

Susanne Schulz-Falster
RARE BOOKS

The Law in Everyday Life



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Speeding Fines in 18th century Munich

BAVARIA. [STEEGER, Franz Ignatz Kajetan.]
Verruf. Es ist it Ausserachtlassung voriger
höchster Verordnungen des schnelle Fahren,
und Reiten wieder dergestalt zur Gewohnheit
geworden, dass schon manche Unglücke
hindurch geschehen ... weswegen ...
Verordnungen ... öffentlich kund gemacht
werden. [Munich, 16. January, 1784.]

£200

Folio, pp. '3], [1] blank; uncut, folded as issued.

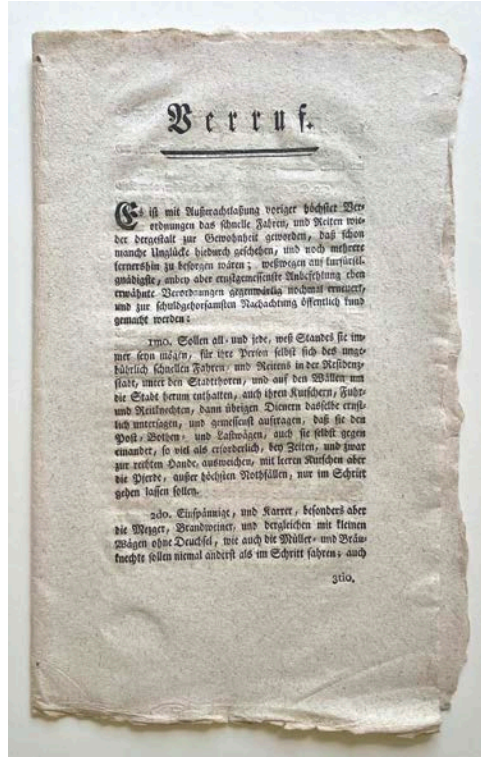
A fine 7 point proclamation to restrict speeding by horse-drawn carriages or unregulated riders in Munich in Bavaria. Riders and carriage drivers are encouraged to proceed carefully and slowly within the city limits, alert pedestrians and avoid collisions. Deliveries should be made at walking speed only, horses shouldn't be left unobserved and tethered. Penalties are outlined, and anyone known to have caused damage to persons or objects because of speeding will be prosecuted and punished with the full force of the law.

Brewing Monopoly - No Free Trade in Beer

[BEER.] Das Bierzwangsrecht in Bayern.
[Munich, Lentner], 1800.

£450

8vo, pp. [vi], 86, some spotting, small hole in p. 73,
contents leaves with paper crease; faint dampstain to
upper outer corner of last signature; contemporary
blue wrapper, paper spine, upper wrapper lettered in
ink; a little dog-eared, else fine.



First edition of this study of the Bavarian Bierzwangsrecht – a law which restricted the right to brew and sell beer. Originally larger local landowners (Rittergut owners) and monasteries were allowed to brew beer for their own consumption, but they were only allowed to sell it within narrow confines of their area and only if this did not clash with the area of another local brewery. Brewing rights were generally granted to towns and cities as a valuable form of income, and they then regulated its production. Beer production was a vital branch of the economy, controlled by the strong guild of the brewing master. In the 1730s new legislation was passed, regulating the production of beer, imposing new taxes and limiting unwanted competition. Within the area of a brewery no ‘foreign beer’ was allowed to be sold, to safeguard the substantial incomes which could be secured by beer selling. In 1799 the protectionism of the Bierzwangsrecht was relaxed, to the vocal opposition of those who had previously benefited from this. From 1800 even in Bavaria local beer sale

monopolies were abolished and ‘foreign’ beers became more widely available.

See Stammhammer, Finanzwissenschaft 15
(for 2nd edition of 1810); not in Humpert,
OCLC locates three copies in Germany.

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The Robbers' Constitution

[CARTOUCHE.] *Istoria della Vita, e Processo del famoso Ladro Luigi Domenico Cartoccio, e di molti altri suoi Complici. Tradotta in lingua volgare dalla Francese. In questa impressione aggiuntovi altre curiose notizie spettanti alla medesima Istoria.* Lyon and Milan, Giambatista Cetti, 1736.

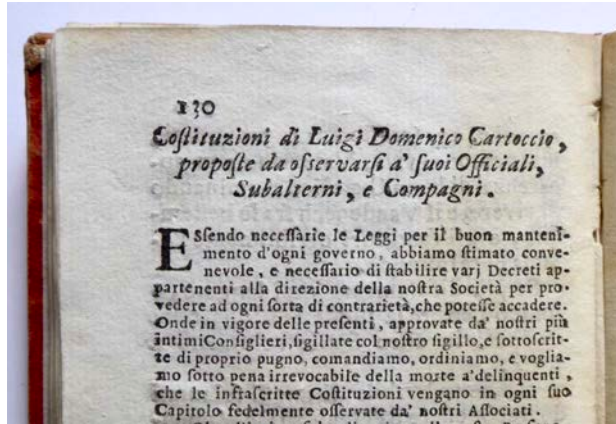
£280

12mo, pp. 132; clean and crisp; contemporary red boards, gilt-lettering directly to spine, with paper label; extremities a little rubbed, and foot of spine chipped; an attractive copy, with private ownership cypher 'J.R.' gilt-stamped to spine.

Second enlarged Italian translation of the *Histoire de la vie et du procès de L. D. Cartouche* (first 1722). The proverbial romantic rogue, Louis-Dominique Bourguignon - known as Cartouche (1693-1721) - was born in Paris and became the leader of a famous band of robbers. His daring and skill made him a legendary figure. His exploits were followed with interest by his contemporaries all over Europe, and he has figured in numerous plays, novels, and recently films.

This Italian translation is of particular interest, as it adds the exploits of numerous other outcasts of the time, and concludes with the fictitious twelve-point constitution imposed by Cartouche on his band of robbers.

All the eighteenth century Italian translations are apparently rare, OCLC and KVK record two copies of the 1724 edition (Venice and Bibliothèque Nationale) and one of the later 1749 edition (Berlin), but none of this edition.



Regulating Sicilian Tuna Fishing - Early Environmental Concerns

D'AMICO, Francesco Carlo. *Osservazioni pratiche intorno la pesca, corso, e cammino de' tonni. In opposizione a quanto scrisse su tal soggetto l'avvocato dr Don Francesco Paola Avolio... con delle Istruzioni che riguardano detta Pesca pel buon Regolamento delle Tonnare, con una relazione di tutte quelle di corso, e di ritorno in questo Regno, e delli Proprietari attuali.* Messina, Società tipografica, 1816.

£1800

8vo, pp. [xvi], with portrait of dedicatee bound after the title page; xii, 164 with one large folding engraved plate bound in, short tear in fold, no loss; contemporary half green calf over marbled boards, spine ruled and decorated in gilt, gilt-lettered spine label; corners a little worn, else a very nice copy.



First edition of this detailed account of the tuna fisheries of Sicily by d'Amico, proprietor of the tuna fisheries of San Giorgio di Patti. Written in response to Avolio's work on the same subject, but with the advantage of first-hand knowledge, d'Amico attempts to bring order into the tuna fishing concessions in Sicily. His treatise is endorsed at the beginning by Gaetano, who had written Arcadian verse on the subject with extensive footnotes outlining the natural history, etc. of tuna. D'Amico divides his treatise into three parts. In the first part he writes on tuna in general, and its migration routes in particular, and clarifies appropriations, cessations, duties, taxable income and other obligations regarding the industry, in opposition to Avolio's treatise. The second part discusses the distances

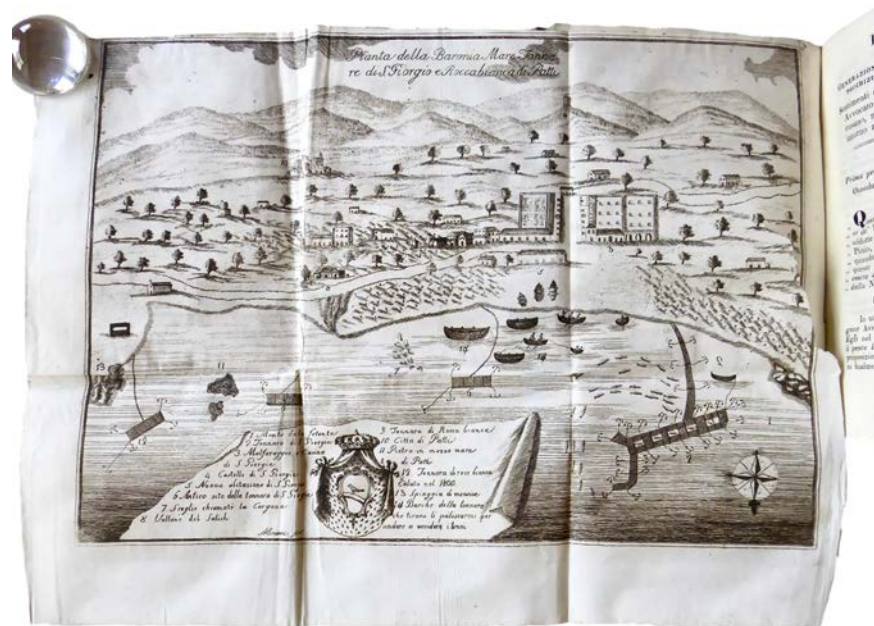
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between individual tuna fisheries, and the legal basis of fishing restrictions in the vicinity of other tuna fisheries. The final part consists of a detailed account of all the tuna fisheries on the Sicilian coast, giving information on history, legal documentation of licenses, ownership, tuna 'harvest', tuna fishing season etc. Again, he clearly corrects some of Aviolo's statements.

Overall a very detailed survey of the Sicilian tuna trap fisheries (tonnara), where an elaborate maze of nets are employed to capture and corral bluefin tuna during the spawning season, a form of fishing that has been carried out for over a thousand years and clearly was the mainstay of the local economy.

OCLC lists just one copy at Harvard; for more information see the historical chapters in S. Longo, *Global Sushi, a socio-ecological analysis of the Sicilian Bluefin tuna fishery*, 2009, pp. 88-150.

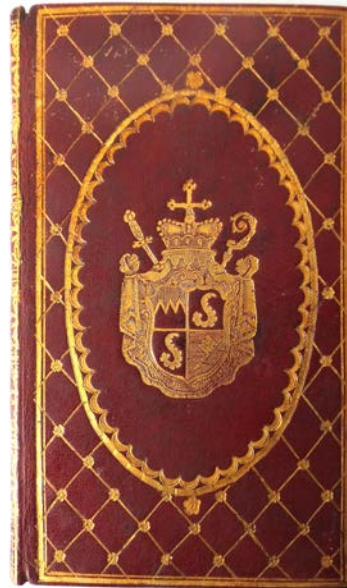


Bankruptcy & the Law - bound in Red Morocco

DEISSENBARGER, Alban Joseph. *Dissertatio inauguralis iuridica sistens praeter generalia quadam de Concursu Creditorum Theoremata Ordinationem Concursus Wirceburgensem. des xx. Julii mdccxlvii notis illustratam...* Praeside...Iosepho Maria Schneidt. Wurzburg, Franciscus Ernestus Nitribitt, [1797].

£550

8vo, pp. [viii], 166, [8]; printed on blue paper; very clean and crisp; contemporary morocco, spine and sides elaborately gilt, with the arms of Georg Karl von Fechenbach to upper cover; a.e.g.; a very fine copy.



1808), is dedicated to Georg Karl von Fechenbach, who became Prince Bishop of Würzburg in 1795 and was the last bishop also to have temporal authority over the city. This copy is from his library and is finely bound in red morocco.

OCLC records four copies in Germany (Munich, Würzburg and Leipzig).

A very fine copy, from the library of the dedicatee, of this dissertation on the laws of credit and finance, presented to the legal faculty of the University of Würzburg. Deissenberg (died 1815) is particularly concerned with the issues surrounding the conflicting rights of creditors in cases of insolvency, with special attention to the practice in Würzburg. The work, which served as Deissenberg's dissertation under the supervision of the distinguished Franconian jurist Joseph Maria Schneidt (1727 -

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[GAMBLING LEGISLATION.] Nazione Piemontese. Proclama ... leggi proibite de' giuochi d'azzardo. Torino, Palazzo della Commissione Esecutiva li 7 noioso anno nonno Repubblicano (28 dicembre 1800 v.s.). Giulio president. Turin, Stamperia Nazionale, 1800.

£250

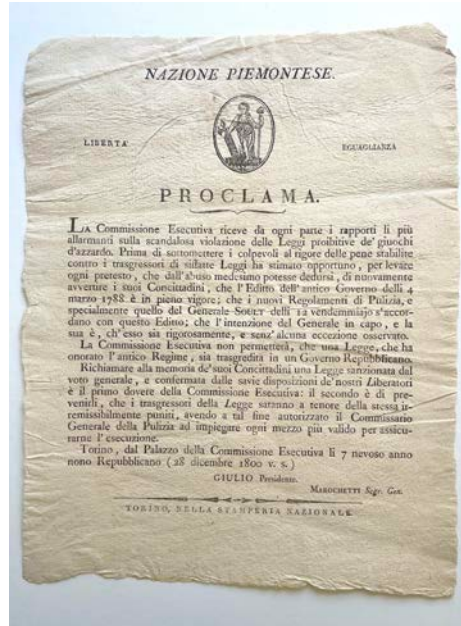
Folio broadside (345 x 275mm), uncut, with woodcut vignette of justice at head; very clean and crisp.

A fine broadside reiterating the legislation against games of chance as issued by the government on 4 March 1788. It is stressed that the law which was in force and was being observed during the Kingdom of Sardinia, is still valid in the Republic after the revolution.

Corruption within the Council of Ten in Venice
GRATAROL, Pier Antonio. *Narrazione Apologetica*. Stockholm, Enrico Foug, 1779.

£1200

Small 4to, pp. [iv], 146, [2]; contemporary marbled calf, marbled edges, sides blindstamped, spine in compartments, ruled in gilt, and with gilt urn motif; head of spine chipped, else a very attractive copy with early 20th century ownership stamp of Granziotto to front free endpaper.

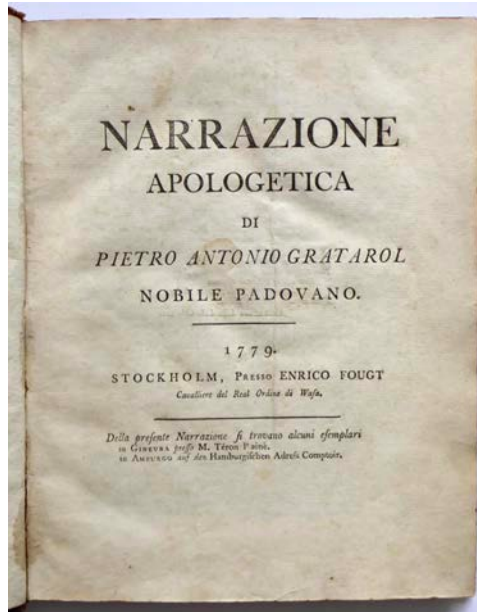


First edition of this exposition of the corruption and intrigues at the Council of Ten in Venice. Gratarol demonstrates how he has become a victim of the draconian laws of the Venetian Government and shows up government corruption and underhand dealings. His revelations were reprinted a number of times before the end of the century.

Gratarol (1730-1785), a Venetian noble and Secretary of State, had been pilloried on stage by Carlo Gozzi for an illicit affair in his *Le droghe d'amore* (The Love Potions), which resulted in a public scandal. Gratarol left Venice without authorisation, fell into disgrace and had to escape to Stockholm, where he published this defence, his 'Narrazione Apologetica'. His later peripatetic life led him to England, Portugal, North America, Brazil and Madagascar, and he died in poverty in 1785.

Gratarol begins his revelations with three prefaces, first for his enemies, then his supporters and finally those who are impartial. The affair was clearly of Europe-wide interest, which is evidenced in the title note that copies are available through Téron in Geneva and the Adress Comptoir in Hamburg.

Apparently published in an edition of 600 copies only (Harvard); uncommon, OCLC lists copies at Harvard, BL, Danish National library, in addition to some copies in Germany.



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Livorno Military Police

[LAW - MILITARY.] Ordini e privilegi militari accordati da sua altezza reale Ferdinando III. Arciduca d'Austria e granduca di Toscana ec. ec. al Corpo de' Cacciatori Volontari formato nella città di Livorno L'anno 1794. [Livorno], Gio. Vinc. Falorni, 1794.

£550

4to, pp. [ii] blank, 14, [4] blank; large woodcut arms to title, printed on pale blue paper; contemporary pattern paper wrappers, a.e.g.; a fine copy.

First edition of the founding edict of 'Cacciatori Volontari', a light infantry company detached from the regiment, under Ferdinand III. The purpose of this infantry company is to maintain law and order within the city of Livorno. They are strictly organized, divided into six companies and regulated by the head of the government of the city of Livorno. The organisational structure is given, together with their enrolment, uniforms and pay, and their privileges.

There was apparently another issue the same year, printed 'presso la societa tipografica', but this appears to be a special printing, on strong light blue paper, and, most unusual for a publication in wrappers, with all edges gilt.



Paper Industry in Lombardy

[PAPER MANUFACTURE - COURT CASE.] Tribunale di Prima Istanza. Osservazioni del cittadino Andrea Mainardi Attore al Promemoria stampato per Parte del Citt. Avvocato Giuseppe Castelli Reo Convenuto in Punto D'ammissione alla redenzione della Cartiera di Vaprio, e di rilascio della medesima contro il pagamento di lir. 15, ed interessi al 6. per cento, importo scontato di due Vaglia, dovuto dall'Attore al Reo Convenuto.

Osservazioni, Folio, pp. [16]

Promemoria, Folio. pp. [10] Nel Nome del signore Iddio, sm folio, pp. [6], [2] blank

Conto dimostrativo, inside back wrapper. 1797-1806

£350

A fine documentation of legal proceedings in late 18th-century Italy, a court case between Andreas Mainardi, owner of the paper mill Cartiera di Vaprio, and the lawyer Giuseppe Castelli. Mainardi had accrued some debt, and was sued by Castelli. Castelli is accused by Mainardi to have unjustly tried to expropriate him of his paper mill, using legal tricks, of his paper mill, with the pretext of Mainardi's debts of a small amount. Legal matters are precisely enumerated in Mainardi's observations and the paper mill is at the end released to his owner, through the payment of the sum of 15m-lire.

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Murder Case in Modena

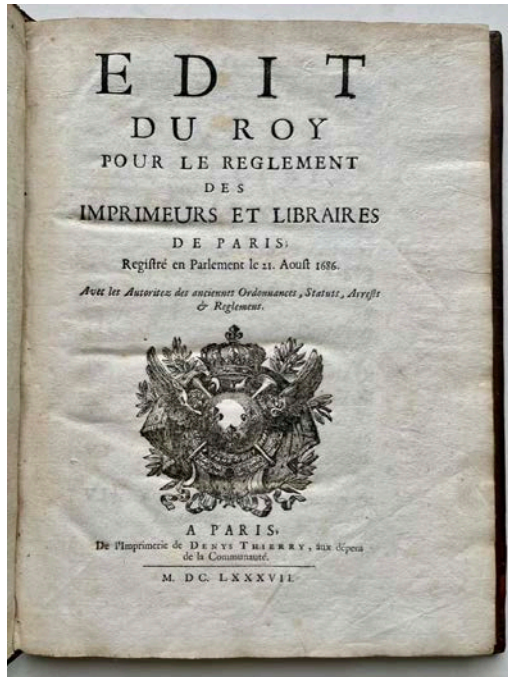
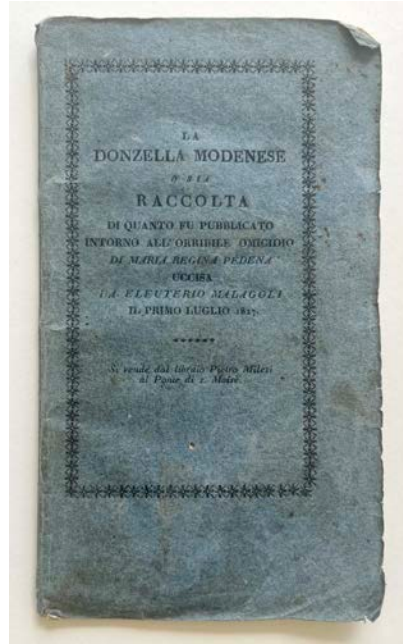
PEDENA, Maria Regina La Donzella modenese o sia raccolta di quanto fu pubblicato intorno all'orribile omicidio di M.R. Pedena, uccisa da E. Malagoli, etc. Venice, Giuseppe Molinari, 1827.

£200

Tall 12mo, folding engraved plate, xx, 51; uncut in the original printed wrappers, title within decorative border; plate with faint dampstaining in lower margin and chip in fold,

First edition of poems and inscriptions in honour of Maria Regina Pedena, a fourteen-year-old embroiderer who was found dead at her home in Modena in July 1827 with stab wounds to her throat and other wounds all over her body. A family friend, the thirty-five-year-old violin maker Eleutero Malagoli, was discovered lying prostrate at her feet, covered in blood and wounds from which he died a few days later. Malagoli was posthumously found guilty of Maria's murder. The case attracted considerable attention, and the young Maria's presumed defence of her virginity in the face of Malagoli's attempted seduction led to her being presented as an heroic virgin martyr in numerous eulogies, poetical and biographical works.

WorldCat: Princeton, British Library.



Regulating the French Book Trade

[PRINTING - LAW.] Edit du Roy, pour le Reglement des Imprimeurs et Libraires de Paris; registré en Parlement le 21 Aoust 1686. Avec les Autoritez des anciennes Ordonnances, Statuts, Arrests & Reglement.

[bound with with:] Edit du Roy pour le Reglement des Relieurs et Doreurs des Livres. Registré en Parlement le 7. Septembre 1686. Paris, Denys Thierry, 1687.

£1800

Two works in one volume, 4to, pp. [iv], 108, [8]; [8]; a few annotations in ink; contemporary full mottled calf, spine gilt in compartments with gilt-lettered spine label; extremities a little rubbed, but a very good copy from the collection of the Baron de Caix de Saint-Aymour, with his engraved armorial book plate to front pastedown.

First edition of the last 17th-century attempt at regulating and restricting the organisation and output of French publishers and booksellers. Even though the Edit was formally addressed just to the booksellers in Paris, it actually applied to all of France.

The regulations were arranged in sixty-nine articles under various headings. The articles of association of the Parisian Guild were renewed and the length of printing privileges and the requirements for their award were newly regulated. The state of the rights of authors did not change, they continued to be barred from the possibility of selling their own works.

It was not until 1744 when Saugrain's Code de la Librairie et Imprimerie de Paris was published, that a comprehensive body of legislation regulating printing and the book trade in the capital was

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established. (Primary Sources on Copyright (1450-1900), eds L. Bently & M. Kretschmer, www.copyrighthistory.org).

At the end are bound regulations for binders and gilders.

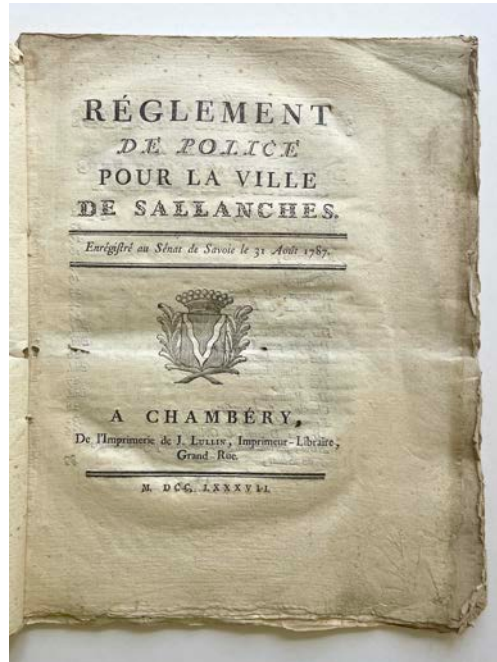
See Raymond Birn, *The Profits of Ideas: Privileges en Librairie in Eighteenth-Century France*. *Eighteenth-Century Studies*, Vol. 4, No. 2 (Winter, 1970-1971), pp. 131-168.

Guide to Life in a French Town

[PUBLIC ORDER.] SALLANCHES. *Règlement de police pour la ville de Sallanches*. Enregistré au Sénat de Savoie le 31 Août 1787. Chambéry, J. Lullin, 1787. £680

4to, pp. [ii], 40, woodcut arms to title page; head-pieces; uncut in the original buff wrappers, a little dust-soiled, short worm trace to upper wrapper.

First and, apparently, only edition of these civic regulations for the town of Sallanches, a French commune in the Haute-Savoie region, close to the Mont Blanc massif. In 101 chapters all aspects of civic life are organised, from markets and food shops, to all kinds of entertainments and the organisation of spectacles and lotteries. The treatment of household servants is covered, as is the admission of foreigners, be they visitors or travelling merchants. Many of the rules relate to food and drink, where wine and cider may be sold, and at what price, and only after having registered at the Bureau de Police and having paid the relevant taxes. Weights and measures are to be standardised, and enforced especially at the markets. Public order is maintained



by the police and the cleaning of streets and public places organised. Fires were clearly seen as a particular danger for the community and regulations were in force to limit the danger and to organise fire-fighters in case of emergency.

All regulations were issued by the town senate and give a detailed insight into the internal organisation of the community.

Very uncommon, OCLC: Geneva.

Poor Law, Code for Domestic Servants & Fire Fighting

[STOIXNER, Franz Carl von.] *Zufällige Gedanken über Zucht- und Arbeitshäuser, über nützliche Feueranstalten, und über die Gesindeordnung; von einem Patrioten*. Augsburg, Conrad Heinrich Stage, 1782.

£500

8vo, pp. [ix], 10-128; title vignette, some light foxing due to paper stock; contemporary sprinkled boards, spine label and shelf mark; a good copy.

First and only edition of this rare collection of three essays by the Munich lawyer Franz Karl von Stoixner (Kayser II, p. 318), covering poor law and work houses, the history and organisation of fire brigades and finally the most extensive article: a comprehensive critique of the Gesindeordnung, the recently revised laws concerning domestic servants, farm labourers, hired servants and day labourers, originally based on the feudal system of serfdom. Stoixner expresses a clearly conservative view, deplores the increase in vagrants and beggars, and maintains that the main problem with the rise of

poverty is the lack of distinction between deserving and undeserving poor. He also comments on correctional institutions and suggests that inmates should be made to work for the public good, rather than just be locked up.

In the section on fire fighting, Stoixner includes some practical proposals for reducing fire risk, such as building brick houses rather than wood, replacing thatched roofs. He also suggests the introduction of fire-insurance, both to finance fire-fighting equipment for the community and to help those households damaged by fire. He favours private fire insurance instead of a state organised one, and gives figures of the contributions necessary. His proposals are especially directed at small villages rather than towns, where the state should have the overall responsibility of fire protection.

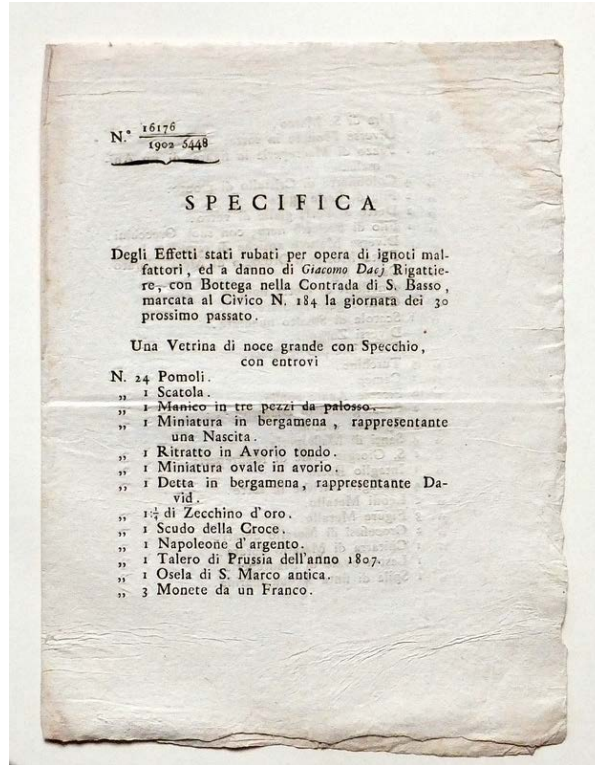
The final and most extensive section is taken up with the reform of the general code governing domestic servants and farm labourers. Stoixner is vehemently opposed to the *Gesindeordnung*, and maintains that it shackles the landowner into employing too many servants and labourers. He deplors over-regulation, which will bankrupt the landowner and employer.

Kayser II, p. 318; OCLC lists copies in Berlin and Halle only.

Shoplifting in Venice - Police Report

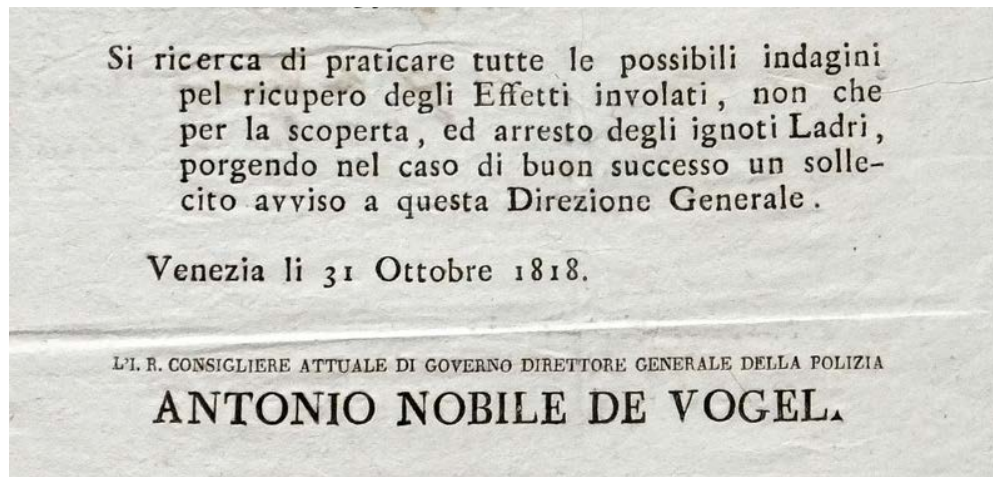
[VENICE - THEFT.] Specifica degli effetti stati rubati per opera di ignoti malfattori, ed a danno di Giacomo Daci regattiere, con bottega nella contrada di S. Basso, marcata al Civico N. 184. la giornata dei 30 prossimo passato. [colophon:] Venice, 31 October, 1818.

£250



4to, pp. [3], [1] blank; lightly browned and discoloured in upper outer corner; uncut and unbound, with mss filing note to last page.

Official order for a police investigation into the theft of a large mirrored walnut showcase from a bric-a-brac shop in Venice, 1818. A full listing of the forty-five different objects stolen is given, amongst them two miniature paintings on vellum (one of the Nativity and the other of David); various coins (identified and not); five pearl necklaces - two in pearl agate, two of 'pearls' in yellow glass, and a necklace of miniature black pearls with matching earrings; in mother-of-pearl, a piece in the shape of an animal; four saints, and an oval of St. George; two gilded crucifixes, and much more, all to the value of around 350 Italian Lire. A fascinating insight into Venetian life and trade.



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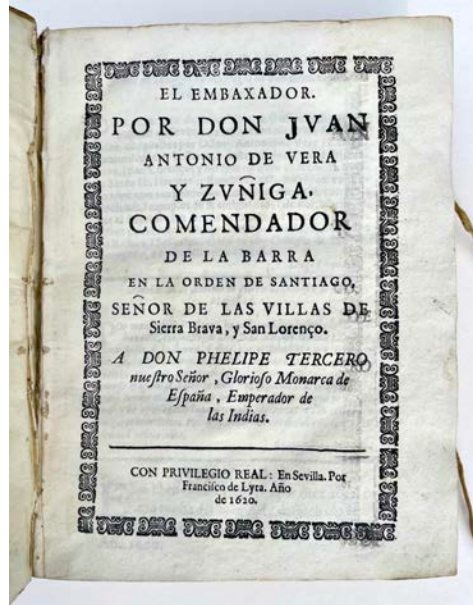
International Diplomacy - the Perfect Ambassador

VERA Y FIGUEROA, Juan Antonio. El Embaxador. por Don Juan Antonio de Verga y Zuniger. Comendador de la Barra en la orden de Santiago, Señor de la Villas de Sierra Brava, y San Lorenzo. A Don Phelipe Tercero nuestro Señor, glorioso Monarca de España, Emperador de la Indias. Seville, Francisco de Lyra, 1620.

£3500

4to, ll. [3], 151; 131, 20; some light foxing to foremargins, else very clean and crisp; contemporary full flexible vellum, ties; spine lettered in ink, with some dilettante decoration; a very good copy.

Second edition (same year as the first edition) very rare, of this remarkable study of diplomacy, a Vade mecum for diplomats. El Embaxador, Antonio de Vera, first Count of La Roca's blueprint of the perfect ambassador, was widely known and used in Europe until at least the beginning of the eighteenth century, and preceded writers such as Wicquefort. De Vera gives general precepts of the profession, but also outlines the ultimate conflict between the honour of the ambassador and the good of the state, or between the welfare of the state and the higher purpose of the welfare of Christendom. In catchy asides he describes the role of the ambassador as 'to hear much, see much, consider everything and believe nothing'. The ideal archetype of the 'perfect ambassador' was expected to have some legal expertise, but his role and personality could not be reduced to that of a jurist. The diplomat transcended the restrictions of a legal education. The perfect ambassador was to bridge the ideal of an international community ruled



by international laws and the 'Realpolitik' of international relations.

During this time the increasing importance of ambassadors or diplomats was recognized in the creation of a new diplomatic office, the 'conducteur des Ambassadeurs', someone to mediate diplomatic protocol and with direct access to the king (see Albert J. Loomie, 'The Conducteur des Ambassadeurs of Seventeenth Century France and Spain', *Revue belge de Philologie et d'Histoire*, Year 1975, 53-2, pp. 333-356.).

De Vera was a diplomat himself, his diplomatic experience spanning the period from 1610 to 1642. In 1610 he was part of the diplomatic service of Gómez Suárez de Figueroa y Córdoba, III. Duke of Feria (extraordinary Ambassador in Paris). After this, he was on a mission for his own embassies to Savoy and Venice, ending in 1642.

There are two editions of *El Embaxador*, both published in 1620. The first one includes an engraved frontispiece, whereas this one has a reset title page. Both are rare, but the present one is apparently the rarer of the two.

Palau 358982; OCLC: Seville, National Library of Chile, National Library of Mexico, see: Peter N. Miller, *Defining the Common Good: Empire, Religion and Philosophy in Eighteenth Century*, 2004, pp. 48ff; see: Tracey A. Sowerby and Joanna Craigwood, *Cultures of Diplomacy and Literary Writing in the Early Modern World*, 2019.

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Wise Consumption Tax

[WINE.] Maximilian III, Kurfürst
Bavaria. General-Mandat wegen des
Wein-Aufschlags de Anno 1749. Munich,
Johann Jacob Vötter, 1749.

£350

Folio, pp. 19, [1] blank; with large armorial
woodcut to title; uncut, folded unbound; title
lightly dust-soiled, else clean and crisp.

First edition of this rare regulation for the
imposition of a special consumption tax on
wine in Bavaria, superseding all earlier
legislation governing import duties etc. This
tax of 2 Gulden, 30 Kreuzer is due irrespective
of the type of wine. It is interesting to note that
foreign wines, such as Champagne, Frontinac,
and 'Monte Pulciano', which are imported in
casks or bottles, are also subject to this tax,
which is due on import.

KVK lists a copy in Munich only, a later
edition was published in 1760.

