

OCTOBER 1, 2024

LAW & RELIGION

c.1473–1833

30 Items



THE
LAWBOOK EXCHANGE
LTD.



One of the Earliest Printings of the *Liber Sextus Decretalium*:

A Scarce Incunable with Highly Distinguished Provenance, Including a Bookplate Designed by Picasso

1. Bonifacius VIII, Pope [c.1235-1303]

D'Andrea, Giovanni [c.1270-1348], Glossator.

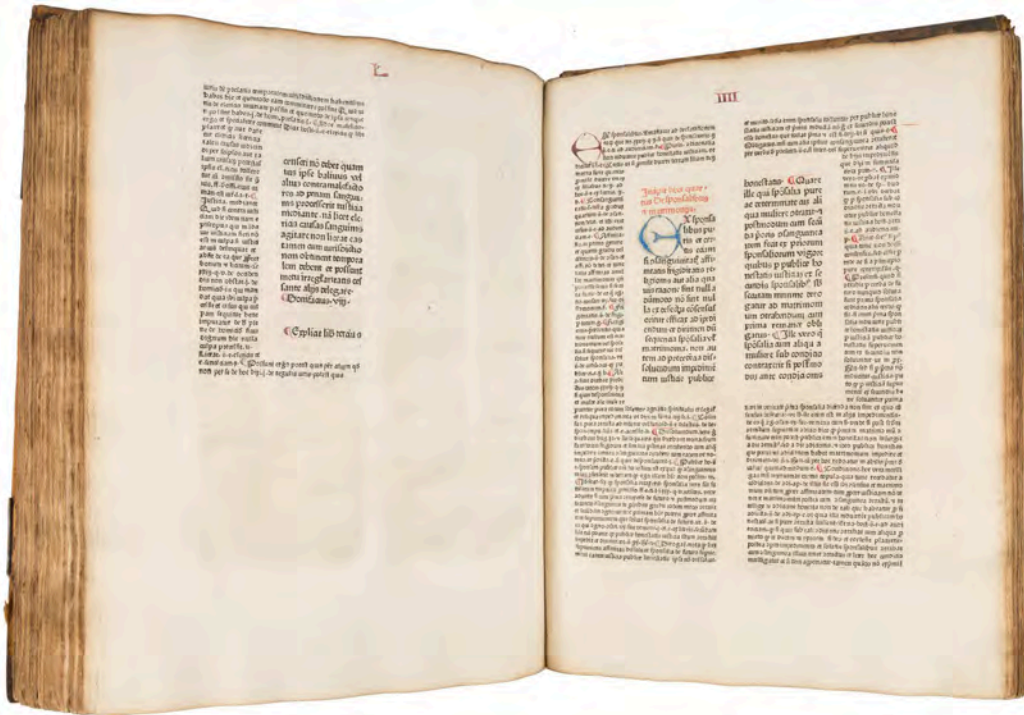
[*Liber Sextus Decretalium*]. [Strasbourg: Heinrich Eggestein, c.1473]. 199 ff. Lacking h6 and final leaf, both blanks. Collation: [a-d10, e13, f-g10, h5, i10, k-l8, m-p10, q4, r-v10, x11]. Folio (16-1/2" x 12"; 41 x 30.5 cm).

Contemporary reversed calf (on thick wooden boards), brass catches to fore-edges, straps lacking, raised bands and fragment of later paper title label to spine, residue of title label to front board. Moderate rubbing and scuffing to boards, heavier rubbing to extremities with wear to spine and corners, boards beginning to separate but secure, minor worming to pastedowns, upper corner lacking from front free endpaper, which, along with following two leaves, is lightly soiled and edgeworn. Text in parallel columns, 44-line main text with Andrea's 59-line linear gloss. Printed in red and black. Initials in red, blue, and purple, paragraph marks and capital strokes in red. Moderate toning, light browning in places, occasional light soiling and faint dampstaining to margins. Early and nineteenth-century annotations to front free endpaper (the latter a torn away owner signature dated 1836) and first leaf of text (an early gift inscription, a struck-through ownership inscription of a Regensburg monastery, "Conventus Ratisbonensis Ord. Erem. S. Augustini," and an annotation or signature, "Maria Inghland" [?]). Bookplate of Theodore Low De Vinne and bookplate of Alexandre P. Rosenberg, designed for him by Pablo Picasso, to front pastedown, Rosenberg's brief typewritten book description, with Goff number added in pencil, tipped in. \$36,000.

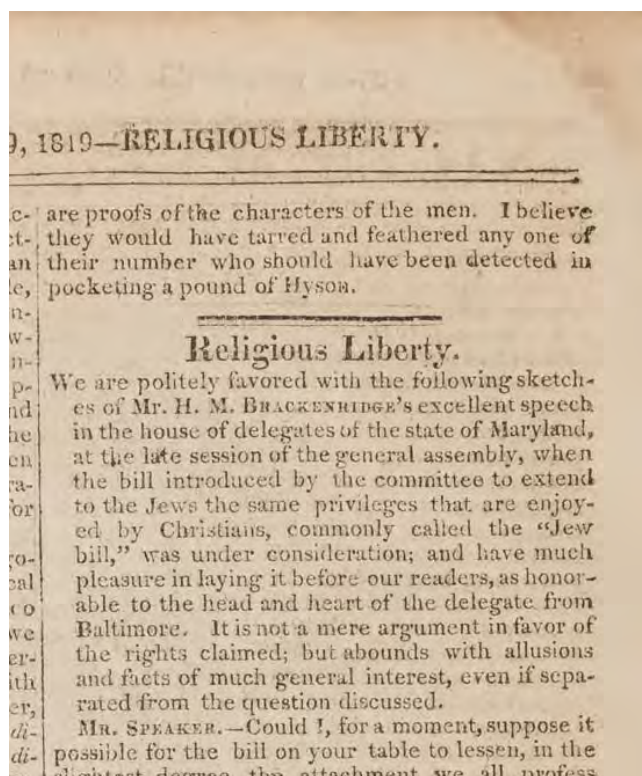
* Third edition. Issued in 1298, the *Liber Sextus* of Boniface VIII is one of the primary collections of canon law. It is one of the writings known collectively as the *Corpus Juris Canonici*. Andrea was an Italian canonist and professor of canon law at the University of Bologna. An eminent figure, his principal writings circulated widely in manuscript and were among the earliest printed works on canon law. His glosses were first published in 1472. All early editions are rare on the market. This Eggestein edition was considered the second for many years, a point upheld by Goff and *GW*, but it is now widely believed to be the third.

Theodore Low De Vinne [1828-1914], an American printer and scholar of typography, was one of the founders of the Grolier Club in 1884. Alexandre Rosenberg [1921-1987], an art dealer, and his wife, Elaine [1921-2020], were important collectors of illuminated manuscripts and early printed books. Picasso, who was represented by Alexandre's father, the eminent Paris art dealer Paul Rosenberg [1881-1959], was a lifelong friend of the couple and designed this bookplate especially for Alexandre.

Excluding this copy, the *ISTC* locates 7 copies of this imprint in North America, 2 in law libraries (Harvard, Library of Congress). *Incunabula Short-Title Catalogue (ISTC)* ib00977000.



[Order This Item](#)



First Printing of Brackenridge's Eloquent Defense of Religious Liberty for Maryland Jews

2. [Brackenridge, Henry Marie (1786-1871)].

Niles' Weekly Register. New Series. No. 14-Vol. IV. Baltimore, May 29, 1819. [Baltimore]: Printed and Published by H. Niles, [1819]. 225-240 pp. Octavo (9-3/4" x 6-1/4").

Disbound, leaves starting to separate at ends but secure, moderate toning, faint dampstaining to corners, light soiling to a few leaves, small tear to fore-edge of first two leaves not affecting text. \$1,250.

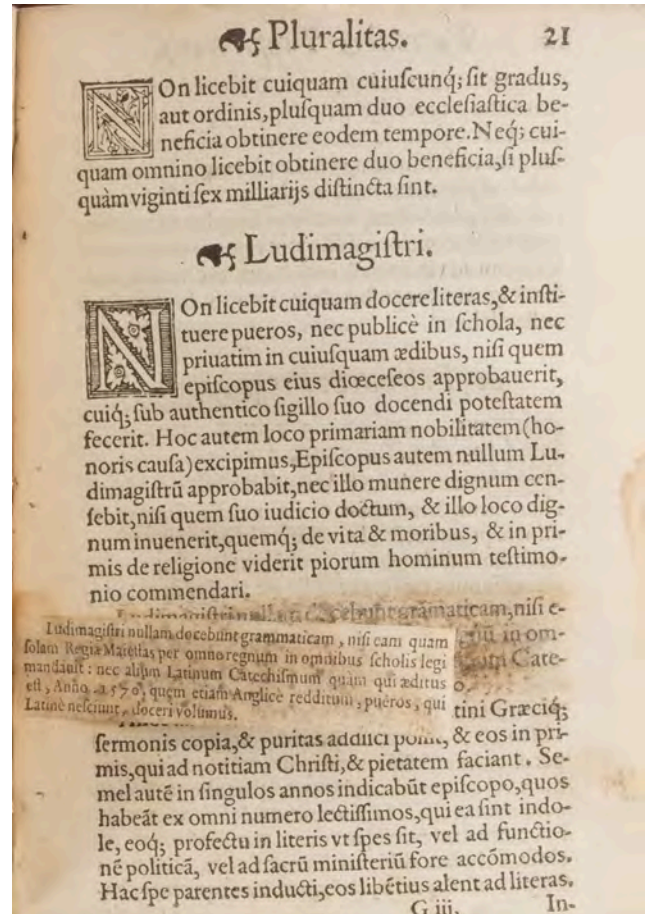
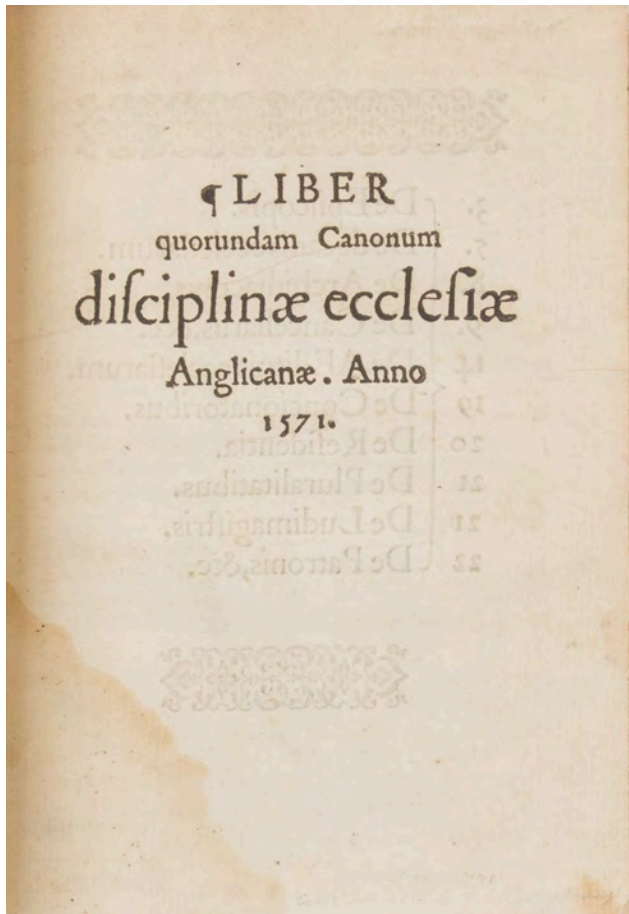
* Includes the first separate printing of Henry Brackenridge's speech in favor of Maryland's act "to extend to the sect of people professing the Jewish religion the same rights and privileges enjoyed by Christians," better known as the "Jew Bill." Like many other states, Maryland's constitution required public officials to profess "a belief in the Christian religion," barring Jews from holding any public office, including military service and the legal profession.

The struggle to change the law was long and bitter. Petitions to the legislature were submitted by Maryland Jews beginning in 1797, but the bill was repeatedly defeated on the floor. In 1818, the bill was reintroduced and Brackenridge gave an extensive, passionate speech in its favor. Referring to the exclusion of Jews from office as "degrading" and "odious," he argued that the law violated the federal constitution and the founding principles of the nation, citing, among other sources, James Madison and Tucker's Blackstone. Despite his efforts, the bill was defeated again and would not pass until 1826.

The speech was issued in pamphlet form along with the full text of the bill and another speech from Thomas Kennedy in November 1819, with the text of Brackenridge's speech taken from this issue of the Weekly Register (Cohen). Though there is no official record of the debates, a collection of speeches on the bill was published by Brackenridge in 1829.

See Cohen, Bibliography of Early American Law 3516. Not in Rosenbach or Singerman. Eitches, "Maryland's Jew Bill," American Jewish Historical Quarterly 60.3 (1971): 258-279.

Order This Item



Final Revisions to the 39 Articles

3. [Church of England].

Liber Quorundam Canonum Disciplinae Ecclesiae Anglicanae. Anno 1571. [London: Printed by John Day, 1571]. 23, [1] pp. Cancel slip affixed to p. 21. Quarto (6-3/4" x 5").

Recent three-quarter calf over marbled boards, blind fillets to boards, gilt title, gilt publication date and blind fillets to spine, endpapers renewed. Moderate toning to interior, faint dampstaining to several leaves, mostly to margins, cancel slip partially detached but secure. \$1,250.

* First Latin printing. The *Liber Quorundam* of 1571 was the final set of revisions to the 39 Articles of Religion, the doctrinal foundation of the Church of England, U.S. Episcopal Church and the Anglican Church in North America, as well as congregations in the Anglican Communion and Anglican Continuum. Formulated as 10 articles in 1536, this body of laws attained its final form in 1571 under the direction of Queen Elizabeth. The *Liber Quorundam* concerns Articles 3 (De Episcopis), 5 (De Decanis Ecclesiarum), 8 (De Archidiaconis), 9 (De Cancellariis. &c.), 14 (De Aedituis Ecclesiarum), 19 (De Concionatoribus), 20 (De Residentia), 21 (De Pluralitatibus, De Ludimagistris) and 22 (De Patronis, &c.).

The *ESTC* records three variants of the 1571 issue. They are distinguished by the penultimate paragraph of leaf G3r (p. 21), which is the revised Article 21. Variant 1 is uncorrected. In Variant 2, our copy, the text is covered with a cancel slip adding additional content. Variant 3 has a corrected text. Not in Beale.

English Short-Title Catalogue (ESTC) S122549.

[Order This Item](#)



With "An Essay on Christian Government"

4. [Cock, Charles George].

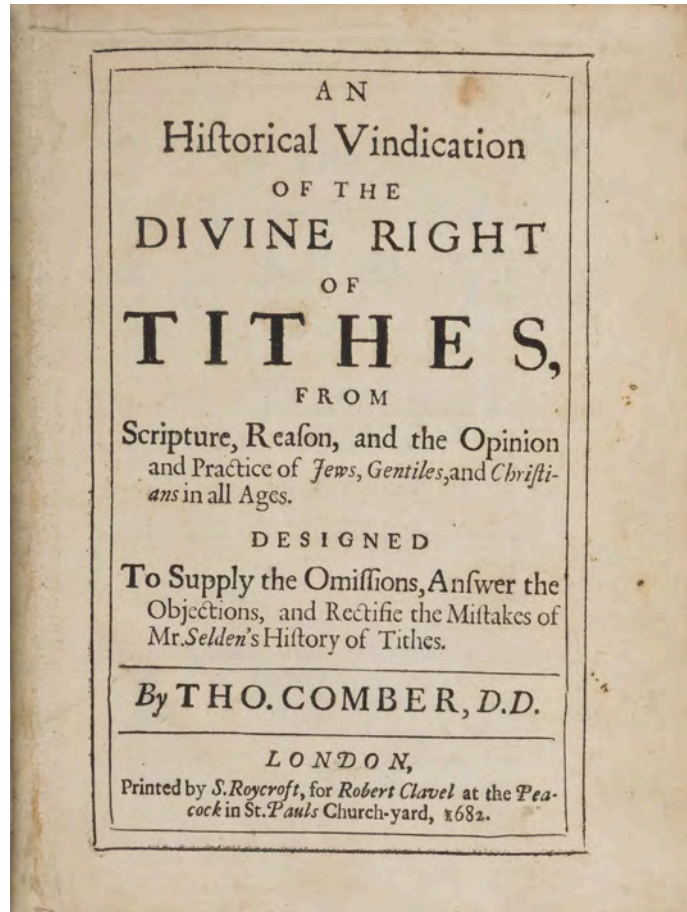
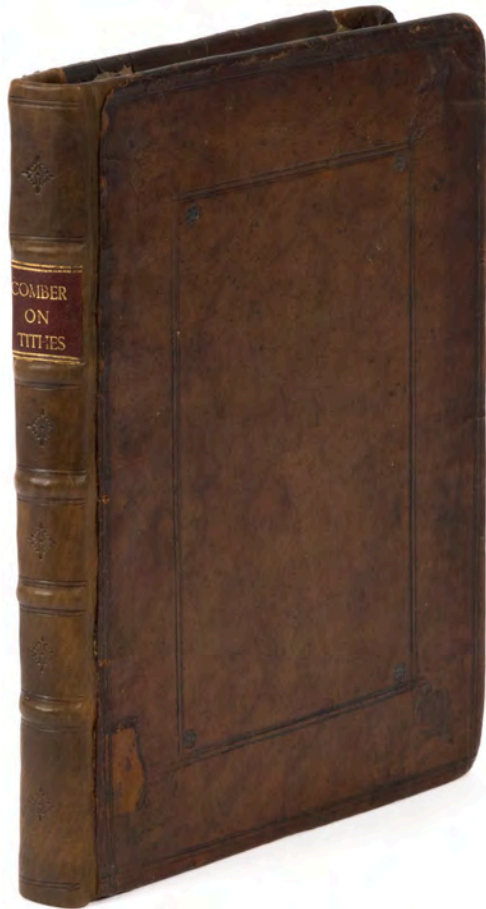
English-Law: Or, A Summary Survey of the Household of God on Earth; And that Both Before and Under the Law; And that Both of Moses and the Lord Jesus. Historically Opening the Purity and Apostacy of Believers in the Successions of Ages, To this Present. Together with an Essay of Christian Government Under the Regiment of our Lord and King, the One Immortal, Invisible, Infinite, Eternal, Universal Prince, The Prince of Peace, Emmanuel. London: Printed by Robert White, for T.G. and Francis Tyton, and are to be sold at the Three Daggers near the Inner-Temple-Gate, 1651. [xx], 95, [1]; [17], 101-194, [2] pp. "An Essay on Christian Government" has separate dated title page. Pagination irregular, text complete. Folio (11" x 6-1/2").

Recent period-style calf, blind rules to boards, raised bands, blind fillets and lettering piece to spine, edges rouged, endpapers renewed. Moderate toning to interior, light browning to edges of text block, light foxing in places, moderate edgewear to preliminaries and final few leaves. Recent owner inscription to front free endpaper, early owner annotations to title page and a few other leaves, faint, often very faint, recent marks in pencil and colored pencil to margins of several leaves. \$4,500.

* Only edition. Cock's treatise is a characteristic and exceptionally detailed exposition of an important strain of Puritan thought during the Commonwealth era, namely that English law and government should be reformed along biblical lines, a belief shared by the New England Puritans. This core of the book's argument is encapsulated by its title vignette of a ship, representing the Commonwealth, in a storm-tossed sea. It will be saved because it has cast off the anchor decorated with crowns and scepters, that is, monarchy, and fastened itself to an anchor secured by the clouds with the caption "only by faith." Francis Tyton, one of the publishers, would later become printer to the House of Lords. The neat early annotations to our copy, in both Latin and English, are quotations from Lucius, Plato and the Bible. (One quote appears to be a paraphrase of Proverbs 13.)

This is a scarce title. It has appeared only three times at auction since 1939. Combined, the *ESTC* and *OCLC* locate 16 copies, 8 in North America, 4 in North American law libraries (Columbia, Georgetown, Harvard, UC-Berkeley). *English Short-Title Catalogue (ESTC)* R37185.

[Order This Item](#)



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

5. Comber, Thomas [1645-1699].

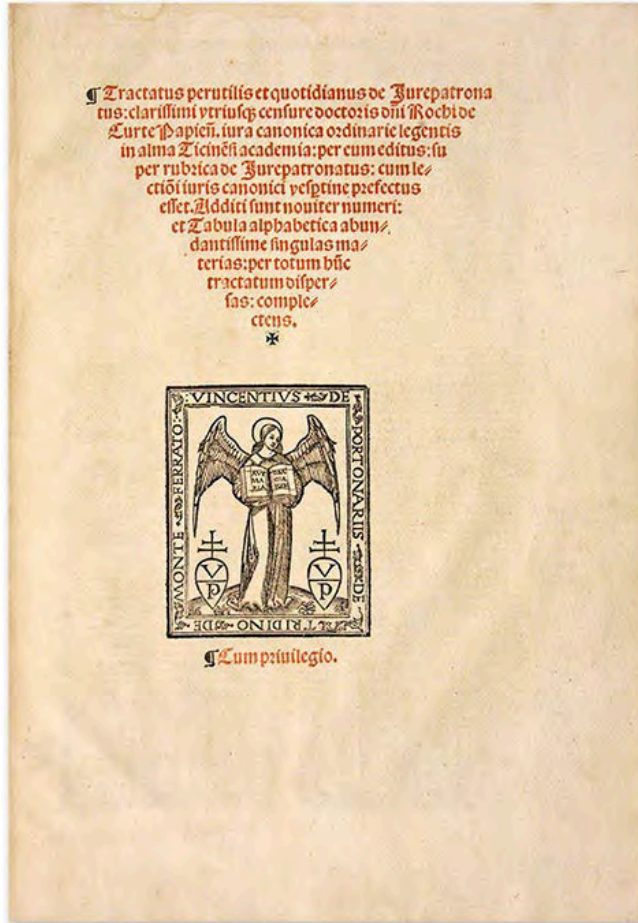
An Historical Vindication of the Divine Right of Tithes, From Scripture, Reason, And the Opinion and Practice of Jews, Gentiles, And Christians in All Ages. Designed to Supply the Omissions, Answer the Objections, And Rectifie the Mistakes of Mr. Selden's History of Tithes. London: Printed by S. Roycroft,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

Contemporary calf, rebacked in period style, blind rules and panels to boards, raised bands, blind ornaments and lettering piece to spine, upper corner of rear board and hinges mended. A few minor nicks and scuffs to boards, light rubbing and a few nicks to extremities, corners bumped and lightly worn, front free endpaper lacking, original lower half of final leaf (114, p. 247) lacking with minor loss to text (of the word "Finis" below last sentence), leaf carefully repaired with recent paper. Light toning to text, finger smudges to a few leaves, light soiling to title page and rear free endpaper. Later owner signature to front pastedown (of William Rogers, Mawnan), interior otherwise clean. \$500.

* First edition. Comber's spirited work is a reply to Selden's *Historie of Tythes* (1618), especially his claim that tithes are not a divine right, and an attack on Catholic and Protestant dissenters, most notably Quakers and Anglican churchmen who fail to give full, uncritical support to the Church of England. This book had a second edition in 1685. Our copy of the first edition was probably owned by William Rogers [1817-1889], the rector of Mawnan in Cornwall.

Both editions are scarce. OCLC locates 4 copies of the first edition in North American law libraries (Harvard, UC-Berkeley, University of Minnesota, University of Pennsylvania). *English Short-Title Catalogue* R6540.

[Order This Item](#)



An Attractive, Wide-Margined Copy of the Rare First Edition of a Classic Study of Church Patronage

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

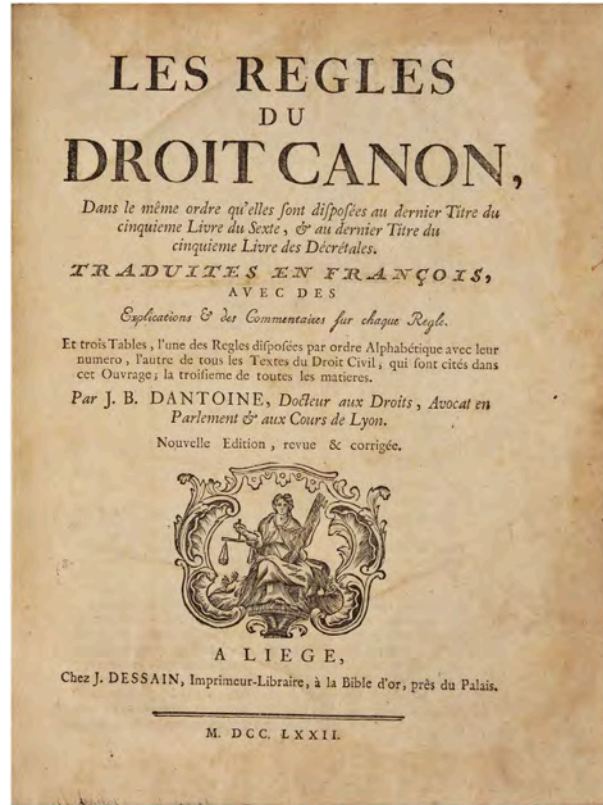
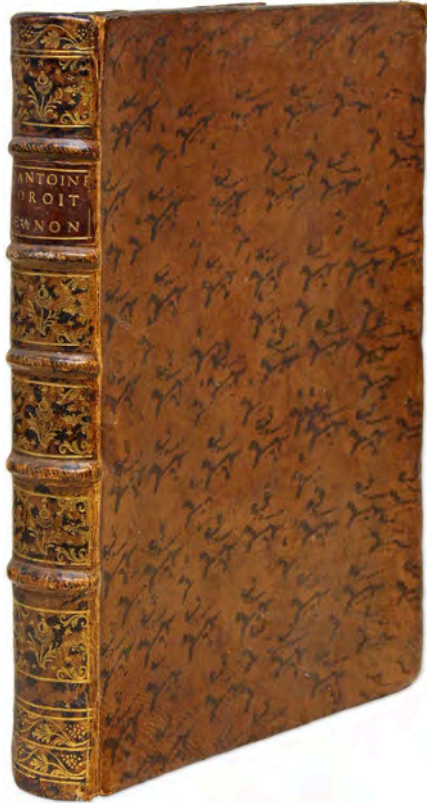
Tractatus Perutilis Et Quotidianus De Jure Patronatus... [Lyon]: Vincentius de Portonariis, De Tridino Monte Ferrato, [1520]. 37 ff. Text in parallel columns. Folio (15-3/4" x 11").

Recent three-quarter vellum over marbled boards, endpapers renewed. Negligible light shelfwear and soiling. Title page with large woodcut printer device, printed in red and black, large woodcut initial with (possibly) later coloring at head of text, woodcut decorated initials, text printed on wide-margined paper. Light toning, somewhat heavier in places, underlining and brief annotations in an early hand to a few leaves. An appealing copy of a rare, handsomely printed edition. \$4,000.

* The ius patronatus is the body of laws concerning patronage by members of the church, including the granting of privileges, lands and goods. First published in 1506, the commentary of Rochus Curtius was a standard work on this subject into the seventeenth century. Our edition is remarkable for its magnificent typography and notably wide margins. The printer, Vincent de Portonariis, is not stated in the colophon; he is only identified by the printer device on the title page. As a result, this imprint is often mis-attributed.

OCLC locates 2 copies of our 1520 imprint, both in Germany. Not in Adams or the Universal Short-Title Catalogue.

Order This Item



The Principles of Canon Law Stated as Maxims

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

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

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

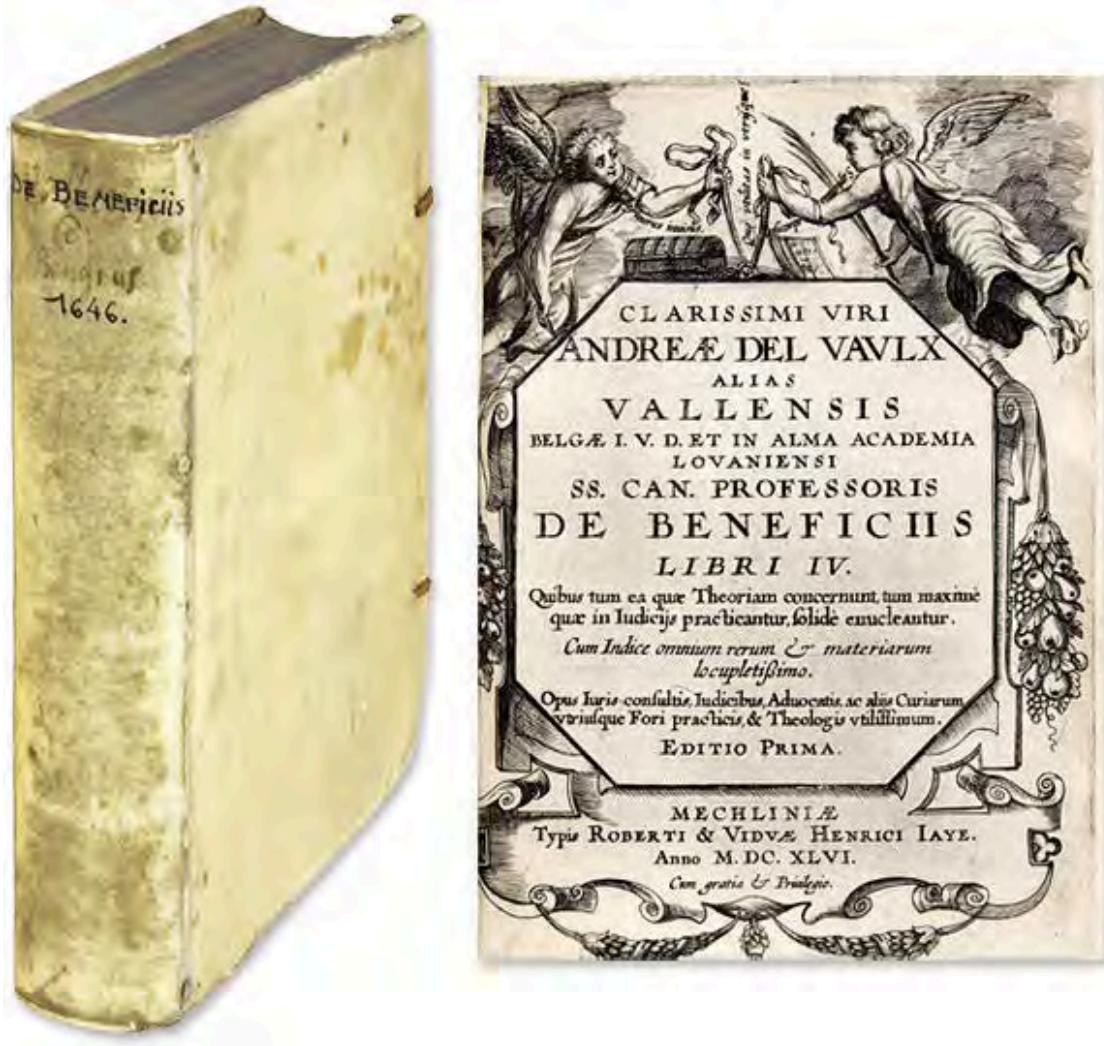
Les Regles du Droit Canon, Dans le Même Ordre Qu'Elles sont Disposées au Dernier Titre du Cinquième Livre du Sexte, & Au Dernier Titre du Cinquième Livre des Décrétales. Traduites en François, Avec des Explications et des Commentaires sur Chaque Règle. Et Trois Tables, l'Une des Regles Disposées par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

Contemporary sheep with cat's-paw decoration, gilt spine with raised bands and lettering piece, speckled edges. Boards slightly bowed, rubbing to extremities with minor wear to edges, corners bumped and somewhat worn, moderate toning to interior, some offsetting to margins of preliminaries. A handsome copy. \$950.

* Penultimate edition. Modeled on the final title of Justinian's *Digest*, "De Diversis Regulis Juris Antiqui (Concerning Different Rules of Ancient Law)," the *Regulae Juris* (Rules of Law) are two collections of legal principles in canon law stated as maxims. 88 of these are in the *Liber Sextus Decretalium* of Boniface VIII. 11 were added by Gregory IX to the *Quinque Compilationes Antiquae Decretalium* (Fifth Book of Old Decretals), a collection superseded by the *Decretals* of Gregory IX. (The collections of these two popes are books of the *Corpus Juris Canonici*). Dantoine's edition presents the maxims in the original Latin with translations, extensive commentary and cross-references to similar statements in the *Corpus Juris Civilis*.

First published in 1720, it went through six editions, the last in 1775. All are scarce. OCLC locates 3 copies in North American law libraries (Louisiana State University, UC-Berkeley, U.S. Supreme Court). Camus, *Bibliothèque Choisie des Livres de Droit* 658.

[Order This Item](#)



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

8. Delvaux (Del Vaulx), Andre [1569-1636].

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

Contemporary vellum with yapp-style fore-edges, hand-lettered spine (with later retouching), edges rouged, recent thong ties. Some darkening to spine, light spotting to boards, some wear to board edges and corners, rear pastedown just starting to detach along edges. Light toning to text, internally clean. A handsome copy. \$1,250.

* First edition. Andre del Vaulx, also known as Vallensis, taught canon law at the University of Louvain. *De Beneficiis* is a treatise on ecclesiastical benefices. A second edition was published in 1758.

Both editions are rare. Concerning the first edition, OCLC locates 4 copies, 1 in North America (at UC-Berkeley Law School). Not in Ferreira-Ibarra.

[Order This Item](#)



Unrecorded Edition of a Distinguished Commentary on Maxims and Phrases in the *Liber Sextus Decretalium*

9. Dinus de Mugello [1254-c.1300].
 Bohier, Nicolas de [1469-1539].
 Du Moulin, Charles [1500-1566].

Dynus de Regulis Juris. Commentarius Mirabilis Super Titulo De Regulis Juris. Precipui Sui Seculi Jurisconsulti D. Dyni Muxellani Insignis J.U. Doctoris q[ue] post Accursium Bononie Emicit: Et Decretalium. Lib.vi. Jubente Bonifacio.viii. Col[m]posuit: Multo q[uam] unq[uam] Annotationibus Auctus/ & Recognit[us]. Ubi Preter D. Nicolai Boerii Christianissimi/ Fra[n]coru[m] Regis Col[n]siliarii/ & Celsi Hugonis Cabiloni Additionibus/ Multa Novissime p[er] Doctore[m] Anonymu[m] sunt Addita: Pleraq[ue] Deprevata in hac Ultima Impressione Restituta/ & O[mn]ia cu[m] Repertorio Castigatissimo ad Uguem & Feliciter Emendata. Lyons: Venundantur Lugduni per Jacobum Giuncti, 1533. cxxxii, [20] ff. Main text in parallel columns with linear annotations. Octavo (6" x 4").

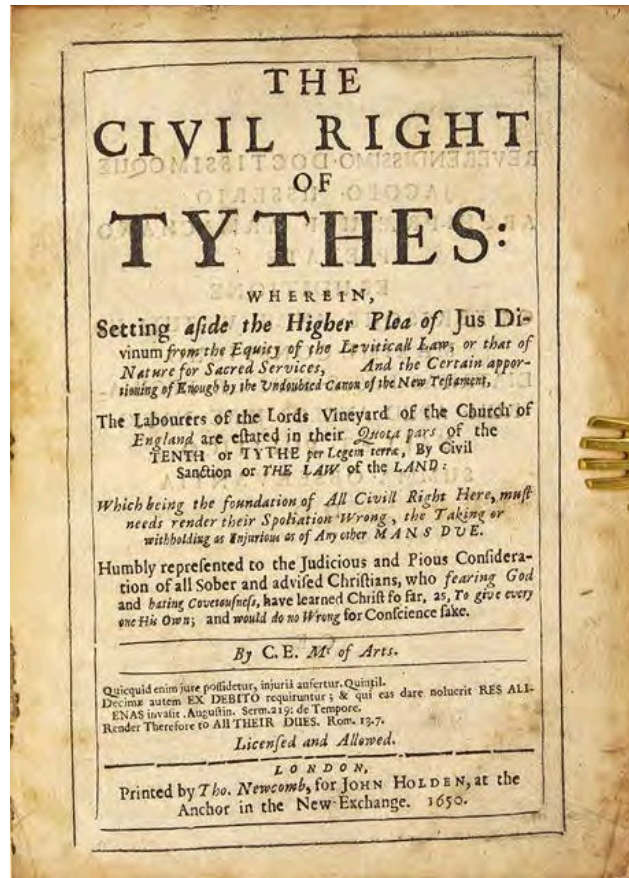
Recent calf, blank lettering piece to spine, patterned renewed endpapers. Moderate rubbing to extremities, corners bumped, front hinge starting, a few cracks to text block, later armorial bookplate (of George Baron Ferrers of Chartley) to front endleaf. Title page, with large woodcut Giunta device, printed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

* Dinus's distinguished commentary on *De Regulis Juris*, a collection of 88 maxims and phrases in Book 5, Title 12 of the *Liber Sextus Decretalium*, was first published around 1472. It went through several editions into the sixteenth century. Each *Regula* is followed by Dinus's commentary. The additions and commentary by Bohier and Moulin flank or surround the main text.

George Ferrars Townshend [1778-1855], a later owner of this copy, was a British peer disinherited by his father after his wife sought a divorce on the grounds of impotence and accused him of having a relationship with his male secretary. He died without issue and was the last to have the Baron Ferrars of Chartley courtesy title.

This edition, recently identical in content to editions published in Lyon in 1533 by Jacques Myt and in 1535 by Giunta, is not listed in Adams, Baudrier or the *Universal Short-Title Catalogue*. No copies of this imprint located on OCLC.

[Order This Item](#)



Tithing to the Church of England During the Commonwealth

10. E[lderfield], C[hristopher] [1607-1652].

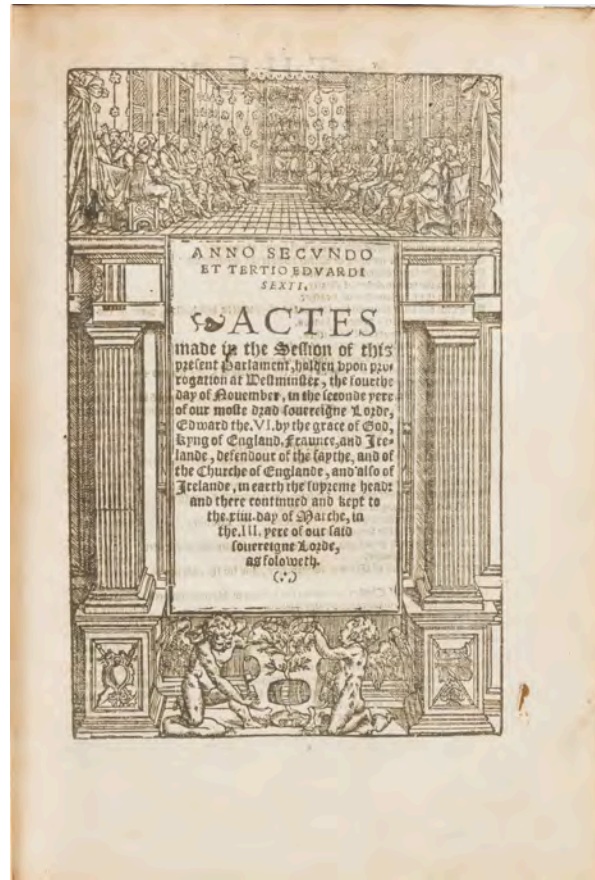
The Civil Right of Tythes: Wherein, Setting Aside the Higher Plea of Jus Divinum from the Equity of the Leviticall Law, Or That of Nature for Sacred Services, And the Certain Apportioning of Enough by the Undoubted Canon of the New Testament, The Labourers of the Lords Vineyard of the Church of England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

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

* Only edition, one of two issues from 1650. The Church of England was disestablished during the Commonwealth and Protectorate. As a result, its status shifted with the political climate. Elderfield's treatise defended the Church's right to collect tithes, a right threatened by Puritans in Parliament.

Counting both issues, OCLC locates 10 copies in North America, 5 in law libraries (Columbia, Harvard, LA County, Library of Congress, University of Georgia). *English Short-Title Catalogue* R18717.

[Order This Item](#)



Edward VI's Protestant Reforms

11. [Great Britain].

Edward VI [1537-1553], King of England.

A Table to All the Statutes Made in the Tyme of the Most Victorious Reigne of Kynge Edward the Sixte. London: In aedibus Thomae Bertheleti aeno verbi incarnati, 1553. [8] pp.

[Bound with]

Edward VI, King of England.

Anno Secundo et Tertio Eduardi Sexti. Actes Made in the Session of this Present Parliament, Holden Upon Prorogation at Westminster, The Fourthe Day of November, In the Seconde Yere of Our Most Drad Sovereigne Lorde, Edward the .VI. By the Grace of God, Kyng of England, Fraunce, And Irelande, Defendour of the Faythe, And of the Church of Englande, And Also of Irelande, In Earth the Supreme Head: And There Continued and Kept to the .xiiii. Day of Marche, In the .III. Yere of Our Said Sovereigne Lorde, As Foloweth. [[London]: Richardus Graftonus [i.e. Richard Tottell?], Typographus Regius excudebat, 1552 [i.e. 1557?]]. lxxvi [i.e. lxxviii] ff.

[And]

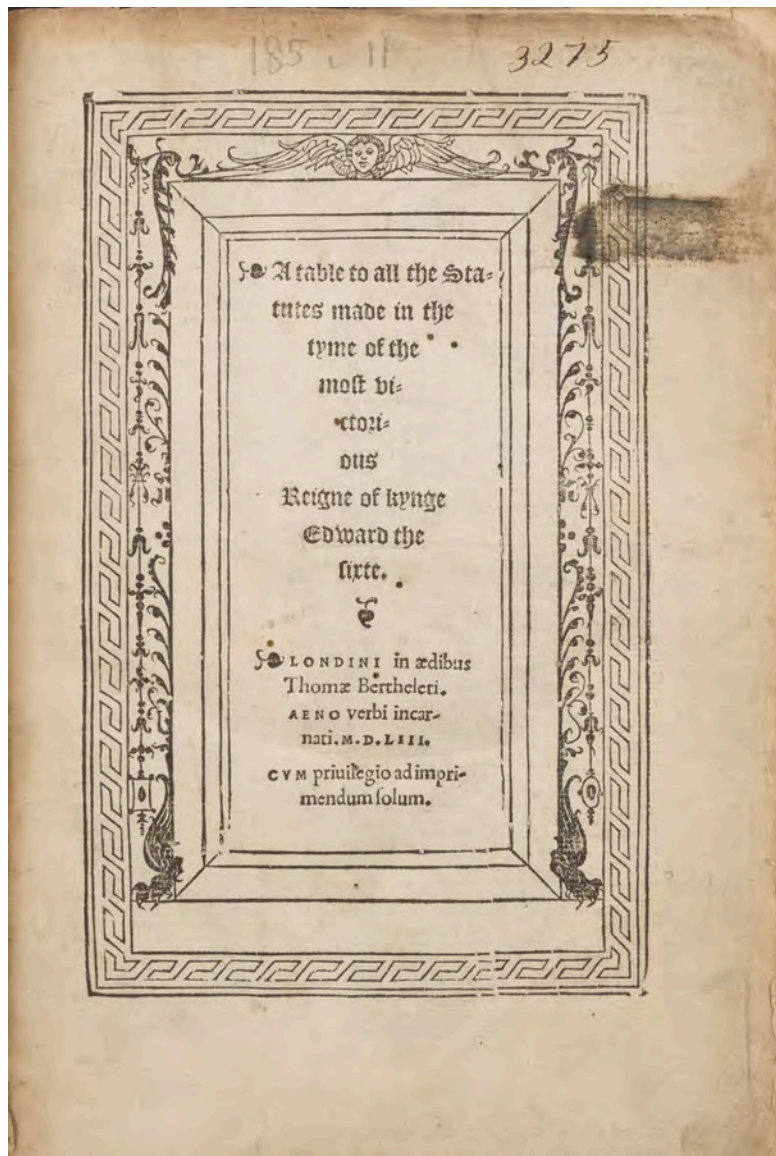
Edward VI, King of England.

Anno. III & IIII. Eduardi Sexti... [London: Imprinted...by Richard Grafton [i.e. Richard Tottell?], 1553 [i.e. 1560?]]. xxix-xxxii ff. [ONLY].

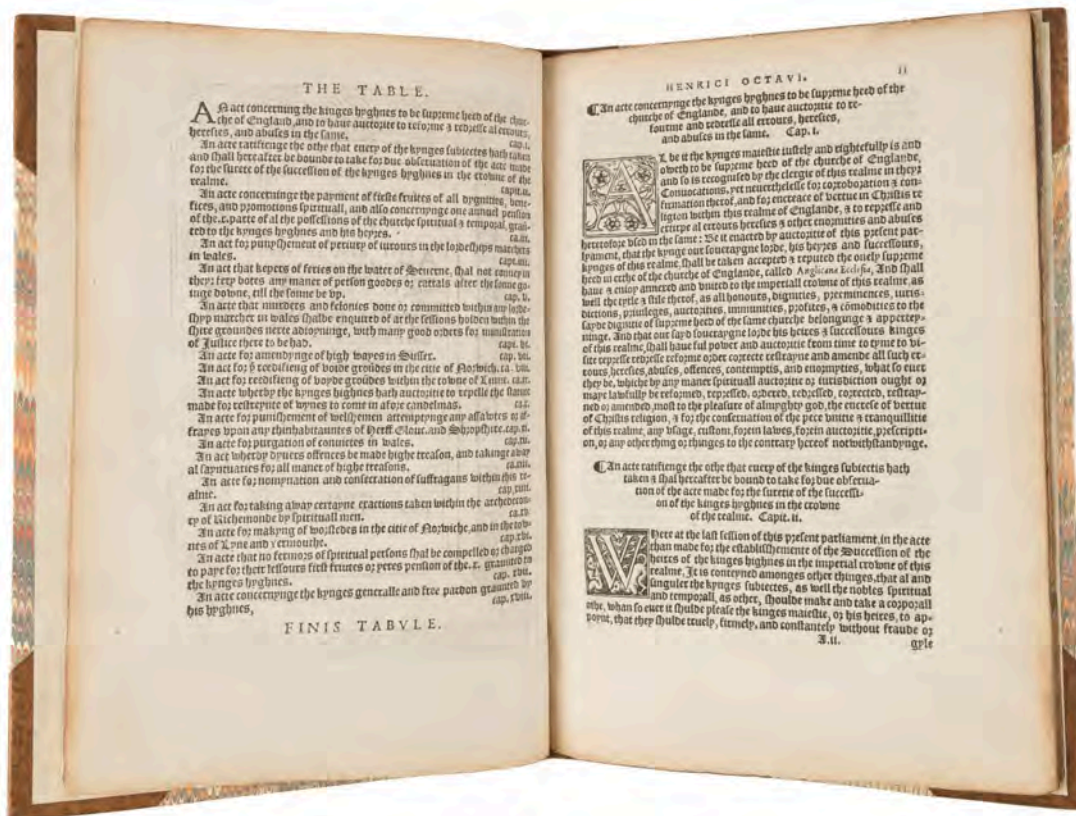
Folio (11" x 7-1/2"). Later (nineteenth-century) pebbled cloth, fragment of paper label to spine. Light rubbing and minor soiling to boards, moderate rubbing and light fading to extremities, rear joint starting at ends, small holes at ends of front joint, spine ends and corners bumped and lightly worn, later armorial bookplate (of Edwin Freshfield) to front pastedown. Moderate toning to interior, light soiling in a few places, several small wormholes to text block of the *Table* and minor worming to a few leaves of *Anno Secundo et Tertio*, no loss to legibility, small pencil and ink annotations to title page of *Table*. \$2,000.

* *Table*: only edition; *Anno Secundo et Tertio*: later edition. 39 public acts passed under Edward VI in 1548-1549. Some of the more interesting acts involve significant Protestant reforms to the English Church, including the Act of Uniformity, which established the *Book of Common Prayer* as the sole form of legal worship in England. Also included is the Clergy Marriage Act, which abolished the prohibition on marriage for priests in the Church of England. The *Table* is a separately printed index encompassing all of Edward's reign and intended to accompany collections of the statutes. Appended to the volume is "An Acte of the Kinges Maiesties Moste Free and General Pardon" from a later collection of statutes (*Anno. III & IIII. Edwardi Sexti*). Our volume was owned by Edwin Freshfield [1832-1918], a solicitor in his great family law firm. Founded in London in 1743, the firm is now the multinational Freshfields Bruckhaus Deringer.

OCLC and the *ESTC* locate 2 copies of the *Table* in North American law libraries (Harvard, Library of Congress) and 2 copies of *Anno Secundo et Tertio* in North America (Harvard, University of Minnesota). Beale, *A Bibliography of Early English Law Books* S37a, S223, S228. *English Short-Title Catalogue (ESTC)* S113186, S113153, S92187.



[Order This Item](#)



The Beginning of the English Reformation

12. [Great Britain].
[Statutes].

Henry VIII [1491-1547], King of England.

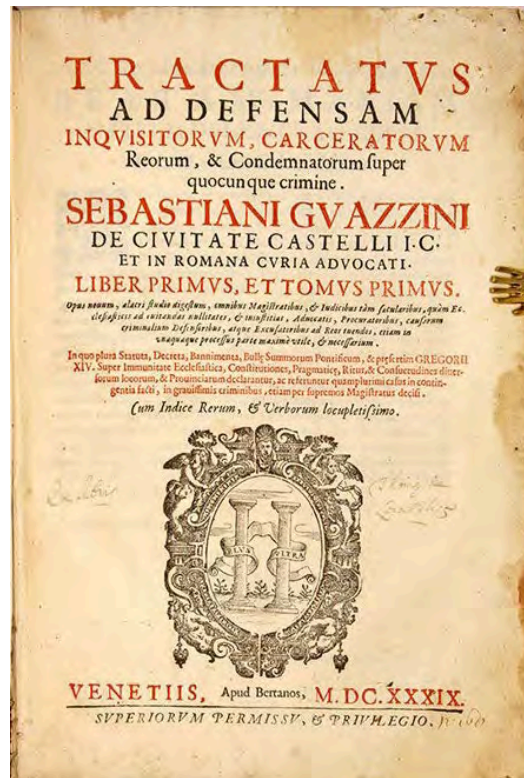
Anno XXVI. Henrici VIII. Actes Made in the Session of this Presente Parlyament Holden Upon Prorogation at Westm[inster], The .III. Daye of Nove[m]bre, In the XXVI. Yere of the Reygne of Our Mooste Drad Sovereaigne Lorde Kynge Henry the VIII, And There Continued and Kepte Tyll the, XVIII, Day of Dece[m]ber Nexte Insuyng. To the Honor of God, And For the Co[m]mon Weale and Profite of this Realme. [London]: Tho. Berthelet Excudebat, [1538?]. XXVI ff. Folio (11-1/4" x 7-1/2").

Recent mottled calf over marbled boards, blind fillets to calf edges, gilt fillets and title to spine, endpapers added. Boards very slightly bowed, a few negligible scuffs to spine. Light toning to interior, faint dampstaining to bottom margin not affecting text, light foxing and soiling in a few places. \$2,500.

* This early collection of twenty-eight acts from the twenty-sixth regnal year of Henry VIII includes the Act of Supremacy 1534, which declared King Henry and subsequent monarchs "the onely supreme heed in erthe of the church of Englande." The Act represented a complete break with Rome, asserting the independence of the Church of England and marking the beginning of the English Reformation. Also included is the Treasons Act of 1534, which made any disavowal of the Act of Supremacy a capital crime and would ultimately result in the execution of Sir Thomas More under the statute.

OCLC and the ESTC locate 6 copies of this imprint, 2 in law libraries (Harvard, Library of Congress). Beale, *A Bibliography of Early English Law Books* S163. *English Short-Title Catalogue (ESTC)* S3084.

[Order This Item](#)



Criminal Procedure in Canon Law

13. Guazzini, Sebastiano.

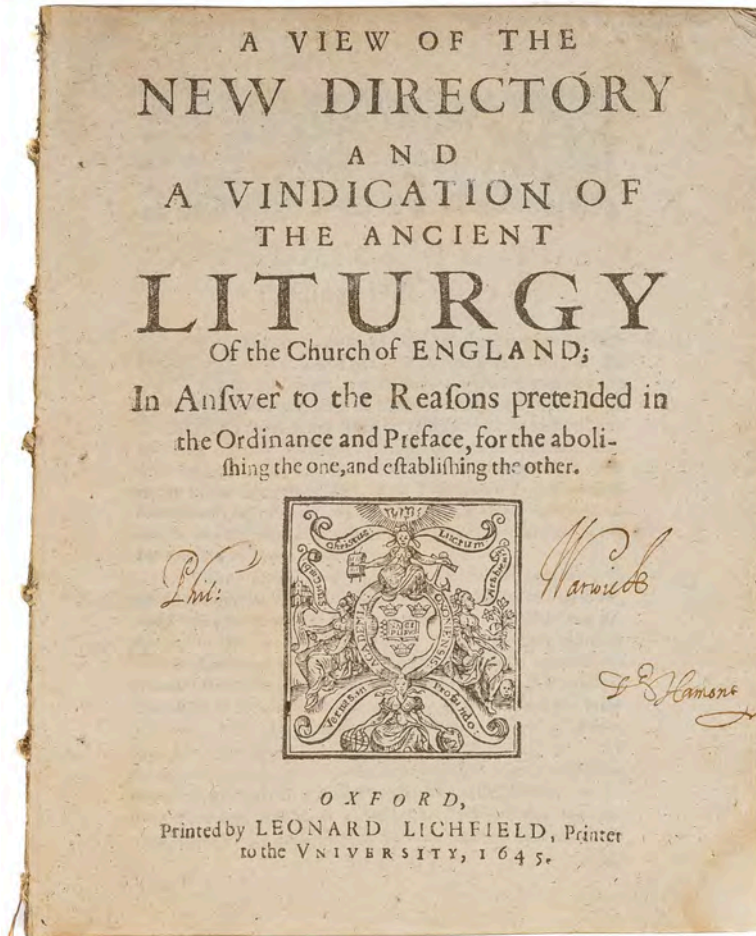
Tractatus ad Defensam Inquisitorum, Carceratorum Reorum & Condemnatorum Super Quocunque Crimine. Opus Novum, Alacri Studio Digestum, Omnibus Magistratibus, & Iudicibus tam Secularibus, Quam Ecclesiasticis ad Cuitandas Nullitates, & Iniustitias, Advocatis, Procuratoribus, Causorum Criminalium Defensoribus,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

Contemporary limp vellum, faint early hand-lettered title to spine, later repairs to corners, endpapers renewed. Light soiling and some minor stains to boards, spine slightly darkened, some edgewear, front joint just starting at head. Title page printed in red and black. Light toning to text, occasional minor worming, mostly to margins, faint dampstaining to margins in some places, some loss to upper corners of final 25 leaves with no loss to text, light soiling, edgewear and early library owner inscription to title page. A nice copy of a scarce title. \$750.

* Third edition. Guazzini was an advocate and expert of criminal law associated with the Roman Curia. First published in 1614, *Tractatus ad Defensam Inquisitorum* was a well-regarded treatise on criminal procedure under canon law. It is a detailed work that draws comparisons between canon law, Roman law and Italian customary law. A durable work, it went through several editions and issues into the eighteenth century.

All are scarce. OCLC locates 2 copies of the 1639 edition in North America (Columbia, University of Pennsylvania). *Universal Short-Title Catalogue* 4013562.

[Order This Item](#)



Owned by a Royalist Politician and Secretary to Charles I

14. [Hammond, Henry (1605-1660)].

A View of the New Directory and a Vindication of the Ancient Liturgy of the Church of England; In Answer to the Reasons Pretended in the Ordinance and Preface, For the Abolishing the One, And Establishing the Other. Oxford: Printed by Leonard Lichfield, Printer to the University, 1645. [viii], 112 pp. Quarto (6-3/4" x 5-1/4").

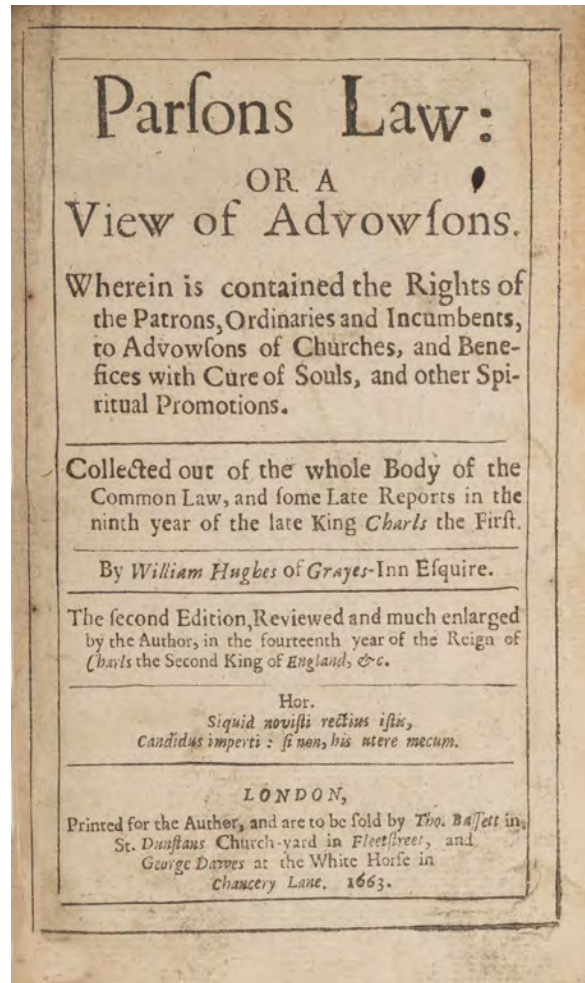
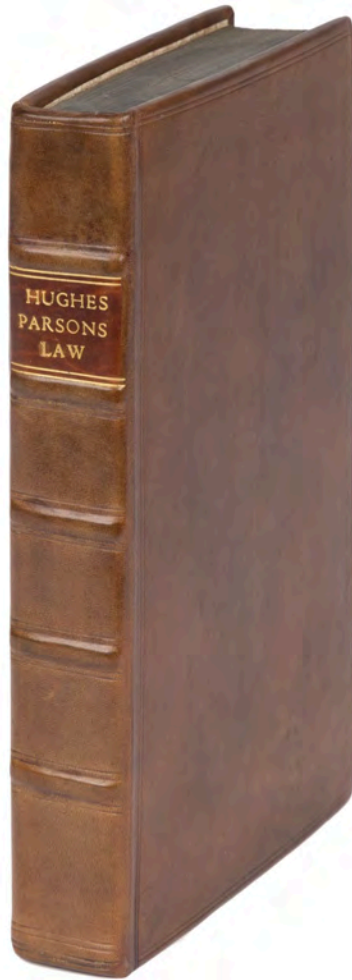
Disbound. Moderate toning, faint dampstaining to outer corners, light foxing and soiling to a few leaves, owner signature of Sir Philip Warwick and brief annotation or owner signature (likely an annotation attributing the work) to title page, occasional early underlining, marks and brief annotations, most in pencil. \$450.

* First edition. Hammond was a Royalist cleric, theologian and prolific writer of controversial sermons and tracts on various topics. *A View of the New Directory* criticizes the decision of the Westminster Assembly, a Puritan body assembled by Parliament, to replace the Anglican *Book of Common Prayer* with the *Directory for Public Worship*. Three subsequent editions appeared in 1646.

Our copy of the first edition was owned by Sir Philip Warwick [1609-1683], an English writer, politician and committed Royalist. Warwick was close to Charles I and served as one of his secretaries during the Civil War. His loyalty was rewarded by Charles II with a knighthood.

English Short-Title Catalogue R200188.

[Order This Item](#)



Scarce Treatise on the Law of Advowson

15. Hughes, William [1587 or 1588-1663].

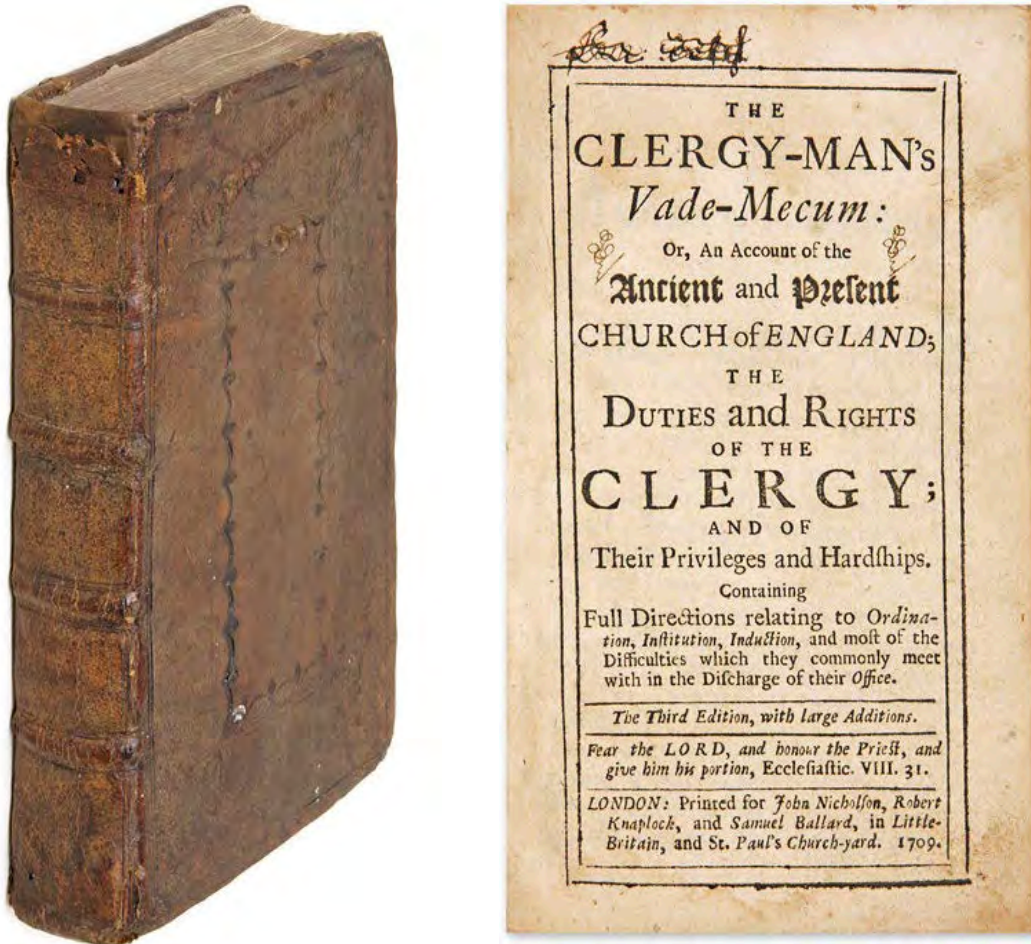
Parsons Law: Or a View of Advowsons. Wherein is Contained the Rights of the Patrons, Ordinaries and Incumbents, To Advowsons of Churches, And Benefices with Cure of Souls, And Other Spiritual Promotions. Collected Out of the Whole Body of the Common Law, And Some Late Reports in the Ninth Year of King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

Recent period-style calf, blind rules to boards, raised bands, blind fillets and lettering piece to spine, endpapers renewed. Moderate toning to interior, light soiling to title page. \$850.

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

English Short-Title Catalogue R6801.

[Order This Item](#)



A Legal Handbook for Eighteenth-Century English Clergymen

16. [Johnson, John (1662-1725)].

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

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

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

English Short-Title Catalogue T33108.

[Order This Item](#)



A Principal English Treatise on Canon Law

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

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

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

* First post-1500 edition. Main text followed by nineteen-page, two-part index (*Tabula*). Compiled around 1433 and first published around 1483-1485, *Provinciale* is the main authority for early English canon law. Divided into five books, it is a digest of the synodal constitutions of the province of Canterbury, from the period of Archbishop Stephen Langton [c.1155-1228] to that of Archbishop Henry Chichele [1414-1443], with Lyndwood's gloss. It is considered the law of the Church of England by some authorities. This copy was printed in Paris for the English market. Wigglesworth [d.1972] was an eminent British attorney who served as Queen's Counsel and Dean of the Arches.

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

[Order This Item](#)



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

18. [Manuscript].

Boniface, Louis.

[Hospice de Grand-Saint-Bernard].

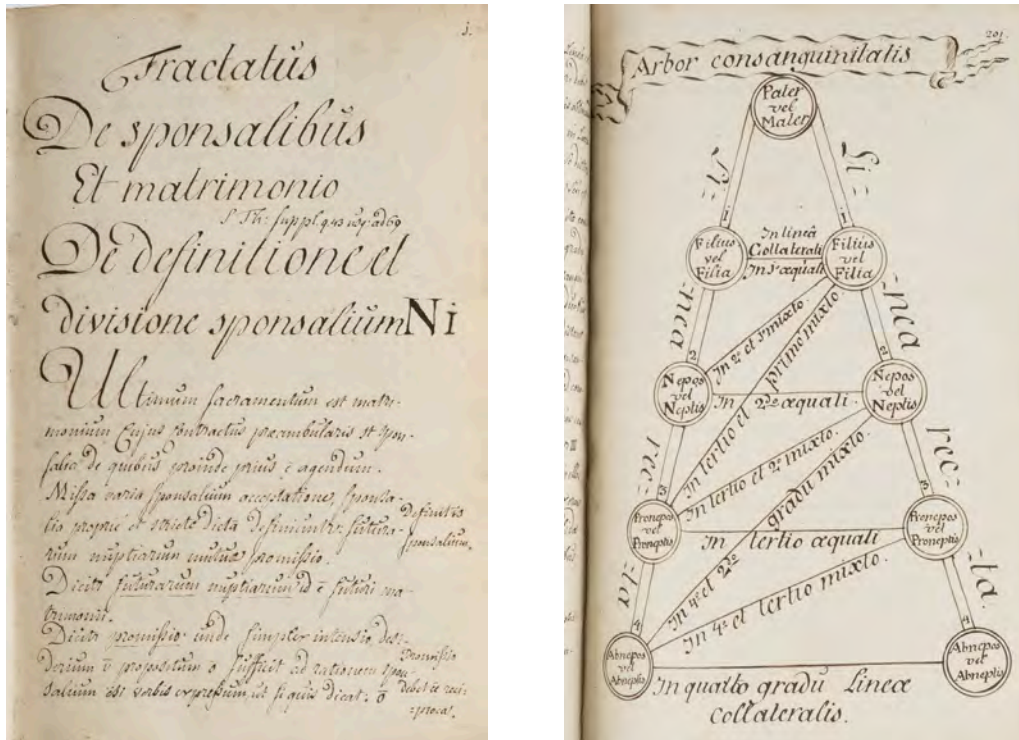
Opuscula Nonnulla R. Ludovici Bonifacii Canonici Regularis Coadiutoris ad Salutiferam Regularis Disciplinae Restitutionem. Sparsim Adiunctis Postea Latis à Sacra Episcoporum & Regularium Congregatione Decretis 1718. [Grand-St.-Bernard, c.1718]. 304 ff. Quarto (9-1/2" x 7").

Contemporary morocco with decorative blind stamping, stitched down center of spine, which has an early hand-lettered title panel, fragments of thong ties, untrimmed edges. Light rubbing to boards, somewhat heavier rubbing to extremities, early repair to foot of spine. Light toning to interior, text in neat hand, a few laid-in notes. A handsome item. \$4,500.

* This is a collection of canon law writings by Louis Boniface, intended (so the title page states) to restore discipline at the famous Augustinian community of Grand-Saint-Bernard in the Swiss Alps, where the author was coadjutor and provost. We understand it to be an official report, later distributed as manuscript copies, which was presented at a synodical meeting of 1718. Much of the study concerns money and property. Other subjects include the officers of the community and a ban on women servants. Showing its high status as a report, other copies are found in the Grand-Saint-Bernard archives. Our copy has a remarkable binding featuring blind-stamped floral designs with red-painted inlay. It was probably made from a wall hanging or wallpaper. The archive of Grand-Saint-Bernard has a copy of Boniface's baptism certificate (1664) and several of his papers, which include works on cosmography, geography and history, and a thirty-year travel diary.

The archives of Grand-Saint-Bernard record four other manuscripts with the same author, title and date (AGSB 5056, 5057, 5058, 4049). We located no other copies. (On Boniface in the archives see <http://www.aasm.ch/fonds/agsb/static/5314.html> and <http://www.aasm.ch/fonds/agsb/static/5040.html>).

[Order This Item](#)



Pre-Publication Manuscript of a Treatise on Marriage

19. [Manuscript].

[Dens, Peter (1690-1775)].

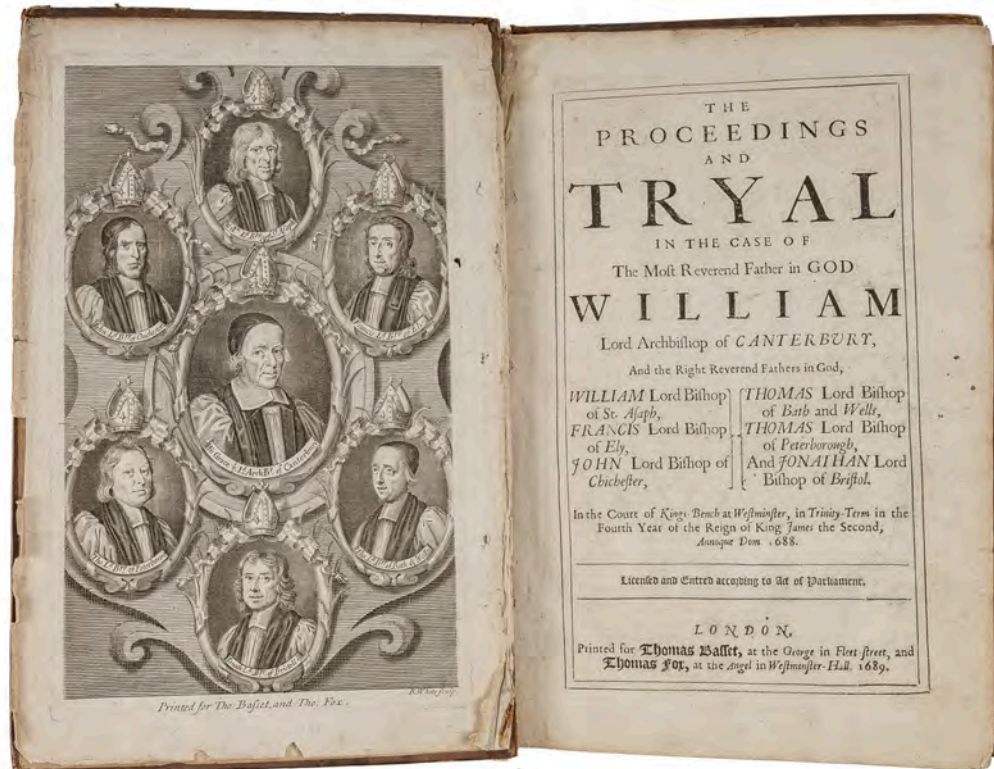
[*Tractatus de Sponsalibus et Matrimonio and Tractatus de Quatuor Novissimis*]. [Louvain?]: 15 July 1767-14 October 1768. 381, [1]; 59, [1] pp. Text in Latin in single neat hand with chapter headings, side notes and indices. Octavo (7-1/2" x 4-1/2").

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

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

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

[Order This Item](#)



**Reports of Trials Concerning the Stuart Kings,
One a Manuscript Version that Differs from the Printed Account**

20. [Trials].

[Manuscript].

Compton, Henry [c.1632-1712], Defendant.

The Proceedings of the Lords Commissioners Appointed by His Ma'tye to Inspect All Ecc'tiall Affyrs and Persons &c Against Henry Lord Bishop of London [caption title]. [London, 1686]. [29] pp. Correction-free fair copy in an elegant hand.

[Bound between]

Sancroft, William [1617-1693], Principal Defendant.

The Proceedings and Tryal in the Case of The Most Reverend Father in God William Lord Archbishop of Canterbury, And the Right Reverend Fathers in God, William Lord Bishop of St. Asaph, Francis Lord Bishop of Ely, John Lord Bishop of Chichester, Thomas Lord Bishop of Bath and Wells, Thomas Lord Bishop of Peterborough, And Jonathan Lord Bishop of Bristol. In the Court of Kings-Bench at Westminster, In Trinity-Term in the Fourth Year of the Reign of King James the Second, Annoque Dom. 1688. London: Printed for Thomas Basset....and Thomas Fox, 1689. [viii], 140 pp. Copperplate portrait frontispiece of the seven bishops.

[And]

Sidney, Algernon [1623-1683], Defendant.

The Arraignment, Tryal and Condemnation of Algernon Sidney, Esq. for High-Treason. For Conspiring the Death of the King, And Intending to Raise a Rebellion in This Kingdom. Before the Right Honourable Sir George Jeffreys, Knight and Baronet, Lord Chief Justice of England at His Majesties Court of Kings-Bench at Westminster, on the 7th, 21th, and 27th of November, 1683. London: Printed for Benj. Tooke at the Ship, 1684. [iv], 67 pp.

Contemporary mottled calf, gilt arms of Benjamin Fletcher to boards, gilt spine with raised bands and lettering piece. Moderate rubbing to boards, which are partially detached, heavier rubbing to extremities, spine abraded with wear at ends, corners bumped and moderately worn, front free endpaper lacking, frontispiece of *Proceedings* and rear free endpaper detached and moderately edgeworn. Moderate toning to interior, faint dampstaining and light soiling in places, folds and light wear to corners of a few leaves at beginning and end of text block. \$4,500.

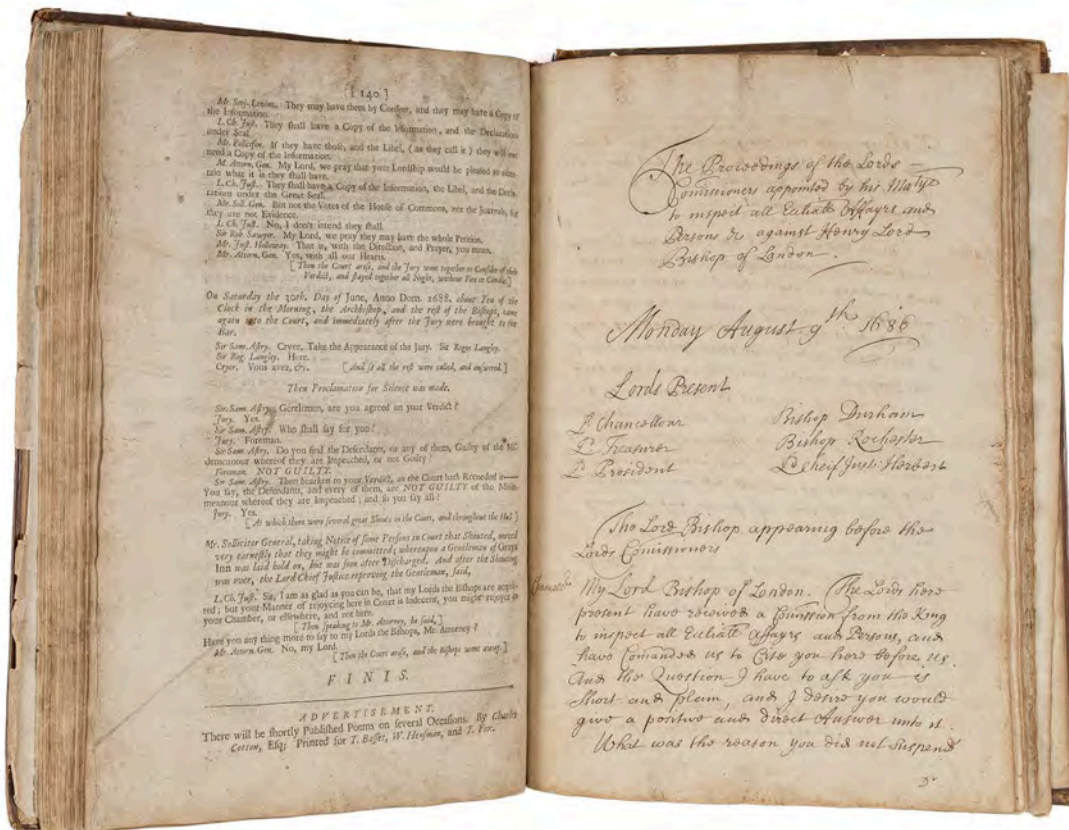
* The anti-Papal preaching of Compton, Bishop of London, enraged King James II, who, through his Ecclesiastical Commission, had him suspended from his post in 1686. A record of the proceedings against Compton was published in London in 1688. (A photocopy is enclosed.) Our manuscript, probably one of a few privately circulated copies, differs in two important ways from the published text in its account of the first day of the trial. It shows that Compton's testimony and the comments of the commission's head, Lord Jeffreys, are conflated and compressed in the published account and that Jeffreys' remarks were toned down. They are considerably more biased and hectoring in the manuscript.

The *Proceedings*, offered here in its first edition is an account of the so-called "Trial of the Seven Bishops." One of the events that triggered the revolution, this case originated in the refusal of the archbishop of Canterbury and six bishops in 1688 to endorse James II's reissue of Charles II's Declaration of Indulgence, which suspended the penal laws against Catholics and dissenters. The seven were indicted for seditious libel, but acquitted to great public acclaim. The trial confirmed the subject's right to petition the crown. It also reflected the antipathy of English Protestants towards Catholicism.

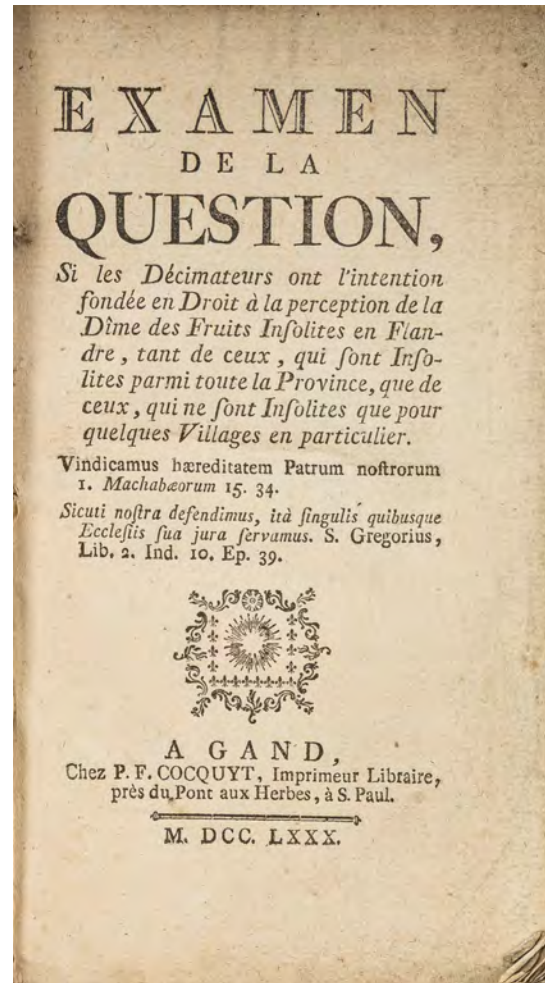
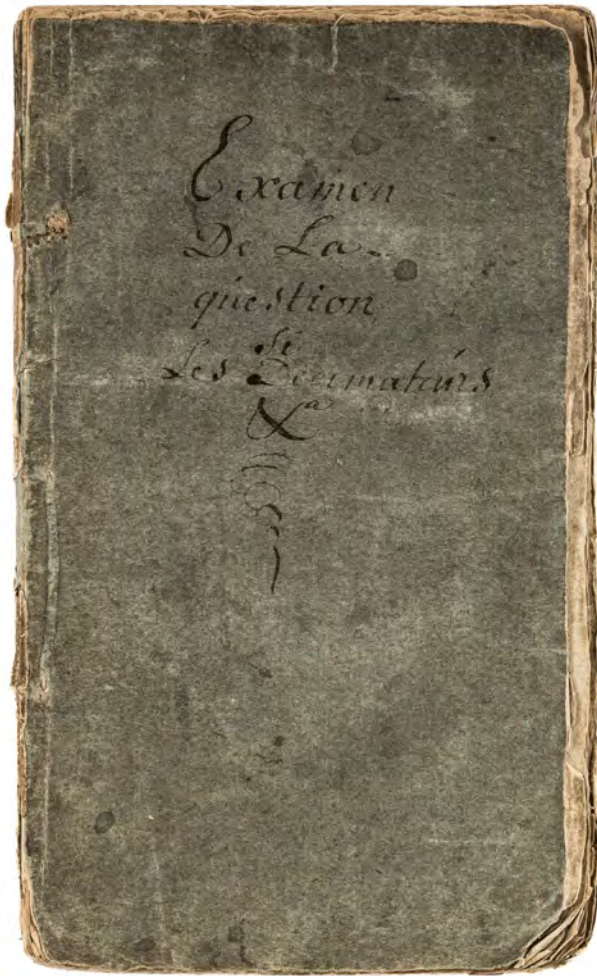
The *Arraignment* had one edition (reprinted the same year in Dublin). Sidney, the important republican political theorist, was implicated and executed for his participation in the Rye House Plot, a plan to assassinate King Charles II and his brother (and heir to the throne) James, Duke of York. The plotters were motivated by fear of their leanings towards Catholicism and Absolutism.

Fletcher, the former owner of this volume, was the colonial governor of New York from 1692 to 1697 and also, in 1693, governor of Pennsylvania. A strict Anglican, his Ministry Act of 1693 made the Church of England the official denomination in New York. He also built the first Trinity Church in 1698. Fletcher was also a keen supporter of piracy, which he used to fuel New York's economic growth and enhance his personal wealth. His association with piracy eventually led to his dismissal. He then retired to Ireland, where he lived comfortably for the rest of his life.

English Short-Title Catalogue R7827, R23343.



[Order This Item](#)



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

21. [Massez, C.].

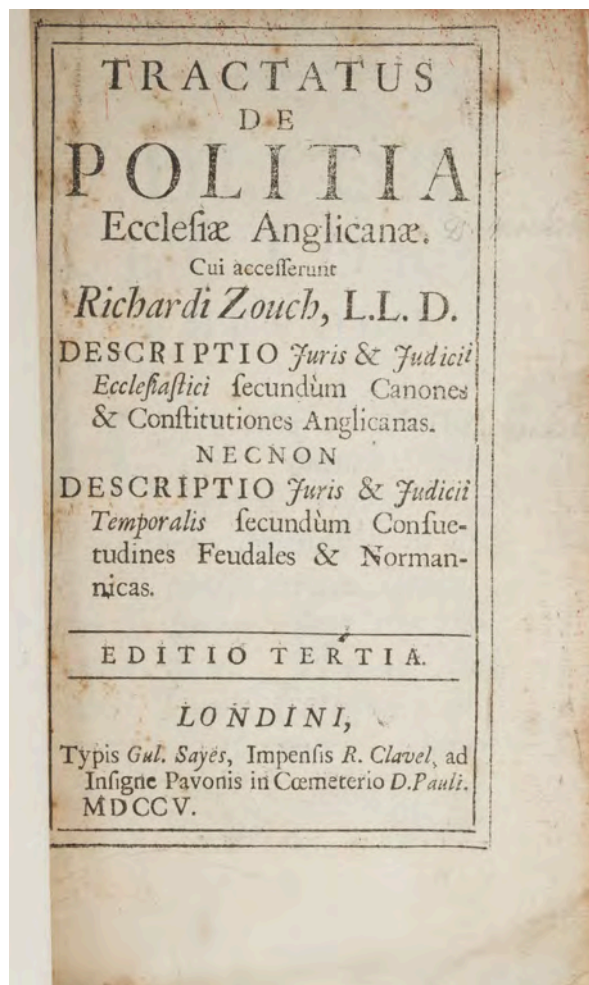
Examen de la Question, Si les Decimateurs ont l'Intention Fondée en Droit à la Perception de la Dime des Fruits Insolites en Flandre, Tant Ceux, Qui Sont Insolites Parmi Toute la Province, que de Ceux, Qui ne Sont Insolites que pour Quelques Villages en Particulier. Ghent: Chez P.F. Cocquyt, 1780. vi,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

Stab-stitched pamphlet in plain wrappers, untrimmed edges, early hand-lettered title to front, fragments of title label to spine. Some soiling and edgewear, later owner bookplate to verso of front wrapper. Some toning, light soiling to title page, internally clean. \$250.

* Only edition located. Massez wishes to limit the rights of the church to raise tithes in Flanders. He notes that "God himself established tithes for the Jewish people, where it was part of the dividing-up of the lands, which God himself ordered: [however] amongst the Christian nations, it is men who have ordered this division, men have also introduced tithes there; thus [such a tax] depends on the civil law of each nation" (iii-iv). Massez discusses statutes from 1520 and 1530 onward and disputes their interpretation by Zeger Bernhard van Espen [1646-1728], the distinguished Flemish canon lawyer.

OCLC locates 8 copies, 2 in North American law libraries (Columbia, UC-Berkeley).

[Order This Item](#)



A Controversial Treatise on Ecclesiastical Jurisdiction

22. Mocket, Richard [1577-1618].

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

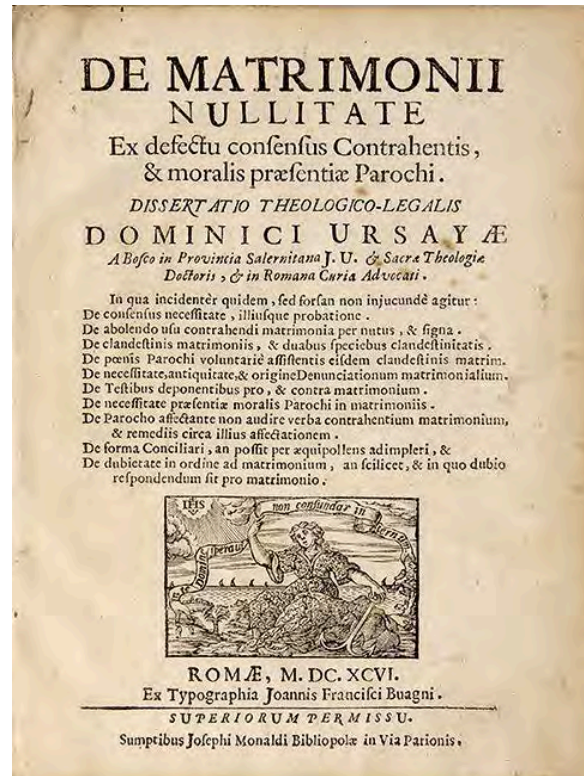
Tractatus de Politia Ecclesiae Anglicanae. Cui Accesserunt Richard Zouch, L.L.D. Descriptio Juris & Judicii Ecclesiastici Secundum Canones & Constitutiones Anglicanas. Necnon Descriptio Juris & Judicii Temporalis Secundum Consuetudines Feudales & Normannicas. London: Typis Gul. Sayes, Impensis R. Clavel,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

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

* Third and final edition. First published in 1616 as *Doctrina et Politia Ecclesiae Anglicanae*, this treatise on ecclesiastical jurisdiction proved controversial and was condemned and burnt by an edict of James I in 1617. It was republished under the present title in 1683 with a work by Zouch on English ecclesiastical law, to which our third edition added his work on feudal, private and customary law.

OCLC locates 4 copies of this title in North American law libraries (Harvard, University of Virginia, Northwestern, Berkeley). *English Short-Title Catalogue* T118538.

[Order This Item](#)



"Matrimonii Nullitate ex Defectu"

23. Orsaio, Domenico (Ursaya, Domingo, Ursaya, Domenicus).

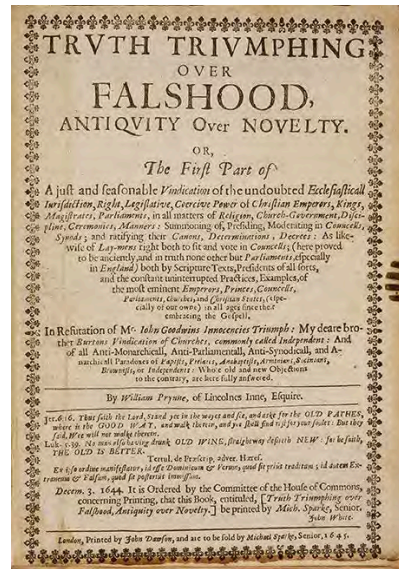
De Matrimonii Nullitate ex Defectu Consensus Contrahentis & Moralis Consensus Contrahentis & Moralis Praesentiae Parochi: Dissertatio Theologico-Legalís Dominici Ursayae, In qua Incidenter Quidem, Sed Forsan non Injucundè Agitur: De Consensus Necessitate, Illiusque Probatione; De Abolendo Usu Contrahendi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

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

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

OCLC locates 9 copies, 2 in North America (Library of Congress, University of Pennsylvania). Ferreira-Ibarra, *The Canon Law Collection of the Library of Congress* 1852.

[Order This Item](#)



A Contentious Essay on the Relationship Between Church and State

24. Prynne, William [1600-1669].

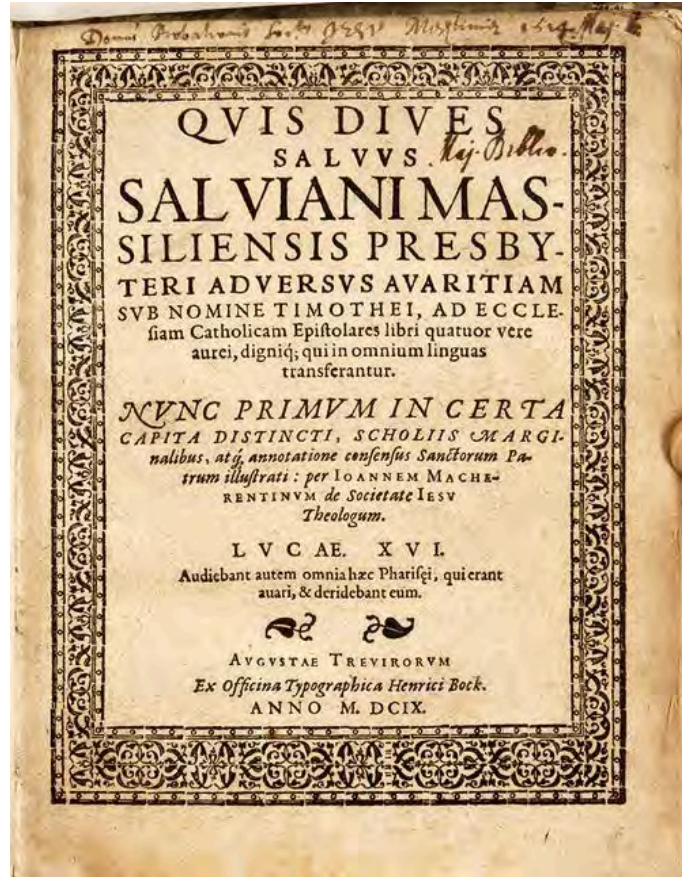
Truth Triumphant over Falshood, Antiquity Over Novelty. Or, The First Part of a Just and Seasonable Vindication of the Undoubted Ecclesiasticall Iurisdiction, Right, Legislative, Coercive Power of Christian Emperors, Kings, Magistrates, Parliaments, In All Matters of Religion, Church-Government, Discipline, Ceremonies, Manners: Summoning Of, Presiding, Moderating in Councells, Synods; And Ratifying Their Canons, Determinations, Decrees: As Likewise of Lay-Mens Right Both to Sit and Vote in Councells; (Here Proved to be Anciently, And in Truth None Other but Parliaments, Especially in England) Both by Scripture Texts, Presidents of All Sorts, And the Constant Uninterrupted Practices, Examples, Of the Most Eminent Emperors, Princes, Councells, Parliaments, Churches, And Christian States, (Especially of Our Owne) in All Ages Since Their Embracing the Gospell. In Refutation of Mr. Iohn Goodwins Innocencies Triumph: My Deare Brother Burtons Vindication of Churches, Commonly Called Independent: And of All Anti-Monarchicall, Anti-Parliamentall, Anti-Synodicall, And Anarchicall Paradoxes of Papists, Prelates, Anabaptists, Arminians, Socinians, Brownists, Or Independents: Whose Old and New Objections to the Contrary, Are Here Fully Answered. London: Printed by John Dawson, and are to be Sold by Michael Sparke, Senior, 1645. [xii], [2], 156 pp. Final leaf, which should follow p. 156, misbound after p. [xii]. Quarto (8-1/2" x 6-1/2").

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

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

English Short-Title Catalogue R212479.

[Order This Item](#)



Give to the Church, Not to Your Children

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

Macherentinus, Johannes [1540-1610], Editor.

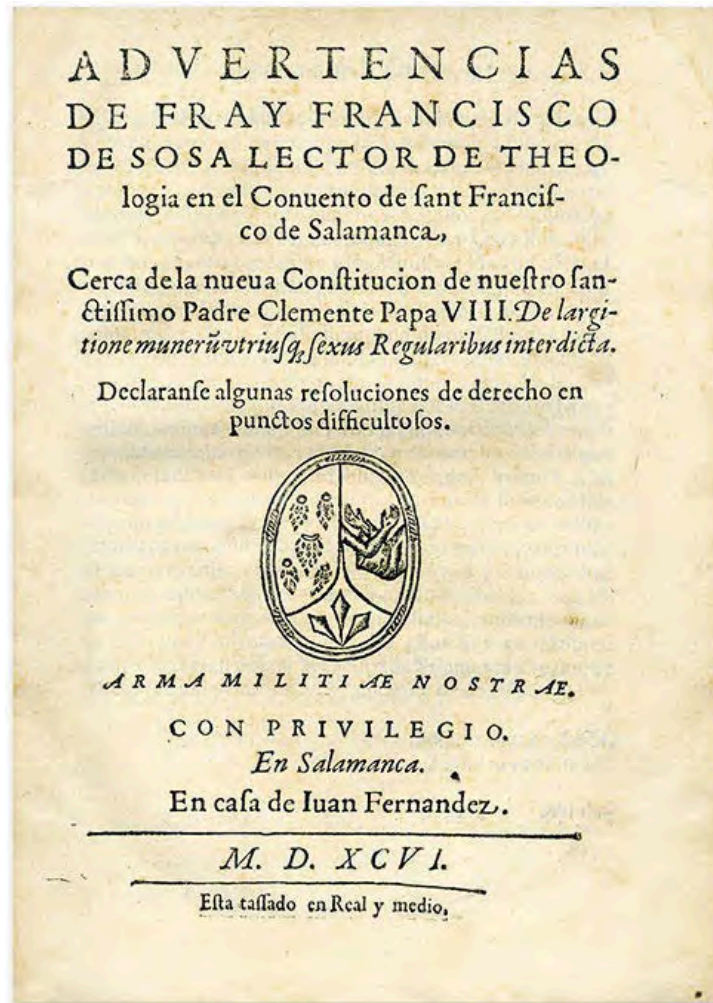
Quis Dives Salvus. Salviani Massiliensis Presbyteri Adversus Avaritiam Sub Nomine Timothei, Ad Ecclesiam Catholicam Epistolares Libri Quatuor Vere Aurei, Digni[ue] qui in Omnium Linguas Transferantur Nunc Primum In Certa Capita Distincti, Scholiis Marginalibus, Atq[ue] Annotatione Consensus Sanctorum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

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

* First edition (by Macherentinus). Salvian of Gaul was an important Christian thinker and canonist of the fifth century. Enhanced with arguments drawn from canon law, his *Adversus Avaritiam* outlines reasons to give alms to the church. More interesting, it says parents should bequeath their estates to the Church rather than their children; it is better for children to suffer want in this world to save their parents from damnation in the next. Salvian also has much to say on the duty of self-denial by priests, nuns and monks. Macherentinus, the editor of this edition, was a Jesuit theologian.

OCLC locates no copies of this edition in North America. *Das Verzeichnis der im Deutschen Sprachraum Erschienenen Drucke des 17. Jahrhunderts* 39:129323G.

[Order This Item](#)



Rare Sixteenth-Century Spanish Treatise Concerning Monasteries

26. Sosa, Francisco de [fl. 1556].

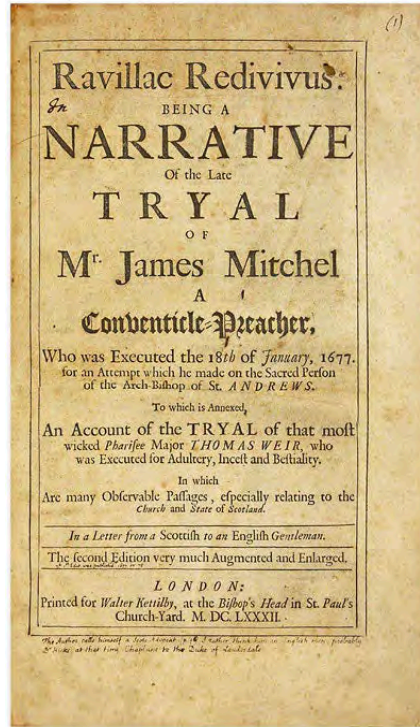
Advertencias de Fray Francisco de Sosa, Lector de Theologia en el Conuento de Sant Francisco de Salamanca: Cerca de la Nueva Constitucion de Nuestro Sanctissimo Padre Clemente Papa VIII. De Largitione Munerum Utriusque Sexus Regularibus Interdicta. Declaranse Algunas Resoluciones de Derecho en Puntos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

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

* First edition. This book details a series of legal reforms regarding monasteries and holy orders implemented by Pope Clement VI, formerly a canon lawyer (Ippolito Aldobrandini [1536-1605], the son of notable jurist Sylvestro Aldobrandini). For the most part, these reforms led to an increase of Papal control and supervision. Two other editions were published in 1597 and 1696.

OCLC locates no copies of this title in North America. No copies located at the Library of Congress, Harvard Law School or UC-Berkeley Law School. Palau, *Manual del Librero Hispano-Americano* 319804.

[Order This Item](#)



Anti-Presbyterian Propaganda

27. [Trials].

[Hickes, George (1642-1715)].

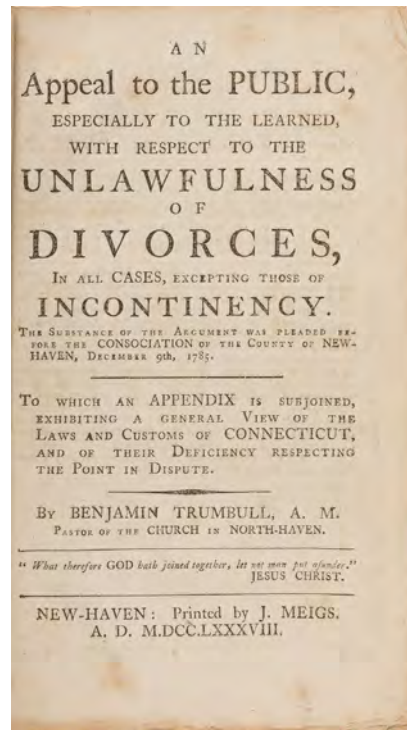
Ravillac Redivivus. Being a Narrative of the Late Tryal of Mr. James Mitchel a Conventicle-Preacher, Who was Executed the 18th of January, 1677. For an Attempt Which he Made on the Sacred Person of the Arch-Bishop of St. Andrews. To Which is Annexed, An Account of the Tryal of that Most Wicked Pharisee Major Thomas Weir, Who Was Executed for Adultery, Incest and Bestiality. In Which are Many Observable Passages, Especially Relating to the Church and State of Scotland. In a Letter from a Scottish to an English Gentleman. London: Printed for Walter Kettilby, 1682. [iv], 46, [2], 47-54 pp. The unpaginated leaf after page 46 contains publisher advertisements. Folio (12-1/4" x 7-3/4").

Recent period-style quarter calf over marbled boards, gilt title and date to spine, title page and final leaf re-hinged. Moderate toning light foxing in a few places, soiling to title page, early owner annotations to title page in neat small hand, a few marks and brief marks in recent hand in a few places. \$950.

* Second, expanded edition. Hickes was a bishop of the nonjuring Church of England in Scotland. A work on propaganda commissioned by his superior in Scotland, John Maitland, Duke of Lauderdale, *Ravillac Redivivus* is an account of the trial of the Scots-nationalist Presbyterian (Covenanter) James Mitchell [d.1678] for an attempt to assassinate James Sharpe, the archbishop of St Andrews. Hickes linked Mitchell's story to that of the notorious covenanter Major Thomas Weir [c. 1600-1670], a suspected sorcerer who was executed for bestiality and incest in 1670, in order to demonstrate that fanatical dissenters violated the boundaries of moral law and were capable of committing the most outrageous crimes in the name of religion. First published in 1678, the work was reprinted in Dublin in 1679, followed by our second edition. An annotation at the foot of the title page, which identifies the author, reads: "The author calls himself a Scots Advocate: (p. 46). I rather think him an English Man, probably Dr. Hicks, at that time Chaplane to the Duke of Lauderdale."

English Short-Title Catalogue R19059.

[Order This Item](#)



Presentation Copy of Trumbull's 1788 Attack on Connecticut Divorce Law

28. Trumbull, Benjamin [1735-1820].

An Appeal to the Public, Especially to the Learned, With Respect to the Unlawfulness of Divorces, in All Cases, Excepting Those of Incontinency. The Substance of the Argument Was Pleaded Before the Consociation of the County of New-Haven, December 9th, 1785. To Which an Appendix is Subjoined, Exhibiting a General View of the Laws and Customs of Connecticut, And of Their Deficiency Respecting the Point in Dispute. New-Haven: Printed by J. Meigs, 1788. 53, [1] pp. Octavo (7-1/4" x 5").

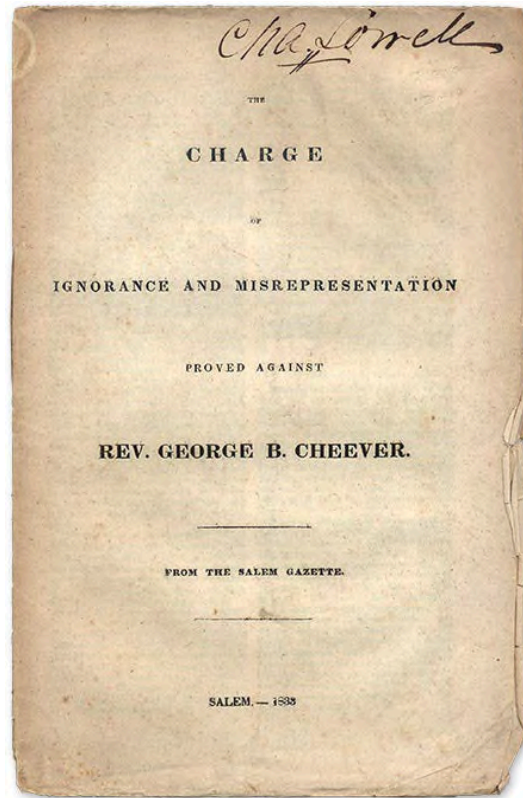
Stab-stitched pamphlet in contemporary marbled wrappers. Light rubbing to wrappers and chipping to spine. Light toning to interior, light foxing in a few places. Inscription to head of half-title reading "Ephrm Ward's [or Ward], from ye Author." An appealing copy. \$500.

* First edition. Trumbull, a Congregational minister, attacks the leniency of Connecticut's divorce laws and argues for their reform. With an argument based in scripture, Trumbull shows that divorces are "opposed to the authority of Jesus Christ." The text of his sermon is followed by an appendix which reviews contemporary Connecticut divorce laws and compares them to those of the other New England states, ancient Rome, the early Christian church and the Jews of the Old Testament. A second edition was published in 1819 with additional material by Timothy Dwight as *What Therefore God Hath Joined Together, Let Not Man Put Asunder: An Appeal to the Public with Respect to the Unlawfulness of Divorces*.

The former owner of this copy is extremely likely to have been Ephraim Ward [1741-1818], a fellow minister from Brookfield, Massachusetts.

Cohen, *Bibliography of Early American Law* 4788.

[Order This Item](#)



**A Copy of a Notable Nineteenth-Century Libel Case
Owned by a Fellow Minister and Antislavery Activist**

29. [Upham, Charles W. (1802-1875)].

The Charge of Ignorance and Misrepresentation Proved Against the Rev. George B. Cheever. From the Salem Gazette. Salem: S.n., 1833. [16] pp. Text in parallel columns. Octavo (9-1/2" x 6").

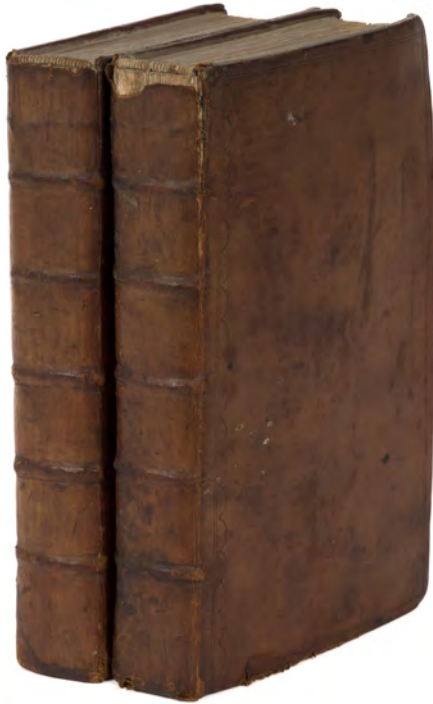
Stab-stitched pamphlet in self-wrappers, untrimmed edges. Light soiling to exterior, minor wear to spine ends, owner signature (of Charles Lowell) to head of front wrapper, light toning to text, faint spotting to a few leaves. \$750.

* Only edition. Cheever, a Unitarian minister, social reformer and Temperance advocate, published a thinly disguised portrayal of John Stone, a well-liked Unitarian deacon in Salem who owned a distillery. It was first published in 1835 as a newspaper article in Salem and as an illustrated broadside. Cheever's neighbors, one of them Upham, were outraged by this slanderous text and he was soon convicted of libel, imprisoned and publicly whipped. A case that attracted a good deal of attention, it brought Cheever national fame, which led to several job offers and several more editions of his controversial tract.

This copy was owned by Charles Lowell [1782-1861], a fellow Unitarian minister and notable antislavery activist. Renowned as an orator, Lowell spoke alongside Frederick Douglass at a rally protesting the Fugitive Slave Law and raised funds for the Boston Vigilance Committee. He was also a persistent advocate for the participation of clergy in the abolitionist cause.

OCLC locates 11 copies, none in law libraries. Not in McCoy. Sabin, *A Dictionary of Books Relating to America* 98032. Collison, "Anti-Slavery, Blacks, and the Boston Elite: Notes on the Reverend Charles Lowell and the West Church," *The New England Quarterly* 61, no. 3 (1988): 419-29.

[Order This Item](#)



Well-Regarded by Holdsworth

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

The Clergy-Man's Law: Or, The Compleat Incumbent. Collected from the 39 Articles, Canons, Proclamations, Decrees in Chancery and Exchequer As Also from All the Acts of Parliament, And Common-Law Cases, Relating to the Church and Clergy of England: Digested Under Proper Heads for the Benefit of Patrons of Churches, And the Parochial Clergy. And Will be Useful to All Students, And Practitioners of the Law. With a Table of Contents of the Chapters, And Another of the Principal Matters Therein Contained. To Which is Added, The Names of the Present Bishops, And Other Chief Dignitaries of the Church of England. With Large Additions. [London]: Printed by John Nutt, 1712. Two volumes. [viii], 1143, [123] pp. Octavo (7-1/2" x 4-3/4").

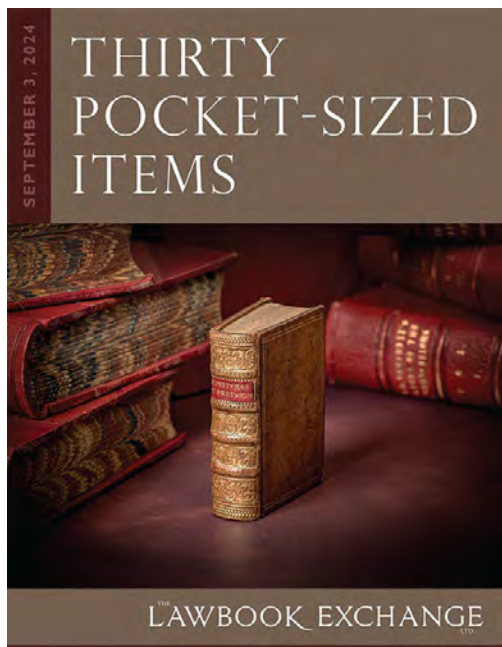
Contemporary calf, blind rules to boards, blind fillets along joints, raised bands to spines, early hand-lettered titles to fore-edges. Some rubbing to extremities, a few minor scuffs and stains to boards, chipping to spine ends, joints and hinges starting, corners bumped and somewhat worn. Light toning to text, corners of a few leaves dog-eared, a few others dampstained. Early owner signatures ("John Ridout," dated 1759) to front free endpapers, interiors otherwise clean. \$250.

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

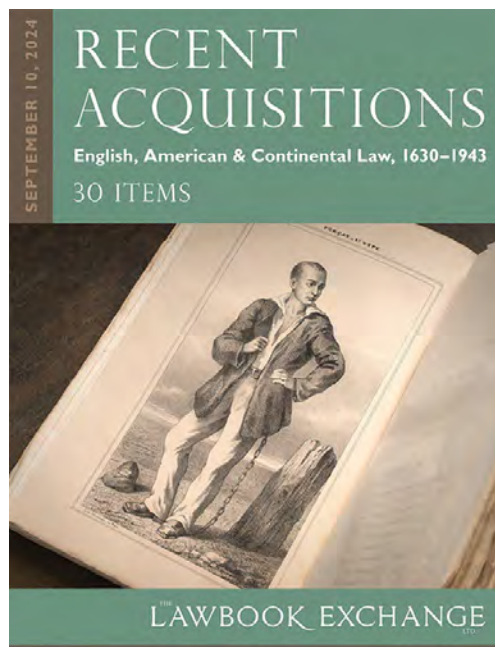
Holdsworth, *History of English Law* 12:622-623. *English Short-Title Catalogue* N3137.

[Order This Item](#)

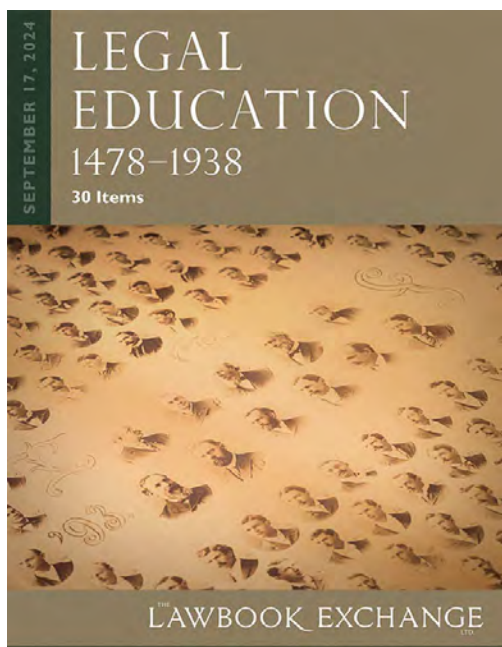
Recent Weekly E-Lists



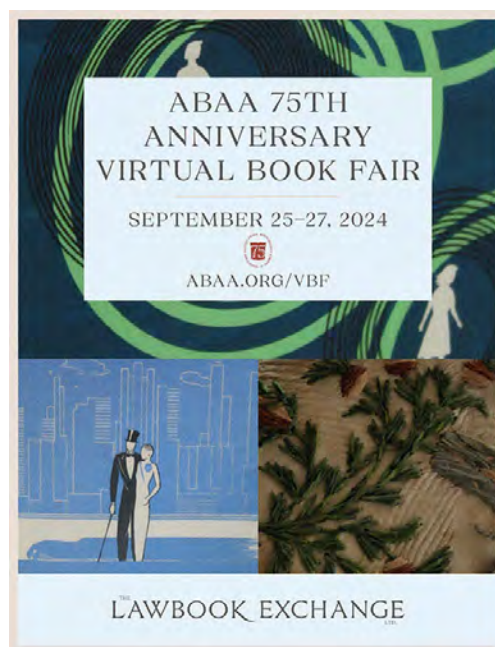
[September 3, 2024](#)



[September 10, 2024](#)



[September 17, 2024](#)



[September 25-27, 2024](#)

We are happy to hold items for institutional customers who wish to reserve items today and have them invoiced or shipped at a later date