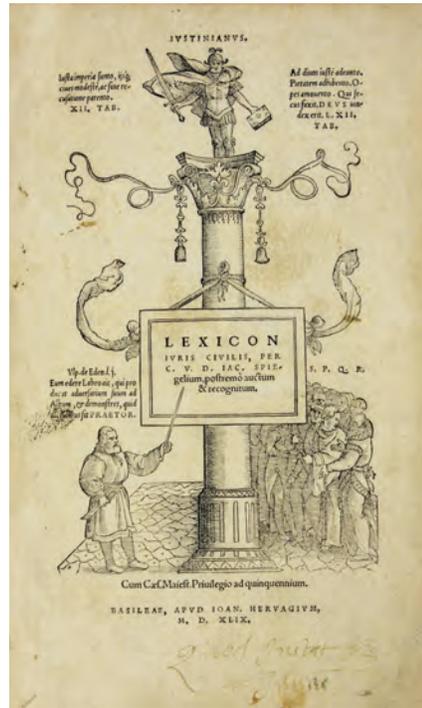
Singularia Praeclarissima ac Imprimis Omnibus Jurisperitis Perneccessaria, Ac Utilissima. Plurimorum Insigniorum Doctorum Nunc ab Omnibus Mendis, Quibus Scatebant Expurgata. Omnia, Praesertimque Do. Ludovici Romani, Multis Singularibus ex Manuscriptis Exemplaribus nunc Primum Locupletata.

Venice: [Apud Cominum de Tridino Montisferrati], 1557. [xcix], 382, [1] ff. Main text in parallel columns. Octavo (7" x 5").

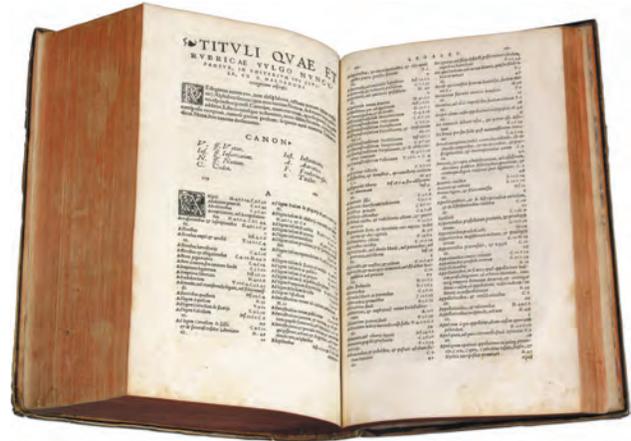
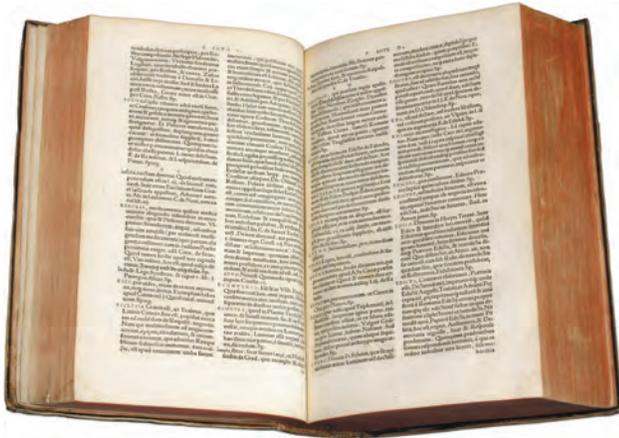
Contemporary limp vellum with lapped edges, faint early hand-lettered title to spine. Light rubbing to extremities, negligible soiling. Attractive woodcut head piece and printer device to title page, woodcut decorated initials, with eight portraits of authors at the head of each essay. Light toning to text, a bit of soiling to title page, internally clean. \$1,850.

FIRST EDITION. This is an anthology of essays on Roman, canon and local Italian law. Its centerpiece is Pontano's essay, a classic study of Roman law that was often reprinted. The other authors are Antonio Corsetti, Matteo Mattesillani, Francesco Cremense, Pietro Gerardo de Petrasancta, Gulielmo de Ludo, Amanellus de Claris Aquis, Paulus de Castro and Joannes de Arnono. This book had a second edition in 1558. A similar title was published in 1556 edited by Gabriel Sarayna. All three are scarce; OCLC locates no copies in North America. We located 2 copies of the 1558 edition at the Library of Congress and UC-Berkeley Law School. EDIT16 CNCE24744.





IMPORTANT HUMANISTIC LAW DICTIONARY WITH STRIKING TITLE PAGE



106 [SPIEGEL, JAKOB (JACOBUS) (1483-C.1547)].
[OLDENDORP, JOHANNES (1487-1567), AND OTHERS].

Lexicon Iuris Civilis per C.U.D. Iac. Spegelium, Postremo Auctum & Recognitum.

Basel: Apud Ioan. Hervagium, 1549. Main text printed in double columns. [357] ff., 420 cols., [4] ff. Folio (12" x 8").

Mid-seventeenth-century French (?) vellum, painted with diagonal black-ink lines at corners within a mitered black-ink border, leaving a central lozenge shape in which is inked an oval centered with a blindstamped stylized pomegranate, raised bands, calf lettering piece, blind-stamped fleur-de-lys, inked fillets and stylized crown-like floral ornaments to spine, colored edges, marbled endpapers, ribbon marker. Light soiling, some rubbing to extremities, minor chipping to ends of front joint, corners bumped, front hinge cracked. Attractive woodcut pictorial title page. Light toning, title dusty with a few small stains, dampstaining to margins of first few

leaves, occasional worming to margins with no damage to text, a few notes to margins of second part in a slightly later hand. A desirable copy of an important title. \$2,950.

THIRD EDITION (STATED). Spiegel was a lawyer, a privy counselor to Holy Roman Emperor Charles V and a notable humanist scholar who corresponded with Erasmus. The *Lexicon Iuris Civilis*, a dictionary of terms in Roman and canon law, is his best and most successful work. It went through twelve editions, the first in 1538, the last in 1577. The entries are rather brief, ranging from a sentence to a few paragraphs, and they contain references to examples in the Roman juristic literature. The second part of the work, *Quae Lexico Huic Postrema Editione Recens Accessere*, contains additional texts. It starts with a work entitled "In Verba Legum XII Tabularum Scholia," an edition of the Twelve Tables by Oldendorp, and is followed by several other texts by Oldenburg and Spiegel. Also appearing for the first time is the comprehensive addendum, which includes a commentary on aspects of Oldendorp's contemporary dictionary, *De Copia Verborum*. There

are also pieces by Protestant leader Philip Melancthon ("Oratio de Scripto Iure, & Dignitate Veterum Interpretum Iuris," "Romanum Ius Antecedere Legibus Aliarum Gentium," and his "Censura de Legibus") and Claude Chansonnette ("De Ratione Studii Legalis Paraenesis," Christoph Hegendorff ("Epitome Tyrocinii Iuris Civilis," "Exegeses in XII Libros Codicis" and "Compendiariae Titulorum Codicis Iustiniani Exegeses"). The somewhat bizarre vellum binding on our copy defies identification or localization. Just as arresting is the unusual borderless woodcut title page, which appeared for the first time in this edition. OCLC locates 6 copies in North America, 3 in law libraries (Harvard, Library of Congress, UC-Berkeley). Another copy located at Yale Law School. Adams S1585.



NOTABLE SIXTEENTH-CENTURY DICTIONARY OF ROMAN AND CANON LAW

107 [STOER, JACOB, ATTRIBUTED].

Lexicon Iuridicum: Hoc Est, Iuris Civilis et Canonici in Schola Atque Soro vsitatarum Vocum Penus. Ex Antiquis & Recentioribus Iurisconsultis ac Lexicographis, Praecipue ex Brissonii, Hotmani, & Prateii Lexicis, Item ex Cuiacii Observationibus & Commentariis ita Constructum, ut ei Nihil Demi, Nihil Addi, Quod sit Necessarium, Posse Videatur. Accessit Legum Populi Copiosus Index.

[Geneva]: Excudebat Iacobus Stoer, 1599. [xvii], 1121 pp. Main text in parallel columns. Octavo (7-1/2" x 4-1/2").

Contemporary vellum with lapped edges, blind rules to boards, later lettering piece to spine, ties lacking. Light rubbing to extremities, some staining to boards, corners bumped and likely worn, front joint starting at head, front hinge starting, a few partial cracks to text block. Title page printed in red and black. Attractive woodcut printer device, head-piece and initials. Some toning to text, faint dampstaining at rear of text (about 30 leaves). Early owner signature to foot of title page, interior otherwise clean. Ex-library. Bookplate to front pastedown. An appealing copy of a scarce and important title. \$1,250.

Nº 107

SECOND EDITION. This useful dictionary was issued in 1594 and reprinted in 1599, 1607 and 1615. Attributed sometimes to Brisson, it was probably compiled by the publisher, Jacob Stoer. It is a carefully edited text with a critical introduction and notes. The compiler also lists the primary and secondary sources he consulted while compiling this work. It includes such authors as Alciati, Aristotle, Bartolus, Brisson, Gaius, Gratian, Hotman, Plato and Ulpian and such texts as the Twelve Tables, the Code, Digest and Novels of Justinian and the Decretals of Gregory IX. All editions are scarce. OCLC locates 4 copies in North American law libraries (Georgetown, Harvard, Library of Congress, University of San Diego). Not in Brunet or Graesse. This edition not in Adams or the *BMC*.

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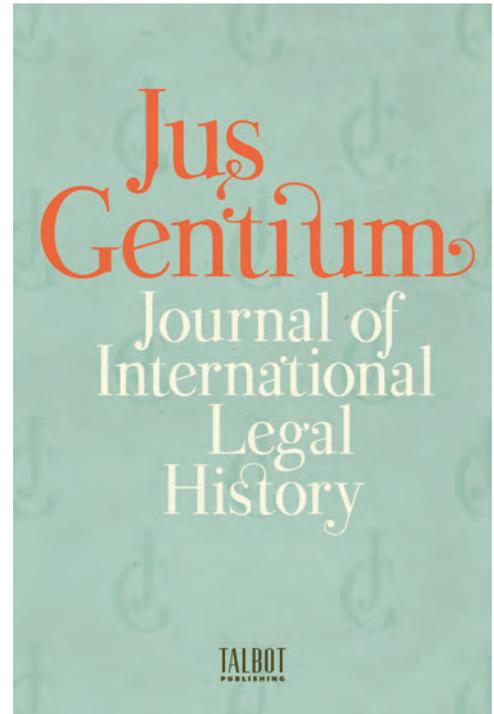
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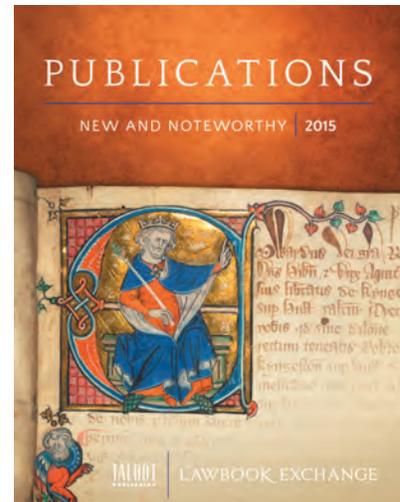
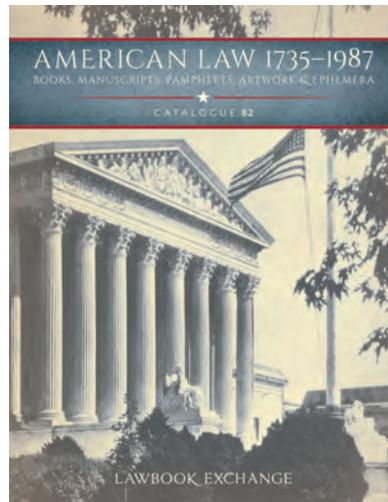
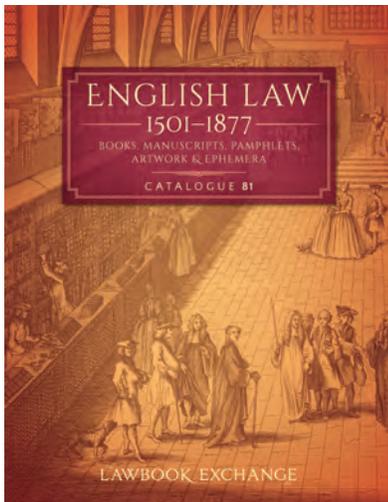


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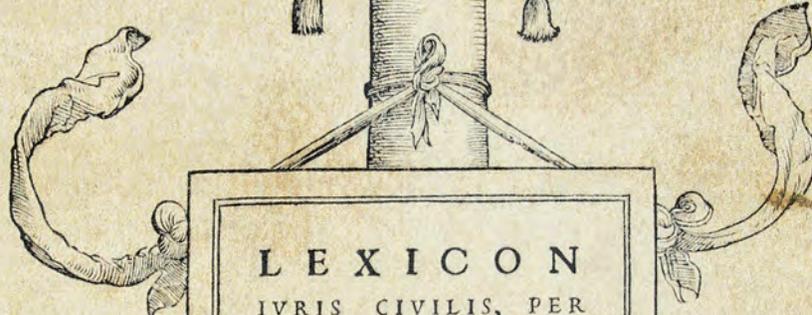
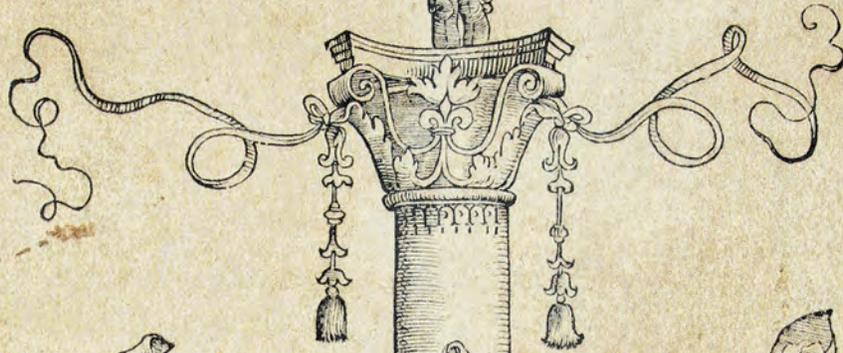


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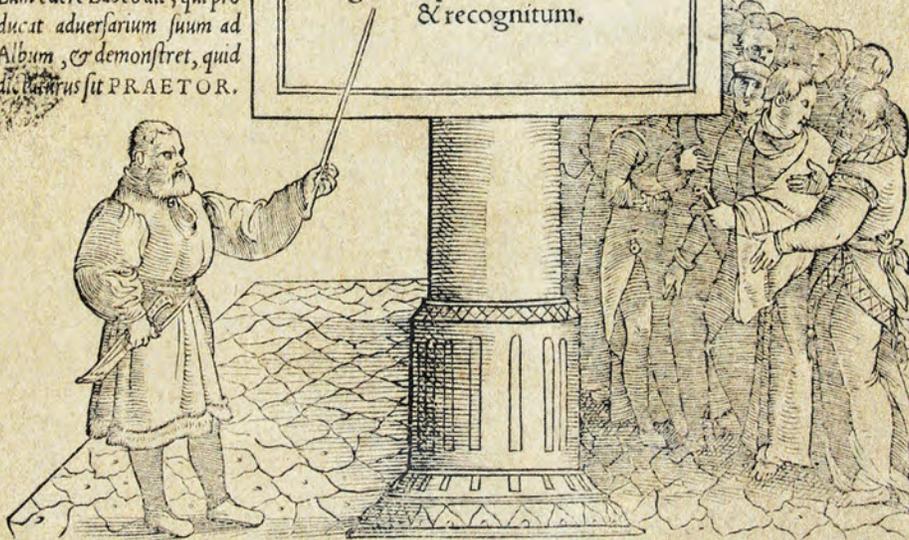
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