

SEPTEMBER 29, 2026

ROMAN, CIVIL AND CANON LAW 1481–1797

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The Continental Tradition

Roman, Civil & Canon Law

The history of Western jurisprudence is fundamentally a history of shared languages, structural frameworks, and intellectual migrations. While the Anglo-American common law tradition often views itself as distinct, it grew alongside, and was frequently shaped by, the profound legacy of continental legal science. This catalog brings together an exceptional selection of antiquarian books tracing the dual pillars of continental legal thought: the civil law, rooted in classical antiquity, and the canon law, developed by the medieval Church.

For centuries, the pinnacle of legal education in Europe was the mastery of *utrumque ius*, "both laws." A properly trained jurist did not simply learn local statutes; they studied the sophisticated, systematic architecture of Roman law alongside the universal ecclesiastical jurisdiction of canon law. Together, these systems provided a unified legal language (*jus commune*) that transcended borders, influenced royal courts, and guided early international diplomacy.

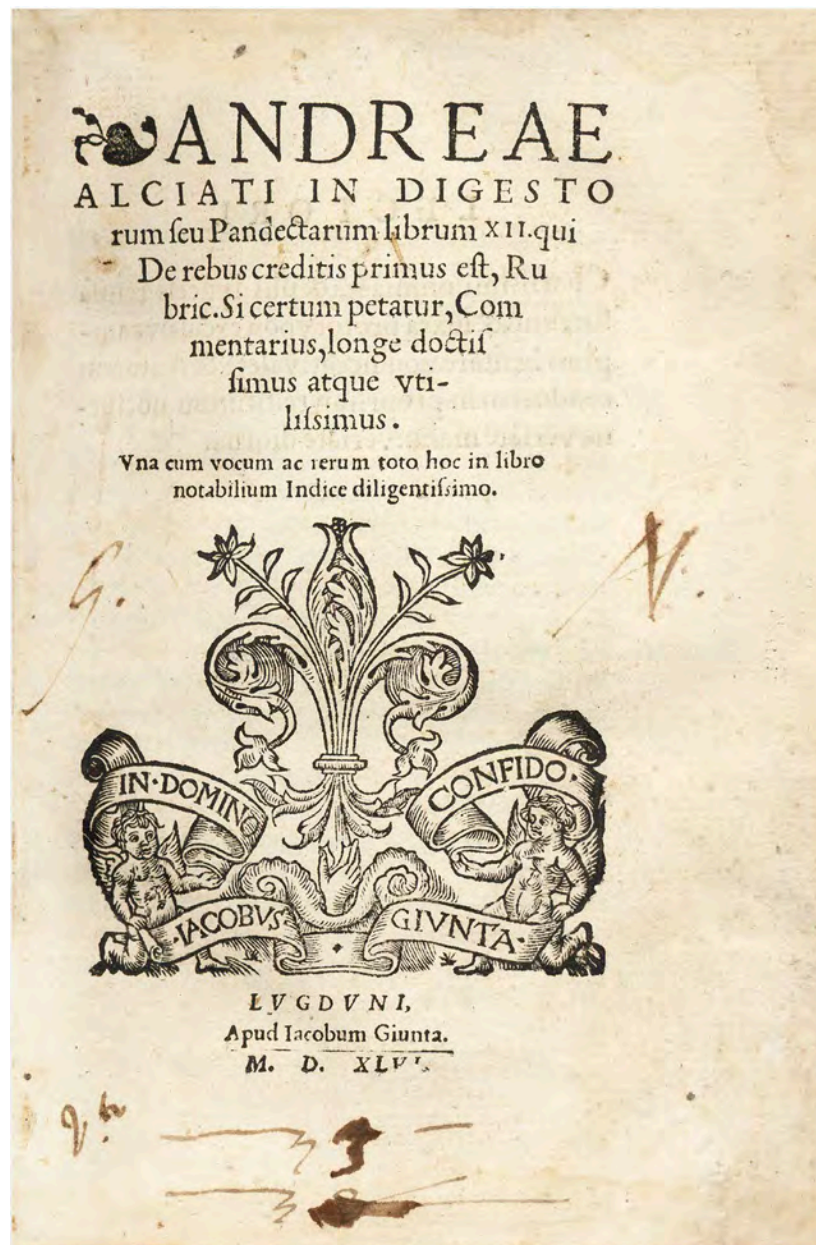
The enduring impact of this continental tradition is beautifully illustrated by the items offered in these pages. The foundational text of English common law, Henry de Bracton's *De Legibus & Consuetudinibus Angliae* (represented here in the magnificent 1569 Richard Tottell first edition), relies directly on Roman categories of persons, things, and actions to bring order to raw English custom. On the continent, the brilliant editorial work of Renaissance humanists gave new life to classical scholarship, showcased in works ranging from Bernardino Rutilio's pioneering *Iurisconsultorum Vitae* (1536), the first modern biographies of Roman jurists, to rare regional codes and foundational commentaries on the *Corpus Juris Canonici*.

Whether tracing the roots of modern civil codes, examining the cross-pollination of civilian concepts into common law, or appreciating the physical artistry of early blind-tooled pigskin bindings, the texts assembled here remain vital witnesses to our shared legal heritage.

As always, each item in this catalog has been carefully selected for its scholarly significance, scarcity, and bibliographical integrity. We invite you to explore these masterworks of the civilian tradition.

The Lawbook Exchange, Ltd.

Clark, New Jersey



Three Scarce Titles by Andrea Alciati, Featuring His Landmark Treatises on Roman Law, Philology, and the Renaissance Code of Dueling

1. Alciati, Andrea [1492-1550].

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

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

[And] Alciati, Andrea.

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

Three titles in one volume. Fourth, second and third editions respectively. Octavo (6-1/4" x 4-1/4").

Contemporary limp vellum, early hand-lettered titles to spine, top edge and front cover, ties lacking. Light soiling, rubbing to extremities with minor wear around spine ends and corners, vellum just beginning to crack through pastedowns. Attractive woodcut printer devices, colophons and decorated initials. Toning and light browning in places, early owner initials to title page of first title, interior otherwise clean. A very good copy of a scarce title. \$1,500.

*This volume stands as a pristine artifact from the epicenter of the Renaissance legal revolution, capturing the exact moment when classical philology, legal doctrine, and printing technology converged to forge the modern Western legal tradition. Andrea Alciati was the acknowledged architect of *mos gallicus*, the French style of legal interpretation that decisively fractured the medieval scholastic tradition of *mos italicus*. For centuries, medieval commentators treated the Roman legal framework of Justinian as an immutable, static scripture, burying the text under layers of dense, abstract glosses. Alciati, a brilliant classicist, shattered this paradigm by arguing that Roman law could not be understood without a deep command of classical philology, history, literature, and Greek. By applying historical-critical methods, he stripped away centuries of medieval commentary to uncover what the Roman laws actually meant in their original imperial context, making this sammelband a vital cross-section of his radical methodology.

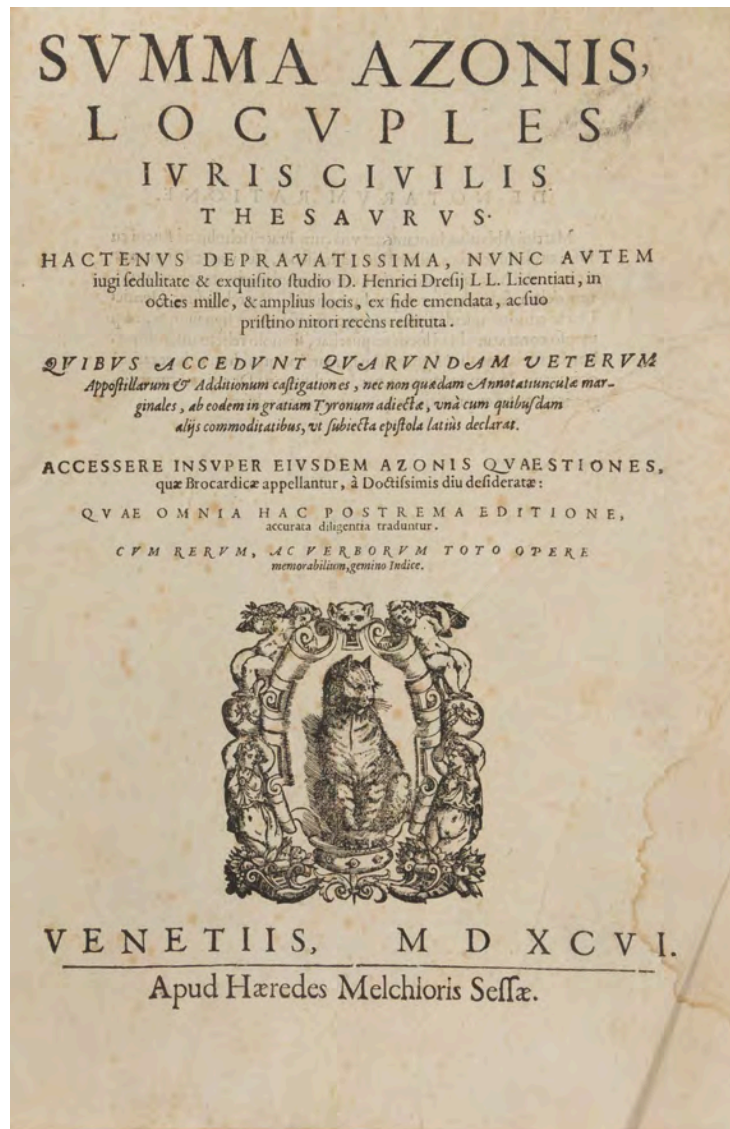
The precise curation of these three specific texts into a single, portable legal volume reflects the intellectual and practical needs of a practicing 16th-century jurist. The first text, *In Digestorum*, is Alciati's masterclass in foundational civil law, dissecting the rules governing contracts, obligations, commercial loans, and debt recovery to untangle centuries of contradictory scholastic rulings for Renaissance merchants. The second work, *Parerga*, serves as Alciati's intellectual laboratory, functioning not as a linear commentary but as a highly creative collection of critical essays that use classical poetry, imperial inscriptions, and historical accounts from Livy and Tacitus to settle legal definitions. The final text, *De Singulari Certamine Liber*, directly confronts a raging contemporary social crisis by bringing the extra-legal, often lethal aristocratic code of the duel under the jurisdiction of formal philosophy and natural law. Derived from his expert legal opinions written for actual court cases, Alciati's dueling treatise represents a critical historical hinge-point where the early modern state attempted to tame private noble violence and blood feuds with systematic, rule-bound arbitration.

The physical production of this book also documents the critical rise of Lyons as an international publishing powerhouse capable of challenging the dominance of Paris. Lyons specialized in international distribution, operating free from some of the strict censorship and guild constraints that bound Parisian printers, and this volume showcases a fascinating web of collaboration between two of the city's most powerful printing dynasties, Jacques Giunta and Thibaud Payen. By compressing Alciati's advanced theories into elegant, pocket-sized octavos using crisp italic types and economical layouts, these publishers effectively democratized humanist law. These highly portable editions became the essential field manuals for a new generation of diplomats, magistrates, and royal bureaucrats who traveled across Europe reshaping the legal landscape. Surviving in its contemporary limp vellum structure with early hand-drawn edge lettering, this particular volume remains an exceptional, unadulterated example of a Renaissance scholar's working library.

All editions of these titles are scarce. *Digestorum*: OCLC locates 3 copies; *Parerga*: OCLC locates 6 copies. Both of these imprints not listed in Adams or Robertse; *Singulari*: OCLC locates 3 copies of this edition. Pazzaglini & Hawks, *Consilia* A-9.



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**Azo's Great *Summa* Accompanied by a Collection
of His Resolutions to Disputed Legal Questions**

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

Draesius, Henricus, Editor.

Summa Azonis, Locuples Iuris Civilis Thesaurus. Hactenus Depravatissima, Nunc Autem Iugi Sedulitate & Exquisito Studio D. Henrici Dresii Emendata, Ac Suo Pristino Nitore Recens Restituta, Quibus Accedunt Quarundam Veterum Appostillarum et Additionum Castigationes, Nec non Quaedam Annotatiunculae Marginales ab Eodem in Gratiam Tyronum Adiectae, Una cum Quibusdam Aliis Commoditatibus ut Subiecta Epistola Latius Declarat. Accessere Insuper Eiusdem Azonis Quaestiones, Quae Brocardicae Appellantur Quae omnia hac Postrema Editione Accurata Diligentia Traduntur. Venice: Apud Haeredes Melchioris Sessae, 1596. Two volumes, each with title page and individual pagination, second work has title beginning Aurea Brocardica Azonis Bononiensis. [xl] ff., 1288 cols.; [viii], 170 cols. Main texts in double columns. Folio (12-1/2" x 8-1/2"; 318 x 209 mm)

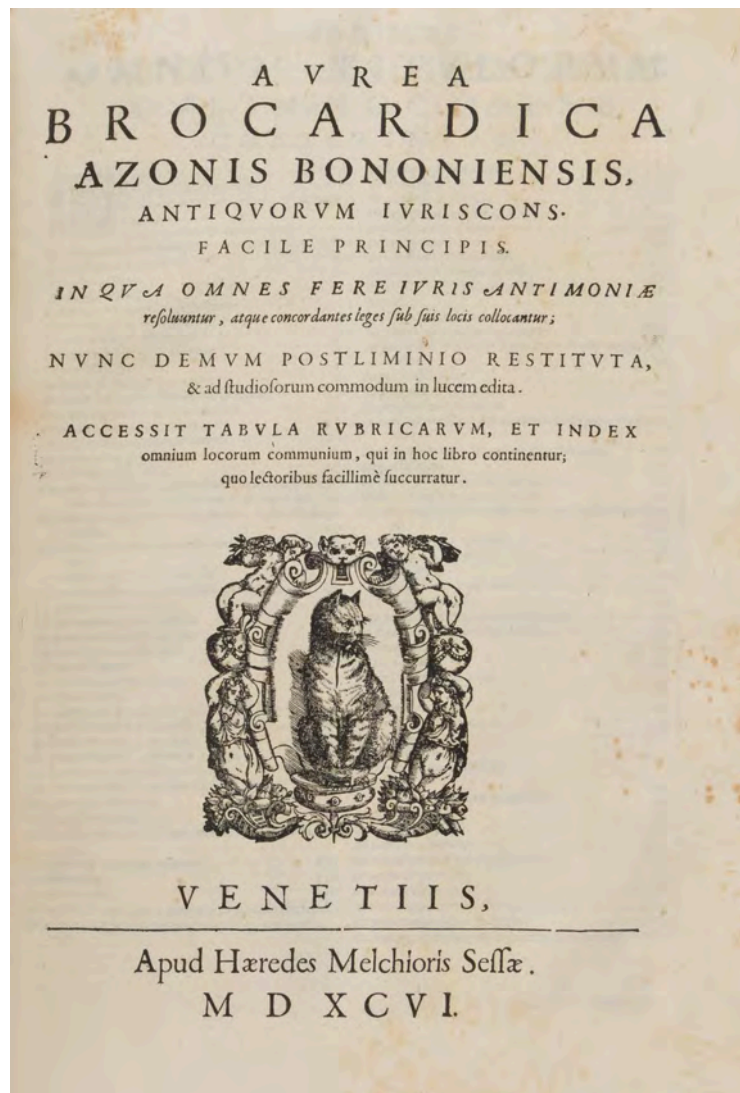
Contemporary vellum, with later vellum rebacking and with manuscript spine title, vellum repair to head soine. Light soiling and spotting to boards, minor wear to corners, endpapers renewed. Large woodcut Sessa cat-and-mouse device to title pages. Light toning to text, somewhat heavier in places, faint dampstaining to fore-edges at beginning and end of text, a few cat paw-prints to leaves Oo1 and Oo2 (cols. 1155-1158 of *Summa*), legibility not affected. A very good copy. \$3,500.

* Portius Azo, also known as Azo of Bologna, Azo Porius, Azo Porcius and Azo Soldanus, was a lawyer and professor of law at the University of Bologna whose pupils included Accusius and Johannes Teutonicus. His fame rests on his carefully organized commentaries on the *Code*, *Digest* and *Institutes* of the *Corpus Juris Civilis*.

Known collectively as the *Summa Azonis*, these three commentaries form a methodical exposition of Roman law. The *Summa* circulated widely in manuscript; 35 printed editions were issued from 1481 to 1610. It was a work of immense authority for generations of continental lawyers. Azo's *Summae* were synthesized by Accursius in his *Glossa Ordinaria*; his *Summa Codicis* was used (and, in many places, copied verbatim) by Bracton in his treatise on English Law.

The second part of our 1596 edition, *Brocardicae*, is a collection of sample arguments used in disputation and, in general, the resolution of thorny legal questions. (Its name derives from the medieval Latin *broccus*, or "protruding teeth.")

OCLC locates 7 copies of this edition worldwide, 2 in North America (Harvard Law School, University of Minnesota Law School). *Censimento Nazionale Delle Edizioni Italiane del XVI Secolo* CNCE 3816.



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Scarce 1567 Basel Edition of Azo's Influential
Brocardica from the Library of Walter Ashburner

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

Hervagius, Caspar, Editor.

Brocardica, Sive Generalia Iuris. Basel: [Per Eusebium Episcopium, et Nicolai Episcopii haeredes], 1567. [xx], 864, [84] pp. Octavo (7.5" x 5"; 19 x 12 cm).

Contemporary pigskin with elaborate blind tooling; central panel of Lady Justice to front board and of the suicide of Lucretia to rear board; raised bands and early hand-lettered title to spine. Exterior lightly varnished; light rubbing and soiling; boards slightly bowed; light wear to spine ends; a few nicks to board edges; library bookplate to front pastedown. Moderate toning to interior; unobtrusive faint dampstaining to margins of a few leaves; tear to title page, neatly and discreetly mended without loss to text.

Early owner signatures of Caspar Heuchelin and A.F. Ruhler to title page, later owner signature of David Baird Smith to verso of front free endpaper, owner signature of Walter Ashburner to title page with his ink stamp below colophon. Early underlining and brief annotations in ink to a few pages, interior otherwise clean. \$4,500.

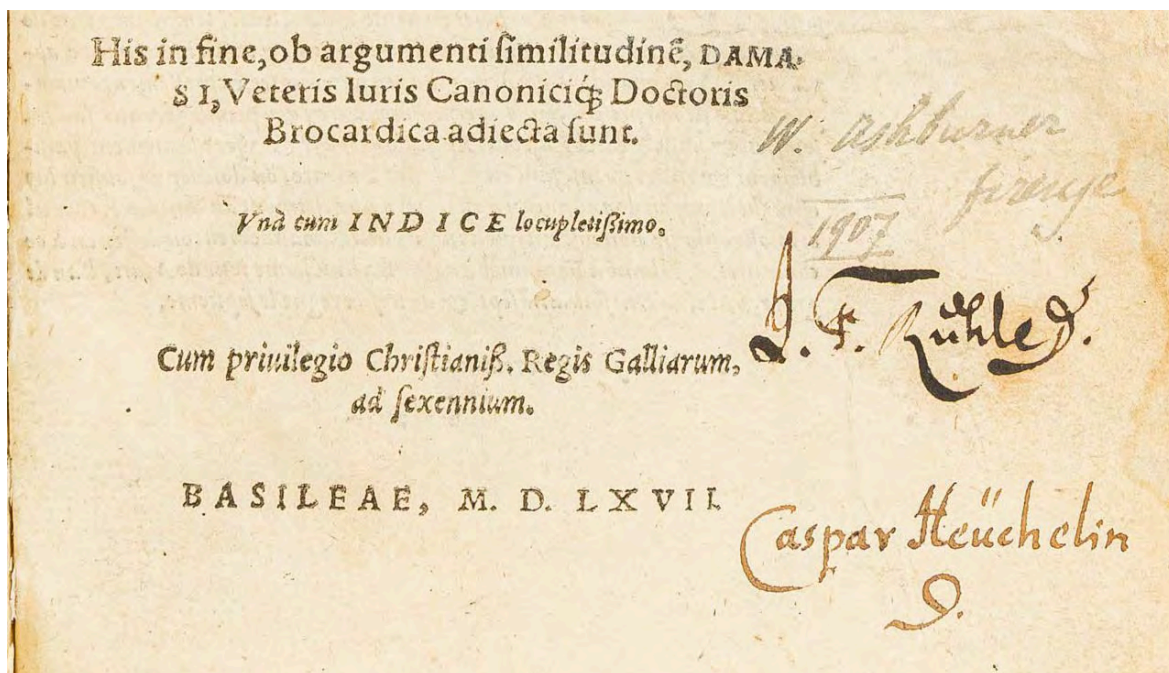
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* First edition as a separate work. Azo of Bologna, also known as Azo Soldanus, from his father's name, or Azo Porius/Porcus/Portius, was a lawyer and professor of law at the University of Bologna whose pupils included Accursius and Johannes Teutonicus. His fame rests on his carefully organized commentaries on the *Code*, *Digest* and *Institutes* of the *Corpus Juris Civilis*. Known collectively as the *Summa Azonis*, these three commentaries form a methodical exposition of Roman law. The *Summa* circulated widely in manuscript; 35 printed editions were issued from 1481 to 1610. It was a work of immense authority for generations of continental lawyers and was synthesized by Accursius in his *Glossa Ordinaria*. The *Summa Codicis* was used (and, in many places, copied verbatim) by Bracton in his treatise on English law.

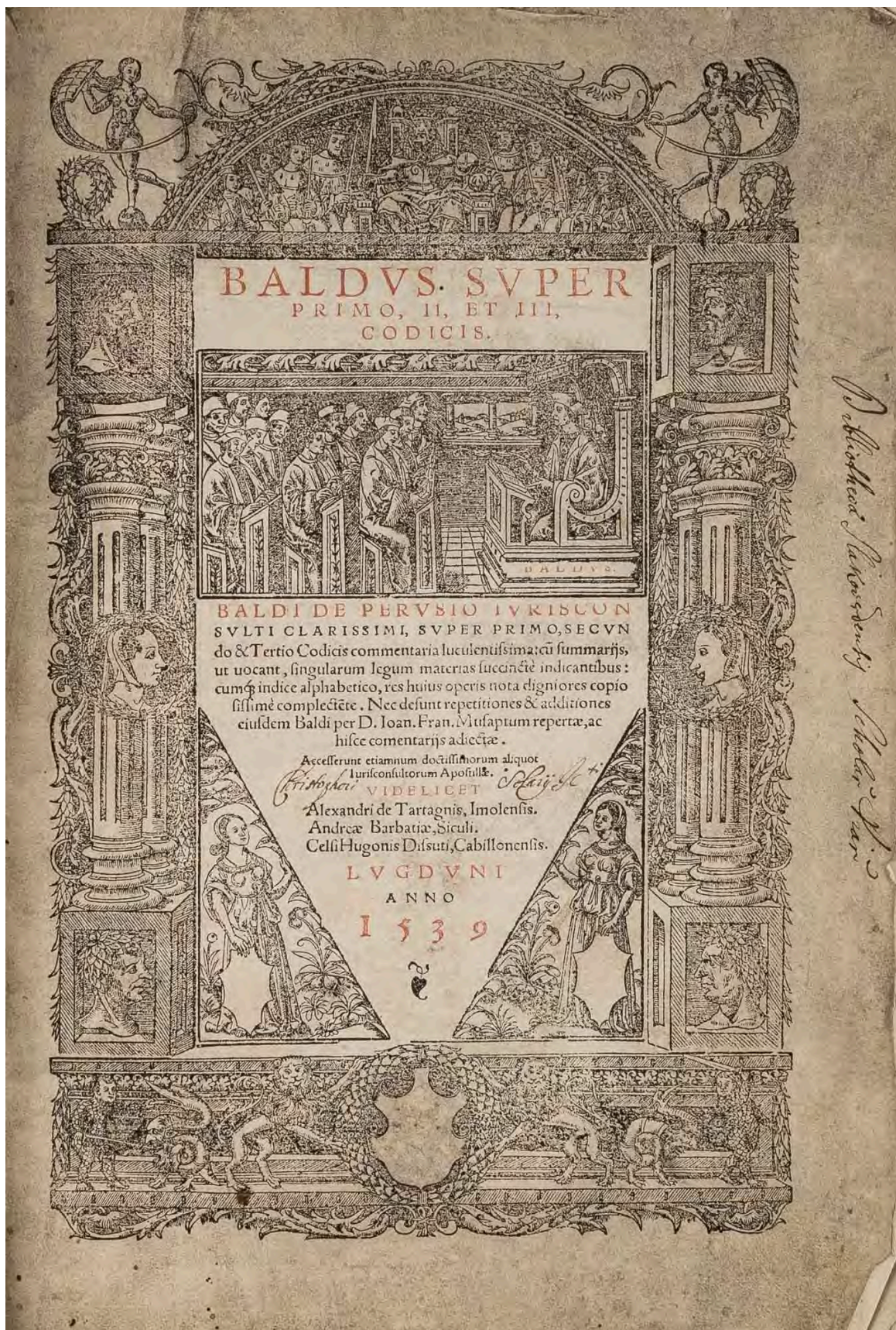
The present work is a collection of *brocardica*: "legal maxims for argumentation, which embodied a certain principle...often arranged according to a dialectical pattern of opposing *pro* and *contra* arguments" (De Concilio). Brocards emerged from the great glossators of the Roman and canon law schools of western Europe as one of many tools for legal education and the practice of argumentation. Azo's collection of brocards was often published with the *Summa*.

Walter Ashburner [1864-1936], one of the former owners of this book, was an America-born British classical and legal scholar who is known for his research the law of ancient Greece. He was professor of jurisprudence at the University of Oxford from 1926 to 1929.

This edition is scarce outside Europe. The *USTC* locates 1 copy in North America (Columbia Law School). De Concilio, *The Perpendicularum: Presumptions and Legal Arguments in the 12th Century* (2024) 2. *Universal Short-Title Catalogue* 617287.



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Commentaries by a Leading Jurist on Books I-III of Justinian's
Codex, Featuring a Distinguished Bohemian Monastic Provenance

4. Baldus de Ubaldis [1327-1400].

Barbazzza, Andrea [1420-1479].

Tartagno, Alessandro [1424-1477].

Descousu, Celse-Hugues [b.1480].

Super Primo, II, Et III, Codicis. Baldi de Perusio Iurisconsulti Clarissimi, Super Primo, Secundo & Tertio Codicis Commentaria Luculentissima: Cu[m] Summariis, Ut Vocant, Singularum Legum Materias Succincte Indicantibus: Cumq[ue] Indice Alphabetico, Res Huius Operis Nota Digniores Copiosissime Complect[ur]te. Nec Desunt Repetitiones & Additiones eiusdem Baldi per D. Ioan. Fran. Musaptum Repertae, Ac Hisce Commentariis Adiectae. Accesserunt Etiamnum Doctissimorum Aliquot Iurisconsultorum Apostillae.

Lyon: [Apud Melchiorem (et) Gasparem Trechsel: Fratres], 1539.

Folio (15-1/2" x 10-3/4"; 39.4 x 27.3 cm). 237 ff. Recent three-quarter vellum over plain boards, paper label to spine, endpapers renewed. Title printed within elaborate woodcut border, text in two columns with woodcut initials and glosses. Moderate toning, light foxing and soiling in a few places, faint dampstaining to margins of a few leaves, title page and final leaf soiled and lightly edgeworn, early owner signature, "Christophori Selarij, Jcti [i.e. Jurisconsulti]," and later inscription, "Bibliotheca Slakoverdensis Scholarum Piarum," to title page, annotations in two early hands to several leaves, most brief and affected by trimming. A very good, wide-margined, and stable copy. \$1,750.

* This impressive folio volume represents a monumental monument of Renaissance legal printing, containing the highly influential commentaries of Baldus de Ubaldis on the first three books of Justinian's *Codex* (part of the *Corpus Juris Civilis*). Issued as part of a comprehensive set of Baldus's commentaries published by the renowned Trechsel brothers in Lyon between 1539 and 1541, this volume features extensive editorial enrichments. It includes succinct summaries of individual laws, a highly detailed alphabetical index, and supplementary repetitions (repetitiones) discovered by Giovanni Francesco Musapto, alongside marginal glosses (apostillae) by other preeminent jurists of the era.

Baldus of Perugia was arguably one of the most brilliant legal minds of the late Middle Ages. A star pupil of Bartolus de Saxoferrato, Baldus balanced a stellar academic career with high-profile diplomatic and legal practice. His commentaries on Roman and canon law shaped European jurisprudence for centuries. While incredibly prolific in writing consilia (legal opinions), his mastery is most vividly on display in his systematic dismantling and expansion of the *Corpus Juris Civilis*.

This copy boasts a distinguished provenance, tracing directly to the college library of the Piarist community of Schlackenwerth in Bohemia (modern-day Ostrov, Czech Republic). Founded in 1666, this Piarist college amassed a remarkably fine library, largely built on the scholarly and theological needs of the order, but deeply enriched by secular windfalls.

The crown jewel of their collection arrived via the magnificent bequest of Princess Maria Benigna Francisca of Saxe-Lauenburg [1635-1701], a prominent noblewoman whose estate heavily endowed the Piarists. Following centuries of stewardship, the library was preserved intact until the monastery was disbanded in 1876. The collection eventually transferred to the municipality of Ostrov, which ultimately dispersed the library in 1910.

OCLC locates 8 copies, 1 in North America (University of Kansas Law School). The USTC locates an additional North American copy at Harvard. Broadwell, "The Princess and the Piarists (Or, The Mystery of the Misidentified Monogram)," *Unique at Penn*, May 13, 2020 (accessed online). Dauchy [et al.], *The Formation and Transmission of Western Legal Culture: 150 Books that Made the Law in the Age of Printing* 9. *Universal Short-Title Catalogue* 124889.

2

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dist. c. ego 2 u. d. per bo[n]i. in summa de immu[n]ec. c. ele. p. nunc aut[em] versi.
quid imp[er]ator. p. Bal. in p[ro]mo. f. 4 hic p. Sal. per Bal. 7 Ange.
in l. charitatum. d. de test. in p. per Bal. 7 Aug. in l. iio q[uo]d pater fil. de
libe. a. posu. Bal. in p[re]latus seu. circa mediu[m] in l. de p[re]c. c[on]stan. in

Indictio: annua: mēsis: die: nomē pape vel imperatoris: q̄ oīa ista significant t̄ps. quod est necessaria cōmunitaria actus q̄ geritur: efficit locus. vr. in. cabbare. de re. in. lib. vi. Et si illa verba in om̄i mine dñi nō significant t̄ps. nec sunt necessaria cō-

Confirmatio actus g gerit: hoc circa primā glo.
 ¶ Cetero ad scdās. liber tñe intulatur *Iustitias*
 no. ¶ **Q**uero quare de iustitiamus trñdet glo. qz
 fuit filius iustit. et infi. de do. c. est. aliud. sed

Ha ratio et planior et ad ratio apice Plurimo
 noie rone q illa est proprie ratio q necario rati
 ptabilitur inter v. et leg. no inier. ff. de
 offi. pub. c. laro. l. 1. §. 1. illa nullo mo ciet. Nam
 sepe videtur postu noie q illa necare a propio
 noie prio etia pariter v. legit. n. o. n. l. §. 1. ad m
 nicipales. Et ideo consideranda est q aut querr
 de specie et bono ratio: deo sic feci denotari et
 ergo pducta verbi gratia generis (f. q. ergo gen
 bus) et hoc v. de leg. l. 1. (f. q. huius vocabulo.
 Aut querr de noie individui rati illa no est bona
 ratio q noia p hoto variat in primis noie no
 impositioe v. de iunge man. ad recognoscen
 do. Ad qdem ergo quare dicit Aristoteles rati

deo qz tra placuit imponēti sibi nomē a principio
 ⁊ hoc est p̄maricare relinquendū. v̄ no. gl. s̄fol.
 m̄. in rub. a. in l. q. ad f. de cōm. pecu. q. 1. ⁊ h̄
 hoc querit h̄r. do. Raco. v̄rū liceat alicui mutare
 sibi nomē. ⁊ r̄der. aut c. l. seru. ⁊ nō p̄t sibi nos
 m̄. mutare. qz in gēneris nō. p̄stūm p̄t sibi nobis

[illegible][illegible]

per hoc in sacra
centum tribuitur
dum dixit Quem
admodum factoria
et vos faciat sed
xpo fuit pauper

nitius hoc sacramentum non potest administrare. Et infra
 est veritas non in intelligit q. p. hoc imperator sit
 in sacris ordinibus sed est in sacra maiestate ut les
 gis et notat. Item d. c. valentinianus. Et Expedita
 est ista tertia glo. venio ad quartam. Sicut hic q. iiii
 peratost est pperius contra. qz nihil est perpetuum

lud lole.vi. de ierlm.vi. pzedilegeum debere
columni. Solu.dicit glo q. pterpetuū dicit bu
pliciter.vno modo qd est infinite durationis.et
hoc modo non accipit hic.fecit modo accipit
perpetuū.generale vel vniuersale. p sic sumitur hic
nam celar est oīe vniuersalis. et sic in diuina scri

pira q dicitur esse editus a. & late augustinus vt de
 scriberet vntusius obis. & sic non obstat contra
 rium ¶ Quia q perpetui dicit pluribus mo
 dis. vt no. in l. i. ff. pro socio. Et facit ad contraria
 cymphreoticus q in iuramentis dicit q concessit
 in perpetuum. qd dic & legitur 2 uot. in l. i. qm per
 ling de humanis
 li habente inges
 muer res di
 uerissimas. Item
 esset videndum quo
 modo probat rita

petuntur si ager recte vel emphy. p. e. hoc dicitur
tulo glo. et Clemo ad quantam Imperatoris augus-
tus a noiatur. qnero quare sic nominatur: respou-
dit glossa. quia debet esse eius propositi ut auget
verba illius capiti sunt omnino aliena a filo

donatio. dixit tñ
per capi. confatu-
tis. xvij. dist. ex
quo est palea et g
dam dixerunt. ap
vigute illis temporu

bus, de quo dicitur facta ista donatio multa possent vici, mibueis
nunc ego teneo illud quod tenet sacrosancta romana ecclesia. Andre
barba.

¶ Adde Joannem andre. in additionibus ad Speculum in titulo de
u q

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**A Jurist Maps the River: Bartolus's Illustrated
Treatise on Accretion and Avulsion**

5. Bartolo of Sassoferrato [1314-1357].

Tebalducci, Claudio [16th c.], Notes.

La Tiberiade di Bartole da Sasferrato del Modo di Dividere l'Alluioni, l'Isole, & Gl'Aluei. Con l'Annotationi, Et Espositioni di Claudio Tobaldutij da Montalboddo.

Rome: Per Gl'Heredi di Gio: Gigliotto, 1587. [viii], 190, [2] pp. Woodcut illustrations throughout. Quarto (8-1/2" x 6-3/4"; 21.6 x 17.2 cm).

Contemporary limp vellum, later hand-lettered title and shelf number to spine, early hand-lettered title to foot of text block, "23" in later hand to head of front cover, fore-edges with holes for thong ties. Light rubbing and a few minor stains, small stain to front pastedown, hinges cracked, several minor cracks to text block; all leaves secure. Light toning, later owner signature "Nicolo Bianchi", to front free endpaper. A very good copy. \$2,500.

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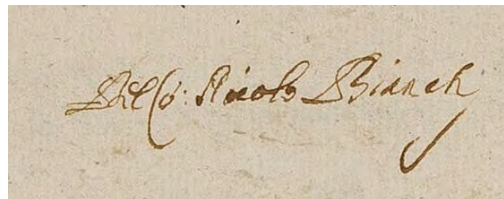
* Second and final edition; the only edition in Italian. This adaptation of Bartolus's celebrated *Tiberiad* renders into the vernacular one of the most influential medieval treatments of riparian rights-addressing alluvion, avulsion, river islands, and the shifting of channels-augmented here by the annotations of Claudio Tebalducci.

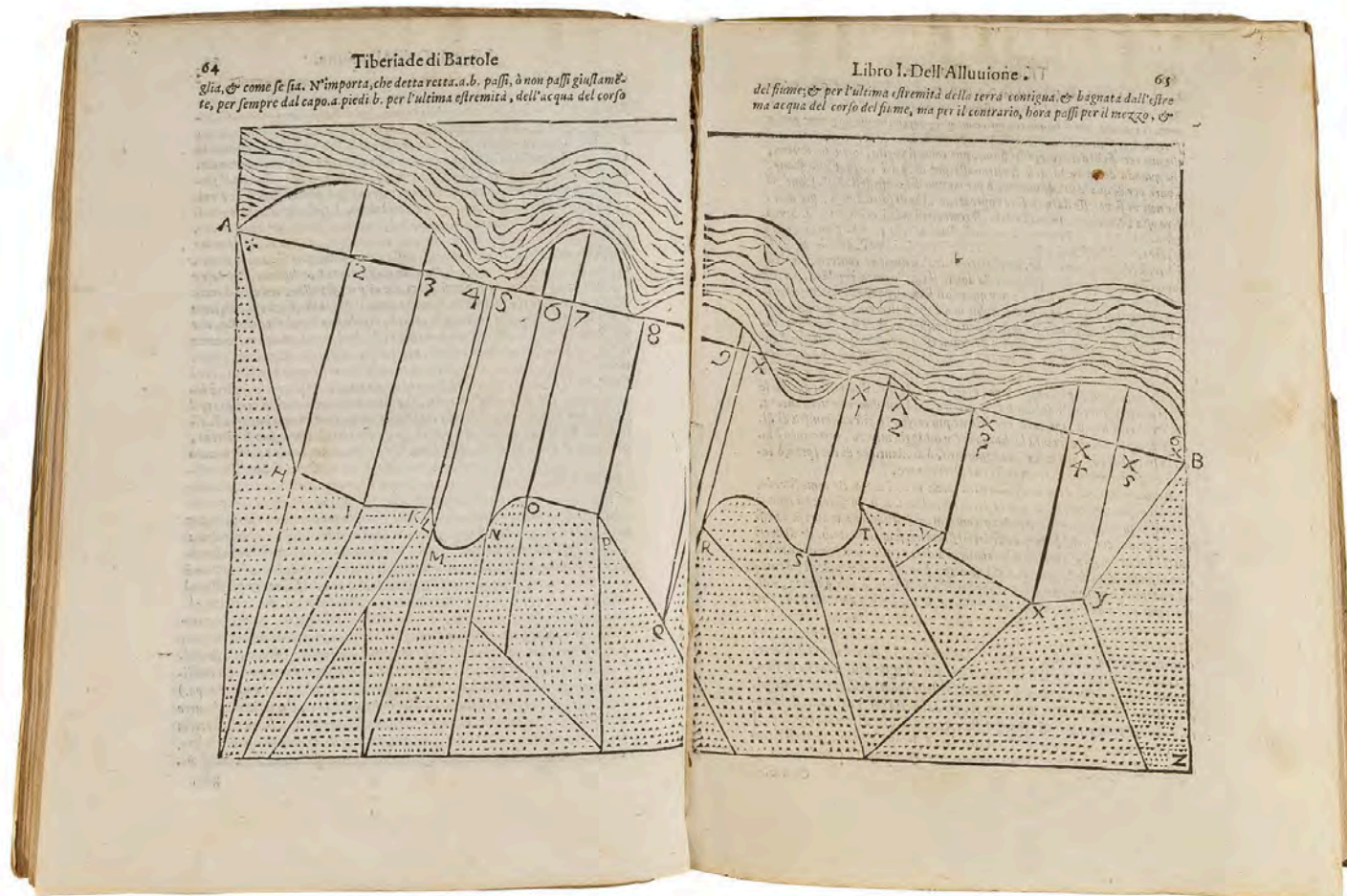
Long circulating in manuscript and first printed in Latin (1576), the *Tiberiad* stands at the intersection of Roman law doctrine and practical topography. Drawing on the jurisprudence of the Digest, Bartolus systematizes rules governing land newly formed by accretion or exposed by the recession or diversion of waters, questions central to property regimes in riverine environments. The present edition is notable for its extensive woodcut diagrams, which translate complex legal problems into spatial and geometric terms-an unusual and early instance of visual reasoning in legal literature.

Bartolus (1314-1357), the preeminent commentator of the *ius commune*, exerted a formative influence on later civil-law doctrine; his treatment of alluvion and related phenomena remained authoritative well into the early modern period. The vernacularization offered here signals the continued practical importance of such questions for jurists, surveyors, and administrators concerned with land tenure and jurisdiction in a changing physical landscape.

The previous owner seems to be a member of the distinguished Bianchi family of Italy. The Bianchi lineage includes many prominent figures, including famous artists and scientists.

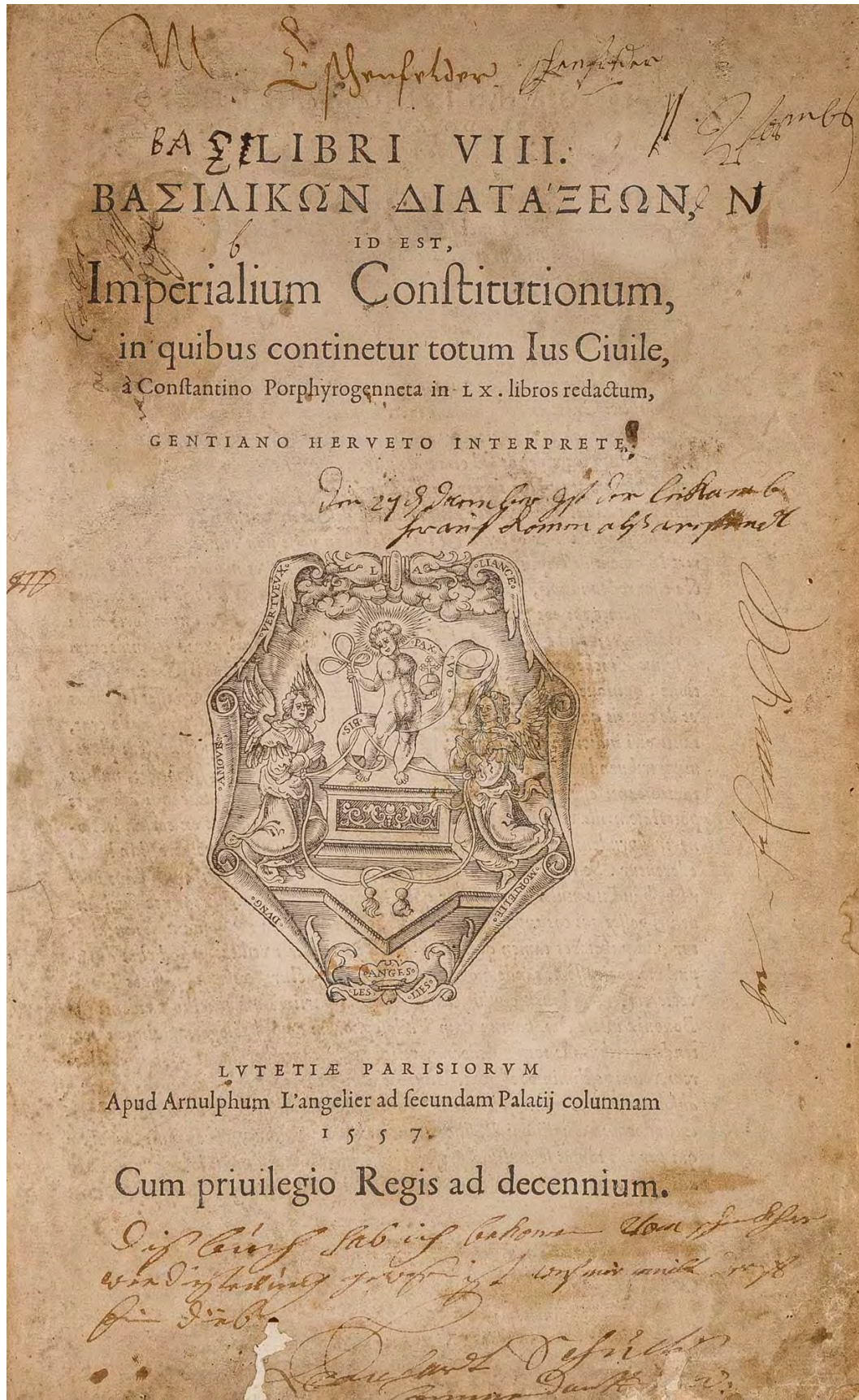
Censimento Nazionale delle Edizioni Italiane del XVI Secolo CNCE4453.





Item 5

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**The "Forgotten" Laws of the Emperors: A 1557 Edition
of the *Basilika* with Critical 16th-Century Scholarly Annotations**

6. [Basilika].

[Basil I (811-886), Emperor of the East].

[Leo VI (c.866-912), Emperor of the East].

Constantine VII Porphyrogenitus [905-959], Emperor of the East.

Hervet, Gentian [1499-1584], Editor & Translator.

Libri VIII. Basilikon Diataxeon, Id Est, Imperialium Constitutionum, In Quibus Continentur Totum Ius Civile, A Constantino Porphyrogeneta in LX. Libros Redactum, Gentiano Herveto Interprete. Paris: Apud Arnulphum L'Angelier ad Secundam Palatii Columnam, 1557. [viii], 356 (i.e 354), [2] pp. Folio (13" x 8-1/4"; 33 x 20.9 cm).

Seventeenth-century sheep, rebacked, boards ruled in blind with gilt ornaments, remnants of ties present; raised bands; later endpapers. Extremities rubbed, with some loss to spine ends and wear to corners; boards scuffed. Front and rear joints neatly mended. Title-page lower margin reinforced on verso. Light edgewear and occasional soiling to preliminaries and final leaves.

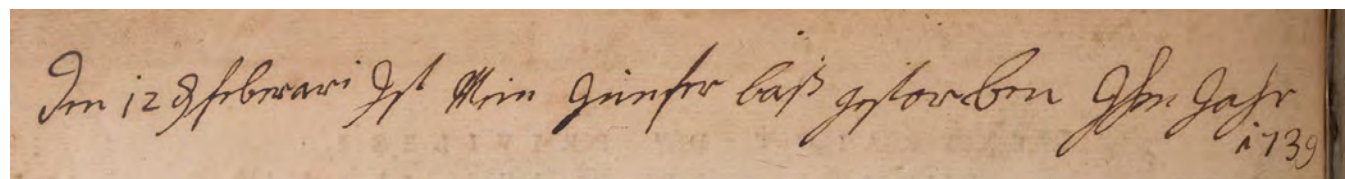
Internally a very good, clean copy, generally lightly toned. Brief annotations in two neat early hands through p. 91; additional marginalia and glosses in a later hand; inscription dated 1739 on verso of final leaf. Title-page with early inscriptions, doodles, and ownership signature ("M. Essenfelder"). \$2,500.

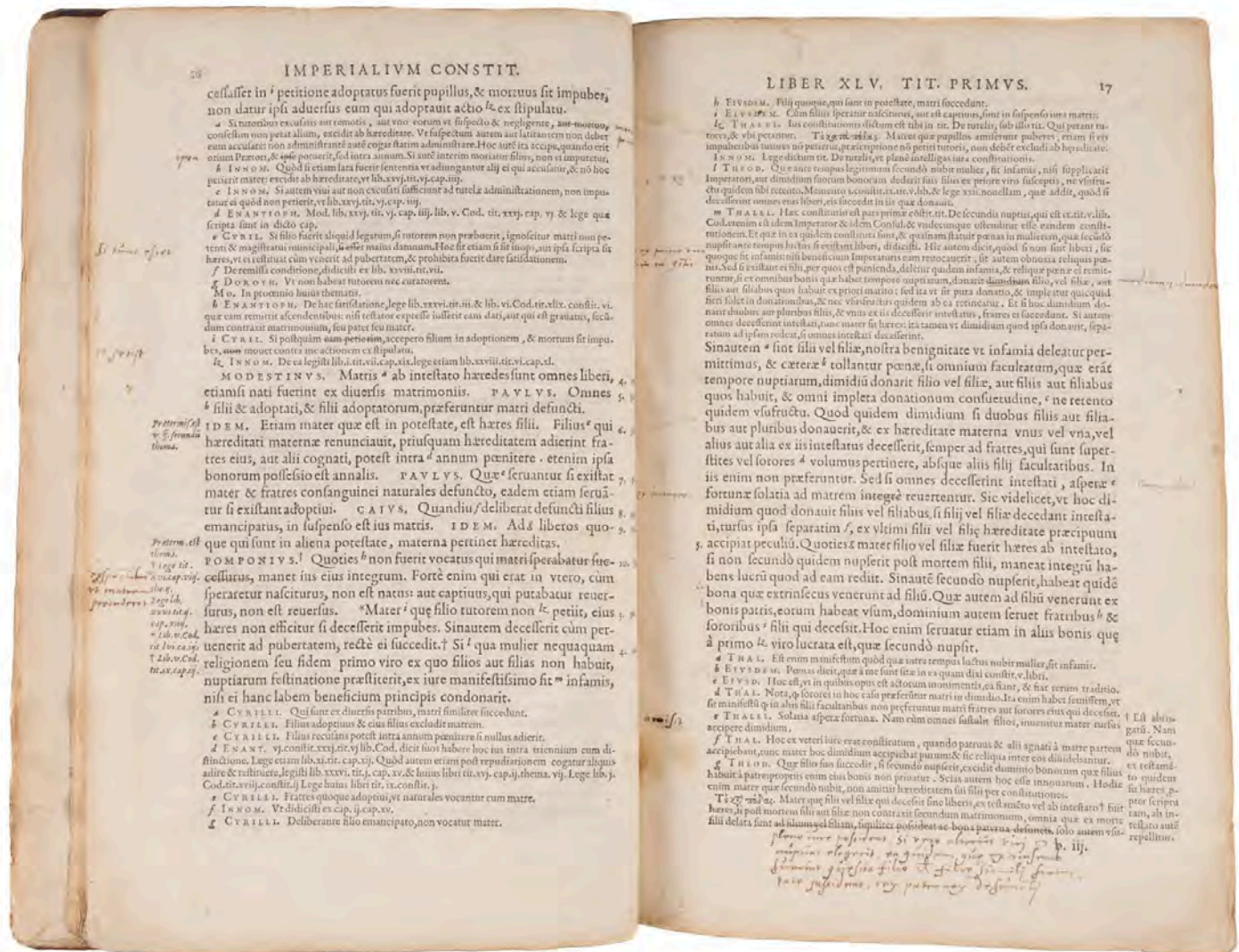
* First edition of Hervet's Latin translation. The *Basilika*, compiled under Basil I and Leo VI with later accretions under Constantine VII Porphyrogenitus, constitutes the most extensive reworking of Justinianic law in the Byzantine tradition and the principal foundation of post-Justinian Eastern Roman jurisprudence. Organized in sixty books, it systematically recasts the *Codex*, *Digest*, *Institutes*, *Novels*, and subsequent imperial legislation into a unified Byzantine legal corpus.

Although the text largely fell into obscurity after 1453, it re-emerged in Western scholarly circulation in the sixteenth century through manuscript transmission and humanist philological interest. Hervet's Paris edition represents one of the earliest printed avenues of access to the work in Latin; a complete critical edition would not appear until Charles Annibal Fabrot's 1647 publication.

Book VIII treats domestic relations, including marriage, divorce, and parental authority. The early annotations in the present copy appear to engage directly with the Latin rendering, offering corrective readings and apparent re-translations from a Greek exemplar, suggesting a reader with access-direct or mediated-to the original Byzantine text.

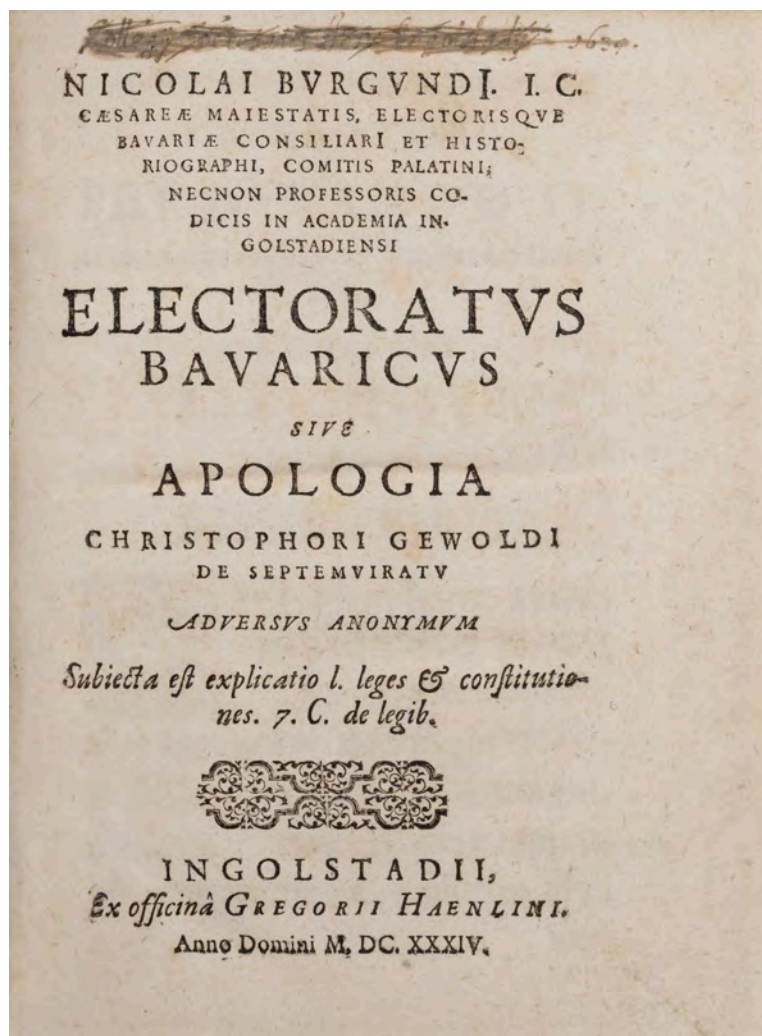
A scarce imprint. OCLC locates seven copies in North America (Columbia Law School, Emory, Pitts Theology Seminary, Harvard Law School, Linda Hall Library, Northwestern Law School, University of Chicago, Yale Law School), with an additional holding in the University of Oxford (Houghton Library recorded in *USTC*). *USTC* 152300.





Item 6

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The Duke of Bavaria and the Election of the Holy Roman Emperor

7. Bourgogne, Nicolas de [1586-1649].

Electoratus Bavaricus Sive Apologia Christophori Gewoldi De Septemviratu Adversus Anonymum. Subiecta est Explicatio L. Leges & Constitutiones 7 C. de Legib. Ingolstadt: Ex Officinâ Gregorii Haenlini, 1634. [iv], 309 [i.e. 310] pp. Quarto (7-3/4" x 6"; 20 x 15 cm).

Contemporary paneled pigskin over wooden boards, raised bands, blind fillets and early hand-lettered title to spine, beveled board edges, bronze clasps, one clasp lacking, its hasp and strap intact, edges of text block colored blue. Negligible light soiling, rubbing and a few tiny spots, spine ends bumped, light wear to corners, minor worming to pastedowns and hinges, bookplate of Karl Sebastian Heller von Hellersberg to front pastedown. Light toning to interior, light foxing and tiny stains to preliminaries and a few other places, early struck-through owner inscription of the Jesuit College of Ingolstadt, dated 1634, to head of title page. A very good copy in a handsome binding. \$2,500.

* Only edition. Written by a law professor at the University of Ingolstadt and legal counselor to Maximilian I [1573-1651], Duke of Bavaria, this book defends the Duke's status as a prince-elect of the Holy Roman Empire, one of the small number of rulers empowered to elect the Holy Roman Emperor. Because Maximilian was granted this status in 1623 at the Diet of Regensburg, a convention of states on the Imperial side of the Thirty Years' War, there were some who questioned the Duke's legitimacy or dismissed it outright as an act of political expediency.

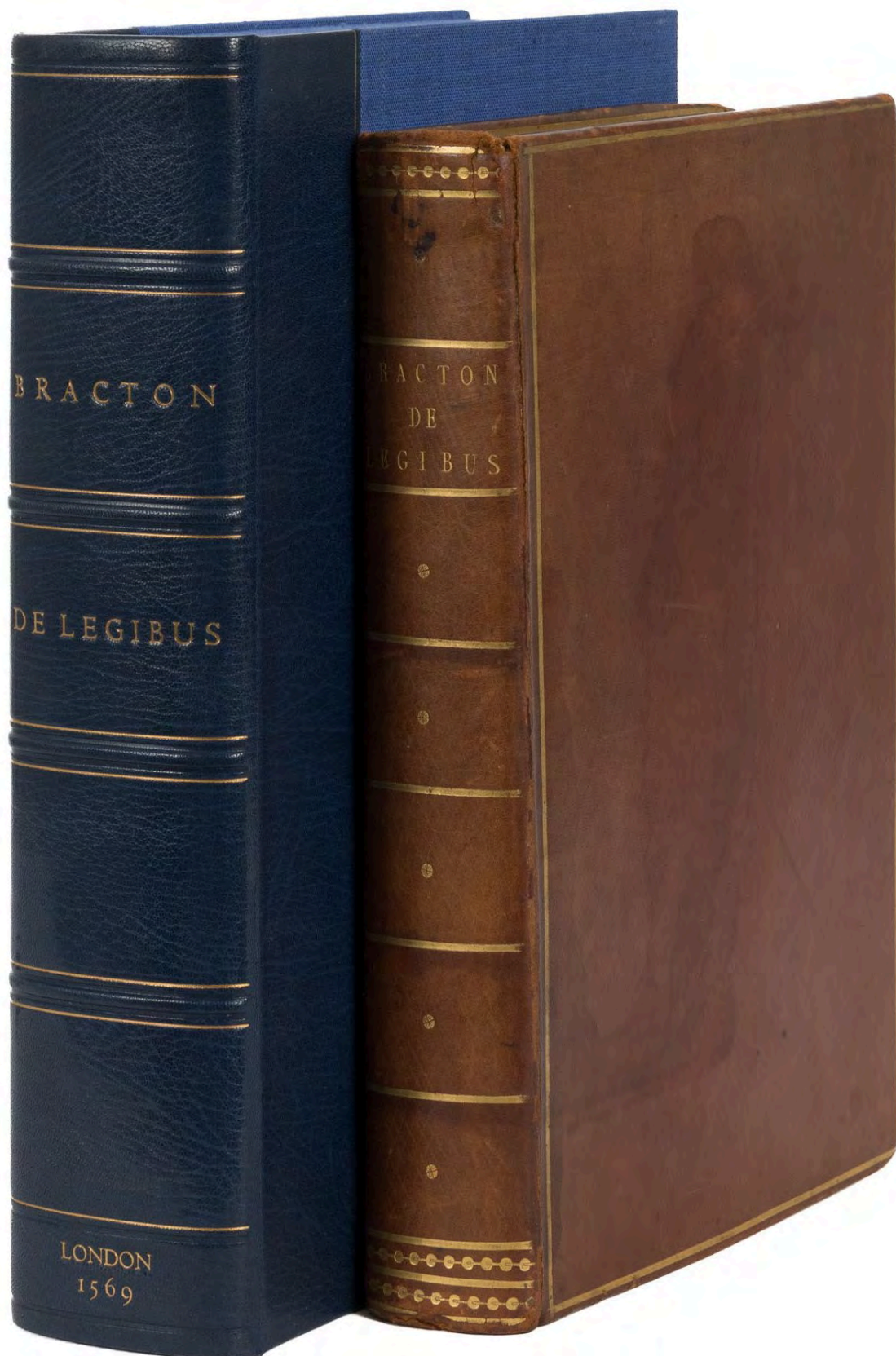
The book's argument is based on *De Sacri Romani Imperii Septemviratu Commentarius* (1616, second edition 1621) by Christoph Gewald [1556-1621], a detailed discussion of laws and agreements concerning the election of Holy Roman Emperors. As stated in the title, it also defends Gewald's book against an anonymous critic.

A lawyer by training, Heller von Hellersberg [1772-1818] was a professor of jurisprudence and political science at the University of Landshut, later at the University of Ingolstadt. He also played an important role in the reformation of Bavaria's political structures during the rule of Duke Maximilian I [1756-1825]. Established in 1556, the Jesuit College of Ingolstadt was a highly distinguished and influential institution. It was the central institution of German Jesuits and the Counter-Reformation in Bavaria.

OCLC locates 12 copies, 3 in North America, none in law libraries. *Allgemeine Deutsche Biographie* 11:697. *Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 12:125519Q.



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First Edition of the First Systematic Treatise on English Common Law, from the Library of Viscount Knutsford

8. Bracton, Henry de (d. 1268).

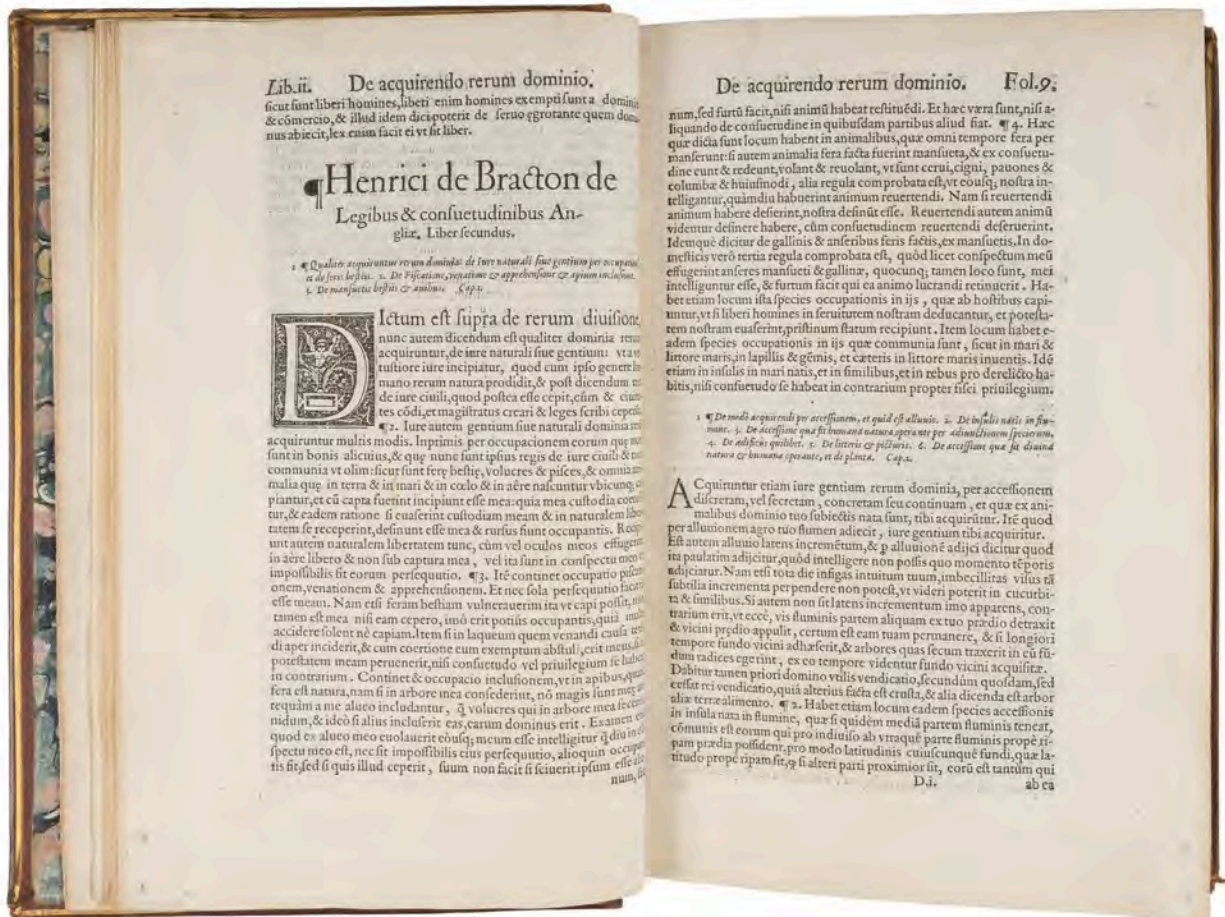
De Legibus & Consuetudinibus Angliae, Libri Quinq; In Varios Tractatus Distincti, ad Diversorum et Vetustissimorum Codicum Collationem, Ingenti Cura, Nunc Primu[m] Typis Vulgati; Quorum Quid Cuiq; Insit, Proxima Pagina Demonstrabit. London: Apud Richardum Tottellum, 1569.

First edition of "the crown and flower of English medieval jurisprudence," the first genuinely systematic treatise on English common law. Folio (11 1/4" x 7 3/4"; 28.6 x 19.7 cm). [xvi], 172, 175-444 leaves (complete despite the gap in foliation, which is a known printing variant common to all copies). Title page features the imprint "Cum priuilegio" at the foot. Bound in nineteenth-century diced calf, boards decorated with gilt rules, the spine featuring gilt fillets, ornaments, and a gilt-lettered title. Board edges decorated with gilt rules, leading to gilt inside rules and marbled endpapers; ribbon marker retained. Light rubbing to the boards, with a faint dampstain evident on the front board, and moderate rubbing to the extremities. The front joint is starting at the head, the rear joint is cracked, and the corners are bumped and somewhat worn. The interior is adorned with attractive, large woodcut decorated initials. Text exhibits light toning, somewhat heavier in isolated places, alongside light foxing and occasional finger smudges; some fading affects the text of leaves 1 and 2. \$13,000.

* Affixed to the front pastedown is the armorial bookplate of Arthur Henry Holland-Hibbert, 3rd Viscount Knutsford (1855-1935) of Munden House, Hertfordshire, inscribed "Ex Libris Munden." Lord Knutsford was a dedicated public servant who served with distinction as both a Justice of the Peace and High Sheriff of Hertfordshire. The custom bookplate was finely engraved by Sir Henry Badeley (Baron Badeley), a celebrated artist, Clerk of the Parliaments, and one of the preeminent bookplate designers of his era, known for executing custom plates for prestigious institutions such as the House of Lords Library.

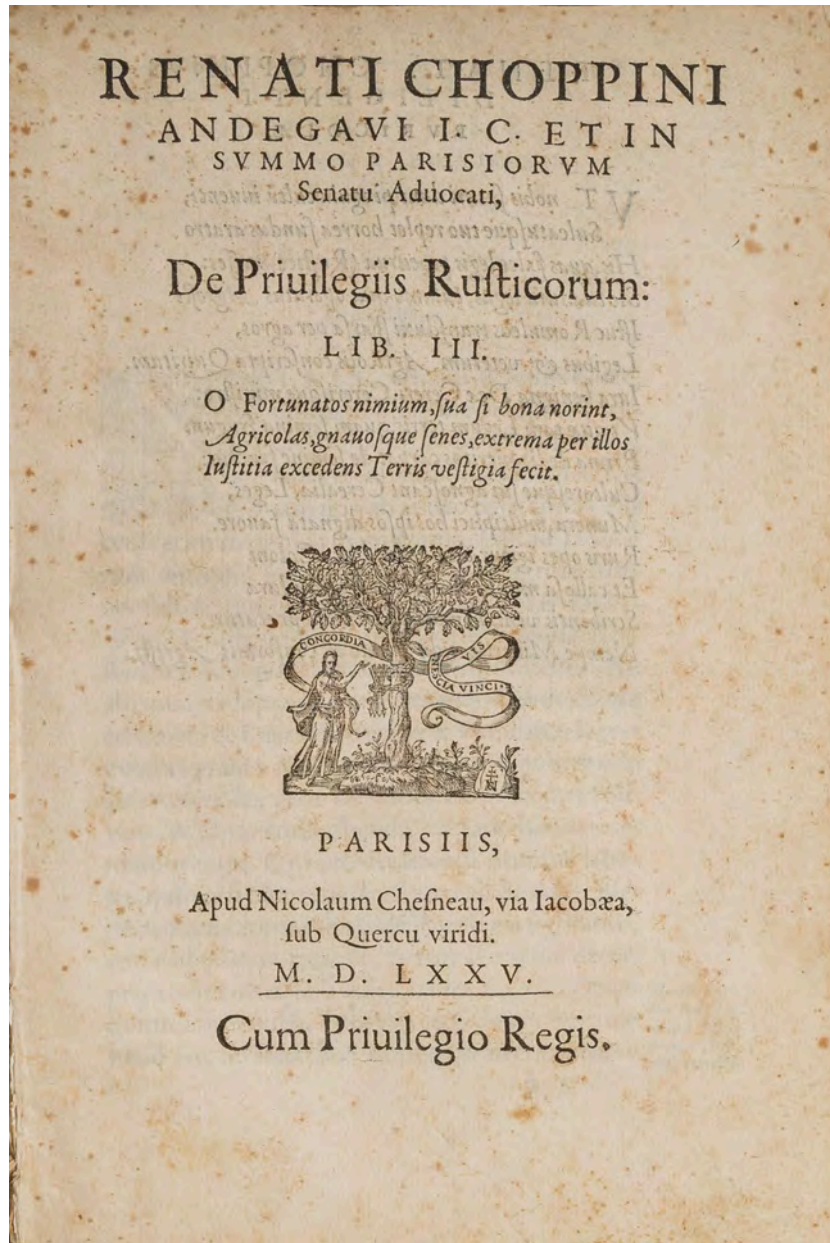
Written between 1250 and 1256, *De Legibus et Consuetudinibus Angliae* ("On the Laws and Customs of England") stands alongside Glanvill as the twin peak of early English legal literature. Bracton's monumental work modeled English law as a cohesive, rational science by masterfully weaving local customary law together with the structured principles of Roman and Canon law. The treatise introduces a sophisticated division between procedural and substantive law, and crucially popularized the practice of citing actual cases to illuminate legal principles-laying the conceptual groundwork for the modern doctrine of stare decisis (precedent). Bracton's methodology profoundly shaped the evolution of the common law, directly inspiring the subsequent foundational works of Littleton, Fitzherbert, and Sir Edward Coke. As the great legal historian F.W. Maitland famously observed, *De Legibus* is "by far the greatest of our medieval law books." This first edition was printed by Richard Tottel, the most prominent and influential English legal publisher of the sixteenth century, renowned for his highly accurate and foundational Year Book editions. This handsome copy of a landmark work with a distinguished legal and aristocratic provenance is preserved in a navy blue morocco clamshell box.

Beale, *Bibliography of Early English Law Books*, T323; Dauchy [et al.], eds., *The Formation and Transmission of Western Legal Culture: 150 Books that Made the Law in the Age of Printing*, 5; *English Short-Title Catalogue*, S122159; Maitland, *Collected Papers*, II:43; *Printing and the Mind of Man*, 89.



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9. **The First Modern Treatise on Rural Rights:
René Choppin's Landmark 1575 Agrarian Law**

Choppin, René [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].

First Edition. Quarto (9" x 6-1/2"; 22.86 x 16.51 cm). [xvi], 248, [24] pp.

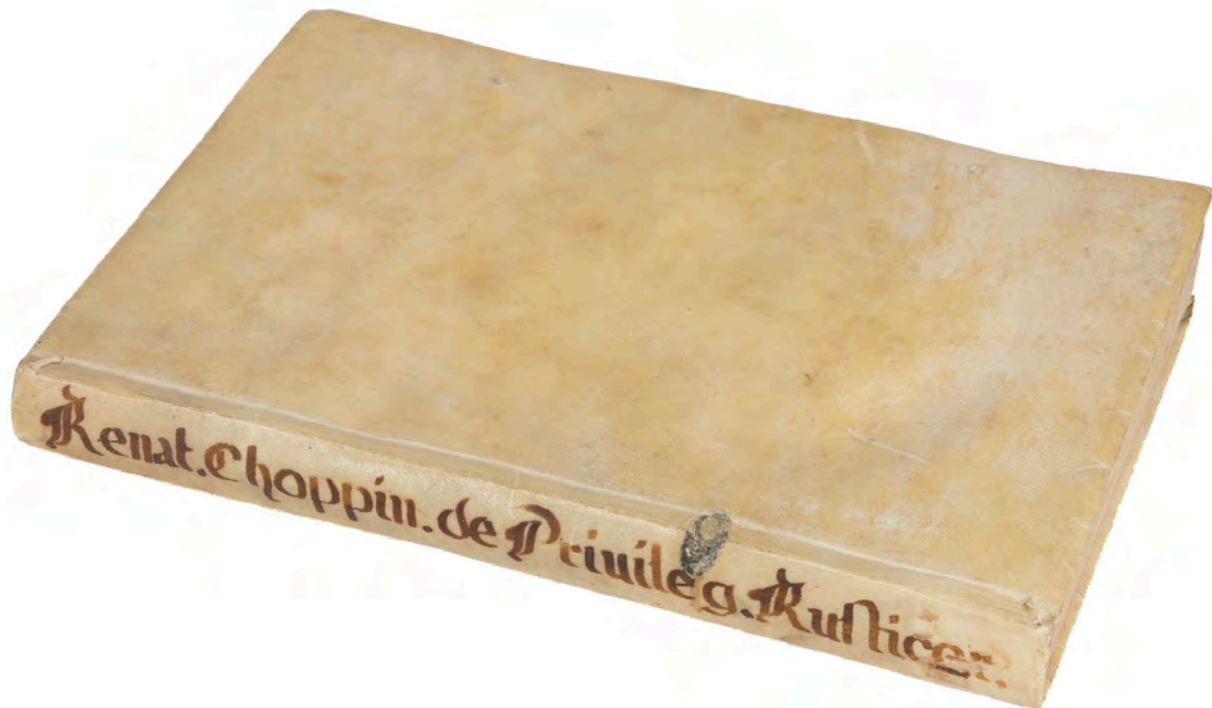
Contemporary limp vellum, early calligraphic title to spine, ties lacking. Negligible light shelfwear, text block partially detached from binding. Woodcut printer device to title page, woodcut decorated initials. Some toning, light dampspotting and early annotations to a few leaves. A very good, unsophisticated copy in its original binding. \$1,500.

* First edition of this pioneering and exceptionally rare treatise on the legal rights, customary protections, and social standing of the early modern rural peasantry. René Choppin, a celebrated *avocat* at the Parlement of Paris, was a central figure in the 16th-century "Gallican" legal tradition. Alongside contemporary jurists like Jean Bodin and Jean Bacquet, Choppin worked to synthesize Roman jurisprudence, canon law, and regional French customary law into a cohesive national framework under royal authority.

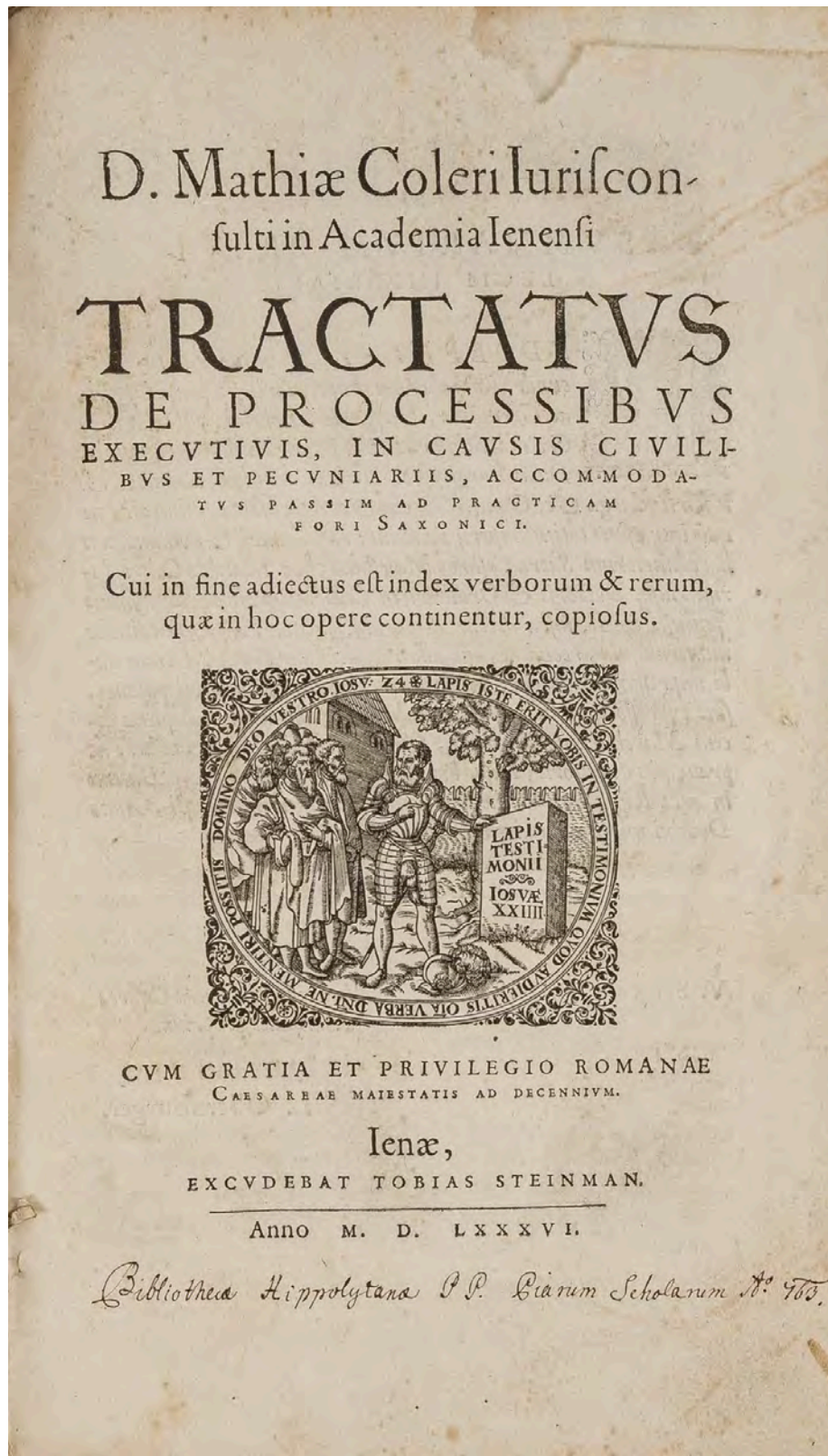
In *De Privilegiis Rusticorum*, Choppin produced the first systematic legal work dedicated to agrarian rights. Here, "privileges" refers not to aristocratic perks, but to statutory legal safeguards designed to protect agricultural workers from predatory creditors, excessive taxation, and unlawful land seizure. Choppin framed rural labor as vital to the stability of the state, arguing that the protection of farmers was essential to national prosperity.

The title directly incorporates lines from Virgil's *Georgics* ("*O fortunatos nimium, sua si bona norint, agricolas...*"), illustrating the Renaissance Humanist effort to reconcile classical literary ideals of pastoral life with the grit of 16th-century legal reality. Choppin argued that Justice, having abandoned the corrupt cities, left her final traces among the rural working class. The *Biographie Universelle* highlights the treatise for its enduring scholarly weight, noting that it "deserves notice for the singularity of its subject" and its "profound research."

Rare in commerce and in institutional collections. OCLC locates only three North American copies (Columbia, GWU, Harvard). Camus, *Profession d'Avocat* 1477. *Biographie Universelle* 8:499.



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A Scarce 16th-Century Masterwork on Saxon Civil Law by
Renowned Saxon Jurist Matthias Coler in Contemporary Vellum

10. Coler, Matthias [1530-1587].

Tractatus de Processibus Executivis, In Causis Civilibus et Pecuniariis, Accommodatus Passim ad Practicam Fori Saxonici. Cui in Fine Adiectus est Index Verborum & Rerum, Quae in hoc Opere Continentur, Copiosus.

Jena: Excudebat Tobias Steinman, 1586.

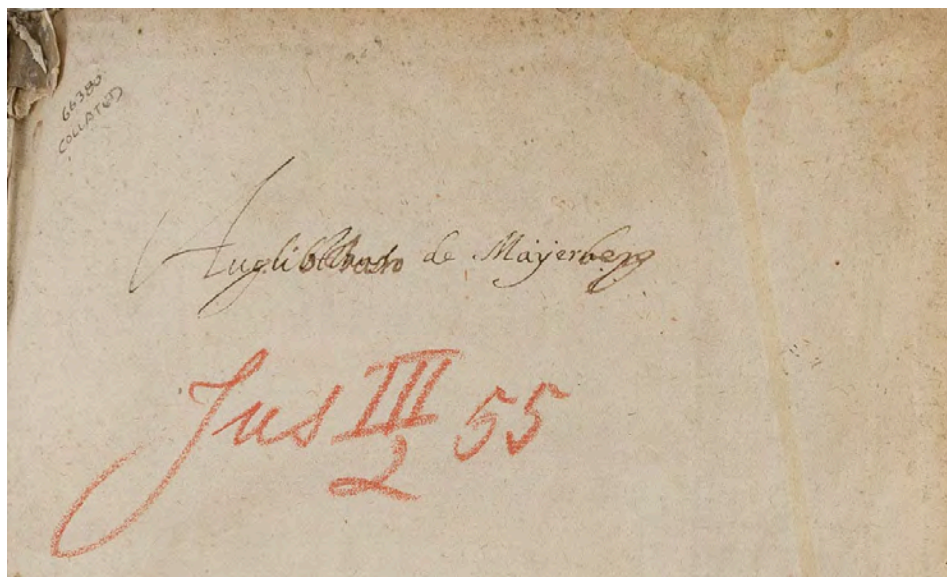
First edition. Folio (13" x 8"). [xvi], 812, [64] pp. Contemporary limp vellum with yapp edges, blind rules to boards, somewhat later black-stamped ornaments to boards and spine, which has an early hand-lettered title. Light soiling and a few minor stains, moderate rubbing to extremities, corners and spine ends bumped and lightly worn, small bookplate "E Bibliotheca Collegii Cremsensis" to front pastedown, lower section of pastedown and front free endpaper lacking, minor worming to rear hinge. Moderate toning to text, a few leaves have early annotations and underlining, later annotations to front endleaves. A very good, crisp copy of a scarce imprint. \$1,500.

* The distinctive bookplate, bearing the words "E Bibliotheca Collegii Cremsensis", indicates this volume was held in the library of the Jesuit college in Krems an der Donau, Austria. This institution was active from the early seventeenth century until the late eighteenth century when the Jesuit order was suppressed.

Coler, a celebrated professor at the Universities of Jena and Leipzig and chancellor to the prince of Anhalt, was a renowned authority on civil law. *Tractatus de Processibus Executivis* addresses executions, exceptions and the limitation of actions under canon law and the civil law of Saxony. Highly influential, it went through five more editions, the last one in 1718.

All editions of this title are scarce. OCLC locates 9 copies of the 1586 imprint, 1 in North America (Yale Law School).

Allgemeine Deutsche Biographie 4:403. *Verzeichnissen der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* C4540.

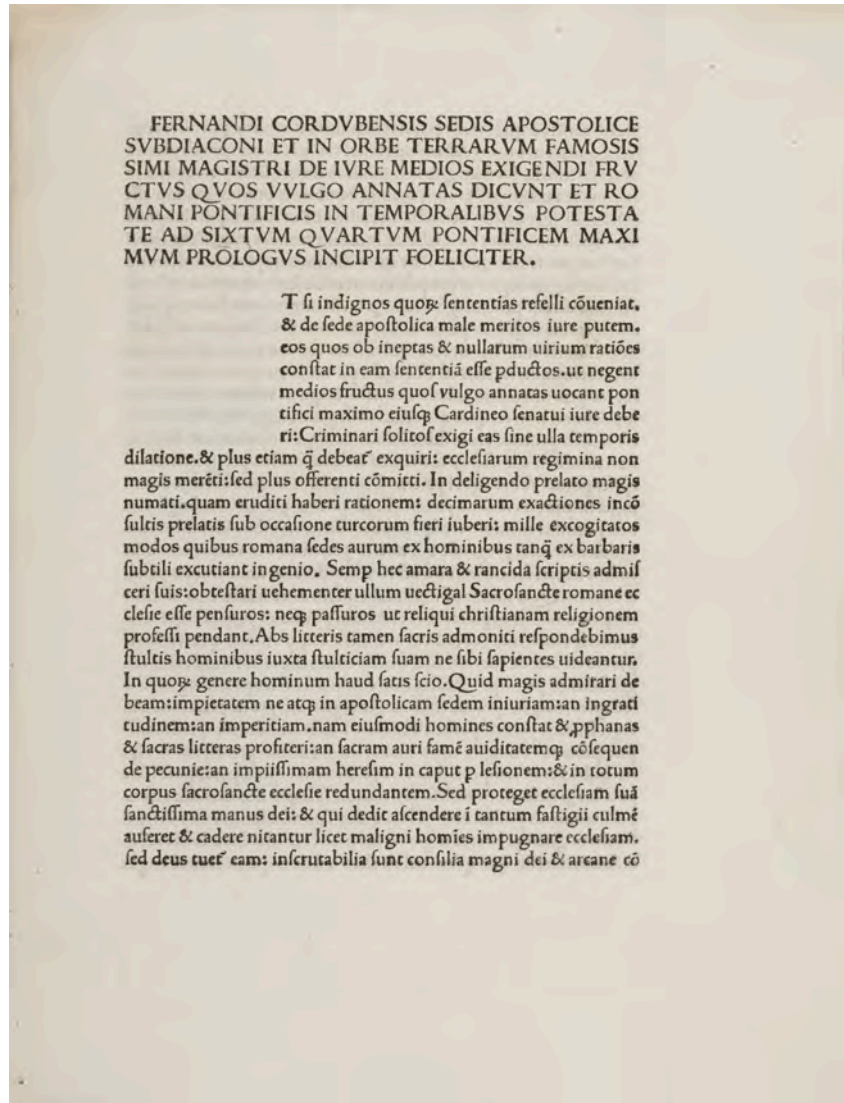
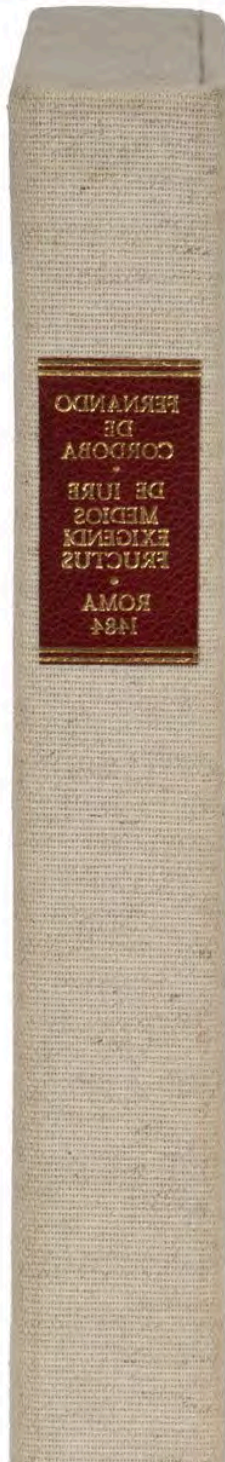




Item 10

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**Rare 1481 Roman Incunabula Defending Papal Annates:
Complete with List of Debtors, Including Beggars and Thieves**

11. Cordoba, Fernando de (1421-1486).

De Iure Medios Exigendi Fructus Quos Vulgo Annatos Dicunt. [Rome: Georgius Herolt, ca. 1481, not after 12 August 1484].

Roman, Civil & Canon Law 1481-1797 • September 29, 2026

Chancery Folio (11" x 8-3/4"; 27.9 x 22.2cm). Text-block measures 28 cm x 21 cm. Bound in modern vellum over thin semi-rigid boards; with overlapping edges and two pairs of ties; housed in a sympathetic linen-covered clamshell box, with a gilt-lettered red morocco spine label. [92] leaves (i.e. 184 pages). Collation: [1-108 11-126]. Complete.

Text printed in single column, 34 lines per page. Printed in Roman letter, Type: 1:112R. 5- to 7-line initial spaces (unrubricated).

First leaf (11) with recto blank, and a short preface on verso. Final leaf (126) with registrum on recto, and verso blank.

Very Good. Complete. Occasional light marginal soiling, and some light old marginal stains towards the end of the volume. A couple of (very faint) short marginal notes in contemporary hand. Final leaf (registrum) neatly lined with rice paper over its blank verso (without any loss of text). In all, a clean, bright, solid copy with vast margins. \$12,000.

* Fernando de Córdoba (1421-1486), a Spanish theologian, canonist, curialist and philosopher, was a papal subdeacon under Sixtus IV, and a strong proponent of papal temporal sovereignty. In this work he defends the collection of 'first fruits' or papal annates, a medieval practice of paying the first year's revenue of an ecclesiastical benefice into the papal coffers. At the end Fernando lists categories of people who owe annates according to religion (Gentile, Jew, Muslim) and professions, including beggars and thieves.

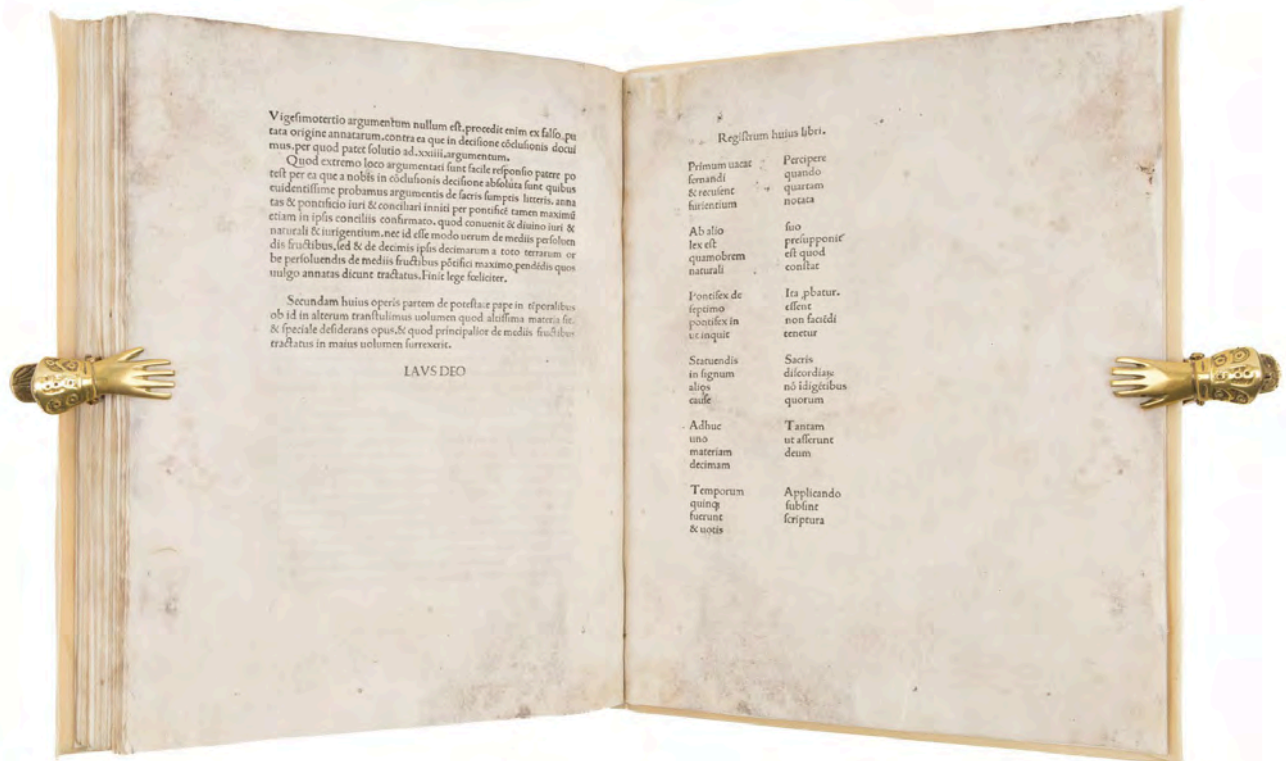
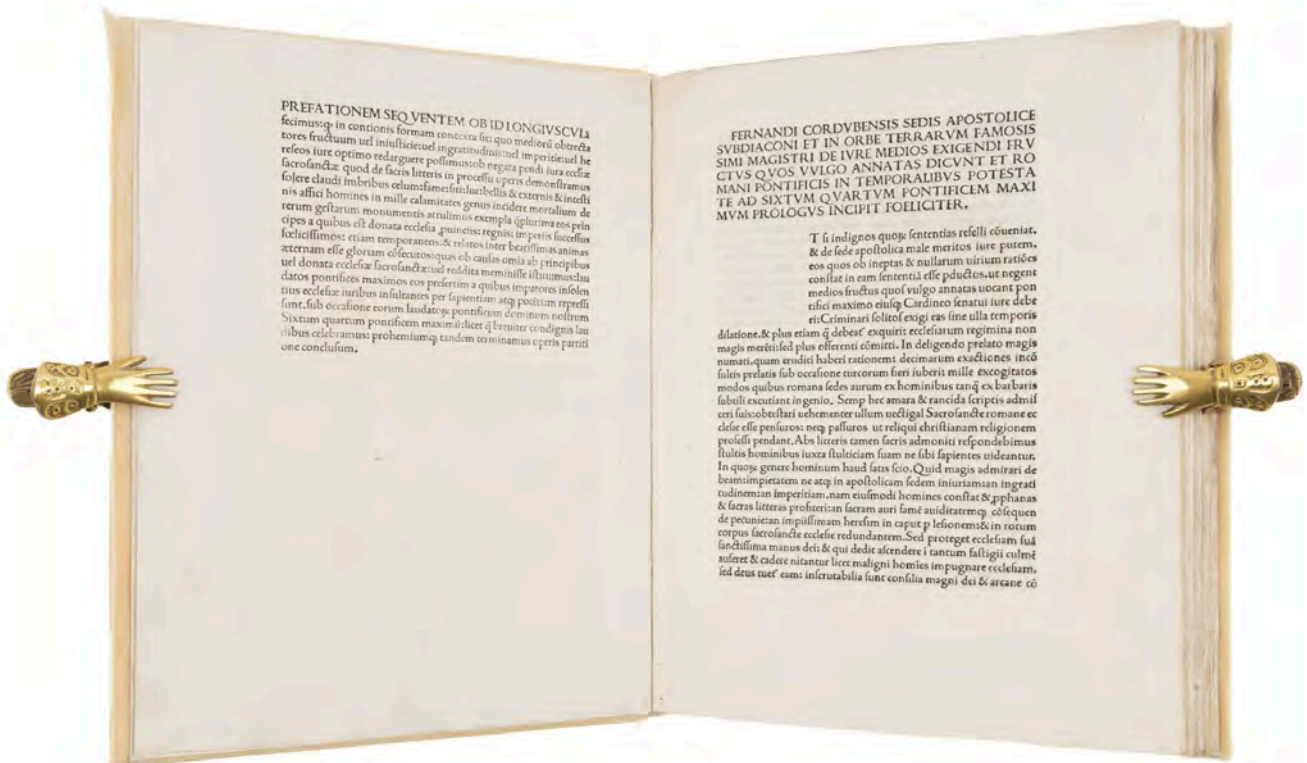
"Fernando aggressively served curialist interests in his work *De Iure Medios Exigendi Fructus Quos Vulgo Annatos Dicunt*, dedicated to Pope Sixtus IV and printed at Rome about 1481. The second part of the treatise [which he announced in his preface], i.e. *De Romani pontificis in temporalibus potestate*, never appeared, [and] I doubt Fernando ever wrote it. [.] Fernando's assertion of papal temporal sovereignty over the world [.] is the central argument in Fernando's preface to the *De Medios Exigendi Fructus*. The preface itself was so long that Fernando must have feared that Sixtus IV would not read it. Thus in the dedication copy and in the edition itself the first thing the reader encounters is a one-paragraph [summary] of the preface [leaf 1_{1v}].

"At the end of the treatise Fernando appended two bizarre lists. The first categorized all the genera personarum who owed the pope annates. [.] Starting from Gentiles, Jews and Moslems he then listed forty-one professions, including prostitutes, pimps, thieves, and beggars. The beggars, in turn, he subdivided into forty categories, which he described and to which he assigned their Italian names.

"To defend the system of papal annates, Fernando used a large number of canonical and theological authorities. He also resorted to secular sources, including Livy, Suetonius, Josephus, Pliny, Cicero, Seneca, Macrobius, Virgil, Servius, Priscian, [...] Euclid and Aristotle. Turning the tables on the humanists, he correctly refuted the view put forward by Flavio Biondo and Platina, that Pope Boniface IX (1389-1404) was the first to collect annates." (John Monfasani, Fernando of Cordova: a biographical and intellectual profile, in *Trans. of Amer. Philosoph. Soc.*, Vol.82, part 6, 1992, p. 45-6.)

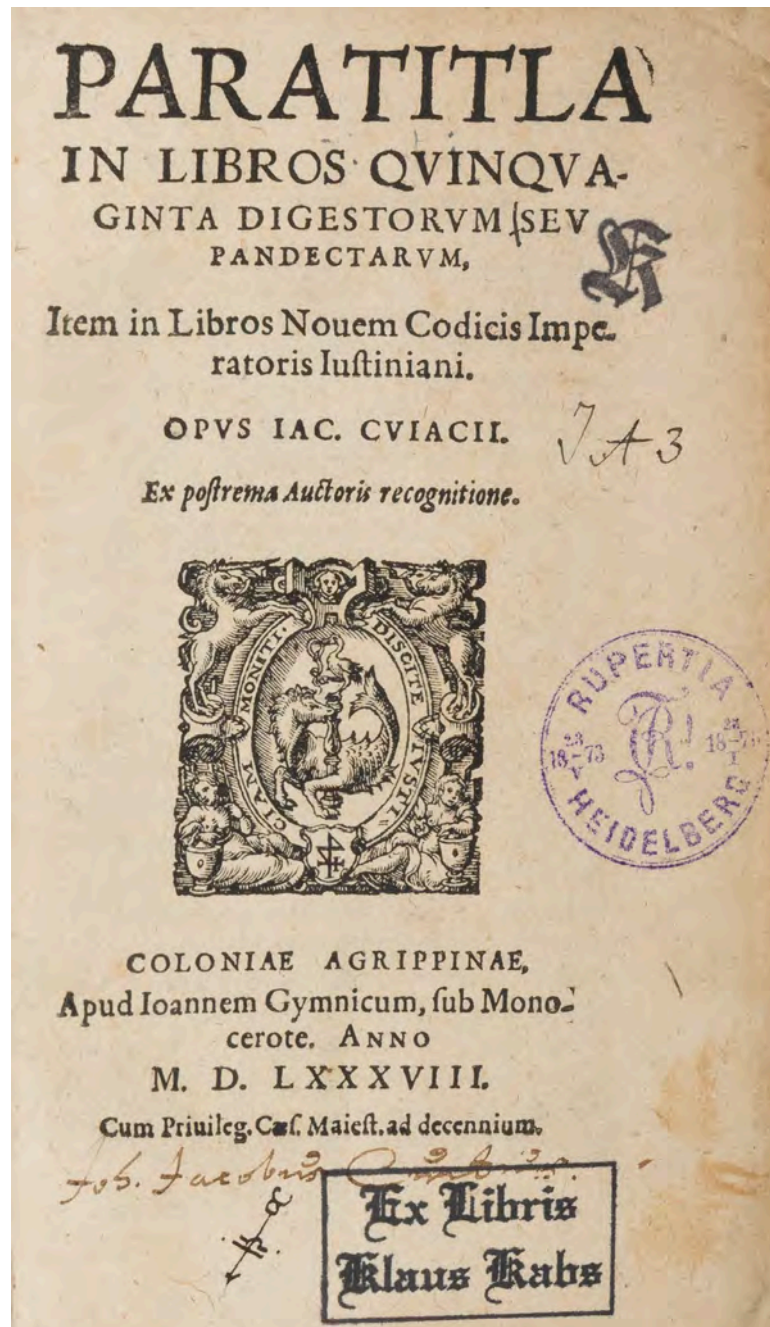
Goff dates this edition 'about 1481'. The 'not after 12 August 1484' dating stems from the wording of the preface, which implies that Pope Sixtus IV was still alive at the time of its publication; Sixtus IV died 12 August 1484.

Rare First Edition. Only 2 copies are recorded in the US libraries (Yale Bienecke and Philadelphia Free Library), 1 in UK, 36 copies worldwide but most in Italy. Only 2 copies, including this one, have appeared at auctions in the last 45 years.



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The "Oracle of Law": A Significant Compendium of Cujas's Humanist Jurisprudence in a Dated 1592 Binding

12. Cujas, Jacques [1522-1590].

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

Paratitla in Libros Quinquaginta Digestorum seu Pandectarum,

Item in Libros Nouem Codicis Imperatoris Iustiniani. [Bound with] *Ad Africanum Tractatus VIII.* Cologne: Ioannem Gymnicum, 1588. Octavo (6-3/4" x 5"; 17.1 x 12.7cm). [xxviii], 195, [1]; [xxxvi], 541 (i.e. 521); [xlvi], 622 (i.e. 624) pp. Contemporary dated (1592) half pigskin over vellum, elaborately blind-tooled. Moderate wear/soiling, front hinge cracked, lacking front flyleaf. Internally toned with occasional early annotations and stamps of the Rupertia Heidelberg student society to title page and pastedown. \$2,500.

* This volume represents a landmark of Legal Humanism, uniting the core commentaries of Jacques Cujas, the undisputed leader of the *Mos Gallicus* (the "French Way") of legal study. As the founder of the Historical School of Roman Law, Cujas revolutionized jurisprudence by treating the *Corpus Juris Civilis* not as a static set of medieval rules, but as a living historical document. By applying rigorous philological criticism, he stripped away centuries of cluttered medieval "glosses" to recover the original intent of the classical Roman jurists.

The first work, the *Paratitla*, provided the definitive structural guide to Justinian's Code and Digest, remaining a standard reference for three centuries. The second work, *Ad Africanum*, is a brilliant display of Cujas's "detective work," wherein he reconstructs and clarifies the notoriously difficult legal cases (*Quaestiones*) of the 2nd-century jurist Sextus Caecilius Africanus.

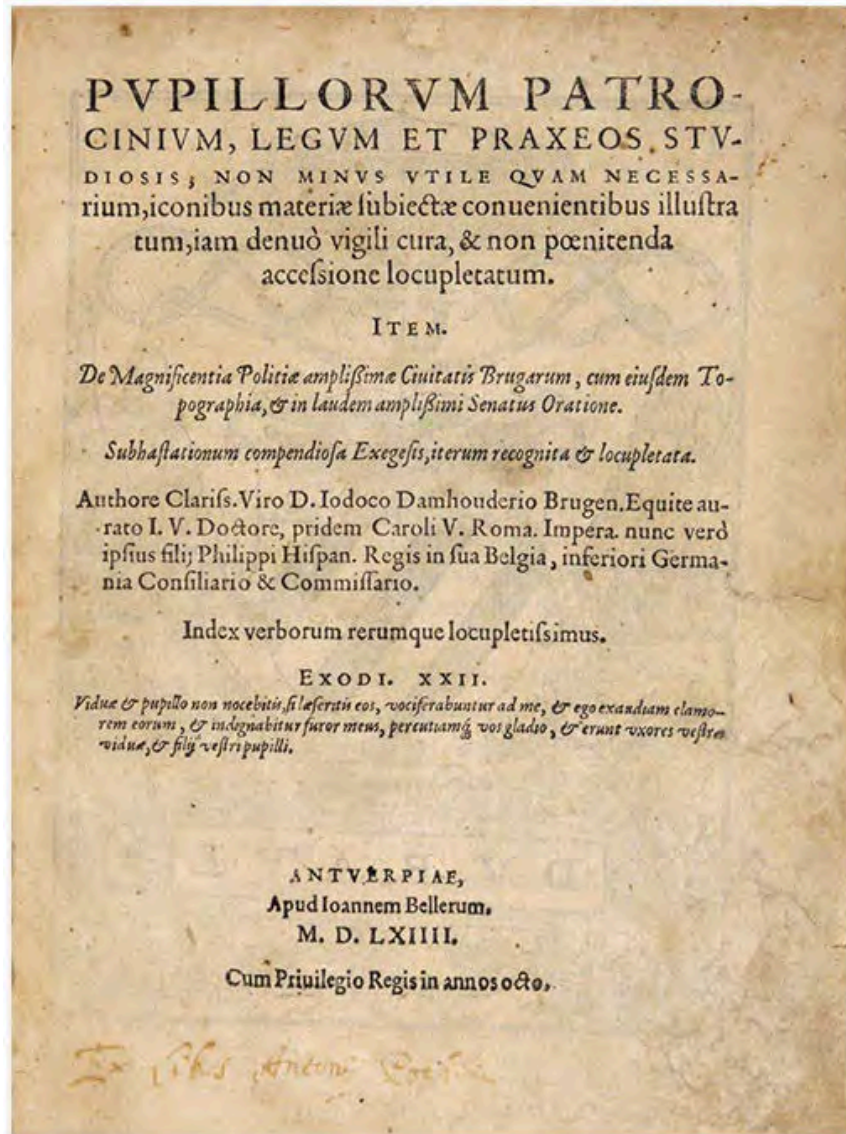
Published by Johann Gymnich, this 1588 edition marks the critical northward migration of Humanist legal thought from the universities of France into the Holy Roman Empire. This intellectual transmission eventually birthed the German Historical School of the 19th century.

The elaborate 1592 binding suggests this copy was a prestige acquisition for a contemporary scholar shortly after its printing. Its later provenance in the library of the Rupertia Heidelberg—one of Germany's most elite and oldest student corporations—underscores the book's enduring role in the rigorous legal education of the German elite during the 1800s.

Das Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts C61214, ZV4155.



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Damhouder's Pioneering Illustrated Treatise on Guardianship, Featuring the Earliest Depiction of a Book Auction and a Folding Plan of Bruges

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

Pupillorum Patrocinium, Legum et Praxeos Studiosis; Non Minus Utile Quam Necessarium, Iconibus Materiae Subiectae Convenientibus Illustratum, Iam Denuo Vigili Cura, & Non Poenitenda Accessione Locupletatum. Item De Magnificentia Politiae Amplissimae Civitatis Brugarum, Cum Eiusdem Topographia, & In Laudem Amplissimi Senatus Oratione. Subhastationum Compendiosa Exegesis, Iterum Recognita & Locupletata. Index Verborum Rerumque Locupletissimus.

Antwerp: Apud Ioannem Bellerum, 1564. [xii], 180, [18] ff. Main text in parallel columns. 12 woodcut plates, 1 double-page. Quarto (7-1/2" x 6-1/4"; 19 x 15.9 cm).

Contemporary limp vellum, early hand-lettered title to spine, endpapers renewed. Moderate soiling, light rubbing to extremities, corners bumped and lightly worn. Moderate toning, light foxing and faint dampstaining to a few leaves, light edgewear, faint (and partially illegible) early owner signature and a few minor tears to title page, another minor tear to fol. 71., paper repairs to margins of title page, fol. 1 and fol. 71. An attractive, well preserved copy of a scarce edition. \$3,500.

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* This 1564 Antwerp edition is a landmark in the history of visual jurisprudence, representing the third edition of Damhouder's comprehensive treatise on the law of guardian and ward. A pioneer in the "picture book" tradition of legal education, Damhouder used detailed woodcuts to translate abstract Roman-Canonical law into accessible, real-world scenarios. Beyond their legal function, these plates serve as an invaluable sociological record of 16th-century life in the Low Countries, depicting domestic interiors, period costumes, and specific trades. One plate illustrates three young orphans appearing before a magistrate alongside their guardian, tutor, and executor; others track the ward's progress through life, showing a guardian introducing a child to a teacher, visiting a shoemaker's shop, and auditing assets with an accountant.

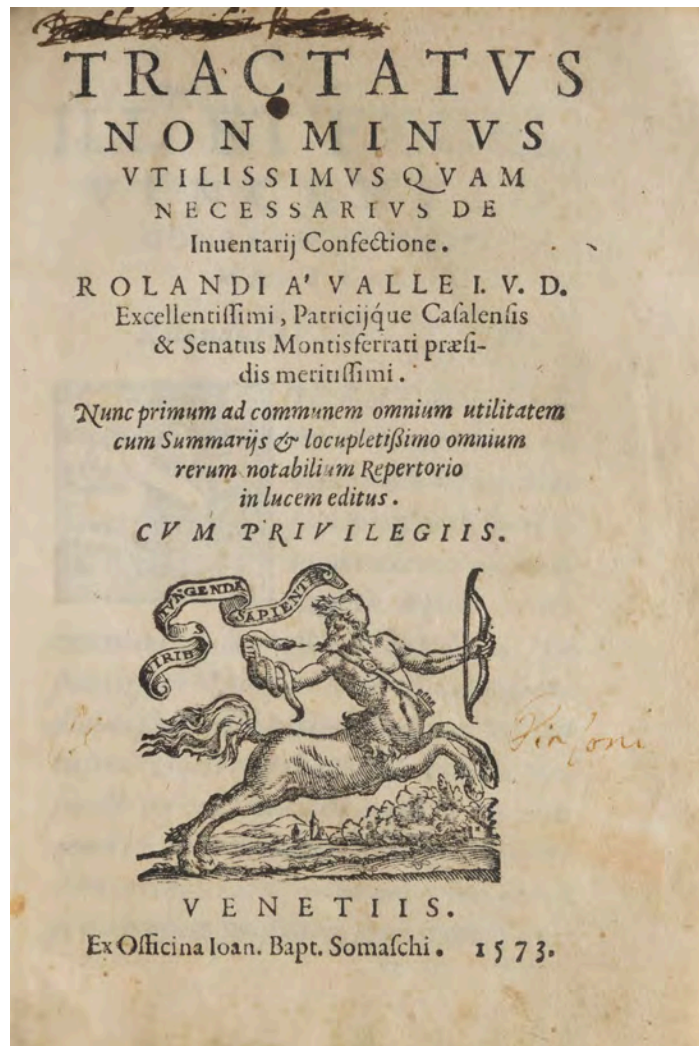
The volume is further enriched by two significant supplemental works. The first, *De Magnificentia Politiae Amplissimae Civitatis Brugarum* (first published 1544), is a sophisticated political and sociological study of Bruges, featuring a celebrated double-page folding plan of the city during its height as a commercial powerhouse. The second, *Subbstationum Compendiosa Exegesis* (first published 1546), is a foundational treatise on public sales. This section contains what is widely recognized as the first text illustration of a book auction in printed history, depicting a sale "under the spear" (subhastatio). This image remains a cornerstone for scholars of the early book trade and commercial law.

Scarce in commerce and institutions alike. OCLC locates only 10 copies in North America, with five held in law libraries including Columbia, Yale, Harvard, and the Library of Congress. Widener and Weiner, *Law's Picture Books* 5.00. Dekkers, *Bibliotheca Belgica Juridica* 44.



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Della Valle's Rare 1573 Venice Edition on the Benefit of Inventory of Estates in Roman Law

14. Della Valle, Rolando [fl. 1561].

Tractatus Non Minus Utilissimus Quam Necessarius de Inventarii Confectione. Nunc Primum ad Communem Omnium Utilitatem cum Summarijs et Locupletissimo Omnium Rerum Notabilium Repertorio in Lucem Editus. Venice: Ex Officina Ioan. Bapt. Somaschi, 1573 (Colophon date 1572).

First edition. Octavo (5-3/4" x 4"). [xl], 235, [1] ff. Contemporary limp vellum with yapp edges, remains of thong ties, early hand-lettered titles to spine and foot of text block. Light rubbing, some soiling to spine, a few chips and early hand-lettered shelf number to head of spine. Front joint starting; minor worming to hinges and rear joint, occasionally extending into the lower margin of leaves 90 to 130, text still legible. Moderate toning to interior, light foxing and browning in places, early underlining to a few leaves, early signature and early struck-through signature to title page. A very good, structurally sound copy of a rare legal work. \$950.

* This work represents a vital chapter in the evolution of early modern European probate law and the continental transition away from rigid medieval structures. The central focus of the treatise; the concept of *beneficium inventarii*, directly traces its lineage back to the Justinian Code (Code 6.30.22), which was originally established to encourage heirs to accept successions without the paralyzing fear of absorbing an ancestor's hidden, ruinous debts. By the mid-16th century, commercial expansion necessitated a highly standardized approach to property and inheritance.

The printing presses of Venice, including the respected Officina Somaschi, capitalized on this booming market by publishing portable, systematic legal treatises (*tractatus*). Della Valle's manual masterfully bridged the gap between dense academic Roman law and the actionable, daily workflows required by contemporary lawyers, judges, and estate executors. Today, early editions of this treatise are remarkably scarce on the market, making this first edition a highly desirable acquisition for institutions specializing in continental legal history, property rights, and the sociology of Renaissance wealth management.

Censimento Nazionale delle Edizioni Italiane del XVI Secolo CNCE 16607.



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Abolitionist Protest & Princely Binding: A Rare 1591 Legal Humanist Landmark Gifted by John Jay II

15. Everaerts, Nicolaas [1462-1532].

Pardoux, Duprat [1520?-1570?].

Loci Argumentorum Legales. Nunc Recens Recogniti, Diligentia Magna Emendati, summarijs Singulis Locis Praefixis Illustrati, Ac P. Prateij Adnotatiunculis Doctissimis ad marginem Adscriptis Locupletati. Accessit Geminus Index, Quorum Prior Seriem Locorum Legalium; Posterior Res & Verba in hoc Libro Contenta Copiosissime Exhibet. Frankfurt: Ex Officina Typographica Nicolai Bassaei, 1591.

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Octavo (7-1/2" x 5"; 19 x 5.2 cm). 24, 969 [i.e. 959], [1] pp. Error in pagination due to a contemporary printer layout mistake; text is complete. Contemporary paneled pigskin, front panel has central image of Frederick William I, Duke of Saxe-Weimar [reigned 1573-1602]. Rear panel features a central image of his coat of arms. Raised bands, faint early hand-lettered title to spine, small later shelf label to foot of spine, edges colored green. Light soiling, moderate rubbing to extremities, corners bumped and somewhat worn. Later bookplate of General Theological Seminary, New York, and faint early marking in red pencil ("945") to front pastedown. Presentation inscription from John Jay II (dated 1848) to front free endpaper. Seminary library label and security tag to rear pastedown. Moderate toning to interior, light foxing in places. Brief annotations and underlining in early hand to a few leaves, early owner inscription of St. Michael's Monastery of Bamberg and embossed stamp of Seminary to title page, seminary library numbers to its verso. A very good copy. \$4,500.

This text stands as a major landmark in the history of the theory of legal interpretation and logic. First published in 1516, it applies the classical method of discovering arguments through standard categories or "topics" (loci) specifically to civil and canon law. The work was highly influential throughout Europe. This rare 1591 edition uniquely highlights the network of Renaissance legal humanists. It blends Dutch legal humanism with French legal humanism (*mos gallicus*) by integrating the marginal notes (scholia) and detailed summaries written by the French scholar Pardoux Duprat. Duprat was a student of the famous Protestant jurist Jean de Coras. The primary author, Nicolaas Everaerts, served as president of both the Court of Holland and the Great Council of Mechlin. He is widely recognized as one of the earliest foundational authorities on Roman-Dutch law.

The custom pigskin binding links this book to the intense religious and political battles of late 16th-century Germany. The covers feature the official crest and portrait of Frederick William I, the Duke of Saxe-Weimar. In 1591, the exact year this edition was printed, the Duke became the powerful regent of the Electorate of Saxony. He was a strict defender of orthodox Lutheranism who actively fought to wipe out Calvinist influences in his territories. Displaying his coat of arms on a foundational book about legal logic highlights how closely law, publishing, and the politics of the Reformation were intertwined.

The book's physical journey includes an extraordinary association with the American anti-slavery movement. The title page shows it was originally held by the historic Benedictine St. Michael's Monastery in Bamberg, Germany, whose library was scattered when it closed down in 1803. The book was later acquired by John Jay II [1817-1894], a prominent New York City lawyer, diplomat, and grandson of Founding Father John Jay.

The front free endpaper features a signed presentation inscription from John Jay II to the General Theological Seminary dated 1848. This specific date carries immense historical meaning. During the late 1840s, Jay was leading a fierce public battle against the Episcopal Church and its leadership over their decision to remain neutral on slavery and their exclusion of Black students. Gifting a classic, authoritative textbook on legal logic, construction, and justice to the church's primary seminary in 1848 was a sharp, intentional political statement. Jay was challenging the school's legalistic and conservative arguments using the very tools of classical legal logic.

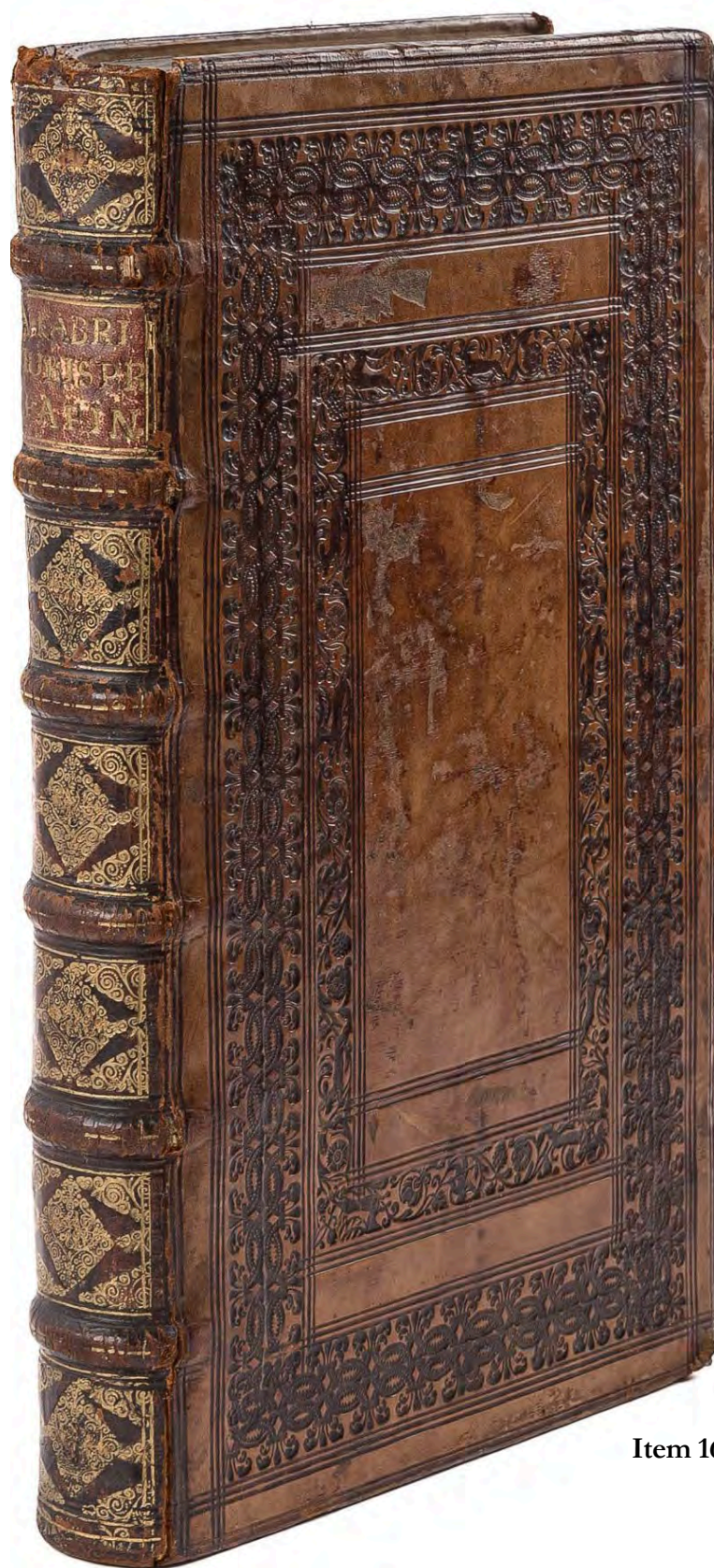
All early printings of this text remain exceptionally scarce. OCLC WorldCat records locate no physical copies of this specific 1591 Frankfurt edition in any library across North America.

Walker, *Oxford Companion to Law* 441-442. Dekkers, *Bibliotheca Belgica Juridica* 53.



Item 15

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Item 16

In a Superb Contemporary Binding, Owned by Two Distinguished Bibliophiles

16. Favre, Antoine [1557-1624].

Iurisprudentiae Papinianae Scientia, Ad Ordinem Institutionum Imperialium Efformata, In Qua Universum Ius Civile, Nova Methodo, Ad Propria & Indubitata Sua Principia Refertur, & Ex Iis Clarissimè ac Certissimè Demonstratur. Lyon: Sumptibus Philippi Borde, Laurentii Arnaud, & Claudii Rigaud, 1658. With a half-title. [viii], 644, [16] pp. Folio (14" x 8-1/2"; 35.7 x 21.6 cm).

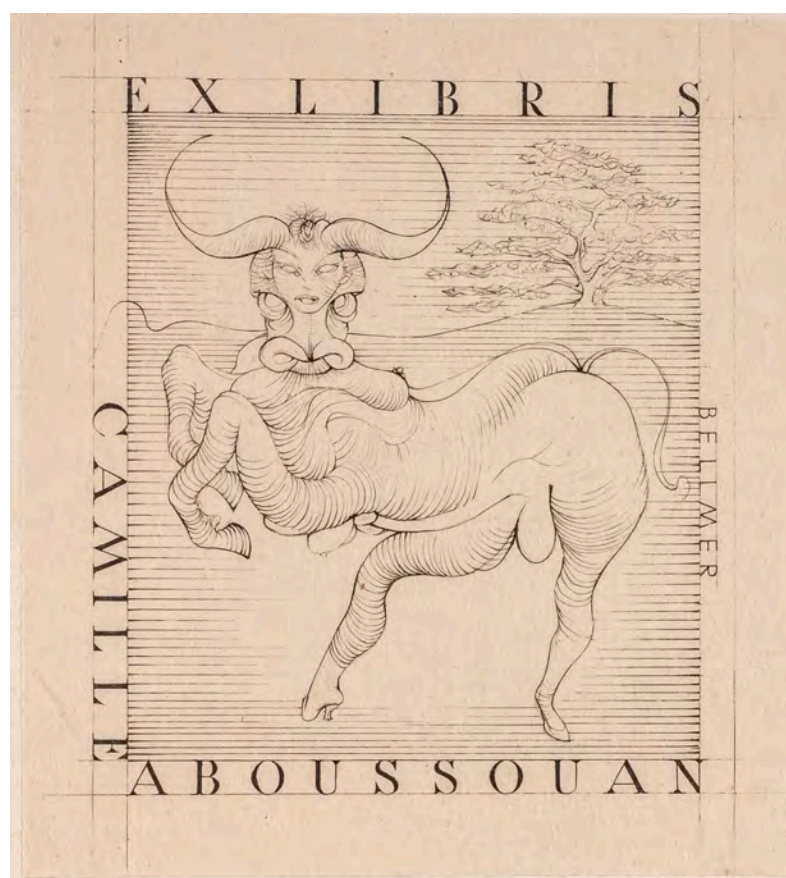
Contemporary or near-contemporary elaborately paneled calf, gilt spine with raised bands and lettering piece, edges of text block green. Moderate rubbing, joints starting at ends, slight chipping to head of spine, corners bumped and worn. Light toning to interior, occasional light foxing and unobtrusive faint dampstaining, light wear to corners of first few leaves. Tiny owner name, "de Tombeux," dated 1707, to front free endpaper along with later bookplate of Raoul Chandon de Brialles. Later bookplates to front pastedown and front free endpaper, along with inkstamps to half-title, foot of p. 19 and rear free endpaper, of Camille Aboussouan. A very good copy in a handsome binding that belonged to two distinguished bibliophiles. \$2,500.

* Later edition. Antoine Favre, First President of the Senate of Savoy, was one of the premier humanist jurists of the late Renaissance. Celebrated for his rigorous philological approach to historical legal texts, Favre is widely recognized by modern legal historians as the pioneer in the scientific study of textual interpolation in Roman law. Through painstaking textual criticism, he discovered hundreds of passages within Justinian's *Corpus Juris Civilis* that had been altered, corrupted, or deliberately omitted by medieval glossators and later Byzantine editors.

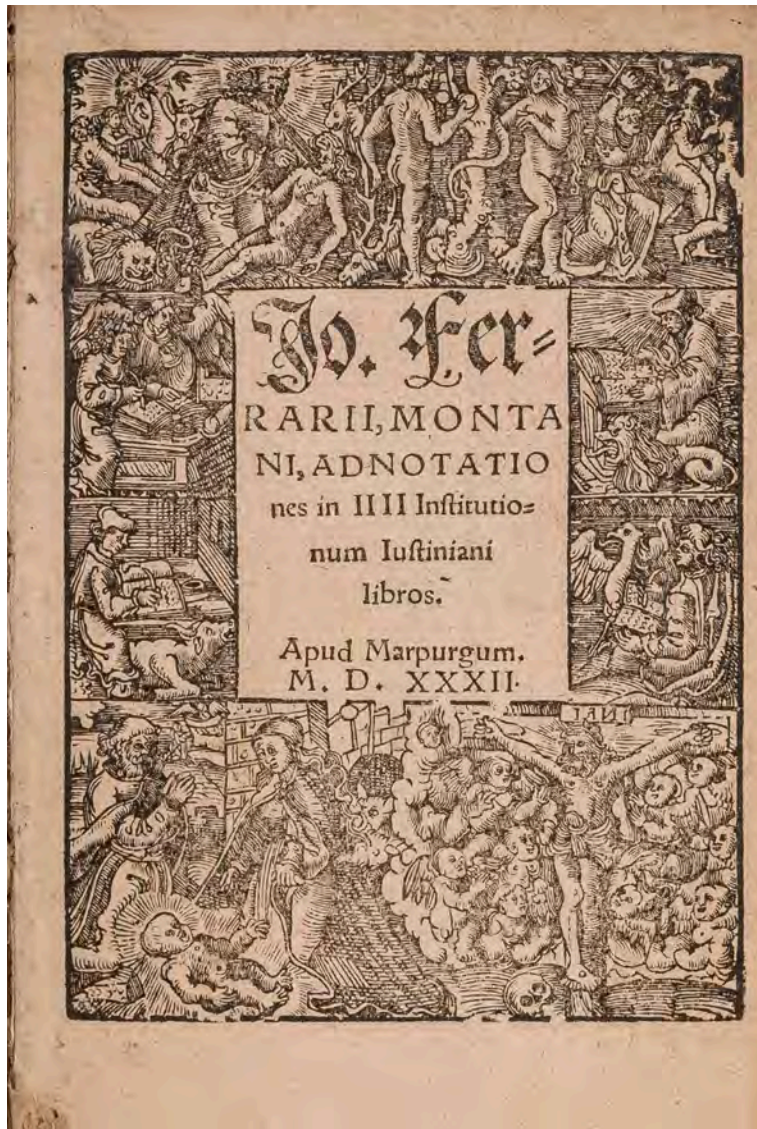
First published in 1607, the *Iurisprudentiae Papinianae Scientia* represents Favre's monumental synthesis of Roman jurisprudence. Using a novel geometric and deductive method (*nova methodo*), Favre systematically arranges civil law according to the structure of Justinian's Institutes, drawing primary authority from the writings of Aemilius Papinianus (c.142-212 CE)-arguably the greatest of all classical Roman jurists. By returning directly to Papinian's original principles, Favre sought to strip away centuries of scholastic commentary and demonstrate the inherent logical clarity of civil law.

Our copy had two distinguished later owners. Chandon de Brialles [1850-1908] was a French historian bibliophile and wine merchant who played a leading role in the champagne industry. Aboussouan [1919-2013] was an important Lebanese diplomat, lawyer, writer and bibliophile. He made important contributions to the literary and cultural life of Lebanon and France and served as Lebanon's permanent ambassador to UNESCO from 1983-1987. Much of his vast and impressive private library, including this volume, was sold at Sotheby's in 1993.

Universal Short-Title Catalogue 6066970.



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Renaissance Law in Blind-Tooled Pigskin: Rare First Editions by Leading Marburg and Leipzig Jurists

17. Ferrarius, Johannes [1486-1558].

Adnotationes in IIII Institutionum Iustiniani Libros. Marburg: [Fran. Rhodus Excudebat], 1532. [xvi], CCCXXXVI ff.

[Bound with]

Hegendorph, Christoph [1500-1540].

Libri Dialecticae Legalis Quinq[ue]. [Leipzig: Excudebat Nicolaus Faber, Typographus & Bibliopola], 1531. [120] ff.

Two works in one volume. Octavo (6" x 3-3/4"; 15 x 10 cm).

Contemporary blind-tooled pigskin over wooden boards, front board featuring black-stamped owner name (Joannes Taylenkes). Raised bands, early hand-lettered title and small early paper label to spine. Catch and lower clasp lacking; hand-lettered title to fore-edge of text block. Exterior lightly soiled with faint dampstain to front board; rubbing to extremities and minor worming to spine. Spine head chipped, corners bumped. Internal worming to pastedowns; free endpapers lacking. Moderate toning throughout, negligible foxing. Lower corner of f. CCXCIX in *Adnotationes* lacking, final leaf of *Libri Dialecticae Legalis* neatly mended, no loss to text. Early ink underlining, brief annotations and attractive manicules to several leaves, mostly in *Adnotationes*. Overall an appealing, well-preserved Renaissance legal sammelband. \$4,500.

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* First editions. A choice sammelband uniting two seminal legal texts from the dawn of Protestant Legal Humanism. It includes the landmark Justinian commentary printed in Marburg by the university's founding rector, alongside Hegendorph's pioneering textbook on legal dialectic printed in Leipzig.

Ferrarius (Montanus) was a monumental figure in 16th-century jurisprudence and educational reform. Appointed by Landgrave Philip the Magnanimous as the founding rector of the University of Marburg in 1527-the world's first Protestant university-Ferrarius sought to harmonize classical Roman law with Reformation principles. His *Adnotationes* offers a systematic, humanist commentary on Justinian's *Institutes*, shifting away from medieval scholastic glosses toward clarity, philological precision, and practical legal synthesis. Printed by Franz Rhode (Marburg's first university printer), this 1532 edition represents one of two true first-edition imprints issued that year, serving as a fundamental textbook for the new generation of Protestant jurists.

Hegendorph (Hegendorff) was a brilliant Neo-Latin poet, theologian, and legal scholar who studied under Petrus Mosellanus at Leipzig. Written as an instructive manual for his university pupils, the *Libri Dialecticae Legalis* applied classical Rudolph Agricolan rhetoric and dialectic directly to the study and practice of law. Divided into five books, Hegendorph's text broke new ground by teaching students how to construct formal legal arguments, analyze statutes logically, and navigate disputes. Printed by Nicolaus Faber in Leipzig, this first edition proved enormously influential across German-speaking territories, establishing legal dialectic as a core pillar of early modern legal education.

This volume offers exceptional contextual continuity through its early humanist ownership. The volume preserves evidence of belonging to Johann Taylenkes, a notable Renaissance scholar originating from Pressburg (modern-day Bratislava). Taylenkes earned his Master of Arts from the University of Vienna in 1518-a vibrant hub of Central European legal humanism-and subsequently served as a legal procurator/representative for the elite Imperial Abbeys of Niedermünster and Obermünster in Regensburg. His ownership underscores how these freshly printed legal and pedagogical reforms quickly migrated across regional university centers and monastic diplomatic networks.

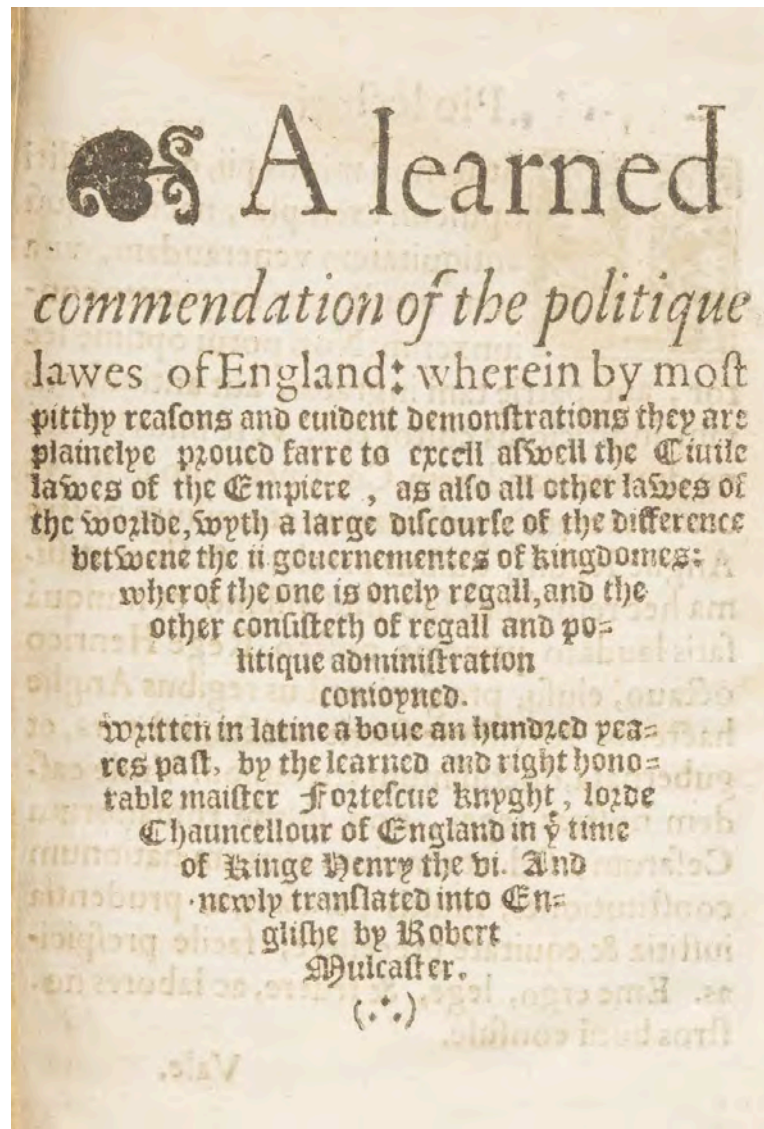
Neither OCLC nor the *Universal Short-Title Catalogue* locate any copies of these editions in North America. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* E 874 (Ferrarius); H 1200 (Hegendorph). *Universal Short-Title Catalogue* 669205, 671871.





Item 17

View Additional Images or Order This Item <https://www.lawbookexchange.com/details.php?record=83280>



18. Early Edition of Fortescue's *De Laudibus*

Fortescue, Sir John [1394?-1476?].

Mulcaster, Robert [16th. c.], Translator.

A Learned Commendation of the Politique Lawes of England:

Wherein by Most Pitthy Reasons and Evident Demonstrations They are Plainehe Proved Farre to Excell as Well the Civile Lawes of the Emperie, As Also All Other Lawes of the Worlde, Wyth a Large Discourse of the Difference Betwene the ii Governementes of Kingdomes: Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conioyned. Written in Latine Above an Hundred Yeares Past, By the Learned and Right Honorable Maister Fortescue Knyght, Lorde Chauncellour of England in ye Time of Kinge Henry VI. And Newly Translated into Englishe by Robert Mulcaster. [London: Imprinted...In Fleetestrete, Within Temple Barre, At the Signe of the Hande and Starre, by Richarde Tottell, 1573]. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-3/4").

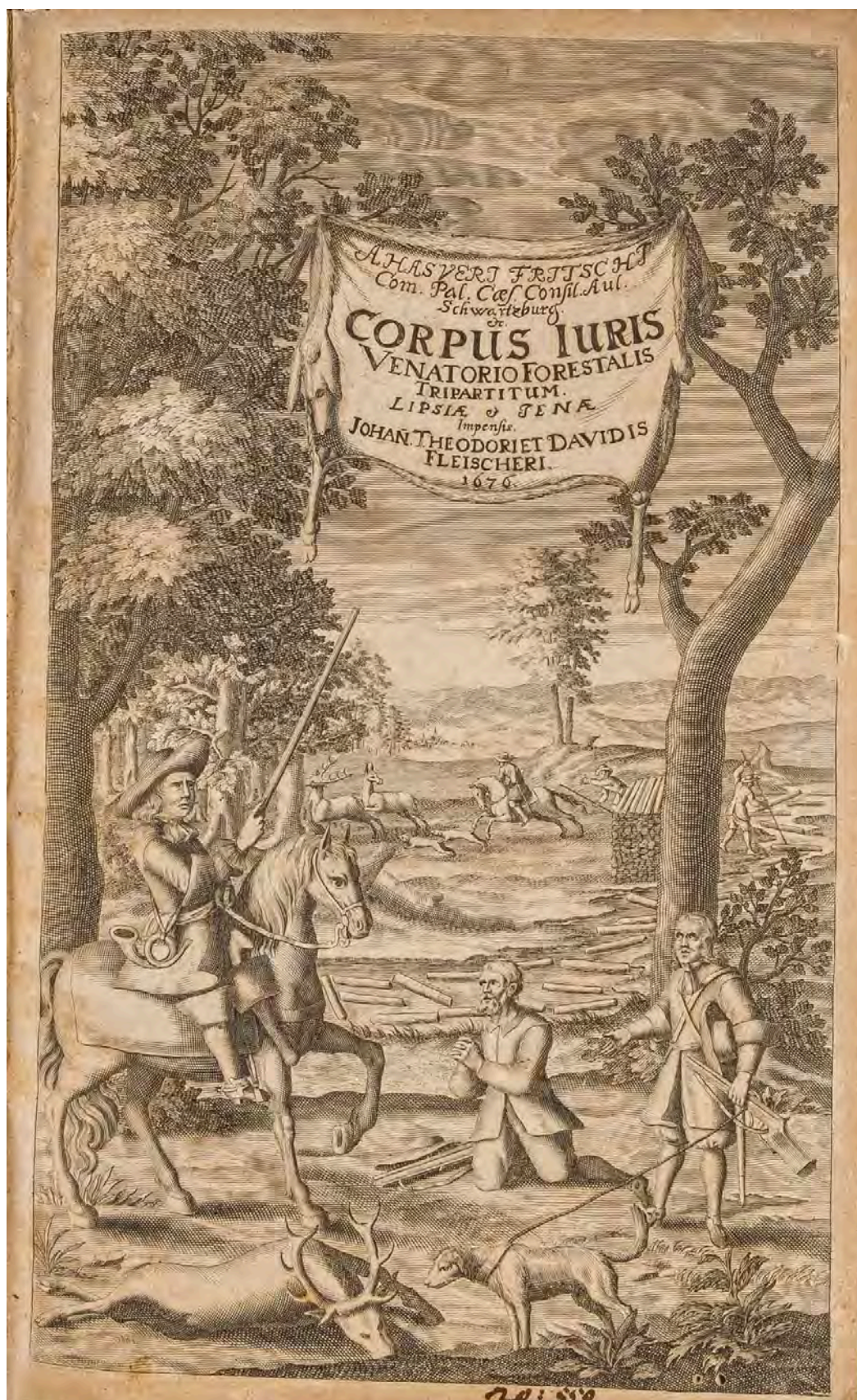
Contemporary paneled calf, rebacked retaining existing spine, fragments of thong ties to fore-edges of boards, faint early hand-lettered title to fore-edge of text block. A few minor scuffs to boards, some rubbing to spine and extremities, corners bumped, some loss to edges of pastedowns, hinges partially cracked. Moderate toning, non-obtrusive faint dampstaining to a few sections of text. An attractive copy. \$3,000.

* Second edition in English. *De Laudibus Legum Angliae* (c.1470), a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in dialogue form, it compares the common and Roman systems and argues that the common law is the oldest and most reasonable legal system in Europe. The first work to examine trial by jury and the Inns of Court at length, it also extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first printed in 1567. As Marvin notes, "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, *Legal Bibliography* 321. *English Short-Title Catalogue* S102542. Beale, *A Bibliography of Early English Law Books* T358.



View Additional Images or Order This Item <https://www.lawbookexchange.com/details.php?record=74150>



Item 19

This Copy From One of the Most Significant Private Collections of Hunting Literature ever Assembled

19. Fritsch, Ahasver [1629-1701].

Corpus Juris Venatorio-Forestalis, Tripartitum... [A three-part compilation containing: I. treatises of various authors on forest and hunting law; II. consilia, decisions, and legal questions on the same subject; III. forest ordinances and edicts of the Electors, princes, and estates of the Empire.]

Jena: Literis Samuelis Adolphi Mülleri, 1676.

Second edition. Folio (12-1/2" x 7-1/2"; 31.75 x 19 cm). [xiv], 114, 47, 68, 219, 284, 52 pp. Main text in parallel columns. Contemporary sheep over blind-ruled boards, raised bands, "97" gilt-stamped to front board, small later shelf label to spine. Light rubbing and minor scuffing, small chip at head of front board. Later bookplate of the noted German bibliophile Johannes (Hans) Dedi to front pastedown. Engraved copperplate pictorial title page followed by a secondary title printed in red and black. Moderate toning and occasional foxing. A very good, crisp copy in a contemporary binding. \$1,800.

* Scarce second edition (first published 1675) of this monumental three-part survey of German hunting and forestry law. Ahasver Fritsch, a prolific jurist and Chancellor of Schwarzburg-Rudolstadt, here synthesizes centuries of legal tradition into a comprehensive administrative framework. The work includes seven treatises on the fundamental legal principles of forest jurisdiction, thirty consilia and landmark judicial decisions and twenty forest ordinances promulgated by the electors, princes, and estates of the Holy Roman Empire.

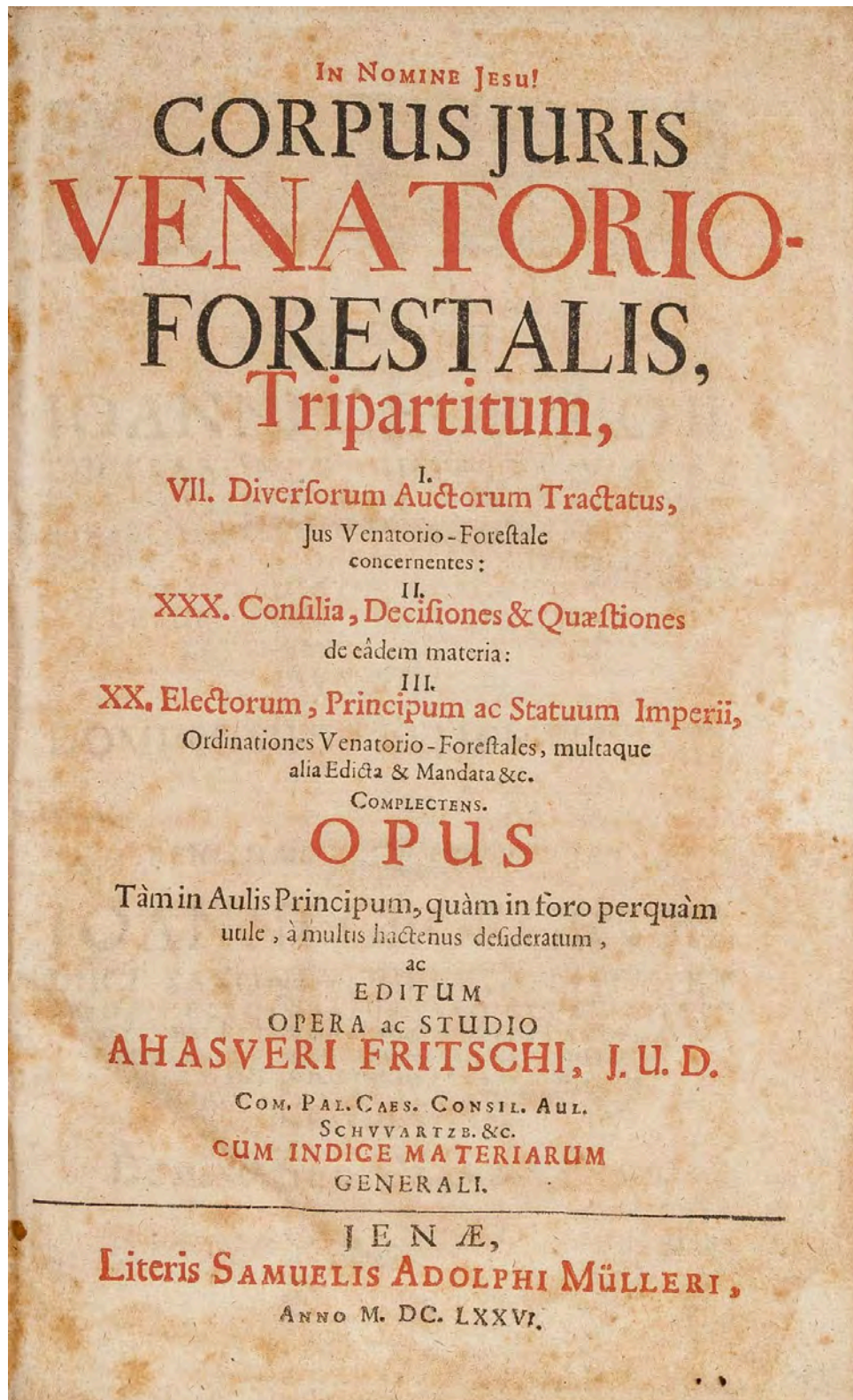
The *Corpus Juris* serves as a primary record of the transition from medieval custom to codified early modern resource management. It details the complex hierarchy of *Regalia* (sovereign rights), specifically the "the privilege of the chase," the strict administration of timber and land use, and the increasingly severe penalties for poaching.

The work is celebrated for its elaborate engraved title page, which functions as a visual legal memorandum. It depicts an official pointing to the law, fittingly inscribed upon a stretched deerskin, while rebuking a captured poacher. This scene serves as a dramatic personification of the doctrine *ignorantia juris non excusat*, asserting that the forest's inhabitants were legally bound to the statutes of the sovereign.

From the library of Johannes (Hans) Dedi [1918-2016], the renowned German entrepreneur and bibliophile. Dedi's library was widely regarded as one of the most significant private collections of *Jagdliteratur* (hunting literature) ever assembled, characterized by a rigorous standard for both historical importance and condition.

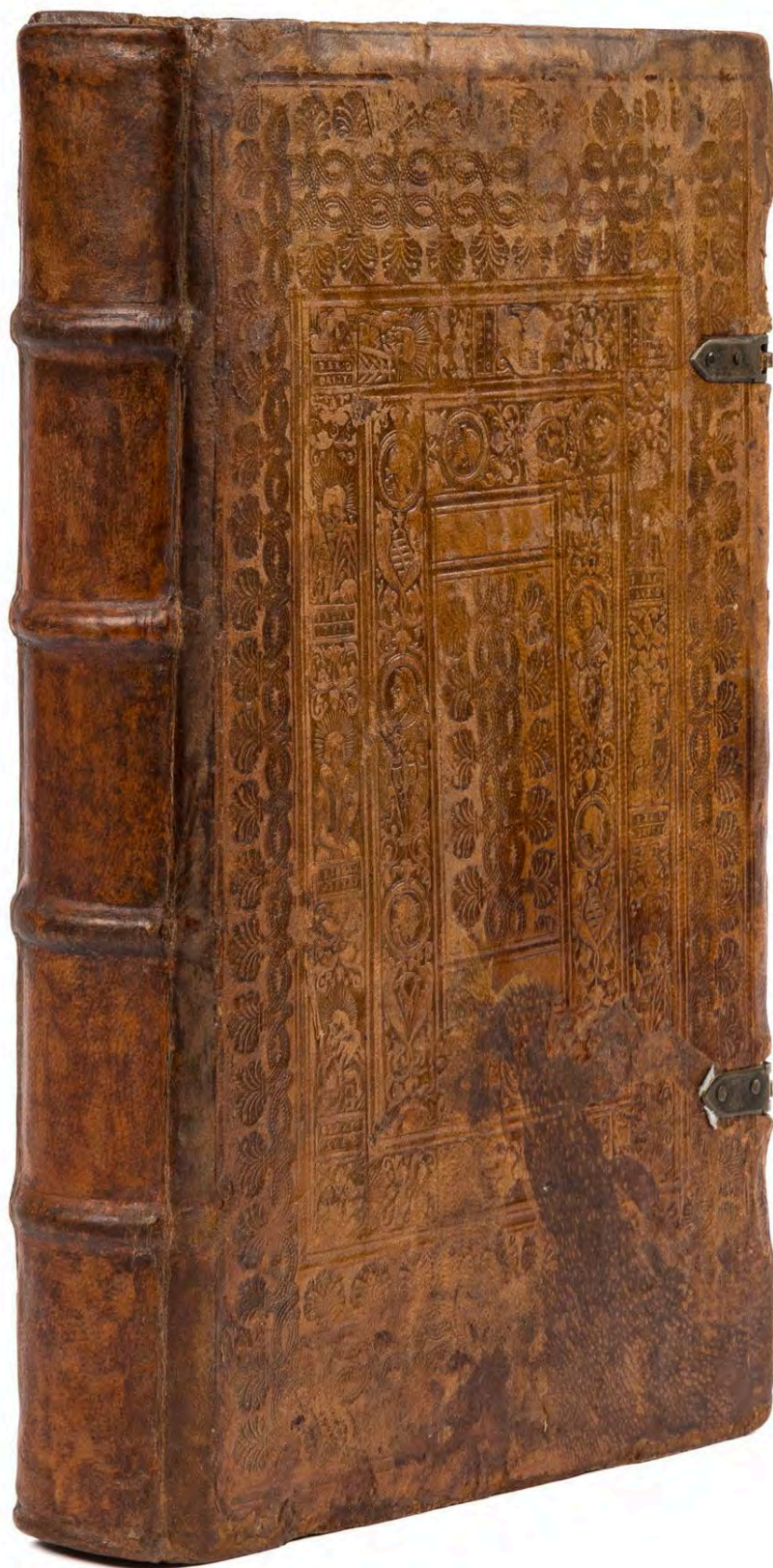
OCLC records only three copies of this edition in North American law libraries (Harvard, Berkeley, Yale). *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 1:015426N.





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**The Law of Arms: Fronsberger's Military Code of the Holy Roman Empire (1565).
Featuring 6 Grand Folding Plates by Jost Amman & Provenance of the Werdenstein Library**

20. Fronsberger, Leonhardt.

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

Von Kayserlichem Kriegßrechten, Malefitz und Schuldbündlen, Ordnung und Regiment: Samt Derselbigen unnd Andern hoch oder Niderigen Benelch, Bestallung, Stabt und Empter, Zu Rossz und Fuß, An Geschütz und Munition, In Zug und Schlachtordnung, Zu Feld, Berg, Thal, Wasser und Land, Vor oder in Besatzungen, Gegen oder von Feinden Fürzunemen, Welcher Art Sitten Herkommen und Gebrauch, Under und bey Regierung deß Allerdurchleuchtigstenm Großmächtigsten, Unüberwindlichsten, Und Kriegßerfabrnen berümpftisten Römischen Keyßers Caroli deß Fünfftien.... Frankfurt: [Georg Raben, In Verlegung Sigmund Feyerabends und Simon Hüters], 1565.

Folio (12" x 7-3/4"; 305 x 197 mm). [iv], CCLI, XXI, [7] ff. 6 copperplate folding plates by Jost Amman. Woodcut text illustrations. Bound in contemporary paneled calf, expertly rebaced in period style with raised bands to the spine. The clasps have been restored, the hinges mended, and the preliminaries and following gathering neatly re-hinged. There is some scuffing to the boards along with wear to the edges and corners. The front hinge is starting. The title page features a large woodcut vignette printed in red and black, with a neat, later owner's name lettered below the imprint date and a professional repair to the upper corner. Internally, the text exhibits moderate toning, light foxing in places, and light edgewear to a few leaves at the beginning of the text. It remains a very appealing, complete copy featuring all of the expansive folding plates, which are frequently lacking from surviving examples. \$8,500.

* This is the definitive third edition of Leonhardt Fronsberger's monumental military and naval code for the Holy Roman Empire, marking its initial printing to be richly illustrated by the Renaissance master Jost Amman. Beyond its foundational legal importance as the standard 16th-century manual on the laws of arms and military discipline, this edition stands as a pinnacle of Renaissance graphic arts. Amman's six grand panoramic copperplates provide a meticulous, sweeping look into early modern warfare, capturing sprawling encampments and chaotic land and sea battles with unparalleled technical precision.

This specific copy boasts a highly significant dual provenance that anchors it directly to the cultural and geopolitical fractures of the era. A tiny inscription beneath the title imprint reads "H.G.V. Werdenstein," denoting the personal ownership of the celebrated German humanist, book collector, and Augsburg cathedral canon Hans Georg von Werdenstein (1542-1608). Werdenstein's famed private library was progressively acquired by the Bavarian rulers. This volume explicitly transitioned into institutional custody as evidenced by the large, ornate armorial bookplate pasted inside the front board, dated 1618-the inaugural year of the devastating Thirty Years' War. The arrival of Fronsberger's explicit manual on the legal regulations and mechanics of war into the Bavarian Ducal Library just as Europe descended into one of its bloodiest religious and geopolitical conflicts provides a haunting historical coincidence.

Complete copies with all six plates intact are exceptionally rare; OCLC locates just 11 copies of this 1565 edition worldwide, with none recorded in North American institutions.

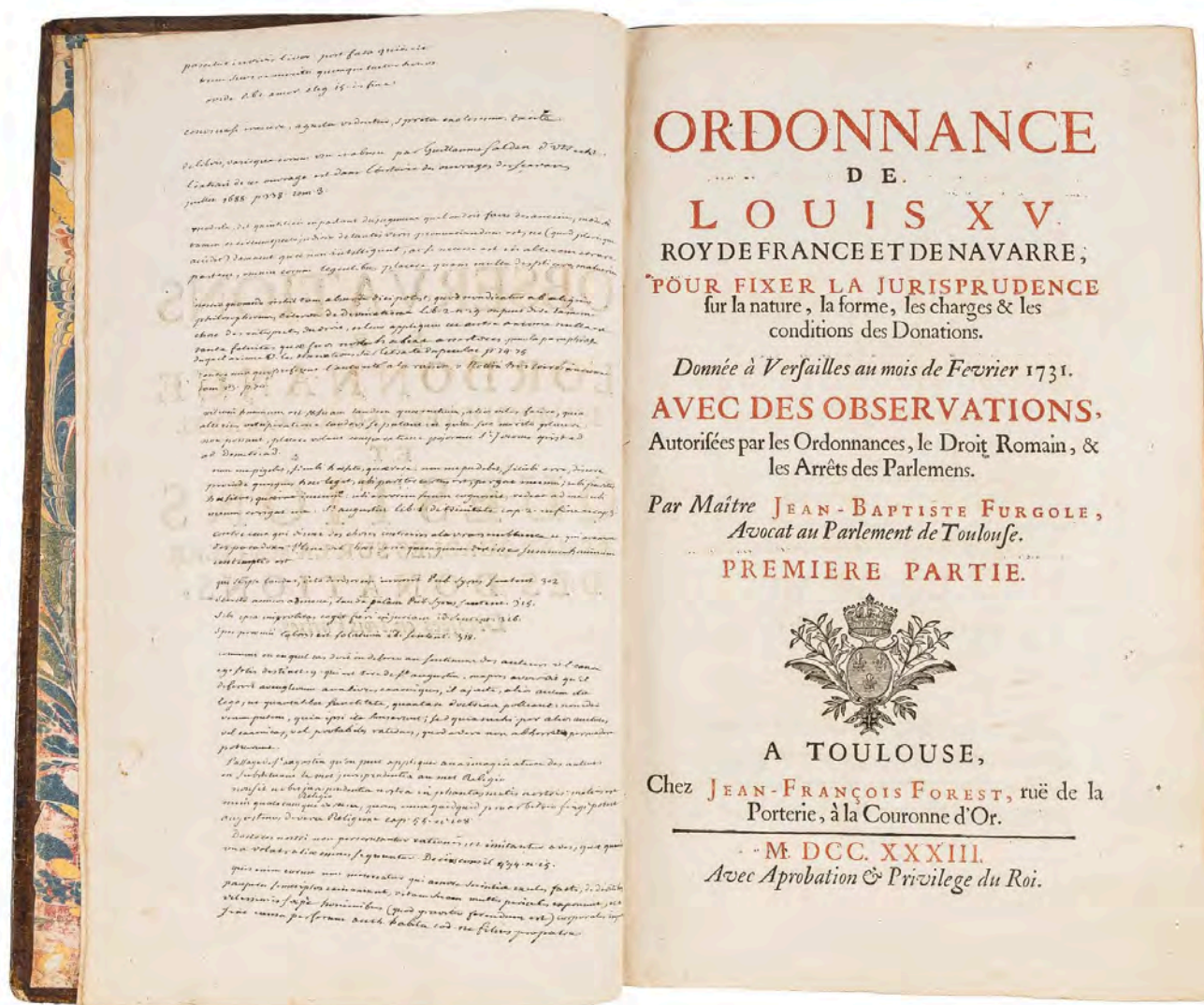
OCLC locates 11 copies of this edition, none in North America. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* F3118.





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Commentary on Louis XV's 1731 Ordonnance Concerning Donations and Gifts Heavily Annotated by Its Author

21. Furgole, Jean-Baptiste [1690-1761], Commentary.

Ordonnance de Louis XV. Roy de France et de Navarre pour fixer la jurisprudence sur la Nature, La forme, Les Charges et les Conditions des Donations. Donnée à Versailles au Mois de Février 1731. Avec des Observations, Autorisées par les Ordonnances, Le Droit Romain, & Les Arrêts des Parlemens. Toulouse: Chez Jean-François Forest, Ruë de la Porterie, à la Couronne d'Or, 1733.

First edition. Folio (15" x 9"; 37.5 x 22.5 cm). Three parts. [xii], 195; [6], 115; [2], 208 pp.

Contemporary mottled calf, spine heavily gilt in compartments with raised bands and a morocco lettering piece, gilt-tooled board edges, marbled endpapers.

Moderate external rubbing with some wear to the spine ends and corners; joints starting at the extremities, with hinges cracked but holding. Internally, a clean copy with light, uniform toning. Heavily annotated throughout in a neat, contemporary minuscule hand, virtually certain to be Furgole's own, affecting approximately 50% of the text. An exceptional, entirely un-restored copy of profound legal-historical significance. \$7,500.

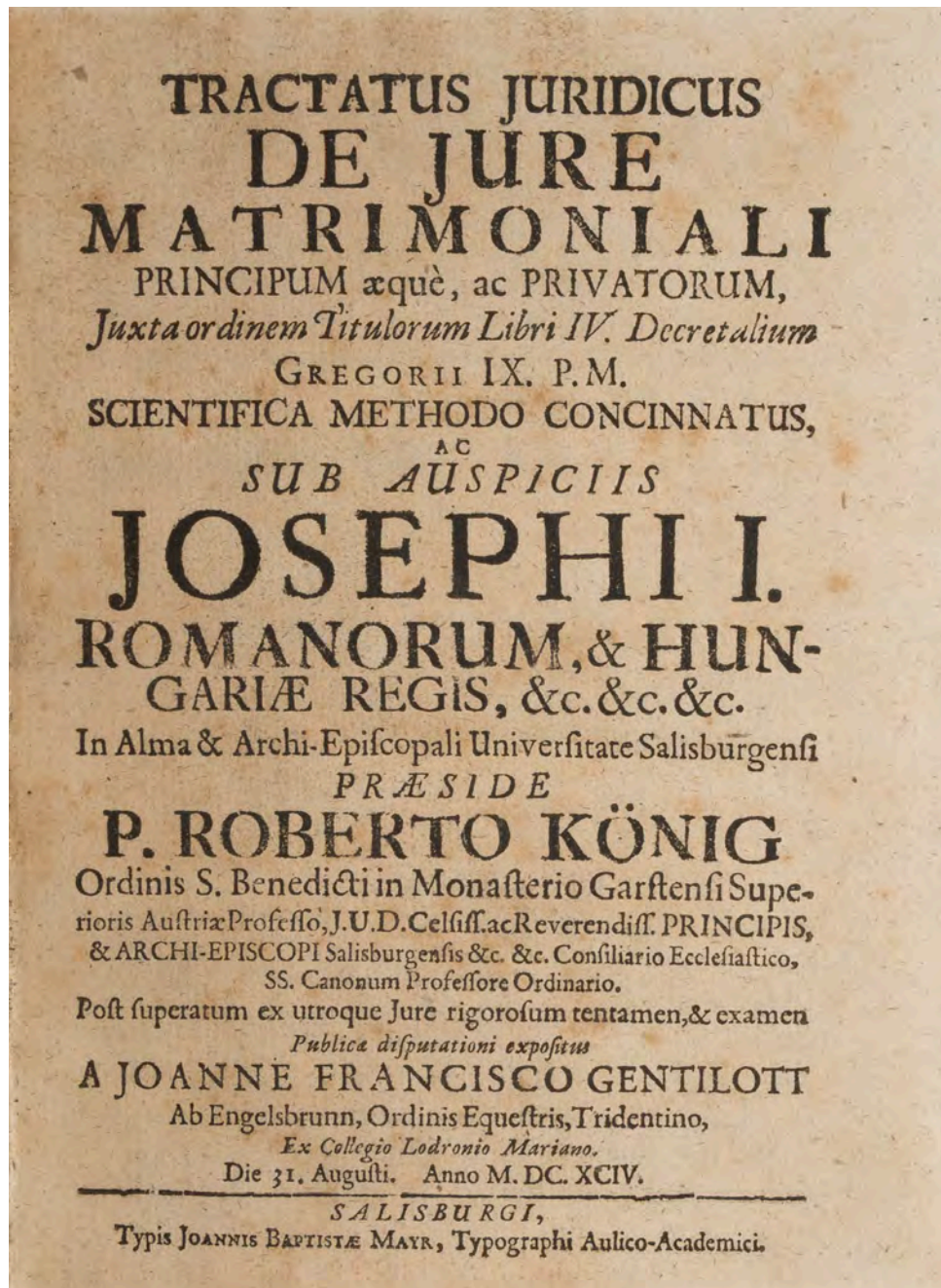
* Issued under the direction of Chancellor d'Aguesseau, the 1731 Ordinance represented a monumental, historic effort to unify French gift and inheritance law, bridging the stark structural divides between the customary law of the north and the written law of the south. Furgole, a brilliant jurist from Toulouse, was originally commissioned by local magistrates to respond to the legislation on behalf of the Parliament of Toulouse. While his sharp defenses of royal centralization eventually earned him an appointment as chief magistrate by Louis XV in 1754, his skepticism toward traditional Roman law deeply alienated his local peers, who repeatedly blocked his election as bâtonnier (head of the bar).

Extensive internal and textual evidence demonstrates that this volume served as Furgole's personal working copy, utilized over nearly three decades to systematically revise, correct, and expand the text for the posthumous second edition eventually published by Antoine Brosses in 1761. The dense marginalia, textual corrections, and lengthy commentary in this copy correspond directly to the updated arguments and expanded revisions found in that 1761 printing. This direct genetic link is explicitly supported by the preface to the 1761 edition, where the publisher notes that following the initial 1733 release, Furgole immediately "prepared to correct the errors that had slipped into it; today we publish the fruit of several years' work." Furthermore, the 1761 edition utilizes printed manicules (pointing hands) to flag "considerable additions," insertions that visibly mirror the exact locations and content of the dense annotation clusters and draft inserts found in the margins of this copy. Retaining numerous textual variations and intermediate drafts that were ultimately omitted from the final 1761 print run, this volume offers an intimate, unedited, and unparalleled look into the evolving working methods of one of the eighteenth century's most significant legal minds.



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A Rare 1694 Salzburg Canon Law Treatise on Royal and Private Marriage,
Bound in Full Blind-Paneled Pigskin with Intact Brass Clasps

22. Gentilott von Engelsbrunn, Johannes Franz.

König, Robert [1658-1713], Dissertation Advisor.

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

Salzburg: Typis Joannis Baptistae Mayr, Typographi Aulico-Academici, 1694.

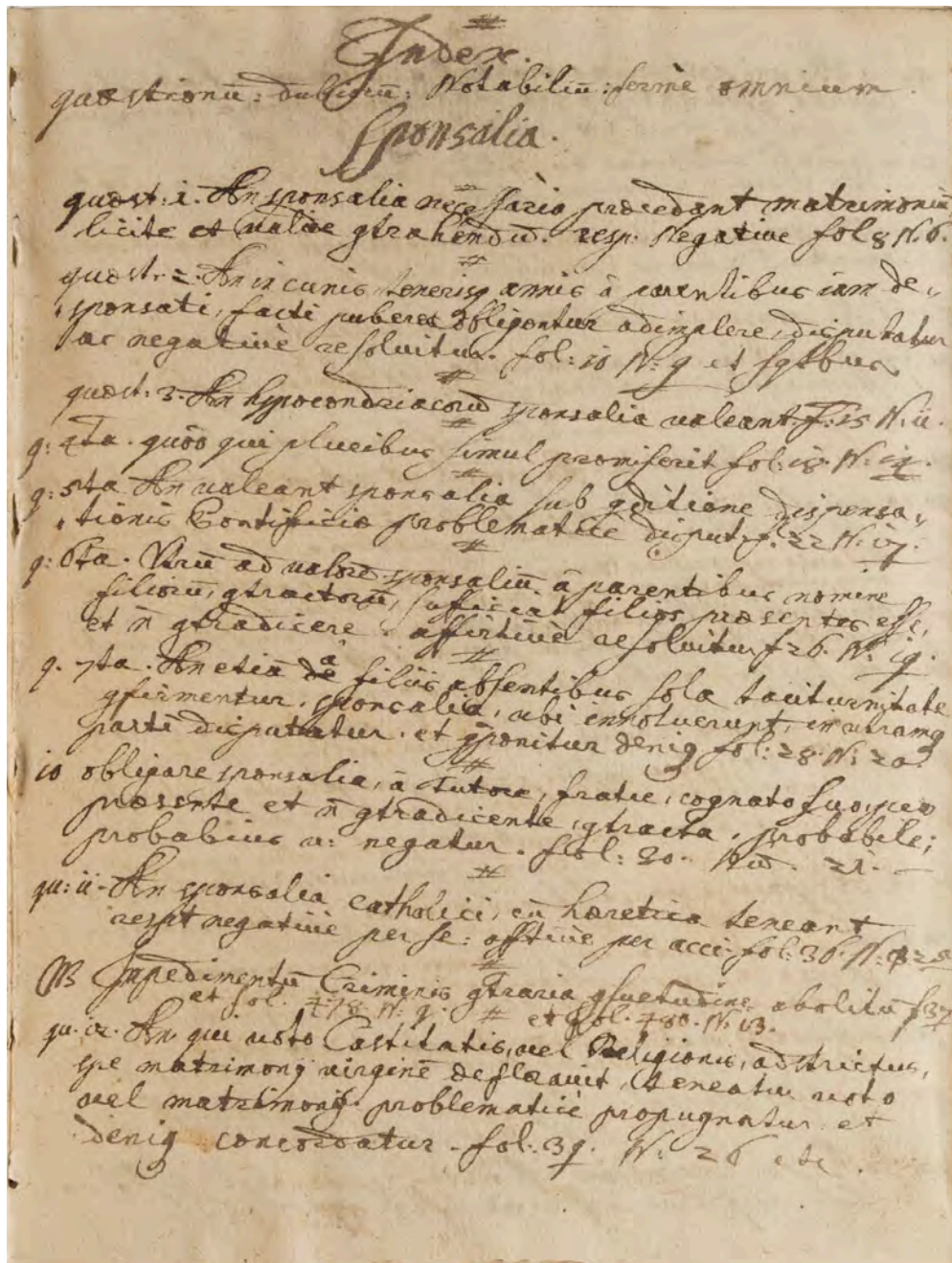
Only edition. Quarto (7-3/4" x 5-1/2"; 20 x 14 cm). [xxxii], 559, [1] pp. Contemporary paneled pigskin, brass clasps to fore-edges, raised bands, faint early hand-lettered title to spine, edges colored green. Light soiling and a few small faint spots and stains to boards, light rubbing to extremities, light wear to raised bands, spine ends and corners, small faint dampstains to head of text block, front hinge starting, a few small wormholes to rear pastedowns, early manuscript index to endleaves. Moderate toning to interior, occasional light foxing. A very good copy of a rare title. \$1,500.

* This work represents a remarkable artifact of late seventeenth-century jurisprudence, reflecting the intricate intersections of academic culture, canon law, and early modern geopolitics. Robert König, a prominent Benedictine professor of canon law at the University of Salzburg, served as the *praeses* for this disputation. In the early modern academic system of the Holy Roman Empire, the *praeses* was typically the primary intellectual architect or actual author of the text, while the student respondent here, Johannes Franz Gentilott von Engelsbrunn-funded the printing and publicly defended the arguments to secure his doctoral degree. The publication of such an expansive, multi-hundred-page tractate is highly atypical for the era. Most contemporary academic theses were issued as brief pamphlets confined to narrow, singular legal points. By publishing an exhaustive, systematic commentary on Book IV of the *Decretals of Gregory IX*, König and Gentilott von Engelsbrunn produced a comprehensive manual capable of serving as a definitive reference work for ecclesiastical courts.

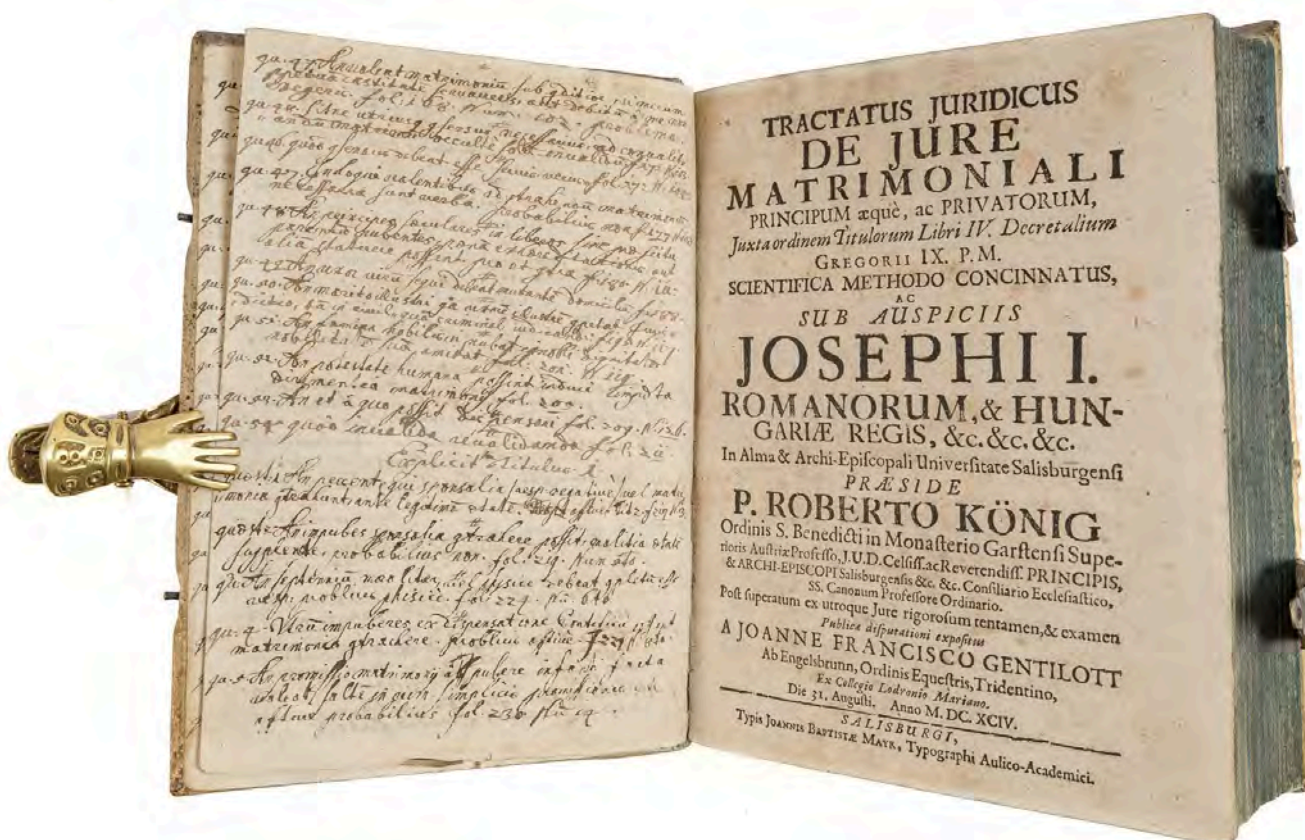
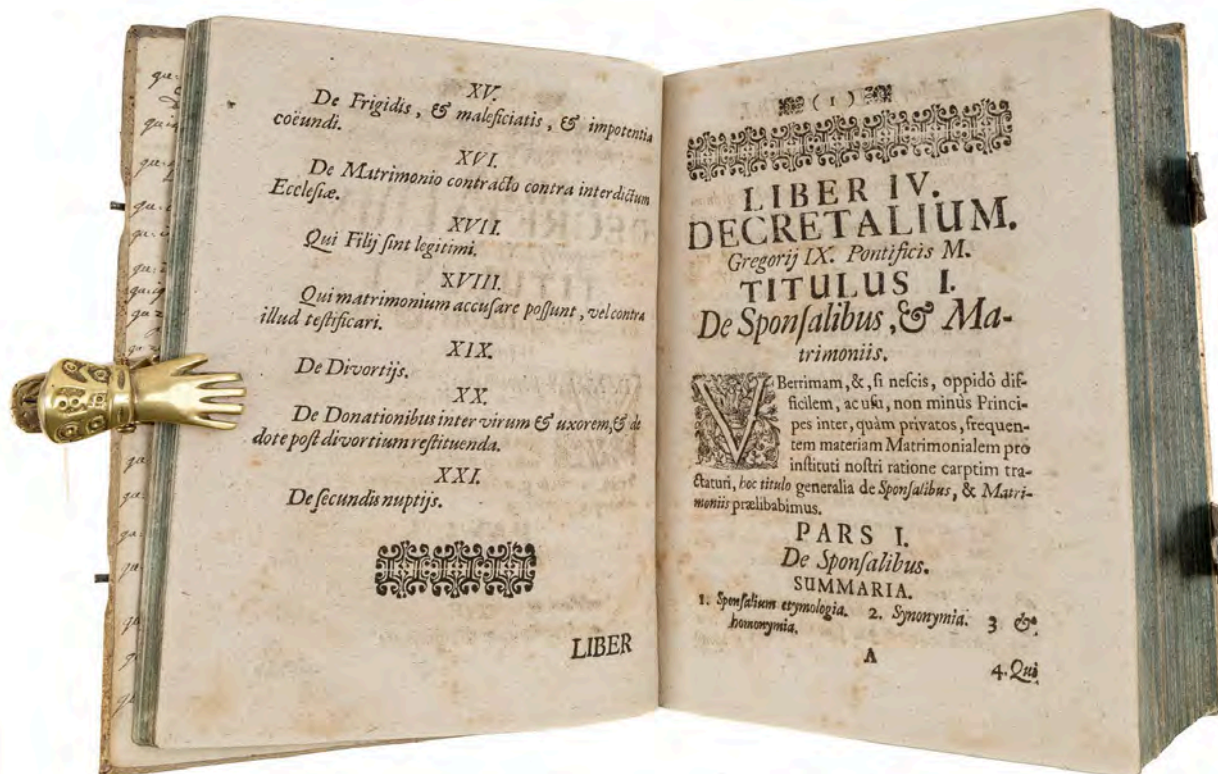
Beyond its academic structure, the treatise carries significant socio-political weight by explicitly addressing the matrimonial laws of both sovereign rulers and private citizens. In the Baroque era, royal and princely marriages were vital instruments of statecraft, acting as the foundation for territorial alliances, peace treaties, and dynastic successions. Questions concerning the validity of a royal marriage, the parameters of child betrothals, and the dispensations required for complex degrees of consanguinity were not merely theological debates; they were matters of high international diplomacy. A single disputed annulment or allegation of non-consummation could destabilize a realm or spark a succession war. By framing these sensitive issues under the auspices of Joseph I, King of the Romans and of Hungary, the text aligns itself with the prevailing political framework of the Habsburg Empire, illustrating how Canon law was weaponized and negotiated at the highest levels of European power.

The physical production of the volume further underscores its historical importance within the landscape of early modern book history. Printed by Johann Baptist Mayr, the official court and academic printer in Salzburg, this quarto edition reflects the high typographical standards maintained by the Prince-Archbishopric of Salzburg, a powerhouse of Counter-Reformation scholarship and Benedictine education. The book's binding-heavy blind-paneled pigskin over sturdy wooden boards with functional brass clasps-is a quintessential example of a durable Germanic academic binding designed to withstand centuries of heavy consultation. The inclusion of an early manuscript index on the endleaves confirms that this specific copy was bound for a contemporary legal practitioner or institutional library, serving as an active working tool in the administration of Catholic matrimonial justice during a turbulent period of European legal history.

OCLC locates 11 copies, 2 in North America (Harvard Law School, University of Alberta). *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 12:170216V.



Item 22



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Tabula tractatus de Arte notariatus.	
Quid sit ars notariatus.	Caplo.j.
Quid sit notarius; et unde dicatur.	Cap.ij.
Quibus modis notarius appellatur a iure.	Cap.iii.
Qui sunt et qui debent esse notarij.	Cap.iiij.
Cuius auctoritate conficiantur.	Cap.v.
Que sunt seruanda a notario.	Cap.vj.
A quibus notarius debet se abstinere.	Cap.vij.
Quid sit indictio; et unde dicatur.	Cap.viii.
Quid sit contractus.	Cap.ix.
Quid sit obligatio.	Cap.x.
Quid sit consuetudo.	Cap.xi.
Quid sit stipulatio.	Cap.xij.
Quid sit testamentum.	Cap.xiiij.
De diuisione testamenti.	Cap.xiiij.
Qui non possunt testari.	Cap.xv.
Quid sit codicillus.	Cap.xvi.
Quid sit forma codicilli; et qd possit facere codicillu.	Cap.xvii.
In quibus codicilla differant a testamento.	Cap.xviii.
Qui testes sunt necessarij in testamento.	Cap.xix.
Quando testamentum non ualet.	Cap.xx.
Qualiter parentes possunt exheredare pueros.	Cap.xxi.
Qui filij possunt exheredare parentes.	Cap.xxii.
De instrumento emancipationis.	Cap.xxiiij.
De donationibus.	Cap.xxiiij.
De forma testatoris in testamento.	Cap.xxv.
De arbitrio et eius forma.	Cap.xxvi.
Capitulū primū quid sit ars notariatus.	
Ars notariatus est scribendi et dictandi per quā fragilitatis hu- mane negotia roborantur; et perhenni memorię cōmendantur. Et est notandus qd unusquisq; discretus Notarius siue tabellio quod idem est; quādo ipse requiritur ad al' quē actum scribendi; debet bene prius considerare; et infra archana sue mentis reuol- uere specialiter quinq;. Primo cōditiones et etates eorū qui cō- trahunt; vel ad quid se obligāt. Secūdo ad beneficia renuntiada	

Unrecorded in North America: A Towering Roman Post-Incunabula Rarity of the Foundational *Ars Notariatus*

23. Grassus, Antonius (d. 1491), Attributed to.

Ars Notariatus. [Rome: Eucario Silber, c. 1500-1509].

Slim Quarto (8.2" x 5.2"; 207 mm x 133 mm). [12] pp. Complete. Single quire of six leaves: a6. Issued without title page, text begins on leaf a1r with the Tabula. Printed in single column, 35 lines per page, utilizing Silber's celebrated Gothic Rotunda type (6*:86G/M88). Bound in slightly oversized twentieth-century marbled paper wrappers with a printed paper label to the front cover. Minor fading and rubbing to wrappers. Internal text block crisp with ample margins; minor age-toning, light marginal foxing, and faint hand-soiling. Leaf a1r with a few letters in the Tabula neatly obscured due to a minor, stable historical adhesion/abrasion; small, early manuscript marginalia to fore-margin of leaf a4r. A solid, genuine, and

remarkably well-preserved copy of a towering rarity in Renaissance Roman printing. \$1,500.

An Unrecorded Survival in North America

An extraordinary, highly rare post-incunabulum Roman edition of this foundational late-medieval manual on the notarial arts. The Universal Short Title Catalogue (USTC) tracks a mere three surviving copies globally, all tightly held within Italian institutional libraries (Censimento Nazionale 3175; OPAC CNCE003175). No copies are recorded in North American or British repositories.

While printed anonymously in the tradition of early legal ephemera and pamphlets, the *Ars Notariatus* is traditionally attributed to Antonius Grassus, the eminent judge of the Apostolic Tribunal of the Rota Romana, professor of Canon Law at Bologna (1472), Chancellor to Pope Sixtus IV, and Bishop of Tivoli. First printed in Rome by Sachsel and Golsch in 1474, the text served as the definitive, everyday desk reference for the late-medieval legal professional, establishing the procedural and ethical bedrock that would later inspire the Holy Roman Empire's foundational *Reichsnotariatsordnung* of 1512.

Legal Status and Social Insights

Comprising 26 concise chapters, Grassus's manual defines the notarial craft as a sacred civic shield: "the art of being a notary is the art of writing and expressing arguments in writing so as to straighten the complexities of human frailty and commit them to perennial memory."

The text outlines stringent socio-legal entry criteria for the profession, dictating that a candidate must be a free man, explicitly not of peasant or agrarian stock, unencumbered by holy orders, structurally independent, compos mentis (specifically citing a disqualification for those prone to excessive anger), and possessing unblemished physical sight and hearing.

Beyond dry procedural mandates for stipulations, contracts, and arbitrations, the *Ars Notariatus* provides a vivid window into early modern social history, specifically detailing the intricacies of last wills, testaments, and the forfeiture of inheritance (e.g., the statutory decree that if a son refuses to ransom his captive father from the "Saracens" and the father perishes in prison, the entire estate is legally diverted to the Church).

Typographical and Bibliographical Context

The volume is a superb specimen from the press of Eucario Silber (active in Rome from 1480 until his death in 1509, whereupon the business passed to his son Marcello). Silber was an essential printer for the Roman Curia and humanistic circles. The distinctive Gothic Rotunda face used here (G6{*}):86G/M88, per Tinto) was employed exclusively between 1490 and 1510, perfectly straddling the incunabula/post-incunabula boundary. Scholars occasionally link variant manuscript traditions of this manual to the French jurist Johannes de Gradibus, rendering this precise Roman imprint a compelling artifact for unresolved textual and attribution research.

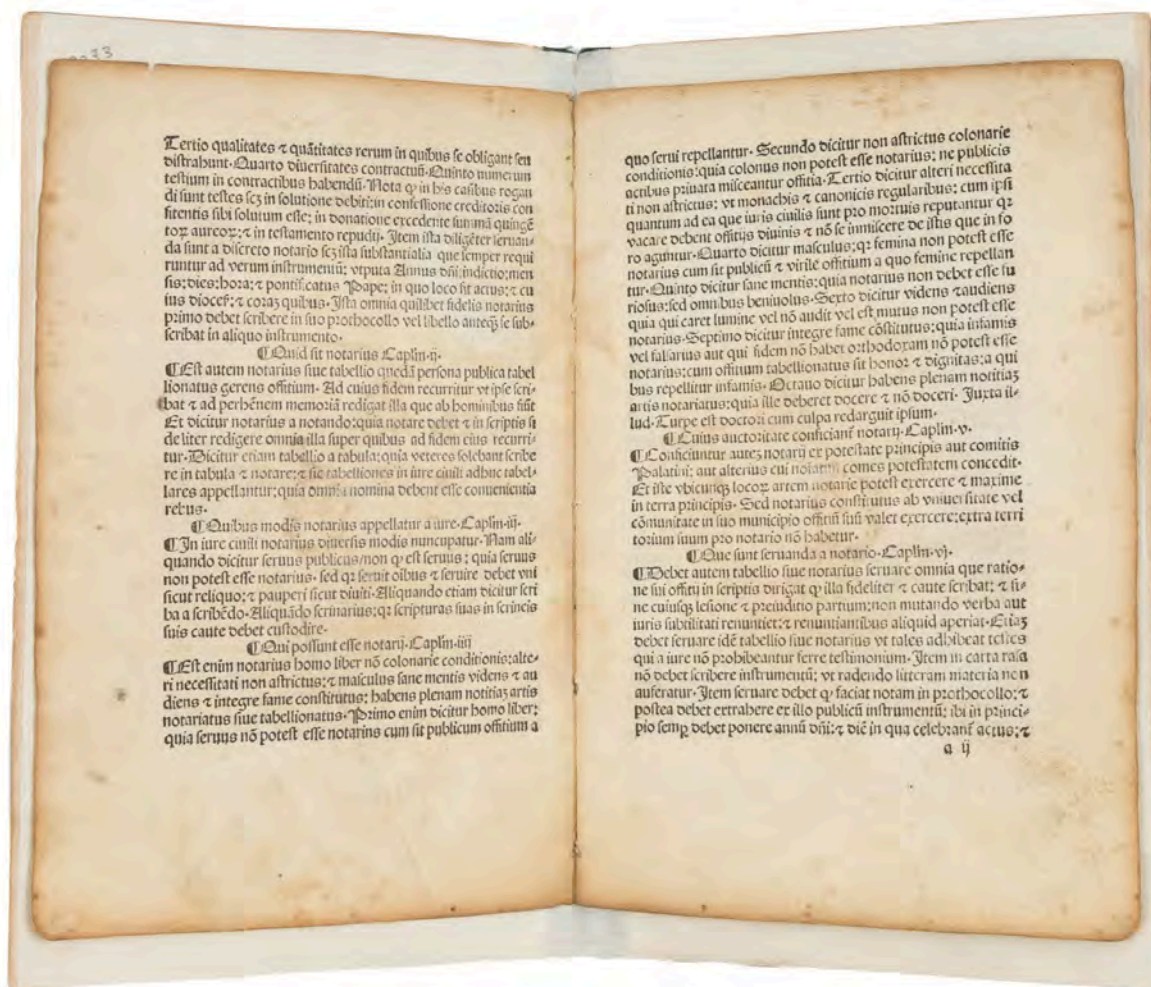
References: USTC 801767; EDIT16 CNCE 3175; Alberto Tinto, *Gli annali tipografici di Eucario e Marcello Silber* (Rome: 1968), p. 37, no. 51.

Prospectus Insert: The Table of Contents (English Translation of the Tabula tractatus de Arte notariatus from Leaf a1r)

Below is the structured breakdown of the 26 chapters governing the practice, ethics, and civil demands of the Renaissance notary as detailed in this edition:

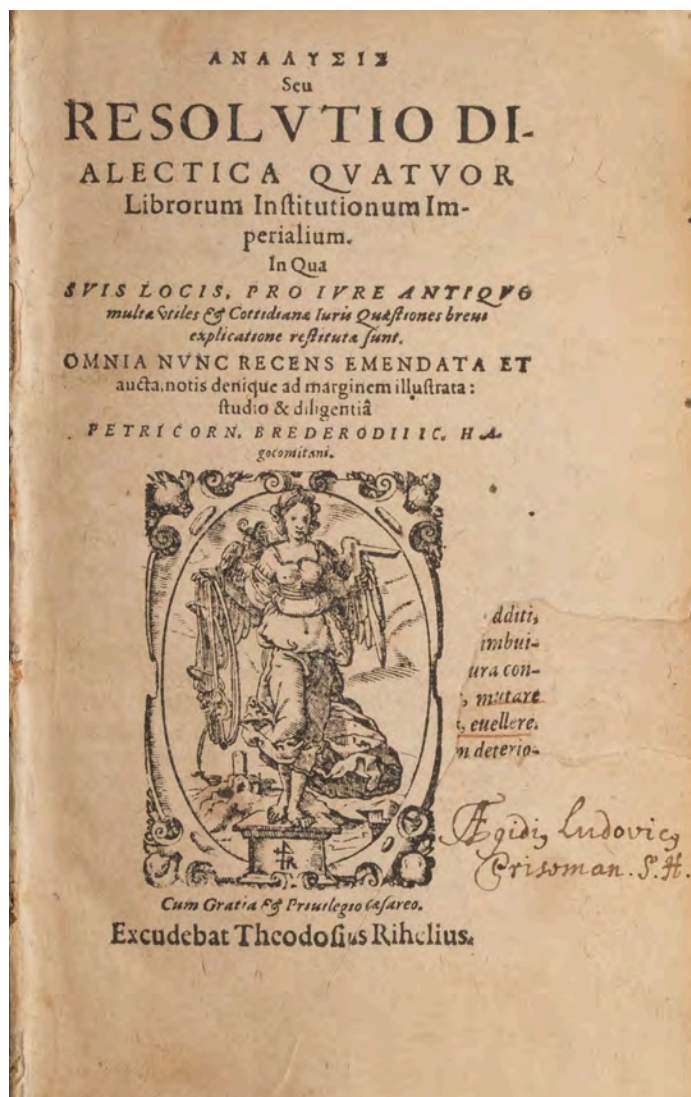
Chapter I: What constitutes the art of the notary, its etymology, and its formal definitions. Chapter II: On the required status and identity of the person seeking to become a notary. Chapter III: On the physical and mental requirements of the notary (regarding sight, hearing, and temperament). Chapter IV: On the selection, creation, and official appointment of the notary by public authority. Chapter V: On the fidelity, oaths, and moral obligations required of the practicing notary. Chapter VI:

On the instruments, tools, and written registers (protocollo) of the office. Chapter VII: On the nature of public instruments and what elements validate a legal document. Chapter VIII: On the general structure, clauses, and essential preambles of public contracts. Chapter IX: On contracts of sale, transfer of property, and the assignment of rights. Chapter X: On the legal mechanisms of purchase, delivery, and peaceful possession. Chapter XI: On the execution of dowries, marriage contracts, and matrimonial property distributions. Chapter XII: On donations, gifts inter vivos (between the living), and charitable endowments. Chapter XIII: On leases, tenancies, emphyteusis (long-term agricultural leases), and ground rents. Chapter XIV: On loans, mutuum (fungible loans), commodities, and the security of debts. Chapter XV: On pledges, mortgages, hypothecations, and the securing of collateral. Chapter XVI: On partnerships, commercial societies, and mutual business obligations. Chapter XVII: On proxies, agencies, mandates, and the formal appointment of legal attorneys. Chapter XVIII: On compromises, private arbitrations, and agreements made out of court. Chapter XIX: On the nature of stipulations, formal verbal agreements, and binding promises. Chapter XX: On receipts, acquittances, and the formal release of debtors from liabilities (apocha). Chapter XXII: On Codicils and informal modifications made to existing testaments. Chapter XXIII: On the division, partition, and lawful settlement of inheritances among heirs. Chapter XXIV: On the specific grounds for disinheritance and the lawful forfeiture of familial wealth (including the failure to ransom a father from captivity). Chapter XXV: On the revocation, nullification, and legal challenges brought against flawed wills. Chapter XXVI: On the authentication, sealing, subscription, and permanent preservation of the completed notarial act.



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The Scarce Final Edition of Grempp von Freudenstein's Commentary on the *Institutes* of Roman Law

24. Grempp von Freudenstein, Ludwig [1509-1583], Editor.

[Brederode, Pieter Cornelis van [d. 1593], Attributed.

Analysis Seu Resolutio Dialectica Quatuor Librorum Institutionum Imperialium. In Qua Suis Locis, Pro Iure Antiquo Multae Utiles & Cottidianae Iuris Quaestiones Brevi Explicatione Restitutae Sunt. Omnia Nunc Recens Emendata et Aucta, Notis Denique ad Marginem Illustrata: Studio & Diligentia Petri Corn. Brederodii IC. Hagocomitani.

[Strasbourg]: Excudebat Theodosius Rihelius, [1593].

Fourth and final edition. Octavo (6-3/4" x 4"). [xii], 588, [38] ff.

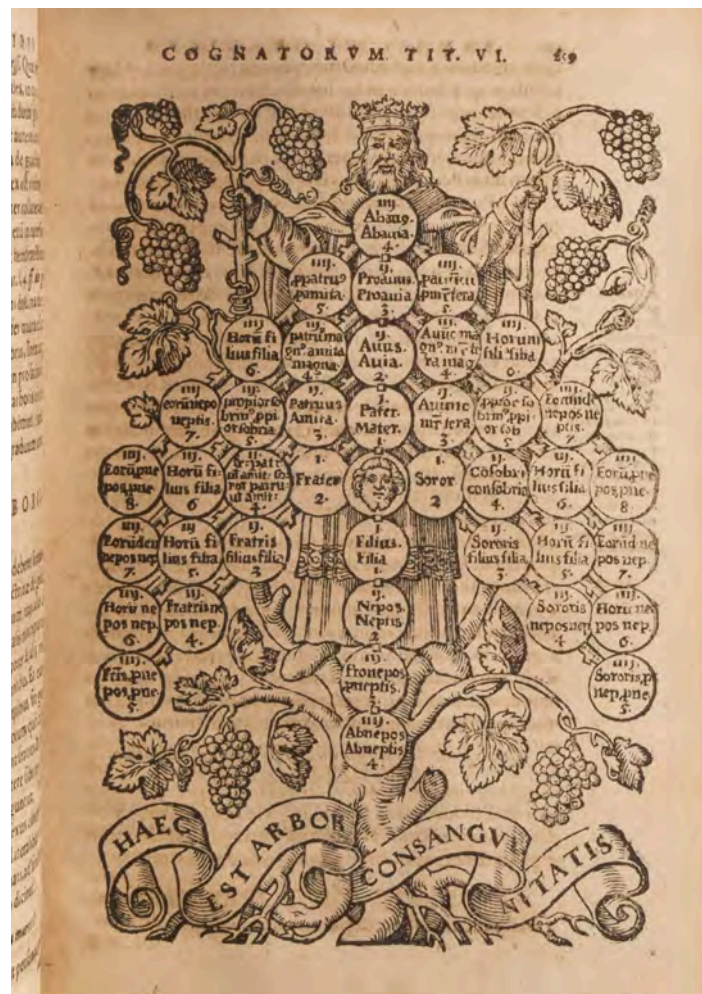
Contemporary or near-contemporary paneled pigskin, over wooden boards, raised bands and very faint early hand-lettered title to spine. Light soiling and a few small stains to boards, light rubbing to extremities, a few small wormholes near head of spine, corners bumped and lightly worn, early ownership inscription (of Ioannis Bothag.) to front pastedown, small later ink stamp to rear free endpaper. Moderate toning to interior, light foxing and soiling in a few places, early underlining in ink to a few leaves. Early ownership signature (of Agidi Ludovic) to title page, missing chunk of its right margin, not affecting text. A very good, well-preserved copy in its original state. \$1,250.

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* Grep von Freudenstein was a lawyer and state official who spent his professional life in Tübingen and Strasbourg. A well-regarded commentary first published in 1567, *Analysys* is a textbook commentary on Justinian's *Institutes* derived from a manuscript by Brederode, a Dutch jurist and diplomat. Cast in question-and-answer form, it follows Justinian's text, paraphrasing, abridging, or adapting the text. It is equally interesting for its insights into the reception of Roman law at the end of the sixteenth century. VD16 B 7388. USTC 611303.

This text captures a critical evolutionary phase in European legal history known as the reception of Roman law into the early modern Holy Roman Empire, a process that ultimately shaped the modern continental legal tradition. Grep von Freudenstein served as an influential bridge between abstract theory and municipal governance, helping to transform Justinian's sixth-century Byzantine code into a practical statutory tool for Renaissance German administrators and autonomous city-states like Strasbourg. By organizing the legal treatise through a *dialectical* framework, this volume also documents a profound humanistic shift in legal pedagogy. Rather than relying on passive memorization or linear readings of the texts, early modern educators utilized this question-and-answer methodology to compel students to actively analyze, defend, and critique complex corporate and civic legal dilemmas. Furthermore, as a preserved physical artifact from the prominent print shop of Theodosius Rihelius, a major provider of intellectual materials in Strasbourg, this specific copy stands as an authentic monument to sixteenth-century university culture and continental legal practice.

Das Verzeichniss der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts B7388. *Universal Short-Title Catalogue* 611303.



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**Bridging Two Legendary 19th-Century Austrian Collections:
A Pristine, Gauffered-Edge Copy of a Rare 1729 Imperial Legal Polemic**

25. [Holy Roman Empire]. [Anonymous].

De Jure Augusti et Romani Imperii, In Parmae & Placentiae Ducatibus, Dissertationes X. Amsterdam: Sumptibus Auctoris, 1729.

First edition. Quarto (9-1/2" x 6-3/4"). viii, 128, [1] pp. Contemporary mottled calf, richly gilt frames to boards, gilt spine with raised bands and lettering piece, blind tooling to board edges, marbled endpapers, edges of text block stained blue and gauffered with stars. Light rubbing and some scuffing to boards, which are slightly bowed, moderate rubbing to extremities, remnants of paper shelf label to foot of spine, corners bumped and worn, hinges cracked (between endleaves and text block). Armorial bookplate of Franz von Thun-Hohenstein Tetschen to front pastedown, inkstamp of Kandidus Pontz von Engelshofen [1803-1866] and an inkstamp shelfmark to title-page. Light toning to interior, occasional light foxing, slight creasing to text block not affecting legibility. A handsome, wide-margined copy with two significant Central European provenance connections. \$2,500.

* A rare collection of ten legal-historical essays mapping the reception, legacy, and structural influence of Roman law across Lombardy, specifically calculated to defend the suzerainty of the Holy Roman Empire over the Duchies of Parma and Piacenza.

The text carries immense geopolitical weight and exceptional diplomatic urgency. Published anonymously "at the author's expense" in 1729, it features a pointed title-page epigraph from St. Augustine ("It is not arrogance either to seek or to assert the truth"), signaling its nature as a high-stakes polemic. In the late 1720s, the sovereignty of these territories was a volatile flashpoint; the last Farnese Duke, Antonio, had no heirs, triggering an aggressive diplomatic tug-of-war between Emperor Charles VI and the Spanish Bourbons. This work was rushed to press just as the 1729 Treaty of Seville attempted to secure the succession for the Spanish Infante Don Carlos, serving as the Empire's sophisticated legal counter-offensive. Its enduring relevance during the subsequent War of the Polish Succession prompted a second edition (with a parallel German text) to be issued at Leipzig in 1734.

This copy boasts an exceptional Central European lineage, bearing the inkstamp of pioneering Austrian topographer and regional historian Kandidus Pontz von Engelshofen (1803-1866), and the later armorial bookplate of Bohemian nobleman, diplomat, and cultural patron Franz Anton II, Graf von Thun-Hohenstein (1809-1870) for his celebrated castle library at Tetschen (Decín).

OCLC locates just 4 copies of this first edition, with only one outside Europe (National Library of New Zealand). Not in Dekkers.



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**A Rare 1536 Legal Humanist Monument from the Atelier du Soleil d'Or:
Justinian's Volumn Legum in Contemporary Brass-Bound Vellum**

26. Justinian I [483-565 CE], Emperor of the East. Imperatoris Iustiniani Sacratissimi Principis, Volumn Legum, Quod Vocant, Totius Iuris Civilis, Velut Colophon ac Co[m]pleme[n]tum... Edited by Nicolaus Mameranus [1500-1567]. Commentary by Angelo degli Ubaldi, Baldus degli Ubaldi, and Bartolo of Sassoferrato.

Paris: Apud Claudium Chevallonium, 1536.

Octavo (6-3/4" x 4-1/4"). [xvi], 296 pp. Signature collation: a-bb8 a-z8 A-O8. Complete. Text printed in an elegant Roman typeface cut by François Gryphe. Attractive woodcut and metal-cut initials throughout. Contemporary blind-tooled pigskin over wooden boards, panels elaborately stamped, beveled edges, raised bands, and fragment of small early shelf label to spine. Original brass clasps intact and functional. Light soiling and a few wormholes to boards, light rubbing to extremities, corners and spine ends bumped. Early library shelf number in a compact humanistic hand to front pastedown. Moderate toning, occasional minor worming to pastedown and text block, but with no loss to legibility or text. A handsome, exceptionally well-preserved copy. \$3,500.

This rare 1536 Parisian edition of the *Volumen Legum* (often called the *Volumen Parvum*) represents a vital monument of early modern legal humanism, expressly compiled to serve as the "Colophon" or ultimate administrative completion of the monumental *Corpus Juris Civilis*. Edited by the celebrated Luxembourgish humanist poet and scholar Nicolaus Mameranus, the volume aggregates the critical imperial, public, and feudal supplements that rounded out ancient Roman law for Renaissance statecraft. Mameranus integrated the definitive medieval commentaries of Angelo degli Ubaldi, Baldus degli Ubaldi, and Bartolo of Sassoferrato to contextualize these texts for 16th-century jurists. The compendium meticulously preserves the *Tres Libri* (the final three books of Justinian's Code governing fiscal and public administration), the *Authenticum* (the medieval Latin version of Justinian's *Novellae*), and the *Liber Feudorum*, which served as the cornerstone of Lombard feudal law. Crucially, it features landmark medieval political statutes, including the decrees of Emperors Henry VII and Frederick II, alongside the historic Peace of Constance (1183).

Adding significantly to its material and historical allure, this edition marks a deliberate stylistic shift initiated by the renowned Parisian printing house *Atelier du Soleil d'Or* under Claude Chevallon (d. 1537) and his wife, Charlotte Guillard (d. 1557). Seeking to modernize legal printing, Chevallon commissioned this non-glossed text using a highly elegant, newly cut Roman typeface by François Gryphe, a dramatic departure from the dense Gothic types common in law books of the era. The prefatory material highlights this layout innovation in a dedicatory epistle by Mameranus dated August 11, 1536, addressed to the sons of the preeminent French humanist Guillaume Budé. Because Chevallon passed away shortly after its publication, this volume captures the twilight of their celebrated partnership and marks the transition to Guillard's solo career as one of the first female master printers.

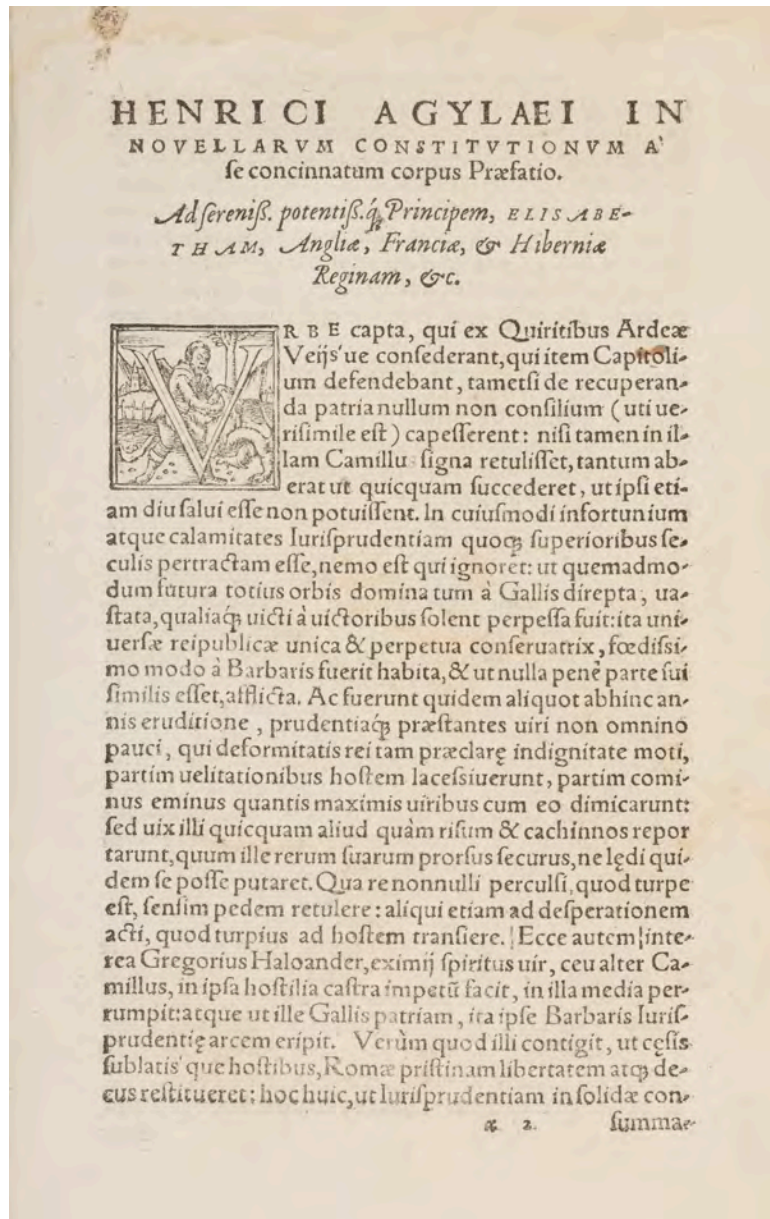
The provenance of this specific copy points to a long life among early modern legal collections; the front pastedown bears an early scholarly shelf mark penned in a crisp, compact humanistic hand. This designation, paired with the remarkably intact contemporary brass-bound vellum binding, indicates that the volume was a highly prized reference work, preserved with the utmost care across nearly five centuries of ownership.

OCLC locates 3 copies, none in North America. Renouard, *Imprimeurs & Libraires Parisiens du XVIe Siècle* V:121.



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A "Heretic's" Justinian: The 1561 First Edition of the *Novellae*,
 Edited by Henricus Agylaeus and Dedicated to Queen Elizabeth I

27. Justinian I [485-565CE], Emperor of the East.

Haloander, Gregor [1501-1531], Translator and Editor.

Agylaeus, Henricus [1532 or 1533-1595], Editor.

Iustiniani Principis Novellae Constitutiones, Latine Ex Gregorii Haloandri et Henrici Agylaei Interpretatione, Ad Graecum Scrimgeri Exemplar, Nunc Primum Edite. Quibus Suis Locis Interferiter, Quicquid Vetus Versio Amplius Habet, Atque Proximis Editionib. Ex Vetustis Libris Ac Iuliani Epitome Aspersum Est. In qua Editione Henrici Agylaei Opera Diligentem tum Variarum Lectionum Annotationem, Tum Haloandricae Versionis Castigationem Invenire est. Item, Eiusdem Iustiniani Edicta, Iustini, Tiberii, Leonis Philosophi Constitutiones; & Una Zenonis, Quae ad Titulum Codicis de Privatis Aedificiis Pertinet: Henrico Agylaeo Interprete. Postremo, Canones Sanctorum Apostolorum per Clementem in Unum Congesti, Gregorio Haloandro Interprete.

Basel: Per Ioannem Hervagium, 1561.

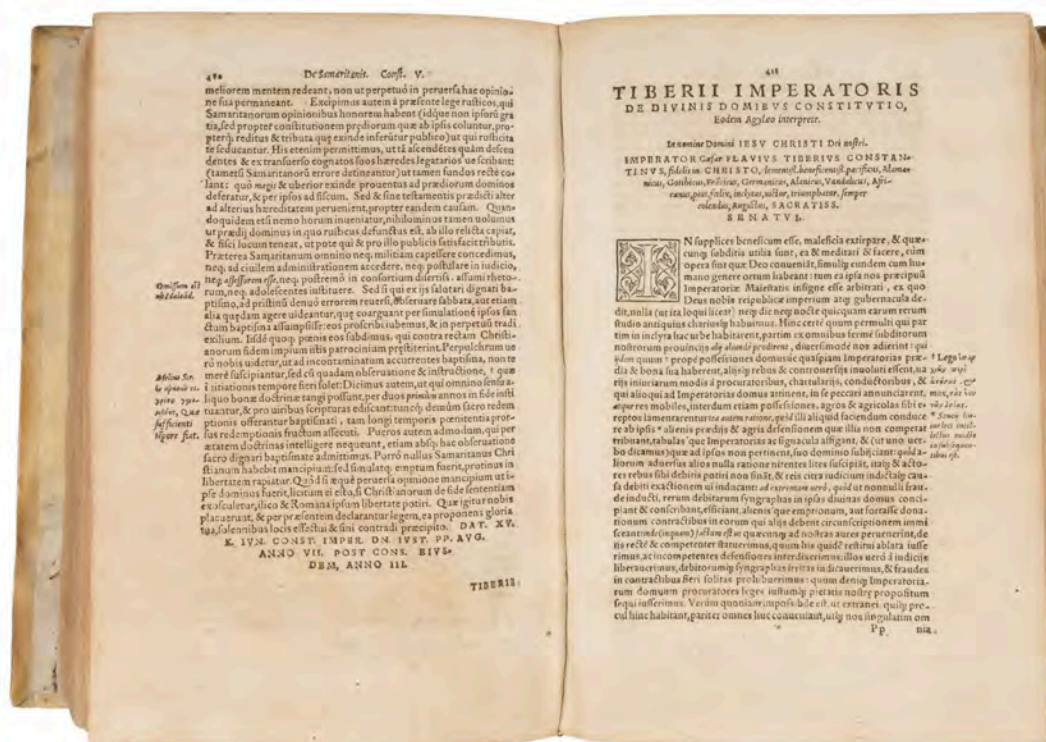
First edition. Quarto (9-1/4" x 6-1/2"). [xxxii], 598, [2] pp. Contemporary limp vellum, early hand-lettered title to spine, ties lacking. Minor soiling, a few small stains and a few tiny worm holes, some wear to corners, a few minor tears to spine ends, front joint starting at ends, front pastedown worn and partially detached, text block somewhat loose, vellum beginning to crack though rear pastedown. Faint dampstaining to head of text block, moderate toning, foxing and light browning in places, mild edgewear to corners of preliminaries, later owner inscription to front free endpaper. A very good, unrestored copy in its original binding. \$1,950.

* A comprehensive collection of the *Novellae Constitutiones* (the new laws enacted after the completion of Justinian's original *Codex*), supplemented with the edicts of the Byzantine Emperors Justin, Tiberius, and Leo VI ("the Philosopher"), as well as the Apostolic Canons attributed to Pope Clement I.

This edition represents a major milestone in Renaissance legal scholarship, combining Gregor Haloander's foundational translations with the rigorous editorial correctives of Dutch jurist Henricus Agylaeus. Working from the superior Greek exemplar compiled by Scottish humanist Henry Scrimgeour, Agylaeus provided extensive textual emendations and critical annotations.

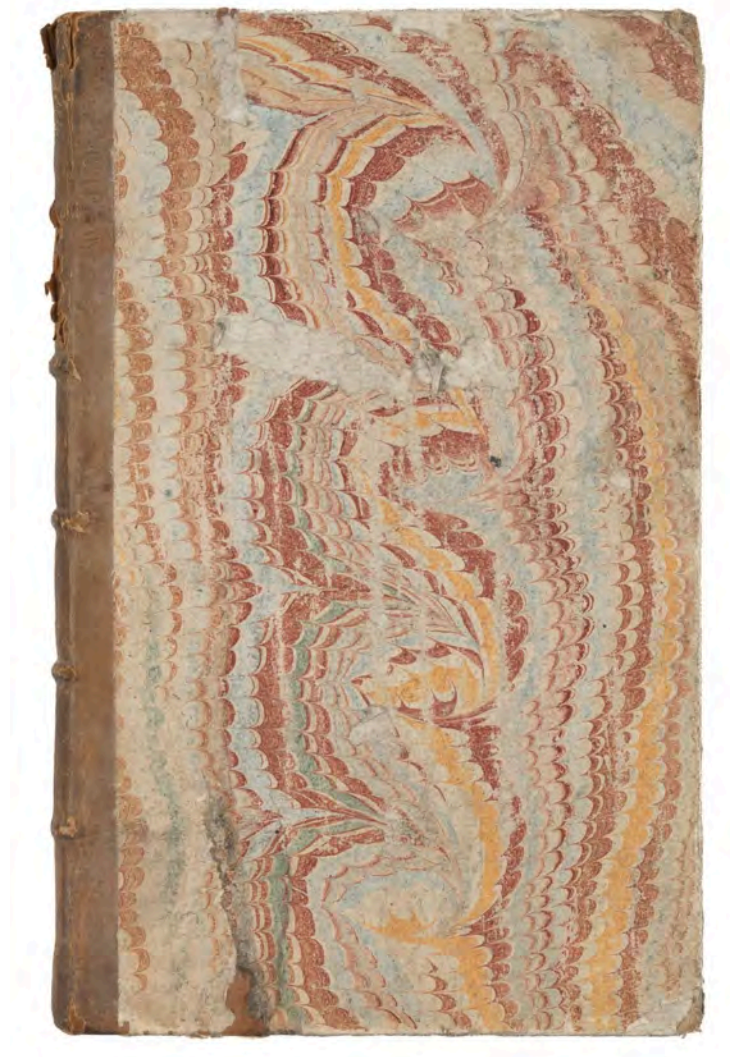
This edition is also famously dedicated to Queen Elizabeth I of England—a bold geopolitical statement by the editor. At the time of publication, Agylaeus was a fugitive from the Spanish Netherlands, having been charged with heresy by the Court of Brabant due to his Reformed views on the sacraments. He fled to Germany, and this dedication to the newly crowned Protestant Queen of England was a calculated bid for royal patronage and potential exile. Agylaeus later returned to the Low Countries, where he became a prominent legal and political leader of the Dutch Revolt and the Reformed religion.

The work is scarce outside of Germany. OCLC locates 1 copy in a North American library (Folger Shakespeare). *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* C5267.



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**Rare 1744 Jacobite Era Legal Defense Against Treason by
Mail and Early Forensic Handwriting Forgery**

28. Le Vayer de Boutigny, Roland [1627-1685].

A Dissertation Shewing the Invalidity of All Proof by Similitude of Hands, In Criminal Cases. The Whole Collected from the Civil Law and Other Distinguished Authorities, Founded on the Principles of Reason and Equity, And Digested with a Clearness that Suits it to all Capacities. Translated from the Works of an Eminent French Civilian, And Proper to be Read by a Free People at All Times, But Particularly the Present, When a New Species of Treason, And That by Way of Correspondence, Has been Lately Created, The Extreme Danger of Which to the Most Innocent Person Living, Is Set Forth at Large in an Ample Preface by the Translator.

London: Printed for M. Cooper, 1744.

Only English edition. Octavo (8" x 4-3/4"). xxvi, 82 pp. Contemporary quarter calf over marbled boards, raised bands and hand-lettered title to spine, edges rouged. Light rubbing to boards, moderate rubbing to extremities, a few small nicks and chips to spine, light wear to board edges and corners, which are bumped, front hinge starting, brief early annotations (shelf-marks) to verso of front endleaf. Light toning, negligible light foxing to margins of last few leaves, upper corner of leaf a1 (pp. iii-iv) lacking without loss to text, internally clean. A very good copy of a scarce title. \$1,650.

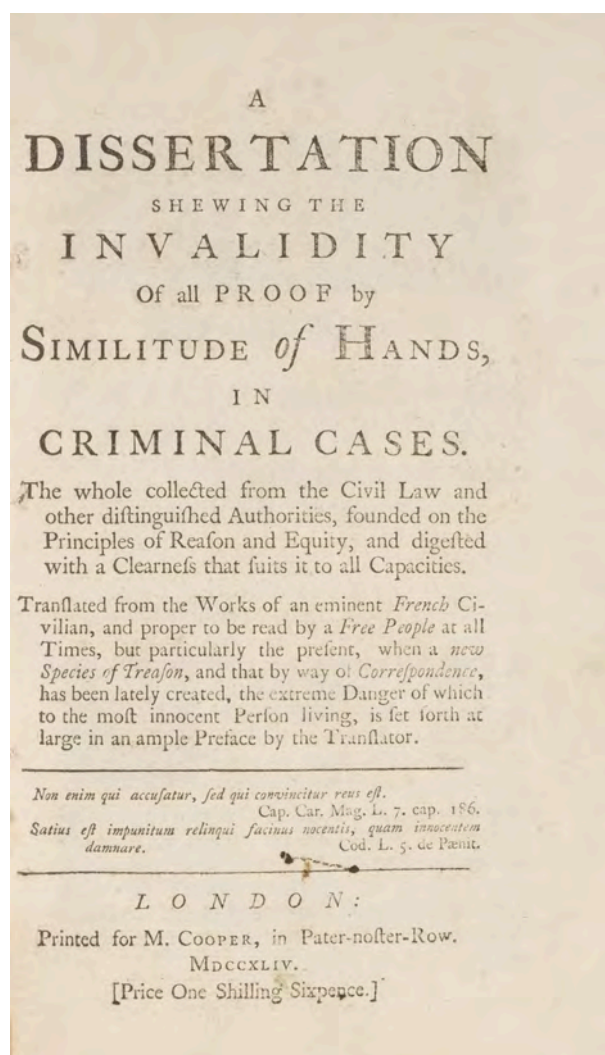
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* First published in Paris in 1666 as *Traité de la Preuve par Comparaison d'Écritures*, this foundational treatise provides a comprehensive historical overview of handwriting analysis in criminal matters across Greek, Roman, French, and English common law traditions. Le Vayer, a prominent lawyer in the Parlement of Paris, rigorously argues that handwriting comparison is fundamentally unreliable and should be inadmissible as sole grounds for criminal convictions.

The anonymous English translator provides an extensive, politically charged preface applying Le Vayer's civil law critique directly to contemporary English law. Published amidst the acute threat of a French-supported Jacobite uprising in 1744, the translator attacks the Crown's reliance on intercepted correspondence to manufacture treason charges. The preface explicitly leverages the infamous treason trials of Algernon Sidney and Thomas Sprat to demonstrate how easily handwriting could be forged or misidentified by state actors. A rare and highly relevant intersection of early forensic science, civil law theory, and British political history.

OCLC locates only 3 copies of this title in North American law libraries (Columbia, Yale, Washington University). (The *ESTC* erroneously locates 2 copies at Harvard Law School, both electronic reproductions.)

English Short-Title Catalogue (ESTC) T34685.



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Essays on Justinian Annotated Throughout by a Contemporary Law Student from Geneva

29. Ludwell, Wilhelm [1589-1663].

Exercitationes XVIII. Ad IV. Libros Institutionum Imperialium In Universitate Altdorffina (...) Adjecta Est Disputatio Inauguralis De Quinquaginta Justiniani Decisionibus. Altdorf: Typis & Sumtibus Georgi Hagen, Universitatis Typographi, 1663. [xiv], 353 (i.e. 361), [38] pp. Main title page preceded by added copperplate pictorial title page. Quarto (7-3/4" x 6-1/2"; 20 x 16.5 cm).

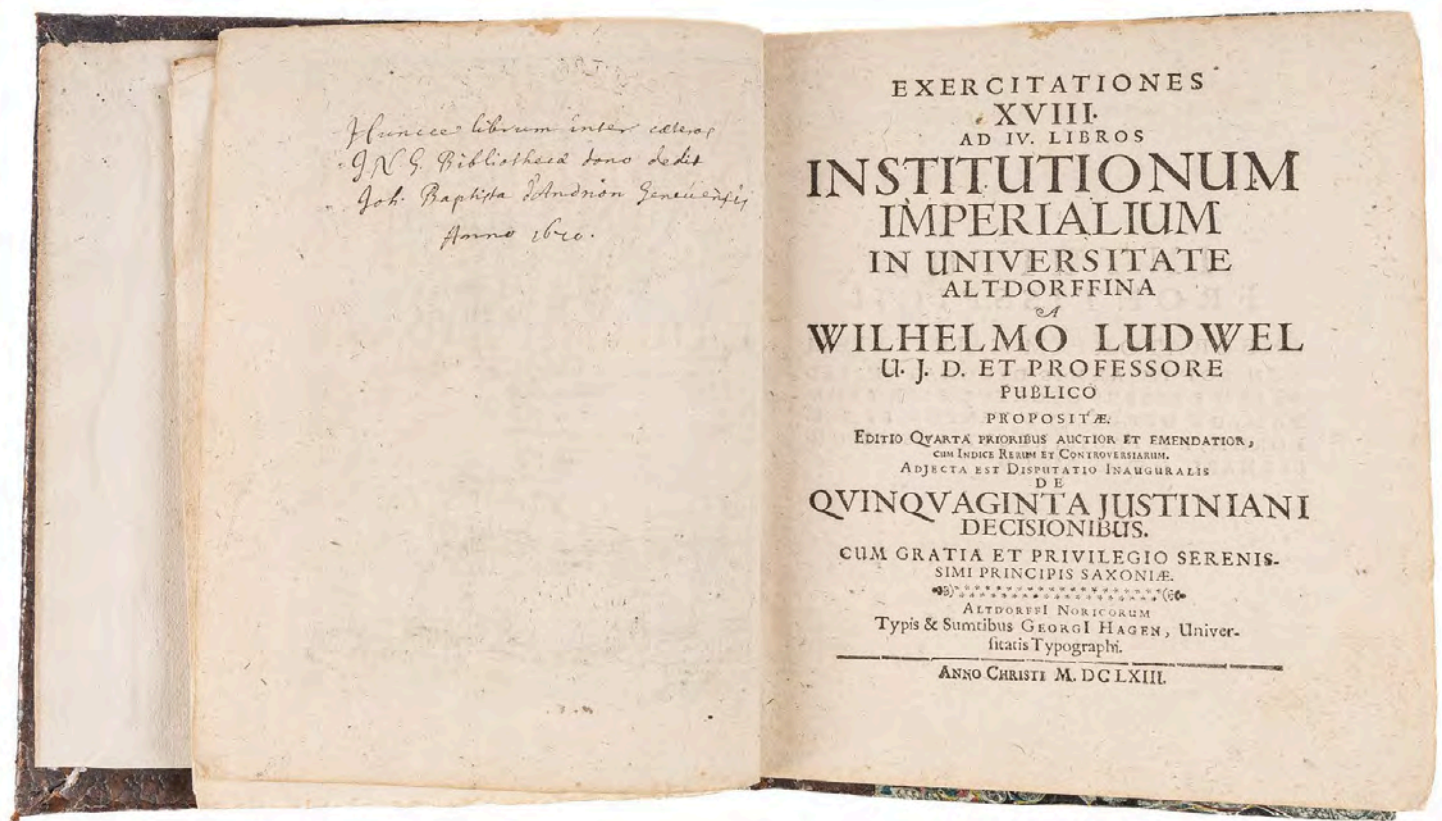
Contemporary calf front board and spine, later quarter calf over marbled paper rear board, endpapers renewed (using paper, apparently, from a ledger). Light rubbing to boards, light gatoring to calf sections, moderate rubbing to extremities, front hinge split, rear hinge starting, minor worming to endleaves. Light browning to interior, faint dampstaining to margins in a few places, minor loss to fore-edges of final three leaves, annotations and underlining throughout in a neat contemporary hand, signature of annotator, "Andrion" to foot of pictorial title page, later annotation, "*Huncce librum inter caeteros JNG Bibliothecae dono dedit Job. Baptista d'Andrion Genevensis Anno 1670* (Jean Baptiste d'Andrion of Geneva gave this and his other books to the JNG Library in the year 1670)" to verso. A good copy with interesting contemporary annotations. \$3,500.

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* Fourth (stated) edition, one of two issues from 1663. Ludwell was a professor of law at the University of Altdorf. *Exercitationes* is a collection of essays on the *Institutes*. Its final section, the *Disputatio Inauguralis*, discusses a selection of the *Novels*. The book was first published in 1628; its second edition, mislabeled the third, in 1658; its final edition, the "sixth," in 1695.

Andrion [1646-1670] studied law at the University of Geneva and completed his degree at the University of Orléans. The later inscription suggests his books were left to a library in his will. His annotations show he was a careful, astute and curious scholar. Among them are a definition of marital property based on the status of wives, prostitutes and concubines (p. 20), an analysis of the fraudulent alienation of property (p. 278) and an analysis of a law prohibiting adoption by castrated men (p. 31).

All editions of this work are scarce. Counting both issues, OCLC locates 1 copy of the "fourth" edition in North America (Harvard Law School). Stelling-Michaud, *Livre du Recteur de l'Académie de Genève* I:1959. Ridderikhoff and Ridder-Simoens, *Registre-Matricules de la Nation Germanique de l'Ancienne Université d'Orléans* 2023. *Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 1:013242A.



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Italian Manuscript Formbook in a Wallet Binding

30. [Manuscript].

[Italy].

[*Formulary*]. Genoa [Chiavari?], Italy, c.1797. 250 ff., 18 ff. thumb-tabbed index, 25 blank leaves. Octavo (6" x 4-1/4"; 15.2 x 10.8 cm).

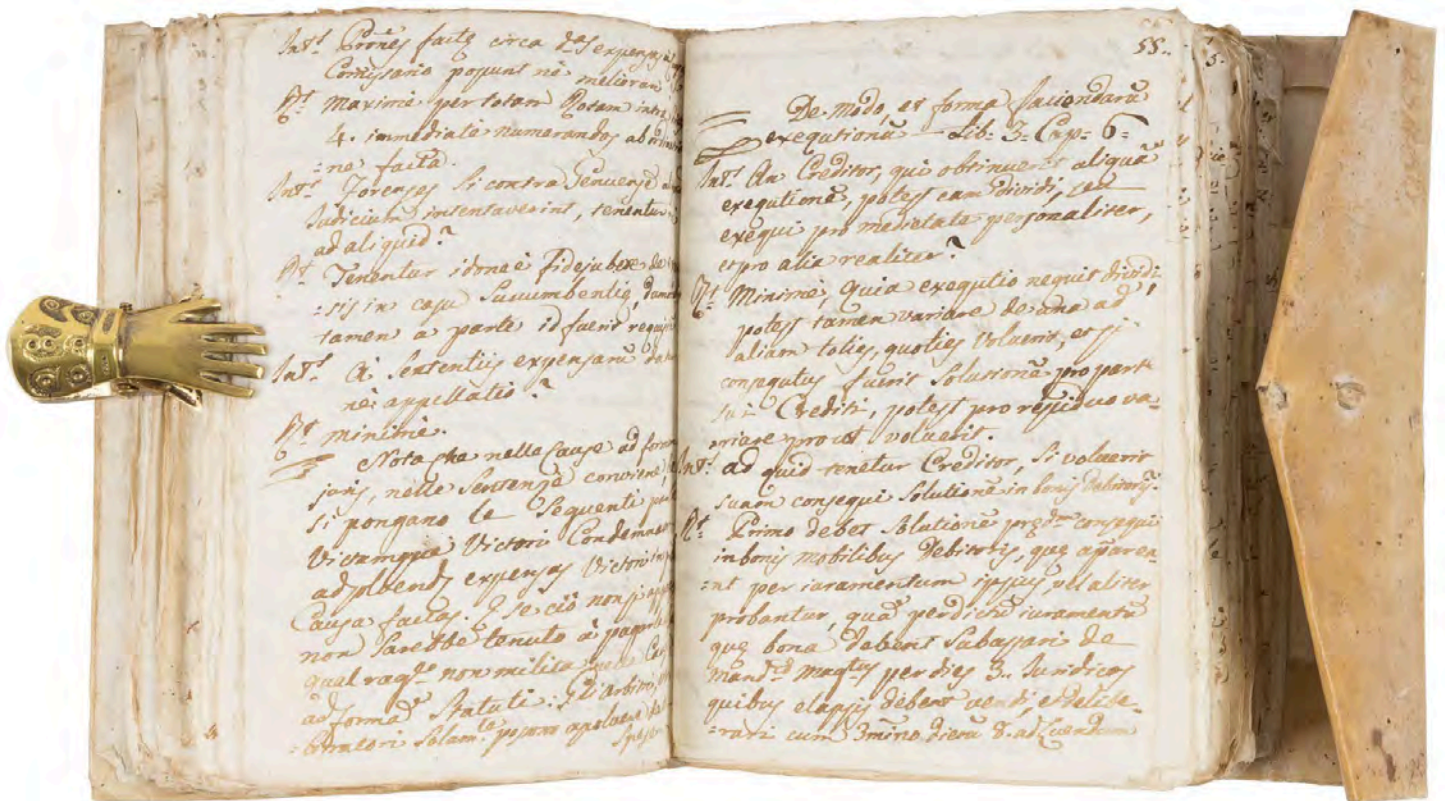
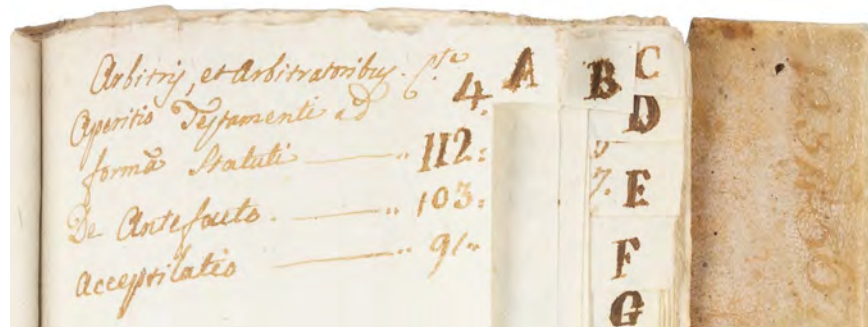
Contemporary Italian tacketed wallet binding of limp vellum, remnants of thong-and-toggle fastener, untrimmed edges. Light soiling and shelfwear, "Formularium Instrorum" to front cover in later hand, along with lists of years 1801-1806 and some other, illegible marks, "1797" to head of spine. Light toning to interior, light soiling to a few leaves, text in neat legible hand. \$6,500.

* Written in Latin and Italian the manuscript serves as a fascinating hybrid of statutory theory and everyday legal practice. The Latin Sections feature book and chapter citations that largely appear to be paraphrased excerpts from the civil statutes of the Republic of Genoa, alongside several passages in a question-and-answer format addressing core tenets of Roman Law. Most of the Latin statutory passages are immediately followed by practical, actionable templates and forms written in Italian, directly translating the overarching law into daily instruments like wills, contracts, notarial acts, and civil procedures.

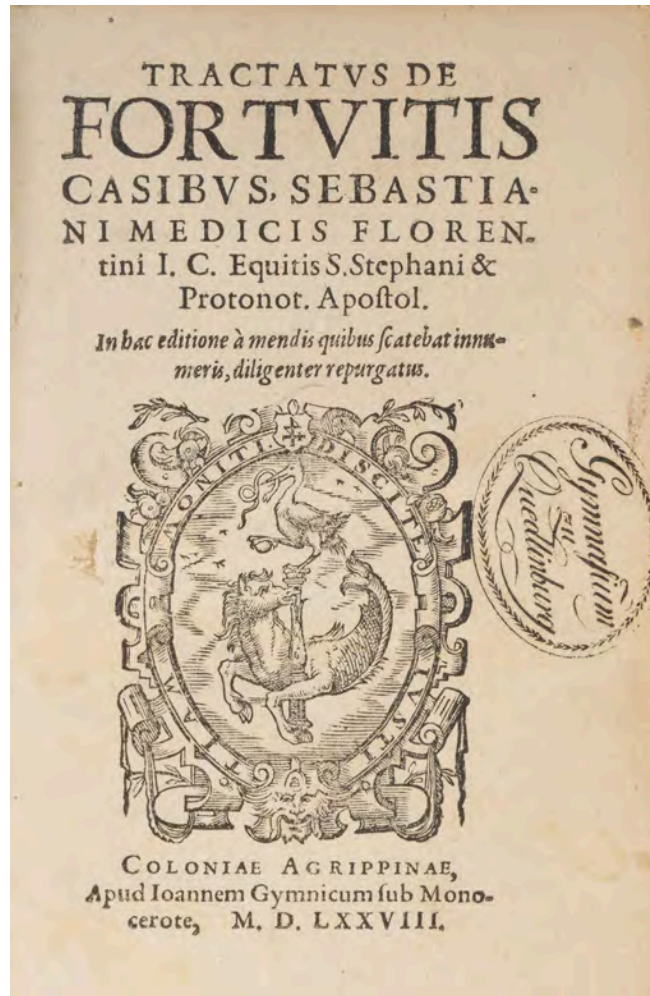
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Of exceptional historical interest is a specific form dated April 13, 1797—compiled almost exactly two months before the ancient Republic of Genoa collapsed under Napoleonic pressure to become the short-lived Ligurian Republic.

The subsequent cover dates (1801-1806) suggest Advocate Bonta continued using this exact manual to navigate the turbulent legal landscape of the Napoleonic transition. As such, this volume offers a rare, granular window into the twilight of the Genoese legal tradition on the absolute brink of systemic transformation.



View Additional Images or Order This Item <https://www.lawbookexchange.com/details.php?record=72505>



Proving the Impossible: A Rare 1578 Sammelband of Renaissance Treatises on Proximate Cause and the Burden of Proof

31. Medici, Sebastiano [d.1595].

Tractatus de Fortuitis Casibus. In Hac Editione a Mendis Quibus Scatebat Innumeris, Diligenter Repurgatus. Cologne: Apud Ioannem Gymnicum, Sub Monocerote, 1578. [xlviii], 443, [4] pp.

[Bound with]

Ercolani, Francesco [1541-1569].

Da Fano, Martino (Martinus) [fl. 1229-1272].

Tractatus de Probanda Negativa, Quis Scilicet Teneatur Probare Negativam, Et Quibus Modis Negativa Probetur, Duorum Clarissimorum Jurisconsultorum Francisci Herculani Perusini, Et Martini de Fano. Quibus ea Quae ab Hanc Materiam Spectant, Exactissimè & Absolutissimè Tractantur & Explicantur.

Cologne: Apud Ioannem Gymnicum, Sub Monocerote, 1578.

Octavo (6" x 4"; 15.24 x 10.16 cm). 272 pp. Contemporary quarter blind-tooled pigskin over colored vellum with blind rules, faint traces of later hand-lettered title and shelf number to spine. Light rubbing and soiling to boards, spine ends bumped, moderate wear to corners, partial cracks in text block between main text and adjacent endleaves. Moderate toning and occasional faint spotting to text, early underlining and annotations in a few places in each volume, small later stamp ("Gymnasium zu Quedlinburg") to title page, small recent stamp to front pastedown. A very good, sound copy in an untouched contemporary binding. \$1,950.

* An excellent legal sammelband pairing two essential legal treatises issued by the prominent Cologne printer Johann Gymnich at his famous sign "Sub Monocerote" (At the Sign of the Unicorn).

The first work, Medici's *Tractatus de Fortuitis Casibus*, is an essential Renaissance study on legal liability and proximate cause. Medici explores the fine legal boundaries of accidental damage, establishing criteria to differentiate between an actionable civil wrong and a true, blameless act of God. This second edition was heavily revised and expanded to correct the typographical errors of the first.

The second work addresses one of the most stubborn procedural hurdles in jurisprudence: *probatio diabolica* (the Devil's Proof), or the burden of proving a negative. By binding together the perspectives of the medieval jurist Martino da Fano and the Renaissance scholar Francesco Ercolani, this volume bridges centuries of procedural evolution. It details exactly who carries the burden of proof and how a negative assertion can be structured to survive judicial scrutiny.

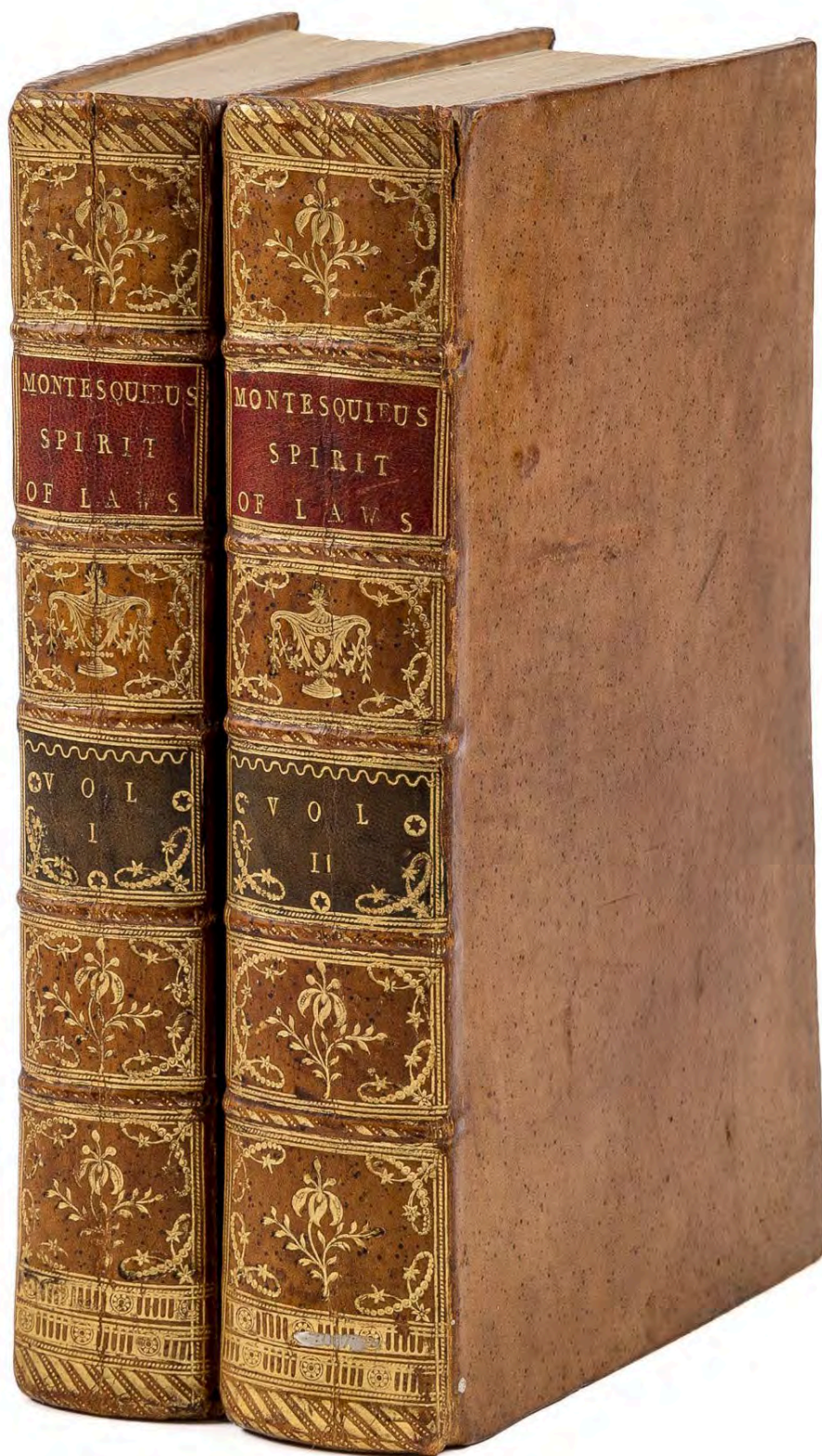
The provenance of this volume traces its journey through European legal and educational history over nearly five centuries. The text contains scattered marginalia and neat underlining in a contemporary late 16th-century cursive script, marking it as the essential working tool of an anonymous early jurist who engaged deeply with the text. It later transitioned from a private reference library into an institutional sanctuary, carrying the 19th-century ink stamp of the historic Gymnasium zu Quedlinburg. Founded in 1540 in the wake of the Protestant Reformation, this elite German school library preserved the volume within a protected scholarly environment for centuries, as further evidenced by the faint ink shelf-marks remaining on the pigskin spine. Possessing a clean line of descent down to a recent private collector, this volume remains an authentic, structurally untouched artifact of early modern legal printing.

Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts M1876, M1265.



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A Choice Revolutionary-Era Copy of Montesquieu's *Spirit of Laws*:
The 'Oracle' of the American Constitution

32. Montesquieu, Charles-Louis de Secondat, Baron de [1689-1755].

[Nugent, Thomas (c.1700-1772), Translator].

The Spirit of Laws. Translated from the French of M. de Secondat,

Baron de Montesquieu. The Fifth Edition. Carefully Revised and Improved with Considerable Additions by the Author. London:

Printed for J. Nourse, And P. Vaillant, 1773.

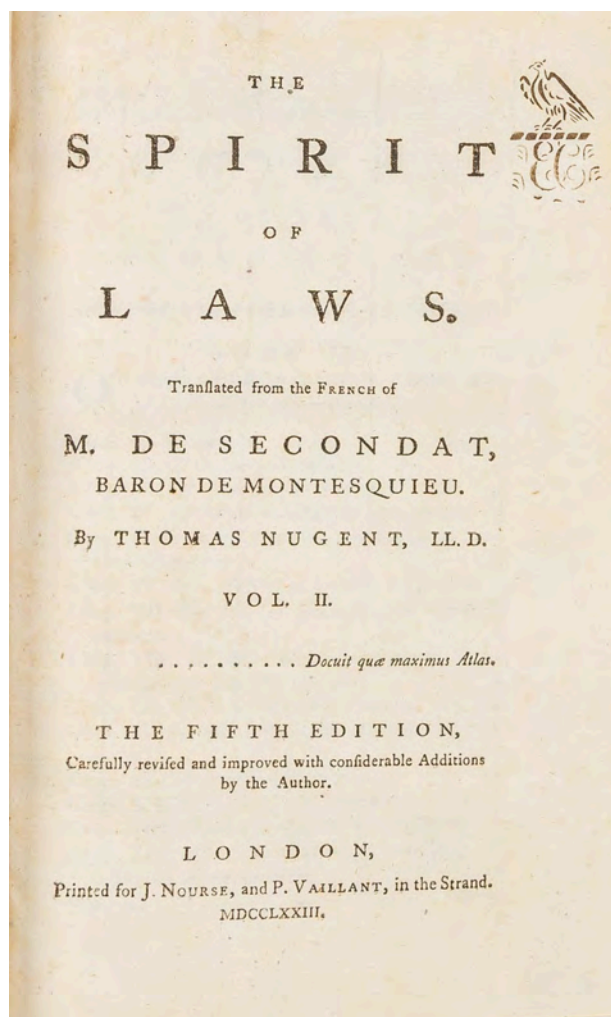
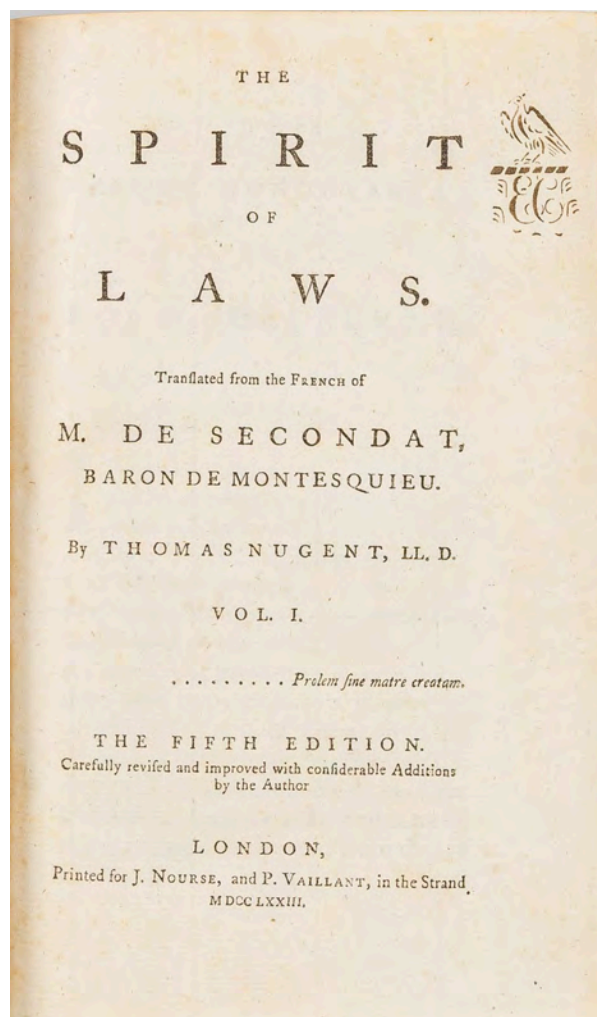
Fifth stated English edition. Two octavo volumes (8 1/4" x 5"; 210 x 127 mm). [iv], xlvii, [1], 468; [iv], xvi, 534, [46] pp. Octavo (8-1/4" x 5"; 21 x 12.7 cm).

Contemporary speckled calf, gilt spines with raised bands and lettering pieces, gilt tooling to board edges, marbled endpapers. Light rubbing and scuffing to boards, faint vertical cracks through centers of spines, joints just starting at ends. Light toning to interiors, heavier toning to a few leaves, small early armorial owner stamp, E C below a rising eagle, to title pages. A very attractive, crisp copy in a sound contemporary binding. \$2,000.

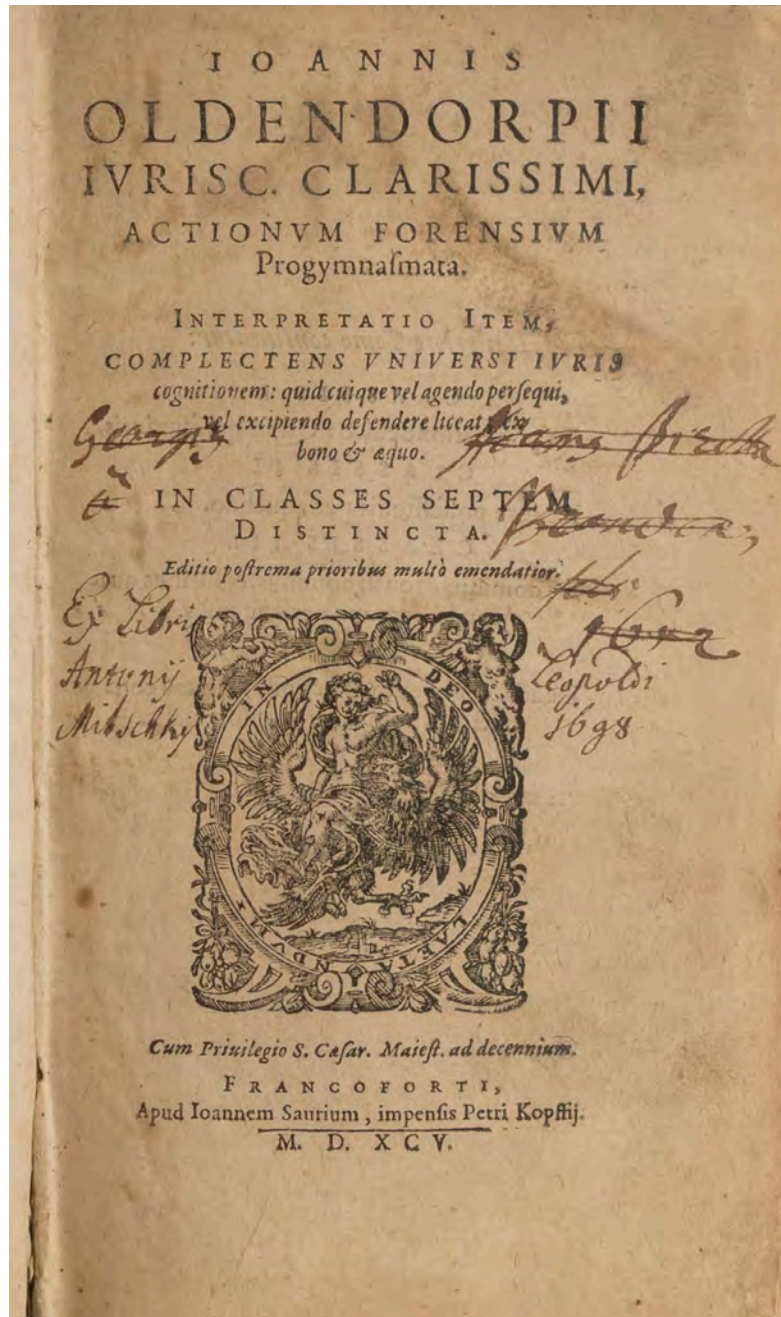
* First published in Geneva in 1748 as *De l'Esprit des Loix*, Montesquieu's masterwork stands as perhaps the most influential contribution to eighteenth-century political science, providing the definitive proposal for the tripartite system of government. This 1773 printing by premier London publishers John Nourse and Paul Vaillant represents the fifth stated English edition of Thomas Nugent's celebrated translation, which first appeared in 1750 and was famously praised by Montesquieu himself for its elegance and accuracy. This specific edition is particularly desirable to collectors as it captures the text in its most "carefully revised" state, incorporating the author's final corrections and additions during the peak of transatlantic political instability. Though the work was deemed so provocative that the Roman Catholic Church placed it on the *Index Librorum Prohibitorum* in 1751, it became nothing short of secular scripture for the architects of the American republic.

Imported into the American colonies exactly as resistance to British imperial policy reached a boiling point-the same year as the Boston Tea Party-this text provided the intellectual framework for independence. In his landmark study of political citations during the founding era, historian Donald S. Lutz established that Montesquieu was the most frequently cited secular author of the entire revolutionary period (1760-1805), accounting for over 21% of all political references. The Framers relied on Montesquieu's exhaustive analysis of the British Constitution to diagnose its failures and construct a more resilient system based on the separation of powers and a network of structural checks and balances. Writing in *Federalist No. 47*, James Madison famously crystallized the absolute authority of the French philosopher on American constitutional design, declaring him "the oracle who is always consulted and cited on this subject." Consequently, this beautifully preserved 1773 edition serves as a direct material witness to the philosophical ideas that built the United States Constitution.

Dauchy [et al.], *The Formation and Transmission of Western Legal Culture: 150 Books that Made the Law in the Age of Printing* 115. Sowerby, *Catalogue of the Library of Thomas Jefferson* 2325 (citing a collected edition of Montesquieu's works). *English Short-Title Catalogue* N23470.



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A Scarce Edition of Oldendorp's *Actionum Forensium Progymnasmata*
From the Library of Czech Jurist Antonín Leopold Mitschki

33. Oldendorp, Johann [c.1486-1567].

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

Frankfurt: Apud Ioannem Saurium, Impensis Petri Kopffii, 1595.

Later edition. Two volumes in one book. [xxxii], 771, [1]; [ii], 775-1232 pp. Second volume with separate title page dated 1593, register and pagination continuous. Octavo (7-1/4" x 4").

Contemporary paneled pigskin, central panels colored red, "M.S.E. 1600" black-stamped onto front board, raised bands to spine. Light rubbing and soiling to boards, moderate rubbing to extremities, corners bumped and lightly worn, front hinge starting at foot, tears to edges of pastedowns, residue (from removed bookplate?) and owner signature "Ex Libris Antonij Leopoldi Mitschkij 1698" to front pastedown, rear pastedown loosening but secure, lower corner of front free endpaper lacking. Light toning to interior, occasional light foxing, a few partial cracks to text block, all leaves secure, struck-through owner signature dated 1612 and later owner signature (of Anton Leopold Mitschki, dated 1698) to title page, early underlining to several leaves. \$2,000.

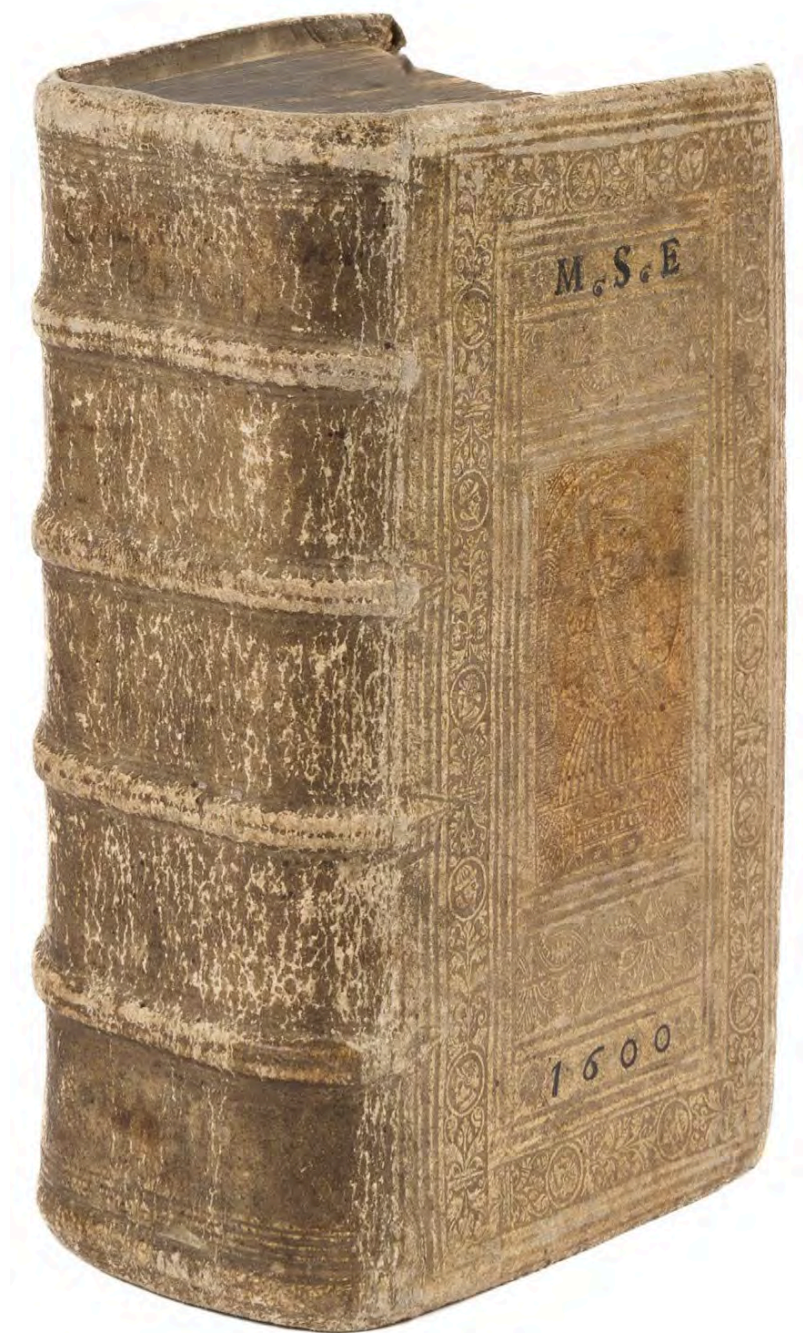
* Later edition of Oldendorp's highly influential textbook on civil actions. First published in 1540 as *Practica Actionum Forensium Absolutissima*, this is a practical textbook on actions in civil law for students. it was d. Designed as a practical guide for law students, the work provides a structural bridge outlining the early modern reception of Roman Law (*ius commune*) within the German legal ecosystem. Oldendorp organizes the text into seven thematic classes, attempting to harmonize Roman procedural frameworks with local customary laws and early Protestant jurisprudence. A scarce, well-preserved copy in an intact, dated Renaissance binding boasting an exceptional legal provenance spanning the Holy Roman Empire.

Johann Oldendorp was one of the premier legal theorists of the German Reformation. Working alongside intellectual giants like Philip Melancthon at the University of Marburg, Oldendorp was instrumental in synthesizing a genuinely Protestant concept of natural law and equity (*aequitas*). Rather than blindly adopting the Catholic *ius commune*, he anchored Roman civil procedure directly to the Ten Commandments and moral philosophy. This textbook, *Actionum Forensium Progyrnasmata*, represents the didactic pinnacle of his efforts to transform complex civil actions into an accessible, practical format for a new generation of early modern civic administrators.

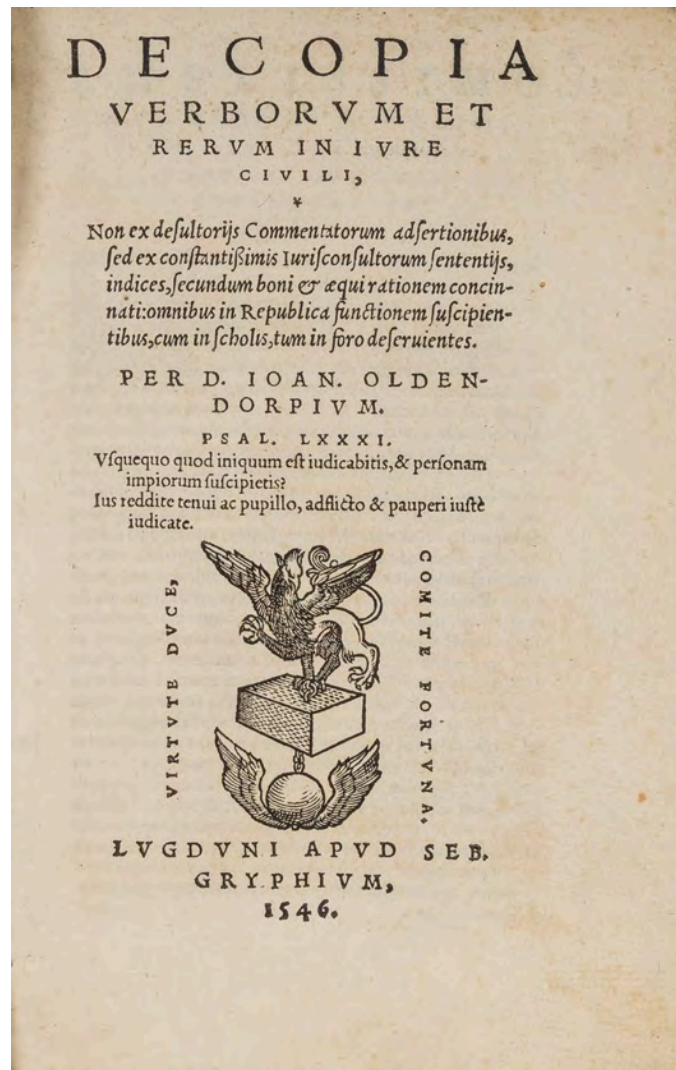
Mitschki was a distinguished Czech jurist, Royal notary, and syndicate leader at the University of Olmütz (Olomouc) during its late seventeenth-century Baroque golden age. The presence of his library inscription dated 1698 confirms the active, cross-border circulation of Renaissance legal texts across Central Europe. This artifact explicitly showcases how a text printed in Frankfurt for German Protestants became an active reference tool for a prominent Catholic institutional lawyer in Moravia more than a century later. Other volumes from Mitschki's meticulously curated library are highly prized today and reside in world-class repositories such as the Huntington Library.

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

Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts O590.



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16th-Century Protestant Law Sammelband: Three Scarce Legal Humanist Treatises by
Johann Oldendorp in Contemporary Limp Vellum

34. Oldendorp, Johann [1486-1567].

De Copia Verborum et Rerum in Iure Civili. Lyon: Apud Seb. Gryphium, 1546. 431, [17] pp. Irregular pagination, text complete. Last two leaves blank.

[Bound with]

Oldendorp, Johann.

De Duplici Verborum, Et Rerum Significatione. Lyon: Apud Seb. Gryphium, 1546. 240 pp.

[And]

Oldendorp, Johann.

Collatio Iuris Civilis et Canonici. Lyon: Apud Seb. Gryphium, 1547. 147, [9] pp.

Three later edition works bound in one volume. Octavo (7" x 4-1/4"). Contemporary limp vellum with yapp-style fore-edges, faint early hand-lettered titles to front cover and spine. Binding detached from text block. Light soiling and a few small faint stains to exterior, spine somewhat darkened, light rubbing to extremities, pastedowns loose exposing manuscript waste, later owner stamp to recto of front pastedown, endleaves loosening slightly but secure. Moderate toning to interior, light foxing in a few places, a few partial cracks to text block, all leaves secure, brief annotation ("pag. 44?") to title page of third work. A compelling, entirely unrestored sammelband from the celebrated press of Sebastian Gryphius. \$2,500.

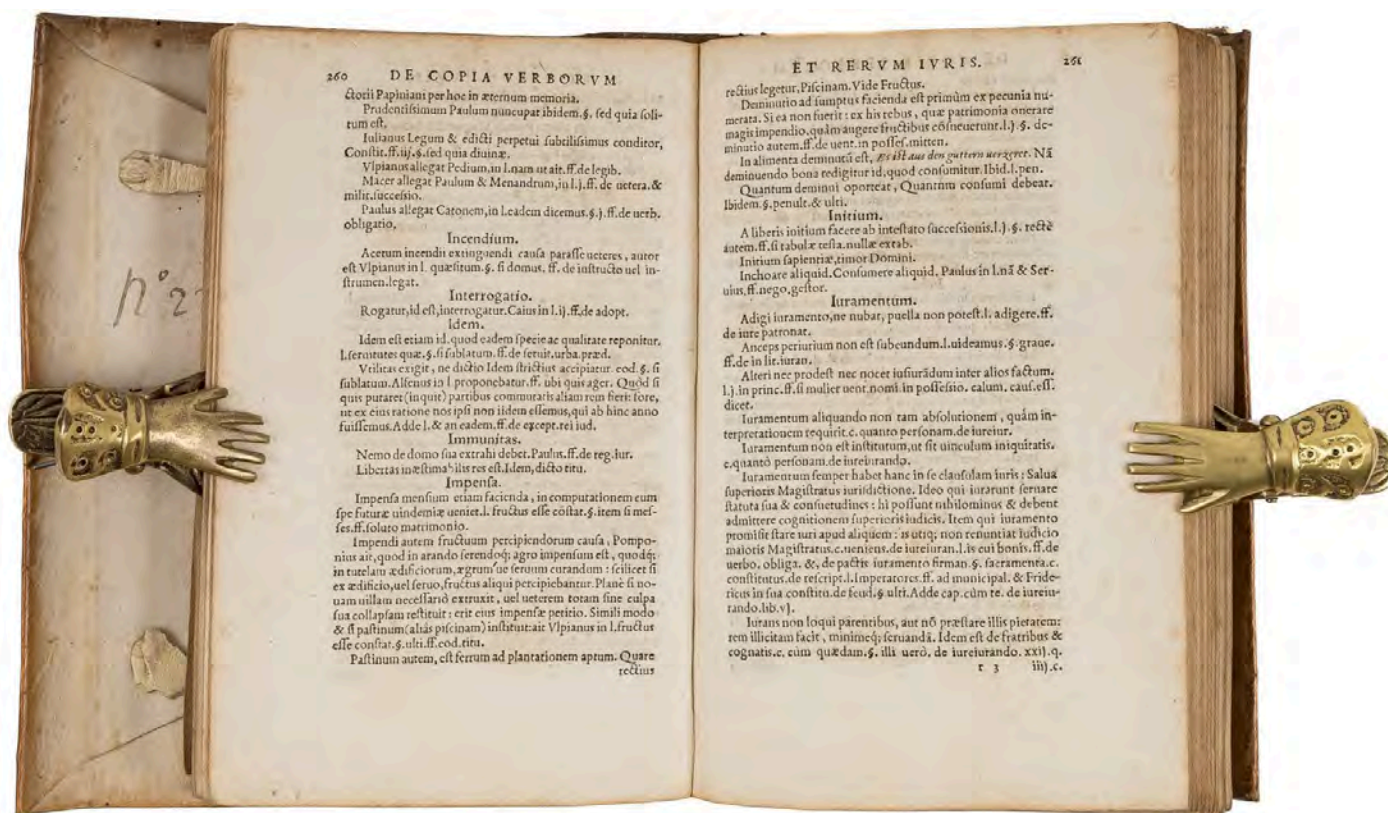
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* This volume unites three remarkably scarce legal treatises by Johann Oldendorp, a towering architect of Protestant jurisprudence and Legal Humanism (*mos gallicus*). Published just prior to his monumental *Lexicon Iuris Civilis* (1548), *De Copia Verborum* and *De Duplici Verborum* reflect Oldendorp's foundational belief that linguistic clarity is a safeguard against judicial tyranny. By systematically analyzing legal semantics (*verborum et rerum*), he sought to strip away dense medieval commentary and return to the crisp, actionable language of classical Roman law. The third bound work, *Collatio Iuris Civilis et Canonici*, captures the urgent geopolitical realities of the Reformation. As Protestant territories actively rejected papal authority, jurists were forced to systematically evaluate Catholic Canon Law; Oldendorp's *Collatio* provided a critical framework for determining which canonical principles could be preserved under a Lutheran theological lens. Beautifully preserved in its original commercial context, this volume was issued by Sebastian Gryphius, Lyon's preeminent humanist printer famous for his precise italic types and associations with figures like Erasmus and Rabelais.

The provenance of this volume testifies to its enduring utility within European legal circles, anchored by a brief, early scholarly ink annotation on the final title page and a later ownership stamp on the front pastedown. The loose binding offers a fascinating material provenance of its own, uncovering early manuscript binder's waste that demands further bibliographical study.

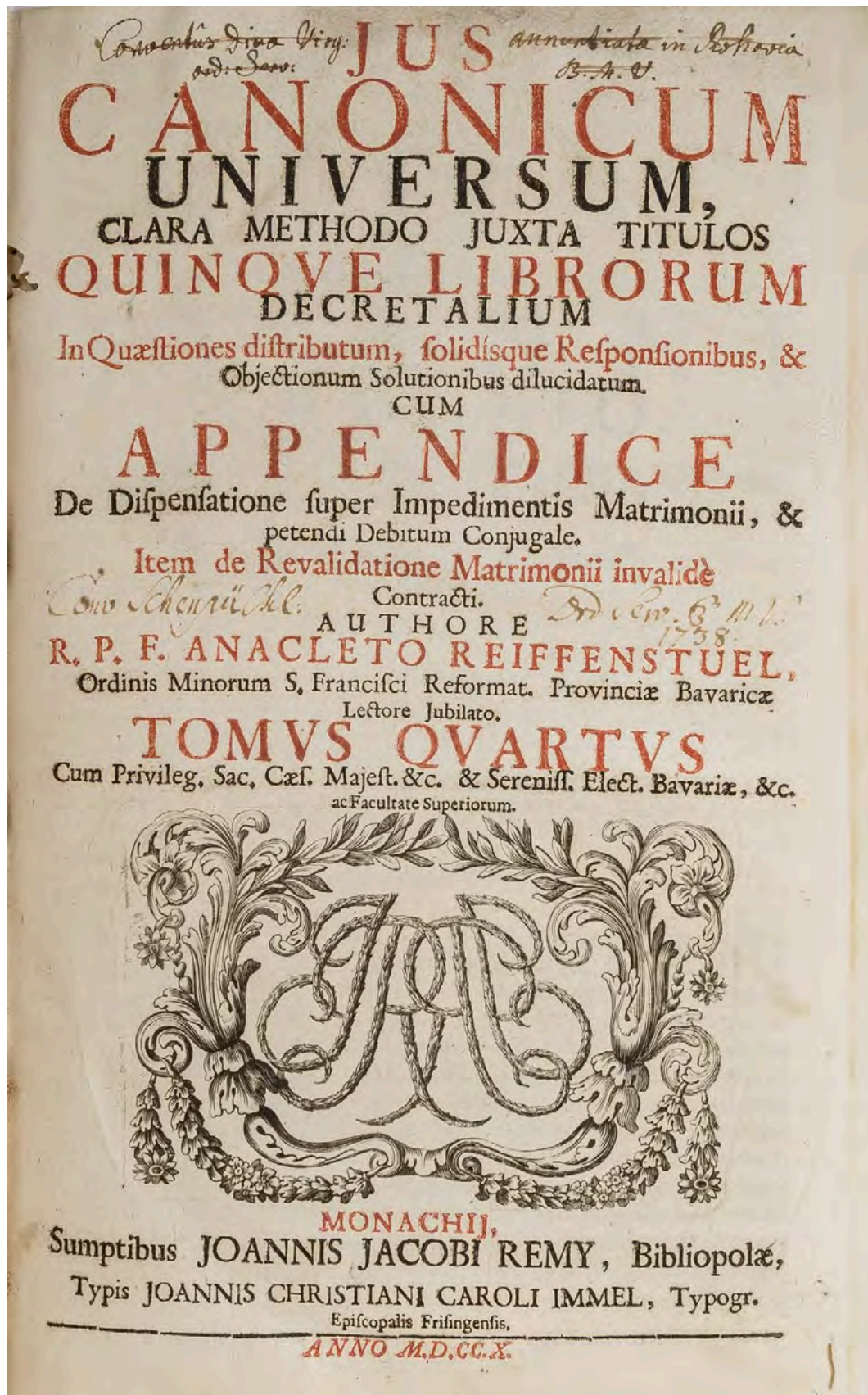
North American institutional holding records underscore the deep scarcity of these specific Lyonesse editions: OCLC locates just five copies of the first work (only three in law libraries, including the Library of Congress, Harvard, and Columbia), three copies of the second work (Harvard, Columbia, and the University of Michigan), and a mere two copies of the third work, with only a single copy resting in an American law library at the University of Michigan.

Baudrier, *Bibliographie Lyonnaise* 8: (pp.) 202, 212. *Universal Short-Title Catalogue* 149546, 149551, 149711.



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The Monumental First Edition of Reiffenstuel's Canon Law Masterpiece, in a Fine Monastic Binding

35. Reiffenstuel, Johann Georg (Anaklet) [1641-1703].

Jus Canonicum Universum, Clara Methodo Iuxta Titulos Quinque Librorum Decretalium in Quaestiones Distributum, Solidisque Responsionibus, & Objectionum Solutionibus Dilucidatum.

Munich: Sumptibus Viduae & Haeredum Joannis Hermanni à Gelder, Typis Mariae Magdalenae Rauchin, Viduae, 1702-1714.

First edition. Five books in three volumes. Folio (12" x 7-1/2"; 30.48 x 19.05cm). Folding table in Book IV.

Contemporary South German/Austrian blind-paneled pigskin over heavy wooden boards, spines with raised bands, blind fillets, and early manuscript or contrasting leather lettering pieces. Two brass-and-leather clasps to fore-edges of each volume (one clasp broken, one catch lacking). Spines and boards show light soiling, uniform patina, and minor historic worming; boards slightly bowed with light rubbing to extremities. Rust staining around metal clasps.

Interiors generally fresh with light, localized toning and occasional faint marginal dampstaining or light foxing. Leaves Dd2 and Dd3 of Book V are bound out of order but collated and complete against VD18. Minor worming to the first six leaves of Book I, affecting a few letters without loss of legibility. Small clean tears to the margins of three leaves in Vol. III neatly mended (one just touching text without loss). Early owner inscriptions of monastic houses dated 1726 (canceled) and 1738 to title pages; later 19th-century manuscript shelfmarks to versos of free endpapers. Early marginal annotation on p. 413 of Book II slightly shaved by the binder. A highly desirable, untouched set in its original monastic trade bindings. \$2,000.

* The definitive masterpiece of Counter-Reformation canon law. Written by the Bavarian Franciscan theologian and canonist Anaklet Reiffenstuel, this monumental treatise fundamentally revolutionized ecclesiastical jurisprudence. Prior to its publication, canon law relied on centuries of chaotic, fragmented medieval commentaries. Reiffenstuel successfully synthesized this massive corpus into a highly organized, lucid, and modern legal framework based on the structure of the Decretals of Gregory IX.

The defining achievement of *Jus Canonicum Universum* was its comprehensive integration of the decrees of the Council of Trent (1545-1563), subsequent papal constitutions, and the contemporary jurisprudence of the Roman Curia. Utilizing a rigorous scholastic methodology-structuring the law into sequential quaestiones (questions), detailed objections, and authoritative solutions-Reiffenstuel elevated canon law from an unrulable collection of decrees into a precise, scientific academic discipline.

This first edition represents the ultimate standard of reference across Catholic Europe and the Americas, serving as the foundational cornerstone of ecclesiastical legal education well into the 19th century and heavily influencing the eventual codification of Canon Law in 1917.

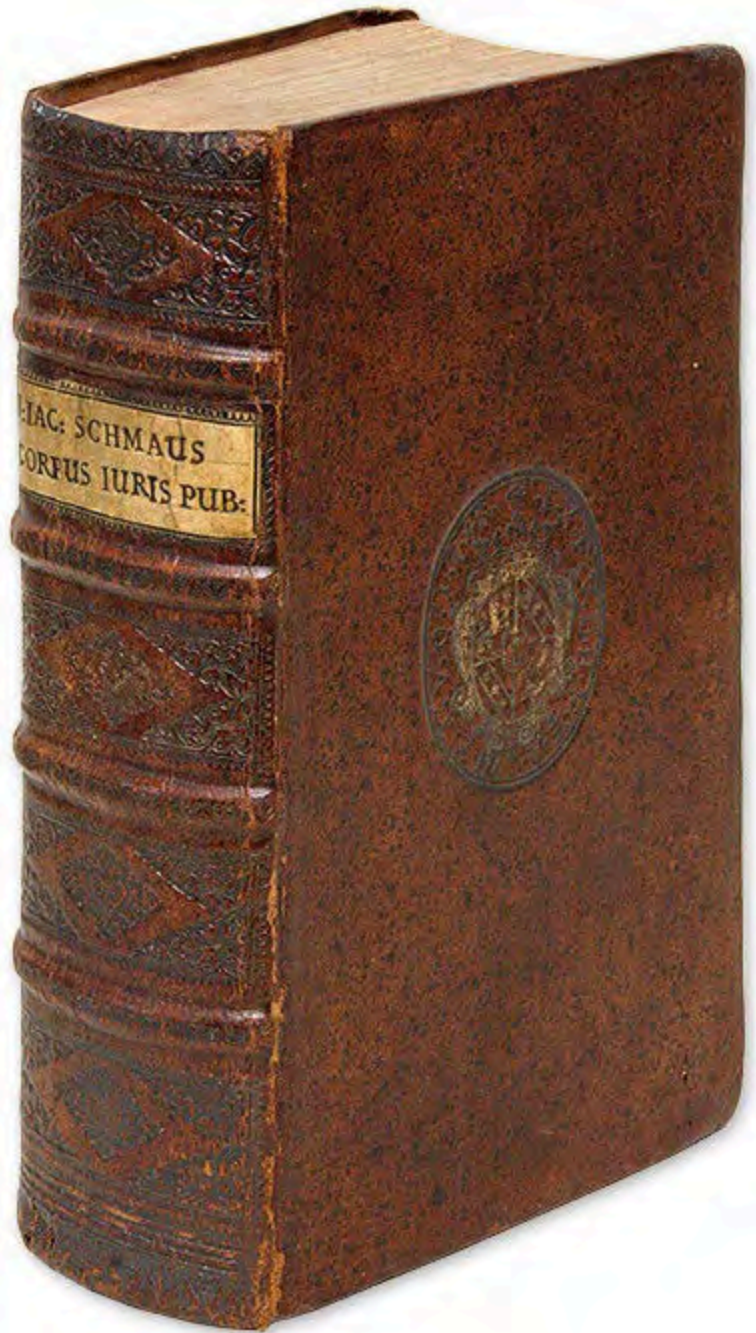
The contemporary monastic bindings and early ink inscriptions, dated 1726 and 1738, firmly place this set as an active working reference text within the library of a South German or Austrian convent during the height of the Baroque period.

New Catholic Encyclopedia 12:212. VD18 12334510.



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**Rare First Edition of Schmauss's Monumental Guide to
Holy Roman Empire Law in Contemporary Armorial Calf**

36. Schmauss, Johann Jacob [1690-1757].

Corpus Juris Publici Academicum: Enthaltend Die Vornehmsten Grund-Gesetze Des Heil. Röm. Reichs, Als: Die Güldene Bulle, Profan- und Religions-Auch Westphälisch- Und Andere Frieden, Die Cammer-Gerichts- und Reichs-Hof-Raths-Ordnungen, Reichs-Matricul und Neueste Wahl-Capitulation, Nebst einigen Andern Reichs-Constitutionen; Zum Gebrauch so Wohl der Studirenden Jugend, Als auch Anderer dem Studio Juris Publici Beflissenen.

Frankfurt and Leipzig, Zu Finden bey August Martini 1722.

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First edition. Octavo (6-3/4" x 4"). [xiv], 1072 pp. Calf thumb-tabs. Main text in parallel columns. Copperplate portrait frontispiece of Holy Roman Emperor Charles VI. Contemporary speckled calf, gilt armorial crests to center of boards, raised bands, blind tooling and lettering piece to spine. A few minor nicks to boards, light rubbing to extremities, gilding mostly rubbed away from crests, corners bumped and somewhat worn, front hinge starting at foot, minor worming to upper corners of front pastedown and preliminaries with no loss to text or plate. Moderate toning to text, faint dampspotting in places, a few tabs stuck to adjacent leaves, a few minor tears where tabs were peeled away. A handsome, structurally sound copy of a scarce title. \$1,750.

* Schmauss was a celebrated professor of law at the University of Göttingen. A comprehensive, historically grounded work, his *Corpus Juris Publici* established his reputation as the leading expert of his day on the constitutional law of the Holy Roman Empire. Stintzing-Landsberg holds this book in high regard, recommending it as a "convenient collection of sources" for the study of the Empire's constitutional history. It went through several editions and reissues, the last appearing in 1794 (reprinted in 1973).

Published in 1722, this collection captures the legal and constitutional architecture of the Holy Roman Empire at a crucial moment of relative stabilization between the devastating geopolitical realignments of the seventeenth century and the mid-eighteenth-century rise of Prussian-Austrian dualism. Schmauss's textbook represents the zenith of German *Reichspublizistik*: the Enlightenment-era academic movement dedicated to treating the sprawling, complex, and highly fragmented Holy Roman Empire not as an unexplainable legal anomaly, but as a coherent sovereign system governed by codifiable public law. Designed to train the elite administrators, jurists, and diplomats required to maintain the Empire's intricate administrative machinery, the volume seamlessly binds together the fundamental, treaty-based pillars of early modern European geopolitics.

Foremost among these foundational texts is the Golden Bull of 1356, the bedrock constitutional law regulating the electoral structure, princely privileges, and succession of the imperial electors. This is anchored alongside the Peace of Augsburg (1555), the landmark religious peace that established the principle of *cuius regio, eius religio* and legally legitimized Lutheranism within the Empire. The compilation also features the full text of the Peace of Westphalia (1648), the twin treaties of Münster and Osnabrück that ended the 'Thirty Years' War and established the framework for modern state sovereignty. Finally, Schmauss includes the *Wahlkapitulation* (Electoral Capitulation) of 1711, containing the specific constitutional concessions extracted by the electors from Holy Roman Emperor Charles VI upon his election, which served as a strict check against imperial overreach and royal absolutism. Taken together, the work stands as an essential, comprehensive sourcebook capturing the fragile legal equilibrium of the pre-modern German state.

All original editions are scarce or rare. OCLC locates 12 copies of the first edition, none in North America. This edition not in VD18. Stintzing-Landsberg, *Geschichte der Deutschen Rechtswissenschaft* Part III, Vol.1, 126.



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Legal Landmark: A Primary Source for the Evolution of Evidence and Record-Keeping

37. Spelungano, Leone.

Artis Notarie. Venice: [per Joannem Andream dictum Guadagninum et fratres de Vavassoribus], 1538.

Octavo (5-3/4" x 4"; 15 x 10.5 cm). [viii], 253, [3] ff.

Nineteenth century dark green quarter sheep over marbled boards with complimentary endpapers. Raised bands with red gilt-lettering piece and gilt fillets. Light rubbing to extremities; pin hole near head of front joint.

Text in Gothic type with Roman headline; woodcut title page printed in red and black with elaborate ornamental frame; woodcut initials throughout text; colophon and large printer's mark (Valvassori brothers) on verso of last page. Light toning to interior; occasional light and mostly unobtrusive foxing at edges.

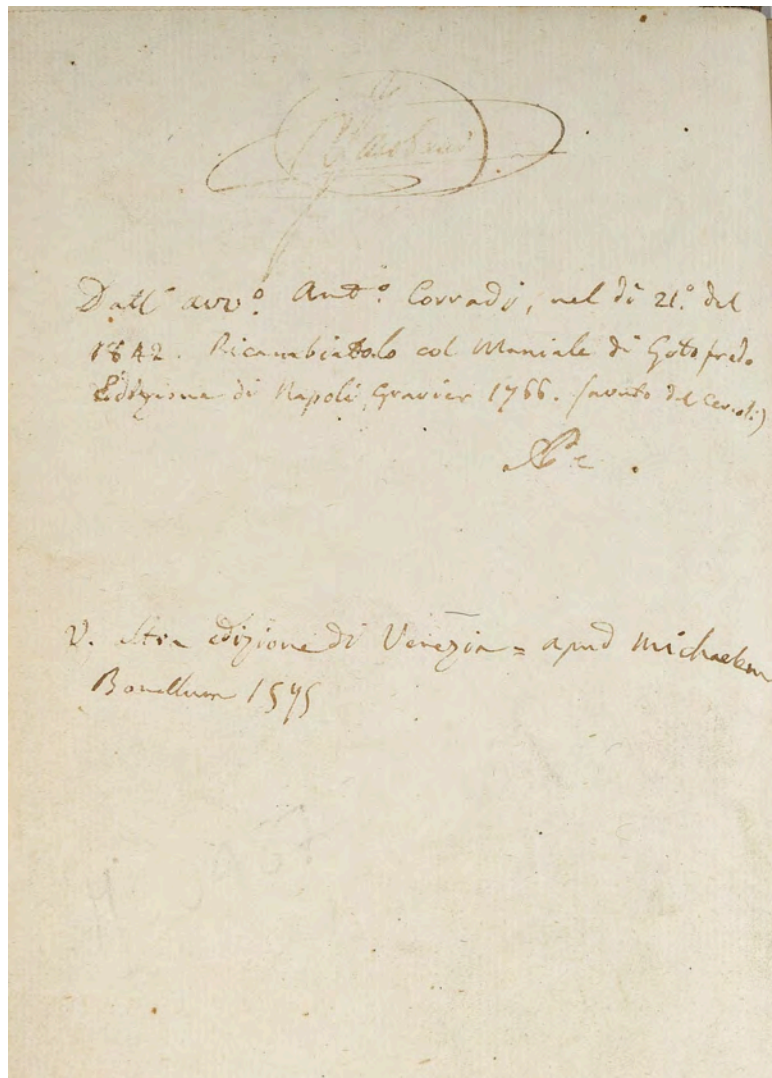
Illegible 19th-century owner signature to title page; same owner signature (abraded) and 19th-century annotations (in Italian, discussing other editions of this work and the provenance of this copy) to verso of front endleaf.

An attractive, well-preserved copy. \$4,500.

* Third edition. In the medieval and early modern Italian legal system, the notary was as important a figure as a lawyer or judge. "Notaries were involved in virtually any transaction of consequence," as Michael Widener notes. "As a result, handbooks for notaries became a significant niche market for book publishers. [...] Since much of the surviving records of public and private business in early modern Italy were produced by notaries, these books continue to serve as useful tools in historical research, and additionally as source material for the history of the written word, for the history of recordkeeping, and for the evolution of standards of evidence."

Artis Notarie is a popular, well-received example of a notarial handbook. Transmitted extensively in manuscript during the life of its author, civil jurist Leo Speluncanus, it was first published in Naples in 1526 with editorial oversight by notary Alessandro Pomarico. Like its manuscript predecessors, the print version enjoyed a wide circulation. At least nine editions were published, the last in 1574.

The 1538 edition is rare. OCLC locates 6 complete copies worldwide, 3 in North America (Harvard Law School, University of Pennsylvania, University of Wisconsin). Mayfair Rare Books & Manuscripts, *Notaries in Italy: A Selection of 17 Books* (May 2025). *Universal Short-Title Catalogue* 857223.



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**Handsomely Bound Copy of an Important German Treatise on
Contracts, One of the First to Draw on Non-Roman Sources**

38. Stryk, Samuel [1640-1710].

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

Praelectiones Viadrinae de Cantelis Contractuum Necessariis Exemplis Contractuum Declaratae et Variis Facultatis Iuridicae Responsis Illustratae. Praefationem de Iurisprudencia Heurematica Praemisit Io. Gottl. Heineccius, Ic.

Berlin: Sumtibus Christoph. Gottl. Nicolai, 1736.

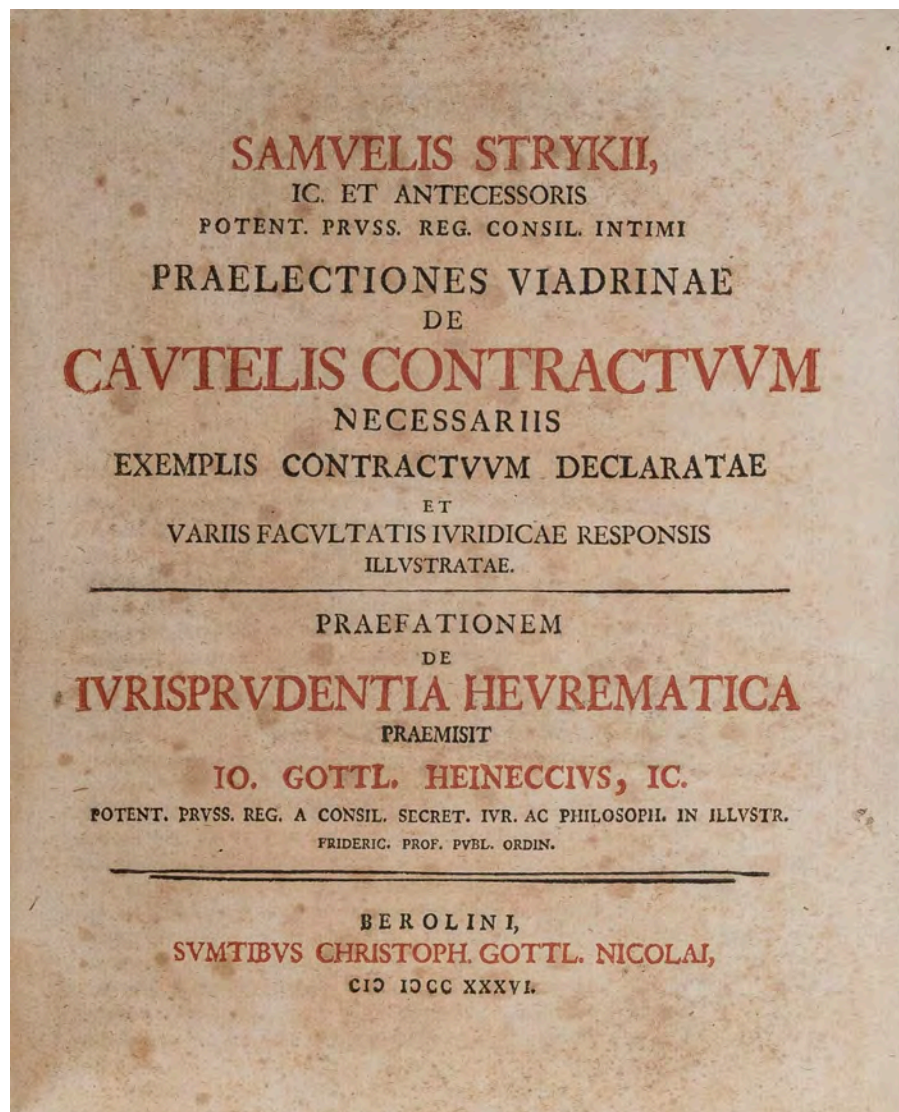
Quarto (7-1/2" x 6-1/4"; 19 x 15.9 cm). [ii], xxvi, 584, [32] pp. Striking contemporary paneled white pigskin over beveled wooden boards, raised bands lettering piece and tiny early shelf label to spine, colored edges, brass clasps. Negligible light soiling, tiny chip to head of spine, minor scuff to fore-edge of front board. Title page printed in red and black, moderate toning and foxing to interior. A very good, crisp copy in a notably handsome, well-preserved contemporary binding. \$2,000.

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* An important 18th-century German treatise on contracts, and one of the earliest to integrate local customary law with traditional Roman law. Originally published in Latin in 1684, Stryk's *De Cautelis Contractuum* marks a significant departure from pure Roman jurisprudence. It is structured into four parts: the first treats contracts requiring heightened caution (e.g., those involving church or civil property, or parties with diminished capacity, such as minors or those with sensory impairments). The second covers specific contract types like loans, deposits, pledges, sales, leases, and partnerships. The third addresses guardianship, insurance, exchange, and marriage, while the fourth details the discharge and termination of contracts.

This 1736 edition is augmented by an introductory essay on legal interpretation (*de Iurisprudencia Heurematica*) by Johann Gottlieb Heineccius, a towering figure of the German Enlightenment and the *Usus Modernus Pandectarum* who taught at the University of Halle. This edition represents a powerful intellectual intersection of two major forces in continental legal history: Stryk's practical, customary integration and Heineccius's systematic, rationalist methodology.

OCLC locates no copies of this edition in North America. *Das Verzeichnis Deutscher Drucke des 18. Jahrhunderts* 10820868.



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Well-Annotated Copy of Tiraqueau's Study of
French Civil Law and the Customary Law of Poitou

39. Tiraqueau, André [1480?-1558].

De Utroque Retractu, Municipali, Et Conventionali, Commentarii Duo, Iam Tertio, Sed Multò Felicius, Quàm Antea, Renati, & Amendis Propemodum Innumeris, Quae Insuperiori Editione Resederat, Ipsius Denuo Autoris Opera Quàm Accuratissimè Repurgati. Lyon: Apud Guliel. Rouillium, 1555. [lvi], 16, [1], 353 ff. Folio (13-1/4" x 8-3/4"; 33.7 x 22.2 cm).

Contemporary quarter calf over paper-covered boards, raised bands, gilt fillets and lettering piece to spine. Moderate rubbing and scuffing to boards, heavier rubbing to extremities with wear to spine ends and corners, boards beginning to separate, but secure. Copperplate frontispiece with architectural border, woodcut image of author to verso. Moderate toning and light foxing to interior, faint dampstaining to foot of text block in a few places. Partially struck-through name ("Gavroux"?) to title page, check marks, underlining and annotations to several leaves, a few somewhat illegible, in somewhat later hand. \$3,500.

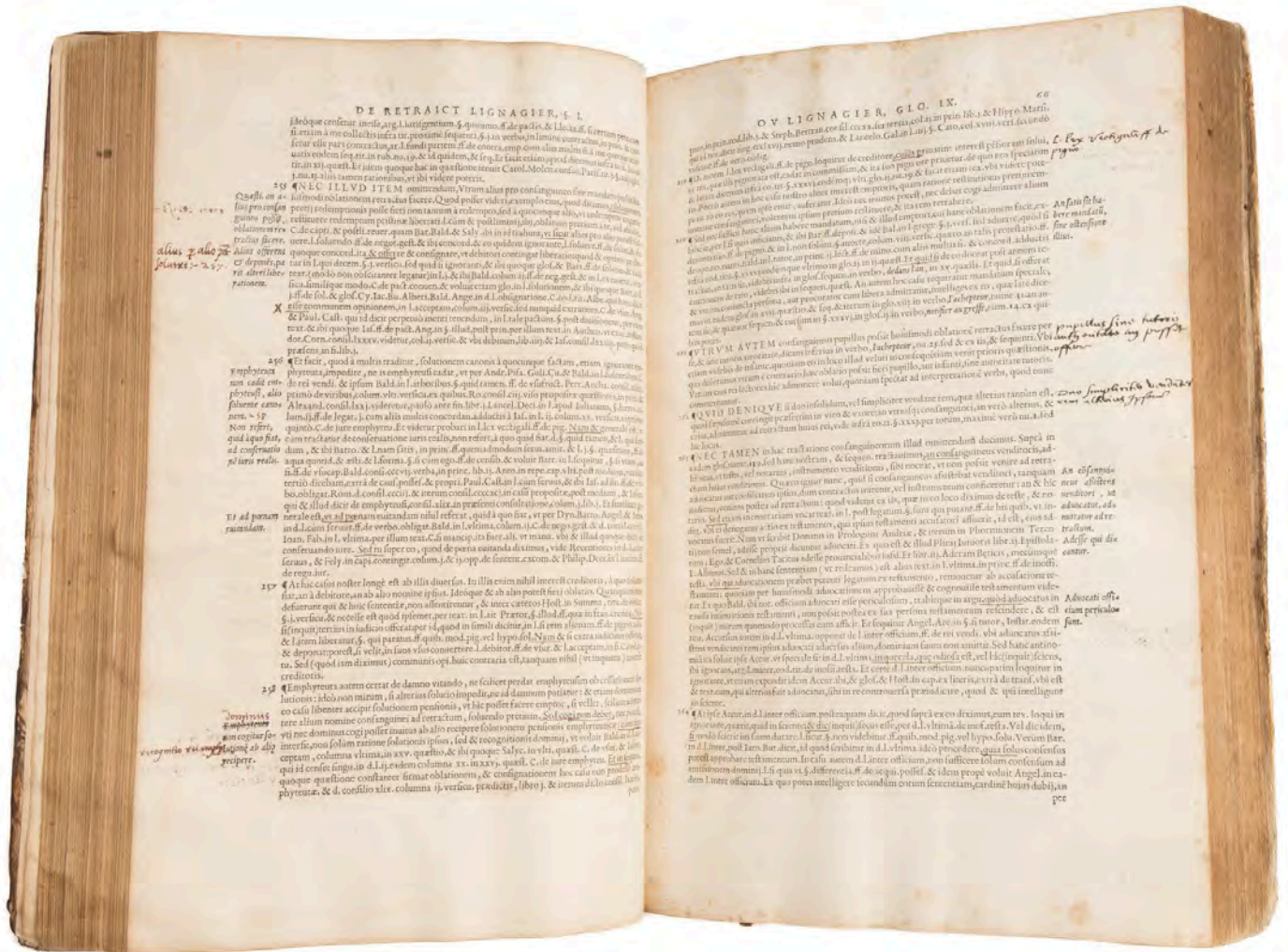
* Third and definitive edition, heavily revised and corrected by the author. A counselor to the Parlement of Paris from 1541, André Tiraqueau was a dominant figure in sixteenth-century French jurisprudence and a leading legal humanist. First published in 1543, *De Utroque Retractu* is his landmark comparative study examining the intersection of Roman civil law and the customary law (coutumes) of Poitou, specifically focusing on the legal rights of retraction (the right to reclaim familial or transacted property). Highly influential in reconciling regional customary traditions with classical Roman frameworks, the work was widely received and went through numerous editions well into the seventeenth century.

Based on paleographic evidence and thematic content, this copy features extensive margins heavily annotated by a contemporary hand in the late sixteenth or early seventeenth century. The anonymous annotator exhibits a sophisticated command of local practice, offering a critical dialogue with Tiraqueau's text.

The commentary focuses heavily on issues of inheritance and succession law, alongside notes on statutory penalties (f. 16/p. 86) and legal prohibitions against the alienation of third-party goods (f. 200). Jurisprudential Grounding: The annotator repeatedly validates or challenges the text by citing specific judgments (*arrêts*) of the regional Parlements.

Far from a passive reader, the annotator actively corrects or openly contradicts Tiraqueau's assertions at several points, making this an exceptional artifact of early modern legal scholarship in practice.

Baudrier, *Bibliographie Lyonnaise* IX:311.



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**Beyer's Rare 1708 Folio Edition of Volckmann's *Notariat-Kunst*
Guide to Notaries in the Holy Roman Empire With a Handsome Title Page**

40. Volckmann, Adam [1612-1664].

Beyer, Georg [1665-1714], Editor.

Volckmannus Emendatus, Sive, Manuale Advocatorum et Notariorum: Hand-Buch vor Advocaten und Notarien, So Bissbero unter dem Titul: Adam Volckmanns Notariat-Kunst zu Vielen Mahlen Edirt und Gebessert, Nunmehr aber Durch und Durch Geändert....

Leipzig : Verlegt von Johann Grossens seel. Erben, und Johann Friedrich Braun, 1708.

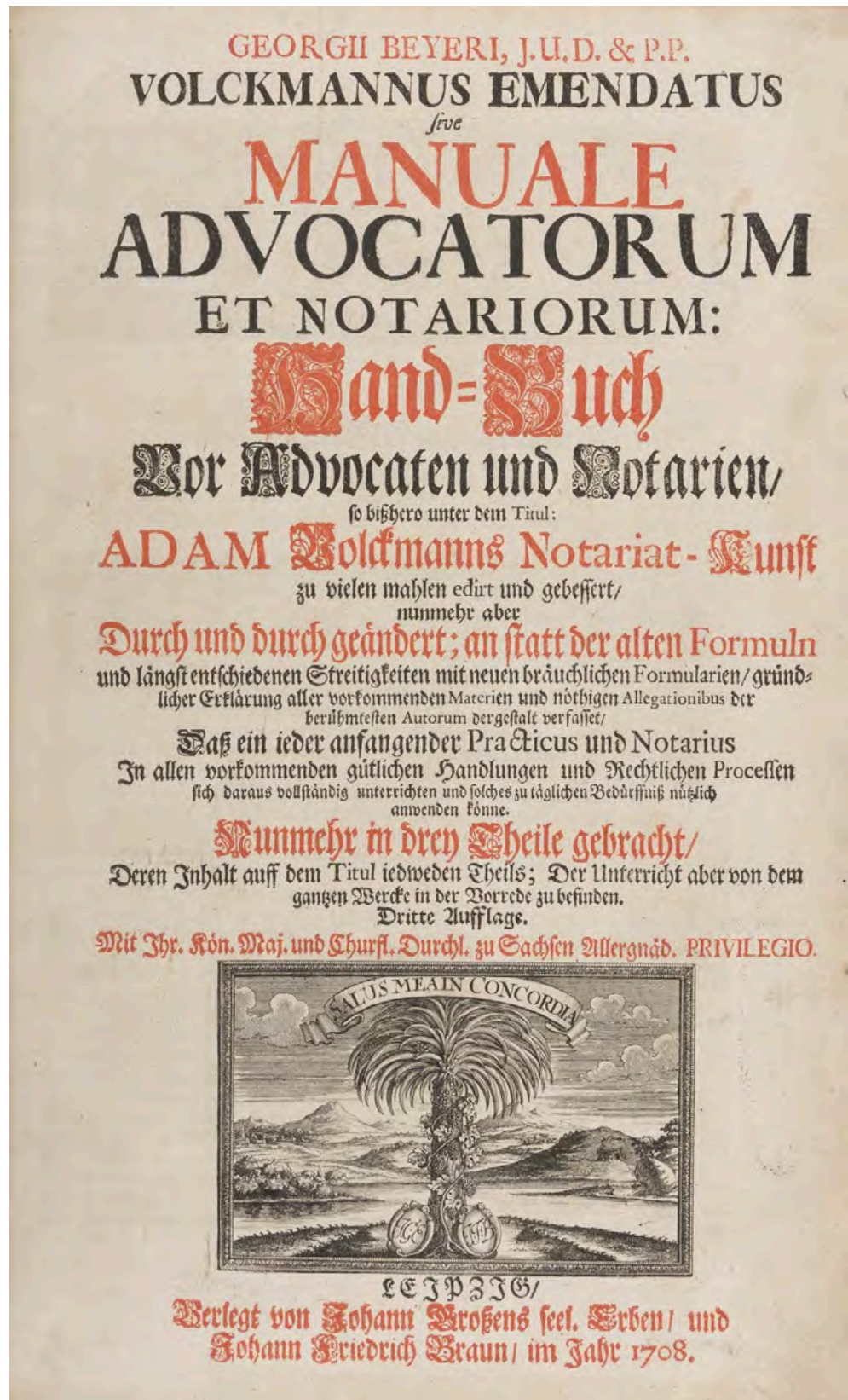
Three parts in one volume. Folio (13 1/4" x 8 1/4"; 33.5 cm x 21 cm). [x], 522 [i.e. 514]; [ii], 416; [14], 200, [22] pp. Sections of text in parallel columns. Second and third parts have title pages. Main title page preceded by copperplate pictorial title page featuring a court scene and Lady Justice.

Contemporary calf, gilt spine with raised bands and gilt title (reading *Volckmanni Notariat Kunst*), speckled edges. Moderate rubbing and a few minor scuffs to boards, somewhat heavier rubbing to extremities, chipping to head of spine, front joint cracked, corners bumped, upper corners moderately worn, hinges partially cracked, small recent owner inkstamp to front pastedown. Main title page printed in red and black. Moderate toning to interior, faint dampstaining to fore-edges of rear quarter of text block, spark burns to a few leaves, light soiling and fading to pictorial title page, offsetting to margins of preliminaries, final leaves of text and rear endleaves. A very good, crisp copy, structurally sound. \$2,000.

* Later edition of this foundational manual of early modern civil practice in the Holy Roman Empire. First published in 1624-1625 under the title *Informatio Notariorum*, Volckmann's treatise served as the definitive encyclopedia for Central European notarial practice for well over a century.

Unlike common-law notary publics, a notary within the Holy Roman Empire was a highly trained jurist of immense stature, responsible for drafting complex public instruments, codicils, and commercial treaties. This 1708 edition is particularly significant due to the extensive textual overhaul by Georg Beyer, a towering legal scholar at Wittenberg who is historically celebrated for delivering the first academic lectures on indigenous German law (*Jus Germanicum*), separating it from the dominant Roman civil tradition. Beyer's modernizations transformed Volckmann's seventeenth-century core text into a vital bridge toward Enlightenment-era German jurisprudence. Copies of this folio edition with the striking pictorial frontispiece fully intact are scarce on the market.

All editions of this work are scarce. OCLC locates 1 complete copy of the 1708 edition in North America (UC-Berkeley Law School). It is not listed in the *Verzeichnis Deutscher Drucke des 18. Jahrhunderts*.



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